



20 April 2022

A meeting of the **WAVERLEY LOCAL PLANNING PANEL** will be held by video conference at:

12.00PM WEDNESDAY, 27 APRIL 2022

QUORUM: Three Panel members.

APOLOGIES: By email to WLPP@waverley.nsw.gov.au

AGENDA

WLPP-2204.A

Apologies

WLPP-2204.DI

Declarations of Interest

The Chair will call for any declarations of interest.

WLPP-2204.1

PAGE 4

14 Glen Street, BONDI NSW 2026 - Amended: Substantial alterations and additions to dwelling house, including first and second floor additions, a front hardstand car space* and a swimming pool in the rear yard. (DA-389/2021)

*The amended DA replaces the front hardstand car space with an integrated two car garage.

Report dated 6 April 2022 from the Development and Building Unit.

Council Recommendation: That the development application be APPROVED in accordance with the conditions contained in the report.

WLPP-2204.2

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1 Hewlett Street, BRONTE NSW 2024 - Alterations and additions to dwelling house including first floor addition and carport (DA-459/2021)

Report dated 12 April 2022 from the Development and Building Unit.

Council Recommendation: That the development application be APPROVED in accordance with the conditions contained in the report.

WLPP-2204.3

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12 Princess Street, ROSE BAY NSW 2029 – Amended: Demolition of existing structures; and construction of a new attached dual occupancy development with basement parking and two swimming pools at rear. (DA-462/2021)

Report dated 12 April 2022 from the Development and Building Unit.

Council Recommendation: That the development application be APPROVED in accordance with the conditions contained in the report.

WLPP-2204.4**PAGE 194**

5 Castlefield Street, BONDI NSW 2026 - Alterations and additions to semi-detached dwelling including first floor addition , plunge pool and conversion of rear shed to studio (DA-520/2021)

Report dated 13 April 2022 from the Development and Building Unit.

Council Recommendation: That the development application be APPROVED in accordance with the conditions contained in the report.

WLPP-2204.5**PAGE 253**

7 Park Parade, BONDI NSW 2026 - Partial demolition of existing dwelling and construction of two semi-detached dwellings each with swimming pools to the rear and Torrens title subdivision into two lots – (DA-35/2022)

Report dated 13 April 2022 from the Development and Building Unit.

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

WLPP-2204.6**PAGE 314**

9A Wonderland Avenue, TAMARAMA NSW 2026 - Alterations and additions to dwelling house including part demolition , excavation , internal reconfiguration and relocation of swimming pool (DA-486/2021)

Report dated 13 April 2022 from the Development and Building Unit.

Council Recommendation: That the development application be APPROVED in accordance with the conditions contained in the report.

WLPP-2204.7**PAGE 370**

51 Mitchell Street, BONDI BEACH NSW 2026 - Alterations and additions to residential flat building, including an upper floor addition comprising two units and internal reconfiguration of existing levels to create a further additional unit, providing a total of seven units (DA-540/2021)

Report dated 14 April 2022 from the Development and Building Unit.

Council Recommendation: That the development application be APPROVED in accordance with the conditions contained in the report.



Report to the Waverley Local Planning Panel

Application number	DA-389/2021
Site address	14 Glen Street, BONDI
Proposal	Amended: Substantial alterations and additions to dwelling house, including first and second floor additions, a front hardstand car space* and a swimming pool in the rear yard. <small>*The amended DA replaces the front hardstand car space with an integrated two car garage.</small>
Date of lodgement	21 September 2021 (Amended on 1 March 2022)
Owner	Mrs L P and Mr L A Stanton
Applicant	Mr L A Stanton
Submissions	Twenty-one (21) unique submissions plus Councillor representation.
Cost of works	\$1,144,000
Principal Issues	<ul style="list-style-type: none"> • Side and rear setbacks; • Overshadowing; and • View sharing.
Recommendation	That the application be APPROVED in accordance with the conditions contained in the report.

SITE MAP



1. PREAMBLE

1.1. Executive Summary

The development application (DA) seeks consent for substantial alterations and additions to the dwelling house at 14 Glen Street, Bondi, including first and second floor additions, a double integrated garage and a swimming pool in the rear yard. This DA has been amended following its deferral, which has resulted in reduction of the overall height and increases of the side setbacks of the proposal.

The principal issues arising from the assessment of the DA are as follows:

- Side and rear setbacks;
- Overshadowing; and
- View sharing.

The assessment finds these issues acceptable on merit and for the specific reasons outlined in this report. A condition of consent is recommended to delete the enclosed void to the rear of the first floor level to minimise bulk and scale and overshadowing impacts upon neighbouring properties.

A grand total of 21 submissions were received in addition to Councillor representation on behalf of one of the included submitters. The issues raised in the submissions have been considered and addressed in this report and in the Recommendation. This is the reason why the DA is referred to the Waverley Local Planning Panel (WLPP) for determination.

The application has been assessed against the relevant matters for consideration under section 4.15(1) of the *Environmental Planning and Assessment Act 1979*. It is recommended for approval subject to conditions of consent.

1.2. Site and Surrounding Locality

A site visit was carried out on 1 November 2021.

The site is identified as Lot 2 in DP 1057506, known as 14 Glen Street, Bondi.

The site is generally rectangular in shape with a frontage to Glen Street, measuring 7.695m. It has an area of 306.5m² and it has a downward slope from its street frontage towards its rear (eastern) boundary by approximately 1.78m.

The site is occupied by a one, part two storey dwelling house with no vehicular access and a single storey outbuilding (i.e. studio) at the rear.

The site is adjoined by:

- a two storey residential flat building (plus undercroft level for car parking at its rear) to the south at 16 Glen Street;

- a two, part three storey dwelling house to the north of the site at 12 Glen Street; and
- a three storey residential flat building to the east at 2-12 Andrews Avenue.

The locality is characterised by a variety of low and medium density residential development.

Figures 1 to 7 are photos of the site and its context.



Figure 1: The subject site and its immediate street block context, as viewed from an uppermost floor level unit of a residential flat building at 13-19 Glen Street, directly west and on the opposite side of Glen Street, looking east



Figure 2: Front of dwelling house, as viewed from the front yard of the site



Figure 3: Surrounding development as viewed from the rear elevated balcony of the existing development on the site, looking east (N.B. site boundaries outlined in dashed red line)



Figure 4: Rear of southern side elevation of the adjoining dwelling house at 12 Glen Street and western side elevation of the adjoining residential flat building at 2-12 Andrews Avenue, looking north-west from rear yard of site



Figure 5: Rear of northern side elevation of adjoining residential flat building at 16 Glen Street, looking south from rear yard of site



Figure 6: Southern side elevation of adjoining dwelling house to the north of the site at 12 Glen Street (left of photo)



Figure 7: Southern side elevation of adjoining dwelling house to the north of the site at 12 Glen Street (right of photo)

1.3. Relevant Development History

A search of Council's records revealed the following recent and relevant development history of the site:

- DA-35/2007 for alterations and additions to a detached house including a carport* in front of the building and extension of the lower ground floor was approved on 8 December 2007.

*Condition 2(a) of the consent did not approve any form of off-street car parking on the site.

1.4. Proposal

The development application (DA), as amended on 1 March 2022, seeks consent for substantial alterations and additions to the dwelling house on the site, specifically the following:

- Construction of first and second floor additions, comprising the following:
 - Three bedrooms, including one ensuite bathroom, rumpus room and separate bathroom on first floor level; and
 - A main bedroom with ensuite and robe on second floor level;
- Extension and reconfiguration of ground floor level, including:
 - Reconstruction of front portion to accommodate an integrated double garage;
 - Extension of rear half to part of the norther side boundary to accommodate an expansive kitchen, living and dining room; and

- New window openings.
- Construction of a swimming pool in the rear yard;
- Paved alfresco area accessed from the ground floor living, dining and kitchen;
- New front fence and part side and rear boundary fences surrounding the swimming pool; and
- Some cut and fill works.

Having regard to the ‘demolition’ planning principle arising from the case of *Coorey v Municipality of Hunters Hill [2013] NSWLEC 1187* in the NSW Land and Environment Court, despite the sheer substantiveness and scope of the proposed alterations and additions to the dwelling house, the proposal is classified as ‘alterations and additions’ rather than a ‘new build’ based on the qualitative and quantitative issues and questions asked in this planning principle that have been implicitly considered and discussed in section 2 of this report.

1.5. Background

The development application was originally lodged on 21 September 2021 and an additional information request was made on 24 September 2021 for the following:

1. A separate diagram measuring gross floor area (GFA) of the proposed development.
2. An amended Statement of Environmental Effects that correctly identifies the applicable floor space ratio (FSR) development standard applying to the site under clause 4.4A of the Waverley Local Environmental Plan 2012, including an advice note that a clause 4.6 written request must be provided if the development were to vary the FSR development standard.
3. A streetscape analysis to demonstrate whether the proposed off-street car parking space and access are appropriate to the site.
4. A cross-section drawing of the development.
5. Amended elevation and section drawings that depict the existing ground level to verify the overall building height measurement of the development.
6. Inclusion of Reduced Levels on the coping of the proposed swimming pool on the architectural plans.
7. Amended plan form shadow diagrams that identify boundaries and building footprint of all affected properties that are expected to be overshadowed by the development.
8. Elevational shadow diagrams showing the overshadowing impact upon the adjoining residential flat building to the south of the site at 16 Glen Street.

Council received amended plans and amended/additional information in relation to the matters raised above on 20 October 2021, including a clause 4.6 written request to vary the FSR development standard. These documents formed part of the initial public exhibition of the DA.

Following its preliminary assessment, the DA was deferred on 21 December 2021 for the following reasons, including request for redesigns to overcome issues:

1. Redesign the development to be fully compliant with the FSR development standard and minimum side setback controls (for the southern side only) and lessen impacts upon the

amenity of neighbouring properties, including overshadowing and view impacts. This item included a request for the applicant to undertake a view analysis.

2. Delete the hardstand car space and integrate off-street car parking within the footprint and envelope of the dwelling house so that it does not protrude forward of the front building line.
3. Ambiguity over a rear first floor balcony on the plans and an advice note for any such balcony to fully comply with the maximum size controls for balconies and decks.
4. Redesign the swimming pool to be fully in-ground with its coping level aligning with existing ground level as much as possible.
5. Reduce height of front fence to be more compatible with the streetscape context of the site.
6. Delete fireplace and replace with a non-solid fuel heating facility.
7. Request for a cost summary report prepared by a registered quantity surveyor.

The applicant attempted to submit amended plans and additional information in response to the deferral matters raised above on 9 February 2022, however, these were not accepted as they did not adequately satisfy the deferral matters for the following brief reasons (as relayed to the applicant by email from Council's Assessment Officer on 11 February 2022):

1. The GFA of the amended form of the development was not accurately calculated.
2. The view analysis was lacking and required greater information and analysis. Further, the amended form of the development did not adequately demonstrate that it had been skilfully designed to reasonably retain or share views enjoyed by neighbouring properties, noting the development retained generous floor to ceiling heights on the lower ground floor level.
3. Retention of the expansive rear void area on first floor level and continued non-compliance with the side setback controls for the southern side of the development.

Council received amended plans on 1 March 2022 in response to the overall deferral letter dated 21 December 2021 and the email advice from Council's Assessment Officer on 11 February 2022.

The amendments made to the plans and scope of the proposed development, in its original form when the DA was lodged on 21 September 2021, are summarised as follows:

- Reduction of the overall building height of the development from RL75.30 to RL74.50, representing a net reduction of 0.8m.
- Reduction of GFA to be fully compliant with the FSR development standard by the following means:
 - Deletion of front hardstand car space and provision of an integrated double garage, which also resulted in a reduction of the northern side setback of the front portion of the ground floor level of the development;
 - Introduction of a small central garden on the southern side of the ground floor level, as well as setting back on new works by a minimum of 0.9m from the southern side boundary of the site;
 - Setting back the first floor level by a minimum of 0.9m from the southern side boundary of the site;
 - Expanding the void on first floor level;
 - Reconfiguration of pedestrian entry, including deletion of blade/fin northern side wall;

- Minor reduction of the second floor level, including repositioning it further eastward by reducing its original rear (eastern) setback from 16.01m to 13.63m.
- Reduction of the extensive roof overhang and flanking privacy screen (these were confused for a rear balcony in the preliminary assessment and the applicant has confirmed this element is not a balcony).
- Deletion of fireplace on ground floor level and replacement with a gas heater.
- Changes to and introduction of additional window openings across the northern and southern side elevations of the development.
- Redesigned swimming pool to be fully inground and slightly larger in size/area.
- Redesigned front fence such that it is no higher than the front fence of the neighbouring property to the north of the site.

The applicant also submitted a view analysis document and amended cost summary report, noting a greater cost of works declaration than originally declared. Given that the amended form of the proposed development fully complies with the FSR development standard, the clause 4.6 written request is no longer required for Council to assess and for the WLPP to determine this DA.

Despite the amended form of the development lessening impacts, the introduction of the garage, repositioning of the second floor level (i.e. reduction of its rear setback), enlargement of the swimming pool and additional window openings, together with the view analysis document, triggered the requirement for the DA to be publicly renotified. Refer to section 2.4 of this report on the issues raised in public submissions received during the two public notification periods in relation to this DA.

The documents received by Council on 1 March 2022 form the basis for the assessment of this DA.

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. State Environmental Planning Policies (SEPPs)

The following SEPPs apply and have been considered acceptable in the assessment of this development application:

- SEPP (Building Sustainability Index – BASIX) 2004.
- SEPP (Resilience and Hazards) 2021
- SEPP (Biodiversity and Conservation) 2021.

2.1.2. Draft Waverley Local Environmental Plan 2022 (Draft Waverley LEP 2022)

It is acknowledged that the Draft Waverley Local Environmental Plan 2022 was on exhibition from 12 November 2021 to 23 January 2022, however at the time of this assessment, there are no relevant matters for consideration.

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
Part 1 Preliminary		
1.2 Aims of plan	Yes	Satisfactory.
Part 2 Permitted or prohibited development		
Land Use Table R3 Medium Density Residential Zone	Yes	The proposal is defined as alterations and additions to a 'dwelling house', which is permitted with consent in the R3 zone. It is consistent with the relevant zone objectives.
Part 4 Principal development standards		
4.3 Height of buildings <ul style="list-style-type: none"> 12.5m 	Yes	The overall building height of the development is defined by its roof level of RL74.50, which measures 10.06m directly above existing ground level of RL64.42
4.4 Floor space ratio and 4.4A Exceptions to floor space ratio <ul style="list-style-type: none"> Site Area = 306.5m² 0.768:1 Max GFA = 235.39m² 	Yes	The proposal increases the overall gross floor area of the dwelling house to 235m ² , which achieves a floor space ratio (FSR) of 0.767:1.
Part 6 Additional local provisions		
6.1 Acid sulfate soils <ul style="list-style-type: none"> Class 5 	Yes	The site contains Class 5 acid sulfate soils, however, the proposed works are not expected to disturb, expose or drain acid sulfate soils or cause environmental damage given that the proposed development will not involve excavation below the Australian Height Datum and is not adjacent to other classes of acid sulfate soils. Therefore, an acid sulfate soils management plan is not required.
6.2 Earthworks	Yes	Standard conditions of consent are recommended to ensure that the cut and fill works prevent and minimise disturbance to neighbouring properties and the public domain.

2.1.4. Waverley Development Control Plan 2012 (Waverley DCP 2012) – Amendment No.9

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 (by condition)	The plans do not detail where bins will be stored and the Site Waste and Recycling Management Plan states “waste facilities are located in the front of the site”. The objectives and controls in this part of the DCP aim to avoid the unsightliness of bins being stored in the front of either residential or commercial properties. Therefore, a condition of consent is recommended for the plans to nominate a bin storage area behind the front building line.
2. Ecologically Sustainable Development	Yes	Satisfactory.
3. Landscaping and Biodiversity	Yes	Satisfactory.
5. Vegetation Preservation	Yes (by condition)	Refer to section 3 of this report on referral commentary in relation to tree management.
6. Stormwater	Yes (by condition)	Refer to section 3 of this report on referral commentary in relation to stormwater.
8. Transport Minimum parking rate: • Nil Maximum parking rate: • 2 spaces for 3 or more bedrooms.	Yes	The proposal provides for two car spaces in the form of an integrated double garage in the reconstructed front part of the ground floor level of the dwelling house. Its design and location are satisfactory. Refer to the relevant parts of Table 3 of this report on assessment and discussion of the location and design of the garage.
10. Safety	Yes	Satisfactory.
12. Design Excellence	Yes	Satisfactory. The proposal has been designed by a registered architect and is contemporary, which is compatible to the existing and emerging streetscape character.
14. Excavation	Partial compliance	Satisfactory. Minor cut and fill are proposed within 900mm of each side boundary. Conditions of consent are recommended to ensure these works do not unduly affect neighbouring properties.
16. Public Domain	Yes	Satisfactory. There are no public views of the Ocean from footpaths and surrounding public domain areas over and across the subject site.

Table 3: Waverley DCP 2012 – Part C2 Low Density Residential Development Compliance Table

Development Control	Compliance	Comment
2.0 General Objectives		
	Yes	The proposal does not contravene the general objectives of this part of the DCP.
2.1 Height		
Pitched roof dwelling house • On merit for >9.5m in overall building height	N/A	The proposal utilises a flat roof form.
Flat roof dwelling house • On merit > 9.5m in overall building height	Yes	The proposed first and second floor levels are generally stepped in from building alignments of floor levels below, which lessens the measurement of the overall external wall height of the development and achieves the intent of the wall height controls in modulating and articulating perceived building height, bulk and scale, as well as moderating privacy and overshadowing impacts. Notwithstanding, the overall external wall height is determined by the top of the rear section of the southern wall of the first floor level at RL71.50, which measures 7.08m. This measurement is lower than the maximum wall height control of 7.5m for flat roof dwellings. Further, the external wall heights of the proposal are not dissimilar to those of comparable dwelling houses that surround the site to the north. The proposed wall height is acceptable on merit as it is consistent with the relevant objectives in section 2.1 of this Part of the DCP.
2.2 Setbacks		
2.2.1 Front and rear building lines • Predominant front building line • Predominant rear building line at each floor level	Yes See discussion	<ul style="list-style-type: none"> • The proposal slightly extends forward of the front building line of the existing dwelling on the site; however, it is alignment with the front building lines of buildings on either side of the site. The proposed first and second floor levels are set back further from the ground floor front building setback of the subject dwelling and the buildings on either side of the site. • See discussion below this table on rear building setbacks.
2.2.2 Side setbacks • Minimum of 0.9m (for height up to 8.5m) and 1.5m (up to 12.5m)* <small>*setback controls vary depending on floor levels for alterations and additions. Only the relevant</small>	Partial compliance	<ul style="list-style-type: none"> • The proposal is set back from the northern side boundary: <ul style="list-style-type: none"> ○ between nil and 1.815m on ground floor level; ○ between 0.915m and 1.965m on first floor level; and ○ by 1.515m on second floor level.

Development Control	Compliance	Comment
minimum setback control applies to new dwellings for all floor levels		<ul style="list-style-type: none"> The proposal is set back from the southern side boundary: <ul style="list-style-type: none"> between 0.278m (this is existing) and 1.2m on ground floor level; between 0.903m and 1.5m on first floor level; and by 1.503m on second floor level. <p>The non-compliances with the side setback controls are discussed below this table.</p>
2.3 Streetscape and visual impact		
<ul style="list-style-type: none"> New development to be compatible with streetscape context Replacement windows to complement the style and proportions of existing dwelling Significant landscaping to be maintained. 	Yes	The proposal involves substantial alterations and additions which will transform the original appearance of the dwelling to a strong contemporary design, which is consistent with comparable contemporary-styled dwellings to the north of the site. The uppermost floor level of the development is recessive and ensures the development is compatible with the existing and desired future character of the immediate streetscape.
2.4 Fences		
<p><i>Front:</i></p> <ul style="list-style-type: none"> Maximum height of 1.2m Solid section no more than 0.6m high <p><i>Side and Rear:</i></p> <ul style="list-style-type: none"> Maximum height of 1.8m 	<p>No (acceptable on merit)</p> <p>Yes</p>	<ul style="list-style-type: none"> The proposed front fence has an overall height of 1.7m, however, it does not extend higher than the top of the front fence of the neighbouring property to the north of the site. Further, the pedestrian and vehicular gates will comprise timber to modulate the appearance of the fence and soften its solid proportions. The front fence is considered acceptable. The height of the proposed side and rear fences are indicated on the elevation drawings and are shown to not exceed greater than 1.8m above existing ground level as measured on the boundaries. A condition of consent is recommended to ensure that the floor plans identify these new fences and specify that the height of these will not exceed 1.8m above existing ground level as measured on the boundaries.
2.5 Visual and acoustic privacy		
<ul style="list-style-type: none"> Habitable windows are not to directly face habitable windows or open space of neighbouring dwellings unless direct views are screened or other appropriate measures 	Yes	<p><u>Ground floor level windows</u></p> <ul style="list-style-type: none"> Sightlines through south-facing window serving the kitchen and dining room (denoted as 'W03' on the plans) to the adjoining property to the south of the site will be inhibited by boundary fencing and therefore unlikely to cause undue privacy impacts.

Development Control	Compliance	Comment
<p>are incorporated into the design.</p> <p>• Maximum size of balconies: 10m² in area 1.5m deep</p>	Yes	<ul style="list-style-type: none"> All other ground floor windows either face blank walls of adjoining dwellings or result in inconsequential privacy impacts. <p><u>First floor level windows</u></p> <ul style="list-style-type: none"> The south-facing window openings are highlight as the sill heights of these openings are 1.9m above first floor finished level. These are unlikely to overlook the adjoining property to the south of the site. The north-facing windows generally serve bedrooms, bathrooms and a rumpus room, which are passive and low use rooms compared with active living rooms. Further, these window openings comprise operable (sliding) screens that would assist to mitigate any overlooking of the adjoining property to the north of the site. The east-facing windows are obscured by an expansive covered void structure to the rear of the proposal, which is enclosed by operable screens on all its external sides. See detailed discussion about this enclosed void structure below this table. <p><u>Second floor level windows</u></p> <ul style="list-style-type: none"> The south-facing windows (denoted as 'W22' and 'W23') are highlight windows and are unlikely to overlook the adjoining property to the south of the site. The north-facing windows (denoted as 'W19' and 'W20') serve the main bedroom and the top landing of the stairwell. They also have a sill height of 1.2m above finished second floor level. Therefore, these window openings are unlikely to overlook the adjoining property to the north of the site. The east-facing windows (denoted as 'W21') serves the main bedroom and has operable screens affixed to it. Therefore, this window is not expected to overly overlook the adjoining property to the east of the site. The front first floor balcony has an area of 4.2m² and a depth of 0.9m. 0
2.6 Solar access		
<p>• Minimum of three hours of sunlight to living areas and principal open space areas on 21 June</p>	No (acceptable on merit)	<ul style="list-style-type: none"> The subject site is constrained as it has an east-west orientation and is flanked by two and three storey buildings, therefore, the minimum amount and duration of sunlight received to the site during mid-winter are

Development Control	Compliance	Comment
<ul style="list-style-type: none"> Minimum of three hours of sunlight maintained to at least 50% of principal open space areas of adjoining properties on 21 June. Avoid unreasonable overshadowing of solar collectors (including habitable windows). 	See discussion	<p>limited. Despite the proposal not meeting these minimum requirements, it has utilised skylights and generous floor to ceiling heights to maximum daylight for the living room on ground floor level. Further, more than 50% of the rear yard of the site will receive sunlight at 12pm in mid-winter. The subject dwelling is therefore expected to receive sufficient sunlight and daylight in mid-winter</p> <ul style="list-style-type: none"> See discussion below on overshadowing impacts on adjoining properties.
2.7 Views		
<ul style="list-style-type: none"> Development to be designed and sited so as to enable a sharing of views with surrounding dwellings particularly from habitable rooms and decks. 	See discussion	See discussion below this table.
2.8 Car parking		
<p>2.8.1 Design Approach</p> <ul style="list-style-type: none"> Parking only allowed where site conditions permit Designed to complement the building and streetscape Car parking structures to be behind the front building line Driveways are to be located to minimise the loss of on street parking Parking to be provided from secondary streets or lanes where possible. 	Yes	Satisfactory. Off-street car parking is a consistent characteristic of Glen Street and the proposed car parking in the amended form of the development is integrated and behind the front building line.
2.8.2 Parking rates	Yes	Parking rates are set by Part B8 of Waverley DCP 2012.
<p>2.8.3 Location</p> <ul style="list-style-type: none"> Behind front building line for new dwellings 	Yes	The proposed car parking is behind the front building line of the dwelling house.

Development Control	Compliance	Comment
<ul style="list-style-type: none"> Existing development to be in accordance with the hierarchy of preferred car parking locations 		
2.8.4 Design <ul style="list-style-type: none"> Complement the style, massing and detail of the dwelling Secondary in area and appearance to the design of the residences No part of the façade is to be demolished to accommodate car parking Gates to have an open design 	Yes	The garage is neatly integrated and comprises a timber panel lift door that is complementary to the materials and finishes of the overall development. The garage will also appear secondary in area and appearance of the design of the development. The vehicular gates will have a light-weight appearance.
2.8.5 Dimensions <ul style="list-style-type: none"> 5.4m x 2.4m per vehicle 	Yes	The internal dimensions of the garage (i.e. 5m by 5.8m) are sufficient to accommodate two off-street car parking spaces.
2.8.6 Driveways <ul style="list-style-type: none"> Maximum of one per property Maximum width of 3m at the gutter (excluding splay) Crossings not permitted where 2 on street spaces are lost 	Yes	The driveway width is indicated on the plan on 3m. The proposal will result in a net loss of one on-street car parking spaces, which complies with the maximum loss of on-street car parking spaces control.
2.9 Landscaping and open space		
<ul style="list-style-type: none"> Overall open space: 40% of site area Overall landscaped area: 15% of site area Minimum area of 25m² for private open space Front open space: 50% of front building setback area Front landscaped area: 50% of front open space provided 	Yes Yes Yes Yes No (acceptable on merit)	<ul style="list-style-type: none"> Overall open space area: 156.1m² (49% of site area). Overall landscaped area: 55.9sqm (18.2% of site area). The proposal includes more than 25m² of private open space. Front open space area: 29.2m² (100% of front building setback area). Front landscaped area: 10.1m² (35% of front open space area). Despite the non-compliance, the driveway and pathway are comprised of sleepers or steps rather than fully paved or concrete surfaces. Further, the overall landscaped area is sufficient and will achieve the overall objectives of the landscaping and open space controls.
<ul style="list-style-type: none"> Outdoor clothes drying area to be provided 	Yes	<ul style="list-style-type: none"> The rear yard provides sufficient space to provide for an outdoor clothes drying area.

Development Control	Compliance	Comment
2.10 Swimming pools and spa pools		
<ul style="list-style-type: none"> • Located in the rear of property • Pool decks on side boundaries must consider visual privacy 	Yes	<p>The swimming pool is in the rear yard. It has been redesigned to be generally flush with existing ground level with a marginal difference between coping level of the pool and existing ground level at this part of the site of 0.04m. Swimming pools are accepted ancillary elements of domestic or low-density residential development. The pool is positioned in the expected and accepted location of the site, being in the rear, and will be screened by boundary fencing together with landscaping. Therefore, the pool will retain the visual and acoustic privacy of adjoining properties and will not adversely impact upon these properties. Conditions of consent are recommended to ensure the swimming pool operates in accordance with relevant regulatory requirements, including the use of the pool equipment.</p>

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

Setbacks

The proposed side setbacks of the proposal, for the most part, comply with the minimum side setback controls that apply to alterations and additions to dwelling houses where the overall building height is up to 12.5m. Despite the proposal involving substantial alterations and additions to the dwelling houses, for the purposes of applying the side setback controls, the minimum side setback controls are applied based on the respective floor levels of the proposal as it is classified as alterations and additions rather than a full new build based on the 'demolition' planning principle of the NSW Land and Environment Court. Therefore, a minimum side setback control of 0.9m applies to the ground and first floor levels and a minimum side setback control of 1.5m applies to the first floor level.

The new elements or works of the proposal fully comply with these minimum side setback controls, as outlined in **Table 3** of this report, except for the part nil northern side setback of the ground floor level. This nil setback is inconsequential as there are no operable window openings across the same or comparable floor level of the southern elevation of the adjoining dwelling house to the north of the site at 12 Glen Street other than obscure glass blocks (as seen in the photos in **Figures 6** and **7** of this report). The adjoining dwelling house has a very lean southern side setbacks, particularly across its lower ground and ground floor levels, which may explain the utilisation of glass blocks at these parts of this adjoining dwelling house. Given these circumstances, it is not a reasonable expectation to preserve daylight or sunlight access to glass blocks on walls that have lean or nil setbacks.

As the proposal is for alterations and additions to the dwelling house, it has partially retained the lean southern side setbacks of the ground and lower ground floor levels of the existing dwelling house, which are setback less than 0.9m from the southern side boundary of the site. Given this is an existing situation, the side setbacks of the existing walls are considered acceptable and the retention of these walls will not result in greater or additional impacts upon the adjoining property to the south of the site, particularly as all new works will be fully compliant with the relevant minimum side setback controls under section 2.2 of Part C2 of Waverley DCP 2012. A condition of consent is recommended to require structural certification of these retained existing walls to ensure that they remain and are integrated cohesively with the new works.

In terms of the rear building setbacks of the proposal, as shown in the aerial photo of adjoining and surrounding buildings on either side of the site in the Site Map of the cover page of this report, they are generally consistent with the predominant rear building line on each floor level, except for the first floor level. The expansive enclosed void (flacked by screens on all external sides) to the rear of the first floor level does extend past the rear building line of the adjoining dwelling house to the north of the site as well as those of surrounding buildings further north. Despite this enclosed void not extending past the rear building line of the adjoining residential flat building to the south of the site, it will appear somewhat inconsistent with the pattern of rear building lines of surrounding comparable buildings (i.e. dwelling houses) to the north of the site. While the proposal fully complies with the height of buildings and FSR development standard, the enclosed rear void unnecessarily and unreasonably elongates the perceived bulk and scale of the first floor level of the proposal, which is contrary to the intention of control (b) under section 2.2.1 of Part C2 of Waverley DCP 2012 in terms of minimising bulk and scale impacts and providing visual relief for open space and living areas at adjacent properties, such as those to the south of the site at 16 Glen Street and to the east of the site at 2-12 Andrews Avenue. In this regard, the rear enclosed void is not supported and is recommended to be deleted by condition of consent. Refer to further discussion of the overshadowing impacts of the rear enclosed void just below this subsection of the report.

Overshadowing

The shadow diagrams in plan and elevation or isometric form indicate that most overshadowing impacts caused by the proposal will be experienced by the adjoining residential flat building to the south of the site at 16 Glen Street between 9am and 3pm on 21 June or mid-winter, particularly the north-facing windows of this residential flat building. The proposal will also increase overshadowing of the front building setback area of the adjoining property to the east of the site at 2-12 Andrews Avenue at 3pm in mid-winter, however, will not overshadow any west-facing habitable windows of the residential flat building at this adjoining property.

Controls (a) and (b) in section 2.6 of Part C2 of Waverley DCP 2012 aim to provide for and protect sunlight to living areas and principal private open space areas for either subject dwelling or neighbouring dwellings for at least 50% of their respective areas for a minimum of three hours during mid-winter. Despite these controls, the east-west orientation of the site and its relationship with adjoining property at 16 Glen Street, being due south of the subject site, are inherent contributing factors to the extent of

the additional overshadowing impacts arising from the proposal upon this adjoining property. Further, a review of available architectural plans of the residential flat building at 16 Glen Street reveal that windows serving living rooms of the units in this building are generally orientated to the south with the rear (east-facing) balconies being accessed from bedrooms of rear units of this building. Further, the review revealed that north facing windows generally serve bathrooms, kitchens and bedrooms of units in this adjoining residential flat building. Therefore, despite the proposal affecting several north-facing window openings of the adjoining residential flat building, it does not perform poorly against controls (a) and (b) under section 2.6 of Part C2 of Waverley DCP 2012, particularly as the proposal retains sunlight to the rear (east-facing) balconies of the adjoining residential flat building at 9am and 12pm in mid-winter (i.e. greater than three hours), which are considered the principal open space areas for the rear (or eastern) units of this building.

Any additional overshadowing impact upon this adjoining property is a reasonable expectation and outcome of a building envelope that is compliant with principal built form development standards and controls, such as height of buildings and FSR development standards under Waverley LEP 2012 and maximum external wall height control and minimum setback, open space and landscaped area controls under Waverley DCP 2012. The proposal (as amended) complies with all these development standards and controls, except as discussed in the 'Setbacks' subsection of this report, the enclosed void area at the rear of the first floor level unreasonably elongates the rear building alignment, bulk and scale of the proposal. The isometric shadow diagrams demonstrates that this aspect of the proposal will notably contribute to the extent of the additional overshadowing impacts upon the adjoining residential flat building to the south of the site, particularly as it directly overshadows the two easternmost north-facing ground floor windows of this building between 9am and 12pm in mid-winter. Despite these windows being notated as bathroom windows in the isometric shadow diagrams, this outcome is contrary to control (e) under section 2.6 of Part C2 of Waverley DCP 2012, which seeks to avoid unreasonable overshadowing of solar collectors (i.e. windows) on nearby properties.

Given its unreasonable additional overshadowing impact, the enclosed void area at the rear of the proposal is recommended to be deleted by a condition of consent. The condition will specify that the operable screen along the north-facing can be relocated so that it is affixed to the east-facing first floor bedroom (denoted as 'W15'). This will assist to protect the visual privacy of both the occupants of the subject dwelling and those of neighbouring properties. The condition will also allow for a roof overhang that can project no more than 1.2m from the rear (eastern) alignment of the first floor level (similar to that on the second floor level of the proposal) and being no higher than the roof level above first floor level of RL71.50.

Views

Submissions received from the following properties claimed that the proposal will affect views enjoyed by these properties:

- Unit 7/13-19 Glen Street;
- Unit 8/13-19 Glen Street;
- Unit 4/16 Glen Street;

- Unit 5/16 Glen Street; and
- Unit 6/16 Glen Street.

These properties are hereafter known as ‘affected’ properties. The DA was lodged and notified during the latter part of the protracted lockdown in Greater Sydney due to the COVID-19 Pandemic, and therefore, Council’s Assessment Officer was not able to individually inspect all affected properties, except for Units 7 and 8 of 13-19 Glen Street, which are directly opposite the site and on the western side of Glen Street. The Assessment Officer determined that these inspections were necessary following the conclusion of the lockdown as these affected properties have water views.

The submitter from Unit 6/16 Glen Street provided photos in their submission, which has been included in this report. The submitters from Units 4 and 5 of 16 Glen Street did not provide photos in their respective submissions, however, described their views comprising of treetops, the local district and the sky. As explained later in this subsection of the report, this description confirms that these units do not enjoy a view, but rather, an outlook or district views.

Photos taken by Council’s Assessment Officer were relied upon when the DA was deferred and were provided to the applicant when they prepared their view analyses, and subsequently, the design of the proposal.

An assessment of the view loss caused by the proposed development has been undertaken in accordance with the four steps applied in the NSW Land and Environment Court planning principle on view sharing arising from the case of *Tenancy Consulting vs. Warringah [2004] LEC 140*. The assessment is set out on below.

1. Identify the views to be affected.

Figures 8-14 include photos taken by either submitters or Council’s Assessment Planner, which show the composition and extent of views available over the front (western) boundary of the subject site and the front (eastern) boundary of the affected residential flat building at 13-19 Glen Street. The photos also show views enjoyed across the side (southern) boundary of the site that is shared with the adjoining property to the south of the site at 16 Glen Street and is also a side boundary of this adjoining property.

Unit 7/13-19 Glen Street (located on the uppermost floor level of this residential flat building)



Figure 8: Standing view, looking east on balcony accessed from living room of 7/13-19 Glen Street (taken by Council's Assessment Officer)



Figure 9: Standing view, looking east from living room of 7/13-19 Glen Street (taken by Council's Assessment Officer)

Unit 8/13-19 Glen Street (located on the uppermost floor level of this residential flat building)



Figure 10: Standing view, looking east on balcony accessed from living room of 8/13-19 Glen Street (taken by Council's Assessment Officer)



Figure 11: Standing view, looking east from living room of 8/13-19 Glen Street (taken by Council's Assessment Officer)



Figure 12: Standing view, looking east through bedroom window of 8/13-19 Glen Street (taken by Council's Assessment Officer)

Unit 6/16 Glen Street (located on first floor level of this residential flat building)



Figure 13: Looking north through bathroom window of 6/16 Glen Street (taken by the Submitter)



Figure 14: Looking south-east through kitchen window of 6/16 Glen Street (taken by the Submitter)

As shown in the photos, Units 7 and 8 of 16 Glen Street enjoy generally 'partial' water views that also include views of the horizon while Unit 6 does not enjoy these views, but rather, enjoys an outlook to treetops and the sky. As stated in the view sharing planning principle:

"...water views are valued more highly than land views."

In this regard, Unit 6 (as well as Unit 5) of 16 Glen Street are not considered to enjoy views that are considered worthy of retention or protection as per the view sharing planning principle. These properties will not be assessed further in this subsection of the report.

2. *Consider from what part of the property the views are obtained.*

The captions of **Figures 8-14** describe what part of the affected properties the views are enjoyed from and whether they are from sitting or standing positions, if known. Most are standing views from living rooms or balconies.

The views are enjoyed over the front or street boundary of the affected properties at 13-19 Glen Street and over the front or street boundary as well as across the southern side and eastern rear boundaries of the subject site.

The view sharing planning principle states the following in relation to where views are obtained:

“...the protection of views across side boundaries is more difficult than the protection of views from front and rear boundaries... The expectation to retain side views and sitting views is often unrealistic.”

While the view sharing planning principle establishes a clear position on the difficulty of retaining side views, views enjoyed by the affected properties at 13-19 Glen Street are only available across their front or street boundary. When the DA was deferred, the applicant was encouraged to lessen view impacts and encourage view sharing by fully complying with principal development standards under Waverley LEP 2012, such as FSR, and reducing the overall building height of the proposal. The applicant, through submission of amended plans, has adequately demonstrated that they have considered a skilful design approach while not compromising the overall design and architecture of the proposal, and in turn, the amenity for future occupants of the subject development. Further discussion on the reasonableness of the view loss impact and the proposal is provided later in this subsection of this report.

3. *Assess the extent of the impact.*

The view loss impact has been modelled by the applicant through the photomontage analyses to indicate the impact on views caused by the proposal (shown in a red overlay in these photomontages). **Figures 15 and 16** include extracts of the photomontage analyses in the applicant's view analyses.

Unit 7/13-19 Glen Street



Figure 15: View impact upon east-facing balcony of Unit 7/13-19 Glen Street at a standing position
(Source: Chapman Architecture)

Unit 8/13-19 Glen Street



Figure 16: View impact upon east-facing balcony of Unit 8/13-19 Glen Street at a standing position
(Source: Chapman Architecture)

As shown in **Figures 15-16**, the proposal (as amended) will result in minor and moderate impacts on views enjoyed by both Units 7 and 8 of 13-19 Glen Street. Both these units will retain views of the horizon from a standing position on their respective balconies, which is considered an important feature of the overall composition of views enjoyed by these units. While the applicant has not modelled view impacts at sitting positions, views at sitting positions on the balcony or inside the living rooms would be obscured greater than at standing positions. As noted by the view sharing planning principle:

“Sitting views are more difficult to protect than standing views.”

Given that the proposal results in minor and moderate impacts on views obtained at standing positions for either unit, the greater impact on sitting views is deemed reasonable.

4. Assess the reasonableness of the proposal that is causing the impact.

The following sentences from the view sharing planning principle are relevant to the assessment of the reasonableness of the view impact caused by the proposed development:

“A development that complies with all planning controls would be considered more reasonable than one that breaches them....With a complying proposal, the question should be asked whether a more skilful design could provide the applicant with the same development potential and amenity and reduce the impact on the views of neighbours. If the answer to that question is no, then the view impact of a complying development would probably be considered acceptable and the view sharing reasonable.”

The proposal fully complies with height of buildings development standard and setbacks (as they relate to view sharing), open space and landscaped area controls. The amended form of the proposal now complies with FSR development standard. It is therefore considered a ‘complying proposal’ with respect to the view sharing planning principle, and a skilful design given that the amended form of the development (reflected in the amended plans received by Council on 1 March 2022) has reduced the overall height by 0.8m compared to the original form of the proposal (reflected in the originally notified plans received by Council on 19 October 2021). These amendments have proven to be successful in resulting in reasonable view sharing for the affected properties at 13-19 Glen Street, while maintaining the same development potential and amenity afforded to the subject site. More importantly, given the amended form of the development is fully compliant with principal built form development standards and controls, the view impact caused by the development is deemed reasonable, and can be accepted.

It is important to note that, if the site were to be redeveloped to accommodate a residential flat building, such a building can be built to a maximum building height of 12.5m as per the height of buildings development standard applying to the subject site. If this were to occur and subject to the particulars and circumstances of such a hypothetical development, the view loss impact would be greater than that of the subject proposal.

2.2. Other Impacts of the Development

The proposal is considered to 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 suitable for the proposal.

2.4. Any Submissions

The application was initially notified for 14 days between 26 October and 9 November 2021 in accordance with the *Waverley Community Development Participation and Consultation Plan*. Following

receipt of amended plans and additional information, the application was re-notified for 14 days between 4 and 24 March 2022.

A total of 14 unique submissions were received during the initial notification from properties in Bondi that are identified in Table 4 of this report.

Table 4: Number of and where submissions were received from during the initial notification period

Count	Property Address
1.	1/16 Glen Street
2.	2/16 Glen Street
3.	3/16 Glen Street
4.	4/16 Glen Street (owner)
5.	4/16 Glen Street (tenant)
6.	5/16 Glen Street
7.	6/16 Glen Street
8.	6/16 Glen Street* * A supplementary submission which is unique in substance and text compared with previous submission
9.	1/2-12 Andrews Avenue
10.	Non-identified unit number/2-12 Andrews Avenue
11.	2,4 8/2-12 Andrews Avenue* * Individual submissions from and on behalf of these three properties are from the same owner who owns all three units with all submissions being the same in substance and text. Therefore, these submissions count as one unique submission.
12.	7/2-12 Andrews Avenue
13.	7/13-19 Glen Street
14.	8/13-19 Glen Street

A total of seven unique submissions were received during the renotification period (following receipt of amended plans) from properties in Bondi that are identified in **Table 5** of this report.

Table 5: Number of and where submissions were received from during the renotification period

Count	Property Address
15.	1/16 Glen Street
16.	2/16 Glen Street
17.	3/16 Glen Street
18.	4/16 Glen Street
19.	5/16 Glen Street
20.	6/16 Glen Street
21.	8/13-19 Glen Street* *this submission is also made on behalf of another property, however, is treated as one unique submission

As shown in the count column of **Tables 4** and **5** of this report, the DA attracted a grand total of 21 unique submissions.

Further to the above, representation was made from a Councillor on behalf of a submitter to Council's Acting Executive Manager, Development Assessment, specifically relating to how the overshadowing impacts of this DA were to be assessed. This representation is noted and the issues raised, particularly

in relation to overshadowing impacts of the proposal upon the adjoining residential flat building to the south of the site at 16 Glen Street have been discussed comprehensively in the body of this report. The following other issues raised in the submissions have already been discussed and addressed in the body of this report and/or the Recommendation:

- FSR;
- Wall height;
- Side and rear boundary fences;
- Side and rear setbacks;
- Visual and acoustic privacy;
- Landscaping and open space;
- View loss;
- Loss of on-street car parking space on Glen Street; and
- Impacts of swimming pool.

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

Issue: *The suspended privacy screen structure of the rear of the first floor level (referred to as the 'enclosed void area at the rear of first floor level' elsewhere in this report) can readily be infilled and increase the GFA and FSR of the proposal.*

Response: Noted. While this issue is pre-emptive and the assessment of the plans is required to be based on face-value, this structure is not supported as it results in unreasonable bulk and scale and overshadowing impacts upon neighbouring properties. It is recommended to be deleted by condition of consent.

Issue: *The DA should be described and assessed as a new build rather than alterations and additions as less than 50% of the existing dwelling is being retained.*

Response: Disagreed. The proposal is classified as alterations and additions based on the qualitative and quantitative issues and questions raised in the demolition planning principle of the NSW Land and Environment Court.

Issue: *Construction matters, including excavation and demolition impacts upon neighbouring properties.*

Response: Conditions of consent are recommended to ensure that these impacts are minimised to neighbouring properties, including requirement for dilapidation reports and safeguarding neighbouring properties during excavation and demolition processes of construction. A condition of consent is recommended to restrict days and times for construction to occur.

Issue: *The swimming pool will be built on a sewer main managed by Sydney Water.*

Response: Noted. This is not a reason to refuse consent to the swimming pool as, should this DA be approved, the onus is on the applicant to liaise with Sydney Water about the effect of the sewer main on the constructability of the swimming pool.

Issue: *The originally declared cost of works for the proposal was underestimated.*

Response: Agreed. The applicant was asked to provide a quantity surveyor's report to declare the true cost of works for the proposal, which resulted in a revised cost of works to \$1,144,000. A condition of consent is recommended to require the applicant to pay an additional DA fee prior to the issue of a construction certificate for the difference in fee based on the revised cost of works.

Issue: *Adequacy of shadow diagrams.*

Response: The shadow diagrams in plan and elevational or isometric form are considered adequate and reliable for the assessment of overshadowing impacts of the proposal.

Issue: *Noise impacts of the use of Venetian blinds and screens.*

Response: Noted. Given these screens are associated with domestic and low-density residential development, the operational noise of the screens are not expected to be adverse. Further, the operational noise would be subject to relevant regulatory requirements under *the Protection of the Environmental Operations (Noise Control) Regulation 2017*.

Issue: *Leaf littering, casual links to mould and allergies and overshadowing impacts of the proposed permitter landscaping onto neighbouring properties*

Response: Noted. These issues are not reasonable grounds to delete landscaping along the eastern perimeter of the site as landscaping is anticipated at the rear section of the site in Waverley DCP 2012.

Issues:

- *The subject dwelling will be rented out to "casual residents" who will cause undue noise impacts, particularly during summer months.*
- *The proposal will affect the value and marketability of adjoining properties.*
- *Impact on attracting tenants during construction.*

Response: These are not matters for consideration under section 4.15 of the Act.

2.5. Public Interest

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

3. REFERRALS

The following internal and external referral comments were sought:

3.1. Traffic and Development

Council's Traffic and Transport team supported the amended DA in terms of changing from a hardstand car space to a double garage, however, noted that the internal width dimensions of the garage width should increase from 5m to 5.4m as per relevant Australian Standards. Given that the proposal complies with the minimum width dimensions for a car space, being 2.4m or a total of 4.8m for two spaces side-by-side, this recommendation to widen the garage is not adopted. If the recommendation were adopted, it would elongate the width and presence of the garage and cause undue streetscape impacts.

All other recommendations are adopted by conditions of consent.

3.2. Stormwater

Council's Public Engineer did not object to the DA, subject to conditions of consent.

3.3. Tree Management

Council's Tree Management Officer did not object to the DA, subject to conditions requiring replacement of a street tree required to be removed to allow for the vehicular crossing, including the imposition of a street tree bond to ensure that the replacement tree is adequate.

4. CONCLUSION

The development application seeks consent for substantial alterations and additions to the dwelling house at 14 Glen Street, Bondi, including construction of first and second floor additions.

The principal issues arising from the assessment of the DA are as follows:

- Side and rear setbacks;
- Overshadowing; and
- View sharing.

The assessment finds these issues acceptable on merit and for the specific reasons outlined in this report. A condition of consent is recommended to delete the enclosed void to the rear of the first floor level to minimise bulk and scale and overshadowing impacts upon neighbouring properties.

A grand total of 21 submissions were received in addition to Councillor representation (Cnr Tony Kay) on behalf of one of the included submitters. The issues raised in the submissions have been considered and addressed in this report and in the Recommendation.

The application has been assessed against the relevant matters for consideration under section 4.15(1) of the Act. It is recommended for approval subject to conditions of consent.

Development and Building Unit (DBU) Decision:

The application was reviewed by the DBU at the meeting on 14 December 2021 and the DBU determined:

(a) The application should be deferred and amendments required as follows:

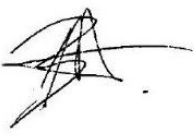

- (i) Upper most level deleted or redesigned such that the proposal is fully FSR compliant to reasonably share views and lessen overshadowing impacts.
- (ii) All new elements are setback compliant.
- (iii) Off-street car parking space integrated within building (i.e. garage).

Subject to the above deferral matters being satisfied above, the application is recommended for approval. These aspects have been considered and addressed by way of the amendments received and subsequently, the application is supported.

DBU members: *A Rossi, B McNamara, B Matlawski and K Lucas*

5. RECOMMENDATION TO WAVERLEY LOCAL PLANNING PANEL

That the development application be APPROVED by the Waverley Local Planning 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	Angela Rossi
Senior Development Assessment Planner	Manager, Development Assessment (Central) (Reviewed and agreed on behalf of the Development and Building Unit)
Date: 2 April 2022	Date: 6 April 2022

Reason for WLPP referral:

2. Contentious development (10 or more objections)

APPENDIX A – CONDITIONS OF CONSENT

A. APPROVED DEVELOPMENT

1. APPROVED PLANS AND DOCUMENTATION

The development must be in accordance with:

(a) Architectural Plans prepared by Chapman Architecture including the following:

Plan Number and Revision	Plan description	Plan Date	Date received by Council
DA-01 / F	Cover Sheet – Location and Site Analysis	23 February 2022	1 March 2022
DA-04/ F	Proposed Ground Floor Plan	23 February 2022	1 March 2022
DA-05 / F	Proposed First Floor Plan	23 February 2022	1 March 2022
DA-06/ F	Proposed Second Floor Plan	23 February 2022	1 March 2022
DA-07 / F	Proposed Roof Plan (Site Plan and Streetscape Analysis)	23 February 2022	1 March 2022
DA-08 / F	East and West Elevations and External Finishes Schedule	23 February 2022	1 March 2022
DA-09 / F	North Elevation	23 February 2022	1 March 2022
DA-10 / F	South Elevation	23 February 2022	1 March 2022
DA-11 / F	Long Section	23 February 2022	1 March 2022
DA-12 / F	Cross Section	23 February 2022	1 March 2022
DA-13 / F	BASIX Information	23 February 2022	1 March 2022

(b) Landscape Plan No. DA-18 and documentation prepared by Chapman Architecture, dated 23 February 2022 and received by Council on 1 March 2022.

(c) BASIX Certificate.

(d) Stormwater Details and documentation in accordance with condition 18 of this development consent.

(e) The Site Waste and Recycling Management Plan (SWRMP) Part 1.

Except where amended by the following conditions of consent.

2. GENERAL MODIFICATIONS

The application is approved subject to the following plan amendments;

- (a) The enclosed void area to the rear of the ground and first floor levels of the proposal, including privacy screens on all its external sides and roof covering, results in unreasonable bulk and scale and overshadowing impacts upon neighbouring properties. In this regard, this enclosed void area is not approved and shall be wholly deleted from the plans subject to the following:

- (i) The operable screen along the north-facing shall be relocated so that it is affixed to the east-facing first floor bedroom (denoted as 'W15'); and
 - (ii) A roof overhang projecting no more than 500mm from the rear (eastern) alignment of the first floor level of the proposal and being no higher than RL71.50 is permitted.
 - (iii) A roof overhang projecting no more than 1.2m from the rear (eastern) alignment of the ground floor level of the proposal and being no higher than RL68.3 is permitted. The support structures (columns) to the paving area shall be reduced accordingly.
- (b) Waste and recycling bins shall be stored behind the front building line of the dwelling house in order to avoid an unsightly appearance from Glen Street.
- (c) All relevant floor plans, especially the ground floor plan referred to in condition 1(a) of this development consent, shall clearly identify all new side and rear boundary fences and ensure that the height of these fences do not exceed 1.8m above existing ground level along the southern and northern side and eastern rear boundaries of the site.

The amendments are to be approved by the **Manager, Development Assessment or delegate** prior to the issue of any Construction Certificate. An electronic copy of the amended plans or additional information (see website for electronic document requirements) addressing this condition, including a covering letter shall be provided to Council for review.

3. DOMESTIC HEATERS

The provision of solid fuel heating is prohibited.

B. PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

The requirements outlined in this section are to be provided to the satisfaction of the Principal Certifying Authority in all instances, except where a condition explicitly specifies that the approval of Council or a Council Officer is required.

GENERAL REQUIREMENTS

4. 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 and Assessment Act 1979;
- (b) a Principal Certifying Authority has been appointed and Council has been notified of the appointment in accordance with the Environmental Planning and Assessment Act 1979 and Environmental Planning and Assessment Regulation 2000; and
- (c) (Council is given at least two days' notice in writing of the intention to commence the building works.

5. 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 applicable requirements of Part 6, before any work commences.

CONTRIBUTIONS, FEES & BONDS

6. SECTION 7.12 CONTRIBUTION

A monetary development contribution is payable to Waverley Council pursuant to section 7.12 of the *Environmental Planning and Assessment Act 1979* and the 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:
 - (i) Where the total development cost is less than \$500,000:
"Waverley Council Cost Summary Report"; or,
 - (ii) 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 are provided in the Waverley Council Contributions Plan 2006, available on Council's website.

(b) As legislated in section 25K of the Environmental Planning and Assessment Regulation 2000, the levy must be paid in accordance with the following;

- (i) A development valued at \$100,000 or less will be exempt from the levy;
- (ii) A development valued at \$100,001 - \$200,000 will attract a levy of 0.5% of the full cost of the development; or
- (iii) A development valued at \$200,001 or more will attract a levy of 1% of the full cost of the development.

Prior to the issue of any 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.

7. TREE PRESERVATION BOND

A bond of **\$2,000** 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 *Cupaniopsis anarcardioides* (Tuckeroo) tree 1.5m south of the new driveway (refer to condition 36 of this development consent for detailed replacement tree requirements).

The bond is to be lodged prior to the issue of a Construction Certificate. The bond will be refunded after 24 months on condition that the *Cupaniopsis anarcardioides* (Tuckeroo) tree is maintained in good condition as determined by Council's Tree Officer. If the trees require replacing within the bond period, the trees must be replaced within one month of notification from Council and not at the end of the bond period.

8. SECURITY DEPOSIT

A deposit (cash or cheque) or guarantee for the amount of **\$22,880** must be provided to Council for any damage caused to any property of the consent authority (ie. public land) as a consequence of the works and completing any public work (such as road work, kerbing and guttering, footway construction, stormwater drainage and environmental controls) required in connection with the consent.

This deposit (cash or cheque) or guarantee must be provided to Council prior to the issue of any Construction Certificate. The full amount of the deposit, minus Council's costs for any repair of damage to Council property or rectification of unauthorised works on Council property, will be refunded after satisfactory completion all of works associated with this consent (including the required public works) to the person who paid the deposit.

9. ADDITIONAL DA FEE REQUIRED

The estimated cost of works declared in the Development Application (DA), when originally submitted, was reviewed prior to its deferral. The amended Cost Report submitted in the amended DA declares the proposed building work to be **\$1,144,000** in lieu of **\$495,000** as indicated on the DA form. Therefore, an additional DA assessment fee of **\$673.70** must be paid to Council and the receipt of payment provided to the Principal Certifying Authority prior to the issue of any Construction Certificate.

10. LONG SERVICE LEVY

A long service levy, as required under section 34 of the *Building and Construction Industry Long Service Payments Act, 1986*, is to be paid in respect of this building work. Evidence that the levy has been paid is to be submitted to the Principal Certifying Authority prior to the issue of any Construction Certificate.

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

11. ENGINEERING PLANS ASSESSMENT AND WORKS INSPECTION FEES

The applicant is to pay to Council fees for assessment of all engineering plans and inspection of the completed works in the public domain inclusive of all stormwater assessment, in accordance with Council's Schedule of Fees & Charges at the time of engineering plan approval, prior to such approval being granted by Council.

An invoice will be issued to the applicant for the amount payable, which will be calculated based on the design plans for the subject development.

CONSTRUCTION & SITE MATTERS

12. EROSION & SEDIMENT CONTROL

A Soil and Water Management Plan (SWMP), also known as an Erosion and Sediment Control Plan must be prepared in accordance with Waverley Council's Water Management Technical Manual.

The SWMP must be approved by the Principal Certifying Authority prior to the issue of a Construction Certificate. A copy of the SWMP must be kept on site at all times and made available to Council officers upon request.

The recommendations of the SWMP must be implemented and maintained during all construction activities and until the site is fully stabilised following construction.

13. DETAILS OF EXCAVATION, SHORING OR PILE CONSTRUCTION

A report shall be prepared by a suitably qualified and practising Structural Engineer/Geotechnical 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.

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. ENGINEERING DETAILS

Structural details are to be prepared and certified by a practicing Structural Engineer in connection with all structural components of the approved works, prior to the issue of the relevant Construction Certificate.

15. ENGINEERING CERTIFICATE OF ADEQUACY

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

16. STRUCTURAL INTEGRITY OF RETAINED BUILDING ELEMENTS

Prior to the issue of a Construction Certificate, a report or certification from a practicing structural engineer must be submitted to the Principal Certifying Authority to explain how the retained building elements, such as building facades are to be retained, supported and not undermined by the proposed development and give details of any intervention or retrofitting needed.

TRAFFIC MANAGEMENT

17. CONSTRUCTION TRAFFIC MANAGEMENT PLAN (CTMP)

The applicant is to submit a Construction Traffic Management Plan (CTMP) for the approval of Council's Executive Manager, Infrastructure Services, or delegate, prior to the issue of any Construction Certificate. For further information on what is required in the CTMP, please refer to Council's website at:

https://www.waverley.nsw.gov.au/building/development_applications/post_determination/development_applications_-_conditions_of_consent

STORMWATER

18. STORMWATER AND PUBLIC INFRASTRUCTURE MANAGEMENT

To ensure that stormwater runoff from the development is drained in an appropriate manner, without impact to neighbouring properties and downstream systems, a detailed plan and certification of the development's stormwater management system must be submitted and approved by the Executive Manager, Infrastructure Services (or delegate) prior to the issue of the relevant Construction Certificate.

The applicant must submit plans and specifications to comply with the current Waverley Council Water Management Technical Manual and Development Control Plan (DCP) at the time of engineering plan approval. The submitted plans shall be prepared by a suitably qualified and practising Civil Engineer and:

- (a) The plans shall provide details of any required On-Site Stormwater Detention (OSD) system and its details e.g. pit dimensions, cross & long sections, significant water invert levels of inlet and outlet pipes, details of Discharge Control Pit, orifice plate details including orifice diameter, depth of water above centreline of orifice etc., pit overflow, OSD plaque, OSD warning sign and catchment plan. Council's mandatory OSD checklist as set out in Council's Water Management Technical Manual shall be submitted.
- (b) Details of any rainwater tank required by BASIX commitments or as nominated on the architectural plan, including the overflow connection to the approved stormwater drainage system are to be submitted.
- (c) Seepage water must not be directly or indirectly discharged to Council's street gutter.

- (d) Any new downpipes are to be located wholly within the property's boundary.
- (e) Any proposed pipeline within the road reserve must fall by gravity at 1% minimum.
- (f) The stormwater management plan must specify any components of the existing system to be retained and certified during construction to be in good condition and of adequate capacity to convey additional runoff and be replaced or upgraded if required.
- (g) Pipe sizes, type, grade, length, invert levels, dimensions and types of drainage pits and inspection openings. Calculations demonstrating the proposed stormwater drainage system can cater for the relevant design storm event shall be provided.
- (h) Any affected Council's infrastructure as the result of construction activities within the public domain area, inclusive of stormwater, stormwater outlet/s, kerb and gutter, pavement, grass verges and vehicle crossovers within the extent works shall be replaced as per Waverley Council Public Domain Technical Manual. All associated costs shall be borne by the applicant.

Notes:

- Since a sewer main runs through the property, plans must also be presented to a Sydney Water Tap in™ for their approval.
- The Applicant is advised to consider the finished levels of the public domain, including new or existing footpaths and pavement prior to setting the floor levels for the proposed development.
- Waverley Council standard drawings for public domain infrastructure assets are available upon request. Details that are relevant may be replicated in the Engineering design submissions however, Council's title block shall not be replicated.
- Prior to commencement of works a security deposit will be made payable to Council to ensure any additional damage or unauthorised works within the Council property, not conditioned above. Council will reserve the right to withhold the cost of restoring the damaged assets from the security deposit should the applicant fail to restore the defects to the satisfaction of Council.
- Council's contact for infrastructure assessment: E-mail: assets@waverley.nsw.gov.au or Phone: 9083 8886 (operational hours between 9.30am to 4pm Monday to Friday)

ENERGY EFFICIENCY & SUSTAINABILITY

19. BASIX

All requirements of the BASIX Certificate and NatHERS documentation are to be shown on the Construction Certificate plans and documentation.

WASTE

20. SITE WASTE AND RECYCLING MANAGEMENT PLAN

A Site Waste and Recycling Management Plan (SWRMP) - Part 2 is to be submitted to the Principal Certifying Authority prior to the issue of the relevant Construction Certificate, which outlines materials to be reused and/or recycled as a result of demolition and construction works. At least one copy of the SWRMP Part 2 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.

C. COMPLIANCE PRIOR TO WORK COMMENCING AND DURING CONSTRUCTION

The requirements outlined in this section are to be provided to the satisfaction of the Principal Certifying Authority in all instances, except where a condition explicitly specifies that the approval of Council or a Council Officer is required.

PRIOR TO ANY WORKS

21. 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.

22. DILAPIDATION REPORT

A Dilapidation report is to be prepared for any adjoining or nearby property that may be subject to potential damage as a result of any works being undertaken. The dilapidation report is to be made available to affected property owners.

The report is to be dated, submitted to, and accepted by the Principal Certifying Authority, prior to any work commencing on the site.

Note: 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. Council will not become directly involved in disputes between the builder, owner, developer, its contractors and the owners of neighbouring buildings.

23. USE OF FILL ON SITE

All fill imported on to the site shall be free of building and other demolition waste, and contain virgin excavated natural material (VENM) as defined in Part 3 of Schedule 1 of the Protection of the Environment Operations Act, 1997 and

Sampling and analysis of the fill material should be conducted in accordance with the NSW EPA Sampling Design Guidelines (1995) to ensure that the material is not contaminated.

Any other waste derived material the subject of a resource recovery exemption under cl. 51A of the Protection of the Environment Operations (Waste) Regulations 2014 that is permitted to be used as fill material.

Any waste derived material the subject of resource exemption received at the development site must be accompanied by documentation as to the materials compliance with the exemption conditions and must be provided to the Principal Certifying Authority on request.

DEMOLITION & EXCAVATION

24. DEMOLITION – ASBESTOS AND HAZARDOUS MATERIALS

The demolition, removal, storage, handling and disposal of products and materials containing asbestos must be carried out in accordance with the relevant requirements of SafeWork NSW and the NSW Environment Protection Authority (EPA), including:

- Work Health and Safety Act 2011;
- Work Health and Safety Regulation 2017;
- SafeWork NSW Code of Practice for the Safe Removal of Asbestos;
- Australian Standard 2601 (2001) – Demolition of Structures;
- *Protection of the Environment Operations Act 1997*.

At least 5 days prior to the demolition, renovation work or alterations and additions to any building, the person acting on the consent shall submit a Work Plan to the Principal Certifying Authority 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.

25. CONTROL OF DUST ON CONSTRUCTION SITES

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 (e.g. 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.

26. CLASSIFICATION OF WASTE/ DISPOSAL OF EXCAVATED SOILS

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 2014.

27. 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.

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 excavation is to be managed by a practising structural engineer.

CONSTRUCTION MATTERS

28. 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) Sundays and public holidays.
- (b) 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.

Noise from construction activities shall comply with the Protection of the Environmental Operations (Noise Control) Regulation 2017.

29. STOCKPILES, STORAGE OF MATERIALS AND LOCATION OF BUILDING OPERATIONS

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

30. CONSTRUCTION INSPECTIONS

The building works are to be inspected during construction by the Principal Certifying Authority (PCA) in accordance with the *Building Legislation Amendment (Quality of Construction) Act 2002*, clause 162A of the *Environmental Planning and Assessment Regulation 2000* and the requirements of any other applicable legislation or instruments.

31. CERTIFICATE OF SURVEY - LEVELS

All construction works are to be 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 the construction of a higher level of the building.

32. 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 location 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.

33. TREATMENT OF BOUNDARY WALLS

The walls approved on the northern and southern side boundaries with neighbouring properties are to be finished to the same standard as the remaining building and not left unfinished to ensure a consistent visual appearance.

34. CONSTRUCTION OF SWIMMING POOLS AND OUTDOOR SPAS

The following applies to the construction of swimming pools and outdoor spas:

- (a) Reinforcement of the swimming pool/outdoor spa 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/spa is to be installed in accordance with the requirements of Australian Standard 3000, Part 1 - Wiring Rules.
- (c) The swimming pool/outdoor spa water is to be treated by an approved water treatment and filtration unit.
- (d) To prevent noise nuisance to surrounding properties, the swimming pool/outdoor spa filtration motor and pump unit is to be housed within a ventilated soundproof enclosure.
- (e) Waste waters from the swimming pool/outdoor spa are to be discharged into Sydney Water's sewerage system and in this regard, approved plans must be submitted to Sydney Water at least 14 days prior to commencement of building operations.

35. WORK OUTSIDE PROPERTY BOUNDARY

This consent does not authorise any work outside the property boundary.

TREE PROTECTION AND REMOVAL

36. STREET TREES TO BE REMOVED

Permission is granted to remove one (1) *Cupaniopsis anarcardioides* (Tuckeroo) and one (1) *Callistemon viminalis* (weeping bottlebrush). All work to be undertaken by qualified arborists (AQF Level 5) with full public liability insurance.

The following requirements apply to the removal of these two street trees:

- (a) A replacement tree is to be planted on the nature strip approximately 1.5m south of the new driveway on Glen Street.
- (b) The tree is to be a super advanced *Cupaniopsis anarcardioides* (Tuckeroo) of a minimum pot size of 75 litres and grown to AS-2303:2018 Tree Stock for Landscape use.
- (c) The tree must be planted by a qualified horticulturist experienced in planting super advanced trees.
- (d) A proof of purchase of the trees must be provided to the Principal Certifying Authority, prior to any construction work commencing.

Note: In the event trees are found damaged, dying or dead because of works at any time during the construction period or due to negligence/damage by the applicant/agent/contractor, the full bond amount or part thereof will be forfeited.

VEHICLE ACCESS & PUBLIC DOMAIN WORKS

37. NEW VEHICLE CROSSING

A new vehicle crossing is to be provided 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.

Note: Prior to the submission of the vehicle crossing application, works as executed drawings shall be submitted to Council for the approval of the Executive Manager, Infrastructure Services (or delegate) confirming the finished levels of the internal driveway between the property boundary and the garage floor comply with the approved driveway long sections.

38. VEHICULAR ACCESS - FINISHED LEVEL TO FOOTPATH

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

D. PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE OR SUBDIVISION CERTIFICATE

The requirements outlined in this section are to be provided to the satisfaction of the Principal Certifying Authority in all instances, except where a condition explicitly specifies that the approval of Council or a Council Officer is required, prior to the issue of an Occupation Certificate or Subdivision Certificate, whichever applies.

CERTIFICATES, LICENCES, EASEMENTS AND RESTRICTIONS

39. FINAL OCCUPATION CERTIFICATE

Prior to occupation or use of the development, an Occupation Certificate must be obtained.

The Principal Certifying Authority must be satisfied that the requirements of the Environmental Planning & Assessment Act 1979 have been satisfied including all critical stage inspections. Documentary evidence of all required inspections is to be submitted to Council.

40. CERTIFICATION OF BASIX COMMITMENTS

The Principal Certifying Authority shall certify that the all the undertakings in the approved BASIX certificate have been completed.

41. CERTIFICATION OF CONSTRUCTED STORMWATER DRAINAGE SYSTEM

Prior to issue of any Occupation Certificate, certification is to be provided from a suitably qualified and practising Engineer, that any new stormwater drainage system has been constructed in accordance with the Development Consent, Water Management Technical Manual, all applicable Codes, Policies, Plans, Standards and good engineering practice. A copy of the aforementioned letter of certification must be submitted to Council.

42. CERTIFICATION OF RETAINED STORMWATER DRAINAGE SYSTEM

Prior to issue of any Occupation Certificate, certification is to be provided from a suitably qualified and practising Engineer or Plumber, that any retained stormwater drainage system is unblocked, in good working order and to be repair/replaced in accordance with Council's Water Management Technical Manual and Development Control Plan and all applicable Codes, Policies, Plans, Standards and good engineering practice. A copy of the aforementioned letter of certification must be submitted to Council.

43. CREATION OF POSITIVE COVENANT AND RESTRICTION FOR OSD

A "Restriction on the Use of Land" and "Positive Covenant" shall be created for any On-Site Stormwater Detention (OSD) system, under Section 88E of the Conveyancing Act 1919. This is to place a restriction on the title that the system is maintained and kept free of debris/weed to allow unobstructed passage of stormwater through the site and underneath the residence. The property owner/occupant shall not modify or remove the system without consent from Council.

The wording of the Instrument shall be submitted to and approved by Executive Manager, Infrastructure Services (or delegate) prior to lodgement at NSW Land Registry Services. The Instrument shall be registered and a registered copy of the document shall be submitted to and

approved by the consent authority prior to the issue of an Occupation Certificate/use of the building. All associated costs shall be borne by the applicant.

44. CERTIFICATION OF SWIMMING POOL/OUTDOOR SPA

Prior to the pool being used, the following must be provided;

- (a) Certification that the pool has been constructed in accordance with the consulting engineers design;
- (b) Evidence that the swimming pool/outdoor spa has been registered on the State Government Swimming Pool Register (<http://www.swimmingpoolregister.gov.au>);
- (c) A sign outlining details of resuscitation techniques for adults, children and infants has been placed in a prominent position, close to the pool/outdoor spa. Signs are available from Council;
- (d) A copy of the occupation certificate must be submitted to Council.

Note: Swimming/spa pool pumps are restricted from use 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 2017.

45. STREET NUMBER

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.

E. ADVISORY MATTERS

The following advisory matters are provided as additional information to ensure compliance with the relevant legislation and requirements. You must also check other Commonwealth and NSW Acts and Regulations which may apply to the works or use approved in this application.

AD1. POST CONSENT CONDITIONS REQUIRING COUNCIL INPUT

Various conditions require further input, review or approval by Council in order to be satisfied following the determination of the application (that is, post consent). In those instances, please adhere to the following process to avoid delays:

- Please read your conditions carefully.
- Information to be submitted to Council should be either via email to info@waverley.nsw.gov.au or via the NSW Planning Portal (if required).
- Attention the documentation to the relevant officer/position of Council (where known/specified in condition).
- Include DA reference number.
- Include condition number/s seeking to be addressed.
- Where multiple conditions need Council input, please try to group the documentation / email/s into relevant subjects (multiple emails for various officers may be necessary, for example).
- Information to be submitted in digital format – refer to ‘Electronic lodgement guidelines’ on Council’s website. Failure to adhere to Council’s naming convention may result in documentation being rejected.
- Where files are too large for email, the digital files should be sent to Council via CD/USB. Council does not support third party online platforms (data in the cloud) for receipt of information.
- Please note, in some circumstances, additional fees and/or additional documents (hard copy) may be required.
- Council’s standard for review (from date the relevant officer receives documentation) is 14 days. Times may vary or be delayed if information is not received in this required manner.

AD2. SYDNEY WATER REQUIREMENTS

You may be required to submit your plans to the appropriate Sydney Water office to determine whether the development will affect Sydney Water’s sewer and water mains, stormwater drains and/or easements.

Contact Sydney Water for more information.

AD3. DIAL BEFORE YOU DIG

Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial Before You Dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures (this is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial Before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual’s responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial Before You Dig service in advance of any construction or planning activities.

AD4. TELECOMMUNICATIONS ACT 1997 (COMMONWEALTH)

Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for prosecution. Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on 1800 810 443.

AD5. ALTERATIONS AND ADDITIONS ONLY

This consent is for alterations and additions to the existing building only and should during the course of construction a significant amount of the remaining fabric of the building be required to be removed, works must cease immediately and a new development application will be required to be submitted for assessment.

AD6. EXCAVATION TO BE LIMITED

Excavation shall be limited to that shown in the approved plans. Any further excavation will require Council approval.

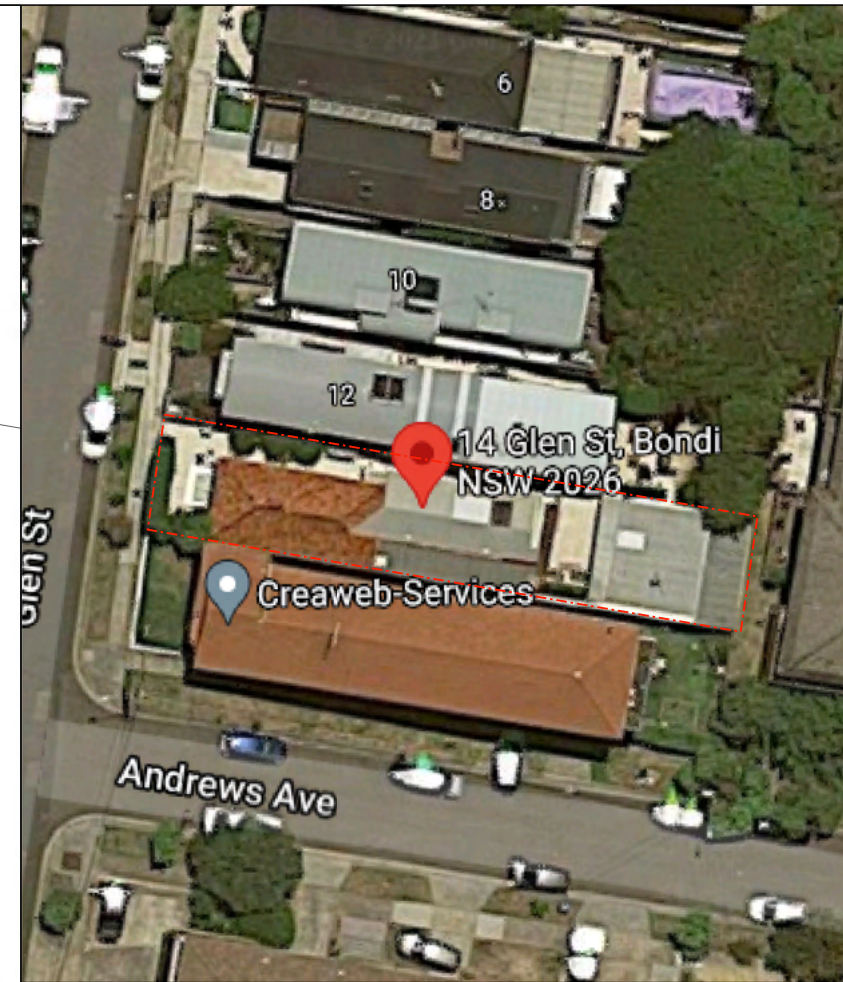
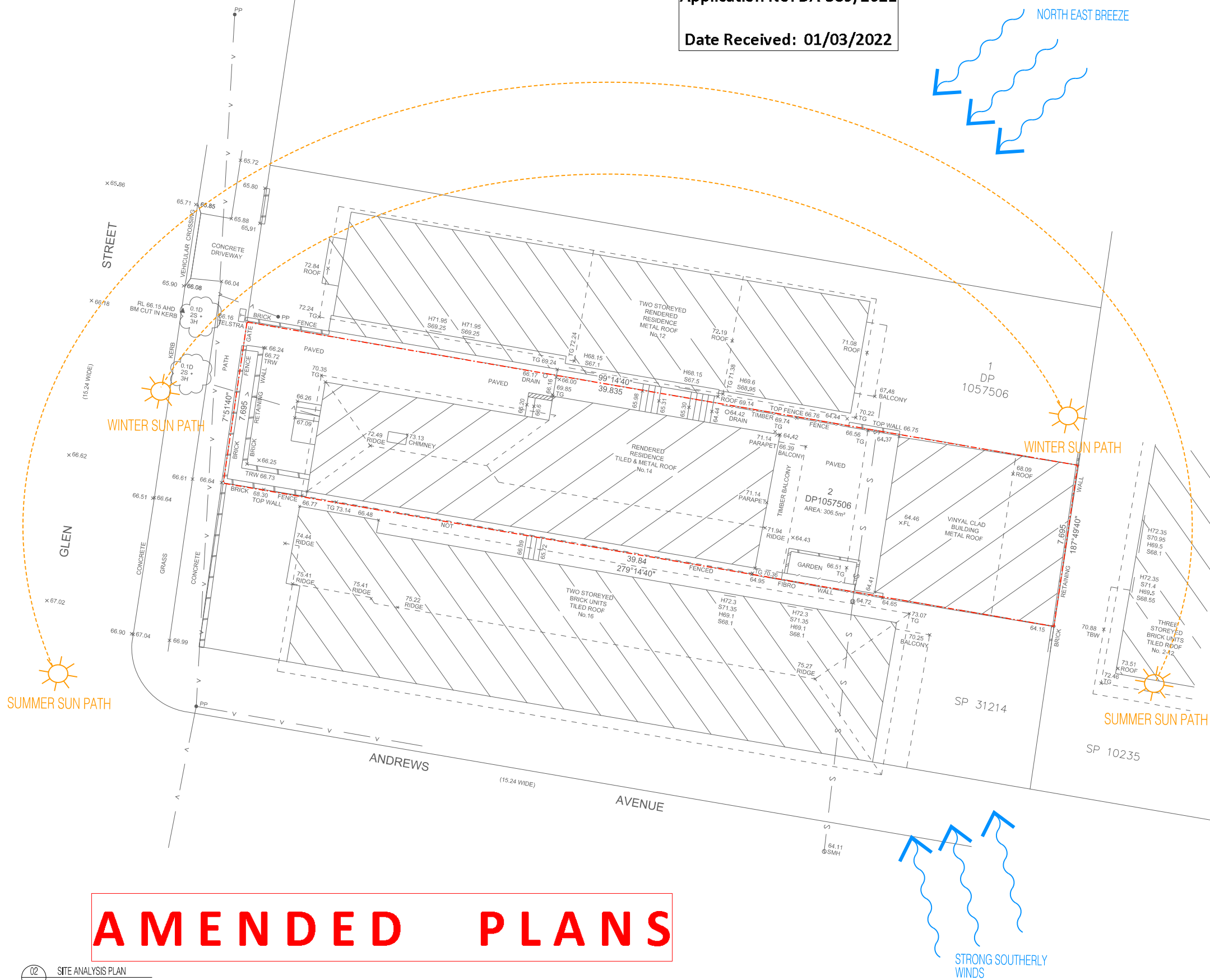
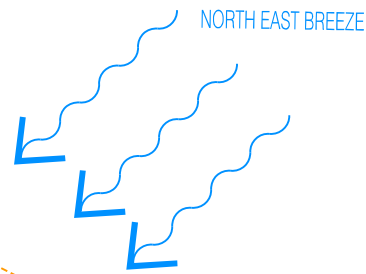
AD7. TREE REMOVAL/PRESERVATION

Any trees not identified for removal in this application have not been assessed and separate approval may be required. Any pruning of trees on adjoining properties required for the erection of scaffolding and/or the construction of the building may also require approval.

AD8. RAINWATER HARVESTING AND REUSE

The operation of all devices or appliances installed within the development approved by this consent as required by conditions pertinent to rainwater harvesting and rainwater reuse must be maintained in good operating order at all times.

RECEIVED
Waverley Council
Application No: DA-389/2021
Date Received: 01/03/2022



01 LOCATION PLAN (AERIAL PHOTOGRAPH)
1:500

ALTERATIONS AND ADDITIONS @ 14 GLEN ST
DEVELOPMENT APPLICATION

DRAWING NO.:	DRAWING TITLE:	SCALE:
DA-01	COVER SHEET - LOCATION PLAN & SITE ANALYSIS	VARIOUS
DA-02	EXISTING LOWER GROUND FLOOR PLAN	1:100 @ A3
DA-03	EXISTING GROUND FLOOR PLAN	1:100 @ A3
DA-04	PROPOSED GROUND FLOOR PLAN	1:100 @ A3
DA-05	PROPOSED FIRST FLOOR PLAN	1:100 @ A3
DA-06	PROPOSED SECOND FLOOR PLAN	1:100 @ A3
DA-07	PROPOSED ROOF PLAN (SITE PLAN) & STREETScape ANALYSIS	1:200 @ A3
DA-08	PROPOSED ELEVATIONS & EXTERNAL FINISHES SCHEDULE	1:100 @ A3
DA-09	PROPOSED NORTH ELEVATION	1:100 @ A3
DA-10	PROPOSED SOUTH ELEVATION	1:100 @ A3
DA-11	PROPOSED LONG SECTION	1:100 @ A3
DA-12	PROPOSED CROSS SECTION	1:100 @ A3
DA-13	BASIX INFORMATION	NTS
DA-14	SHADOW DIAGRAM - 9am JUNE 21st	1:200 @ A3
DA-15	SHADOW DIAGRAM - 12pm JUNE 21st	1:200 @ A3
DA-16	SHADOW DIAGRAM - 3pm JUNE 21st	1:200 @ A3
DA-17	SHADOW DIAGRAM - ELEVATIONS	NTS
DA-18	GFA PLANS	1:200 @ A3
DA-19	LANDSCAPE & WATER MANAGEMENT PLAN	1:200 @ A3

DRAWING TITLE:	SCALE:
COVER SHEET - LOCATION PLAN & SITE ANALYSIS	VARIOUS
DRAWING NO.:	REVISION:
DA-01	F
DATE:	23.02.2022

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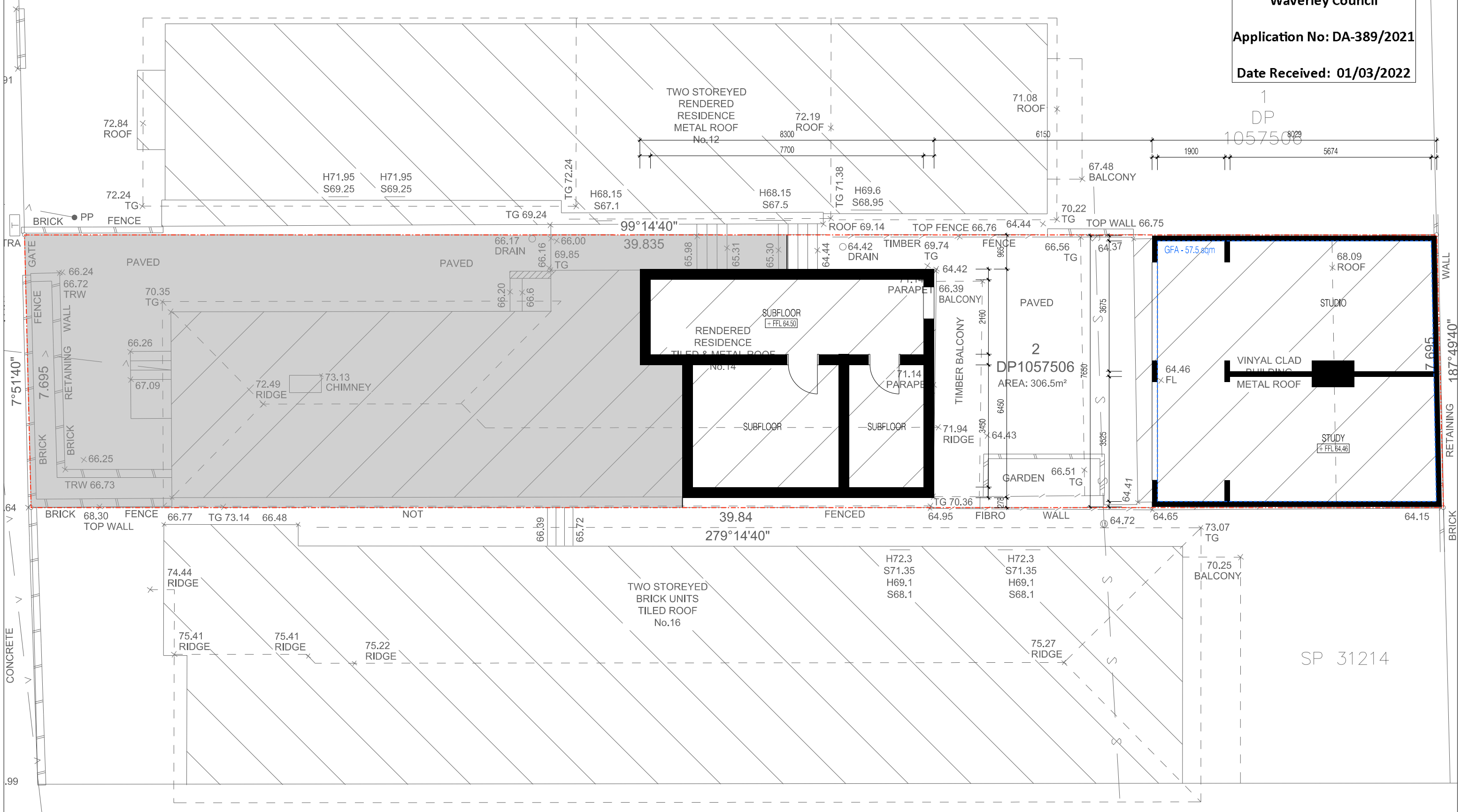
REVISION:		
A	DEVELOPMENT APPLICATION - DRAFT	06.09.2021
B	DEVELOPMENT APPLICATION	09.09.2021
C	RESPONSE TO COUNCIL LETTER	13.10.2021
D	REVISED SHADOW DIAGRAMS	18.10.2021
E	RESPONSE TO COUNCIL LETTER	07.02.2022
F	RESPONSE TO EMAIL	23.02.2022

ARCHITECT:
chapman architecture
PO Box 2051 Clovelly West NSW 2031
T: 0420 382 700
E: info@chapmanarchitecture.com.au

PROJECT:
14 GLEN ST
CLIENT:
LEAH & LUKE STANTON

AMENDED PLANS

RECEIVED
Waverley Council
Application No: DA-389/2021
Date Received: 01/03/2022



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REVISION:		LEGEND:	
A	DEVELOPMENT APPLICATION - DRAFT	06.09.2021	06.09.2021
B	DEVELOPMENT APPLICATION	09.09.2021	09.09.2021
C	RESPONSE TO COUNCIL LETTER	13.10.2021	13.10.2021
D	REVISED SHADOW DIAGRAMS	18.10.2021	18.10.2021
E	RESPONSE TO COUNCIL LETTER	07.02.2022	07.02.2022
F	RESPONSE TO EMAIL	23.02.2022	23.02.2022

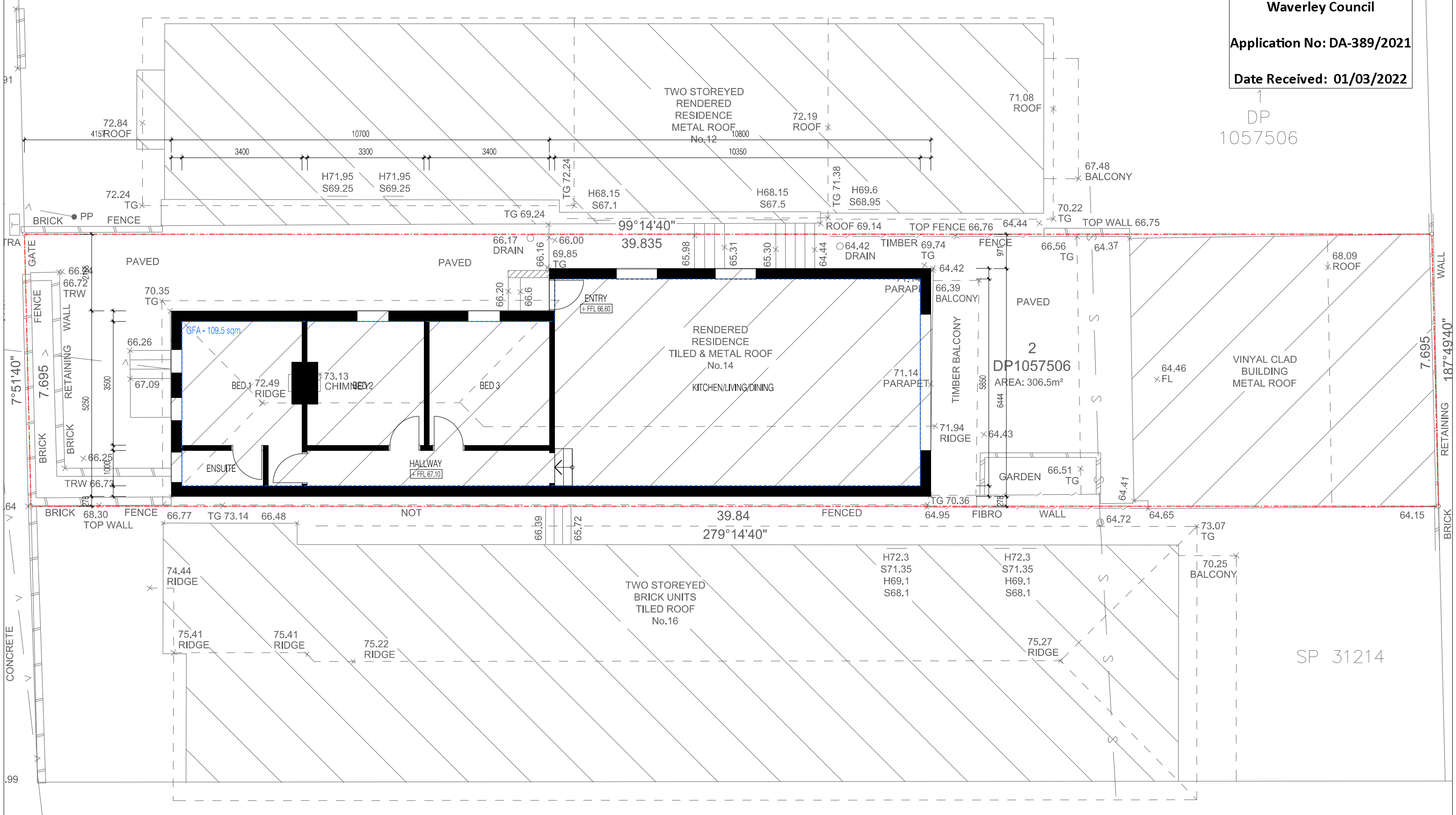
NEW FRAMED CONSTRUCTION	BW BRICKWORK	MB METAL BALUSTRADE
NEW MASONRY CONSTRUCTION	GF GLASS FIXED	MC METAL CLADDING
NEW CONCRETE CONSTRUCTION	GO GLASS OPERABLE	MR METAL ROOF SHEETING
NEW METAL CONSTRUCTION	GT GLASS TRANSLUCENT	TP TIMBER PAINTED
NEW GLAZING		

ARCHITECT:	PROJECT:	DRAWING TITLE:	SCALE:
chapman architecture	14 GLEN ST	EXISTING LOWER GROUND FLOOR PLAN	1:100 @ A3
PO Box 2051 Clovelly West NSW 2031 T: 0420 382 700 E: info@chapmanarchitecture.com.au	CLIENT:	DRAWING NO.:	REVISION:
	LEAH & LUKE STANTON	DA-02	F
		DATE:	
		23.02.2022	

AMENDED PLANS

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Waverley Council
Application No: DA-389/2021
Date Received: 01/03/2022

1
DP
1057506



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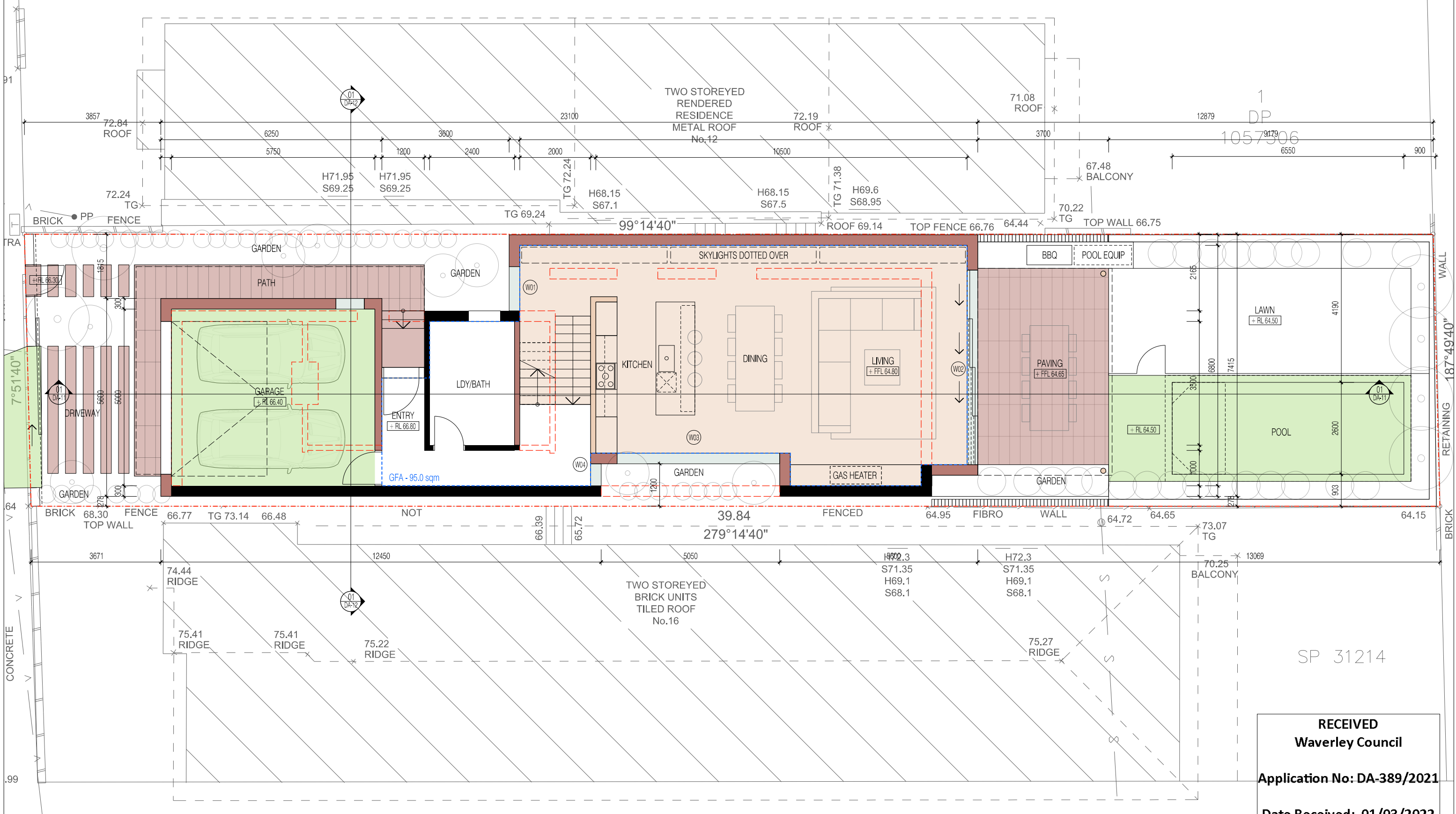
REVISION:	
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E	RESPONSE TO COUNCIL LETTER
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LEGEND:	
[Red dashed line]	SITE BOUNDARY
[Blue dashed line]	GFA (GROSS FLOOR AREA)
[Green dashed line]	DEEP SOIL PLANTING
[Red solid line]	DEMOLITION
[Black solid line]	EXISTING CONSTRUCTION
[Brown solid line]	NEW FRAMED CONSTRUCTION
[Dark brown solid line]	NEW MASONRY CONSTRUCTION
[Light green solid line]	NEW CONCRETE CONSTRUCTION
[Blue solid line]	NEW METAL CONSTRUCTION
[Light blue solid line]	NEW GLAZING
[BW]	BRICKWORK
[GF]	GLASS FIXED
[GO]	GLASS OPERABLE
[GT]	GLASS TRANSLUCENT
[MB]	METAL BALUSTRADE
[MC]	METAL CLADDING
[MR]	METAL ROOF SHEETING
[TP]	TIMBER PAINTED

ARCHITECT:	PROJECT:	DRAWING TITLE:	SCALE:
chapman architecture	14 GLEN ST	EXISTING GROUND FLOOR PLAN	1:100 @ A3
PO Box 2051 Clovelly West NSW 2031 T: 0420 382 700 E: info@chapmanarchitecture.com.au	CLIENT:	DRAWING NO.:	DATE:
	LEAH & LUKE STANTON	DA-03	23.02.2022

0m 1m 2m 5m

AMENDED PLANS



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F RESPONSE TO EMAIL

06.09.2021
09.09.2021
13.10.2021
19.10.2021
07.02.2022
23.02.2022

 SITE BOUNDARY
 GFA (GROSS FLOOR AREA)
 DEEP SOIL PLANTING
 DEMOLITION
 EXISTING CONSTRUCTION

-  NEW FRAMED CONSTRUCTION
-  NEW MASONRY CONSTRUCTION
-  NEW CONCRETE CONSTRUCTION
-  NEW METAL CONSTRUCTION
-  NEW GLAZING

BW BRICKWORK
GF GLASS FIXED
GO GLASS OPERABLE
GT GLASS TRANSLUCENT

MB	METAL BALUSTRADE
MC	METAL CLADDING
MR	METAL ROOF SHEETING
TP	TIMBER PAINTED

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T: 0420 382 700
E: info@chapmanarchitecture.com.au

CLIENT:
LEAH & LUKE STANTON

DRAWING NO.:
DA-04

REVISION:
F

DATE:
23.02.2022



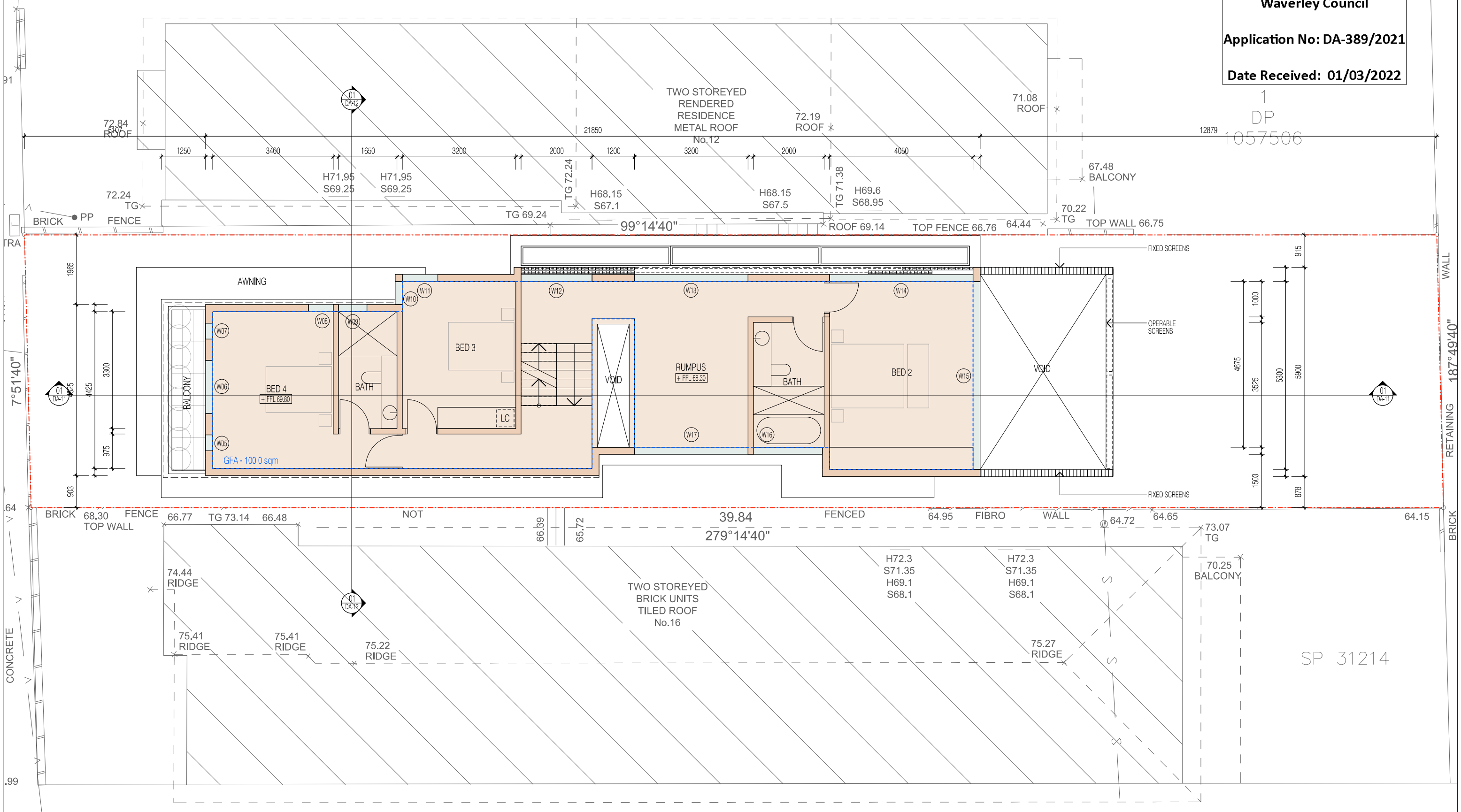
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Waverley Council
Application No: DA-389/2021
Date Received: 01/03/2022

Date Received: 01/03/2022

1

DP

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REVISION:		
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F	RESPONSE TO EMAIL	23.02.2022

LEGEND:

	SITE BOUNDARY		NEW FRAMED CONSTRUCTION	BW	BRICKWORK	MB	METAL BALUSTRADE
	GFA (GROSS FLOOR AREA)		NEW MASONRY CONSTRUCTION	GF	GLASS FIXED	MC	METAL CLADDING
	DEEP SOIL PLANTING		NEW CONCRETE CONSTRUCTION	GO	GLASS OPERABLE	MR	METAL ROOF SHEETING
	DEMOLITION		NEW METAL CONSTRUCTION	GT	GLASS TRANSLUCENT	TP	TIMBER PAINTED
	EXISTING CONSTRUCTION		NEW GLAZING				

ARCHITECT:
chapman architecture
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T: 0420 382 700
E: info@chapmanarchitecture.com.au

PROJECT:
14 GLEN ST

CLIENT:
LEAH & LUKE STANTON

DRAWING TITLE:

PROPOSED FIRST FLOOR PLAN

DRAWING NO.: REVISION: DATE:

DA-05 F 23.02.2022

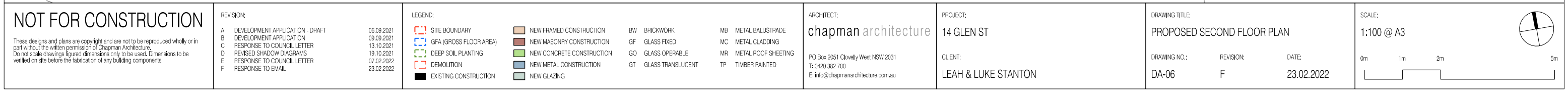
SCALE:
1:100 @ A3

0m 1m 2m 5m

The scale bar is a horizontal line with vertical tick marks at 0m, 1m, 2m, and 5m. The segment between 0m and 1m is divided into two equal parts by a vertical tick mark.

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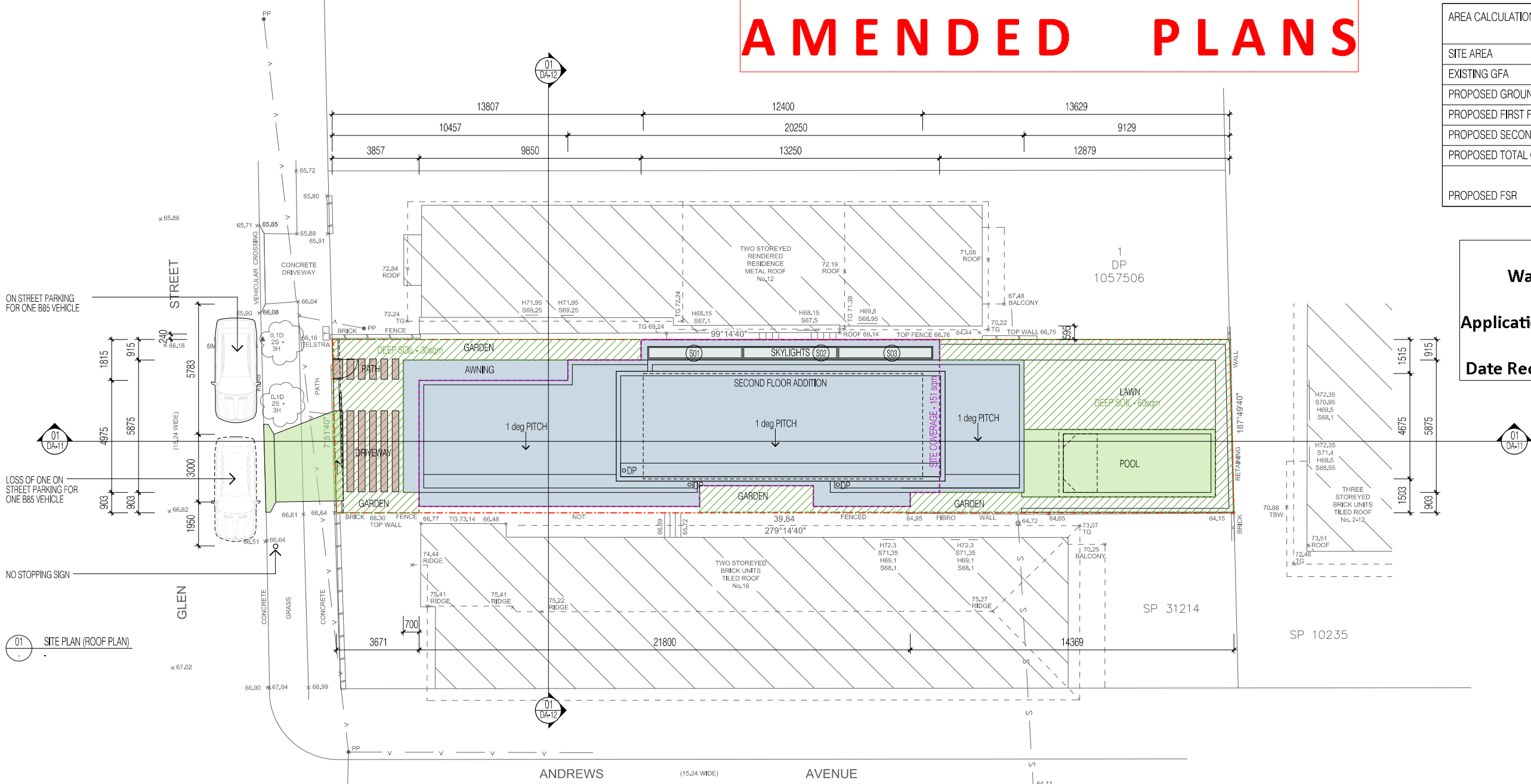
1
DP
1057506



AMENDED PLANS

AREA CALCULATIONS (GFA & FSR)	
SITE AREA	306.7 sqm
EXISTING GFA	167.0 sqm
PROPOSED GROUND FLOOR GFA	95.0 sqm
PROPOSED FIRST FLOOR GFA	100.0 sqm
PROPOSED SECOND FLOOR GFA	40.0 sqm
PROPOSED TOTAL GFA	235.0 sqm
PROPOSED FSR	0.766:1

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02 STREETScape ANALYSIS

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LEGEND:	
[Red dashed line]	SITE BOUNDARY
[Blue dashed line]	GFA (GROSS FLOOR AREA)
[Green dashed line]	DEEP SOIL PLANTING
[Red dashed line]	DEMOLITION
[Black solid line]	EXISTING CONSTRUCTION
[Brown solid line]	NEW FRAMED CONSTRUCTION
[Dark brown solid line]	NEW MASONRY CONSTRUCTION
[Light green solid line]	NEW CONCRETE CONSTRUCTION
[Blue solid line]	NEW METAL CONSTRUCTION
[Grey solid line]	NEW GLAZING

BW	BRICKWORK
GF	GLASS FIXED
GO	GLASS OPERABLE
GT	GLASS TRANSLUCENT

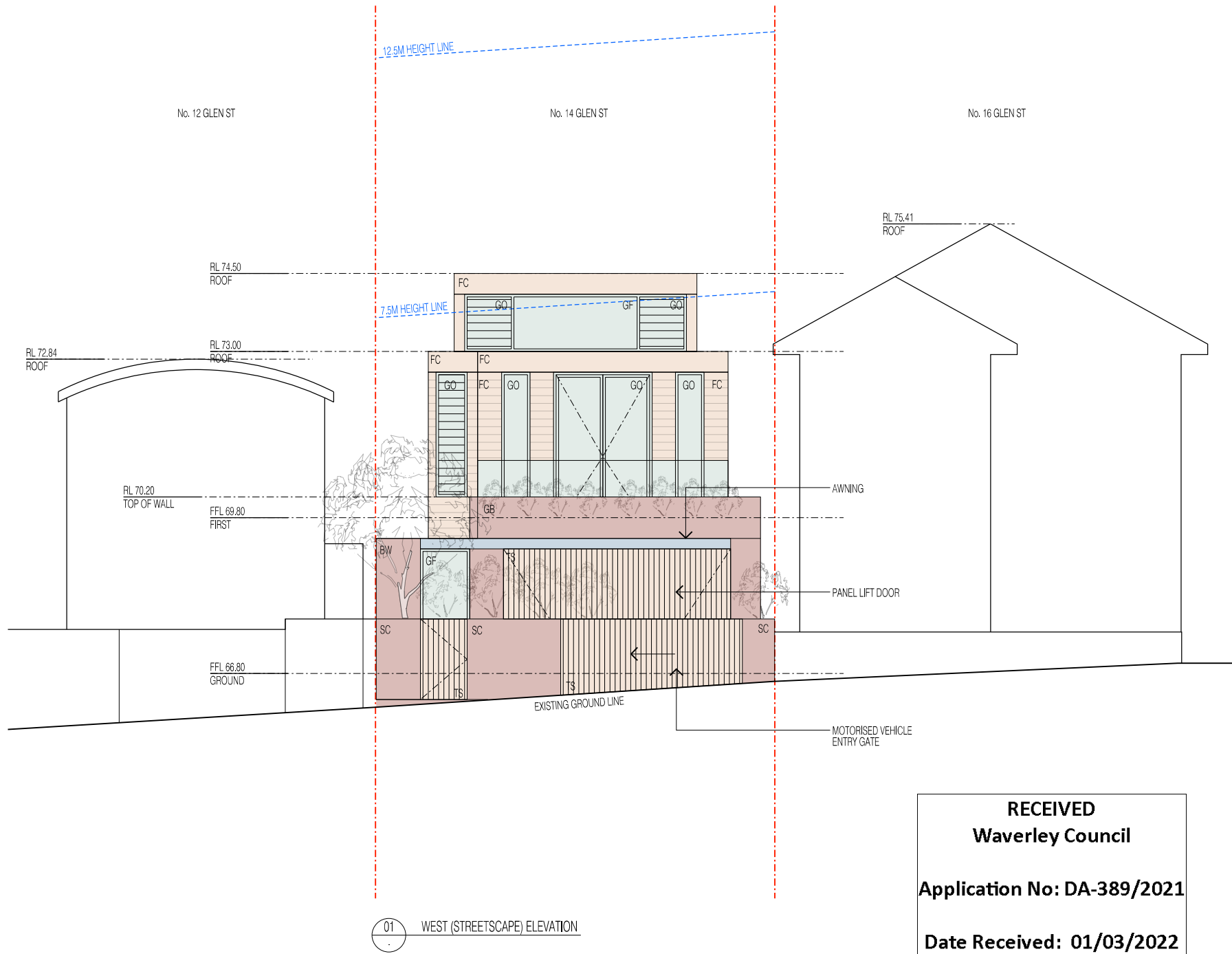
MB	METAL BALUSTRADE
MC	METAL CLADDING
MR	METAL ROOF SHEETING
TP	TIMBER PAINTED

ARCHITECT:
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T: 0420 382 700
E: info@chapmanarchitecture.com.au

PROJECT:
14 GLEN ST
CLIENT:
LEAH & LUKE STANTON

DRAWING TITLE:
PROPOSED ROOF PLAN (SITE PLAN) & STREETScape ANALYSIS
DRAWING NO.: **DA-07**
REVISION: **F**
DATE: **23.02.2022**

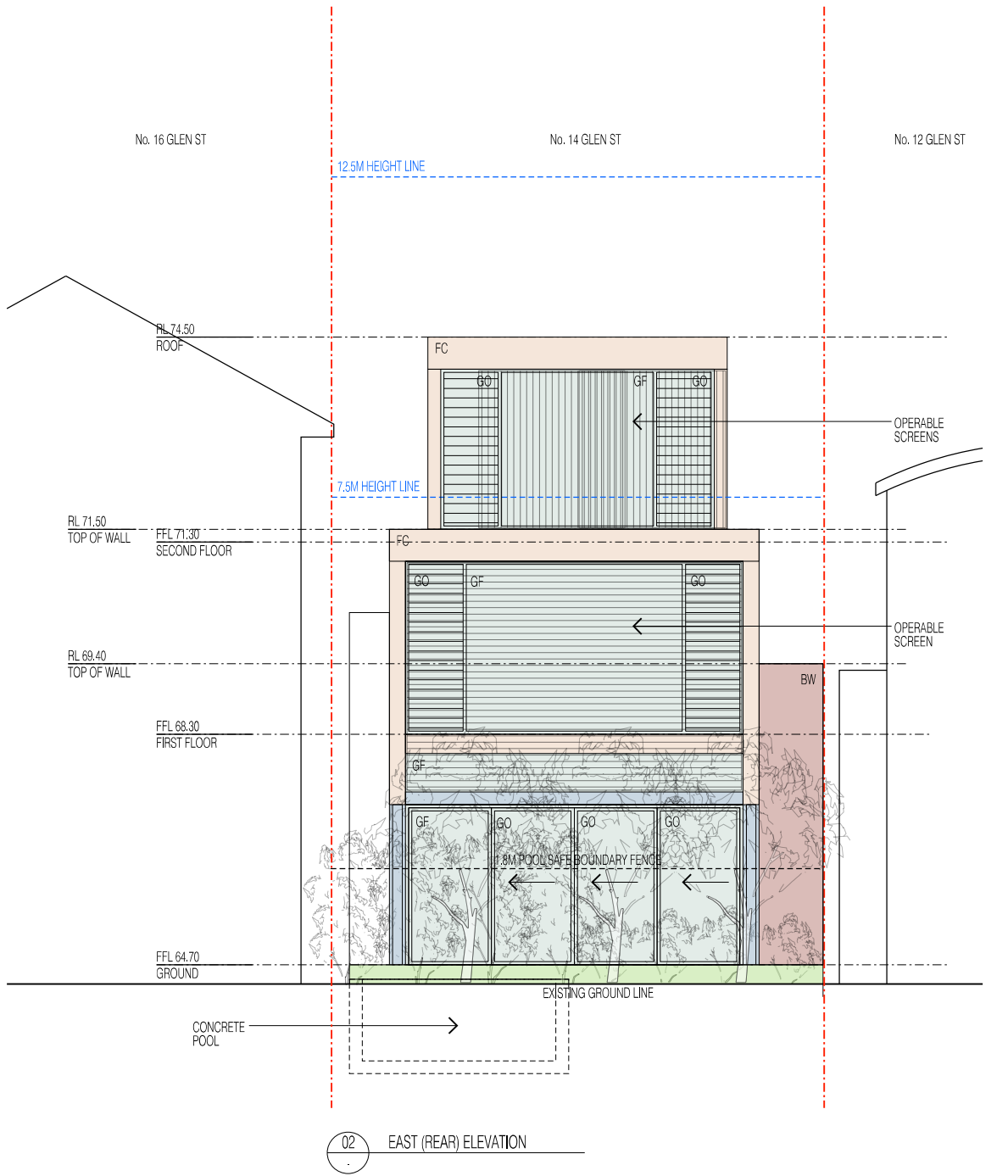
SCALE:
1:200 @ A3
0m 2m 5m 10m



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Application No: DA-389/2021

Date Received: 01/03/2022



BW
RECYCLED BRICKWORK



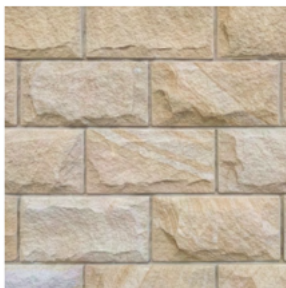
FC
FC CLADDING
PAINT FINISH
LIGHT NEUTRAL COLOUR



GF & GO
FIXED GLAZING &
OPERABLE GLAZING
TIMBER FRAME
WINDOWS & DOORS



GB
GLASS BALUSTRADE
FRAMELESS CLEAR GLASS



SC
STONE CLADDING
SYDNEY SANDSTONE



TC & TS
TIMBER CLADDING &
TIMBER SCREENS
AUSTRALIAN HARDWOOD
CLEAR FINISH

03 EXTERNAL FINISHES SCHEDULE

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06.09.2021
09.09.2021
13.10.2021
18.10.2021
07.02.2022
23.02.2022

LEGEND:

[Red dashed line]	SITE BOUNDARY
[Blue dashed line]	GFA (GROSS FLOOR AREA)
[Green dashed line]	DEEP SOIL PLANTING
[Red solid line]	DEMOLITION
[Black solid line]	EXISTING CONSTRUCTION

[Brown square]	NEW FRAMED CONSTRUCTION
[Dark brown square]	NEW MASONRY CONSTRUCTION
[Light green square]	NEW CONCRETE CONSTRUCTION
[Blue square]	NEW METAL CONSTRUCTION
[Light green square]	NEW GLAZING

BW	BRICKWORK
GF	GLASS FIXED
GO	GLASS OPERABLE
GT	GLASS TRANSLUCENT

MB	METAL BALUSTRADE
MC	METAL CLADDING
MR	METAL ROOF SHEETING
TP	TIMBER PAINTED

ARCHITECT:

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PROJECT:

14 GLEN ST

CLIENT:

LEAH & LUKE STANTON

DRAWING TITLE:

EAST & WEST ELEVATIONS &
EXTERNAL FINISHES SCHEDULE

DRAWING NO.:

DA-08

REVISION:

F

DATE:

23.02.2022

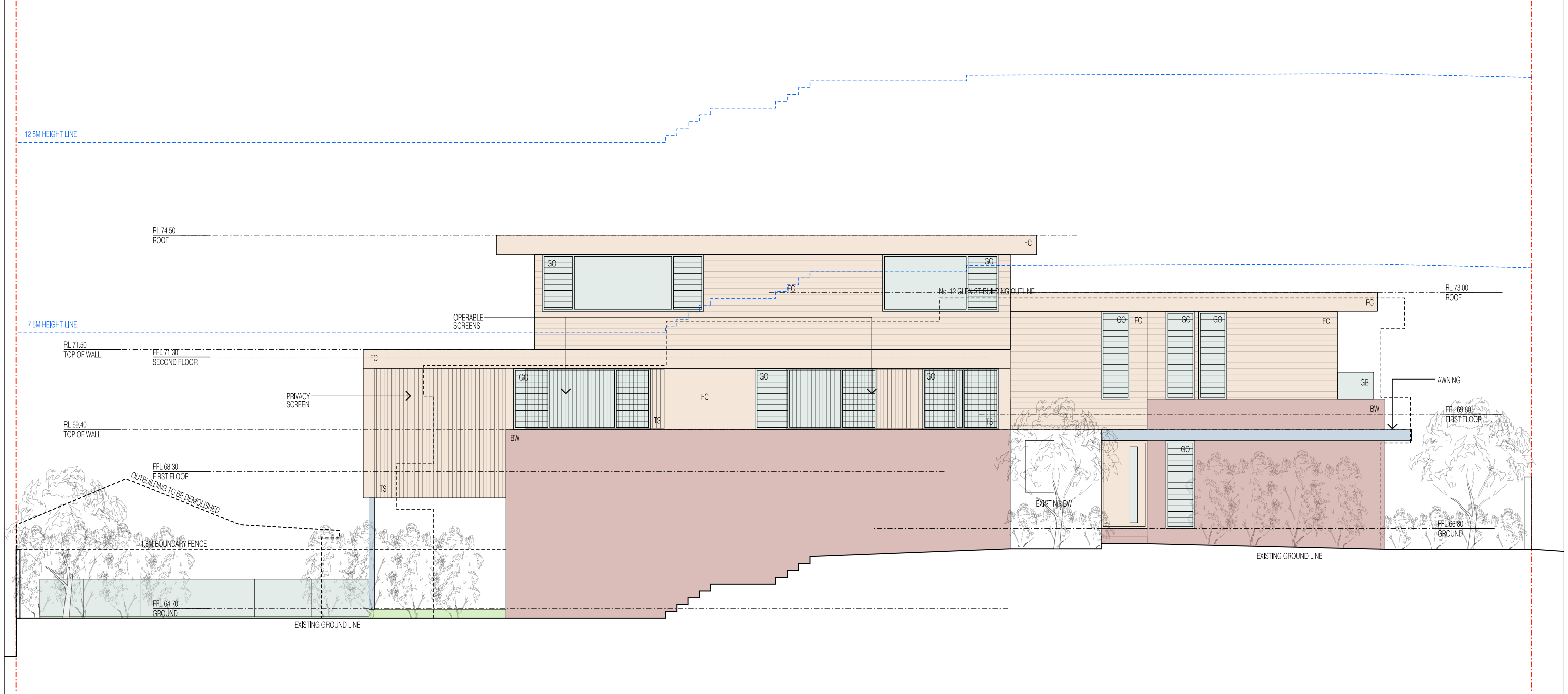
SCALE:

1:100 @ A3



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LEGEND:	
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	GFA (GROSS FLOOR AREA)
	DEEP SOIL PLANTING
	DEMOLITION
	EXISTING CONSTRUCTION
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	NEW METAL CONSTRUCTION
	NEW GLAZING
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	GT GLASS TRANSLUCENT
	MB METAL BALUSTRADE
	MC METAL CLADDING
	MR METAL ROOF SHEETING
	TP TIMBER PAINTED

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PROJECT:
14 GLEN ST
CLIENT:
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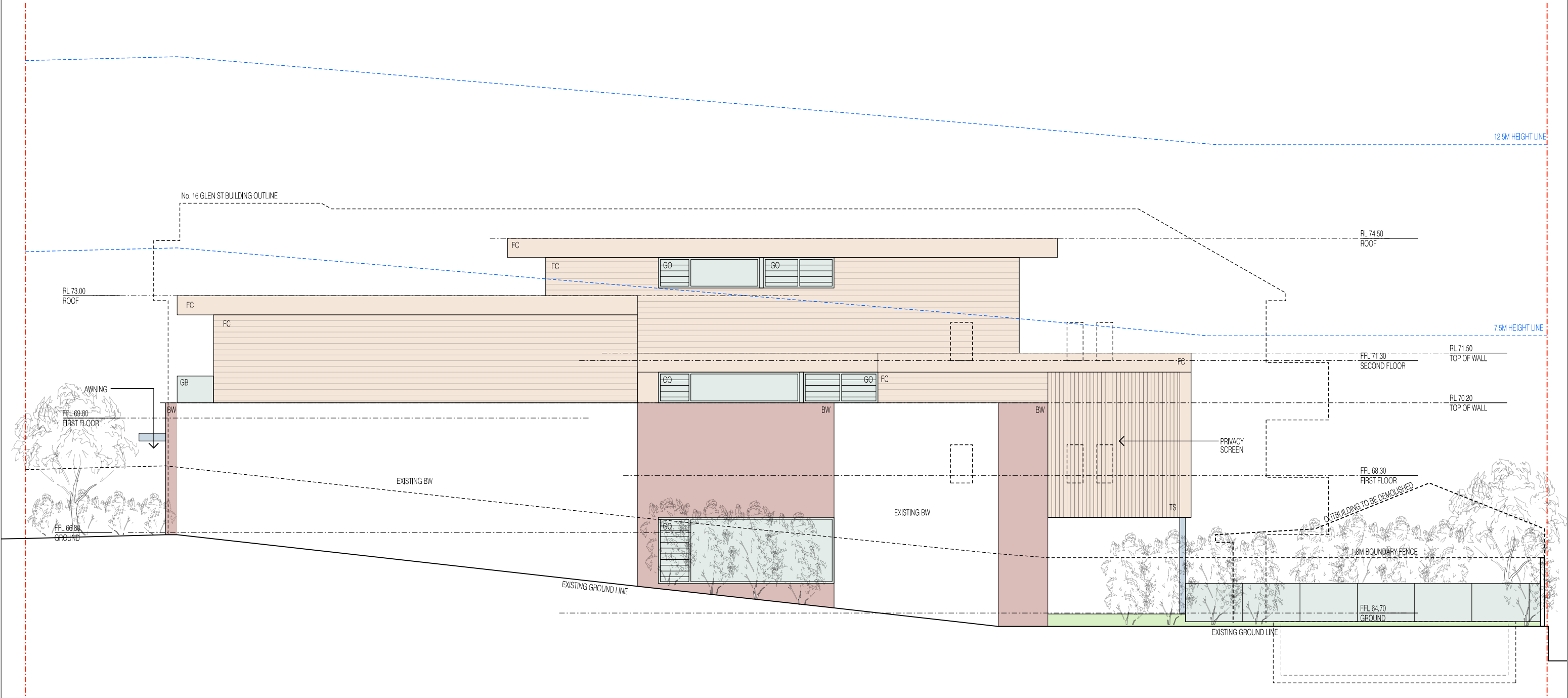
DRAWING TITLE:
NORTH ELEVATION
DRAWING NO.: DA-09
REVISION: F
DATE: 23.02.2022

SCALE:
1:100 @ A3
0m 1m 2m 5m

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LEGEND:			
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	GFA (GROSS FLOOR AREA)		NEW MASONRY CONSTRUCTION
	DEEP SOIL PLANTING		NEW CONCRETE CONSTRUCTION
	DEMOLITION		NEW METAL CONSTRUCTION
	EXISTING CONSTRUCTION		NEW GLAZING
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	GO GLASS OPERABLE		MR METAL ROOF SHEETING
	GT GLASS TRANSLUCENT		TP TIMBER PAINTED

ARCHITECT:
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E: info@chapmanarchitecture.com.au

PROJECT:
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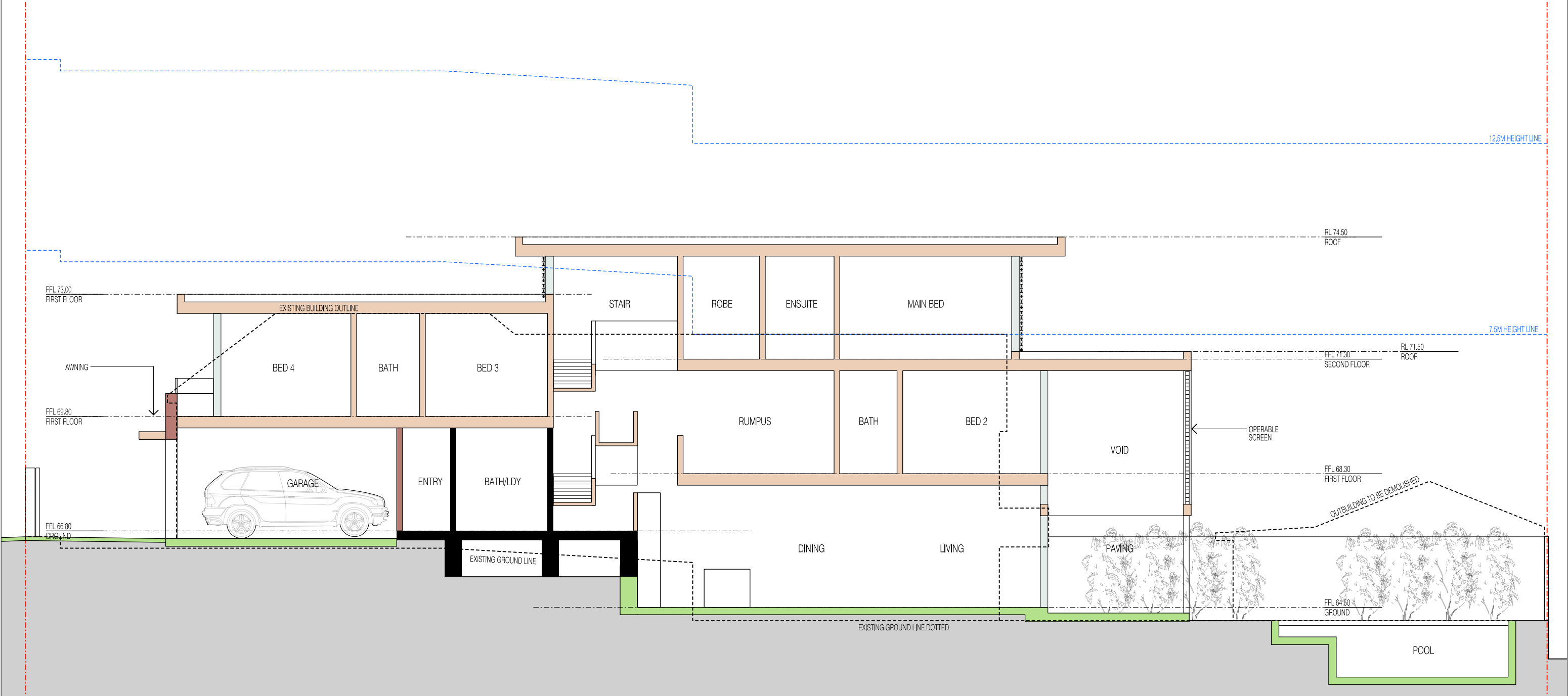
CLIENT:
LEAH & LUKE STANTON

DRAWING TITLE:
SOUTH ELEVATION

DRAWING NO.: **DA-10** REVISION: **F** DATE: **23.02.2022**

SCALE:
1:100 @ A3

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Application No: DA-389/2021
Date Received: 01/03/2022

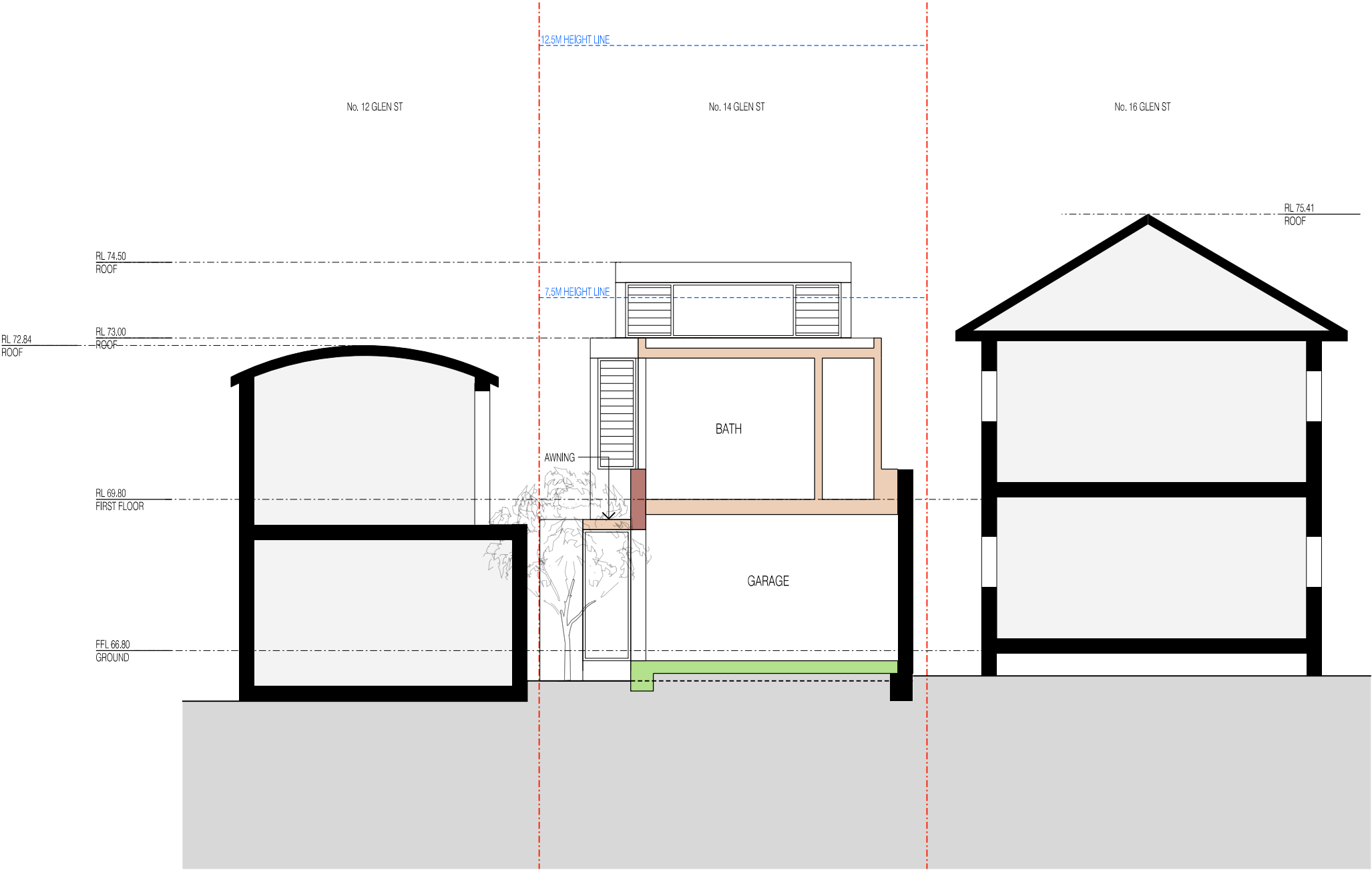


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	GT GLASS TRANSLUCENT
	MB METAL BALUSTRADE
	MC METAL CLADDING
	MR METAL ROOF SHEETING
	TP TIMBER PAINTED

ARCHITECT:
chapman architecture

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T: 0420 382 700
E: info@chapmanarchitecture.com.au

PROJECT:
14 GLEN ST

CLIENT:
LEAH & LUKE STANTON

DRAWING TITLE:
CROSS SECTION

DRAWING NO.: **DA-12** REVISION: **F** DATE: **23.02.2022**

SCALE:
1:100 @ A3

Alterations and Additions

Certificate number: A430690_03

This certificate confirms that the proposed development will meet the NSW government's requirements for sustainability, if it is built in accordance with the commitments set out below. Terms used in this certificate, or in the commitments, have the meaning given by the document entitled "BASIX Alterations and Additions Definitions" dated 06/10/2017 published by the Department. This document is available at www.basix.nsw.gov.au

This certificate is a revision of certificate number A430690 lodged with the consent authority or certifier on 14 Sep 2021 with application DA-389/2021.

Description of project

Project address	
Project name	14 Glen St_03
Street address	14 Glen Street Bondi 2026
Local Government Area	Waverley Council
Plan type and number	Deposited Plan 105750
Lot number	2
Section number	
Project type	
Dwelling type	Separate dwelling house
Type of alteration and addition	My renovation work is valued at \$50,000 or more, and includes a pool (and/or spa).

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Waverley Council

Application No: DA-389/2021

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AMENDED PLANS

Windows and glazed doors glazing requirements

Window / door no.	Orientation	Area of glass inc. frame (m2)	Overshadowing		Shading device	Frame and glass type
			Height (m)	Distance (m)		
W01	W	2	0	0	projection/height above sill ratio >=0.36	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
W02	E	18	0	0	external louvre/blind (adjustable)	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
W03	S	7.5	0	0	none	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
W04	E	2	6	3	none	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
W05	W	1.5	0	0	eave/verandah/pergola/balcony >=900 mm	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
W06	W	5	0	0	awning (fixed) >=900 mm	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
W07	W	1.5	0	0	awning (fixed) >=900 mm	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
W08	N	1.5	0	0	awning (fixed) >=900 mm	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
W09	N	1.5	0	0	projection/height above sill ratio >=0.36	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
W10	W	2	0	0	projection/height above sill ratio >=0.36	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
W11	N	2	0	0	projection/height above sill ratio >=0.36	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
W12	N	3	0	0	projection/height above sill ratio >=0.36	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
W13	N	4.5	0	0	projection/height above sill ratio >=0.36	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
W14	N	5	0	0	projection/height above sill ratio >=0.36	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
W15	E	15	0	0	external louvre/blind (adjustable)	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
W16	S	1	0	0	none	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
W17	S	3	0	0	none	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
W18	W	3	0	0	projection/height above sill ratio >=0.36	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
W19	N	3	0	0	projection/height above sill ratio >=0.36	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
W20	N	6	0	0	projection/height above sill ratio >=0.36	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
W21	E	12	0	0	external louvre/blind (adjustable)	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
W22	S	2	0	0	none	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
W23	S	2	0	0	none	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
Skylight number	Area of glazing inc. frame (m2)		Shading device		Frame and glass type	
S01	2		no shading		timber, low-E internal/argon fill/clear external, (or U-value: 2.5, SHGC: 0.456)	
S02	2		no shading		timber, low-E internal/argon fill/clear external, (or U-value: 2.5, SHGC: 0.456)	
S03	2		no shading		timber, low-E internal/argon fill/clear external, (or U-value: 2.5, SHGC: 0.456)	

Pool and Spa	Show on DA Plans	Show on CC/CDC Plans & specs	Certifier Check
Rainwater tank			
The applicant must install a rainwater tank of at least 1065 litres on the site. This rainwater tank must meet, and be installed in accordance with, the requirements of all applicable regulatory authorities.	✓	✓	✓
The applicant must configure the rainwater tank to collect rainwater runoff from at least 80 square metres of roof area.		✓	✓
The applicant must connect the rainwater tank to a tap located within 10 metres of the edge of the pool.		✓	✓
Outdoor swimming pool			
The swimming pool must be outdoors.	✓	✓	✓
The swimming pool must not have a capacity greater than 22 kilolitres.	✓	✓	✓
The applicant must install a pool pump timer for the swimming pool.		✓	✓
The applicant must install the following heating system for the swimming pool that is part of this development: solar only.		✓	✓

Fixtures and systems	Show on DA Plans	Show on CC/CDC Plans & specs	Certifier Check
Hot water			
The applicant must install the following hot water system in the development: gas instantaneous.	✓	✓	✓
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.		✓	

Construction	Show on DA Plans	Show on CC/CDC Plans & specs	Certifier Check
Insulation requirements			
The applicant must construct the new or altered construction (floor(s), walls, and ceilings/roofs) in accordance with the specifications listed in the table below, except that a) additional insulation is not required where the area of new construction is less than 2m2, b) insulation specified is not required for parts of altered construction where insulation already exists.			
Construction	Additional insulation required (R-value)		Other specifications
concrete slab on ground floor with in-slab heating system.	R1.00 (slab edge)		in-slab heating system
floor above existing dwelling or building.	nil		
external wall: framed (weatherboard, fibro, metal clad)	R1.30 (or R1.70 including construction)		
external wall: cavity brick	nil		
flat ceiling, flat roof: framed	ceiling: R1.82 (up), roof: foil/sarking		light (solar absorptance < 0.475)

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PROJECT:
14 GLEN ST

CLIENT:
LEAH & LUKE STANTON

DRAWING TITLE:
BASIX INFORMATION

DRAWING NO.:	REVISION:	DATE:
DA-13	F	23.02.2022

SCALE:



AMENDED PLANS

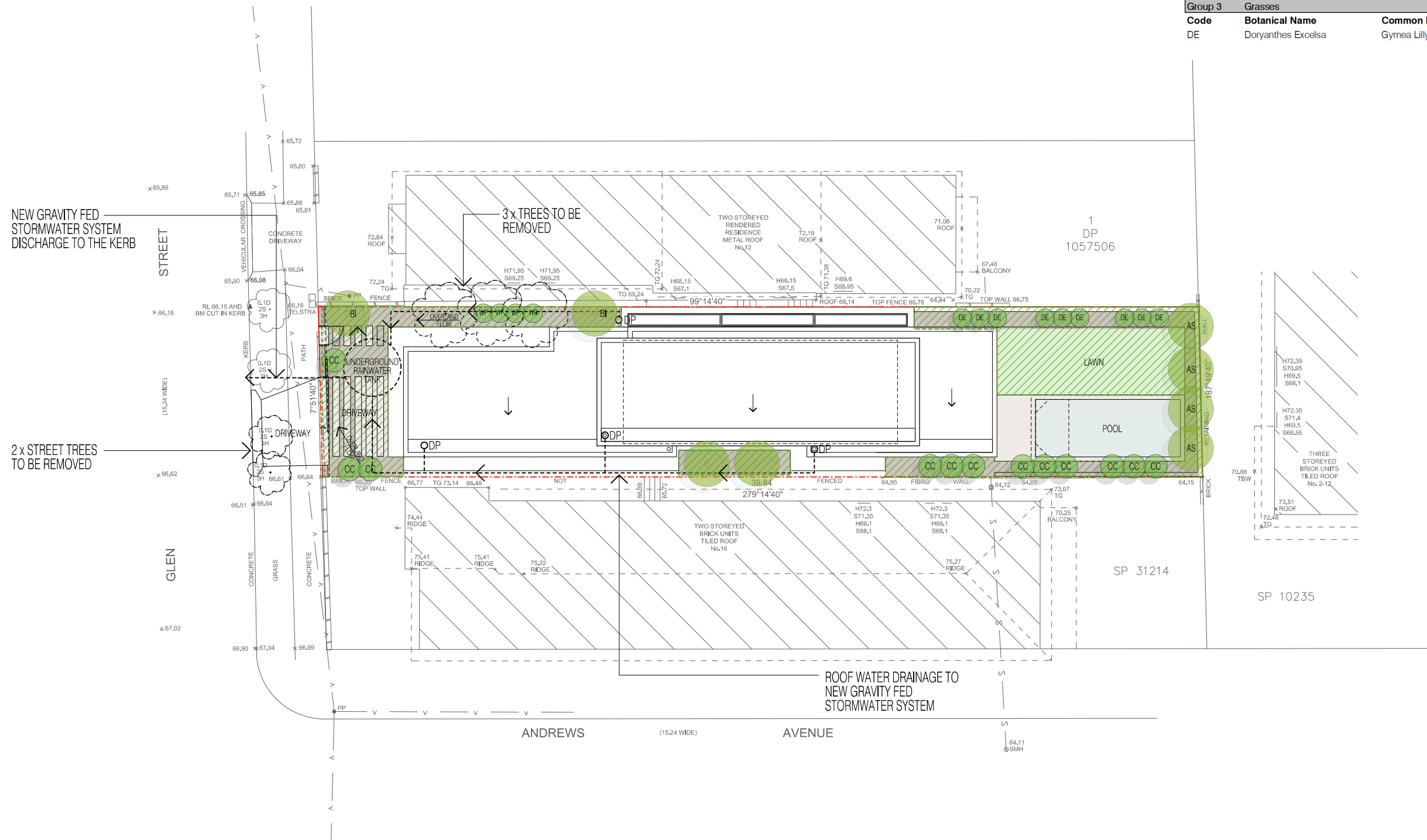
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Application No: DA-389/2021

Date Received: 01/03/2022

Plant Schedule

Group 1 Trees				
Code	Botanical Name	Common Name	Height	Pot Size
BI	Banksia Integrifolia	Coastal Banksia	5-10m	300mL
AS	Acmena Smithii	Lilly pilly	5-10m	300mL
Group 2 Shrubs				
Code	Botanical Name	Common Name	Height	Pot Size
CC	Callistemon Citrinis	Crimson Bottlebrush	1-2m	200mL
WF	Westringea Fruticosa	Coast Rosemary	1-2m	200mL
Group 3 Grasses				
Code	Botanical Name	Common Name	Height	Pot Size
DE	Doryanthes Excelsa	Gynea Lilly	1m	200mL



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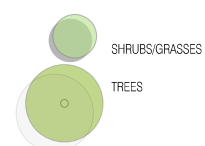
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LEGEND:

	DEEP SOIL PLANTING
	LAWN - BUFFALO
	NATIVE PLANTS
	STONE PAVING (PERMEABLE)
	SWIMMING POOL



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PROJECT:

14 GLEN ST

CLIENT:

LEAH & LUKE STANTON

DRAWING TITLE:

LANDSCAPE & WATER MANAGEMENT PLAN

DRAWING NO.:

DA-18

REVISION:

F

DATE:

23.02.2022

SCALE:

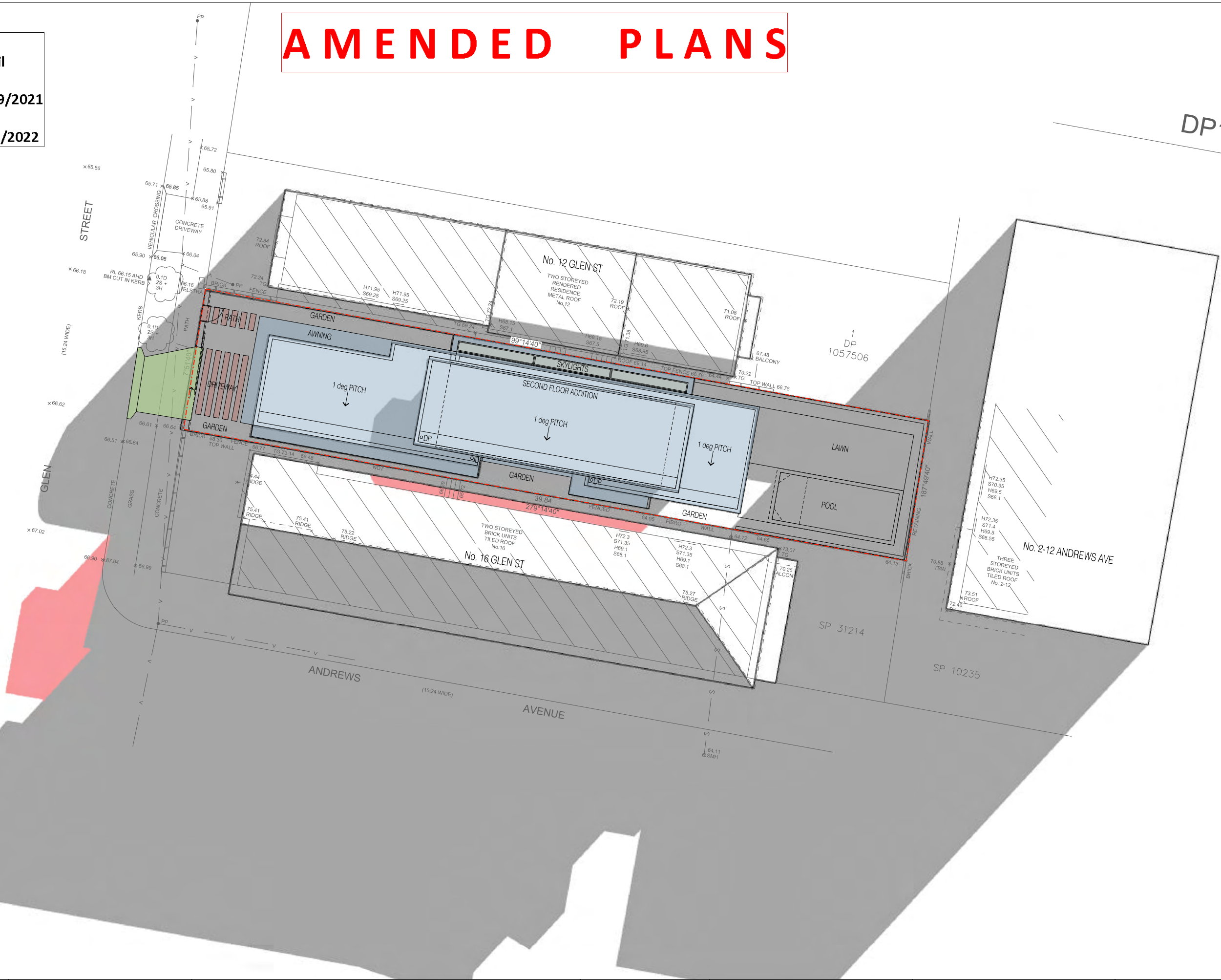
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Application No: DA-389/2021
Date Received: 01/03/2022

AMENDED PLANS

DP1057506



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LEGEND:	
	PROPOSED SHADOWS
	EXISTING SHADOWS
	PROPOSED METAL ROOF

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PROJECT:
14 GLEN ST
CLIENT:
LEAH & LUKE STANTON

DRAWING TITLE:
SHADOW DIAGRAM - 9am JUNE 21st
DRAWING NO.: DA-14
REVISION: F
DATE: 23.02.2022

SCALE:
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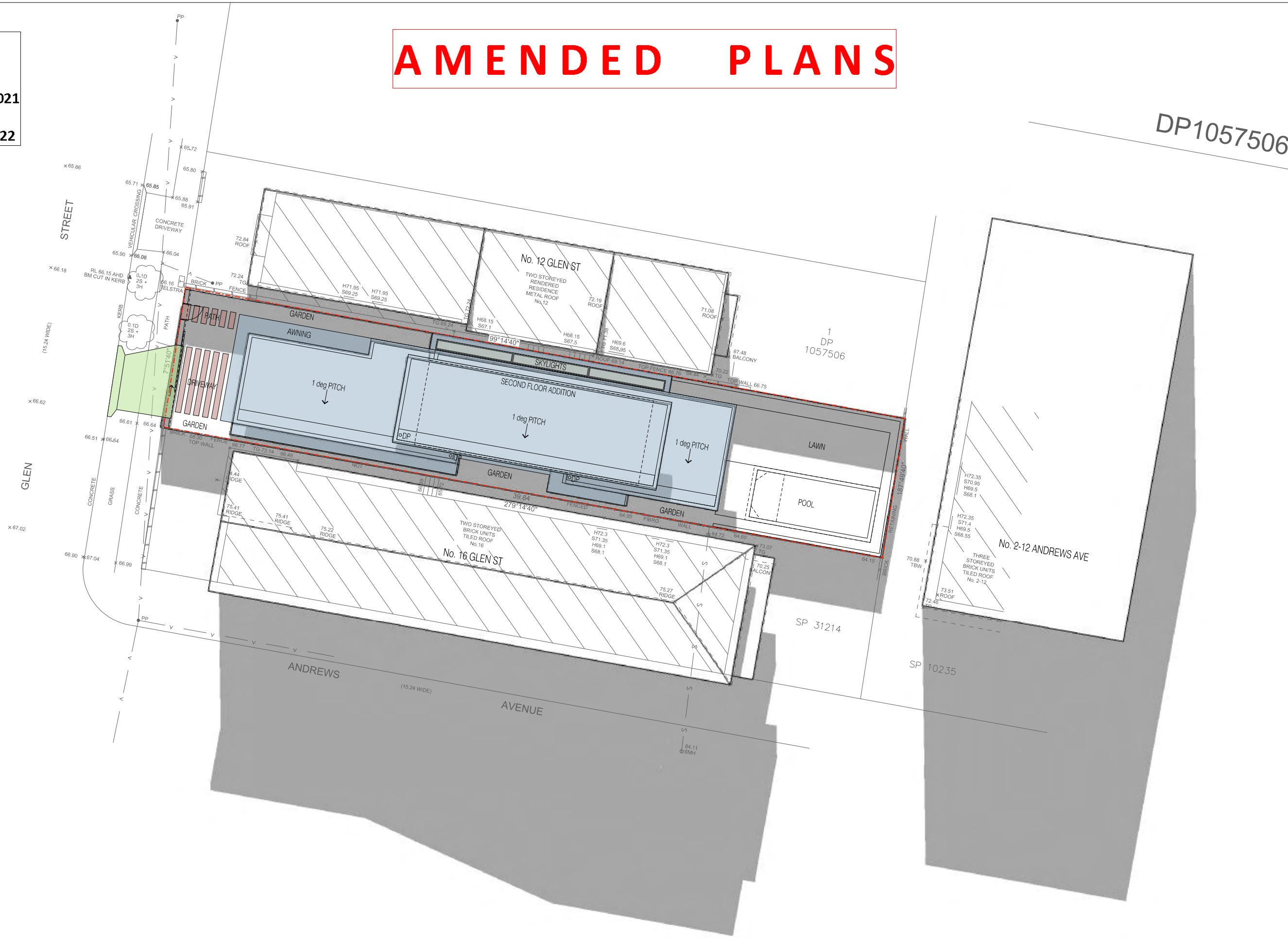
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Application No: DA-389/2021

Date Received: 01/03/2022

AMENDED PLANS

DP1057506



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	13.10.2021
	18.10.2021
	07.02.2022
	23.02.2022

LEGEND:	
	PROPOSED SHADOWS
	EXISTING SHADOWS
	PROPOSED METAL ROOF

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PROJECT:
14 GLEN ST
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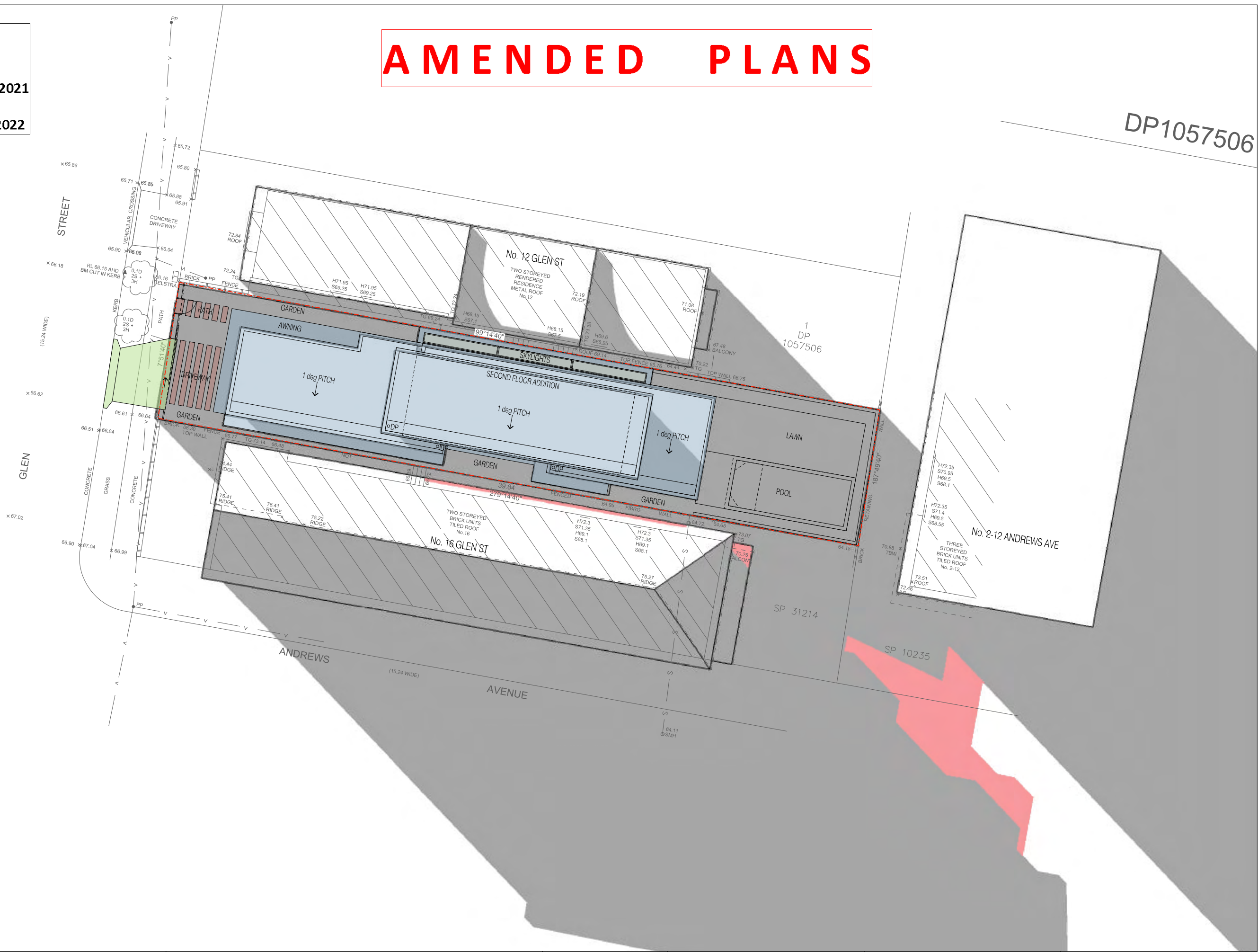
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DRAWING NO.: DA-15
REVISION: F
DATE: 23.02.2022

SCALE:
1:200 @ A3
0m 1m 5m 10m

AMENDED PLANS

DP1057506

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Application No: DA-389/2021
Date Received: 01/03/2022



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LEGEND:
PROPOSED SHADOWS
EXISTING SHADOWS
PROPOSED METAL ROOF

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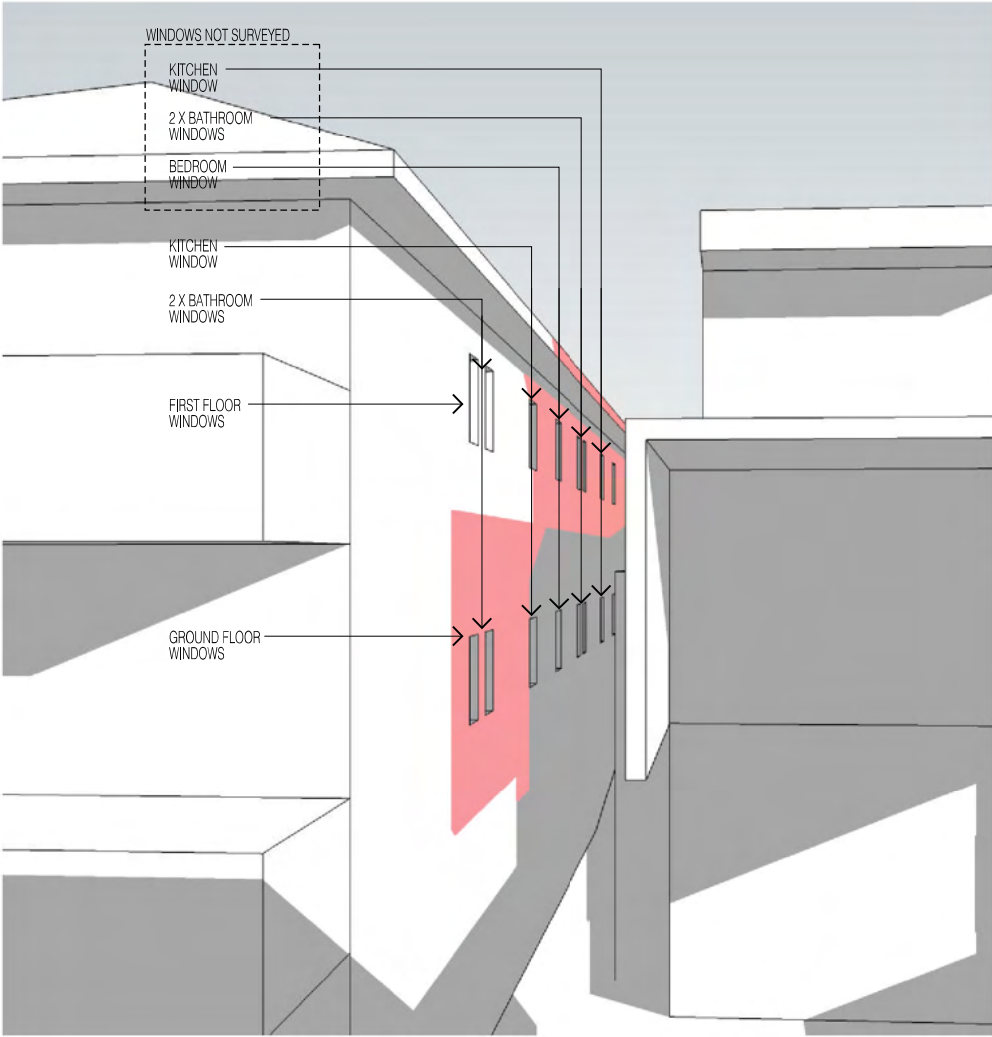
PROJECT:
14 GLEN ST
CLIENT:
LEAH & LUKE STANTON

DRAWING TITLE:
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DRAWING NO.: DA-16
REVISION: F
DATE: 23.02.2022

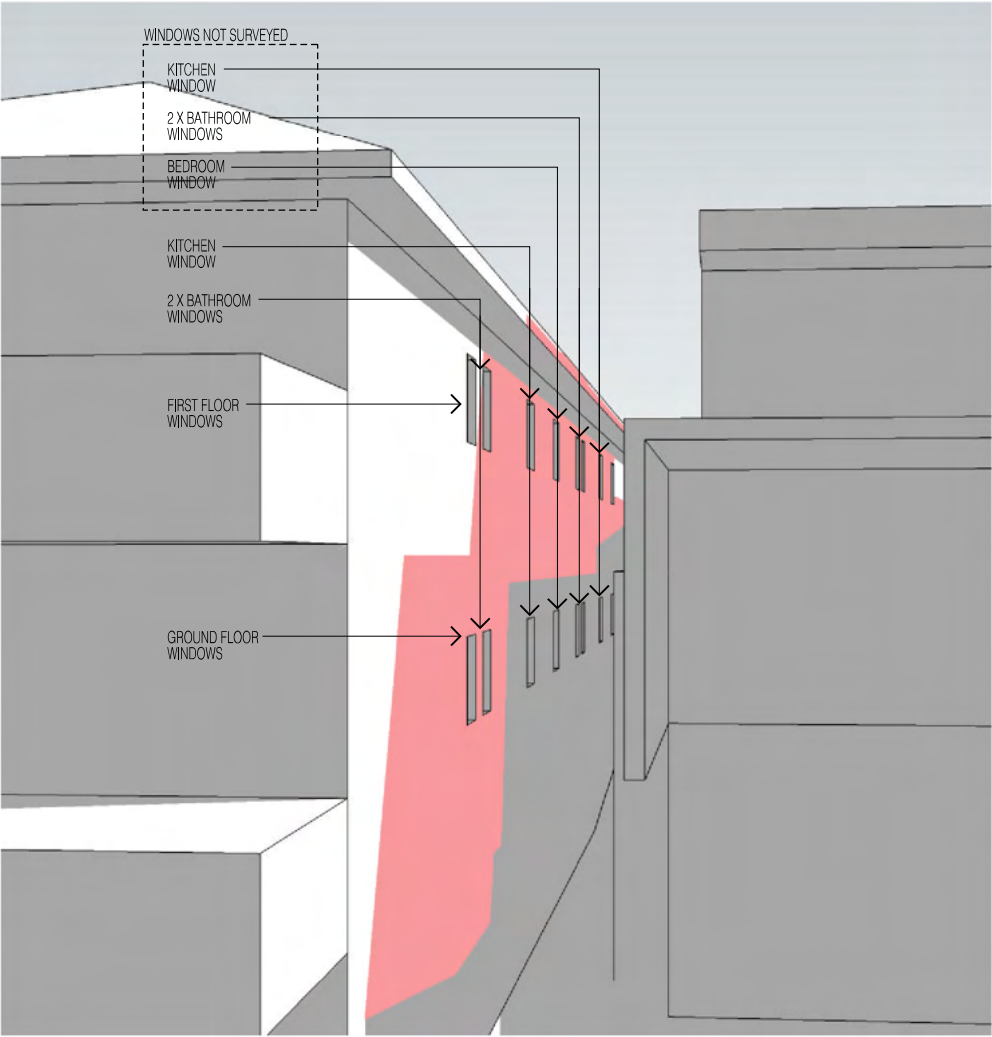
SCALE:
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0m 1m 5m 10m

AMENDED PLANS

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Application No: DA-389/2021
Date Received: 01/03/2022



01 SHADOW DIAGRAM - NORTH ELEVATION - 16 GLEN ST
9am JUNE 21st



02 SHADOW DIAGRAM - NORTH ELEVATION - 16 GLEN ST
12pm JUNE 21st



03 SHADOW DIAGRAM - NORTH ELEVATION - 16 GLEN ST
3pm JUNE 21st

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LEGEND:	
	PROPOSED SHADOWS
	EXISTING SHADOWS

ARCHITECT:
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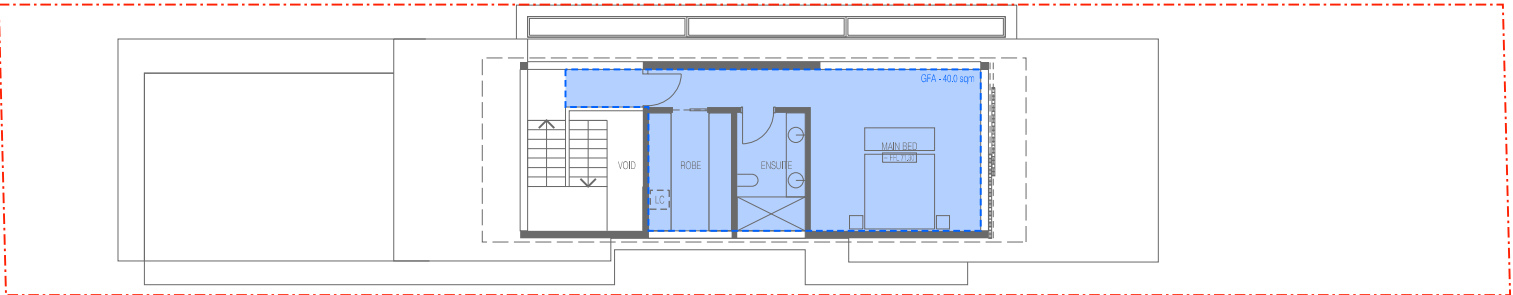
PROJECT:
14 GLEN ST
CLIENT:
LEAH & LUKE STANTON

DRAWING TITLE:
SHADOW DIAGRAM ELEVATIONS - JUNE 21st
DRAWING NO.: DA-17
REVISION: F
DATE: 23.02.2022

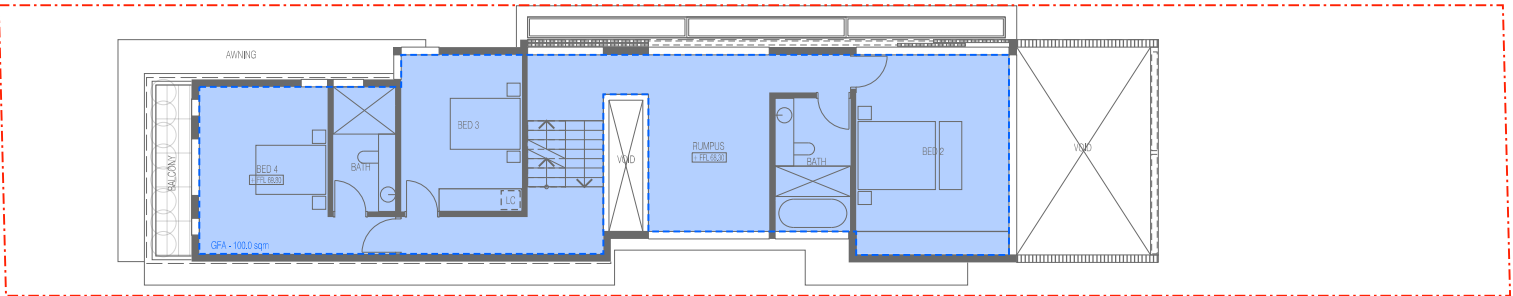
SCALE:
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0m 1m 5m 10m

AMENDED PLANS

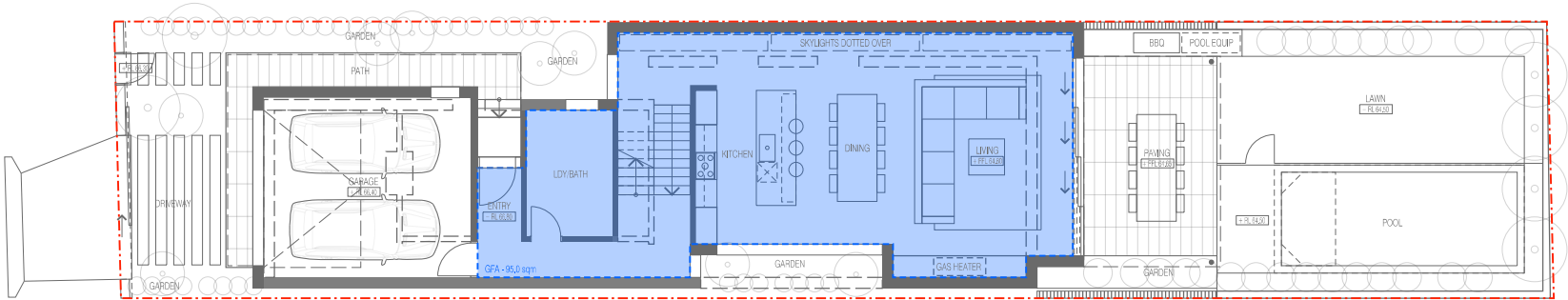
AREA CALCULATIONS (GFA & FSR)	
SITE AREA	306.7 sqm
EXISTING GFA	167.0 sqm
PROPOSED GROUND FLOOR GFA	95.0 sqm
PROPOSED FIRST FLOOR GFA	100.0 sqm
PROPOSED SECOND FLOOR GFA	40.0 sqm
PROPOSED TOTAL GFA	235.0 sqm
PROPOSED FSR	0.766:1



03 SECOND FLOOR PLAN
1:200



02 FIRST FLOOR PLAN
1:200



01 GROUND FLOOR PLAN
1:200

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LEGEND:	
[Red dashed line]	SITE BOUNDARY
[Blue dashed line]	GFA (GROSS FLOOR AREA)
[Green dashed line]	DEEP SOIL PLANTING
[Red dashed line]	DEMOLITION
[Black solid line]	EXISTING CONSTRUCTION
[Brown solid line]	NEW FRAMED CONSTRUCTION
[Dark brown solid line]	NEW MASONRY CONSTRUCTION
[Light green solid line]	NEW CONCRETE CONSTRUCTION
[Blue solid line]	NEW METAL CONSTRUCTION
[Grey solid line]	NEW GLAZING
[BW]	BRICKWORK
[GF]	GLASS FIXED
[GO]	GLASS OPERABLE
[GT]	GLASS TRANSLUCENT
[MB]	METAL BALUSTRADE
[MC]	METAL CLADDING
[MR]	METAL ROOF SHEETING
[TP]	TIMBER PAINTED

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PROJECT:
14 GLEN ST
CLIENT:
LEAH & LUKE STANTON

DRAWING TITLE:
GFA PLAN DIAGRAMS
DRAWING NO.:
DA-18
REVISION:
F
DATE:
23.02.2022

SCALE:
1:200 @ A3
0m 2m 5m 10m



01 EXISTING VIEW - UNIT 7 13-19 GLEN ST
TOP LEVEL APARTMENT BALCONY - STANDING VIEW

AMENDED PLANS



02 PROPOSED VIEW LOSS - UNIT 7 13-19 GLEN ST
TOP LEVEL APARTMENT BALCONY - STANDING VIEW

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LEGEND:	
	PROPOSED SHADOWS
	EXISTING SHADOWS

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PROJECT:
14 GLEN ST


CLIENT:
LEAH & LUKE STANTON

DRAWING TITLE:
VIEW LOSS DIAGRAMS - UNIT 7 BALCONY

DRAWING NO.:	REVISION:	DATE:
DA-20	F	23.02.2022

SCALE:
1:200 @ A3

0m1m5m10m





01 EXISTING VIEW - UNIT 8 13-19 GLEN ST
TOP LEVEL APARTMENT BALCONY - STANDING VIEW

AMENDED PLANS



02 PROPOSED VIEW LOSS - UNIT 8 13-19 GLEN ST
TOP LEVEL APARTMENT BALCONY - STANDING VIEW

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LEGEND:	
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	EXISTING SHADOWS

ARCHITECT:
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T: 0420 382 700
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PROJECT:
14 GLEN ST

CLIENT:
LEAH & LUKE STANTON

DRAWING TITLE:
VIEW LOSS DIAGRAMS - UNIT 8

DRAWING NO.: DA-21 REVISION: F DATE: 23.02.2022

SCALE:
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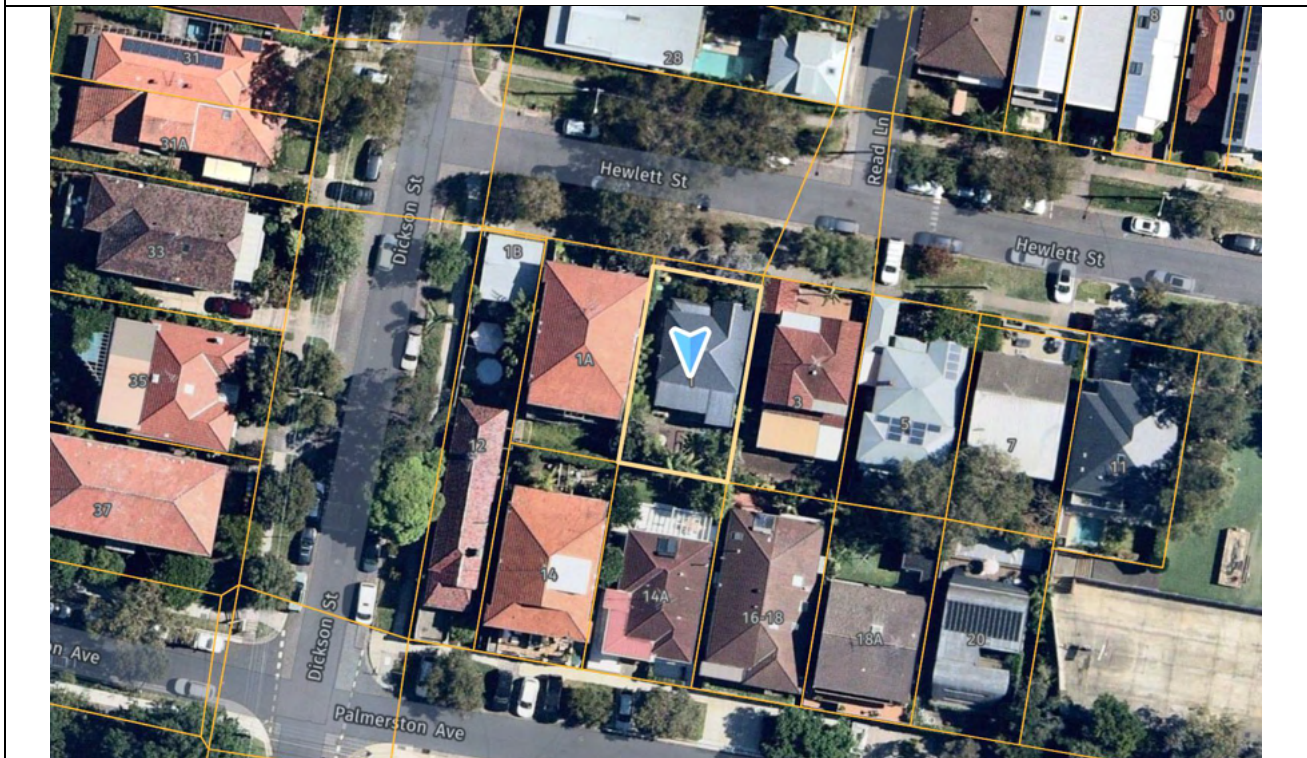
0m 1m 5m 10m



Report to the Waverley Local Planning Panel

Application number	DA-459/2021
Site address	1 Hewlett Street, Bronte
Proposal	Alterations and additions to dwelling house including first floor addition and carport.
Date of lodgement	22 October 2021 (Amended on 21 February 2022)
Owner	Mr E Scott & Mrs A Scott
Applicant	Mr E Scott
Submissions	16 unique submissions (3 from unknown addresses)
Cost of works	\$ 492,250
Principal Issues	<ul style="list-style-type: none"> • Bulk and scale; • Visual privacy; • Overshadowing; • Views; • Basement level.
Recommendation	That the application be APPROVED in accordance with the conditions contained in the report.

