



30 November 2020

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

12.00 PM WEDNESDAY, 9 DECEMBER 2020

QUORUM: Three Panel members.

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

AGENDA

WLPP-2012.A Apologies

WLPP-2012.DI Declarations of Interest

The Chair will call for any declarations of interest.

WLPP-2012.1 PAGE 4 3/8 (8A) Castlefield Street, Bondi – Alterations and additions to existing apartment (unit 3) including internal reconfiguration and top floor extension (DA-319/2020)

Report dated 26 November 2020 from the Development and Building Unit.

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

WLPP-2012.2 PAGE 47 10 Gipps Street, Bronte – Alterations and additions to dwelling house, including partial demolition, internal reconfiguration and first floor addition (DA-316/2020)

Report dated 26 November 2020 from the Development and Building Unit.

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

WLPP-2012.3 PAGE 93 15-17 Lamrock Avenue Bondi Beach – Modification including replacing metal pitched roof with concrete flat roof, alter internal layout to units on Ground, Level 1 & Level 2; deletion and addition of windows, installation of solar panels, deletions of condition 21(d), condition 21(f) and various other modifications (DA-170/2019/B)

Report dated 27 November 2020 from the Development and Building Unit.

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

WLPP-2012.4**PAGE 157**

19 Dellview Street, Tamarama – Alterations and additions to the existing residential flat building including construction of new garages, balconies, attic level addition and strata subdivision (DA-326/2020)

Report dated 27 November 2020 from the Development and Building Unit.

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

WLPP-2012.5**PAGE 213**

629-631 Old South Head Road, Rose Bay – Modifications to approved residential flat building, including external and internal unit reconfiguration, lift access extended to top level and various other alterations to facades of building (DA-82/2016/C)

Report dated 29 November 2020 from the Development and Building Unit.

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

WLPP-2012.6**PAGE 306**

130 Hewlett Street, Bronte – Demolition of dwelling and construction of a four storey dwelling house with integrated parking (DA-261/2020)

Report dated 26 November 2020 from the Development and Building Unit.

Recommendation: That the application be granted deferred commencement consent in accordance with the conditions contained in the report.



Report to the Waverley Local Planning Panel

Application number	DA-319/2020
Site address	3/8 (8A) Castlefield Street, BONDI
Proposal	Alterations and additions to existing apartment (unit 3) including internal reconfiguration and top floor extension
Date of lodgement	29/09/2020
Owner	Mr J M Katz (Unit 8A) / Owners Corporation for Strata Plan 44312
Applicant	Mr J M Katz
Submissions	Nil (0)
Cost of works	\$412,000
Issues	Non-compliance with FSR development standard, wall height
Recommendation	That the application be APPROVED

Site Map



(Source: NearMap, 2020)

1. PREAMBLE

1.1 Site and Surrounding Locality

A site visit was carried out on Friday 23 October 2020.

The subject site is identified as Lot 3 in SP 94519, known as 3/8 or 8A Castlefield Street, BONDI. The site is located on the north-western corner of Castlefield Street and Miller Street. The site is trapezoidal in shape, with a frontage (eastern boundary) to Castlefield Street of 25.6m and a frontage (southern boundary) to Miller Street of 23.6m, with a total site area of 528m² (survey). The site falls from south to the north.

The site is occupied by a part two / part three-storey building, of masonry and lightweight timber construction with skillion and flat roofs. The site comprises extensive mature landscaping at the street frontages, with the building largely obscured by this vegetation when viewed from the street. The building has been altered over-time to comprise three attached dwellings. The subject dwelling, 3/8 or 8A, to which this application relates, is located at the north-east corner of the building, with frontages to the east (Castlefield Street) and north. The dwelling is accessed via a ramp from the site corner, with vehicular access to the lower-ground floor garage provided from Castlefield Street. Due to the fall of the site, the ground floor of the dwelling is raised approximately 2.2m above the natural ground level.

The subject site is adjoined to the north by a single-storey detached dwelling, 10 Castlefield Street, dwelling 8 to the south and dwelling 8B to the west. Across Castlefield Street to the east development includes dwelling houses and residential flat buildings and to the south a church building and residential flat buildings. The locality is characterised by a mixture of semi-detached and detached dwellings and residential flat buildings (RFBs) of varying heights.

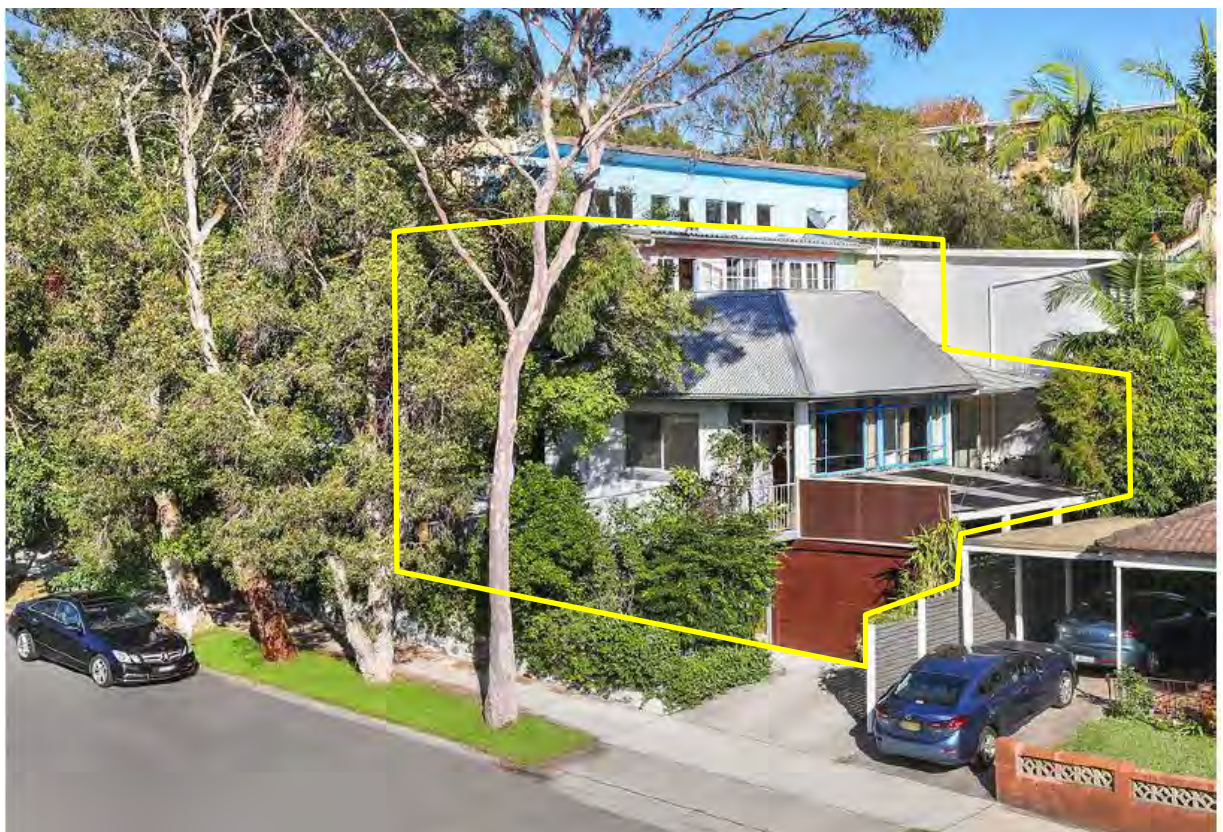


Figure 1: Site viewed Castlefield Street, looking south-west (subject site highlighted in yellow)



Figure 2: Existing entry from Castlefield Street, looking north



Figure 3: Existing ground floor balcony, looking north



Figure 4: Existing ground floor balcony, looking east



Figure 5: Existing first-floor balcony and location of proposed ensuite and balcony, looking west



Figure 6: Existing first-floor balcony and location of proposed ensuite and balcony, looking north, to 10 Castlefield Street



Figure 7: Existing driveway and garage entry, and adjoining dwelling at 10 Castlefield Avenue, looking north-east

1.2 Relevant History

Details of approved development

- **DA-478/2014:** alterations and additional to a dual occupancy to create a 3-unit multi-unit dwelling including internal reconfiguration, ground and first floor extensions, new car space and strata subdivision into 3 lots. Approved 20/02/2015. Subsequent construction certificate CCB-12/2016, approved 06/01/2016 and Subdivision Certificate 40/2016, approved 02/12/2016. Note: approved works have been undertaken to dwelling 8B, however the approved alterations and additions to dwelling 8A, including construction of an ensuite at the first-floor has not been undertaken.
- **BA-882/1995:** construct dual occupancy to existing premises. Approved 22/12/1995.
- **DA-248/1994:** alterations to dual occupancy. Approved 12/10/1995.

Application history

- **29 September 2020:** the subject application was lodged with Council.
- **1 October 2020:** the subject application was notified to surrounding properties for a period of 14 days. Nil submissions were received.
- **23 October 2020:** a site inspection was undertaken by the assessing officer.
- **6 November 2020:** the application was deferred for the following reasons:
 - Clarification of the maximum gross floor area (GFA) and compliance with the floor space ratio (FSR) development standard was sought. Amended plans detailing the existing and proposed GFA of all three dwellings at the site were requested.
 - Clarification of the integration between the proposed ensuite roof form and the existing roof of dwelling 8A and 8B was sought. Design amendments to maintain the existing roof slope were recommended.
 - Design amendments were recommended to the proposed fencing to Castlefield Street to ensure consistency with the existing fencing at Miller Street.
 - Additional information on the survey plan and architectural plans were requested.
- **12 November 2020:** amended plans / documentation was submitted by the applicant. Stamped 20 November 2020. Specifically the proposal was amended to:
 - Amend the pitch and fall of the proposed ensuite roof, and
 - Amend the proposed fence to Castlefield Street.

The amended plans did not warrant re-notification of the application as there were no design changes that would result in a greater impact.

- **18 November 2020:** amended GFA plans and a revised Clause 4.6 Variation Request were received by the applicant. Stamped 20 November 2020.

1.3 Proposal

The proposal seeks consent for alterations and additions to the existing dwelling, including:

- Removal of the existing concrete ramp and construction of a new external stair to front entry, fence and gate to Castlefield Street;
- Alterations at the lower-ground floor, including the partial removal of the existing cellar wall to provide for an enlarged car space, new laundry, new stair access to the ground floor and replacement of existing windows and doors;
- Alterations at the ground floor, including reconfiguration of kitchen, new stairs to the first-floor, balustrading to the existing deck, replacement of existing windows and doors and new exterior cladding to match existing; and
- Alterations and additions at the first-floor, including extension of dwelling footprint to accommodate new ensuite, balustrading to the existing deck, replacement of existing windows and doors, new windows, and new exterior cladding to match existing. Note: the proposed ensuite retains the floor area of the ensuite approved under DA-478/2014.

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 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 proposed development 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 'multi-dwelling housing', which is permitted with consent in the R3 zone. The proposal satisfies the objectives of the zone.
Part 4 Principal development standards		
4.3 Height of buildings <ul style="list-style-type: none"> 9.5m 	Yes	The proposal does not alter the existing maximum building height of the dwelling. The dwelling has a maximum height of 9.02m, measured from the lower ground floor (RL 54.75) to the existing ridgeline (RL 63.77), which complies. It is noted that the proposed ensuite roof is lower in height than the existing ridge at RL 63.58.
4.4 Floor space ratio and 4.4A Exceptions to floor space ratio <ul style="list-style-type: none"> 0.6:1 / 316.8m² 	No	<p>The site has a maximum FSR of 0.6:1 and maximum GFA of 316.8m², based on a site area of 528m² (survey).</p> <p>The proposal seeks to increase the GFA of the existing dwelling (8A) by 4.1m² to accommodate the master bedroom ensuite and revised internal stairs. No amendments are proposed to the other dwellings.</p> <p>The GFA diagrams* submitted with the application document the following:</p> <p>Dwelling 8:</p> <ul style="list-style-type: none"> Existing: 132.3m² Proposed: 132.3m² <p>Dwelling 8A:</p> <ul style="list-style-type: none"> Existing: 132.7m² Proposed: 136.8m² <p>Dwelling 8B:</p> <ul style="list-style-type: none"> Existing: 120.9m² Proposed: 120.9m² <p>The proposal results in a total GFA of 390m² and an FSR of 0.74:1⁺ (rounded), which</p>

Provision	Compliance	Comment
		<p>exceeds the development standard by 73.2m² or 23.1%.</p> <p>*Due to being unable to access dwellings 8 and 8B the applicant has relied upon the approved plans under DA-478/2014 to determine the existing GFA of the site, noting that the approved works to dwelling 8B have been completed.</p> <p>*The proposal maintains the GFA of 390m² approved under DA-478/2014, albeit in a revised configuration within dwelling 8A. It is noted that the FSR calculations between the two applications vary due to reliance on different site areas.</p>
4.6 Exceptions to development standards	See discussion	The application is accompanied by a written request pursuant to Clause 4.6 of the WLEP 2012 to vary the FSR development standard. <i>A detailed discussion of the variation to the development standards is presented below this table.</i>
Part 5 Miscellaneous provisions		
5.10 Heritage conservation	Yes	<p>The site is located within the Imperial Avenue Conservation Area (C11). The existing dwelling forms a non-contributory item within the area. A Heritage Impact Statement was submitted with the application. The proposed works will maintain the existing character of the dwelling and will not result in an adverse impact to the conservation area or surrounding heritage items.</p> <p>The application was referred to Council's Heritage Advisor, who raised no objection to the proposal.</p>

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 – Floor space ratio (FSR)

The application seeks to vary the minimum floor space ratio (FSR) development standard under Clause 4.4 of the Waverley LEP 2012.

The site is subject to a maximum FSR of 0.6:1, equating to a maximum GFA of 316.8m², based on a site area of 528m² (survey). The proposed development has a GFA of 390m² and an FSR of 0.74:1 (rounded), exceeding the standard by 73.2m² or 23.1%.

The proposed changes to GFA (+4.1m²) are limited to the extension to the existing first-floor to accommodate the master bedroom ensuite and internal stair reconfiguration of dwelling 8A, to which

this application relates. The ensuite extension was approved in a different configuration under DA-478/2014, however works were not undertaken. The proposal maintains the maximum GFA of 390m² approved under DA-478/2014.

A written request has been submitted to Council in accordance with Clause 4.6(3)(a) and (b) of the Waverley LEP 2012 seeking to justify the contravention of the development standard by demonstrating:

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

A copy of the applicant's written request has been provided to the Waverley Local Planning Panel for consideration.

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) *Compliance with the above development standard is unreasonable and unnecessary, as the objectives (b)(c)(d) of Clause 4.4 have been achieved through:*
 - *the roof height for Unit 8a is compliant with the maximum building height control for this lot and is to be retained through integration of the proposed ensuite roof with the existing roof of the first floor.*
 - *the location of the proposed ensuite also retains the existing street setback to limit overshadowing and changes to the bulk and scale of the dwelling as perceived from the street. The proposed ensuite, situated within the existing footprint of the first floor balcony, is also located behind the side setback of Unit 8b as detailed in DA-478/2014. As such the proposal remains consistent with the bulk, scale and density of the existing development. Preserving the visual privacy and environmental amenity of the neighbouring properties and character of the locality.*
 - (ii) *Furthermore, the maximum permissible floor space for the this lot has virtually been abandoned with the approval of DA-478/2014, where consent was granted for an FSR of 0.76:1. The minor extension to include an ensuite to the first floor of unit 8a has been contained to the floor space allocated in the previous development application and over all GFA for the development of 390m².*
- (b) That there are sufficient environmental planning grounds to justify contravening the standard:
 - (i) *Noting that the site has a previously approved an FSR of 0.76:1 that included an ensuite to the first floor of Unit 8a. The proposed ensuite included in this application is the only item that contributes to the site contravention of the floor space ratio development standard.*
 - (ii) *Contravention of the development standard to include this addition is justified due to the following environmental planning grounds:*
 - *the proposed ensuite retains the existing building height and complies with the maximum 9.5m height control*

- *the extension of the first floor remains within the setbacks of the ground floor and complies with the minimum setback controls across all levels*
- *compliance with the maximum building height and setbacks has ensured the dwellings remain compatible with the bulk and scale of the streetscape*
- *the existing and proposed first floor does not overshadow the neighbouring or subject properties, preserving the existing environmental amenity to the adjacent lots and locality*
- *the proposed ensuite addition remains within the existing building form and does not obstruct views or solar access to any of the adjoined units, minimizing any adverse impacts to the visual privacy or environmental amenity to the adjacent lots and locality*
- *the proposed works are to provide necessary remedial works to the dilapidated dwelling without any significant impact to the heritage character of the streetscape and general locality.*

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 the proposed development retains the existing building height, complying with the maximum HOB under the Waverley LEP 2012, and retains the existing boundary setbacks, complying with the minimum setbacks under the Waverley DCP 2012. The proposed development remains compatible with the bulk and scale of the existing built form and streetscape and will not result in unreasonable amenity impacts to adjoining dwellings, including visual or acoustic privacy, overshadowing and / 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 located within the Bondi Junction Centre.

Notwithstanding the FSR non-compliance, the proposed development achieves objectives (b), (c) and (d) of Clause 4.4, in that:

- The proposal retains the existing building height and complies with the maximum HOB development standard under Clause 4.3 of the Waverley LEP 2012. The proposed ensuite roof is integrated with the existing roof form of dwelling 8A and 8B. The proposed development remains compatible with the varying heights of surrounding dwellings.
- The proposal is compatible with the bulk and scale of the existing and surrounding built form. The proposed ensuite extension is located adjoining the party wall of dwelling 8B and is integrated with the existing roof form of dwelling 8A and 8B. The proposed ensuite extension maintains the existing building line and is adequately set back from the northern boundary. The ensuite forms a recessive part of the dwelling, reducing the perceived bulk and scale of the extension as viewed from the street. The proposed alterations to external windows and materials seek to establish a coherent architectural style across all three dwellings that retains the character of the existing dwelling as viewed from the street and is compatible with the desired future character of the locality.
- The proposed ensuite extension, located within the existing building footprint, maintains the existing height and setbacks and will not result in adverse impacts on the amenity of neighbouring properties or the locality, with regard to overshadowing, visual or acoustic privacy and / or view loss. The proposal preserves the amenity of adjoining properties.

The objectives of the R3 – Medium Density Residential zone area:

- *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.*

The proposal is consistent with the relevant objectives in that it retains the existing configuration of dwellings at the site and the medium-density residential environment, providing for the housing needs of the community.

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 zone.

2.1.4 Waverley Development Control Plan 2012 (Amendment 8) Effective 1 August 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 and Recycling Management plan has been submitted with the application to address waste disposal during construction. A condition of consent will be imposed regarding ongoing waste on site. The waste and recycling storage area is conveniently located for users of the site and will not be visible from the streetscape.
2. Ecologically sustainable Development	Yes	A BASIX Certificate has been submitted with the application and is deemed acceptable, achieving compliance with the State regulated energy efficiency and water conservation targets. The amended proposal incorporates passive design and natural ventilation. Given the low scale of this development, the amended proposal is considered to adequately address the objectives of this part of the DCP.
3. Landscaping and Biodiversity	Yes	The proposed alterations to the dwelling entry and landscaping to Castlefield Street have been reviewed and are considered acceptable. The amended proposal maintains as much existing

Development Control	Compliance	Comment
		<p>vegetation as possible, including the large trees fronting Castlefield Street. The proposed landscaping is cohesive with the site and the streetscape.</p> <p>The application was reviewed by Council's Tree Management Officer who raised no objection to the proposal (refer to Section 3.1).</p>
5. Vegetation Preservation	Yes	<p>The site does not contain remnant vegetation which are listed as threatened in the <i>Environment Protection and Biodiversity Conservation Act 1999</i>, and in the <i>NSW Biodiversity Conservation Act 2016</i>. No tree removal is proposed.</p> <p>The application was reviewed by Council's Tree Management Officer who raised no objection to the proposal (refer to Section 3.1).</p>
6. Stormwater	Yes (subject to conditions of consent)	<p>No stormwater plans were submitted with the application.</p> <p>The application was referred to Council's Stormwater Design and Flood (Infrastructure Services) department. Standard conditions of consent are recommended to address this matter post-determination.</p>
8. Transport	Yes	<p>The amended proposal retains the existing configuration of off-street carparking at the site, providing for a single car space, which complies with the maximum parking rates. The proposal seeks consent for the partial demolition of the lower ground wall to allow for a vehicle to be parked at a regular angle wholly outside the communal driveway. The car parking space complies with the minimum required dimensions and other technical requirements. No amendments are proposed to the existing vehicular access to the site.</p>
9. Heritage	Yes	<p>As outlined above, the site is located within the Imperial Avenue Conservation Area (C11). The existing dwelling forms a non-contributory item within the area. A Heritage Impact Statement was submitted with the application. The proposed works will maintain the existing character of the dwelling and will not result in an adverse impact to the conservation area or surrounding locally listed heritage items.</p> <p>The application was referred to Council's Heritage Advisor, who raised no objection to the proposal.</p>

Development Control	Compliance	Comment
10. Safety	Yes	The amended proposal does not contravene the objectives of this part of the DCP.
11. Design Excellence	Yes	The amended proposal demonstrates design excellence being a suitable response to the site and streetscape. The proposed materials and finishes seek to establish a coherent architectural language that retains the character of the existing dwelling and locality. A Context Analysis has been submitted with the application.

Table 3: Waverley DCP 2012 – Part C3 Other Residential Development Compliance Table

The proposal is defined as 'Multi dwelling housing' in the Waverley LEP 2012.

Development Control	Compliance	Comment
3.1 Site, scale and frontage		
<ul style="list-style-type: none"> Minimum frontage: 15m – R3 zone 	Yes	The amended proposal does not alter the existing frontages, retaining the existing street frontage of 25.6m to Castlefield Street and 23.6m to Miller Street.
3.2 Height		
<ul style="list-style-type: none"> Maximum external wall height: 7m 	No	The amended proposal has a maximum wall height of 9m, on the northern façade measured from the lower floor to the proposed ensuite roof. This is considered acceptable given it largely results from the retention of the existing dwelling form and levels. The existing dwelling has a maximum wall height of approximately 8.9m on the eastern façade.
3.3 Setbacks		
3.3.1 - Street setbacks <ul style="list-style-type: none"> Consistent street setback 	Yes	The amended proposal does not alter the existing eastern boundary setback fronting Castlefield Street. Within the front setback the existing entry ramp is proposed to be demolished and replaced with a new entry stair. The existing landing is retained.
3.3.2- Side and rear setbacks <ul style="list-style-type: none"> Minimum side setback: 1.5m Deep soil along side boundary min 2m wide 	Yes No	<p>The amended proposal does not alter the existing northern boundary setback at the lower ground or ground floors. The ground floor setback varies from approximately 1.5m at the existing terrace to approximately 3.6m at the outer hallway wall.</p> <p>The proposal provides for a partial reduction in the northern boundary setback at the first-floor to accommodate the proposed ensuite. The setback varies from approximately 5.6m at the existing balcony, to approximately 7.2m at the</p>

Development Control	Compliance	Comment
		<p>proposed ensuite outer wall, and approximately 9.3m at the master bedroom outer wall.</p> <p>The existing landscaping is retained at the northern boundary adjoining. It is approximately 1.5m deep.</p>
3.4 Length and depth of buildings		
<ul style="list-style-type: none"> Maximum building length: 24m Façade to be articulated Maximum unit depth: 18m 	Yes	The amended proposal does not alter the maximum length and depth of the existing dwelling. The building envelope retains a length of approximately 20m along Castlefield and approximately 17m along Miller Street. The existing standard of amenity is retained.
3.5 Building design and streetscape		
<ul style="list-style-type: none"> Respond to streetscape Sympathetic external finishes Corner sites to address both streets as primary frontages Removal of original architectural features not supported. 	Yes	The amended proposal provides for sympathetic alterations and additions to the eastern and northern facades visible from Castlefield Street. The amended proposal maintains the existing window and door openings. The amended proposed external cladding will match the existing materiality of dwelling 8 and 8B, and is consistent with the finish and colour approved under DA-478/2020. The proposed fence to Castlefield Street is consistent with the existing fence fronting Miller Street. The amended proposal seeks to restore the character of the existing building, establishing a coherent architectural language which positively contributes to the streetscape and the conservation area.
3.7 Fences and walls		
<ul style="list-style-type: none"> Roof design should contribute to the architectural design and the environmental performance of the development Roof design should respond to the streetscape character of the area 	Yes	The amended proposal retains the roof form of the existing dwelling. The proposed ensuite roof is integrated with the existing roof form of dwelling 8A and 8B. The roof form appropriately responds to the existing dwelling and streetscape character of the area.
3.7 Fences and walls		
<p><i>Front fence:</i></p> <ul style="list-style-type: none"> Maximum height 1.2m Maximum 2/3 solid <p><i>Side fence:</i></p> <ul style="list-style-type: none"> Maximum height: 1.8m 	<p>Yes</p> <p>N/A</p>	The proposed fence to Castlefield Street matches the existing fence to Miller Street, ensuring continuity across both frontages. The fence height does not exceed 1.2m and steps with the slope of the street.

Development Control	Compliance	Comment
		No alterations are proposed to the existing northern boundary fence.
3.8 Pedestrian access and entry		
<ul style="list-style-type: none"> • Entry at street level and respond to pattern within the street • Accessible entry • Separate to vehicular entry 	Yes	The proposed reconfiguration of the existing entry, replacing the existing ramp with stairs accessed directly from Castlefield Street, responds to the objective of this control. The relocation of the access path and stair clearly orientates visitors to the ground floor entry and separates the entries of dwelling 8 and 8A. The entry remains distinguishable from the driveway.
3.9 Landscaping		
<ul style="list-style-type: none"> • Comply with part B3-Landscaping and Biodiversity • Minimum of 30% of site area landscaped: 158.4m² • 50% of the above is to be deep soil: 79.2m² 	No	The amended proposal does not alter the existing provision of landscaping at the site, of approximately 126m ² . Positively, the proposal provides for the re-landscaping of the Castlefield frontage and retention of all significant trees.
3.11 – Private Open Space		
3.11.2 – Balconies/decks <ul style="list-style-type: none"> • Balcony additions to match the character of the building • Should not dominate the façade • Located to maximise solar access and privacy • Balustrades to allow views and casual surveillance of the street & privacy 	Yes	The amended proposal retains the existing north facing terrace at the ground floor and balcony at the first-floor, providing new balustrades per the BCA requirements. The proposed balustrades provide for views and casual surveillance of the street, whilst maintaining privacy of users. The terrace and balcony are well integrated with the dwelling form. Views from the terrace and balcony are directed out to the east and north, over the roof of the adjoining dwelling and will not result in unreasonable amenity impacts.
3.12 Vehicular access and parking		
<ul style="list-style-type: none"> • Car parking to be integrated into the design of the development • Max 1 x 2 way vehicle access point • Pedestrian safety considered 	Yes	As outlined above, the amended proposal retains the existing configuration of off-street carparking at the site, providing for a single car space for dwelling 8A. The proposed modification to the lower ground wall will allow for a vehicle to be parked at a regular angle wholly outside the communal driveway. No amendments are proposed to the existing vehicular access at the site.
3.13 Solar access and overshadowing		

Development Control	Compliance	Comment
<ul style="list-style-type: none"> Minimum of three hours of sunlight to a minimum of 70% of units on 21 June. New development should maintain at least 2 hrs of sunlight to solar collectors on adjoining properties in mid winter. Direct sunlight to north facing windows of habitable rooms on all private open space areas of adjacent dwellings to less than 3 hours of sunlight on 21 June. 	<p>Yes</p> <p>Yes</p>	<p>The amended proposal retains the existing provision of solar access to the north-east facing dwelling and will not result in unreasonable overshadowing impacts to adjoining dwellings. Shadows cast from the proposed ensuite extension are contained within the building footprint.</p>
3.14 Views and view sharing		
<ul style="list-style-type: none"> Minimise view loss through design 	Yes	The amended proposal will not unreasonably impact significant public or private domain views.
3.15 Visual privacy and security		
<ul style="list-style-type: none"> Above ground open space must not overlook rooms and private landscaped areas of adjoining properties or be screened Privacy be considered in relation to context density, separation use and design 	Yes	<p>Window and door openings on the eastern and northern elevations at the ground and first floors are appropriately sized and located to provide passive surveillance of the street whilst mitigating privacy impacts to and from adjoining dwellings.</p> <p>The existing ground floor terrace and first-floor balcony will not result in unreasonable privacy impacts to and from adjoining dwellings. The terrace is appropriately setback and screened from the northern boundary and adjoining property. The balcony has been reduced in size and is accessed from the master bedroom and ensuite, rooms of low use. Views from the balcony are directed out to the north and east, over the street and the roof of the adjoining dwelling (10 Castlefield Street).</p>
3.16 Dwelling size and layout		
<ul style="list-style-type: none"> Max habitable room depth for single aspect dwelling is 8m from a window All habitable rooms to have a window Min sizes Studio = 35m² 1 bedroom = 50m² 2 bedroom = 80m² 3 bedroom = 100m² Flexible design 	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>	<p>The amended proposal results in a minor increase to the footprint of the existing dwelling. The proposal provides for a two-bedroom unit with a GFA of 136.8m². All habitable rooms have an operable window for light and natural ventilation. The open plan nature of the ground and first floor allow for flexibility in future designs and occupant requirements.</p>

Development Control	Compliance	Comment
<ul style="list-style-type: none"> • Accessible and Adaptable 		
3.17 Ceiling Heights		
<ul style="list-style-type: none"> • Min 2.7m floor to ceiling height residential floors 	Partial	The amended proposal does not reduce existing ceiling heights through the dwelling. The ground floor laundry has a ceiling height of 2m. The ground floor has a range of ceiling heights between 2.5m-3.2m. The amended proposal seeks to provide a consistent ceiling height throughout this level. The first floor has a sloped ceiling height between 2.8m-2.4m. The north-east aspect of the dwelling, combined with a shallow depth and multiple windows ensures the dwelling will receive adequate daylight.
3.18 Storage		
<p>In addition to kitchen cupboards and bedroom wardrobes, min storage required is:</p> <ul style="list-style-type: none"> • Studio and 1 bed = 6m³ • 2 bed = 8m³ • 3 or more bed = 10m³ 	Yes	The proposed storage areas exceed 8m ³ required for a two-bedroom dwelling.
3.19 Acoustic privacy		
<ul style="list-style-type: none"> • Internal amenity by locating noisy areas away from quiet areas 	Yes	The amended proposal largely retains the existing layout of ground floor, however, seeks to improve acoustic privacy through the relocation of the internal staircases to create a buffer between dwelling 8B and the living zones of dwelling 8A. It is noted that noise generated from use of the stairs will be mitigated through construction techniques and appropriate wall insulation. At the first floor the walk-in-robe and hallway are located to separate the master bedroom from the shared party walls to dwelling 8 and 8B.
3.20 Natural Ventilation		
<ul style="list-style-type: none"> • All dwellings to be naturally cross-ventilated • Building to be orientated to maximise breezes 	Yes	The amended proposal provides for adequate natural ventilation capitalising on the dwellings north-east aspect.
3.21 Building services		
<ul style="list-style-type: none"> • Services are to be integrated into the design of buildings (garbage rooms, mail boxes, fire hydrants boosters, 	N/A	The amended proposal does not alter the location of existing building services.

Development Control	Compliance	Comment
electrical substations, down pipes, plant rooms, satellite/communications structures		

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 Community Participation Plan (Amendment 1) 2019*.

Nil (0) 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 Heritage Advisor, Urban Planning Policy and Strategy

The application was referred to Council's Heritage Advisor and was discussed at the Waverley Heritage Assessment Meeting (WHAM) held on 29 October 2020. Council's Heritage Advisor raised no objection to the proposal.

3.2 Tree Management Officer

The application was referred to Council's Tree Management Officer. The referral raised no objection to the proposal.

3.3 Stormwater Design & Flooding (Infrastructure Services)

The application was referred to Council's Stormwater Design and Flooding (Infrastructure Services) department. The referral raised no objection to the proposal, subject to conditions of consent.

3.4 Public Domain (Infrastructure Services)

The application was referred to Council's Public Domain Engineer. The referral raised no objection to the proposal, subject to recommended conditions of consent.

4. SUMMARY

The proposal seeks consent for alterations and additions to the existing dwelling (8A), including internal and external alterations at the lower ground, ground and first floors, extension of the first-floor footprint to accommodate a master ensuite and revised entry and landscaping to Castlefield Street.

The proposal has been amended since first submitted to integrate proposed ensuite roof with the pitch and fall of the existing dwelling and adjoining dwelling (8B) and to ensure consistency of the proposed fence to Castlefield with the exiting fence to Miller Street.

The amended proposal complies with the maximum HOB development standard under Clause 4.3 of the Waverley LEP 2012. The amended proposal increases the GFA of the existing dwelling by 4.1m² to accommodate the master bedroom ensuite and revised internal stairs. The ensuite extension was approved in a different configuration under DA-478/2014, however works were not undertaken. The amended proposal results in a total GFA of 390m² and an FSR of 0.74:1 (rounded), which exceeds the FSR development standard under Clause 4.4 of the Waverley LEP 2012, by 73.2m² or 23.1%. It is noted that the proposal maintains the GFA approved under DA-478/2020. The proposed variation has been assessed against Clause 4.6 of the Waverley LEP 202 and is considered acceptable in the circumstances of the case.

The amended proposal generally complies with the controls of the Waverley DCP 2012, with minor variations largely resulting from the retention of the existing dwelling, and considered acceptable as discussed throughout this report.

The original application was notified. Nil submissions were received from adjoining properties. The amended plans did not warrant re-notification of the application as there were no design changes that would result in a greater impact.

There was no declared conflict of interest on the application.

The proposal is recommended for approval.

DBU Decision

The application and assessment report was reviewed by the DBU at the meeting on 17 November 2020 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, E Finnegan*

5. RECOMMENDATION TO WAVERLEY LOCAL PLANNING PANEL

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

Report prepared by:



Alicia Baker
Senior Development Assessment Planner

Date: 20 November 2020

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



Angela Rossi
Manager, Development Assessment (Central)

Date: 26 November 2020

Reason for referral:

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

APPENDIX A – CONDITIONS OF CONSENT

Attachment A

DA-319/2020

A. APPROVED DEVELOPMENT

1. APPROVED PLANS AND DOCUMENTATION

The development must be in accordance with:

- (a) Architectural Plans prepared by Design Tribe Projects, Project No. 2020, including the following:

Plan Number and Revision	Plan description	Plan Date	Date received by Council
DA1.01 / Rev A	Lower Ground Floor Plan	12/11/20	20/11/2020
DA1.02 / Rev A	Ground Floor Plan	12/11/20	20/11/2020
DA1.03 / Rev A	First Floor Plan	12/11/20	20/11/2020
DA1.04 / Rev A	Roof + Landscape Plan	12/11/20	20/11/2020
DA1.05 / Rev A	Elevations 01 + 02	12/11/20	20/11/2020
DA1.06 / Rev A	Sections 01 + 02	12/11/20	20/11/2020
DA1.07 / Rev A	Schedule of Materials	24/09/20	29/09/2020

- (b) BASIX Certificate,

- (c) The Site Waste and Recycling Management Plan (SWRMP) Part 1, received by Council on 29/09/2020.

2. PUBLIC UTILITIES AND SERVICE ALTERATIONS

Any utility services and all public infrastructure which require alteration due to works associated with the development, both internally and externally of the development boundary, shall be altered at the Applicant's expense. This includes both temporary and permanent alterations.

3. PUBLIC AREAS AND RESTORATION WORKS

Public areas must be maintained in a safe condition at all times. Restoration of disturbed road and footway areas due to construction activities must be made safe to the general public and be regarded as a high level priority. This includes, but not limited to works performed for the purpose of connection/s to public utilities, including repairs of damaged infrastructure. Should Council discover any unsafe construction activities within the public areas surrounding the development, the works must be resolved immediately to the satisfaction of Council.

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.

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 (i.e. public land) as a consequence of the works and completing any public work (such as road work, kerbing and guttering, footway construction, stormwater drainage and environmental controls) required in connection with the consent.

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

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. 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.

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. 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.

11. 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.

12. ESSENTIAL SERVICES - EXISTING BUILDING

Details of the currently implemented and proposed essential fire safety measures shall be submitted to Council, with the Construction Certificate, in the form of a Fire Safety Schedule. This Schedule shall be prepared by a person competent to do so and shall specify the minimum standard of performance for each essential fire safety measure included in the Schedule.

At the completion of the installation, a Final Fire Safety Certificate shall be attached to the Occupation Certificate, certifying that each essential fire safety measure specified within the current Fire Safety Schedule:

- (a) has been assessed by a properly qualified person; and
- (b) found to be capable of performing to at least the standard required by the current Fire Safety Schedule for the building for which the Certificate is issued.

STORMWATER & PUBLIC INFRASTRUCTURE MANAGEMENT

13. 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 to the Executive Manager, Infrastructure Services (or delegate) prior to the issue of the 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.

Notes:

- 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)

14. UTILITY PILLAR

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

15. ELECTRICAL CONNECTION

All mains electrical connections to the development must be routed underground. Council will not accept the erection of newly placed electricity columns within the Council's Public Domain to support the development.

ENERGY EFFICIENCY & SUSTAINABILITY

16. BASIX

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

WASTE

17. SITE WASTE AND RECYCLING MANAGEMENT PLAN

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

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

18. 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.

19. DILAPIDATION REPORT

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

20. 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.

21. OBSTRUCTION TO PUBLIC AREAS

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

- (a) a hoarding fence must be erected between the building site and the public place of the proposed building and the public place. If necessary, an awning sufficient to prevent any substance from, or in connection with, the work falling into the public place, is also to be erected;
- (b) the work is to be kept lit during the time between sunset and sunrise if the work may be of a sort of danger to persons using the public place; and

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

DEMOLITION & EXCAVATION

22. DEMOLITION – ASBESTOS AND HAZARDOUS MATERIALS

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

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

23. CONTROL OF DUST ON CONSTRUCTION SITES

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

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

24. CLASSIFICATION OF WASTE/ DISPOSAL OF EXCAVATED SOILS

Prior to the exportation of waste (including fill or soil) from the site the material must be classified in accordance with the provisions of the Protection of the Environment Operations Act, 1997 and the NSW EPA Waste classification guidelines 2014.

CONSTRUCTION MATTERS

25. CONSTRUCTION HOURS

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

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

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

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

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

27. CONSTRUCTION INSPECTIONS

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

28. CERTIFICATE OF SURVEY - LEVELS

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

29. CERTIFICATE OF SURVEY - BOUNDARIES AND LOCATION OF BUILDING

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

TREE PROTECTION AND REMOVAL

30. 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.

31. 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.

CERTIFICATES, LICENCES, EASEMENTS AND RESTRICTIONS

32. 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.

33. FIRE SAFETY WORKS

The Occupation Certificate is not be issued until all fire safety works are completed and a Final Fire Safety Certificate has been submitted to Council.

34. CERTIFICATION OF BASIX COMMITMENTS

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

35. WORKS-AS-EXECUTED DRAWINGS – STORMWATER DRAINAGE

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 and other drainage related infrastructure. An original or a colour copy must be submitted to Waverley Council.

A suitably qualified and practising Civil 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.

36. COMPLIANCE CERTIFICATE

Prior to the issue of any Occupation Certificate, a final Compliance Certificate shall be obtained from Council confirming that all works in the road reserve including all public domain infrastructure works and restoration, have been completed to Council's satisfaction.

OTHER MATTERS

37. STREET NUMBER

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

38. INSTALLATION OF AIR CONDITIONING

Any air conditioning units installed within the building shall:

- (a) Not reduce the structural integrity of the building.
- (b) Not emit noise that is audible within a habitable room in any other residential property (regardless of whether any door or window to that room is open):
 - (i) before 8.00am and after 10.00pm on any Saturday, Sunday or public holiday; or
 - (ii) before 7.00am and after 10.00pm on any other day.
- (c) Not provide noise emissions that exceed 5dBA above the ambient background noise level measured at the property boundary at any other time outside of (e).

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. ENGINEERING PLAN ASSESSMENT AND WORKS INSPECTION FEES

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

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

AD3. 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.

AD4. 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.

AD5. 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.

AD6.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.

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.

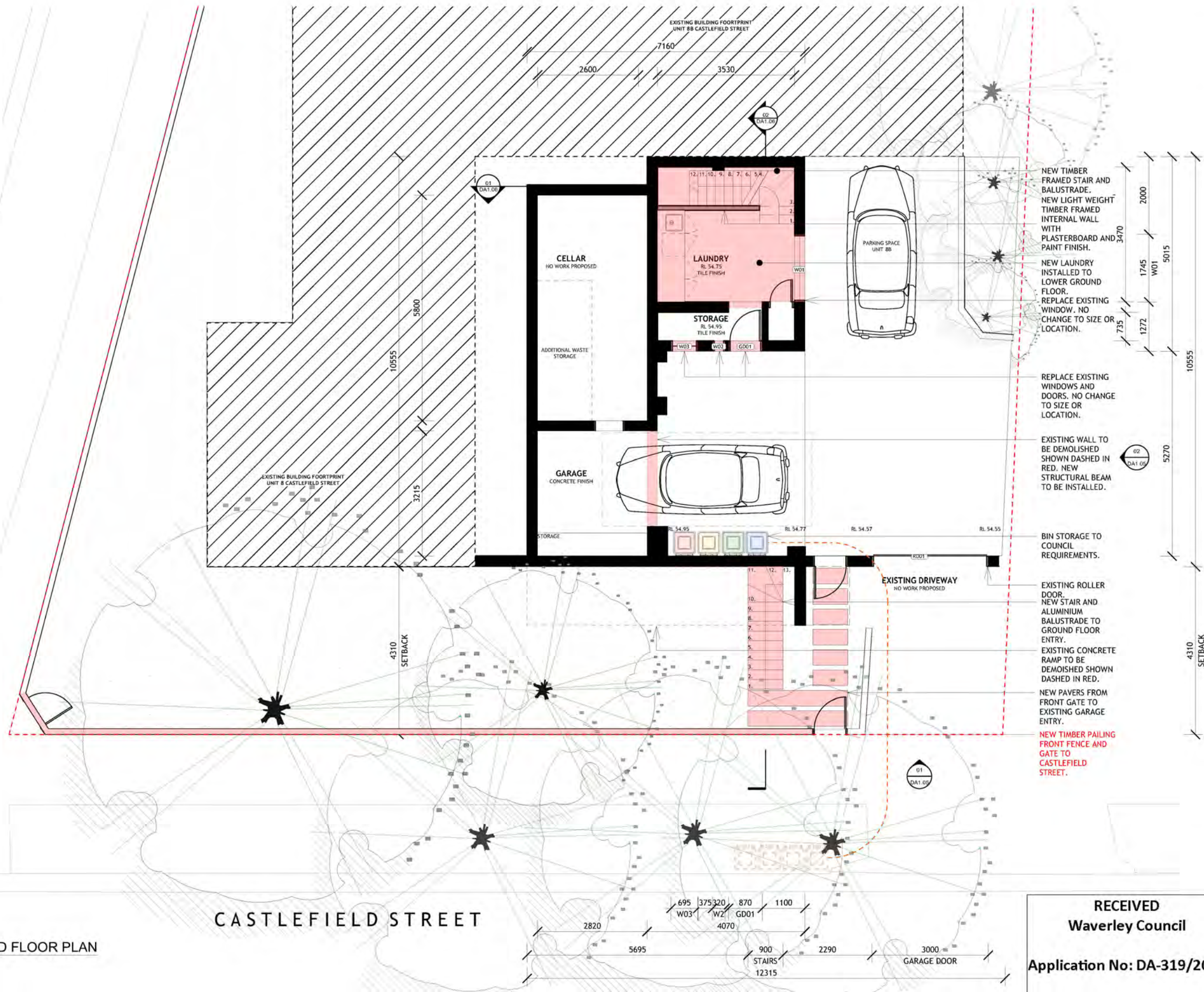
AD8. WORK OUTSIDE PROPERTY BOUNDARY

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

AD9.STRATA SUBDIVISION

This consent includes approval for amendments to the existing strata subdivision of the development. In respect to the allocation of car parking and storage spaces, those spaces are not permitted to be

subdivided as individual allotments and are to be part lots allocated to individual residential allotments or identified as common property as shown on the approved plans. Parts allotments are to be generally allocated in accordance with the parking and storage requirements of Waverley Development Control Plan 2012. No exclusive use of common property shall occur without the prior consent of Council.



1 LOWER GROUND FLOOR PLAN
Scale: 1:100

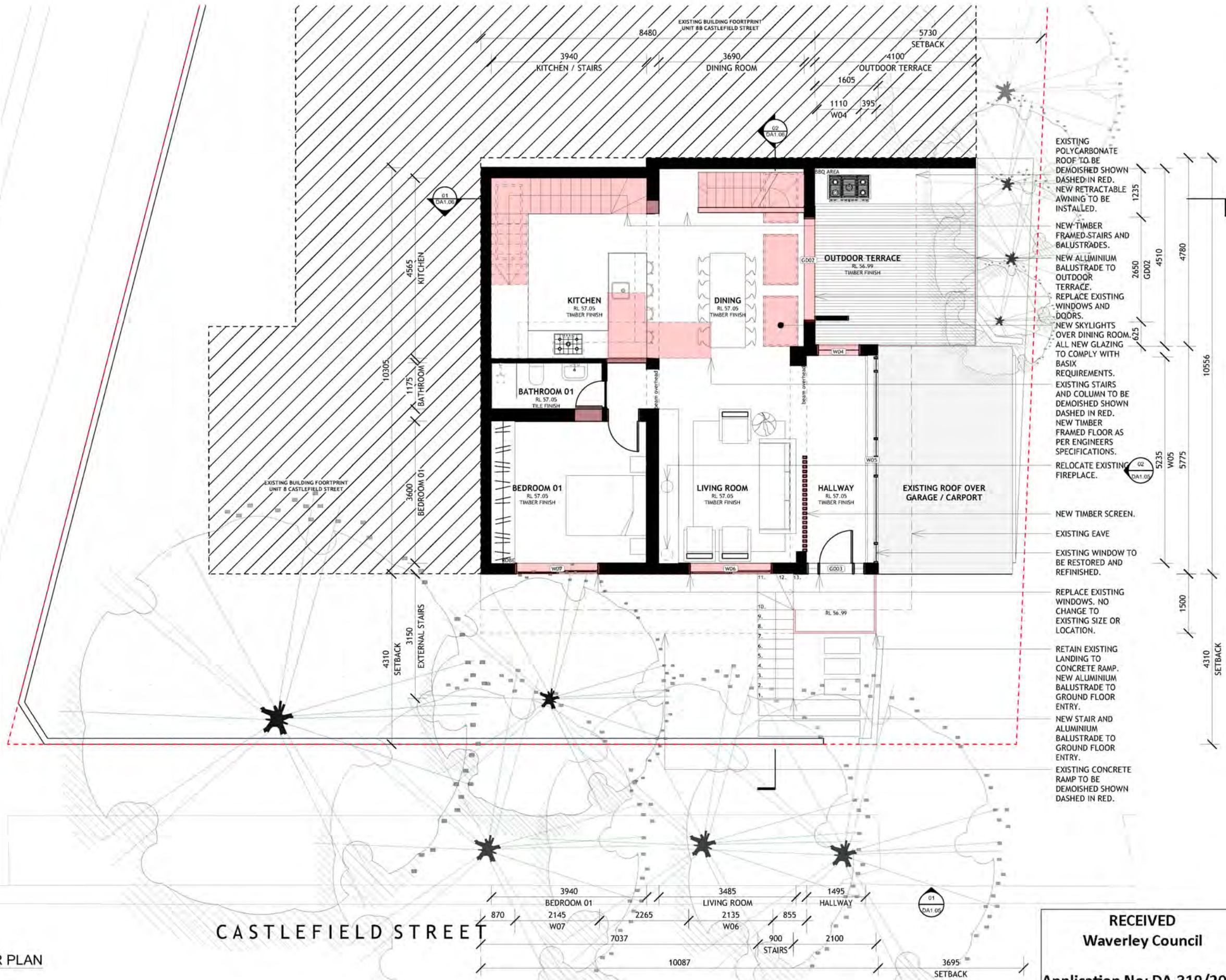
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No.	Date	REVISION	By	Stage	Drawing No.	Drawing Title	Rev #	A	SCALE	PAGE
A	12/11/20	REQUEST FOR INFORMATION UPDATES	MS	DEVELOPMENT APPLICATION	CASTLEFIELD HOUSE		ISSUE #	C	1:100 @ A3	ISO A3
				Address 8a CASTLEFIELD STREET, BONDI	Drawing Title LOWER GROUND FLOOR PLAN					
No.	Date	ISSUE	By							
A	11/9/20	ISSUED FOR STRATA APPROVAL	MS	Client	Project No.	2020	Dwg Date: 21/8/20			
B	24/9/20	ISSUED TO COUNCIL	MS	JONATHAN KATZ						
C	12/11/20	ISSUED TO COUNCIL	MS				Checked By: MS			

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**DESIGN
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No.	Date	REVISION	By	Stage	CASTLEFIELD HOUSE	Drawing No.
A	12/11/20	REQUEST FOR INFORMATION UPDATES	MS	DEVELOPMENT APPLICATION		DA1.02
				Address 8a CASTLEFIELD STREET, BONDI	Drawing Title GROUND FLOOR PLAN	Rev # A SCALE PAGE ISSUE # C 1:100 @ ISO A3
No.	Date	ISSUE	By			
A	11/9/20	ISSUED FOR STRATA APPROVAL	MS	Client	Project No. 2020	Dwg Date: 21/8/2020
B	24/9/20	ISSUED TO COUNCIL	MS	JONATHAN KATZ		40
C	12/11/20	ISSUED TO COUNCIL	MS			Checked By MS Drawn By MS

MILLER STREET

CASTLEFIELD STREET

1 FIRST FLOOR PLAN
Scale: 1:100

4165 MASTER BEDROOM
2130
W12
4705
1097
1255
475
1700
200
W09
3620
OUTDOOR TERRACE

NEW FIXED SKYLIGHTS OVER STAIRS AND WARDROBE. ALL NEW GLAZING TO COMPLY WITH BASIX REQUIREMENTS.

INFILL EXISTING TERRACE TO PROVIDE ENSUITE.

EXISTING POLYCARBONATE ROOF TO BE DEMOLISHED SHOWN DASHED IN RED. NEW RETRACTABLE AWNING TO BE INSTALLED.

NEW WINDOWS TO FIRST FLOOR ENSUITE. ALL NEW GLAZING TO COMPLY WITH BASIX REQUIREMENTS. NEW TIMBER FRAMED STAIR AND BALUSTRADE.

NEW ALUMINIUM BALUSTRADE TO OUTDOOR TERRACE.

NEW FIXED SKYLIGHTS OVER DINING ROOM. ALL NEW GLAZING TO COMPLY WITH BASIX REQUIREMENTS.

NEW LIGHT WEIGHT TIMBER FRAMED INTERNAL WALL.

LOCATION OF PREVIOUSLY APPROVED ENSUITE IN DA-478/2014 SHOWN DASHED.

EXISTING STAIRS TO BE DEMOLISHED SHOWN DASHED IN RED. NEW TIMBER FRAMED FLOOR AS PER ENGINEERS SPECIFICATIONS. REPLACE EXISTING WINDOW AND DOOR WITH DOUBLE HINGED DOORS.

MOVE AND REPLACE EXISTING SLIDING WINDOW. ALL NEW GLAZING TO COMPLY WITH BASIX REQUIREMENTS.

RETAIN EXISTING ROOF. GUTTER REPAIR WHERE REQUIRED.

RECEIVED
Waverley Council

Application No: DA-319/2020

Date Received: 20/11/2020

BASIX Certificate

Alterations and Additions

DESCRIPTION OF PROJECT

Project Name: Castlefield House

Address: 8a Castlefield Street, Bondi

Client: Jonathan Katz

Project No: 2020

Project Title: First Floor Plan

Project No: 2020

Rev # A SCALE PAGE

ISSUE # C 1:100 @ ISO A3

Dwg Date: 21/8/2020

Checked By MS

Drawn By MS

41

FOR DEVELOPMENT APPLICATION ONLY



Notes

- PROPOSED NEW WORK
- EXISTING WALLS TO BE RETAINED
- PROPOSED NEW WALLS
- WALLS TO BE DEMOLISHED
- LOT BOUNDARY



No.	Date	REVISION	By	Stage	CASTLEFIELD HOUSE	Drawing No.
A	12/11/20	REQUEST FOR INFORMATION UPDATES	MS	DEVELOPMENT APPLICATION	8a CASTLEFIELD STREET, BONDI	DA1.03
No.	Date	ISSUE	By	Client	Project No.	Rev #
A	11/9/20	ISSUED FOR STRATA APPROVAL	MS	JONATHAN KATZ	2020	A
B	24/9/20	ISSUED TO COUNCIL	MS			C
C	12/11/20	ISSUED TO COUNCIL	MS			

MILLER STREET

CASTLEFIELD STREET

1 ROOF + LANDSCAPING PLAN
Scale: 1:100

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DESIGN
TRIBE
PROJECTS

TP

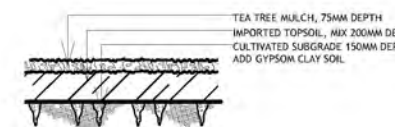
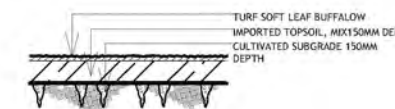
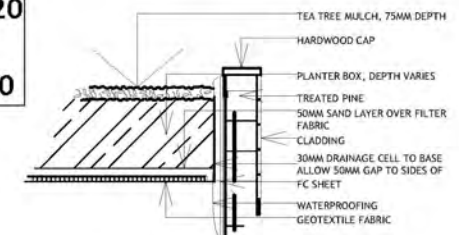
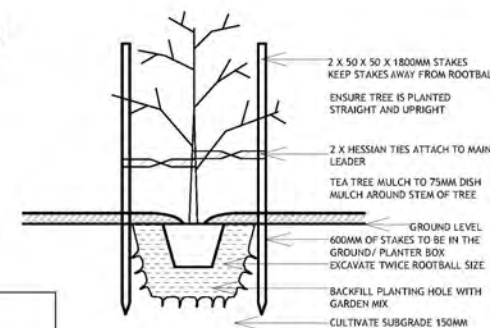
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- Notes
- PROPOSED NEW WORK
 - EXISTING WALLS TO BE RETAINED
 - PROPOSED NEW WALLS
 - WALLS TO BE DEMOLISHED
 - LOT BOUNDARY



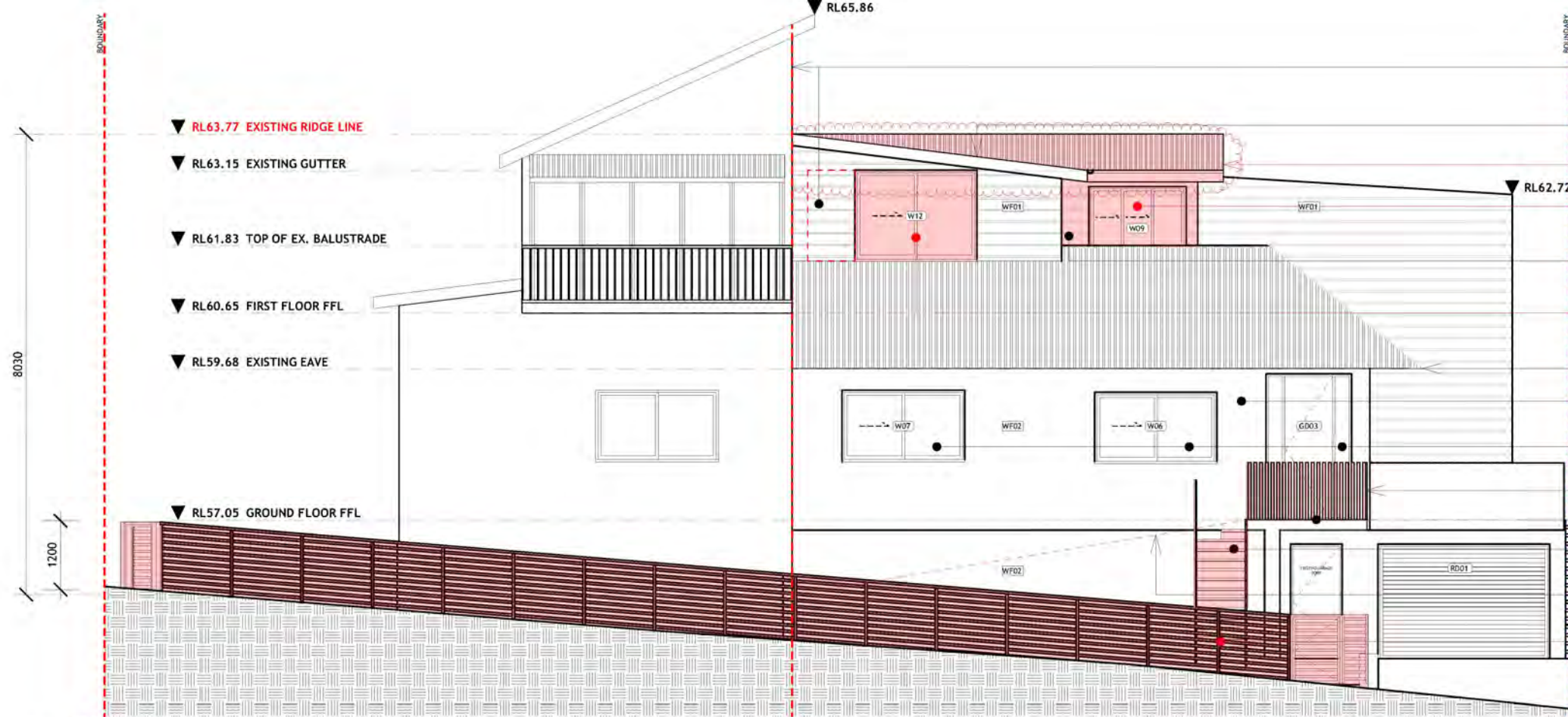
No.	Date	REVISION	By	Stage	CASTLEFIELD HOUSE	Drawing No. DA1.04
A	12/11/20	REQUEST FOR INFORMATION UPDATES	MS	DEVELOPMENT APPLICATION		
					Address 8a CASTLEFIELD STREET, BONDI	Drawing Title ROOF + LANDSCAPE PLAN
					Client JONATHAN KATZ	Project No. 2020
No.	Date	ISSUE	By			Rev # A SCALE PAGE
A	11/9/20	ISSUED FOR STRATA APPROVAL	MS			ISSUE # C 1:100 @ ISO A3
B	24/9/20	ISSUED TO COUNCIL	MS			
C	12/11/20	ISSUED TO COUNCIL	MS			Dwg Date: 21/8/2020 Checked By MS 42

- EROSION PLAN + STORMWATER NOTES
- STORAGE AREAS TO BE CLEAR FROM DRAINS, GUTTERS AND FOOTPATHS
 - FRONT GARDEN AREA TO BE USED AS ON SITE STORAGE
 - GEOTEXTILE FABRIC WITH GRAVEL ON ALL CRITICAL BOUNDARIES (AS SHOWN ON PLAN)
 - SITE ACCESS TO REMAIN RESTRICTED THROUGHOUT CONSTRUCTION PERIOD
 - EXISTING DRAINS TO BE FITTED WITH ROLLED WIRE MESH AND GEOTEXTILE FABRIC FILLED WITH GRAVEL. RECONNECTION TO STORMWATER SYSTEM AS SOON AS POSSIBLE
 - ALL EROSION AND SEDIMENT CONTROL MEASURES INCLUDING SWEEPING OF FOOTPATH TO BE INSPECTED AND MAINTAINED DAILY
 - COUNCIL APPROVAL TO BE OBTAINED PRIOR TO PLACEMENT OF ANY MATERIAL ON THE FOOTPATH
 - MAINTAIN ALL EXISTING STORMWATER CONNECTIONS AND CONNECT ALL NEW ROOFS TO EXISTING STORMWATER SYSTEMS OR RAINWATER TANKS

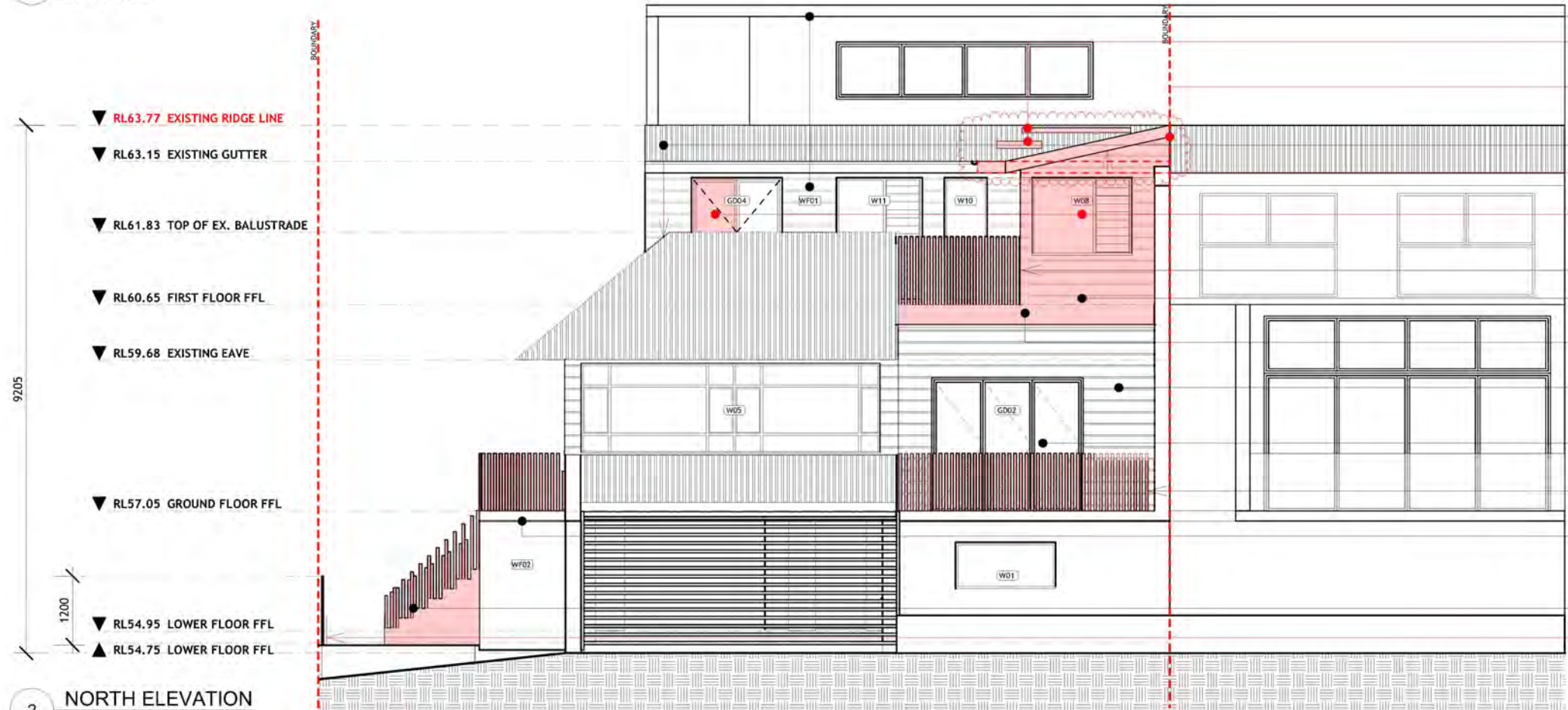


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Application No: DA-319/2020
Date Received: 20/11/2020

NEW FIXED SKYLIGHTS. ALL NEW GLAZING TO COMPLY WITH BASIX REQUIREMENTS.
MAINTAIN EXISTING STORMWATER CONNECTIONS
EXISTING POLYCARBONATE ROOF TO BE DEMOLISHED SHOWN DASHED IN RED. NEW RETRACTABLE AWNING TO BE INSTALLED.
AREA OF ROOF TO BE DEMOLISHED SHOWN DASHED IN RED.
NEW COLORBOND CUSTOM ORB ROOF TO NEW FIRST FLOOR ENSUITE.
NEW COLORBOND CUSTOM ORB FLAT ROOF TO REPLACE POLYCARBONATE ROOF.
NEW FIXED SKYLIGHTS OVER DINING ROOM. ALL NEW GLAZING TO COMPLY WITH BASIX REQUIREMENTS.
MAINTAIN EXISTING STORMWATER CONNECTIONS
RETAIN EXISTING METAL ROOF. GUTTER REPAIR WHERE REQUIRED.



