



15 March 2021

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

12.00 PM WEDNESDAY, 24 MARCH 2021

QUORUM: Three Panel members.

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

AGENDA

WLPP-2103.A

Apologies

WLPP-2103.DI

Declarations of Interest

The Chair will call for any declarations of interest.

WLPP-2103.1

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1 Belgrave Street, Bronte - Partial demolition, earthworks and substantial alterations and additions to heritage listed dwelling (DA-310/2020)

Report dated 11 March 2021 from the Development and Building Unit.

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

WLPP-2103.2

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Units 1 And 2, 19 Wonderland Avenue, Tamarama - Modification to lift and lift access from garage level, reinstate extension of the third floor balcony and new privacy screens. (DA-97/2020/A)

Report dated 11 March 2021 from the Development and Building Unit.

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

WLPP-2103.3

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10 Wonderland Avenue, Tamarama - Alterations and additions to dwelling including extension along the western elevation and new external deck, stairs and landscaping at the ground floor entrance (DA-410/2020)

Report dated 10 March 2021 from the Development and Building Unit.

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

WLPP-2103.4**PAGE 124**

48 Wallangra Road, Dover Heights - Alterations and additions to existing dwelling including internal reconfiguration and extension of basement level. (DA-446/2020)

Report dated 4 March 2021 from the Development and Building Unit.

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

WLPP-2103.5**PAGE 159**

64 Fletcher Street, Bondi - Alterations and additions to existing building to change use from a dual occupancy to create a single dwelling including internal reconfiguration, new window and door openings and construction of a swimming pool. (DA-356/2020)

Report dated 10 March 2021 from the Development and Building Unit.

Council 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-310/2020
Site address	1 Belgrave Street, Bronte
Proposal	Partial demolition, earthworks and substantial alterations and additions to heritage listed dwelling
Date of lodgement	22 September 2020
Owner	Mr J W Milligan and Ms J Callaghan
Applicant	Mr J W Milligan
Submissions	11 (original), four amended
Cost of works	\$1,334,735
Issues	Heritage item, earthworks, boundary walls, overshadowing
Recommendation	That the application be APPROVED

Site Map



1. PREAMBLE

1.1 Site and Surrounding Locality

A site visit was carried out on 28 October 2020.

The site is identified as Lot 81 in DP2960, known as 1 Belgrave Street, Bronte. The site is rectangular in shape with a north front boundary to Belgrave Street measuring 13.41m, east side boundary measuring 36.575m, a southern rear boundary to Belgrave Lane measuring 13.41m and western side boundary to Dickson Street measuring 36.575m. The site has an area of 490.3m² and falls from the north towards the south by approximately 6m.

The site is occupied by a part one, part two storey dwelling with vehicular access provided from Belgrave Lane to a detached garage. The subject site is heritage listed under Waverley Local Environmental Plan 2012 (WLEP).

The subject site is adjoined by semi-detached dwellings to the east, across Belgrave Lane to the south is a two storey dwelling, and detached dwellings are located to the north and west on the opposite sides of Dickson Street and Belgrave Street. The locality is characterised by a variety of residential developments including detached dwellings, semi-detached dwellings, townhouse developments and residential flat buildings.



Figure 1: Subject site viewed from Belgrave Street looking south



Figure 2: Subject site viewed from Dickson Street looking west



Figure 1: Subject site viewed from Dickson Street looking north-east towards the subject site

1.2 Relevant History

There are no recent development applications for the subject site.

The application, the subject of this assessment report, was deferred on 11 November 2020 to give the applicant an opportunity to submit amended plans and additional information to address issues raised in the preliminary assessment of the application. These matters related to the height non-compliance, extent of excavation, side setbacks, heritage matters, boundary wall heights and extent of proposed plant and equipment at basement level.

Amended plans were submitted on 1 February 2021 to address these matters, including a reduction in the height proposed to comply with the height development standard of WLEP. Further amended plans were submitted on 23 February 2021, which amended the height of the proposed chimney. These plans are the subject of this assessment report.

1.3 Proposal

The proposal involves partial demolition of the dwelling, earthworks and substantial alterations and additions to the existing heritage listed dwelling house. Details of the proposal include:

Demolition and Earthworks

Demolition of the rear detached garage, the existing rear two storey later addition and demolition of the red brick retaining wall and timber paling fence addressing Dickson Street and Belgrave Lane. The aluminium white fence addressing Belgrave Street and part of Dickson Street is also proposed to be demolished.

Excavation and partial fill of the southern portion of the site is proposed in order to accommodate the partial basement level garage and plant/ storage areas.

Existing elements to be retained

The front half of the federation style dwelling, being the original residence (constructed in 1904) that addresses the corner of Belgrave Street and Dickson Street is to be retained. This building contains three bedrooms, living room, bathroom, chimney and Dickson Street entry into the dwelling.

The sandstone block retaining wall extending along the Dickson Street property boundary will also be retained.

Conservation works to the original portion of the house

- Removal of later paint finish to chimney and reinstatement of tuck pointing;
- Reinstatement of missing chimney pots;
- Replacement of non-original roof tiles with terracotta tiles;
- Replacement of fibre cement awning sheeting with timber shingles;
- Reinstatement of missing timber fretwork to the front verandah;
- Repairs to timber window frames;
- Replacement of timber sashes with operable sashes; and
- New timber fence to frontage.

Construction of Basement level to accommodate Garage/ Plant

This level comprises the car turntable, two car spaces, plantrooms, storage areas and cellar, internal stairs and lift core. The proposal will rely on the existing vehicular crossing within Belgrave Lane to provide access to the garage which has the same finished floor level as the street level.

Lower Ground Level

This level comprises entry, laundry, open plan kitchen/living/dining area, rear terrace accessed from the living area, deck and swimming pool. Access to upper and lower floor levels is via stairs and lift.

Upper Ground Level

This level includes the master bedroom with ensuite, lift and internal stairs and connection to the existing portion of the original dwelling being retained.



Figure 4: Photomontage – Dickson Street elevation, looking east.

The new rear addition to the dwelling is to be constructed of face brick with pre-oxidised copper roofing. Projecting boxes to frame windows are also to be constructed of copper. Palisade fencing is proposed to the Dickson Street/ Belgrave Lane and east elevations which sits on top of sandstone clad boundary walls. The edge of the podium wall is to be landscaped.

2. ASSESSMENT

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

2.1 Planning Instruments and Development Control Plans

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

2.1.1 SEPP (Building Sustainability Index – BASIX) 2004

A BASIX Certificate has been submitted with the development application.

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

2.1.2 SEPP 55 Remediation of Land

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

2.1.3 WLEP

The relevant matters to be considered under the WLEP for the proposed development are outlined below:

Table 1: WLEP Compliance Table

Provision	Compliance	Comment
Part 1 Preliminary		
1.2 Aims of plan	Yes	The proposal is consistent with the aims of the plan
Part 2 Permitted or prohibited development		
Land Use Table R2 Low Density Residential zone	Yes	The proposal is defined as a <i>dwelling-house</i> , which is permitted with consent in the R2 zone.
Part 4 Principal development standards		
4.3 Height of buildings <ul style="list-style-type: none"> 8.5m 	Yes	8.4m
4.4 Floor space ratio and 4.4A Exceptions to floor space ratio <ul style="list-style-type: none"> 0.57:1 (279.47m²) 	Yes	0.53:1 or 259.3m ²
Part 5 Miscellaneous provisions		
5.10 Heritage conservation	Yes	The subject dwelling is listed as a general heritage item 251 under WLEP being identified as a 'Federation corner home'. A Heritage Impact Statement was submitted with the application. The application was also referred to Council's Heritage Architect who raised no objection (see further discussion below).
Part 6 Additional local provisions		
6.2 Earthworks	Yes	The subject site falls away steeply to the rear. The proposal includes excavation of up to approximately 5m depth and minor fill to accommodate the basement garage and the lower floor level of the dwelling. The application is accompanied by a geotechnical investigation report, with identified recommendations. See further discussion below.

2.1.4 Waverley Development Control Plan 2012 (Amendment 8) (WDCP) Effective 1 August 2020

The relevant matters to be considered under the WDCP for the proposed development are outlined below:

Table 2: WDCP – Part B General Provisions Compliance Table

Development Control	Compliance	Comment
1. Waste	Yes	<p>A Site Waste and Recycling Management plan has been submitted with the application to address waste disposal during construction. A condition of consent is recommended regarding ongoing waste on site.</p> <p>The waste and recycling storage area is located in an area convenient for users of the site.</p>
2. Ecologically sustainable Development	Yes	<p>The proposal incorporates passive design, contains rainwater tanks and gas is to be used to operate the fireplace.</p> <p>Given the low scale of this development, these mechanisms are considered to address the objectives of Part B2 of the DCP.</p>
3. Landscaping and Biodiversity	Yes	<p>The landscaping plan has been reviewed and is considered acceptable subject to amendments to species (see further discussion below).</p> <p>A green roof is proposed around the edge of the rear podium terrace area to soften the impact of this wall on the street frontages. A condition of consent is recommended to ensure that it meets the requirements of the WDCP.</p>
6. Stormwater	Yes	<p>The amended stormwater plans submitted with the application are satisfactory.</p>
8. Transport	Yes	<p>It is proposed to excavate the rear of the site to accommodate the proposed new lower ground level garage which is to be accessed from Belgrave Lane. The garage is to comprise two off-street car parking spaces and various plant and storage areas.</p> <p>The vehicular access to the site is limited to one cross over from Belgrave Lane. The width of this crossover is considered to be larger than the controls allow under WDCP. This is discussed in further detail below under the Referrals section of this report.</p>
9. Heritage	Yes	<p>The proposed development is a listed heritage item under WLEP and follows the guidance of this part of the WDCP. Council's Heritage Architect has reviewed the amended proposal and raised no objections (see further discussion below).</p>

Development Control	Compliance	Comment
10. Safety	Yes	The proposal does not contravene the objectives of this part of the WDCP.
11. Design Excellence	Yes	The removal of existing addition and the construction of the new addition is considered to be contextually appropriate, providing a suitable response to the existing built form on site whilst ensuring the ongoing retention, protection and maintenance of the listed dwelling (see further discussion below).
14. Excavation <ul style="list-style-type: none"> • Should not add visual bulk and scale to the building • Avoid and minimise where possible • For sites with significant slopes, a split level building design is to be used to minimise excavation • Excavation is not permitted within 900mm of side boundaries and shall only occur within the building footprint 	Acceptable on merit	See discussion below

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

The proposal is defined as a “*Dwelling House*” in the WLEP.

Development Control	Compliance	Comment
2.0 General Objectives		
<ul style="list-style-type: none"> • Appropriate scale 	Yes	The proposal is considered to be an acceptable response to the dwelling and the site context. The proposed new rear addition complements the form and scale of the existing federation dwelling on site. The proposal does not contravene the general objectives of this part of the WDCP (see general discussion below).
<ul style="list-style-type: none"> • Does not detract from amenity of other dwellings or view corridors 	Yes	
<ul style="list-style-type: none"> • ESD has been considered 	Yes	
<ul style="list-style-type: none"> • Alterations and additions are sympathetic in bulk and scale to the character of the area 	Yes	
<ul style="list-style-type: none"> • High design standard 		

Development Control	Compliance	Comment
<p>unless direct views are screened or other appropriate measures are incorporated into the design.</p> <ul style="list-style-type: none"> Maximum size of balconies: <i>10m² in area</i> <i>1.5m deep</i> Roof tops to be non-trafficable unless predominant in the immediate vicinity 	<p>N/A</p> <p>Yes</p>	<p>No upper level balconies are proposed, however, overlooking from the proposed rear open space/terrace area is addressed in more detail below.</p> <p>The original application proposed a roof terrace, however, this has since been removed from the application.</p>
2.6 Solar access		
<ul style="list-style-type: none"> Minimum of three hours of sunlight to living areas and principal open space areas on 21 June Minimum of three hours of sunlight maintained to living areas and principal open space areas of adjoining properties on 21 June 	<p>Yes</p> <p>No</p>	<p>See discussion below</p>
2.7 Views		
<ul style="list-style-type: none"> Views from the public domain are to be maintained Development to be designed and sited so as to enable a sharing of views with surrounding dwellings particularly from habitable rooms and decks. 	<p>Yes</p> <p>Yes</p>	<p>General comments were raised in original submissions regarding the impact of the proposed non-compliant development on general district views particularly given the bulk and massing of the development proposed. No issue was raised regarding impacts on coastal or ocean views from a specific property.</p> <p>A site inspection from surrounding streets and frontages of properties, particularly properties fronting Blandford Avenue to the west, identified that views obtained to the sea are directed over the rear yard and further to the south of the subject site. The proposed development does not result in unreasonable view loss impacts.</p>
2.8 Car parking		
2.8.2 Design Approach		The proposed garage is to be sited at the rear of the dwelling with access proposed from Belgrave

Development Control	Compliance	Comment
<ul style="list-style-type: none"> Parking only allowed where site conditions permit Designed to complement the building and streetscape Car parking structures to be behind the front building line Driveways are to be located to minimise the loss of on street parking Parking to be provided from secondary streets or lanes where possible. 	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>	<p>Lane. The width of the garage door is 6m. A turntable is proposed to enable vehicles to enter and exit in a forward direction.</p> <p>The proposed location of the car parking is consistent with the location of the existing crossover, which has a width of 6m. Given the condition of this crossover, however, reconstruction is required. A condition is recommended requiring the reduction of the width of this crossover to 5m.</p>
<p>2.8.2 Parking rates</p> <p><i>Maximum rates:</i></p> <ul style="list-style-type: none"> 2 spaces for 3 or more bedrooms 	Yes	Two off street car parking spaces are proposed.
<p>2.8.3 Location</p> <ul style="list-style-type: none"> Behind front building line for new dwellings Existing development to be in accordance with the hierarchy of preferred car parking locations 	<p>Yes</p> <p>Yes</p>	The proposed garage and driveway access is proposed from Belgrave Lane at the rear of the subject site
<p>2.8.4 Design</p> <ul style="list-style-type: none"> Complement the style, massing and detail of the dwelling Secondary in area & appearance to the design of the residences No part of the façade is to be demolished to accommodate car parking 	<p>Yes</p> <p>Yes</p> <p>Yes</p>	<p>It is proposed to locate the car parking within a new basement car park level accessed from Belgrave Lane located at the rear of the site. The proposed basement level is to accommodate two off-street car spaces, turntable, plant and equipment areas and storage. This area is to be excavated to accommodate the proposed basement floor level replacing the existing detached garage building located at the rear of the site.</p> <p>The applicant's original submission proposed extensive basement area. The amended submission proposes a reduction in this basement area however, its size is still considered to be excessive for the requirements of a single dwelling. Notwithstanding, any</p>

Development Control	Compliance	Comment
		reduction does not result in an improved outcome for the site or neighbouring properties given the location of this area predominantly at basement level.
2.8.5 Minimum Dimensions <ul style="list-style-type: none"> 5.4m x 2.4m per vehicle 	Yes	The proposed car parking satisfies this minimum control.
2.8.6 Driveways <ul style="list-style-type: none"> Maximum of one per property Maximum width of 3m at the gutter (excluding splay) Crossings not permitted where 2 on street spaces are lost 	Yes No, condition Yes	As noted above, the proposed width of the garage door and driveway is 6m. A turntable is proposed to enable vehicles to enter and exit the site in a forward direction. The proposed location of the car parking is consistent with the location of the existing crossover, however, it will be necessary to reconstruct the existing crossover. A condition is recommended requiring its reduction.
2.9 Landscaping and open space		
<ul style="list-style-type: none"> Overall open space: 40% of site area Overall landscaped area: 15% of site area Minimum area of 25m² for private open space Front open space: 50% of front building setback area Front landscaped area: 50% of front open space provided Outdoor clothes drying area to be provided 	Yes Yes Yes Yes Not shown	297m ² or 61% 211m ² or 42% 63m ²
2.10 Swimming pools and spa pools		
<ul style="list-style-type: none"> Located in the rear of property Pool decks on side boundaries must consider visual privacy 	Yes Yes	The swimming pool is considered to be appropriately located in the south western corner of the site at the corner of Dickson Street and Belgrave Lane, however, will be conditioned to be setback 1m off the western site boundary.
2.14 Dual Frontage Development		
2.14.1 - General Controls <ul style="list-style-type: none"> Primary and secondary frontage to be defined 	Yes	

Development Control	Compliance	Comment
<ul style="list-style-type: none"> Appropriate forms to be provided to each street Rear lane garage developments are to be provided with landscaping 	<p>Yes</p> <p>Yes</p>	
2.14.2 - Laneway Design Provisions <ul style="list-style-type: none"> Maximum external wall height of 3.6m Maximum overall height of 6m to the roof ridge Landscape character of the lane maintained External stairs not acceptable 	<p>No</p> <p>Yes</p> <p>Partial</p> <p>Yes</p>	<p>3.8m (See further discussion below)</p> <p>See discussion below</p> <p>Stairs to rear lawn and pool are proposed but do not result in unreasonable impacts.</p>
2.14.3 Development in Heritage Conservation areas <ul style="list-style-type: none"> Single width garages or double with central divide Finishes and proportions to match the traditional construction in the area Overlooking to be mitigated Yard areas not to be roofed 	<p>No</p> <p>Yes</p> <p>Yes</p> <p>No</p>	<p>Garage to rear lane to be conditioned to reduce width to 5m</p> <p>Rear pergola structure proposed and is recommended to be removed by condition (see further discussion below)</p>

The following is a detailed discussion of the issues identified in the compliance tables above in relation to the WLEP and WDCP.

Heritage

The development proposes the removal of the existing unsympathetic rear two storey addition, and the retention, refurbishment and addition to the existing heritage listed dwelling on the site identified as Item 251 under WLEP. The new rear two storey addition is to be constructed of face brick, copper window boxes and oxidised copper roofing. When viewed from Dickson Street, the proposed new rear two storey addition may be viewed as a separate element attached to the listed dwelling by the proposed new pavilion entry which is to be constructed of steel and glass. A Heritage Impact Statement prepared by NBR Architecture was submitted with the application.

The original proposal was assessed by Council's Heritage Architect and deemed to be unacceptable. Heritage assessment comments were provided to the applicant via Council's deferral letter. The amended plans have since addressed those issues, with the plans being referred to Council's Heritage Architect who provided the following comments:

- *The design remains a substantial and highly prominent development of a heritage listed site. The proposed works utilise a high standard of fabric in a design that provides a well-considered, contemporary response to the original Federation residence.*
- *The proposed works follow an established approach employing a linked pavilion form to maintain the core form and massing of the listed residence.*
- *The scale of the new works has been tempered in the amended application, now providing a more cohesive relationship of new to existing works.*
- *The cohesion of the new and existing fabric remains reliant on the quality of new works including external finishes.*
- *The proposed development has been reduced in scale this maintaining prominence of the listed residence.*

The proposal is considered to be an appropriate response having regard to the context of the heritage listed dwelling on site.

Earthworks, Proposed Basement and Lower Ground Floor Levels

The proposal involves the excavation of the rear part of the site up to approximately 5m in depth and minor fill is proposed in order to accommodate the basement garage and a level podium terrace/open space area at lower ground floor level. The excavation is to extend out towards the side and rear boundaries which is in contravention of the 900mm setback requirement for excavation under WDCP. The excavation is also proposed outside the building footprint. In Council's deferral letter dated 20 November 2020, the applicant was requested to amend the extent of excavation including a reduction in the basement floor level and boundary wall heights proposed. The amended plans have reduced the area of the basement floor level by removing some storage/plant/void areas, with the design outcome addressed below.



Figure 5: Photomontage showing proposed rear Belgrave Lane/Dickson Street elevation

As shown in **Figures 6-9** below, the adjoining property to the east at 3 Belgrave Street also has a steep sloping topography from Belgrave Street down to Belgrave Lane on which stands a two storey semi-detached dwelling. The main private open space area of this eastern neighbour is located at the rear, with its southern most end being limited in use due to its steep topography and dense landscaping (**Figure 8**). The existing detached garage at the rear of the subject site, and proposed to be demolished, acts as a boundary wall to the adjoining neighbour at 3 Belgrave Street. The existing side boundary fence delineates the common boundary between the two properties but does little in the way of providing privacy screening between these properties. The rear private open space of No.3 Belgrave Street is partially enclosed on both sides by the existing boundary garage walls of the adjoining properties to the east and west.



Figure 6: View from the side setback of No.3 Belgrave Street looking south west over the common boundary fence into the subject site.



Figure 7: View from the rear private open space area of No.3 Belgrave Street looking north-west towards the rear of the subject site



Figure 8: View showing the rear private open space at No.3 Belgrave Street. This area is enclosed on both sides by the boundary walls of both neighbouring garages



Figure 9: View up the western side setback of No.3 Belgrave Street showing the sloping nature of the site in context with the adjoining subject site

The property to the south, across Belgrave Lane, at No.2 Dickson Street has its north facing side wall running the length of Belgrave Lane for approximately half the rear frontage of the subject site. North facing windows are orientated over the lane and towards the subject property. The frontage of this

property to Dickson Street contains dense landscaping. This dwelling also comprises north facing solar panels to its roof.



Figure 10: 2 Dickson Street, located to the south of the site.



Figure 11: Streetscape context showing subject site and neighbour at 2 Dickson Street.

As noted, a podium terrace area will be created above the basement garage to accommodate a level area of private open space and swimming pool. The proposed podium terrace area will be sited at a similar level as the sill height of the first floor north facing windows of No.2 Dickson Street, to the south of the site.

The proposed new sandstone clad boundary walls are to have a maximum height of 3.8m when measured at the rear boundary, which will extend around to create a boundary wall to the adjoining neighbour to the east and also to the Dickson Street frontage to the west. The podium terrace area above has been amended to include a 900mm wide 'green edge' to the Belgrave Lane frontage and also to the boundary wall as it presents to the adjoining neighbour to the east. A 1.1m high palisade fence is proposed behind the green edge planting to Belgrave Lane and at its eastern side. It is noted that this green edge treatment is not proposed for the Dickson Street frontage. The proposed wall height to the rear Belgrave Lane frontage contravenes the wall height control applicable to dual frontage development under Part C2 2.14 of WDCP.

The steep sloping topography of the subject site down to Belgrave Lane dictates the need for excavation and fill in order to accommodate car parking on site and to provide a level area of private open space to the rear. This is consistent with other development with a dual frontage to Belgrave Lane, including examples at Nos. 5, 7, 21 and 23 Belgrave Street, which comprise garages built to the rear Belgrave Lane boundary for the width of their frontages (**Figures 12 and 13** below). While the rear wall height to Belgrave Lane contravenes the wall height control under WDCP by 200mm, this is proposed to enable the provision of sufficient internal ceiling heights and adequate depth for landscaping to the podium level. A Geotechnical Report has been submitted with the application. The report makes a number of recommendations in the carrying out of the demolition and excavation.



Figure 12: Rear garages at 5 and 7 Belgrave Street to the east of the subject site.



Figure 13: Rear garages to 21 and 23 Belgrave Street, to the east of the subject site.

While the basement garage is to extend out to the side and rear boundaries, it is considered that amending this proposal to comply with Council's 900mm setback control for excavation does not provide a better planning outcome than what has been proposed as part of this scheme. This would only result in the creation of a narrow and unusable strip of land along the eastern and western side boundaries.

The lower ground floor rear open space area is proposed at RL71.59, which is elevated above the proposed new main rear living area of the dwelling which is proposed at RL71.14 (for comparison purposes, the existing detached garage roof ridge is at RL71.99). Lilly Pilly's to a growth height of 3-4m are to be planted along the podium edge to Belgrave Lane and the adjoining neighbour to the east for a width of 900mm, then a 1.1m high palisade fence is proposed to ameliorate against overlooking to the adjoining properties. The proposed 'green edge' will soften the impact of this hard-edged boundary wall.

While the applicant is attempting to ameliorate against overlooking between properties, concerns are raised regarding the proposed height at maturity of the planting proposed and shadow impacts that may result. It is recommended that a more suitable species with a growth height at maturity of 2m only be used which will address overlooking but also will not impact on solar access to the neighbouring property opposite on Belgrave Lane and also to No.3 Belgrave Street.

It is also considered that the proposed large trees nominated to be planted in the rear yard including the *Plumeria acutifolia* (Frangipani), *Banksia integrifolia* (Coastal Banksia) and *Tristaniaopsis 'Luscious'* (Luscious Water Gum) be amended to species that have a maximum growth height of 2m to prevent any overshadowing of the neighbouring properties and enable solar access to the north facing solar panels located on the roof of No.2 Dickson Street. Any approval recommendation to be conditioned accordingly. It is also recommended that the proposed rear pergola structure over the rear terrace be deleted and replaced with a retractable awning to limit the structure beyond the rear building line of the neighbour to the east.

In order to articulate the massing of the boundary wall/ fence height as it presents to Dickson Street, it is recommended that this 'green edge' also be included at this elevation. This will require the proposed swimming pool and associated deck to be setback from its western side boundary to enable the provision of a 1m wide strip of green landscaping. This will also ameliorate visual privacy impacts into and from the site. Any approval recommendation to be conditioned accordingly.

The proposed two storey dwelling addition is to be sited 900mm from its eastern side boundary and its main wall is consistent with the existing rear building line, complying with the controls of WDCP for side and rear setbacks. The subject development is also compliant with the height and FSR development standards of WLEP. While it is acknowledged that the planning outcome of the proposed rear basement garage and podium open space area is not without impact, the constraints posed by this site by virtue of its topography coupled with modernising the heritage listed dwelling to create a new family home poses difficulties with the design options. The proposed development is considered to be a reasonable outcome without unreasonable impacts that can be supported subject to the imposition of appropriate conditions as identified throughout this report.

Building Line, Streetscape and Visual Impact

The proposed height of the rear two storey addition has been reduced to compliance with the height development standard of WLEP. The addition now sits below the roof level of the existing dwelling on site, proposing a more suitable scale for the site. As noted above and highlighted by Council's Heritage Architect, the design of the new addition remains *a substantial and highly prominent development of a heritage listed site. The proposed works utilise a high standard of fabric in a design that provides a well-considered, contemporary response to the original Federation residence.*

In considering the application of Council's front setback controls of WDCP contained at Part C2 2.2, the proposed new rear garage structure will be sited forward of other structures along this Dickson Street frontage, which acts as its secondary frontage. Development to the south of the site along Dickson Street has a front building setback of up to approximately 6m with a carport structure sited forward of this setback at 6 Dickson Street. The site sits prominently within its streetscape context with the existing heritage listed item sitting proudly at the Belgrave Street/ Dickson Street corner before the site drops away to modest two storey dwellings fronting Dickson Street. The new podium will sit forward of this building line at the Dickson Street frontage of the site. The treatment of the proposed new wall and fence to all frontages as noted above, however, is considered to be an appropriate response to enable the redevelopment of the site and the ongoing retention of the heritage listed item.

In regards to the height of the proposed chimney and following submission of amended plans to address Council's deferral matters, further discussions were held with the applicant raising concerns with the height of the chimney proposed and its dominance within this streetscape context. Accordingly, the applicant has since submitted a further amendment reducing the overall height of the chimney down from RL80.47 to RL79.37 which is considered to be an appropriate response.

Subject to the imposition of conditions requiring a green edge to the boundary wall to Dickson Street, the proposed development of the site is reasonable in the context of the streetscape and can be supported.

Solar Access and Overshadowing

Control (b) of Part C2 2.6 Solar Access of WDCP requires that development is *not to reduce the amount of direct sunlight to at least 50% of the principal open space of adjoining properties to less than 3 hours when measured between 9am and 3pm during the winter solstice*. Control (d) goes on to stipulate that *if the provision of direct sunlight is already below 3 hours, any reduction may be unacceptable*.

Shadow diagrams and view from the sun diagrams submitted with the application demonstrate that there will be overshadowing to adjoining properties as a result of the redevelopment of the subject site. The plans indicate an increase in shadow to the adjacent dwelling at 2 Dickson Street which is located to the south opposite the subject site on Belgrave Lane and the adjoining neighbour to the east at 3 Belgrave Street.

As shown in **Figures 7 and 8** above, the rear private open space area to 3 Belgrave Street is densely landscaped and steeply sloping which does not facilitate active and frequent use. The space is, however, used as an outdoor clothes drying area. This rear open space is impacted by the existing shadow from its own building on site and the existing neighbouring buildings. The site's orientation and steep topography contribute to the shadow impacts currently experienced, with the majority of the rear open space area of this site being in shadow for most of the day due to its southern orientation. There is a small amount of open space that is not currently experiencing shadow from 12pm onwards, which is located towards the rear boundary of No.3 Belgrave Street. In regards to solar access to the dwelling itself, the greater rear setback of the existing building on the subject site facilitates light access to west facing windows of the dwelling at No.3 Belgrave during the afternoon period.

During the morning period up until 12pm, the proposed development will not increase shadow to the adjoining neighbour at 3 Belgrave Street. From 12pm onwards, the proposed redevelopment of the subject site will result in the limited remaining solar access available to the rear open space being overshadowed.

The proposed two storey dwelling addition is to be sited 900mm from its eastern side boundary and its main rear wall is in line with the rear wall of the dwelling at 3 Belgrave Street, complying with the rear building line and side setback controls of WDCP. The subject development is also compliant with the height and FSR development standards of WLEP. Whilst it is acknowledged that the planning outcome will result in the loss of the remaining and limited solar access to the rear private open space area of No.3 Belgrave Street, this impact is as a result of a height and FSR compliant development. A refusal on this basis is not considered reasonable.

In regards to No.2 Dickson Street, the front open space area and northern elevation of this dwelling is sited adjacent to the subject site, running the length of the Belgrave Lane boundary. View from the sun diagrams and shadow diagrams submitted with the amended application demonstrate that

the proposal will result in compliance with the controls of WDCP in regards to solar access to this property. It is noted that shadow impacts were resulting from the proposed chimney height, however, this has since been reduced and is considered to now be acceptable. As discussed above, it is also recommended that the proposed species type to be planted in the rear open space area be amended to reduce the type of species proposed to a maximum growth height at maturity of 2m only.

2.2 Other Impacts of the Development

The proposed development is capable of complying with the BCA.

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

2.3 Suitability of the Site for the Development

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

2.4 Any Submissions

The application was notified for 21 days and a site notice erected on the site in accordance with *Waverley Council's Community Participation Plan*. The amended proposal was also notified for 14 days.

11 submissions were received during notification of the original proposal and four submissions were received during notification of the amended plans. The issues raised in the submissions are summarised and discussed below.

Table 4: Summary of property addresses that lodged a submission

Property
3 Belgrave Street, Bronte (original and amended)
5 Belgrave Street, Bronte
7 Belgrave Street, Bronte
22 Belgrave Street, Bronte
2 Dickson Street, Bronte (original and amended)
4 Dickson Street, Bronte (amended)
5 Dickson Street, Bronte
2 Blandford Avenue, Bronte (original and amended)
4 Blandford Avenue, Bronte
5 Blandford Avenue, Bronte
39 Palmerston Avenue, Bronte
54 Brown Street, Bronte

The following issues have been discussed and addressed throughout the report:

Issue: *Floor space ratio non-compliance*
Height non-compliance
Visual bulk and scale
Visual and acoustic privacy
Overshadowing

Excavation
Streetscape impacts
Out of character with the existing heritage listed building
Height of chimney
Spoil the view of the area

Issue: Construction impacts

Response: Standard conditions relating to construction matters have been included in the recommended conditions of consent, including the requirement for a dilapidation report.

Issue: Noise from and extent of plant and equipment

Response: The applicant was requested to provide details of the proposed plant and equipment. The applicant advises that this area is to comprise rainwater tanks for 'grey water, supplementary mechanical and potential battery storage and the house building management system (BMS). Whilst it is acknowledged that the extent of plant and equipment proposed for this single dwelling seems excessive, the use of this area for plant, storage and mechanical equipment is permitted. Should that use change in the future, a separate development application will be required to be submitted for assessment.

The application was referred to Council's Environmental Health officer and conditions are included in the recommendation to address noise impacts.

Issue: Stormwater Management

Response: The amended application has been reviewed by Council's Stormwater Engineer who raises no objection to the stormwater management methods proposed subject to conditions.

Issue: No consent given for demolition of common side boundary fence and erection of boundary walls

Response: Although the application shows the demolition of the common boundary fence between the two properties at 1 and 3 Belgrave Street, the applicant is still required to abide by the requirements of the NSW Dividing Fences Act 1991. Notwithstanding, all other works proposed as part of this development application, including new side boundary walls are required to be contained wholly within the boundaries of the subject site.

Issue: Shadow diagrams not accurate

Response: There is no evidence to suggest that the submitted computer generated shadow diagrams and view from the sun diagrams are inaccurate. Assessment of both view from the sun diagrams and shadow diagrams enabled a reasonable understanding of shadow impacts from the proposed development. Solar access impacts have been discussed above.

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 Traffic and Development (Infrastructure Services)

The application has been reviewed by Council's Traffic and Development Engineer. The following comments and recommendations were provided:

The garage door width should be a maximum of 5.0 metres to satisfy Council requirements for driveways as it is on the property boundary.

The internal dimensions of the garage are excessive. The proposed design can accommodate 4 to 5 cars. The internal dimensions needed to be restricted so that this does not occur. The diagram below shows the envelope that the garage should be designed to. An extension of the envelope is reasonable provided it does not result in the opportunity for tandem parking.

The turntable is not required.

Modified plans are required demonstrating compliance with the 5.0 metre maximum driveway width requirement at the property boundary and restriction of the parking area within the garage so that it can only accommodate 2 cars.

It is recommended that a condition is imposed on the DA that the finished level at the property boundary is to be a minimum of 110mm above the gutter invert at all points of the door opening. Regardless, this should be demonstrated on the modified plans prior to consent being given.

The proposed garage is shown to be able to accommodate two off-street car parking spaces and a turntable for forward entry and exit. Whilst it is acknowledged that the proposed basement garage is large, it is not dissimilar to other single dwelling developments recently approved in the Bronte area. It is considered that the width of driveway and garage as it addresses Belgrave Lane can be addressed by conditions of consent.

3.2 Stormwater (Infrastructure Services)

The amended application has been reviewed by Council's Stormwater Engineer who raised no objection subject to conditions.

3.3 Tree Management

The application was reviewed by Council's Tree Management Officer who raised no objection.

3.4 Environmental Health Officer

The application was reviewed by Council's Environmental Health Officer and the following comments were provided:

This section has concerns regarding the amount of proposed mechanical plant and the possible detrimental noise impacts on the surrounding properties and ensuring full compliance with the Protection of the Operations Act, 1997 & the associated regulations is addressed.

Recommended conditions are included at Appendix A.

3.5 Heritage

The application was referred to Council's Heritage Architect. This has been addressed above under Section 2.1.4 of this report.

4. SUMMARY

The application seeks consent for alterations and additions to the existing heritage listed dwelling house. The proposal is defined as a *dwelling house* which is permissible with consent in the R2 low density residential zone. The proposal provides for an appropriate and sympathetic addition to the dwelling that is compatible with the streetscape.

The application complies with the height of buildings and FSR development standards of WLEP.

The application was reviewed by Councils Stormwater Engineer, Traffic Engineer, Tree Officers, Heritage Adviser and Health officer and recommended conditions are included in this report.

The notification of the application attracted 11 submissions during the original notification and four submissions to the amended plans. The issues raised are discussed in this report and are not considered to warrant refusal of the application.

Accordingly, the application has been assessed against the WLEP, WDCP and the provisions of Section 4.15 of the *Environmental Planning and Assessment Act 1979* and the application is recommended for approval.

DBU Decision

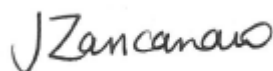
The application was reviewed by the DBU at the meeting on 16 February 2021 and the DBU determined that the application is acceptable and should be approved, subject to the conditions in Appendix A.

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

5. RECOMMENDATION TO WAVERLEY LOCAL PLANNING PANEL

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

Report prepared by:



Jo Zancanaro
Senior Development Assessment Planner

Date: 5 March 2021

Reason for referral:

1 Contentious development (10 or more objections)

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



Bridget McNamara
Manager, Development Assessment
(North/South)

Date: 11 March 2021

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 SJB Architects, Project No: 5699, including the following:

Plan Number and Revision	Plan description	Plan Date	Date received by Council
DA-0001 Rev.8	Cover	23/02/2021	23/02/2021
DA-0002 Rev.8	External Materials and Finishes	23/02/2021	23/02/2021
DA-0101 Rev.7	Existing Floor Plans	23/02/2021	23/02/2021
DA-0102 Rev.7	Demolition Plans	23/02/2021	23/02/2021
DA-0103 Rev.7	Site Analysis Plan	23/02/2021	23/02/2021
DA-0104 Rev.8	Proposed Site Plan	23/02/2021	23/02/2021
DA-0201 Rev.8	Proposed Basement and Lower Ground Floor Plans	23/02/2021	23/02/2021
DA-0202 Rev.8	Ground and Upper Ground Floor and Roof Plans	23/02/2021	23/02/2021
DA-0501 Rev.8	Elevations – North and South	23/02/2021	23/02/2021
DA-0502 Rev.8	Elevations – East and West	23/02/2021	23/02/2021
DA-0503 Rev.8	Detailed North, East and West Elevations heritage Restoration and Remediation	23/02/2021	23/02/2021
DA-0601 Rev.8	Long Sections A and B	23/02/2021	23/02/2021
DA-0602 Rev.8	Cross Sections C, D, E	23/02/2021	23/02/2021

- (b) Landscape Plan No. LP01-D3818 and LP02-D3818 Issue 01 dated 09/02/2021 prepared by Dangar Barin Smith and received by Council on 12/02/2021;

- (c) BASIX Certificate;

- (d) Stormwater Details and documentation prepared by Martens & Associates Pty Ltd, Project No. P1907425, Drawing No. PS01-A000 (Revision C, dated 22/01/2021), PS01-B300 (Revision D, dated 22/01/2021), PS01-310 (Revision B, dated 26/05/2020), PS01-E100 (Revision C, dated 22/01/2021), PS01-E200 (Revision C, dated 22/1/2021) and PS01-E600 (Revision C, dated 22/01/2021), and received by Council on 01/02/2021;

- (e) Schedule of external finishes and colours received by Council on 23/02/2021;

- (f) The Site Waste and Recycling Management Plan (SWRMP) Part 1 received by Council on 22/09/2020

Except where amended by the following conditions of consent.

2. GENERAL MODIFICATIONS

The application is approved subject to the following plan amendments:

- (a) To soften the impact of the proposed boundary wall at the Dickson Street elevation, the proposed sandstone clad western boundary wall to Dickson Street is to be provided with a 1 metre wide green landscaped strip to the top of the wall (similar in design to that proposed for the Belgrave Lane and the eastern side boundary walls). This 1 metre wide landscape strip at the Dickson Street frontage is to extend from the southern end of the proposed side garden down to the Belgrave Lane frontage of the site (Note: the proposed sandstone clad wall height is not to be increased to accommodate this landscaping). The proposed palisade fence is to be setback 1 metre from the Dickson Street boundary wall edge to accommodate this 1 metre wide landscape green roof/ edge.

To achieve compliance with this condition, the proposed swimming pool and associated deck is to also be setback from the western side boundary by at least 1 metre.

- (b) To facilitate solar access and reduce the extent of overshadowing to neighbouring properties, the submitted Landscape Plan drawing No.LP01-D3818 and LP02-D3818 drawn by Dangar Barin Smith dated 9 February 2021 and received by Council on 12 February 2021 is to be amended as follows:
 - (i) The proposed *Syzygium 'Resilience'* (Lilly Pilly) and *Cordyline australis* (Cabbage Tree) to be sited along the south and eastern edges of the site are to be amended to a suitable and comparative species with a maximum growth height at maturity of 2 metres only;
 - (ii) The proposed *Plumeria acutifolia* (Frangipani), *Banksia integrifolia* (Coastal Banksia) and *Tristaniaopsis 'Luscious'* (Luscious Water Gum) located in the rear yard of the site are to be amended to a suitable species that have a maximum growth height at maturity of 2 metres only; and
 - (iii) The landscape plan is to be amended to ensure that all species to be located within the rear yard of the site have a maximum growth height at maturity of 2 metres only;
- (c) The proposed overall width of the garage door to Belgrave Lane is to be reduced to 5 metres. The proposed driveway at the property boundary is also to be reduced to 5 metres.
- (d) To ensure that there is no encroachment of structures beyond the predominant rear building line at Lower Ground Floor level, the proposed pergola structure over the rear terrace area is to be deleted from the plans. A retractable awning may be erected in its place for weather protection.

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

3. AMENDED LANDSCAPE PLAN

An amended Landscape Plan shall be provided detailing the amendments required by the General Modifications in Condition 2 above prior to the issue of the Construction Certificate. The landscape plan is to be submitted and approved by Council with a plant species list, showing the botanical and common names of plants, pot size of plants and number of plants. A minimum of 50% of the proposed plantings (not including turfed areas) are to be indigenous or local native plants as identified in Waverley Development Control Plan 2012. The proposed green roof/ edge is to be landscaped in accordance with Part B3 3.1.3 *Green Roofs and Walls* of Waverley Development Control Plan 2012. In addition, the Landscape Plan shall show the fitting of an automatic irrigation system to the whole of the green roof/ edge.

- **HERITAGE MATTERS**

4. HERITAGE DEED OF AGREEMENT

The owner(s) of the premises shall enter into and execute a Deed of Agreement with Council to ensure that the 'approved heritage works' to listed heritage Item I251 known as '*Federation corner house*' under Waverley Local Environmental Plan 2012 are completed before or concurrently with any other approved work on the site. The Deed of Agreement shall ensure that:

- (a) A Occupancy Certificate is not released prior to the completion of the '*approved heritage works*';
- (b) Future owner(s) of the site will be bound by the terms of the Deed of Agreement; and
- (c) The owner(s) of the land must prepare and execute the Deed of Agreement prior to the issue of a Construction Certificate for any part of the development.

The Deed of Agreement is to be approved by Council prior to the issue of the relevant Construction Certificate. The cost of the preparation and registration of all legal and associated expenses is to be paid by the owner(s) or applicant.

5. ARCHIVAL RECORDING OF EXISTING HERITAGE BUILDINGS

An archival record (at a minimum the front and rear elevations, details of notable elements of each building e.g. the awning and foyers) shall be prepared of the existing building for deposit in Waverley Council's Archive. This record must be carried out prior to the removal of any significant building fabric or furnishings from the site and must be submitted to Council prior to the commencement of any demolition work. The record is to comply with the NSW Heritage Office Guidelines for digital archival recording.

- **NOISE MATTERS**

6. 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 but not limited to any mechanical plant, lift, pumps, 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) prior to the issue of the Construction Certificate.

All recommendations contained within the Acoustic Report are to be included in the Construction Certificate drawings/ documentation to the satisfaction of the Principal Certifying Authority.

B. PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

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

- **GENERAL REQUIREMENTS**

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

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

- (a) a Construction Certificate has been obtained from Council or an Accredited Certifier in accordance with 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.

8. HOME BUILDING ACT

The builder or person who does the residential building work shall comply with the applicable requirements of Part 6 of the *Home and Building Act, 1989*. In this regard a person must not contract to do any residential building work unless a contract of insurance that complies with this Act is in force in relation to the proposed work. It is the responsibility of the builder or person who is to do the work to satisfy the Principal Certifying Authority that they have complied with the applicant requirements of Part 6, before any work commences.

- **CONTRIBUTIONS, FEES & BONDS**

9. SECTION 7.12 CONTRIBUTION

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

- (a) A cost report indicating the itemised cost of the development shall be completed and submitted to Council:
 - (i) Where the total development cost is less than \$500,000:
"Waverley Council Cost Summary Report"; or,

- (ii) Where the total development cost is \$500,000 or more:
 "Waverley Council Registered Quantity Surveyor's Detailed Cost Report".

A copy of the required format for the cost reports are in the Waverley Council Contributions Plan 2006, available on Council's website.

- (b) As legislated in section 25K of the Environmental Planning and Assessment Regulation 2000, the levy must be paid in accordance with the following;
- (i) A development valued at \$100,000 or less will be exempt from the levy.
 - (ii) A development valued at \$100,001 - \$200,000 will attract a levy of 0.5% OR
 - (iii) A development valued at \$200,001 or more will attract a levy of 1% based on the full cost of the development.

Prior to the issue of any Construction Certificate, evidence must be provided that the levy has been paid to Council in accordance with this condition or that the cost of works is less than \$100,000.

10. SECURITY DEPOSIT

A deposit (cash or cheque) or guarantee for the amount of **\$26,694.70** 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.

11. LONG SERVICE LEVY

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

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

- **CONSTRUCTION MATTERS**

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.

15. ENGINEERING CERTIFICATE OF ADEQUACY

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

16. STRUCTURAL INTEGRITY OF RETAINED BUILDING ELEMENTS

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

• STORMWATER & FLOODING

17. STORMWATER MANAGEMENT

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

The submitted stormwater management plans prepared by Martens & Associates Pty Ltd, Project No. P1907425, Drawing No. PS01-A000 (Revision C, dated 22/01/2021), PS01-B300 (Revision D, dated 22/01/2021), PS01-310 (Revision B, dated 26/05/2020), PS01-E100 (Revision C, dated 22/01/2021), PS01-E200 (Revision C, dated 22/1/2021) and PS01-E600 (Revision C, dated 22/01/2021), are conditionally considered satisfactory.

The applicant must submit updated stormwater management plans and specifications to comply with the current Waverley Council Water Management Technical Manual and Development Control Plan (DCP) at the time of engineering plan approval. The submitted plans shall be designed in accordance with the approved stormwater drainage design drawing, except where modified by the following:

- a) A Permissible Site Discharge of 16 L/s shall be utilised. OSD related calculations, checklists and details shall be revised accordingly.
- b) The pipeline across the verge of Belgrave Lane must be revised to Council's satisfaction.
- c) Details of any rainwater tank required by BASIX commitments or as nominated on the architectural plan, including the overflow connection to the approved stormwater drainage system.
- d) An inspection opening or stormwater pit must be installed inside the property, adjacent to the boundary, for all stormwater outlets.
- e) Detail the location and levels of the existing stormwater drainage system including all pipes, inspection openings, surface drains, pits and their discharge location as well as any new stormwater drainage system.
- f) Specify any components of the existing system to be retained and certified during construction to be in good condition and of adequate capacity to convey additional runoff and be replaced or upgrade if required.
- g) Show all roof water and surface water connected to an operable drainage system.
- h) Seepage water from basement car parks and sub surface flows from structures that intersect high ground water flows must not be discharged directly or indirectly to Council's street gutter.
- i) Any affected Council's infrastructure as the result of construction activities within the public domain area, inclusive of stormwater, stormwater outlet/s, kerb and gutter, pavement, grass verges and vehicle crossovers within the extent works shall be replaced as per Waverley Council Public Domain Technical Manual.

Notes:

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

18. ENGINEERING PLANS ASSESSMENT AND WORKS INSPECTION FEES

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

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

- **ENERGY EFFICIENCY & SUSTAINABILITY**

19. BASIX

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

- **WASTE**

20. SITE WASTE AND RECYCLING MANAGEMENT PLAN

A *Site Waste and Recycling Management Plan (SWRMP) - Part 2* is to be submitted to the Principal Certifying Authority prior to the issue of the relevant Construction Certificate, which outlines materials to be reused and/or recycled as a result of demolition and construction works. At least one copy of the *SWRMP Part 2* is to be available on site at all times during construction. Copies of demolition and construction waste dockets that verify the facility that received the material for recycling or disposal and the quantity of waste received, must be retained on site at all times during construction.

- **LANDSCAPING & TREES**

21. GREEN ROOF LANDSCAPING DETAILS

The construction certificate landscape plans are to comply with the controls for green roofs in Part B3.1 of the *Waverley Development Control Plan 2012* including;

- (a) Comprise plants that are suitable for the site in relation to the environmental conditions (sun, wind and views) and include indigenous or local native plants to Waverley (see Annexure B2 – 1).
- (b) Have a minimum soil depth of 300mm and use lightweight soil mixes that are porous, able to drain freely, and suitable for the selected plant species
- (c) The green roof is to be designed to be a non-trafficable area (with no balustrades) and must be irrigated without requiring frequent maintenance access. Any access to the roof is to be for servicing purposes only.

A qualified landscape architect must review the design and verify that it complies with the above requirements.

- **TRAFFIC**

22. 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

C. COMPLIANCE PRIOR TO WORK COMMENCING AND DURING CONSTRUCTION

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

- **PRIOR TO ANY WORKS**

23. 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.

24. 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.

- **DEMOLITION & EXCAVATION**

25. 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.

26. 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.

27. 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.

28. EXCAVATION AND BACKFILLING

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

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

29. CONSTRUCTION HOURS

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

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

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

30. 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.

31. CONSTRUCTION INSPECTIONS

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

32. 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.

33. 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

34. CONSTRUCTION OF SWIMMING POOLS AND OUTDOOR SPAS

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

- (a) Reinforcement of the swimming pool/outdoor spa is to be inspected by an Accredited Officer or other suitably qualified person prior to the pouring of concrete
- (b) The electrical wiring system for any proposed underwater artificial lighting installation to the pool/spa is to be installed in accordance with the requirements of Australian Standard 3000, Part 1 - Wiring Rules
- (c) The swimming pool/outdoor spa water is to be treated by an approved water treatment and filtration unit
- (d) To prevent noise nuisance to surrounding properties, the swimming pool/outdoor spa filtration motor and pump unit is to be housed within a ventilated soundproof enclosure
- (e) Waste waters from the swimming pool/outdoor spa are to be discharged into Sydney Water's sewerage system and in this regard, approved plans MUST be submitted to Sydney Water at least 14 days prior to commencement of building operations.

- **TREE PROTECTION AND REMOVAL**

35. 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.

36. 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.

37. TREATMENT OF BOUNDARY WALLS

The wall/s approved on the east, south and west boundaries with the neighbouring property/ rear lane/ Dickson Street are to be finished to the same standard as the remaining building and not left unfinished to ensure a consistent visual appearance.

- **VEHICLE ACCESS & PUBLIC DOMAIN WORKS**

38. NEW VEHICLE CROSSING

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

The finished level at the property boundary is to be a minimum of 110mm above the gutter invert at all points of the door opening.

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 Creating Waverley confirming the finished levels of the internal driveway between the property boundary and the garage floor comply with the approved driveway long sections.

D. PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE

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

39. 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.

40. CERTIFICATION OF BASIX COMMITMENTS

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

41. CERTIFICATION OF 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) and conditions of consent have been incorporated into the development and can be satisfied.

42. CERTIFICATION OF STORMWATER SYSTEM

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

43. ON-SITE STORMWATER DETENTION CERTIFICATION

The submission of certification by a suitably qualified and practising 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 Occupation Certificate.

44. WORKS-AS-EXECUTED DRAWINGS – STORMWATER DRAINAGE

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

45. CREATION OF POSTIVE COVENANT AND RESTRICTION FOR OSD

A “Restriction on the Use of Land” and “Positive Covenant” shall be created for the On-Site Stormwater Detention (OSD) system, under Section 88E of the Conveyancing Act 1919. This is to place a restriction on the title that the OSD system is maintained and kept free of debris/weed to allow unobstructed

passage of stormwater through the site and underneath the residence. The property owner/occupant shall not modify or remove the OSD system without consent from Council.

The wording of the Instrument shall be submitted to and approved by 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 associated costs shall be borne by the applicant.

46. CERTIFICATION OF SWIMMING POOL/OUTDOOR SPA

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

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

Note: Swimming/spa pool pumps are restricted from use between 8pm to 7am weekdays and Saturdays, 8pm to 8am on Sundays and public holidays in accordance with the requirements of the Protection of the Environment Operations (Noise Control) Regulation 2017.

47. NOISE COMPLAINTS

If, during on-going use of the premises, substantiated complaints of breaches of noise emission conditions and/or the Protection of the Environment Operations Act, 1997 occur, an acoustic report assessing the impact of the operation will be required to be carried out by a suitably qualified acoustic consultant. The report is to be submitted to the satisfaction of Council's Health Compliance Unit within 60 days of written request. The investigation shall include, but not be limited to:

- (a) The identification of sensitive noise receivers potentially impacted by the proposal;
- (b) The quantification of the existing acoustic environment at the receiver locations (measurement techniques and assessment period should be fully justified and accordance with relevant Australian Standards and NSW Environment Protection Authority (EPA) requirements);
- (c) The formation of a suitable assessment criteria having regard to the guidelines contained in the NSW EPA Industrial Noise Policy;
- (d) The identification of operational noise producing facets of the use and the subsequent predictions of resultant noise at the identified sensitive receiver locations from the operation of the use. Where appropriate the predication procedures must be justified and include an evaluation of prevailing atmospheric conditions that may promote noise propagation;
- (e) A statement indicating that the operation of the premises complies with the relevant criteria together with details of acoustic control measures that will be incorporated into the development/use, will not create adverse noise impacts to surrounding development.

E. ADVISORY MATTERS

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

AD1. POST CONSENT CONDITIONS REQUIRING COUNCIL INPUT

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

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

AD2. 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.

AD3. DIAL BEFORE YOU DIG

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

AD4. TELECOMMUNICATIONS ACT 1997 (COMMONWEALTH)

Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for prosecution. Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on Phone Number 1800810443.

AD5. ALTERATIONS AND ADDITIONS ONLY

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

AD6. EXCAVATION TO BE LIMITED

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

AD7. TREE REMOVAL/PRESERVATION

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

AD8. WORK OUTSIDE PROPERTY BOUNDARY

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

AD9. RAINWATER HARVESTING AND REUSE

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

SJB Architects



Alterations and Additions to Residence
1 Belgrave Street Bronte, NSW 2024

SJB Architects
Level 2, 490 Crown Street
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2010 Australia
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Project Number: 5699
Date: 23.02.21
Client: Jennifer & James Milligan
Issue: Issued for Revised DA

Architectural Drawing List

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Basix Commitments

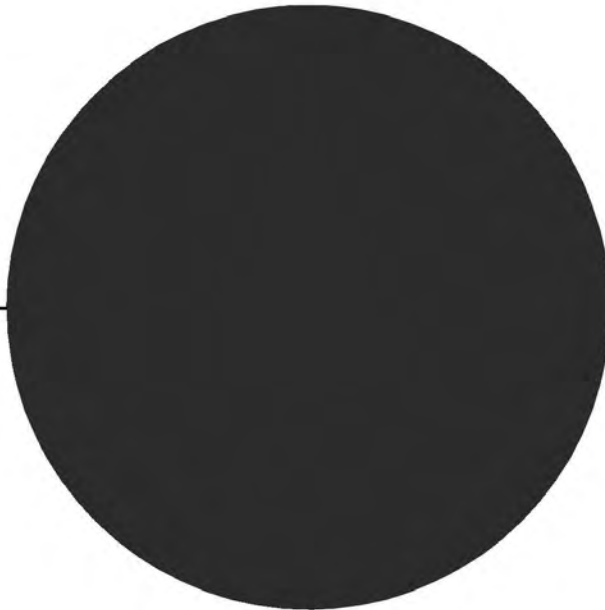
Rainwater tank	The applicant must install a rainwater tank of at least 995 litres on the site. This rainwater tank must meet, and be installed in accordance with, the requirements of all applicable regulatory authorities.					
Outdoor swimming pool	The swimming pool must be outdoors. The swimming pool must not have a capacity greater than 23.7 kilolitres.					
Hot water	The applicant must install the following hot water system in the development: gas storage.					
Insulation requirements	The applicant must construct the new or altered construction (floor(s), walls, and ceilings/roofs) in accordance with the specifications listed in the table below, except that a) additional insulation is not required where the area of new construction is less than 2m2, b) insulation specified is not required for parts of altered construction where insulation already exists.					
Construction		Additional insulation required (R-value)		Other specifications		
concrete slab on ground floor		nil				
suspended floor above garage: concrete and in-floor heating system (R0.6)		R0.40 (down) under + slab edge (or R1 including construction)		in-slab heating system		
floor above existing dwelling or building		nil				
external wall: cavity brick		nil				
internal wall shared with garage: single skin masonry (R0.18)		nil				
raked ceiling, pitched/skillion roof: framed		ceiling: R2.50 (up), roof: foil/sarking		dark (solar absorbance > 0.70)		
flat ceiling, flat roof: concrete/ plasterboard internal		ceiling: R0.43 (up), roof: 50mm foil backed polystyrene board		dark (solar absorbance > 0.70)		
Windows and glazed doors	The applicant must install the windows, glazed doors and shading devices, in accordance with the specifications listed in the table below. Relevant overshadowing specifications must be satisfied for each window and glazed door, For projections described in millimetres, the leading edge of each eave, pergola, verandah, balcony or awning must be no more than 500 mm above the head of the window or glazed door and no more than 2400 mm above the sill. Overshadowing buildings or vegetation must be of the height and distance from the centre and the base of the window and glazed door, as specified in the 'overshadowing' column in the table below.					
Window/door no.	Orientation	Area of glass inc. frame (m²)	Overshadowing Height (m)	Shading Device Distance (m)	Frame and glass type	
Storage	S	3.3	0	0	none	standard aluminium, single clear, (or U-value: 7.63, SHGC:0.75)
Storage	W	9.9	3.7	1.5	none	standard aluminium, single clear, (or U-value: 7.63, SHGC:0.75)
W01	S	7.83	0	0	none	standard aluminium, single clear, (or U-value: 7.63, SHGC:0.75)
W02	W	8.125	1.8	2.4	external louvre/blind (adjustable)	standard aluminium, single clear, (or U-value: 7.63, SHGC:0.75)
W03	E	2.31	3	1.7	none	standard aluminium, single clear, (or U-value: 7.63, SHGC:0.75)
W03 (upper)	S	1.71	0	0	none	standard aluminium, single clear, (or U-value: 7.63, SHGC:0.75)
W04	S	11.4	0	0	none	standard aluminium, single clear, (or U-value: 7.63, SHGC:0.75)
W05	W	5.06	0	0	external louvre/blind (adjustable)	standard aluminium, single clear, (or U-value: 7.63, SHGC:0.75)
W06	W	1.38	0	0	external louvre/blind (adjustable)	standard aluminium, single clear, (or U-value: 7.63, SHGC:0.75)
Glazed roofs	The applicant must install the glazed roofs described in the table below, in accordance with the specifications listed in the table.					
Glazed roof number	Area of glazing (m²)	Shading device	Glass type			
G1	8.04	no shading	improved aluminium, single pyrolytic low-e, (U-value: 4.48, SHGC: 0.46)			
Skylights	The applicant must install the skylights in accordance with the specifications listed in the table below. The following requirements must also be satisfied in relation to each skylight. Each skylight may either match the description, or, have a U-value and a Solar Heat Gain Coefficient (SHGC) no greater than that listed in the table below:					
Skylight number	Area of glazing incl. frame (m²)	Shading device	Frame and glass type			
S1	0.5	no shading	aluminium, moulded plastic cover, (or U-value: 6.21, SHGC: 0.808)			



ROOF MATERIAL
NORDIC BROWN PRE-OXIDISED COPPER



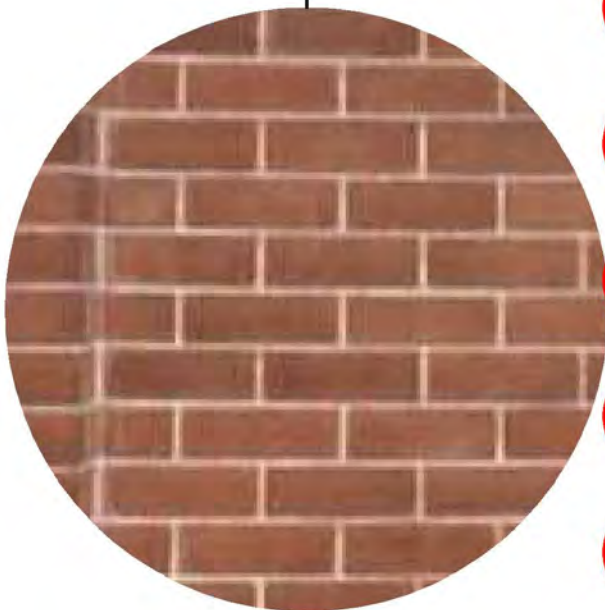
WINDOW PROJECTING BOXES
NORDIC STANDARD COPPER



PERIMETER METAL PALLISADE FENCE
MATTE BLACK POWDERCOAT FINISH



ROOF MATERIAL
TERRACOTTA



BRICK TYPE
EXISTING



AWNING ROOF
WHITE TIMBER SHINGLES



BRICK TYPE
PETERSEN TEGL K33



BRICK TYPE
PETERSEN TEGL K11



RETAINING WALL
SANDSTONE WALL CLADDING

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FOR APPROVAL

Nominated Architects: Adam Haddow-7188 | John Pradel-7004

Rev	Date	Revision	By	Chk.
5	24.06.20	Draft for Consultant Review		
6	29.07.20	Issued for DA Approval		
7	22.01.21	Issued for Revised DA		
8	23.02.21	Issued for Revised DA		

Client
Jennifer & James Milligan

Project
Alterations and Additions to Residence
1 Belgrave Street Bronte, NSW

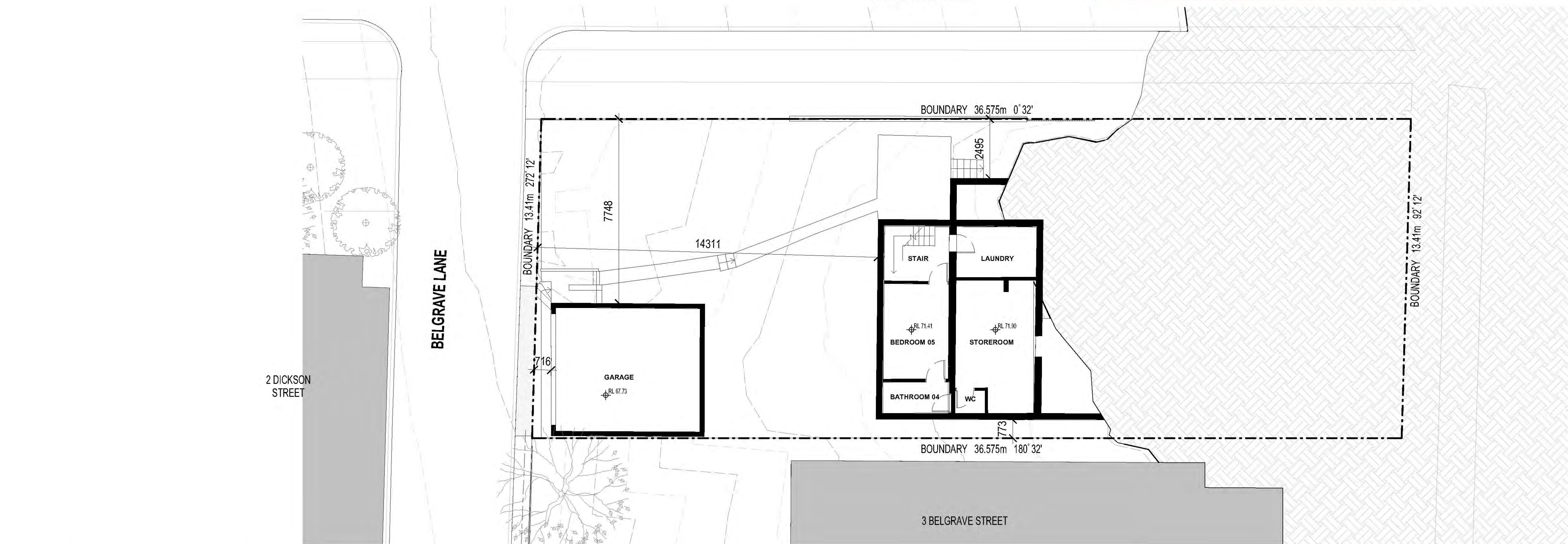
Drawing Name
External Materials and Finishes

Date	Scale	Sheet Size	SJB Architects
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Drawn	Chk.		
MS	CM		
Job No.	Drawing No.	Revision	
5699	DA-0002	/ 8	

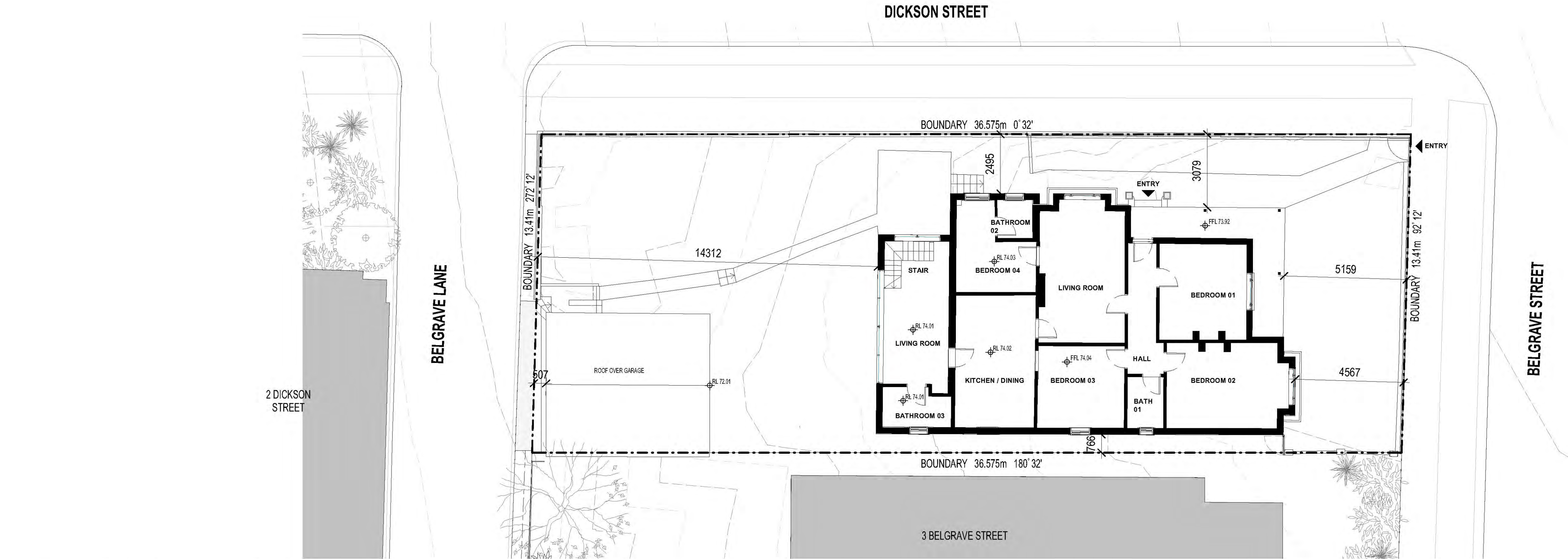
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AMENDED PLANS

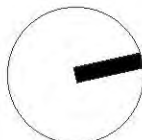


2 LOWER GROUND FLOOR PLAN - EXISTING
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1 GROUND FLOOR PLAN - EXISTING
1 : 100@A1

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Client
Jennifer & James Milligan

Project
**Alterations and Additions to Residence
1 Belgrave Street Bronte, NSW**

Drawing Name
Existing Floor Plans

Date
23.02.21

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Sheet Size
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Chk.
CM

