



18 March 2020

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

11.00 AM WEDNESDAY 22 APRIL 2020

QUORUM: Three Panel members.

APOLOGIES: By e-mail to WLPP@waverley.nsw.gov.au

OR

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

AGENDA

WLPP-2003.A
Apologies

WLPP-2003.DI
Declarations of Interest

The Chair will call for any declarations of interest.

WLPP-2003.5 **PAGE 3**
15-17 Lamrock Avenue, Bondi Beach - Demolition of two detached dwellings and construction of a four-storey boarding house and integrated car parking (DA-170/2019)

Report dated 11 March 2020 from the Development and Building Unit.

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



Report to the Waverley Local Planning Panel

Application number	DA-170/2019
Site address	15-17 Lamrock Avenue, Bondi Beach
Proposal	Demolition of two detached dwellings and construction of a four-storey boarding house and integrated carparking.
Date of lodgement	29 May 2019 (amended on 8 October 2019)
Owner	STM123 No. 9 Pty Ltd
Applicant	STM123 No. 9 Pty Ltd
Submissions	Original scheme: 61 submissions from individual properties and one petition including 245 signatories Amended scheme: 29 submissions from individual properties.
Cost of works	\$5,052,181
Issues	Character compatibility; car parking; non-compliance with height of buildings development standard; external wall height; overshadowing and privacy; operational aspects.
Recommendation	That the application be APPROVED subject to conditions of consent.

Site Map



1. PREAMBLE

1.1 Site and Surrounding Locality

A site visit was carried out on 2 September 2019.

The site is comprised of two existing lots that are identified as Lots 40 and 41 in DP 5953, known as 15-17 Lamrock Avenue, Bondi Beach. It is located on the north-eastern side of Lamrock Avenue between Consett Avenue to the north-west and Jaques Avenue to the south-east.

The combined sites (the site) are rectangular in shape with a street frontage measuring 24.38m. The site has an area of 893.4m² and gradually falls from the front towards the rear by approximately 1.5m.

The site is presently occupied by two single storey dwelling houses and its vehicular access is via a single width shared driveway with garages and carports at the rear of the site.

The subject site is in the residential suburb of Bondi Beach. The site is adjoining by:

- a three, part four storey building that is used as 'backpacker accommodation' and its operations known as 'The Village' to the north-west at 19 Lamrock Avenue
- a four storey residential flat building to the north-east at 1 Consett Avenue
- a four storey residential flat building to the south-east at 11A Lamrock Avenue.

The immediate locality is characterised by a variety of low and medium density residential development, ranging from dwelling houses to residential flat buildings of three to four storey scale. The site is in relative walking distances to the Bondi Beach Commercial Centre to the east of the site.



Figure 1: Bird's eye aerial photo view of the site (outlined in red) and its surrounds, looking north-east (Google Maps)



Figure 2: Existing dwelling house on part of the site known as 15 Lamrock Avenue



Figure 3: Existing dwelling house on part of the site known as 17 Lamrock Avenue



Figure 4: Rear of site, looking west



Figure 5: Rear of site, looking south-east

1.2 Relevant History

A search of Council's records revealed no recent and relevant development history of the site.

In relation to the adjoining property to the north-west of the site at 19 Lamrock Avenue (i.e. backpackers), the following development history is worth noting:

- DA-126/2006 for alterations and additions to existing three/four storey backpacker hostel was approved on 2 June 2006 and subsequently modified as follows:
 - DA-126/2006/A to add ensuites to rooms (to replace kitchenettes) and communal bathroom converted to four additional double rooms was approved on 20 August 2007
 - DA-126/2006/B to change skill in roofing material from tiles to *colorbond* metal roofing was approved on 18 June 2008
 - DA-126/2006/C to provide addition of two loft rooms to the top level of backpacker building was approved on 27 January 2009.
- DA-215/2011 for part third floor addition to rear of building for a caretaker's unit to a backpackers accommodation was refused on 22 November 2011.

- DA-472/2012 for second floor extension to provide a caretaker's unit to existing backpackers was approved on 29 January 2013.

1.3 Relevant Background

The subject application was submitted with Council on 29 May 2019.

Following its preliminary assessment and discussions with Council's internal development assessment review body, known as the Development and Building Unit, the application was deferred on 12 September 2019 to provide the applicant an opportunity to resolve and address issues with the form of the application as originally submitted.

The reasons, terms and suggested design changes of the deferral were outlined in a letter to the applicant on 12 September 2019 and are extracted as follows:

1. **Breezeways/corridors and calculation of gross floor area/floor space ratio of development**

Concern is raised with the breezeways/corridors of the development for the following reasons:

- (a) *The breezeways/corridors on each floor level of the development have been excluded from the applicant's calculable gross floor area (GFA) as these areas are claimed to be open. In this regard, additional details are required and are to include:*
 - (i) *Detail of the metal slat/louvre screening at the end of each walkway, at a scale of 1:50. The screens should be at least 50% open.*
 - (ii) *If these areas are open, confirmation that the walls and flooring will be appropriately waterproofed and preliminary detail that this has been considered as part of the design submitted.*
- (b) *The proximity, orientation and aspect of the north-eastern ends of the breezeways/corridors requires greater consideration in terms of their impact on the visual and acoustic privacy of the west-facing side balconies of the adjoining residential flat building to the east of the site at 11A Lamrock Avenue. Direct and unobstructed sightlines between the corridors and balconies are expected should be minimised/mitigated.*

These breezeways contribute to the bulk of the building and may impact on amenity through transmission of noise and overlooking.

*If the breezeways/corridors are not found to be excluded from calculable GFA, then the development should be redesigned to comply with the maximum floor space ratio (including the bonus afforded to by the SEPP). Please note that an exceedance of the maximum FSR permitted for this site and development will **NOT** be accepted. Suggestions for a redesign of the development should consider the following points:*

- *Deletion of the rooms on Level 3 of the northern (rear) wing of the development (i.e. rooms denoted as '3.06 - 3.08' on the plans).*
- *Relocation of the pedestrian street entrance from the western side to the front of the development in a more central location. This would involve locating the entry foyer in the location of the room denoted as 'G.03' on ground floor level.*

If the breezeways are demonstrated to be excluded from calculable GFA, then only areas of genuine breezeways will be excluded and any corridor space will be included as calculable GFA.

2. **Communal indoor living and outdoor space**

Inadequate information has been submitted to demonstrate the duration and amount of solar access received by the indoor common living room during the winter solstice. Further, the 'breakout spaces' on Levels 1 and 2 are not considered communal living rooms and should not be counted when assessing/considering clause 29(2)(c) of SEPP (Affordable Rental Housing) 2009.

In this regard, the common living room and its associated common terrace (communal open space) could be relocated to the north-eastern corner of the development/site in order to achieve the minimum duration and amount of solar access during the winter solstice.

The size of the communal indoor living area should be increased to accord with the rate of 1.25m²/resident specified in control (b) under Part F1 of Waverley Development Control Plan 2012.

3. Design revisions recommended by the Design Excellence Panel

Following on from the meeting of the Design Excellence Panel held in August 2019, the following design revisions recommended by the Panel should be adopted:

- a. The depth of the front ground floor terraces should be reduced to align with the southern edge of the basement car park in order to increase the amount of deep soil planting within the front area of the site and increase overall landscaped area provided on the site.*
- b. Utilise skillion skylights across southern end of the development to better capture sunlight/daylight for the south-facing rooms.*
- c. The depth of the rear balconies on Level 3 should be reduced.*
- d. A separate elevation drawing be prepared that depicts the height, profile and materiality of any new side and rear boundary fences.*
- e. Further consideration of weather protection devices for sliding doors serving balconies and terraces (particularly protection against wet weather).*
- f. Revision of room layouts to improve useability, for instance Type C rooms have potential for more storage space if the washing machine is relocated and corner space accessible and ensuring double beds are accessible from both sides.*
- g. Further details on the effectiveness of privacy treatment used across side balconies of the development to ensure privacy impacts upon surrounding properties are mitigated.*
- h. An automatic rollerdoor for the basement car park should be included to ensure secured access to and from the basement car park.*
- i. A roof covering over part of the driveway (head clearance permitting) to improve outlook and appearance. Opportunities should be explored to accommodate plants on this roof covering.*

4. Plan of Management

The Plan of Management (PoM) is to be updated to provide contact details that are available 24/7 for complaints and incidents that may occur outside the hours the manager is available.

The PoM is to provide further detail on how the amenity of adjoining occupants will be managed, such as the provision of information packages to adjoining properties containing relevant contact information.

The PoM should also state the prohibition of smoking outside or devote an outdoor space that will not be bothersome to lodgers in the development itself and nearby residents.

5. Flooding

Council's Manager, Design of the Creating Waverley department has advised that automatic flood gates are required for the basement car park given its finished floor level is below the flood planning level. Therefore, the design of the basement car park should be reconsidered in order to accommodate automatic flood gates. The PoM mentioned in Item 4 above should include details on flood gate management.

6. Parking

In terms of parking arrangements, the following should be accommodated in the revision of the design of the development:

- a. Bicycle parking spots should be located above ground for easy and convenient access for bike users.*
- b. Opportunities for one of the car parking spaces to be devoted for car share to be explored.*

7. Documentation

In response to the matters outlined between Items 1 and 6 of this deferral letter, the following amended plans and documents are expected:

- a. A cover letter outlining amendments/revisions made to the application/development in response to this deferral.*

- b. *Full set of architectural plans, including amended photomontage, shadow and solar access diagrams (including angle from the sun diagrams to demonstrate duration/amount of solar access received by the communal living area during the winter solstice) and GFA calculation diagram.*
- c. *Full set of landscape plans.*
- d. *Full set of stormwater plans and details.*
- e. *Amended Plan of Management.*
- f. *Amended acoustic report to reflect the revised design of the development.*

Council received amended plans and additional information on 8 October 2019, which were publicly notified. The amended plans and additional information generally satisfied, clarified and addressed the deferral matters.

The design amendments to the proposed development are summarised in section 2.4 of this report. The amended plans received on 8 October 2019 form the basis for the assessment of this application.

The application was registered with the Sydney Eastern City Planning Panel in November 2019 following revelation that the proposed development was, at that time, thought to classify as 'regionally significant' under State Environmental Planning Policy (State and Regional Development) 2011. However, in February 2020, the applicant clarified with Council that they did not wish to have the proposed development considered under clause 6 of the State Environmental Planning Policy (Affordable Rental Housing) 2009. This therefore meant that the development should not be declared 'regionally significant' and that Council (specifically being the Waverley Local Planning Panel) is the relevant consent authority to determine this application.

The applicant submitted a BASIX Certificate on 5 March 2020 following on from a request by Council.

1.4 Proposal

The application, as amended on 8 October 2019, seeks development consent for the following:

- demolition of existing structures
- earthworks, including excavation and provision of fill
- tree removal
- construction of a four-storey boarding house development comprising 47 boarding rooms and one basement level of car parking to comprise the following:
 - on basement level, 14 car parking spaces (including one car share space), 10 motorcycle parking spaces and 19 bicycle parking spaces
 - on ground floor level, 11 boarding rooms, including manager's room, common living room, common outdoor living terrace
 - on first floor level, 13 boarding rooms
 - on second floor level, 13 boarding rooms
 - on third floor level, 10 boarding rooms
- consolidation of two lots into one single lot.

The operational aspects of the proposed boarding house are documented in a plan of management (hereafter known as the 'PoM') submitted with the application and amended on 8 October 2019. The key aspects are as follows:

- A maximum of 93 lodgers (inclusive of the manager and their partner/guest).
- Hours of operation of the outdoor communal area 7am and 6pm, 7 days per week
- A maximum of 18 residents at any time within the common terrace and common open space on at the rear of the ground level.

The key design amendments to the proposed development, as originally submitted, are as follows:

- height, profile, functionality and arrangement of the louvre screens at the ends of the common breezeways have changed to ensure the breezeways are external spaces and not calculable gross floor area
- the depth of deep soil planting zone across the street frontage of the site has been increased to align with the outside edges of the basement wall below
- inclusion of north-facing skillion skylights above dining spaces of Units 3.01-3.03
- reduction of depth of rear balconies on third floor level
- weather protection hoods included above balconies on second and third floor levels
- reconfiguration of internal room layouts to better rationalise space
- further details on privacy treatment for east-facing balconies, including further indentation of the eastern ends of the breezeways to protect the visual privacy of the adjoining residential flat building to the east of the site
- a vegetated roof covering above the garage door and driveway
- inclusion of a car share space.

Figures 6 and 7 are photomontages that visualise the proposed development from two different perspectives.



Figure 6: Photomontage of proposed development, looking north-east (Source: Mark Shapiro Architects)



Figure 7: Photomontage of proposed development, looking north-west (Source: Mark Shapiro Architects)

2. ASSESSMENT

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

2.1 Planning Instruments and Development Control Plans

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

2.1.1 SEPP (Building Sustainability Index – BASIX) 2004

SEPP BASIX applies to the proposed development as this SEPP defines a '*BASIX affected building*' being any building that contains one or more dwellings. A dwelling is defined in Waverley Local Environmental Plan 2012 (Waverley LEP 2012) as meaning *a room or suite of rooms occupied or used or so constructed or adapted as to be capable of being occupied or used as a separate domicile*. The proposal comprises boarding rooms that contain kitchenettes, bathroom and laundry facilities, which are capable of being domiciles. Therefore, the proposed development is considered a '*BASIX affected building*', which would require a BASIX Certificate.

The applicant submitted a BASIX Certificate, accompanied by a set of floor plans that show BASIX commitments implements, on 5 March 2020. The changes to the plans only relate to inclusion of a hot water unit within the basement level and the inclusion of ceiling fans within the units.

2.1.2 SEPP 55 Remediation of Land

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

2.1.3 SEPP (Affordable Rental Housing) 2009

Part 2 Division 3 – Boarding houses

Part 2, Division 3 of SEPP (Affordable Rental Housing) 2009 (known as the ARH SEPP) relates to development for the purposes of boarding houses.

The subject site is zoned R3 Medium Density Residential under Waverley Local Environmental Plan 2012 and 'boarding houses' are permissible with development consent. Accordingly, this Division, and the following clauses, apply to the assessment of this development application.

Clause 29 - Standards that cannot be used to refuse consent

Clause 29 of the ARH SEPP outlines that if the proposal complies with set standards, the application cannot be refused on the grounds of those standards. If the proposal does not comply with the standards of clause 29, the consent authority reserves the right to refuse the application on those grounds. An assessment of the proposal has been carried out according to these standards as outlined in **Table 1**.

Table 1: Standards that cannot be used to refuse under the ARH SEPP

Development Standard	Compliance	Comment
<p>Clause 29(1) of ARH SEPP Density and scale <i>(1) A consent authority must not refuse consent to development to which this Division applies on the grounds of density or scale if the density and scale of the buildings when expressed as a floor space ratio are not more than:</i> <i>(c) if the development is on land within a zone in which residential flat buildings are permitted and the land does not contain a heritage item that is identified in an environmental planning instrument or an interim heritage order or on the State Heritage Register—the existing maximum floor space ratio for any form of residential accommodation permitted on the land, plus:</i> <i>(i) 0.5:1, if the existing maximum floor space ratio is 2.5:1 or less,</i></p>	Yes	<p>The proposal is located within the R3 zone and ‘residential flat buildings’ are permitted within that zone under Waverley LEP 2012. The maximum permissible floor space ratio (FSR) under the provisions of Waverley LEP 2012 is 0.9:1. In this regard, the ARH SEPP allows a bonus floor space of 0.5:1 for boarding houses, which equates to an FSR of 1.4:1.</p> <p>The proposal seeks an FSR of 1.395:1 (i.e. an overall gross floor area of 1,246.4m²), which complies with the provisions of the ARH SEPP.</p>
<p>Clause 29(2)(a) of ARH SEPP Building height if the building height of all proposed buildings is not more than the maximum building height permitted under another environmental planning instrument for any building on the land,</p>	No	<p>The proposal has an overall building height of 13.714m, which exceeds the height of buildings development standard of 12.5m under Waverley LEP 2012 by 1.214m or 9.7%.</p> <p>This issue is discussed in further detail in Table 2 relating to Waverley LEP 2012.</p>
<p>Clause 29(2)(b) of ARH SEPP Landscaped area if the landscape treatment of the front setback area is compatible with the streetscape in which the building is located,</p>	Yes	<p>The proposal has been amended to include genuine deep soil planting within the front setback area of the proposed development. The deep soil area will accommodate palms, shrubs and groundcovers and climbers. This is consistent with landscape treatments within the front setback areas of properties on Lamrock Avenue.</p>
<p>Clause 29(2)(c) of ARH SEPP Solar access</p>	No (acceptable on merit)	<p>The proposal provides a communal living room within the north-western corner on the ground floor level of the development.</p>

Development Standard	Compliance	Comment
<p>where the development provides for one or more communal living rooms, if at least one of those rooms receives a minimum of 3 hours direct sunlight between 9am and 3pm in mid-winter,</p>		<p>The solar access diagrams (in the form of 'sun eye views') demonstrate that the communal living room will receive less than three hours of direct sunlight between 9am and 3pm in mid-winter.</p> <p>The application was deferred in part to give the applicant the opportunity to address this non-compliance with a possible relocation of the communal living room to the north-eastern corner of the development. The applicant submitted solar access diagrams to demonstrate the difference in the amount and duration of direct sunlight received by the current and possible relocated locations of the communal living room. That difference has been proven to be nominal. The applicant has expressed that relocating the communal living space (and associated outdoor space) to the eastern side of the building would be problematic as it would increase perceived and probable noise and privacy impacts upon surrounding residential flat building to the north and east of the site. This is considered a valid and accepted reason. Given this and the fact that there is a nominal difference in access to sunlight between locations, the current form and location of the communal living room are deemed acceptable and would not be a reasonable means to refuse development consent to the proposed development.</p> <p>Further, each room includes has ample internal space for living/indoor recreational activities and private open space (in the form of terraces and balconies). This would fulfil the needs of the lodgers and further demonstrates that the non-compliance with this standard is reasonable.</p>
<p>Clause 29(2)(d) of ARHSEPP Private open space if at least the following private open space areas are provided (other than the front setback area):</p>	<p>Yes</p>	<p>A communal open space area is provided at ground at the rear of the site with an area of 34.1m² with a minimum dimension of 4.6m.</p>

Development Standard	Compliance	Comment
<p>(i) one area of at least 20 square metres with a minimum dimension of 3 metres is provided for the use of the lodgers,</p> <p>(ii) if accommodation is provided on site for a boarding house manager—one area of at least 8 square metres with a minimum dimension of 2.5 metres is provided adjacent to that accommodation,</p>		The boarding house manager's room of the development is provided on ground floor level with a terrace with an area of 11m ² in area and a minimum dimension of 2.7m.
<p>Clause 29(2)(e) of ARHSEPP Parking if:</p> <p>(iia) in the case of development not carried out by or on behalf of a social housing provider—at least 0.5 parking spaces are provided for each boarding room, and</p> <p>(iii) in the case of any development—not more than 1 parking space is provided for each person employed in connection with the development and who is resident on site</p>	<p>No (acceptable on merit)</p> <p>Yes</p>	<p>The proposal comprises 14 car parking spaces whereas the development requires 24 car parking spaces. This is discussed against the transport considerations under Waverley Development Control Plan 2012 in section 2.1.5 of this report.</p> <p>Of the 14 spaces, one space is devoted to the site manager. Another space is devoted to car share.</p>
<p>Clause 29(2)(f) of ARHSEPP Accommodation size (if each boarding room has a gross floor area (excluding any area used for the purposes of private kitchen or bathroom facilities) of at least:</p> <p>(i) 12 square metres in the case of a boarding room intended to be used by a single lodger, or</p> <p>(ii) 16 square metres in any other case.</p>	Yes	<p>All single and double boarding rooms have a gross floor area (excluding private kitchen and bathroom facilities) in excess of 12m² and 16m², respectively.</p> <p>The proposal complies with this clause of the ARHSEPP.</p>

Clause 30 Standards for boarding houses

The ARHSEPP requires that a consent authority must not consent to development to which this Division applies unless it is satisfied of each of the following matters outlined in **Table 2** below.

Table 2: Standards that must be satisfied under clause 30 of the ARHSEPP

Development Standard	Compliance	Comment
(a) if a boarding house has 5 or more boarding rooms, at least one communal living room will be provided,	Yes	The proposal provides one internal communal living area in the north-western corner of the ground floor level of the development. Communal open space is also provided adjacent to the internal communal living area.
(b) no boarding room will have a gross floor area (excluding any area used for the purposes of private kitchen or bathroom facilities) of more than 25 square metres,	Yes	All rooms comply with this minimum provision standard with the exception of the largest rooms being 30.92m ² for 'Type E' (accessible) albeit they are less than 25m ² when excluding bathroom and kitchen facilities.
(c) no boarding room will be occupied by more than 2 adult lodgers,	Yes	The boarding rooms do not contain bedding for more than two lodgers. An operational condition of consent to this effect is recommended.
(d) adequate bathroom and kitchen facilities will be available within the boarding house for the use of each lodger,	Yes	Each boarding room provides private bathroom and kitchen facilities.
(e) if the boarding house has capacity to accommodate 20 or more lodgers, a boarding room or on site dwelling will be provided for a boarding house manager,	Yes	The boarding room denoted as 'G.01' on the plans on the ground floor level of the development is devoted to a site manager.
(f) (Repealed)	N/A	N/A
(g) if the boarding house is on land zoned primarily for commercial purposes, no part of the ground floor of the boarding house that fronts a street will be used for residential purposes unless another environmental planning instrument permits such a use,	N/A	The subject site is zoned R3 Medium Density Residential and commercial uses are not permitted within this zone.
(h) at least one parking space will be provided for a bicycle, and one will be provided for a	Yes	The proposal provides 47 boarding rooms which requires the provision of 10 bicycle and 10 motorcycle spaces.

motorcycle, for every 5 boarding rooms.		The proposal provides 10 motorcycle spaces and 18 bicycle spaces within the basement car park.
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Clause 30A Character of local area

Clause 30A of the ARHSEPP states the following:

A consent authority must not consent to development to which this Division applies unless it has taken into consideration whether the design of the development is compatible with the character of the local area.

The planning principle of 'compatibility of proposal with surrounding development' arising from the NSW Land and Environment Court case of *Venture Developments v Pittwater Council [2005] NSWLEC 191* provides a framework in considering the design compatibility of proposal development with the character of the surrounding local area. Two key questions asked in that planning principle to test the compatibility of a development within its context are as follow:

- *Are the proposal's physical impacts on surrounding development acceptable? The physical impacts include constraints on the development potential of surrounding sites.*
- *Is the proposal's appearance in harmony with the buildings around it and the character of the street?*

The application was referred to the Waverley Design Excellence Panel (the DEP) on 19 August 2019 and Council's Urban Designer for comment on the urban design, context and aesthetical aspects of the development. The commentary received from these referral bodies also consider physical impacts that arise from the detailed design of the development, While SEPP65 does not technically apply to the proposed development as it is not a residential flat building defined under that SEPP, the design quality principles of SEPP 65 have been adopted and considered in responding to the two questions mentioned above in relation to character and compatibility tests of the proposed development.

The DEP comments are provided in **Table 3** below with a planning comment below, where necessary.

Table 3: Assessment against the Nine Design Quality Principles under SEPP 65

Principle
Principle 1: Context and Neighbourhood
<p><i>The surrounding urban fabric is predominantly 3-4 storey flat buildings that have established built form setbacks and increase in height to 4-5 storeys towards Campbell Parade to the east. To the west is an existing four storey hostel of 64 rooms catering to backpackers.</i></p> <p><i>Side setbacks of 2.08m to the west and 4.104m to the east are generally compliant, and the rear setback should align with its neighbours and not protrude into the aggregated deep soil area that is a characteristic of the entire block.</i></p> <p><i>The proposal has been prepared under the provisions of the ARH SEPP (Affordable Rental Housing) 2009 and includes provision of additional permitted floor space. The proposal is of suitable character within its context and is assessed as having qualities that can contribute to design excellence, albeit with some impacts on neighbours and amenity issues that are capable of resolution.</i></p>

Planning comment:

The application was amended to reduce the depth of the rear balconies on the upper most floor level (i.e. Level 3 or third floor level) in order to better respect the predominant rear building line within the surrounding area and to lessen potential amenity impacts upon adjoining properties. Further, the area of deep soil planting has been increased in the front (southern) setback area of the site in the amended form of the development.

In terms of amenity impacts on neighboring properties, greater details have been provided in the amended form of the application that resolve potential overlooking issues from eastern side balconies and the east-west breezeways upon the adjoining residential flat building to the south-east of the site at 11A Lamrock Avenue.

Principle 2: Built Form and Scale

The proposal is based on FSR of 1.39:1 that includes 0.5:1 as the Affordable Housing bonus area. This extra floor space is exclusive of the access corridors on all floors that was questioned by the Panel and will need clarification from Council on its permissibility. Other issues raised included:

- *For the top floor skylights are proposed for natural light to corridors, but internalised corridor access and lift areas for lower levels will need artificial lighting at all times*
- *The proposed skylights are commendable, but as they may also add to summer heat load it is recommended that scope for raised skillion roof forms or sky tubes be investigated to provide some sun and natural light to south facing Level 3 rooms*
- *A minor exceedance of the height limit is noted, and so if roof changes are made these could be included as part of a Cl 4.6 variation*
- *Privacy between side facing rooms and neighbouring units is compromised by the proximity of balconies to the boundary, and even with the louvred screens there may be acoustic issues to be resolved. The side balconies might be more useful if squared up, minimised, and appropriate screening applied.*
- *There is scope to set back the breezeway corridors on upper levels to help improve privacy issues at both side boundaries, and alternative room layouts and entry door positions are possible to achieve this. The recessed balconies would also reduce the possibility of water ingress to the lift.*
- *The configuration of the driveway to boundary could result in safety impacts for pedestrians approaching from the east, but may be acceptable with proposed STOP sign and speed hump*
- *The predominant rear yard setback is observed, but attention needs to be given to acoustic privacy issues for the fairly constrained outdoor common terrace area, and upper floor balconies could be reduced in size.*
- *Over the driveway and basement entry a pergola should be introduced to extend the landscaping from the adjacent planter over this void, and this would also improve the streetscape appearance and outlook from adjacent rooms or units.*
- *The heights of some walls on the boundaries should be checked for impacts on neighbours*

Planning comment:

The amended form of the development adopted the following recommendations by the DEP:

- Inclusion of raised skillion skylights within the southern portion of the development.
- Increase of deep soil areas within the front (south-western) setback area of the development.

- Greater and amended details of the louvre screens across the ends of the east-west breezeways and the side balconies of the development that aim to terminate sightlines between breezeways/balconies and adjoining properties, especially the side balconies across the western elevation of the adjoining residential flat building at 11A Lamrock Avenue.
- Reduction of the depth of the rear uppermost balconies.
- Inclusion of a vegetated pergola over part of the driveway.
- Separate elevation drawings submitted to clearly detail new side and rear boundary walls and fences.

Council's Traffic Engineers have recommended that a speed hump be installed inside the site on the exit portion of the internal driveway ramp to control and mitigate safety issues for pedestrians walking past the driveway. A condition of consent is recommended to this effect.

The acoustic privacy matter regarding the outdoor common area is discussed later in this report.

Principle 3: Density

Based on the site area of 893.42m², the FSR under the AHR SEPP is 1.39:1 and the Gross Floor Area 1,046m². Within this context of the Bondi Beach area the density is appropriate for the short-term accommodation proposed.

The Panel considers that the increased density under the SEPP is justified for this proposal which is supported by appropriate response to context, well resolved architectural and landscape design, and reasonable amenity to most rooms. Given the tight urban character of this densely populated precinct it is anticipated that there will be some impacts on neighbours that require careful attention as noted above.

Planning comment:

The application was deferred to seek further details in order to carefully consider privacy impacts upon the adjoining residential flat building to the south-east of the site at 11A Lamrock Avenue. The details provided in the amended form of the application satisfy this information request and demonstrate that the proposed development will not unreasonably impact upon the visual and acoustic privacy of this adjoining property nor surrounding residential development.

Principle 4: Sustainability

The Applicant advised their intent to avoid mechanical ventilation, and the Panel appreciated this strategy. Natural cross ventilation is to be through windows via vents over doors and details will need to be resolved to satisfy relevant BCA and fire compliance. Ceiling fans must be provided to all habitable rooms and clearly shown on the plans and located for safety due to the 3m ceiling heights.

Sliding doors to balconies on the top floor are shown to have pergola shading, but these openings will also be subject to rain penetration so weather protection needs to be addressed.

A photovoltaic solar panel installation is indicated on the roof and could be further supplemented if room permits.

Planning comment:

The amended application is accompanied by a BASIX assessment to demonstrate its thermal comfort, water and energy efficient credentials. The development incorporates ceiling fans and greater weather protection measures (such as awnings, coverings and pergolas) as shown in the amended form of the development.

Principle 5: Landscape

The landscape plan is well conceived with the intent to optimise use of the limited site perimeter, but it is noted there is a deficiency in landscaped area. Some of this could be regained by increasing the extent of deep soil planting to improve scope for planting. The retention of street trees and other mature planting is to be commended.

It is recommended that the terraces to street front rooms behind the fence are cut back for around 1m to align with the basement wall below and enable more generous landscaping integrated with the fence.

With relocation of the basement waste management room to below the communal terrace and reconfiguration of the OSD, there is also potential to improve the amount of deep soil for planting in the north-east corner of the site to complement the retention of the existing mature planting there.

Some areas of hard surface could be changed to planting.

The outlook from rooms looking over the driveway could be improved by introduction of a pergola and greenery that would also improve the appearance of the basement access from the street.

Planning comment:

The amended form of the development incorporates reduced hard paved terraces and increased deep soil planting within the front (south-western) setback area of the development to address the shortfall of landscaped and deep soil areas. The amended form of the development also incorporates a vegetated pergola above part of the driveway to improve on the outlook of adjacent rooms.

The applicant chose not to enlarge the communal open space area, which is explained in further detail later in this report.

Principle 6: Amenity

The Panel notes the Applicant's advice that management of any acoustic problems from communal or shared access areas would be dealt with under the Plan of Management.

Amenity of room design for the occupants generally appears to be well conceived in communal areas, but concern was raised on the layout of some rooms where cleaning and making beds enclosed on three sides would be difficult. Room layouts with all beds having access from both sides should be tested.

Internal layouts will need to be revised in relation to the spatial requirements for washing machines.

Layouts such as Type C have potential for more storage space if the washing machine is relocated and corner space accessible.

Planning comment:

The amended form of the development has rearranged internal layout for Types C, F and H rooms by reorientating washing machine, storage and bed spaces to bolster the usability and spatial efficiency of these rooms.

Principle 7: Safety

The site configuration and access provisions appear satisfactory from CPTED overview, but as noted above the detail of traffic management from the basement ramp across the footpath needs attention.

An automatic roller shutter should be installed at the bottom of the ramp to provide secure access with provision for defensible space.

Planning comment:

The amended form of the development incorporates an automatic roller door at the bottom of the driveway/ramp of the basement car park.

Principle 8: Housing Diversity and Social Interaction

The Panel notes the Applicant's assessment that provision of short-term rental housing is an important need in this area and is appreciative of how amenity concerns for occupants and for neighbours have been considered. Given the proximity to Bondi Beach and surrounds that attract the backpacker tourists, the standard and configuration of accommodation that is intended appears to be well suited to the perceived market.

Planning comment:

For abundant clearness, the application is for a boarding house and not for backpackers' accommodation. Operational aspects of the development are discussed later in this report.

Principle 9: Aesthetics

There has been an effort to create a strong design in which the aesthetics and material palette have been well resolved, and the scheme makes a positive contribution to its urban context.

The provision of sun and weather protection to openings needs to be appropriate to orientation and integrated into the design response.

Planning comment:

The amended form of the development incorporates covered awnings and roof overhangs above balconies on Levels 2 and 3 for greater weather protection. Pergolas are also included for balconies on the uppermost floor level of the development.

The commentary above by the DEP demonstrated that the proposed development, as amended, satisfactorily complies with Clause 30A as the proposal is compatible and generally harmonious with the local character of the immediate surrounds of the site. The 'physical' impacts of the development are considered in greater detail in the following sections of this report in relation to relevant development standards and controls under Waverley Local Environmental Plan 2012 and Waverley Development Control Plan 2012, respectively. The overall assessment finds these physical impacts of the development reasonable to demonstrate that the proposed boarding house is compatible and harmonious with the surrounding local character.

2.1.4 Waverley Local Environmental Plan 2012 (Waverley LEP 2012)

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

Table 4: 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 LEP.
Part 2 Permitted or prohibited development		
Land Use Table R3 Medium Density Residential Zone	Yes	<p>The proposal is defined as a 'boarding house', which is permitted with consent in the R3 zone.</p> <p>A boarding house is defined under the LEP as:</p> <p><i>... a building that—</i></p> <p><i>(a) is wholly or partly let in lodgings, and</i></p> <p><i>(b) provides lodgers with a principal place of residence for 3 months or more, and</i></p> <p><i>(c) may have shared facilities, such as a communal living room, bathroom, kitchen or laundry, and</i></p> <p><i>(d) has rooms, some or all of which may have private kitchen and bathroom facilities, that accommodate one or more lodgers,</i></p> <p><i>but does not include backpackers' accommodation, a group home, hotel or motel accommodation, seniors housing or a serviced apartment.</i></p> <p>The proposal satisfies this definition, and as such, is defined as a boarding house. Should the application be approved, a condition of consent is recommended to ensure that the development operates in accordance with this definition. If the use of the development were to change in the future, that change would be subject to separate development consent (if required by relevant legislation that would apply at the time of the prospective change of use). The uses shown</p>

Provision	Compliance	Comment
		<p>in bold in the above definition are explicitly excluded from the 'boarding house' definition of the LEP, which should allay surrounding residents of their concern of the development potentially morphing into backpackers' accommodation or a hotel or motel accommodation or serviced apartments in the future.</p> <p>The development is consistent with the objectives of the zone.</p>
Part 4 Principal development standards		
4.3 Height of buildings <ul style="list-style-type: none"> 12.5m 	No	The proposal has an overall building height of 13.714m, which exceeds the height of buildings development standard of 12.5m by 1.214m or 9.7%.
4.4 Floor space ratio <ul style="list-style-type: none"> 0.9:1 	Yes	<p>The proposal provides an FSR of 1.35:1. This has been discussed previously in this report under the provisions of the ARHSEPP which allows a bonus of up to 0.5:1.</p> <p>The applicant has successfully clarified that the breezeways are genuinely outdoor spaces and do not count as 'internal' area that would be classified as calculable gross floor area.</p>
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 subject site is identified as being Class 5 acid sulfate soils. No significant excavation is proposed for the subject site that would disturb acid sulfate soils. The proposal complies with this clause of Waverley LEP 2012.
6.2 Earthworks	Yes	The proposal includes excavation of the site to provide a basement car park. The application is accompanied by a geotechnical report that assesses potential impacts on site disturbance and recommends safeguards on

Provision	Compliance	Comment
		how to manage excavation to minimise any disturbance. The car park provides appropriate setbacks from adjoining properties and all standard conditions of consent are recommended. The excavation is considered acceptable in this regard.
6.3 Flood planning	Yes	The site is identified as 'flood prone' on the 'Flood Planning Map' of the LEP. The application is accompanied by flood assessment to demonstrate that the and the amended form of the development incorporates a flood gate system at the entry of the basement car park. The operations of the flood gates are outlined in the Plan of Management for the development. The proposal satisfies the requirements of this clause of Waverley LEP 2012.

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 of Waverley LEP 2012.

The site is subject to a maximum building height development standard of 12.5m. The proposed development has an overall building height of 12.714m exceeding the standard by 1.214m or equating to a 9.7% variation.

Figure 8 below is a visualisation of the extent and specific location of where the proposed development exceeds the height of buildings development standard.

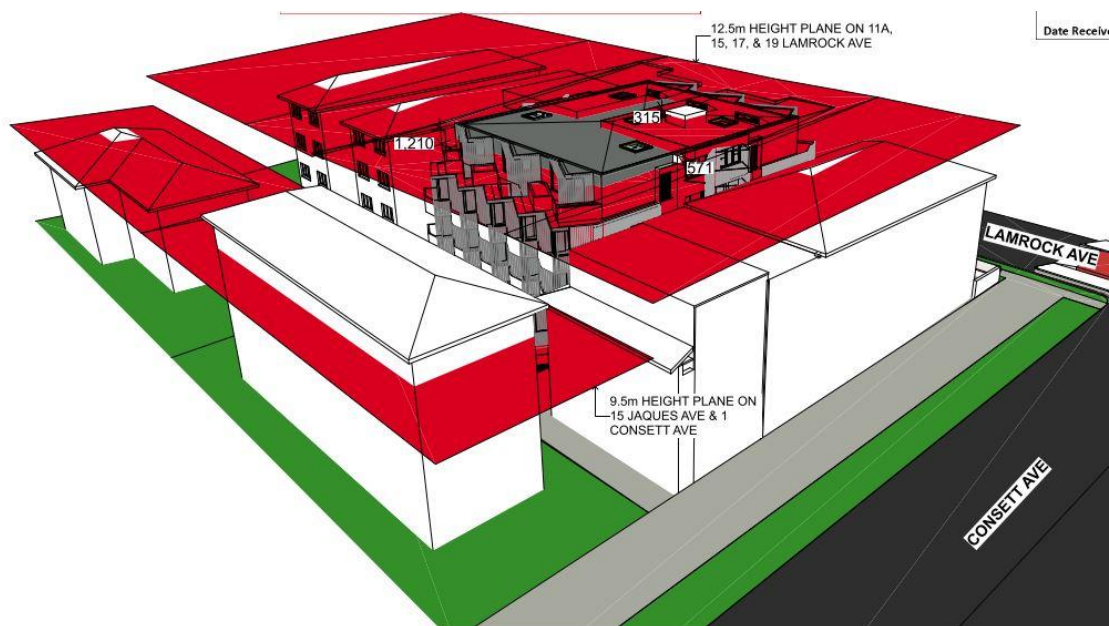


Figure 8: Extract of 3D Model of the height plane and area of where the development exceeds the height of buildings development standard (Source: Mark Shapiro Architects)

A written request has been submitted to Council in accordance with clause 4.6(3)(a) and (b) of the Waverley Local Environmental Plan 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.

Applicants 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) The proposed development satisfies the relevant objectives of the height of buildings development standard despite the non-compliance.
 - (ii) The proposed development preserves the environmental amenity of public spaces and the sharing of views despite the non-compliance with the development standard as the non-compliance will not be discernible from the public domain and there are no view impacts associated with the non-compliance.
 - (iii) The non-compliance occurs within the rear portion of the development (as shown in **Figure 8**) and its extent is considered minor and inconsequential. The environmental amenity of neighbouring properties is preserved as the non-compliance will not manifest in adverse impacts on solar access, visual and acoustic privacy, visual bulk, views and

other considerations that contribute to environmental amenity for these neighbouring properties.

- (iv) The building height of the proposed development, as read in building storeys (i.e. four storeys), is compatible with the desired future height of the site and its surrounds as envisaged by the building height development standard of 12.5m.
 - (v) The side and rear setbacks of the development assist to offset the non-compliance with the development standard, particularly across the south-eastern side of the development.
 - (vi) The bulk of the development is articulated across its street façade to provide a series of bays that responds to the existing character of the streetscape that comprises a level of articulation within the built form character of the streetscape. The uppermost floor level provides for greater articulation compared to the levels below to reduce associated visual impact of that level where it partially breaches the height of buildings development standard.
 - (vii) The front portion of the development complies with the height of buildings development standard and therefore the non-compliance does not have any impact on the building's positive contribution to the physical definition of the street network.
- (b) That there are sufficient environmental planning grounds to justify contravening the standard:
- (i) The component of the development that varies the development standard is towards the rear of the development where the site falls away 1.5m to the rear. The development is below the development standard at the front and the extent and area of variation is not discernible from the street.
 - (ii) The non-compliance does not manifest in view loss, does not introduce unreasonable privacy impacts, and does not have any impact on the streetscape or the character of the locality.
 - (iii) The unique nature of the flood prone constraint of the site requires the basement level to have a crest height above the possible maximum flood level. The development has been designed to be buried into the site as far as possible while dealing with flooding issues. The non-compliance reflects the modest fall in topography on the site towards the rear.
 - (iv) Setbacks on both sides of the development reduce visual bulk impacts upon adjoining properties.
 - (v) The nearest adjoining residential neighbour that has an aspect of part of the building that breaches the development standard (i.e. 1 Consett Avenue) currently turns its back to the subject site with limited and secondary windows facing the subject site.
 - (vi) The overshadowing impact of the proposed development compared with that of a development that is strictly compliant with FSR, height and setbacks and has a three storey form achieves a better solar access outcome because of the generous side setbacks of the proposed development.
 - (vii) The proposed development and the adjoining residential flat building to the rear of the site at 1 Consett Avenue is separated by distances of 11-12m.

Consideration of Applicants 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 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 justification 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;*
- (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 applicant has adequately addressed that there are sufficient environmental planning grounds to justify contravening the standard by referencing the 'First Method' or justification in the Wehbe test by demonstrating that the objectives of the height of buildings development standard are achieved notwithstanding the non-compliance of the development standard. The non-compliance is a product of the site's topography and its flood prone constraints. The area where the non-compliance occurs is inconsequential to the perceived building height of the development from Lamrock Avenue and its adjoining properties to the south-east and north-west. The overall building height of the development will be largely perceived as compliant from the street, given that the majority of the development, particularly within the front (south-western) part complies with the development standard. The environmental impacts associated with the non-compliance have been adequately demonstrated to be inconsequential to the environmental amenity of neighbouring properties. While some view loss was claimed in certain objections from units on the opposite side of Lamrock Avenue, a desktop study and analysis of photos included in these objections revealed that these views are of the district and do not contain water and iconic views that would trigger an assessment against the NSW Land and

Environment Court planning principle on view sharing. The written request has adequately addressed how the proposed development is consistent with the relevant objectives of the development standard despite the technical non-compliance. In this regard, the written request successfully demonstrates that there are sufficient environmental planning grounds to justify the non-compliance with the development standard.