EAST ELEVATION
Scale: 1:100



NORTH ELEVATION
Scale: 1:100

RE-PAINT EXISTING EXTERNAL WEATHERBOARD CLADDING TO UNIT 8 AND NORTH FACING EXTERNAL WALL OF UNIT 8 TO MATCH UNIT 8B. RETAIN EXISTING ROOF. GUTTER REPAIR WHERE REQUIRED.

NEW COLORBOND CUSTOM ORB ROOF WITH HALF ROUND GUTTER TO NEW FIRST FLOOR ENSUITE. NEW SLIDING WINDOWS TO FIRST FLOOR ENSUITE. ALL NEW GLAZING TO COMPLY WITH BASIX REQUIREMENTS. NEW LIGHT WEIGHT TIMBER FRAMED EXTERNAL WALL TO FIRST FLOOR ENSUITE WITH WEATHERBOARD CLADDING AND PAINT FINISH. MOVE AND REPLACE EXISTING SLIDING WINDOW. ALL NEW GLAZING TO COMPLY WITH BASIX REQUIREMENTS.

RETAIN EXISTING ROOF. GUTTER REPAIR WHERE REQUIRED. EXISTING EXTERNAL WALL WITH NEW PAINT FINISH.

REPLACE EXISTING WINDOWS AND DOORS. NO CHANGE TO SIZE OR LOCATION. NEW ALUMINIUM BALUSTRADE TO OUTDOOR TERRACE. RETAIN EXISTING LANDING TO CONCRETE RAMP. NEW STAIR AND ALUMINIUM BALUSTRADE TO GROUND FLOOR ENTRY. EXISTING CONCRETE RAMP TO BE DEMOISHED SHOWN DASHED IN RED.

NEW FRONT FENCE AND GATE TO CASTLEFIELD STREET.

RE-PAINT ALL EXISTING EXTERNAL WEATHERBOARD CLADDING TO UNIT 8A AND NORTH FACING EXTERNAL WALL OF UNIT 8 TO MATCH UNIT 8B.

NEW FIXED SKYLIGHTS OVER STAIRS. ALL NEW GLAZING TO COMPLY WITH BASIX REQUIREMENTS. PARTY WALL TO BE EXTENDED TO MEET NEW ROOFLINE. INTERFACE TO BE FLASHED AND WATERPROOFED ADEQUATELY.

RETAIN EXISTING ROOF. GUTTER REPAIR WHERE REQUIRED. NEW COLORBOND CUSTOM ORB ROOF WITH HALF ROUND GUTTER TO NEW FIRST FLOOR ENSUITE. NEW FIXED AND LOUVRE WINDOW AND DOUBLE HINGED DOOR TO FIRST FLOOR. ALL NEW GLAZING TO COMPLY WITH BASIX REQUIREMENTS.

NEW ALUMINIUM BALUSTRADE TO OUTDOOR TERRACE. NEW LIGHT WEIGHT TIMBER FRAMED EXTERNAL WALL TO FIRST FLOOR ENSUITE WITH WEATHERBOARD CLADDING. NEW COLORBOND CUSTOM ORB FLAT ROOF WITH SKYLIGHTS TO REPLACE POLYCARBONATE ROOF. EXISTING LIGHT WEIGHT TIMBER FRAMED EXTERNAL WALL WITH NEW WEATHERBOARD CLADDING AND PAINT FINISH. REPLACE EXISTING DOORS. NO CHANGE TO SIZE OR LOCATION.

NEW ALUMINIUM BALUSTRADE TO OUTDOOR TERRACE.

RETAIN EXISTING LANDING TO CONCRETE RAMP.

NEW STAIR AND ALUMINIUM BALUSTRADE TO GROUND FLOOR ENTRY. NEW FRONT FENCE AND GATE TO CASTLEFIELD STREET.

BASIX Certificate
BASIX Certificate for the BASIX requirements of the Building Code of Australia (BCA) Part 3.6.1. The BASIX Certificate is a statement of compliance with the BASIX requirements of the BCA Part 3.6.1. The BASIX Certificate is issued by the BASIX Council of New South Wales.

Basix Council of New South Wales
The BASIX Council of New South Wales is the body responsible for the administration of the BASIX requirements of the BCA Part 3.6.1. The BASIX Council of New South Wales is a not-for-profit organisation.

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FOR DEVELOPMENT APPLICATION ONLY



Notes	
PROPOSED NEW WORK	WF01 PAINTED WEATHERBOARD CLADDING
EXISTING WALLS TO BE RETAINED	WF02 RENDERED MASONRY WALL
PROPOSED NEW WALLS	
WALLS TO BE DEMOISHED	
LOT BOUNDARY	

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Application No: DA-319/2020

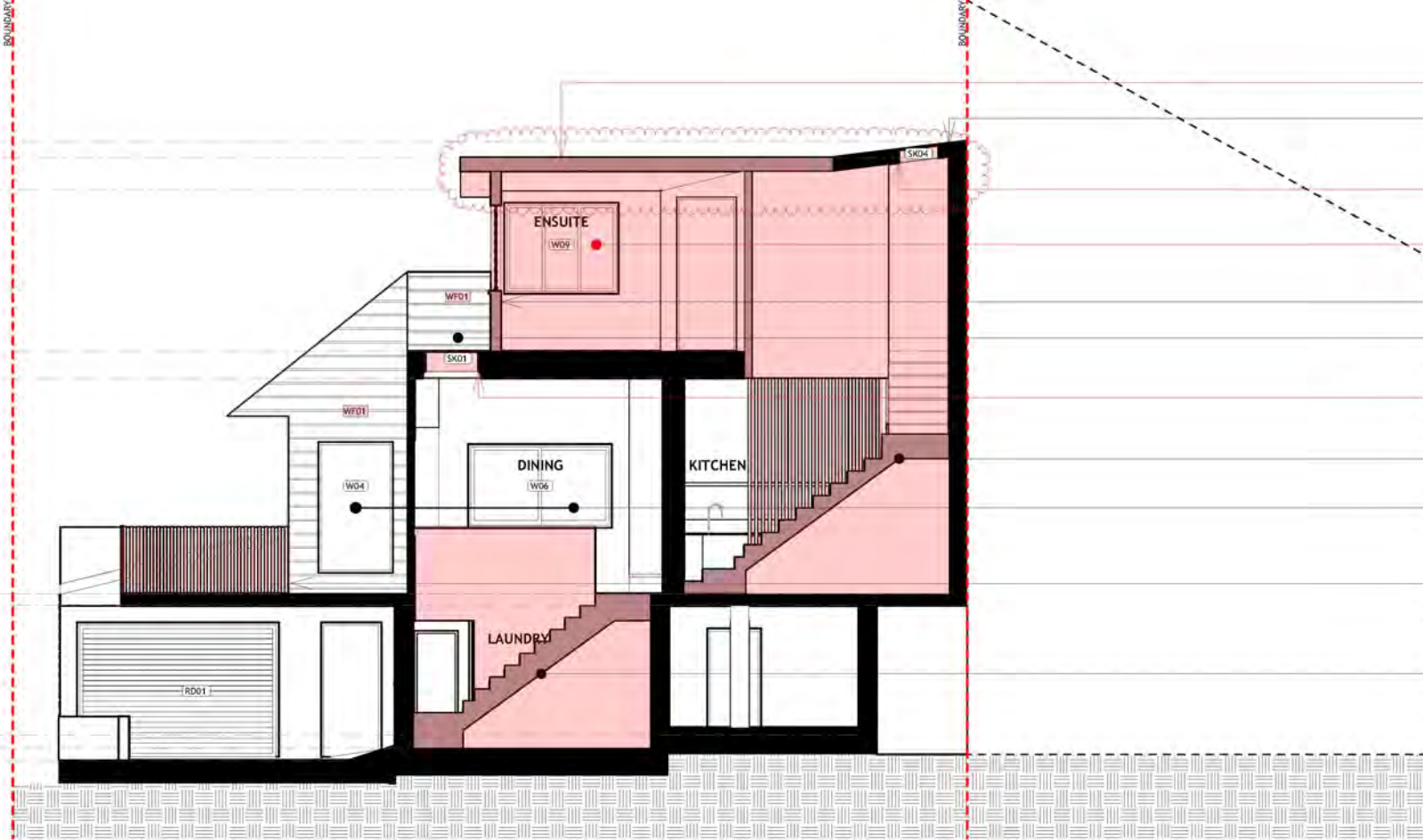
Date Received: 20/11/2020

No.	Date	REVISION	By	Stage	Address	Project No.	Drawing No.
A	12/11/20	REQUEST FOR INFORMATION UPDATES	MS	DEVELOPMENT APPLICATION	8a CASTLEFIELD STREET, BONDI	2020	DA1.05
No.	Date	ISSUE	By	Client	Project No.	Drawing No.	
A	11/9/20	ISSUED FOR STRATA APPROVAL	MS	JONATHAN KATZ	2020	DA1.05	
B	24/9/20	ISSUED TO COUNCIL	MS				
C	12/11/20	ISSUED TO COUNCIL	MS				

43

▼ RL63.77 EXISTING RIDGE LINE
▼ RL60.65 FIRST FLOOR FFL
▼ RL57.05 GROUND FLOOR FFL
▼ RL54.95 LOWER FLOOR FFL
▼ RL54.75 LOWER FLOOR FFL
▲ RL54.55 LOWER FLOOR FFL

1 SECTION 01
Scale: 1:100



NEW COLORBOND CUSTOM ORB ROOF TO NEW FIRST FLOOR ENSUITE.
RETAIN EXISTING ROOF. GUTTER REPAIR WHERE REQUIRED.

NEW FIXED SKYLIGHTS OVER STAIRS. ALL NEW GLAZING TO COMPLY WITH BASIX REQUIREMENTS.

NEW SLIDING WINDOWS TO FIRST FLOOR ENSUITE. ALL NEW GLAZING TO COMPLY WITH BASIX REQUIREMENTS.

NEW LIGHT WEIGHT TIMBER FRAMED EXTERNAL WALL TO FIRST FLOOR ENSUITE WITH WEATHERBOARD CLADDING AND PAINT FINISH.
RE-PAINT EXISTING LIGHT WEIGHT EXTERNAL WALL WITH WEATHERBOARD CLADDING.

NEW FIXED SKYLIGHTS OVER DINING ROOM. ALL NEW GLAZING TO COMPLY WITH BASIX REQUIREMENTS.

NEW TIMBER FRAMED STAIR AND BALUSTRADE. JOINERY DOORS TO STORAGE UNDERNEATH.

REPLACE EXISTING WINDOWS AND DOORS.

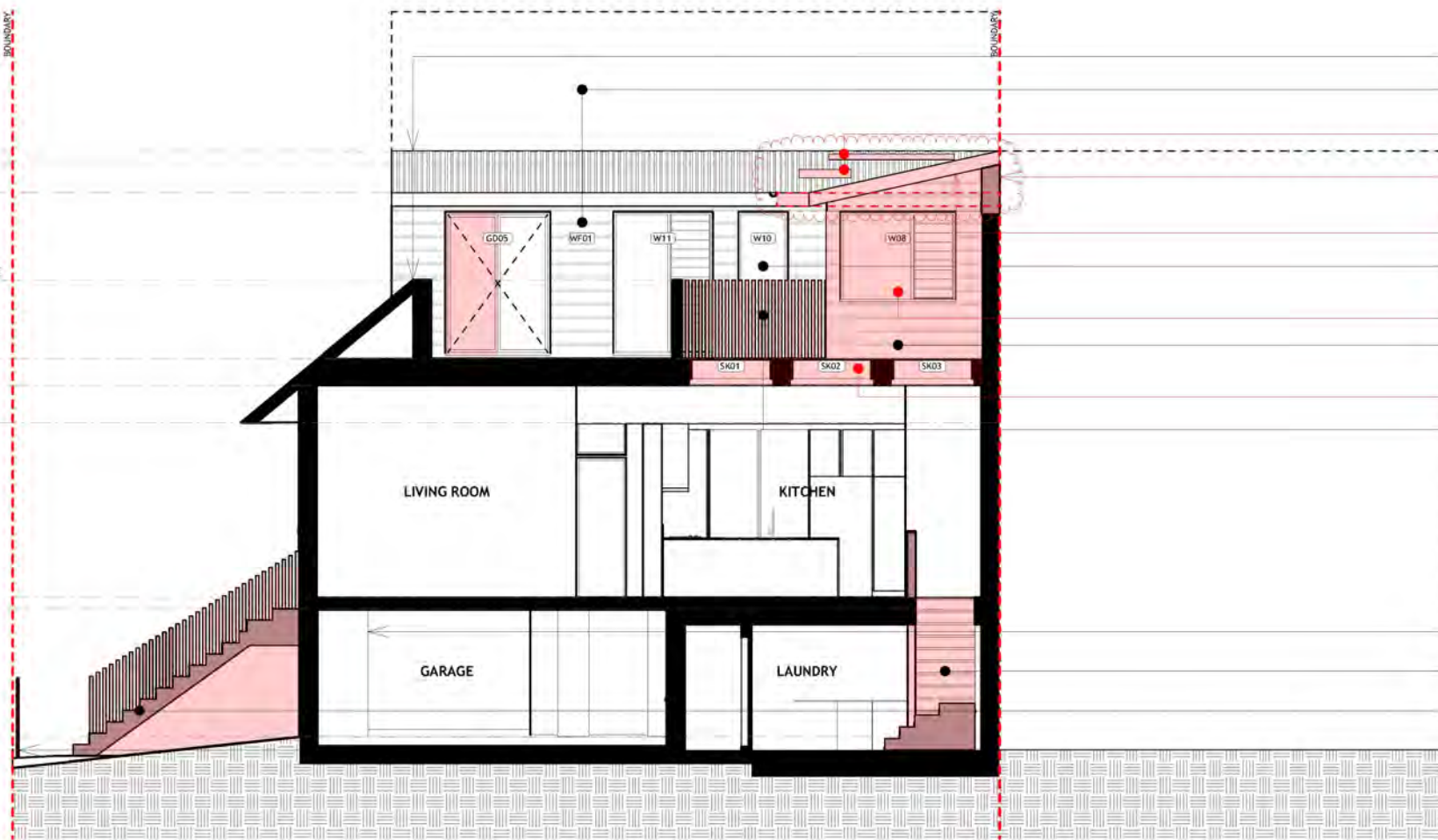
NEW ALUMINIUM BALUSTRADE TO OUTDOOR TERRACE.

NEW TIMBER FRAMED STAIR AND BALUSTRADE. JOINERY DOORS TO STORAGE UNDERNEATH.

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Application No: DA-319/2020
Date Received: 20/11/2020

▼ RL63.77 EXISTING RIDGE LINE
▼ RL63.58 NEW RIDGE LINE
▼ RL63.15 EXISTING GUTTER
▼ RL61.83 TOP OF EX. BALUSTRADE
▼ RL60.65 FIRST FLOOR FFL
▼ RL59.68 EXISTING EAVE
▼ RL57.05 GROUND FLOOR FFL
▼ RL54.95 LOWER FLOOR FFL
▲ RL54.75 LOWER FLOOR FFL

2 SECTION 01
Scale: 1:100



RETAIN EXISTING ROOF. GUTTER REPAIR WHERE REQUIRED.
RE-PAINT ALL EXISTING EXTERNAL WEATHERBOARD CLADDING TO UNIT 8A AND NORTH FACING EXTERNAL WALL OF UNIT 8 TO MATCH UNIT 8B.
NEW SKYLIGHTS OVER STAIRS. ALL NEW GLAZING TO COMPLY WITH BASIX REQUIREMENTS.

PARTY WALL TO BE EXTENDED TO MEET NEW ROOFLINE. INTERFACE TO BE FLASHED AND WATERPROOFED ADEQUATELY.

NEW COLORBOND CUSTOM ORB ROOF WITH HALF ROUND GUTTER TO NEW FIRST FLOOR ENSUITE.
REPLACE EXISTING WINDOWS AND DOORS.

NEW FIXED AND LOUVRE WINDOW TO FIRST FLOOR ENSUITE. ALL NEW GLAZING TO COMPLY WITH BASIX REQUIREMENTS.

NEW LIGHT WEIGHT TIMBER FRAMED EXTERNAL WALL TO FIRST FLOOR ENSUITE WITH WEATHERBOARD CLADDING AND PAINT FINISH.

NEW COLORBOND CUSTOM ORB FLAT ROOF WITH FIXED SKYLIGHTS TO REPLACE POLYCARBONATE ROOF.

NEW ALUMINIUM BALUSTRADE TO OUTDOOR TERRACE.

EXISTING WALL TO BE DEMOLISHED SHOWN DASHED IN RED. NEW STRUCTURAL BEAM TO BE INSTALLED.

NEW TIMBER FRAMED STAIR AND BALUSTRADE. JOINERY DOORS TO STORAGE UNDERNEATH.

NEW STAIR AND ALUMINIUM BALUSTRADE TO GROUND FLOOR ENTRY.

NEW TIMBER FRONT FENCE AND GATE TO CASTLEFIELD STREET.



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Notes
PROPOSED NEW WORK
EXISTING WALLS TO BE RETAINED
PROPOSED NEW WALLS
WALLS TO BE DEMOLISHED
LOT BOUNDARY

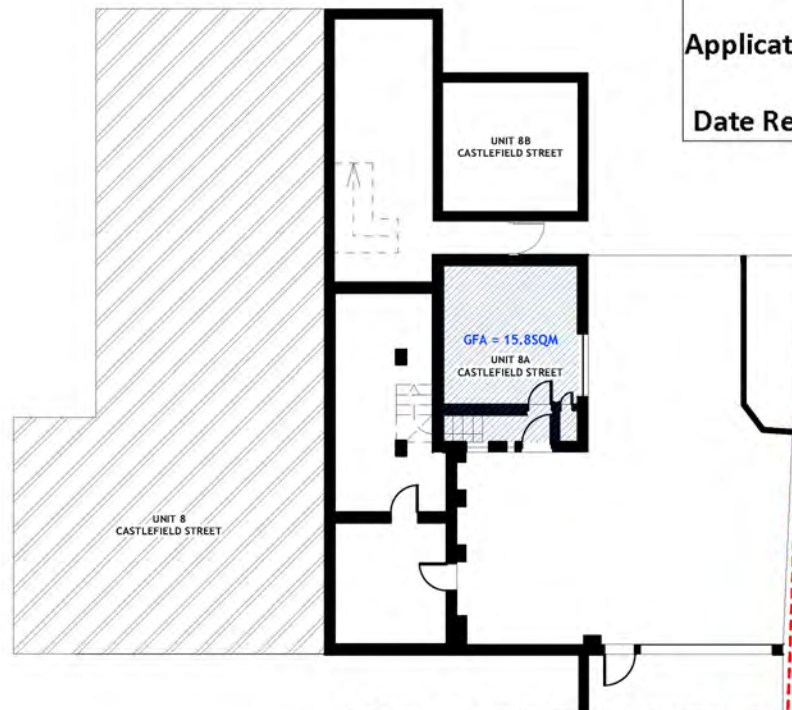
WF01 PAINTED WEATHERBOARD CLADDING
WF02 RENDERED MASONRY WALL



No.	Date	REVISION	By	Stage	Address	Project No.	Drawing No.
A	12/11/20	REQUEST FOR INFORMATION UPDATES	MS	DEVELOPMENT APPLICATION	8a CASTLEFIELD STREET, BONDI	2020	DA1.06
No.	Date	ISSUE	By	Client	Project No.	Rev #	SCALE
A	11/9/20	ISSUED FOR STRATA APPROVAL	MS	JONATHAN KATZ	2020	ISSUE #	A3
B	24/9/20	ISSUED TO COUNCIL	MS			ISSUE #	C
C	12/11/20	ISSUED TO COUNCIL	MS			ISSUE #	A3

44

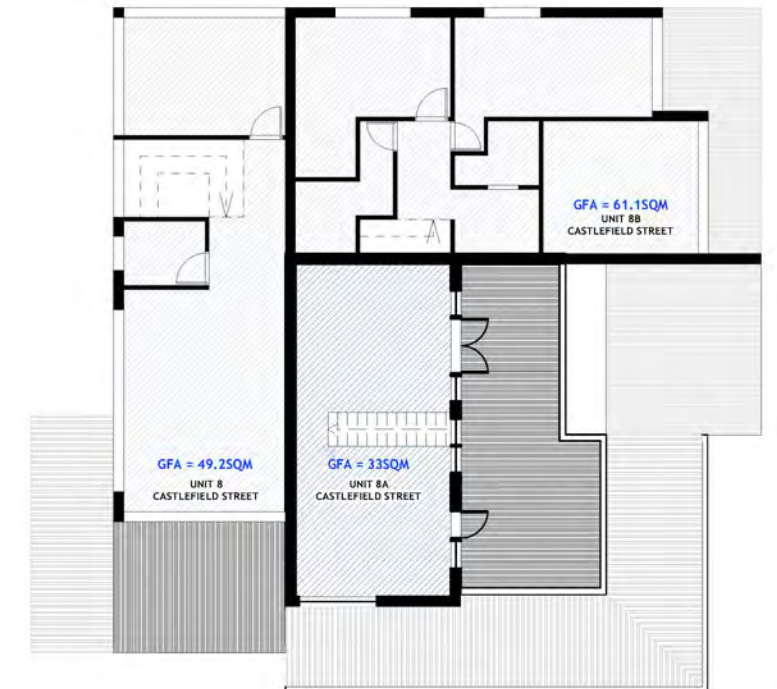
Date Received: 20/11/2020



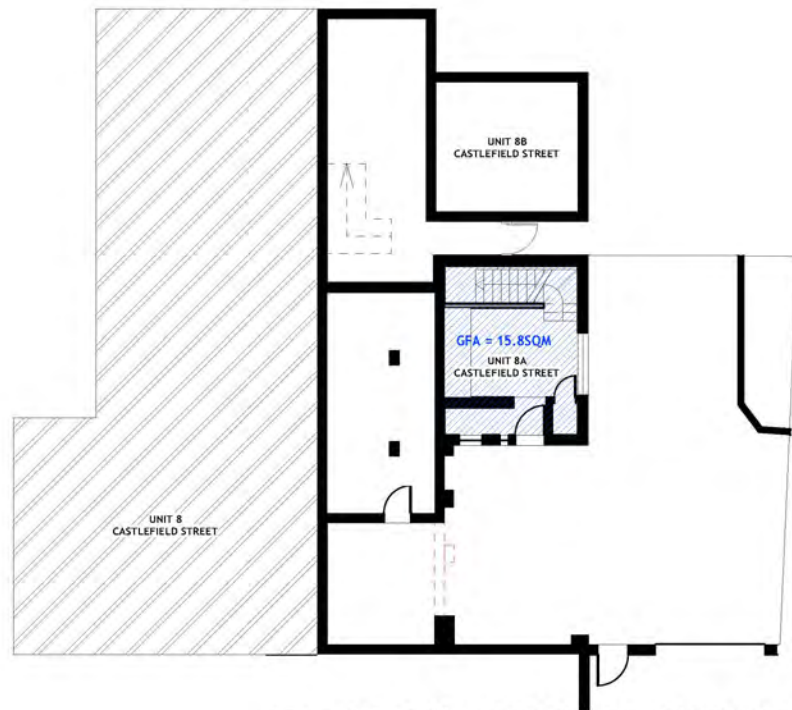
1 GFA PLAN - EXISTING LOWER GROUND
Scale: 1:200



2 GFA PLAN - EXISTING GROUND FLOOR
Scale: 1:200



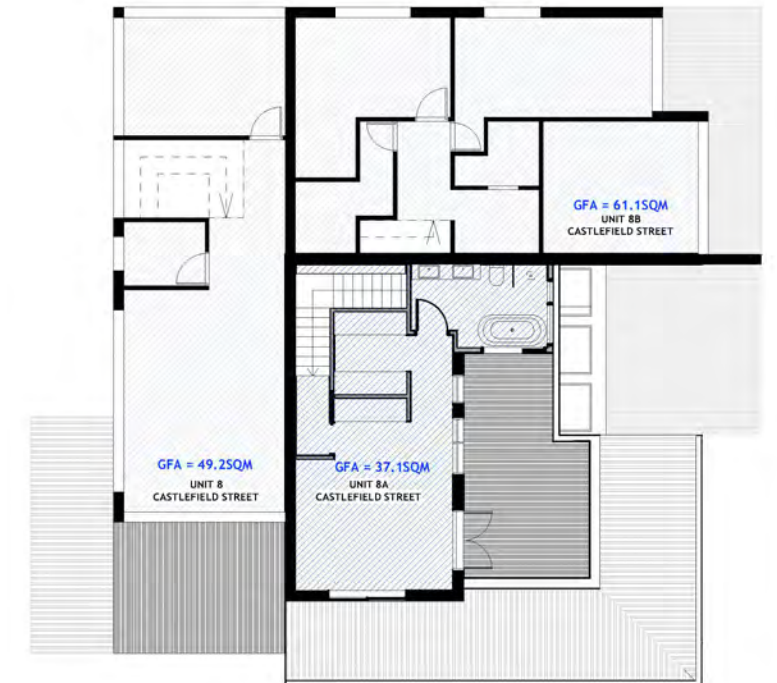
3 GFA PLAN - EXISTING FIRST FLOOR
Scale: 1:200



4 GFA PLAN - PROPOSED LOWER GROUND
Scale: 1:200



5 GFA PLAN - PROPOSED GROUND FLOOR
Scale: 1:200



6 GFA PLAN - PROPOSED FIRST FLOOR
Scale: 1:200

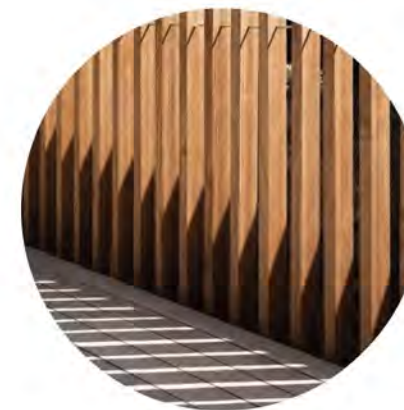
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Notes			
UNIT 8	UNIT 8A	UNIT 8B	SITE
EXISTING GFA = 132.3m2	EXISTING GFA = 132.7m2	EXISTING GFA = 120.9m2	TOTAL SITE AREA = 528m2
PROPOSED GFA = 132.3m2	PROPOSED GFA = 136.8m2	PROPOSED GFA = 120.9m2	TOTAL SITE GFA = 390m2
			FSR = 0.74:1

No.	Date	REVISION	By	Stage	CASTLEFIELD HOUSE	Drawing No.
				DEVELOPMENT APPLICATION		DA1.10
				Address	Drawing Title	Rev # SCALE PAGE
				8a CASTLEFIELD STREET, BONDI	GFA PLANS	ISSUE # C 1:100 @ ISO A3
No.	Date	ISSUE	By			
A	12/11/20	ISSUED TO COUNCIL	MS	Client	Project No. 2020	Dwg Date: 21/8/2020
B	18/11/20	ISSUED TO COUNCIL	MS	JONATHAN KATZ		Checked By MS



CONCEPT IMAGES



PROPOSED FINISHES

ALUMINIUM 'TIMBER LOOK'
EXTERNAL BALUSTRADES

**DESIGN
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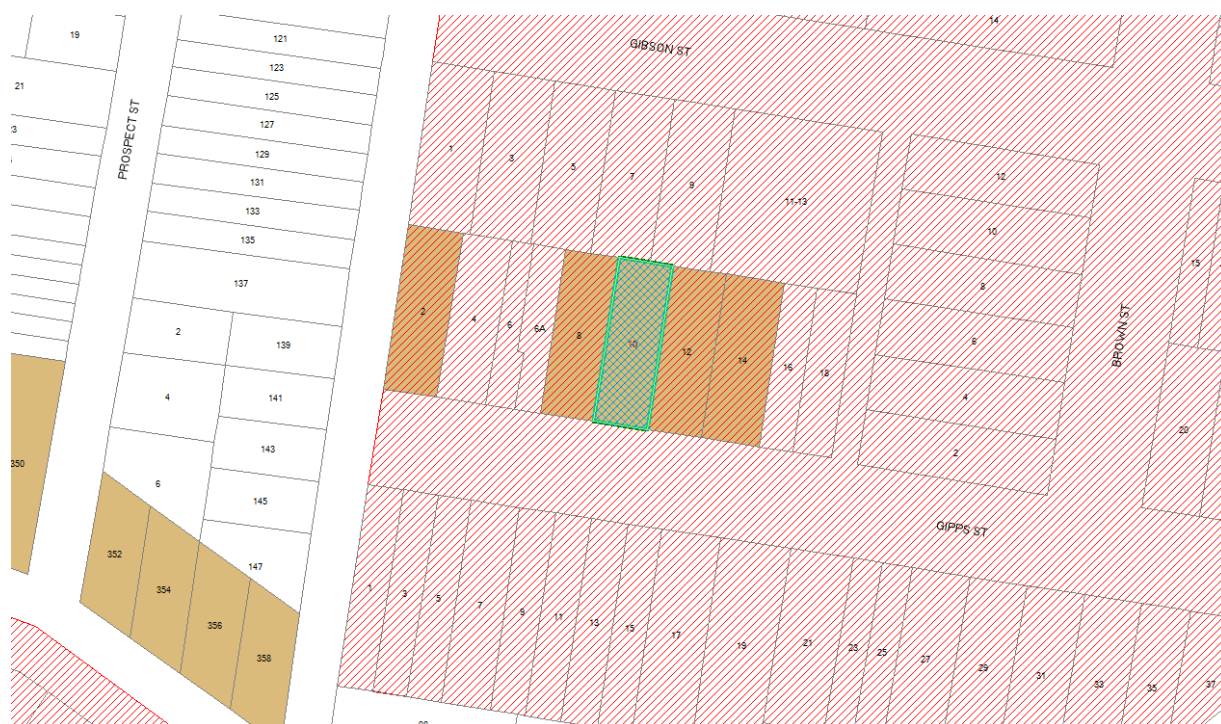
No.	Date	REVISION	By	Stage	CASTLEFIELD HOUSE	Drawing No.
				DEVELOPMENT APPLICATION		DA1.07
				Address	Drawing Title	Rev # SCALE PAGE
				8a CASTLEFIELD STREET, BONDI	SCHEDULE OF MATERIALS	ISSUE # B 1:100 @ ISO A3
No.	Date	ISSUE	By			
A	11/9/20	ISSUED FOR STRATA APPROVAL		Client	Project No. 2020	Dwg Date: 21/8/2020
B	24/9/20	ISSUED TO COUNCIL		JONATHAN KATZ		Checked By: MS



Report to the Waverley Local Planning Panel

Application number	DA-316/2020
Site address	10 Gipps Street, BRONTE
Proposal	Alterations and additions to dwelling house, including partial demolition, internal reconfiguration and first floor addition.
Date of lodgement	28 September 2020
Owner	Mrs H Whale & Mr M Whale
Applicant	Planshop
Submissions	16 unique
Cost of works	\$410,000
Issues	Materials and Finishes, Privacy
Recommendation	That the application be APPROVED

Site Map



1. PREAMBLE

1.1 Site And Surrounding Locality

A site visit was carried out on 18 February 2019.

The site is identified as Lot 1 in DP 308187, known as 10 Gipps Street, BRONTE. The site is rectangular in shape with a southern front and northern rear boundary measuring 11.2m and eastern and western side boundaries of 34.745m. The site has an area of 385.7m² and falls from the front of the property to the rear by approximately 1.42m.

The site is occupied by a single storey detached dwelling. No vehicular access is present on the site. The site is identified as a heritage item of local significance and forms part of a group of heritage items located at 8-14 Gipps Street. The site is also located within the Brown Street Heritage Conservation Area.

The subject site is adjoined by a single dwelling house on either side, both of local heritage significance. The locality is characterised by a variety of residential developments including single dwelling houses and semi-detached dwellings.



Figure 1: Site viewed from Gipps Street.



Figure 2: Rear of existing dwelling on subject site.

1.2 Relevant History

A review of Council's records revealed the following relevant history of the subject site:

- **DA-423/2007**

A Development Application was approved on 2 August 2020 for alterations and additions to the existing dwelling including a rear extension, attic level and swimming pool, subject to conditions. Condition 2(b) of the consent stated that no new works to the front elevation were approved and the front façade was to remain unaltered. The rear addition presented as a box structure. These works were not commenced and the consent lapsed.

- **DA-119/2013**

A Development Application for alterations and additions to the dwelling including ground and first floor extensions and the construction of a swimming pool was approved on 30 July 2013, subject to conditions.

During the assessment of this application, Council's Heritage Advisor provided the following comment with regards to the previously approved built form on the site and this current proposal:

As previously noted previously for this site, the proposed works must now be viewed in the light of recent L & E rulings on proposed additions at 14 Gipps Street. The proposed works at 14 Gipps Street followed established principles for extension of existing notable buildings (namely standoff/linked pavilions of contemporary cohesive form).

The court placed a high priority on the maintenance of the original hipped /pyramidal roof form and the relationship of this to adjacent similar listed residences. The court ruled that as the attached two storey pavilion detracted from the existing visual cohesion of the group it was not an acceptable addition. The court also commented that attached seamless additions which altered the form of the main roof were also likely to detract from the aesthetic character of the group.

The current proposal differentiates between the existing pyramidal roof form and the significantly different trapezoidal form of the additions providing a linked form of identifiably contemporary style and finish. The proposed asymmetrical roof form clad in metal with a timber gable infill to the rear is considered to have less of an impact upon the existing hipped, pyramidal roof form than the gable ended, tile roofed addition previously proposed for the site (DA-423/2007).

It is noted that this consent has lapsed and the works were not undertaken.

- **DA-119/2013/A**

An application to modify the approved development for the extension of the deck, reconfiguration of internal layouts, inclusion of a balconette, deletion of the approved swimming pool and reconfiguration of the roof structure to a traditional gable roof was approved on 18 April 2016. This application modified the approved built form of the first-floor addition and how it presented to the streetscape. No comments from Council's Heritage Advisor were sought.

- **DA-445/2018**

A development application for alterations and additions to the dwelling including first floor addition, ground floor extension and new deck was lodged on 30 November 2018. The scope of works at the first-floor level are largely similar to the current proposal however, this previous DA only attracted a total of three submissions. Despite this, the original plans lodged with **DA-445/2018** were considered to be unsatisfactory and the application was deferred to allow for amendments to address issues relating to cohesion with heritage group and streetscape impacts, rear building line and visual and acoustic privacy.

The applicant submitted a series of draft revised plans between April and June 2019 for Council feedback. On 17 July 2019, the Applicant formally lodged amended plans; however, upon review of the amended plans, the plans did not reflect the deferral matters contained in Council's letter dated 4 April 2019 or further advice provided by Council's Heritage Advisor.

The application was refused on 29 August 2019 for the following reasons:

Having regard to section 4.15(1) of the Environmental Planning and Assessment Act 1979 the development application is refused for the following reasons:

- 1. The proposal does not satisfy the objectives of the Environmental Planning and Assessment Act 1979, as stipulated in section 1.3 (g) as the proposal does not promote good design on amenity in the built environment.*
- 2. The proposal does not satisfy section 4.15 (1)(a)(i) of the Environmental Planning and Assessment Act 1979, as the proposal does not satisfy the Waverley Local Environmental Plan 2012, in particular, the following provisions:*
 - a. Clause 5.10 (Heritage Conservation) as the proposal is inconsistent with objectives (1)(a) and (b) of the clause.*

3. *The proposal does not satisfy section 4.15 (1)(a)(iii) of the Environmental Planning and Assessment Act 1979, as the proposed development is contrary to Waverley Development Control Plan 2012, in respect to the following provisions:*

a. Part B9 – Heritage

- i. General Objectives, specifically objectives (e) and (f) as the development adversely impacts upon the heritage character of the existing built form and the Heritage Conservation Area.*
- ii. Clause 9.1.1 Heritage Items, as the new building work does not maintain the character, quality and value of the setting, and streetscape character of the heritage item.*
- iii. Clause 9.1.2 – Heritage Conservation Areas, as the existing building is contributory to the heritage significance of the Heritage Conservation Area and the new building works are not cohesive with the identified significance of the conservation area.*
- iv. Clause 9.8 – Scale and Proportion, as the proposal dominates the building and is of inappropriate scale and does not respond sympathetically to the dwelling.*
- v. Clause 9.9 – Architectural Style, as the proposal is not a sensitive alteration to the existing dwelling.*
- vi. Clause 9.10 – Materials and Colour, as the proposed materials are not characteristic of the item.*

b. Part C2 – Low Density Residential Development

- i. Clause 2.0 - General Objectives, specifically objectives (b), (d) and (e), as the development is not sympathetic to the existing built form character and does not reflect design that is of a high standard.*
- ii. Clause 2.2 – Setbacks, specifically objectives (a), (c), (d) and (f), and controls (a), (b), (d)(iii), (d)(vi) and (d)(vii) as the proposed ground floor rear building line extends beyond the established rear building line, and the first floor rear building line is sited forward of the external wall of the ground floor level, significantly contributing towards adverse bulk and scale and amenity impacts.*
- iii. Clause 2.3 – Streetscape and Visual Impact, specifically, objectives (a) and (b) and controls (a)-(e), as the development dominates and erodes the character of the streetscape and the presentation of the group of heritage items to Gipps Street. Inappropriate materials are proposed for the construction of the addition.*
- iv. Clause 2.5 – Visual and Acoustic Privacy, specifically, objectives (a) and (c) and controls (d) and (e), as the elevated deck and first floor level balcony results in adverse visual and acoustic privacy impacts for development on surrounding properties.*
- v. Clause 2.7 – Views, specifically, objective (a) and control (a), as the development does not maintain cohesion with the existing built form and diminishes existing views from the public domain of Gipps Street to the heritage group.*
- vi. Clause 2.11 – Dormer Windows, specifically, objective (b) and control (b) as the development proposes two (2) different dormers in terms of siting and size*

that contain multiple window placements which does not promote unity of the existing built form of the dwelling or of the heritage group.

4. *The proposal does not satisfy section 4.15 (1)(a)(iv) of the Environmental Planning and Assessment Act 1979, as the proposal does not satisfy Schedule 1, Part 1 of the Environmental Planning and Assessment Regulation 2000, as insufficient documentation has been provided to properly assess the application, including but not limited to:*
 - a. *Section Plan(s);*
 - b. *Site boundaries on all floor plans; and*
 - c. *Outline of the building footprint and windows of adjoining buildings on the floor plans.*
5. *The proposed development does not satisfy section 4.15 (1)(b) of the Environmental Planning and Assessment Act 1979, as the proposal will have an adverse environmental impact in the locality as it is excessive in terms of bulk and scale, will have an undesirable and unacceptable impact on the streetscape, and would adversely impact upon the amenity of the locality and surrounding built environment.*
6. *The proposal is contrary to 4.15 (1)(c) of the Environmental Planning and Assessment Act 1979, as the development is excessive in bulk and scale and is therefore considered unsuitable for the site.*
7. *The proposal is not considered to be in the public interest for the reasons outlined above and for the reasons outlined in public submissions, contrary to Section 4.15 (1)(e) of the Environmental Planning and Assessment Act, 1979.*

• **DA-27/2020**

A Development Application for alterations and additions to the dwelling including a rear ground floor extension and deck was approved on 24 April 2020, subject to the following special condition:

2. GENERAL MODIFICATIONS

The application is approved subject to the following amendments to maintain cohesion with the existing contributory fabric of the building and ensure privacy is maintained:

- a) *The plans are to be amended to demonstrate the posts to the rear deck are a minimum 150mm x 150mm section.*
- b) *The plans are to be amended to replace the glazed balustrades to the rear deck with timber.*
- c) *Window labelled W5 is to be amended to have a minimum sill height of 1.6m as measured from the finished floor level of the ground floor to maintain amenity for the adjoining property.*
- d) *The plans and Schedule of Materials and Finishes received by Council on 10 February 2020 are to be amended to incorporate the following:*
 - (i) *Light coloured finishes to window frames on side elevations to match those at the front of the residence.*
 - (ii) *The aluminium framed windows and doors are to be replaced with timber.*

*The amendments are to be approved by the **Executive Manager, Building Waverley (or delegate)** prior to the issue of a Construction Certificate under the Environmental Planning and Assessment Act 1979.*

At the time of writing this report, the above condition had not yet been satisfied.

- **DA-754/2006 & LEC-10689/2007 (14 Gipps Street)**

A Development Application was lodged on 15 December 2006 for demolition, alterations and additions to a single-storey dwelling at No. 14 Gipps Street. Council Officers including Council's Heritage Advisor supported the application; however, Council's Development Control Committee (DCC) refused the application on 7 July 2007 and an appeal was filed in the Land and Environment Court (LEC) on 19 July 2007. The refusal was upheld by the Court for the following reasons:

- The proposal would adversely impact upon the significance of the subject heritage item at No. 14 Gipps Street and erode the cohesiveness of the group of heritage items of which it forms part;
- The proposal's unsympathetic design would be visible from Gipps Street and would have an inappropriate geometric form, architectural style and siting; and
- The unsympathetic design would diminish the integrity of the group of four identical heritage listed items.

- **DA-202/2008 (14 Gipps Street)**

A Development Application at 14 Gipps Street for alterations and additions to a heritage listed dwelling including an additional storey at the rear and aesthetic repairs to the front was approved by Council on 20 August 2008.

- **DA-476/2018 (14 Gipps Street)**

A Development Application was approved on 28 February 2019 for the demolition of existing internal and external walls, pergola and deck to rear of dwelling. Construction of internal and external walls, enlarged pergola and green roof to rear, subject to conditions for the deletion of the proposed solar panels on the eastern and western side roof slopes.

Council's Heritage Advisor provided the following comments:

- *The proposed development maintains the relative relationship of the original listed building and recent additions.*
- *Changes to the building are concentrated in the recent additions and rear yard and are not considered to have substantial impact upon the heritage significance of the site. New external cladding and landscaping will serve to maintain the cohesion of new and existing fabric.*
- *Works to the common boundary with 16 Gipps Street serve to facilitate joint usage of the adjoining sites and are of limited and reversible nature.*
- *Location of solar panels to the eastern and western side roof slopes of the original residence is not supported. These should be limited to the rear, northern slope of the original roof in conjunction with panels proposed to the roof of the later additions.*

1.3 Proposal

The application seeks consent for alterations and additions to the existing dwelling house, including partial demolition, internal reconfiguration and first floor addition. Specifically, the proposal involves the following works:

Existing Ground Floor

- Re-establish internal wall between the existing dining room and bedroom that was to be demolished as per **DA-27/2020**, and convert existing dining room to bedroom;
- Remove window and widen opening to western elevation;
- Deletion of shower room approved under **DA-27/2020** to provide an open plan living and dining area;
- Construction of staircase to proposed first floor level; and
- Support posts for extended pergola to be installed on approved deck under **DA-27/2020**.

Proposed First Floor

- Construction of a first-floor level to accommodate a bedroom, walk in robe, bathroom and balcony; and
- Terracotta roof tiles to new first floor level.

Amendments and additional information were requested from the applicant following an initial assessment, including the following:

(a) Heritage

- Amended colours, materials and finishes to be submitted including a terracotta tile roof, timber door and window frames and no painting or rendering of external brickwork.
- Windows and doors on the rear elevation at the first floor level to have a consistent height.
- Support for extended gable roof over the rear pergola to be demonstrated on plans.
- Schedule of conservation works to be submitted.
- Amended HIS to be submitted.

(b) Inconsistencies with Approved Plans under DA-27/2020

Plans to be amended to accurately demonstrate and distinguish between works approved on site and works proposed with the subject application.

(c) Shadow Diagrams

More detailed shadow diagrams to be submitted that demonstrates windows on adjoining properties.

(d) Architectural Plan Detailing

Amended architectural plans to be suitably detailed with openings on adjoining properties demonstrated.

The applicant submitted amended plans and documentation addressing the above; however, no Schedule of Conservation Works was submitted.

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 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 R2 Zone	Yes	The proposal is defined as a dwelling house, which is permitted with consent in the R2: Low Density Residential zone.
Part 4 Principal development standards		
4.3 Height of buildings • 8.5m	Yes	8.1m
4.4 Floor space ratio and 4.4A Exceptions to floor space ratio • 0.68:1 • Site area: 385.7m ²	Yes	Proposed GFA : 195m ² Proposed FSR: 0.5:1
Part 5 Miscellaneous provisions		
5.10 Heritage conservation	Yes Recommended Conditions	<i>See discussion below.</i>

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

Clause 5.10 – Heritage

The building is listed as an item of local heritage significance in Waverley LEP 2012 and is contributory to the Brown Street Conservation Area. It is a well detailed example of a Federation residential style. The residence forms part of a cohesive group (No.s 8-14) of similar form, scale and detail; all being listed as having local heritage significance. Prior to lodgement of the subject application, the Applicant engaged in discussions with Council Planners and Council's Heritage Advisor. The plans and documentation lodged with the subject application were referred to Council's Heritage Advisor who made the following comments:

- *Following previous recommendations, the design of gutters and location of down pipes and the nature of the southern gable infill are shown on drawings.*
- *The rear first floor balcony now has a semi obscure balustrade matched to that at the adjacent 12 Gipps Street.*
- *Windows and doors to the rear gable infill have an irregular height detracting from cohesion of the elevation. Window and door head heights should be consistent.*
- *All window and door frames and sashes should be timber framed to provided cohesion with the detailing of the listed building.*
- *The solid line extension of the existing ridge out to the proposed new ridgeline, shown on the eastern elevation, needs to be clarified as to built form or incorrect line work.*
- *Whilst there is one extension to the rear of a similar residence in the group that is metal clad with a flat roof to the first floor, other examples in the group show that extensions with matching terracotta tile roofing are clearly more cohesive with the existing listed residences.*
- *The provision of a matching terracotta tile roof to the proposed roof, preferably with hipped gable ends is considered a far more cohesive approach to the first floor in terms of cohesion with the listed residence and group and the established setting.*
- *Whist no colour scheme has been sighted in the current application, the previous proposal for a dark grey colour scheme is not supported on the basis of unacceptable impact on the cohesion of new and existing works.*

Recommendations were made and incorporated in Council's deferral letter as summarised above, dated 11 November 2020. Revised plans were submitted and assessed against the relevant provisions of Clause 5.10 of Waverley LEP 2012, as well as Council's controls relating to development to heritage items and conservation areas in Part B9 of Waverley Development Control Plan 2012 (Waverley DCP 2012).

The proposal largely involves the construction of a modest first floor addition at the rear of the existing heritage item that has been designed to have limited visibility from the streetscape. The first-floor addition would only be readily visible from the eastern side of the dwelling and when travelling from east to west on Gipps Street. The proposed addition is not considered to visually dominate the original scale and proportion of the existing building or surrounding development in the conservation area and is to be constructed within a pitched roof form that is characteristic of roof forms in the locality.

However, Weathertex cladding is proposed to be utilised on the rear elevation of the addition, as well as on the proposed dormer that would be visible from the street. It is unclear if this cladding would be in a red or white colour scheme as shown on the revised schedule of external colours,

materials and finishes. Furthermore, it is unclear what material is proposed to be used for the window and door frames and sashes.

The proposed works are considered to be suitable for the site, streetscape and surrounding context, subject to the following recommended conditions to ensure that suitable materials are used that are cohesive with the existing character of the building as follows:

- The use of Weathertex cladding is not approved and is to be replaced with a material that is similar to, or compatible with the original materials used on the building and to maintain a satisfactory streetscape impact;
- Timber is to be used for all window and door frames and sashes; and
- A Schedule of Conservation Works is required to be submitted.

Given the above, the proposed works would not detract from the style and character of the building or conservation area, subject to the recommended conditions.

2.1.4 Waverley DCP 2012 (Amendment 8) Effective 1 August 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. A condition of consent is recommended to be imposed regarding ongoing waste on site.
2. Ecologically sustainable Development	Yes	The proposal incorporates passive design and a condition was imposed on the consent for DA-27/2020 to ensure that solid fuel heating is not used. Given the low scale of this development, these mechanisms are considered to address the objectives of Part B2 of the DCP.
3. Landscaping and Biodiversity	Yes	The proposal does not alter the approved landscaping on site under DA-27/2020 .
6. Stormwater	Yes Recommended Conditions	The stormwater plans submitted with the application are not satisfactory and do not comply with the Water Management Technical Manual. This matter can be addressed via recommended conditions of consent.
9. Heritage	Yes Recommended Conditions	<i>See comments above.</i>
10. Safety	Yes	The proposal does not contravene the objectives of this part of the DCP.

Development Control	Compliance	Comment
11. Design Excellence	Yes	The proposal has an acceptable design given the surrounding context of the area and is a suitable response to the site and streetscape as discussed in section 2.1.3 of this report above and the recommended conditions.

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

The proposal is defined as a “Dwelling House” in the Waverley LEP 2012.

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 Recommended Conditions	The proposal does not contravene the general objectives of this part of the DCP and the alterations and additions are considered to be suitable in the site context, subject to recommended conditions of consent regarding heritage.
2.1 Height		
Pitched Roof dwelling house <ul style="list-style-type: none"> • Maximum external wall height of 7m 	Yes	The proposed first floor addition incorporates a pitched roof form and does not exceed the maximum external wall height applicable to the development.
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	<p>The rear building line at the ground floor level is maintained as approved under DA-27/2020 and is therefore unchanged with the subject application.</p> <p>The proposed rear building line of the first-floor level is consistent with development in the heritage group of buildings and is acceptable. Furthermore, it is noted that the overhang of the first floor level is limited to the balcony structure, which is considered to be acceptable.</p>
2.2.2 Side setbacks <ul style="list-style-type: none"> • Minimum of 0.9m 	Yes	The proposal maintains the existing side setbacks of the dwelling at the ground floor level, that is approximately 580mm to the western side boundary and approximately 1.1m to the western side boundary.

Development Control	Compliance	Comment
		The pitched roof form follows the existing building footprint; however, the floor area of the first-floor level is setback approximately 2.4m from the western side boundary adjoining 8 Gipps Street and approximately 1.6m from the eastern side boundary adjoining 12 Gipps Street.
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	The proposed addition will have limited visibility from the Gipps Street streetscape and is acceptable. <i>See discussion in section 21.3 of this report for further details.</i>
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. • External stairs are not acceptable. • Maximum size of balconies: <i>10m² in area</i> <i>1.5m deep</i> 	Yes Recommended Conditions	<i>See discussion below.</i>
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	<i>See discussion below.</i>

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	The proposal complies with Council's maximum building height limit and is unlikely to impact upon any significant views that may be present from surrounding properties.
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	The proposal maintains the existing open space and landscaped area on the site as approved under DA-27/2020 .
Dormer windows		
<ul style="list-style-type: none"> Minimum 0.3m below main roof ridge Where the dwelling is part of a semi-detached pair, row or group of like dwellings, any dormer or roof window must match the unity of the group and the total width of dormers should be no greater than 25% of the width of the roof. 	Merit Assessment	<p>The roof is approximately 3.75m as measured from the ridge to the gutter and the proposed dormer is considered to be suitably sited.</p> <p>The dwelling forms part of a group of heritage items; however, each dwelling in this group has undertaken a different style of first floor addition at to the rear.</p> <p>The proposed dormer exceeds 25% the width of the roof at the eastern roof plane; however, this is considered to be acceptable as the proposal will have limited visibility from the streetscape.</p> <p>Given the above, the proposed dormer is considered to be acceptable in the site context.</p>

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 generally maintains reasonable visual and acoustic privacy for surrounding properties, subject to recommended conditions as discussed below:

- Proposed window labelled W01 located on the western elevation of the ground floor level, would be adjacent to a window on the adjoining property at 8 Gipps Street. Given that the existing building does not maintain a 900mm side setback to the western side boundary and the window is proposed to be enlarged to provide light and ventilation to the primary living space of the dwelling, it is recommended that this window be amended via conditions to provide a minimum floor to sill height of 1.6m to maintain adequate visual privacy for the adjoining property.
- Window labelled W11 on the eastern elevation of the dormer at the first-floor level, is proposed to provide light and ventilation into the proposed bedroom. This window is to be sited with a floor to sill height of approximately 1.1m. This window is not adjacent to any window at the first floor level of the adjoining property at 12 Gipps Street; however, it is recommended that this window be fitted with translucent glazing so as to not impose upon any further development of a first floor level of this adjoining property in the future.
- The proposed balcony at the rear of the first-floor level would have an area of only 6.2m² and a depth of approximately 1.2m. The balcony and its associated windows are located off a bedroom that is a passive living space within the dwelling. The balcony is well integrated with the design of the first-floor level so as to limit any overlooking potential to the adjoining properties at 8 and 12 Gipps Street. The proposed balcony and windows at the rear of the first-floor level are considered to be acceptable.

Given the above, it is considered that the proposal maintains adequate visual and acoustic privacy for surrounding properties, subject to recommended conditions of consent.

Solar Access

Revised shadow diagrams have been submitted that clearly demonstrate the location of solar receptors on the adjoining properties. The proposal would cause some additional overshadowing of the adjoining property at 8 Gipps Street at 9am during midwinter. At 12 noon, some additional overshadowing to 12 Gipps Street would occur. However, at 3pm there would be substantial overshadowing to all windows on the western elevation of the ground floor level of 12 Gipps Street.

Despite these additional impacts, the proposal is acceptable, as it is considered that any first-floor addition on the subject property would result in some loss of solar access to these adjoining properties. The proposal incorporates works for a modest first floor addition to the property that maintains compliance with Council's development standards, being building height and FSR. Furthermore, due to the orientation of buildings and the subdivision pattern, solar access is retained to the private open space and windows at the rear of the property. These windows provide adequate light and ventilation to the principal living spaces of these dwellings and is acceptable.

The proposal is considered to be reasonable in the site context.

2.12 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.

2.13 Suitability of the Site for the Development

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

2.14 Any Submissions

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

16 unique submissions were received on behalf of 12 properties. The revised plans were not re-notified as they further clarified the proposed works and any amendments were not considered to result in increased adverse impacts. The issues raised in the submissions are summarised and discussed below.

Table 3: Summary of property addresses that lodged a submission

Property
8 Gipps Street, BRONTE
12 Gipps Street, BRONTE
2B Brown Street, BRONTE
6 Brown Street, BRONTE
38 Edward Street, QUEENS PARK
55 Edward Street, BONDI BEACH
372 Bronte Road, BRONTE
106 St James Road, BONDI JUNCTION
20 Gibson Street, BRONTE
3 Judges Lane, WAVERLEY
5/6 John Street, QUEENS PARK
Myriad Consulting on behalf of 8 & 12 Gipps Street
Heritage 21 on behalf of 8 & 12 Gipps Street
Charring Cross Village Precinct

Issue: *Rear building line, Side setbacks, Cantilevered balcony.*

Response: These issues have been discussed above.

Issue: *Plans and documentation are inaccurate; rear elevation is unresolved and unclear.*

Response: Revised plans have been submitted, as well as a revised Heritage Impact Statement to correct any inaccuracies between the approved development on site and the works proposed with the subject application. Furthermore, the window and door heights at the rear elevation are have been revised to align therefore, the rear of the addition is considered to be satisfactorily resolved.