Job No.
5699

Drawing No.
DA-0101

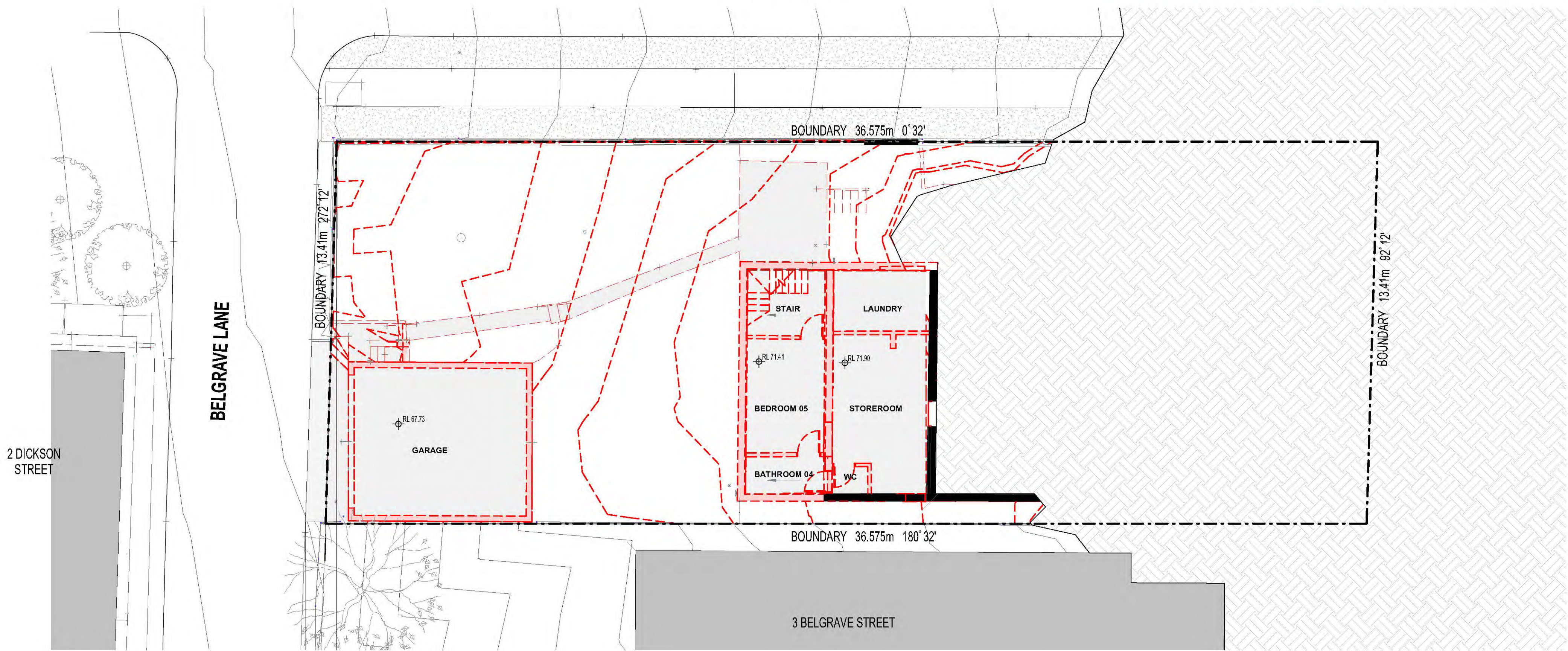
Revision
/ 7

- LEGEND**
- EXISTING BOUNDARY WITH DIMENSIONS AND BEARINGS
 - EXISTING TO BE RETAINED
 - ⊙ EXISTING TREES

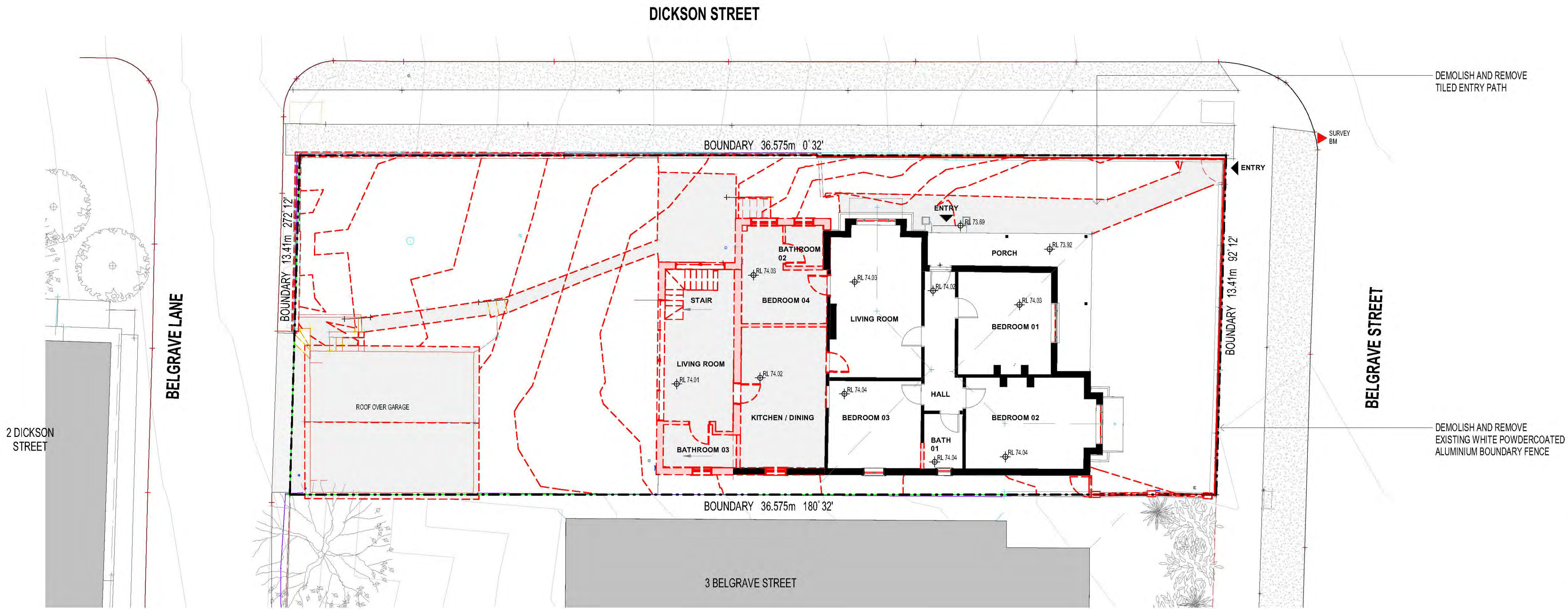
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AMENDED PLANS



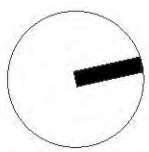
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2 GROUND FLOOR PLAN - DEMOLITION
1 : 100@A1

- LEGEND
- EXISTING BOUNDARY WITH DIMENSIONS AND BEARINGS
 - EXISTING TO BE RETAINED
 - - - EXISTING TO BE DEMOLISHED AND REMOVED
 - ⊙ EXISTING NEIGHBOURING TREE TO REMAIN

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Rev	Date	Revision	By	Chk.
5	24.06.20	Draft for Consultant Review		
6	29.07.20	Issued for DA Approval		
7	23.02.21	Issued for Revised DA		

Client
Jennifer & James Milligan

Project
Alterations and Additions to Residence
1 Belgrave Street Bronte, NSW

Drawing Name
Demolition Plans

Date
23.02.21

Scale
1 : 100

Sheet Size
@ A1

Drawn
JF

Chk.
CM

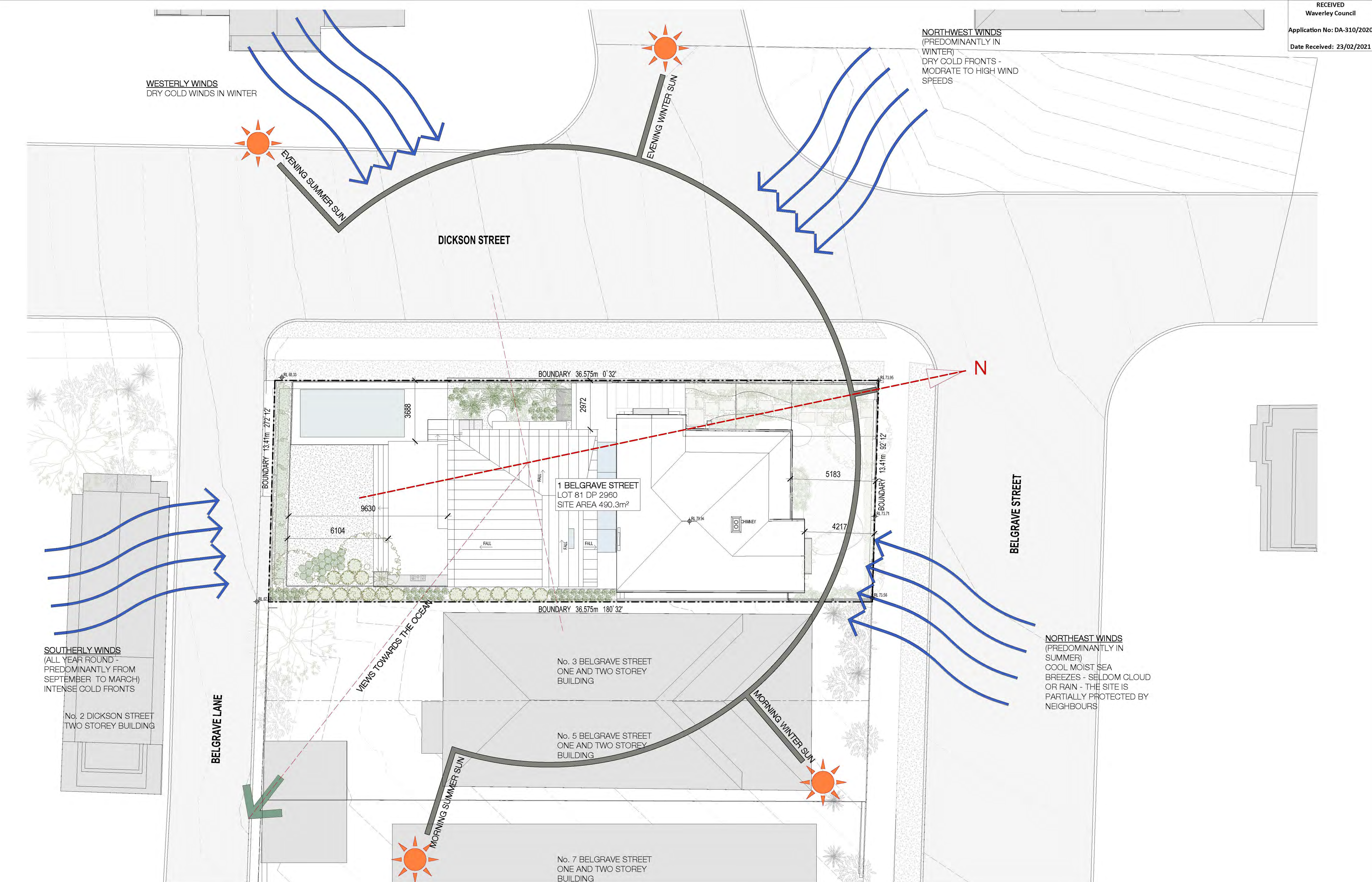
Job No.
5699

Drawing No.
DA-0102

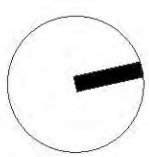
Revision
/ 7

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Client
Jennifer & James Milligan

Project
**Alterations and Additions to Residence
1 Belgrave Street Bronte, NSW**

Drawing Name
Site Analysis Plan

Date
23.02.21

Scale
1 : 100

Sheet Size
@ A1

Drawn
JF

Chk.
CM

Job No.
5699

Drawing No.
DA-0103

Revision
/ 7

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AMENDED PLANS

FOR APPROVAL

No. 2 BLANDFORD AVENUE
TWO STOREY DWELLING

No. 1 BLANDFORD AVENUE
TWO STOREY DWELLING

DICKSON STREET

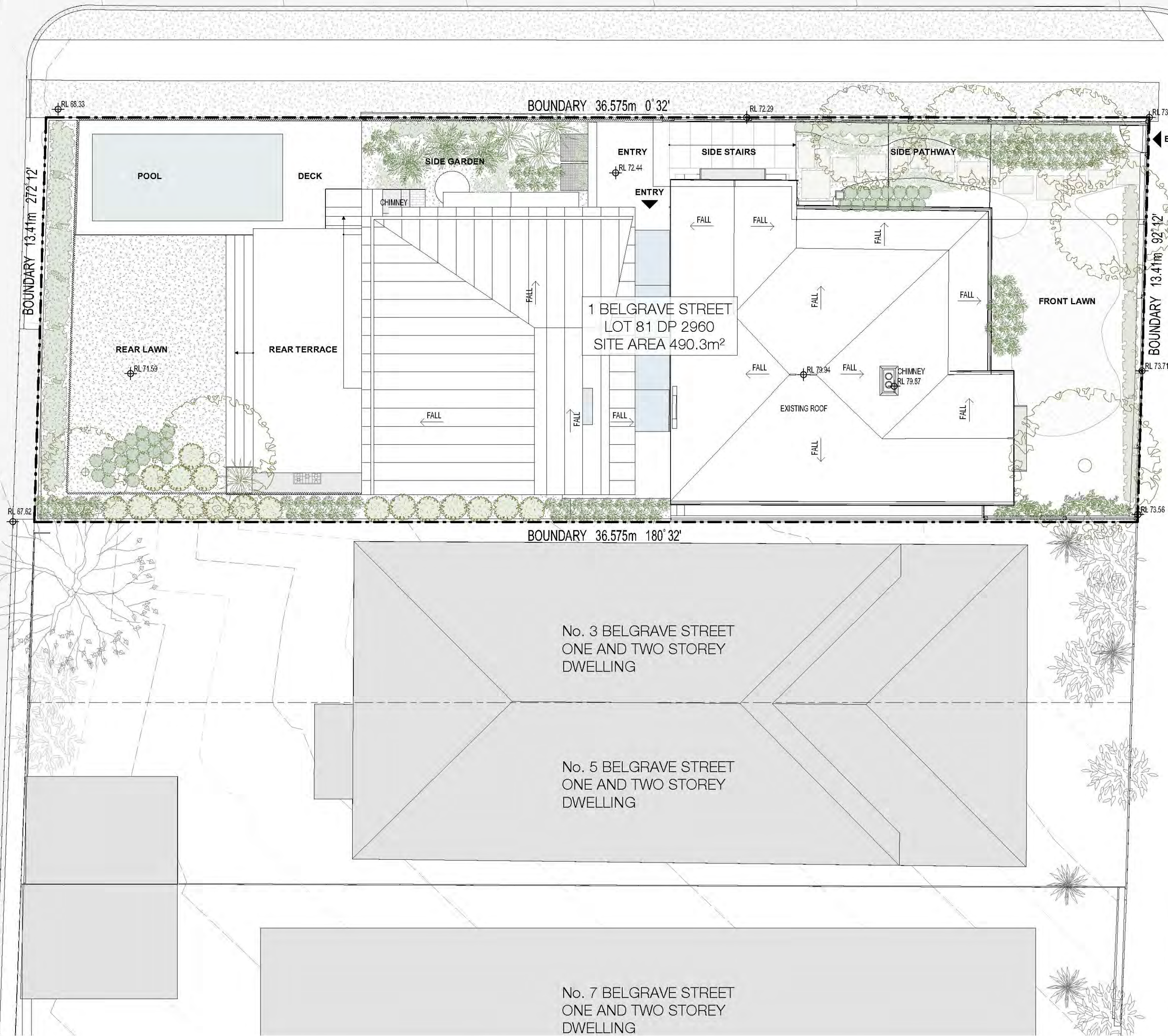
BLANDFORD
AVENUE

No. 2 BELGRAVE STREET
TWO STOREY DWELLING

BELGRAVE STREET

BELGRAVE LANE

No. 2 DICKSON STREET
TWO STOREY DWELLING



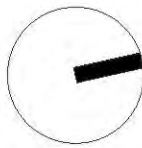
No. 3 BELGRAVE STREET
ONE AND TWO STOREY
DWELLING

No. 5 BELGRAVE STREET
ONE AND TWO STOREY
DWELLING

No. 7 BELGRAVE STREET
ONE AND TWO STOREY
DWELLING

- LEGEND**
- EXISTING BOUNDARY WITH DIMENSIONS AND BEARINGS
 - EXISTING TO BE RETAINED
 - - - EXISTING TO BE DEMOLISHED AND REMOVED
 - PROPOSED EXTERNAL AND INTERNAL WALLS
 - EXISTING NEIGHBOURING TREE TO REMAIN
 - PROPOSED LANDSCAPING TO LANDSCAPE PLAN

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8	23.02.21	Issued for Revised DA

By Chk.

Client

Jennifer & James Milligan

Project

Alterations and Additions to Residence
1 Belgrave Street Bronte, NSW

Drawing Name

Proposed Site Plan

Date 23.02.21
Scale 1 : 100

Drawn JF, TS
Chk. CM

Job No. 5699
Drawing No. DA-0104
Revision / 8

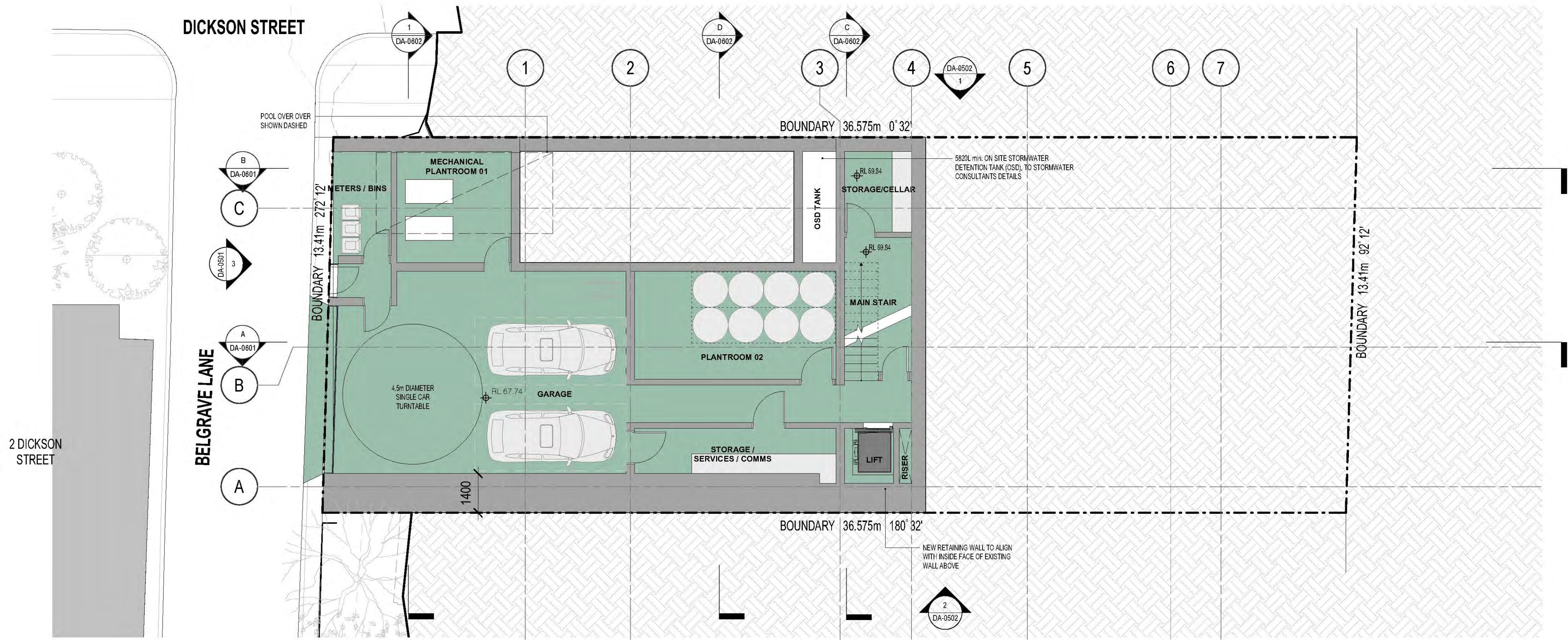
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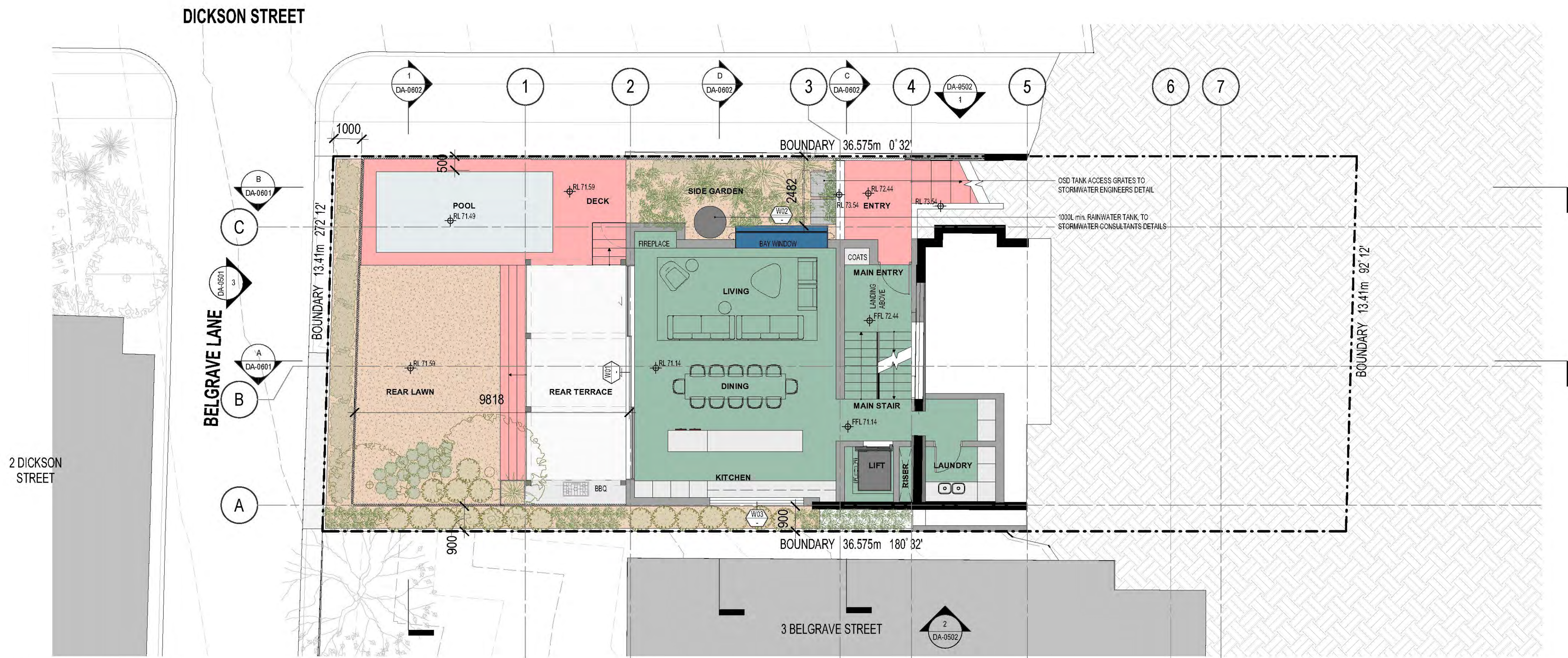
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AMENDED PLANS



1 BASEMENT PLAN - PROPOSED
1 : 100@A1



2 LOWER GROUND FLOOR PLAN - PROPOSED
1 : 100@A1

WAVERLEY COUNCIL MATERIAL COLOUR CODES

TIMBER
DEMOLITION
ROOF TILES
PAVING (TILES, TERRACOTTA)
INTERNAL TILES
BRICK
STEEL, GALVANISED IRON
ALUMINIUM
GLASS AND GLASS BRICKS
CONCRETE
FIBRE CEMENT SHEETS / CEMENT RENDER
SANDSTONE AND OTHER NATURAL STONE
EARTH
MARBLE
BITUMINOUS PRODUCTS

LEGEND

EXISTING BOUNDARY WITH DIMENSIONS AND BEARINGS
EXISTING TO BE RETAINED
EXISTING TO BE DEMOLISHED AND REMOVED
PROPOSED EXTERNAL AND INTERNAL WALLS
EXISTING NEIGHBOURING TREE TO REMAIN
PROPOSED LANDSCAPING TO LANDSCAPE PLAN

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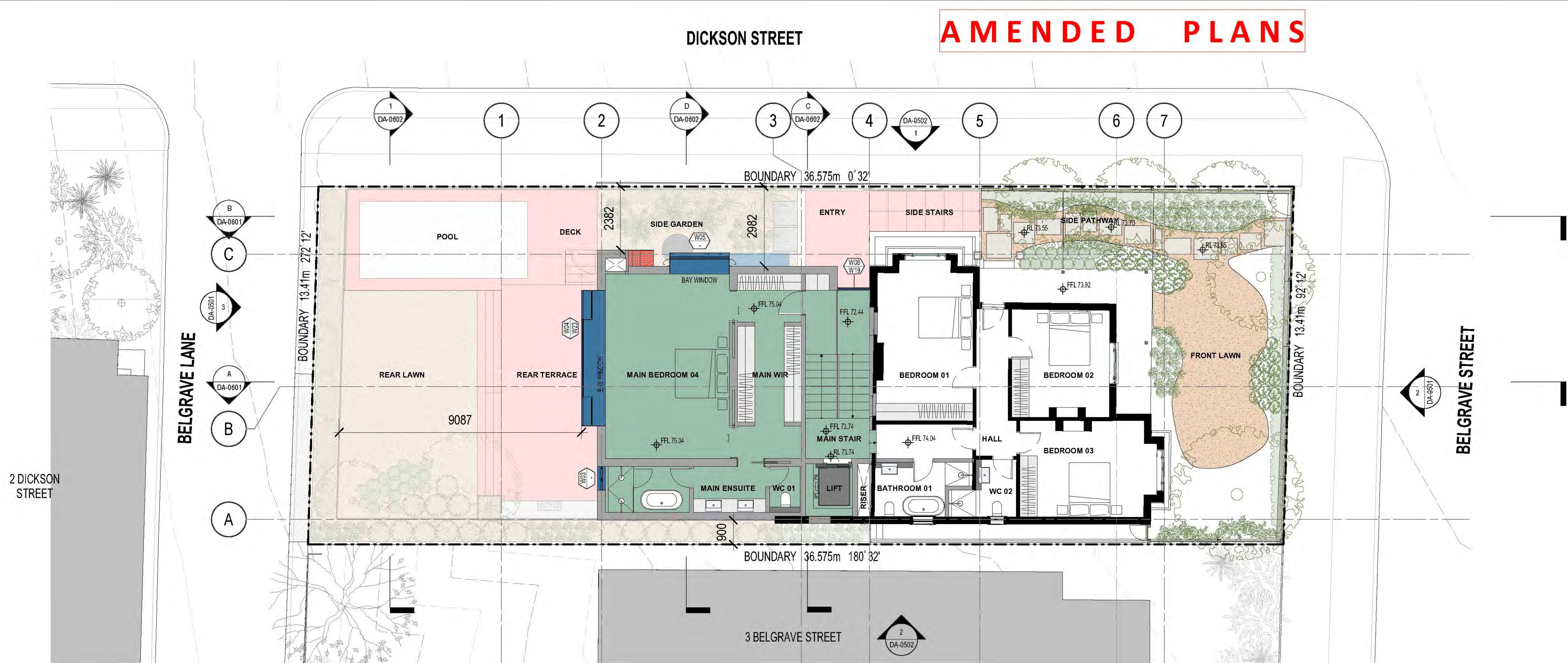
Nominated Architects: Adam Haddow-7188 | John Pradei-7004

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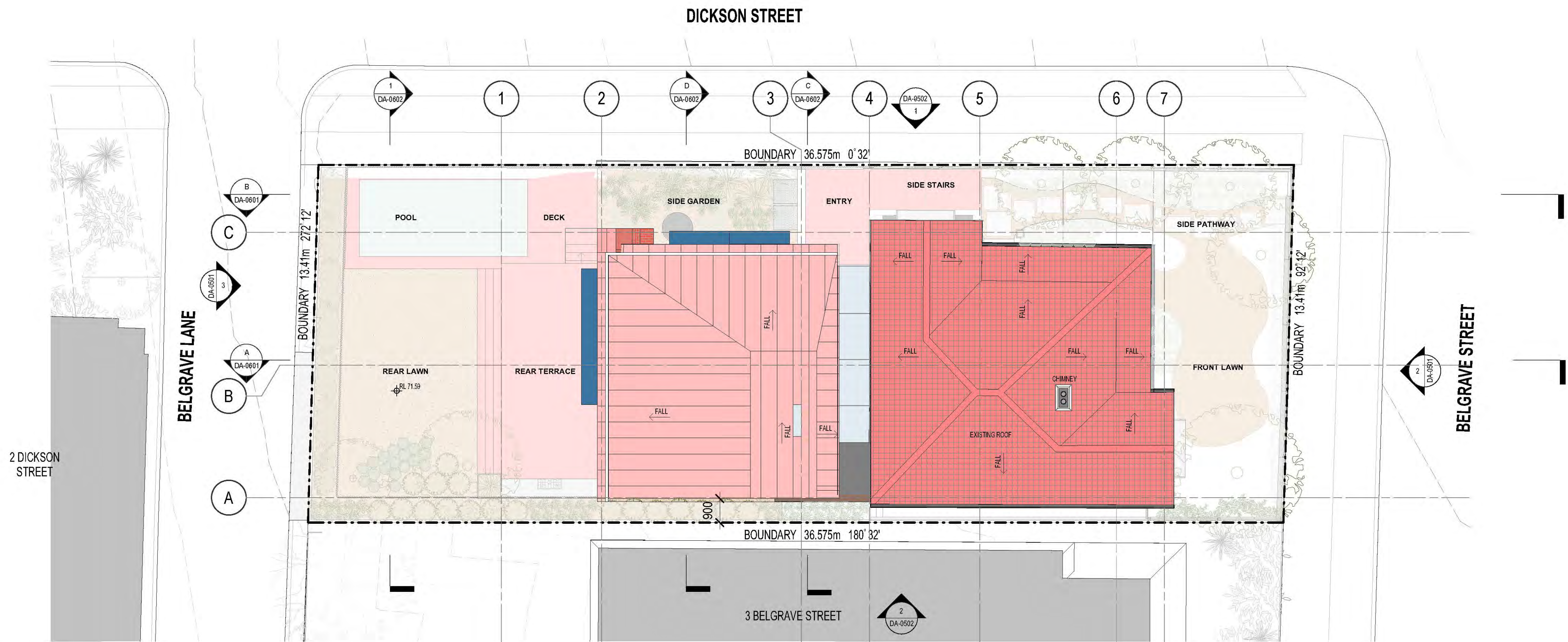
Client
Jennifer & James MilliganProject
Alterations and Additions to Residence
1 Belgrave Street Bronte, NSWDrawing Name
Proposed Basement and Lower Ground Floor
PlansDate
23.02.21Scale
1 : 100Sheet Size
@ A1Drawn
JF, TSChk.
CMJob No.
5699Drawing No.
DA-0201Revision
/ 8

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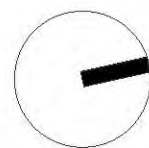
1 GROUND & UPPER GROUND FLOOR PLAN - PROPOSED
1 : 100@A1



2 ROOF PLAN - PROPOSED
1 : 100@A1

- WAVERLEY COUNCIL MATERIAL COLOUR CODES**
- TIMBER
 - DEMOLITION
 - ROOF TILES
 - PAVING (TILES, TERRACOTTA)
 - INTERNAL TILES
 - BRICK
 - STEEL, GALVANISED IRON
 - ALUMINIUM
 - GLASS AND GLASS BRICKS
 - CONCRETE
 - FIBRE CEMENT SHEETS / CEMENT RENDER
 - SANDSTONE AND OTHER NATURAL STONE
 - EARTH
 - MARBLE
 - BITUMINOUS PRODUCTS
- LEGEND**
- EXISTING BOUNDARY WITH DIMENSIONS AND BEARINGS
 - EXISTING TO BE RETAINED
 - EXISTING TO BE DEMOLISHED AND REMOVED
 - PROPOSED EXTERNAL AND INTERNAL WALLS
 - EXISTING NEIGHBOURING TREE TO REMAIN
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Client
Jennifer & James Milligan

Project
**Alterations and Additions to Residence
1 Belgrave Street Bronte, NSW**

Drawing Name
Ground & Upper Ground Floor and Roof Plans

Date
23.02.21

Scale
1 : 100

Sheet Size
@ A1

Drawn
JF, TS

Chk.
CM

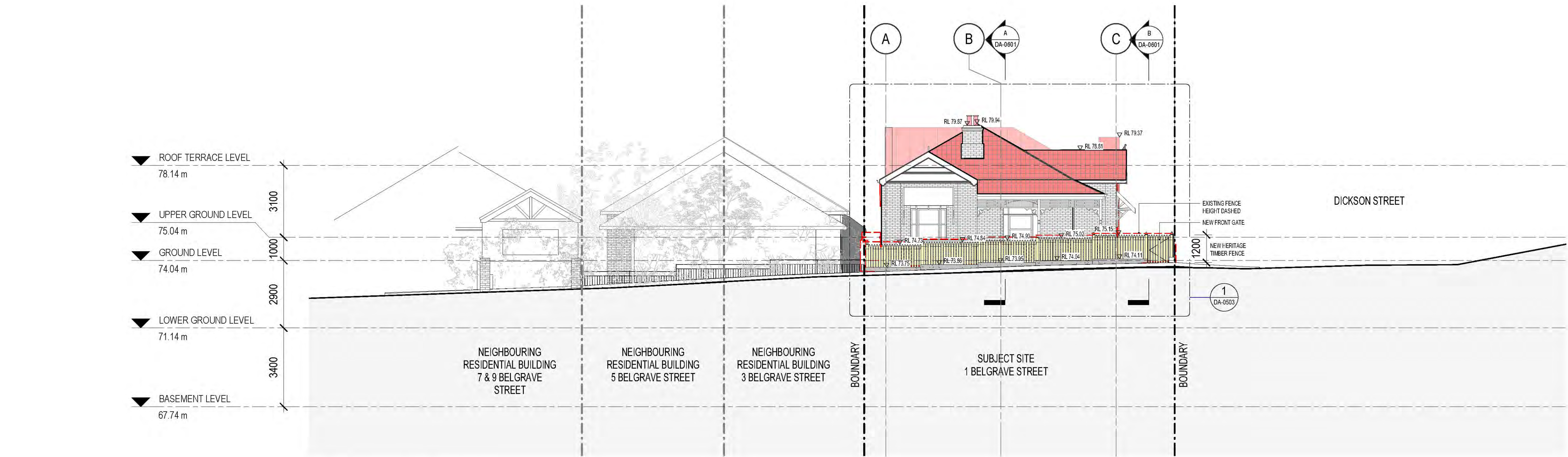
Job No.
5699

Drawing No.
DA-0202

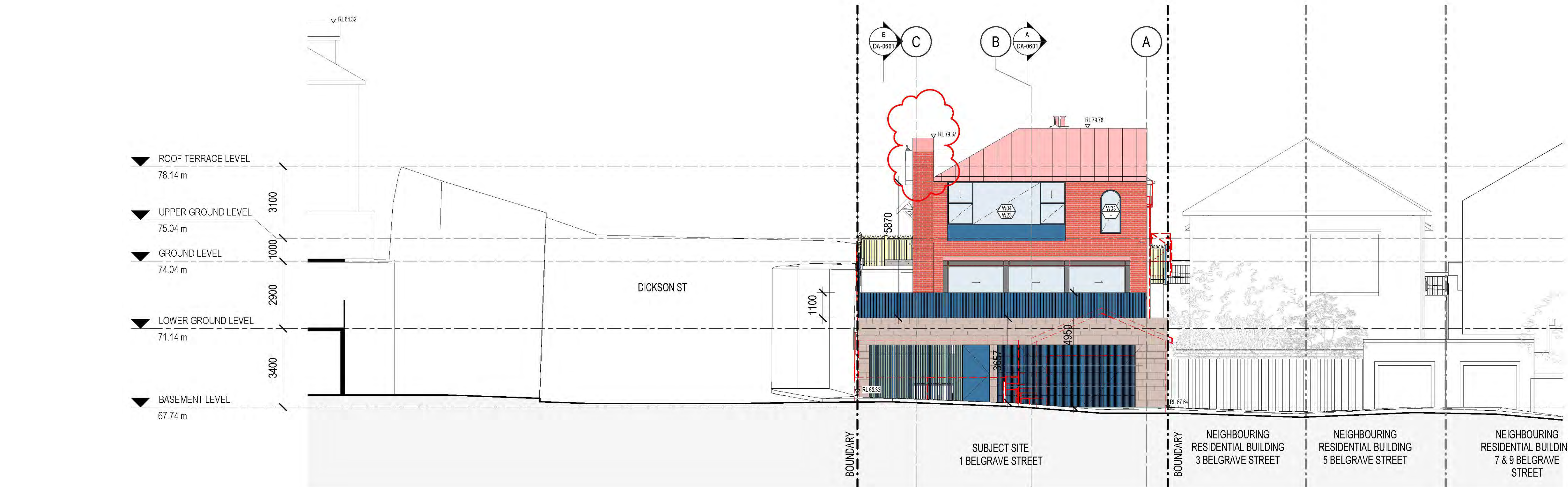
Revision
/ 8

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2 NORTH ELEVATION (BELGRAVE STREET STREETSCAPE)
DA-0202 1: 100@A1



3 SOUTH ELEVATION (BELGRAVE LANE STREETSCAPE)
DA-0201 1: 100@A1

WAVERLEY COUNCIL MATERIAL COLOUR CODES

- TIMBER
- DEMOLITION
- ROOF TILES
- PAVING (TILES, TERRACOTTA)
- INTERNAL TILES
- BRICK
- STEEL, GALVANISED IRON
- ALUMINIUM
- GLASS AND GLASS BRICKS
- CONCRETE
- FIBRE CEMENT SHEETS / CEMENT RENDER
- SANDSTONE AND OTHER NATURAL STONE
- EARTH
- MARBLE
- BITUMINOUS PRODUCTS

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Nominated Architects: Adam Haddow-7188 | John Pradei-7004

Client
Jennifer & James Milligan

Project
Alterations and Additions to Residence
1 Belgrave Street Bronte, NSW

Drawing Name
Elevations - North & South

Date
23.02.21

Scale
1 : 100

Sheet Size
@ A1

Drawn
JF, TS

Chk.
CM

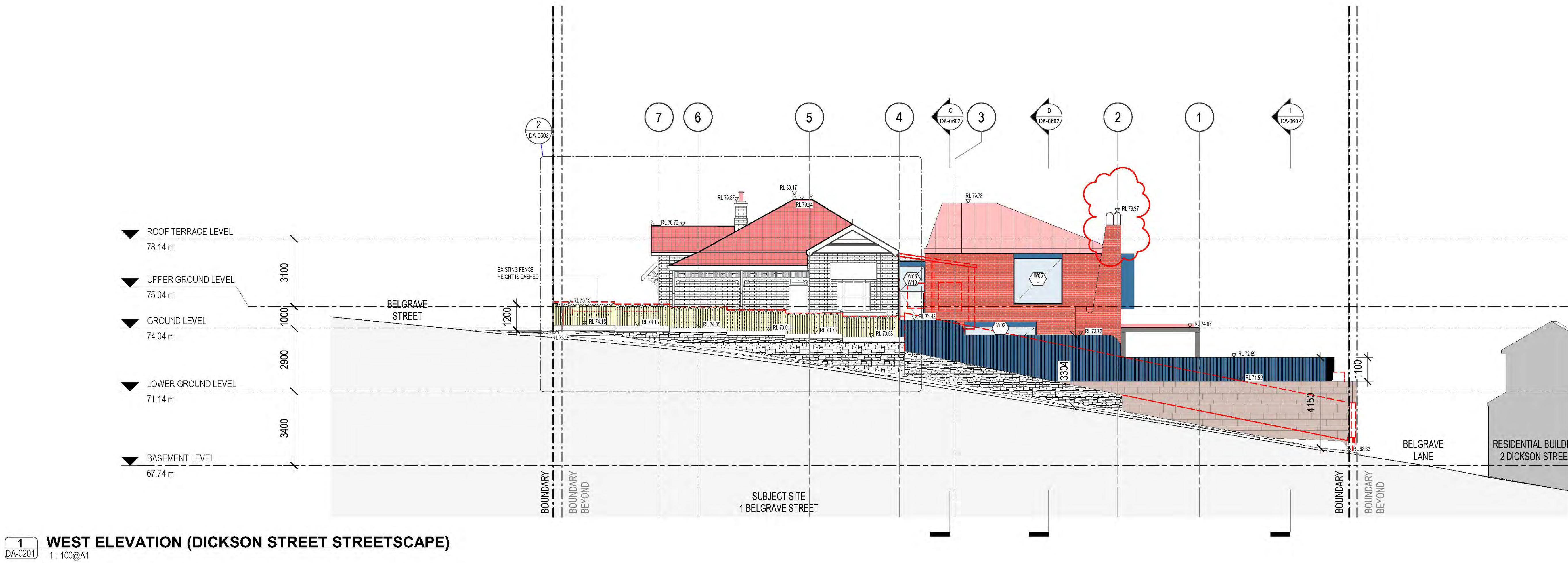
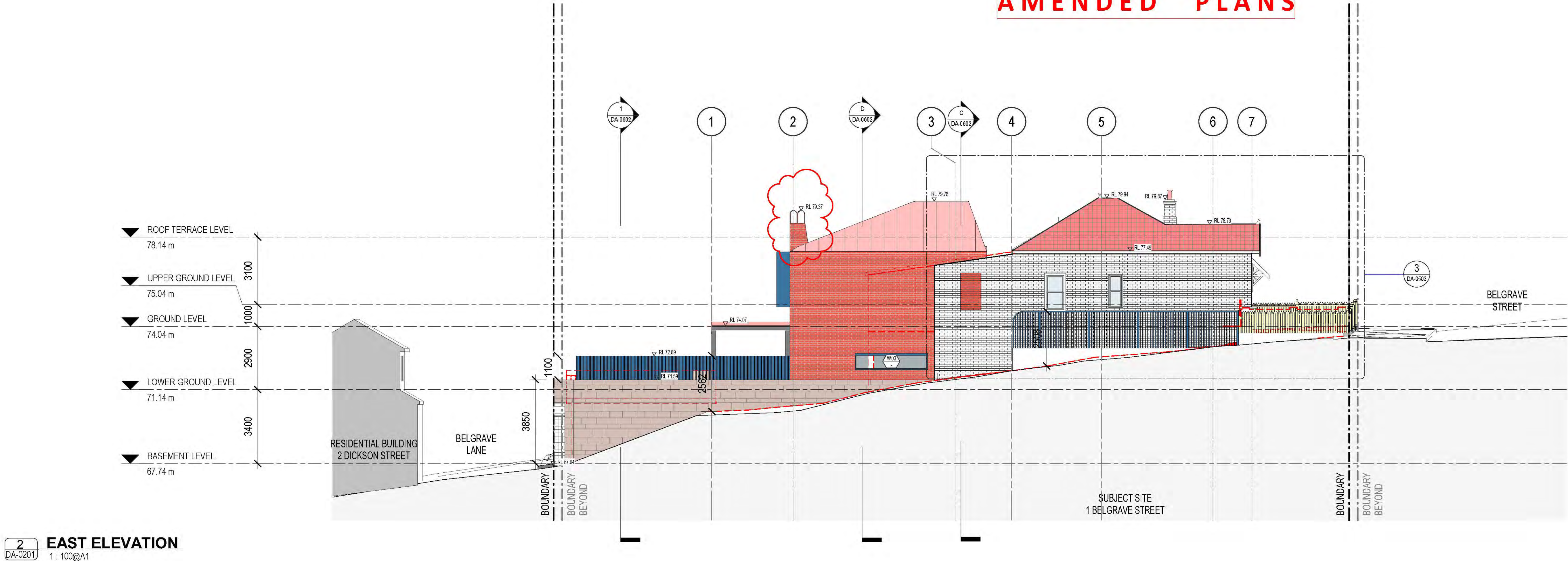
Job No.
5699

Drawing No.
DA-0501

Revision
/ 8

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- INTERNAL TILES
- BRICK
- STEEL, GALVANISED IRON
- ALUMINIUM
- GLASS AND GLASS BRICKS
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8	23.02.21	Issued for Revised DA		

Nominated Architects: Adam Haddow-7188 | John Pradei-7004

Client
Jennifer & James Milligan

Project
**Alterations and Additions to Residence
1 Belgrave Street Bronte, NSW**

Drawing Name
Elevations - East & West

Date
23.02.21

Scale
1 : 100

Sheet Size
@ A1

Drawn
JF, TS

Chk.
CM

Job No.
5699

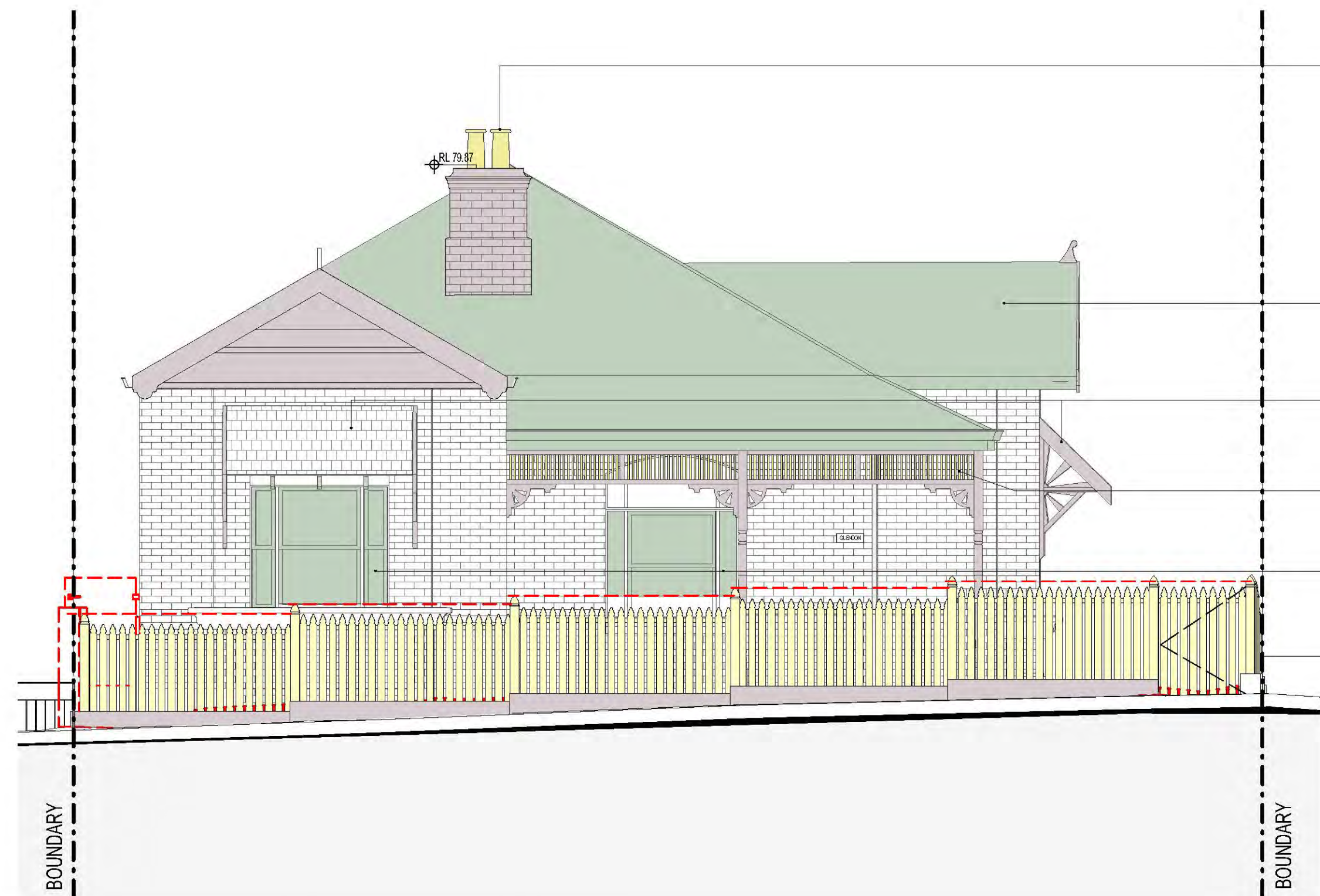
Drawing No.
DA-0502

Revision
/ 8

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AMENDED PLANS



1 DETAILED NORTH ELEVATION
DA-0501 1:50@A1

RETAIN EXISTING CORBELLED CHIMNEY - REMOVE PAINT FINISH TO EXPOSE ORIGINAL BRICKWORK - ALLOW TO RETUOKPOINT TO MATCH EXISTING. REINSTATE TERRACOTTA CHIMNEY POTS.

REPLACE NON-ORIGINAL GLAZED ROOF TILES WITH TERRACOTTA TILES CONSISTENT WITH PERIOD.

DEMOLISH EXISTING ROOF OVER REAR EXTENSION.

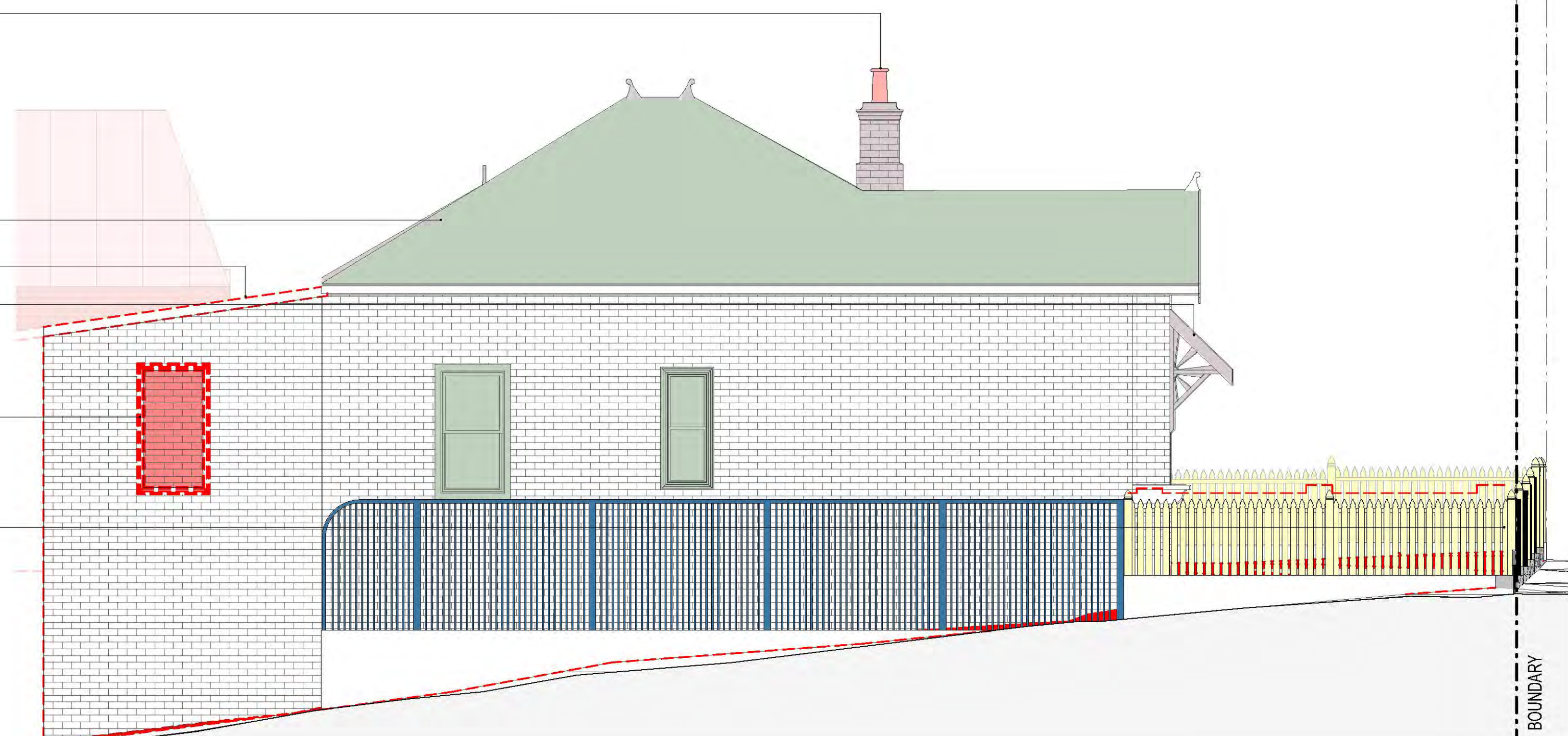
RETAIN EXISTING TIMBER-FRAMED AWNINGS TO BAY WINDOWS - REMOVE NON-ORIGINAL FIBRE CEMENT ROOF SHEETING AND REPLACE WITH TIMBER SHINGLES.

REINSTATE LOST TIMBER FRETWORK TO FRONT VERANDAH DETAILING.

REPLACE EXISTING WINDOW WITH MASONRY INFILL AND MATCH EXISTING.

RETAIN AND REPAIR OUTER TIMBER WINDOW FRAMES - REPLACE OPERATIONAL SASH WINDOWS WITH NEW TIMBER SASH WINDOWS TO MATCH EXISTING - WHITE PAINT FINISH.

DEMOLISH AND REMOVE EXISTING WHITE POWDERCOATED ALUMINIUM BOUNDARY FENCE - REPLACE WITH TIMBER PICKET FENCE. TIMBER POSTS - WHITE PAINT FINISH.



3 DETAILED EAST ELEVATION
DA-0502 1:50@A1



2 DETAILED WEST ELEVATION
DA-0502 1:50@A1

REINSTATE LOST TIMBER FRETWORK TO FRONT VERANDAH DETAILING.

RETAIN EXISTING CORBELLED CHIMNEY - REMOVE PAINT FINISH TO EXPOSE ORIGINAL BRICKWORK - ALLOW TO RETUOKPOINT TO MATCH EXISTING. REINSTATE TERRACOTTA CHIMNEY POTS.

REPLACE NON-ORIGINAL GLAZED ROOF TILES WITH TERRACOTTA TILES CONSISTENT WITH PERIOD.

RETAIN EXISTING TIMBER-FRAMED AWNINGS TO BAY WINDOWS - REMOVE NON-ORIGINAL FIBRE CEMENT ROOF SHEETING AND REPLACE WITH TIMBER SHINGLES.

RETAIN AND REPAIR OUTER TIMBER WINDOW FRAMES - REPLACE OPERATIONAL SASH WINDOWS WITH NEW TIMBER SASH WINDOWS TO MATCH EXISTING - WHITE PAINT FINISH.

DEMOLISH AND REMOVE EXISTING WHITE POWDERCOATED ALUMINIUM BOUNDARY FENCE - REPLACE WITH TIMBER PICKET FENCE AND TIMBER POSTS - WHITE PAINT FINISH.

RETAIN EXISTING SANDSTONE BOUNDARY RETAINING WALL AND RENDERED CAP OVER.

HERITAGE LEGEND

- REPLACE
- REINSTATE
- REPAIR / RECONSTRUCTION

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8	23.02.21	Issued for Revised DA		

Client
Jennifer & James Milligan

Project
Alterations and Additions to Residence
1 Belgrave Street Bronte, NSW

Drawing Name
Detailed North, East & West Elevations Heritage
Restoration & Remediation

Date
23.02.21

Scale
1 : 50

Sheet Size
@ A1

Drawn
JF, TS

Chk.
CM

Job No.
5699

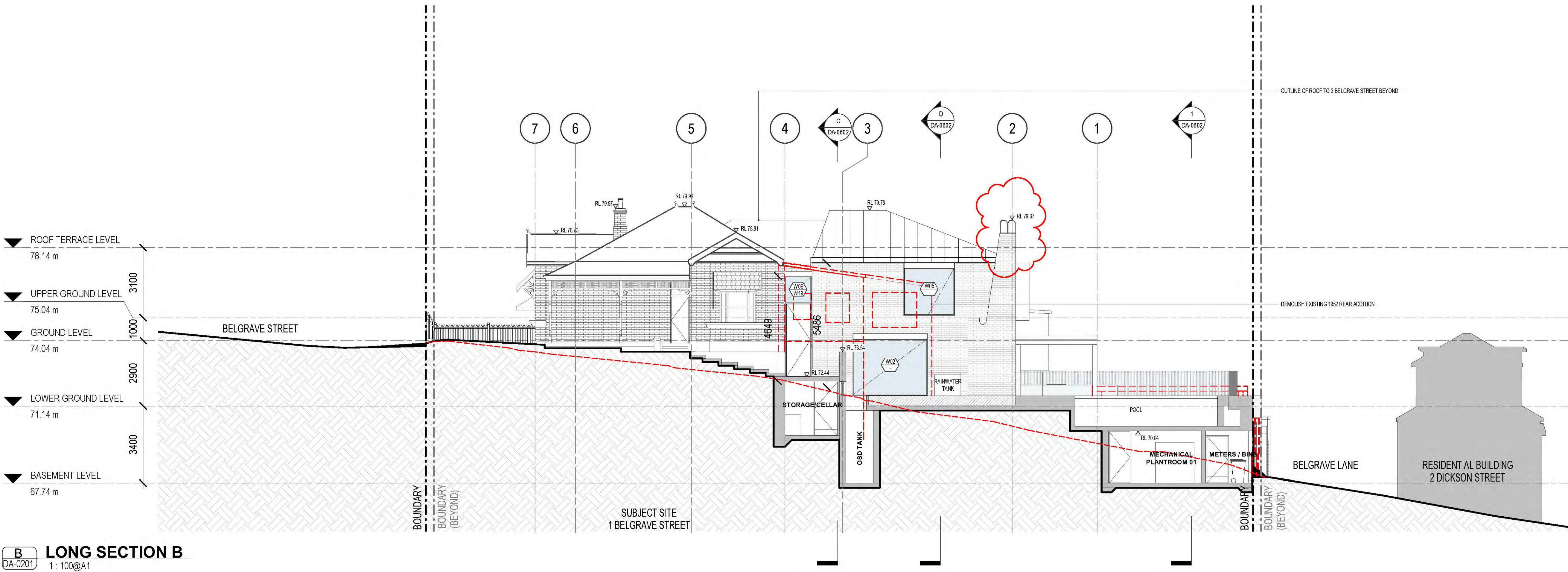
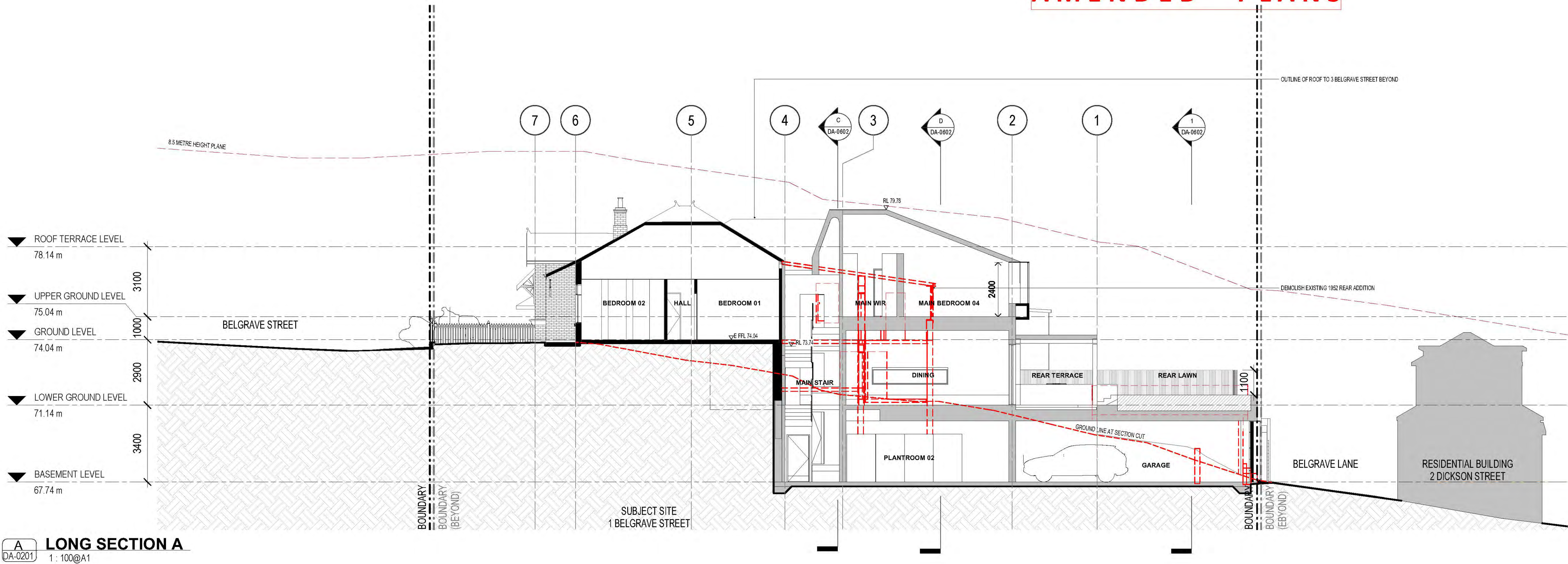
Drawing No.
DA-0503

Revision
/ 8

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AMENDED PLANS



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Nominated Architects: Adam Haddow-7188 | John Pradei-7004

Client
Jennifer & James Milligan

Project
**Alterations and Additions to Residence
1 Belgrave Street Bronte, NSW**

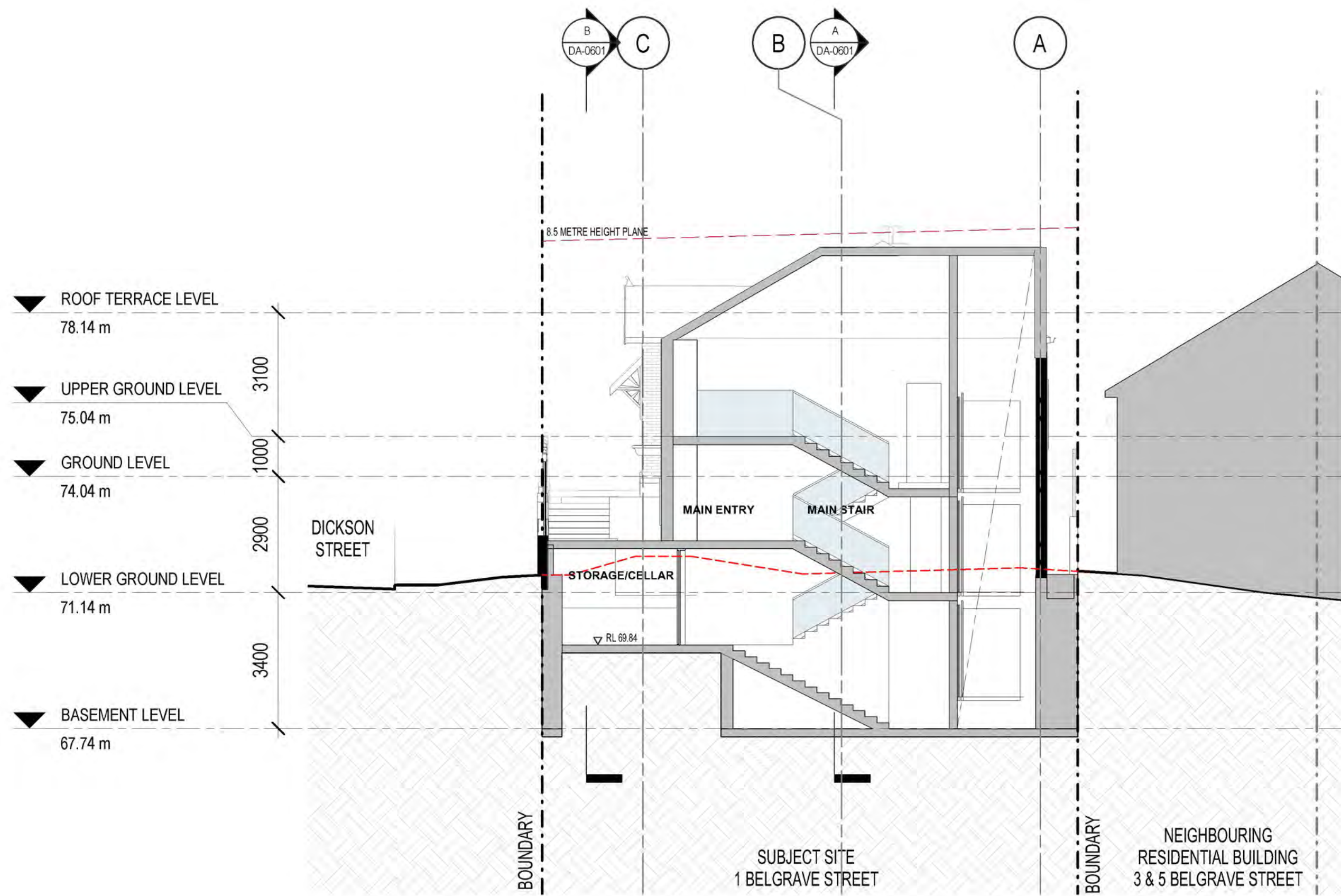
Drawing Name
Long Sections A and B

Date	Scale	Sheet Size	SJB Architects
23.02.21	1 : 100	@ A1	
Drawn	Chk.		
JF, TS	CM		
Job No.	Drawing No.	Revision	
5699	DA-0601	/ 8	