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 standard and the objectives for development within the zone in which the development is proposed to be carried out.

The proposal is consistent with the relevant objectives of the R3 Medium Density Residential Zone, which are as follows:

- *To provide for the housing needs of the community within a medium density residential environment.*
- *To provide a variety of housing types within a medium density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

The proposed 'boarding house' is part of the broader 'residential accommodation' land use, is expected to provide for the housing needs of the community and will contribute to the variety of housing types within the medium density residential part of the locality.

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 subject site is not contained within the area designated as the Bondi Junction Centre and as such, objectives (b) and (c) do not apply.

An assessment against each objective of the height of buildings development standard is provided below.

- (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 non-compliance will not be overly discernible from Lamrock Avenue and other public spaces, and, for the most part, from adjoining properties. Therefore, the non-compliance will not manifest in adverse visual and streetscape impacts. Further, the non-compliance will not result in adverse overshadowing, privacy and view impacts upon neighbouring properties, thereby preserving the environmental amenity these neighbouring properties enjoy.

- (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 non-compliance will not render the proposed development being incompatible with the height, bulk and scale of the desired future character of the locality given that it will not be perceived or discerned from Lamrock Avenue given it occurs towards the rear of the development. The proposed development complies with the bonus FSR afforded under the ARH SEPP and its front, rear and side setbacks are sufficient to well modulate and articulate the overall perceived building massing of the development, especially when viewed from Lamrock Avenue. In this regard, the proposed development positively complements and contributes to the physical definition of the street network, particularly having regard to the existing and desired future character of Lamrock Avenue as envisaged by the R3 zone and applicable development standards.

Overall, the proposal satisfies the relevant objectives of the height of buildings development standard.

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 cl 4.6 of the Waverley Local Environmental Plan 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.

2.1.5 Waverley Development Control Plan 2012 - Amendment No 6 (Waverley DCP 2012)

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

Table 5: Waverley DCP 2012 – Part B General Provisions Compliance Table

Development Control	Compliance	Comment
1. Waste	Yes	The proposal provides a garbage storage room in the basement car park. The plans indicating space for 25 x 240L bins. The DCP requires 24 bins and the proposal provides space for a surplus of one bin. Council's Sustainable Waste Officer has reviewed and said an overall minimum of 24 bins is required. Conditions of consent are recommended to ensure this commitment is carried out in the development and to devote bins to store general waste and comingled recycling.

		<p>The garbage room is within vicinity of the driveway or entry/exit ramp of the basement carpark that provides direct access to the street for collection. A condition will require that provision is made at each level of the building for the storage of one day of waste.</p> <p>The proposal is considered to be consistent with the objectives and controls of this part of the DCP.</p>
2. Ecologically Sustainable Development	Yes	<p>Appropriate openings are included for natural ventilation where possible. Some corner rooms are dual aspect with openings on either aspect to enable natural cross-ventilation. Weather protection and shadowing devices (in the form of pergolas and awnings) are incorporated in the design of the development.</p> <p>The proposed development will NOT incorporate an air-conditioning system. The operator of the development may install this at a later stage and that would be subject to separate development consent (if required). The development in the meantime includes ceiling fans in all rooms to fulfil its mandated BASIX commitments.</p> <p>Adequate deep soil planting has been provided to ensure sufficient planting is provided and stormwater infiltration.</p> <p>Clothes drying area is provided within the north-eastern area of the site, which is part of the site that is most exposed to sunlight.</p> <p>The development is not considered 'commercial development' and therefore an energy assessment report is not required.</p> <p>The proposal is considered generally consistent with the objectives and controls of this part of the DCP.</p>
3. Landscaping and Biodiversity	Yes	<p>The landscaping plan has been reviewed and is considered acceptable. It maintains the Paperbark street trees and introduces a range of trees, shrubs, ferns and ground covers that are cohesive with the site and the vegetated streetscape.</p>

		<p>Some planting is provided on built structures, such as pergola above the driveway/ramp of the basement carpark and in breakout spaces on all floor levels. Detailed sections on the landscape plan demonstrate soil depths of planters on built structures and appear satisfactory.</p> <p>Should the application be approved, the landscape plan will become an approved document as part of the consent.</p> <p>The site is not within a known nor mapped biodiversity or habitat corridor.</p>
5. Tree preservation	Yes	<p>The proposal involves the removal of all existing trees within the front yards of the existing sites. Council's Tree Management Officer has no objection to the proposed removal of trees onsite. The two Paperbark Street trees are being retained and Council's Tree Management Officer has recommended for these to be protected. Appropriate conditions of consent are recommended to this effect.</p>
6. Stormwater	Yes (subject to condition)	<p>The submitted stormwater plans were referred to Council's Stormwater Engineer and were unsatisfactory (refer to section 2.8 of this report for full comments). A condition is recommended to address this as a post-consent matter.</p> <p>A Council-owned stormwater main traverses the rear edge of the site and an existing easement is on title regarding this stormwater main.</p> <p>The site is flood prone and the finished ground floor level is 300mm above the flood planning level for this site. Further, flood gates have been incorporated in the basement carpark.</p>
7. Accessibility and adaptability	Yes	<p>A lift is provided to all levels of the building. Three accessible boarding room are provided on Ground Floor, Level 1 and Level 2 and in close proximity to the lift. An accessible car space is also within the car park.</p> <p>Additionally, the development is required to comply with the National Construction Code (NCC), which includes compliance with the Disability Discrimination Act (DDA).</p>

		The proposal is considered to be consistent with the objectives and controls of this part of the DCP.
<p>8. Transport</p> <ul style="list-style-type: none"> Motorbike: 1 space per 3 car spaces (minimum of 5 motorcycle spaces) Bicycle parking 	Yes	<p>The provisions of Waverley DCP 2012 in regard to car parking spaces are not relevant in the assessment of boarding house development. The provisions of the ARHSEPP override this control. Notwithstanding, discussion on car parking is provided below this table.</p> <p>In terms of the design of the car park, it is located within the basement level of the development and integrated cohesively within the building footprint and envelope of the development.</p> <p>The proposal provides 10 motorbike spaces, which is in excess of the DCP requirement.</p> <p>The proposal provides 19 bicycle racks within the basement car park. Given that a boarding house provides rooms rather than dwellings and does not strictly fit into the land use categories in Table 4: Bicycle Parking Rates in section 8.2.6 of this part of the DCP, there is no requirement for bicycle parking for the proposed development. In this regard, the amount of bicycle parking proposed is considered reasonable and contributes to the development's green travel credentials.</p> <p>The amended form of the development incorporates a car share space. This would also contribute to the development's green travel credentials.</p>
10. Safety	Yes	<p>The pedestrian entry is located at the north-western side of the building and is accessed from Lamrock Avenue and is clear and legible.</p> <p>The proposal provides balconies on the front and rear elevations for passive surveillance of the street and the rear common area.</p> <p>The boarding house will also have an on-site caretaker with the Manager's room being located at the front and on ground floor level.</p> <p>A detailed Plan of Management (PoM) has been submitted outlining procedures for the boarding</p>

		<p>house use. This is referenced in the conditions and will form part of the consent. The PoM stipulates that the communal outdoor area shall only be used between 7am to 6pm, seven days, with a maximum capacity of 18 residents/lodgers. There will be no amplified music or alcohol allowed in communal areas after these hours.</p> <p>The proposal is considered to be consistent with the objectives and controls of this part of the DCP.</p>
11. Design Excellence	Yes	<p>The applicant has provided a context 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. The application was also referred to the Waverley Design Excellence Panel and that Panel generally commended the design of the development in relation to design excellence considerations.</p>
<p>14. Excavation</p> <ul style="list-style-type: none"> • No fill to raise levels • Minimum setback of 900mm from side boundaries • Under building footprint except main access ramp • Basements no more than 1.2m out of the ground <p>Geotechnical report required when > 3m in depth or 25% slope</p>	Yes	<p>Fill is not used to raise the levels of the land.</p> <p>Excavation (in the amended form of the development) is set back for the most part by 2.08m from the north-western boundary and 1.5m from the south-eastern boundary of the site. Encroachments within these side setbacks are for a fire stair on the north-western side and driveway/ramp on the south-eastern side. This is considered appropriate and conditions are recommended to ensure adjoining properties are safeguarded for any site disturbance during excavation works.</p> <p>The application is accompanied by a geotechnical report that assesses potential impacts on site disturbance and recommends safeguards on how to manage excavation to minimise any disturbance.</p>
16. Public Domain	Yes	<p>The proposal will improve the public domain interface of the site.</p> <p>The overshadowing impacts upon the footpath and road reserve are considered reasonable. Street trees are being retained and protected. Council's Infrastructure Services department has recommended a condition of consent, requiring a series of public domain upgrade works, including new footpath, kerb and gutter and</p>

		installation of new street lights, to embellish part of the public domain area of Lamrock Avenue that is directly in front of the site.
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Although SEPP 65 does not apply to boarding house development, Waverley DCP 2012 specifies that Part C of the DCP applies to boarding houses within applicable zones. In this regard, given the site is zoned R3 Medium Density Residential Development and SEPP 65 does not apply to the development, Part C3 of the DCP that typically relates to multi unit and multi dwelling housing typologies will be applied in the assessment of this application. The following table addresses the relevant sections of the DCP noting that those provisions which are standards within the ARH SEPP have been deleted from **Table 6** as the ARH SEPP overrides these controls.

Table 6: Waverley DCP 2012 – Part C3 Multi Unit and Multi Dwelling Housing Compliance Table

Development Control	Compliance	Comment
3.1 Site, scale and frontage		
<ul style="list-style-type: none"> Minimum frontage: 15m 	Yes	The site has frontage of 24.38m.
3.2 Height		
<ul style="list-style-type: none"> Maximum external wall height: 9.5m (within R3 zone with a height standard of 12.5m). 	No (acceptable on merit)	<p>The proposal has a maximum wall external height across the centre of the side elevations of the development measuring 13.55m, which is between the roof level at RL28.700 and existing ground level of RL15.150.</p> <p>The non-compliance with this control will not render the development incompatible with the desired scale and character of the street and local area. The adjoining buildings when viewed from Lamrock Avenue have a perceived four storey presentation and the perceived height of the proposed development, while having a flat roof form, will appear compatible with the prevailing built form character of the street. The Design Excellence Panel commented on the development being of suitable character to its context (refer to section 2.1.3 of this report).</p> <p>Additionally, as discussed throughout this report, amenity impacts upon surrounding properties are not unreasonable. It is considered that the variation to the wall height control can be supported in this instance.</p>
3.3 Setbacks		
<p>2.5.1 Street setbacks</p> <ul style="list-style-type: none"> Consistent street setback 	Yes	The minimum front setback of the proposed development is 3.58m, which aligns with the Lamrock Street setback of the adjoining building to the north-west of the site at 19 Lamrock Avenue. The proposed development is slightly

Development Control	Compliance	Comment
		<p>forward of the street setbacks of the adjoining and adjacent buildings to the south-east of the site at 11A and 11 Lamrock Avenue. However, this slight encroachment would not be overly discernible from Lamrock Avenue and is not anticipated to cause adverse streetscape impacts.</p> <p>The uppermost floor level of the development is recessed from the street setbacks of the development on levels below, which anticipates the intent of the controls in this section and part of the DCP.</p> <p>The ground level of the front setback area will be comprised of soft and hard landscaping and is expected to make a positive contribution to the streetscape.</p>
<p>2.5.2 Side and rear setbacks</p> <ul style="list-style-type: none"> Minimum rear setback: 6m or predominant rear building line, whichever is the greater setback Minimum side setback: 1.5-2.5m 	<p>Yes</p> <p>Yes</p> <p>Yes (for the most part)</p>	<ul style="list-style-type: none"> The proposed development has a minimum rear setback of 6m with its uppermost floor level recessed in from levels below, which is located behind the rear setbacks of the adjoining and adjacent residential flat buildings to the south-east of the site. It appropriately responds to the rear setback controls. The proposed development, for the most part, has a building height below 12.5m. In this regard, a minimum side setback of 1.5m would be expected. Where the development exceeds the 12.5m in building height, a minimum setback of 1.5m would still be expected, however control (b) provides a range between 1.5m and 2.5m. Given that the building height analysis made against clause 4.6 of Waverley LEP 2012 finds the non-compliance with the height of buildings development standard inconsequential, a minimum setback of 2.5m would not be strictly applied. The proposed development is set back by: <ul style="list-style-type: none"> a minimum 2.08m from the north-western boundary (with side balconies in the centre encroaching within this side setback) a range between 3.3m and 4.104m from the south-eastern boundary (with side balconies in the centre

Development Control	Compliance	Comment
<ul style="list-style-type: none"> Deep soil along side boundary min 2m wide 	<p>No (acceptable on merit)</p>	<p>encroaching within this side setback).</p> <p>The development is compliant and provides side setbacks greater than those stipulated and anticipated by the controls in the DCP.</p> <ul style="list-style-type: none"> The development appropriately responds to control (c) under section 3.3.2 of the DCP, which gives Council the ability to require additional setbacks to protect solar access and privacy of adjoining properties. The south-eastern side setback of the development is rather generous to protect the solar access and privacy of the adjoining residential flat building to the south-east of the site at 11A Lamrock Avenue. The overshadowing impact and the side balconies of the development and the eastern ends of the breezeways are discussed later in this report in relation to privacy impacts. Overall, the side setbacks of the development are reasonable. Some deep soil areas are provided within the side setbacks of the development, however not to the minimum dimensions required by control (d). Despite this non-compliance, the proposed development provides for adequate screen planting within the side setback areas of the development. The development overall provides sufficient deep soil planting across the site.
3.4 Length and depth of buildings		
<ul style="list-style-type: none"> Maximum building length along the street : 24m 	<p>Yes</p>	<p>The maximum building width is 20.8m. The controls relating to maximum building depth do not apply to boarding houses, but rather, residential flat buildings.</p>
3.5 Building design and streetscape		
<ul style="list-style-type: none"> Respond to streetscape Sympathetic external finishes Corner sites to address both streets as primary frontages Removal of original architectural features not supported. 	<p>Yes</p>	<p>The proposed development is architecturally designed that encompasses skilful building articulation and modulation across all its facades. The materiality of the development is akin to contemporary architecture too and incorporates contextual and historical cues, such as the use of sandstone cladding. The development is expected to make a positive contribution to the range of architectural styles within Lamrock Avenue, ranging from</p>

Development Control	Compliance	Comment
<ul style="list-style-type: none"> 50% of the above is to be deep soil: 134.01m² 	Yes	<p>the building envelope and vines on pergola, which would not satisfy the definition of 'landscaped area'.</p> <p>The proposal provides for 152.45m² of deep soil planting area, including within the front building setback area.</p> <p>The shortfall in overall landscaped area is not deemed unreasonable in that the proposed development provides for sufficient deep soil planting area and a variety of plants, ranging from shrubs to trees. The development also provides on-site stormwater detention, which would assist to minimise stormwater runoff from the site. The development satisfies the relevant objectives of the landscaping controls and therefore the non-compliance with the minimum provision of landscaped area is acceptable.</p>
3.12 Vehicular access and parking		
<ul style="list-style-type: none"> Integrated into the design Secondary to pedestrian entrance Maximum of 1 x 2-way driveway From rear of side where possible Pedestrian safety Basement parking should not contravene deep soil zone controls 	Yes	<p>Satisfactory. Appropriate conditions of consent have been recommended by Council's Traffic Engineer to require a speed hump at the top of the driveway/ramp in order to protect pedestrian safety on the footpath.</p>
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 on 21 June. New development should maintain at least 2 hrs 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 	<p>N/A</p> <p>See discussion</p>	<p>The provisions of the ARHSEPP apply in regard to solar access to communal living rooms and open space areas of boarding houses— refer to Table 1 of this report.</p> <p>Refer to discussion below the tables of compliance.</p>

Development Control	Compliance	Comment
of adjacent dwellings to less than 3 hours of sunlight on 21 June.		
3.14 Views and view sharing		
<ul style="list-style-type: none"> Minimise view loss 	Yes	<p>View loss was raised in some objections. A desktop study and analysis of photos accompanying objections that claimed view loss revealed views claimed to be affected were of district available northwards over the site and that the view composition did not include water or icons. In relation the NSW Land and Environment Court planning principle on view sharing, the impact of the development on district views are not deemed unreasonable.</p>
3.15 Visual privacy and security		
<ul style="list-style-type: none"> Minimise overlooking of adjoining properties 	Yes	<p>The main windows and balconies for the boarding rooms are located on the front and rear elevations of the building. There is sufficient separation from the properties on the opposite side of Lamrock Avenue and balconies are encourage on front elevations to ensure passive surveillance of the entry to the building and the street.</p> <p>The rear balconies are set back by a minimum of 6m from the rear boundary of the site that is shared with the adjoining property comprised of a residential flat building at 1 Consett Avenue. The south-western elevation of this adjoining residential flat building comprises minimal window openings that serve bathrooms and kitchens and could be characterised as ‘turning its back’ on the subject site. Therefore, the rear balconies of the development are not expected to unreasonably affect the visual and acoustic privacy of this adjoining property.</p> <p>The outdoor communal area on ground level terrace has been carefully designed and located to ensure that the privacy impacts are reduced. In this regard, the privacy impacts from the rear balconies are not considered unreasonable.</p> <p>The side elevations of the development contain the following:</p> <ul style="list-style-type: none"> ends of the common breezeways balconies accessed by rooms within the centre of the development.

Development Control	Compliance	Comment
<ul style="list-style-type: none"> Prevent overlooking of more than 50% of private open space of lower level dwellings in same development 	Yes	<p>The applicant has modelled the louvre screening devices for the north-eastern side balconies and ends of the breezeways through 3D view images and detailed sections and plans (refer to Drawing Nos DA9300B, DA9301B and DA9302B). The amended form of the development sets in the north-eastern ends of the breezeways further to discourage direct overlooking of the adjoining residential flat building. The combination of this and the angle, height and orientation of the louvres demonstrate that the screening devices will successfully terminate sightlines from the balconies/breezeways, as evident in the 3D view images.</p> <p>The common rooms and areas have been previously discussed and amended and will not impact unreasonably upon the privacy of adjoining properties.</p> <p>There are no 'dwellings' within the proposed development as only boarding rooms are provided. Notwithstanding, the balconies to each of the boarding rooms are stacked over each other and as such overlooking of lower levels will not be possible.</p>
3.17 Ceiling Heights		
<ul style="list-style-type: none"> Minimum height of 2.7m for residential floors 	Yes	Each level provides 3m floor to floor and ceiling heights for the most part of 2.7m (factoring in bulk heads) and areas that are less than 2.7m are kitchens and ensuite bathrooms.
3.19 Acoustic privacy		
<ul style="list-style-type: none"> Internal amenity by locating noisy areas away from quiet areas 	Yes	Given that only boarding rooms are provided, all areas have the same use to those above and below.
3.20 Natural Ventilation		
<ul style="list-style-type: none"> Minimum of 60% of units cross-ventilated 	N/A	<p>There are no 'units' within the proposed development as only boarding rooms are provided. There is no requirement that boarding rooms are naturally cross-ventilated.</p> <p>Nonetheless, some corner rooms have dual aspect with openings on either aspect that would enable some natural cross-ventilation.</p>
3.21 Building services		

Development Control	Compliance	Comment
<ul style="list-style-type: none"> Services are to be integrated into the design of buildings (garbage rooms, mail boxes, fire hydrants boosters, electrical substations, down pipes, plant rooms, satellite/communications structures) 	Yes	<ul style="list-style-type: none"> Fire hydrant booster is provided within the front setback area and concealed behind aluminium vertical blades.
<ul style="list-style-type: none"> Outdoor Communal clothes drying area to be provided 	Yes	<ul style="list-style-type: none"> Clothes drying area is provided in the north-eastern area of the site.
<ul style="list-style-type: none"> Plant rooms away from entry communal and private open spaces and bedrooms. 	Yes	<ul style="list-style-type: none"> Plant is obscured and/or located in the basement level.
<ul style="list-style-type: none"> Services on roof not to be seen from street or impact public or private views and be min 2m from the building edge 	Yes	<ul style="list-style-type: none"> There is no plant equipment, other than a reserved area for solar panels within the rear north-eastern end of the roof.
3.22 Interwar Flat Buildings		
	N/A	The proposal is not replacing nor altering existing Interwar Flat Buildings.

Table 7: Waverley DCP 2012 – Part F1 Shared Residential Accommodation Compliance Table

Development Control	Compliance	Comment
<ul style="list-style-type: none"> A Plan of Management is required. 	Yes	<ul style="list-style-type: none"> A Plan of Management is included with the application. Refer to discussion below.
<ul style="list-style-type: none"> Minimum area for indoor communal living of 12.5m² or 1.25m² per resident (whichever is greater) The requirement for this development is: 116.25m² based on 93 lodgers 	<p>No (acceptable on merit)</p> <p>Yes</p>	<ul style="list-style-type: none"> The development provides for the following: <ul style="list-style-type: none"> a principal indoor communal living area in the north-western corner of ground floor level of the development with an area of 42m² break out spaces on Levels 1 and 2, each measuring 8.8m². <p>This non-compliance or shortfall can be justified by the provision of private open space provided to each room and the site's close proximity to public recreational areas, such as Bondi Beach. The applicant's argument that increasing the indoor communal living areas may give rise to potentially greater noise impacts compared to what is proposed is reasonable and accepted.</p>

Development Control	Compliance	Comment
<ul style="list-style-type: none"> A combined communal kitchen and dining area should have a minimum area of 15m² with an additional 1m² for each room greater than 12 rooms. 		<ul style="list-style-type: none"> The development provides for a total of 59.6m² of communal living area. No combined kitchen and dining area is proposed. Each room provides kitchenette facilities for basic reheating and cooking. Additionally, the communal living area provides cupboards and a sink that is intended to be used in conjunction with the outdoor barbeque facilities. The outdoor barbeque area would address the intent of the control to provide spaces for social interaction and within the appropriate hours of operation nominated in the Plan of Management.
<ul style="list-style-type: none"> Communal storage space provided. 	Yes	<ul style="list-style-type: none"> The communal living area comprises cupboards for communal storage (notated on Drawing No. DA2001B).
<ul style="list-style-type: none"> Each room should contain adequate storage facilities. 	Yes	<ul style="list-style-type: none"> Each room provides for storage in the form of cupboards, space for large bulky items and wardrobes.
<ul style="list-style-type: none"> Balconies should be provided for each individual room where site and locality conditions permit. 	Yes	<ul style="list-style-type: none"> Each boarding room incorporates a balcony or terrace.
<ul style="list-style-type: none"> Laundry facilities provided for every 12 residents. 	Yes	<ul style="list-style-type: none"> Each room has space for a washing machine. The SEE mentions that laundry basins or separate sinks are not provided as per National Construction Code requirements. This would be a certification matter and should not be a reason to not support the layout of the rooms.
<ul style="list-style-type: none"> Clothes drying facilities are to be provided for occupants, including an outdoor clothes line. 	Yes	<ul style="list-style-type: none"> A clothes drying area is provided adjacent to the north-eastern end of the northern-most breezeway on ground floor level.
<ul style="list-style-type: none"> A room with a kitchenette should contain a stove, sink, oven, refrigerator and a bench top with a minimum area of 1m². 	Yes	<ul style="list-style-type: none"> The detailed floor plans of the rooms (scaled at 1:50) demonstrate that each room will contain a stove, sink, refrigerator, oven and benchtop.
<ul style="list-style-type: none"> Minimum area of 5m² for bathrooms. 	No (acceptable on merit)	<ul style="list-style-type: none"> The bathrooms are generally 2.6m², however provide a large shower, toilet, vanity and sufficient circulation space. This is considered satisfactory.
<ul style="list-style-type: none"> Well ventilated rooms. 	Yes	<ul style="list-style-type: none"> Each room is provided with full-height openable doors to a balcony and secondary windows, ensuring sufficient ventilation.

The ARH SEPP provides for minimum car parking rates for boarding houses (as outlined in **Table 1** of this assessment report) on the basis of enabling a consent authority to use this standard to refuse development consent to boarding houses if it is not met. The proposed development requires a minimum of 24 car parking spaces and it provides for a total of 14 car parking spaces, which is deficient of 10 car spaces. Waverley DCP 2012 does not specifically nominate minimum and maximum car parking rates for boarding houses. Notwithstanding, the proposed development could be akin to residential parking rates (while not being considered a 'low density residential' development) that provides for a minimum nil car parking rate. To apply this control in a merit assessment of the provision of car parking, the shortfall in car parking would be deemed reasonable and not be expected to adversely affect the supply of on-street car parking within the surrounding road network.

The site is in walking distance to amenities, retail and employment activities and public transport services available at the Bondi Beachfront area. This would reduce the demand for car parking for the development given its location and context. Further, the development provides for sufficient (in some cases, excess) bicycle and motorcycle parking that would promote alternative modes of travel to and from the development. The development also incorporates a car share space in the basement car park that would only be used for lodgers/residents. A condition of consent is recommended to this effect.

The shortfall in car parking is deemed reasonable and would not warrant refusal of development consent to this application.

Overshadowing

The site has a south-west/north-east orientation and is adjoining by residential flat buildings to the north-east at 1 Consett Avenue and south-east at 11A Lamrock Avenue, while the hostel/backpackers' accommodation adjoins the site to the south-west at 19 Lamrock Avenue. The most affected adjoining property would be the residential flat building at 11A Lamrock Avenue and the application includes detailed solar access and shadow diagrams. The remaining two properties are not expected to be affected by the proposed development, noting that the level of solar access protection for a hostel/backpackers' accommodation is not as significant/warranted compared to residential flat buildings.

The elevational and plan form shadow diagrams reveal that the south-western elevation of the adjoining residential flat building at 11A Lamrock Avenue is presently heavily overshadowed between 9am and 10am on 21 June due to site orientation. The diagrams (in hourly increments) depict that the additional overshadow will not obscure the majority of presently available solar access to the side-facing balconies of the adjoining residential flat building generally between 11am and 2pm on 21 June. The diagrams also depict additional shadowing impact caused by a 'compliant envelope' (specifically, a development that achieves the minimum side setback control of 1.5m). The 'compliant envelope' is depicted on Drawing No. DA9102B.

The applicant argues that the proposed development provides better solar access protection to the adjoining residential flat building than a 'compliant envelope', principally due to the generous north-eastern side setback of the development that has a maximum of 4m from the north-eastern boundary of the site. This argument is accepted in terms of considering the reasonableness of the additional overshadowing impact of the development as the side setback is considered to be key contributing factor to moderating overshadowing impact. The non-compliance with the height of buildings development standard has been demonstrated to have a limited effect on and contribution

to the extent and duration of overshadowing impact given where it occurs within the building envelope of the development.

The proposed development reasonably maintains solar access to the adjoining residential flat building in mid-winter, particularly between 11am and 1pm on 21 June. The site orientation plays a role in contributing to the overall overshadowing impact and the applicant has been cognisant of site orientation in providing a generous side setback from the north-eastern boundary of the site. In this regard, the overshadowing impact of the development is deemed reasonable.

Plan of Management

The Plan of Management (PoM) sets out the necessary operational aspects of the proposed boarding house, as required by Waverley DCP 2012. Should the application be approved, the PoM will be an approved and enforceable document by way of development consent. The PoM is considered to include all relevant operational details and procedures for a boarding house, including rules for residents to abide by with the intention of minimising disturbances to adjoining and adjacent residents. Conditions of consent are recommended to ensure that the PoM is enforced during the life of the consent and occupation of the development. One of which requires that the PoM be amended to include the exact contact details, including phone number and email address, of the on-site manager so that they are readily available to be immediately aware of any issues and complaints as they arise so that they can be quickly resolved (where possible).

2.2 Other Impacts of the Development

The proposal is considered against section 4.15(1)(b) of the Act relating to environmental, social or economic impacts on the locality.

2.2.1 Impacts on the natural and built environment

The proposal is not expected to result in adverse amenity impacts upon the natural and built environment of the locality for the reasons explained in this report.

2.2.2 Social impacts

The proposal is not expected to result in adverse social impacts on the locality. The development is in accordance with the ARH SEPP, that is intended to encourage and enable the provision and increase of a variety of affordable rental housing stock across NSW. In this regard, the social impacts of the proposal are deemed reasonable, particularly given that housing affordability is a prevailing urban planning issue in Sydney, and specifically, within the Waverley local government area.

2.2.3 Economic impacts

The proposal is not expected to result in adverse economic impacts on the locality.

2.3 Suitability of the Site for the Development

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

2.4 Any Submissions

The application was initially notified for 21 days and a site notice erected on the site, in accordance with *Waverley Development Control Plan 2012, Part A – Advertised and Notified Development*.

The initial notification period attracted a total of 61 submissions from individual properties (NB: the count is not based on the overall number of submissions received from each individual, including multiple submissions from the same individual or property) and a petition containing 245 signatories that express opposition to this application.

The amended form of the application was publicly notified and attracted a total of 29 submissions, including a submission from the Bondi Beach Precinct Committee.

All the submissions have been read, considered and analysed. Most submissions were received from properties within the suburb of Bondi Beach, specifically in Lamrock Avenue.

The principal issues that emerged from the analysis of the submissions and that are deemed planning related in accordance with the matters for consideration under section 4.15(1) of the Act are for the most part addressed in the body of this report. Notwithstanding, the principal matters expressed in the submissions are summarised and discussed in **Table 8** below.

Table 1: Summary of and response to principal issues raised in the public submissions during the initial notification of the application

Issue	Response
The development is not a genuine boarding house and will become backpackers' accommodation.	<p>The application seeks development consent for a boarding house, which is a permitted use in the R3 zone under Waverley LEP 2012 and is consistent with the relevant provisions of ARH SEPP. Conditions of consent are recommended to ensure the operations of the development are for a boarding house only and in accordance with relevant legislation and regulations. Should the use of the development change in the future, that change would be subject to separate development consent (if required under relevant legislation).</p> <p>Submitters have expressed the perceived 'loop hole' and exploitation of the ARH SEPP by developers in past examples within the area and across Sydney. The proposed boarding house is required to operate in accordance with Schedule 2 (Standards Enforceable by Orders) of the Local Government (General) Regulation. Standard conditions imposed also restrict future use of the development and ensure that the minimum lodging period is three months. Notwithstanding, the ARH SEPP does not stipulate that boarding houses are rent controlled and no condition in this regard is recommended. This is consistent with a recent judgement by Commissioner Gray of the NSW Land and Environment Court following the hearing of <i>Micro Nest No 1 Pty Ltd on behalf of Micro Nest Ashfield Trust v Inner West Council [2019] NSWLEC 1320</i>. The size of the boarding rooms and market forces will determine the lower rents for such establishments. This is not a reason that Council can refuse development consent to the application.</p>

Issue	Response
The proposed development is a commercial or hotel-like operation.	The development is NOT a commercial operation. A 'boarding house' use is part of and a type of the broader 'residential accommodation' use under Waverley LEP 2012. The proposal performs adequately against the objectives of the R3 zone as discussed earlier in this report and is a compatible and permitted use within the zone.
Adjacency of the existing backpackers' accommodation development, known as 'The Village' at 19 Lamrock Avenue.	<p>Most submissions have referenced the adjoining backpackers' accommodation development in opposing the proposed development, specifically in relation to claims of anti-social behaviour, noise and other nuisances caused by this development to surrounding residences and fears that these would be exacerbated by the proposed development. This adjoining development has consent to operate as 'backpackers' accommodation' (as outlined in section 1.2 of this report) and has not been compared to the proposed development for a boarding house. It cannot be used to prejudice the assessment of the proposed development given their differing land uses.</p> <p>The PoM and recommended conditions of consent will ensure that the proposed development does not cause unreasonable and adverse impacts on the amenity and safety of surrounding residences. The boarding house has an onsite manager who will be available between 9am and 6pm, Monday to Saturday. However, they can be contacted outside these hours. The PoM is referenced in the conditions of consent and forms a part of the approval documents that must be adhered to during operation. Any breach of the POM is a compliance matter and the terms of the POM are enforceable by Compliance Officers.</p>
The PoM is inadequately drafted. It should explicitly state that residents/lodgers of the boarding house can only be Australian residents to prevent international tourists from staying at the boarding house. A resident committee should be established.	<p>The PoM is considered adequately detailed for a boarding house. The recommended operational conditions of consent will complement the PoM to ensure the boarding house operates appropriately.</p> <p>The request to require that lodgers/resident must be Australian residents is simply unreasonable and unjust for Council to require and enforce. It would also be considered discriminatory. The development is NOT a backpackers' accommodation nor motel or hotel accommodation. Conditions of consent are recommended to ensure the occupancy of the boarding house is in accordance with mandated State Government policies and regulations.</p> <p>A resident committee is requested to be mandated to ensure that any resident complaints are addressed and resolved by Council and the operator. In the first instance, the on-site manager can be contacted for any complaints and can act accordingly to resolve these. A condition of consent is recommended to require the PoM to be amended prior to the issue of an occupation certificate to include the exact contact details of the on-site manager so that</p>

Issue	Response
	they can be contacted 24/7 when issues and complaints arise. Existing avenues exist for residents to make immediate complaints to the Police (if deemed criminal)/unlawful or Council (if deemed non-compliant with the development consent). A resident committee is not considered necessary.
The built form, urban design and streetscape elements of the proposed development are out of character and incompatible with Lamrock Avenue and the local area.	The compatibility and harmony of the proposed development within the local area in relation to the ARH SEPP have been tested and discussed previously in this report, which includes referral commentary from the Waverley Design Excellence Panel. The assessment finds that the proposed development is considered compatible and harmonious with the existing and desired future character of Lamrock Avenue and the local area.
The proposed development exceeds the height of buildings development standard and the clause 4.6 written request is inadequate.	Noted. Refer to discussion in section 2.1.4 of this report. The exceedance is considered acceptable.
The FSR of the proposed development has not been calculated in accordance with the 'gross floor area' (GFA) definition under Waverley LEP 2012.	Noted. The application was deferred in part to address this matter. The applicant provided detailed sections and plans to demonstrate that the louvre screens at the ends of the breezeways are open to enable the breezeway to function as one and not enable the breezeway to be enclosed and be classified as calculable GFA. The GFA and FSR of the development has been calculated properly and the development complies with the maximum FSR permitted by the ARH SEPP and Waverley LEP 2012, collectively.
The proposal provides insufficient communal open space and will consequently encourage lodgers/residents to spill onto the street footpath and cause disturbances.	Disagreed. The development meets the minimum area and dimensions for communal open space under the ARH SEPP and each room is provided with private open space. This would therefore discourage any cases of lodgers/residents spilling onto the street footpath. A PoM provides operational rules that all lodgers/residents are bound to abide by, including consumption of alcohol and use of smoking and prohibition of use of illegal drugs.
Impact of the built form of the proposed development on environmental amenity of	This matter has been comprehensively addressed in sections 2.1.3 and 2.1.4 of this report.

Issue	Response
<p>neighbouring properties, including:</p> <ul style="list-style-type: none"> • Visual and acoustic privacy • Solar access • Visual bulk. 	
<p>Waste and garbage disposal – pick-up should be between working hours to minimise disruption.</p>	<p>Times for collection of garbage would be difficult to enforce. Conditions are recommended requiring the submission of a Waste Management Plan addressing waste management and collection matters.</p>
<p>Inadequate car parking provided, which will generate further demand for on-street car parking and increase vehicular trips on the surrounding road network.</p> <p>The proposed driveway is too close to the adjoining property.</p>	<p>Noted. The application was accompanied by a traffic and parking assessment, which was referred to Council's Infrastructure Services department and they did not object to the development on this basis. Discussion on car parking and modes of travel are set out in section 2.4 of this report.</p> <p>Council's Traffic Engineer did not object to the location of the proposed driveway and has recommended that a speed hump and</p>
<p>The proposal lacks landscaping and involves tree removal, including removal of the street trees.</p>	<p>Landscaping has been addressed in section 2.4 of this report.</p> <p>The existing street trees are not proposed to be removed. Conditions of consent are recommended to ensure the trees are protected during site works. Council's Tree Management Officer supports removal of trees within the site.</p>
<p>Noise impacts, specifically from air conditioning</p>	<p>The noise impacts of the development have been considered in an acoustic report submitted with the application. This report was reviewed by Council's Environmental Health team who expressed their satisfaction with the proposal in relation to noise, subject to conditions. The development does NOT include an air-conditioning system, but rather internal ceiling fans.</p>
<p>Demolition, excavation and construction matters, including:</p> <ul style="list-style-type: none"> • Dust • Noise 	<p>Issues during construction are not matters for consideration under the Act. All standard conditions in relation to construction management are recommended to ensure demolition, excavation and construction phases of the development do not adversely affect surrounding properties.</p>

Issue	Response
<ul style="list-style-type: none"> • Geotechnical/soil stability disturbance • Safety. 	
Adjoining property will devalue	This matter cannot be quantified and is not a matter for consideration under section 4.15 of the Act.

2.5 Public Interest

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

3. REFERRALS

3.1 Waverley Design Excellence Panel

The application was referred to the Waverley Design Excellence Panel (the DEP) for comment on 19 August 2019. The DEP commented on the proposed development against the nine design quality principles of SEPP 65 to aid the local area character/compatibility test of the development that is required by the ARH SEPP. That commentary has been outlined in section 3.1.3 of the report and considered in the assessment of this application.

3.2 Urban Planning, Policy and Strategy – Urban Design

Council's Urban Design team provided commentary on the application in relation to the contextual relationship, built form, façade and interface and landscape aspects of the development. The commentary focuses on planning assessment matters, compliance with LEP/DCP controls and the application of the Apartment Design Guide, which does **NOT** apply in the assessment of this application as the development is not subject to SEPP 65. The DEP has provided appropriate commentary in relation to the urban design and contextual relationship of the development and this commentary prevails over that provided by Council's Urban Design team.

3.3 Urban Planning, Policy and Strategy – Green Travel

A Green Travel Plan is technically required; however, the development provides for car share, bicycle and motorcycle parking and is in walking distances to public transport, amenities and employment., and provides less car parking than is expected for the scale of this development. Therefore, the development is considered to encourage green methods of travel despite the absence of a formal green travel plan.

3.4 Urban Planning, Policy and Strategy – Strategic Town Planning

Council's Strategic Planning considered the application under the ARH SEPP and confirms that the proposed development is compliant with the relevant provisions of the ARH SEPP.

3.5 Compliance and Rangers - Environmental Health

Council's Senior Environmental Health Officer considered the application satisfactory, subject to conditions of consent.

3.6 Environmental Sustainability - Sustainable Waste

Council's Sustainable Waste Officer has recommended conditions of consent to ensure the waste storage, management and collection aspects of the development are sound. These conditions have been adopted.

3.7 Infrastructure Assets - Driveways

Council's Professional Engineer – Traffic and Development considered the application satisfactory, subject to conditions of consent.

3.8 Infrastructure Assets- Stormwater and Flooding and Public Domain

Council's Stormwater Engineers made a series of comments regarding the stormwater and flood prone constraint matters of this application while the assessment.

Council's new Infrastructure Services team advised that an existing easement for Council's stormwater main is on title and is proposed to be maintained.

Conditions of consent are recommended to address stormwater, flooding and public domain improvements directly in front and outside of the site.

3.9 Clean and Attractive - Tree Management

Council's Tree Management Officer supports the proposed tree removal and has recommended tree protection measures, including payment of a street tree bond. Conditions of consent are recommended to this effect.

3.10 Digital Waverley – GIS and eplanning

Council's GIS Officer has allocated street numbering for the development. A condition of consent is recommended to this effect.

4. SUMMARY

The application seeks development consent for the redevelopment of the site, known as 15-17 Lamrock Avenue, Bondi Beach for a new four-storey boarding house comprising 47 boarding rooms, including one boarding manager's room, basement car park and amalgamation of lots into one Torrens title lot.

The main issues raised in the assessment of this application are as follows:

- character compatibility
- car parking
- non-compliance with height of buildings development standard
- external wall height
- overshadowing and privacy
- operational aspects.

The assessment finds these issues acceptable on planning merit.

The development has ultimately been designed to comply with the provisions of State Environmental Planning Policy (Affordable Rental Housing) (ARH SEPP), Waverley Local Environmental Plan 2012 and Waverley Development Control Plan 2012. The development is architecturally designed and is not considered to be out of character with the street and surrounding local area. Further, the proposal will not have unreasonable amenity impacts upon surrounding properties as discussed in detail within this report. A boarding house is a permissible use within the zoning and permitted through the enabling controls of the ARH SEPP.

The application initially attracted a total of 61 public submissions from individual properties and a signed petition including 245 signatories that all expressed objection and opposition to the proposal. The amended form of the application was publicly notified and attracted a total of 29 submissions. All principal issues raised in the objections have been considered in the assessment of this application, as demonstrated in section 2.4 of this report.

The application is referred to the Waverley Local Planning Panel on the basis that the application is considered 'contentious' as it attracted more than 10 unique objections.

The application has been considered against the matters for consideration under section 4.15 of the Act, and is recommended for approval, subject to conditions of consent.