Issue: *Inconsistencies between approved and proposed works.*

Response: The plans have been revised to clearly distinguish between the approved and proposed works on site.

Issue: *Heritage impacts.*

Response: Council's Heritage Advisor has reviewed the proposal and the approach to designing the first-floor addition is considered to be appropriate and acceptable. Revisions have been made to further articulate colours, materials and finishes as well as resolve some additional minor issues.

Suitable conditions are also recommended. *See discussions in section 2.1.3 of this report for further details.*

Issue: Colours, materials and finishes.

Response: A revised schedule of materials and finishes has been submitted that demonstrates the use of terracotta roof tiles. A condition of consent is recommended to ensure all window and door frames are constructed using timber. A condition is also recommended to be imposed to replace the use of Weathertex cladding to a material that is similar and/or compatible with original materials used on the building, prior to the issue of a Construction Certificate.

Issue: Streetscape impacts.

Response: As discussed throughout this report, the proposal has limited visibility from the streetscape and is acceptable.

Issue: Solar access and insufficient solar access diagrams submitted.

Response: The shadow diagrams have been revised to more clearly depict the development on surrounding properties. *See discussion in section 2.1.4 of this report.*

Issue: Visual and acoustic privacy impacts.

Response: Recommended conditions regarding windows. *See discussion in section 2.1.4 of this report.*

Issue: Wall height.

Response: *See discussions in section 2.1.4 of this report.*

Issue: Bulk and form; the built form is not stepped down the site; proposed works are excessive for the existing dwelling; roof extension.

Response: The plans have been revised to clearly demonstrate the proposed works relating to the subject application. The application proposes a modest first floor addition at the rear to accommodate an additional bedroom and bathroom and accounts for approximately only an additional 40m² on site. The proposal has limited visibility from the streetscape and does not exceed the maximum FSR control applicable to the site. Furthermore, a misleading solid line between the existing ridge and new ridgeline has been removed with the submission of revised plans. The proposal is considered to be reasonable.

Issue: Amenity is reliant on air conditioning. The Weathertex structure will be very hot in summer. The existing air conditioning unit is located close to the western side boundary adjoining 8 Gipps Street.

Response: The above comments are noted however, no change to the existing air conditioning unit is proposed.

Issue: Works unrelated to the subject application including but not limited to the following:

- ***Ground floor deck is excessive.***
- ***Built form is raised above ground.***
- ***Glazed panels on rear deck.***

- ***The fluing pipe of the approved gas fireplace is across from the verandah of 8 Gipps Street and will produce pollutants.***

Response: Issues raised in submissions relating to elements of the proposal not proposed under the subject application are not relevant matters for consideration. No changes to the approved deck at the ground floor level or floor level of the dwelling under **DA-27/2020** are proposed with the subject application. A condition was imposed on the original consent requiring the glazed balustrades to be changed to timber. This condition is yet to be satisfied. A condition was also imposed for no solid fuel heating to be used.

2.15 Public Interest

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

3. REFERRALS

3.1 Heritage

This has been discussed above.

4. SUMMARY

The application seeks consent for alterations and additions to the existing heritage listed dwelling house, including partial demolition, internal reconfiguration and the construction of a first-floor addition. The site is also located within the Brown Street Conservation Area. A development application (**DA-27/2020**) has already been approved on the site for alterations and additions to the ground floor level.

The application was notified and received a total of 16 unique submissions. Following advice from Council's Heritage Advisor and the issues raised in the submissions, the plans were revised to address concerns raised, including heritage, materials and colours, inconsistencies between the approved works on site and the works sought under the subject application and shadow diagrams.

The revised proposal is considered to be generally acceptable, subject to recommended conditions of consent in relation to modifications to materials, colours and finishes on certain elements of the building. Conditions are also recommended to maintain privacy for adjoining properties.

The proposed works will have limited visibility from the streetscape and complies with Council's development standards. The application is recommended for approval, subject to recommended conditions.

DBU Decision

The application and assessment report were reviewed by the DBU at the meeting on 10 November 2020 and the DBU determined:

The application is acceptable and should be approved, subject to amendments to the plans in relation to rectifying inconsistencies between the approved and proposed development on site and proposed materials in accordance with comments from Council's Heritage Advisor.

DBU members: *B McNamara, K Johnstone, E Finnegan*

5. RECOMMENDATION TO WAVERLEY LOCAL PLANNING PANEL

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

Report prepared by:



Judith Elijah
Development Assessment Planner

Date: 23 November 2020

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



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

Date: 26 November 2020

Reason for referral:

- 1 Contentious development (10 or more objections)

o:\building waverley\development assessment\da assessment team reports\gipps st, 10\da-316-2020\assessment report.docx

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 Planshop of Project No: 4270 including the following:

Sheet No.	Revision No.	Plan Description	Plan Date	Date received by Council
02	02	Site Plan	18/11/2020	19/11/2020
04	02	Demolition Ground Floor Plan	18/11/2020	19/11/2020
05	02	Demolition Roof Plan	18/11/2020	19/11/2020
06	02	Proposed Ground Floor Plan	18/11/2020	19/11/2020
07	02	Proposed First Floor Plan	18/11/2020	19/11/2020
08	02	Proposed Roof Plan	18/11/2020	19/11/2020
09	02	East & South Elevations	18/11/2020	19/11/2020
10	02	West & North Elevations	18/11/2020	19/11/2020
11	02	Section AA & BB	18/11/2020	19/11/2020
16	02	Finishes Schedule	18/11/2020	19/11/2020
19	02	Door and Window Schedule and Types	18/11/2020	19/11/2020

- (b) BASIX Certificate.

Except where amended by the following conditions of consent.

2. GENERAL MODIFICATIONS

The application is approved subject to the following amendments:

- (a) Window labelled W01 at ground floor level on the western elevation is to be amended to have a minimum sill height of 1.6m as measured from the finished floor level of the ground floor to maintain amenity for the adjoining property.
- (b) Window labelled W11 at first floor level on the eastern elevation is to be amended to be fitted with translucent glazing to maintain amenity for the adjoining property.
- (c) All window and door frames and sashes are to be timber.
- (d) Light coloured finishes to all window frames on side elevations to match those at the front of the residence.
- (e) The Weathertex Cladding is to be replaced with a material that is similar to/ or compatible with original materials used on the building.

The details and amendments are to be submitted to and 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. SCHEDULE OF CONSERVATION WORKS

A Schedule of Conservation Works is to be submitted to and approved by Council's Heritage Advisor prior to the issue of any Construction Certificate.

4. CONCURRENT WORKS WITH DA-27/2020

Works approved under the subject application are to be undertaken concurrently with the approved works under **DA-27/2020**.

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

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

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

- (a) a Construction Certificate has been obtained from Council or an Accredited Certifier in accordance with the Environmental Planning & Assessment Act, 1979 and
- (b) a Principal Certifying Authority has been appointed and Council has been notified of the appointment in accordance with the Environmental Planning & Assessment Act, 1979 and Environmental Planning and Assessment Regulation 2000 and
- (c) Council is given at least two days' notice in writing of the intention to commence the building works.

6. 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

7. SECTION 7.12 CONTRIBUTION

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

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

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

"Waverley Council Cost Summary Report"; or,

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

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

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

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

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

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

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

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

8. SECURITY DEPOSIT

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

9. LONG SERVICE LEVY

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

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

CONSTRUCTION MATTERS

10. HOARDING

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

11. EROSION & SEDIMENT CONTROL

A Soil and Water Management Plan (SWMP), also known as an Erosion and Sediment Control Plan 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.

12. ENGINEERING DETAILS

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

13. ENGINEERING CERTIFICATE OF ADEQUACY

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

14. STRUCTURAL INTEGRITY OF RETAINED BUILDING ELEMENTS

Prior to the issue of a Construction Certificate, a report or certification from a practicing structural engineer must be submitted to the Principal Certifying Authority to explain how the retained building elements, such as building facades 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

15. STORMWATER MANAGEMENT AND PUBLIC INFRASTRUCTURE MANAGEMENT

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

The submitted stormwater management plans are considered unsatisfactory.

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

- a) OSD Details: The plans shall include On-Site Stormwater Detention (OSD) system and its details e.g. pit dimensions, cross & long sections, significant water invert levels of inlet and outlet pipes, details of Discharge Control Pit, orifice plate details including orifice diameter, depth of water above centreline of orifice etc., pit overflow and OSD plaques. Council's mandatory OSD checklist as set out in page 22 of the Council's Water Management Technical Manual shall be submitted.
- b) 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 4.00pm Monday to Friday).

16. 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

17. BASIX

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

WASTE

18. 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

19. 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.

20. DILAPIDATION REPORT

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

21. DEMOLITION – ASBESTOS AND HAZARDOUS MATERIALS

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

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

22. CONTROL OF DUST ON CONSTRUCTION SITES

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

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

CONSTRUCTION MATTERS

23. 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.

24. 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.

25. 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.

26. 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.

27. 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

28. 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.

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.

29. 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.

30. CERTIFICATION OF BASIX COMMITMENTS

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

31. CERTIFICATION OF STORMWATER SYSTEM

Prior to issue of any Occupation Certificate, certification is to be provided from a suitably qualified and practicing Civil Engineer, that the stormwater system has been constructed in accordance with the approved stormwater management plans and to best engineering practice.

32. ON-SITE STORMWATER DETENTION CERTIFICATION

The submission of certification by a suitably qualified and practicing 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.

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

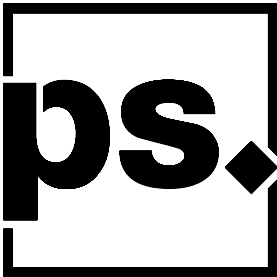
Any trees not identified for removal in this application have not been assessed and separate approval may be required. Any pruning of trees on adjoining properties required for the erection of scaffolding and/or the construction of the building may also require approval.

AD9. WORK OUTSIDE PROPERTY BOUNDARY

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

AMENDED PLANS

RECEIVED
Waverley Council
Application No: DA-316/2020
Date Received: 19/11/2020



SITE LOCATION

DRAWINGS LIST

DRAWING No.	DESCRIPTION
00	COVER PAGE
00	SURVEY PLAN
01	SITE ANALYSIS PLAN
02	SITE PLAN
03	EXISTING GROUND FLOOR PLAN
04	DEMOLITION PLAN
05	DEMOLITION ROOF PLAN
06	GROUND FLOOR
07	FIRST FLOOR
08	ROOF PLAN
09	ELEVATIONS S + E
10	ELEVATIONS N + W
11	SECTION AA & BB
12	SHADOWS DIAGRAM
13	SHADOWS DIAGRAM
14	SHADOWS DIAGRAM
15	LANDSCAPE PLAN
16	FINISHES SHEDULE
17	STORMWATER CONCEPT
18	WASTE MANAGEMENT PLAN
19	DOOR & WINDOW SCHEDULE AND TYPES
20	SEDIMENT & SOIL EROSION PLAN
21	GENERAL NOTES
22	GENERAL NOTES
23	NOTIFICATION PLAN

PROJECT DETAILS

OWNER/S
MATT WHALE

ADDRESS
10 GIPPS STREET,
BRONTE, NSW 2024

PROJECT
ALTERATIONS & ADDITIONS TO
EXISTING DWELLING

DATE
18TH November 2020

JOB NO.
4270

DEVELOPMENT APPLICATION
WAVERLEY COUNCIL

AMENDED PLANS



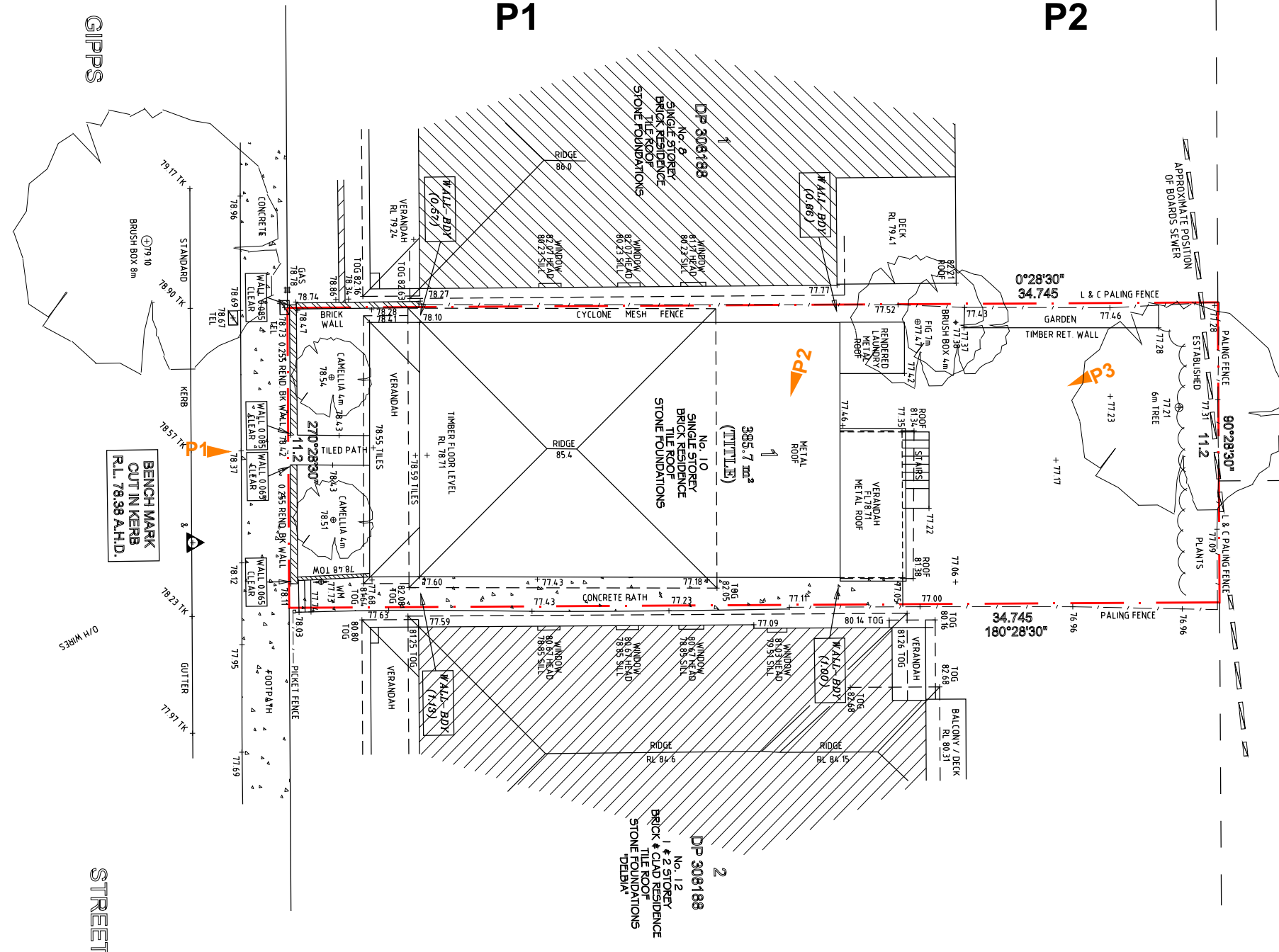
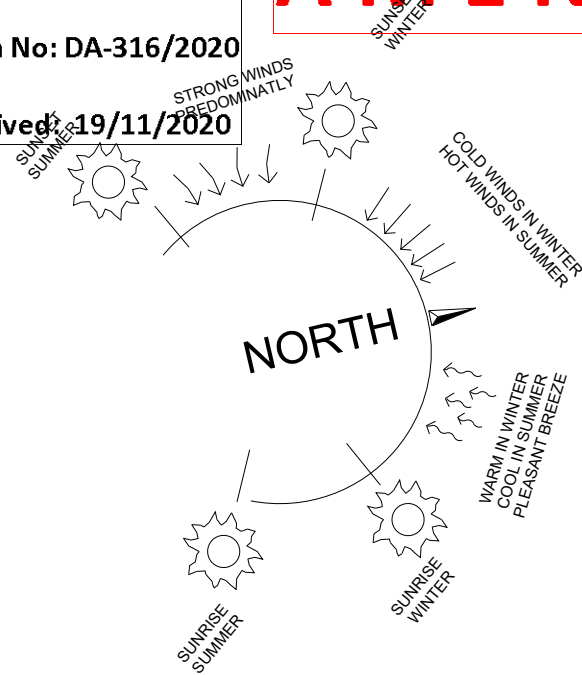
P1



P2



P3

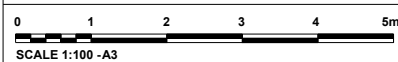


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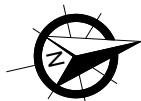
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D O N O T S C A L E O F F D R A W I N G			
SURVEYORS MS - D.J. HORE PTY LIMITED		PROJECT ALTERATIONS & ADDITIONS TO EXISTING DWELLING	DATE 18/11/2020
TITLE DESCRIPTION LOT 1 - DP 308187 - A: 385.7m²			DRN/CHK RH
PURPOSE DEVELOPMENT APPLICATION		ADDRESS 10 GIPPS STREET BRONTE 2024	SCALE 1:200 @A3
L.G.A WAVERLEY COUNCIL			DRAWING No.
		CLIENT MRS H& MR M WHALE	SHEET 01

SITE ANALYSIS PLAN

EXISTING CALCULATIONS		
SITE AREA 385.7m ²	LOT WIDTH 11.2m	
DESCRIPTION	EXISTING	COUNCIL
SITE COVERAGE	44% (137.28m ²)	_____
GROUND FLOOR AREA	135.15m ²	25% x Lot + 150m ²
FIRST FLOOR AREA	_____	_____
TOTAL FLOOR AREA	135.15m ²	263.09m ²
FLOOR SPACE RATIO	0.35 : 1	0.5 : 1
LANDSCAPE	216.42m ²	>58.45m ² (15%)
PERVIOUS	173.28m ²	_____
IMPERVIOUS	216.42m ²	_____
PRIVATE OPEN SPACE	30.6m ²	>25m ²
BUILDING HEIGHT	7.97m	8.5m

AMENDED PLANS

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Application No: DA-316/2020

Date Received: 19/11/2020

BASIX REQUIREMENTS CERTIFICATE No. A390260 FIXTURES AND SYSTEM

LIGHTING- MINIMUM OF 40% OF NEW OR ALTERED LIGHT
FIXTURES TO BE FLUORESCENT, COMPACT FLUORESCENT, OR
LIGHT EMITTING DIODE (LED) LAMPS.

FIXTURES- MIN 3 STAR RATING TO SHOWERHEAD WITH FLOW
RATE NO GREATER THAN 9 LITRES/ MIN 3 STAR TO TAPS AND
TOILET FLOW RATE NO GREATER THAN 4 LITRES /AVERAGE
FLUSH NEW OR ALTERED TAPS HAVE A FLOW RATE NO
GREATER THAN 9 LITRES PER MINUTE OR MINIMUM 3 STAR
WATER RATING

HOT WATER SYSTEM

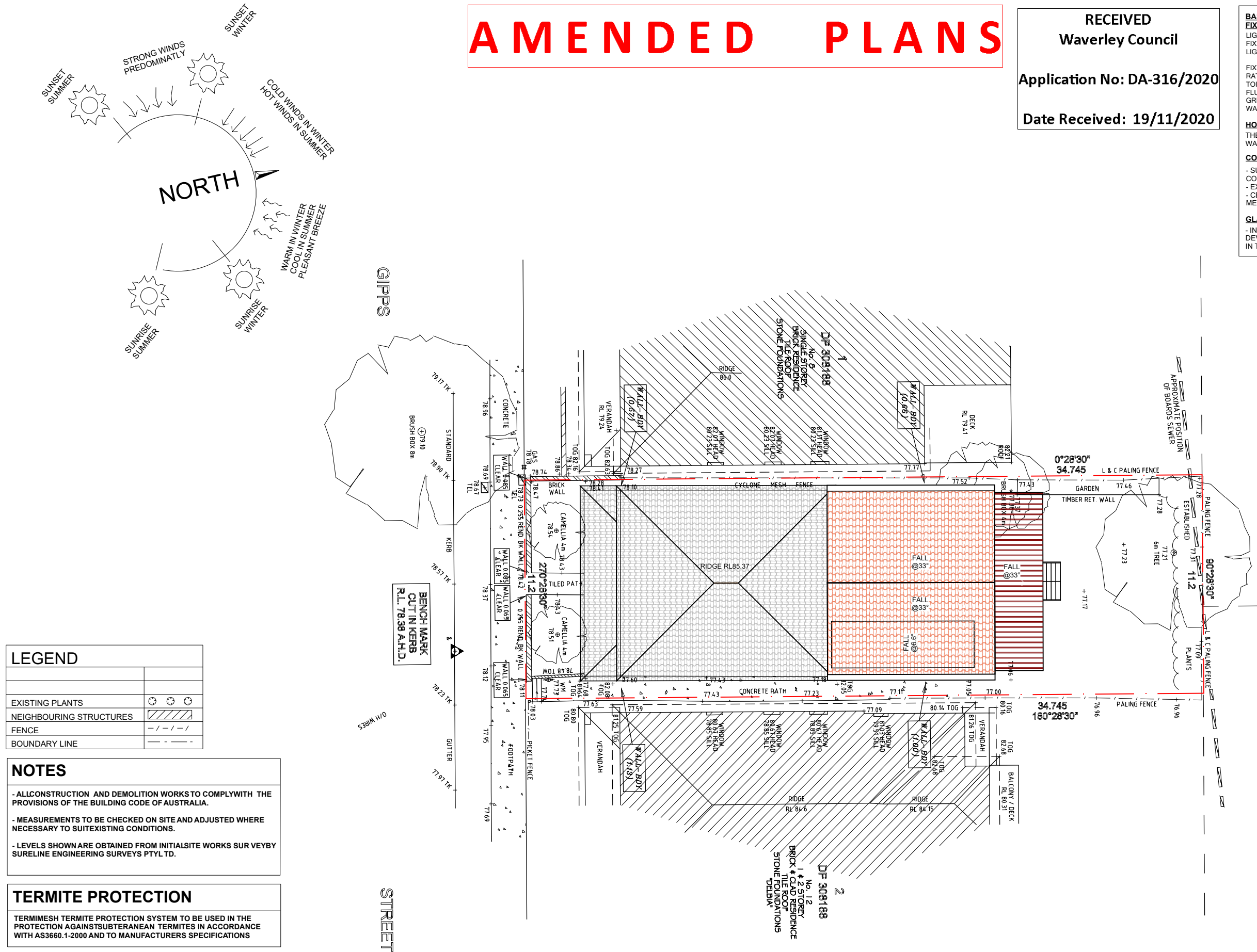
THE APPLICANT MUST INSTALL THE FOLLOWING HOT
WATER SYSTEM: GAS INSTANTANEOUS

CONSTRUCTION

- SUSPENDED FLOOR (FRAMED R0.7): R1.30(INCLUDING
CONSTRUCTION)
- EXTERNAL WALL: R1.70 INCLUDING CONSTRUCTION
- CEILING: R3.0 (UP), ROOF: FOIL/SARKING,
MEDIUM(SOLAR ABSORPTANCE 0.475 - 0.70)

GLAZING REQUIREMENTS

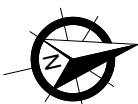
- INSTALL ALL WINDOWS & GLAZED DOORS + SHADING
DEVICES IN ACCORDANCE WITH SPECIFICATION LISTED
IN THE BASIX REPORT CERTIFICATE NO. A390260



SITE PLAN

0 1 2 3 4 5m
SCALE 1:100 -A3

BY	DATE	REVISION
RH	16/09/2020	REVISION 01
RH	18/11/2020	REVISION 02



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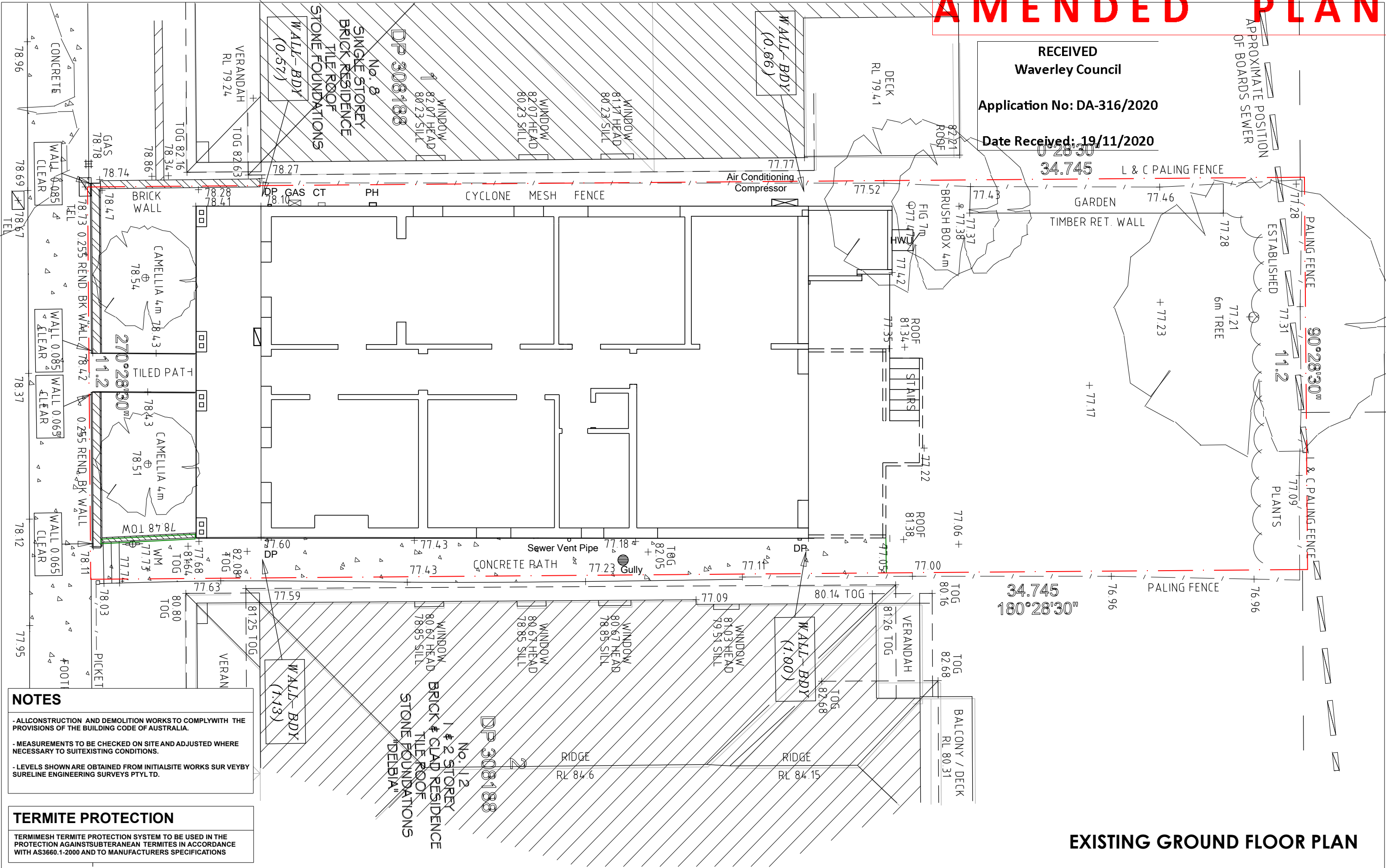
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SURVEYORS	MS - D.J. HORE PTY LIMITED	PROJECT	ALTERATIONS & ADDITIONS TO EXISTING DWELLING
TITLE DESCRIPTION	LOT 1 - DP 308187 - A: 385.7m ²	ADDRESS	10 GIPPS STREET BRONTE 2024
PURPOSE	DEVELOPMENT APPLICATION	CLIENT	MRS H & MR M WHALE
L.G.A.	WAVERLEY COUNCIL	DATE	18/11/2020
		DRN/CHK	RH
		SCALE	1:200 @A3
		DRAWING No.	SHEET 02

AMENDED PLANS



NOTES

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TERMITE PROTECTION

TERMIMESH TERMITE PROTECTION SYSTEM TO BE USED IN THE PROTECTION AGAINST SUBTERANEAN TERMITES IN ACCORDANCE WITH AS3660.1-2000 AND TO MANUFACTURERS SPECIFICATIONS



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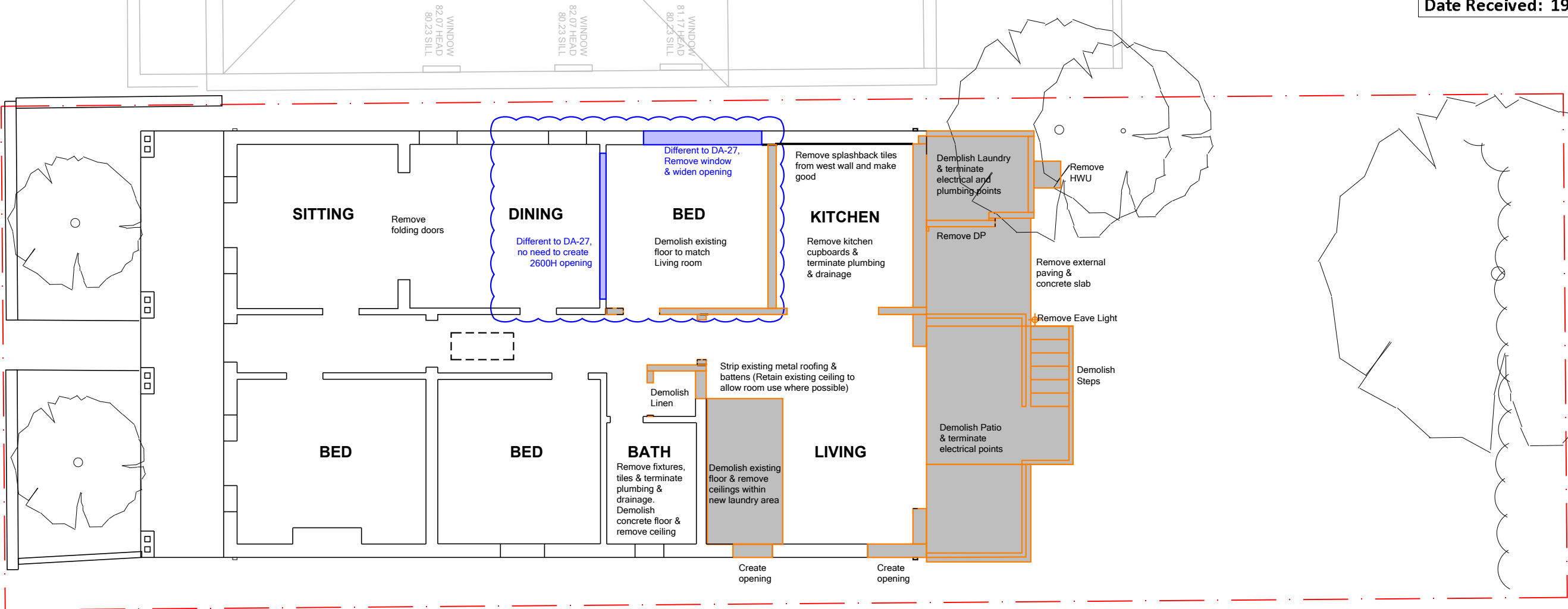
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SURVEYORS MS - D.J. HORE PTY LIMITED	PROJECT ALTERATIONS & ADDITIONS TO EXISTING DWELLING	DATE 18/11/2020	SHEET 03
TITLE DESCRIPTION LOT 1 - DP 308187 - A: 385.7m ²	ADDRESS 10 GIPPS STREET BRONTE 2024	DRN/CHK RH	
PURPOSE DEVELOPMENT APPLICATION	CLIENT MRS H & MR M WHALE	SCALE 1:100 @ A3	
L.G.A. WAVERLEY COUNCIL		DRAWING No.	

AMENDED PLANS

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Application No: DA-316/2020

Date Received: 19/11/2020



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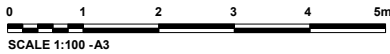
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LEGEND

DEMOLITION	
EXISTING	
APPROVED	



BY	DATE	REVISION
RH	16/09/2020	REVISION 01
RH	18/11/2020	REVISION 02



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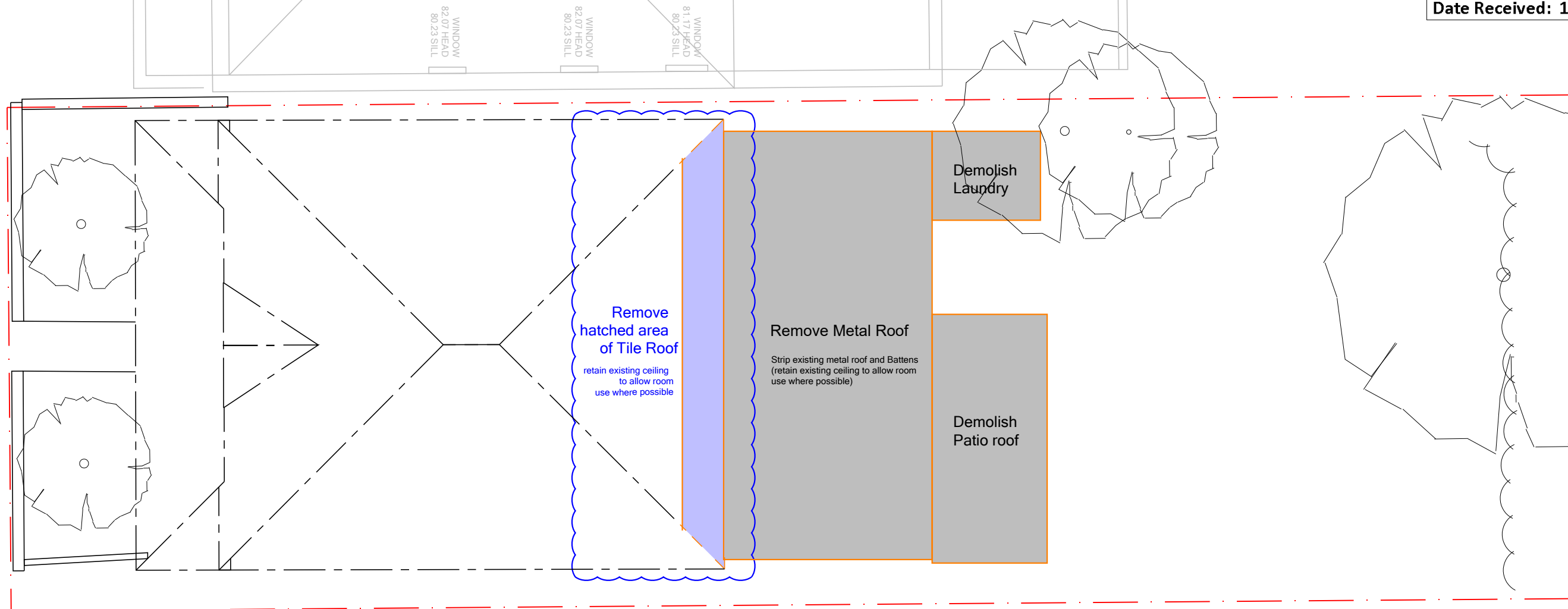
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DEMOLITION GROUND FLOOR PLAN

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TITLE DESCRIPTION LOT 1 - DP 308187 - A: 385.7m ²	ADDRESS 10 GIPPS STREET BRONTE 2024	DRN/CHK RH	
PURPOSE DEVELOPMENT APPLICATION	CLIENT MRS H & MR M WHALE	SCALE 1:100 @ A3	
L.G.A. WAVERLEY COUNCIL		DRAWING No. SHEET 04	

AMENDED PLANS

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Application No: DA-316/2020
Date Received: 19/11/2020



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LEGEND	
DEMOLITION	
EXISTING	
APPROVED	

0 1 2 3 4 5m
SCALE 1:100 - A3

BY	DATE	REVISION
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DEMOLITION ROOF PLAN

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TITLE DESCRIPTION LOT 1 - DP 308187 - A: 385.7m ²	ADDRESS 10 GIPPS STREET BRONTE 2024	DRN/CHK RH	SCALE 1:100 @A3
PURPOSE DEVELOPMENT APPLICATION	CLIENT MRS H & MR M WHALE	DRAWING No.	SHEET 05
L.G.A. WAVERLEY COUNCIL			

AMENDED PLANS

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Application No: DA-316/2020

Date Received: 19/11/2020

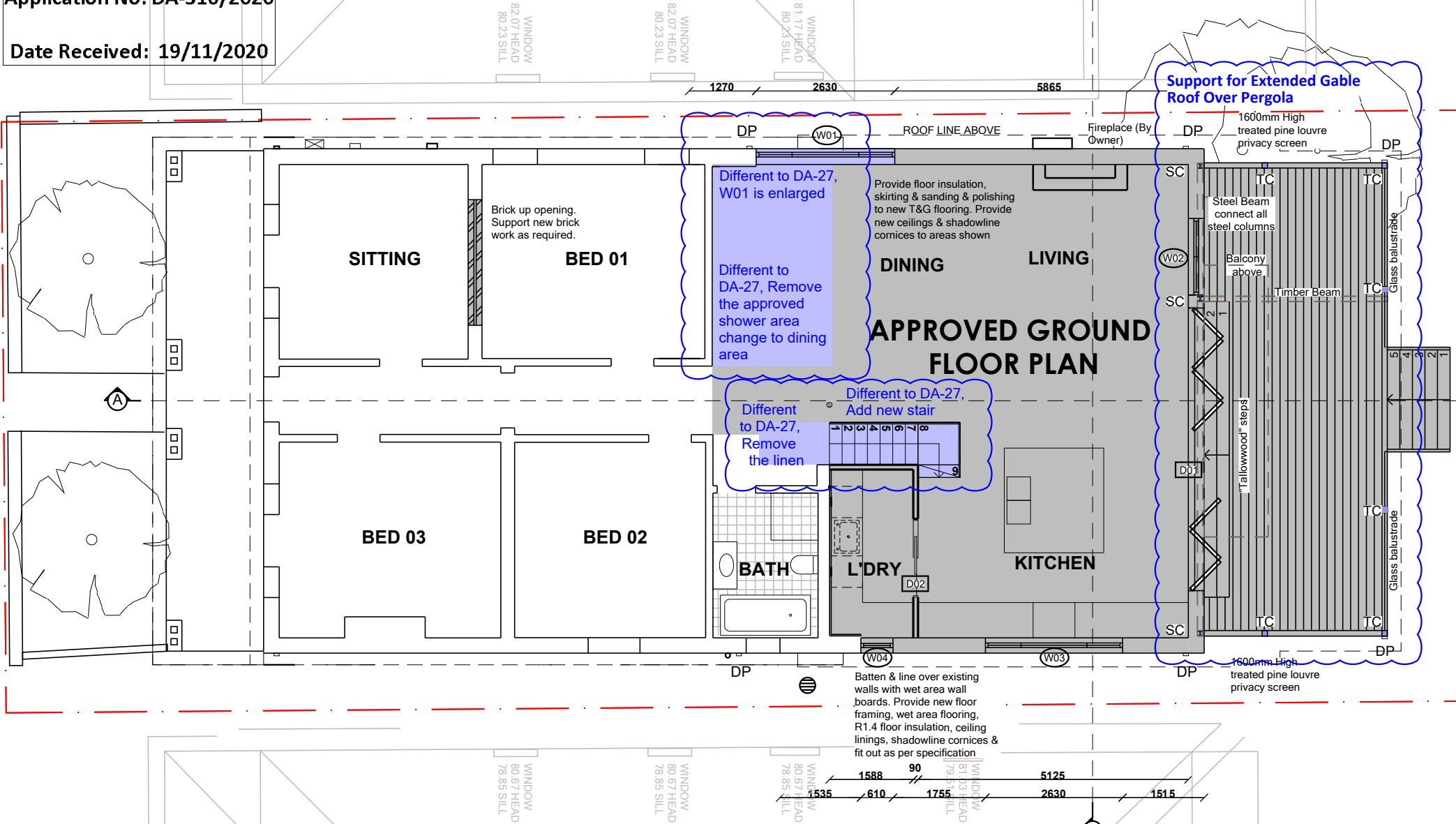
NOTES OF UPDATE

d) Support for Extended Gable Roof Over Pergola.
The extended gable roof over the rear pergola appears to have no visible means of support. As this is all new construction, a clear and cohesive structure should be provided at ground floor and clearly demonstrated on the plans.

- Support for Extended Gable Roof Over Pergola
- Hatched column grid to show support for upper floor structure.

2. Inconsistencies with Approved Plans under DA-27/2020.
The ground floor plan submitted with the subject application demonstrates works that have not been approved under DA-27/2020. For example, a bathroom approved under DA-27/2020 has been omitted and window labelled W01 has been enlarged. As a result, the scope of works proposed at the ground floor level are unclear and inconsistent with the approved development. All new and approved works at the ground floor level are to be adequately distinguished and demonstrated through the submission of amended plans.

- Approved floor plan in pink, all new proposed is now highlight in grey and note in Blue



NOTES

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TERMITE PROTECTION

TERMIMESH TERMITE PROTECTION SYSTEM TO BE USED IN THE PROTECTION AGAINST SUBTERANEAN TERMITES IN ACCORDANCE WITH AS3660.1-2000 AND TO MANUFACTURERS SPECIFICATIONS

Revision
Bubble

LEGEND

Steel Column	SC
Timber Column	TC
EXISTING	
APPROVED	
PROPOSED	

PROPOSED GROUND FLOOR PLAN



BY	DATE	REVISION
RH	16/09/2020	REVISION 01
RH	18/11/2020	REVISION 02



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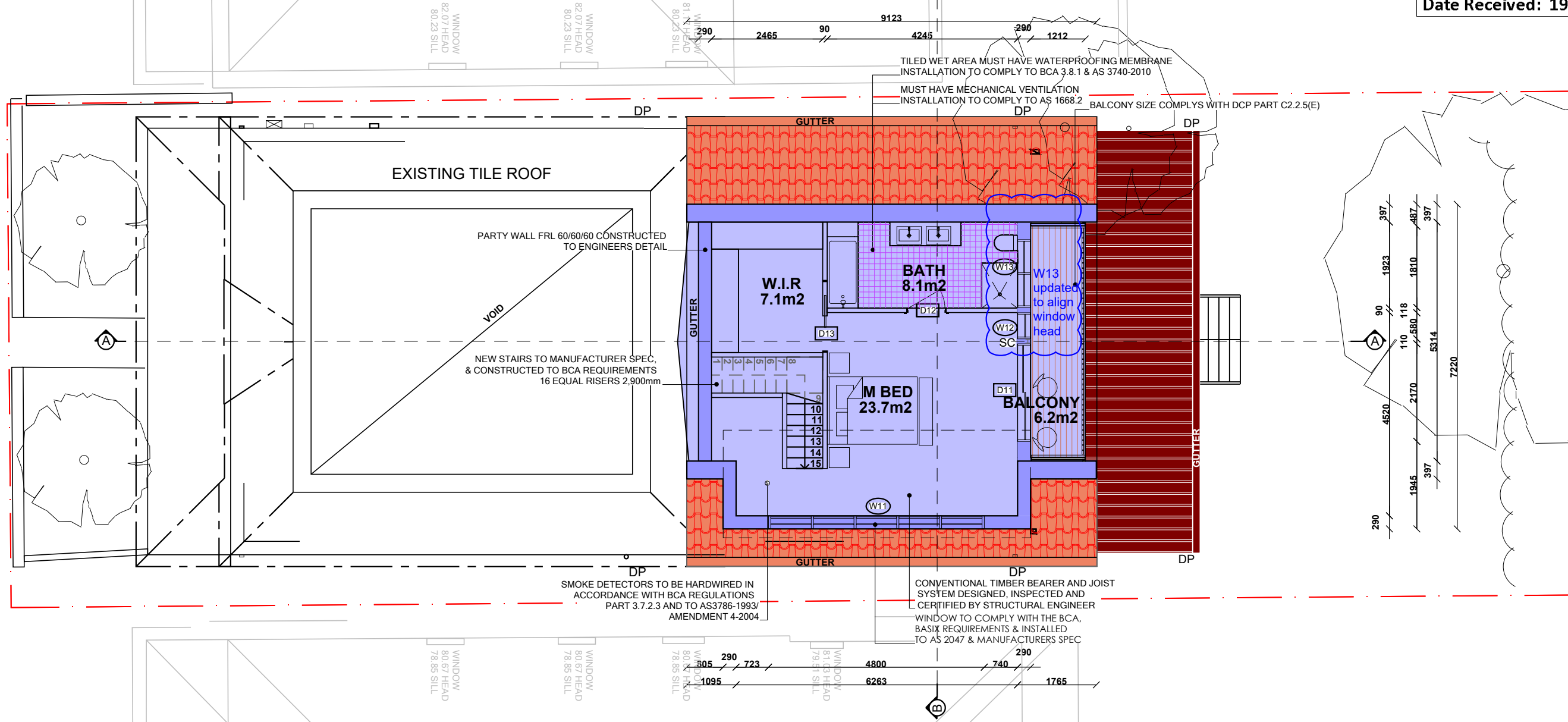
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TITLE DESCRIPTION LOT 1 - DP 308187 - A: 385.7m ²	ADDRESS 10 GIPPS STREET BRONTE 2024	DRN/CHK RH	
PURPOSE DEVELOPMENT APPLICATION	CLIENT MRS H & MR M WHALE	SCALE 1:100 @ A3	
L.G.A. WAVERLEY COUNCIL		DRAWING No. SHEET 06	

AMENDED PLANS

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Application No: DA-316/2020
Date Received: 19/11/2020



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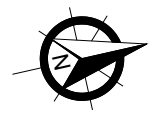
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LEGEND	
EXISTING	
PROPOSED	

0 1 2 3 4 5m SCALE 1:100 - A3		
BY	DATE	REVISION
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RH	18/11/2020	REVISION 02



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SURVEYORS MS - D.J. HORE PTY LIMITED	PROJECT ALTERATIONS & ADDITIONS TO EXISTING DWELLING	DATE 18/11/2020	
TITLE DESCRIPTION LOT 1 - DP 308187 - A: 385.7m²	ADDRESS 10 GIPPS STREET BRONTE 2024	DRN/CHK RH	SCALE 1:100 @A3
PURPOSE DEVELOPMENT APPLICATION	CLIENT MRS H & MR M WHALE	DRAWING No. SHEET 07	
L.G.A. WAVERLEY COUNCIL			

AMENDED PLANS

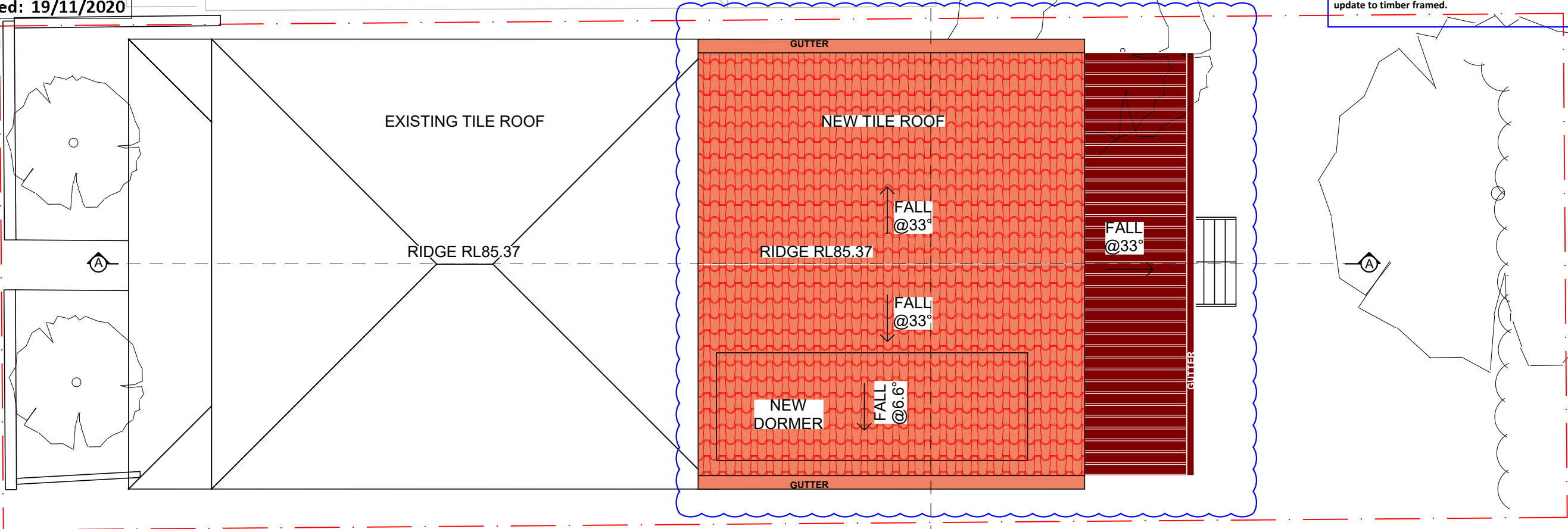
RECEIVED
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Application No: DA-316/2020
Date Received: 19/11/2020

NOTES OF UPDATE

1. Heritage
Council's Heritage Advisor has reviewed the application and the following amendments are required to maintain cohesion with the existing significant fabric of the building:

a) Colours, Materials & Finishes
i. A terra cotta tile roof matching the existing roof is provided to the additions, preferably with hipped gable ends.
ii. All window and door frames and sashes are to be timber framed to provide cohesion with the detailing of the listed building.
iii. No existing external brick work is to be painted, rendered, or otherwise coated and new external brickwork is to closely match existing brickwork.
iv. An amended colour scheme providing a cohesive response to the existing external materials is to be provided.

- Roof is now changed to Terra Cotta Tile roof,
- All external wall will be render or paint
- Refer to New BAXIS, all window and door frames and sashes are update to timber framed.



NOTES

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LEGEND	
EXISTING	
PROPOSED	



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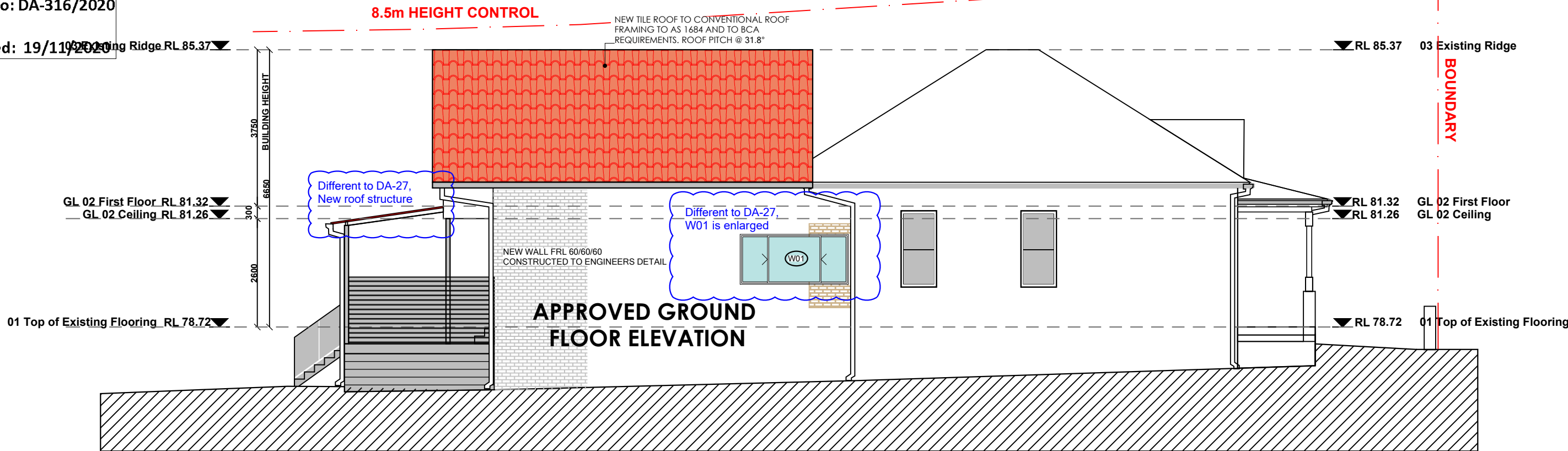
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TITLE DESCRIPTION LOT 1 - DP 308187 - A: 385.7m ²	ADDRESS 10 GIPPS STREET BRONTE 2024	DRN/CHK RH	
PURPOSE DEVELOPMENT APPLICATION	CLIENT MRS H & MR M WHALE	SCALE 1:100 @A3	
L.G.A. WAVERLEY COUNCIL		DRAWING No. SHEET 08	

AMENDED PLANS

Application No: DA-316/2020

Date Received: 19/11/2020



1

West Elevation

1:100

NOTES OF UPDATE

2. Inconsistencies with Approved Plans under DA-27/2020
The ground floor plan submitted with the subject application demonstrates works that have not been approved under DA-27/2020. For example, a bathroom approved under DA-27/2020 has been omitted and window labelled W01 has been enlarged. As a result, the scope of works proposed at the ground floor level are unclear and inconsistent with the approved development. All new and approved works at the ground floor level are to be adequately distinguished and demonstrated through the submission of amended plans.

- W01 is enlarged, different to approved floor plan

NOTES

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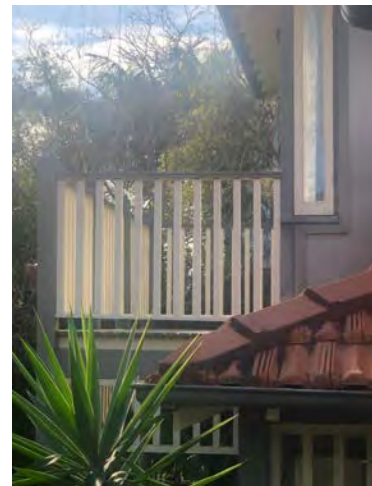
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LEGEND

EXISTING	
APPROVED	
PROPOSED	

12 Gipps Street
Rear Elevation
1st Floor Balustrade



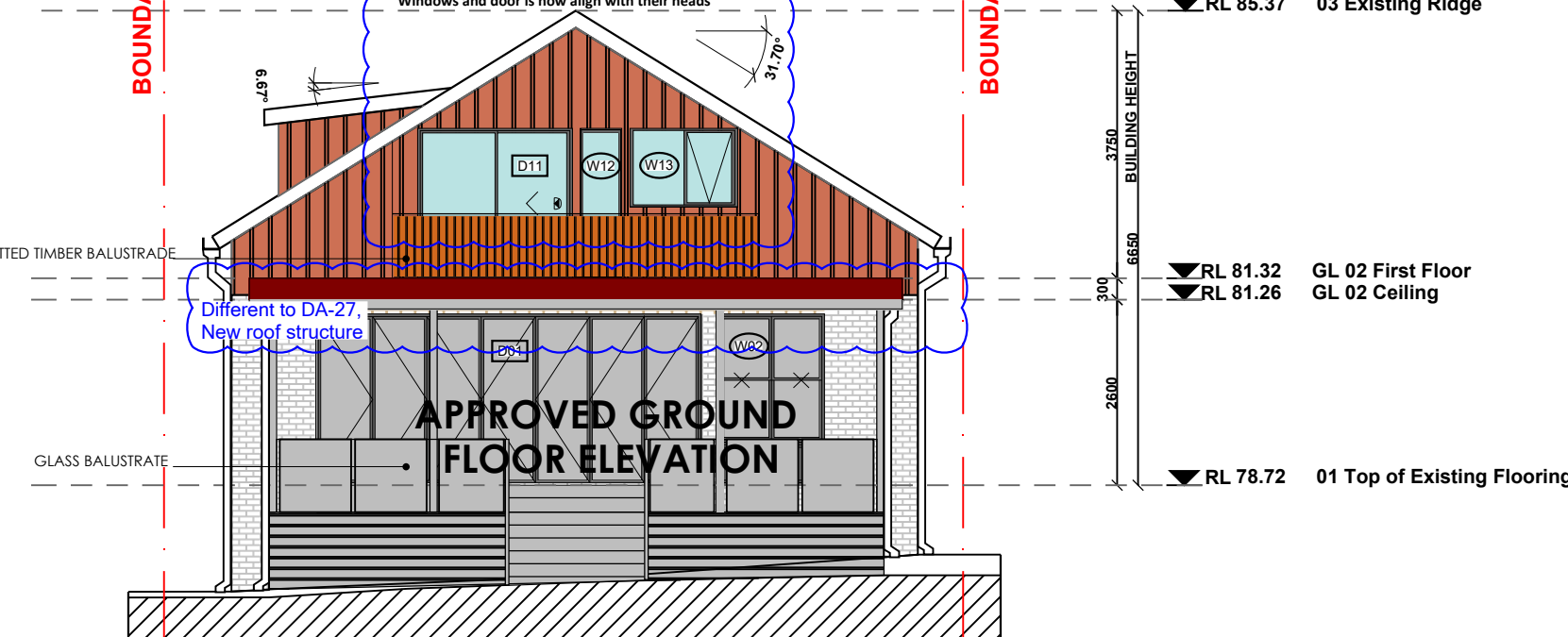
BOUNDARY

NOTES OF UPDATE

1. Heritage
 - b) Rear Elevation
- Windows and door is now align with their heads

Different to DA-27,
New roof structure

APPROVED GROUND FLOOR ELEVATION



2

North Elevation

1:100

WEST & NORTH ELEVATIONS

0 1 2 3 4 5m
SCALE 1:100 - A3

BY	DATE	REVISION
RH	16/09/2020	REVISION 01
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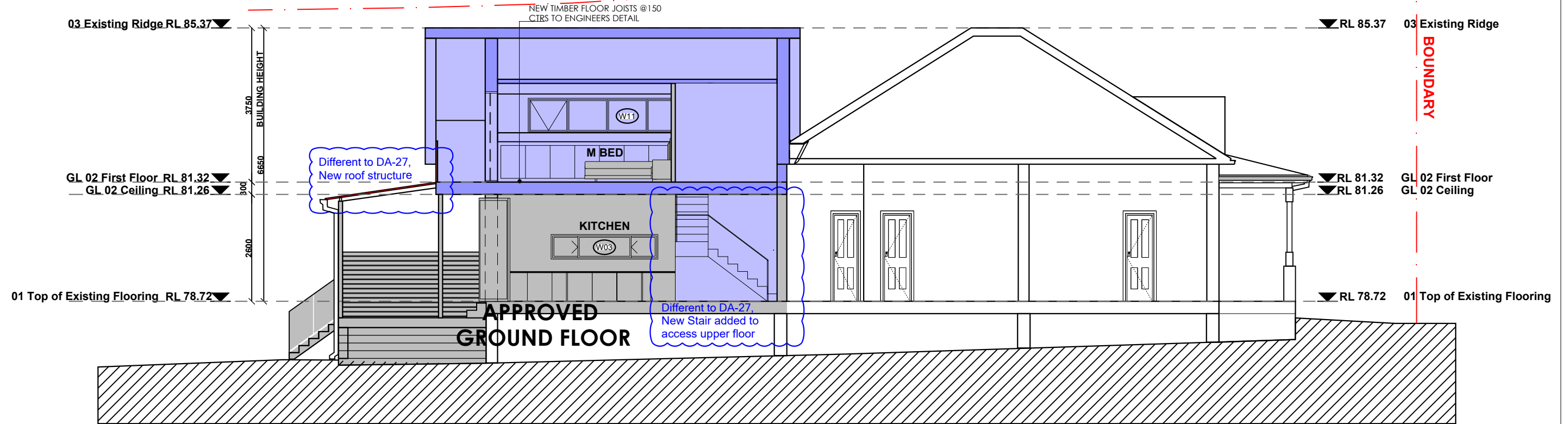
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SURVEYORS MS - D.J. HORE PTY LIMITED	PROJECT ALTERATIONS & ADDITIONS TO EXISTING DWELLING	DATE 18/11/2020	SHEET 10
TITLE DESCRIPTION LOT 1 - DP 308187 - A: 385.7m ²	ADDRESS 10 GIPPS STREET BRONTE 2024	DRN/CHK RH/YL	
PURPOSE DEVELOPMENT APPLICATION	CLIENT MRS H & MR M WHALE	SCALE 1:100 @ A3	
L.G.A. WAVERLEY COUNCIL		DRAWING No.	