SITE MAP



1. PREAMBLE

1.1. Executive Summary

The development application seeks consent for the alterations and additions to dwelling house, including first floor addition and carport, at the site known as 1 Hewlett Street, Bronte.

The principal issues arising from the assessment of the application are as follows:

- Bulk and scale;
- Visual privacy;
- Overshadowing;
- Views;
- Basement level;

The assessment finds these issues acceptable as the building complies with floor space ratio (FSR), height, setbacks and predominant rear building line development standards and controls. A first floor addition at this property will cause overshadowing of adjoining dwellings due to the orientation of the lot and topography of the site. The first floor rear building line has been designed with regards to the winter solstice suns path and given the site constraints, the development is considered reasonable. The basement level is conditioned to have a floor to ceiling height of 2.2m and must be clearly shown on the plans.

A total number of 16 unique submissions (3 from unknown addresses) submissions were received and the issues raised in the submissions have been considered and addressed in this report and in the Recommendation.

The application has been assessed against the relevant matters for consideration under section 4.15(1) of the *Environmental Planning and Assessment Act 1979*. It is recommended for approval subject to conditions of consent.

1.2. Site and Surrounding Locality

A site visit was carried out on 7 December 2021.

The site is identified as Lot 1 DP 743170 and Lot 1 DP 450014, known as 1 Hewlett Street, Bronte.

The site is rectangular in shape with a frontage to Hewlett Street, measuring 12.23m. It has an area of 283.9m² and it falls from the front northern boundary towards the rear southern boundary by approximately 2.48m.

The site is occupied by a single storey dwelling house with vehicular access provided from Hewlett Street to a single hardstand car space to the western side of the dwelling. The rear yard has a raised timber deck and matured palm trees. The subject site is not a heritage item or within a heritage conservation area but adjoins the Palmerston Avenue Heritage Conservation Area to the south.

The site is adjoined by a two storey dwelling to the east and a two storey apartment to the west. The locality is characterised by a variety of low and medium residential development with the Bronte Public School located 100m to the east.

Figures 1 to 6 are photos of the site and its context.



Figure 1: Southerly view of the front façade of the subject site from Hewlett Street.



Figure 2: Southerly view of the raised rear deck.



Figure 3: Westerly view of the rear façade of the dwelling and the rear building line of 1A Hewlett Street.



Figure 4: Easterly view of the rear façade of the dwelling and the rear building line of 3 Hewlett Street.



Figure 5: Southerly view from the rear deck towards 14A Palmerston Ave.



Figure 6: South easterly view of the neighbouring properties at 3 and 5 Hewlett Street both with single spaced carports.

1.3. Relevant Development History

A search of Council's records revealed the following recent and relevant development history of the site:

- BA-142/1993 – Building Application to construct a carport, approved 23 April 1993;
- CD-1/2005 – Complying Development Certificate for the alteration and addition including new deck and window changes, received 12 January 2005.

1.4. Proposal

The development application seeks consent for alterations and additions to dwelling house, including a first floor addition, specifically the following:

Basement Plan:

- Storage accessed by staircase behind the carport (storage area shown dotted on ground floor plan).

Ground Floor Plan:

- Partial demotion to the rear section of the dwelling;
- 1m extension to the rear and 1.5m to the western boundary and internal reconfiguration of the open plan kitchen, living and dining room; and
- New staircase to the first floor.

First Floor Plan

- Three bedrooms, one bathroom and an ensuite.

External

- Single spaced carport and roller door;
- Raised terrace area (2.24m from natural ground) located off the living room with a 1.6m privacy screen surrounding the terrace on the western and southern sides; and
- New stairs leading down to the rear yard and new landscaping.

1.5. Background

The development application was lodged on 22 October 2021 and deferred on 21 January 2022 for the following reasons:

1. Bulk of the first floor and overshadowing of the neighbouring properties;
2. Visual Privacy from the raised terrace;
3. Front fence height; and
4. Missing Stormwater Management Plan

Amended information was submitted to Council on 21 February 2022 which designed the first floor by shifting the bulk and scale from the southern neighbour and towards Hewlett Street. The setback of the north-western corner of the first floor addition from the western side and front boundaries of the site is

increased. The size of the terrace was reduced from 24m² to 18.6m². The Stormwater Management Plan was not updated.

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. State Environmental Planning Policies (SEPPs)

The following SEPPs apply and have been considered acceptable in the assessment of this development application:

- SEPP (Building Sustainability Index – BASIX) 2004.
- SEPP (Resilience and Hazards) 2021
- SEPP (Biodiversity and Conservation) 2021.

2.1.2. Draft Waverley Local Environmental Plan 2022 (Draft Waverley LEP 2022)

It is acknowledged that the Draft Waverley Local Environmental Plan 2022 was on exhibition from 12 November 2021 to 23 January 2022, however at the time of this assessment, there are no relevant matters for consideration.

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
Part 1 Preliminary		
1.2 Aims of plan	Yes	The development does not contravene the aims of this plan.
Part 2 Permitted or prohibited development		
Land Use Table R2 Low Density Residential Zone	Yes	The proposal is defined as alterations and additions to a dwelling house, which is permitted with consent in the R2 zone. It is consistent with the relevant objectives of the zone.

Provision	Compliance	Comment
Part 4 Principal development standards		
4.3 Height of buildings <ul style="list-style-type: none"> 8.5m 	Yes	The development proposes a maximum building height of 8.3m, which complies with the standard.
4.4 Floor space ratio and 4.4A Exceptions to floor space ratio <ul style="list-style-type: none"> 0.79271:1 (225.05m²) 	Yes	The development proposes an FSR of 0.71:1 or 202.5m ² of gross floor area, which complies with the standard.
Part 5 Miscellaneous provisions		
5.10 Heritage conservation	Yes	The subject site is not a heritage item or within a heritage conservation area but adjoins the Palmerston Avenue Heritage Conservation Area to the south. The subject site is not visible from Palmerston Avenue and is not considered to affect the heritage conservation area.

2.1.4. Waverley Development Control Plan 2012 (Waverley DCP 2012) – Amendment No.9

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 (by condition)	The plans do not detail where bins will be stored and the Site Waste and Recycling Management Plan states “waste storage area is behind the front fence and gate not visible from the street to ensure aesthetics”. The objectives and controls in this part of the DCP aim to avoid the unsightliness of bins being stored in the front of either residential or commercial properties. Therefore, a condition of consent is recommended for the plans to nominate a bin storage area behind the front building line.
2. Ecologically Sustainable Development	Yes	Satisfactory.
3. Landscaping and Biodiversity	Yes	The architectural plans have been reviewed and are considered acceptable, maintaining as much existing vegetation as possible.
5. Vegetation Preservation	Conditioned	No trees on site are proposed to be removed, however the new planting schedule is contradictory with the existing trees on site. A recommended condition of consent requires the Landscape Plan to be amended to show the location of the existing trees and the proposed new trees.

Development Control	Compliance	Comment
6. Stormwater	No	Unsatisfactory. Refer to section 3 of this report on referral commentary in relation to stormwater.
8. Transport	Yes	The proposal provides for one single carport. Its design and location are satisfactory at the front of the site along Hewlett Street and are similar to adjoining properties with carports at 3 and 5 Hewlett Street. Refer to section 3 of this report on referral commentary in relation to traffic.
9. Heritage	Yes	Satisfactory.
12. Design Excellence	Yes	The applicant has provided a street elevation plan which demonstrates that the proposal has an acceptable design given the surrounding context of the area and is a suitable response to the site and streetscape.
14. Excavation	Yes	Satisfactory. The basement storage has been outlined on the ground floor under the living/dining room but its height was not shown in the section plan. It is confined within the ground floor footprint, is 13m ² in size and is setback 1.4m from the western boundary. A recommended condition of consent restricts the height in the basement level to 2.2m and submit a new Basement Floor Plan and a new Section Plan from north to south intersecting the basement stairs clearly showing the location of the basement which is to remain unhabitable.

Table 3: Waverley DCP 2012 – Part C2 Low Density Residential Development Compliance Table

Development Control	Compliance	Comment
2.0 General Objectives		
	Yes	The proposal does not contravene the general objectives of this part of the DCP.
2.1 Height		
Pitched roof dwelling house <ul style="list-style-type: none"> Maximum external wall height of 7m 	Yes	The first floor addition has both a flat and pitched roof. The wall height at the pitched section is 7.13m. This minor noncompliance is due to the significant slope of the rear boundary. This is considered acceptable, as the first floor addition is positioned above the existing ground floor. It is also consistent with the relevant objectives of the external wall height control.
Flat roof dwelling house <ul style="list-style-type: none"> Maximum wall height of 7.5m 	Yes	The height of the wall at the flat roof section of the dwelling is 7.2m.

Development Control	Compliance	Comment
<ul style="list-style-type: none"> Solid section no more than 0.6m high <p><i>Side and Rear:</i></p> <ul style="list-style-type: none"> Maximum height of 1.8m 	Yes	The side and rear boundary fence is shown as 1.8m above existing ground level.
2.5 Visual and acoustic privacy		
<ul style="list-style-type: none"> Habitable windows are not to directly face habitable windows or open space of neighbouring dwellings unless direct views are screened or other appropriate measures are incorporated into the design External stairs are not acceptable. 	Yes	<p>The ground floor windows along the eastern elevation are preserved and do not directly face neighbour's windows. The windows off the living and dining room (W04 and W05) directly face existing windows and overlook the private open space at 1A Hewlett Street. Therefore, both these windows are recommended to have a sill height of 1.6m above ground floor finishes level by condition. The southern facing window (W02) off the kitchen is also conditioned to have a sill height of 1.5m to mediate overlooking into the rear yard of 14A Palmerston Ave.</p> <p>The first floor windows have been appropriately offset from windows of adjoining properties. The proposed Juliet balcony off the master bedroom has a 1m metal balustrade and a 0.5m wide planter to allow vegetation screening.</p>
<ul style="list-style-type: none"> Maximum size of balconies: <i>10m² in area</i> <i>1.5m deep</i> 	Acceptable on merit	<p>The elevated terrace off the living room is 2.3m off the natural ground and is 18.6m² in size. The terrace is raised due to the significant slope of the site towards the rear. The southern and western sides are screened with a 1.6m privacy screen and additional vegetation screening would prevent overlooking into surrounding private open spaces. The terrace is set back 2.3m from the rear boundary and the side elevations demonstrate that the terrace would not add to the shadows from the first floor and is considered acceptable on merit.</p>
2.6 Solar access		
<ul style="list-style-type: none"> Minimum of three hours of sunlight to living areas and principal open space areas on 21 June Minimum of three hours of sunlight maintained to at least 50% of principal open space areas of adjoining properties on 21 June. Avoid unreasonably overshadowing of solar 	No	<i>See discussion below.</i>

Development Control	Compliance	Comment
collectors (including habitable windows).		
2.7 Views		
<ul style="list-style-type: none"> Views from the public domain are to be maintained Development to be designed and sited so as to enable a sharing of views with surrounding dwellings particularly from habitable rooms and decks. 	<p>Yes</p> <p>Yes</p>	<p>There are no views from Hewlett Street.</p> <p>The development has been built within the predominant rear building line and is considered an acceptable built form. There was one objection against the proposal raising the issue that the rear addition would block side facing windows of a view of the sky, trees and tops of buildings. This issue is discussed further in the report.</p>
2.8 Car parking		
<p>2.8.1 Design Approach</p> <ul style="list-style-type: none"> Parking only allowed where site conditions permit Designed to complement the building and streetscape Car parking structures to be behind the front building line Driveways are to be located to minimise the loss of on street parking 	<p>Yes</p> <p>Yes</p> <p>Acceptable on merit</p> <p>Yes</p>	<p>The site already permits car parking on site and no changes are proposed to the current driveway.</p> <p>The carport is located in front of the building where the existing hardstand is located. The two neighbouring properties at 3 and 5 Hewlett Street both have single carports within the front setback and therefore the proposed location of the carport is supported.</p> <p>The carport measures 2.6m in height and presents to Hewlett Street with a timber batten panel lift door which is compatible with the streetscape.</p>
2.8.2 Parking rates	Yes	Parking rates are set by Part B8 of Waverley DCP 2012.
<p>2.8.4 Design</p> <ul style="list-style-type: none"> Complement the style, massing and detail of the dwelling Secondary in area and appearance to the design of the residences No part of the façade is to be demolished to accommodate car parking Gates to have an open design 	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>	<p>The carport roof is constructed lower than the bullnose roof over the existing verandah which maintains the character of the ground floor and poses no demolition of the façade.</p> <p>The carport is secondary in nature to the dwelling.</p> <p>The proposed timber batten panel lift door complements the style of the dwelling. The carport is completely enclosed with timber cladding which does not meet the following definition of a carport, <i>'An open sided roof structure with no door or walls and used for car-parking purposes only'</i>. Therefore, a recommended condition of consent requires the eastern side wall to be removed and the western side wall is to be not higher than the boundary fence at 1.8m.</p>

Development Control	Compliance	Comment
2.8.5 Dimensions <ul style="list-style-type: none"> 5.4m x 2.4m per vehicle 	Yes	
2.9 Landscaping and open space		
<ul style="list-style-type: none"> Overall open space: 40% of site area 	Yes	124m ² (43% of the site) of open space is provided.
<ul style="list-style-type: none"> Overall landscaped area: 15% of site area 	Yes	85m ² (30% of the site) of landscaped area is provided.
<ul style="list-style-type: none"> Minimum area of 25m² for private open space 	Yes	55m ² of private open space is provided. Complies.
<ul style="list-style-type: none"> Front open space: 50% of front building setback area 	Yes	33m ² of 47sqm (70%) of the front setback is open space. Complies.
<ul style="list-style-type: none"> Front landscaped area: 50% of front open space provided 	Yes	All the open space provided at the front of the site accept for the pedestrian pathway is landscaped area.

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

Solar Access

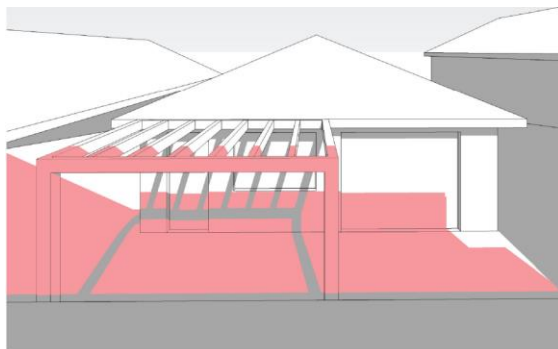
The existing site receives very limited solar access to the southern living areas and private open space in the rear yard due to the site's location on the southern side of Hewlett Street and its steep downward slope to the rear boundary of approximately 2.48m. There are no changes to sunlight access to the living area of the subject dwelling house as a result of the proposed works.

The first floor development will result in additional overshadowing to southern properties at Nos 14, 14A and 16-18 Palmerston Avenue throughout the whole day during winter solstice. Additional overshadowing of neighbouring side windows at 1A and 3 Hewlett Street are also expected during the morning and afternoon. The additional shadowing results in no solar access to the rear private open space and clear pergola of No. 14A Palmerston Avenue (**Figure 7**) but maintains sunlight to the rear windows at 12pm as shown in **Figures 8 and 9** below. The first floor addition has been designed to be set forward towards Hewlett Street to keep solar access to northern windows of 14A Palmerston Avenue.



Figure 7: Existing northerly view from the dining area of 14A Palmerston Avenue.

Received: 21/02/2022



SHADOW DIAGRAM - NORTH ELEVATION - 14A PALMERSTON AVE

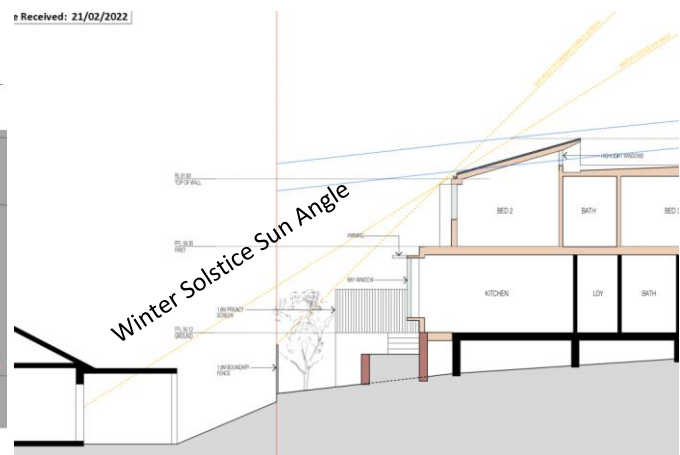


Figure 8: Proposed shadows to the northern elevation of 14A Palmerston Avenue and the first floor in relation to the winter solstice sun angle.

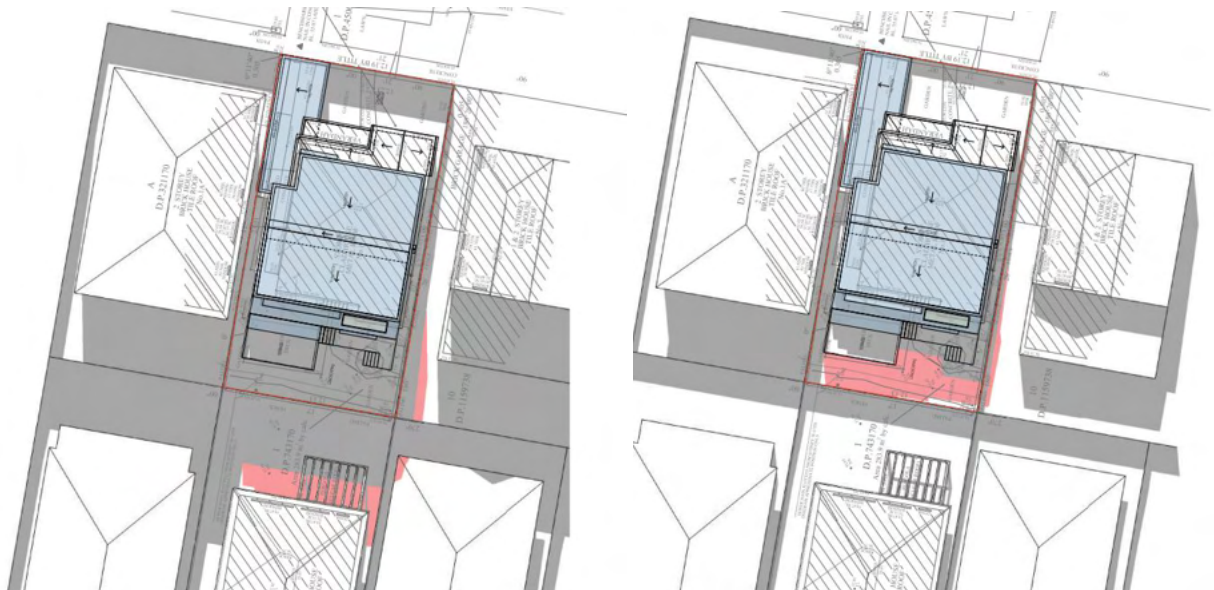


Figure 9: Proposed shadow diagrams. Left plan at 12pm on June 21 and the right plan at 12pm on 21 September.

The applicant has submitted shadows on 21 September to compare the two times in the year and demonstrate that the worst shadows are during winter and will improve through the year. The proposed development is compliant with the maximum height limit, FSR development controls and setbacks of this site and is considered reasonable as any first floor addition at this site will result in overshadowing of the adjoining property to the south at 14A Palmerston Avenue give the site constraints.

Views

One objection details that the eastern first floor unit at 1A Hewlett Street will lose sky and district views which have been shown below in Figures 11 and 12.

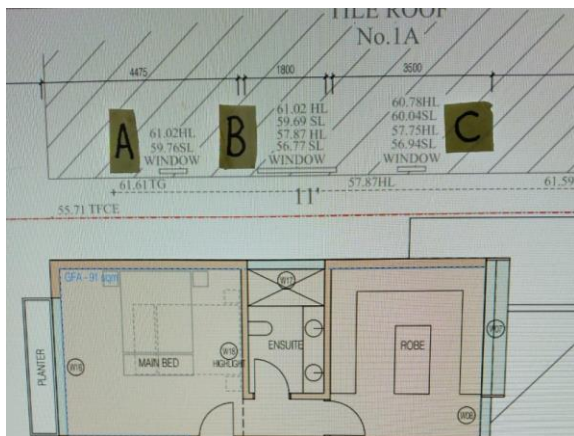


Figure 10: Proposed first floor addition and neighbouring windows at unit 4/1A Hewlett Street, labelled: A – kitchen window, B – Living room, C – bathroom window.



Figure 11: South easterly view from the first floor Living Room off 4/1a Hewlett St, Bronte, marked B in figure 10.



Figure 12: South easterly view from the first floor kitchen off 4/1a Hewlett St, Bronte, marked A in figure 10.



Figure 13: View of the ground and first floor predominant rear building line along the southern side of Hewlett St Bronte.

The NSW Land and Environment Court has articulated general principles with regard to views (see [*Tenacity Consulting v Warringah Council \[2004\] NSWLEC 140*](#)). This case states:

The notion of view sharing is invoked when a property enjoys existing views and a proposed development would share that view by taking some of it away for its own enjoyment. (Taking it all away cannot be called view sharing, although it may, in some circumstances, be quite reasonable.) To decide whether or not view sharing is reasonable, a four-step assessment should be used:

- 1. The first step is the assessment of views to be affected. Water views are valued more highly than land views. Iconic views (eg of the Opera House, the Harbour Bridge or North Head) are valued more highly than views without icons. Whole views are valued more highly than partial views, eg a water view in which the interface between land and water is visible is more valuable than one in which it is obscured.*

The outlook achieved from the first floor eastern side unit are partial views of trees and the tops of buildings. This outlook is a partial view achieved through gaps in buildings, over roof tops of existing buildings, which is achieved across the shared eastern side boundary. There is no water, landmark or iconic features visible from these windows. Therefore, this outlook is not considered to be highly valued as the view of trees and building tops is not iconic status.

- 2. The second step is to consider from what part of the property the views are obtained. For example the protection of views across side boundaries is more difficult than the protection of views from front and rear boundaries. In addition, whether the view is enjoyed from a standing or sitting position may also be relevant. Sitting views are more difficult to protect than standing views. The expectation to retain side views and sitting views is often unrealistic.*

The views over the subject site are achieved from the side kitchen and living room looking south east. The photographs are from a standing position.

- 3. The third step is to assess the extent of the impact. This should be done for the whole of the property, not just for the view that is affected. The impact on views from living areas is more significant than from bedrooms or service areas (though views from kitchens are highly valued because people spend so much time in them). The impact may be assessed quantitatively, but in many cases this can be meaningless. For example, it is unhelpful to say that the view loss is 20% if it includes one of the sails of the Opera House. It is usually more useful to assess the view loss qualitatively as negligible, minor, moderate, severe or devastating.*

For the objector's property, the view is from a kitchen and living area. The impact to this outlook from these windows is severe, as the proposed first floor addition is to extend past this window and be in line with the rear building line of this unit at 1A Hewlett Street. A view analysis was not completed as this outlook is not deemed a valuable view. It can be considered that a minor portion of the outlook is kept and solar access is still achieved.

4. *The fourth step is to assess the reasonableness of the proposal that is causing the impact. A development that complies with all planning controls would be considered more reasonable than one that breaches them. Where an impact on views arises as a result of non-compliance with one or more planning controls, even a moderate impact may be considered unreasonable. With a complying proposal, the question should be asked whether a more skilful design could provide the applicant with the same development potential and amenity and reduce the impact on the views of neighbours. If the answer to that question is no, then the view impact of a complying development would probably be considered acceptable and the view sharing reasonable.*

The extension is under the height limit indicated in the LEP, is located within the predominant rear building line and complies with the side setback control. It would be unreasonable to restrict this development as it complies with relevant planning controls. Sharing this outlook across side boundaries is not considered to be reasonable to restrict the proposal as a complying development would achieve the same outcome. Given this, the view impacts of the proposal are not considered unreasonable.

2.2. Other Impacts of the Development

The proposal is considered to 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 suitable for the proposal.

2.4. Any Submissions

The application was notified for 14 days between 2 and 16 November 2021 in accordance with the *Waverley Community Development Participation and Consultation Plan*.

Following receipt of amended plans and additional information, the application was not notified as the amended form of the proposal represents a lesser impact than that of the original form that was publicly notified, for the following reasons:

- The first floor was shifted forwards towards Hewlett Street, reducing the shadow impacts on the southern neighbour;
- The setback of the north-western corner of the first floor is increased over the existing roof; and
- The size of the terrace was reduced from 24m² to 18.6m² which reduced the privacy impact on adjoining neighbours.

A total of 16 unique submissions (3 from unknown addresses) were received from the properties identified in **Table 4** below.

Table 4: Number of and where submissions were received from.

Count	Property Address
1.	2/1A Hewlett St, Bronte
2.	3/1A Hewlett St, Bronte
3.	4/1A Hewlett St, Bronte x 2
4.	14A Palmerston Ave, Bronte x 2
5.	4/14 Palmerston Ave, Bronte x 3
6.	3/14 Palmerston Ave, Bronte
7.	16 Palmerston Ave, Bronte
8.	4/486 Bronte Road Bronte
9.	52/11 Yarranabbe Rd, Darling Point
10.	Unknown x 3

The following issues raised in the submissions have already been discussed and addressed in the body of this report and in the Recommendation:

- Height bulk and scale;
- Overshadowing;
- Overlooking from the terrace and new windows;
- Obstructed views;
- Streetscape impact; and
- Carport.

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

Issue: Excessive bulk and scale resulting in overshadowing.

Response: The proposed first floor addition is height, FSR, setback and wall height compliant, and is therefore a reasonable development given the existing constraints of the site. The amended plans have reduced overshadowing impacts on surrounding properties.

Issue: The carport is out of character with the streetscape and is built within the setback.

Response: The design and proposed materials are considered cohesive with the proposed development and are similar design to existing carports at 3 and 5 Hewlett Street, which have also been constructed on the front and side boundaries shown in **Figure 6** of this report.

Issue: Inconsistencies with the Statement of Environmental Effects.

Response: There are inconsistencies in the SEE, however the Assessment Officer has independently assessed the application against the controls and objectives of the WLEP and DCP.

2.5. Public Interest

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

3. REFERRALS

The following internal and external referral comments were sought:

3.1. Traffic and Development

The application was referred to Council's Traffic Engineer, who stated the following:

- *The proposed carport dimensions are satisfactory.*
- *It is shown in the architectural plans that fence will be constructed on either side of the carport at the property boundary. This may restrict the sight distance when driver is exiting the carport space. No structures above 1.15 metres are to be within 2 x 2.5 metre sight triangles measured from the footpath. This could be conditioned if the application is to be supported.*

A recommended condition of consent includes sight triangles from the carport to the footpath.

3.2. Stormwater

The application was referred to Council's Stormwater Engineer, the stormwater plans dated 30.9.2021 were unable to be assessed as they were designed by the Architect. The Stormwater Plan was not amended, and a recommended condition of consent requires the plan to be satisfied by Council prior to a construction certificate is issued.

3.3. Tree Management

No objections were raised by the Tree Management Officer.

3.4. Biodiversity

The site is located within a coastal biodiversity corridor and the application was referred to Council's Biodiversity Officer. The landscape plans dated 30.9.2021 were unable to be assessed against this control as their planting schedule does not indicate proposed numbers of each species. The Landscape Plan was not amended with the number of species and a recommended condition of consent requires the plan to be satisfied by Council prior to a construction certificate is issued.

4. CONCLUSION

The development application seeks consent for alterations and additions to dwelling house, including first floor addition and carport at the site known as 1 Hewlett Street, Bronte.

The principal issues arising from the assessment of the application are as follows:

- Bulk and scale;
- Visual privacy;
- Overshadowing;
- Views;
- Basement level.

The assessment finds these issues acceptable given the site constrictions including the topography of the site and its location on the southern side of Hewlett Street. The proposed rear extension and first floor addition are height, FSR, setback and wall height compliant. The amended plans improved the overshadowing and visual impact from the raised terrace. Recommended conditions include additional visual privacy amendments to windows, reduction of the length of the carport and opening the sides so it is not completely enclosed. The basement level is conditioned to have a floor to ceiling height of 2.2m and must be clearly shown on the plans.

A total number of 16 unique submissions (3 from unknown addresses) submissions were received and the issues raised in the submissions have been considered and addressed in this report and in the recommendation. There were no declarations of interest on the application.

The application has been assessed against the relevant matters for consideration under section 4.15(1) of the Act. It is recommended for approval subject to conditions of consent.

Development and Building Unit (DBU) Decision:


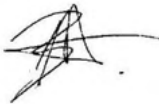
The application was reviewed by the DBU at the meeting on 29 March 2022 and the DBU determined:

- (a) The application is acceptable and should be approved, subject to the conditions in Appendix A.

DBU members: *M Reid, A Rossi, B McNamara, B Matlawski and B Magistrale*

5. RECOMMENDATION TO WAVERLEY LOCAL PLANNING PANEL

That the development application be APPROVED by the Waverley Local Planning Panel subject to the conditions in Appendix A.

Report prepared by:	Application reviewed and agreed on behalf of the Development and Building Unit by:
	
Edwina Ross	Ben Magistrale
Development Assessment Planner	Acting Manager, Development Assessment (North/South) (Reviewed and agreed on behalf of the Development and Building Unit)
Date: 6/04/2022	Date: 12 April 2022

Reason for WLPP referral:

2. Contentious development (10 or more objections)

APPENDIX A – CONDITIONS OF CONSENT

A. APPROVED DEVELOPMENT

1. APPROVED PLANS AND DOCUMENTATION

The development must be in accordance with:

- (a) Architectural Plans prepared by Chapman Architect including the following:

Plan Number and Revision	Plan description	Plan Date	Date received by Council
DA-02, Revision D	Proposed Ground Floor Plan	21/02/2022	21/02/2022
DA-03, Revision D	Proposed First Floor Plan	21/02/2022	21/02/2022
DA-04, Revision D	Proposed Roof Plan	21/02/2022	21/02/2022
DA-05, Revision D	North & South Elevations & External Finishes Schedule	21/02/2022	21/02/2022
DA-06, Revision D	South Elevation	21/02/2022	21/02/2022
DA-07, Revision D	West Elevation	21/02/2022	21/02/2022
DA-08, Revision D	East Elevation	21/02/2022	21/02/2022
DA-09, Revision D	Long Section	21/02/2022	21/02/2022

- (b) BASIX Certificate.
- (c) Approved landscape plan in accordance with condition 2(a) and 18 of this development consent.
- (d) Approved stormwater plans and documents in accordance with condition 15 of this development consent.
- (e) The Site Waste and Recycling Management Plan (SWRMP) Part 1 received by Council on 22/10/2021;
- Except where amended by the following conditions of consent.

2. GENERAL MODIFICATIONS

The application is approved subject to the following plan amendments;

- (a) This Landscape Plan is to be amended to show the location of the existing trees and the proposed new trees on site with a planting schedule clearly showing the numbers of each species.
- (b) The extended area of the ground floor level of the development that is behind must be set back 0.9m from the western side boundary of the site until the rear of the carport. The eastern side wall of the carport is to be removed and the western side wall is to be no higher than the boundary fence at 1.8m.
- (c) The western facing windows off the living and dining room (W04 and W05) directly face existing windows and overlook the private open space at 1A Hewlett Street. These are to be amended to have a sill height of 1.6m above ground floor finishes level. The southern facing window (W02) off the kitchen is to have a sill height of 1.5m to mediate overlooking into the rear yard of 14A Palmerston Avenue.

- (d) Waste and recycling bins shall be stored behind the front building line of the dwelling house in order to avoid an unsightly appearance from Glen Street.
- (e) The basement is restricted to a floor to ceiling height of 2.2m and shown on a new basement floor plan and a new section plan from north to south, intersecting the basement stairs, to clearly show the location of the basement. The basement shall be uninhabitable.

The amendments are to be approved by the **Executive Manager, Development Assessment**. An electronic copy of the amended plans or additional information (see website for electronic document requirements) addressing this condition, including a covering letter shall be provided to Council for review.

3. DOMESTIC HEATERS

The provision of solid fuel heating is prohibited.

B. PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

The requirements outlined in this section are to be provided to the satisfaction of the Principal Certifying Authority in all instances, except where a condition explicitly specifies the approval of Council or a Council Officer is required.

GENERAL REQUIREMENTS

4. 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 and Assessment Act 1979*;
- (b) a Principal Certifying Authority has been appointed and Council has been notified of the appointment in accordance with the *Environmental Planning and Assessment Act 1979* and *Environmental Planning and Assessment Regulation 2000*; and
- (c) Council is given at least two days' notice in writing of the intention to commence the building works.

5. 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 applicable requirements of Part 6, before any work commences.

CONTRIBUTIONS, FEES & BONDS

6. SECTION 7.12 CONTRIBUTION

A monetary development contribution is payable to Waverley Council pursuant to section 7.12 of the *Environmental Planning and Assessment Act 1979* and the 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:

(i) Where the total development cost is less than \$500,000:

"Waverley Council Cost Summary Report"; or,

(ii) 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 are provided in the Waverley Council Contributions Plan 2006, available on Council's website.

(b) As legislated in section 25K of the Environmental Planning and Assessment Regulation 2000, the levy must be paid in accordance with the following;

(i) A development valued at \$100,000 or less will be exempt from the levy;

(ii) A development valued at \$100,001 - \$200,000 will attract a levy of 0.5% of the full cost of the development; or

(iii) A development valued at \$200,001 or more will attract a levy of 1% of the full cost of the development.

Prior to the issue of any 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.

7. SECURITY DEPOSIT

A deposit (cash or cheque) or guarantee for the amount of **\$11,230** must be provided to Council for any damage caused to any property of the consent authority (ie. public land) as a consequence of the works and completing any public work (such as road work, kerbing and guttering, footway construction, stormwater drainage and environmental controls) required in connection with the consent.

This deposit (cash or cheque) or guarantee must be provided to Council prior to the issue of any Construction Certificate. The full amount of the deposit, minus Council's costs for any repair of damage to Council property or rectification of unauthorised works on Council property, will be refunded after satisfactory completion all of works associated with this consent (including the required public works) to the person who paid the deposit.

8. 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 of this building work. Evidence that the levy has been paid is to be submitted to the Principal Certifying Authority prior to the issue of any 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.

9. ENGINEERING PLANS ASSESSMENT AND WORKS INSPECTION FEES

The applicant is to pay to Council fees for assessment of all engineering plans and inspection of the completed works in the public domain inclusive of all stormwater assessment, in accordance with Council's Schedule of Fees & Charges at the time of engineering plan approval, prior to such approval being granted by Council.

An invoice will be issued to the applicant for the amount payable, which will be calculated based on the design plans for the subject development.

CONSTRUCTION MATTERS

10. HOARDING

To ensure the site is contained during construction, a hoarding is required for the approved works, which is to be designed and constructed in accordance with the requirements of Safe Work NSW. Where the hoarding is to be erected over the footpath or any public place, the approval of Council's Compliance Unit must be obtained and the applicable fees paid, prior to the erection of the hoarding.

11. EROSION & SEDIMENT CONTROL

A Soil and Water Management Plan (SWMP), also known as an Erosion and Sediment Control Plan must be prepared in accordance with Waverley Council's Water Management Technical Manual.

The SWMP must be approved by the Principal Certifying Authority prior to the issue of a Construction Certificate. A copy of the SWMP must be kept on site at all times and made available to Council officers upon request.

The recommendations of the SWMP must be implemented and maintained during all construction activities and until the site is fully stabilised following construction.

12. ENGINEERING DETAILS

Structural details are to be prepared and certified by a practicing Structural Engineer in connection with all structural components of the approved works, prior to the issue of the relevant Construction Certificate.

13. ENGINEERING CERTIFICATE OF ADEQUACY

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

14. STRUCTURAL INTEGRITY OF RETAINED BUILDING ELEMENTS

Prior to the issue of a Construction Certificate, a report or certification from a practicing structural engineer must be submitted to the Principal Certifying Authority to explain how the retained building elements, such as building facades and bullnose roof above the verandah are to be retained, supported and not undermined by the proposed development and give details of any intervention or retrofitting needed.

STORMWATER & FLOODING

15. STORMWATER AND PUBLIC INFRASTRUCTURE MANAGEMENT

To ensure that stormwater runoff from the development is drained in an appropriate manner, without impact to neighbouring properties and downstream systems, a detailed plan and certification of the development's stormwater management system must be submitted and approved by the Executive Manager, Infrastructure Services (or delegate) prior to the issue of the relevant Construction Certificate.

The applicant must submit plans and specifications to comply with the current Waverley Council Water Management Technical Manual and Development Control Plan (DCP) at the time of engineering plan approval. The submitted plans shall be prepared by a suitably qualified and practising Civil Engineer and:

- a) The plans shall provide details of any required On-Site Stormwater Detention (OSD) system and its details e.g. pit dimensions, cross & long sections, significant water invert levels of inlet and outlet pipes, details of Discharge Control Pit, orifice plate details including orifice diameter, depth of water above centreline of orifice etc., pit overflow, OSD plaque, OSD warning sign and catchment plan. Council's mandatory OSD checklist as set out in Council's Water Management Technical Manual shall be submitted.
- b) Seepage water must not be directly or indirectly discharged to Council's street gutter.
- c) Any new downpipes are to be located wholly within the property's boundary.
- d) Any proposed pipeline within the road reserve must fall by gravity at 1% minimum.
- e) The stormwater management plan must specify any components of the existing system to be retained and certified during construction to be in good condition and of adequate capacity to convey additional runoff and be replaced or upgraded if required.
- f) Pipe sizes, type, grade, length, invert levels, dimensions and types of drainage pits and inspection openings. Calculations demonstrating the proposed stormwater drainage system can cater for the relevant design storm event shall be provided.
- g) Any affected Council's infrastructure as the result of construction activities within the public domain area, inclusive of stormwater, stormwater outlet/s, kerb and gutter, pavement, grass verges and vehicle crossovers within the extent works shall be replaced as per Waverley Council Public Domain Technical Manual. All associated costs shall be borne by the applicant.

Notes:

- Since a sewer main runs through the property, plans must also be presented to a Sydney Water Tap in™ for their approval.
- The Applicant is advised to consider the finished levels of the public domain, including new or existing footpaths and pavement prior to setting the floor levels for the proposed development.
- Waverley Council standard drawings for public domain infrastructure assets are available upon request. Details that are relevant may be replicated in the Engineering design submissions however, Council's title block shall not be replicated.
- Prior to commencement of works a security deposit will be made payable to Council to ensure any additional damage or unauthorised works within the Council property, not conditioned above. Council will reserve the right to withhold the cost of restoring the damaged assets from the security deposit should the applicant fail to restore the defects to the satisfaction of Council.

- Council's contact for infrastructure assessment: E-mail: assets@waverley.nsw.gov.au or Phone: 9083 8886 (operational hours between 9.30am to 4pm Monday to Friday)

ENERGY EFFICIENCY & SUSTAINABILITY

16. BASIX

All requirements of the BASIX Certificate and NatHERS documentation are to be shown on the Construction Certificate plans and documentation.

WASTE

17. SITE WASTE AND RECYCLING MANAGEMENT PLAN

A *Site Waste and Recycling Management Plan (SWRMP) - Part 2* is to be submitted to the Principal Certifying Authority prior to the issue of the relevant Construction Certificate, which outlines materials to be reused and/or recycled as a result of demolition and construction works. At least one copy of the *SWRMP Part 2* 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.

LANDSCAPING & TREES

18. LANDSCAPE WORKS IN A HABITAT CORRIDOR

A landscape plan is to be submitted to and approved by Council's Executive Manager, Environmental Sustainability (or delegate) with a plant species list having a minimum of 50% of the proposed trees, 50% of the shrubs and 50% of the grasses and groundcovers (not including turfed areas) are to be indigenous or local native plants listed in Annexure B2-1 of the Waverley Development Control Plan 2012.

TRAFFIC MANAGEMENT

19. CONSTRUCTION TRAFFIC MANAGEMENT PLAN (CTMP)

The applicant is to submit a Construction Traffic Management Plan (CTMP) for the approval of Council's Executive Manager, Infrastructure Services, or delegate, prior to the issue of any Construction Certificate. For further information on what is required in the CTMP, please refer to Council's website at:

https://www.waverley.nsw.gov.au/building/development_applications/post_determination/development_applications_-_conditions_of_consent

20. DILAPIDATION REPORT

A Dilapidation report is to be prepared for any adjoining or nearby property that may be subject to potential damage as a result of any works being undertaken. The dilapidation report is to be made available to affected property owners.

The report is to be dated, submitted to, and accepted by the Principal Certifying Authority, prior to any work commencing on the site.

Note: 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. Council will not become directly involved in disputes between the builder, owner, developer, its contractors and the owners of neighbouring buildings.

C. COMPLIANCE PRIOR TO WORK COMMENCING AND DURING CONSTRUCTION

The requirements outlined in this section are to be provided to the satisfaction of the Principal Certifying Authority in all instances, except where a condition explicitly specifies the approval of Council or a Council Officer is required.

PRIOR TO ANY WORKS

21. 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.

DEMOLITION & EXCAVATION

22. DEMOLITION – ASBESTOS AND HAZARDOUS MATERIALS

The demolition, removal, storage, handling and disposal of products and materials containing asbestos must be carried out in accordance with the relevant requirements of SafeWork NSW and the NSW Environment Protection Authority (EPA), including:

- Work Health and Safety Act 2011;
- Work Health and Safety Regulation 2017;
- SafeWork NSW Code of Practice for the Safe Removal of Asbestos;
- Australian Standard 2601 (2001) – Demolition of Structures;
- *Protection of the Environment Operations Act 1997*.

At least 5 days prior to the demolition, renovation work or alterations and additions to any building, the person acting on the consent shall submit a Work Plan to the Principal Certifying Authority 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.

23. CONTROL OF DUST ON CONSTRUCTION SITES

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 (e.g. 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.

24. CLASSIFICATION OF WASTE/ DISPOSAL OF EXCAVATED SOILS

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 2014.

25. 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.

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 excavation is to be managed by a practising structural engineer.

CONSTRUCTION MATTERS

26. 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 Sundays and public holidays.

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.

Noise from construction activities shall comply with the *Protection of the Environmental Operations (Noise Control) Regulation 2017*.

27. STOCKPILES, STORAGE OF MATERIALS AND LOCATION OF BUILDING OPERATIONS

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

28. CONSTRUCTION INSPECTIONS

The building works are to be inspected during construction by the Principal Certifying Authority (PCA) in accordance with the Building Legislation Amendment (Quality of Construction) Act 2002 and 162A Critical stage inspections for building work of the Environmental Planning and Assessment Regulation 2000.

29. CERTIFICATE OF SURVEY - LEVELS

All construction works are to be 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.

30. 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 location 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.

31. WORK OUTSIDE PROPERTY BOUNDARY

This consent does not authorise any work outside the property boundary.

TREE PROTECTION AND REMOVAL

32. TREE PROTECTION

All trees on site and adjoining properties, including street trees, are to be retained and protected in accordance with AS4970-2009 'Protection of Trees on Construction Sites' and to be certified by an Arborist with AQF level 5 qualification or above, unless approved to be removed in this development consent.

33. STREET TREES TO BE RETAINED/TREE PROTECTION

No existing street trees shall be removed without Council approval. 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 in accordance with AS4970-2009 "Protection of trees on construction sites.

VEHICLE ACCESS & PUBLIC DOMAIN WORKS

34. CAR PARKING AREA IS TO BE GRADED

The hardstand car parking area is to be graded and drained and all surface waters are to be collected and conveyed to the street gutter via underground pipes. A grate drain is to be provided across the front alignment of the hardstand car space.

35. VEHICULAR ACCESS - FINISHED LEVEL TO FOOTPATH

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

36. DRIVEWAY

The driveway is to be 3.0 metres wide at the property boundary. No structures above 1.15 metres are to be within 2 x 2.5 metre sight triangles measured from the footpath.

D. PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE OR SUBDIVISION CERTIFICATE

The requirements outlined in this section are to be provided to the satisfaction of the Principal Certifying Authority in all instances, except where a condition explicitly specifies the approval of Council or a Council Officer is required, prior to the issue of an Occupation Certificate or Subdivision Certificate, whichever applies.

37. FINAL OCCUPATION CERTIFICATE

Prior to occupation or use of the development, an Occupation Certificate must be obtained.

The Principal Certifying Authority must be satisfied that the requirements of the *Environmental Planning & Assessment Act 1979* have been satisfied including all critical stage inspections. Documentary evidence of all required inspections is to be submitted to Council.

38. CERTIFICATION OF BASIX COMMITMENTS

The Principal Certifying Authority shall certify that the all the undertakings in the approved BASIX certificate have been completed.

39. CERTIFICATION OF CONSTRUCTED STORMWATER DRAINAGE SYSTEM

Prior to issue of any Occupation Certificate, certification is to be provided from a suitably qualified and practising Engineer, that any new stormwater drainage system has been constructed in accordance with the Development Consent, Water Management Technical Manual, all applicable Codes, Policies, Plans, Standards and good engineering practice. A copy of the aforementioned letter of certification must be submitted to Council.

40. CERTIFICATION OF RETAINED STORMWATER DRAINAGE SYSTEM

Prior to issue of any Occupation Certificate, certification is to be provided from a suitably qualified and practising Engineer or Plumber, that any retained stormwater drainage system is unblocked, in good working order and to be repaired/replaced in accordance with Council's Water Management Technical Manual and Development Control Plan and all applicable Codes, Policies, Plans, Standards and good engineering practice. A copy of the aforementioned letter of certification must be submitted to Council.

41. CREATION OF POSITIVE COVENANT AND RESTRICTION FOR OSD

A "Restriction on the Use of Land" and "Positive Covenant" shall be created for any On-Site Stormwater Detention (OSD) system, under Section 88E of the Conveyancing Act 1919. This is to place a restriction on the title that the system is maintained and kept free of debris/weed to allow unobstructed passage of stormwater through the site and underneath the residence. The property owner/occupant shall not modify or remove the system without consent from Council.

The wording of the Instrument shall be submitted to and approved by Executive Manager, Infrastructure Services (or delegate) prior to lodgement at NSW Land Registry Services. The Instrument shall be registered and a registered copy of the document shall be submitted to and approved by the consent authority prior to the issue of an Occupation Certificate/use of the building. All associated costs shall be borne by the applicant.

E. ADVISORY MATTERS

The following advisory matters are provided as additional information to ensure compliance with the relevant legislation and requirements. You must also check other Commonwealth and NSW Acts and Regulations which may apply to the works or use approved in this application.

AD1. POST CONSENT CONDITIONS REQUIRING COUNCIL INPUT

Various conditions require further input, review or approval by Council in order to be satisfied following the determination of the application (that is, post consent). In those instances, please adhere to the following process to avoid delays:

- Please read your conditions carefully.
- Information to be submitted to Council should be either via email to info@waverley.nsw.gov.au or via the NSW Planning Portal (if required).
- Attention the documentation to the relevant officer/position of Council (where known/specified in condition).
- Include DA reference number.
- Include condition number/s seeking to be addressed.
- Where multiple conditions need Council input, please try to group the documentation / email/s into relevant subjects (multiple emails for various officers may be necessary, for example).
- Information to be submitted in digital format – refer to 'Electronic lodgement guidelines' on Council's website. Failure to adhere to Council's naming convention may result in documentation being rejected.
- Where files are too large for email, the digital files should be sent to Council via CD/USB. Council does not support third party online platforms (data in the cloud) for receipt of information.
- Please note, in some circumstances, additional fees and/or additional documents (hard copy) may be required.

- Council's standard for review (from date the relevant officer receives documentation) is 14 days. Times may vary or be delayed if information is not received in this required manner.

AD2.SYDNEY WATER REQUIREMENTS

You may be required to submit your plans to the appropriate Sydney Water office to determine whether the development will affect Sydney Water's sewer and water mains, stormwater drains and/or easements.

Contact Sydney Water for more information.

AD3.DIAL BEFORE YOU DIG

Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial Before You Dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures (this is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial Before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial Before You Dig service in advance of any construction or planning activities.

AD4.TELECOMMUNICATIONS ACT 1997 (COMMONWEALTH)

Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for prosecution. Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on 1800 810 443.

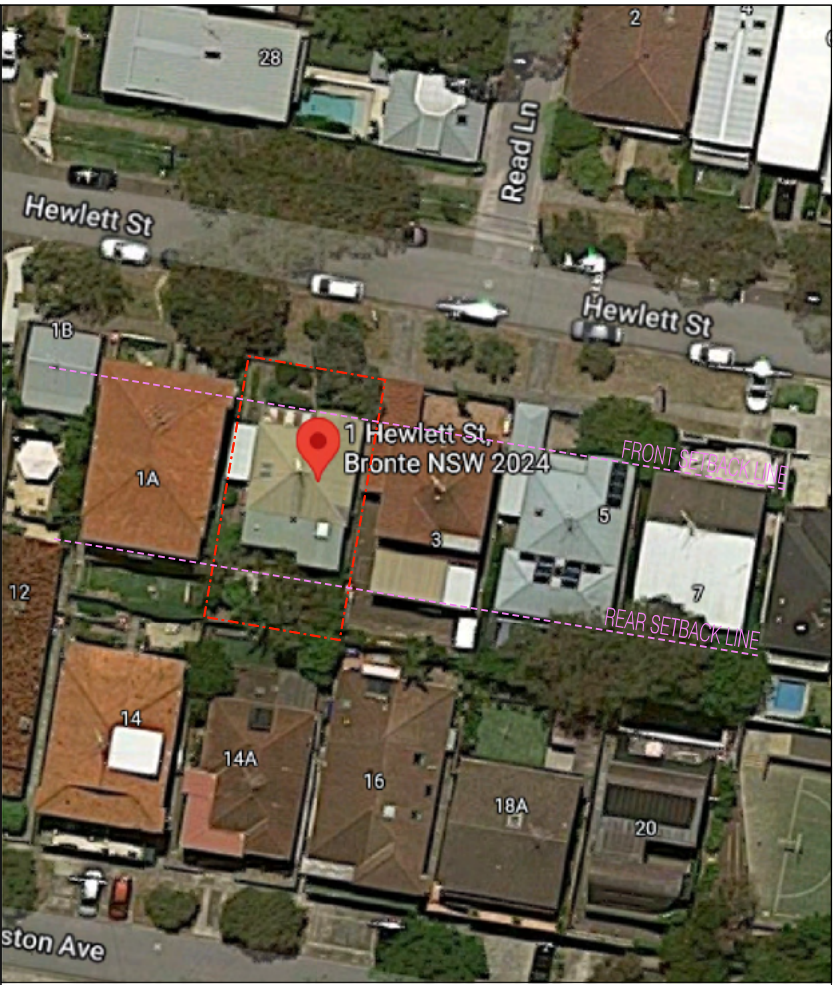
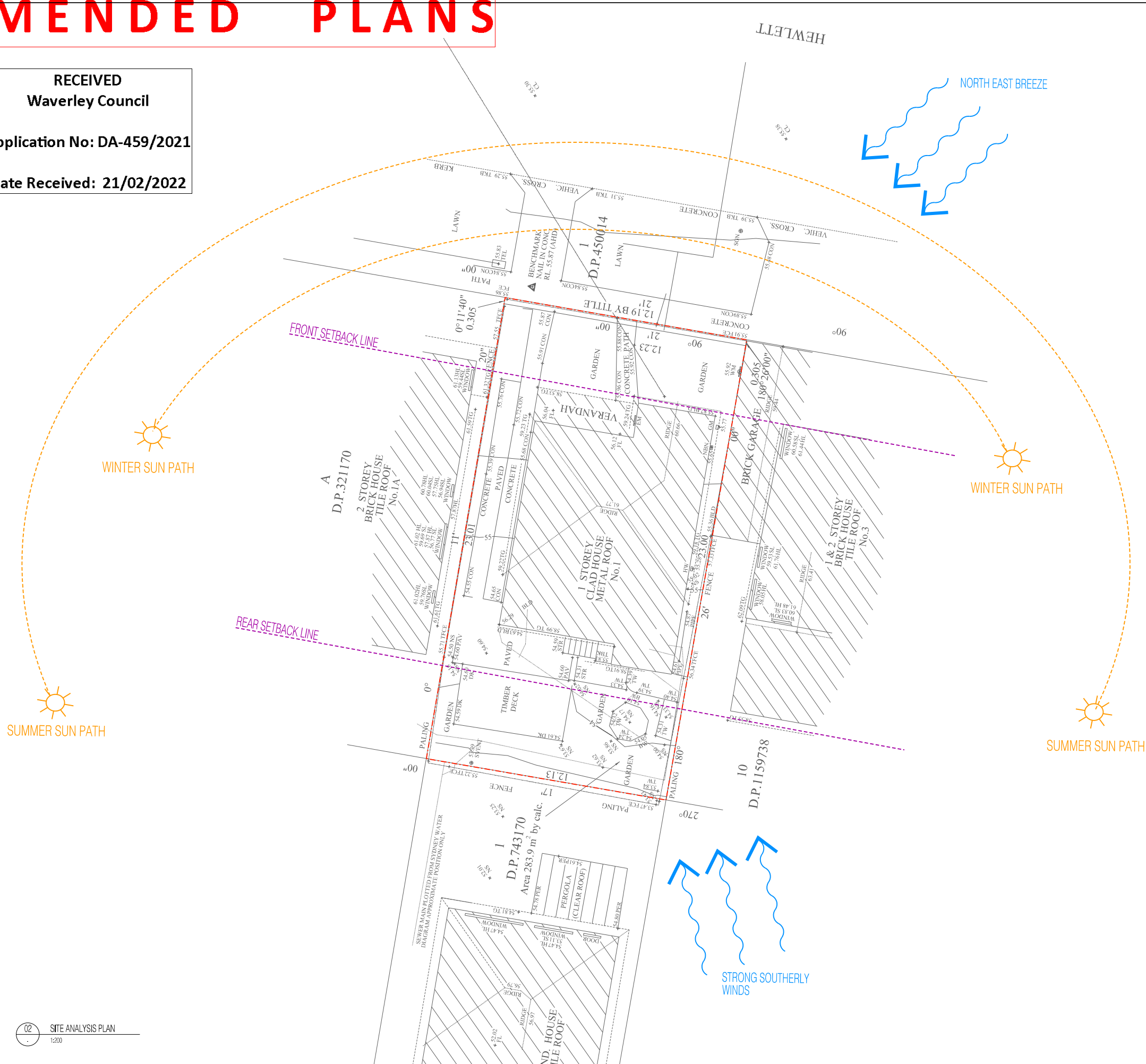
AD5.ALTERATIONS AND ADDITIONS ONLY

This consent is for alterations and additions to the existing building only and should during the course of construction a significant amount of the remaining fabric of the building be required to be removed, works must cease immediately and a new development application will be required to be submitted for assessment.

AD6.TREE REMOVAL/PRESERVATION

Any trees not identified for removal in this application have not been assessed and separate approval may be required. Any pruning of trees on adjoining properties required for the erection of scaffolding and/or the construction of the building may also require approval.

RECEIVED
Waverley Council
Application No: DA-459/2021
Date Received: 21/02/2022



01 LOCATION PLAN (AERIAL PHOTOGRAPH)

ALTERATIONS AND ADDITIONS @ 1 HEWLETT ST
DEVELOPMENT APPLICATION

DRAWING NO.:	DRAWING TITLE:	SCALE:
DA-00	COVER SHEET - LOCATION PLAN & SITE ANALYSIS	VARIOUS
DA-01	EXISTING GROUND FLOOR PLAN	1:100 @ A3
DA-02	PROPOSED GROUND FLOOR PLAN	1:100 @ A3
DA-03	PROPOSED FIRST FLOOR PLAN	1:100 @ A3
DA-04	PROPOSED ROOF PLAN	1:100 @ A3
DA-05	PROPOSED NORTH ELEVATION & EXTERNAL FINISHES SCHEDULE	1:100 @ A3
DA-06	PROPOSED SOUTH ELEVATION	1:100 @ A3
DA-07	PROPOSED WEST ELEVATION	1:100 @ A3
DA-08	PROPOSED EAST ELEVATION	1:100 @ A3
DA-09	PROPOSED LONG SECTION	1:100 @ A3
DA-10	BASIX INFORMATION	NTS
DA-11	SHADOW DIAGRAM - 9am JUNE 21st	1:200 @ A3
DA-12	SHADOW DIAGRAM - 12pm JUNE 21st	1:200 @ A3
DA-13	SHADOW DIAGRAM - 3pm JUNE 21st	1:200 @ A3
DA-14	SHADOW ELEVATIONS - 14A PALMERSTON AVE - JUNE 21st	1:200 @ A3
DA-15	SHADOW DIAGRAM - 9am SEPTEMBER 21st	1:200 @ A3
DA-16	SHADOW DIAGRAM - 12pm SEPTEMBER 21st	1:200 @ A3
DA-17	SHADOW DIAGRAM - 3pm SEPTEMBER 21st	1:200 @ A3
DA-18	LANDSCAPE & WATER MANAGEMENT PLAN	1:100 @ A3

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REVISION:		
A	SKETCH DESIGN	11.05.2021
B	DRAFT DA DRAWINGS	02.09.2021
C	DA SUBMISSION	30.09.2021
D	RESPONSE TO DEFERRAL	21.02.2022

ARCHITECT:
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PROJECT:
1 HEWLETT ST
CLIENT:
ALICE & ED SCOTT

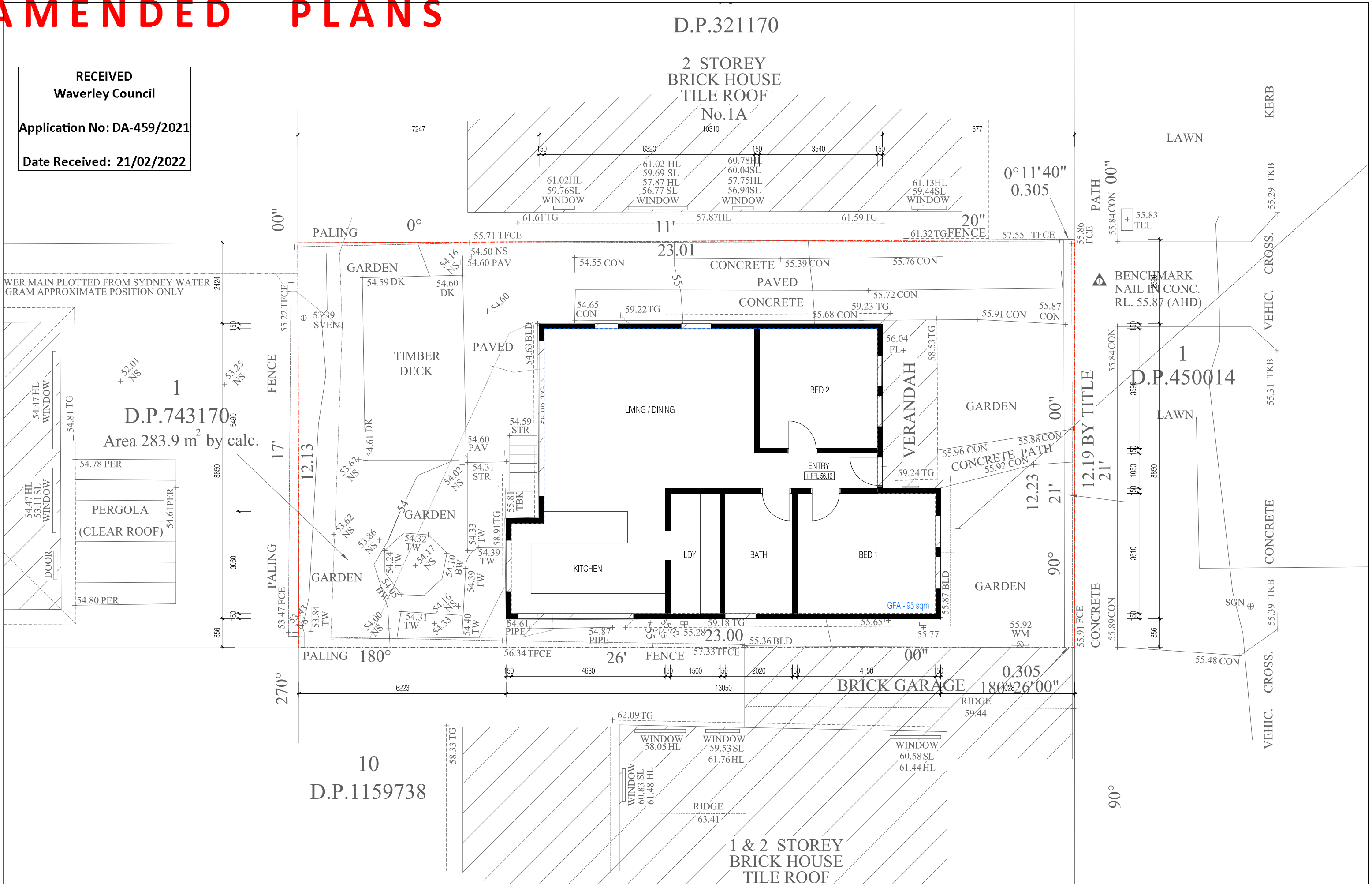
DRAWING TITLE:
COVER SHEET - LOCATION PLAN & SITE ANALYSIS
DRAWING NO.:
DA-00
REVISION:
D
DATE:
21.02.2022

SCALE:
VARIOUS



AMENDED PLANS

RECEIVED
Waverley Council
Application No: DA-459/2021
Date Received: 21/02/2022



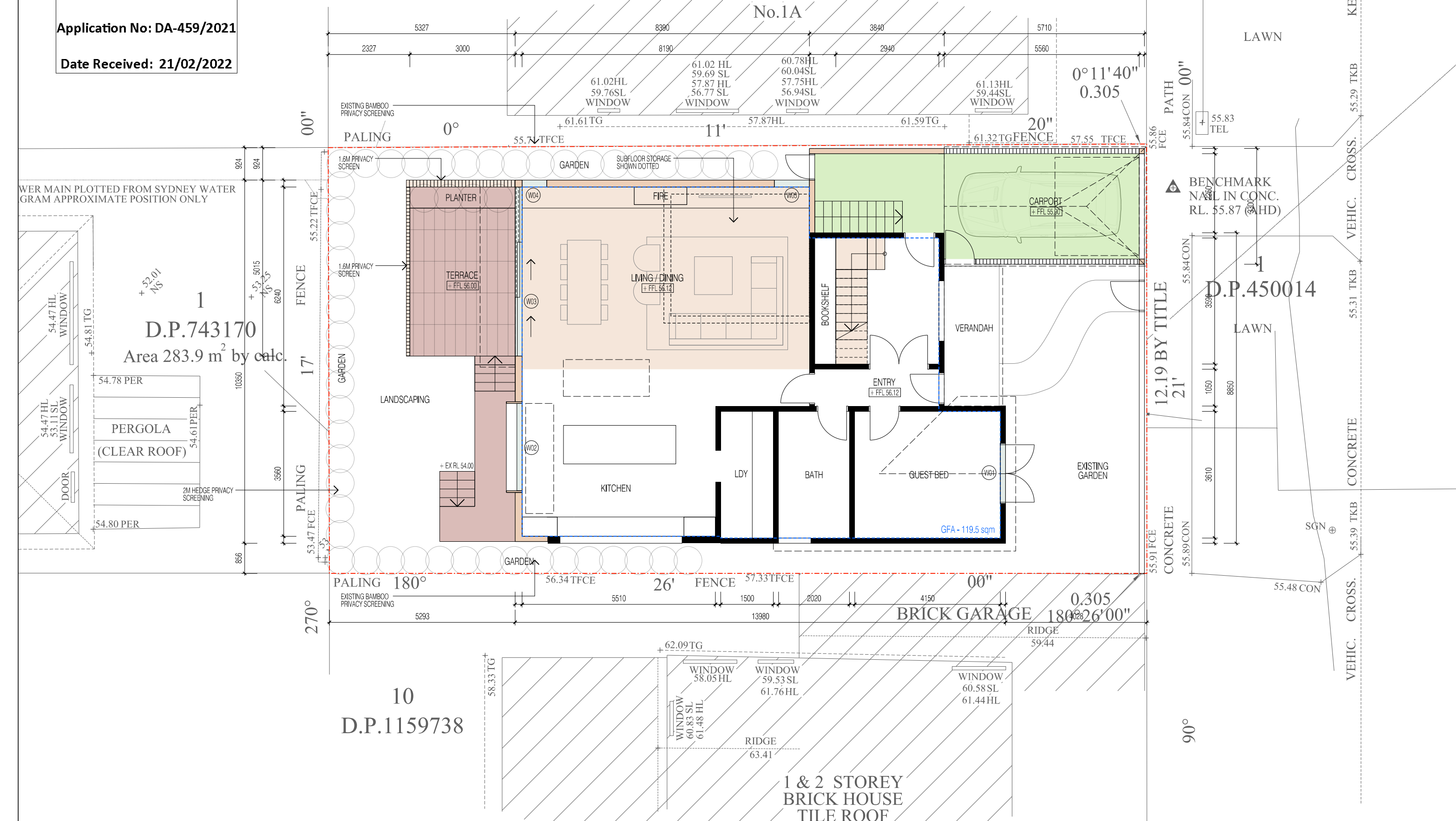
<div>NOT FOR CONSTRUCTION</div> <div>These designs and plans are copyright and are not to be reproduced wholly or in part without the written permission of Chapman Architecture. Do not scale drawings (figure dimensions only to be used. Dimensions to be verified on site before the fabrication of any building components.</div>	<div>REVISION:</div> <div><div><div>A</div><div>SKETCH DESIGN</div><div>11.05.2021</div></div><div><div>B</div><div>DRAFT DA DRAWINGS</div><div>02.09.2021</div></div><div><div>C</div><div>DA SUBMISSION</div><div>30.09.2021</div></div><div><div>D</div><div>RESPONSE TO DEFERRAL</div><div>21.02.2022</div></div></div>	<div>LEGEND:</div> <div><div><div><div></div></div>SITE BOUNDARY</div><div><div><div></div></div>GFA (GROSS FLOOR AREA)</div><div><div><div></div></div>DEEP SOIL PLANTING</div><div><div><div></div></div>DEMOLITION</div><div><div><div></div></div>EXISTING CONSTRUCTION</div><div><div><div></div></div>NEW FRAMED CONSTRUCTION</div><div><div><div></div></div>NEW MASONRY CONSTRUCTION</div><div><div><div></div></div>NEW CONCRETE CONSTRUCTION</div><div><div><div></div></div>NEW METAL CONSTRUCTION</div><div><div><div></div></div>NEW GLAZING</div><div><div><div></div></div>BW BRICKWORK</div><div><div><div></div></div>FC FIBRE CEMENT</div><div><div><div></div></div>GF GLASS FIXED</div><div><div><div></div></div>GO GLASS OPERABLE</div><div><div><div></div></div>GT GLASS TRANSLUCENT</div><div><div><div></div></div>MB METAL BALUSTRADE</div><div><div><div></div></div>MR METAL ROOF SHEETING</div><div><div><div></div></div>RP RENDER & PAINT</div><div><div><div></div></div>TS TIMBER SCREEN</div></div> <div><div>ARCHITECT:</div><div>chapman architecture</div><div>PO Box 2051 Clovelly West NSW 2031</div><div>T: 0420 382 700</div><div>E: info@chapmanarchitecture.com.au</div></div> <div><div>PROJECT:</div><div>1 HEWLETT ST</div><div>CLIENT:</div><div>ALICE & ED SCOTT</div></div> <div><div>DRAWING TITLE:</div><div>EXISTING GROUND FLOOR PLAN</div><div><div>DRAWING NO.:</div><div>DA-01</div></div><div><div>REVISION:</div><div>D</div></div><div><div>DATE:</div><div>21.02.2022</div></div></div> <div><div>SCALE:</div><div>1:100 @ A3</div><div><div>0m</div><div>1m</div><div>2m</div><div>5m</div></div><div></div></div>
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AMENDED PLANS

RECEIVED
Waverley Council
Application No: DA-459/2021
Date Received: 21/02/2022

D.P.321170

2 STOREY
BRICK HOUSE
TILE ROOF
No.1A



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REVISION:

- A SKETCH DESIGN
- B DRAFT DA DRAWINGS
- C DA SUBMISSION
- D RESPONSE TO DEFERRAL

11.05.2021
02.09.2021
30.09.2021
21.02.2022

LEGEND:

-  SITE BOUNDARY
-  GFA (GROSS FLOOR AREA)
-  DEEP SOIL PLANTING
-  DEMOLITION
-  EXISTING CONSTRUCTION

-  NEW FRAMED CONSTRUCTION
-  NEW MASONRY CONSTRUCTION
-  NEW CONCRETE CONSTRUCTION
-  NEW METAL CONSTRUCTION
-  NEW GLAZING

BW	BRICKWORK
FC	FIBRE CEMENT
GF	GLASS FIXED
GO	GLASS OPERABLE
GT	GLASS TRANSLUCENT

MB METAL BALUSTRADE
MR METAL ROOF SHEETING
RP RENDER & PAINT
TS TIMBER SCREEN

ARCHITECT:

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PROJECT:

1 HEWLETT ST

CLIENT:
ALICE & ED SCOTT

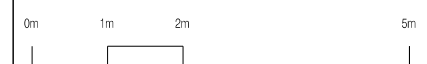
DRAWING TITLE:

PROPOSED GROUND FLOOR PLAN

DRAWING NO.:	REVISION:	DATE:
DA-02	D	21.02.2022

SCALE:

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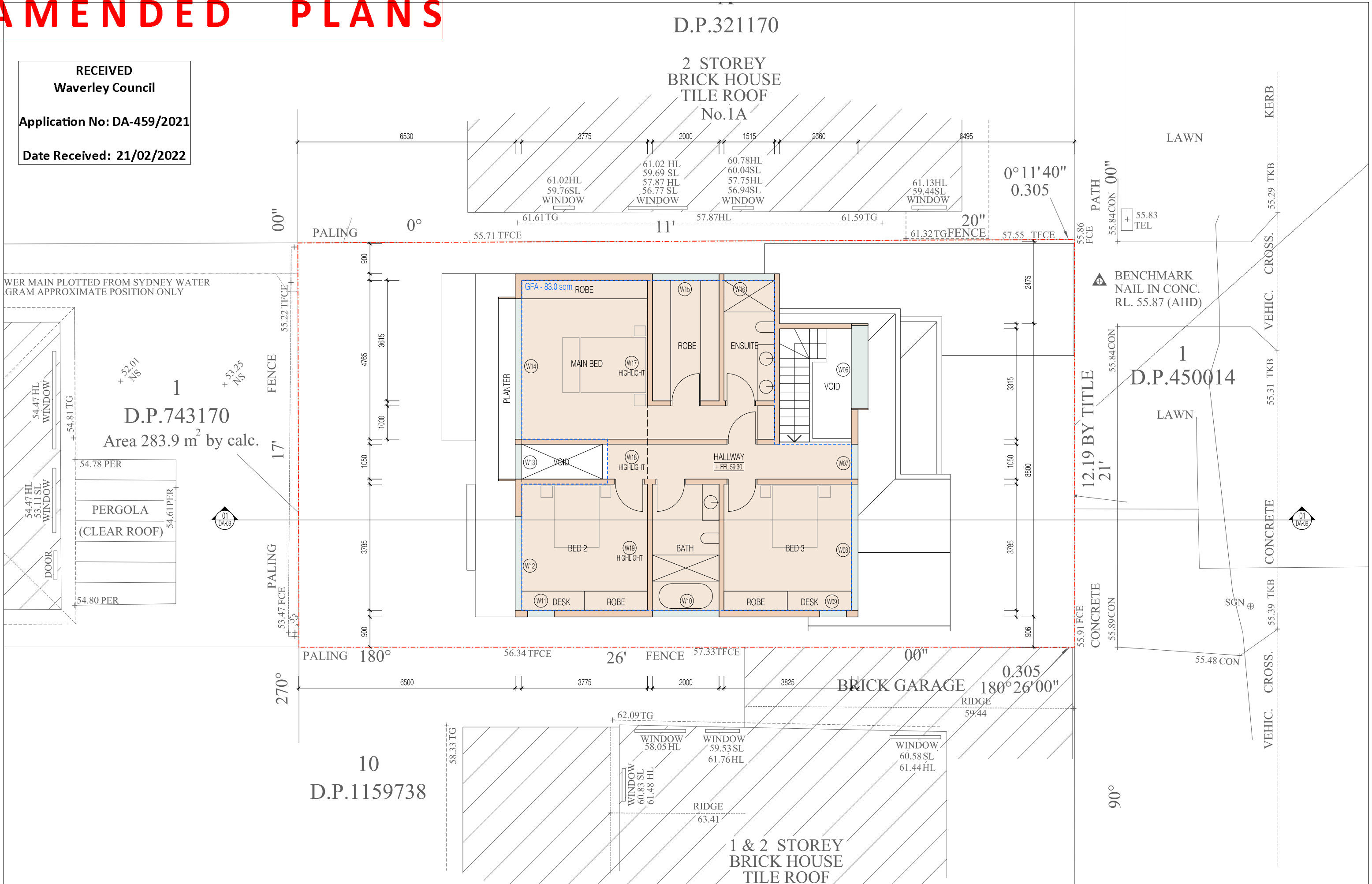


AMENDED PLANS

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Waverley Council

Application No: DA-459/2021

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11.05.2021
02.09.2021
30.09.2021
21.02.2022

LEGEND:

■ SITE BOUNDARY
■ GFA (GROSS FLOOR AREA)
■ DEEP SOIL PLANTING
■ DEMOLITION
■ EXISTING CONSTRUCTION

■ NEW FRAMED CONSTRUCTION
■ NEW MASONRY CONSTRUCTION
■ NEW CONCRETE CONSTRUCTION
■ NEW METAL CONSTRUCTION
■ NEW GLAZING

■ BRICKWORK
■ FIBRE CEMENT
■ GLASS FIXED
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■ GLASS TRANSLUCENT

■ METAL BALUSTRADE
■ METAL ROOF SHEETING
■ RENDER & PAINT
■ TIMBER SCREEN

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PROJECT:

1 HEWLETT ST

CLIENT:

ALICE & ED SCOTT

DRAWING TITLE:

PROPOSED FIRST FLOOR PLAN

DRAWING NO.:

DA-03

REVISION:

D

DATE:

21.02.2022

SCALE:

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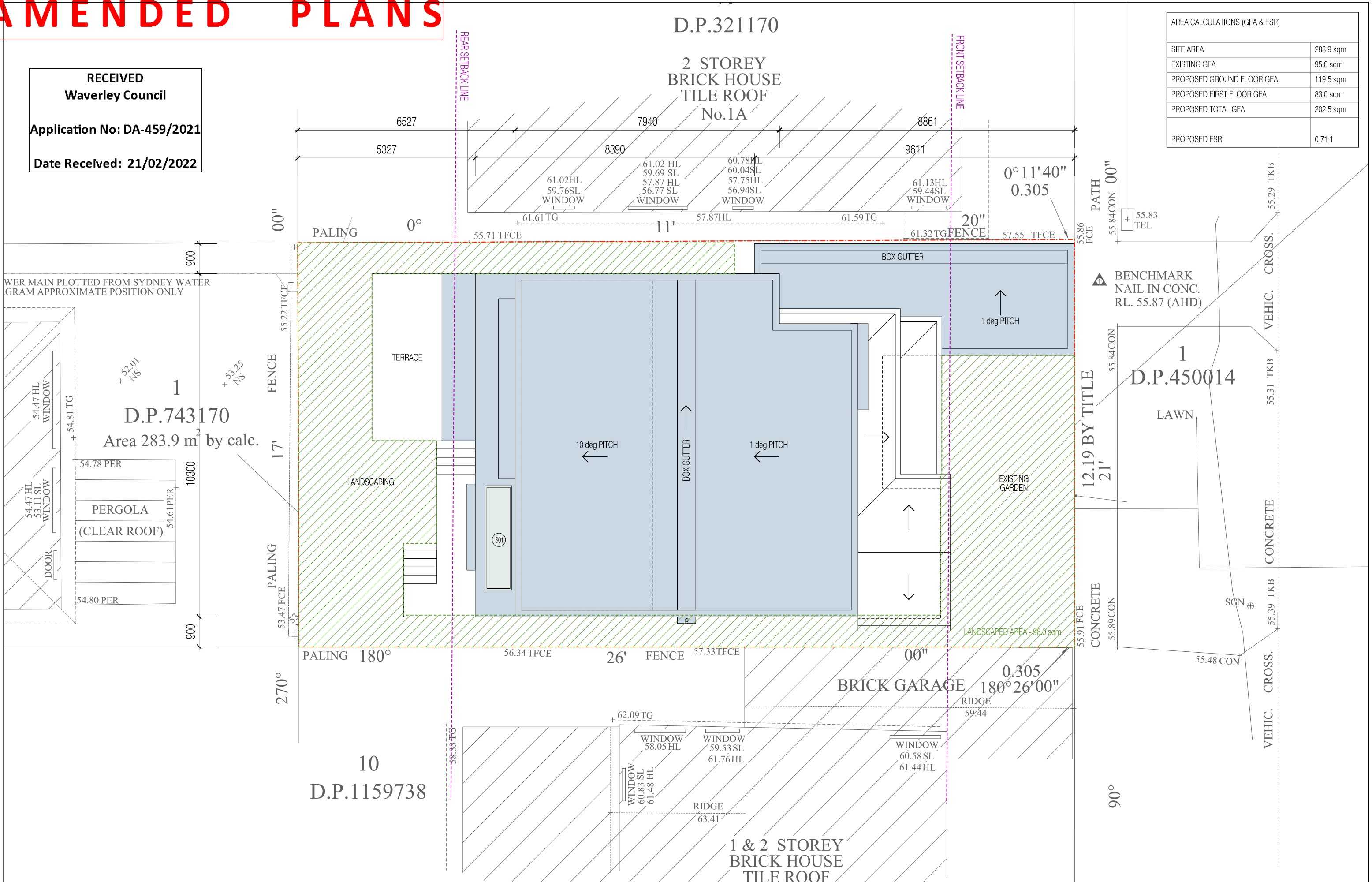
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2m

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AMENDED PLANS

RECEIVED
Waverley Council
Application No: DA-459/2021
Date Received: 21/02/2022



AREA CALCULATIONS (GFA & FSR)	
SITE AREA	283.9 sqm
EXISTING GFA	95.0 sqm
PROPOSED GROUND FLOOR GFA	119.5 sqm
PROPOSED FIRST FLOOR GFA	83.0 sqm
PROPOSED TOTAL GFA	202.5 sqm
PROPOSED FSR	0.71:1

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LEGEND:

	SITE BOUNDARY		NEW FRAMED CONSTRUCTION		BW BRICKWORK		MB METAL BALUSTRADE
	GFA (GROSS FLOOR AREA)		NEW MASONRY CONSTRUCTION		FC FIBRE CEMENT		MR METAL ROOF SHEETING
	DEEP SOIL PLANTING		NEW CONCRETE CONSTRUCTION		GF GLASS FIXED		RP RENDER & PAINT
	DEMOLITION		NEW METAL CONSTRUCTION		GO GLASS OPERABLE		TS TIMBER SCREEN
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PROJECT:

1 HEWLETT ST

CLIENT:

ALICE & ED SCOTT

DRAWING TITLE:

PROPOSED ROOF PLAN

DRAWING NO.: DA-04

REVISION: D

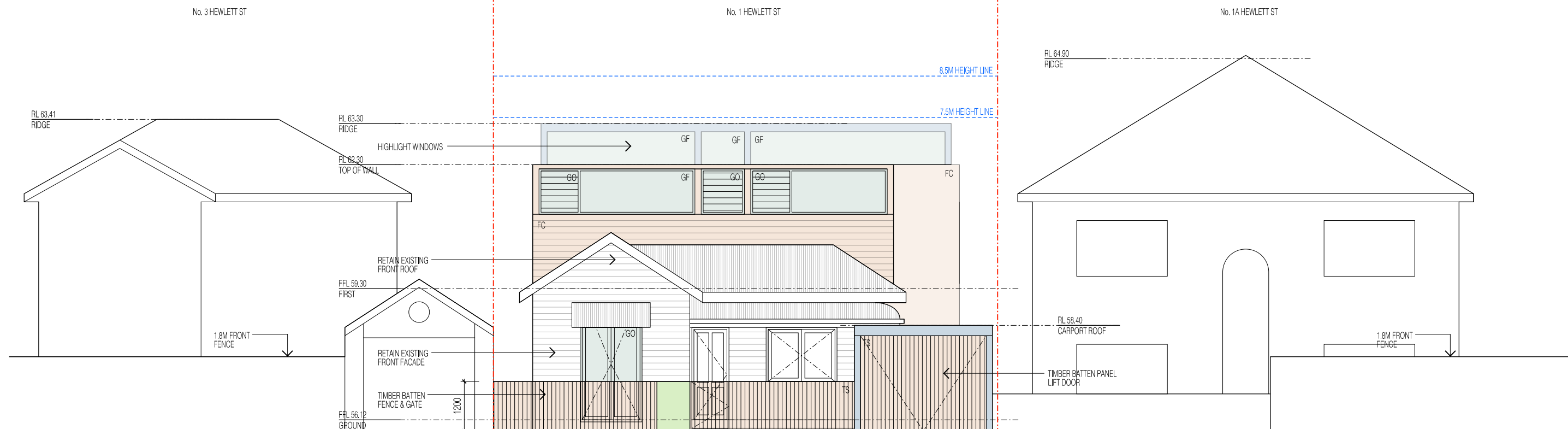
DATE: 21.02.2022

SCALE:

1:100 @ A3

0m 1m 2m 5m

AMENDED PLANS



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Waverley Council

Application No: DA-459/2021

Date Received: 21/02/2022

01 NORTH (STREETSCAPE) ELEVATION



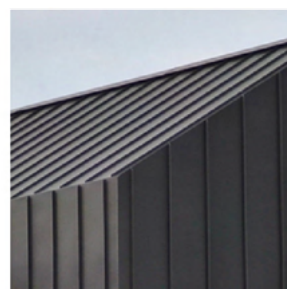
BW
RECYCLED BRICKWORK



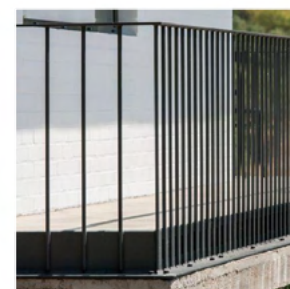
FC
FC CLADDING
PAINT FINISH
LIGHT NEUTRAL COLOUR



GF, GO & GT
FIXED & OPERABLE GLAZING
ANODIZED ALUMINIUM FRAME
COLOUR - DARK NEUTRAL



MR
METAL ROOF SHEETING
STANDING SEAM METAL
COLOUR - MEDIUM NEUTRAL



MB
METAL BALUSTRADE
PAINTED STEEL
COLOUR - BLACK



TC & TS
TIMBER CLADDING &
TIMBER SCREENS
AUSTRALIAN HARDWOOD
CLEAR FINISH

03 EXTERNAL FINISHES SCHEDULE

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REVISION:

A	SKETCH DESIGN	11.05.2021
B	DRAFT DA DRAWINGS	02.09.2021
C	DA SUBMISSION	30.09.2021
D	RESPONSE TO DEFERRAL	21.02.2022

LEGEND:

[Red dashed line]	SITE BOUNDARY
[Blue dashed line]	GFA (GROSS FLOOR AREA)
[Green dashed line]	DEEP SOIL PLANTING
[Black dashed line]	DEMOLITION
[Black solid line]	EXISTING CONSTRUCTION

[Brown square]	NEW FRAMED CONSTRUCTION
[Dark brown square]	NEW MASONRY CONSTRUCTION
[Green square]	NEW CONCRETE CONSTRUCTION
[Blue square]	NEW METAL CONSTRUCTION
[Light green square]	NEW GLAZING

BW	BRICKWORK
FC	FIBRE CEMENT
GF	GLASS FIXED
GO	GLASS OPERABLE
GT	GLASS TRANSLUCENT

MB	METAL BALUSTRADE
MR	METAL ROOF SHEETING
RP	RENDER & PAINT
TS	TIMBER SCREEN

ARCHITECT:

chapman architecture

PO Box 2051 Clovelly West NSW 2031
T: 0420 382 700
E: info@chapmanarchitecture.com.au

PROJECT:

1 HEWLETT ST

CLIENT:

ALICE & ED SCOTT

DRAWING TITLE:

NORTH & SOUTH ELEVATIONS &
EXTERNAL FINISHES SCHEDULE

DRAWING NO.:

DA-05

REVISION:

D

DATE:

21.02.2022

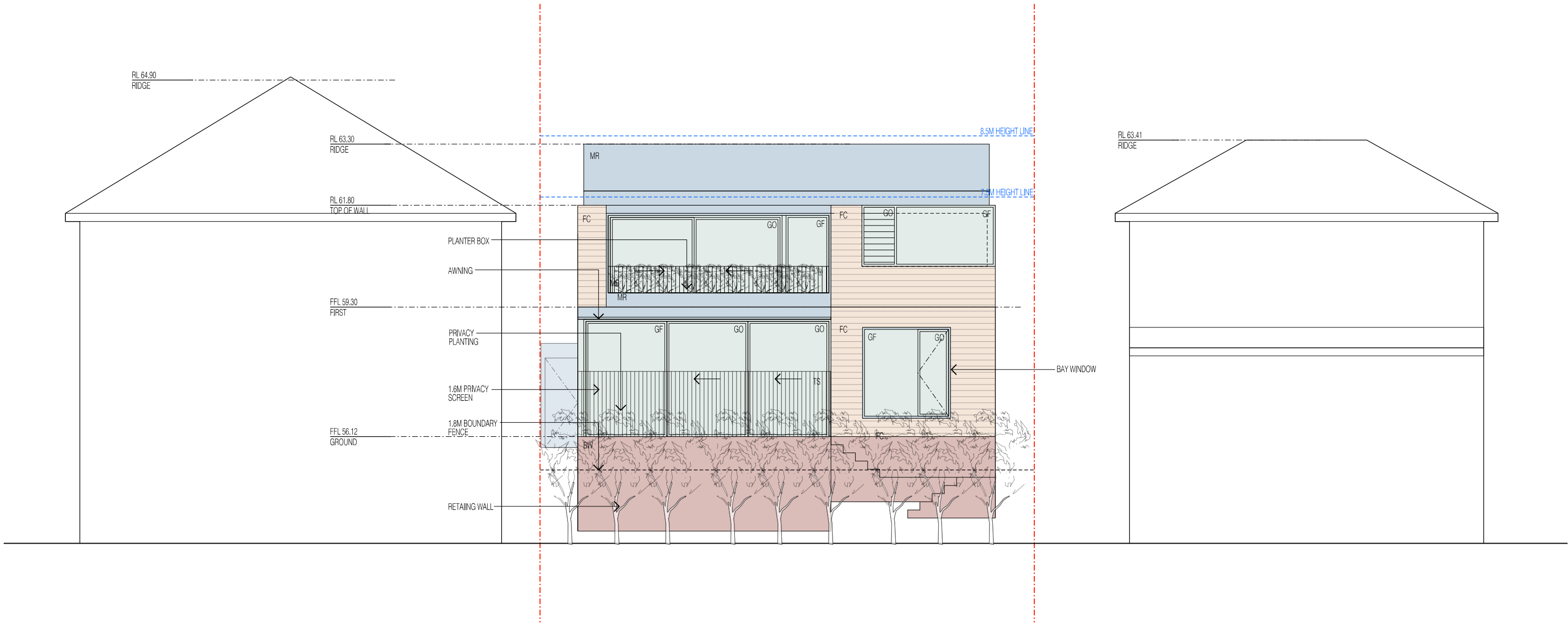
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0m 1m 2m 5m

AMENDED PLANS

RECEIVED
Waverley Council
Application No: DA-459/2021
Date Received: 21/02/2022



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C	DA SUBMISSION	30.09.2021
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LEGEND:			
	SITE BOUNDARY		NEW FRAMED CONSTRUCTION
	GFA (GROSS FLOOR AREA)		NEW MASONRY CONSTRUCTION
	DEEP SOIL PLANTING		NEW CONCRETE CONSTRUCTION
	DEMOLITION		NEW METAL CONSTRUCTION
	EXISTING CONSTRUCTION		NEW GLAZING
	BRICKWORK		FIBRE CEMENT
	METAL BALUSTRADE		GLASS FIXED
	METAL ROOF SHEETING		GLASS OPERABLE
	RENDER & PAINT		GLASS TRANSLUCENT
	TIMBER SCREEN		

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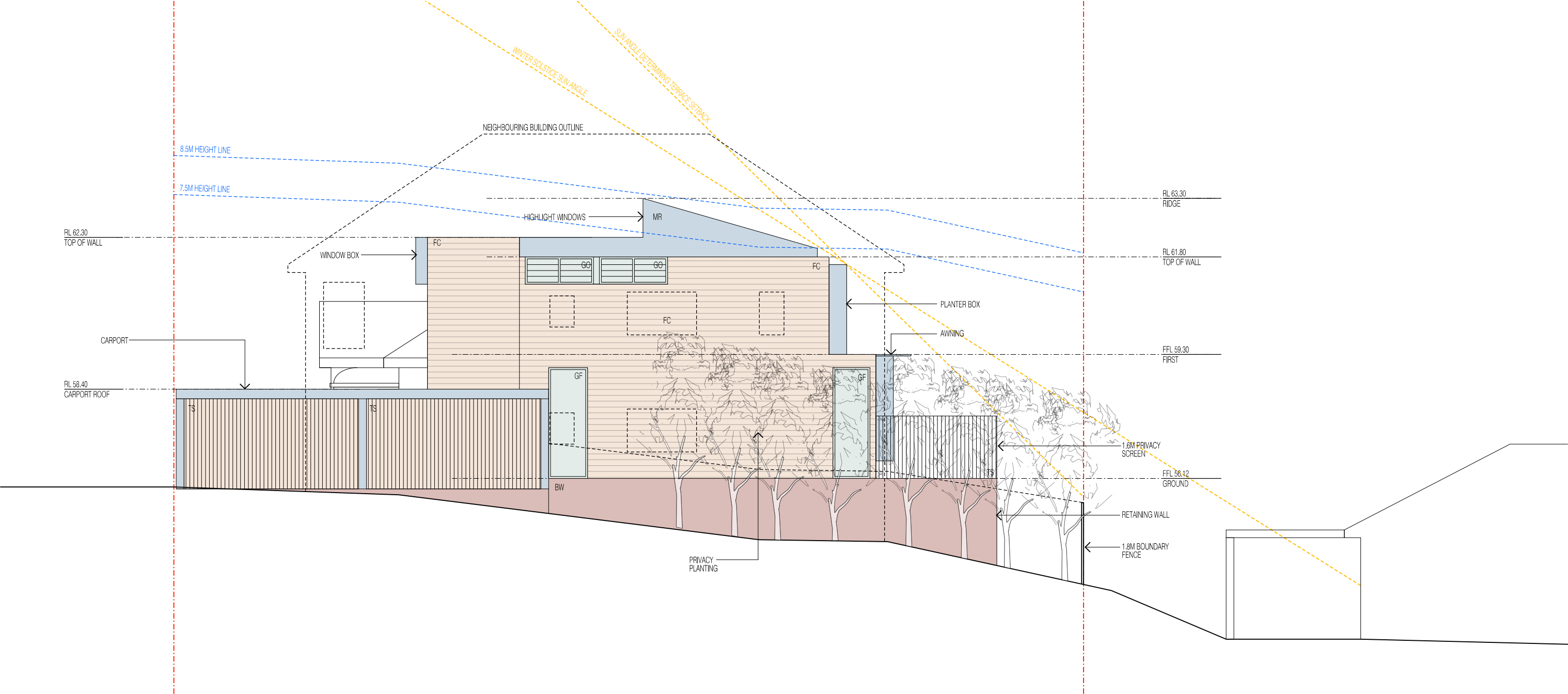
PROJECT:
1 HEWLETT ST
CLIENT:
ALICE & ED SCOTT

DRAWING TITLE:
SOUTH ELEVATION
DRAWING NO.:
DA-06
REVISION:
D
DATE:
21.02.2022

SCALE:
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Application No: DA-459/2021
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D	RESPONSE TO DEFERRAL	21.02.2022

LEGEND:			
	SITE BOUNDARY		NEW FRAMED CONSTRUCTION
	GFA (GROSS FLOOR AREA)		NEW MASONRY CONSTRUCTION
	DEEP SOIL PLANTING		NEW CONCRETE CONSTRUCTION
	DEMOLITION		NEW METAL CONSTRUCTION
	EXISTING CONSTRUCTION		NEW GLAZING
	BW BRICKWORK		MB METAL BALUSTRADE
	FC FIBRE CEMENT		MR METAL ROOF SHEETING
	GF GLASS FIXED		RP RENDER & PAINT
	GO GLASS OPERABLE		TS TIMBER SCREEN
	GT GLASS TRANSLUCENT		

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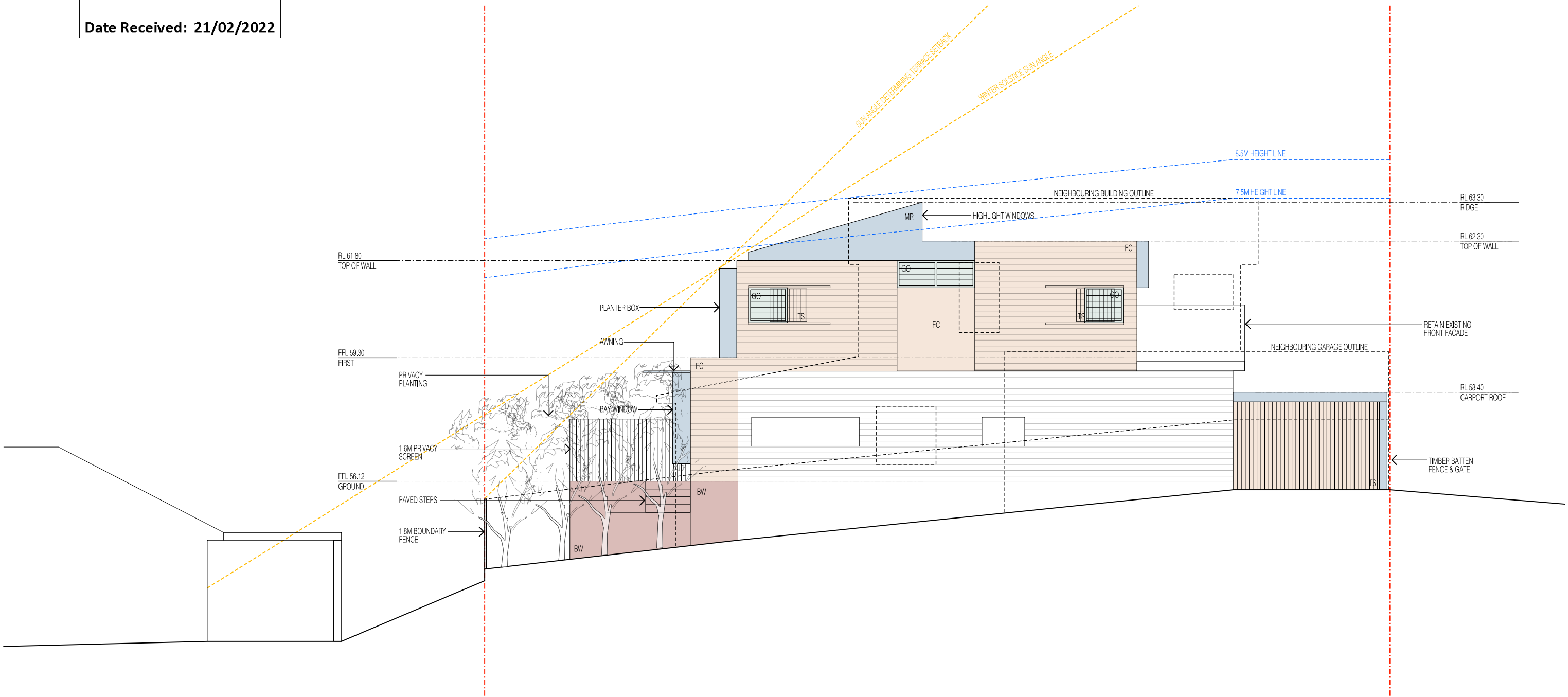
PROJECT:
1 HEWLETT ST
CLIENT:
ALICE & ED SCOTT

DRAWING TITLE:
WEST ELEVATION
DRAWING NO.: **DA-07** REVISION: **D** DATE: **21.02.2022**

SCALE:
1:100 @ A3
0m 1m 2m 5m

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B	DRAFT DA DRAWINGS	02.09.2021
C	DA SUBMISSION	30.09.2021
D	RESPONSE TO DEFERRAL	21.02.2022

LEGEND:					
	SITE BOUNDARY		NEW FRAMED CONSTRUCTION	BW	BRICKWORK
	GFA (GROSS FLOOR AREA)		NEW MASONRY CONSTRUCTION	FC	FIBRE CEMENT
	DEEP SOIL PLANTING		NEW CONCRETE CONSTRUCTION	GF	GLASS FIXED
	DEMOLITION		NEW METAL CONSTRUCTION	GO	GLASS OPERABLE
	EXISTING CONSTRUCTION		NEW GLAZING	GT	GLASS TRANSLUCENT
				MB	METAL BALUSTRADE
				MR	METAL ROOF SHEETING
				RP	RENDER & PAINT
				TS	TIMBER SCREEN

ARCHITECT:
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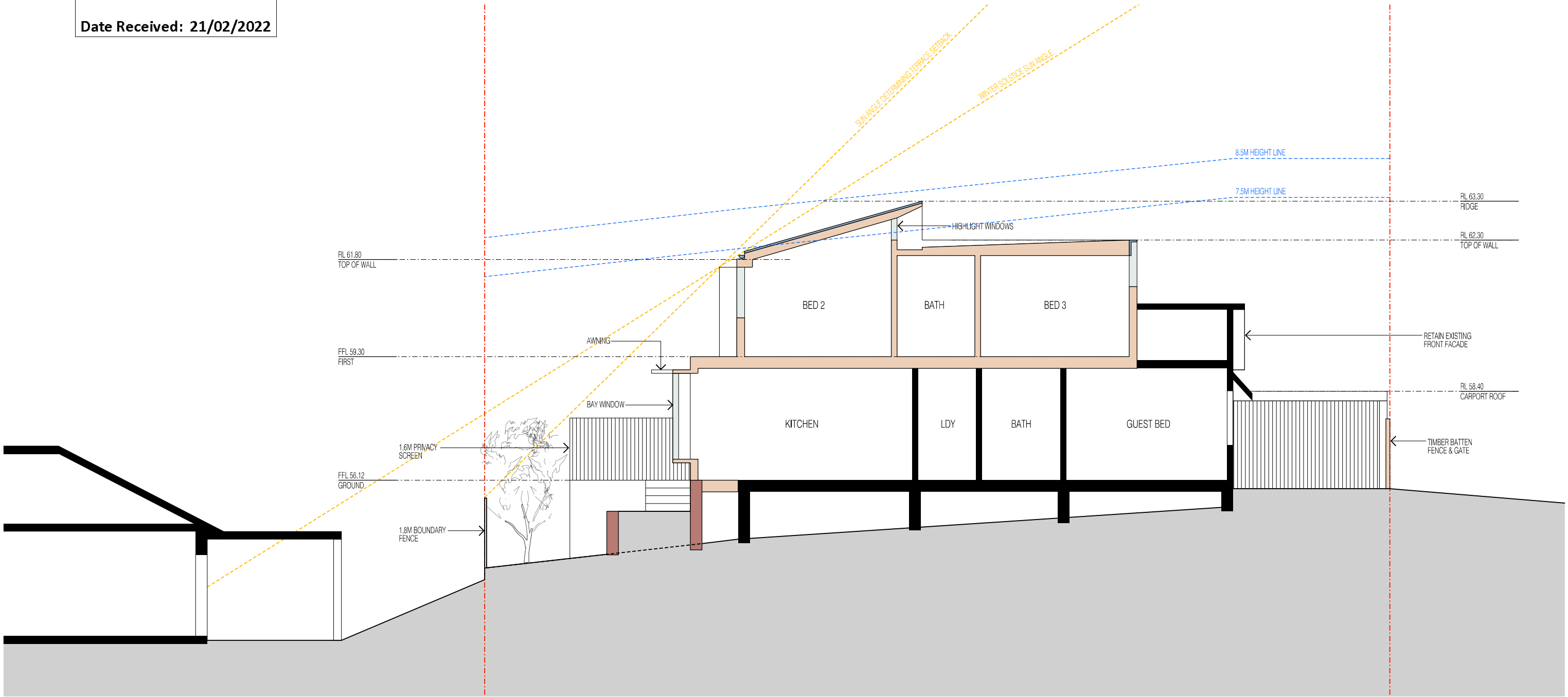
PROJECT:
1 HEWLETT ST
CLIENT:
ALICE & ED SCOTT

DRAWING TITLE:
EAST ELEVATION
DRAWING NO.: **DA-08** REVISION: **D** DATE: **21.02.2022**

SCALE:
1:100 @ A3
0m 1m 2m 5m

AMENDED PLANS

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Application No: DA-459/2021
Date Received: 21/02/2022



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D	RESPONSE TO DEFERRAL	21.02.2022

LEGEND:			
[Red dashed line]	SITE BOUNDARY	[Brown box]	NEW FRAMED CONSTRUCTION
[Blue dashed line]	GFA (GROSS FLOOR AREA)	[Dark brown box]	NEW MASONRY CONSTRUCTION
[Green dashed line]	DEEP SOIL PLANTING	[Light green box]	NEW CONCRETE CONSTRUCTION
[Black dashed line]	DEMOLITION	[Blue box]	NEW METAL CONSTRUCTION
[Thick black line]	EXISTING CONSTRUCTION	[Light blue box]	NEW GLAZING
[Brick pattern]	BRICKWORK	[White box]	GO GLASS OPERABLE
[Stippled pattern]	FIBRE CEMENT	[Light green box]	GT GLASS TRANSLUCENT
[Dotted pattern]	METAL BALUSTRADE	[White box]	
[Horizontal lines]	METAL ROOF SHEETING	[White box]	
[Vertical lines]	RENDER & PAINT	[White box]	
[Cross-hatch pattern]	TIMBER SCREEN	[White box]	

ARCHITECT:
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PROJECT:
1 HEWLETT ST
CLIENT:
ALICE & ED SCOTT

DRAWING TITLE:
LONG SECTION
DRAWING NO.: DA-09
REVISION: D
DATE: 21.02.2022

SCALE:
1:100 @ A3
0m 1m 2m 5m

Alterations and Additions

Certificate number: A431876_02

This certificate confirms that the proposed development will meet the NSW government's requirements for sustainability, if it is built in accordance with the commitments set out below. Terms used in this certificate, or in the commitments, have the meaning given by the document entitled "BASIX Alterations and Additions Definitions" dated 06/10/2017 published by the Department. This document is available at www.basix.nsw.gov.au

This certificate is a revision of certificate number A431876 lodged with the consent authority or certifier on 17 Oct 2021 with application DA-459/2021.

It is the responsibility of the applicant to verify with the consent authority that the original, or any revised certificate, complies with the requirements of Sch 1 Cl 2A, 4A or 6A of the Environmental Planning and Assessment Regulation 2000

Secretary
Date of issue: Monday, 21, February 2022
To be valid, this certificate must be lodged within 3 months of the date of issue.



Description of project

Project address	
Project name	1 Hewlett St_02
Street address	1 Hewlett Street BRONTE 2024
Local Government Area	Waverley Council
Plan type and number	Deposited Plan 743170
Lot number	1
Section number	
Project type	
Dwelling type	Separate dwelling house
Type of alteration and addition	My renovation work is valued at \$50,000 or more, and does not include a pool (and/or spa).

Certificate Prepared by (please complete before submitting to Council or PCA)	
Name / Company Name:	Chapman Andrew
ABN (if applicable):	N/A

AMENDED PLANS

Fixtures and systems	Show on DA Plans	Show on CC/CDC Plans & specs	Certifier Check
Hot water			
The applicant must install the following hot water system in the development: gas instantaneous.	✓	✓	✓
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.		✓	

Construction	Show on DA Plans	Show on CC/CDC Plans & specs	Certifier Check
Insulation requirements			
The applicant must construct the new or altered construction (floor(s), walls, and ceilings/roofs) in accordance with the specifications listed in the table below, except that a) additional insulation is not required where the area of new construction is less than 2m2, b) insulation specified is not required for parts of altered construction where insulation already exists.	✓	✓	✓
Construction	Additional insulation required (R-value)	Other specifications	
suspended floor with enclosed subfloor: framed (R0.7).	R0.60 (down) (or R1.30 including 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: R2.26 (up), roof: foil/sarking	light (solar absorptance < 0.475)	
flat ceiling, flat roof: framed	ceiling: R2.32 (up), roof: foil/sarking	light (solar absorptance < 0.475)	

Glazing requirements						Show on DA Plans	Show on CC/CDC Plans & specs	Certifier Check
Windows and glazed doors								
The applicant must install the windows, glazed doors and shading devices, in accordance with the specifications listed in the table below. Relevant overshadowing specifications must be satisfied for each window and glazed door.						✓	✓	✓
The following requirements must also be satisfied in relation to each window and glazed door:							✓	✓
Each window or glazed door with standard aluminium or timber frames and single clear or toned glass may either match the description, or, have a U-value and a Solar Heat Gain Coefficient (SHGC) no greater than that listed in the table below. Total system U-values and SHGCs must be calculated in accordance with National Fenestration Rating Council (NFRC) conditions.							✓	✓
For projections described in millimetres, the leading edge of each eave, pergola, verandah, balcony or awning must be no more than 500 mm above the head of the window or glazed door and no more than 2400 mm above the sill.						✓	✓	✓
For projections described as a ratio, the ratio of the projection from the wall to the height above the window or glazed door sill must be at least that shown in the table below.						✓	✓	✓
Pergolas with polycarbonate roof or similar translucent material must have a shading coefficient of less than 0.35.							✓	✓
External louvres and blinds must fully shade the window or glazed door beside which they are situated when fully drawn or closed.							✓	✓
Pergolas with fixed battens must have battens parallel to the window or glazed door above which they are situated, unless the pergola also shades a perpendicular window. The spacing between battens must not be more than 50 mm.							✓	✓
Overshadowing buildings or vegetation must be of the height and distance from the centre and the base of the window and glazed door, as specified in the 'overshadowing' column in the table below.						✓	✓	✓
Windows and glazed doors glazing requirements								
Window / door no.	Orientation	Area of glass inc. frame (m2)	Overshadowing		Shading device	Frame and glass type		
			Height (m)	Distance (m)				
W01	N	4	0	0	eave/verandah/pergola/balcony >=900 mm	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)		
W02	S	4	0	0	none	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)		
W03	S	18	0	0	none	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)		
W04	W	3	5	2	none	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)		
W05	W	3	5	2	none	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)		
W06	N	2	0	0	projection/height above sill ratio >=0.36	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)		
W07	N	1	0	0	projection/height above sill ratio >=0.36	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)		
W08	N	1.5	0	0	projection/height above sill ratio >=0.36	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)		
W09	N	3	0	0	projection/height above sill ratio >=0.36	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)		
W10	E	1	0	0	external louvre/blind (adjustable)	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)		
W11	E	2	0	0	external louvre/blind (adjustable)	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)		
W12	E	1	0	0	external louvre/blind (adjustable)	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)		
W13	S	3	0	0	none	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)		
W14	S	5	0	0	none	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)		
W15	S	10	0	0	none	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)		
W16	W	1.5	2	2	projection/height above sill ratio >=0.29	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)		
W17	N	2	0	0	projection/height above sill ratio >=0.36	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)		
W18	N	1	0	0	projection/height above sill ratio >=0.36	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)		
W19	N	2	0	0	projection/height above sill ratio >=0.36	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)		
Skylights								
The applicant must install the skylights in accordance with the specifications listed in the table below.						✓	✓	✓
The following requirements must also be satisfied in relation to each skylight:							✓	✓
Each skylight may either match the description, or, have a U-value and a Solar Heat Gain Coefficient (SHGC) no greater than that listed in the table below.							✓	✓
Skylights glazing requirements								
Skylight number	Area of glazing inc. frame (m2)	Shading device			Frame and glass type			
S01	4	no shading			timber, low-E internal/argon fill/clear external, (or U-value: 2.5, SHGC: 0.456)			

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Waverley Council

Application No: DA-459/2021

Date Received: 21/02/2022

ARCHITECT:
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T: 0420 382 700
E: info@chapmanarchitecture.com.au

PROJECT:
1 HEWLETT ST

CLIENT:
ALICE & ED SCOTT

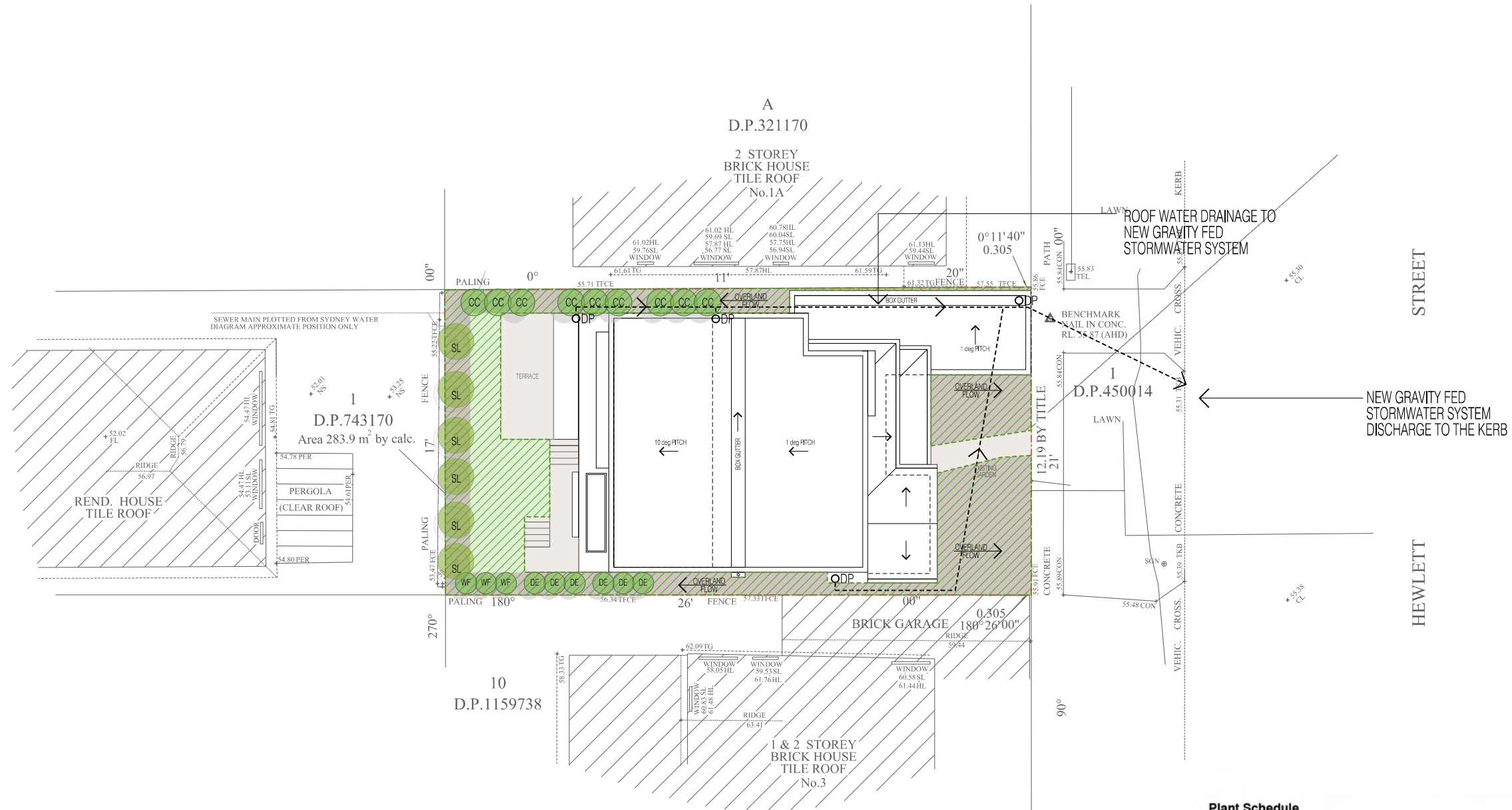
DRAWING TITLE:
BASIX INFORMATION

DRAWING NO.: DA-10
REVISION: D
DATE: 21.02.2022

SCALE:



AMENDED PLANS



Plant Schedule

Group 2 Shrubs				
Code	Botanical Name	Common Name	Height	Pot Size
CC	Callistemon Citrinis	Crimson Bottlebrush	2-3m	200mL
SL	Syzygium Luehmannii	Small Leaved Lilly Pilly	2-3m	200mL

Group 3 Grasses				
Code	Botanical Name	Common Name	Height	Pot Size
DE	Doryanthes Excelsa	Gymea Lilly	1m	200mL

Group 4 Groundcovers				
Code	Botanical Name	Common Name	Height	Pot Size
EL	Epilobium Longiflorum	Native Fuschia	0.5m	200mL

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LEGEND:

	DEEP SOIL PLANTING		NATIVE PLANTS
	LAWN - BUFFALO		STONE PAVING (PERMEABLE)

SHRUBS/GRASSES

ARCHITECT:

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PROJECT:

1 HEWLETT ST

CLIENT:

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DRAWING TITLE:

LANDSCAPE & WATER MANAGEMENT PLAN

DRAWING NO.:

DA-18

REVISION:

D

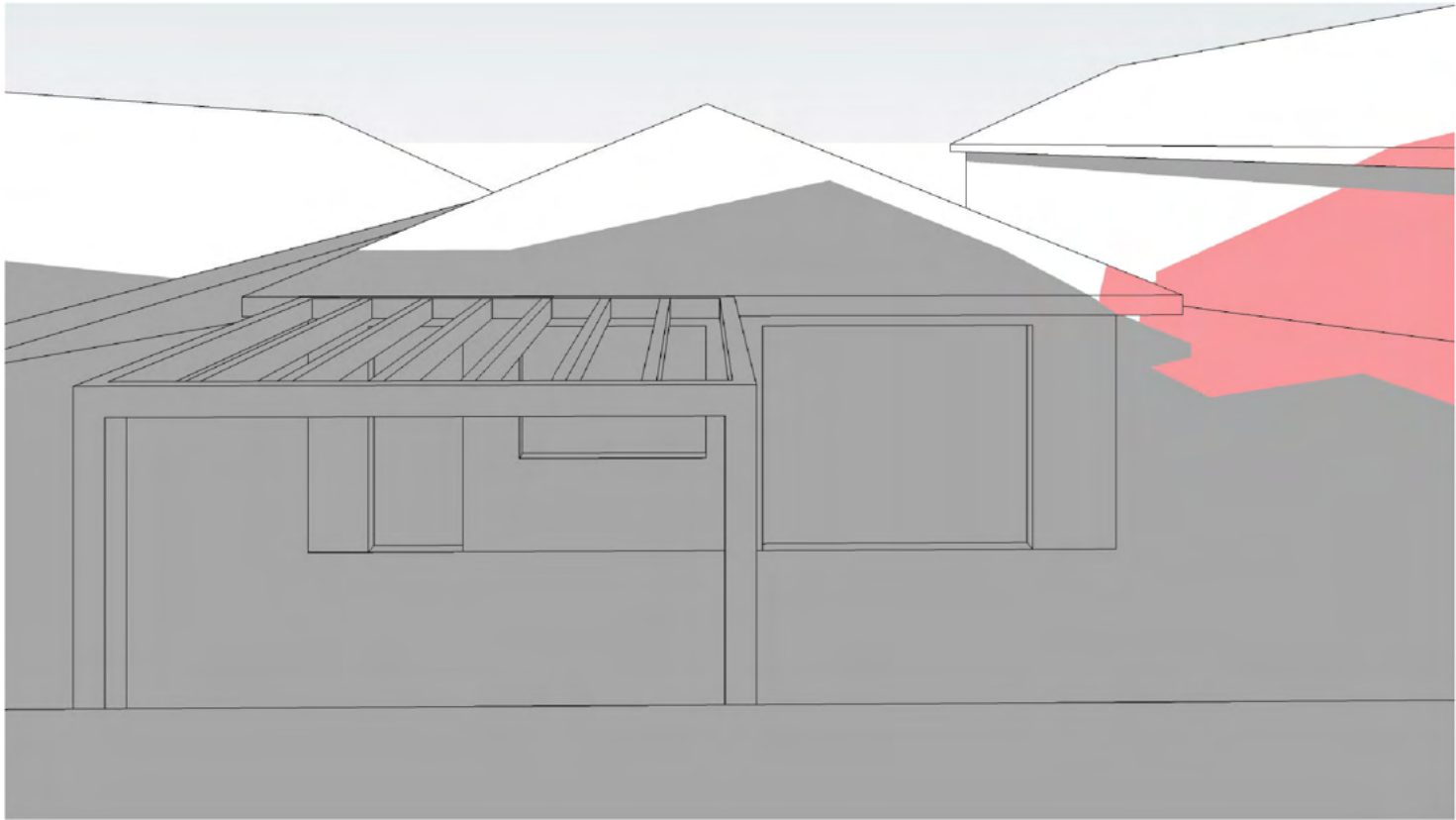
DATE:

21.02.2022

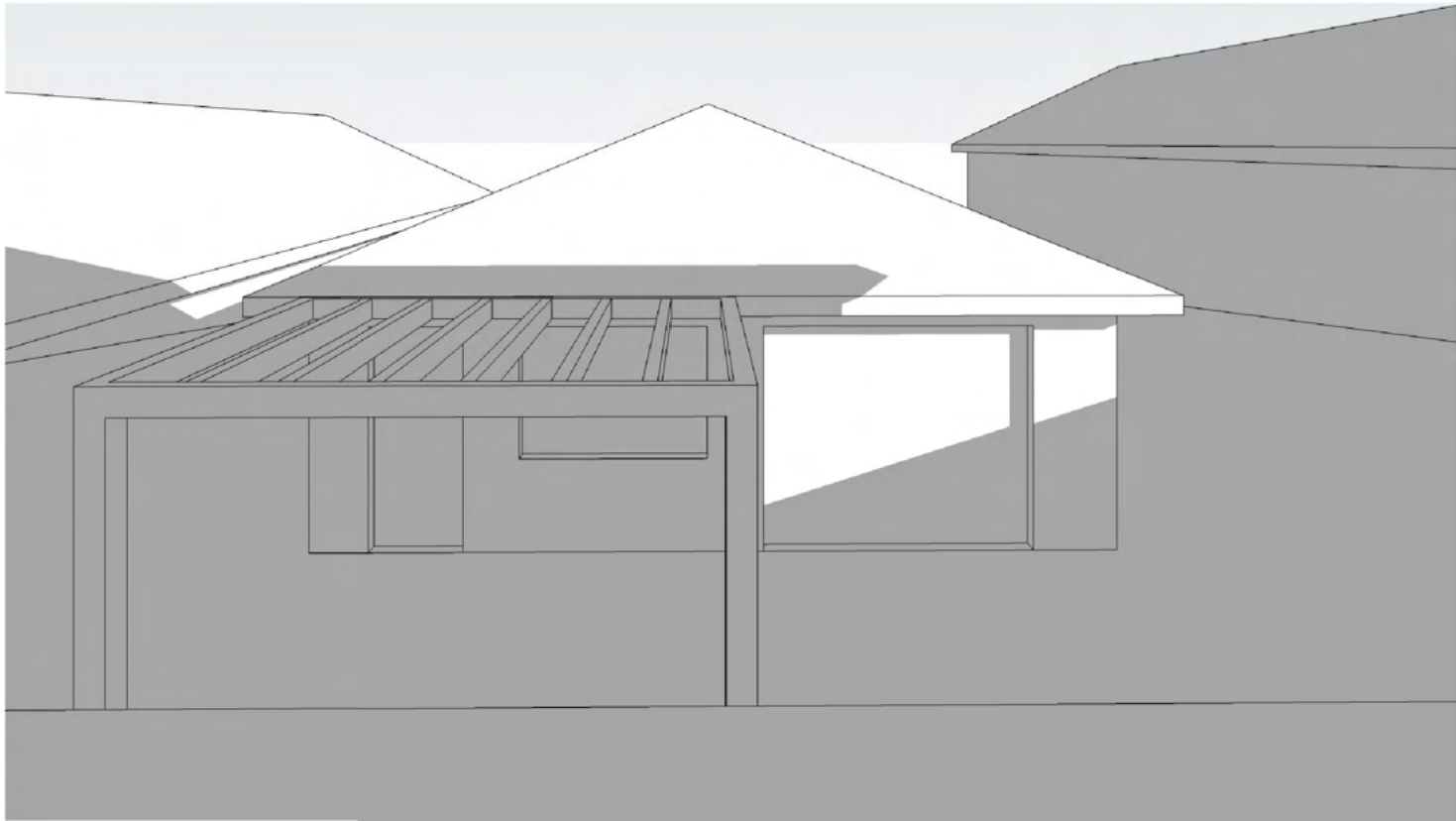
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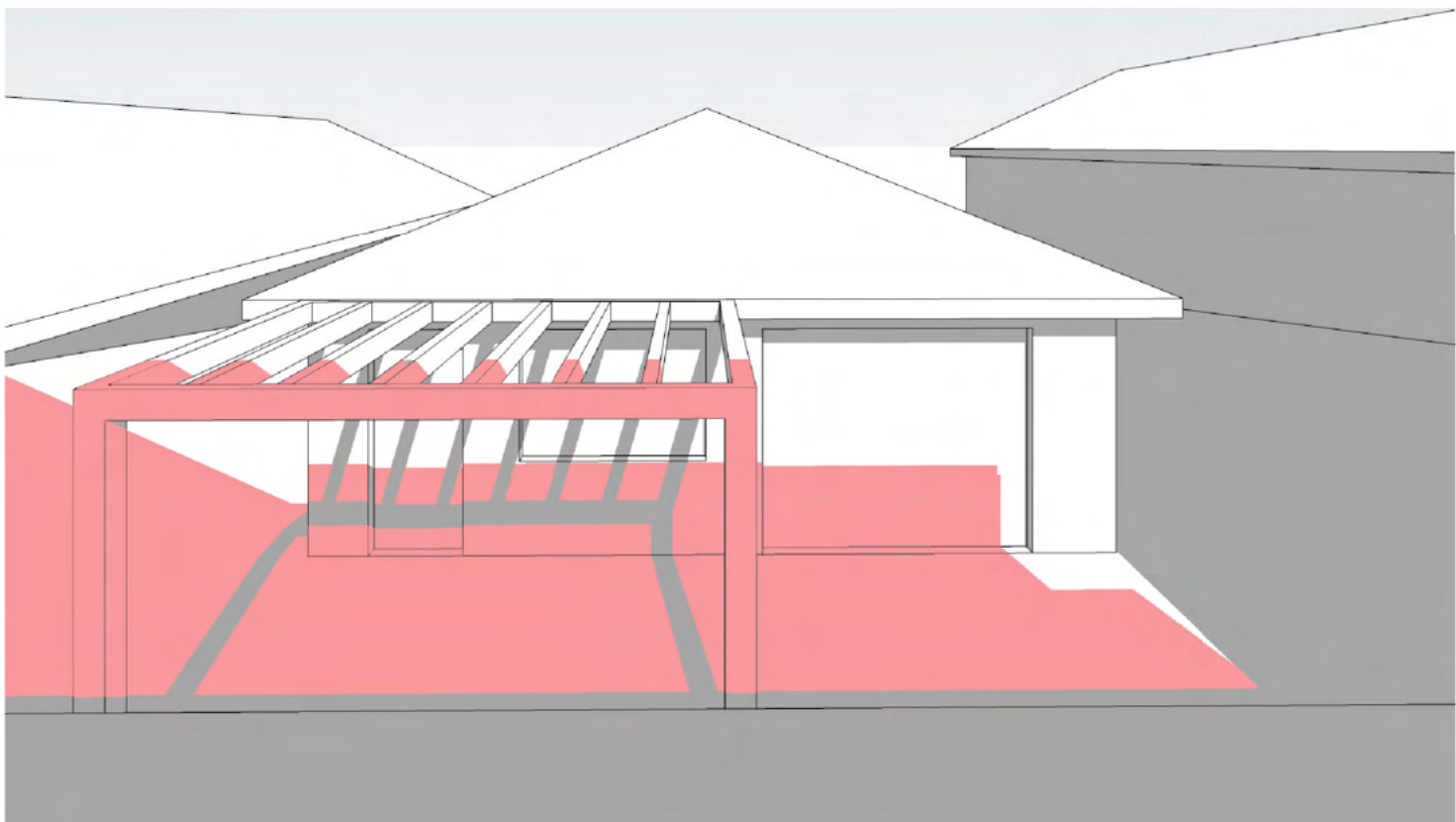




01 SHADOW DIAGRAM - NORTH ELEVATION - 14a PALMERSTON AVE
9am JUNE 21st



03 SHADOW DIAGRAM - NORTH ELEVATION - 14a PALMERSTON AVE
3pm JUNE 21st



02 SHADOW DIAGRAM - NORTH ELEVATION - 14a PALMERSTON AVE
12pm JUNE 21st

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Application No: DA-459/2021

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AMENDED PLANS

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LEGEND:

■	PROPOSED SHADOWS
■	EXISTING SHADOWS

ARCHITECT:

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T: 0420 382 700
E: info@chapmanarchitecture.com.au

PROJECT:

1 HEWLETT ST

CLIENT:

ALICE & ED SCOTT

DRAWING TITLE:

SHADOW DIAGRAM - ELEVATIONS

DRAWING NO.:

DA-14

REVISION:

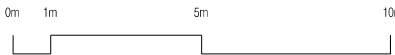
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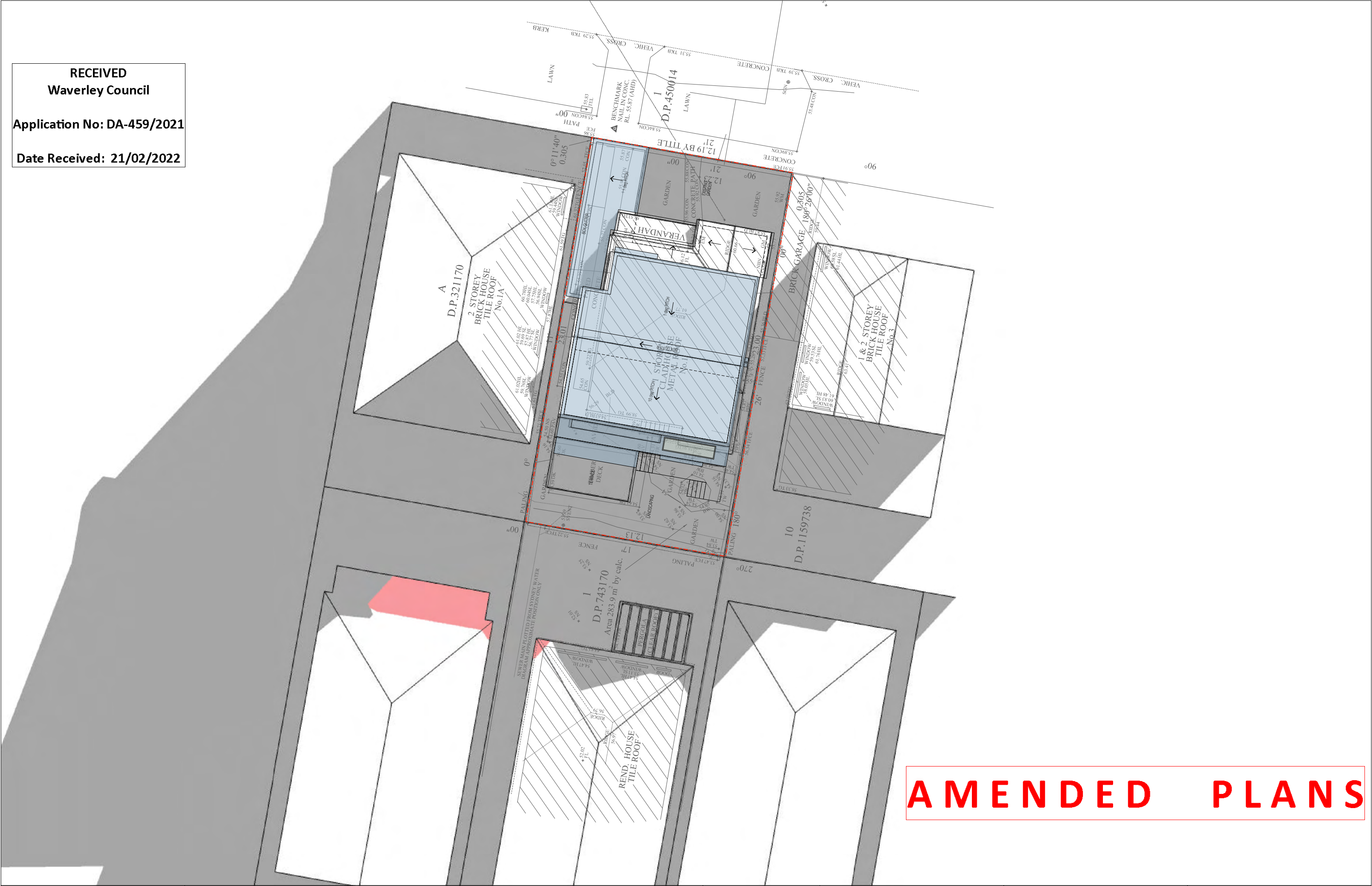
DATE:

21.02.2022

SCALE:

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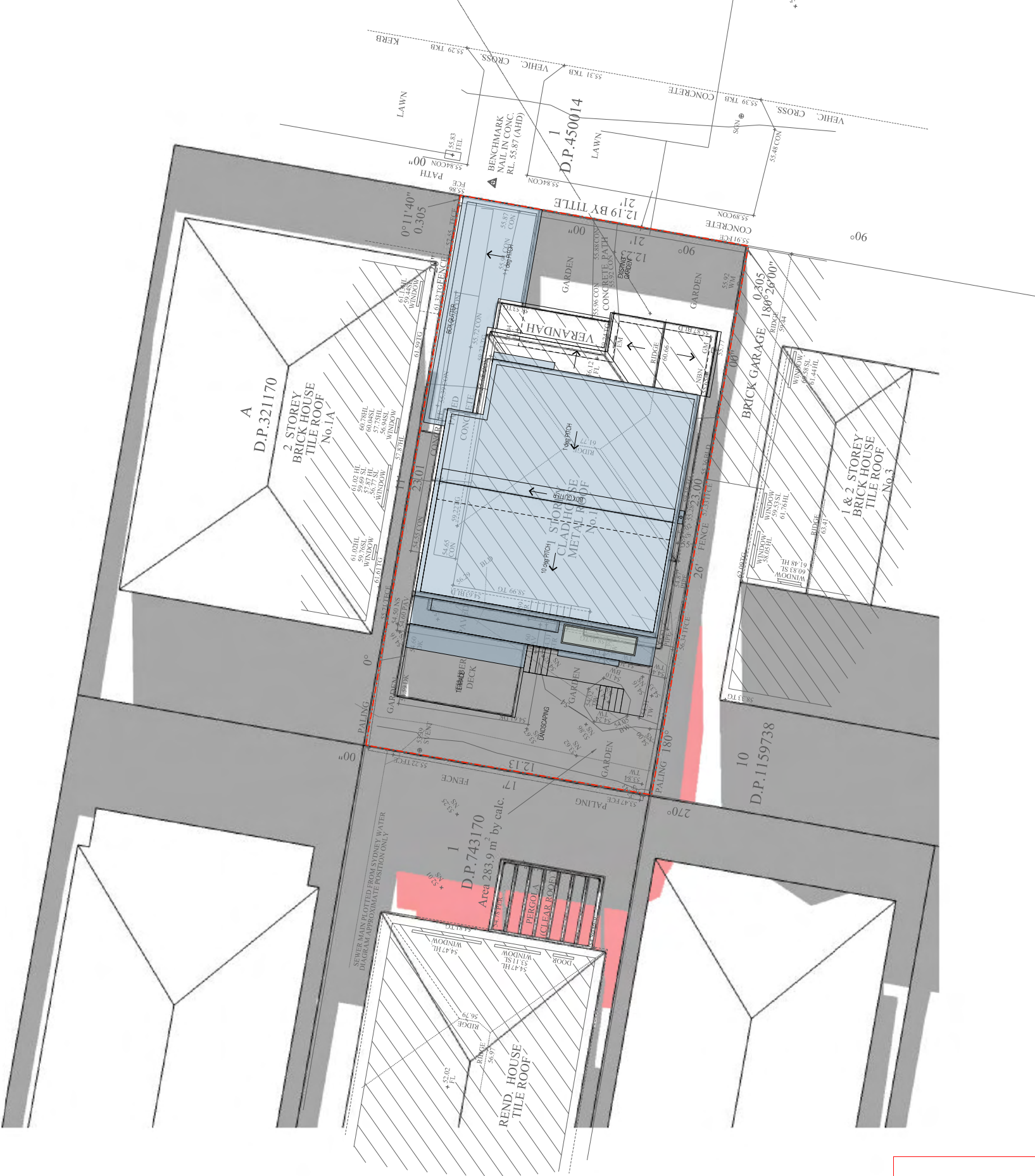


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	A	SKETCH DESIGN	11.05.2021	<div></div>	PROPOSED SHADOWS	chapman architecture		1 HEWLETT ST		SHADOW DIAGRAM - 9am JUNE 21st		1:200 @ A3	
	B	DRAFT DA DRAWINGS	02.09.2021	<div></div>	EXISTING SHADOWS	<div>PO Box 2051 Clovelly West NSW 2031 T: 0420 382 700 E: info@chapmanarchitecture.com.au</div>		<div>CLIENT: ALICE & ED SCOTT</div>		DRAWING NO.:		REVISION:	
	C	DA SUBMISSION	30.09.2021	<div></div>	PROPOSED METAL ROOF					DA-11		D	
	D	RESPONSE TO DEFERRAL	21.02.2022							DATE:		21.02.2022	
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Waverley Council

Application No: DA-459/2021

Date Received: 21/02/2022



AMENDED PLANS

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REVISION:		
A	SKETCH DESIGN	11.05.2021
B	DRAFT DA DRAWINGS	02.09.2021
C	DA SUBMISSION	30.09.2021
D	RESPONSE TO DEFERRAL	21.02.2022

LEGEND:	
	PROPOSED SHADOWS
	EXISTING SHADOWS
	PROPOSED METAL ROOF

ARCHITECT:
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PROJECT:
1 HEWLETT ST
CLIENT:
ALICE & ED SCOTT

DRAWING TITLE:
SHADOW DIAGRAM - 12pm JUNE 21st
DRAWING NO.: DA-12
REVISION: D
DATE: 21.02.2022

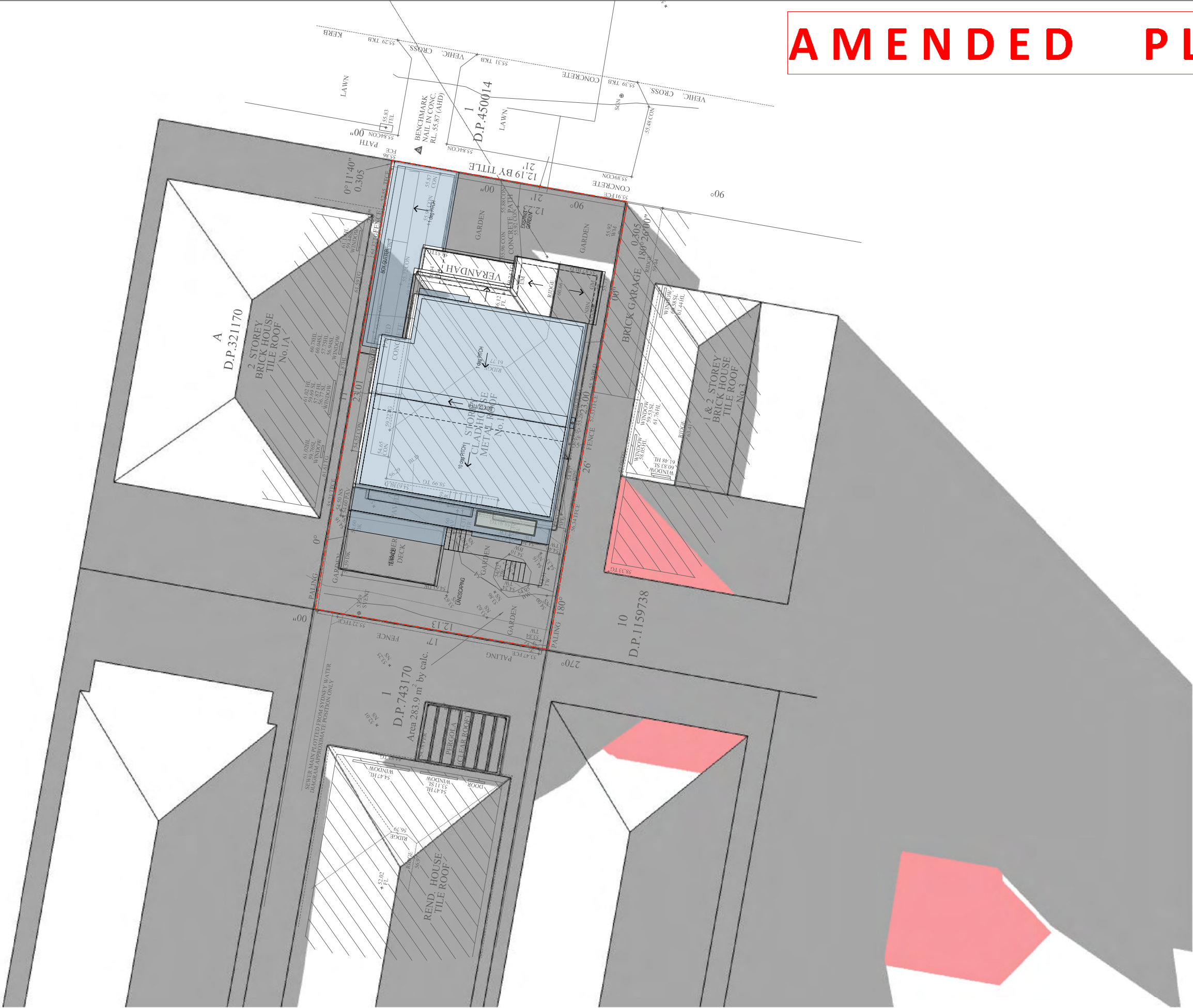
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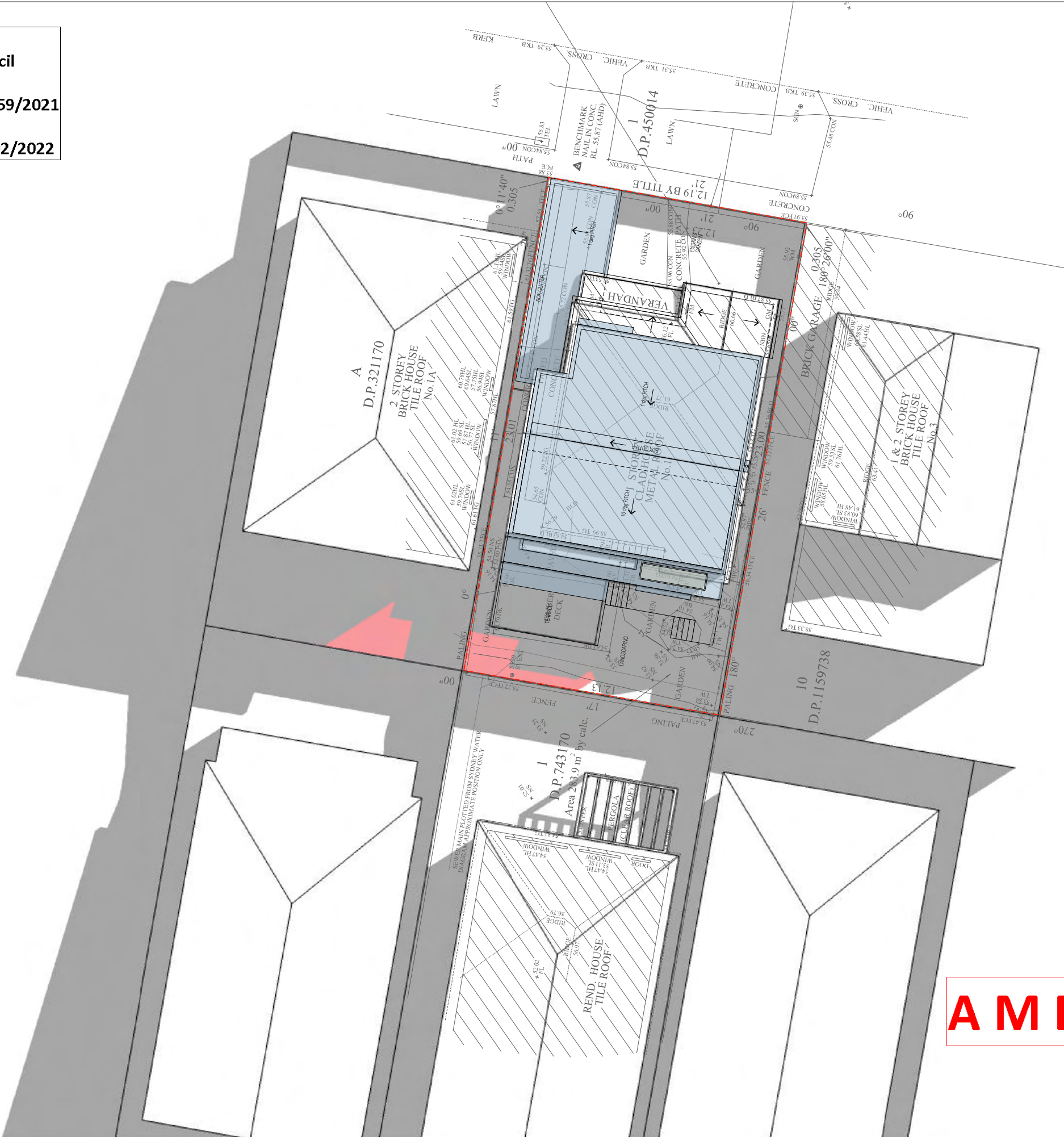
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SHADOW DIAGRAM - 3pm JUNE 21st

DRAWING NO.: DA-13
REVISION: D
DATE: 21.02.2022

SCALE:
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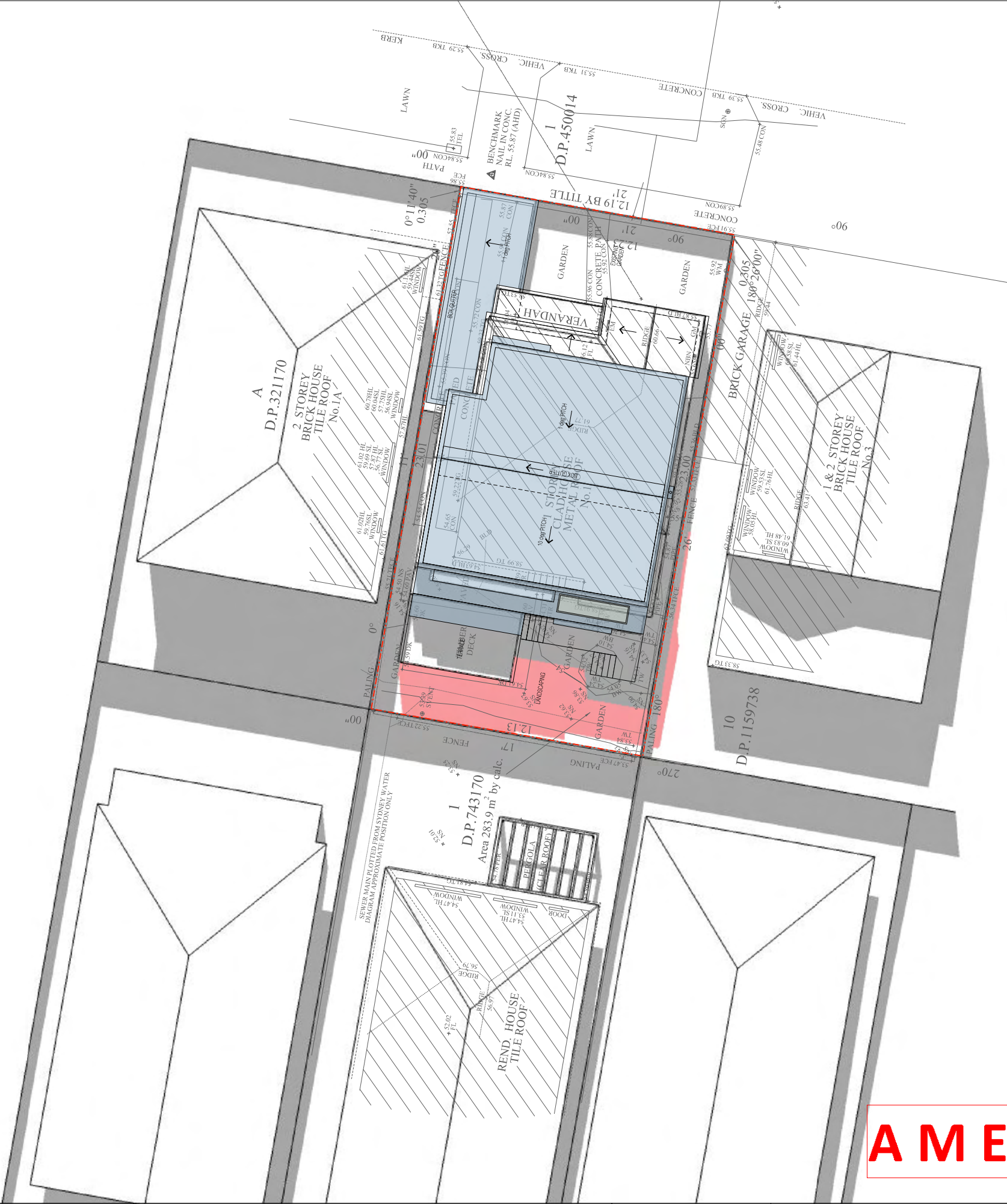
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PROJECT:
1 HEWLETT ST
CLIENT:
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DRAWING TITLE:
SHADOW DIAGRAM - 9am SEPTEMBER 21st
DRAWING NO.: DA-15
REVISION: D
DATE: 21.02.2022

SCALE:
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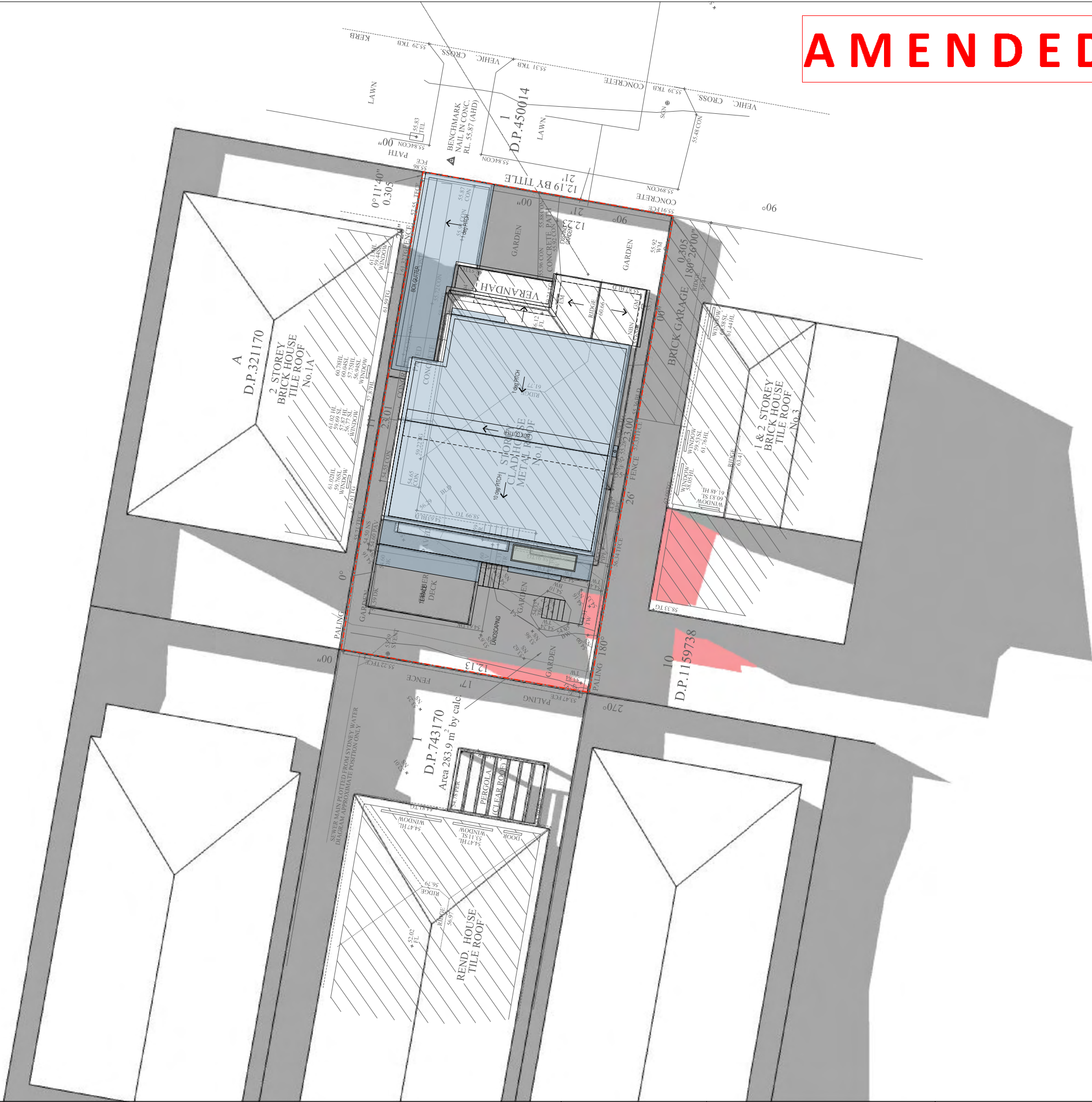
DRAWING TITLE:
SHADOW DIAGRAM - 12pm SEPTEMBER 21st
DRAWING NO.: DA-16
REVISION: D
DATE: 21.02.2022

SCALE:
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0m 1m 5m 10m



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PROJECT:
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CLIENT:
ALICE & ED SCOTT

DRAWING TITLE:
SHADOW DIAGRAM - 3pm SEPTEMBER 21st
DRAWING NO.: DA-17
REVISION: D
DATE: 21.02.2022

SCALE:
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Report to the Waverley Local Planning Panel

Application number	DA-462/2021
Site address	12 Princess Street, ROSE BAY
Proposal	Amended: Demolition of existing structures; and construction of a new attached dual occupancy development with basement parking and two swimming pools at rear.
Date of lodgement	25 October 2021 (Amended on 4 March and 11 April 2022)
Owner	Mrs T M Wiseman, Mrs K R Rosettenstein, Mr J D Wiseman and Mr R Rosettenstein
Applicant	Common Office
Submissions	Ten (10) unique submissions received.
Cost of works	\$1,511,500
Principal Issues	<ul style="list-style-type: none"> • Vehicular access and car parking; and • Building bulk and scale and associated amenity impacts.
Recommendation	That the application be APPROVED in accordance with the conditions contained in the report.

SITE MAP



1. PREAMBLE

1.1. Executive Summary

The development application (DA) seeks consent for demolition of existing structures; and construction of a new attached dual occupancy development with basement parking and two swimming pools at rear at 12 Princess Street, Rose Bay.

The DA was amended to combine the previously proposed two separate driveways into one shared driveway and increase rear setbacks to fully comply with the floor space ratio development standard under Waverley Local Environmental Plan 2012.

The principal issues arising from the assessment of the DA are as follows, which have been addressed by the amended plans:

- vehicular access and car parking; and
- building bulk and scale and associated amenity impacts.

Ten (10) unique submissions were received and the issues raised in the submissions have been considered and addressed in this report and in the Recommendation. This is the reason why this DA is referred to the Waverley Local Planning Panel (WLPP) for determination.

The application has been assessed against the relevant matters for consideration under section 4.15(1) of the *Environmental Planning and Assessment Act 1979*. It is recommended for approval subject to conditions of consent.

1.2. Site and Surrounding Locality

A site visit was carried out on 19 November 2021.

The site is identified as Lot 12 in DP 4185, known as 12 Princess Street, Rose Bay.

The site is rectangular in shape with a frontage to Princess Street, measuring 12.192m. It has an area of 581.8m² and falls slightly from its street frontage to its centre-rear portion before it sharply rises towards its rear boundary by approximately 4m. The site also has a cross-fall of approximately 2.67m.

The site is occupied by a single storey dwelling house with vehicular access provided from Princess Street to a single garage in the rear yard of the site.

The site is adjoined by:

- two storey detached dual occupancy dwellings to the west of the site at 10 and 10A Princess Street;
- a two storey dwelling house to the east of the site at 14 Princess Street; and
- two storey detached dual occupancy dwellings to the north of the site at 7 Northcote Street.

The locality is characterised by generally low-density residential development.

Figures 1 to 4 are photos of the site and its context.



Figure 1: The site in its immediate context, looking north-west from Princess Street



Figure 2: The rear of the site, looking south, and the eastern side of the adjoining rear dual occupancy dwelling to the west of the site at 10A Princess Street (right of photo) and the rear of the adjoining dwelling house to the east of the site at 14 Princess Street (left of photo)



Figure 3: Western side of the adjoining dwelling house to the east of the site at 14 Princess Street, looking north adjacent to the eastern side boundary of the site



Figure 4: Eastern side of the front adjoining dual occupancy dwelling to the west of the site at 10 Princess Street, looking south adjacent to the western side boundary of the site

1.3. Relevant Development History

A search of Council's records revealed the following recent and relevant development history of the site.

1.4. Proposal

The development application (DA), as amended on 4 March and 11 April 2022, seeks consent for demolition of existing structures and construction of an attached dual occupancy development, specifically the following for each dwelling:

- On basement level, one off-street car parking space;
- On ground floor level:
 - An open plan living, kitchen and dining room;
 - A guest room;
 - A bathroom;

- A laundry;
- A central courtyard adjacent to the inner side of each dwelling accessed from the guest room.
- On first floor levels:
 - Three bedrooms, including one ensuite bathroom for Master Bedroom;
 - Two x bathrooms; and
 - A study.

The DA also includes consent for the following:

- earthworks, including excavation and some fill work;
- tree removal;
- two x in-ground swimming pools in the rear of each dwelling;
- a new shared vehicular access point/driveway;
- soft and hard landscaping works; and
- new side and rear boundary fences, including a side fence separating the two rear yards of the dwellings of the development.

The new vehicular crossings or driveways will require the removal of the existing telegraph or electricity pole that is directly in front of the site. Should this DA be approved, the applicant would be required to liaise with Ausgrid to seek removal of this pole during the certification process of the development.

The proposed development is visualised in a photomontage prepared by the architect, which is provide in **Figure 5** of this report.



Figure 5: Photomontage of the proposed development (Source: Common Office)

NB: The photomontage does not completely reflect the amended form of the development as it shows two separate vehicular crossings and the removal of the street tree that were part of the original form of the proposed development. It can still be relied upon to appreciate the street elevation/façade of the proposed development as this has remained unchanged.

1.5. Background

The DA was lodged on 25 October 2021 and, following its preliminary assessment, was deferred on 15 December 2021 for the following reasons:

1. The breach of the floor space ratio (FSR) development standard under Waverley Local Environmental Plan 2012 (Waverley LEP 2012) was not supported as it did not preserve the environmental amenity of neighbouring properties on either side of the site in relation to overshadowing and privacy impacts. The applicant was encouraged to redesign the development to be fully compliant with the FSR development standard by increasing rear building setbacks.
2. The two separate driveways were not supported as they involved the removal of the significant Broadleaved Paperbark Street Tree and were contrary to Council's car parking policy that requires a single shared driveway for dual occupancy development. The applicant was encouraged to redesign the development to comprise a single shared driveway that also retains and protects the street tree.
3. Clarification sought on screening between dwellings of the proposed development.
4. Details of new external rear and side and internal dividing fences on elevation drawings.
5. Stormwater matters.

Council received amended plans on 4 March 2022. The amendments made to the plans and scope of the proposed development, in its original form when the DA was lodged on 25 October 2021, are summarised as follows:

- The rear building setbacks of the ground and first floor levels have been increased by 0.655m and 0.35m, respectively, resulting in a net loss of gross floor area (GFA).
- Further indentation of either external side of the front (southern) section of the ground floor level of the development, resulting in a further net loss of GFA.
- Extension of internal central courtyards behind the central stairwells on ground floor level of the development.
- Extension of the void areas on first floor level of the development.
- Replacement of the two separate vehicular crossings/driveways with a combined shared driveway that splays across the front building setback area.
- Details of the dividing fences between rear yards of each dwelling on the subject site.

A further request for amended plans was made on 6 April 2022 following careful analysis of the basement plan that revealed parts of the storerooms behind the garages on the basement level were not strictly deemed 'basement' as the finished ground floor level is greater than 1m above existing ground level, therefore, constituting calculable GFA. Council received amended plans on 11 April 2022, which showed a redesigned layout of the two garages as just garages for car parking, including vehicular and pedestrian access to that car parking. This redesign satisfies the exceptions listed in the definition of GFA under Waverley LEP 2012.

The amendments outlined above result in the development fully complying with the FSR development standard, and therefore, the clause 4.6 written request to vary the FSR development standard no longer

applies. The applicant also provided greater details on the screening devices between each dwelling along the shared sides of the central courtyards and amended stormwater plans.

The amended plans and documents did not change the design and scope of the proposed development in such a way that would result in additional and/or greater impacts than those of the original form (and publicly notified). Therefore, these amended documents were not required to be publicly notified as per section the renotification procedures outlined in the *Waverley Community Development Participation and Consultation Plan*. Refer to section 2.4 of this report on the issues raised in public submissions received in relation to this DA.

The amended documents received by Council on 4 March 2022 form the basis for the assessment of this DA.

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. State Environmental Planning Policies (SEPPs)

The following SEPPs apply and have been considered acceptable in the assessment of this development application:

- SEPP (Building Sustainability Index – BASIX) 2004.
- SEPP (Resilience and Hazards) 2021
- SEPP (Biodiversity and Conservation) 2021.

2.1.2. Draft Waverley Local Environmental Plan 2022 (Draft Waverley LEP 2022)

It is acknowledged that the Draft Waverley Local Environmental Plan 2022 was on exhibition from 12 November 2021 to 23 January 2022, however at the time of this assessment, there are no relevant matters for consideration.

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
Part 1 Preliminary		
1.2 Aims of plan	Yes	Satisfactory.
Part 2 Permitted or prohibited development		
Land Use Table R2 Low Density Residential Zone	Yes	The proposal is defined as a 'dual occupancy (attached)', which is permitted with consent in the R2 zone. It is consistent with the objectives of the zone.
Part 4 Principal development standards		
4.3 Height of buildings <ul style="list-style-type: none"> 8.5m 	Yes	The overall building height of the proposed development is 8.23m , measured to the top of the westernmost roof parapet at RL52.800 directly above corresponding existing ground level of RL44.57.
4.4 Floor space ratio and 4.4A Exceptions to floor space ratio <ul style="list-style-type: none"> Site Area: 581.8m². FSR: 0.5:1 Maximum GFA: 290.9m² 	Yes	The overall gross floor area (GFA) of the proposed development is 290m ² , which achieves a floor space ratio (FSR) of 0.5:1. While the four sets of internal central courtyards on the ground floor level of the development are enclosed, they are designed as external open and landscaped spaces, which are also depicted as such on the landscaped plans. Therefore, these areas can be excluded from the overall measurement of GFA of the development.
Part 6 Additional local provisions		
6.2 Earthworks	Yes	<p>The proposal involves excavation works to accommodate the basement level of the proposed development as well as the rear of the site to provide for levelled rear yards/private open spaces for each dwelling.</p> <p>A geotechnical report was submitted with the DA that assesses impacts of the proposed excavation and recommends relevant measures during site works to prevent and minimise disturbance to neighbouring properties, particularly given excavation is up to the side boundaries for works to the rear of the site. The proposed bulk excavation for the basement garages is set back 0.9m from each side boundary.</p>

Provision	Compliance	Comment
		Conditions of consent are recommended to ensure that the cut and fill works prevent and minimise disturbance to neighbouring properties and the public domain. These conditions will give effect to the recommendations made in the Geotechnical Report in order for these to be implemented during excavation works.

2.1.4. Waverley Development Control Plan 2012 (Waverley DCP 2012) – Amendment No.9

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	Satisfactory. Bins will be storage behind the front building line of the development.
2. Ecologically Sustainable Development	Yes	Satisfactory.
3. Landscaping and Biodiversity	Yes	Satisfactory.
5. Vegetation Preservation	Yes (by condition)	Refer to section 3 of this report on referral commentary in relation to tree management.
6. Stormwater	Yes (by condition)	Refer to section 3 of this report on referral commentary in relation to stormwater.
8. Transport Minimum parking rate: Nil Maximum parking rate: <ul style="list-style-type: none"> 1 space for 2 or less bedrooms 2 spaces for 3 or more bedrooms. 	Yes	The proposed development provides for a total of two car spaces, with each dwelling having one car space. The design and location of car parking of the proposed development are satisfactory, given that they are integrated and located in the basement of the development. The rollerdoors are recessed from the front building alignment of the development, which creates a shadow line and assists softening the appearance of the garage from Princess Street. Refer to further discussion on car parking in Table 3 of this report.
10. Safety	Yes	Satisfactory.
12. Design Excellence	Yes	The proposed development is architecturally designed and complements the array of contemporary architecture of surrounding dwellings in the street and the wider Rose Bay locality.
14. Excavation	Partial compliance	The proposed excavation does not add to the scale of the building or result in the loss of naturally occurring sandstone. The proposal does

Development Control	Compliance	Comment
		not fully comply with control (I) under this part of the DCP as the some of the proposed excavation will occur within 0.9m of the side boundaries of the site relating to the levelling out of the rear yards. The basement carpark is, however, set back 0.9m from each side boundary of the site. The proposed excavation is supported by a geotechnical report which recommends practices during excavation works to be undertaken in order to minimise and eliminate damage to improvements on adjoining properties. Further to this, standard conditions of consent relating to excavation are recommended to further safeguard excavation works.
16. Public Domain	Yes	Satisfactory.

Table 3: Waverley DCP 2012 – Part C2 Low Density Residential Development Compliance Table

Development Control	Compliance	Comment
2.0 General Objectives		
	Yes	The proposed development does not contravene the general objectives of this part of the DCP.
2.1 Height		
Pitched roof dwelling house <ul style="list-style-type: none"> Maximum external wall height of 7m 	N/A	The proposed development utilises a flat roof form.
Flat roof dwelling house <ul style="list-style-type: none"> Maximum wall height of 7.5m 	No (acceptable on merit)	<p>The overall external wall height of the development is the same as the overall building height measurement, which is 8.23m. Despite this non-compliance, the rear (northern) portion of the first floor level of the development is slightly stepped in and recessed from the side building alignments of the ground floor level.</p> <p>The side elevations of the development are appropriately articulated by fenestrations.</p> <p>In this regard, the non-compliance is considered acceptable as adequate articulation has been provided across the sides of the development. Further, the non-compliance with this wall height control would not result in unreasonable view and overshadowing impacts given that the development wholly complies with building height and FSR development standards under the LEP. As the development meets the relevant objectives of the wall height control, its variation to this control is deemed reasonable.</p>

Development Control	Compliance	Comment
2.2 Setbacks		
2.2.1 Front and rear building lines <ul style="list-style-type: none"> Predominant front building line Predominant rear building line at each floor level 	Yes Yes	<ul style="list-style-type: none"> The proposed development has staggered front setbacks on each floor level and are sited well behind the predominant front building line. Its front setbacks are greater than those of the existing dwelling house on the site. The rear setbacks of the proposed development align with the predominant and emerging rear building lines on ground and first floor levels of surrounding buildings on either side of the site.
2.2.2 Side setbacks <ul style="list-style-type: none"> Minimum of 0.9m (for height up to 8.5m) 	Yes	The proposed development is set back 0.9m from the external eastern and western side boundaries of the whole site.
2.3 Streetscape and visual impact		
<ul style="list-style-type: none"> New development to be compatible with streetscape context Significant landscaping to be maintained. Porticos only permitted where a character of the streetscape 	Yes	The proposed development is architecturally designed and comprises quality materials and finishes. It is compatible with the existing and emerging or desired future streetscape character.
2.4 Fences		
<i>Front:</i> <ul style="list-style-type: none"> Maximum height of 1.2m Solid section no more than 0.6m high <i>Side and Rear:</i> <ul style="list-style-type: none"> Maximum height of 1.8m 	N/A Yes (by condition)	<ul style="list-style-type: none"> No front fence. Boundary fences, including those dividing the rear yards of each dwelling, will be at a height of 1.8m. A condition of consent is recommended to ensure that the plans clearly depict new external boundary fences (i.e. on side and rear boundaries) that are located behind the front building line of the development to have a maximum height of 1.8m above existing ground levels measured on boundaries.
2.5 Visual and acoustic privacy		
<ul style="list-style-type: none"> Habitable windows are not to directly face habitable windows or open space of neighbouring dwellings unless direct views are screened or other appropriate measures 	Yes Yes	<ul style="list-style-type: none"> The windows across the eastern and western side elevations of the first floor level of the development serve bedrooms, study and bathrooms, which are of low use compared to living and active areas. Therefore, these windows will result in minimal privacy impacts on neighbouring properties. The windows across the side elevations on ground floor level are either highlight or

Development Control	Compliance	Comment
<p>are incorporated into the design</p> <ul style="list-style-type: none"> Maximum size of balconies: <i>10m² in area</i> <i>1.5m deep</i> 	N/A	<p>splashback windows serving the kitchen/dining rooms. These splashback windows do not directly face windows of adjoining dwellings on either side of the site, except partially the northernmost east-facing window of the adjoining front dual occupancy dwelling to the west of the site at 10 Princess Street, however, a review of the latest version of floor plans for this property on Council's records system reveals that this window serves a bathroom/laundry. Therefore, this window is not expected to compromise the visual privacy of the adjoining property to the west of the site.</p> <ul style="list-style-type: none"> The windows across the northern rear elevation of the first floor level of the development have sill heights of 1m, however, these serve bedrooms, and therefore, unlikely to result in unreasonable privacy impacts upon neighbouring properties. The development does not comprise elevation decks or balconies.
2.6 Solar access		
<ul style="list-style-type: none"> Minimum of three hours of sunlight to living areas and principal open space areas on 21 June 	Yes	<ul style="list-style-type: none"> The principal open space (rear yard) and living area on ground floor level of each dwelling are expected to receive a minimum of three hours of sunlight to at least 50% of these areas on 21 June.
<ul style="list-style-type: none"> Minimum of three hours of sunlight maintained to at least 50% of principal open space areas of adjoining properties on 21 June. 	Yes	<ul style="list-style-type: none"> The shadow diagrams in plan and elevation form reveal that the proposed development increases overshadowing of the neighbouring properties on either side and the road reserve of Princess Street between 9am and 3pm on 21 June. The side facing windows of neighbouring dwellings on either side of the site will be overshadowed by the development, however, the development will retain sunlight to the private open spaces of these neighbouring properties, thereby having no impact on the amount and duration of solar access received to these neighbouring private open space areas.
<ul style="list-style-type: none"> Avoid unreasonably overshadowing of solar 	Yes	<ul style="list-style-type: none"> In terms of the reasonableness of the overshadowing impact described above, the

Development Control	Compliance	Comment
collectors (including habitable windows).		amended development fully complies with the FSR development standard as well as the overall building height standard, setback, open space and landscaped area controls. The non-compliance with the maximum external wall height control has limited consequence as the development complies with the overall building height development standard, which is a higher order planning control than that relating to external wall height. Therefore, this impact is an expected and accepted outcome of any redevelopment of the subject site that complies with principal built form standards and controls.
2.7 Views		
<ul style="list-style-type: none"> Views from the public domain are to be maintained Development to be designed and sited so as to enable a sharing of views with surrounding dwellings particularly from habitable rooms and decks. 	Yes	The proposed development does not result in unreasonable loss of views that are expected to be enjoyed over and across the subject site from surrounding properties.
2.8 Car parking		
2.8.1 Design Approach <ul style="list-style-type: none"> Parking only allowed where site conditions permit Designed to complement the building and streetscape Car parking structures to be behind the front building line Driveways are to be located to minimise the loss of on street parking Parking to be provided from secondary streets or lanes where possible. 	Yes	Off-street car parking is a common characteristic of properties in Princess Street. The proposed garage is integrated with the proposed development.
2.8.2 Parking rates	Yes	Parking rates are set by Part B8 of Waverley DCP 2012.
2.8.3 Location <ul style="list-style-type: none"> Behind front building line for new dwellings 	Yes	Parking is located behind front building line and integrated in the envelope of the proposed development.