DBU Decision

The application was reviewed by the DBU at the meeting on 3 September 2019 and the DBU determined:

- (c) The application was deferred for the reasons outlined in section 1.3 of this report. Amended plans and information were received that adequately address the reasons for deferral. The application is therefore acceptable and should be approved, subject to the conditions in Appendix A

DBU members: *M Reid, A Rossi, B McNamara and E Finnegan.*

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
Senior Development Assessment Planner

Angela Rossi
Manager, Development Assessment (North)

Date: 6 March 2020

Date: 11 March 2020

Reason for referral:

2(b) 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 Mark Shapiro Architects of Project No: 19006 including the following:

Plan Number and Revision	Plan description	Plan Date	Date received by Council
DA1001B	Site Analysis Plan	8 October 2019	8 October 2019
DA2000B	Basement	8 October 2019	8 October 2019
DA2001B	Ground Floor	8 October 2019	8 October 2019
DA2002B	Level 1	8 October 2019	8 October 2019
DA2003B	Level 2	8 October 2019	8 October 2019
DA2004B	Level 3	8 October 2019	8 October 2019
DA2005B	Roof Plan	8 October 2019	8 October 2019
DA2300B	Sections A and B	8 October 2019	8 October 2019
DA2400B	NE and SW Elevations	8 October 2019	8 October 2019
DA2401B	SE and NW Elevations	8 October 2019	8 October 2019
DA2402B	NE and SW Elevations - Finishes	8 October 2019	8 October 2019
DA2403B	Fence Elevations	8 October 2019	8 October 2019
DA2500B	Unit Plans 1	8 October 2019	8 October 2019
DA2501B	Unit Plans 2	8 October 2019	8 October 2019
DA2502B	Unit Plans 3	8 October 2019	8 October 2019
DA9300B	Breezeway Corridor and Balcony Eave Details	8 October 2019	8 October 2019
DA9303B	Bicycle Parking Concept	8 October 2019	8 October 2019

- (b) Landscape Plans and documentation titled '15-17 Lamrock Ave, Bondi Landscape Development Application', Sheets 00-11 (Revision B), prepared by CTLA Landscape Architect, dated September 2019 and received by Council on 8 October 2019.
- (c) Plan of Management, titled 'Boarding House Management Plan for Boarding House at 15-17 Lamrock Avenue Bondi Beach 2026', undated and received by Council on 8 October 2019.
- (d) BASIX Certificate prepared by Gradwell Consulting and associated BASIX Commitment Plans, DA2000, DA2001, DA2002, DA2003, DA2004, DA2005, DA2500, DA2501 and DA2502, all Revision B, all dated 08/10/19, prepared by Mark Shapiro Architects, all received on 5 March 2020.
- (e) BCA Compliance Assessment Report, Report No. BCA 19/014, prepared by Aramini + Leedham Consulting, dated 24 May 2019 and received by Council on 29 May 2019.
- (f) Site Flood Assessment (Reference No. SY190947) prepared by Northrop, dated 1 October 2019, and received by Council on 1 October 2019.

- (g) Acoustic Assessment (Report No. BA190338) prepared by Blackett Acoustics Noise and Vibration Consultants, dated May 2019, and received by Council on 29 May 2019.
- (h) Geotechnical and Hydrogeological Investigation prepared by JK Geotechnics (Report No. 32328PHrpt), dated 6 May 2019 and received by Council on 29 May 2019.
- (i) Arboricultural Impact Assessment prepared by Advanced Treescape Consulting (Report Reference 19-092a 01 15-17 Lamrock Road Bondi Beach) and dated 13 May 2019, and received by Council on 29 May 2019.
- (j) The Site Waste and Recycling Management Plan (SWRMP) Part 1 dated 29 May 2019.

Except where amended by the following conditions of consent.

2. GENERAL MODIFICATION

- (a) To eliminate discrepancies during the building certification of this development, the relevant architectural plans shall be amended to reflect the amendments made in the basement car park of the development in response to the BASIX Certificate requirements, specifically the modification of the bulky goods store to accommodate the hot water unit.

The amendments are to be made to the satisfaction of the Principal Certifying Authority prior to the release of the relevant construction certificate.

3. BOARDING HOUSE

- (a) The use and operation of the premises shall comply with the requirements of the *Local Government Act 1993*, the *Local Government (General) Regulation 2005* and the *Boarding House Act 2012*.
- (b) The boarding house must NOT accommodate any more than **93 people (including residents and on-site manager and their guests/partners)** in the building.
- (c) All lodgers shall be required to reside on the premises for a minimum period of three (3) months in accordance with the definition of a Boarding House under the *Waverley Local Environmental Plan 2012*.
- (d) All lodgers shall be provided with and sign the Standard Occupancy agreement for general boarding houses under the *Boarding Houses Act 2012*.
- (e) An on-site manager shall be provided for the operation of the boarding house in accordance with *State Environmental Planning Policy (Affordable Rental Housing) 2009*. The on-site manager shall be provided with a room to reside in (known as 'Room G.01' on Drawing No. DA2001B) and be responsible for the day to day management of the boarding house.
- (f) Management are responsible for ensuring the number of patrons in the premises does not exceed the approved capacity. A copy of the register of persons accommodated must be kept on the premises at all times and provided to Council upon request.

4. PLAN OF MANAGEMENT (POM)

The PoM accompanying this Development Application and identified in condition 1 of this development consent has been approved and becomes operational and enforceable during the occupation of the development.

B. COMPLIANCE PRIOR TO ISSUE OF 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

5. 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 AND BONDS

6. SECTION 7.12 CONTRIBUTION

A cash contribution is payable to Waverley Council pursuant to section 7.12 of the *Environmental Planning and Assessment Act 1979* and Waverley Council Development Contributions Plan 2006 in accordance with the following:

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

A copy of the required format for the cost reports 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;
 - (a) A development valued at \$100,000 or less will be exempt from the levy.
 - (b) A development valued at \$100,001 - \$200,000 will attract a levy of 0.5% OR
 - (c) 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.

7. TREE PRESERVATION BOND

A bond of **\$8,000** 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 Paperbark tree on the nature strip of Lamrock Avenue and directly outside of the property. The bond is to be lodged prior to the issue of any Construction Certificate.

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.

8. SECURITY DEPOSIT

A deposit (cash or cheque) or guarantee for the amount of **\$200,000** 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 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. LOSS OR MODIFICATION OF CAR SPACE CONTRIBUTION

The construction of the vehicle crossing requires the modification to existing parking meter spaces. The applicant/owner is to compensate Council for the cost of modifying the parking meters and its infrastructure in accordance with Council's Pricing Policy, Fees and Charges. A contribution of **\$1,230** is to be paid prior to the issue of the Construction Certificate.

The parking meter is to be relocated in accordance with the requirements of Waverley Council and to the satisfaction of Council's Parking Services Manager. The parking meter is to be relocated prior to the issue of the Construction Certificate.

CONSTRUCTION AND 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 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 shall be prepared in accordance with Waverley Council's Water Management Technical Manual be installed and maintained until construction activities have been completed and the site is fully stabilised. A copy of the SWMP must be kept on site at all times and made available to Council officers upon request.

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.

TRAFFIC MANAGEMENT

15. 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

16. LONG SECTIONS OF DRIVEWAY

Long sections drawn along both edges of the driveway shall be submitted to Council for the approval of the Executive Manager, Infrastructure Services (or delegate) prior to issue of the Construction Certificate.

The long section drawings shall:

- (a) Be drawn at a scale of 1:25.
- (b) Include reduced levels (RL's) of the Lamrock Avenue carriageway, the kerb and gutter, footpath and paving within the property.
- (c) Include existing and design levels.
- (d) Include ground clearance of the B85 design vehicle using the ground clearance template contained in Appendix C of AS 2890.1: 2004 Off Street Car Parking.
- (e) Show all paving on Council's land being sloped/ drained towards the roadway.
- (f) Include a separate drawing of any adjustments required to Councils footpath area to provide suitable vehicular access to and from the garage.

17. CAR PARKING ALLOCATIONS

A total of 14 car vehicle parking spaces are to be provided, allocated in the following manner:

- 11 residential parking space;
- 1 car share parking space;
- 1 on-site manager parking space
- 1 residential visitor parking spaces ;

Details are to be submitted to the Principal Certifying Authority prior to the issue of the relevant Construction Certificate.

18. BICYCLE PARKING

A total of 18 bicycle parking spaces are to be provided, 15 as residential and 3 as visitor bicycle spaces.

The residential and retail spaces are to be provided by way of a secure lockable area, individual lockers or suitable bicycle racks and are to be located within the basement car parking area.

At least 3 of these spaces (including the visitor space) are to be located within the ground floor foyer or adjacent within any forecourt or within the rear yard area, with the remaining to be located within the basement level.

Details are to be submitted to the Principal Certifying Authority prior to the issue of the relevant Construction Certificate.

19. MOTORCYCLE PARKING

A total of 10 motorcycle parking spaces are to be provided within the basement car parking area. Details are to be submitted to the Principal Certifying Authority prior to the issue of the relevant Construction Certificate.

STORMWATER, FLOODING AND PUBLIC DOMAIN

20. STORMWATER MANAGEMENT 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 to the Executive Manager, Infrastructure Services prior to the issue of the Construction Certificate.

The submitted stormwater civil plans prepared by ITM Design Pty Ltd, Job No. 18/221, Drawing No. H-DA-00, H-DA-01 and H-DA-02 (all Revision A), dated 23 May 2019 are 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 to include:

- (a) Existing Stormwater Easement: Council's records indicate an existing 600m stormwater drainage line traversing the subject development site. In addition there is an easement 1.83m from the rear property boundary. The applicant is required to engage a surveyor to investigate the exact location of the existing stormwater pipe within the existing easement (this shall include the pipe size, invert, any necessary levels needed as part of this proposal) and submit to Council for further assessment.

The existing pipeline and easement to be overlayed onto the stormwater plans. Detailed sections are to be provided to demonstrate that all structural support elements are located away from the zone of influence of the existing stormwater pipe.

- (b) OSD Details: The provided OSD shall be designed to be away from the zone of influence of the existing stormwater pipe. The structure shall be designed and built to be self-supporting to allow excavation of the Council's pipe without the need of any supplementary support structures.
 - (c) Flood Freeboard Level: As the property falls within a flood prone area, the habitable floor level should be a minimum 15.82m (WSL 15.52m AHD + 300mm minimum freeboard).
 - (d) Flood Model: As the property falls within a flood prone area, a catchment analysis is to be undertaken to ensure the pipe(s) and pits in the existing easement have enough capacity to accommodate additional flows from the site. Please submit details to Council.
 - (e) Since the calculated site discharge is more than 25L/s, the site stormwater shall be connected directly to Council's trunk drainage system.
 - (f) A non-return valve to be installed at the outlet pipe at the connection point with Council's stormwater line so that stormwater cannot surcharge back into the property disposal system.
 - (g) All proposed conduits within the public domain shall be constructed using 375mm RCP pipes and a junction pit shall be installed at all changes of gradient and changes of direction in the pipeline.
 - (h) During construction of the proposed stormwater connection to the existing Council line, any infrastructure within the Council easement shall be constructed to the satisfaction of Council, with all costs borne by the applicant.
 - (i) Since a sewer main runs through the property, plans must also be presented to a Sydney Water Quick Check Agent for their approval.
- 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)

Council must be notified when the connection has been made to the Council pipeline and an inspection must be made by a Council officer prior to backfill at the point of connection. An inspection fee will apply for each inspection visit required by a Council officer, payable prior to any site inspection. Minimum 48 hour's notice must be provided to Council prior to inspection.

21. PUBLIC INFRASTRUCTURE WORKS

Public infrastructure works shall be designed and constructed as outlined in this condition of consent. The approved works must be completed, prior to the issue of an Occupation Certificate to Council's satisfaction at no cost to Council.

The public domain is to be upgraded on the Lamrock Avenue Street frontage for the development site in accordance with the current Waverley Council Development Control Plan 2012 (DCP), and Public Domain Technical Manual (PDTM) at the time of engineering plan approval.

Full design engineering drawings to be prepared by a suitably qualified and experienced engineering professional and be submitted to Council for the approval of the Executive Manager, Infrastructure Services prior to the issue of the Construction Certificate.

The following plans and specifications to be submitted to Council for assessment:

- (a) Footpath: Replace the footpath traversing the Lamrock Street frontages. The proposed footpath material, profile and street furniture details traversing the frontage to be advised by Council at the time of engineering plan approval.
- (b) Kerb and Gutter: Replace kerb and gutter traversing the Lamrock Street frontage. Any stormwater kerb lintel infrastructure within the extent of kerb and gutter works shall be replaced. Proposed kerb profiles are to be provided to ensure proper connections to existing kerb and gutter along the street frontage.
- (c) Street Trees: All trees proposed and existing within the Council verge will require installation of the suitable tree pits, surrounds and root barriers.

The tree species and location shall not interfere with the local pedestrian and/or traffic activities. All the proposed tree species, locations and sizes are to be approved by Council's Officer prior to commencement of public domain works.

- (d) Street Lights: Make provision for new street lights serviced by metered underground power. The consultant shall liaise with Council in obtaining Council's requirements and specifications for the street columns and components, including the appropriate LED luminaire to service the development frontages. LED luminaire columns shall be supplied and installed to meet pedestrian compliance standards.

The associated overhead power/utility lines shall be routed underground.

- (e) Any existing or proposed utility pillars on the site frontages to be either underground or inside the property boundary of the proposed development. Applicant must liaise with the relevant authorities for their approval and communicate to Council with written confirmation, before executing any works.

- (f) All mains electrical connections to the development must be routed underground. Council will not accept the erection of newly placed electricity columns within the Council's public domain to support the new development.

Notes:

- Depending on the complexity of the proposed public domain works, the Council's review of each submission of the plans may take a minimum of six (6) weeks.
- 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 public domain design submissions; however Council's title block shall not be replicated.
- Council's contact for public domain: E-mail: assets@waverley.nsw.gov.au or Phone: 9083 8886 (operational hours between 9.30am to 4pm Monday to Friday)

22. FLOOD AFFECTED / PONDING AREA

The works are to be carried out in accordance with the recommendations of Site Flood Assessment prepared by Northrop, doc no. SY190947 and dated 1 October 2019.

Egress in the case of an emergency shall be provided to any area of the building affected by flooding /ponding. Internal access (including from any basement or lower ground floor levels of a building) is to be available in the event that flood gates are in operation so that any person can exit the building safely. Any electrical board/s including power points are to be located above the identified flood level.

The design of the proposed automatic flood gates to be approved by Council, prior to construction.

ENERGY EFFICIENCY AND SUSTAINABILITY

23. BASIX

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

WASTE

24. 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.

25. WASTE STORAGE AREAS

The development must have a bin storage area with sufficient space to accommodate the following minimum number of bins for the development:

- 12 x 240L Mobile Garbage Bins (MGBs) for general waste with a weekly collection.
- 12 x 240L MGBs for paper and cardboard recycling with a weekly 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.

Specifically, the plans must address the following:

- (a) Details of ongoing waste management strategy are to be documented within the SWRMP, and reviewed every 5 years to employ updated waste reduction strategies and technologies.
- (b) The transport route to the point for waste and recycling bin collection must be marked on the drawings.

NOISE

26. NOISE – ACOUSTIC REPORT

An Acoustic Assessment Report prepared by a suitably qualified acoustic consultant shall be prepared to assess the impacts of the development (internal and external areas) including any mechanical plant, refrigeration motors and air conditioning units and make recommendations to ensure that the noise from the development will be within the acceptable limits of the Protection of the Environment Operations Act 1997 and relevant legislation. The plan must be submitted to the satisfaction of Council's Executive Manager, Compliance (or delegate).

Note: Any management measures recommended in the acoustic report shall be incorporated into a Plan of Management, which will be required to be submitted to Council for approval prior to the issue of an Occupation Certificate.

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

C. COMPLIANCE PRIOR TO 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

27. CONSTRUCTION SIGNS

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

28. 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 on request.

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.

29. PRE-CONSTRUCTION DILAPIDATION REPORT

To ensure Council's infrastructure is adequately protected a pre-construction dilapidation report on the existing public infrastructure within the vicinity of the proposed development and along the travel routes of all construction vehicles, up to 100m either side of the development site, is to be submitted to Council. The report shall detail, but not be limited to, the location, description and photographic record (in colour) of any observable defects to the following infrastructure where applicable:

- Road pavement
- Kerb and gutter
- Footpath
- Drainage pits and lintels
- Traffic signs
- CCTV Closed Circuit Television – Stormwater Conduits
- Any other relevant infrastructure.

The report is to be dated, submitted to, and accepted by Council's Public Domain Engineer, prior to any work commencing on the site.

30. PUBLIC DOMAIN PRE-CONSTRUCTION MEETING

To ensure all public infrastructure works approved under this consent will be completed to Council's satisfaction and a program of required inspections is established, a preconstruction meeting shall be arranged with Council's engineering inspector/s prior to works commencing on site.

At this meeting Council will outline requirements for inspections of works within the public domain and required construction hold points.

The Principal Certifying Authority shall not issue any Occupation Certificate until Council has conducted a final inspection of the completed works and has issued a final compliance certificate certifying satisfactory completion of the works.

31. 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.

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 AND EXCAVATION

32. 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;
- The 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.

33. 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.

34. 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.

35. 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

36. 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.

37. 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.

38. 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 clause 162A Critical stage inspections for building work of the *Environmental Planning and Assessment Regulation 2000*.

39. 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.

40. 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.

TREE PROTECTION AND REMOVAL

41. 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.

42. TREES PERMITTED TO BE REMOVED

All trees on the site and identified in the Arboricultural Impact Assessment Report and landscape plans identified in condition 1 of this development consent are approved to be removed.

43. 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) event 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.

44. STREET TREES ROOT MAPPING

The location of the driveway crossover would be within Tree 1's SRZ. As per recommendations made in the Arboricultural Impact Assessment identified in condition 1 of this consent, root mapping shall be conducted along the edge of the proposed driveway, to see how many roots are in the proposed construction zone. It is possible that there may not be many roots in this area, but root mapping will clearly identify the level of impact.

A root mapping report is required from a qualified arborist (AQF Level 5) detailing the impact of constructing a driveway within the structural root zone of the *Melaleuca quinquenervia* (paperbark tree). The report must outline measures to minimise damage to the tree's root system or detail alternate solutions.

VEHICLE ACCESS & PUBLIC DOMAIN WORKS

45. NEW VEHICLE CROSSING

A new vehicle crossing is to be provided to access the proposed basement car park. 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 confirming the finished levels of the internal driveway between the property boundary and the garage floor comply with the approved driveway long sections.

46. EXISTING VEHICLE CROSSING IS TO BE CLOSED

The existing vehicle crossing is to be closed and all work associated with the closure is to be carried out with the approval of, and in accordance with, the requirements of Council

47. INTERNAL RAMP - SPEED HUMP

A speed hump shall be installed inside the site on the exit portion of the internal driveway ramp.

D. COMPLIANCE PRIOR TO OCCUPATION OR DURING OCCUPATION

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

48. FINAL OCCUPATION CERTIFICATE

Prior to occupation or use of the development, the Principal Certifying Authority must issue an Occupation Certificate. 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.

49. CERTIFICATION OF ACOUSTIC PERFORMANCE

An acoustic report/certificate prepared by a suitably qualified acoustic consultant is to be submitted to the Principal Certifying Authority and the Council, certifying that all acoustic recommendations (including noise from mechanical plant) as outlined in the acoustic report prepared by Blackett Acoustics Noise & Vibration Consultants [Reference No. BAS190338] dated May 2019 and conditions of consent (including the operational conditions) have been incorporated into the development and can be satisfied.

50. CERTIFICATION OF ALL MECHANICAL PLANT

A Certificate of Test of all mechanical plant together with a copy of the final test figures, conducted by a suitably qualified person, certifying that the system complies with the conditions of this consent, National Construction Code (NCC) and relevant Australian Standards.

51. CERTIFICATION OF BASIX COMMITMENTS

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

52. CERTIFICATION OF LANDSCAPING

At the completion of all works a certificate is to be submitted to the Principal Certifying Authority from a qualified Landscape and/or Arboriculture Consultant certifying that the work has been completed in accordance with the approved Landscape Plan and that a maintenance program has been established. If relevant, the waterproofing on any green roof is to be tested and evidence of the test is to be provided with the certification.

53. CERTIFICATION OF STORMWATER SYSTEM

- (a) 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.

- (b) The submission of certification by a suitably qualified Civil Engineer for the on-site stormwater detention system, attesting the storage volume, discharge rate and satisfactory operation of the system prior to the release of the Subdivision Certificate.

54. REGISTRATION OF BOARDING HOUSE PREMISES

Prior to the issue of any Occupation Certificate, the proprietor of the boarding house shall:

- (a) Provide an outdoor clothes line and cleaning and cooking items in the kitchen for the use of boarding room occupants.
- (b) Arrange for an inspection by Council's Environmental Health Officer.
- (c) Be registered as a Boarding House with Council.
- (d) Provide to Council and the Principle Certifying Authority details of trade waste removal arrangements.
- (e) Pay any fees incurred by the carrying out of health regulation inspections as determined by Council's Pricing Policy, Fees and Charges.
- (f) Prior to the commencing operations, forward a notification letter to the Council and adjoining neighbours (within 50m radius of the site) providing contact details of the onsite Manager so that any issue regarding the operation of the premises can be addressed promptly. The Manager is to be contactable at all times by mobile phone and the mobile phone number of the Manager is to be clearly displayed externally adjacent to the front door of the premises.

55. POSITIVE COVENANT - AUTOMATIC FLOOD GATES

A covenant to the approval of Council is to be placed on the Certificate of Title of the property acknowledging that the site has an automatic flood gate system and that the implementation and the management of flood protection shall be at the responsibility of the building owners. Council is neither responsible nor liable to any damages caused as a result of any flooding of the property and/or neighbouring properties. Evidence of the creation of the covenant is to be submitted to Council prior to issue of any Occupation Certificate. The covenant shall not be revoked or modified without the prior approval of Council. All legal costs associated with the registration of the restriction is to be borne by the applicant and/or owners.

56. POSITIVE COVENANT – ON-SITE DETENTION SYSTEM

A positive covenant shall be created for the On-Site 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 Council's Public Domain Engineer 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 legal costs associated with the registration of the restriction is to be borne by the applicant and/or owner.

For more information on how to satisfy this condition of consent, please contact Council's Infrastructure Department via email assets@waverley.nsw.gov.au or Phone: 9083 8886 (operational hours between 9.30am to 4.00pm Monday to Friday).

57. SUPERVISING ENGINEER FINAL CERTIFICATE – PUBLIC DOMAIN

Prior to the issue of any Occupation Certificate for the works, the Applicant shall submit to Council, a Final Certificate from the Supervising Engineer confirming that the public domain works have been constructed in accordance with the Council approved plans and Waverley Council standards and specifications. The certificate shall include commentary to support any variations from the approved drawings.

STORMWATER AND PUBLIC DOMAIN UPGRADE MATTERS

58. POST-CONSTRUCTION STORMWATER PIPE CCTV DILAPIDATION REPORT

Prior to the issue of the Occupation Certificate, a post-construction CCTV report shall be submitted to Council on the existing pipeline at least up to the next pit downstream of the proposed works. This is to ensure Council's stormwater infrastructure is adequately protected and there are no damages due to proposed construction activities and property drainage connections.

An electronic closed circuit television report (track mounted CCTV camera footage) prepared by an accredited operator that assesses the condition of the existing drainage line adjacent to the site is required. The report is to be dated and submitted to, and accepted by Council's public domain engineer with written approval by Council's Engineers.

59. ENGINEERING PLANS ASSESSMENT AND WORKS INSPECTION FEES

The applicant is to pay 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.

60. WORK-AS-EXECUTED PLAN – PUBLIC DOMAIN

To ensure public infrastructure works required under the consent are completed in accordance with approved plans and specifications, a Work-as-Executed plan of the works, prepared by a registered surveyor is to be submitted to the Principal certifying Authority and Council for review with any required rectification works completed and approved by Council prior to issue of any Occupation Certificate.

The W.A.E plans are to note all departures clearly in red on a copy of the approved Construction Certificate plans and certification from an experienced chartered civil engineer shall be submitted to support all variations from approved plans.

61. CERTIFICATION OF PUBLIC INFRASTRUCTURE WORKS

To ensure public infrastructure works required under the consent are completed to Council's satisfaction a final inspection of the completed works is required from Council's engineer. The Occupation Certificate shall not be issued until certification has been obtained from Council confirming the public infrastructure works have been constructed to Council's satisfaction.

Notes:

- The issue of a Compliance Certificate from the Council officer will be withheld should there be any outstanding fees and charges applicable to the development. This includes but not limited to fees applicable for engineering plans assessment and work inspection fees.
- The refund of any damage and/or security deposits will be subject to satisfactory restoration and rectification of all civil infrastructure that have dilapidated as a result of the construction activities associated with this development consent.

To ensure satisfactory performance of the public domain works, a defects liability period of twelve (12) months shall apply to the works completed by the applicant/developer following completion of the development. The defects liability period shall commence from the date of issue of the Occupation Certificate for the development. The applicant shall be liable for any part of the work which fails to perform in a satisfactory manner as outlined

MANAGEMENT PLANS

62. PLAN OF MANAGEMENT – SHARED ACCOMMODATION

The Plan of Management (PoM) identified in condition 1 of this development consent shall be amended as follows:

- (a) Contact details, including phone number and email address, of the on-site manager shall be identified so that the on-site manager is readily contactable 24 hours a day and available to be made immediately aware of any issues and complaints as they arise so that they can quickly resolve any issue to the best of their ability.

The amended PoM shall be submitted to and approved by Council's Executive Manager, Compliance (or delegate) prior to the issue of any Occupation Certificate.

The PoM shall be reviewed every two years (at minimum) to determine whether any change to it should be made to address any incidents or complaints and/or improve the operations to eliminate anti-social behaviour. A copy of the amended PoM shall be submitted to Council's Executive Manager, Compliance (or delegate) for review and approval prior to the issue of any Occupation Certificate. Changes to the PoM must be in accordance with the approved conditions of consent.

VEHICLE ACCESS AND PARKING

63. CONVEX MIRRORS

Convex mirrors shall be installed inside the site at the applicant's expense on both sides of the car park entry/exit driveway to improve driver sightlines of both approaching vehicles and pedestrians in Lamrock Avenue.

64. VEHICULAR ACCESS CONTROL SYSTEM

An electronically operated vehicular access control system shall be provided on the access ramp in order to minimise the incidence of more than one vehicle being on the ramp at any one time and to give priority to those entering the site. Details are to be submitted to the Principal Certifying Authority for approval prior to the release of the occupation certificate.

OTHER MATTERS

65. ALLOCATION OF STREET NUMBERS

The redevelopment of the property has led to the following allocation of premises numbers:

- No. 15 - primary address site number
- Lamrock Avenue - primary address location.

The primary premises number for the property shall be a minimum of 75mm high and shall be positioned 600mm-1500mm above ground level, located near the entry point and be clearly visible on the site boundary that fronts Lamrock Ave.

- As the redevelopment has multi-level sub addressing the following sub addressing will apply;
 - All sub premises numbers must be unique,
 - The floor/level number will represent the first number of the sub address and the last two digits in the sub address shall be unique on each level,
 - For clarity, a zero will be interposed in the number of the first nine sub address levels ie Level 3 unit 7 =307,
 - Level at ground and below ground shall also be identified by prefixes to distinguish these levels ie Ground =G, Lower Ground = LG Basement + B, B1 Etc
 - Commercial premises will be identified with an address identifier ie Shop 101, Office 102 ,

The primary and sub-address numbers are to be positioned on the site prior to the issue of the Occupation Certificate and Council notified of the corresponding sub-address numbers prior to the issue of the Occupation Certificate.

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

66. WAVERLEY DIGITAL MODEL

An accurate 'as built' 3D digital model of the building must be submitted to be used in the Waverley Digital Model, to the satisfaction of Council's Digital Urban Designer which complies with the requirements outlined in on Council's website at:

https://www.waverley.nsw.gov.au/building/development_applications/decision_makers/3d_modeling

E. OPERATIONAL MATTERS

The following operational conditions must be complied with at all times, throughout the use and operation of the development or use.

67. BOARDING HOUSE – USE, OPERATION AND MANAGEMENT

- (a) Within 28 days of commencing operations in accordance with Part 2, Division 1 of the Boarding Houses Act 2012, the boarding house must be registered with NSW Fair Trading.
- (b) The use and operation of the premises shall comply with the requirements of the Local Government Act 1993 and the Boarding House Act 2012.
- (c) All lodgers shall be required to reside on the premises for a minimum period 3 months in accordance with the definition of Boarding House under Waverley Local Environmental Plan 2012.
- (d) All lodgers shall be provided with and sign the Standard Occupancy agreement for general boarding houses under the Boarding Houses Act 2012.
- (e) All tenancy/occupation agreements and house rules must outlined specific provisions requiring residents of the premises and their guests to comply with the requirements of this consent.
- (f) There must be a manager appointed to manage the premises.
- (g) The name address and contact phone number for the appointed manager and any newly appointed manager must be provided to Waverley Council within 48 hours of the manager's appointment.
- (h) The manager must ensure that the plan of management is complied with at all times, including ensuring the number of patrons in the premises does not exceed the approved capacity.
- (i) The boarding house shall be registered and inspected by Council on an annual basis.
- (j) Rooms with a gross floor area, as defined by *State Environmental Planning Policy (Affordable Rental Housing) 2009*, less than 16m² shall accommodate only a single lodger. For all other rooms the maximum lodgers per room is limited to 2 people.

68. BOARDING OPERATION IN ACCORDANCE WITH PLAN OF MANAGEMENT (POM)

- (a) The operation and management of the premises shall be in accordance with a Council approved Plan of Management (PoM) at all times.
- (b) The approved PoM shall be adopted by the Management of the premises.
- (c) The plan shall be reviewed (at minimum) every two years, and at any time there is a change in business ownership of the premises.

69. COPIES OF CONSENTS AND MANAGEMENT PLANS

A full copy of all current development consents (including approved plans) for the operation of the premises, any compliant registers (or other) required and any required Plan of Managements must

be kept on the premises and made available for inspection immediately upon request by Council Officers, Police Officers and/or OLGR Authorised Officers.

70. COMMUNAL OPEN SPACE OF THE DEVELOPMENT

- (a) The use of the communal open space on the ground level of the site shall be restricted to the following hours:

7am to 6pm, seven (7) days a week.

- (b) The maximum capacity of the communal open space on ground floor level of the site shall be **18 residents** at any given time.
- (c) The 'breakout spaces' on Levels 1 and 2 of the development shall only be used for passive and quiet activities. The maximum capacity for each breakout space is **5 residents** at any given time.

71. AMENITY

The management of the premises is to:

- (a) Ensure that the manner in which the business of the premises is conducted and/or the behaviour of persons entering and leaving the premises does not cause undue disturbance to the amenity of the neighbourhood.
- (b) Record in a formal register full details of any disturbance complaint/s made by a person to management or staff in respect to the manner in which the business of the premises is conducted and/or the behaviour of persons entering or leaving the premises. Such recording will include time, date, nature of the complaint/s and any complainant details if provided.
- (c) Respond to any disturbance complaint/s in a timely and effective manner. All actions undertaken by management / staff to resolve such complaint/s shall be recorded in the register.

72. NOISE EMISSIONS

The use of the premises shall not give rise to the transmission of "Offensive noise" as defined in the Protection of the Environment Operations Act 1997 to any place of different occupancy.

73. BOARDING REFRIGERATION UNITS AND MECHANICAL PLANT

Refrigeration motors/units and other mechanical plant (i.e. air conditioning) are not to be installed outside the building without the prior consent of Council in order to assess the cumulative impacts of noise to adjoining properties. All plant is to be installed within the confines of the building and be acoustically treated to ensure that it is within the acceptable limits.

74. SURVEILLANCE CAMERAS TO BE MAINTAINED ON THE PREMISES

The Management must install and maintain a closed-circuit television (CCTV) system on the premises. The CCTV system must comply with the requirements of Waverley Council and the Local Area Command. Please refer to Council's website for further information.

75. MAXIMUM FLOOD/PONDING AFFECTED LAND

The building owner/s are responsible for undertaking maintenance checks of the automatic flood gate system at least every 12 months to ensure flood mitigation measures are in proper working order. The building owner/s are responsible for keeping a register of such checks that are available for inspection upon request by an authorised Council Officer.

76. MAXIMUM WASTE MANAGEMENT PLAN REVIEW

After 5 years of operation under this development consent, the Approved Waste Management Plan is to be reviewed to ensure that the details including contracts, roles and responsibilities, commercial tenants (if relevant) are current. The updated plan is to supersede the previous plan.

PARKING AND ACCESS

77. CAR SHARE SPACE

The car share space within the basement car park and nominated on the relevant plans identified in condition 1 of this development consent shall be occupied by a car share or pool car service for only the use of residents of the development and NOT be available to the general public.

78. VEHICLE ACCESS

All vehicles including service vehicles entering and exiting the building are to do so in a forward direction.

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

79. ADJUSTMENTS TO STREET SIGNS

Any street signs required to be removed as a result of the works shall be relocated at the applicant and/or owner's expense in accordance with Council's requirements.

80. PARKING PERMITS

In accordance with Council's Policy, Residents Preferred Parking permits will **not** be issued for this development when completed.

81. DELIVERY OF GOODS

Loading and unloading of vehicles and delivery of goods to the building are to be carried out within the site.

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.

I. SYDNEY WATER REQUIREMENTS

You are 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.

If you are increasing the density of the site, a Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained. The application must be made through an authorised Water Servicing Coordinator, for details see the Sydney Water website.

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

II. 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.

III. 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.

IV. EXCAVATION TO BE LIMITED

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

V. BONDİ - 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.

VI. 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.

VII. WORK OUTSIDE PROPERTY BOUNDARY

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

VIII. SYDNEY WATER CERTIFICATE

A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained. **Application must be made through an authorised Water Servicing Coordinator, for details see the Sydney Water website.**

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

IX. SUITABLY QUALIFIED ACOUSTIC CONSULTANT

In these conditions, reference to a suitably qualified acoustic consultant means an individual who possesses the qualifications to render them eligible for membership of both the Australian Acoustics Society and Institution of Engineers Australia at the grade of member or an individual who is employed by a member firm of the Association of Australian Acoustic Consultants.

15-17 Lamrock Ave Bondi Beach NSW 2026

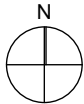
DRAWING No	DRAWING NAME	SCALE	REV
DA0000	COVERPAGE		B
DA1000	LOCATION PLAN		A
DA1001	SITE ANALYSIS PLAN	1:400	B
DA1002	CONCEPT DIAGRAMS		A
DA2000	BASEMENT	1:200	B
DA2001	GROUND FLOOR	1:200	B
DA2002	LEVEL 1	1:200	B
DA2003	LEVEL 2	1:200	B
DA2004	LEVEL 3	1:200	B
DA2005	ROOF PLAN	1:200	B
DA2300	SECTIONS A & B	1:200	B
DA2400	NE & SW ELEVATIONS	1:200	B
DA2401	SE & NW ELEVATIONS	1:200	B
DA2402	NE & SW ELEVATIONS - FINISHES	1:200	B
DA2403	FENCE ELEVATIONS	1:200	B
DA2500	UNIT PLANS 1	1:50	B
DA2501	UNIT PLANS 2	1:50	B
DA2502	UNIT PLANS 3	1:50	B
DA9000	GROSS FLOOR AREA	1:300	B
DA9001	DEEP SOIL & LANDSCAPED AREAS	1:300	B
DA9002	3D HEIGHT PLANE DIAGRAM		B
DA9100	SHADOW DIAGRAMS	1:500	B
DA9101	3D SHADOW DIAGRAMS	1:500	B
DA9102	11A LAMROCK SHADOW 10AM - 11AM	1:200	B
DA9103	11A LAMROCK SHADOW 7 12PM - 3PM	1:200	B
DA9104	SUN EYE VIEWS 9AM -12PM		B
DA9105	SUN EYE VIEWS 1PM - 3PM		B
DA9200	PHOTOMONTAGE 1 - EXISTING VIEW FROM WEST		A
DA9201	PHOTOMONTAGE 1 - PROPOSED VIEW FROM WEST		A
DA9202	PHOTOMONTAGE 2 - EXISTING VIEW FROM EAST		A
DA9203	PHOTOMONTAGE 2 - PROPOSED VIEW FROM EAST		A
DA9300	BREEZEWAY CORRIDOR & BALCONY EAVE DETAILS	1:20	B
DA9301	BREEZEWAY 3D VIEWS		B
DA9302	EAST BALCONY DETAILS & 3D VIEWS	1:50	B
DA9303	BICYCLE PARKING CONCEPT	1:50	B
DA9400	NOTIFICATION PLAN		B



DEVELOPMENT APPLICATION

AMENDED PLANS

RECEIVED
Waverley Council
Application No: DA-170/2019
Date Received: 8/10/2019



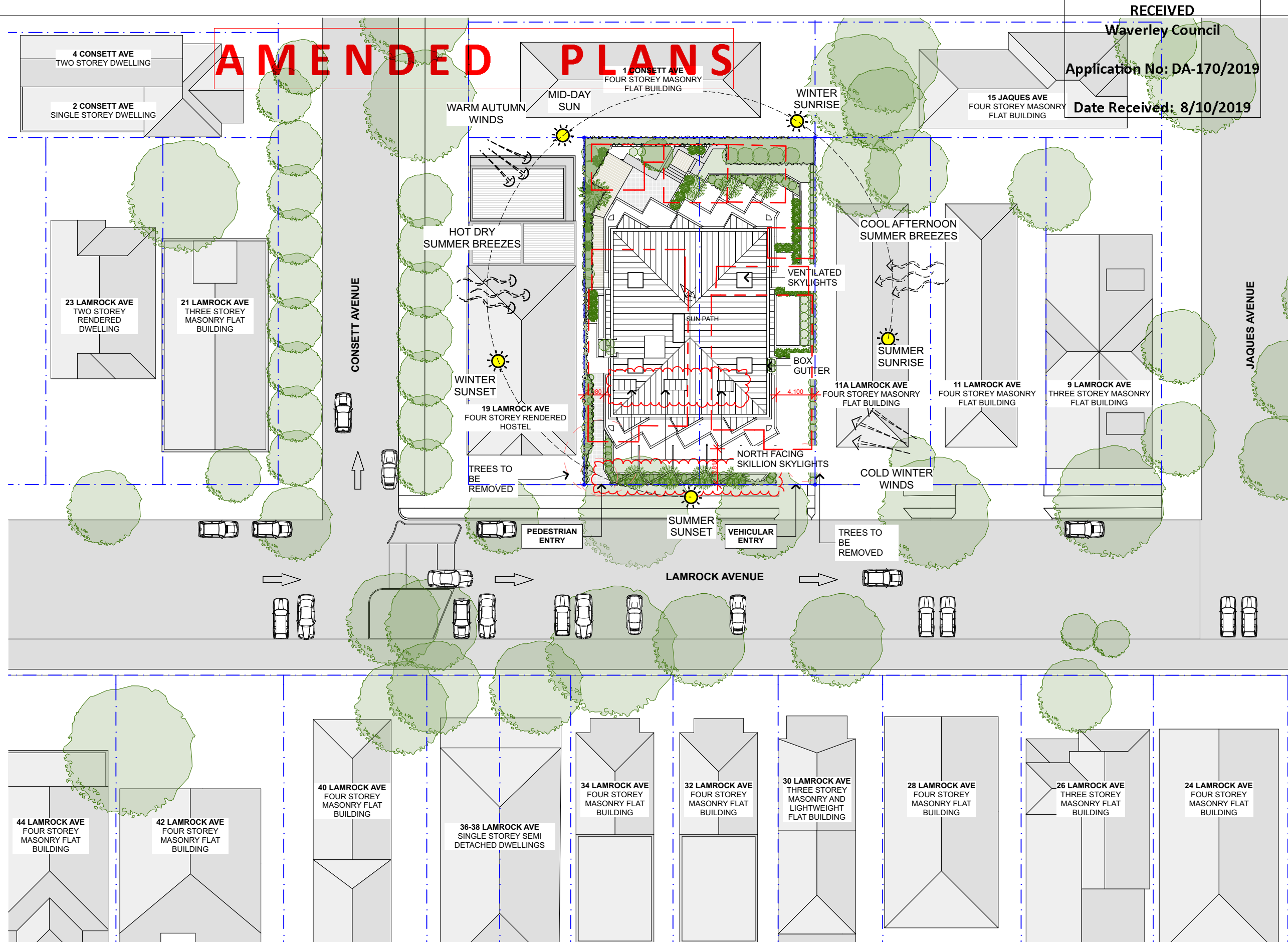
RECEIVED

Waverley Council

Application No: DA-170/2019

Date Received: 8/10/2019

AMENDED PLANS



SITE ANALYSIS PLAN
1:400



T 0421 996 467
W markshapiro.com.au
E mark@markshapiro.com.au
NSW REG. 9789
ABN 646 2000 7678

Copyright of this drawing is retained by Mark Shapiro Architects. Authority is required for reproduction. Contractor to verify all dimensions on site prior to commencing work. MSA is to be notified of any discrepancies in the dimension and setting out of the work.