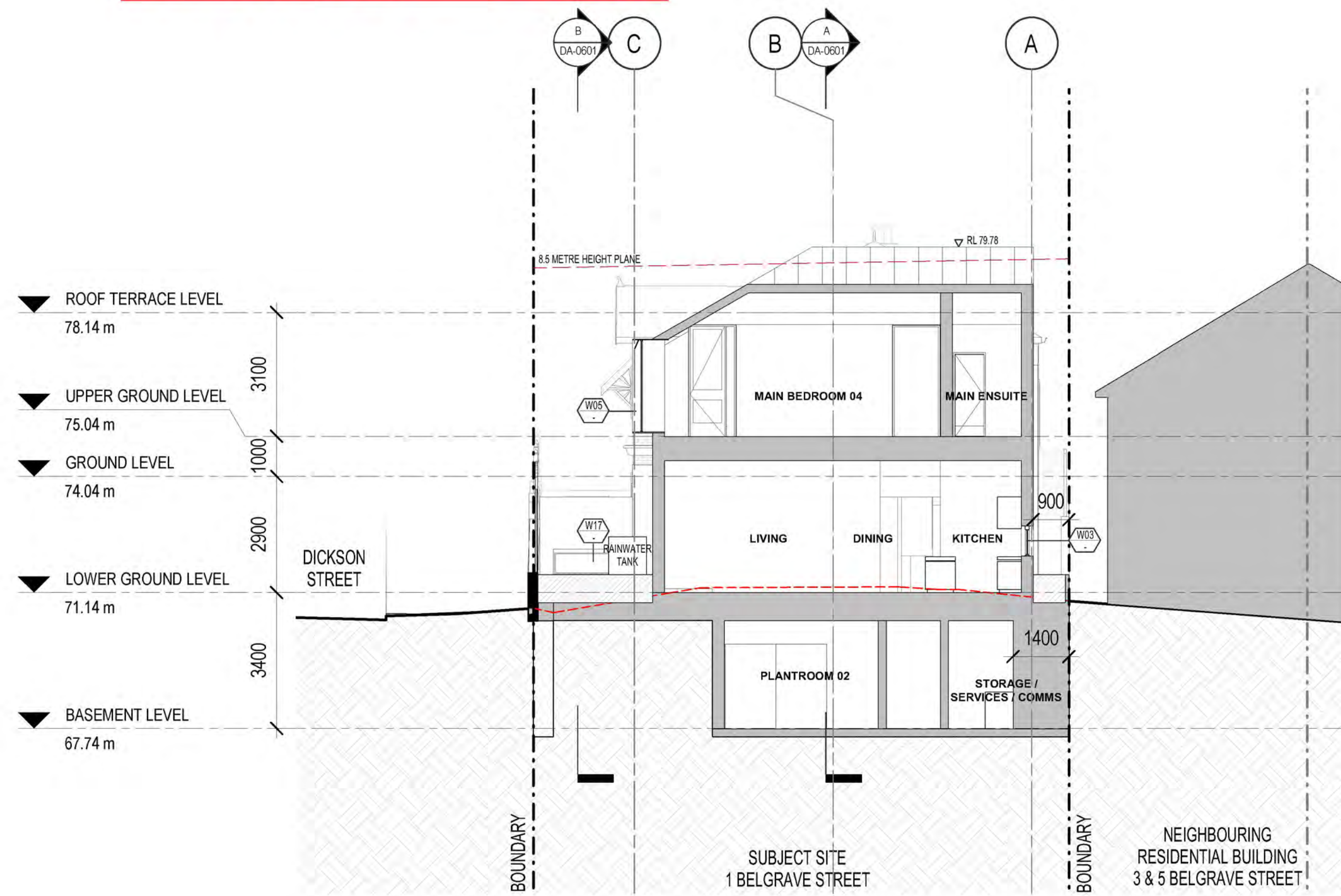
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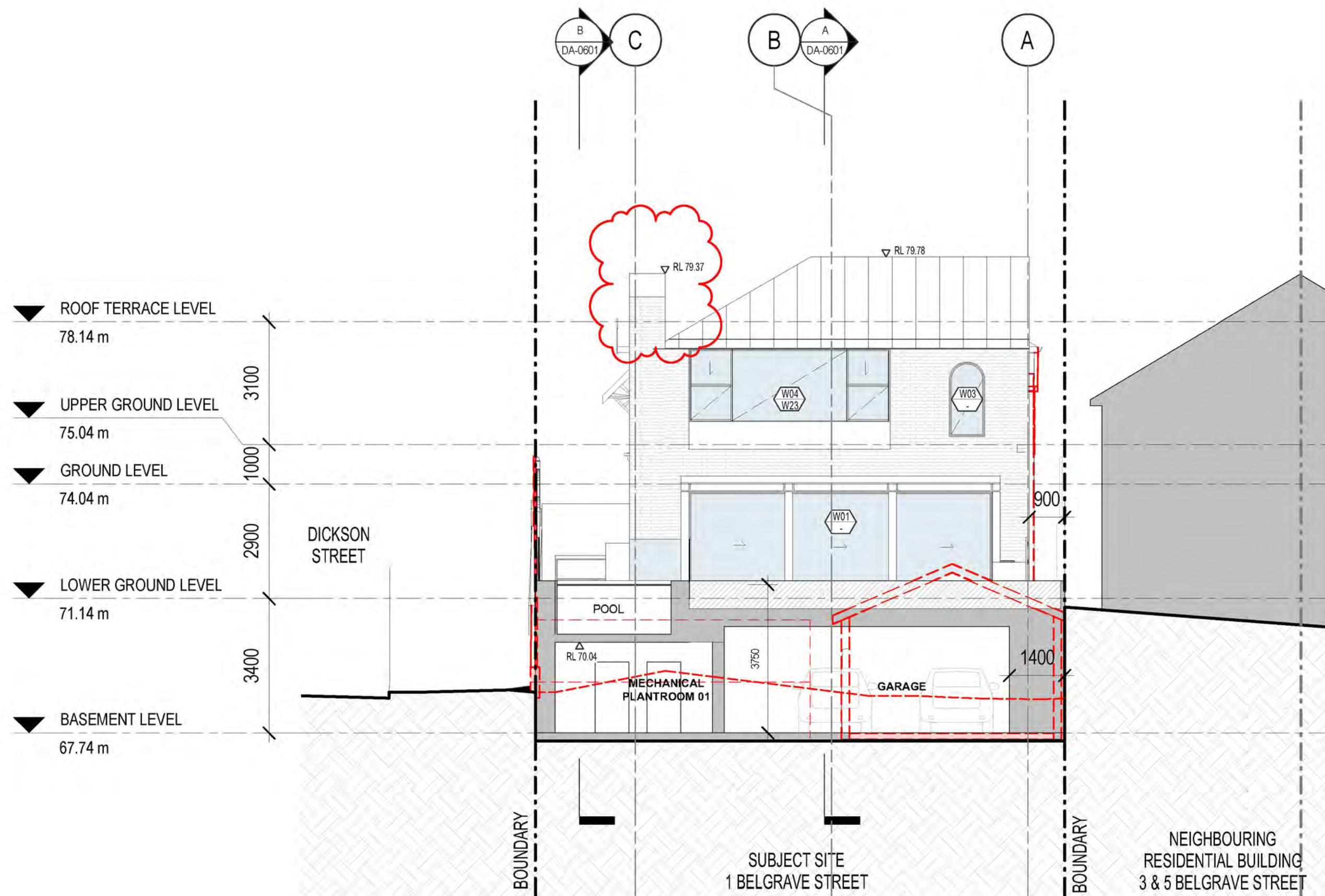
AMENDED PLANS



C CROSS SECTION C
1: 100@A1



D CROSS SECTION D
1: 100@A1



1 CROSS SECTION E
1: 100@A1

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Client
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Project
**Alterations and Additions to Residence
1 Belgrave Street Bronte, NSW**

Drawing Name
Cross Sections C, D & E

Date	Scale	Sheet Size	SJB Architects
23.02.21	1 : 100	@ A1	
Drawn	Chk.		
JF, TS	CM		
Job No.	Drawing No.	Revision	
5699	DA-0602	/ 8	

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Existing View - Dickson Road and Belgrave Lane,
Looking North-east



Proposed View - Dickson Road and Belgrave Lane,
Looking North-east



Existing View - Belgrave Lane,
Looking North-west



Proposed View - Belgrave Lane,
Looking North-west

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FOR APPROVAL

Rev	Date	Revision	By	Chk.
5	23.02.21	Issued for Revised DA		
Nominated Architects: Adam Haddow-7188 John Pradei-7004				

Client	Project	Date	Scale	Sheet Size	SJB Architects
Jennifer & James Milligan	Alterations and Additions to Residence 1 Belgrave Street Bronte, NSW	23.02.21	1 : 1	@ A1	
	Drawing Name	Drawn	Chk.		
	View Comparison	TS	AH		
		Job No.	Drawing No.	Revision	
		5699	DA-3111	/ 5	
					Level 2 490 Crown Street Surry Hills NSW 2010 Australia T 61 2 9380 9911 F 61 2 9380 9922 www.sjb.com.au

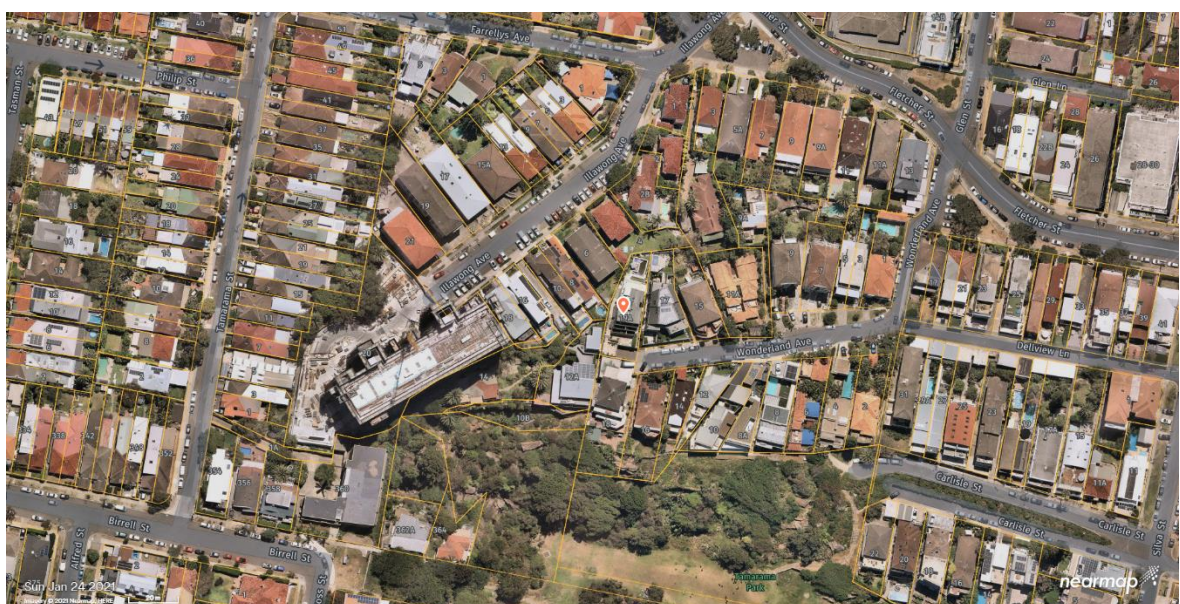




Report to the Waverley Local Planning Panel

Application number	DA-97/2020/A
Site address	Units 1 and 2, 19 Wonderland Avenue, TAMARAMA
Proposal	Modification to lift and lift access from garage level, reinstate extension of the third floor balcony and new privacy screens.
Approved development description	Alterations and additions to existing dual occupancy to consolidate into one dwelling house.
Date of lodgement	22 October 2020 (Amended on 26 February 2021)
Owner	The Owners Strata Plan 78881
Applicant	Mr S So and Mr M R Jenkinson C/- RAA Architects
Submissions	Two unique submissions received.
Cost of Works	\$523,950
Issues	Contravention of floor space ratio development standard; and privacy impacts.
Recommendation	That the application be APPROVED .

Site Map



1. PREAMBLE

1.1 Site and Surrounding Locality

The site is identified as SP 78881, known as 19 Wonderland Avenue, Tamarama. The site is irregular in shape with a north rear boundary of 8.42m, east boundary to 17 Wonderland Avenue of 39.815m, a south boundary to 18 Wonderland Avenue of 14.85m and an angled west boundary to various Illawong Avenue properties with a total length of 43.11m. Access to the site is via a perpendicular section of the eastern side boundary from a cul-de-sac. The site has an area of 522.1m² and has a significant fall from the rear to the front of around 9.5m.

The subject site is adjoined by a variety of residential development including semi-detached dwellings, detached dwellings and residential flat buildings

The site is occupied by a Strata subdivided, multi-level dual occupancy development, as depicted in **Figure 1** below.



Figure 1: Site viewed from the courtyard at the front of the site over the garage. The unusual subdivision has the entire basement level allocated to Lot 1 (which currently contains plant and equipment), with a regular 'semi-detached' arrangement above with the exception of the uppermost floor, where the dwellings 'cross over' each other.



Figure 2: Rear of the development, looking south-west



Figure 3: Adjoining residential flat building to the north-west at 6 Illawong Avenue

1.2 Details of Approved Development

The original development application, known as DA-97/2020 for alterations and additions to existing dual occupancy to consolidate into one dwelling house, was approved by the Waverley Local Planning Panel (WLPP) on 29 July 2020.

Before the development application was approved by the WLPP, the Development and Building Unit recommended the following design changes via recommended condition no. 2:

2. GENERAL MODIFICATIONS

The application is approved subject to the following plan amendments;

- (a) In order to lessen the visual and acoustic privacy impacts upon the adjoining property to the east of the site at 17 Wonderland Avenue:*
 - i. The forward extension of the front third floor balcony is not approved. The existing dimensions of this balcony (i.e. depth and area) shall be maintained.*
 - ii. The existing privacy screen across the eastern side of the front first floor balcony shall be retained and reference to its demolition/removal shall be deleted from the plans.*
 - iii. A full height external fixed screen or shutter device shall be erected to the outside and in front of the window serving Bedroom 3 on first floor level across the eastern elevation of the development.*
- (b) An outdoor clothes drying area shall be designated on the plans.*

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

The WLPP adopted this condition when approving the development application.

1.3 Proposal

The application has been lodged as a section 4.55(2) modification application and provides for the following modifications to the approved development:

- Extension of the lift to ground floor level, which accommodates the garages, and the provision of a tunnel to connect between the lift and garages, thereby creating an addition of 24.36m² of gross floor area.
- Review and delete condition 2(a) of the development consent regarding a forward extension of front third floor balcony accessed from living room.

During the course of the assessment, the applicant chose to amend the extent and design of the forward extension of the front third floor balcony. This amendment is visualised in **Figures 4 and 5** of this report. Council received amended plans on 26 February 2021 and these plans are relied upon for the assessment of this modification application.

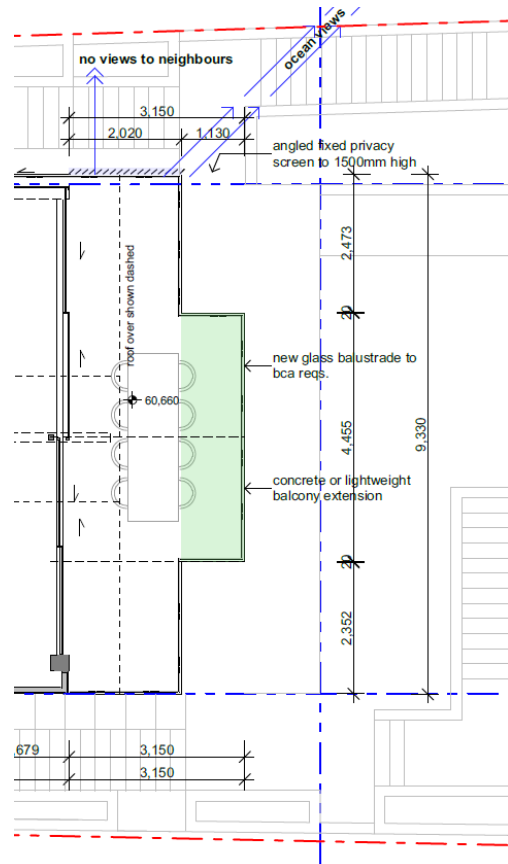
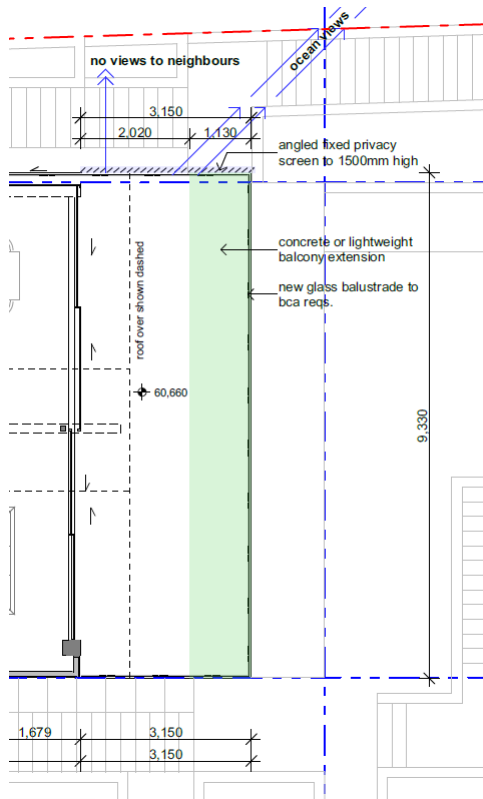


Figure 4: Original design of extension of balcony **Figure 5:** Amended design of extension of balcony

Given the reduction of area and dimensions of this balcony extension, the modification application was not required to be publicly notified because this amendment represents a lesser impact than that of the proposal, as originally modified.

2. ASSESSMENT

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

2.1 Section 4.55 Considerations

The application is submitted under section 4.55(2) of the Act.

The development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted. The following sections of this report consider the additional environmental impact arising from the proposed modifications to the approved development with regard to the matters for consideration under section 4.15(1) of the Act. Overall, the additional impacts arising are considered minor and reasonable. The quantitative and qualitative elements and impacts between the approved development and the development, as proposed to be modified, are not considered overly dissimilar as demonstrated in the following sections of this report. In this regard, the proposal is considered to be substantially the same as the originally approved development with regard to matters arising from the NSW Land and Environment Court case of *Moto Projects (No 2) Pty Ltd v North Sydney Council* (1999) 106 LGERA 298.

Council has consulted any relevant Minister or Authority and notified the application and considered submissions as discussed further in the report.

The application is subject to an assessment against the matters for consideration under section 4.15(1) of the Act and that assessment is set out below.

2.2 Planning Instruments and Development Control Plans

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

2.2.1 SEPP (Building Sustainability Index – BASIX) 2004

A BASIX Certificate has been submitted with the development application.

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

2.2.2 Waverley Local Environmental Plan 2012 (Waverley LEP 2012)

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

Table 1: Waverley LEP 2012 Compliance Table

Provision	Compliance	Comment
Part 1 Preliminary		
1.2 Aims of plan	Yes	Satisfactory.
Part 2 Permitted or prohibited development		
2.6 Subdivision – consent requirements	N/A	The proposal will lead to the current Strata scheme being disbanded, however change to the current subdivision and land title arrangements of the site are unlikely to require development consent and would be rationalised through a separate application or other regulatory means.
Land Use Table R3 Medium Density Residential	Yes	The approved development remains as a 'dwelling house'.
Part 4 Principal development standards		
4.3 Height of buildings <ul style="list-style-type: none"> 9.5m 	Yes	The balustrade of the proposed extended front first floor balcony maintains a building height of 9.5m.
4.4 Floor space ratio and 4.4A Exceptions to floor space ratio <ul style="list-style-type: none"> 0.53:1 (276.5m²) 	No	<ul style="list-style-type: none"> Approved development: has an overall gross floor area (GFA) of the development to 382.18m², which achieves a floor space ratio of 0.69:1. The development exceeds the FSR development standard by 105.68m² or 38.2%

Provision	Compliance	Comment
		<ul style="list-style-type: none"> The approved development, as proposed to be modified, seeks an overall GFA of 406.54m², which is a net increase of 24.36m². It therefore achieves an FSR of 0.74:1. The proposed cumulative exceedance of the FSR development standard is 130.04m² or 47%.
4.6 Exceptions to development standards	See discussion	The approved development, as proposed to be modified, exceeds the FSR development standard. While clause 4.6 of the Waverley LEP 2012 does not apply to modification applications made under section 4.55 of the Act, the exceedances are discussed below Table 4 of this report.
Part 6 Additional local provisions		
6.1 Acid sulfate soils	Yes	The site contains 'Class 5' acid sulfate soils. The site is located greater than 500m from land known as containing Classes 1, 2, 3 or 4 acid sulfate soils. The proposal does not involve excavation deeper than 5m below AHD. Therefore, the proposed development is not expected to disturb or expose acid sulfate soils.
6.2 Earthworks	Yes	The volume of the proposed excavation to support the extended lift shaft and tunnel is not considered excessive. Appropriate additional conditions of consent have been recommended in relation to the proposed excavation.

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

Floor Space Ratio

The proposed modifications, specifically the provision of a tunnel between the garages and the proposed extended lift, results in an addition of 24.36m² of gross floor area (GFA) to the development. Therefore, the overall GFA of the development has increased to 406.54m², which achieves a floor space ratio (FSR) of 0.74:1. The cumulative exceedance of the FSR development standard of 0.9:1 is 130.04m² or 47%.

The applicant has provided some written justification for the non-compliance with the development standard and has based the justification on the performance of the proposal against the objectives of the FSR development standard. The relevant objectives of the development standard are as follows:

- (a) *to ensure sufficient floor space can be accommodated within the Bondi Junction Centre to meet foreseeable future needs,*

- (b) *to provide an appropriate correlation between maximum building heights and density controls,*
- (c) *to ensure that buildings are compatible with the bulk, scale, streetscape and desired future character of the locality,*
- (d) *to establish limitations on the overall scale of development to preserve the environmental amenity of neighbouring properties and minimise the adverse impacts on the amenity of the locality.*

Objective (a) is irrelevant to the assessment of this application as the subject site is outside the Bondi Junction Centre.

The justification provided by the applicant to support the increased exceedance of the FSR development standard is summarised as follows:

- The proposed modification does not seek to alter the height of the existing building and its approved alterations and additions, specifically the proposed new study on the uppermost floor level. Therefore, the additional GFA meets objective (b).
- The additional GFA is located below ground and within the existing building envelope, and therefore, will not alter the bulk and scale of the existing building and its approved alterations and additions. Therefore, the additional GFA meets objective (b).
- The environmental amenity of neighbouring properties will be preserved as the additional GFA is located below ground and within the building footprint and will not alter the building envelope, as approved. Therefore, the additional GFA will not cause additional overshadowing of adjoining properties from that approved. Further, it will not result in any additional loss of privacy for adjoining properties and affect views from surrounding properties. The additional GFA meets objective (d).
- The additional GFA will allow for internal access to living areas above from the garage and will improve the amenity of the subject site with no impacts on adjoining sites.

The applicant's points of justification are considered sufficient and acceptable to support the increase of GFA to the approved development. The additional GFA will not manifest in any discernible and additional environmental planning impacts upon neighbouring properties as it is contained under ground and within the centre of the building. Despite the cumulative extent of the non-compliance of the FSR development standard, the applicant successfully demonstrated that compliance with the development standard was deemed unnecessary or unreasonable given circumstances and established sufficient environmental planning grounds to justify the non-compliance under the terms of clause 4.6 of Waverley LEP 2012. The additional exceedance sought by this modification application has no consequence on these matters given that there are no tangible external environmental impacts arising, and the additional GFA is, and approved excess GFA remains, consistent with the objectives of the FSR development standards. Therefore, the exceedance is deemed acceptable and is supported.

2.2.3 Waverley Development Control Plan 2012 - Amendment No 9

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

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

Development Control	Compliance	Comment
14. Excavation	Yes	The proposed excavation does not add to the scale of the building as it is concealed behind the front and is the centre of the building. Appropriate additional conditions of consent have been recommended in relation to the proposed excavation.

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

Development Control	Compliance	Comment
2.2 Setbacks		
2.2.1 Front and rear building lines <ul style="list-style-type: none">Predominant front building linePredominant rear building line at each floor level	Yes <	

Development Control	Compliance	Comment
10m ² in area 1.5m deep		its sides) is 3.15m and an area of 23.2m ² . Despite its significant size, the extended part of the balcony is more modest than the previous extension and is set back or indented by at least 2.3m from the sides of the existing balcony. The intention of the extended part is to accommodate an outdoor set of table and chairs. Therefore, it is unlikely that the extended part will cause significant and unreasonable additional privacy impacts upon adjoining properties. This extension is therefore supported.
2.6 Solar access		
<ul style="list-style-type: none"> Minimum of three hours of sunlight to living areas and principal open space areas on 21 June Minimum of three hours of sunlight maintained to living areas and principal open space areas of adjoining properties on 21 June 	Yes	No balcony extension is unlikely to result in discernible overshadowing impacts.
2.7 Views		
<ul style="list-style-type: none"> Development to be designed and sited so as to enable a sharing of views with surrounding dwellings particularly from habitable rooms and decks. 	Yes	While one of the submissions raised concern about the extended part of the balcony, the applicant has been able to demonstrate on the site analysis plan/roof plan (Drawing No. 1929-101) that the proposed extended balcony (as amended) would not obscure view sightlines towards Tamarama Beach, particularly from the adjacent properties at 6 and 8 Illawong Avenue. Further, any discernible impact would be minor as the extended part of the balcony will comprise glass balustrades and will not have any solid privacy screens across the western side of the balcony. Therefore, the forward extension of the balcony (as amended) is unlikely to cause discernible view impacts.

2.3 Other Impacts of the Development

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

2.4 Suitability of the Site for the Development

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

2.5 Any Submissions

The modification application was notified for 14 days in accordance with *The Waverley Community Development Participation and Consultation Plan*.

Two unique submissions were received from the following properties in Tamarama:

- 8 Illawong Avenue; and
- A joint submission was received from the adjoining residential flat building to the east of the site at 17 Wonderland Avenue, Tamarama* with signatories from the owners/occupiers of all the units in the building as follows:
 - 2/17 Wonderland Avenue
 - 3/17 Wonderland Avenue
 - 4/17 Wonderland Avenue
 - 5/17 Wonderland Avenue.

*The joint submission is treated as one unique submission as each signatory above did not raise unique/individual issues or the substance of their submissions did not differ.

The principal issue raised in the submissions is the forward extension of the front third floor balcony in terms of its visual and acoustic privacy and view impacts as claimed in the submissions. These issues have been discussed in the body of this report. Ultimately, the forward extension of the front third floor balcony has been reduced and sited such that it will not cause undue impacts upon privacy and views.

2.6 Public Interest

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

3. REFERRALS

No internal or external referral comments were sought.

4. SUMMARY

The modification applications seeks to modify the development consent for alterations and additions to the approved converted dwelling house at 19 Wonderland Avenue, Tamarama, specifically to provide a tunnel in the basement (that is counted as gross floor area) and review the previous decision to not approve a forward extension of the front third floor balcony of the development.

The main issue in the assessment of this application are further non-compliance with the FSR development standard and privacy impacts. The assessment found these issues acceptable on merit. The applicant has adequately justified the further exceedance of the FSR development standard.

The application attracted two unique submissions and the issues raised in these submissions have been considered and addressed in this report.

The modification application is made under section 4.55(2) of the Ac. The original development application that was determined by the Waverley Local Planning Panel (WLPP). Further, the modification application seeks to provide additional GFA, which is greater than 10% over the FSR development standard under Waverley LEP 2012. Therefore, this modification application is referred to the WLPP for determination.

The application has been assessed against the relevant matters for consideration under section 4.15(1) and 4.55(2) of the Act, and is recommended for approval.

DBU Decision

The application was reviewed by the DBU at the meeting on 19 January 2021 and the DBU determined:

- (a) *The application is acceptable and should be approved, subject to the conditions in Appendix A, including reaffirming condition 2(a) of the consent.*

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

The application was subsequently amended following the DBU's decision on 19 January 2021, and the DBU reconvened on 2 March 2021 and determined:

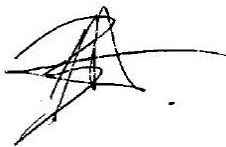
- (a) *That the redesigned extension of the front upper floor level balcony can be supported, therefore, condition 2(a) of the consent can be modified to reflect this accepted redesign.*

DBU members: *M Reid, B McNamara and B Magistrale*

5. RECOMMENDATION TO WAVERLEY LOCAL PLANNING PANEL

That the Section 4.55 Modification Application be **APPROVED** by the Waverley Local Planning Panel subject to modified and additional conditions shown in Appendix A.

Report prepared by:



Ben Magistrale
Senior Development Assessment Planner

Date: 11 March 2021

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



Angela Rossi
Manager, Development Assessment (Central)

Date: 11 March 2021

Reason for referral:

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

APPENDIX A – CONDITIONS OF CONSENT TO BE MODIFIED

A. Amended/Deleted Conditions

1. APPROVED PLANS AND DOCUMENTATION

The development must be in accordance with:

- (a) Architectural Plans prepared by RAA Architect Pty Ltd of Project Name 1929-Wonderland including the following:

Plan Number and Issue	Plan description	Plan Date	Date received by Council
1929-101 Issue 9	Site Analysis and GFA Plans	26 June 2020	30 June 2020
1929-102 Issue 8	Plans	11 June 2020	12 June 2020
1929-103 Issue 8	Plans	11 June 2020	12 June 2020
1929-104 Issue 8	Elevations and Section	11 June 2020	12 June 2020
1929-106 Issue 1	Drawings For Privacy	11 June 2020	12 June 2020

- (i) As amended by the Architectural Plans prepared by RAA Architect Pty Ltd of Project Name 1929-Wonderland including the following:*

Plan Number and Issue	Plan description	Plan Date	Date received by Council
1929-101 Issue 12	Site Analysis and GFA Plans	14 February 2021	26 February 2021
1929-102 Issue 12	Plans	14 February 2021	26 February 2021
1929-103 Issue 12	Plans	14 February 2021	26 February 2021
1929-104 Issue 12	Elevations and Section	14 February 2021	26 February 2021

(MODIFIED BY DA-97/2020/A)

- (b) BASIX and NatHERs Certificate/s
- (c) Stormwater Details and documentation in accordance with condition 12 of this development consent.
- (d) The Site Waste and Recycling Management Plan (SWRMP) Part 1.

Except where amended by the following conditions of consent.

2. GENERAL MODIFICATIONS

The application is approved subject to the following plan amendments;

- (a) In order to lessen the visual and acoustic privacy impacts upon the adjoining property to the east of the site at 17 Wonderland Avenue:
- i. The forward extension of the front third floor balcony ***shall be designed in accordance with Architectural Drawings identified in condition 1(a)(i) of this development consent DA-97/2020/A*** is not approved. The existing dimensions of this balcony (i.e. depth and area) shall be maintained.

(MODIFIED AND SATISFIED BY DA-97/2020/A)

- ii. The existing privacy screen across the eastern side of the front first floor balcony shall be retained and reference to its demolition/removal shall be deleted from the plans.
- iii. A full height external fixed screen or shutter device shall be erected to the outside and in front of the window serving Bedroom 3 on first floor level across the eastern elevation of the development.

(b) An outdoor clothes drying area shall be designated on the plans.

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

B. New Conditions

8A. 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.

(ADDED BY DA-97/2020/A)

19A. 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.

(ADDED BY DA-97/2020/A)

19B. 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.

(ADDED BY DA-97/2020/A)

Advisory Note:

X. EXCAVATION TO BE LIMITED

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

(ADDED BY DA-97/2020/A)

APPENDIX B – FULL SET OF CONDITIONS

A. APPROVED DEVELOPMENT

1. APPROVED PLANS AND DOCUMENTATION

The development must be in accordance with:

- (a) Architectural Plans prepared by RAA Architect Pty Ltd of Project Name 1929-Wonderland including the following:

Plan Number and Issue	Plan description	Plan Date	Date received by Council
1929-101 Issue 9	Site Analysis and GFA Plans	26 June 2020	30 June 2020
1929-102 Issue 8	Plans	11 June 2020	12 June 2020
1929-103 Issue 8	Plans	11 June 2020	12 June 2020
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1929-104 Issue 12	Elevations and Section	14 February 2021	26 February 2021

(MODIFIED BY DA-97/2020/A)

- (b) BASIX and NatHERs Certificate/s
- (c) Stormwater Details and documentation in accordance with condition 12 of this development consent.
- (d) The Site Waste and Recycling Management Plan (SWRMP) Part 1.

Except where amended by the following conditions of consent.

2. GENERAL MODIFICATIONS

The application is approved subject to the following plan amendments;

- (a) In order to lessen the visual and acoustic privacy impacts upon the adjoining property to the east of the site at 17 Wonderland Avenue:
- i. The forward extension of the front third floor balcony shall be designed in accordance with Architectural Drawings identified in condition 1(a)(i) of this development consent DA-97/2020/A.

(MODIFIED AND SATISFIED BY DA-97/2020/A)

- i. The existing privacy screen across the eastern side of the front first floor balcony shall be retained and reference to its demolition/removal shall be deleted from the plans.
- ii. A full height external fixed screen or shutter device shall be erected to the outside and in front of the window serving Bedroom 3 on first floor level across the eastern elevation of the development.

(b) An outdoor clothes drying area shall be designated on the plans.

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

B. PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

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

GENERAL REQUIREMENTS

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

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

- (a) a Construction Certificate has been obtained from Council or an Accredited Certifier in accordance with the Environmental Planning & 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.

4. HOME BUILDING ACT

The builder or person who does the residential building work shall comply with the applicable requirements of Part 6 of the *Home and Building Act, 1989*. In this regard a person must not contract to do any residential building work unless a contract of insurance that complies with this Act is in force in relation to the proposed work. It is the responsibility of the builder or person who is to do the work to satisfy the Principal Certifying Authority that they have complied with the applicant requirements of Part 6, before any work commences.

CONTRIBUTIONS, FEES & BONDS

5. SECTION 7.12 CONTRIBUTION

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

(a) A cost report indicating the itemised cost of the development shall be completed and submitted to Council:

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

"Waverley Council Cost Summary Report"; or,

(ii) Where the total development cost is \$500,000 or more:

"Waverley Council Registered Quantity Surveyor's Detailed Cost Report".

A copy of the required format for the cost reports are in the Waverley Council Contributions Plan 2006, available on Council's website.

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

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

(ii) A development valued at \$100,001 - \$200,000 will attract a levy of 0.5% OR

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

Prior to the issue of any Construction Certificate, evidence must be provided that the levy has been paid to Council in accordance with this condition or that the cost of works is less than \$100,000.

6. SECURITY DEPOSIT

A deposit (cash or cheque) or guarantee for the amount of **\$10,557.50** 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.

7. LONG SERVICE LEVY

A long service levy, as required under Section 34 of the *Building and Construction Industry Long Service Payments Act, 1986*, is to be paid in respect 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.

CONSTRUCTION & SITE MATTERS

8. 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.

8A. 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.

(ADDED BY DA-97/2020/A)

9. 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.

10. ENGINEERING CERTIFICATE OF ADEQUACY

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

TRAFFIC MANAGEMENT

11. CONSTRUCTION TRAFFIC MANAGEMENT PLAN (CTMP)

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

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

STORMWATER & FLOODING

12. STORMWATER AND PUBLIC INFRASTRUCTURE MANAGEMENT

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

The submitted stormwater civil plans prepared by RTS Civil Consulting Engineers Pty Ltd, Project No. 200301, DWG No. CP100, SW100, SW101, SW102, SW200 (Issue A), dated 26/03/2020 are considered unsatisfactory. The applicant must submit amended 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) OSD Details: The plans shall include On-Site Stormwater Detention (OSD) tank and its details e.g. pit dimensions, cross & long sections, significant water invert levels of inlet and outlet pipes, details of Discharge Control Pit, orifice plate details including orifice diameter, depth of water above centreline of orifice etc and pit overflow. Council's mandatory OSD checklist as set out in page 22 of the Councils water management technical manual shall be submitted.
- (b) Details of any rainwater tank required by BASIX commitments or as nominated on the architectural plan, including the overflow connection to the Stormwater Drainage System.
- (c) Any affected Council's infrastructure as the result of construction activities within the public domain area, inclusive of stormwater, stormwater outlet/s, kerb and gutter, pavement, grass verges and vehicle crossovers within the extent works shall be replaced as per Waverley Council Public Domain Technical Manual.

Notes:

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

13. ENGINEERING PLANS ASSESSMENT AND WORKS INSPECTION FEES

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

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

ENERGY EFFICIENCY & SUSTAINABILITY

14. BASIX

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

WASTE

15. SITE WASTE AND RECYCLING MANAGEMENT PLAN

A Site Waste and Recycling Management Plan (SWRMP) - Part 2 is to be submitted to the Principal Certifying Authority prior to the issue of the relevant Construction Certificate, which outlines materials to be reused and/or recycled as a result of demolition and construction works. At least one copy of the *SWRMP Part 2* is to be available on site at all times during construction. Copies of demolition and construction waste dockets that verify the facility that received the material for recycling or disposal and the quantity of waste received, must be retained on site at all times during construction.

C. COMPLIANCE PRIOR TO WORK COMMENCING AND DURING CONSTRUCTION

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

PRIOR TO ANY WORKS

16. CONSTRUCTION SIGNS

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

17. 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.

DEMOLITION & EXCAVATION

18. 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.

19. 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.

19A. 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.

(ADDED BY DA-97/2020/A)

19B. 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.

(ADDED BY DA-97/2020/A)

CONSTRUCTION MATTERS

20. 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.

21. 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.

22. 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.

23. 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.

24. 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.

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

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

CERTIFICATES, LICENCES, EASEMENTS AND RESTRICTIONS

25. 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.

26. CERTIFICATION OF BASIX COMMITMENTS

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

27. CERTIFICATION OF STORMWATER SYSTEM

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

28. ON-SITE STORMWATER DETENTION CERTIFICATION

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 any Occupation Certificate.

OTHER MATTERS

29. ALLOCATION OF STREET NUMBER

The proposed conversion from dual occupancy to dwelling house requires the allocation of street number as follows:

- No. 19 Wonderland Avenue, Tamarama.

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

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

E. ADVISORY MATTERS

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

I. POST CONSENT CONDITIONS REQUIRING COUNCIL INPUT

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

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

II. 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.

III. 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.

IV. 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.

V. ALTERATIONS AND ADDITIONS ONLY

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

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

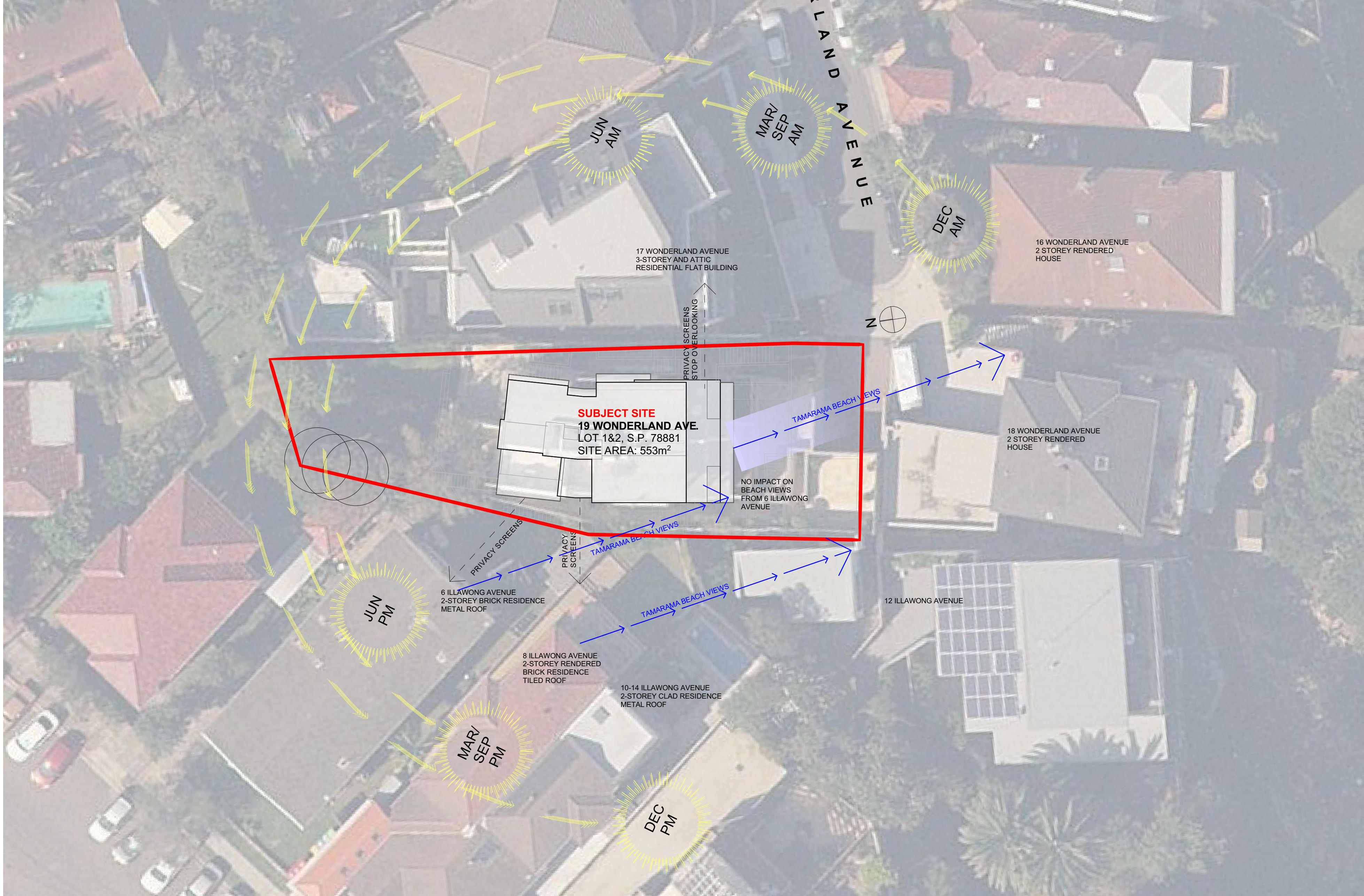
This consent does not authorise any work outside the property boundary.

IX. EXCAVATION TO BE LIMITED

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

(ADDED BY DA-97/2020/A)

RECEIVED
Waverley Council
Application No: DA-97/2020/A
Date Received: 26/02/2021

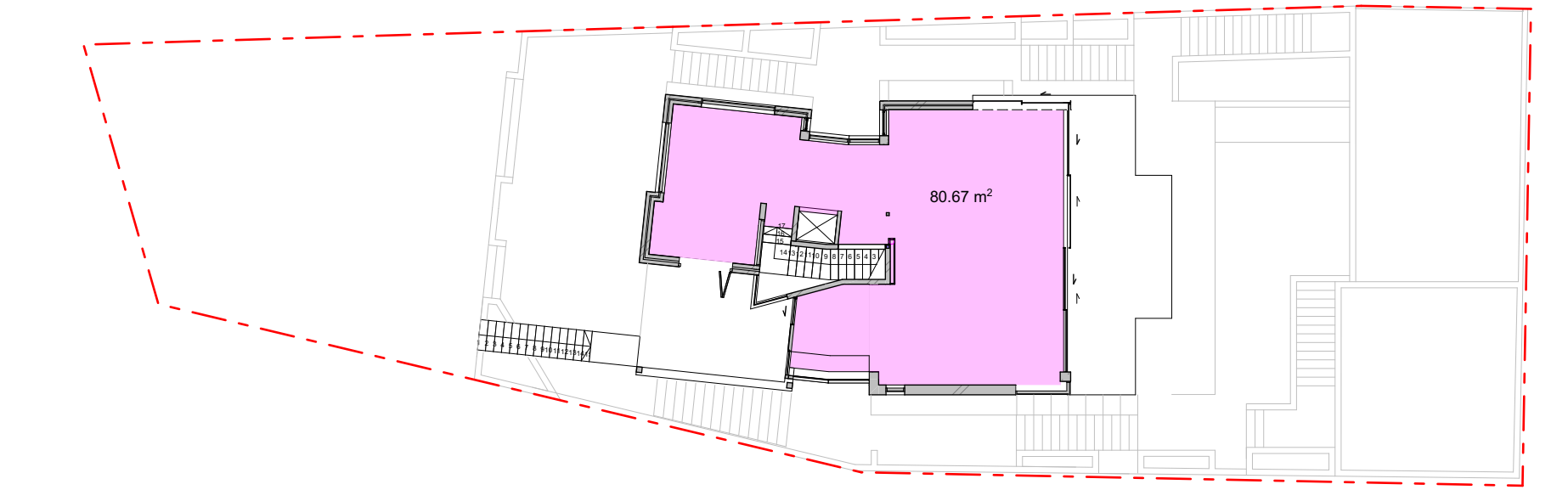


- approved DA FSR
- S4.55 added FSR

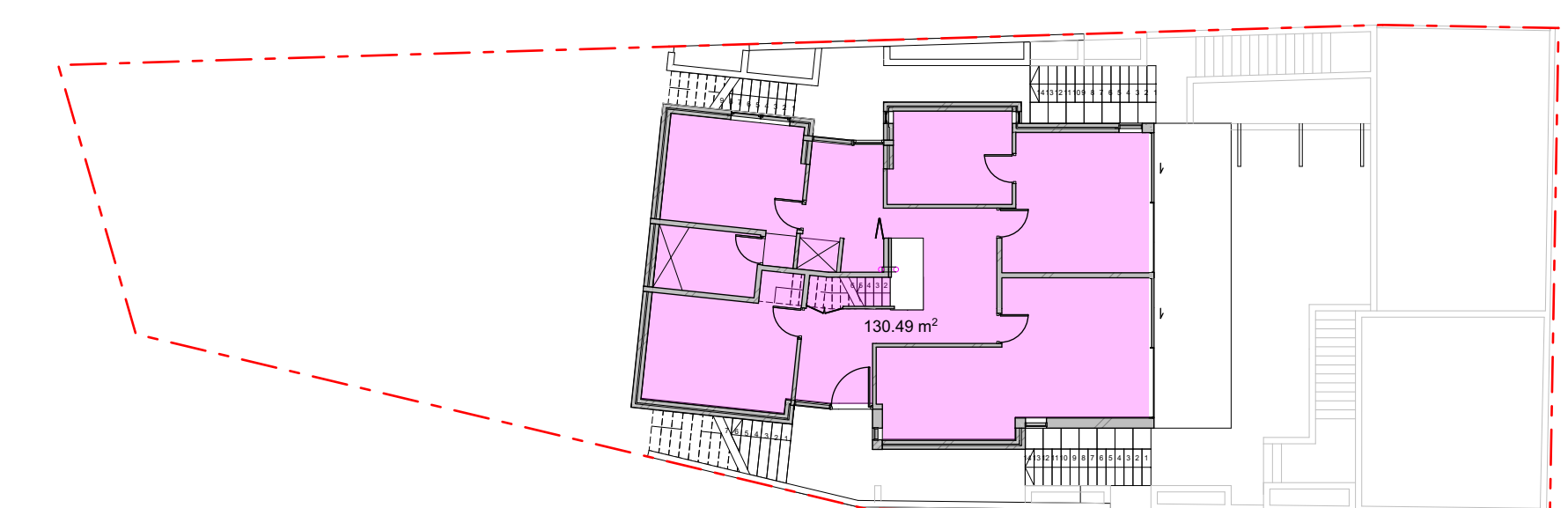
NOT FOR CONSTRUCTION

THIS DA PACK INCLUDES
THE WORKS FROM THE
PREVIOUSLY APPROVED
DA-97/2020 AND DA-
35/2018

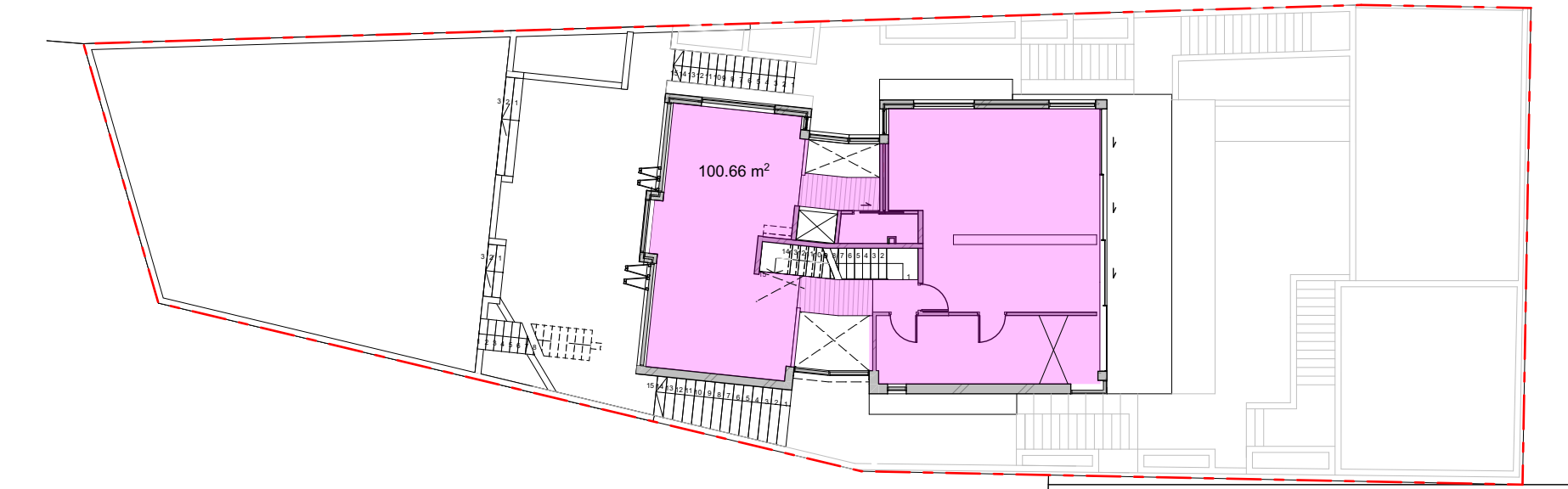
1 7. site analysis plan / roof plan 1:200



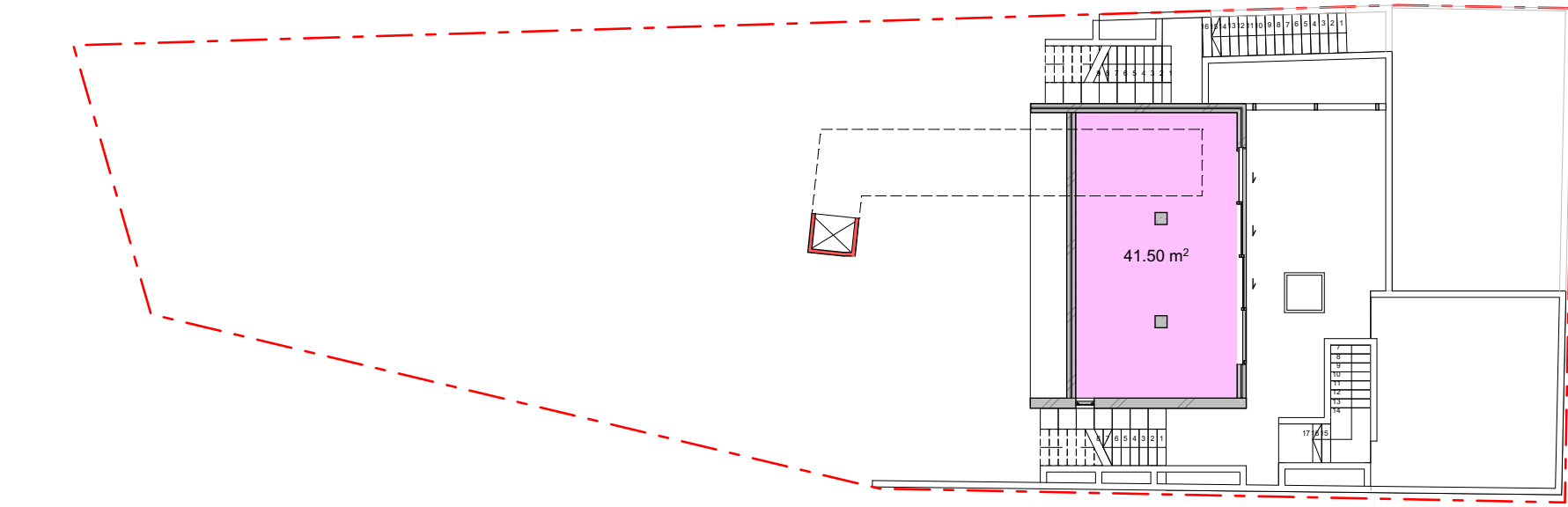
2 4. third floor 1:200



4 2. first floor 1:200



3 3. second floor 1:200



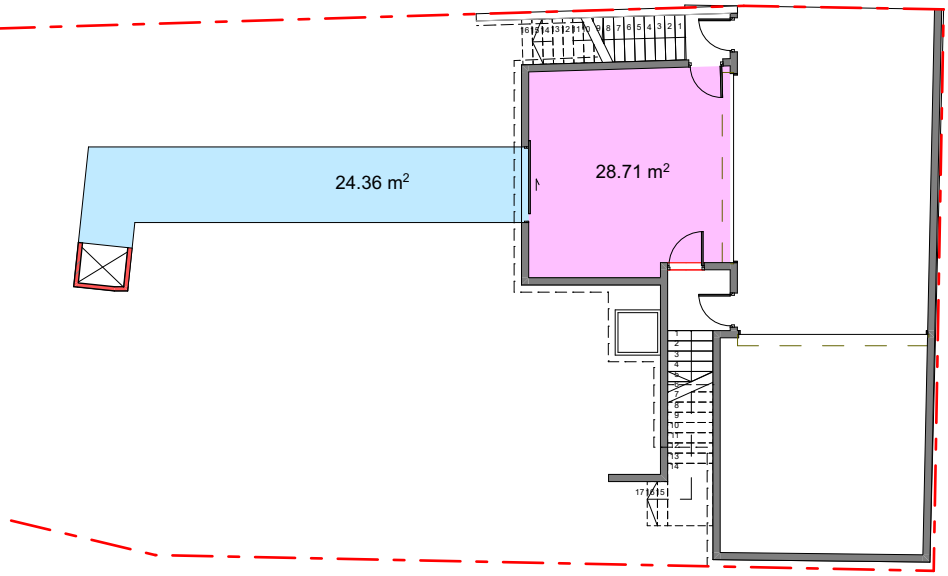
5 1. top of garage 1:200

EXISTING GFA				
	m2	site M2	FSR allowed	FSR current
ground floor	28.71			
top of garage	41.5	553	0.5	0.69
first floor	130.5			
second floor	100.8			
third floor	80.67			
TOTAL=	382.18			

PROPOSED GFA				
	m2	site M2	FSR allowed	FSR proposed
ground floor	53.07			
top of garage	41.5	553	0.5	0.74
first floor	130.5			
second floor	100.8			
third floor	80.67			
TOTAL=	406.54			

	DATE	AMENDMENTS
12	14 feb 2021	S 4.55 revised balcony
11	14 oct 2020	S 4.55
10	16 Sep 2020	S 4.55

Alterations and Additions to
apartment building
19 Wonderland Avenue
Tamarama NSW 2026
for
S. So & M. Jenkinson
site analysis and gfa plans



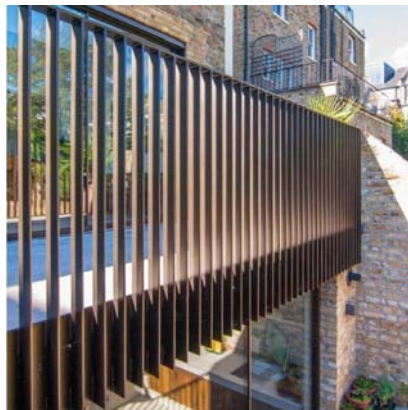
6 0. ground floor 1:200

DWG NO.	1929-101	ISSUE	12
DATE	14 Feb 2021	SCALE	1:200
STATUS	CHECKED BY		
PROJECT NAME	1929-Wonderland		
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Application No: DA-97/2020/A
Date Received: 26/02/2021



frame-less glass balustrade



[All levels]
patch and paint walls as required to match existing

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THE WORKS FROM THE
PREVIOUSLY APPROVED
DA-97/2020 AND DA-
35/2018

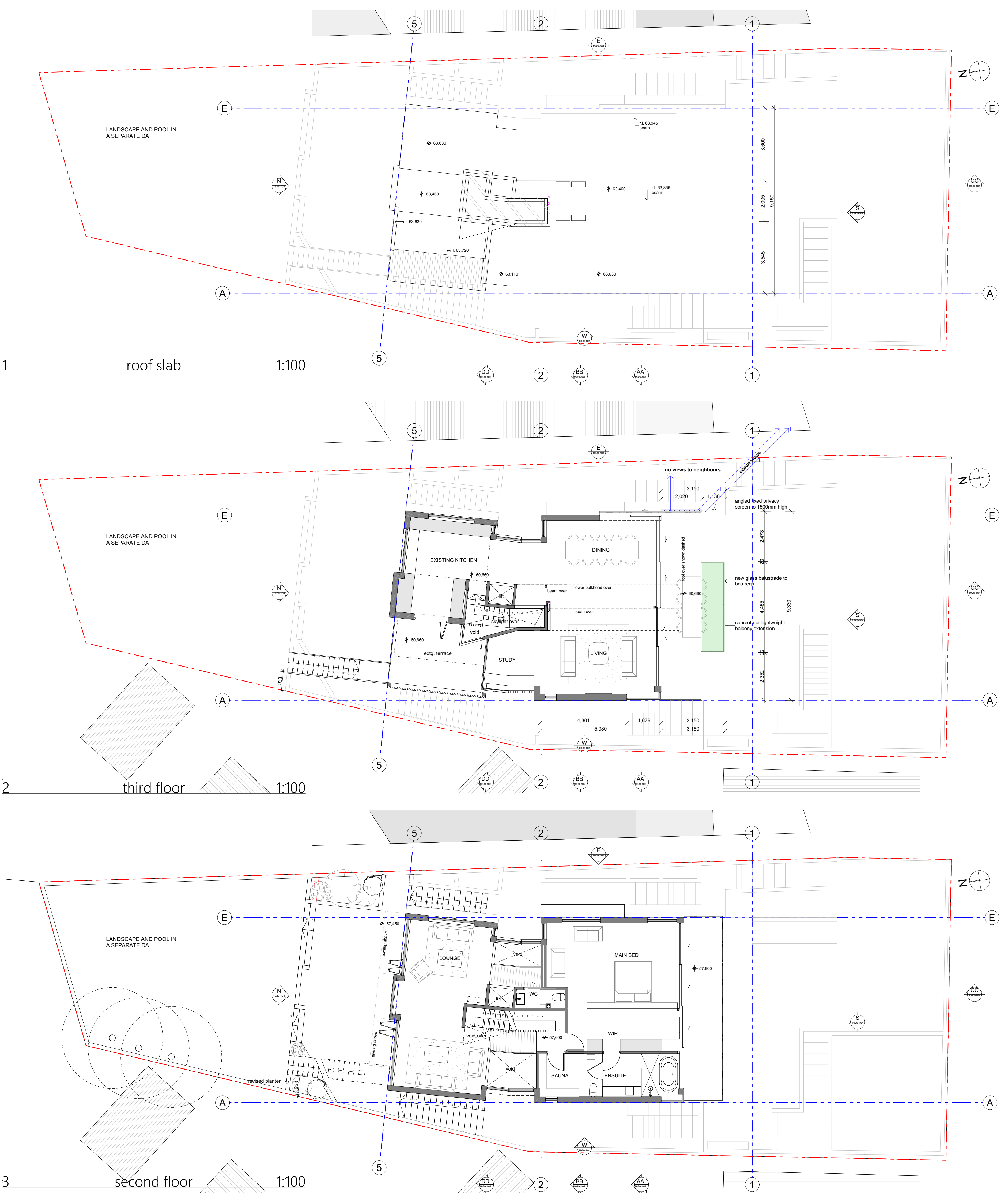
	DATE	AMENDMENTS
12	14 feb 2021	S 4.55 revised balcony
11	14 oct 2020	S 4.55
10	16 Sep 2020	S 4.55

Alterations and Additions to
apartment building
19 Wonderland Avenue
Tamarama NSW 2026
for
S. So & M. Jenkinson
plans 1

DWG NO.	1929-102	ISSUE	12
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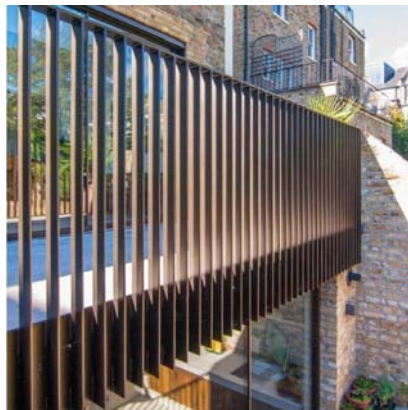
RAA architects pty ltd
nominated architect erik rudolfsson
abn 13 618 494 429 reg no. 6914
02 9331 1499 info@RAA.net.au
253 Oxford Street Darlinghurst NSW 2010