BOUNDARY

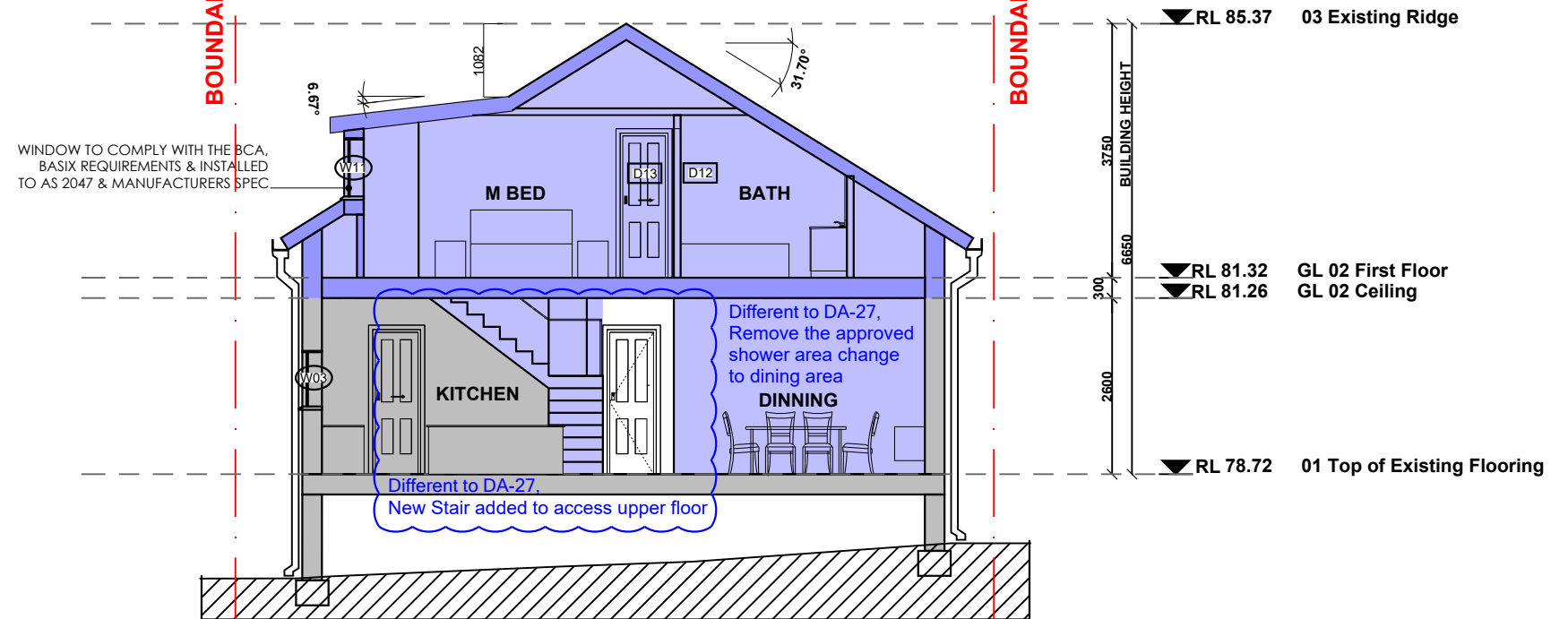
8.5m HEIGHT CONTROL



1 Section - AA
1:100

BOUNDARY

BOUNDARY



2 Section - BB
1:100

SECTION AA & BB

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NOTES

- ALL CONSTRUCTION AND DEMOLITION WORKS TO COMPLY WITH THE PROVISIONS OF THE BUILDING CODE OF AUSTRALIA.
- MEASUREMENTS TO BE CHECKED ON SITE AND ADJUSTED WHERE NECESSARY TO SUIT EXISTING CONDITIONS.
- LEVELS SHOWN ARE OBTAINED FROM INITIAL SITE WORKS SURVEY BY SURELINE ENGINEERING SURVEYS PTY LTD.

LEGEND	
EXISTING	
APPROVED	
PROPOSED	

0 1 2 3 4 5m SCALE 1:100 - A3		
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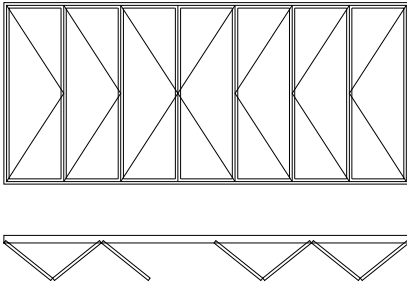
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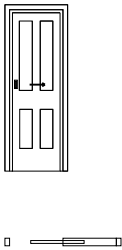
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L.G.A. WAVERLEY COUNCIL		DRAWING No. SHEET 11	

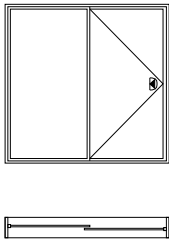
Door Schedule				
Mark	Family	Height	Width	Thickness
D01	BD2454-3L/4R_Bifolding_7_Panel	2400	5360	40
D02	Door - Sliding Single Traditional 4 Panel (solid)	2200	830	40
D11	Door - Sliding Patio Door	2200	2170	40
D12	Door - Swing Single Traditional 4 Panel (solid)	2200	830	40
D13	Door - Sliding Single Traditional 4 Panel (solid)	2200	830	40



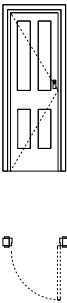
D01
Doors : BD2454-3L/4R_Bifolding_7_Panel : 2400 x 5360 mm



D02, D13
Doors : Sliding Single Traditional 4 Panel (solid) Single 4 Panel 830 x 2100



D11
Doors : Sliding Patio Sngle Glaze Single 4 Panel 2200 x 2170

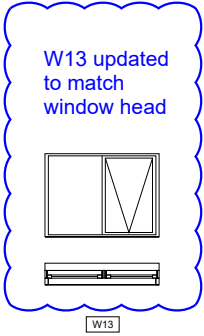
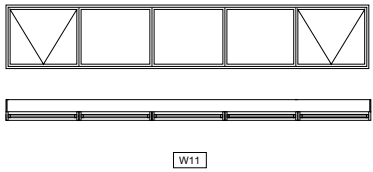
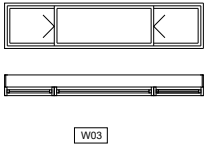
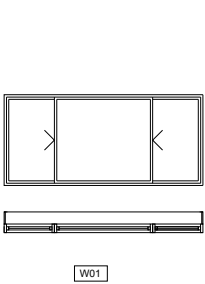


D12
Doors : Swing Single Traditional 4 Panel (solid) : Traditional Swing Single 4 Panel 830 x 2100

Door Schedule and types

1 : 100

Window Schedule			
Mark	Family	Width	Height
W01	Window - Sliding	2630	1200
W02	Window - Double Hung 1814 + Fixed Window 614	1450	2400
W03	Window - Sliding	2630	600
W04	Window - Double Hung	610	1200
W11	Window - Awning with shutters	4800	840
W12	Window - Fixed One Pane	580	2100
W13	Window - Awning AW2118T	1510	1100



Window Schedule and types

1 : 100

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DOOR AND WINDOW SCHEDULE AND TYPES

012345m

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L.G.A WAVERLEY COUNCIL		DRAWING No.	

RESIDENTIAL BUILDING SPECIFICATION – GENERAL NOTES

1. SITE PREPARATION

1.1 GEOTECHNICAL INVESTIGATION.
AN ENGINEER QUALIFIED TO INVESTIGATE THE SOIL CONDITIONS AND CLASSIFY THE SITE IN THE AREA OF THE PROPOSED BUILDING MAY BE ENGAGED BY EITHER THE BUILDER OR THE OWNER/S. WHERE POSSIBLE, THE ENGINEER WILL CERTIFY THAT THE SITE WILL SUPPORT THE PROPOSED FOOTINGS, SLAB AND BUILDING DESIGN.
COSTS OF CONSULTATION WILL BE PAYABLE BY THE OWNER/S AS AN ADDITIONAL COST NOT ALLOWED FOR/OR INCLUDED IN THE CONTRACT SUM, UNLESS OTHERWISE SPECIFIED.

1.2 SITE IDENTIFICATION & SETTING OUT
THE BUILDER IS TO VISIT THE SITE AND NOTE THE EXISTING LEVELS, SITE CONDITIONS AND FACILITIES. THE BUILDER SHALL ADVISE THE OWNER/S OF ANY VARIATION FOUND AT THE SITE FROM THE DOCUMENTATION OR INFORMATION PROVIDED.
THE LAND SHALL BE BLOCK AND PEG SURVEYED AND THE SURVEY CERTIFICATE PROVIDED BEFORE THE WORK COMMENCES. THE COST OF THE SURVEY SHALL BE INCLUDED IN THE PRICE UNLESS OTHERWISE SPECIFIED. ANY ADDITIONAL SURVEY SHALL BE SUBJECT TO THE ALLOWANCE IN THE P.C SCHEDULE.

2. EXCAVATIONS, FOUNDATIONS AND FOOTINGS

2.1 SITE PREPARATION (BCA 3.2.2)
RUBBISH, TOP SOIL AND ANY VARIATION WITHIN 1 METRE OF PROPOSED BUILDING/S SHALL BE CLEARED AND REMOVED.

3. CONCRETE

3.1 TERMITE RISK MANAGEMENT (BCA 3.1.3)
TERMITE BARRIERS SHALL BE INSTALLED IN ACCORDANCE WITH BCA 3.1.3 PRIOR TO THE COMMENCEMENT OF WORKS. THE SITE SHALL BE INSPECTED FOR EVIDENCE OF TERMITE ACTIVITY. WHERE TERMITE NESTS ARE FOUND ON THE SITE, TREATMENT OF THE NESTS SHALL BE CARRIED OUT BY A COMPETENT AND QUALIFIED CONTRACTOR.
IT IS RECOMMENDED THAT THE OWNER/S IS PROVIDED WITH A COPY OF MASTER BUILDERS HOME OWNER’S GUIDE FOR TERMITE MANAGEMENT.

3.2 VAPOUR BARRIER (BCA 3.2.2)
VAPOUR BARRIER INSTALLED UNDER THE SLAB-ON-GROUND CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE NSW VARIATION BCA 3.2.2.6
THE VAPOUR BARRIER SHALL BE 0.2MM NOMINAL THICKNESS POLYETHYLENE FILM OF HIGH IMPACT RESISTANCE AND BRANDED CONTINUOUSLY: “AS 2870 CONCRETE UNDERLAY, 0.2MM HIGH IMPACT RESISTANCE”.

3.3 FORMWORK
QUALITY FORMWORK SHALL BE USED TO PROVIDE SHAPE, LINE, TRUE POSITIONING AND DIMENSION TO CARRY ALL IMPOSED LOADS. BRACE SUFFICIENTLY TO PREVENT BOWING OR BUCKLING WHILE CONCRETE IS BEING POURED AND CURED.
WHERE THE SLAB EDGE IS TO BE EXPOSED FOR TERMITE MANAGEMENT, THE EXPOSED EDGE SHALL BE OFF-THE-FORM, SMOOTH AND WITHOUT HONEYCOMB.

3.4 REINFORCEMENT (BCA 3.2.3)
STEEL REINFORCEMENT SHALL COMPLY WITH BCA 3.2.3.2 AND THE ENGINEERS DETAILS.
BAR CHAIRS SHALL BE PLACED TO GIVE THE FOLLOWING CLEAR COVER:
- 40MM TO UNPROTECTED GROUND;
- 30MM TO A MEMBRANE IN CONTACT WITH THE GROUND;
- 20MM TO AN INTERNAL SURFACE;
- 40MM TO AN EXTERNAL SURFACE.

3.5 PREMIXED CONCRETE (BCA 3.2.3)
PREMIXED CONCRETE SHALL BE SUPPLIED TO COMPLY WITH AS1379.
UNLESS OTHERWISE SPECIFIED, CONCRETE SHALL HAVE DEFAULT STRENGTH AT 28 DAYS OF NOT LESS THAN 20MPA (GRADE N20) AND HAVE A NOMINAL AGGREGATE SIZE OF 20MM.
UNLESS OTHERWISE SPECIFIED, A DEFAULT SLUMP OF 100MM WILL APPLY TO RESIDENTIAL SLABS AND FOOTINGS.

3.6 CURING
CONCRETE SHALL BE CURED BY COVERING WITH PLASTIC SHEETING, THE APPLICATION OF A SUITABLE CURING COMPOUND, BY KEEPING CONTINUALLY DAMP, OR IN ACCORDANCE WITH AS3600

4. DRAINAGE AND WASTE WATER/SEWAGE TREATMENT

4.1 GENERAL (BCA PART 3.1.2)
ALL DRAINAGE WORK SHALL BE CARRIED OUT BY A LICENSED DRAINER.
STORMWATER DRAINAGE SHALL BE CARRIED OUT IN ACCORDANCE WITH THE BCA.

5. BRICKLAYING/MASONRY (BCA PART 3.3)

5.1 MASONRY UNITS
MASONRY UNITS ARE TO BE AS SELECTED AND AS IDENTIFIED IN THE SCHEDULE. MASONRY UNITS PRODUCED FROM CLAY, CONCRETE AND CALCIUM SILICATE SHALL COMPLY WITH AS/NZS 4455.
MASONRY UNITS EXPOSED TO SALT ATTACK SHALL COMPLY WITH THE DURABILITY REQUIREMENTS OF AS 3700.
AUTOCLAVED AERATED CONCRETE (AAC) BLOCKS SHALL BE SELECTED AND INSTALLED TO THE MANUFACTURER’S SPECIFICATION.

5.2 WORKMANSHIP
MASONRY CONSTRUCTION SHALL COMPLY WITH AS 4773.1 AND BCA PART 3.3. SET OUT MASONRY AS SHOWN ON THE DRAWINGS, BUILD TO GAUGE TO SUIT MASONRY UNITS, MAINTAIN CHOSEN BOND WITH FULL MORTAR JOINTS TO A NOMINAL 10MM.
MORTAR JOINTS SHALL BE FINISHED TO THE TYPE NOMINATED IN THE SCHEDULE. WHERE THE SCHEDULE NOMINATES RAKED JOINTS, THE RAKE MUST NOT EXTEND INTO REVEALS AND SILLS BEYOND THE LINE OF THE STORM MOULDS.
THE CLEANING OF MASONRY SHOULD TAKE PLACE AS WORK PROGRESSES AND UPON COMPLETION IN A MANNER SO THAT THE WORK IS NOT DAMAGED.
PRESSURE CLEANING AND ACID WASH SHOULD NOT BE CARRIED OUT WITHOUT THE PRIOR APPROVAL OF THE BUILDER.
WHERE MASONRY IS TO BE PRESSURE CLEANED, THE FOLLOWING RESTRICTIONS SHALL APPLY:
a) MAXIMUM PRESSURE SHALL BE 7000KPA;
b) USE A WIDE FAN SPRAY NOZZLE OF 150 TO 200;
c) NOZZLE SHALL BE NO CLOSER TO THE WORK THAN 300MM.

5.3 ACCESS AND SUB-FLOOR VENTILATION
SUB-FLOOR VENTILATION SHALL BE PROVIDED IN ACCORDANCE WITH PART 3.4.1 BCA.
PROVIDE CROSS VENTILATION TO THE SPACE BETWEEN THE GROUND AND THE UNDERSIDE OF THE TIMBER FLOOR BY INSTALLING BRICK OR PROPRIETARY BRAND VENTS TO EXTERNAL WALLS ENCLOSING THE SPACE.
THE AIR-FLOW THROUGH THE VENTS MUST BE UNOBSTRUCTED AND WHERE EXTERNAL WALLS ARE OF CAVITY BRICK CONSTRUCTION, INTERNAL OPENINGS SHALL BE PROVIDED ADJACENT TO THE VENT. OPENINGS WILL ALSO BE PROVIDED TO INTERNAL SUB-FLOOR WALLS TO ENSURE CROSS-VENTILATION.
PROVIDE ACCESS TO SUB-FLOOR AREA WHERE IDENTIFIED ON THE PLANS OR AS INSTRUCTED. OPENING IS/ARE TO BE APPROXIMATELY 600MM WIDE UNLESS OTHERWISE SPECIFIED.

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GENERAL NOTES

6. CARPENTRY (BCA PART 3.4)

6.1 TIMBER GENERALLY
REFER TO THE SCHEDULE FOR SPECIES, GRADE AND DURABILITY TO BE USED. ALL TIMBER USED SHALL BE OF THE DURABILITY AND STRESS GRADE SPECIFIED AND/OR COMPLY WITH THE PROVISIONS OF AS 1720 AND AS 1684. ALL STRUCTURAL TIMBER USED WILL BE OF A DURABILITY CLASS APPROPRIATE TO THE EXPECTED SERVICE LIFE AND EXPOSURE CONDITIONS. ALL STRUCTURAL TIMBER USED WILL BE STAMPED OR OTHERWISE IDENTIFIED IN RESPECT OF STRESS GRADE. SIZES OF TIMBER FOR CONSTRUCTIONAL PURPOSES TO BE THE NOMINAL SIZE MENTIONED WITH ALLOWABLE TOLERANCES AS PROVIDED BY THE RELEVANT SUPPLEMENT OF AS 1684. SCANTLINGS TO BE IN LONG LENGTHS, ACCURATELY CUT AND FITTED AND SECURELY FIXED.

6.2 ENGINEERED TIMBER PRODUCTS
FABRICATED GLUE-LAMINATED TIMBER BEAMS ARE TO CONFORM TO AS 1328. FABRICATED L-BEAMS, LAMINATED VENEER LUMBER BEAMS ARE TO BE DESIGNED IN ACCORDANCE WITH AS 1720.1.

6.3 HANDLING AND STORAGE
TIMBER AND TIMBER PRODUCTS DELIVERED TO THE SITE SHALL BE STORED AT LEAST 150MM OFF THE GROUND, STORED LEVEL, EVENLY SUPPORTED, WELL VENTILATED AND PROTECTED FROM THE RAIN AND SUN.
PRE-FABRICATED TRUSSES SHOULD BE HANDLED IN A VERTICAL POSITION TO AVOID DISTORTION AND OVERSTRESSING OF THE TIMBER AND CONNECTING PLATES. WHERE PREFABRICATED ROOF TRUSSES ARE REQUIRED TO BE HANDLED HORIZONTALLY, PROVIDE INTERMEDIATE SUPPORT. DO NOT SITE REPAIR DAMAGED TRUSSES AND REPORT THEM TO THE TRUSS FABRICATOR IMMEDIATELY TO AVOID DELAYS IN RECTIFICATION.

6.4 FLOOR FRAMING
ALL FLOORS NOT SPECIFIED TO BE CONCRETE ARE TO BE FRAMED AT THE LEVEL SHOWN. FLOOR STRUCTURE SIZES AND SPACING ARE TO BE IN ACCORDANCE WITH AS 1684 OR OTHERWISE SPECIFIED BY A PRACTICING STRUCTURAL ENGINEER. BEARERS, JOIST AND PLATES SHALL BE LAID TRUE AND LEVEL.
A) BLOCKING
WHERE THE DEPTH OF FLOOR JOIST IS EQUAL TO OR EXCEEDS 4 TIMES THEIR WIDTH, HERRINGBONE STRUTTING OR SOLID BLOCKING MUST BE PROVIDED BETWEEN THE OUTER PAIRS OF JOISTS AND BETWEEN INTERMEDIATE PAIRS OF JOISTS AT NOT MORE THAN 1.8M CENTRES, OR CONTINUOUS TRIMMING JOISTS CAN BE PROVIDED TO THE ENDS OF JOISTS ABOVE EXTERNAL BEARERS OR WALL PLATES. TRIMMERS OR SOLID BLOCKING MAY BE 25MM LESS IN DEPTH THAN THE JOISTS AND SOLID BLOCKING SHALL BE A MINIMUM THICKNESS OF 25MM.
B) JOISTS UNDER WALLS
PROVIDE DOUBLE JOIST UNDER ALL EXTERNAL WALLS RUNNING PARALLEL WITH THE FLOOR JOIST UNDER THE WALL. WHERE A JOIST IS NOT PROVIDED DIRECTLY UNDER AN INTERNAL TIE-DOWN OR BRACING WALL PROVIDE NOGGING OR BRIDGING BETWEEN ADJACENT JOISTS AT ALL REQUIRED FIXING POINTS.

6.5 FLOORING
A) STRIP FLOORING
FLOOR IS TO BE CLEAR FINISHED AND SHALL NOT BE LAID UNTIL THE BUILDING IS WEATHER TIGHT. CHECK SUPPLIER CERTIFICATE FOR SPECIES, GRADE SIZE AND MOISTURE CONTENT PRIOR TO LAYING.
WHERE MACHINE NAILING IS TO BE USED, ENSURE BOARDS ARE IN CONTACT WITH THE JOIST AS THIS TYPE NAILING CANNOT BE RELIED UPON TO PULL BOARD DOWN TOJOIST.
ALL FITTED FLOORS REQUIRE A 12MM EXPANSION GAP BETWEEN THE FLOOR BOARDS AND ANY INTERNAL OR EXTERNAL WALL STRUCTURES.
B) PLYWOOD STRUCTURAL FLOORING
STRUCTURAL PLYWOOD MUST BE MANUFACTURED IN ACCORDANCE WITH AS/ NZS 2269 AND SHEETS MARKED WITH MANUFACTURER’S NAME OR TRADEMARK. SHEETS SHALL BE INSTALLED IN ACCORDANCE WITH AS 1684. PLYWOOD FACE GRAIN MUST RUN AT RIGHT ANGLES TO THE JOISTS AND SHALL BE CONTINUOUS OVER AT LEAST TWO

C) PARTICLEBOARD FLOORING
PARTICLEBOARD FLOORING SHALL BE LAID AND FIXED IN ACCORDANCE WITH AS 1860.2.
SHEETS SHALL SPAN NOT LESS THAN TWO FLOOR JOIST SPACING’S. SQUARE EDGES AND ENDS OF SHEETS SHALL BE BUTTED OVER JOISTS AND TRIMMERS.

6.6 WALL FRAMING
WALL FRAME, SIZES AND SPACING SHALL BE IN ACCORDANCE WITH AS 1684 OR A SPECIFIED BY A PRACTISING ENGINEER.

6.7 TIMBER STAIRS
TIMBER STAIRS ARE TO BE DESIGNED AND CONSTRUCTED TO RISER, GOING AND BALUSTRADE DIMENSIONS AND COMPLY WITH PART 3.9 BCA.

6.8 ROOF TRUSSES
ROOF TRUSSES SHALL BE FABRICATED IN ACCORDANCE WITH DESIGNS PREPARED BY A PRACTICING STRUCTURAL ENGINEER AND ASD 1720.1.

6.9 ROOF BRACING
PROVIDE ROOF BRACING IN ACCORDANCE WITH TRUSS MANUFACTURER’S DETAIL AND SECTION 8 OF AS 1684.

6.10 ACCESS TO ROOF SPACE
WHERE THE SPACE BETWEEN THE ROOF AND CEILING EXCEED 900MM IN HEIGHT, TRIM AS REQUIRED BETWEEN ROOF TRUSSES FOR A MANHOLE, LINE THE OPENING AND PROVIDE A SUITABLE COVER.

6.11 VERANDAH POSTS
VERANDAH POSTS UNLESS OTHERWISE SPECIFIED SHALL BE A MINIMUM OF 100MM X 100MM OR AS REQUIRED BY AS 1684, CHECKED AT THE TOP PLAT AND SECURED TO THE FLOOR STRUCTURE. WHERE FIXED TO CONCRETE THE BASE OF THE VERANDAH POSTS SHALL BE SUPPORTED BY GALVANIZED SHOES, STIRRUPS OR SIMILAR SUPPORTS.

6.12 EAVES SOFFIT
WHERE OVERHANG IS LESS THAN 600MM SUPPORT LININGS ON 45MM X 32MM SOFFIT BEARERS AT NOT MORE THAN 450MM CENTRES. WHERE OVERHANG IS BETWEEN 600MM AND NOT MORE THAN 1500MM SUPPORT SOFFIT LININGS ON 70MM X 35MM SOFFIT BEARERS AT NOT MORE THAN 450MM CENTRES.



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RESIDENTIAL BUILDING SPECIFICATION – GENERAL NOTES

7. STEEL FRAMING (PART 3.4.2 BCA)

7.1 GENERAL
STEEL FRAMING WILL COMPLY WITH PART 3.4.2 OF THE BCA. STEEL FRAMING SHALL BE DESIGNED AND CONSTRUCTED TO EITHER:
a) AS 4100 – STEEL STRUCTURES
b) AS/NZS 4600 – COLD-FORMED STEEL STRUCTURES
c) NASH – RESIDENTIAL AND LOW-RISE STEEL FRAMING – PART 1 DESIGN CRITERIA
THE FRAME IS TO BE ASSEMBLED WITH FIXINGS AS PER THE DESIGN, OR IN ACCORDANCE WITH MANUFACTURE’S RECOMMENDATIONS.

8. ROOFING (TILES AND METAL) (PART 3.5.1 BCA)

8.1 GENERAL
ALL ROOF CLADDING SHALL COMPLY WITH BCA PART 3.5.1 AND ONE OR MORE OF THE FOLLOWING BCA REFERENCED DOCUMENTS RELEVANT TO THE WORK:
a) AS 2049 - ROOF TILES
b) AS 2050 - INSTALLATION OF ROOF TILES
c)
d)
AS 1562.1 - DESIGN AND INSTALLATION OF SHEET ROOF AND WALL CLADDING - METAL
AS/NZS 4256 PTS 1,2,3 AND 5; AND AS/NZS 1562.3 PLASTIC SHEET ROOFING

8.2 BATTENS
ROOF BATTENS MAY BE OF TIMBER OR STEEL.
TIMBER BATTENS SHALL BE SIZED AND INSTALLED IN ACCORDANCE WITH AS 1684.2 AND AS 1684.3. WHERE BATTENS ARE JOINED IN A RUN, THEY SHOULD BE BUTT JOINTED AT THE CENTRE OF THE TRUSS AND RAFTER.
METAL BATTENS SHALL BE CORROSION RESISTANT AND FIXED TO THE MANUFACTURER’S RECOMMENDATIONS. METAL BATTENS ARE TO BE JOINED OVER TRUSSES WITH A MINIMUM LAP OF 40MM. ADVICE SHOULD BE OBTAINED FROM THE MANUFACTURER ON THE USE OF METAL BATTENS IN HIGH CORROSIVE AREAS.

8.3 SARKING
REFLECTIVE FOIL SARKING SHALL COMPLY WITH AS 4200.1 AND BE INSTALLED IN ACCORDANCE WITH AS 4200.2
SARKINGS SHALL BE PROVIDED FOR ALL ROOFS WHERE THE DESIGN WIND CLASSIFICATION IS GREATER THAN N3. THE REQUIREMENT FOR SARKING WILL BE INFLUENCED BY ROOF PITCH, LENGTH OF RAFTER AND BUSHFIRE PRONE AREAS. FOR TILED ROOFS AT A SLOPE BELOW 200, PROVIDE SARKING AND ANTIPONDING BOARD AT THE EAVES.
WHERE A GUTTER DISCHARGES ONTO A TILE ROOF THROUGH A SPREADER, IRRESPECTIVE OF THE ROOF SLOPE, SARK THE ROOF FROM THE POINT OF DISCHARGE OVER A WIDTH OF 1800MM DOWN TO THE GUTTER. WHERE ONE SECTION OF ROOF FULLY DISCHARGES ONTO A LOWER SECTION, FULLY SARK THE LOWER SECTION.
FIX SARKING OVER RAFTERS/TRUSSES TO ENSURE THE DISCHARGE OF WATER WITHOUT PONDING INTO THE EAVES GUTTER. SECURE SARKING AT THE TOP EDGE OF THE FASCIA AND DRESS DOWN 25MM INTO THE GUTTER.
EXTEND SARKING OVER THE BEAD OF VALLEY GUTTERS AND TURN UP NEATLY ALONG VALLEY. KEEP FOLDED JOINTS CLEAR OF VALLEYS.
WHERE TILES ABUT A WALL, TURN THE SARKING NEATLY UP BEHIND FLASHING A MINIMUM OF 50MM.

8.4 ROOF FLASHINGS
FLASHINGS SHALL BE INSTALLED IN ACCORDANCE WITH PART 3.5.1.3 OF THE BCA.
LEAD FLASHINGS MUST NOT BE USED WITH ALUMINIUM OR ZINCALUME ROOFING OR RAINWATER PLUMBING, OR ANYWHERE WHERE WATER SUPPLY IS BY RAINWATER STORAGE.
8.5 GUTTERS AND DOWNPIPES PART 3.5.2 BCA
GUTTERS AND DOWNPIPES SHALL BE DESIGNED AND INSTALLED IN ACCORDANCE WITH PART 3.5.2 OF THE BCA.
WHERE HIGH FRONT GUTTERS ARE INSTALLED, ATTENTION IS REQUIRED TO PREVENT OVERFLOW BACK INTO THE ROOF OR BUILDING.

9. INTERNAL LININGS

9.1 WALLS
WALLS SHALL BE FIXED IN ACCORDANCE WITH THE MANUFACTURER’S RECOMMENDATIONS. PROVIDE RECESSED EDGE GYPSUM PLASTERBOARDS OF 10MM THICKNESS TO ALL INTERNAL WALLS, EXCEPT AS REQUIRED FOR WET AREAS, OR OTHER TYPE OF PANELING AS INDICATED IN THE SCHEDULE AND PLANS.

9.2 WET AREA LININGS
WET AREA LININGS SHALL BE OF WATER RESISTANT MATERIAL FOR FULL WALL HEIGHT IN ACCORDANCE WITH BCA PART 3.8.1.

9.3 CEILING LININGS
CEILING LININGS SHALL BE 13MM GYPSUM PLASTERBOARD OR 10MM HIGHDENSITY PLASTERBOARD.
THE JUNCTION OF WALLS AND CEILINGS SHALL BE SET AS REQUIRED. FIX SUITABLE CORNICE AS IDENTIFIED IN THE SCHEDULE, NEATLY MITRED AND SET AT ALL ANGLES.
PROVIDE BACK-BLOCKING WHERE THREE (3) OR MORE CONSECUTIVE RECESS JOINTS ARE PRESENT IN CEILINGS.

10. WATERPROOFING

10.1 GENERAL
FROM THE DRAWINGS, IDENTIFY THE AREAS TO BE WATERPROOFED. WATERPROOFING TO INTERNAL WET AREAS AND BALCONIES OVER HABITABLE AREAS SHALL BE IN ACCORDANCE WITH BCA PART 3.8.1.

10.2 WATERPROOFING SYSTEM SELECTION
THE WATERPROOFING SYSTEM SHOULD BE SELECTED ACCORDING TO THE PROJECT REQUIREMENTS AND THE MANUFACTURERS’ SPECIFICATION, TAKING ACCOUNT OF PRODUCT SUITABILITY, AND COMPATIBILITY WITH SURFACE MATERIALS.

11. JOINERY

11.1 GENERALLY
ALL FIXING OUT TIMBER TO BE SEASONED AND FREE FROM DEFECTS WHICH MIGHT AFFECT APPEARANCE OR DURABILITY. ALL TIMBERS ARE TO BE D.A.R. ACCURATELY CUT AND SECURELY FIXED. MOULDINGS AND TRIMMINGS ARE TO BE PROPERLY MITRED OR SCRIBED. ALL SURFACES MUST BE FREE OF MACHINE MARKS AND READY FOR PAINTING. EXTERNAL JOINERY TO BE INHERENTLY DURABLE AND PRIMED PRIOR TO FIXING.

11.2 DOOR FRAMES
DOOR FRAMES SHALL BE SOLID REBATED FRAMES, PACKED PLUMB AND TRUE AND FIXED SECURELY TO DOOR OPENING STUDS OR MASONRY. METAL DOOR FRAMES SHALL BE INSTALLED TO MANUFACTURE’S RECOMMENDATIONS.

11.3 DOORS
EXTERNAL DOORS ARE TO BE SOLID CORE OR FRAMED AND GLAZED AND NOT LESS THAN 2040 X 820 X 40MM THICK. FRONT AND REAR EXTERNAL DOORS SHALL BE HUNG WITH THREE 88MM (MIN) BUTT HINGES OF SUITABLE FINISH AND DURABILITY. WHERE EXTERNAL DOORS ARE SHEETED WITH PLYWOOD, ONLY WATERPROOF PLYWOOD WHICH IS TO BE USED. TOP AND BOTTOM DOOR EDGES ARE TO BE PAINTED OR SIMILARLY SEALED PRIOR TO HANGING. INTERNAL DOORS SHALL BE NOT LESS THAN 35MM THICK FITTED WITH SUITABLE FURNITURE AND BE INSTALLED WITH A CLEARANCE OFF THE FLOOR OF 30MM UNLESS OTHERWISE SPECIFIED. DOUBLE DOORS AND SLIDING DOORS TO BE INSTALLED WHERE SHOWN ON THE DRAWINGS. DOORS SHALL SWING IN THE DIRECTION SHOWN ON THE DRAWINGS.

11.4 WINDOWS
ALUMINIUM AND TIMBER WINDOWS SHALL BE MANUFACTURED AND INSTALLED IN ACCORDANCE WITH AS 2047. WINDOWS ARE TO BE SUPPLIED WITH PERFORMANCE LABEL ATTACHED CONFIRMING COMPLIANCE WITH AS 2047. WINDOWS SHALL BE PROTECTED FROM MORTAR DROPPINGS. WINDOW FLASHINGS – REFER TO 6.7 “DAMP PROOF COURSES (DPC) AND FLASHINGS”.

11.5 GLAZING
ALL GLAZING SHALL COMPLY WITH PART 3.6 BCA AND AS 1288. GLAZING SHALL MEET THE BASIX COMMITMENTS WHERE IDENTIFIED ON THE DRAWINGS OR IN THE DRAWING BLOCK.

11.6 SKIRTINGS
PROVIDE SKIRTINGS WHERE REQUIRED OF A TYPE, FINISH AND SIZE AS IDENTIFIED IN THE SCHEDULE.
NOTE: WHERE SKIRTINGS ARE TO BE FIXED OVER TILED FLOORS, THE SKIRTING SHALL NOT BE FIXED DOWN HARD ON THE TILE SO AS TO RESTRICT THE MOVEMENT JOINT.

12. PLUMBING
NATIONAL CONSTRUCTION CODE VOLUME 3 – PLUMBING CODE OF AUSTRALIA (PCA)

12.1 GENERAL
ALL PLUMBING WORK IS TO BE IN ACCORDANCE WITH THE PCA AND COMPLY WITH THE REQUIREMENTS OF THE PLUMBING AND DRAINAGE REGULATOR OR LOCAL AUTHORITY.
ALL PLUMBING AND DRAINAGE WORKS MUST BE CARRIED OUT BY A LICENSED PLUMBER AND DRAINER.
ENSURE ALL INSPECTIONS ARE CARRIED OUT AND CERTIFICATES ISSUED, INCLUDING A CERTIFICATE OF COMPLIANCE UPON FINAL INSPECTION.

12.2 WATER SERVICE
UNLESS OTHERWISE SPECIFIED, COPPER TUBING SHALL BE USED FOR ALL INTERNAL PLUMBING WORK.
WHERE POLYETHYLENE OR SIMILAR APPROVED PIPING PRODUCTS ARE SPECIFIED, PIPES AND FITTINGS ARE TO BE USED AND INSTALLED TO THE MANUFACTURERS’ RECOMMENDATIONS.
TAP AND TAP SETS ARE TO BE SELECTED BY THE OWNER AND A P.C. AMOUNT IS ALLOWED FOR IN THE P.C. SCHEDULE. WATER SAVING DEVICES SHALL ACHIEVE THE BASIX COMMITMENTS OUTLINED IN THE BASIX CERTIFICATE.

12.3 HOT WATER SERVICE
AN APPROVED WATER HEATER IS TO BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURERS’ INSTRUCTIONS AND LOCATED TO ENSURE EASE OF MAINTENANCE.
THE SELECTION OF HOT WATER SERVICE SHALL COMPLY WITH THE BASIX COMMITMENTS PROVIDED FOR WATER HEATING IN THE BASIX CERTIFICATE.

12.4 STORMWATER DRAINAGE
GUTTERING SHALL BE DESIGNED AND INSTALLED IN ACCORDANCE WITH PART 3.5 BCA AND AS 3500.
LOCATE DOWNPIPES AS SHOWN ON THE DRAWINGS. THE NUMBER, SIZE AND LOCATION OF DOWNPIPES SHALL BE IN ACCORDANCE WITH AS 3500.
STORMWATER PIPES ARE TO A MINIMUM OF 90MM IN DIAMETER OF UPVC MATERIAL, AND WHERE NOT FEEDING RAINWATER TANKS, SHALL DRAIN TO THE STREET GUTTER OR ALTERNATIVE RETENTION DEVICE CONSTRUCTED TO APPROVAL OF THE REGULATOR OR LOCAL AUTHORITY.

12.5 SANITARY PLUMBING AND DRAINAGE
SANITARY PLUMBING AND DRAINAGE SHALL BE UNDERTAKEN IN ACCORDANCE WITH THE PCA AND THE REQUIREMENTS OF THE REGULATOR OR LOCAL AUTHORITY.
SANITARY PLUMBING AND DRAINAGE WORK SHALL BE UNDERTAKEN BY AN APPROPRIATELY LICENSED PERSON.

13. ELECTRICAL

13.1 GENERAL
ALL ELECTRICAL WORK SHALL BE UNDERTAKEN BY A LICENSED ELECTRICIAN AND IN ACCORDANCE WITH AS/NZS 3000.
A CERTIFICATE OF COMPLIANCE ELECTRICAL WORK SHALL BE PROVIDED AT THE COMPLETION OF THE ELECTRICAL WORK.
CONFIRM THE POSITION OF THE METER BOX. SINGLE-PHASE POWER IS TO BE PROVIDED UNLESS OTHERWISE NOTED IN THE SCHEDULE.
INSTALL ALL LIGHTS, POWER OUTLETS AND ELECTRICAL FIXTURES NOMINATED IN THE SCHEDULE.

13.2 SMOKE ALARMS
SMOKE ALARMS SHALL BE INSTALLED IN ACCORDANCE WITH PART 3.7.2 BCA AND COMPLY WITH AS 3786.
PHOTO-ELECTRIC SMOKE ALARMS SHOULD BE THE PREFERRED TYPE FOR INSTALLATION IN THE PATH OF TRAVEL BETWEEN SLEEPING AREAS AND EXITS.

14. WALL AND FLOOR TILING

14.1 GENERAL
PROVIDE WALL AND FLOOR TILES AS SHOWN ON THE DRAWINGS AND/OR INCLUDED IN THE SCHEDULE.

14.2 SURFACE PREPARATION
ALL TILING SUBSTRATES SHALL BE DRY AND FREE OF DUST, DEBRIS AND DEPOSITS. VERY SMOOTH TROWEL FINISHES ON SLABS; WITH SLABS INADEQUATELY CURED, RELEASING AGENT AND CURING COMPOUNDS CAN LEAD TO TILE ADHESION PROBLEMS. CARE SHOULD BE TAKEN WHERE THERE IS PAINT OVERSPRAY ON FLOOR ADJACENT TO WALLS.
THE PREPARATION OF SMOOTH TROWEL FLOORS AND FLOORS WHICH ARE CONTAMINATED SHOULD BE UNDERTAKEN IN CONSULTATION WITH THE BUILDER, TILER AND ADHESIVE SUPPLIER AND/OR MANUFACTURER.
ADHESIVE MANUFACTURERS’ RECOMMENDATIONS ON SURFACE PREPARATION SHOULD BE FOLLOWED.

14.3 COMPATIBILITY
ENSURE TILE ADHESIVES ARE COMPATIBLE WITH THE WATERPROOFING MEMBRANES USED. WATERPROOFING MEMBRANES TO BE PROPERLY CURED PRIOR TO TILE LAYING.
TILE ADHESIVES, PRIMERS AND RELATED PRODUCTS MUST BE COMPATIBLE. THE USE OF MIXED BRAND PRODUCTS IS NOT RECOMMENDED.
SELECTIONS OF TILE ADHESIVES IN WET AREAS ARE TO BE MADE IN CONSULTATION WITH THE BUILDER, FLOOR TILER AND ADHESIVE SUPPLIER AND/OR MANUFACTURER.

14.4 MOVEMENT JOINTS
MOVEMENT JOINTS ARE TO BE PROVIDED IN ACCORDANCE WITH AS3958.1 TO:
- SEPARATE THE TILED ELEMENTS FROM FIXED ELEMENTS SUCH AS WALLS AND COLUMNS;
- OVER MOVEMENT JOINTS IN THE SUBSTRATE; AND
- IN LARGE TILED AREAS, IMMEDIATE MOVEMENT JOINTS AT EVENLY SPACED LOCATIONS AT APPROXIMATELY 4.5 METRES

RECEIVED
Waverley Council

Application No: DA-316/2020

Date Received: 19/11/2020

AMENDED PLANS

GENERAL NOTES



BY	DATE	REVISION
RH	16/09/2020	REVISION 01
RH	18/11/2020	REVISION 02

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D O N O T S C A L E O F F D R A W I N G			
SURVEYORS MS - D.J. HORE PTY LIMITED	PROJECT ALTERATIONS & ADDITIONS TO EXISTING DWELLING	DATE 18/11/2020	
TITLE DESCRIPTION LOT 1 - DP 308187 - A: 385.7m²	ADDRESS 10 GIPPS STREET BRONTE 2024	DRN/CHK RH/YL	
PURPOSE DEVELOPMENT APPLICATION	CLIENT MRS H& MR M WHALE	SCALE 1:100 @A3	
L.G.A WAVERLEY COUNCIL		DRAWING No. SHEET 22	

NOTES OF UPDATE

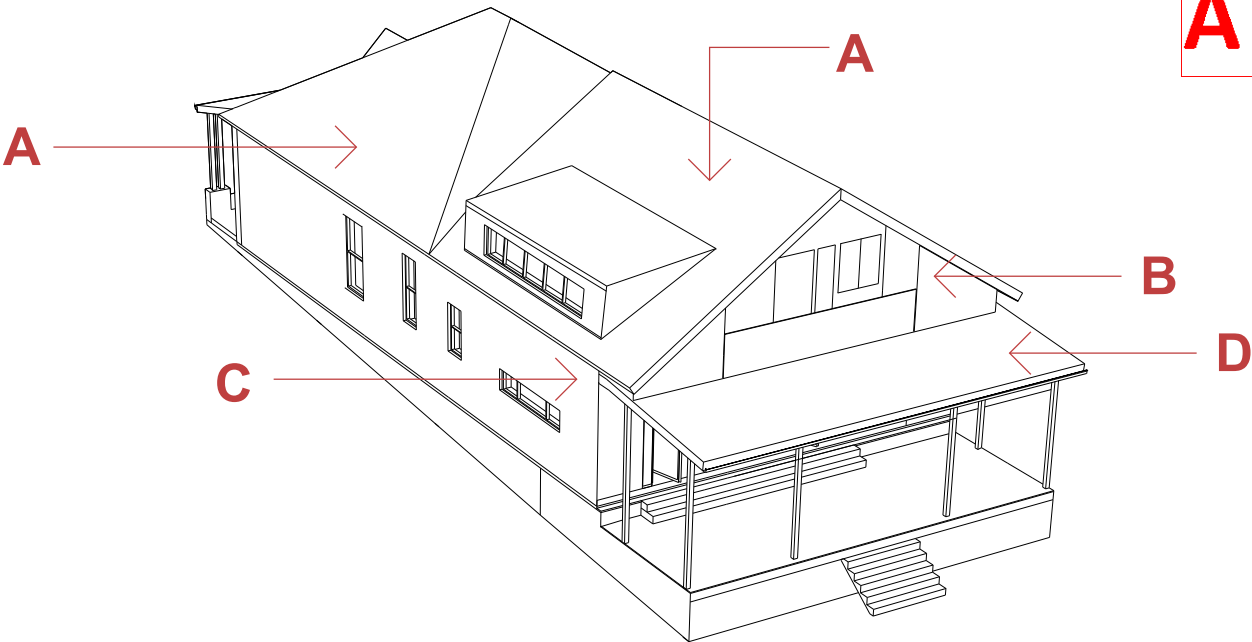
1. Heritage
Council's Heritage Advisor has reviewed the application and the following amendments are required to maintain cohesion with the existing significant fabric of the building:

a) Colours, Materials & Finishes
i. A terra cotta tile roof matching the existing roof is provided to the additions, preferably with hipped gable ends.
ii. All window and door frames and sashes are to be timber framed to provide cohesion with the detailing of the listed building.
iii. No existing external brick work is to be painted, rendered, or otherwise coated and new external brickwork is to closely match existing brickwork.
iv. An amended colour scheme providing a cohesive response to the existing external materials is to be provided.

- ROOF is now changed to Terra Cotta Tile roof,
- No Render wall will be use in this project
- Red and white/cream colour scheme will be use as show in Finishes

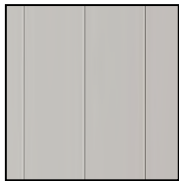
AMENDED PLANS

RECEIVED
Waverley Council
Application No: DA-316/2020
Date Received: 19/11/2020



TERRACOTTA

A
TILE ROOF



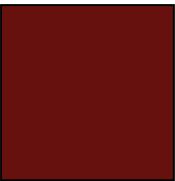
WEATHERGROOVE SMOOTH/NATURAL
WEATHERTEX

B
WALL CLADDING



MURRAY GREY
BOWRAL BRICK

C
BRICK WALL



MANOR RED
COLOURBOND

D
METAL ROOF

FINISHES SHEDULE



BY	DATE	REVISION
RH	16/09/2020	REVISION 01
RH	18/11/2020	REVISION 02

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DO NOT SCALE OFF DRAWING			
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TITLE DESCRIPTION LOT 1 - DP 308187 - A: 385.7m²	ADDRESS 10 GIPPS STREET BRONTE 2024	DRN/CHK RH/YL	
PURPOSE DEVELOPMENT APPLICATION	CLIENT MRS H& MR M WHALE	SCALE 1:100 @A3	
L.G.A WAVERLEY COUNCIL		DRAWING No. SHEET 16	



Report to the Waverley Local Planning Panel

Application number	DA-170/2019/B
Site address	15-17 Lamrock Avenue BONDJ BEACH
Proposal	Modification including replacing metal pitched roof with concrete flat roof, alter internal layout to units on Ground, Level 1 & Level 2; deletion and addition of windows, installation of solar panels, deletions of condition 21(d), condition 21(f) and various other modifications
Approved development description	Demolition of two detached dwellings and construction of a four-storey boarding house and integrated carparking.
Date of lodgement	2 September 2020
Owner	STM 123 No 9 Pty Limited
Applicant	STM 123 No 9 Pty Limited
Submissions	Fifteen (15) unique submissions received.
Cost of Works	No change to cost of works of the approved development.
Issues	Non-compliance with the height of buildings development standard; garbage collection.
Recommendation	That the application be APPROVED .

Site Map



1. PREAMBLE

1.1 Site and Surrounding Locality

A site visit was carried out during the assessment of the original development application in 2019.

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

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

The site was occupied by two single storey dwelling houses and its vehicular access is via a single width shared driveway with garages and carports at the rear of the site. It is currently under construction as shown in **Figure 1** below.



Figure 1: Most recent aerial photograph of the site (Source: NearMap 2020)

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

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

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

1.2 Details of Approved Development

The original development application, known as DA-170/2019 for demolition of two detached dwellings and construction of a four-storey boarding house comprising 47 boarding rooms and integrated carparking, was approved by the Waverley Local Planning Panel on 22 April 2020.

Condition 2 of the development consent provides for the following general modifications to the approved development:

2. GENERAL MODIFICATION

The application is approved subject to the following plan amendments;

- (a) *To eliminate discrepancies during the building certification of this development, the relevant architectural plans shall be amended to reflect the amendments made in the basement car park of the development in response to the BASIX Certificate requirements, specifically the modification of the bulky goods store to accommodate the hot water unit.*
- (b) ***A garbage storage area is to be provided at ground floor level, accessible to the public footpath in a manner approved by the Executive Manager, Development Assessment (or delegate).****
- (c) ***The hydrant booster pump is to be repositioned to be parallel to the driveway and be enclosed with a design consistent with the building.****

*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.*

*(b) and (c) that are bolded were added by the Waverley Local Planning Panel when they determined the original application.

A section 4.55(1A) modification application, known as DA-170/2019/A for modifications to change the wording of condition 2 and general modifications including plans to address that condition, was approved under delegated authority by Council staff on 22 June 2020. This approval resulted in condition 2(a) and 2(c) being deleted/satisfied, with condition 2(b) remaining on the modified consent.

On 1 July 2020, Council confirmed in writing to the applicant that condition 2(b) had been satisfied following amended plans that accorded with the requirements of condition 2(b) of the consent and received by Council on 26 June 2020. As a result, Condition 2(b) remains in the most recent modified consent (i.e. DA-170/2019/A), however is sought to be altered as part of the subject modification application.

1.3 Proposal

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

Basement level:

- Relocation of hot water unit to roof.
- Provision of electrical and communications room on south-eastern corner of basement
- Reduction of motorbike parking spaces from 10 to 9.

Ground floor level:

- Deletion of garbage storage area and reinstatement of a boarding room that was required to be replaced by the required garbage storage area (as per condition 2(b) of the consent). This boarding room is identified as 'G.05' on the plans.
- Reconfiguration of internal layouts, specifically flipping the location of bathrooms and kitchenettes for Rooms G.01, G.03, G.08 and G.10.
- Provision of new windows across the north-western elevation serving the toilet for the common room and bathroom of Room G.01.
- Deletion of windows across south-eastern elevation that served rooms G.01 and G.08.
- Deletion of opening in the front fence that was directly in front of the garbage storage area (now proposed to be reinstated as a boarding room).
- Deletion of automatic flood barrier at the apex of the driveway ramp.

First floor level:

- Reconfiguration of internal layouts, specifically flipping the location of bathrooms and kitchenettes for Rooms 1.01, 1.03, 1.05, 1.08, 1.10 and 1.12.
- Slight extension of the eastern-most ends of the breezeways to accommodate the reconfiguration of the eastern-most rooms.
- Provision of new windows across the north-western elevation serving bathrooms of rooms 1.01 and 1.12.
- Deletion of windows across south-eastern elevation that served rooms 1.05 and 1.08.

Second floor level:

- Reconfiguration of internal layouts, specifically flipping the location of bathrooms and kitchenettes for Rooms 2.01, 2.03, 2.05, 2.08, 2.10 and 2.12.
- Slight extension of the eastern-most ends of the breezeways to accommodate the reconfiguration of the eastern-most rooms.
- Provision of new windows across the north-western elevation serving bathrooms of rooms 2.01 and 2.12.
- Deletion of windows across south-eastern elevation that served rooms 2.05 and 2.08.

Third floor level:

- Deletion of planter boxes of the north-western sides of each balcony accessed from the northern-most rooms and extension of trafficable areas of these balconies into the space where the planters were.

Roof level:

- Change of roof form from shallow pitched to flat.
- Provision of solar panels/plant, storage tanks and hydronic and water heating plant.
- Lift overrun lowered by 250mm.

Other modifications:

- Deletion of condition 21 (d) requiring new street lights
- Deletion of condition 21 (f) requiring undergrounding of main electrical connections.

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 was initially submitted under section 4.55(1A) of the Act. The preliminary assessment of the application revealed that the scope and extent of the associated environmental impacts were not deemed “minimal” under the terms of section 4.55(1A) of the Act. Accordingly, the application was deferred to require the application to be made under section 4.55(2) of the Act.

The proposed modifications are considered to be substantially the same development as the original consent given the land use and essential nature of the development are unchanged.

The modifications result in a marginal increase of the overall building height of the development as a result of the change of the form of the roof of the development from a shallow pitched to a flat form, specifically due to the increased height of the roof parapet across the rear (north-eastern) elevation. While non-compliant with the height of buildings development standard under Waverley Local Environmental Plan 2012, the net increase of building height is minor. Therefore, the perceived building height, bulk and scale of the approved development, as proposed to be modified, will largely remain unchanged when viewed from neighbouring properties and the public domain.

The environmental impacts of the proposed modifications are discussed later in this report.

Council has consulted any relevant Minister or Authority and publicly notified the application to surrounding properties. No submissions were received.

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

The BASIX Certificates have not been updated for this modification application. The applicant states that the storage tanks and hydronic and water heating plant have been relocated from the basement level to the roof of the development for energy efficiency reasons.

2.2.2 SEPP 55 Remediation of Land

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

2.2.3 SEPP (Affordable Rental Housing) 2009

The proposed modifications do not affect the performance and compliance of the approved development against the relevant clauses in Division 3 and Part 2 of the SEPP (Affordable Rental Housing) 2009.

2.2.4 Waverley Local Environmental Plan 2012 (Waverley LEP 2012)

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

Table 1: Waverley LEP 2012 Compliance Table

Provision	Compliance	Comment
Part 1 Preliminary		
1.2 Aims of plan	Yes	Satisfactory.
Part 2 Permitted or prohibited development		
Land Use Table R3 Medium Density Residential Zone	Yes	The approved development, as proposed to be modified, maintains its 'boarding house' land use and definition.
Part 4 Principal development standards		
4.3 Height of buildings <ul style="list-style-type: none"> 12.5m 	No	<ul style="list-style-type: none"> The overall building height of the approved development is 13.714m, which exceeded the height of buildings development standard by 1.214m or 9.7%. The change of roof form, specifically the increase of the northern roof parapet, increases the overall building height of the approved development, as proposed to be modified, by 80mm to 13.794m. The proposed modifications increases the extent of the exceedance of the development standard to 1.29m or 10.3%.
4.4 Floor space ratio and 4.4A Exceptions to floor space ratio <ul style="list-style-type: none"> 0.9:1 + 0.5:1 bonus provided by the ARH SEPP. 	N/A	No change to the overall gross floor area and floor space ratio of the approved development.
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 WLEP does not apply to modification applications made under section 4.55 of the Act, the exceedances are discussed below Table 1 of this report.
Part 6 Additional local provisions		
6.1 Acid sulfate soils	N/A	No additional excavation proposed.
6.2 Earthworks	N/A	No additional excavation proposed.
6.3 Flood planning	Yes	The site is identified as 'flood prone' on the 'Flood Planning Map' of the LEP, however, there are no changes to finished floor levels of the ground and basement levels of the development. Therefore, a reassessment of

Provision	Compliance	Comment
		the development against this clause of the LEP is not required.

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

Height of Buildings

The proposed modifications result in a marginal increase of the overall building height of the approved development. The net increase of building height is 80mm, culminating in the approved development, as proposed to be modified, measuring an overall height of 13.794m, which results in an exceedance of the height of buildings development standard by 1.294m or 10.3%.

Figure 2 below is a comparison of three-dimensional height plane graphics of the development, showing the difference in the extent of the height of buildings development standard between the approved development (top graphic) and the approved development, as proposed to be modified (bottom graphic).

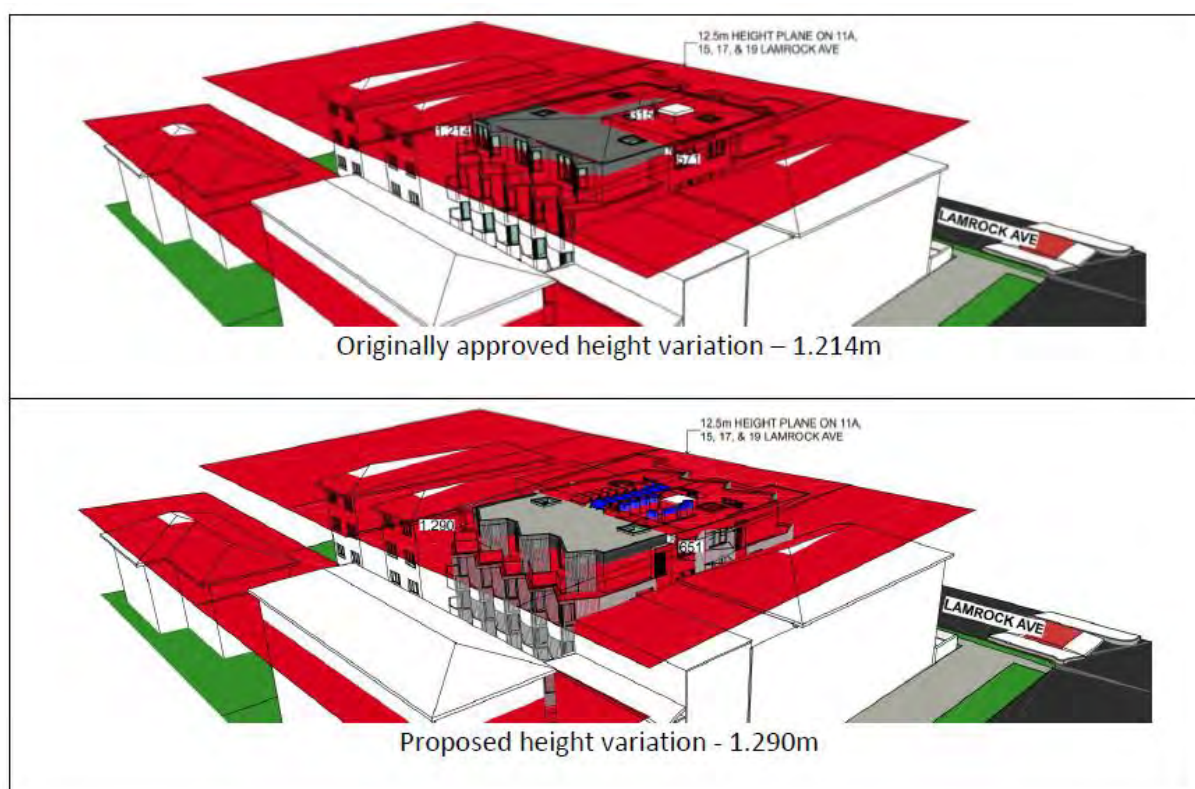


Figure 2: Comparison of building height of the approved development and the approved development, as proposed to be modified (Source: LK Planning 2020)

The applicant has provided detailed 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 height of buildings development standard. The relevant objectives of the 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.*

Objectives (b) and (c) are 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 height of buildings development standard is summarised as follows:

- The approved development, as proposed to be modified, continues to meet the objectives of the development standard.
- The approved development, as proposed to be modified, will continue to preserve the environmental amenity of public spaces and the sharing of views despite the variation to the height of buildings development standards, as the variation is not visible from the public domain and there are no view impacts associated with the variation.
- The height increase is encountered to allow for adequate falls for roof drainage.
- The approved development, as proposed to be modified, remains as a four-storey building. The setbacks of the development are retained.
- The modified building height of the development does not affect its contribution to the physical definition of the street as it will not be discernibly from any public space. The front portion of the approved development, as proposed to be modified, continues to comply with the development standard, where the perceived building height of the development is appreciated from Lamrock Avenue.

The points raised in the applicant's justification are sufficient and acceptable to support the marginal increase of the overall building height of the approved development.

During the course of the assessment of this application, the applicant was asked to provide shadow diagrams, to demonstrate (if any) additional overshadowing impact caused by the modified building height of the approved development, as proposed to be modified, as well as additions and changes to roof plant as part of this modification application. The shadow diagrams reveal there is a very small increase of shadowing at 12pm and 3pm on 21 June, which fall on either the road reserve of Lamrock Avenue and the roof of the adjoining residential flat building to the east of the site at 11A Lamrock Avenue. The building height increase is deemed reasonable in relation to overshadowing impact.

In relation to other environmental impacts, the increased overall building height will not result in additional privacy, visual amenity and view impacts upon neighbouring properties given the marginal extent of the increase and its location within the development.