Development Control	Compliance	Comment
<ul style="list-style-type: none"> Existing development to be in accordance with the hierarchy of preferred car parking locations 		
2.8.4 Design <ul style="list-style-type: none"> Complement the style, massing and detail of the dwelling Secondary in area and appearance to the design of the residences Gates to have an open design 	Yes	Complementary and not overly conspicuous when viewed from Princess Street.
2.8.5 Dimensions <ul style="list-style-type: none"> 5.4m x 2.4m per vehicle 	Yes	Each garage comprises sufficient internal dimensions to accommodate one off street-car parking space.
2.8.6 Driveways <ul style="list-style-type: none"> Maximum of one per property Maximum width of 3m at the gutter (excluding splay) Crossings not permitted where 2 on street spaces are lost 	Yes	The amended form of the development comprises a single-width and shared driveway to provide access to garages of both dwellings. The width of the driveway is 3m at both the kerb and front boundary of the site. The development will not result in more than one on-street car parking space being lost.
2.9 Landscaping and open space		
<ul style="list-style-type: none"> Overall open space: 40% of site area Overall landscaped area: 15% of site area Minimum area of 25m² for private open space Front open space: 50% of front building setback area Front landscaped area: 50% of front open space provided Outdoor clothes drying area to be provided 	Yes Yes Yes Yes No (acceptable on merit) Yes	<ul style="list-style-type: none"> Overall open space area: 375.4m² (64.5% of site area). Overall landscaped area: 167.2m² (28.7% of site area). More than 25m² of private open space is provided to each dwelling. Front open space area: 83.9m² (100% of front building setback area). Front landscaped area: 23m² (27% of front open space provided). Despite the lack of front open space, the driveway was redesigned in such a way as to retain and protect the significant street tree, which provides substantial canopy cover to soften the appearance of the proposed development when viewed from the street. The rear yards of each dwelling have sufficient and appropriate space in the rear yards for clothes lines.
2.10 Swimming pools and spa pools		
<ul style="list-style-type: none"> Located in the rear of property 	Yes	The swimming pools are located in each rear yard of the lots and are sized and sited appropriately

Development Control	Compliance	Comment
<ul style="list-style-type: none"> Pool decks on side boundaries must consider visual privacy 		to reasonably maintain visual and acoustic privacy of neighbouring properties.
2.15 Dual Occupancy Development		
<ul style="list-style-type: none"> Min 450m² attached dwellings 	Yes	The site area is 581.8m ² , which is appropriate and suitable for attached dual occupancy development.

2.2. Other Impacts of the Development

The proposal is considered to 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 suitable for the proposal.

2.4. Any Submissions

The application was notified for 14 days between 29 October and 12 November 2021 in accordance with the *Waverley Community Development Participation and Consultation Plan*.

Following receipt of amended plans and documents, the application was not re-notified as the amended form of the proposal represents a lesser impact than that of the original form that was publicly notified as described in section 1.4 of this report. This is principally due to the amended plans eliminating the non-compliance with the FSR development standard by losing GFA due to increases of the rear building setbacks and increased side indents of the development, which has reduced associated impacts upon neighbouring properties on either side of the site, as well as replacing the two separate driveways with one shared driveway, thereby not resulting in more than the loss of one on-street car parking space on Princess Street. Further, additional information relating to technicalities, such as stormwater plans, did not change the essence or nature of the proposed development. Having regard to the nature of the amendments to the application, there is no additional net impact on originally affected and notified properties.

A total of 10 unique submissions were received from properties in Rose Bay identified in **Table 4** of this report.

Table 4: Number of and where submissions were received from.

Count	Property Address
1.	A joint (singular) submission from 3, 3A and 5 Princess Street
2.	4A/2-4 Princess Street
3.	6A Princess Street
4.	7/7-11 Princess Street

5.	8 Princess Street
6.	8A Princess Street
7.	10 Princess Street
8.	10A Princess Street
9.	10A Princess Street (based on amended plans)
10.	23 Princess Street

During the course of the deferral period, the submitter from 14 Princess Street request to withdraw their submission to Council on 20 December 2021.

The following issues raised in the submissions have already been discussed and addressed in either the body of this report, by the amended plans received by Council on 4 March 2022 and in the Recommendation:

- FSR non-compliance and associated amenity impacts upon neighbouring properties, including overshadowing impacts;
- Visual and acoustic privacy impacts;
- Loss of on-street car parking and traffic impacts;
- Tree removal; and
- Earthworks, particularly impact of excavation on neighbouring properties.

2.5. Public Interest

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

3. REFERRALS

The following internal and external referral comments were sought:

3.1. Traffic and Transport

Council's Traffic and Transport section raised concern on the two separate vehicular crossings in the original form of the DA. The DA was deferred, in part, due to this issue and the amended form of the development includes a single shared driveway that splays within the front building setback area, providing access to each garage. Council's Manager, Traffic and Transport is now satisfied with the parking aspects of the DA, subject to conditions of consent.

3.2. Stormwater

Council's Public Engineer raised concern about the stormwater plans originally submitted with the DA. The amended stormwater plans were reviewed by Council's Public Engineer who considered these as conceptual and has recommended a suite of conditions of consent to ensure that the stormwater plans are satisfactory prior to the issue of a construction certificate. These conditions have been adopted in the Recommendation.

3.3. Tree Management

Council's Tree Management Officer did not support the removal of the mature street tree for one of the originally proposed driveways. The DA was deferred, in part, due to this issue and the amended driveway design retains the street tree. Conditions of consent are recommended to ensure that the street tree is protected, including the requirement for a tree bond, as well as retaining and protecting trees on neighbouring properties.

3.4. Land Information

Council's GIS Analyst has allocated street numbers to each dwelling of the proposed development, being 12A and 12B Princess Street. A condition of consent is recommended to this effect.

4. CONCLUSION

The development application (DA) seeks consent for demolition of existing structures; and construction of a new attached dual occupancy development with basement parking and two swimming pools at rear at 12 Princess Street, Rose Bay.

The DA was amended to combine the previously proposed two separate driveways into one shared driveway and increase rear setbacks to fully comply with the floor space ratio development standard under Waverley Local Environmental Plan 2012.

The principal issues arising from the assessment of the DA are as follows, which have been addressed by the amended plans:

- vehicular access and car parking; and
- building bulk and scale and associated amenity impacts.

Ten (10) unique submissions were received and the issues raised in the submissions have been considered and addressed in this report and in the Recommendation. This is the reason why this DA is referred to the Waverley Local Planning Panel (WLPP) for determination.

The application has been assessed against the relevant matters for consideration under section 4.15(1) of the Act. It is recommended for approval subject to conditions of consent.

Development and Building Unit (DBU) Decision:

The application was reviewed by the DBU at the meeting on 14 December 2021 and the DBU determined:

(a) The application should be deferred and amendments required as follows:

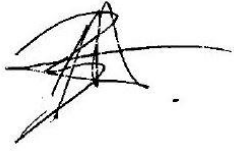

- (i) Reduce floor space to be fully FSR compliant in order to preserve the environmental amenity of neighbouring properties, including privacy and solar access.
- (ii) Retain the street tree and redesign the driveway such that it is one crossing.

Subject to the above deferral matters being satisfied above, the application is recommended for approval.

DBU members: A Rossi, B McNamara, B Matlawski and K Lucas

5. RECOMMENDATION TO WAVERLEY LOCAL PLANNING PANEL

That the development application be APPROVED by the Waverley Local Planning 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	Mitchell Reid
Senior Development Assessment Planner	Executive Manager, Development Assessment (Reviewed and agreed on behalf of the Development and Building Unit)
Date: 11 April 2022	Date: 12 April 2022

Reason for WLPP referral:

2. Contentious development (10 or more objections)

APPENDIX A – CONDITIONS OF CONSENT

A. APPROVED DEVELOPMENT

1. APPROVED PLANS AND DOCUMENTATION

The development must be in accordance with:

(a) Architectural Plans prepared by Common Office including the following:

Plan Number and Revision	Plan description	Plan Date	Date received by Council
DA 100 [01]	Site and Analysis Plan	1 March 2022	4 March 2022
DA 200 [02]	Basement Plan	11 April 2022	11 April 2022
DA 201 [01]	Ground Floor Plan	1 March 2022	4 March 2022
DA 202 [01]	First Floor Plan	1 March 2022	4 March 2022
DA 203 [01]	Roof Plan	1 March 2022	4 March 2022
DA 300 [01]	Elevations North/South	1 March 2022	4 March 2022
DA 301 [01]	Elevations East/West	1 March 2022	4 March 2022
DA 400 [01]	Sections	1 March 2022	4 March 2022
DA 401 [01]	Section	1 March 2022	4 March 2022
DA 502 [01]	Waste Management Plan	11 April 2022	11 April 2022
DA 602 [01]	Courtyard Analysis	1 March 2022	4 March 2022
DA 700 [00]	BASIX Summary	1 March 2022	4 March 2022

(b) Landscape Plan Nos L-01- L-05 (Issue F) and documentation prepared by Site Design + Studios, dated 25 February 2022 and received by Council on 4 March 2022.

(c) Arboricultural Impact Assessment Report dated 28 September 2021 and received by Council on 22 October 2021 and Addendum to Report on 24 February 2022 and received by Council on 4 March 2022 prepared by Martin Peacock Tree Care.

(d) Geotechnical Site Investigation Report (Project No. SRE/843/RB/21) prepared by Soilsrock Engineering Pty Ltd, dated 28 September 2021 and received by Council on 22 October 2021.

(e) BASIX Certificate.

(f) Stormwater Details and documentation in accordance with condition 17 of this development consent.

(g) The Site Waste and Recycling Management Plan (SWRMP) Part 1.

Except where amended by the following conditions of consent.

2. GENERAL MODIFICATIONS

The application is approved subject to the following plan amendments;

- (a) The first floor plan referred to in condition 1(a) in this development consent shall clearly notate that the north-facing windows of the master bedrooms on the plan and also notate that roof to the rear of the master bedrooms on first floor level is to be non-trafficable.
- (b) The plans shall clearly depict new external boundary fences (i.e. on side and rear boundaries) that are located behind the front building line of the development having a maximum height of 1.8m above existing ground levels as measured on boundaries.

The amendments are to be approved by the Principal Certifying Authority prior to the issue of any Construction Certificate.

3. DOMESTIC HEATERS

The provision of solid fuel heating is prohibited.

B. PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

The requirements outlined in this section are to be provided to the satisfaction of the Principal Certifying Authority in all instances, except where a condition explicitly specifies that the approval of Council or a Council Officer is required.

GENERAL REQUIREMENTS

4. 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 and Assessment Act 1979;
- (b) a Principal Certifying Authority has been appointed and Council has been notified of the appointment in accordance with the Environmental Planning and Assessment Act 1979 and Environmental Planning and Assessment Regulation 2000; and
- (c) (Council is given at least two days' notice in writing of the intention to commence the building works.

5. 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 applicable requirements of Part 6, before any work commences.

CONTRIBUTIONS, FEES & BONDS

6. SECTION 7.12 CONTRIBUTION

A monetary development contribution is payable to Waverley Council pursuant to section 7.12 of the *Environmental Planning and Assessment Act 1979* and the 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:
 - (i) Where the total development cost is less than \$500,000:
"Waverley Council Cost Summary Report"; or,
 - (ii) 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 are provided in the Waverley Council Contributions Plan 2006, available on Council's website.

(b) As legislated in section 25K of the Environmental Planning and Assessment Regulation 2000, the levy must be paid in accordance with the following;

- (i) A development valued at \$100,000 or less will be exempt from the levy;
- (ii) A development valued at \$100,001 - \$200,000 will attract a levy of 0.5% of the full cost of the development; or
- (iii) A development valued at \$200,001 or more will attract a levy of 1% of the full cost of the development.

Prior to the issue of any 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.

7. TREE PRESERVATION BOND

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 street tree at the front of the property. The bond is to be lodged prior to the issue of a Construction Certificate (refer to condition 36 of this development consent for detailed street tree protection requirements).

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. SECURITY DEPOSIT

A deposit (cash or cheque) or guarantee for the amount of **\$30,230** must be provided to Council for any damage caused to any property of the consent authority (ie. public land) as a consequence of the works and completing any public work (such as road work, kerbing and guttering, footway construction, stormwater drainage and environmental controls) required in connection with the consent.

This deposit (cash or cheque) or guarantee must be provided to Council prior to the issue of any Construction Certificate. The full amount of the deposit, minus Council's costs for any repair of damage to Council property or rectification of unauthorised works on Council property, will be refunded after satisfactory completion all of works associated with this consent (including the required public works) to the person who paid the deposit.

9. 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 of this building work. Evidence that the levy has been paid is to be submitted to the Principal Certifying Authority prior to the issue of any 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.

10. ENGINEERING PLANS ASSESSMENT AND WORKS INSPECTION FEES

The applicant is to pay to Council fees for assessment of all engineering plans and inspection of the completed works in the public domain inclusive of all stormwater assessment, in accordance with Council's Schedule of Fees & Charges at the time of engineering plan approval, prior to such approval being granted by Council.

An invoice will be issued to the applicant for the amount payable, which will be calculated based on the design plans for the subject development.

CONSTRUCTION & SITE MATTERS

11. HOARDING

To ensure the site is contained during construction, a hoarding is required for the approved works, which is to be designed and constructed in accordance with the requirements of Safe Work NSW. Where the hoarding is to be erected over the footpath or any public place, the approval of Council's Compliance Unit must be obtained and the applicable fees paid, prior to the erection of the hoarding.

12. EROSION & SEDIMENT CONTROL

A Soil and Water Management Plan (SWMP), also known as an Erosion and Sediment Control Plan must be prepared in accordance with Waverley Council's Water Management Technical Manual.

The SWMP must be approved by the Principal Certifying Authority prior to the issue of a Construction Certificate. A copy of the SWMP must be kept on site at all times and made available to Council officers upon request.

The recommendations of the SWMP must be implemented and maintained during all construction activities and until the site is fully stabilised following construction.

13. DETAILS OF EXCAVATION, SHORING OR PILE CONSTRUCTION

A report shall be prepared by a suitably qualified and practising Structural Engineer/Geotechnical 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.

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. ENGINEERING DETAILS

Structural details are to be prepared and certified by a practicing Structural Engineer in connection with all structural components of the approved works, prior to the issue of the relevant Construction Certificate.

15. SYDNEY WATER SECTION 73 COMPLIANCE CERTIFICATE APPLICATION

An application to obtain a Section 73 Compliance Certificate under the *Sydney Water Act 1994* must be made prior to the issue of the relevant Construction Certificate. The application must be made through an authorised Water Servicing Coordinator.

For more information about making an application to obtain a Section 73 Compliance Certificate, please consult Sydney Water's website.

Following this application, a "Notice of Requirements" will be provided by Sydney Water that outlines any requirements of works to be completed prior to the issue of the Section 73 Compliance Certificate. Please make early contact with the Coordinator, as building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design.

A Section 73 Compliance Certificate must be issued from Sydney Water prior to the issue of an occupation certificate.

TRAFFIC MANAGEMENT

16. CONSTRUCTION TRAFFIC MANAGEMENT PLAN (CTMP)

The applicant is to submit a Construction Traffic Management Plan (CTMP) for the approval of Council's Executive Manager, Infrastructure Services, or delegate, prior to the issue of any Construction Certificate. For further information on what is required in the CTMP, please refer to Council's website at:

https://www.waverley.nsw.gov.au/building/development_applications/post_determination/development_applications_-_conditions_of_consent

STORMWATER

17. STORMWATER AND PUBLIC INFRASTRUCTURE MANAGEMENT

To ensure that stormwater runoff from the development is drained in an appropriate manner, without impact to neighbouring properties and downstream systems, a detailed plan and certification of the development's stormwater management system must be submitted and approved by the Executive Manager, Infrastructure Services (or delegate) prior to the issue of the relevant Construction Certificate.

The submitted stormwater management plan prepared by RTS Civil Consulting Engineers Pty Ltd, Project No. 210710, Drawing ID. CP100, CP101, SW100, SW200 & SW201, Issue B, dated 01/03/2022 is considered concept only.

The applicant must submit plans and specifications to comply with the current Waverley Council Water Management Technical Manual and Development Control Plan (DCP) at the time of engineering plan approval. The submitted plans shall be prepared by a suitably qualified and practising Civil Engineer and:

- a) The plans shall provide a complete and detailed OSD design including multiple cross-sections (drawn to a suitable scale), proposed construction materials, and full orifice details. The checklist as set out in Council's Water Management Technical Manual shall be completed and submitted. A certificate from a registered structural engineer certifying the structural adequacy of the OSD tank structure is to be provided. Any below ground OSD tank shall be a cast in-situ concrete based structure.
- b) Details of any rainwater tank required by BASIX commitments or as nominated on the architectural plan, including the overflow connection to the approved stormwater drainage system are to be submitted.
- c) Show sub-soil drainage restricted from entering the basement areas of the building and the stormwater drainage system by waterproofing and tanking the basement areas of the building.

- d) Show an alarm system comprising of basement pump-out failure warning sign together with a flashing strobe light and siren installed at a clearly visible location at the entrance to the basement in case of pump failure. A minimum freeboard of 150 mm from the pump out system to all parking spaces and full hydraulic details and pump manufacturers specification are to be provided.
- e) Pipe sizes, type, grade, length, invert levels, dimensions and types of drainage pits and inspection openings and their location shall be provided. Calculations demonstrating that the proposed stormwater drainage system can cater for the relevant design storm event shall be provided.
- f) A sediment control stormwater pit must be installed inside the property, adjacent to the boundary, for all stormwater outlets.
- g) The design must make provision for the natural flow of stormwater runoff from uphill/upstream properties/lands. The design must include the collection of such waters and discharge to the Council drainage system (independent of any OSD system).
- h) A grated trench drain shall be provided across the (garage entrance/driveway/street boundary) within private property. Unless otherwise sized by a suitably qualified and practising Engineer, the dimensions of the trench grate shall be no less than 300 mm wide by 150 mm deep at the shallow end and have a “bottom” slope of 2%. This trench drain shall be connected to an approved drainage system.
- i) Any affected Council’s infrastructure as the result of construction activities within the public domain area, inclusive of stormwater, stormwater outlet/s, kerb and gutter, pavement, grass verges and vehicle crossovers within the extent works shall be replaced as per Waverley Council Public Domain Technical Manual. All associated costs shall be borne by the applicant.

Notes:

- Since a sewer main runs through the property, plans must also be presented to a Sydney Water Tap in™ for their approval.
- The Applicant is advised to consider the finished levels of the public domain, including new or existing footpaths and pavement prior to setting the floor levels for the proposed development.
- Waverley Council standard drawings for public domain infrastructure assets are available upon request. Details that are relevant may be replicated in the Engineering design submissions however, Council’s title block shall not be replicated.
- Prior to commencement of works a security deposit will be made payable to Council to ensure any additional damage or unauthorised works within the Council property, not conditioned above. Council will reserve the right to withhold the cost of restoring the damaged assets from the security deposit should the applicant fail to restore the defects to the satisfaction of Council.
- Council’s contact for infrastructure assessment: E-mail: assets@waverley.nsw.gov.au or Phone: 9083 8886 (operational hours between 9.30am to 4pm Monday to Friday). The expected duration to review and approve the stormwater management plan may take at least 15 working days from the date of submission.

ENERGY EFFICIENCY & SUSTAINABILITY

18. BASIX

All requirements of the BASIX Certificate and NatHERS documentation are to be shown on the Construction Certificate plans and documentation.

WASTE

19. SITE WASTE AND RECYCLING MANAGEMENT PLAN

A Site Waste and Recycling Management Plan (SWRMP) - Part 2 is to be submitted to the Principal Certifying Authority prior to the issue of the relevant Construction Certificate, which outlines materials to be reused and/or recycled as a result of demolition and construction works. At least one copy of the SWRMP Part 2 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.

C. COMPLIANCE PRIOR TO WORK COMMENCING AND DURING CONSTRUCTION

The requirements outlined in this section are to be provided to the satisfaction of the Principal Certifying Authority in all instances, except where a condition explicitly specifies that the approval of Council or a Council Officer is required.

PRIOR TO ANY WORKS

20. 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.

21. DILAPIDATION REPORT

A Dilapidation report is to be prepared for any adjoining or nearby property that may be subject to potential damage as a result of any works being undertaken. The dilapidation report is to be made available to affected property owners.

The report is to be dated, submitted to, and accepted by the Principal Certifying Authority, prior to any work commencing on the site.

Note: 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. Council will not become directly involved in disputes between the builder, owner, developer, its contractors and the owners of neighbouring buildings.

22. USE OF FILL ON SITE

All fill imported on to the site shall be free of building and other demolition waste, and contain virgin excavated natural material (VENM) as defined in Part 3 of Schedule 1 of the Protection of the Environment Operations Act, 1997 and

Sampling and analysis of the fill material should be conducted in accordance with the NSW EPA Sampling Design Guidelines (1995) to ensure that the material is not contaminated.

Any other waste derived material the subject of a resource recovery exemption under cl. 51A of the Protection of the Environment Operations (Waste) Regulations 2014 that is permitted to be used as fill material.

Any waste derived material the subject of resource exemption received at the development site must be accompanied by documentation as to the materials compliance with the exemption conditions and must be provided to the Principal Certifying Authority on request.

DEMOLITION & EXCAVATION

23. DEMOLITION – ASBESTOS AND HAZARDOUS MATERIALS

The demolition, removal, storage, handling and disposal of products and materials containing asbestos must be carried out in accordance with the relevant requirements of SafeWork NSW and the NSW Environment Protection Authority (EPA), including:

- Work Health and Safety Act 2011;
- Work Health and Safety Regulation 2017;
- SafeWork NSW Code of Practice for the Safe Removal of Asbestos;
- Australian Standard 2601 (2001) – Demolition of Structures;
- *Protection of the Environment Operations Act 1997*.

At least 5 days prior to the demolition, renovation work or alterations and additions to any building, the person acting on the consent shall submit a Work Plan to the Principal Certifying Authority 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.

24. CONTROL OF DUST ON CONSTRUCTION SITES

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 (e.g. 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.

25. CLASSIFICATION OF WASTE/ DISPOSAL OF EXCAVATED SOILS

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 2014.

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.

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 excavation is to be managed by a practising structural engineer.

CONSTRUCTION MATTERS

27. 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) Sundays and public holidays.
- (b) 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.

Noise from construction activities shall comply with the Protection of the Environment Operations (Noise Control) Regulation 2017.

28. STOCKPILES, STORAGE OF MATERIALS AND LOCATION OF BUILDING OPERATIONS

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

29. CONSTRUCTION INSPECTIONS

The building works are to be inspected during construction by the Principal Certifying Authority (PCA) in accordance with the *Building Legislation Amendment (Quality of Construction) Act 2002*, clause 162A of the *Environmental Planning and Assessment Regulation 2000* and the requirements of any other applicable legislation or instruments.

30. CERTIFICATE OF SURVEY - LEVELS

All construction works are to be 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 the construction of a higher level of the building.

31. 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 location 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.

32. CONSTRUCTION OF SWIMMING POOLS AND OUTDOOR SPAS

The following applies to the construction of swimming pools and outdoor spas:

- (a) Reinforcement of the swimming pool/outdoor spa 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/spa is to be installed in accordance with the requirements of Australian Standard 3000, Part 1 - Wiring Rules.
- (c) The swimming pool/outdoor spa water is to be treated by an approved water treatment and filtration unit.
- (d) To prevent noise nuisance to surrounding properties, the swimming pool/outdoor spa filtration motor and pump unit is to be housed within a ventilated soundproof enclosure.
- (e) Waste waters from the swimming pool/outdoor spa are to be discharged into Sydney Water's sewerage system and in this regard, approved plans must be submitted to Sydney Water at least 14 days prior to commencement of building operations.

33. WORK OUTSIDE PROPERTY BOUNDARY

This consent does not authorise any work outside the property boundary.

TREE PROTECTION AND REMOVAL

34. TREE PROTECTION

All trees on site and adjoining properties, including street trees, are to be retained and protected in accordance with AS4970-2009 'Protection of Trees on Construction Sites' and to be certified by an Arborist with AQF level 5 qualification or above, unless approved to be removed in this development consent.

35. TREES PERMITTED TO BE REMOVED, RETAINED AND PROTECTED

The following trees are permitted to be removed, retained and protected as per the tables in this development consent. The trees identifications in these tables are the same as those in the Arborist Report referred to in condition 1(xx) of this development consent.

Tree No.	Species	Location	Action
T 1	<i>Cinnamomum camphora</i> (Camphor Laurel)	On-site	Remove as per Arborist report.
T 2	<i>Cinnamomum camphora</i> (Camphor Laurel)	On-site	Remove as per Arborist report.
T 3	<i>Callistemon viminalis</i> (Weeping Bottlebrush)	On-site	Retain as per Arborist report.
T 4	<i>Pinus radiata</i> (Radiata Pine)	On-site	Remove as per Arborist report.
T 5	<i>Cotoneaster glaucophyllus</i> (Large Leaf Cotoneaster)	On-site	Remove as per Arborist report.
A	<i>Melaleuca quinquinervea</i> (Broadleaved Paperbark)	Street tree	Trees to be Retain and protected. (refer to condition 36 below for more details)

B	<i>Podocarpus elatus</i> (Brown Pine)	Neighbouring tree.	Trees to be Retain and protected.
C	<i>Magnolia grandiflora</i> (Bull Bay Magnolia)	Neighbouring tree.	Trees to be Retain and protected.
D	<i>X Cupressocyparis leylandii</i> (Leyland Cypress)	Neighbouring tree.	Trees to be Retain and protected.
E	<i>Eucalyptus robusta</i> (Swamp Mahogany)	Neighbouring tree.	Trees to be Retain and protected.

36. STREET TREES 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.

Further to the above, the following measures are to be undertaken:

- (h) 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.
- (i) 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.
- (j) 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.

- (k) 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).
- (l) 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.
- (m) 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.
- (n) Trunk protection to be removed at the issue of the Occupation Certificate subject to the satisfaction of Council.

VEHICLE ACCESS & PUBLIC DOMAIN WORKS

37. NEW VEHICLE CROSSING

A new vehicle crossing is to be provided to access the proposed two 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.

The crossing is to be 3.0 metres wide at the property boundary and a single driveway at the street is to be 3.0 metres wide plus 0.45 metre splays. No structures above 1.15 metres are to be within 2 x 2.5 metre sight triangles measured from the footpath.

Note: Prior to the submission of the vehicle crossing application, works as executed drawings shall be submitted to Council for the approval of the Executive Manager, Infrastructure Services (or delegate) confirming the finished levels of the internal driveway between the property boundary and the garage floor comply with the approved driveway long sections.

38. VEHICULAR ACCESS - FINISHED LEVEL TO FOOTPATH

The finished level at the property boundary on both sides of the vehicle crossing is to match or be **50mm** above the level of the existing concrete footpath

D. PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE OR SUBDIVISION CERTIFICATE

The requirements outlined in this section are to be provided to the satisfaction of the Principal Certifying Authority in all instances, except where a condition explicitly specifies that the approval of Council or a Council Officer is required, prior to the issue of an Occupation Certificate or Subdivision Certificate, whichever applies.

CERTIFICATES, LICENCES, EASEMENTS AND RESTRICTIONS

39. FINAL OCCUPATION CERTIFICATE

Prior to occupation or use of the development, an Occupation Certificate must be obtained.

The Principal Certifying Authority must be satisfied that the requirements of the *Environmental Planning & Assessment Act 1979* have been satisfied including all critical stage inspections. Documentary evidence of all required inspections is to be submitted to Council.

40. CERTIFICATION OF BASIX COMMITMENTS

The Principal Certifying Authority shall certify that the all the undertakings in the approved BASIX certificate have been completed.

41. WORKS-AS-EXECUTED DRAWINGS – STORMWATER DRAINAGE SYSTEM

- (a) A Works-As-Executed drawing (WAED) of the stormwater drainage system must be prepared, stamped and signed by a Registered Surveyor. This drawing must detail the alignment of all pipelines, pits, any basement pump-out facility, any detention facility, any rainwater harvesting facility and other drainage related infrastructure. An original or a colour copy must be submitted to Waverley Council. Where changes have occurred, the Council approved plans shall be marked-up in red ink and shall include levels and location for the drainage structures and works.
- (b) A suitably qualified and practising Engineer must provide certification of the WAED of the stormwater drainage system that the stormwater drainage works were constructed to their satisfaction and in accordance with the Development Consent, Water Management Technical Manual, all applicable Codes, Policies, Plans, Standards and good engineering practice. A copy of the aforementioned letter of certification must be submitted to Council.

42. CREATION OF POSITIVE COVENANT AND RESTRICTION FOR OSD

Prior to the issue of an Occupation Certificate, a “Positive Covenant” and “Restriction on the Use of Land” shall be created for any On-Site Stormwater Detention (OSD) system, under Section 88E of the *Conveyancing Act 1919*. This is to place a restriction on the Title that the OSD system is maintained and kept free of debris/weed to allow unobstructed passage of stormwater through the site and underneath the residence. The property owner/occupant shall not modify or remove the OSD system without consent from Council.

The wording of the Instrument shall be submitted to and approved by Executive Manager, Infrastructure Services (or delegate) prior to lodgement at NSW Land Registry Services.

Where a Title exists, the Positive Covenant and Restriction on the Use of Land is to be created via an application to the NSW Land Registry Services using forms 13PC and 13RPA. Accompanying this form is the requirement for a plan to scale showing the relative location of the OSD system, including its relationship to the building footprint. Electronic colour photographs of the OSD system shall accompany the application for the Positive Covenant and Restriction on the Use of Land.

The Instrument shall be registered and a registered copy of the document shall be submitted to and approved by the consent authority prior to the issue of an Occupation Certificate or use of the building. All associated costs shall be borne by the applicant.

43. PLANNED PREVENTATIVE MAINTENANCE SCHEDULE FOR PUMP OUT SYSTEM

The registered proprietor shall be required to submit written intent to establish and maintain a Planned Preventative Maintenance (PPM) schedule of any pump out system prior to the issue of Occupation Certificate. Council will not be liable for any claims for damages arising from the failure of the pump out system. Evidence shall be submitted to the Executive Manager, Infrastructure Services or delegate prior to the issue of the Occupation Certificate.

44. CERTIFICATION OF SWIMMING POOL/OUTDOOR SPA

Prior to the pool being used, the following must be provided;

- (a) Certification that the pool has been constructed in accordance with the consulting engineers design;
- (b) Evidence that the swimming pool/outdoor spa has been registered on the State Government Swimming Pool Register (<http://www.swimmingpoolregister.gov.au>);
- (c) A sign outlining details of resuscitation techniques for adults, children and infants has been placed in a prominent position, close to the pool/outdoor spa. Signs are available from Council;
- (d) A copy of the occupation certificate must be submitted to Council.

Note: Swimming/spa pool pumps are restricted from use 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 2017.

45. STREET NUMBER

The redevelopment of the property has led to the following allocation of primary address and sub-address numbering:

The primary address number and location for the common property:

- 12 Princes Street - primary address site

As the redevelopment has sub-address sites the following sub-addressing will apply.

- Either No. 1/12 or 12A Princess Street for the west allotment.
- Either No.2/12 or 12 B Princess Street for the east allotment.

The premises number for the properties shall be a minimum of 75mm high and shall be positioned 600mm-1500mm above ground level, located near the pedestrian entry point for each lot and be clearly visible on the site boundary that fronts Princess Street.

The address number for a sub-address site shall not consist of the primary address site number on its own.

The address number for a sub-address site shall not consist of the primary address number with an alpha suffix.

Sub-address numbers shall be applied in a logical sequence in the street and within a primary address site shall be unique regardless of the type of the address.

The premises numbers are to be positioned on the site prior to the issue of the Occupation Certificate. Any variation to the above premises numbering requires a new application for a Change of street number and/or address to be lodged with Council.

46. SYDNEY WATER SECTION 73 COMPLIANCE CERTIFICATE

A Section 73 Compliance Certificate must be issued from Sydney Water prior to the issue of an occupation certificate.

E. ADVISORY MATTERS

The following advisory matters are provided as additional information to ensure compliance with the relevant legislation and requirements. You must also check other Commonwealth and NSW Acts and Regulations which may apply to the works or use approved in this application.

AD1. POST CONSENT CONDITIONS REQUIRING COUNCIL INPUT

Various conditions require further input, review or approval by Council in order to be satisfied following the determination of the application (that is, post consent). In those instances, please adhere to the following process to avoid delays:

- Please read your conditions carefully.
- Information to be submitted to Council should be either via email to info@waverley.nsw.gov.au or via the NSW Planning Portal (if required).
- Attention the documentation to the relevant officer/position of Council (where known/specified in condition).
- Include DA reference number.
- Include condition number/s seeking to be addressed.
- Where multiple conditions need Council input, please try to group the documentation / email/s into relevant subjects (multiple emails for various officers may be necessary, for example).
- Information to be submitted in digital format – refer to ‘Electronic lodgement guidelines’ on Council’s website. Failure to adhere to Council’s naming convention may result in documentation being rejected.
- Where files are too large for email, the digital files should be sent to Council via CD/USB. Council does not support third party online platforms (data in the cloud) for receipt of information.
- Please note, in some circumstances, additional fees and/or additional documents (hard copy) may be required.
- Council’s standard for review (from date the relevant officer receives documentation) is 14 days. Times may vary or be delayed if information is not received in this required manner.

AD2. DIAL BEFORE YOU DIG

Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial Before You Dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures (this is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial Before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual’s responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial Before You Dig service in advance of any construction or planning activities.

AD3. TELECOMMUNICATIONS ACT 1997 (COMMONWEALTH)

Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra’s network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for prosecution. Furthermore, damage to Telstra’s infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra’s assets in any way, you are required to contact: Telstra’s Network Integrity Team on 1800 810 443.

AD4. EXCAVATION TO BE LIMITED

Excavation shall be limited to that shown in the approved plans. Any further excavation will require Council approval.

AD5. BONDI - ROSE BAY SAND BODY

This site may be located within the Bondi - Rose Bay Sand Body as identified in Council's Aboriginal Cultural Heritage Study 2009. Should an object of potential Aboriginal or archaeological significance be discovered during the demolition, excavation or construction period associated with this development, works are to immediately cease and the NSW National Parks and Wildlife Service must be contacted.

Waverley Council must be notified of any referral to the NSW National Parks and Wildlife Service and be provided with a copy of any subsequent response.

AD6. TREE REMOVAL/PRESERVATION

Any trees not identified for removal in this application have not been assessed and separate approval may be required. Any pruning of trees on adjoining properties required for the erection of scaffolding and/or the construction of the building may also require approval.

AD7. RAINWATER HARVESTING AND REUSE

The operation of all devices or appliances installed within the development approved by this consent as required by conditions pertinent to rainwater harvesting and rainwater reuse must be maintained in good operating order at all times.

AD8. SITE RECTIFICATION WORKS

The vacant site is to be maintained in a safe and secure manner. Fencing is to be erected around the perimeter of the site once demolition has been completed to secure the site. The site is to be protected from windblown soil loss and stormwater erosion at all times.

If the site is commenced to be developed and there is suspension in activity for 6 months (or suspensions of activity which in the aggregate exceed 6 months), resulting in a building site which has an appearance not acceptable to Council, then the Council will have the readily enforceable rights to:

- (i) Require certain works to be carried out, including but not limited to:
 - (a) Make the building/site safe and of an appearance acceptable to Council;
 - (b) Allow the ground level to be landscaped and of an appearance acceptable to Council from any public vantage point;
 - (c) For the hole to be covered to allow it to be landscaped and made attractive from any public vantage point.
 - (d) Council may call on any bank guarantee to cover the cost thereof.
- (ii) In the event of default, have the right to enter and carry out these works and to call upon security in the nature of a bank guarantee to cover the costs of the works.

AD9. AUSGRID

Ausgrid must be consulted on the removal of the telegraph pole directly in front of the site.

12 Princess St, Rose Bay

LOT 12, SEC B, DP4185

DEVELOPMENT APPLICATION
Rev 01

01 March 2022

DRAWING NUMBER	REVISION	DRAWING NAME	SCALE
DA000	01	COVER SHEET	nts
100 SITE PLANS & ANALYSIS			
DA100	01	SITE AND ANALYSIS PLAN	1:200
DA101	01	SETBACK ANALYSIS	1:250
DA102	01	STREETSCAPE ANALYSIS	nts
200 FLOOR PLANS 1:200			
DA200	01	BASEMENT PLAN	1:200
DA201	01	GROUND FLOOR PLAN	1:200
DA202	01	FIRST FLOOR PLAN	1:200
DA203	01	ROOF PLAN	1:200
300 ELEVATIONS			
DA300	01	ELEVATIONS NORTH & SOUTH	1:200
DA301	01	ELEVATIONS EAST & WEST	1:200
DA302	01	FENCES	1:200
400 SECTIONS			
DA400	01	SECTIONS	1:200
500 DIAGRAMS			
DA500	01	AREA DIAGRAMS: GFA	1:250
DA501	01	AREA DIAGRAMS: LANDSCAPE	1:250
DA502	01	WASTE MANAGEMENT PLAN	1:200
DA503	01	STREET PARKING ANALYSIS	1:100
600 EXTERIOR			
DA600	01	EXTERNAL FINISHES SCHEDULE	nts
DA601	01	PHOTOMONTAGE	nts
DA602	01	COURTYARD ANALYSIS	1:50
700 BASIX			
DA700	01	BASIX SUMMARY	nts
SCHEDULE OF AMENDMENTS			
AMENDMENT	01		nts
BASEMENT/DRIVEWAY			
A	SINGLE DRIVEWAY CROSSING		1:200
B	RETAIN STREET TREE		1:250
GROUND FLOOR			
C	REAR GLASS LINE REDUCED BY 670mm		1:200
D	LAUNDRY REDUCED		1:200
E	RUMPUS ROOM REDUCED		1:200
F	VOID ENLARGED		1:200
FIRST FLOOR			
F	VOID ENLARGED		1:200
G	REAR GLASS LINE REDUCED BY 620mm		1:200

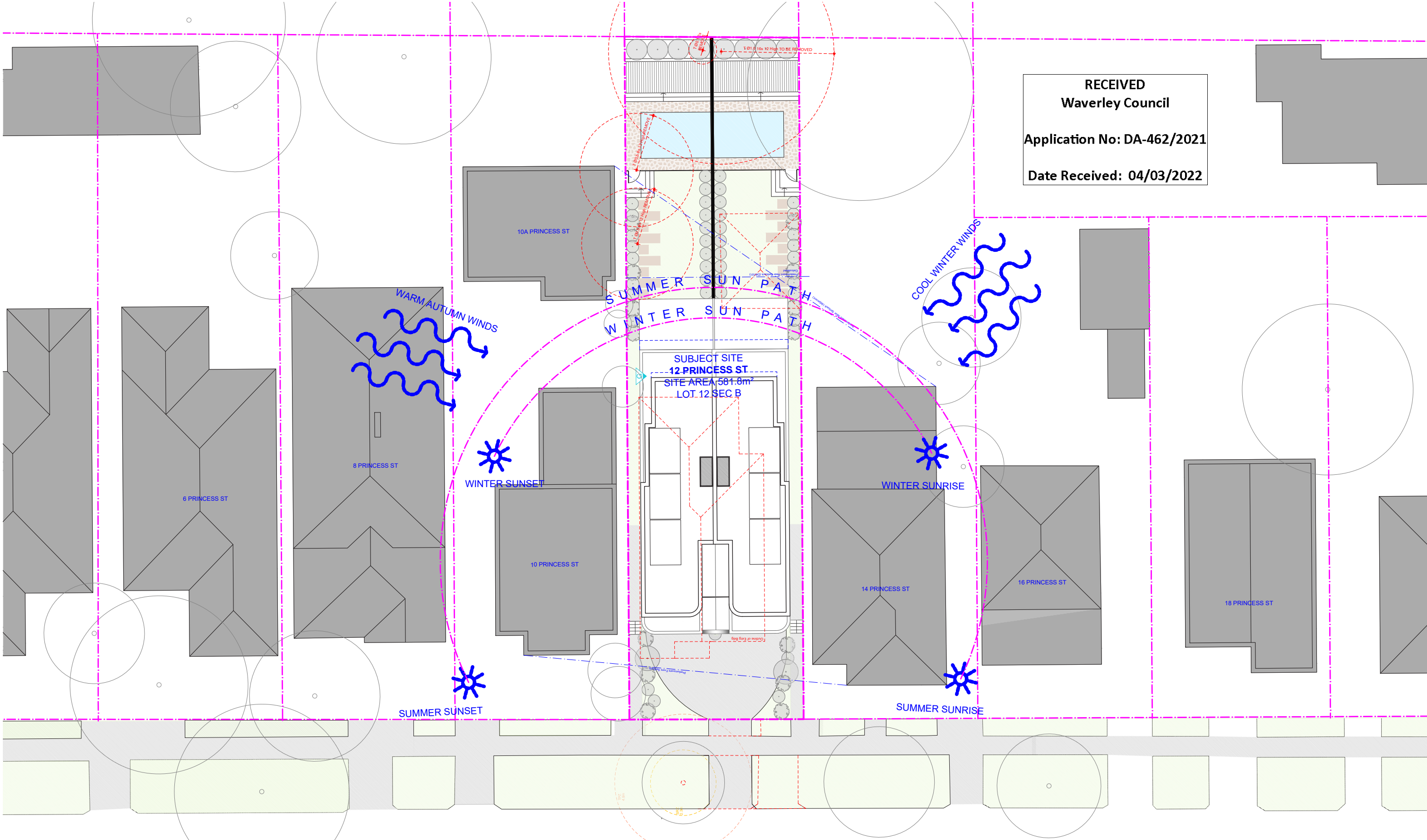


AMENDED PLANS

RECEIVED
Waverley Council

Application No: DA-462/2021

Date Received: 04/03/2022



RECEIVED
Waverley Council
Application No: DA-462/2021
Date Received: 04/03/2022

AMENDED PLANS

01 01.03.22 Amended Plans
00 08.10.21 DA Submission

General Notes

FOR DEVELOPMENT APPLICATION PURPOSES ONLY
1. ALL WORKS TO BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA, NATIONAL CONSTRUCTION CODE (NCC), AUSTRALIAN STANDARDS STATUTORY REGULATIONS AND LOCAL AUTHORITY REQ.
2. CONTRACTOR TO ENSURE CONSISTENCY BETWEEN MATERIALS IS MAINTAINED.
3. CONTRACTOR TO NOTIFY DESIGNER OF ANY DISCREPANCIES.
4. DIMENSIONAL INCONSISTENCIES OR THE NEED FOR CLARIFICATION PRIOR TO MANUFACTURING.
5. DESIGNER TO REVIEW ALL CONTRACTORS DETAILED DRAWINGS / SETTING OUT PRIOR TO CONSTRUCTION.
6. CONTRACTOR TO LAISE WITH ELECTRICAL CONTRACTORS TO ENSURE ALL POWER/DATA/COMMUNICATION REQUIREMENTS ARE ACCESSIBLE.
7. ALL DIMENSIONS TO BE VERIFIED ON SITE - DO NOT SCALE.
8. ALL WORKS TO BE VERIFIED AGAINST DRAWINGS FOLLOWING CONSTRUCTION AND DESIGNER TO BE NOTIFIED OF ANY DISCREPANCIES PRIOR TO PROCEEDING WITH NEXT TRADE.

Basic: All other equipments as per certificates

WATER
FIXTURES
Showerheads: 4 Star
Toilets: 3 Star
Kitchen Taps: 3 Star
Pool: Max Volume 21kL, no cover
ALT. WATER SOURCE
1800L Water Tank, to collect run off from 40m² roof area
LANDSCAPE & LAUNDRY CONNECTION
ENERGY
HOT WATER:
Gas instantaneous 5 star
BATHROOM VENTILATION:
Individual fan, ducted to roof or facade
Manual Switch on/off
KITCHEN VENTILATION
Individual fan, ducted to roof or facade
Manual Switch on/off
LAUNDRY VENTILATION
Individual fan, ducted to roof or facade
Manual Switch on/off
COOLING:
Ceiling fans + 1-phase airconditioning.

4 Star (Zoned) to Living and Bedroom Areas
HEATING:
Ceiling fans + 1-phase airconditioning.
4 Star (Zoned) to Living and Bedroom Areas
ARTIFICIAL LIGHTING:
4 Bed/Study (dedicated)
2 Living/Dining (dedicated)
Each Kitchen (dedicated)
All bathrooms (dedicated)
All Laundries (dedicated)

All Hallways (Dedicated)
NATURAL LIGHTING:
3 bathrooms and kitchen
POOL:
Electric Heat Pump, Timer
APPLIANCES:
Gas cooktop & Electric Oven, Outdoor clothes Line
ALTERNATIVE ENERGY:
2.0 Photovoltaic System
THERMAL COMFORT
CONSTRUCTION OF FLOORS
Concrete Slab on ground,
Suspended floor above garage,
Suspended floor with enclosed sub-floor
GLAZING:
Aluminium A SG High Solar Gain
Low-E: U-Value: 5.4, Shgc 0.49;
Aluminium B Sp High Solar Gain
Low-E: U-Value: 5.4, Shgc 0.58;
Aluminium A DG Argon Fill High Solar Gain low-E -Clear: U-Value: 4.10, Shgc 0.47;
Aluminium A DG Argon Fill High Solar Gain low-E -Clear: U-Value: 4.10, Shgc 0.52;
EXTERNAL WALLS:
Brick Veneer: R 2.73
Cavity Brick R0.41
Blockwork: R0.00
PC Sheet R2.73
ROOF:
Flat Framed R1.80 Colour Light, Solar Absorptance 0.30

Consultants

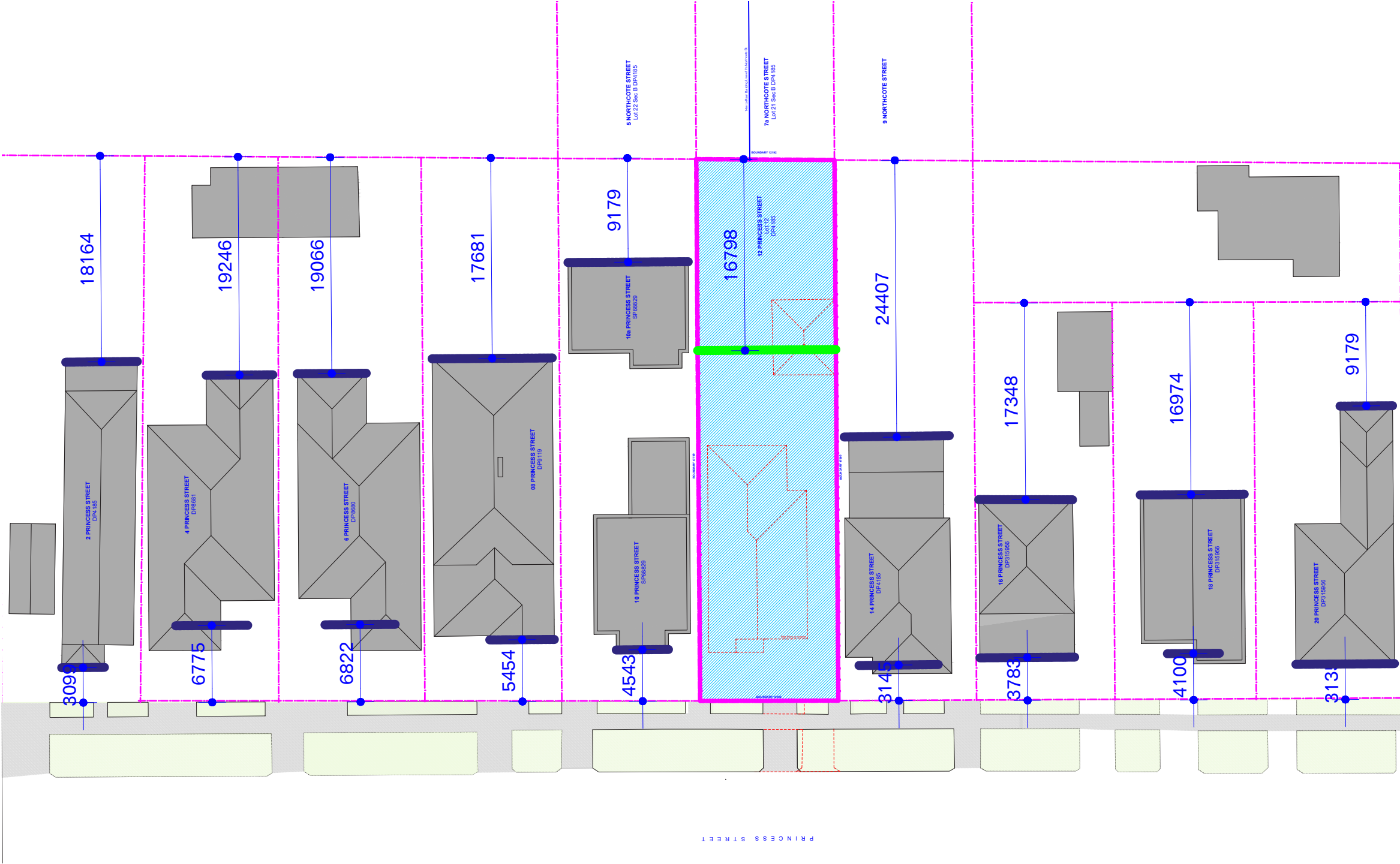
Planner
LK Planning
Landscape
Site Design
Stormwater Engineer
RTS CIVIL
Surveyor
Survplan
Imagery
Freshimages

Project
PRINCESS DUAL OCC
Site
12 PRINCESS ST ROSE BAY
Client
WISEMAN / ROSETTENSTEIN
Scale
1:200 at A3
Drawn By
MH, RM

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ABN 47 631 337 472

Drawing
SITE AND ANALYSIS PLAN
Date
01 MARCH 2022
Drawing No
DA 100
Revision
[01]

REAR SETBACK ANALYSIS 12 PRINCESS ST	
Address	Rear Setback(m)
2 Princess St	18.16
4 Princess St	19.24
6 Princess St	19.06
8 Princess St	17.68
10 Princess St	9.17
12 Princess St	
14 Princess St	24.40
16 Princess St	17.34
18 Princess St	16.97
20 Princess St	9.17
Average	16.798m



AMENDED PLANS

RECEIVED
Waverley Council

Application No: DA-462/2021

Date Received: 04/03/2022



8 Princess St



10 & 10a Princess St



12 Princess St
Subject Site



14 Princess St



16 Princess St



18 Princess St

AMENDED PLANS

General Notes	
01	01.03.22 Amended Plans
00	08.10.21 DA Submission
Issue	Date
FOR DEVELOPMENT APPLICATION PURPOSES ONLY 1. ALL WORKS TO BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA, NATIONAL CONSTRUCTION CODE (NCC), AUSTRALIAN STANDARDS STATUTORY REGULATIONS AND LOCAL AUTHORITY REG. 2. CONTRACTOR TO ENSURE CONSISTENCY BETWEEN MATERIALS IS MAINTAINED. 3. CONTRACTOR TO NOTIFY DESIGNER OF ANY DISCREPANCIES. 4. DESIGNER TO REVIEW ALL CONTRACTORS DETAILED DRAWINGS / SETTING OUT PRIOR TO CONSTRUCTION. 5. CONTRACTOR TO LAISE WITH ELECTRICAL CONTRACTORS TO ENSURE ALL POWER/DATA/COMMUNICATION REQUIREMENTS ARE ACCESSIBLE. 6. ALL DIMENSIONS TO BE VERIFIED ON SITE - DO NOT SCALE. 7. ALL WORKS TO BE VERIFIED AGAINST DRAWINGS FOLLOWING CONSTRUCTION AND DESIGNER TO BE NOTIFIED OF ANY DISCREPANCIES PRIOR TO PROCEEDING WITH NEXT TRADE.	

Basic: All other equipments as per certificates	
WATER FIXTURES Showerheads: 4 Star Toilets: 3 Star Kitchen Taps: 3 Star Pool: Max Volume 21kL, no cover ALT. WATER SOURCE 1800L Water Tank, to collect run off from 40m ² roof area Landscape & Laundry Connection ENERGY HOT WATER:	Gas instantaneous 5 star BATHROOM VENTILATION: Individual fan, ducted to roof or facade Manual Switch on/off KITCHEN VENTILATION Individual fan, ducted to roof or facade Manual Switch on/off LAUNDRY VENTILATION Individual fan, ducted to roof or facade Manual Switch on/off COOLING: Ceiling fans + 1-phase airconditioning.
4 Star (Zoned) to Living and Bedroom Areas HEATING: Ceiling fans + 1-phase airconditioning. 4 Star (Zoned) to Living and Bedroom Areas ARTIFICIAL LIGHTING: 4 Beds/Study (dedicated) 2 Living/Dining (dedicated) Each Kitchen (dedicated) All bathrooms (Dedicated) All Laundries (dedicated)	All Hallways (Dedicated) NATURAL LIGHTING: 3 bathrooms and kitchen POOL: Electric Heat Pump, Timer APPLIANCES: Gas cooktop & Electric Oven, Outdoor clothes Line ALTERNATIVE ENERGY: 2.0 Photovoltaic System THERMAL COMFORT CONSTRUCTION OF FLOORS
& WALLS: Concrete Slab on ground, Suspended floor above garage, Suspended floor with enclosed sub-floor GLAZING: Aluminium A SG High Solar Gain Low-E: U-Value: 5.4, Shgc 0.49; Aluminium B Sp High Solar Gain Low-E: U-Value: 5.4, Shgc 0.58; Aluminium A DG Argon Fill High Solar Gain low-E -Clear: U-Value: 4.10, Shgc 0.47; Aluminium A DG Argon Fill High Solar Gain low-E -Clear: U-Value: 4.10, Shgc 0.52; EXTERNAL WALLS: Brick Veneer: R 2.73 Cavity Brick R0.41 Blockwork: R0.00 FC Sheet R2.73 ROOF: Flat Framed R1.80 Colour Light, Solar Absorptance 0.30	

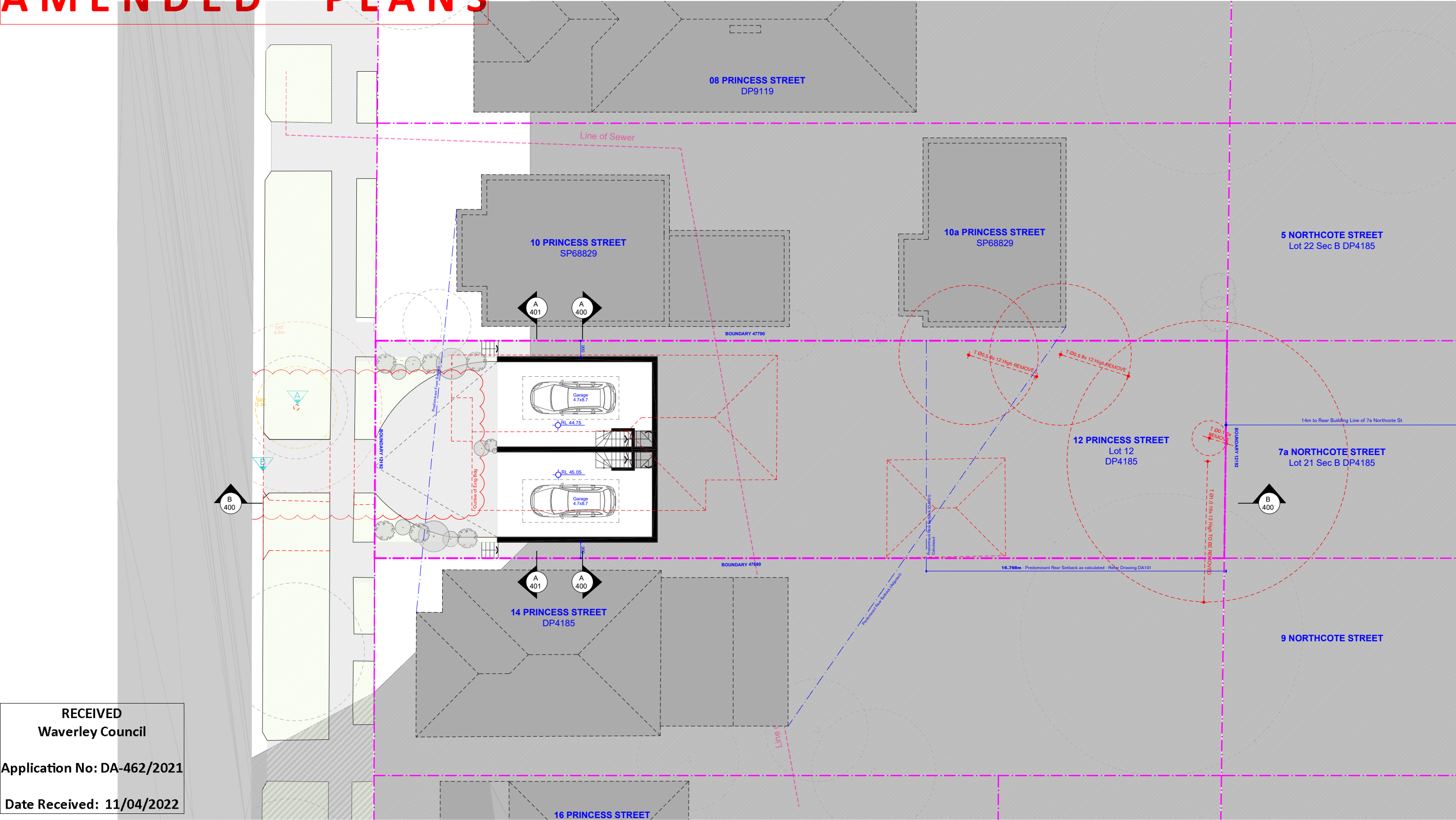
Consultants	
Planner	LK Planning
Landscape	Site Design
Stormwater Engineer	RTS CIVIL
Surveyor	Surveyplan
Imagery	Freshimages

Project	PRINCESS DUAL OCC
Site	12 PRINCESS ST ROSE BAY
Client	WISEMAN / ROSETTENSTEIN
Scale	nts at A3
Drawn By	MH, RM

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Drawing	STREETSCAPE ANALYSIS
Date	01 MARCH 2022
Scale	DA
Drawing No	102
Revision	[01]

AMENDED PLANS



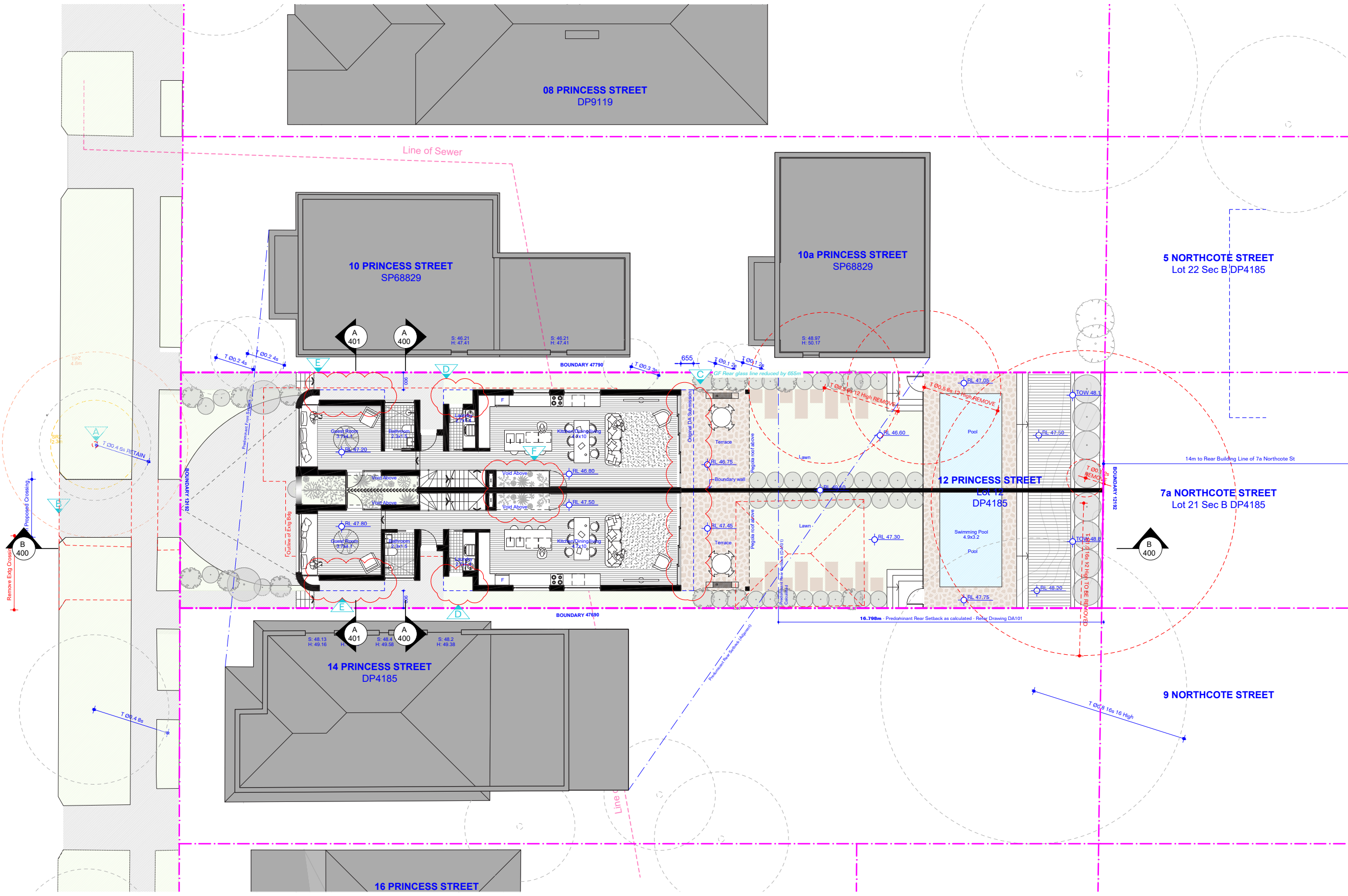
RECEIVED
Waverley Council

Application No: DA-462/2021

Date Received: 11/04/2022

02 11.04.22 Amended Plans 01 01.03.22 Amended Plans 00 08.10.21 DA Submission	Issue Date	Description	General Notes		Basic: All other equipments as per certificates		Consultants		Project		Common Office		Drawing					
			FOR DEVELOPMENT APPLICATION PURPOSES ONLY 1. ALL WORKS TO BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA, NATIONAL CONSTRUCTION CODE (NCC), AUSTRALIAN STANDARDS STATUTORY REGULATIONS AND LOCAL AUTHORITY REQ. 2. CONTRACTOR TO ENSURE CONSISTENCY BETWEEN MATERIALS IS MAINTAINED. 3. CONTRACTOR TO NOTIFY DESIGNER OF ANY DISCREPANCIES. 4. DESIGNER TO REVIEW ALL CONTRACTORS DETAILED DRAWINGS / SETTING OUT PRIOR TO CONSTRUCTION. 5. CONTRACTOR TO Liaise WITH ELECTRICAL CONTRACTORS TO ENSURE ALL POWER/DATA/COMMUNICATION REQUIREMENTS ARE ACCESSIBLE. 6. ALL DIMENSIONS TO BE VERIFIED ON SITE - DO NOT SCALE. 7. ALL WORKS TO BE VERIFIED AGAINST DRAWINGS FOLLOWING CONSTRUCTION AND DESIGNER TO BE NOTIFIED OF ANY DISCREPANCIES PRIOR TO PROCEEDING WITH NEXT TRADE.		WATER FIXTURES Showerheads: 4 Star Toilets: 3 Star Kitchen Taps: 3 Star Pool: Max Volume 21kL, no cover ALT. WATER SOURCE 1800L Water Tank, to collect run off from 40m ² roof area Landscape & Laundry Connection ENERGY HOT WATER:		BATHROOM VENTILATION: Individual fan, ducted to roof or facade Manual Switch on/off KITCHEN VENTILATION Individual fan, ducted to roof or facade Manual Switch on/off LAUNDRY VENTILATION Individual fan, ducted to roof or facade Manual Switch on/off COOLING: Ceiling fans + 1-phase airconditioning.		All Hallways (Dedicated) NATURAL LIGHTING: 3 bathrooms and kitchen POOL: Electric Heat Pump, Timer APPLIANCES: Gas cooktop & Electric Oven, Outdoor clothes Line ALTERNATIVE ENERGY: 2.0 Photovoltaic System THERMAL COMFORT CONSTRUCTION OF FLOORS		Planner LK Planning Landscape Site Design Stormwater Engineer RTS CIVIL Surveyor Survplan Imagery Freshimages		PRINCESS DUAL OCC Site 12 PRINCESS ST ROSE BAY Client WISEMAN / ROSETTENSTEIN Scale 1:200 at A3		35 RICHARDS LANE, SURRY HILLS SYDNEY NSW 2010 T +61 413 555 547 www.common-office.com office@common-office.com Common Office Pty Ltd. ABN 47 631 337 472		BASEMENT PLAN Date 11 APRIL 2022 Drawing No 200 Revision [02]	
			4 Star (Zoned) to Living and Bedroom Areas HEATING: Ceiling fans + 1-phase airconditioning. 4 Star (Zoned) to Living and Bedroom Areas ARTIFICIAL LIGHTING: 4 Beds/Study (dedicated) 2 Living/Dining (dedicated) Each Kitchen (dedicated) All bathrooms (Dedicated) All Laundries (dedicated)		Aluminium A DG Argon Fill High Solar Gain low-E -Clear: U-Value: 4.10, Shgc: 0.47; Aluminium A DG Argon Fill High Solar Gain low-E -Clear: U-Value: 4.10, Shgc: 0.52; EXTERNAL WALLS: Brick Veneer: R 2.73 Cavity Brick R0.41 Blockwork: R0.00 FC Sheet R2.73 GLAZING: Aluminium A SG High Solar Gain Low-E: U-Value: 5.4, Shgc: 0.49; Aluminium B Sg High Solar Gain Low-E: U-Value: 5.4, Shgc: 0.58; Aluminium A DG Argon Fill High Solar Gain low-E -Clear: U-Value: 4.10, Shgc: 0.47; Aluminium A DG Argon Fill High Solar Gain low-E -Clear: U-Value: 4.10, Shgc: 0.52; ROOF: Flat Framed R1.80 Colour Light, Solar Absorptance 0.30		Date 11 APRIL 2022 Drawing No 200 Revision [02]											

PRINCESS STREET



AMENDED PLANS

01 01.03.22 Amended Plans

00 08.10.21 DA Submission

Issue Date Description

General Notes

FOR DEVELOPMENT APPLICATION PURPOSES ONLY

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5. DESIGNER TO REVIEW ALL CONTRACTORS DETAILED DRAWINGS / SETTING OUT PRIOR TO CONSTRUCTION.

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Basic: All other equipments as per certificates

WATER

FIXTURES

Showerheads: 4 Star

Toilets: 3 Star

Kitchen Taps: 3 Star

Pool: Max Volume 21kL, no cover

ALT. WATER SOURCE

1800L Water Tank, to collect run off from 40m² roof area

LANDSCAPE & LAUNDRY CONNECTION

ENERGY

HOT WATER:

Gas instantaneous 5 star

BATHROOM VENTILATION:

Individual fan, ducted to roof or facade

Manual Switch on/off

KITCHEN VENTILATION

Individual fan, ducted to roof or facade

Manual Switch on/off

LAUNDRY VENTILATION

Individual fan, ducted to roof or facade

Manual Switch on/off

COOLING:

Ceiling fans + 1-phase airconditioning.

4 Star (Zoned) to Living and Bedroom Areas

HEATING:

Ceiling fans + 1-phase airconditioning.

4 Star (Zoned) to Living and Bedroom Areas

ARTIFICIAL LIGHTING:

4 Bed/Study (dedicated)

2 Living/Dining (dedicated)

Each Kitchen (dedicated)

All bathrooms (Dedicated)

All Laundries (dedicated)

All Hallways (Dedicated)

NATURAL LIGHTING:

3 bathrooms and kitchen

POOL:

Electric Heat Pump, Timer

APPLIANCES:

Gas cooktop & Electric Oven, Outdoor clothes Line

ALTERNATIVE ENERGY:

2.0 Photovoltaic System

THERMAL COMFORT

CONSTRUCTION OF FLOORS

& WALLS:

Concrete Slab on ground,

Suspended floor above garage,

Suspended floor with enclosed sub-floor

GLAZING:

Aluminium A SG High Solar Gain

Low-E: U-Value: 5.4, Shgc 0.49;

Aluminium B Sp High Solar Gain

Low-E: U-Value: 5.4, Shgc 0.58;

Aluminium A DG Argon Fill High Solar Gain

Low-E -Clear: U-Value: 4.10,

Shgc 0.47;

Aluminium A DG Argon Fill High Solar Gain

Low-E -Clear: U-Value: 4.10,

Shgc 0.52;

EXTERNAL WALLS:

Brick Veneer: R 2.73

Cavity Brick R0.41

Blockwork: R0.00

FC Sheet R2.73

ROOF:

Flat Framed R1.80 Colour Light, Solar Absorptance 0.30

Shgc 0.47;

Aluminium A DG Argon Fill High Solar Gain

Low-E -Clear: U-Value: 4.10,

Shgc 0.52;

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Cavity Brick R0.41

Blockwork: R0.00

FC Sheet R2.73

ROOF:

Flat Framed R1.80 Colour Light, Solar Absorptance 0.30

Consultants

Planner

LK Planning

Landscape

Site Design

Stormwater Engineer

RTS CIVIL

Surveyor

Survplan

Imagery

Freshimages

Project

PRINCESS DUAL OCC

Site

12 PRINCESS ST ROSE BAY

Client

WISEMAN / ROSETTENSTEIN

Scale

1:200 at A3

Drawn By

MH, RM

Common Office

35 RICHARDS LANE, SURRY HILLS

SYDNEY NSW 2010

T +61 413 555 547

www.common-office.com

office@common-office.com

Common Office Pty Ltd.

ABN 47 631 337 472

Drawing

GROUND FLOOR PLAN

Date

01 MARCH 2022

Drawing No

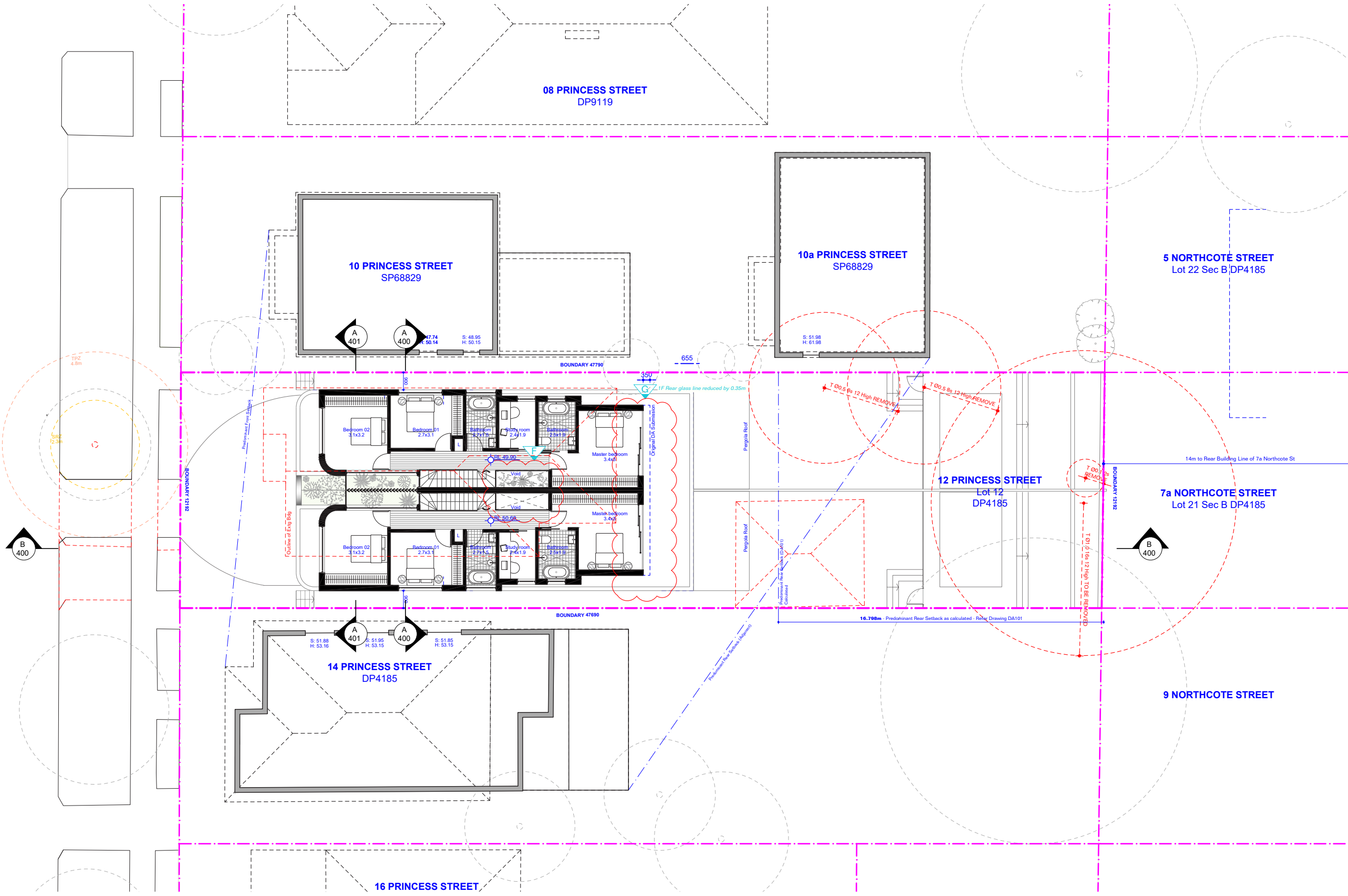
DA 201

Revision

[01]

Page 164 of 447

PRINCESS STREET



AMENDED PLANS

01 01.03.22 Amended Plans

00 08.10.21 DA Submission

Issue Date Description

General Notes

FOR DEVELOPMENT APPLICATION PURPOSES ONLY

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Basic: All other equipments as per certificates

WATER

FIXTURES

Showerheads: 4 Star

Toilets: 3 Star

Kitchen Taps: 3 Star

Pool: Max Volume 21kL, no cover

ALT. WATER SOURCE

1800L Water Tank, to collect run off from 40m² roof area

Landscape & Laundry Connection

ENERGY

HOT WATER:

Gas instantaneous 5 star

BATHROOM VENTILATION:

Individual fan, ducted to roof or facade

Manual Switch on/off

KITCHEN VENTILATION

Individual fan, ducted to roof or facade

Manual Switch on/off

LAUNDRY VENTILATION

Individual fan, ducted to roof or facade

Manual Switch on/off

COOLING:

Ceiling fans + 1-phase airconditioning.

4 Star (Zoned) to Living and Bedroom Areas

HEATING:

Ceiling fans + 1-phase airconditioning.

4 Star (Zoned) to Living and Bedroom Areas

ARTIFICIAL LIGHTING:

4 Bed/Study (dedicated)

2 Living/Dining (dedicated)

Each Kitchen (dedicated)

All bathrooms (Dedicated)

All Laundries (dedicated)

All Hallways (Dedicated)

NATURAL LIGHTING:

3 bathrooms and kitchen

POOL:

Electric Heat Pump, Timer

APPLIANCES:

Gas cooktop & Electric Oven, Outdoor clothes Line

ALTERNATIVE ENERGY:

2.0 Photovoltaic System

THERMAL COMFORT

CONSTRUCTION OF FLOORS

& WALLS:

Concrete Slab on ground,

Suspended floor above garage,

Suspended floor with enclosed sub-floor

GLAZING:

Aluminium A SG High Solar Gain

Low-E: U-Value: 5.4, Shgc 0.49;

Aluminium B Sp High Solar Gain

Low-E: U-Value: 5.4, Shgc 0.58;

Aluminium A DG Argon Fill High Solar

Gain low-E -Clear: U-Value: 4.10,

Shgc 0.47;

Aluminium A DG Argon Fill High Solar

Gain low-E -Clear: U-Value: 4.10,

Shgc 0.52;

EXTERNAL WALLS:

Brick Veneer: R 2.73

Cavity Brick R0.41

Blockwork: R0.00

FC Sheet R2.73

ROOF:

Flat Framed R1.80 Colour Light, Solar

Absorptance 0.30

Consultants

Planner

LK Planning

Landscape

Site Design

Stormwater Engineer

RTS CIVIL

Surveyor

Survplan

Imagery

Freshimages

Project

PRINCESS DUAL OCC

Site

12 PRINCESS ST ROSE BAY

Client

WISEMAN / ROSETTENSTEIN

Scale

1:200 at A3

Drawn By

MH, RM

Common Office

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Common Office Pty Ltd.
ABN 47 631 337 472

Drawing

FIRST FLOOR PLAN

Date

01 MARCH 2022

Drawing No

202

Revision

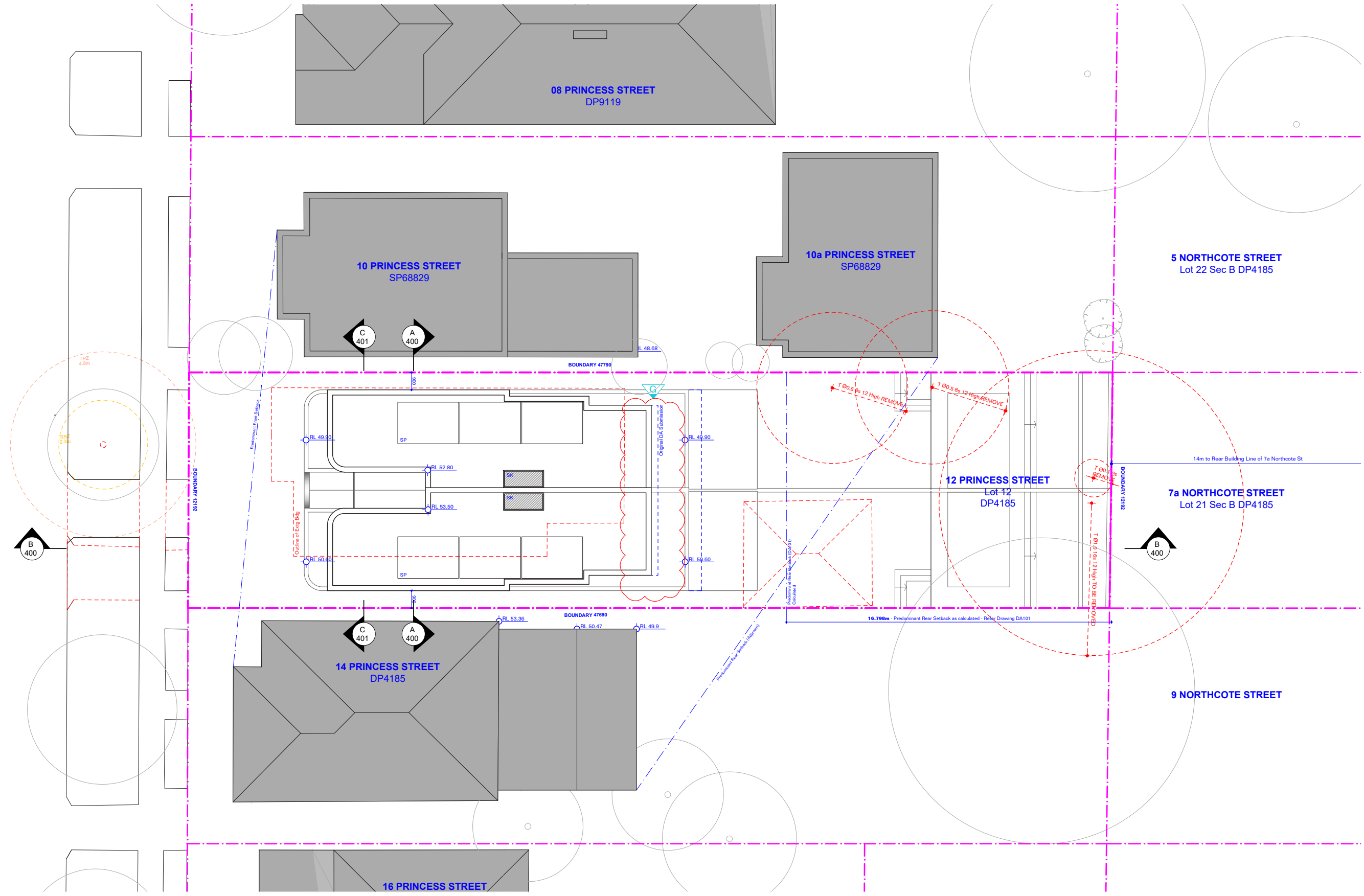
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DA

Page 165 of 447

PRINCESS STREET



AMENDED PLANS

01 01.03.22 Amended Plans

00 08.10.21 DA Submission

Issue Date Description

General Notes

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Showerheads: 4 Star

Toilets: 3 Star

Kitchen Taps: 3 Star

Pool: Max Volume 21kL, no cover

ALT. WATER SOURCE

1800L Water Tank, to collect run off from 40m² roof area

Landscape & Laundry Connection

ENERGY

HOT WATER:

Gas instantaneous 5 star

BATHROOM VENTILATION:

Individual fan, ducted to roof or facade

Manual Switch on/off

KITCHEN VENTILATION

Individual fan, ducted to roof or facade

Manual Switch on/off

LAUNDRY VENTILATION

Individual fan, ducted to roof or facade

Manual Switch on/off

COOLING:

Ceiling fans + 1-phase airconditioning.

4 Star (Zoned) to Living and Bedroom Areas

HEATING:

Ceiling fans + 1-phase airconditioning.

4 Star (Zoned) to Living and Bedroom Areas

ARTIFICIAL LIGHTING:

4 Beds/Study (dedicated)

2 Living/Dining (dedicated)

Each Kitchen (dedicated)

All bathrooms (Dedicated)

All Laundries (dedicated)

All Hallways (Dedicated)

NATURAL LIGHTING:

3 bathrooms and kitchen

POOL:

Electric Heat Pump, Timer

APPLIANCES:

Gas cooktop & Electric Oven, Outdoor clothes Line

ALTERNATIVE ENERGY:

2.0 Photovoltaic System

THERMAL COMFORT

CONSTRUCTION OF FLOORS

& WALLS:

Concrete Slab on ground, Suspended floor above garage, Suspended floor with enclosed sub-floor

GLAZING:

Aluminium A SG High Solar Gain Low-E, U-Value: 5.4, Shgc 0.49; Aluminium B Sp High Solar Gain Low-E, U-Value: 5.4, Shgc 0.58; Aluminium A DG Argon Fill High Solar Gain low-E -Clear: U-Value: 4.10, Shgc 0.47;

Aluminium A DG Argon Fill High Solar Gain low-E -Clear: U-Value: 4.10, Shgc 0.52;

EXTERNAL WALLS:

Brick Veneer: R 2.73

Cavity Brick R0.41

Blockwork: R0.00

FC Sheet R2.73

ROOF:

Flat Framed R1.80 Colour Light, Solar Absorptance 0.30

Consultants

Planner

LK Planning

Landscape

Site Design

Stormwater Engineer

RTS CIVIL

Surveyor

Survplan

Imagery

Freshimages

Project

PRINCESS DUAL OCC

Site

12 PRINCESS ST ROSE BAY

Client

WISEMAN / ROSETTENSTEIN

Scale

1:200 at A3

Drawn By

MH, RM

Common Office

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SYDNEY NSW 2010

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office@common-office.com

Common Office Pty Ltd.

ABN 47 631 337 472

Drawing

ROOF PLAN

Date

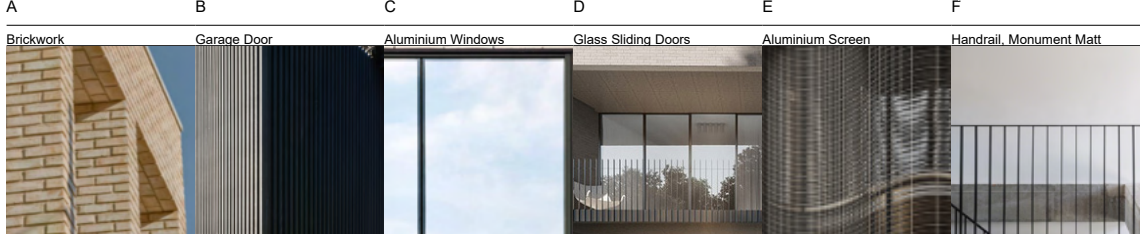
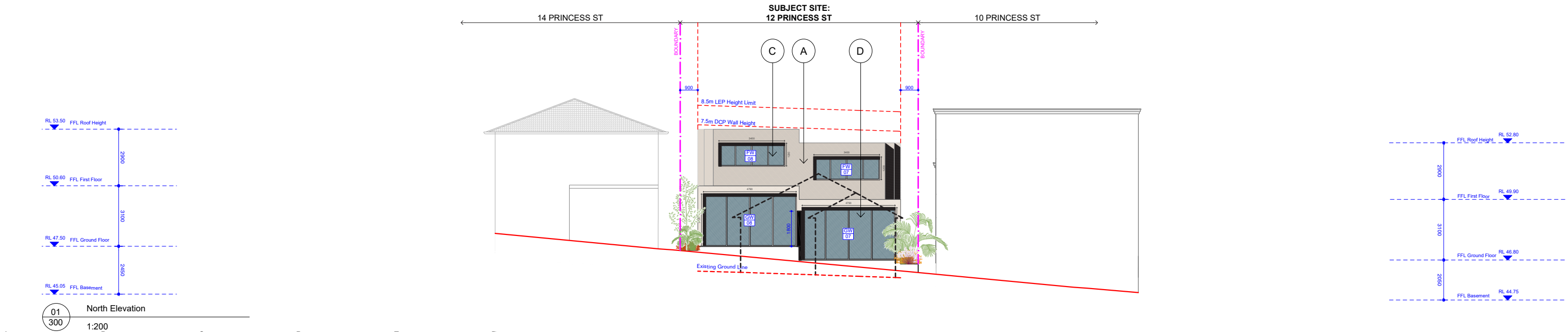
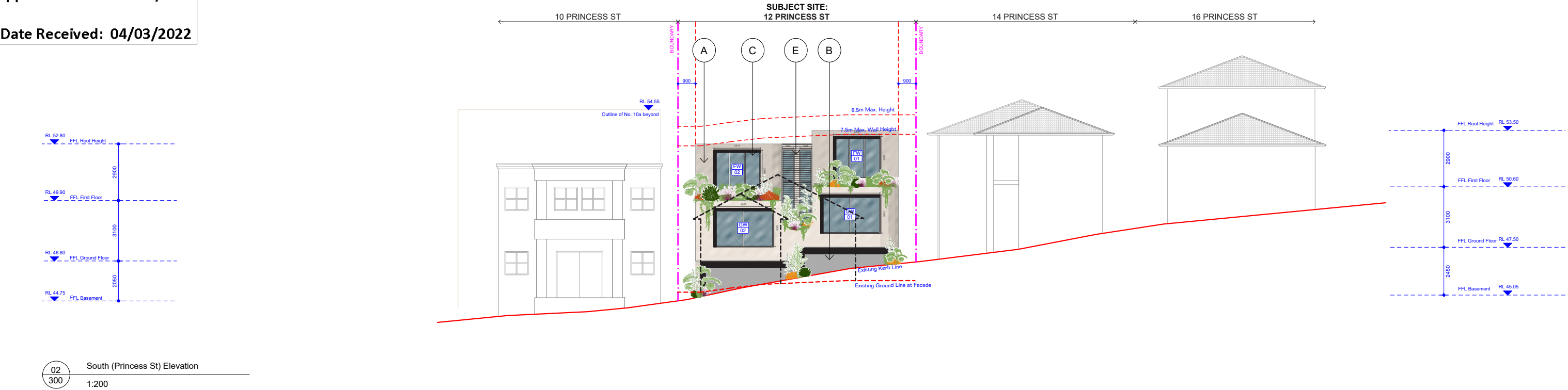
01 MARCH 2022

Drawing No

203

Revision

[01]



AMENDED PLANS

General Notes	
FOR DEVELOPMENT APPLICATION PURPOSES ONLY 1. ALL WORKS TO BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA, NATIONAL CONSTRUCTION CODE (NCC), AUSTRALIAN STANDARDS STATUTORY REGULATIONS AND LOCAL AUTHORITY REQ. 2. CONTRACTOR TO ENSURE CONSISTENCY BETWEEN MATERIALS IS MAINTAINED. 3. CONTRACTOR TO NOTIFY DESIGNER OF ANY DISCREPANCIES. 4. DESIGNER TO REVIEW ALL CONTRACTORS DETAILED DRAWINGS / SETTING OUT PRIOR TO CONSTRUCTION. 5. CONTRACTOR TO Liaise WITH ELECTRICAL CONTRACTORS TO ENSURE ALL POWERS/DATA/COMMUNICATION REQUIREMENTS ARE ACCESSIBLE. 6. ALL DIMENSIONS TO BE VERIFIED ON SITE - DO NOT SCALE. 7. ALL WORKS TO BE VERIFIED AGAINST DRAWINGS FOLLOWING CONSTRUCTION AND DESIGNER TO BE NOTIFIED OF ANY DISCREPANCIES PRIOR TO PROCEEDING WITH NEXT TRADE.	

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4 Star (Zoned) to Living and Bedroom Areas HEATING: Ceiling fans + 1-phase airconditioning. POOL: Electric Heat Pump, Timer APPLIANCES: Gas cooktop & Electric Oven, Outdoor clothes Line ARTIFICIAL LIGHTING: 4 Bed/Study (dedicated) 2 Living/Dining (dedicated) Each Kitchen (dedicated) All bathrooms (Dedicated) All Laundries (dedicated)	All Hallways (Dedicated) NATURAL LIGHTING: 3 bathrooms and kitchen POOL: Electric Heat Pump, Timer APPLIANCES: Gas cooktop & Electric Oven, Outdoor clothes Line ARTIFICIAL LIGHTING: 4 Bed/Study (dedicated) 2 Living/Dining (dedicated) Each Kitchen (dedicated) All bathrooms (Dedicated) All Laundries (dedicated)
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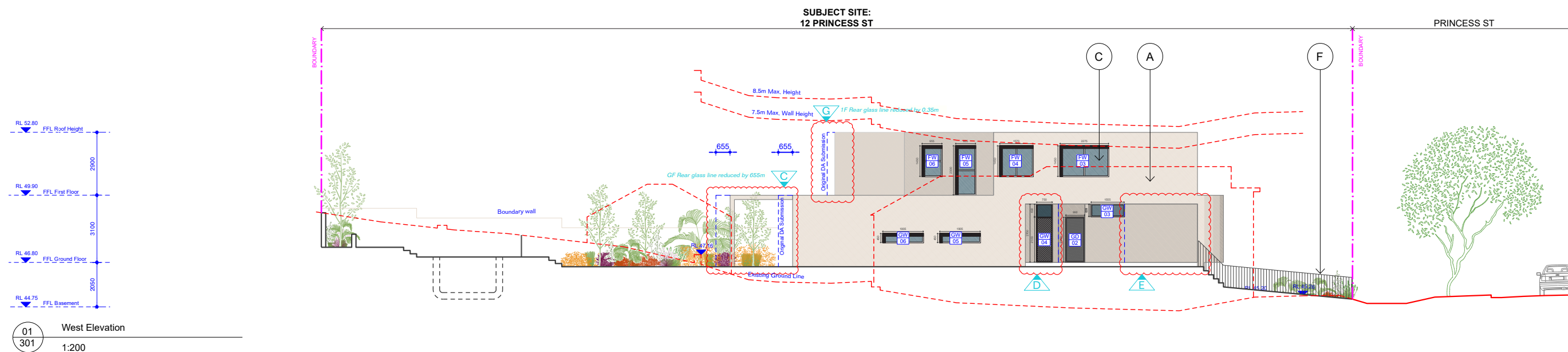
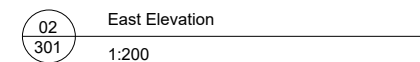
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Consultants	
Planner	LK Planning
Site Design	Stormwater Engineer
Surveyor	RTS CIVIL
Imagery	Surveyplan
Freshimages	

Project	
PRINCESS DUAL OCC	
Site	
12 PRINCESS ST ROSE BAY	
Client	
WISEMAN / ROSETTENSTEIN	
Scale	Drawn By
1:200 at A3	MH, RM

Common Office	
35 RICHARDS LANE, SURRY HILLS SYDNEY NSW 2010 T +61 413 555 547 www.common-office.com office@common-office.com Common Office Pty Ltd. ABN 47 631 337 472	

Drawing	
ELEVATIONS NORTH/SOUTH	
Date	
01 MARCH 2022	
Scale	Drawing No
1:200 at A3	300
Revision	[01]



Consultants
Planner
LK Planning
Landscape
Site Design
Stormwater Engineer
RTS CIVIL
Surveyor
Survplan
Imagery
Freshimages

Project
PRINCESS DUAL OCC

Site
12 PRINCESS ST ROSE BAY

Client
WISEMAN / ROSETTENSTEIN

Scale
1:200 at A3

Drawn By
MH. RM

Common Office

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Common Office Pty Ltd.
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Drawing
ELEVATIONS EAST/WEST

Date
01 MARCH 2022

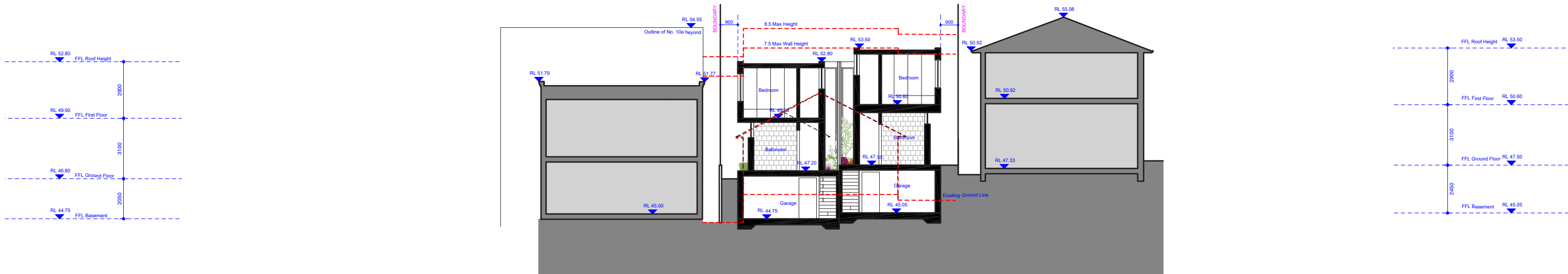
Drawing No	Revision
DA 301	[01]

AMENDED PLANS

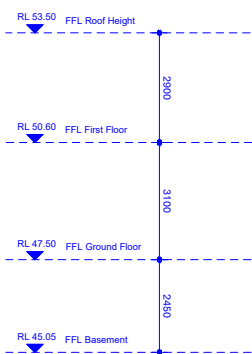
RECEIVED
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Application No: DA-462/2021

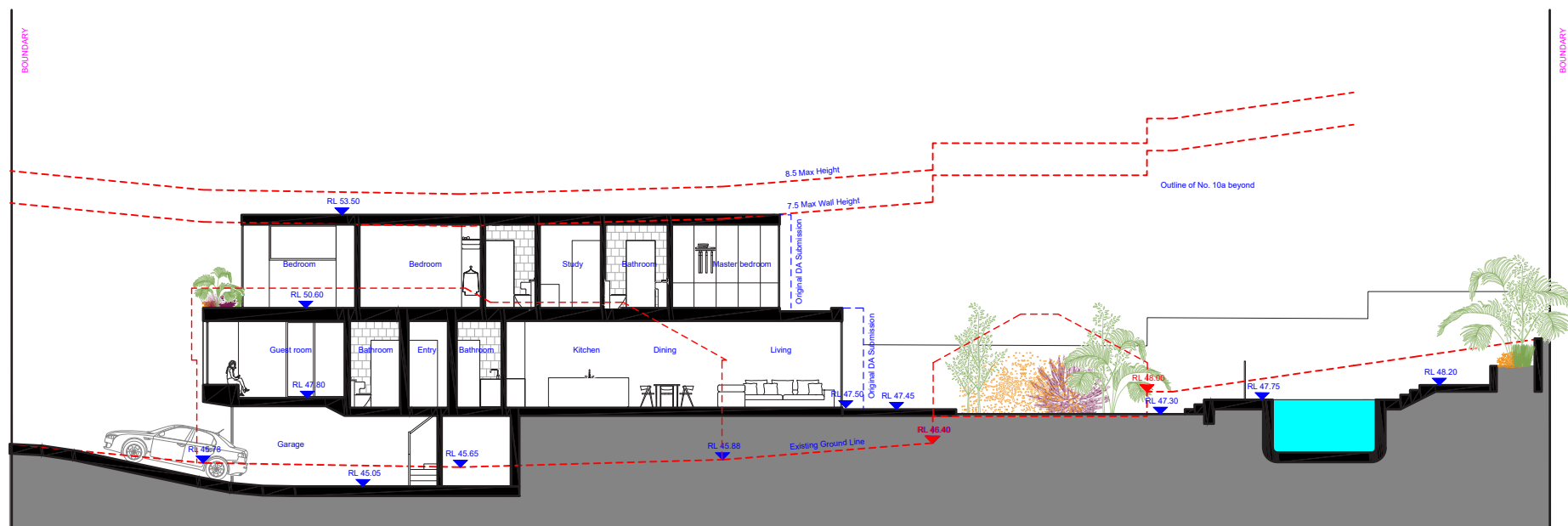
Date Received: 04/03/2022



02 Section A-A
400 1:200



01 Section B-B
400 1:200



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 2.0 Photovoltaic System
Thermal Comfort
CONSTRUCTION OF FLOORS

<p>& WALLS: Concrete Slab on ground, Suspended floor above garage, Suspended floor with enclosed sub-floor GLAZING: Aluminium A SG High Solar Gain Low-E: U-Value: 5.4, Shgc: 0.49; Aluminium B Sg High Solar Gain Low-E: U-Value: 5.4, Shgc: 0.58; Aluminium A DG Argon Fill High Solar Gain Low-E -Clear: U-Value: 4.10,</p>	<p>Shgc: 0.47; Aluminium A DG Argon Fill High Solar Gain Low-E -Clear: U-Value: 4.10, Shgc: 0.52; EXTERNAL WALLS: Brick Veneer: R 2.73 Cavity Brick R0.41 Blockwork: R0.00 FC Sheet R2.73 ROOF: Flat Framed R1.80 Colour Light, Solar Absorptance 0.30</p>
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Brick Veneer: R 2.73
Cavity Brick R0.41
Blockwork: R0.00
FC Sheet R2.73
ROOF:
Flat Framed R1.80 Colour Light, Solar
Absorptance 0.30

Consultants

Planner
LK Planning
Landscape
Site Design
Stormwater Engineer
RTS CIVIL
Surveyor
Survplan
Imagery
Freshimages

Project

PRINCESS DUAL OCC

12 PRINCESS ST ROSE BAY

Client _____

WISEMAN / ROSETTENSTEIN

Scale	Drawn By
1:200 at A3	MH, RM

Common Office

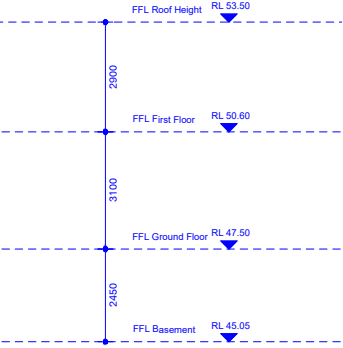
35 RICHARDS LANE, SURRY HILLS
SYDNEY NSW 2010
T +61 413 555 547
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office@common-office.com
Common Office Pty Ltd.
ABN 47 631 337 472

Drawing

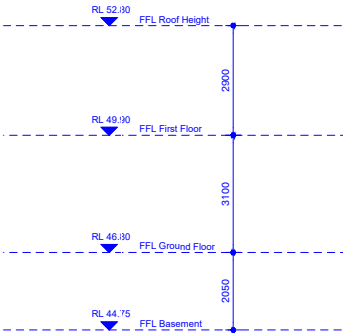
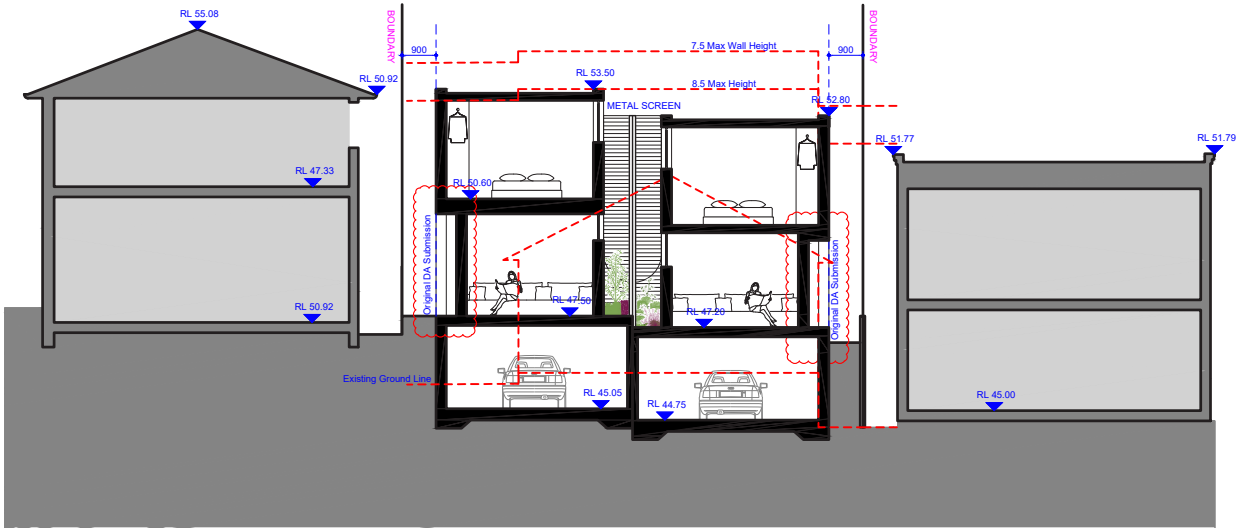
SECTIONS

Date
01 MARCH 2022

	Drawing No	Revision
DA	400	[01]



01
401 Section C
1:200



AMENDED PLANS

RECEIVED
Waverley Council
Application No: DA-462/2021
Date Received: 04/03/2022

General Notes	
01	01.03.22 Amended Plans
00	08.10.21 DA Submission
Issue	Date
FOR DEVELOPMENT APPLICATION PURPOSES ONLY 1. ALL WORKS TO BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA, NATIONAL CONSTRUCTION CODE (NCC), AUSTRALIAN STANDARDS STATUTORY REGULATIONS AND LOCAL AUTHORITY REQ. 2. CONTRACTOR TO ENSURE CONSISTENCY BETWEEN MATERIALS IS MAINTAINED. 3. CONTRACTOR TO NOTIFY DESIGNER OF ANY DISCREPANCIES. 4. DIMENSIONAL INCONSISTENCIES OR THE NEED FOR CLARIFICATION PRIOR TO MANUFACTURING. 5. DESIGNER TO REVIEW ALL CONTRACTORS DETAILED DRAWINGS / SETTING OUT PRIOR TO CONSTRUCTION. 6. CONTRACTOR TO Liaise WITH ELECTRICAL CONTRACTORS TO ENSURE ALL POWER/DATA/COMMUNICATION REQUIREMENTS ARE ACCESSIBLE. 7. ALL DIMENSIONS TO BE VERIFIED ON SITE - DO NOT SCALE. 8. ALL WORKS TO BE VERIFIED AGAINST DRAWINGS FOLLOWING CONSTRUCTION AND DESIGNER TO BE NOTIFIED OF ANY DISCREPANCIES PRIOR TO PROCEEDING WITH NEXT TRADE.	

Basic: All other equipments as per certificates	
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4 Star (Zoned) to Living and Bedroom Areas HEATING: Ceiling fans + 1-phase airconditioning. 4 Star (Zoned) to Living and Bedroom Areas ARTIFICIAL LIGHTING: 4 Beds/Study (dedicated) 2 Living/Dining (dedicated) Each Kitchen (dedicated) All bathrooms (Dedicated) All Laundries (dedicated)	All Hallways (Dedicated) NATURAL LIGHTING: 3 bathrooms and kitchen POOL: Electric Heat Pump, Timer APPLIANCES: Gas cooktop & Electric Oven, Outdoor clothes Line ALTERNATIVE ENERGY: 2.0 Photovoltaic System THERMAL COMFORT CONSTRUCTION OF FLOORS
& WALLS: Concrete Slab on ground, Suspended floor above garage, Suspended floor with enclosed sub-floor GLAZING: Aluminium A SG High Solar Gain Low-E, U-Value: 5.4, Shgc 0.49; Aluminium B Sp High Solar Gain Low-E, U-Value: 5.4, Shgc 0.58; Aluminium A DG Argon Fill High Solar Gain low-E -Clear: U-Value: 4.10, Shgc 0.52; EXTERNAL WALLS: Brick Veneer: R 2.73 Cavity Brick R0.41 Blockwork: R0.00 FC Sheet R2.73 ROOF: Flat Framed R1.80 Colour Light, Solar Absorptance 0.30	Shgc 0.47; Aluminium A DG Argon Fill High Solar Gain low-E -Clear: U-Value: 4.10, Shgc 0.52; EXTERNAL WALLS: Brick Veneer: R 2.73 Cavity Brick R0.41 Blockwork: R0.00 FC Sheet R2.73 ROOF: Flat Framed R1.80 Colour Light, Solar Absorptance 0.30

Consultants	
Planner	LK Planning
Landscape	Site Design
Stormwater Engineer	RTS CIVIL
Surveyor	Surveyplan
Imagery	Freshimages

Project	
PRINCESS DUAL OCC	Site
12 PRINCESS ST ROSE BAY	Client
WISEMAN / ROSETTENSTEIN	Scale
1:200 at A3	Drawn By
MH, RM	

Common Office	
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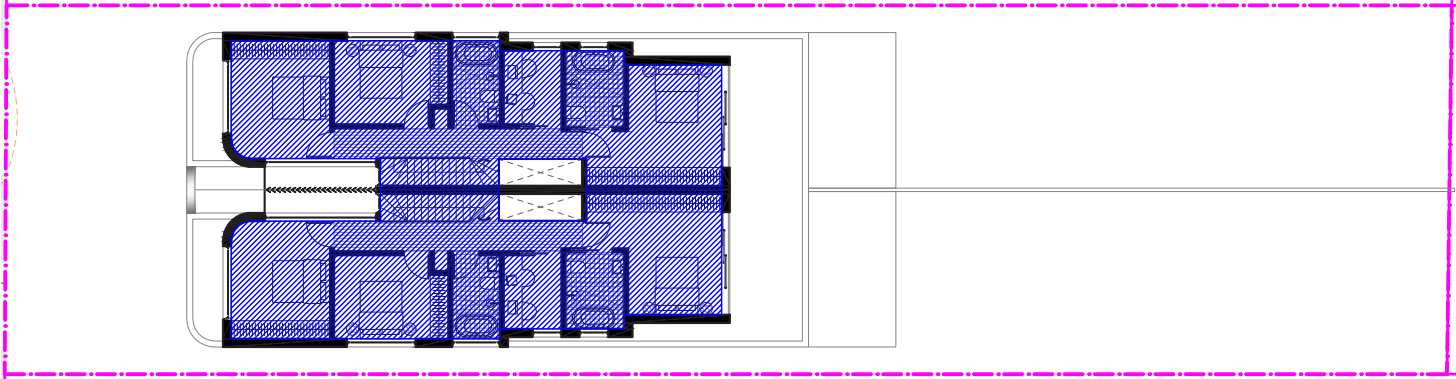
Drawing	
SECTION	Date
01 MARCH 2022	Drawing No
DA	401
	Revision
	[01]

SITE AREA: 581.8m²

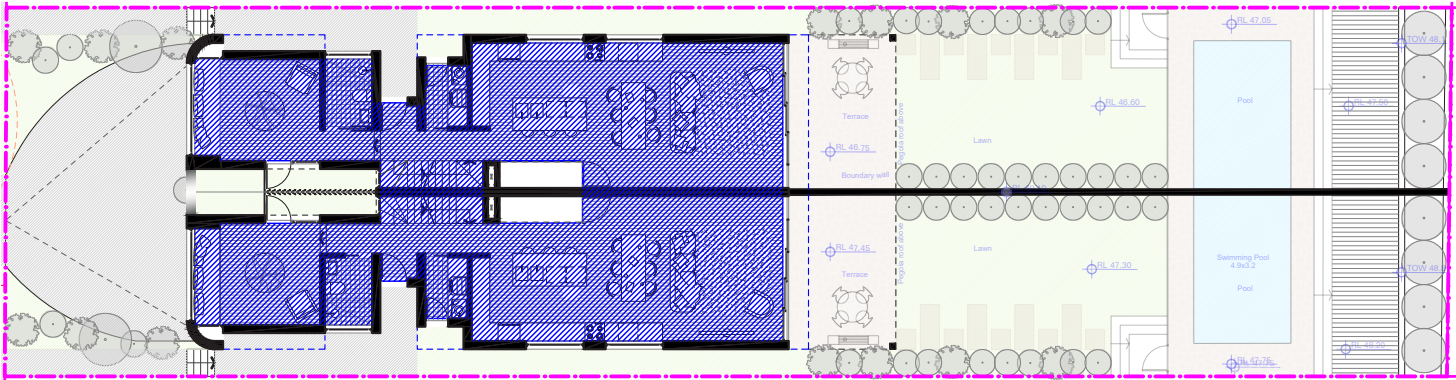
ALLOWABLE FSR AT 0.5:1

290.9M²

GFA CALCULATIONS		
SITE AREA IS 581.8m ²		
	DA Submission Rev 00 m ²	Amended Submission Rev 01 m ²
BASEMENT	0	0
GROUND FLOOR	175	156
FIRST FLOOR	142	134
Totals	317	290
FSR	0.54:1	0.5:1
Breach of	9%	0%



03
500
First Floor Plan
1:200



02
500
Ground Floor Plan
1:200



01
500
Basement Plan
1:200

AMENDED PLANS

RECEIVED
Waverley Council

Application No: DA-462/2021

Date Received: 04/03/2022

01 01.03.22 Amended Plans
00 08.10.21 DA Submission

Issue Date Description

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Basic: All other equipments as per certificates

WATER

FIXTURES

Showerheads: 4 Star

Toilets: 3 Star

Kitchen Taps: 3 Star

Pool: Max Volume 21kL, no cover

ALT. WATER SOURCE

1800L Water Tank, to collect run off from 40m² roof area

Landscape & Laundry Connection

ENERGY

HOT WATER:

Gas instantaneous 5 star

BATHROOM VENTILATION:

Individual fan, ducted to roof or facade

Manual Switch on/off

KITCHEN VENTILATION

Individual fan, ducted to roof or facade

Manual Switch on/off

LAUNDRY VENTILATION

Individual fan, ducted to roof or facade

Manual Switch on/off

COOLING:

Ceiling fans + 1-phase airconditioning.

4 Star (Zoned) to Living and Bedroom Areas

HEATING:

Ceiling fans + 1-phase airconditioning.

4 Star (Zoned) to Living and Bedroom Areas

ARTIFICIAL LIGHTING:

4 Beds/Study (dedicated)

2 Living/Dining (dedicated)

Each Kitchen (dedicated)

All bathrooms (Dedicated)

All Laundries (dedicated)

All Hallways (Dedicated)

NATURAL LIGHTING:

3 bathrooms and kitchen

POOL:

Electric Heat Pump, Timer

APPLIANCES:

Gas cooktop & Electric Oven, Outdoor clothes Line

ALTERNATIVE ENERGY:

2.0 Photovoltaic System

THERMAL COMFORT

CONSTRUCTION OF FLOORS

& WALLS:

Concrete Slab on ground, Suspended floor above garage, Suspended floor with enclosed sub-floor

GLAZING:

Aluminium A SG High Solar Gain Low-E; U-Value: 5.4, Shgc 0.49; Aluminium B Sg High Solar Gain Low-E; U-Value: 5.4, Shgc 0.58; Aluminium A DG Argon Fill High Solar Gain low-E -Clear; U-Value: 4.10, Shgc 0.52;

EXTERNAL WALLS:

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Cavity Brick R0.41

Blockwork: R0.00

FC Sheet R2.73

ROOF:

Flat Framed R1.80 Colour Light, Solar Absorptance 0.30

Shgc 0.47;

Aluminium A DG Argon Fill High Solar Gain low-E -Clear; U-Value: 4.10, Shgc 0.52;

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Freshimages

Project
PRINCESS DUAL OCC

Site
12 PRINCESS ST ROSE BAY

Client
WISEMAN / ROSETTENSTEIN

Scale
1:250 at A3

Drawn By
MH, RM

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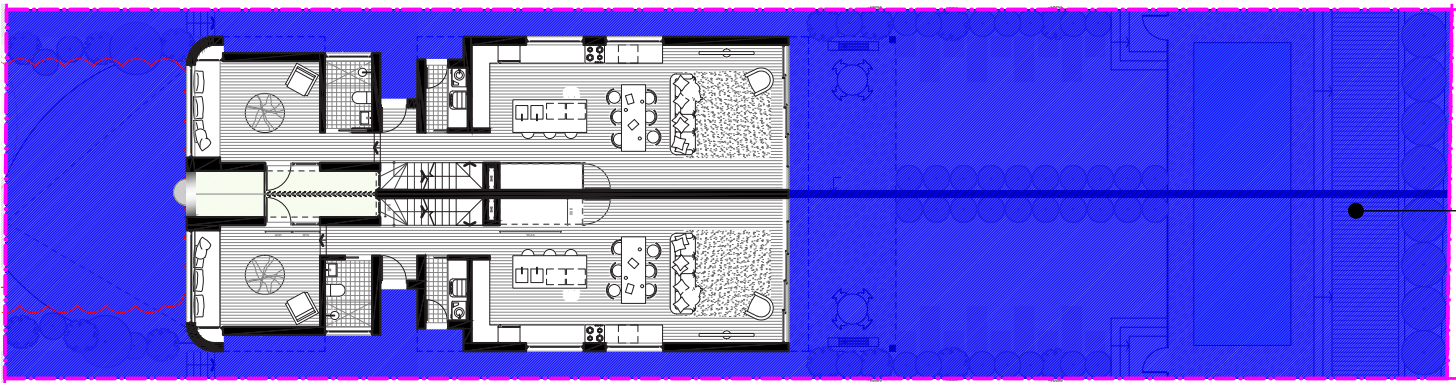
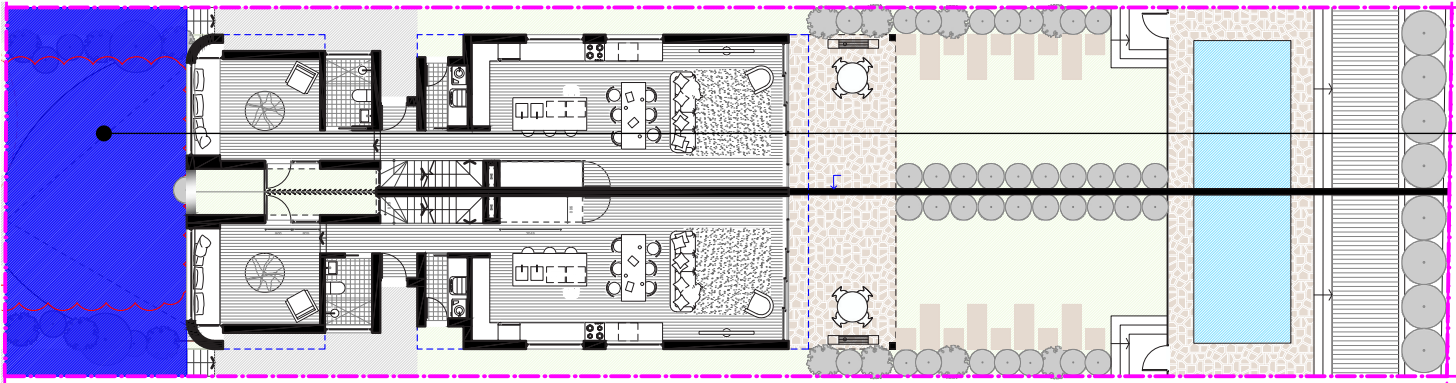
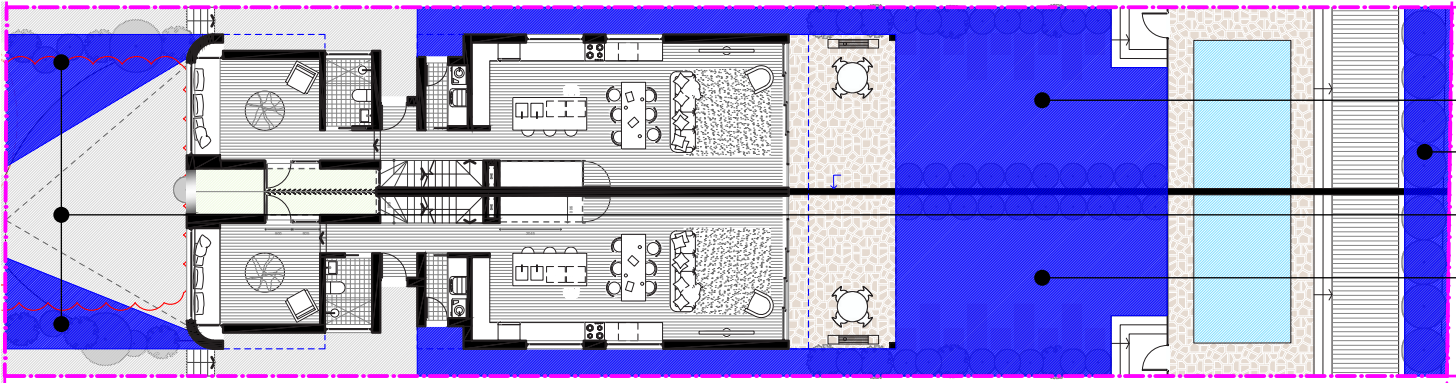
Drawing
AREA DIAGRAM: GFA

Date
01 MARCH 2022

Drawing No
DA

Revision
500

[00]



LANDSCAPE CALCULATIONS SITE AREA IS 581.8m²			
	DCP/LEP CONTROL	PROPOSED	COMPLIANCE
% Site Area to be Open Space	40% of 581.8m² = 232.72m²	375.4m²	Yes
% Site Area to be Landscaped	15% of 581.8m² = 87.27m²	167.2m² Total Landscaped Area	Yes
A minimum of 50% of the area between the front of the primary building and the street alignment is to be open space.	50% of 83.9m² = 41.95m²	83.9m²	Yes
Private Open Space	Each dwelling to have minimum of 25m²	60.4m² for each dwelling	Yes

***Landscaped Area:**
A part of a site used for growing plants, grasses and trees, but does not include any building, structure or hard paved area

****Deep Soil Zone:**
site area that is not built on, or underneath, thereby leaving an area of deep soil for deep-rooted vegetation, native vegetation and natural drainage. The zone must have a minimum dimension of 2 by 2 metres and should be positioned to enable the retention of existing mature and / or significant trees.

Open Space:
An area external to a building (including an area of land, terrace, balcony or deck) and includes hard paved areas, areas containing swimming pools as well as landscaped area.

AMENDED PLANS

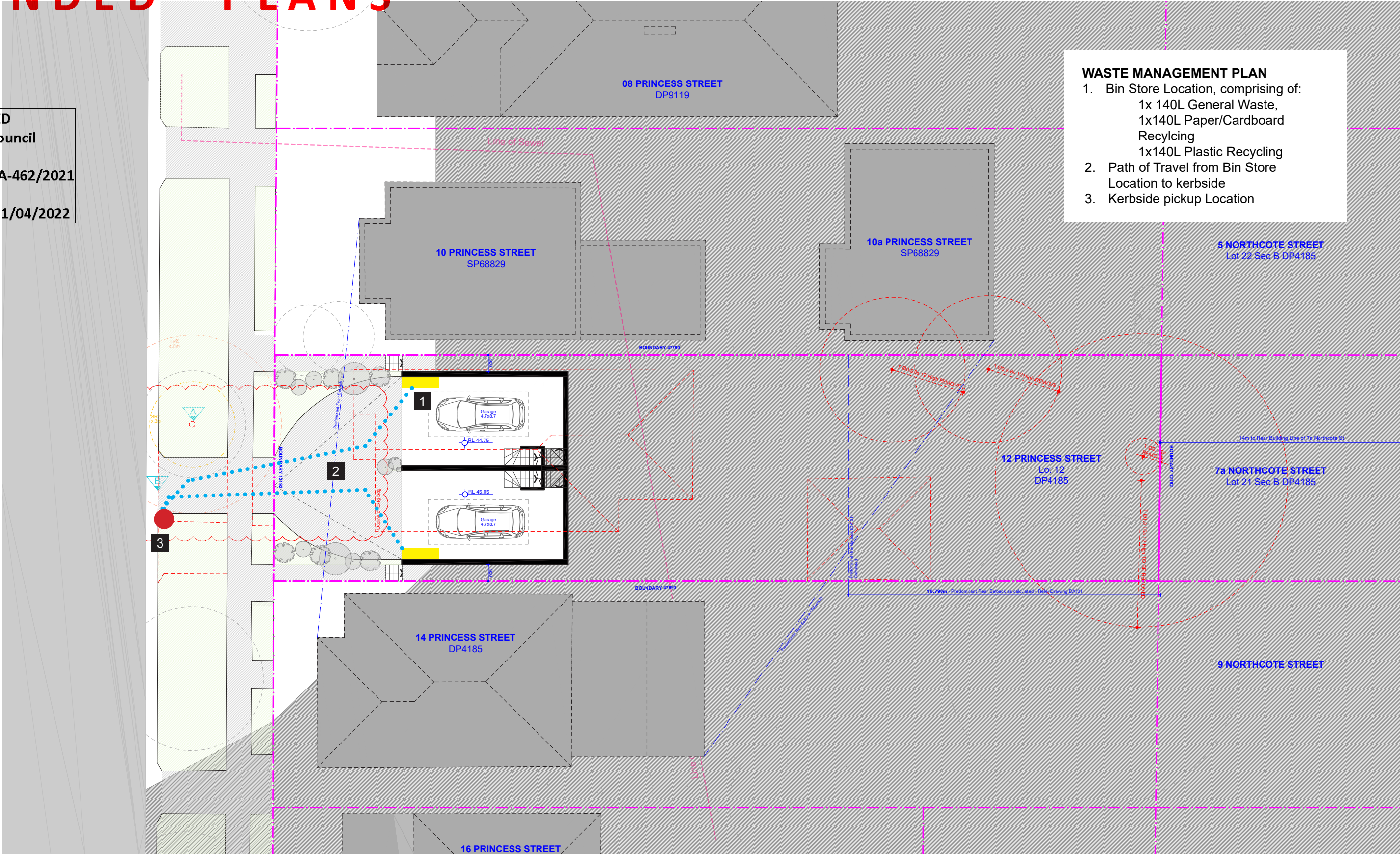
RECEIVED
Waverley Council

Application No: DA-462/2021

Date Received: 04/03/2022

RECEIVED
Waverley Council
Application No: DA-462/2021
Date Received: 11/04/2022

WASTE MANAGEMENT PLAN
1. Bin Store Location, comprising of:
1x 140L General Waste,
1x140L Paper/Cardboard
Recycling
1x140L Plastic Recycling
2. Path of Travel from Bin Store
Location to kerbside
3. Kerbside pickup Location



Consultants

Planner
LK Planning
Landscape
Site Design
Stormwater Engineer
RTS CIVIL
Surveyor
Survplan
Imagery
Freshimages

Project

PRINCESS DUAL OCC

Site
12 PRINCESS ST ROSE BAY

Client
WISEMAN / ROSETTENSTEIN

Scale
1:200 at A3

Drawn By
MH, RM

Common Office

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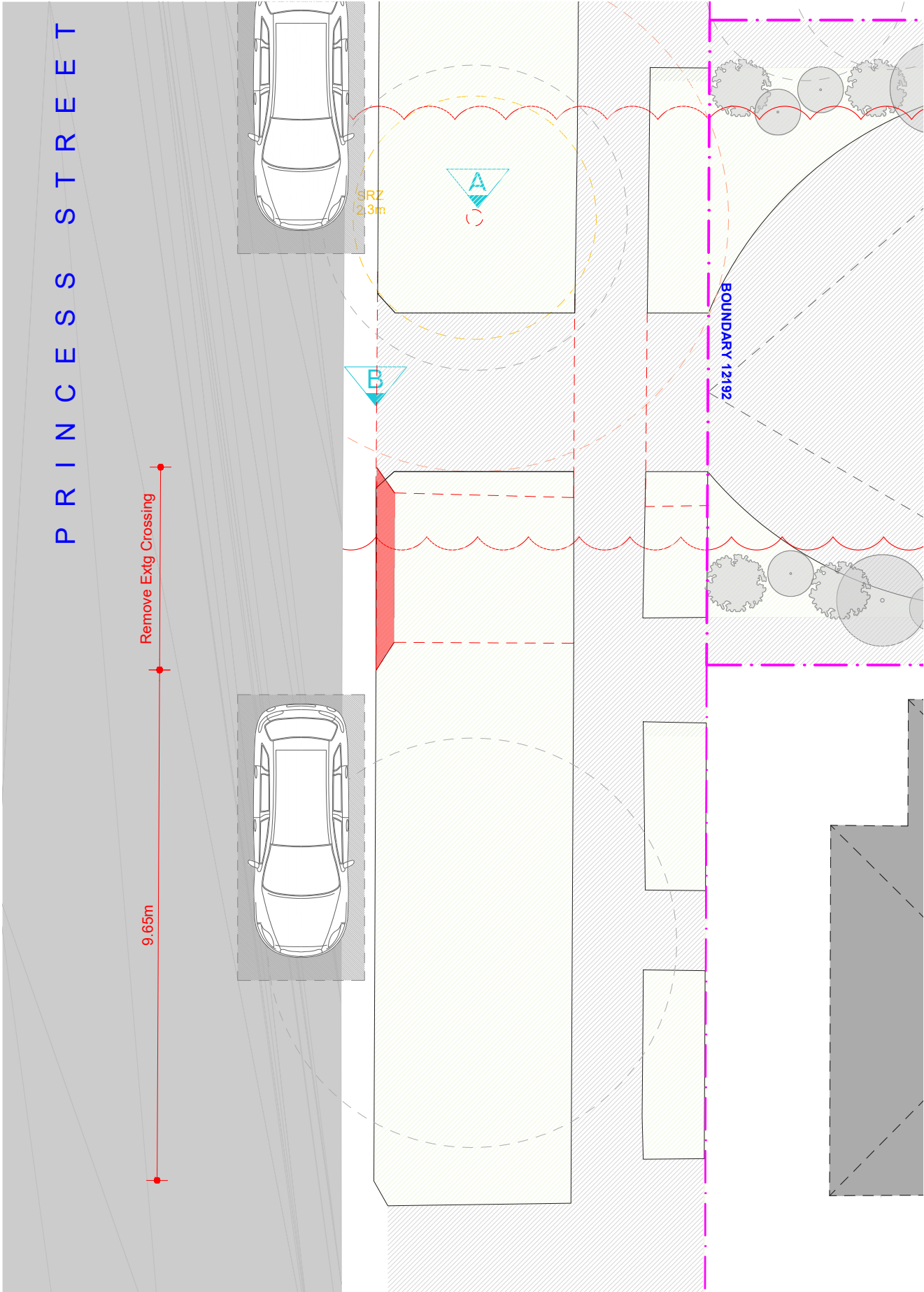
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WASTE MANAGEMENT PLAN

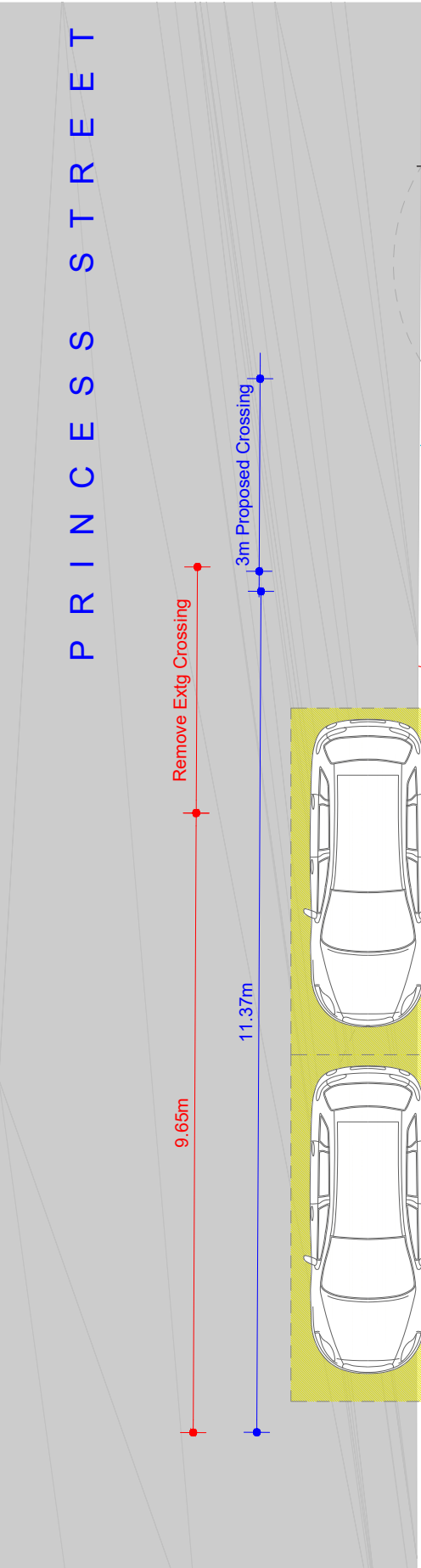
Date
11 APRIL 2022

Drawing No
502

Revision
[01]

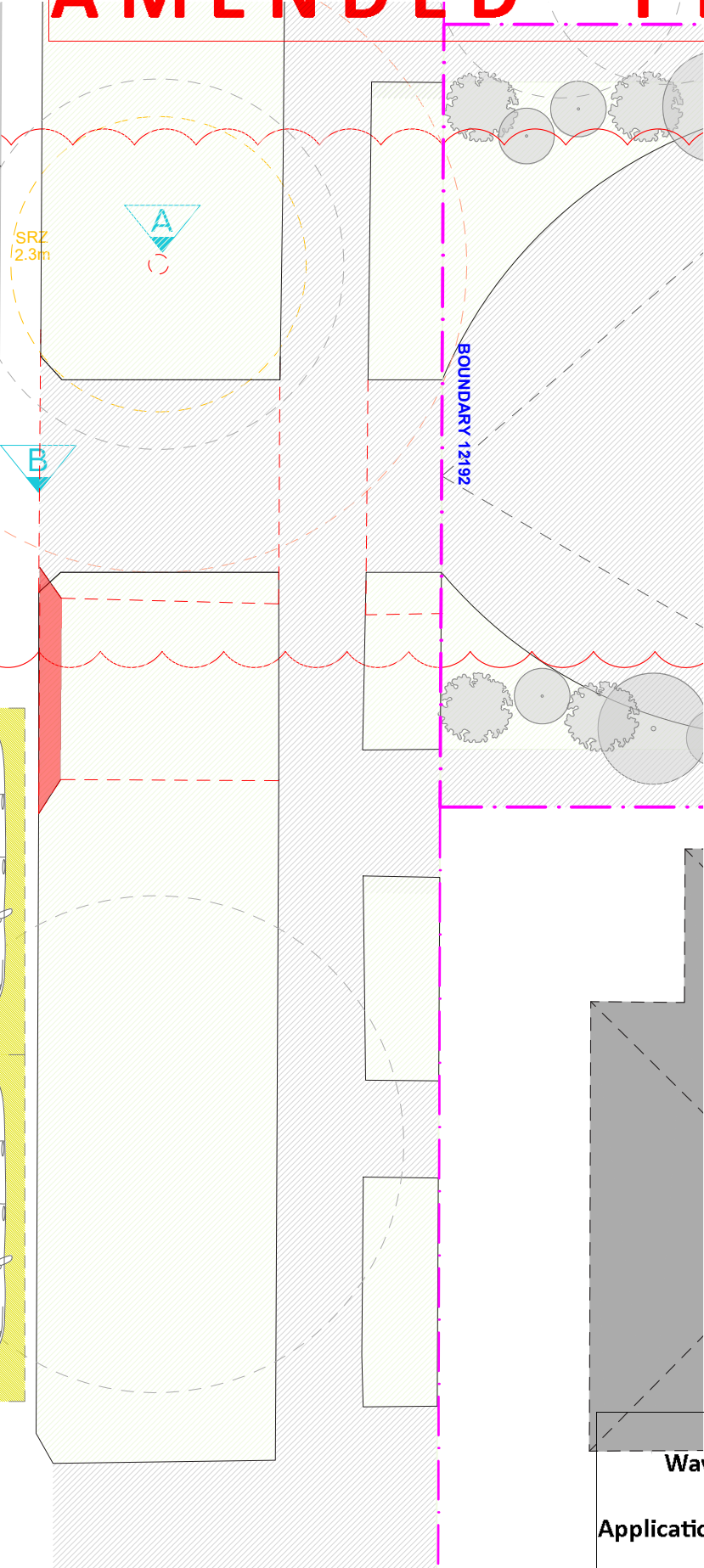


01
502 On Street Parking - EXISTING
1:100



02
502 On Street Parking - PROPOSED
1:100

AMENDED PLANS



RECEIVED
Waverley Council

Application No: DA-462/2021

Date Received: 04/03/2022

Issue	Date	Description
01	01.03.22	Amended Plans
00	08.10.21	DA Submission

General Notes

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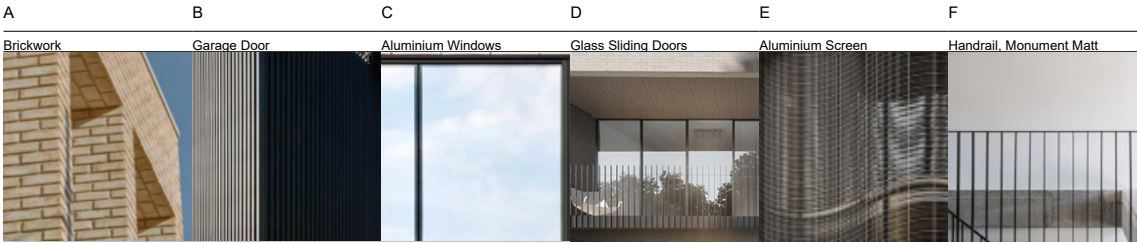
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Consultants
Planner LK Planning Landscape Site Design Stormwater Engineer RTS CIVIL Surveyor Survplan Imagery Freshimages

Project PRINCESS DUAL OCC Site 12 PRINCESS ST ROSE BAY Client WISEMAN / ROSETTENSTEIN Scale 1:100 at A3	Drawn By MH, RM
---	--------------------

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Drawing STREET PARKING ANALYSIS Date 01 MARCH 2022 Scale DA	Drawing No 503	Revision [00]
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AMENDED PLANS

RECEIVED
Waverley Council
Application No: DA-462/2021
Date Received: 04/03/2022

A		B		C		D		E		F	
Brickwork		Garage Door		Aluminium Windows		Glass Sliding Doors		Aluminium Screen		Handrail, Monument Matt	

General Notes		Basic: All other equipments as per certificates	
FOR DEVELOPMENT APPLICATION PURPOSES ONLY 1. ALL WORKS TO BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA, NATIONAL CONSTRUCTION CODE (NCC), AUSTRALIAN STANDARDS STATUTORY REGULATIONS AND LOCAL AUTHORITY REQ 2. CONTRACTOR TO ENSURE CONSISTENCY BETWEEN MATERIALS IS MAINTAINED 3. CONTRACTOR TO NOTIFY DESIGNER OF ANY DISCREPANCIES, DIMENSIONAL INCONSISTENCIES OR THE NEED FOR CLARIFICATION PRIOR TO MANUFACTURING 4. DESIGNER TO REVIEW ALL CONTRACTORS DETAILED DRAWINGS / SETTING OUT PRIOR TO CONSTRUCTION 5. CONTRACTOR TO LAISE WITH ELECTRICAL CONTRACTORS TO ENSURE ALL POWERS/DATA/COMMUNICATION REQUIREMENTS ARE ACCESSIBLE 6. ALL DIMENSIONS TO BE VERIFIED ON SITE - DO NOT SCALE 7. ALL WORKS TO BE VERIFIED AGAINST DRAWINGS FOLLOWING CONSTRUCTION AND DESIGNER TO BE NOTIFIED OF ANY DISCREPANCIES PRIOR TO PROCEEDING WITH NEXT TRADE		WATER FIXTURES Showerheads: 4 Star Toilets: 3 Star Kitchen Taps: 3 Star Pool: Max Volume 21kL, no cover ALT. WATER SOURCE 1800L Water Tank, to collect run off from 40m ² roof area LAUNDRY VENTILATION Individual fan, ducted to roof or facade Manual Switch on/off COOLING: Ceiling fans + 1-phase airconditioning.	
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Planner	LK Planning
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Project	
PRINCESS DUAL OCC	
Site	
12 PRINCESS ST ROSE BAY	
Client	
WISEMAN / ROSETTENSTEIN	
Scale	Drawn By
1:200 at A3	MH, RM

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Drawing	
EXTERNAL FINISHES	
Date	
01 MARCH 2022	
Scale	Revision
DA	600 [00]



AMENDED PLANS

RECEIVED
Waverley Council
Application No: DA-462/2021
Date Received: 04/03/2022

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Drawing

PHOTOMONTAGE

Date

01 MARCH 2022

Scale

DA

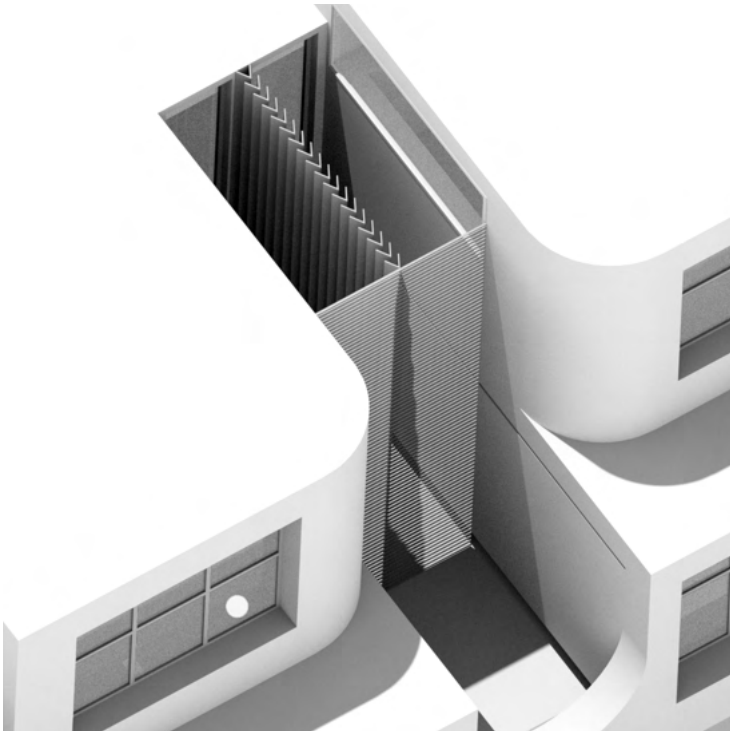
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Revision

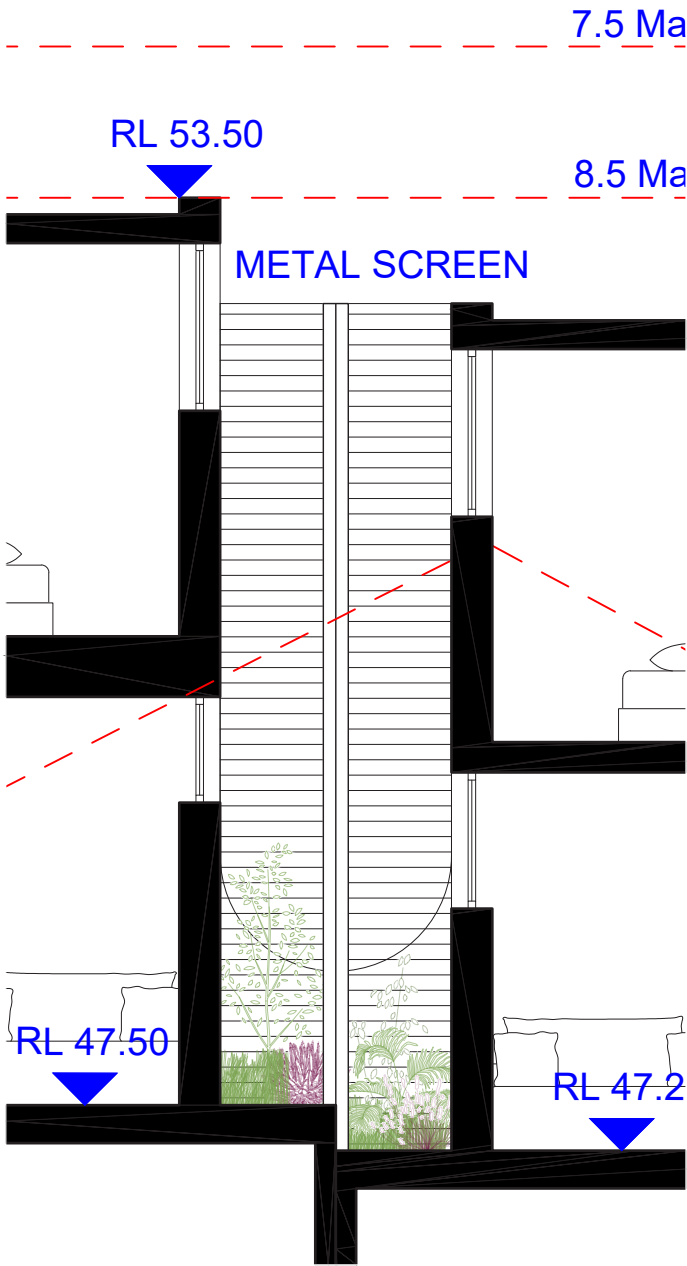
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AMENDED PLANS



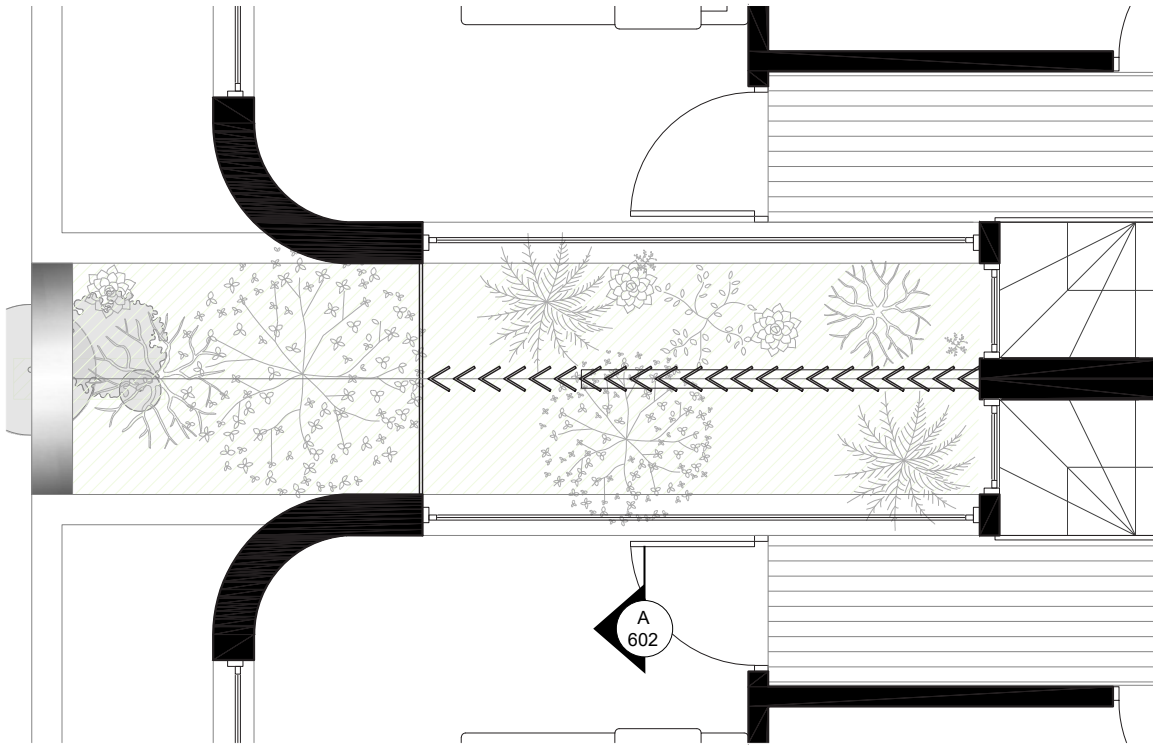
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602

Axonometric
nts



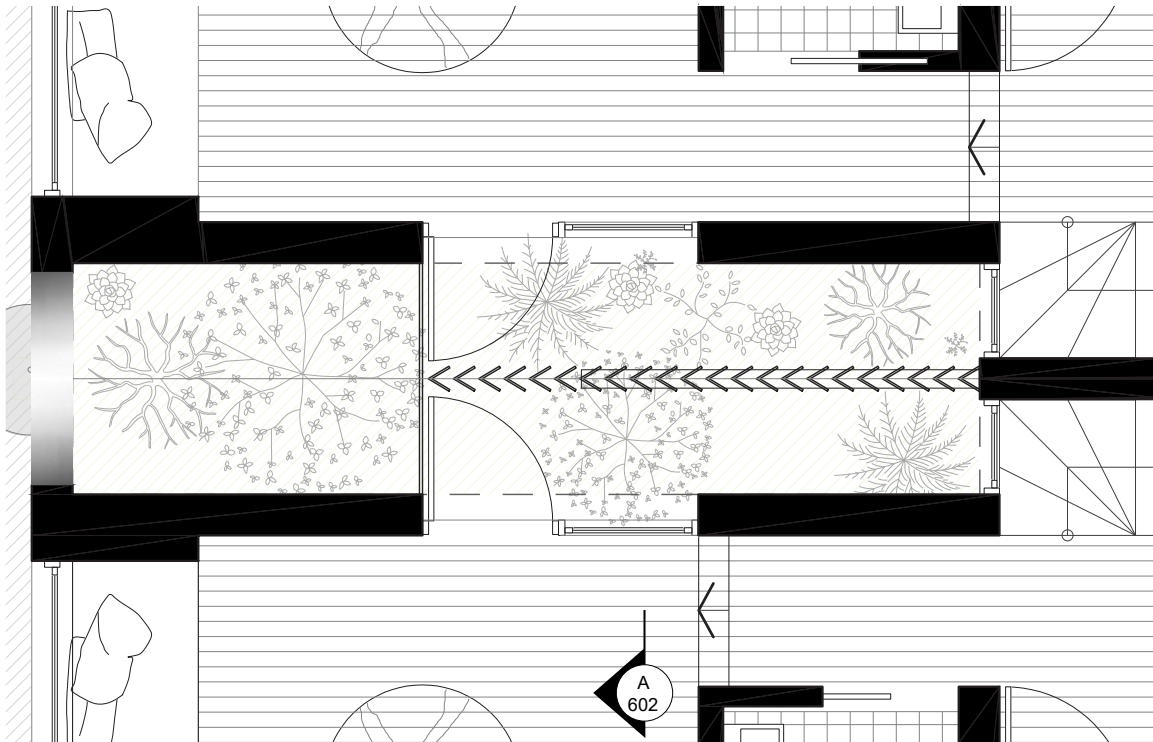
02
602

Section A
1:50



04
602

First Floor Plan - Courtyard
1:50



03
602

Ground Plan - Courtyard
1:50

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Basic: All other equipments as per certificates	
WATER FIXTURES Showerheads: 4 Star Toilets: 3 Star Kitchen Taps: 3 Star Pool: Max Volume 21kL, no cover ALT. WATER SOURCE 1800L Water Tank, to collect run off from 40m ² roof area Landscape & Laundry Connection ENERGY HOT WATER:	Gas instantaneous 5 star BATHROOM VENTILATION: Individual fan, ducted to roof or facade Manual Switch on/off KITCHEN VENTILATION Individual fan, ducted to roof or facade Manual Switch on/off LAUNDRY VENTILATION Individual fan, ducted to roof or facade Manual Switch on/off COOLING: Ceiling fans + 1-phase airconditioning.
4 Star (Zoned) to Living and Bedroom Areas HEATING: Ceiling fans + 1-phase airconditioning. 4 Star (Zoned) to Living and Bedroom Areas ARTIFICIAL LIGHTING: 4 Beds/Study (dedicated) 2 Living/Dining (dedicated) Each Kitchen (dedicated) All bathrooms (Dedicated) All Laundries (dedicated)	All Hallways (Dedicated) NATURAL LIGHTING: 3 bathrooms and kitchen POOL: Electric Heat Pump, Timer APPLIANCES: Gas cooktop & Electric Oven, Outdoor clothes Line ALTERNATIVE ENERGY: 2.0 Photovoltaic System THERMAL COMFORT CONSTRUCTION OF FLOORS
& WALLS: Concrete Slab on ground, Suspended floor above garage, Suspended floor with enclosed sub-floor GLAZING: Aluminium A SG High Solar Gain Low-E; U-Value: 5.4, Shgc 0.49; Aluminium B Sp High Solar Gain Low-E; U-Value: 5.4, Shgc 0.58; Aluminium A DG Argon Fill High Solar Gain low-E -Clear; U-Value: 4.10, Shgc 0.47; Aluminium A DG Argon Fill High Solar Gain low-E -Clear; U-Value: 4.10, Shgc 0.52; EXTERNAL WALLS: Brick Veneer: R 2.73 Cavity Brick R0.41 Blockwork: R0.00 FC Sheet R2.73 ROOF: Flat Framed R1.80 Colour Light, Solar Absorptance 0.30	

Consultants	
Planner	LK Planning
Site Design	Stormwater Engineer
RTS CIVIL	Surveyor
Surveyplan	Imagery
Freshimages	

Project	
PRINCESS DUAL OCC	
Site	
12 PRINCESS ST ROSE BAY	
Client	
WISEMAN / ROSETTENSTEIN	
Scale	Drawn By
1:50 at A3	MH, RM

Common Office	
35 RICHARDS LANE, SURRY HILLS SYDNEY NSW 2010 T +61 413 555 547 www.common-office.com office@common-office.com Common Office Pty Ltd. ABN 47 631 337 472	

Drawing	
COURTYARD ANALYSIS	
Date	
01 MARCH 2022	
Scale	Drawing No
DA	602
Revision	
[01]	

This certificate confirms that the proposed development will meet the NSW government's requirements for sustainability, if it is built in accordance with the commitments set out below. Terms used in this certificate, or in the commitments, have the meaning given by the document entitled "BASIX Definitions" dated 10/09/2020 published by the Department. This document is available at www.basix.nsw.gov.au

Secretary
Date of issue: Wednesday, 06 October 2021
To be valid, this certificate must be lodged within 3 months of the date of issue.



Project summary		
Project name	37721, 12 Princess St	
Street address	12 Princess Street Rose Bay 2029	
Local Government Area	Waverley Council	
Plan type and plan number	deposited 4185	
Lot no.	12	
Section no.	-	
No. of residential flat buildings	0	
No. of units in residential flat buildings	0	
No. of multi-dwelling houses	2	
No. of single dwelling houses	0	
Project score		
Water	✔ 40	Target 40
Thermal Comfort	✔ Pass	Target Pass
Energy	✔ 67	Target 50

Certificate Prepared by	
Name / Company Name:	Max Brightwell
ABN (if applicable):	95897024384

Dwelling no.	Features					Appliances			Individual pool			Individual spa		
	All shower-heads	All toilet flushing systems	All kitchen taps	All bathroom taps	HW recirculation or diversion	All clothes washers	All dish-washers	Volume (max volume)	Pool cover	Pool location	Pool shaded	Volume (max volume)	Spa cover	Spa shaded
All dwellings	4 star (> 4.5 but <= 6 L/min)	3 star	3 star	3 star	no	-	-	21.0	no	outdoors	no	-	-	-

Alternative water source							
Dwelling no.	Alternative water supply systems	Size	Configuration	Landscape connection	Toilet connection (s)	Laundry connection	Pool top-up
All dwellings	individual water tank (no. 1)	Tank size (min) 1800.0 litres	To collect run-off from at least 40.0 square metres of roof area;	yes	no	yes	-
None	-	-	-	-	-	-	-


Hot water		Bathroom ventilation system		Kitchen ventilation system		Laundry ventilation system	
Dwelling no.	Hot water system	Each bathroom	Operation control	Each kitchen	Operation control	Each laundry	Operation control
All dwellings	gas instantaneous 5 star	Individual fan, ducted to façade or roof	manual switch on/off	Individual fan, ducted to façade or roof	manual switch on/off	Individual fan, ducted to façade or roof	manual switch on/off

Dwelling no.	Cooling		Heating		Artificial lighting					Natural lighting		
	living areas	bedroom areas	living areas	bedroom areas	No. of bedrooms &/or study	No. of living &/or dining rooms	Each kitchen	All bathrooms/toilets	Each laundry	All hallways	No. of bathrooms &/or toilets	Main kitchen
All dwellings	ceiling fans + 1-phase airconditioning 4 star (average zone) (zoned)	ceiling fans + 1-phase airconditioning 4 star (average zone) (zoned)	1-phase airconditioning 4 star (average zone) (zoned)	1-phase airconditioning 4 star (average zone) (zoned)	4 (dedicated)	2 (dedicated)	yes (dedicated)	yes (dedicated)	yes (dedicated)	yes (dedicated)	3	yes

	Individual pool		Individual spa		Appliances & other efficiency measures							
Dwelling no.	Pool heating system	Timer	Spa heating system	Timer	Kitchen cooktop/oven	Refrigerator	Well ventilated fridge space	Dishwasher	Clothes washer	Clothes dryer	Indoor or sheltered clothes drying line	Private outdoor or unsheltered clothes drying line
All dwellings	electric heat pump	yes	-	-	gas cooktop & electric oven	-	no	-	-	-	yes	yes

Alternative energy	
Dwelling no.	Photovoltaic system (min rated electrical output in peak kW)
All dwellings	2.0

Common area	Showerheads rating	Toilets rating	Taps rating	Clothes washers rating
All common areas	no common facility	no common facility	no common facility	no common laundry facility

Project Specification		Form # AE0.5		Australian Energy Efficiency Consulting E:info@aenec.com.au P:0416 316 204		 www.aenec.com.au
Project Address: 12 Princess Street Rosebay				BASIX CERTIFICATION NUMBER: 1241426M		
This Project Specification outlines ONLY some of the NatHERS commitments. For the full list of specifications and construction allocations, you must refer to the corresponding NatHERS document that has been provided.						
External Walls Specification:						
Type	Material	Added Insulation	Colour**	Detail		
Masonry	Concrete Blockwork	Nil	Light	As per drawings		
Masonry	Cavity Brick	R1.60	Light	Ground Floor		
Masonry	Brick Veneer	R2.73	Light	First Floor		
Internal Walls specification:						
Type	Material	Added Insulation	Colour**	Detail		
Framed	Plasterboard	Nil	-	As per drawings		
Masonry	Double Brick	Nil	-	Partition walls		
Roof Specification:						
Type	Material	Added Insulation	Colour**	Detail		
Masonry	Concrete	R4.00	Light	Balcony		
Framed	Metal/CT outer & Plasterboard inner	R4.00+Anticon R1.80	Light	First floor Roof		
Floors/Ceilings Specification:						
Type	Material	Added Insulation	Covering	Detail		
Masonry	Concrete	Nil	As per drawings	Slabs on ground		
Masonry	Concrete	R2.00	As per drawings	DWA KLD GF Slab on ground only		
Masonry	Concrete	R4.00	As per drawings	to external air and over BS		
Window Specification*						
Frame material	Glazing	U Value	SHGC	Detail		
Aluminium		5.40 or Lower	0.58+/-5%	Refer to NatHERS for more info		
Aluminium		5.40 or Lower	0.49+/-5%	Refer to NatHERS for more info		
Aluminium		4.10 or Lower	0.52+/-5%	Refer to NatHERS for more info		
Aluminium		4.10 or Lower	0.47+/-5%	Refer to NatHERS for more info		
* NOTE: WINDOW PERFORMANCE IS DETERMINED BY U-VALUE AND SHGC. NOT THE SYSTEM DESCRIPTION. THESE PERFORMANCE FIGURES CAN BE ACHIEVED BY MULTIPLE WINDOW/DOOR SYSTEMS AND THEIR DESCRIPTION IN THE NATHERS IS SECONDARY. FOCUS OF THE PERFORMANCE VALUES.						
** LIGHT COLOR INSTALLATIONS HAVE SOLAR ABSORBISTANCE BEING LOWER THAN 0.475. MEDIUM COLOR INSTALLATIONS HAVE SOLAR ABSORBISTANCE BEING BETWEEN 0.475 AND 0.700. DARK COLOR INSTALLATIONS HAVE SOLAR ABSORBISTANCE BEING HIGHER THAN 0.701.						
IT IS ILLEGAL TO COPY/PASTE NATHERS STAMPS FROM STAMPED DRAWINGS TO ANOTHER DRAWING SET, EVEN IF THIS IS FOR THE SAME PROJECT. NATHERS CERTIFICATES ARE ISSUED FOR THE SPECIFIC DRAWING VERSION AND DATE OF ISSUE AND ARE VALID ONLY FOR THIS PARTICULAR VERSION. IF YOU UPDATE DRAWINGS, YOU MUST UPDATE THE NATHERS CERTIFICATE AS WELL.						

CAUTION – ALL OF THE ITEMS BELOW MUST BE ADHERED BY
FOR NATHERS TO BE VALID

- NOTES:
- ALL DOWNLIGHTS TO BE:
 - APPROVED NON-VENTILATED
 - WITH FIRE-RATED COVER/SHIELD TO ALLOW CONTINUOUS INSULATION LED TYPE. IF HALOGEN LIGHT ARE TO BE INSTALLED THIS CERTIFICATION IS NOT VALID
 - ALL VENTS AND WALL OPENINGS INSTALLED TO BE "THE SEALED" TYPE
 - ALL INSULATION IS TO BE INSTALLED IN ACCORDANCE NCC PART 3.12.1.1
 - CREATION OF CONTINUOUS THERMAL BARRIER
 - COMPLIANCE WITH AS4859
 - MAINTAINING THICKNESS OF BULK INSULATION AND AIR GAPS FOR REFLECTIVE INSULATION
 - BUILDING SEALING AS PER NCC PART 3.12.3
 - WEATHER SEALS AND DRAFT EXCLUDERS
 - DRAFT STOPPER CAPS
 - SERVICES AS PER NCC PART 3.12.5
 - INSULATION OF SERVICES, PIPING AND DUCTWORK



Nationwide House Energy Rating Scheme — Class 1 Summary

NatHERS Certificate No. #HR-PFED1J-01

Generated on 06 Oct 2021 using HERO v1.2-beta

Property

Address 12 Princess Street, Rosebay, NSW, 2029

Lot/DP 12 B/4185

NatHERS climate zone 56 - Mascot AMO

Accredited assessor



IOANNIS FRAGKOULIDIS

4M AUSTRALIA PTY LTD

yanni.frag@gmail.com

+61 452648288

Accreditation No. 10002

Assessor Accrediting Organisation HERA



Verification

To verify this certificate, scan the QR code or visit <http://www.hero-software.com.au/pdf/HR-PFED1J-01>. When using either link, ensure you are visiting <http://www.hero-software.com.au>

Summary of all dwellings

Certificate number and link	Unit Number	Heating load (MJ/m²)	Cooling load (MJ/m²)	Total load (MJ/m²)	Star rating
HR-RVJL2P-01	DWA 12 Princess Street Rosebay	38.7	19.1	57.9	5.5
HR-OYRGFF-01	DWB 12 Princess Street Rosebay	39.8	21.2	61.0	5.3
Maximum Loads and Minimum Rating		39.8	21.2	61.0	5.3
Average		39.3	20.2	59.5	5.4

National Construction Code (NCC) requirements

The NCC's requirements for NatHERS-rated houses are detailed in 3.12.0(a)(i) and 3.12.5 of the NCC Volume Two. For apartments the requirements are detailed in J0.2 and J5 to J8 of the NCC Volume One.

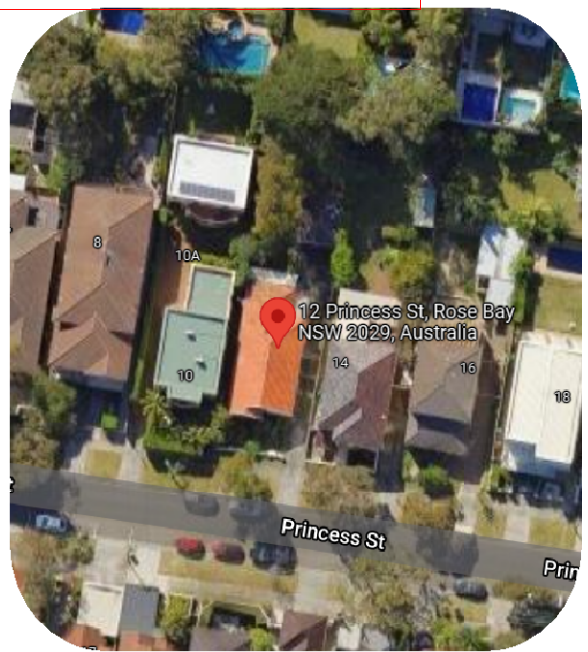
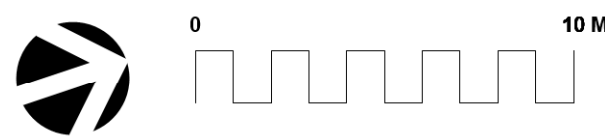
In NCC 2019, these requirements include minimum star ratings and separate heating and cooling load limits that need to be met by buildings and apartments through the NatHERS assessment. Requirements additional to the NatHERS assessment that must also be satisfied include, but are not limited to: insulation installation methods, thermal breaks, building sealing, water heating and pumping, and artificial lighting requirements. The NCC and NatHERS Heating and Cooling Load Limits (Australian Building Codes Board Standard) are available at www.abcb.gov.au.