B	08/10/2019	AMENDED DA
A	24/05/2019	DEVELOPMENT APPLICATION ISSUE
ISSUE	DATE	REVISION

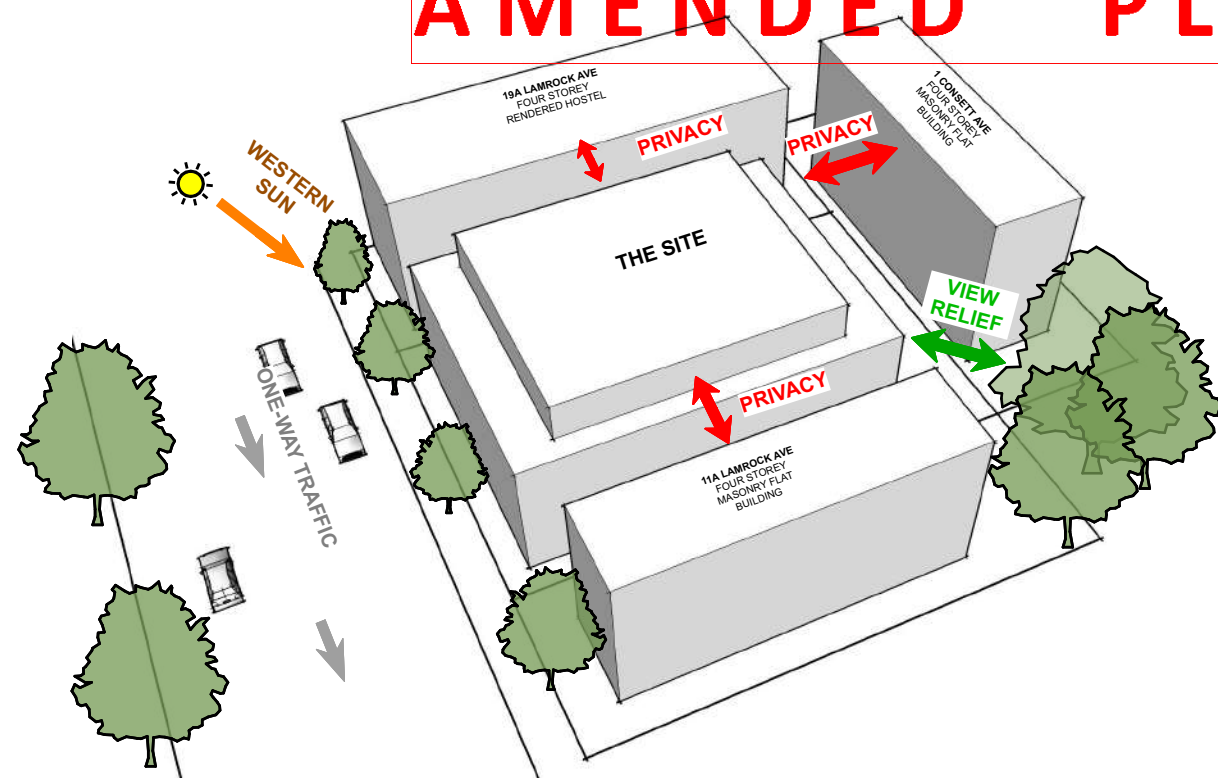


PROJECT:
Bondi Pod Co-Living
15-17 Lamrock Ave
Bondi Beach NSW 2026
DRAWING:
SITE ANALYSIS PLAN

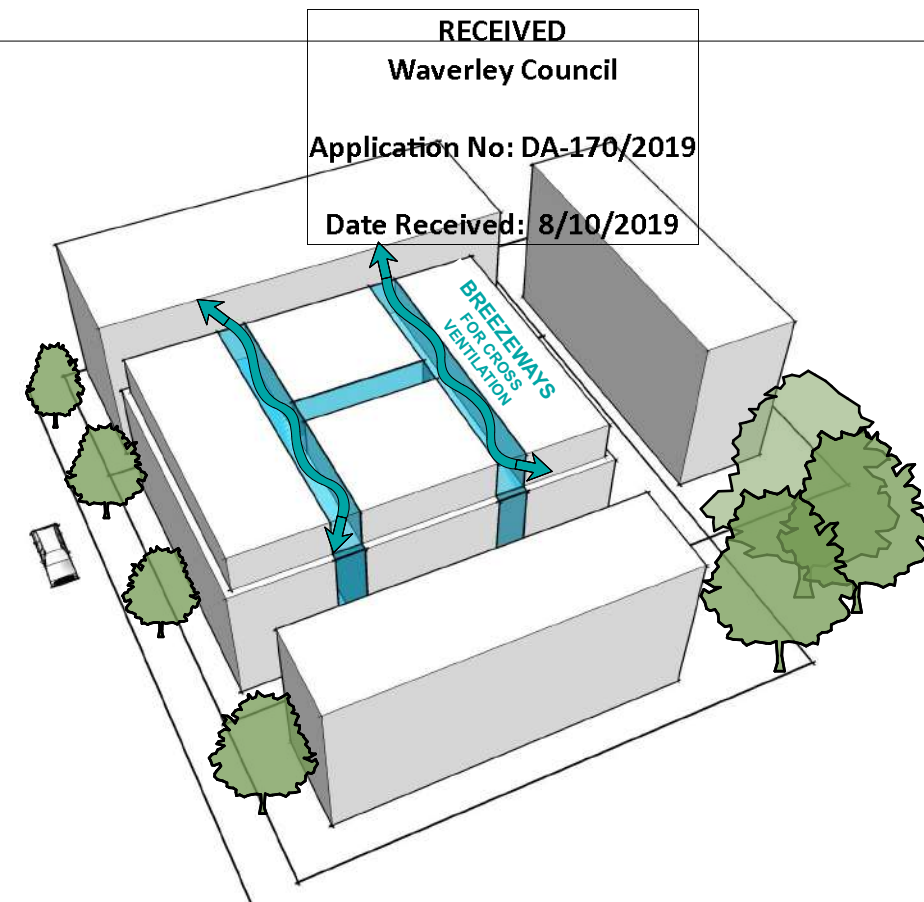
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DRAWING NO: REV:
PLOTTED: 3/10/19

DA1001B

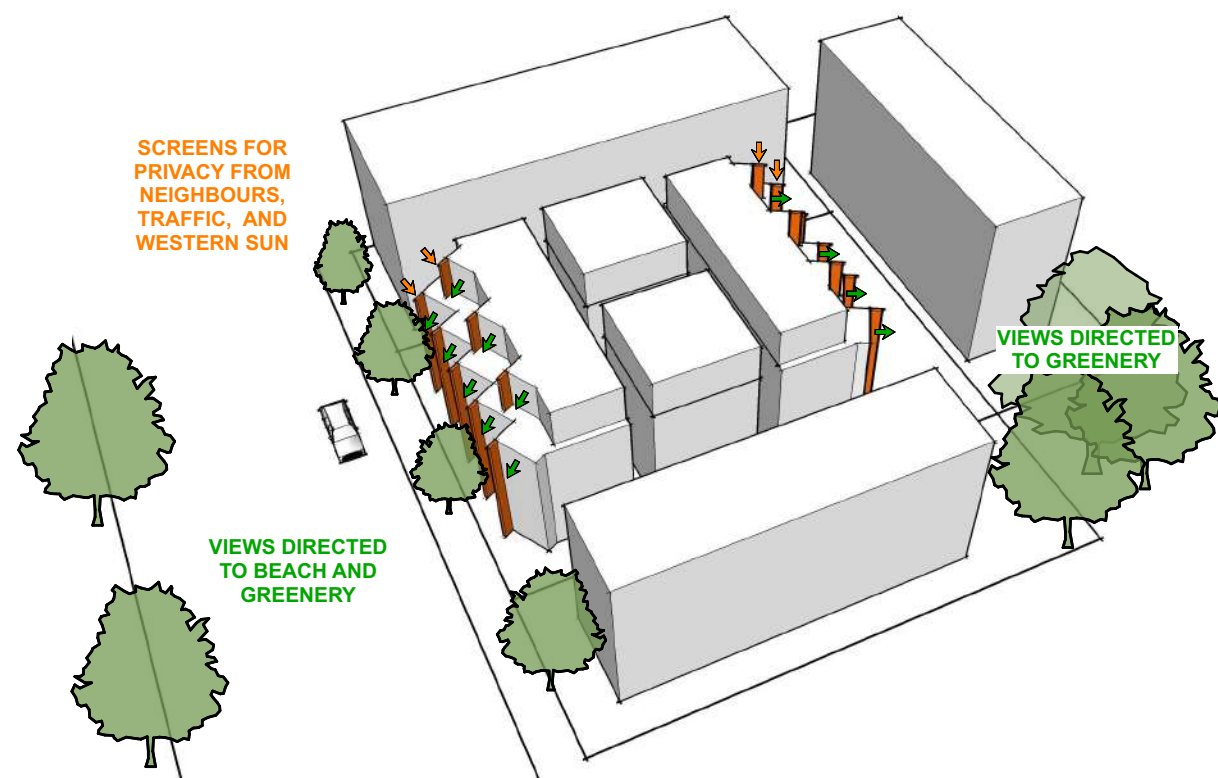
AMENDED PLANS



1. MASSING SET BY WAVERLEY COUNCIL DCP CONTROLS & SITE CONSTRAINTS



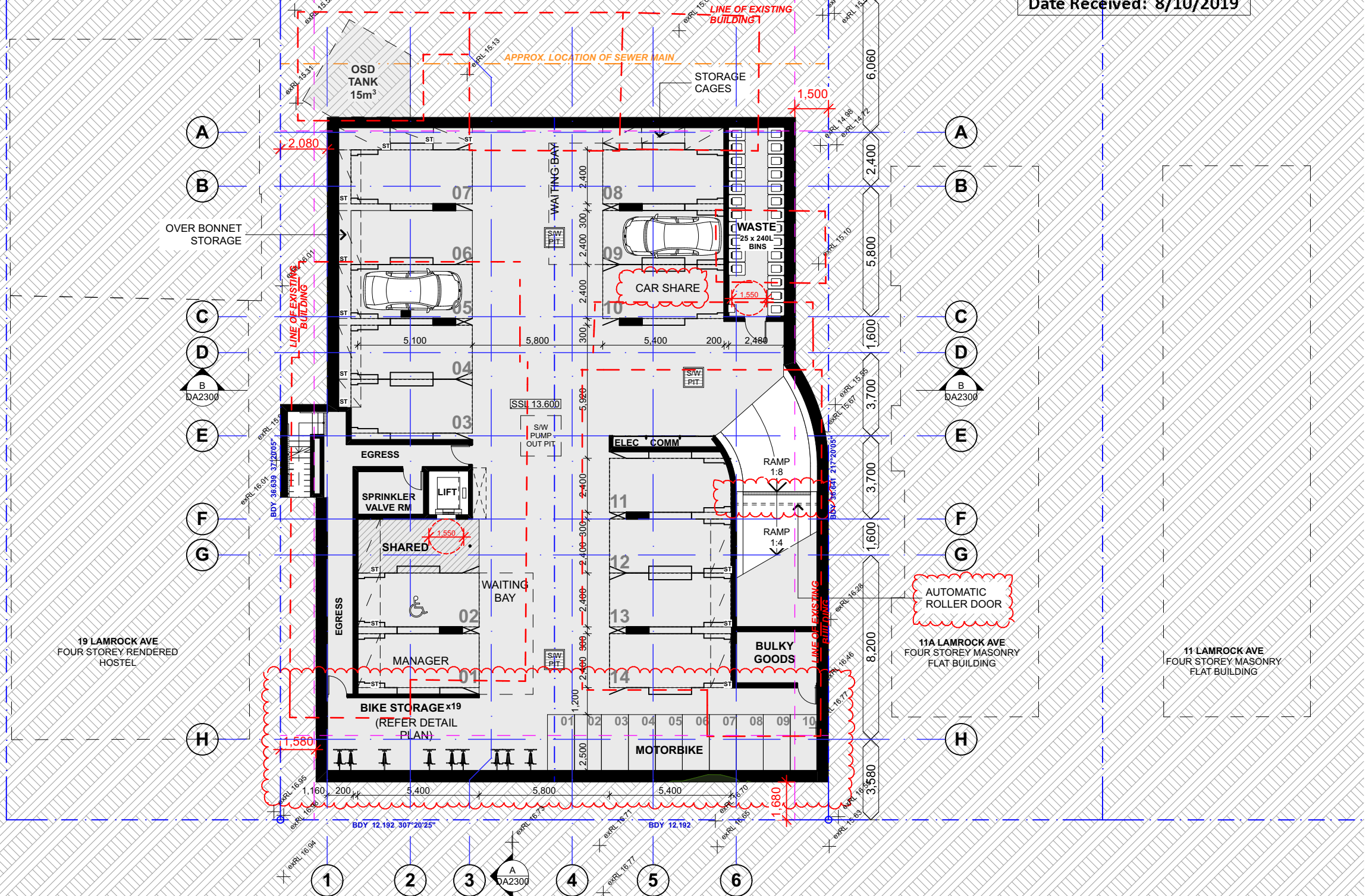
2. GENEROUS BREEZEWAY CORRIDORS ARTICULATE THE BUILDING MASS, ALLOWING FOR NATURAL VENTILATION & INFORMAL SOCIAL SPACES



3. UNITS ARE 'CRANKED' & TO THE EAST & SCREENED TO THE WEST IN ORDER TO
 - TAKE ADVANTAGE OF VIEWS AND VISUAL RELIEF,
 - CREATE PRIVACY FROM ADJOINING BUILDINGS & ON-COMING TRAFFIC
 - SHIELD FROM THE WESTERN SUN

AMENDED PLANS

RECEIVED
Waverley Council
TWO STOREY MASONRY
FLAT BUILDING
Application No: DA-170/2019
Date Received: 8/10/2019

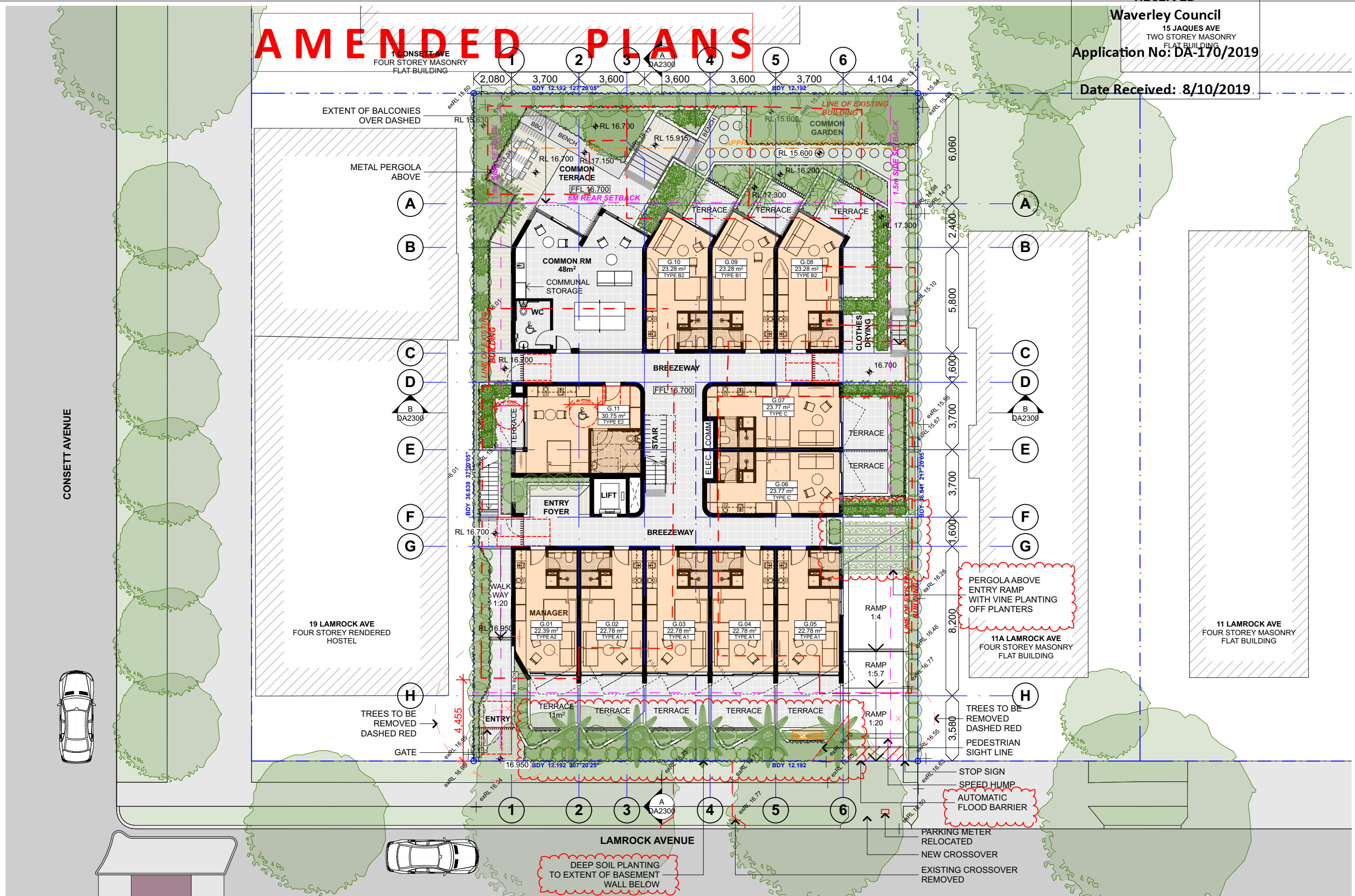


1 BASEMENT FLOOR
1:200



AMENDED PLANS

RECEIVED
Waverley Council
15 JAKES AVE
TWO STOREY MASONRY
FLAT BUILDING
Application No: DA-170/2019
Date Received: 8/10/2019



1 GROUND FLOOR
1:200

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ABN 646 2000 7678

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ISSUE	DATE	REVISION
B	08/10/2019	AMENDED DA
A	24/05/2019	DEVELOPMENT APPLICATION ISSUE

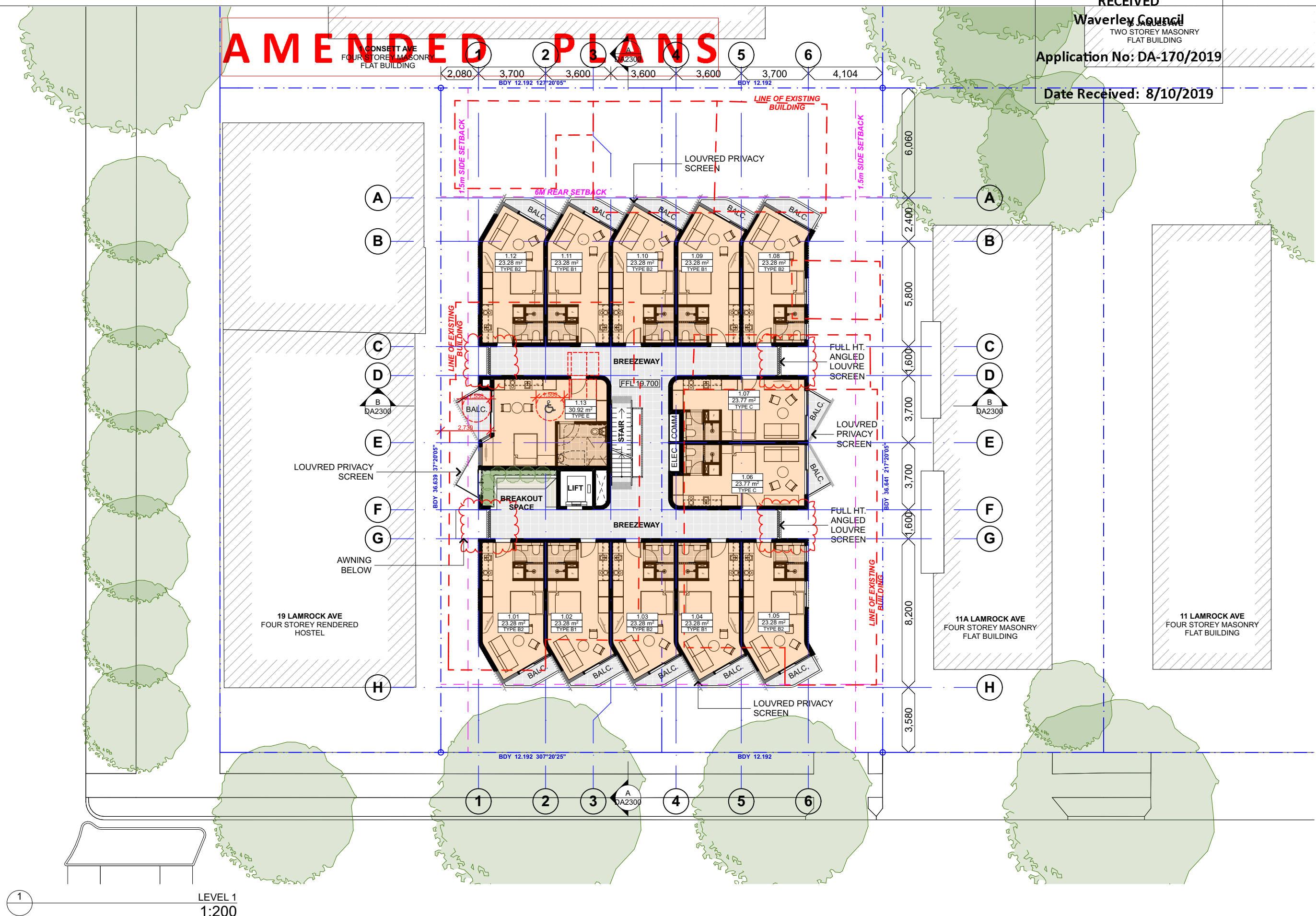
PROJECT:
Bondi Pod Co-Living
15-17 Lamrock Ave
Bondi Beach NSW 2026
DRAWING:
GROUND FLOOR

PROJECT NO: 19006
SCALE: 1:200 @A3
DRAWING NO: REV:
PLOTTED: 3/10/19

DA2001B

AMENDED PLANS

RECEIVED
Waverley Council
TWO STOREY MASONRY
FLAT BUILDING
Application No: DA-170/2019
Date Received: 8/10/2019



LEVEL 1
1:200

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ISSUE	DATE	REVISION
B	08/10/2019	AMENDED DA
A	24/05/2019	DEVELOPMENT APPLICATION ISSUE



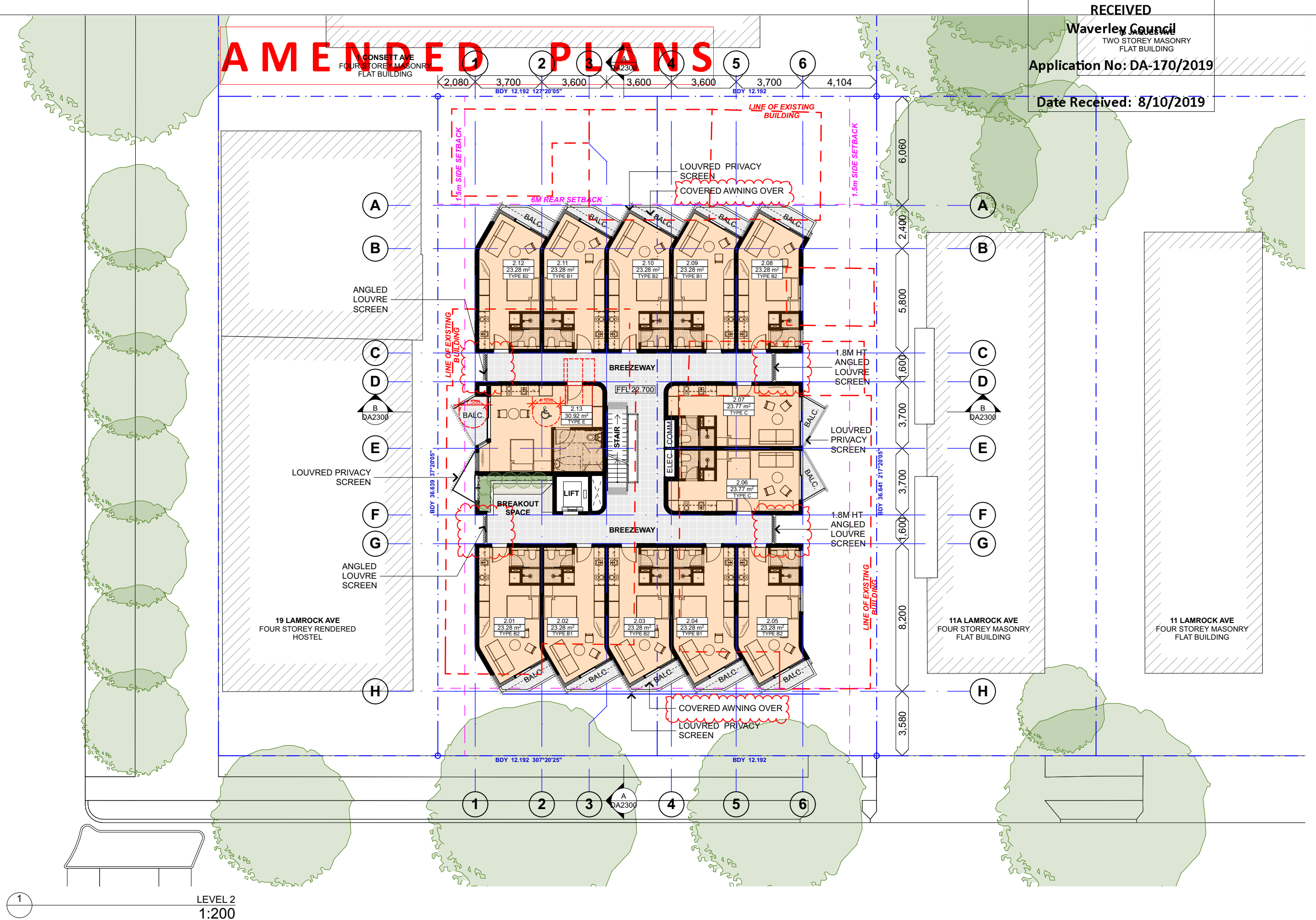
PROJECT:
Bondi Pod Co-Living
15-17 Lamrock Ave
Bondi Beach NSW 2026
DRAWING:
LEVEL 1

PROJECT NO: 19006
SCALE: 1:200 @A3
DRAWING NO: REV:
PLOTTED: 3/10/19

DA2002B

AMENDED PLANS

RECEIVED
Waverley Council
TWO STOREY MASONRY
FLAT BUILDING
Application No: DA-170/2019
Date Received: 8/10/2019



LEVEL 2
1:200

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ISSUE	DATE	REVISION
B	08/10/2019	AMENDED DA
A	24/05/2019	DEVELOPMENT APPLICATION ISSUE



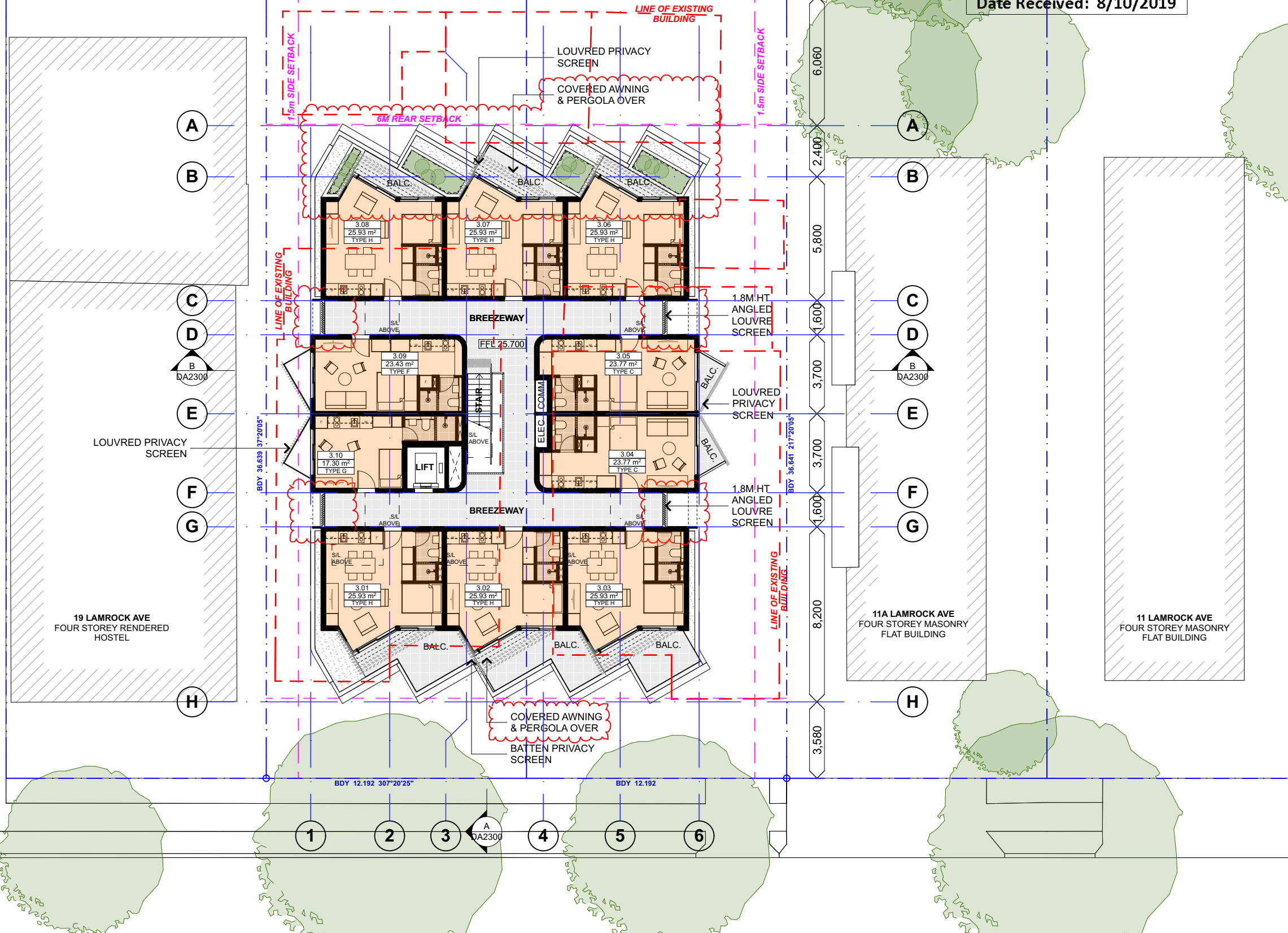
PROJECT:
Bondi Pod Co-Living
15-17 Lamrock Ave
Bondi Beach NSW 2026
DRAWING:
LEVEL 2

PROJECT NO: 19006
SCALE: 1:200 @A3
DRAWING NO: REV:
PLOTTED: 3/10/19

DA2003B

AMENDED PLANS

RECEIVED
Waverley Council
15 JACQUES AVE
Application No: DA 170/2019
Date Received: 8/10/2019



LEVEL 3
1:200

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ISSUE	DATE	REVISION
B	08/10/2019	AMENDED DA
A	24/05/2019	DEVELOPMENT APPLICATION ISSUE

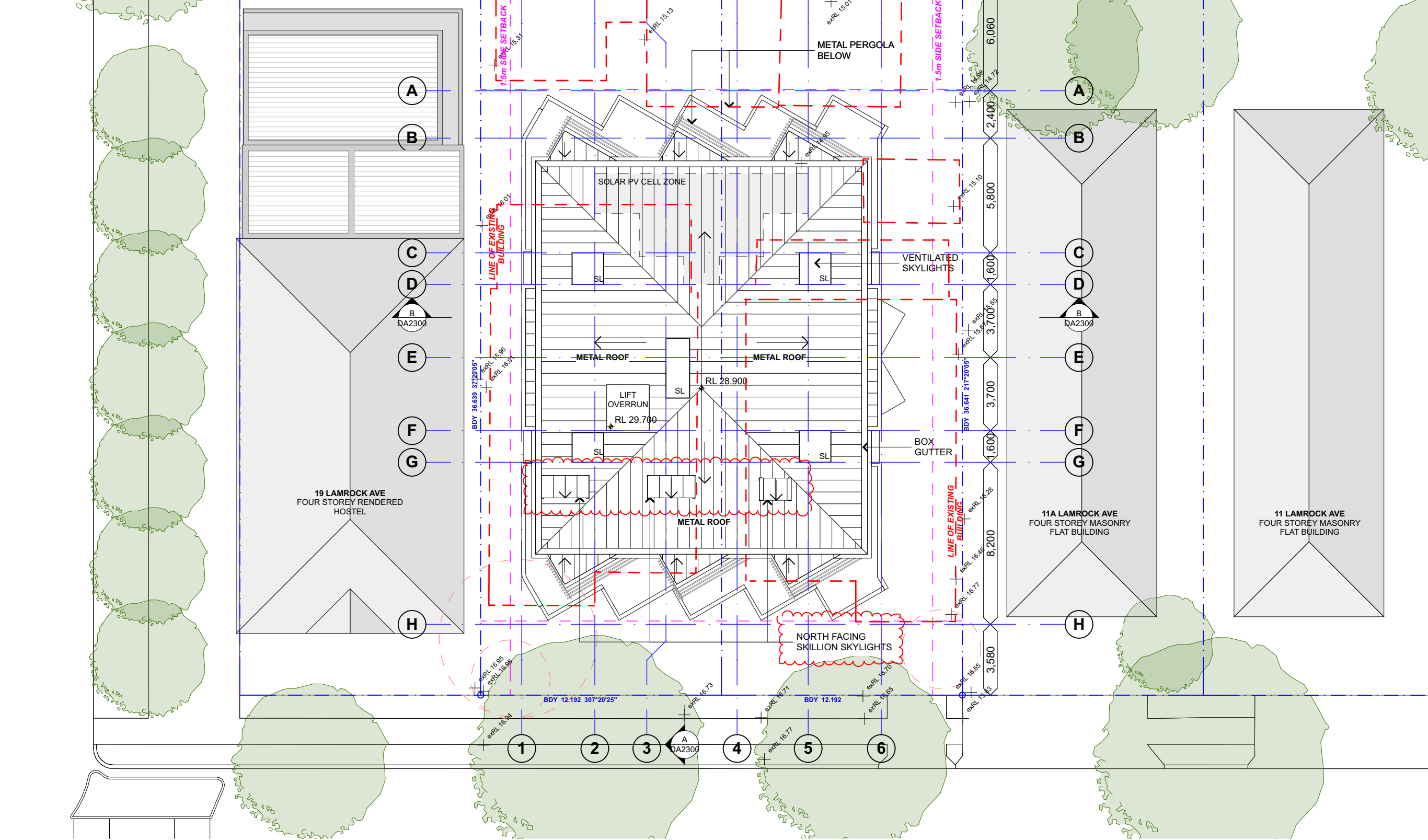
PROJECT:
Bondi Pod Co-Living
15-17 Lamrock Ave
Bondi Beach NSW 2026
DRAWING:
LEVEL 3

PROJECT NO: 19006
SCALE: 1:200 @A3
DRAWING NO: REV:
PLOTTED: 3/10/19

DA2004B

AMENDED PLANS

RECEIVED
Waverley Council
15 JACQUES AVE
TWO STOREY MASONRY
FLAT BUILDING
Application No: DA 170/2019
Date Received: 8/10/2019



1 ROOF LEVEL
1:200

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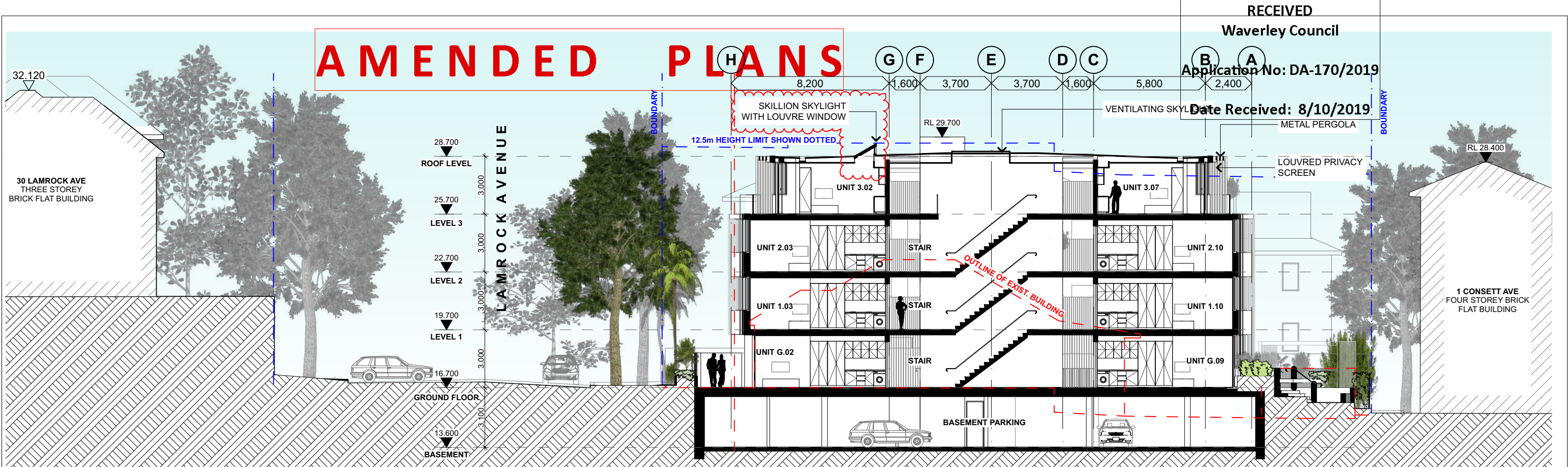
ISSUE	DATE	REVISION
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A	24/05/2019	DEVELOPMENT APPLICATION ISSUE



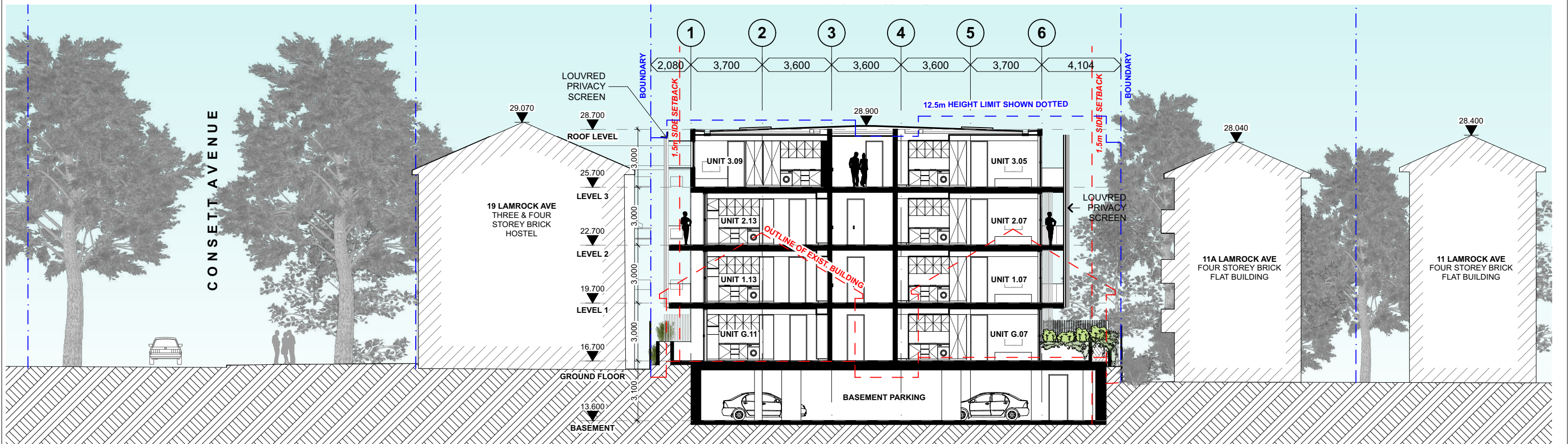
PROJECT:
Bondi Pod Co-Living
15-17 Lamrock Ave
Bondi Beach NSW 2026
DRAWING:
ROOF PLAN

PROJECT NO: 19006
SCALE: 1:200 @A3
DRAWING NO: REV:
PLOTTED: 3/10/19

DA2005B



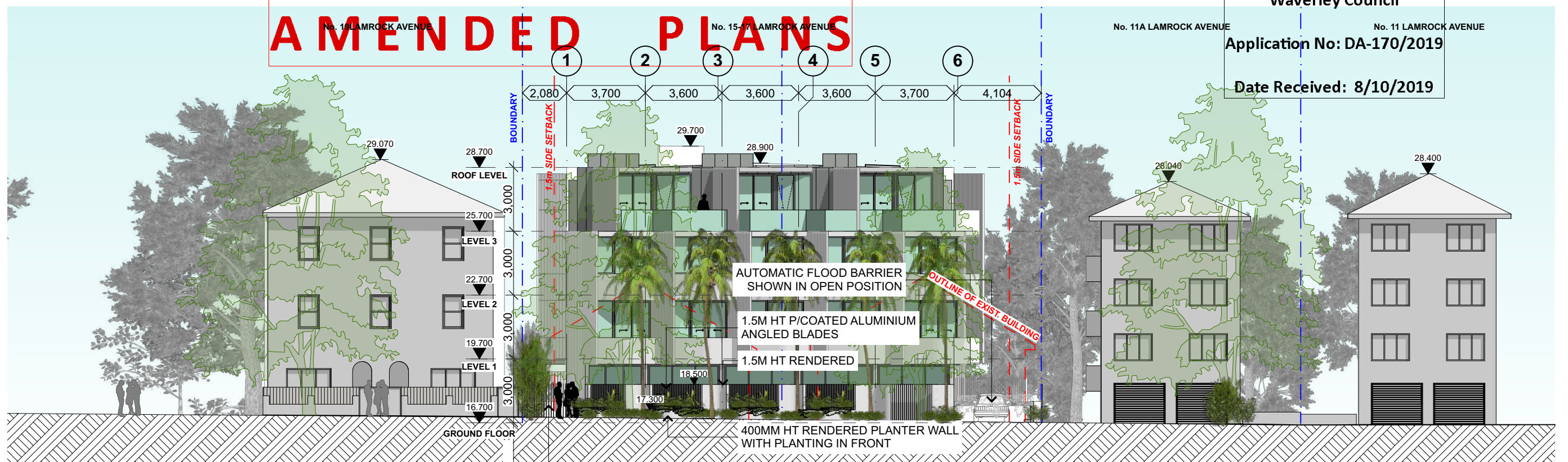
1 SECTION A
1:200



2 SECTION B
1:200

AMENDED PLANS

RECEIVED
Waverley Council
Application No: DA-170/2019
Date Received: 8/10/2019



1 SOUTH WEST (LAMROCK AVE)
1:200



2 NORTH EAST
1:200



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B	08/10/2019	AMENDED DA
A	24/05/2019	DEVELOPMENT APPLICATION ISSUE
ISSUE	DATE	REVISION

PROJECT:
Bondi Pod Co-Living
15-17 Lamrock Ave
Bondi Beach NSW 2026
DRAWING:
NE & SW ELEVATIONS