As the applicant has correctly stated, the increased overall building height occurs within the rear portion of the development, and therefore, the perceived building height of the approved development, as proposed to be modified, from Lamrock Avenue and other public spaces will not be affected by the increased overall building height.

Despite the existing and further exceedance of the height of buildings development standard, the approved development, as proposed to be modified, will achieve and be consistent with the relevant objectives of the height of buildings development standard. Therefore, the exceedance is deemed acceptable and is supported.

2.2.5 Waverley Development Control Plan 2012 - Amendment No 8

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
1. Waste	No (resolved by condition)	<p>The applicant, through this modification application, has sought to challenge the Waverley Local Planning Panel's decision to require the ground floor garbage room adjacent to the driveway and footpath on Lamrock Avenue to facilitate easier collection of waste and recycling and to reduce the incidence of bins being present on Lamrock Avenue.</p> <p>The applicant has proposed an alternative arrangement in an amended waste management plan, submitted with this application, as follows:</p> <p><i>The Building Manager will be responsible for the supervision of a contracted cleaning service for the ongoing cleaning of the common areas of the premises; washing out the bins on a regular basis and assisting with the moving of bins to and from the Lamrock Avenue kerb-side for collection.</i></p> <p><i>The Bins will be taken out of the basement waste bin room weekly by the contracted cleaning service at 5pm the day before waste collection day. The Building Manager will be responsible for supervising the cleaning service with the removal from the bin room & placement of the Council bins in the waste collection area on the kerb-side for collection</i></p> <p><i>At 8am on the same day of waste collection, once the waste has been collected, the contracted cleaning service will return the bins back to the Waste bin room in the basement, as soon as</i></p>

Development Control	Compliance	Comment
		<p><i>possible, under the supervision of the Building Manager.</i></p> <p>The modification application was referred to Council's Sustainable Waste team for commentary and endorsement. This team did not agree with this approach and recommended the requirement for street level garbage room or holding room be maintained in order to facilitate a 'wheel in wheel out' service that discourages bins being left out on the footpath prior to and following collection. Full commentary is provided in section 3.3 of this report.</p> <p>Therefore, the requirement for the garbage bin storage or holding room on the ground/street level of the development is recommended to be retained in order to satisfy the relevant objectives and controls of Part B1 of the Waverley DCP 2012.</p>
2. Ecologically sustainable Development	Yes	The proposed modifications provide for necessary and efficient plant and equipment on the roof of the development to fulfil its mandated BASIX commitments.
3. Landscaping and Biodiversity	Yes	While the planter boxes dividing the uppermost rear terraces of the development are proposed to be deleted, the at-grade landscaped area and deep soil planting remains unchanged.
5. Vegetation Preservation	N/A	No further tree removal proposed.
6. Stormwater	No (resolved by condition)	The applicant has submitted amended stormwater plans to satisfy requirements of relevant conditions of consent. Council's Stormwater Engineer deems these inadequate in relation to condition 20. Therefore, the applicant is required to satisfy the condition 20 separately to this modification application. Condition 20 has been slightly modified to provide some clarity for the stormwater requirements and additional conditions to be satisfied prior to the release of any occupation certificate are to be included in the modified consent.
8. Transport	N/A	No change.
10. Safety	Yes	Satisfactory.
11. Design Excellence	Yes	Satisfactory.
16. Public Domain	Yes	The applicant has requested deletion of the following public domain requirements as per condition 21:

Development Control	Compliance	Comment
		<ul style="list-style-type: none"> Installation of street lighting on the verge of Lamrock Avenue and directly in front of the site. Mains electrical connections to the development must be routed underground. <p>Council's Public Domain Officer did not agree to these requirements being deleted. Therefore, these requirements will be retained under condition 21 of the consent.</p>

Part C3 of Waverley DCP 2012 applies to boarding houses. **Table 3** is an assessment of the proposed modifications against relevant sections of Part C3 of Waverley DCP 2012.

Table 3: Waverley DCP 2012 - Part C3 – Other Residential Development

Development Control	Compliance	Comment
3.2 Height		
<ul style="list-style-type: none"> Maximum external wall height of 9.5m. 	No (acceptable on merit)	The proposed modifications increase the maximum wall external height of the approved development, as proposed to be modified, by 80mm to a total of 13.63m, which is between the roof level at RL28.780 and existing ground level of RL15.150. Despite the non-compliance, all facades of the development are sufficiently articulated. The net increase of the wall height is marginal, and therefore, will not result in discernible additional environmental impacts upon neighbouring properties.
3.3 Setbacks		
	N/A	No changes to all setbacks of the approved development, as proposed to be modified.
3.4 Length and Depth of Buildings		
	N/A	No changes to the length and depth of the approved development, as proposed to be modified.
3.5 Building Design and Streetscape		
	Yes	The streetscape presentation of the approved development is unaffected by the proposed modifications. The new roof plant is centred on the roof, and therefore, will not be overly discernible from Lamrock Avenue.
3.6 Attic and Roof Design		
<ul style="list-style-type: none"> Roof design should contribute to the architectural design and environmental performance of the development. 	Yes	<ul style="list-style-type: none"> The proposed modified roof form from shallow pitch to flat is deemed satisfactory. The overall architectural style and aesthetics of the approved development, as proposed to be modified, are contemporary and a flat roof design is

Development Control	Compliance	Comment
<ul style="list-style-type: none"> Contemporary roof forms are permitted to minimise bulk and scale, and respond appropriately to the context. 		<p>synonymous with cotemporary architecture. This therefore complies with control (a) under section 3.6 of Part C3 of Waverley DCP 2012.</p> <ul style="list-style-type: none"> While there is a consistent pattern of buildings in Lamrock Avenue that comprise pitched roofs (the style of these buildings range from Inter War to 1970s walk up residential flat buildings), the proposed flat roof is not considered out of character with the broader locality of Bondi Beach as contemporary buildings within the locality comprise flat roofs. A key example is the contemporary residential flat building at 10 Jacques Avenue that is close proximity to the subject site.
3.7 Fences and Walls		
	N/A	No change to fences and street walls.
3.8 Pedestrian Access and Entry		
	N/A	No changes to pedestrian access and entry of the development.
3.10 Communal Space		
	N/A	No change to the provision of communal open space.
3.11 Private Open Space		
3.11.2 Balconies/Deck	Yes	The visual privacy impacts of the modified rear terraces on the uppermost floor level are discussed against controls and objectives under section 3.15 of Part C3 of the DCP. Notwithstanding, the modified design of the terraces meet the relevant controls under section 3.11.2 of Part C3 of the DCP.
3.13 Solar Access and Overshadowing		
Direct sunlight to north facing windows of habitable rooms and all private open space areas of adjacent dwellings should not be reduced to less than 3 hours between 9.00am and 3.00pm on June 21	Yes	The shadow diagrams reveal that the marginal increased overall building height and other modifications to the roof will result in negligible additional overshadowing between 9am and 3pm on 21 June.
3.14 Views and view sharing		
<ul style="list-style-type: none"> Minimise view loss through design 	Yes	The minor increase of overall building height of the development will not affect views over and across the site.
3.15 Visual privacy and security		
<ul style="list-style-type: none"> Dwellings to be orientated to the street 	Yes	<ul style="list-style-type: none"> The modifications to window openings across the side elevations of the approved

Development Control	Compliance	Comment
<p>with entrances and street numbering visible</p> <ul style="list-style-type: none"> Development over 50 dwellings must be designed with CPTED principles – See B10 Safety Above ground open space must not overlook rooms and private landscaped areas of adjoining properties or be screened Prevent overlooking of more than 50% of private open space of lower level dwellings in same development Privacy be considered in relation to context density, separation use and design. 	<p>Yes</p> <p>Yes</p>	<p>development, as proposed to be modified, are not expected to result in unreasonable visual privacy impacts as new windows serve bathrooms and windows on the eastern elevation are being deleted.</p> <ul style="list-style-type: none"> The removal of the planters that divided the individual uppermost rear balconies of the development increase the trafficable areas of these balconies. While the increase of trafficable areas of these balconies may intensify the use of these balconies, the modified design of the balconies will retain privacy screens between each balcony. However, there is inadequate external screening of the eastern-most balcony. A condition of consent is recommended to require a privacy screen to be erected on the full extent of the external side (i.e. south-eastern) of the easternmost balcony to protect the visual privacy of the adjoining residential flat building to the south-east of the site at 11A Lamrock Avenue.
3.21 Building services		
<ul style="list-style-type: none"> Building Services setback from walls, edges and front entrances Services on roof not to be seen from street or impact public or private views and be min 2m from the building edge 	<p>Yes</p>	<p>The provision of solar panels/plant, storage tanks and other equipment on the roof are placed in the central portion of the roof and are set back at least 1.3m from the western roof parapet and 3.8m from the southern roof parapet of the development. Based on these setbacks, these services are unlikely to be overly conspicuous from Lamrock Avenue and neighbouring properties. The heating units and equipment are required by SEPP BASIX and are located on the western side of the roof of the development, which is separated by sufficient distances from immediately adjoining residential uses to the north-east and south-east of the site. Therefore, these mechanical plant and equipment are not expected to give rise to undue noise impacts on surrounding residences. In any case, condition 71 of the consent requires the premises to no give rise to the transmission of "Offensive noise" as defined in the <i>Protection of the Environment Operations Act 1997</i> to any place of different occupancy.</p>

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*.

A total of 16 submissions were received from the following properties:

- 1/11A Lamrock Avenue, Bondi Beach*
- 2/11A Lamrock Avenue, Bondi Beach
- 3/11A Lamrock Avenue, Bondi Beach
- 4/9 Lamrock Avenue, Bondi Beach (two submissions received from this household, however only one deemed unique submission) *
- 2/24 Lamrock Avenue, Bondi Beach
- 3/30 Lamrock Avenue, Bondi Beach (two unique submissions received from this household)
- 5/32 Lamrock Avenue, Bondi Beach
- 1/42 Lamrock Avenue, Bondi Beach
- 3/42 Lamrock Avenue, Bondi Beach
- 4/44 Lamrock Avenue, Bondi Beach
- 4 Consett Avenue, Bondi Beach
- 27 Boonara Avenue, Bondi
- 28 Brougham Street, Cowra
- Unidentified address.

** NB: Submissions received from property addresses denoted with an asterisk above comprises the same substance and written structure. Therefore, 15 unique submissions were received, objecting to this application.*

The following issues and matters raised in the submissions have been identified and discussed in the body of this report:

- Non-compliance with the height of buildings development standard.
- Deletion of mandated garbage storage area on ground floor level of the development.
- Deletion of mandated public domain upgrades relating to street lighting and undergrounding of new electrical cables.
- Streetscape impact of change of roof form from pitched to flat.
- Privacy impacts of increased trafficable area of uppermost rear balconies of the development.
- Noise and visual impacts of relocated and additional hot water tank and heating units on the roof of the development.

All other issues that are raised in the submissions that directly relate to the modification application are summarised and discussed below. Some submissions have raised matters relating to the approval of the boarding house land use and associated operational matters that were considered and assessed in the original development application. As per section 4.55 of the Act, matters non-specific

to the scope of the proposed modifications to any development consent cannot be revisited and reassessed when assessing a modification application. This modification application does **not** seek to change the operational aspects of the boarding house use of the approved development.

Issue: *The proposed flat roof design will enable the roof of the development to be used as a trafficable roof terrace.*

Response: Disagreed. The roof is not intended nor designed to be trafficable. Should the applicant wish to use the roof as a trafficable roof terrace, they would need to apply for development consent for such intention. The applicant is not seeking to do this through this modification application.

2.6 Public Interest

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

3. REFERRALS

3.1 Public Domain (Infrastructure Services)

The application was referred to Council's Public Domain Officer to seek commentary and recommendations regarding the proposed deletion of conditions 21(d) and 21 (f) of the consent that require new street lighting and undergrounding of new electrical cables.

Relevant extracts of Condition 21 as existing on the development consent read as follows:

21. PUBLIC INFRASTRUCTURE WORKS

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

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

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

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

- (a) Footpath: Replace the footpath traversing the Lamrock Street frontages. The proposed footpath material, profile and street furniture details traversing the frontage to be advised by Council at the time of engineering plan approval.*
- (b) Kerb and Gutter: Replace kerb and gutter traversing the Lamrock Street frontage. Any stormwater kerb lintel infrastructure within the extent of kerb and gutter works shall be replaced. Proposed kerb profiles are to be provided to ensure proper connections to existing kerb and gutter along the street frontage.*

- (c) Street Trees: All trees proposed and existing within the Council verge will require installation of the suitable tree pits, surrounds and root barriers.

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

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

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

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

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

Notes:

- Depending on the complexity of the proposed public domain works, the Council's review of each submission of the plans may take a minimum of six (6) weeks.
- The Applicant is advised to consider the finished levels of the public domain, including new or existing footpaths and pavement prior to setting the floor levels for the proposed development.
- Waverley Council standard drawings for public domain infrastructure assets are available upon request. Details that are relevant may be replicated in the public domain design submissions; however Council's title block shall not be replicated.
- Council's contact for public domain: E-mail: assets@waverley.nsw.gov.au or Phone: 9083 8886 (operational hours between 9.30am to 4pm Monday to Friday)

The response received from Council's Public Domain Officer is as follows:

Conditions 21(d)

- The proposed development proposes the construction of a four-storey boarding house, with integrated parking in replacement of two existing single storey dwellings. It is evident this development will encourage increased pedestrian movements within the street frontage.
- The lighting is essential for the increased amenity of the site frontage and connection towards the Bondi Beach precinct.
- Council engineers have made assessment for street light installations, with the provision of the existing street trees and deem the works are possible without the removal of any existing street trees.
- As per Council Public Domain Technical Manual, Section K Lighting, the existing lighting levels within Lamrock Avenue require upgrading to PP3-PP4 category as per AZ/NZS 1158.

- *With the addition of the dense tree canopy, the existing street light opposite the development frontage is considered insufficient for providing the necessary illumination levels and ensuring public safety when the street frontage is dim at the night.*

Conditions 21(f)

- *Council acknowledge the existing site/s were serviced via undergrounded power, and trust the new proposed works will continue to retain this connection.*
- *This condition is listed in the event Ausgrid may require a connection upgrade or the replacement and amplification of the existing connection to support the new development's requirements. In which case, no additional pillars or private poles will not be supported by Council.*
- *This is a standard condition issued by Council for all major developments to ensure Council has authority to apply should any new pillars/columns are proposed.*

Planning comment:

This recommendation will be adopted. Conditions 21(d) and 21(f) of the consent will be retained in the modified consent.

3.2 Stormwater (Infrastructure Services)

The applicant submitted stormwater plans to satisfy condition 20 of the consent, which requires a certain set of stormwater requirements for the development. Council's Stormwater Engineer did not deem these satisfactory. Therefore, the applicant is to separately satisfy this condition, which will be reaffirmed in the modified consent with a couple of amendments as recommended by the Stormwater Engineer. New conditions relating to stormwater matters prior to the release of an occupation certificate and/or during occupation have been recommended by the Stormwater Engineer and are adopted in the Recommendation.

3.3 Sustainable Waste (Environmental Sustainability)

Council's Sustainable Waste team in the Environmental Sustainability department advised the following with regards to the removal of the mandated garbage bin storage room on ground floor level:

The bin holding room at street level is required to remove the possibility of bins remaining on the kerb for extended periods. It is preferred the bin holding room stays and that the Building Waste Management Plan (which must be submitted to Council for approval) stipulates a "wheel in-wheel out" service so that the private contractor must take bins from the holding area, empty them and return them directly to the holding area. As this property has 24 bins presented twice per week, it is imperative that we mitigate these bin issues and keep our streets litter free. Lamrock Avenue is a particularly challenging area as there are numerous bin issues.

So, in short, we recommend to refuse the request.

Planning comment:

This recommendation will be adopted. Condition 2(b) of the consent requiring the garbage store or holding room at street/ground floor level will be modified to specifically facilitate a 'wheel in-wheel out' service so that the private contractor must take bins from the holding area, empty them and return them directly to the holding area.

4. SUMMARY

The application seeks to modify the approved development of a boarding house at the site known as 15-17 Lamrock Avenue, Bondi Beach, under section 4.55(2) of the EP & A Act. The application specifically seeks to challenge condition 2(b) of the development consent, requiring one of the boarding rooms on the ground floor level of the development to be replaced with a garbage storage area adjacent to the street, that was imposed by the Waverley Local Planning Panel when the original development application was determined. The assessment of this application finds that this condition should be retained in order to lessen the incidence of bins being present in Lamrock Avenue for prolonged periods. Further, the deletion of certain public domain upgrade requirements is not supported either. Other modifications sought in this application are, however, supported on planning merit, subject to a separate general modification condition requiring a privacy screen on the south-east side of the easternmost rear balcony on Level 3 of the development.

The modification application is referred to the Waverley Local Planning Panel (the Panel) for the following reasons:

- seeks to delete a condition of consent specifically imposed by the Panel;
- seeks to exceed a development standard under an environmental planning instrument by more than 10% (i.e. height of buildings development standard under Waverley LEP 2012); and
- has attracted more than 10 unique public submissions by way of objection.

The application has been assessed against the matters for consideration under sections 4.15 and 4.55 of the EP & A Act, and is recommended for approval, subject to modified and additional conditions.

DBU Decision

The application was reviewed by the DBU at the meeting on 10 November 2020 and the DBU determined:

- (a) *The application is acceptable and should be approved, subject to condition 2(b) being retained and modified to specify that a "wheel in-wheel out" service must be provided.*

DBU members: *B McNamara, E Finnegan and K Johnstone*

5. RECOMMENDATION TO WAVERLEY LOCAL PLANNING PANEL

That the Section 4.55 Modification Application be **APPROVED** by the Waverley Local Planning Panel subject to the Conditions in Appendix A:

Report prepared by:



Ben Magistrale
Senior Development Assessment Planner

Date: 16 November 2020

Reason for referral:

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



Angela Rossi
Manager, Development Assessment (Central)

Date: 27 November 2020

- 2 Contentious development (10 or more objections)
- 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 Mark Shapiro Architects of Project No: 19006 including the following:

Plan Number and Revision	Plan description	Plan Date	Date received by Council
DA1001B	Site Analysis Plan	8 October 2019	8 October 2019
DA2000C DA2000D	Basement	27 May 2020 28 August 2020	3 June 2020 2 September 2020
DA2001C DA2001E	Ground Floor	27 May 2020 28 August 2020	3 June 2020 2 September 2020
DA2002B DA2002C	Level 1	8 October 2019 28 August 2020	8 October 2019 2 September 2020
DA2003B DA2003C	Level 2	8 October 2019 28 August 2020	8 October 2019 2 September 2020
DA2004B DA2004C	Level 3	8 October 2019 28 August 2020	8 October 2019 2 September 2020
DA2005B DA2005C	Roof Plan	8 October 2019 28 August 2020	8 October 2019 2 September 2020
DA2300B DA2300C	Sections A and B	8 October 2019 28 August 2020	8 October 2019 2 September 2020
DA2400C DA2400E	NE and SW Elevations	27 May 2020 28 August 2020	3 June 2020 2 September 2020
DA2401B DA2401C	SE and NW Elevations	8 October 2019 28 August 2020	8 October 2019 2 September 2020
DA2402B	NE and SW Elevations - Finishes	8 October 2019	8 October 2019
DA2403B	Fence Elevations	8 October 2019	8 October 2019
DA2500B	Unit Plans 1	8 October 2019	8 October 2019
DA2501B	Unit Plans 2	8 October 2019	8 October 2019
DA2502B	Unit Plans 3	8 October 2019	8 October 2019
DA9300B	Breezeway Corridor and Balcony Eave Details	8 October 2019	8 October 2019
DA9303B	Bicycle Parking Concept	8 October 2019	8 October 2019

(MODIFIED BY DA-170/2019/A) **AND**

(MODIFIED BY DA-170/2019/B)

- (b) Landscape Plans and documentation titled '15-17 Lamrock Ave, Bondi Landscape Development Application', Sheets 00-11 (Revision B), prepared by CTLA Landscape Architect, dated September 2019 and received by Council on 8 October 2019.
- (c) Plan of Management, titled 'Boarding House Management Plan for Boarding House at 15-17 Lamrock Avenue Bondi Beach 2026', undated and received by Council on 8 October 2019.
- (d) BASIX Certificate prepared by Gradwell Consulting and associated BASIX Commitment Plans, DA2000, DA2001, DA2002, DA2003, DA2004, DA2005, DA2500, DA2501 and DA2502, all Revision B, all dated 08/10/19, prepared by Mark Shapiro Architects, all received on 5 March 2020.
- (e) BCA Compliance Assessment Report, Report No. BCA 19/014, prepared by Aramini + Leedham Consulting, dated 24 May 2019 and received by Council on 29 May 2019.
- (f) Site Flood Assessment (Reference No. SY190947) prepared by Northrop, dated 1 October 2019, and received by Council on 1 October 2019.
- (g) Acoustic Assessment (Report No. BA190338) prepared by Blackett Acoustics Noise and Vibration Consultants, dated May 2019, and received by Council on 29 May 2019.
- (h) Geotechnical and Hydrogeological Investigation prepared by JK Geotechnics (Report No. 32328PHrpt), dated 6 May 2019 and received by Council on 29 May 2019.
- (i) Arboricultural Impact Assessment prepared by Advanced Treescape Consulting (Report Reference 19-092a 01 15-17 Lamrock Road Bondi Beach) and dated 13 May 2019, and received by Council on 29 May 2019.
- (j) The Site Waste and Recycling Management Plan (SWRMP) Part 1 dated 29 May 2019.

Except where amended by the following conditions of consent.

2. GENERAL MODIFICATION

The application is approved subject to the following plan amendments;

- (a) (SATISFIED BY DA-170/2019/A)
- (b) A garbage storage area is to be provided at ground floor level, accessible to the public footpath ***and to enable a "wheel-in and wheel-out" service so that the private waste collection contractor shall take bins from the ground floor garbage storage area, empty them and return them directly to the same storage area*** in a manner approved by the Executive Manager, Development Assessment (or delegate).

(MODIFIED BY DA-170/2019/B)
- (c) (DELETED BY DA-170/2019/A)
- (d) ***In order to protect the visual privacy of the adjoining property to the south-east of the site at 11A Lamrock Avenue, Bondi Beach, a privacy screen with a minimum height of 1.8m above finished floor level shall be erected across the full extent of the south-east side of the rear balcony connected to Room 3.06 on Level 3 of the development.***

(ADDED BY DA-170/2019/B)

The amendments are to be approved by the **Executive Manager, Development Assessment or delegate** prior to the issue of a Construction Certificate for works to the ground floor or above. 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.

~~(MODIFIED BY DA-170/2019/A)~~

20. STORMWATER MANAGEMENT AND PUBLIC INFRASTRUCTURE MANAGEMENT

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

The submitted stormwater civil plans prepared by ITM Design Pty Ltd, Job No. 18/221, Drawing No. H-DA-00, H-DA-01 and H-DA-02 (all Revision A), dated 23 May 2019 are considered unsatisfactory. The applicant must submit plans and specifications to comply with the current Waverley Council Water Management Technical Manual and Development Control Plan (DCP) at the time of engineering plan approval. The submitted plans to include:

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

The existing pipeline and easement to be overlayed onto the stormwater plans. Detailed sections are to be provided to demonstrate that all structural support elements are located away from the zone of influence of the existing stormwater pipe. ***There shall be no structure within the confines of the existing easement.***

- (b) OSD Details: The provided OSD shall be designed to be away from the zone of influence of the existing stormwater pipe. The structure shall be designed and built to be self-supporting to allow excavation of the Council's pipe without the need of any supplementary support structures.
- (c) Flood Freeboard Level: As the property falls within a flood prone area, the habitable floor level should be a minimum 15.82m (WSL 15.52m AHD + 300mm minimum freeboard).
- (d) Flood Model: As the property falls within a flood prone area, a catchment analysis is to be undertaken to ensure the pipe(s) and pits in the existing easement have enough capacity to accommodate additional flows from the site. Please submit details to Council.
- (e) Since the calculated site discharge is more than 25L/s, the site stormwater shall be connected directly to Councils trunk drainage system.
- (f) A non-return valve to be installed at the outlet pipe at the connection point with Council's stormwater line so that stormwater cannot surcharge back into the property disposal system.

- (g) All proposed conduits within the public domain shall be constructed using 375mm RCP pipes and a junction pit shall be installed at all changes of gradient and changes of direction in the pipeline.
- (h) During construction of the proposed stormwater connection to the existing Council line, any infrastructure within the Council easement shall be constructed to the satisfaction of Council, with all costs borne by the applicant.
- (i) Since a sewer main runs through the property, plans must also be presented to a Sydney Water Quick Check Agent for their approval.
- Council's contact for infrastructure assessment: E-mail: assets@waverley.nsw.gov.au or Phone: 9083 8886 (operational hours between 9.30am to 4pm Monday to Friday)

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

(MODIFIED BY DA-170/2019/B)

B. New Conditions

61A. WORKS-AS-EXECUTED DRAWINGS – STORMWATER DRAINAGE

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's Infrastructure Services department.

(ADDED BY DA-170/2019/B)

61B. PLANNED PREVENTATIVE MAINTENANCE SCHEDULE FOR PUMP OUT SYSTEM

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

(ADDED BY DA-170/2019/B)

76A. ONGOING MAINTENANCE – STORMWATER DRAINAGE

Council's Infrastructure Services department will need to be provided with an OSD Maintenance Schedule that supports the routine maintenance activities. At a minimum, the detention facility must be:

- Kept clean and free from silt, rubbish and debris.
- Be maintained so that it functions in a safe and efficient manner.
- Not be altered without prior consent in writing of the Council.

(ADDED BY DA-170/2019/B)

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 Mark Shapiro Architects of Project No: 19006 including the following:

Plan Number and Revision	Plan description	Plan Date	Date received by Council
DA1001B	Site Analysis Plan	8 October 2019	8 October 2019
DA2000D	Basement	28 August 2020	2 September 2020
DA2001E	Ground Floor	28 August 2020	2 September 2020
DA2002C	Level 1	28 August 2020	2 September 2020
DA2003C	Level 2	28 August 2020	2 September 2020
DA2004C	Level 3	28 August 2020	2 September 2020
DA2005C	Roof Plan	28 August 2020	2 September 2020
DA2300C	Sections A and B	28 August 2020	2 September 2020
DA2400E	NE and SW Elevations	28 August 2020	2 September 2020
DA2401C	SE and NW Elevations	28 August 2020	2 September 2020
DA2402B	NE and SW Elevations - Finishes	8 October 2019	8 October 2019
DA2403B	Fence Elevations	8 October 2019	8 October 2019
DA2500B	Unit Plans 1	8 October 2019	8 October 2019
DA2501B	Unit Plans 2	8 October 2019	8 October 2019
DA2502B	Unit Plans 3	8 October 2019	8 October 2019
DA9300B	Breezeway Corridor and Balcony Eave Details	8 October 2019	8 October 2019
DA9303B	Bicycle Parking Concept	8 October 2019	8 October 2019

**(MODIFIED BY DA-170/2019/A) AND
(MODIFIED BY DA-170/2019/B)**

- (b) Landscape Plans and documentation titled '15-17 Lamrock Ave, Bondi Landscape Development Application', Sheets 00-11 (Revision B), prepared by CTLA Landscape Architect, dated September 2019 and received by Council on 8 October 2019.
- (c) Plan of Management, titled 'Boarding House Management Plan for Boarding House at 15-17 Lamrock Avenue Bondi Beach 2026', undated and received by Council on 8 October 2019.

- (d) BASIX Certificate prepared by Gradwell Consulting and associated BASIX Commitment Plans, DA2000, DA2001, DA2002, DA2003, DA2004, DA2005, DA2500, DA2501 and DA2502, all Revision B, all dated 08/10/19, prepared by Mark Shapiro Architects, all received on 5 March 2020.
- (e) BCA Compliance Assessment Report, Report No. BCA 19/014, prepared by Aramini + Leedham Consulting, dated 24 May 2019 and received by Council on 29 May 2019.
- (f) Site Flood Assessment (Reference No. SY190947) prepared by Northrop, dated 1 October 2019, and received by Council on 1 October 2019.
- (g) Acoustic Assessment (Report No. BA190338) prepared by Blackett Acoustics Noise and Vibration Consultants, dated May 2019, and received by Council on 29 May 2019.
- (h) Geotechnical and Hydrogeological Investigation prepared by JK Geotechnics (Report No. 32328PHrpt), dated 6 May 2019 and received by Council on 29 May 2019.
- (i) Arboricultural Impact Assessment prepared by Advanced Treescape Consulting (Report Reference 19-092a 01 15-17 Lamrock Road Bondi Beach) and dated 13 May 2019, and received by Council on 29 May 2019.
- (j) The Site Waste and Recycling Management Plan (SWRMP) Part 1 dated 29 May 2019.

Except where amended by the following conditions of consent.

2. GENERAL MODIFICATION

The application is approved subject to the following plan amendments;

- (a) (SATISFIED BY DA-170/2019/A)
- (b) A garbage storage area is to be provided at ground floor level, accessible to the public footpath and to enable a “wheel-in and wheel-out” service so that the private waste collection contractor shall take bins from the ground floor garbage storage area, empty them and return them directly to the same storage area in a manner approved by the Executive Manager, Development Assessment (or delegate).
(MODIFIED BY DA-170/2019/B)
- (c) (DELETED BY DA-170/2019/A)
- (d) In order to protect the visual privacy of the adjoining property to the south-east of the site at 11A Lamrock Avenue, Bondi Beach, a privacy screen with a minimum height of 1.8m above finished floor level shall be erected across the full extent of the south-east side of the rear balcony connected to Room 3.06 on Level 3 of the development.
(ADDED BY DA-170/2019/B)

The amendments are to be approved by the **Executive Manager, Development Assessment or delegate** prior to the issue of a Construction Certificate for works to the ground floor or above. 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.

(MODIFIED BY DA-170/2019/A)

3. BOARDING HOUSE

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

4. PLAN OF MANAGEMENT (POM)

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

B. COMPLIANCE PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

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

GENERAL REQUIREMENTS

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

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

- (a) a Construction Certificate has been obtained from Council or an Accredited Certifier in accordance with the Environmental Planning & Assessment Act, 1979 and
- (b) a Principal Certifying Authority has been appointed and Council has been notified of the appointment in accordance with the Environmental Planning & Assessment Act, 1979 and Environmental Planning and Assessment Regulation 2000 and
- (c) Council is given at least two days' notice in writing of the intention to commence the building works.

CONTRIBUTIONS, FEES AND BONDS

6. SECTION 7.12 CONTRIBUTION

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

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

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

"Waverley Council Cost Summary Report"; or,

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

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

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

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

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

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

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

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

7. TREE PRESERVATION BOND

A bond of **\$8,000** is to be lodged with Council either as cash or by way of an unconditional bank guarantee to ensure the protection and maintenance of the two Paperbark tree on the nature strip of Lamrock Avenue and directly outside of the property. The bond is to be lodged prior to the issue of any Construction Certificate.

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

8. SECURITY DEPOSIT

A deposit (cash or cheque) or guarantee for the amount of **\$200,000** must be provided to Council for any damage caused to any property of the consent authority (ie. public land) as a consequence of the works and completing any public work (such as road work, kerbing and guttering, footway construction, stormwater drainage and environmental controls) required in connection with the consent.

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

9. LONG SERVICE LEVY

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

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

10. LOSS OR MODIFICATION OF CAR SPACE CONTRIBUTION

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

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

CONSTRUCTION AND SITE MATTERS

11. HOARDING

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

12. EROSION & SEDIMENT CONTROL

A Soil and Water Management Plan (SWMP), also known as an Erosion and Sediment Control Plan shall be prepared in accordance with Waverley Council's Water Management Technical Manual be installed and maintained until construction activities have been completed and the site is fully stabilised. A copy of the SWMP must be kept on site at all times and made available to Council officers upon request.

13. DETAILS OF EXCAVATION, SHORING OR PILE CONSTRUCTION

A report shall be prepared by a suitably qualified and practising Structural Engineer/Geotechnical Engineer detailing the proposed methods of bulk excavation, shoring or pile construction, including details of vibration emissions and any possible damage which may occur to adjoining or nearby properties as a result of the proposed building and excavation works.

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

14. ENGINEERING DETAILS

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

TRAFFIC MANAGEMENT

15. CONSTRUCTION TRAFFIC MANAGEMENT PLAN (CTMP)

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

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

16. LONG SECTIONS OF DRIVEWAY

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

The long section drawings shall:

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

17. CAR PARKING ALLOCATIONS

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

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

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

18. BICYCLE PARKING

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

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

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

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

19. MOTORCYCLE PARKING

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

STORMWATER, FLOODING AND PUBLIC DOMAIN

20. STORMWATER MANAGEMENT AND PUBLIC INFRASTRUCTURE MANAGEMENT

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

The submitted stormwater civil plans prepared by ITM Design Pty Ltd, Job No. 18/221, Drawing No. H-DA-00, H-DA-01 and H-DA-02 (all Revision A), dated 23 May 2019 are considered unsatisfactory. The applicant must submit plans and specifications to comply with the current Waverley Council Water Management Technical Manual and Development Control Plan (DCP) at the time of engineering plan approval. The submitted plans to include:

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

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

- (k) OSD Details: The provided OSD shall be designed to be away from the zone of influence of the existing stormwater pipe. The structure shall be designed and built to be self-supporting to allow excavation of the Council's pipe without the need of any supplementary support structures.
- (l) Flood Freeboard Level: As the property falls within a flood prone area, the habitable floor level should be a minimum 15.82m (WSL 15.52m AHD + 300mm minimum freeboard).
- (m) Flood Model: As the property falls within a flood prone area, a catchment analysis is to be undertaken to ensure the pipe(s) and pits in the existing easement have enough capacity to accommodate additional flows from the site. Please submit details to Council.
- (n) Since the calculated site discharge is more than 25L/s, the site stormwater shall be connected directly to Councils trunk drainage system.

- (o) A non-return valve to be installed at the outlet pipe at the connection point with Council's stormwater line so that stormwater cannot surcharge back into the property disposal system.
 - (p) All proposed conduits within the public domain shall be constructed using 375mm RCP pipes and a junction pit shall be installed at all changes of gradient and changes of direction in the pipeline.
 - (q) During construction of the proposed stormwater connection to the existing Council line, any infrastructure within the Council easement shall be constructed to the satisfaction of Council., with all costs borne by the applicant.
 - (r) Since a sewer main runs through the property, plans must also be presented to a Sydney Water Quick Check Agent for their approval.
- Council's contact for infrastructure assessment: E-mail: assets@waverley.nsw.gov.au or Phone: 9083 8886 (operational hours between 9.30am to 4pm Monday to Friday)

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

21. PUBLIC INFRASTRUCTURE WORKS

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

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

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

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

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

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

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

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

- (k) Any existing or proposed utility pillars on the site frontages to be either underground or inside the property boundary of the proposed development. Applicant must liaise with the relevant authorities for their approval and communicate to Council with written confirmation, before executing any works.
- (l) All mains electrical connections to the development must be routed underground. Council will not accept the erection of newly placed electricity columns within the Council's public domain to support the new development.

Notes:

- Depending on the complexity of the proposed public domain works, the Council's review of each submission of the plans may take a minimum of six (6) weeks.
- The Applicant is advised to consider the finished levels of the public domain, including new or existing footpaths and pavement prior to setting the floor levels for the proposed development.
- Waverley Council standard drawings for public domain infrastructure assets are available upon request. Details that are relevant may be replicated in the public domain design submissions; however Council's title block shall not be replicated.
- Council's contact for public domain: E-mail: assets@waverley.nsw.gov.au or Phone: 9083 8886 (operational hours between 9.30am to 4pm Monday to Friday)

22. FLOOD AFFECTED / PONDING AREA

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

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

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

ENERGY EFFICIENCY AND SUSTAINABILITY

23. BASIX

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

WASTE

24. SITE WASTE AND RECYCLING MANAGEMENT PLAN

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

25. WASTE STORAGE AREAS

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

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

All waste and recycling storage rooms must be built to meet all appropriate design requirements set in Part B1 of the *Waverley Council Development Control Plan 2012* to the satisfaction of the Principal Certifying Authority.

Specifically, the plans must address the following:

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

NOISE

26. NOISE – ACOUSTIC REPORT

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

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

For further information on the requirements, refer to Council's website:

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

C. COMPLIANCE PRIOR TO AND DURING CONSTRUCTION

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

PRIOR TO ANY WORKS

27. CONSTRUCTION SIGNS

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

28. DILAPIDATION REPORT

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

Note: Any damage that may be caused is a civil matter. This consent does not allow or authorise any party to cause damage, trespass, or any other unlawful act and Council will not be held responsible for any damage that may be caused to adjoining buildings as a consequence of the development being carried out. Council will not become directly involved in disputes between the builder, owner, developer, its contractors and the owners of neighbouring buildings.

29. PRE-CONSTRUCTION DILAPIDATION REPORT

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

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

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

30. PUBLIC DOMAIN PRE-CONSTRUCTION MEETING

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

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

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

31. USE OF FILL ON SITE

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

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

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

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

DEMOLITION AND EXCAVATION

32. DEMOLITION – ASBESTOS AND HAZARDOUS MATERIALS

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

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

At least 5 days prior to the demolition, renovation work or alterations and additions to any building, the person acting on the consent shall submit a Work Plan to the Principal Certifying Authority in accordance with Australian Standard AS 2601-2001, Demolition of Structure and a Hazardous Materials Assessment prepared by a person with suitable expertise and experience. The Work Plan and Hazardous Materials Assessment shall:

- (a) Outline the identification of any hazardous materials, including surfaces coated with lead paint;
- (b) Confirm that no asbestos products are present on the subject land; or

- (c) Particularise a method of safely disposing of the asbestos in accordance with the Code of Practice on how to safely remove asbestos published by SafeWork NSW (catalogue WC03561)
- (d) Describe the method of demolition;
- (e) Describe the precautions to be employed to minimise any dust nuisance; and
- (f) Describe the disposal methods for hazardous materials.

33. CONTROL OF DUST ON CONSTRUCTION SITES

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

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

34. CLASSIFICATION OF WASTE/ DISPOSAL OF EXCAVATED SOILS

Prior to the exportation of waste (including fill or soil) from the site the material must be classified in accordance with the provisions of the Protection of the Environment Operations Act, 1997 and the NSW EPA Waste classification guidelines 2014.

35. EXCAVATION AND BACKFILLING

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

If an excavation associated with the erection or demolition of a building extends below the level of the footings of a building on an adjoining allotment of land. The excavation is to be managed by a practising structural engineer.

CONSTRUCTION MATTERS

36. CONSTRUCTION HOURS

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

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

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

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

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

38. CONSTRUCTION INSPECTIONS

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

39. CERTIFICATE OF SURVEY - LEVELS

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

40. CERTIFICATE OF SURVEY - BOUNDARIES AND LOCATION OF BUILDING

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

TREE PROTECTION AND REMOVAL

41. TREE PROTECTION

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

42. TREES PERMITTED TO BE REMOVED

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

43. STREET TREES TO BE RETAINED/TREE PROTECTION

No existing street trees shall be removed without Council approval. Precautions shall be taken when working near trees to ensure their retention, including the following:

- (a) Do not store harmful or bulk materials or spoil under or near trees;
- (b) event damage to bark and root system;

- (c) Do not use mechanical methods to excavate within root zones;
- (d) Do not add or remove topsoil from under the drip line;
- (e) Do not compact ground under the drip line;
- (f) Do not mix or dispose of liquids within the drip line of the tree; and
- (g) All trees marked for retention must have a protective fence/guard placed around a nominated perimeter in accordance with AS4970-2009 "Protection of trees on construction sites.

44. STREET TREES ROOT MAPPING

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

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

VEHICLE ACCESS & PUBLIC DOMAIN WORKS

45. NEW VEHICLE CROSSING

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

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

46. EXISTING VEHICLE CROSSING IS TO BE CLOSED

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

47. INTERNAL RAMP - SPEED HUMP

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

D COMPLIANCE PRIOR TO OCCUPATION OR DURING OCCUPATION

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

CERTIFICATES, LICENCES, EASEMENTS AND RESTRICTIONS

48. FINAL OCCUPATION CERTIFICATE

Prior to occupation or use of the development, the Principal Certifying Authority must issue an Occupation Certificate. The Principal Certifying Authority must be satisfied that the requirements of the Environmental Planning & Assessment Act, 1979 have been satisfied including all critical stage inspections. Documentary evidence of all required inspections is to be submitted to Council.

49. CERTIFICATION OF ACOUSTIC PERFORMANCE

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

50. CERTIFICATION OF ALL MECHANICAL PLANT

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

51. CERTIFICATION OF BASIX COMMITMENTS

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

52. CERTIFICATION OF LANDSCAPING

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

53. CERTIFICATION OF STORMWATER SYSTEM

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

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

54. REGISTRATION OF BOARDING HOUSE PREMISES

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

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

55. POSITIVE COVENANT - AUTOMATIC FLOOD GATES

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

56. POSITIVE COVENANT – ON-SITE DETENTION SYSTEM

A positive covenant shall be created for the On-Site Detention (OSD) system, under Section 88E of the Conveyancing Act 1919.

This is to place a restriction on the title that the OSD system is maintained and kept free of debris/weed to allow unobstructed passage of stormwater through the site and underneath the residence. The property owner/occupant shall not modify or remove the OSD system without consent from Council.

The wording of the Instrument shall be submitted to and approved by Council's Public Domain Engineer prior to lodgement at NSW Land Registry Services. The Instrument shall be registered and a registered copy of the document shall be submitted to and approved by the consent authority prior to the issue of an Occupation Certificate/use of the building. All legal costs associated with the registration of the restriction is to be borne by the applicant and/or owner.

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

57. SUPERVISING ENGINEER FINAL CERTIFICATE – PUBLIC DOMAIN

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

STORMWATER AND PUBLIC DOMAIN UPGRADE MATTERS

58. POST-CONSTRUCTION STORMWATER PIPE CCTV DILAPIDATION REPORT

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

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

59. ENGINEERING PLANS ASSESSMENT AND WORKS INSPECTION FEES

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

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

60. WORK-AS-EXECUTED PLAN – PUBLIC DOMAIN

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

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

61. CERTIFICATION OF PUBLIC INFRASTRUCTURE WORKS

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

Notes:

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

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

61A. WORKS-AS-EXECUTED DRAWINGS – STORMWATER DRAINAGE

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's Infrastructure Services department.

(ADDED BY DA-170/2019/B)

61B. PLANNED PREVENTATIVE MAINTENANCE SCHEDULE FOR PUMP OUT SYSTEM

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

(ADDED BY DA-170/2019/B)

MANAGEMENT PLANS

62. PLAN OF MANAGEMENT – SHARED ACCOMMODATION

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

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

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

The PoM shall be reviewed every two years (at minimum) to determine whether any change to it should be made to address any incidents or complaints and/or improve the operations to eliminate anti-social behaviour. A copy of the amended PoM shall be submitted to Council's Executive Manager, Compliance

(or delegate) for review and approval prior to the issue of any Occupation Certificate. Changes to the PoM must be in accordance with the approved conditions of consent.

VEHICLE ACCESS AND PARKING

63. CONVEX MIRRORS

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

64. VEHICULAR ACCESS CONTROL SYSTEM

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

OTHER MATTERS

65. ALLOCATION OF STREET NUMBERS

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

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

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

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

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

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

66. WAVERLEY DIGITAL MODEL

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

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

E. OPERATIONAL MATTERS

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

67. BOARDING HOUSE – USE, OPERATION AND MANAGEMENT

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

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

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

69. COPIES OF CONSENTS AND MANAGEMENT PLANS

A full copy of all current development consents (including approved plans) for the operation of the premises, any compliant registers (or other) required and any required Plan of Managements must be kept on the premises and made available for inspection immediately upon request by Council Officers, Police Officers and/or OLGR Authorised Officers.

70. COMMUNAL OPEN SPACE OF THE DEVELOPMENT

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

7am to 6pm, Monday to Saturday

9am to 6pm, Sundays and Public Holidays

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

71. AMENITY

The management of the premises is to:

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

72. NOISE EMISSIONS

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

73. BOARDING REFRIGERATION UNITS AND MECHANICAL PLANT

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

74. SURVEILLANCE CAMERAS TO BE MAINTAINED ON THE PREMISES

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

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

75. MAXIMUM FLOOD/PONDING AFFECTED LAND

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

76. MAXIMUM WASTE MANAGEMENT PLAN REVIEW

After 2 years of operation (that is, 2 years from the date an Occupation Certificate is issued), the approved Waste Management Plan is to be reviewed to ensure that the details including contracts, roles and responsibilities, commercial tenants (if relevant) are current. The reviewed Waste Management Plan is to be submitted to Council within 3 months from this date (that is, within 2 years and 3 months from the date of an Occupation Certificate being issued) for approval. The updated Waste Management Plan is to supersede the previous plan after approval by Council.

76A. ONGOING MAINTENANCE – STORMWATER DRAINAGE

Council's Infrastructure Services department will need to be provided with an OSD Maintenance Schedule that supports the routine maintenance activities. At a minimum, the detention facility must be:

- Kept clean and free from silt, rubbish and debris.
- Be maintained so that it functions in a safe and efficient manner.
- Not be altered without prior consent in writing of the Council.

(ADDED BY DA-170/2019/B)

PARKING AND ACCESS

77. CAR SHARE SPACE

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

78. VEHICLE ACCESS

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

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

79. ADJUSTMENTS TO STREET SIGNS

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

80. PARKING PERMITS

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

81. DELIVERY OF GOODS

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

ADVISORY MATTERS

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

I. SYDNEY WATER REQUIREMENTS

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

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

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

II. DIAL BEFORE YOU DIG

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

III. TELECOMMUNICATIONS ACT 1997 (COMMONWEALTH)

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

IV. EXCAVATION TO BE LIMITED

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

V. BONDY - ROSE BAY SAND BODY

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

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

VI. TREE REMOVAL/PRESERVATION

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

VII. WORK OUTSIDE PROPERTY BOUNDARY

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

VIII. SYDNEY WATER CERTIFICATE

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

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

IX. SUITABLY QUALIFIED ACOUSTIC CONSULTANT

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

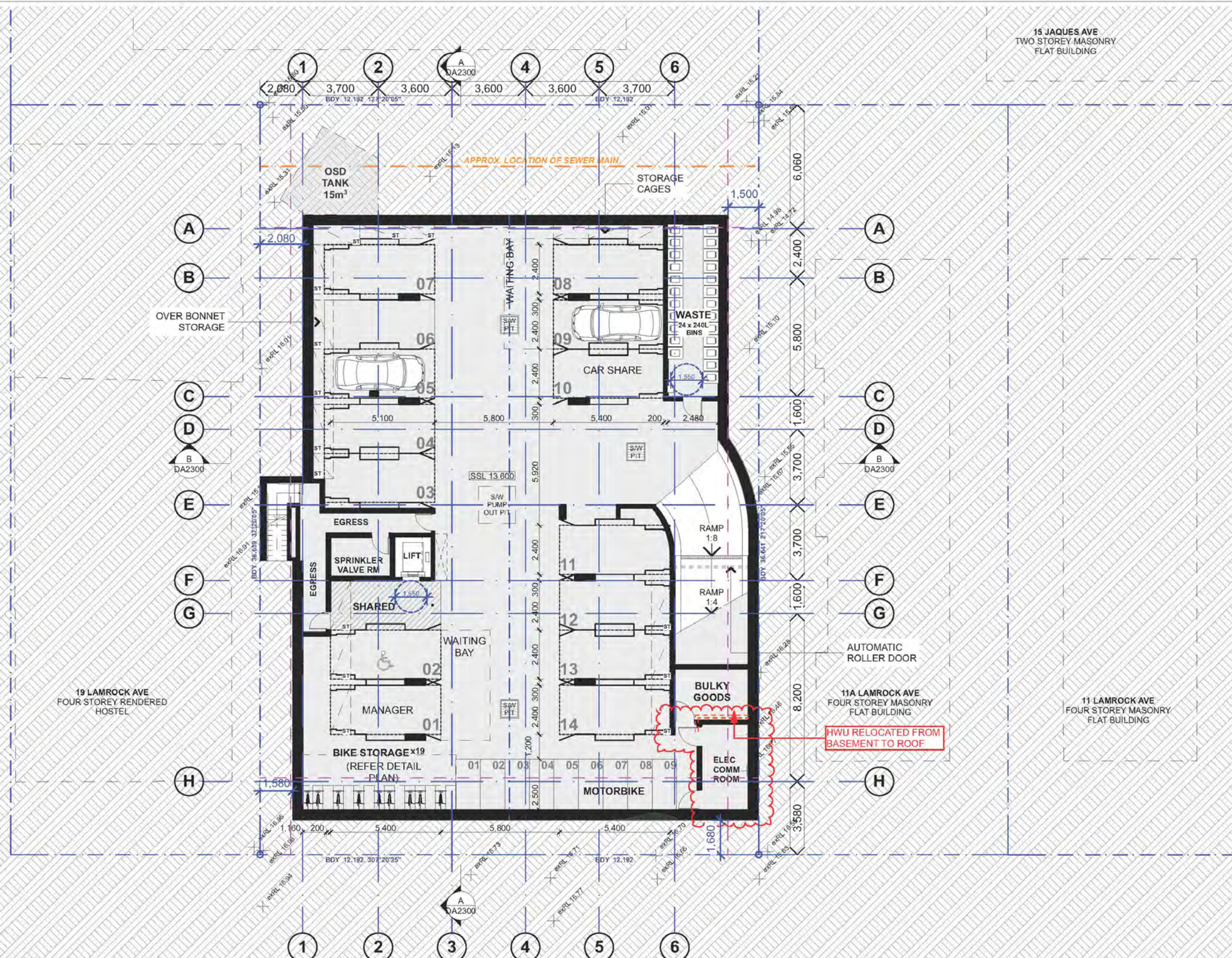
X. POST CONSENT CONDITIONS REQUIRING COUNCIL INPUT

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

(ADDED DA-170/2019/B)



1 BASEMENT FLOOR
1:200



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D	28/08/2020	64.55 2(A)
C	27/05/2020	64.55 1(A)
B	06/10/2019	AMENDED DA
A	24/05/2019	DEVELOPMENT APPLICATION ISSUE
ISSUE	DATE	REVISION

T 0421 996 467
W markshapiro.com.au
E mark@markshapiro.com.au

NSW REG. 9789
ABN 646 2000 7678



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

PROJECT NO: 19006
SCALE: 1:200 @A3
DRAWING NO: REV:
PLOTTED: 28/08/2020

DA2000D



GROUND FLOOR
1:200



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E	26/08/2020	6455 2(A)
D	25/08/2020	WASTE COLLECTION ROOM TO SATISFY CONDITION 2(B)
C	27/05/2020	6455 1(A)
B	06/10/2019	AMENDED DA
A	24/05/2019	DEVELOPMENT APPLICATION ISSUE
ISSUE	DATE	REVISION

BASIX COMMITMENTS

BASIX COMMITMENTS
(ALL OTHER BASIX COMMITMENTS AS PER BASIX CERTIFICATE)

WATER OPTIONS

WATER OPTIONS
SHOWERHEADS:
TOILETS:
CLOTHES WASHERS:
KITCHEN TAPS:
BATHROOM TAPS:

ENERGY OPTIONS

ENERGY OPTIONS:
COOLING:
VENTILATION:
WATER HEATING:
COOK TOPS:
ALTERNATIVE SUPPLY:
CLOTHES LINE:

Ceiling Fans in Living areas
Mechanical ventilation to basement
Central Instantaneous Gas Electric
Gas Cooktops & Electric Oven
Central Solar (PV) 10kW
Yes

LEGEND

CEILING FAN



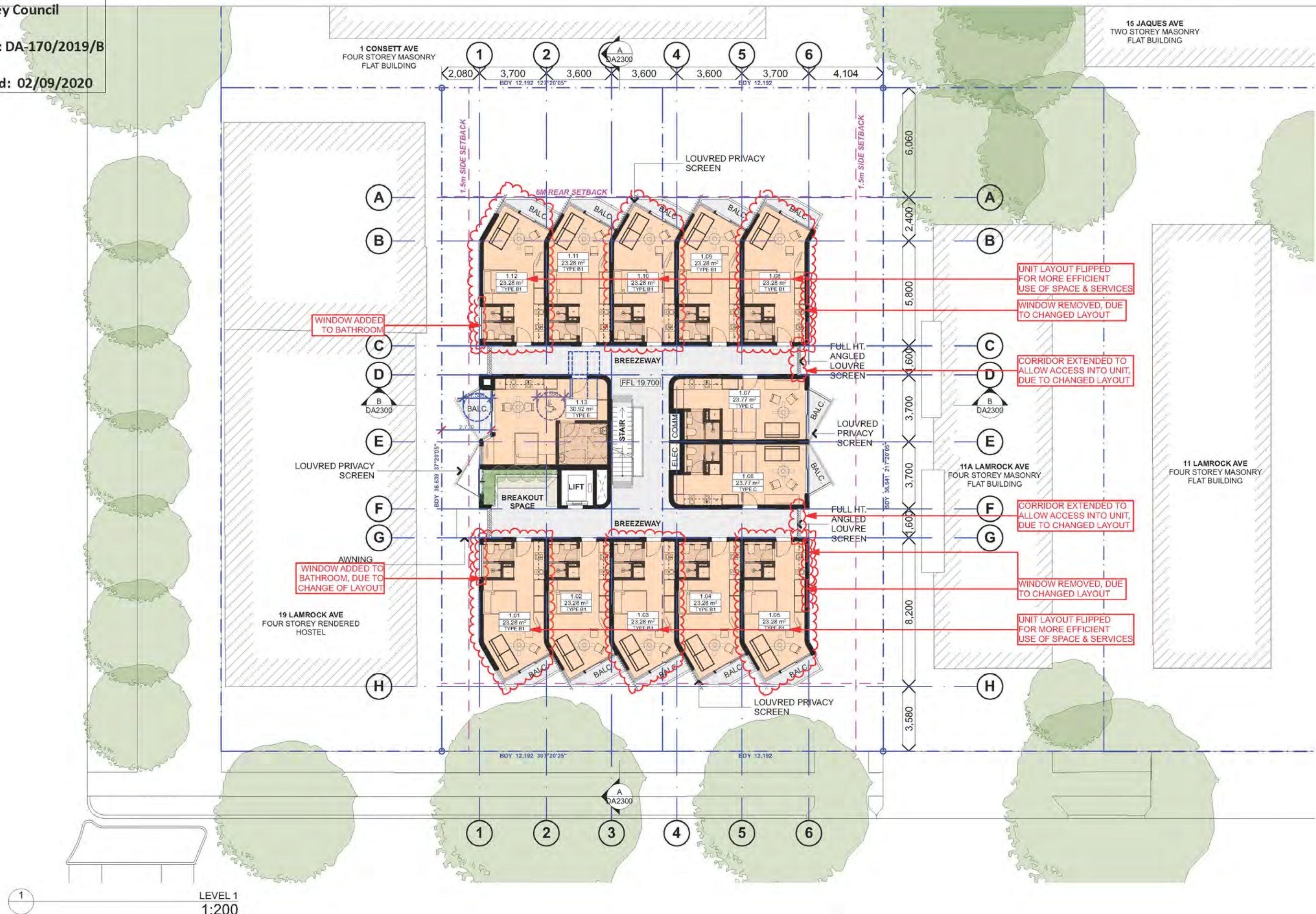
PROJECT:
Bondi Pod Co-Living

15-17 Lamrock Ave
Bondi Beach NSW 2026

DRAWING:
GROUND FLOOR

PROJECT NO: 19006
SCALE: 1:200 @A3
DRAWING NO: REV:
PLOTTED: 28/06/2020

DA2001E



BASIX COMMITMENTS

(ALL OTHER BASIX COMMITMENTS AS PER BASIX CERTIFICATE)

WATER OPTIONS

SHOWERHEADS:
TOILETS:
CLOTHES WASHERS:
KITCHEN TAPS:
BATHROOM TAPS:

7.5 to 9L/min
4 STAR
4 STAR
3 STAR
3 STAR

ENERGY OPTIONS

COOLING:
VENTILATION:
WATER HEATING:
COOK TOPS:
ALTERNATIVE SUPPLY:
CLOTHES LINE:

Ceiling Fans in Living areas
Mechanical ventilation to basement
Central Instantaneous Gas Electric
Gas Cooktops & Electric Oven
Central Solar (PV) 10kW
Yes