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Waverley Council
Application No: DA-97/2020/A
Date Received: 26/02/2021



frame-less glass balustrade



(All levels) patch and paint walls as required to match existing

1 first floor 1:100

2 top of garage 1:100

3 ground floor 1:100

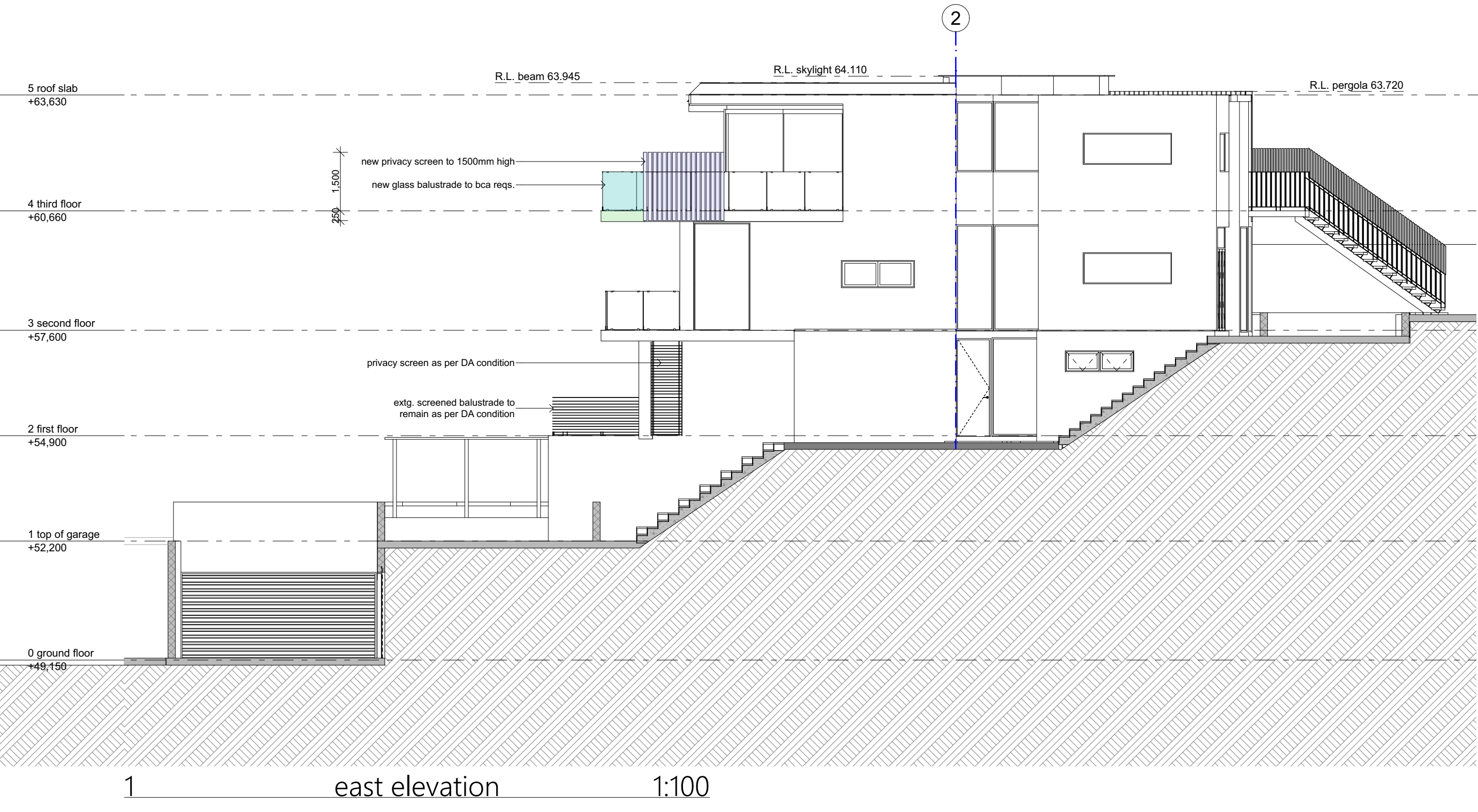
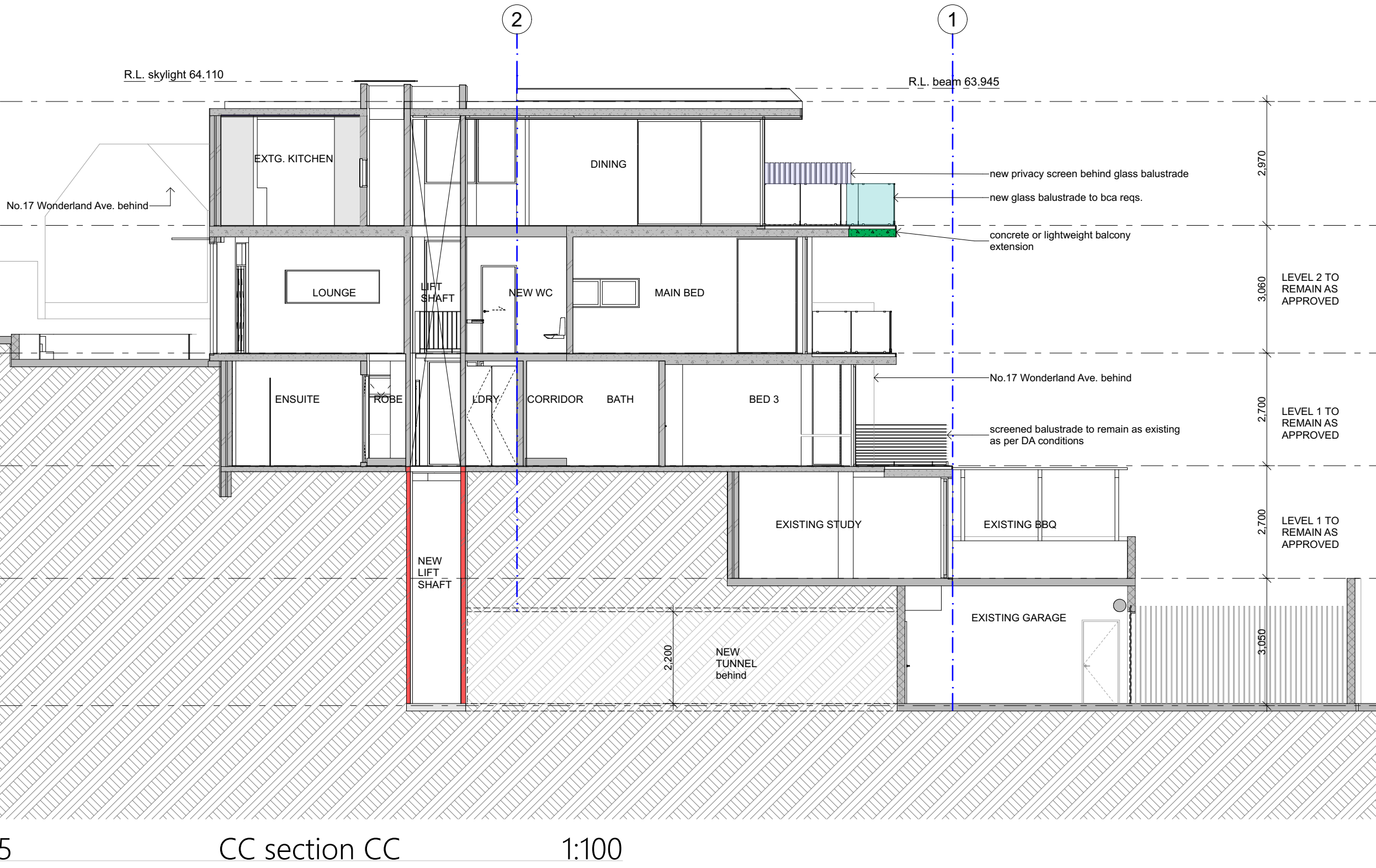
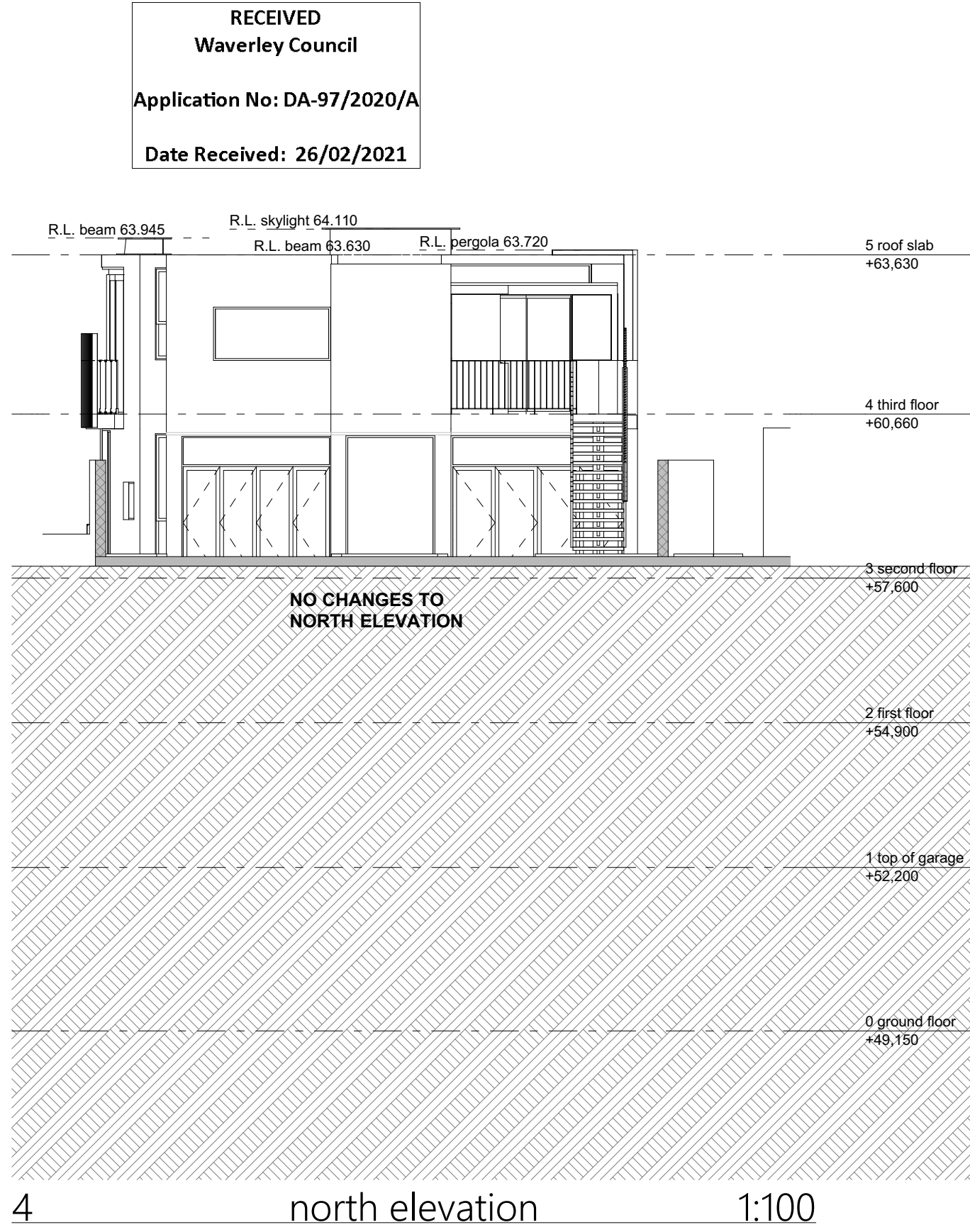
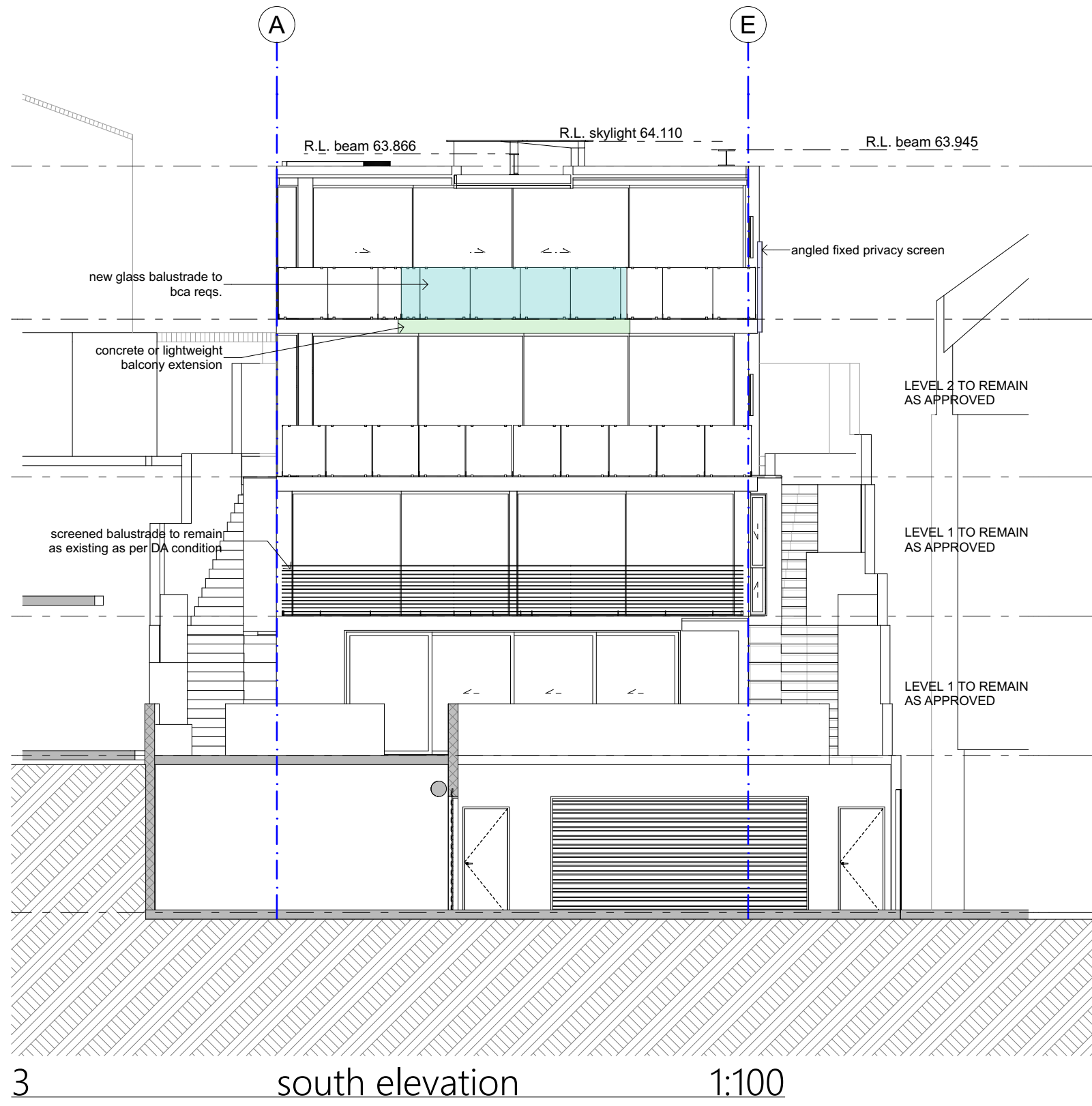
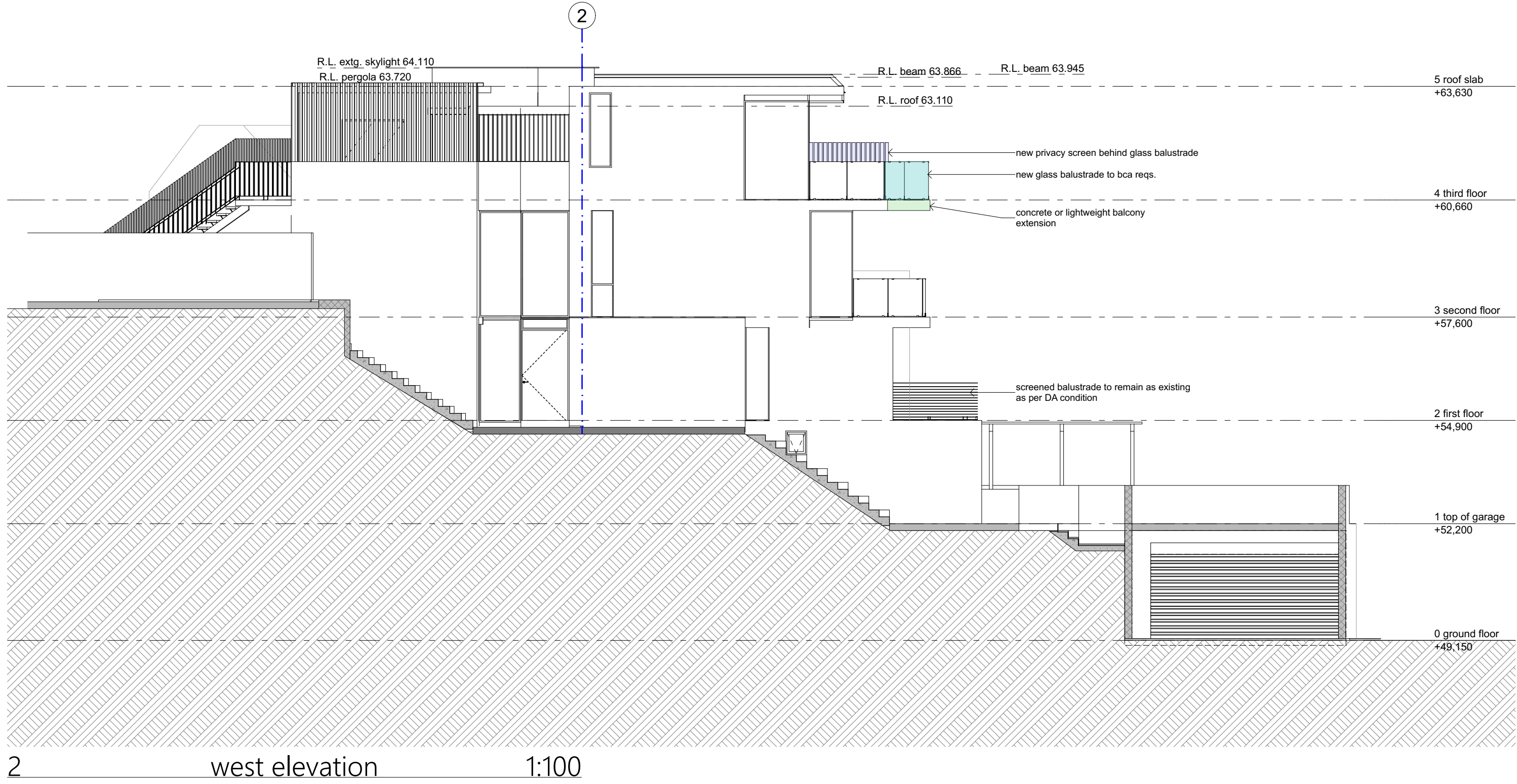
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PREVIOUSLY APPROVED
DA-97/2020 AND DA-
35/2018

Alterations and Additions to
apartment building
19 Wonderland Avenue
Tamarama NSW 2026
for
S. So & M. Jenkinson
plans 2

DWG NO.	1929-103	ISSUE	12
DATE	14 Feb 2021	SCALE	1:100
STATUS	CHECKED BY		
PROJECT NAME	1929-Wonderland		
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DA-97/2020 AND DA-
35/2018

DATE	AMENDMENTS
12 14 feb 2021	S 4.55 revised balcony
11 14 oct 2020	S 4.55
10 16 Sep 2020	S 4.55

Alterations and Additions to
apartment building
19 Wonderland Avenue
Tamarama NSW 2026
for
S. So & M. Jenkinson
elevations and section

DWG NO.	1929-104	ISSUE	12
DATE	14 Feb 2021	SCALE	1:100
STATUS	CHECKED BY		
PROJECT NAME	1929-Wonderland		

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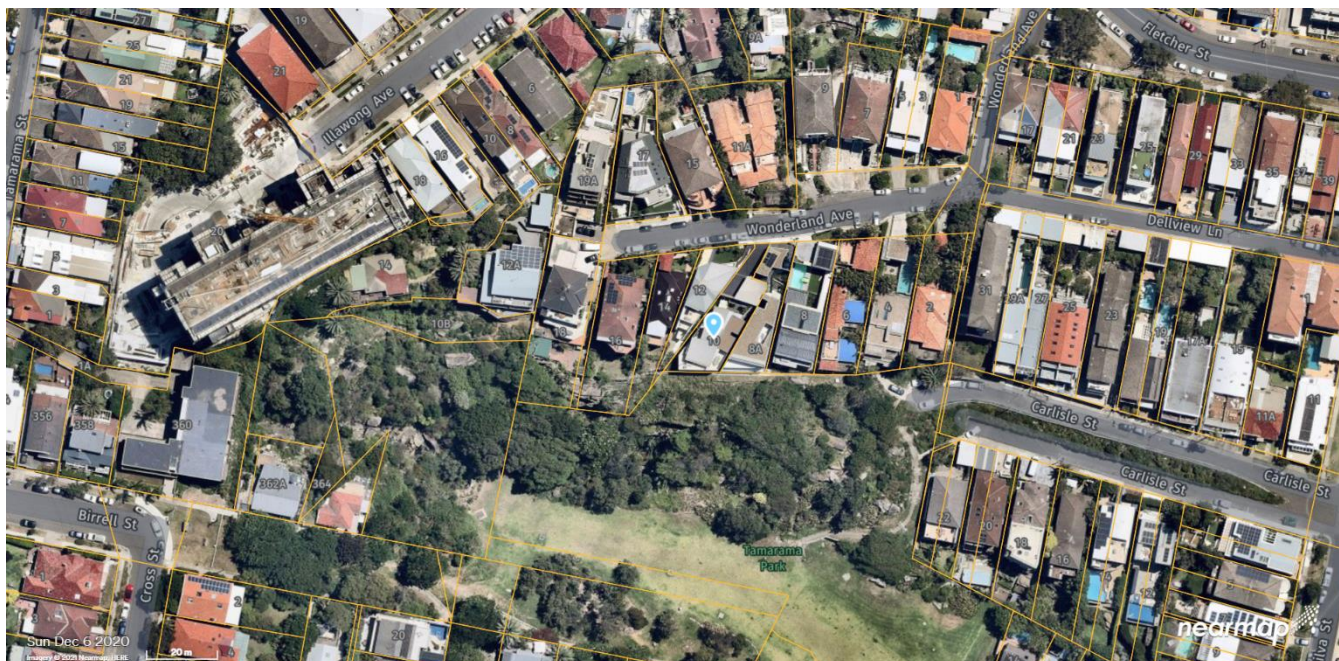
RAA architects pty ltd
nominated architect erik rudolfsson
abn 13 618 494 429 reg no 6914
02 9331 1499 info@RAA.net.au
253 Oxford Street Darlinghurst NSW 2010



Report to the Waverley Local Planning Panel

Application number	DA-410/2020
Site address	10 Wonderland Avenue, TAMARAMA
Proposal	Alterations and additions to dwelling including extension along the western elevation and new external deck, stairs and landscaping at the ground floor entrance
Date of lodgement	2 December 2020
Owner	Ms S U Lewis
Applicant	Ms S U Lewis
Submissions	Three (3)
Cost of works	\$172,700
Issues	FSR Non-Compliance
Recommendation	That the application be APPROVED , subject to conditions

Site Map



1. PREAMBLE

1.1 Site and Surrounding Locality

A site visit was carried out on 3 February 2021.

The site is identified as Lot 1 in DP 106166, known as 10 Wonderland Avenue, TAMARAMA. It is located on the southern side of Wonderland Avenue and adjoins Tamarama Park at the rear.

The site is irregular in shape with frontages to Wonderland Avenue, measuring 4.57m, and to Tamarama Park, measuring 12.86m. The site has an area of 413.4m² and falls substantially towards the rear. The site is occupied by three (3) storey free standing dwelling with vehicular access from Wonderland Avenue.

Free standing dwellings adjoin both side boundaries. The locality is characterised by a variety of low and medium density residential developments including dwelling houses and residential flat buildings. The site adjoins the Tamarama Park Landscape Conservation area and this area is also mapped as having high Aboriginal cultural sensitivity as the site of Wonderland and Aquarium (A547), having local significance. The site is also mapped as a habitat corridor.



Figure 1: Site frontage to Wonderland Avenue.



Figure 2: Existing entry to dwelling.

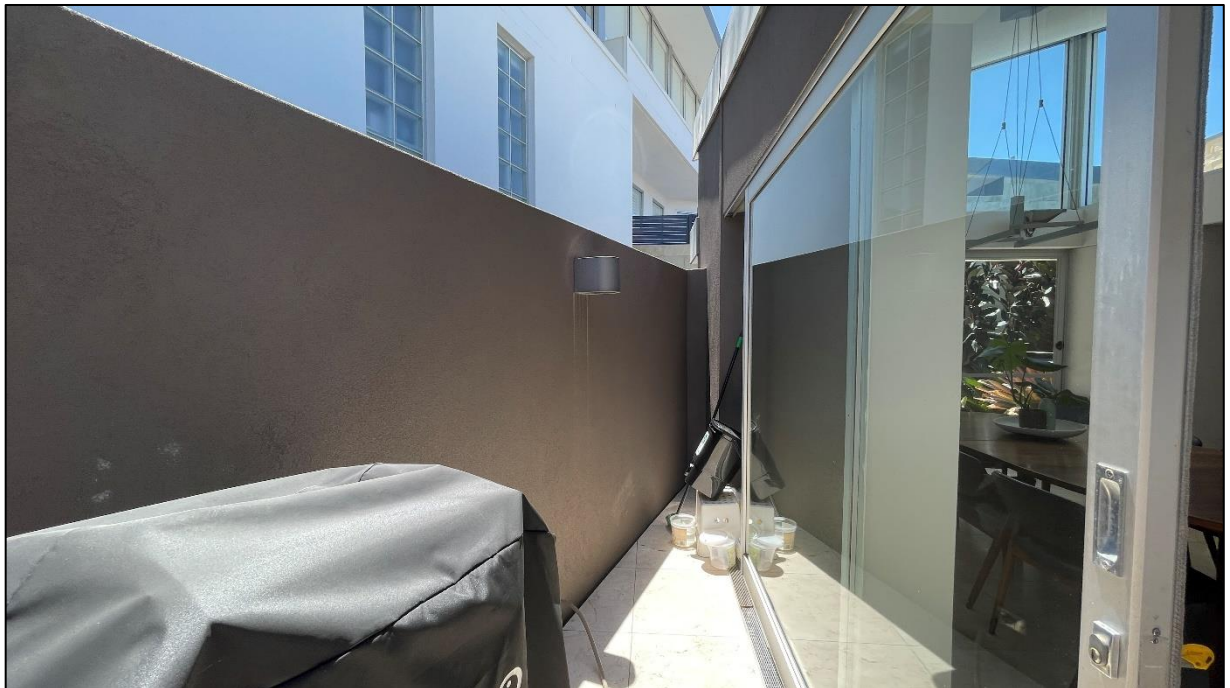


Figure 3: Location of proposed balcony enclosure.

1.2 Relevant History

There is no development history relevant to the subject application.

1.3 Proposal

The application seeks consent for alterations and additions to the existing dwelling including extension along the western elevation and new external deck, stairs and landscaping at the ground floor entrance. The works include the following:

- Partial enclosure of the existing balcony along the western side boundary for the construction of a new pantry and storeroom on the ground floor level.
- Installation of two new windows on the eastern and western side elevation of the undercroft space at the lower ground floor level.
- Demolition of the existing entry staircase and construction of a new entry to the dwelling with a deck, BBQ and planting.
- Removal of existing trees and vegetation to allow new landscaping works at the entry.
- Construction of a new timber framed waste storage area at the front of the site.

2. ASSESSMENT

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

2.1 Planning Instruments and Development Control Plans

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

2.1.1 SEPP (Building Sustainability Index – BASIX) 2004

A BASIX Certificate has been submitted with the development application.

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

2.1.2 SEPP 55 Remediation of Land

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

2.1.3 SEPP (Vegetation in Non-Rural Areas) 2017

State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 (the Vegetation SEPP) regulates the clearing of vegetation that is below the Biodiversity Offset Scheme threshold referred to in the Biodiversity Conservation Act 2016.

In accordance with Part 3 of the Vegetation SEPP, a permit is required from Council to clear any vegetation in an area identified:

- (i) Any vegetation on Land identified as 'Biodiversity' on the Terrestrial Biodiversity Map in WLEP 2012;
- (ii) Any vegetation on Land identified as 'Biodiversity Habitat Corridor' in WDCCP2012; or
- (iii) A tree identified on the Waverley Significant Tree Register; or
- (iv) A tree or vegetation that forms part of a Heritage Item or is within a Heritage Conservation Area;
- (v) Any tree with a height of five metres or greater and trunk width of 300mm or greater at ground level; or
- (vi) Any tree with a canopy spread of five metres or greater and trunk width of 300mm or greater at ground level.

Planning Comment

The site is wholly located within land identified as a habitat corridor. The proposal involves tree removal and landscaping works at the front of the site that have been reviewed by Council's Urban Ecology Coordinator. The landscape works are generally deemed to be satisfactory, subject to the removal of the *Erigeron glaucus* (Seaside Daisy) ground cover and its substitution for a more suitable species that is not invasive to the coastal environment. Furthermore, a condition is also recommended to be imposed for the deletion of the *Olea europea* (Olive Tree) and *Banksia marginate* (Silver Banksia) within the front garden bed as discussed further in this report.

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 1: Waverley LEP 2012 Compliance Table

Provision	Compliance	Comment
Part 1 Preliminary		
1.2 Aims of plan	Yes	The proposal is consistent with the aims of the plan.
Part 2 Permitted or prohibited development		
Land Use Table R3 Medium Density Residential Zone	Yes	The proposal is defined as dwelling house, which is permitted with consent in the R3 zone.
Part 4 Principal development standards		
4.3 Height of buildings <ul style="list-style-type: none"> 9.5m 	Yes	The proposed works have a height of approximately 6.5m and is therefore acceptable.
4.4 Floor space ratio and 4.4A Exceptions to floor space ratio <ul style="list-style-type: none"> 0.655:1 SA: 408.9m² Max GFA: 267.93m² 	No	Existing GFA: 351.96m ² Existing FSR: 0.86:1 Existing Variation: 32.3% Proposed GFA: 358.33m ² (+6.37m ²) Proposed FSR: 0.87:1 Proposed Variation: 33.74% (90.4m ²)
4.6 Exceptions to development standards	See discussion	The application is accompanied by a written request pursuant to clause 4.6 of Waverley LEP 2012 to vary the FSR development standard. A detailed discussion of the variation to the development standard is presented below this table.
Part 5 Miscellaneous provisions		
5.10 Heritage conservation	Yes	The site adjoins the Tamarama Park Landscape Conservation area and this area is also mapped as having high Aboriginal cultural sensitivity as the site of Wonderland and Aquarium (A547), having local significance. The proposed works are located towards the front of the site and are not considered to

Provision	Compliance	Comment
		adversely impact upon the landscape conservation area.

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 floor space ratio (FSR) development standard in Clause 4.4A. The site is subject to a maximum FSR control of 0.655:1. The proposed development has a FSR of 0.87:1, exceeding the standard by 90.4m² equating to a 33.74 % variation.

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 FSR development standard on the following basis:

- (a) That compliance with the development standard is unreasonable or unnecessary in the circumstances of the case:
 - (i) The overall built form is entirely reasonable. The portion of the works that will increase the GFA relate to infilling a small existing open space recess area within the western side setback. There are other minor works proposed as part of this DA that do not increase GFA.
 - (ii) The works will not reduce the western side setback along this boundary, with a 900mm setback being retained and allowing for sufficient setback to the western neighbour. The area to which the infill relates does not have any meaningful function or purpose and its conversion to usable internal space will improve amenity for the owner-occupiers.
 - (iii) The resultant form will not increase building bulk as viewed from the public domain. The works will not be visible from any public place, given that except for the front façade, the dwelling is not readily visible from the public domain. It is noted that surrounding development is substantially bulkier than the subject dwelling, with much larger buildings dominating the streetscape, particularly along the northern side of Wonderland Avenue. This clause 4.6 variation request provides examples of other departures from the FSR standard within the street. The resultant form will not appear incongruous within the streetscape.
 - (iv) The works will not increase building height and will not add any meaningful bulk.

- (v) The works will not alter the character and appearance of the site and will not affect the future desired character of the area.
- (vi) No unreasonable material impact occurs as a result of the proposed works. No neighbour is unduly impacted in terms of loss of solar access, privacy or any notable view. The western side setback is not reduced below the existing setback of 900mm along this boundary.
- (vii) It is noted that this Council has regularly departed from this standard and that the building form of surrounding and nearby development does not appear to be consistent with the numerical requirements of this standard. Examples of non-compliances with the FSR standard are provided below:
 - 16 Wonderland Avenue Tamarama – DA 305/2019 for Alterations and Additions – 0.65:1 approved where the planning control is 0.6:1, or a non-compliance of 51.4m².
 - 8 Wonderland Avenue Tamarama – DA 114/2014 for New Dwelling – 0.6:1 approved where the planning control is 0.57:1, or a non-compliance of 14m².
 - 15 Wonderland Avenue Tamarama – DA 190/2014 for Alterations and Additions – 0.84:1 approved where the planning control is 0.6:1, or a non-compliance of 117m².
 - 17 Wonderland Avenue Tamarama – DA 196/2014/A for New Residential Flat Building – 0.89:1 approved where the planning control is 0.6:1.

Accordingly the standard for FSR has regularly been departed from.

- (viii) In the case of *Moskovich v Waverley Council*, the Land and Environment Court accepted that compliance with the standard (FSR in that case) was unreasonable and unnecessary because the design achieved the objectives of the standard and the respective zone, in a way that addressed the particular circumstances of the site, and resulted in a better streetscape and internal and external amenity outcome than a complying development. For the subject application, the proposed development which seeks to also vary the FSR standard, achieves a better response to the objectives of the subject R3 – Medium Density Residential Zone in that it provides a higher level of amenity for occupants by allowing the provision of well proportioned and usable internal areas within a development that improves the amenity of housing stock.
- (ix) The works are considered consistent to be with the objectives for the zone as the works will improve amenity on the site and allow for improved use of the dwelling by the owner-occupiers, without having any unreasonable adverse impact to the amenity of adjoining neighbours or to the visual amenity of the area.
- (b) That there are sufficient environmental planning grounds to justify contravening the standard:
 - (i) It has been demonstrated that the proposal and its FSR breach remains consistent with the objectives of the subject R3 Medium Density Residential Zone as well as Clause 4.4 and 4.6 of the Waverley LEP 2012, despite the numerical non-compliance.
 - (ii) The proposal would not compromise the character or nature of the area sought by the local environmental planning framework.

- (iii) The non-compliant FSR does not result in any unreasonable visual or amenity impacts. The works will result in an entirely compatible and reasonable form.
- (iv) The FSR non-compliance assists with providing improved amenity for residents.
- (v) The proposal is considered to 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.

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. The proposal is consistent with the objectives of the development standard and objectives of the zone as outlined below:

R3: Medium Density Residential Zone Objectives

- *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.*
- *To maximise public transport patronage and encourage walking and cycling.*

Comment: The design of the development is considered to be suitable for the site and surrounds and would not result in additional adverse visual bulk and scale when viewed from the public domain or surrounding properties. The proposal is considered to be suitable within the medium density residential zone.

Clause 4.4 Floor Space Ratio Objectives

(1) The objectives of this clause are as follows—

- (b) to provide an appropriate correlation between maximum building heights and density controls,*
- (c) to ensure that buildings are compatible with the bulk, scale, streetscape and desired future character of the locality,*
- (d) to establish limitations on the overall scale of development to preserve the environmental amenity of neighbouring properties and minimise the adverse impacts on the amenity of the locality.*

Comment: The existing dwelling is non-compliant with Council's FSR development standard and the proposed works result in a minor increase in the total GFA of the building of 6.37m² only to accommodate a new pantry located off the kitchen on the ground floor level. The perceived building envelope of the development remains largely unchanged by the proposed works as the development maintains a 900mm setback to the western side boundary and would result in only a minor increase in the existing balcony wall to accommodate its enclosure. The works do not add significant bulk to the building as the dwelling maintains compliance with the maximum building height development standard and external wall height control. Furthermore, the works would not be visible from the Wonderland Avenue streetscape or from Tamarama Park and the surrounds. The works do not result in any adverse overshadowing impacts to the adjoining dwelling at 12 Wonderland Avenue.

It is noted that the installation of two windows is proposed to the undercroft area at the lower ground floor level. While the use of this space remains unchanged (notated as 'undercroft'), it is recommended that these windows be deleted via condition of consent to prevent the undercroft area being utilised as habitable space that would then further increase non-compliance with the FSR development standard.

Therefore, the further exceedance of the FSR development standard is considered to be acceptable, and is therefore supported.

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 as detailed above.

Conclusion

For the reasons provided above the requested variation to the FSR 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 FSR development standard and the R3: Medium Density Residential Zone.

2.1.5 Waverley Development Control Plan 2012 (Amendment 9)

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

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

Development Control	Compliance	Comment
3. Landscaping and Biodiversity	Recommended Condition	As previously discussed, the site is wholly located within land identified as a habitat corridor and conditions are recommended to be imposed for an amended landscape plan to be submitted and approved by Council, prior to the issue of a Construction Certificate.
5. Vegetation Preservation	Yes	The proposal involves the removal of the existing vegetation at the front of the site to provide a new landscaped entry (see Figure 2 of this report) that is considered to be acceptable, subject to recommended conditions as discussed throughout this report.
7. Accessibility and adaptability	Yes	Conditions of consent are recommended to be imposed to ensure that the proposed works comply with the access standards.
10. Safety	Yes	The proposal does not contravene the objectives of this part of the DCP.
11. Design Excellence	Yes	The proposal has an acceptable design given the surrounding context of the area.

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

The proposal is defined as a “Dwelling House” in the LEP.

Development Control	Compliance	Comment
2.0 General Objectives		
<ul style="list-style-type: none"> • Appropriate scale • Does not detract from amenity of other dwellings or view corridors • ESD has been considered • Alterations & additions are sympathetic in bulk 	Yes	The proposal does not contravene the general objectives of this part of the DCP.

Development Control	Compliance	Comment
& scale to the character of the area • High design standard		
2.1 Height		
Flat roof dwelling house • Maximum wall height of 7.5m	Yes	The proposed works result in a maximum external wall height of 6.5m that is compliant.
2.2 Setbacks		
2.2.1 Front and rear building lines • Predominant front building line • Predominant rear building line at each floor level	Yes	The proposal maintains the existing front and rear building lines of the dwelling.
2.2.2 Side setbacks • Minimum of 0.9m	Yes	The proposed works maintain a 900mm setback to the side boundaries and is acceptable.
2.3 Streetscape and visual impact		
• New development to be compatible with streetscape context • Replacement windows to complement the style & proportions of existing dwelling • Significant landscaping to be maintained. • Porticos only permitted where a character of the streetscape	Yes	As previously discussed, the works would not be visible from the public domain including the Wonderland Avenue streetscape and Tamarama Park. The works would maintain an appropriate bulk and scale and would not result in any adverse visual impacts to surrounding properties. No adverse impacts are anticipated from the proposed bin storage in the front setback area.
2.4 Fences		
<i>Front:</i> • Maximum height of 1.2m • Solid section no more than 0.6m high <i>Side and Rear:</i> • Maximum height of 1.8m	Yes	No change to the existing fencing on the site is proposed.
2.5 Visual and acoustic privacy		
• Windows to habitable rooms are not to directly face windows to habitable rooms and / or open space of neighbouring dwellings unless direct views are screened or other appropriate measures	Yes	<i>See comments below.</i>

Development Control	Compliance	Comment
<p>are incorporated into the design.</p> <ul style="list-style-type: none"> External stairs are not acceptable. Maximum size of balconies: <i>10m² in area</i> <i>1.5m deep</i> Roof tops to be non-trafficable unless predominant in the immediate vicinity 		
2.6 Solar access		
<ul style="list-style-type: none"> Minimum of three hours of sunlight to living areas and principal open space areas on 21 June Minimum of three hours of sunlight maintained to living areas and principal open space areas of adjoining properties on 21 June 	Yes	<p>The proposed building works do not extend above the existing height of the dwelling and maintain a 900mm setback to the western side boundary. Furthermore, it is noted that the eastern elevation of the adjoining dwelling at 12 Wonderland Avenue consists of glass blocks that provide light into the internal staircase of the dwelling. Additionally, increase of the existing wall to create a balustrade at the front of the northern side boundary is unlikely to cause any adverse overshadowing impacts to 8A Wonderland Avenue. Therefore, the proposal would not have any adverse overshadowing impacts to the adjoining properties and is acceptable.</p>
2.7 Views		
<ul style="list-style-type: none"> Views from the public domain are to be maintained Development to be designed and sited so as to enable a sharing of views with surrounding dwellings particularly from habitable rooms and decks. 	Recommended Condition	<p>The proposal seeks consent for landscaping works towards the front of the site to create a raised planting bed for the placement of a <i>Banksia marginate</i> (Silver Banksia) tree. Landscaping works within this front garden area also seek consent for the placement of an <i>Olea europea</i> (Olive Tree) tree. The applicant has indicated that the height of these trees would not exceed the height of the existing entry wall however, it is considered that the height of this vegetation cannot be reasonably monitored. Given that the adjoining property at 12 Wonderland Avenue would enjoy views to Tamarama Beach, Tamarama Park and the surrounds, it is recommended that a condition be imposed for the submission of an amended landscape plan that demonstrates the deletion of these trees within the front garden area to maintain amenity.</p>
2.9 Landscaping and open space		

Development Control	Compliance	Comment
<ul style="list-style-type: none"> Overall open space: 40% of site area 	Yes	Adequate open space is retained.
<ul style="list-style-type: none"> Overall landscaped area: 15% of site area 	Yes	The reconfiguration of the front garden area to accommodate a new entry, deck and planter beds result in a minor loss of landscaped area of approximately 15m ² however, the site would maintain a total landscaped area of approximately 68m ² (16.45%) that is compliant.
<ul style="list-style-type: none"> Minimum area of 25m² for private open space 	Yes	The site provides adequate private open space.
<ul style="list-style-type: none"> Front open space: 50% of front building setback area 	Yes	Existing open space within the front of the site is retained.
<ul style="list-style-type: none"> Front landscaped area: 50% of front open space provided 	Yes	The proposal seeks no change to the existing front setback area that consists of hard paving to accommodate a driveway.
<ul style="list-style-type: none"> Outdoor clothes drying area to be provided 	Yes	Adequate space is maintained to accommodate outdoor clothes drying.

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

Visual & Acoustic Privacy

The proposal is considered to maintain adequate visual and acoustic privacy for surrounding properties for the following reasons:

- The proposal partially encloses the existing balcony located along the western side boundary that would reduce any noise transmitted from the main living space (kitchen and dining area) of the dwelling.
- The new terrace to be constructed within the front garden area maintains the existing floor level and the new BBQ would maintain a suitable side setback of 900mm from the boundary of the adjoining property at 12 Wonderland Avenue.
- There are no windows or doors located directly adjacent to the proposed deck and BBQ within the front garden area. The proposed works would not increase residential density on the site therefore, any noise generated from the use of this space is unlikely to exceed levels that would be inappropriate for the medium density residential nature of the locality.

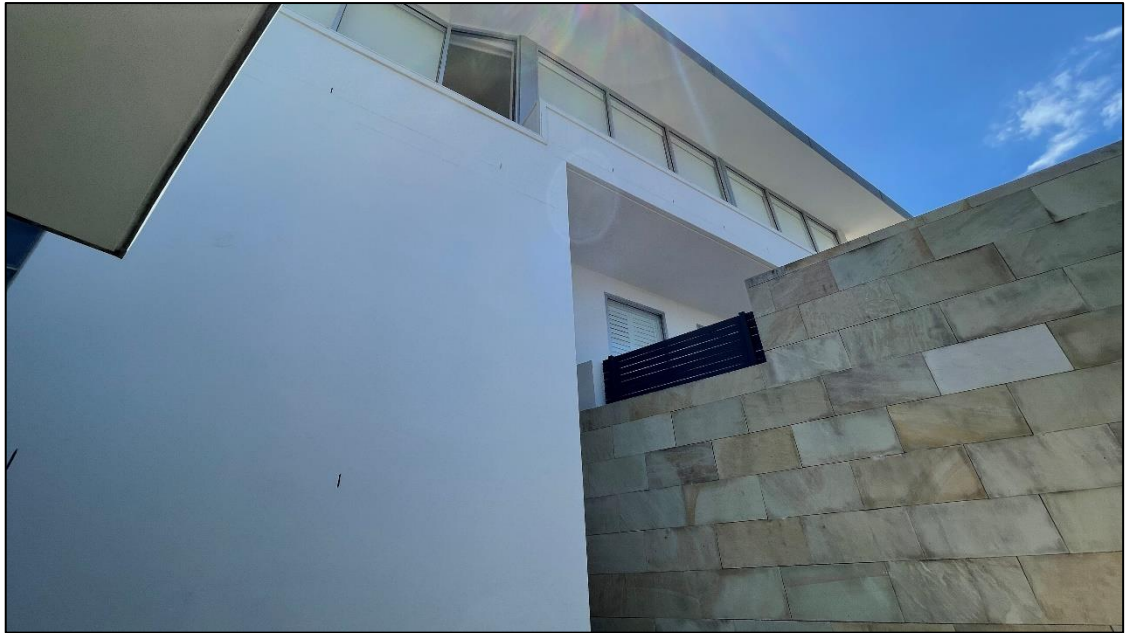


Figure 4: View of the adjoining property at 12 Wonderland Avenue from the location of the proposed BBQ and deck within the front garden area.

- The new terrace and BBQ within the front garden area is to be located behind the front wall and would not be visible from Wonderland Avenue.
- The existing entry relies on external stairs leading from the garage to the front garden area for residential access into the dwelling that is considered to be reasonable due to the slope of the land.
- The windows to the undercroft area on the lower ground floor level of the dwelling would not result in adverse visual and acoustic privacy impacts however, these windows are recommended to be deleted to prevent this area being utilised as habitable space.

Therefore, the proposal is considered to maintain adequate visual and acoustic amenity for surrounding properties and is acceptable.

2.2 Other Impacts of the Development

The proposed development is capable of complying with the BCA.

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

2.3 Suitability of the Site for the Development

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

2.4 Any Submissions

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

Three (3) submissions were received, including one (1) in support of the application. The issues raised in the submissions are summarised and discussed below.

Table 4: Summary of property addresses that lodged a submission

Property
8A Wonderland Avenue, TAMARAMA
12 Wonderland Avenue, TAMARAMA
14 Wonderland Avenue, TAMARAMA

Issue: *The landscaping proposed for the front courtyard should not involve planting any trees that will grow to a sufficient height to obstruct the current view of Tamarama Beach from the top level of the adjoining property at 12 Wonderland Avenue.*

Response: Agreed. As discussed throughout this report, a condition is recommended to be imposed for an amended landscape plan to be submitted that deletes the Olive and Banksia trees within the front garden area.

Issue: *Existing hedge planting at the rear garden between 10 and 12 Wonderland Avenue including palm trees along the side fence between 12 and 14 Wonderland Avenue that are blocking views to Tamarama.*

Response: The above is noted as being irrelevant to the assessment of the subject development application.

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 Biodiversity

See comments in section 2.1.3 of this report.

4. SUMMARY

The application seeks consent for alterations and additions to the existing dwelling including extension along the western elevation and new external deck, stairs and landscaping at the ground floor entrance. The application was notified and received three (3) submissions, including one (1) in support of the application. The key issues with the proposal are summarised below:

- The proposal results in a further exceedance of Council's FSR development standard. A Clause 4.6 variation request has been submitted and it is considered that the proposed works result in a minor increase of floor space that generally maintains the existing built form of the dwelling along the western side boundary and would not result in any adverse amenity impacts to the adjoining property. The further variation is therefore supported, subject to the deletion of the proposed windows to the undercroft area at the lower ground floor level to prevent this space being utilised for habitable purposes.

- The site is located in a habitat corridor and Council's Urban Ecology Coordinator has recommended that the proposed *Erigeron glaucus* (Seaside Daisy) be substituted for a more suitable species that is not invasive to the coastal environment. Furthermore, it is also recommended that the *Olea europea* (Olive Tree) and *Banksia marginate* (Silver Banksia) within the front garden bed be deleted to maintain views to Tamarama from the adjoining property. Therefore, a condition is recommended to be imposed for an amended landscape plan to be submitted and approved by Council, prior to the issue of a Construction Certificate.
- The proposed works are not anticipated to generate any adverse noise or visual privacy impacts that would be unsuitable for the medium density residential nature of the site and surrounds.

Therefore, the proposal is recommended to be approved, subject to recommended conditions of consent.

DBU Decision

The application and assessment report was reviewed by the DBU at the meeting on 2 March 2021 and the DBU determined:

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

DBU members: M Reid, B McNamara, B Magistrale

5. RECOMMENDATION TO WAVERLEY LOCAL PLANNING PANEL

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

Report prepared by:

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




Judith Elijah
Senior Development Assessment Planner

Angela Rossi
Manager, Development Assessment (Central)

Date: 7 March 2021

Date: 10 March 2021

Reason for referral:

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

APPENDIX A – CONDITIONS OF CONSENT

A. APPROVED DEVELOPMENT

1. APPROVED PLANS AND DOCUMENTATION

The development must be in accordance with:

- (a) Architectural Plans prepared by MCK Architecture + Interiors of Project No: 2010 including the following:

Plan Number	Revision	Plan Description	Plan Date	Date received by Council
DA 00	A	Cover Sheet	25/11/20	1 December 2020
DA 10	A	Site Plan	25/11/20	1 December 2020
DA 11	A	Ground Floor Plan	25/11/20	1 December 2020
DA 12	A	Lower Ground Floor Plan	25/11/20	1 December 2020
DA 13	A	Basement Plan	25/11/20	1 December 2020
DA 20	A	West Elevation	25/11/20	1 December 2020
DA 21	A	North + East Elevation	25/11/20	1 December 2020
DA 30	A	Section A	25/11/20	1 December 2020

- (b) BASIX Certificate

- (c) The Site Waste and Recycling Management Plan (SWRMP) Part 1 (01/12/2020)

Except where amended by the following conditions of consent.

2. GENERAL MODIFICATIONS

The application is approved subject to the deletion of windows labelled W1 and W2 on the eastern and western side elevations to the undercroft area at the lower ground floor level to prevent the use of this area as habitable space.

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

3. AMENDED LANDSCAPE PLAN

The landscape plan is to be amended to incorporate the following;

- (a) The *Olea europea* (Olive Tree) and *Banksia marginate* (Silver Banksia) within the front garden area are to be deleted to maintain views from the adjoining property.
- (b) The *Erigeron glaucus* (Seaside Daisy) ground cover is to be deleted and replaced with a species suitable for the coastal environment.
- (c) The amended landscape plan is to maintain compliance with Section 3.2.2 (a) of Waverley Development Control Plan 2012 (Amendment 9) whereby a minimum of 50% of the proposed trees,

50% of the shrubs and 50% of the grasses and groundcovers (not including turfed areas) are to be indigenous or local native plants listed in Annexure B2-1.

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

B. PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

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

GENERAL REQUIREMENTS

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

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

- (a) a Construction Certificate has been obtained from Council or an Accredited Certifier in accordance with the Environmental Planning & 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.

5. HOME BUILDING ACT

The builder or person who does the residential building work shall comply with the applicable requirements of Part 6 of the *Home and Building Act, 1989*. In this regard a person must not contract to do any residential building work unless a contract of insurance that complies with this Act is in force in relation to the proposed work. It is the responsibility of the builder or person who is to do the work to satisfy the Principal Certifying Authority that they have complied with the applicant requirements of Part 6, before any work commences.

CONTRIBUTIONS, FEES & 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:
 - (i) Where the total development cost is less than \$500,000:
"Waverley Council Cost Summary Report"; or,
 - (ii) Where the total development cost is \$500,000 or more:
"Waverley Council Registered Quantity Surveyor's Detailed Cost Report".

A copy of the required format for the cost reports are in the Waverley Council Contributions Plan 2006, available on Council's website.

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

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

Prior to the issue of any Construction Certificate, evidence must be provided that the levy has been paid to Council in accordance with this condition or that the cost of works is less than \$100,000.

7. SECURITY DEPOSIT

A deposit (cash or cheque) or guarantee for the amount of **\$5,520.00** 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.

8. LONG SERVICE LEVY

A long service levy, as required under Section 34 of the *Building and Construction Industry Long Service Payments Act, 1986*, is to be paid in respect 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.

CONSTRUCTION MATTERS

9. 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.

10. 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.

11. ENGINEERING DETAILS

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

12. ENGINEERING CERTIFICATE OF ADEQUACY

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

ENERGY EFFICIENCY & SUSTAINABILITY

13. BASIX

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

WASTE

14. SITE WASTE AND RECYCLING MANAGEMENT PLAN

A Site Waste and Recycling Management Plan (SWRMP) - Part 2 is to be submitted to the Principal Certifying Authority prior to the issue of the relevant Construction Certificate, which outlines materials to be reused and/or recycled as a result of demolition and construction works. At least one copy of the *SWRMP Part 2* is to be available on site at all times during construction. Copies of demolition and construction waste dockets that verify the facility that received the material for recycling or disposal and the quantity of waste received, must be retained on site at all times during construction.

C. COMPLIANCE PRIOR TO WORK COMMENCING AND DURING CONSTRUCTION

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

PRIOR TO ANY WORKS

15. 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.

16. 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.

DEMOLITION & EXCAVATION

17. 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.

18. CONTROL OF DUST ON CONSTRUCTION SITES

The following requirements apply to demolition and construction works on site:

- (a) Hazardous dust is not to be allowed to escape from the site. The use of fine mesh dust proof screens or other measures are recommended. Any existing accumulations of dust (e.g.: ceiling voids and wall cavities) must be removed by the use of an industrial vacuum fitted with a high efficiency particle air (HEPA) filter. All dusty surfaces and dust created from work are to be suppressed by a fine water spray. Water must not be allowed to enter the street and stormwater systems. Demolition is not to be performed during adverse winds, which may cause dust to spread beyond the site boundaries.
- (b) All contractors and employees directly involved in the removal of hazardous dusts and substances are to wear protective equipment conforming to Australian Standard AS1716 Respiratory Protective Devices.

CONSTRUCTION MATTERS

19. CONSTRUCTION HOURS

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

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

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

20. 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.

21. CONSTRUCTION INSPECTIONS

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

22. 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.

23. 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

24. 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.

25. 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.

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

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

26. 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.

27. CERTIFICATION OF BASIX COMMITMENTS

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

E. ADVISORY MATTERS

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

AD1. POST CONSENT CONDITIONS REQUIRING COUNCIL INPUT

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

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

AD2. 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.

AD3. DIAL BEFORE YOU DIG

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

AD4. TELECOMMUNICATIONS ACT 1997 (COMMONWEALTH)

Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for prosecution. Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on Phone Number 1800810443.

AD5. ALTERATIONS AND ADDITIONS ONLY

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

AD6. BONDI - ROSE BAY SAND BODY

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

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

AD7. TREE REMOVAL/PRESERVATION

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

AD8. WORK OUTSIDE PROPERTY BOUNDARY

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

GREGOR-LEWIS

Alterations + Additions
10 WONDERLAND AVENUE
TAMARAMA NSW 2126

RECEIVED
Waverley Council

Application No: DA-410/2020

Date Received: 01/12/2020

DRAWING SCHEDULE

LAYOUT ID	LAYOUT NAME	SCALE	CURRENT REVISION ID
DA 00	COVER SHEET	1:100	A
DA 01	SITE ANALYSIS PLAN	1:200	A
DA 10	SITE PLAN	1:200	A
DA 11	GROUND FLOOR PLAN	1:100	A
DA 12	LOWER GROUND FLOOR PLAN	1:100	A
DA 13	BASEMENT PLAN	1:100	A
DA 20	WEST ELEVATION	1:100	A
DA 21	NORTH + EAST ELEVATION	1:100	A
DA 30	SECTION A	1:100	A
DA 40	GROSS FLOOR CALCULATION PLANS	1:250	A

SITE CALCULATIONS

SITE AREA (TITLE)	EXISTING AREA	- 409.6 m²
FLOOR SPACE RATIO CONTROL - MAXIMUM ALLOWABLE FSR (0.65:1)	EXISTING AREA PROPOSED AREA DIFFERENCE EXISTING FSR PROPOSED FSR COMPLIANT	- 351.96 m² - 358.33 m² - 6.37 m² - 0.86:1 - 0.87:1 - N

CONSULTANTS

CONSULTANT 1 ROLE	Surveyor	Landscape Architect
NAME SURNAME COMPANY NAME ADDRESS TELEPHONE EMAIL	George Kondis Ballenden Surveyors C 1/102- 106 Boyce Rd, Maroubra NSW 2035 02 9344 5506	360 Degrees Landscape Architects Daniel Baffsky 1/1 Marys Place Surry Hills NSW 2010 daniel@360.net.au 02 9332 3601

BASIX SPECIFICATIONS

WINDOWS, GLAZED DOORS AND SKYLIGHT GLAZING REQUIREMENTS

WINDOW NO.	FRAME + GLASS TYPE	SHADING
W1	STANDARD ALUMINIUM, SINGLE CLEAR, (OR U-VALUE: 7.63, SHGC: 0.75)	EAVE/VERANDAH/PERGOLA/ BALCONY >=450 MM
W2	STANDARD ALUMINIUM, SINGLE CLEAR, (OR U-VALUE: 7.63, SHGC: 0.75)	NONE

SKYLIGHT NO.	FRAME + GLASS TYPE	SHADING
S1	ALUMINIUM, MOULDED PLASTIC SINGLE CLEAR, (OR U-VALUE: 6.21, SHGC: 0.808)	NO SHADING

BASIX CERTIFICATE

LIGHTING A MINIMUM OF 40% OF NEW OR ALTERED LIGHT FIXTURES ARE FITTED WITH FLUORESCENT, COMPACT FLUORESCENT, OR LIGHT-EMITTING-DIODE (LED) LAMPS.	INSULATION REQUIREMENTS THE APPLICANT MUST CONSTRUCT THE NEW OR ALTERED CONSTRUCTION (FLOOR(S), WALLS, AND CEILINGS/ROOFS) IN ACCORDANCE WITH THE SPECIFICATIONS LISTED IN THE TABLE BELOW, EXCEPT THAT: A) ADDITIONAL INSULATION IS NOT REQUIRED WHERE THE AREA OF NEW CONSTRUCTION IS LESS THAN 2M2. B) INSULATION SPECIFIED IS NOT REQUIRED FOR PARTS OF ALTERED CONSTRUCTION WHERE INSULATION ALREADY EXISTS. SUSPENDED FLOOR WITH OPEN SUBFLOOR: CONCRETE (R0.6), R0.9 (DOWN) (OR R1.50 INCLUDING CONSTRUCTION). FLOOR ABOVE EXISTING DWELLING OR BUILDING: NIL ADDITION INSULATION REQUIRED. EXTERNAL WALL: BRICK VENEER. R1.16 (OR R1.70 (INCLUDING CONSTRUCTION)). FLAT CEILING, FLAT ROOF: FRAMED, CEILING: R3.00 (UP), ROOF: NONE), OTHER SPECIFICATIONS LIGHT (SOLAR ABSORPTANCE < 0.475).
FIXTURES NEW OR ALTERED SHOWERHEADS HAVE A FLOW RATE NO GREATER THAN 9 LITRES PER MINUTE OR A 3 STAR WATER RATING. NEW OR ALTERED TOILETS HAVE A FLOW RATE NO GREATER THAN 4 LITRES PER AVERAGE FLUSH OR A MINIMUM 3 STAR WATER RATING. NEW OR ALTERED TAPS HAVE A FLOW RATE NO GREATER THAN 9 LITRES PER MINUTE OR MINIMUM 3 STAR WATER RATING.	

MATERIAL LEGEND

C	CONCRETE
MS	METAL SHEET ROOF
TC	TIMBER CLADDING
TD	TIMBER DECKING
R	CEMENT RENDER

SITE LOCATION PLAN (NTS)




FOR DEVELOPMENT APPLICATION

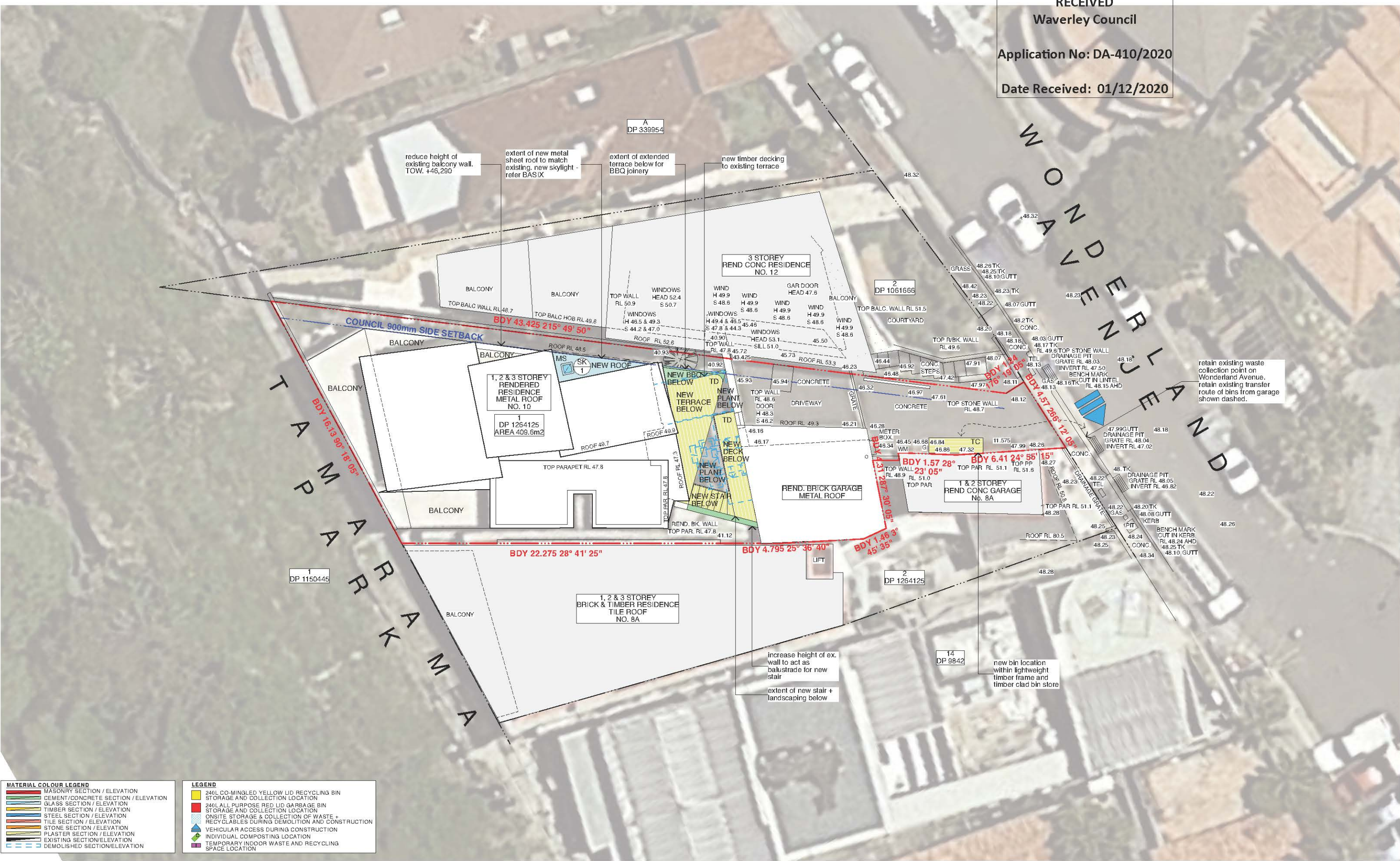
<div>PROJECT</div> <div>GREGOR-LEWIS</div> <div>10 WONDERLAND AVENUE TAMARAMA NSW 2126</div>	REVISION		DATE	25/11/20	DRAWING TITLE	DRAWING NO.	REVISION
	REV ID	ISSUE DATE	DESCRIPTION				
	A	25/11/20	FOR DA				
			PROJECT NO.	2010	COVER SHEET	DA 00	A
			SCALE	1:100 @ A3			
			DRAWN BY	NM			
			CHECKED BY	SK			114



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PRINT DATE AND TIME: Wednesday, 25 November 2020, 1:02 pm

	PROJECT	REVISION			DATE	25/11/20	DRAWING TITLE	DRAWING NO.	REVISION
	GREGOR-LEWIS 10 WONDERLAND AVENUE TAMARAMA NSW 2126	REV ID	ISSUE DATE	DESCRIPTION	PROJECT NO.	2010	SITE ANALYSIS PLAN	DA 01	A 115
		A	25/11/20	FOR DA	SCALE	1:200 @ A3			
					DRAWN BY	NM			
					CHECKED BY	SK			



RECEIVED
Waverley Council

Application No: DA-410/2020

Date Received: 01/12/2020

3 STOREY
REND CONC RESIDENCE
NO. 12

existing line of terrace above to
be converted to internal pantry
and storage shown dashed

extend existing terrace
above to create new BBQ
area within council
setback shown dashed

new window to lower
ground floor store - refer
BASIX

2
DP 1061666

1
DP 1264125
AREA 409.6m²

MASTER BED

DRESS 1

BED 4

ENS 1

ENS 2

HALL

NO PROPOSED CHANGES TO
SECTION OF LOWER LEVEL

STORAGE

1
DA 21
UNDER
CROFT

1, 2 & 3 STOREY
RENDERED RESIDENCE
METAL ROOF
NO. 10

LAUNDRY

BATH

BED 3

BDY 22.275 28° 41' 25"

1
DA 30

2
DA 21

1, 2 & 3 STOREY
BRICK & TIMBER RESIDENCE
TILE ROOF
NO. 8A

retain existing location of
clothes line
new window to lower
ground floor store - refer
BASIX

2
DP 1264125

BDY 1.57 28° 23' 05"

BDY 4.31 287° 30' 05"

BDY 1.46 3° 45' 35"

BDY 4.795 25° 36' 40"

MATERIAL COLOUR LEGEND	
	MASONRY SECTION / ELEVATION
	CEMENT/CONCRETE SECTION / ELEVATION
	GLASS SECTION / ELEVATION
	TIMBER SECTION / ELEVATION
	STEEL SECTION / ELEVATION
	TILE SECTION / ELEVATION
	STONE SECTION / ELEVATION
	PLASTER SECTION / ELEVATION
	EXISTING SECTION/ELEVATION
	DEMOLISHED SECTION/ELEVATION

1
-
LOWER GROUND LEVEL
1:100

FOR DEVELOPMENT APPLICATION

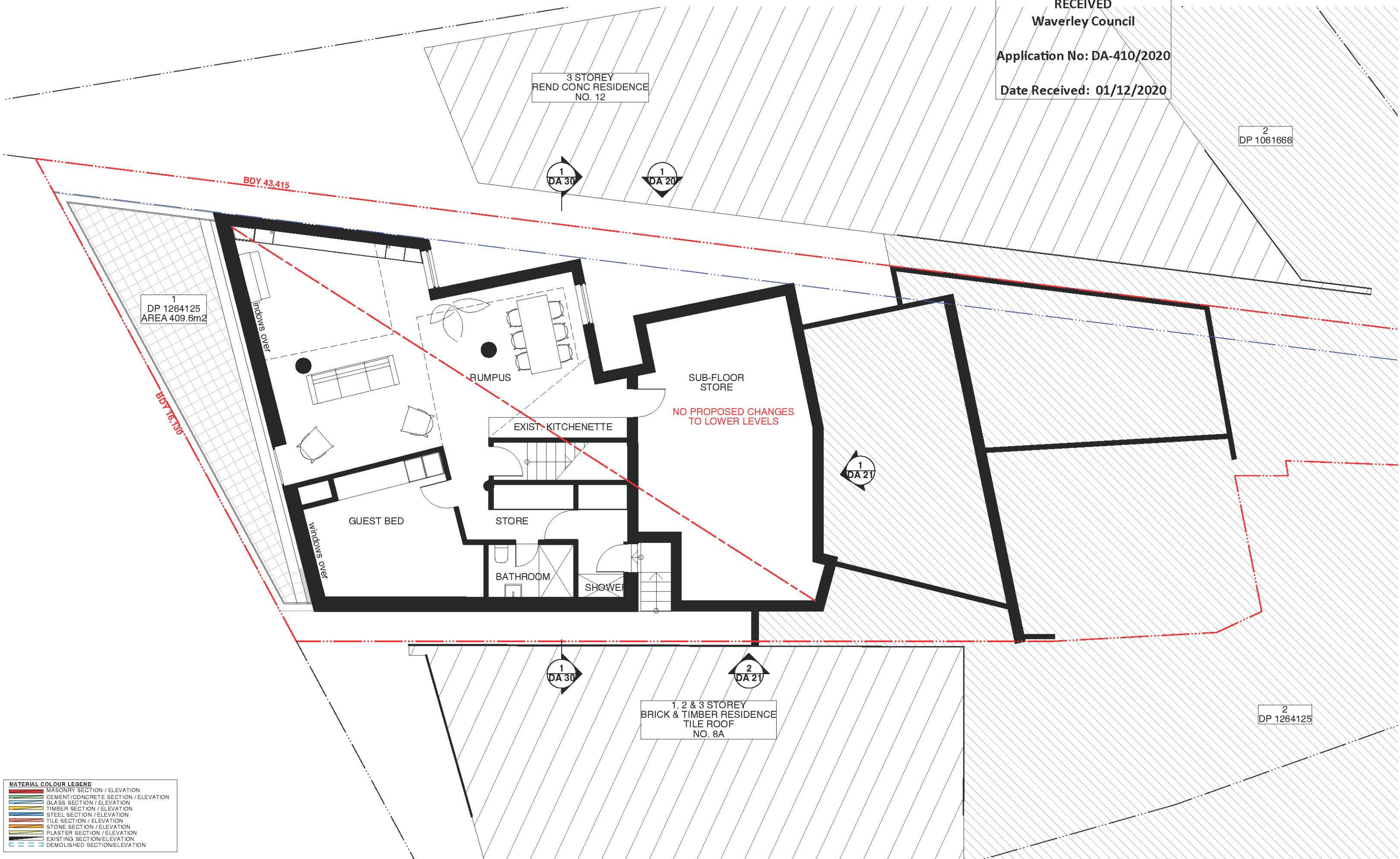
MCK ARCHITECTURE + INTERIORS
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	REV ID	ISSUE DATE				
GREGOR-LEWIS 10 WONDERLAND AVENUE TAMARAMA NSW 2126	A	25/11/20	FOR DA	LOWER GROUND FLOOR PLAN	DA 12	A 118
				PROJECT NO.	2010	
				SCALE	1:100 @ A3	
				DRAWN BY	NM	
				CHECKED BY	SK	

RECEIVED
Waverley Council
Application No: DA-410/2020
Date Received: 01/12/2020

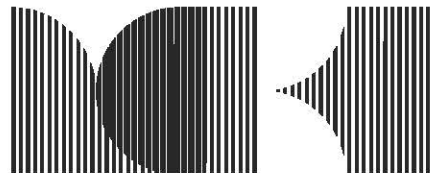


MATERIAL COLOUR LEGEND

[Red line]	MASONRY SECTION / ELEVATION
[Green line]	CEMENT/CONCRETE SECTION / ELEVATION
[Blue line]	GLASS SECTION / ELEVATION
[Yellow line]	TIMBER SECTION / ELEVATION
[Orange line]	STEEL SECTION / ELEVATION
[Brown line]	TILE SECTION / ELEVATION
[Dark Green line]	STONE SECTION / ELEVATION
[Light Green line]	PLASTER SECTION / ELEVATION
[Dashed line]	EXISTING SECTION/ELEVATION
[Dotted line]	DEMOLISHED SECTION/ELEVATION

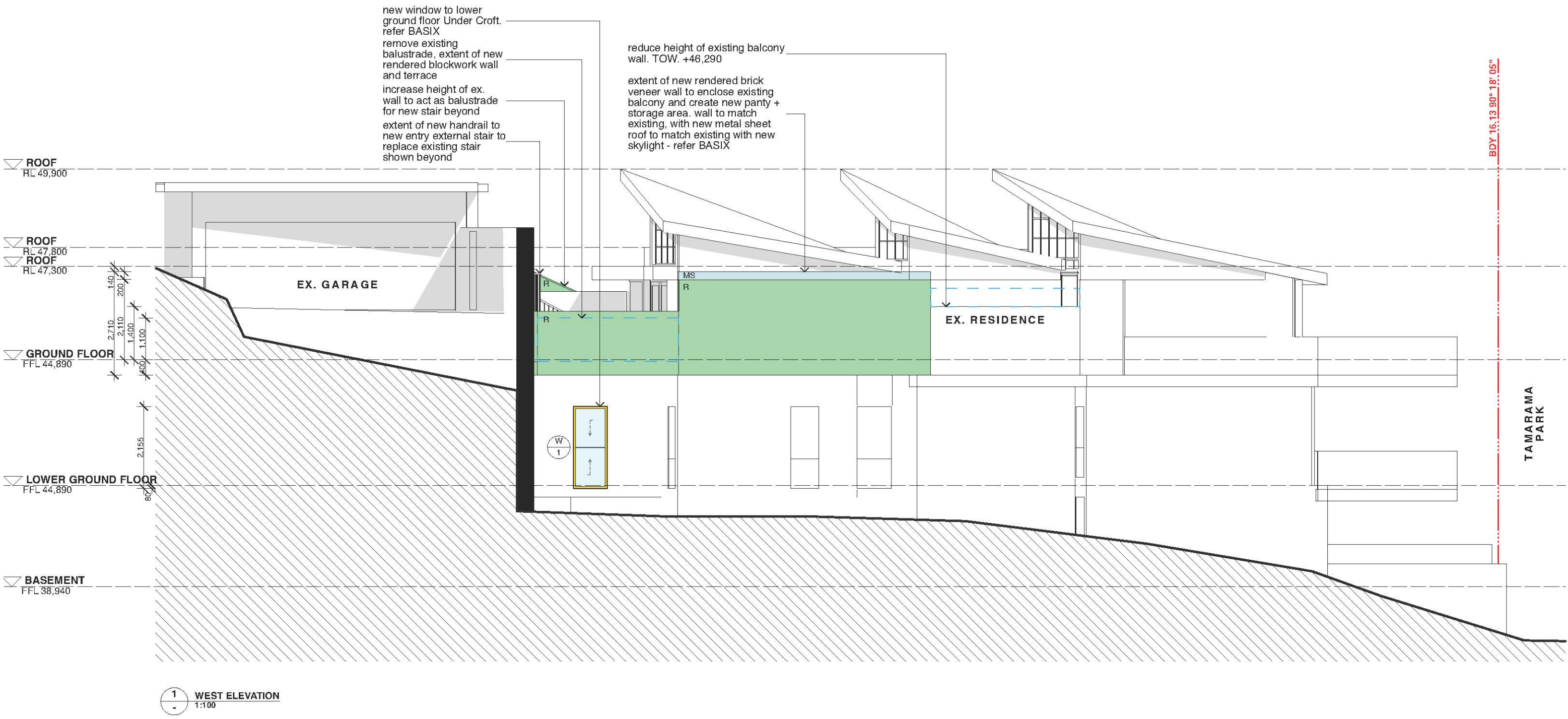
1 BASEMENT
1:100

FOR DEVELOPMENT APPLICATION



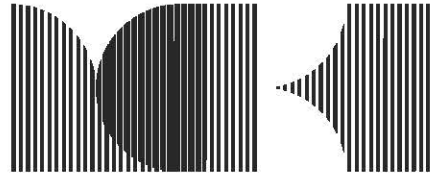
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	REV ID	ISSUE DATE				
 GREGOR-LEWIS 10 WONDERLAND AVENUE TAMARAMA NSW 2126	A	25/11/20	FOR DA	BASEMENT PLAN	DA 13	A 119
				25/11/20		
			PROJECT NO.	2010		
			SCALE	1:100 @ A3		
			DRAWN BY	NM		
			CHECKED BY	SK		