State and territory variations and additions to the NCC may also apply

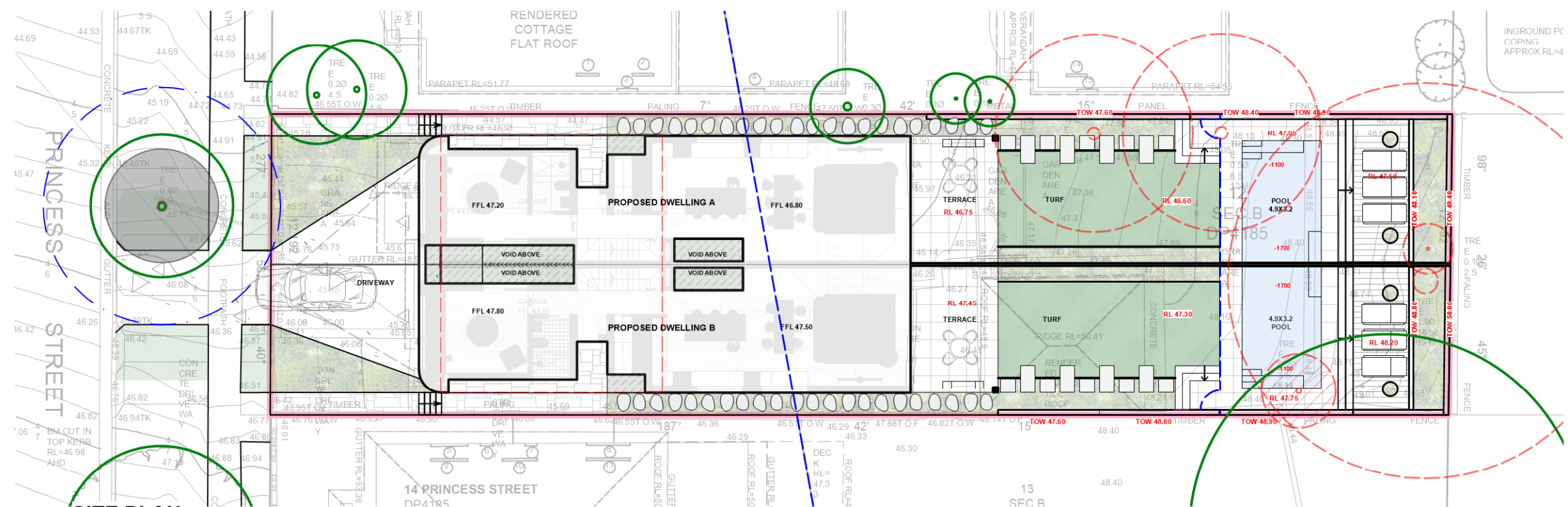
DA LANDSCAPE PLAN

AMENDED PLANS

12 PRINCESS STREET, ROSE BAY NSW

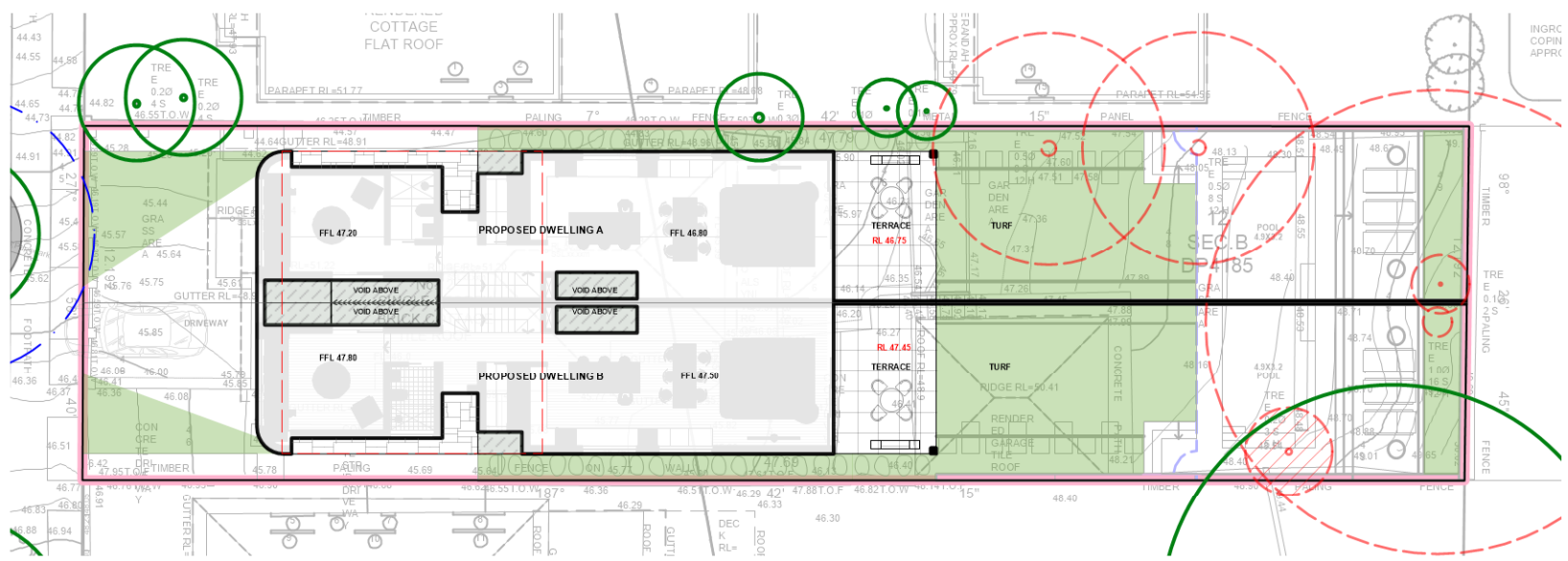


PROJECT LOCATION



SITE PLAN
SCALE 1:200

- LEGEND
- DRIVEWAY
 - TURF AREAS
 - DEEP SOIL GARDENS
 - PROPOSED RESIDENCE
 - PROPOSED POOL
 - TILES
SELECTED STONE ON SLAB
 - PAVED AREA
SELECTED STONE ON SLAB



SITE PLAN CALCULATION
SCALE 1:250

SITE CALCULATION

TOTAL SITE AREA : 582 sqm
TOTAL LANDSCAPE AREA : 167 sqm/ 28.7%
MIN LANDSCAPE REQ : 15%

LANDSCAPE AREA

- EXISTING TREE LEGEND
- EXISTING TREES TO BE RETAINED
 - TREES TO BE REMOVED

GENERAL NOTES
All work to be carried out in accordance with the Building Code of Australia, all Local and State Government Ordinances, relevant Australian Standards, Local Authorities Regulations and all other relevant Authorities concerned.
All structural work and site drainage to be subject to Engineer's details or certification where required by Council. This shall include r.c. slabs and footings, r.c. and steel beams & columns, wind bracing to AS 1170 and AS4055, anchor rods or bolts, tie downs, fixings etc., driveway slabs and drainage to Council's satisfaction. All timbers to be in accordance with SAA Timber Structure Code AS1720 and SAA Timber Framing Code AS 1884. All work to be carried out in a professional and workman-like manner according to the plans and specification.
NOTE
Do not scale off the drawings unless otherwise stated and use figured dimensions in preference.
All dimensions are to be checked and verified on site before the commencement of any work, all dimensions and levels are subject to final survey and set-out.
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Project	PROPOSED DUAL OCCUPANCY		
Address	12 PRINCESS STREET, ROSE BAY NSW		
Drawing Title	SITE PLANS		
	Date	25/02/22	
	Scale	1:200	

F	25/02/2022	UPDATES FOR COUNCIL
ISSUE	DATE	COMMENT
AMENDMENTS		

Drawing No. 7106

Page
L-01

AMENDED PLANS

LEGEND

DRIVEWAY

TURF AREAS

DEEP SOIL GARDENS

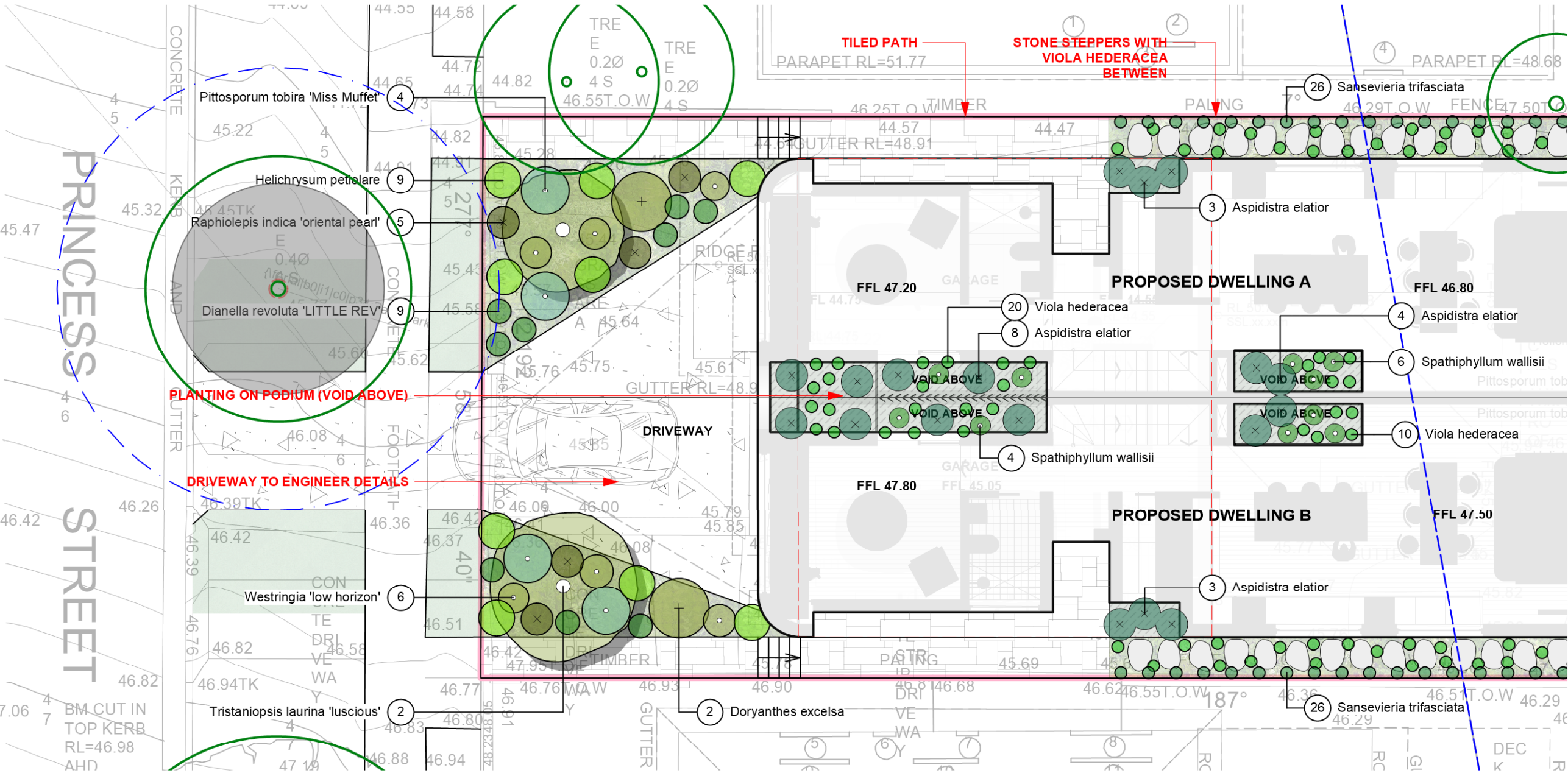
PROPOSED RESIDENCE

PROPOSED POOL

TILES
SELECTED STONE ON SLAB

PAVED AREA
SELECTED STONE ON SLAB

REFER TO L-03



EXISTING TREE LEGEND

EXISTING TREES TO BE RETAINED

TREES TO BE REMOVED

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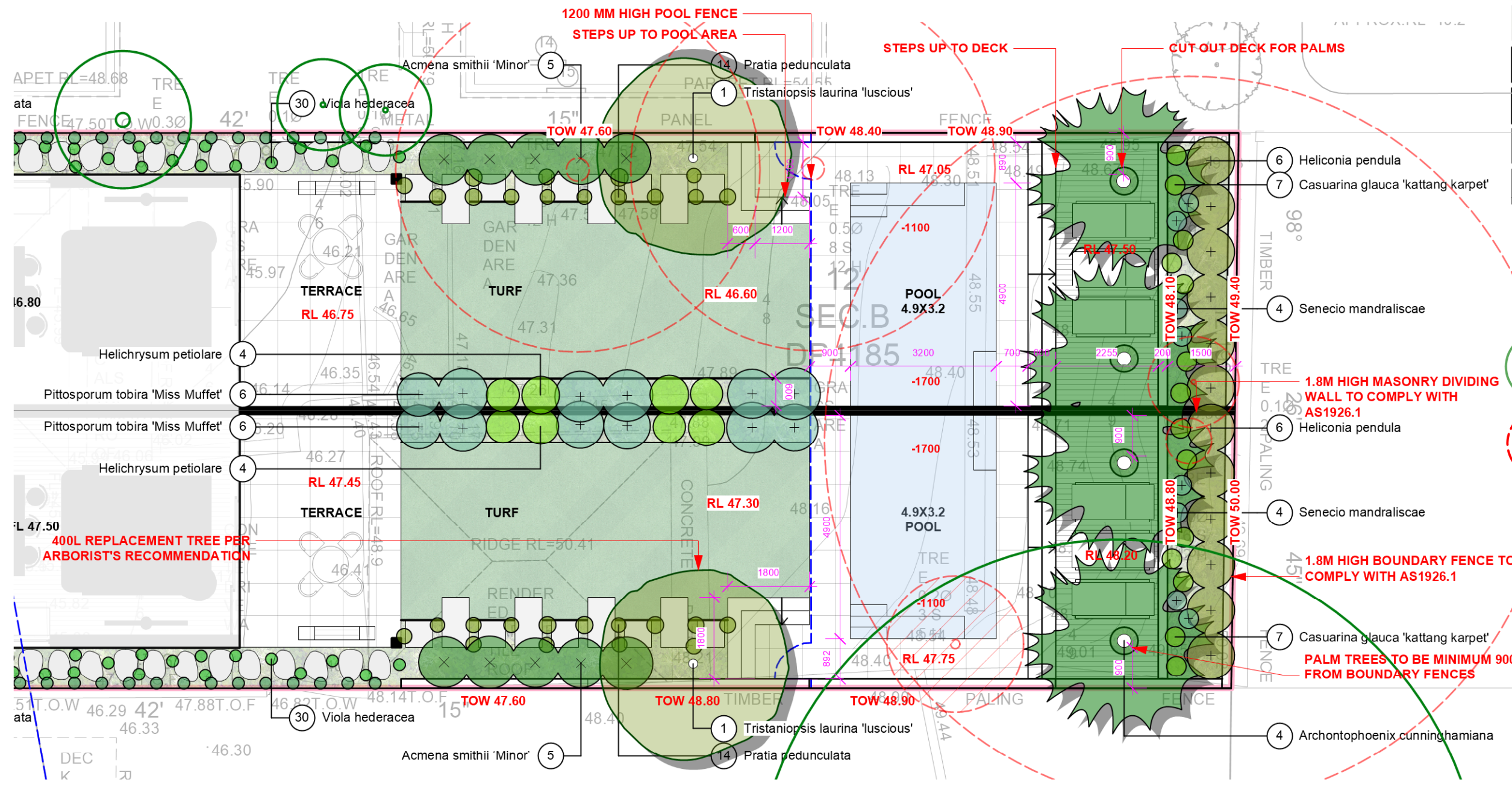
Project	PROPOSED DUAL OCCUPANCY		
Address	12 PRINCESS STREET, ROSE BAY NSW		Date 25/02/22
Drawing Title	FRONT LANDSCAPE PLAN		Scale 1:100

F	25/02/2022	UPDATES FOR COUNCIL
ISSUE	DATE	COMMENT
AMENDMENTS		

Drawing No. 7106

AMENDED PLANS

REFER TO L-02

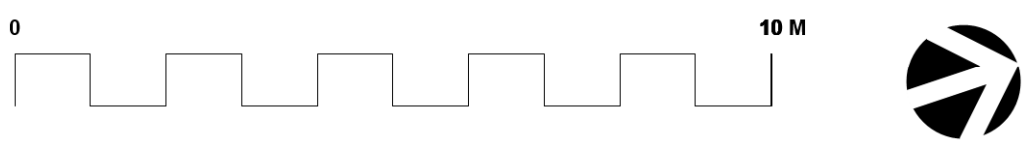


LEGEND

- DRIVEWAY
- TURF AREAS
- DEEP SOIL GARDENS
- PROPOSED RESIDENCE
- PROPOSED POOL
- TILES
- PAVED AREA

EXISTING TREE LEGEND

- EXISTING TREES TO BE RETAINED
- TREES TO BE REMOVED



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Project	PROPOSED DUAL OCCUPANCY		
Address	12 PRINCESS STREET, ROSE BAY NSW		
Drawing Title	REAR LANDSCAPE PLAN		
	Date	25/02/22	
	Scale	1:100	

F	25/02/2022	UPDATES FOR COUNCIL
ISSUE	DATE	COMMENT
AMENDMENTS		

Drawing No. 7106

PLANTING SCHEDULE

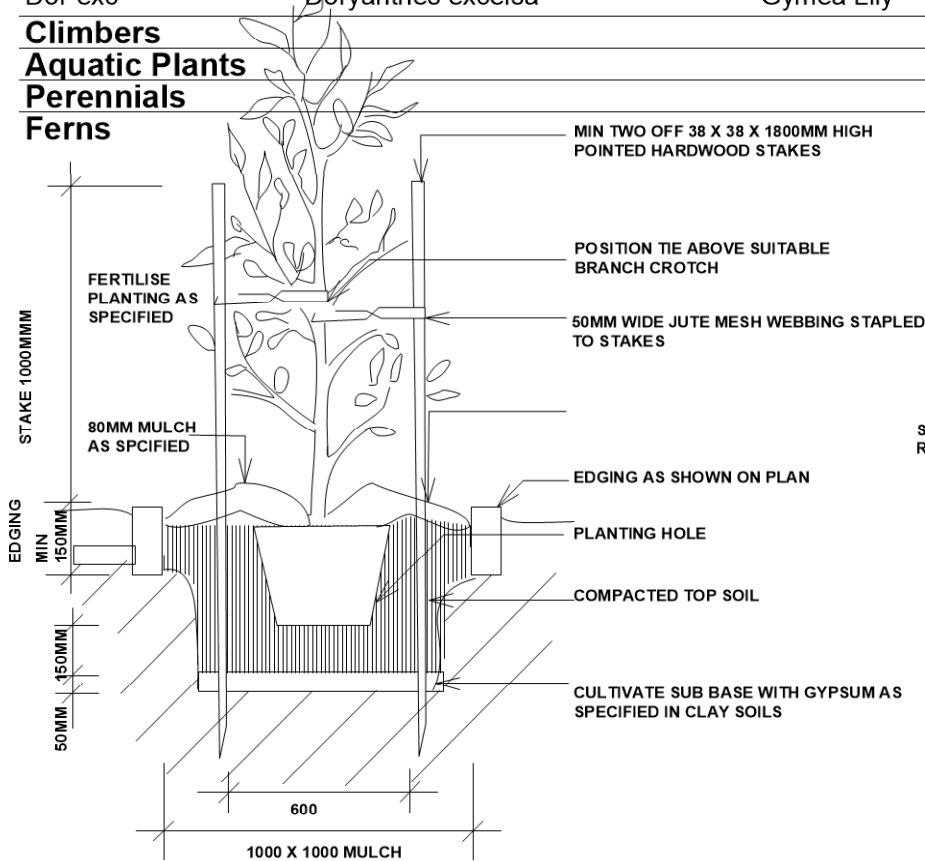
ID	Botanical Name	Common Name	Scheduled Size	Qty
Trees				
Arc-cu	Archontophoenix cunninghamiana	Bangalow Palm	45L	4
TLaur-lus	Tristaniopsis laurina 'luscious'	Kanooka, Water Gum	400L	2
Tris-Lau	Tristaniopsis laurina 'luscious'	Kanooka, Water Gum	100L	2
Shrubs				
Acm-smi	Acmena smithii 'Minor'	Lillypilly	100mm	10
Hel-pet	Helichrysum petiolare	liquorice plant	150mm	17
Hel-pen	Heliconia pendula	Bird Of Paradise	200mm	12
Pit-tob-mm	Pittosporum tobira 'Miss Muffet'		200mm	16
Rap-ind-op	Raphiolepis indica 'oriental pearl'	Indian Hawthorn	300mm	5
Ground Covers				
Asp-ela	Aspidistra elatior	Cast Iron Plant	150mm	18
Cas-gl'kk'	Casuarina glauca 'kattang karpet'	Kattang karpet	150mm	14
Pra-pe	Pratia pedunculata	Blue star creeper	150mm	28
San-tri	Sansevieria trifasciata	snake plant	150mm	52
sen-ma	Senecio mandraliscae	Blue Chalk Sticks	150mm	8
Spa-sp	Spathiphyllum wallisii	Peace Lily	150mm	10
vio-he	Viola hederacea	Native Violet	150mm	90
wes-lh'	Westringia 'low horizon'	coastal rosmary	200mm	6
Grasses				
DIA 'LR'	Dianella revoluta 'LITTLE REV'	Dianella	150mm	9
Dor-exc	Doryanthes excelsa	Gymea Lily	300mm	2

Climbers

Aquatic Plants

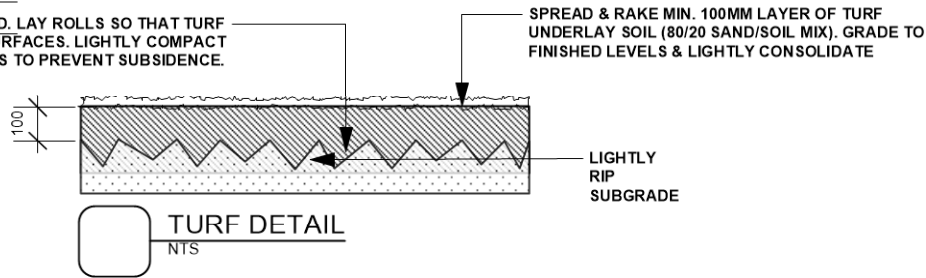
Perennials

Ferns

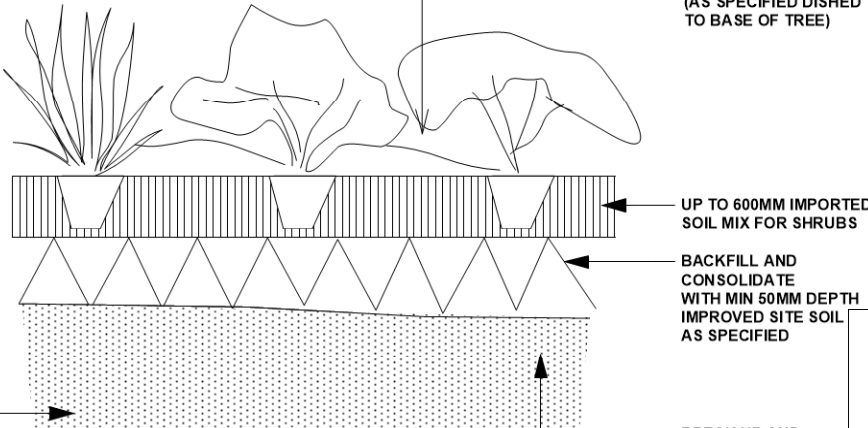


TYPICAL TREE PLANTING DETAIL
NTS

SIR WALTER TURF ROLLS AS SPECIFIED. LAY ROLLS SO THAT TURF FINISHES 300MM PROUD OF ADJACENT SURFACES. LIGHTLY COMPACT EDGES TO PREVENT SUBSIDENCE.

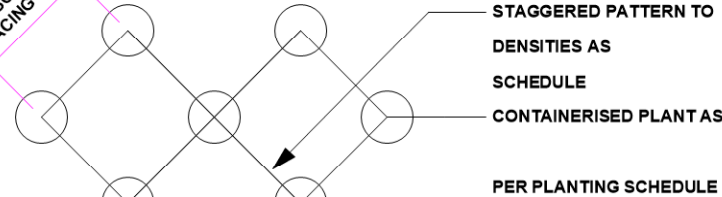


SHRUB
REFER TO PLANTING SCHEDULE



TYPICAL SHRUB PLANTING DETAIL
NTS

REFER TO LANDSCAPE PLANS FOR
PLANT SPACING DENSITIES



RECEIVED
Waverley Council

Application No: DA-462/2021

Date Received: 04/03/2022

F	25/02/2022	UPDATES FOR COUNCIL
ISSUE	DATE	COMMENT
AMENDMENTS		

GENERAL NOTES
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Project	PROPOSED DUAL OCCUPANCY	
Address	12 PRINCESS STREET, ROSE BAY NSW	Date 25/02/22
Drawing Title	PLANTING DETAILS	Scale NTS

Drawing No. 7106

Page
L-04

AMENDED PLANS

POOL COMPLIANCE NOTES

The design of the swimming pool and associated equipment must comply with the following requirements:
i) The Swimming Pools Act & Regulations.
ii) Australian Standard 1926 Swimming Pool Safety as prescribed under the Building Code of Australia.
iii) The pump and associated equipment must be sound insulated and/or isolated so that the noise emitted does not exceed an LAeq (15min) of not more than 5 dB(A) above the background level in any octave band from 31.5Hz to 8KHz centre frequencies inclusive at the boundary of the site

The swimming pool excavation and/or swimming pool must be provided with a suitable barrier to prevent a risk of falling into the excavation or pool at all times throughout the construction phase.

Note:
-The measurement of sound must be carried out in accordance with Australian Standard 1055.1.
-Additional information is available from Sutherland Shire Swimming Pool Environmental Specification.
-Landscaping and ancillary structures must not intrude into the child-resistant barrier Non-Climbable Zone.
-Only structures associated with the pool may be located within the pool area.
-Clothes lines, barbeque, sheds, entertainment structure, outside toilets or any other non pool-related structures are not permitted within the pool area.

Before the issue of any Occupation Certificate:
i) The child resistant barrier must be installed in accordance with A above.
ii) The swimming pool is to be registered in the NSW Swimming Pool Register.

The pump and associated equipment must be maintained and operated in accordance with the noise levels described above.
ii) The child resistant barrier must be maintained in accordance with the Australian Standard as described above.

PLAN NOTES

This plan should be read in conjunction with the architectural and hydraulics plans. Work specific to these plans should be prepared in accordance to these plans, including specification and details prior to the installation of landscaping, and should not be altered or compromised during landscape construction.
Retaining wall details to engineers design.
Elements such as drainage swales may be incorporated in garden bed areas (using non-floatable mulch) without compromising the capacity or form.

The Design & location of new letter boxes shall be in accordance with Australia Post's "Requirements for Delivery of Mail to Residential Premises" published Feb '97. All noxious weeds listed in Councils weed lists & located on the site shall be continually removed & suppressed. Reinstate all boundary fencing in poor condition with Council approved 1.8m fencing to rear of building line, rake to 1m forward of BL. Pollution, sediment & erosion control devices as specified shall be in place, and maintained for the duration of the construction period.
Proposed excavation near existing established trees to be supervised by arborist.

This plan has been prepared for DA approval only, not for construction.

Planting proposed using commercially available plant species selected from local planting lists and the BASIX local plant list
D A approved landscape plan's are required to be constructed as approved to obtain occupancy certificate.



LANDSCAPE MAINTENANCE NOTES

MONTH	MOWING EDGING BLOWING	FERTILISING (SEASOL)	CHECK IRRIGATION	HAND WEED REMOVAL	PRUNING	WEED SPRAYING	WATERING/ IRRIGATION	PLANT REPLACEMENT IF REQUIRED
DEC	W	M	M	W	F	M	D	W
JAN	W	M	M	W	F	M	D	W
FEB	W	M	M	W	F	M	D	W
MAR	F	M	M	F	M	M	D	W
APR	F	N/A	M	F	M	M	D	W
MAY	F	N/A	M	M	M	M	D	W
JUNE	M	N/A	M	M	N/A	N/A	2ND D	W
JULY	M	N/A	M	M	N/A	N/A	2ND D	W
AUG	M	N/A	M	M	N/A	N/A	2ND D	W
SEP	M	M	M	M	N/A	N/A	2ND D	W
OCT	F	F	M	F	M	M	D	W
NOV	F	F	M	F	M	M	D	W

PLANTING ESTABLISHMENT PERIOD - 12 MONTHS
LANDSCAPE MATERIAL ESTABLISHMENT - 12 MONTHS
KEY D-DAILY, W-WEEKLY, F-FORTNIGHT, M-MONTHLY, 2ND DAY.

MAINTENANCE GENERAL NOTES

SECTION C: LANDSCAPE MAINTENANCE SPECIFICATION 1.0 SCOPE
1.1 PERIOD
The 52 week Planting Establishment Period commences at the date of registration of the repective plan.
The contractor is to also allow for maintenance from the date of Practical Completion to the start date of the 52 week Planting Establishment Period. The allowance shall be for a weekly rate which will then be implemented until the formal maintenance period commences.

1.2 PROGRAM
Furnish a proposed planting maintenance program with the tender.

1.3 MAINTENANCE LOGBOOK
Contractor to keep a maintenance record of works carried out on a monthly basis. Log should include but not limited to: - Activities carried out during each attendance, - Irregularities encountered and actions taken;
NB: Maintenance payments will be evaluated on submission of monthly logbooks.

1.4 RECURRENT WORKS
Throughout the Planting Establishment Period, continue to carry out recurrent works of a maintenance nature including, but not limited to, watering, mowing, weeding, rubbish removal, fertilising, pest and disease control, staking and tying, replanting, cultivating, pruning and keeping the site neat and tidy. All rubbish related to landscape works shall be removed by the landscape contractor before it is allowed to accumulate.

1.5 PLANTING
Commence recurrent planting maintenance works at the completion of planting. Ensure the stock arriving on site is protected and maintained for healthy growth.

1.6 REPLACEMENTS
Continue to replace failed, damaged or stolen plants for the extent of the Planting Establishment Period.

1.7 MULCHED SURFACES
Maintain the surface in a clean and tidy condition and reinstate the mulch as necessary.

1.8 GRASSED AREAS
Commence grass maintenance works at the completion of turfing, and continue to carry out grass maintenance throughout the contract and Planting Establishment Period, maintaining healthy weed free growth.

1.9 STAKES AND TIES
Adjust or replace as required. Remove those not required at the end of the Planting Establishment Period.

1.10 WATERING/ IRRIGATION
An irrigation system is to be installed to all mass planted beds and new tree planting, connected to a pump and the rainwater tank /OSD tank. Install one tap near the front boundary (Wurrook Circuit) and one tap on the rear (eastern) boundary. This system shall be installed and maintained for the duration of the maintenance period (52 weeks) and in perpetuity of the development. All irrigation works shall be performed by a licensed irrigation contractor. Materials to be used are to be submitted to the site superintendent for approval. The contractor shall provide design drawings and material specifications/samples prior to commencing work. All works are to be conducted to all current and relevant Australian Standards.
The contractor is to be completely responsible for the coordination of the installation of the irrigation system with other services throughout the site. Recommended flow rates: The system shall be set up on a trial basis and them adjusted to suit the local requirements and conditions. Once the system is satisfactorily adjusted the contractor shall make fortnightly visits within the establishment period to ensure satisfactory performance of the system and to adjust the watering periods as required. A minimum even coverage of 25mm of water per week is recommended.

EXTERNAL LIGHTING - (AMENITY)

To ensure that any lighting on the site does not cause a nuisance to neighbours or motorists on nearby roads:
Design
All lighting must be designed in accordance with Australian Standard AS4282 - Control of the Obtrusive Effects of Outdoor Lighting.
Ongoing
All lighting must be operated and maintained in accordance with the Standard above.

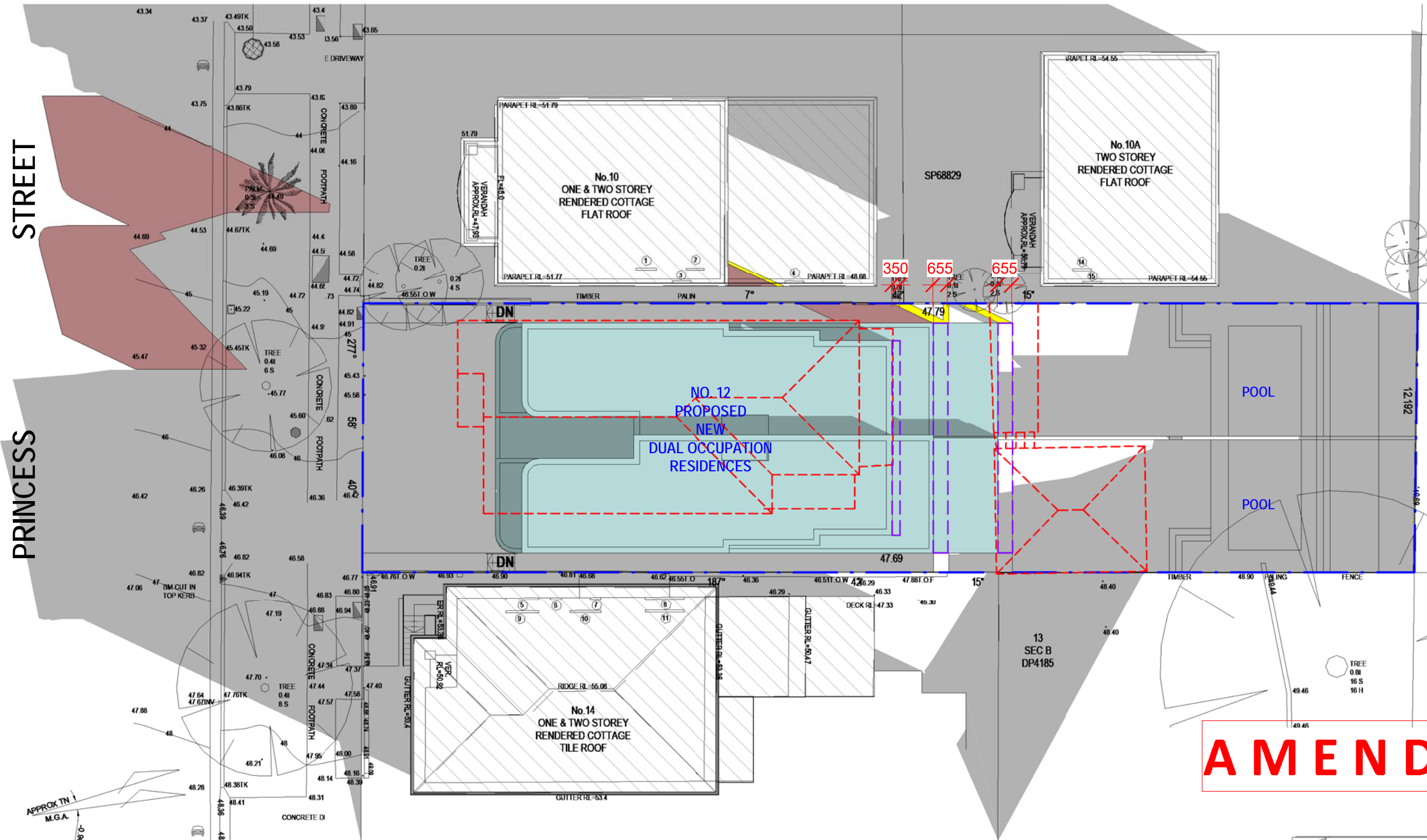
F	25/02/2022	UPDATES FOR COUNCIL
ISSUE	DATE	COMMENT
AMENDMENTS		

RECEIVED
Waverley Council

Application No: DA-462/2021

Date Received: 04/03/2022

STREET
PRINCESS



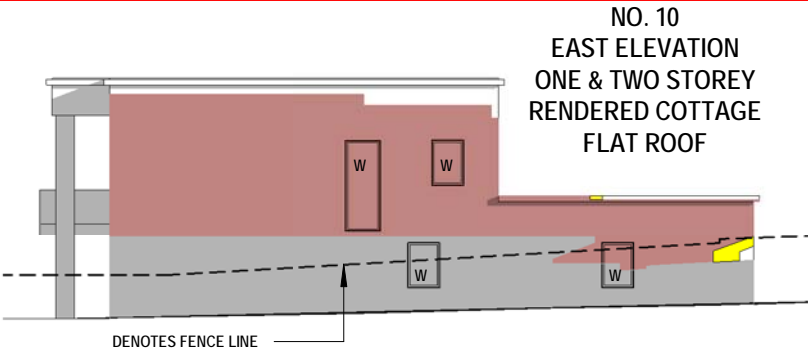
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Shadowing June 21st 9.00am
1 : 200

NOTE:

SHADOWS SHOWN HAVE BEEN COMPILED FROM DETAIL & LEVEL SURVEY BY SURVPLAN SURVEYORS JOB REF. 1615 DATED 18.06.21 AND ARCHITECTURAL PLANS BY COMMON OFFICE PRINCESS DUAL OCC DATED 17 SEPTEMBER 2021 AND REDUCED BUILDING DATED 23 FEBRUARY 2022

AMENDED PLANS



Cad Draft P/L

ABN 27 083 288 153

SUITE 1, 505 BALMAIN ROAD,
LILYFIELD, NSW 2040

SHADOW ANALYSIS CONSULTANTS

PH: 9555 8545

info@caddraftnsw.com.au

No.	Description	Date
A	PROPOSED REDUCTION DA	28-02-22

SHADOW DIAGRAMS
No. 12 PRINCESS STREET
ROSE BAY

CLIENT: WISEMAN / ROSETTENSTEIN

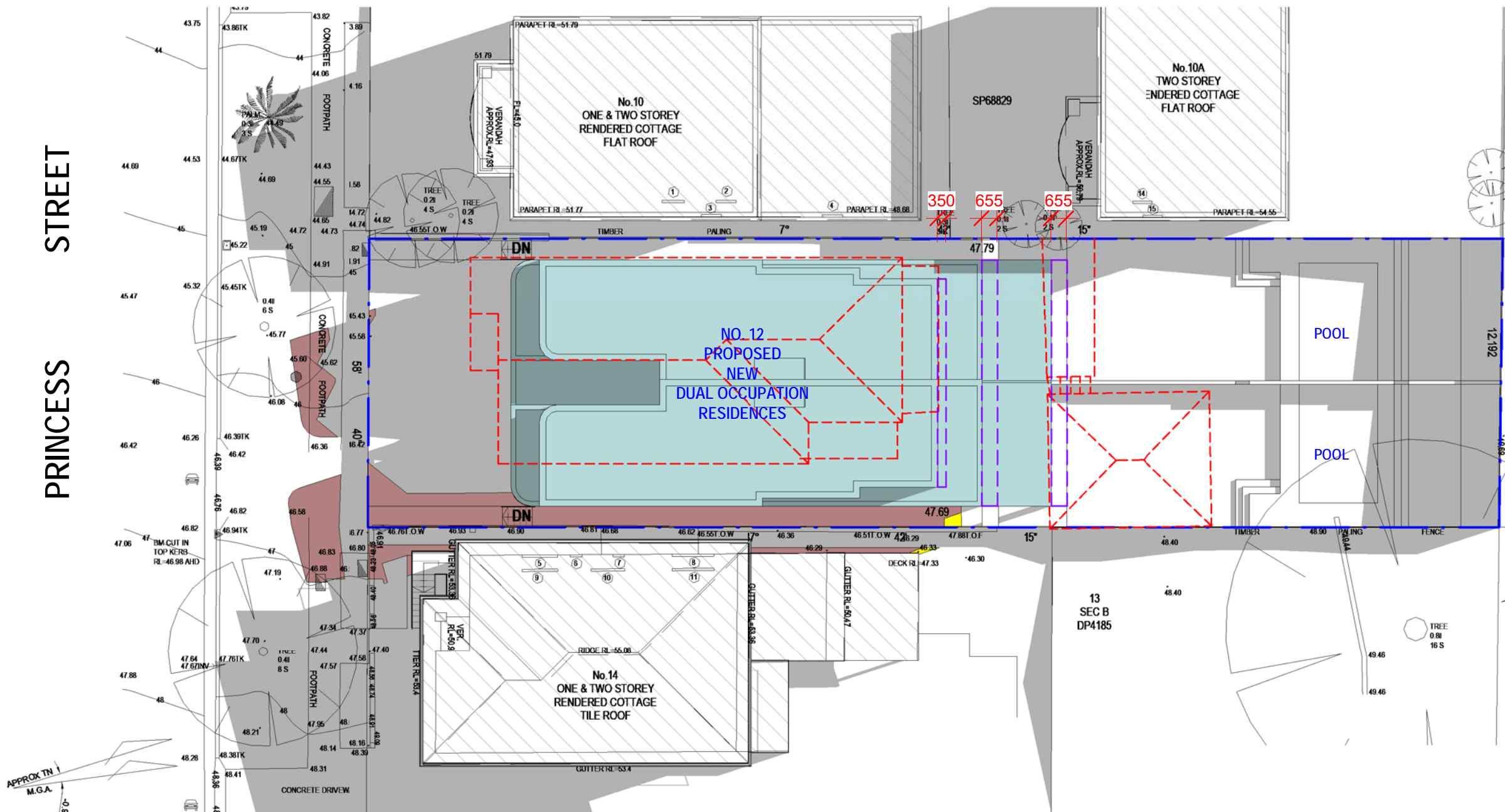
Shadowing June 21st 9.00am

Project number	21-105	A100
Date	27-09-21	
Drawn by	KP	
Checked by	JD	Scale
		As indicated

RECEIVED
Waverley Council

Application No: DA-462/2021

Date Received: 04/03/2022



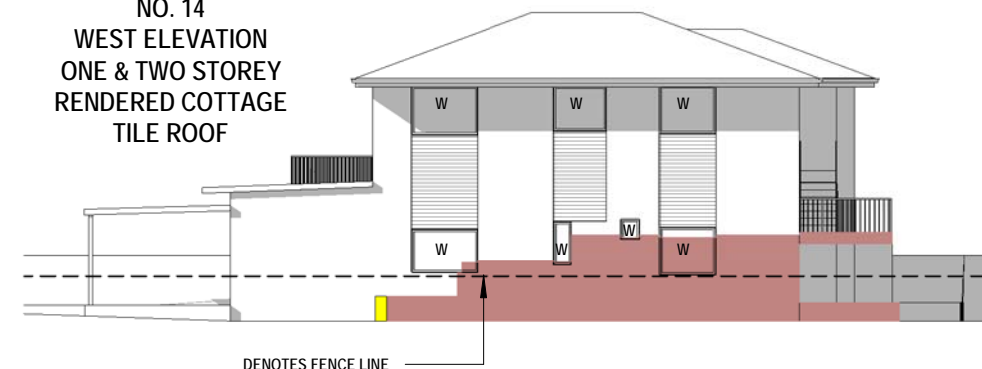
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- DENOTES OUTLINE OF EXISTING RESIDENCE TO BE DEMOLISHED
 - DENOTES AREA OF EXISTING & SURROUNDING BUILDING SHADOW
 - DENOTES AREAS OF PROPOSED DUAL OCCUPANCY RESIDENCE
 - DENOTES AREA OF PROPOSED ADDITIONAL BUILDING SHADOW
 - DENOTES OUTLINE OF PREVIOUS APPLICATION BEING REDUCED
 - DENOTES AREA OF PROPOSED REDUCTION OF SHADOW RESULTING FROM REDUCED BULK

AMENDED PLANS

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NO. 14
WEST ELEVATION
ONE & TWO STOREY
RENDERED COTTAGE
TILE ROOF



1

Shadowing June 21st 12.00pm

1 : 200

Cad Draft P/L

ABN 27 083 288 153

SUITE 1, 505 BALMAIN ROAD,
LILYFIELD, NSW 2040

SHADOW ANALYSIS CONSULTANTS

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info@caddraftnsw.com.au

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A	PROPOSED REDUCTION DA	28-02-22

SHADOW DIAGRAMS
No. 12 PRINCESS STREET
ROSE BAY

CLIENT: WISEMAN / ROSETTENSTEIN

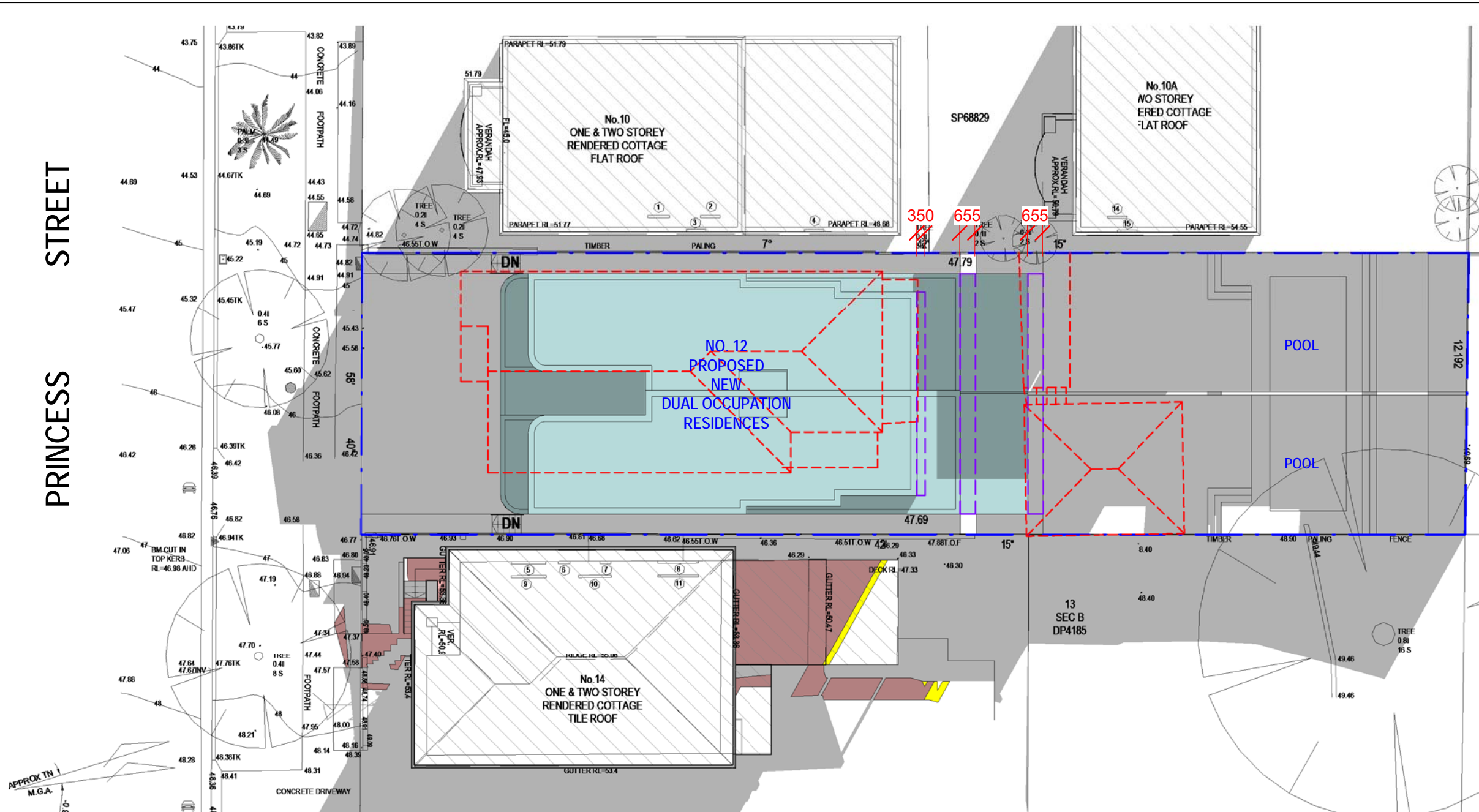
Shadowing June 21st 12.00pm

Project number	21-105	A101
Date	27-09-21	
Drawn by	KP	
Checked by	JD	Scale
		As indicated

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Waverley Council

Application No: DA-462/2021

Date Received: 04/03/2022

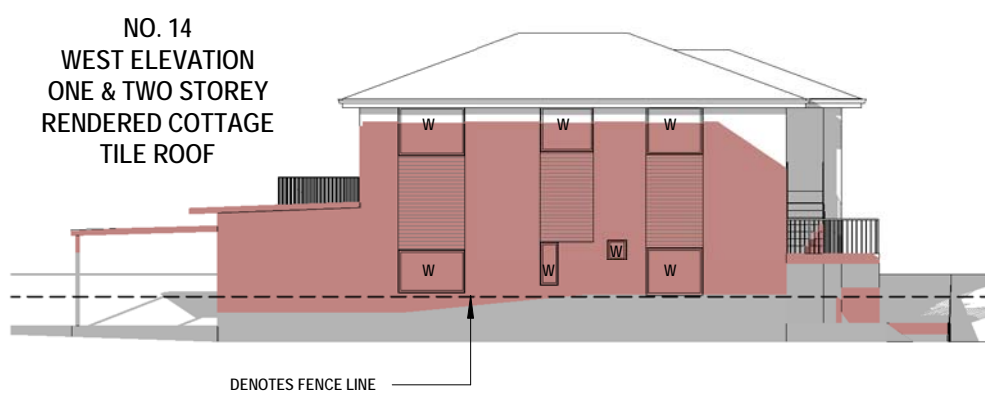


- LEGEND:
- DENOTES OUTLINE OF EXISTING RESIDENCE TO BE DEMOLISHED
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 - DENOTES AREA OF PROPOSED REDUCTION OF SHADOW RESULTING FROM REDUCED BULK

AMENDED PLANS

1 Shadowing June 21st 3.00pm
1 : 200

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ABN 27 083 288 153
SUITE 1, 505 BALMAIN ROAD,
LILYFIELD, NSW 2040

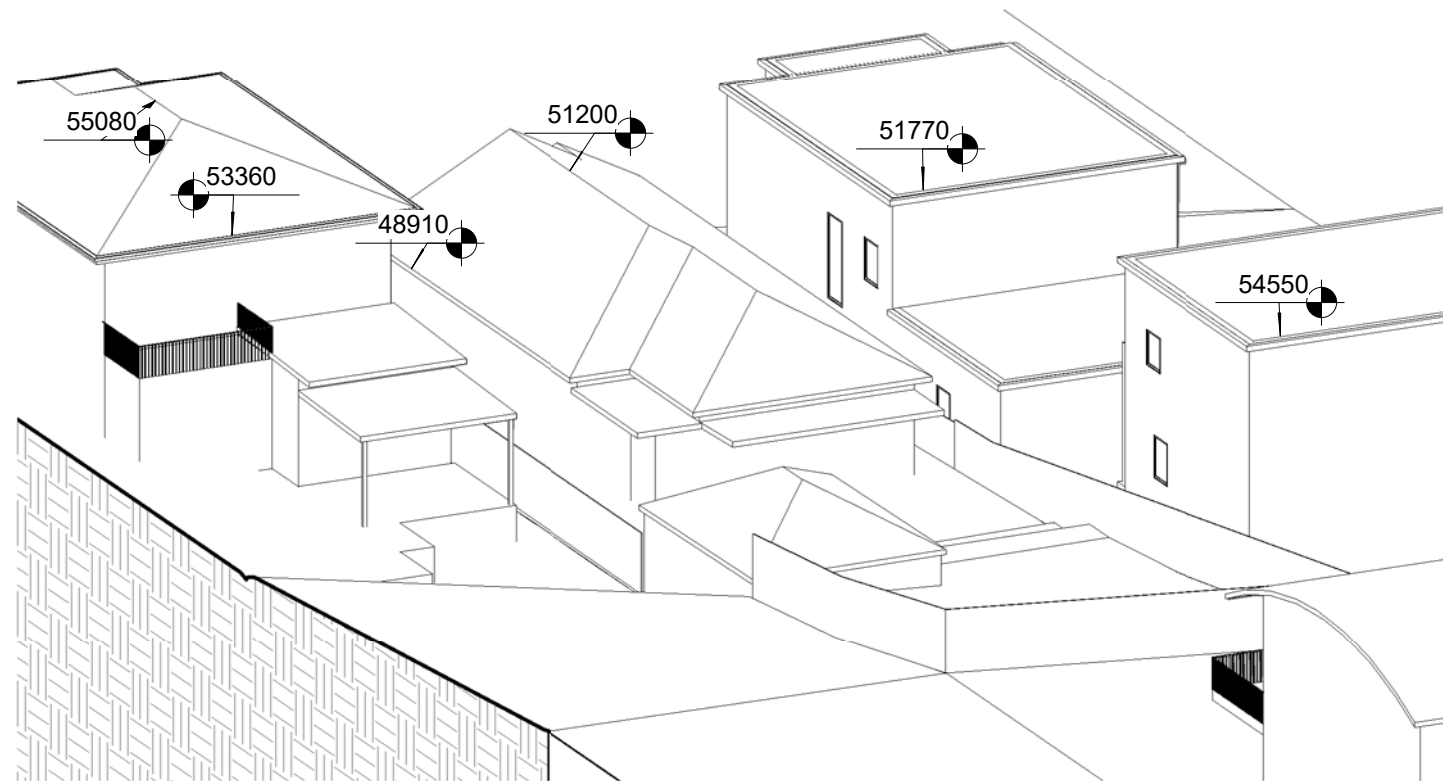
SHADOW ANALYSIS CONSULTANTS
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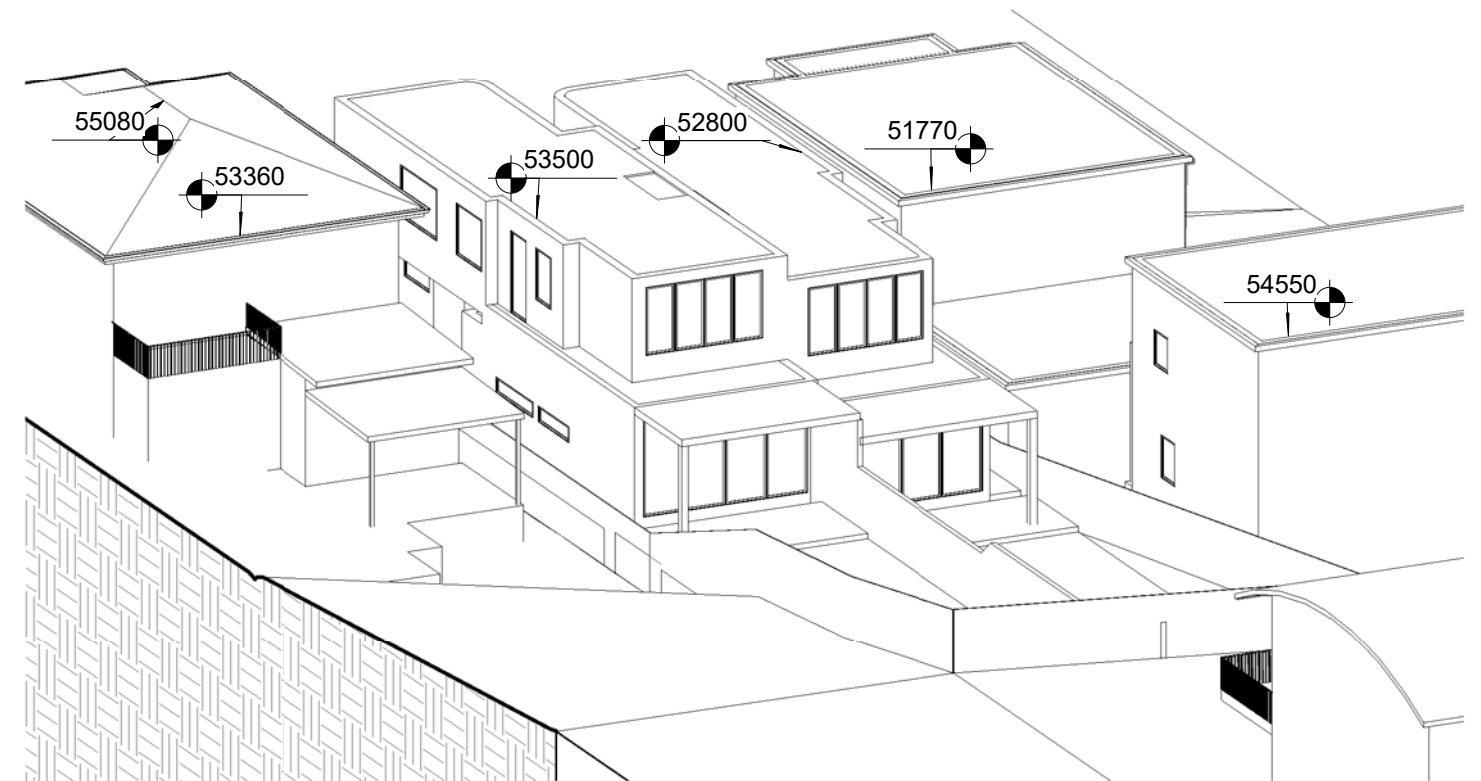
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No. 12 PRINCESS STREET
ROSE BAY

CLIENT: WISEMAN / ROSETTENSTEIN

Shadowing June 21st 3.00pm			
Project number	21-105	A102	
Date	27-09-21		
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Checked by	JD	Scale	As indicated



1 June 9.00am Existing



2 June 9.00am Proposed

AMENDED PLANS

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ABN 27 083 288 153

SUITE 1, 505 BALMAIN ROAD,
LILYFIELD, NSW 2040

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No.	Description	Date
A	PROPOSED REDUCTION DA	28-02-22

SHADOW DIAGRAMS
No. 12 PRINCESS STREET
ROSE BAY

CLIENT: WISEMAN / ROSETTENSTEIN

View from Sun June 21st 9.00am

Project number 21-105

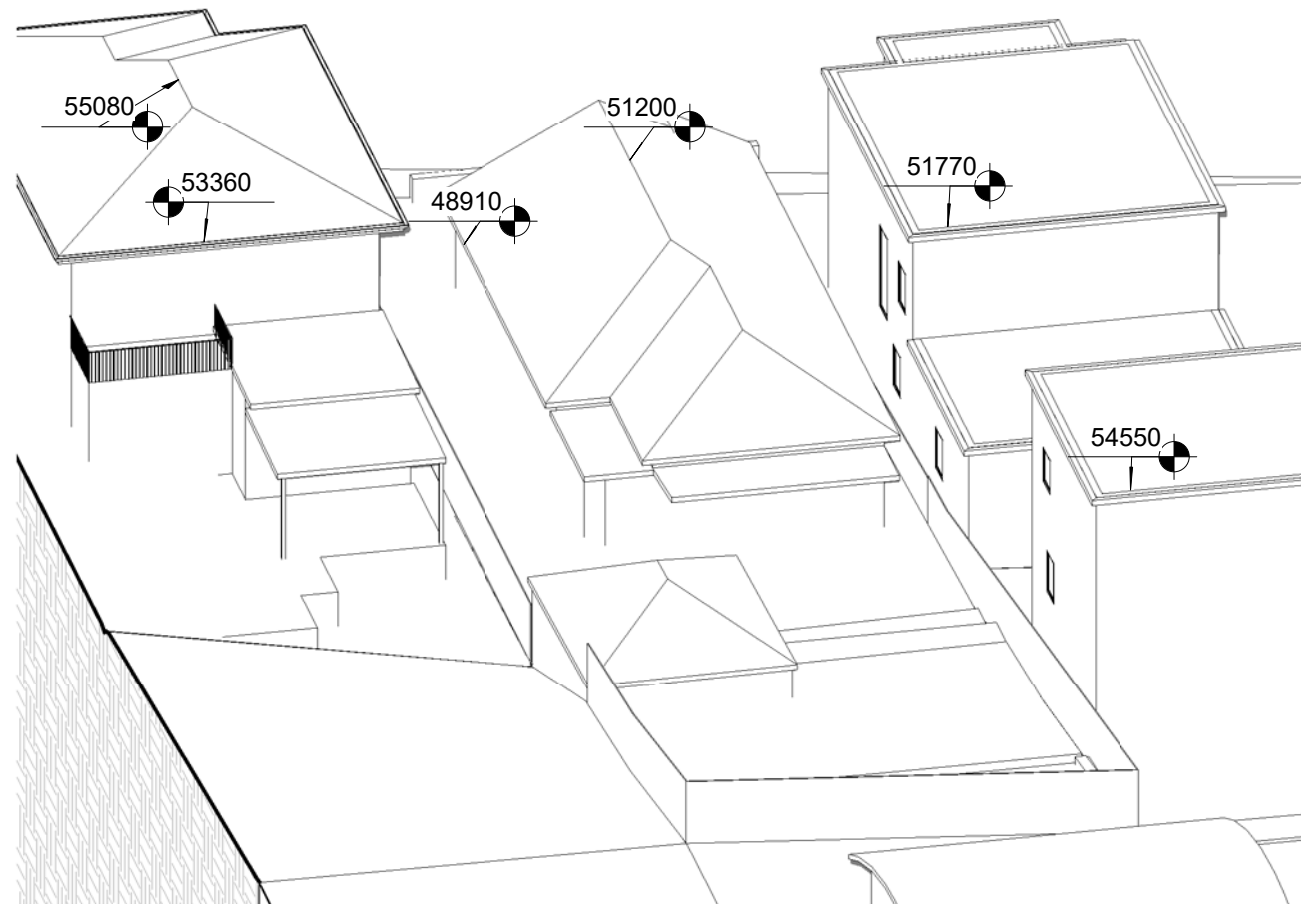
Date 27-09-21

Drawn by KP

Checked by JD

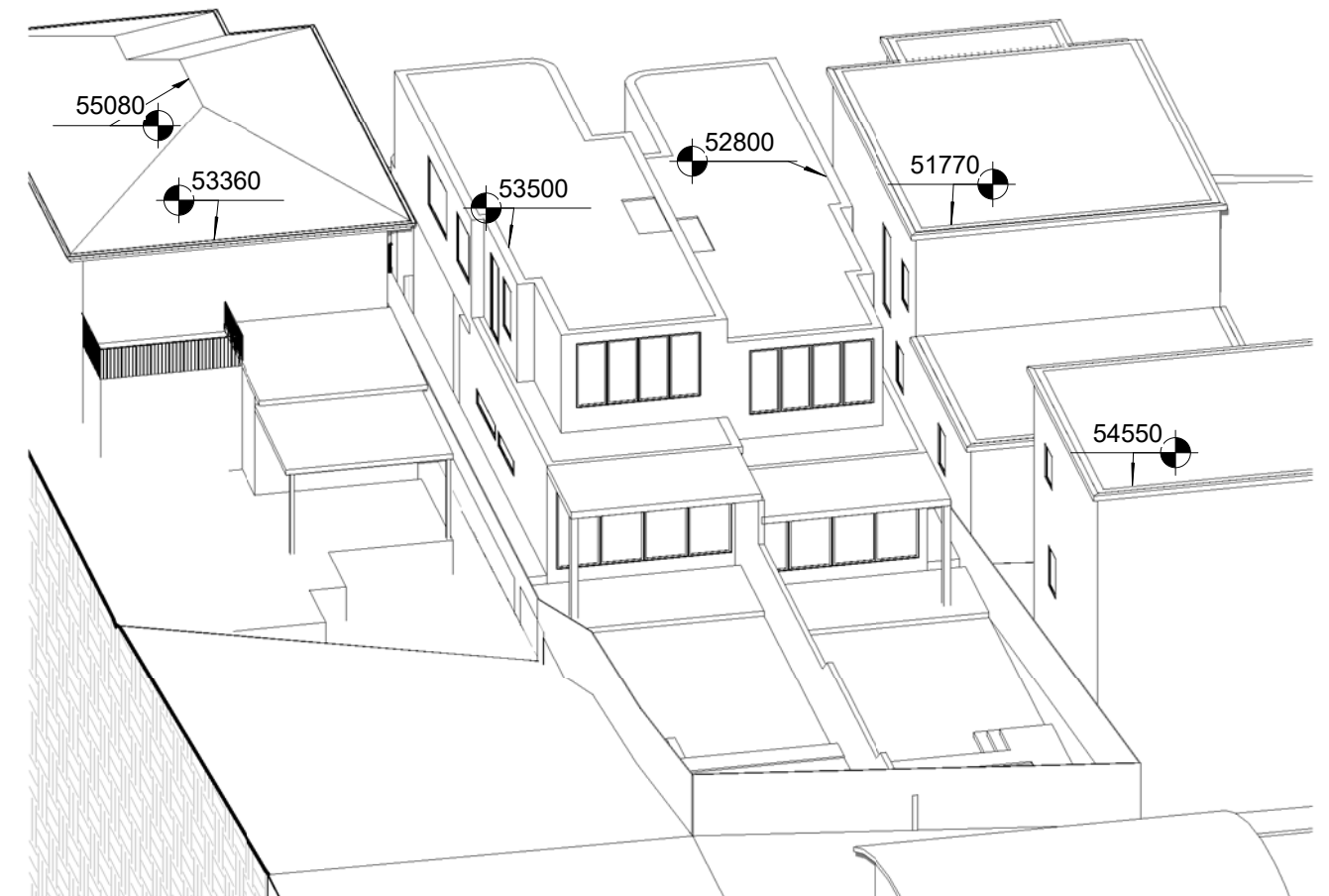
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1

June 10.00am Existing



2

June 10.00am Proposed

AMENDED PLANS

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LILYFIELD, NSW 2040

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No.	Description	Date
A	PROPOSED REDUCTION DA	28-02-22

SHADOW DIAGRAMS
No. 12 PRINCESS STREET
ROSE BAY

CLIENT: WISEMAN / ROSETTENSTEIN

View from Sun June 21st 10.00am

Project number 21-105

Date 27-09-21

Drawn by KP

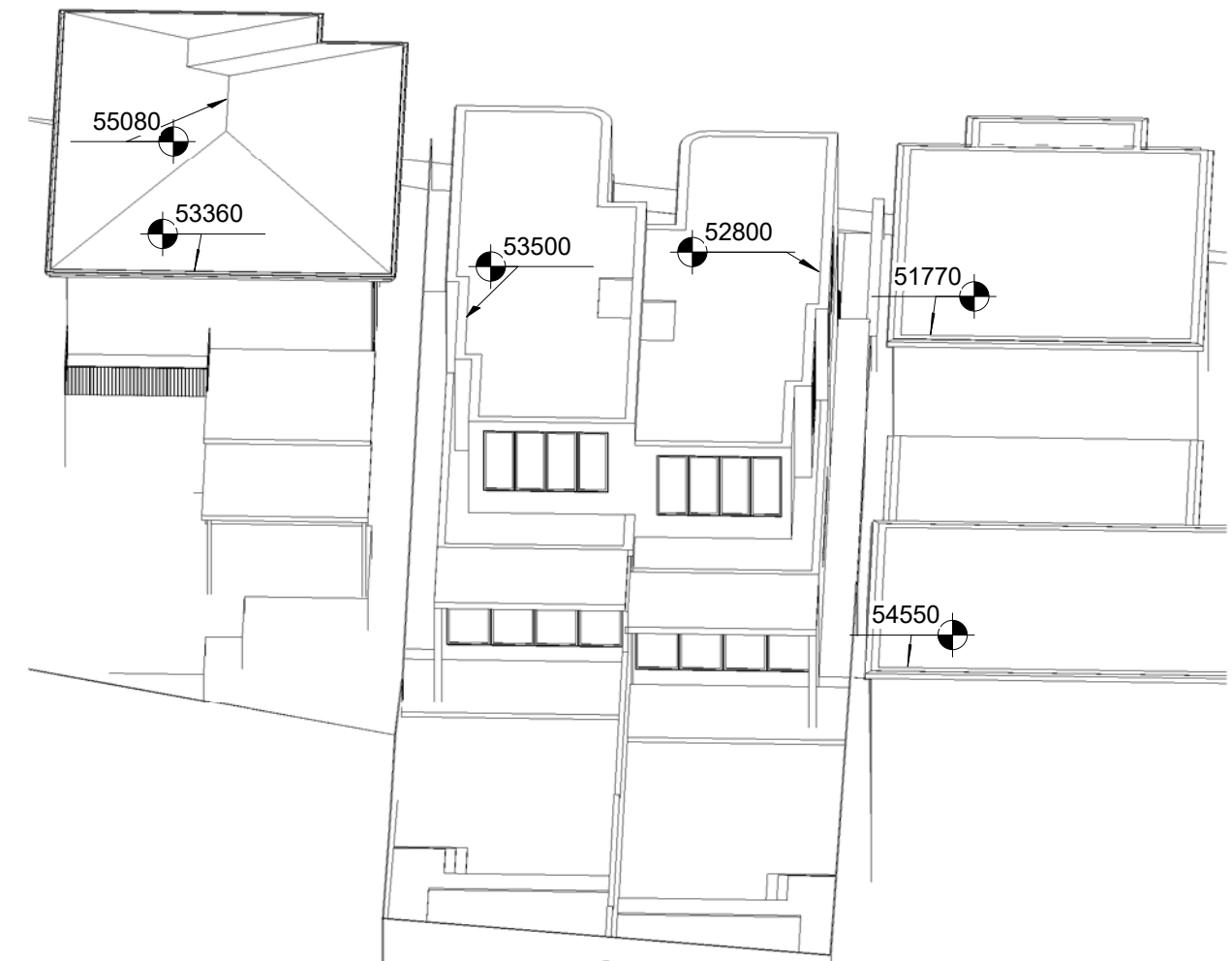
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A106

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1 June 11.00am Existing



2 June 11.00am Proposed

AMENDED PLANS

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ABN 27 083 288 153

SUITE 1, 505 BALMAIN ROAD,
LILYFIELD, NSW 2040

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No.	Description	Date
A	PROPOSED REDUCTION DA	28-02-22

SHADOW DIAGRAMS
No. 12 PRINCESS STREET
ROSE BAY

CLIENT: WISEMAN / ROSETTENSTEIN

View from Sun June 21st 11.00am

Project number 21-105

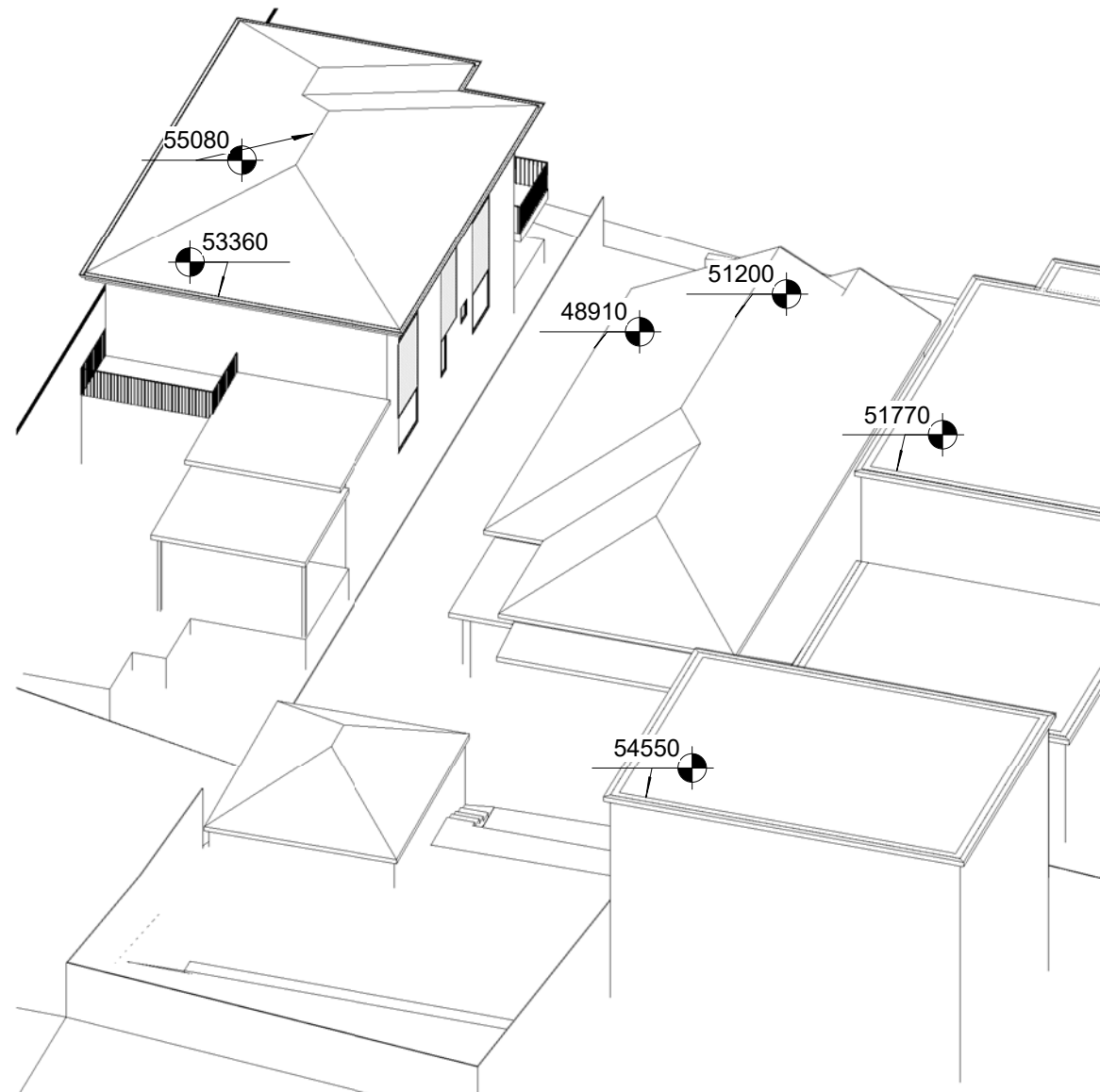
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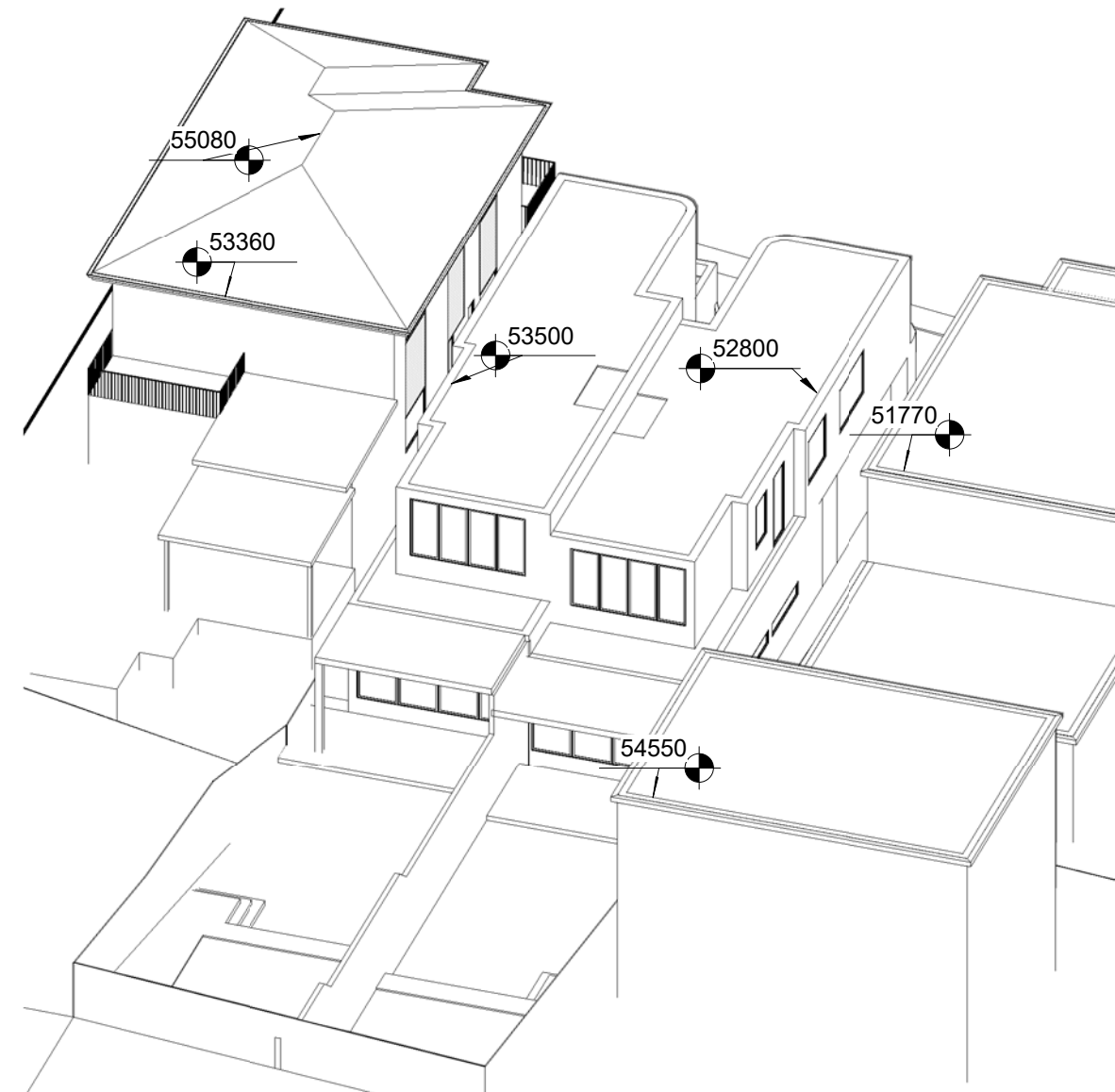
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A107

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1 June 12.00pm Existing



2 June 12.00pm Proposed

AMENDED PLANS

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LILYFIELD, NSW 2040

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No. 12 PRINCESS STREET
ROSE BAY

CLIENT: WISEMAN / ROSETTENSTEIN

View from Sun June 21st 12.00pm

Project number 21-105

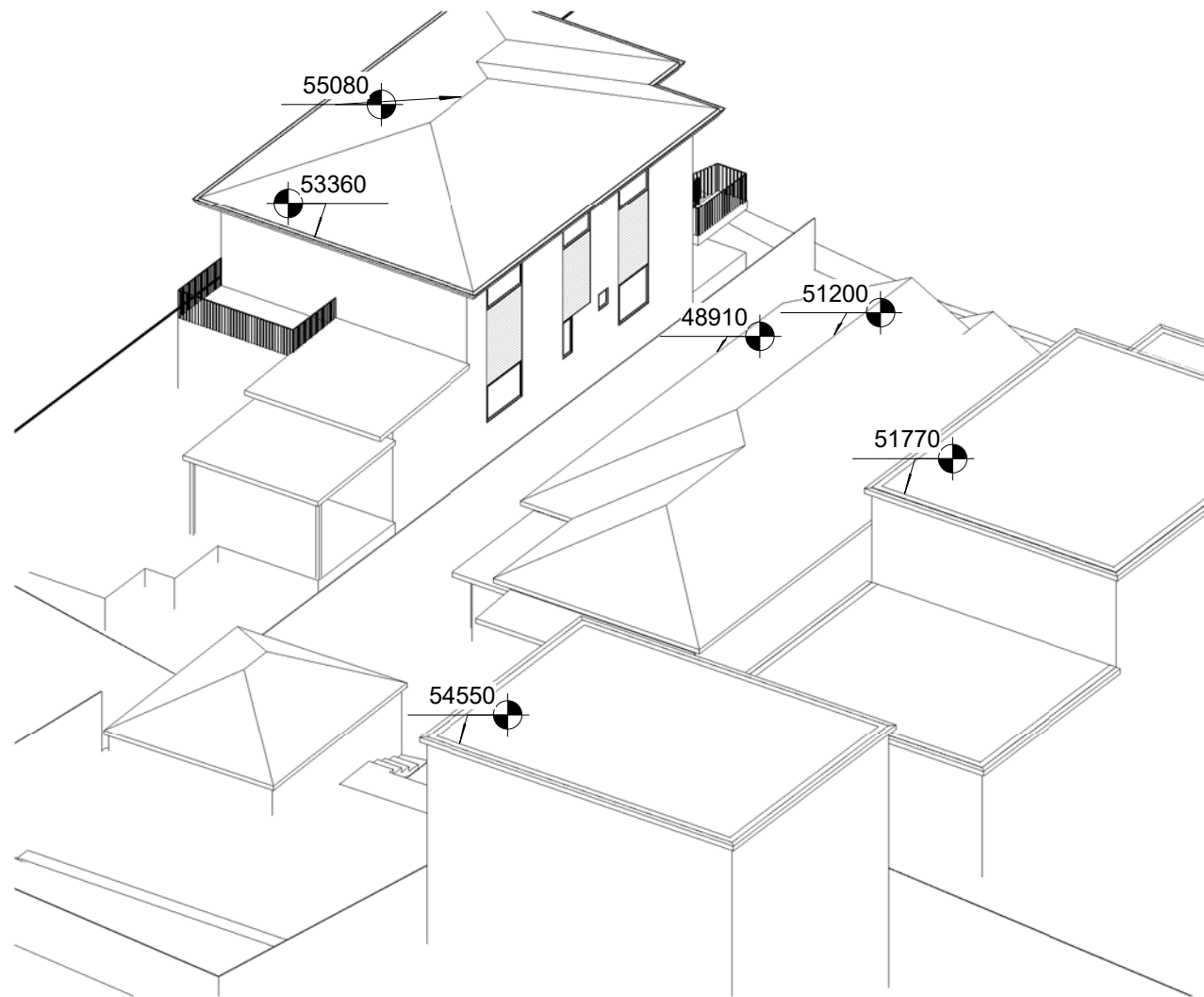
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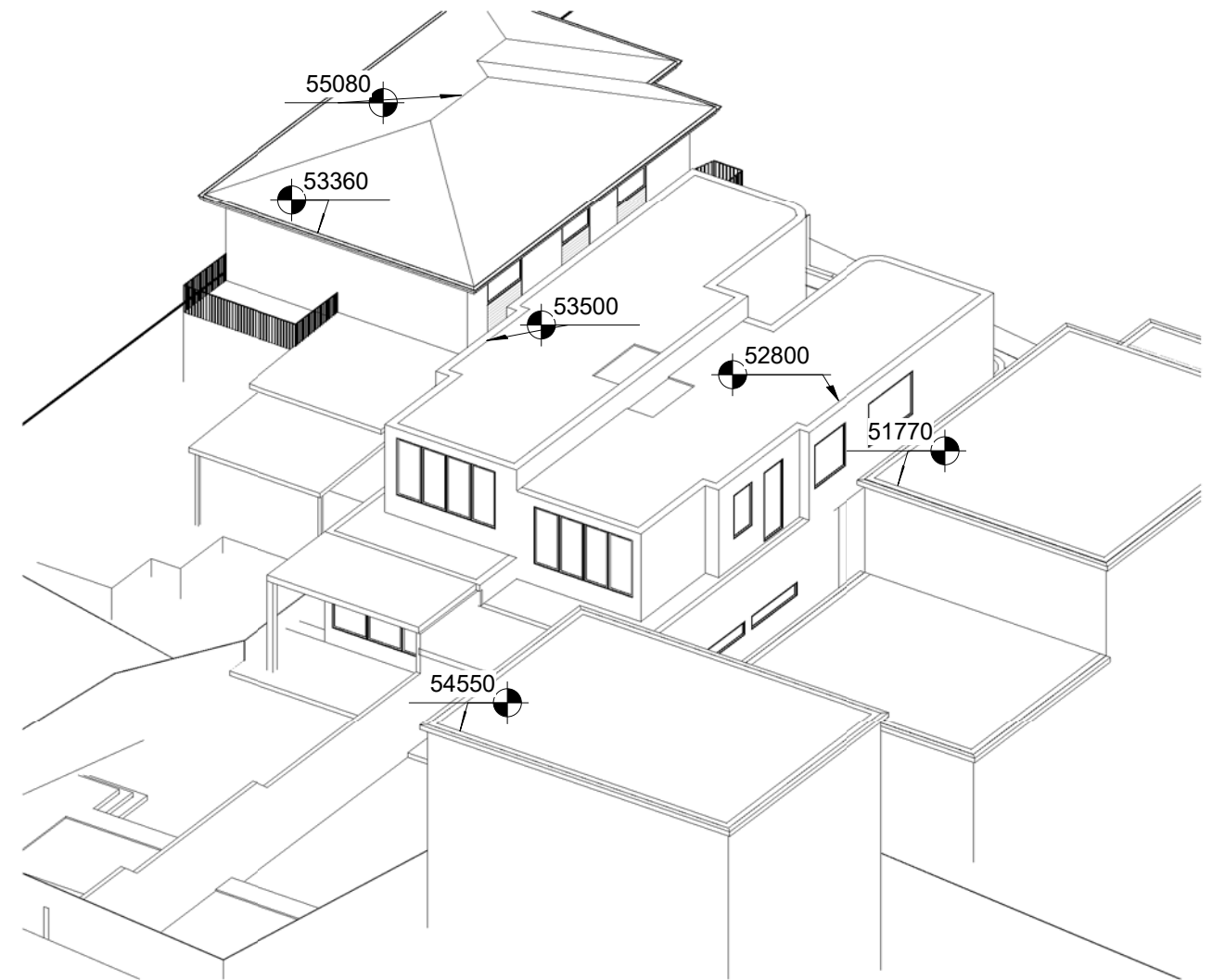
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A108

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1 June 1.00pm Existing



2 June 1.00pm Proposed

AMENDED PLANS

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ABN 27 083 288 153

SUITE 1, 505 BALMAIN ROAD,
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SHADOW DIAGRAMS
No. 12 PRINCESS STREET
ROSE BAY

CLIENT: WISEMAN / ROSETTENSTEIN

View from Sun June 21st 1.00pm

Project number 21-105

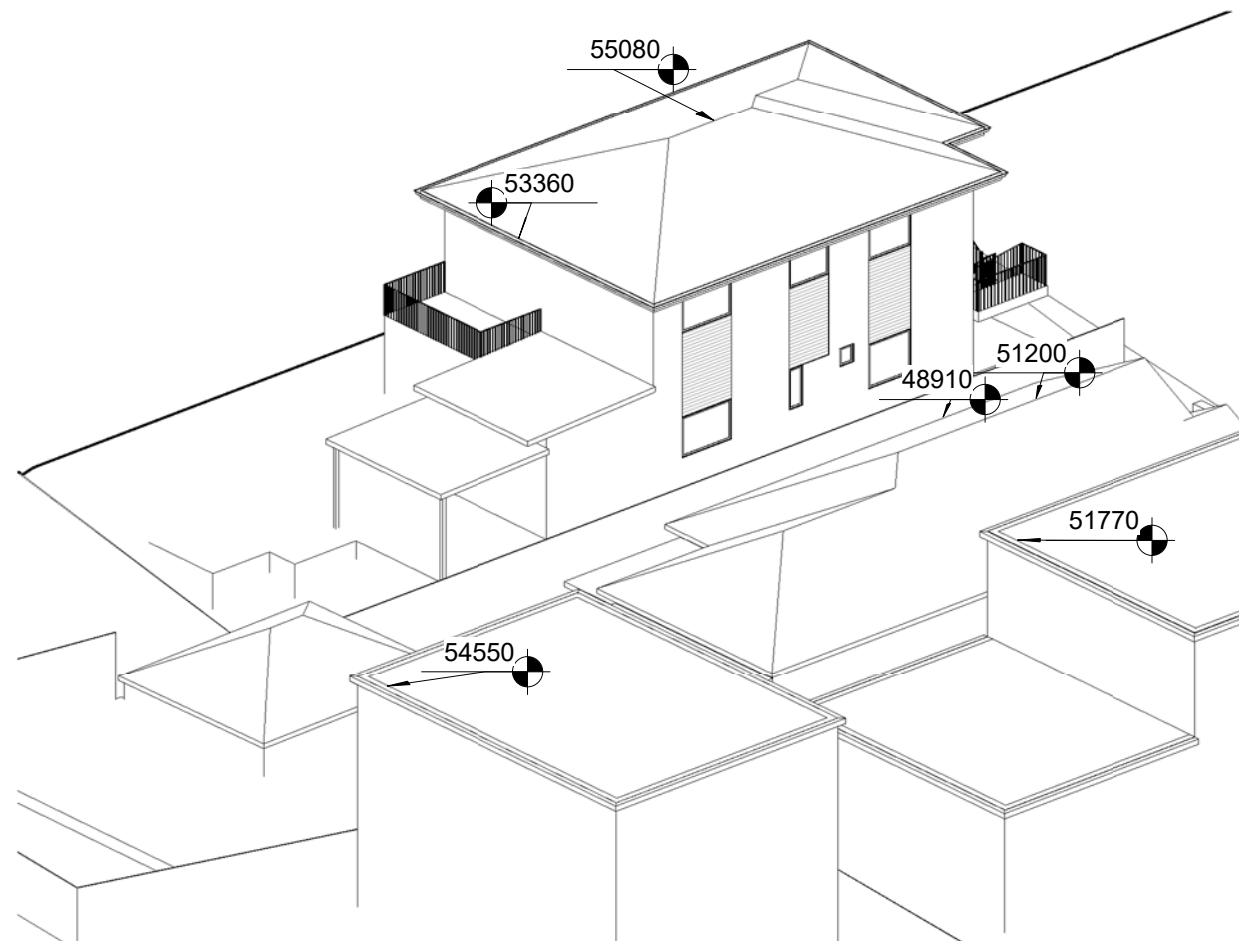
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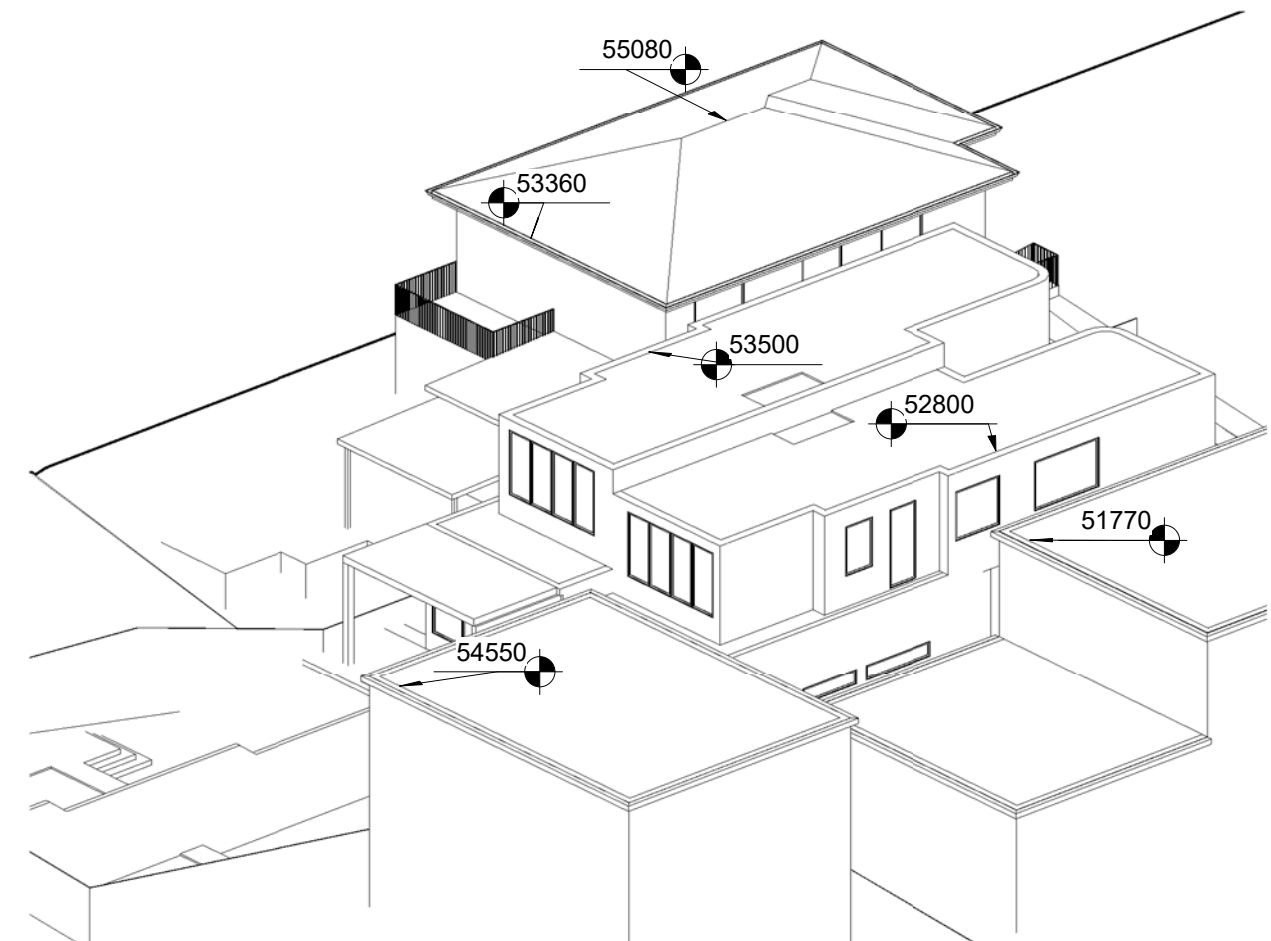
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A109

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1 June 2.00pm Existing



2 June 2.00pm Proposed

AMENDED PLANS

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SUITE 1, 505 BALMAIN ROAD,
LILYFIELD, NSW 2040

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CLIENT: WISEMAN / ROSETTENSTEIN

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Project number 21-105

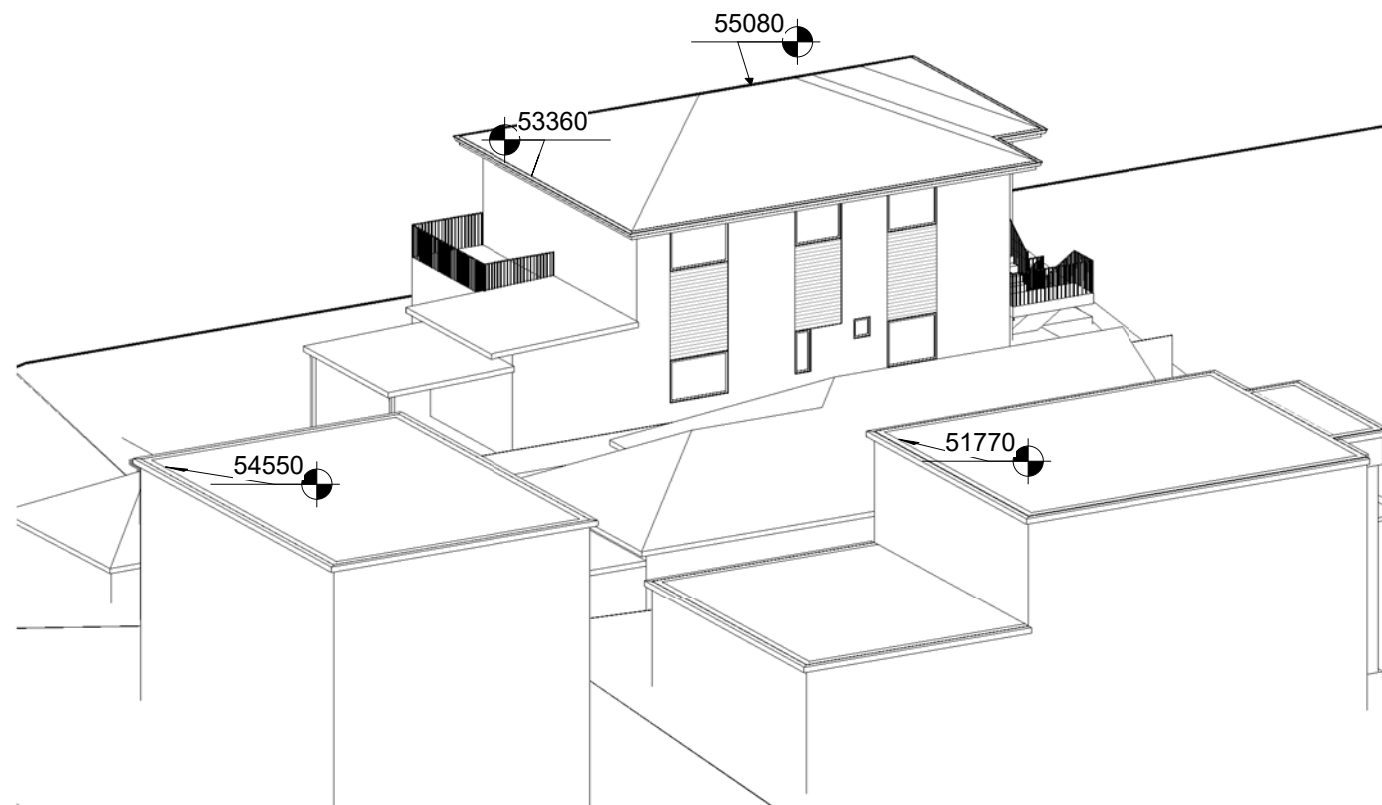
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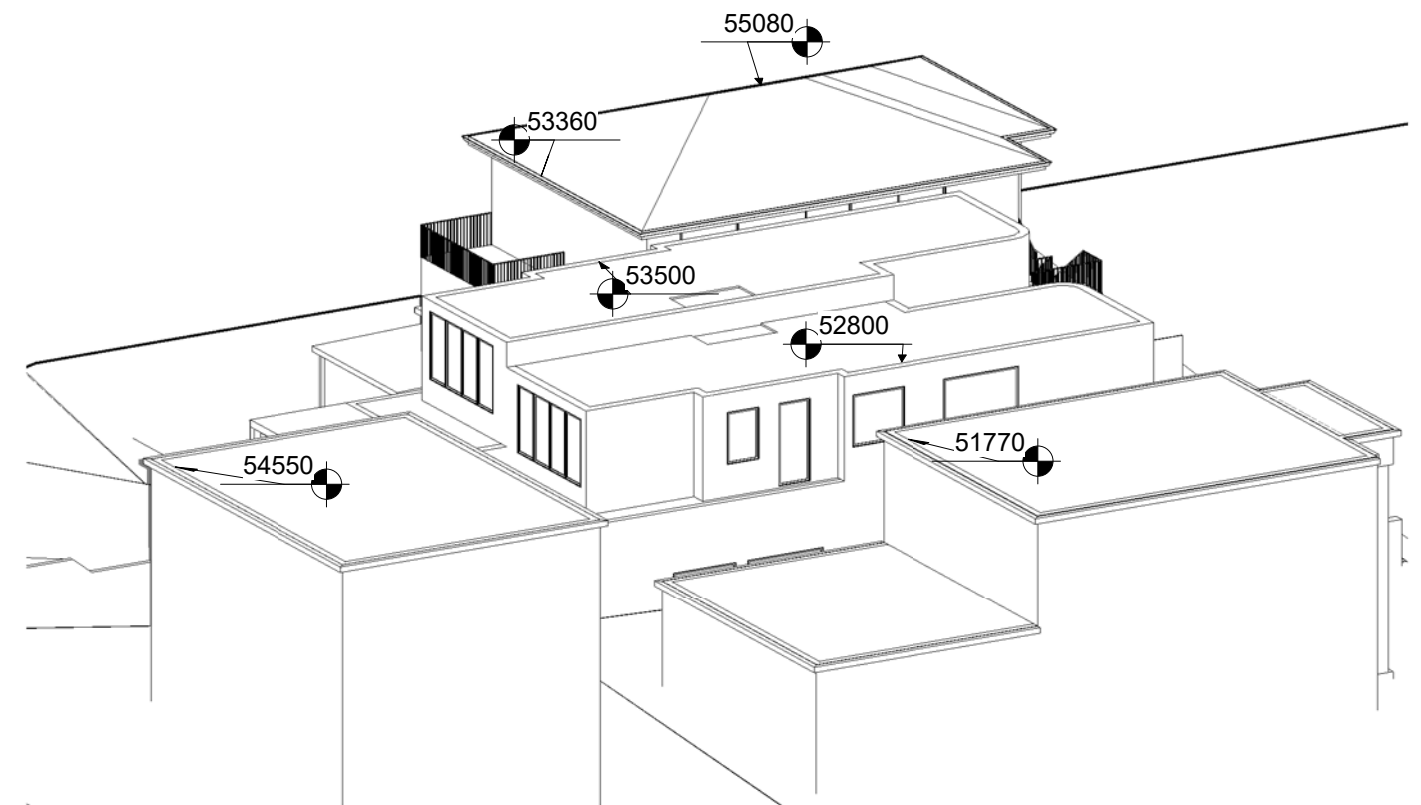
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A110

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1 June 3.00pm Existing



2 June 3.00pm Proposed

AMENDED PLANS

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Project number 21-105

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Checked by JD

A111

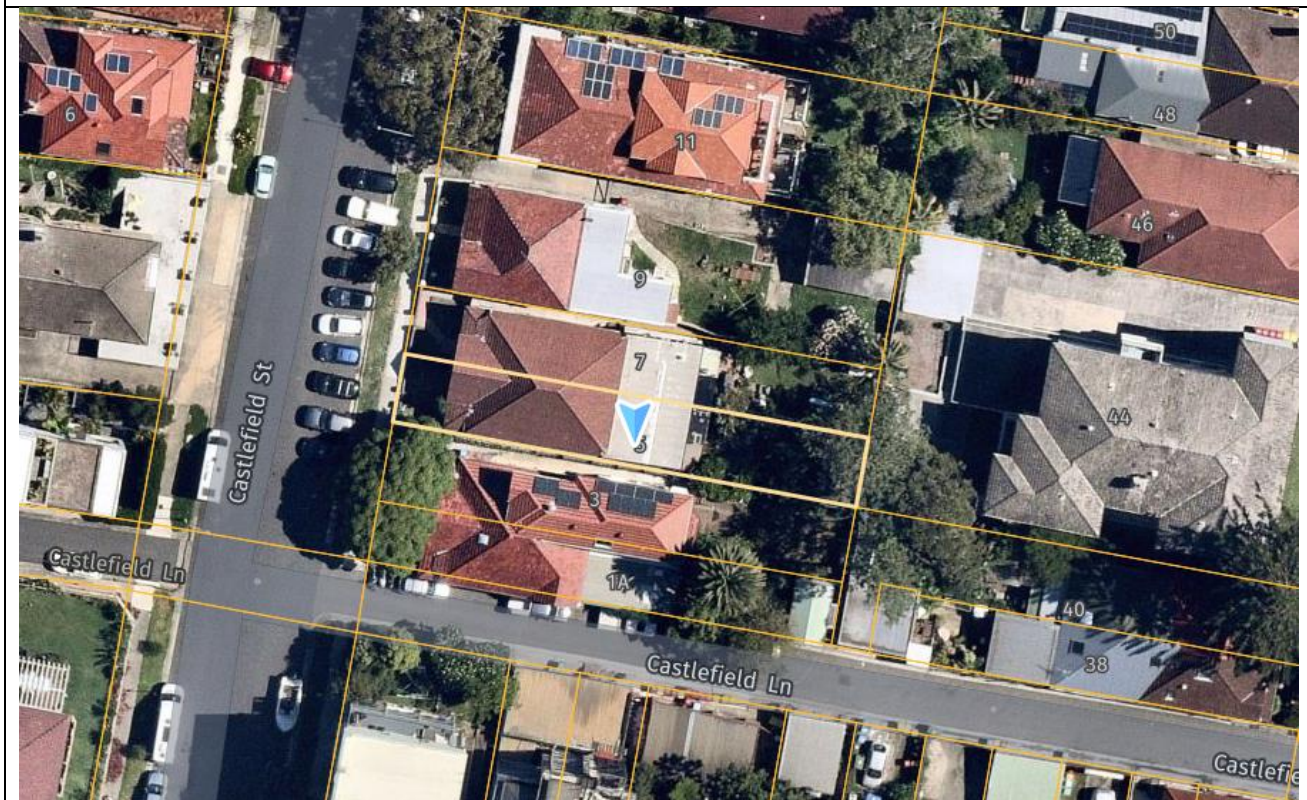
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Report to the Waverley Local Planning Panel

Application number	DA-520/2021
Site address	5 Castlefield Street, Bondi
Proposal	Alterations and additions to semi-detached dwelling including first floor addition, plunge pool and conversion of rear shed to studio.
Date of lodgement	30 November 2021
Owner	B Zhu
Applicant	MRZ Designs Pty Ltd
Submissions	10 unique submissions and two proformas
Cost of works	\$650,000
Principal Issues	<ul style="list-style-type: none"> • Predominant rear building line • Wall height • Stormwater management • Heritage conservation
Recommendation	That the application be APPROVED in accordance with the conditions contained in the report.

SITE MAP



1. PREAMBLE

1.1. Executive Summary

The development application seeks consent for alterations and additions to a semi-detached dwelling including first floor addition, plunge pool and construction of a studio at the site known as 5 Castlefield Street, Bondi.

The principal issues arising from the assessment of the application are as follows:

- predominant rear building line
- wall height
- stormwater management
- heritage conservation
- height of the cabana.

The assessment finds these issues acceptable as the building complies with FSR, height, setbacks and predominant rear building lines. A first floor addition at this property will cause overshadowing of adjoining dwellings due to the orientation of the lot and topography of the site. Recommended conditions of consent require the first floor rear building line to extend no further than the adjoining southern property, minor design changes to improve the heritage cohesiveness, visual privacy and height reduction to the rear cabana.

A total number of 10 unique submissions and two proforma submissions were received and the issues raised in the submissions have been considered and addressed in this report and in the recommendation.

The application has been assessed against the relevant matters for consideration under section 4.15(1) of the *Environmental Planning and Assessment Act 1979*. It is recommended for approval subject to conditions of consent.

1.2. Site and Surrounding Locality

A site visit was carried out on 1 February 2022.

The site is identified as Lot 2 in DP 436858, known as 5 Castlefield Street, Bondi. The site is rectangular in shape with a frontage to Castlefield Street, measuring 6.45m. It has an area of 267m² and falls from the front western boundary towards the rear eastern boundary by approximately 1.42m. The site is occupied by a single storey semi-detached dwelling with no vehicular access to the site. The dwelling is in a dilapidated state with over ground vegetation across the site and a metal shed near the rear boundary.

The site is adjoined by semi-detached dwellings on either side and four-storey apartment buildings located directly across the road. The locality is characterised by a variety of low and medium residential development.

Figures 1 to 6 are photos of the site and its context.



Figure 1: Easterly view of the front façade of the subject site.



Figure 2: Easterly view of the existing parallel on-street car parking in front of the subject site.



Figure 3: View of the rear yard and shed, looking east.



Figure 4: North-easterly view of the rear façade of the subject site and across to 7, 9 and 11 Castlefield Street.



Figure 5: South-easterly view of the rear façade and recently constructed first floor at 3 Castlefield Street (DA-232/2016).

1.3. Relevant Development History

A search of Council's records revealed the following recent and relevant development history of the site:

- BA-772/1995: Building application for the construction of a rear deck and pergola to the semi-detached dwelling, was approved 4 December 1995.
- DA-43/2019: Development Application for demolition of the existing residential detached dwelling house (No. 9) and the partial demolition of two existing semi-detached dwelling houses (No 5 & 7) and construction of a three-storey residential flat building with some affordable housing over basement level car parking at 5, 7 and 9 Castlefield Street, Bondi. The application was considered a deemed refusal and a Class 1 appeal was appealed to the Land and Environmental Court (LEC). The application was approved on 8 May 2020 however the consent has not been acted upon.

1.4. Proposal

The development application seeks consent for alterations and additions to a semi-detached dwelling house, new swimming pool and studio, specifically involving the following works:

Ground Floor Plan:

- Substantial demolition of the rear of the dwelling.
- Rear extension and internal reconfiguration of the open plan kitchen, living and dining room, bathroom, laundry and study.
- New staircase to the first floor.

First Floor Plan

- Construction of an upper floor addition containing three bedrooms, one bathroom and an ensuite.

External

- BBQ and deck area off the family room and plunge pool with surrounding decking.
- Demolition of existing metal shed and construction of a new studio with kitchenette.



Figure 6: Photomontage of the proposed development.

1.5. Background

The development application was lodged on 30 November 2021 and deferred on 15 February 2022 for the following reasons (summarised):

1. predominant rear building line
2. view loss
3. wall height
4. stormwater management
5. heritage conservation
6. landscaping
7. details on plans.

Amended information was submitted to Council on 22 March 2022 which has decreased the first floor length by 2.07m and reduced the overall height by 0.1m. The addition has been amended with regard to the requested heritage conservation amendments and the removal of the hardstand car space and driveway from the front of the site. The Stormwater Management Plan was not updated however the landscape plan was amended to include two planted trees on site.

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. State Environmental Planning Policies (SEPPs)

The following SEPPs apply and have been considered acceptable in the assessment of this development application:

- SEPP (Building Sustainability Index – BASIX) 2004.
- SEPP 55 Remediation of Land.

2.1.2. Draft Waverley Local Environmental Plan 2022 (Draft Waverley LEP 2022)

It is acknowledged that the Draft Waverley Local Environmental Plan 2022 is on exhibition from 12 November 2021 to 23 January 2022, however at the time of this assessment, there are no relevant matters for consideration.

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
Part 1 Preliminary		
1.2 Aims of plan	Yes	The development does not contravene the aims of this plan.
Part 2 Permitted or prohibited development		
Land Use Table R3 Medium Density Residential Zone	Yes	The land use is defined as a semi-detached dwelling, which is permitted with consent in the R3 zone.
Part 4 Principal development standards		
4.3 Height of buildings <ul style="list-style-type: none"> 9.5m 	Yes	The development proposed a maximum height of 9m at the rear of the site.
4.4 Floor space ratio and 4.4A Exceptions to floor space ratio <ul style="list-style-type: none"> 0.81:1 (216.6m²) 	Yes	The proposed development has a compliant FSR of 0.737:1 (196.8m ²).
Part 5 Miscellaneous provisions		
5.10 Heritage conservation	Yes	The residence is located in and contributory to the Imperial Avenue Conservation Area however is not a Heritage Item. The proposed development is considered acceptable subject to conditions recommended by Council's Heritage Architect regarding the party wall, pattern of the first floor windows and removal of the timber margin (referred to as 'box feature' on the approved plans). Refer to section 3 of this report on referral commentary in relation to heritage.
Part 6 Additional local provisions		
6.2 Earthworks	Yes	The proposed excavation for the plunge pool is considered minor measuring approximately 8m ³ and won't add bulk to the development.

2.1.4. Waverley Development Control Plan 2012 (Waverley DCP 2012) – Amendment No.9

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	Satisfactory
2. Ecologically Sustainable Development	Yes	Satisfactory
3. Landscaping and Biodiversity	Yes	The architectural plans have been reviewed and are considered acceptable, maintaining as much existing vegetation as possible.
5. Vegetation Preservation	Yes	No trees on site are proposed to be removed and two additional 5m trees are to be planted in the front and back of the site.
6. Stormwater	No	Unsatisfactory - refer to section 3 of this report for referral commentary in relation to stormwater.
9. Heritage	Yes	The proposal provides for a first floor addition and preservation to the existing facade. The design and location are satisfactory subject to the recommended conditions regarding the party wall, pattern of the first floor windows and removal of the timber margin (referred to as 'box feature' on the approved plans). Refer to section 3 of this report for referral commentary in relation to heritage.
12. Design Excellence	Yes	<p>The applicant has provided a street elevation plan which demonstrates that the proposal has an acceptable design given the surrounding context of the area and is a suitable response to the site and streetscape.</p> <p>As detailed in subsequent sections of this report, the first floor predominant rear building line is recommended to be reduced in length by 1.2m to be kept within the predominant rear building line. A condition to this effect is included in Appendix A.</p>
14. Excavation	Yes	Satisfactory.

Table 3: Waverley DCP 2012 – Part C2 Low Density Residential Development Compliance Table

Development Control	Compliance	Comment
2.0 General Objectives		
	Yes	The proposal does not contravene the general objectives of this part of the DCP.
2.1 Height		
Pitched roof dwelling house <ul style="list-style-type: none"> Maximum external wall height of 7m 	Yes	The first floor pitched roof has a wall height of 7m.
2.2 Setbacks		
2.2.1 Front and rear building lines <ul style="list-style-type: none"> Predominant front building line 	Yes	<p>The predominant front building line will be preserved at the ground floor level. At the first floor, the new upper floor addition will be positioned slightly behind the principal roof ridge to ensure retention of the integrity of the pair of semi-detached dwellings.</p> <p>The ground floor rear extension will be extended 0.975m to be level with the existing external stairs to the rear yard on No. 7 Castlefield Street (the adjoining semi in the pair). Although this extends slightly beyond the rear alignment of the adjoining semi in the pair, and the adjoining dwelling to the south at No. 3, this is considered acceptable as it is generally in accordance with the predominant setback, is well under the FSR development standard and it will not result in unreasonable adverse impacts upon adjoining properties.</p>
<ul style="list-style-type: none"> Predominant rear building line at each floor level 	No	<p>The first floor is proposed to align with the below ground floor building line with a box feature (margins) around the perimeter of the upper floor extending beyond. The first floor is extended approximately 1.1m (including the box feature) past the bay window on the adjoining recently constructed first floor at 3 Castlefield Street. However, the survey plan does not show the bay window and the applicant will have to redo the survey and correct the first floor rear building line.</p> <p>The rear building line of No. 11 Castlefield Street was not included in the predominant rear building line as this is a three-storey residential flat building and the proposal should be compared to the lower scale group of dwellings within which it sits.</p>

Development Control	Compliance	Comment
		<p>raised, there is potential for overlooking of adjoining sites. The northern boundary of the proposed deck provides a privacy screen however there is no screen to the southern side. Therefore, a condition will require a 1.6m privacy screen be installed to the southern end of the deck to prevent overlooking of No. 3 Castlefield Street.</p> <p>The raised balcony off the ground floor living room at the front of the site is to be retained which does not introduce any new privacy impacts.</p> <p>The proposed cabana has windows and doors on the western elevation which face internal to the site. Given this window is at ground level, no unreasonable privacy impacts are anticipated.</p>
2.6 Solar access		
<ul style="list-style-type: none"> • Minimum of three hours of sunlight to living areas and principal open space areas on 21 June • Minimum of three hours of sunlight maintained to at least 50% of principal open space areas of adjoining properties on 21 June. • Avoid unreasonably overshadowing of solar collectors (including habitable windows). 	<p>Yes</p> <p>No – existing non-compliance</p> <p>Yes</p>	<p>The subject site has a favourable lot orientation with living areas to the east end. The living areas and rear yard will maintain more than three hours of solar access.</p> <p>The development will result in some overshadowing to No. 1 and 3 Castlefield Street to the south. Shadows fall across their private open space from 12pm which allow 3 hours of morning sun. The reduction in length to the first floor rear building line will also improve solar access to the eastern living room and master bedroom.</p> <p>Any upper floor addition on the site will result in additional overshadowing of adjoining properties, particularly those to the south. Overshadowing as a result of the reasonable redevelopment of a site is an expected outcome. Any additional impacts due to non-compliances with controls, most notably the FSR and height development standards, is more heavily scrutinised. The proposed development is compliant with the maximum height limit and well below the maximum FSR development standard. The setbacks are considered acceptable subject to conditions. Accordingly, the proposal will be consistent with the key built form controls of the LEP and DCP. In this regard, overshadowing as a result of a compliant</p>

Development Control	Compliance	Comment
		development form is not considered unreasonable.
2.7 Views		
<ul style="list-style-type: none"> Views from the public domain are to be maintained Development to be designed and sited so as to enable a sharing of views with surrounding dwellings particularly from habitable rooms and decks. 	<p>Yes</p> <p>Yes</p>	<p>There are no views from Castlefield Street.</p> <p>There was one objection against the proposal raising the issue that the first floor addition would block district views from the side facing windows. This issue is discussed further in the report.</p>
2.9 Landscaping and open space		
<ul style="list-style-type: none"> Overall open space: 40% of site area Overall landscaped area: 15% of site area Minimum area of 25m² for private open space Front open space: 50% of front building setback area Front landscaped area: 50% of front open space provided Outdoor clothes drying area to be provided 	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>	<p>120m² (44.9% of the site) of open space is provided.</p> <p>84.5m² (31.6% of the site) of landscaped area is provided.</p> <p>47m² of private open space is provided.</p> <p>100% of the front setback is open space.</p> <p>All of the open space provided at the front of the site except for the pedestrian pathway is landscaped area.</p>
2.16 Secondary dwellings and ancillary buildings		
<p>2.16.2 - Ancillary buildings</p> <ul style="list-style-type: none"> Floor area not to exceed 10% of site area Maximum wall height when on a property boundary of 2.1m Maximum overall height of 2.4m 	<p>Yes</p> <p>Yes</p> <p>No</p>	<p>The cabana is 17m² in size. The proposed rear cabana is located in the same position as the existing shed, maintaining the same side setbacks of 0.53m to the southern boundary, 1.14m to the northern boundary and 1.07m to the rear eastern boundary. Given that this is a new structure the minimum side setbacks should be provided and as such a condition will require that the southern setback is increased to 900mm.</p> <p>The overall height of the cabana is 3.6m which is considered excessive. The BCA requires a minimum ceiling height of minimum of 2.4m for habitable rooms and as such a condition will require that the height is reduced to 2.9m (to allow for the roof). A recommended condition will also require that it must not be used as a secondary dwelling.</p>

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

Views

One objection details that the southern property at 3 Castlefield Street will partly lose district views which have been shown below in figures 8 and 9.

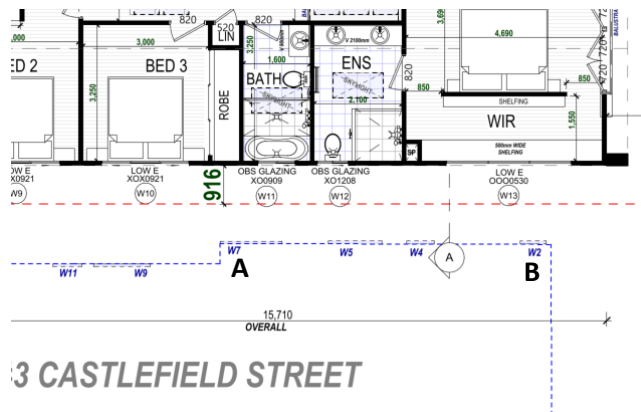


Figure 7: Proposed first floor addition and neighbouring windows at 3 Castlefield Street, labelled: A – Study window, B – Master Bedroom, C – ground floor rear deck.



Figure 8: Northerly view from the first floor study Room off 3 Castlefield Street, marked A in figure 7.



Figure 9: North easterly view from the first floor master bedroom's rear window and bay window at 3 Castlefield Street, marked A in figure 10.



Figure 10: Northerly view of the existing rear ground floor of 5 Castlefield St from the raised rear deck off the living room.

The NSW Land and Environment Court has articulated general principles with regard to views (see [Tenacity Consulting v Warringah Council \[2004\] NSWLEC 140](#)). This case states:

The notion of view sharing is invoked when a property enjoys existing views and a proposed development would share that view by taking some of it away for its own enjoyment. (Taking it all away cannot be

called view sharing, although it may, in some circumstances, be quite reasonable.) To decide whether or not view sharing is reasonable, a four-step assessment should be used:

1. The first step is the assessment of views to be affected. Water views are valued more highly than land views. Iconic views (eg of the Opera House, the Harbour Bridge or North Head) are valued more highly than views without icons. Whole views are valued more highly than partial views, eg a water view in which the interface between land and water is visible is more valuable than one in which it is obscured.

The outlook achieved from the first floor northern facing windows are views of trees, rooves and district views across the Bondi neighbourhood. This outlook is a partial view over trees and roof tops of existing buildings, which is achieved across the shared northern boundary and the rear eastern boundary. There is no water, landmark or iconic features visible from these windows but district views seen towards the north east of the neighbouring site. Therefore, this outlook is not a significant view.

2. The second step is to consider from what part of the property the views are obtained. For example the protection of views across side boundaries is more difficult than the protection of views from front and rear boundaries. In addition, whether the view is enjoyed from a standing or sitting position may also be relevant. Sitting views are more difficult to protect than standing views. The expectation to retain side views and sitting views is often unrealistic.

The views over the subject site are achieved from the ground floor rear living room, first floor study and master bedroom room looking north east over the shared side boundary. The photographs are from a standing position.

3. The third step is to assess the extent of the impact. This should be done for the whole of the property, not just for the view that is affected. The impact on views from living areas is more significant than from bedrooms or service areas (though views from kitchens are highly valued because people spend so much time in them). The impact may be assessed quantitatively, but in many cases this can be meaningless. For example, it is unhelpful to say that the view loss is 20% if it includes one of the sails of the Opera House. It is usually more useful to assess the view loss qualitatively as negligible, minor, moderate, severe or devastating.

For the objector's property, the view is from the ground floor rear living room and deck and a first floor study and master bedroom area. The impact to this outlook from these windows is considered minor, as the proposed first floor addition is to extend past the rear building line of No. 3 Castlefield St by 1.1m. A view analysis was not completed by the applicant as the view achieved are not significant views and are considered outlook instead, most of the outlook is to the north east of the site and the development retains most of the outlook. It can be considered that a minor portion of the outlook is lost.

4. The fourth step is to assess the reasonableness of the proposal that is causing the impact. A development that complies with all planning controls would be considered more reasonable than one that breaches them. Where an impact on views arises as a result of non-compliance with one or more planning controls, even a moderate impact may be considered unreasonable. With a complying proposal, the question should be asked whether a more skilful design could provide the applicant with the same development potential and amenity and reduce the impact on the views of neighbours. If the answer to

that question is no, then the view impact of a complying development would probably be considered acceptable and the view sharing reasonable.

The extension is under the height limit and FSR indicated in the WLEP, complies with the side setback control and it would be unreasonable to restrict this development due to a minor loss of outlook over a side boundary. However, as discussed previously the first floor rear building line extends approximately 1.1m past No. 3 and is to be reduced so that it is level with the bay window due to overshadowing impacts. Although loss of outlook would not warrant the amendment or refusal of the proposal, the increased setback to align with No. 3 will benefit the outlook from this property.

2.2. Other Impacts of the Development

The proposal is considered to 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 suitable for the proposal.

2.4. Any Submissions

The application was notified for 14 days in accordance with the *Waverley Community Development Participation and Consultation Plan*.

Following receipt of amended plans and additional information, the application was not notified as the amended form of the proposal represents a lesser impact than that of the original form that was publicly notified, for the following reasons:

- Decreased the first floor length by 2.07m and reduced the overall height by 0.1m.
- The addition has been amended with regard to the heritage conservation amendments and the removal of the hardstand and driveway from the front of the site.
- Landscape Plan was amended to include two planted trees on site.

A total of 10 unique submissions and two proformas were received from the following properties:

Table 4: Number of and where submissions were received from.

Count	Property Address
1.	1 Castlefield St, Bondi
2.	3 Castlefield St, Bondi
3.	7/4 Castlefield St, Bondi
4.	12/4 Castlefield St, Bondi
5.	7 Castlefield St, Bondi
6.	11 Castlefield St, Bondi x 2 proformas
7.	1/11 Castlefield St, Bondi
8.	3/11 Castlefield St, Bondi
9.	38 Denham St, Bondi

The following issues raised in the submissions have already been discussed and addressed in the body of this report and/or the Recommendation:

- height, bulk and scale
- overshadowing
- overlooking from the terrace and new windows
- obstructed views
- streetscape impact
- car parking.

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

Issue: Inadequate deep soil planting.

Response: The proposed landscaping plan shows 84.5m² (31.6% of the site) of landscaped area is provided for the subject site, which is double the required 15%.

Issue: Destroying the heritage character.

Response: The heritage adviser has included recommended conditions outlined in section 3 below. The setting back of the upper floor addition behind the front ridgeline of the existing dwelling will ensure that the integrity of the pair of semi-detached dwellings and the heritage character are maintained.

Issue: Off Street parking.

Response: The hardstand car space was removed from the proposed development.

2.5. Public Interest

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

3. REFERRALS

The following internal and external referral comments were sought:

3.1. Stormwater

The application was referred to Council's Stormwater Engineer, who states that there are several inconsistencies and lack of information provided in the submitted documentation. Specific comments are provided below:

1. *A review of the submitted documentation indicates that a Stormwater Design Certificate has been submitted. However, no Stormwater Management Plan prepared by a suitably qualified*

and practising Engineer in accordance with Council's current Development Control Plan (DCP) and Water Management Technical Manual (WMTM) can be located. Please submit a completed Stormwater Management Plan;

- 2. A review of the Survey Plan indicates that the property falls to the rear. In addition, the boundary level is lower than the top of kerb, which in turn means any proposed pipeline within the road reserve would potentially be charged. As per Council's requirements, charged lines within Council's road reserve are not permitted. To assist with achieving a compliant stormwater drainage design, the following must be undertaken:*

- When undertaking a stormwater drainage design that utilises a non-gravity based drainage system (e.g. pump out, infiltration) on low level properties (i.e. developments that fall away from the street), evidence must be submitted to Council that an honest and reasonable attempt has been made to acquire an easement through any of the downstream properties or demonstrates that all avenues to establish an easement be impractical or unviable. The applicant must approach all downstream property owners, wherever a drainage easement to drain the subject property could be established. Any request for a drainage easement must outline details of the proposed easement, explain the consequences associated with the failure of an alternative drainage system and present a monetary offer of compensation for the easement. Council requires some written evidence to clarify that some negotiation has been undertaken with the property owner.*

Where a neighbouring owner refuses to grant a drainage easement, the applicant must provide documentary evidence of this outcome.

- Where a drainage easement cannot be obtained or is deemed impractical or unviable, a geotechnical report prepared by a suitably qualified and practising Geotechnical Engineer shall be submitted to Council for assessment to determine if the property is suitable for infiltration in accordance with Council's WMTM. The hydraulic conductivity must be tested at a minimum of four locations at the site of a proposed infiltration system and the base level of a proposed system (and at a minimum of one metre deep). The infiltration system is to be designed using the infiltration rate of the soil of the site and the design requirements listed in Council's WMTM. The geotechnical report is also to determine the depth to rock, the presence and depth of the water table and clearly refer to Point B of Section 3.1.1 of Council's WMTM. If the property is deemed suitable for infiltration, then the architectural plans shall be revised to allow for an adequately sized infiltration system;*
- If the property is not deemed suitable for infiltration, then the stormwater drainage system shall be designed to allow for gravity discharge across the road reserve. A longitudinal section of the pipeline within the road reserve that includes the following shall be provided:*
 - i. Existing surface levels;*
 - ii. Design surface levels;*
 - iii. Design invert levels of the proposed pipeline; and*
 - iv. The location, size and reduced level of all services to AHD where those services cross the proposed drainage line.*

It shall be clearly shown that the pipeline within the road reserve is not charged and has sufficient cover.

The Stormwater Management Plan has been conditioned to be approved by Council prior to a construction certificate being issued.

3.2. Tree Management

No objections were raised by the Tree Management Officer.

3.3. Heritage

The application was referred to Council's Heritage Adviser as the residence is located in, and contributory to, the Imperial Avenue Conservation Area. The site located to the east side of the street is occupied by a Federation period semi-detached residence. The application proposes extensive demolition and ground and first floor addition together with an inground pool and rear yard studio. The following comments were made:

- *The applicants Heritage Impact report is focused on comparative assessment largely of previous approvals as a justification for the proposed works. This comparison does not address the cohesive detailing and articulation evident in the comparative examples and lacking in the subject application.*
- *The works continue to provide an unresolved junction with the attached residence to the north, the location of the proposed box gutter varying between drawings relative to the central party wall and limiting options for the attached residence to undertake comparable additions.*
- *The pattern of first floor windows remains unacceptable. Long horizontal window openings to the first floor bedrooms need to be amended to vertical proportioned openings with double hung sash windows.*
- *The timber margin to the first-floor additions needs to be flush with the wall line at outer corners. The margin shown as a barge board to the gable ends and southern side elevation needs to be detailed to stand proud of the wall line the southern elevation needing to include gutters and downpipes.*

It should be noted that the windows on the southern side elevation have been designed for privacy with raised sill heights of 1.5m to limit overlooking of the adjoining property. This results in horizontally proportioned windows rather than vertically proportioned. The requirements of the Heritage Advisor in regard to these windows would potentially result in increased privacy impacts. Given that these windows are on a side elevation and will not be visible from the public domain, the windows are considered appropriate, on balance. It should be noted that the new first floor window on the front elevation is vertically proportioned and this window is clearly viewed from the public domain and the conservation area. The remaining comments have been recommended as conditions.

4. CONCLUSION

The application has been assessed against the relevant matters for consideration under section 4.15(1) of the Act. It is recommended for approval subject to conditions of consent.

Development and Building Unit (DBU) Decision:

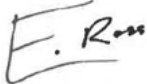

The application was reviewed by the DBU at the meeting on 22 March 2022 and the DBU determined:

- (a) The application is acceptable and should be approved, subject to the conditions in Appendix A.

DBU members: *M Reid, A Rossi, B McNamara and B Matlawski*

5. RECOMMENDATION TO WAVERLEY LOCAL PLANNING PANEL

That the development application be APPROVED by the Waverley Local Planning Panel subject to the conditions in Appendix A.

Report prepared by:	Application reviewed and agreed on behalf of the Development and Building Unit by:
	
Edwina Ross	Kylie Lucas
Development Assessment Planner	Acting Manager, Development Assessment (Central) (Reviewed and agreed on behalf of the Development and Building Unit)
Date: 8/04/2022	Date: 13/04/2022

Reason for WLPP referral:

1. Contentious development (10 or more objections)

APPENDIX A – CONDITIONS OF CONSENT

A. APPROVED DEVELOPMENT

1. APPROVED PLANS AND DOCUMENTATION

The development must be in accordance with:

- (a) Architectural Plans prepared by Mr Z Designs of Project No: MRZ-21-532 including the following:

Plan Number and Revision	Plan description	Plan Date	Date received by Council
Page 2, Revision D	Site Plan	17/02/2022	22/03/2022
Page 3, Revision D	Demolition Plan	17/02/2022	22/03/2022
Page 5, Revision D	Ground Floor Plan	17/02/2022	22/03/2022
Page 6, Revision D	First Floor Plan	17/02/2022	22/03/2022
Page 7, Revision D	Roof Plan	17/02/2022	22/03/2022
Page 8, Revision D	Front/West Elevation, Right/South Elevation	17/02/2022	22/03/2022
Page 9, Revision D	Rear/East Elevation, Left/North Elevation	17/02/2022	22/03/2022
Page 10, Revision D	Section A-A, Section B-B	17/02/2022	22/03/2022
Page 11, Revision D	Site Sediment Control Plan	17/02/2022	22/03/2022
Page 13, Revision D	Landscape Plan	17/02/2022	22/03/2022
Page 25, Revision D	Schedule of finishes	17/02/2022	22/03/2022

- (b) BASIX Certificate;

- (c) The Site Waste and Recycling Management Plan (SWRMP) Part 1 received by Council on the 30 November 2021;

Except where amended by the following conditions of consent.

2. GENERAL MODIFICATIONS

The application is approved subject to the following plan amendments:

- (a) The first floor rear building line to be reduced to not extend beyond the rear alignment of the No. 3 Castlefield Street, Bondi to the south at the first floor level (including the projecting bay window). This includes the timber margin around the rear façade referred to as 'box feature' on the approved plans.
- (b) The new windows (W4 and W5) from the family and dining rooms directly face windows on No. 3 Castlefield Street, Bondi adjoining to the south. Window 4 is to be deleted and window 5 is to shift west 0.5m so that it is offset from the existing windows at No. 3 Castlefield Street.

- (c) The rear deck located off the family room is 0.5m off the natural ground level and a 1.6m privacy screen is to be installed to the southern end of the deck.
- (d) The cabana is to have a building height no higher than 2.9m and is to be set back from the southern boundary by a minimum of 900mm to minimise impacts upon surrounding properties.
- (e) The works continue to provide an unresolved junction with the attached residence to the north (No. 7 Castlefield Street). Show additional details of the location of the proposed box gutter and RLs on the Architectural Plans so the new development will be able to allow No. 7 to undertake comparable additions. Details and plans to be provided for the approval of Council's Heritage Advisor.
- (f) The timber margin (labelled as a box feature around the façade) to the first-floor addition must be amended to be flush with the wall line at outer corners. The margin shown as a barge board to the gable ends and southern side elevation needs to be detailed to stand proud of the wall line the southern elevation needing to include gutters and downpipes. Details and plans to be provided for the approval of Council's Heritage Advisor.

The amendments are to be approved by the **Executive Manager, Development Assessment or delegate** prior to the issue of any Construction Certificate. An electronic copy of the amended plans or additional information (see website for electronic document requirements) addressing this condition, including a covering letter shall be provided to Council for review.

3. APPROVED USE - DWELLING HOUSE WITH STUDIO

This application approves the use of the principle dwelling on site as a single unit dwelling house only, with a studio at the rear.

No approval is granted or implied for the studio to be used as a domicile.

B. PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

The requirements outlined in this section are to be provided to the satisfaction of the Principal Certifying Authority in all instances, except where a condition explicitly specifies the approval of Council or a Council Officer is required.

GENERAL REQUIREMENTS

4. 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 and Assessment Act 1979*;
- (b) a Principal Certifying Authority has been appointed and Council has been notified of the appointment in accordance with the *Environmental Planning and Assessment Act 1979* and *Environmental Planning and Assessment Regulation 2000*; and
- (c) Council is given at least two days' notice in writing of the intention to commence the building works.

5. 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 applicable requirements of Part 6, before any work commences.

CONTRIBUTIONS, FEES & BONDS

6. SECTION 7.12 CONTRIBUTION

A monetary development contribution is payable to Waverley Council pursuant to section 7.12 of the *Environmental Planning and Assessment Act 1979* and the 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:
 - (i) Where the total development cost is less than \$500,000:
"Waverley Council Cost Summary Report"; or,
 - (ii) 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 are provided in the Waverley Council Contributions Plan 2006, available on Council's website.

(b) As legislated in section 25K of the Environmental Planning and Assessment Regulation 2000, the levy must be paid in accordance with the following;

- (i) A development valued at \$100,000 or less will be exempt from the levy;
- (ii) A development valued at \$100,001 - \$200,000 will attract a levy of 0.5% of the full cost of the development; or
- (iii) A development valued at \$200,001 or more will attract a levy of 1% of the full cost of the development.

Prior to the issue of any 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.

7. SECURITY DEPOSIT

A deposit (cash or cheque) or guarantee for the amount of **\$16,790** must be provided to Council for any damage caused to any property of the consent authority (ie. public land) as a consequence of the works and completing any public work (such as road work, kerbing and guttering, footway construction, stormwater drainage and environmental controls) required in connection with the consent.

This deposit (cash or cheque) or guarantee must be provided to Council prior to the issue of any Construction Certificate. The full amount of the deposit, minus Council's costs for any repair of damage to Council property or rectification of unauthorised works on Council property, will be refunded after satisfactory completion all of works associated with this consent (including the required public works) to the person who paid the deposit.

8. 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 of this building work. Evidence that the levy has been paid is to be submitted to the Principal Certifying Authority prior to the issue of any 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.

CONSTRUCTION MATTERS

9. HOARDING

(g) To ensure the site is contained during construction, a hoarding is required for the approved works, which is to be designed and constructed in accordance with the requirements of Safe Work NSW. Where the hoarding is to be erected over the footpath or any public place, the approval of Council's Compliance Unit must be obtained and the applicable fees paid, prior to the erection of the hoarding.

10. EROSION & SEDIMENT CONTROL

A Soil and Water Management Plan (SWMP), also known as an Erosion and Sediment Control Plan must be prepared in accordance with Waverley Council's Water Management Technical Manual.

The SWMP must be approved by the Principal Certifying Authority prior to the issue of a Construction Certificate. A copy of the SWMP must be kept on site at all times and made available to Council officers upon request.

The recommendations of the SWMP must be implemented and maintained during all construction activities and until the site is fully stabilised following construction.

11. DETAILS OF EXCAVATION, SHORING OR PILE CONSTRUCTION

A report shall be prepared by a suitably qualified and practising Structural Engineer/Geotechnical 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.

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.

12. ENGINEERING DETAILS

Structural details are to be prepared and certified by a practicing Structural Engineer in connection with all structural components of the approved works, prior to the issue of the relevant Construction Certificate.

13. ENGINEERING CERTIFICATE OF ADEQUACY

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

14. EXISTING PARTY WALL IS TO BE EXTENDED

The existing separating wall is to be extended to the underside of the roof in accordance with the requirements of the National Construction Code. All work to the separating wall must be contained within the boundaries of the subject site only, unless agreement between neighbours for work affecting both sides of a separating wall, including written consent of all owners of all properties upon which work will take place has been obtained.

15. STRUCTURAL INTEGRITY OF RETAINED BUILDING ELEMENTS

Prior to the issue of a Construction Certificate, a report or certification from a practicing structural engineer must be submitted to the Principal Certifying Authority to explain how the retained building elements, such as building facades are to be retained, supported and not undermined by the proposed development and give details of any intervention or retrofitting needed.

STORMWATER & FLOODING

16. STORMWATER AND PUBLIC INFRASTRUCTURE MANAGEMENT

To ensure that stormwater runoff from the development is drained in an appropriate manner, without impact to neighbouring properties and downstream systems, a detailed plan and certification of the development's stormwater management system must be submitted and approved by the Executive Manager, Infrastructure Services (or delegate) prior to the issue of the relevant Construction Certificate.

The applicant must submit plans and specifications to comply with the current Waverley Council Water Management Technical Manual and Development Control Plan (DCP) at the time of engineering plan approval. The submitted plans shall be prepared by a suitably qualified and practising Civil Engineer and:

- a) The plans shall provide details of any required On-Site Stormwater Detention (OSD) system and its details e.g. pit dimensions, cross & long sections, significant water invert levels of inlet and outlet pipes, details of Discharge Control Pit, orifice plate details including orifice diameter, depth of water above centreline of orifice etc., pit overflow, OSD plaque, OSD warning sign and catchment plan. Council's mandatory OSD checklist as set out in Council's Water Management Technical Manual shall be submitted.
- b) Seepage water must not be directly or indirectly discharged to Council's street gutter.
- c) Any new downpipes are to be located wholly within the property's boundary.
- d) Any proposed pipeline within the road reserve must fall by gravity at 1% minimum.
- e) The stormwater management plan must specify any components of the existing system to be retained and certified during construction to be in good condition and of adequate capacity to convey additional runoff and be replaced or upgraded if required.
- f) Pipe sizes, type, grade, length, invert levels, dimensions and types of drainage pits and inspection openings. Calculations demonstrating the proposed stormwater drainage system can cater for the relevant design storm event shall be provided.
- g) Any affected Council's infrastructure as the result of construction activities within the public domain area, inclusive of stormwater, stormwater outlet/s, kerb and gutter, pavement, grass verges and vehicle crossovers within the extent works shall be replaced as per Waverley Council Public Domain Technical Manual. All associated costs shall be borne by the applicant.

Notes:

- Since a sewer main runs through the property, plans must also be presented to a Sydney Water Tap inTM for their approval.
- The Applicant is advised to consider the finished levels of the public domain, including new or existing footpaths and pavement prior to setting the floor levels for the proposed development.
- Waverley Council standard drawings for public domain infrastructure assets are available upon request. Details that are relevant may be replicated in the Engineering design submissions however, Council's title block shall not be replicated.
- Prior to commencement of works a security deposit will be made payable to Council to ensure any additional damage or unauthorised works within the Council property, not conditioned above. Council will reserve the right to withhold the cost of restoring the damaged assets from the security deposit should the applicant fail to restore the defects to the satisfaction of Council.
- Council's contact for infrastructure assessment: E-mail: assets@waverley.nsw.gov.au or Phone: 9083 8886 (operational hours between 9.30am to 4pm Monday to Friday)

17. ENGINEERING PLANS ASSESSMENT AND WORKS INSPECTION FEES

The applicant is to pay to Council fees for assessment of all engineering plans and inspection of the completed works in the public domain inclusive of all stormwater assessment, in accordance with Council's Schedule of Fees & Charges at the time of engineering plan approval, prior to such approval being granted by Council.

An invoice will be issued to the applicant for the amount payable, which will be calculated based on the design plans for the subject development.

ENERGY EFFICIENCY & SUSTAINABILITY

18. BASIX

All requirements of the BASIX Certificate and NatHERS documentation are to be shown on the Construction Certificate plans and documentation.

WASTE

19. SITE WASTE AND RECYCLING MANAGEMENT PLAN

A *Site Waste and Recycling Management Plan (SWRMP) - Part 2* is to be submitted to the Principal Certifying Authority prior to the issue of the relevant Construction Certificate, which outlines materials to be reused and/or recycled as a result of demolition and construction works. At least one copy of the *SWRMP Part 2* 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.

20. DILAPIDATION REPORT

A Dilapidation report is to be prepared for any adjoining or nearby property that may be subject to potential damage as a result of any works being undertaken. The dilapidation report is to be made available to affected property owners.

The report is to be dated, submitted to, and accepted by the Principal Certifying Authority, prior to any work commencing on the site.

Note: 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. Council will not become directly involved in disputes between the builder, owner, developer, its contractors and the owners of neighbouring buildings.

C. COMPLIANCE PRIOR TO WORK COMMENCING AND DURING CONSTRUCTION

The requirements outlined in this section are to be provided to the satisfaction of the Principal Certifying Authority in all instances, except where a condition explicitly specifies the approval of Council or a Council Officer is required.

PRIOR TO ANY WORKS

21. 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.

DEMOLITION & EXCAVATION

22. DEMOLITION – ASBESTOS AND HAZARDOUS MATERIALS

The demolition, removal, storage, handling and disposal of products and materials containing asbestos must be carried out in accordance with the relevant requirements of SafeWork NSW and the NSW Environment Protection Authority (EPA), including:

- Work Health and Safety Act 2011;
- Work Health and Safety Regulation 2017;
- SafeWork NSW Code of Practice for the Safe Removal of Asbestos;
- Australian Standard 2601 (2001) – Demolition of Structures;
- *Protection of the Environment Operations Act 1997*.

At least 5 days prior to the demolition, renovation work or alterations and additions to any building, the person acting on the consent shall submit a Work Plan to the Principal Certifying Authority 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.

23. CONTROL OF DUST ON CONSTRUCTION SITES

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 (e.g. 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.

24. CLASSIFICATION OF WASTE/ DISPOSAL OF EXCAVATED SOILS

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 2014.

25. 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.

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 excavation is to be managed by a practising structural engineer.

CONSTRUCTION MATTERS

26. 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 Sundays and public holidays.

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.

Noise from construction activities shall comply with the *Protection of the Environmental Operations (Noise Control) Regulation 2017*.

27. STOCKPILES, STORAGE OF MATERIALS AND LOCATION OF BUILDING OPERATIONS

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

28. CONSTRUCTION INSPECTIONS

The building works are to be inspected during construction by the Principal Certifying Authority (PCA) in accordance with the Building Legislation Amendment (Quality of Construction) Act 2002 and 162A Critical stage inspections for building work of the Environmental Planning and Assessment Regulation 2000.

29. CERTIFICATE OF SURVEY - LEVELS

All construction works are to be 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.

30. 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 location 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.

31. WORK OUTSIDE PROPERTY BOUNDARY

This consent does not authorise any work outside the property boundary.

32. STRUCTURAL STABILITY OF ADJOINING SEMI-DETACHED DWELLING'S ROOF

Adequate measures are to be undertaken to ensure structural stability and water proofing of the existing roof over the adjoining semi-detached dwelling having particular regard to the following:

- (a) Adequate measures are undertaken to secure the existing rafters and ridge to the brickwork of the party wall; and
- (b) Adequate measures are undertaken to ensure that the roof where it abuts the extended party wall is water proofed.

33. CONSTRUCTION OF SWIMMING POOLS AND OUTDOOR SPAS

The following applies to the construction of swimming pools and outdoor spas:

- (a) Reinforcement of the swimming pool/outdoor spa 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/spa is to be installed in accordance with the requirements of Australian Standard 3000, Part 1 - Wiring Rules
- (c) The swimming pool/outdoor spa water is to be treated by an approved water treatment and filtration unit
- (d) To prevent noise nuisance to surrounding properties, the swimming pool/outdoor spa filtration motor and pump unit is to be housed within a ventilated soundproof enclosure
- (e) Waste waters from the swimming pool/outdoor spa are to be discharged into Sydney Water's sewerage system and in this regard, approved plans MUST be submitted to Sydney Water at least 14 days prior to commencement of building operations.

TREE PROTECTION AND REMOVAL

34. TREE PROTECTION

All trees on site and adjoining properties, including street trees, are to be retained and protected in accordance with AS4970-2009 'Protection of Trees on Construction Sites' and to be certified by an Arborist with AQF level 5 qualification or above, unless approved to be removed in this development consent.

35. STREET TREES TO BE RETAINED/TREE PROTECTION

No existing street trees shall be removed without Council approval. 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 in accordance with AS4970-2009 "Protection of trees on construction sites.

D. PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE OR SUBDIVISION CERTIFICATE

The requirements outlined in this section are to be provided to the satisfaction of the Principal Certifying Authority in all instances, except where a condition explicitly specifies the approval of Council or a Council Officer is required, prior to the issue of an Occupation Certificate or Subdivision Certificate, whichever applies.

36. FINAL OCCUPATION CERTIFICATE

Prior to occupation or use of the development, an Occupation Certificate must be obtained.

The Principal Certifying Authority must be satisfied that the requirements of the *Environmental Planning & Assessment Act 1979* have been satisfied including all critical stage inspections. Documentary evidence of all required inspections is to be submitted to Council.

37. CERTIFICATION OF BASIX COMMITMENTS

The Principal Certifying Authority shall certify that the all the undertakings in the approved BASIX certificate have been completed.

38. CERTIFICATION OF STORMWATER SYSTEM

Prior to issue 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.

39. CERTIFICATION OF SWIMMING POOL/OUTDOOR SPA

Prior to the pool being used, the following must be provided;

- (a) Certification that the pool has been constructed in accordance with the consulting engineers design;
- (b) Evidence that the swimming pool/outdoor spa has been registered on the State Government Swimming Pool Register (<http://www.swimmingpoolregister.gov.au>);
- (c) A sign outlining details of resuscitation techniques for adults, children and infants has been placed in a prominent position, close to the pool/outdoor spa. Signs are available from Council;
- (d) A copy of the occupation certificate must be submitted to Council.

Note: Swimming/spa pool pumps are restricted from use 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 2017.

40. CERTIFICATION OF CONSTRUCTED STORMWATER DRAINAGE SYSTEM

Prior to issue of any Occupation Certificate, certification is to be provided from a suitably qualified and practising Engineer, that any new stormwater drainage system has been constructed in accordance with the Development Consent, Water Management Technical Manual, all applicable Codes, Policies, Plans,

Standards and good engineering practice. A copy of the aforementioned letter of certification must be submitted to Council.

41. CERTIFICATION OF RETAINED STORMWATER DRAINAGE SYSTEM

Prior to issue of any Occupation Certificate, certification is to be provided from a suitably qualified and practising Engineer or Plumber, that any retained stormwater drainage system is unblocked, in good working order and to be repaired/replaced in accordance with Council's Water Management Technical Manual and Development Control Plan and all applicable Codes, Policies, Plans, Standards and good engineering practice. A copy of the aforementioned letter of certification must be submitted to Council.

42. CREATION OF POSITIVE COVENANT AND RESTRICTION FOR OSD

A "Restriction on the Use of Land" and "Positive Covenant" shall be created for any On-Site Stormwater Detention (OSD) system, under Section 88E of the Conveyancing Act 1919. This is to place a restriction on the title that the system is maintained and kept free of debris/weed to allow unobstructed passage of stormwater through the site and underneath the residence. The property owner/occupant shall not modify or remove the system without consent from Council.

The wording of the Instrument shall be submitted to and approved by Executive Manager, Infrastructure Services (or delegate) prior to lodgement at NSW Land Registry Services. The Instrument shall be registered and a registered copy of the document shall be submitted to and approved by the consent authority prior to the issue of an Occupation Certificate/use of the building. All associated costs shall be borne by the applicant.

E. ADVISORY MATTERS

The following advisory matters are provided as additional information to ensure compliance with the relevant legislation and requirements. You must also check other Commonwealth and NSW Acts and Regulations which may apply to the works or use approved in this application.

AD1. POST CONSENT CONDITIONS REQUIRING COUNCIL INPUT

Various conditions require further input, review or approval by Council in order to be satisfied following the determination of the application (that is, post consent). In those instances, please adhere to the following process to avoid delays:

- Please read your conditions carefully.
- Information to be submitted to Council should be either via email to info@waverley.nsw.gov.au or via the NSW Planning Portal (if required).
- Attention the documentation to the relevant officer/position of Council (where known/specified in condition).
- Include DA reference number.
- Include condition number/s seeking to be addressed.
- Where multiple conditions need Council input, please try to group the documentation / email/s into relevant subjects (multiple emails for various officers may be necessary, for example).
- Information to be submitted in digital format – refer to ‘Electronic lodgement guidelines’ on Council’s website. Failure to adhere to Council’s naming convention may result in documentation being rejected.
- Where files are too large for email, the digital files should be sent to Council via CD/USB. Council does not support third party online platforms (data in the cloud) for receipt of information.
- Please note, in some circumstances, additional fees and/or additional documents (hard copy) may be required.
- Council’s standard for review (from date the relevant officer receives documentation) is 14 days. Times may vary or be delayed if information is not received in this required manner.

AD2. DIAL BEFORE YOU DIG

Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial Before You Dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures (this is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial Before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual’s responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial Before You Dig service in advance of any construction or planning activities.

AD3. TELECOMMUNICATIONS ACT 1997 (COMMONWEALTH)

Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra’s network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for prosecution. Furthermore, damage to Telstra’s infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra’s assets in any way, you are required to contact: Telstra’s Network Integrity Team on Phone Number 1800810443.

AD4. ALTERATIONS AND ADDITIONS ONLY

This consent is for alterations and additions to the existing building only and should during the course of construction a significant amount of the remaining fabric of the building be required to be removed, works must cease immediately and a new development application will be required to be submitted for assessment.

AD5. EXCAVATION TO BE LIMITED

Excavation shall be limited to that shown in the approved plans. Any further excavation will require Council approval.

AD6. TREE REMOVAL/PRESERVATION

Any trees not identified for removal in this application have not been assessed and separate approval may be required. Any pruning of trees on adjoining properties required for the erection of scaffolding and/or the construction of the building may also require approval.

AD7. SITE RECTIFICATION WORKS

The vacant site is to be maintained in a safe and secure manner. Fencing is to be erected around the perimeter of the site once demolition has been completed to secure the site. The site is to be protected from windblown soil loss and stormwater erosion at all times.

If the site is commenced to be developed and there is suspension in activity for 6 months (or suspensions of activity which in the aggregate exceed 6 months), resulting in a building site which has an appearance not acceptable to Council, then the Council will have the readily enforceable rights to:

- (i) Require certain works including but not limited to:
 - (a) make the building/site safe and of an appearance acceptable to Council.
 - (b) Allow the ground level to be landscaped and of an appearance acceptable to Council from any public vantage point; or
 - (c) For the hole to be covered to allow it to be landscaped and made attractive from any public vantage point.
 - (d) AND to call on such bank guarantee to cover the cost thereof.
- (ii) In the event of default, have the right to enter and carry out these works and to call upon security in the nature of a bank guarantee to cover the costs of the works.

AMENDED PLANS



DESIGN & BUILDING CONSULTANTS

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RECEIVED
Waverley Council

Application No: DA-520/2021

Date Received: 22/03/2022

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Office: (02) 8625 1593
Mobile: 0415 867 650
Email: Mark@MRZdesigns.com.au
www.MRZdesigns.com.au

MR BEAU ZHU

LOT 2 #5 CASTLEFIELD STREET, BONDI, 2026

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BUILDING DESIGNERS ASSOCIATION OF AUSTRALIA

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 SITE PLAN
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www.MRZdesigns.com.au

LOT 2 #5 CASTLEFIELD
STREET, BONDI, 2026

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**BUILDING DESIGNERS
ASSOCIATION OF AUSTRALIA**

Date Received: 22/03/2022

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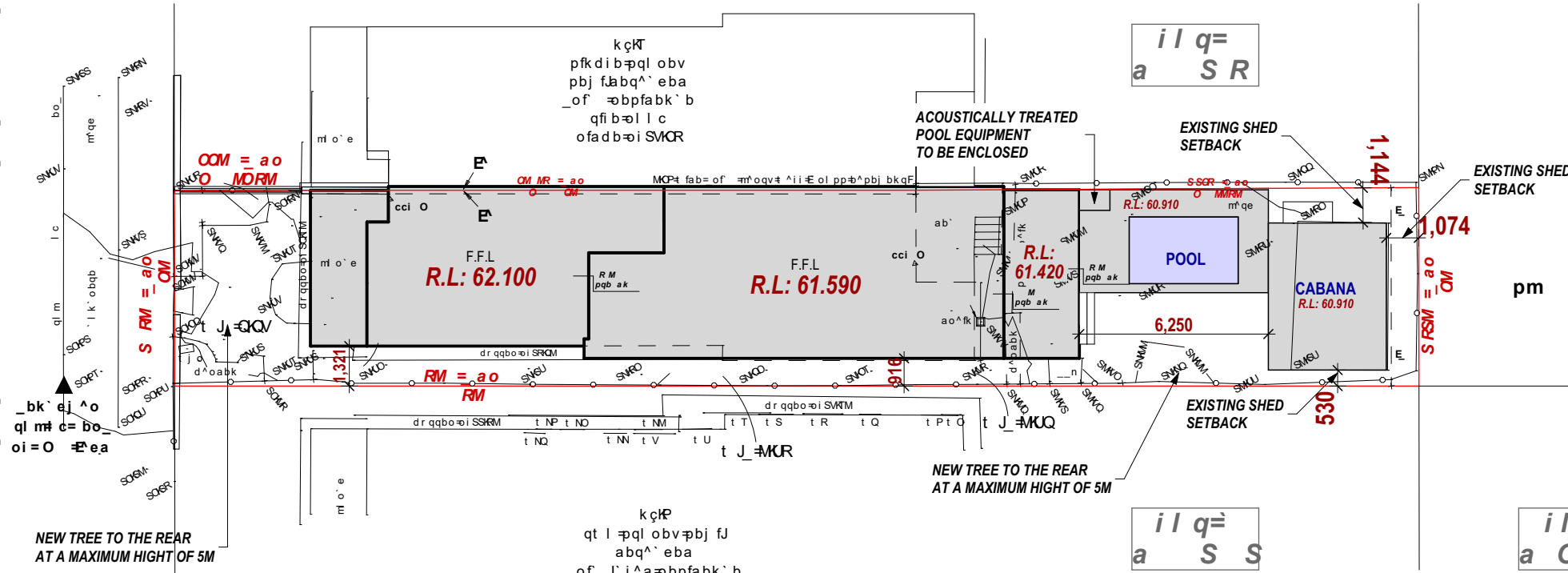
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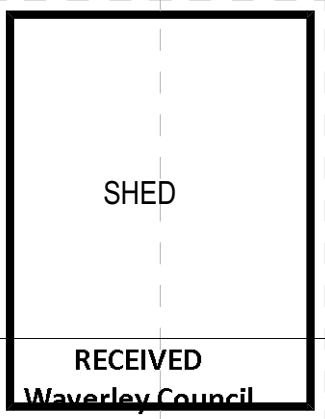
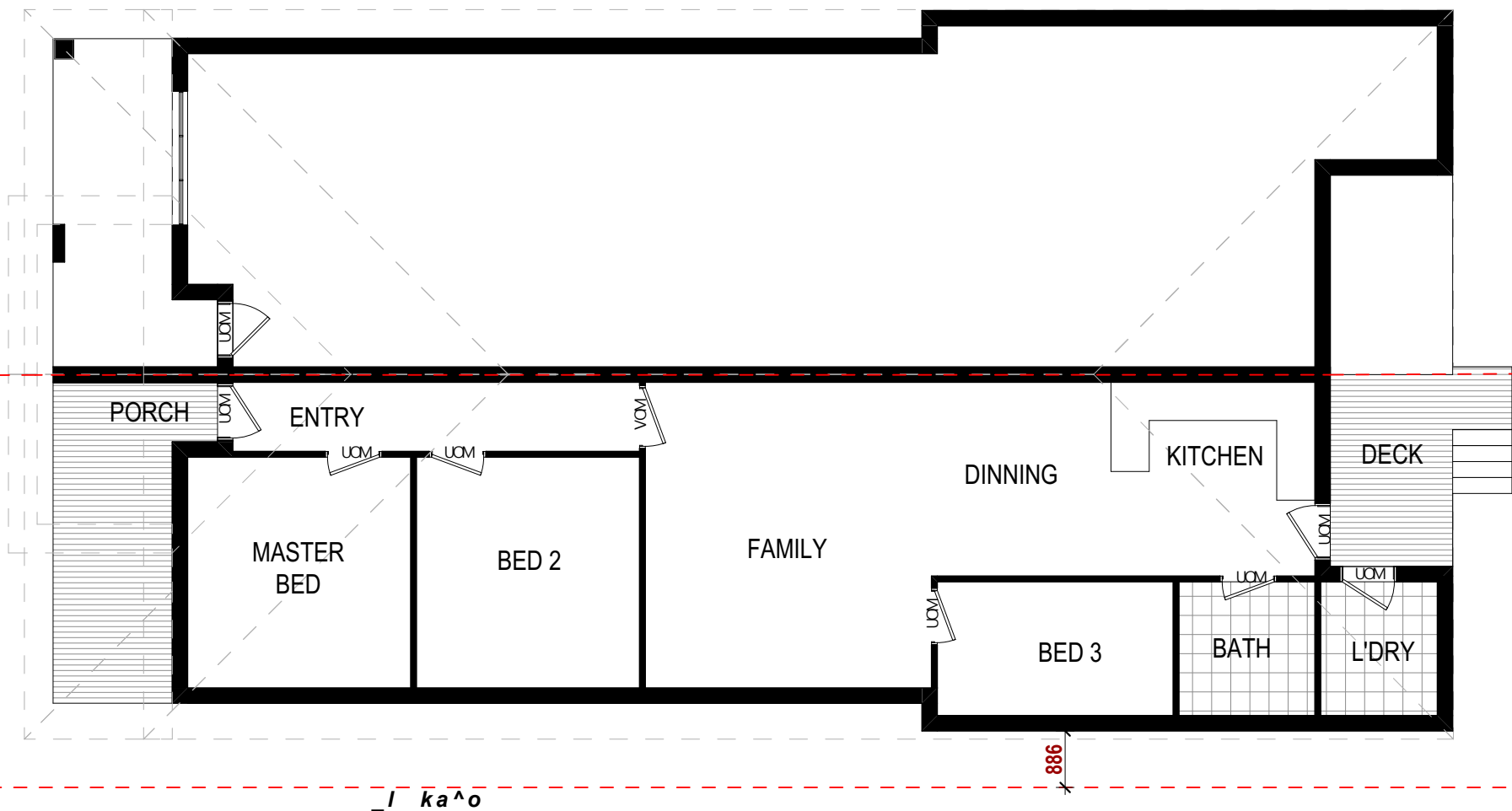


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AMENDED PLANS



Application No: DA-520/2021

Date Received: 22/03/2022

EXISTING FLOOR PLAN

EXISTING GROUND FLOOR PLAN
NMM



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Email: Mark@MRZdesigns.com.au
www.MRZdesigns.com.au

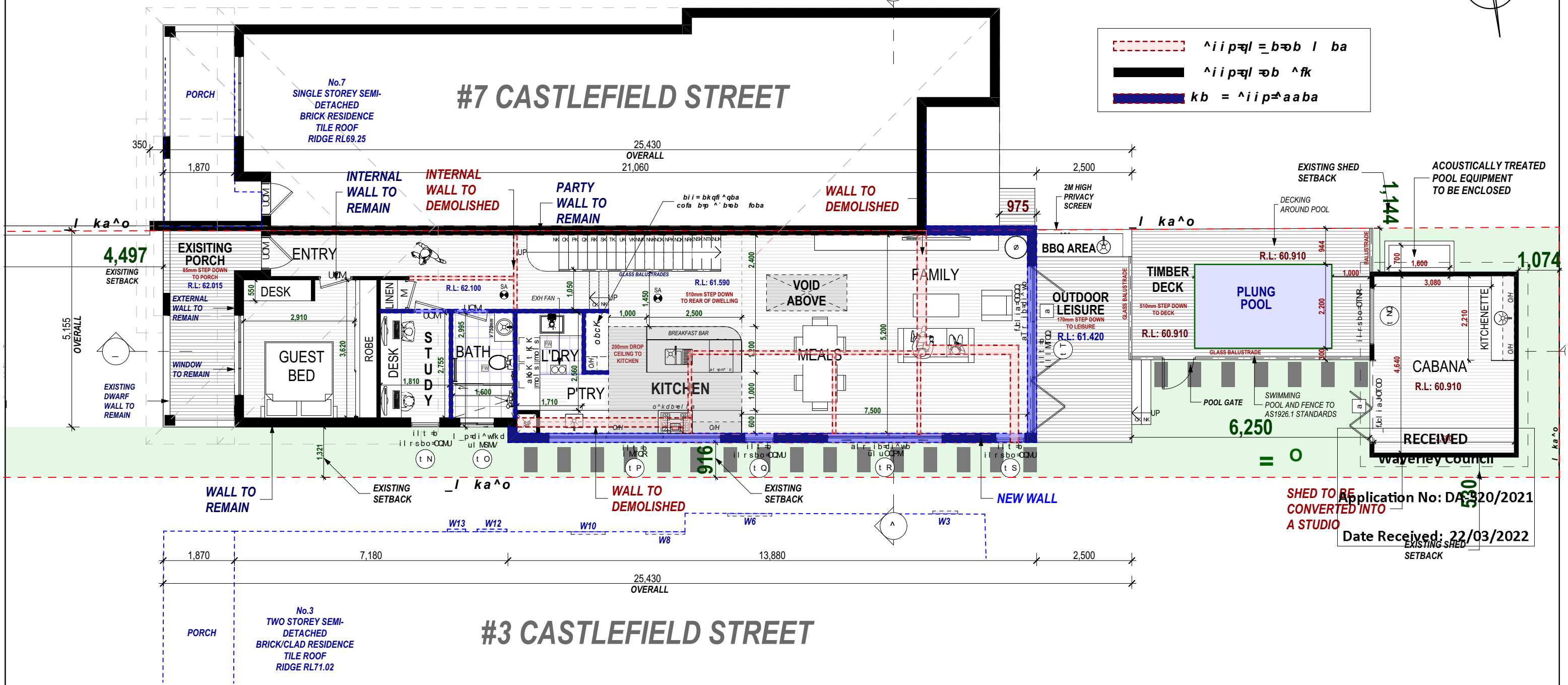
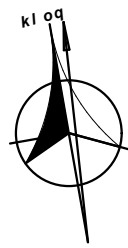
MR BEAU ZHU
LOT 2 #5 CASTLEFIELD STREET, BONDI, 2026

D.A / C.C 436858
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obj ^fk^qeb^bu` i r pfsb
mol nboqv^ c^j ow
a bpfk k p^mqv^ qa


obsfpl k p` ebarib				t ^sboiv	
fppr b	abp` ofmqfl k	ao^t k	a^qb		
^	prosbv^j m^ oqba	fi	MODERN	MODERN	
-	mobi fj fk^ovni ^kp	j w	MODERN	MODERN	
`	_ ^pfu^ e^kdbp	fi	NSKNNON	gl _krj _boW	
a	` l r k` fi ^bnnr foba^ e^kdbp	j w	NTKMOO	MRZ - 21 - 532	
J	J	J	J	m^dbkl W	
J	J	J	J	4	



AMENDED PLANS



GROUND FLOOR PLAN




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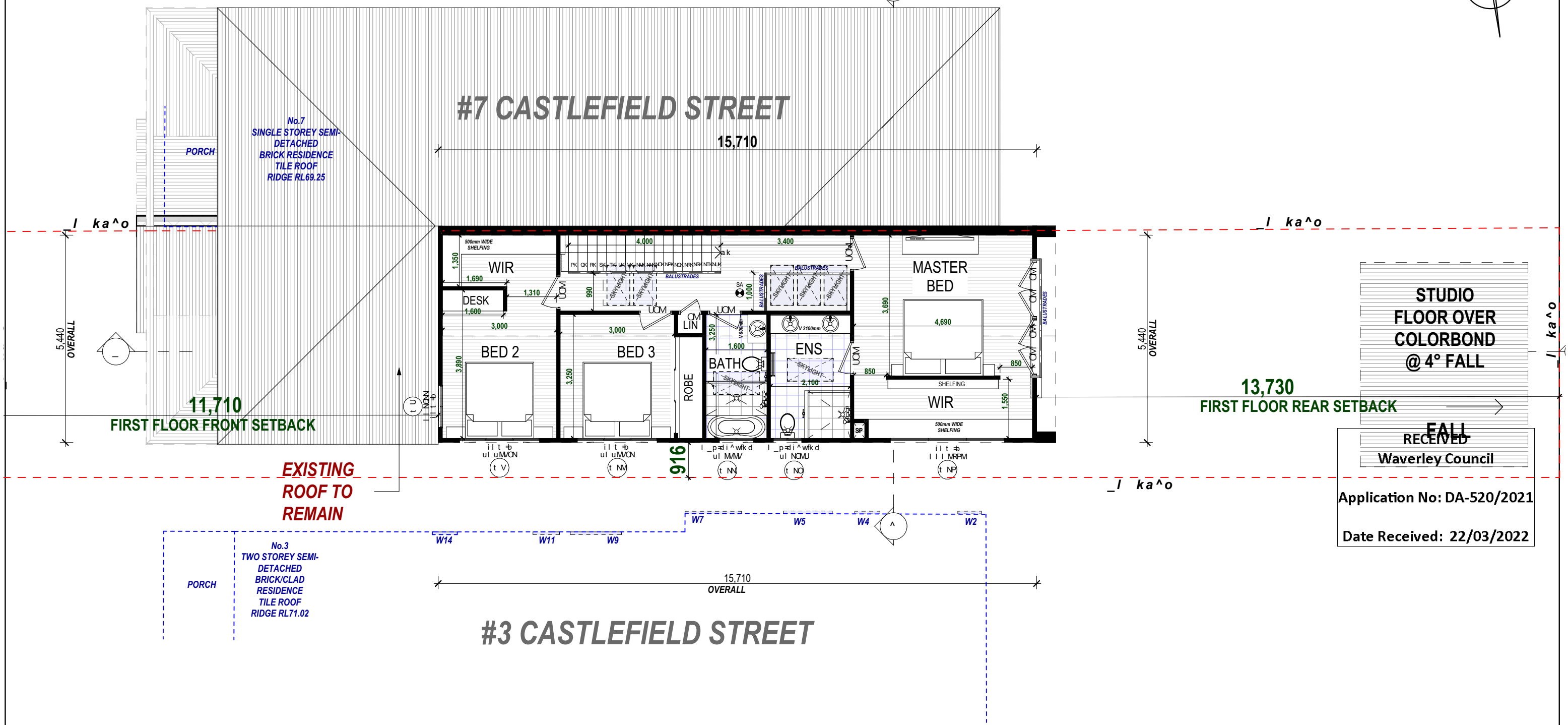
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a	^l rk' fi bbnr foba e^kdbp	j w	NTKXCOO
J	J	J	J
J	J	J	J

5




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AMENDED PLANS



FIRST FLOOR PLAN
NMM




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D.A / C.C 436858
G I mvofoeqt cni ^kp
^kaal `rj bkq^qfl k
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abpfd k p^m^v^ q^

obsfpl k p` ebarib			
fppr b	abp` ofmqfl k	ao^t k	a^qb
^	prosbv^fj m^ oqba	fi	MMW/MON
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^	^pfu^ e^kdbp	fi	NSK/MON
a	`l r k` fi ^bnr foba^ e^kdbp	j w	NTW/MON
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gl _krj _boW	MRZ - 21 - 532
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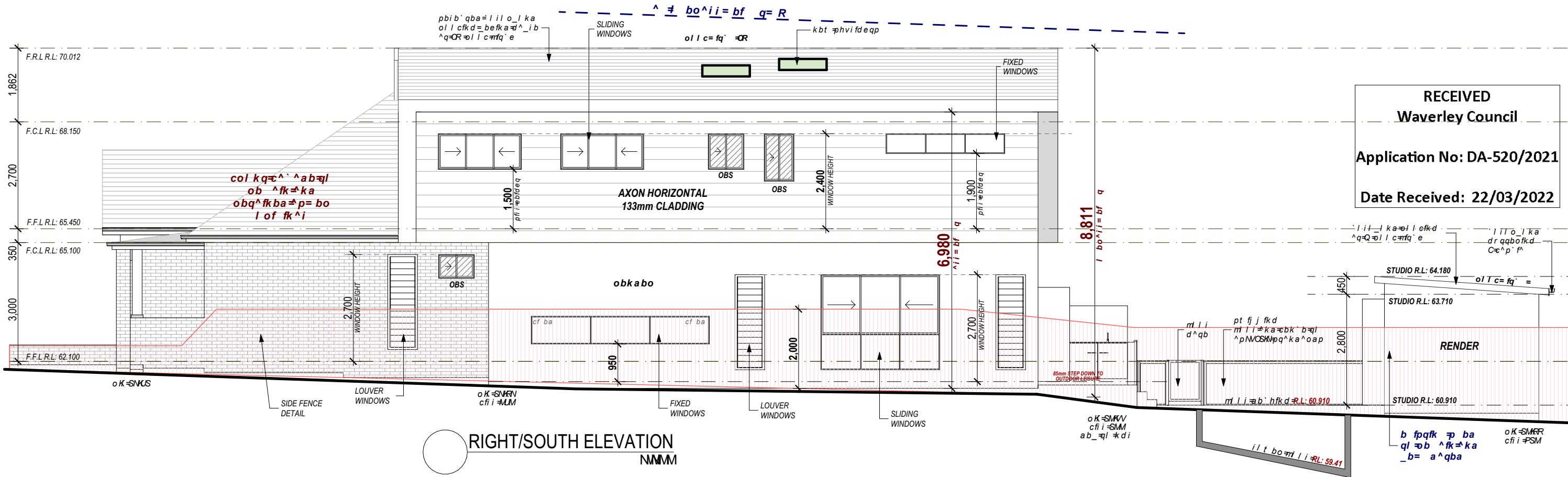
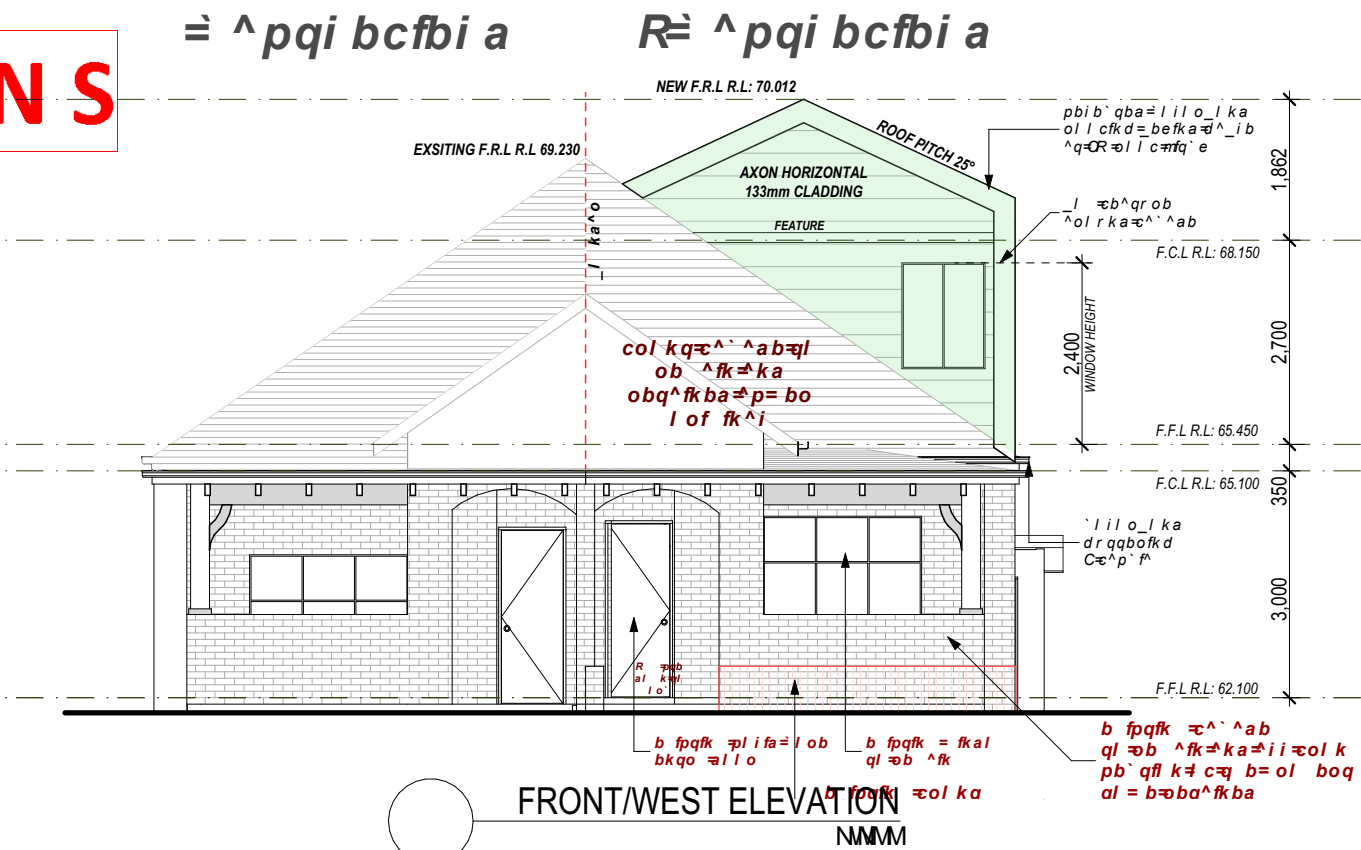
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G I m v o f d e q t c n i ^ k p
^ k a a l ` r j b k q ^ q n k
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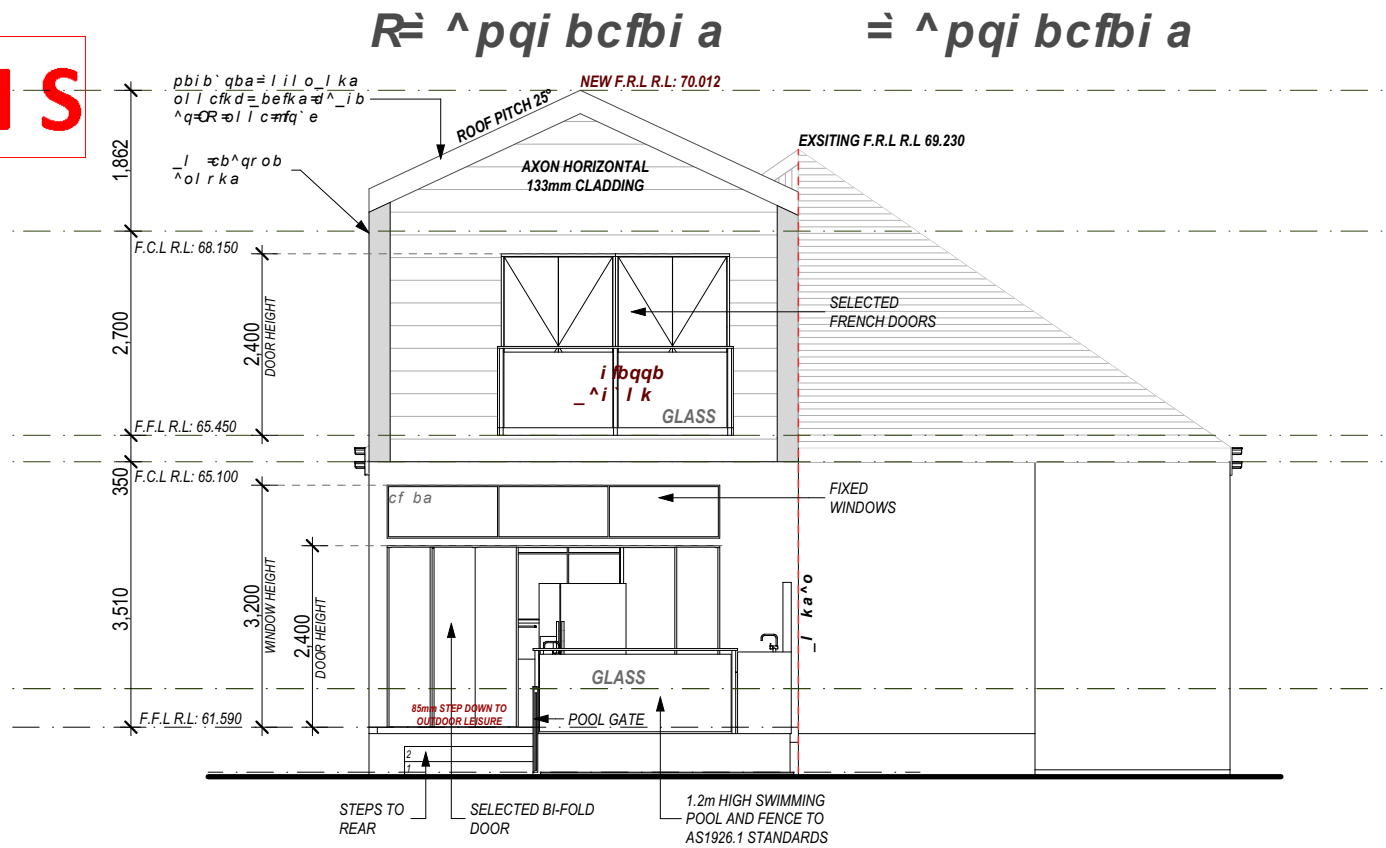
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-	m o b i f j f k ^ o v n i ^ k p	j w	M I M M O N
`	_ a p f u t e ^ k d b p	f i	N S K M O N
a	` l r k ` f i t b n r f o b a t e ^ k d b p	j w	N T M O O O
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MODERN
MRZ - 21 - 532

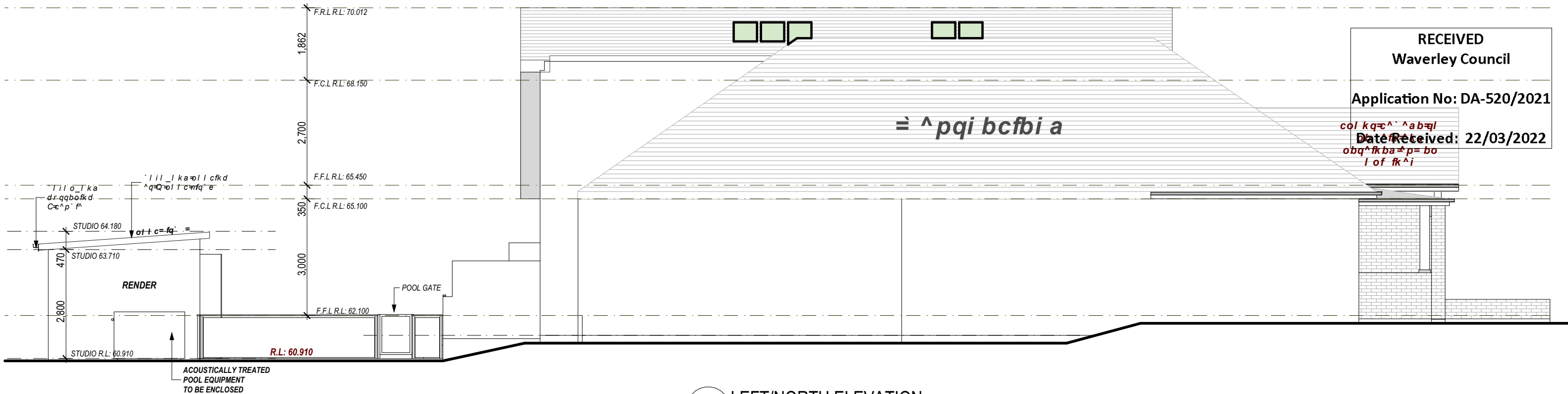


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REAR/EAST ELEVATION
NMM



LEFT/NORTH ELEVATION
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i fbk qW