PROJECT NO: 19006
SCALE: 1:200 @A3
DRAWING NO: REV:
PLOTTED: 3/10/19

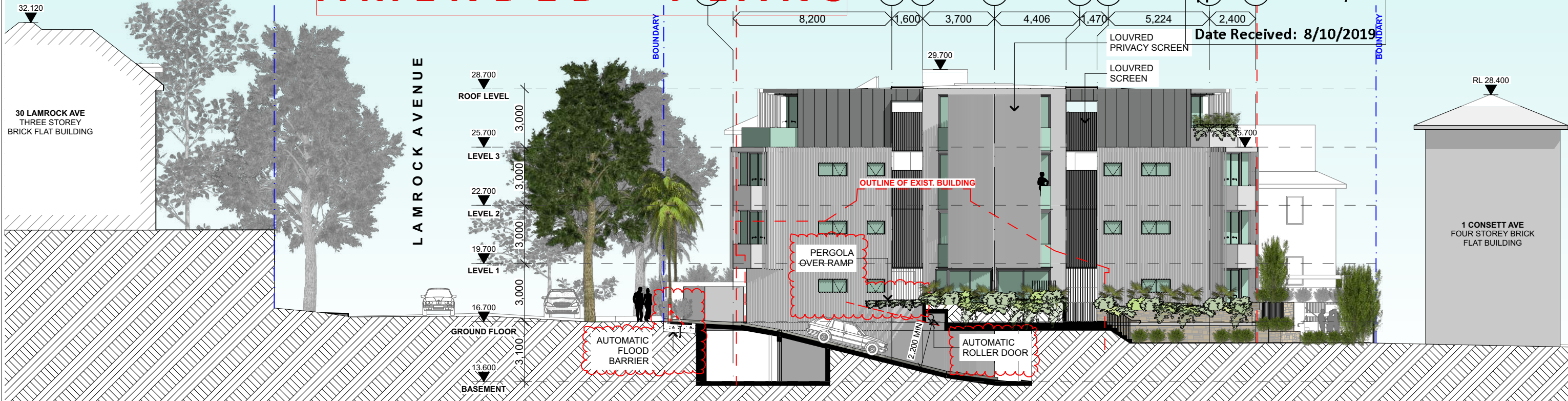
DA2400B

AMENDED PLANS

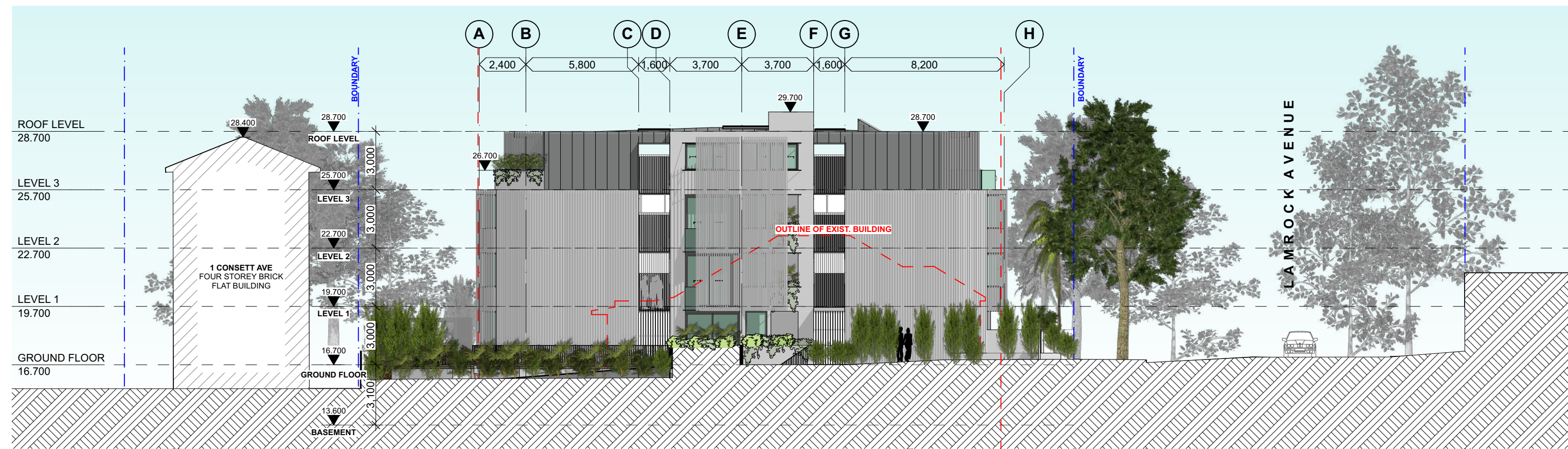
RECEIVED
Waverley Council

Application No: DA-170/2019

Date Received: 8/10/2019



1
SOUTH EAST
1:200



2
NORTH WEST
1:200

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ISSUE	DATE	REVISION
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A	24/05/2019	DEVELOPMENT APPLICATION ISSUE

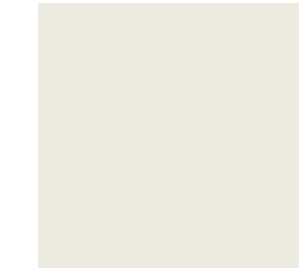
PROJECT:
Bondi Pod Co-Living
15-17 Lamrock Ave
Bondi Beach NSW 2026
DRAWING:
SE & NW ELEVATIONS

PROJECT NO: 19006
SCALE: 1:200 @A3
DRAWING NO: REV:
PLOTTED: 3/10/19

DA2401B

AMENDED PLANS

RECEIVED
Waverley Council
Application No: DA-170/2019
Date Received: 8/10/2019



① RENDER AND PAINT



② SANDSTONE CLADDING



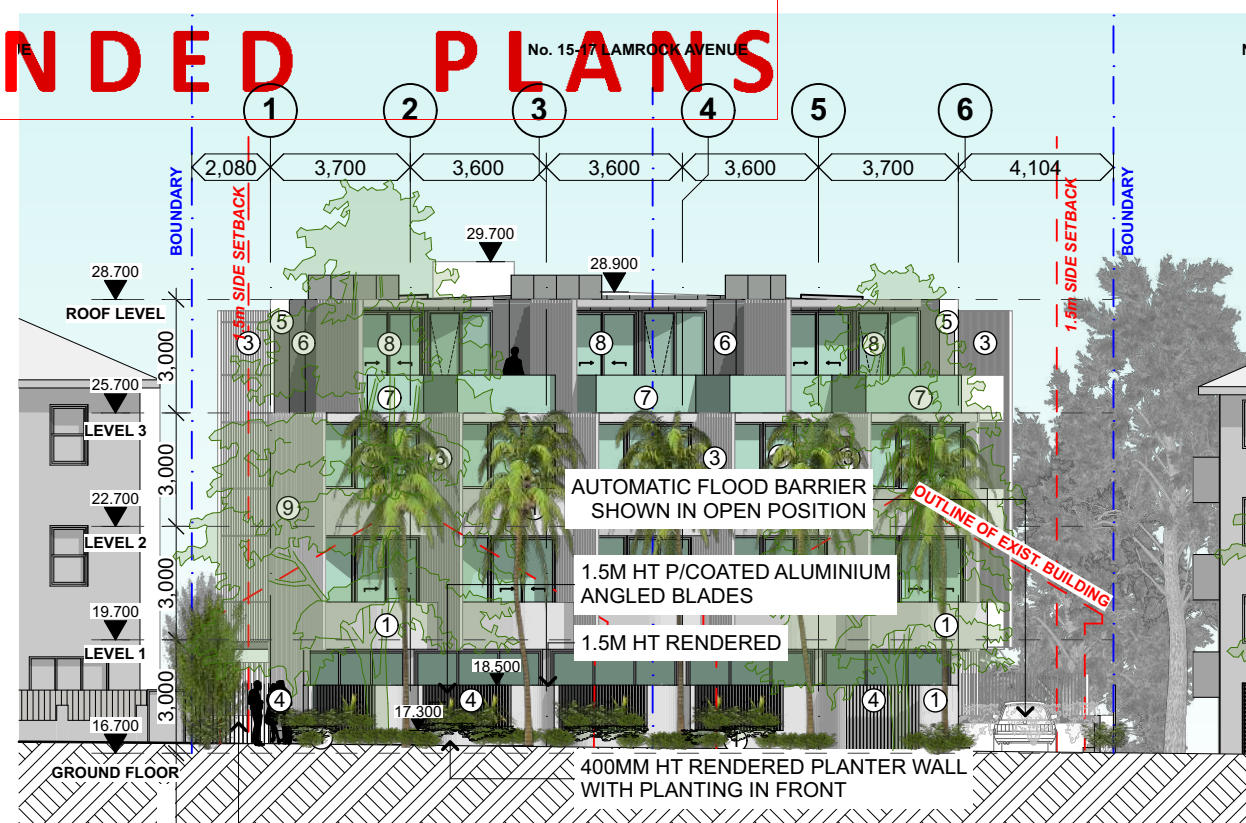
③ METAL SCREEN - WHITE



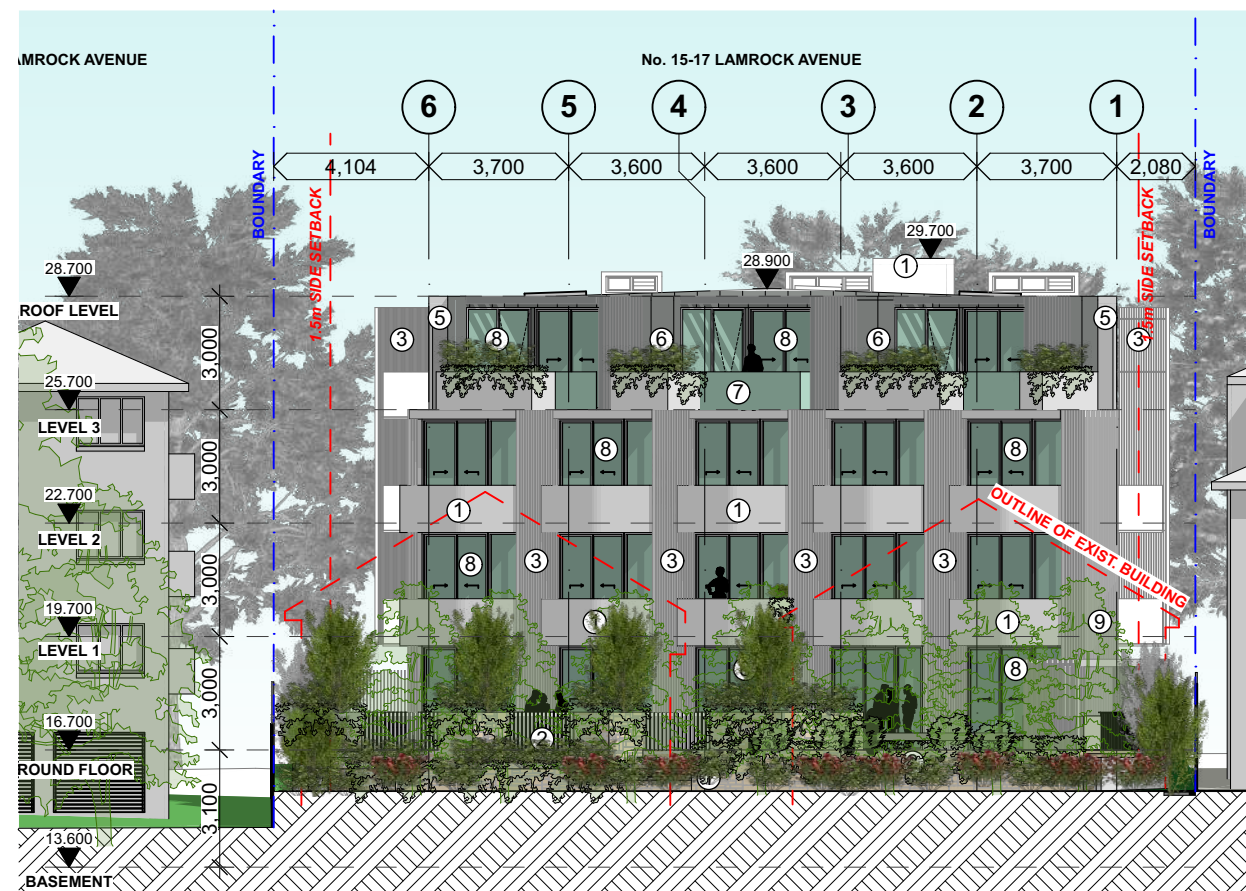
④ METAL FENCE - WHITE



⑤ STEEL FRAME



1 SOUTH WEST (LAMROCK AVE) - FINISHES
1:200



2 NORTH EAST - FINISHES
1:200



⑥ METAL CLADDING



⑦ GLASS BALUSTRADE



⑧ ALUMINIUM FRAMED GLAZING



⑨ WHITE BATTEN CLADDING



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B 08/10/2019 AMENDED DA
A 24/05/2019 DEVELOPMENT APPLICATION ISSUE
ISSUE DATE REVISION

PROJECT:
Bondi Pod Co-Living
15-17 Lamrock Ave
Bondi Beach NSW 2026
DRAWING:
NE & SW ELEVATIONS - FINISHES

PROJECT NO: 19006
SCALE: 1:200 @A3
DRAWING NO: REV:
PLOTTED: 3/10/19

DA2402B

RECEIVED

Waverley Council

Application No: DA-170/2019

Date Received: 8/10/2019

AMENDED PLANS

AUTOMATIC FLOOD BARRIER
SHOWN IN OPEN POSITION

1.5M HT P/COATED ALUMINIUM
ANGLED BLADES

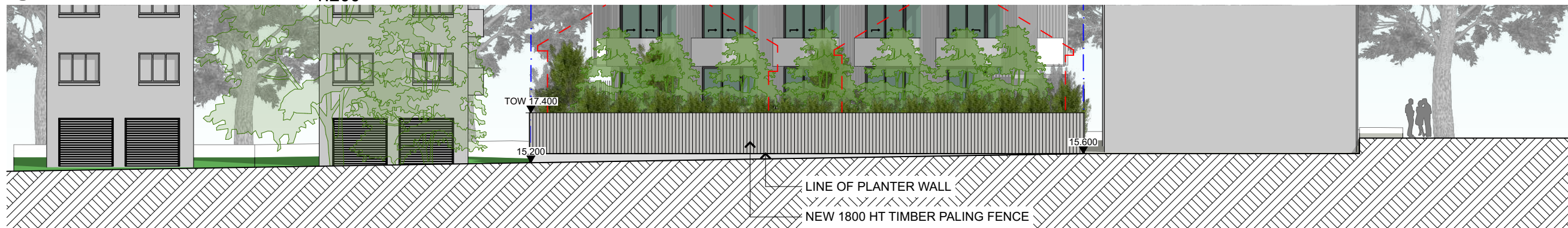
1.5M HT RENDERED

OUTLINE OF EXIST. BUILDING

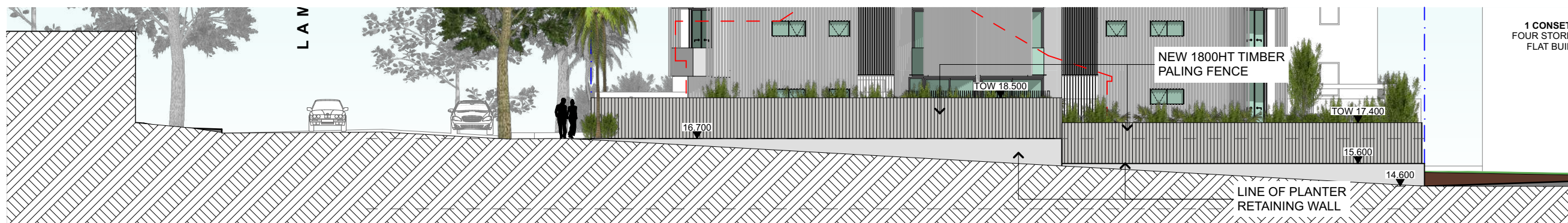
400MM HT RENDERED PLANTER WALL
WITH PLANTING IN FRONT

1.5M HT P/COATED ALUM. BLADE ENTRY GATE

1 SOUTH WEST (LAMROCK AVE) FENCE ELEVATION
1:200



2 NORTH EAST FENCE ELEVATION
1:200



3 SOUTH EAST FENCE ELEVATION
1:200

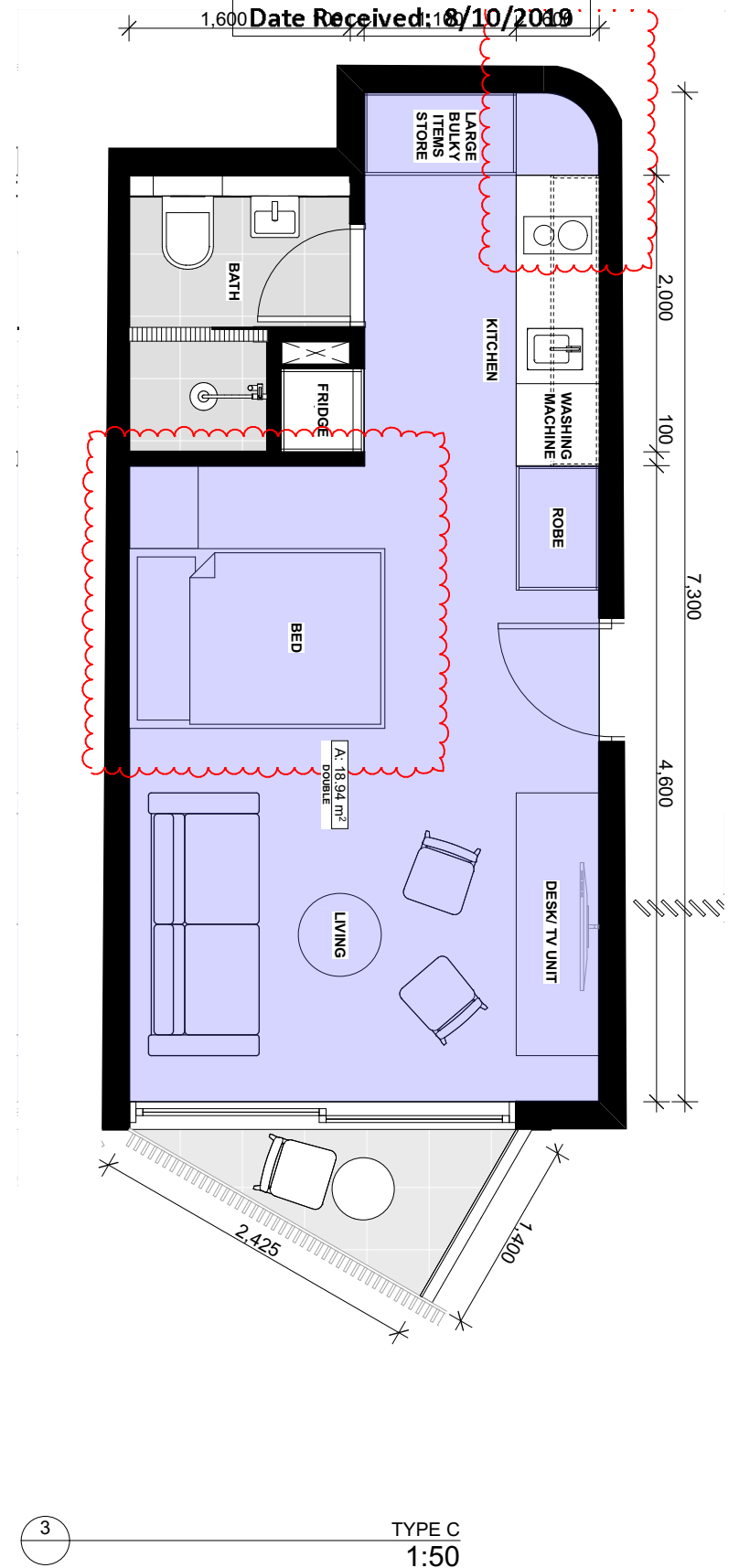
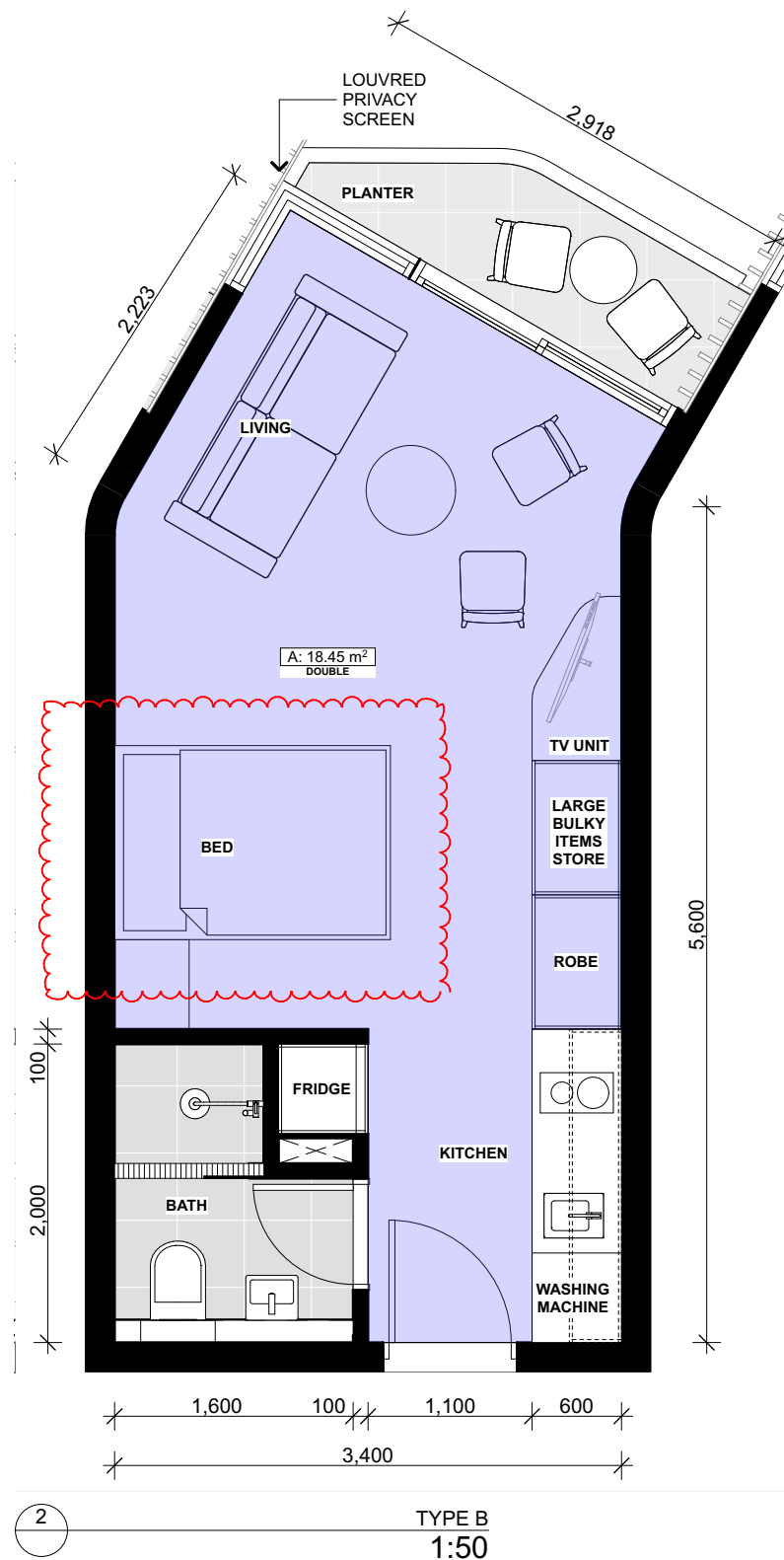
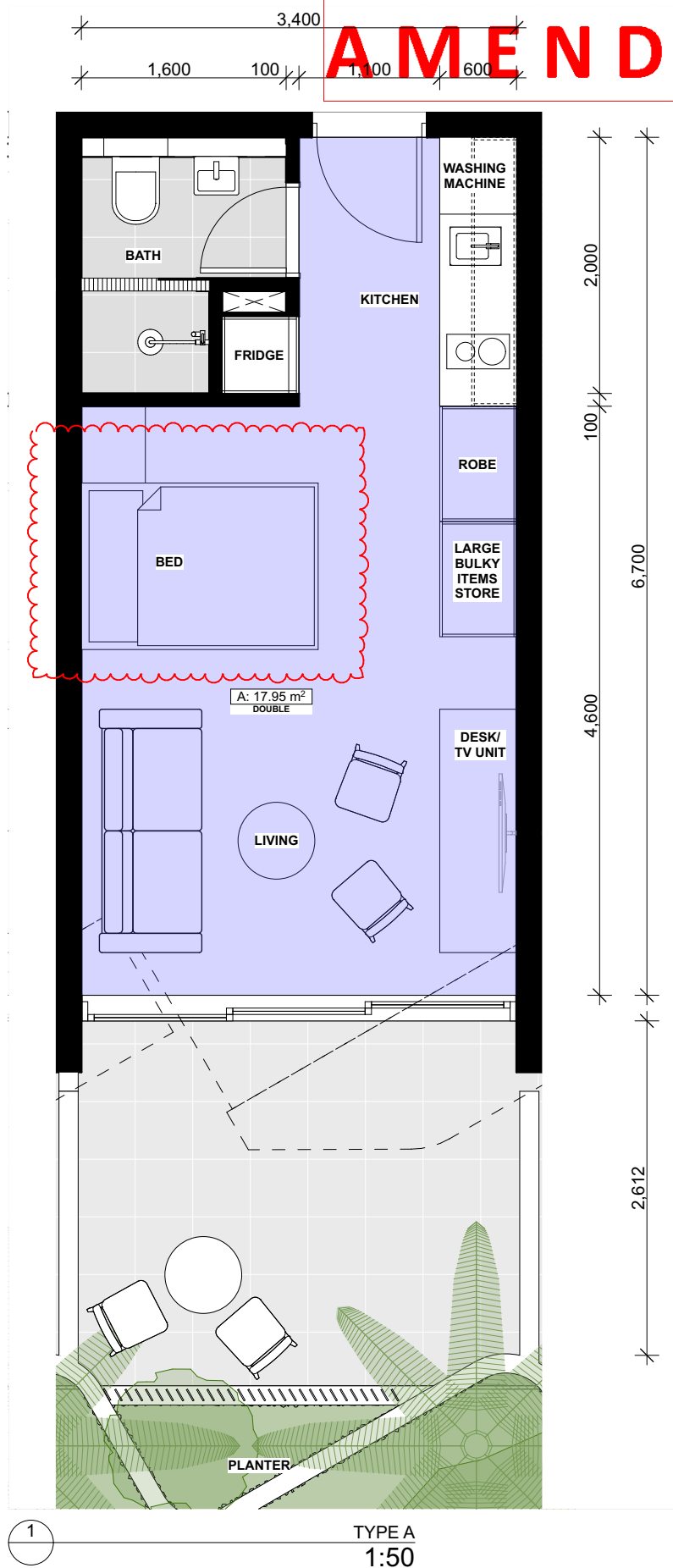


4 NORTH WEST FENCE ELEVATION
1:200



AMENDED PLANS

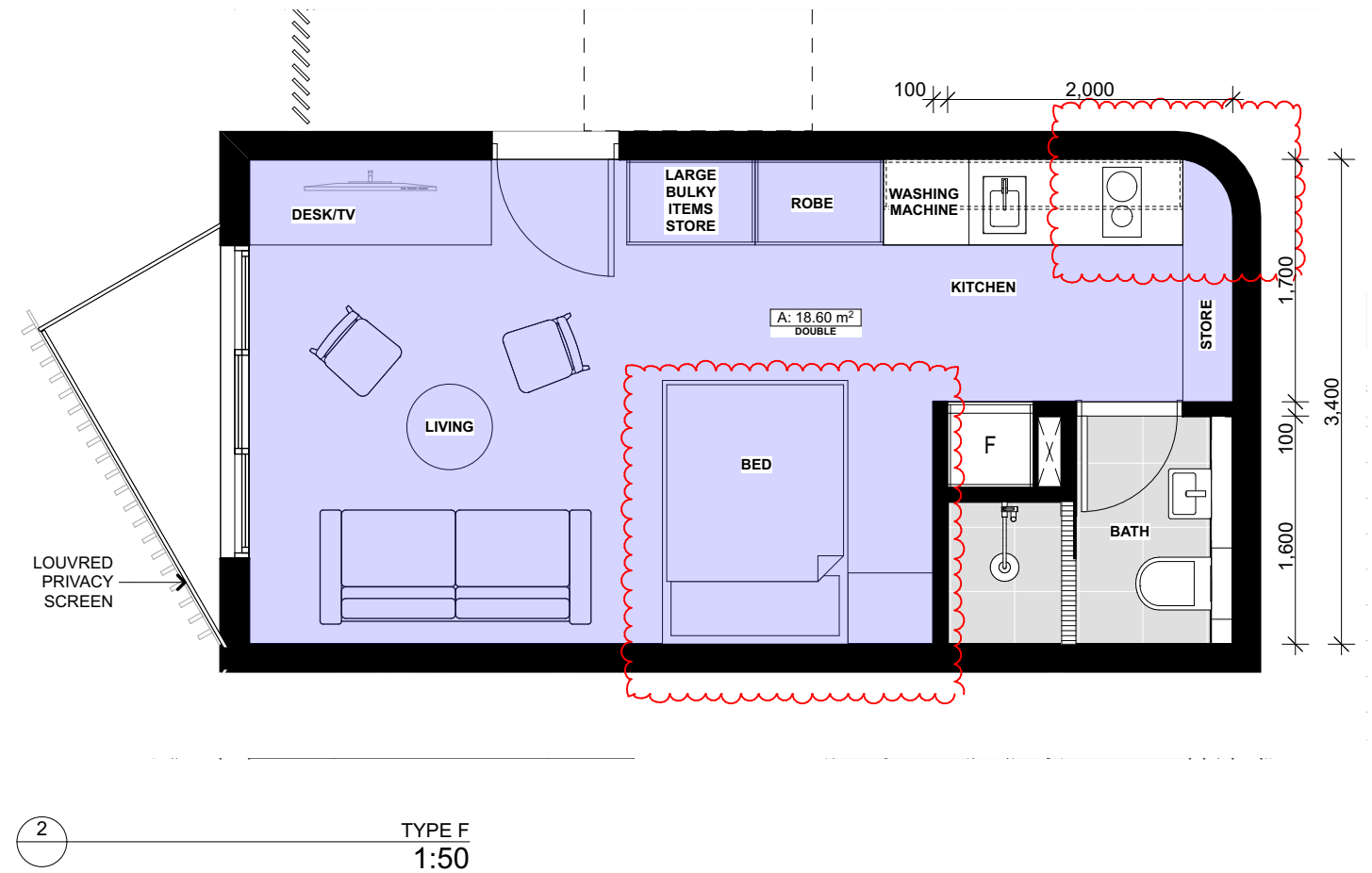
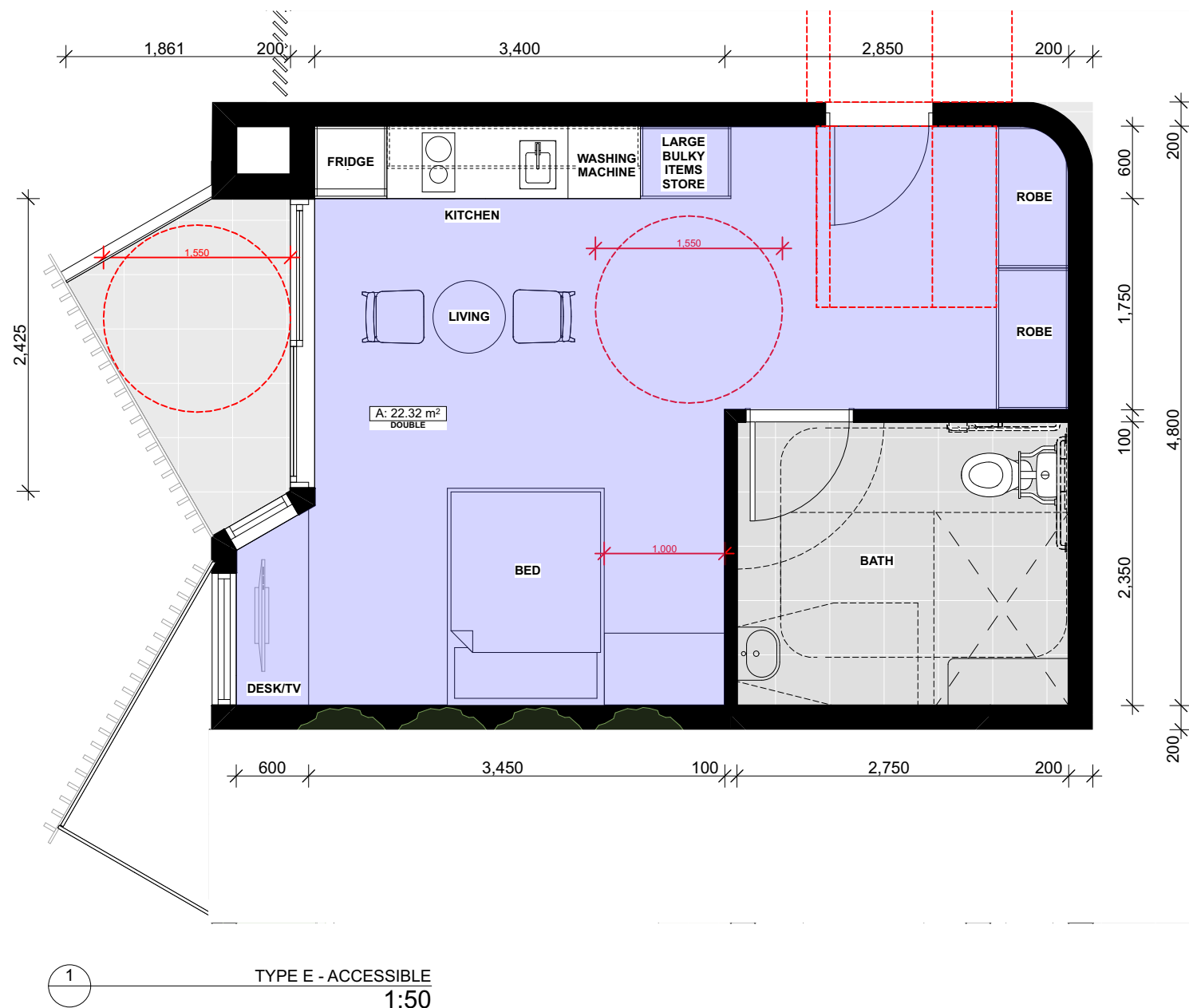
RECEIVED
Waverley Council
Application No: DA-170/2019
Date Received: 18/10/2019



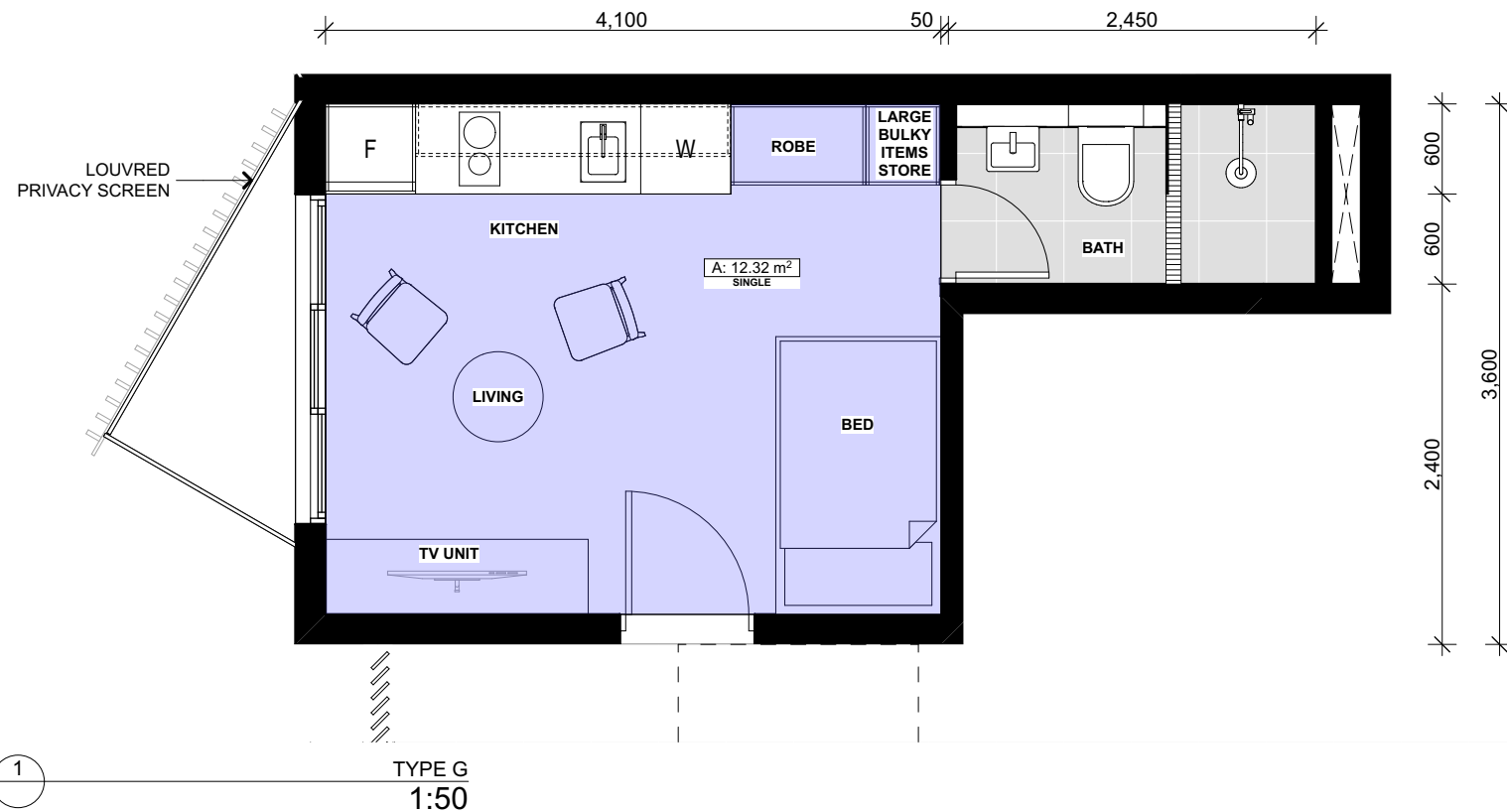
PURPLE AREAS DENOTE AREAS
EXCLUDING KITCHENS AND BATHROOMS,
AS DEFINED IN THE AFFORDABLE
HOUSING SEPP.

AMENDED PLANS

RECEIVED
Waverley Council
Application No: DA-170/2019
Date Received: 8/10/2019

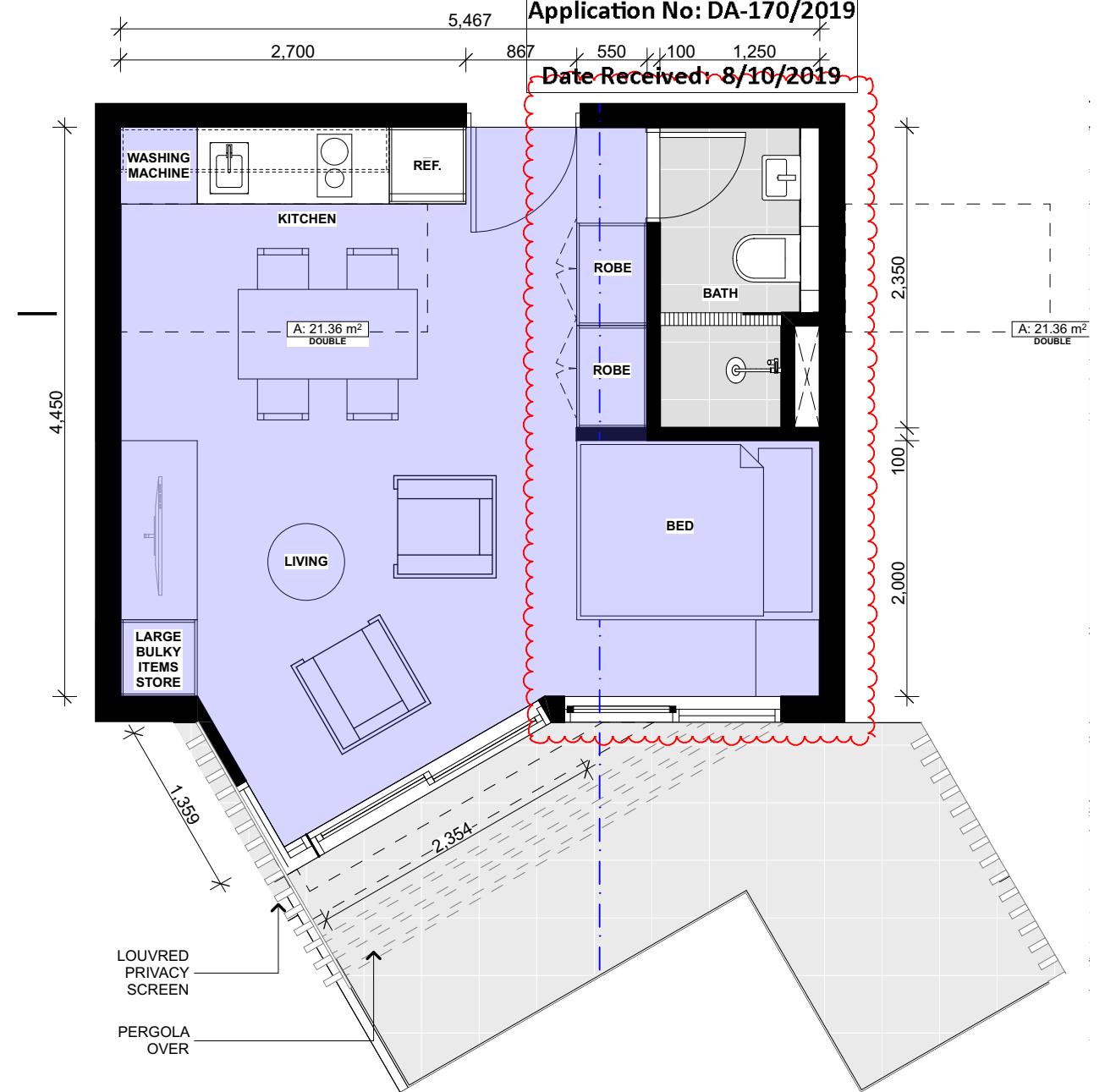


AMENDED PLANS



2

TYPE H
1:50



AMENDED PLANS

NE BREEZEWAY

VOID

CONCRETE
WALL TO ENG. SPEC
PAINT FINISH

SELECTED PAVING TILES
ON TILE SUPPORTS
TO MIN. P4 SLIP RESISTANCE

CONCRETE
WALL TO ENG. SPEC
PAINT FINISH

150 X 20mm P/COATED ALUMINIUM
FIXED LOUVRES @100 CTRS ANGLED
45DEG TOWARDS THE EAST
FULL HEIGHT ON L1 (67% OPEN AREA)
AND 1800HT AFFL ON
L2 & L3 (83% OPEN AREA)

1 NE BREEZEWAY DETAIL PLAN
1:20

SE BREEZEWAY

VOID

CONCRETE
WALL TO ENG. SPEC
PAINT FINISH

SELECTED PAVING TILES
ON TILE SUPPORTS
TO MIN. P4 SLIP RESISTANCE

150 X 20mm P/COATED ALUMINIUM
FIXED LOUVRES @100 CTRS ANGLED
45DEG TOWARDS THE SOUTH
FULL HEIGHT ON L1 (67% OPEN AREA)
AND 1800HT AFFL ON
L2 & L3 (83% OPEN AREA)

CONCRETE
WALL TO ENG. SPEC
PAINT FINISH

4 SE BREEZEWAY DETAIL PLAN
1:20

2 BREEZEWAY SECTION
1:20

WEATHER SEALED
FIRE DOOR

P/COATED ALUMINIUM
FIXED LOUVRES 1800 HT ON L2 & L3
(83% OPEN AREA) - REFER PLAN DETAIL
FOR ORIENTATION

DRAINAGE
TO SW ENG.
DETAIL

WATERPROOF MEMBRANE

SELECTED PAVING TILES
ON TILE SUPPORTS
TO MIN. P4 SLIP RESISTANCE

PAINTED GALV.
EQUAL ANGLE TO
ENG. DETAIL

RC SLAB SET
DOWN IN CORRIDORS
FOR DRAINAGE

FC SHEET LINING
OR EQUIVALENT

P/COATED ALUMINIUM
FIXED LOUVRES FULL HEIGHT ON L1
(67% OPEN AREA) - REFER PLAN
DETAIL FOR ORIENTATION

RECEIVED
Waverley Council
BOX GUTTER TO SW ENG. DETAIL
Application No: DA-170/2019
SELECTED ROOF SHEETING
TO FALL
Date Received: 8/10/2019

P/COATED ALUMINIUM
PERGOLA

400 MIN

BALC.