LEGEND

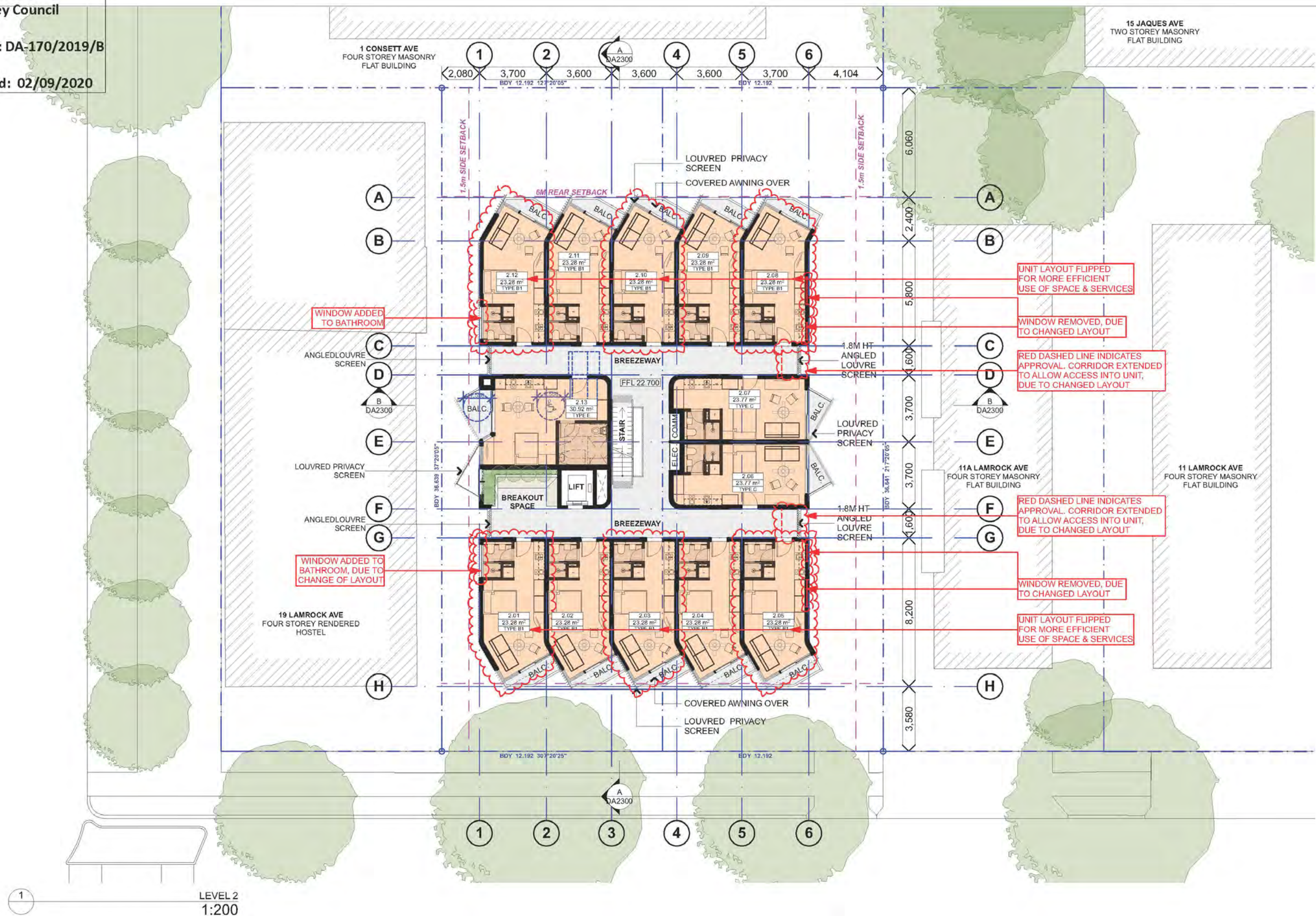
CEILING FAN

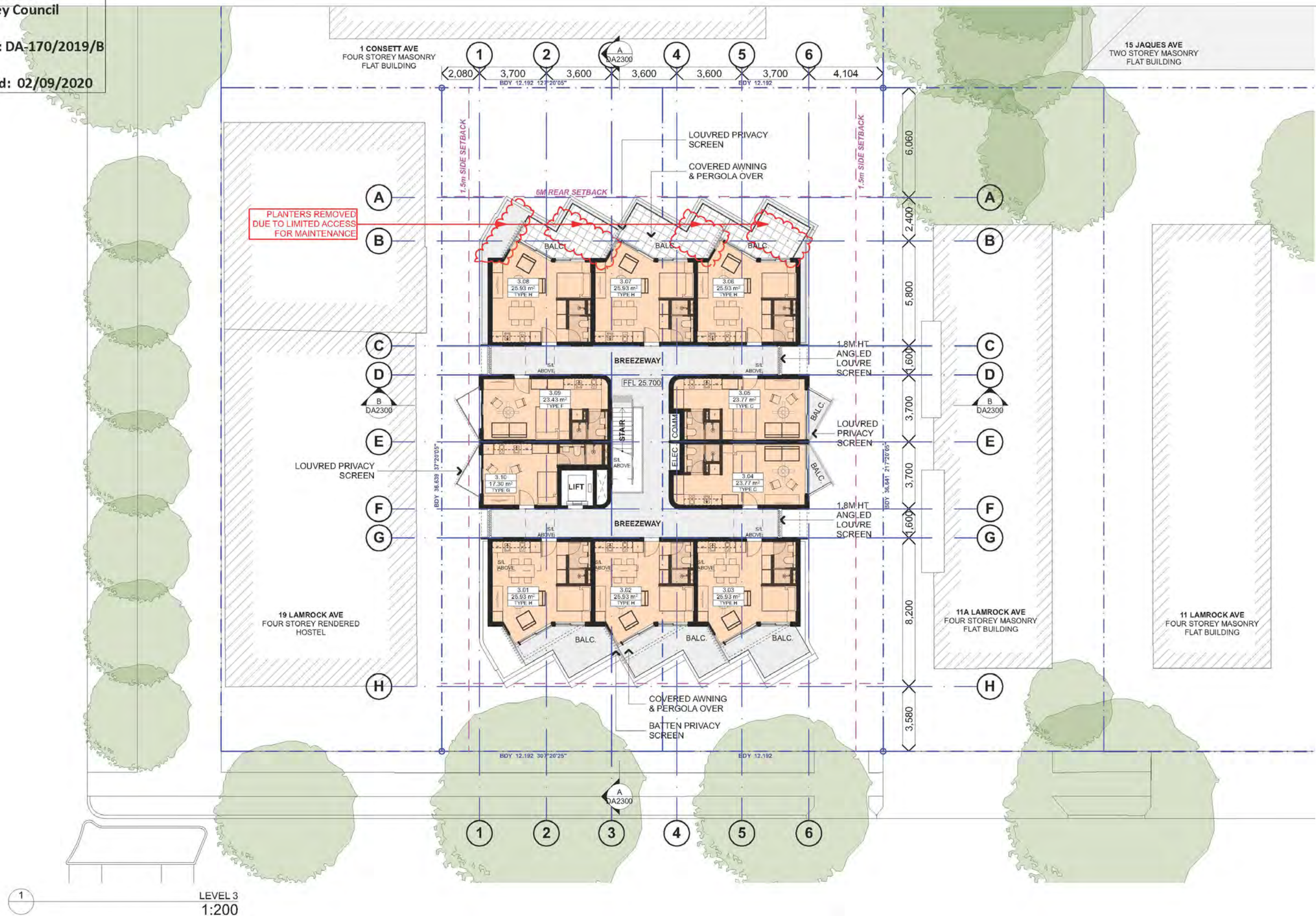


PROJECT:
Bondi Pod Co-Living
15-17 Lamrock Ave
Bondi Beach NSW 2026
LEVEL 1

PROJECT NO: 19006
SCALE: 1:200 @A3
DRAWING NO: REV:
PLOTTED: 28/08/2020

DA2002C





LEVEL 3
1:200



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NSW REG. 9789
ABN 646 2000 7678

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ISSUE	DATE	REVISION
C	28/08/2020	64.56.2(A)
B	06/10/2019	AMENDED DA
A	24/05/2019	DEVELOPMENT APPLICATION ISSUE

BASIX COMMITMENTS

(ALL OTHER BASIX COMMITMENTS AS PER BASIX CERTIFICATE)

WATER OPTIONS

SHOWER HEADS:
TOILETS:
CLOTHES WASHERS:
KITCHEN TAPS:
BATHROOM TAPS:

7.5 to 9L/min
4 STAR
4 STAR
3 STAR
3 STAR

ENERGY OPTIONS

COOLING:
VENTILATION:
WATER HEATING:
COOK TOPS:
ALTERNATIVE SUPPLY:
CLOTHES LINE:

Ceiling Fans in Living areas
Mechanical ventilation to basement
Central Instantaneous Gas Electric
Gas Cooktops & Electric Oven
Central Solar (PV) 10kW
Yes

LEGEND

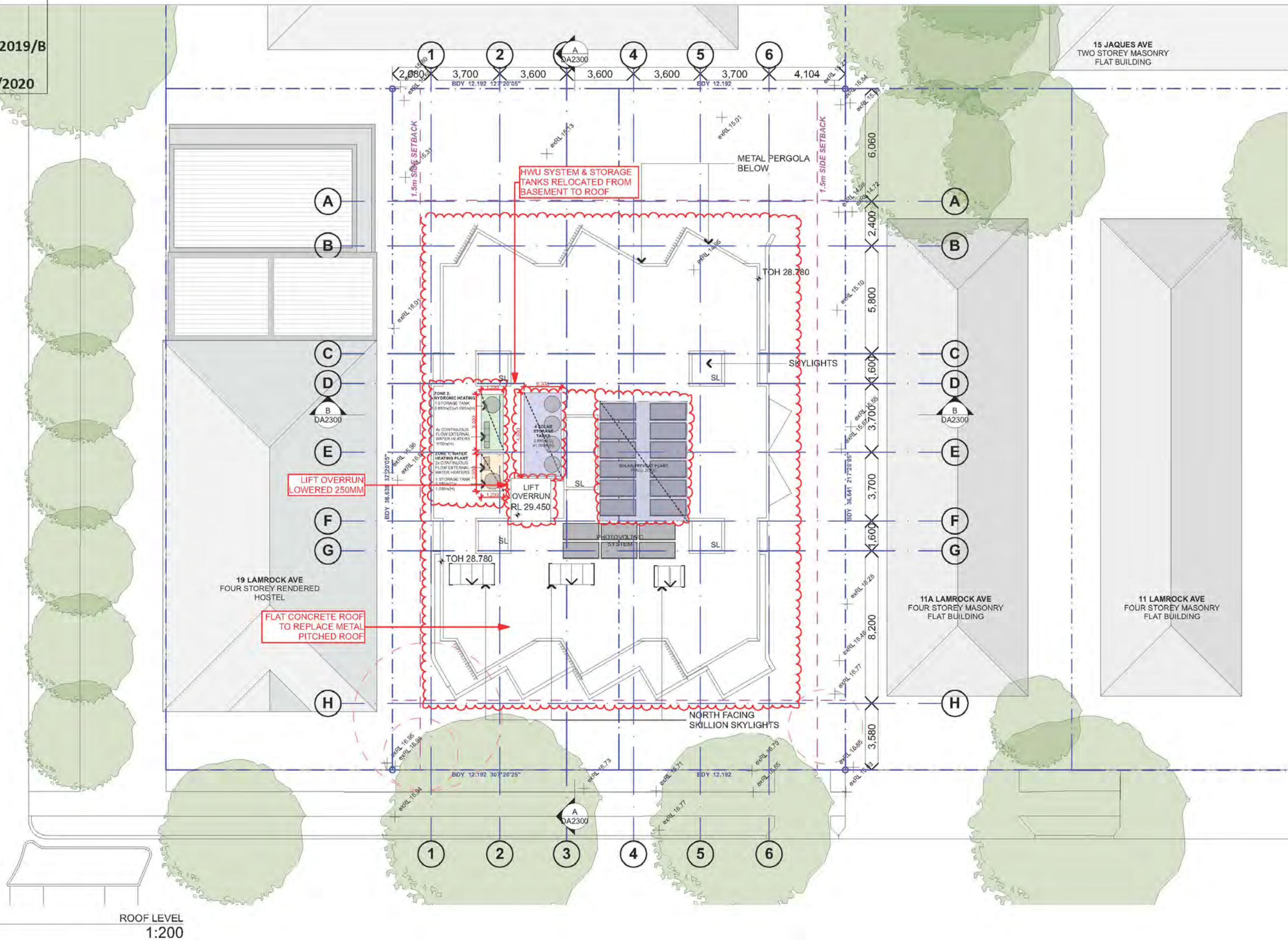
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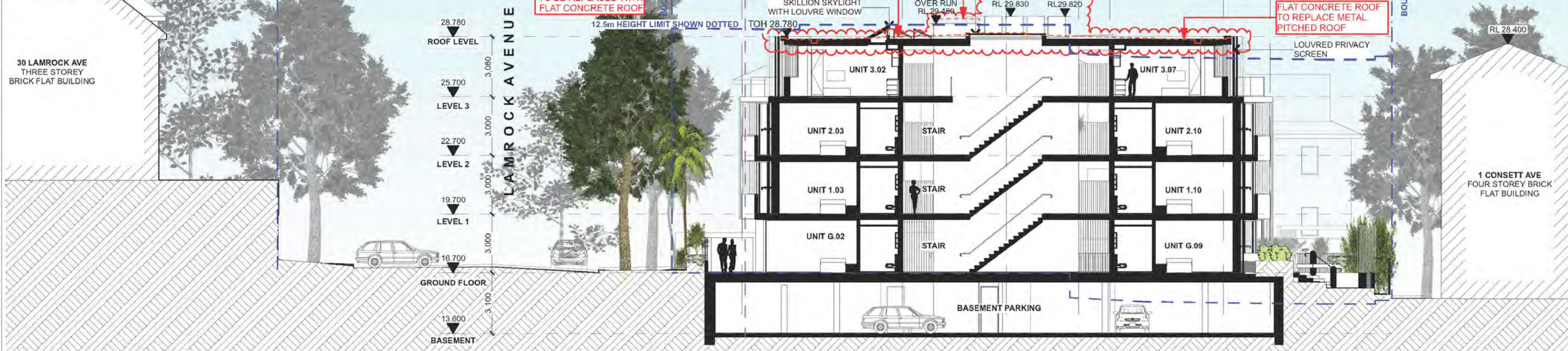
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Bondi Pod Co-Living
15-17 Lamrock Ave
Bondi Beach NSW 2026
DRAWING:
LEVEL 3

PROJECT NO: 19006
SCALE: 1:200 @A3
DRAWING NO: REV:
PLOTTED: 28/06/2020

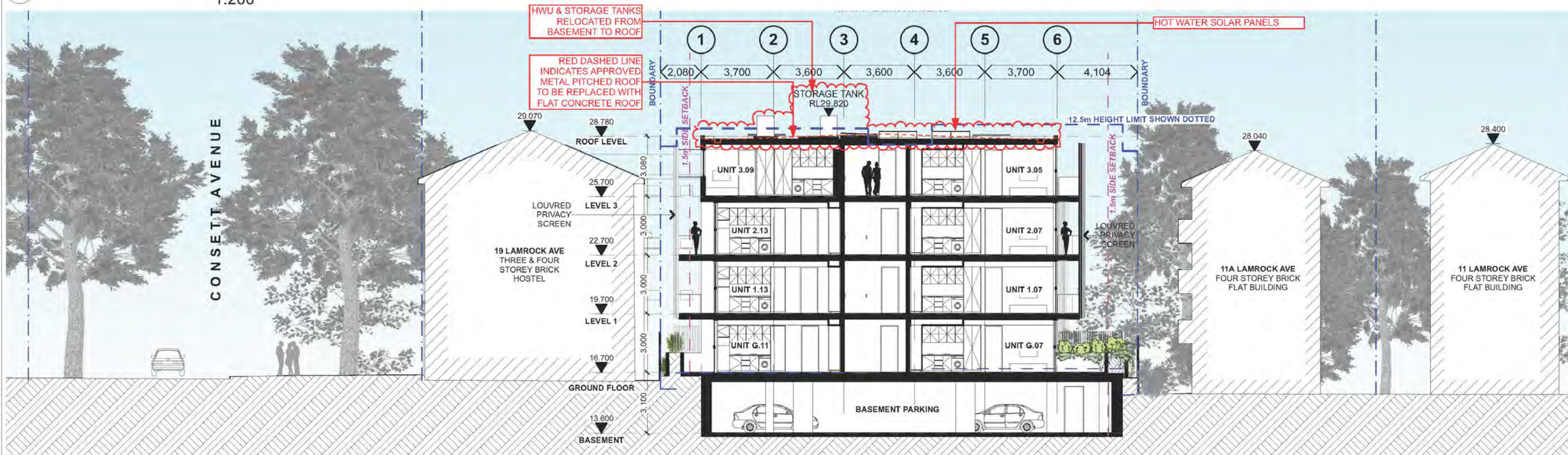
DA2004C



30 LAMROCK AVE
THREE STOREY
BRICK FLAT BUILDING



SECTION A
1:200



SECTION B
1:200

MARK SHAPIRO ARCHITECTS

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ISSUE	DATE	REVISION
C	28/08/2020	64.56.2(A)
B	06/10/2019	AMENDED DA
A	24/05/2019	DEVELOPMENT APPLICATION ISSUE

BASIX COMMITMENTS

(ALL OTHER BASIX COMMITMENTS AS PER BASIX CERTIFICATE)

WATER OPTIONS
SHOWER HEADS:
TOILETS:
CLOTHES WASHERS:
KITCHEN TAPS:
BATHROOM TAPS:

7.5 to 9L/min
4 STAR
4 STAR
3 STAR
3 STAR

ENERGY OPTIONS
COOLING:
VENTILATION:
WATER HEATING:
COOK TOPS:
ALTERNATIVE SUPPLY:
CLOTHES LINE:

Ceiling Fans in Living Areas
Mechanical Ventilation to Basement
Central Instantaneous Gas Electric
Gas Cooktops & Electric Oven
Central Solar (PV) 10kW
Yes

LEGEND

CEILING FAN

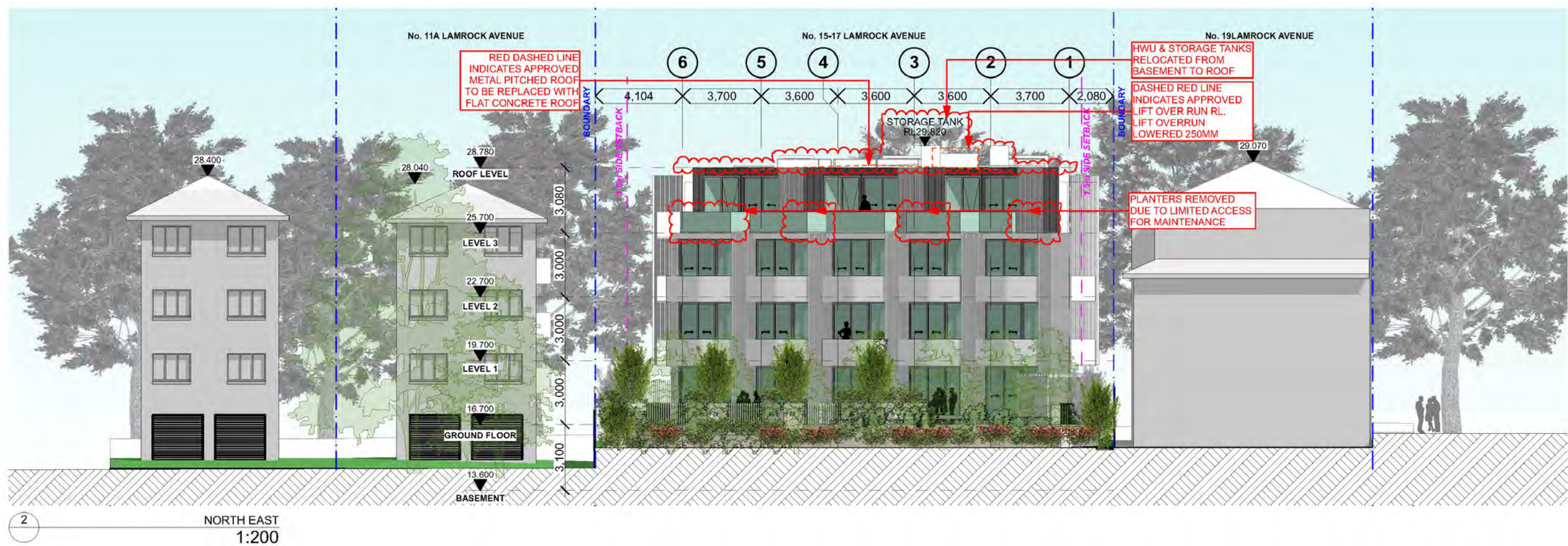
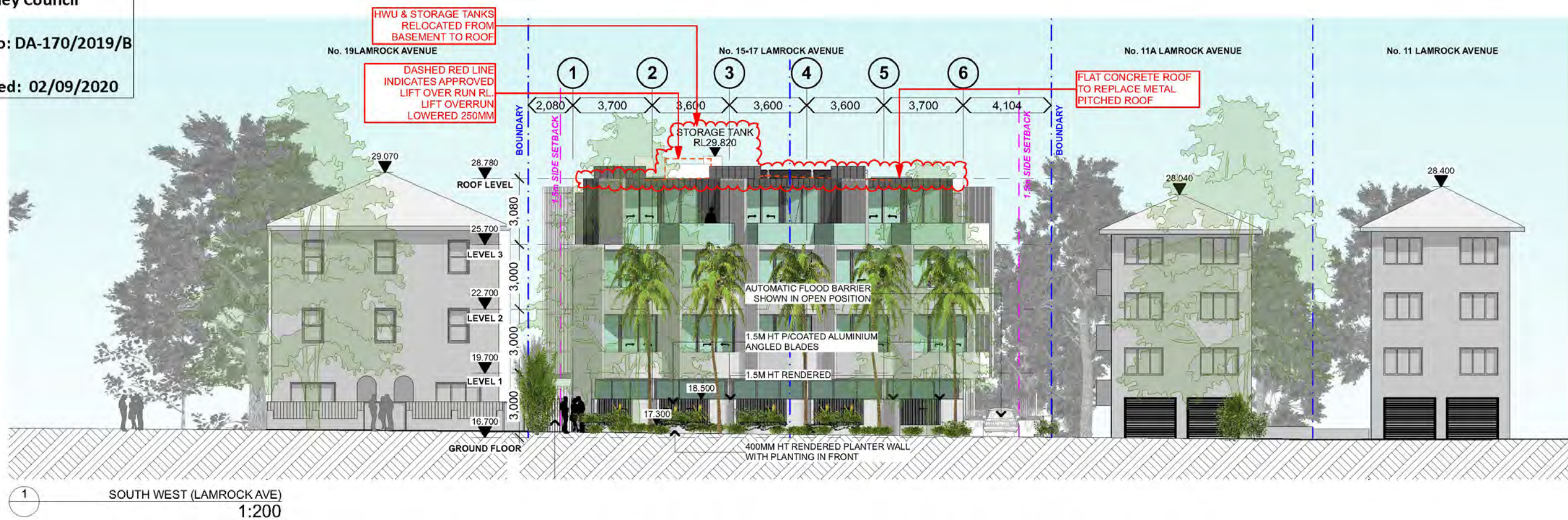
PROJECT:
Bondi Pod Co-Living

15-17 Lamrock Ave
Bondi Beach NSW 2026
DRAWING:
SECTIONS A & B

PROJECT NO: 19006

SCALE: 1:200 @A3
DRAWING NO: REV:
PLOTTED: 28/08/2020

DA2300C



BASIX COMMITMENTS

(ALL OTHER BASIX COMMITMENTS AS PER BASIX CERTIFICATE)

WATER OPTIONS

SHOWER HEADS:
TOILETS:
CLOTHES WASHERS:
KITCHEN TAPS:
BATHROOM TAPS:

7.5 to 9L/min
4 STAR
4 STAR
3 STAR
3 STAR

ENERGY OPTIONS

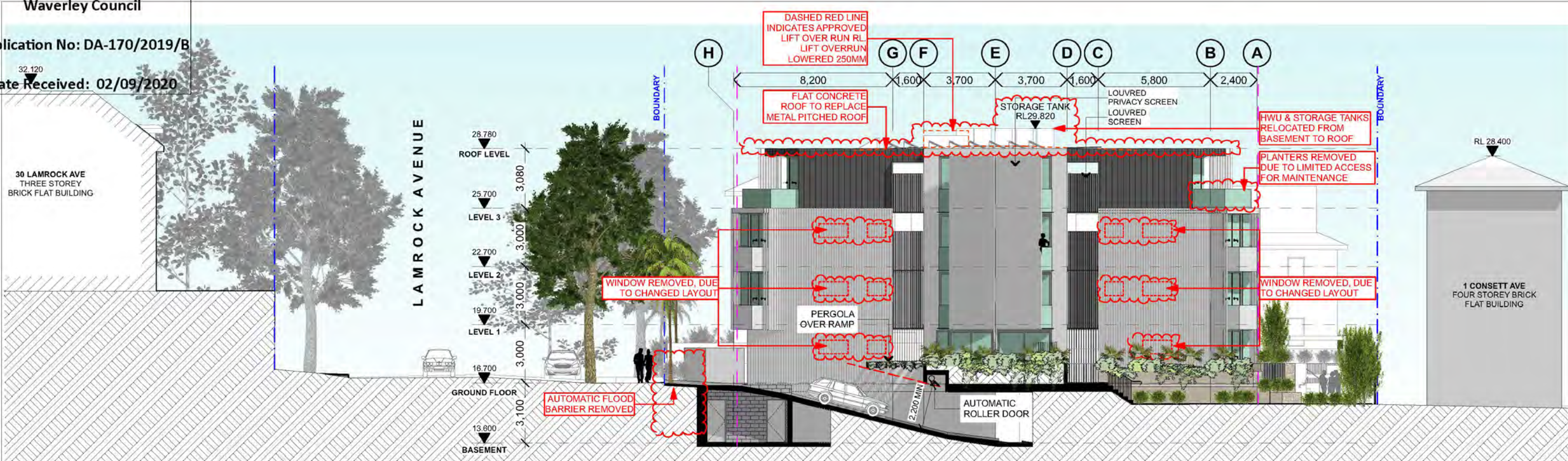
COOLING:
VENTILATION:
WATER HEATING:
COOK TOPS:
ALTERNATIVE SUPPLY:
CLOTHES LINE:

Ceiling Fans in Living areas
Mechanical ventilation to basement
Central Instantaneous Gas Electric
Gas Cooktops & Electric Oven
Central Solar (PV) 10kW
Yes

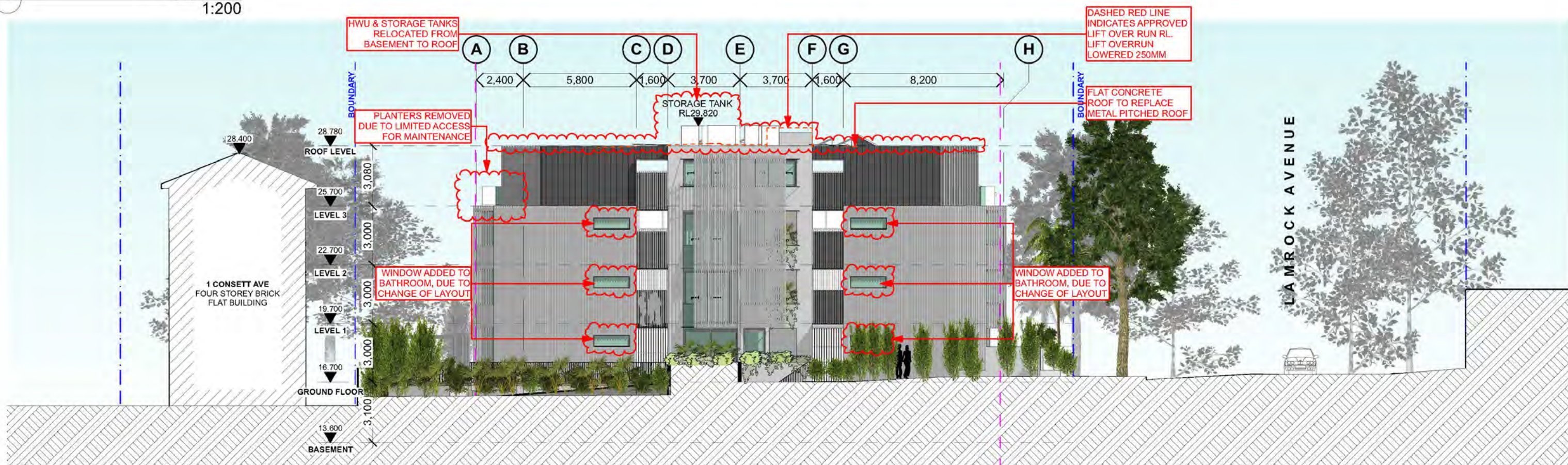
LEGEND

CEILING FAN

Application No: DA-170/2019/B
Date Received: 02/09/2020



SOUTH EAST
1:200



NORTH WEST
1:200



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ISSUE	DATE	REVISION
C	28/08/2020	64.56 2(A)
B	06/10/2019	AMENDED DA
A	24/09/2019	DEVELOPMENT APPLICATION ISSUE

BASIX COMMITMENTS

(ALL OTHER BASIX COMMITMENTS AS PER BASIX CERTIFICATE)

WATER OPTIONS

SHOWER HEADS: 7.5 to 9L/min
TOILETS: 4 STAR
CLOTHES WASHERS: 4 STAR
KITCHEN TAPS: 3 STAR
BATHROOM TAPS: 3 STAR

ENERGY OPTIONS

COOLING: VENTILATION:
WATER HEATING: COOK TOPS:
ALTERNATIVE SUPPLY: CLOTHES LINE:

Ceiling Fans in Living Areas
Mechanical Ventilation to Basement
Central Instantaneous Gas Electric
Gas Cooktops & Electric Oven
Central Solar (PV) 10kW
Yes

LEGEND

CEILING FAN

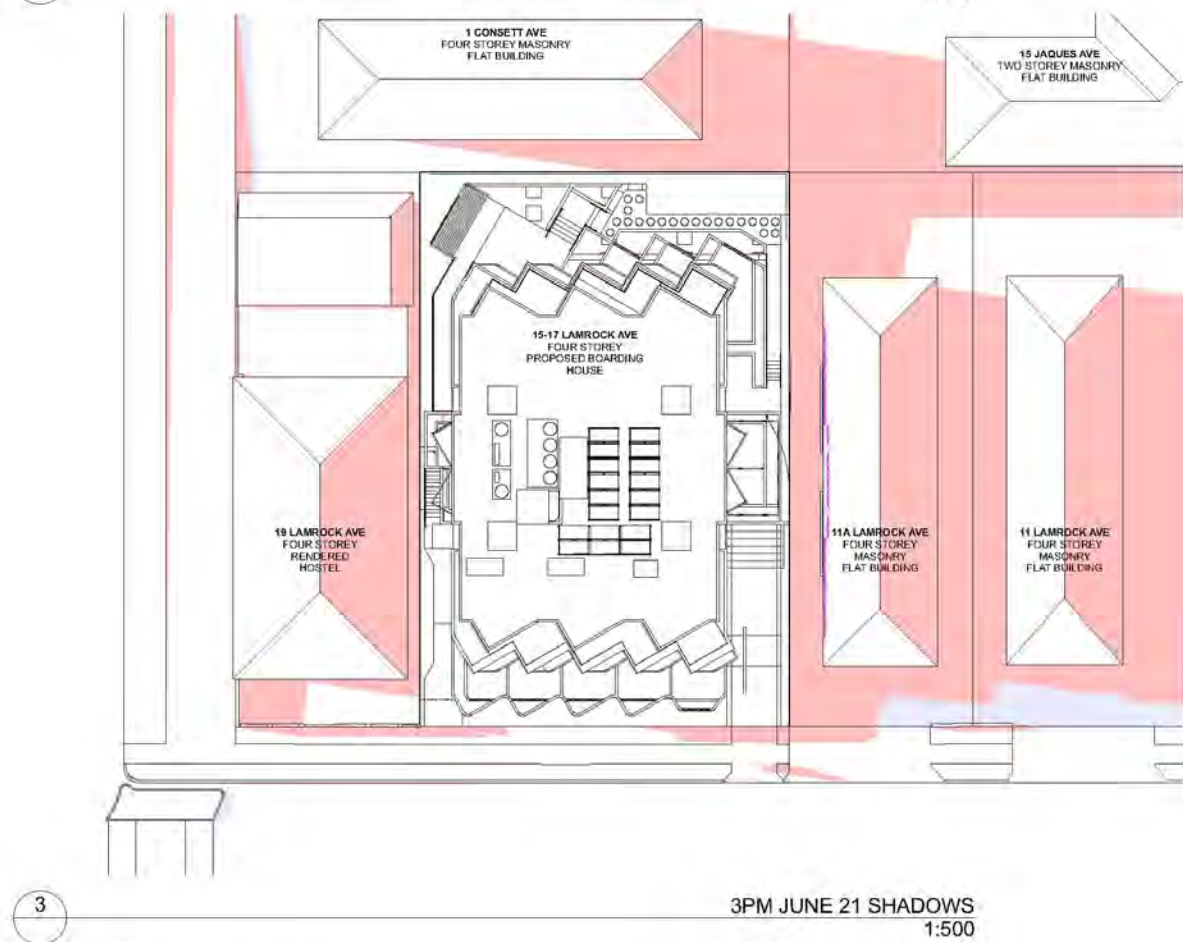
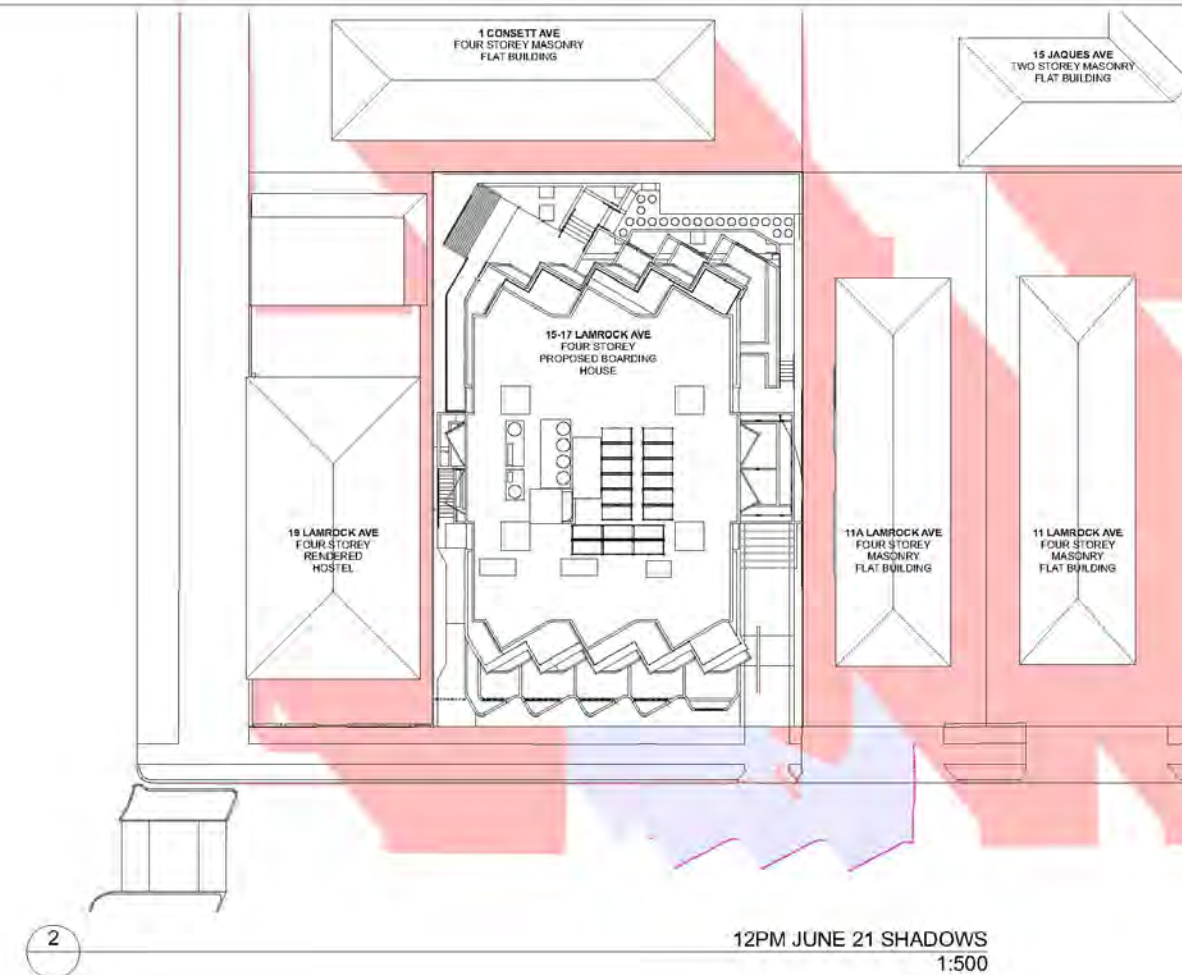
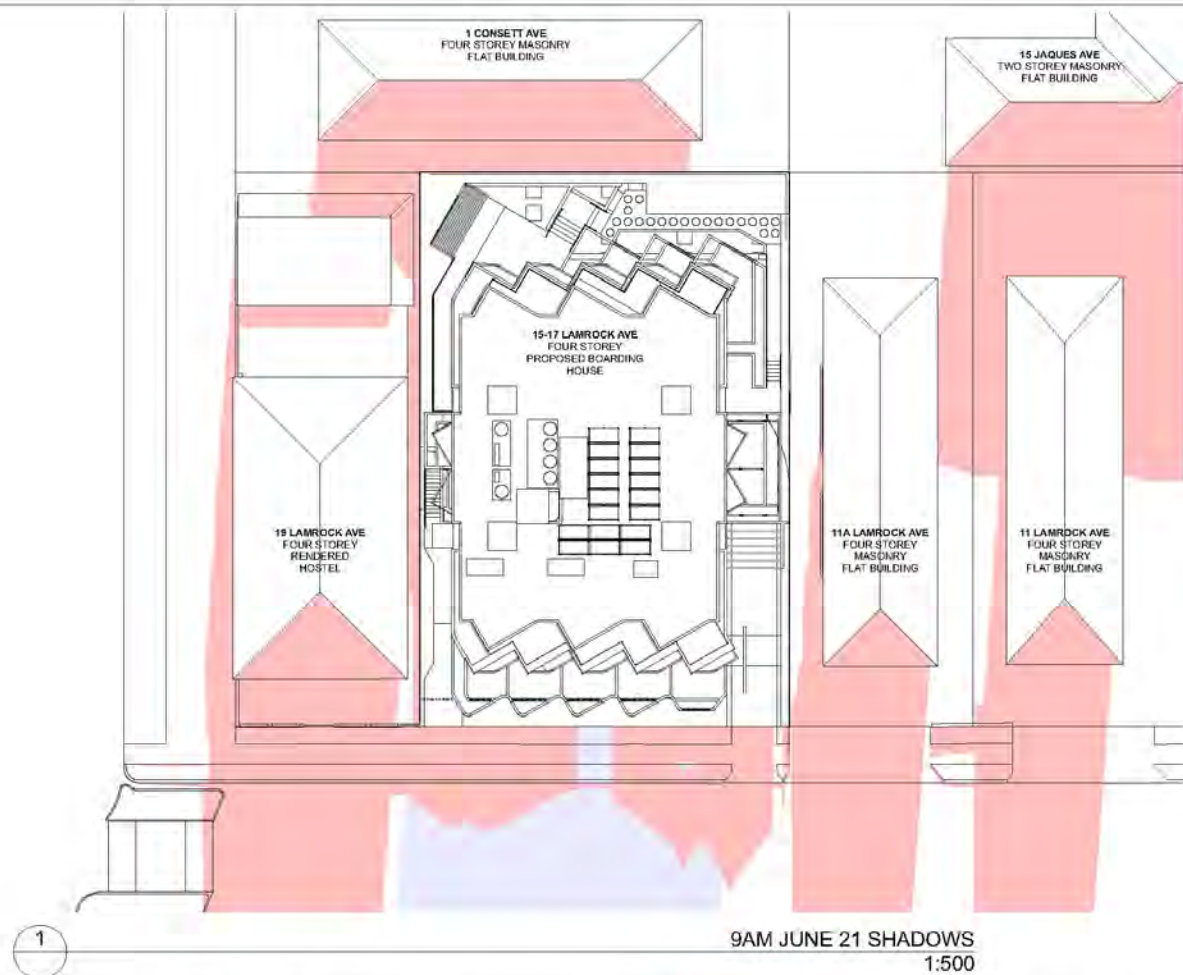
PROJECT:
Bondi Pod Co-Living

15-17 Lamrock Ave
Bondi Beach NSW 2026
DRAWING:
SE & NW ELEVATIONS

PROJECT NO: 19006

SCALE: 1:200 @A3
DRAWING NO: REV:
PLOTTED: 28/08/2020

DA2401C



RECEIVED
Waverley Council

Application No: DA-170/2019/B

Date Received: 05/11/2020

MARK SHAPIRO ARCHITECTS

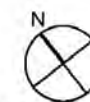
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ISSUE	DATE	REVISION
D	03/11/2019	6455 2(A)
C	27/05/2020	6455 1(A)
B	08/10/2019	AMENDED DA
A	24/05/2019	DEVELOPMENT APPLICATION ISSUE

- EXISTING SHADOWS
- APPROVED SHADOWS AS PER DA-170/2019/A
- PROPOSED ADDITIONAL SHADOWS AS PER SECTION 4.55 DA-170/2019/B



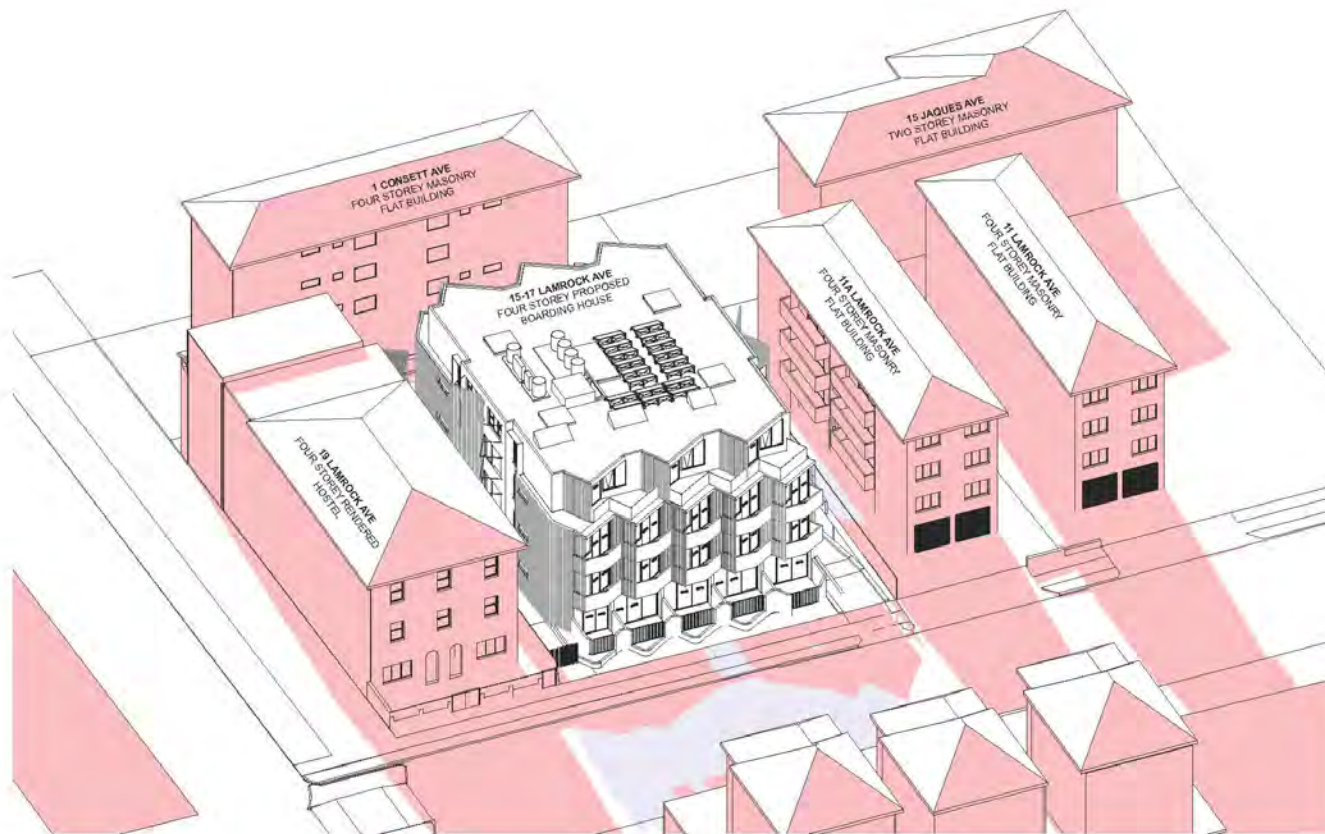
PROJECT:
Bondi Pod Co-Living

15-17 Lamrock Ave
Bondi Beach NSW 2026

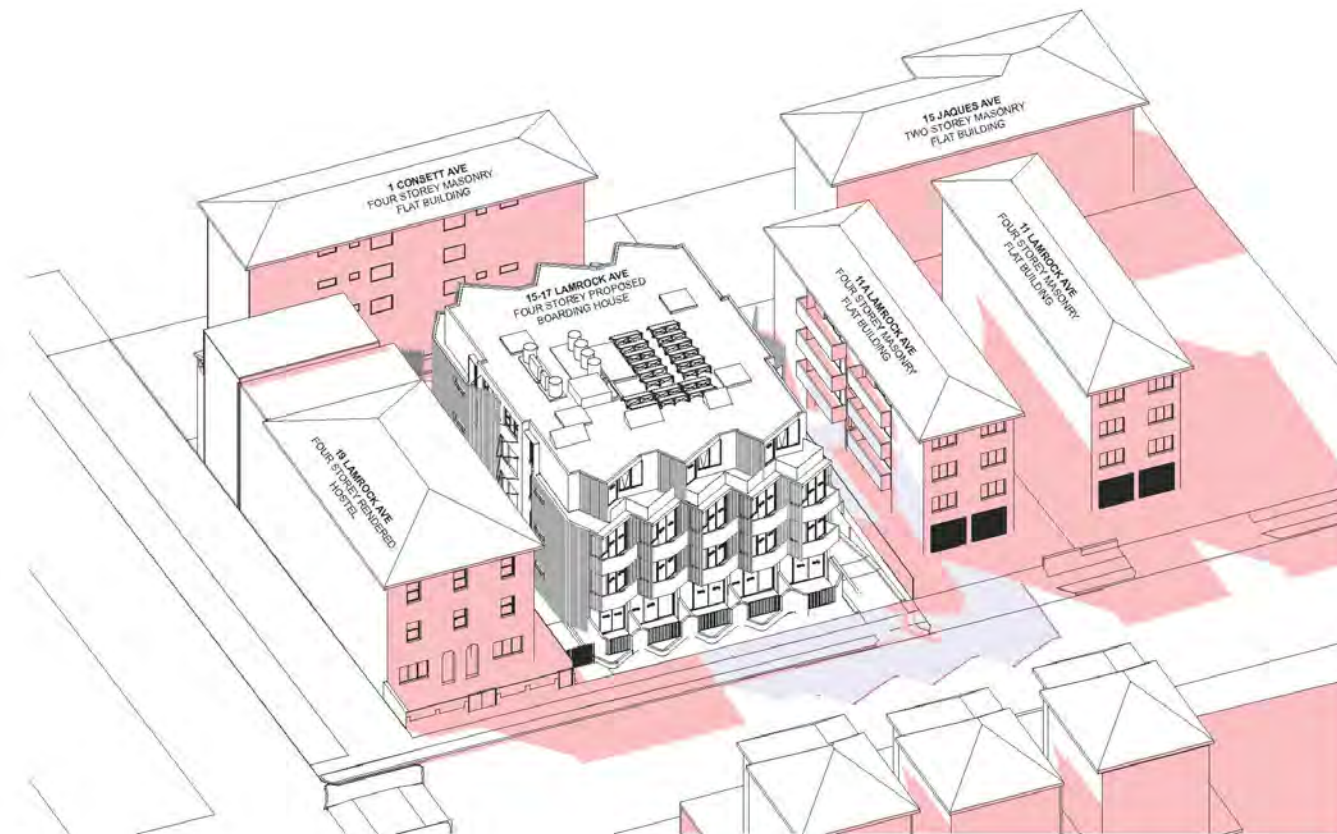
DRAWING:
SHADOW DIAGRAMS

PROJECT NO: 19006
SCALE: 1:500 @A3
DRAWING NO: REV:
PLOTTED: 5/11/2020

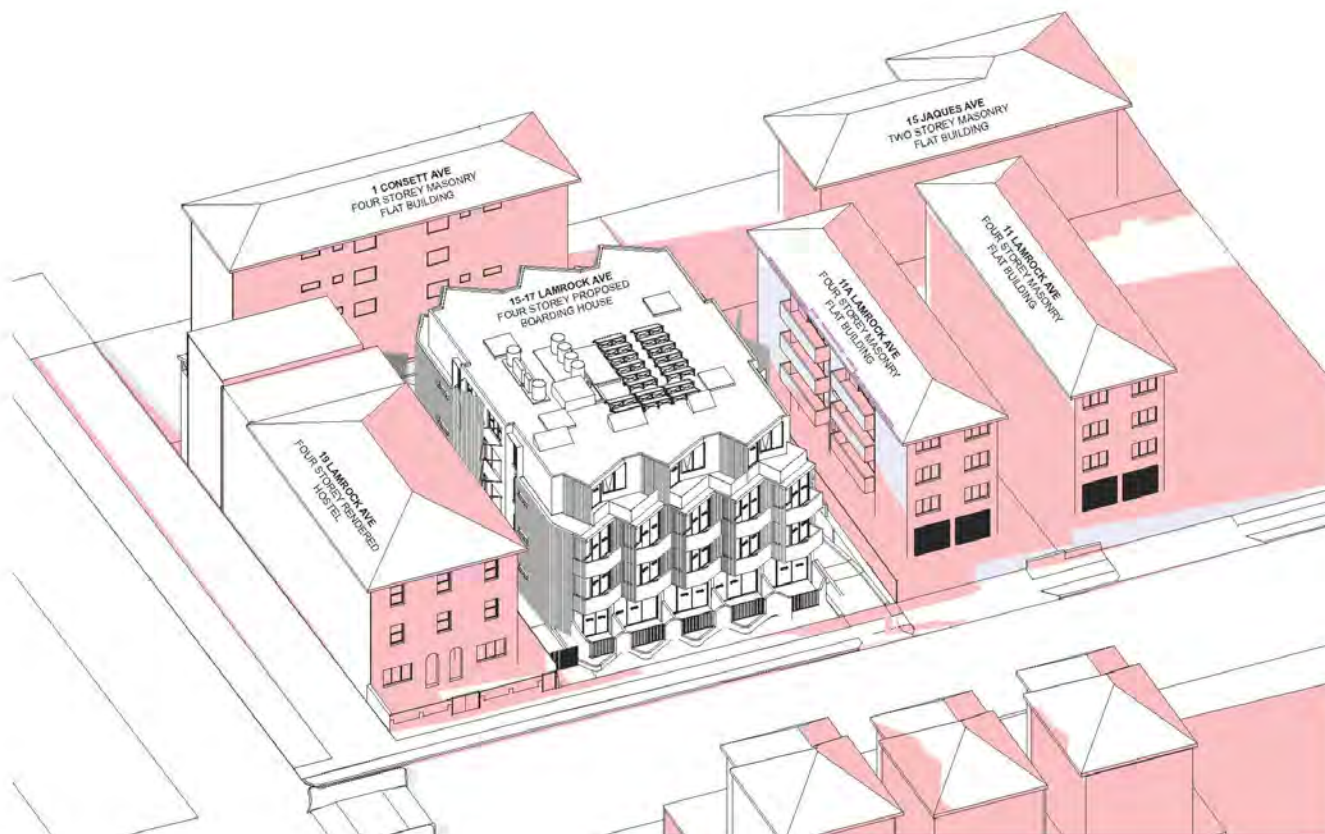
DA9100D



1
3D - 9AM JUNE 21 SHADOWS
1:500



2
3D - 12PM JUNE 21 SHADOWS
1:500



3
3D - 9PM JUNE 21 SHADOWS
1:500

RECEIVED
Waverley Council

Application No: DA-170/2019/B

Date Received: 05/11/2020

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D	04/11/2020	6455 2(A)
C	27/05/2020	6455 1(A)
B	06/10/2019	AMENDED DA
A	24/05/2019	DEVELOPMENT APPLICATION ISSUE
ISSUE	DATE	REVISION

- EXISTING SHADOWS
- APPROVED SHADOWS AS PER DA-170/2019/A
- PROPOSED ADDITIONAL SHADOWS AS PER SECTION 4.55 DA-170/2019/B

PROJECT:
Bondi Pod Co-Living

15-17 Lamrock Ave
Bondi Beach NSW 2026
DRAWING:
3D SHADOW DIAGRAMS

PROJECT NO: 19006
SCALE: 1:500 @A3
DRAWING NO: REV:
PLOTTED: 5/11/2020

DA9101D



Report to the Waverley Local Planning Panel

Application number	DA-326/2020
Site address	19 Dellview Street, Tamarama
Proposal	Alterations and additions to the existing residential flat building including construction of new garages, balconies, attic level addition and strata subdivision
Date of lodgement	7 October 2020
Owner	Mr C Danzey, Ms C Turland and Mr D Johnson
Applicant	Mr Alex Smith, CSA Architects
Submissions	Four (4)
Cost of works	\$450,000
Issues	Variation to floor space ratio, non-compliance with attic controls and view loss
Recommendation	That the application be REFUSED

Site Map



1. PREAMBLE

1.1 Site and Surrounding Locality

A site visit was carried out on 18 November 2020.

The site is identified as Lot A in DP 308653 and is known as 19 Dellview Street, Tamarama. It is located at its corner with Carlisle Street.

The site is regular in shape with an eastern front boundary to Dellview Street measuring 18.975m, a northern side boundary measuring 25.25m, a western rear boundary of 19.315m and a southern side boundary measuring 25.82m, comprising a total site area of 497.4m². The site has a fall of approximately 5m from the rear boundary to the front. The site is occupied by a two storey residential flat building with detached garage parking to the front for four vehicles. The existing building comprises four x two bedroom units.

Adjoining the site to the south, is a part two part three storey dwelling known as 21 Dellview Street. To the east on the opposite side of Dellview Street is a townhouse development, a detached dwelling and residential flat buildings. To the north on the opposite side of Carlisle Street are residential flat buildings and to the west is a two storey semi-detached dwelling.

The area is a mixture of residential development types and styles including single dwellings, semi-detached dwellings and residential flat buildings.



Figure 1: Subject site frontage to Dellview Street



Figure 2: Secondary site frontage to Carlisle Street



Figure 3: Streetscape view looking south down Dellview Street

1.2 Relevant History

The relevant development history of the site is as follows:

DA-569/2016 for alterations and additions to existing residential flat building including attic addition and garages and strata subdivision into 4 lots was refused on 6 June 2017. The applicant lodged a deemed refusal appeal in the Land and Environment Court (LEC). The appeal was dismissed on 7 September 2018 (ie. the DA was refused).

PD-37/2019 – This Pre-DA, which was lodged by the same applicant as the current DA under assessment, was for alterations and additions to the existing residential flat building including attic floor level addition. It was finalised on 11 December 2019. This Pre-DA sought advice on proposed alterations to the roof design to accommodate the attic floor level. The applicant was advised in the Pre-DA advice letter that *'concerns are raised regarding the extent of the FSR non-compliance and the design outcome of the alterations and additions. The proposed third level presents as an additional storey and does not read as being part of the existing attic roof form. The extent of FSR in the building envelope proposed will result in unreasonable impacts in terms of overshadowing, view loss and overlooking that does not preserve the amenity of the adjoining properties and will not be supported.'*

The applicant has reduced the floor space of the attic level from previous revisions under this current DA-326/2020, with those plans being the subject of this assessment report.

1.3 Proposal

The proposed alterations and additions to the residential flat building are detailed as follows:

Basement Level:

Demolition of existing garages at street frontage and reconstruction with new central pedestrian entry and two additional car parking spaces (rear of southern garages) and storage to rear of car parking spaces to each garage. The new garages will accommodate a total of six off-street car parking spaces. Excavation is required to accommodate the new garages.

Ground Floor Level:

Minor internal reconfiguration to Unit 1 including new kitchen, laundry and storage, new deck to front of Unit 1, new deck to front of Unit 2 and new ensuite to Unit 2.

First Floor Level:

Minor internal reconfiguration to Units 3 and 4 including new internal stairs to each Unit 3 and Unit 4 to access proposed new attic floor level, new external stair at rear to Units 3 and Unit 4, minor window modifications to Units 3 and 4, new balcony to front of Unit 3 and new balcony to front of Unit 4.

Attic:

New attic level to accommodate a master bedroom and ensuite for each Unit 3 and Unit 4. It is proposed to alter the roof profile to accommodate the additional floor space.

The proposal also seeks to strata subdivide the residential flat building into four units.



Figure 4: Perspective when viewed from Dellview Street (source: Applicant's submission)

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

BASIX Certificates have been submitted with the development application.

The BASIX Certificates lists measures to satisfy BASIX requirements which have been incorporated into the proposal. Should the application be approved, a standard condition is recommended to be imposed ensuring the measures detailed in the BASIX Certificates 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 65 Design Quality of Residential Apartment Development

The application was not referred to the Waverley Design Excellence Advisory Panel (DEAP) given the nature of the works proposed however, an assessment has been undertaken with regard to the nine design quality principles under SEPP 65 which are set out in Table 1 below:

Table 1: Assessment against the Nine Design Quality Principles under SEPP 65

Principle
Principle 1: Context and Neighbourhood
Whilst it is acknowledged that the proposal seeks to upgrade the existing building to facilitate improved amenity for its occupants, the subject proposal does not respond to the context of the desired future character of the locality given the extent of the floor space (FSR) non-compliance in the built form proposed, which is discussed in further detail below.
Principle 2: Built Form and Scale
The existing building is already non-compliant with the FSR development standard of the Waverley Local Environmental Plan (WLEP). The proposal seeks to exacerbate this non-compliance. The Apartment Design Guide (ADG) requires a minimum separation distance from side and rear boundaries of 6m to habitable rooms and balconies and 3m to non-habitable rooms and balconies. The proposed western rear and southern side setback to the new upper floor balcony does not comply with this requirement. The non-compliant FSR constitutes a building that well exceeds the envelope controls for the site resulting in unreasonable view loss impacts, which is not supported.
Principle 3: Density
The existing residential flat building has a non-compliant FSR. The proposal seeks to exacerbate this non-compliance, resulting in a density which is inappropriate for the site and its context.
Principle 4: Sustainability
<p>BASIX certificates have been submitted for each unit which is considered satisfactory. Each unit is satisfactory in regards to natural ventilation and solar access.</p> <p>Greater effort should be made to achieve sustainability measures including:</p> <ul style="list-style-type: none"> • Provide ceiling fans • Photovoltaics on the roof • Water collection and reuse (gray water reuse) <p>Should the application be approved, these matters could be addressed by condition.</p>
Principle 5: Landscape
Landscaping is proposed to setback areas and to the proposed new terrace areas. The subject site is located within a habitat corridor. As such, the application was referred to Council's Biodiversity officer, whose comments are addressed under the referrals section of this report.
Principle 6: Amenity
The non-compliant FSR sited within the new roof profile will result in unreasonable impacts on views from neighbouring properties which is discussed in more detail below.
Principle 7: Safety
Satisfactory
Principle 8: Housing Diversity and Social Interaction
Satisfactory
Principle 9: Aesthetics
The proposal will accentuate the perceived building bulk of the development. The FSR non-compliance manifests in view impacts as discussed later in this report.

Table 2: Apartment Design Guide (ADG)

Design Criteria	Compliance	Comment
Part 3 Siting the development		
3A Site analysis	No	No assessment of the context and neighbourhood analysis or streetscape studies have been provided.
3B Orientation Overshadowing of neighbouring properties is minimised during mid winter	Unclear	Shadow diagrams in plan have not been submitted with the application. Shadow impacts demonstrated in 3D drawings appear to demonstrate acceptable levels of impact, however, the full shadow length has not been shown on the 3D drawings submitted in order to ascertain the full extent of shadow impacts.
3C Public domain interface	No	The proposal will accentuate the perceived building bulk and massing of the development when viewed from the public domain.
3D Communal and public open space ADG control: Minimum of 25% of site Minimum of 50% direct sunlight to the principal usable part on winter solstice	No	The proposal does not alter the existing area of common open space on the subject site. 46.9m ² of communal open space is provided equating to 9.4%.
3E Deep soil zones ADG control: 7% of the site, deep soil zones should be provided	Yes	70.85m ² or 14% contained within setback areas
3F Visual privacy Min separation distances from buildings (windows and balconies) to side and rear boundaries: Up to 12m (4 storey) – 6m habitable & 3m non-habitable	No	The proposed new south side balcony at the 'attic' floor level will be sited within 6m of the southern side and western rear boundary. A reduction in the size of this balcony or its removal could address this non-compliance. The proposed new east facing balcony at the first floor level to Unit 4 is sited 3m from the adjacent new kitchen window of Unit 3. A planter box is proposed to this balcony for screening, however, a conflict may arise in regards to impacts on the acoustic amenity of each unit.
3G Pedestrian access and entries	Yes	The proposal relocates the pedestrian entry to Dellview Street, providing a central access point between the garaging. The entry is connected to, and addresses the public domain and is easily identifiable.