MR BEAU ZHU

^aaobppW

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STREET, BONDI, 2026

il adbj bkqW

D.A / C.C 436858

G l mvo fde q t c n i ^ k p
^ k a e l ` r j b k q ^ q l k
o b j ^ k q e b b u ` i r p f s b
m o l n b o q v t c j o w
a b p f d k p m q v t q a

obsfpl k p` ebarib

fppr b	abp` ofmqfl k	ao^t k	a^qb
^	prosbv f j m l o qba	fi	MODERN
-	mobi f j f k ^ o v n i ^ k p	j w	MODERN
`	_ ^ p f u e ^ k d b p	fi	MODERN
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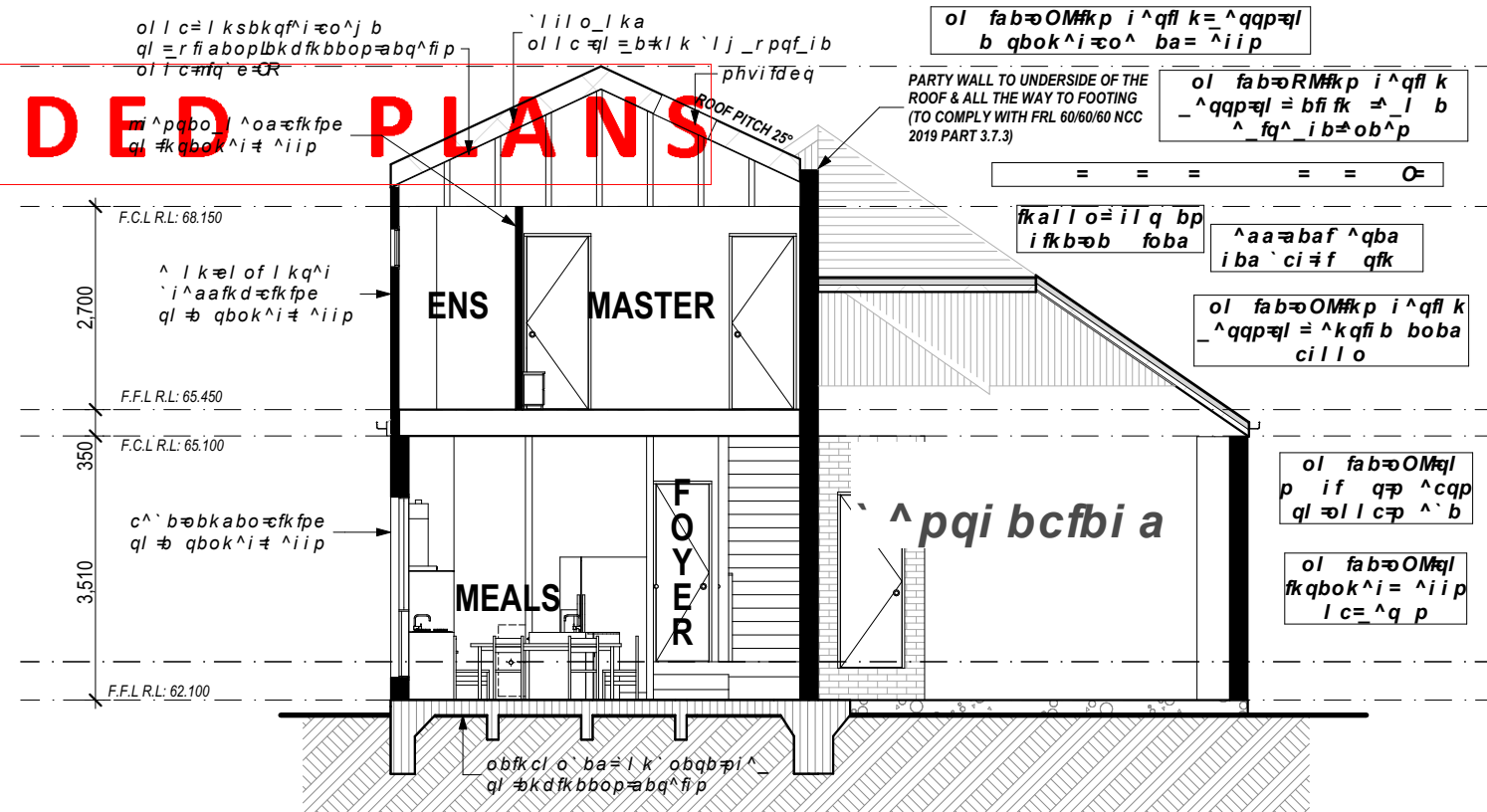
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c ^ ^ abW
MODERN
gl _ k r j _ boW
MRZ - 21 - 532
m ^ d b k l W



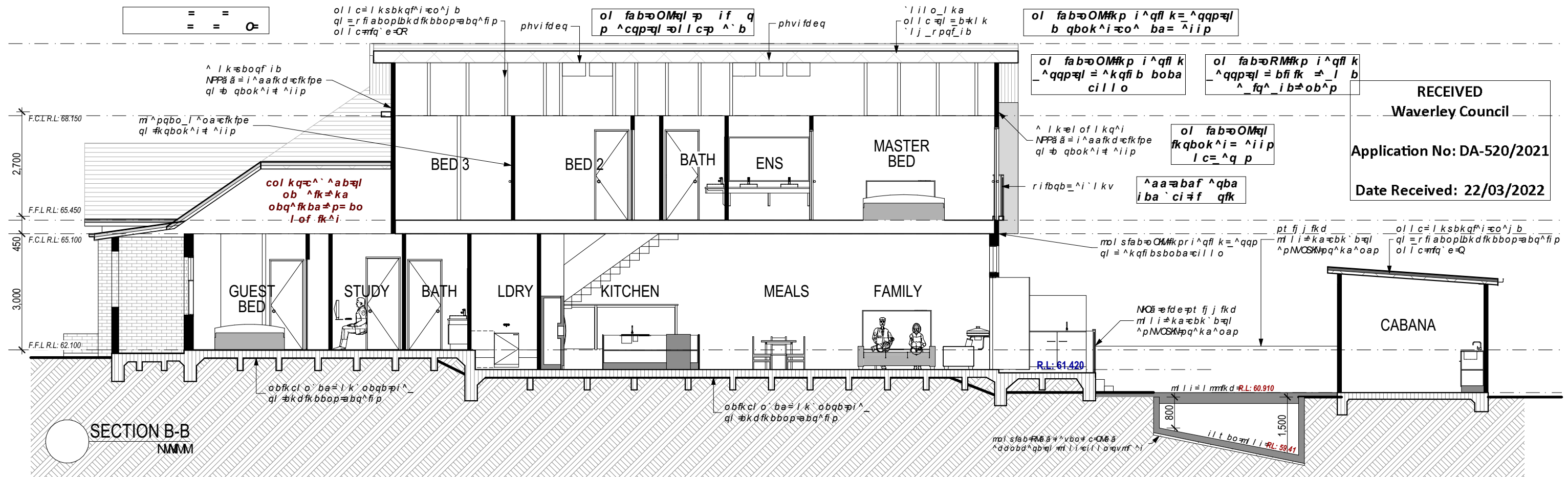
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SECTION A-A
NMM

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		eEaU	t aU		
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t O	ul MSW	SMM	VMM		vbp
t P	III MTR	TMM	QRM		ilt b
t Q	il rsbo-QMU	QQM	TRM		ilt b
t R	ul uQPM	QQM	PIMM		al r_ib
t S	il rsbo-QMU	QQM	TRM		ilt b
t T	III MTR	TMM	QQM		ilt b
t U	III NQN	NQM	NNM		ilt b
t V	ul uMWN	VMM	QNM		ilt b
t NM	ul uMWN	VMM	QNM		ilt b
t NN	ul MMW	VMM	VMM		vbp
t NO	ul NQU	NQM	TRM		vbp
t NP	III MTR	RMM	PIMM		ilt b
t NQ	il rsbo-QTR	QTM	NRM		ilt b



SECTION B-B
NMM



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
D.A / C.C 436858
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-	mobi f j k^ov m^k p	j w	MODERN
-	_p f u e^k d b p	fi	NSKNN
a	l r k' fi e b n r f o b a e^k d b p	j w	NTKXCO
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J	J	J	J

10
MODERN
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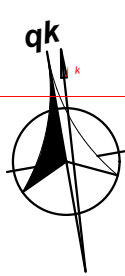
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 c i l l o b s b s i K q b k q f c b ^ ^ s ^ a q f l k
 ā k a = ^ a q b o p q l = b a b q o j f k b a f k
 p f q b K


 m o l m p b a
 b ^ ^ s ^ a q f l k

= i ^ p p p i ^ _
 p _ b ^ q a f = o b l i m o b l o q _

^ k v o b q ^ a f k f d f ^ i i p o b n r f o b a q l = b
 ^ l j m b q b a = v a t t k b o p q l
 j ^ a ^ a q j q r o b o p o n n f c l ^ a q f k p p K

AMENDEED PLANS



l r ka^ofbpæ^sbkl q=bbkpr osbvba
qebv^obpel t k^mmol ufj ^qb#ki v
^ka^obpr_gb`qql ^er oqebopr osbv



DIAL 1100
BEFORE YOU DIG



qobb
 MKF — qor k æf[^]j bqbo
 Np — qobb pmb[^]a
 Ne — qobb ebfdeq

t fkal t p' ebarib			t fkal t p' ebarib		
kçK	eb^aəi	pfi iəi	kçK	eb^aəi	pfi iəi
t N	SRKM	J	t U	SRKU	SQKM
t O	SVRR	STRM	t V	SVRR	SUKM
t P	SRGM	SPISU	t NM	SRKU	SQKM
t Q	SVRR	STRM	t NN	SVRR	SUKM
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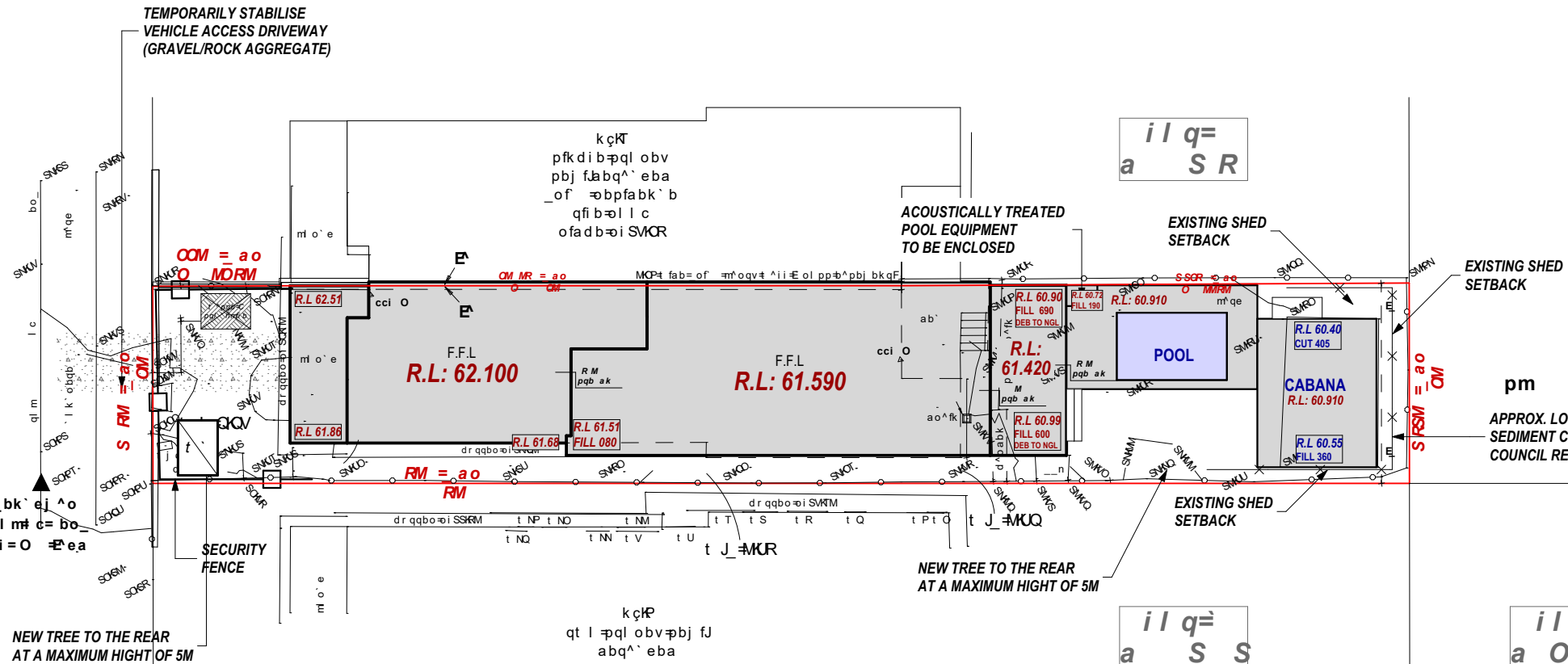
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prm	☐	pbt bo= b k q =rfb
pje	●	pbt bo j` ^k ēl i b
_l i	⊕	_l i i^o a
t j o	☐	t^qbo j` b q b o
t ev	∅	t^qbo ē v a o^k q
t ps	△	t^qbo = p q l m ē^i s b
d j o	☐	d^p j` b q b o
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qmi	●	qbi p q o^ = m i i^o
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^i i	☐	^i l q e p = f k b
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b_l u	☐	b i b` q o f = i = l u
s`		s b e f i b = o l p p f k d
i f k		i f k q^i
☐		ao^fk^adb=rfq
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^ pqi bcfbi a==pqobbbq



i	l	$q=$	AP
a	O	R	C

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SITE SEDIMENT CONTROL PLAN



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MR BEAU ZHU

^aaobppW
LOT 2 #5 CASTLEFIELD
STREET, BONDI, 2026

il adbj bkqW	amk çW
D.A / C.C	436858

G l m v o f d e q t c n i ^ k p
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o b j ^ f k = e b = u ` i r p f s b
m o l n b o q v t c j o w
a b p f d k p = m q v t q a

obsfpfl k p' ebar i b

fppr b	abp` ofmqfl k	ao^t k	a^qb
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_	mobi fi fk^ovfi ^k p	j w	MTHMON
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a	`l r k` fi =bnr foba= e^kdbp	j w	NTHMOO
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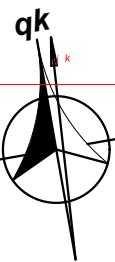
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	MODERN
	gl_✱rj_boW
	MRZ - 21 - 532

m^d b k l W	1
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ASSOCIATION OF AUSTRALIA**

AMENDED PLANS



l r k a ^ o f b p e ^ s b k l q = b b k p r o s b v b a
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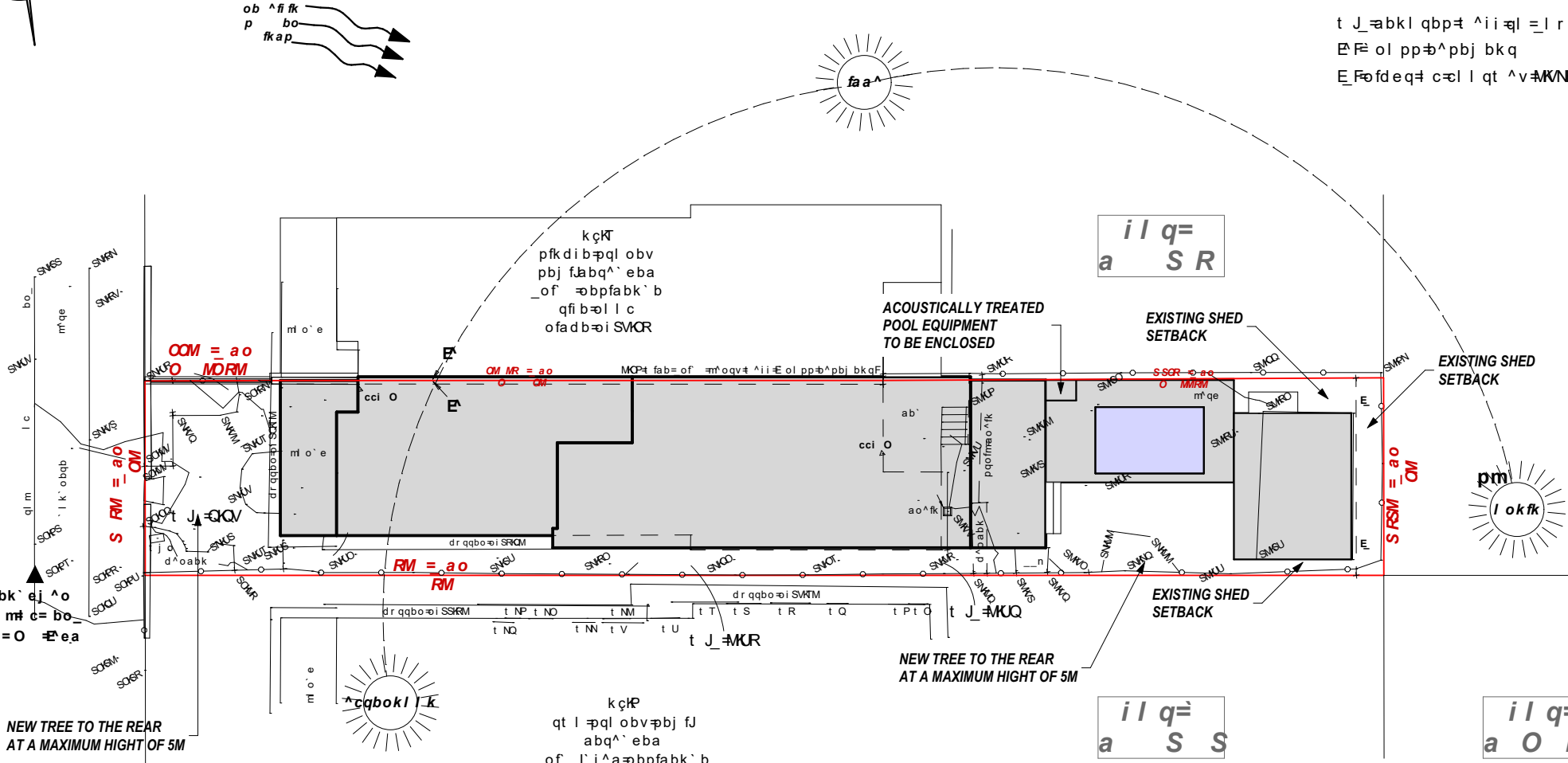
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k c k	e b ^ a e i	p f i i e i	k c k	e b ^ a e i	p f i i e i
t N	S R M M	J	t U	S R K U	S Q M M
t O	S V M R	S T M R	t V	S V M R	S U K M
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t T	S V M R	S U K R	t N Q	S V M R	S U K M

i b d b k a	
a o m	ao ^ f k ^ d b k f q
p s m	p b t b o = l k k b ^ q f l k
p i e	p b t b o = j m e l i b
p r m	p b t b o = b k q m f m b
p j e	p b t b o j ^ k e l i b
l i	l i i ^ o a
t j o	t ^ q b o j b q b o
t e v	t ^ q b o e v a o ^ k q
t p s	t ^ q b o p q l m e ^ i s b
d j o	d ^ p j b q b o
m m i	m l t b o m l i b
q m i	q b i p q o ^ m f i i ^ o
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^ i i	^ i l q e p k b
d ^ p	d ^ p e ^ i s b
b _ l u	b i b ^ q o f ^ i = l u
s ^	s b e f i b = o l p p f k d
i f k	i f k q ^ i
	ao ^ f k ^ d b k f q
	o b q ^ f k f k d ^ ^ i i
	_ o f ^ ^ i i
	ab k l q b p e f k f p e
	c i l l o = b s b i
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	ab k l q b p e i c o b p ^ l
	c i l l o = b s b i

^ p q i b c f b i a = p q o b b q



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^ i ^ p p p i ^

^ k v o b q ^ f k f k d ^ ^ i i p o b n r f o b a q l = b
^ l j m b q b a = v ^ t k b o p q l
j ^ k r c ^ q r o b o p p n b ^ f c f ^ q f l k p k

SITE ANALYSIS PLAN



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D.A / C.C 436858
G l m v o f d e q ^ c m i ^ k p
^ k a = l ^ r j b k q ^ q f l k
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m o l n b o q v ^ c j o w
a b p f d k p m q v ^ q a

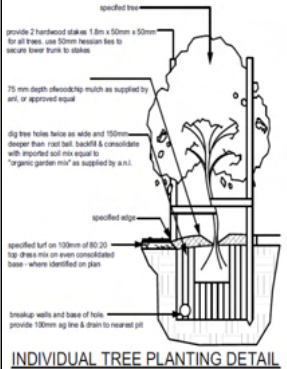
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-	m o b i f j f k ^ o v m i ^ k p	j w	M T M M O N
^	_ ^ p f u = e ^ k d b p	f i	N S K M O N
a	^ l r k ^ f i o b n r f o b a = e ^ k d b p	j w	N T M M O O
J	J	J	J
J	J	J	J

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amended plans



LANDSCAPE PLAN



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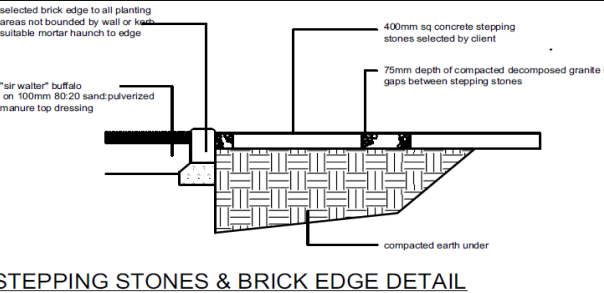
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LOT 2 #5 CASTLEFIELD STREET, BONDI, 2026

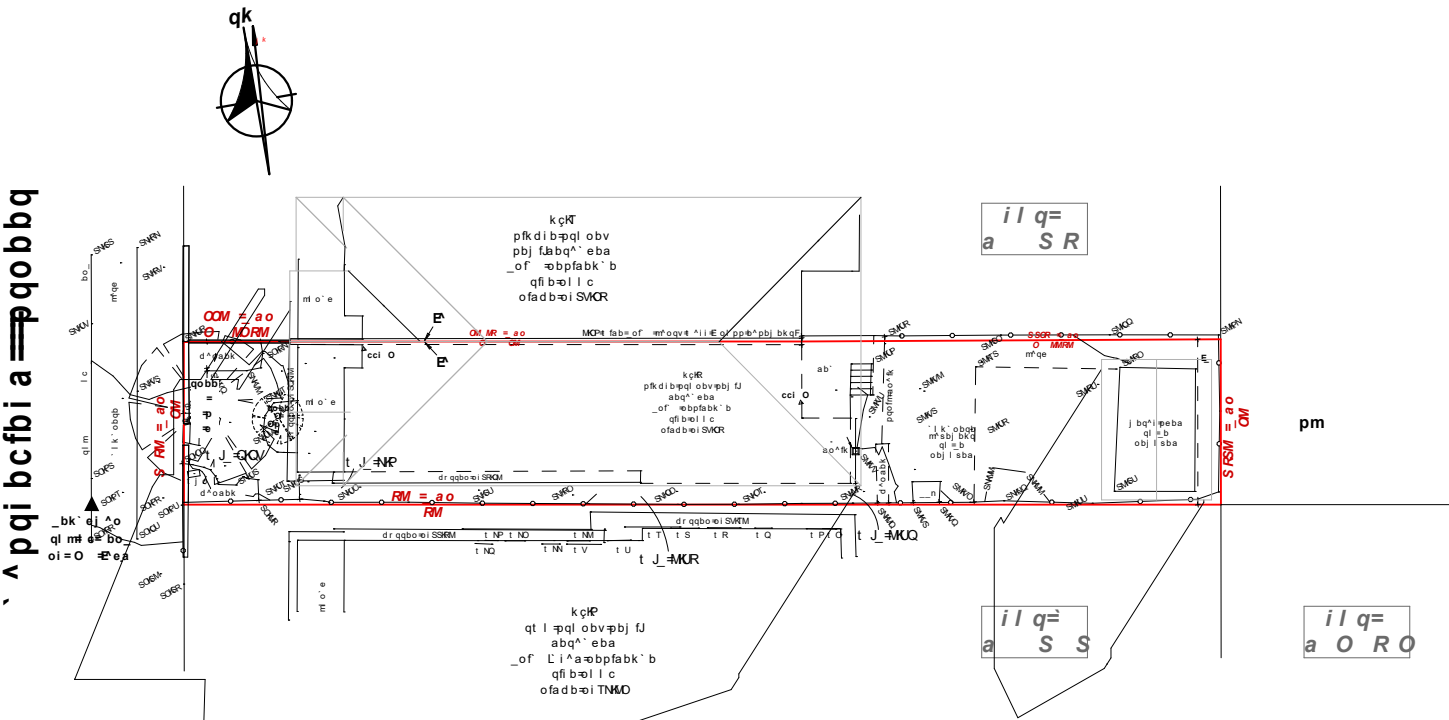


STEPPING STONES & BRICK EDGE DETAIL

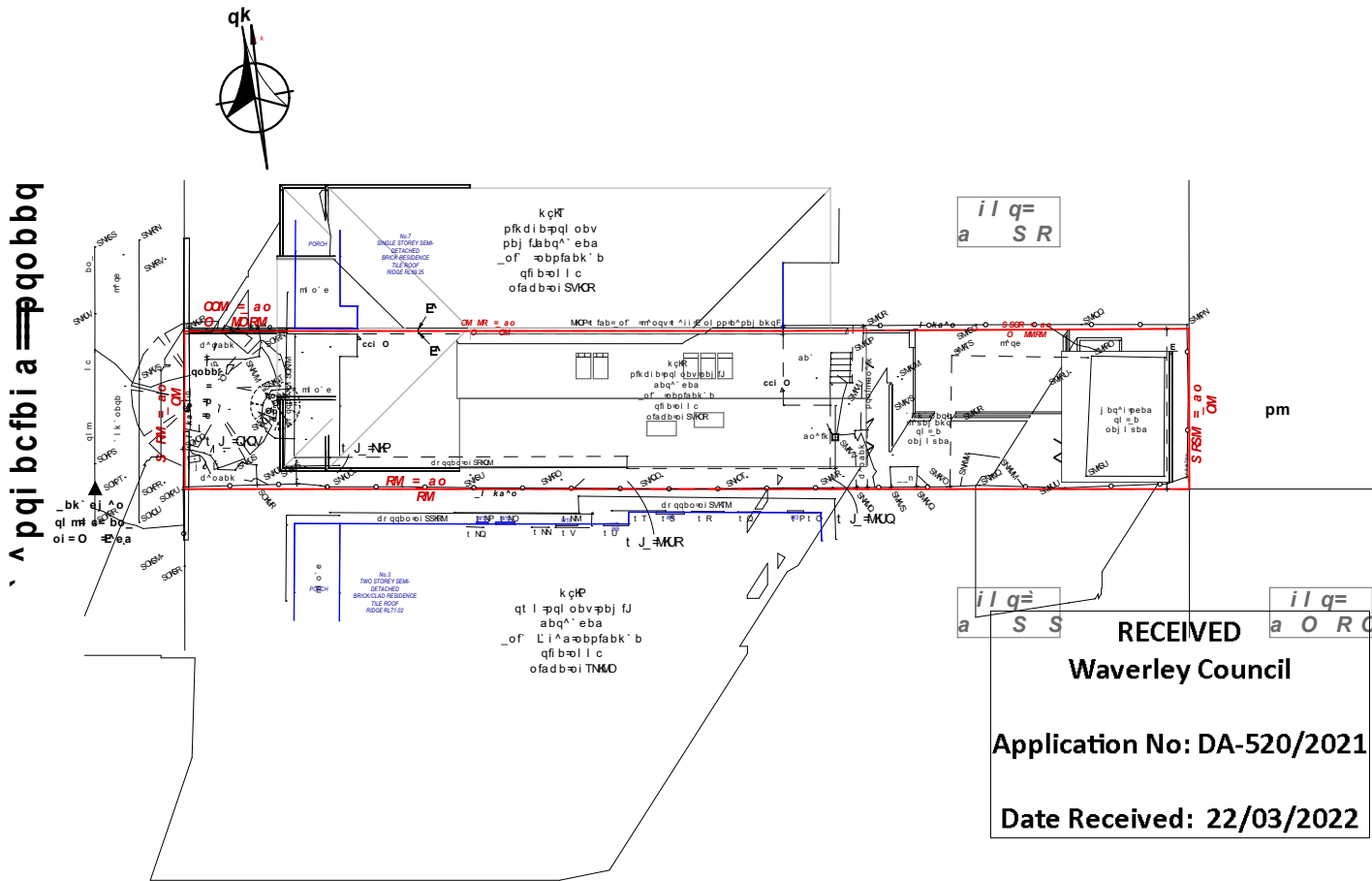


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AMENDED PLANS



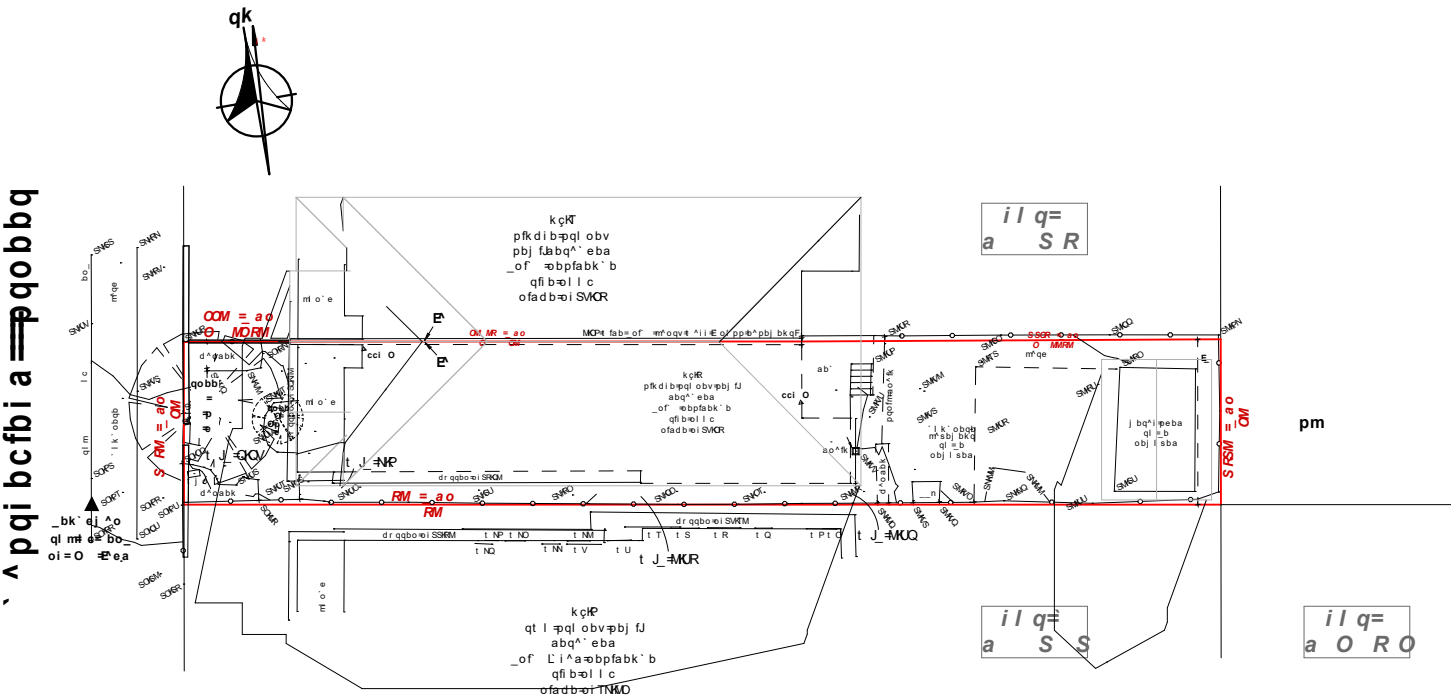
EXISTING
SHADOW PROJECTIONS 9am 21st JUNE



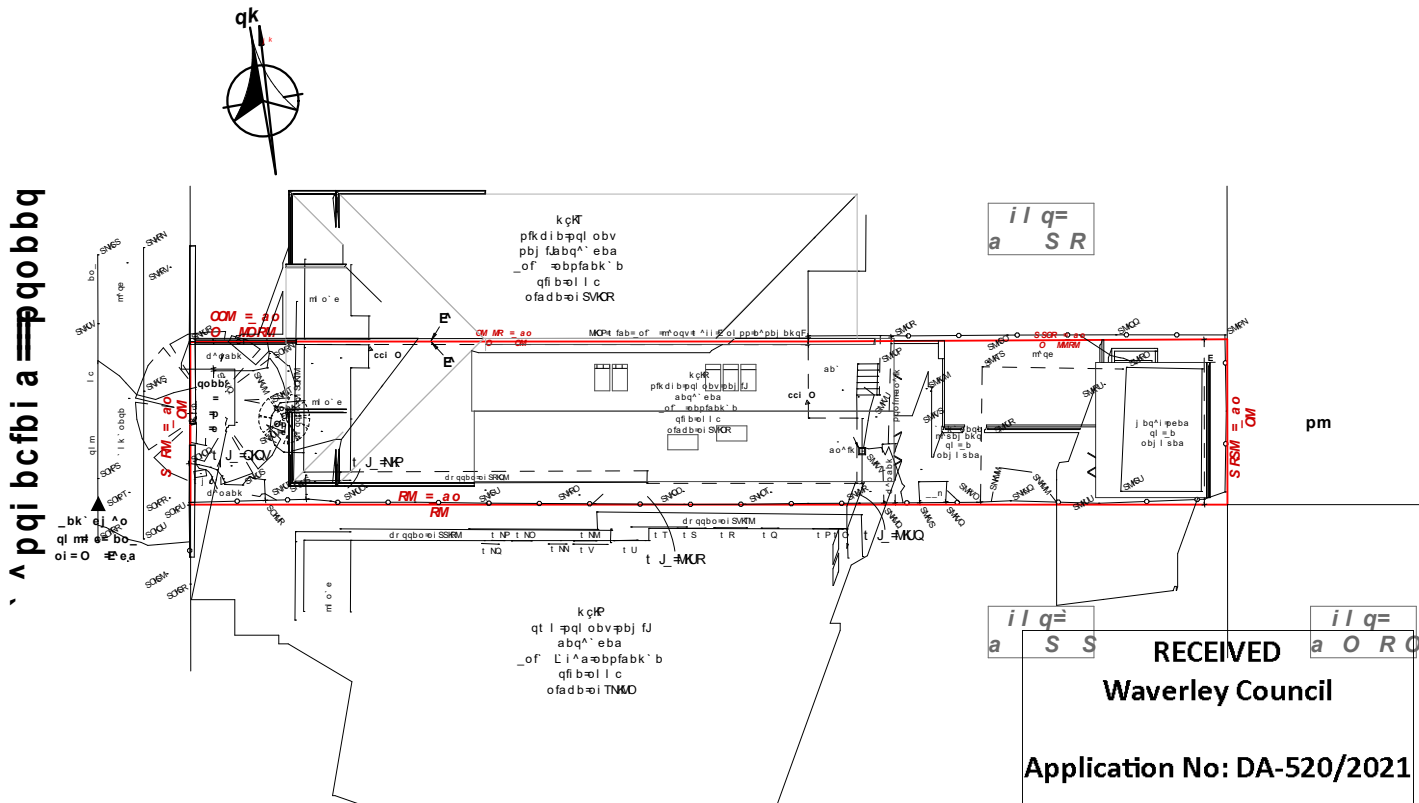
NEW
SHADOW PROJECTIONS 9am 21st JUNE

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EXISTING
SHADOW PROJECTIONS 10am 21st JUNE



NEW
SHADOW PROJECTIONS 10am 21st JUNE

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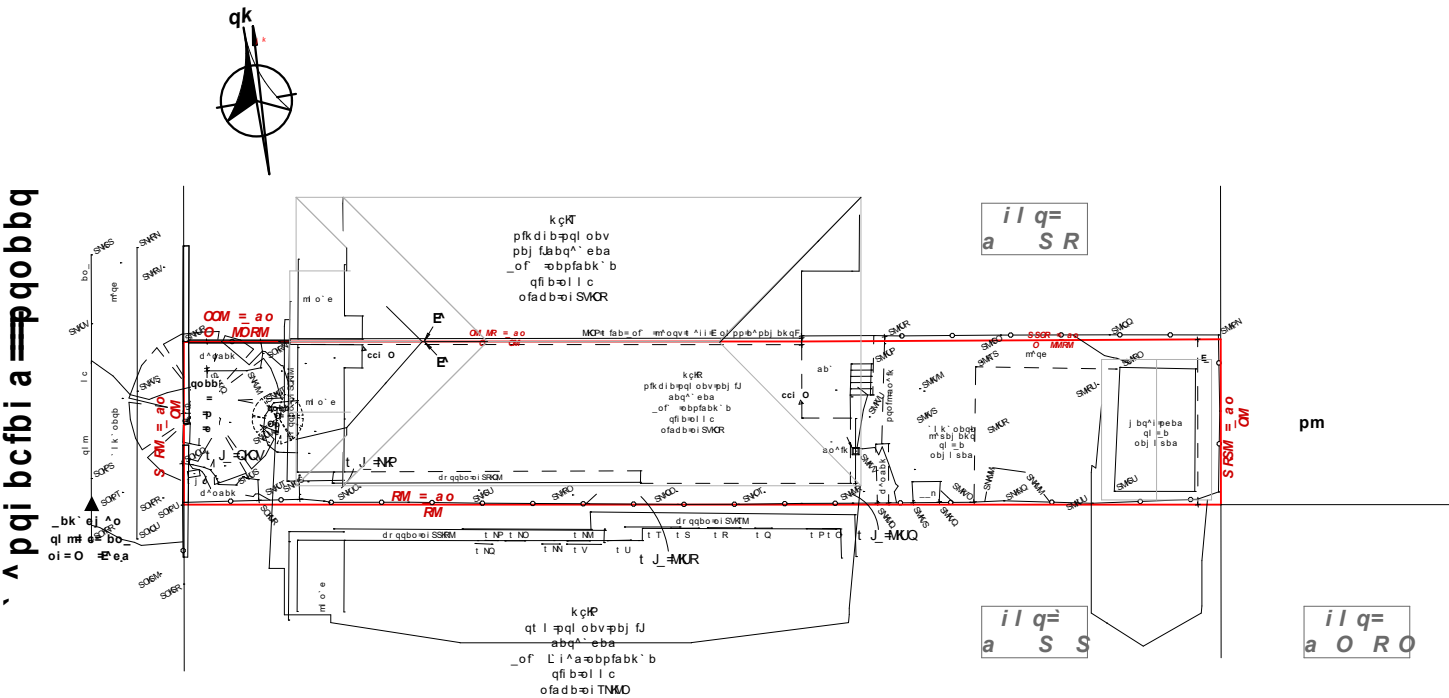
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D.A / C.C 436858
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obj ^fk ñ qe bñ u` i r pfsb
mñ l nbo qvñ cñ ow
a b pñ d k pñ qvñ qñ

obsñ pñ k pñ ebarib			
fppr b	abp` ofm qñ k	ao^t k	a^qb
^	prosbvñ m oqba	fi	MODERN
-	mñ bi fj ñ k^ovñi ^kp	j w	MODERN
`	_ ^pñ uñ e^kdbp	fi	MODERN
a	` l r k` fi ñ bñ r fobañ e^kdbp	j w	MODERN
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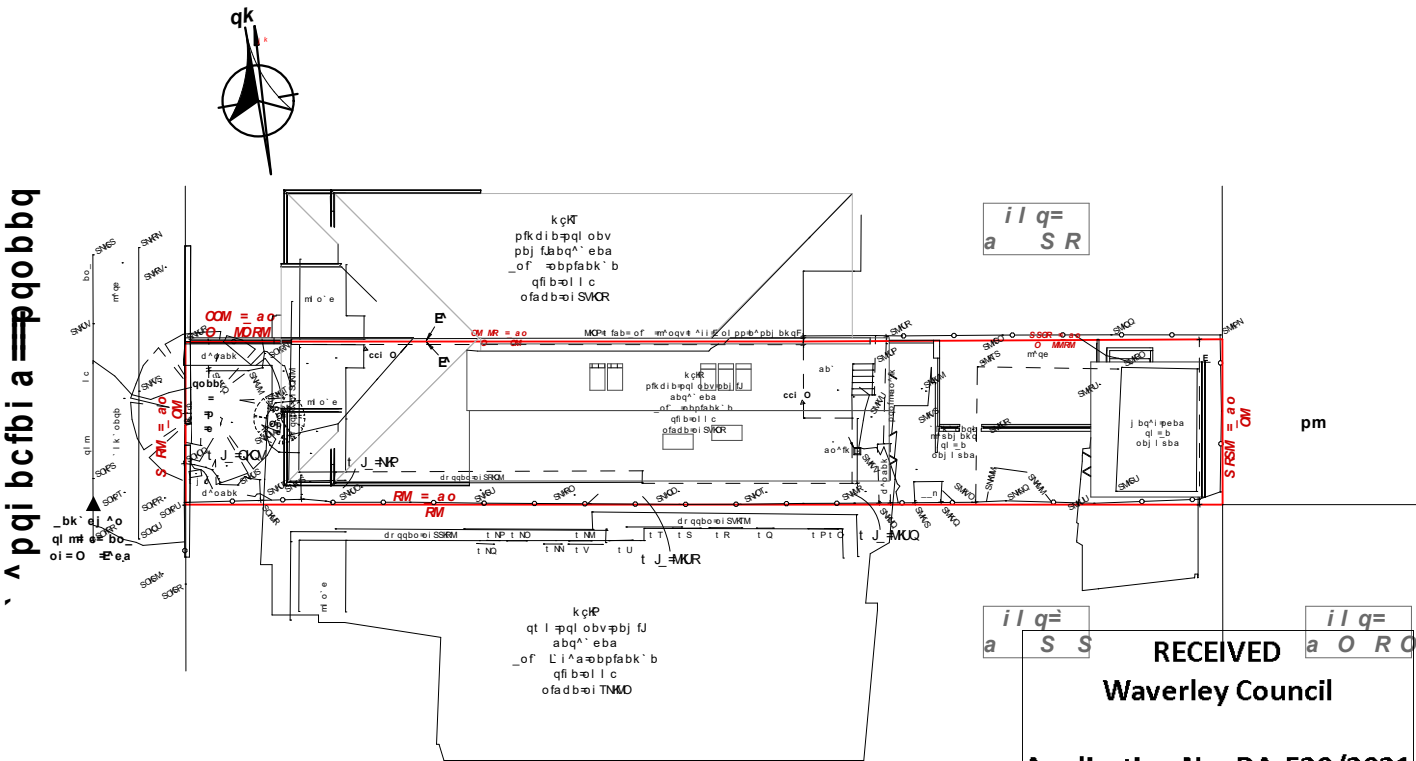
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AMENDED PLANS



EXISTING
SHADOW PROJECTIONS 11am 21st JUNE



NEW
SHADOW PROJECTIONS 11am 21st JUNE

RECEIVED
Waverley Council
Application No: DA-520/2021
Date Received: 22/03/2022



DESIGN & BUILDING CONSULTANTS

PO Box 170 St Clair 2759
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Email: Mark@MRZdesigns.com.au
www.MRZdesigns.com.au

MR BEAU ZHU

LOT 2 #5 CASTLEFIELD STREET, BONDI, 2026

D.A / C.C 436858

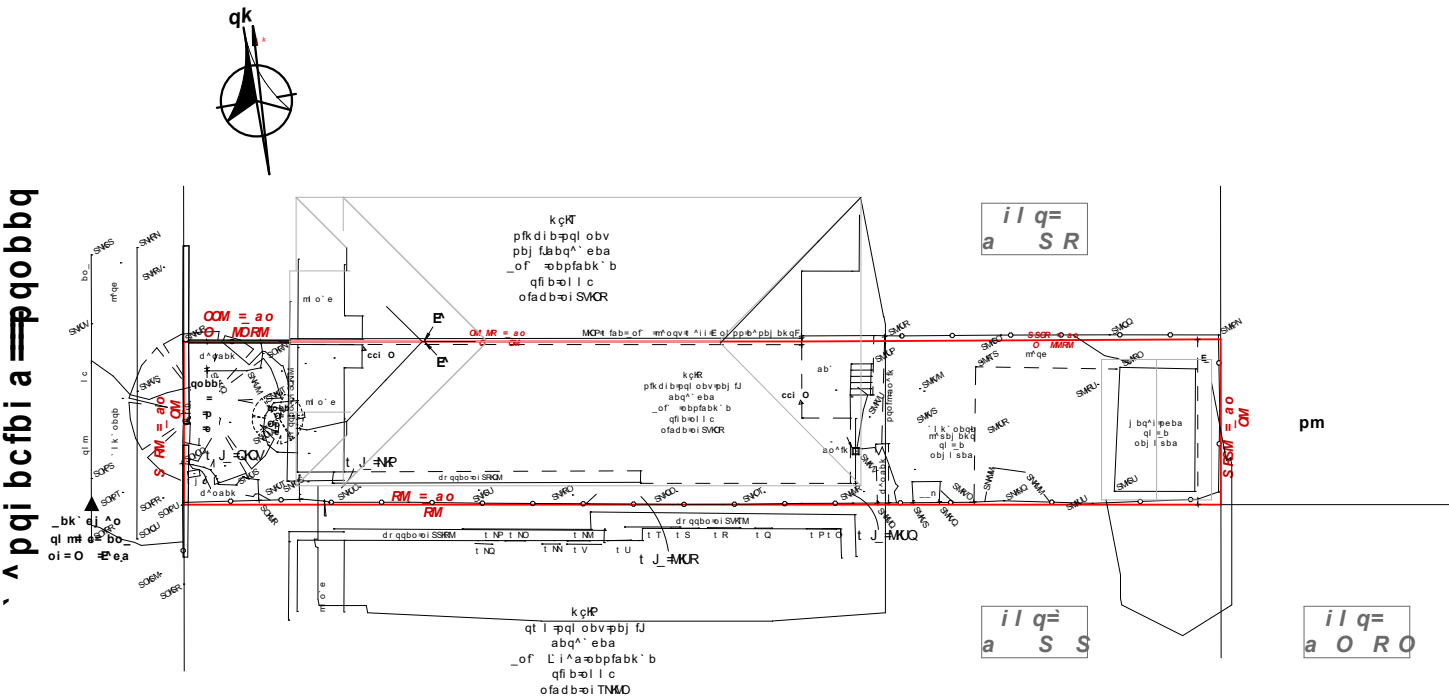
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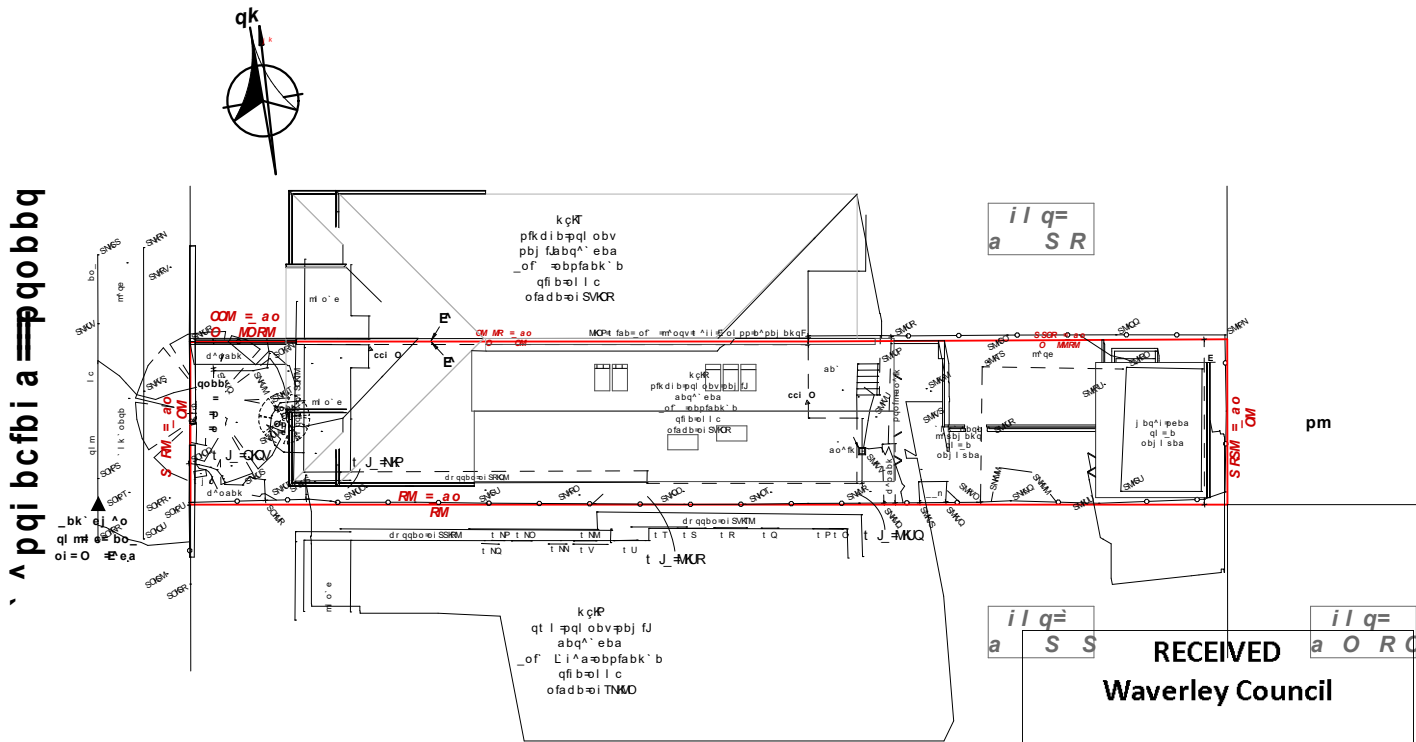


BUILDING DESIGNERS ASSOCIATION OF AUSTRALIA

AMENDED PLANS

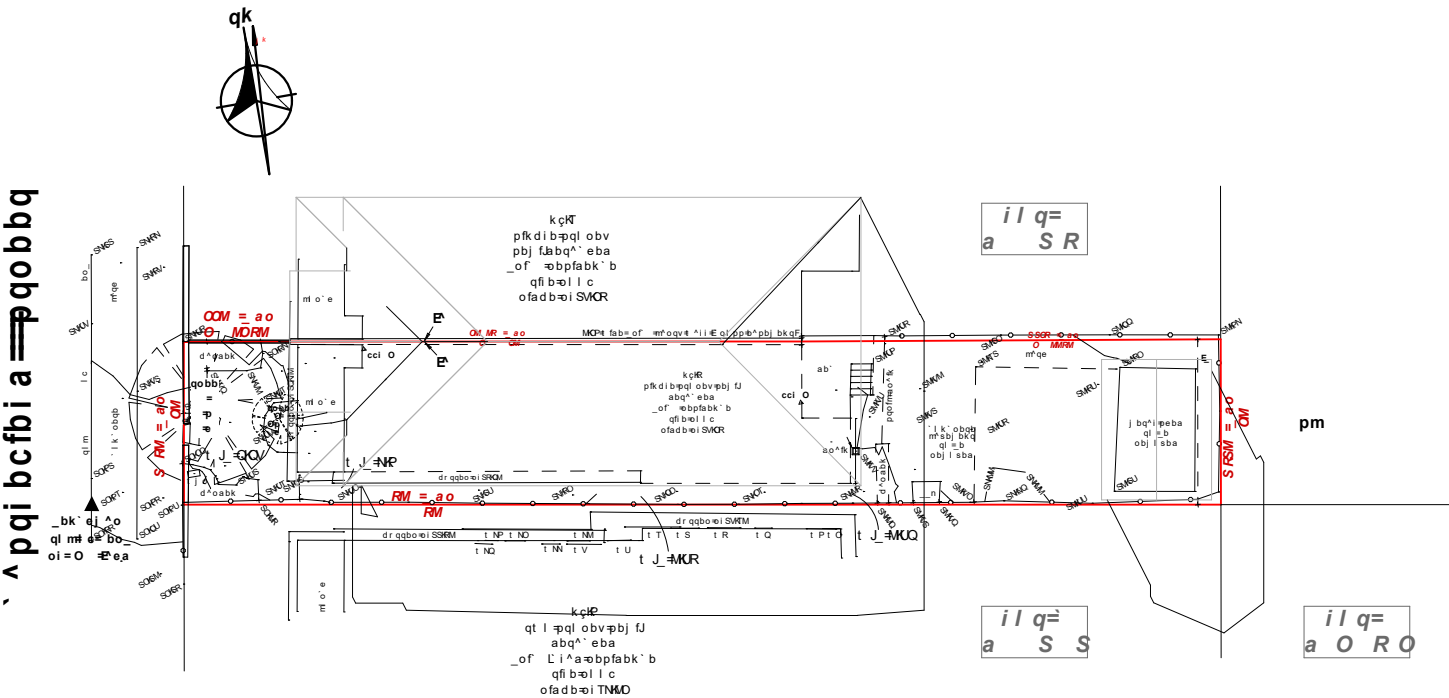


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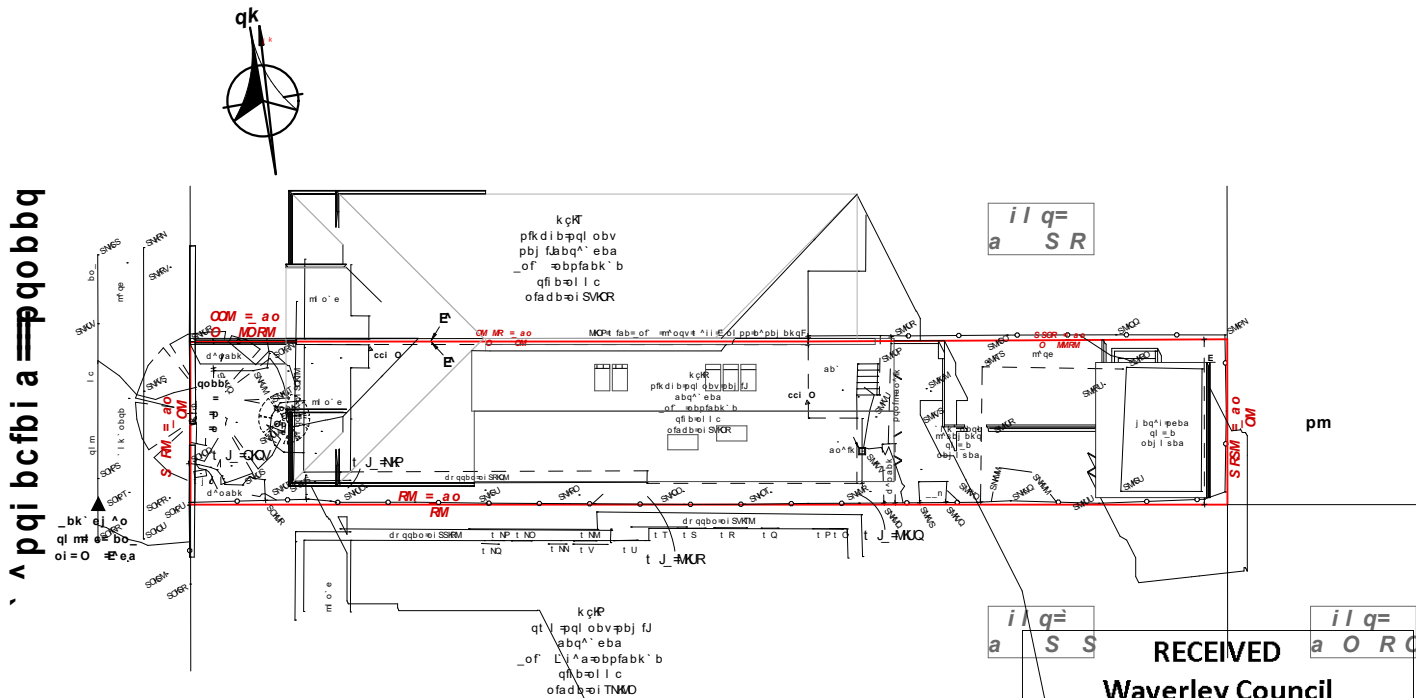


NEW
SHADOW PROJECTIONS 12pm 21st JUNE

AMENDED PLANS



EXISTING
SHADOW PROJECTIONS 1pm 21st JUNE



NEW
SHADOW PROJECTIONS 1pm 21st JUNE

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Waverley Council
Application No: DA-520/2021
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MR BEAU ZHU
LOT 2 #5 CASTLEFIELD
STREET, BONDI, 2026

MR BEAU ZHU
D.A / C.C 436858
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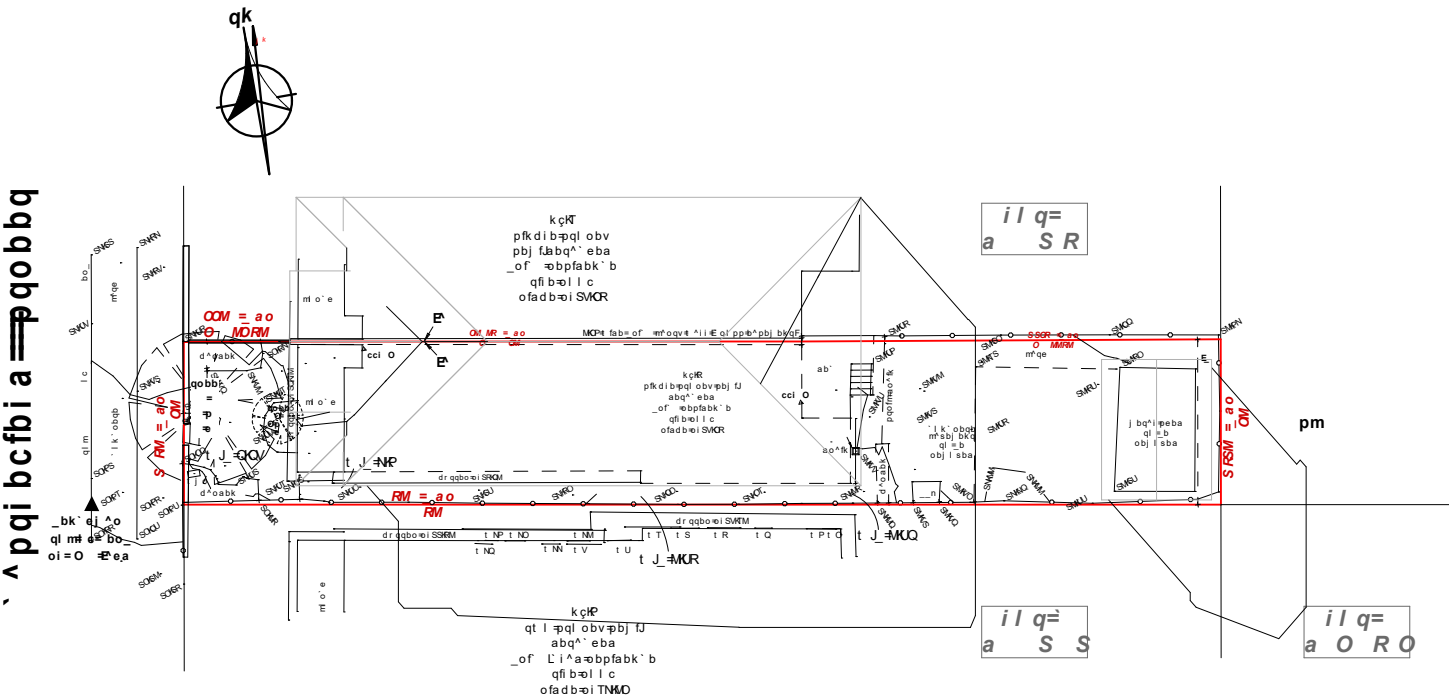
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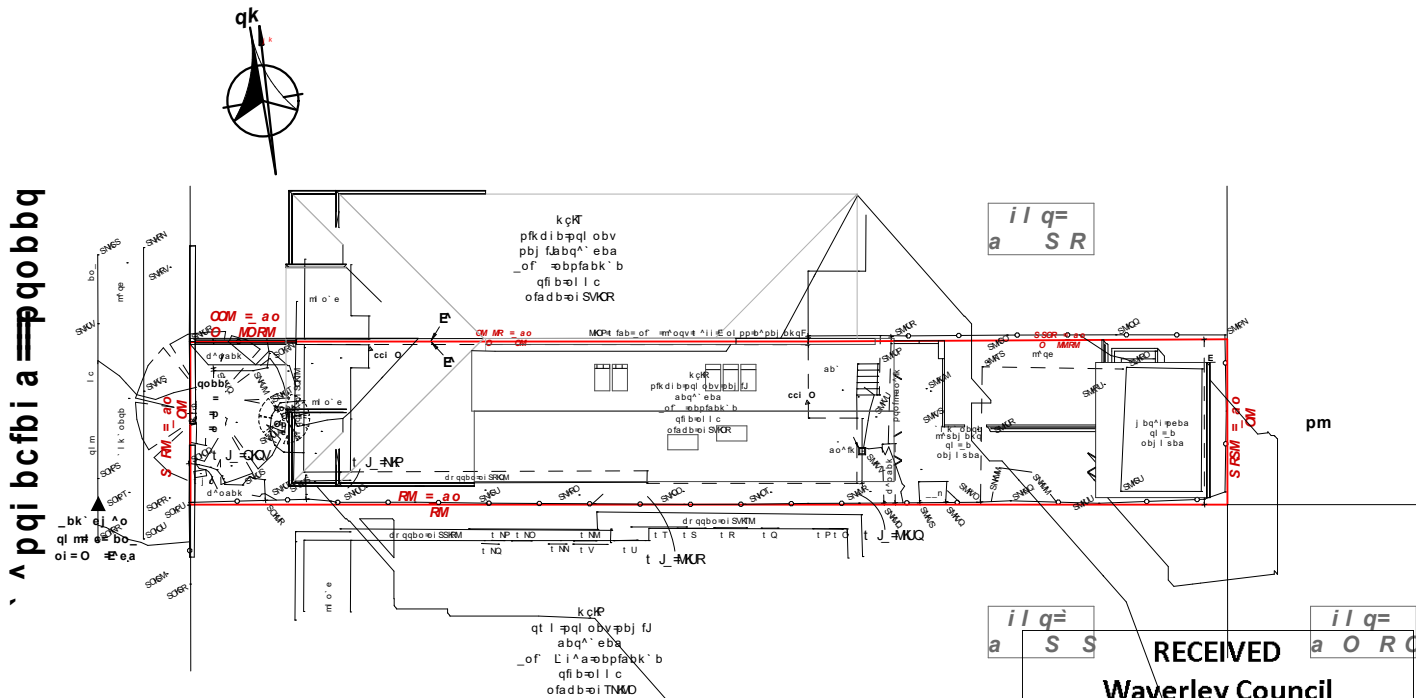


BUILDING DESIGNERS
ASSOCIATION OF AUSTRALIA

AMENDED PLANS



EXISTING
SHADOW PROJECTIONS 2pm 21st JUNE



NEW
SHADOW PROJECTIONS 2pm 21st JUNE

RECEIVED
Waverley Council
Application No: DA-520/2021
Date Received: 22/03/2022



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i f b k q W

MR BEAU ZHU

^ a a o b p p W

LOT 2 #5 CASTLEFIELD
STREET, BONDI, 2026

i l a d b j b k q W

D.A / C.C 436858

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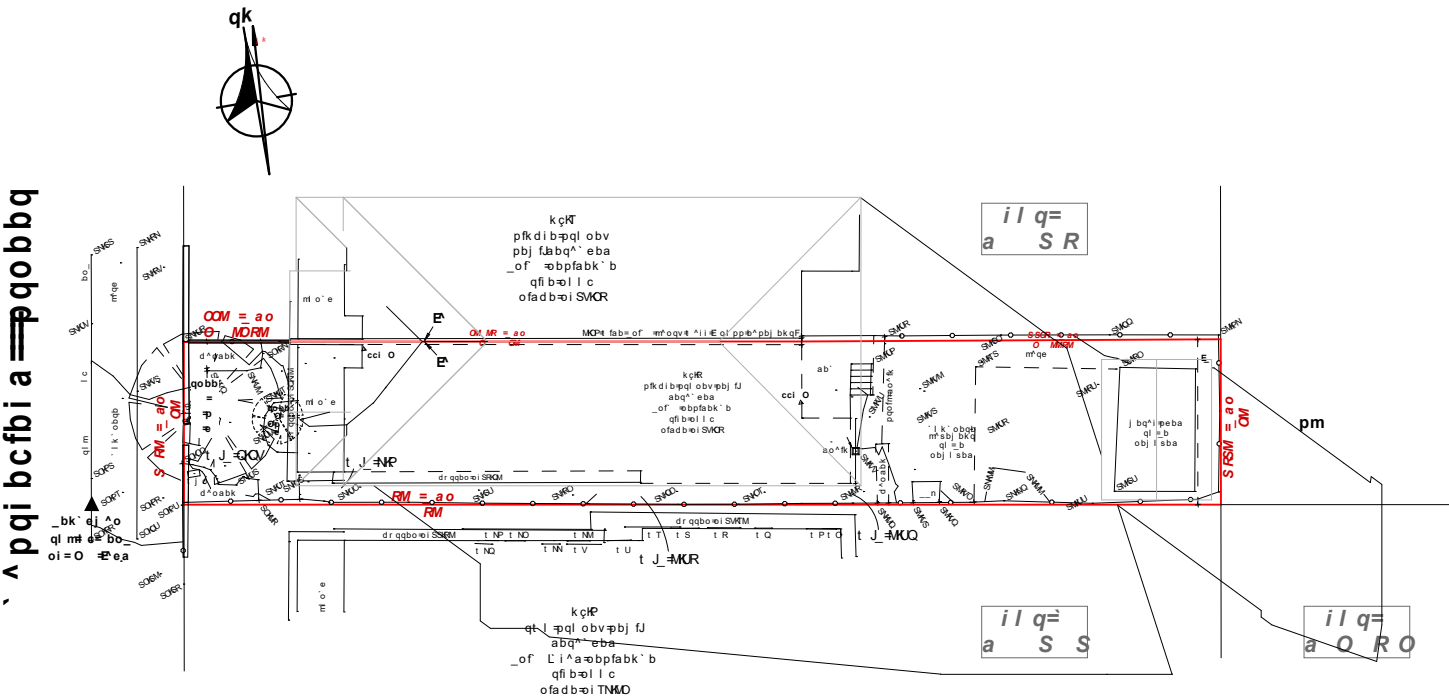
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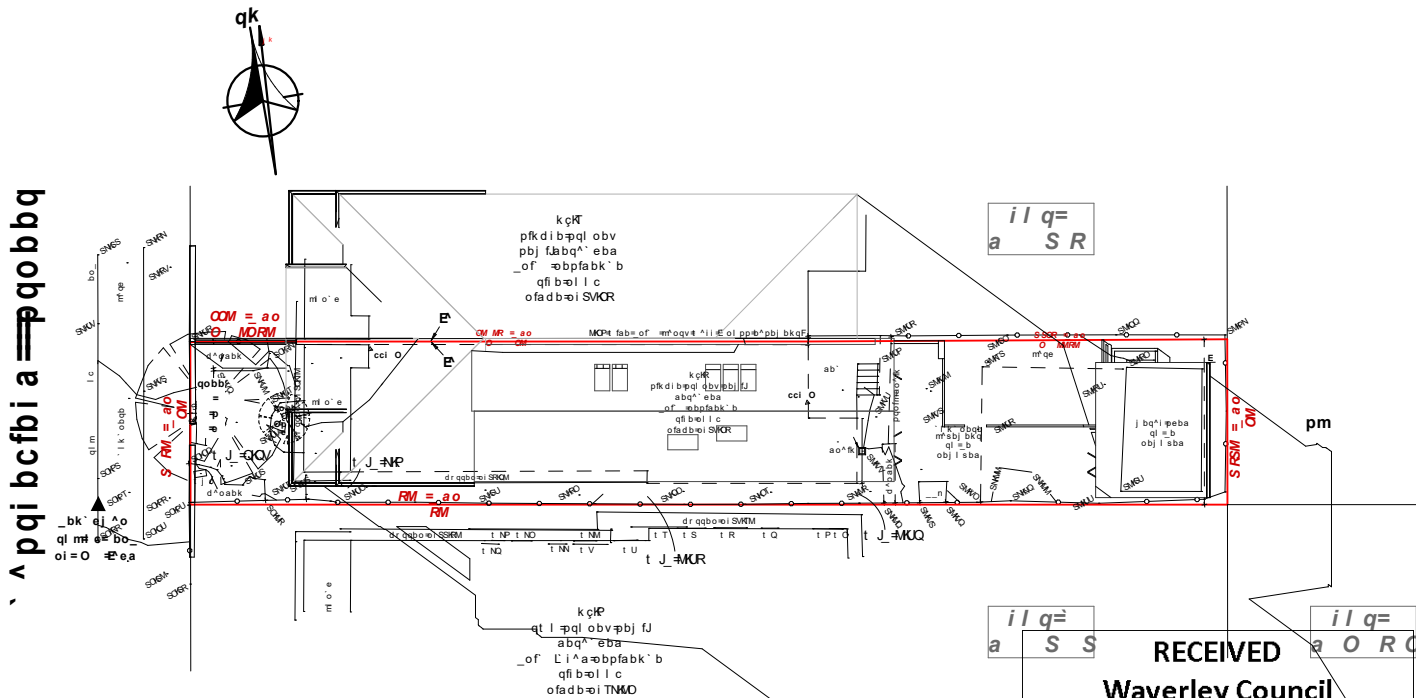


BUILDING DESIGNERS
ASSOCIATION OF AUSTRALIA

AMENDED PLANS



EXISTING
SHADOW PROJECTIONS 3pm 21st JUNE



NEW
SHADOW PROJECTIONS 3pm 21st JUNE

RECEIVED
Waverley Council
Application No: DA-520/2021
Date Received: 22/03/2022

AMENDED PLANS

BASIX®Certificate

Building Sustainability Index www.basix.nsw.gov.au




Single Dwelling

Certificate number: 1259932S

This certificate confirms that the proposed development will meet the NSW government's requirements for sustainability, if it is built in accordance with the commitments set out below. Terms used in this certificate, or in the commitments, have the meaning given by the document entitled "BASIX Definitions" dated 10/09/2020 published by the Department. This document is available at www.basix.nsw.gov.au

Secretary
Date of issue: Tuesday, 16 November 2021
To be valid, this certificate must be lodged within 3 months of the date of issue.



Project summary		
Project name	5 Castlefield st Bondi	
Street address	5 Castlefield Street Bondi 2026	
Local Government Area	Waverley Council	
Plan type and plan number	deposited 436858	
Lot no.	2	
Section no.	-	
Project type	attached dwelling house	
No. of bedrooms	4	
Project score		
Water	 41	Target 40
Thermal Comfort	 Pass	Target Pass
Energy	 50	Target 50

Water Commitments	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
Fixtures			
The applicant must install showerheads with a minimum rating of 3 star (> 7.5 but <= 9 L/min) in all showers in the development.		✓	✓
The applicant must install a toilet flushing system with a minimum rating of 4 star in each toilet in the development.		✓	✓
The applicant must install taps with a minimum rating of 4 star in the kitchen in the development.		✓	
The applicant must install basin taps with a minimum rating of 4 star in each bathroom in the development.		✓	
Alternative water			
Rainwater tank			
The applicant must install a rainwater tank of at least 1500 litres on the site. This rainwater tank must meet, and be installed in accordance with, the requirements of all applicable regulatory authorities.	✓	✓	✓
The applicant must configure the rainwater tank to collect rain runoff from at least 100 square metres of the roof area of the development (excluding the area of the roof which drains to any stormwater tank or private dam).		✓	✓
The applicant must connect the rainwater tank to: • all toilets in the development • the cold water tap that supplies each clothes washer in the development • at least one outdoor tap in the development (Note: NSW Health does not recommend that rainwater be used for human consumption in areas with potable water supply.)			
		✓	✓
		✓	✓
		✓	✓
Swimming pool			
The swimming pool must not have a volume greater than 12 kilolitres.	✓	✓	
The swimming pool must be outdoors.	✓	✓	

Project address	
Project name	5 Castlefield st Bondi
Street address	5 Castlefield Street Bondi 2026
Local Government Area	Waverley Council
Plan type and plan number	Deposited Plan 436858
Lot no.	2
Section no.	-
Project type	
Project type	attached dwelling house
No. of bedrooms	4
Site details	
Site area (m²)	267
Roof area (m²)	127
Conditioned floor area (m²)	170.0
Unconditioned floor area (m²)	14.0
Total area of garden and lawn (m²)	85

Assessor details and thermal loads		
Assessor number	DMN/12/1441	
Certificate number	0006794242-01	
Climate zone	56	
Area adjusted cooling load (MJ/m ² .year)	17	
Area adjusted heating load (MJ/m ² .year)	40	
Ceiling fan in at least one bedroom	No	
Ceiling fan in at least one living room or other conditioned area	No	
Project score		
Water	✔ 41	Target 40
Thermal Comfort	✔ Pass	Target Pass
Energy	✔ 50	Target 50


Thermal Comfort Commitments	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
Simulation Method			
The applicant must attach the certificate referred to under "Assessor Details" on the front page of this BASIX certificate (the "Assessor Certificate") to the development application and construction certificate application for the proposed development (or, if the applicant is applying for a complying development certificate for the proposed development, to that application). The applicant must also attach the Assessor Certificate to the application for an occupation certificate for the proposed development.			
The Assessor Certificate must have been issued by an Accredited Assessor in accordance with the Thermal Comfort Protocol.			
The details of the proposed development on the Assessor Certificate must be consistent with the details shown in this BASIX certificate, including the Cooling and Heating loads shown on the front page of this certificate.			
The applicant must show on the plans accompanying the development application for the proposed development, all matters which the Assessor Certificate requires to be shown on those plans. Those plans must bear a stamp of endorsement from the Accredited Assessor to certify that this is the case. The applicant must show on the plans accompanying the application for a construction certificate (or complying development certificate, if applicable), all thermal performance specifications set out in the Assessor Certificate, and all aspects of the proposed development which were used to calculate those specifications.	✓	✓	✓
The applicant must construct the development in accordance with all thermal performance specifications set out in the Assessor Certificate, and in accordance with those aspects of the development application or application for a complying development certificate which were used to calculate those specifications.		✓	✓
The applicant must construct the floors and walls of the dwelling in accordance with the specifications listed in the table below.	✓	✓	✓
Floor and wall construction		Area	
floor - concrete slab on ground		105.0 square metres	
floor - suspended floor/enclosed subfloor		12.0 square metres	

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Waverley Council

Application No: DA-520/2021

Date Received: 22/03/2022



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MR BEAU ZHU

LOT 2 #5 CASTLEFIELD STREET, BONDI, 2026

D.A / C.C 436858

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BUILDING DESIGNERS ASSOCIATION OF AUSTRALIA

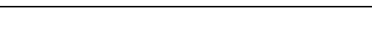
AMENDED PLANS

Energy Commitments	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
Hot water			
The applicant must install the following hot water system in the development, or a system with a higher energy rating: gas instantaneous with a performance of 6 stars.	✓	✓	✓
Cooling system			
The applicant must install the following cooling system, or a system with a higher energy rating, in at least 1 living area: 3-phase airconditioning; Energy rating: EER 3.0 - 3.5		✓	✓
The applicant must install the following cooling system, or a system with a higher energy rating, in at least 1 bedroom: 3-phase airconditioning; Energy rating: EER 3.0 - 3.5		✓	✓
The cooling system must provide for day/night zoning between living areas and bedrooms.		✓	✓
Heating system			
The applicant must install the following heating system, or a system with a higher energy rating, in at least 1 living area: 3-phase airconditioning; Energy rating: EER 3.5 - 4.0		✓	✓
The applicant must install the following heating system, or a system with a higher energy rating, in at least 1 bedroom: 3-phase airconditioning; Energy rating: EER 3.5 - 4.0		✓	✓
The heating system must provide for day/night zoning between living areas and bedrooms.		✓	✓
Ventilation			
The applicant must install the following exhaust systems in the development:			
At least 1 Bathroom: individual fan, not ducted; Operation control: manual switch on/off		✓	✓
Kitchen: individual fan, ducted to façade or roof; Operation control: manual switch on/off		✓	✓
Laundry: natural ventilation only, or no laundry; Operation control: n/a		✓	✓
Artificial lighting			
The applicant must ensure that the "primary type of artificial lighting" is fluorescent or light emitting diode (LED) lighting in each of the following rooms, and where the word "dedicated" appears, the fittings for those lights must only be capable of accepting fluorescent or light emitting diode (LED) lamps:			
<ul style="list-style-type: none"> at least 4 of the bedrooms / study; dedicated 		✓	✓

Energy Commitments	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
<ul style="list-style-type: none"> at least 1 of the living / dining rooms; dedicated the kitchen; dedicated all bathrooms/toilets; dedicated the laundry; dedicated all hallways; dedicated 		    	    
Natural lighting			
The applicant must install a window and/or skylight in the kitchen of the dwelling for natural lighting.			
The applicant must install a window and/or skylight in 3 bathroom(s)/toilet(s) in the development for natural lighting.			
Swimming pool			
The development must not incorporate any heating system for the swimming pool.			
The applicant must install a timer for the swimming pool pump in the development.			
Other			
The applicant must install a gas cooktop & electric oven in the kitchen of the dwelling.			
The applicant must construct each refrigerator space in the development so that it is "well ventilated", as defined in the BASIX definitions.			
The applicant must install a fixed outdoor clothes drying line as part of the development.			
The applicant must install a fixed indoor or sheltered clothes drying line as part of the development.			
<div style="border: 1px solid black; padding: 10px; text-align: center;"> <p>RECEIVED Waverley Council</p> <p>Application No: DA-520/2021</p> <p>Date Received: 22/03/2022</p> </div>			
Legend			
In these commitments, "applicant" means the person carrying out the development.			
Commitments identified with a  in the "Show on DA plans" column must be shown on the plans accompanying the development application for the proposed development (if a development application is to be lodged for the proposed development).			
Commitments identified with a  in the "Show on CC/CDC plans and specs" column must be shown in the plans and specifications accompanying the application for a construction certificate / complying development certificate for the proposed development.			
Commitments identified with a  in the "Certifier check" column must be certified by a certifying authority as having been fulfilled, before a final occupation certificate (either Interim or final) for the development may be issued.			

Application No: DA-520/2021

Date Received: 22/03/2022




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 D.A / C.C 436858

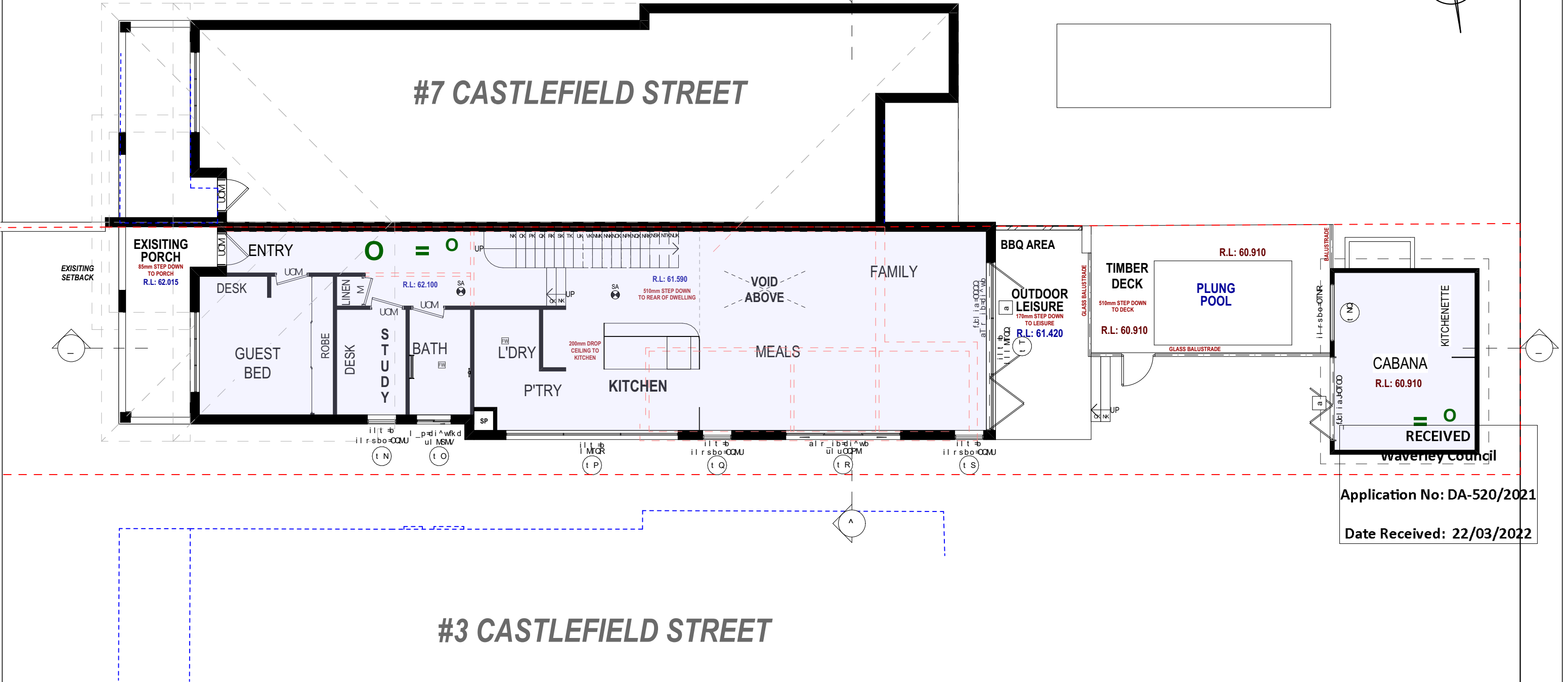
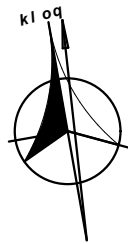
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AMENDED PLANS



Application No: DA-520/2021
Date Received: 22/03/2022

FSR GROUND FLOOR PLAN




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MR BEAU ZHU	D.A / C.C	436858
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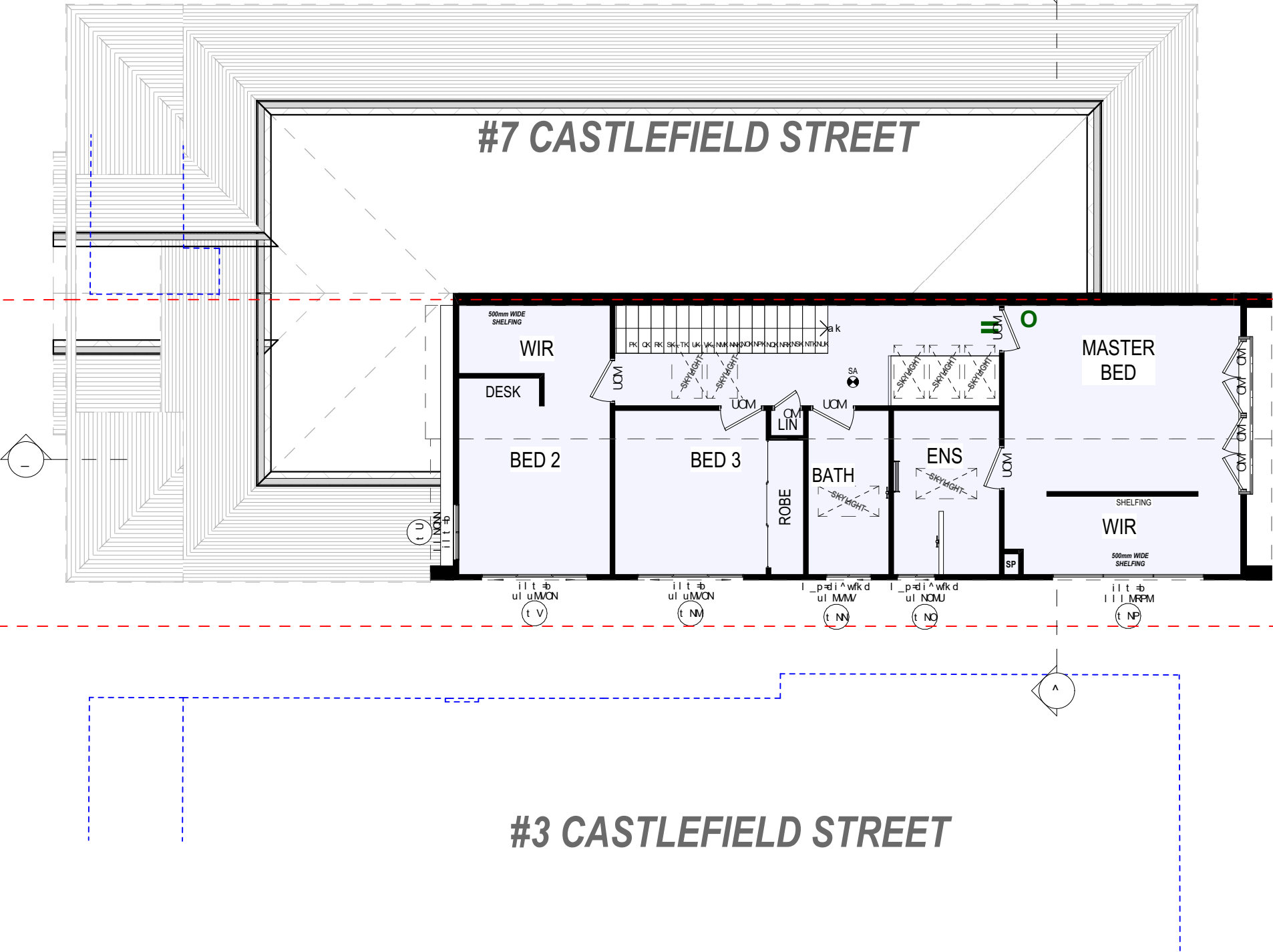
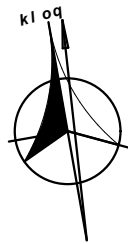
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BUILDING DESIGNERS ASSOCIATION OF AUSTRALIA

AMENDED PLANS



STUDIO
FLOOR OVER
COLORBOND
@ 4° FALL

FALL
RECEIVED
Waverley Council

Application No: DA-520/2021

Date Received: 22/03/2022

FSR FIRST FLOOR PLAN
NMM



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MR BEAU ZHU
LOT 2 #5 CASTLEFIELD STREET, BONDI, 2026

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BUILDING DESIGNERS
ASSOCIATION OF AUSTRALIA

AMENDED PLANS

SHALE GREY
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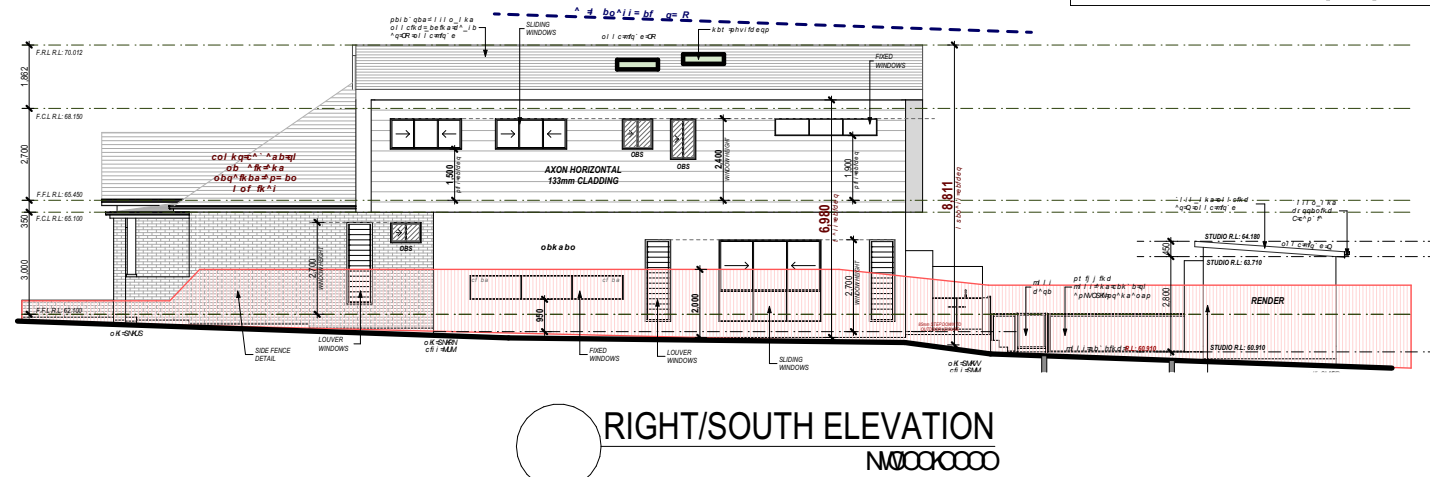
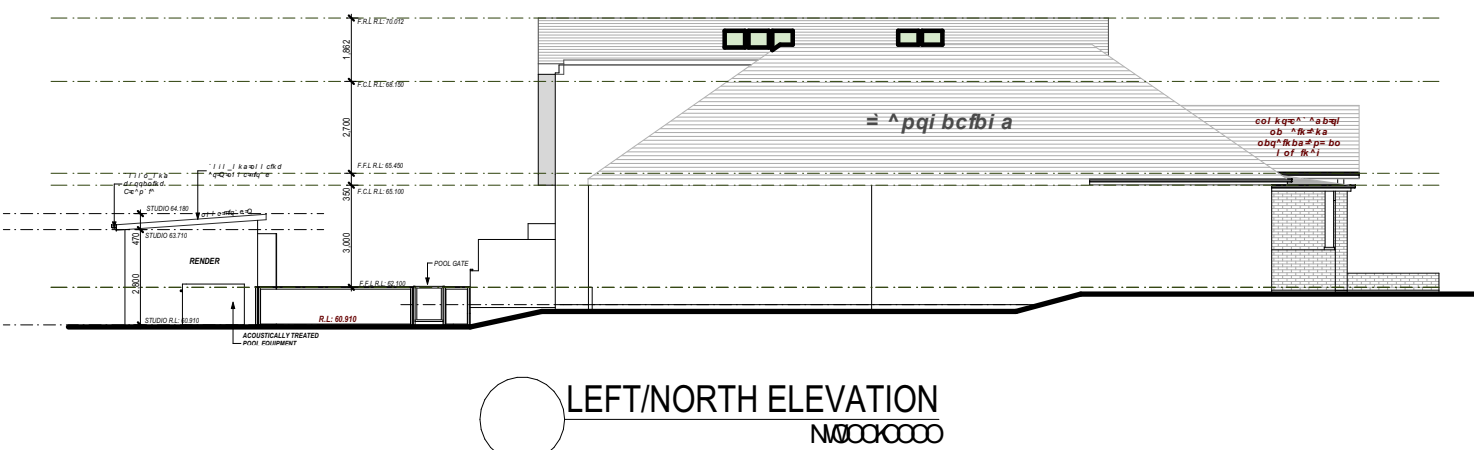
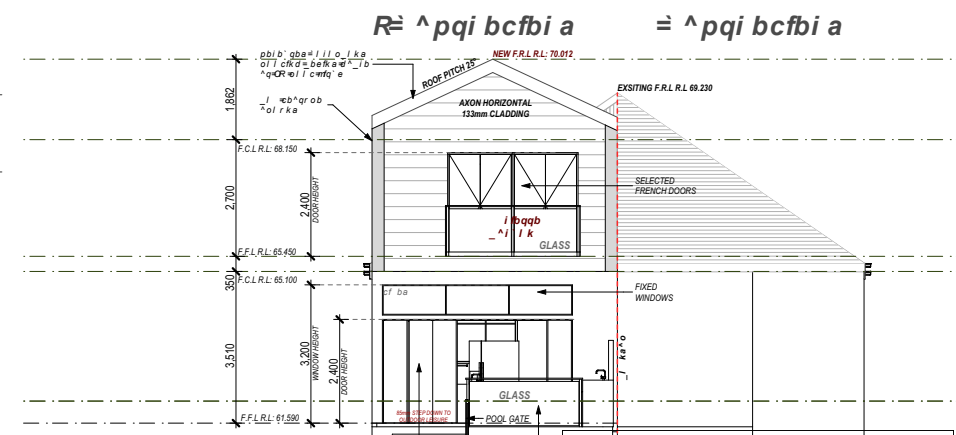
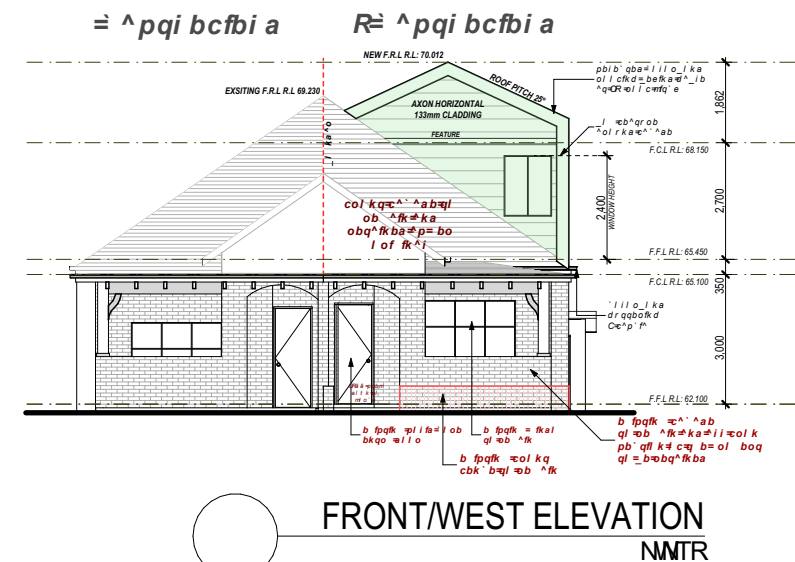
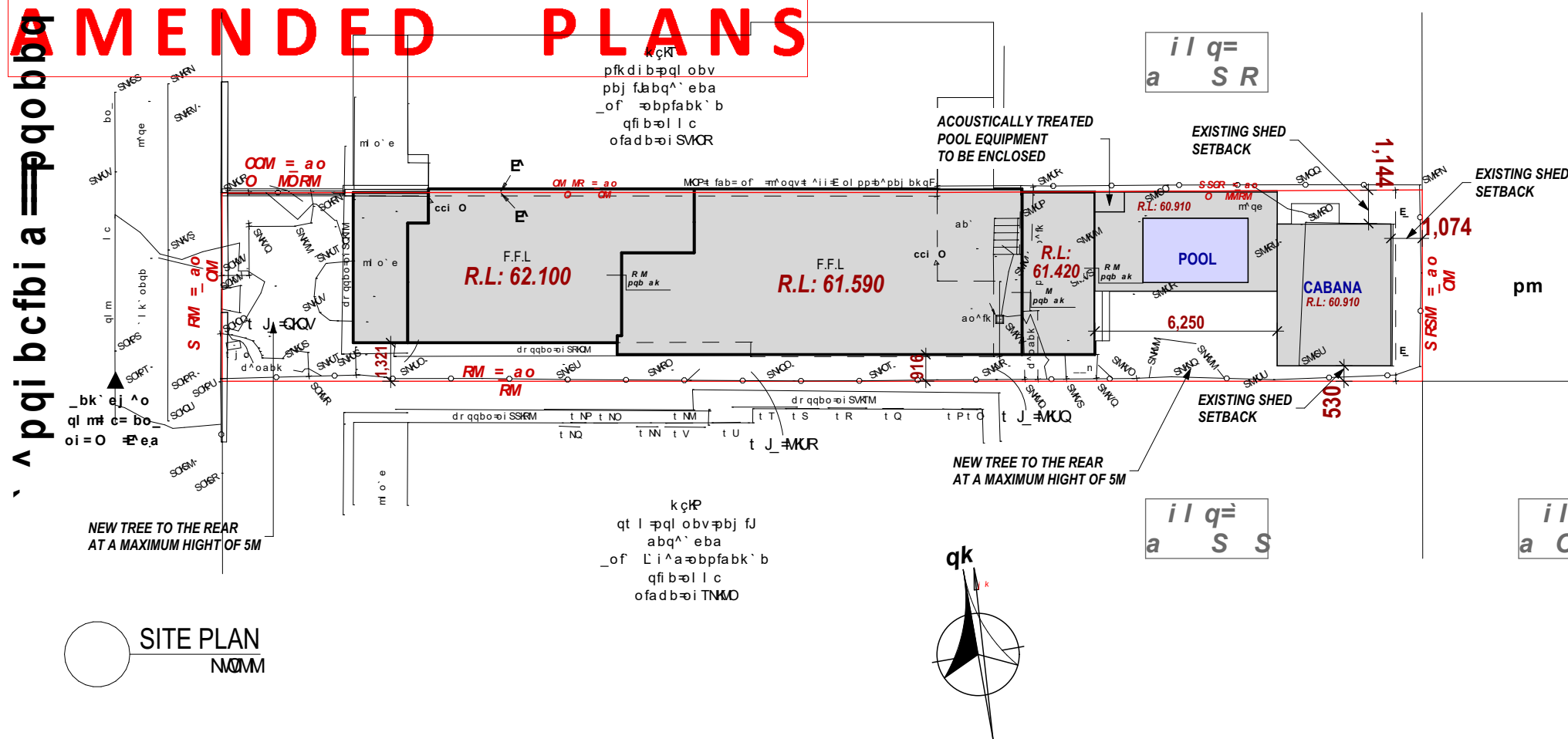
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RECEIVED
Waverley Council
Application No: DA-520/2021
Date Received: 22/03/2022



GROUND
FLOOR FRONT
FACADE TO
REMAIN AS
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AMENDED PLANS



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LOT 2 #5 CASTLEFIELD STREET, BONDI, 2026

D.A / C.C 436858
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26

BDCA
BUILDING DESIGNERS ASSOCIATION OF AUSTRALIA



Report to the Waverley Local Planning Panel

Application number	DA-35/2022
Site address	7 Park Parade, Bondi
Proposal	Partial demolition of an existing dwelling and construction of two semi-detached dwellings each with swimming pools to the rear and Torrens title subdivision into two lots.
Date of lodgement	25 January 2022
Owner	JLXZ Holdings Pty Limited
Applicant	Miss Xiaoxuan Zhong
Submissions	Nil
Cost of works	\$1,952,987.30
Principal Issues	<ul style="list-style-type: none"> • Height; • Floor Space Ratio (FSR); • Tree removal; • Loss of on-street parking; • Wall height; • Fence height; and • Shadowing
Recommendation	That the application be REFUSED for the reasons contained in the report.

SITE MAP



(Source: Nearmap, 2022)

1. PREAMBLE

1.1. Executive Summary

The application seeks consent for the partial demolition of an existing dwelling and construction of two semi-detached dwellings, each with swimming pools to the rear and Torrens title subdivision into two lots at the site known as 7 Park Parade, Bondi.

The principal issues arising from the assessment of the application are as follows:

- height
- FSR
- tree removal
- loss of on-street parking
- wall height
- fence height
- shadowing impacts.

The assessment finds these issues unacceptable as the variation to the height and FSR development standards does not meet the desired future character of the area and fails to preserve the environmental amenity of 3/8 Park Parade, by creating unacceptable overshadowing from a non-compliant building envelope. In addition, other non-compliances in relation to tree removal, loss of on-street parking and wall and fence height are not supported.

No submissions were received.

The application has been assessed against the relevant matters for consideration under section 4.15(1) of the *Environmental Planning and Assessment Act 1979*. It is recommended for approval subject to conditions of consent.

1.2. Site and Surrounding Locality

A site visit was carried out on 22 March 2022.

The site is identified as Lot 29 in DP 561, known as 7 Park Parade, Bondi.

The site is rectangular in shape with a frontage to Park Parade, measuring 12.495m. It has an area of 503.3m² and falls from the west (front) to the east (rear) by approximately 3.65m.

The site is occupied by a two-storey dwelling with vehicular access provided from Park Parade to a carport.

The site is adjoined by a semi-detached dwelling to the north (6 Park Parade) and a residential flat building (RFB) to the south (8 Park Parade). The locality is characterised by a variety of low to medium density residential development.

Figures 1 to 3 are photos of the site and its context.



Figure 1: The front of the subject site, looking east from Park Parade. (Source: Realestate.com)



Figure 2: Front of existing dwelling, looking east. (Source: Realestate.com, 2022)



Figure 3: Existing rear deck, private open space and existing palm trees, looking south-east. (Source: Realestate.com, 2022)

1.3. Relevant Development History

A search of Council's records revealed the following recent and relevant development history of the site:

- BA-76/1998 to construct a timber deck and pergola was approved on 10 March 1998.
- CD-26/2014 for the installation of a new widow and internal alterations was approved on 7 April 2014.

1.4. Proposal

The DA seeks consent for the partial demolition of an existing dwelling and construction of two semi-detached dwellings, each with swimming pools to the rear and Torrens title subdivision into two lots, specifically involving the following:

Demolition

- Demolition of structures with the retention of the side boundary walls.
- Removal of the two *Phoenix canariensis* (Canary Island Date Palm) located to the rear of the lot.
- Removal of a *Melaleuca styphelioides* (prickly-leaved paperbark) (with the proposal to plant a replacement tree) on the Council nature strip.

Construction for Each Dwelling

Lower Ground Floor

- open plan living, dining and kitchen
- powder room (under stairs)
- internal stairs, lift and plant room
- in-ground lap pool
- landscaping.

Ground Floor

- tandem style parking with a single space garage
- separate dual driveway crossover
- internal stairs and lift
- void to the lower ground floor below.

First Floor

- two secondary bedrooms
- lift
- bathroom
- void to the lower ground floor below
- master bedroom with ensuite and Juliet balcony.

2. ASSESSMENT

The following matters are to be considered in the assessment of this DA 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. State Environmental Planning Policies (SEPPs)

The following SEPPs apply and have been considered acceptable in the assessment of this DA:

- SEPP (Building Sustainability Index – BASIX) 2004.
- SEPP 55 Remediation of Land.

2.1.2. Draft Waverley Local Environmental Plan 2022 (Draft Waverley LEP 2022)

It is acknowledged that the Draft Waverley Local Environmental Plan 2022 was on exhibition from 12 November 2021 to 23 January 2022, however at the time of this assessment, there are no relevant matters for consideration.

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
Part 1 Preliminary		
1.2 Aims of plan	Yes	The proposal meets the aims of the Waverley LEP 2012.
Part 2 Permitted or prohibited development		
2.6 Subdivision – consent requirements	Yes	The application seeks consent for Torren title subdivision as part of this proposal.
Land Use Table Medium Density 'R3' Zone	Yes	The proposal is defined as a dual occupancy and upon Torrens title subdivision, will result in a pair of semi-detached dwelling. Both land uses are permitted with consent in the R3 zone.
Part 4 Principal development standards		
4.1 Minimum subdivision lot size • 232m ²	Yes	Each proposed lot will have an area of 251.65m ² .
4.3 Height of buildings • 9.5m	No	The proposed development will have an overall height of 10.7m. The development exceeds the maximum development standard by 1.2m or 12.6%.
4.4 FSR; and 4.4A Exceptions to FSR • Lot Size: 503.3m ² • Max GFA: 277.5m ²	No	Gross floor area (GFA) calculations: Lower Ground: 150m ² Ground: 22.8m ² First: 126m ²

Provision	Compliance	Comment
<ul style="list-style-type: none"> Max FSR: 0.55:1 		TOTAL GFA: 298.8m ² TOTAL FSR: 0.59:1 The development exceeds the maximum development standard by 21.3m ² or 7.6%.
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 height and FSR development standards. A detailed discussion of the variation to the development standards is presented below this table.
Part 6 Additional local provisions		
6.2 Earthworks	Conditional	In the event of approval, appropriate conditions relating to excavation could be imposed.

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

Clause 4.6 Exceptions to Development Standards - Height

The application seeks to vary the height of buildings development standard in clause 4.3 under Waverley LEP 2012.

The site is subject to a maximum height development standard of 9.5m. The proposed development has a height of 10.7m, exceeding the standard by 1.2m equating to a 12.6% variation.

A written request has been submitted to Council in accordance with clause 4.6(3)(a) and (b) of Waverley LEP 2012 seeking to justify the contravention of the development standard by demonstrating:

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

A copy of the applicant's written request has been provided to the Waverley Local Planning Panel for consideration.

Applicant's Written Request - Clause 4.6(3)(a) and (b)

The applicant seeks to justify the contravention of the height development standard on the following basis:

- (a) That compliance with the development standard is unreasonable or unnecessary in the circumstances of the case:

- (i) The proposal meets the objectives of the development standard:

- a. Objective (a): To establish limits on the overall height of development to preserve the environmental amenity of neighbouring properties and public spaces and, if appropriate, the sharing of views.**

The built form will positively contribute to the Park Parade streetscape, with an articulated façade and a compatible height and form.

The exceedance will not be readily discernible from the street or any other public domain area as it is at the rear of building that is predominantly below the height limit and presents as compliant development from the street.

Overall, the new dwellings will provide greatly improved housing conditions with additional housing stock and bedrooms to accommodate a young family within a well located and highly sought-after suburb close to the Sydney CBD, services and public transport.

The minimal extent of the contravening element would result in negligible interference with any direct views from surrounding properties or any view corridors.

- b. Objective (b) and (c) are not relevant as the subject site is not located within the Bondi Junction Centre.**

- c. Objective (d): To ensure that buildings are compatible with the height, bulk and scale of the desired future character of the locality and positively complement and contribute to the physical definition of the street network and public space.**

The minor variation will not present any additional or increased bulk, privacy and amenity or overshadowing impacts on the neighbouring properties when compared to a compliant scheme.

The form and scale respond to the broader context of the site, and the low density residential form that is characterised by two to three storey dwellings orientated east towards Bondi Beach.

The variation to the height does not increase the intensity of the development and will not give rise to significant adverse overshadowing. In fact, the new pitched roof design will provide an improvement to the solar access provisions of several units at 8 Park Parade.

The proposed building and general massing sit comfortably with the setting of the surrounding buildings and the 12.5m height limit directly to the east.

The extent of variation is appropriate in this instance as the proposal provides a well-articulated dwelling that is compatible with the local developments' height, context and character.

(ii) The proposal meets the objectives of the zone:

a. To provide for the housing needs of the community within a medium density residential environment.

The proposed development will provide a new contemporary style semi-detached dwelling development that provides additional housing and housing options for a growing population and demand for suburban Sydney residential accommodation.

The proposed development will maintain the density and capability of the site to support two young families in a location in close proximity to a number of local services, recreational areas, schools and public transport corridors.

The proposed development provides a positive response to the site's locational characteristics and will be a positive addition to and complements the existing character, height, bulk and scale of existing dwellings in the immediate vicinity.

The proposed dwelling is of an appropriate bulk, scale and appearance consistent with the general character of Park Parade and the R3 Medium Density Residential zone in general.

The breach in the development standard will not be easily discernible when viewed from the public or private domains and the proposal will have a double-storey appearance from the street with a three-storey building then extending to the rear, following the topography of the land.

b. To provide a variety of housing types within a medium density residential environment.

The proposed developments seeks to convert a single dwelling into a semi-detached dwelling development, providing more variety of housing types and choices along Park Parade and in the broader Bondi locality.

c. To enable other land uses that provide facilities or services to meet the day to day needs of residents.

This objective is not relevant as the proposed uses are for dwelling houses.

d. To maximise public transport patronage and encourage walking and cycling.

The proposed development includes a semi-detached dwelling development with 2 x five bedrooms accommodating for larger families.

Each dwelling includes a single garage and opportunity for a second stacked car space.

The sites are located in close proximity to Bondi Road, a major connector between Bondi Beach and Bondi Junction, each location within walking distance from the subject site and each with a high level of public transport options.

The site is well located for residents to utilise a number of public transport options and to walk to a number of services and utilities.

- (b) That there are sufficient environmental planning grounds to justify contravening the standard
- (i) *The proposed new semi-detached dwelling development is permissible within the R3 Medium Density Residential zone and is consistent with the zone objectives.*
 - (ii) *The proposed new semi-detached dwelling development will provide a significant upgrade to the building and front facade including a new front building design with, traditional pitched roofs design with new contemporary materials, new internal garages with front driveways and increased front landscaping and new front fences and gates.*
 - (iii) *The design, citing and massing of the new dwellings ensures that the front landscaped setbacks and more traditional pitched roof style along Park Parade is reinforced, that the front, side and rear setbacks remain consistent and more defined.*
 - (iv) *The bulk of the house has been set down relative to the street to reduce visual impact on the street and neighbour, maintaining a two-storey presentation to Park Parade.*
 - (v) *The design, front setback, siting of the dwelling and opportunity for more landscaping within the front setback will ensure that the existing medium density residential and tree-lined streetscape will be maintained and improved.*
 - (vi) *The proposed built form is a well-considered response to the particular constraints of the site, in particular the site topography.*
 - (vii) *The proposed height exceedance is for a small portion of the pitched roof at the rear of the building and is the result of the existing steep site topography general pitched roof design. The breach in the development standard will not be easily discernible when viewed from the public or private domains and the proposal will have a double-storey appearance from the street with a three-storey building then extending to the rear, following the topography of the land.*
 - (viii) *The contravention results from the pitched roof above the master bedroom. Although a flat or lower pitched roof would strictly comply with the height limit, it would not match the roof pitch of the building generally and would be inconsistent with the adopted architectural language. The proposed development results in a building bulk and scale that is consistent with the desired outcome and objectives for the low density residential area and is similar to other recent developments in the locality.*

- (ix) *Overall, the proposed height, building envelope and floor space is an appropriate correlation with the size of the site and the extent of the development as it is consistent with the overall building envelope and setbacks in the locality.*
- (x) *Allowing a variation to the height standard, in the context of this particular site, the existing height and building form and this particular design, would promote:*
 - *the proper and orderly development of land; and*
 - *good design and amenity of the built environment,**which are express objectives of the Environmental Planning and Assessment Act 1979 (Section 1.3(c) and (g)).*

Consideration of Applicant's Written Request - Clause 4.6(4) (a) (i) and (ii)

Development consent must not be granted unless the consent authority is satisfied that:

- (a) The applicant's written request has adequately addressed the matters required to be demonstrated by subclause 3 of clause 4.6 being that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and that there are sufficient environmental planning grounds to justify contravening the standard; and
- (b) The proposed development will be in the public interest because it is consistent with the objectives of the particular development standard and the objectives for development within the zone in which the development is proposed to be carried out.

Does the written request adequately address those issues at clause 4.6(3)(a)?

Although, the written request has referenced one or more of the justifications as set out in *Wehbe v Pittwater Council* (2007) 156 LGERA 446 (listed below) it is considered that the applicant has not adequately addressed that compliance with the standard is unreasonable or unnecessary in the circumstances of the case.

- (a) the objectives of the development standard are achieved notwithstanding non-compliance with the standard;*
- (b) to establish that the underlying objective or purpose is not relevant to the development with the consequence that compliance is unnecessary;*
- (c) to establish that the underlying objective or purpose would be defeated or thwarted if compliance was required with the consequence that compliance is unreasonable;*
- (d) to establish that the development standard has been virtually abandoned or destroyed by the Council's own actions in granting consents departing from the standard and hence compliance with the standard is unnecessary and unreasonable; and*
- (e) to establish that "the zoning of particular land" was "unreasonable or inappropriate" so that "a development standard appropriate for that zoning was also unreasonable or unnecessary as it applied to that land" and that "compliance with the standard in that case would also be unreasonable or unnecessary.*

The applicant specifically relies upon justification (a) outlined above to address clause 4.6(3)(a) of Waverley LEP 2012.

Does the written request adequately address those issues at clause 4.6(3)(b)?

The written request has not convincingly demonstrated that there are sufficient environmental planning grounds to justify contravening the development standard. Council is not of the opinion that the variation to the height preserves the environmental amenity of neighbouring properties as it results in overshadowing impacts.

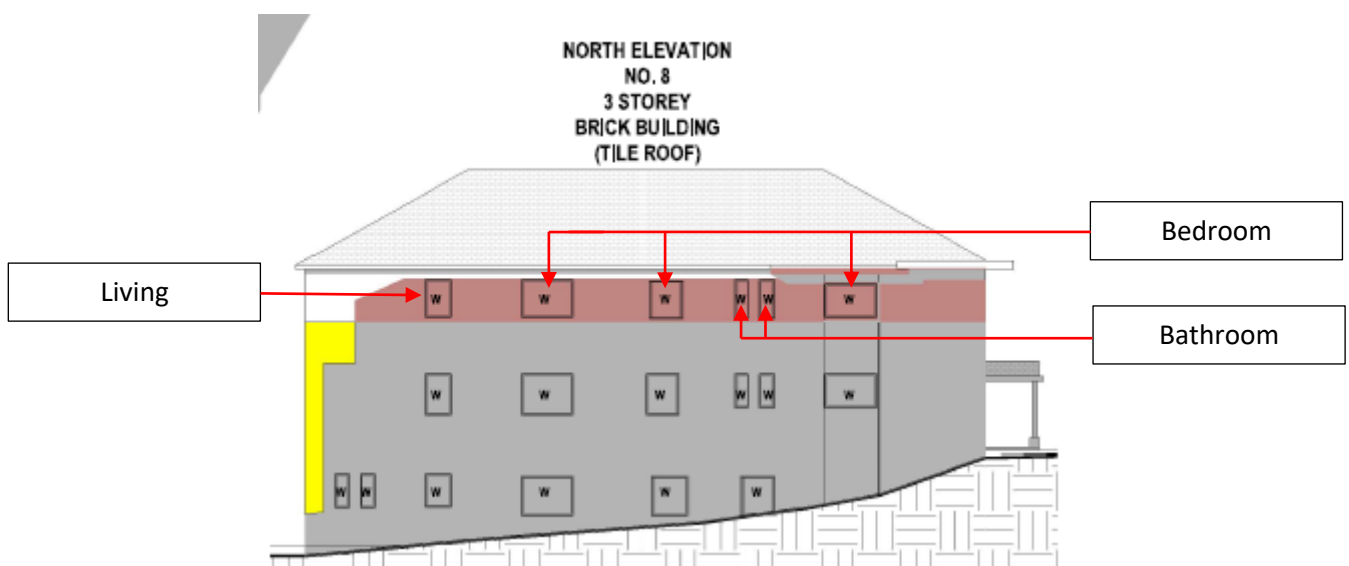
Is the development in the public interest?

The proposed development will not be in the public interest because it is not consistent with the objectives of the particular development standard as discussed below:

The objectives of the height development standard are as follows:

- a. **Objective (a): To establish limits on the overall height of development to preserve the environmental amenity of neighbouring properties and public spaces and, if appropriate, the sharing of views.**

The development exceeds the height development standard to the rear portion of the development from the eastern downward slope of the lot. This breach in height, does not preserve the environmental amenity of neighbouring properties as it will overshadow the habitable rooms at 9am and 3pm at 3/8 Park Parade.



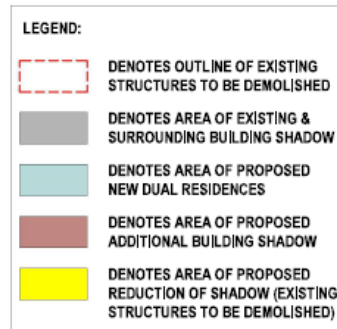


Figure 4. Shadowing to the northern elation of 8 Park Parade at 9am. (Source: Cad Draft Pty Ltd, 2022)

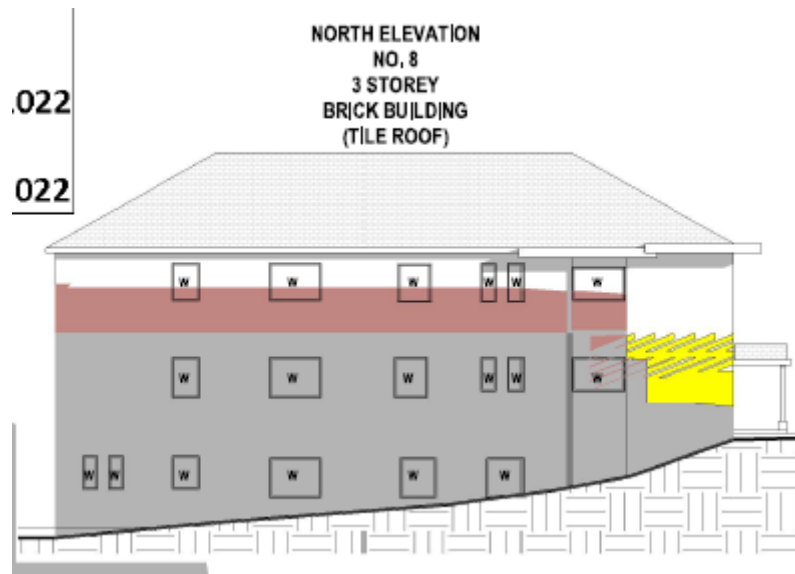


Figure 5. Shadowing to the northern elevation of 8 Park Parade at 3 pm. (Source: Cad Draft Pty Ltd, 2022)

As demonstrated in figures 4 and 5 above it is established that the development fails to meet this objective as the breach to height results in amenity impacts to a neighbouring residence in terms of overshadowing.

- b. Objective (b) and (c) are not relevant as the subject site is not located within the Bondi Junction Centre.**
- c. Objective (d): To ensure that buildings are compatible with the height, bulk and scale of the desired future character of the locality and positively complement and contribute to the physical definition of the street network and public space.**

Whilst the development is compatible with the height, bulk and scale of surrounding buildings, it does not meet the desired future character of the area. The lot is located within an R3 zone and therefore has greater height controls than the standard 8.5m, usually permitted for low density residential (R2) zone. Notwithstanding the lower density scale of the proposed development, the proposal still exceeds the height development standard anticipated for a higher density development. The excessive use of voids and floor to ceiling heights well in excess of the Building Code of Australia (BCA) requirements contributes significantly to the bulk of the building and

unnecessarily and unreasonably increases the height beyond the development standard. The proposed development has been designed with a bulk and scale that would be commensurate with a residential flat building rather than a dwelling. The proposal is inconsistent with the desired future character of the area and is inconsistent with objective (d).

The objectives of the R3 zone are as follows:

- a. To provide for the housing needs of the community within a medium density residential environment.**

The proposal provides housing needs for the community. However, the bulk and scale of the dwelling should be reduced to be more reflective of a low-density dwelling rather than an RFB.

- b. To provide a variety of housing types within a medium density residential environment.**

The proposal provides a pair of semi-detached dwellings (post subdivision). However, the bulk and scale of the dwellings should be reduced to be more reflective of a low-density dwelling rather than an RFB.

- c. To enable other land uses that provide facilities or services to meet the day to day needs of residents.**

This objective is not relevant.

- d. To maximise public transport patronage and encourage walking and cycling.**

The proposal provides parking that does not exceed the maximum rates of the DCP thereby encouraging walking, cycling and utilisation of public transport.

Conclusion

For the reasons provided above the requested variation to the height development standard is not supported as the applicant's written request has not adequately addressed the matters required to be addressed by clause 4.6(3) of the Waverley LEP 2012. In addition, the proposed development is not in the public interest because it is inconsistent with the objectives of height development standard and the R3 zone.

Clause 4.6 Exceptions to Development Standards - FSR

The application seeks to vary the FSR development standard in clause 4.4 under Waverley LEP 2012.

The site is subject to a maximum FSR development standard of 0.55:1. The proposed development has a FSR of 0.59:1, exceeding the standard by 21.3m² equating to a 7.6% variation.

A written request has been submitted to Council in accordance with clause 4.6(3)(a) and (b) of Waverley LEP 2012 seeking to justify the contravention of the development standard by demonstrating:

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

A copy of the applicant's written request has been provided to the Waverley Local Planning Panel for consideration.

Applicant's Written Request - Clause 4.6(3)(a) and (b)

The applicant seeks to justify the contravention of the FSR development standard on the following basis:

- (a) That compliance with the development standard is unreasonable or unnecessary in the circumstances of the case:

- (i) The proposal meets the objectives of the development standard:

- a. Objective (a) is not relevant as the subject site is not located within the Bondi Junction Centre.**
 - b. Objective (b): To provide appropriate correlation between maximum building heights and density controls.**

The proposed semi-detached dwellings and the resultant building envelope and bulk is compatible with the existing scale and the medium density residential character of the locality and does not impact on the Park Parade streetscape, or overall building siting and location.

The existing building has a GFA of 407m² with a FSR of 0.81:1, far exceeding the maximum permissible FSR for the site. The proposed GFA is 302.95m², or 151.48m² per dwelling, resulting in a reduction of the existing FSR.

The reduction of the GFA while maintaining the general building envelope is testament to the skilful design and new contemporary layout that utilises large voids and extensive glazing to maximise natural light and ventilation into the dwellings.

The proposed development provides an articulated two-storey built form presenting to the street with a third level located below street level which harmonises with the area's topography and existing character.

The proposed GFA is compatible with the surrounding developments' bulk and scale, including many existing residential flat buildings and larger dwellings.

The FSR exceedance will not be easily discernible from the public domain and will not impact neighbours' amenity, as demonstrated in the SEE.

c. Objective (c): To ensure that buildings are compatible with the height, bulk and scale of the desired future character of the locality.

As noted above and throughout the Statement of Environmental Effects (SEE) submitted with the application, the scale of the semi-detached dwelling development is compatible with the characteristics of the site and the locality in general.

The site is located in Bondi within a R3 Medium Density Residential area. The zone and area are characterised by a mix of single dwellings, dual occupancies, semi-detached dwellings and residential flat buildings of a range of styles and design.

The proposed semi-detached development will present as two storeys from the street with a three-storey element to the rear.

This design, bulk and scale is consistent with the height, bulk and scale of the surrounding character and responds to the land topography of the area and surrounding building massing.

The proposed building envelope is an appropriate correlation with the size of the site and the extent of the development as it is consistent with the overall building envelope and setbacks in the locality. It maintains the existing low to medium density residential presentation to the street.

The proposed floor space does not prevent the site from complying with other key controls in relation to setbacks, private open space and general amenity or impacts on the neighbouring properties.

d. Objective (d): To establish limitations on the overall scale of development to preserve the environmental amenity of neighbouring properties and the locality.

The proposed semi-detached development is of an appropriate bulk, scale and appearance consistent with the general character of Park Parade and the R3 Medium Density Residential zone in general.

The proposal provides an improvement to the overall streetscape presentation by providing a high-quality, contemporary development that incorporates key design elements from the surrounding traditional streetscape. It will enhance the site's street presentation, positively contribute to the locality's character and provide appropriate interfaces with the public domain and adjoining buildings.

The variation enables reasonable redevelopment of a site currently comprising an older dwelling lacking in residential amenity.

The proposal will result in a Torrens Title subdivision arrangement resulting in two allotments of 251.65m² each. In accordance with Clause 4.4A(b) the maximum permissible FSR for a dwelling house on land zoned R3 with an area of 251.65m² is 0.83:1. Therefore, the proposed GFA, FSR and overall density of each site will be well below the maximum permissible FSR once the site has been subdivided.

Overall, the new dwellings will provide greatly improved housing conditions with additional housing stock and bedrooms to accommodate a young families within a well-located and highly sought-after suburb close to the Sydney CBD, services and public transport.

(ii) The proposal meets the objectives of the zone:

a. To provide for the housing needs of the community within a medium density residential environment.

The proposed development includes the partial demolition of an existing dwelling and the construction of a new semi-detached dwelling with Torrens Title subdivision.

The proposed development will provide a new contemporary style development that provides additional housing and housing options for a growing population and demand for suburban Sydney residential accommodation.

The proposed development provides a positive response to the site's topographical and locational characteristics and will be a positive addition to and complements the existing character, height, bulk and scale of existing dwellings in the immediate vicinity.

b. To provide a variety of housing types within a medium density residential environment.

The proposal will replace an existing single dwelling with semi-detached dwellings, adding to the variety housing types along Park Parade and within Bondi in general.

The new semi-detached dwellings will provide upgrades an older dwelling, providing two modern dwellings, that will provide a high level of internal amenity, increase the access to natural light and ventilation and meet the necessary BASIX requirements, resulting in a development that applies the principles of ecologically sustainable development.

c. To enable other land uses that provide facilities or services to meet the day to day needs of residents.

This objective is not relevant as the proposed uses are for dwelling houses.

d. To maximise public transport patronage and encourage walking and cycling.

The proposed development will increase the density and capability of the site to support two families in a location in close proximity to a number of local services, recreational areas, schools and public transport corridors.

- (b) That there are sufficient environmental planning grounds to justify contravening the standard:
- (i) *The proposed semi-detached dwelling development is permissible within the R3 Medium Density Residential zone and is consistent with the zone objectives.*
 - (ii) *The proposed built form is a well-considered response to the particular constraints of the site, in particular the site topography and varied streetscape.*
 - (iii) *The proposal will result in a Torrens Title subdivision arrangement resulting in two allotments of 251.65m² each. In accordance with Clause 4.4A(b) the maximum permissible FSR for a dwelling house on land zoned R3 with an area of 251.65m² is 0.83:1. Therefore, the proposed GFA, FSR and overall density of each site will be well below the maximum permissible FSR once the site has been subdivided.*
 - (iv) *The proposed floor space does not prevent the site from complying with other key controls in relation to setbacks, landscaping and general amenity impacts on the neighbouring properties.*
 - (v) *The proposed development results in a building bulk and scale that is consistent with the desired outcome and objectives for the medium density residential area and is similar to other recent developments in the locality.*
 - (vi) *Overall, the proposed building envelope and floor space is an appropriate correlation with the size of the site and the extent of the development as it is consistent with the overall building envelope and setbacks in the locality.*
 - (vii) *Allowing a variation to the height standard, in the context of this particular site, the existing height and building form and this particular design, would promote:*
 - *the proper and orderly development of land; and*
 - *good design and amenity of the built environment,**which are express objectives of the Environmental Planning and Assessment Act 1979 (Section 1.3(c) and (g)).*

Consideration of Applicant's Written Request - Clause 4.6(4) (a) (i) and (ii)

Development consent must not be granted unless the consent authority is satisfied that:

- (c) The applicant's written request has adequately addressed the matters required to be demonstrated by subclause 3 of clause 4.6 being that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and that there are sufficient environmental planning grounds to justify contravening the standard; and
- (d) The proposed development will be in the public interest because it is consistent with the objectives of the particular development standard and the objectives for development within the zone in which the development is proposed to be carried out.

Does the written request adequately address those issues at clause 4.6(3)(a)?

Although, the written request has referenced one or more of the justifications as set out in *Wehbe v Pittwater Council* (2007) 156 LGERA 446 (listed below) relying on justification (a), it is considered that the applicant has not adequately addressed that compliance with the standard is unreasonable or unnecessary in the circumstances of the case.

- (a) the objectives of the development standard are achieved notwithstanding non-compliance with the standard;*
- (b) to establish that the underlying objective or purpose is not relevant to the development with the consequence that compliance is unnecessary;*
- (c) to establish that the underlying objective or purpose would be defeated or thwarted if compliance was required with the consequence that compliance is unreasonable;*
- (d) to establish that the development standard has been virtually abandoned or destroyed by the Council's own actions in granting consents departing from the standard and hence compliance with the standard is unnecessary and unreasonable; and*
- (e) to establish that "the zoning of particular land" was "unreasonable or inappropriate" so that "a development standard appropriate for that zoning was also unreasonable or unnecessary as it applied to that land" and that "compliance with the standard in that case would also be unreasonable or unnecessary.*

Does the written request adequately address those issues at clause 4.6(3)(b)?

The written request has not convincingly demonstrated that there are sufficient environmental planning grounds to justify contravening the development standard. Council is not of the opinion that the exceedance of the height development standard preserves the environmental amenity of neighbouring properties as it results in overshadowing impacts.

Is the development in the public interest?

The proposed development will not be in the public interest because it is not consistent with the objectives of the particular development standard as discussed below:

The objectives of the FSR development standard are as follows:

The objectives of the FSR development standard are as follows:

- a. Objective (a) is not relevant as the subject site is not located within the Bondi Junction Centre.**
- b. Objective (b): To provide appropriate correlation between maximum building heights and density controls.**

The proposed voids and excessive floor-to-ceiling height unnecessarily increase the height, bulk and scale of the proposed building. The large void shown in Figure 6 below has a ceiling height of 6m which equates to a two-storey void for the majority of the lower ground floor level. This void would be easily converted to gross floor area in the future (subject to consent) which would result in a significant exceedance of the FSR development standard. In this regard, the proposal does not provide an appropriate correlation between height and density which supports the argument that the proposal does not meet the desired future character of the area and is inconsistent with objective (b).

Figure 6. Proposed Section A, demonstrating excessive voids (outlined red). (Source: Stephen O'Connor Architecture, 2022)

Whilst the development is compatible with the height, bulk and scale of surrounding existing buildings, it does not meet the desired future character of the area. The lot is located within an R3 zone and therefore has greater height controls than the standard 8.5m, usually permitted for in the R2 zone. The proposed low-density development has been designed with a bulk and scale that would be appropriate for a residential flat building with the limited setbacks and increased FSR permitted for a dwelling under Clause 4.4A. Notwithstanding, the higher FSR afforded a dwelling, the proposal still exceeds the FSR development standard.

- d. Objective (d): to establish limitations on the overall scale of development to preserve the environmental amenity of neighbouring properties and the locality.**

The development breaches FSR. This breach in FSR does not preserve the environmental amenity of neighbouring properties as it will overshadow the habitable rooms at 9am and 3pm at 3/8 Park Parade.

As demonstrated in figures 4 and 5 above it is established that the development fails to meet this objective as the breach to FSR results in amenity impacts to a neighbouring residence in terms of overshadowing.

The objectives of the R3 zone have been previously discussed in relation to the height development standard.

Conclusion

For the reasons provided above the requested variation to the FSR development standard is not supported as the applicant's written request has not adequately addressed the matters required to be addressed by clause 4.6(3) of the Waverley LEP 2012. In addition, the proposed development is not in the public interest because it is inconsistent with the objectives of FSR development standard and the R3 zone.

2.1.4. Waverley Development Control Plan 2012 (Waverley DCP 2012) – Amendment No.9

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 submitted Site Waste Recycling Management Plan is sufficient.
2. Ecologically Sustainable Development	Yes	The submitted BASIX Certificate is sufficient.
3. Landscaping and Biodiversity	No	The submitted landscape plan is not supported due the proposed tree removal.
5. Vegetation Preservation	No	<p>The application proposes to remove three trees:</p> <ul style="list-style-type: none"> Two <i>Phoenix canariensis</i> (Canary Island Date Palm) planted in the rear yard; and One <i>Melaleuca styphelioides</i> (prickly-leaved paperbark) on the naturestrip. <p>The application proposes a replacement tree to be planted on the nature strip.</p>

Development Control	Compliance	Comment
		The DA was reviewed by Council's Tree Officer who did not support the removal of any of the trees.
6. Stormwater	No	Council's Stormwater Engineer did not support the submitted stormwater plans, requesting additional design changes.
8. Transport	No	The proposed driveway crossover does not preserve the existing street tree.
8.1 Streetscape	-	The subject site is located within parking zone 2.
8.2 On-site Parking	No	The two separate driveway crossovers reduce the amount of existing on-street parking.
8.2.1 Vehicle Access	Yes	Two off-street parking spaces are proposed for each dwelling.
8.2.2 Parking Rates		
12. Design Excellence	No	The proposed floor to ceiling heights of the lower ground living areas are excessive, resulting in a building that breaches the height control impacting the solar access of 8 Park Parade. The proposal does not achieve design excellence.
13. Subdivision	No	Tree removal for vehicle access to a newly subdivided lot is not permitted.
	Yes	The proposed subdivision pattern is acceptable.
14. Excavation	Conditional	If the application were recommended for approval, appropriate conditions relating to excavation would be recommended.

Table 3: Waverley DCP 2012 – Part C2 Low Density Residential Development Compliance Table

Development Control	Compliance	Comment
2.0 General Objectives		
	No	The proposal does not meet the general objectives of this part of the DCP.
		The development does not meet the desired future character of the area. That is low density residential development being of an appropriate scale within an R3 zone. The proposal currently

Development Control	Compliance	Comment
		exceeds height and FSR controls, which result in shadowing impacts to 8 Park Parade.
2.1 Height		
Flat roof dwelling house <ul style="list-style-type: none"> Maximum wall height of 7.5m 	No	The proposal has a continuous wall height of 8.9m.
2.2 Setbacks		
2.2.1 Front and rear building lines <ul style="list-style-type: none"> Predominant front building line Predominant rear building line at each floor level 	Additional detail required	The details of 6 Park Parade need to be reflective of the survey plan (ie, show the front first and rear floor balcony and the rear covered awing at lower ground floor level) to ensure consistent building lines at differing levels.
2.2.2 Side setbacks <ul style="list-style-type: none"> Minimum of 0.9m (for height up to 8.5m) or 1.5m (up to 12.5m) 	No	The rear portion of the first floor is non-compliant, as part of these works exceed 8.5m, a 1.5m minimum setback for the entire building is required.
2.3 Streetscape and visual impact		
<ul style="list-style-type: none"> New development to be compatible with streetscape context Significant landscaping to be maintained. 	<p>Yes</p> <p>No</p>	<p>The streetscape and visual impact of the proposed building, as viewed from Park Parade, are acceptable.</p> <p>However, the removal of the street tree at the nature strip is not supported as it would impact the streetscape.</p>
2.4 Fences		
<i>Front:</i> <ul style="list-style-type: none"> Maximum height of 1.2m Solid section no more than 0.6m high <i>Side and Rear:</i> <ul style="list-style-type: none"> Maximum height of 1.8m 	<p>No</p> <p>Additional detail required.</p>	<p>The proposed front fence exceeds 1.2m in height.</p> <p>Details regarding the proposed side and rear boundary fence is lacking.</p>
2.5 Visual and acoustic privacy		
<ul style="list-style-type: none"> Habitable windows are not to directly face habitable windows or open space of neighbouring dwellings unless direct views are screened or other appropriate measures are incorporated into the design 	Additional detail required	The location of side windows to neighbouring dwellings are not shown. This makes it difficult to determine if the proposed windows will look directly into neighbouring windows.

Development Control	Compliance	Comment
<ul style="list-style-type: none"> Maximum size of balconies: <i>10m² in area</i> <i>1.5m deep</i> 	Advisory	If the rear doors to the first floor are openable a balustrading is required for safety.
2.6 Solar access		
<ul style="list-style-type: none"> Minimum of three hours of sunlight to living areas and principal open space areas on 21 June Minimum of three hours of sunlight maintained to at least 50% of principal open space areas of adjoining properties on 21 June. Avoid unreasonably overshadowing of solar collectors (including habitable windows). 	No	<p>The proposed development exceeds both height and FSR and fails to meet objectives Clause 4.3(a) and Clause 4.4(d) of the Waverley LEP 2012.</p> <p><i>To establish limitations on the overall scale of development to preserve the environmental amenity of neighbouring properties and the locality.</i></p> <p>The development does not preserve the solar access of habitable rooms to 3/8 Park Parade, Bondi at 9am and 3pm during the Winter Solstice.</p>
2.8 Car parking		
<p>2.8.1 Design Approach</p> <ul style="list-style-type: none"> Parking only allowed where site conditions permit Designed to complement the building and streetscape Car parking structures to be behind the front building line Driveways are to be located to minimise the loss of on street parking Parking to be provided from secondary streets or lanes where possible. 	No	<p>The application proposes two separate driveway crossovers which would negatively impact on-street parking. Dual occupancy development should provide a single driveway splaying on the site to limit the loss of on-street parking.</p> <p>The garages are integrated into the design of the dwellings.</p>
<p>2.8.2 Parking rates</p> <p>Max is 2 spaces</p>	Yes	Each dwelling provides a garage and a tandem hard stand space on the driveway.
<p>2.8.3 Location</p> <ul style="list-style-type: none"> Behind front building line for new dwellings Existing development to be in accordance with the hierarchy of preferred car parking locations 	Yes	The location of the off-street parking is supported.

Development Control	Compliance	Comment
2.8.4 Design <ul style="list-style-type: none"> • Complement the style, massing and detail of the dwelling • Secondary in area and appearance to the design of the residences • No part of the façade is to be demolished to accommodate car parking • Gates to have an open design 	No	The removal of the street tree is not supported.
2.8.5 Dimensions <ul style="list-style-type: none"> • 5.4m x 2.4m per vehicle 	Yes	The dimensions of each parking space exceed 5.4m x 2.4m.
2.8.6 Driveways <ul style="list-style-type: none"> • Maximum of one per property • Maximum width of 3m at the gutter (excluding splay) • Crossings not permitted where 2 on street spaces are lost 	No	The application proposes two separate driveway crossovers which would negatively impact on-street parking.
2.9 Landscaping and open space		
<ul style="list-style-type: none"> • Overall open space: 40% of site area • Overall landscaped area: 15% of site area • Minimum area of 25m² for private open space • Front open space: 50% of front building setback area • Front landscaped area: 50% of front open space provided • Outdoor clothes drying area to be provided 	Yes Yes	Over 40% Complies Complies
2.10 Swimming pools and spa pools		
<ul style="list-style-type: none"> • Located in the rear of property • Pool decks on side boundaries must consider visual privacy 	Yes	The proposed swimming pools are located to the rear of the lot.
2.13 Semi-detached dwellings and terrace style development		
2.13.1 - Built form	N/A	These controls are not relative to a new semi-detached dwelling.

Development Control	Compliance	Comment
<ul style="list-style-type: none"> Additions to match the style of the original semi-detached dwelling Existing roof form maintained forward of principal ridgeline Use of roof as an attic permitted provided Front verandahs to be maintained. 		
<p>2.13.3 - Material finishes and detail for semi-detached dwellings</p> <ul style="list-style-type: none"> Finishes and detailing are to be cohesive with the existing dwelling Historic features of the roofscape are to be incorporated into the addition Dorms roof forms are to match the style of the original dwelling New windows to have a similar proportion to the existing Upper wall finishes to reflect the style and character of the original building. 	Yes	The proposed materials and finishes are consistent across the pair of semi-detached dwellings.
2.15 Dual occupancy development		
<ul style="list-style-type: none"> Min lot size of 450m² for attached dual-occupancies. 	Yes	The lot has an area of 503.3m ² .
<ul style="list-style-type: none"> Appearance as a single dwelling 	Yes	The visual appearance of the development from the streetscape is acceptable.

2.2. Suitability of the Site for the Development

The site is not considered suitable for the proposal.

2.3. Any Submissions

The application was notified for 14 days in accordance with the *Waverley Community Development Participation and Consultation Plan*.

No submissions were received.

2.4. Public Interest

The proposal is considered to have a detrimental effect on the public interest and is recommended for refusal.

3. REFERRALS

The following internal and external referral comments were sought:

3.1. Traffic and Development

An internal referral was sought from Council's Traffic Engineers who supported the application subject to recommended conditions of consent.

3.2. Stormwater

An internal referral was sought from Council's Stormwater Engineers who required additional information. In the event of approval, conditions would be imposed in this regard.

3.3. Tree Management

An internal referral was sought from Council's Tree Officers who did not supported the removal of the three trees.

3.4. GIS

Conditions of consent were recommended if the application were to be approved.

3.5. Public Domain

Conditions of consent were recommended if the application were to be approved.

4. CONCLUSION

The application has been assessed against the relevant matters for consideration under section 4.15(1) of the *Environmental Planning and Assessment Act 1979*. It is recommended for refusal.

Development and Building Unit (DBU) Decision:



The application was reviewed by the DBU at the meeting on 29/03/2022 and the DBU determined:

- (a) The application is not acceptable and should be refused for the reasons in Appendix A.

DBU members: *M Reid, A Rossi, B McNamara and B Matlawski*

5. RECOMMENDATION TO WAVERLEY LOCAL PLANNING PANEL

That the development application be REFUSED by the Waverley Local Planning Panel for the reasons contained in Appendix A.

Report prepared by:	Application reviewed and agreed on behalf of the Development and Building Unit by:
	
Joseph Somerville	Kylie Lucas
Development Assessment Planner	Acting Manager, Development Assessment (Central) (Reviewed and agreed on behalf of the Development and Building Unit)
Date: 05 April 2022	Date: 13 April 2022

Reason for WLPP referral:

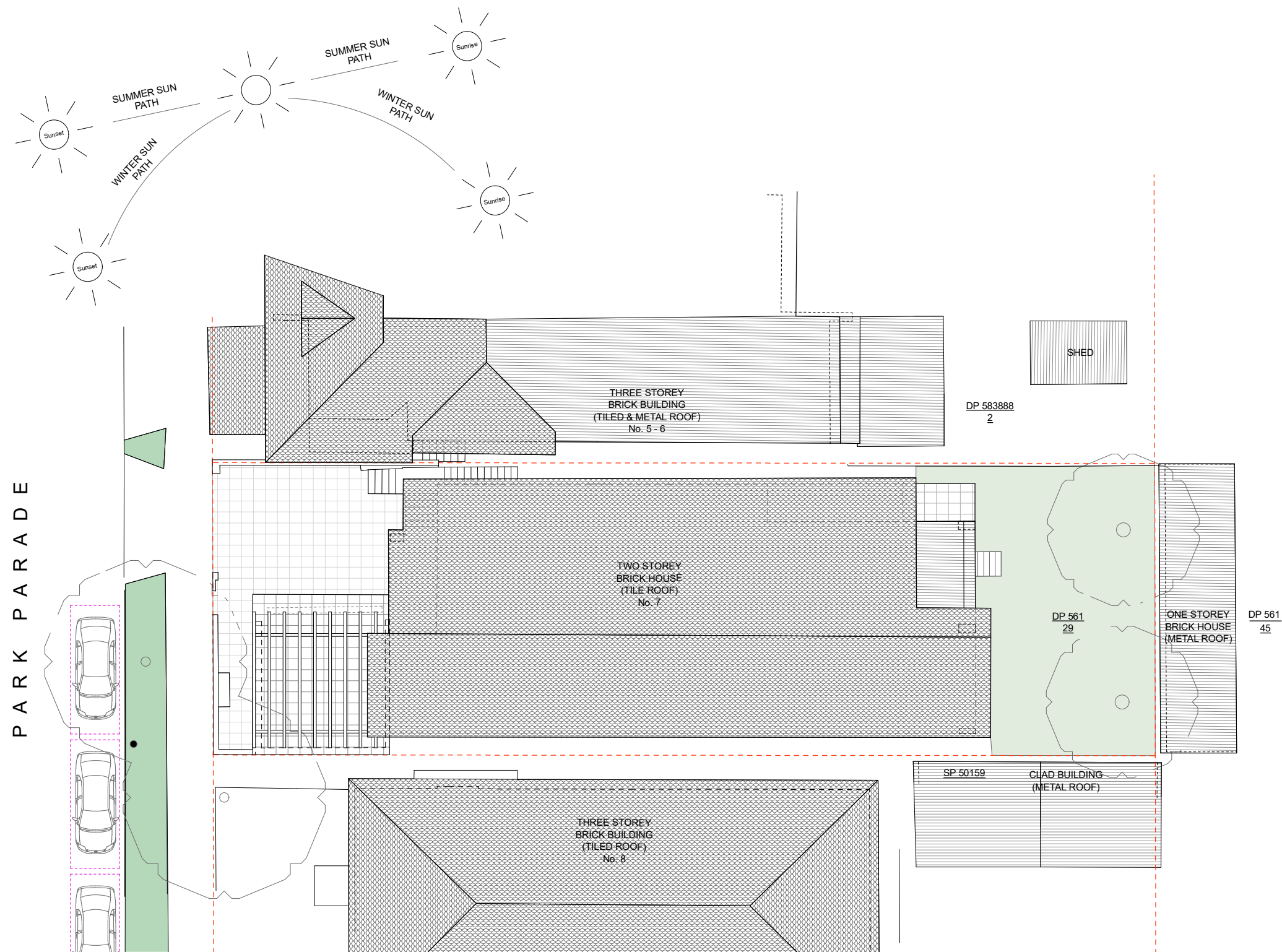
1. Departure from any development standard in an EPI by more than 10%

APPENDIX A – REASONS FOR REFUSAL

Having regard to section 4.15(1) of the Environmental Planning and Assessment Act 1979 the development application is refused for the following reasons:

1. The proposal does not satisfy the objectives of the Environmental Planning and Assessment Act 1979, as stipulated in section 1.3 (g) as the proposal does not promote good design and amenity of the built environment.
2. The proposal does not satisfy section 4.15 (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 4.3(1)(a) and (d) and (2) as the proposal will exceed the maximum building height which will result in unreasonable amenity impacts and would not meet the desired future character of the area.
 - b. Clause 4.4(1)(b) to (d) and (2) as the proposal will exceed the maximum FSR permitted for the site which will result in unreasonable amenity impacts and would not meet the desired future character of the area.
 - c. Clause 4.6(4)(a)(i) and (ii) as the proposal is inconsistent with the objectives of the height and FSR development standards and the objectives of the R3 zone.
3. The proposal does not satisfy section 4.15 (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 B3 – Landscaping and Biodiversity
 - i. Clause 3.1.1 *General Controls*, specifically control (b) as the development proposes to remove three significant trees.
 - b. Part B5 – Vegetation Preservation
 - i. Clause 5.1 *General Provisions*, specifically objectives (b) and (d) as the development proposes to remove three significant trees.
 - c. Part B8 – Transport
 - i. Clause 8.1 *Streetscape* specifically objective (d) and Clause 8.2.1 *Vehicle Access* specifically control (d) as the proposed driveway crossovers will result in the removal of an established street tree and reduce the supply of on-street parking.
 - d. Part B12 – Design Excellence
 - i. Clause 12.1 *Design*, specifically controls (e)(v), (vii) as the development has been designed as a low density dwelling with the controls that are meant for a medium density development resulting in an excessive bulk and scale that create shadowing impacts to 3/8 Park Parade.
 - e. Part B13 – Subdivision
 - i. Specifically, control (f) as tree removal to permit vehicle access for new subdivision is not supported.

- f. Part C2 – Low Density Residential Development
 - i. Clause 2.0 *General Objectives*, specifically objectives (b) and (d) as the development does not meet the desired future character of the area. That is low density residential development being of an appropriate scale within an R3 zone. The proposal currently exceeds height and FSR controls, which result in shadowing impacts to 3/8 Park Parade.
 - ii. Clause 2.1 *Height*, specifically control (a) as the development exceeds a continuous wall height of 7m.
 - iii. Clause 2.2.2 *Side Setbacks*, specifically control (a) as the proposal does not provide a side setback of 1.5m.
 - iv. Clause 2.3 *Streetscape and Visual Impact*, specifically control (e) as a significant street tree is proposed to be removed.
 - v. Clause 2.4 *Fences*, specifically control (b) as the front fence exceeds 1.2m.
 - vi. Clause 2.6 *Solar Access*, specifically objective (d) as the proposed development will impact solar access to 3/8 Park Parade.
 - vii. Clause 2.8.1, control (d); Clause 2.8.4 *Design*, control (f); and Clause 2.8.6, control (a) as the dual driveway crossover will reduce on-street parking and an established street tree will be removed.
4. The proposal does not satisfy section 4.15 (1)(a)(iv) of the Environmental Planning and Assessment Act 1979, as the proposal does not satisfy Schedule 1, Part 1 of the Environmental Planning and Assessment Regulation 2000, as insufficient documentation has been provided to properly assess the application, including but not limited to:
 - a. Clearer details of the building outline of 6 Park Parade (i.e. as per the survey) are required to adequately assess front and rear building lines.
 - b. Side and rear boundary fence details are not shown.
 - c. Location of adjoining window details are not shown.
 - d. Additional stormwater details are required.
5. 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, has an undesirable and unacceptable impact on the streetscape, and would adversely impact upon the amenity of the locality and surrounding built environment.
6. The proposal is contrary to 4.15 (1)(c) of the Environmental Planning and Assessment Act 1979, as the development is excessive in bulk and scale and is therefore considered unsuitable for the site.
7. 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.