2.03

50MM SETDOWN
TO BALCONY FOR
DRAINAGE

SELECTED
PAVERS ON TILE
SUPPORTS

300 MIN

BALC.

ALUM. LOUVRE
SCREEN BEYOND

EAVE OVERHANG
TO ENG. DETAIL
PAINT FINISH

P/COAT ALUM.
FRAME SLIDING DOOR

SELECTED
PAVERS ON TILE
SUPPORTS

50MM SETDOWN
TO BALCONY FOR
DRAINAGE

3 FRONT & REAR BALCONY SECTIONAL DETAIL
1:50



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A	24/05/2019	DEVELOPMENT APPLICATION ISSUE
ISSUE	DATE	REVISION

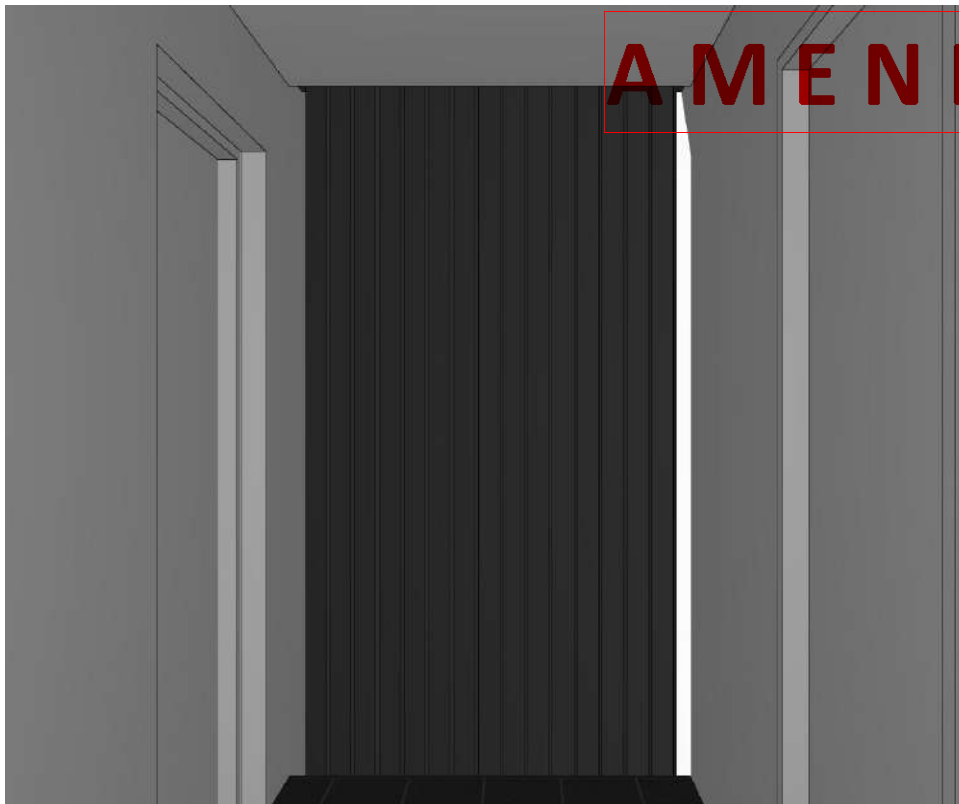
PROJECT:
Bondi Pod Co-Living
15-17 Lamrock Ave
Bondi Beach NSW 2026
DRAWING:
**BREEZEWAY CORRIDOR &
BALCONY EAVE DETAILS**

PROJECT NO: 19006
SCALE: 1:20 @A3
DRAWING NO: REV:
PLOTTED: 3/10/19

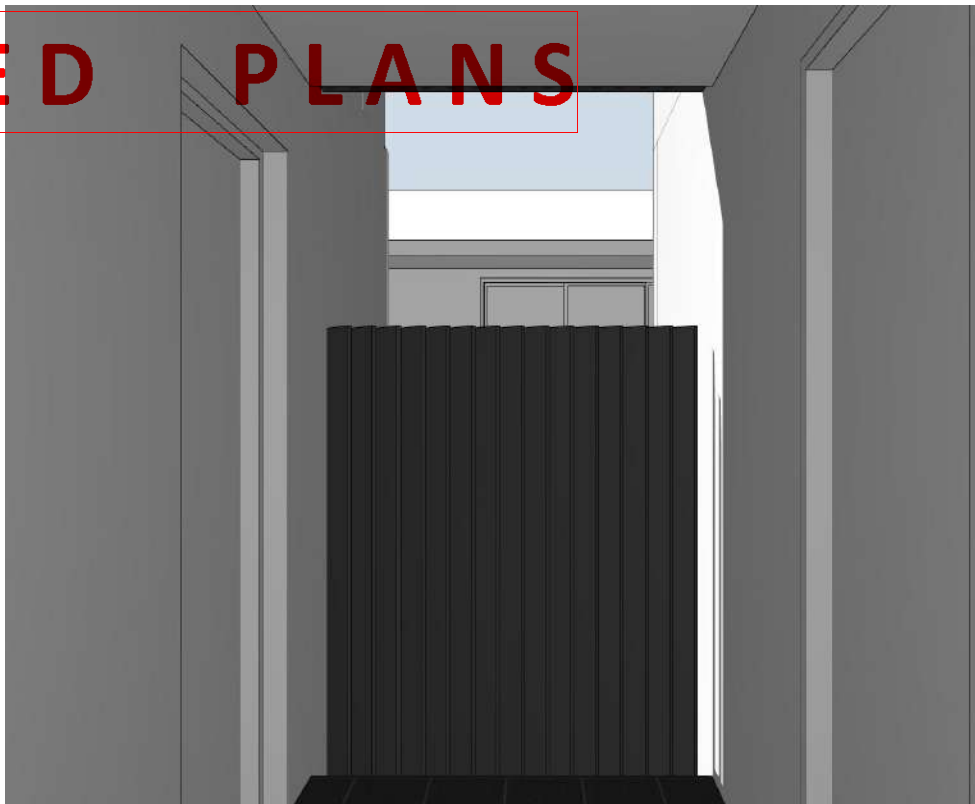
DA9300B

AMENDED PLANS

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Waverley Council
Application No: DA-170/2019
Date Received: 8/10/2019



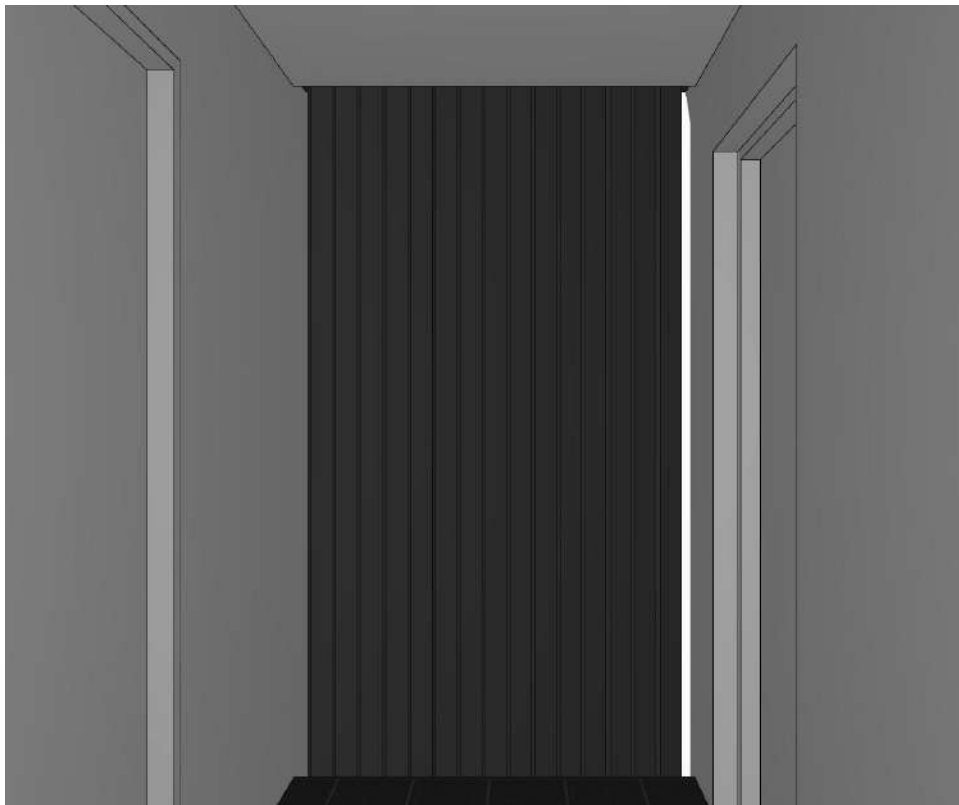
1 L1 BREEZEWAY NE



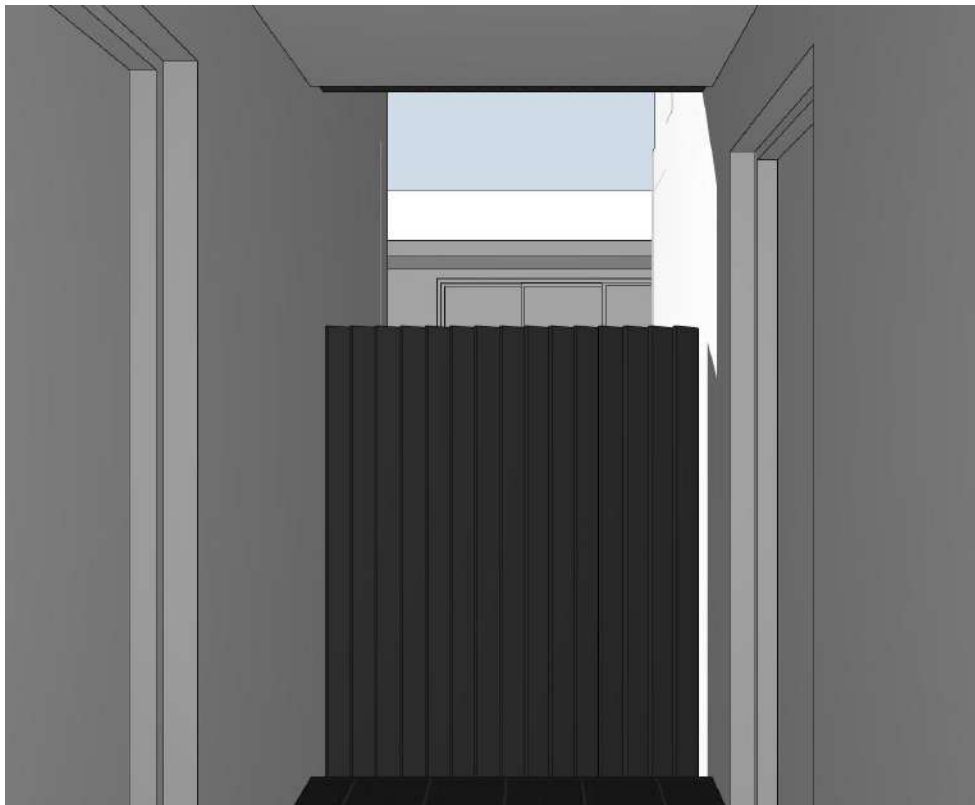
2 L2 BREEZEWAY NE



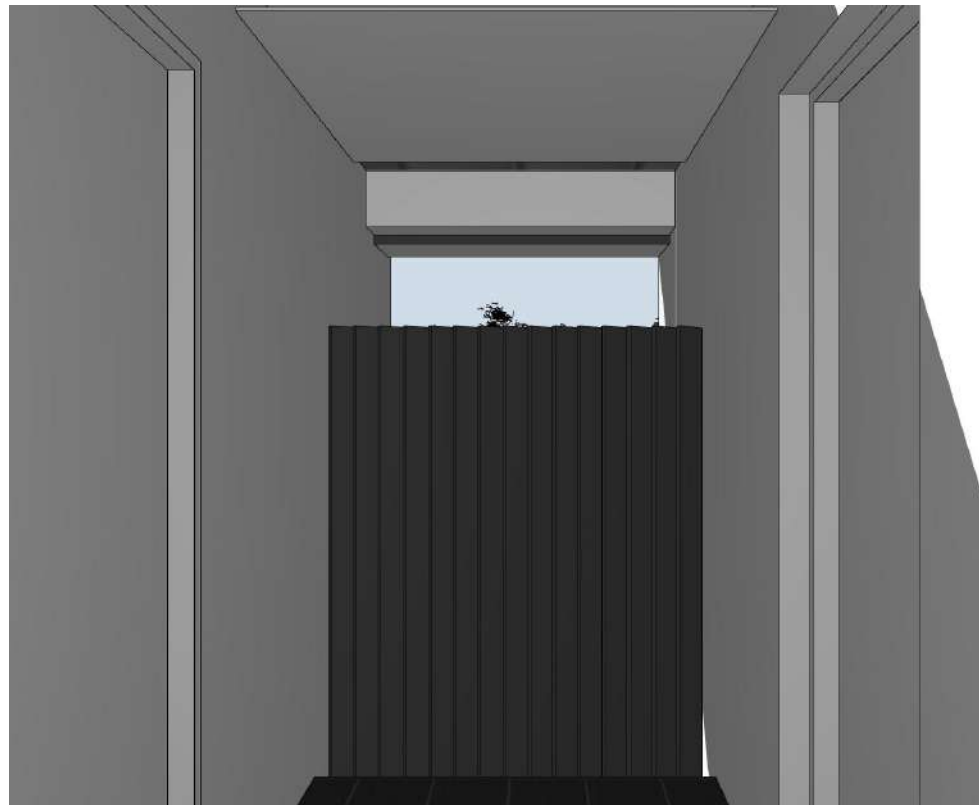
3 L3 BREEZEWAY NE



4 L1 BREEZEWAY SE



5 L2 BREEZEWAY SE



6 L3 BREEZEWAY SE

3D VIEWS TAKEN FROM EYE LEVEL

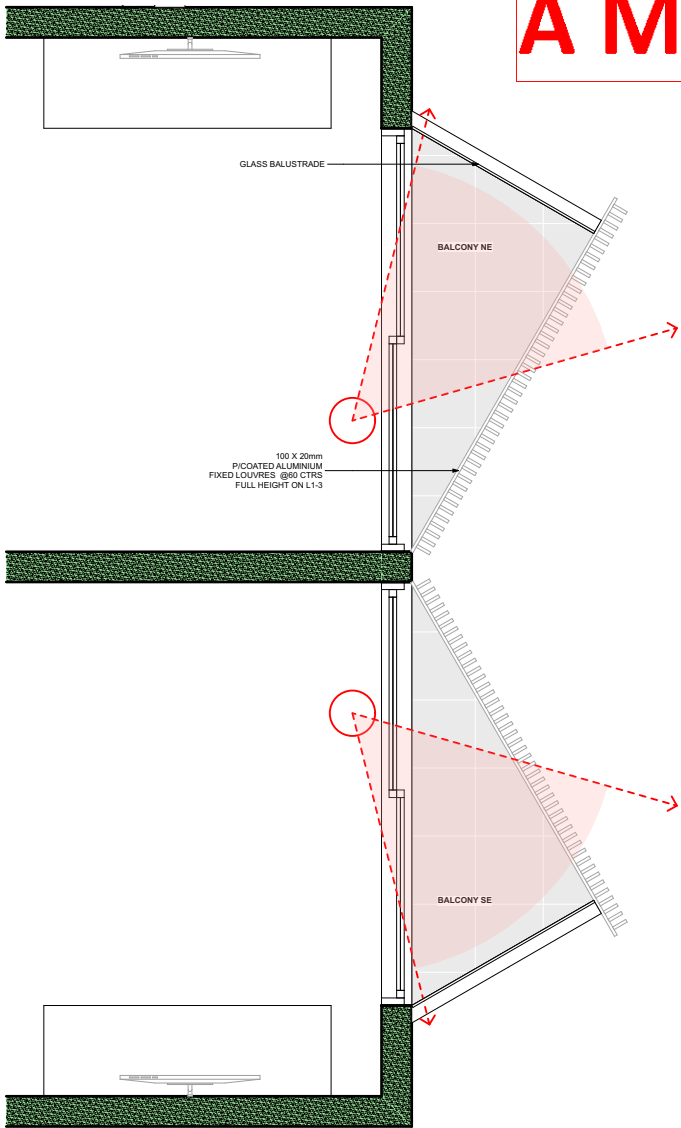
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B	08/10/2019	AMENDED DA
A	24/05/2019	DEVELOPMENT APPLICATION ISSUE
ISSUE	DATE	REVISION

PROJECT: **Bondi Pod Co-Living**
15-17 Lamrock Ave
Bondi Beach NSW 2026
DRAWING: **BREEZEWAY 3D VIEWS**
PROJECT NO: 19006
SCALE: @A3
DRAWING NO: REV:
PLOTTED: 3/10/19
DA9301B

AMENDED PLANS



7 EAST BALCONY DETAILS
1:50



1 L1 BALCONY NE



2 L1 BALCONY SE



3 L2 BALCONY NE



4 L2 BALCONY SE



5 L3 BALCONY NE



6 L3 BALCONY SE

3D VIEWS TAKEN FROM EYE LEVEL



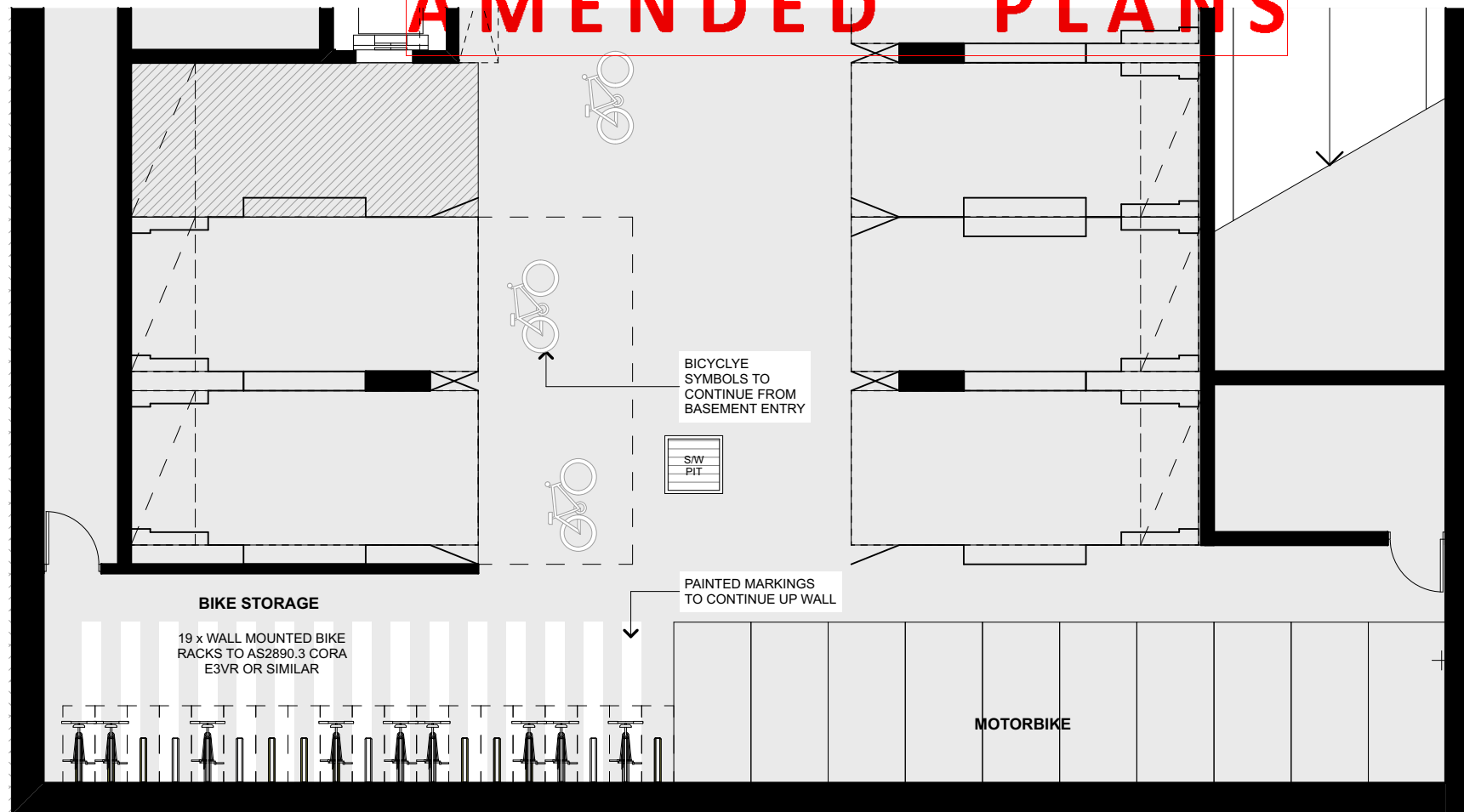
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B	08/10/2019	AMENDED DA
A	24/05/2019	DEVELOPMENT APPLICATION ISSUE
ISSUE	DATE	REVISION

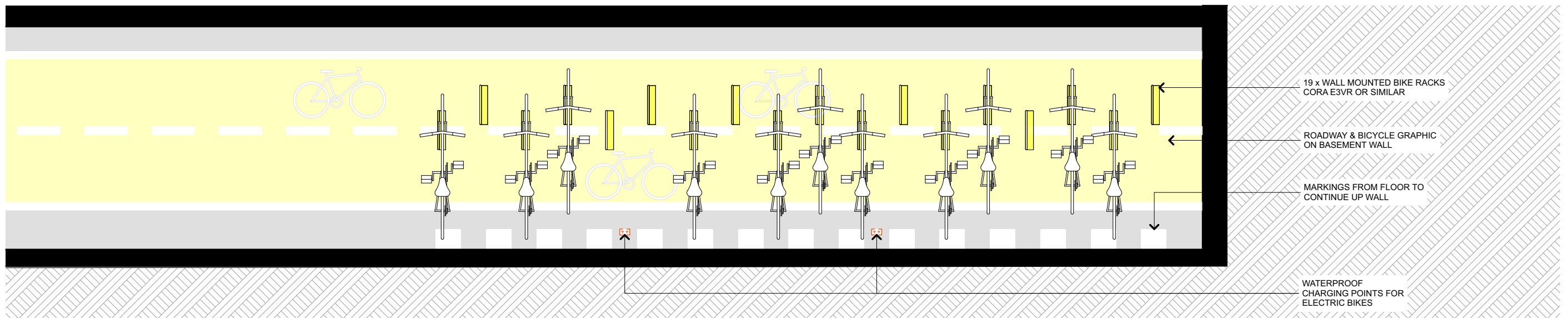
PROJECT: Bondi Pod Co-Living
15-17 Lamrock Ave
Bondi Beach NSW 2026
DRAWING: EAST BALCONY DETAILS & 3D VIEWS
PROJECT NO: 19006
SCALE: 1:50 @A3
DRAWING NO: REV:
PLOTTED: 3/10/19
DA9302B

AMENDED PLANS

RECEIVED
Waverley Council
Application No: DA-170/2019
Date Received: 8/10/2019



1 BICYCLE PARKING DETAIL PLAN
1:100



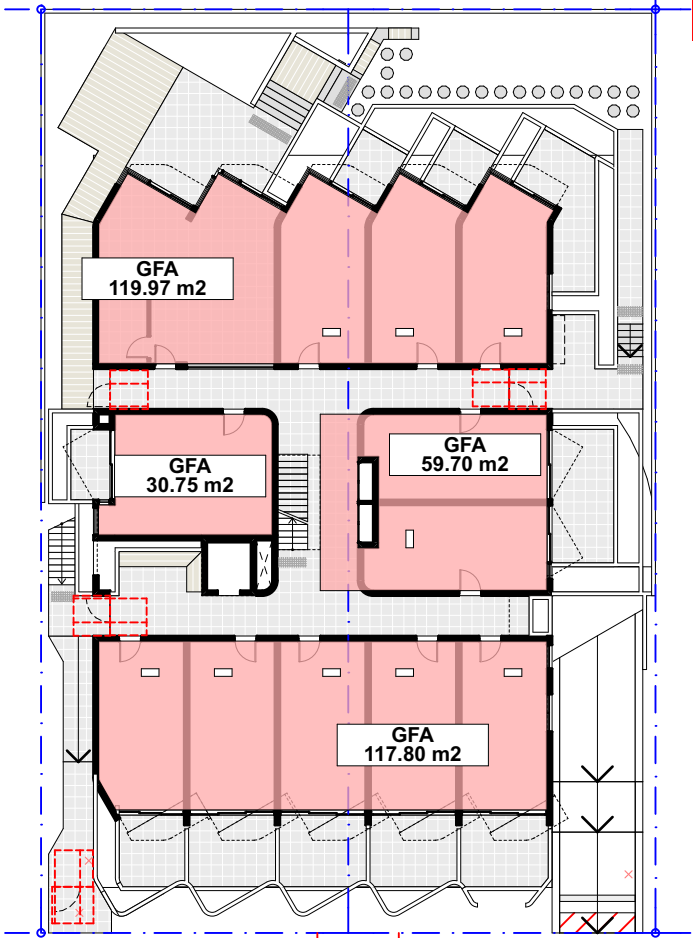
2 BICYCLE PARKING ELEVATION 1
1:50

AMENDED PLANS

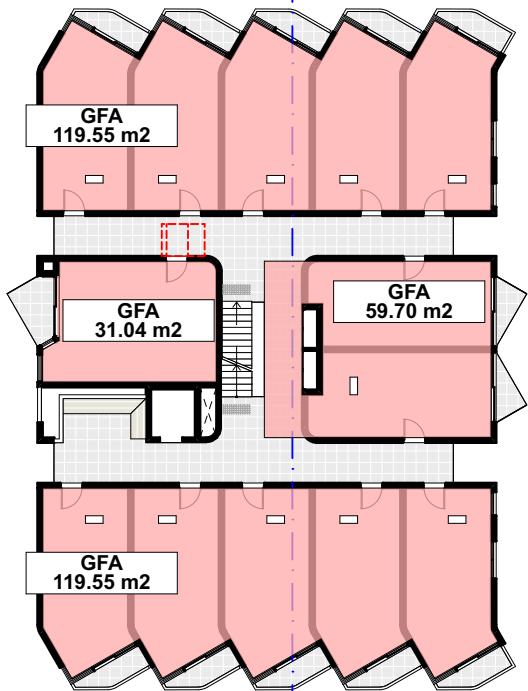
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Waverley Council

Application No: DA-170/2019

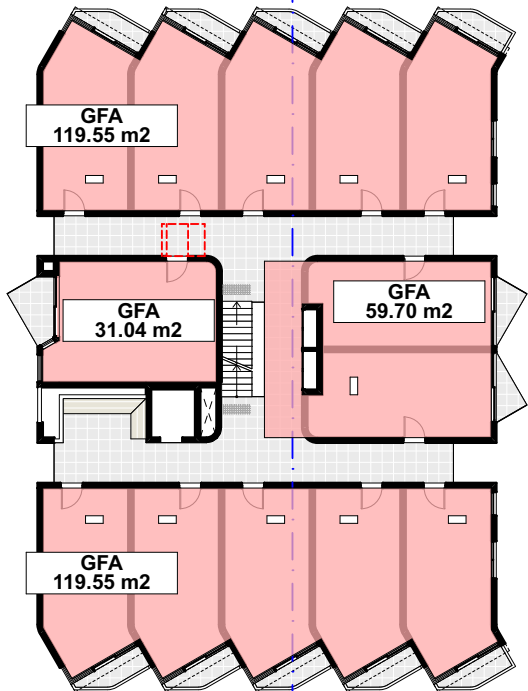
Date Received: 8/10/2019



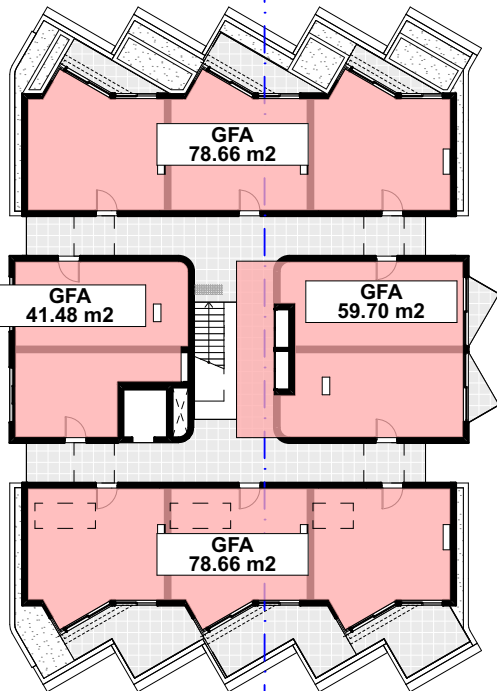
1 GFA GROUND FLOOR
1:300



2 GFA LEVEL 1
1:300



3 GFA LEVEL 2
1:300



4 GFA LEVEL 3
1:300

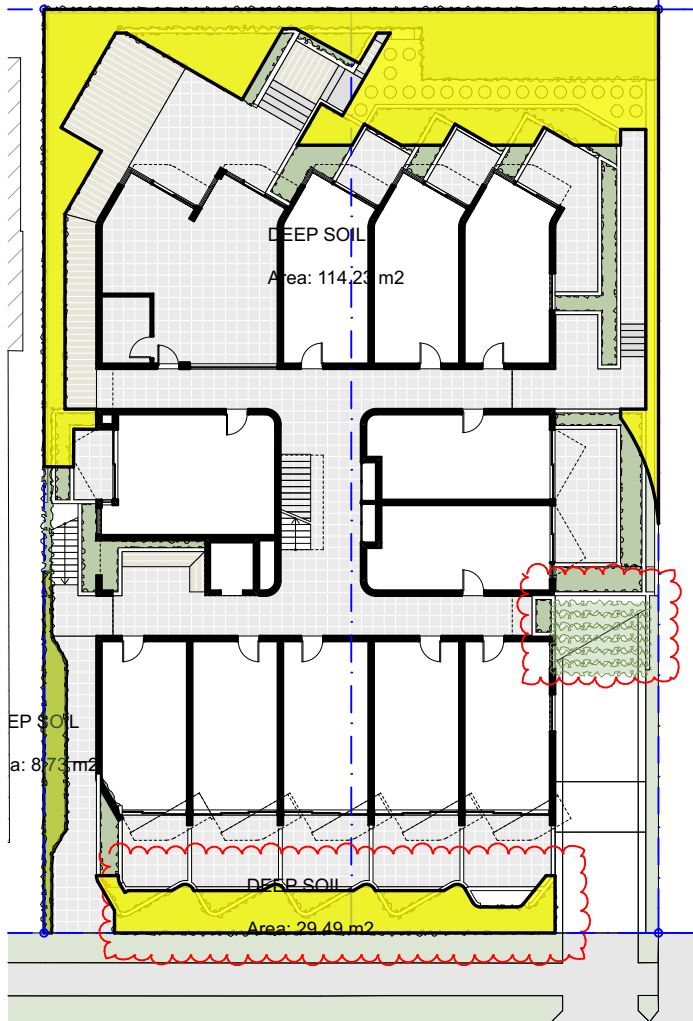
SITE AREA : 893.4m²
ALLOWABLE HEIGHT : 12.5m
ALLOWABLE FSR : 0.9:1
ALLOWABLE FSR (AHSEPP BONUS) : 1.4:1
ALLOWABLE GFA : 1250.60 m²

GROSS FLOOR AREA (GFA)	
GROUND FLOOR	328.22
LEVEL 1	329.84
LEVEL 2	329.84
LEVEL 3	258.50
1,246.40 m ²	

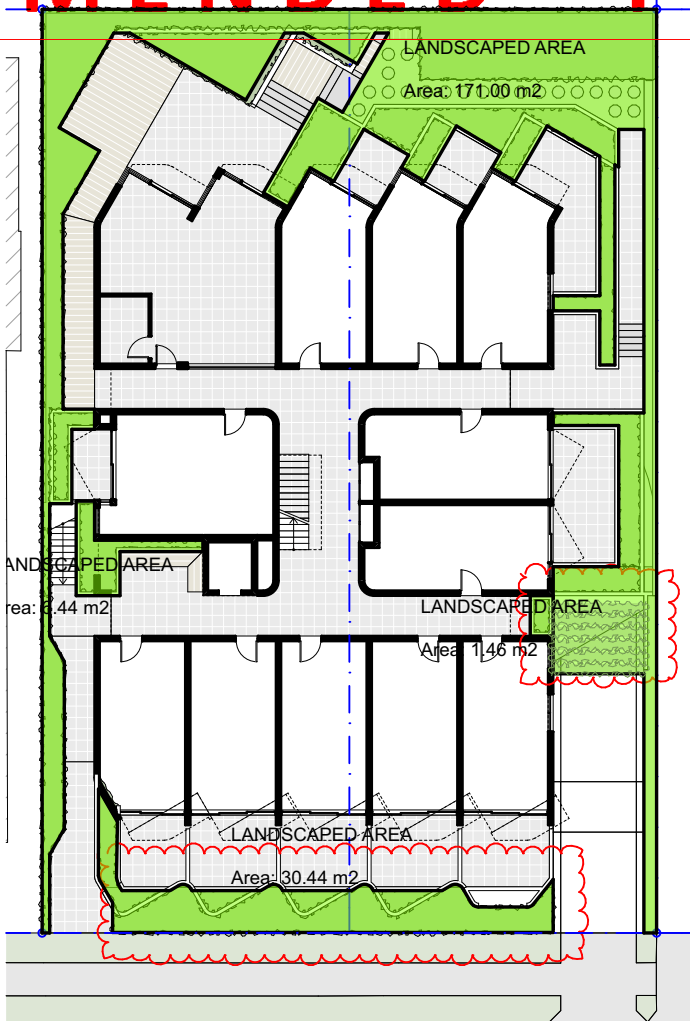


AMENDED PLANS

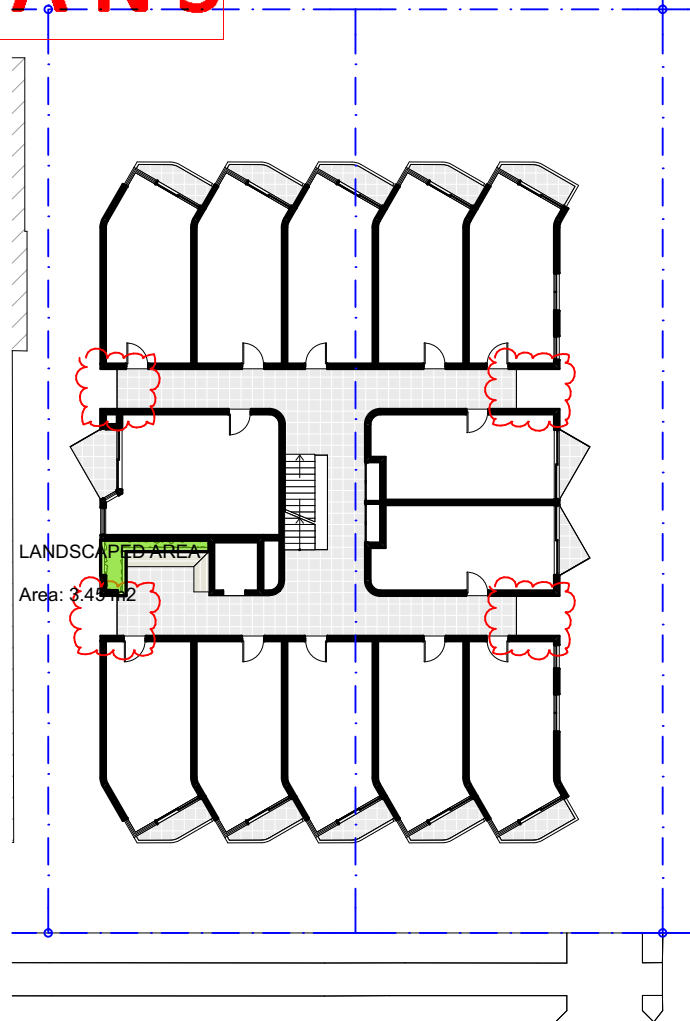
RECEIVED
Waverley Council
Application No: DA-170/2019
Date Received: 8/10/2019



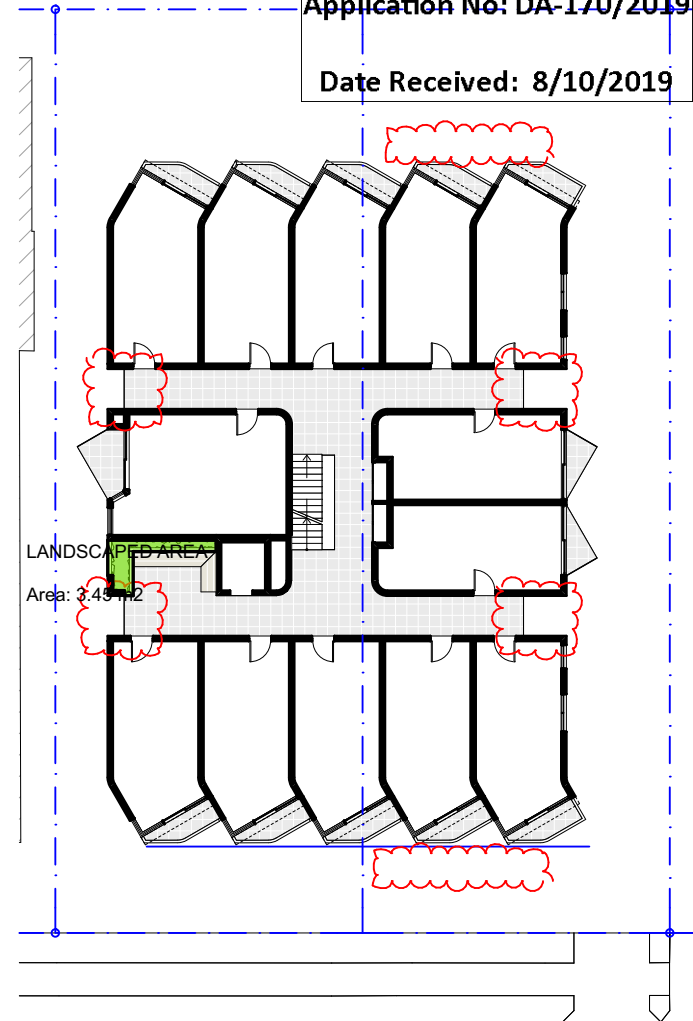
1 DEEP SOIL AREAS
1:300



2 GROUND FLOOR LANDSCAPE
1:300



3 LEVEL 1 LANDSCAPE
1:300



4 LEVEL 3 LANDSCAPE
1:300

LANDSCAPING

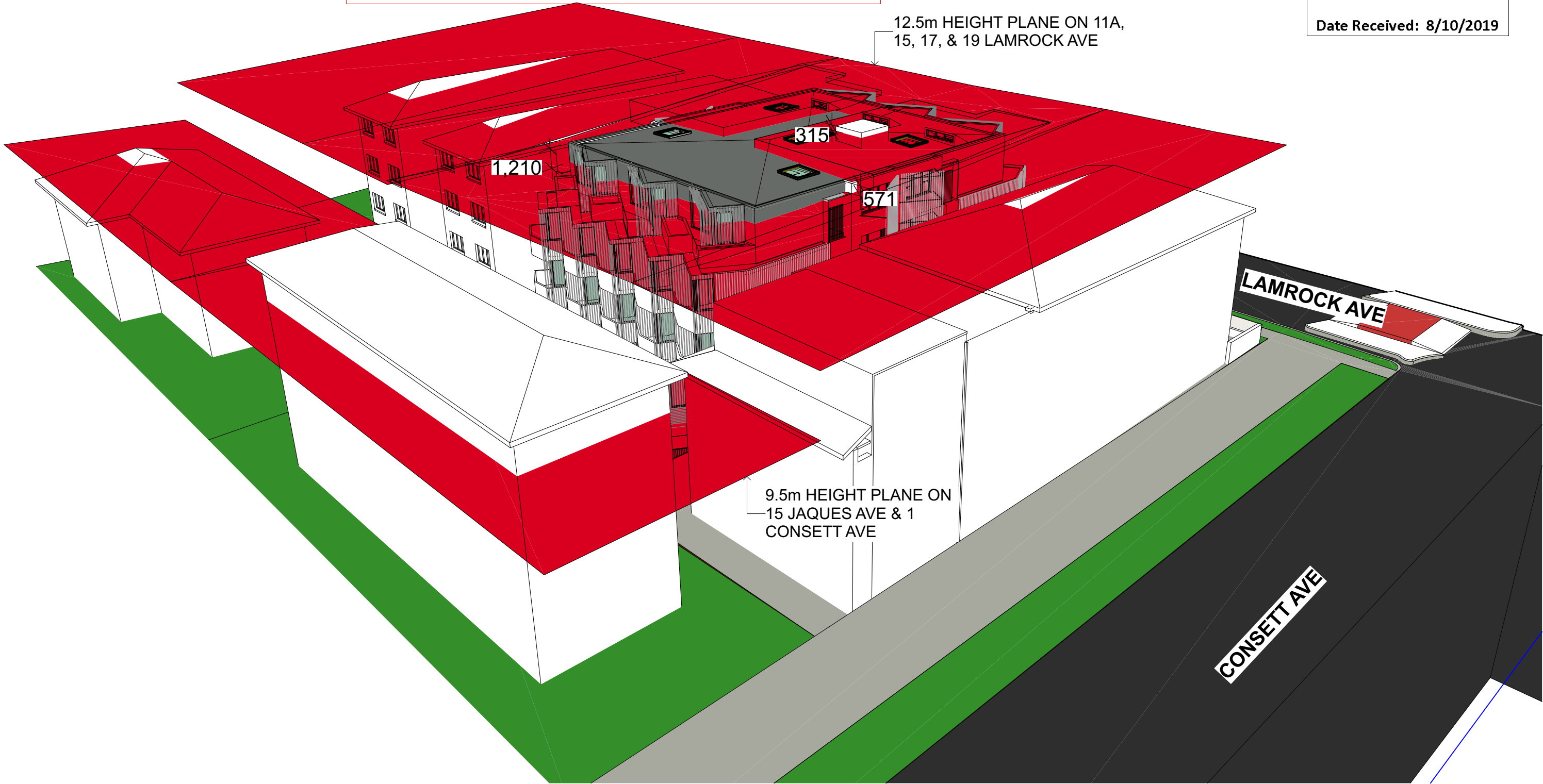
	Area
DEEP SOIL	152.45
LANDSCAPED AREA	207.88