MATERIAL COLOUR LEGEND	
	MASONRY SECTION / ELEVATION
	CEMENT/CONCRETE SECTION / ELEVATION
	GLASS SECTION / ELEVATION
	TIMBER SECTION / ELEVATION
	STEEL SECTION / ELEVATION
	TILE SECTION / ELEVATION
	STONE SECTION / ELEVATION
	PLASTER SECTION / ELEVATION
	EXISTING SECTION/ELEVATION
	DEMOLISHED SECTION/ELEVATION

FOR DEVELOPMENT APPLICATION

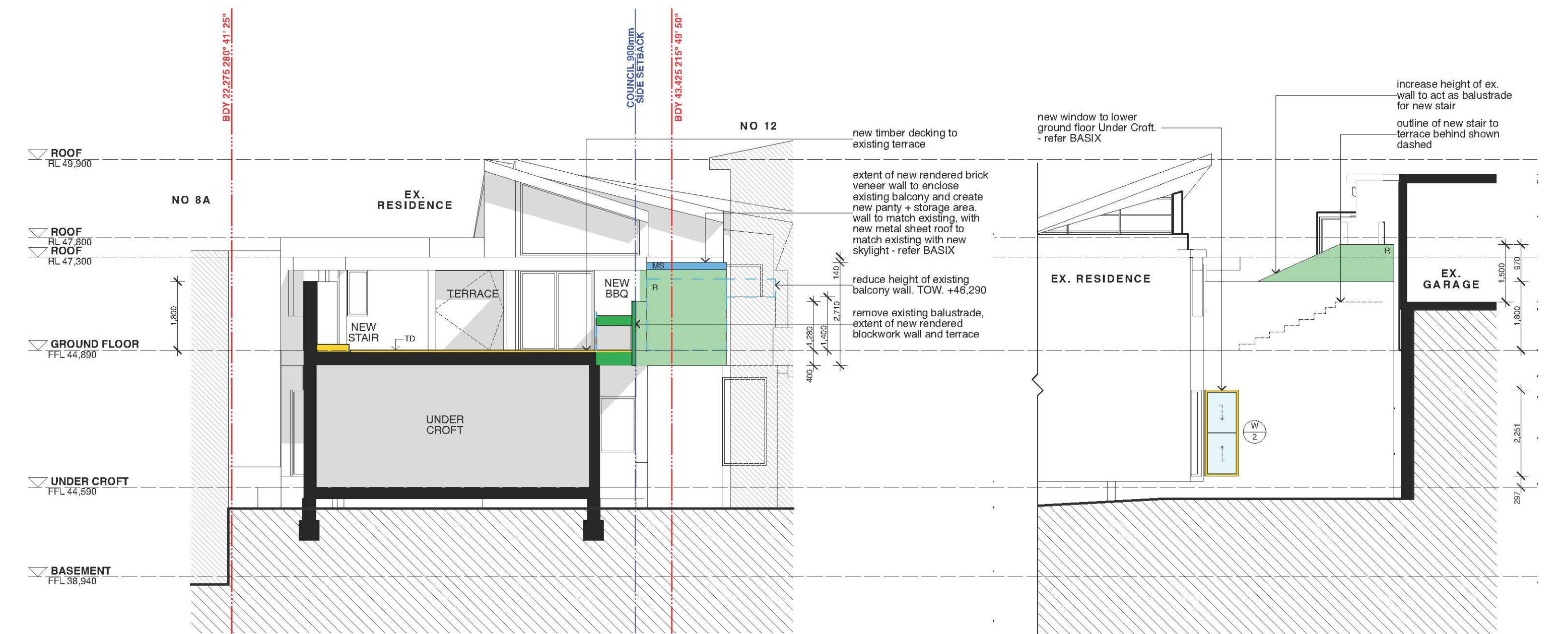


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	REV ID	ISSUE DATE				
GREGOR-LEWIS 10 WONDERLAND AVENUE TAMARAMA NSW 2126	A	25/11/20	FOR DA	WEST ELEVATION	DA 20	A 120



1 NORTH ELEVATION 1:100

2 EAST ELEVATION 1:100

MATERIAL COLOUR LEGEND	
	MASONRY SECTION / ELEVATION
	CEMENT/CONCRETE SECTION / ELEVATION
	GLASS SECTION / ELEVATION
	TIMBER SECTION / ELEVATION
	STEEL SECTION / ELEVATION
	TILE SECTION / ELEVATION
	STONE SECTION / ELEVATION
	PLASTER SECTION / ELEVATION
	EXISTING SECTION/ELEVATION
	DEMOLISHED SECTION/ELEVATION

FOR DEVELOPMENT APPLICATION

PROJECT	REVISION		DATE	DRAWING TITLE	DRAWING NO.	REVISION
	REV ID	ISSUE DATE				
GREGOR-LEWIS 10 WONDERLAND AVENUE TAMARAMA NSW 2126	A	25/11/20	FOR DA	NORTH + EAST ELEVATION	DA 21	A 121
			25/11/20	NORTH + EAST ELEVATION	DA 21	A 121
			PROJECT NO. 2010			
			SCALE 1:100 @ A3			
			DRAWN BY NM			
			CHECKED BY SK			



<div>PROJECT</div> <div>GREGOR-LEWIS</div> <div>10 WONDERLAND AVENUE TAMARAMA NSW 2126</div>	REVISION		DATE	25/11/20	DRAWING TITLE	DRAWING NO.	REVISION
	REV ID	ISSUE DATE	DESCRIPTION		PROJECT NO.	DA 30	A
	A	25/11/20	FOR DA		SCALE		
					DRAWN BY		
					CHECKED BY		
							122

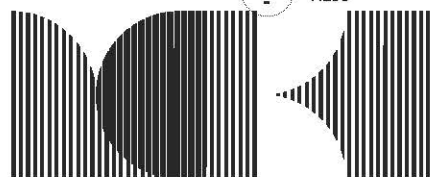


ZONE LEGEND

EXISTING GROSS FLOOR AREA

ADDITIONAL GROSS FLOOR AREA

FOR DEVELOPMENT APPLICATION



PRINT DATE AND TIME: Wednesday, 25 November 2020, 1:02 pm

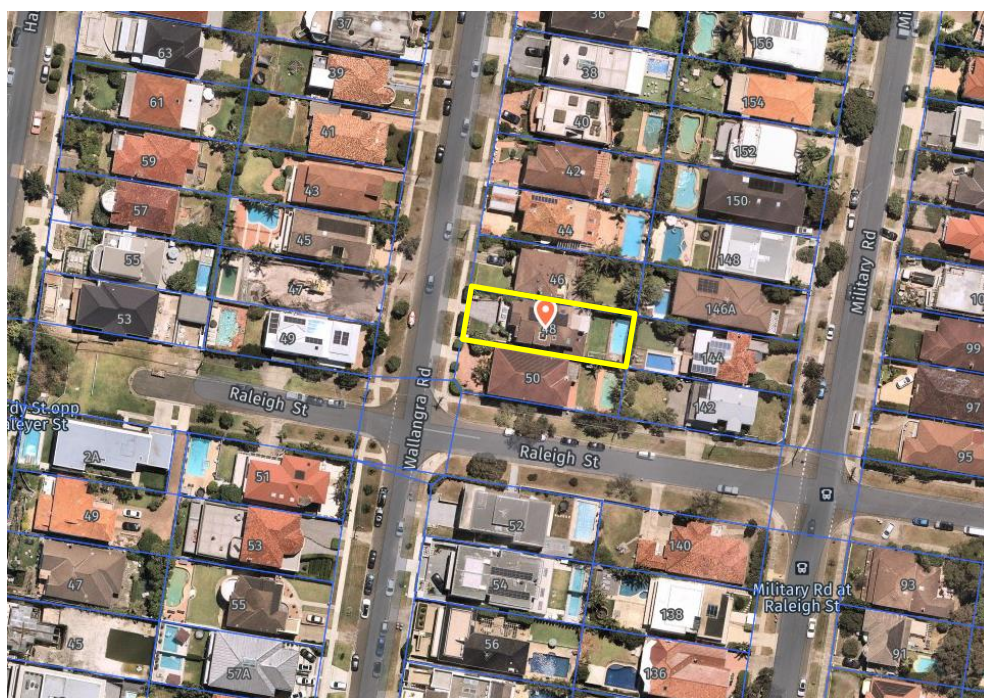
<div>PROJECT</div> <div>GREGOR-LEWIS</div> <div>10 WONDERLAND AVENUE TAMARAMA NSW 2126</div>	REVISION		DATE	25/11/20	DRAWING TITLE	DRAWING NO.	REVISION
	REV ID	ISSUE DATE	DESCRIPTION	PROJECT NO.	2010	DA 40	A
	A	25/11/20	FOR DA	SCALE	1:250 @ A3		
				DRAWN BY	NM		
				CHECKED BY	SK		
					GROSS FLOOR CALCULATION PLANS		123



Report to the Waverley Local Planning Panel

Application number	DA-446/2020
Site address	48 Wallangra Road, DOVER HEIGHTS
Proposal	Alterations and additions to existing dwelling including internal reconfiguration and extension of basement level.
Date of lodgement	22 December 2020
Owner	Mr D M Whitten and Mrs M Whitten
Applicant	Daniel Whitten
Submissions	Two
Cost of works	\$209,300
Issues	Exceeds Floor Space Ratio and Kitchenette proposed
Recommendation	That the application be APPROVED

Site Map



Source: Nearmap, 2021

1. PREAMBLE

1.1 Site and Surrounding Locality

A site visit was carried out on 23 February 2021.

The site is identified as Lot 74 in DP 11822, known as 48 Wallangra Road, DOVER HEIGHTS. The site is rectangular in shape with a western street frontage and an eastern rear boundary of 12.8m and northern and southern side boundaries of 40.845m. The site has an area of 522.81m² and falls from the west to the east by approximately 2.55m.

The site is occupied by a part-two, part-three storey with vehicular access provided from Wallangra Road to an attached two car garage located under the ground floor of the dwelling and a pool in the rear yard.

The subject site is adjoined by detached dwellings on either side. The locality is characterised by majority detached dwellings.

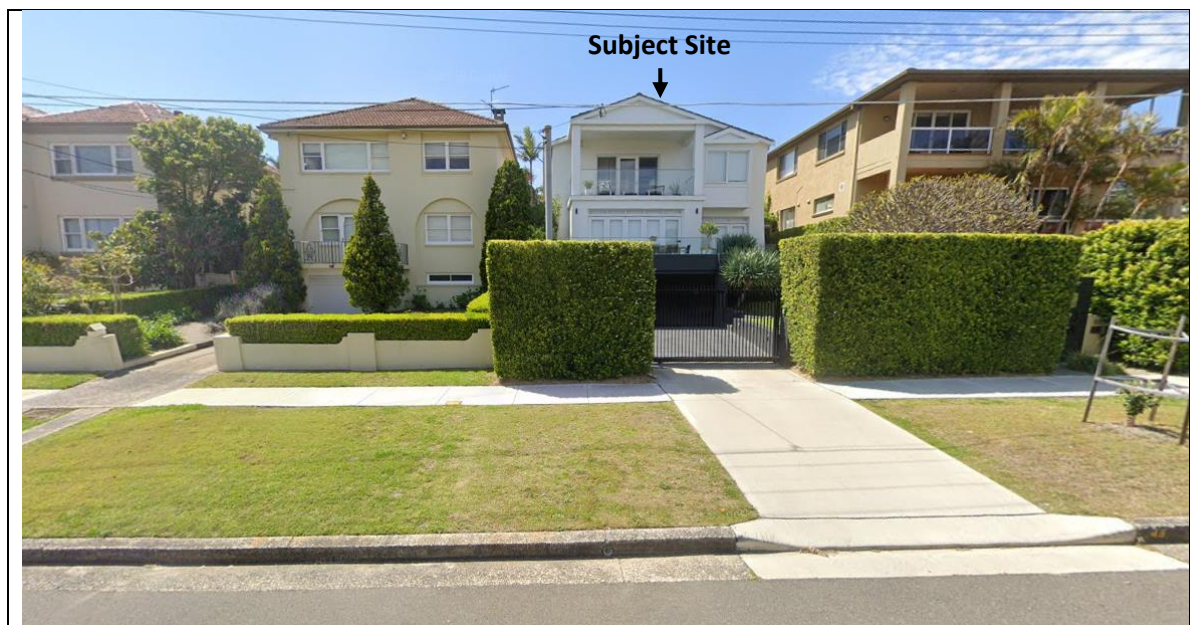


Figure 1: Site viewed from Wallangra Road (Source: Google Maps, 2021)



Figure 2: Site viewed from front open space, looking east



Figure 1: Interior of the area below the house to be modified.

1.2 Relevant History

DA-310/2008

Construction of a cabana in the rear yard.

Approved: 11 July 2008

DA-244/2014

Alterations & additions including enclosure of a balcony and significant landscaping works.

Approved: 31 July 2014

DA-244/2014/A

Modifications to include minor ground and first floor extension, new windows and doors, relocate bin storage and internal changes to approved dwelling alterations.

The modification was partially approved on 9 June 2016; however, no approval given to first floor rear extension.

DA-244/2014/B

Modification to allow the first floor extension not approved under Mod. A This was approved on 23 November 2016.

1.3 Proposal

The application is for alterations and additions to the existing dwelling, including internal reconfiguration and extension of the basement level. In detail the works include:

Basement

Increase the size of the basement level, through demolition of the existing storeroom and further excavation and construction of:

- Rumpus room with associated kitchenette;
- Bathroom;
- Wine storage;
- Stairs to ground floor; and
- Storeroom off garage.

Ground Floor (internal works)

- Laundry to become walk-in pantry; and
- New balustrade to lightwell (lightwell proposed to ensure the basement bathroom has access to light and ventilation).

First Floor (internal works)

- Re-configure layout of master bedroom and WIR;
- Master en suite to be divided to provide an en suite to a secondary bedroom;
- Laundry nook; and
- Bathroom to be refurbished.

Roof

- New single skylight to the en suite accessed from secondary bedroom.

The applicant was requested to provide further clarification on the plans and provide a well-founded clause 4.6 variation. These were provided on 3 March 2021.

2. ASSESSMENT

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

2.1 Planning Instruments and Development Control Plans

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

2.1.1 SEPP (Building Sustainability Index – BASIX) 2004

A BASIX Certificate has been submitted with the DA. The BASIX Certificate lists measures to satisfy BASIX requirements which have been incorporated into the proposal. A standard condition is recommended ensuring the measures detailed in the BASIX Certificate are incorporated into the Construction Certificate drawings and implemented.

2.1.2 SEPP 55 Remediation of Land

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

2.1.3 Waverley Local Environmental Plan 2012 (WLEP)

The relevant matters to be considered under the WLEP for the proposed development are outlined below:

Table 1: WLEP Compliance Table

Provision	Compliance	Comment
Part 1 Preliminary		
1.2 Aims of plan	Yes	The proposal meets the aims of the WLEP.
Part 2 Permitted or prohibited development		
Land Use Table Low Density Residential 'R2' Zone	Yes	The proposal is defined as alterations to a dwelling house, which is permitted with consent in the R2 zone.
Part 4 Principal development standards		
4.3 Height of buildings • 8.5m	N/A	The height of building will not alter.
4.4 Floor Space Ratio (FSR) and 4.4A Exceptions to FSR • Site Area: 522.81m ² • Max GFA: 277.04m ² • Max FSR: 0.53:1	No. Clause 4.6 required.	<p>The existing dwelling has a GFA of 276.8m² (0.53:1). The development proposes to increase GFA by 84.6m² at basement level.</p> <p><u>Gross Floor Area (GFA) Calculation:</u> Basement: 84.6m² Ground Floor: 157.6m² First Floor: 119.2m² TOTAL: 361.4m² FSR: 0.69:1</p> <p>The development will exceed the maximum permitted FSR/GFA by 84.36m² or 30.5%.</p>

Provision	Compliance	Comment
4.6 Exceptions to development standards	See discussion	The application is accompanied by a written request pursuant to clause 4.6 of the WLEP to vary the FSR development standard. A detailed discussion of the variation to the development standard is presented below this table.
Part 6 Additional local provisions		
6.2 Earthworks	Yes. Subject to recommended conditions of consent.	The development proposes to excavate under the house to create additional floor area. The excavation is considered acceptable subject to the recommended conditions of consent.

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

Clause 4.6 Exceptions to Development Standards - FSR

The application seeks to vary the FSR development standard in Clause 4.4 of the WLEP.

The site is subject to a maximum FSR control of 0.53:1. The proposed development has a FSR of 0.69:1, exceeding the standard by 84.36m² equating to a 30.5% variation.

A written request has been submitted to Council in accordance with Clause 4.6(3)(a) and (b) of the WLEP 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 FSR development standard on the following basis:

- (a) That compliance with the development standard is unreasonable or unnecessary in the circumstances of the case:

Objectives of FSR

(i) The proposal meets objective (b) of the development standard as:

The FSR has been extended in the basement area only and has no impact on the building height or density controls.

(ii) The proposal meets objective (c) of the development standard as:

The bulk and scale of the building is not impacted by the extension of the basement. The proposal will have no impact on the streetscape, appearance or density of the dwelling in terms of occupancy.

(iii) The proposal meets objective (d) of the development standard as:

The environmental amenity of neighbouring properties is not impacted as there is no visual or noise impact from the proposed increase to floor area in the basement.

Objectives of the zone

- (iv) *The proposal provides for the housing needs of the community within a low density residential environment. The proposal allows the existing dwelling to be renovated to meet the needs of the growing family in the home, whilst still maintaining the low-density environment*

Wehbe v Pittwater Council (2007) 156 LGERA 446

- (v) **Wehbe Test 1:** *The objectives of the standard are achieved notwithstanding non-compliance with the standard.*

An assessment against the objectives the zone and floor space ratio control concluded the objectives of the zone and FSR are achieved notwithstanding the technical non-compliance.

- (vi) **Wehbe Test 2:** *The underlying objective or purpose of the standard is not relevant to the development and therefore compliance is unnecessary.*

This test is not relied upon.

- (vii) **Wehbe Test 3:** *The underlying object or purpose would be defeated or thwarted if compliance was required and therefore compliance is unreasonable.*

This test is not relied upon. However, requiring the DA, in this context, to comply with the technical FSR control would be unreasonable given the objectives of the controls are achieved and lack of amenity impacts.

- (viii) **Wehbe Test 4:** *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.*

This test is not relied upon. It is however noted that the existing building currently exceeds the floor space ratio control, and this is common for many dwellings in the locality. As such, compliance with the control where the proposal does not change the external building envelope, or increase patron numbers, is unreasonably and unnecessary in the circumstances.

- (ix) **Wehbe Test 5:** *The compliance with development standard is unreasonable or inappropriate due to existing use of land and current environmental character of the particular parcel of land. That is, the particular parcel of land should not have been included in the zone.*

The land has been zoned appropriately and the objectives of the FSR control are appropriate in the context of Dover Heights. As noted above, compliance is unreasonable and unnecessary in this instance specifically.

The proposed development is consistent with the objectives of the zone and floor space ratio as discussed above.

- (b) That there are sufficient environmental planning grounds to justify contravening the standard:

- (i) *The non-compliance is primarily technical. That is, whilst the building to be approved will exceed the FSR, it will have no apparent impact to public domain or private properties.*
- (ii) *The variation relocates space within the dwelling which already exceeds the FSR and will not change above ground building envelope.*
- (iii) *The extent of variation is minimal, and as demonstrated in this specific case, will not have any impacts to the privacy and amenity of surrounding residential buildings.*
- (iv) *The proposed development provides an improved outcome for the occupants of the dwelling, without increasing the occupancy of the home (i.e not adding any additional bedrooms).*
- (v) *Strict compliance with the development standard is considered to result in a poor design and practical outcome, unnecessarily restricting internal alterations and refurbishment, and delivering a sub-optimal result.*
- (vi) *The proposal seeks flexibility in relation to the FSR development standard (Clause 4.4) for alterations and additions to an existing dwelling zoned R2 Low Density Residential which currently exceeds the permitted GFA for the site. The proposed increase above the non-compliance is appropriate given the additional floor is contained within the existing building envelope and is located with minimal visibility at basement level. The proposal achieves a scale of development that enhances the amenity for the occupants - a growing family - while maintaining consistency with the Wallangra Road streetscape. Further, the proposal will maintain the essential features and scale of the existing dwelling. Therefore, the proposed non-compliance will not negatively impact the amenity of neighbouring development.*

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 referencing that the additional floor area is located below the existing dwelling and will not increase the bulk and scale of the existing building. Additionally, the development will not result in reduced amenity to neighbouring land uses in terms of visual privacy, overshadowing or view loss.

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 including:

The objectives of the FSR development standard are:

- a) *to ensure sufficient floor space can be accommodated within the Bondi Junction Centre to meet foreseeable future needs,*
- b) *to provide an appropriate correlation between maximum building heights and density controls,*
- c) *to ensure that buildings are compatible with the bulk, scale, streetscape and desired future character of the locality,*
- d) *to establish limitations on the overall scale of development to preserve the environmental amenity of neighbouring properties and minimise the adverse impacts on the amenity of the locality.*

Objective (a) is not relevant to the proposal as the subject site is not contained within the Bondi Junction Centre.

Notwithstanding the FSR non-compliance, the proposed development achieves objectives (b), (c) and (d) of clause 4.4 for the following reasons:

- The proposal is compatible with the streetscape on the eastern side of Wallangra Road, presenting as two to three storeys to the street. The proposal will not alter the built form to the ground and first floor.
- The proposal is compatible with the streetscape and desired future character of the locality. The dwelling will still read as an appropriate sized dwelling in comparison with the locality, not visually dominating the street.
- The proposal will not unreasonably impact on the environmental amenity of adjoining dwellings. As outlined above and discussed in detail below, the proposal will not unreasonably impact on views, create additional overshadowing or result in visual privacy issues.

The objectives of the R2 zone are:

- a) *To provide for the housing needs of the community within a low density residential environment.*

- b) *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- c) *To maximise public transport patronage and encourage walking and cycling.*

The development achieves objective (a) as it provides housing needs for the community, whilst still maintaining the same bulk and scale of the existing dwelling; a dwelling that is appropriately sized for the low density residential environment.

Objectives (b) and (c) are not relevant for this development.

Conclusion

For the reasons provided above, the requested variation to the FSR is supported as the applicant's written request has adequately addressed the matters required to be addressed by cl 4.6 of the WLEP and the proposed development would be in the public interest because it is consistent with the objectives of FSR and the R2 low density residential zone.

2.1.4 Waverley Development Control Plan 2012 (WDCP) (Amendment 9) Effective 1 October 2020

The relevant matters to be considered under the WDCP for the proposed development are outlined below:

Table 2: WDCP – Part B General Provisions Compliance Table

Development Control	Compliance	Comment
1. Waste	Yes. Condition recommended.	A Site Waste & Recycling Management plan has been submitted with the application to address waste disposal during construction. A condition of consent is recommended regarding ongoing waste on site. The waste and recycling storage area is located in an area convenient for users of the site and is not changing with this application.
2. Ecologically sustainable Development	Yes	A BASIX Certificate is submitted with the application and is acceptable.
3. Landscaping and Biodiversity	N/A	The development will not alter existing landscaping.
5. Vegetation Preservation	N/A	The development will not impact trees.
6. Stormwater	Yes. Conditions recommended.	Council's Stormwater Engineer has reviewed the application and recommended conditions of consent.
8. Transport	N/A	The development proposes minimal changes to the existing parking. Internal walls of the garage will be demolished, however this will create a larger garage area and will better assist in access and movability for the vehicles.
11. Design Excellence	Yes	The development will not increase in bulk and scale, with the additional GFA located below the

Development Control	Compliance	Comment
		dwelling, at basement level and will not result in additional environmental impacts.
14. Excavation	Yes	Excavation is acceptable, setback more than 0.9m from side boundaries and is located below the existing dwelling, resulting in no loss to existing deep soil areas.

Table 3: WDCP – Part C2 Low Density Residential Development Compliance Table

The proposal is defined as a “Dwelling House” in the WLEP.

Development Control	Compliance	Comment
2.0 General Objectives		
<ul style="list-style-type: none"> • Appropriate scale • Does not detract from amenity of other dwellings or view corridors • ESD has been considered • Alterations & additions are sympathetic in bulk & scale to the character of the area • High design standard 	Yes	The proposal does not contravene the general objectives of this part of the DCP.
2.2 Setbacks		
2.2.1 Front and rear building lines	Yes	The storage area will be located under the front balcony of the ground floor.
<ul style="list-style-type: none"> • Predominant front building line • Predominant rear building line at each floor level 	N/A Yes	As the development is located below ground level, it will not alter the rear building line. The remainder of the works to ground and first floor will not alter the bulk and scale of the dwelling, remaining in the existing building envelope.
2.2.2 Side setbacks	Yes	The basement will be setback more than 0.9m from side boundaries.
<ul style="list-style-type: none"> • Minimum of 0.9m 		The remainder of the works to ground and first floor are internal and will not alter the bulk and scale of the dwelling, remaining in the existing building envelope.
2.3 Streetscape and visual impact		
<ul style="list-style-type: none"> • New development to be compatible with streetscape context 	Yes Yes	No significant changes to the streetscape, with works located below ground level. The only identifiable change that will be identified from the streetscape will be from the

Development Control	Compliance	Comment
<ul style="list-style-type: none"> Significant landscaping to be maintained. 		wall to the storage area (as seen on the western elevation). However, it is confirmed on the plans that this wall will be of a render finish to match the existing dwelling.
2.5 Visual and acoustic privacy		
<ul style="list-style-type: none"> Windows to habitable rooms are not to directly face windows to habitable rooms and / or open space of neighbouring dwellings unless direct views are screened or other appropriate measures are incorporated into the design. 	Yes	The location of windows will not result in visual privacy concerns. The windows are located very close to ground level and will therefore overlook existing side boundary fences.
2.6 Solar access		
	N/A	The bulk and scale of the dwelling will not alter and therefore shadow diagrams are not required.
2.7 Views		
	N/A	The bulk and scale of the dwelling will not alter, resulting in no view loss.
2.9 Landscaping and open space		
	Yes	Landscaping and open space will not alter, the addition to the basement is located below the existing dwelling, resulting in no reduction to the existing deep soil area.

The following is a detailed discussion of the issues identified from the proposed development.

Kitchenette

Secondary kitchens and kitchenettes in the same dwelling are not supported, as they can be used as illegal secondary dwellings. A condition is therefore recommended that the kitchenette in the basement is deleted.

2.2 Other Impacts of the Development

The proposed development is capable of complying with the BCA.

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

2.3 Suitability of the Site for the Development

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

2.4 Any Submissions

The application was notified for 14 days, in accordance with *Waverley Council Community Participation Plan 2019*. Two submissions were received. The issues raised in the submissions are summarised and discussed below.

The amended plans did not result in significant changes to the development and therefore were not required to be re-notified in accordance with the *Waverley Community Participation Plan 2019*.

Table 4: Summary of property addresses that lodged a submission

Property
50 Wallangra Road, DOVER HEIGHTS
46 Wallangra Road, DOVER HEIGHTS

Issue: Damage to objectors home

Response: This is addressed through recommended conditions of consent, including requiring a dilapidation report.

Issue: Exceeds FSR

Response: A clause 4.6 has been provided addressing the breach to FSR, this has been discussed within the report.

Issue: Geotech report to be provided

Response: An appropriate condition relating to excavation is recommended and therefore a geotechnical report is not required.

Issue: Satisfactory engineering safeguards will be imposed and properly monitored

Response: This is addressed through recommended conditions of consent.

Issue: Applicant be responsible for cost of damage and insurance

Response: Council cannot enforce this. This is a civil matter.

2.5 Public Interest

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

3. REFERRALS

3.1 Stormwater (Infrastructure Services)

An internal referral was sought from Council's Stormwater Engineer, who supported the application subject to conditions of consent.

4. SUMMARY

The DA is for alterations and additions to the existing dwelling including internal reconfiguration and extension of the basement level.

The main issue with the development is that it exceeds the maximum permitted FSR specified in the WLEP and a secondary kitchenette is proposed. In regard to FSR, a well-founded Clause 4.6 Variation was submitted, justifying the non-compliance and is considered acceptable given the additional GFA

is located below the existing dwelling and it will not increase the bulk and scale of the existing dwelling..

The application received two submissions, which have been addressed via recommended conditions of consent or within the report.

The development has been well designed to provide additional GFA without compromising the amenity of neighbouring land uses.

DBU Decision

The application and assessment report were reviewed by the DBU at the meeting on 02/03/2021 and the DBU determined:

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

DBU members: *M Reid, B McNamara, B Magistrale*

5. RECOMMENDATION TO WAVERLEY LOCAL PLANNING PANEL

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

Report prepared by:



Joseph Somerville
Development Assessment Planner

Date: 3 March 2021

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



Bridget McNamara
**Manager, Development Assessment
(North/South)**

Date: 4 March 2021

Reason for referral:

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

Attachment A
Conditions of the development consent

DA-446/2020

A. APPROVED DEVELOPMENT

1. APPROVED PLANS AND DOCUMENTATION

The development must be in accordance with:

(a) Architectural Plans prepared by Entrance Hall of Project No: EH_1520 including the following:

Plan Number and Revision	Plan description	Plan Date	Date received by Council
DA01/ Rev B	Site Plan / Site Analysis Plan	03/03/2021	03/03/2021
DA02/ Rev B	Basement and Ground Floor Plans	03/03/2021	03/03/2021
DA03/ Rev B	First Floor and Roof Plan	03/03/2021	03/03/2021
DA04/ Rev B	South and East Elevations	03/03/2021	03/03/2021
DA05/ Rev B	North and West Elevations	03/03/2021	03/03/2021
DA06/ Rev B	Sections A and B	03/03/2021	03/03/2021
DA07/ Rev B	Section C and BASIX	03/03/2021	03/03/2021

(b) The Site Waste and Recycling Management Plan (SWRMP) Part 1 received by Council on 22/12/2020

Except where amended by the following conditions of consent.

2. GENERAL MODIFICATIONS

The application is approved subject to the following plan amendments;

(a) The kitchenette located within the basement level is not approved and is to be deleted from the plans.

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

B. PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

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

GENERAL REQUIREMENTS

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

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

(a) a Construction Certificate has been obtained from Council or an Accredited Certifier in accordance with the Environmental Planning & 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.

4. HOME BUILDING ACT

The builder or person who does the residential building work shall comply with the applicable requirements of Part 6 of the *Home and Building Act, 1989*. In this regard a person must not contract to do any residential building work unless a contract of insurance that complies with this Act is in force in relation to the proposed work. It is the responsibility of the builder or person who is to do the work to satisfy the Principal Certifying Authority that they have complied with the applicant requirements of Part 6, before any work commences.

CONTRIBUTIONS, FEES & BONDS

5. SECTION 7.12 CONTRIBUTION

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

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

A copy of the required format for the cost reports are in the Waverley Council Contributions Plan 2006, available on Council's website.

- (b) As legislated in section 25K of the Environmental Planning and Assessment Regulation 2000, the levy must be paid in accordance with the following;
 - (i) A development valued at \$100,000 or less will be exempt from the levy.
 - (ii) A development valued at \$100,001 - \$200,000 will attract a levy of 0.5% OR
 - (iii) A development valued at \$200,001 or more will attract a levy of 1% based on the full cost of the development.

Prior to the issue of any Construction Certificate, evidence must be provided that the levy has been paid to Council in accordance with this condition or that the cost of works is less than \$100,000.

6. SECURITY DEPOSIT

A deposit (cash or cheque) or guarantee for the amount of \$6,680.00 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.

7. LONG SERVICE LEVY

A long service levy, as required under Section 34 of the *Building and Construction Industry Long Service Payments Act, 1986*, is to be paid in respect 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.

8. ENGINEERING PLANS ASSESSMENT AND WORKS INSPECTION FEES

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

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

CONSTRUCTION MATTERS

9. HOARDING

To ensure the site is contained during construction, if 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.

10. 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.

11. DETAILS OF EXCAVATION, SHORING OR PILE CONSTRUCTION

A report shall be prepared by a suitably qualified and practising Structural Engineer/Geotechnical Engineer detailing the proposed methods of bulk excavation, shoring or pile construction, including

details of vibration emissions and any possible damage which may occur to adjoining or nearby properties as a result of the proposed building and excavation works.

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

12. ENGINEERING DETAILS

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

STORMWATER & FLOODING

13. 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 and approved by the Executive Manager, Infrastructure Services (or delegate) prior to the issue of the relevant Construction Certificate.

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

- a) Detail the location of the existing stormwater drainage system including all pipes, inspection openings, surface drains, pits and their discharge location as well as any new stormwater drainage system.
- b) Specify any components of the existing system to be retained and certified during construction to be in good condition and of adequate capacity to convey additional runoff and be replaced or upgrade if required.
- c) Seepage water from basement car parks and sub surface flows from structures that intersect high ground water flows shall be pumped and harvested onsite or piped to the underground stormwater drainage system. Direct or indirect connections to Council's street gutter is not permitted.
- d) Any affected Council's infrastructure as the result of construction activities within the public domain area, inclusive of stormwater, stormwater outlet/s, kerb and gutter, pavement, grass verges and vehicle crossovers within the extent works shall be replaced as per Waverley Council Public Domain Technical Manual.

Notes:

- The Applicant is advised to consider the finished levels of the public domain, including new or existing footpaths and pavement prior to setting the floor levels for the proposed development.

- Waverley Council standard drawings for public domain infrastructure assets are available upon request. Details that are relevant may be replicated in the Engineering design submissions however, Council's title block shall not be replicated.
- Prior to commencement of works a security deposit will be made payable to Council to ensure any additional damage or unauthorised works within the Council property, not conditioned above. Council will reserve the right to withhold the cost of restoring the damaged assets from the security deposit should the applicant fail to restore the defects to the satisfaction of Council.
- Council's contact for infrastructure assessment: E-mail: assets@waverley.nsw.gov.au or Phone: 9083 8886 (operational hours between 9.30am to 4pm Monday to Friday).

ENERGY EFFICIENCY & SUSTAINABILITY

14. BASIX

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

WASTE

15. SITE WASTE AND RECYCLING MANAGEMENT PLAN

A *Site Waste and Recycling Management Plan (SWRMP) - Part 2* is to be submitted to the Principal Certifying Authority prior to the issue of the relevant Construction Certificate, which outlines materials to be reused and/or recycled as a result of demolition and construction works. At least one copy of the *SWRMP Part 2* is to be available on site at all times during construction. Copies of demolition and construction waste dockets that verify the facility that received the material for recycling or disposal and the quantity of waste received, must be retained on site at all times during construction.

C. COMPLIANCE PRIOR TO WORK COMMENCING AND DURING CONSTRUCTION

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

PRIOR TO ANY WORKS

16. CONSTRUCTION SIGNS

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

17. 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.

DEMOLITION & EXCAVATION

18. 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.

19. 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.

20. 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.

21. 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

22. CONSTRUCTION HOURS

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

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

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

23. 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.

24. CONSTRUCTION INSPECTIONS

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

TREE PROTECTION AND REMOVAL

25. 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.

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

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

26. 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.

27. CERTIFICATION OF BASIX COMMITMENTS

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

28. CERTIFICATION OF STORMWATER SYSTEM

Prior to issue of any Occupation Certificate, certification is to be provided from a suitably qualified and practising Hydraulics Engineer or Plumber, that the existing stormwater drainage system is unblocked, in good working order and to be repair/replaced in accordance with Council's Water Management Technical Manual and Development Control Plan.

E. ADVISORY MATTERS

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

AD1. POST CONSENT CONDITIONS REQUIRING COUNCIL INPUT

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

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

AD2. 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.

AD3. DIAL BEFORE YOU DIG

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

and request the nominal location of plant or assets on the relevant property via contacting the Dial before you dig service in advance of any construction or planning activities.

AD4. TELECOMMUNICATIONS ACT 1997 (COMMONWEALTH)

Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for prosecution. Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on Phone Number 1800810443.

AD5. ALTERATIONS AND ADDITIONS ONLY

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

AD6. EXCAVATION TO BE LIMITED

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

AD7. BONDI - ROSE BAY SAND BODY

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

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

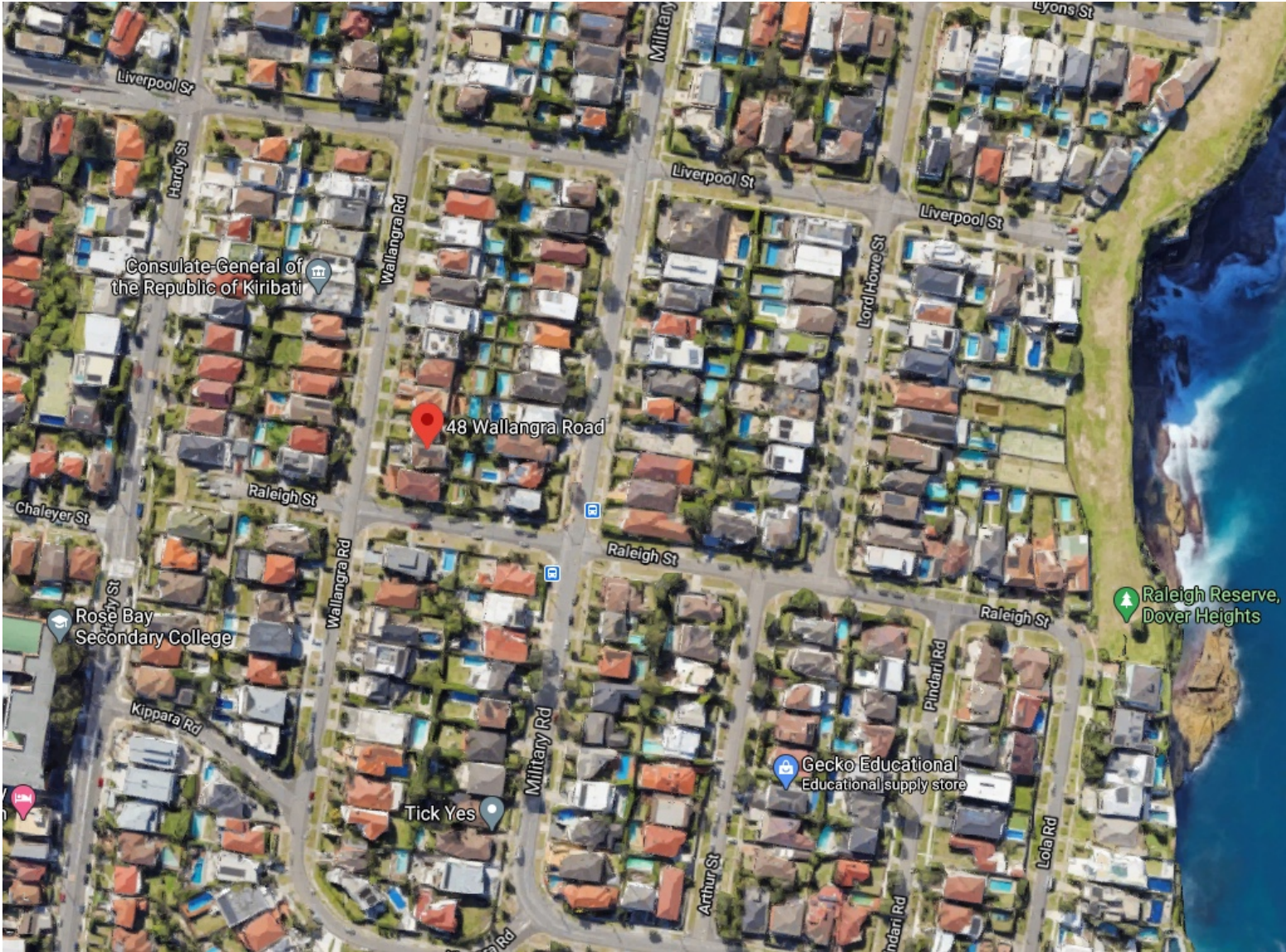
AD8. TREE REMOVAL/PRESERVATION

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.

AD9. WORK OUTSIDE PROPERTY BOUNDARY

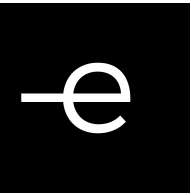
This consent does not authorise any work outside the property boundary.

48 WALLANGRA ROAD, DOVER HEIGHTS



GOOGLE MAPS

NO	DESCRIPTION	REVISION	DATE
DA00	COVER PAGE	B	03.03.2021
DA01	PROPOSED SITE PLAN/SITE ANALYSIS	B	03.03.2021
DA02	PROPOSED BASEMENT/GROUND FLOOR PLAN	B	03.03.2021
DA03	PROPOSED FIRST FLOOR/ROOF PLAN	B	03.03.2021
DA04	PROPOSED SOUTH + EAST + ELEVATIONS	B	03.03.2021
DA05	PROPOSED NORTH + WEST ELEVATIONS	B	03.03.2021
DA06	PROPOSED SECTIONS A +B	B	03.03.2021
DA07	PROPOSED SECTION C + BASIX	B	03.03.2021
DA08	CALCULATIONS PAGE	B	03.03.2021
DA09	SOIL EROSION CONTROL PLAN	B	03.03.2021
DA10	NOTIFICATIONS PAGE	B	03.03.2021



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BONDI JUNCTION NSW 2022

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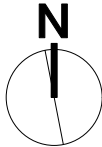
Use figured dimensions only. Do not scale from drawings. Dimensions should be verified on site prior to commencement of works. Advise Entrance Hall Pty Ltd of any discrepancies prior to commencement of works. Allow for adjustment to suit discrepancies.
Drawings and documentation to be read in conjunction with relevant schedules and specifications. Verify the requirements and installation details of all fittings, fixtures and equipment prior to install.
All works are to be in accordance with Australian Standards, Building Code of Australia for materials and construction practice, and any other relevant codes and authorities.
Works to be of the highest industry standard.
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Key

Notes
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Scale
NTS

Orientation



Revisions

Issue	Date	Details
B	3/3/21	REVISED DA APPLICATION

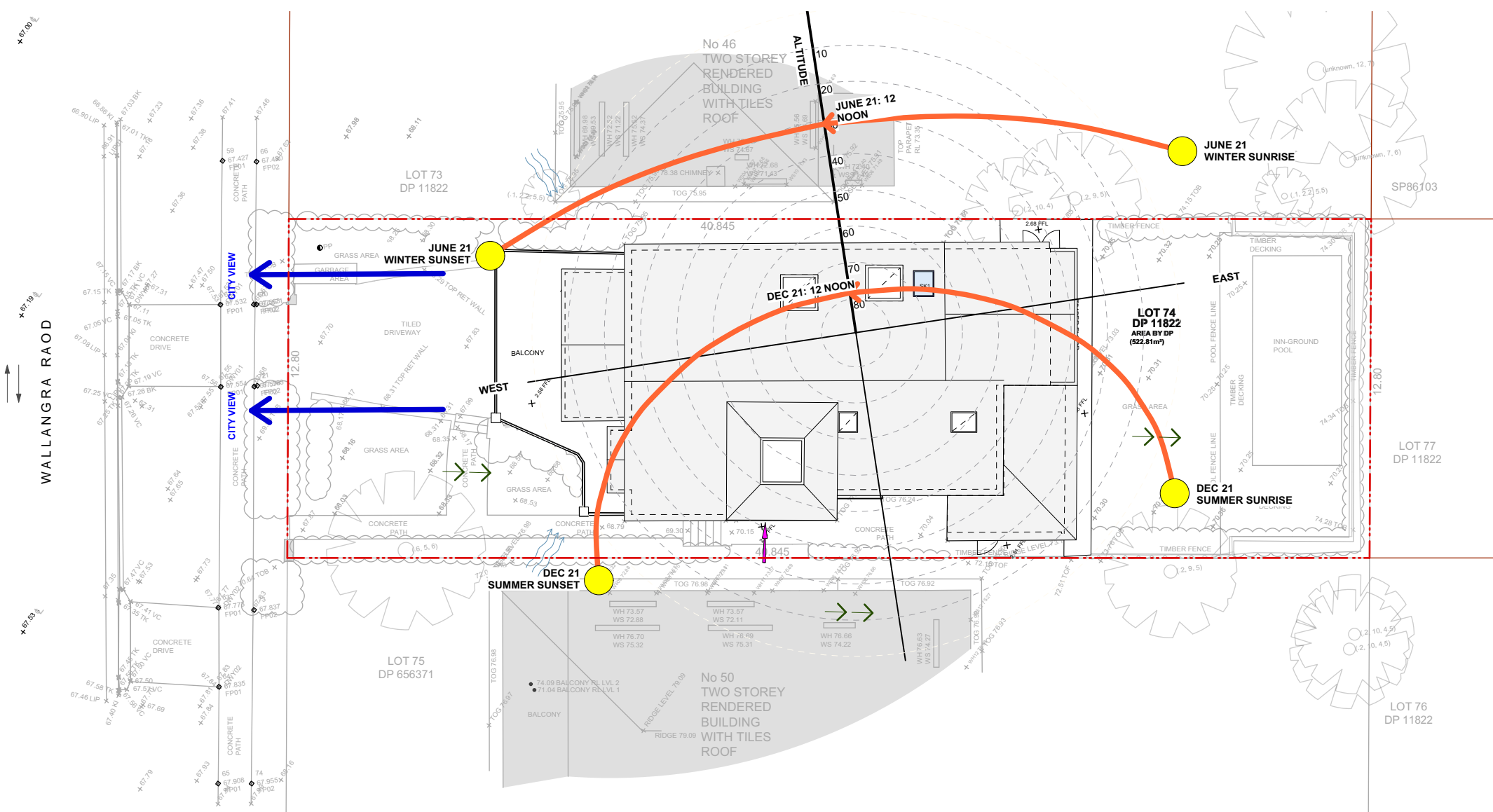
Stage
STAGE 1B - DA

Site address
48 WALLANGRA ROAD
DOVER HEIGHTS

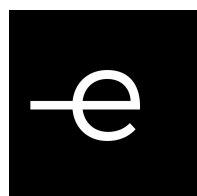
Client
DAN WHITTEN

Drawing Title
COVER PAGE
Drawing No.
DA00

Project No. EH_1520 **Drawn by** TL **Reviewed by** SR **Date** 06/11/2021 **Issue** B



1 SITE PLAN/SITE ANALYSIS PLAN
Scale: 1:200



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Key

- Dwelling Entry
- Fall of area
- Solar Angles
- Views
- Traffic Flow
- Predominant Breezes
- Site Perimeter
- Noise Source

Notes

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Scale

1:200 @ A3

Orientation



Revisions

Issue	Date	Details
B	3/3/21	REVISED DA APPLICATION

Stage
STAGE 1B - DA

Site address
48 WALLANGRA ROAD
DOVER HEIGHTS

Client
DAN WHITTEN

Drawing Title

SITE PLAN/SITE ANALYSIS PLAN

Drawing No.

DA01

Project No.	Drawn by	Reviewed by	Date	Issue
EH_1520	TL	SR	03/10/2021	1

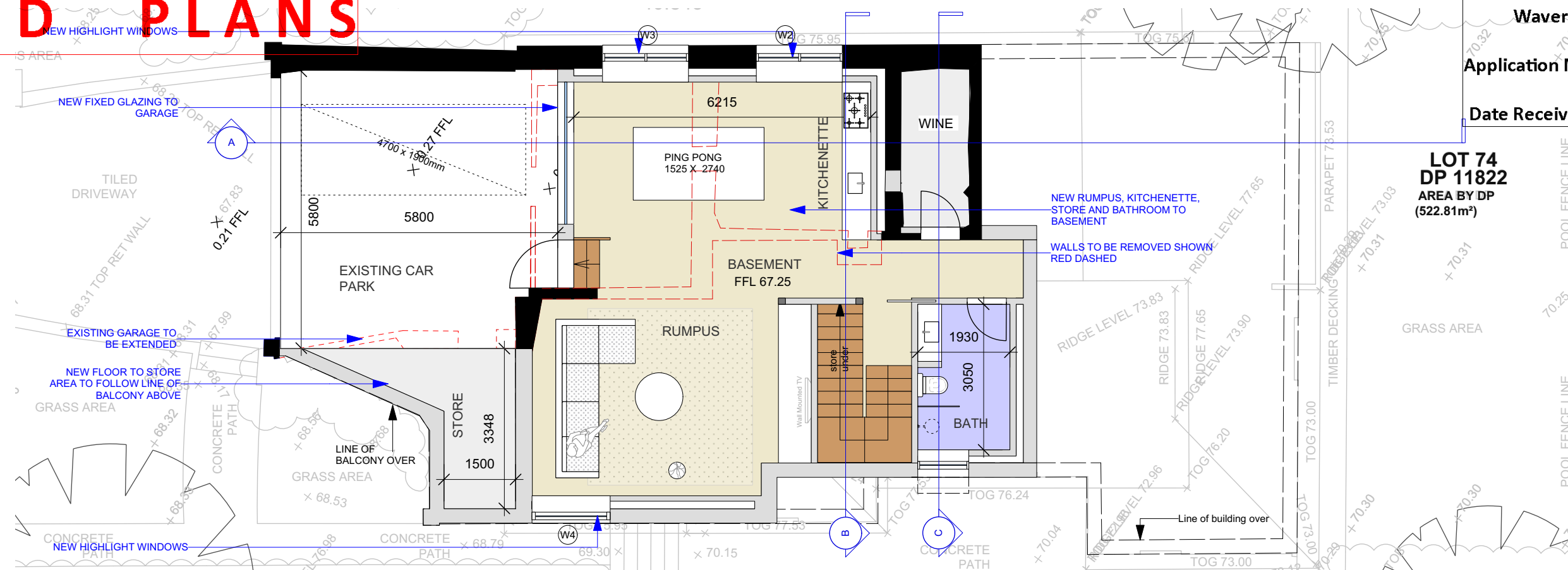
AMENDED PLANS

RECEIVED
Waverley Council

Application No: DA-446/2020

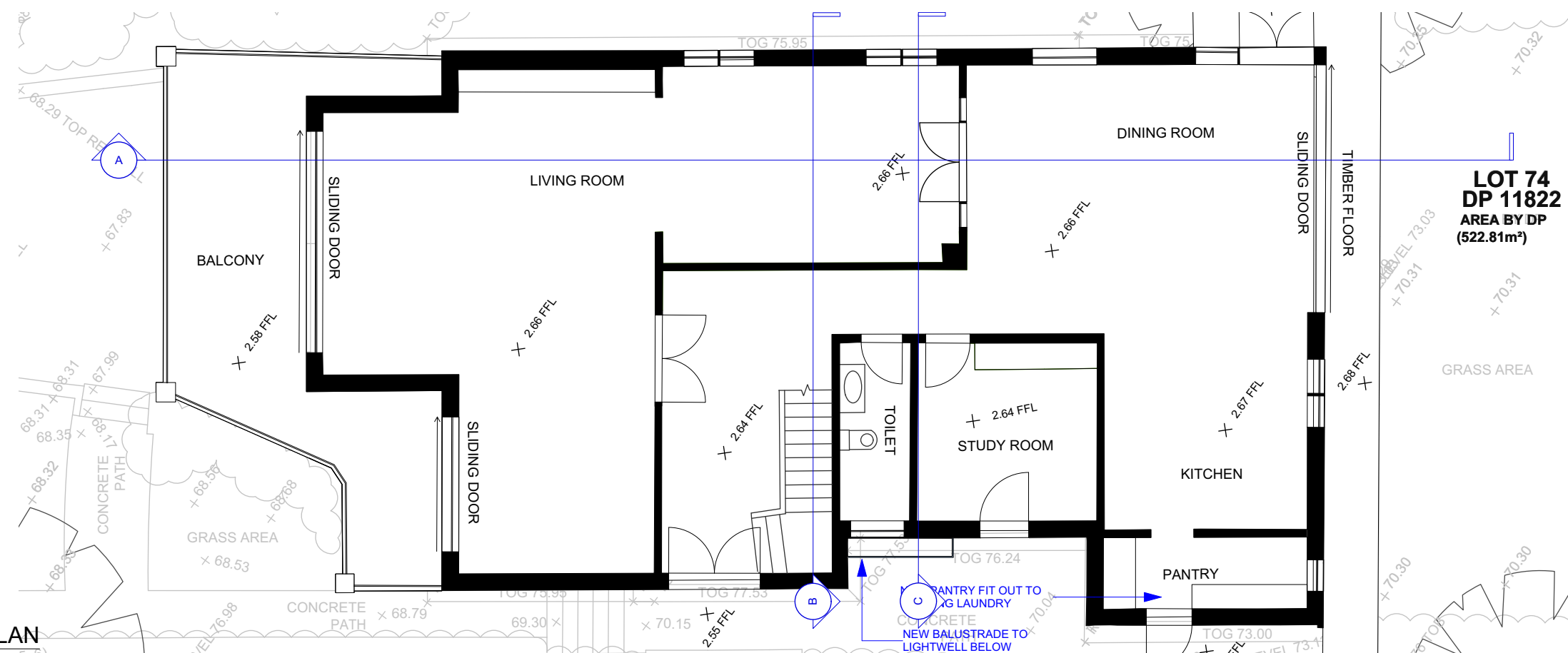
Date Received: 03/03/2021

LOT 74
DP 11822
AREA BY DP
(522.81m²)



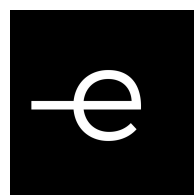
1) PROPOSED BASEMENT PLAN
Scale: 1:100

Scale: 1:100



2 PROPOSED GROUND FLOOR PLAN
Scale: 1:100

Scale: 1:100



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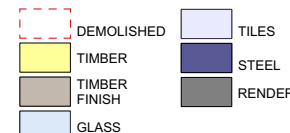
Detailed documentation to be read in conjunction with relevant schedules and specifications. Verify the requirements and installation details of all fittings, fixtures and equipment prior to install.

All works to be in accordance with Australian Standards, Building Code of Australia for material and construction practice, and any other relevant codes and authorities. Works to be of the highest industry standard.

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Key



Notes

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Scale

1:100 @ A3

Orientation



Revisions

Issue	Date	Details
B	3/3/21	REVISED DA APPLICATION

Stage
STAGE 1B - DA

Site address
48 WALLANGRA ROAD
DOVER HEIGHTS

Client
DAN WHITTEN

Drawing Title

BASEMENT & GROUND FLOOR PLANS

Drawing No.

DA02

Project No.	Drawn by	Reviewed by	Date	Issued by
EH 1520	TL	SR	06/10/2020	8

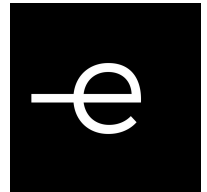
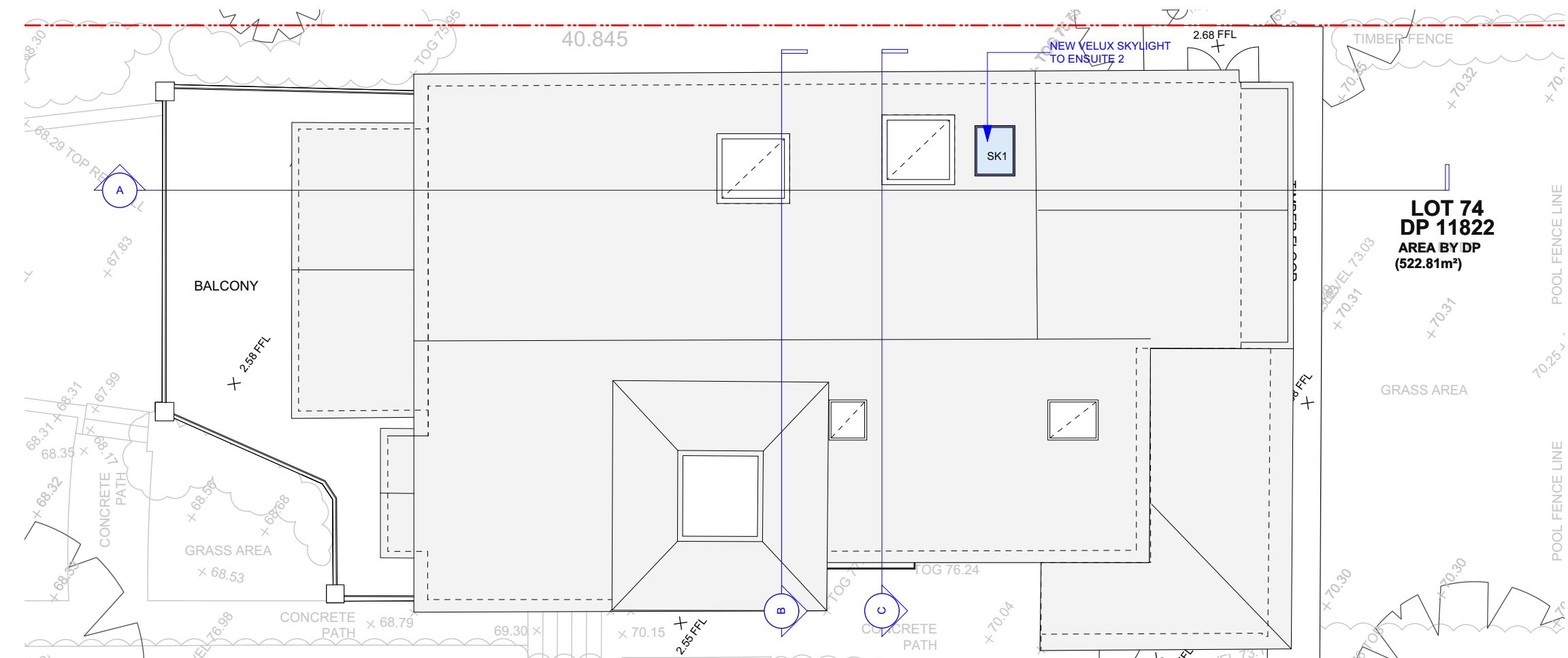
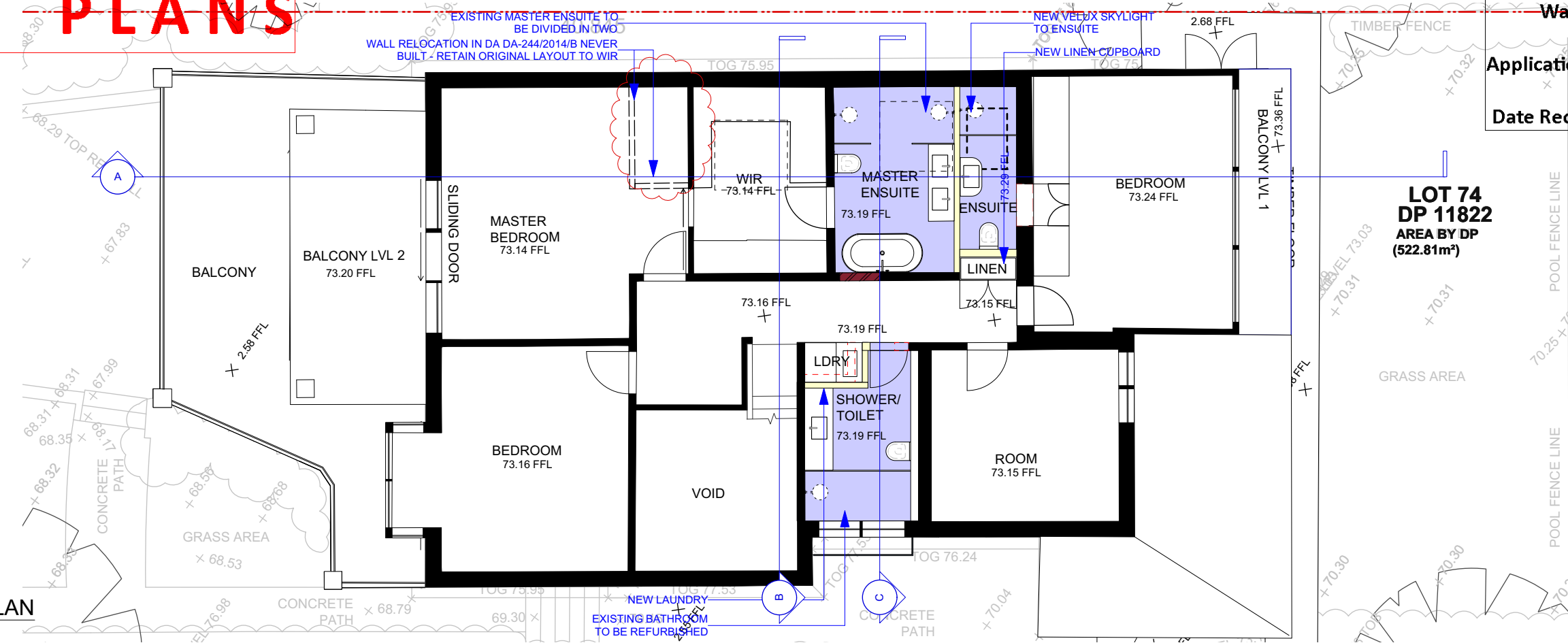
by Date Issued
06/10/2020 3

AMENDED PLANS

RECEIVED
Waverley Council

Application No: DA-446/2020

Date Received: 03/03/2021



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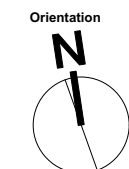
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Key	
	DEMOLISHED
	TIMBER
	TIMBER FINISH
	GLASS
	TILES
	STEEL
	RENDER

Notes
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Scale
1:100 @ A3



Revisions	
Issue	Date
B	3/3/21

Details	
REVISED DA APPLICATION	

Stage
STAGE 1B - DA

Site address
48 WALLANGRA ROAD
DOVER HEIGHTS

Client
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Drawing Title
FIRST FLOOR & ROOF PLAN

Drawing No.
DA03

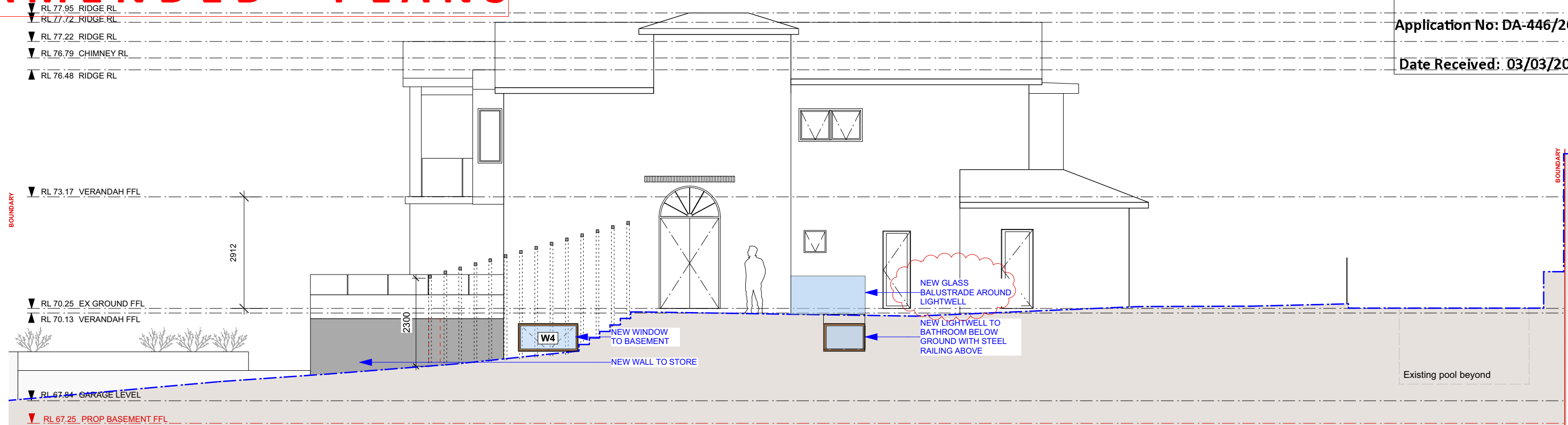
Project No. EH_1520
Drawn by TL
Reviewed by SR
Date 06/03/2021
Issue 151

AMENDED PLANS

RECEIVED
Waverley Council

Application No: DA-446/2020

Date Received: 03/03/2021



1

PROPOSED SOUTH ELEVATION

Scale: 1:100

RL 77.95 RIDGE RL
RL 77.72 RIDGE RL
RL 77.22 RIDGE RL
RL 76.79 CHIMNEY RL
RL 76.48 RIDGE RL

RL 73.17 VERANDAH FFL

RL 70.25 EX GROUND FFL
RL 70.13 VERANDAH FFL

2

PROPOSED EAST ELEVATION

Scale: 1:100

Key

	DEMOLISHED		TILES
	TIMBER		STEEL
	TIMBER FINISH		RENDER
	GLASS		

Notes

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Scale

1:100 @ A3

Orientation

Revisions

Issue	Date
B	3/3/21

Details
REVISED DA APPLICATION

Stage
STAGE 1B - DA

Site address
48 WALLANGRA ROAD
DOVER HEIGHTS

Client
DAN WHITTEN

Drawing Title

SOUTH & EAST ELEVATIONS

Drawing No.