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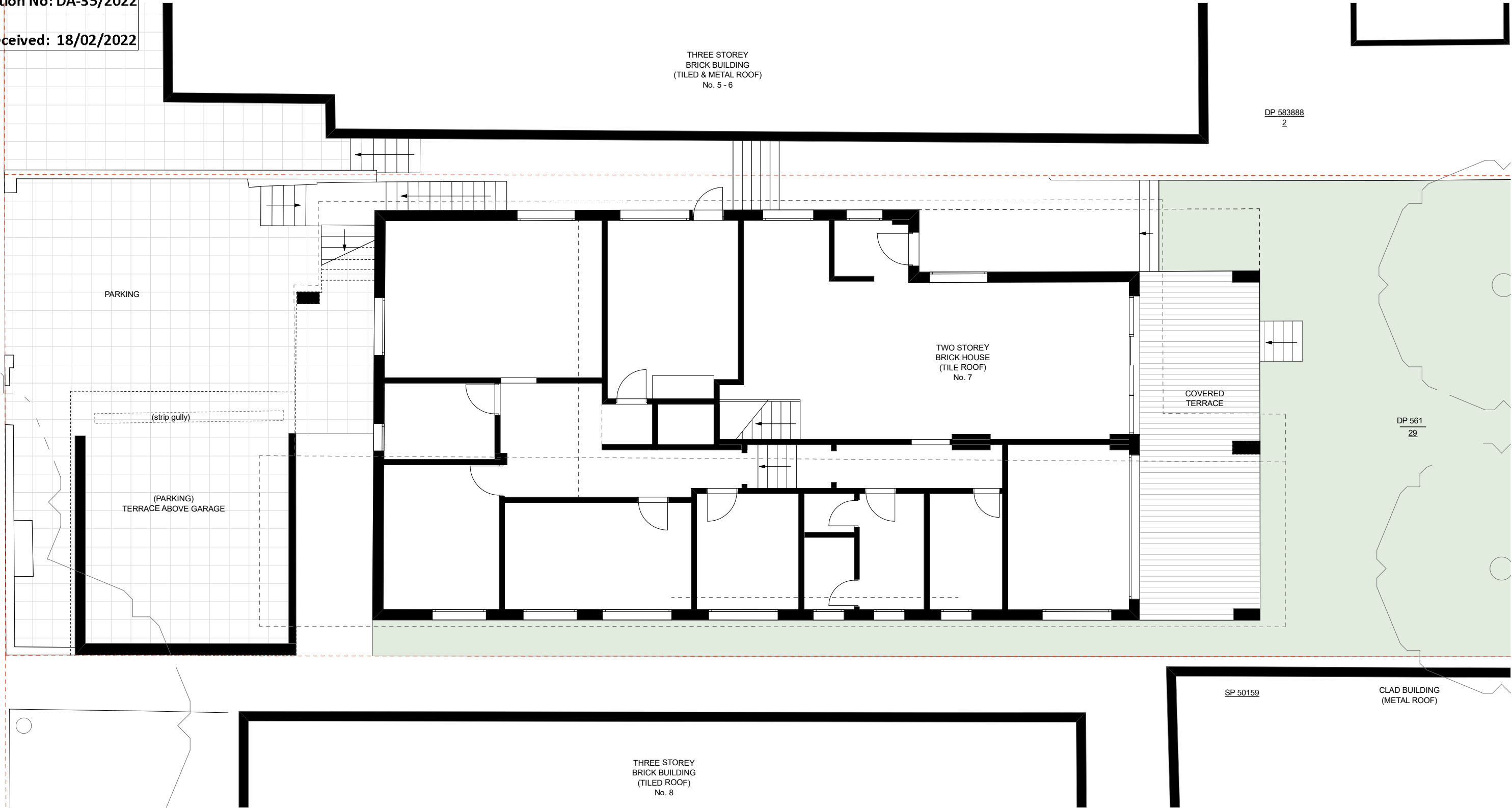
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A	24.12.21	DA_Submission
Issue	Date	Description

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Project	7 Park Parade, BONDI
Drawing Name	Existing Site Plan
Project Number	2103
Drawing No	DA-01.1



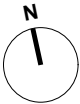
Existing Ground Floor Plan

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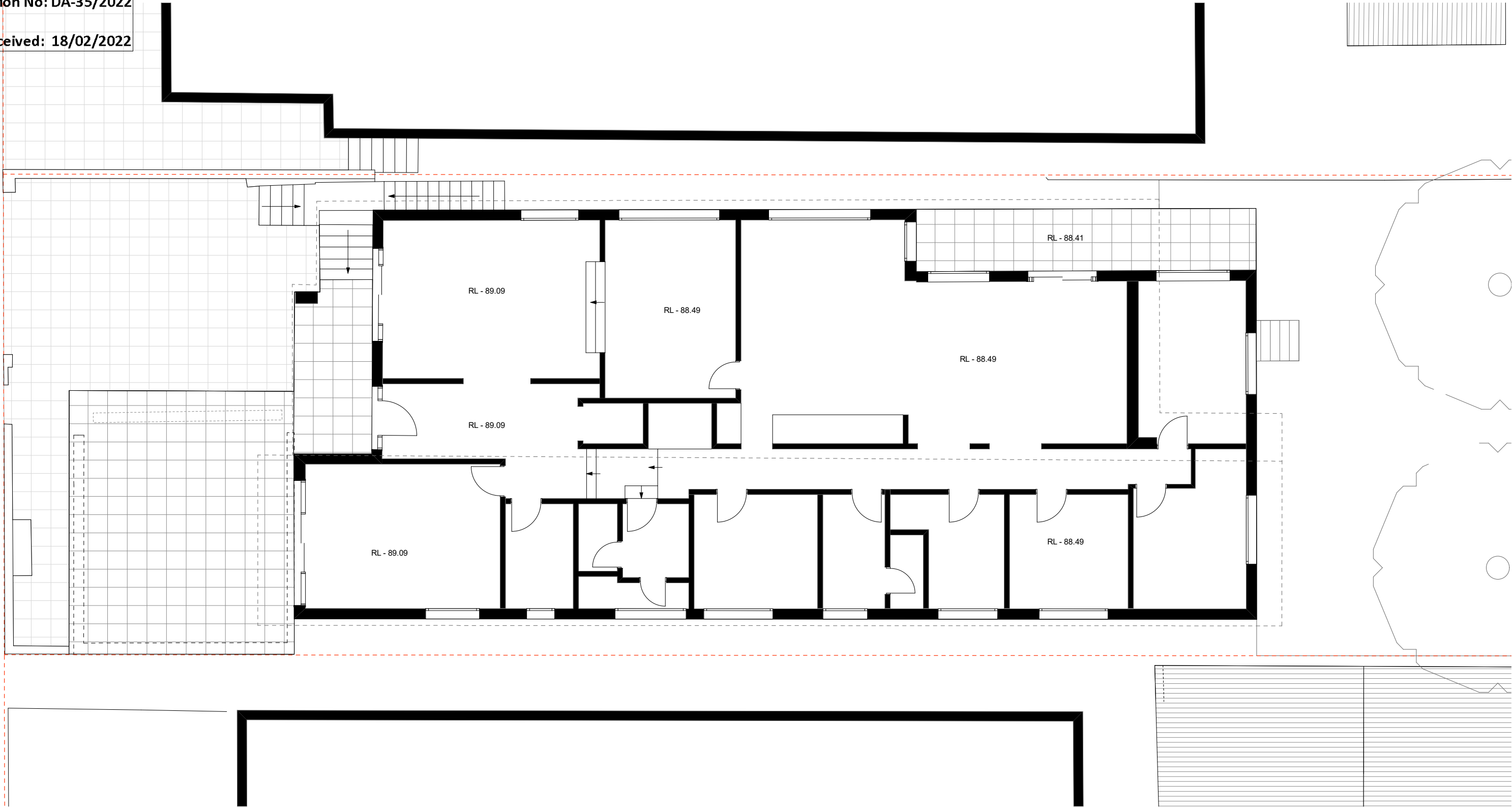
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Project Number	2103
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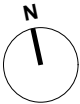
Existing First Floor Plan

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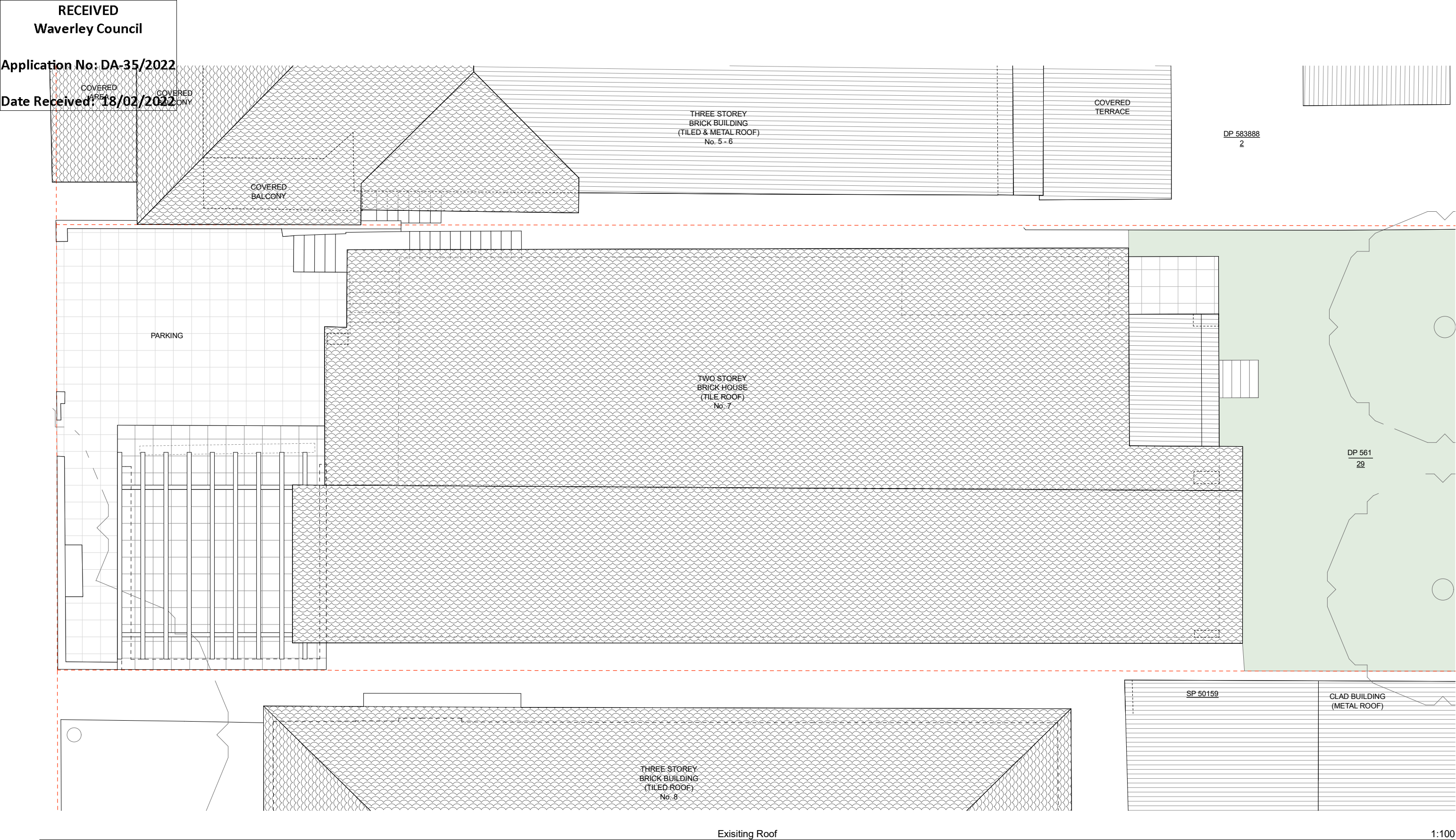
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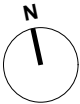
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Project	7 Park Parade, BONDI
Drawing Name	Existing First Floor Plan
Project Number	2103
Drawing No	DA-01.3



Existing Roof

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A	24.12.21	DA_Submission
Issue	Date	Description

Project	7 Park Parade, BONDI
Drawing Name	Existing Roof Plan
Project Number	2103
Drawing No	DA-01.4



Existing North Elevation

1:100

A	24.12.21	DA_Submission
Issue	Date	Description

Project	7 Park Parade, BONDI
Drawing Name	Existing North Elevation
Project Number	2103
Drawing No	DA-02.1



Existing South Elevation

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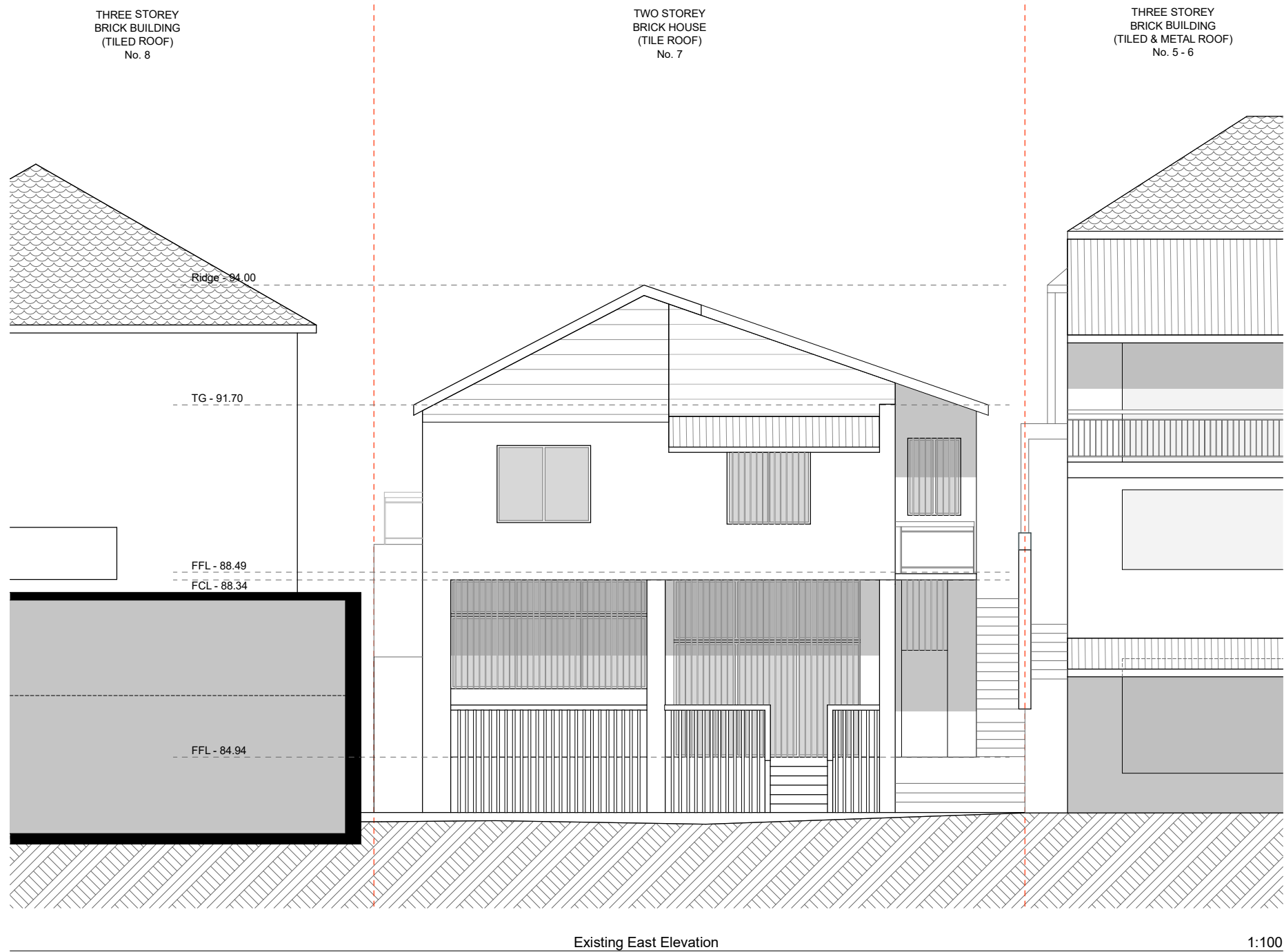
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Issue	Date	Description

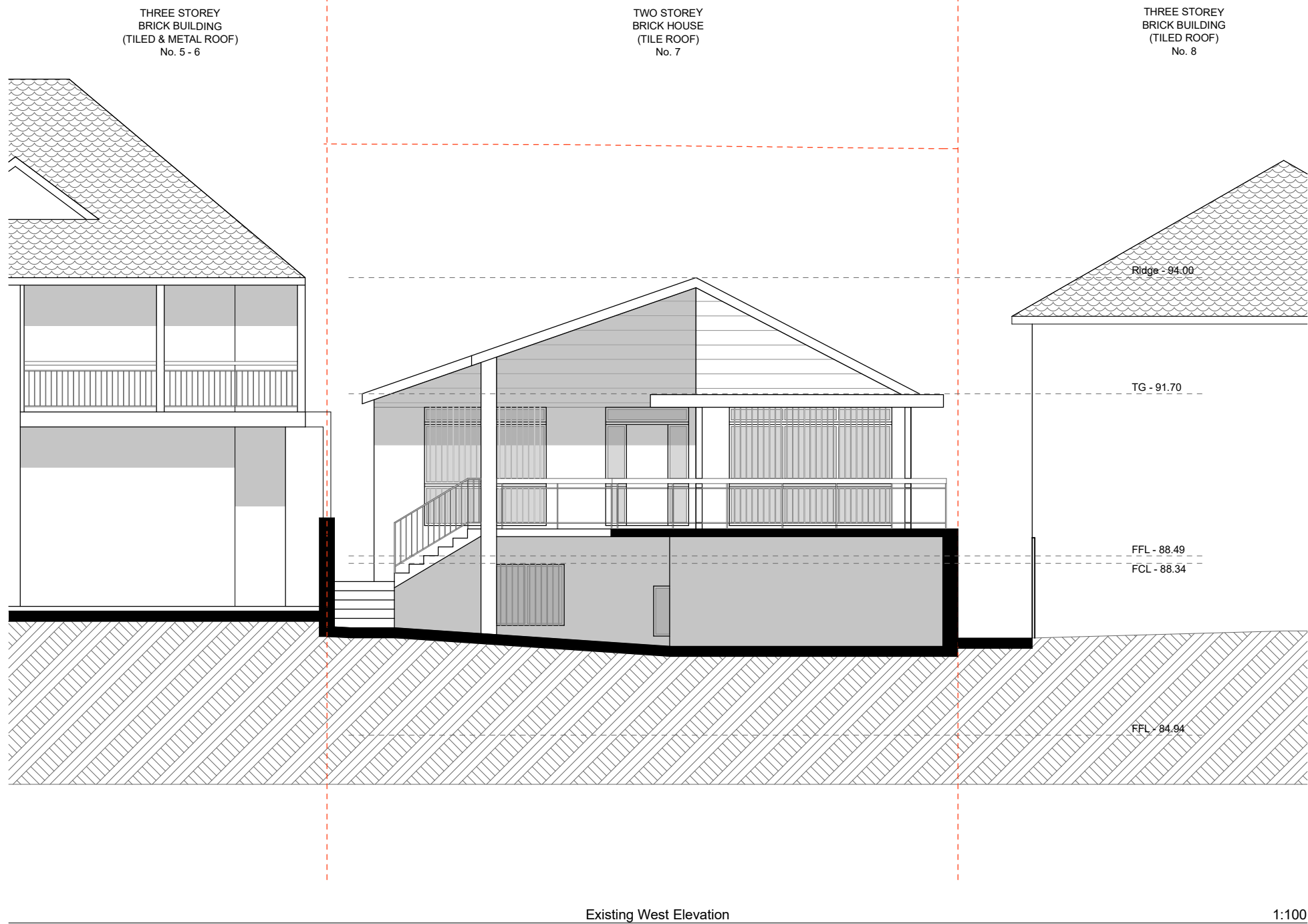
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Drawing Name	Existing South Elevation
Project Number	2103
Drawing No	DA-02.2



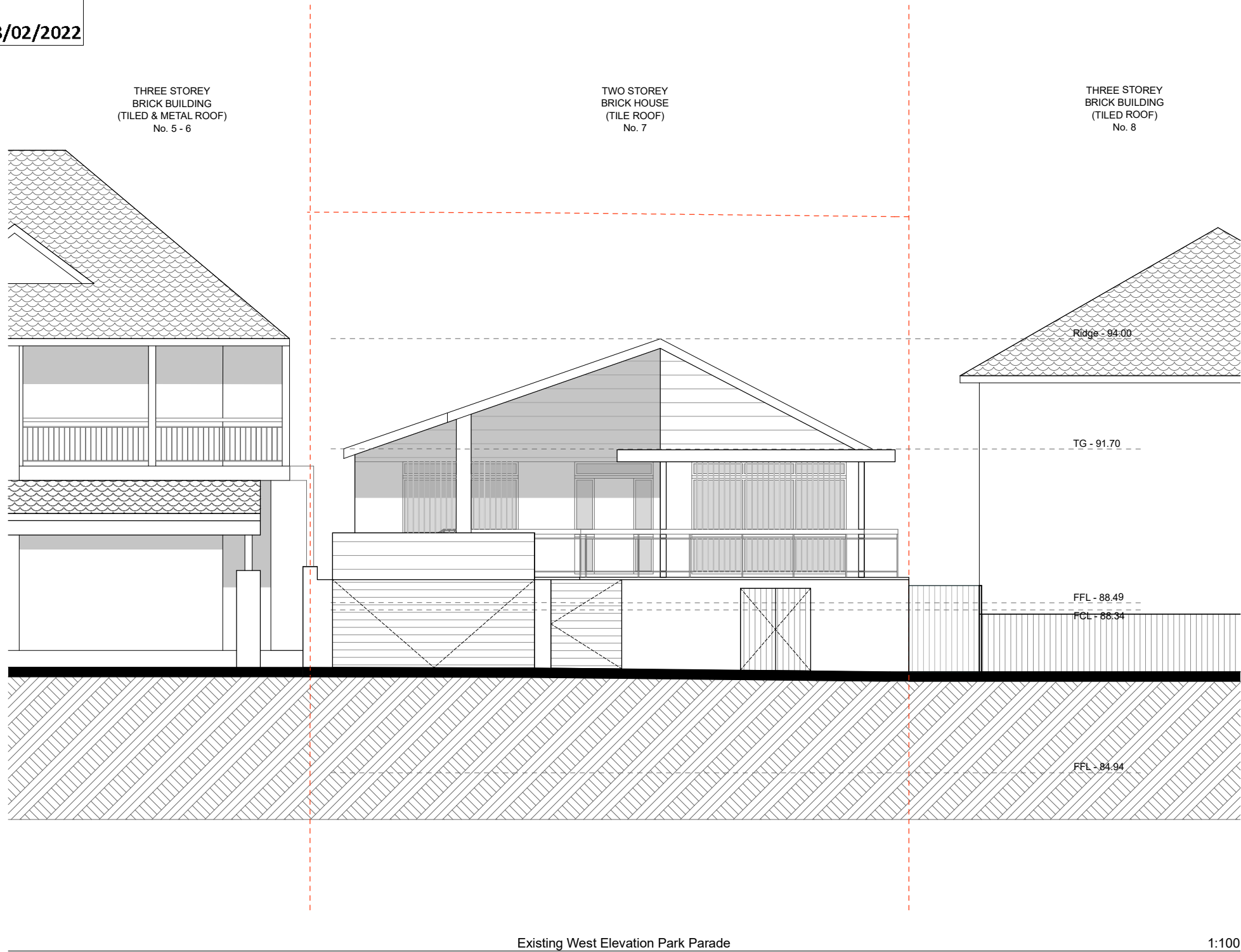
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Drawing Name	Existing East Elevations
Project Number	2103
Drawing No	DA-02.3



A	24.12.21	DA_Submission
Issue	Date	Description

Project	7 Park Parade, BONDI
Drawing Name	Existing West Elevation
Project Number	2103
Drawing No	DA-02.4



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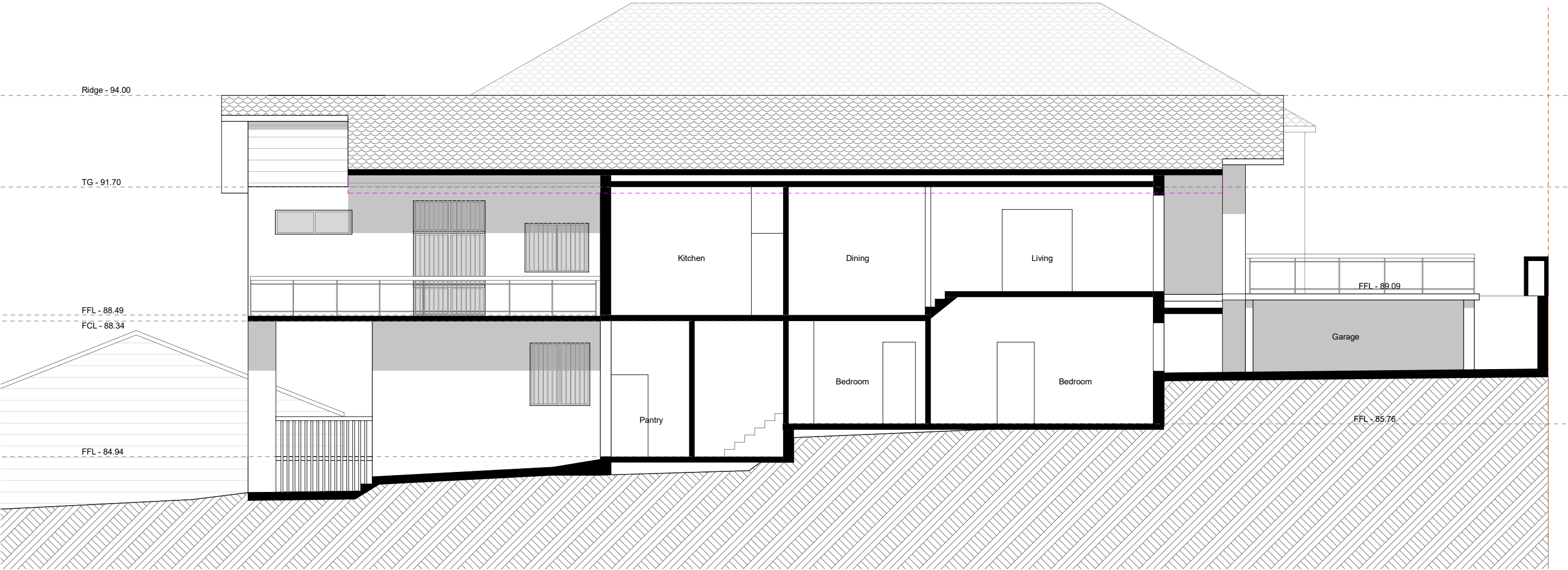
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Drawing Name	Existing West Elevation Park Parade
Project Number	2103
Drawing No	DA-02.5



Existing Section A

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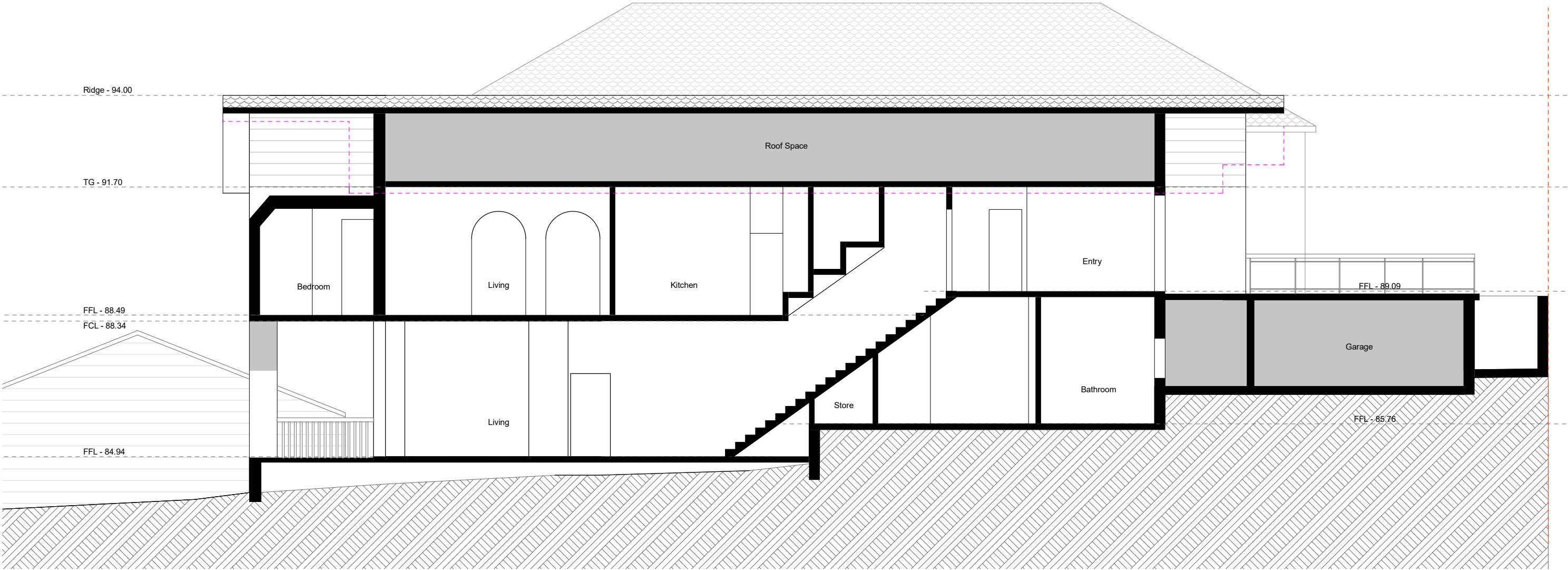
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Drawing Name	Existing Section A
Project Number	2103
Drawing No	DA-03.1



Existing Section B

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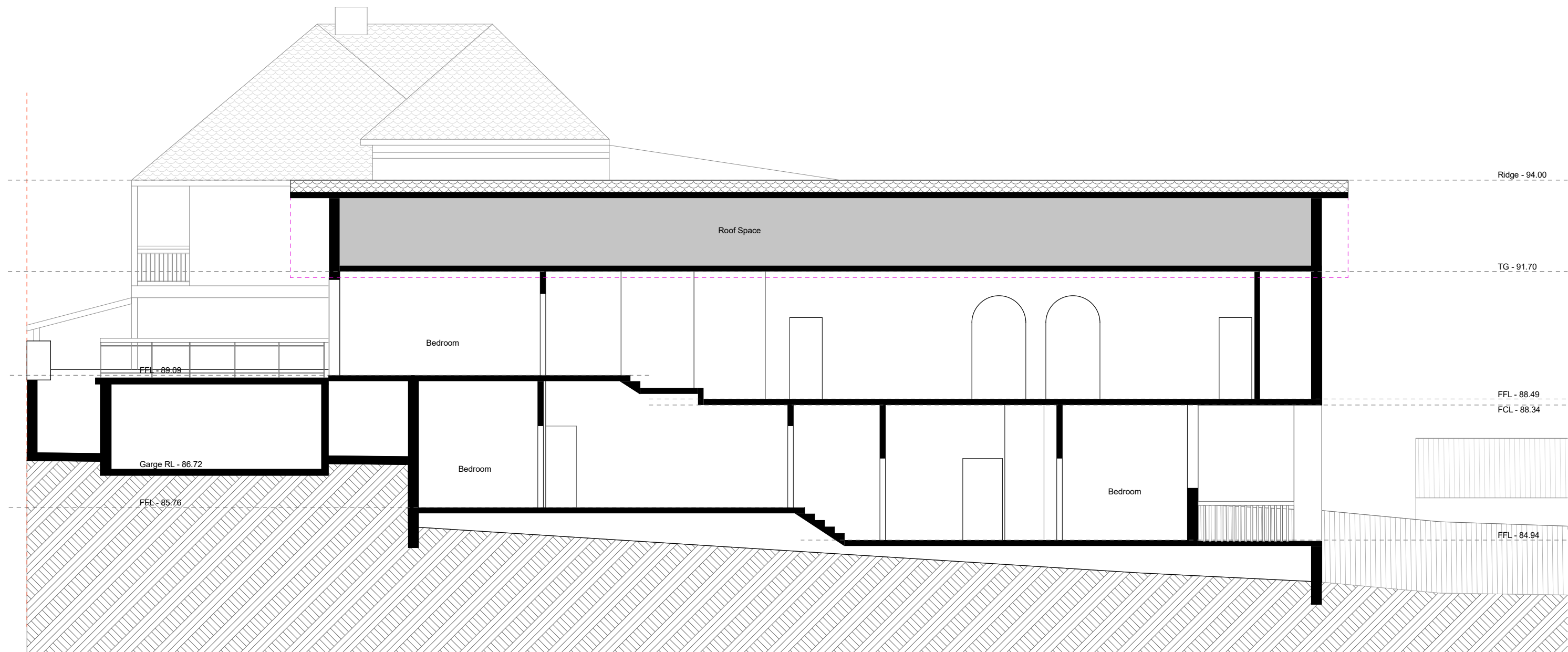
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Project Number	2103
Drawing No	DA-03.2



Existing Section C

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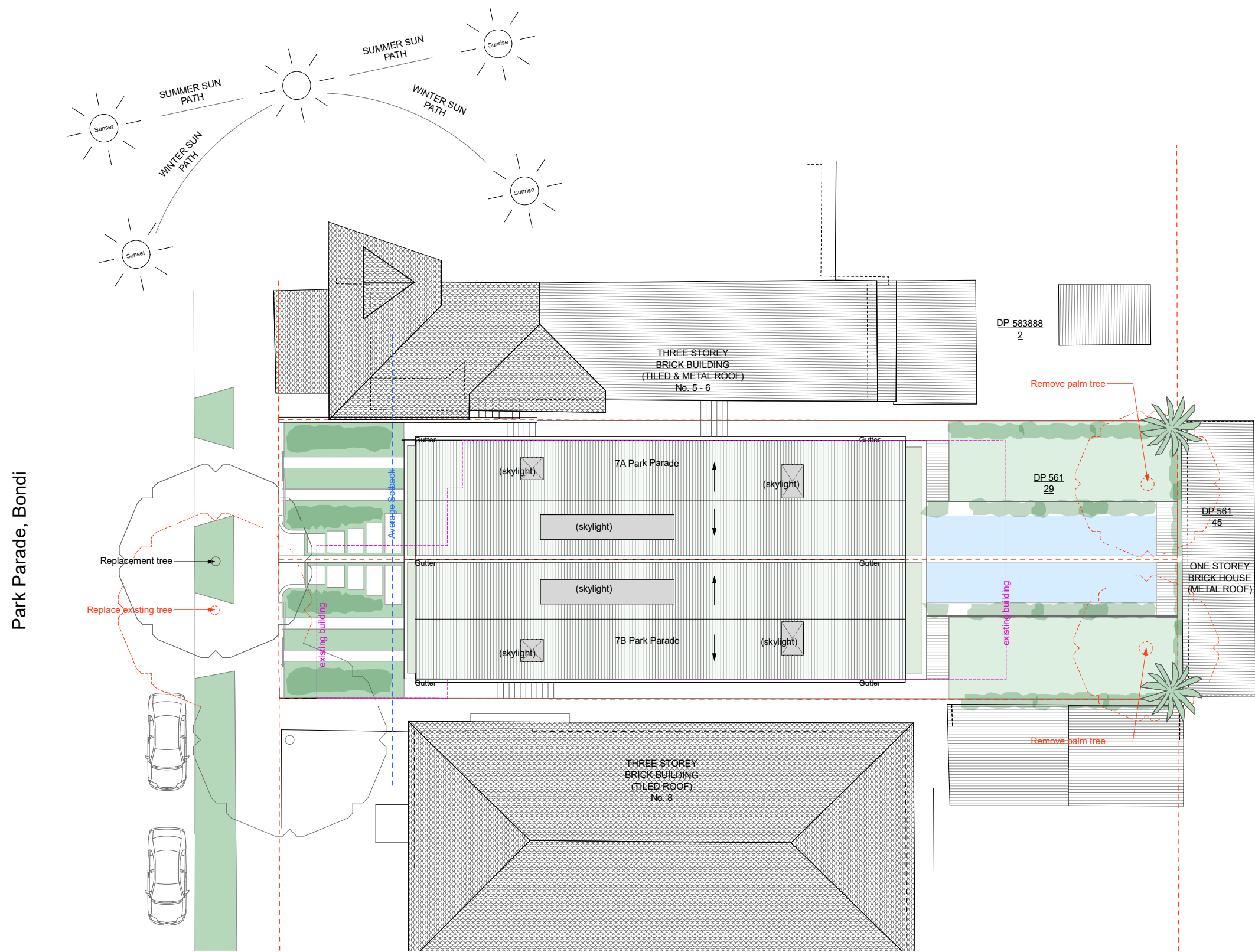
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Issue	Date	Description

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Project	7 Park Parade, BONDI
Drawing Name	Existing Section C
Project Number	2103
Drawing No	DA-03.3



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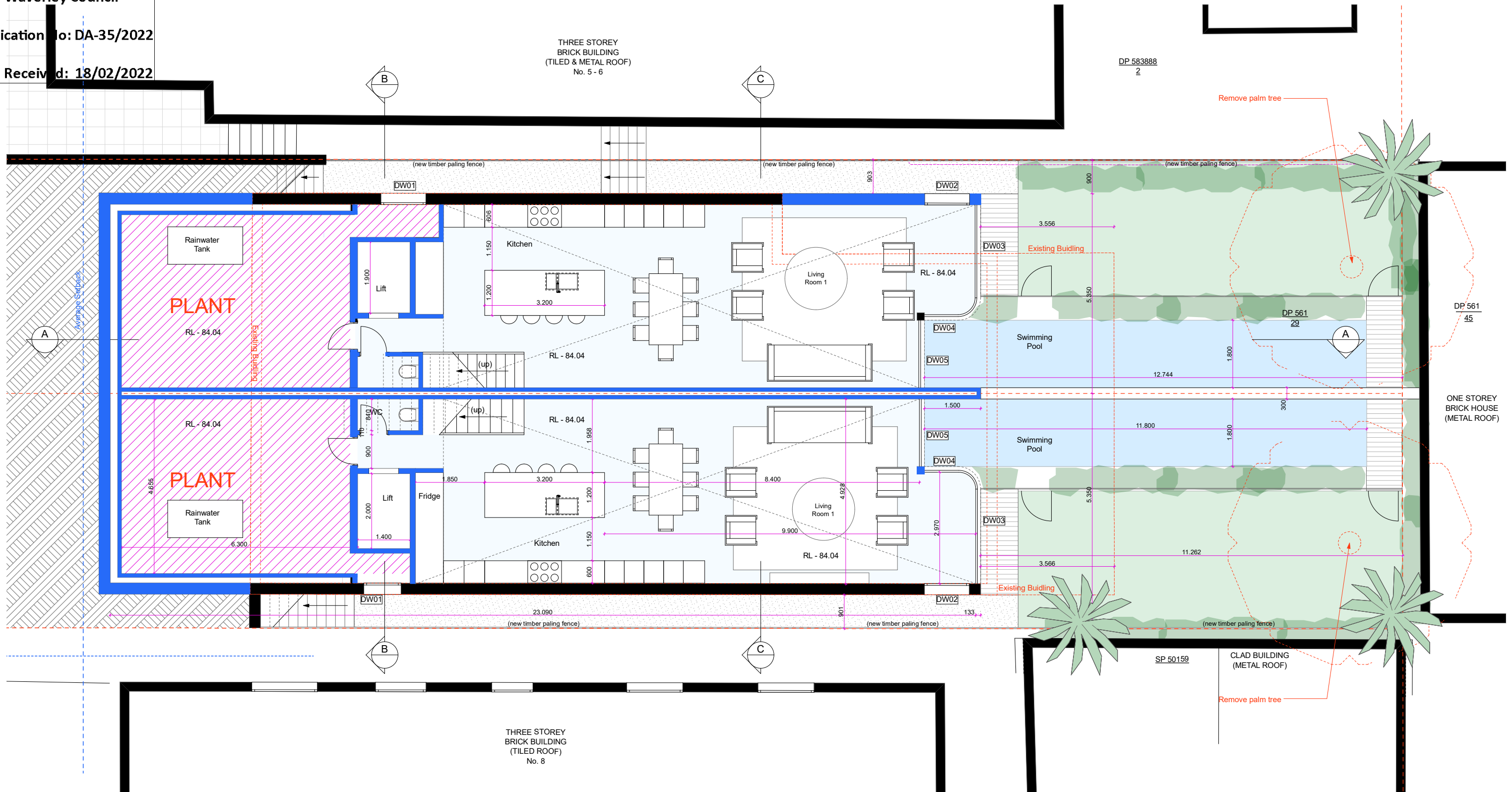
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Issue	Date	Description
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A	24.12.21	DA_Submission

Project	7 Park Parade, BONDI
Drawing Name	Proposed Site Plan
Project Number	2103
Drawing No	DA-04.1

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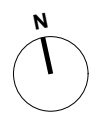


Proposed Lower Ground Floor 1:100

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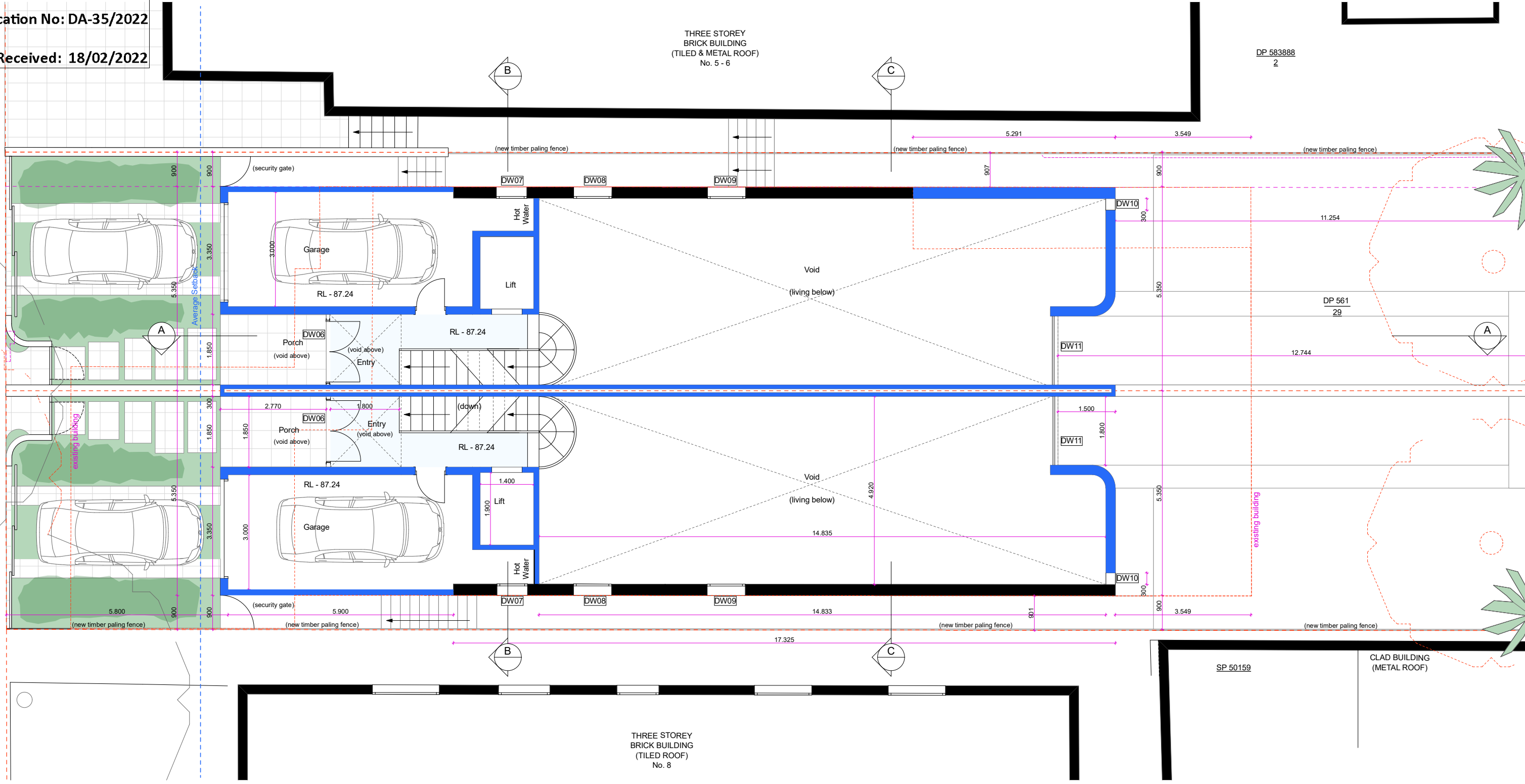
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Issue	Date	Description
B	15.02.22	DA_Submission
A	24.12.21	DA_Submission

Project	7 Park Parade, BONDJ
Drawing Name	Proposed Lower Ground Floor
Project Number	2103
Drawing No	DA-04.2

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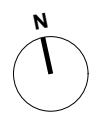
Proposed Ground Floor

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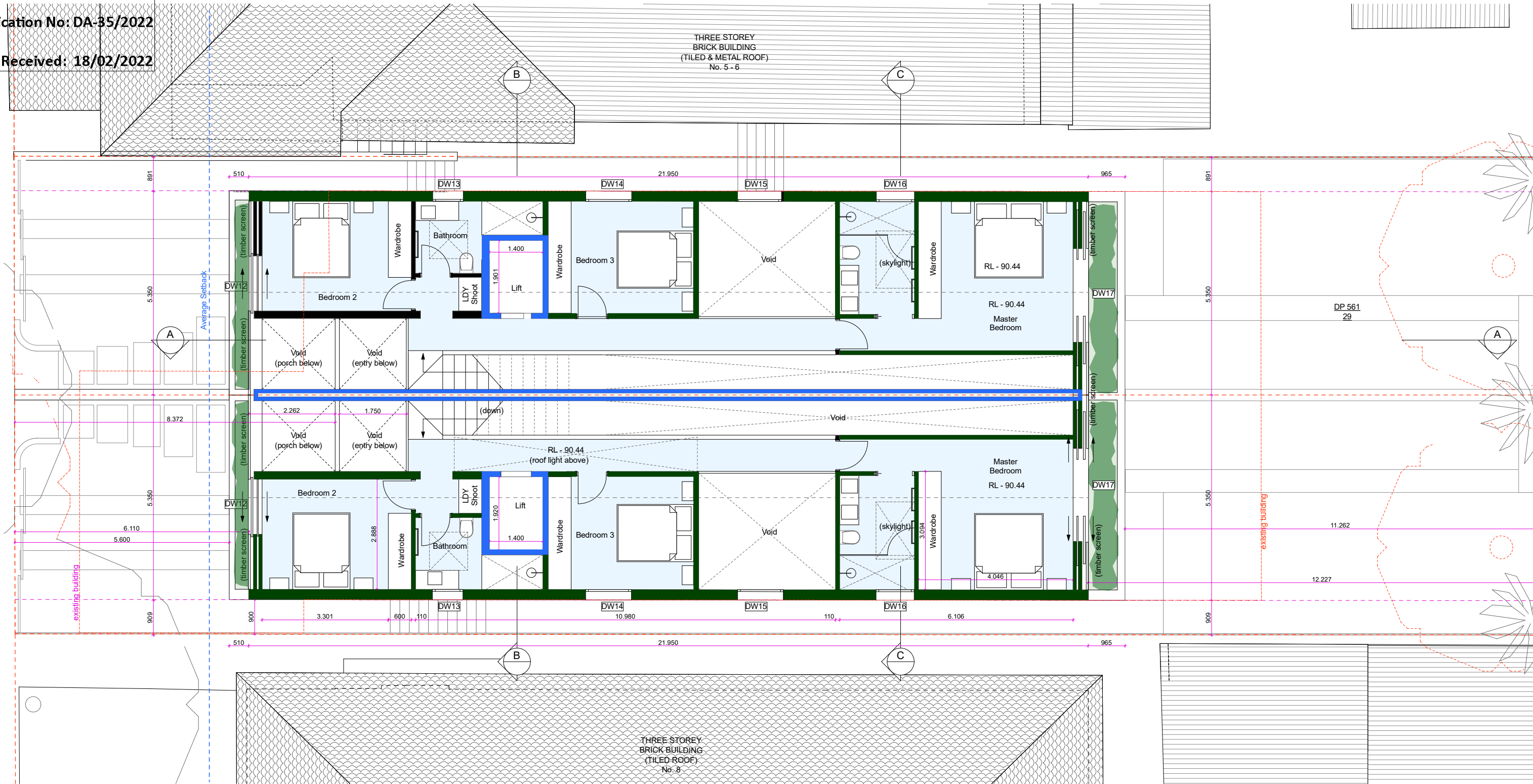
NOT FOR CONSTRUCTION



Issue	Date	Description
B	15.02.22	DA_Submission
A	24.12.21	DA_Submission

Project	7 Park Parade, BONDI
Drawing Name	Proposed Ground Floor
Project Number	2103
Drawing No	DA-04.3

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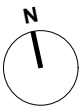


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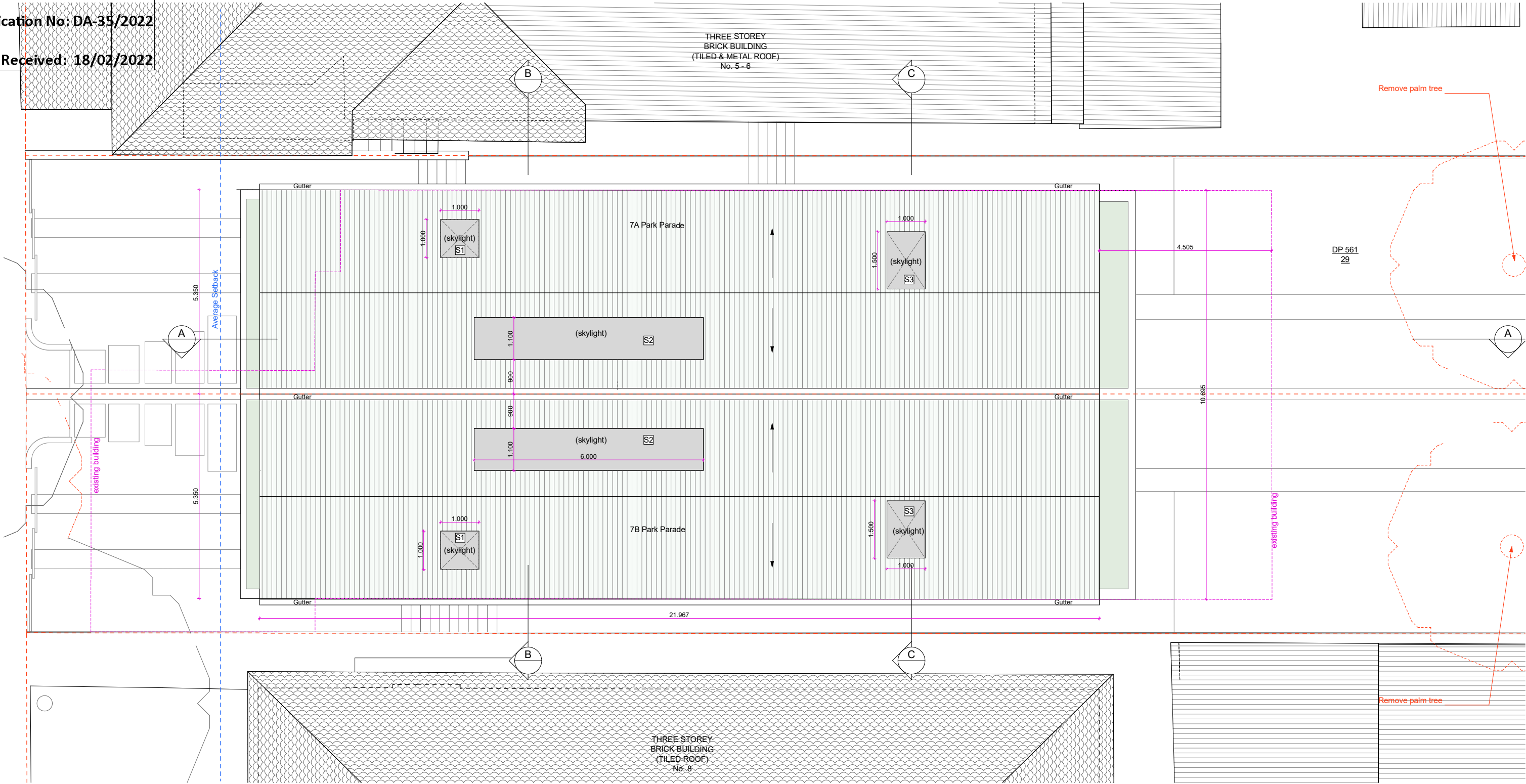
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B	15.02.22	DA_Submission
A	24.12.21	DA_Submission
Issue	Date	Description

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Project	7 Park Parade, BONDI
Drawing Name	Proposed First Floor
Project Number	2103
Drawing No	DA-04.4



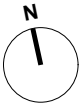
Proposed Roof Plan

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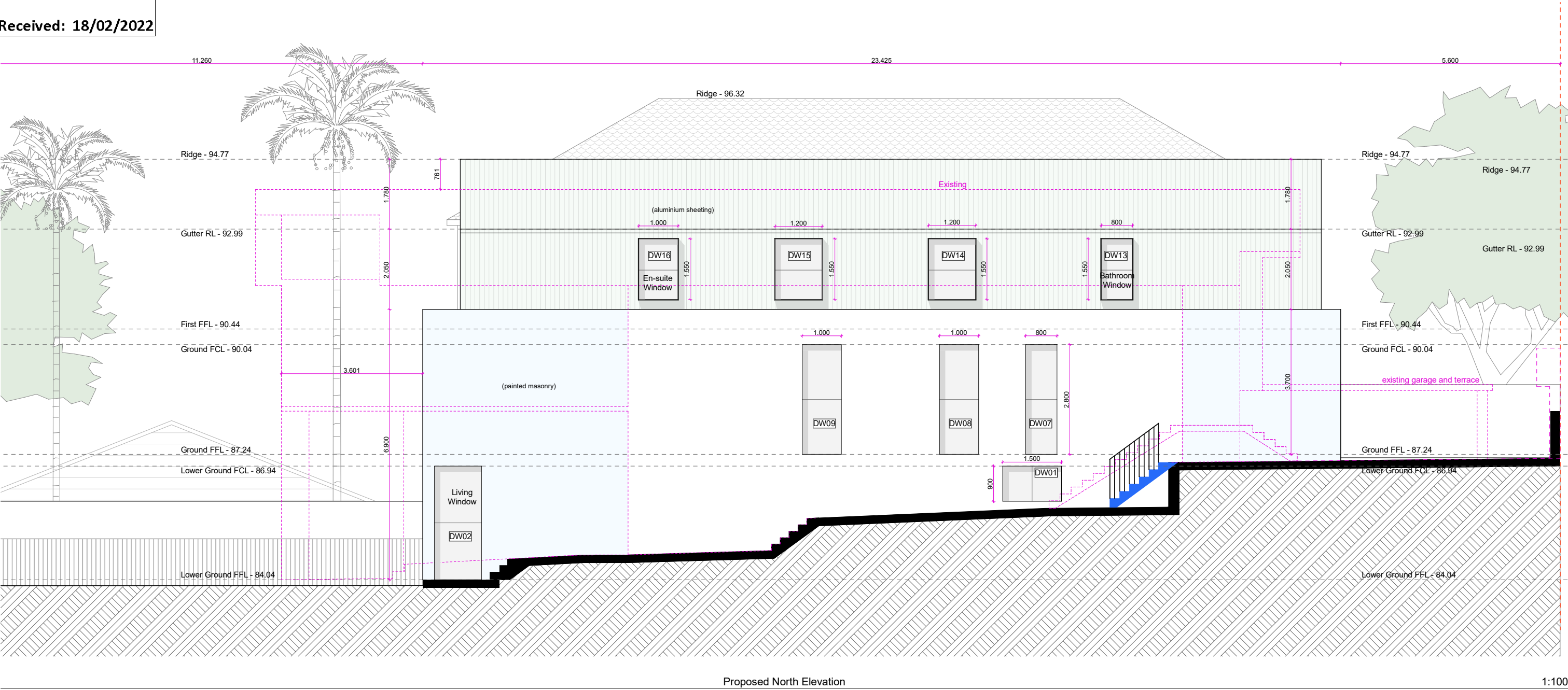
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B	15.02.22	DA_Submission
A	24.12.21	DA_Submission
Issue	Date	Description

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Project	7 Park Parade, BONDI
Drawing Name	Proposed Roof Plan
Project Number	2103
Drawing No	DA-04.5



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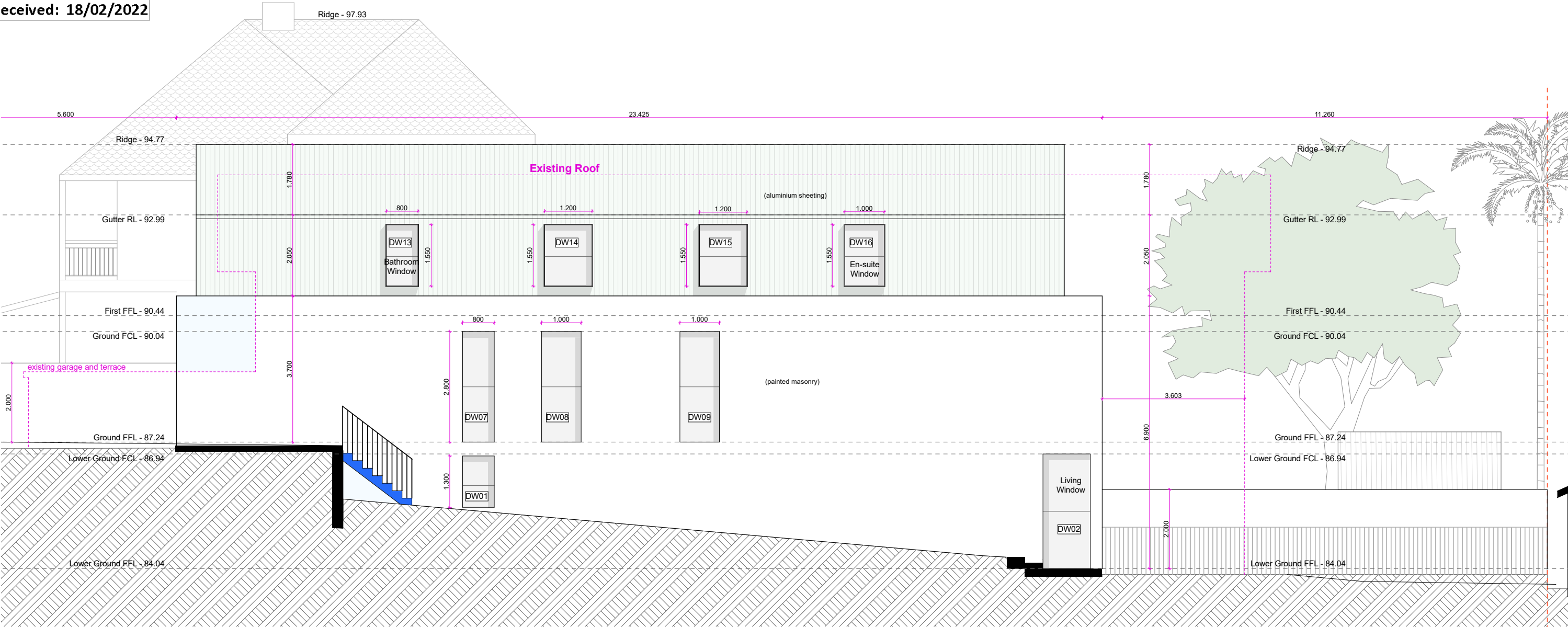
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B	11.02.22	DA_Submission
A	24.12.21	DA_Submission
Issue	Date	Description

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Project	7 Park Parade, BONDI
Drawing Name	Proposed North Elevation
Project Number	2103
Drawing No	DA-05.1



Proposed South Elevation

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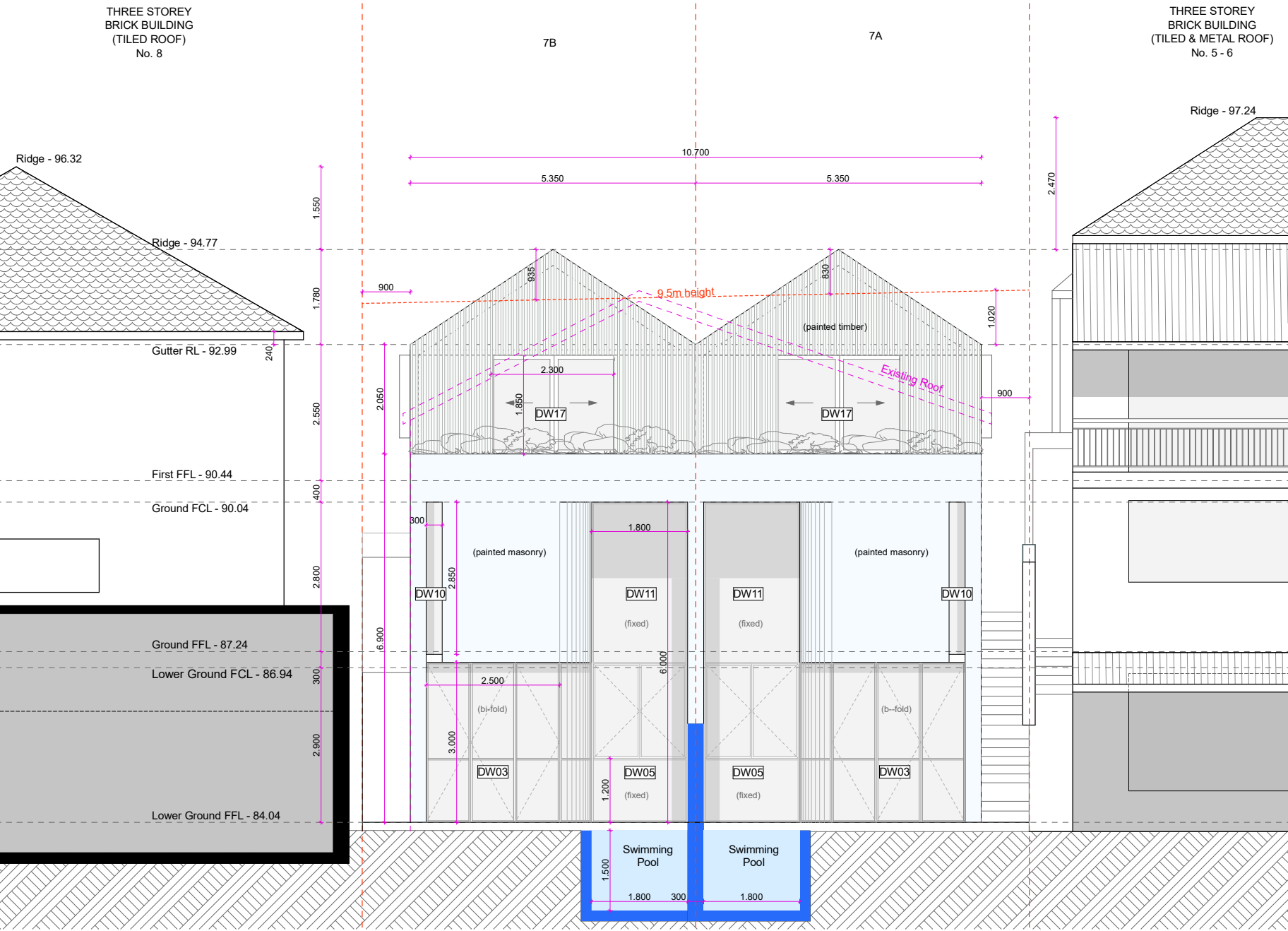
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B	11.02.22	DA_Submission
A	24.12.21	DA_Submission
Issue	Date	Description

Project	7 Park Parade, BONDI
Drawing Name	Proposed South Elevation
Project Number	2103
Drawing No	DA-05.2

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Proposed East Elevation

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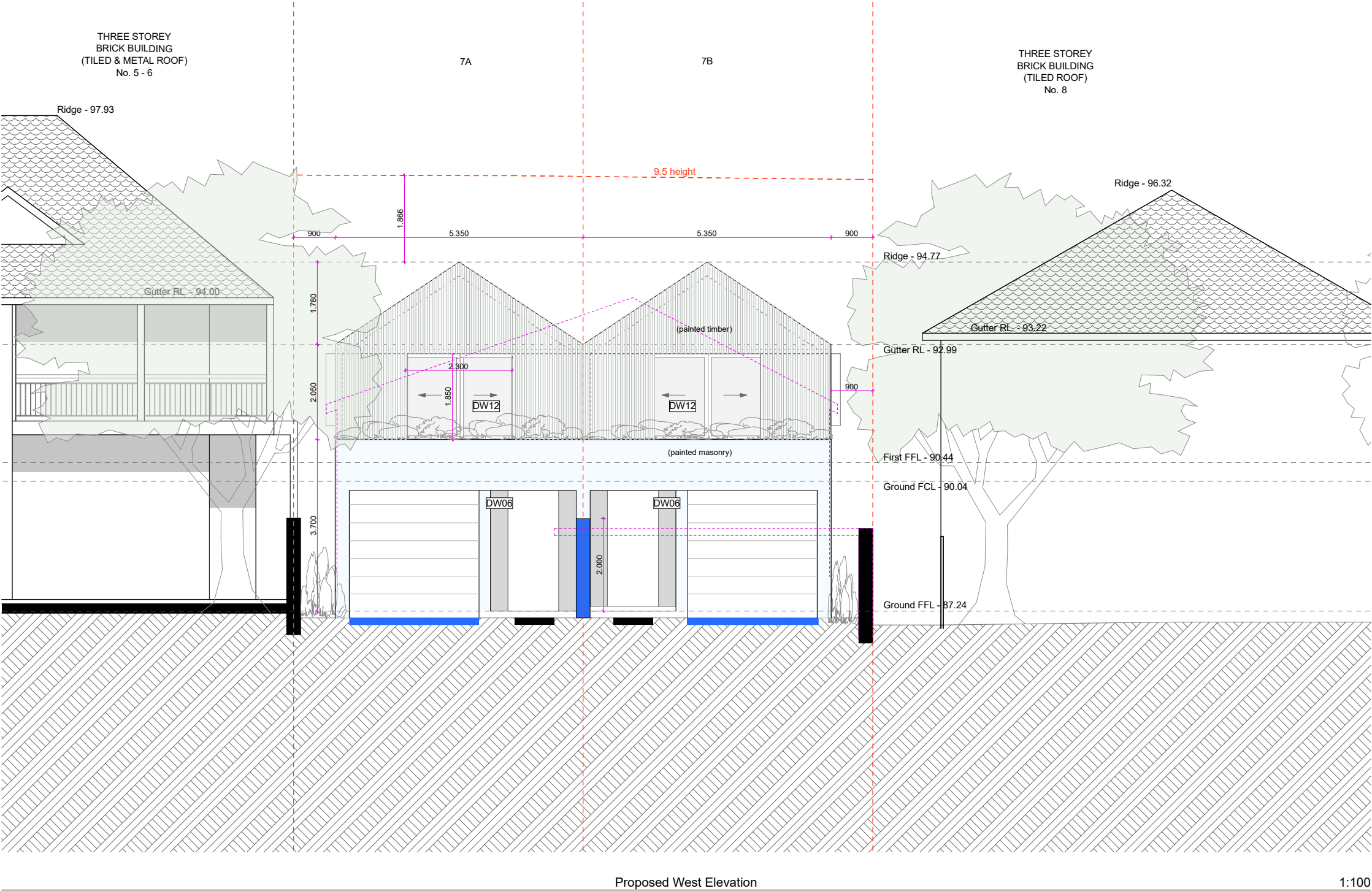
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			Project	7 Park Parade, BONDI
B	11.02.22	DA_Submission	Drawing Name	Proposed East Elevation
A	24.12.21	DA_Submission	Project Number	2103
Issue	Date	Description	Drawing No	DA-05.3

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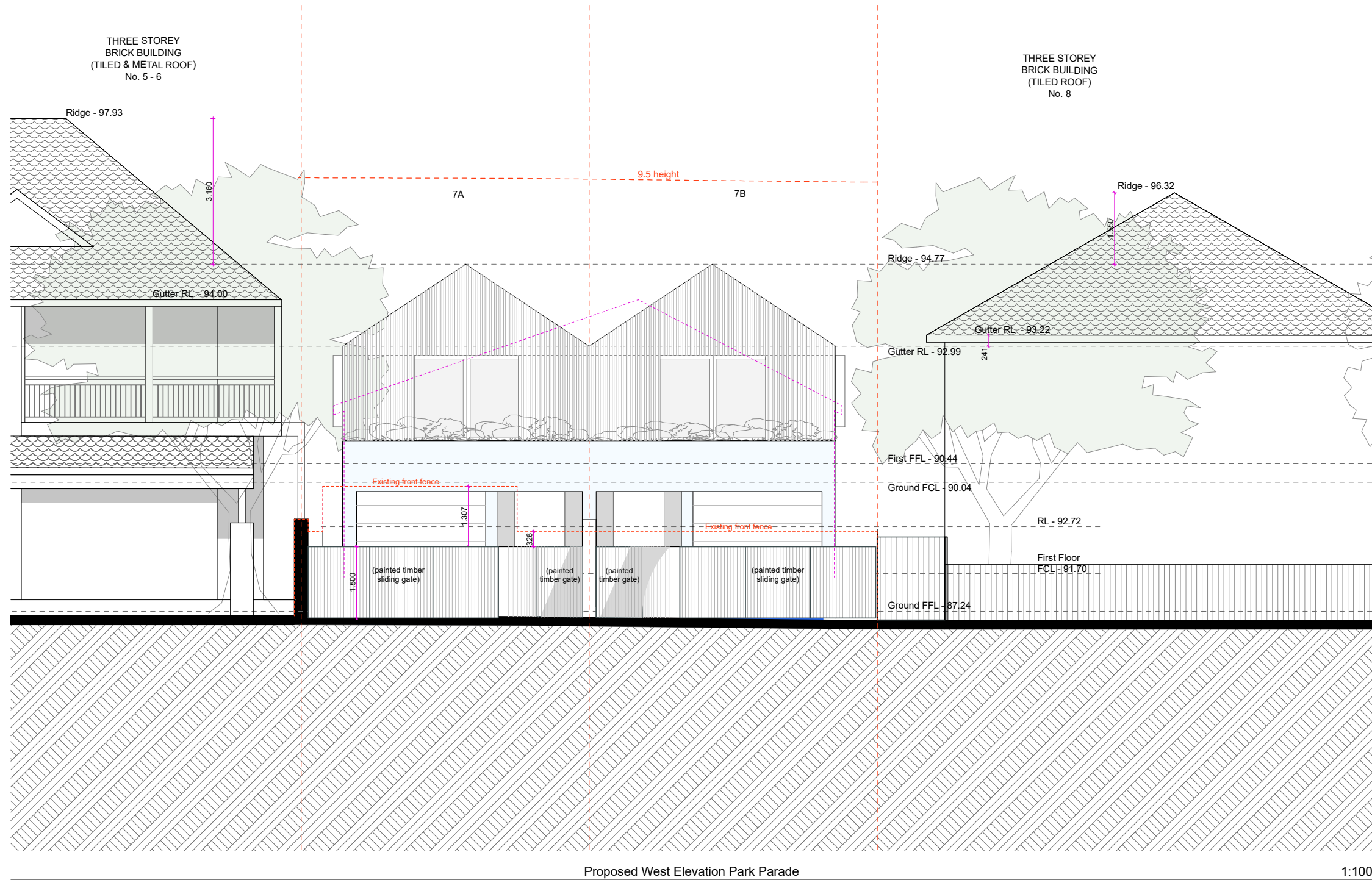
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B	11.02.22	DA_Submission
A	24.12.21	DA_Submission
Issue	Date	Description

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Project	7 Park Parade, BONDI
Drawing Name	Proposed West Elevation
Project Number	2103
Drawing No	DA-05.4



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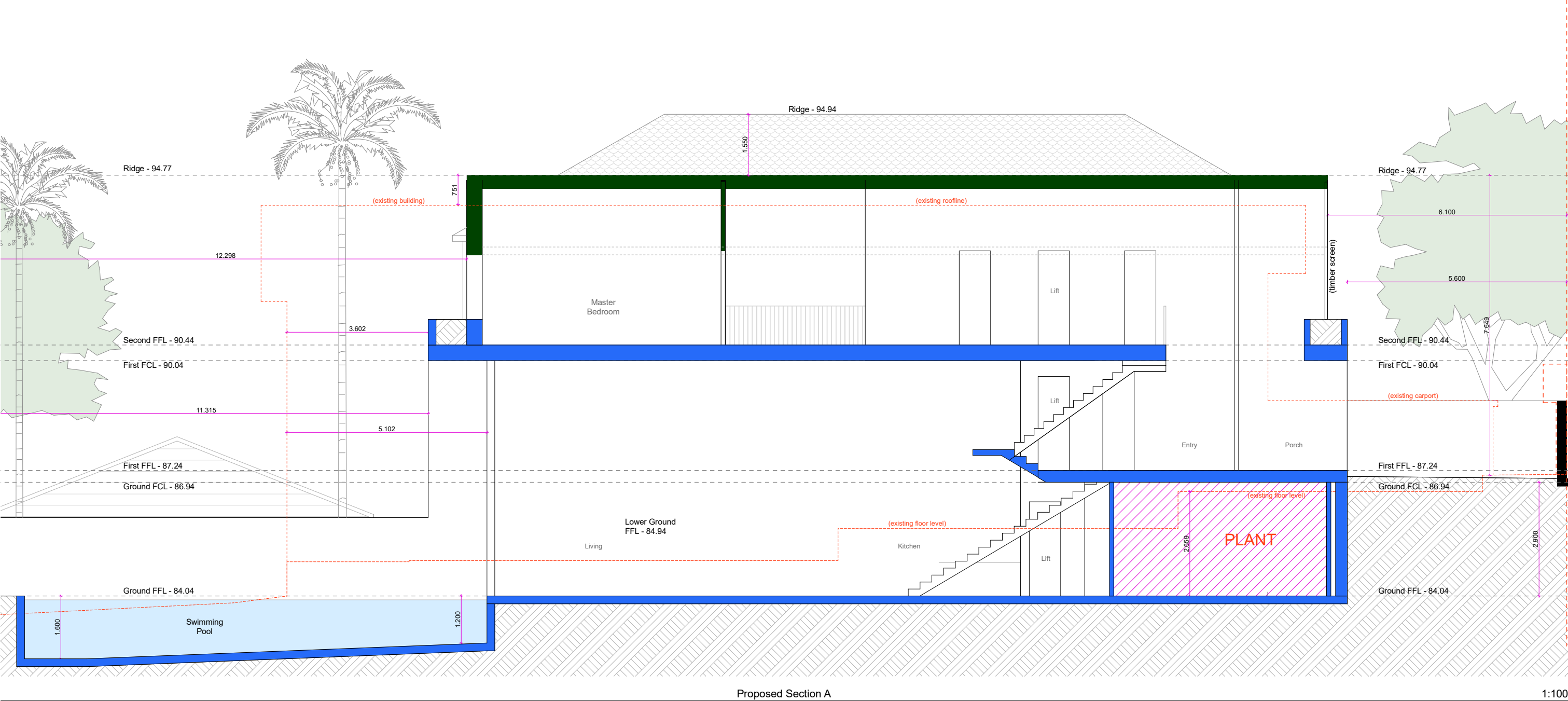
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B	11.02.22	DA_Submission
A	24.12.21	DA_Submission
Issue	Date	Description

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Project	7 Park Parade, BONDI
Drawing Name	Proposed West Elevation Park Parade
Project Number	2103
Drawing No	DA-05.5



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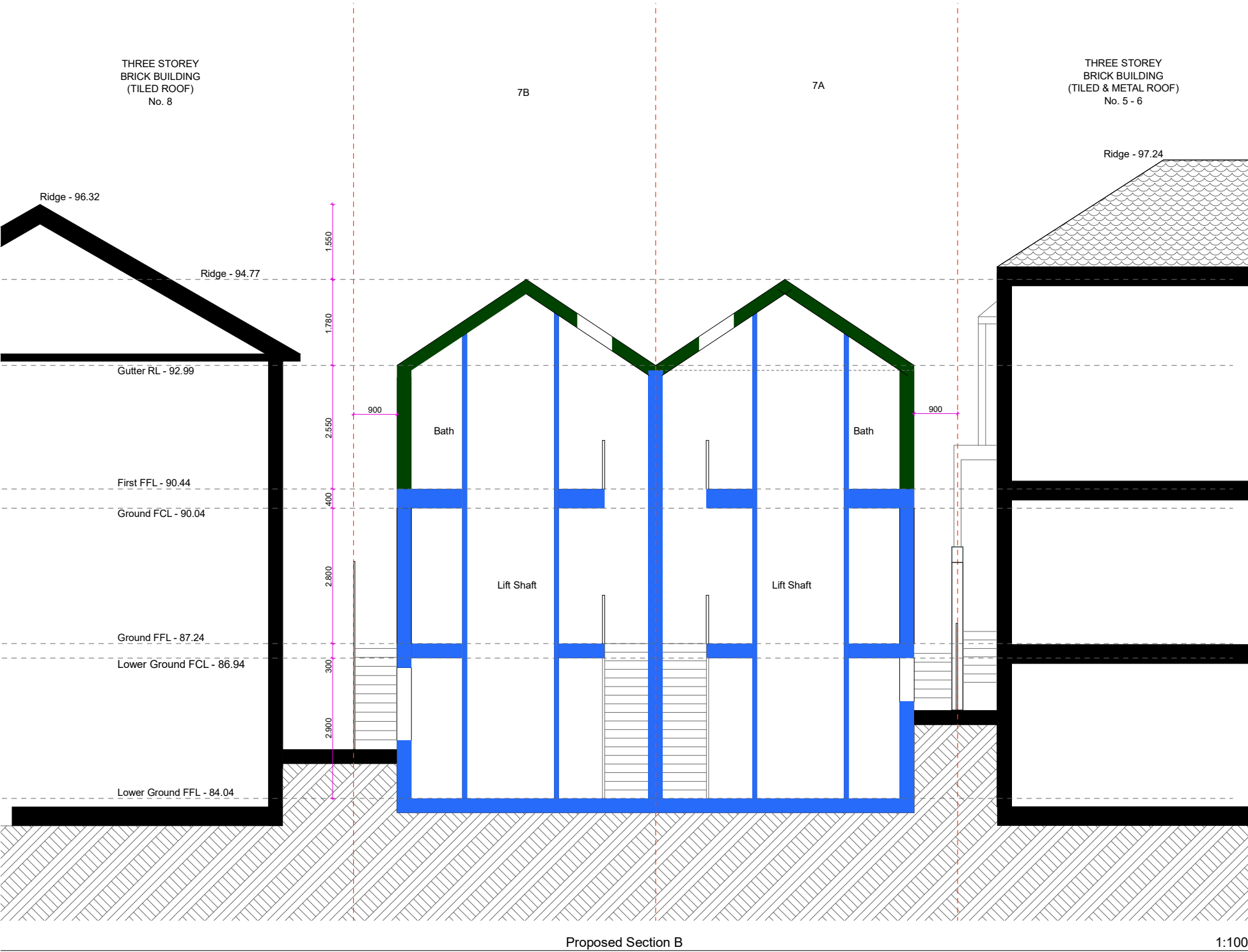
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B	11.02.22	DA_Submission
A	24.12.21	DA_Submission
Issue	Date	Description

Project	7 Park Parade, BONDI
Drawing Name	Proposed Section A
Project Number	2103
Drawing No	DA-06.1

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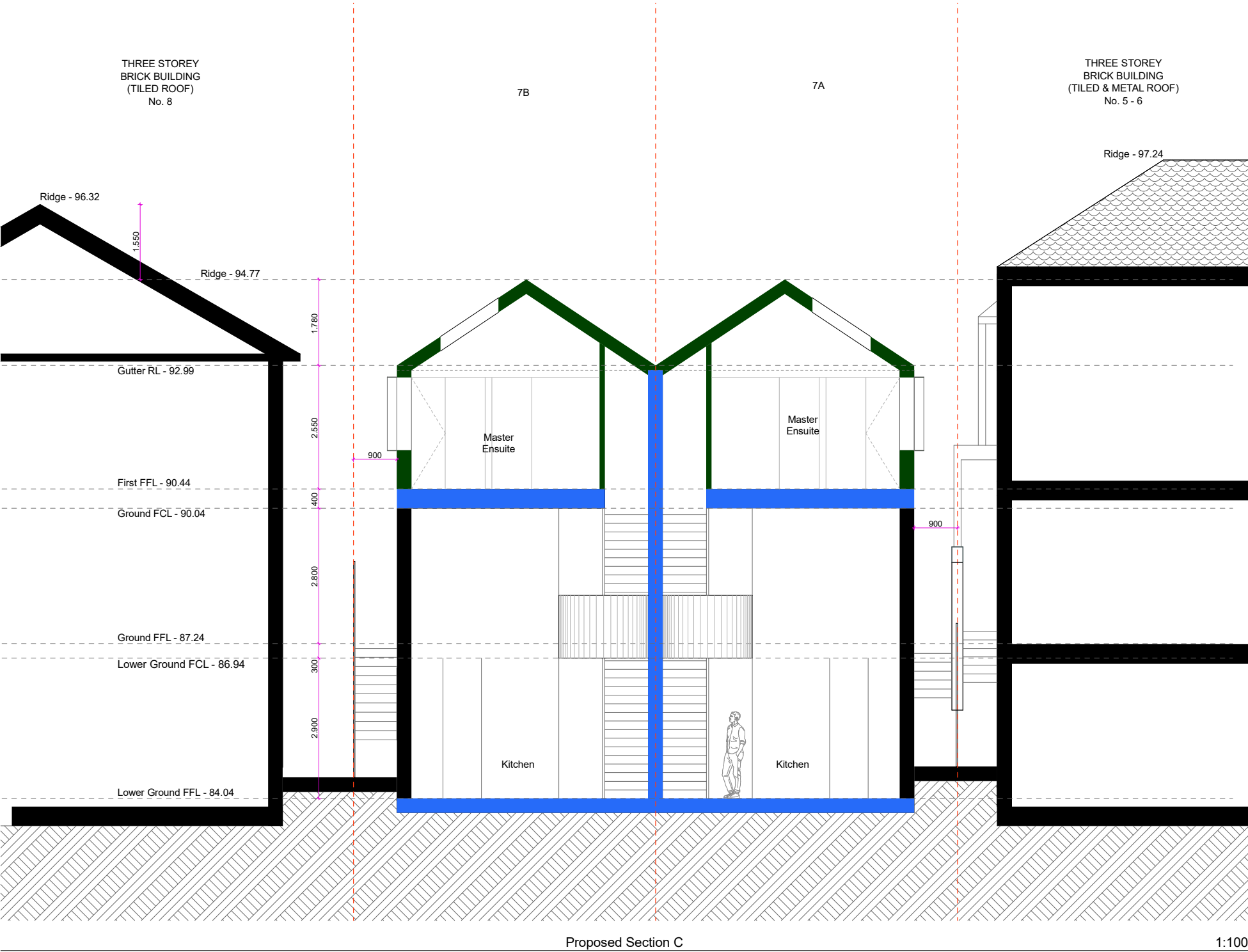
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B	11.02.22	DA_Submission
A	24.12.21	DA_Submission
Issue	Date	Description

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Project	7 Park Parade, BONDI
Drawing Name	Proposed Section B
Project Number	2103
Drawing No	DA-06.2



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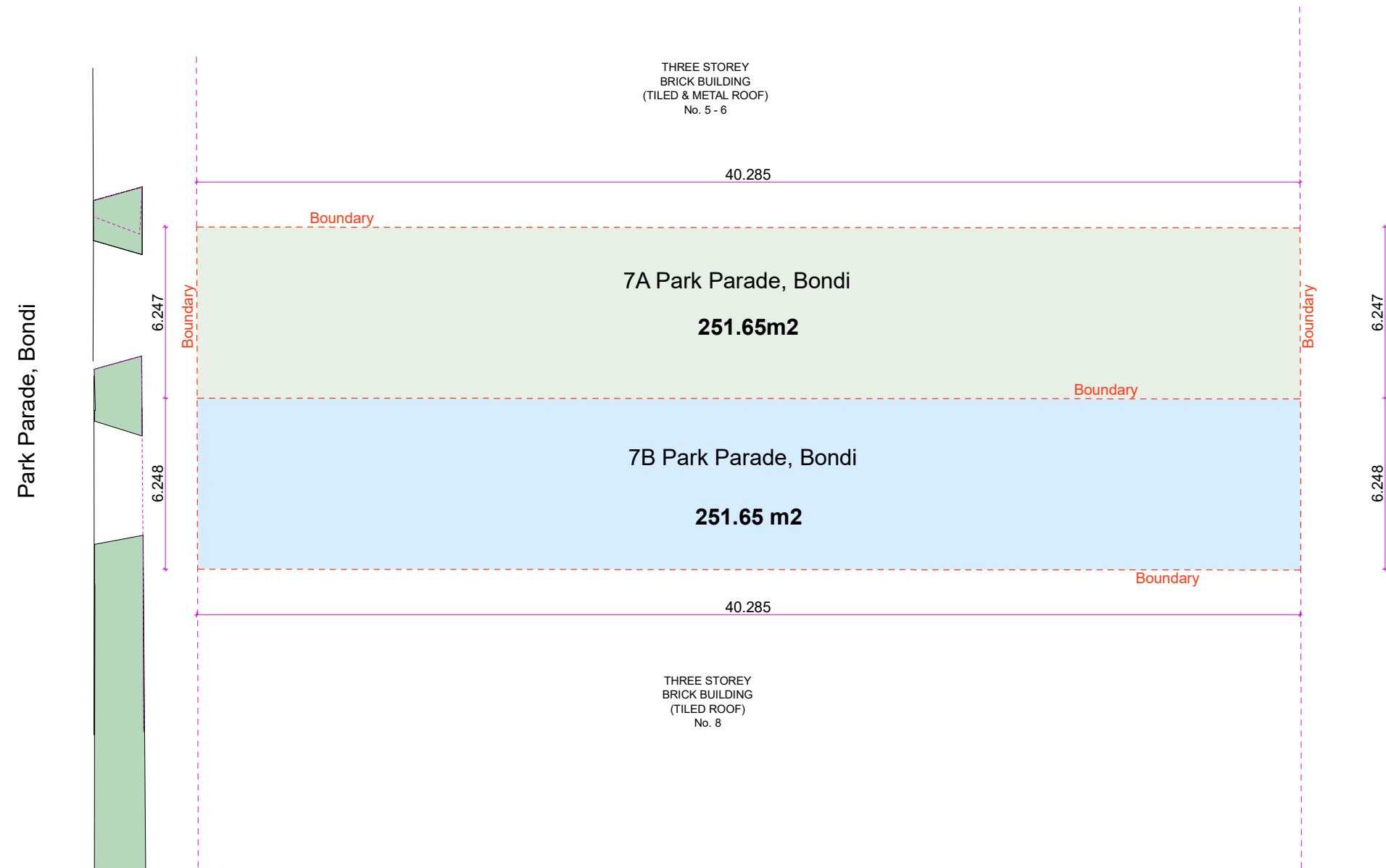
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A	24.12.21	DA_Submission
Issue	Date	Description

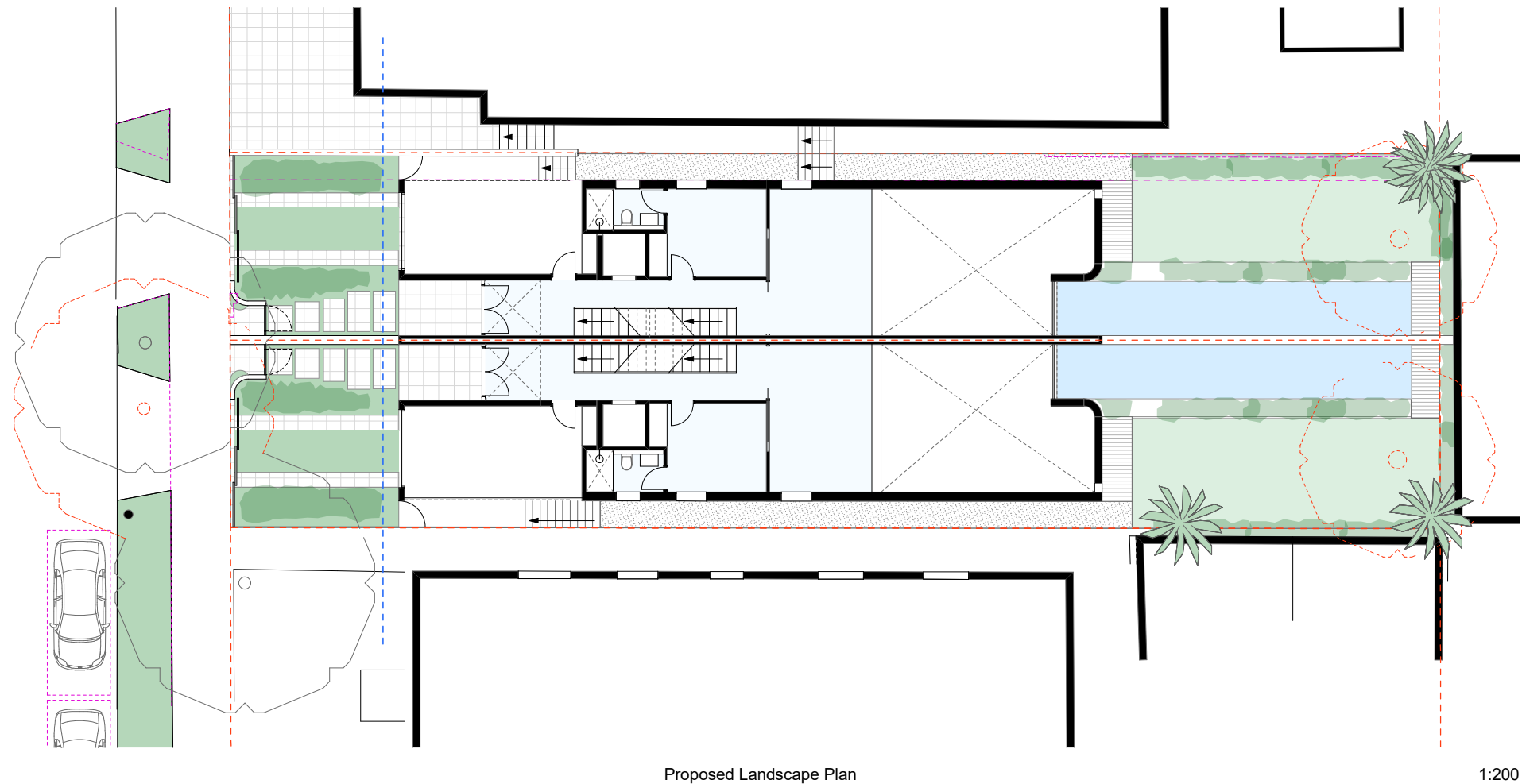
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Project	7 Park Parade, BONDI
Drawing Name	Proposed Section C
Project Number	2103
Drawing No	DA-06.3



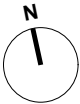
A	24.12.21	DA_Submission
Issue	Date	Description

Project	7 Park Parade, BONDI
Drawing Name	Proposed Subdivision Plan
Project Number	2103
Drawing No	DA-07.1



Proposed Landscape Plan

1:200



A	24.12.21	DA_Submission
Issue	Date	Description

Project	7 Park Parade, BONDI
Drawing Name	Proposed Landscape Plan
Project Number	2103
Drawing No	DA-08.1

Application No: DA-35/2022

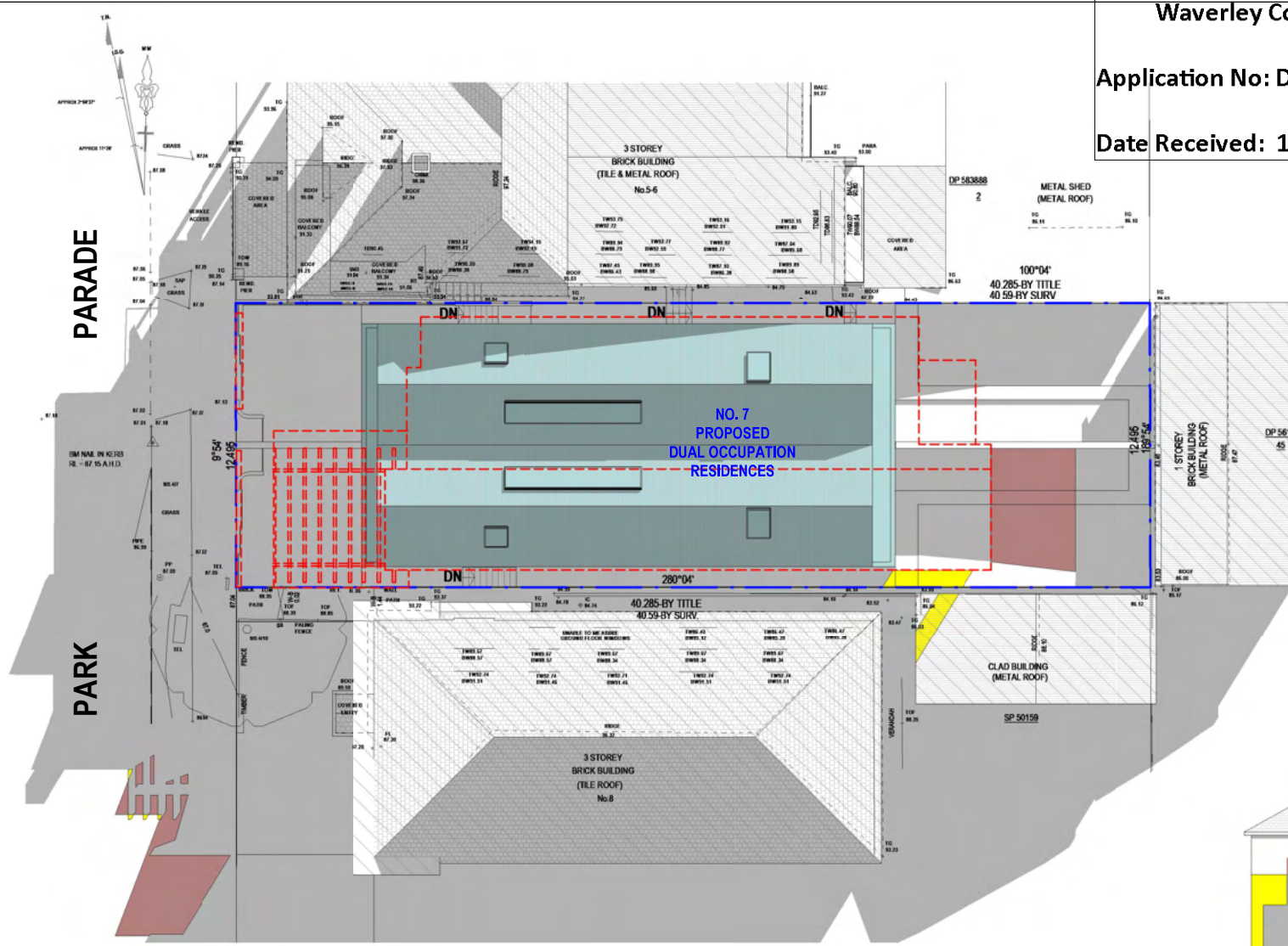
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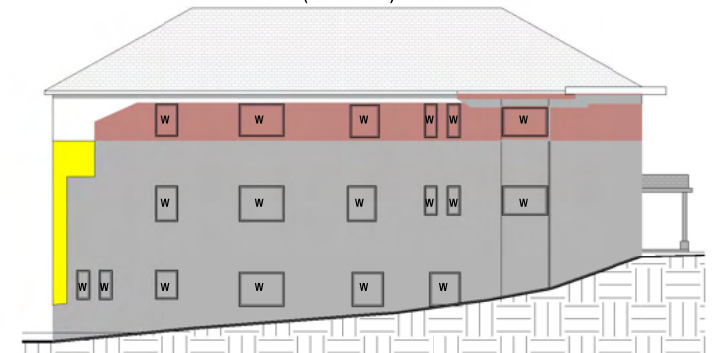
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- DENOTES AREA OF EXISTING & SURROUNDING BUILDING SHADOW
- DENOTES AREA OF PROPOSED NEW DUAL RESIDENCES
- DENOTES AREA OF PROPOSED ADDITIONAL BUILDING SHADOW
- DENOTES AREA OF PROPOSED REDUCTION OF SHADOW (EXISTING STRUCTURES TO BE DEMOLISHED)

NOTE:

SHADOWS SHOWN HAVE BEEN COMPILED FROM
DETAIL & LEVEL SURVEY BY HILL & BLUME
CONSULTING SURVEYORS REF. NO. 63041001
DATED 17/05/21 AND ARCHITECTURAL PLANS
SUPPLIED BY STEPHEN O'CONNOR ARCHITECTURE
PROJECT NO. 2103 ISSUE A DATED 24.12.21



NORTH ELEVATION
NO. 8
3 STOREY
BRICK BUILDING
(TILE ROOF)



1 Shadowing June 21st 9.00am
1 : 200

Cad Draft P/L

ABN 27 083 288 153

SUITE 1, 505 BALMAIN ROAD,
LILYFIELD, NSW 2040

SHADOW ANALYSIS CONSULTANTS

PH: 9555 8545

info@caddraftnsw.com.au

No.	Description	Date

PRELIMINARY

SHADOW DIAGRAMS
No. 7 PARK PARADE
BONDI

CLIENT: JXLZ HOLDINGS PTY LTD

Shadowing June 21st 9.00am

Project number	22-11	A100
Date	03-02-22	
Drawn by	KP	
Checked by	JD	
Scale		1 : 200

Application No: DA-35/2022

Date Received: 18/02/2022

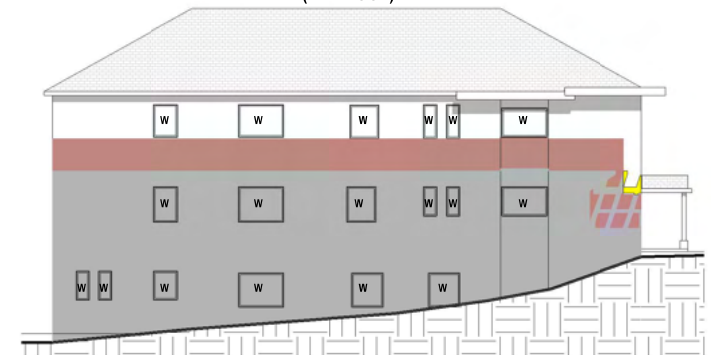
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- DENOTES OUTLINE OF EXISTING STRUCTURES TO BE DEMOLISHED
- DENOTES AREA OF EXISTING & SURROUNDING BUILDING SHADOW
- DENOTES AREA OF PROPOSED NEW DUAL RESIDENCES
- DENOTES AREA OF PROPOSED ADDITIONAL BUILDING SHADOW
- DENOTES AREA OF PROPOSED REDUCTION OF SHADOW (EXISTING STRUCTURES TO BE DEMOLISHED)

NOTE:

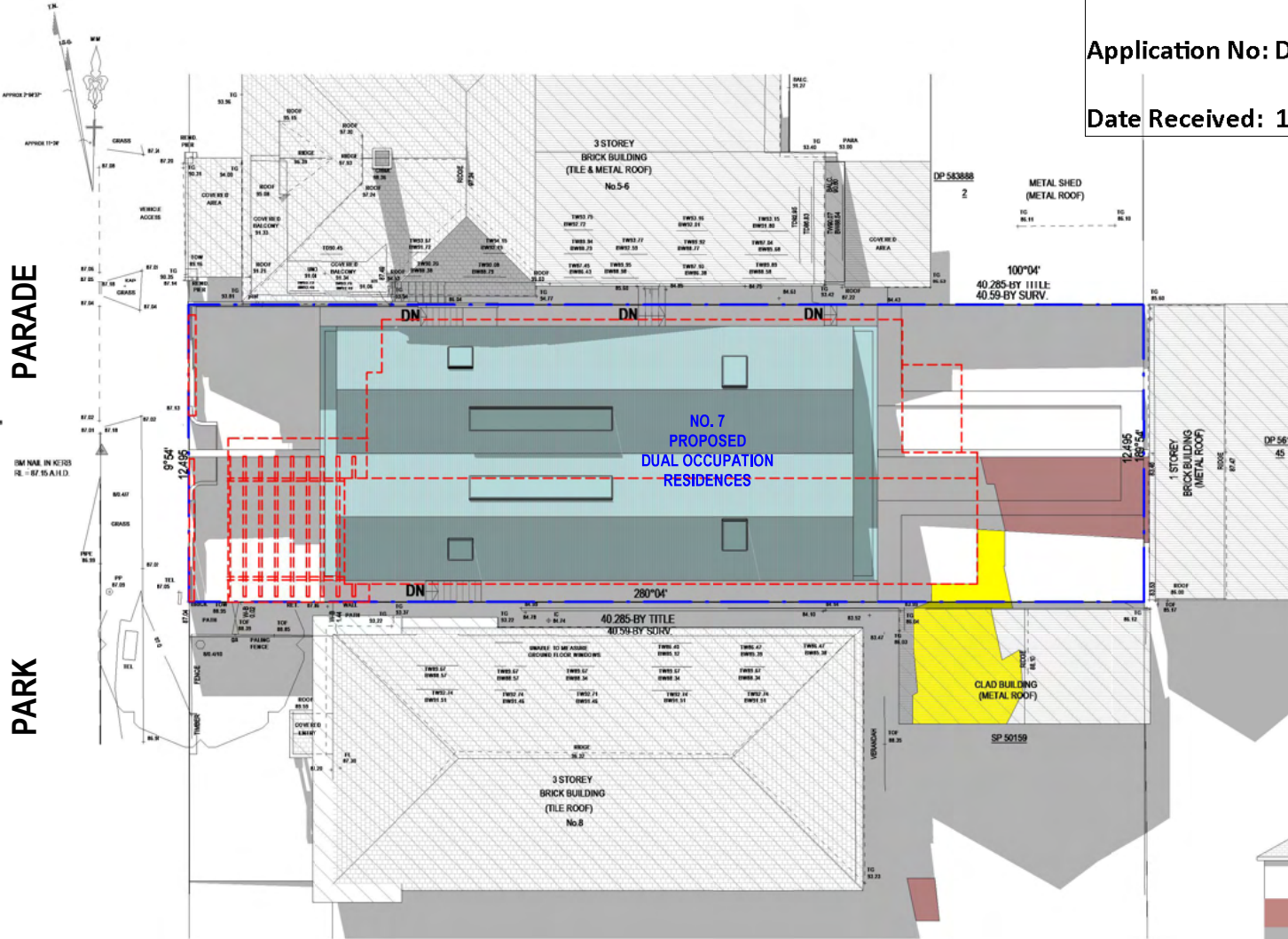
SHADOWS SHOWN HAVE BEEN COMPILED FROM
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CONSULTING SURVEYORS REF. NO. 63041001
DATED 17/05/21 AND ARCHITECTURAL PLANS
SUPPLIED BY STEPHEN O'CONNOR ARCHITECTURE
PROJECT NO. 2103 ISSUE A DATED 24.12.21

NORTH ELEVATION
NO. 8
3 STOREY
BRICK BUILDING
(TILE ROOF)



PARADE

PARK



1 Shadowing June 21st 12.00pm
1 : 200

Cad Draft P/L

ABN 27 083 288 153

SUITE 1, 505 BALMAIN ROAD,
LILYFIELD, NSW 2040

SHADOW ANALYSIS CONSULTANTS

PH: 9555 8545

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No.	Description	Date

PRELIMINARY

SHADOW DIAGRAMS
No. 7 PARK PARADE
BONDI

CLIENT: JLXZ HOLDINGS PTY LTD

Shadowing June 21st 12.00pm

Project number	22-11	A101
Date	03-02-22	
Drawn by	KP	
Checked by	JD	Scale 1 : 200

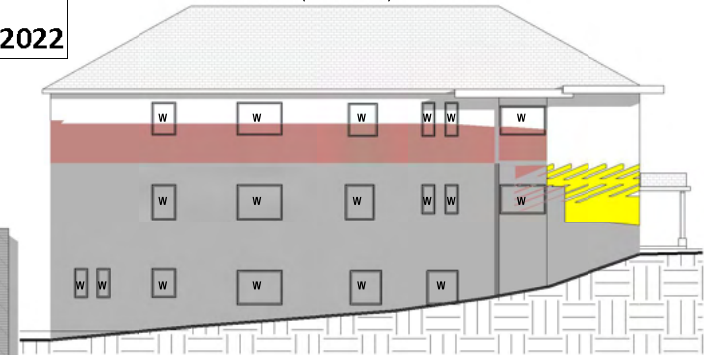
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Waverley Council

Application No: DA-35/2022

Date Received: 18/02/2022

NORTH ELEVATION
NO. 8
3 STOREY
BRICK BUILDING
(TILE ROOF)



LEGEND:

- DENOTES OUTLINE OF EXISTING STRUCTURES TO BE DEMOLISHED
- DENOTES AREA OF EXISTING & SURROUNDING BUILDING SHADOW
- DENOTES AREA OF PROPOSED NEW DUAL RESIDENCES
- DENOTES AREA OF PROPOSED ADDITIONAL BUILDING SHADOW
- DENOTES AREA OF PROPOSED REDUCTION OF SHADOW (EXISTING STRUCTURES TO BE DEMOLISHED)

NOTE:

SHADOWS SHOWN HAVE BEEN COMPILED FROM
DETAIL & LEVEL SURVEY BY HILL & BLUME
CONSULTING SURVEYORS REF. NO. 63041001
DATED 17/05/21 AND ARCHITECTURAL PLANS
SUPPLIED BY STEPHEN O'CONNOR ARCHITECTURE
PROJECT NO. 2103 ISSUE A DATED 24.12.21

Shadowing June 21st 3.00pm

1

1 : 200

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ABN 27 083 288 153

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LILYFIELD, NSW 2040

SHADOW ANALYSIS CONSULTANTS

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No.	Description	Date

PRELIMINARY

SHADOW DIAGRAMS
No. 7 PARK PARADE
BONDI

CLIENT: JLXZ HOLDINGS PTY LTD

Shadowing June 21st 3.00pm

Project number	22-11	A102	
Date	03-02-22		
Drawn by	KP		
Checked by	JD		
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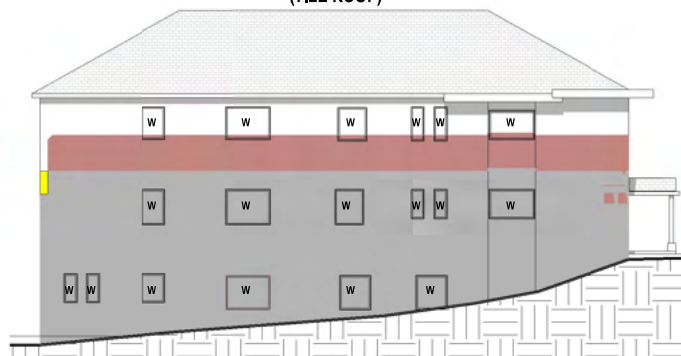
RECEIVED

Waverley Council

Application No: DA-35/2022

Date Received: 18/02/2022

NORTH ELEVATION
NO. 8
3 STOREY
BRICK BUILDING
(TILE ROOF)



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ABN 27 083 288 153

SUITE 1, 505 BALMAIN ROAD,
LILYFIELD, NSW 2040

SHADOW ANALYSIS CONSULTANTS

PH: 9555 8545

info@caddraftnsw.com.au

No.	Description	Date

SHADOW DIAGRAMS
No. 7 PARK PARADE
BONDI

CLIENT: JLXZ HOLDINGS PTY LTD

Elevation June 21st 11.00am

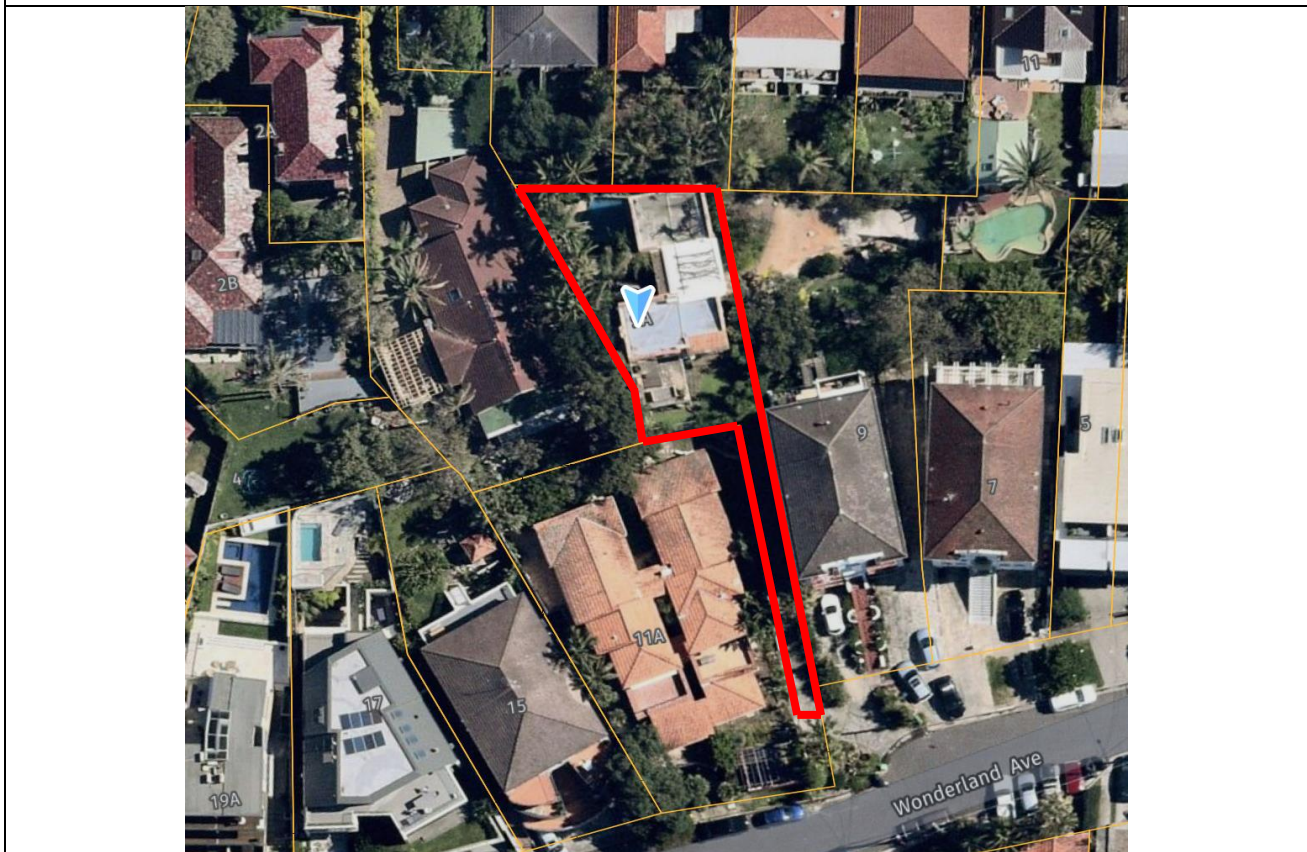
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Date	03-02-22	
Drawn by	KP	
Checked by	JD	Scale
		1 : 200



Report to the Waverley Local Planning Panel

Application number	DA-486/2021
Site address	9A Wonderland Avenue, Tamarama
Proposal	Alterations and additions to existing two-storey detached dwelling
Date of lodgement	11 November 2021
Owner	Mr M Glashier and Ms B Hazell
Applicant	Mr M Glashier
Submissions	Nil
Cost of works	\$1,895,447
Principal Issues	<ul style="list-style-type: none"> • Height of building • Side setbacks • Excavation
Recommendation	That the application be APPROVED in accordance with the conditions contained in the report.

SITE MAP



1. PREAMBLE

1.1. Executive Summary

The development application seeks consent for alterations and additions to the existing two-storey detached dwelling at the site known as 9A Wonderland Avenue, Tamarama.

The principal issues arising from the assessment of the application are as follows:

- building height
- side setback
- excavation.

The assessment finds these issues acceptable as there is no change to the existing overall building height of the existing dwelling and the extent of the addition that exceeds the height of building development standard does not result in excessive bulk and scale or unreasonable amenity impacts on neighbouring properties. The Clause 4.6 written justification is considered to adequately address the matters for consideration in the Waverley Local Environmental Plan 2012 and is supported.

No submissions were received. No Councillor submissions were received.

The application has been assessed against the relevant matters for consideration under section 4.15(1) of the *Environmental Planning and Assessment Act 1979*. It is recommended for approval subject to conditions of consent.

1.2. Site and Surrounding Locality

A site visit was carried out on 20 December 2021.

The site is identified as Lot A in DP 104932, known as 9A Wonderland Avenue, Tamarama.

The site is irregular in shape being a battle-axe allotment located on the northern side of Wonderland Avenue. It has an area of 451.9m² and is located above street level behind Nos. 9 and 11 Wonderland Avenue. The site falls from the rear (north) boundary towards the south boundary by approximately 4m.

The site is occupied by a two-storey dwelling house with a lower ground floor garage and vehicular access between Nos. 9 and 11 Wonderland Avenue to the street.

The site is adjoined by multi storey residential apartment buildings immediately to the east and west, a single storey dwelling to the north-west and two-storey dwellings to the north fronting Fletcher Street. The locality is characterised by a variety of residential developments including one to three-storey dwellings and residential apartment buildings.

Figures 1 to 9 are photos of the site and its context.



Figure 1: View of existing dwelling looking north from driveway



Figure 2: View of car parking area under the existing house, looking west from the car park opening.



Figure 3: Looking south along the eastern side boundary



Figure 4: Looking north along the eastern side boundary towards the rear of the site



Figure 5: View of existing rear yard and swimming pool, looking north from rear of dwelling



Figure 6: View of existing chimney, looking west from first floor terrace



Figure 7: View looking south-east from first floor terrace



Figure 8: View towards Tamarama Beach and ocean, looking south from first floor terrace



Figure 9: View of adjacent property to the west, looking north-west from first floor terrace

1.3. Relevant Development History

A search of Council's records revealed no recent and relevant development history for the site.

1.4. Proposal

The development application seeks consent for alterations and additions to the dwelling house, specifically involving the following:

Lower Ground Floor

- Demolition of existing stairs and storage area.
- Excavation and construction of a gym, WC, cellar, storage and bicycle parking.
- New stairs to ground floor along the eastern side boundary.

Ground Floor

- Remove existing glazed doors and external wall to kitchen on the southern elevation and replace with new enlarged opening comprising new glazed doors.
- Replace existing external glazed openings with new openings.
- Remove internal wall between the kitchen and dining room for an open plan living area.
- Convert bathroom to laundry and storeroom to a WC, including replacement of existing doors.
- Relocate chimney flue to the western side of the external wall.

First floor

- Internal reconfiguration to existing bedrooms.
- New balcony and door opening to existing study/guest bedroom.
- Extension of master bedroom to the south occupying part of the existing terrace.

Roof

- New roof over extension of master bedroom to match existing tiled roof.
- New access hatch from master bedroom walk-in robe to roof for maintenance purposes.
- Photovoltaic cells.

External works

- New skylight to gym positioned flush with rear terrace.
- Demolition of the existing swimming pool and provision of a new swimming pool to the north-western corner of the site (rear yard).
- Removal of 2 trees (Nos. T1 and T4) and 3 groups of trees (Nos. G2, G3 and G6) and replacement planting.

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. State Environmental Planning Policies (SEPPs)

The following SEPPs apply and have been considered acceptable in the assessment of this development application:

- SEPP (Building Sustainability Index – BASIX) 2004.
- SEPP 55 Remediation of Land.
- SEPP (Biodiversity and Conservation) 2021.

2.1.2. Draft Waverley Local Environmental Plan 2022 (Draft Waverley LEP 2022)

The Draft Waverley Local Environmental Plan 2022 was exhibited from 12 November 2021 to 23 January 2022, however at the time of this assessment, there are no relevant matters for consideration.

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
Part 1 Preliminary		
1.2 Aims of plan	Yes	The proposal is not inconsistent with the aims of the plan.
Part 2 Permitted or prohibited development		
Land Use Table <ul style="list-style-type: none"> R3 Medium Density Residential Zone 	Yes	The proposal is defined as alterations and additions to a dwelling house, which is permitted with consent in the R3 Medium Density Residential zone.
Part 4 Principal development standards		
4.3 Height of buildings <ul style="list-style-type: none"> 9.5m 	No	The existing dwelling has a building height of 10.8m which exceeds the height of building development standard by 13.68%. The proposal does not exceed the existing building height of 10.8m but exceeds the development standard.
4.4 Floor space ratio and 4.4A Exceptions to floor space ratio <ul style="list-style-type: none"> 0.64:1 (275.66m²) 	Yes	The proposal has a GFA of 267.9m ² and FSR 0.59:1 which complies with the FSR development standard.
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 height of buildings 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	The site contains Class 5 Acid Sulfate Soils. The scope of works will not result in any adverse environmental impacts, subject to conditions.
6.2 Earthworks	Yes	The proposed excavation satisfies the matters for consideration for earthworks as the

Provision	Compliance	Comment
		proposal will not adversely disturb drainage or land stability, amenity of adjoining properties or environmental impacts. A Geotechnical Report submitted with the application has concluded that the proposed works will not have any adverse impacts on the existing dwelling, the environment or adjoining properties. Provisions relating to excavation area are addressed in Table 2 below.

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

Clause 4.6 Exceptions to Development Standards

The application seeks to vary the height of buildings development standard in clause 4.3 under Waverley LEP 2012.

The site is subject to a maximum height of building development standard of 9.5m. The proposed development has a building height of 10.8m, exceeding the standard by 1.3m equating to a 13.68% variation.

A written request has been submitted to Council in accordance with clause 4.6(3)(a) and (b) of Waverley LEP 2012 seeking to justify the contravention of the development standard by demonstrating:

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

A copy of the applicant's written request has been provided to the Waverley Local Planning Panel for consideration.

Applicant's Written Request - Clause 4.6(3)(a) and (b)

The applicant seeks to justify the contravention of the height of buildings development standard on the following basis:

- (a) That compliance with the development standard is unreasonable or unnecessary in the circumstances of the case:
 - (i) Part of the existing building measuring 10.8m exceeds the maximum height control and the proposed master bedroom extension does not result in any further non-compliance.
 - (ii) The non-compliance is largely concealed from the streetscape and does not result in any adverse amenity impacts to surrounding properties.
 - (iii) Given the context of the site, strict compliance with the height of building development standard is unreasonable and unnecessary.

- (b) That there are sufficient environmental planning grounds to justify contravening the standard:
 - (i) The proposal retains the existing height of the dwelling, is consistent with the height of surrounding developments.
 - (ii) The proposal does not have negative impacts on overshadowing, privacy, view or bulk and scale impacts.
 - (iii) The proposal is consistent with the form and character of the existing development and surrounding developments and results in a better planning outcome.
 - (iv) The proposal does not have any adverse impacts on the public domain.

Consideration of Applicant's Written Request - Clause 4.6(4) (a) (i) and (ii)

Development consent must not be granted unless the consent authority is satisfied that:

- (a) The applicant's written request has adequately addressed the matters required to be demonstrated by subclause 3 of clause 4.6 being that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and that there are sufficient environmental planning grounds to justify contravening the standard; and
- (b) The proposed development will be in the public interest because it is consistent with the objectives of the particular development standard and the objectives for development within the zone in which the development is proposed to be carried out.

Does the written request adequately address those issues at clause 4.6(3)(a)?

It is considered that the applicant has adequately addressed that compliance with the standard is unreasonable or unnecessary in the circumstances of the case and has referenced one or more of the following justifications as set out in *Wehbe v Pittwater Council* (2007) 156 LGERA 446:

- (a) the objectives of the development standard are achieved notwithstanding non-compliance with the standard;*
- (b) to establish that the underlying objective or purpose is not relevant to the development with the consequence that compliance is unnecessary;*
- (c) to establish that the underlying objective or purpose would be defeated or thwarted if compliance was required with the consequence that compliance is unreasonable;*
- (d) to establish that the development standard has been virtually abandoned or destroyed by the Council's own actions in granting consents departing from the standard and hence compliance with the standard is unnecessary and unreasonable; and*
- (e) to establish that "the zoning of particular land" was "unreasonable or inappropriate" so that "a development standard appropriate for that zoning was also unreasonable or unnecessary as it applied to that land" and that "compliance with the standard in that case would also be unreasonable or unnecessary.*

The applicant specifically relies upon justification (a) outlined above to address clause 4.6(3)(a) of Waverley LEP 2012. The written justification has adequately demonstrated that the proposal achieves the objectives of the height of building development standard as the extent of the non-compliance does not result in any unreasonable environmental or amenity impacts on adjoining properties or the public domain and is compatible with the bulk and scale of developments in the locality. In particular, the proposal does not result in any view loss from adjoining properties or the public domain and additional overshadowing falls across the roof of adjoining properties and maintains existing amenity of adjoining occupants.

Does the written request adequately address those issues at clause 4.6(3)(b)?

The applicant has adequately addressed that there are sufficient environmental planning grounds to justify contravening the development standard. The proposal will enhance internal amenity for occupants, is not visually prominent when viewed from the public domain and does not result in any adverse environmental or amenity impacts on adjoining properties.

Is the development in the public interest?

The proposed development will be in the public interest because it is consistent with both the objectives of the particular development standard and the objectives for development within the zone in which the development is proposed to be carried out.

The objectives of the height of buildings development standard are as follows:

- (a) to establish limits on the overall height of development to preserve the environmental amenity of neighbouring properties and public spaces and, if appropriate, the sharing of views,*
- (b) to increase development capacity within the Bondi Junction Centre to accommodate future retail and commercial floor space growth,*
- (c) to accommodate taller buildings on land in Zone B3 Commercial Core of the Bondi Junction Centre and provide an appropriate transition in building heights surrounding that land,*
- (d) to ensure that buildings are compatible with the height, bulk and scale of the desired future character of the locality and positively complement and contribute to the physical definition of the street network and public space.*

The proposal satisfies relevant objectives (a) and (d) of the height of buildings development standard as the extent of the non-compliance, which does not exceed the height of the existing dwelling, is compatible with the bulk and scale of surrounding developments, will not detract from the built form and character of dwellings within the streetscape, does not result in any view loss from surrounding properties or the public domain, and does not have any unreasonable amenity impacts on adjoining properties.

The objectives of the R3 Medium Density Residential zone are as follows:

- (a) to ensure sufficient floor space can be accommodated within the Bondi Junction Centre to meet foreseeable future needs,*
- (b) to provide an appropriate correlation between maximum building heights and density controls,*
- (c) to ensure that buildings are compatible with the bulk and scale of the desired future character of the locality,*
- (d) to establish limitations on the overall scale of development to preserve the environmental amenity of neighbouring properties and the locality.*

The proposal satisfies the bulk and scale objectives for the R3 Medium Density Residential zone and is compatible with the desired future character of the locality as the proposed first floor addition does not exceed the existing height of the dwelling and is consistent with the FSR development standard. The built form is compatible with the existing and desired future character of the locality which comprises a mix of multi storey dwellings and residential flat buildings on sloped sites on the northern and southern side of Wonderland Avenue.

Conclusion

For the reasons provided above the requested variation to the height of buildings development standard is supported as the applicant's written request has adequately addressed the matters required to be addressed by clause 4.6 of the Waverley LEP 2012 and the proposed development would be in the public interest because it is consistent with the objectives of height of buildings development standard and the R3 Medium Density Residential zone.

2.1.4. Waverley Development Control Plan 2012 (Waverley DCP 2012) – Amendment No.9

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	Satisfactory.
2. Ecologically Sustainable Development	Yes	Satisfactory.
3. Landscaping and Biodiversity	Yes	Satisfactory.
5. Vegetation Preservation	Yes	The proposal seeks removal of 2 trees and 3 groups of trees within the rear yard. Council's Tree Management Officer has reviewed the proposal and supports the recommendations in the Arborist report, subject to conditions.

Development Control	Compliance	Comment
6. Stormwater	Yes	Satisfactory.
8. Transport Minimum parking rate: • Nil Maximum parking rate: • 2 spaces for 3 or more bedrooms.	Yes	No change is proposed to the existing 2 car spaces provided on the site.
12. Design Excellence	Yes	Satisfactory.
14. Excavation	No	<p>The proposal seeks to excavate within 900mm of the eastern side boundary for bicycle storage below the exiting stairs from the lower ground floor garage to the ground floor entry of the dwelling. The proposed excavation is located below the ground level of the adjoining property and is immediately adjacent to an existing excavated area.</p> <p>The excavation at the lower ground floor level for a cellar is acceptable as it is contained within the building footprint, does not contribute to floor space or building bulk.</p> <p>The proposed gym is located predominantly within the building footprint except for the north-western corner which extends below the rear terrace. The extent of the proposed excavation beyond the building footprint is set back substantially from the side boundaries and will not result in any additional building bulk, loss of privacy or environmental impacts for adjoining occupants.</p> <p>The excavation is acceptable on merit subject to conditions that have been included in the Appendix A. See discussion below.</p>

Table 3: Waverley DCP 2012 – Part C2 Low Density Residential Development Compliance Table

Development Control	Compliance	Comment
2.0 General Objectives		
<ul style="list-style-type: none"> • Appropriate bulk and scale • Ecologically sustainable development • No amenity impacts on neighbouring properties • High design quality 	Yes	The proposal does not contravene the general objectives of this part of the DCP.

Development Control	Compliance	Comment
2.1 Height		
Flat roof dwelling house <ul style="list-style-type: none"> Maximum wall height of 7.5m 	No	<p>The proposed first floor addition (master bedroom) results in a building wall height of 10.6m which exceeds the maximum 7.5m wall height control. The variation is acceptable on merit as the proposed addition is consistent with the existing wall height, built form and setbacks of the dwelling and does not result in excessive building bulk or unreasonable amenity impacts on adjoining properties.</p>
2.2 Setbacks		
2.2.1 Front and rear building lines <ul style="list-style-type: none"> Predominant front building line Predominant rear building line at each floor level 	N/A	<p>The site is a battle axe lot that does not have direct street frontage to Wonderland Avenue, except for an access handle to the south providing access from Wonderland Avenue. The battle axe lot is unique and differs from the subdivision pattern of immediately adjoining properties on the northern side of Wonderland Avenue. As such, there is no predominant front or rear building line that is applicable to the development.</p> <p>The proposed first floor addition maintains a consistent front setback with the existing ground floor level of the dwelling and does not project beyond the existing building footprint. The proposal will not result in any additional amenity impacts on adjoining properties and will not detract from the predominant built form and scale of existing developments within the streetscape when viewed from the public domain.</p>
2.2.2 Side setbacks <ul style="list-style-type: none"> Minimum of 1.5m 	No	<p>The proposed first floor addition has a western side setback measuring between 900mm and 1.1m along the splayed boundary. The eastern side setback measures 6.3m. The proposed setbacks are contained within the existing building footprint, except for the proposed relocation of the existing chimney flue within the 900mm western side setback. Given the topography of the site and the configuration of the existing dwelling this portion of the western side setback is not used for access or as part of the principal private open space and is set back approximately 5.8m from adjacent window openings of the adjoining property. The relocation of the chimney flue is not considered to have any unreasonable impacts on adjoining properties.</p>

Development Control	Compliance	Comment
		The non-compliance with the 1.5m side setback control is acceptable in this instance as the proposal is contained within the existing building footprint and will not result in any additional loss of privacy or amenity impacts to adjoining properties. See discussion below.
2.3 Streetscape and visual impact		
<ul style="list-style-type: none"> New development to be compatible with streetscape context Replacement windows to complement the style and proportions of existing dwelling Significant landscaping to be maintained. 	Yes	<p>Given the topography of the site and its location behind No. 11 Wonderland Avenue, the proposal is not visually prominent when viewed from the public domain and will not result in any unreasonable building bulk or impacts on the character of the streetscape.</p> <p>The proposed new windows are consistent with the portion and style of existing window openings and are suitable for the style of the existing dwelling.</p> <p>Appropriate landscaping is proposed as per the landscape plan.</p>
2.4 Fences		
<p><i>Front:</i></p> <ul style="list-style-type: none"> Maximum height of 1.2m Solid section no more than 0.6m high <p><i>Side and Rear:</i></p> <ul style="list-style-type: none"> Maximum height of 1.8m 	Yes	No change is proposed to existing side and rear boundary fences.
2.5 Visual and acoustic privacy		
<ul style="list-style-type: none"> Habitable windows are not to directly face habitable windows or open space of neighbouring dwellings unless direct views are screened or other appropriate measures are incorporated into the design 	No	The proposed west facing windows to the master bedroom will overlook the private open space of the adjoining property at 1A Fletcher Street. Given that the proposed extension occupies part of the existing terrace, the proposed enclosure and use as a bedroom compared to an elevated outdoor open space will likely enhance the amenity of the adjoining property with reduction in noise and visual impacts. However, a condition requiring privacy treatment to the new west facing windows has been included in Appendix A to minimise overlooking to the adjoining property.
<ul style="list-style-type: none"> External stairs are not acceptable. 	No – acceptable on merit	The proposal seeks to replace the existing external stairs built along the eastern side boundary with new stairs. The treads of the new stairs will be positioned slightly lower than the existing stairs and will not result in any additional amenity

Development Control	Compliance	Comment
<ul style="list-style-type: none"> Maximum size of balconies: <i>10m² in area</i> <i>1.5m deep</i> 	Yes	<p>impacts on the adjoining property and is acceptable.</p> <p>A new Juliet balcony is proposed to the first floor study/guest room on the southern elevation. The balcony has a depth of 700mm and an area of 1.4m².</p>
2.6 Solar access		
<ul style="list-style-type: none"> Minimum of three hours of sunlight to living areas and principal open space areas on 21 June 	Yes	No change is proposed to solar access to existing living areas and the principal open space. A minimum 3 hours of sunlight is provided to living areas and the rear private open space between 9am and 3pm, mid-winter.
<ul style="list-style-type: none"> Minimum of three hours of sunlight maintained to at least 50% of principal open space areas of adjoining properties on 21 June. 	Yes	The proposal does not result in any additional overshadowing impacts to the principal open space of adjoining properties.
<ul style="list-style-type: none"> Avoid unreasonably overshadowing of solar collectors (including habitable windows). 	Yes	The proposal will result in additional overshadowing to the roof of dwellings at Nos. 9 and 11 Wonderland Avenue between 9am and 3pm at mid-winter however, the additional shadowing does not fall across any solar collectors or windows and will not have any impact on the amenity of adjoining properties.
2.7 Views		
<ul style="list-style-type: none"> Views from the public domain are to be maintained Development to be designed and sited so as to enable a sharing of views with surrounding dwellings particularly from habitable rooms and decks. 	Yes	<p>There are no views from the public domain that will be affected by the proposal.</p> <p>No views from surrounding properties will be impacted by the proposed development.</p>
2.9 Landscaping and open space		
<ul style="list-style-type: none"> Overall open space: 40% (180.8m²) of site area 	Yes	The proposal provides 244.6m ² of open space (54% of the site area), 116.6m ² of landscaped area (26%) and 148.8m ² of principal open space at the rear comprising of the terrace, garden and pool areas.
<ul style="list-style-type: none"> Overall landscaped area: 15% (67.8m²) of site area 	Yes	
<ul style="list-style-type: none"> Minimum area of 25m² for private open space 	Yes	
<ul style="list-style-type: none"> Front open space: 50% (24.9m²) of front building setback area 	Yes	No change is proposed to the existing available open space within the front building setback of the dwelling, located above the lower ground level garage. The front setback comprises 49.8m ² of

Development Control	Compliance	Comment
<ul style="list-style-type: none"> Front landscaped area: 50% (12.45m²) of front open space provided Outdoor clothes drying area to be provided 	<p>Yes</p> <p>Not shown</p>	<p>open space including landscaping and a paved terrace area.</p> <p>The proposal comprises 22.5m² landscaped area providing a greater landscaped area than the minimum requirement.</p> <p>No outdoor clothes drying area has been shown on the architectural plans however there is sufficient space in the rear yard to accommodate outdoor clothes drying.</p>
2.10 Swimming pools and spa pools		
<ul style="list-style-type: none"> Located in the rear of property Pool decks on side boundaries must consider visual privacy 	Yes	<p>The proposal seeks to remove and infill the existing swimming pool to provide a larger garden area immediately adjacent to internal living areas.</p> <p>A new swimming pool is proposed at the north-western corner of the rear yard with a pool deck. The pool is circular in shape and is set back 2.2m from the north-western side boundary and 1.9m from the northern rear boundary. The existing side and rear boundary fences measure at least 1.8m from the subject rear yard and as no change is proposed to the existing ground level of the rear yard, the swimming pool and associated deck will not result in any additional loss of visual privacy to adjoining properties, subject to conditions included in Appendix A.</p>
2.12 Battle axe blocks		
<ul style="list-style-type: none"> Maximum of one storey in height for lot size less than 450m², excluding the access handle) Alignment to take reference from dwellings on adjacent sites 	<p>No – acceptable on merit</p> <p>N/A</p>	<p>The site has an area of approximately 382m², excluding the access handle. The existing dwelling is two storeys in height with a lower ground level garage and exceeds the one storey control. Given the built form of immediately surrounding properties, the two-storey dwelling is appropriate and the proposed first floor addition is compatible with surrounding developments.</p> <p>The site is the only battle axe lot on the northern side of Wonderland Avenue therefore the siting of the existing dwelling and the proposed works do not align with the setbacks of immediately adjoining properties fronting Wonderland Avenue. The dwelling to the north-west of the site (No. 1A Fletcher Street) is also a battle axe lot and is irregular in shape. The existing setbacks at No. 1A Fletcher Street responds to its site constraints and also differ from the existing setbacks of the</p>

Development Control	Compliance	Comment
		subject dwelling. The proposal is contained within the existing footprint of the dwelling and the proposed enclosure of the western portion of the first floor terrace is likely to reduce amenity impacts to the private open space at No. 1A Fletcher Street.

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

Side Setbacks

In accordance with the side setback controls under Section 2.2.2 in Part C2 of the Waverley DCP, a minimum side setback of 1.5m is required as the site has a height control of more than 8.5m but less than 12.5m. The existing dwelling is built to the eastern side boundary at the lower ground garage level and set back 900mm from the western side boundary. The existing ground floor level is set back 1m to 1.5m to the eastern boundary and 900mm to 9.9m to the western side boundary.

The first floor level setback aligns with the ground floor eastern side setbacks of 1m to 1.5m. The first floor western setback at the front portion of the dwelling measures between 900mm to 1.9m and has a 9m setback at the rear, adjacent to the private open space.

Whilst the proposed first floor addition does not achieve the minimum side setback control to the western side boundary, the construction is wholly contained within the existing footprint of the first floor terrace and aligns with the existing western side setback of the first floor of the dwelling. The proposed relocation of the chimney flue does not contribute to any unreasonable building bulk or amenity impacts on adjoining properties. The proposed built form is cohesive with the architectural style and built form of the existing dwelling and will not result in any unreasonable bulk or scale when viewed from the public domain or adjoining properties. The proposal will not result in any additional amenity impacts on the adjoining property, particularly No.1A Fletcher Street, as the extension of the master bedroom occupies the existing first floor terrace which does not currently consist of any privacy screening to minimise privacy impacts to adjoining properties. The proposal is likely to reduce visual and acoustic privacy impacts on adjoining properties as the enclosure of the terrace with a bedroom, a low traffic habitable room, is likely to reduce noise and direct overlooking, subject to conditions requiring the installation of privacy treatments to new windows on the western elevation.

Excavation

In accordance with Section B14(l) of the Waverley DCP 2012 excavation is not to be within 900mm of a side boundary.

The proposal seeks to excavate up to the eastern boundary immediately below the existing stairs between the lower ground level garage and the ground floor entry to provide bicycle storage. This

storage area will not raise the level of the stairs which are currently built to the eastern side boundary, does not contribute to additional building bulk and will not be visible from the adjoining property. As such, the excavation, subject to conditions included in Appendix A, will not result in any additional environmental impacts and is acceptable on merit.

The proposed excavation to provide a storeroom, cellar, WC and gym adjacent to the existing garage is consistent with the provisions for excavation as the area, except for the north-western portion of the gym, is contained immediately below the existing building footprint. The extent of the proposed excavation beyond the building footprint is set back 2.3m from the eastern boundary and between 2.6m and 3.3m from the western side boundary and complies with the minimum side setback of 900mm for excavation. The gym is contained below the existing ground level of the rear terrace area and will not contribute to any additional building bulk or amenity impacts on adjoining properties.

The excavation is acceptable in this instance as the lower ground floor additions do not alter the existing building bulk of the dwelling immediately above (to the rear of the existing dwelling), is consistent with the FSR development standard and will not result in any adverse environmental impacts subject to conditions that have been included in the Appendix A.

2.2. Other Impacts of the Development

The proposal is considered to 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 suitable for the proposal.

2.4. Any Submissions

The application was notified for 14 days between 22 November and 6 December 2021 in accordance with the *Waverley Community Development Participation and Consultation Plan*.

No submissions were received.

2.5. Public Interest

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

3. REFERRALS

The following internal referral comments were sought:

3.1. Traffic and Development

Council's Traffic Engineer has reviewed the proposal and has raised no objection as the proposal seeks no changes to the existing number of car parking spaces and vehicular access to the site. Conditions relating to management of traffic during construction works have been recommended and included in Appendix A.

3.2. Stormwater

Council's Stormwater Engineer has reviewed the proposal and raises no objection to the proposal subject to recommended conditions which have been included in Appendix A.

3.3. Tree Management

Council's Tree Management Officer has reviewed the proposal and raises no objection to the proposal for tree removal as there are no significant trees on the site and replacement plantings shown on the landscape plan are acceptable, subject to conditions which have been included in Appendix A.

Council's Tree Management Officer notes that Trees G3 and G6 (Cocos Palms) are identified as weed trees and are not subject to protection under Council's Tree Management Policy. Removal of Trees G3 and G6 do not require development consent.

Trees located on adjoining properties are required to be retained and protected as the Tree Protection Zone for these trees extend into the subject site. The proposal is supported subject to tree protection conditions which have been included in Appendix A.

4. CONCLUSION

The application has been assessed against the relevant matters for consideration under section 4.15(1) of the Act. It is recommended for approval subject to conditions of consent.

Development and Building Unit (DBU) Decision:



The application was reviewed by the DBU at the meeting on 8 March 2021 and the DBU determined:

- (a) The application is acceptable and should be approved, subject to the conditions in Appendix A.

DBU members: *A Rossi and B McNamara*

5. RECOMMENDATION TO WAVERLEY LOCAL PLANNING PANEL

That the development application be APPROVED by the Waverley Local Planning Panel subject to the conditions in Appendix A.

Report prepared by:	Application reviewed and agreed on behalf of the Development and Building Unit by:
	
Peggy Wong	Kylie Lucas
Senior Development Assessment Planner	Acting Manager, Development Assessment (Central) (Reviewed and agreed on behalf of the Development and Building Unit)
Date: 04/04/2022	Date: 13/04/2022

Reason for WLPP referral:

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

APPENDIX A – CONDITIONS OF CONSENT

A. APPROVED DEVELOPMENT

1. APPROVED PLANS AND DOCUMENTATION

The development must be in accordance with:

(a) Architectural Plans prepared by Madeleine Blanchfield Architects including the following:

Plan Number and Revision	Plan description	Plan Date	Date received by Council
DA.300, Rev A	Proposed Basement Floor Plan	02.11.2021	11.11.2021
DA.301, Rev A	Proposed Ground Floor Plan	02.11.2021	11.11.2021
DA.302, Rev A	Proposed First Floor Plan	02.11.2021	11.11.2021
DA.303, Rev A	Proposed Roof Plan	02.11.2021	11.11.2021
DA.400, Rev A	South (Street) Elevation	02.11.2021	11.11.2021
DA.401, Rev A	East Elevation	02.11.2021	11.11.2021
DA.402, Rev A	West Elevation	02.11.2021	11.11.2021
DA.403, Rev A	North (Rear) Elevation	02.11.2021	11.11.2021
DA.500, Rev A	Section AA	02.11.2021	11.11.2021
DA.501, Rev A	Section BB	02.11.2021	11.11.2021

(b) Landscape Plan No. LP01-D7821, Revision D and documentation prepared by Dangar Barin Smith Landscape Design, dated 1 October 2021 and received by Council on 11 November 2021

(c) BASIX Certificate

(d) Arborist Report prepared by Martin Peacock Tree Care dated 24 September 2021, and received by Council on 11 November 2021

(e) Geotechnical Report prepared by White Geotechnical Group dated 20 October 2021 and received by Council on 11 November 2021

(f) Schedule of external finishes and colours, Drawing No. DA.902, Revision A prepared by Madeleine Blanchfield Architects, dated 2 November 2021 and received by Council on 11 November 2021

(g) The Site Waste and Recycling Management Plan (SWRMP) Part 1 received by Council on 11 November 2021

Except where amended by the following conditions of consent.

2. GENERAL MODIFICATIONS

The application is approved subject to the following plan amendments;

(a) Privacy treatment such as opaque glazing is to be provided to the new first floor windows (F.W05 and F.W06) on the western elevation, to a height of 1.6m measured from the finished floor level of the first floor.

(b) The finished floor level of the pool deck adjacent to the western side boundary must be at least 1.8m below the top of the side boundary fence to minimise visual privacy impacts on the adjoining property.

The amendments are to be approved by the **Principal Certifying Authority** prior to the issue of any Construction Certificate.

B. PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

The requirements outlined in this section are to be provided to the satisfaction of the Principal Certifying Authority in all instances, except where a condition explicitly specifies the approval of Council or a Council Officer is required.

GENERAL REQUIREMENTS

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 the *Environmental Planning and Assessment Act 1979*;
- (b) a Principal Certifying Authority has been appointed and Council has been notified of the appointment in accordance with the *Environmental Planning and Assessment Act 1979* and *Environmental Planning and Assessment Regulation 2000*; and
- (c) Council is given at least two days' notice in writing of the intention to commence the building works.

4. 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 applicable requirements of Part 6, before any work commences.

CONTRIBUTIONS, FEES & BONDS

5. SECTION 7.12 CONTRIBUTION

A monetary development contribution is payable to Waverley Council pursuant to section 7.12 of the *Environmental Planning and Assessment Act 1979* and the 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:
 - (i) Where the total development cost is less than \$500,000:
"Waverley Council Cost Summary Report"; or,
 - (ii) 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 are provided in the Waverley Council Contributions Plan 2006, available on Council's website.

- (b) As legislated in section 25K of the *Environmental Planning and Assessment Regulation 2000*, the levy must be paid in accordance with the following;

- (i) A development valued at \$100,000 or less will be exempt from the levy;
- (ii) A development valued at \$100,001 - \$200,000 will attract a levy of 0.5% of the full cost of the development; or
- (iii) A development valued at \$200,001 or more will attract a levy of 1% of the full cost of the development.

Prior to the issue of any 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.

6. SECURITY DEPOSIT

A deposit (cash or cheque) or guarantee for the amount of **\$37,908.94** must be provided to Council for any damage caused to any property of the consent authority (ie. public land) as a consequence of the works and completing any public work (such as road work, kerbing and guttering, footway construction, stormwater drainage and environmental controls) required in connection with the consent.

This deposit (cash or cheque) or guarantee must be provided to Council prior to the issue of any Construction Certificate. The full amount of the deposit, minus Council's costs for any repair of damage to Council property or rectification of unauthorised works on Council property, will be refunded after satisfactory completion all of works associated with this consent (including the required public works) to the person who paid the deposit.

7. 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 of this building work. Evidence that the levy has been paid is to be submitted to the Principal Certifying Authority prior to the issue of any 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.

CONSTRUCTION MATTERS

8. HOARDING

To ensure the site is contained during construction, a hoarding is required for the approved works, which is to be designed and constructed in accordance with the requirements of Safe Work NSW. Where the hoarding is to be erected over the footpath or any public place, the approval of Council's Compliance Unit must be obtained and the applicable fees paid, prior to the erection of the hoarding.

9. EROSION & SEDIMENT CONTROL

A Soil and Water Management Plan (SWMP), also known as an Erosion and Sediment Control Plan must be prepared in accordance with Waverley Council's Water Management Technical Manual.

The SWMP must be approved by the Principal Certifying Authority prior to the issue of a Construction Certificate. A copy of the SWMP must be kept on site at all times and made available to Council officers upon request.

The recommendations of the SWMP must be implemented and maintained during all construction activities and until the site is fully stabilised following construction.

10. DETAILS OF EXCAVATION, SHORING OR PILE CONSTRUCTION

A report shall be prepared by a suitably qualified and practising Structural Engineer and/or Geotechnical 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.

Any practices or procedures specified in the Structural and/or Geotechnical 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.

11. ENGINEERING DETAILS

Structural details are to be prepared and certified by a practicing Structural Engineer in connection with all structural components of the approved works, prior to the issue of the relevant Construction Certificate.

12. ENGINEERING CERTIFICATE OF ADEQUACY

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

NOISE

13. NOISE MANAGEMENT PLAN - DEMOLITION, EXCAVATION AND CONSTRUCTION

A site specific Noise Management Plan, prepared by a suitably qualified acoustic consultant (as defined in the advisory section of this consent) must be submitted to the satisfaction of Council's Executive Manager, Compliance (or delegate) for demolition, excavation and construction works.

For further information on the requirements, refer to Council's website:

https://www.waverley.nsw.gov.au/building/development_applications/post_determination/development_applications_-_conditions_of_consent

STORMWATER & FLOODING

14. STORMWATER AND PUBLIC INFRASTRUCTURE MANAGEMENT

To ensure that stormwater runoff from the development is drained in an appropriate manner, without impact to neighbouring properties and downstream systems, a detailed plan and certification of the development's stormwater management system must be submitted and approved by the Executive Manager, Infrastructure Services (or delegate) prior to the issue of the relevant Construction Certificate.

The submitted Stormwater Management Plan prepared by Partridge Hydraulic Services (Job No. 2021H0139), Drawing No. SWDA 1.1, SWDA 1.2, SWDA 1.3, SWDA 1.4, SWDA 1.5, SWDA 1.6, Revision P2, dated September 2021, is considered unsatisfactory.

The applicant must submit plans and specifications to comply with the current Waverley Council Water Management Technical Manual and Development Control Plan (DCP) at the time of engineering plan approval. The submitted plans shall be prepared by a suitably qualified and practising Civil Engineer and:

- (a) The plans shall provide details of any required On-Site Stormwater Detention (OSD) system and its details e.g. pit dimensions, cross & long sections, significant water invert levels of inlet and outlet pipes, details of Discharge Control Pit, orifice plate details including orifice diameter, depth of water above centreline of orifice etc., pit overflow, OSD plaque, OSD warning sign and catchment plan. Council's mandatory OSD checklist as set out in Council's Water Management Technical Manual shall be completed and submitted.
- (b) Details of any rainwater tank required by BASIX commitments or as nominated on the architectural plan, including the overflow connection to the approved stormwater drainage system are to be submitted.
- (c) Seepage water must not be directly or indirectly discharged to Council's street gutter.
- (d) The stormwater management plan must specify any components of the existing system to be retained and certified during construction to be in good condition and of adequate capacity to convey additional runoff and be replaced or upgraded if required.
- (e) Detail the location of the existing stormwater drainage system including all pipes, inspection openings, surface drains, pits and their discharge location as well as any new stormwater drainage system.
- (f) An inspection opening or stormwater pit must be installed inside the property, adjacent to the boundary, for all stormwater outlets.
- (g) The design must make provision for the natural flow of stormwater runoff from uphill/upstream properties/lands. The design must include the collection of such waters and discharge to the Council drainage system (independent of any OSD system).
- (h) Any affected Council's infrastructure as the result of construction activities within the public domain area, inclusive of stormwater, stormwater outlet/s, kerb and gutter, pavement, grass verges and vehicle crossovers within the extent works shall be replaced as per Waverley Council Public Domain Technical Manual. All associated costs shall be borne by the applicant.

Notes:

- Since a sewer main runs through the property, plans must also be presented to a Sydney Water Tap inTM for their approval.
- The Applicant is advised to consider the finished levels of the public domain, including new or existing footpaths and pavement prior to setting the floor levels for the proposed development.
- Waverley Council standard drawings for public domain infrastructure assets are available upon request. Details that are relevant may be replicated in the Engineering design submissions however, Council's title block shall not be replicated.
- Prior to commencement of works a security deposit will be made payable to Council to ensure any additional damage or unauthorised works within the Council property, not conditioned above. Council will reserve the right to withhold the cost of restoring the damaged assets from the security deposit should the applicant fail to restore the defects to the satisfaction of Council.
- Council's contact for infrastructure assessment: E-mail: assets@waverley.nsw.gov.au or Phone: 9083 8886 (operational hours between 9.30am to 4pm Monday to Friday)

15. ENGINEERING PLANS ASSESSMENT AND WORKS INSPECTION FEES

The Applicant is to pay to Council fees for the assessment of all engineering plans and inspection of the completed works in the public domain inclusive of all stormwater assessment, in accordance with Council's Schedule of Fees & Charges at the time of engineering plan approval, prior to such approval being granted by Council.

An invoice will be issued to the applicant for the amount payable, which will be calculated based on the design plans for the subject development.

ENERGY EFFICIENCY & SUSTAINABILITY

16. BASIX

All requirements of the BASIX Certificate and NatHERS documentation are to be shown on the Construction Certificate plans and documentation.

WASTE

17. SITE WASTE AND RECYCLING MANAGEMENT PLAN

A *Site Waste and Recycling Management Plan (SWRMP) - Part 2* is to be submitted to the Principal Certifying Authority prior to the issue of the relevant Construction Certificate, which outlines materials to be reused and/or recycled as a result of demolition and construction works. At least one copy of the *SWRMP Part 2* 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.

TRAFFIC MANAGEMENT

18. CONSTRUCTION TRAFFIC MANAGEMENT PLAN (CTMP)

The applicant is to submit a Construction Traffic Management Plan (CTMP) for the approval of Council's Executive Manager, Infrastructure Services, or delegate, prior to the issue of any Construction Certificate. For further information on what is required in the CTMP, please refer to Council's website at:

https://www.waverley.nsw.gov.au/building/development_applications/post_determination/development_applications_-_conditions_of_consent

19. DILAPIDATION REPORT

A Dilapidation report is to be prepared for any adjoining or nearby property that may be subject to potential damage as a result of any works being undertaken. The dilapidation report is to be made available to affected property owners.

The report is to be dated, submitted to, and accepted by the Principal Certifying Authority, prior to any work commencing on the site.

Note: 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. Council will not become directly involved in disputes between the builder, owner, developer, its contractors and the owners of neighbouring buildings.

C. COMPLIANCE PRIOR TO WORK COMMENCING AND DURING CONSTRUCTION

The requirements outlined in this section are to be provided to the satisfaction of the Principal Certifying Authority in all instances, except where a condition explicitly specifies the approval of Council or a Council Officer is required.

PRIOR TO ANY WORKS

20. 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.

DEMOLITION & EXCAVATION

21. DEMOLITION – ASBESTOS AND HAZARDOUS MATERIALS

The demolition, removal, storage, handling and disposal of products and materials containing asbestos must be carried out in accordance with the relevant requirements of SafeWork NSW and the NSW Environment Protection Authority (EPA), including:

- Work Health and Safety Act 2011;
- Work Health and Safety Regulation 2017;
- SafeWork NSW Code of Practice for the Safe Removal of Asbestos;
- Australian Standard 2601 (2001) – Demolition of Structures;
- *Protection of the Environment Operations Act 1997.*

At least 5 days prior to the demolition, renovation work or alterations and additions to any building, the person acting on the consent shall submit a Work Plan to the Principal Certifying Authority 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.

22. CONTROL OF DUST ON CONSTRUCTION SITES

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 (e.g. 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.

23. CLASSIFICATION OF WASTE/ DISPOSAL OF EXCAVATED SOILS

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 2014.

24. 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.

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 excavation is to be managed by a practising structural engineer.

CONSTRUCTION MATTERS

25. 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) Sundays and public holidays.
- (b) 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.

Noise from construction activities shall comply with the Protection of the Environmental Operations (Noise Control) Regulation 2017.

26. STOCKPILES, STORAGE OF MATERIALS AND LOCATION OF BUILDING OPERATIONS

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

27. CONSTRUCTION INSPECTIONS

The building works are to be inspected during construction by the Principal Certifying Authority (PCA) in accordance with the Building Legislation Amendment (Quality of Construction) Act 2002 and 162A Critical stage inspections for building work of the Environmental Planning and Assessment Regulation 2000.

28. CERTIFICATE OF SURVEY - LEVELS

All construction works are to be 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.

29. 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 location 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.

30. WORK OUTSIDE PROPERTY BOUNDARY

This consent does not authorise any work outside the property boundary.

31. CONSTRUCTION OF SWIMMING POOLS AND OUTDOOR SPAS

The following applies to the construction of swimming pools and outdoor spas:

- (a) Reinforcement of the swimming pool/outdoor spa 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/spa is to be installed in accordance with the requirements of Australian Standard 3000, Part 1 - Wiring Rules
- (c) The swimming pool/outdoor spa water is to be treated by an approved water treatment and filtration unit
- (d) To prevent noise nuisance to surrounding properties, the swimming pool/outdoor spa filtration motor and pump unit is to be housed within a ventilated soundproof enclosure
- (e) Waste waters from the swimming pool/outdoor spa are to be discharged into Sydney Water's sewerage system and in this regard, approved plans MUST be submitted to Sydney Water at least 14 days prior to commencement of building operations.

TREE PROTECTION AND REMOVAL

32. 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.

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.

- 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.
- 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.
- If any trees on Council owned land require pruning, the applicant is to supply a tree pruning report from an Arborist with AQF level 5 qualification or above with photos showing the branches that need to be removed.
- If approval is granted the applicant may prune the tree at their expense, by an experienced Arborist/Horticulturist (with a minimum of the Horticulture Certificate or Tree Surgery Certificate).

All trees on site and adjoining properties, including street trees, are to be retained and protected in accordance with AS4970-2009 'Protection of Trees on Construction Sites' and to be certified by an Arborist with AQF level 5 qualification or above, unless approved to be removed in this development consent.

D. PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE OR SUBDIVISION CERTIFICATE

The requirements outlined in this section are to be provided to the satisfaction of the Principal Certifying Authority in all instances, except where a condition explicitly specifies the approval of Council or a Council Officer is required, prior to the issue of an Occupation Certificate or Subdivision Certificate, whichever applies.

33. FINAL OCCUPATION CERTIFICATE

Prior to occupation or use of the development, an Occupation Certificate must be obtained.

The Principal Certifying Authority must be satisfied that the requirements of the *Environmental Planning & Assessment Act 1979* have been satisfied including all critical stage inspections. Documentary evidence of all required inspections is to be submitted to Council.

34. CERTIFICATION OF BASIX COMMITMENTS

The Principal Certifying Authority shall certify that the all the undertakings in the approved BASIX certificate have been completed.

35. CERTIFICATION OF CONSTRUCTED STORMWATER DRAINAGE SYSTEM

Prior to issue of any Occupation Certificate, certification is to be provided from a suitably qualified and practising Engineer, that any new stormwater drainage system has been constructed in accordance with the Development Consent, Water Management Technical Manual, all applicable Codes, Policies, Plans, Standards and good engineering practice. A copy of the aforementioned letter of certification must be submitted to Council.

36. CERTIFICATION OF RETAINED STORMWATER DRAINAGE SYSTEM

Prior to issue of any Occupation Certificate, certification is to be provided from a suitably qualified and practising Engineer or Plumber, that any retained stormwater drainage system is unblocked, in good working order and to be repaired/replaced in accordance with Council's Water Management Technical Manual and Development Control Plan and all applicable Codes, Policies, Plans, Standards and good engineering practice. A copy of the aforementioned letter of certification must be submitted to Council.

37. CREATION OF POSITIVE COVENANT AND RESTRICTION FOR OSD

Prior to the issue of an Occupation Certificate, a "Positive Covenant" and "Restriction on the Use of Land" shall be created for the On-Site Stormwater Detention (OSD) system, under Section 88E of the Conveyancing Act 1919. This is to place a restriction on the Title that the OSD system is maintained and kept free of debris/weed to allow unobstructed passage of stormwater through the site and underneath the residence. The property owner/occupant shall not modify or remove the OSD system without consent from Council.

The wording of the Instrument shall be submitted to and approved by Executive Manager, Infrastructure Services (or delegate) prior to lodgement at NSW Land Registry Services.

Where a Title exists, the Positive Covenant and Restriction on the Use of Land is to be created via an application to the NSW Land Registry Services using forms 13PC and 13RPA. Accompanying this form is the requirement for a plan to scale showing the relative location of the OSD system, including its relationship to the building footprint. Electronic colour photographs of the OSD system shall accompany the application for the Positive Covenant and Restriction on the Use of Land.

The Instrument shall be registered and a registered copy of the document shall be submitted to and approved by the consent authority prior to the issue of an Occupation Certificate or use of the building. All associated costs shall be borne by the applicant.

38. CERTIFICATION OF SWIMMING POOL/OUTDOOR SPA

Prior to the pool being used, the following must be provided;

- (a) Certification that the pool has been constructed in accordance with the consulting engineers design;
- (b) Evidence that the swimming pool/outdoor spa has been registered on the State Government Swimming Pool Register (<http://www.swimmingpoolregister.gov.au>);
- (c) A sign outlining details of resuscitation techniques for adults, children and infants has been placed in a prominent position, close to the pool/outdoor spa. Signs are available from Council;
- (d) A copy of the occupation certificate must be submitted to Council.

Note: Swimming/spa pool pumps are restricted from use 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 2017.

E. ADVISORY MATTERS

The following advisory matters are provided as additional information to ensure compliance with the relevant legislation and requirements. You must also check other Commonwealth and NSW Acts and Regulations which may apply to the works or use approved in this application.

AD1. POST CONSENT CONDITIONS REQUIRING COUNCIL INPUT

Various conditions require further input, review or approval by Council in order to be satisfied following the determination of the application (that is, post consent). In those instances, please adhere to the following process to avoid delays:

- Please read your conditions carefully.
- Information to be submitted to Council should be either via email to info@waverley.nsw.gov.au or via the NSW Planning Portal (if required).
- Attention the documentation to the relevant officer/position of Council (where known/specified in condition).
- Include DA reference number.
- Include condition number/s seeking to be addressed.
- Where multiple conditions need Council input, please try to group the documentation / email/s into relevant subjects (multiple emails for various officers may be necessary, for example).
- Information to be submitted in digital format – refer to ‘Electronic lodgement guidelines’ on Council’s website. Failure to adhere to Council’s naming convention may result in documentation being rejected.
- Where files are too large for email, the digital files should be sent to Council via CD/USB. Council does not support third party online platforms (data in the cloud) for receipt of information.
- Please note, in some circumstances, additional fees and/or additional documents (hard copy) may be required.
- Council’s standard for review (from date the relevant officer receives documentation) is 14 days. Times may vary or be delayed if information is not received in this required manner.

AD2. SYDNEY WATER REQUIREMENTS

You may be required to submit your plans to the appropriate Sydney Water office to determine whether the development will affect Sydney Water’s sewer and water mains, stormwater drains and/or easements.

Contact Sydney Water for more information.

AD3. DIAL BEFORE YOU DIG

Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial Before You Dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures (this is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial Before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual’s responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial Before You Dig service in advance of any construction or planning activities.

AD4. TELECOMMUNICATIONS ACT 1997 (COMMONWEALTH)

Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for prosecution. Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on Phone Number 1800810443.

AD5. ALTERATIONS AND ADDITIONS ONLY

This consent is for alterations and additions to the existing building only and should during the course of construction a significant amount of the remaining fabric of the building be required to be removed, works must cease immediately and a new development application will be required to be submitted for assessment.

AD6. EXCAVATION TO BE LIMITED

Excavation shall be limited to that shown in the approved plans. Any further excavation will require Council approval.

AD7. TREE REMOVAL/PRESERVATION

Any trees not identified for removal in this application have not been assessed and separate approval may be required. Any pruning of trees on adjoining properties required for the erection of scaffolding and/or the construction of the building may also require approval.

AD8. RAINWATER HARVESTING AND REUSE

The operation of all devices or appliances installed within the development approved by this consent as required by conditions pertinent to rainwater harvesting and rainwater reuse must be maintained in good operating order at all times.

BASIX COMMITMENTS

Building Sustainability Index www.basix.nsw.gov.au
Alterations and additions

Project Name 4021 HAZELL GLASHIER RESIDENCE
Street Address 9a Wonderland Ave Tamarama, 2026
Local Government Area Waverley Council
Plan type and number DP104932

Lot number A
Section number
Dwelling type Detached dwelling house
Type of alteration and addition
My renovation work is valued at \$50,000 or more, and includes a pool (and/or spa).

POOL AND SPA

Rainwater tank

The applicant must install a rainwater tank of at least 825 litres on the site. This rainwater tank must meet, and be installed in accordance with, the requirements of all applicable regulatory authorities. The applicant must configure the rainwater tank to collect rainwater runoff from at least 150.2 square metres of roof area. The applicant must connect the rainwater tank to a tap located within 10 metres of the edge of the pool.

Outdoor swimming pool

The swimming pool must be outdoors.
The swimming pool must not have a capacity greater than 20 kilolitres.
The swimming pool must have a pool cover.
The applicant must install a pool pump timer for the swimming pool.
The applicant must install the following heating system for the swimming pool that is part of this development: solar only.

FIXTURES AND SYSTEMS

Hot water

The applicant must install the following hot water system in the development: solar (electric-boosted)

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.

CONSTRUCTION

Insulation requirements

The applicant must construct the new or altered construction (floor(s), walls, and ceilings/roofs) in accordance with the specifications listed in the table below, except that a) additional insulation is not required where the area of new construction is less than 2m2, b) insulation specified is not required for parts of altered construction where insulation already exists

Construction	Additional insulation required (R-value)	Other specifications
floor above existing dwelling or building	nil	
external wall: cavity brick	nil	
external wall: framed (weatherboard, fibro, metal clad)	R1.30 (or R1.70 including construction)	
internal wall shared with garage: single skin masonry (R0.18)	nil	
flat ceiling, flat roof: framed	ceiling: R0.40 (sup), roof: foil backed blanket (75 mm)	light (solar absorptance < 0.475)

GLAZING REQUIREMENTS

Windows and glazed doors

The applicant must install the windows, glazed doors and shading devices, in accordance with the specifications listed in the table below. Relevant overshadowing specifications must be satisfied for each window and glazed door.
The following requirements must also be satisfied in relation to each window and glazed door:
Each window or glazed door with standard aluminium or timber frames and single clear or toned glass may either match the description, or, have a U-value and a Solar Heat Gain Coefficient (SHGC) no greater than that listed in the table below. Total system U-values and SHGCs must be calculated in accordance with National Fenestration Rating Council (NFRC) conditions.
For projections described in millimetres, the leading edge of each eave, pergola, verandah, balcony or awning must be no more than 500 mm above the head of the window or glazed door and no more than 2400 mm above the sill.
Pergolas with polycarbonate roof or similar translucent material must have a shading coefficient of less than 0.35.
Pergolas with fixed battens must have battens parallel to the window or glazed door above which they are situated, unless the pergola also shades a perpendicular window. The spacing between battens must not be more than 50 mm.
Pergolas with adjustable shading may have adjustable blades or removable shade cloth (not less than 80% shading ratio). Adjustable blades must overlap in plan view.
Overshadowing buildings or vegetation must be of the height and distance from the centre and the base of the window and glazed door, as specified in the 'overshadowing' column in the table below.

Windows And Glazed Doors Glazing Requirements

Window / door no.	Orientation	Area of glass etc. from (m2)	Overshadowing height (m)	Overshadowing distance (m)	Shading device	Frame and glass type
FW.01	S	10.3	4	4	eave/verandah/pergola/balcony >=600 mm	timber or uPVC, single clear, (or U-value: 5.71, SHGC: 0.86)
FW.02	E	10.3	5.2	7	eave/verandah/pergola/balcony >=600 mm	timber or uPVC, single clear, (or U-value: 5.71, SHGC: 0.86)
FW.03	S	1.3	0	0	eave/verandah/pergola/balcony >=600 mm	timber or uPVC, single clear, (or U-value: 5.71, SHGC: 0.86)
FW.04	S	5.1	5.2	4	eave/verandah/pergola/balcony >=600 mm	timber or uPVC, single clear, (or U-value: 5.71, SHGC: 0.86)
LGN.01	N	13.9	0.5	1	eave/verandah/pergola/balcony >=600 mm	timber or uPVC, single clear, (or U-value: 5.71, SHGC: 0.86)
GW.02	E	1	4.5	7.5	pergola (adjustable shade) >=600 mm	timber or uPVC, single clear, (or U-value: 5.71, SHGC: 0.86)
GW.03	N	4.8	7.5	5.8	pergola (adjustable shade) >=600 mm	timber or uPVC, single clear, (or U-value: 5.71, SHGC: 0.86)
LGD.01	S	14.6	3	6	eave/verandah/pergola/balcony >=600 mm	timber or uPVC, single clear, (or U-value: 5.71, SHGC: 0.86)
FW.05	W	1.1	2	5	none	timber or uPVC, single pyrolytic low-e, (U-value: 3.99, SHGC: 0.4)
FW.06	W	1.1	3	5	none	timber or uPVC, single pyrolytic low-e, (U-value: 3.99, SHGC: 0.4)

Skylights

The applicant must install the skylights in accordance with the specifications listed in the table below. The following requirements must also be satisfied in relation to each skylight:
Each skylight may either match the description, or, have a U-value and a Solar Heat Gain Coefficient (SHGC) no greater than that listed in the table below.

Skylight number	Area of glazing (m2)	Shading device	Frame and glass type
01	0.8	no shading	aluminium, moulded plastic single clear, (or U-value: 6.21, SHGC: 0.808)

LEGEND

In these commitments, "applicant" means the person carrying out the development.
Commitments identified with a "V" in the "Show on DA plans" column must be shown on the plans accompanying the development application for the proposed development (if a development application is to be lodged for the proposed development).
Commitments identified with a "V" in the "Show on CC/CDC plans & specs" column must be shown in the plans and specifications accompanying the application for a construction certificate / complying development certificate for the proposed development.
Commitments identified with a "V" in the "Certifier check" column must be certified by a certifying authority as having been fulfilled, before a final occupation certificate for the development may be issued

RECEIVED
Waverley Council

Application No: DA-486/2021

Date Received: 11/11/2021

DEVELOPMENT APPLICATION
9A WONDERLAND AVE, TAMARAMA

PREPARED ON BEHALF OF:
BARBARA HAZELL & MYLES GLASHIER

DRAWING SCHEDULE :
DA.100 Cover Sheet
DA.101 Site Analysis Plan

SCALE :
NTS
1:200

DA.200 Existing Basement Floor Plan 1:100
DA.201 Existing Ground Floor Plan 1:100
DA.202 Existing First Floor Plan 1:100
DA.203 Existing Roof Plan 1:100

DA.300 Proposed Basement Floor Plan 1:100
DA.301 Proposed Ground Floor Plan 1:100
DA.302 Proposed First Floor Plan 1:100
DA.303 Proposed Roof Plan 1:100

DA.400 South (Street) Elevation 1:100
DA.401 East Elevation 1:100
DA.402 West Elevation 1:100
DA.403 North (Rear) Elevation 1:100

DA.500 Section AA 1:100
DA.501 Section BB 1:100

DA.900 Area Calculations - FSR 1:200
DA.901 Area Calculations - Other 1:200
DA.902 Materials Board NTS
DA.903 Waste Management Plan 1:200
DA.904 Notification Plans 1:250

DA.910 Shadow Diagrams - 9am 21st June NTS
DA.911 Shadow Diagrams - 12pm 21st June NTS
DA.912 Shadow Diagrams - 3pm 21st June NTS

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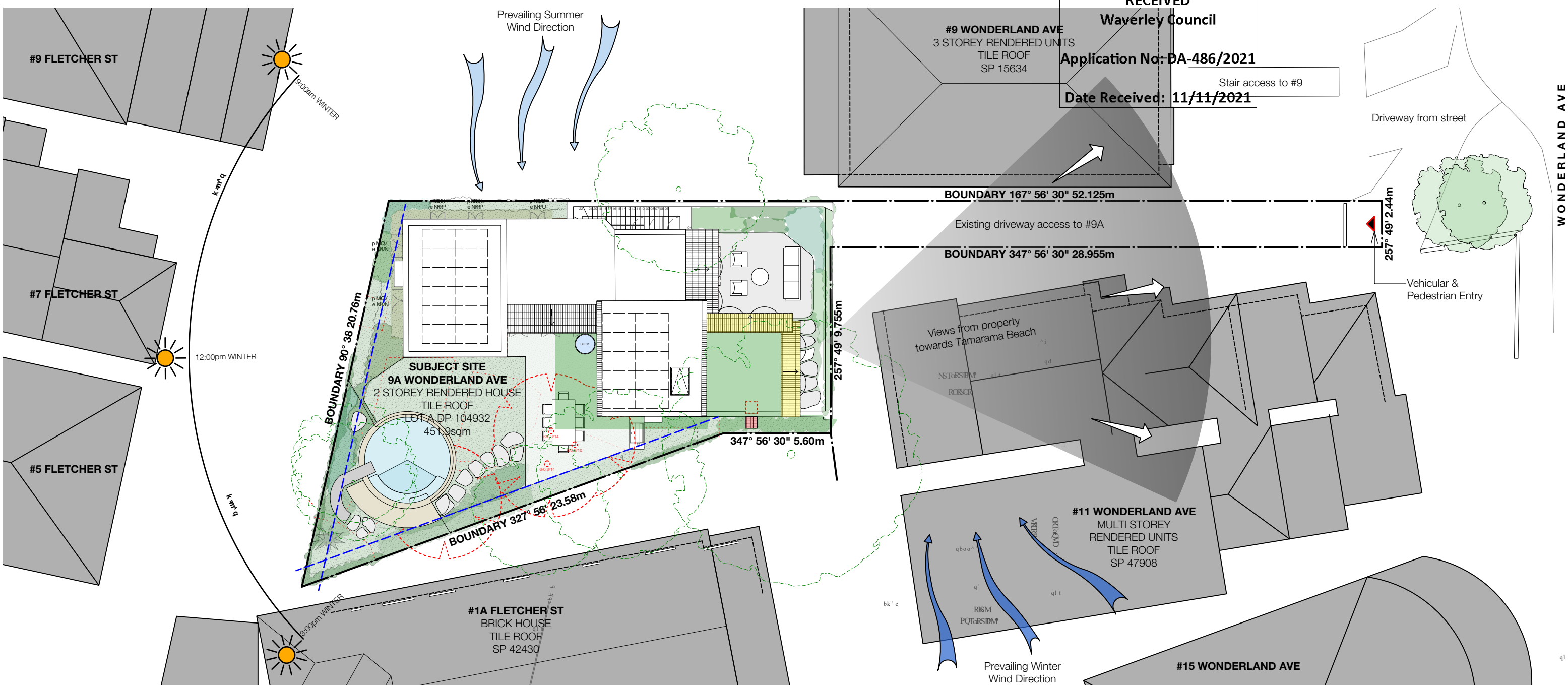


WALL TYPE, AREAS & MATERIALS LEGEND

New concrete cut/elevation	Existing wall retained	FSR Proposed	EX Existing
New glazing cut/elevation	Demolished cut/elevation	Landscaped area	GB Glass balustrade
New lightweight cut/elevation		Open area	MB Metal balustrade
New masonry cut/elevation		Site coverage	RDR Render
New steel cut/elevation			RT Roof tiles
			W Windows / doors

FOR DEVELOPMENT APPLICATION ONLY

madeleine blanchfield architects Madeleine Blanchfield Architects Pty Ltd Registered Architect 7308 ABN 51 140 481 518 83 Paddington St Paddington NSW 2021 office@madeleineblanchfield.com www.madeleineblanchfield.com +61 2 9212 3343	General Notes : All Works To Be In Accordance With Australian Standards, The Building Code Of Australia, Other Relevant Codes And With Manufacturers Instructions. This Drawing Is Copyright And May Not Be Used Without Written Consent. Do Not Scale Off Drawing. Verify All Dimensions On Site Prior To Construction. To Be Read In Conjunction With All Other Consultant's Drawings. The Architect To Be Immediately Notified Of Any Discrepancies.	Project HAZELL GLASHIER TAMARAMA 9A WONDERLAND AVENUE TAMARAMA NSW 2026	Drawing COVER SHEET
A FOR DEVELOPMENT APPLICATION REV. FOR	PK 02/11/21 DRAWN DATE	Scale NTS@A3	Date November 2021
		Drawing DA.100	Rev. A



View from street up driveway



View from garage down driveway



View of stairs from garage to house



View of ocean from top of garage



View of ocean from roof terrace

#9 FLETCHER ST

RECEIVED
Waverley Council

Application No: DA-486/2021

Date Received: 11/11/2021

#9 WONDERLAND AVE
3 STOREY RENDERED UNITS
TILE ROOF
SP 15634

BOUNDARY 167° 56' 30" 52.125m

BOUNDARY 347° 56' 30" 28.955m

#11 WONDERLAND AVE
MULTI STOREY
RENDERED UNITS
TILE ROOF
SP 47908

#11 WONDERLAND AVE

#1A FLETCHER ST
BRICK HOUSE
TILE ROOF
SP 42430

WALL TYPE, AREAS & MATERIALS LEGEND

- | | | | |
|-------------------------------|--------------------------|-----------------|---------------------|
| New concrete cut/elevation | Existing wall retained | FSR Proposed | EX Existing |
| New glazing cut/elevation | Demolished cut/elevation | Landscaped area | GB Glass balustrade |
| New lightweight cut/elevation | | Open area | MB Metal balustrade |
| New masonry cut/elevation | | Site coverage | RDR Render |
| New steel cut/elevation | | | RT Roof tiles |
| | | | W Windows / doors |

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SP 15634

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TILE ROOF
SP 47908

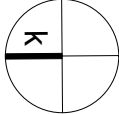
#11 WONDERLAND AVE

#1A FLETCHER ST
BRICK HOUSE
TILE ROOF
SP 42430

WALL TYPE, AREAS & MATERIALS LEGEND

- | | | | |
|-------------------------------|--------------------------|-----------------|---------------------|
| New concrete cut/elevation | Existing wall retained | FSR Proposed | EX Existing |
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| New lightweight cut/elevation | | Open area | MB Metal balustrade |
| New masonry cut/elevation | | Site coverage | RDR Render |
| New steel cut/elevation | | | RT Roof tiles |
| | | | W Windows / doors |

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A FOR DEVELOPMENT APPLICATION REV. FOR				PK DRAWN	02/11/21 DATE		

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Application No: DA-486/2021

Date Received: 11/11/2021

#9 WONDERLAND AVE
3 STOREY RENDERED UNITS
TILE ROOF
SP 15634

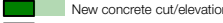







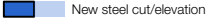
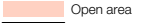


BOUNDARY 167° 56' 30" 52.125m

BOUNDARY 347° 56' 30" 28.955m

#11 WONDERLAND AVE
MULTI STOREY
RENDERED UNITS
TILE ROOF
SP 47908

#11 WONDERLAND AVE

#1A FLETCHER ST
BRICK HOUSE
TILE ROOF
SP 42430

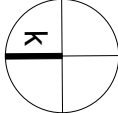
WALL TYPE, AREAS & MATERIALS LEGEND			
	New concrete cut/elevation		Existing wall retained
	New glazing cut/elevation		Demolished cut/elevation
	New lightweight cut/elevation		FSR Proposed
	New masonry cut/elevation		Landscaped area
	New steel cut/elevation		Open area
			Site coverage
			EX Existing
			GB Glass balustrade
			MB Metal balustrade
			RDR Render
			RT Roof tiles
			W Windows / doors

FOR DEVELOPMENT APPLICATION ONLY

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Project
HAZELL GLASHIER TAMARAMA
9A WONDERLAND AVENUE
TAMARAMA NSW 2026

Drawing
EXISTING FIRST FLOOR PLAN

Scale
1:100@A3

Date
November 2021

Drawing
DA.202

Rev.
A

A FOR DEVELOPMENT APPLICATION
REV. FOR

PK
DRAWN

02/11/21
DATE

#9 FLETCHER ST

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Application No: DA-486/2021

Date Received: 11/11/2021

#9 WONDERLAND AVE
3 STOREY RENDERED UNITS
TILE ROOF
SP 15634

BOUNDARY 167° 56' 30" 52.125m

















BOUNDARY 347° 56' 30" 28.955m

#11 WONDERLAND AVE
MULTI STOREY
RENDERED UNITS
TILE ROOF
SP 47908


#11 WONDERLAND AVE

#1A FLETCHER ST
BRICK HOUSE
TILE ROOF
SP 42430

WALL TYPE, AREAS & MATERIALS LEGEND

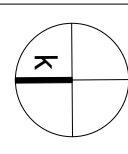
	New concrete cut/elevation		Existing wall retained		FSR Proposed		EX Existing
	New glazing cut/elevation		Demolished cut/elevation		Landscaped area		GB Glass balustrade
	New lightweight cut/elevation				Open area		MB Metal balustrade
	New masonry cut/elevation				Site coverage		RDR Render
	New steel cut/elevation						RT Roof tiles
							W Windows / doors

FOR DEVELOPMENT APPLICATION ONLY



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Project
HAZELL GLASHIER TAMARAMA
9A WONDERLAND AVENUE
TAMARAMA NSW 2026

Drawing
EXISTING ROOF PLAN

Scale
1:100@A3

Date
November 2021

Drawing
DA.203

Rev.
A

A FOR DEVELOPMENT APPLICATION
REV. FOR

PK 02/11/21
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Application No: DA-486/2021

Date Received: 11/11/2021

#9 WONDERLAND AVE
3 STOREY RENDERED UNITS
TILE ROOF
SP 15634

BOUNDARY 167° 56' 30" 52.125m

EXISTING DRIVEWAY

BOUNDARY 347° 56' 30" 28.955m

#11 WONDERLAND AVE
MULTI STOREY
RENDERED UNITS
TILE ROOF
SP 47908

#11 WONDERLAND AVE

#1A FLETCHER ST
BRICK HOUSE
TILE ROOF
SP 42430

Location for buried
rainwater & OSD tanks
- refer to Stormwater
documentation

STAIRS

STORE
RL 56.60

WC

CELLAR

GYM
RL 56.60

EXISTING DOUBLE GARAGE

BIN STORE

BOUNDARY 90° 38' 20.76m

0.9m side setback

0.9m side setback

BOUNDARY 327° 56' 23.58m

347° 56' 30" 5.60m

257° 49' 9.755m

WALL TYPE, AREAS & MATERIALS LEGEND

New concrete cut/elevation	Existing wall retained	FSR Proposed	EX Existing
New glazing cut/elevation	Demolished cut/elevation	Landscaped area	GB Glass balustrade
New lightweight cut/elevation		Open area	MB Metal balustrade
New masonry cut/elevation		Site coverage	RDR Render
New steel cut/elevation			RT Roof tiles
			W Windows / doors

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Project
HAZELL GLASHIER TAMARAMA
9A WONDERLAND AVENUE
TAMARAMA NSW 2026

Drawing
PROPOSED BASEMENT FLOOR PLAN

Scale
1:100@A3

Date
November 2021

Drawing
DA.300

Rev.
A

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REV. FOR

PK 02/11/21
DRAWN DATE

Page 355 of 447

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Application No: DA-486/2021

Date Received: 11/11/2021

#9 WONDERLAND AVE
3 STOREY RENDERED UNITS
TILE ROOF
SP 15634

BOUNDARY 167° 56' 30" 52.125m

BOUNDARY 347° 56' 30" 28.955m

#11 WONDERLAND AVE
MULTI STOREY
RENDERED UNITS
TILE ROOF
SP 47908

#11 WONDERLAND AVE

#1A FLETCHER ST
BRICK HOUSE
TILE ROOF
SP 42430

Refer to Landscape
plan for all planting

Refer to Landscape
plan for all planting

Extent of eaves over
shown dashed

Relocate chimney to
flue externally

WALL TYPE, AREAS & MATERIALS LEGEND

	New concrete cut/elevation		Existing wall retained		FSR Proposed		EX Existing
	New glazing cut/elevation		Demolished cut/elevation		Landsaped area		GB Glass balustrade
	New lightweight cut/elevation				Open area		MB Metal balustrade
	New masonry cut/elevation				Site coverage		RDR Render
	New steel cut/elevation						RT Roof tiles
							W Windows / doors

FOR DEVELOPMENT APPLICATION ONLY

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Project

HAZELL GLASHIER TAMARAMA

9A WONDERLAND AVENUE

TAMARAMA NSW 2026

Scale

1:100@A3

Date

November 2021

Drawing

PROPOSED GROUND FLOOR PLAN

Rev.

DA.301

Rev.

A

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#9 WONDERLAND AVE
3 STOREY RENDERED UNITS
TILE ROOF
SP 15634

BOUNDARY 167° 56' 30" 52.125m

BOUNDARY 347° 56' 30" 28.955m

#11 WONDERLAND AVE
MULTI STOREY
RENDERED UNITS
TILE ROOF
SP 47908

#11 WONDERLAND AVE

#1A FLETCHER ST
BRICK HOUSE
TILE ROOF
SP 42430

WALL TYPE, AREAS & MATERIALS LEGEND

	New concrete cut/elevation
	New glazing cut/elevation
	New lightweight cut/elevation
	New masonry cut/elevation
	New steel cut/elevation

Existing wall retained
Demolished cut/elevation

 Open area
 Site coverage

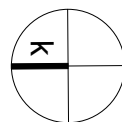
MB Metal balustrade
 RDR Render
 RT Roof tiles
 W Windows / doors

FOR DEVELOPMENT APPLICATION ONLY

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blanchfield
architects pyll

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REV. FOR

PK 02/11/21
DRAWN DATE

Project
HAZELL GLASHIER TAMARAMA
9A WONDERLAND AVENUE
TAMARAMA NSW 2026

Drawing
PROPOSED FIRST FLOOR PLAN

Scale
1:100@A3

Date
November 2021

Drawing
DA.302

Rev.
A

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TILE ROOF
SP 47908

#11 WONDERLAND AVE

#1A FLETCHER ST
BRICK HOUSE
TILE ROOF
SP 42430

WALL TYPE, AREAS & MATERIALS LEGEND

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New lightweight cut/elevation		Open area	MB Metal balustrade
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9A WONDERLAND AVENUE
TAMARAMA NSW 2026

Scale
1:100@A3

Date
November 2021

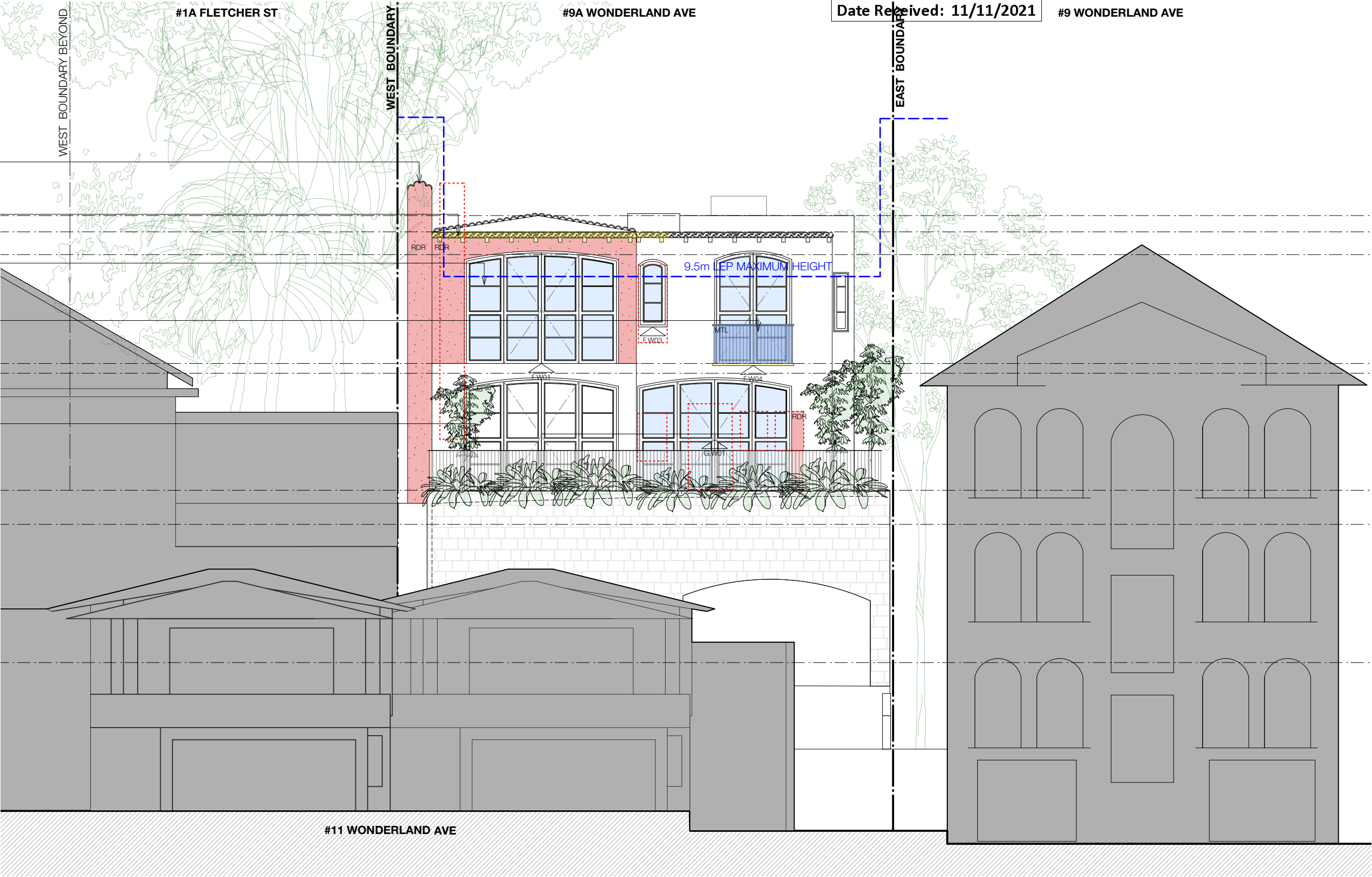
Drawing
PROPOSED ROOF PLAN

Rev.
A

A FOR DEVELOPMENT APPLICATION
REV. FOR

PK 02/11/21
DRAWN DATE

Page 358 of 447



Ex Top of Parapet RL
67600

Ex Bottom of Parapet RL
67200

Ex First Floor FCL
66640

Ex First Floor FFL
63960

Ex Ground Floor FCL
63720

Ex Ground Floor FFL
60840

New Basement FCL
60000

Ex Basement FFL
56600

2680

2680

3400

Relocate
chimney - finish
to match existing

New lightweight
eave with
terracotta tiles to
match existing

Timber framed
windows to
match existing -
fixed on lower portion

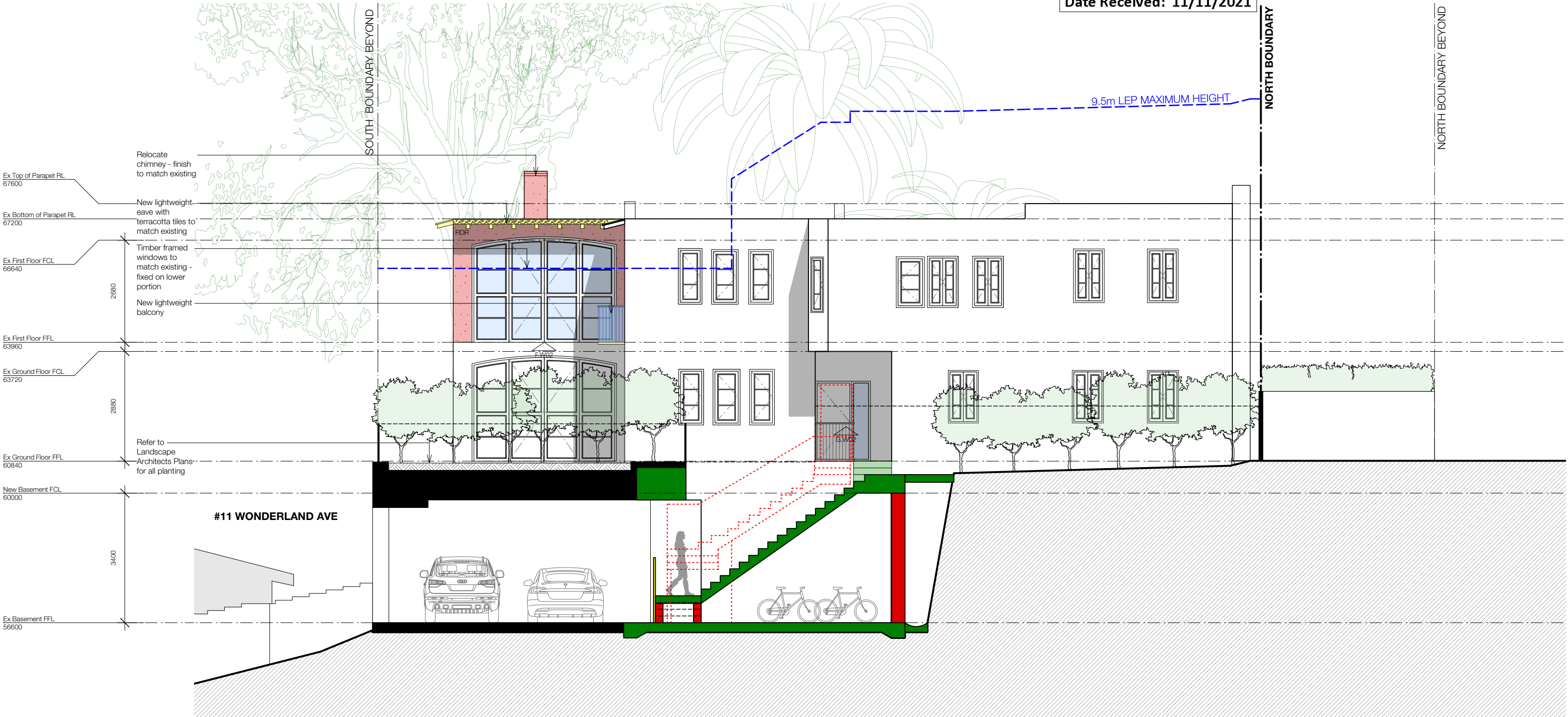
New lightweight
balcony

Refer to
Landscape
Architects Plans
for all planting

WALL TYPE, AREAS & MATERIALS LEGEND

New concrete cut/elevation	Existing wall retained	FSR Proposed	EX Existing
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New steel cut/elevation			RT Roof tiles
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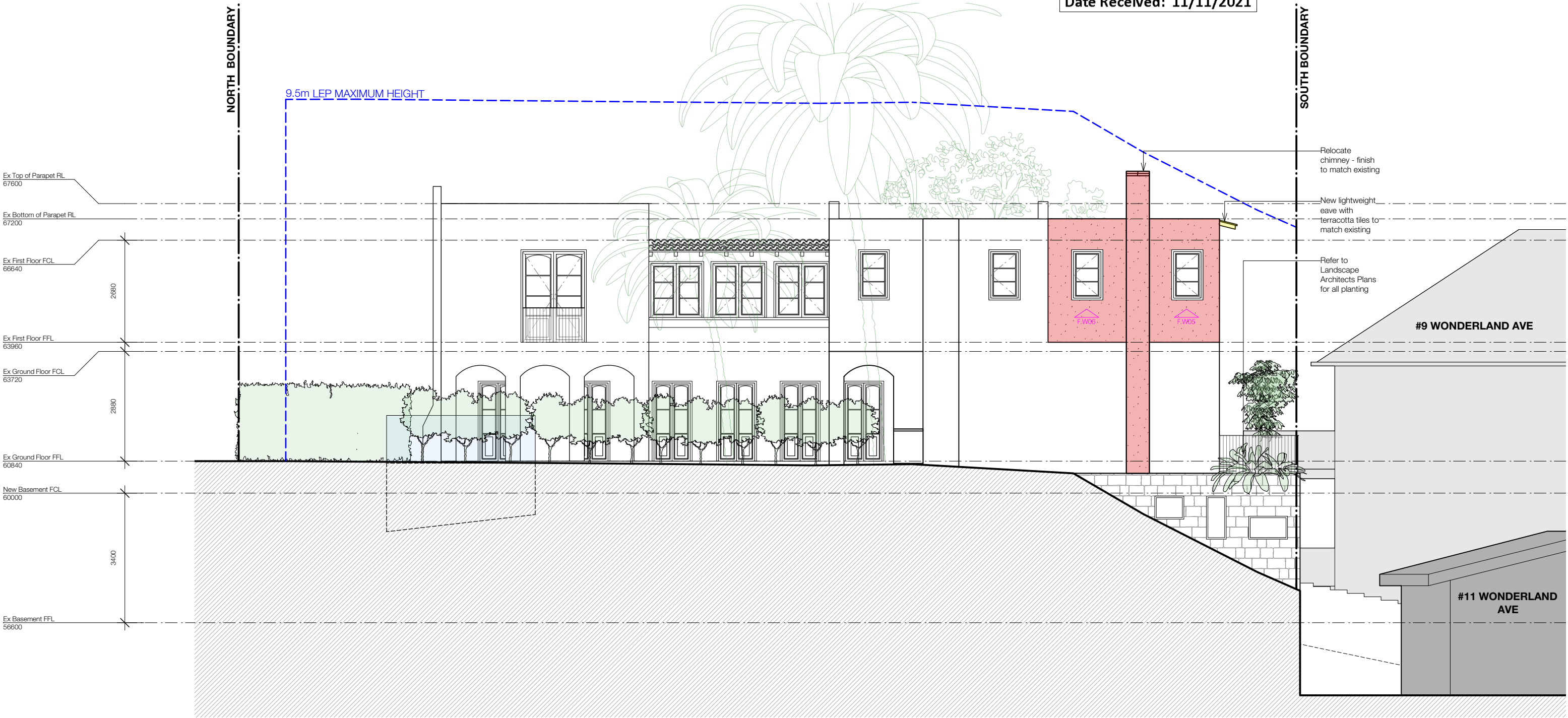
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





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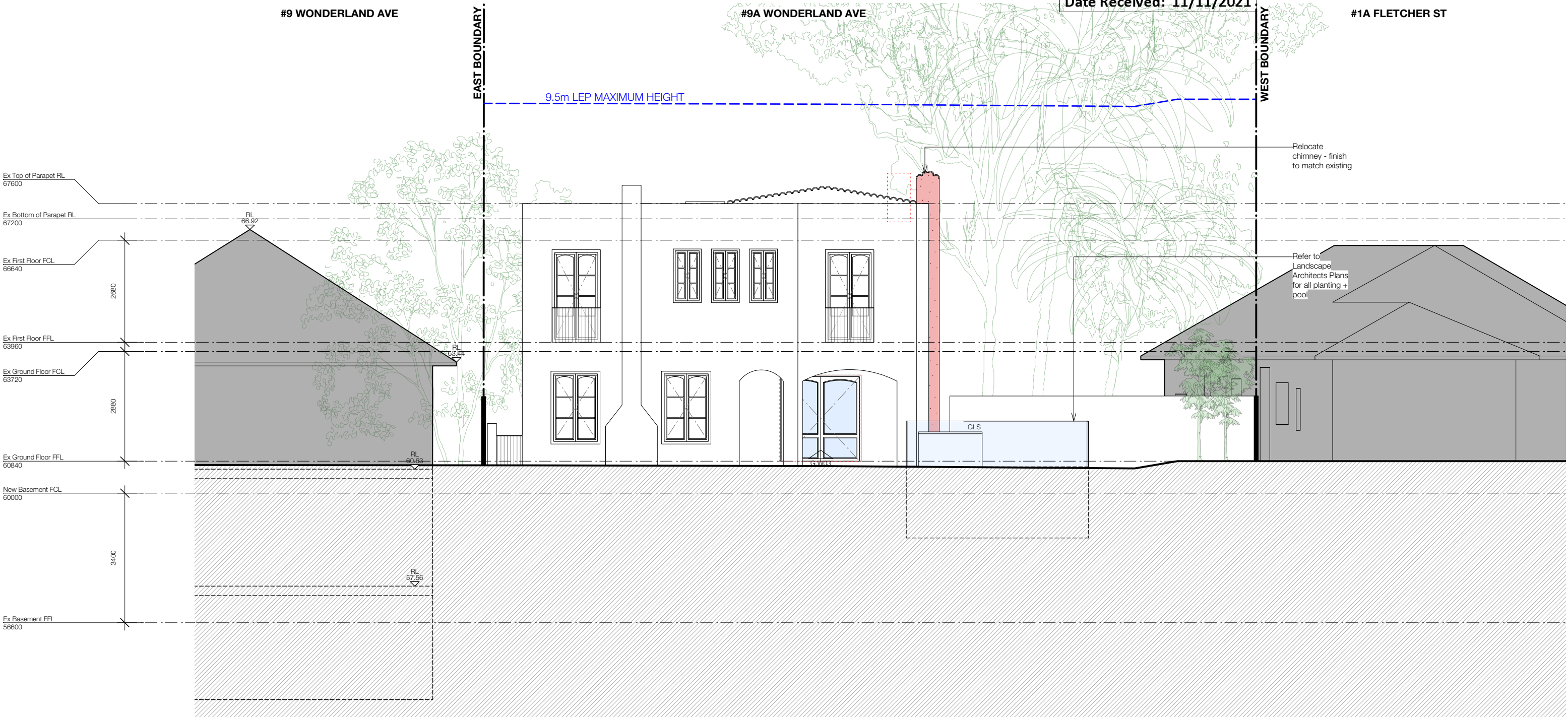


WALL TYPE, AREAS & MATERIALS LEGEND

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Project

HAZELL GLASHIER TAMARAMA

9A WONDERLAND AVENUE

TAMARAMA NSW 2026

Scale

1:100@A3

Date

November 2021

Drawing

DA.403

Rev.