CONTROL - AS PER RESIDENTIAL DEVELOPMENT DCP - PART C3.9	REQUIRED	COMPLIANCE
30% of the site area is to be provided as landscaped area.	268.02m ²	Shortfall - 60m ²
50% of the landscaped area must be deep soil zone.	134.01m ²	✓ Excess - 18.5m ²



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1 3D HEIGHT PLANE

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ABN 646 2000 7678

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ISSUE	DATE	REVISION
B	08/10/2019	AMENDED DA
A	24/05/2019	DEVELOPMENT APPLICATION ISSUE

PROJECT: Bondi Pod Co-Living
15-17 Lamrock Ave
Bondi Beach NSW 2026
DRAWING: 3D HEIGHT PLANE DIAGRAM

PROJECT NO: 19006
SCALE: @A3
DRAWING NO: REV:
PLOTTED: 3/10/19

DA9002B

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1 JUNE 21 0900

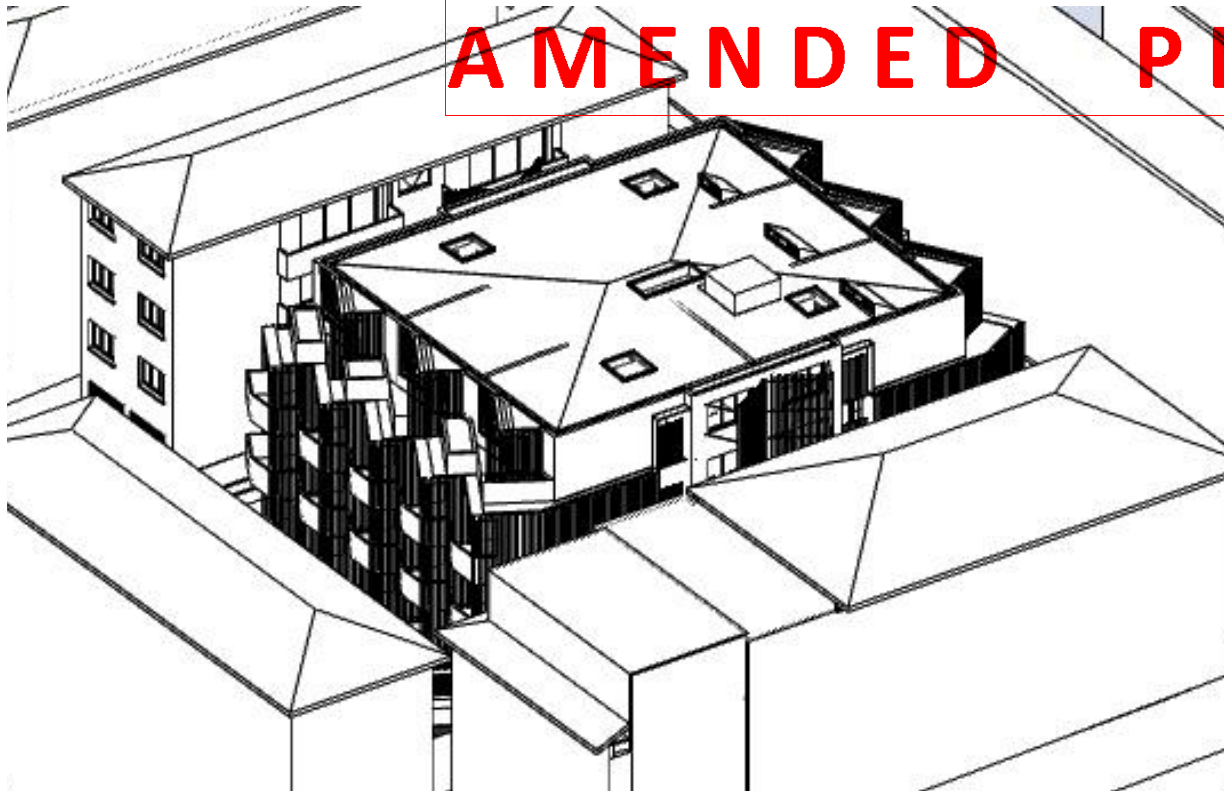
2 JUNE 21 1000

3 JUNE 21 1100

4 JUNE 21 1200

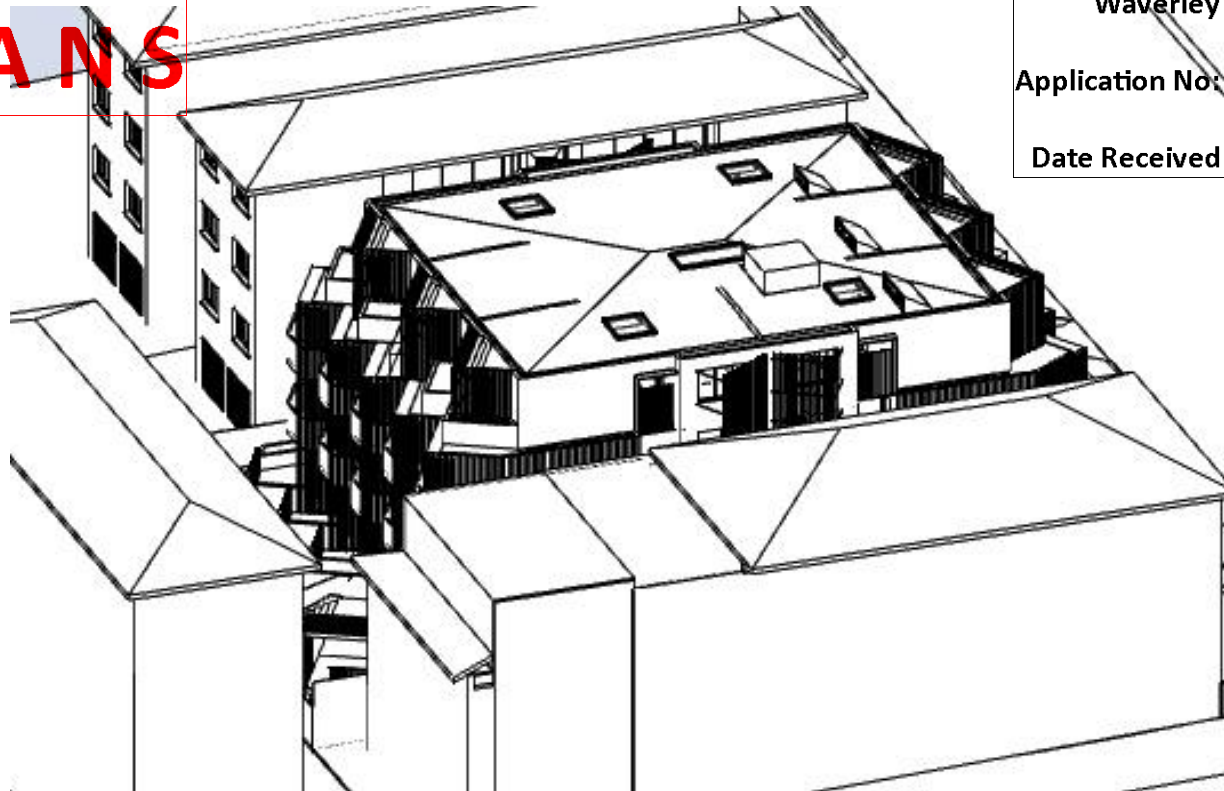
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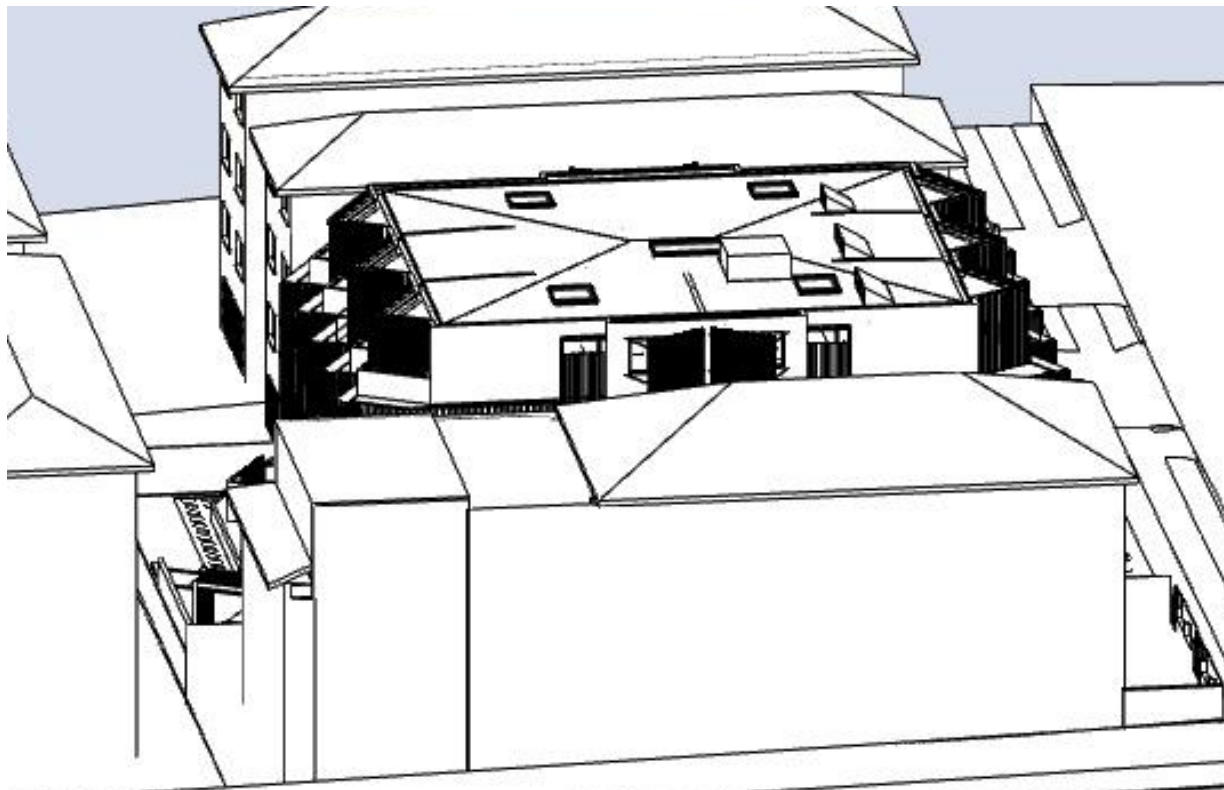
1

JUNE 21 1300



2

JUNE 21 1400



3

JUNE 21 1500

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15 JACQUES AVE
TWO STOREY MASONRY
FLAT BUILDING

1 CONSETT AVE
FOUR STOREY MASONRY
FLAT BUILDING

1 CONSETT AVE
FOUR STOREY MASONRY
FLAT BUILDING

15 JACQUES AVE
TWO STOREY MASONRY
FLAT BUILDING

15-17 LAMROCK AVE
FOUR STOREY
PROPOSED BOARDING
HOUSE

15-17 LAMROCK AVE
FOUR STOREY
PROPOSED BOARDING
HOUSE

19 LAMROCK AVE
FOUR STOREY
RENDERED
HOSTEL

19 LAMROCK AVE
FOUR STOREY
RENDERED
HOSTEL

11A LAMROCK AVE
FOUR STOREY
MASONRY
FLAT BUILDING

11 LAMROCK AVE
FOUR STOREY
MASONRY
FLAT BUILDING

11A LAMROCK AVE
FOUR STOREY
MASONRY
FLAT BUILDING

11 LAMROCK AVE
FOUR STOREY
MASONRY
FLAT BUILDING

1

9AM JUNE 21 SHADOWS
1:500

2

12PM JUNE 21 SHADOWS
1:500

3

3PM JUNE 21 SHADOWS
1:500



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EXISTING SHADOWS

PROPOSED ADDITIONAL SHADOWS



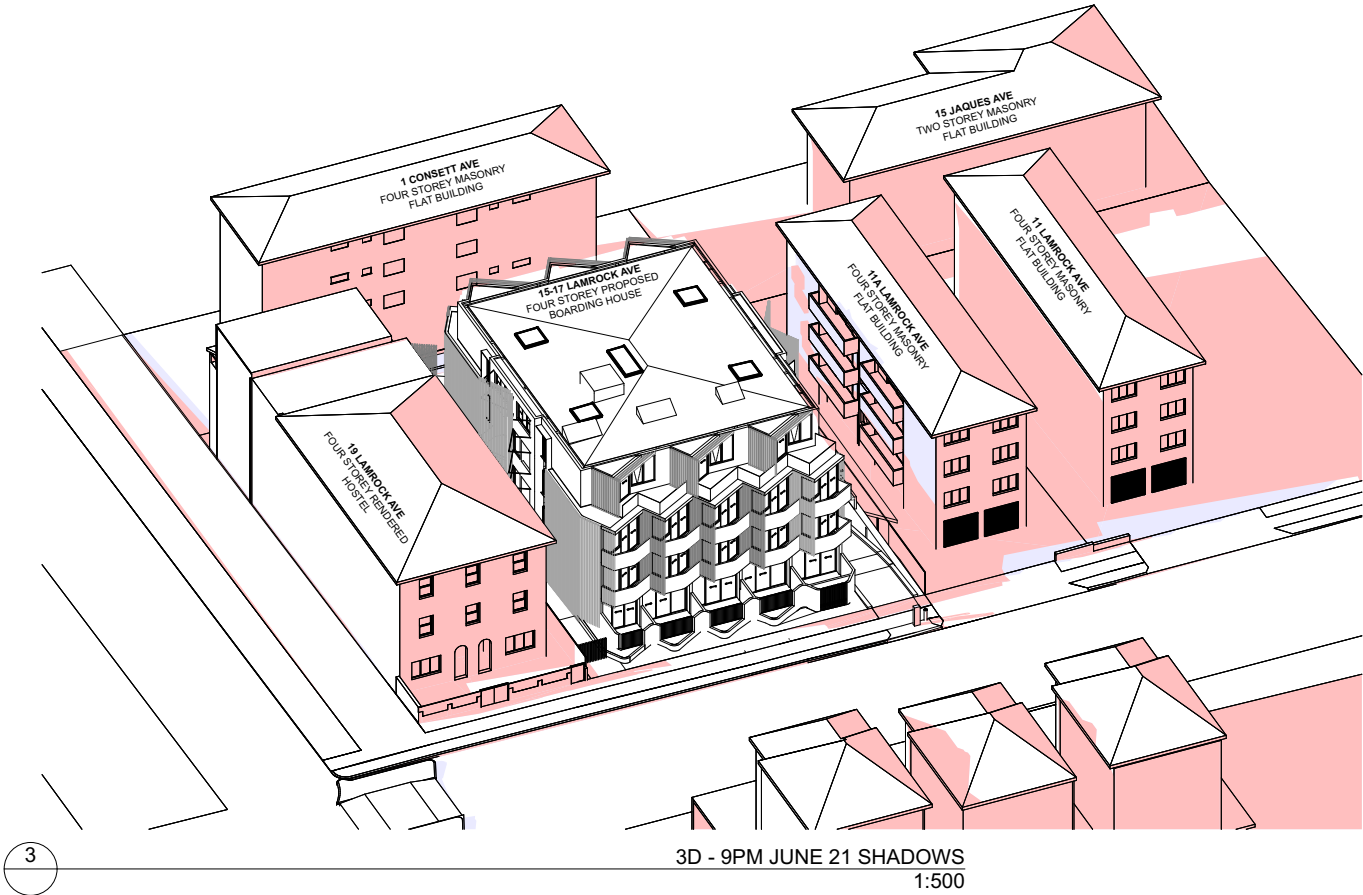
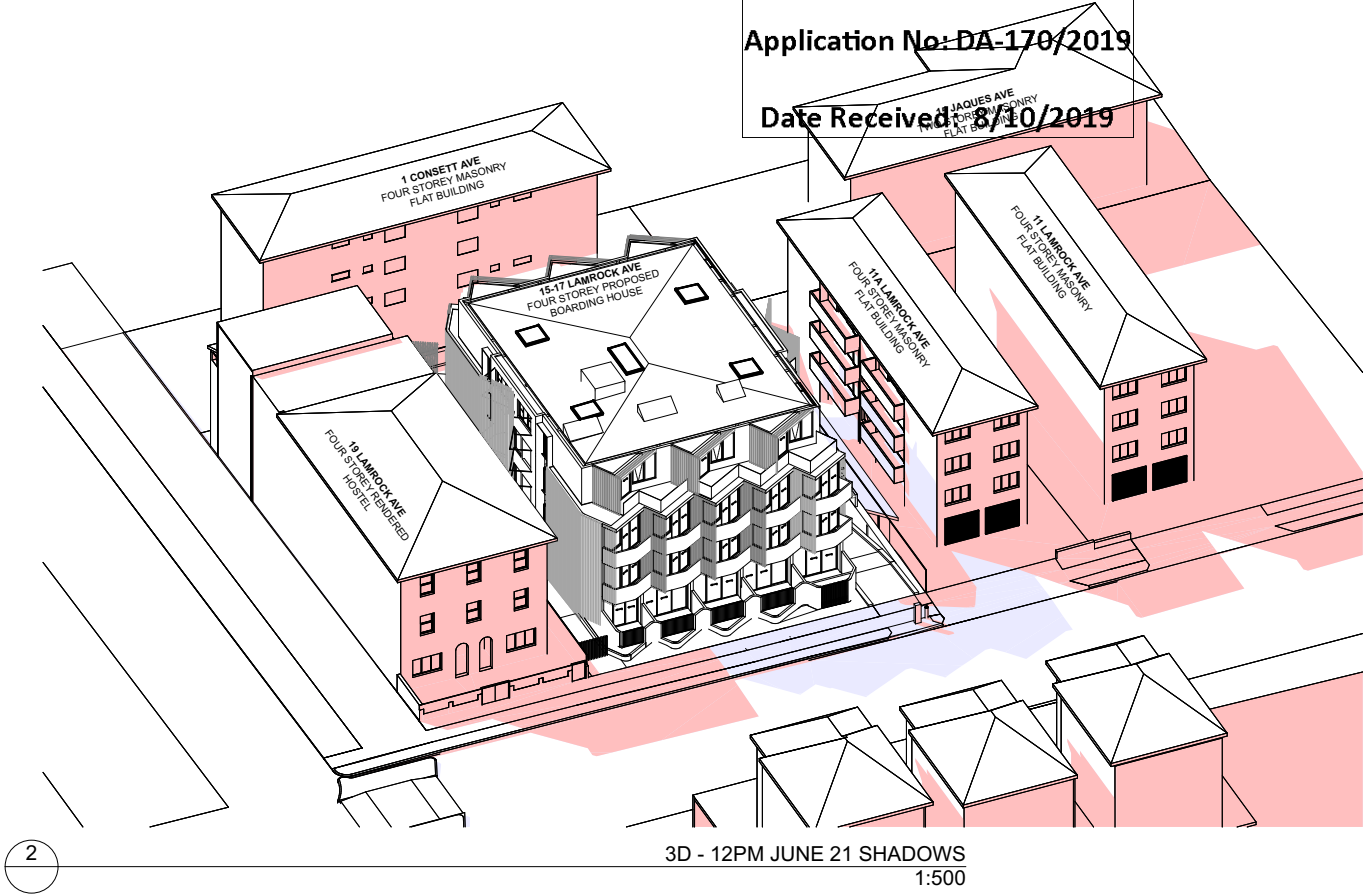
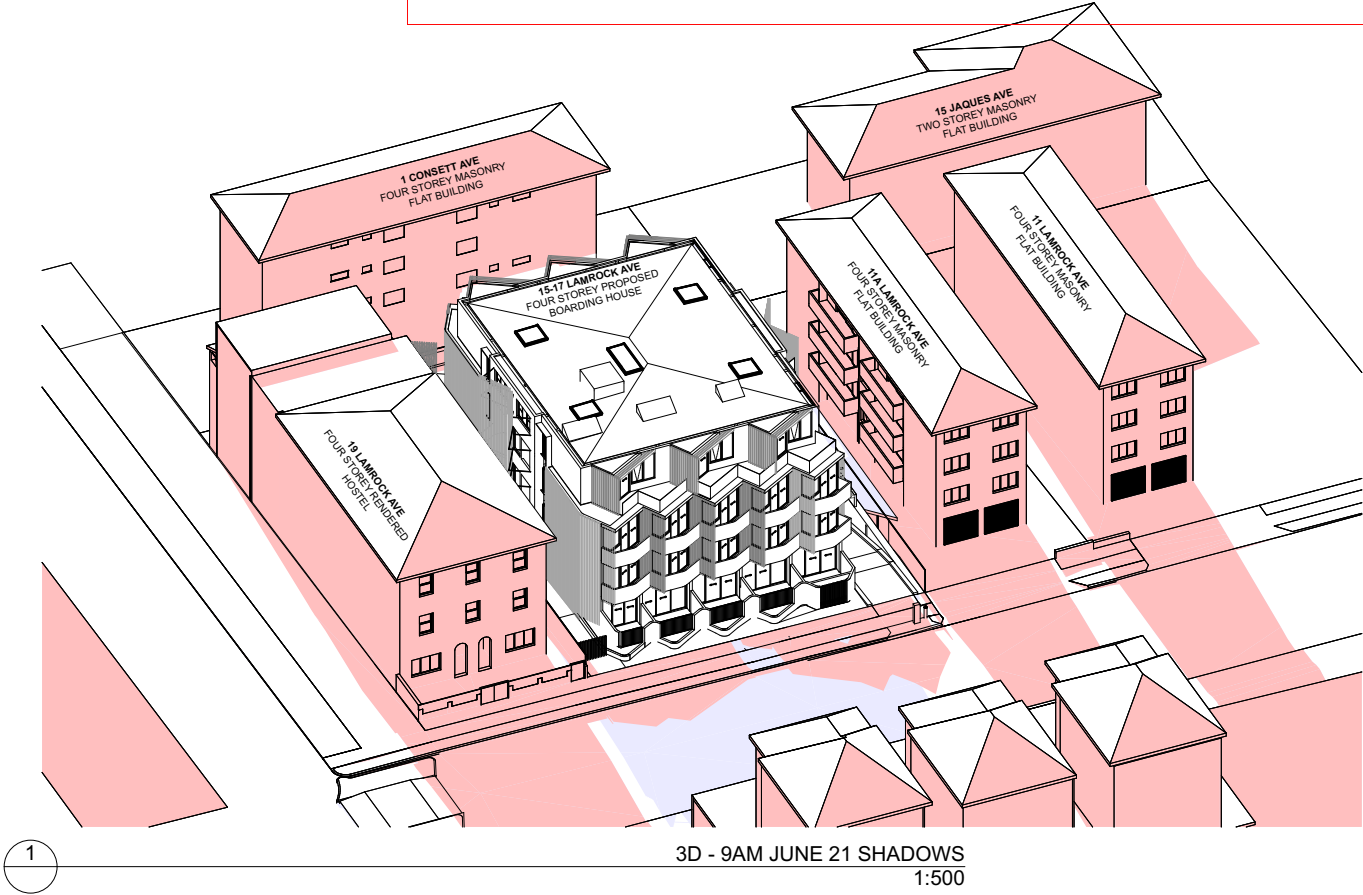
PROJECT:
Bondi Pod Co-Living
15-17 Lamrock Ave
Bondi Beach NSW 2026
DRAWING:
SHADOW DIAGRAMS

PROJECT NO: 19006
SCALE: 1:500 @A3
DRAWING NO: REV:
PLOTTED: 3/10/19

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ISSUE	DATE	REVISION

EXISTING SHADOWS
PROPOSED ADDITIONAL SHADOWS

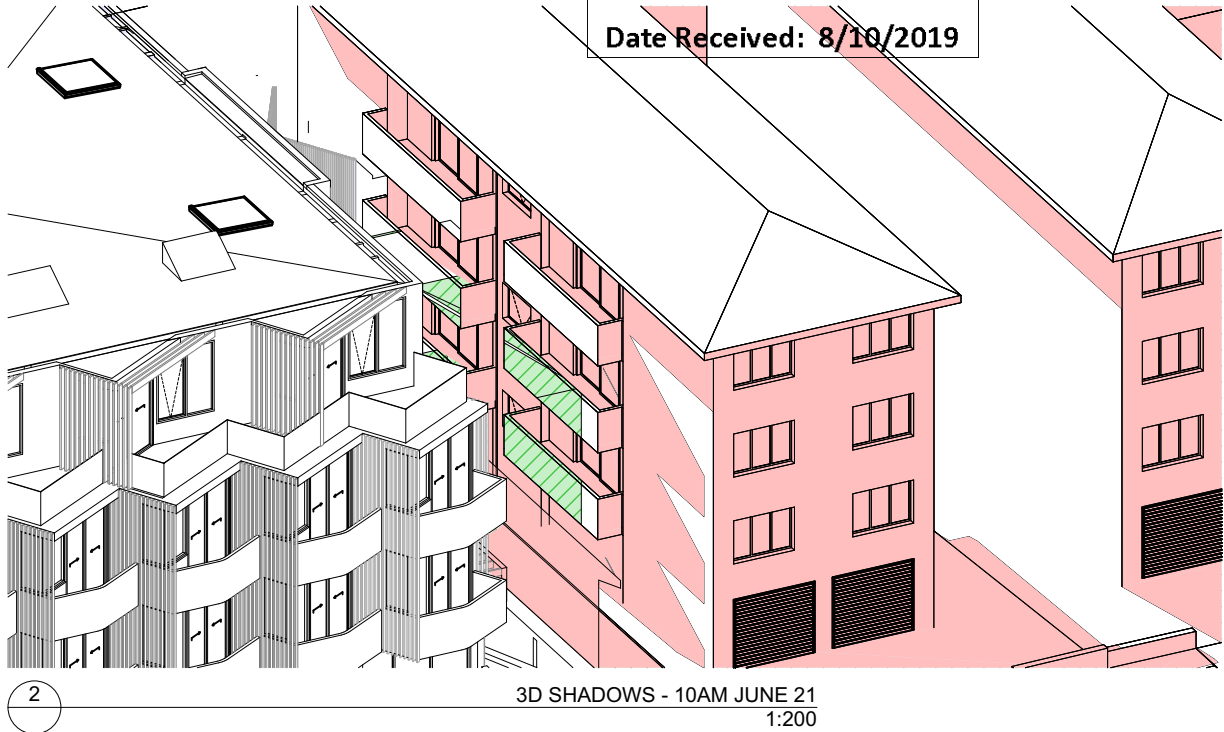
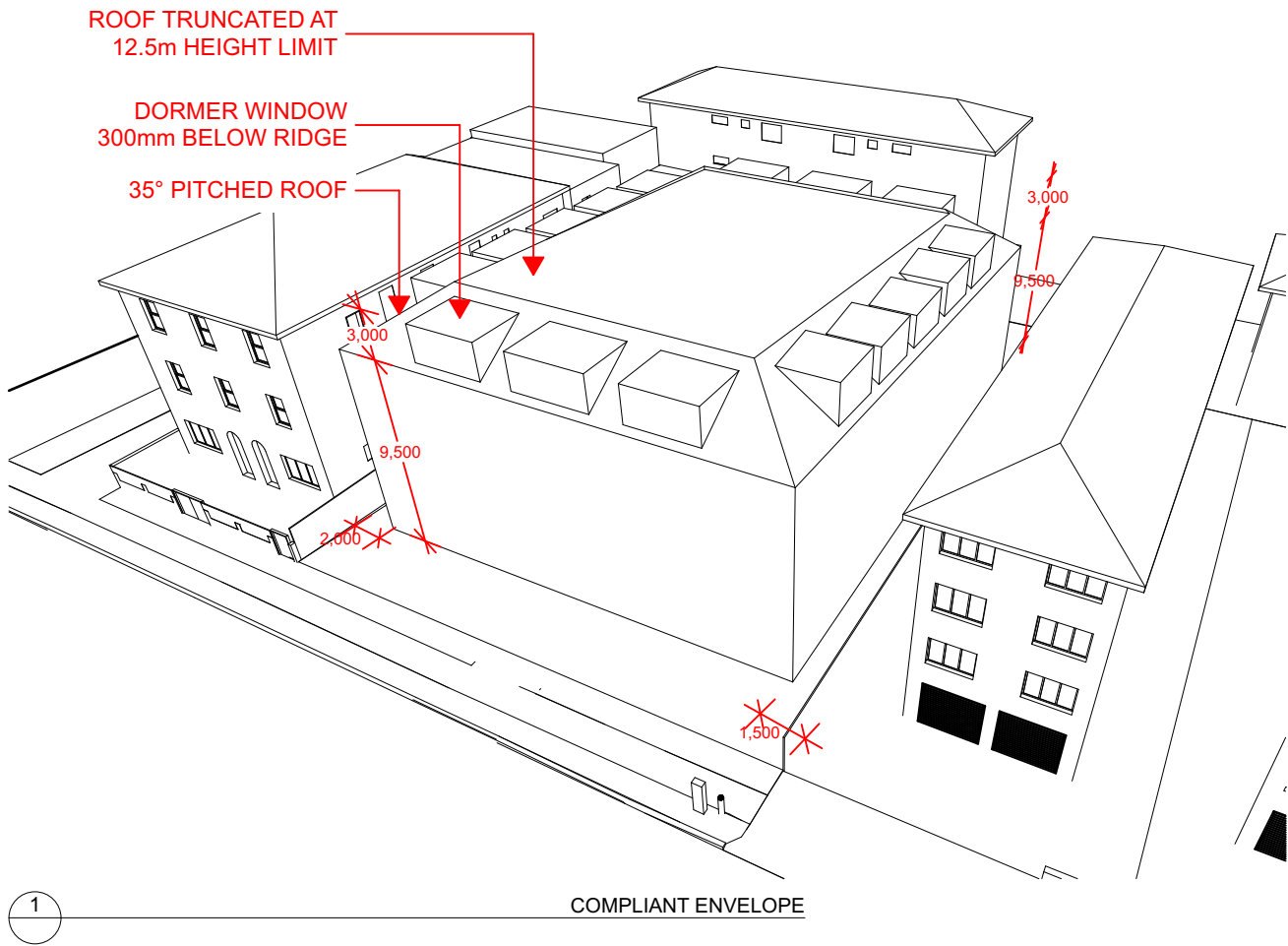
PROJECT:
Bondi Pod Co-Living
15-17 Lamrock Ave
Bondi Beach NSW 2026
DRAWING:
3D SHADOW DIAGRAMS

PROJECT NO: 19006
SCALE: 1:500 @A3
DRAWING NO: REV:
PLOTTED: 3/10/19

DA9101B

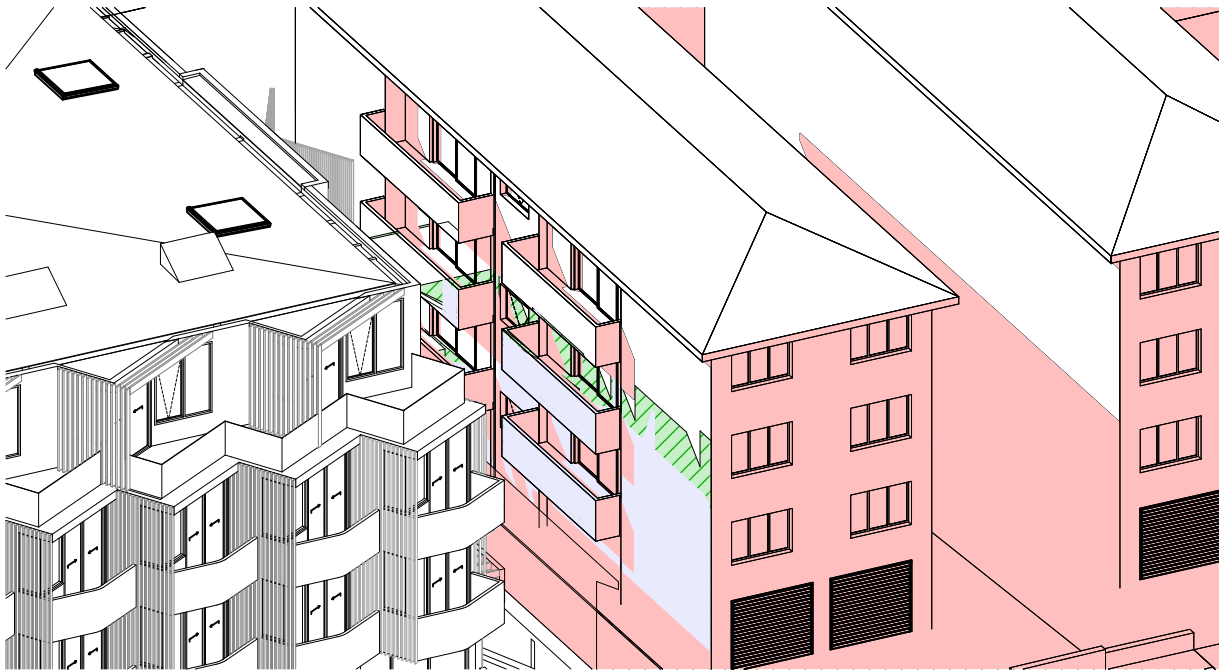
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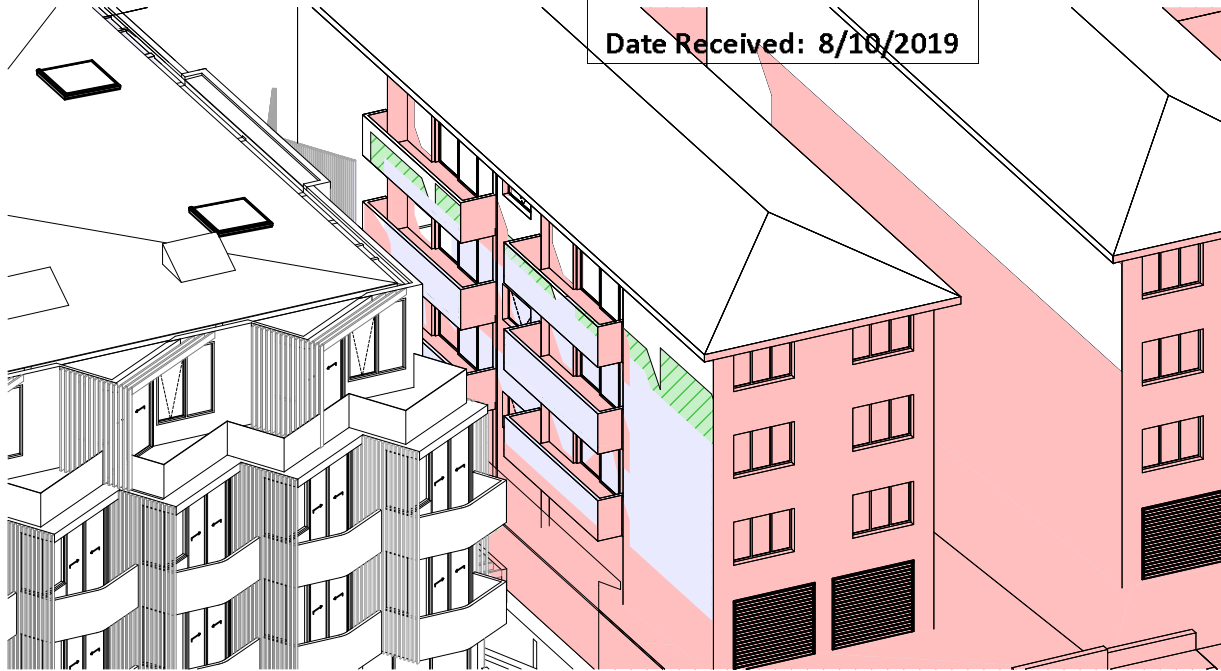


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1 3D SHADOWS - 12PM JUNE 21
1:200



2 3D SHADOWS - 1PM JUNE 21
1:200



3 3D SHADOWS - 2PM JUNE 21
1:200



4 3D SHADOWS - 3PM JUNE 21
1:200

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B	08/10/2019	AMENDED DA
A	24/05/2019	DEVELOPMENT APPLICATION ISSUE
ISSUE	DATE	REVISION

- EXISTING SHADOWS
- PROPOSED ADDITIONAL SHADOWS
- SHADOWS RESULTING FROM COMPLIANT ENVELOPE

PROJECT:
Bondi Pod Co-Living
15-17 Lamrock Ave
Bondi Beach NSW 2026
DRAWING:
**11A LAMROCK SHADOW 7
12PM - 3PM**

PROJECT NO: 19006
SCALE: 1:200 @A3
DRAWING NO: REV:
PLOTTED: 3/10/19

DA9103B

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15-17 LAMROCK AVE, BONDI
LANDSCAPE DEVELOPMENT APPLICATION

SEPTEMBER 2019

DRAWING LIST

SHEET NO.	DWG NAME	REVISION
00	COVERSHEET	B
01	LANDSCAPE MASTER PLAN	B
02	LANDSCAPE PLAN ~ GROUND LEVEL	B
03	LANDSCAPE DETAIL PLAN - GROUND FLOOR	B
04	LANDSCAPE SECTIONS	B
05	LANDSCAPE SECTIONS	B
06	PLANTING PLAN GROUND 1 OF 2	B
07	PLANTING PLAN GROUND 2 OF 2	B
08	PLANTING PLAN L3	B
09	PLANT SCHEDULE + IMAGES	B
10	LANDSCAPE DETAILS	B
11	LANDSCAPE SPECIFICATIONS	B



AMENDED PLANS

Legend

- 01. Pedestrian entry from Lamrock Ave
- 02. Vehicle entry to basement carpark
- 03. Street front planting with feature palms
- 04. Private terraces
- 05. Boundary planting
- 06. Upper level terraces
- 07. External upper communal space with bbq zone
- 08. External lower communal space
- 09. Private terrace planting
- 10. Street trees to be retained
- 11. Trees to remove
- 12. Arbour structure above basement entry (Rev Cloud)
- 13. Raised planters at rear balconies of L3 (Rev Cloud)
- 14. Extended deep soil zone (Rev Cloud)



Refer detail plan page 03



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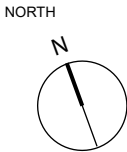
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CONCRETE PAVERS



COMMUNAL OPEN SPACE



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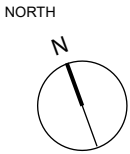
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Legend

- 01. Pedestrian entry and gate from Lamrock Ave
- 02. Vehicle entry to basement carpark
- 03. Street front planting with feature palms
- 04. Private terraces
- 05. Boundary planting
- 06. Breezeways
- 07. External upper communal space with zone
- 08. External lower communal space
- 09. Private terrace planting
- 10. Street trees to be retained
- 11. Arbour structure above basement entry (Rev Cloud)
- 12. Extended deep soil zone (Rev Cloud)



Landscape Plan - Ground Level





Location Plan

Legend

- 01. Communal break out space with pavers
- 02. Common room
- 03. Outdoor bbq / eating area
- 04. BBQ and bench
- 05. Concrete seating element
- 06. Timber decking
- 07. Buffer planting in feature planter
- 08. Steps with handrails / tactiles
- 09. Lower concrete seating element
- 10. Stepping stones
- 11. Lower level planting
- 12. Boundary planting / screening
- 13. Private terrace buffer planting
- 14. Elevated deck walkway
- 15. Dry river bed / fern garden below path
- 16. Overhead structure
- 17. Feature shade trees
- 18. Batten balustrade to break wall height
- 19. Concrete side path
- 20. Entry to breezeway to Architect design
- 21. Private terraces
- 22. Private terrace trees / buffer
- 23. External clothesline
- 24. 1.8m ht boundary fence
- 25. Light canopy trees overhanging private terraces
- 26. Intermediate planter