Design Criteria	Compliance	Comment
3J Bicycle and car parking	No	It is proposed to increase and upgrade the existing car parking on site which is located at the Dellview Street frontage. One car space is proposed to both Units 1 and 2 and two car spaces are proposed to Units 3 and 4. This is addressed in further detail below under the Waverley Development Control Plan 2012 (WDPC) Table 4.
Part 4 – Designing the building		
Amenity		
4A Solar and daylight access Living rooms and private open spaces of at least 70% of units receive minimum of 2 hours direct sunlight between 9am-3pm mid-winter A maximum of 15% receive no direct sunlight between 9am-3pm mid-winter.	Yes Yes	100% of units receive a minimum of two hours of solar access in mid-winter
4B Natural ventilation All habitable rooms are naturally ventilated At least 60% of units naturally ventilated	Yes Yes	100% of units are naturally cross-ventilated. All of the units have three aspects or are double level.
4C Ceiling heights Habitable rooms – 2.7m Non-habitable rooms – 2.4m For 2 storey units – 2.7m for main living floor and 2.4m for second floor where area does not exceed 50% of unit Attic spaces – 1.8m at edge of room with a 30° min ceiling slope	Partial Partial Partial Yes	The ceiling heights of the apartments at ground and first floor level are existing at 2.8m. The proposed additional level will be pitched with ceiling heights ranging from 2.3m up to 2.466m.
4D Apartment size and layout The following minimum internal areas apply:	No	There is no change proposed to the size of the existing two bedroom units at Ground floor level, with Unit 1 comprising a floor area of 76.62m ² and Unit 2 having a non-compliant floor area of 64.65m ² . The proposed upper floor three bedroom

Design Criteria	Compliance	Comment
<ul style="list-style-type: none"> • 2 Bed - 70 m² • 3 Bed - 90m² • Add 5m² for each additional bathroom (above 1) <p>Every habitable room must have a window in an external wall with a total minimum glass area of not less than 10% of the floor area of the room.</p> <p>Maximum depth of open plan living layouts is 8m.</p>	<p>No</p> <p>Yes</p>	<p>units comprise Unit 3 with a floor space of 102.44m² and Unit 4 comprising a non-compliant floor space of 88.77m². The proposal seeks to upgrade the existing units to provide improved amenity for its occupants.</p> <p>The existing Bed 2 of Unit 2 has limited glazing, however, there is an external door accessing this room. Bed 1 of Unit 3 also has less than the required 10% of window area. Should the application be approved, this could be addressed by condition.</p>
<p>4E Private open space and balconies</p> <p>All apartments provide primary balcony as follows:</p> <ul style="list-style-type: none"> • 2-bed - 10m² & 2m depth • 3-bed – 12m² & 2.4m depth 	<p>Yes</p> <p>Yes</p>	<p>Each unit is provided with sufficient area of private open space.</p> <p>The proposed new east facing balcony at the first floor level to Unit 4 is sited 3m from the adjacent new kitchen window of Unit 3. A planter box is proposed to this balcony for screening, however, a conflict may arise in regards to impacts on the acoustic amenity of each unit.</p>
<p>4F Common circulation and spaces</p> <ul style="list-style-type: none"> • Max of 8 units accessed off a circulation core on a single level 	<p>Yes</p>	<p>A maximum of two units are accessed from the lobby.</p>
<p>4G Storage</p> <p>In addition to kitchens, bathrooms and bedrooms, the following is provided:</p> <ul style="list-style-type: none"> • 2-bed – 8m³ • 3-bed – 10m³ 	<p>Yes</p>	
<p>4H Acoustic privacy</p>	<p>No</p>	<p>Inadequate building separation has been provided from the adjoining property to the west and south to the proposed upper level balcony to Unit 4, potentially resulting in acoustic privacy impacts.</p> <p>The proposed new east facing balcony at the first floor level to Unit 4 is sited 3m from the adjacent new kitchen window of Unit 3. A planter box is proposed to this balcony for screening, however, a</p>

Design Criteria	Compliance	Comment
		conflict may arise in regards to impacts on the acoustic amenity of each unit.
Configuration		
4K Apartment mix	Yes	Two x two bedroom and two x three bedroom units are proposed.
4L Ground floor apartments	Yes	The ground floor apartments are as existing with internal layout alterations and new front decks proposed only. The existing arrangement of the ground floor apartments is therefore considered appropriate.
4M Facades	Yes	The proposal includes new balcony additions to the front façade which are considered to complement the design of the building.
4N Roof Design	No	The proposal includes alterations to the roof profile of the building by providing an additional storey within a raised and altered roof form, adding to the perceived bulk and massing. The existing pitched tiled roof form is to be amended to a colorbond roof.
4O Landscape design	Not satisfactory	A landscape plan has been submitted which was referred to Council's Biodiversity officer (see further discussion under the Referrals section of this report).
Performance		
4U Energy	Yes	All apartments within the building incorporate passive environmental design, meeting the cross-ventilation requirements in the ADG. Adequate natural light and solar access is provided to the apartments.
4V Water management and conservation	Not demonstrated	No details provided
4W Waste management	Yes	The proposal includes waste storage at the western side which is accessible. This is the same as existing.
4X Building maintenance	Yes	The ADG suggests that building design should provide protection from weathering and access for maintenance and materials which reduce ongoing maintenance costs. There is no evidence to suggest that the proposed building could not achieve this.

2.1.4 SEPP (Affordable Rental Housing) 2009 (ARH SEPP)

The proposal is to upgrade an existing residential flat building and strata subdivision. As per *Part 3 – Retention of existing affordable rental housing* in the ARH SEPP, Clause 50(1) of the SEPP requires development consent for any proposal to alter or add to the structure or fabric of the inside or outside of the building and whether there is likely to be a reduction in affordable housing on the land to which the application relates.

To determine if the subject building comprises affordable rental housing, the application was referred to Council's Strategic Planner, who provided the following comments:

This DA has been referred to Strategic Planning as it is proposing alterations and additions and the subdivision of an existing residential flat building and as such an assessment against the provisions of the ARHSEPP must be made.

The applicant has provided a statutory declaration outlining that the each of the apartments in the residential flat building have been owner occupied for the previous twenty-four months and as such have not been rented out. This means that the units cannot have been rented out at a rate that would be below the median rental rate and as such cannot be considered low rental.

Therefore, as the units cannot be considered low-rental dwellings a contribution cannot be sought under Part 3 of the ARH SEPP as there will be no loss of affordable housing to offset.

Recommendation:

The units are all owner occupied and as such are not rented out at a rate below the median-rental rate for the suburb. As such the units are not considered to be low-rental dwellings and therefore Part 3 of the ARH SEPP does not apply. No contribution can be sought.

As advised, the ARH SEPP does not apply in this case.

2.1.5 SEPP (Coastal Management) 2018

The SEPP applies to the subject site as it is located wholly within the Coastal use area (Clause 14). 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) (ii) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or
- (iii) (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.

Clause 15 states that development in the 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. Council is satisfied that the proposed development is not likely to cause increased risk to coastal hazards on the land or other land.

2.1.6 Waverley Local Environmental Plan 2012 (WLEP)

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

Table 3: WLEP 2012 Compliance Table

Provision	Compliance	Comment
Part 1 Preliminary		
1.2 Aims of plan	Yes	The proposal is not inconsistent with the aims of the WLEP.
Part 2 Permitted or prohibited development		
Land Use Table R3 Medium Density Residential Zone		The proposal is defined as alterations and additions to a 'residential flat building', which is a permitted use in the R3 zone.
Part 4 Principal development standards		
4.3 Height of buildings • 9.5m	Yes	9.5m
4.4 Floor space ratio (FSR) Site Area - 497.4m ² FSR - 0.6:1 or 298.44m ²	No	Existing floor areas: Ground: 154m ² First: 150m ² Total: 304m ² or 0.61:1 Proposed floor area Ground: 154m ² First: 150m ² Attic: 49.11m ² Total: 353.11m ² FSR 0.7:1 (54.63m ² or 18%) (Note: the applicant did not include common horizontal circulation areas which are required to be included)

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 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		
6.1 Acid sulfate soils	Yes	The site contains class 5 acid sulfate soils. The development is not considered likely to disturb, expose or drain acid sulfate soils or cause environmental damage. The application is recommended for refusal however a standard condition of consent would be included in any approval.
6.2 Earthworks	Yes	Excavation is proposed for the new garages. A Geotechnical Report has been submitted with the application. Should the application be approved, standard conditions would be imposed accordingly.

The following is a detailed discussion of the issues identified in the compliance tables 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. The site is subject to a maximum FSR development standard of 0.6:1. The FSR of the existing building on the site is non-compliant at 0.61:1 (304m²). The proposed development has a FSR of 0.7:1 or 353.11m², exceeding the standard by 54.63m² equating to an 18% variation (Note: that the applicant's calculation of the proposed GFA failed to include common horizontal circulation areas).

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. It is noted that the written request is based on a non-compliance of 16.1%, however, the applicant has failed to incorporate common horizontal circulation areas in their calculation of GFA as required by the WLEP. The correct FSR exceedance is calculated as 18%.

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:

- *Compliance with the development standard is unreasonable and unnecessary as the proposed building height and bulk is of an appropriate form and scale and is compatible with surrounding development and the desired future character for the locality (see DELL-13 for FSR of nearby properties).*
 - *The upper level has been designed to read as an attic form with a limited footprint.*
 - *The proposal will maintain the existing footprint and will improve the landscape setting of the subject site.*
 - *The proposed attic addition will comply with the rear setback control.*
 - *Exceedance of the FSR control will not create additional building bulk that results in unreasonable environmental amenity impacts in terms of overshadowing, loss of views, loss of privacy or loss of visual amenity and will ensure that the environmental amenity of adjoining properties is protected.*
 - *The siting and design of the proposed attic minimises the obstruction of views from neighbouring dwellings and the public domain and improves the view from some adjoining properties.*
- b) That there are sufficient environmental planning grounds to justify contravening the standard:
- *The proposal will not result in the loss of views from surrounding development;*
 - *The proposal will not result in unreasonable overshadowing of adjoining properties;*
 - *The proposal will provide a development, which has been designed to ensure that the visual and acoustic privacy of adjoining properties is maintained; and*
 - *The proposal will provide a development, which is consistent with the scale of the adjoining developments and is of an appropriate visual bulk for the locality.*
 - *The proposal will provide a suitable design and be of suitable amenity in terms of the built environment and represents the orderly and economic use and development of land, which are identified as objects of the Act (Section 1.3 of the EP&A Act, 1979). The building envelope and design of the proposal responds appropriately to the unique opportunities and constraints of the site.*
 - *The aspect of the development that breaches the FSR control can be justified as the proposal provides a consistent scale with neighbouring development. Plan DELL-13 provides the FSR of nearby properties, including dwelling houses, and this confirms that there a number of developments with a FSR beyond that proposed particularly within the immediate context.*
 - *The lack of impact on adjoining properties in terms of solar access, privacy, view loss and visual bulk establishes sufficient planning grounds.*

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 not adequately addressed that compliance with the standard is unreasonable or unnecessary in the circumstances of the case. The applicant has primarily focused their commentary on the first justification/test of *Wehbe vs Pittwater Council (2007) LEC 827* that is *the objectives of the development standard are achieved despite the non-compliance with that standard*. The objectives of the FSR development standard are as follows:

Clause 4.4 Floor space ratio

(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.*

Objective (a) is not applicable to the proposed development.

The FSR of the existing building on the site is 0.61:1 (304m²) exceeding the development standard by 5.52m² or 1.85%. In effect the existing building is just marginally larger than the development standards allow, despite being constructed prior to 1943. It could be reasonably argued that this building already achieves the maximum FSR and height permitted on the site and any further expansion of the built form must be carefully considered against the impacts upon adjoining properties and the locality.

The applicant has justified the proposed FSR non-compliance by stating that the additional GFA of the proposal will not result in adverse impacts and is similar to other numerous examples in the vicinity which have been approved with FSR non-compliances. Whilst it is acknowledged that there are other examples of FSR non-compliances for other developments in the immediate locality, Council needs to have regard to the impacts associated with the built form of the subject application specifically, regardless of precedent.



Figure 5: Elevations (Source: Applicant's submission)

The subject proposal seeks a large 18% variation to the FSR development standard, with the entire new floor level representing non-complying GFA. The additional massing is demonstrated in the elevations at Figure 5 above. Whilst the addition is compliant with the 9.5m height development standard, the proposed new floor space alters the building envelope by raising the roof profile to accommodate compliant floor to ceiling heights. The raised envelope obstructs views obtained over the site from adjacent properties on Carlisle Street, which is addressed in detail in Section 2.1.7 of this report. The adverse impacts of the development, including on the amenity of neighbouring properties, are directly attributable to the exceedance of the FSR development standard.

The applicant has not demonstrated that the development standard is unreasonable or unnecessary in their Clause 4.6 submission. The proposal is considered to be inconsistent with the desired future character of the locality as the FSR non-compliance is compounded by other breaches of other relevant building envelope controls including separation distances, wall height, communal open space and attic controls. The consistent departure of the proposal from the relevant planning provisions serves to demonstrate the failure of the development to meet objectives (b) and (c), resulting in a gross overdevelopment of the site. The existing building on the site has clearly reached its development potential.

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

The applicant has not adequately addressed that there are sufficient environmental planning grounds to justify contravening the standard. In effect the existing building is larger than the development standards allow, with the building already achieving and exceeding its maximum FSR whilst being at its prescribed height limit. The extent of the FSR variation, being 18% over the development standard demonstrates that the building bulk and scale of the development are excessive, contrary to objective (b).

The applicant contends that the proposal will not result in the loss of views from surrounding development, however the view impact analysis submitted by the applicant clearly demonstrates that there is view loss from the adjacent properties. Whilst the addition is height compliant, the new raised roof height and expanse of new floor space across the roof plane is what is contributing to the unacceptable amenity impacts. As such, the scale of the development does not preserve the amenity

of surrounding properties nor minimise the adverse impact on the amenity of the locality, which is inconsistent with objective (d) of the FSR development standard.

It is difficult to ascertain the extent of shadow impact from the submitted shadow diagrams which have been drawn in 3D view. The applicant was requested in the Pre-DA advice to provide shadow diagrams both in plan and elevation and showing the full extent of the shadow length. Whilst the drawings submitted appear to indicate that shadow impact is not unreasonable, the full extent of shadows is not depicted, as requested.

Notwithstanding, the departure of the proposal from the relevant planning provisions serves to demonstrate the failure of the development to meet the objectives of the development standard representing an overdevelopment of the site. The submitted Clause 4.6 written request is not well founded as it does not demonstrate the outcomes required by Clause 4.6(3) and (4) of the WLEP 2012.

Is the development in the public interest?

The proposed development will not be in the public interest because it is not consistent with both the objectives of the particular standard as outlined above and the objectives for development within the zone in which the development is proposed to be carried out including:

Clause 2.1 – Land Use Zone – R3 Medium Density Residential

- *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.*

Whilst it is acknowledged that the proposed development does provide for the housing needs of the community within a medium density environment, the exceedance of the development standard and the overall planning outcome for the site to achieve this objective as proposed is unacceptable and cannot be supported. There is no reason to vary the FSR development standard in this particular instance, as the current building represents the bulk and scale desired by the WLEP and varying the development standard is not in the public interest.

The proposed non-compliance has failed to address clause 4.6 (1)(b), (3)(a) and (b), and (4)(a). The non-compliance will result in an unacceptable outcome for the site, fails to demonstrate that compliance with the development standard is unreasonable or unnecessary, does not establish sufficient environmental planning grounds to justify the breach, fails to address the objectives of the FSR development standard and is not in the public interest.

Conclusion

For the reasons provided above, the requested variation to the FSR development standard is not supported as the applicant's written request has not adequately addressed the matters required to be addressed by Clause 4.6(3) of the WLEP. In addition, the proposed development is not in the public interest because it is inconsistent with the objectives of the FSR development standard and the R3 Medium Density Residential zone.

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

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

Table 4: WDCP 2012 – Part B General Provisions Compliance Table

Development Control	Compliance	Comment
1. Waste	Yes	A Site Waste and Recycling Management plan has been submitted with the application to address waste disposal during construction. Should the application be approved, conditions addressing waste management can be provided.
2. Ecologically sustainable Development	Yes	BASIX certificates have been provided with the application for each Unit. The proposal incorporates passive design by providing apartments with three aspects and double levels in the case of Units 3 and 4.
3. Landscaping and Biodiversity	No	The subject site is located within a habitat corridor. A landscape plan has been submitted which was referred to Council's Biodiversity officer (see further discussion under the Referrals section of this report).
5. Vegetation preservation	Yes	The application was referred to Council's Tree Management officer who raised no objection.
6. Stormwater	Yes	The stormwater plans submitted with the application are satisfactory.
7. Accessibility and adaptability	No change	As existing.

Development Control	Compliance	Comment
<p>8. Transport</p> <p>Medium density residential</p> <p>Minimum – 0</p> <p>Maximum – 1.2 per 2 bed and 1.5 per 3 bed unit = Maximum total of 5.4 spaces permitted</p> <p>Visitor – 1 space/ 5 units</p> <p>Motorcycle – 1 per 3 car spaces</p> <p>Bicycle – 1 space per dwelling plus 1 visitor space per 10 dwellings</p>	<p>No</p> <p>No</p> <p>No</p> <p>No</p>	<p>Vehicular access is provided from Dellview Street to the four single width garage entry doors located at the front of the site.</p> <p>A total of six car spaces are proposed including two car spaces to each of the three bedroom units (in tandem) and one car space is proposed to the one bedroom units. This is one car space in excess of the maximum control under WDCP. It is noted that there is no provision of visitor parking where one visitor car space is required.</p> <p>None provided</p> <p>Only one visitor bicycle space is identified on the plans, however, there is sufficient storage space within each garage to enable bicycle parking.</p> <p>The car parking, driveway design and garage position has been assessed by Council's Traffic Engineer, with comments provided at the referrals section of this report.</p>
10. Safety	Yes	The proposal does not contravene the objectives of this part of the WDCP.
12. Design Excellence	No	The proposal does not exhibit design excellence resulting in unreasonable impacts on the amenity of adjacent properties due to view loss.
14. Excavation	Yes	Excavation is proposed for the new garages to accommodate the proposed tandem car spaces. Excavation to a maximum depth of approximately 3.6m is proposed. A Geotechnical Report has been submitted with the application. Should the application be approved, standard conditions would be imposed accordingly.
16. Public Domain	No	The form of the addition results in the additional GFA sought by the proposal being obvious and discernible from neighbouring properties and the public domain.
17. Inter War Buildings	No	The proposed raised and altered roof profile does not retain the integrity of this inter war building nor preserve the building's contribution to the streetscape.

Table 5: WDCP 2012 – Part C3 Other Residential Development Compliance Table

This part applies to development that is subject to SEPP 65, including residential flat buildings that are three or more storeys and contain four or more dwellings. The application has been lodged describing the development as an ‘attic addition’. WDCP defines an attic as *a room contained wholly within a pitched roof*. The proposed additional floor space at the attic level is not contained wholly within the pitched roof but proposed as a raised roof section that spans the roof plane on top of the ridgeline.

Development Control	Compliance	Comment
3.2 Height		
<ul style="list-style-type: none"> Height as set out by Clause 4.3 of WLEP 	Yes	
<ul style="list-style-type: none"> Maximum external wall height of 7m 	No	As existing at 8.94m
3.3 Setbacks (Refer to ADG)		
3.5 Building design and streetscape		
<ul style="list-style-type: none"> Development must be sensitive to the streetscape character and views. A streetscape and context analysis is to be provided 	No	The proposal will result in unreasonable view impacts which is discussed in detail below.
<ul style="list-style-type: none"> Respond to streetscape 	Yes	<p>The proposal will reconstruct the garages at the street frontage by providing two garage structures separated by the central pedestrian access. This is considered to be satisfactory.</p> <p>The external finishes of the proposal are not cohesive given the amended materiality from tiled roofing to colorbond.</p> <p>The alteration to the roof design is not supported.</p>
<ul style="list-style-type: none"> Should demonstrate architectural character of the area 	Yes	
<ul style="list-style-type: none"> Sympathetic external finishes 	No	
<ul style="list-style-type: none"> Removal of original architectural features not supported. 	No	
3.6 Attic and roof design		
<ul style="list-style-type: none"> Roof design should contribute to the architectural design and environmental performance of the development 	No	The proposal for an ‘attic’ floor level is not contained within the existing roof space but seeks to alter the roof profile from its traditional pitched and tiled roof to incorporate a raised roof section constructed in colorbond roofing, which is unacceptable.
<ul style="list-style-type: none"> Roof design should respond to the streetscape character of the area 	Yes	The immediate locality is characterised by a mix of housing types and styles. The proposed altered roof form is not inconsistent with the eclectic mix of styles and design.
<ul style="list-style-type: none"> Attic must be wholly within the pitched roof form 	No	The additional floor space is not contained wholly within the pitched roof form. The proposed new floor space is to be contained

Development Control	Compliance	Comment
<ul style="list-style-type: none"> • Not exceed 50% of the floor of area of the floor below 	Yes	within a raised roof profile that is sited over the existing ridge line.
<ul style="list-style-type: none"> • Not contain independent dwellings and must be accessed via internal stairs 	Yes	The attic floor area is connected to Units 3 and 4 on the floor below
<ul style="list-style-type: none"> • Be naturally ventilated 	Yes	All units have three aspects, as existing
<ul style="list-style-type: none"> • Minimum room width: 3m 	Yes	
<ul style="list-style-type: none"> • Minimum floor to ceiling height for at least 2/3 of the floor area: 2.4m 	Not demonstrated	The ceiling heights of the apartments at ground and first floor level are existing at 2.8m. The proposed additional level will be pitched with ceiling heights ranging from 2.3m up to 2.466m
<ul style="list-style-type: none"> • Dormer windows and skylights to be less than 50% of roof elevation 	No	The proposal does not incorporate dormer windows but a raised roof profile to accommodate the required ceiling heights.
<ul style="list-style-type: none"> • Attic additions must not contain a single expansive dormer window. 	No	
3.7 Fences and Walls		
<ul style="list-style-type: none"> • Front fences not to exceed 1.2m in height 	No	The subject site comprises existing garages to the Dellview Street frontage. It is proposed to replace these garages with two structures which are separated by the central pedestrian access to the building. The wall is lower than the existing and stepped to conform with the topography. Concern is raised, however, with the height of this wall at its south-eastern corner as it presents to Dellview Street and returns to the adjoining property to the south at 21 Dellview Street. The height of the wall at this point is 3.7m sited 800mm from the southern property boundary, which will result in unreasonable visual bulk and scale as it presents to Dellview Street and the adjoining neighbour. Should the application be approved, this could be addressed by a condition.
<ul style="list-style-type: none"> • Rear and side fences must not exceed 1.8m 	No	The proposed side fence to Carlisle Street steps down the site to conform with the topography,

Development Control	Compliance	Comment
		but in some points reaches a height of 2m. Should the application be approved, this can be addressed by a condition.
3.8 Pedestrian Access and Entry		
<ul style="list-style-type: none"> • Provide main entries at street level • Accessible path of travel • Entries that are legible, safe and well lit 	<p>No</p> <p>No</p> <p>Yes</p>	The existing entry to the subject building is from Carlisle Street. This is to be amended with access now proposed from Dellview Street. Access to the main unit entries is via stairs due to the steep sloping topography of the site. The proposed new entry is legible and safe.
3.9 Landscaping		
<ul style="list-style-type: none"> • Comply with part B3- Landscaping and Biodiversity • Minimum of 30% of site area landscaped • 50% of the above is to be deep soil 	<p>No</p> <p>No</p> <p>No</p>	<p>The subject site is located within a habitat corridor. The application was referred to Council Biodiversity officer, which is addressed under Section 3 of this report.</p> <p>111.46m² or 22.4%</p> <p>66.83m² or 46%</p>
3.10 Communal open space		
<ul style="list-style-type: none"> • Minimum dimensions: 6m x 6m • Be located so solar access is maximised • Accessible 	No change	The proposal does not alter the existing area of common open space on the subject site. 46.9m ² of communal open space is provided equating to 9.4%.
3.11 – Private Open Space (Refer to ADG)		
3.12 Vehicular access and parking		
<ul style="list-style-type: none"> • Car parking to be integrated into the design of the development • Max 1 x 2 way vehicle access point • Provided from secondary street or lane • Pedestrian safety considered 	<p>Yes</p> <p>No</p> <p>As existing</p> <p>Yes</p>	The proposal seeks to demolish the existing garages and provide new garages to the Dellview Street frontage with two additional spaces in tandem and a pedestrian entry. The garages are proposed within two structures to be separated by the centralised pedestrian entry. This is considered to be an improved outcome from the existing situation, however scope exists to reduce the width of vehicular crossings to Dellview Street, which presently extend the majority of the site. This would enable potential for on street carspace between driveways for example (adjacent to pedestrian entry) and improve stormwater run off.
3.13 Solar access and overshadowing (refer to ADG)		
3.14 Views and view sharing		
<ul style="list-style-type: none"> • Minimise view loss through design 	No	See further discussion below

Development Control	Compliance	Comment
<ul style="list-style-type: none"> Views from public spaces to be maintained. 	Yes	
3.15 Visual privacy and security		
<ul style="list-style-type: none"> Dwellings to be orientated to the street with entrances and street numbering visible Above ground open space must not overlook rooms and private landscaped areas of adjoining properties or be screened Privacy be considered in relation to context density, separation use and design. 	Yes	
	No	The proposed location of the new south facing balcony to Unit 4 at the attic floor level may overlook the private open space of the adjoining properties.
	No	The proposed new south side balcony at the 'attic' floor level will be sited within 6m of the southern side and western rear boundary. A reduction in the size of this balcony could address this non-compliance.
	No	The proposed new east facing balcony at the first floor level to Unit 4 is sited 3m from the adjacent new kitchen window of Unit 3. A planter box is proposed to this balcony for screening, however, a conflict may arise in regards to impacts on the acoustic amenity of each unit.
<ul style="list-style-type: none"> Prevent overlooking of more than 50% of private open space of lower level dwellings in same development 	No	The proposed new east facing balconies to Unit 3 and 4 will overlook more than 50% of the private open space of the lower level dwellings in the same development.
3.16 Dwelling size and layout (Refer to ADG)		
3.17 Ceiling Heights (Refer to ADG)		
3.18 Storage (Refer to ADG)		
3.19 Acoustic privacy		
<ul style="list-style-type: none"> To ensure a high level of amenity for residents Minimise noise transmission between dwellings by locating noisy and quieter areas next to other noisy or quieter areas. 	No	<p>Inadequate building separation has been provided from the adjoining property to the west and south to the proposed upper level balcony to Unit 4, potentially resulting in acoustic privacy impacts.</p> <p>The proposed new east facing balcony at the first floor level to Unit 4 is sited 3m from the adjacent new kitchen window of Unit 3. A planter box is proposed to this balcony for screening, however, a conflict may arise in regards to impacts on the acoustic amenity of each unit.</p>

3.20 Natural Ventilation (Refer to ADG)		
3.21 Building services		
<ul style="list-style-type: none"> Services are to be integrated into the design of buildings (garbage rooms, mail boxes, fire hydrants boosters, electrical substations, down pipes, plant rooms, satellite/communications structures) 	As existing	At present, the waste storage area is external to the building along the rear western setback.
<ul style="list-style-type: none"> Outdoor Communal clothes drying area to be provided 	Yes	
<ul style="list-style-type: none"> Plant rooms away from entry communal and private open spaces and bedrooms. 	No change	
<ul style="list-style-type: none"> Services on roof not to be seen from street or impact public or private views and be min 2m from the building edge 	Not shown	

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





View Impact Assessment

Part C3 3.14 *Views and View Sharing* of WDCP details all objectives and strategies for public and private domain views and view sharing, which generally seek to reduce impacts on existing views and vistas from the private and public domain. The proposal has also been assessed against the Land and Environment Court's *Tenacity* principle for view sharing.

During public notification, the properties at Unit 3/3 and Unit 3/5 Carlisle Street, Tamarama indicated that the proposed building will impact on their private domain views. A view impact assessment was undertaken as part of the DA submission package by the applicant. An assessment of this view impact by CSA Architects for these units is provided in photos below. Given the current situation with COVID 19, photos provided by the applicant, the objectors and site photos undertaken during assessment of the previous DA-569/2016 will be used for the view impact assessment. Both of these units are located to the north of the subject site on the opposite side of Carlisle Street.

In regards to Unit 3/3 Carlisle Street, photos indicate that the subject proposal will impact on land and water interface views and district views that this property currently enjoys from its front private open balcony and living areas (see **Figures 6-9** below). For Unit 3/5 Carlisle Street, photos indicate that the subject proposal will impact on surf break views that this property currently enjoys from its front open space balcony and living areas (**Figures 10-11** below).

View Impact Analysis from Unit 3/3 Carlisle Street, Tamarama

	
<p>Figure 6: Existing view over the development site from the front balcony (standing) (source: applicant's submission)</p>	<p>Figure 7: Proposed view over the development site from the front balcony (standing) (source: applicant's submission)</p>
	
<p>Figure 8: Existing view over the development site from the front balcony (source: objector submission)</p>	<p>Figure 9: Existing view over the development site from the front balcony (source: objector submission)</p>

Figures 6-9 demonstrate the extent of the view loss as a result of the proposed alterations and additions. The associated view loss impact of land/water interface views upon Unit 3/3 Carlisle Street is considered to be unreasonable, particularly as the proposal exceeds the limit on FSR and the view impact is as a direct result of the exceedance. This view loss impact is a key indication that the proposal is inappropriate and therefore should not be approved.





The owners of Unit 3/5 Carlisle Street stated in their submission that the proposal will impact on views they currently enjoy. The applicant states that there will be “no change” to the views currently enjoyed by the occupants of this unit however, the view impact analysis submitted by the applicant indicates that there will be view impacts (Photos submitted by the applicant at **Figures 10-11** and from DA-569/2016 at **Figures 12-13**).

View Impact Analysis from Unit 3/5 Carlisle Street, Tamarama

	
<p>Figure 10: Existing view over the development site from the front balcony (standing) (source: applicant's submission)</p>	<p>Figure 11: Proposed view over the development site from the front balcony (standing) (source: applicant's submission)</p>
	
<p>Figure 12: View from lounge and dining room at front of Unit 3/5 Carlisle Street looking south over the development site (from DA-569/2016)</p>	<p>Figure 13: View from lounge and dining room at front of Unit 3/5 Carlisle Street looking south over the development site (from DA-569/2016)</p>

Whilst the owners of Unit 1/5 Carlisle Street did not lodge an objection, the proposal will impact on views they currently enjoy. The applicant states that there will be “no change” to the views currently enjoyed by the occupants of this unit however, the view impact analysis submitted by the applicant indicates that there will be water / horizon view impacts (Photos submitted by the applicant at **Figures 14-15** and from DA-569/2016 at **Figures 16-17**).

View Impact Analysis from Unit 1/5 Carlisle Street, Tamarama

	
<p>Figure 14: Existing view over the development site from the front balcony (standing) (source: applicant's submission)</p>	<p>Figure 15: Proposed view over the development site from the front balcony (standing) (source: applicant's submission)</p>
	
<p>Figure 16: View from living area at front of Unit 1/5 Carlisle Street looking south over the development site (from DA-569/2016)</p>	<p>Figure 17: View from living area at front of Unit 1/5 Carlisle Street looking south over the development site (from DA-569/2016)</p>

In their Statement of Environmental Effects, the applicant acknowledges that the proposal will result in 'minor' view loss impacts from the adjacent property at Unit 3/3 Carlisle Street. Council considers, however, that the loss of land/water interface view from this unit is not minor, particularly given the loss is directly attributed to the exceedance in floor space. The assessment of view impacts undertaken by CSA Architects also demonstrates that there are view impacts from units 1/5 Carlisle Street, with the horizon view impacted by the proposal and Unit 5/5 with the surf break view impacted by the proposal even though the applicant states that there is 'no change'. Notwithstanding the applicant's contention that the view impact is *minor*, having regard to the *Tenacity* planning principle, *where an impact arises as a result of non-compliance with one or more planning controls, even a moderate impact may be considered unreasonable*, which in this case it is.

Council's objectives under Part C3 3.14 of WDCP require that views are shared, providing equitable access to views from dwellings. This objective provides a general guide when assessing potential view loss, further expanded by guiding principles of the Land and Environment Court. The judgement in *Tenacity Consulting v Warringah Council (2004)* resulted in a four step assessment in regards to view sharing, with the impact on neighbours views assessed as follows:

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

As shown in the photos above, the land and water interface views obtained over the subject site from the adjacent property at Unit 3/3 Carlisle Street, Tamarama will be impacted by the proposed development. The horizon view from Unit 1/5 Carlisle Street and the surf break view from Unit 5/5 Carlisle Street will also be impacted.

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

The impacted views are obtained from the front of these properties in both a standing and sitting position.

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

As shown in the photos above, the land/ water interface, surf break and horizon views obtained over the subject site from the adjacent properties will be impacted by the proposed development. Whilst it is acknowledged that that these properties will still maintain some views towards the ocean, land and horizon, the view loss is as a direct result of the non-compliant floor space, which cannot be supported.

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

The subject development proposes an exceedance of the FSR development standard of WLEP by 18%. The impacts on views enjoyed by neighbouring properties is as a direct result of this FSR exceedance. It is considered that these impacts on views are unreasonable and contrary to the objectives of the FSR development standard as outlined previously in this report. Having regard to the above matters, the proposed FSR exceedance cannot be supported.

2.2 Other Impacts of the Development

The proposed development is capable of complying with the BCA, subject to a building upgrade.

It is considered that the proposal will have an adverse environmental impact in the locality as it represents an overdevelopment of the subject site.

2.3 Suitability of the Site for the Development

The site is not considered to be suitable for the proposed development as it seeks a large variation to the FSR development standard which results in unreasonable impacts on the amenity of neighbouring properties.

2.4 Any Submissions

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

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

Table 6: Summary of property addresses that lodged a submission

Property
3/3 Carlisle Street, Tamarama
3/5 Carlisle Street, Tamarama
23 Dellview Street, Tamarama
32 Dellview Street, Tamarama (in support)

The following issues raised in the submissions have been previously addressed in the body of the report:

- Non-compliance with the FSR development standard under WLEP
- View loss
- Overlooking

The following issues are addressed as follows:

Issue: Building works, construction traffic and noise

Response: Should the application be approved, standard conditions would be imposed. This will be a matter addressed during the Construction Certificate phase and does not provide a reason for refusal.

2.5 Public Interest

It is considered that the proposal will have a detrimental effect on the public interest and is not supported.

3. REFERRALS

3.1 Stormwater

The submitted stormwater management plans are considered satisfactory. Conditions were recommended in the event of an approval.

3.2 Biodiversity and Tree Management

The application was referred to Council's Biodiversity officer given the sites location within a habitat corridor. Council's Biodiversity officer provided the following comments:

This property lies within a biodiversity habitat corridor. The relevant control in Section 3.2 of the Waverley DCP is control (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.

The landscape plans dated 2 September 2020 are non-compliant and some of the claims made on that plan that it meets this control are incorrect.

- *Claim that 100% of trees are locally indigenous species is incorrect. Acacia cognata 'Green Screen' is a cultivar and is not locally indigenous. Percentage of locally indigenous trees is 0%.*
- *Claim that 50% of shrubs are locally indigenous species- there are no locally indigenous shrubs listed in the planting schedule. Cultivars are not listed in Annexure B2-1 and are not considered locally indigenous. Plants not listed in Annexure B2-1 are not counted towards the 50% requirement. Percentage of locally indigenous shrubs is 0%.*
- *Claim that 62.5% of grasses and groundcovers are locally indigenous species is close. I calculated 61%.*

Should the application be approved, the above matters could be addressed by condition.

Council's Tree Management officer raised no objection to the development application.

3.3 Fire Safety (NCC)

Conditions were recommended in the event of an approval. A building upgrade is required.

3.4 Traffic and Development

The application was referred to Council's Traffic and Development Engineer who provided the following recommendation:

Changes to the plans are required showing:

- *a reduction in resident spaces from 6 to 5.*
- *relocation of the driveway (excluding the splay) so that it is at least 6 metres from the turning point at the intersection of Dellview Street with Carlisle Street.*

The incremental change does not warrant additional visitor, accessible, bicycle, or motor bike spaces.

Should the application be approved, the above matters could be addressed by condition.

4. SUMMARY

The proposal seeks consent for alterations and additions to the existing residential flat building on the site, including alterations to the roof height and profile to create an additional level, internal alterations to the existing units, new balconies, terraces, garages and strata subdivision. The proposal seeks an exceedance of the FSR development standard of WLEP by 18%.

The application was notified and submissions from four (4) properties were received. The issues raised have been discussed in this report.

The proposal fails to comply with a number of standards and controls of the WLEP, ADG and the WDCP including the FSR development standard, separation distances, and attic controls. The consistent departure of the proposal from the relevant planning provisions serves to demonstrate the failure of the development to meet the objectives of the development standard as it results in amenity impacts by way of view loss impacts.

Whilst the other modifications involving changes to internal layouts, new balconies, garages, pedestrian entry and strata subdivision may be acceptable, the main issue is the increase in FSR proposed, which is the major component of this application. The proposal seeks to further intensify an already non-complying development with the additional floor space proposed, representing an overdevelopment of the site. Accordingly, and having regard to the issues discussed throughout this report, the development application is recommended for refusal.

DBU Decision

The application was reviewed by the DBU at the meeting on 17 November 2020 and the DBU determined that:

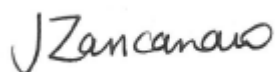
(a) The application is not acceptable and should be refused for the reasons in Appendix A.

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

5. RECOMMENDATION TO WAVERLEY LOCAL PLANNING PANEL

That the Development Application be **REFUSED** by the Waverley Local Planning Panel for the reasons contained in Appendix A:

Report prepared by:



Jo Zancanaro
Senior Development Assessment Planner

Date: 24 November 2020

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



Angela Rossi
Manager, Development Assessment (Central)

Date: 27 November 2020

Reason for referral:

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

APPENDIX A – REASONS FOR REFUSAL

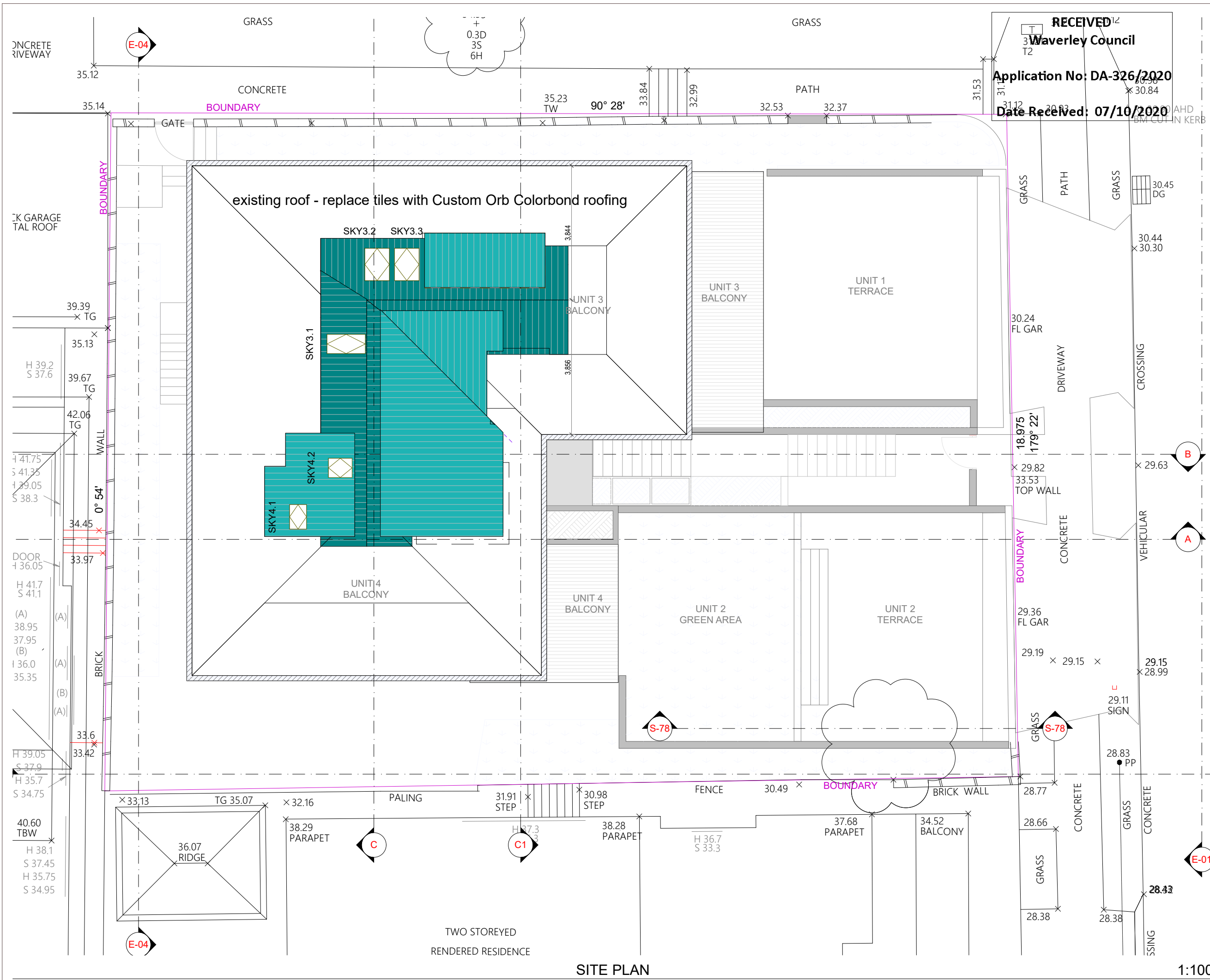
Having regard to section 4.15(1) of the *Environmental Planning and Assessment Act 1979* the development application is refused for the following reasons:

1. The proposal does not satisfy the objectives of the *Environmental Planning and Assessment Act 1979*, as stipulated in section 1.3 (g) as the proposal does not promote good design and amenity of the built environment.
2. The proposal does not satisfy section 4.15(1)(a)(i) of the *Environmental Planning and Assessment Act 1979*, as the proposal does not satisfy the provisions of the State Environmental Planning Policy No.65 – Design Quality of Residential Apartment Development, in particular the following provisions:
 - a. Clause 2 Aim, objectives etc, subclauses (3)(a)(ii) and (iii), (b) and (d) as the proposed development fails to achieve the objectives of urban planning policies of the local context, fails to provide an appropriate built form and fails to maximise the amenity for the wider community.
 - b. The proposed development is contrary to Part 4 *Application of Design Principles*, in particular Principles 1 *Context and Neighbourhood*, 2 *Built Form and Scale*, 3 *Density and 6 Amenity*.
3. The proposal does not satisfy section 4.15(1)(a)(i) of the *Environmental Planning and Assessment Act 1979*, as the proposal does not satisfy the Waverley Local Environmental Plan 2012, in particular, the following provisions:
 - a. Clause 4.4 *Floor space ratio* (1)(b), (c) and (d), as the proposal breaches the floor space ratio development standard which will diminish the environmental amenity of neighbouring properties and the locality. The proposed building will result in adverse impacts on the amenity of adjoining properties, contrary to objective (d) of the development standard.
 - b. Clause 4.6 *Exceptions to development standards* (1)(b), (3)(a) and (b), and (4)(a), as the proposed development will not result in a better development outcome for the site. The applicant's Clause 4.6 *Exceptions to development standards* fails to justify that compliance with the development standard is unreasonable or unnecessary and that there are sufficient environmental planning grounds that exist to justify the significant breach to the floor space ratio development standard. The proposed development is contrary to the objectives of the development standard and the proposal is not in the public interest.
4. The proposal does not satisfy section 4.15(1)(a)(iii) of the *Environmental Planning and Assessment Act 1979*, as the proposed development is contrary to Waverley Development Control Plan 2012, in respect to the following provisions:
 - a. Part B – *General Provisions*
 - (i) Part B12 – *Design Excellence*, 12.1 *Design*, specifically objectives (a) and (d) and controls (c) and (e), and 12.2 *Context Analysis* specifically objectives (a), (b), (c) and (d) as the proposal has failed to consider the suitability of the land for development,

the relationship of the development to other development (existing or proposed) on the same site or on neighbouring sites in terms of amenity and urban form, and environmental impacts such as view loss. The development does not demonstrate an understanding of an appropriate response to the specific conditions of the site nor ensure that the opportunities and constraints of a site are fully considered and incorporated into the design proposal.

b. Part C3 – *Other Residential Development*:

- (i) Section 3.6 *Attic and Roof Design*, in particular objective (b) and control (d) as the proposed attic level is not wholly contained within the pitched roof form.
 - (ii) Section 3.14 *Views and View Sharing*, in particular objective (a) and control (a) as the proposal will result in unreasonable view loss impacts from the adjacent properties.
5. The proposed development does not satisfy section 4.15(1)(b) of the *Environmental Planning and Assessment Act 1979*, as the proposal will have an adverse environmental impact as the proposed development results in a poor planning outcome and an overdevelopment of the subject site which would adversely impact upon the amenity of the adjoining properties and the locality.
6. The proposal is contrary to 4.15 (1)(c) of the *Environmental Planning and Assessment Act 1979*, as the development is not considered suitable for the subject site as the proposal results in a poor planning outcome providing for a built form that is excessive in terms of bulk and scale, results in undesirable and unacceptable impact on the amenity of neighbouring properties and the locality.
7. The proposal is not considered to be in the public interest for the reasons outlined above, contrary to Section 4.15 (1)(e) of the *Environmental Planning and Assessment Act, 1979*.

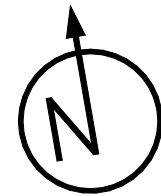


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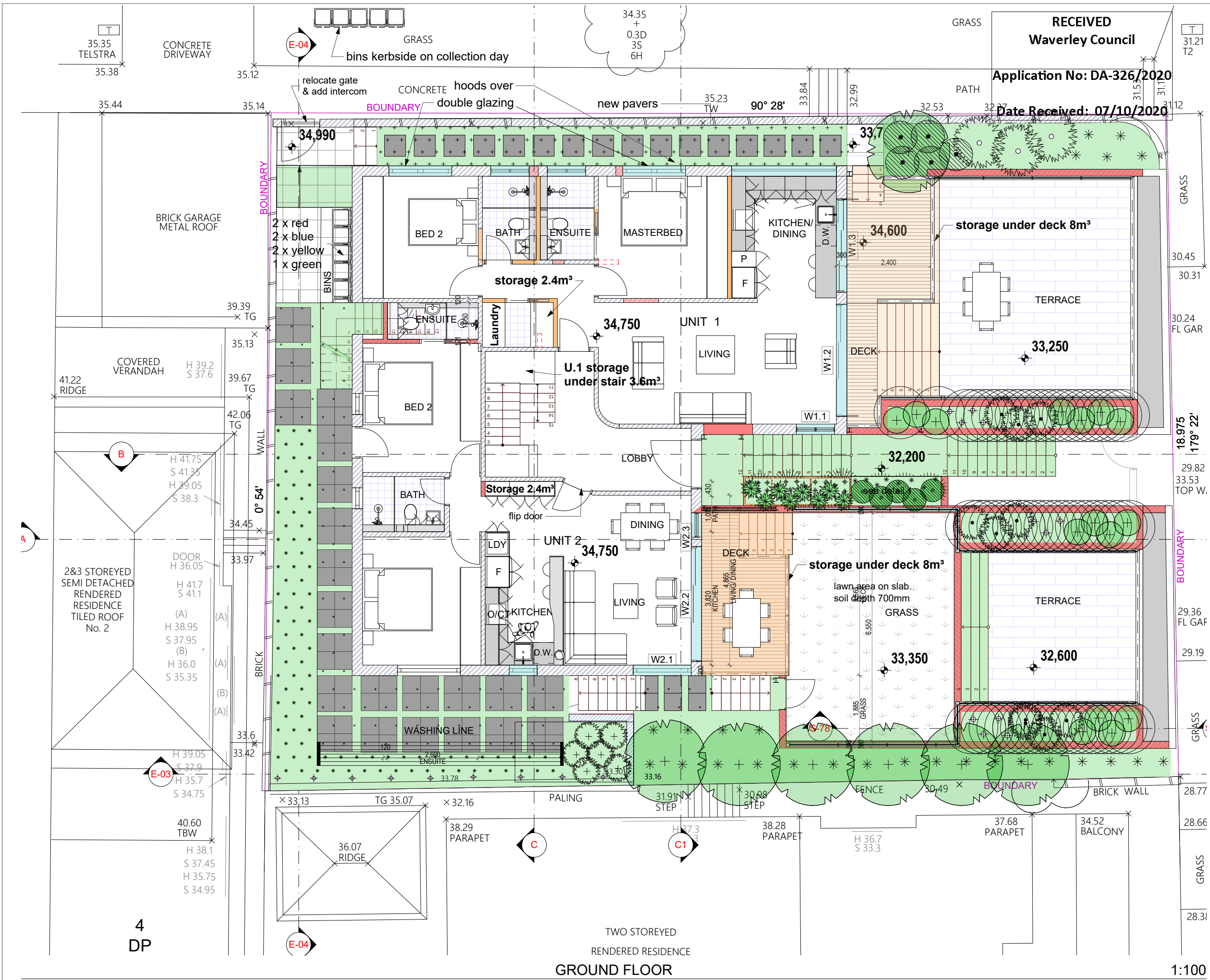
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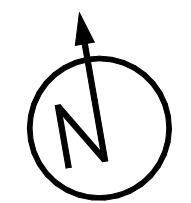
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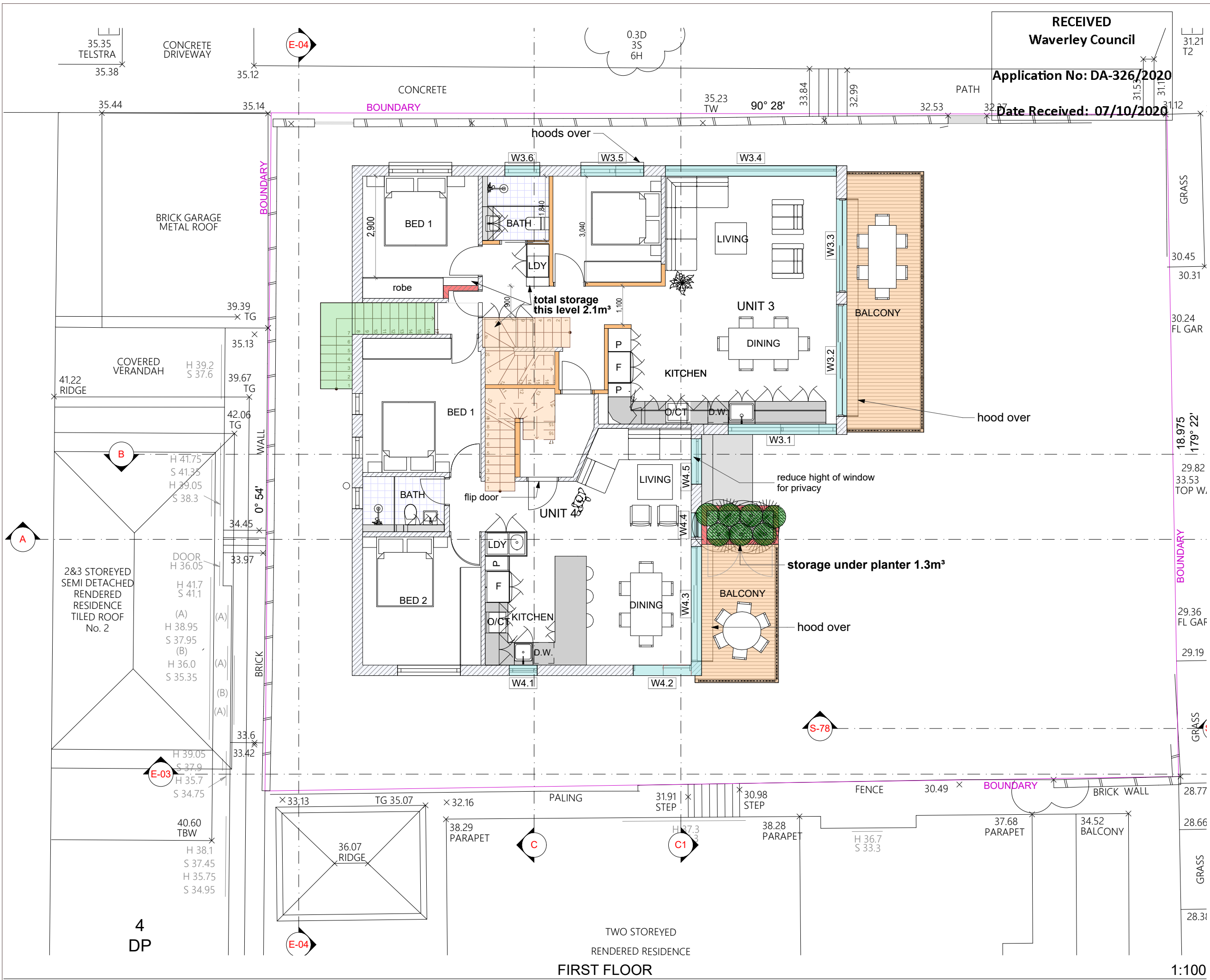
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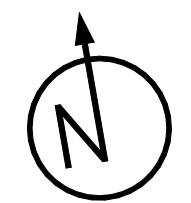


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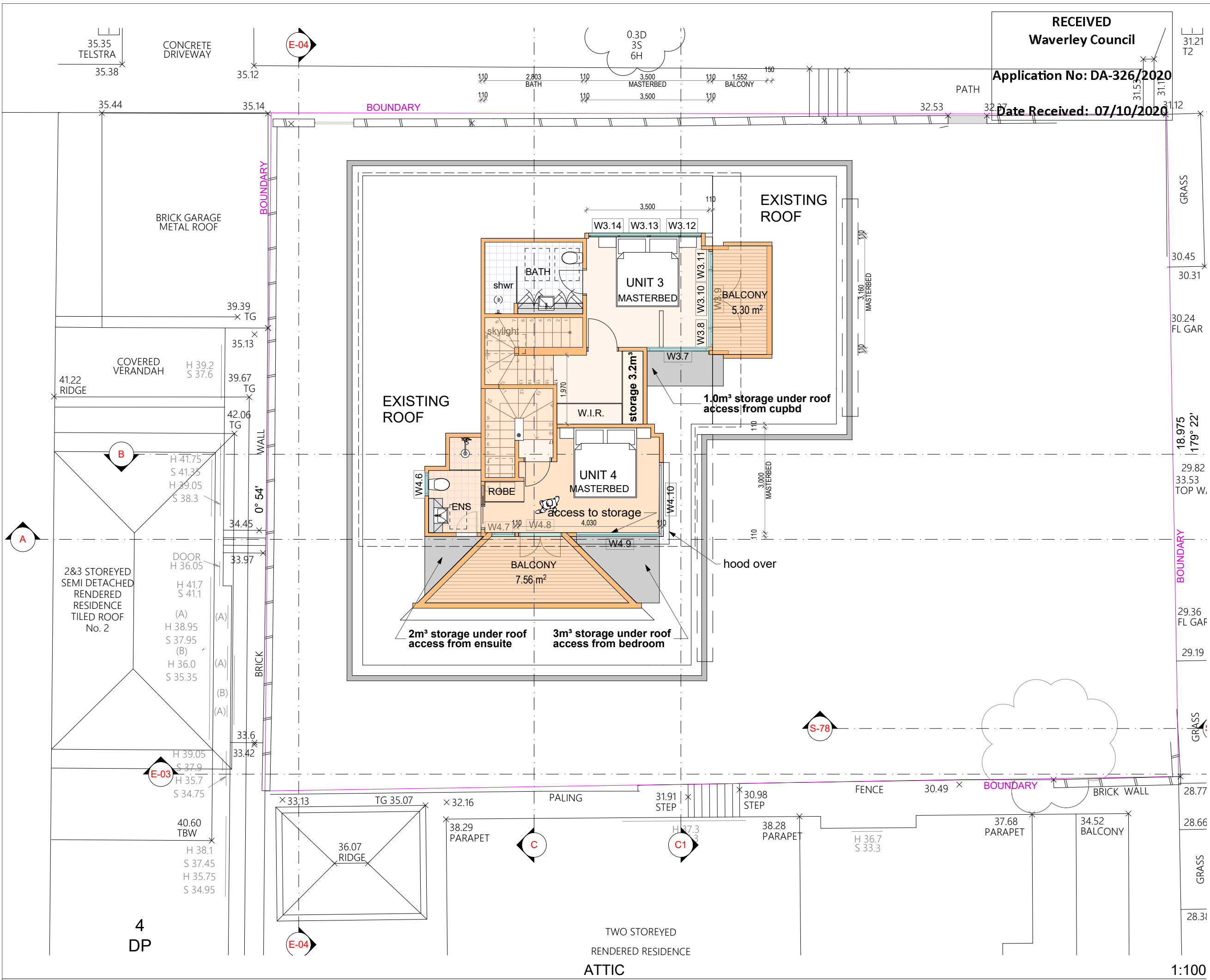
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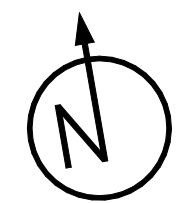
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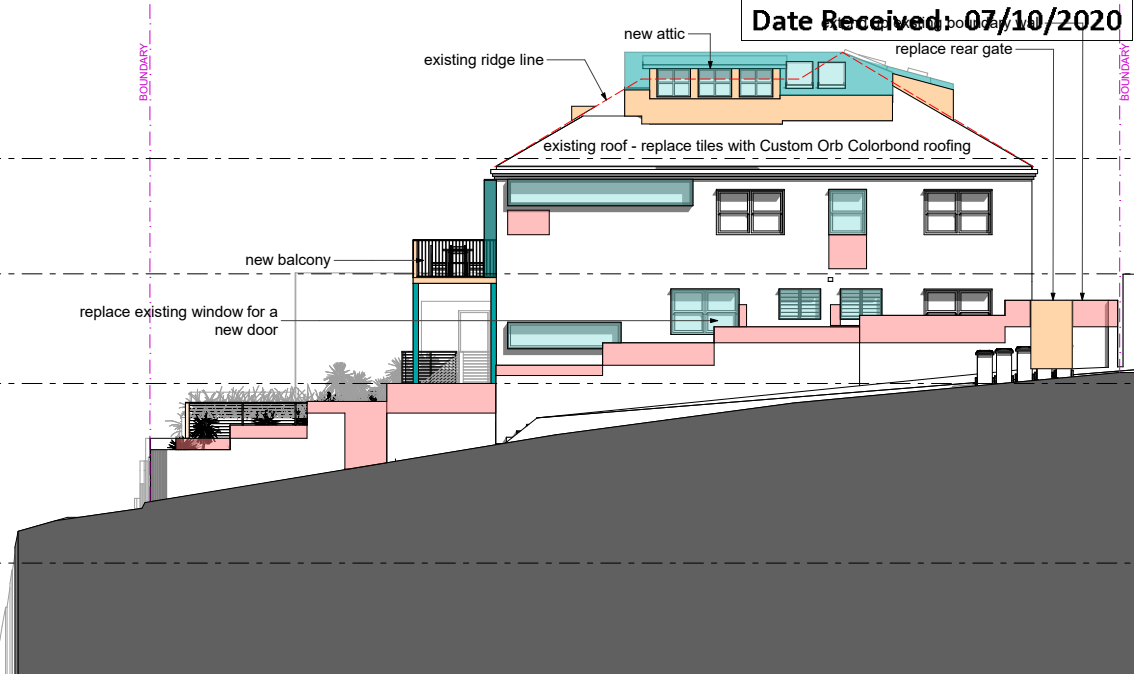
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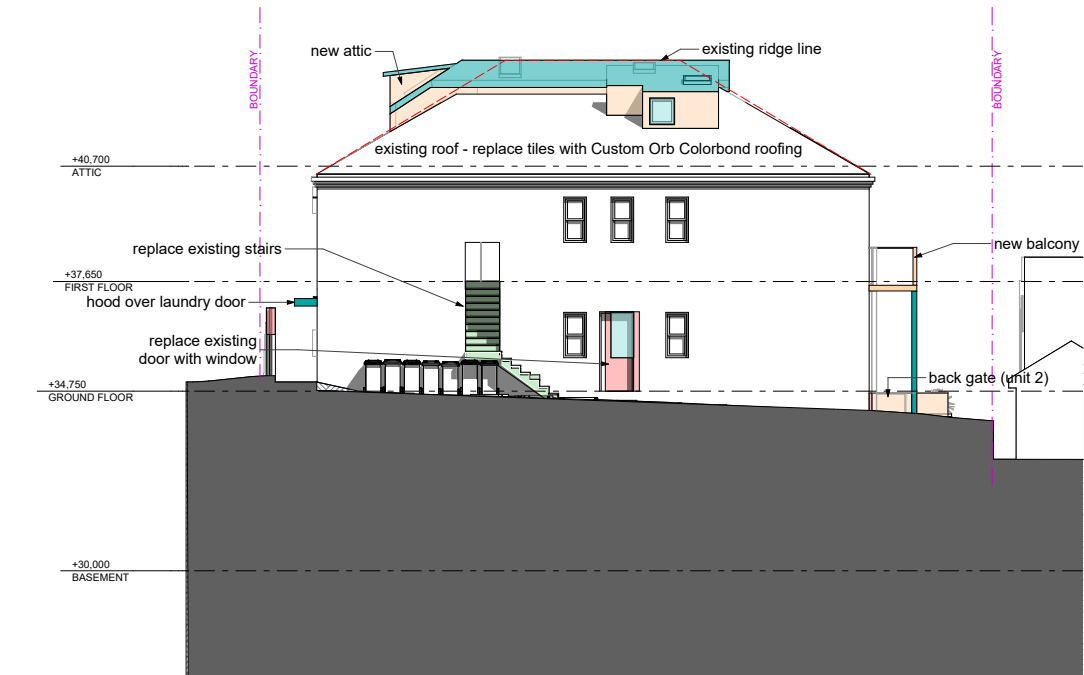
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East Elevation 1:200