A

A

FOR DEVELOPMENT APPLICATION

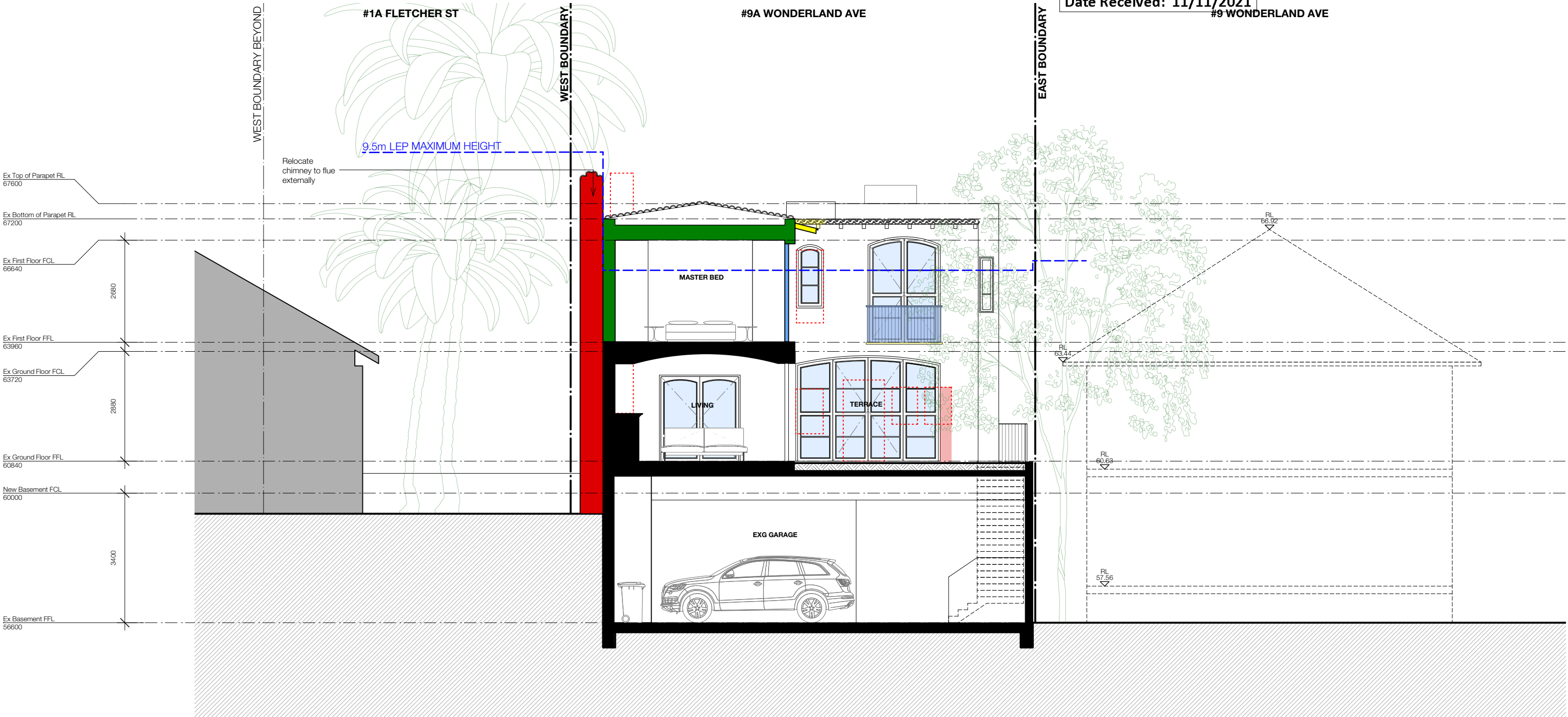
REV. FOR












PK

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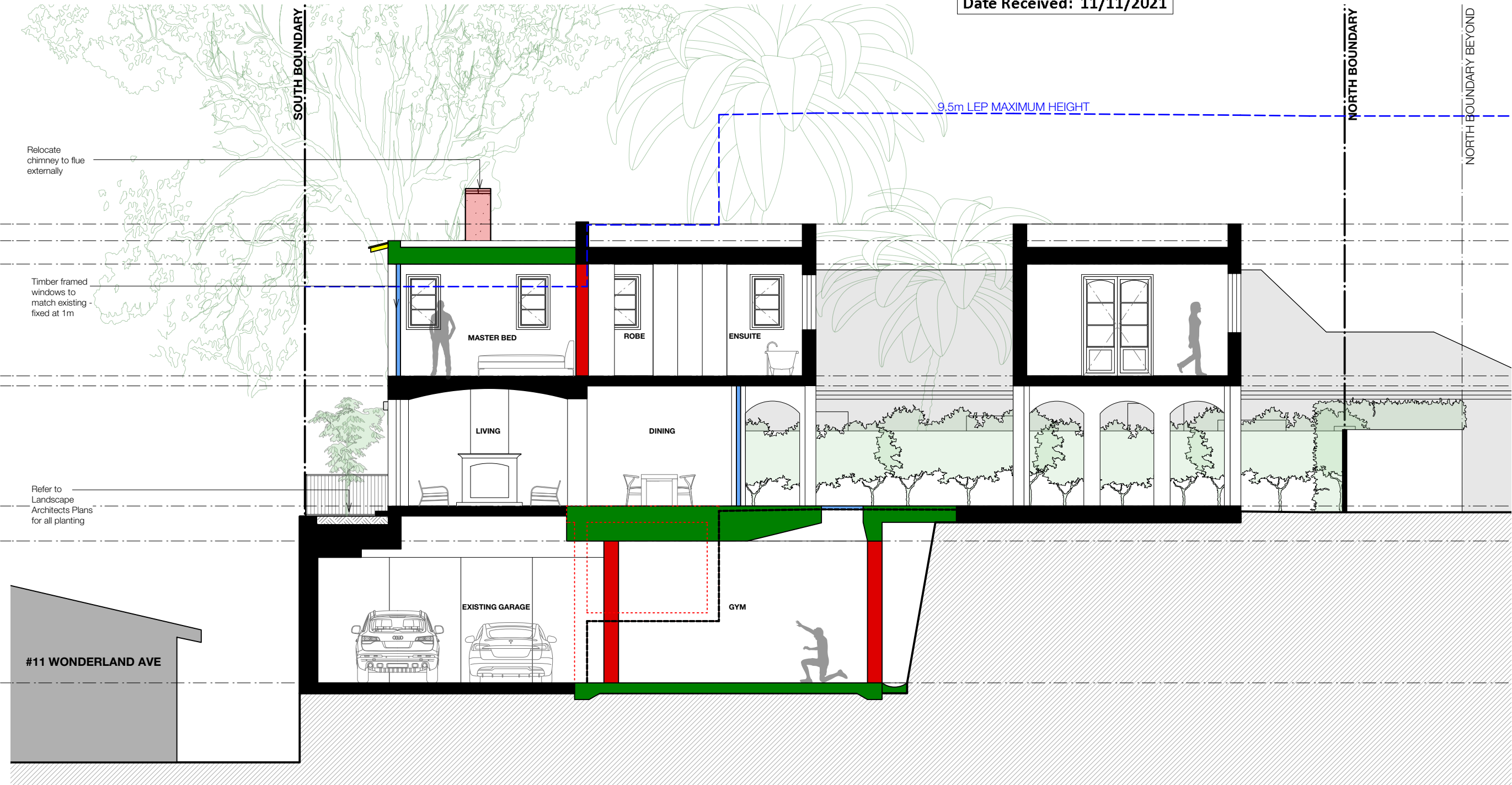
02/11/21

DATE



WALL TYPE, AREAS & MATERIALS LEGEND			
	New concrete cut/elevation		Existing wall retained
	New glazing cut/elevation		Demolished cut/elevation
	New lightweight cut/elevation		FSR Proposed
	New masonry cut/elevation		Landscaped area
	New steel cut/elevation		Open area
			Site coverage
			EX Existing
			GB Glass balustrade
			MB Metal balustrade
			RDR Render
			RT Roof tiles
			W Windows / doors

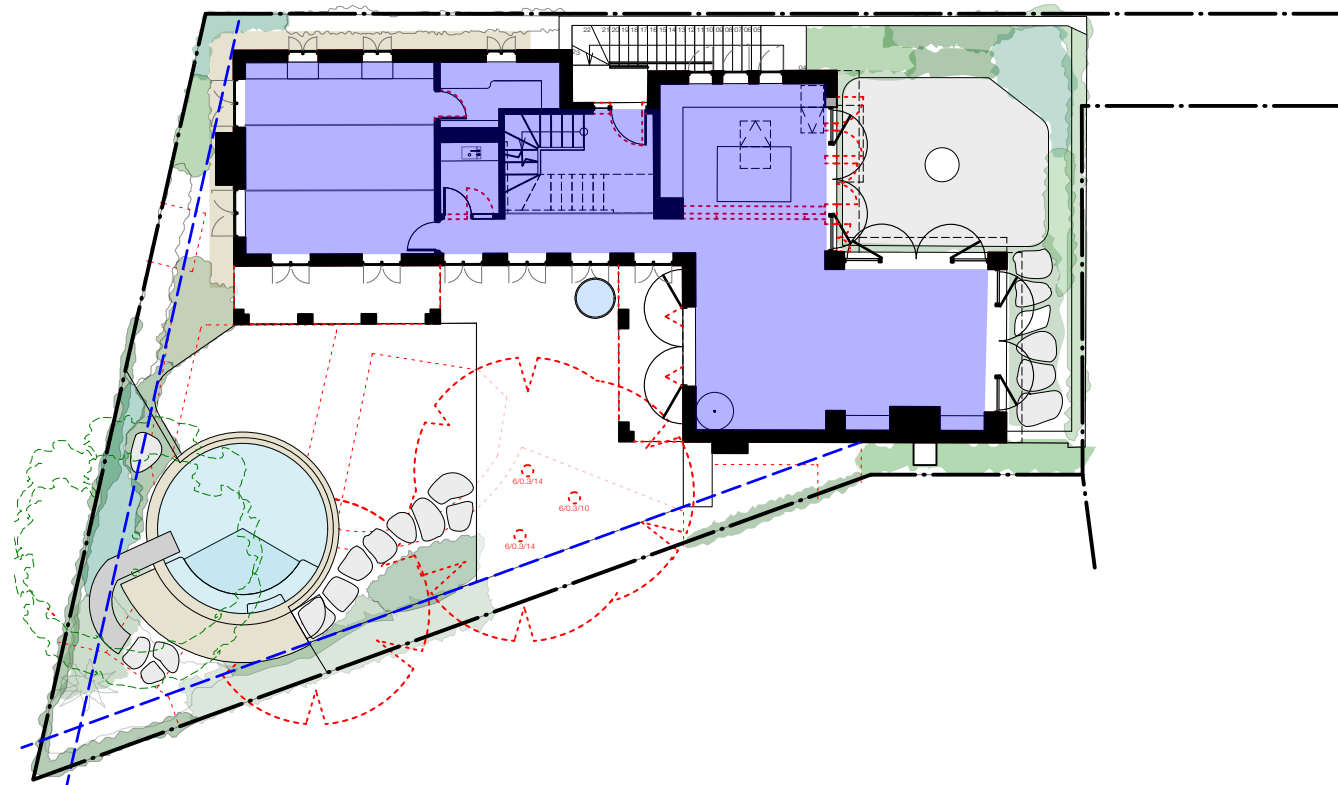
FOR DEVELOPMENT APPLICATION ONLY



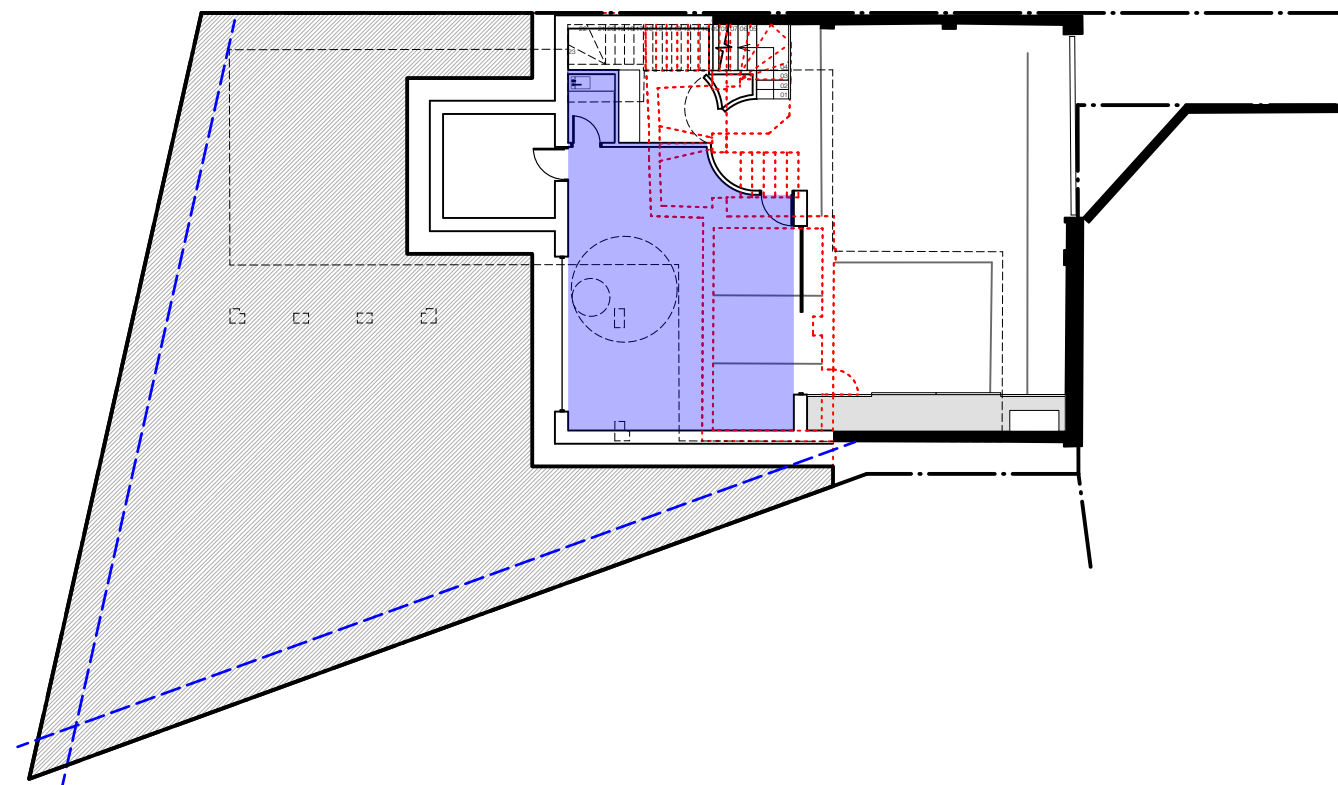
WALL TYPE, AREAS & MATERIALS LEGEND

New concrete cut/elevation	Existing wall retained	FSR Proposed	EX Existing
New glazing cut/elevation	Demolished cut/elevation	Landscaped area	GB Glass balustrade
New lightweight cut/elevation		Open area	MB Metal balustrade
New masonry cut/elevation		Site coverage	RDR Render
New steel cut/elevation			RT Roof tiles
			W Windows / doors

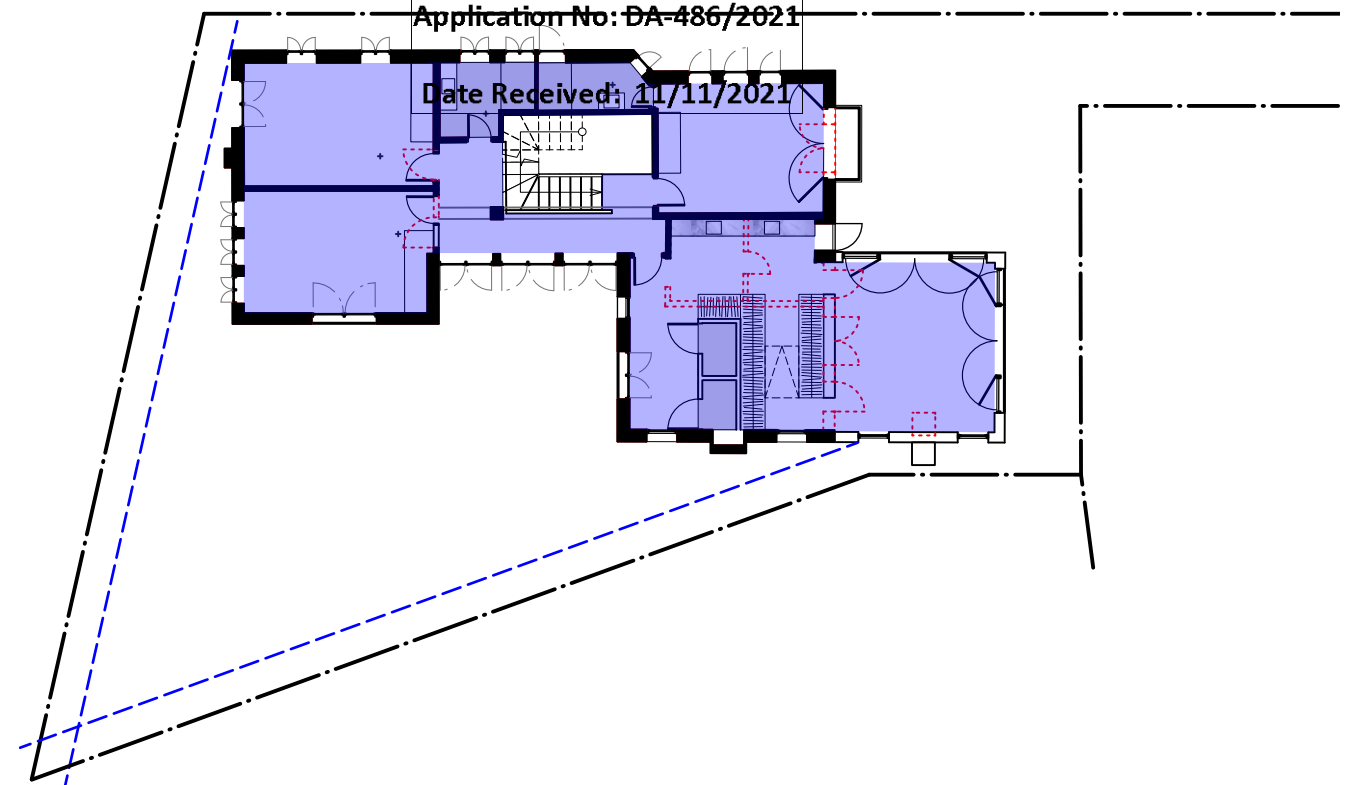
FOR DEVELOPMENT APPLICATION ONLY



2 FSR - Ground Floor
Scale: 1:200



1 FSR - Basement Floor
Scale: 1:200



3 FSR - First Floor
Scale: 1:200

AREA CALCULATIONS

SITE AREA	451.90m ²
PERMISSIBLE FSR	274.7
	0.6:1

Despite clause 4.4, the maximum floor space ratio for a dwelling house or dual occupancy on land in Zone R2 Low Density Residential, Zone R3 Medium Density Residential or Zone R4 High Density Residential is as follows: for lots with an area of 100 square metres to 550 square metres— $\frac{1}{100} \times \text{lot area} \times 0.0011 + 0.5$:1

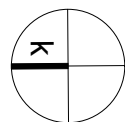
GROSS FLOOR AREA	
BASEMENT	45.2 m ²
GROUND FLOOR	105.3m ²
FIRST FLOOR	117.4m ²
TOTAL PROPOSED GFA	267.9m ²
TOTAL PROPOSED FSR	0.59:1

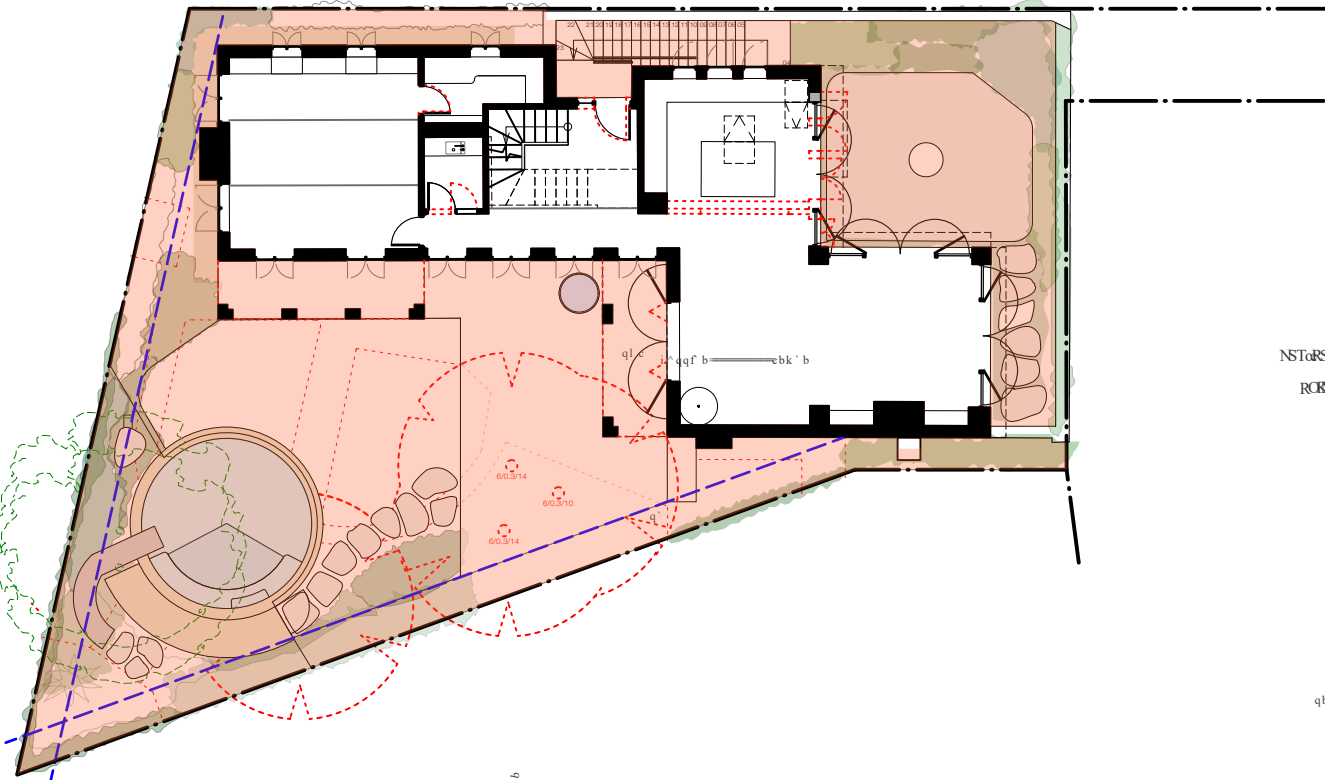
LANDSCAPING & OPEN SPACE	
OPEN SPACE TARGET (% OF SITE)	40%
TARGET OPEN SPACE PERMISSIBLE	180.8m ²
OPEN SPACE PROPOSED	244.6m ²
TOTAL PROPOSED OPEN SPACE	54%

LANDSCAPED AREA TARGET (% OF SITE)	15%
TARGET LANDSCAPED AREA PERMISSIBLE	67.8m ²
LANDSCAPED AREA PROPOSED	116.6m ²
TOTAL LANDSCAPED AREA	26%

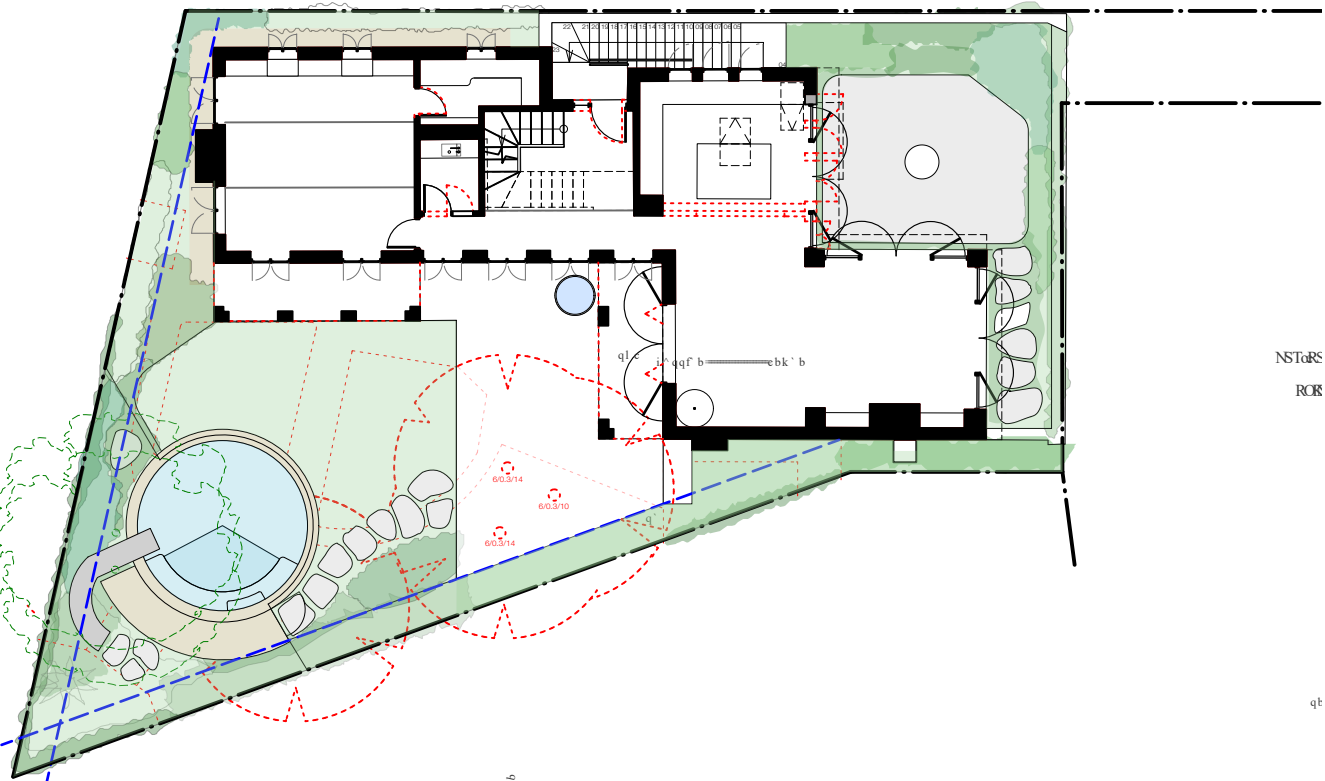
DEVELOPMENT KEY	
FSR proposed	
Landscaped area	
Open area	

FOR DEVELOPMENT APPLICATION ONLY





1 OPEN SPACE - Ground Floor
Scale: 1:200



2 LANDSCAPED AREA - Ground Floor
Scale: 1:200

AREA CALCULATIONS

SITE AREA	451.90m ²
PERMISSABLE FSR	274.7
	0.6:1

Despite clause 4.4, the maximum floor space ratio for a dwelling house or dual occupancy on land in Zone R2 Low Density Residential, Zone R3 Medium Density Residential or Zone R4 High Density Residential is as follows: for lots with an area of 100 square metres to 550 square metres— $\left[\left(\frac{550 - \text{lot area}}{50}\right) \times 0.0011\right] + 0.5$:1

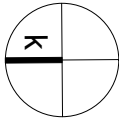
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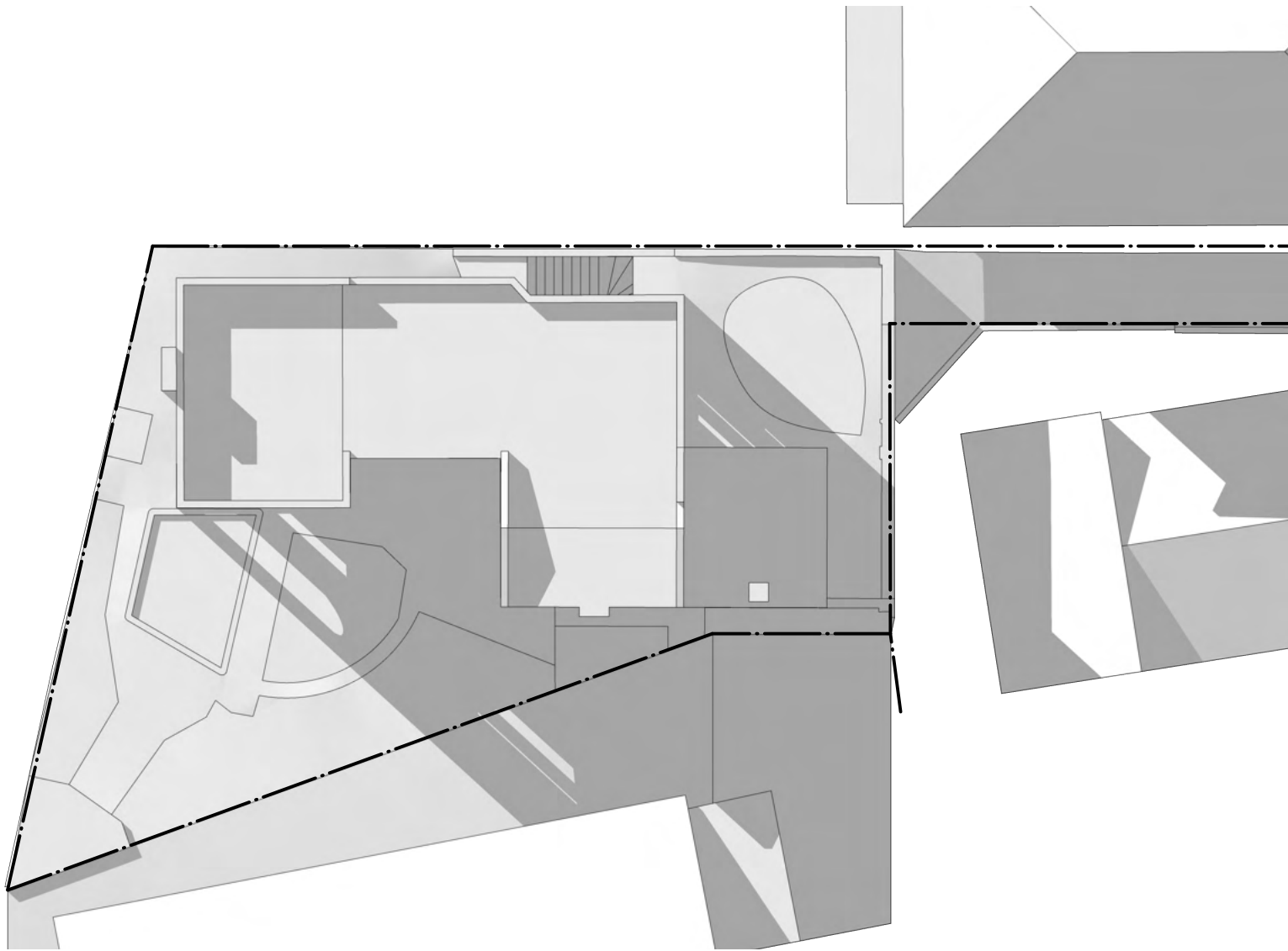
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OPEN SPACE TARGET (% OF SITE)	40%
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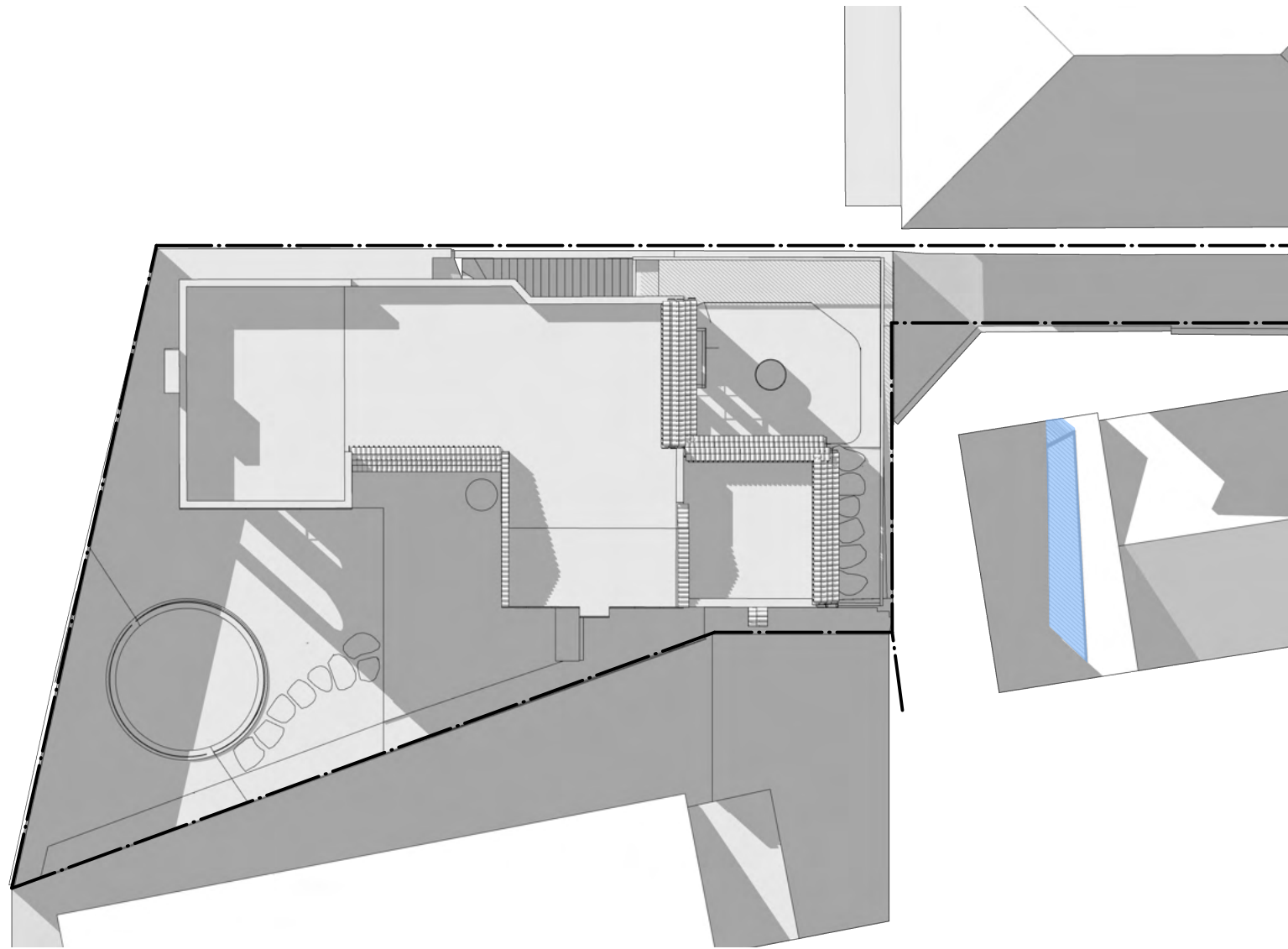
DEVELOPMENT KEY	
FSR proposed	
Landscaped area	
Open area	

FOR DEVELOPMENT APPLICATION ONLY





1 Shadows - Existing 9 am June 21
Scale: 1:200



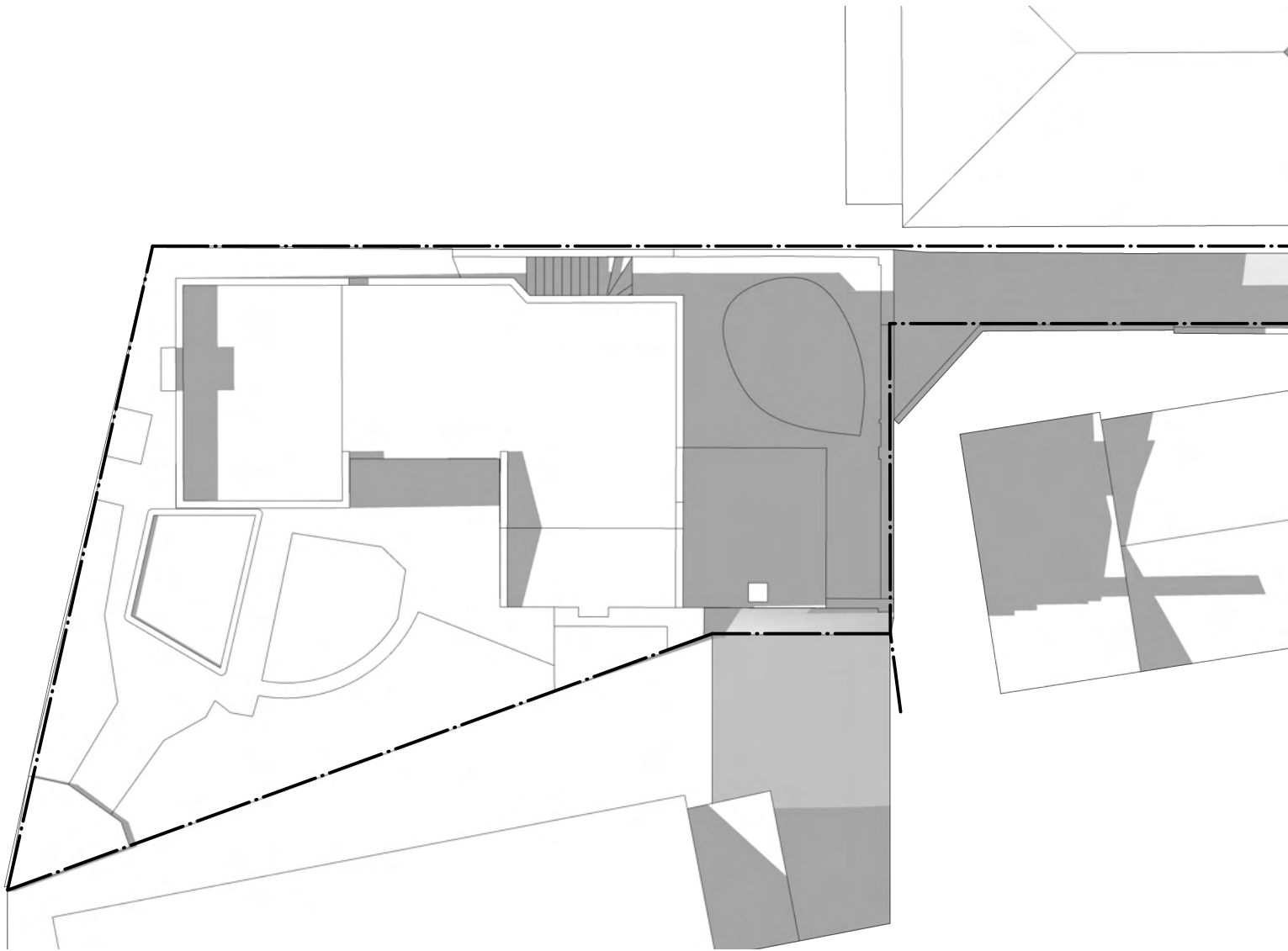
2 Shadows - Proposed 9 am June 21
Scale: 1:200

KEY

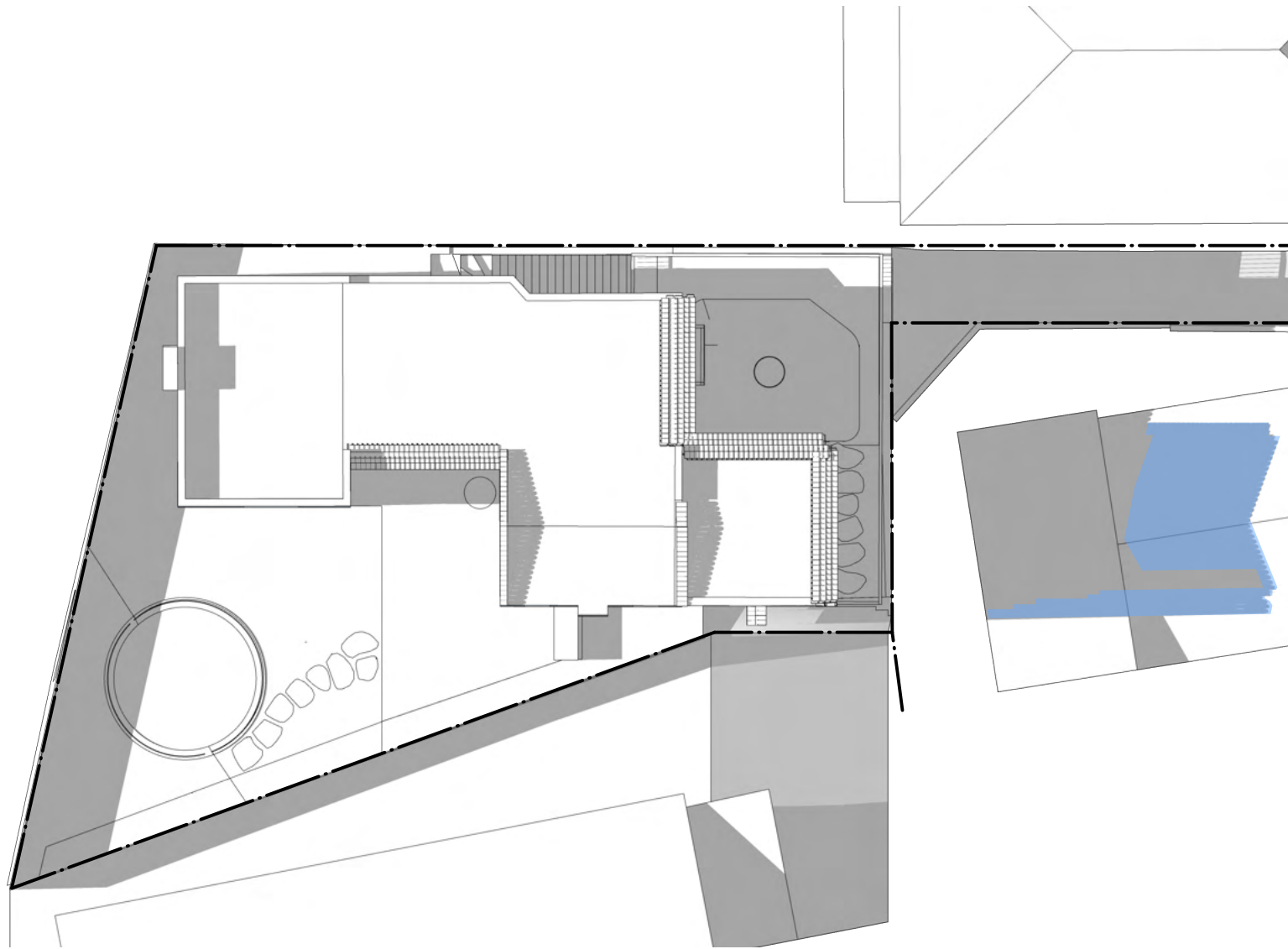
ADDITIONAL SHADOW

REDUCTION TO SHADOW

FOR DEVELOPMENT APPLICATION ONLY



1 Shadows - Existing 12 pm June 21
Scale: 1:200

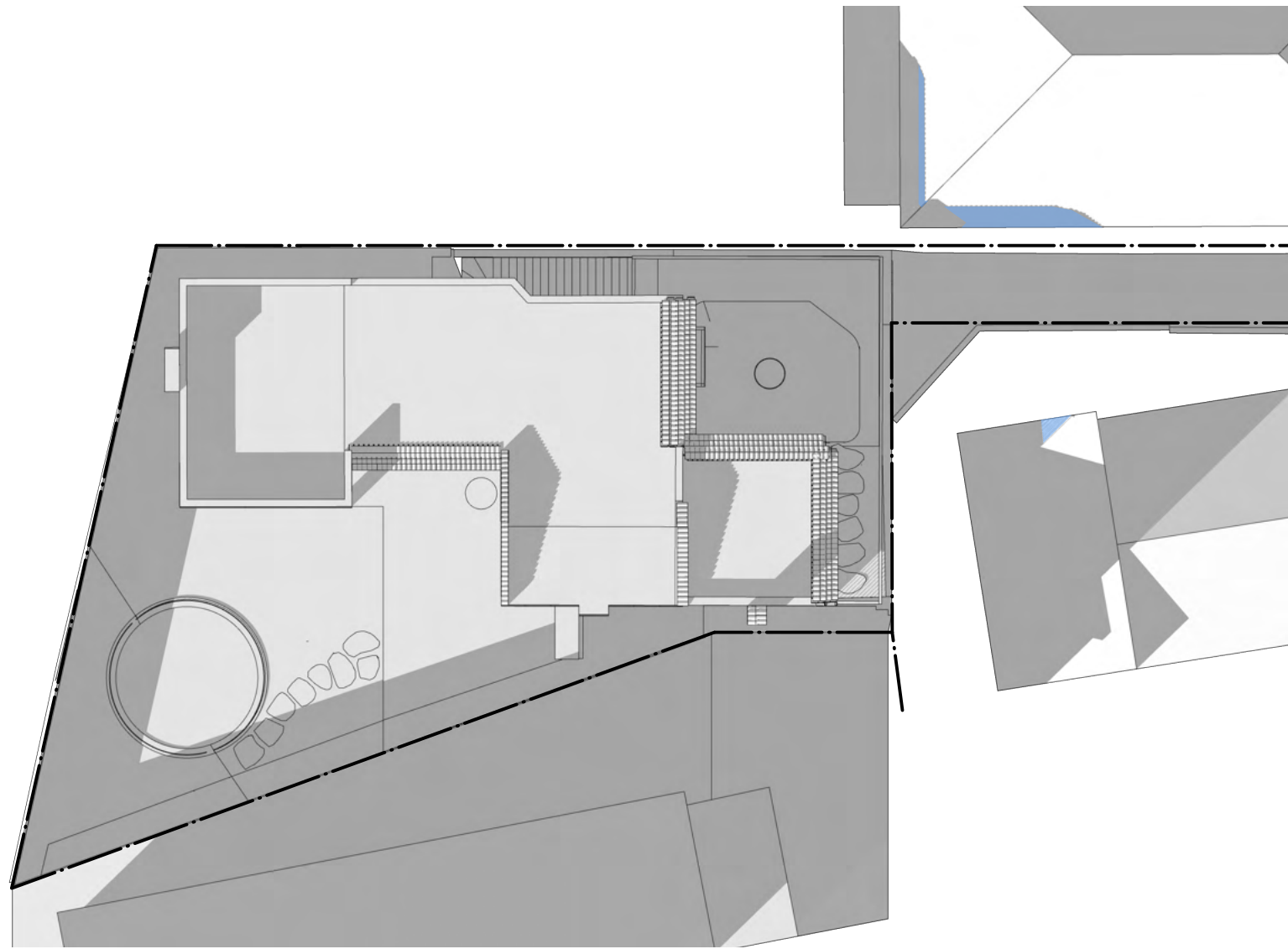
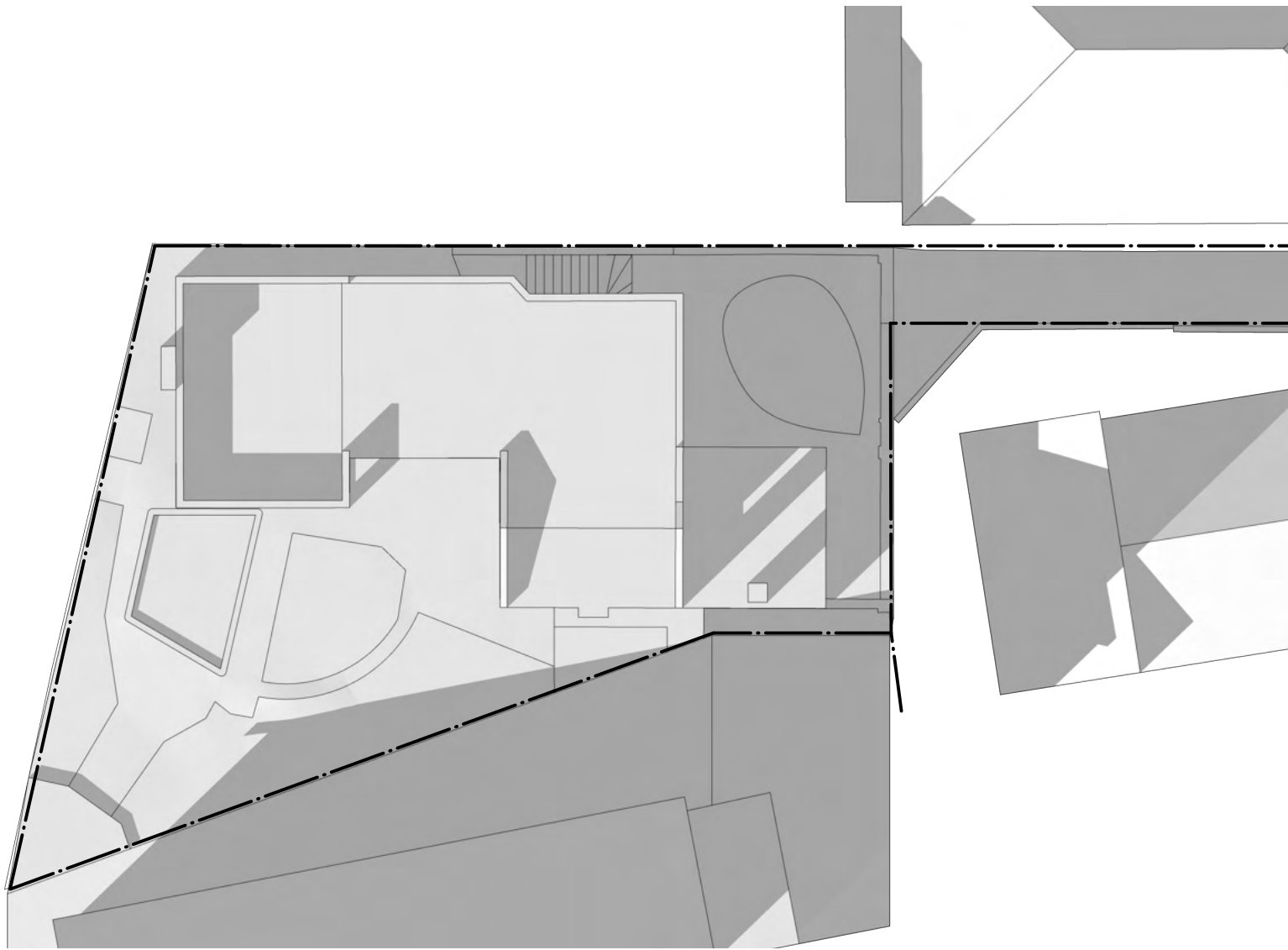


2 Shadows - Proposed 12 pm June 21
Scale: 1:200

KEY

ADDITIONAL SHADOW

REDUCTION TO SHADOW



1 Shadows - Existing 3 pm June 21
Scale: 1:200

2 Shadows - Proposed 3 pm June 21
Scale: 1:200

KEY

ADDITIONAL SHADOW

REDUCTION TO SHADOW

FOR DEVELOPMENT APPLICATION ONLY



Report to the Waverley Local Planning Panel

Application number	DA-540/2021
Site address	51 Mitchell Street BONDI BEACH
Proposal	Alterations and additions to residential flat building, including an upper floor addition comprising two units and internal reconfiguration of existing levels to create a further additional unit, providing a total of seven units.
Date of lodgement	9 December 2021 (Amended on 25 March 2022)
Owner	Proprietors of Strata Plan 13850
Applicant	MHNDUnion
Submissions	One unique submission received.
Cost of works	\$1,064,496
Principal Issues	<ul style="list-style-type: none"> SEPP 65 and SEPP Housing considerations. Nil car parking. Retention of Inter War architecture.
Recommendation	That the application be APPROVED in accordance with the conditions contained in the report.

SITE MAP



1. PREAMBLE

1.1. Executive Summary

The development application seeks consent for alterations and additions to a residential flat building, including an upper floor addition comprising two units and internal reconfiguration of existing levels to create a further additional unit, providing a total of seven units at the site known as 51 Mitchell Street, Bondi Beach.

The principal issues arising from the assessment of the application are as follows:

- SEPP 65 and SEPP Housing considerations, given that the proposal substantially refurbishes the residential flat building (this is the reason why the DA is referred to the Waverley Local Planning Panel for determination) and provides for two affordable housing units;
- nil car parking; and
- retention of Inter War architecture.

The assessment finds these issues acceptable on merit. The proposal is architecturally designed and the upper floor addition is sympathetic and complementary to the Inter War architectural integrity of the building. It is commendable in this regard.

One unique submission was received and the issues raised in the submission have been considered and addressed in this report and in the Recommendation.

The application has been assessed against the relevant matters for consideration under section 4.15(1) of the *Environmental Planning and Assessment Act 1979*. It is recommended for approval subject to conditions of consent.

1.2. Site and Surrounding Locality

A site visit was carried out on 11 January 2022.

The site is identified as SP 13850, known as 51 Mitchell Street, Bondi Beach. It is irregular in shape with a frontage to Mitchell Street, measuring 13.715m. The site has an area of 416.1m² and is generally flat.

The site is occupied by a two-storey residential flat building with no vehicular access and off-street car parking. The building is of Inter War architecture and comprises four x 2-bedroom units, two on each floor.

The site is adjoined by two-storey walk-up residential flat buildings on either side. It is also adjoined by another two-storey walk-up residential flat building to the rear and west. The locality is characterised by predominantly medium density residential development of Inter War architecture. **Figures 1 to 5** are photos of the site and its context.



Figure 1: The site and its immediate context, looking west from Mitchell Street



Figure 2: Front of building on site, looking west from Mitchell Street



Figure 3: Rear of building on site, looking east from rear yard of site.



Figure 4: Looking east within southern side setback area of building on site



Figure 5: Looking east within northern side setback area of building on site

1.3. Relevant Development History

A search of Council's records revealed the following recent and relevant development history of the site:

- BA-741/1997 (Building Application) to construct new concrete stair to existing premises was approved on 29 September 1997.

The applicant has identified the redevelopment of 58 Mitchell Street (immediately across the road and to the south-east of the site) as a three-storey plus attic residential flat building that was designed by the same architects as the proposal.

1.4. Proposal

The development application (DA), as amended on 25 March 2022, seeks consent for alterations and additions to a residential flat building, involving an additional three units (two of which are 2-bedroom units and the remainder being a studio), totalling seven units. The DA specifically seeks the following:

Ground floor level

- Reconfiguration of internal layout to the existing two x 2-bedroom units (known as Units 1 and 2).
- Dedication of existing communal open space in the rear yard as private open space areas for Units 1 and 2.
- Relocation of communal open space area to the northern side setback area of the building.
- Provision of seven bicycle parking spaces, two inside the retained lobby, two inside the private open space areas of the ground floor units and the remainder in the communal open space area.
- Landscaping works.

First Floor

- Reconfiguration of internal layout to form two x 1-bedroom units (known as Units 3 and 4).
- Provision of a studio (known as Unit 5) wrapping around part of the northern, eastern and southern sides of the building (three aspects).
- Provision of rear balconies as private open space areas for Units 3 and 4.

Second Floor level

- Construction of a contemporary (yet complementary) additional floor level to comprise two x 2-bedroom units (known as Units 6 and 7).

The DA dedicates affordable rental housing for Units 4 and 5 for a period of 15 years (refer to discussion in section 2.1.1 of this report on the appropriateness of this).

The DA also seeks consent for tree removal and ancillary works, such as screening of a maximum height of 1.8m along the inner side of the bin store area.

Development consent for Strata subdivision is not sought as part of this DA.

The proposal is visualised in a photomontage provided in **Figure 6** of this report.



Figure 6: Photomontage of proposal, looking south-east from Mitchell Street

1.5. Background

The DA was lodged on 9 December 2021 and an additional information request, including recommended minor design changes, was made on 10 December 2021 and 15 March 2022 following its consideration by Council's Development and Building Unit. The request is summarised as follows:

1. Amendments to the Statement of Environmental Effects to delete references to the now repealed SEPP Affordable Rental Housing 2009 and address SEPP Housing 2021.
2. Further information on how non-compliances with the Building Code of Australia (BCA) would be resolved (at the request of Council's Fire Safety Officer).
3. Adoption of some of the design changes recommended by the Waverley Design Excellence Advisory Panel (DEAP), when this DA was presented to them in February 2022, including:
 - a. Better division of the front-facing balconies on second floor level.
 - b. Screening the bin store area.
 - c. Provision of seven bicycle parking spaces in appropriate locations.
 - d. Removing bench seating within 0.9m from the northern side setback area of the communal open space area on the northern side of the building.
4. Non-adoption of the DEAP's recommendation of larger dimensions for the rear-facing second floor balconies.
5. Clarification on calculation of the overall gross floor area of the proposal, specifically inclusion of non-common vertical circulation spaces in the lobby/foyer.

Council received amended plans on 25 March 2022 in response to the above request. The amendments are summarised as follows:

- The glass line along the western elevation on ground floor level recessed by 0.75m, resulting in a reduction of internal areas of Units 1 and 2 from 82m² to 77m².
- Inclusion of non-common vertical circulation space of the lobby/foyer.
- Provision of bicycle parking.
- Inclusion of a planter to divide the front facing balconies on second floor level.
- Removal of bench seating along the northern side boundary of the communal open space, which is replaced by boundary planting.

Council received a BCA response on 31 March 2022 in relation to Item 2 of the additional information request.

The amended plans and documents did not change the design and scope of the proposed development in such a way that would result in additional and/or greater impacts than those of the original form (and publicly notified). Therefore, these amended documents were not required to be publicly notified as per the renotification procedures outlined in the *Waverley Community Development Participation and Consultation Plan*. Refer to section 2.4 of this report on the issues raised in public submissions received in relation to this DA.

The amended documents received by Council on 25 March 2022 form the basis for the assessment of this DA.

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. State Environmental Planning Policies (SEPPs)

The following SEPPs apply and have been considered acceptable in the assessment of this development application:

- SEPP (Building Sustainability Index – BASIX) 2004.
- SEPP 65 (Design Quality of Residential Apartment Development).
- SEPP (Housing) 2021.
- SEPP (Resilience and Hazards) 2021
- SEPP (Biodiversity and Conservation) 2021.

Detailed discussion is provided for SEPP 65 and SEPP (Housing) 2021, as set out below.

SEPP (Design Quality of Residential Apartment Design)

The application was referred to the Waverley Design Advisory Excellence Panel (DEAP) on 15 December 2021. The DEAP's comment of the proposed development against the nine design quality principles under Schedule 1 of SEPP 65 and a planning response to each comment are set out in **Table 1** of this report.

Table 1: Assessment against the Nine Design Quality Principles under SEPP 65

Principle	Panel's Comment	Planning Comment
1. Context and Neighbourhood	<ul style="list-style-type: none"> <i>The Panel was impressed with the degree of contextual analysis and response to the neighbouring built form and considered the upper floor extension appropriate in the streetscape.</i> <i>Resolution of rubbish bins storage and space for bicycle parking should be integrated in the front setback with provision for security and visual impacts on the street character.</i> 	<p>Agreed. The proposal performs well against Principle 1 as the design is cohesive and compatible with the integrity of the existing building, context of the site and surrounding neighbourhood.</p> <p>The bin storage and bicycle parking matters raised by the DEAP have been resolved in the amended plans received by Council on 25 March 2022.</p>
2. Built form and Scale	<ul style="list-style-type: none"> <i>The Panel supports the floor layout design, materiality and detail expression and notes the additional brickwork matches the existing brickwork below using recycled masonry.</i> <i>With respect to the private open space provision, the Panel recommends larger balconies on the western side of level 2 units and consideration of sun and weather protection to the large windows and doors on all levels.</i> <i>The balcony on the eastern side needs to separate the 2 balconies with a planter.</i> 	<p>Agreed. The proposed additional storey appropriately increases the building height, bulk and scale in compliance with the height of buildings development standard under Waverley Local Environmental Plan 2012 and the relevant maximum floor space ratio (FSR) development standard afforded under SEPP Housing 2021.</p> <p>A condition of consent is recommended to ensure that the new brickwork matches the existing.</p> <p>The recommended expansion of the rear second floor balconies is not adopted as these would increase privacy impacts upon neighbouring properties. The balconies in their current form are considered sufficient to provide for optimal outdoor amenity of the additional upper floor units.</p>

Principle	Panel's Comment	Planning Comment
3. Density	<i>No comment.</i>	The proposal increases the density of the residential flat building appropriately in relation to applicable FSR development standards under SEPP Housing 2021.
4. Sustainability	<ul style="list-style-type: none"> <i>The Panel recommends that PV solar panels are installed on the roof to power communal spaces.</i> <i>The Panel suggests the Applicant includes rainwater tanks in lieu of the proposed OSD tanks with the water being used for irrigation on site.</i> <i>The Panel recommends that gas should be excluded for water heating and cooking.</i> <i>The inclusion of ceiling fans is supported but if an AC system were installed, provision for condenser locations is required that addresses acoustic and visual impacts.</i> 	The proposal meets the baseline commitments under SEPP BASIX. It also has adopted passive design, particularly for its studio apartment, which comprises three aspects. Therefore, the recommendations made by the DEAP are not adopted as these are not specifically required by planning controls or guidance under the ADG. The proposal meets this design quality principle.
5. Landscape	<ul style="list-style-type: none"> <i>The Panel suggests an extra planter on the top floor balconies dividing the 2 units facing the street.</i> <i>The Panel recommends landscape treatment to the bin enclosure and potential storage for bikes on the southern boundary.</i> <i>The Panel appreciated the resolution and detail of the landscape plan.</i> 	The proposal enhances the landscaping elements and qualities of the site. It provides for planters and the amended plans includes a defined planter between the two front-facing balconies of the second floor level and full boundary planting along the outer side of the communal open space. The proposal meets this design quality principle.
6. Amenity	<ul style="list-style-type: none"> <i>While it was appreciated that the communal open space is suitably located on the northern boundary, concerns for potential impacts on neighbours require further consideration.</i> <i>With mail and parcel deliveries there will need to be storage provided in the entry foyer possibly beneath the stairs.</i> 	<p>The proposal will enhance the amenity of existing units and provide full optimal amenity for all units given modern internal layouts, provision of private open space areas and quality finishes and architectural design.</p> <p>The existing communal open space in the rear of the site is an informal space with some clothes drying areas. The proposal will provide for private open space areas for all units, except for the studio, which is generally an expected</p>

Principle	Panel's Comment	Planning Comment
		outcome for this type of apartment. The proposal will retain communal open space and locate it within the northern side of the building. The amended plans replaced bench seating within 0.9m from the northern side boundary with perimeter planting.
7. Safety	<i>No comment.</i>	The proposal meets this planning principle.
8. Housing Diversity and Social Interaction	<i>No comment.</i>	The proposal meets this planning principle, particularly as it is providing two affordable rental housing apartments in accordance with SEPP Housing 2021.
9. Aesthetics	<i>The Panel supports the proposed character and upper level additions subject to comments above related to detail and satisfactory matching of brickwork.</i>	The proposal is architecturally designed and retains and enhances the Inter War architecture of the building by providing for a sympathetic roof form and building design as well as retaining the facebrick appearance.

Apartment Design Guide

Clause 6A of SEPP 65 requires that development control plans (DCPs) 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 DCP contains provisions that specify requirements, standards or controls in relation to a matter to which this clause applies, those provisions are of no effect. An assessment against the provisions within the ADG is provided in **Table 2** of this report.

Table 2: Apartment Design Guide

Design Criteria	Compliance	Comment
3F Visual privacy		
<ul style="list-style-type: none"> Min separation distances from buildings to side and rear boundaries: Up to 12m (4 storey) – 6m habitable & 3m non-habitable 	Partial compliance	<p>The proposal retains the front and side setbacks of the existing building, which are 2.343m on the northern side boundary and 1.301m from the southern side boundary of the site. The existing window openings across these side elevations have been retained and utilised in the reconfigured internal layouts of ground and first floor levels.</p> <p>The proposed second floor addition is set back between 1.4m and 1.5m from the southern side boundary of the site and 2.3m and 2.5m from the northern side boundary. Despite the non-compliances, the side elevations of the second floor level comprise modest window openings serving bedrooms and kitchens. The full height windows serve bathrooms and are unlikely to overlook neighbouring properties on either side of the site.</p> <p>The proposal is set back from the rear boundary of the site:</p> <ul style="list-style-type: none"> between 5.2m and 6.1m on ground floor level; between 5.2m and 6.3m on first floor level; and between 6.6m and 8.3m on second floor level. <p>The proposal achieves adequate separation distances for alterations and additions to an existing Inter War residential flat building, which generally comprise lean side and rear setbacks and separation distances. It will provide for sufficient privacy for the building itself and neighbouring properties.</p>
4A Solar and daylight access		
<ul style="list-style-type: none"> Living rooms and private open spaces of at least 70% of units receive minimum of 2 hours direct sunlight between 9am-3pm mid-winter A maximum of 15% receive no direct sunlight between 9am-3pm mid-winter. 	Yes	<ul style="list-style-type: none"> 100% of units receive at least 2 hours mid-winter. All units are dual aspect and as such all receive some direct sunlight mid-winter. <p>The proposal is consistent with the remaining objectives of this part of the ADG ensuring that daylight access is satisfactory and incorporating shading in the warmer months.</p>

4B Natural ventilation		
<ul style="list-style-type: none"> All habitable rooms are naturally ventilated Number of units with natural cross ventilation is maximised: <ul style="list-style-type: none"> At least 60% of units naturally ventilated 	Yes	<ul style="list-style-type: none"> All habitable rooms are provided with at least one window for natural ventilation. All units have dual aspects. In this regard, 100% of the units can be naturally cross ventilated. <p>The proposal uses a combination of full height openable doors and window as well as conventional sized and operable windows on the side elevations to achieve appropriate cross ventilation within the building.</p>
4C Ceiling heights		
<ul style="list-style-type: none"> Habitable rooms – 2.7m Non-habitable rooms – 2.4m 	Yes	<p>The ceiling heights within all additional and existing units are, for the most part, a minimum of 2.7m, which complies with the minimum requirement.</p>
4D Apartment size and layout		
<p>The following minimum internal areas apply:</p> <ul style="list-style-type: none"> <i>Studio = 35 m²</i> <i>1 bed – 50m²</i> <i>2 Bed = 70 m²</i> <i>Add 5m² for each additional bathroom (above 1)</i> <i>Add 12m² for each additional bedroom</i> <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 in excess of the minimum ADG requirements. In this regard, the proposed unit sizes and layout are acceptable.</p> <p>The proposal achieves compliance with the minimum glazed area to each habitable room.</p> <p>All bedrooms meet the minimum requirements in terms of dimensions and area.</p> <p>All kitchens are separate to the circulation spaces.</p> <p>The proposal is consistent with the objectives of this part of the ADG.</p>
4E Private open space and balconies		
<p>All apartments provide primary balcony as follows:</p> <ul style="list-style-type: none"> 1-bed – 8m² & 2m depth 2-bed - 10m² & 2m depth Ground level, min 15m² & 3m depth 	Partial compliance	<p>All units, except for the studio, are provided with a balcony or courtyard accessed from the main living areas that meets the minimum requirements of the ADG in terms of area and depth. Studios can be acceptable without private open spaces, and the proposed studio can use the proposed communal open space area of the building.</p> <p>The balconies and courtyards are accessed from the main living area and face east and west.</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 sympathetic with the</p>

		Inter War architecture. Appropriate screening is provided to enhance privacy.
4F Common circulation and spaces		
<ul style="list-style-type: none"> Max of 8 units accessed off a circulation core on a single level 	Yes	No more than three units accessed from the foyer/lobby.
4G Storage		
In addition to kitchens, bathrooms and bedrooms, the following is provided: <ul style="list-style-type: none"> 1-bed – 6m³ 2-bed – 8m³ 3+bed – 10m³ 	Yes	The proposal provides separate storage within each apartment. The storage provided meets the requirements and objectives of the ADG.

SEPP Housing (2021)

Division 1, Chapter 2, Part 2 of SEPP (Housing) 2021 relates to development for the purposes of in-fill affordable housing and applies to this DA given that the proposal intends to dedicate two units as affordable rental housing.

The subject site is zoned R3 Medium Density Residential and residential flat buildings are permissible with development consent. The site does not contain a heritage item or draft heritage item.

At least 20% of the overall gross floor area (GFA) of the building will be devoted to affordable housing.

The site is located within an accessible area.

Accordingly, this Division of the SEPP, and the following clauses, apply to the assessment of this DA.

Table 3: Clause 17 Floor space ratios

Development Standard	Compliance	Planning Comment
17 - Floor space ratios:		Site = 416.1m ²
(1) 20% of GFA to be used for affordable housing;	Yes	Total GFA = 466m ²
(2) (a) if the existing maximum floor space ratio is 2.5:1 or less:	Yes	A minimum of 22% (102.52m ²) of the floor space must be affordable. The proposal will provide 22.1% (103m ²) of floor space as affordable housing and as such qualifies for the bonus.
(i) 0.5:1—if the percentage of the gross floor area of the development that is used for affordable housing is 50 per cent or higher, or		Therefore, the overall maximum floor space ratio (FSR) applying to the development is 0.9:1 (this is the base FSR development standard for the site under Waverley Local

Development Standard	Compliance	Planning Comment
<p>(ii) Y:1—if the percentage of the gross floor area of the development that is used for affordable housing is less than 50 per cent, where:</p> <p>AH is the percentage of the gross floor area of the development that is used for affordable housing.</p> <p>Y = $AH \div 100$</p>		<p>Environmental Plan 2012) plus the bonus of 0.22, which is 1.12:1.</p> <p>The proposal provides for an overall GFA of 465.5m², which achieves an FSR of 1.12:1. It therefore complies with the allowable maximum FSR.</p>

Clause 18 of the SEPP outlines that if the proposal complies with non-discretionary development standards under subclause (2), then the DA cannot be subjected to more onerous standards relating to the matters outline in this subclause. If the DA does not meet one or more of these standards, these can be used as reasons to refuse the DA. An assessment of the proposal has been carried out according to these standards as outlined in **Table 4** below.

Table 4: Clause 18– Non-discretionary development standards

Development Standard	Compliance	Planning Comment
<p>Site area:</p> <p>At least 450m²</p>	No (acceptable on merit)	The site is 416.1m ² . The proposal is for alterations and additions to an existing residential flat building, and therefore, a lack of site area is not reasonable grounds to refuse consent to this DA.
<p>Landscaped area:</p> <ul style="list-style-type: none"> 30% of the site 	Yes	The proposal provides 47% of the site (or 198.1m ²) as landscaped area.
<p>Deep soil zone:</p> <ul style="list-style-type: none"> 15% of site; Min dimension of 3m; If practicable, at least 65% of site area at rear. 	Yes	The proposal provides 30% of the site (or 124m ²) as deep soil, the majority of which is contained along the rear boundary with a minimum dimension of 3m.
<p>Solar access:</p> <ul style="list-style-type: none"> Living rooms and private open spaces of 70% of units receive a minimum of 3 hours direct sunlight between 9am and 3pm in mid-winter 	Yes	100% of the affordable housing units receive 3 hours solar access to the principal area of private open space (except for the studio) and living area windows.
<p>Parking:</p> <ul style="list-style-type: none"> At least 0.5 parking spaces for each dwelling containing 1 bedroom and at least 1 parking space for each dwelling containing 2 bedrooms and at least 1.5 parking spaces for 	No (acceptable on merit)	<p>Minimum parking rates under the SEPP are:</p> <ul style="list-style-type: none"> 1-studio: Nil 1-bed: 2 x 0.5 = 1 2-bed: 4 x 1 = 4

Development Standard	Compliance	Planning Comment
each dwelling containing 3 or more bedrooms.		<p>A total of 5 spaces is required for the affordable housing units. However, the site currently has no on-site parking and the proposal retains this situation. Nil on-site car parking for this site can be accepted otherwise it would adversely affect the integrity of the building and cause undue streetscape impacts. Further, Waverley Development Control Plan 2012 specifies a nil minimum parking provision for residential flat buildings.</p> <p>The site is within 400m of a regular bus service. The proposal also provides for bicycle parking and the site is in walking distances to shops and amenities. It is therefore deemed to be in an 'accessible area' as defined by the SEPP.</p> <p>Nil on-site car parking is supported on merit.</p>
<p>Dwelling size (minimum internal area specified by the ADG):</p> <p>35m² – studio; 50m² – 1-bed; 70m² – 2-bed; 95m² – 3+ bed.</p>	Yes	The affordable housing units comply with these requirements.
<p>Cl. 19 Design Requirements</p> <p>Design is compatible with the desirable elements of the character of the local area, or Precincts undergoing transition – the desired future character of the precinct.</p>	Yes	<p>The site is not within a precinct undergoing transition therefore, the compatibility of the design of the proposal is considered against the desirable elements of the character of the local area, which are strong Inter War architectural expression across a consistent pattern of two and three storey walk-up residential flat buildings that define the North Bondi Special Character Area.</p> <p>Refer to Table 1 of this report for discussion in relation to the comments of the Design Excellence Panel.</p> <p>The proposal is architecturally designed to be compatible and sympathetic to the integrity of the subject building and surrounding Inter War residential flat buildings within the immediate visual catchment of the site and the wider locality. It is also considered to appropriately respond to the existing character of the</p>

Development Standard	Compliance	Planning Comment
		local area. The proposal complies with the height of buildings development standard under Waverley Local Environmental Plan 2012 and also performs well against relevant built form and streetscape/urban design controls in Waverley Development Control Plan 2012 (specifically the North Bondi Special Character Area controls), as demonstrated in the succeeding sections of this report.
Cl. 20 – Continued application of SEPP 65	Yes	SEPP 65 applies and is discussed in detail in Tables 1 and 2 of this report.
Cl. 21 – Must be used for affordable housing for 15 years	Yes	A condition to this effect is included in Appendix A.
Cl. 22 – Subdivision	N/A	No subdivision is proposed

2.1.2. 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 5: Waverley LEP 2012 Compliance Table

Provision	Compliance	Comment
Part 1 Preliminary		
1.2 Aims of plan	Yes	The proposal is consistent with the aims of the plan.
Part 2 Permitted or prohibited development		
Land Use Table R3 Medium Density Residential Zone	Yes	The proposal is defined as alterations and additions to a 'residential flat building', which is permitted with consent in the R3 zone. It meets the relevant objectives of the zone.
Part 4 Principal development standards		
4.3 Height of buildings <ul style="list-style-type: none"> 12.5m 	Yes	The proposal increases the overall building height of the development to 9.91m, measured to the ridge of the roof over the proposed addition at RL30.86 directly above existing ground level of RL20.95 (assumed level being 200mm below ground floor slab, which is at RL21.30).

Provision	Compliance	Comment
4.4 Floor space ratio <ul style="list-style-type: none"> • Base: 0.9:1 • Bonus: 0.22:1 • Total: 1.12:1 	Yes	The proposal provides an FSR of 1.12:1. This has been discussed previously in Table 3 of this report under the provisions of the Housing SEPP which allows a bonus of 0.22:1 for infill affordable housing based on the quantum of GFA devoted to affordable housing in the building.
Part 6 Additional local provisions		
6.1 Acid sulfate soils <ul style="list-style-type: none"> • Class 5 	Yes	The proposal does not involve earthworks, other than minor cut and fill for landscaping works. Therefore, construction is not expected to encounter acid sulfate soils.

2.1.3. Draft Waverley Local Environmental Plan 2022 (Draft Waverley LEP 2022)

It is acknowledged that the Draft Waverley Local Environmental Plan 2022 was on exhibition from 12 November 2021 to 23 January 2022, however at the time of this assessment, there are no relevant matters for consideration.

2.1.4. Waverley Development Control Plan 2012 (Waverley DCP 2012) – Amendment No.9

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

Table 6: Waverley DCP 2012 – Part B General Provisions Compliance Table

Development Control	Compliance	Comment
1. Waste	Yes	Satisfactory. The bin storage area cannot be integrated inside the building and is instead situated externally in the south-eastern corner of the site. It has been slightly amended to ensure it is not directly adjacent to window openings of the subject and neighbouring buildings. A 1.8m high screen is provided on the inner northern side of the bin area to obscure its sight from the front setback area and entry point of the site.
2. Ecologically Sustainable Development	Yes	Satisfactory.
3. Landscaping and Biodiversity	Yes	Satisfactory.
5. Vegetation Preservation	Yes	Refer to section 3 of this report on referral commentary in relation to tree management.

Development Control	Compliance	Comment
6. Stormwater	Yes (by condition)	Refer to section 3 of this report on referral commentary in relation to stormwater.
7. Accessibility and Adaptability	Yes	Satisfactory for alterations and additions to an existing residential flat building. The new works are required to comply with the BCA, including accessibility requirements.
8. Transport Zone 2 Minimum parking rate: <ul style="list-style-type: none"> • Nil Maximum parking rate: <ul style="list-style-type: none"> • 1 x studio: Nil • 2 x 1 bed: 2 • 4 x 2 bed: 4.8 • Total: 6.8 or 7 spaces. Visitor parking: <ul style="list-style-type: none"> • 1 per 5 units: 1.4 or 1 space. Motorcycle parking: <ul style="list-style-type: none"> • Resident: Nil • Visitor: Nil Bicycle parking: <ul style="list-style-type: none"> • Resident: 7 • Visitor: Nil 	Partial compliance	<p>The proposal does not provide off-street car parking, which meets the minimum and maximum car parking rates. This has been previously discussed in Table 4 of this report, which concludes that nil parking for the site and building is appropriate. Relative to section 8.2.4 of the DCP, nil car parking can be supported as parking would have a detrimental impact on the character of the streetscape and wider locality.</p> <p>The amended proposal comprises seven bicycle parking spaces, one devoted to each unit. This complies with the minimum bicycle parking requirements of the DCP.</p>
10. Safety	Yes	Satisfactory, especially as street-facing private open space areas in the form of courtyards and balconies are introduced, thereby increasing casual surveillance of the street. Further, the proposal retains the low-height of the front fences, ensuring that the front setback area remains open to the street.
12. Design Excellence	Yes	The DEAP advised that subject to adoption of their design recommendations that the proposal would exhibit design excellence. The proposal is architecturally designed and is complimentary to the integrity of the Inter War architecture of the building.
14. Excavation	Yes	Satisfactory.
16. Public Domain	Yes	Satisfactory.

17. Inter War Buildings	Yes	The proposal has regard to this Part of the DCP, as well as to the related <i>Inter War Fact Sheets Heritage Study 2017</i> document, which provides information on the significance of Inter War buildings in the Waverley LGA and aims to guide sympathetic alterations and additions to these buildings. The proposal successfully retains and enhances the Inter War architecture of the building by maintaining a significant amount of the building's fabric while providing for a sympathetic and complementary additional storey. The architect has provided excellent contextual analysis to examine how the proposal would be perceived within the immediate context of the site and the visual catchment. The proposed shallow pitched roof form is compatible with the consistent pattern of pitched roof forms in the immediate context of the site.
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Table 7: Waverley DCP 2012 – Part C1 – Special Character Areas

Development Control	Compliance	Comment
1.2 North Bondi		
Desired Future Character Objectives	Yes	<p>The site is within the 'North Bondi Special Character Area' and the proposal is consistent with the desired future character objectives of this special character area for the following reasons:</p> <ul style="list-style-type: none"> • It maintains streetscape rhythm in building frontages. • It improves amenity on site and adjoining sites. • While it provides for more than minor alterations and additions, it maintains a pitched roof form, comprising copper material. This material has a similar colour to terracotta tiles, which is a common material used in the immediate built form context of the site.
Controls	Partial compliance	The proposal complies with all relevant controls, except for providing communal landscaped gardens within the front setback area and private open space restrictions. While the communal space is provided on the northern side of the building, the front setback area is landscaped and provides for private open spaces for the ground floor units without tall fences/screens.

Table 8: Waverley DCP 2012 – Part C3 Other Residential Development Compliance Table

Development Control	Compliance	Comment
3.1 Site, scale and frontage		
<ul style="list-style-type: none"> Minimum frontage: 15m – R3 zone 	No (acceptable on merit)	The site has frontage of 14m. The proposal is for alterations and additions to an existing residential flat building. Therefore, this non-compliance is acceptable.
3.2 Height		
<ul style="list-style-type: none"> Maximum external wall height: R3/12.5m – 9.5m 	Yes	The proposed second floor addition is slightly set in from all building alignments of the ground and first floor levels of the building. Therefore, the overall external wall height is determined to the top of the balustrades of the front-facing balconies at RL28.54 directly above existing ground level of RL20.95, which measures 7.59m.
3.3 Setbacks		
3.3.1 - Street setbacks <ul style="list-style-type: none"> Consistent street setback 	Yes	The street setbacks of the ground and first floor levels are retained. The proposed second floor level is slightly set back from the ground and first floor levels.
3.3.2- Side and rear setbacks <ul style="list-style-type: none"> Minimum side setback: 1.5m Minimum rear setback: 6m or predominant rear building line, whichever is the greater setback 	Yes Partial compliance	<ul style="list-style-type: none"> Refer to Table 2 of the side and rear setbacks of the proposal, which all comply with the minimum side setback control. In terms of the rear building setbacks, a numeric setback of 6m is greater than a predominant rear building line. The proposal, for the most part, complies with this control, except for the southern parts of the new rear balconies. Given these balconies do not extend greater than the rear building alignment of the adjoining building to the north of the site and comprises adequate screening along the southern sides of these balconies, the rear building setback of the proposal is appropriate.
<ul style="list-style-type: none"> Deep soil along side boundary min 2m wide 	Yes	<ul style="list-style-type: none"> The deep soil planting is provided within both side boundaries with the northern side boundary providing more than a minimum width of 2m.
3.4 Length and depth of buildings		
<ul style="list-style-type: none"> Maximum building length: 24m 	Yes	<ul style="list-style-type: none"> The length of the building has been retained, which is 10m. The second floor level is well articulated and complementary to the articulation of the floor levels below.
<ul style="list-style-type: none"> Façade to be articulated 	Yes	

Development Control	Compliance	Comment
<ul style="list-style-type: none"> Maximum unit depth: 18m 	No (acceptable on merit)	<ul style="list-style-type: none"> The depth of the building is extended to 21m due to the proposed rear balconies. This is deemed acceptable as all units comprise dual aspect and a high standard of amenity for occupants.
3.5 Building design and streetscape		
<ul style="list-style-type: none"> Respond to streetscape Sympathetic external finishes Removal of original architectural features not supported. 	Yes Yes Yes	The proposal successfully responds to the streetscape and retains the original architectural features, including the facebrick finishes. A condition of consent is recommended to ensure that the new facebrick matches the existing facebrick of the building.
3.6 Attic and roof design		
	Yes	The proposal is an additional storey and not an attic. The shallow pitched roof form of the proposed additional storey contributes to the architectural design and environmental performance of the building and is compatible with the streetscape character of the area, which is defined by terracotta pitched roofs.
3.7 Fences and walls		
<i>Front fence:</i> <ul style="list-style-type: none"> Maximum height 1.2m Maximum 2/3 solid <i>Side fence:</i> <ul style="list-style-type: none"> Maximum height: 1.8m <i>Rear fence:</i> <ul style="list-style-type: none"> Maximum height: 1.8m 	Yes N/A	<ul style="list-style-type: none"> The low-height front fence is retained. The proposal does not provide for new side and rear boundary fences.
3.8 Pedestrian access and entry		
<ul style="list-style-type: none"> Entry at street level and respond to pattern within the street Accessible entry Separate to vehicular entry Legible, safe, well-lit 	Yes	The existing front entry of the building is retained and will remain legible, safe and well-lit.
3.9 Landscaping		
<ul style="list-style-type: none"> Comply with part B3-Landscaping and Biodiversity Minimum of 30% of site area landscaped: 124.83m² 50% of the above is to be deep soil: 62.42m² 	Yes Yes Yes	<ul style="list-style-type: none"> The proposal complies with Part B3 of the DCP Landscaped area: 198m² (47% of the site area). Deep soil area: 122m² (99% of the required landscaped area).

Development Control	Compliance	Comment
3.10 Communal open space		
<ul style="list-style-type: none"> Minimum 15% communal (R3 zone): 62.415m² Minimum dimensions: 6m x 6m Minimum of 30% of communal area must receive three hours of sunlight Accessible 	No (acceptable on merit)	Communal open space area: 54m ² (13% of site area), is less than the minimum dimensions. Despite not meeting the numeric controls, each unit is afforded sufficient private open spaces. The communal open space area would be utilised by the studio, which does not have its own private open space. While the communal open space area will not receive any sunlight during mid-winter, it is accessible, well landscaped and provides for passive recreational space.
3.11 Private Open Space		
3.11.1 – Courtyards <ul style="list-style-type: none"> Private Courtyards – min 25m² area and 3m width and depth Planting to be provided Private open space not to be provided at the front, unless a buffer is provided 	Yes	<ul style="list-style-type: none"> The principal ground level courtyards are greater than 25m² in area and 3m in width and depth and well landscaped. The secondary private open space areas accessed from bedrooms encroach within the front setback areas, however, are buffered by screen planting.
3.11.2 – Balconies/decks <ul style="list-style-type: none"> Balcony additions to match the character of the building Should not dominate the façade No wrap around balconies Located to maximise solar access and privacy Balustrades to allow views and casual surveillance of the street & privacy 	Yes	<ul style="list-style-type: none"> The balcony additions to the rear of the first floor level and as part of the second floor level are sympathetic to the character and style of the building. They do not wraparound and dominate the façade. They are located to maximise solar access and privacy. The balustrades of the front or street facing balconies are open aluminium balustrades that allow views and casual surveillance of the street while maintaining adequate privacy.
3.13 Solar access and overshadowing		
<ul style="list-style-type: none"> Minimum of three hours of sunlight to a minimum of 70% of units in the development on 21 June. New development should maintain at least two hours of sunlight to solar collectors on adjoining properties in mid winter. Direct sunlight to north facing windows of habitable rooms on all private open space areas 	ADG applies No (acceptable outcome from built-form compliant development)	<ul style="list-style-type: none"> Refer to Table 2 of this report on the solar access performance of the proposal against the ADG. The shadow diagrams reveal that the proposal will result in greater overshadowing of neighbouring properties to the south-west and south, particularly the north-facing windows of the first floor level of the adjoining residential flat building to the south of the site between 9am and 3pm on 21 June. While this results in a loss of sunlight to less than two and three hours to these solar

proposal provides for the minimum quantum of bicycle parking required and the site is accessible to public transport, shops and amenities.

2.5. Public Interest

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

3. REFERRALS

The following internal and external referral comments were sought:

3.1. DEAP

Refer to section 2.1.1 of this report.

3.2. Stormwater

Council's Public Stormwater Engineer considered the stormwater plans submitted with the DA unsatisfactory. Conditions of consent are recommended to ensure that the stormwater plans are amended to accord with Council's Stormwater Policy prior to the issue of a construction certificate.

3.3. Tree Management

Council's Tree Management Officer did not object to the removal of trees on the site. They have recommended that the street trees directly outside the site be retained and protected, including the requirement for a tree bond. Conditions of consent are recommended to this effect.

3.4. Sustainable Waste

Council's Sustainable Waste Manager did not object to the DA, subject to conditions on waste management matters.

3.5. Fire Safety

Following the request for information referred to in section 1.5 of this report by Council's Senior Building Surveyor – Fire Safety, the applicant provided a statement and fire engineering solution from a BCA consultant about the non-compliances of the proposal with the BCA, particularly in relation to fire safety separation distances of openings. Council's Senior Building Surveyor – Fire Safety reviewed this statement and was satisfied with the proposal, subject to additional fire safety upgrading works required under clause 94 of the Regulations. Conditions of consent are recommended to this effect.

3.6. Land Information

Council's GIS Analyst has recommended conditions of consent to allocate sub-addressing for all units of the building. These are adopted in the Recommendation.

3.7. Strategic Planning

Council's Strategic Planner assessed the DA against Part 2, Division 1 of the Housing SEPP and recommended a condition of consent in relation to ensuring that Units 4 and 5 remain affordable for 15 years from the date of an issue of an occupation certificate.

4. CONCLUSION

The application has been assessed against the relevant matters for consideration under section 4.15(1) of the Act. It is recommended for approval subject to conditions of consent.

Development and Building Unit (DBU) Decision:

The application was reviewed by the DBU at the meeting 15 March 2022 and the DBU determined:

- (a) The application is acceptable and should be approved, subject to the conditions in Appendix A.

DBU members: *M Reid, A Rossi, B McNamara and B Matlawski*

5. RECOMMENDATION TO WAVERLEY LOCAL PLANNING PANEL

That the development application be APPROVED by the Waverley Local Planning 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	Kylie Lucas
Senior Development Assessment Planner	Acting Manager, Development Assessment (Central) (Reviewed and agreed on behalf of the Development and Building Unit)
Date: 10 April 2022	Date: 14 April 2022

Reason for WLPP referral:

4. Sensitive development:
(b) SEPP 65 development

APPENDIX A – CONDITIONS OF CONSENT

A. APPROVED DEVELOPMENT

1. APPROVED PLANS AND DOCUMENTATION

The development must be in accordance with:

(a) Architectural Plans prepared by MHND Union of Project No: 2020 including the following:

Plan Number and Revision	Plan description	Plan Date	Date received by Council
DA 101 [01]	Site Analysis Plan	25 March 2022	25 March 2022
DA 200 [01]	Ground Floor Plan	25 March 2022	25 March 2022
DA 201 [01]	First Floor Plan	25 March 2022	25 March 2022
DA 202 [01]	Second Floor Plan	25 March 2022	25 March 2022
DA 203 [01]	Roof Plan	25 March 2022	25 March 2022
DA 300 [01]	East Elevation	25 March 2022	25 March 2022
DA 301 [01]	West Elevation	25 March 2022	25 March 2022
DA 302 [01]	South Elevation	25 March 2022	25 March 2022
DA 303 [01]	North Elevation	25 March 2022	25 March 2022
DA 304 [01]	Streetscape Elevation	25 March 2022	25 March 2022
DA 400 [01]	Section A	25 March 2022	25 March 2022
DA 401 [01]	Section B	25 March 2022	25 March 2022
DA 500 [01]	Area Diagram	25 March 2022	25 March 2022
DA 502 [01]	AFF. Housing SEPP	25 March 2022	25 March 2022
DA 503 [01]	Waste Management Plan	25 March 2022	25 March 2022
DA 600 [01]	External Finishes	25 March 2022	25 March 2022

(b) Landscape Plan No. LS01 (Issue C) and documentation prepared by Melissa Wilson Landscape Architects, dated 2 November 2021 and received by Council on 8 December 2021.

(c) BASIX Certificates.

(d) Stormwater Details and documentation in accordance with condition 21 of this development consent.

(e) BCA Compliance Report No. 2271, prepared by BCA Consulting, dated 3 November 2021 and received by Council on 8 December 2021 .

(f) The Site Waste and Recycling Management Plan (SWRMP) Part 1.

Except where amended by the following conditions of consent.

2. GENERAL MODIFICATIONS

The application is approved subject to the following plan amendments:

- (a) The landscape plan shall be updated to reflect the architectural plans referred to in condition 1(a) of this development consent, specifically in relation to deletion of bench seating in the communal outdoor area within 0.9m from the northern side boundary of the site and replacement with boundary landscaping.

The amendments are to be approved by the **Principal Certifying Authority** prior to the issue of any Construction Certificate.

3. MULTI UNIT HOUSING DEVELOPMENT DESIGN

The approved design (including any element or detail of that design) or materials, finish or colours of the building must not be changed without the written approval of Council.

4. AFFORDABLE HOUSING

The following condition is imposed in accordance with Clause 17 of *State Environmental Planning Policy (Housing) 2021*:

For **15** years, commencing from the date of issue of an Occupation Certificate:

- (a) Units **4 and 5** as nominated on the approved plans contained in condition 1 of this consent is to be used for the purposes of 'affordable housing', as defined in Clause 13 of the State Environmental Planning Policy (Housing) 2021,
- (b) All accommodation that is used for affordable housing must be managed by a registered community housing provider,

A restriction as to user must be registered against the title of the property in accordance with section 88E of the *Conveyancing Act 1919* which restricts the use of any accommodation to which this development consent relates.

5. DOMESTIC HEATERS

The provision of solid fuel heating is prohibited.

B. PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

The requirements outlined in this section are to be provided to the satisfaction of the Principal Certifying Authority in all instances, except where a condition explicitly specifies that the approval of Council or a Council Officer is required.

GENERAL REQUIREMENTS

6. 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 *Environmental Planning and Assessment Regulation 2000* and
- (c) Council is given at least two days' notice in writing of the intention to commence the building works.

CONTRIBUTIONS, FEES & BONDS

7. 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:
 - (i) Where the total development cost is less than \$500,000:
"Waverley Council Cost Summary Report"; or,
 - (ii) 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 are in the Waverley Council Contributions Plan 2006, available on Council's website.

- (b) As legislated in section 25K of the Environmental Planning and Assessment Regulation 2000, the levy must be paid in accordance with the following;
 - (i) A development valued at \$100,000 or less will be exempt from the levy.
 - (ii) A development valued at \$100,001 - \$200,000 will attract a levy of 0.5% OR
 - (iii) A development valued at \$200,001 or more will attract a levy of 1% based on the full cost of the development.

Prior to the issue of any 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.

8. SECURITY DEPOSIT

A deposit (cash or cheque) or guarantee for the amount of **\$21,290** must be provided to Council for any damage caused to any property of the consent authority (i.e. public land) as a consequence of the works and completing any public work (such as road work, kerbing and guttering, footway construction, stormwater drainage and environmental controls) required in connection with the consent.

This deposit (cash or cheque) or guarantee must be established prior to the issue of any 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 all of works associated with this consent (including the required public works) to the person who paid the deposit.

9. 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 the Principal Certifying Authority prior to the issue of any 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.

10. TREE PRESERVATION BOND

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 two (2) *Banksia integrifolia* (Coast Banksia) on the nature strip at the front of the property in 51 Mitchell Street. The bond is to be lodged prior to the issue of any Construction Certificate. Refer to condition 38 of this development consent for more information on protection measures for the street trees.

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 Final Occupation Certificate subject to the satisfaction of Council.

11. ENGINEERING PLANS ASSESSMENT AND WORKS INSPECTION FEES

The Applicant is to pay to Council fees for the assessment of all engineering plans and inspection of the completed works in the public domain inclusive of all stormwater assessment, in accordance with Council's Schedule of Fees & Charges at the time of engineering plan approval, prior to such approval being granted by Council.

An invoice will be issued to the applicant for the amount payable, which will be calculated based on the design plans for the subject development.

PLAN DETAILS

12. VERIFICATION OF CONSTRUCTION CERTIFICATE DOCUMENTATION (SEPP 65 BUILDINGS)

The preparation of the construction certificate plans shall be supervised and be to the satisfaction of an architect who is registered in accordance with the *Architects Act 2003* (i.e. a qualified designer) in accordance with the requirements of the *State Environmental Planning Policy No. 65 - Design Quality of Residential Apartment Development*.

In accordance with the Environmental Planning and Assessment Regulation 2000, the Principal Certifying Authority must not issue a construction certificate unless it has received a design verification statement from a qualified designer which verifies that the construction certificate plans and specifications achieve or improve the design quality of the development for which development consent was granted, having regard to the design quality principles set out in *State Environmental Planning Policy No. 65 Design Quality of Residential Apartment Development*.

13. ARCHITECTURAL DETAILING

Further details of the architectural detailing of the building are required to be submitted for review and the satisfaction of Council's Executive Manager, Development Assessment (or delegate) which address the following matters:

- (a) A **schedule** of external materials and finishes and design details of all elements of the building façade, including details on how the new brickwork will match that of the existing and retained elements of the building.
- (b) Large-scale detailed sections **illustrating** the construction of the roof, facades, method of fixing privacy screens, shading devices, balconies, planters and balustrades and major junctions between materials.

14. 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) Fire fighting equipment – Part E1;
 - (vii) Smoke hazard management – Part E2;
 - (viii) Emergency lighting, exit signs and warning systems – Part E4;
 - (ix) Sanitary and other facilities – Part F2;
 - (x) Room heights – Part F3;
 - (xi) Light and ventilation – Part F4; and
 - (xii) 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, a performance solution in accordance with Part A2 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 4.55 of the Act to be lodged with Council to amend this consent.
- (d) Prior to the commencement of the required upgrade works, a Construction Certificate must be issued by an accredited Certifying Authority and an accredited PCA be appointed. The required upgrading works detailed in this condition must be completed prior to the issue of an Occupation Certificate.

Note: The provisions of Clause 94 of the Environmental Planning and Assessment Regulation 2000 have been considered in the assessment of the proposed development.

CONSTRUCTION & SITE MATTERS

15. EROSION & SEDIMENT CONTROL

A Soil and Water Management Plan (SWMP), also known as an Erosion and Sediment Control Plan must be prepared in accordance with Waverley Council's Water Management Technical Manual.

The SWMP must be approved by the Principal Certifying Authority prior to the issue of a Construction Certificate. A copy of the SWMP must be kept on site at all times and made available to Council officers upon request.

The recommendations of the SWMP must be implemented and maintained during all construction activities and until the site is fully stabilised following construction.

16. ENGINEERING DETAILS

Structural details are to be prepared and certified by a practicing Structural Engineer in connection with all structural components of the approved works, prior to the issue of the relevant Construction Certificate.

17. ENGINEERING CERTIFICATE OF ADEQUACY

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

18. STRUCTURAL INTEGRITY OF RETAINED BUILDING ELEMENTS

Prior to the issue of a Construction Certificate, a report or certification from a practicing structural engineer must be submitted to the Principal Certifying Authority to explain how the retained building elements, such as building facades are to be retained, supported and not undermined by the proposed development and give details of any intervention or retrofitting needed.

19. SYDNEY WATER SECTION 73 COMPLIANCE CERTIFICATE APPLICATION

An application to obtain a Section 73 Compliance Certificate under the *Sydney Water Act 1994* must be made prior to the issue of the relevant Construction Certificate. The application must be made through an authorised Water Servicing Coordinator.

For more information about making an application to obtain a Section 73 Compliance Certificate, please consult Sydney Water's website.

Following this application, a "Notice of Requirements" will be provided by Sydney Water that outlines any requirements of works to be completed prior to the issue of the Section 73 Compliance Certificate. Please make early contact **with the Coordinator**, as building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design.

A Section 73 Compliance Certificate must be issued from Sydney Water prior to the issue of an occupation certificate.

TRAFFIC MANAGEMENT

20. CONSTRUCTION TRAFFIC MANAGEMENT PLAN (CTMP)

The applicant is to submit a Construction Traffic Management Plan (CTMP) for the approval of Council's Executive Manager, Infrastructure Services, or delegate, prior to the issue of any Construction Certificate. For further information on what is required in the CTMP, please refer to Council's website at:

https://www.waverley.nsw.gov.au/building/development_applications/post_determination/development_applications_-_conditions_of_consent

STORMWATER & FLOODING

21. STORMWATER AND PUBLIC INFRASTRUCTURE MANAGEMENT

To ensure that stormwater runoff from the development is drained in an appropriate manner, without impact to neighbouring properties and downstream systems, a detailed plan and certification of the development's stormwater management system must be submitted and approved by the Executive Manager, Infrastructure Services (or delegate) prior to the issue of the relevant Construction Certificate.

The submitted stormwater management plan prepared by tm design Pty Ltd, Job No. 20/290, Drawing No. H-DA-00, H-DA-01, H-DA-02 & H-DA-03, Revision A, dated 09/11/2021 is considered unsatisfactory.

The applicant must submit plans and specifications to comply with the current Waverley Council Water Management Technical Manual and Development Control Plan (DCP) at the time of engineering plan approval. The submitted plans shall be prepared by a suitably qualified and practising Civil Engineer and:

- (a) The plans shall provide details of any required On-Site Stormwater Detention (OSD) system and its details e.g. pit dimensions, cross & long sections, significant water invert levels of inlet and outlet pipes, details of Discharge Control Pit, orifice plate details including orifice diameter, depth of water above centreline of orifice etc., pit overflow, OSD plaque, OSD warning sign and catchment plan. Council's mandatory OSD checklist as set out in Council's Water Management Technical Manual shall be completed and submitted.

- (b) A certificate from a registered structural engineer certifying the structural adequacy of any below ground OSD tank structure is to be provided.
- (c) The stormwater management plan must specify any components of the existing system to be retained and certified during construction to be in good condition and of adequate capacity to convey additional runoff and be replaced or upgraded if required.
- (d) Pipe sizes, type, grade, length, invert levels, dimensions and types of drainage pits and inspection openings and their location shall be provided. Calculations demonstrating that the proposed stormwater drainage system can cater for the relevant design storm event shall be provided.
- (e) An inspection opening or stormwater pit must be installed inside the property, adjacent to the boundary, for all stormwater outlets.
- (f) Any affected Council's infrastructure as the result of construction activities within the public domain area, inclusive of stormwater, stormwater outlet/s, kerb and gutter, pavement, grass verges and vehicle crossovers within the extent works shall be replaced as per Waverley Council Public Domain Technical Manual. All associated costs shall be borne by the applicant.

Notes:

- Since a sewer main runs through the property, plans must also be presented to a Sydney Water Tap in™ for their approval.
- The Applicant is advised to consider the finished levels of the public domain, including new or existing footpaths and pavement prior to setting the floor levels for the proposed development.
- Waverley Council standard drawings for public domain infrastructure assets are available upon request. Details that are relevant may be replicated in the Engineering design submissions however, Council's title block shall not be replicated.
- Prior to commencement of works a security deposit will be made payable to Council to ensure any additional damage or unauthorised works within the Council property, not conditioned above. Council will reserve the right to withhold the cost of restoring the damaged assets from the security deposit should the applicant fail to restore the defects to the satisfaction of Council.
- Council's contact for infrastructure assessment: E-mail: assets@waverley.nsw.gov.au or Phone: 9083 8886 (operational hours between 9.30am to 4pm Monday to Friday). The expected duration to review and approve the stormwater management plan may take at least 15 working days from the date of submission.

ENERGY EFFICIENCY & SUSTAINABILITY

22. BASIX

All requirements of the BASIX Certificate and NatHERS documentation are to be shown on the Construction Certificate plans and documentation.

WASTE

23. SITE WASTE AND RECYCLING MANAGEMENT PLAN

A Site Waste and Recycling Management Plan (SWRMP) - Part 2 is to be submitted to the Principal Certifying Authority prior to the issue of the relevant Construction Certificate, which outlines materials to be reused and/or recycled as a result of demolition and construction works. At least one copy of the SWRMP Part 2 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.

24. WASTE STORAGE AREAS

The development must have a bin storage area with sufficient space to accommodate the following minimum number of bins and excess waste storage requirements:

- **Residential**
 - 3 x 240L MGBs for general waste collected weekly
 - 3 x 240L MGBs for container recycling collected fortnightly
 - 3 x 240L MGBs for paper recycling collected fortnightly
 - 1 x 240L MGB for garden organics collected fortnightly should this type of waste be generated at the development
 - An area of 4m² is required to store bulky household waste and an area of 1m² is required to store problem waste such as textiles and e-waste, which are awaiting collection
 - All waste and recycling storage rooms must be built to meet all appropriate design requirements set in Part B1 of the *Waverley Council Development Control Plan 2012* to the satisfaction of the Principal Certifying Authority.

C. COMPLIANCE PRIOR TO WORK COMMENCING AND DURING CONSTRUCTION

The requirements outlined in this section are to be provided to the satisfaction of the Principal Certifying Authority in all instances, except where a condition explicitly specifies that the approval of Council or a Council Officer is required.

PRIOR TO ANY WORKS

25. 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.

26. DILAPIDATION REPORT

A Dilapidation report is to be prepared for any adjoining or nearby property that may be subject to potential damage as a result of any works being undertaken. The dilapidation report is to be made available to affected property owners.

The report is to be dated, submitted to, and accepted by the Principal Certifying Authority, prior to any work commencing on the site.

Note: 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. Council will not become directly involved in disputes between the builder, owner, developer, its contractors and the owners of neighbouring buildings.

27. USE OF FILL ON SITE

All fill imported on to the site shall be free of building and other demolition waste, and contain virgin excavated natural material (VENM) as defined in Part 3 of Schedule 1 of the Protection of the Environment Operations Act, 1997 and

Sampling and analysis of the fill material should be conducted in accordance with the NSW EPA Sampling Design Guidelines (1995) to ensure that the material is not contaminated.

Any other waste derived material the subject of a resource recovery exemption under cl. 51A of the *Protection of the Environmental Operations (Waste) Regulations 2014* that is permitted to be used as fill material.

Any waste derived material the subject of resource exemption received at the development site must be accompanied by documentation as to the materials compliance with the exemption conditions and must be provided to the Principal Certifying Authority on request.

DEMOLITION & EXCAVATION

28. DEMOLITION – ASBESTOS AND HAZARDOUS MATERIALS

The demolition, removal, storage, handling and disposal of products and materials containing asbestos must be carried out in accordance with the relevant requirements of SafeWork NSW and the NSW Environment Protection Authority (EPA), including:

- Work Health and Safety Act 2011;
- Work Health and Safety Regulation 2017;
- SafeWork NSW Code of Practice for the Safe Removal of Asbestos;
- Australian Standard 2601 (2001) – Demolition of Structures;
- *Protection of the Environment Operations Act 1997*.

At least 5 days prior to the demolition, renovation work or alterations and additions to any building, the person acting on the consent shall submit a Work Plan to the Principal Certifying Authority 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.

29. CONTROL OF DUST ON CONSTRUCTION SITES

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 (e.g. 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.

CONSTRUCTION MATTERS

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) Sundays and public holidays.
- (b) 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.

Noise from construction activities shall comply with the Protection of the Environment Operations (Noise Control) Regulation 2017.

31. STOCKPILES, STORAGE OF MATERIALS AND LOCATION OF BUILDING OPERATIONS

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

32. FIRE SAFETY UPGRADES

Fire safety upgrading works are to be undertaken in accordance with condition 14 of this development consent.

33. CONSTRUCTION INSPECTIONS

The building works are to be inspected during construction by the Principal Certifying Authority (PCA) in accordance with the *Building Legislation Amendment (Quality of Construction) Act 2002*, clause 162A of the *Environmental Planning and Assessment Regulation 2000* and the requirements of any other applicable legislation or instruments.

34. CERTIFICATE OF SURVEY - LEVELS

All construction works are to be 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 the construction of a higher level of the building.

35. 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 location 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.

36. WORK OUTSIDE PROPERTY BOUNDARY

This consent does not authorise any work outside the property boundary.

TREE PROTECTION AND REMOVAL

37. TREE PROTECTION

All trees on site and adjoining properties, including street trees, are to be retained and protected in accordance with AS4970-2009 'Protection of Trees on Construction Sites' and to be certified by an Arborist with AQF level 5 qualification or above, unless approved to be removed in this development consent.

38. STREET TREES TO BE RETAINED/TREE PROTECTION

No existing street trees shall be removed without Council approval. 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 in accordance with AS4970-2009 "Protection of trees on construction sites.
- (h) 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.
- (i) 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.

D. PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE

The requirements outlined in this section are to be provided to the satisfaction of the Principal Certifying Authority in all instances, except where a condition explicitly specifies the approval of Council or a Council Officer is required, prior to the issue of an Occupation Certificate or Subdivision Certificate, whichever applies.

CERTIFICATES, LICENCES, EASEMENTS AND RESTRICTIONS

39. FINAL OCCUPATION CERTIFICATE

Prior to occupation or use of the development, an Occupation Certificate must be obtained.

The Principal Certifying Authority must be satisfied that the requirements of the *Environmental Planning & Assessment Act 1979* have been satisfied including all critical stage inspections. Documentary evidence of all required inspections is to be submitted to Council.

40. FIRE SAFETY WORKS

Fire safety upgrading works are to be undertaken in accordance with condition 14 of this development consent.

The Occupation Certificate shall not be issued until all fire safety works are completed.

41. CERTIFICATION OF BASIX COMMITMENTS

The Principal Certifying Authority shall certify that the all the undertakings in the approved BASIX certificate have been completed.

42. CERTIFICATION OF APPROVED DESIGN

In accordance with 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 statement from an architect who is registered in accordance with the Architects Act 2003 (i.e. qualified designer) that verifies that the building achieves the design quality of the development as shown in the plans and specifications in respect of which the construction certificate was issued, having regard to the design quality principles.

43. RESTRICTION AS TO USER

A restriction as to user must be registered in accordance with section 88E of the *Conveyancing Act 1919* on the title which restricts the use of any accommodation to which this development consent relates.

The terms of the restriction as to user are to be approved by Council in writing prior to registration. The Council shall be the party who has the right to modify or extinguish the restriction. All legal costs associated with the registration of the restriction is to be borne by the owner.

44. CERTIFICATION OF CONSTRUCTED STORMWATER DRAINAGE SYSTEM

Prior to issue of any Occupation Certificate, certification is to be provided from a suitably qualified and practising Engineer, that any new stormwater drainage system has been constructed in accordance with the Development Consent, Water Management Technical Manual, all applicable Codes, Policies, Plans, Standards and good engineering practice. A copy of the aforementioned letter of certification must be submitted to Council.

45. CERTIFICATION OF RETAINED STORMWATER DRAINAGE SYSTEM

Prior to issue of any Occupation Certificate, certification is to be provided from a suitably qualified and practising Engineer or Plumber, that any retained stormwater drainage system is unblocked, in good working order and to be repaired/replaced in accordance with Council's Water Management Technical Manual and Development Control Plan and all applicable Codes, Policies, Plans, Standards and good engineering practice. A copy of the aforementioned letter of certification must be submitted to Council.

46. CREATION OF POSITIVE COVENANT AND RESTRICTION FOR OSD

Prior to the issue of an Occupation Certificate, a "Positive Covenant" and "Restriction on the Use of Land" shall be created for the On-Site Stormwater Detention (OSD) system, under Section 88E of the Conveyancing Act 1919. This is to place a restriction on the Title that the OSD system is maintained and kept free of debris/weed to allow unobstructed passage of stormwater through the site and underneath the residence. The property owner/occupant shall not modify or remove the OSD system without consent from Council.

The wording of the Instrument shall be submitted to and approved by Executive Manager, Infrastructure Services (or delegate) prior to lodgement at NSW Land Registry Services.

Where a Title exists, the Positive Covenant and Restriction on the Use of Land is to be created via an application to the NSW Land Registry Services using forms 13PC and 13RPA. Accompanying this form is the requirement for a plan to scale showing the relative location of the OSD system, including its relationship to the building footprint. Electronic colour photographs of the OSD system shall accompany the application for the Positive Covenant and Restriction on the Use of Land.

The Instrument shall be registered and a registered copy of the document shall be submitted to and approved by the consent authority prior to the issue of an Occupation Certificate or use of the building. All associated costs shall be borne by the applicant.

47. SYDNEY WATER SECTION 73 COMPLIANCE CERTIFICATE

A Section 73 Compliance Certificate must be issued from Sydney Water prior to the issue of an occupation certificate.

MANAGEMENT PLANS

48. PLAN OF MANAGEMENT - WASTE AND RECYCLING STORAGE

A Waste Management Plan must be submitted to Council's Executive Manager, Environmental Sustainability (or delegate) and include including the following at minimum.

- (a) Location of all waste and recycling storage areas.

- (b) Responsibilities for cleaning bins, transporting bins to the nominated collection point, 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.
- (c) Directions for cleaning and maintaining the waste storage areas and bins
- (d) Signage placement to identify different bin types, where to place bulky household waste and problem waste
- (e) Bin placement to ensure recycling bins are placed alongside the general waste bins for ease of access and to encourage recycling habits.
- (f) All waste and recycling bins cannot be presented for collection earlier than one day before the nominated collection day and must be brought back onto the property no later than one day following collection.
- (g) The occupant/body corporate must have one copy of the Waste Management Plan and make this available upon request.

Details of ongoing waste management strategy are to be documented within the Waste Management Plan and up

OTHER MATTERS

49. ALLOCATION OF STREET NUMBER

The proposal has led to the following allocation of primary and sub-address numbers:

- No. 51 - primary address site number
- Mitchell Road- primary address location.

The primary address site number for the property shall be a minimum of 75mm high and shall be positioned 600mm-1500mm above ground level, located near the pedestrian entry points and be clearly visible on the site boundary that fronts Mitchell Road.

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.
- Nos. 5-7 for the sub-addresses within the building correlating with Nos. 5-7 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. The address number for a sub-address site shall not consist of the primary address number with an alpha suffix.

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 site numbers are to be positioned on the site prior to the issue of the Occupation Certificate.

Any variation to the above premises numbering requires a new application for a Change of street number and/or location to be lodged with Council.

E. ADVISORY MATTERS

The following advisory matters are provided as additional information to ensure compliance with the relevant legislation and requirements. You must also check other Commonwealth and NSW Acts and Regulations which may apply to the works or use approved in this application.

AD1. POST CONSENT CONDITIONS REQUIRING COUNCIL INPUT

Various conditions require further input, review or approval by Council in order to be satisfied following the determination of the application (that is, post consent). In those instances, please adhere to the following process to avoid delays:

- Please read your conditions carefully.
- Information to be submitted to Council should be either via email to info@waverley.nsw.gov.au or via the NSW Planning Portal (if required).
- Attention the documentation to the relevant officer/position of Council (where known/specified in condition).
- Include DA reference number.
- Include condition number/s seeking to be addressed.
- Where multiple conditions need Council input, please try to group the documentation / email/s into relevant subjects (multiple emails for various officers may be necessary, for example).
- Information to be submitted in digital format – refer to ‘Electronic lodgement guidelines’ on Council’s website. Failure to adhere to Council’s naming convention may result in documentation being rejected.
- Where files are too large for email, the digital files should be sent to Council via CD/USB. Council does not support third party online platforms (data in the cloud) for receipt of information.
- Please note, in some circumstances, additional fees and/or additional documents (hard copy) may be required.
- Council’s standard for review (from date the relevant officer receives documentation) is 14 days. Times may vary or be delayed if information is not received in this required manner.

AD2. DIAL BEFORE YOU DIG

Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial Before You Dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures (this is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial Before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual’s responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial Before You Dig service in advance of any construction or planning activities.

AD3. TELECOMMUNICATIONS ACT 1997 (COMMONWEALTH)

Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra’s network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for prosecution. Furthermore, damage to Telstra’s infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or

impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on 1800 810 443.

AD4.ALTERATIONS AND ADDITIONS ONLY

This consent is for alterations and additions to the existing building only and should during the course of construction a significant amount of the remaining fabric of the building be required to be removed, works must cease immediately and a new development application will be required to be submitted for assessment.

AD5.BONDI - ROSE BAY SAND BODY

This site may be located within the Bondi - Rose Bay Sand Body as identified in Council's Aboriginal Cultural Heritage Study 2009. Should an object of potential Aboriginal or archaeological significance be discovered during the demolition, excavation or construction period associated with this development, works are to immediately cease and the NSW National Parks and Wildlife Service must be contacted.

Waverley Council must be notified of any referral to the NSW National Parks and Wildlife Service and be provided with a copy of any subsequent response.

AD6.TREE REMOVAL/PRESERVATION

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.

RECEIVED
Waverley Council

Application No: DA-540/2021

Date Received: 25/03/2022

51 MITCHELL STREET, BONDI BEACH: SP13850 DEVELOPMENT APPLICATION			
DRAWING NUMBER	REVISION	DRAWING NAME	SCALE
DA000	01	COVER SHEET	nts
DA100 SITE PLANS & CONCEPT			
DA100	01	AERIAL CONTEXT PLAN	nts
DA101	01	SITE AND ANALYSIS PLAN	1:200
DA102	01	DESIGN CONCEPT	nts
DA200 FLOOR PLANS			
DA200	01	GROUND FLOOR PLAN	1:100
DA201	01	FIRST FLOOR PLAN	1:100
DA202	01	SECOND FLOOR PLAN	1:100
DA203	01	ROOF PLAN	1:100
DA300 ELEVATIONS			
DA300	01	EAST ELEVATION	1:100
DA302	01	WEST ELEVATION	1:100
DA303	01	SOUTH ELEVATION	1:100
DA304	01	NORTH ELEVATION	1:100
DA305	01	STREETSCAPE ELEVATION	1:200
DA400 SECTIONS			
DA400	01	SECTION A	1:100
DA401	01	SECTION B	1:100
DA500 DIAGRAMS			
DA500	01	AREA DIAGRAMS	1:200
DA501	01	LANDSCAPE CONTROLS SUMMARY	1:200
DA502	01	AFFORDABLE HOUSING SEPP	1:200
DA503	01	WASTE MANAGEMENT PLAN	1:100
DA504	01	CROSS VENTILATION	1:200
DA505	01	STORAGE COMPLIANCE	1:200
DA506	01	SOLAR ACCESS	nts
DA600 EXTERIOR			
DA600	01	EXTERNAL FINISHES	nts
DA601	01	PHOTOMONTAGE	nts





0006780770

11 Nov 2021

Assessor Paul Brennan

Accreditation No. 20069

Address

51 Mitchell Street , Bondi Beach , NSW , 2026

www.nathers.gov.au



hstar.com.au



01 25.03.22 Amended Plans

00 11.11.21 DA Issue

Issue Date

Description

General Notes

FOR DEVELOPMENT APPLICATION PURPOSES ONLY
1. ALL WORKS TO BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA, NATIONAL CONSTRUCTION CODE (NCC), AUSTRALIAN STANDARDS STATUTORY REGULATIONS AND LOCAL AUTHORITY REG.
2. CONTRACTOR TO ENSURE CONSISTENCY BETWEEN MATERIALS IS MAINTAINED.
3. CONTRACTOR TO NOTIFY DESIGNER OF ANY DISCREPANCIES, DIMENSIONAL INCONSISTENCIES OR THE NEED FOR CLARIFICATION PRIOR TO MANUFACTURING.
4. DESIGNER TO REVIEW ALL CONTRACTORS DETAILED DRAWINGS / SETTING OUT PRIOR TO CONSTRUCTION.
5. CONTRACTOR TO Liaise WITH ELECTRICAL CONTRACTORS TO ENSURE ALL POWER/ DATA/ COMMUNICATION REQUIREMENTS ARE ACCESSIBLE.
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.

Basix

WATER:
Landscape Vegetation:

- Common Veg.: 40m2 lawn + 40m2 gardens with 40m2 low-water Use species
- Private Vegetation

Rainwater Tank:

- Not required

Pool/Spa:

- N/A

Toilets/Showheads/Taps:

- Minimum R4.0 insulation

- Showerheads 4 Star
- Toilets 3 Star
- Kitchen Taps 3 Star
- Bathroom Taps 3 Star

THERMAL COMFORT:
Roof:

- Metal Deck + R1.0 Insulation blanket to underside of roofs
- 'Medium' Colour

Ceilings:

- Minimum R4.0 insulation

to all ceilings with roof space above.

- Rated with sealed exhaust ventilation. Not rated with down-lights

External Walls:

- Cavity brick to lowest (existing) level external walls
- Metal cladding + R2.0 insulation to upper level external walls.

- Dark' colour.

Internal Walls:

- Plasterboard on stud or brick internal walls throughout (as per plans)

Glazing:

- Units 2 (South facing Lichen Living Glazing Only) and Unit 4 (all): AFRC: Uw = 3.1, SHGC = 0.27.

- All remaining Units: AFRC: Uw = 5.6, SHGC = 0.41.

Floors:

- Concrete floors to Ground & 1st floor.
- Timber-framed floor to upper level + R1.5 insulation
- Timber, carpet & tile coverings to floors (as per plans).

ENERGY:
Cooling:

- Ceiling fans + air-conditioners, single-phase, 5.0 'star' to Living & Bed areas.

Heating:

- Air-conditioners, single-phase, 5.0 'star' to Living & Bed areas.

Cooking:

- Gas cook-tops, electric ovens.

Water Heating:

- Gas instantaneous,

Ventilation:

- Laundries: exhausts ducted & sealed; switch interlocked to light.
- Common areas: no mechanical ventilation.

Refrigerator Space:

- Well Ventilated

Clothes Drying Line:

- Common Outdoor Line

Legend

- To Be Demolished
- Existing Dwelling
- Proposed Addition

Consultants

Planner

LK Planning

Stormwater

ITM

Landscape

Melissa Wilson

BCAA/Access

Jr Consulting

Imagery

Narrative

Project

51 MITCHELL

Site

51 MITCHELL STREET, BONDI BEACH

Scale

1:100 at A3

Project No

2020

Architect

MHNDUNION

35 RICHARDS LANE, SURRY HILLS
SYDNEY NSW 2010
T +61 2 9101 1111 | F +61 2 9101 1100
www.mhndu.com
MH-N Design Union Pty Ltd. ABN 94 003 717 682
Nominated Architect:
Brian Meyerson, NSW Arch Reg. No: 4907

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Drawing

COVER PAGE

Date

25 MARCH 2022

Drawing No

DA

Revision

000 [01]

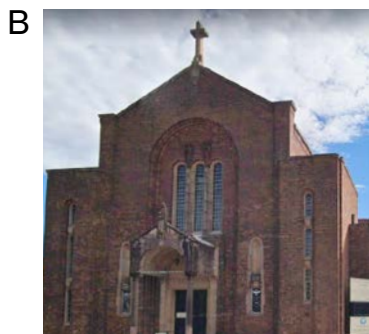
Page 413 of 447

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Waverley Council
Application No: DA-540/2021
Date Received: 25/03/2022

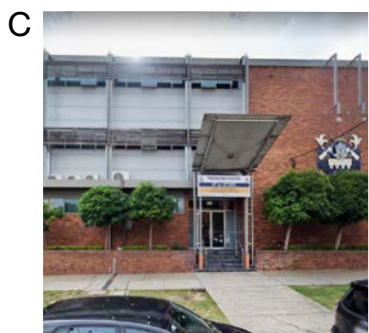
Galilee Catholic Primary School
60B Blair Street, North Bondi



St Anne's Catholic Church
47 Mitchell Street, North Bondi
Heritage listed
Built 1934-1964



Reddam House
56 Mitchell Street, North Bondi

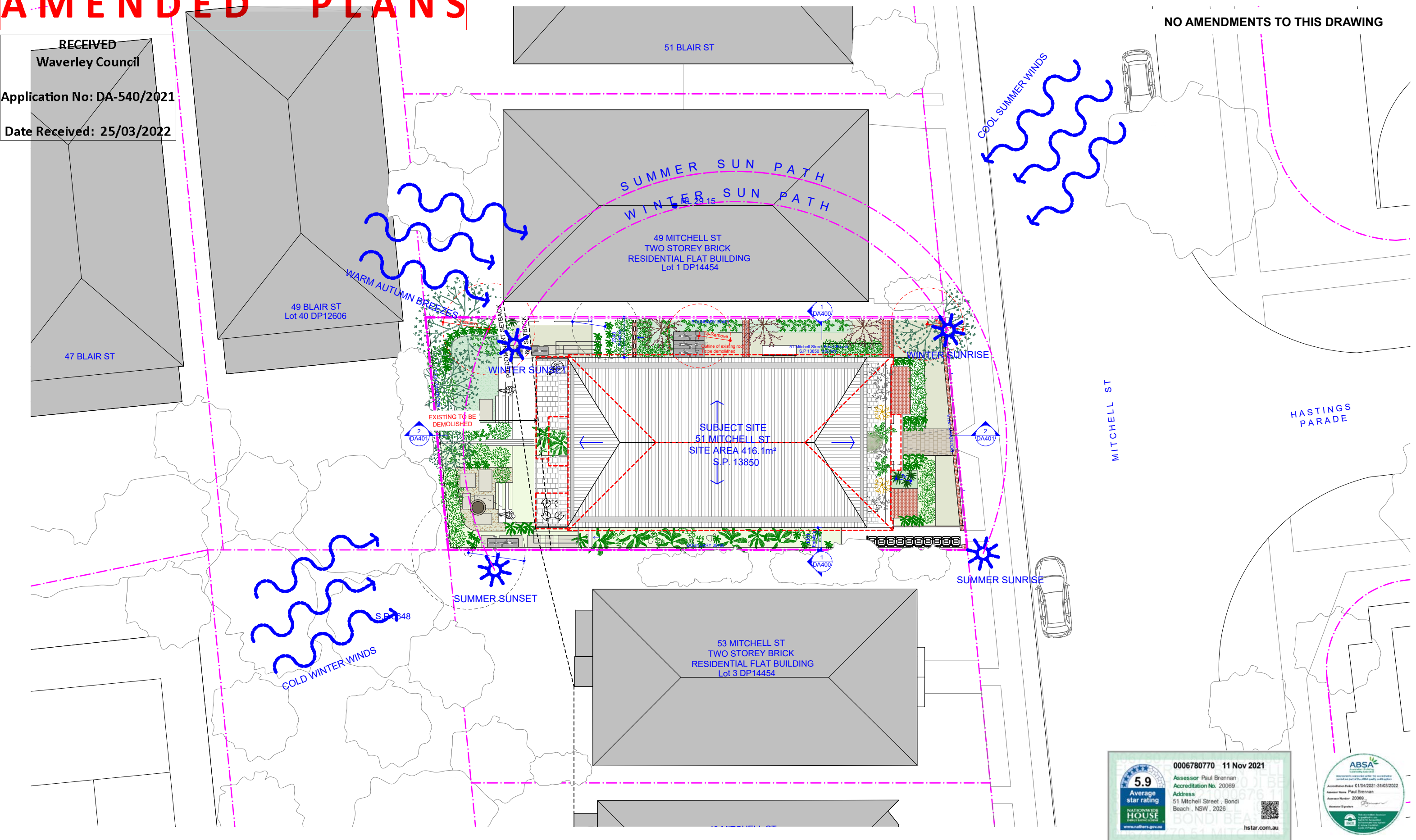


AMENDED PLANS

RECEIVED
Waverley Council

Application No: DA-540/2021

Date Received: 25/03/2022



NO AMENDMENTS TO THIS DRAWING

5.9
Average
star rating

www.nathers.gov.au

0006780770 11 Nov 2021

Assessor Paul Brennan
Accreditation No. 20069

Address
51 Mitchell Street, Bondi
Beach, NSW, 2026

Assessor Number 20069

Assessor Signature

hstar.com.au

ABSA
Accreditation No. 20069

Assessor Paul Brennan

Assessor Number 20069

Assessor Signature

Accreditation Period: 01/04/2021-31/03/2022

Assessor Name: Paul Brennan

Assessor Number: 20069

Assessor Signature

01 25.03.22 Amended Plans

00 11.11.21 DA Issue

General Notes

FOR DEVELOPMENT APPLICATION PURPOSES ONLY

1. ALL WORKS TO BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA, NATIONAL CONSTRUCTION CODE (NCC), AUSTRALIAN STANDARDS STATUTORY REGULATIONS AND LOCAL AUTHORITY REG.

2. CONTRACTOR TO ENSURE CONSISTENCY BETWEEN MATERIALS IS MAINTAINED

3. CONTRACTOR TO NOTIFY DESIGNER OF ANY DISCREPANCIES, DIMENSIONAL INCONSISTENCIES OR THE NEED FOR CLARIFICATION PRIOR TO MANUFACTURING

4. DESIGNER TO REVIEW ALL CONTRACTORS DETAILED DRAWINGS / SETTING OUT PRIOR TO CONSTRUCTION

5. CONTRACTOR TO LAUSE WITH ELECTRICAL CONTRACTORS TO ENSURE ALL POWER/CABLE/COMMUNICATION REQUIREMENTS ARE ACCESSIBLE

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

Basix

WATER:

- Common Veg: 40m2 lawn + 40m2 gardens with 40m2 low-water use species
- Private Vegetation
- Rainwater Tank:**
- Not required
- Pool/Spa:**
- N/A
- Toilets/Showheads/Taps:**
- Minimum R4.0 insulation

LANDSCAPE VEGETATION:

- Showerheads 4 Star
- Toilets 3 Star
- Kitchen Taps 3 Star
- Bathroom Taps 3 Star
- THERMAL COMFORT:**
- Roof:
- Metal Deck + R1.0 Insulation blanket to underside of roofs
- Medium Colour
- Ceilings:**
- Minimum R4.0 insulation

to all ceilings with roof space above.

- Rated with sealed exhaust ventilation. Not rated with down-lights
- External Walls:**
- Cavity brick to lowest (existing) level external walls
- Metal cladding + R2.0 insulation to upper level external walls.

Dark colour:

- Plasterboard on stud or brick internal walls throughout (as per plans)
- Cavity brick 'party walls'.
- Glazing:**
- Units 2 (South facing Lichen Living Glazing Only) and Unit 4 (all): AFRC: Uw = 3.1, SHGC = 0.27.

All remaining Units:

AFRC: Uw = 5.6, SHGC = 0.41.

Floors:

- Concrete floors to Ground & 1st floor.
- Timber-framed floor to upper level + R1.5 insulation
- Timber, carpet & tile coverings to floors (as per plans).

ENERGY:

- Cooling:**
- Ceiling fans + air-conditioners, single-phase, 5.0 'star' to Living & Bed areas.
- Heating:**
- Air-conditioners, single-phase, 5.0 'star' to Living & Bed areas.
- Water Heating:**
- Gas instantaneous,

5.0 'star'.

- All dwellings: compact fluorescent or LED, with dedicated fittings.
- Common areas: compact fluorescent with 'zoned' switching.
- Cooking:**
- Gas cook-tops, electric ovens.
- Ventilation:**
- Laundries: exhausts ducted & sealed; switch interlocked to light.
- Common areas: no mechanical ventilation.
- Refrigerator Space:**
- Well Ventilated
- Clothes Drying Line:**
- Common Outdoor Line

Legend

- To Be Demolished
- Existing Dwelling
- Proposed Addition

Consultants

Planner
LK Planning
Stormwater
ITM
Landscape
Melissa Wilson
BCAAccess
JF Consulting
Imagery
Narrative

Project

51 MITCHELL

Site

51 MITCHELL STREET, BONDI BEACH

Scale

1:200 at A3

2020

0 2 4 6m

Architect

MHNDUNION

35 RICHARDS LANE, SURRY HILLS
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www.mhndu.com
MHN Design Union Pty Ltd. ABN 94 003 717 682
Nominated Architect:
Brian Meyerson, NSW Arch Reg. No. 4907

All Drawings copyright MHN Design Union

Drawing

SITE ANALYSIS PLAN

Date

25 MARCH 2022

Drawing No

DA 101

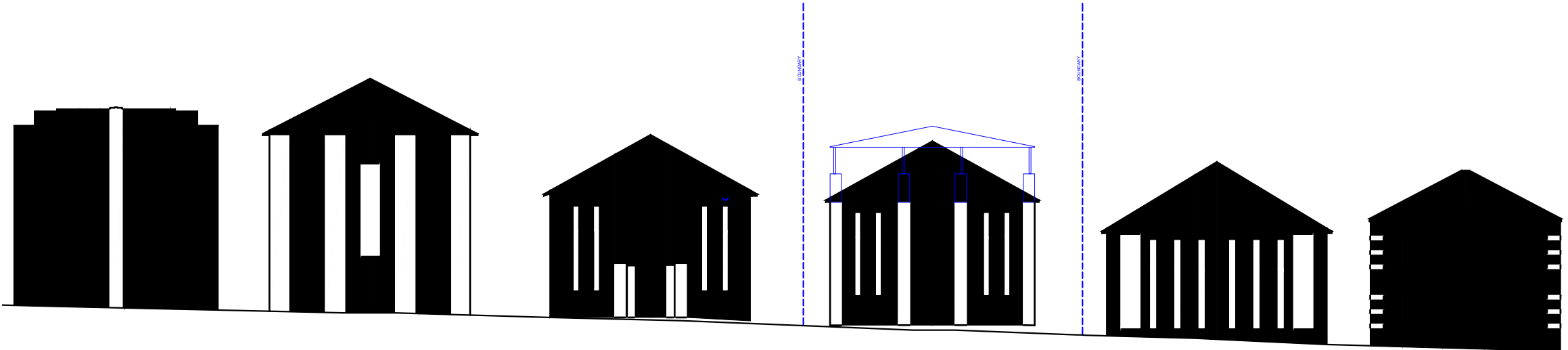
Revision

[01]

AMENDED PLANS

NO AMENDMENTS TO THIS DRAWING

RECEIVED
Waverley Council
Application No: DA-540/2021
Date Received: 25/03/2022



3
Final streetscape composition

2
Enhance existing character of building
Extend the vertical articulation
Reinterpret the pitch

1
Understand existing built form
Series of brick buildings, predominant vertical elements

01 25.03.22 Amended Plans

00 11.11.21 DA Issue

Issue Date

Description

FOR DEVELOPMENT APPLICATION PURPOSES ONLY

1. ALL WORKS TO BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA, NATIONAL CONSTRUCTION CODE (NCC), AUSTRALIAN STANDARDS STATUTORY REGULATIONS AND LOCAL AUTHORITY REG.

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Basix

WATER:

Landscape Vegetation:

- Common Veg.: 40m2 lawn + 40m2 gardens with 40m2 low-water Use species
- Private Vegetation

Rainwater Tank:

- Not required

Pool/Spa:

- N/A

Toilets/Showheads/Taps:

- Minimum R4.0 insulation

• Showerheads 4 Star

• Toilets 3 Star

• Kitchen Taps 3 Star

• Bathroom Taps 3 Star

THERMAL COMFORT:

Roof:

- Cavity brick to lowest (existing) level external walls.
- Metal cladding + R2.0 insulation to upper level external walls.

Ceilings:

- Minimum R4.0 insulation

to all ceilings with roof space above.

- Rated with sealed exhaust ventilation. Not rated with down-lights.

External Walls:

- Cavity brick to lowest (existing) level external walls.
- Metal cladding + R2.0 insulation to upper level external walls.

• Dark' colour.

Internal Walls:

- Plasterboard on stud or brick internal walls throughout (as per plans).
- Cavity brick 'party walls'.

Glazing:

- Units 2 (South facing Lichen Living Glazing Only) and Unit 4 (all): AFRC: Uw = 3.1, SHGC = 0.27.

• All remaining Units: AFRC: Uw = 5.6, SHGC = 0.41.

Floors:

- Concrete floors to Ground & 1st floor.
- Timber-framed floor to upper level + R1.5 insulation.
- Timber, carpet & tile coverings to floors (as per plans).

ENERGY:

Cooling:

- Ceiling fans + air-conditioners, single-phase, 5.0 'star' to Living & Bed areas.

Heating:

- Air-conditioners, single-phase, 5.0 'star' to Living & Bed areas.

Water Heating:

- Gas instantaneous,

5.0 'star'.

Energy Efficient Lighting:

- All dwellings: compact fluorescent or LED, with dedicated fittings.
- Common areas: compact fluorescent with 'zoned' switching.

Cooking:

- Gas cook-tops, electric ovens.

Ventilation:

- Laundries: exhausts ducted & sealed; switch interlocked to light.
- Common areas: no mechanical ventilation.

Refrigerator Space:

- Well Ventilated

Clothes Drying Line:

- Common Outdoor Line

Legend

To Be Demolished

Existing Dwelling

Proposed Addition

Consultants

Planner
LK Planning
Stormwater
ITM
Landscape
Melissa Wilson
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Imagery
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Project

51 MITCHELL
Site

51 MITCHELL STREET, BONDI BEACH
Scale

nts at A3
2020

Architect

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Nominated Architect:
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Drawing

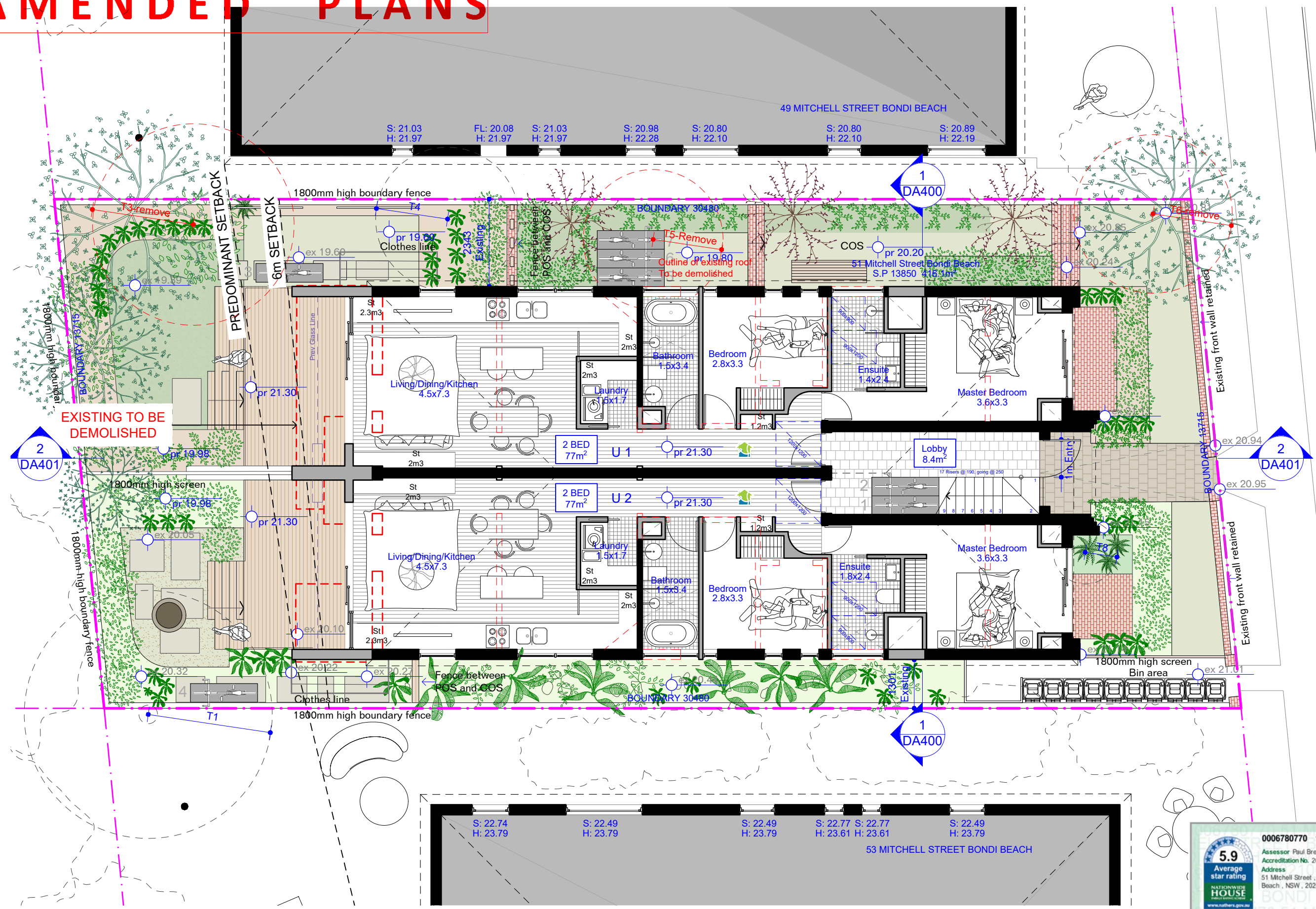
DESIGN CONCEPT

Date
25 MARCH 2022

Drawing No
DA 102

Revision
[01]

Page 416 of 447

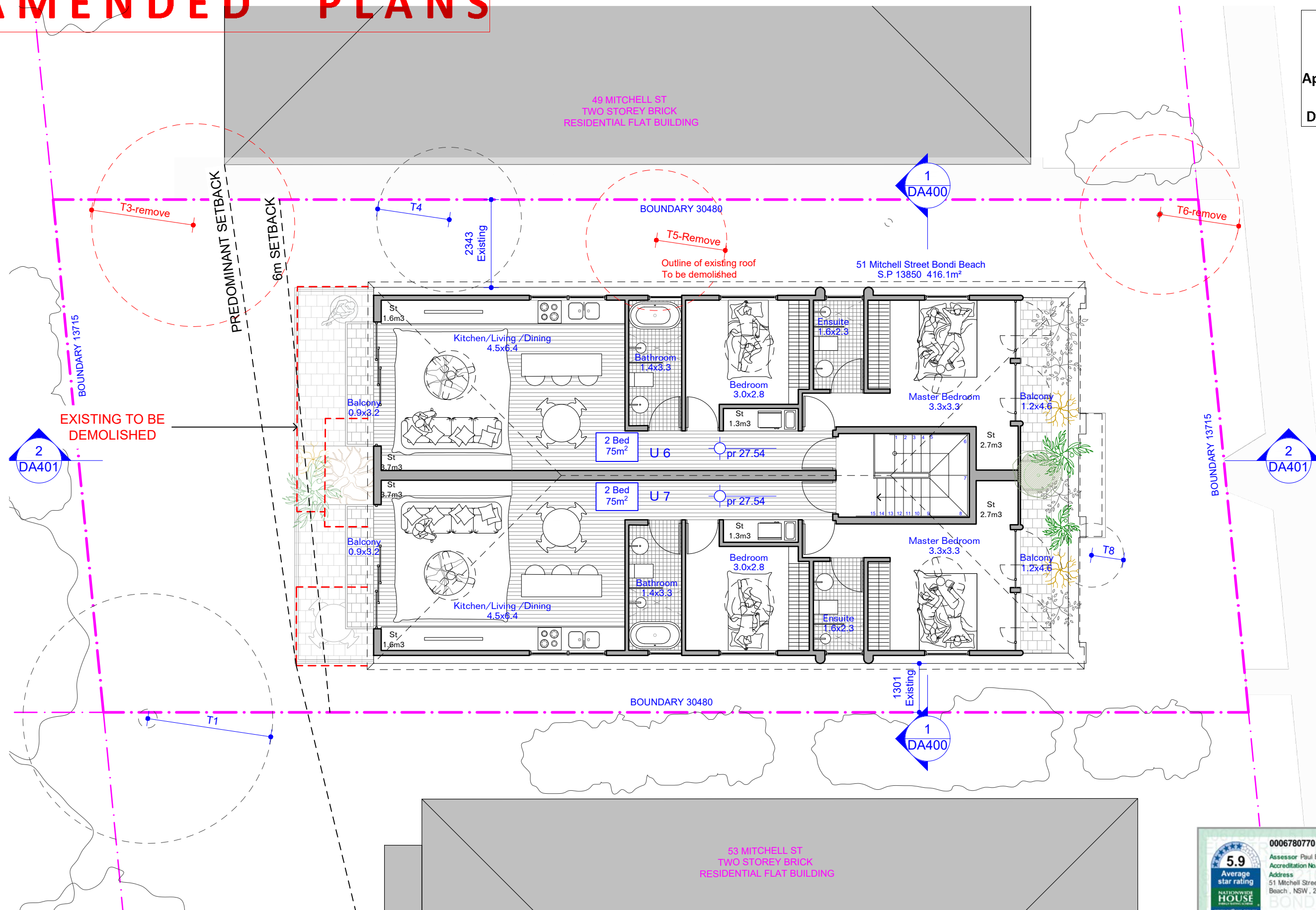


0006780770 11 Nov 2021
Assessor Paul Brennan
Accreditation No. 20069
Address
51 Mitchell Street, Bondi Beach, NSW, 2026
www.nathers.gov.au
hstar.com.au



<p>General Notes</p> <p>FOR DEVELOPMENT APPLICATION PURPOSES ONLY</p> <p>1. ALL WORKS TO BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA, NATIONAL CONSTRUCTION CODE (NCC), AUSTRALIAN STANDARDS STATUTORY REGULATIONS AND LOCAL AUTHORITY REG.</p> <p>2. CONTRACTOR TO ENSURE CONSISTENCY BETWEEN MATERIALS IS MAINTAINED</p> <p>3. CONTRACTOR TO NOTIFY DESIGNER OF ANY DISCREPANCIES, DIMENSIONAL INCONSISTENCIES OR THE NEED FOR CLARIFICATION PRIOR TO MANUFACTURING</p> <p>4. DESIGNER TO REVIEW ALL CONTRACTORS DETAILED DRAWINGS / SETTING OUT PRIOR TO CONSTRUCTION</p> <p>5. CONTRACTOR TO LAISE 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>		<p>Basix</p> <p>WATER: Landscaping Vegetation: • Common Veg.: 40m2 lawn + 40m2 gardens with 40m2 low-water use species • Private Vegetation Rainwater Tank: • Not required Pool/Spa: • N/A Toilets/Showers/Taps: • Showerheads 4 Star • Toilets 3 Star • Kitchen Taps 3 Star • Bathroom Taps 3 Star THERMAL COMFORT: Roof: • Metal Deck + R1.0 • Insulation blanket to underside of roofs • Medium Colour Ceilings: • Minimum R4.0 insulation</p>		<p>to all ceilings with roof space above.</p> <p>• Rated with sealed exhaust ventilation. Not rated with down-lights</p> <p>External Walls: • Cavity brick to lowest (existing) level external walls. • Metal cladding + R2.0 insulation to upper level external walls.</p> <p>• Dark colour.</p> <p>Internal Walls: • Plasterboard on stud or brick internal walls throughout (as per plans) • Cavity brick 'party walls'.</p> <p>Glazing: • Units 2 (South facing Litchen Living Glazing Only) and Unit 4 (all): AFRC: Uw = 3.1, SHGC = 0.27.</p> <p>• All remaining Units: AFRC: Uw = 5.6, SHGC = 0.41.</p> <p>Floors: • Concrete floors to Ground & 1st floor. • Timber-framed floor to upper level + R1.5 insulation. • Timber, carpet & tile coverings to floors (as per plans).</p>		<p>ENERGY: Cooling: • Ceiling fans + air-conditioners, single-phase, 5.0 'star' to Living & Bed areas. Heating: • Air-conditioners, single-phase, 5.0 'star' to Living & Bed areas. Water Heating: • Gas instantaneous, 5.0 'star'.</p> <p>Energy Efficient Lighting: • All dwellings: compact fluorescent or LED, with dedicated fittings. • Common areas: compact fluorescent with 'zoned' switching. Cooking: • Gas cook-tops, electric ovens. Ventilation: • Laundries: exhausts ducted & sealed; switch interlocked to light. • Common areas: no mechanical ventilation. Refrigerator Space: • Well Ventilated Clothes Drying Line: • Common Outdoor Line</p>		<p>Legend</p> <p>• To Be Demolished</p> <p>Existing Dwelling</p> <p>Proposed Addition</p>		<p>Consultants</p> <p>Planner LK Planning Stormwater ITM Landscape Melissa Wilson BCA/Access J Consulting Imagery Narrative</p>		<p>Project</p> <p>51 MITCHELL STREET, BOND BEACH</p> <p>Scale</p> <p>1:100 at A3</p> <p>2020</p> <p>0 1 2 3m</p>		<p>Architect</p> <p>MHNDUNION</p> <p>35 RICHARDS LANE, SURRY HILLS SYDNEY NSW 2010 T +61 2 9101 1111 F +61 2 9101 1100 www.mhndu.com MHNDUNION Pty Ltd. ABN 94 003 717 682 Nominated Architect: Brian Meyerson, NSW Arch Reg. No. 4907 All Drawings copyright MHNDUNION</p>		<p>Drawing</p> <p>GROUND FLOOR PLAN</p> <p>Date</p> <p>25 MARCH 2022</p> <p>Drawing No</p> <p>DA 200</p> <p>Revision</p> <p>[01]</p>	
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RECEIVED
Waverley Council
Application No: DA-540/2021
Date Received: 25/03/2022



0006780770 11 Nov 2021
Assessor Paul Brennan
Accreditation No. 20069
Address
51 Mitchell Street, Bondi Beach, NSW, 2026
www.nathers.gov.au hstar.com.au



01 25.03.22 Amended Plans
00 11.11.21 DA Issue

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Basix

WATER:
• Common Veg.: 40m² lawn + 40m² gardens with 40m² low-water use species
• Private Vegetation
Rainwater Tank:
• Not required
Pool/Spa:
• N/A
Toilets/Showheads/Taps:
• Showerheads 4 Star
• Toilets 3 Star
• Kitchen Taps 3 Star
• Bathroom Taps 3 Star
THERMAL COMFORT:
Roof:
• Metal Deck + R1.0 Insulation blanket to underside of roofs
• 'Medium' Colour
Ceilings:
• Minimum R4.0 insulation

to all ceilings with roof space above.
• Rated with sealed exhaust ventilation. Not rated with down-lights
External Walls:
• Cavity brick to lowest (existing) level external walls.
• Metal cladding + R2.0 insulation to upper level external walls.

• 'Dark' colour.
Internal Walls:
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Cooling:
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Heating:
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Water Heating:
• Gas instantaneous, 5.0 'star'.

Energy Efficient Lighting:
• All dwellings: compact fluorescent or LED, with dedicated fittings.
• Common areas: compact fluorescent with 'zoned' switching.
Cooking:
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Ventilation:
• Laundries: exhausts ducted & sealed; switch interlocked to light.
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Refrigerator Space:
• Well Ventilated
Clothes Drying Line:
• Common Outdoor Line

Legend

• To Be Demolished
• Existing Dwelling
• Proposed Addition

Consultants

Planner
LK Planning
Stormwater
ITM
Landscape
Melissa Wilson
BCA/Access
JF Consulting
Imagery
Narrative

Project
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Site
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Architect
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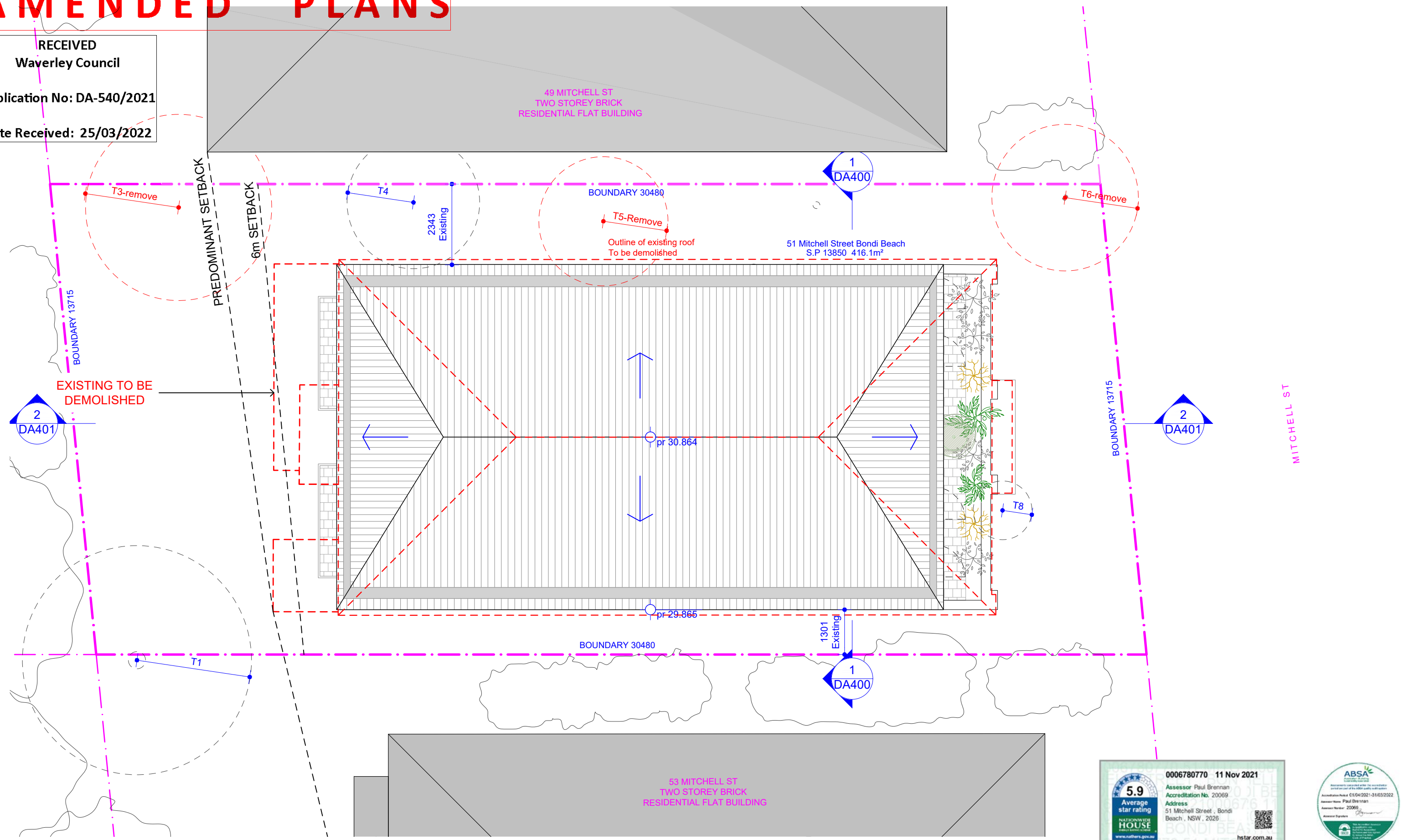
Drawing
SECOND FLOOR PLAN
Date
25 MARCH 2022
Drawing No
DA 202
Revision
[01]

AMENDED PLANS

RECEIVED
Waverley Council

Application No: DA-540/2021

Date Received: 25/03/2022



0006780770 11 Nov 2021

Assessor Paul Brennan
Accreditation No. 20069

Address
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www.natshs.gov.au hstar.com.au



01 26.03.22 Amended Plans		00 11.11.21 Description		00 Issue Date	
General Notes				Basix	
FOR DEVELOPMENT APPLICATION PURPOSES ONLY 1. ALL WORKS TO BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA, NATIONAL CONSTRUCTION CODE (NCC), AUSTRALIAN STANDARDS STATUTORY REGULATIONS AND LOCAL AUTHORITY REG. 2. CONTRACTOR TO ENSURE CONSISTENCY BETWEEN MATERIALS IS MAINTAINED 3. CONTRACTOR TO NOTIFY DESIGNER OF ANY DISCREPANCIES, DIMENSIONAL INCONSISTENCIES OR THE NEED FOR CLARIFICATION PRIOR TO MANUFACTURING 4. DESIGNER TO REVIEW ALL CONTRACTORS DETAILED DRAWINGS / SETTING OUT PRIOR TO CONSTRUCTION 5. CONTRACTOR TO LAISE WITH ELECTRICAL CONTRACTORS TO ENSURE ALL POWER/DATA/COMMUNICATION REQUIREMENTS ARE ACCESSIBLE 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				WATER: Landscape Vegetation: • Common Veg: 40m2 lawn + 40m2 gardens with 40m2 low-water use species • Private Vegetation Rainwater Tank: • Not required Pool/Spa: • N/A Toilets/Showheads/Taps: • Showerheads 4 Star • Toilets 3 Star • Kitchen Taps 3 Star • Bathroom Taps 3 Star THERMAL COMFORT: Roof: • Metal Clad + R1.0 Insulation blanket to underside of roof • Medium Colour Ceilings: • Minimum R4.0 insulation	
to all ceilings with roof space above. • Rated with sealed exhaust fans + 40m2 gardens with down-lights. External Walls: • Metal cladding to lowest (existing) level external walls. • Metal cladding + R2.0 • N/A • Minimum R4.0 insulation				• Dark* colour. Internal Walls: • Plasterboard on stud ventilation. Not rated with down-lights. • Cavity brick* party walls. • Plastered framed floor to upper level + R1.5 insulation. • Units 2 (South facing Lichen Living Glazing Only) and Unit 4 (Shed) • AFRC: Uw = 3.1, SHGC = 0.27.	
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AMENDED PLANS

NO AMENDMENTS TO THIS DRAWING

RECEIVED
Waverley Council

Application No: DA-540/2021

Date Received: 25/03/2022



EXISTING BRICK FACE	MATTE BLACK METAL CLADDING	COPPER ROOF	LIGHT TIMBER DECKING	FINE MATTE BLACK ALUMINIUM BALUSTRADES	COPPER CLADDING
---------------------	-------------------------------	-------------	----------------------	---	-----------------



General Notes

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5. CONTRACTOR TO LIAISE WITH ELECTRICAL CONTRACTORS TO ENSURE ELECTRICAL POWER REQUIREMENTS ARE ASSURED
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8. CONTRACTOR TO NOTIFY DESIGNER OF ANY DISCREPANCIES PRIOR TO PROCEEDING WITH NEXT TRADE

Basix

WATER:

Landscape Vegetation:

- Common Veg.: 40m2 lawn + 40m2 gardens with 40m2 low-water use species
- Private Vegetation

Rainwater Tank:

- Not required

Pool/Spa:

- N/A

Toilets/Showheads/Taps:

- Showerheads 4 Star
- Toilets 3 Star
- Kitchen Taps 3 Star
- Bathroom Taps 3 Star

THERMAL COMFORT:

Roof:

- Metal Deck + R1.0 Insulation blanket to underside of roofs

Ceilings:

- Medium Colour
- Minimum R4.0 insulation

- Rated with sealed exhaust ventilation. Not rated with down-lights.

External Walls:

- Cavity brick to lowest ('existing') level external walls.
- Metal cladding + R2.0 insulation to upper level external walls.

- Dark' colour.

Internal Walls:

- Plasterboard on stud or brick internal walls throughout (as per plans)
- Cavity brick 'party walls'

Glazing:

- Units 2 (South facing Litchen Living Glazing Only) and Unit 4 (all):
AFRC: $U_w = 3.1$, $SHGC = 0.27$.

- All remaining Units:
AFRC: $U_w = 5.6$, SHGC = 0.41.
- Floors:**
 - Concrete floors to Ground & 1st floor.
 - Timber-framed floor to upper level + R1.5 insulation.
 - Timber, carpet & tile coverings to floors (as per plans).

ENERGY:
Cooling:
• Ceiling fans + air-conditioners, single-phase, 5.0 'star'; to Living & Bed areas.
Heating:
• Air-conditioners, single-phase, 5.0 'star'; to Living & Bed areas.
Water Heating:
• Gas instantaneous,

Energy Efficient Lighting

- All dwellings: compact fluorescent or LED, with dedicated fittings.
- Common areas: compact fluorescent with 'zoned' switching.

Cooking:

- Gas cook-tops, electric ovens.

Ventilation:

- Laundries: exhausts ducted & sealed; switch interlocked to light.
- Common areas: no mechanical ventilation.




Refrigerator Space:

- Well Ventilated

Clothes Drying Line:

- Common Outdoor Line

Legend

 To Be Demolished
 Existing Dwelling
 Proposed Addition

Consultants

Planner
LK Planning
Stormwater
ITM
Landscape
Melissa Wilson
BCA/Access
J² Consulting
Imagery
Narrative

Project

51 MITCHELL
Site

51 MITCHELL STREET, BONDI BEACH
Project No

Scale 1:100 at A3
2020



0 1 2 3m

Architect

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SYDNEY NSW 2010
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www.mhndu.com

MHN Design Union Pty Ltd. ABN 94 003 717 682
Nominated Architect:
Brian Meyerson, NSW Arch Reg. No: 4907

All Drawings copyright MHN Design Union

Drawing

EAST ELEVATION

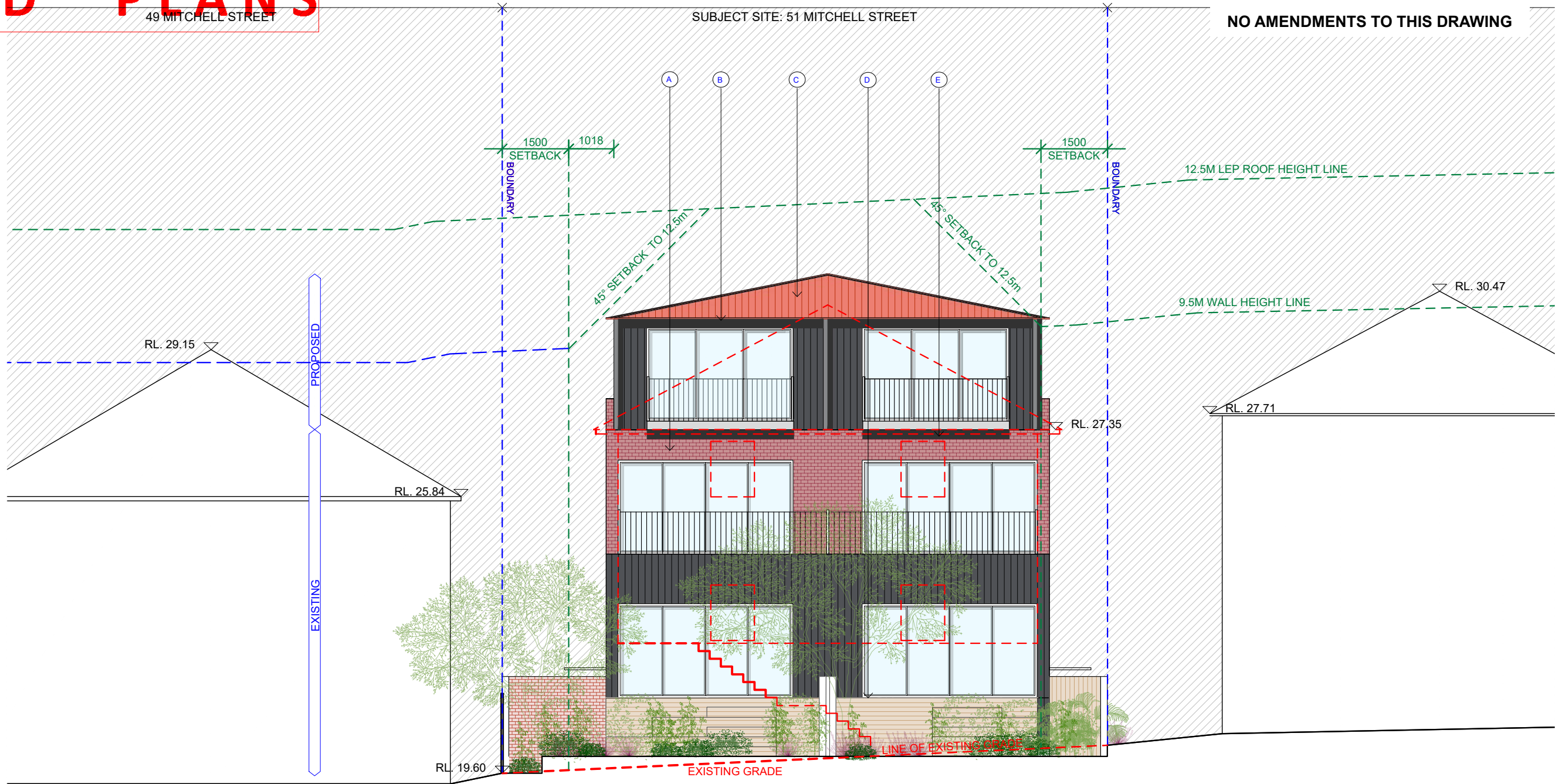
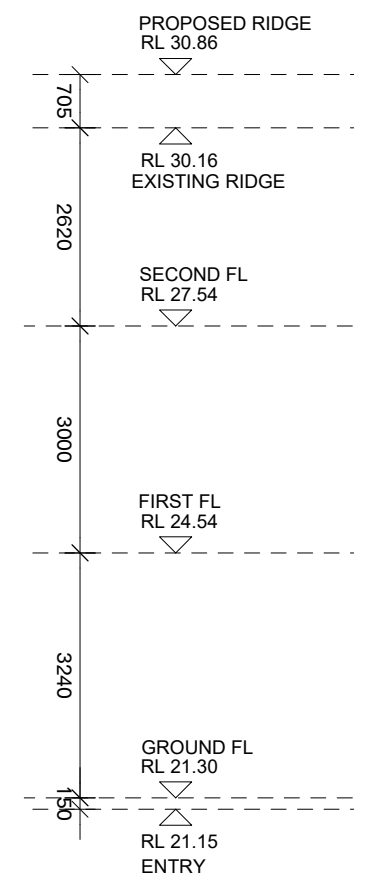
Date

25 MARCH 2022

	Drawing No	Revision
DA	300	[01]

AMENDED PLANS

RECEIVED
Waverley Council
Application No: DA-540/2021
Date Received: 25/03/2022



NO AMENDMENTS TO THIS DRAWING



General Notes

FOR DEVELOPMENT APPLICATION PURPOSES ONLY
1. ALL WORKS TO BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA, NATIONAL CONSTRUCTION CODE (NCC), AUSTRALIAN STANDARDS STATUTORY REGULATIONS AND LOCAL AUTHORITY REG.
2. CONTRACTOR TO ENSURE CONSISTENCY BETWEEN MATERIALS IS MAINTAINED.
3. CONTRACTOR TO NOTIFY DESIGNER OF ANY DISCREPANCIES, DIMENSIONAL INCONSISTENCIES OR THE NEED FOR CLARIFICATION PRIOR TO MANUFACTURING.
4. DESIGNER TO REVIEW ALL CONTRACTORS DETAILED DRAWINGS / SETTING OUT PRIOR TO CONSTRUCTION.
5. CONTRACTOR TO LAISE WITH ELECTRICAL CONTRACTORS TO ENSURE ALL POWER/COMMUNICATION REQUIREMENTS ARE ACCESSIBLE.
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.

Basix

WATER:
Landscape Vegetation:
• Common Veg.: 40m2 lawn + 40m2 gardens with 40m2 low-water use species
• Private Vegetation
Rainwater Tank:
• Not required
Pool/Spa:
• N/A
Toilets/Showheads/Taps:
• Showerheads 4 Star
• Toilets 3 Star
• Kitchen Taps 3 Star
• Bathroom Taps 3 Star
THERMAL COMFORT:
Roof:
• Metal Deck + R1.0 Insulation blanket to underside of roofs
• 'Medium' Colour
Ceilings:
• Minimum R4.0 insulation to all ceilings with roof space above.
External Walls:
• Cavity brick to lowest (existing) level external walls.
• Metal cladding + R2.0 insulation to upper level external walls.
Internal Walls:
• 'Dark' colour.
• Plasterboard on stud or brick internal walls throughout (as per plans)
• Cavity brick 'party walls'.
Glazing:
• Units 2 (South facing Lichen Living Glazing Only) and Unit 4 (all): AFRC: Uw = 3.1, SHGC = 0.27.
• All remaining Units: AFRC: Uw = 5.6, SHGC = 0.41.
Floors:
• Concrete floors to Ground & 1st floor.
• Timber-framed floor to upper level + R1.5 insulation.
• Timber, carpet & tile coverings to floors (as per plans).
ENERGY:
Cooling:
• Ceiling fans + air-conditioners, single-phase, 5.0 'star' to Living & Bed areas.
Heating:
• All-conditioners, single-phase, 5.0 'star' to Living & Bed areas.
Water Heating:
• Gas instantaneous, 5.0 'star'.
Energy Efficient Lighting:
• All dwellings: compact fluorescent or LED, with dedicated fittings.
• Common areas: compact fluorescent with 'zoned' switching.
Cooking:
• Gas cook-tops, electric ovens.
Ventilation:
• Laundries: exhausts ducted & sealed; switch interlocked to light.
• Common areas: no mechanical ventilation.
Refrigerator Space:
• Well Ventilated
Clothes Drying Line:
• Common Outdoor Line

Legend

• To Be Demolished
• Existing Dwelling
• Proposed Addition

Consultants

Planner
LK Planning
Stormwater
ITM
Landscape
Melissa Wilson
BCA/Access
JF Consulting
Imagery
Narrative

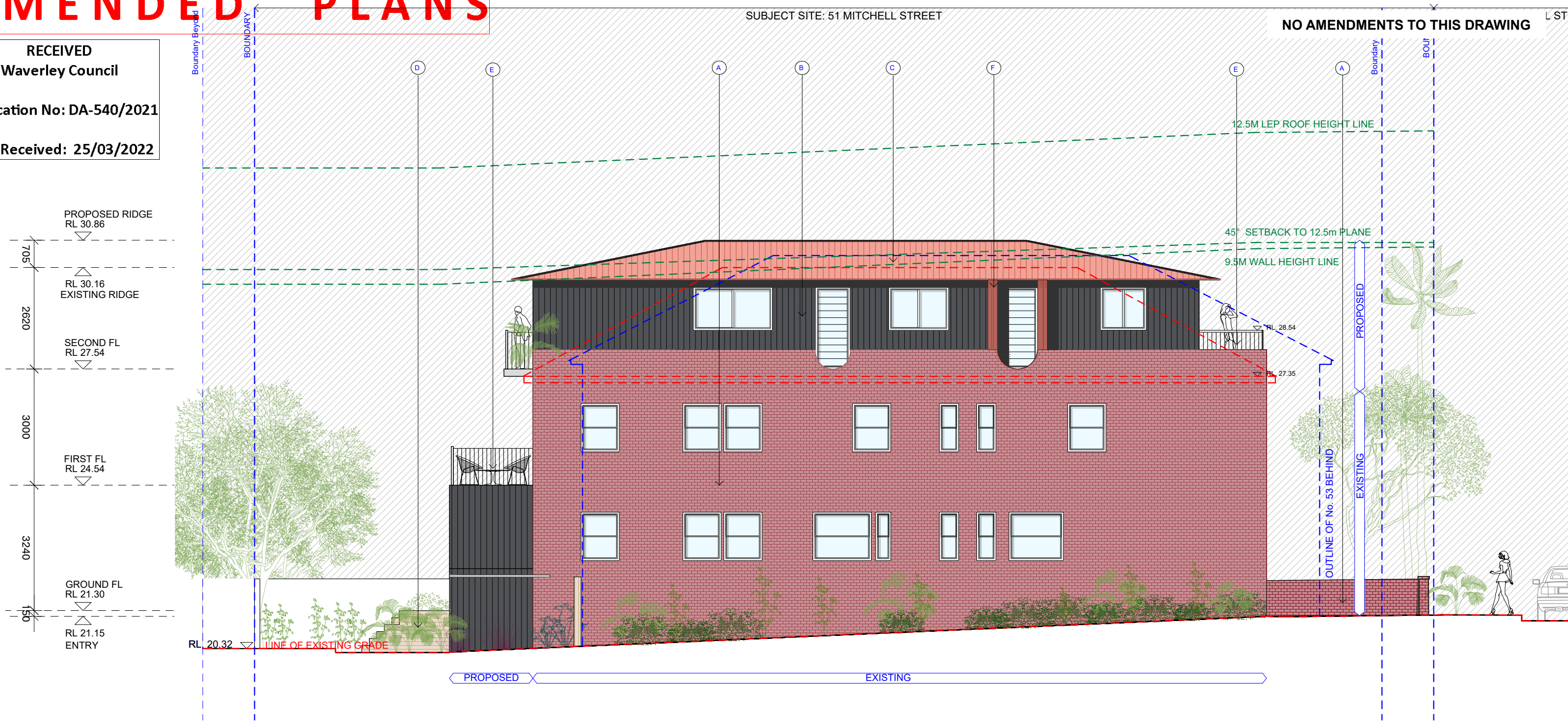
Project
51 MITCHELL
Site
51 MITCHELL STREET, BONDI BEACH
Scale
1:100 at A3
2020
0 1 2 3m

Architect
MHNDUNION
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www.mhndu.com
MHND Design Union Pty Ltd. ABN 94 003 717 682
Nominated Architect:
Brian Meyerson, NSW Arch Reg. No. 4907
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Drawing
WEST ELEVATION
Date
25 MARCH 2022
Drawing No
DA
Revision
301
[01]

AMENDED PLANS

RECEIVED
Waverley Council
Application No: DA-540/2021
Date Received: 25/03/2022



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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.