DA04

Project No.	Drawn by	Reviewed by	Date
EH_1520	TL	SR	06/10/2020

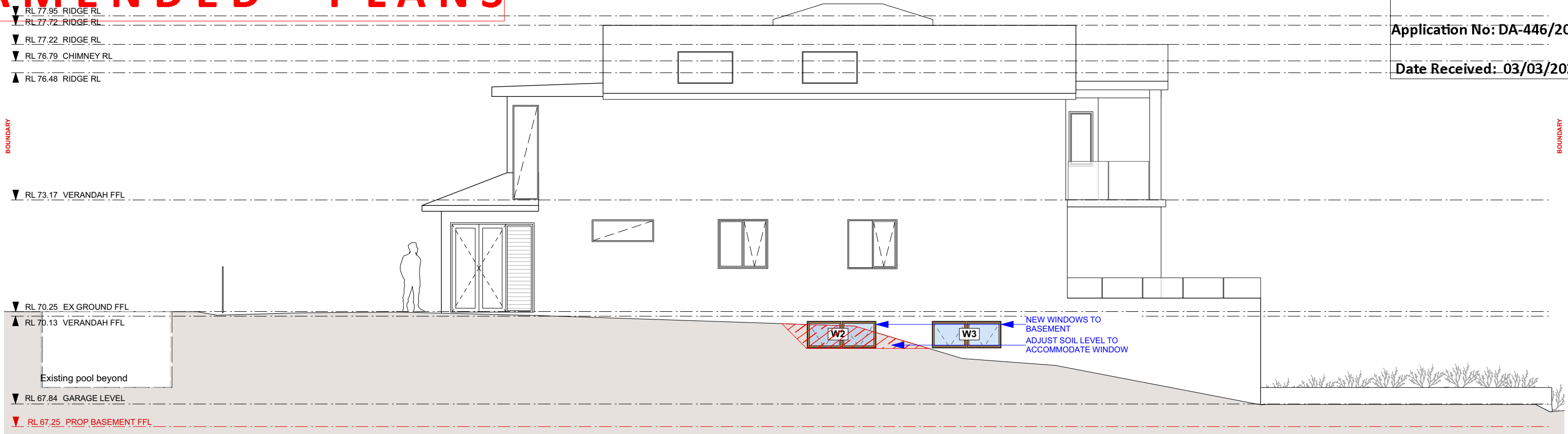
152

AMENDED PLANS

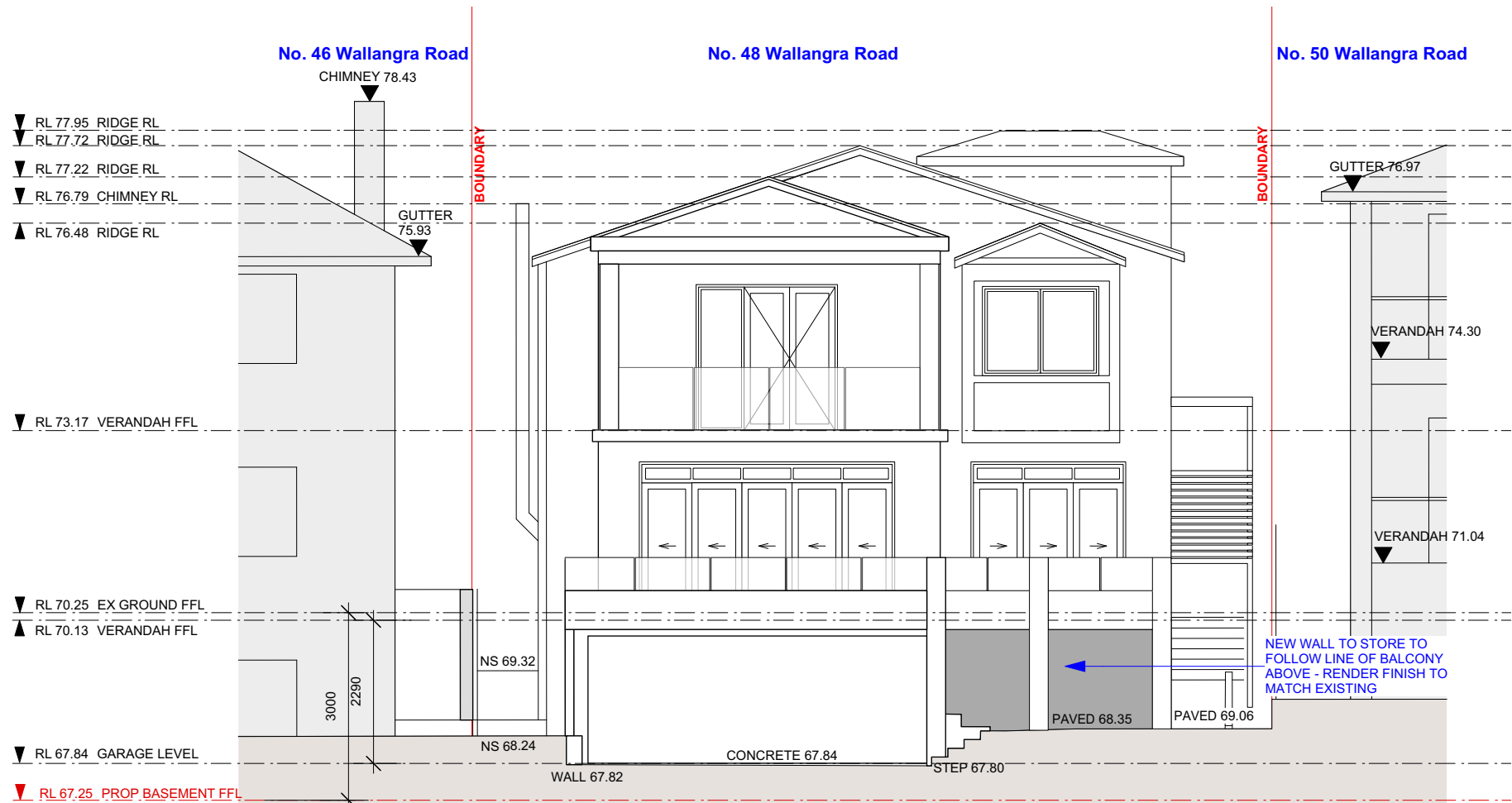
RECEIVED
Waverley Council

Application No: DA-446/2020

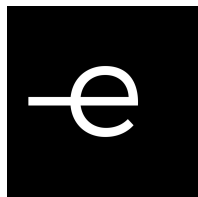
Date Received: 03/03/2021



1 PROPOSED NORTH ELEVATION
Scale: 1:100



2 PROPOSED WEST ELEVATION
Scale: 1:100



Entrance Hall Pty Ltd
Shop 31-33 Botany Street
BONDI JUNCTION NSW 2022

p 0412 235 510
e info@entrancehall.com.au
w www.entrancehall.com.au

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Key

DEMOLISHED	TILES
TIMBER	STEEL
TIMBER FINISH	RENDER
GLASS	

Notes

Plans are for approval/ concept only.
Not for construction.
All documentation must be checked onsite prior to fabrication by contractors.

Scale

1:100 @ A3

Orientation

Revisions

Issue	Date	Details
B	3/3/21	REVISED DA APPLICATION

Stage

STAGE 1B - DA

Site address
48 WALLANGRA ROAD
DOVER HEIGHTS

Client
DAN WHITTEN

Drawing Title

NORTH & WEST ELEVATIONS

Drawing No.

DA05

Project No. Drawn by Reviewed by Date
EH_1520 TL SR 06/10/2020

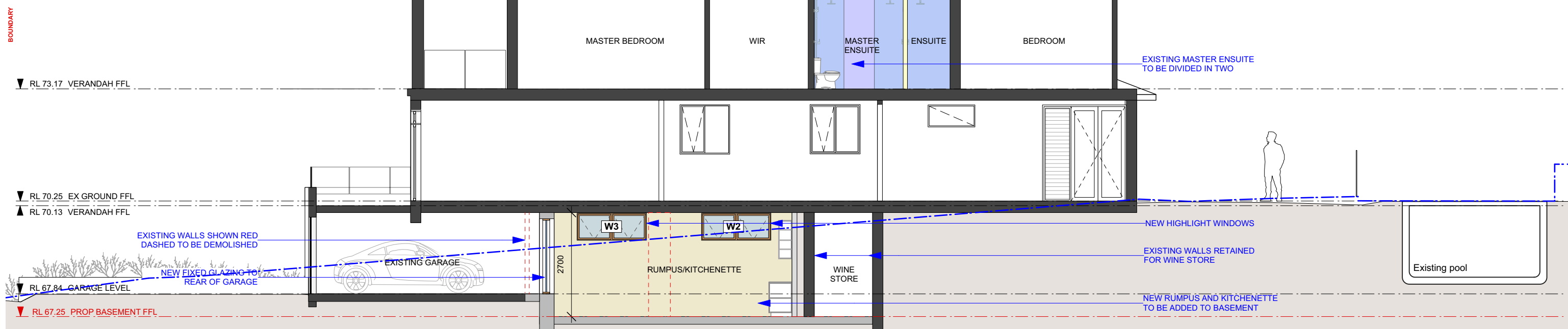
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AMENDED PLANS

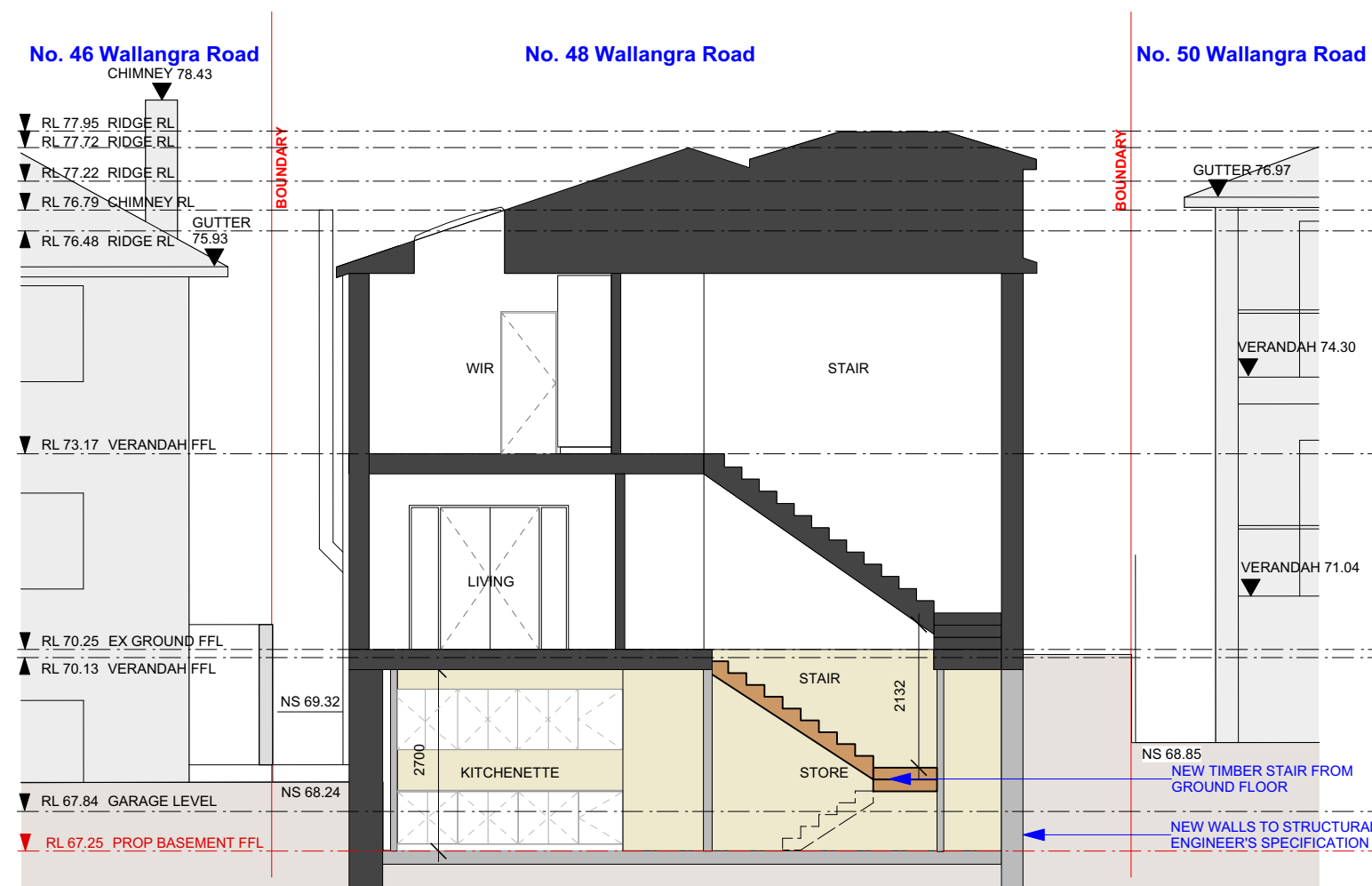
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Application No: DA-446/2020

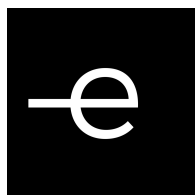
Date Received: 03/03/2021



1) SECTION A
Scale: 1:100



2 SECTION B
Scale: 1:100



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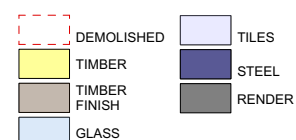
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B	3/3/21	REVISED DA APPLICATION

Stage
STAGE 1B - DA

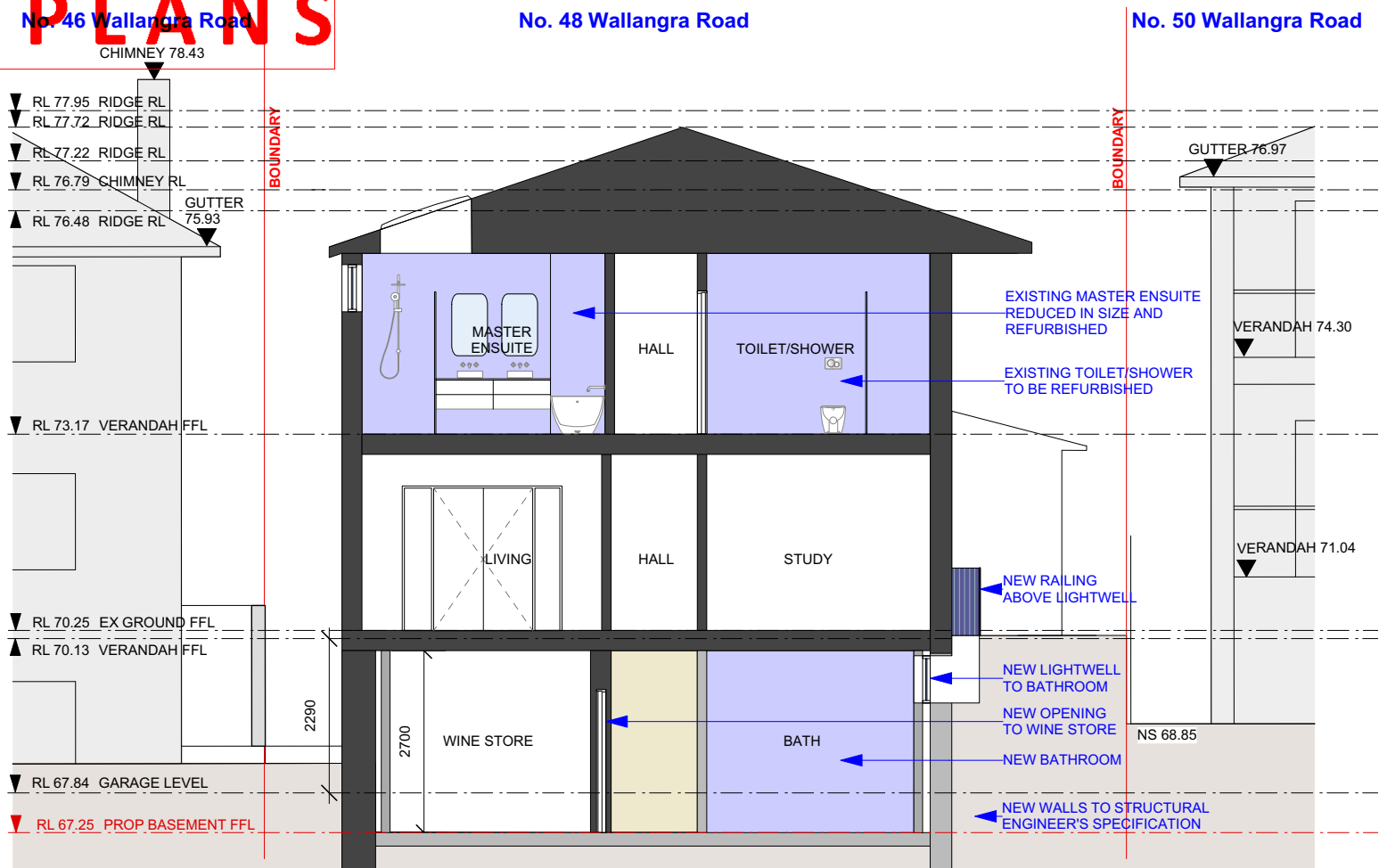
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Client
DAN WHITTEN

Drawing Title
SECTIONS A +B
Drawing No.
DA06

Project No.	Drawn by	Reviewed by	Date	Issue
EH 1520	TL	SR	06/10/2024	1

by Date Issued
06/10/2020 154

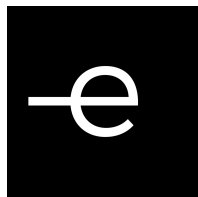


1 SECTION C
Scale: 1:100

BASIX

<p style="text-align: right; font-size: small;">page 1 / 3</p> <h2 style="margin-top: 0;">BASIX Certificate</h2> <p style="font-size: x-small; margin: 0;">Building Sustainability Index www.basix.nsw.gov.au</p> <h3 style="margin-top: 10px;">Alterations and Additions</h3> <p>Certificate number: A394749</p> <p><small>This certificate confirms that the proposed development will meet the NSW Government's requirements for sustainability, if it is built in accordance with the commitments set out below. Terms used in this certificate, or in the commitments, have the meanings given by the document entitled "BASIX Alterations and Additions Definitions" dated 06/10/2017 published by the Department. This document is available at www.basix.nsw.gov.au</small></p> <p><small>Secretary Date of issue: Monday, 14 December 2020 This seal, the certificate must be lodged until 1 month of the date of issue.</small></p> <div style="clear: both;"></div> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p>Certificate Prepared by (please complete before submitting to Council or PCA)</p> <p>Name / Company Name: Entrance Hall Pty Ltd</p> <p>ABN (if applicable): 7116833029</p> </div>	<p style="text-align: right; font-size: small;">page 2 / 3</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 60%;">Fixtures and systems</th> <th style="width: 10%;">Show on DA Plans</th> <th style="width: 10%;">Show on COCDOC Plans & specs</th> <th style="width: 10%;">Certifier Check</th> </tr> </thead> <tbody> <tr> <td> Lighting The applicant must ensure a minimum of 40% of new or altered light fixtures are fitted with fluorescent, compact fluorescent, or light-emitting diode (LED) lamps. </td> <td></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> </tr> <tr> <td> Fixtures The applicant must ensure new or altered showerheads have a flow rate no greater than 9 litres per minute or a 3 star water rating. 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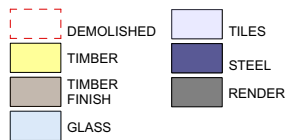
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Key



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48 WALLANGRA ROAD
DOVER HEIGHTS

Client
DAN WHITTEN

Drawing Title

SECTION C + BASIX

Drawing No.

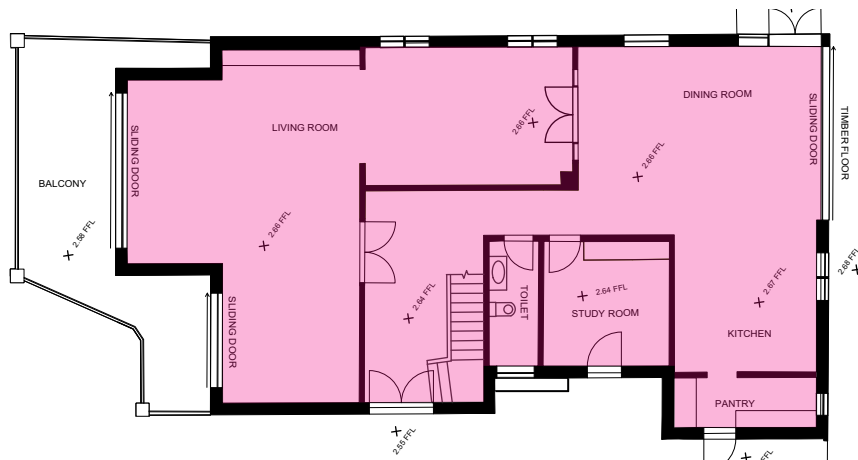
DA07

Project No.	Drawn by	Reviewed by	Date	Issue
EH_1520	TL	SR	06/10/2020	5

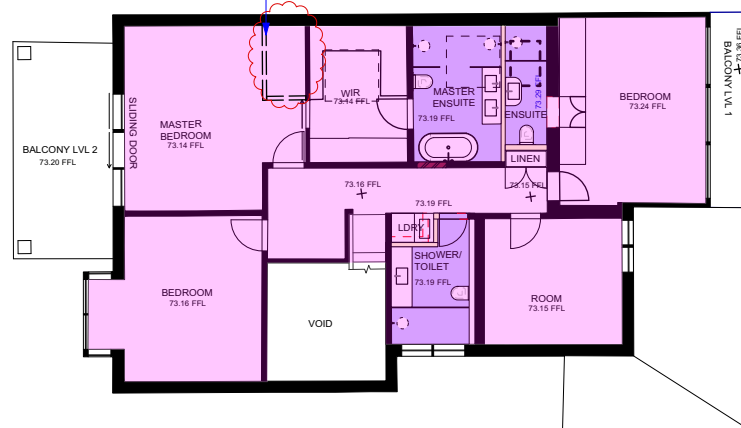
AMENDED PLANS



BASEMENT FSR = 69.65M2



GROUND FLOOR FSR =158.07M2



FIRST FLOOR FSR =129.89M2

1 FSR
Scale: 1:200

2 OPEN SPACE
Scale: 1:200

3 LANDSCAPED
Scale: 1:200

AREA CALCULATIONS

SITE AREA = 522.81M2

WAVERLEY COUNCIL LEP 2012 FSR - CLAUSE 4.4A

(B) FOR LOTS WITH AN AREA OF 100 SQUARE METRES TO 550 SQUARE METRES— $\frac{((550 - \text{LOT AREA}) \times 0.001) + 0.5}{1}$

= 0.53:1

MAXIMUM FSR = 277.08M2

EXISTING FSR = 287.96M2

PROPOSED FSR = 357.61M2

WAVERLEY COUNCIL DCP 2012 PART C RESIDENTIAL DEVELOPMENT. CLAUSE 2.9 LANDSCAPE & OPEN SPACE

(B) A MINIMUM OF 40% OF THE TOTAL SITE AREA IS TO BE PROVIDED AS OPEN SPACE.

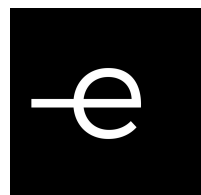
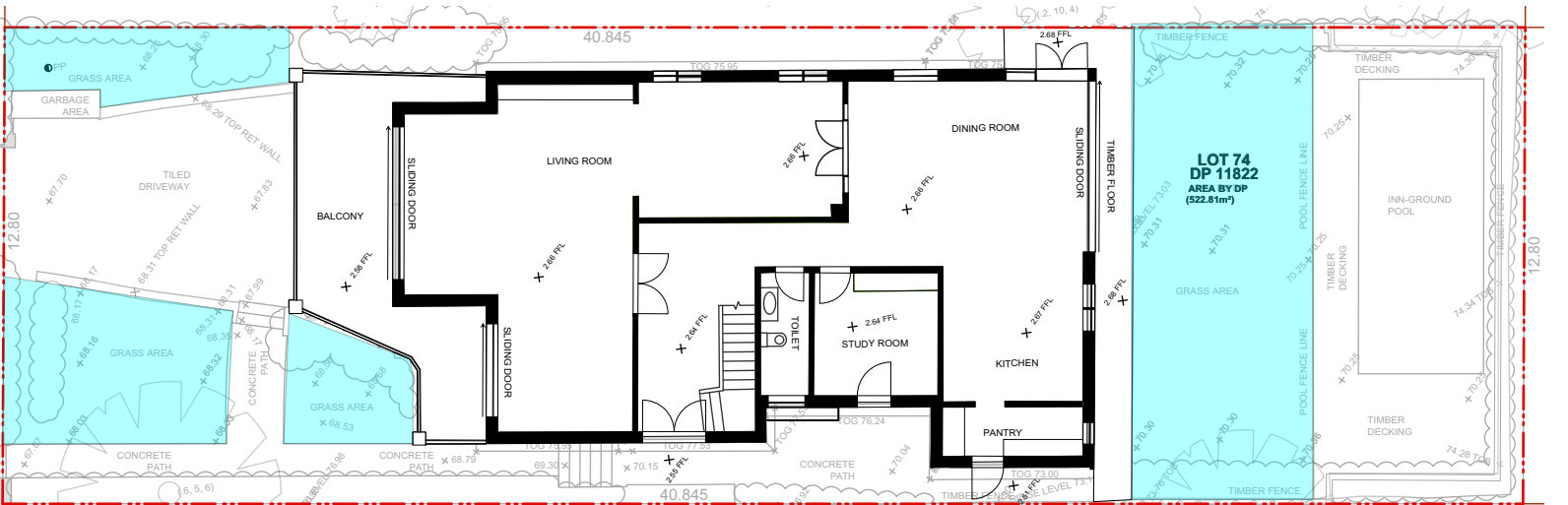
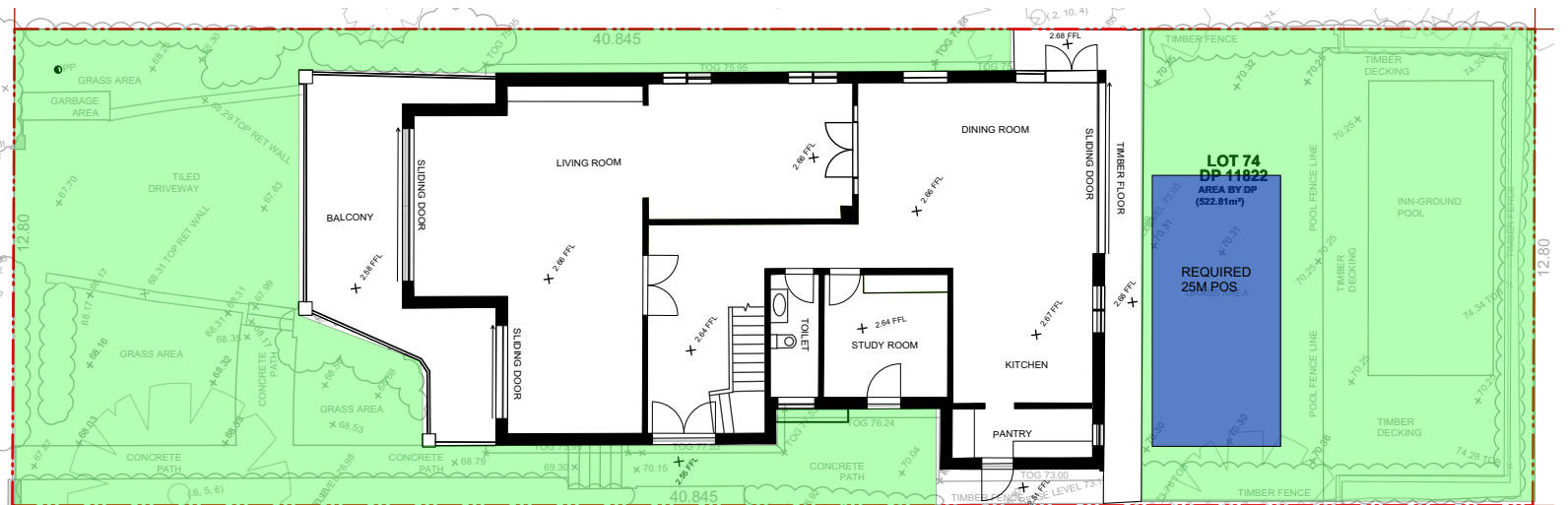
MIN REQUIRED OPEN SPACE = 209.12M2 PROVIDED OPEN SPACE = 295M2

(C) A MINIMUM OF 15% OF THE TOTAL SITE AREA IS TO BE PROVIDED AS LANDSCAPED AREA.

MIN REQUIRED LANDSCAPING = 78.42M2 PROPOSED = 110.08M2

(D) EACH DWELLING IS TO HAVE A MINIMUM OF 25M2 OF PRIVATE OPEN SPACE CAPABLE OF BEING USED FOR RECREATION.

OVER 25M2 PROVIDED IN REAR GARDEN



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Key

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Scale

1:100 @ A3

Orientation



Revisions

Issue	Date	Details
B	3/3/21	REVISED DA APPLICATION

Stage
STAGE 1B - DA

Site address
48 WALLANGRA ROAD
DOVER HEIGHTS

Client
DAN WHITTEN

Drawing Title

CALCULATIONS PAGE

Drawing No.

DA08

Project No.	Drawn by	Reviewed by	Date
EH_1520	TL	SR	06/10/2020

156

Date Received: 03/03/2021

KEY TO SYMBOLS

VEHICLE CROSSING

STORMWATER PIT

KERB INLET PIT

TELSTRA PIT

OPTUS PIT

SEWER MAN HOLE

STOP VALVE

HYDRANT

POWER POLE

LIGHT POLE

TREE (SPREAD/DIAM./HEIGHT)

DRAWING LEGEND

LOG RETAINING WALL

TIMBER FENCE

DEEP EDGE BEAM

FGL RL

SEDIMENT CONTROL

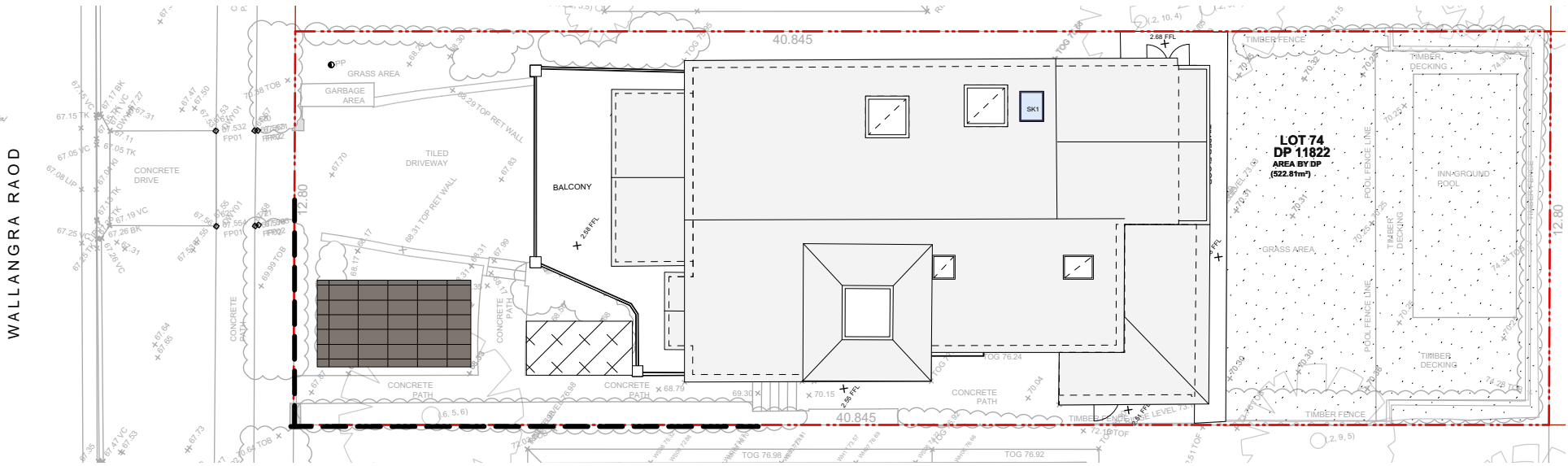
- NOTES:
- THIS PLAN HAS BEEN PREPARED BE A COMBINATION OF FIELD SURVEY AND EXISTING RECORDS WHERE INDICATED. THE TITLE BOUNDARIES SHOWN HERE ON HAVE NOT BEEN MARKED BY CAD CONSULTING AT THE TIME OF SURVEY AND HAVE BEEN DETERMINED BE PLAN DIMENSIONS ONLY AND NOT BY FIELD MEASUREMENTS.
 - IF THE DIMENSIONS OR DESCRIPTION OF THE TITLE ARE CRITIAL FOR DESIGN AND/OR CONSTRUCTION OF NEW STRUCTURES OR FINANCIAL DECISIONS WE RECOMMEND THAT AN IDENTIFICATION SURVEY OR RE-SURVEY OF BOUNDARIES BE CARRIED OUT.
 - NO INVESTIGATION OF UNDERGROUND SERVICES HAS BEEN MADE EXCEPT WHERE OTHERWISE INDICATED.
 - ONLY VISIBLE SERVICES SHOWN HEREON HAVE BEEN LOCATED WHERE POSSIBLE. NON VISIBLE AND/OR UNDERGROUND SERVICES HAVE BEEN PLOTTED FROM THE RECORDS OF RELEVANT AUTHORITIES WHERE AVAILABLE AND HAVE BEEN NOTED ACCORDINGLY ON THIS PLAN
 - PRIOR TO ANY DEMOLITION, EXCAVATION OR CONSTRUCTION OF THE SITE, THE RELEVANT AUTHORITY SHOULD BE CONTACTED FOR LOCATION OF ALL SERVICES.

THIS PLAN CANNOT BE COPIED OR ALTERED IN ANY WAY WITHOUT THE PRIOR WRITTEN PERMISSION FROM ENTRANCE HALL

THESE NOTES ARE AN INTEGRAL PART OF THIS PLAN AND CANNOT BE REMOVED.

ALL RET. WALL DETAILS TO ENG'S DETAIL, REFER TO EXCATATION PLAN

SEWER CONNECTION TO AUTHORITIES' REQUIREMENTS STORMWATER CONNECTION TO STREET



1 SITE PLAN
Scale: 1:200

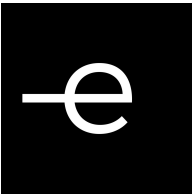
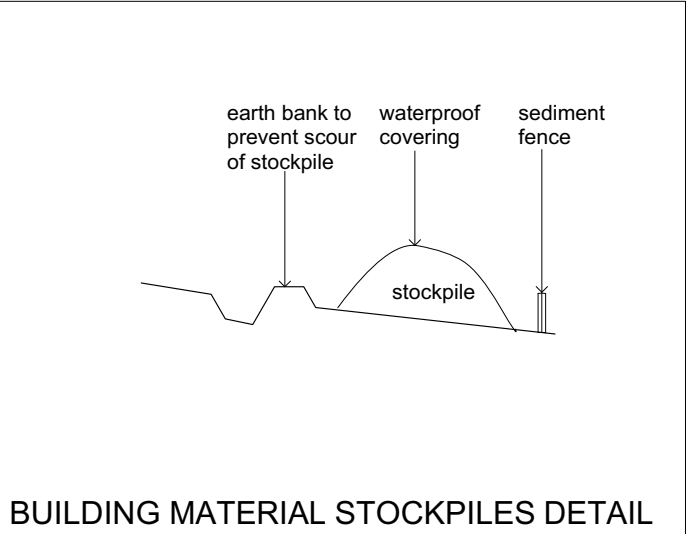
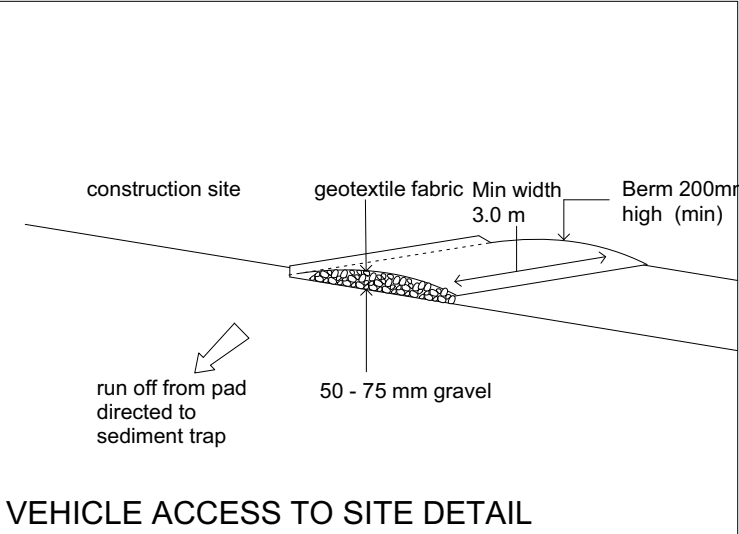
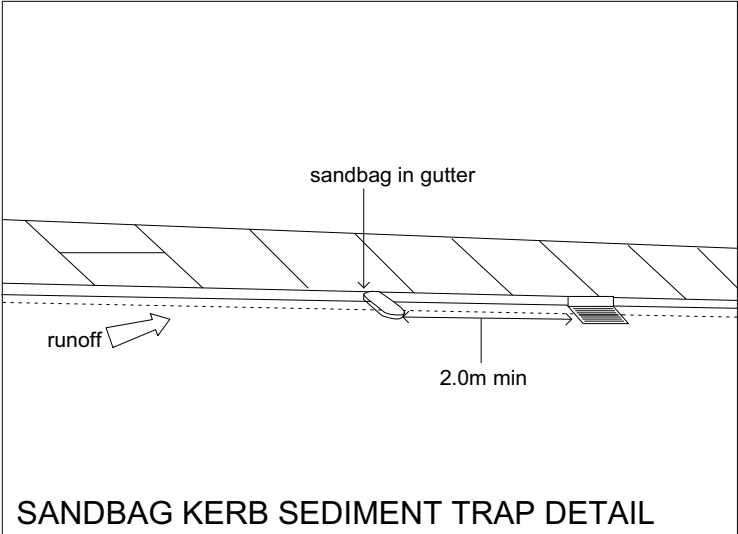
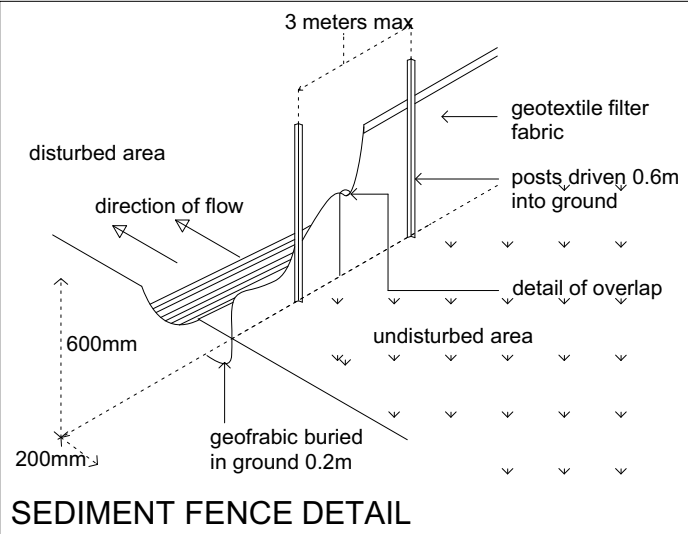
DISTURBED AREA

PRIMARY STORAGE + STOCK PILE AREA

SECONDARY STORAGE + STOCK PILE AREA

SILT FENCE

UN-DISTURBED AREA



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Works to be of the highest industry standard.

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Revisions		Details
Issue	Date	
B	3/3/21	REVISED DA APPLICATION

Stage

STAGE 1B - DA

Site address

48 WALLANGRA ROAD
DOVER HEIGHTS

Client

DAN WHITTEN

Drawing Title

SOIL EROSION CONTROL PLAN

Drawing No.

DA09

Project No. Drawn by Reviewed by Date

EH_1520 TL SR 06/10/2020

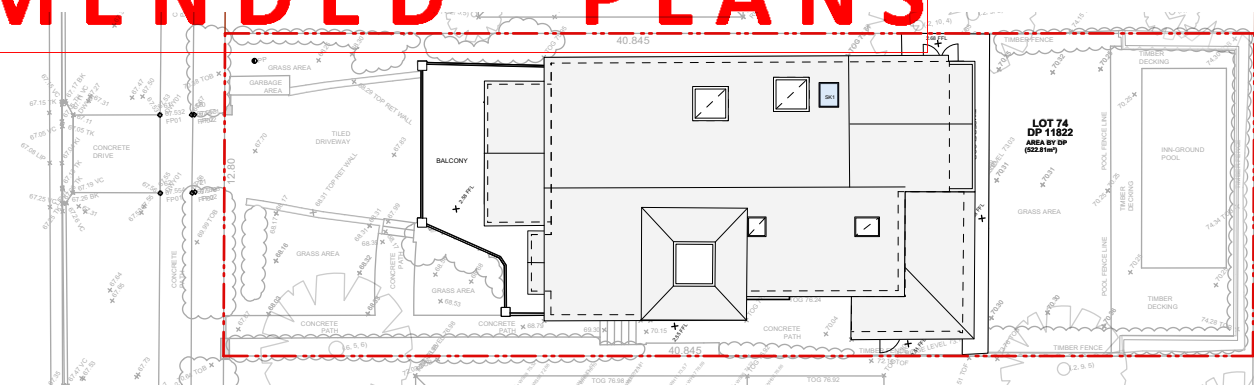
AMENDED PLANS

RECEIVED
Waverley Council

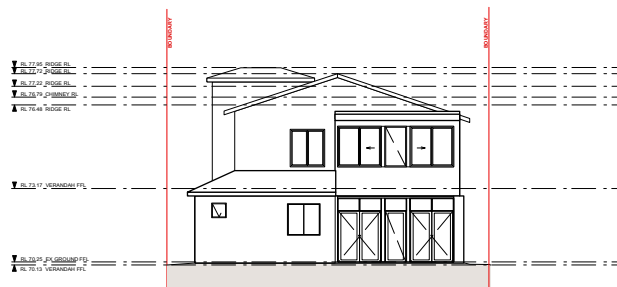
Application No: DA-446/2020

Date Received: 03/03/2021

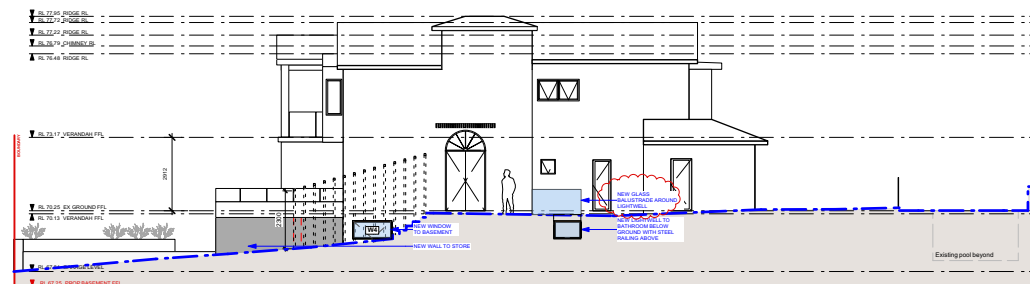
1 SITE PLAN
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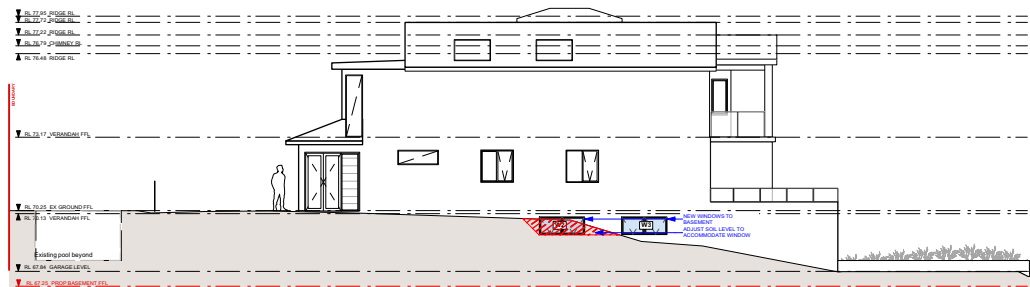
2 PROPOSED EAST ELEVATION
Scale: 1:300



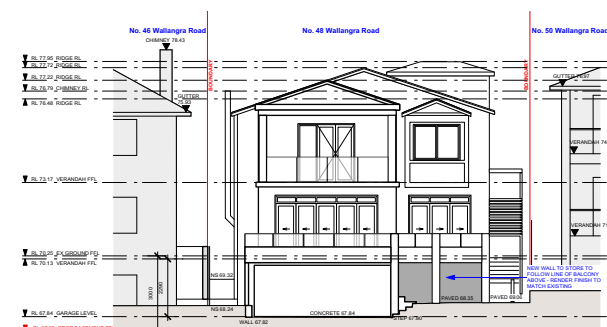
3 PROPOSED SOUTH ELEVATION
Scale: 1:300



4 PROPOSED NORTH ELEVATION
Scale: 1:300



5 PROPOSED WEST ELEVATION
Scale: 1:300



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Orientation



Revisions

Issue	Date	Details
B	3/3/21	REVISED DA APPLICATION

Stage

STAGE 1B - DA
Site address
48 WALLANGRA ROAD
DOVER HEIGHTS

Client
DAN WHITTEN

Drawing Title

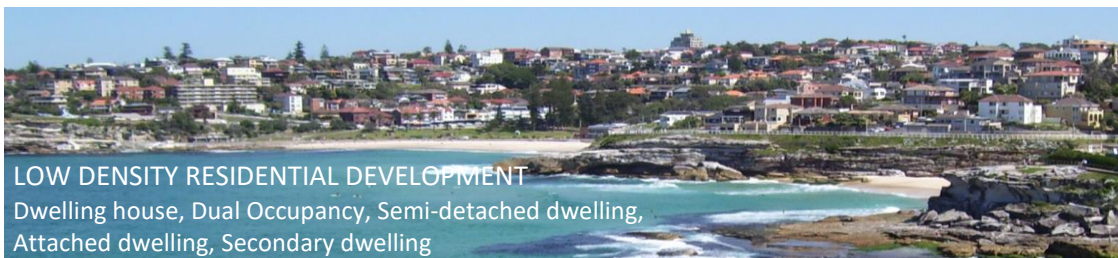
NOTIFICATIONS PAGE

Drawing No.

DA10

Project No.	Drawn by	Reviewed by	Date
EH_1520	TL	SR	03/10/2020

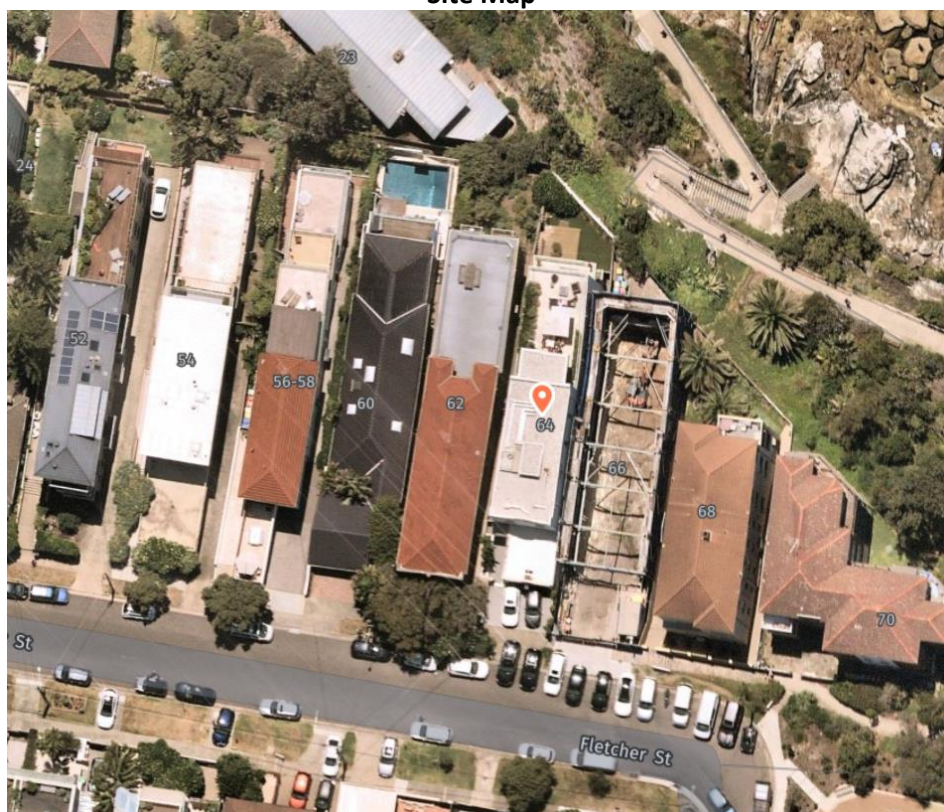
158



Report to the Waverley Local Planning Panel

Application number	DA-356/2020
Site address	64 Fletcher Street, Bondi
Proposal	Alterations and additions to existing building to change use from a dual occupancy to create a single dwelling including internal reconfiguration, new window and door openings and construction of a swimming pool.
Date of lodgement	28 October 2020
Owner	Mrs B and Mr B Robson
Applicant	Mrs B and Mr B Robson
Submissions	Nil
Cost of works	\$867,900
Issues	Height of building and Floor Space Ratio breach, use of building, stormwater and Habitat Corridor.
Recommendation	That the application be APPROVED

Site Map



1. PREAMBLE

1.1 Site and Surrounding Locality

A site visit was carried out on 2 December 2021.

The site is identified as Lot 4 in DP 14143, known as 64 Fletcher Street, Bondi Beach. The site is irregular in shape with a southern front boundary (Fletcher Street) measuring 9.45m, eastern boundary measuring 43.82m and western boundary measuring 49.9m. The rear northern boundary splay measures 11.4m and adjoins the cliff edge and the Bondi to Bronte Coastal Walk in located below. The site has an area of 447.03m² and the site falls from the southern boundary (Fletcher Street) towards the northern boundary by approximately 6.88m.

The site is occupied by a three (3) storey dual occupancy with vehicular access provided from Fletcher Street and a double garage located at the front of the site. The subject site is adjoined by apartment buildings on either side. The locality is characterised by a variety of residential developments including dwellings and residential flat buildings.



Figure 1: Front façade of the subject site viewed from Fletcher Street.



Figure 2: Northerly view of the rear yard, Bondi Beach, Bondi to Bronte Coastal walk from the ground floor balcony.

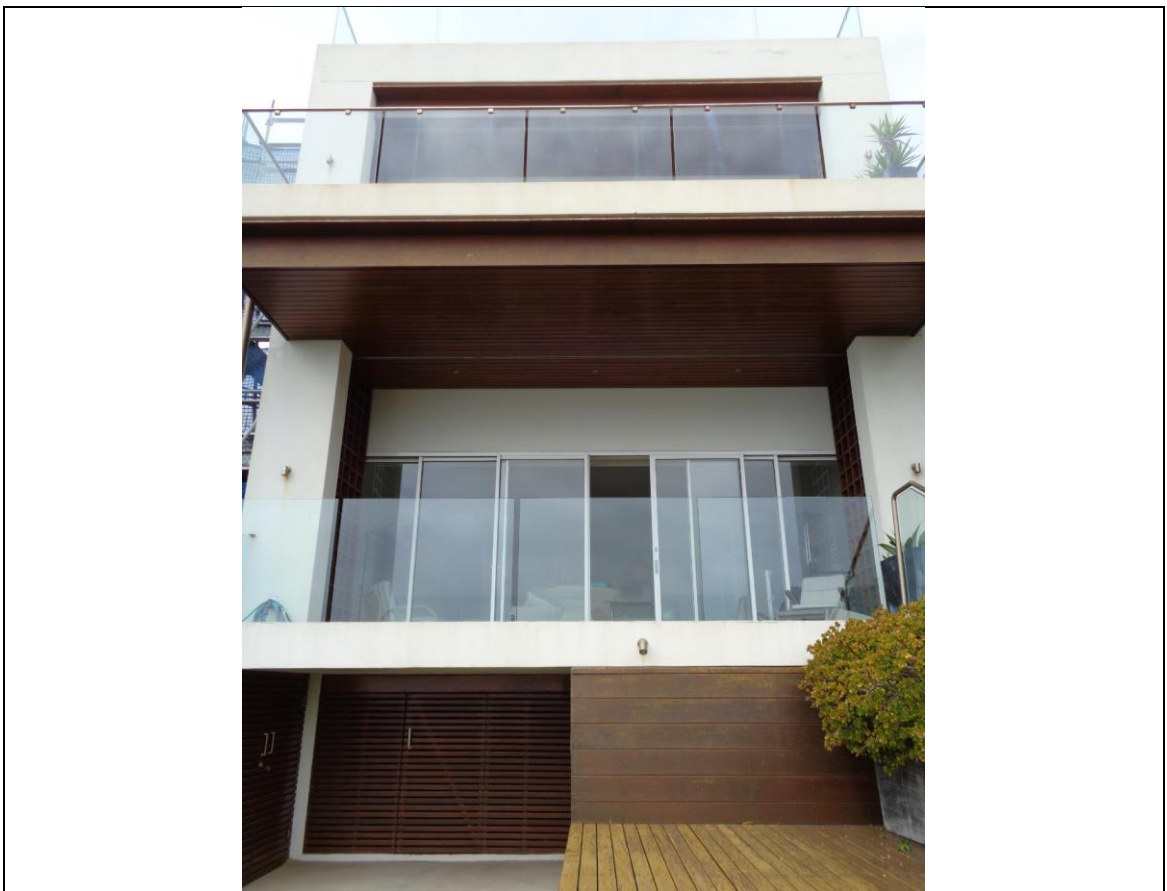


Figure 1: Site viewed from the rear yard.



Figure 4: Southerly view of the level 3 terrace.

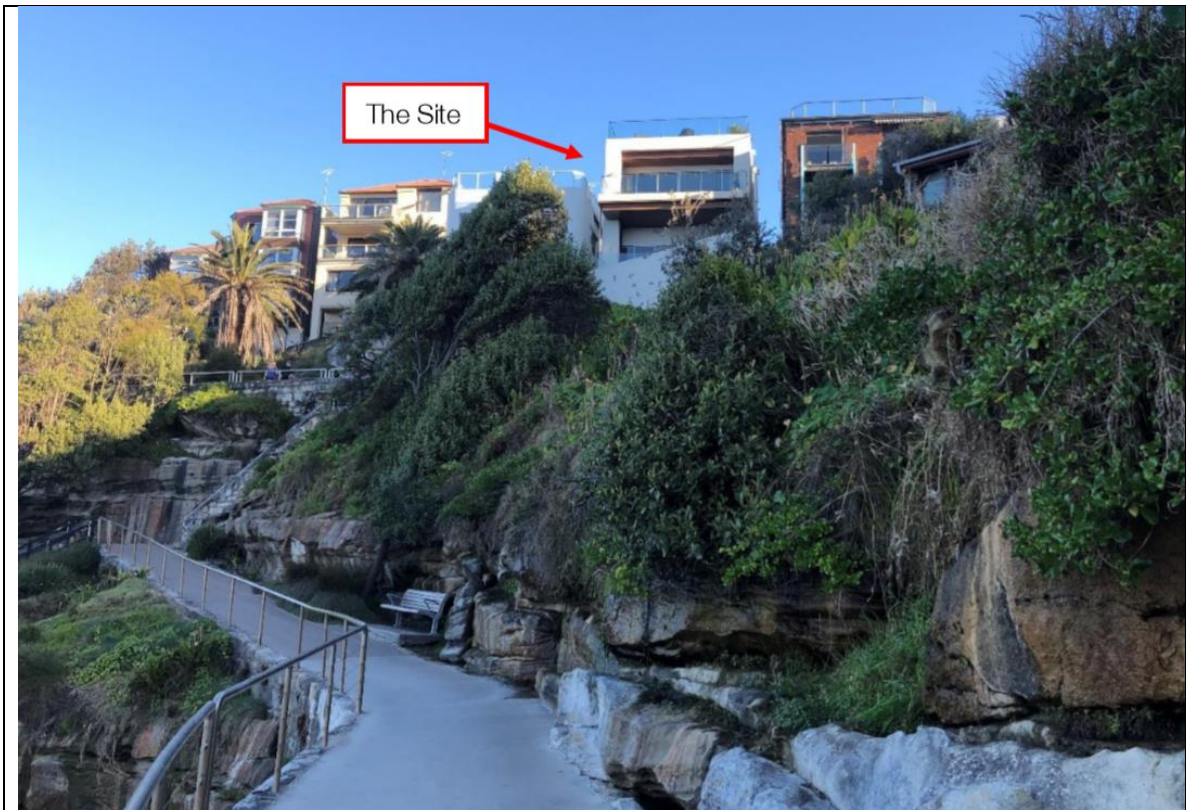


Figure 5: Rear of subject site as viewed from the Coastal Walk.

1.2 Relevant History

A search of Council Building and Development records revealed the following applications associated with the site:

- **DA-402/2006:** Alterations to existing residential flat building to form three units and was approved on the 25 June 2007.
- **DA-402/2006/A:** Modification to create bay window to rear of level 3 was approved on 12 March 2008.
- **DA-402/2006/B:** Construct a pool and landscaping in the rear yard area was refused on 31 October 2008 due to the site coverage of the pool, decking and under in deep soil planting.
- **CCD:67/2009:** Demolition of existing internal wall and floor, structural construction of new structural elements inclusive of concrete floor and roof slabs in conjunction with associated steel framework was approved on 24 February 2009.
- **CCD-67/2009/A:** Amended Construction Certificate for the alterations to existing RFB to form two units, three stories was approved 17 January 2011.

Current application:

The application was deferred on 22 December 2020 due to the following issues:

- (a) Incorrect calculations of the Gross Floor Area (GFA) including staircases and basement storage;
- (b) Clause 4.6 Variation for the recalculation of the FSR to be updated;
- (c) Proposed use of the building changing from a dual occupancy to a single dwelling with two kitchens;
- (d) Incorrect Stormwater design;
- (e) Landscaping/ biodiversity of the site.

The amended plans and documentation were received on the 22 January 2021 addressing all of the issues raised within the deferral letter.

1.3 Proposal

The proposal is for the alterations and additions to existing residential building. The proposed works include the following:

Throughout the building:

- Modifications to internal layout of all levels, including demolition of existing lift;
- Amendments to existing window openings on eastern and western building façades at all levels, including removal and infill of openings and enlargement of openings;

Basement level:

- Demolition of existing timber deck, stair, and timber screening in rear yard;
- New side access gates in north and south side setbacks;
- New opening and acoustic louvers behind timber battens to mechanical services room;

Level 1:

- New swimming pool, screening, and associated landscaping in rear yard;
- New side access door, paving, stairway, and awning in south side setback;
- New window openings to eastern building façade;
- New operable external timber screen to east facing living room window;
- Removal of existing louvre screens to deck area and enclosure of deck;

Level 2 (street level):

- New front entry gate and metal awning;
- Relocation of bin store and landscaped planter box adjacent to eastern boundary;
- Removal of existing timber screens, reconfiguration of glazing, and new awning at rear balcony;
- New window openings to eastern building façade;
- New operable external timber screen to east facing bedroom window;
- Removal of existing louvre screens to deck area and enclosure of deck;

Level 3:

- Restoration of existing metal deck roof above garage;
- Reconfiguration of existing glazing and door finishes at rear terrace;
- New metal awning and landscaped planter box at rear terrace;
- New operable external timber screen to east facing kitchen window;

Roof level:

- Demolition of existing skylight and lift overrun; and
- New skylight and two (2) fireplace flues.



Figure 6: Photomontage of the north and south elevations of the proposal.

2. ASSESSMENT

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

2.1 Planning Instruments and Development Control Plans

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

2.1.1 SEPP (Building Sustainability Index – BASIX) 2004

A BASIX Certificate has been submitted with the development application.

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

2.1.2 SEPP 55 Remediation of Land

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

2.1.3 SEPP (Coastal Management) 2018

The SEPP applies to the subject site as it is wholly located within the Coastal environment area (Clause 13) and a Coastal use area (Clause 14) according to the SEPP.

Clause 13 states that development within the coastal environment area, must not be granted development consent unless the consent authority has considered whether the proposed development is likely to cause an adverse impact on the following:

- (a) *the integrity and resilience of the biophysical, hydrological (surface and groundwater) and ecological environment,*
- (b) *coastal environmental values and natural coastal processes,*
- (c) *the water quality of the marine estate (within the meaning of the Marine Estate Management Act 2014), in particular, the cumulative impacts of the proposed development on any of the sensitive coastal lakes identified in Schedule 1,*
- (d) *marine vegetation, native vegetation and fauna and their habitats, undeveloped headlands and rock platforms,*
- (e) *existing public open space and safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,*
- (f) *Aboriginal cultural heritage, practices and places,*
- (g) *the use of the surf zone.*

Comment: The proposal is not expected to cause any changes to the natural environment as the swimming pool is suspended above natural ground level in the rear yard. The proposal is not expected to impact on marine vegetation and habitats as the works will be completed entirely within the site. No public access ways will be affected and there is no impact to the surf zone.

Clause 14 states that development consent must not be granted for development on land within the coastal use area unless the consent authority;

- (a) *has considered whether the proposed development is likely to cause an adverse impact on the following:*
- (i) *existing, safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,*
 - (ii) *overshadowing, wind funnelling and the loss of views from public places to foreshores,*
 - (iii) *the visual amenity and scenic qualities of the coast, including coastal headlands,*
 - (iv) *Aboriginal cultural heritage, practices and places,*
 - (v) *cultural and built environment heritage, and*
- (b) *is satisfied that:*
- (i) *the development is designed, sited and will be managed to avoid an adverse impact referred to in paragraph (a), or*
 - (ii) *if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or*
 - (iii) *if that impact cannot be minimised—the development will be managed to mitigate that impact, and*
- (c) *has taken into account the surrounding coastal and built environment, and the bulk, scale and size of the proposed development.*

Comment: The dwelling is orientated north to south with the public foreshore and Bondi Coastal Walk located to the north of the site. The proposed alterations will be within the existing building envelope except for a minor extension to the rear of the level 3 which is not expected result in any additional overshadowing impacts to the public space. Views will be retained through the existing side setbacks of the building and no further wind funnelling is expected. The visual amenity from the coastal use area is not affected. The proposal will not impact on the surrounding coastal area or built environment and the scale and appearance of the development is in keeping with the street.

Clause 15 states that development in coastal zone generally is not to increase risk of coastal hazards.

Development consent must not be granted to development on land within the coastal zone unless the consent authority is satisfied that the proposed development is not likely to cause increased risk of coastal hazards on that land or other land.

Comment: The proposed development is not likely to increase the risk of coastal hazards on that land or surrounding land.

2.1.4 SEPP (Vegetation in Non-Rural Areas) 2017

State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 (the Vegetation SEPP) regulates the clearing of vegetation that is below the Biodiversity Offset Scheme threshold referred to in the Biodiversity Conservation Act 2016.

In accordance with Part 3 of the Vegetation SEPP, a permit is required from Council to clear any vegetation in an area identified:

- (i) Any vegetation on Land identified as 'Biodiversity' on the Terrestrial Biodiversity Map in WLEP 2012;
- (ii) Any vegetation on Land identified as 'Biodiversity Habitat Corridor' in WDCP2012; or
- (iii) A tree identified on the Waverley Significant Tree Register; or
- (iv) A tree or vegetation that forms part of a Heritage Item or is within a Heritage Conservation Area;
- (v) Any tree with a height of five metres or greater and trunk width of 300mm or greater at ground level; or
- (vi) Any tree with a canopy spread of five metres or greater and trunk width of 300mm or greater at ground level.

Comment: The property lies within the identified coastal biodiversity corridor and a landscape plan to improve the current rear yard was submitted with the application. There are no significant trees proposed for removal. The application was referred to Council's Biodiversity and Environmental Sustainability Officer who required the planting schedule of the landscape plans be amended to include numbers of proposed plants. The amended Landscape Plan dated 22/01/21 does include the plant numbers in the planting schedule and is satisfactory with this control.

2.1.5 Waverley Local Environmental Plan 2012 (Waverley LEP 2012)

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

Table 1: Waverley LEP 2012 Compliance Table

Provision	Compliance	Comment
Part 1 Preliminary		
1.2 Aims of plan	Yes	The proposal meets the aims of the WLEP.
Part 2 Permitted or prohibited development		
Land Use Table R3 Medium Density Residential Zone	Yes	The proposal is defined as a dwelling, which is permitted with consent in the R3 Zone. The dwelling design results in two kitchens, on Level 1 and 3. The applicant confirmed the consent is sought for the use of a single dwelling and the two kitchens will service the two private open spaces located in the rear yard and the roof terrace. The adjoining residence at 66 Fletcher Street has gained Council approval on 31/05/2019 for the conversion of a residential flat building into a single dwelling (DA-348/2018).
Part 4 Principal development standards		
4.3 Height of buildings <ul style="list-style-type: none"> 9.5m 	No	The proposed building height is 11.584m which exceeds the maximum building height control by 2.084m, equates to a variation of 21.93%. However, the proposal will maintain the existing maximum height of building.
4.4 Floor space ratio and 4.4A Exceptions to floor space ratio	No	The proposed development has a total gross floor area (GFA) of 494m ² , which equates to an FSR of 1.10:1. It is noted that the existing building on the site has a GFA of 419m ² and

Provision	Compliance	Comment
<ul style="list-style-type: none"> 0.613:1 (Site area 447.03m²) 		resultant FSR of 0.93:1 (as approved under DA-402/2006, as modified). The proposal exceeds the maximum FSR development standard by 0.5:1 (225.8m ²), which equates to a variation of approximately 84.1%.
4.6 Exceptions to development standards	See discussion	The application is accompanied by a written request pursuant to clause 4.6 of Waverley LEP 2012 to vary the height and floor space development standards. A detailed discussion of the variation to the development standards is presented below this table.
Part 5 Miscellaneous provisions		
5.10 Heritage conservation	N/A	The site is not listed as a heritage item and is not located within a heritage conservation area. The Coastal Walk at the rear of the site is Identified as a National Heritage Item (I93) and forms part of the Bondi Beach Heritage Conservation Area. The works to the building towards the rear are minimal (above ground swimming pool with no excavation in the yard) and have no impact on the significance of the Heritage Item.
Part 6 Additional local provisions		
6.1 Acid sulfate soils	Yes	The subject site is identified as comprising 'Class 5' acid sulfate soils. No significant excavation is proposed for the subject site that would be expected to disturb acid sulfate soils on the site. The proposal complies with this clause of the Waverley LEP 2012.
6.2 Earthworks	Yes	The proposal includes earthworks in the form of additional excavation inside the existing building envelope. The earthworks will not have a detrimental impact on adjoining properties and will not be discernible from the street, public domain or adjoining properties. A geotechnical report accompanies the application.

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

Clause 4.6 Exceptions to Development Standards – Height of Building

The application seeks to vary the height of buildings development standard in Clause 4.3 development standard in Clause 4.4.

The site is subject to a maximum Height of Building control of 9.5. The proposed development has a height ranging from 9.5m – 11.584m, exceeding the standard by 2.084m equating to a 21.93% variation.

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.