07. FEATURE PLANTER



16. OVERHEAD STRUCTURE



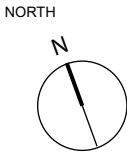
05. BUILT IN SEATING ELEMENTS



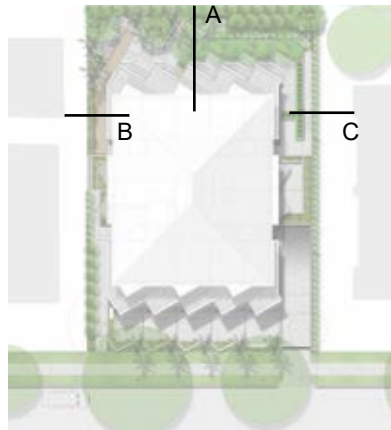
18. BATTEN BALUSTRADE



10. GARDEN PATHWAYS



LANDSCAPE SECTIONS



Section Reference Plan

AMENDED PLANS

Legend

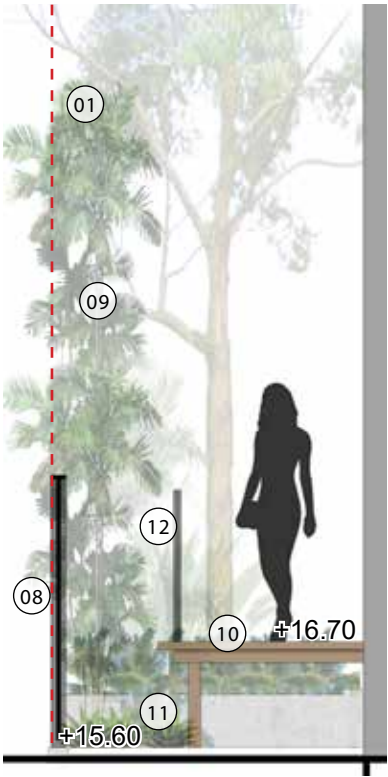
- 01. Boundary line
- 02. Screening planting
- 03. Seating element
- 04. Sandstone feature walls
- 05. Private terrace balustrade 1.0m ht
- 06. Communal space planting
- 07. Native trees
- 08. 1.8m ht timber fence
- 09. Bamboo planting
- 10. Timber deck / side access (1200mm wide)
- 11. Fern garden
- 12. Path balustrade 1.0m ht
- 13. Side access path (1000mm wide)
- 14. Intermediate planter (600mm ht)



Section A - Northern Boundary Interface



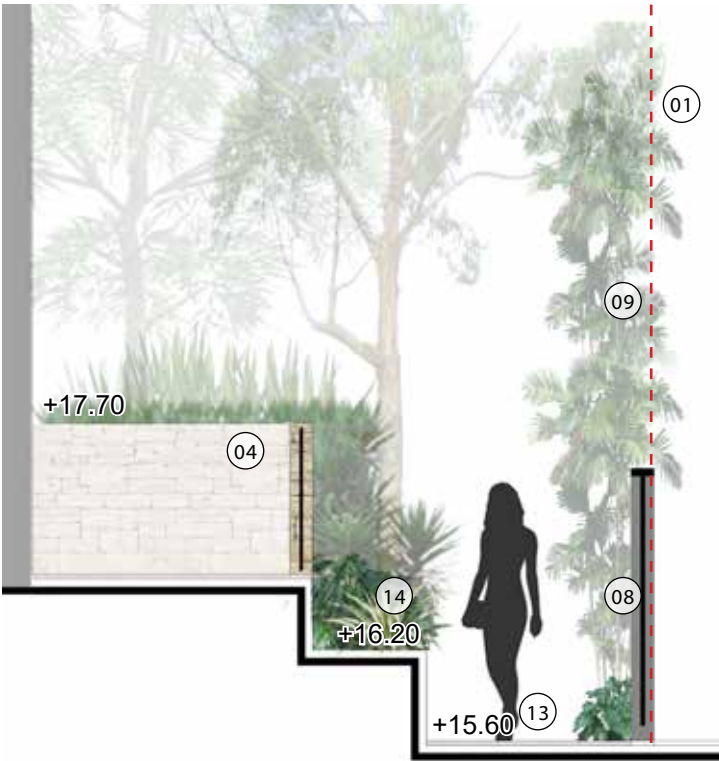
SCALE 1:100 @ A3



Section B - Western Boundary Interface



SCALE 1:100 @ A3



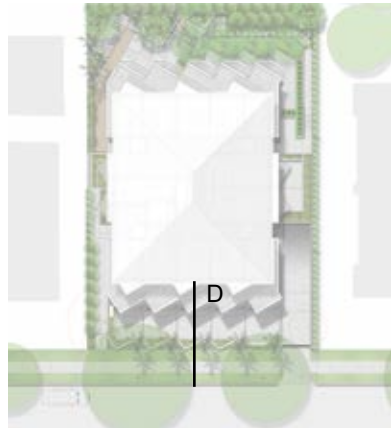
Section C - Eastern Boundary Interface



SCALE 1:100 @ A3

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LANDSCAPE SECTIONS



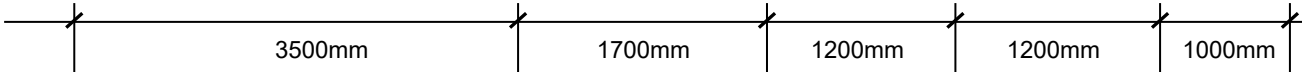
Section Reference Plan

AMENDED PLANS

Legend

- 01. Boundary line
- 02. Screening planting
- 03. Feature Palm Tree
- 04. Sinuous front wall by Architects
- 05. 1800mm privacy battens
- 06. Existing footpath made good
- 07. Existig turf verge
- 08. Private planting
- 09. 1800mm high privacy wall
- 10. Building facade
- 11. Existing street trees to be retained

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Section D - Lamrock Ave Interface



LANDSCAPE PLANTING PLAN - GROUND FLOOR

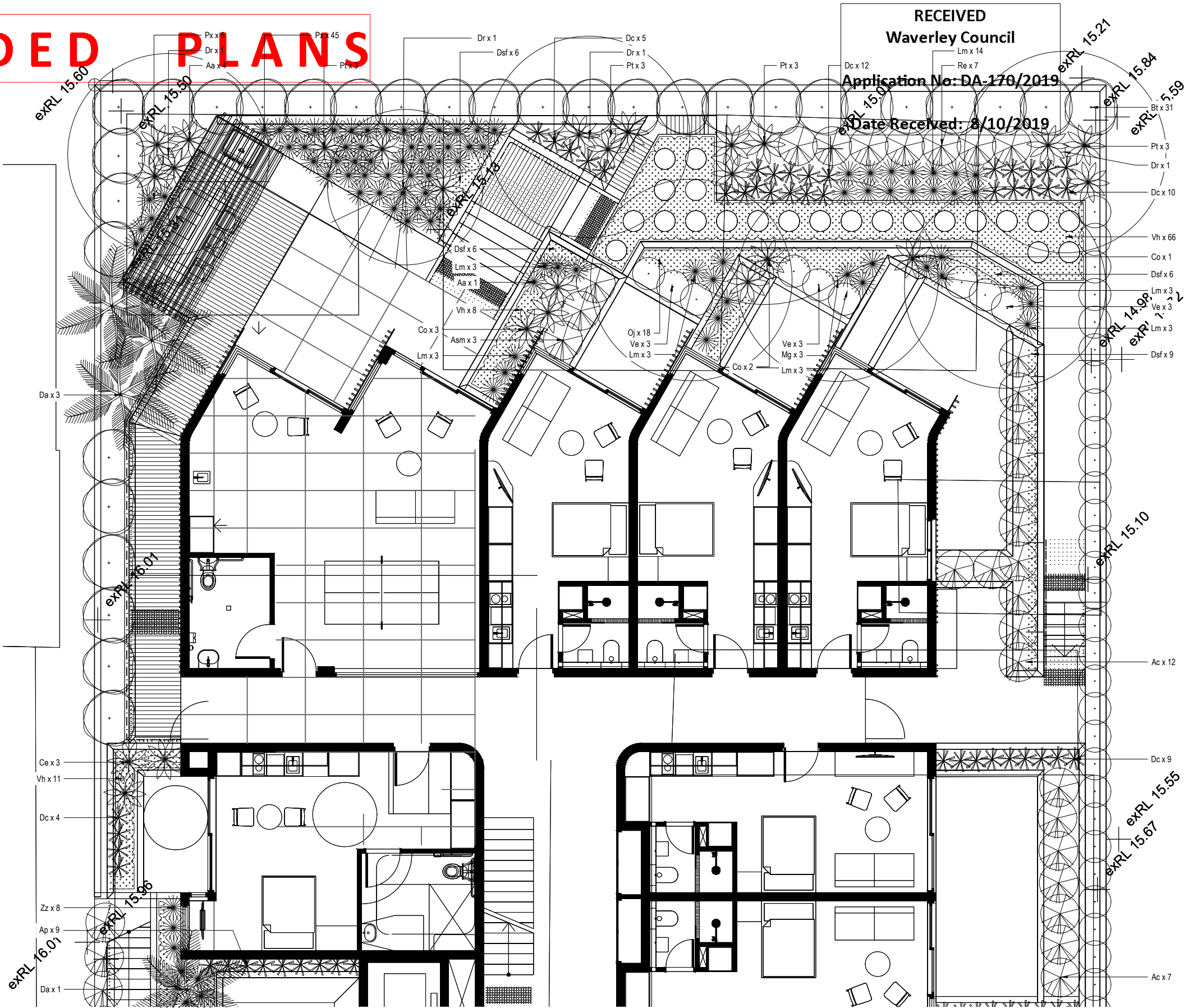
AMENDED PLANS



Location Plan

Legend

- EXISTING TREES TO BE RETAINED
- EXISTING TREES TO BE REMOVED
- PROPOSED TREE PLANTING
- PROPOSED SHRUB AND ACCENT PLANTING
- PROPOSED GROUNDCOVER PLANTING



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LANDSCAPE ARCHITECT



ADDRESS

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NSW 2000
AUSTRALIA

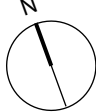
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craig@ctladesigngroup.com.au

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CLIENT
STM 123 No 9 Pty Ltd

ARCHITECT
MARK SHAPIRO ARCHITECTS

NORTH



PROJECT
RESIDENTIAL DEVELOPMENT

ADDRESS
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BONDI, NSW
SYDNEY, AUSTRALIA

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J.L.

SCALE
AS SHOWN

STAGE
DEVELOPMENT APPLICATION

CHECKED
C.T

DATE
APRIL 2019

PAGE NO.
06

PAGE TITLE
PLANTING PLAN 1 OF 2

ISSUE
B

LANDSCAPE PLANTING PLAN - GROUND FLOOR

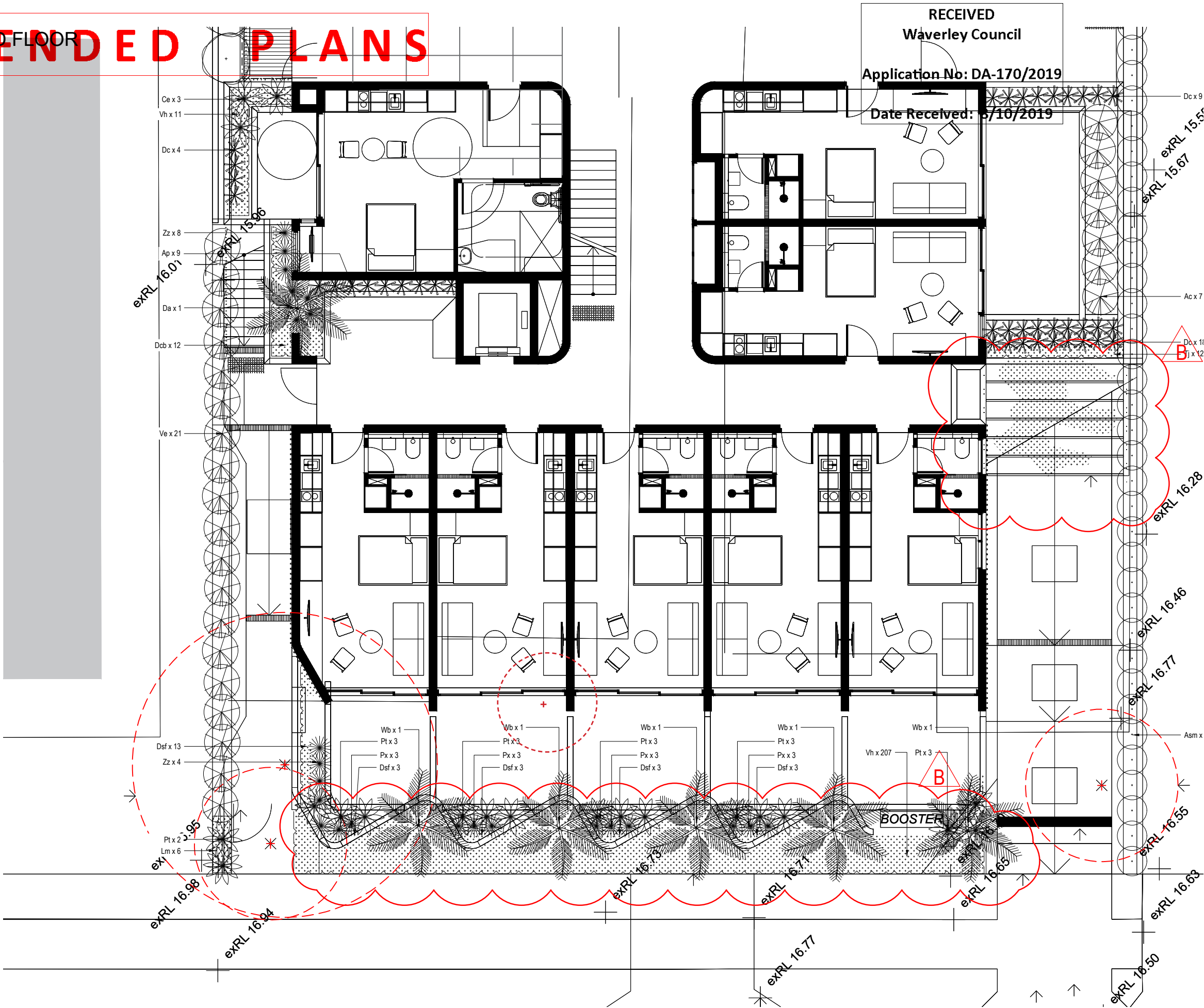
AMENDED PLANS



Location Plan

Legend

- EXISTING TREES TO BE RETAINED
- EXISTING TREES TO BE REMOVED
- PROPOSED TREE PLANTING
- PROPOSED SHRUB AND ACCENT PLANTING
- PROPOSED GROUNDCOVER PLANTING



LANDSCAPE ARCHITECT



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AUSTRALIA

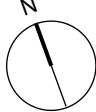
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PLANTING PLAN 2 OF 2

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Location Plan

- Legend
- EXISTING TREES TO BE RETAINED
 - EXISTING TREES TO BE REMOVED
 - PROPOSED TREE PLANTING
 - PROPOSED SHRUB AND ACCENT PLANTING
 - PROPOSED GROUNDCOVER PLANTING



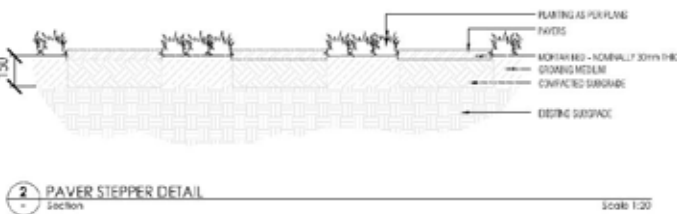
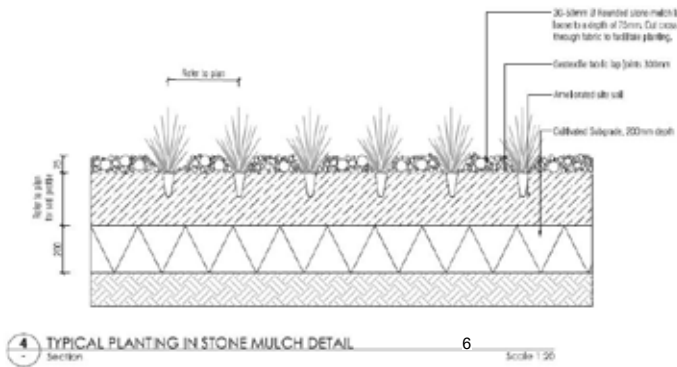
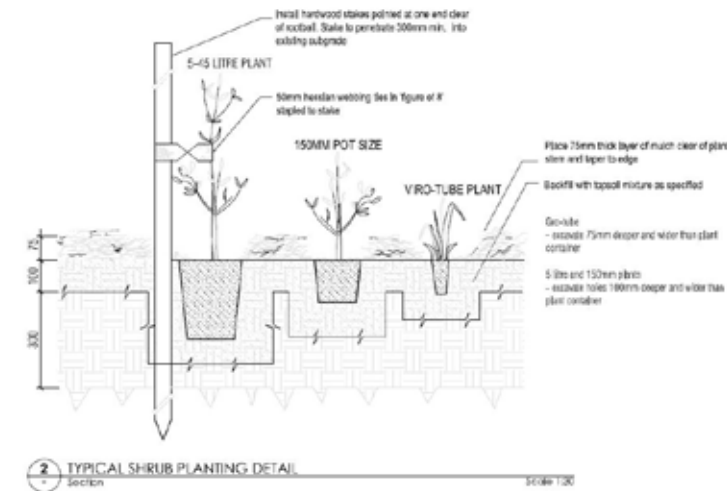
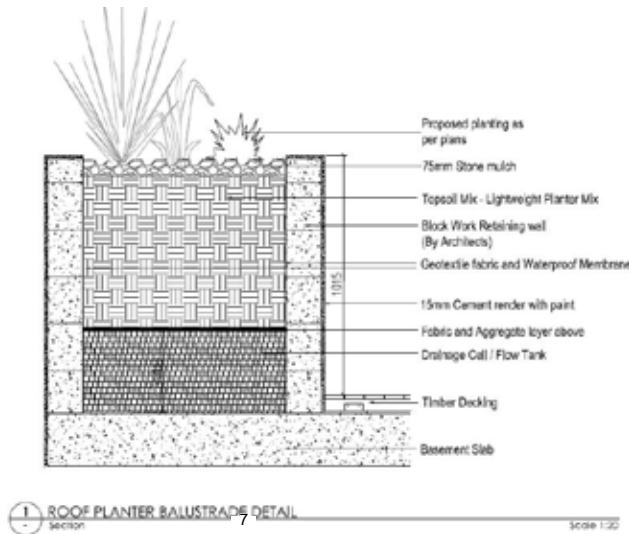
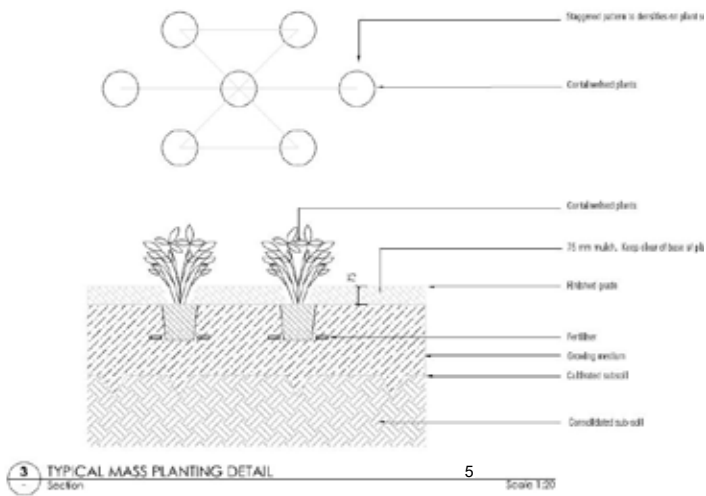
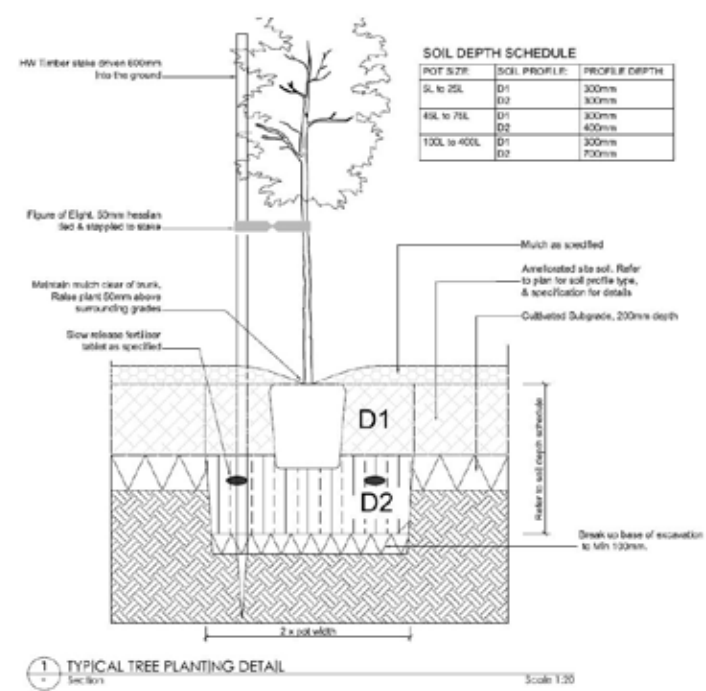
MASTER PLANT SCHEDULE

CODE	BOTANNICAL NAME	COMMON NAME	MATURE SIZE (h x w) (m)	PROPOSED POT SIZE	QUANTITY
TREES & PALMS					
Dr	Delonix regia	Flame Tree	10 x 8	200L	4
Mg	Magnolia grandiflora 'Little Gem'	Dwarf Magnolia	8 x 5	200L	3
Wb	Wodyetia bifurcata	Foxtail Palm	10 x 5	200L	5
SHRUBS & ACCENTS					
Ac	Alpinia caerulea	Native Ginger	2 x 2	200mm	19
Ap	Agapanthus praecox 'Dwarf White'	Dwarf White Agapanthus	0.5 x 0.5	200mm	19
Asm	Acmena smithii minor	Dwarf Lilly Pilly	3 x 2	200mm	54
Bt	Bambusa textilis gracilis	Slender Weavers Bamboo	6 x 2	300mm	31
Co	Cordyline 'Torbay Dazzler'	Cordyline	1.5 x 1.5	200mm	10
Dc	Dianella caerulea	Flax Lily	0.5 x 0.5	200mm	58
Dcb	Dianella caerulea 'Cassa Blue'	Cassa Blue Flax Lily	0.5 x 0.5	200mm	12
Lm	Liriope muscari	Lilyturf	0.5 x 0.5	200mm	59
Px	Philodendron 'Xanadu'	Xanadu	1 x 1	200mm	62
Pt	Phormium tenax	Flax	1.1.5	200mm	29
Re	Rhapis excelsa	Lady Palm	3 x 3	200mm	7
Ve	Viburnum 'Emerald Lustre'	Emerald Lustre	3 x 2	200mm	30
FERNS & CYCADS					
Aa	Asplenium nidus	Birds Nest Fern	1.5 x 1.5	200mm	5
Ce	Chamaedorea elegans	Parlor Palm	1 x 1.5	200mm	3
Da	Dicksonia antarctica	Scaly Tree Fern	9 x 4	300mm	4
Zz	Zamioculcas zamiifolia	Zanzibar Gem	1 x 1	200mm	12
GROUNDCOVERS & CLIMBERS					
Dsf	Dichondra repens 'Silver Falls'	Kidney Weed	0.2 x spreading	150mm	105
Oj	Ophiopogon japonicus	Mondo Grass	0.3 x 0.3	150 mm	18
Vh	Viola hederacea	Native Violet	0.2 x 0.5	150mm	292
Tj	Trachelospermum jasminoides	Star Jasmine	0.2 x 0.5	150mm	12



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Landscape specification notes

Services
Before landscape work is commenced the landscape contractor is to establish the Position of all service lines and ensure tree planting is carried out at least 3 metres Away from these services. Service lids, vents and hydrants shall be left exposed and not Covered by any landscape finishes (turfing, paving, garden beds etc.) Finish adjoining Surfaces flush with pit lids.

Aborist management of tree protection
A qualified and approved aborist is to be contracted to undertake or manage the installation of protective fencing, and to undertake such measures as he deems appropriate to preserve the subject trees to be retained. The arborist is to be retained for the entire contract period to undertake ongoing management and review of the Trees.

Drainage cell and filter fabric
For on-slab areas install an approved 'drainage cell' product to comprehensively cover the bottom of all planters. Over drainage cell to on-slab areas, a polyfelt geotextile lining (as supplied by 'polyfelt ts' or approved equivalent) is to be installed to cover the bottom of all planters, turned up 300mm and taped to the planter sides to ensure soil mix does not escape into drainage outlets/holes. Install min. 50Mm coarse river sand over all geotextile lining prior to installation of soil mix.

Planting mixture
Shall be homogenous blend of soil and additives in the following proportions:
Existing site soil if suitable or imported topsoil 50% Compost 30% D/w sand 20% soil testing of existing site soil is to be undertaken to assess suitability of use as planting topsoil and compliance with australian standards.(As4419 - soils for landscaping)

Mulch application
Place mulch to the required depth, (refer to drawings) clear of plant stems, and rake to an even surface finishing 25mm below adjoining levels. Ensure mulch is watered in and tamped down during installation.

Mulch type
Forest litter or pine bark: from mature trees, graded in size from 15mm to 30mm, free from wood slivers. Dark brown in colour and texture.
All mulch to be free of deleterious material such as rock, soil, weeds and sticks

Compost
Shall be well rotted vegetative material or animal manure, or other approved material, free from harmful chemicals, grass and weed growth and with neutral ph. Provide a Certificate of proof of ph upon request.

Plant material
All plants supplied are to conform with those species listed in the plant schedule on the drawings. Generally plants shall be vigorous, well established, hardened off, of good form consistent with species or variety, not soft or forced, free from disease or insect pests with large healthy root systems and no evidence of having been restricted or damaged. Trees shall have a leading shoot. Immediately reject dried out, damaged or Unhealthy plant material before planting. All stock is to be container grown for a Minimum of six (6) months prior to delivery to site

Turf
Shall be soft leaf buffalo. To consist of 25mm depth dense, well rooted, vigorous grass growth with minimum 15mm on an average of 100mm topsoil .
Shirleys no. 17 Or approved equal lawn food shall be thoroughly mixed into the topsoil prior to placing turf. Obtain turf from an approved grower. Furnish a warranty from the grower that the turf is free from weeds and other foreign matter. Deliver turf to the site within 24 hours of being cut, and lay it within 24 hours of being delivered.

Trees in grass and super advanced trees:
Pellets shall be in the form intended to uniformly release plant food elements for a period of approximately nine months equal to shirleys kokei pellets, analysis 6.3:1.8:2.9. Kokei pellets shall be placed at the time of planting to the base of the plant, 50mm minimum From the root ball at a rate of two pellets per 300mm of top growth to a maximum of 8 pellets per tree.
Tree trunks to be a minimum of 700mm from street kerb or guttering.
All tree planting holes are minimum 1.5M diameter and twice the depth of the rootball
Root directors
Install root directors to manufacturers specificatons to protect assets, structures and underground servives

Staking and tying
Stakes shall be straight hardwood, free from knots and twists, pointed at one end. Size shall be 2x38x38x1800mm and shall sit 600mm within ground. Secure the tree firmly with 2no. Hessianties fitted to the stem separately in opposite directions.
Of plants to be staked.
A. 5-15 Litre size plant 1x(1200x25x25mm)
B. 35-75 Litre size plant 2x(1500x38x38mm)
C. 100-Greater than 200litre 3x(1800x50x50mm)
Ties shall be 50mm wide hessian webbing or approved equivalent nailed or stapled to stake. Drive stakes a minimum one third of their length, avoiding damage to the root system, on The windward side of the plant.

Irrigation system
Supply an automatic watering system using 'toro irrigation system' or similar approved, with micro-jet sprinkler heads and low density, rubber modified polypropylene reticulation, to include filters, bends junctions, ends and other ancillary equipment. The Landscaper shall nominate his source of supply for the watering system and obtain approval from the superintendent before placing orders for equipment or supply.
A schematic plan of the proposed irrigation system is to be prepared by the contractor, showing solenoids, pipe diameters, and all nozzle and trickle attachment types (including spray/head angle), for review by the superintendent prior to installation
the contractor is to liaise with the hydraulic engineer and council as necessary, to ensure the irrigation system conforms with all the council and water board codes and requirements.
Provide an automatic controller that provides for two week scheduling and hourly multi-cycle operation. The controller shall manual override. Programming shall be undertaken by the contractor who shall advise on the operation of the system.
provision of secure housing for the automatic irrigation controller to be located in association with the landscape contractor and location confirmed by the superintendent. Wiring to connect remote solenoid locations is to be provided. The controller shall be located in a dry place, protected from the weather, and all cable connections shall be made with waterproof connectors.

Water supply points to be supplied by builder.
It shall be the contractor's responsibility to ensure and guarantee satisfactory operation of the irrigation system. After the system has been installed to the satisfaction of the superintendent, the Installation shall be tested under known working conditions. Acceptance of the installed plant and equipment shall be subject to these being satisfactory.

Timber or steel edging
N/a

Soft edges
All soft edges (mulch, turf, grassed) to be finished to appropriate falls and flush with Adjacent surface treatment.

Turf
Turf all landscape areas as shown on the landscape drawings. Turf is to have To prepare graded areas to receive turf, excavate the area and cultivate so as to allow For importing of 100mm of turf underlay soil. Remove all stones over 50mm ø and remove
All weeds and foreign matter. Spread soil mix a.B.S to a depth of 100mm and grade to appropriate levels to achieve general even grades to drainage outlets installed by others.
Lay the turf along the land contours with staggered, close butted joints, so that the finished turf surface is flush with adjacent finished surfaces of paving and the like. As soon as practicable after laying, roll the turf with a roller weighing not more than 90kg per metre of width for sandy or light soils.
Water as necessary to keep the soil moist to a depth of 100mm. Protect newly turfed areas against traffic until grass is established. Fertilise two weeks after laying fertilise .B.S
'Top dress' the turf when it is established to a depth of 10mm with coarse washed river Sand. Rub the dressing well into the joints and correct any unevenness in the turf Surfaces.

RECEIVED

Waverley Council

Application No: DA-170/2019

Date Received: 8/10/2019

BOARDING HOUSE MANAGEMENT PLAN

for

BOARDING HOUSE

at

15-17 LAMROCK AVENUE BONDI BEACH 2026



1.0 OBJECT OF THIS PLAN

The primary purpose of this plan is to ensure the proposed boarding house maintains a high level of amenity for neighbouring properties and for all lodgers residing the premises. To achieve this, the following matters have been considered:

- General site management
- Amenity of occupants¹
- Amenity of adjoining neighbours
- House rules
- Fire safety of the premises including Emergency Management and Evacuation
- Occupational Health and Safety
- Internal and external cleanliness and appearance, including communal areas and individual units
- Complaints register
- Parking register
- Signage
- Surveillance cameras

2.0 SITE MANAGEMENT

- The boarding house is to be managed by an on site manager appointed by the owner who will be responsible for ensuring that the site is regularly monitored.
- The manager will be responsible for ensuring the House Rules are being adhered to. If any lodger does not respect the House Rules this will be cause for termination of use.
- Business and after hours contact details will be provided to all lodgers and will be displayed on signage in an accessible location on the premises for public and resident information.
- The Manager will require a photo ID (typically either a passport or driver's licence). Where the person is an Australian resident and does not hold a drivers licence, then an alternative ID which may not hold a photo can be accepted.
- Each lodger of the premises is required to sign an Occupancy Agreement and House Rules Agreement upon occupation of the boarding house. The occupancy agreement is to be for a minimum of three months.
- Upon signing the Occupancy Agreement each lodger will be provided with a printed copy of the publication Guide to NSW Services for International Students¹ and Factsheet 14: Boarders and Lodgers². (¹ Available at: <http://www.crc.nsw.gov.au/home> ² Available at: <http://www.tenants.org.au/>)
- A duplicate copy of the relevant publications will be signed by the lodger as

acknowledgement that they have received the publication and is to be kept with the Occupancy Agreement held by the boarding house operator to verify that the material has been issued.

- The publications and factsheets will be updated every 12 months and, where not available, similar information will be provided.
- Upon arrival, lodgers will be issued with an information sheet. This document will provide general information about the premises including the manager's details, after hours contact details, emergency contact numbers for essential services such as fire, ambulance, police and utilities such as gas, electricity, plumbing, house rules as well as a note that there is residential development in the vicinity and that lodgers need to take the neighbours' interests into account when leaving and entering.
- All lodgers are to be provided with a pamphlet outlining the fire excavation procedures for the boarding house. The pamphlet is to contain details of the fire exits, fire hydrants and fire warning devices installed in the boarding house.
- All lodgers will be registered in an electronic accommodation register. This register will provide details of the length of stay and the maximum number of all lodgers in each room. The register will be made available immediately upon demand at the request of Council and/or the Police.
- The site management will be responsible for the logging of any complaints in a "Complaints and Incident Register" and the resolution of those complaints which is also to be documented. The Complaints and Incidence Register will be made available immediately upon demand at the request of Council and/or the Police.
- The premises will be checked monthly to ensure that fire safety and essential fire safety measures in the building are maintained and that all required exits and egress paths are clear and free of obstructions.

3.0 CONTRACT CLEANING AND MAINTENANCE STAFF

The Manager will be responsible for the ongoing cleaning of common areas of the premises on a regular basis.

The Manager will be responsible for the collection and sorting of rubbish and the placement of the Council bins in the garbage collection area for collection.

Common areas and facilities shall be appropriately constructed, maintained and controlled against vermin. An authorized pest control company shall regularly inspect these areas once every 12 months.

Building maintenance/repairs are to occur when required.



4.0 BOARDING ROOM OCCUPANCY

There are 45 double rooms, 1 single room and one manager's (double) room.

A maximum of 93 lodgers (inclusive of the manager and their partner/guest) can be accommodated.

5.0 VISITORS

Any lodger inviting guests to the premises must take full responsibility for them and their behaviour. Visitors must obey the rules of the boarding house.

6.0 USE OF OUTDOOR COMMUNAL AREA

The use of the outdoor communal area shall be restricted to between the hours of 7:00am and 6:00pm, 7 days per week.

A maximum of 18 residents are allowed at any time on the common terrace and common open space on at the rear of the ground level.

No amplified music is permitted at ANY time within the outdoor communal area, the lobby on the ground floor or the breakout spaces on Levels 1 and 2.

The breakout spaces on Levels 1 and 2 are to be used for passive and quiet activities only.

7.0 SAFETY AND SECURITY

Access to Premises

There is one entrances to the building; from Lamrock Avenue. Arrangements for initial access to the premises will be through the Manager.

Access to Entrance/Bike Storage Cage/Basement

Access to the entrance/bike storage/basement will be controlled via key provided to each lodger. Access will not be possible without the key.

Access to boarding rooms

Access to the individual boarding rooms will be via a key (deadbolt style).

Perimeter Lighting

Perimeter lighting shall be provided to ensure that there are no areas of concealment when entering or leaving the property.



8.0 ROOM FURNISHINGS

Combustible furnishings and fittings, such as lounges, desks and display boards are not permitted in public corridors and egress routes from sleeping rooms as they may restrict the safe means of egress from the building and reduce the level of fire safety in the building.

The premises will be checked regularly to ensure that fire safety and essential fire safety measures in the building are maintained and that all required exits and egress paths are clear and free of obstructions.

9.0 LAUNDRY FACILITIES

In addition to the multiple commercially available Laundromats in close proximity, the boarding house will have laundry facilities in each room. The washing machines must not be removed from any of the rooms. Additionally, there is a clothes drying area located on the eastern side of the building.

10.0 HOUSE RULES

House rules will be displayed at entrance of the property, behind each entry door of each room and in all indoor and outdoor common areas. Each lodger on initial entry to the property will sign House Rules as well as the Occupancy Agreement. No signature, no entry policy applies.

Lodgers are to respect other lodgers and neighbouring residents and to keep noise at a reasonable level.

Access Key

The access key to the boarding house shall not be given to anybody other than the occupant(s).

Alcohol

Consumption of alcohol in the indoor or outdoor communal areas is not permitted.

Smoking

Smoking will not be permitted indoors or within the communal open space areas, including the breakout rooms on each level and the rear courtyard area.

Drugs

The boarding house policy is that the use, sale or possession of illegal drugs or any suspicion of such acts being performed in or about the premises or any person found using

drugs shall be immediately reported to the Police.

Misconduct

Any lodger failing to observe the rules and any cases of serious misconduct will be dealt with by the Managing Agent who may require the lodger to vacate the premises.

Examples of serious misconduct include, but are not limited to: drug or alcohol abuse, sexual, racial or religious harassment, theft, or violence. Lodgers are instructed to call the police if the boarder is performing illegal acts on the property.

Visitor Policy

Any lodgers inviting visitors to the premises must accept full responsibility for them and their behaviour. In the event of any serious misconduct by the visitor of a lodger, the lodger may also be asked to vacate the premises and be asked to pay for damages, where required.

Outdoor Communal Area

The use of the outdoor communal area shall be restricted to between the hours of 7:00am and 6:00pm, 7 days per week.

Noise

Live music will not be permissible on the premises at ANY time.

No amplified music is permitted at ANY time within the outdoor communal areas.

Recorded and/or amplified music is permissible indoors during daylight hours between 8:00am and 8:00pm Monday to Thursday and between 8am and 10pm Friday to Sunday.

Disposal of Waste

Lodgers are to ensure all rubbish and recycling is to be deposited within the respective bins provided in the waste bin area.

Pets

No pets are allowed within the boarding house at ANY time.

Nuisance

The carrying out of activities likely to cause a nuisance to other lodgers, the management or neighbours will not be tolerated. This may include, but not limited to theft, use of illegal drugs, violence or noise generating activities outside permissible times.



Any lodger failing to observe the rules and/or involved in serious misconduct will be dealt with by the boarding house manager and may result in the termination of the occupancy agreement.

11.0 WASTE POLICY

Behind each room door there will be a sign encouraging lodgers to recycle. The bins in the waste bin area will be separated for:

- Paper, cardboard;
- General waste; and
- Aluminum cans, glass and plastic bottles.

12.0 FIRE SAFETY

Evacuation Plan

Building layout indicating, position of lodger rooms relative to the rest of the development, location of fire exits and firefighting equipment and emergency evacuation procedures shall be displayed in all rooms and common areas.

Maintenance

A qualified company will maintain emergency systems as part of a maintenance contract. All equipment will be tested and checked in accordance with the relevant Australian Standards. Any faults are documented and rectified immediately.

Certification

Annual certification of Fire Safety Equipment and preparation of the Form 15a is carried out by a fire consultant. Annual certification required of any of the equipment is overseen by the owners.

13.0 OCCUPATIONAL HEALTH AND SAFETY REQUIREMENTS

The Manager and staff must be aware of their responsibilities under such legislation as the OHS Act 2000, OHS Regulation 2001, and the Innkeepers Act.

The WorkCover website lists the OHS Act and Regulations and other helpful information – visit www.workcover.nsw.gov.au for boarding houses NSW.

The following safety guidelines will be observed in the premises and employees must abide by them:-

- All hazards (e.g. broken chairs, loose carpets, missing lights) should be removed, repaired or replaced in consultation with the Managing Agent;



- No item of plant or machinery may be operated unless the safeguards provided are correctly in place, secured and operating effectively and the staff member and/or contract services personnel have been trained;
- Dangerous chemicals are to be handled properly, labeled (MSDS), and locked in a secure storage area when not in use;
- Work areas are to be kept clean and tidy;
- Passageways and aisles are to be kept clear at all times;
- Materials or products are not to be stacked higher than what is considered to be safe;
- Rubbish bins must be used to dispose of all rubbish;
- Excessive alcohol consumption or drugs not prescribed by a doctor are forbidden on the premises; and
- All no smoking rules are to be observed.

14.0 STORAGE OF CHEMICALS

All chemicals and other substances stored for use in workplaces will meet the requirements of certain Acts and Regulations. Chemicals or substances that are labeled Hazardous Goods will have a Materials Safety Data Sheet on site.

All hazardous chemicals/substances are to be securely stored when not in use.

15.0 PUBLIC LIABILITY

The owners will maintain a public liability cover of \$10 million.

16.0 COMPLAINTS AND INCIDENT REGISTER

The Manager will be available between the hours 9:00am to 6:00pm, Monday to Saturday, to deal with any complaints or incidents that occur on the premises. Notwithstanding, **contact details for the purposes of registering complaints and incidents at any time outside the hours the manager must be available.**

The register will contain:-

- Complaint/Incident date and time
- Name of person/police/council making the complaint or notifying of the incident
- Contact details
- Nature of the complaint/incident
- Action taken (by whom and when)
- Outcome and/or further action required
- All complaints shall be dealt with by management with 24 hours of notification. The complaints register is to be made available to Council or Police upon request.
- Any lodger who has a noise or behavior violation issued against them from the manager will receive two warnings. The third noise or bad behavior breach will result in the lodger receiving an eviction notice.



17.0 PARKING ALLOCATION

- Car parking will be recorded in a register
- Motorbike parking will be recorded in a register
- Bicycle parking spots will be recorded in a register.

18.0 SIGNAGE

- Common areas will have signs that display emergency contact numbers
- The entrance of the boarding house will display the conditions of consent for the property that all tenants must comply with.
- The entrance of the boarding house will display contact details that are available 24/7 for complaints and incidents that may occur outside the hours the manager is available.

19.0 SURVEILLANCE CAMERAS

- CCTV will be installed on the premises and signage will be displayed adjacent to the main entry alerting persons entering the premises that CCTV is in operation.
- CCTV will cover:
 - All entry and exit points of the premises
 - All publicly accessible areas on the premises (except for toilets)
 - Footpath immediately adjacent to the premises
- CCTV will record:
 - Continuously
 - Record in digital format at a minimum of 6 frames per second.
 - All recorded images will specify the time and date of the image.
- CCTV recordings will be retained for 30 days.

20.0 PLAN OF MANAGEMENT AVAILABLE AT ALL TIMES

- A copy of the Plan of Management is to be displayed in a position immediately adjacent to the front entrance and available for public inspection at all times.
- The display must be accessible to the lodgers, neighbours and the any relevant authorities from publicly accessible areas of the site, i.e. outside of the security entrance.
- Prior to initial occupation of any rooms within the boarding house upon completion of construction, an information package must be hand delivered to the letterboxes of adjoining properties containing contact information as per Section 16 above and reference to the availability to inspect the publicly displayed Plan of Management referred to in the dot points above.

21.0 FLOOD GATE MANAGEMENT

- A detailed copy of any flood gate management requirements, including any relevant details on how to operate the gate, troubleshooting and manufacturing specifications and contact details of the supplier/installer must be kept by the building manager and available upon request.
- Signage immediately adjacent to the flood gate must be provided that includes a brief summary of the relevant items above and a reference that full details are available upon request from the building manager.