Basix
WATER:
• Common Veg: 40m2 lawn + 40m2 gardens with 40m2 low-water use species
• Private Vegetation
Rainwater Tank:
• Not required
Pool/Spa:
• N/A
Toilets/Showheads/Taps:
• Showerheads 4 Star
• Toilets 3 Star
• Kitchen Taps 3 Star
• Bathroom Taps 3 Star
THERMAL COMFORT:
Roof:
• Metal Deck + R1.0 Insulation blanket to underside of roof.
• 'Medium' Colour
Ceilings:
• Minimum R4.0 insulation to all ceilings with roof space above.
External Walls:
• Cavity brick to lowest (existing) level external walls.
• Metal cladding + R2.0 insulation to upper level external walls.
Internal Walls:
• 'Dark' colour.
• Plasterboard on stud or brick internal walls throughout (as per plans).
• Cavity brick 'party walls'.
Glazing:
• Units 2 (South facing Lichen Living Glazing Only) and Unit 4 (all): AFRC: Uw = 3.1, SHGC = 0.27.
• All remaining Units: AFRC: Uw = 5.6, SHGC = 0.41.
Floors:
• Concrete floors to Ground & 1st floor.
• Timber-framed floor to upper level + R1.5 insulation.
• Timber, carpet & tile coverings to floors (as per plans).
ENERGY:
Cooling:
• Ceiling fans + air-conditioners, single-phase, 5.0 'star' to Living & Bed areas.
Heating:
• Air-conditioners, single-phase, 5.0 'star' to Living & Bed areas.
Water Heating:
• Gas instantaneous, 5.0 'star'.
Energy Efficient Lighting:
• All dwellings: compact fluorescent or LED, with dedicated fittings.
• Common areas: compact fluorescent with 'zoned' switching.
Cooking:
• Gas cook-tops, electric ovens.
Ventilation:
• Laundries: exhausts ducted & sealed; switch interlocked to light.
• Common areas: no mechanical ventilation.
Refrigerator Space:
• Well Ventilated
Clothes Drying Line:
• Common Outdoor Line

Legend
• To Be Demolished
• Existing Dwelling
• Proposed Addition
Consultants
Planner
LK Planning
Stormwater
ITM
Landscape
Melissa Wilson
BCA/Access
JF Consulting
Imagery
Narrative

Project
51 MITCHELL
Site
51 MITCHELL STREET, BONDI BEACH
Scale
1:100 at A3
2020
0 1 2 3m

Architect
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www.mhndu.com
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Nominated Architect:
Brian Meyerson, NSW Arch Reg. No. 4907
All Drawings copyright MHN Design Union

Drawing
SOUTH ELEVATION
Date
25 MARCH 2022
Drawing No
DA
Revision
302
[01]

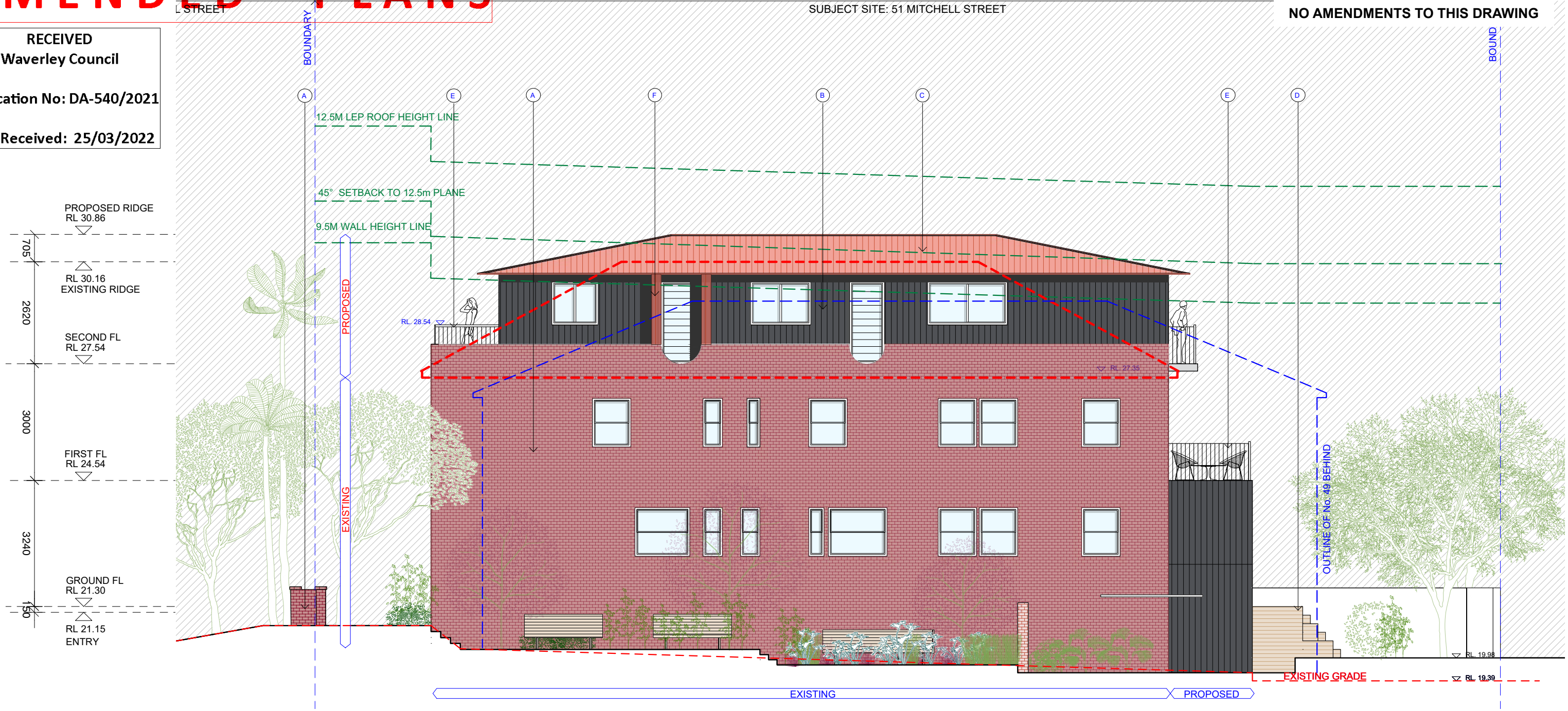


AMENDED PLANS

RECEIVED
Waverley Council
Application No: DA-540/2021
Date Received: 25/03/2022

SUBJECT SITE: 51 MITCHELL STREET

NO AMENDMENTS TO THIS DRAWING



General Notes

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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.

Basix

WATER:
Landscape Vegetation:
• Common Veg.: 40m2 lawn + 40m2 gardens with 40m2 low-water use species
• Private Vegetation
Rainwater Tank:
• Not required
Pool/Spa:
• N/A
Toilets/Showheads/Taps:
• Showerheads 4 Star
• Toilets 3 Star
• Kitchen Taps 3 Star
• Bathroom Taps 3 Star
THERMAL COMFORT:
Roof:
• Metal Deck + R1.0 Insulation blanket to underside of roof.
• 'Medium' Colour
Ceilings:
• Minimum R4.0 insulation

to all ceilings with roof space above.
• Rated with sealed exhaust ventilation. Not rated with down-lights.
External Walls:
• Cavity brick to lowest (existing) level external walls.
• Metal cladding + R2.0 insulation to upper level external walls.

• Dark' colour:
Internal Walls:
• Plasterboard on stud or brick internal walls throughout (as per plans)
• Cavity brick 'party walls'.
Glazing:
• Units 2 (South facing Lichen Living Glazing Only) and Unit 4 (all): AFRC: Uw = 3.1, SHGC = 0.27.

• All remaining Units: AFRC: Uw = 5.6, SHGC = 0.41.
Floors:
• Concrete floors to Ground & 1st floor.
• Timber-framed floor to upper level + R1.5 insulation.
• Timber, carpet & tile coverings to floors (as per plans).

ENERGY:
Cooling:
• Ceiling fans + air-conditioners, single-phase, 5.0 'star' to Living & Bed areas.
Heating:
• Air-conditioners, single-phase, 5.0 'star' to Living & Bed areas.
Water Heating:
• Gas instantaneous,

5.0 'star'.
Energy Efficient Lighting:
• All dwellings: compact fluorescent or LED, with dedicated fittings.
• Common areas: compact fluorescent with 'zoned' switching.
Cooking:
• Gas cook-tops, electric ovens.
Ventilation:
• Laundries: exhausts ducted & sealed; switch interlocked to light.
• Common areas: no mechanical ventilation.
Refrigerator Space:
• Well Ventilated
Clothes Drying Line:
• Common Outdoor Line

Legend

• To Be Demolished
• Existing Dwelling
• Proposed Addition

Consultants

Planner
LK Planning
Stormwater
ITM
Landscape
Melissa Wilson
BCA/Access
Jr Consulting
Imagery
Narrative

Project
51 MITCHELL
Site
51 MITCHELL STREET, BONDI BEACH
Scale
1:100 at A3
2020
0 1 2 3m

Architect
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www.mhndu.com
MHND Design Union Pty Ltd. ABN 94 003 717 682
Nominated Architect:
Brian Meyerson, NSW Arch Reg. No. 4907
All Drawings copyright MHND Design Union

Drawing
NORTH ELEVATION
Date
25 MARCH 2022
Drawing No
DA
Revision
303
[01]

RECEIVED
Waverley Council

Application No: DA-540/2021

Date Received: 25/03/2022



5.9

Average star rating

NATIONWIDE HOUSE

www.nathers.gov.au

0006780770 11 Nov 2021

Assessor Paul Brennan
Accreditation No. 20069
Address
51 Mitchell Street, Bondi Beach, NSW, 2026

hstar.com.au



01 25.03.22 Amended Plans

00 11.11.21 DA Issue

Issue Date Description

General Notes

FOR DEVELOPMENT APPLICATION PURPOSES ONLY
1. ALL WORKS TO BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA, NATIONAL CONSTRUCTION CODE (NCC), AUSTRALIAN STANDARDS STATUTORY REGULATIONS AND LOCAL AUTHORITY REG.
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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.

Basix

WATER:
Landscape Vegetation:
• Common Veg.: 40m2 lawn + 40m2 gardens with 40m2 low-water use species
• Private Vegetation
Rainwater Tank:
• Not required
Pool/Spa:
• N/A
Toilets/Showheads/Taps:

• Showerheads 4 Star
• Toilets 3 Star
• Kitchen Taps 3 Star
• Bathroom Taps 3 Star
THERMAL COMFORT:
Roof:
• Metal Deck + R1.0 Insulation blanket to underside of roof
• 'Medium' Colour
Ceilings:
• Minimum R4.0 insulation

to all ceilings with roof space above.
• Rated with sealed exhaust ventilation. Not rated with down-lights
External Walls:
• Cavity brick to lowest (existing) level external walls.
• Metal cladding + R2.0 insulation to upper level external walls.

• Dark' colour:
Internal Walls:
• Plasterboard on stud or brick internal walls throughout (as per plans)
• Cavity brick 'party walls'.
Glazing:
• Units 2 (South facing Lichen Living Glazing Only) and Unit 4 (all): AFRC: Uw = 3.1, SHGC = 0.27.

• All remaining Units: AFRC: Uw = 5.6, SHGC = 0.41.
Floors:
• Concrete floors to Ground & 1st floor.
• Timber-framed floor to upper level + R1.5 insulation.
• Timber, carpet & tile coverings to floors (as per plans).

ENERGY:
Cooling:
• Ceiling fans + air-conditioners, single-phase, 5.0 'star' to Living & Bed areas.
Heating:
• Air-conditioners, single-phase, 5.0 'star' to Living & Bed areas.
Water Heating:
• Gas instantaneous,

5.0 'star'.
Energy Efficient Lighting:
• All dwellings: compact fluorescent or LED, with dedicated fittings.
• Common areas: compact fluorescent with 'zoned' switching.
Cooking:
• Gas cook-tops, electric ovens.
Ventilation:

• Laundries: exhausts ducted & sealed; switch interlocked to light.
• Common areas: no mechanical ventilation.
Refrigerator Space:
• Well Ventilated
Clothes Drying Line:
• Common Outdoor Line

Legend

• To Be Demolished

Existing Dwelling

Proposed Addition

Consultants

Planner
LK Planning
Stormwater
ITM
Landscape
Melissa Wilson
BCA/Access
Jr Consulting
Imagery
Narrative

Project

51 MITCHELL

Site

51 MITCHELL STREET, BONDI BEACH

Scale

1:200 at A3

2020

0 2 4 6m

Architect

MHNDUNION

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www.mhndu.com
MHN Design Union Pty Ltd. ABN 94 003 717 682
Nominated Architect:
Brian Meyerson, NSW Arch Reg. No. 4907
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Drawing

STREETSCAPE ELEVATION

Date

25 MARCH 2022

Drawing No

DA

Revision

304 [01]

Page 425 of 447

NO AMENDMENTS TO THIS DRAWING

RECEIVED
Waverley Council

Application No: DA-540/2021

Date Received: 25/03/2022



01

26.03.22

Amended Plans

00

DA Issue

Description

01

Issue Date

11:12:11

00

Issue Date

11:12:11

General Notes

FOR DEVELOPMENT APPLICATION PURPOSES ONLY
1. ALL WORKS TO BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA, NATIONAL CONSTRUCTION STANDARDS, AUSTRALIAN STANDARDS STATUTORY REGULATIONS AND LOCAL AUTHORITY REQUIREMENTS.
2. CONTRACTOR TO ENSURE CONSISTENCY BETWEEN DRAWINGS.
3. CONTRACTOR TO NOTIFY DESIGNER OF ANY DISCREPANCIES, DEMERENTIAL INCONSISTENCIES OR THE NEED FOR CLARIFICATION PRIOR TO COMMENCEMENT OF WORK.
4. DESIGNER TO REVIEW ALL CONTRACTORS DETAILED DRAWINGS / SETTING OUT PRIOR TO CONSTRUCTION.
5. ALL ELECTRICAL CONNECTIONS TO BE MADE IN ACCORDANCE WITH ALL POWER/QUALITY/COMMUNICATION REQUIREMENTS ARE ACCESSIBLE.
6. ALL DRAWINGS TO BE VIEWED AND APPROVED PRIOR TO COMMENCEMENT OF WORK.
7. ALL WORKS TO BE VERIFIED AGAINST DRAWINGS FOLLOWING COMPLETION OF WORK.
8. CONTRACTOR TO NOTIFY OF ANY DISCREPANCIES PRIOR TO PROCEEDING WITH NEXT TRADE.

Basix

WATER:
Landscape Vegetation:
• Common Veg: 40m2
• Bathrooms/Taxi: 3.2m2
• With 40m2 low-water use species
• Private Vegetation
Rainwater Tank:
• Not required
Pool/Spa:
• Not required
Toilets/Showers/Taps:
• Showersheads 4 Star
• Toilets 3 Star
• Kitchen Taps 3 Star
• Minimum R4.0 insulation

to all ceilings with roof space above.
• Rated with sealed exhaust fans
• Not rated with down-lights.
External Walls:
• Metal cladding to lowest (existing) level external walls.
• Metal cladding + R2.0 external walls.
• Insulation to upper level external walls.

• Dark* colour.
Internal Walls:
• Plasterboard on stud
• Plasterboard on wall
• Cavity brick* party walls
• Plasterboard floor to upper level + R1.5 insulation.
• Units 2 (South facing Lichen Vinyl Glazing Only) and Unit 4 (SHGC + R1.1, SHGC + 0.27).

• All remaining Units:
AFRC: Uw = 5.6, SHGC = 0.41.
• Concrete floors to Ground + Bed areas.
• Cavity brick* party walls
• Plasterboard floor to upper level + R1.5 insulation.
• Units 2 (South facing Lichen Vinyl Glazing Only) and Unit 4 (SHGC + R1.1, SHGC + 0.27).

ENERGY:
Cooling:
• Ceiling fans + ventilation
• 40m2 gardens, single-phase, 5.0 'star' to Living + Bed areas.
• Air-conditioners, single-phase, 5.0 'star' to Living + Bed areas.
• Gas instantaneous, 5.0 'star'

5.0 'star'
Energy Efficient Lighting:
• All dwellings: compact fluorescent or LED, with dedicated fittings.
• Common areas: compact fluorescent with 'zoned' switching.
• Common Outdoor Line Lighting:
• Gas cook-tops, electric ovens.
Ventilation:

• Laundries: exhausts ducted & sealed; switch interlocked to light.
• No internal walls with mechanical ventilation.
Refrigerator Space:
• Common Outdoor Line
Clothes Drying Line:
• Common Outdoor Line

Legend

• To Be Demolished
• Existing Dwelling
• Proposed Addition

Consultants

PLN
LFL Planning
Stormwater
ITM
Landscape
Melissa Wilson
• AIA/ANZAS
• Consulting
Imagery
Narrative

Project

51 MITCHELL STREET, BONDI BEACH
Scale
1:100 at A3
2020

Architect

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www.mhndu.com
MHND Design Units Pty Ltd. ABN 94 003 717 682
Nominated Architect:
Brian Meyers, NSW Architect No. 4907
All Drawings copyright MHN Design Unit

Drawing

SECTION A

Date
25 MARCH 2022

Drawing No
400

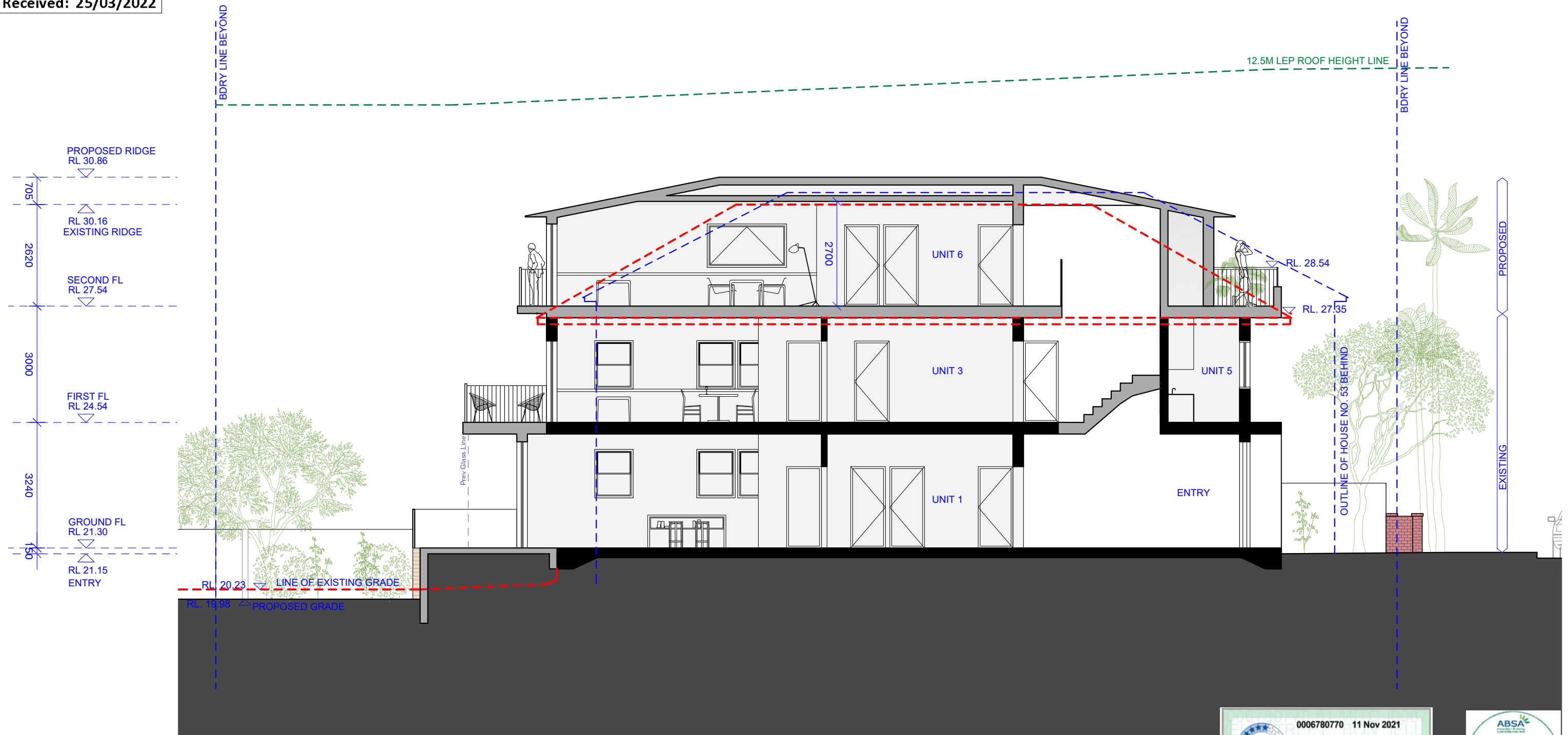
Revision
[01]

AMENDED PLANS

RECEIVED
Waverley Council

Application No: DA-540/2021

Date Received: 25/03/2022



General Notes

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Basix

WATER:
Landscape Vegetation:
• Common Veg.: 40m² lawn + 40m² gardens with 40m² low-water use species
• Private Vegetation
Rainwater Tank:
• Not required
Pool/Spa:
• N/A
Toilets/Showheads/Taps:

• Showerheads 4 Star
• Toilets 3 Star
• Kitchen Taps 3 Star
• Bathroom Taps 3 Star
THERMAL COMFORT:
Roof:
• Metal Deck + R1.0 Insulation blanket to underside of roofs
• 'Medium' Colour
Ceilings:
• Minimum R4.0 insulation

to all ceilings with roof space above.
• Rated with sealed exhaust ventilation. Not rated with down-lights.
External Walls:
• Cavity brick to lowest (existing) level external walls.
• Metal cladding + R2.0 insulation to upper level external walls.

• 'Dark' colour.
Internal Walls:
• Plasterboard on stud or brick internal walls throughout (as per plans)
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• Gas cook-tops, electric ovens.
Ventilation:

• Laundries: exhausts ducted & sealed; switch interlocked to light.
• Common areas: no mechanical ventilation.
Refrigerator Space:
• Well Ventilated
Clothes Drying Line:
• Common Outdoor Line

Legend

••• To Be Demolished
Existing Dwelling
Proposed Addition

Consultants

Planner
LK Planning
Stormwater
ITM
Landscape
Melissa Wilson
BCA/Access
JF Consulting
Imagery
Narrative

Project

51 MITCHELL

Site

51 MITCHELL STREET, BONDI BEACH

Scale

1:100 at A3

2020

0 1 2 3m

Architect

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MHNDUNION Pty Ltd. ABN 94 003 717 682
Nominated Architect:
Brian Meyerson, NSW Arch Reg. No. 4907
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Drawing

SECTION B

Date

25 MARCH 2022

Drawing No

DA

Revision

401

[01]

AMENDED PLANS

02
501

First Floor GFA

1:200

RECEIVED
Waverley Council

Application No: DA-540/2021

Date Received: 25/03/2022

01
501

Ground Floor GFA

1:200

03
501

Second Floor GFA

1:200

SITE CONTROLS SUMMARY - SITE AREA IS 416.1M ²					
CONTROL		LEP	DCP	EXISTING	PROPOSED
ZONING	FSR - RESI FLAT BUILDING	R3		R3 Residential Flat Building - Inter War	
	FSR - AFFORDABLE HOUSING (AH/100):1. (AH represents the proportion of gross Floor area in the development which is for affordable housing.)				Allowable fsr is 0.9:1 With a .22 bonus, FSR is 1.12:1 1.12:1 = 466m ² For additional bonus of .22:1, 22% of gross floor area to be affordable 22% of 466 = 102.52m²
HEIGHT	HEIGHT	12.5m		From 9.05m to 9.5m	9.7m
	WALL HEIGHT		9.5m	From 7.1 to 7.75m	8.6m
SETBACKS	SIDE SETBACK		1.5m	Refer Setbacks Plan	Same as Existing
	REAR SETBACK		Predominant Bdg Line	Predominant Bdg Line	Min 5.1m, Max 6.1m from rear Bdry
	FRONT SETBACK		Predominant Bdg Line	Predominant Bdg Line	As Existing
GFA CALCULATIONS - SITE AREA IS 416.1M ²					
Floor Level	Apt No	Apt Type	Area	SEPP Minimum sizes	Allowable fsr is 0.9:1 With a .22 bonus, FSR is 1.12:1 1.12:1 = 466m ² For additional bonus of .22:1, 22% of gross floor area to be affordable 22% of 466 = 102.52m²
GROUND	Lobby	n/a	8.5m ²		
	1	2 Bed	77m ²	75m ²	
	2	2 Bed	77m ²	75m ²	
FIRST	3	1 Bed	50m ²	50m ²	
	4	1 Bed	57m ²	50m ²	57 m ² ✓
	5	Studio	46m ²	35m ²	46m ² ✓
SECOND	6	2 Bed	75m ²	75m ²	
	7	2 Bed	75m ²	75m ²	
TOTAL	7	1xStudio 2x1Bed 4x2Bed	465.5m ²	435m ²	103m ² (Area allocated to affordable Housing)

General Notes

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Basix

WATER:
Landscape Vegetation:
• Common Veg.: 40m² lawn + 40m² gardens with 40m² low-water use species
• Private Vegetation
Rainwater Tank:
• Not required
Pool/Spa:
• N/A
Toilets/Showers/Taps:

• Showerheads 4 Star
• Toilets 3 Star
• Kitchen Taps 3 Star
• Bathroom Taps 3 Star
THERMAL COMFORT:
Roof:
• Metal Deck + R1.0 Insulation blanket to underside of roofs
• Medium Colour
Ceilings:
• Minimum R4.0 insulation

to all ceilings with roof space above.
• Rated with sealed exhaust ventilation. Not rated with down-lights.
External Walls:
• Cavity brick to lowest (existing) level external walls.
• Metal cladding + R2.0 insulation to upper level external walls.

• Dark colour.
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Water Heating:
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51 MITCHELL STREET, BONDI BEACH

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1:200 at A3

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Drawing

AREA DIAGRAMS

Date

25 MARCH 2022

Drawing No

DA

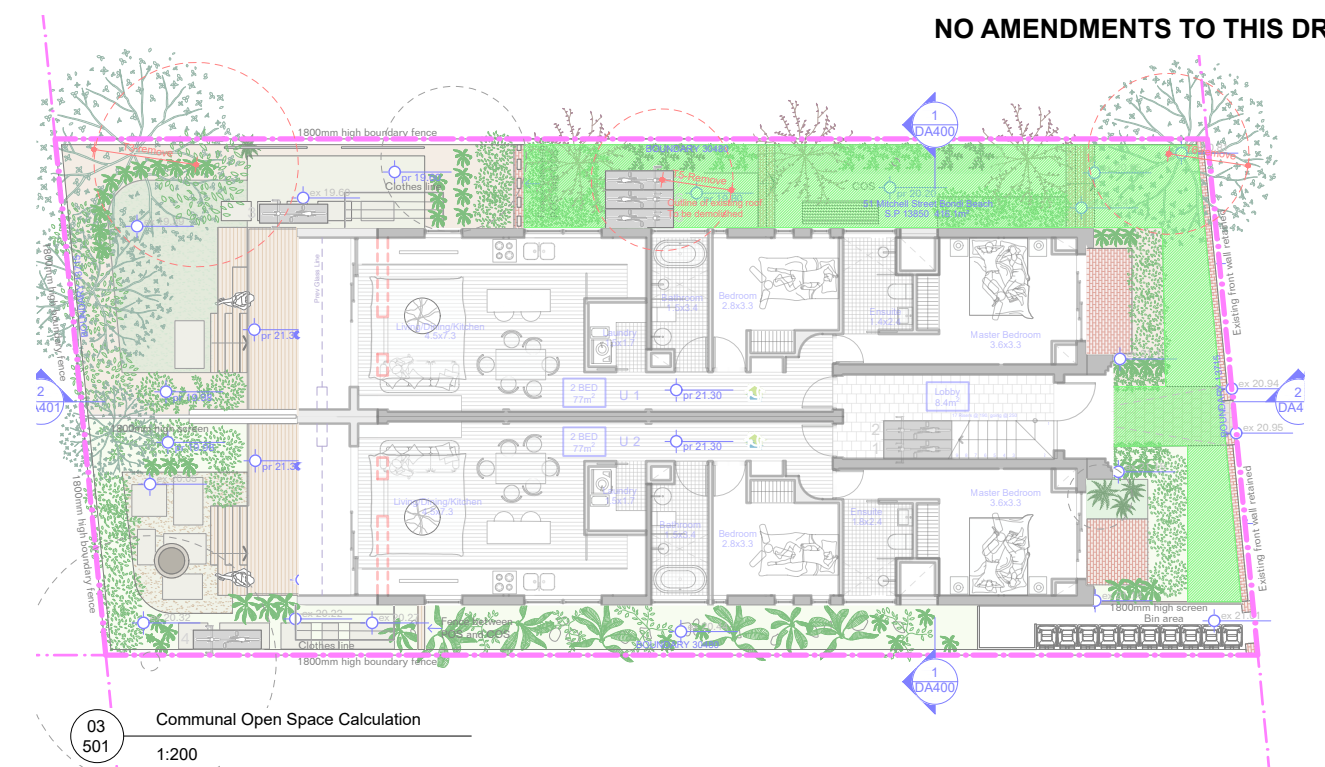
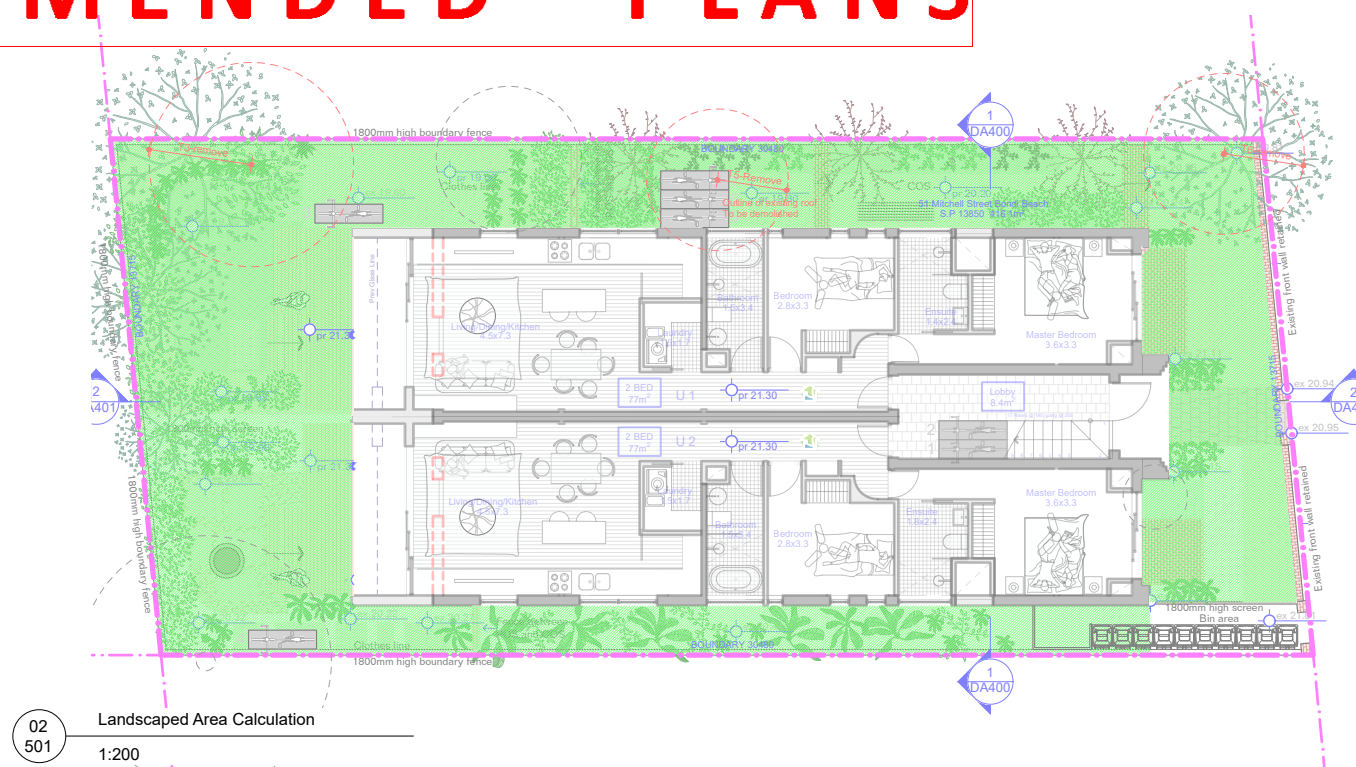
Revision

500

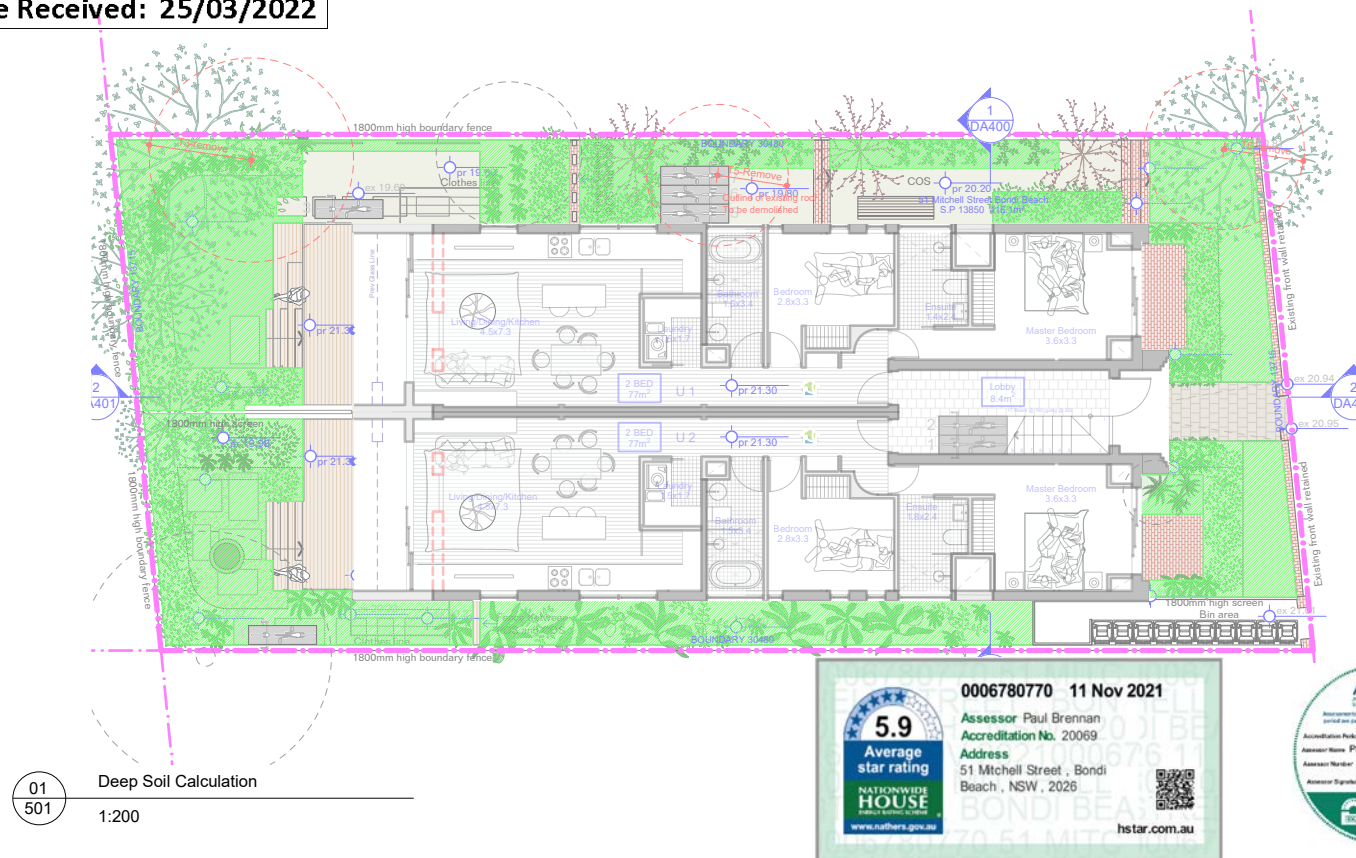
[01]

AMENDED PLANS

NO AMENDMENTS TO THIS DRAWING



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Date Received: 25/03/2022



LANDSCAPE CONTROLS SUMMARY - SITE AREA IS 416.1M ²			
CONTROL		PROPOSED	Compliance?
LANDSCAPE	LANDSCAPE AREA 30% of Site = 124.83M ²	198.1m ²	Yes
	DEEP SOIL 50% of the landscaped area must be deep soil zone. [50% of 124.83 = 62.4m ²	124m ²	Yes
COMMUNAL SPACE	COMMUNAL OPEN SPACE 15% of the total site area = 62.415m ²	54m ²	No
	SOLAR ACCESS At least 30% of the communal open space is to receive 3 hours of direct sunlight between 9am and 3pm on June 21.	Refer DA506	No
	Where developments are unable to achieve the recommended communal open space, such as small developments (5 or less dwellings), they must:	(ii) Provide significantly larger balconies or greatly increased private open space for dwellings; 6 out of 7 apartments have large private open space (iii) Demonstrate proximity to public open space and facilities; Refer DA100	Yes
	(i) Provide quality communal indoor space within the development; and/or (ii) Provide significantly larger balconies or greatly increased private open space for dwellings; and/or (iii) Demonstrate proximity to public open space and facilities; and/or (iv) Provide significant contributions to public open space.		

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Basix
WATER:
Landscape Vegetation:
• Common Veg.: 40m² lawn + 40m² gardens with 40m² low-water use species
• Private Vegetation
Rainwater Tank:
• Not required
Pool/Spa:
• N/A
Toilets/Showheads/Taps:
• Showerheads 4 Star
• Toilets 3 Star
• Kitchen Taps 3 Star
• Bathroom Taps 3 Star
THERMAL COMFORT:
Roof:
• Metal Deck + R1.0 Insulation blanket to underside of roofs
• Medium Colour
Ceilings:
• Minimum R4.0 insulation

to all ceilings with roof space above.
• Rated with sealed exhaust ventilation. Not rated with down-lights.
External Walls:
• Cavity brick to lowest (existing) level external walls.
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• Dark colour.
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Legend
• To Be Demolished
• Existing Dwelling
• Proposed Addition
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LK Planning
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Melissa Wilson
BCA/Access
JC Consulting
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Narrative

Project
51 MITCHELL
Site
51 MITCHELL STREET, BONDI BEACH
Scale
1:200 at A3
2020
0 2 4 6m

Architect
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Nominated Architect:
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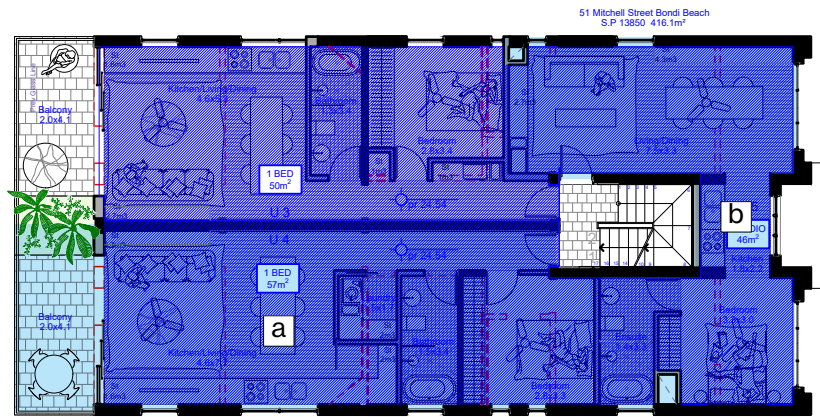
Drawing
LANDSCAPE CONTROLS
Date
25 MARCH 2022
Drawing No
DA 501
Revision
[01]

AMENDED PLANS

- a - Affordable Housing Unit [Unit 4] 57m²
b - Affordable Housing Studio [Unit 5] 46m²

NO AMENDMENTS TO THIS DRAWING

RECEIVED
Waverley Council
Application No: DA-540/2021
Date Received: 25/03/2022



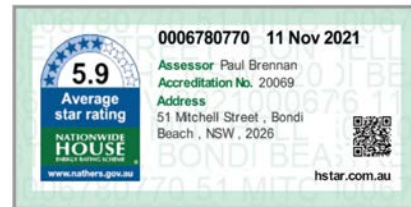
02
502
Identification of AH Units - Level 1 Plan
1:200



- a - Site, 51 Mitchell St
b - Distance to bus stop: 67m
c - Bus Stop; Route 379, Stop ID: 202669

01
502
Proximity to Bus Stop
nts

AFFORDABLE HOUSING SEPP CONTROLS - SITE AREA IS 416.1M ²			
CONTROL		Proposed	Compliance
ACCESS	Within 400m Walking distance of bus stop	Within 400m	Yes
HERITAGE	The development is on land that does not contain a heritage item	Not Heritage	Yes
A consent authority may consent to development whether or not the development complies with the following: [Council cannot refuse the development on these grounds]			
SITE	450m ²	416.1	No
LANDSCAPE	LANDSCAPE AREA 30% of Site	198.1m ² = 47%	Yes
	DEEP SOIL 15% of site	121.6m ² = 29%	Yes
	For Social housing, 35m ² per unit to be landscaped	Refer DA501	No
UNIT SIZES	Studio	46m ²	Yes
	1 bed	57m ²	Yes
	2 Bed	75m ²	Yes



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2020
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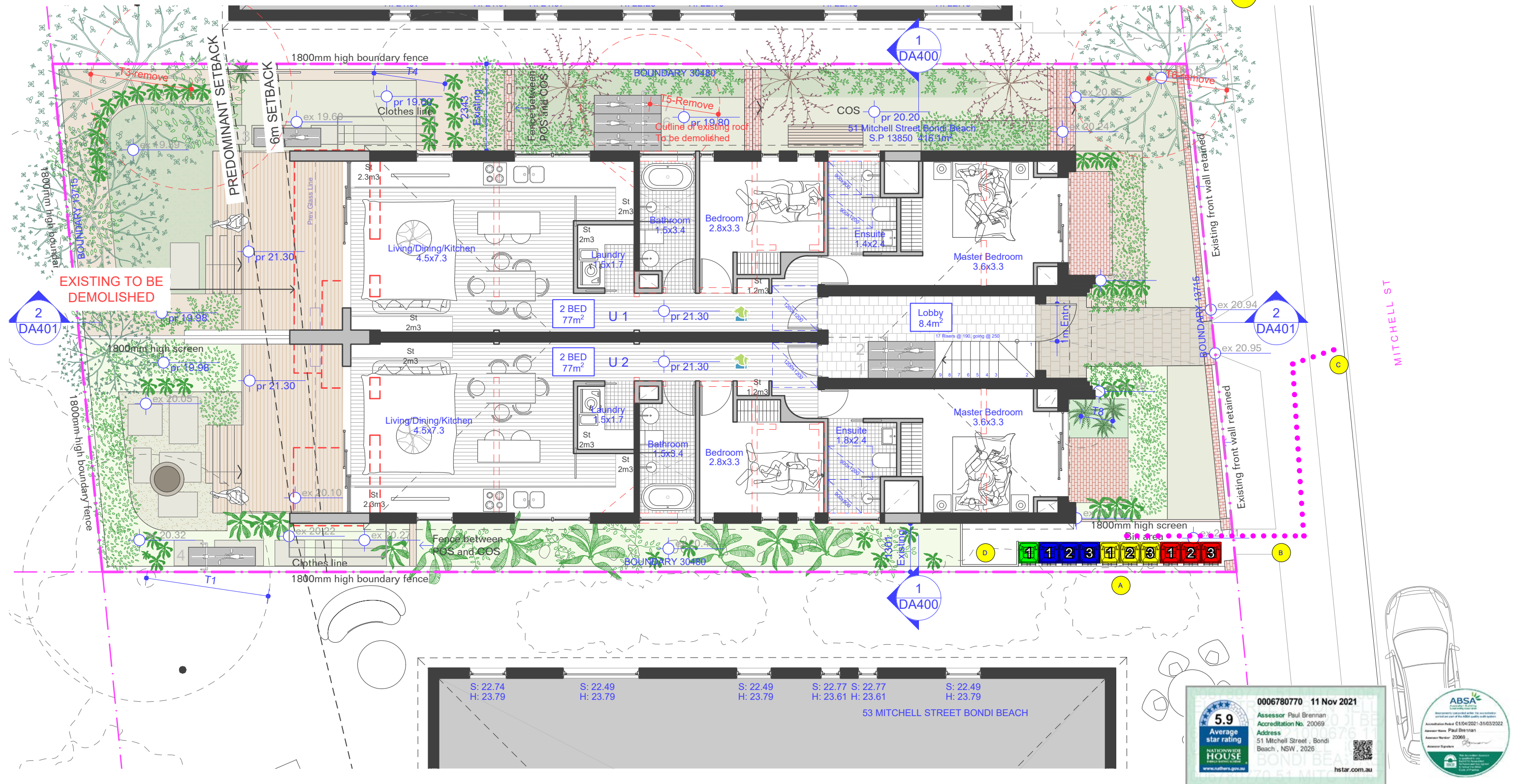
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Drawing
AFF. HOUSING SEPP
Date
25 MARCH 2022
Drawing No
DA 502
Revision
[01]

AMENDED PLANS

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Application No: DA-540/2021
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- A BIN STORAGE AREA:
3x240L Red Bins; 3x 240L yellow bins; 3x240L Blue Bins; 1x240L green Bin
- B PATH OF TRAVEL
- C BIN COLLECTION POINT
- D BULKY WASTE STORAGE AREA



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• Private Vegetation
Rainwater Tank:
• Not required
Pool/Spa:
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Toilets/Showheads/Taps:
• Showerheads 4 Star
• Toilets 3 Star
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THERMAL COMFORT:
Roof:
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to all ceilings with roof space above.
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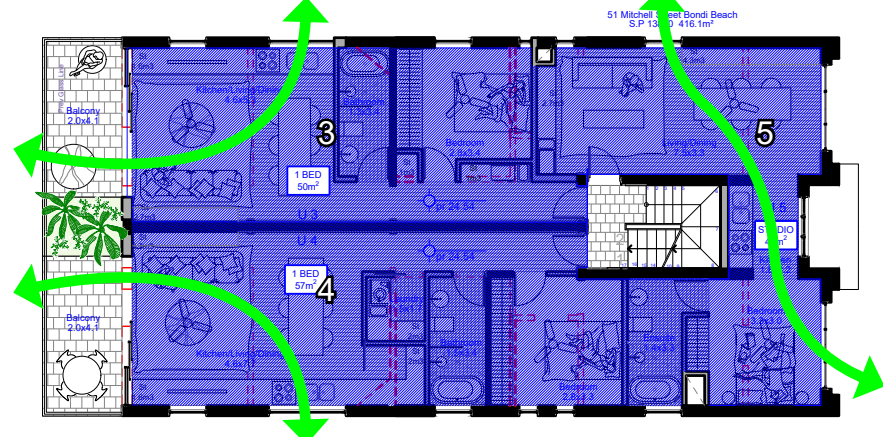
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Drawing No
DA 503
Revision
[01]

AMENDED PLANS

NO AMENDMENTS TO THIS DRAWING

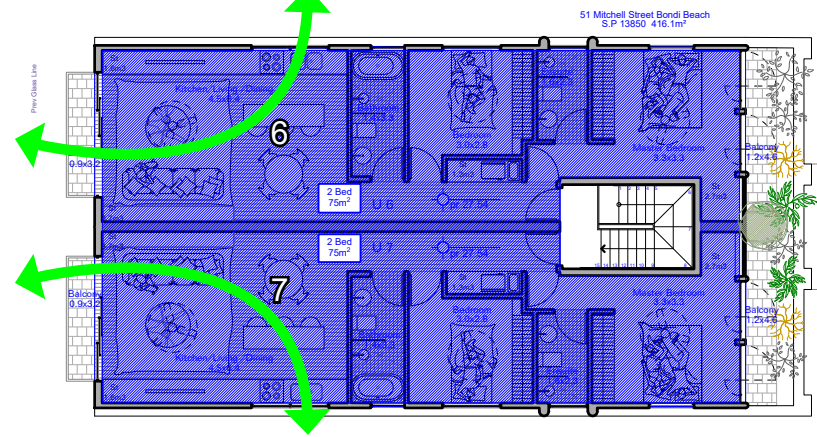
02
504

First Floor
1:200



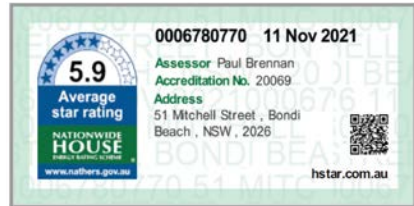
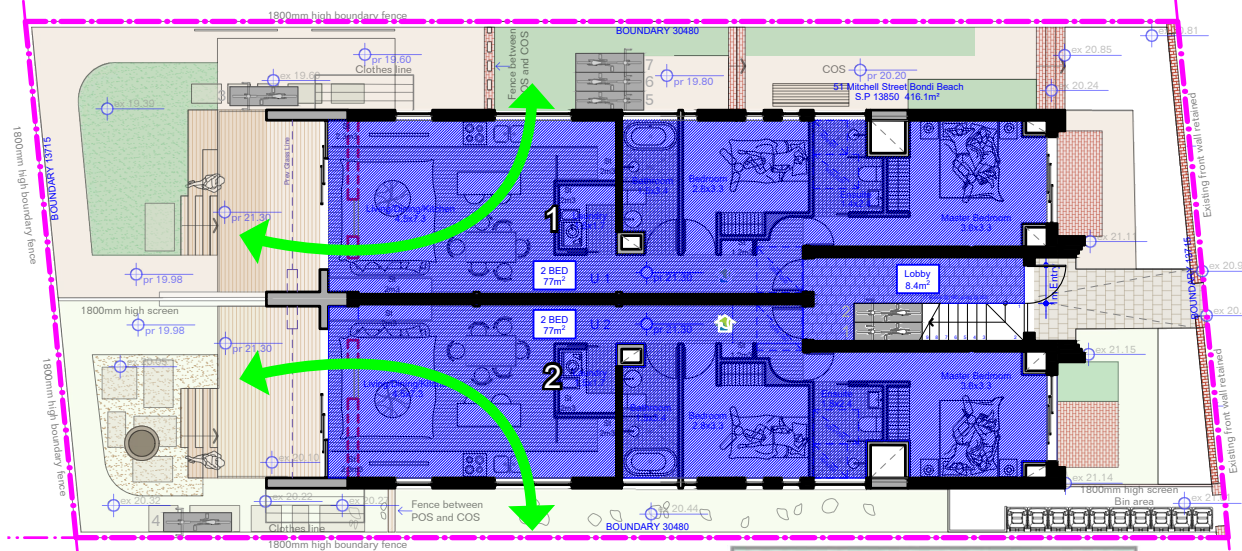
03
504

Second Floor
1:200



01
504

Ground Floor
1:200



RECEIVED
Waverley Council

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Floor Level	Apt No	Apt Type	Cross Ventilation Compliance
GROUND	1	2 Bed	✓
	2	2 Bed	✓
FIRST	3	1 Bed	✓
	4	1 Bed	✓
	5	Studio	✓
SECOND	6	2 Bed	✓
	7	2 Bed	✓

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Drawing

CROSS VENTILATION

Date

25 MARCH 2022

Drawing No

DA

Revision

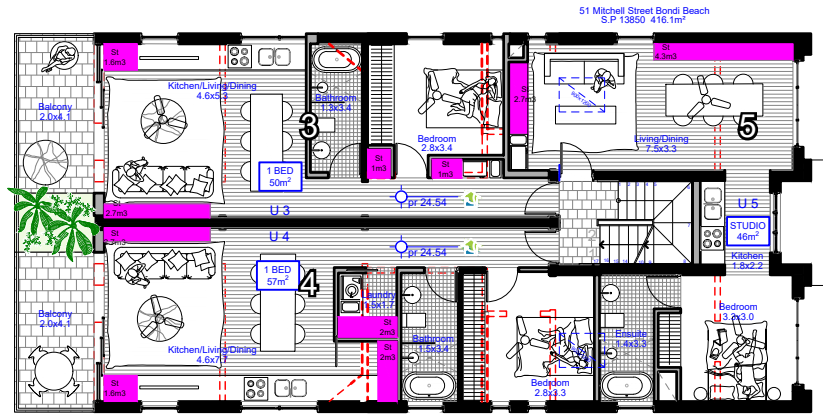
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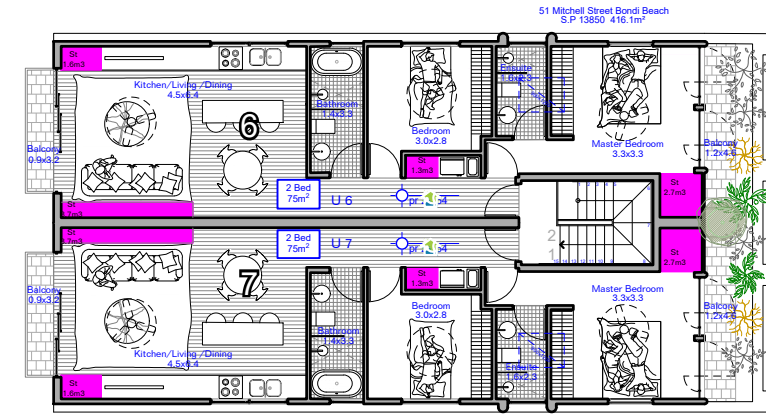
AMENDED PLANS

NO AMENDMENTS TO THIS DRAWING

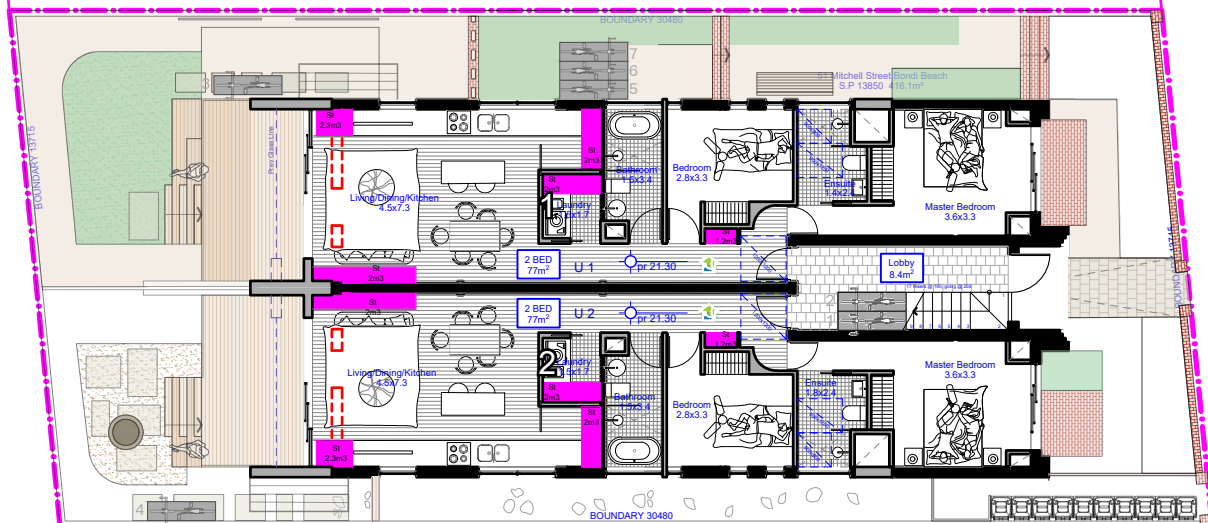
02
505
First Floor
1:200



03
505
Second Floor
1:200



01
505
Ground Floor
1:200



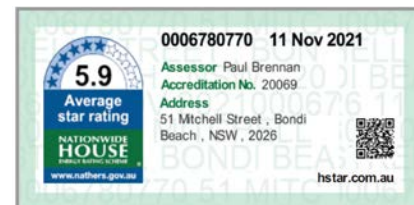
RECEIVED
Waverley Council

Application No: DA-540/2021

Date Received: 25/03/2022

STORAGE COMPLIANCE							
Floor Level	Apt No	Apt Type	Area	DCP Req	ADG Req	Proposed	Compliance
GROUND	1	2 Bed	77m ²	8m ³	8m ³	8m ³	✓
	2	2 Bed	77m ²	8m ³	8m ³	8m ³	✓
FIRST	3	1 Bed	50m ²	6m ³	6m ³	6m ³	✓
	4	1 Bed	57m ²	6m ³	6m ³	8m ³	✓
	5	Studio	46m ²	6m ³	6m ³	7m ³	✓
SECOND	6	2 Bed	74m ²	8m ³	8m ³	8m ³	✓
	7	2 Bed	74m ²	8m ³	8m ³	8m ³	✓

Controls
(a) In addition to kitchen cupboards and bedroom wardrobes, development must provide accessible and enclosed storage within the dwelling at the following cubic rates:
(i) Studio & one bedroom dwellings – 6m³
(ii) Two bedroom dwellings – 8m³
(iii) Three plus bedroom dwellings – 10m³
(b) Each dwelling is to have access to a bulky storage area. This may be outside, within a basement or ancillary structure. This area is to be separate and secure for each dwelling.



General Notes

FOR DEVELOPMENT APPLICATION PURPOSES ONLY
1. ALL WORKS TO BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA, NATIONAL CONSTRUCTION CODE (NCC), AUSTRALIAN STANDARDS STATUTORY REGULATIONS AND LOCAL AUTHORITY REG.
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4. DESIGNER TO REVIEW ALL CONTRACTORS DETAILED DRAWINGS / SETTING OUT PRIOR TO CONSTRUCTION.
5. CONTRACTOR TO LAISE WITH ELECTRICAL CONTRACTORS TO ENSURE ALL POWER/ DATA/ COMMUNICATION REQUIREMENTS ARE ACCESSIBLE.
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.

Basix

WATER:
Landscape Vegetation:
• Common Veg.: 40m² lawn + 40m² gardens with 40m² low-water use species
• Private Vegetation
Rainwater Tank:
• Not required
Pool/Spa:
• N/A
Toilets/Showers/Taps:

• Showerheads 4 Star
• Toilets 3 Star
• Kitchen Taps 3 Star
• Bathroom Taps 3 Star
THERMAL COMFORT:
Roof:
• Metal Deck + R1.0 Insulation blanket to underside of roof
• Medium Colour
Ceilings:
• Minimum R4.0 insulation

to all ceilings with roof space above.
• Rated with sealed exhaust ventilation. Not rated with down-lights.
External Walls:
• Cavity brick to lowest (existing) level external walls.
• Metal cladding + R2.0 insulation to upper level external walls.

• Dark colour.
Internal Walls:
• Plasterboard on stud or brick internal walls throughout (as per plans).
• Cavity brick 'party walls'.
Glazing:
• Units 2 (South facing Lichen Living Glazing Only) and Unit 4 (all): AFRC: Uw = 3.1, SHGC = 0.27.

• All remaining Units: AFRC: Uw = 5.6, SHGC = 0.41.
Floors:
• Concrete floors to Ground + 1st floor.
• Timber-framed floor to upper level + R1.5 insulation.
• Timber, carpet & tile coverings to floors (as per plans).

ENERGY:
Cooling:
• Ceiling fans + air-conditioners, single-phase, 5.0 'star' to Living & Bed areas.
Heating:
• Air-conditioners, single-phase, 5.0 'star' to Living & Bed areas.
Water Heating:
• Gas instantaneous,

5.0 'star'.
Energy Efficient Lighting:
• All dwellings: compact fluorescent or LED, with dedicated fittings.
• Common areas: compact fluorescent with 'zoned' switching.
Cooking:
• Gas cook-tops, electric ovens.
Ventilation:

• Laundries: exhausts ducted & sealed; switch interlocked to light.
• Common areas: no mechanical ventilation.
Refrigerator Space:
• Well Ventilated
Clothes Drying Line:
• Common Outdoor Line

Legend

• To Be Demolished
• Existing Dwelling
• Proposed Addition

Consultants

Planner
LK Planning
Stormwater
ITM
Landscape
Melissa Wilson
BCA/Access
Jr Consulting
Imagery
Narrative

Project

51 MITCHELL
Site
51 MITCHELL STREET, BONDI BEACH
Scale
1:200 at A3
2020
0 2 4 6m

Architect

MHNDUNION
35 RICHARDS LANE, SURRY HILLS
SYDNEY NSW 2010
T +61 2 9101 1111 | F +61 2 9101 1100
www.mhndu.com
MHN Design Union Pty Ltd. ABN 94 003 717 682
Nominated Architect.
Brian Meyerson, NSW Arch Reg. No. 4907
All Drawings copyright MHN Design Union

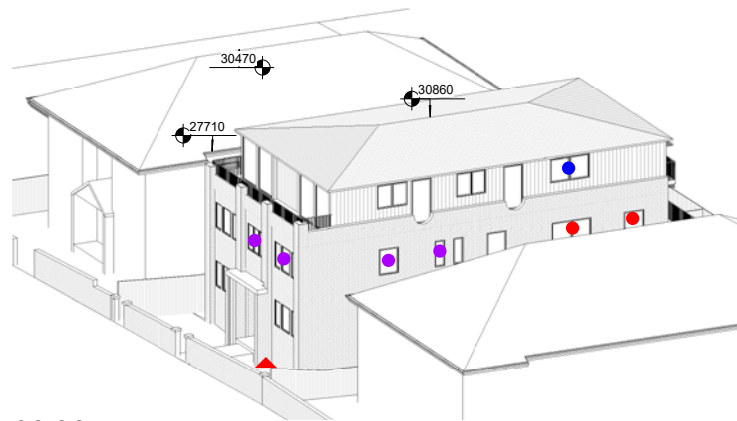
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STORAGE COMPLIANCE
Date
25 MARCH 2022
Drawing No
DA 505
Revision
[01]

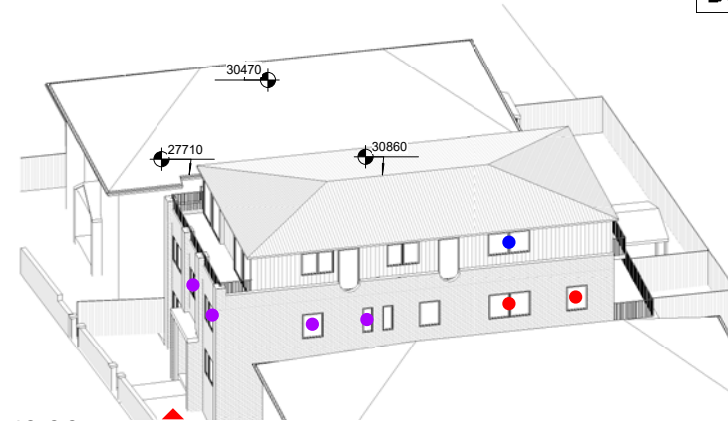
AMENDED PLANS

RECEIVED
Waverley Council
Application No: DA-540/2021
Date Received: 25/03/2022

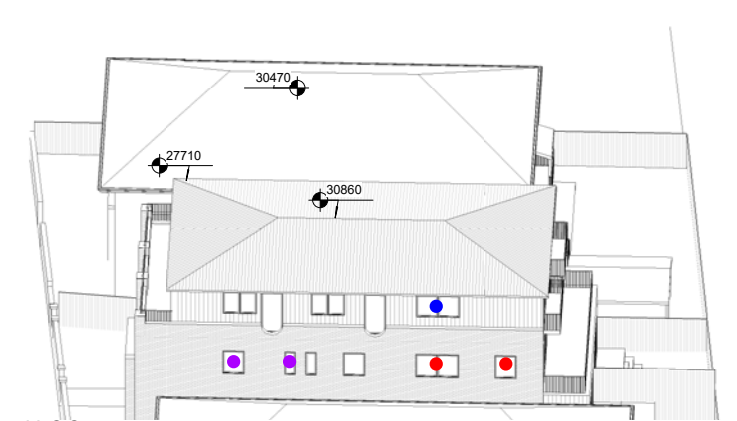
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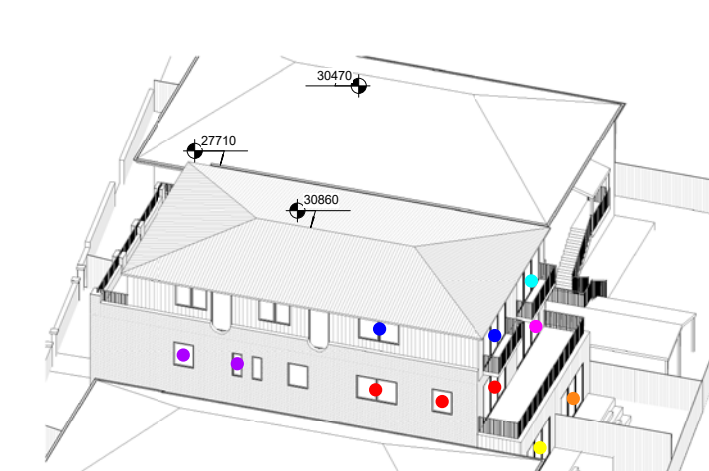
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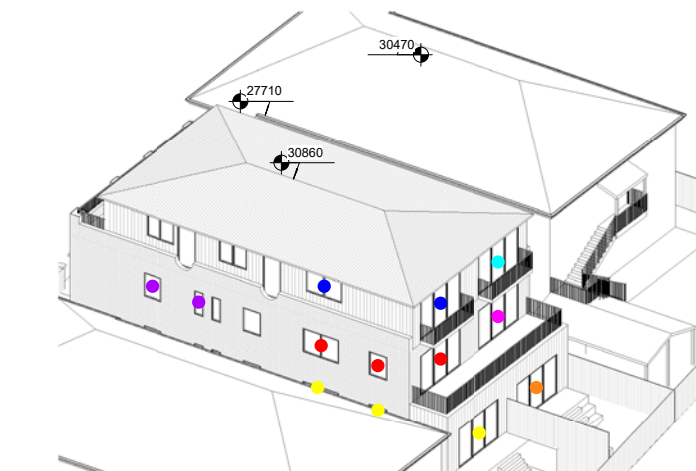
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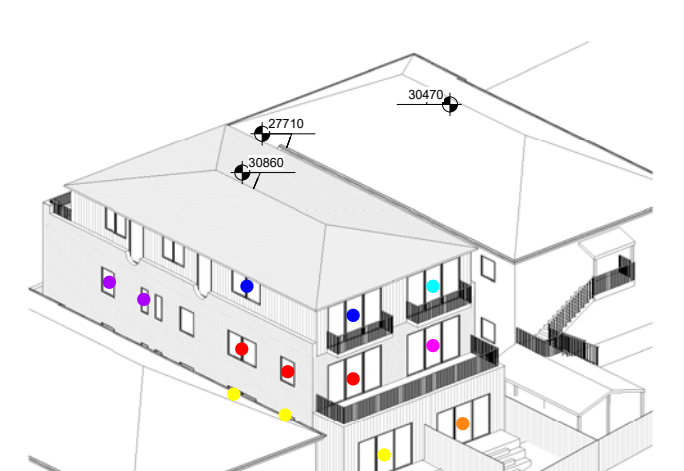
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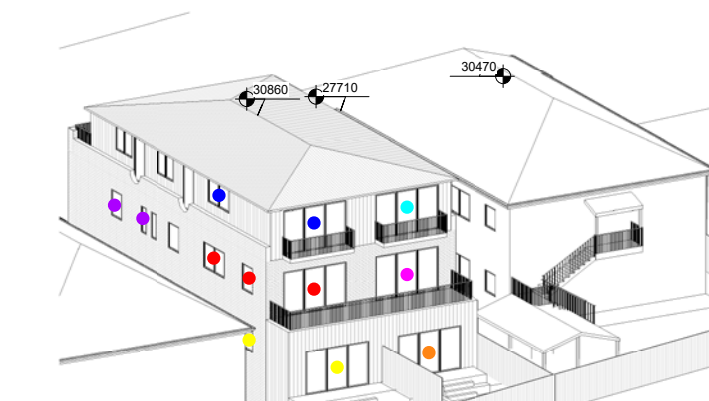
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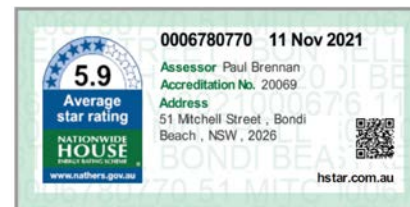
01:00pm



02:00pm



03:00pm



Solar Access								
Apartment:		June 21st						
		09:00am	10:00am	11:00am	12:00pm	01:00pm	02:00pm	03:00pm
01	Yellow				✓	✓	✓	✓
02	Orange				✓	✓	✓	✓
03	Red	✓	✓	✓	✓	✓	✓	✓
04	Pink				✓	✓	✓	✓
05	Purple	✓	✓	✓	✓	✓	✓	✓
06	Blue	✓	✓	✓	✓	✓	✓	✓
07	Cyan				✓	✓	✓	✓
Communal Open Space	Red Triangle	✓	✓					

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WATER:
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• Common Veg.: 40m2 lawn + 40m2 gardens with 40m2 low-water use species
• Private Vegetation
Rainwater Tank:
• Not required
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Toilets/Showheads/Taps:
• Showerheads 4 Star
• Toilets 3 Star
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• 'Medium' Colour
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Heating:
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Water Heating:
• Gas instantaneous,

5.0 'star'.
Energy Efficient Lighting:
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• Common areas: compact fluorescent with 'zoned' switching.
Cooking:
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Ventilation:

• Laundries: exhausts ducted & sealed; switch interlocked to light.
• Common areas: no mechanical ventilation.
Refrigerator Space:
• Well Ventilated
Clothes Drying Line:
• Common Outdoor Line

Legend
• To Be Demolished
• Existing Dwelling
• Proposed Addition

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Planner
LK Planning
Stormwater
ITM
Landscape
Melissa Wilson
BCA/Access
Jr Consulting
Imagery
Narrative

Project
51 MITCHELL
Site
51 MITCHELL STREET, BONDI BEACH
Scale
nts at A3
2020

Architect
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SYDNEY NSW 2010
T +61 2 9101 1111 | F +61 2 9101 1100
www.mhndu.com
MHN Design Union Pty Ltd. ABN 94 003 717 682
Nominated Architect:
Brian Meyerson, NSW Arch Reg. No. 4907
All Drawings copyright MHN Design Union

Drawing No
DA
Revision
[01]

Date
25 MARCH 2022
Drawing No
DA
Revision
[01]

AMENDED PLANS

NO AMENDMENTS TO THIS DRAWING



RECEIVED
Waverley Council

Application No: DA-540/2021

Date Received: 25/03/2022

(B)

Monument matte metal cladding

(C)

Copper roof

(D)

Light timber decking

(E)

Aluminium balustrade

(F)

Copper cladding

5.9

Average star rating

NATIONWIDE HOUSE

www.nathers.gov.au

0006780770

11 Nov 2021

Assessor Paul Brennan

Accreditation No. 20069

Address

51 Mitchell Street, Bondi Beach, NSW, 2026

hstar.com.au



01 25.03.22 Amended Plans	Issue Date	Description	General Notes		Basix		Legend		Consultants		Project		Architect		Drawing	
			FOR DEVELOPMENT APPLICATION PURPOSES ONLY 1. ALL WORKS TO BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA, NATIONAL CONSTRUCTION CODE (NCC), AUSTRALIAN STANDARDS STATUTORY REGULATIONS AND LOCAL AUTHORITY REG. 2. CONTRACTOR TO ENSURE CONSISTENCY BETWEEN MATERIALS IS MAINTAINED 3. CONTRACTOR TO NOTIFY DESIGNER OF ANY DISCREPANCIES, DIMENSIONAL INCONSISTENCIES OR THE NEED FOR CLARIFICATION PRIOR TO MANUFACTURING 4. DESIGNER TO REVIEW ALL CONTRACTORS DETAILED DRAWINGS / SETTING OUT PRIOR TO CONSTRUCTION 5. CONTRACTOR TO LAISE WITH ELECTRICAL CONTRACTORS TO ENSURE ALL POWER/COMMUNICATION REQUIREMENTS ARE ACCESSIBLE 6. ALL DRAWINGS DO NOT NOTIFY 7. ALL WORKS TO BE VERIFIED AGAINST DRAWINGS FOLLOWING CONSTRUCTION AND ARCHITECT TO BE NOTIFIED OF ANY DISCREPANCIES PRIOR TO PROCEEDING WITH NEXT TRADE		WATER: Landscape Vegetation: • Common Veg: 40m2 • 40m2 garden • 3 star with 40m2 low-water use species Thermal Comfort: Roof: • Private Ventilated R4.0 Insulation blanket to underside of roof Rainwater Tank: • Not required • N/A Toilets/Showers/Taps: • Showerheads 4 Star • Toilets 3 Star • Kitchen Taps 3 Star • Bathroom Taps 3 star with 40m2 low-water use species Internal Walls: • Plasterboard on stud or brick internal walls throughout (as per plans). • Cavity brick 'party walls'. External Walls: • Timber framed floor to upper level + R1.5 insulation. • Units 2 (South facing) Lichen Living Glazing Only and Unit 4 (all) AFRC: Uw = 5.6, SHGC = 0.41. • Units 2 (South facing) Lichen Living Glazing Only and Unit 4 (all) AFRC: Uw = 5.3, SHGC = 0.27. ENERGY: Cooling: • Ceiling fans + cross ventilation. Not required. • Concrete floors to Ground & Bed areas. • Timber framed floor to upper level + R1.5 insulation. • Air-conditioners, single-phase, 5.0 'star', to Living & Bed areas. Water Heating: • Gas instantaneous, 5.0 'star'. Energy Efficient Lighting: • All dwellings: compact fluorescent or LED, with no dedicated fittings. • Common areas: compact fluorescent with 'zoned' switching. Cooking: • Gas cook-tops, electric ovens. Ventilation: Laundries: exhausts ducted & sealed; switch interlocked to light. • Common areas: no mechanical ventilation. Refrigerator Space: • 1 'well' ventilated. Clothes Drying Line: • Common Outdoor Line		Planner LK Planning Stormwater ITM Landscape Melissa Wilson JBC B/C Consulting Imagery Narrative		51 MITCHELL STREET, BONDI BEACH Scale Drawn By Project No nts at A3 BL, RM 2020		51 MITCHELL STREET, BONDI BEACH Scale Drawn By Project No nts at A3 BL, RM 2020		25 MARCH 2022		Drawing No Revision	
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RECEIVED
Waverley Council
Application No: DA-540/2021
Date Received: 25/03/2022



01 Existing



02 Proposed

5.9

Average star rating

NATIONWIDE HOUSE

www.nathers.gov.au

0006780770

11 Nov 2021

Assessor Paul Brennan




Accreditation No. 20069

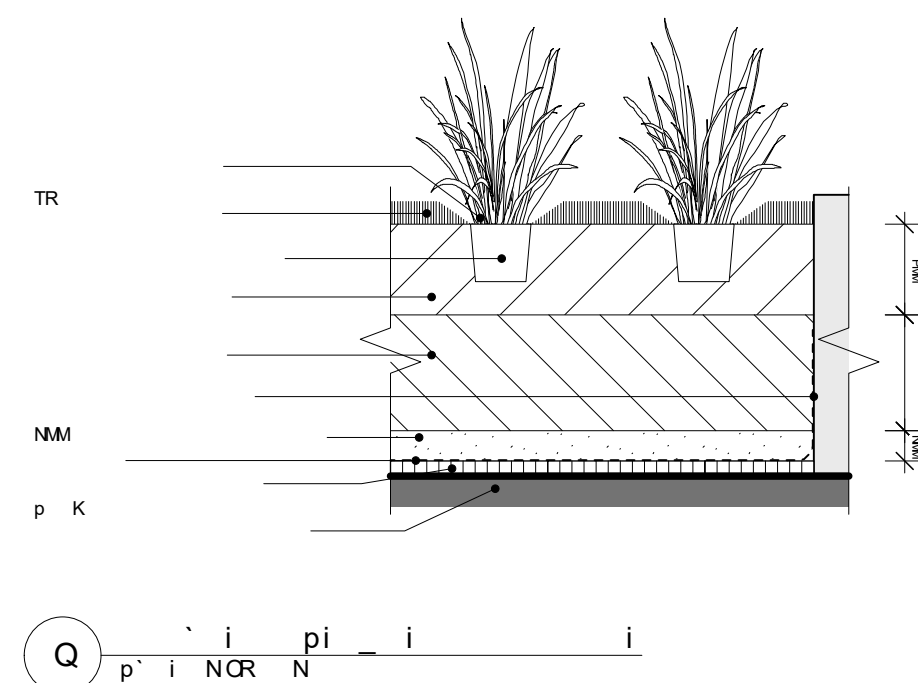
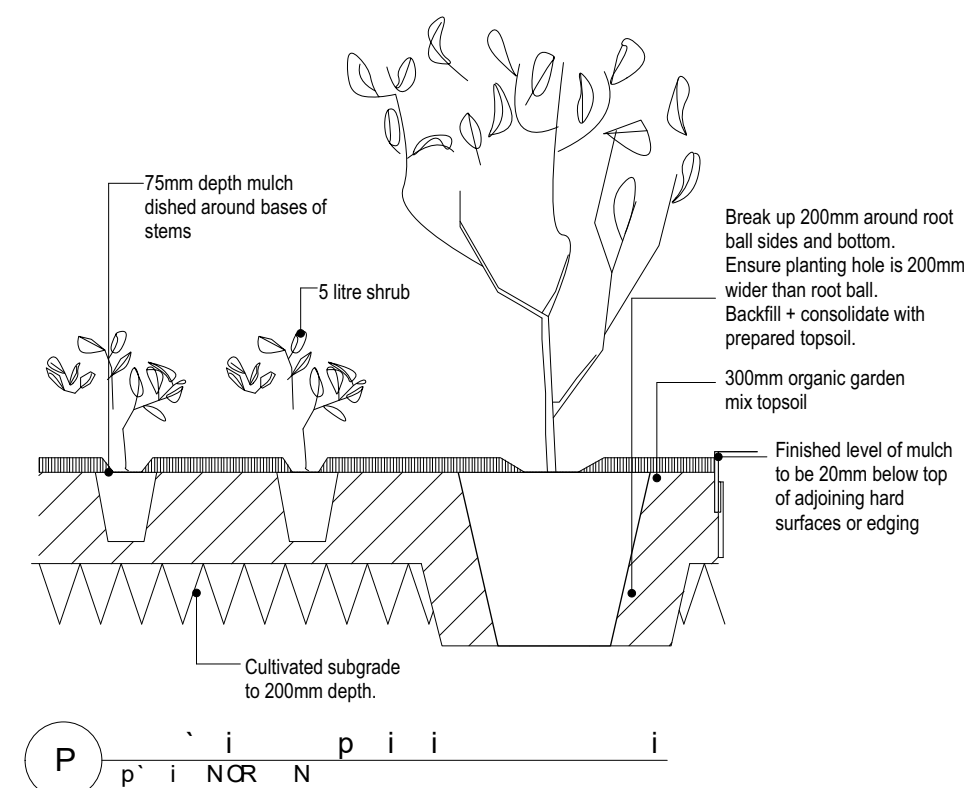
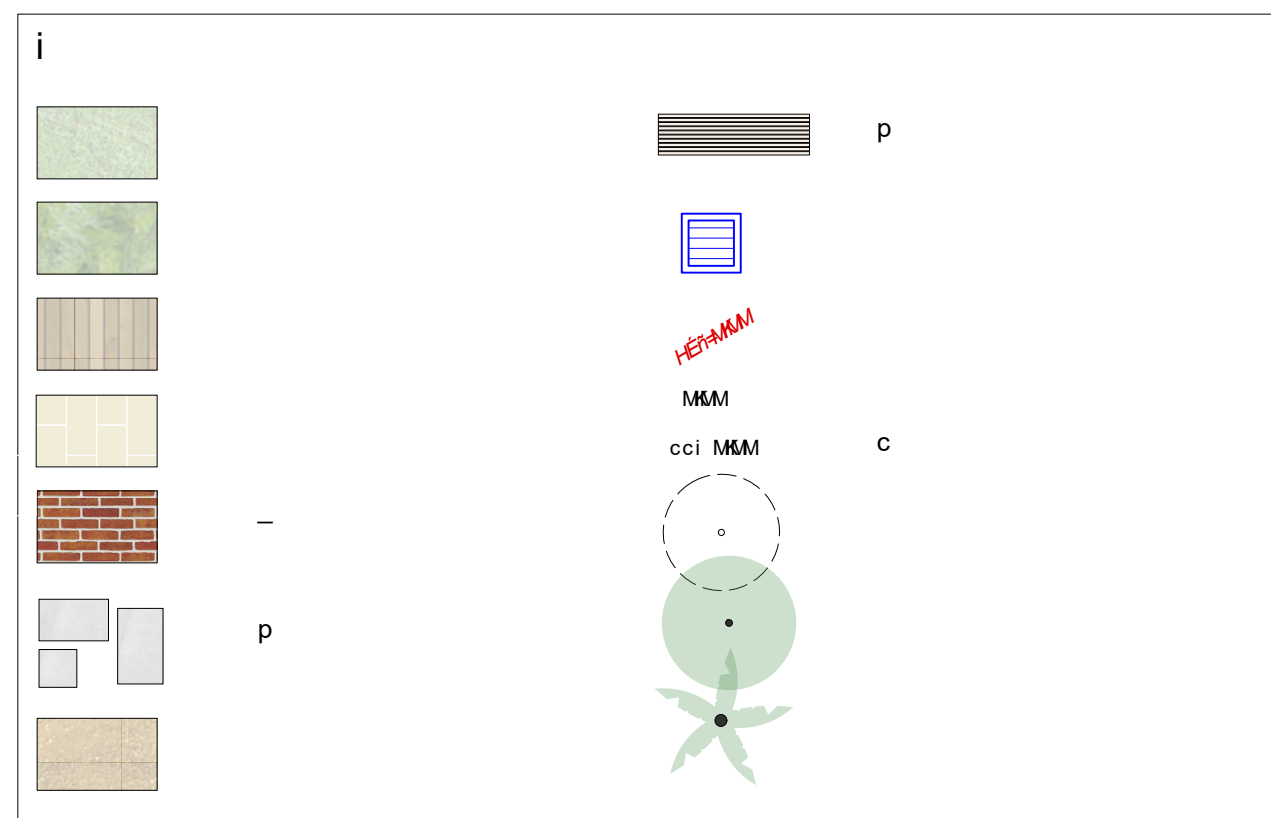
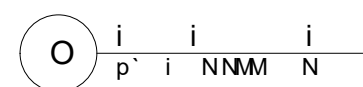
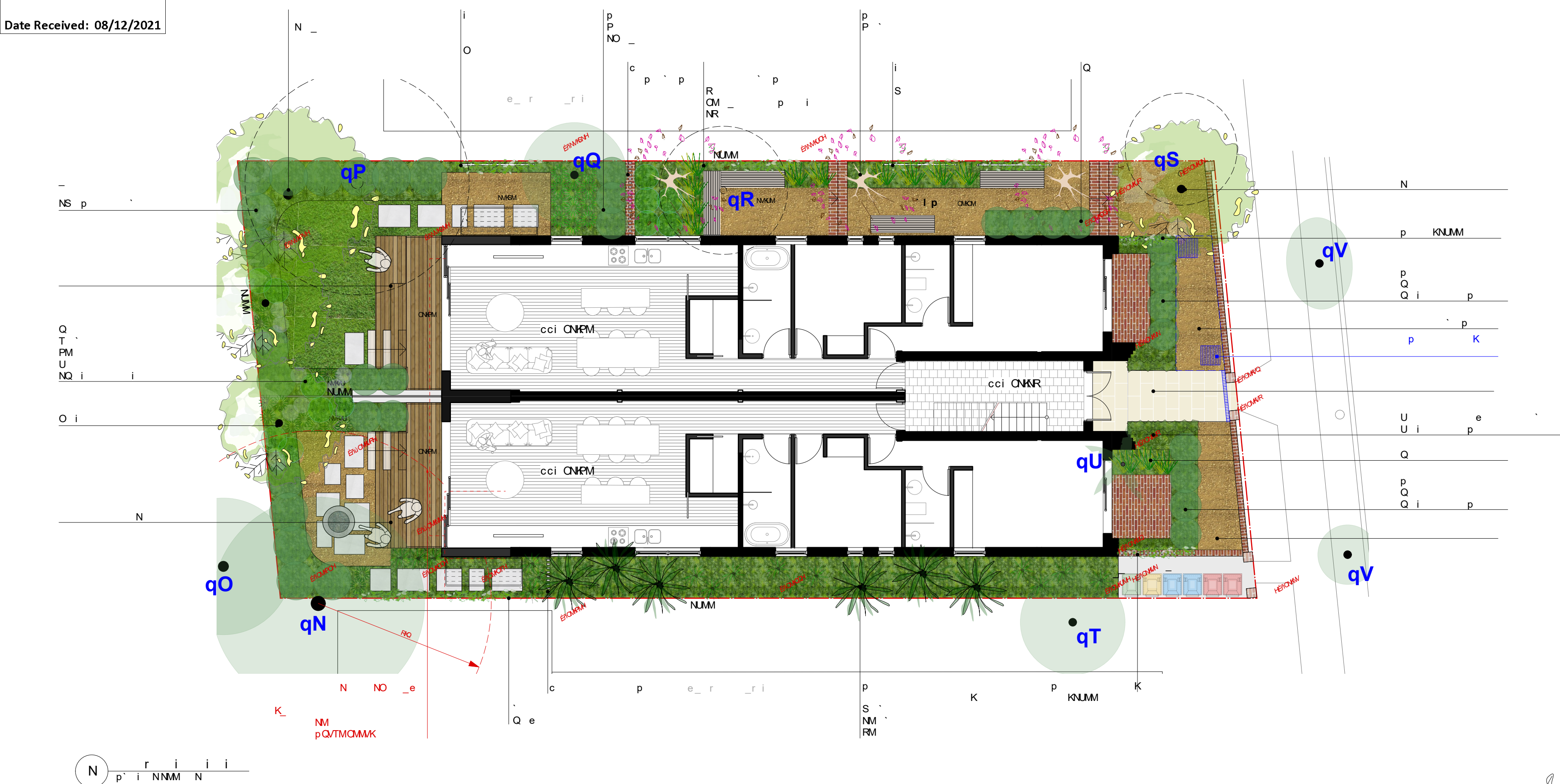
Address

51 Mitchell Street, Bondi Beach, NSW, 2026

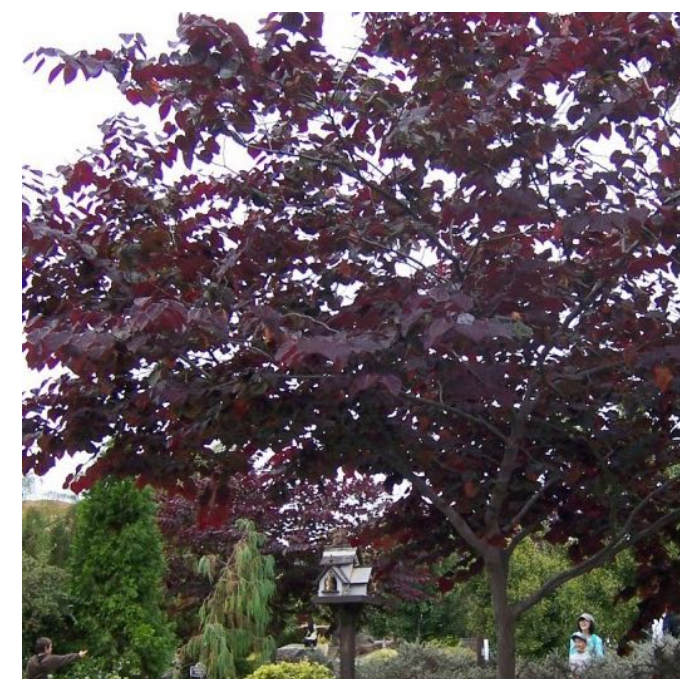
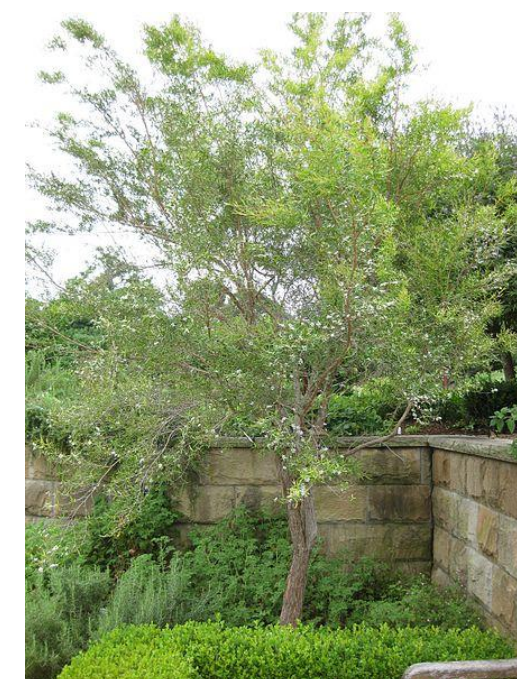
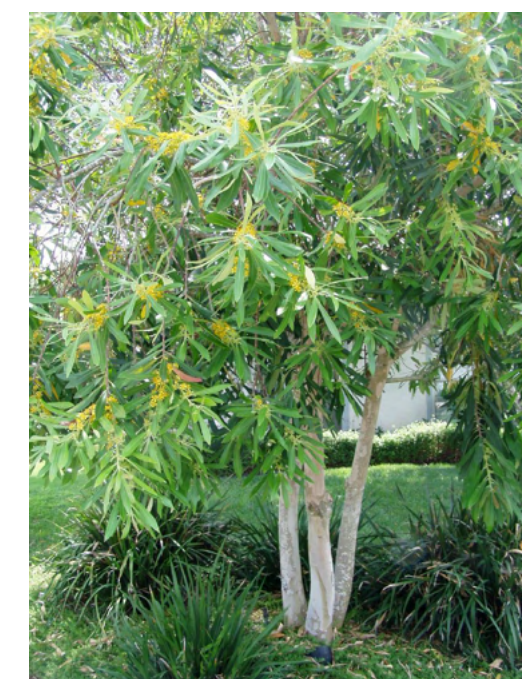
hstar.com.au

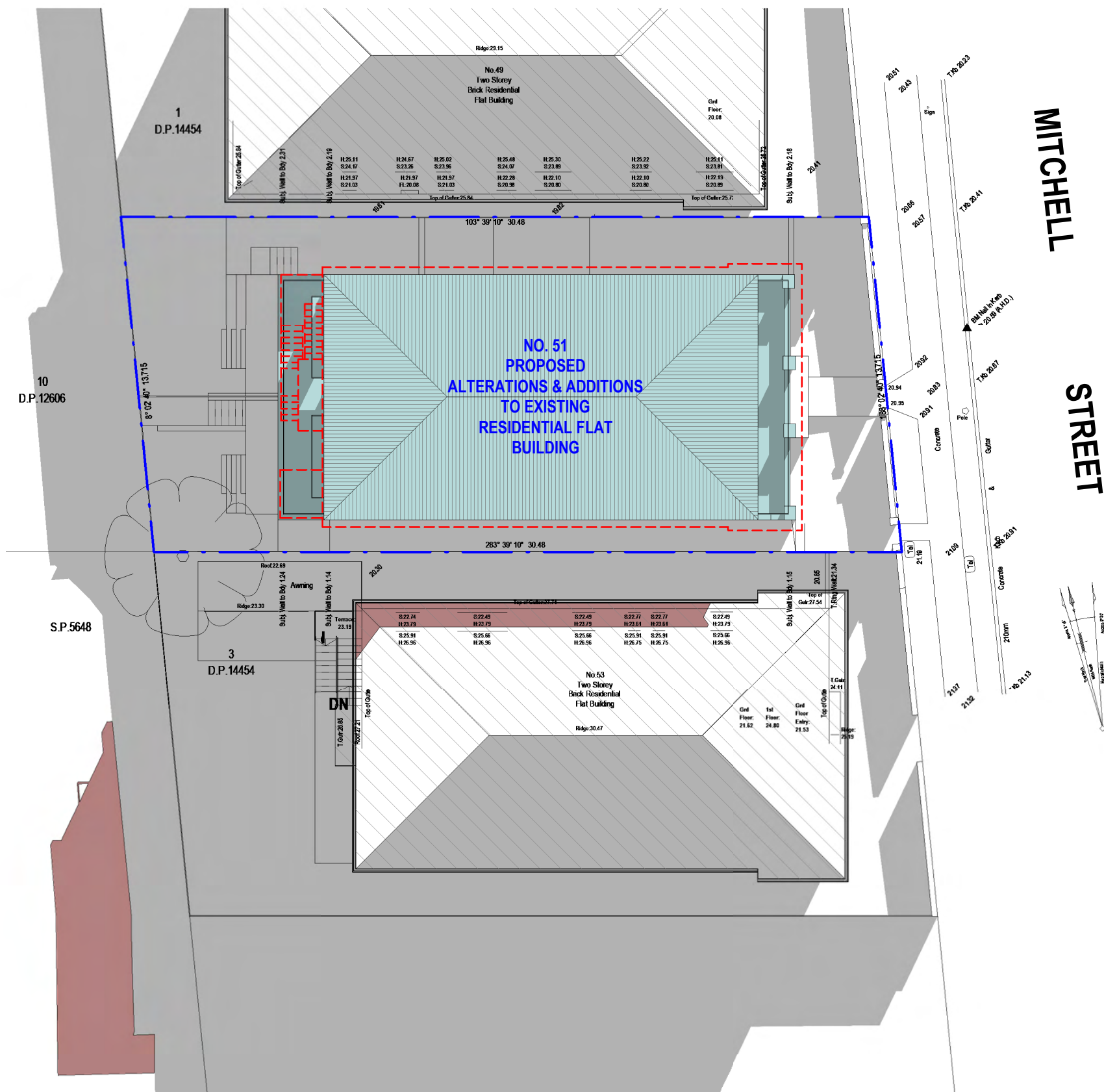


General Notes			Basix			Legend			Consultants			Project			Architect			Drawing					
01	25.03.22	Amended Plans	Dissemination	Issue Date	11:21:21	FOR DEVELOPMENT APPLICATION PURPOSES ONLY 1. ALL WORKS TO BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA, NATIONAL CONSTRUCTION CODE (NCC), AUSTRALIAN STANDARDS STATUTORY REGULATIONS AND LOCAL AUTHORITY REG. 2. CONTRACTOR TO ENSURE CONSISTENCY BETWEEN MATERIALS IS MAINTAINED. 3. CONTRACTOR TO NOTIFY DESIGNER OF ANY DISCREPANCIES, DIMENSIONAL INCONSISTENCIES OR THE NEED FOR CLARIFICATION PRIOR TO MANUFACTURING. 4. DESIGNER TO REVIEW ALL CONTRACTORS DETAILED DRAWINGS / SETTING OUT PRIOR TO CONSTRUCTION. 5. CONTRACTOR TO LAISE WITH ELECTRICAL CONTRACTORS TO ENSURE ALL POWER/CABLE/COMMUNICATION REQUIREMENTS ARE ACCESSIBLE. 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.																	
						WATER: Landscape Vegetation: • Common Veg.: 40m2 lawn + 40m2 gardens with 40m2 low-water use species • Private Vegetation Rainwater Tank: • Not required Pool/Spa: • N/A Toilets/Showheads/Taps: • Showerheads 4 Star • Toilets 3 Star • Kitchen Taps 3 Star • Bathroom Taps 3 Star THERMAL COMFORT: Roof: • Metal Deck + R1.0 Insulation blanket to underside of roofs • 'Medium' Colour Ceilings: • Minimum R4.0 insulation to all ceilings with roof space above. • Rated with sealed exhaust ventilation. Not rated with down-lights. External Walls: • Cavity brick to lowest (existing) level external walls. • Metal cladding + R2.0 insulation to upper level external walls. • Dark' colour. Internal Walls: • Plasterboard on stud or brick internal walls throughout (as per plans). • Cavity brick 'party walls'. Glazing: • Units 2 (South facing Lichen Living Glazing Only) and Unit 4 (all): AFRC: Uw = 3.1, SHGC = 0.27. • All remaining Units: AFRC: Uw = 5.6, SHGC = 0.41. Floors: • Concrete floors to Ground & 1st floor. • Timber-framed floor to upper level + R1.5 insulation. • Timber, carpet & tile coverings to floors (as per plans). ENERGY: Cooling: • Ceiling fans + air-conditioners, single-phase, 5.0 'star' to Living & Bed areas. Heating: • Air-conditioners, single-phase, 5.0 'star' to Living & Bed areas. Water Heating: • Gas instantaneous, 5.0 'star'. Energy Efficient Lighting: • All dwellings: compact fluorescent or LED, with dedicated fittings. • Common areas: compact fluorescent with 'zoned' switching. Cooking: • Gas cook-tops, electric ovens. Ventilation: • Laundries: exhausts ducted & sealed; switch interlocked to light. • Common areas: no mechanical ventilation. Refrigerator Space: • Well Ventilated Clothes Drying Line: • Common Outdoor Line																	
						 To Be Demolished  Existing Dwelling  Proposed Addition			Planner LK Planning Stormwater ITM Landscape Melissa Wilson BCAA/Access Jr Consulting Imagery Narrative			51 MITCHELL Site 51 MITCHELL STREET, BONDI BEACH Scale nts at A3 Drawn By BL, RM Project No 2020			MHN DUNION 35 RICHARDS LANE, SURRY HILLS SYDNEY NSW 2010 T +61 2 9101 1111 F +61 2 9101 1100 www.mhndu.com MHN Design Union Pty Ltd. ABN 94 003 717 682 Nominated Architect: Brian Meyerson, NSW Arch Reg. No. 4907 All Drawings copyright MHN Design Union			Date 25 MARCH 2022 Drawing No DA Revision 601 [01]					

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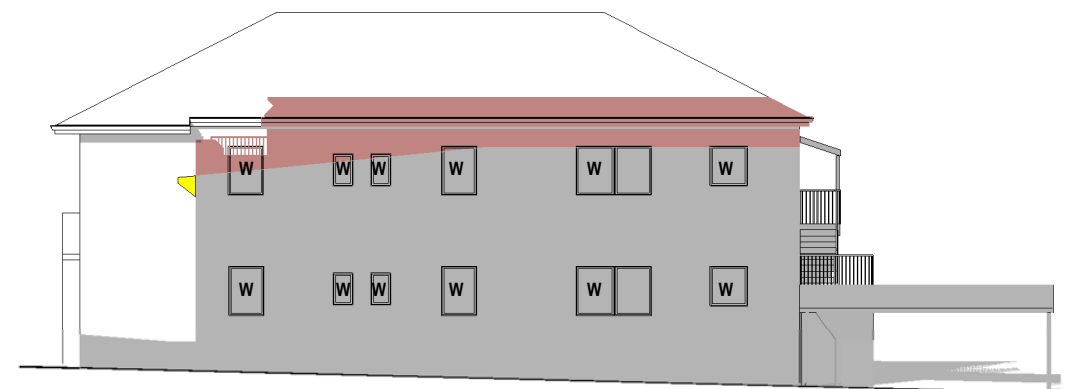


- LEGEND:
- DENOTES OUTLINE OF EXISTING STRUCTURES TO BE DEMOLISHED
 - DENOTES AREA OF EXISTING & SURROUNDING BUILDING SHADOW
 - DENOTES AREA OF PROPOSED NEW RESIDENTIAL BUILDING
 - DENOTES AREA OF PROPOSED ADDITIONAL BUILDING SHADOW
 - DENOTES AREA OF PROPOSED IMPROVED BUILDING SHADOW (STRUCTURES TO BE DEMOLISHED)

RECEIVED
Waverley Council
Application No: DA-540/2021
Date Received: 08/12/2021

NOTE:
SHADOWS SHOWN HAVE BEEN COMPILED FROM DETAIL & LEVEL SURVEY BY PAUL A. LAWSON SURVEYORS REF. 8013-13 DATED 05/08/13 & ARCHITECTURAL PLANS BY COMMON OFFICE PROJECT: AFFORDABLE HOUSING PROJECT DATED 16 AUGUST 2021

NORTH ELEVATION
NO. 53
TWO STOREY
BRICK RESIDENTIAL
FLAT BUILDING
TILED ROOF



1 Shadowing June 21st 9.00am
1 : 200

Cad Draft P/L

ABN 27 083 288 153

SUITE 1, 505 BALMAIN ROAD,
LILYFIELD, NSW 2040

SHADOW ANALYSIS CONSULTANTS

PH: 9555 8545

info@caddraftnsw.com.au

No.	Description	Date

SHADOW DIAGRAMS
No. 51 MITCHELL STREET
BONDI BEACH

CLIENT: C/- COMMON OFFICE

Shadowing June 21st 9.00am






Project number	21-97	A100	
Date	02-09-21		
Drawn by	KP		
Checked by	JD	Scale	As indicated

RECEIVED
Waverley Council

Application No: DA-540/2021

Date Received: 08/12/2021

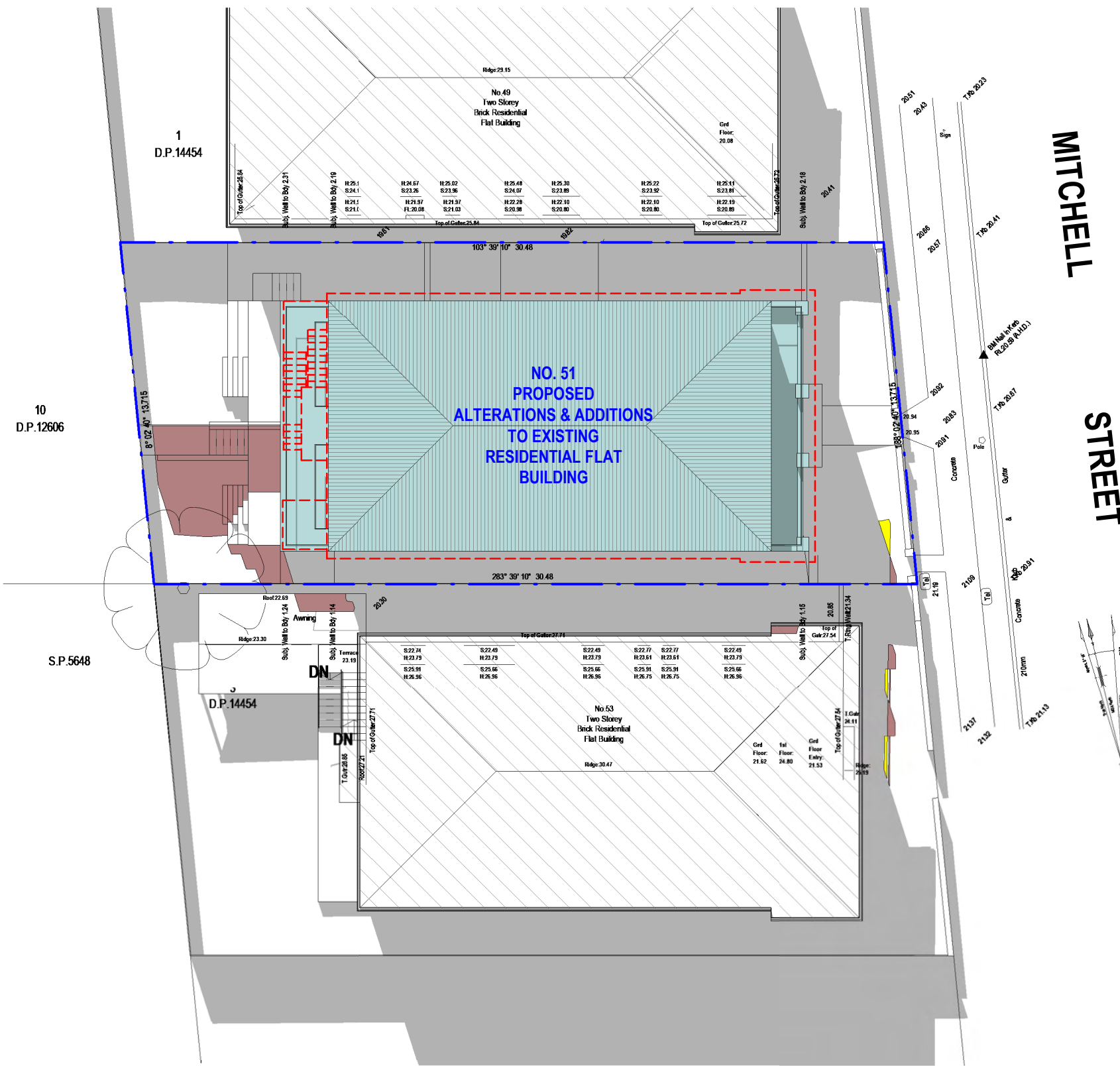
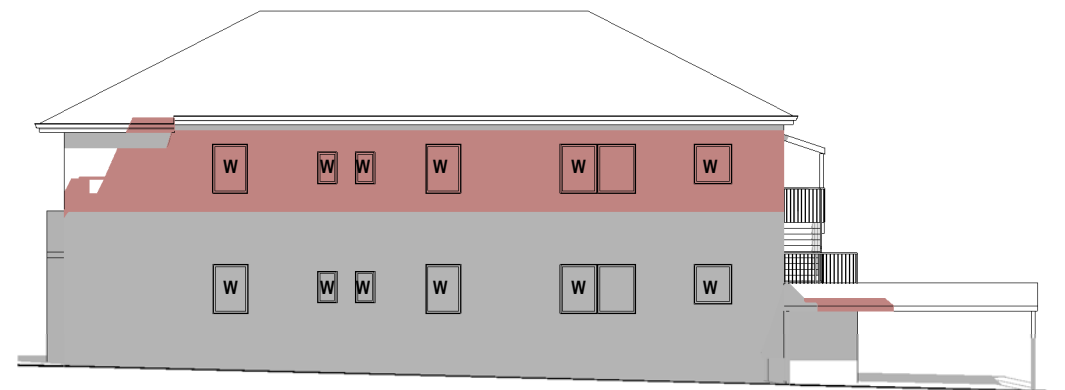
LEGEND:

-  DENOTES OUTLINE OF EXISTING STRUCTURES TO BE DEMOLISHED
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NOTE:

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NORTH ELEVATION
NO. 53
TWO STOREY
BRICK RESIDENTIAL
FLAT BUILDING
TILED ROOF



MITCHELL
STREET



1

Shadowing June 21st 12.00pm

1 : 200

Cad Draft P/L

ABN 27 083 288 153

SUITE 1, 505 BALMAIN ROAD,
LILYFIELD, NSW 2040

SHADOW ANALYSIS CONSULTANTS

PH: 9555 8545

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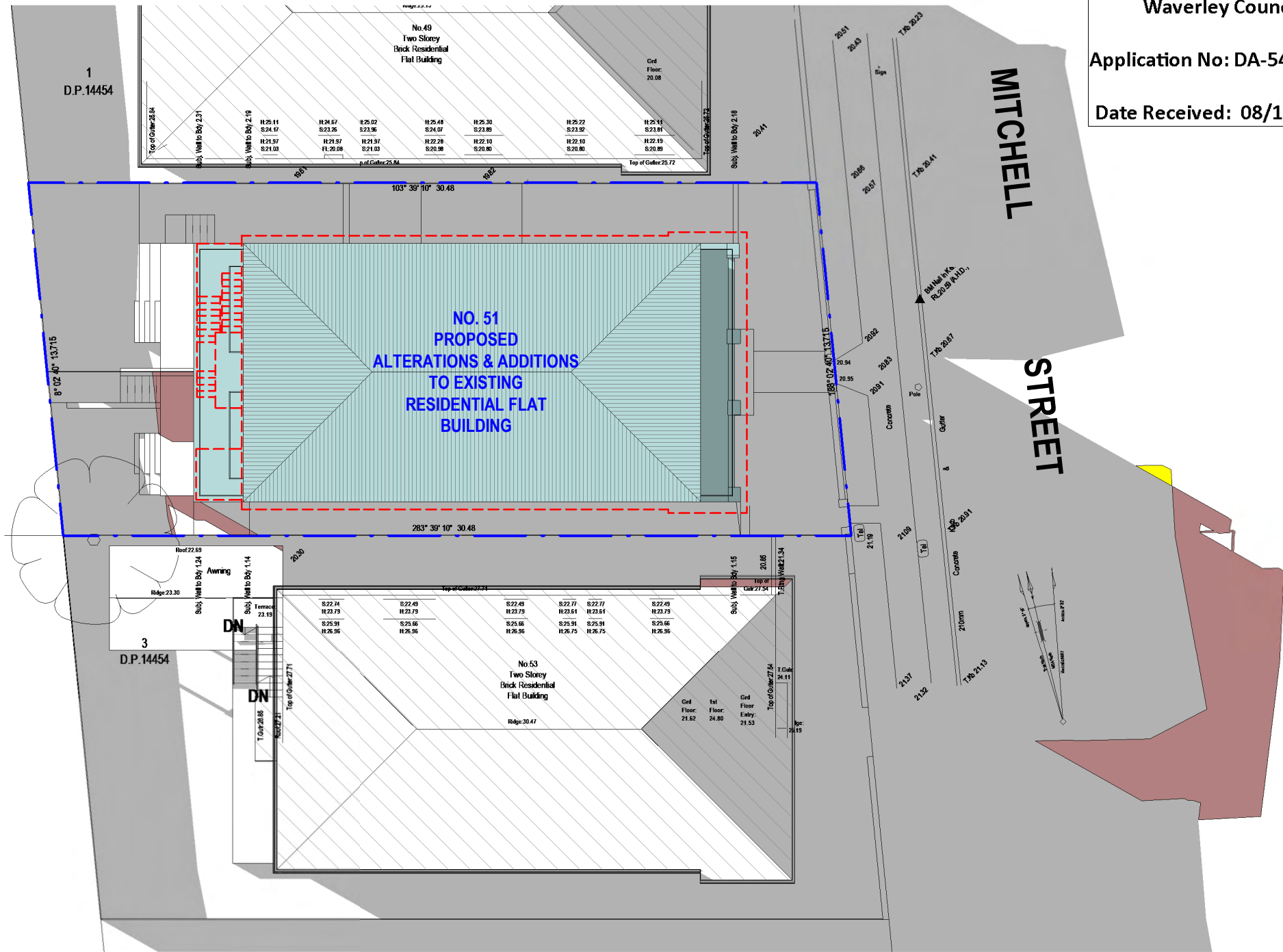
No.	Description	Date

SHADOW DIAGRAMS
No. 51 MITCHELL STREET
BONDI BEACH

CLIENT: C/- COMMON OFFICE

Shadowing June 21st 12.00pm

Project number	21-97	A101
Date	02-09-21	
Drawn by	KP	
Checked by	JD	Scale
		As indicated

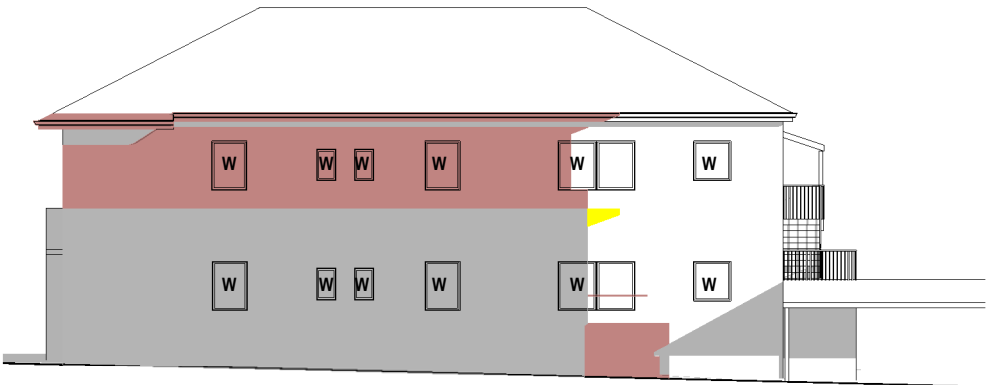


RECEIVED
Waverley Council
Application No: DA-540/2021
Date Received: 08/12/2021

- LEGEND:
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NOTE:
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NORTH ELEVATION
NO. 53
TWO STOREY
BRICK RESIDENTIAL
FLAT BUILDING
TILED ROOF



1 Shadowing June 21st 3.00pm
1 : 200

Cad Draft P/L

ABN 27 083 288 153

SUITE 1, 505 BALMAIN ROAD,
LILYFIELD, NSW 2040

SHADOW ANALYSIS CONSULTANTS

PH: 9555 8545

info@caddraftnsw.com.au

No.	Description	Date

SHADOW DIAGRAMS
No. 51 MITCHELL STREET
BONDI BEACH

CLIENT: C/- COMMON OFFICE

Shadowing June 21st 3.00pm

Project number	21-97
Date	02-09-21
Drawn by	KP
Checked by	JD

A102

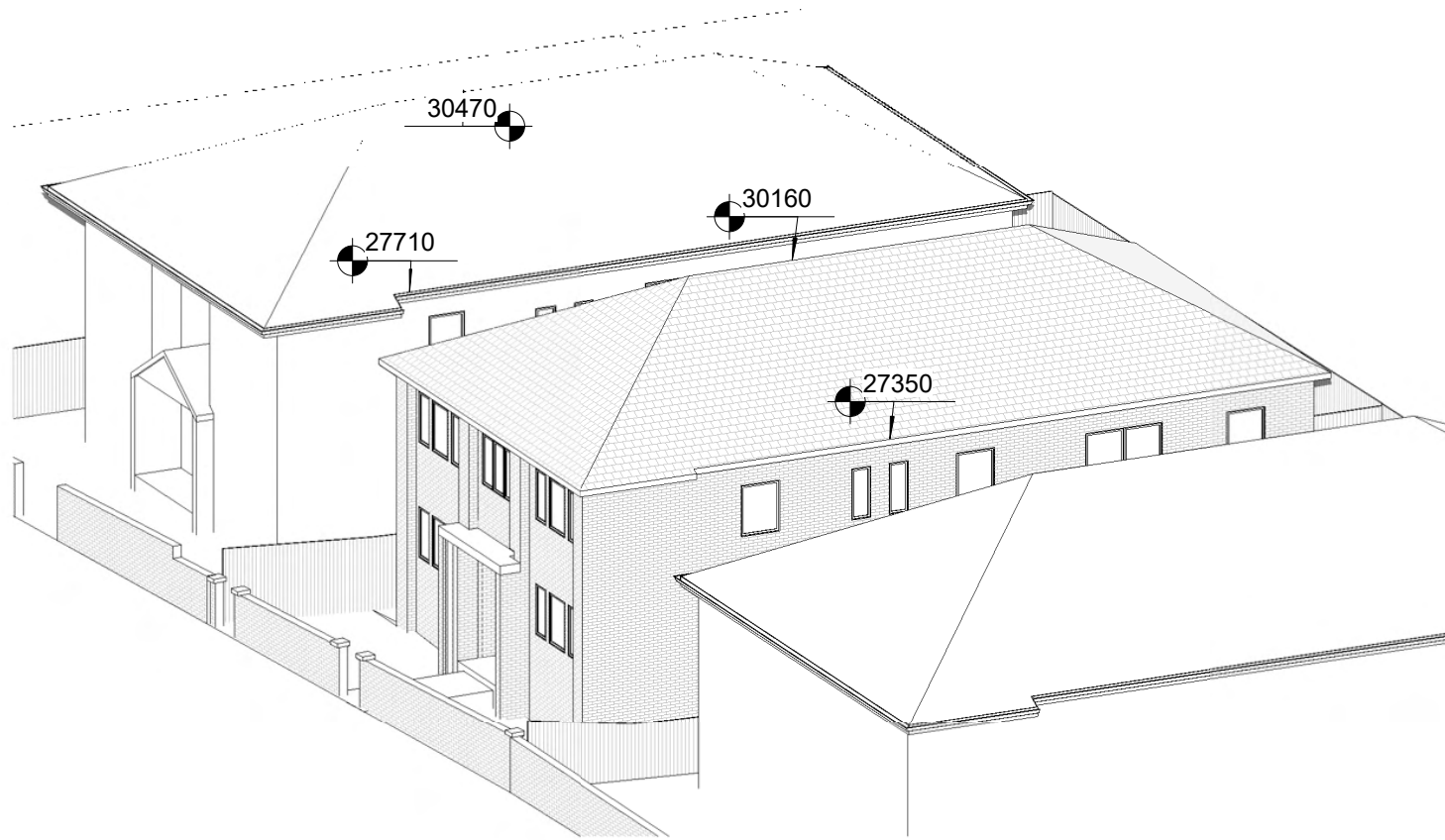
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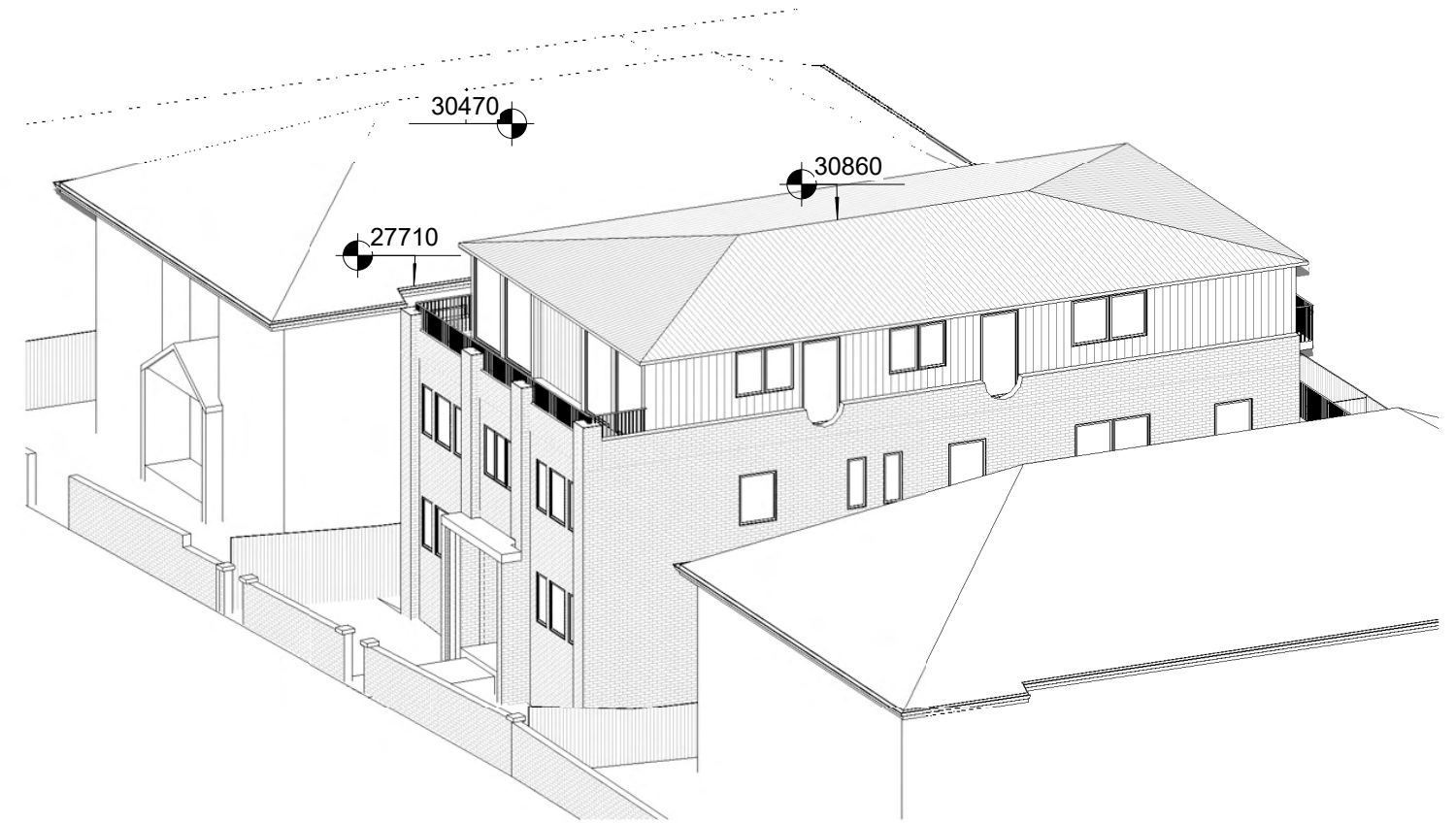
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Waverley Council

Application No: DA-540/2021

Date Received: 08/12/2021



1 June 21st 9.00am Existing



2 June 21st 9.00am Proposed

Cad Draft P/L

ABN 27 083 288 153

SUITE 1, 505 BALMAIN ROAD,
LILYFIELD, NSW 2040

SHADOW ANALYSIS CONSULTANTS

PH: 9555 8545

info@caddraftnsw.com.au

No.	Description	Date

SHADOW DIAGRAMS
No. 51 MITCHELL STREET
BONDI BEACH

CLIENT: C/- COMMON OFFICE

3D Solar Views June 9am

Project number 21-97

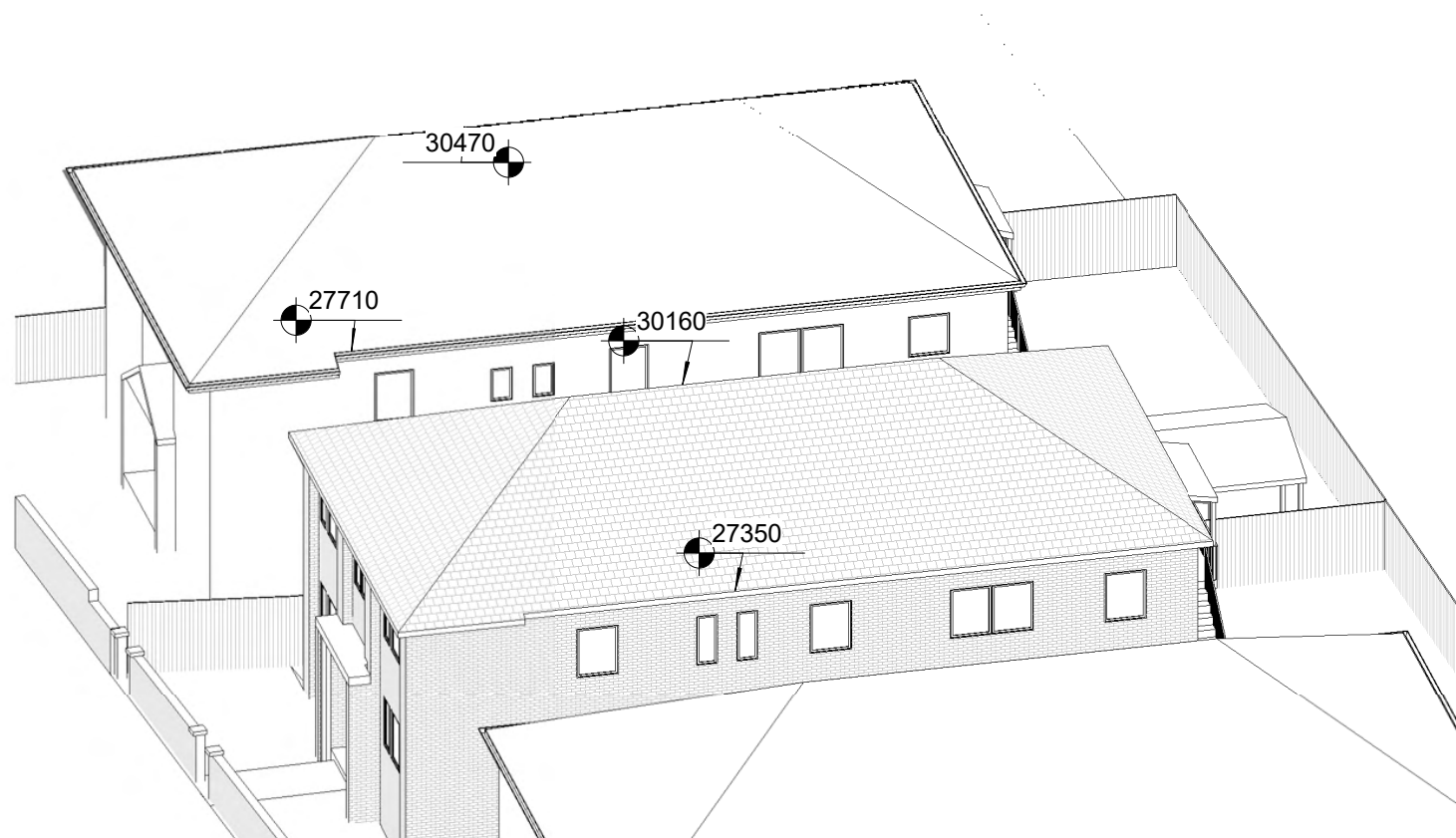
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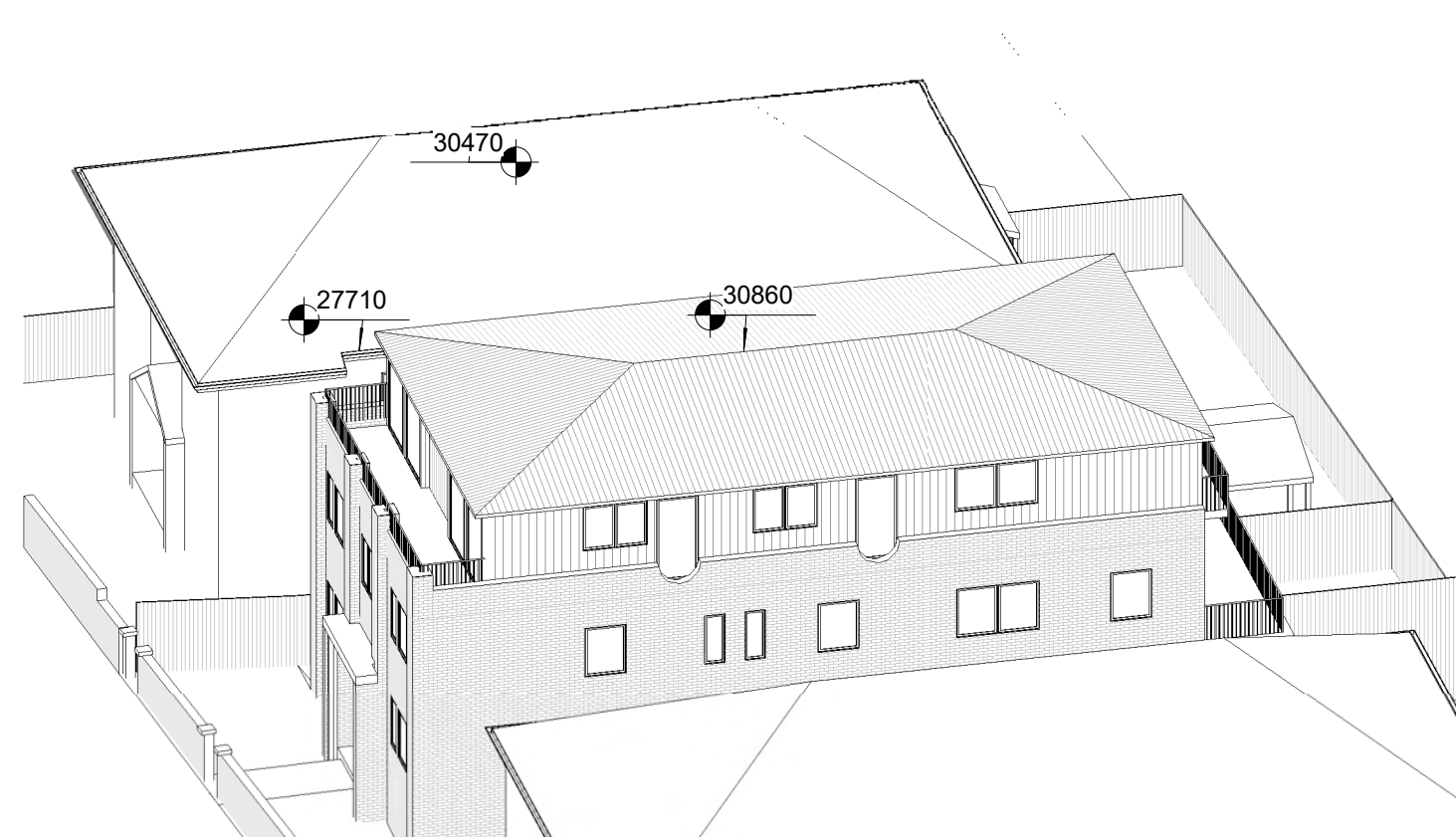
Checked by JD

A105

Scale



1 June 21st 10.00am Existing



2 June 21st 10.00am Proposed

Cad Draft P/L

ABN 27 083 288 153

SUITE 1, 505 BALMAIN ROAD,
LILYFIELD, NSW 2040

SHADOW ANALYSIS CONSULTANTS

PH: 9555 8545

info@caddraftnsw.com.au

No.	Description	Date

SHADOW DIAGRAMS
No. 51 MITCHELL STREET
BONDI BEACH

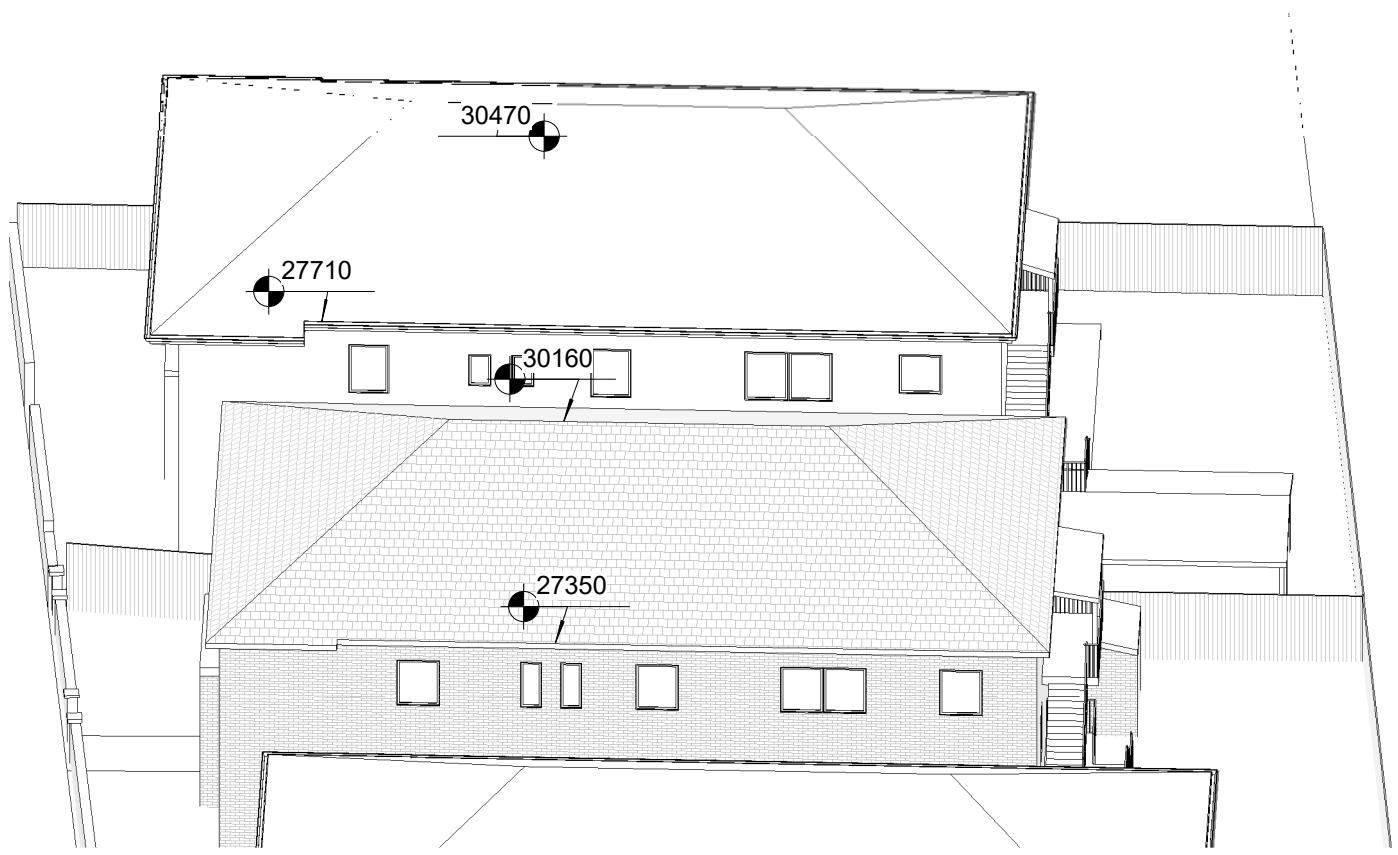
CLIENT: C/- COMMON OFFICE

3D Solar Views June 10am

Project number	21-97
Date	02-09-21
Drawn by	KP
Checked by	JD

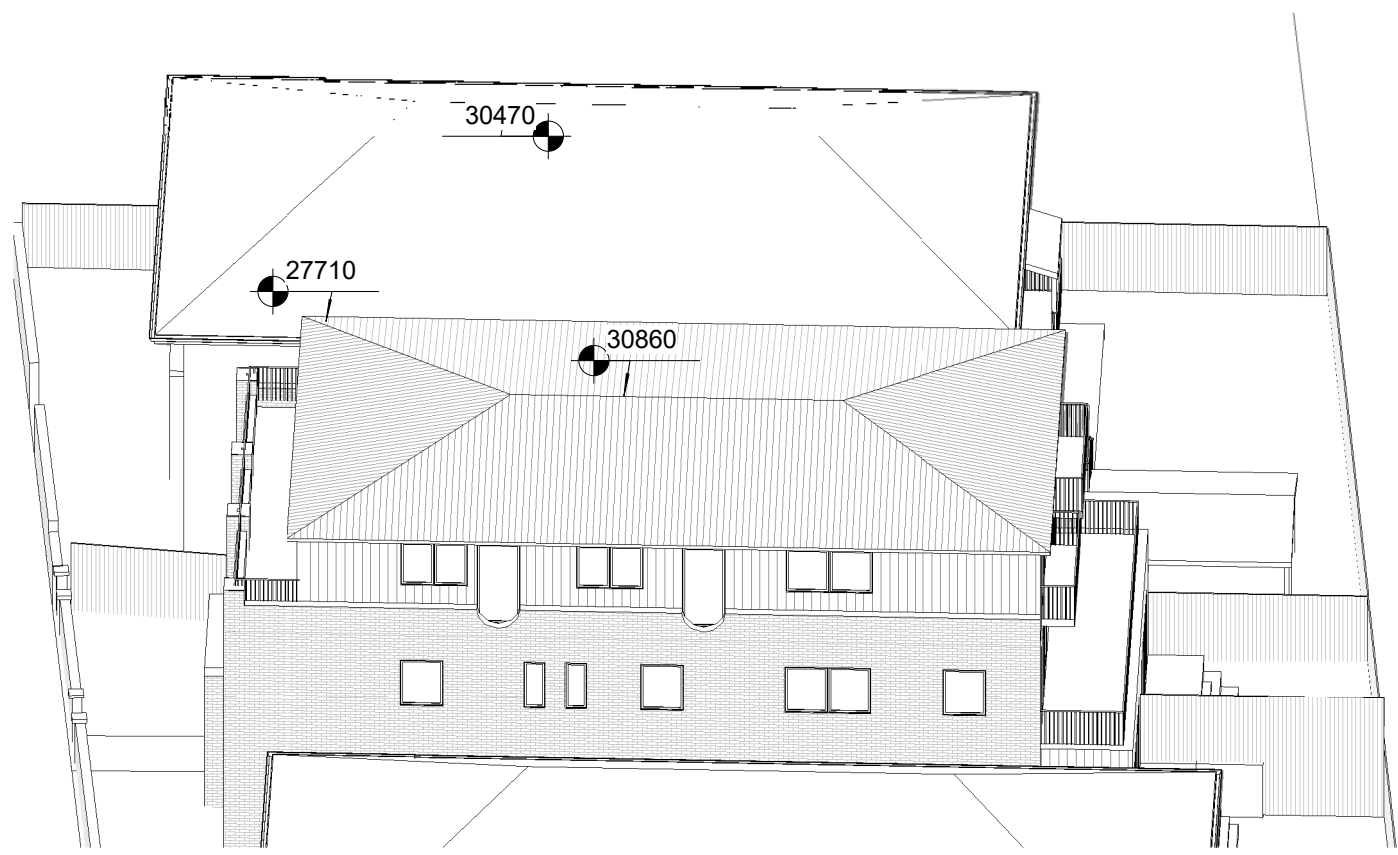
A106

Scale



1

June 21st 11.00am Existing



2

June 21st 11.00am Proposed

No.	Description	Date

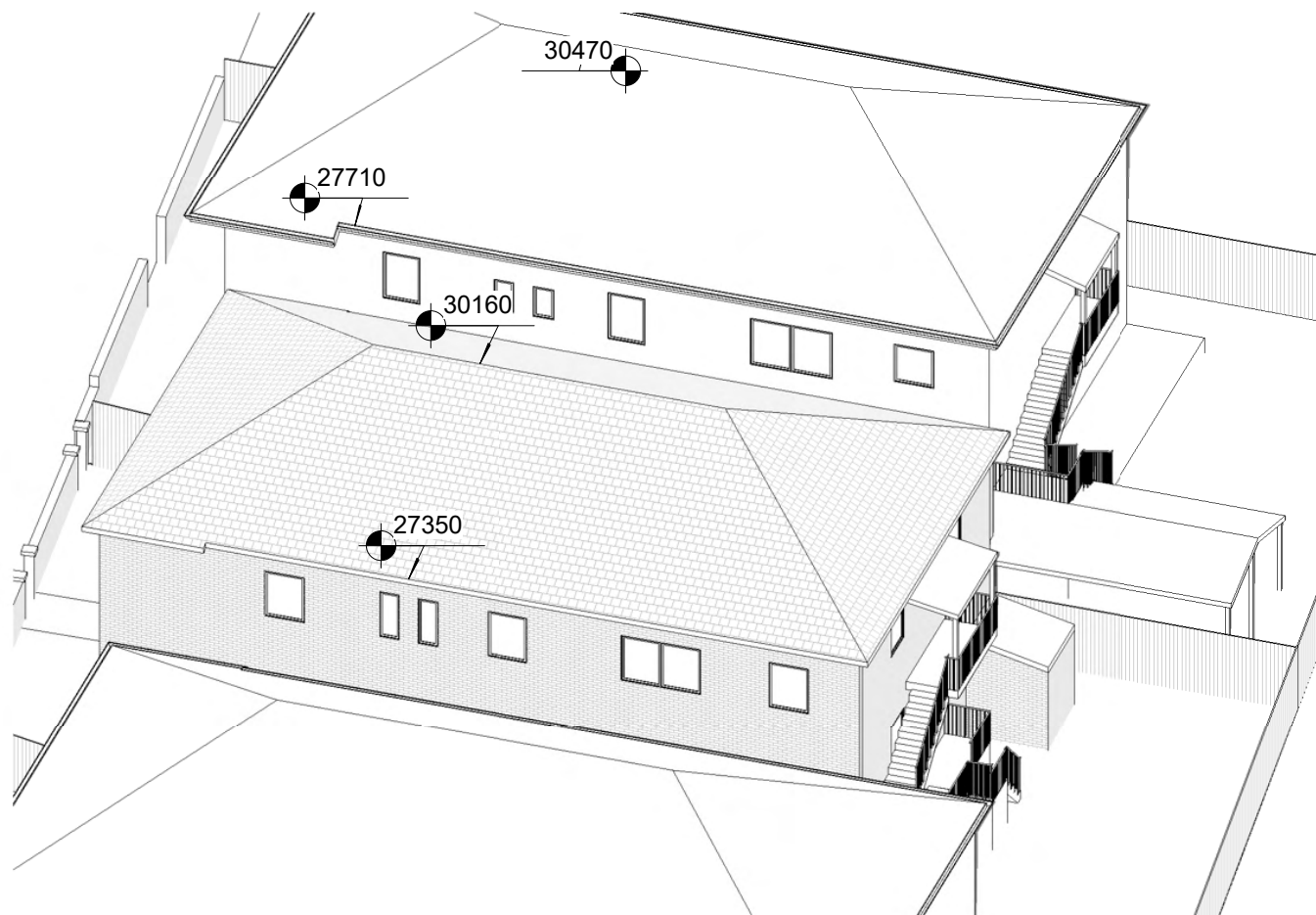
SHADOW DIAGRAMS

No. 51 MITCHELL STREET

BONDI BEACH

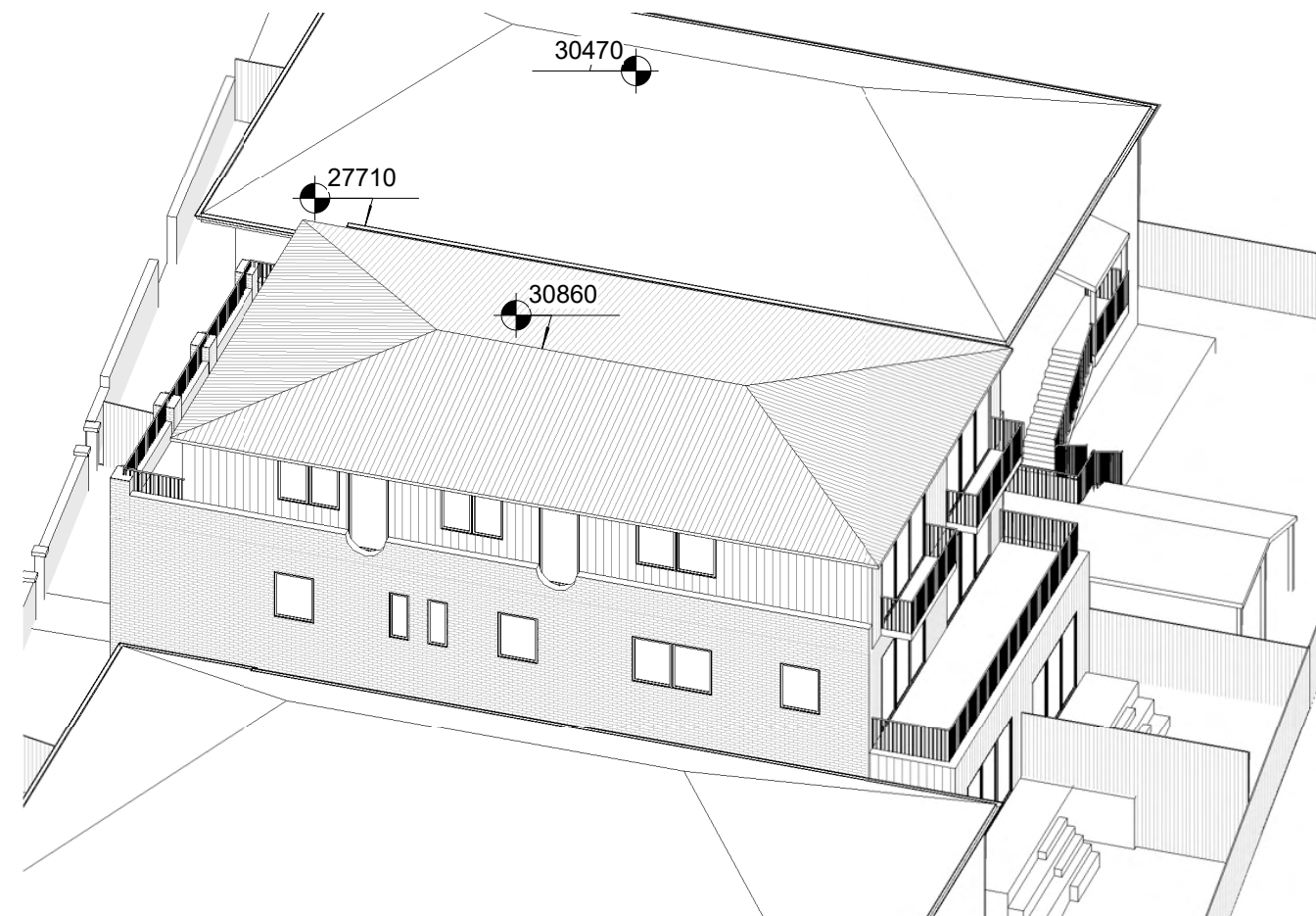
CLIENT: C/- COMMON OFFICE

3D Solar Views June 11am		
Project number	21-97	A107
Date	02-09-21	
Drawn by	KP	
Checked by	JD	
		Scale



1

June 21st 12.00pm Existing

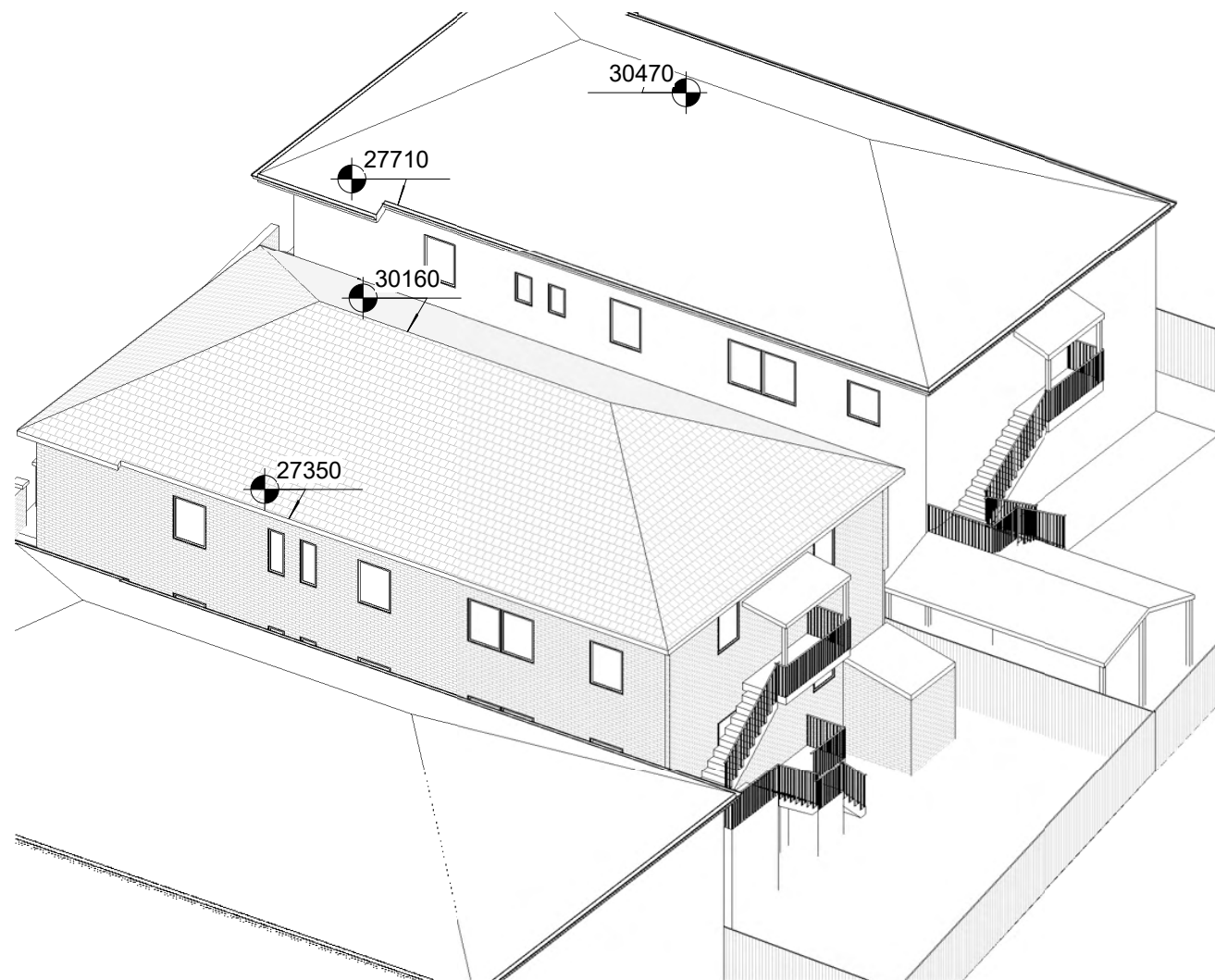


2

June 21st 12.00pm Proposed

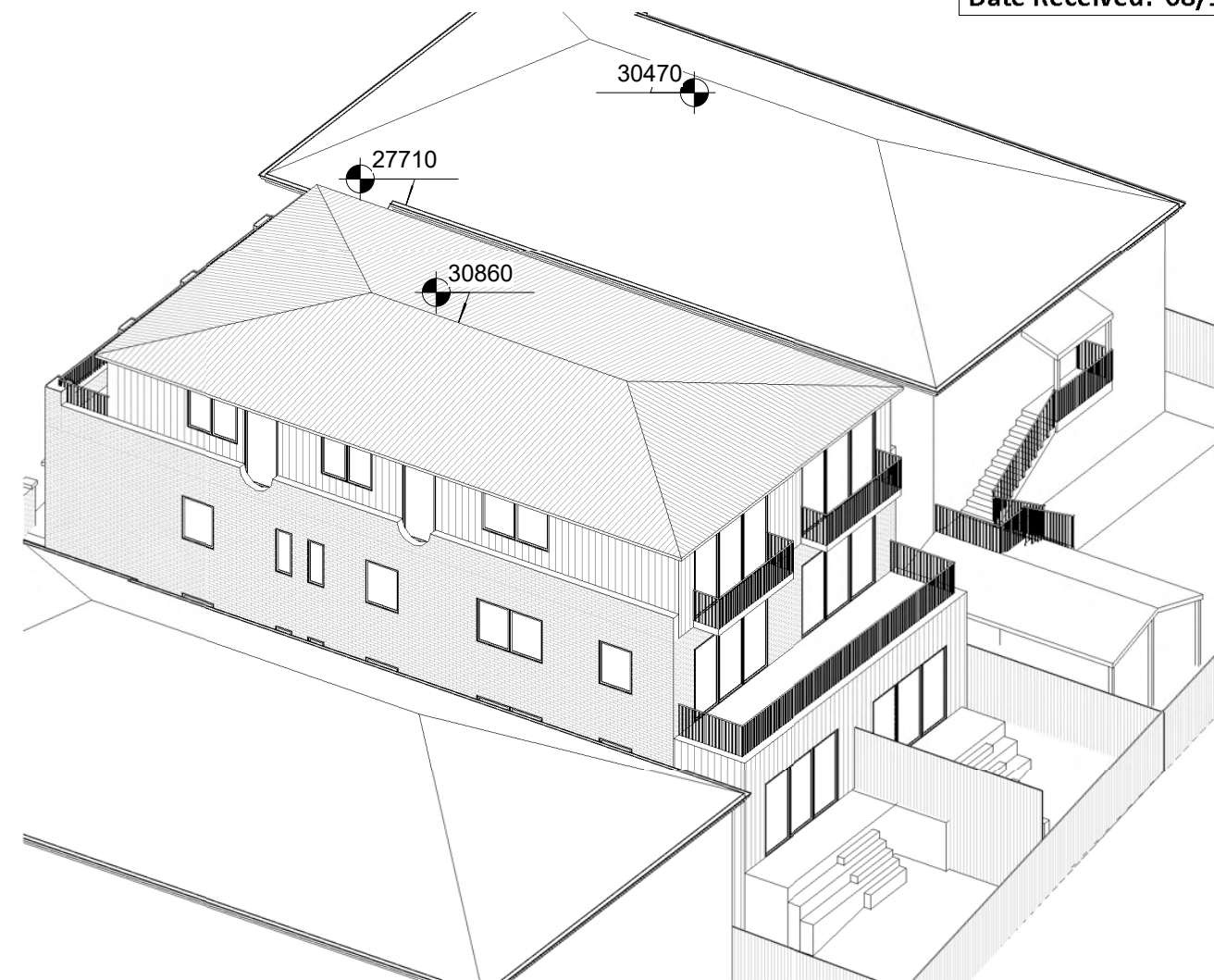
No.	Description	Date

3D Solar Views June 12pm		
Project number	21-97	A108
Date	02-09-21	
Drawn by	KP	
Checked by	JD	
		Scale



1

June 21st 1.00pm Existing



2

June 21st 1.00pm Proposed

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ABN 27 083 288 153

SUITE 1, 505 BALMAIN ROAD,
LILYFIELD, NSW 2040

SHADOW ANALYSIS CONSULTANTS

PH: 9555 8545

info@caddraftnsw.com.au

No.	Description	Date

SHADOW DIAGRAMS
No. 51 MITCHELL STREET
BONDI BEACH

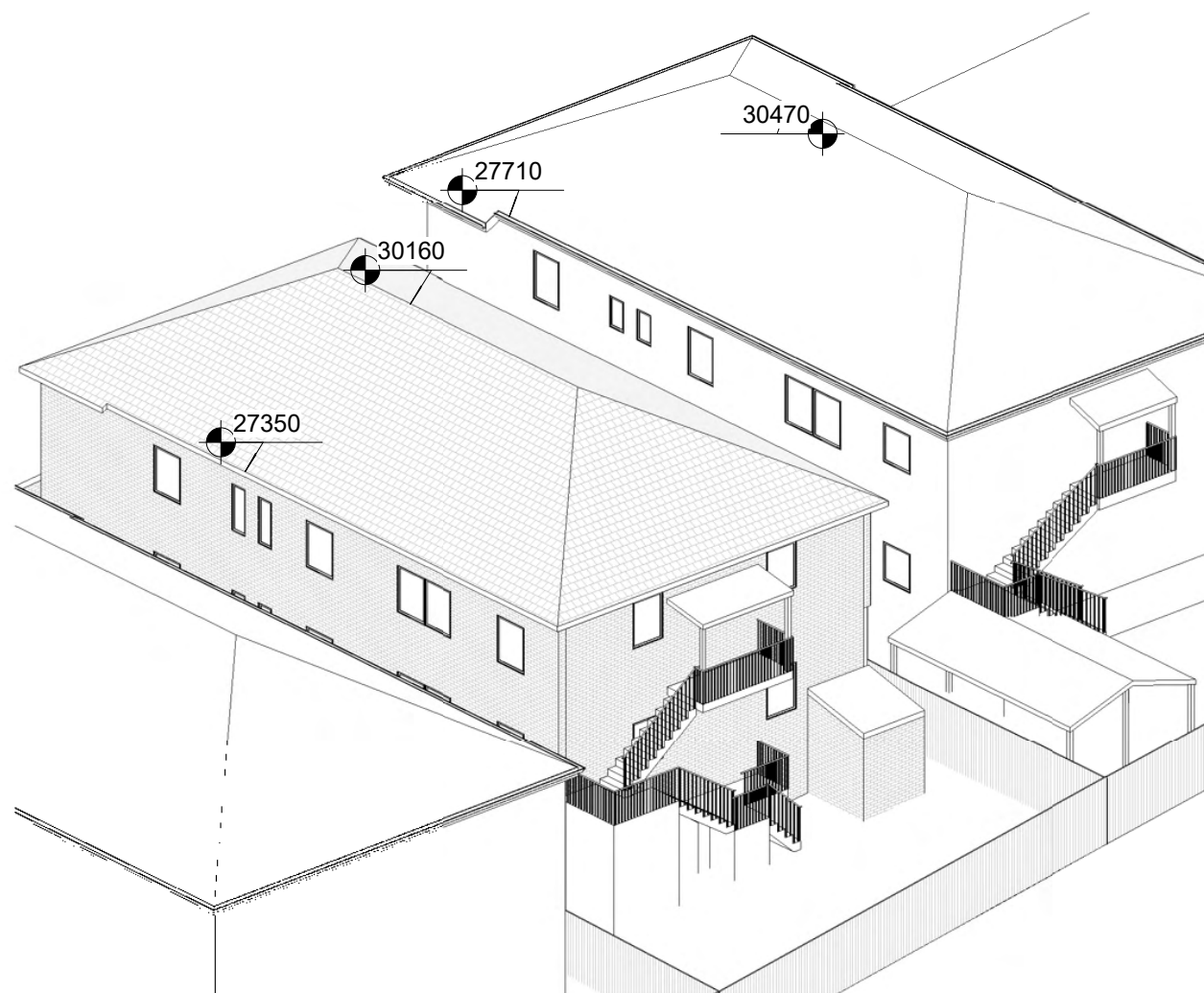
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3D Solar Views June 1pm

Project number	21-97
Date	02-09-21
Drawn by	KP
Checked by	JD

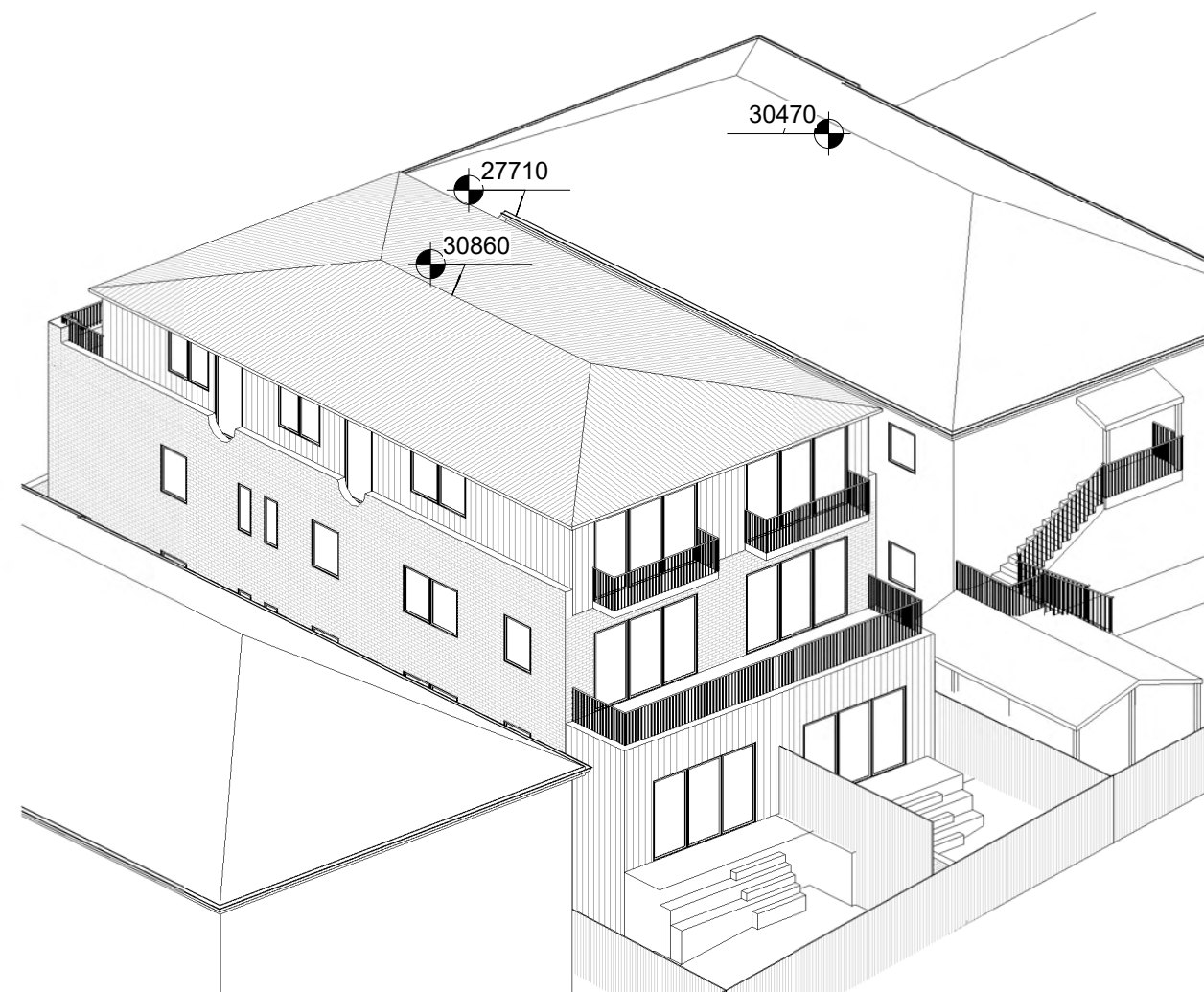
A109

Scale



1

June 21st 2.00pm Existing



2

June 21st 2.00pm Proposed

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ABN 27 083 288 153

SUITE 1, 505 BALMAIN ROAD,
LILYFIELD, NSW 2040

SHADOW ANALYSIS CONSULTANTS

PH: 9555 8545

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No.	Description	Date

SHADOW DIAGRAMS
No. 51 MITCHELL STREET
BONDI BEACH

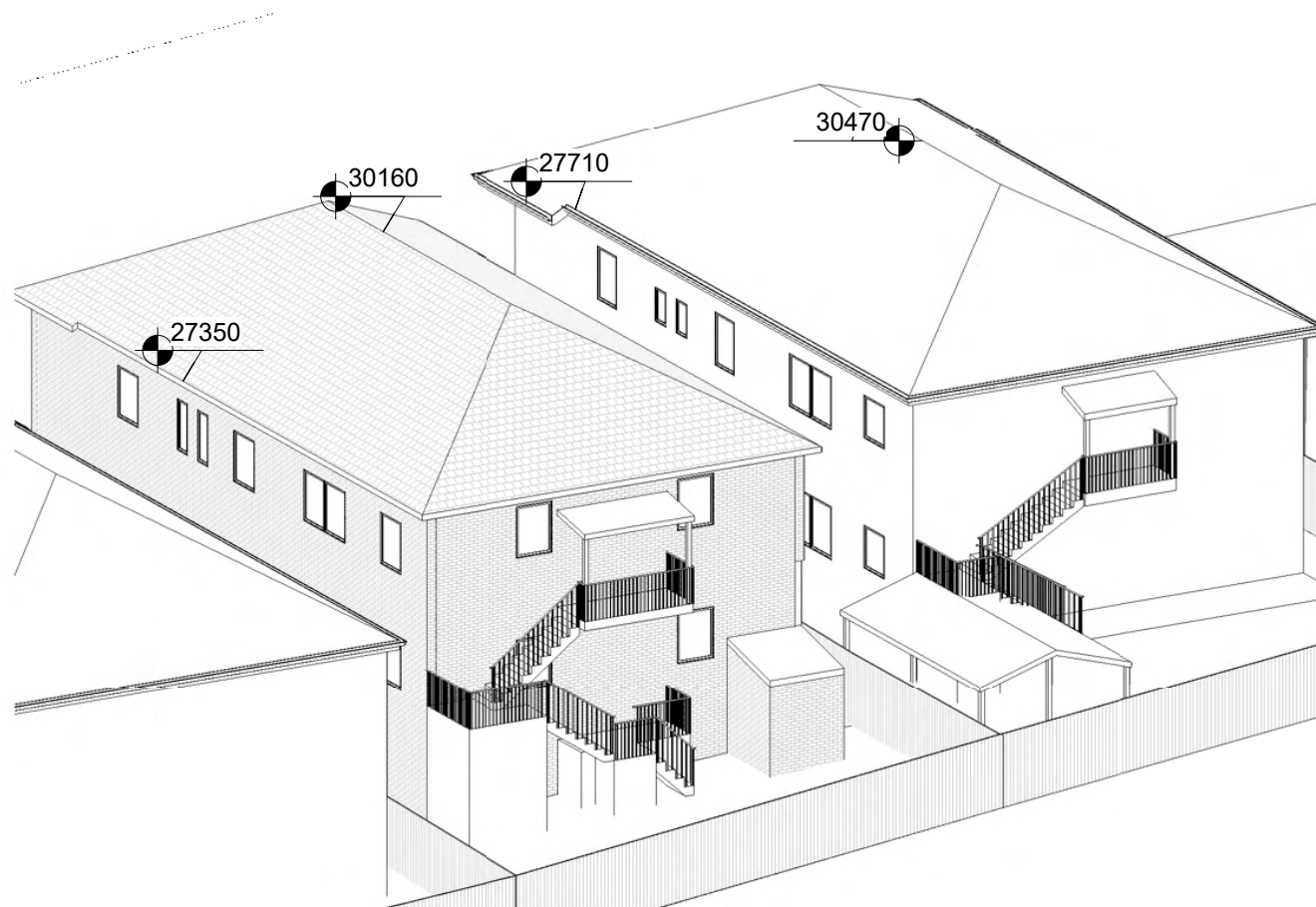
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3D Solar Views June 2pm

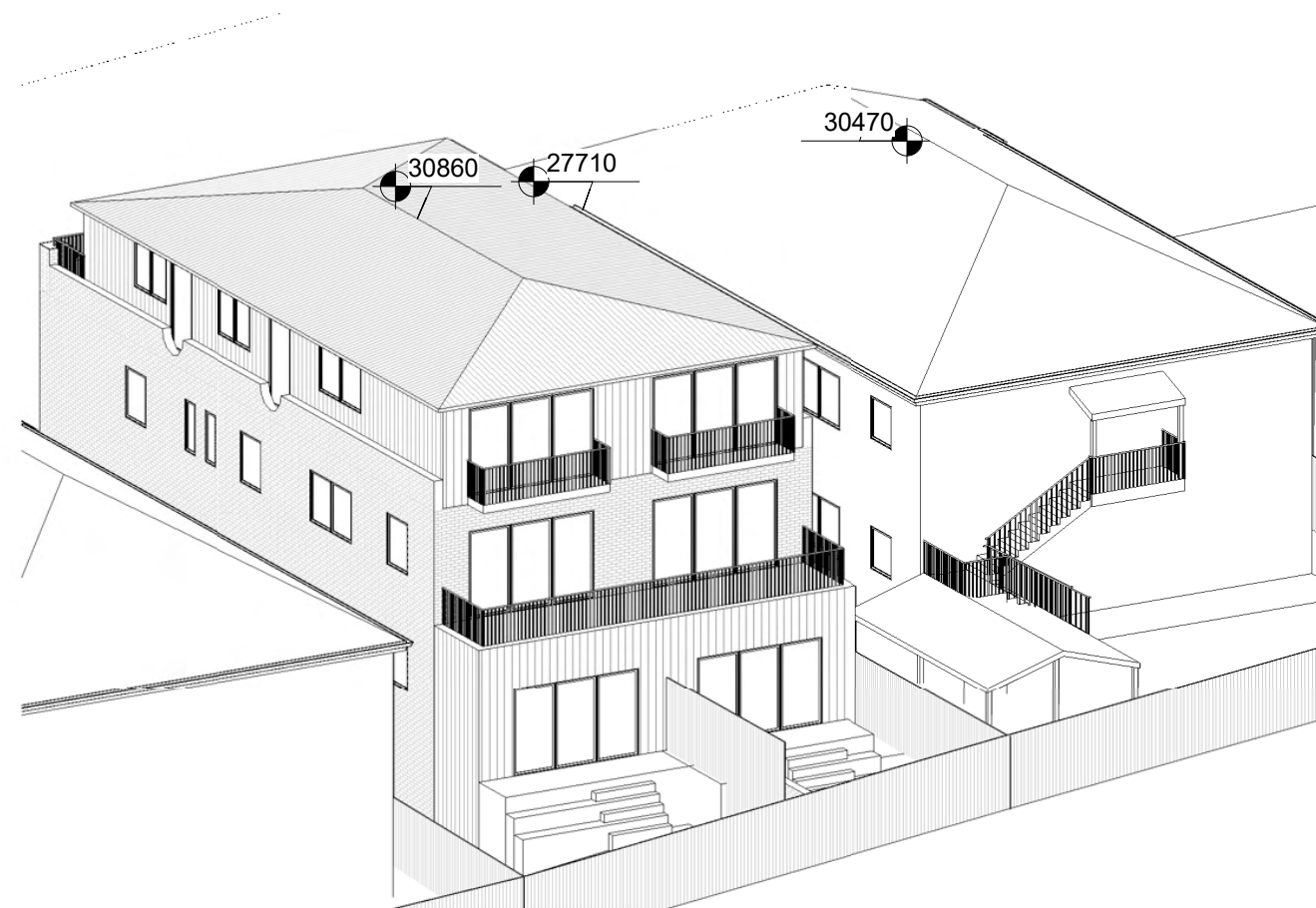
Project number	21-97
Date	02-09-21
Drawn by	KP
Checked by	JD

A110

Scale



1 June 21st 3.00pm Existing



2 June 21st 3.00pm Proposed

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ABN 27 083 288 153

SUITE 1, 505 BALMAIN ROAD,
LILYFIELD, NSW 2040

SHADOW ANALYSIS CONSULTANTS

PH: 9555 8545

info@caddraftnsw.com.au

No.	Description	Date

SHADOW DIAGRAMS
No. 51 MITCHELL STREET
BONDI BEACH

CLIENT: C/- COMMON OFFICE

3D Solar Views June 3pm

Project number 21-97

Date 02-09-21

Drawn by KP

Checked by JD

Scale

A111