Applicants Written Request - Clause 4.6(3)(a) and (b)

The applicant seeks to justify the contravention of the Height of Building 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 application seeks consent for alterations and additions to an existing residential dwelling within an existing and approved building envelope;*
 - (ii) *The existing building on the site exceeds the Height of Buildings standard by a maximum of 2.084m, as approved under DA-402/2006 (as modified);*
 - (iii) *Numerical compliance would require demolition of part of an existing and approved building; and*
 - (iv) *The proposal will not significantly affect the building footprint, building envelope, or the setbacks, bulk, or scale of the existing development at the site.*
- (b) That there are sufficient environmental planning grounds to justify contravening the standard:
 - (i) *The non-compliance is a continuation of the non-compliance previously approved by Council under DA-402/2006 (as modified);*
 - (ii) *The development does not propose to increase the existing maximum building height. In fact, the proposed demolition of an existing skylight and lift overrun will reduce the existing height of the building at that point from 10.492m to 9.5m. This represents a difference of 0.992m (i.e. 9.45% decrease) at that point;*

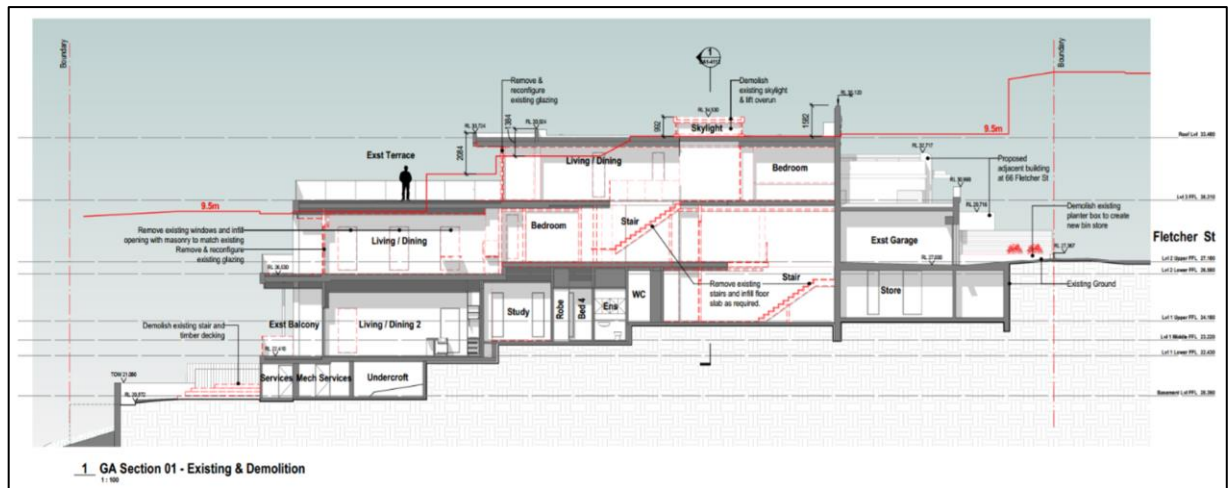


Figure 7: Extract of Section (DA1-4110) showing building height non-compliance as existing.

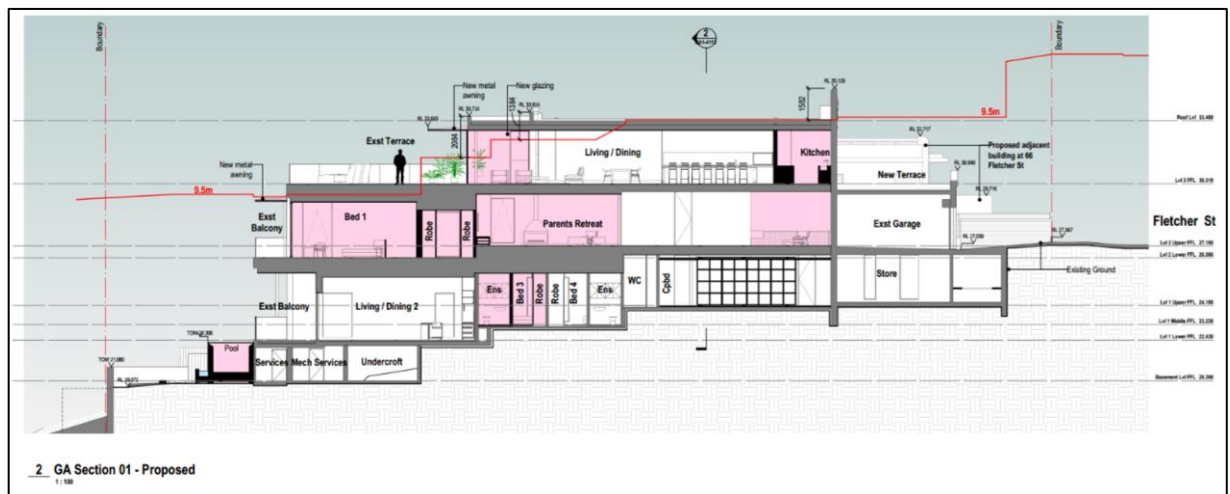


Figure 8: Extract of Section (DA1-4110) showing building height non-compliance, as proposed.

- (iii) *The proposed new metal awnings at level 2 (rear and front) and level 3 (rear) do not result in any significant building bulk or scale and do not give rise to any significant view or overshadowing impacts to neighbouring dwellings;*
- (iv) *The proposal maintains the heritage significance of Heritage Items, Archaeological Sites, and Conservation Areas within the vicinity of the site. The proposed works involve minor alterations to a contemporary building and will have no adverse impact on the fabric, setting, or view corridors of nearby items;*
- (v) *The proposal does not give rise to any significant amenity impacts associated with bulk and scale, overshadowing, privacy, or view loss; and*
- (vi) *The proposed development is consistent with the desired scale, design, and character of the surrounding development and streetscape.*

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 noting that despite the numerical non-compliance results from the existing roof on Level 3, the new metal awning and minor widening of the living/dining room walls under the existing roof. The predominant height, bulk, scale, and character of the existing building on the site will remain unchanged under the proposal and improves function and overall amenity of the dwelling. It is noted that the reason the development exceeds height is due to the steep topography of the land.

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 including;

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.*

Comment: Objectives of (b) and (c) are not relevant to the proposal as the subject site is not contained within the Bondi Junction Centre. The height non-compliance relates to the new metal awning and works to the living/dining room on Level 3 (**Figure 8**). The extent of the non-compliance is the same length of the originally approved non-compliance of 2.084m. The removal of the lift overrun also reduces the existing height near the front of the building.

The proposed alterations are not visible from the streetscape and those visible from the Coastal Walk are minor in nature and complement the contemporary buildings and surrounding public spaces. The proposal is generally kept within the existing building envelope and is similar in scale and bulk to the adjoining buildings. The proposal will not unreasonably impact on iconic views of Bondi Beach and adds minor portion of shadows to the terrace of 66 Fletcher Street at 3pm but still achieved more than three hours of solar access to this private open space. It is considered that the proposal is consistent with the streetscape, the desired future character of the area and objectives (a) and (d) of the height of buildings development standard.

Zone R3 Medium Density Residential

1 Objectives of zone

- *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.*
- *To maximise public transport patronage and encourage walking and cycling.*

Comment: The proposal maintains a residential use to the land, be it a reduction in housing stock. The alterations and additions will facilitate the efficient use of an existing residential building situated in a prominent and desirable location. The proposed development is compatible with surrounding residential flat buildings and detached dwellings. The proposal does not inhibit any existing or future land uses intended to meet the day to day needs of residents.

Conclusion

For the reasons provided above the requested variation to the height of buildings 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 the height of buildings development standard and the R3 Medium Density Residential Zone.

Clause 4.6 Exceptions to Development Standards – Floor Space Ratio

The application seeks to vary the floor space ratio development standard in Clause 4.3 development standard in Clause 4.4.

The site is subject to a maximum floor space ratio control of 0.6:1 (268.2m²). The proposed development has a proposed floor space ratio of 1.10:1 (494m²), exceeding the standard by 225.8m² equating to an 84.1% variation.

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:

- (c) That compliance with the development standard is unreasonable or unnecessary in the circumstances of the case; and
- (d) That there are sufficient environmental planning grounds to justify contravening the standard.

Applicants Written Request - Clause 4.6(3)(a) and (b)

The applicant seeks to justify the contravention of the FSR development standard on the following basis:

- (c) That compliance with the development standard is unreasonable or unnecessary in the circumstances of the case:
 - (i) *The existing building on the site has a GFA of 419m² and resultant FSR of 0.93:1, which exceeds the FSR standard by 56.2% (as approved under DA-402/2006, as modified);*
 - (ii) *The additional GFA is contained within the existing building envelope. Additional GFA is obtained from the proposed modifications to the internal layout of the existing building, including the use of floor area previously used as stairways, a lift, and outdoor decking (i.e. non-GFA area); and*
 - (iii) *The proposal will not affect the building footprint, building envelope, or the setbacks, bulk, or scale of the existing development at the site.*
- (d) That there are sufficient environmental planning grounds to justify contravening the standard:
 - (i) *The existing building on the site has a GFA of 419m² and resultant FSR of 0.93:1, which exceeds the FSR standard by 56.2% (as approved under DA-402/2006, as modified);*
 - (ii) *All proposed increase to GFA is a direct result of the proposed alterations and additions to areas that were previously excluded from GFA (i.e. floor area previously used as stairways, a lift, and outdoor decking). It is noted that the two (2) existing decks, proposed to be infilled, are currently not suitable for use given their proximity and direct outlook to the adjacent dwelling to the east. Hence, the use of this area as part of a bedroom is a more efficient and practical use of space;*

- (iii) *The additional GFA is generally contained within the existing building envelope and is obtained by the proposed modifications to the internal layout of the existing building. The additional GFA will not affect the building footprint, setbacks, or bulk and scale of the existing development at the site;*
- (iv) *The majority of the proposed external works (i.e. new swimming pool and landscaping in the rear yard, new metal awnings at Level 2 and Level 3, amendments to window openings, and replacement of an existing skylight) do not result in any increase to the GFA or FSR;*
- (v) *It is noted that the proposal seeks to infill a minor portion of the existing Level 2 balcony and extend the Level 3 living area. However, the additional GFA proposed in these locations will not adversely impact the amenity of neighbouring properties noting the minimal projection relative to the existing;*
- (vi) *The proposal maintains the heritage significance of Heritage Items, Archaeological Sites, and Conservation Areas within the vicinity of the site. The proposed works involve minor alterations to an existing contemporary building and will have no impact on the fabric, setting, or view corridors of nearby items;*
- (vii) *The proposal does not give rise to any significant amenity impacts to neighbouring dwellings associated with regard to overshadowing, privacy, or view loss; and*
- (viii) *The proposed development is consistent with the desired scale, design, and character of surrounding development and the streetscape.*

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:

- c) The applicant's written request has adequately addressed the matters required to be demonstrated by subclause 3 of Clause 4.6 being that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and that there are sufficient environmental planning grounds to justify contravening the standard; and
- d) The proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out.

Does the written request adequately address those issues at clause 4.6(3)(a)?

It is considered that the applicant has adequately addressed that compliance with the standard is unreasonable or unnecessary in the circumstances of the case and has referenced one or more of the following justifications as set out in *Wehbe v Pittwater Council* (2007) 156 LGERA 446:

- f) *the objectives of the development standard are achieved notwithstanding non-compliance with the standard;*
- g) *to establish that the underlying objective or purpose is not relevant to the development with the consequence that compliance is unnecessary;*
- h) *to establish that the underlying objective or purpose would be defeated or thwarted if compliance was required with the consequence that compliance is unreasonable;*

- i) *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;*
- j) *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 noting that despite the numerical non-compliance, the proposal will deliver a contemporary dwelling of a scale that is compatible with the proportions of neighbouring developments, maintaining sufficient amenity, and an appropriate relation between height and density.

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 as follows:

Clause 4.4 Floor Space Ratio Objectives:

(1) The objectives of this clause are as follows—

- (a) to ensure sufficient floor space can be accommodated within the Bondi Junction Centre to meet foreseeable future needs,*
- (b) to provide an appropriate correlation between maximum building heights and density controls,*
- (c) to ensure that buildings are compatible with the bulk, scale, streetscape and desired future character of the locality,*
- (d) to establish limitations on the overall scale of development to preserve the environmental amenity of neighbouring properties and minimise the adverse impacts on the amenity of the locality.*

Comment: Objective (a) is not applicable to the proposed development as it is outside the Bondi Junction Centre. Objective (b) is satisfied as the proposal maintains an appropriate correlation between the existing height of the building and the relevant density controls. The additional floor space does not significantly increase building envelope, bulk or scale. It is noted that the proposal seeks to infill a minor portion of the existing Level 2 balcony, northern decks on Level 1 and 2 (originally built for the apartment units), extend the Level 3 living area and remove the lift, an additional 75m² of floor space (**Figure 9**). However, the additional GFA proposed in these locations will not adversely impact the amenity of neighbouring properties through either overshadowing or view impacts and will improve privacy through removing the balconies directly facing north into 66 Fletcher Street. Notwithstanding the FSR standard non-compliance, the proposed development respects the amenity of neighbouring properties and the surrounding locality, demonstrating compliance with objectives (c) and (d).



Figure 9: Extract from the GFA Plans of existing and proposed additional gross floor area.

Zone R3 Medium Density Residential

1 Objectives of zone

- 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.
- To maximise public transport patronage and encourage walking and cycling.

Comment: The proposal maintains the existing residential land use of the site. The alterations and additions will facilitate the efficient use of a single dwelling situated in a prominent and desirable location. The proposed development is compatible with surrounding mix of residential flat buildings and detached dwellings. The proposal does not inhibit any existing or future land uses intended to meet the day to day needs of residents.

Conclusion

For the reasons provided above the requested variation to the FSR 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 FSR and the R3 Medium Density Residential Zone.

2.1.6 Waverley Development Control Plan 2012 (Amendment 9) Effective 1 October 2020

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

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

Development Control	Compliance	Comment
1. Waste	Yes	A Site Waste & Recycling Management plan has been submitted with the application to address waste disposal during construction. Condition of consent will be imposed regarding ongoing waste on site. The waste and recycling storage area has been relocated from the western boundary to the eastern boundary next to the garage and is in an area convenient for users of the site.
2. Ecologically sustainable Development	Yes	A BASIX Certificate is submitted with the application, which is acceptable.
3. Landscaping and Biodiversity	Yes	The landscaping plan has been reviewed and is considered acceptable, maintaining as much existing vegetation as possible and is cohesive with the site and streetscape. The whole site is located in Habitat Corridor and the application was referred to Council's Biodiversity Officer who was satisfied that the amended Landscape Plan is compliant with the biodiversity controls.
4. Coastal risk management	Yes	The site adjoins land identified as Geotechnical Hazard and application proposes a new swimming pool. A Geotechnical Assessment Report was submitted and reviewed by Council's Engineers and was found satisfactory and conditions imposed.
6. Stormwater	Yes	The amended stormwater plans submitted with the application are satisfactory.
11. Design Excellence	Yes	The applicant has provided a Photomontage which demonstrates that the proposal has an acceptable design given the surrounding context of the area of mixed buildings and is a suitable response to the site and streetscape.


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

The proposal is defined as a "Dwelling House" in the LEP.

Development Control	Compliance	Comment
2.0 General Objectives		
<ul style="list-style-type: none"> Appropriate scale Does not detract from amenity of other dwellings or view corridors ESD has been considered 	Yes	The proposal does not contravene the general objectives of this part of the DCP.

Development Control	Compliance	Comment
<ul style="list-style-type: none"> Alterations & additions are sympathetic in bulk & scale to the character of the area High design standard 		
2.1 Height		
Flat roof dwelling house <ul style="list-style-type: none"> Maximum wall height of 7.5m 	No (acceptable)	There is no change to the existing wall height which is 11.58m at its worst due to the sloping topography of the site.
2.2 Setbacks		
2.2.1 Front and rear building lines <ul style="list-style-type: none"> Predominant front building line Predominant rear building line at each floor level 	Yes Yes	<p>The front building line is extended 1.2m past the garage by the new awning over the entryway for weather relief. This structure is within the predominant front building line as it is almost level with the front building line at 62 Fletcher Street.</p> <p>The rear building line is extended by 1.9m on Level 3 with the installation of new metal awnings at the rear, which will project beyond the existing rear building line on the site. The building has tapered the rear building line fronting the foreshore cliff edge, this level remains consistent with the predominant rear building line of development on the northern side of Fletcher Street.</p>
2.2.2 Side setbacks <ul style="list-style-type: none"> Minimum of 1.5m - 3m with height above 12.5m 	No (acceptable)	No changes are proposed to the existing side setbacks of the building which are maintained at 0.8m setback to the east and a nil - 0.8m setback to the west. The existing side balconies on level 01 and 02 are to be removed and retain the side setback.
2.3 Streetscape and visual impact		
<ul style="list-style-type: none"> New development to be compatible with streetscape context Replacement windows to complement the style & proportions of existing dwelling Significant landscaping to be maintained. 	Yes Yes Yes	<p>The proposal maintains the building footprint, scale and design that is sympathetic to the prevailing streetscape. The proposed new front entry gate and awning reflect design characteristics similar to that of the diverse mix of apartment and dwelling buildings fronting Fletcher Street. When viewed from the north on the Coastal Walk, the alterations at ground level including the swimming pool will be screened by the existing rear boundary fence. The upper level alterations are considered minor and won't adversely impact the coastal setting.</p> <p>The proposed new windows on the eastern, western, and northern building façades are compatible with the architectural style of the existing building on the site and are not visible from the street.</p>

Development Control	Compliance	Comment
2.4 Fences		
<ul style="list-style-type: none"> The design of front fences is to take reference from, and complement, the architectural style of the dwelling on the site and dwellings on adjacent sites in terms of style, height and materials. Front fences should generally not exceed 1.2m in height 	Yes	No front fence is proposed and the side boundary fences are maintained. But the covered bin location on the western boundary is to be amended into a planter box and relocate the covered bin storage to the eastern boundary within the front setback. The bin storage is 1.5m in height which is the same height of the boundary fence. The bin storage area adjoins the approved neighbouring bin storage area at 66 Fletcher Street (DA-348/2018) also storing their bins within the front setback and the relocation is considered an acceptable design.
2.5 Visual and acoustic privacy		
<ul style="list-style-type: none"> Development is to consider Privacy Planning Principle. Windows to habitable rooms are not to directly face windows to habitable rooms and / or open space of neighbouring dwellings unless direct views are screened or other appropriate measures are incorporated into the design. External stairs are not acceptable. Maximum size of balconies: <i>10m² in area</i> <i>1.5m deep</i> 	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>No (acceptable on merit)</p>	<p>The proposed works to the existing level 2 balcony and level 3 terrace (i.e. new metal awning and reconfiguration of glazing and door finishes) do not result in any additional privacy impacts.</p> <p>The proposed new window openings are orientated away from the openings of adjoining buildings. The Architectural Plans included the recent approved building of DA-348/2018 at 66 Fletcher Street confirming the offset windows. The new metal awning and reconfiguration of glazing and door finishes on level 3 do not result in any additional privacy impacts.</p> <p>A combination of landscaped planter boxes and off-form concrete screening will act as a privacy screen to prevent overlooking of the proposed swimming pool from the property adjoining the subject site to the west.</p> <p>The terrace on Level 3 is 70.3m² in size and has a depth of 8.8m, which has been reduced by the extension to the living/dining room. Large terrace balconies are a common building element along the northern side of Fletcher Street due to the views of Bondi Beach.</p>
2.6 Solar access		
<ul style="list-style-type: none"> Minimum of three hours of sunlight to living areas and principal open space areas on 21 June Minimum of three hours of sunlight maintained to living areas and principal open space areas of adjoining properties on 21 June 	<p>Yes</p> <p>Yes</p>	<p>The site has a north-south orientation and the Shadow Diagrams have successfully demonstrated minimal additional shadow will result from the proposal and allow a minimum of three hours to living areas. The footprint of the building is relatively unchanged and therefore a minimum of three hours of sunlight is maintained to adjoining properties with a minor reduction of sunlight at 3pm to 66 Fletcher St.</p>

Development Control	Compliance	Comment
2.7 Views		
<ul style="list-style-type: none"> Views from the public domain are to be maintained Development to be designed and sited so as to enable a sharing of views with surrounding dwellings particularly from habitable rooms and decks. 	Yes	<p>The alterations and additions are contained within the existing building envelop and the extension to the living/dining area on Level 3 is not considered to impact views of vistas across the site shared boundaries. The apartment at 62 Fletcher St has a large shared terrace (Figure 10) and the existing buildings maintain a stepped in formation to preserve view sharing.</p>  <p>Figure 10: Shared roof terrace at 62 Fletcher Street.</p>
2.9 Landscaping and open space		
<ul style="list-style-type: none"> Overall open space: 40% of site area Overall landscaped area: 15% of site area Minimum area of 25m² for private open space Front open space: 50% of front building setback area Front landscaped area: 50% of front open space provided 	<p>No (acceptable)</p> <p>No (acceptable)</p> <p>Yes</p> <p>No (acceptable)</p> <p>No (acceptable)</p>	<p>A total of 158.3m² (35.4%) of open space is proposed. A 18.2m² reduction occurs from the deletion of the two eastern balconies and increasing the living/dining room on Level 3. This reduction of open space improves the amenity and usability of the building and is considered acceptable.</p> <p>A total of 40m² (8.95%) of landscaped area is proposed, which is a minor decrease of 0.1m² of the existing landscaped area originally approved under DA-402/2006 at 9.24%. This decrease is due to the swimming pool and is considered acceptable as the proposal includes 9.3m² of landscaping on the terrace in the new planters. The proposal provides more than 25m² of private open space.</p> <p>There are no changes to the existing landscaping in the front open space and maintains the 2.5m² planter boxes along the western boundary.</p>
2.10 Swimming pools and spa pools		
<ul style="list-style-type: none"> Located in the rear of property Pool decks on side boundaries must consider visual privacy 	<p>Yes</p> <p>Yes</p> <p>Yes</p>	<p>The proposed swimming pool is located at the rear of the property and maintains the same setback to the side boundaries as the dwelling. The 'infinity pool' style of the proposed pool does not include additional decking and is located off the existing balcony.</p>

Development Control	Compliance	Comment
<ul style="list-style-type: none"> Exposed pool structures must be screened if visible above ground 		A combination of landscaped planter boxes and off-form concrete screening will act as a privacy screen to prevent overlooking of the swimming pool from the property adjoining the subject site to the west. The vegetation will also screen the concrete pool which may be partly visible from the Coastal Walk and Hunter Park.

2.2 Other Impacts of the Development

The proposed development is capable of complying with the BCA.

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

2.3 Suitability of the Site for the Development

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

2.4 Any Submissions

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

No submissions were received.

2.5 Public Interest

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

3. REFERRALS

3.1 Stormwater (Infrastructure Services)

The application was referred to Council's Stormwater Engineer and raise the following comments:

- The applicant has submitted hydraulic plans issued for Construction Certificate on 22/09/2008. The plans show an above ground on-site stormwater detention (OSD) basin at the rear of the property. But the survey (undertaken in 2020) suggests that the OSD basin was not built as per the hydraulic plans. If the applicant is going to use/modify the existing OSD basin, careful consideration shall be given to the type of planting and landscaping treatment within the ponding area. This is to ensure that the area can be readily maintained, and the storage volume is not reduced over time. In addition, landscaping shall be designed to not generate large amounts of debris or other material likely to cause stormwater pollution or blockage of the system. Treatments such as wood chips, mulch and bare soil shall not be permitted within the ponding area.
- The proposed swimming pool is likely to be partially situated within the OSD basin, and so, updated stormwater management plans shall be submitted to Council.

The application was deferred for amended Stormwater Plans which were lodged on 22 January 2021 and were again referred to Council's Stormwater Engineer raising the following comments:

- The BASIX Certificate requires the installation of a rainwater tank with a volume of at least 909 Litres. It is required to collect runoff from at least 224 square metres of roof area and be connected to a tap within 10 metres of the proposed swimming pool,
- There is an existing above ground on-site stormwater detention (OSD) basin on the property. Following on for request for more information, the applicant submitted updated plans. Given that the property directly discharges into the ocean behind, it would not be reasonable to request a new OSD basin to be designed and built.

From a stormwater drainage perspective there are no objections to approval of this application subject to the standard stormwater conditions.

3.2 Biodiversity/Bushcare (Environmental Sustainability)

The property lies within the identified coastal biodiversity corridor, so under the DCP Section 3.2.2 (a) A minimum of 50% of the proposed trees, 50% of the shrubs and 50% of the grasses and groundcovers (not including turfed areas) are to be indigenous or local native plants listed in Annexure B2-1.

Landscape plans dated 21/10/2020 did not include numbers of proposed plants in the planting schedule, so amended plans were requested. The amended Landscape plans dated 22/1/2021 do include plant numbers in the planting schedule and do comply with this control.

4. SUMMARY

The application is for alterations and additions to existing building to create a single dwelling including internal reconfiguration, new window and door openings and construction of a swimming pool.

The proposal exceeds both the HOB and FSR development standards, however this is considered to be acceptable given the alterations are generally within the existing building envelope through filling in un-used side balconies, removing the lift and is a result of the topography of the site. The application is supported with a well-founded Clause 4.6 variation for both standards. In addition, the proposal will not result in significant adverse environmental impacts in terms of visual privacy, overshadowing or view loss. The proposed above ground swimming pool will reduce the landscaped area by 0.1m² which is already under the required area but has been offset with planter boxes located within the front setback and on the roof terrace.

The application was notified for two weeks and no submissions were received.

The development is recommended for approval.

DBU Decision

The application and assessment report was reviewed by the DBU at the meeting on 16 February 2021 and the DBU determined:

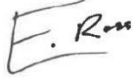
- (a) *The application is acceptable and should be approved, subject to the conditions in Appendix A.*

DBU members: M Reid, A Rossi, B McNamara, B Magistrale.

5. RECOMMENDATION TO WAVERLEY LOCAL PLANNING PANEL

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

Report prepared by:



Edwina Ross
Development Assessment Planner

Date: 5 March 2021

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



Angela Rossi
Manager, Development Assessment (Central)

Date: 10 March 2021

Reason for referral:

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

Attachment A
Conditions of the development consent

DA-356/2020

A. APPROVED DEVELOPMENT

1. APPROVED PLANS AND DOCUMENTATION

The development must be in accordance with:

(a) Architectural Plans prepared by H & E Architects of Project No. 2431 including the following:

Plan Number and Revision	Plan description	Plan Date	Date received by Council
DA1-0001, Revision 06	Cover Sheet	21/10/2020	28/10/2020
DA1-0501, Revision 06	Site Plan - Proposed	21/10/2020	28/10/2020
DA1-1110, Revision 07	Basement Level Plan – Existing & Proposed	22/01/2021	22/01/2021
DA1-1111, Revision 06	Level 01 Plan – Existing & Proposed	21/10/2020	28/10/2020
DA1-1112, Revision 06	Level 02 Plan – Existing & Proposed	21/10/2020	28/10/2020
DA1-1113, Revision 06	Level 03 Plan – Existing & Proposed	21/10/2020	28/10/2020
DA1-1114, Revision 06	Roof Level Plan – Existing & Proposed	21/10/2020	28/10/2020
DA1-3110, Revision 06	GA Elevation – North & South – Existing & Proposed	21/10/2020	28/10/2020
DA1-3111, Revision 06	GA Elevation – East – Existing & Proposed	21/10/2020	28/10/2020
DA1-3112, Revision 06	GA Elevation – West – Existing & Proposed	21/10/2020	28/10/2020
DA1-4110, Revision 06	GA Section 01 – Existing & Proposed	21/10/2020	28/10/2020
DA1-4112, Revision 06	GA Section 03 – Existing & Proposed	21/10/2020	28/10/2020

- (b) Landscape Plan No. DA1-0510 and documentation prepared by H&E, dated 22/01/2021 and received by Council on 22/01/2021;
- (c) BASIX Certificate;
- (d) Stormwater Details and documentation prepared by H4DA Pty Ltd dated (22/01/21), and received by Council on (22/01/21);
- (e) Schedule of external finishes and colours received by Council on (28/10/2020);
- (f) The Site Waste and Recycling Management Plan (SWRMP) Part 1 (28/10/2020);

Except where amended by the following conditions of consent.

2. APPROVED USE - USE OF DWELLING

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

B. PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

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

GENERAL REQUIREMENTS

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

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

- (a) a Construction Certificate has been obtained from Council or an Accredited Certifier in accordance with the Environmental Planning & 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.

4. HOME BUILDING ACT

The builder or person who does the residential building work shall comply with the applicable requirements of Part 6 of the *Home and Building Act, 1989*. In this regard a person must not contract to do any residential building work unless a contract of insurance that complies with this Act is in force in relation to the proposed work. It is the responsibility of the builder or person who is to do the work to satisfy the Principal Certifying Authority that they have complied with the applicant requirements of Part 6, before any work commences.

CONTRIBUTIONS, FEES & BONDS

5. SECTION 7.12 CONTRIBUTION

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

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

A copy of the required format for the cost reports are in the Waverley Council Contributions Plan 2006, available on Council's website.

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

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

Prior to the issue of any Construction Certificate, evidence must be provided that the levy has been paid to Council in accordance with this condition or that the cost of works is less than \$100,000.

6. SECURITY DEPOSIT

A deposit (cash or cheque) or guarantee for the amount of \$ **22,280.00** 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.

7. LONG SERVICE LEVY

A long service levy, as required under Section 34 of the *Building and Construction Industry Long Service Payments Act, 1986*, is to be paid in respect 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.

CONSTRUCTION MATTERS

8. HOARDING

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

9. EROSION & SEDIMENT CONTROL

A Soil and Water Management Plan (SWMP), also known as an Erosion and Sediment Control Plan 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.

10. 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.

11. ENGINEERING DETAILS

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

STORMWATER & FLOODING

12. STORMWATER MANAGEMENT

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

The submitted stormwater management plan prepared by H4DA Pty Limited, Job No. H421001, Dwg No. SW-00 (Issue 01, dated 22/01/2021), SW-01 (Issue 02, dated 22/01/2021), SW-02 (Issue 02, dated 22/01/2021) & SW-03 (Issue 02, dated 22/01/2021), are conditionally considered satisfactory.

The applicant must submit an updated stormwater management plan and specifications to comply with the current Waverley Council Water Management Technical Manual and Development Control Plan (DCP) at the time of engineering plan approval. The submitted plans shall be in accordance with the approved stormwater drainage design drawing, except where modified by the following:

- a) Additional details of the OSD system. At a minimum, an OSD Plaque and OSD Warning sign, an overflow mechanism (including relevant calculations) and compliance with relevant freeboard requirements demonstrated through a detailed cross-section shall be provided.
- b) Show details of any rainwater tank required by BASIX commitments or as nominated on the architectural plan, including the overflow connection to the approved stormwater drainage system.
- c) Seepage water from basement car parks and sub surface flows from structures that intersect high ground water flows shall be pumped and harvested onsite or piped to the underground stormwater drainage system. Direct or indirect connections to Council's street gutter is not permitted.
- d) Specify any components of the existing system to be retained and certified during construction to be in good condition and of adequate capacity to convey additional runoff and be replaced or upgrade if required.

- e) Detail the location of the existing stormwater drainage system including all pipes, inspection openings, surface drains, pits and their discharge location as well as any new stormwater drainage system.
- f) Any affected Council's infrastructure as the result of construction activities within the public domain area, inclusive of stormwater, stormwater outlet/s, kerb and gutter, pavement, grass verges and vehicle crossovers within the extent works shall be replaced as per Waverley Council Public Domain Technical Manual.

Notes:

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

13. ENGINEERING PLANS ASSESSMENT AND WORKS INSPECTION FEES

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

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

ENERGY EFFICIENCY & SUSTAINABILITY

14. BASIX

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

WASTE

15. SITE WASTE AND RECYCLING MANAGEMENT PLAN

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

SWRMP Part 2 is to be available on site at all times during construction. Copies of demolition and construction waste dockets that verify the facility that received the material for recycling or disposal and the quantity of waste received, must be retained on site at all times during construction.

C. COMPLIANCE PRIOR TO WORK COMMENCING AND DURING CONSTRUCTION

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

PRIOR TO ANY WORKS

16. CONSTRUCTION SIGNS

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

17. 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.

DEMOLITION & EXCAVATION

18. 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.

19. CONTROL OF DUST ON CONSTRUCTION SITES

The following requirements apply to demolition and construction works on site:

- (a) Hazardous dust is not to be allowed to escape from the site. The use of fine mesh dust proof screens or other measures are recommended. Any existing accumulations of dust (e.g.: ceiling voids and wall cavities) must be removed by the use of an industrial vacuum fitted with a high efficiency particle air (HEPA) filter. All dusty surfaces and dust created from work are to be suppressed by a fine water spray. Water must not be allowed to enter the street and stormwater systems. Demolition is not to be performed during adverse winds, which may cause dust to spread beyond the site boundaries.
- (b) All contractors and employees directly involved in the removal of hazardous dusts and substances are to wear protective equipment conforming to Australian Standard AS1716 Respiratory Protective Devices.

CONSTRUCTION MATTERS

20. CONSTRUCTION HOURS

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

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

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

21. 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.

22. CONSTRUCTION INSPECTIONS

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

23. 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.

24. 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

25. CONSTRUCTION OF SWIMMING POOLS AND OUTDOOR SPAS

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

- (a) Reinforcement of the swimming pool/outdoor spa is to be inspected by an Accredited Officer or other suitably qualified person prior to the pouring of concrete
- (b) The electrical wiring system for any proposed underwater artificial lighting installation to the pool/spa is to be installed in accordance with the requirements of Australian Standard 3000, Part 1 - Wiring Rules
- (c) The swimming pool/outdoor spa water is to be treated by an approved water treatment and filtration unit
- (d) To prevent noise nuisance to surrounding properties, the swimming pool/outdoor spa filtration motor and pump unit is to be housed within a ventilated soundproof enclosure
- (e) Waste waters from the swimming pool/outdoor spa are to be discharged into Sydney Water's sewerage system and in this regard, approved plans MUST be submitted to Sydney Water at least 14 days prior to commencement of building operations.

TREE PROTECTION AND REMOVAL

26. 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.

27. 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.

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

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

28. 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.

29. CERTIFICATION OF BASIX COMMITMENTS

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

30. CERTIFICATION OF STORMWATER DRAINAGE SYSTEM

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

31. ON-SITE STORMWATER DETENTION CERTIFICATION

The submission of certification by a suitably qualified and practising 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 Occupation Certificate.

32. CREATION OF POSITIVE COVENANT AND RESTRICTION FOR OSD

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

The wording of the Instrument shall be submitted to and approved by 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 associated costs shall be borne by the applicant.

33. CERTIFICATION OF SWIMMING POOL/OUTDOOR SPA

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

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

Note: Swimming/spa pool pumps are restricted from use between 8pm to 7am weekdays and Saturdays, 8pm to 8am on Sundays and public holidays in accordance with the requirements of the Protection of the Environment Operations (Noise Control) Regulation 2017.

E. OPERATION AND SPECIAL CONDITIONS

33. RAINWATER HARVESTING AND REUSE

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

Alterations & Additions to Existing Residence

Project No:2431

64 Fletcher Street, Bondi NSW 2026

Belinda & Brett Robson

Development Application

RECEIVED
Waverley Council

Application No: DA-356/2020

Date Received: 28/10/2020

General Notes & Abbreviations

General Notes The copyright of this design remains the property of H+E Architects. This design is not to be used, copied or reproduced without the authority of H+E Architects. Do not scale from drawings. Confirm dimensions on site prior to the commencement of works. Where a discrepancy arises seek direction prior to proceeding with the works. This drawing is only to be used by the stated Client in the stated location for the purpose it was created. Do not use this drawing for construction unless designated.	Hydraulics Stormwater drainage, waste water drainage, fresh water, gas supply and other hydraulic services are to be designed and constructed in accordance with the Local Authority, Statutory Authority, Hydraulic and/or Civil Works Consultant's requirements.	D? ## Dr DA Demo Det(s) Dia Dim Doc(s) DP DPC Drw(s) Dwg(s) EA EG EJ Elec Elev Eng'(s) Eq Est Ex Exst Ext FCL FE FF## FFL FG FGL FH FHR Fix FJ Fla Flr FR Frm FT## Fur Fxd GA Gd GD Gla## Gnd Hd Hdl Hor HR Ht Hyd IAW Incl Ind Ins Inst Int IO Lev Lvr Man'(s) Max Mech Min MR Mtr NA NCC Nom NTS OA Obs OH Orig OS Own PA Pav PCA PF PFC Plt PM Prelim	Door (? : Level ##: Number refer to schedule) Door Development Application / Delayed action (door closer) Demolish and remove from site Detail(s) Diameter Dimension Documentation, documents Down pipe Damp proof course Drawer(s) Drawing / drawings Equal angle Eaves Gutter Expansion joint to aprvd detail Electrical Elevation Engineer'(s) Equal Estimated From / out of... or existing when referring to building elements Existing External / exterior Finished ceiling level Fire escape / Fire extinguisher Floor finish (## refer to applicable schedule) Finished floor level Fixed glazing Finished ground level Fire hydrant Fire Hose Reel Fixing / fixings Floor joist Flashing Floor Fire rated Frame / framing Floor type (## refer to schedule) Furring (channel) Fixed General Arrangement Grid... Grated Drain Glass / Glazing type reference (## refer to schedule) Ground Head Handle Horizontal Hand Rail Height Hydraulic In accordance with Include / included / inclusive Indicator Insulation / Inside / Inside of... Instruction(s) Internal Inspection opening Level Louvre / louvred Manufacturer'(s) Maximum Mechanical Minimum Mirror rev / moisture resistant Mitre / Mitred Not applicable National Construction Code Nominal Not to scale Overall Obscure Over head Original (building fabric) Outside / Outside of... / On site Owner / Proprietor / Principal Project Administrator Paving Principal certifying authority Selected paint finish Parallel flange channel Plate Project Manager Preliminary	Proj Prop Prt Qty Rad RCP(s) Reb Recyc Ref Rem Reo Rep Req(s) Rev RFR RFO HS RI RL RT## RWO S96 Schd(s) SDr Sect Sel Serv(s) SFL SHS Sk Skt SI SL Slid Smk SN Sof Spec(s) SR SSD SSL Std Struct SWP TBA TBC TGSI Tmb TO TOG TOK Tol TOR TOS TOW Tr Typ UA UB UC UG UNO US VB Vert W W? ## Win WF## WO WP WPM WT##	Project Proposed Part / Partition Quantity Radius Reflected Ceiling Plan(s) Rebate Demolish, stockpile and recycle into the works as req Reference, refer (to...) Remove, take care to avoid damage to substrate materials and structure, and dispose of Reinforced / reinforcement Replace, UNO to match exst Required / Requirement(s) Revision Recover without damage, protect, store and prepare for reuse within the works as req Recover without damage for the Owner to remove Rectangular hollow section Rough in (cap and/or terminate as req for future connection) Reduced / relative level (to datum) Roof type (## refer to schedule) Rain Water Outlet Section 96 Application to amend a Development Consent Schedule(s) Surface drainage Section Selected... typically referring to a finish to be selected by the architect, client, PA or PM Services Structural floor level Square hollow section Sketch Skirting Seal / sealant Surface level / Shadow-line Sliding Smoke Stair nosing Soffit Specification(s) Service(s) riser Sub-surface drainage Structural slab level Standard Structure / Structural Storm water pit To be advised (UNO generally by the PA, Arch and/or Owner) To be confirmed (UNO generally by the Contractor) Tactile ground surface indicators Timber Top of... Top of gutter Top of kerb Tolerance Top of ramp Top of stair Top of wall Tree Typical Unequal angle Universal beam Universal column / under cut Under ground Unless noted otherwise Underside Vapor barrier Vertical With Window, Glazing and/or Shop Front element (? : Level ##: Number refer to schedule) Window Wall finish (## refer to schedule) Without Water proof Water proof membrane Wall type (## refer to schedule)
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Aerial Photograph



Source: SIX Maps (<http://maps.six.nsw.gov.au/>)

Drawing List - Development Application			
Sheet Number	Revision	Revision Date	Sheet Name
DA1-0001	06	21-10-20	Cover Sheet & Drawing List
DA1-0110	06	21-10-20	GFA Plans - Existing & Proposed
DA1-0300	03	21-10-20	Site Analysis Plan
DA1-0500	05	21-10-20	Site Plan - Existing
DA1-0501	06	21-10-20	Site Plan - Proposed
DA1-0510	03	21-10-20	Landscape Plan
DA1-1110	06	21-10-20	Basement Level Plan - Existing & Proposed
DA1-1111	06	21-10-20	Level 01 Plan - Existing & Proposed
DA1-1112	06	21-10-20	Level 02 Plan - Existing & Proposed
DA1-1113	06	21-10-20	Level 03 Plan - Existing & Proposed
DA1-1114	06	21-10-20	Roof Level Plan - Existing & Proposed
DA1-3110	06	21-10-20	GA Elevation - North & South - Existing & Proposed
DA1-3111	06	21-10-20	GA Elevation - East - Existing & Proposed
DA1-3112	06	21-10-20	GA Elevation - West - Existing & Proposed
DA1-4110	06	21-10-20	GA Section 01 - Existing & Proposed
DA1-4111	04	21-10-20	GA Section 02 - Existing & Proposed
DA1-4112	04	21-10-20	GA Section 03 - Existing & Proposed
DA1-9000	04	21-10-20	Material and Finishes & Perspective
DA1-9050	04	21-10-20	Shadow Diagrams - Winter 21st of June
DA1-9052	04	21-10-20	Shadow Diagrams - Summer 22nd December
DA1-9053	01	21-10-20	Shadow Diagrams - Summer& Winter - Comparison with Approved (DA-348/2018A) built form

BASIX Commitments	
Glazing Doors/windows	Aluminium framed single clear glazing to new or altered units: U-Value: 7.63 (equal to or lower than) SHGC: 0.75 (±10%) Given values are NFRC, total window values W04, W15, W16, W17, W19 with operable louvres / screen
Skylight	Aluminium, moulded plastic, single clear: U-Value: 6.21 (equal to or lower than) SHGC: 0.808 With operable louvre
External wall	Rendered concrete over cavity brick
Floor coverings	Tiles to wet areas, mix of carpet and timber to bedrooms and living areas as per floor plans
Central hot water system	Gas instantaneous
Lighting	40% of new or altered light fixtures are fitted with fluorescent, compact fluorescent or LED lamps
Fixtures	All taps, showerheads and toilets are a minimum 3 Star rating
Outdoor swimming pool	Rainwater Tank min 909 litres - Existing Rain water tank capacity 7000 litres. Swimming pool max capacity - 19 kilolitres

Rev	Date	Amendments
01	09-07-19	Issued for Consultants Coordination
02	14-11-19	Issued for Information: For Review
03	30-07-20	Issued for Information:
04	03-09-20	Issued for Information: For Consultants coordination
05	14-09-20	Development Application Issue:
06	21-10-20	Development Application Issue

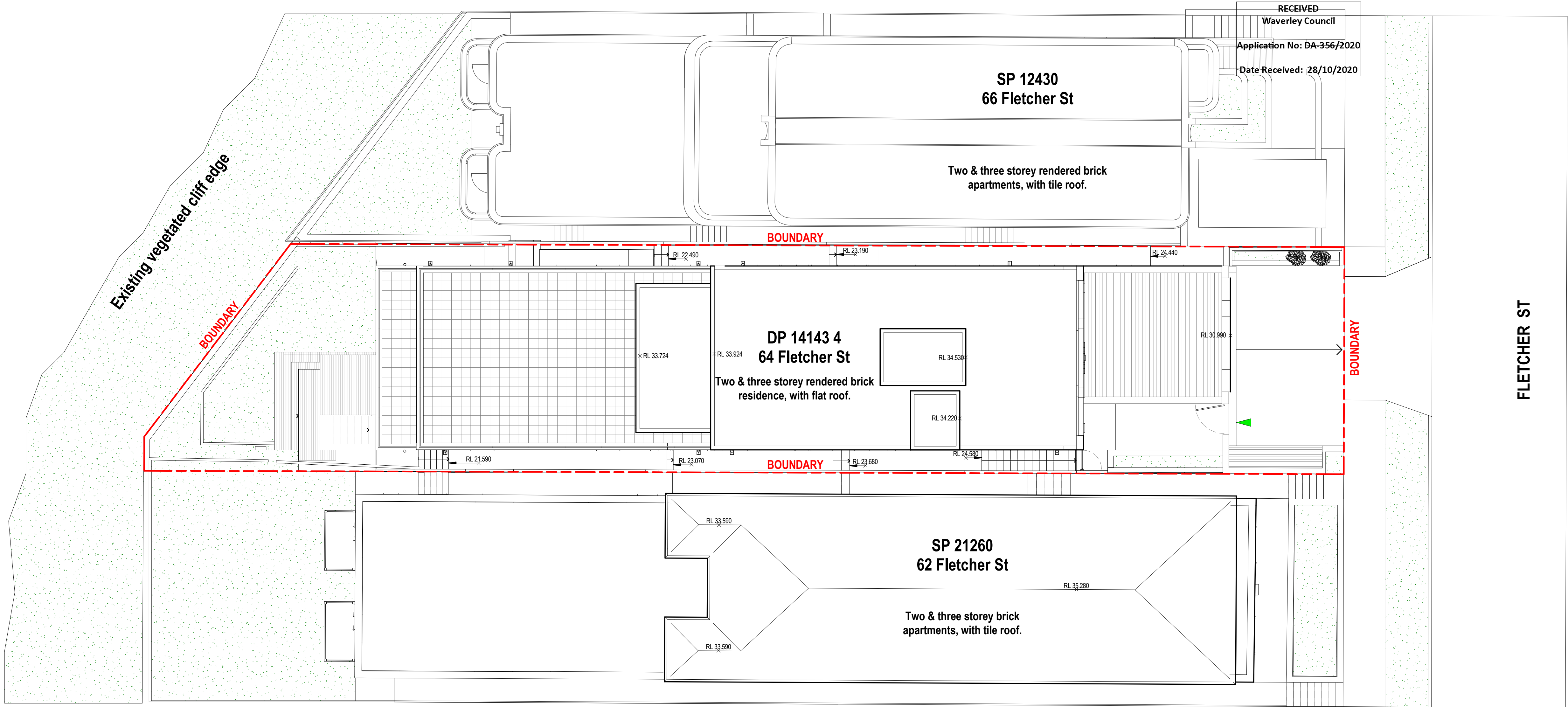
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Humphrey & Edwards Pty Ltd | ABN 89056638227
Nominated Architect: Glenn Cunningham #6415

Development Application

Scale @ A1	1:100	Drawn by	Checked by
Scale @ A3	1:200	DS	CG
Project Issue Date	Issue Date	Sheet Issue Date	21-10-20
Project No.	2431	Zone	Discipline
Drawing No.	DA1-0001	Revision	06

21-Oct-20 5:10:27 PM

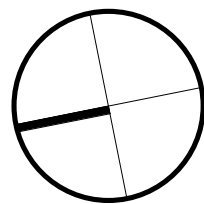


RECEIVED
Waverley Council
Application No: DA-356/2020
Date Received: 28/10/2020

1 Site Plan - Existing
1:100

Special Note:
Dwelling at 66 Fletcher Street drawn as approved – refer to DA-348/2018/A

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Rev	Date	Amendments
01	09-07-19	Issued for Consultants Coordination
02	30-07-20	Issued to Consultants
03	03-09-20	Issued for Information: For Consultants coordination
04	14-09-20	Development Application Issue:
05	21-10-20	Development Application Issue

Rev	Date	Amendments
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Humphrey & Edwards Pty Ltd | ABN 8905638227
Nominated Architect: Glenn Cunningham #6415

Project
Alterations & Additions to Existing Residence

Client
Belinda & Brett Robson

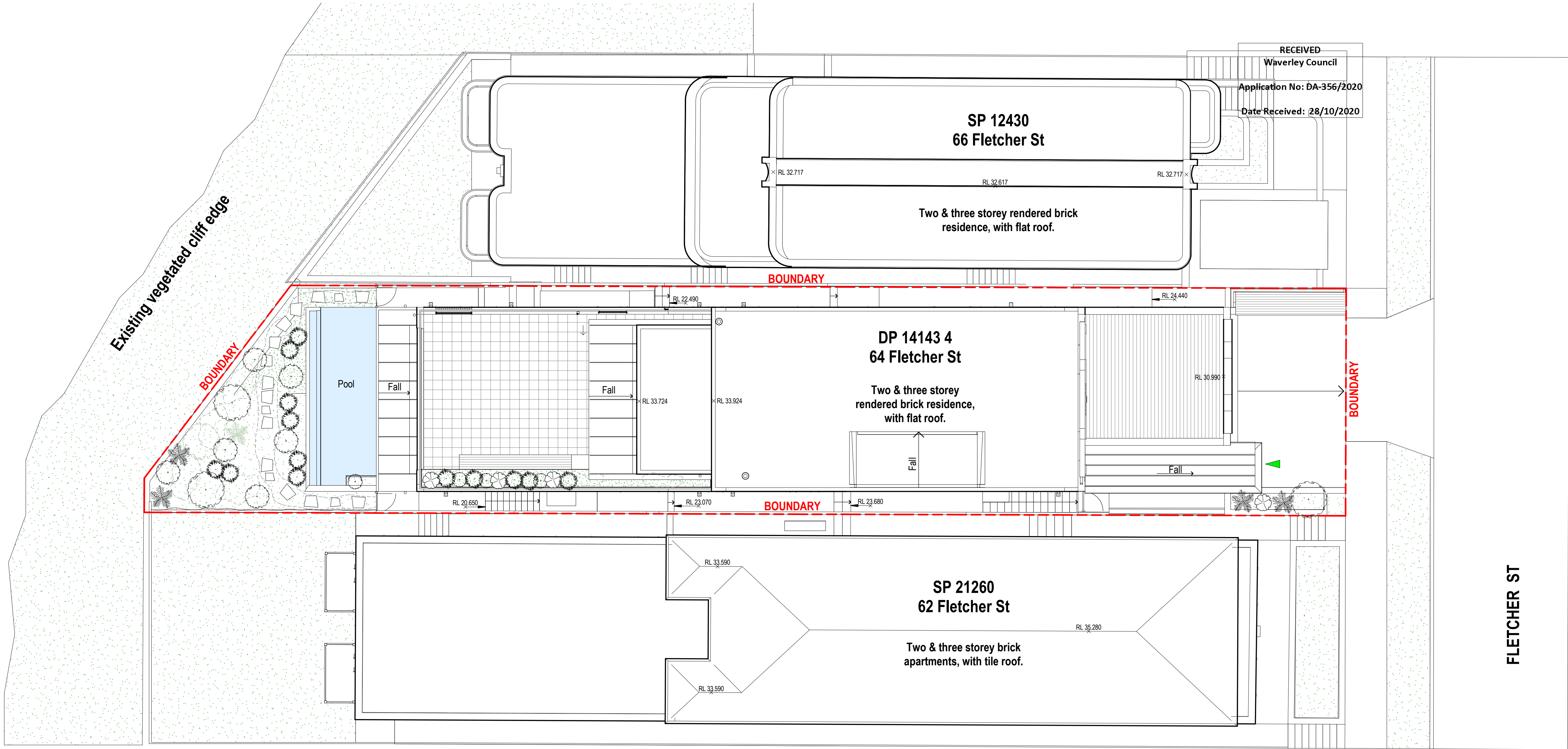
Location
64 Fletcher Street, Bondi NSW 2026

Drawing
Site Plan - Existing



Development Application

Scale @ A1	1:100	Drawn by	DS	Checked by	CG
Scale @ A3	1:200				
Project Issue Date	Issue Date	Sheet Issue Date	21-10-20		
Project No.	2431	Zone		Discipline	
Drawing No.	DA1-0500	Revision	05		

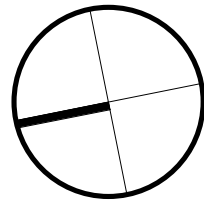


1 Site Plan - Proposed
1 : 100

BASIX Commitments	
Glazing Doors/windows	Aluminium framed single clear glazing to new or altered units: U-Value: 7.63 (equal to or lower than) SHGC: 0.75 (±10%) Given values are NFRC, total window values W04, W15, W16, W17, W19 with operable louvres / screen
Skylight	Aluminium, moulded plastic, single clear: U-Value: 6.21 (equal to or lower than) SHGC: 0.808 With operable louvre
External wall	Rendered concrete over cavity brick
Floor coverings	Tiles to wet areas, mix of carpet and timber to bedrooms and living areas as per floor plans
Central hot water system	Gas instantaneous
Lighting	40% of new or altered light fixtures are fitted with fluorescent, compact fluorescent or LED lamps
Fixtures	All taps, showerheads and toilets are a minimum 3 Star rating
Outdoor swimming pool	Rainwater Tank min 909 litres - Existing Rain water tank capacity 7000 litres. Swimming pool max capacity - 19 kilolitres

Special Note:
Dwelling at 66 Fletcher Street drawn as approved – refer to DA-348/2018/A

General Notes
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03	30-07-20	Issued for Information:
04	03-09-20	Issued for Information: For Consultants coordination
05	14-09-20	Development Application Issue:
06	21-10-20	Development Application Issue

Rev	Date	Amendments
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Nominated Architect: Glenn Cunningham #6415

Project
Alterations & Additions to Existing Residence

Client
Belinda & Brett Robson

Location
64 Fletcher Street, Bondi NSW 2026

Drawing
Site Plan - Proposed

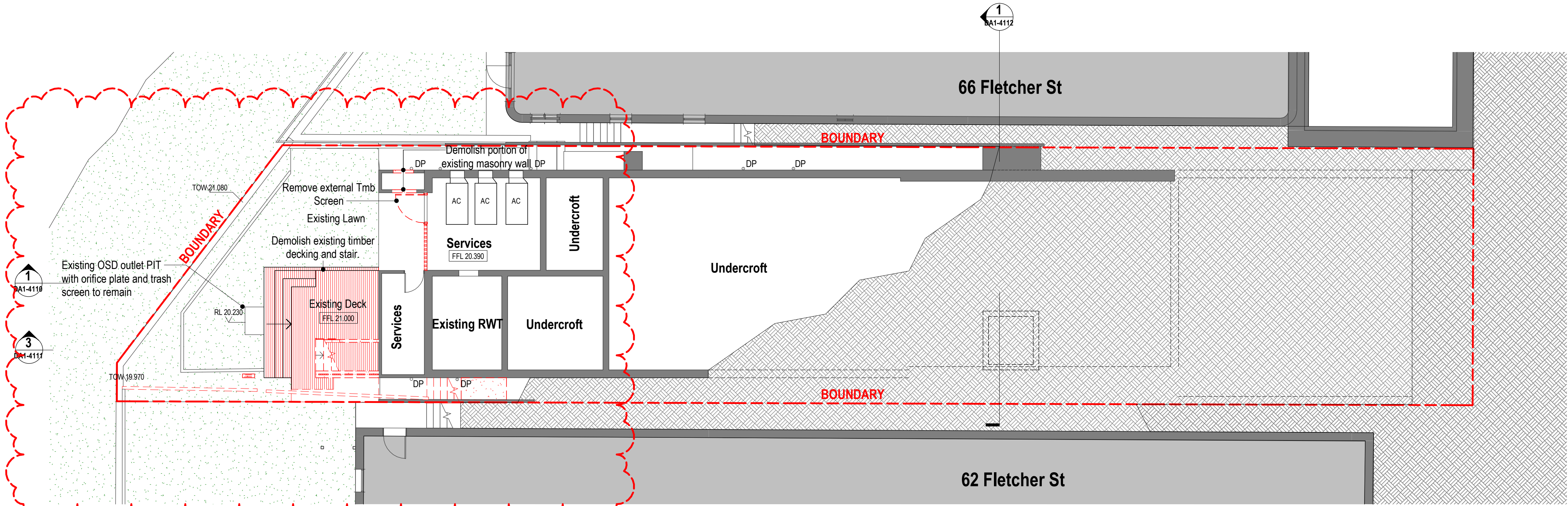


Development Application

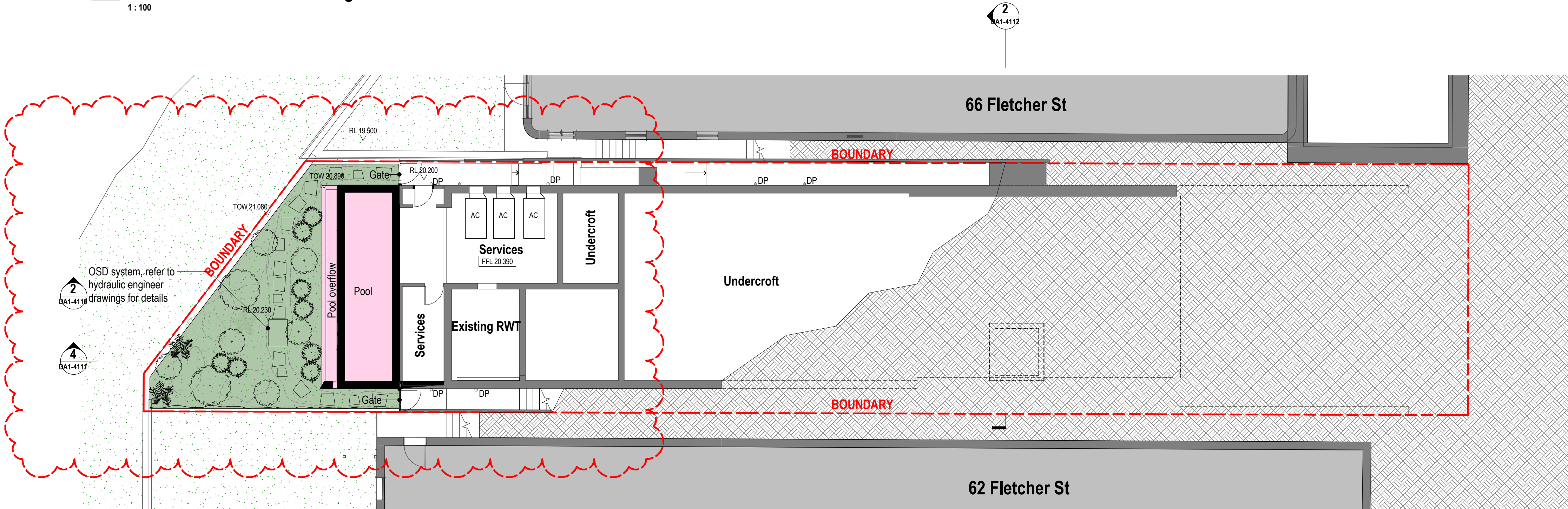
Scale @ A1	1:100	Drawn by	DS	Checked by	CG
Scale @ A3	1:200				
Project Issue Date	Issue Date	Sheet Issue Date	21-10-20		
Project No.	2431	Zone		Discipline	
Drawing No.	DA1-0501	Revision	06		

AMENDED PLANS

RECEIVED
Waverley Council
Application No: DA-356/2020
Date Received: 22/01/2021



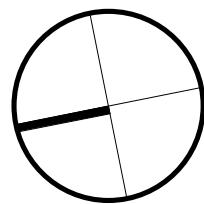
1 Basement Level Plan - Existing & Demolition
1 : 100



2 GA Plan - Basement Level - Proposed
1 : 100

Special Note:
Dwelling at 66 Fletcher Street drawn as approved – refer to DA-348/2018/A

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03	30-07-20	Issued to Consultants
04	03-09-20	Issued for Information: For Consultants coordination
05	14-09-20	Development Application Issue:
06	21-10-20	Development Application Issue
07	22-01-21	Development Application Issue: DA Lodgment

Rev Date Amendments

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Nominated Architect: Glenn Cunningham #6415

BASIX Commitments	
Glazing Doors/windows	Aluminium framed single clear glazing to new or altered units: U-Value: 7.63 (equal to or lower than) SHGC: 0.75 (±10%) Given values are NFRC, total window values W04, W15, W16, W17, W19 with operable louvres / screen
Skylight	Aluminium, moulded plastic, single clear: U-Value: 6.21 (equal to or lower than) SHGC: 0.808 With operable louvre
External wall	Rendered concrete over cavity brick
Floor coverings	Tiles to wet areas, mix of carpet and timber to bedrooms and living areas as per floor plans
Central hot water system	Gas instantaneous
Lighting	40% of new or altered light fixtures are fitted with fluorescent, compact fluorescent or LED lamps
Fixtures	All taps, showerheads and toilets are a minimum 3 Star rating
Outdoor swimming pool	Rainwater Tank min 909 litres - Existing Rain water tank capacity 7000 litres. Swimming pool max capacity - 19 kilolitres

Demolition Plan Legend

UNO the general extent and location of alterations or additions, including demolition is indicated accordingly:

- Building fabric to be demolished or substantially modified. Area of proposed demolition and/or substantial modification to the existing building fabric.
- New fabric (generally) Existing fabric (generally to remain)

Existing/Proposed Building Fabric

UNO the general extent and location of alterations or additions is indicated accordingly:

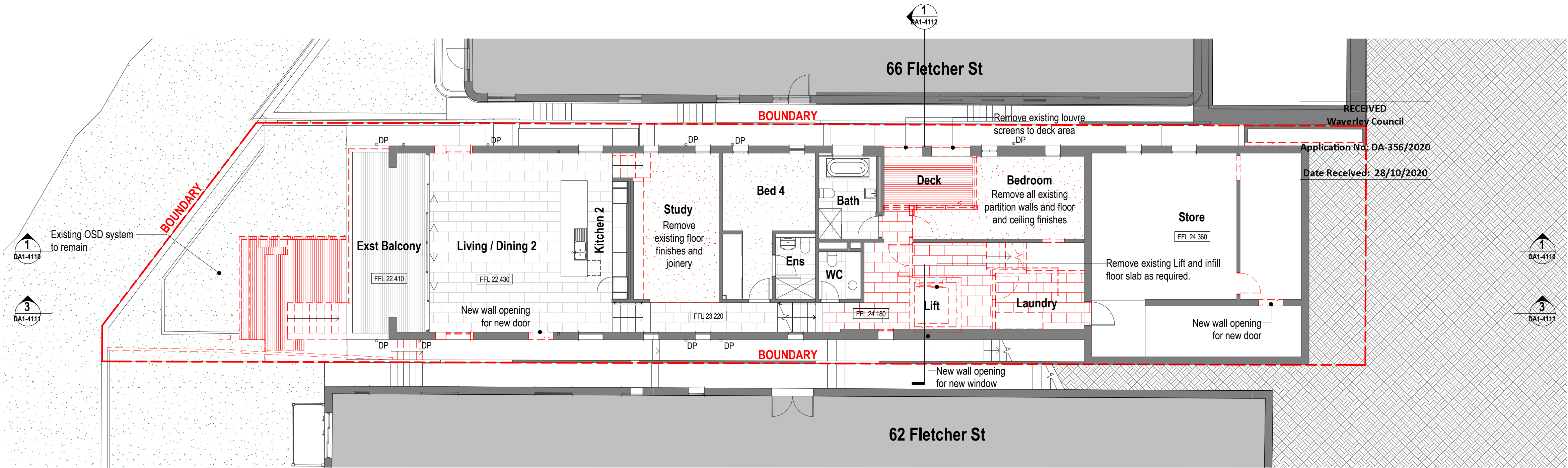
- When cut in plan or section:**
 New fabric (generally) Existing fabric (generally to remain)
- When NOT cut in plan or section:**
 New fabric (generally) Existing fabric (generally to remain)



Development Application

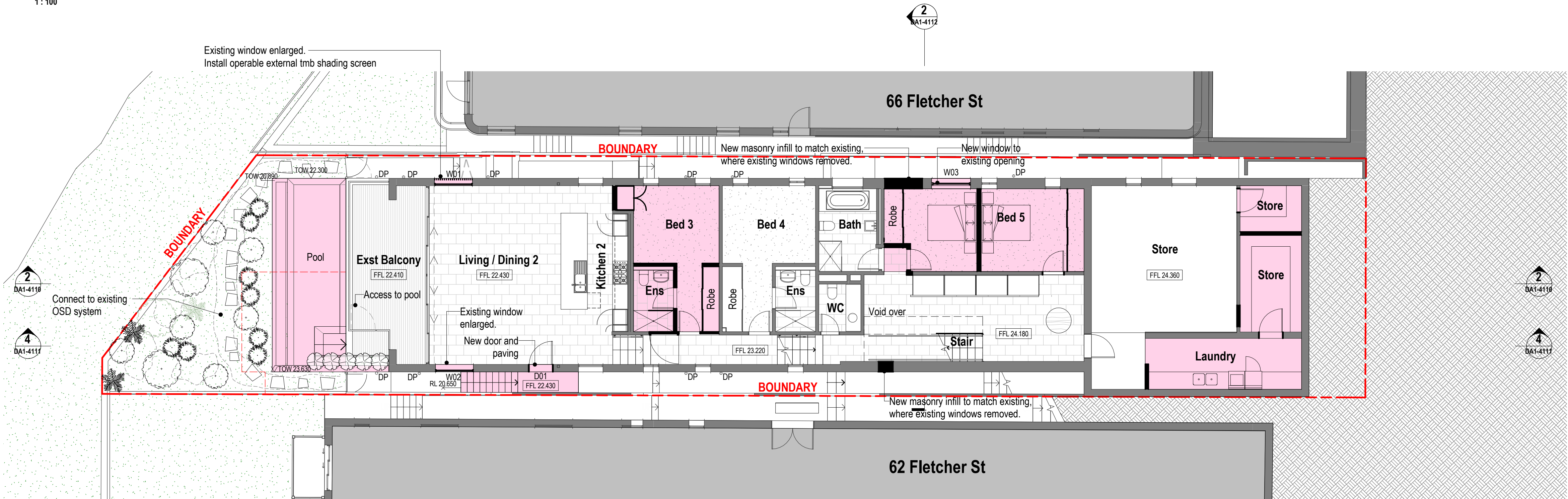
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Scale @ A3	1:200				
Project Issue Date	Issue Date	Sheet Issue Date	22-01-21		
Project No.	2431	Zone		Discipline	
Drawing No.	DA1-1110	Revision	07		

22-Jan-21 1:00:32 PM



1 GA Plan - Level 01 - Existing & Demolition

1:100

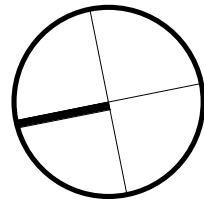


2 GA Plan - Level 01 -Proposed

1:100

Special Note:
Dwelling at 66 Fletcher Street drawn as approved – refer to DA-348/2018/A

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03	30-07-20	Issued to Consultants
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05	14-09-20	Development Application Issue:
06	21-10-20	Development Application Issue

Rev	Date	Amendments
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Humphrey & Edwards Pty Ltd | ABN 8805638227
Nominated Architect: Glenn Cunningham #6415

Project
Alterations & Additions to Existing Residence

Client
Belinda & Brett Robson

Location
64 Fletcher Street, Bondi NSW 2026

Drawing
Level 01 Plan - Existing & Proposed

BASIX Commitments	
Glazing Doors/windows	Aluminium framed single clear glazing to new or altered units: U-Value: 7.63 (equal to or lower than) SHGC: 0.75 (±10%) Given values are NFRC, total window values W04, W15, W16, W17, W19 with operable louvres / screen
Skylight	Aluminium, moulded plastic, single clear: U-Value: 6.21 (equal to or lower than) SHGC: 0.808 With operable louvre
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Fixtures	All taps, showerheads and toilets are a minimum 3 Star rating
Outdoor swimming pool	Rainwater Tank min 909 litres - Existing Rain water tank capacity 7000 litres. Swimming pool max capacity - 19 kilolitres

Demolition Plan Legend

UNO the general extent and location of alterations or additions, including demolition is indicated accordingly:

- Building fabric to be demolished or substantially modified.
- Area of proposed demolition and/or substantial modification to the existing building fabric.

- New fabric (generally)
- Existing fabric (generally to remain)

Existing/Proposed Building Fabric

UNO the general extent and location of alterations or additions is indicated accordingly:

When cut in plan or section:

- New fabric (generally)
- Existing fabric (generally to remain)

When NOT cut in plan or section:

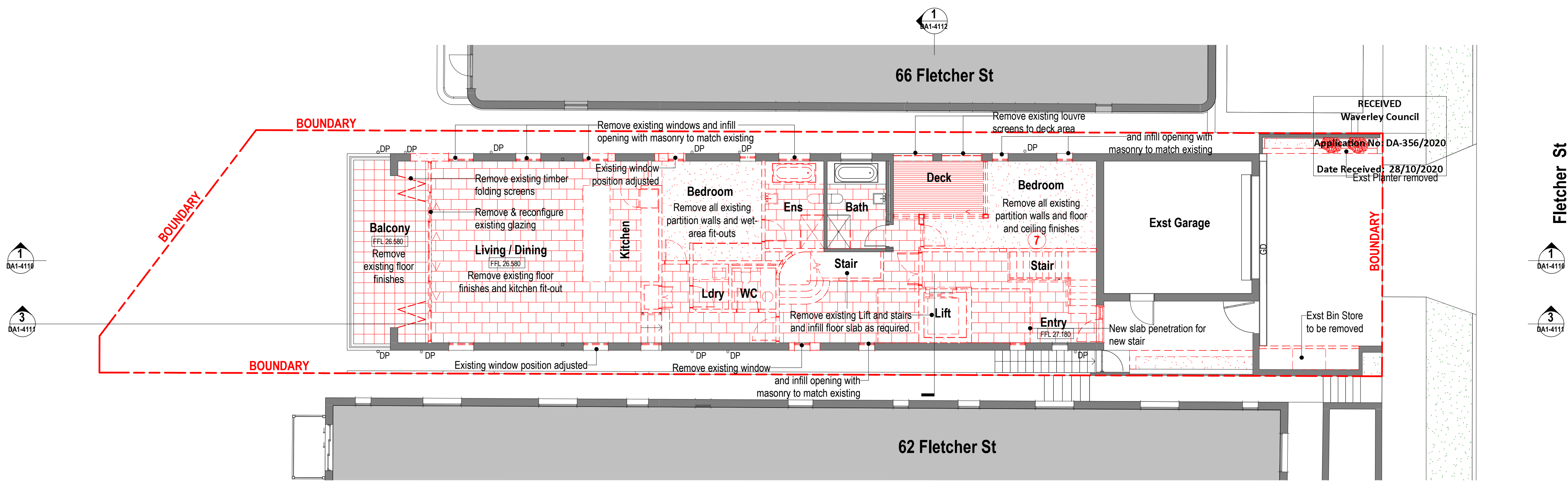
- New fabric (generally)
- Existing fabric (generally to remain)

0M 2 4 6 8 10

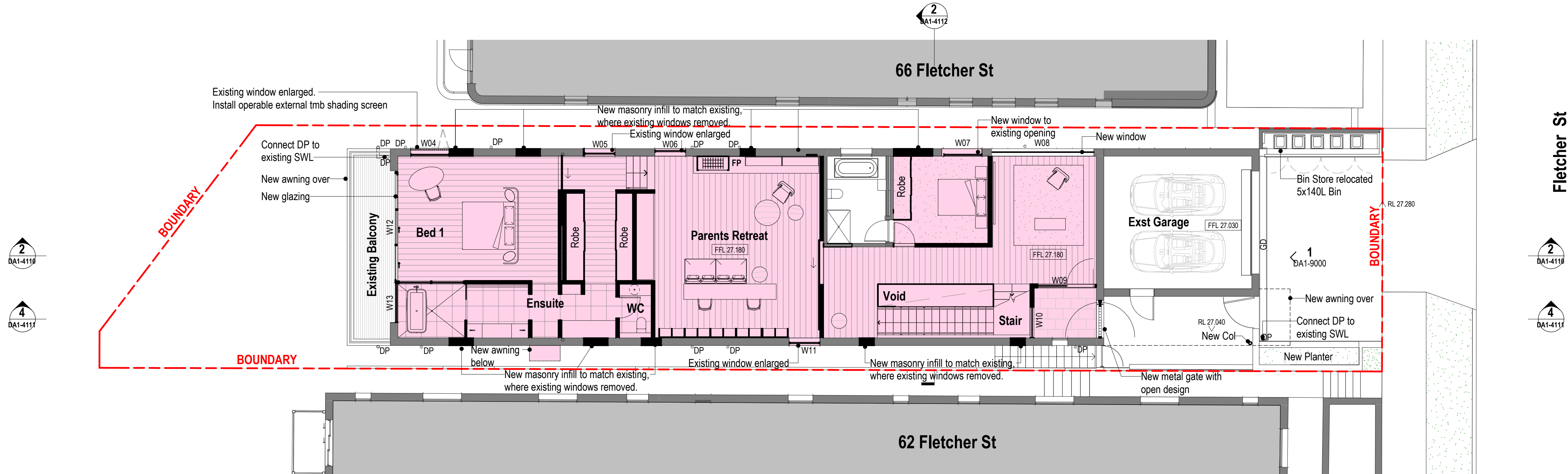
Development Application

Scale @ A1	1:100	Drawn by	DS	Checked by	CG
Scale @ A3	1:200				
Project Issue Date	Issue Date	Sheet Issue Date	21-10-20		
Project No.	2431	Zone		Discipline	
Drawing No.	DA1-1111	Revision	06		

21-Oct-20 5:06:35 PM



1 GA Plan - Level 02 - Existing & Demolition
1 : 100



2 GA Plan - Level 02 - Proposed
1 : 100

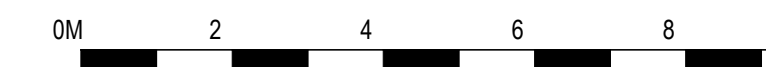
BASIX Commitments	
Glazing Doors/windows	Aluminium framed single clear glazing to new or altered units: U-Value: 7.63 (equal to or lower than) SHGC: 0.75 (±10%) Given values are NFR, total window values W04, W15, W16, W17, W19 with operable louvres / screen
Skylight	Aluminium, moulded plastic, single clear: U-Value: 6.21 (equal to or lower than) SHGC: 0.808 With operable louvre
External wall	Rendered concrete over cavity brick
Floor coverings	Tiles to wet areas, mix of carpet and timber to bedrooms and living areas as per floor plans
Central hot water system	Gas instantaneous
Lighting	40% of new or altered light fixtures are fitted with fluorescent, compact fluorescent or LED lamps
Fixtures	All taps, showerheads and toilets are a minimum 3 Star rating
Outdoor swimming pool	Rainwater Tank min 909 litres - Existing Rain water tank capacity 7000 litres. Swimming pool max capacity - 19 kilolitres

Demolition Plan Legend
UNO the general extent and location of alterations or additions, including demolition is indicated accordingly:

- Building fabric to be demolished or substantially modified.
- Area of proposed demolition and/or substantial modification to the existing building fabric.
- New fabric (generally)
- Existing fabric (generally to remain)

Existing/Proposed Building Fabric
UNO the general extent and location of alterations or additions is indicated accordingly:

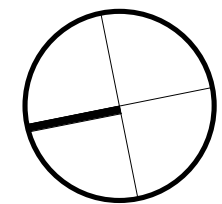
- When cut in plan or section:
 - New fabric (generally)
 - Existing fabric (generally to remain)
- When NOT cut in plan or section:
 - New fabric (generally)
 - Existing fabric (generally to remain)



Development Application

Special Note:
Dwelling at 66 Fletcher Street drawn as approved – refer to DA-348/2018/A

General Notes
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03	30-07-20	Issued for Information:
04	03-09-20	Issued for Information: For Consultants coordination
05	14-09-20	Development Application Issue:
06	21-10-20	Development Application Issue

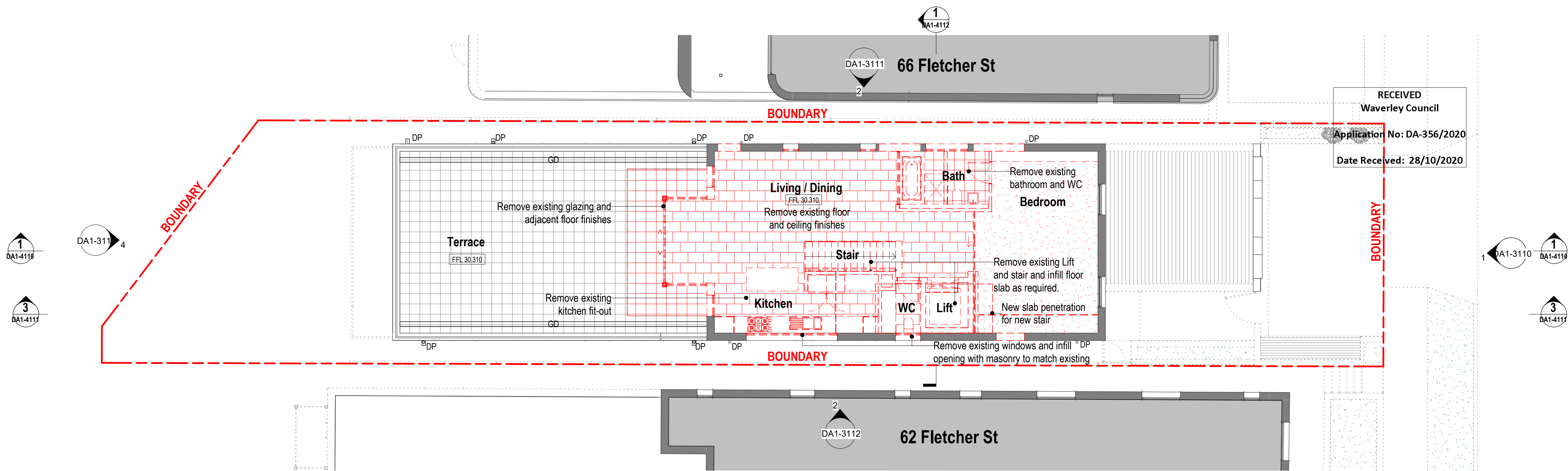
Rev	Date	Amendments

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Humphrey & Edwards Pty Ltd | ABN 8805638227
Nominated Architect: Glenn Cunningham #5415

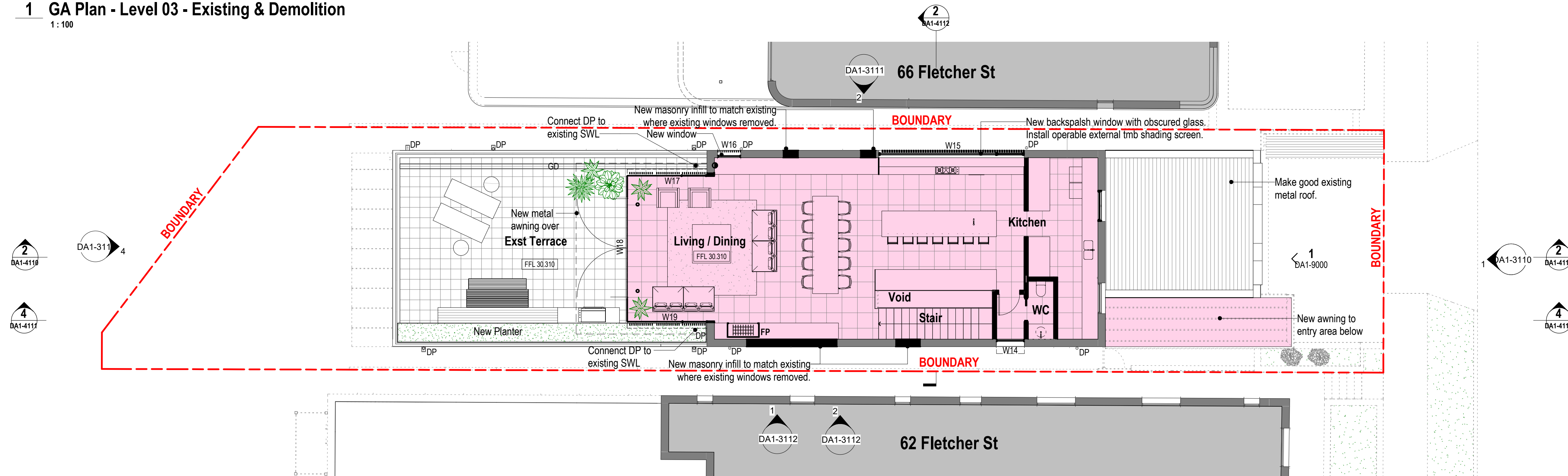
Project
Alterations & Additions to Existing Residence
Client
Belinda & Brett Robson

Location
64 Fletcher Street, Bondi NSW 2026
Drawing
Level 02 Plan - Existing & Proposed

Scale @ A1	1:100	Drawn by	DS	Checked by	CG
Scale @ A3	1:200				
Project Issue Date	Issue Date	Sheet Issue Date	21-10-20		
Project No.	2431	Zone		Discipline	
Drawing No.	DA1-1112	Revision	06		



1 GA Plan - Level 03 - Existing & Demolition
1:100

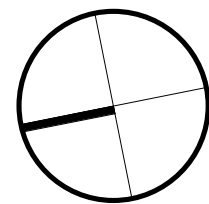


2 GA Plan - Level 03 - Proposed
1:100

Special Note:
Dwelling at 66 Fletcher Street drawn as approved – refer to DA-348/2018/A

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Rev Date Amendments

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03	30-07-20	Issued for Information:
04	03-09-20	Issued for Information: For Consultants coordination
05	14-09-20	Development Application Issue:
06	21-10-20	Development Application Issue

Rev Date Amendments

Rev	Date	Amendments
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Humphrey & Edwards Pty Ltd | ABN 8805638227
Nominated Architect: Glenn Cunningham #6415

Project
Alterations & Additions to Existing Residence

Client
Belinda & Brett Robson

Location
64 Fletcher Street, Bondi NSW 2026

Drawing
Level 03 Plan - Existing & Proposed

Demolition Plan Legend

UNO the general extent and location of alterations or additions, including demolition is indicated accordingly:

Building fabric to be demolished or substantially modified. Area of proposed demolition and/or substantial modification to the existing building fabric.

New fabric (generally) Existing fabric (generally to remain)

Existing/Proposed Building Fabric

UNO the general extent and location of alterations or additions is indicated accordingly:

When cut in plan or section:

New fabric (generally) Existing fabric (generally to remain)

When NOT cut in plan or section:

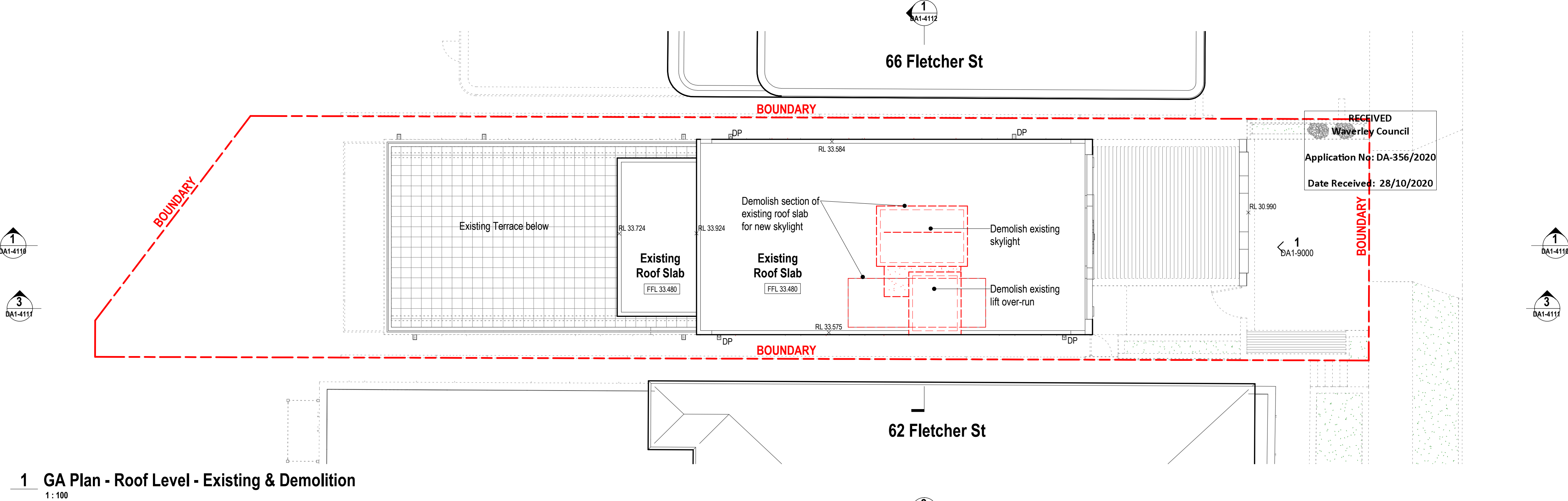
New fabric (generally) Existing fabric (generally to remain)

0M 2 4 6 8 10

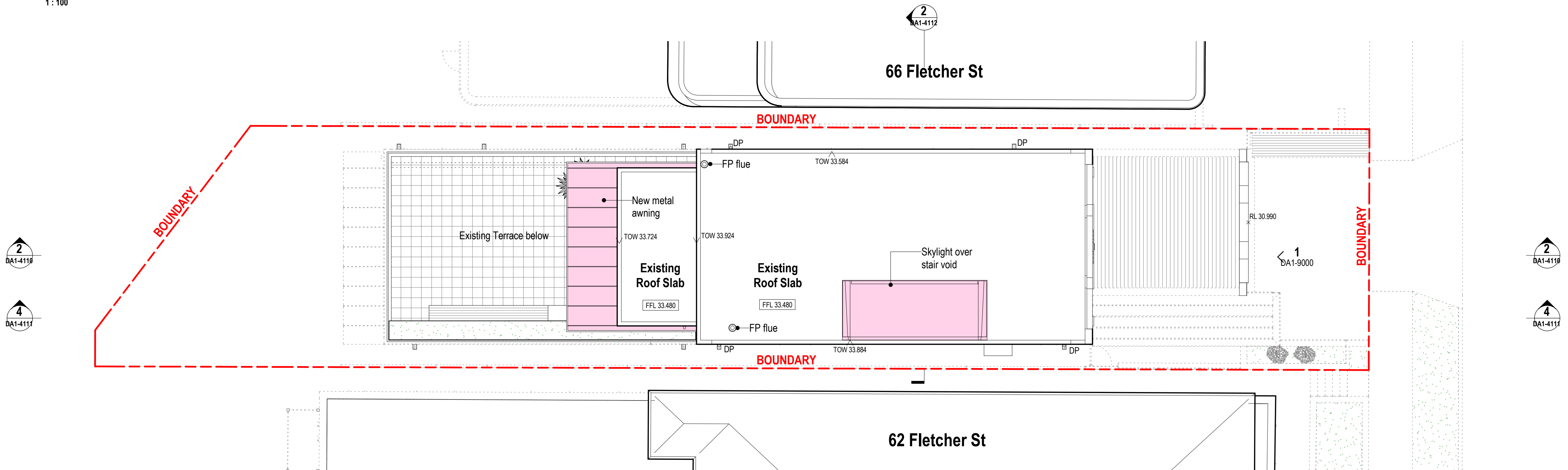
Development Application

Scale @ A1	1:100	Drawn by	DS	Checked by	CG
Scale @ A3	1:200				
Project Issue Date	Issue Date	Sheet Issue Date	21-10-20		
Project No.	2431	Zone		Discipline	
Drawing No.	DA1-1113	Revision	06		

21-Oct-20 5:07:02 PM



1 GA Plan - Roof Level - Existing & Demolition
1 : 100



2 GA Plan - Roof Level - Proposed
1 : 100

Demolition Plan Legend

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- Area of proposed demolition and/or substantial modification to the existing building fabric.

- New fabric (generally)
- Existing fabric (generally to remain)

Existing/Proposed Building Fabric

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- Existing fabric (generally to remain)

When NOT cut in plan or section:

- New fabric (generally)
- Existing fabric (generally to remain)



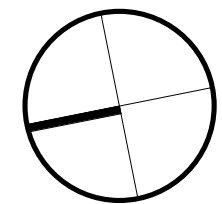
Development Application

Scale @ A1	1:100	Drawn by	DS	Checked by	CG
Scale @ A3	1:200				
Project Issue Date	Issue Date	Sheet Issue Date	21-10-20		
Project No.	2431	Zone		Discipline	
Drawing No.	DA1-1114	Revision	06		

BASIX Commitments	
Glazing Doors/windows	Aluminium framed single clear glazing to new or altered units: U-Value: 7.63 (equal to or lower than) SHGC: 0.75 (±10%) Given values are NFRC, total window values W04, W15, W16, W17, W19 with operable louvres / screen
Skylight	Aluminium, moulded plastic, single clear: U-Value: 6.21 (equal to or lower than) SHGC: 0.808 With operable louvre
External wall	Rendered concrete over cavity brick
Floor coverings	Tiles to wet areas, mix of carpet and timber to bedrooms and living areas as per floor plans
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Outdoor swimming pool	Rainwater Tank min 909 litres - Existing Rain water tank capacity 7000 litres. Swimming pool max capacity - 19 kilolitres

Special Note:
Dwelling at 66 Fletcher Street drawn as approved – refer to DA-348/2018/A

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03	30-07-20	Issued for Information:
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05	14-09-20	Development Application Issue:
06	21-10-20	Development Application Issue

Rev	Date	Amendments
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PO Box 490 Darlinghurst NSW 1300
Humphrey & Edwards Pty Ltd | ABN 8905638227
Nominated Architect: Glenn Cunningham #6415

Project	Alterations & Additions to Existing Residence
Client	Belinda & Brett Robson

Location	64 Fletcher Street, Bondi NSW 2026
Drawing	Roof Level Plan - Existing & Proposed

General Notes

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04	03-09-20	Issued for Information: For Consultants coordination
05	14-09-20	Development Application Issue:
06	21-10-20	Development Application Issue

Special Note:
Dwelling at 66 Fletcher Street drawn as approved – refer to DA-348/2018/A

Demolition Plan Legend

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- New fabric (generally)
- Existing fabric (generally to remain)

Materials & Finishes Legend

- Con

Concrete
- CR

Cement render & paint
- Gla.

Glazing
- MR

Profiled metal awning



H

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Humphrey & Edwards Pty Ltd | ABN 89056638227

Nominated Architect: Glenn Cunningham #6415

Project
Alterations & Additions to Existing Residence

Client
Belinda & Brett Robson

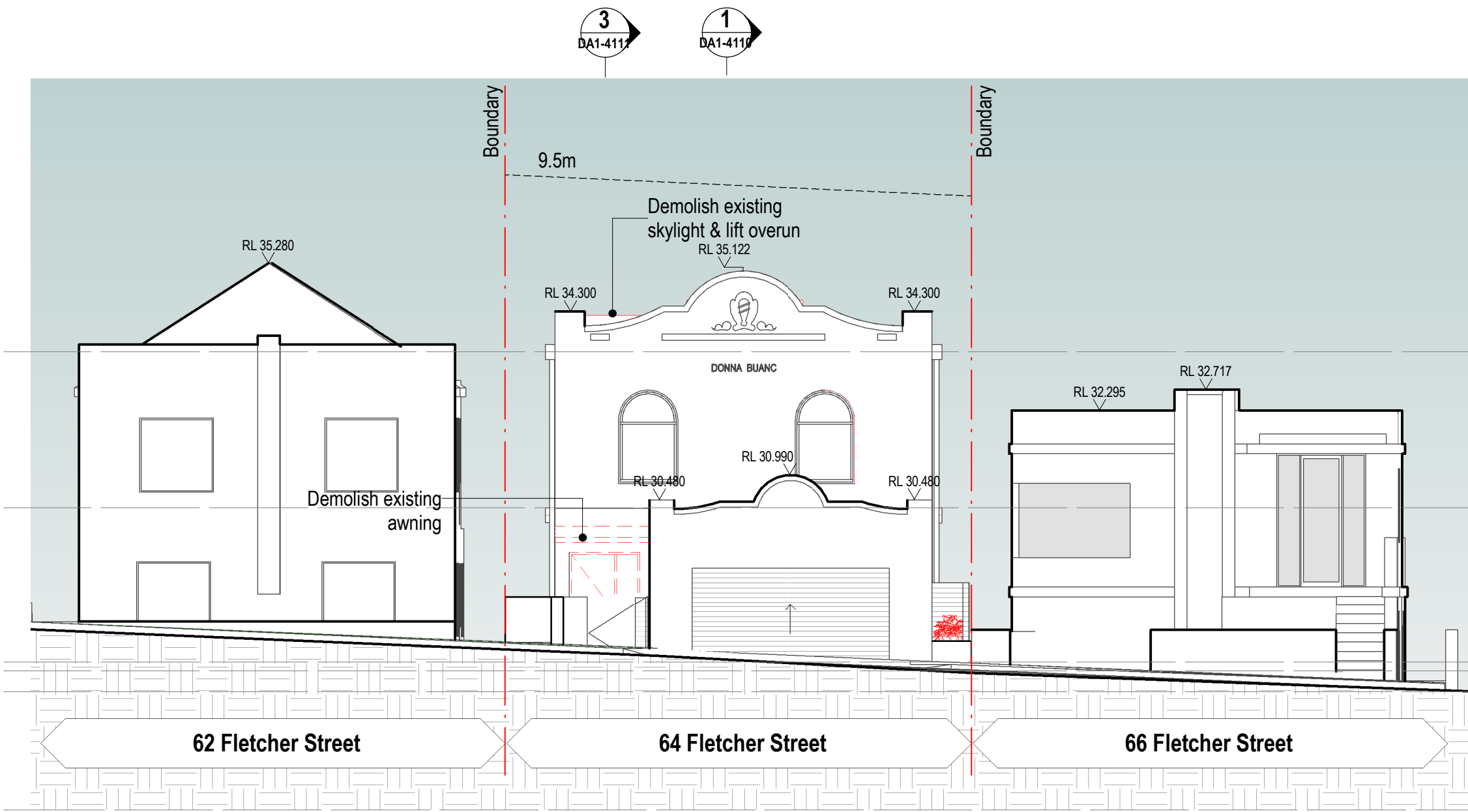
Location
64 Fletcher Street, Bondi NSW 2026

Drawing
GA Elevation - North & South - Existing & Proposed

Development Application

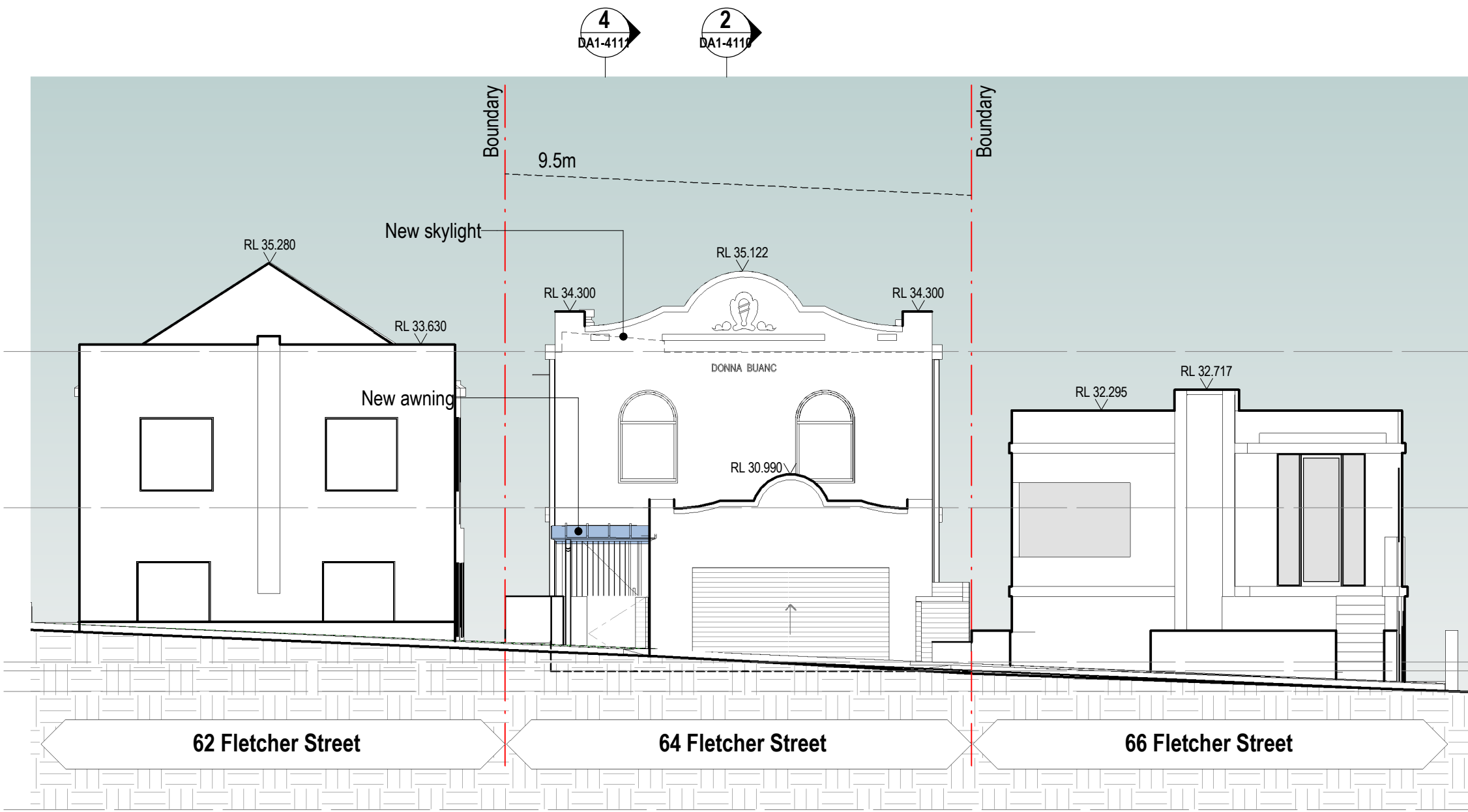
Scale @ A1	1:100	Drawn by	DS	Checked by	CG
Scale @ A3	1:200				
Project Issue Date	Issue Date	Sheet Issue Date	21-10-20		
Project No.	2431	Zone		Discipline	
Drawing No.	DA1-3110	Revision	06		

21-Oct-20 5:07:22 PM



1 GA Elevation - South (Fletcher St) - Existing & Demolition

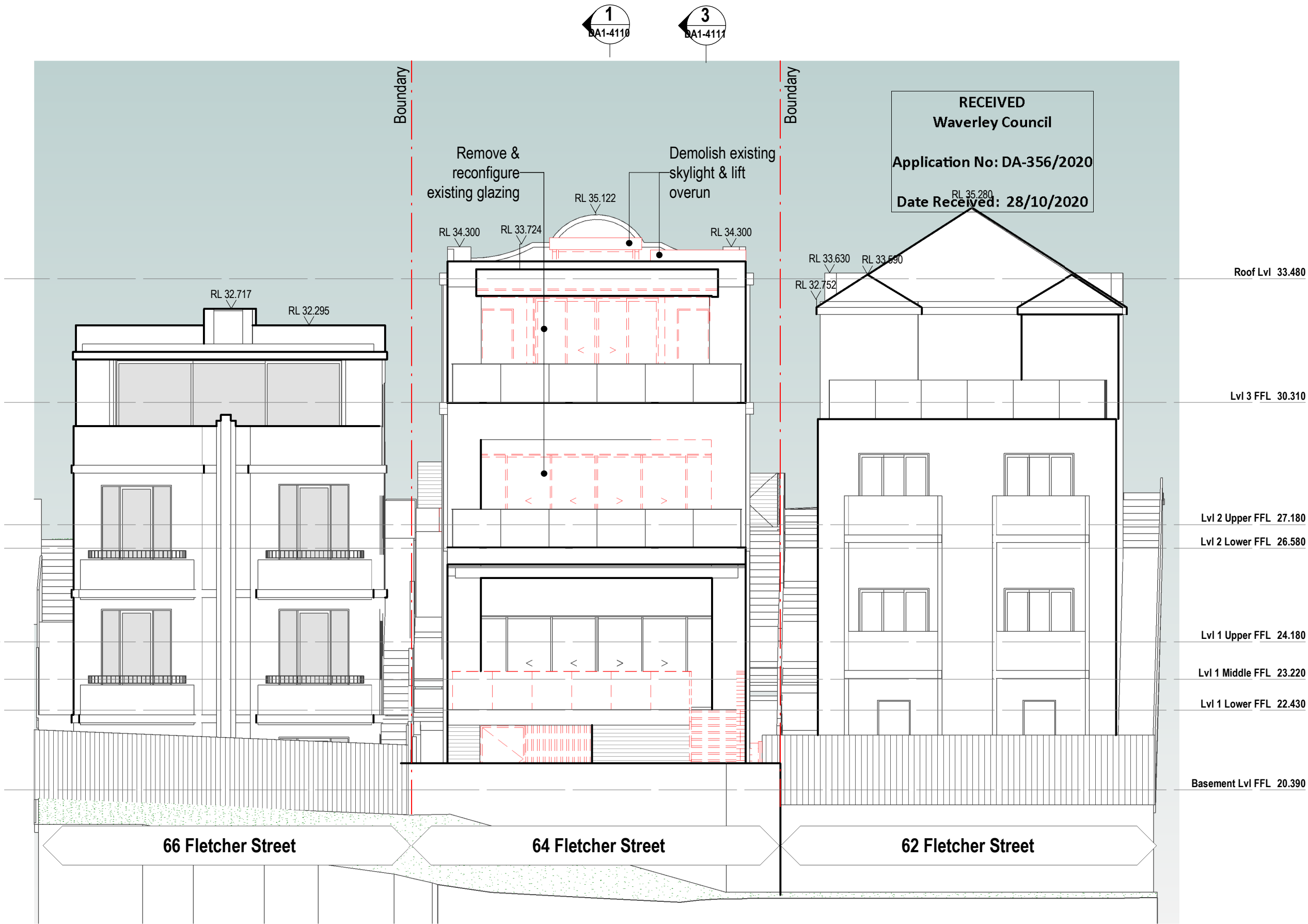
1 : 100



2 GA Elevation - South (Fletcher St) - Proposed

1 : 100

BASIX Commitments	
Glazing Doors/windows	Aluminium framed single clear glazing to new or altered units: U-Value: 7.63 (equal to or lower than) SHGC: 0.75 (±10%) Given values are NFRC, total window values W04, W15, W16, W17, W19 with operable louvres / screen
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Central hot water system	Gas instantaneous
Lighting	40% of new or altered light fixtures are fitted with fluorescent, compact fluorescent or LED lamps
Fixtures	All taps, showerheads and toilets are a minimum 3 Star rating
Outdoor swimming pool	Rainwater Tank min 909 litres - Existing Rain water tank capacity 7000 litres. Swimming pool max capacity - 19 kilolitres



3 GA Elevation - North - Existing & Demolition

1 : 100



4 GA Elevation - North - Proposed

1 : 100

General Notes

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Rev	Date	Amendments
01	09-07-19	Issued for Consultants Coordination
02	14-11-19	Issued for Information: For Review
03	30-07-20	Issued for Information:
04	03-09-20	Issued for Information: For Consultants coordination
05	14-09-20	Development Application Issue:
06	21-10-20	Development Application Issue

BASIX Commitments	
Glazing Doors/windows	Aluminium framed single clear glazing to new or altered units: U-Value: 7.63 (equal to or lower than) SHGC: 0.75 (±10%) Given values are NFRC, total window values W04, W15, W16, W17, W19 with operable louvres / screen
Skylight	Aluminium, moulded plastic, single clear: U-Value: 6.21 (equal to or lower than) SHGC: 0.808 With operable louvre
External wall	Rendered concrete over cavity brick
Floor coverings	Tiles to wet areas, mix of carpet and timber to bedrooms and living areas as per floor plans
Central hot water system	Gas instantaneous
Lighting	40% of new or altered light fixtures are fitted with fluorescent, compact fluorescent or LED lamps
Fixtures	All taps, showerheads and toilets are a minimum 3 Star rating
Outdoor swimming pool	Rainwater Tank min 909 litres - Existing Rain water tank capacity 7000 litres. Swimming pool max capacity - 19 kilolitres

Special Note:
Dwelling at 66 Fletcher Street drawn as approved – refer to DA-348/2018/A

Demolition Plan Legend

UNO the general extent and location of alterations or additions, including demolition is indicated accordingly:

- Building fabric to be demolished or substantially modified.
- Area of proposed demolition and/or substantial modification to the existing building fabric.

- New fabric (generally)
- Existing fabric (generally to remain)

Materials & Finishes Legend

Con	Concrete	
CR	Cement render & paint	
Gla.	Glazing	
MR	Profiled metal awning	



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Humphrey & Edwards Pty Ltd | ABN 8905638227

Nominated Architect: Glenn Cunningham #6415

Project
Alterations & Additions to Existing Residence

Client
Belinda & Brett Robson

Location
64 Fletcher Street, Bondi NSW 2026

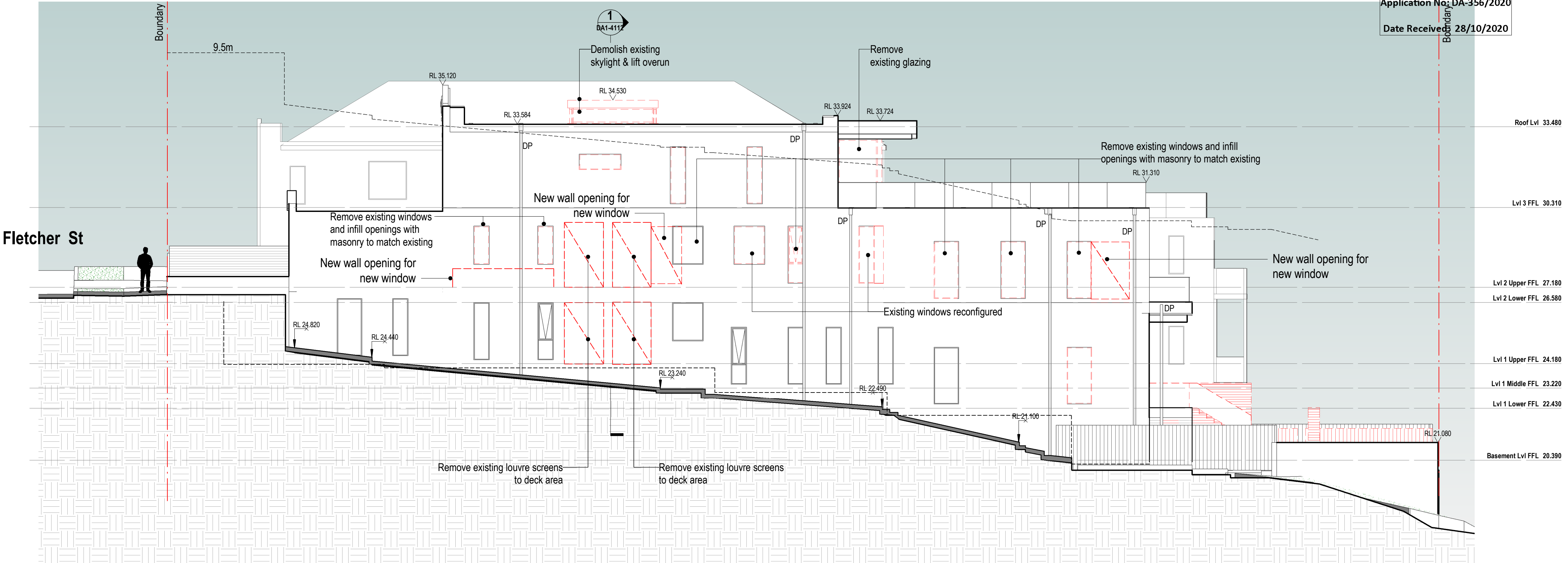
Drawing
GA Elevation - East - Existing & Proposed

Development Application

Scale @ A1	1:100	Drawn by	DS	Checked by	CG
Scale @ A3	1:200				
Project Issue Date	Issue Date	Sheet Issue Date	21-10-20		
Project No.	2431	Zone		Discipline	
Drawing No.	DA1-3111	Revision	06		

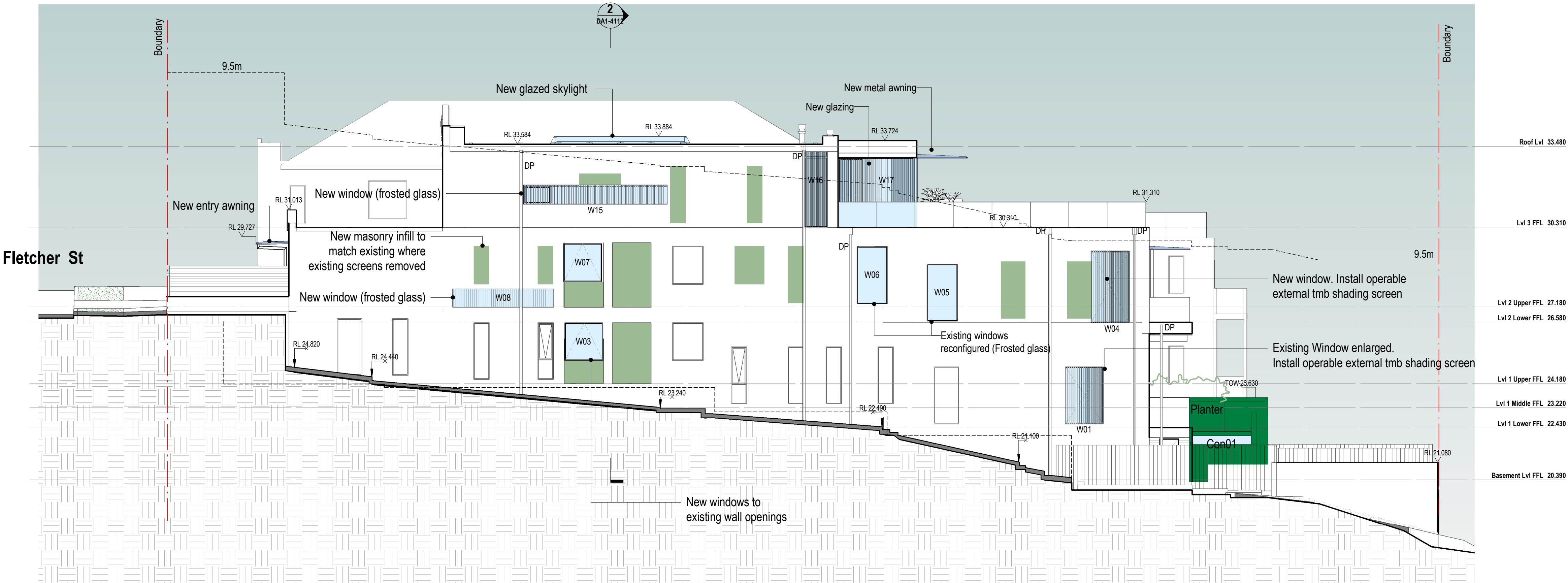
21-Oct-20 5:07:31 PM

RECEIVED
Waverley Council
Application No: DA-356/2020
Date Received: 28/10/2020



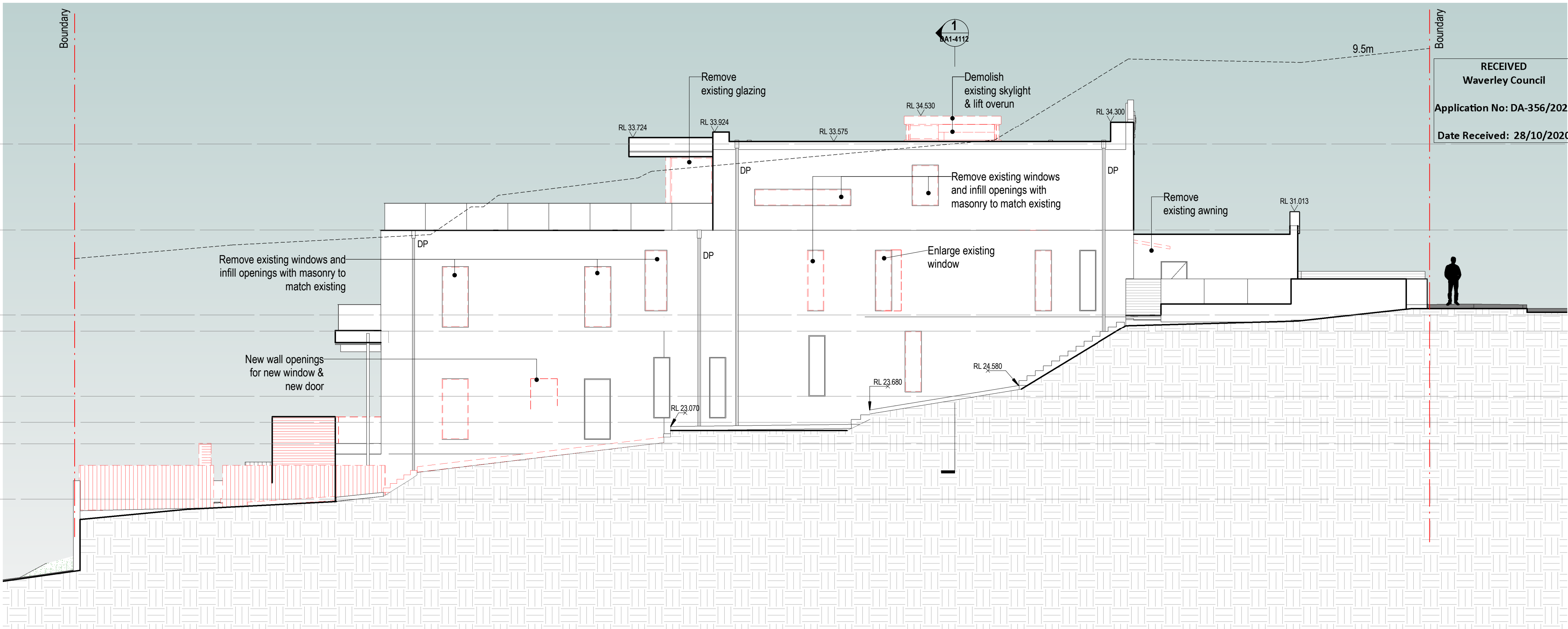
1 GA Elevation - East - Existing & Demolition

1 : 100

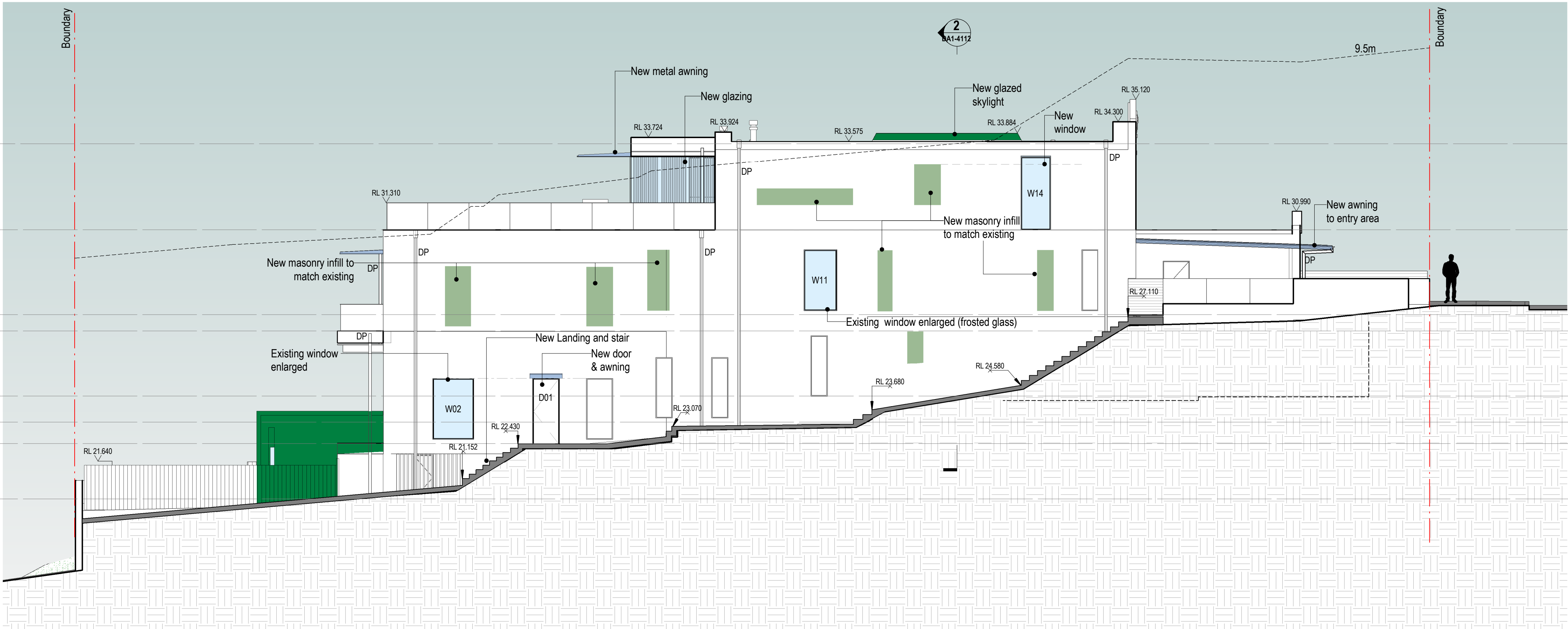


2 GA Elevation - East - Proposed

1 : 100



1 GA Elevation - West - Existing & Demolition
1 : 100



2 GA Elevation - West - Proposed
1 : 100

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06	21-10-20	Development Application Issue

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Special Note:
Dwelling at 66 Fletcher Street drawn as approved – refer to DA-348/2018/A

Demolition Plan Legend
UNO the general extent and location of alterations or additions, including demolition is indicated accordingly:

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- Area of proposed demolition and/or substantial modification to the existing building fabric.
- New fabric (generally)
- Existing fabric (generally to remain)

Materials & Finishes Legend

Con

Concrete

CR

Cement render & paint

Gla.

Glazing

MR

Profiled metal awning

0M

2

4

6

8

10

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Humphrey & Edwards Pty Ltd | ABN 8905638227

Nominated Architect: Glenn Cunningham #6415

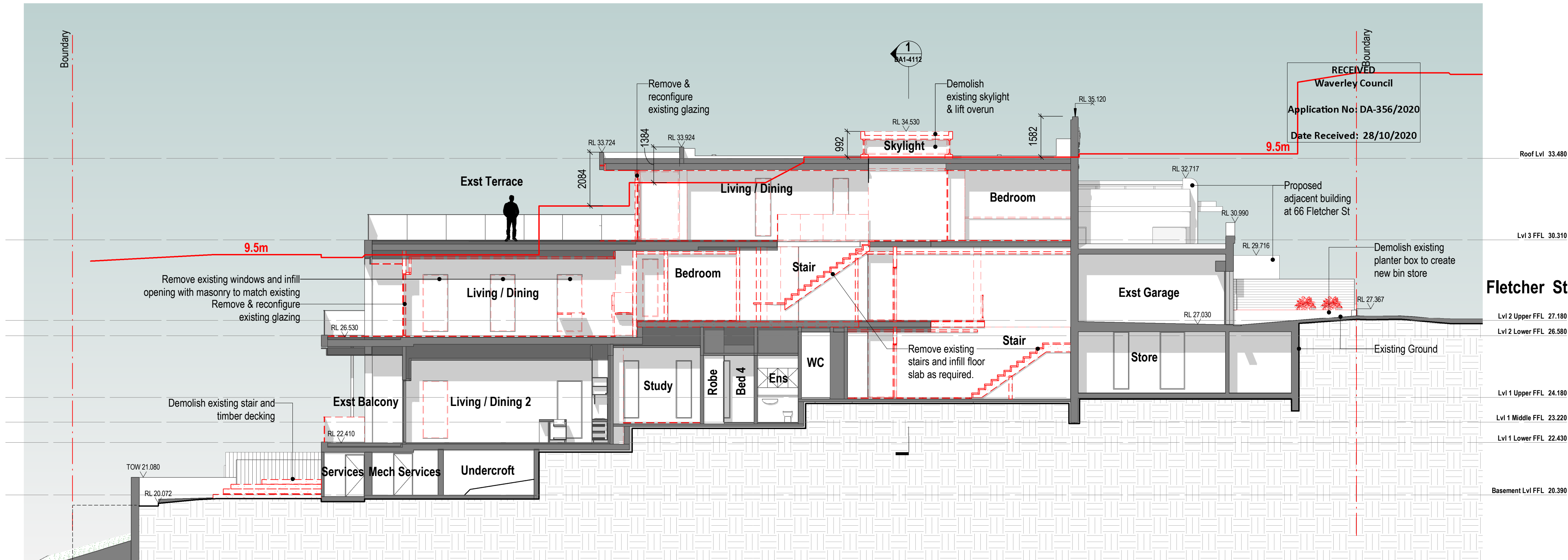
Project
Alterations & Additions to Existing Residence

Client
Belinda & Brett Robson

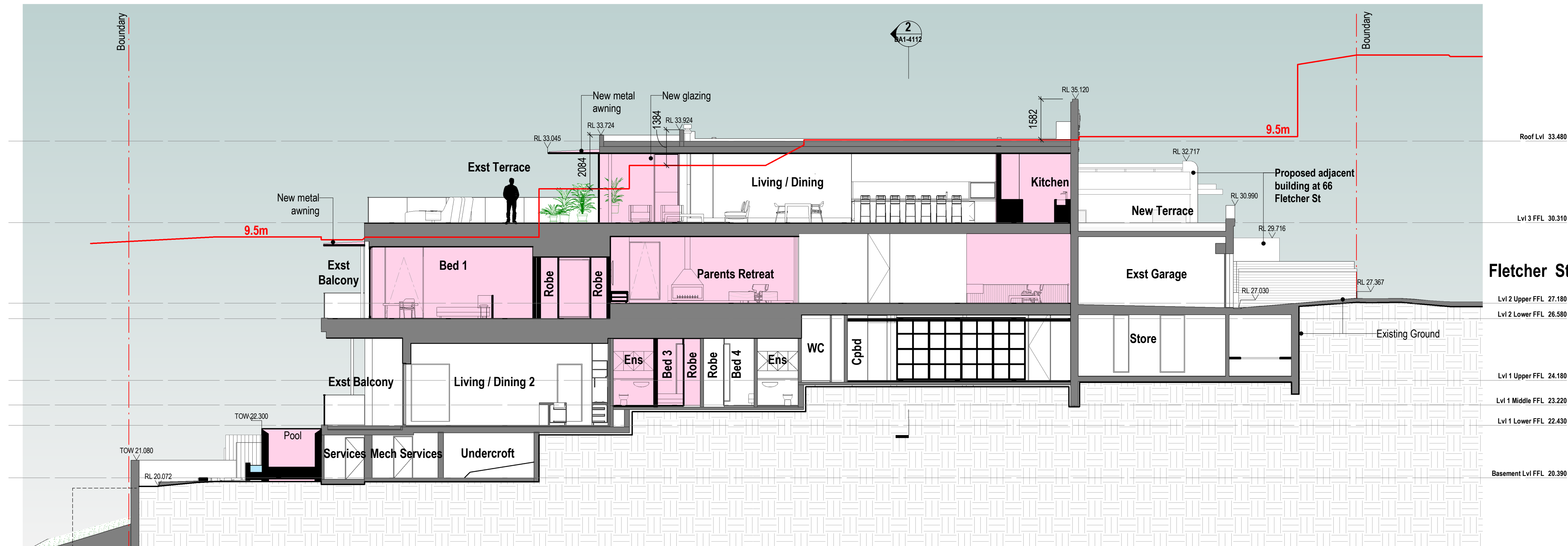
Location
64 Fletcher Street, Bondi NSW 2026

Drawing
GA Elevation - West - Existing & Proposed

Development Application			
Scale @ A1	1:100	Drawn by	Checked by
Scale @ A3	1:200	DS	CG
Project Issue Date	Issue Date	Sheet Issue Date	21-10-20
Project No.	2431	Zone	Discipline
Drawing No.	DA1-3112	Revision	06



1 GA Section 01 - Existing & Demolition
1 : 100



2 GA Section 01 - Proposed
1 : 100

Special Note:
Dwelling at 66 Fletcher Street drawn as approved – refer to DA-348/2018/A

Demolition Plan Legend

UNO the general extent and location of alterations or additions, including demolition is indicated accordingly:

- Building fabric to be demolished or substantially modified.
- Area of proposed demolition and/or substantial modification to the existing building fabric.
- New fabric (generally)
- Existing fabric (generally to remain)

Existing/Proposed Building Fabric

UNO the general extent and location of alterations or additions is indicated accordingly:

When cut in plan or section:

- New fabric (generally)
- Existing fabric (generally to remain)

When NOT cut in plan or section:

- New fabric (generally)
- Existing fabric (generally to remain)

Development Application

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04	03-09-20	Issued for Information: For Consultants coordination
05	14-09-20	Development Application Issue:
06	21-10-20	Development Application Issue

Rev Date Amendments

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Humphrey & Edwards Pty Ltd | ABN 8805638227
Nominated Architect: Glenn Cunningham #6415

Project

Alterations & Additions to Existing Residence

Client

Belinda & Brett Robson

Location

64 Fletcher Street, Bondi NSW 2026

Drawing

GA Section 01 - Existing & Proposed

Scale @ A1

1:100

Scale @ A3

1:200

Project Issue Date

2431

Drawing No.

DA1-4110

Drawn by

DS

Issue Date

21-10-20

Sheet Issue Date

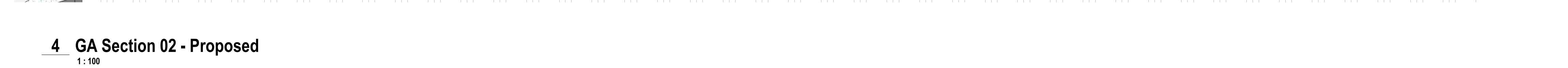
21-10-20

Discipline

CG





Revision

06







Special Note:
Dwelling at 66 Fletcher Street drawn as approved – refer to DA-348/2018/A

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  Area of proposed demolition and/or substantial modification to the existing building fabric.
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  Existing fabric (generally to remain)

UNO the general extent and location of alterations or additions is indicated accordingly:

- When cut in plan or section:**
- | | | | |
|---|------------------------|---|---------------------------------------|
|  | New fabric (generally) |  | Existing fabric (generally to remain) |
|---|------------------------|---|---------------------------------------|
- When NOT cut in plan or section:**
- | | | | |
|---|------------------------|---|---------------------------------------|
|  | New fabric (generally) |  | Existing fabric (generally to remain) |
|---|------------------------|---|---------------------------------------|

Development Application

Scale @ A1	1:100	Drawn by	Checked by
Scale @ A3	1:200	DS	CG
Project Issue Date	Issue Date	Sheet Issue Date	21-10-20
Project No.	2431	Zone	Discipline
Drawing No.	DA1-4111	Revision	04

22-Oct-20 4:22:55 PM

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02	03-09-20	Issued for Information: For Consultants coordination
03	14-09-20	Development Application Issue:
04	21-10-20	Development Application Issue

Rev	Date	Amendments

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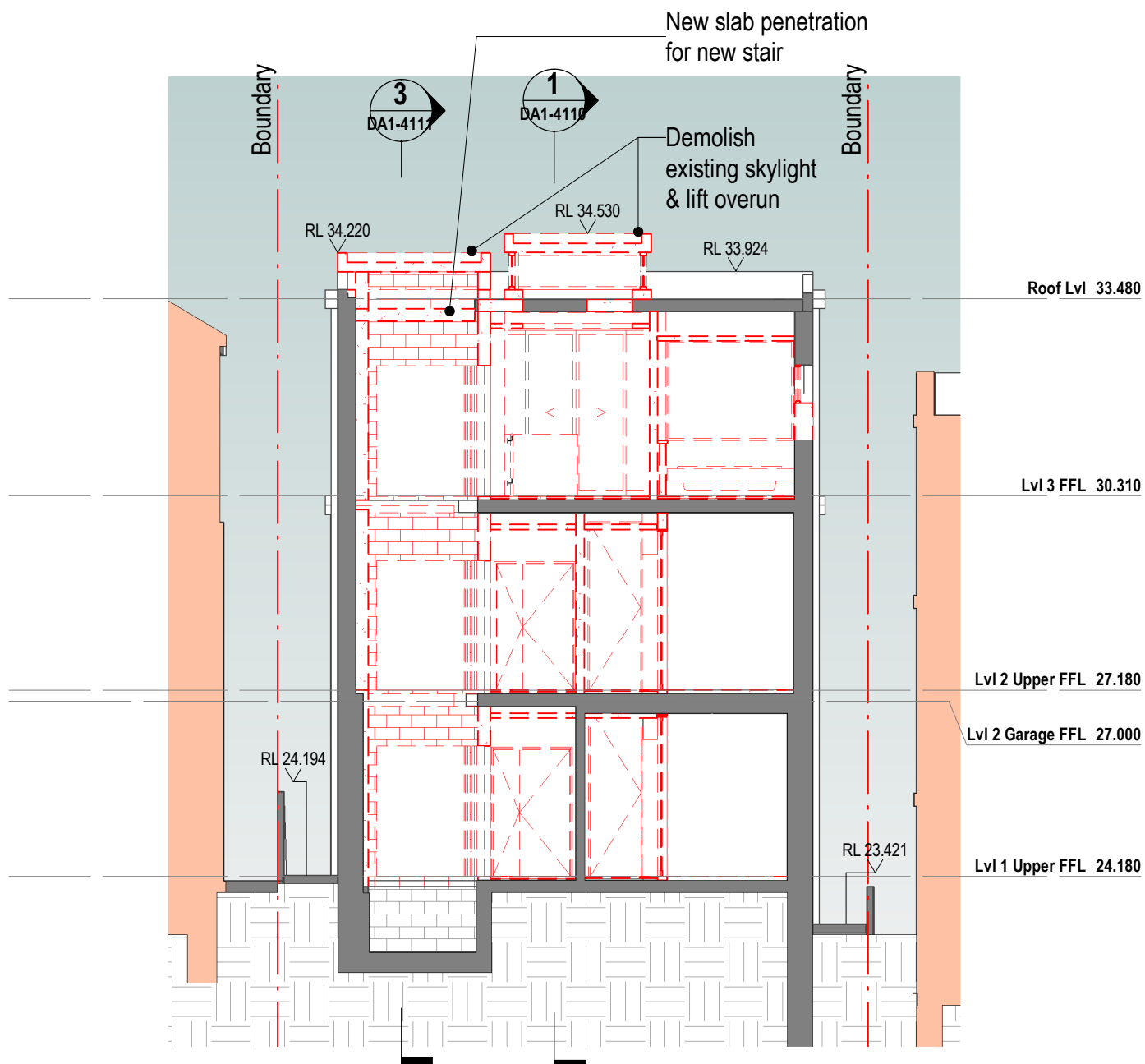
Humphrey & Edwards Pty Ltd | ABN 89056638227
Nominated Architect: Glenn Cunningham #6415

Project Alterations & Additions to Existing Residence

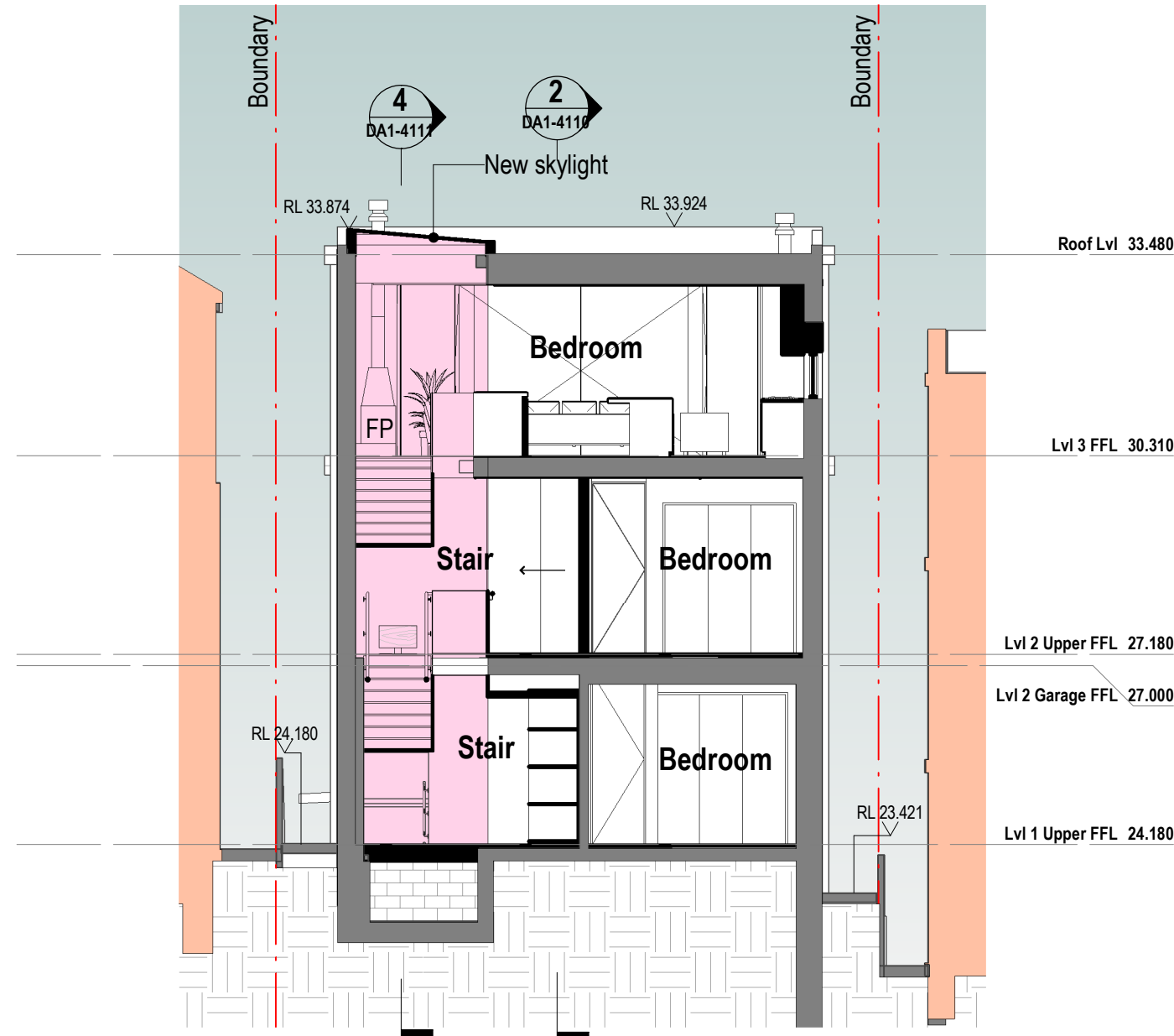
Client
Belinda & Brett Robson

Location
64 Fletcher Street, Bondi NSW 2026

Drawing
GA Section 02 - Existing & Proposed



1 GA Section 03 - Existing and demolition
1 : 100



2 GA Section 03 - Proposed
1 : 100

RECEIVED
Waverley Council
Application No: DA-356/2020
Date Received: 28/10/2020

Special Note:
Dwelling at 66 Fletcher Street drawn as approved – refer to DA-348/2018/A

Demolition Plan Legend

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Rev Date Amendments

Rev	Date	Amendments
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Nominated Architect: Glenn Cunningham #6415

Project
Alterations & Additions to Existing Residence

Client
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Location
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Drawing
GA Section 03 - Existing & Proposed

Scale @ A1	1:100	Drawn by	DS	Checked by	CG
Scale @ A3	1:200				
Project Issue Date	Issue Date	Sheet Issue Date	21-10-20		
Project No.	2431	Zone		Discipline	
Drawing No.	DA1-4112	Revision	04		