North Elevation 1:200



West Elevation 1:200



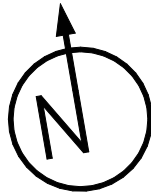
South Elevation 1:200

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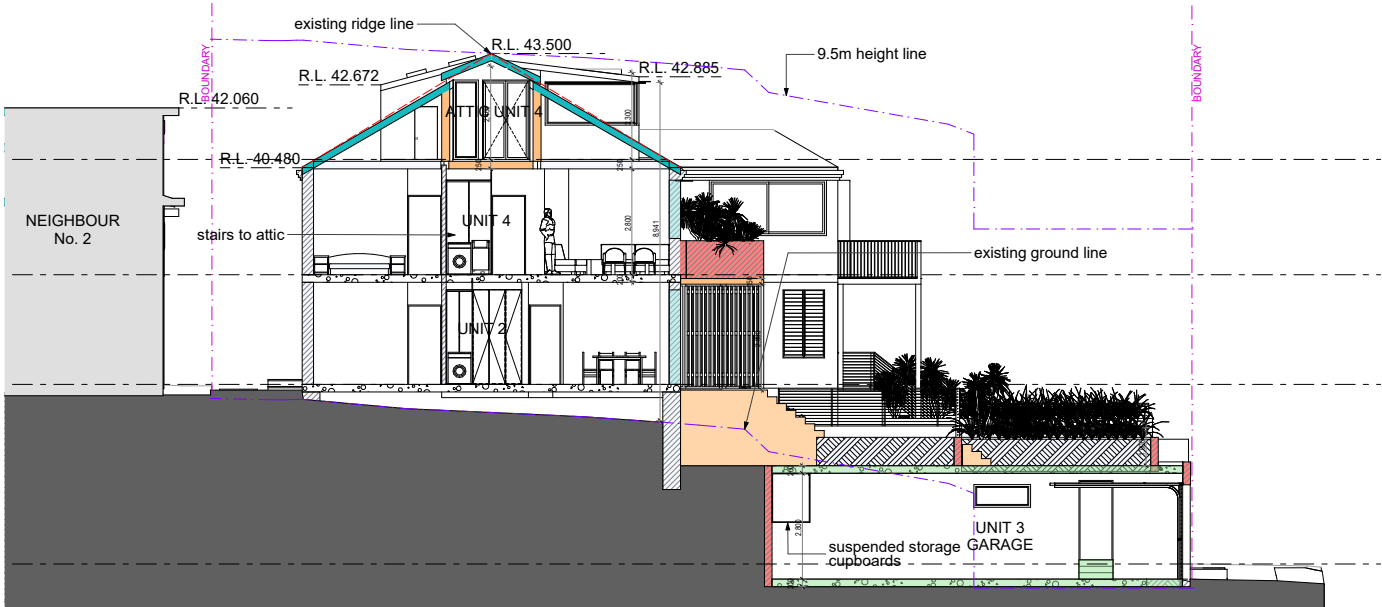
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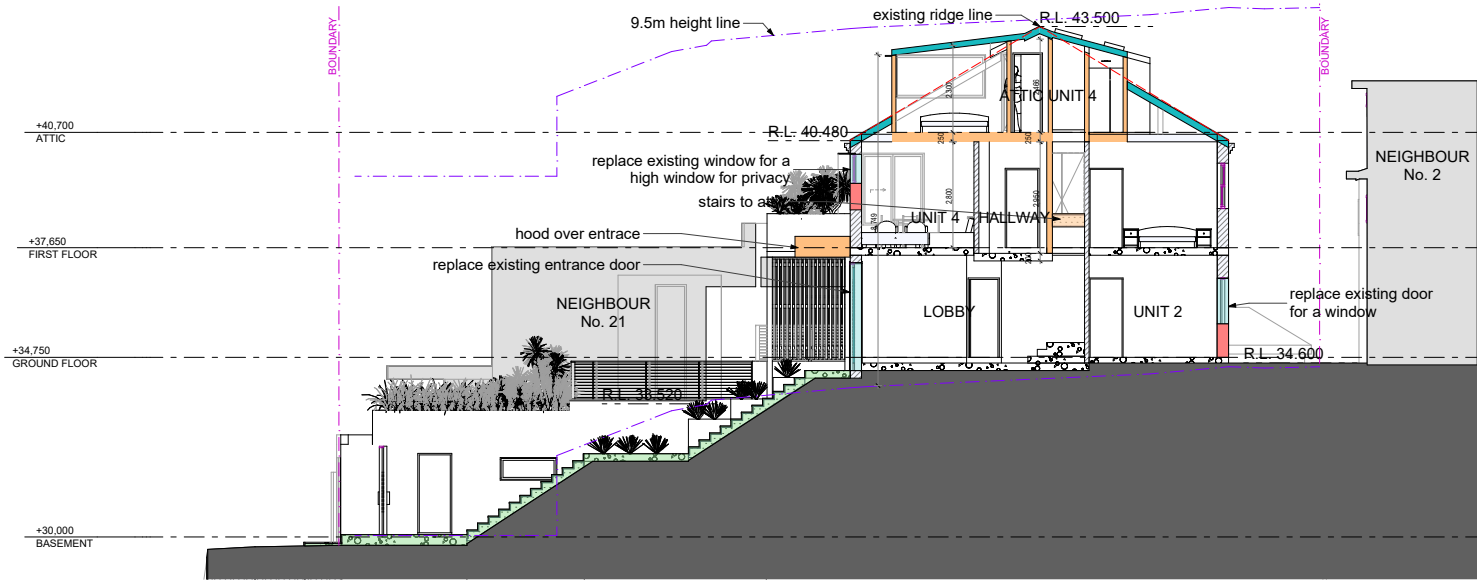
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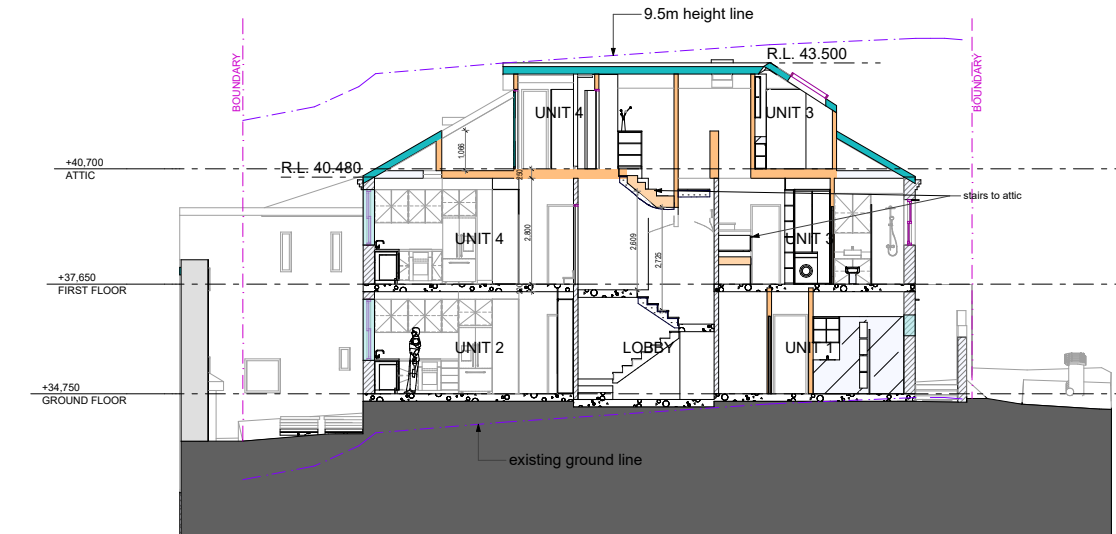
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Section B-B 1:200



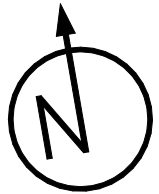
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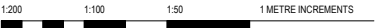
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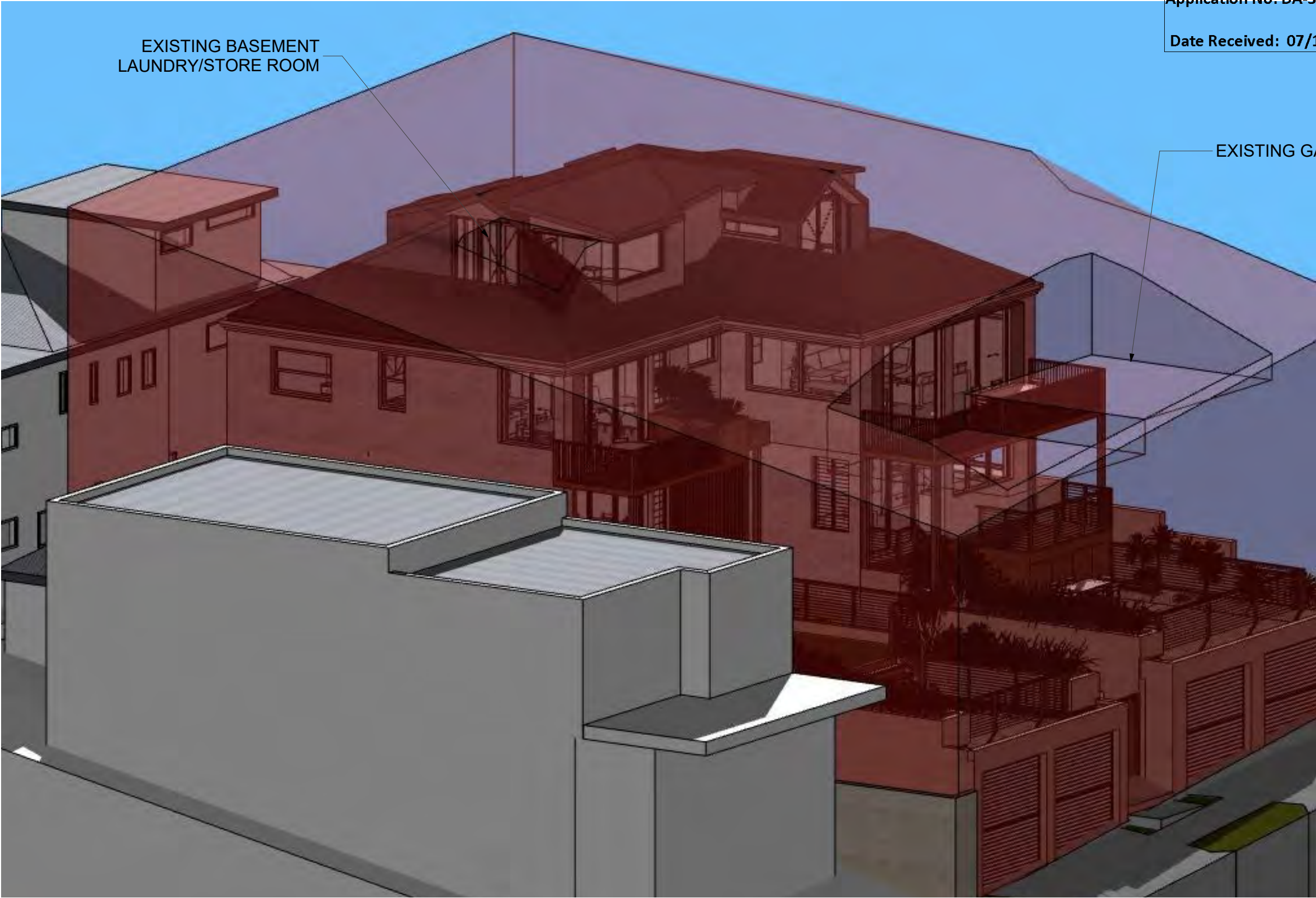
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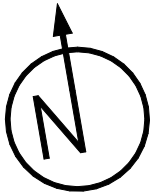
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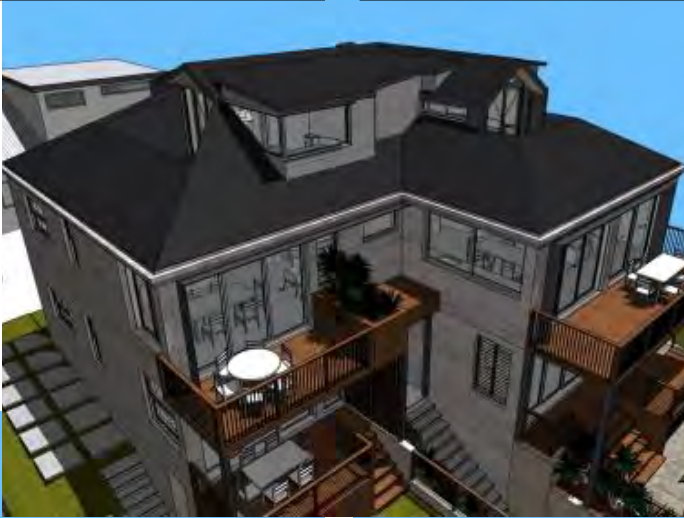
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East Elevation



Street view - Dellview Street



Aerial View



Aerial perspective

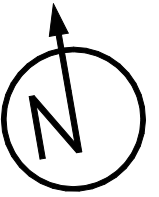


Street View - Carlisle Street



Nominated Architect: Alex Smith Reg #5473
alex@csa-arch.com.au

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185 Old South Head Rd., Bondi Junction NSW 2022
a.c.n. 087 234 053



Rev	Description	Date
A	PRE-DA Issue	31/10/2019
B	Revised Pre-DA Issue	12/02/2020
C	DA Issue	14/09/2020

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Client
THE OWNERS
19 DELLVIEW ST, TAMARAMA

Project
ALTERATIONS AND ADDITIONS
19 DELLVIEW ST, TAMARAMA

Status
DA ISSUE

Drawing Title:			
3D IMAGES			
Sheet No.			
DELL-09			
Drawn:	Checked:	Scale:	Rev.
PZ	AS/DRB	1:100 U.N.O	C

1:200 1:100 1:50 1 METRE INCREMENTS

Plot Date: Monday, 14 September 2020

3 CARLISLE ST
UNIT 1
SITTING ON BALCONY



3 CARLISLE ST
UNIT 3
STANDING ON BALCONY



3 CARLISLE ST
UNIT 5
STANDING ON BALCONY



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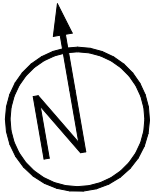
Application No: DA-326/2020

Date Received: 07/10/2020



Nominated Architect: Alex Smith Reg #5473
alex@csa-arch.com.au

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Rev	Description	Date
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ALTERATIONS AND ADDITIONS
19 DELLVIEW ST, TAMARAMA

Status

DA ISSUE

Drawing Title: MONTAGES 01			
Sheet No. DELL-10			
Drawn: PZ	Checked: AS/DRB	Scale: 1:100 U.N.O	Rev. C

1:200 1:100 1:50 1 METRE INCREMENTS

Plot Date: Monday, 14 September 2020

5 CARLISLE ST
UNIT 1
STANDING ON BALCONY



5 CARLISLE ST
UNIT 3
STANDING ON BALCONY



5 CARLISLE ST
UNIT 5
STANDING ON BALCONY



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Waverley Council

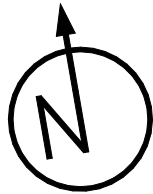
Application No: DA-326/2020

Date Received: 07/10/2020



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Rev	Description	Date
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19 DELLVIEW ST, TAMARAMA

Project
ALTERATIONS AND ADDITIONS
19 DELLVIEW ST, TAMARAMA

Status

DA ISSUE

Drawing Title:

MONTAGES 02

Sheet No.

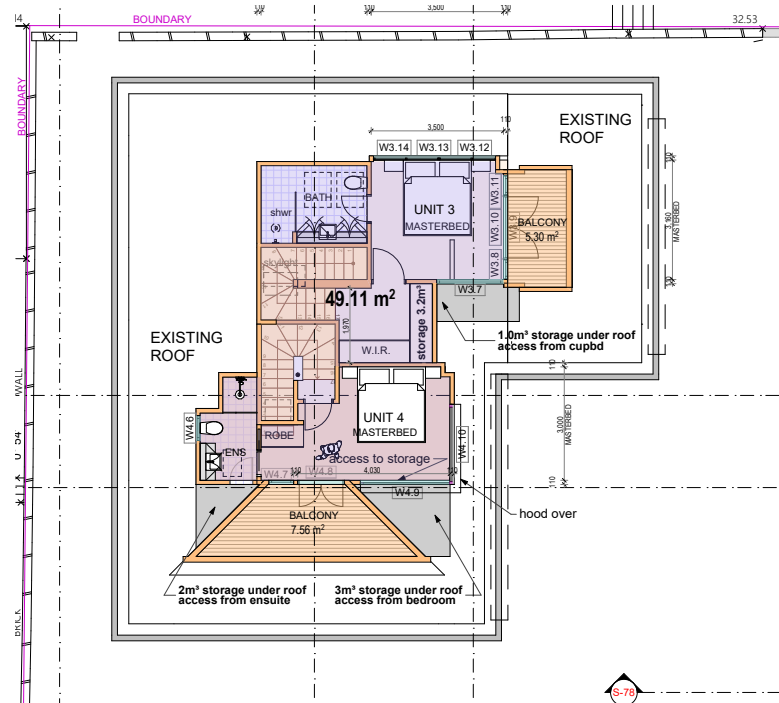
DELL-11

Drawn: PZ	Checked: AS/DRB	Scale: 1:100 U.N.O	Rev. C
--------------	--------------------	-----------------------	------------------

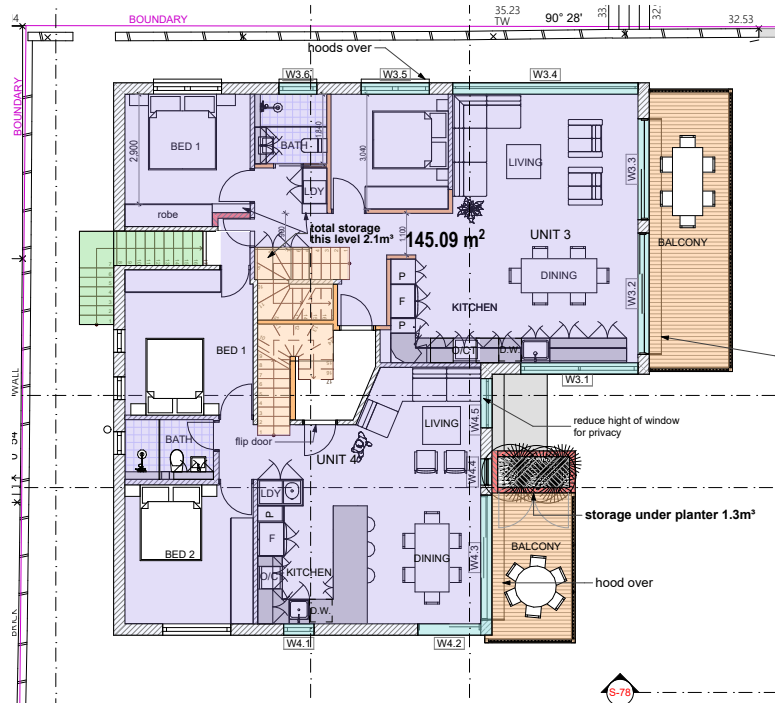
1:200 1:100 1:50 1 METRE INCREMENTS

Plot Date: Monday, 14 September 2020

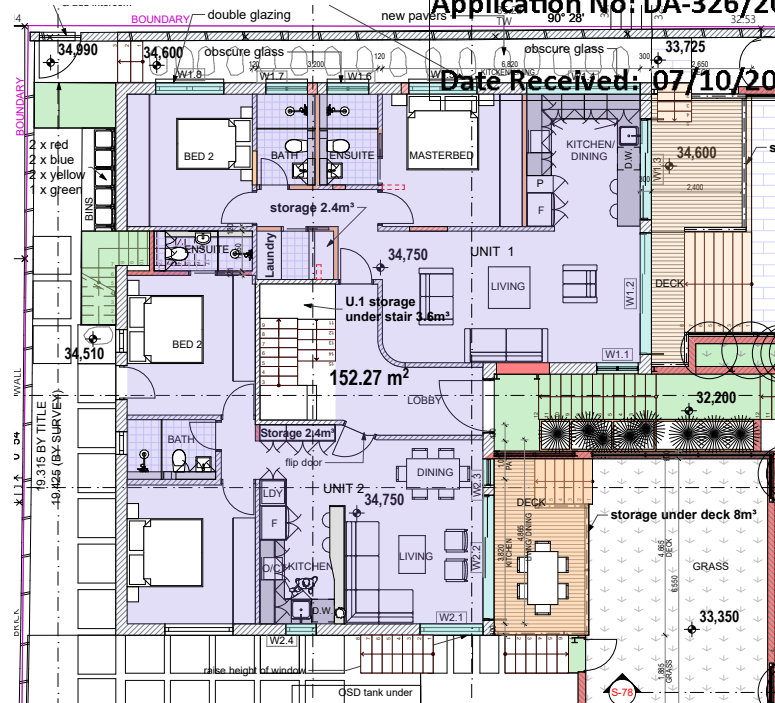
200



ATTIC (FSR) 1:200



FIRST FLOOR (FSR) 1:200



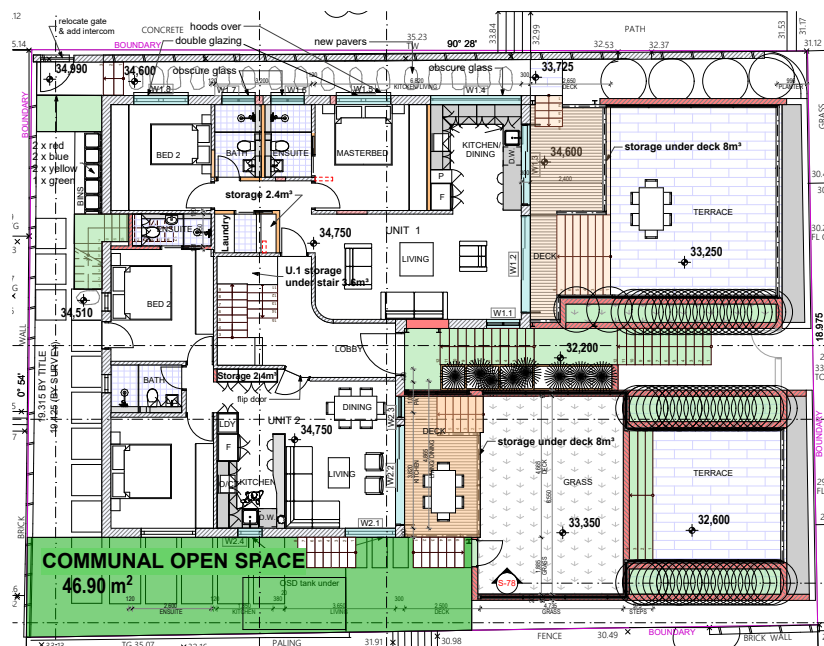
GROUND FLOOR (FSR) 1:200

SITE AREA= 497.46m²
TOTAL GFA= 346.47m²

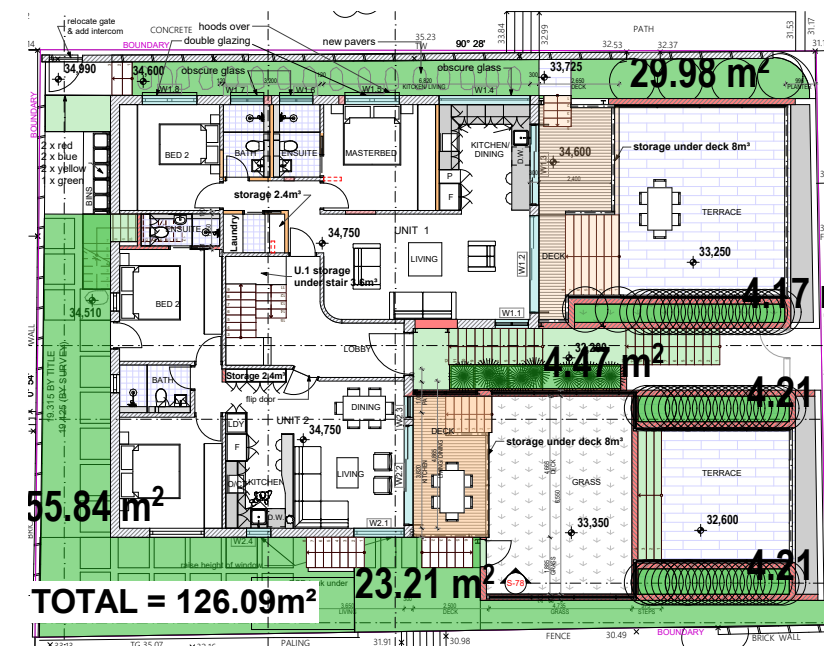
FSR= 346.47m² / 497.46 = 0.69:1

PRESCRIBED FLOOR SPACE RATIO = 0.6:1

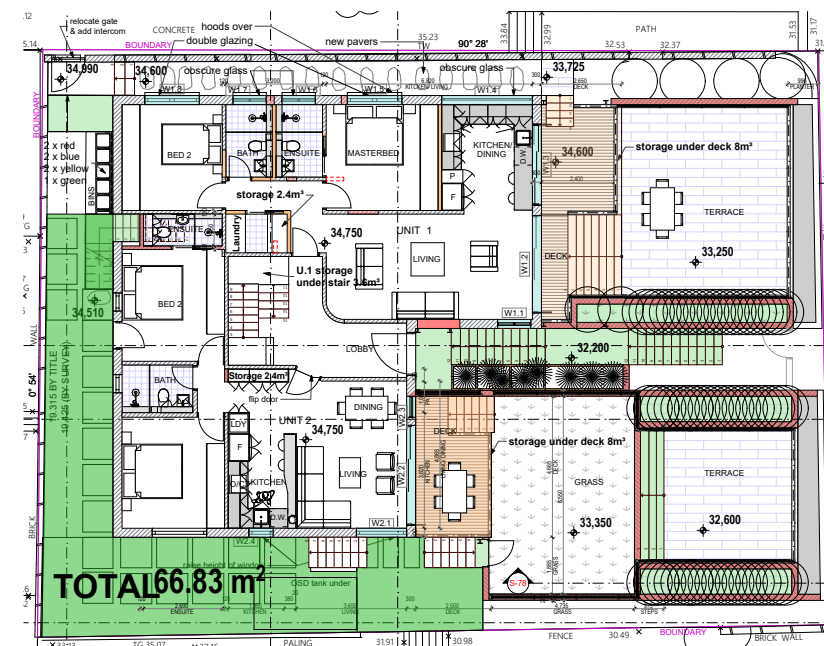
STORAGE	INTERNAL	EXTERNAL	GARAGE	TOTAL
UNIT 1	6.0m³	8.0m³	9.6m³	23.6m³
UNIT 2	2.4m³	8.0m³	8.7m³	19.1m³
UNIT 3	6.3m³	-	4.1m³	10.4m³
UNIT 4	5.0m³	1.3m³	5.2m³	11.5m³



Communal Open Space 1:250



4 Landscaped Areas 1:250

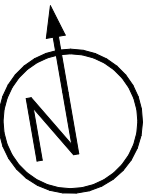


Deep Soil 1:250



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Rev	Description	Date
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B	Revised Pre-DA Issue	12/02/2020
C	DA Issue	14/09/2020

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Client
THE OWNERS
19 DELLVIEW ST, TAMARAMA

Project
ALTERATIONS AND ADDITIONS
19 DELLVIEW ST, TAMARAMA
Status

DA ISSUE

Drawing Title:

AREA CALCULATIONS

Sheet No.


DELL-12


Drawn:	Checked:	Scale:	Rev.
PZ	AS/DRB	1:100 U.N.O	C


1:200 1:100 1:50 1 METRE INCREMENTS

Plot Date: Monday, 14 September 2020



 Height
2A = 2 storeys + attic
3s = 3 storeys
4s = 4 storeys
6s = 6 storeys

 **xx:1** Floor space ratio

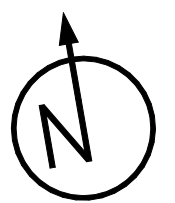
 Subject site No. 19 Delview Street

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Waverley Council
Prestige
Application No. DA-326/2020
Date Received: 07/10/2020



Nominated Architect: Alex Smith Reg #5473
alex@csa-arch.com.au

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185 Old South Head Rd., Bondi Junction NSW 2022
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Rev	Description	Date
A	PRE-DA Issue	31/10/2019
B	Revised Pre-DA Issue	12/02/2020
C	DA Issue	14/09/2020

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Client
THE OWNERS
19 DELLVIEW ST, TAMARAMA

Project
ALTERATIONS AND ADDITIONS
19 DELLVIEW ST, TAMARAMA

Status
DA ISSUE

Drawing Title:			
FSR, Height context			
Sheet No.			
DELL-13			
Drawn:	Checked:	Scale:	Rev.
PZ	AS/DRB	1:100 U.N.O	C



Plot Date: Monday, 14 September 2020



1 21st June - 9:00am EXISTING



4 21st June - 9:00am PROPOSED



4 21st June - 9:10am EXISTING



4 21st June - 9:10am PROPOSED



4 21st June - 9:15am EXISTING

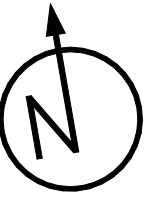


4 21st June - 9:15am PROPOSED



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Rev	Description	Date
B	Shadow diagrams	12/02/2020
	Revised Pre-DA Issue	
C	DA Issue	14/09/2020

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Client
THE OWNERS
19 DELLVIEW ST, TAMARAMA

Project
ALTERATIONS AND ADDITIONS
19 DELLVIEW ST, TAMARAMA

Status
DA ISSUE

Drawing Title:			
3D Shadow diagrams (1of3)			
Sheet No.			
DELL-14			
Drawn:	Checked:	Scale:	Rev.
PZ	AS/DRB	1:100 U.N.O	C



1 21st June - 11:00am EXISTING



4 21st June - 11:00am PROPOSED



2 21st June - 12:00pm EXISTING



5 21st June - 12:00pm PROPOSED



3 21st June - 1:00pm EXISTING



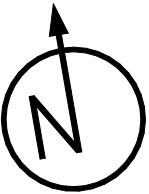
6 21st June - 1:00pm PROPOSED

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Waverley Council
Application No: DA-326/2020
Date Received: 07/10/2020



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alex@csa-arch.com.au

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Rev	Description	Date
B	Shadow diagrams	12/02/2020
	Revised Pre-DA Issue	
C	DA Issue	14/09/2020

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THE OWNERS
19 DELLVIEW ST, TAMARAMA

Project
ALTERATIONS AND ADDITIONS
19 DELLVIEW ST, TAMARAMA

Status

DA ISSUE

Drawing Title:			
3D Shadow diagrams (2of3)			
Sheet No.			
DELL-15			
Drawn:	Checked:	Scale:	Rev.
PZ	AS/DRB	1:100 U.N.O	C

1:200 1:100 1:50 1 METRE INCREMENTS

Plot Date: Monday, 14 September 2020



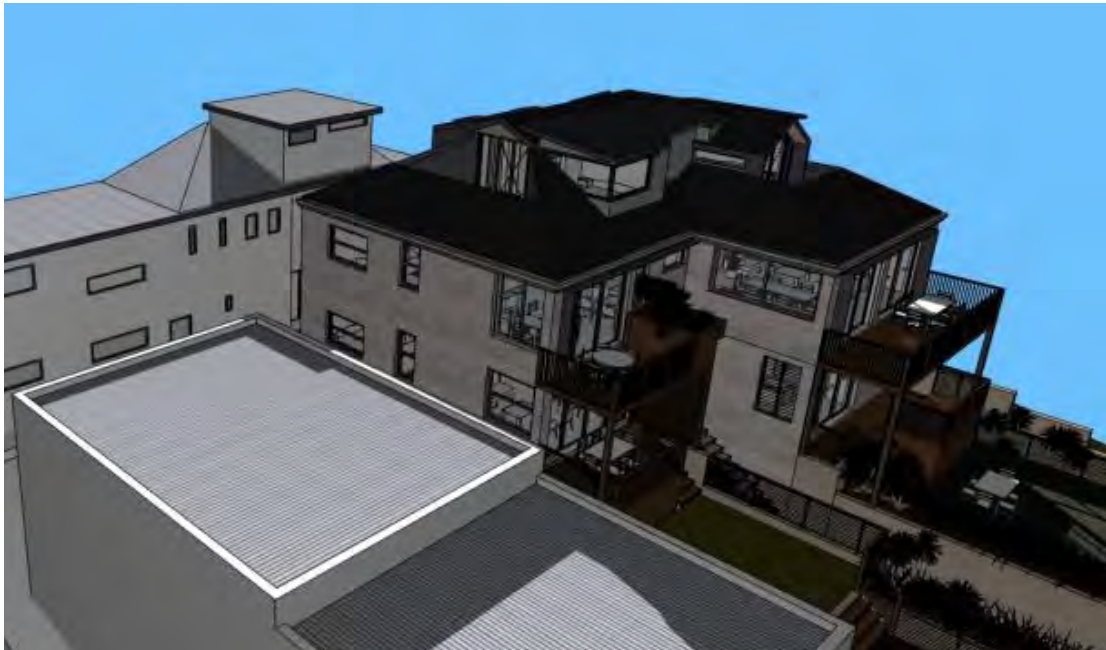
1 21st June - 2:00pm EXISTING



3 21st June - 2:00pm PROPOSED



2 21st June - 3:00pm EXISTING

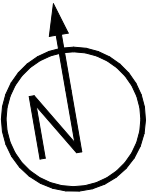


4 21 June - 3:00pm PROPOSED



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Rev	Description	Date
B	Shadow diagrams	12/02/2020
	Revised Pre-DA Issue	
C	DA Issue	14/09/2020

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Client
THE OWNERS
19 DELLVIEW ST, TAMARAMA

Project
ALTERATIONS AND ADDITIONS
19 DELLVIEW ST, TAMARAMA

Status

DA ISSUE

Drawing Title:			
3D Shadow diagrams (3of3)			
Sheet No.			
DELL-16			
Drawn:	Checked:	Scale:	Rev.
PZ	AS/DRB	1:100 U.N.O	C

1:200 1:100 1:50 1 METRE INCREMENTS

Plot Date: Monday, 14 September 2022



21 June 9am Existing - 21 Dellview



21 June 9am Proposed - 21 Dellview



21 June 10am Existing - 21 Dellview



21 June 10am Proposed - 21 Dellview



21 June 11am Existing - 21 Dellview

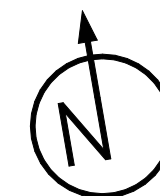


21 June 11am Proposed - 21 Dellview



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Rev	Description	Date
C	DA Issue	14/09/2020

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Client
THE OWNERS
19 DELLVIEW ST, TAMARAMA

Project
ALTERATIONS AND ADDITIONS
19 DELLVIEW ST, TAMARAMA

Status

DA ISSUE

Drawing Title:

Shadow Diagrams on No.21 (1of4)

Sheet No.

DELL-17

Drawn: PZ	Checked: AS/DRB	Scale: 1:100 U.N.O	Rev. C
--------------	--------------------	-----------------------	------------------

1:200 1:100 1:50 1 METRE INCREMENTS

Plot Date: Monday, 14 September 2020



21 June 12pm Existing - 21 Dellview



21 June 12pm Proposed - 21 Dellview



21 June 1pm Existing - 21 Dellview



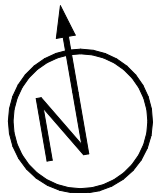
21 June 1pm Proposed - 21 Dellview



21 June 2pm Existing - 21 Dellview



21 June 2pm Proposed - 21 Dellview



Rev	Description	Date
C	DA Issue	14/09/2020

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ALTERATIONS AND ADDITIONS
 19 DELLVIEW ST, TAMARAMA

Status
DA ISSUE

Drawing Title:

Shadow Diagrams on No.21 (2of4)

Sheet No.

DELL-18

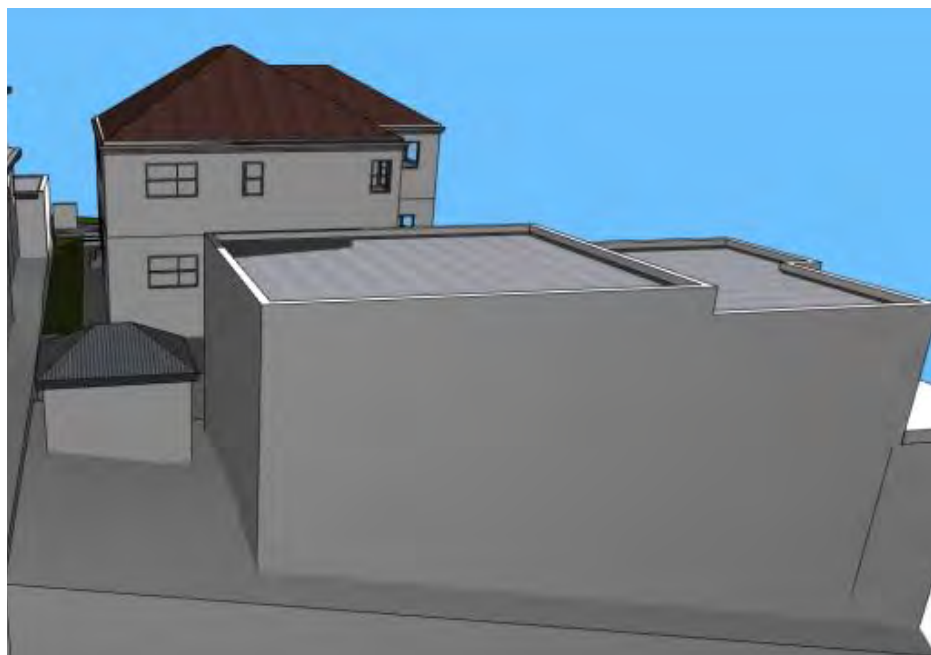
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PZ	AS/DRB	1:100 U.N.O	C



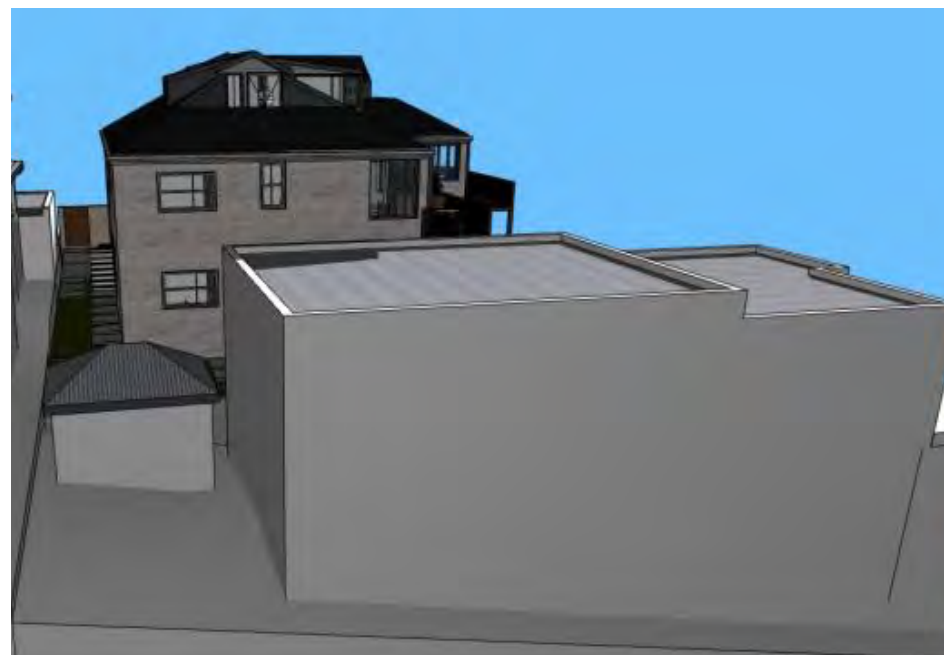
21 June 3pm Existing - 21 Dellview



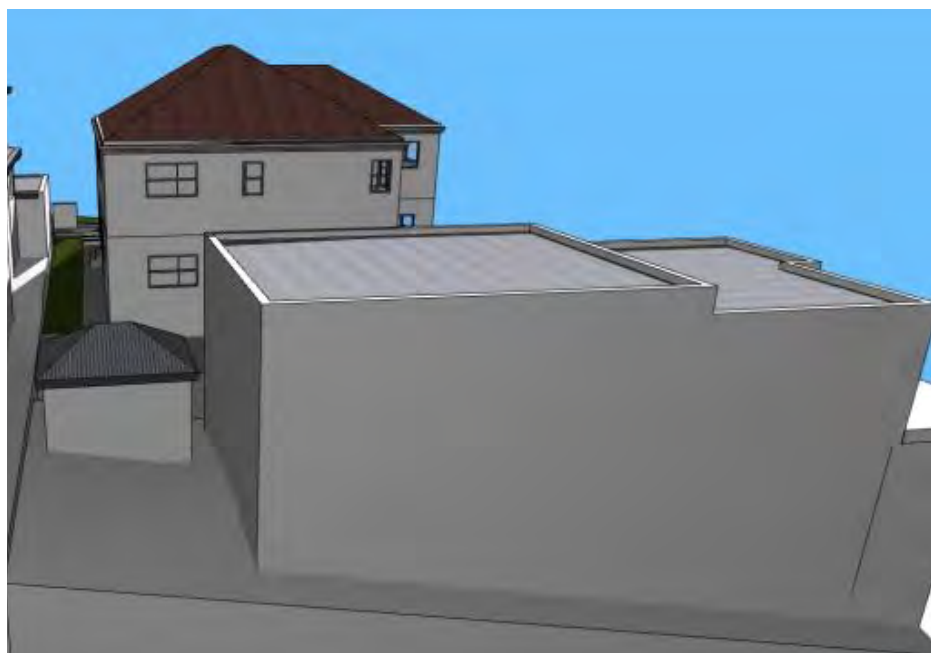
21 June 3pm Proposed- 21 Dellview



4 21 June 9am Existing - 21 Dellview garden



4 21 June 9am Proposed - 21 Dellview garden



4 21 June 10am Existing - 21 Dellview garden

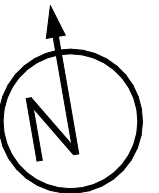


4 21 June 10am Proposed - 21 Dellview garden



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Rev	Description	Date
C	DA Issue	14/09/2020

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Client
THE OWNERS
19 DELLVIEW ST, TAMARAMA

Project
ALTERATIONS AND ADDITIONS
19 DELLVIEW ST, TAMARAMA

Status

DA ISSUE

Drawing Title:

Shadow Diagrams on No.21 (3of4)

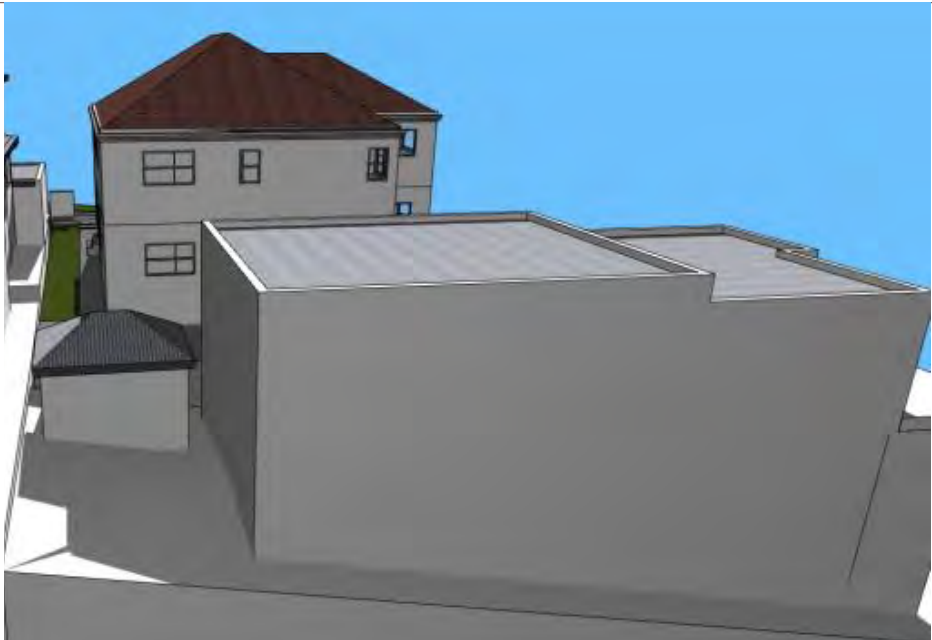
Sheet No.

DELL-19

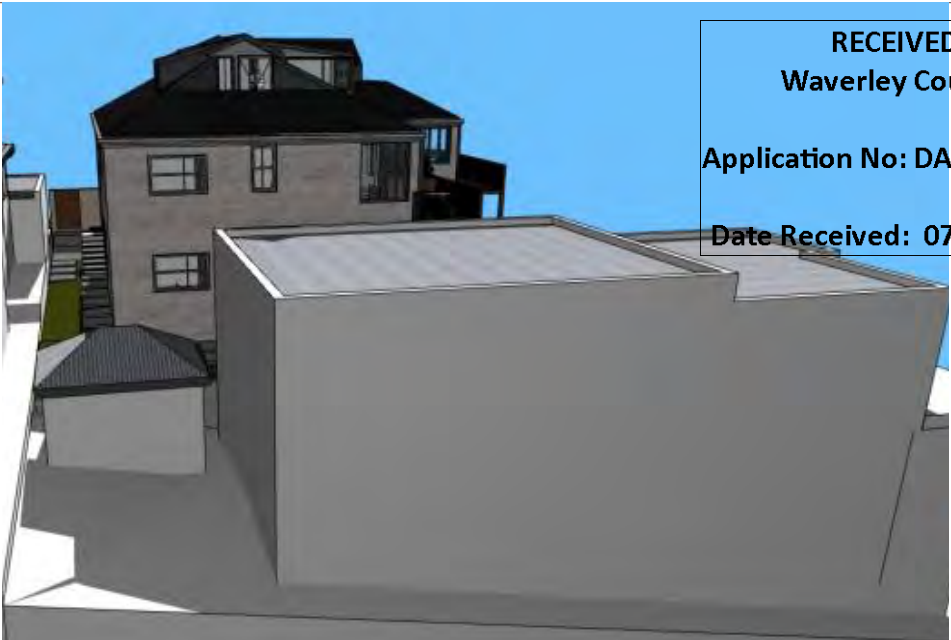
Drawn: PZ	Checked: AS/DRB	Scale: 1:100 U.N.O	Rev. C
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1:200 1:100 1:50 1 METRE INCREMENTS

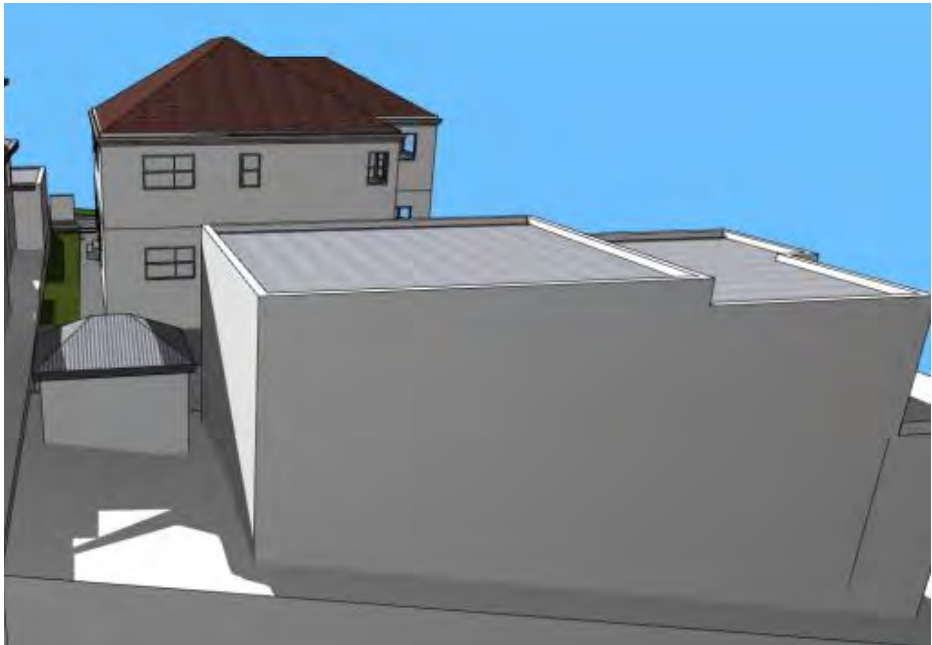
Plot Date: Monday, 14 September 2020



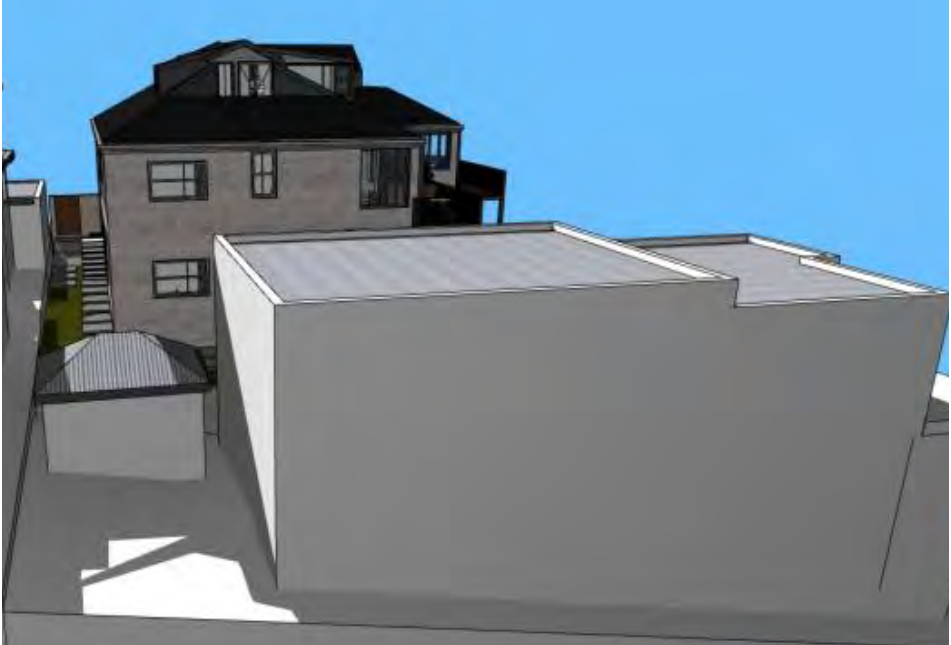
4 21 June 11am Existing - 21 Dellview garden



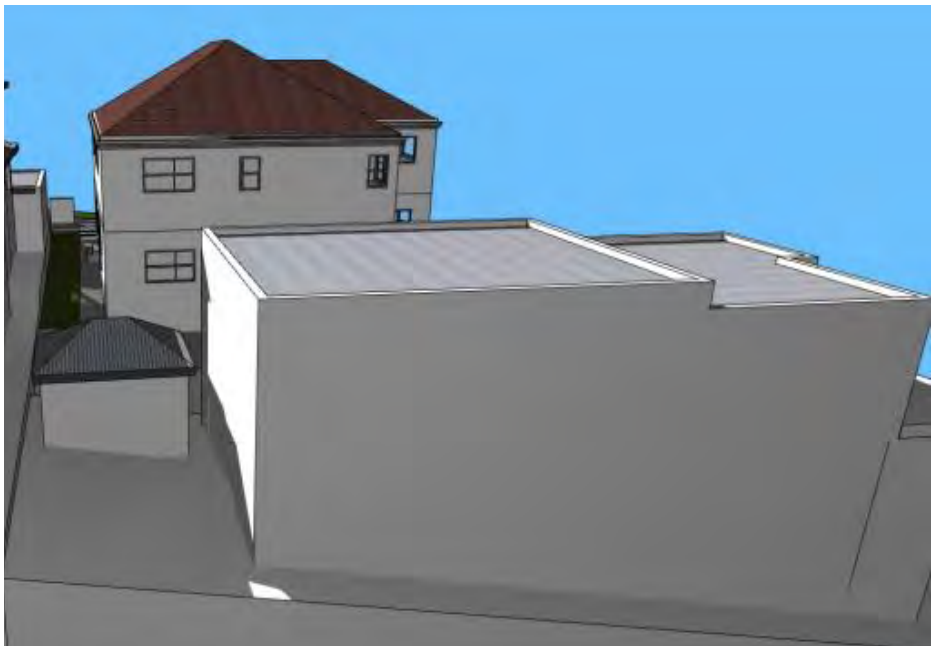
4 21 June 11am Proposed - 21 Dellview garden



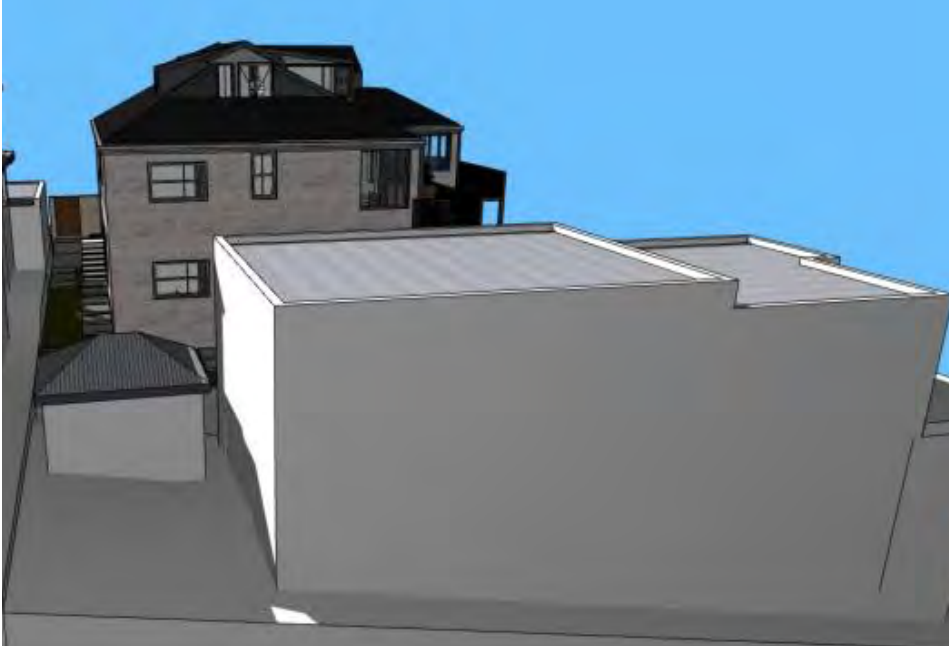
4 21 June 12pm Existing - 21 Dellview garden



4 21 June 12pm Proposed - 21 Dellview garden



4 21June 1pm Existing - 21 Dellview Garden



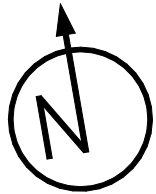
4 21 June 1pm Proposed - 21 Dellview garden

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Waverley Council
Application No: DA-326/2020
Date Received: 07/10/2020



Nominated Architect: Alex Smith Reg #5473
alex@csa-arch.com.au

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185 Old South Head Rd., Bondi Junction NSW 2022
a.c.n. 087 234 053



Rev	Description	Date
C	DA Issue	14/09/2020

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Client
THE OWNERS
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Project
ALTERATIONS AND ADDITIONS
19 DELLVIEW ST, TAMARAMA

Status
DA ISSUE

Drawing Title:			
Shadow Diagrams on No.21 (4of4)			
Sheet No.			
DELL-20			
Drawn:	Checked:	Scale:	Rev.
PZ	AS/DRB	1:100 U.N.O	C

1:200 1:100 1:50 1 METRE INCREMENTS
Plot Date: Monday, 14 September 2020

ID	SKY3.1	SKY3.2	SKY3.3	SKY4.1	SKY4.2	W1.1	W1.2
Window Name	Skylight Pivot Hung 23	Skylight Pivot Hung 23	Skylight Pivot Hung 23	Skylight Pivot Hung 23	Skylight Pivot Hung 23	Louvre window	Sliding Door 23
Height	1180	1100	1100	500	700	1,800	2,500
Width	550	700	700	700	550	1,100	3,210
Window sill height	---	---	---	---	---	Application No: DA-326/2020	0
2D Symbol							
View from Opening Side							

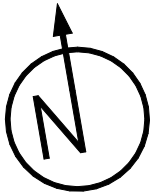
ID	W1.3	W1.4	W1.5	W1.6	W1.7	W1.8	W2.1
Window Name	Sliding window	Window 23	Single-Hung Double Win...	Louvre window	Louvre window	Single-Hung Double Win...	Double-Hung Window 23
Height	1,600	700	1,200	800	800	1,200	1,616
Width	2,669	3,000	1,800	1,100	1,100	1,800	1,659
Window sill height	900	920	1,300	1,700	1,700	1,300	884
2D Symbol							
View from Opening Side		 low E	 double glazing		 low E	 double glazing	

ID	W2.2	W2.3	W2.4	W3.1	W3.2	W3.3	W3.4
Window Name	Sliding Door 23	Louvre window	Double-Hung Window 23	2-Sash Sliding Window 23	Sliding Door 23	Sliding Door 23	Window 23
Height	2,500	2,500	1,616	1,466	2,500	2,500	700
Width	3,300	700	800	3,100	3,210	2,669	4,900
Window sill height	0	0	884	1,034	0	0	1,800
2D Symbol							
View from Opening Side				 low E	 low E		 low E



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Rev	Description	Date
C	DA Issue	14/09/2020

Contractors are responsible for all site levels and dimensions and must verify these at the job before the commencement of any work, the preparation of shop drawings or the fabrication of components. Do not scale drawings use figured dimensions only.

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Client
THE OWNERS
19 DELLVIEW ST, TAMARAMA

Project
ALTERATIONS AND ADDITIONS
19 DELLVIEW ST, TAMARAMA

Status

DA ISSUE

Drawing Title:
WINDOW SCHEDULE 1

Sheet No.
DELL-21

Drawn: PZ	Checked: AS/DRB	Scale: 1:100 U.N.O	Rev. C
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1:200 1:100 1:50 1 METRE INCREMENTS

Plot Date: Monday, 14 September 2020

Window List							
ID	W3.5	W3.6	W3.7	W3.8	W3.9	W3.10	W3.11
Window Name	Single-Hung Double Win...	Double-Hung Window 23	Window 23	Trapezoid Window 23	Double Door 23	Triangle Window 23	Trapezoid Window 23
Height	1,200	1,200	400	2,050	2,050	552	2,050
Width	1,800	998	1,767	516	1,700	1,700	516
Window sill height	1,034	1,034	1,235	0	0	0	0
2D Symbol							
View from Opening Side	 double glazing	 low E		 low E	 low E	 low E	 low E

RECEIVED

Waverley Council

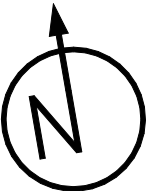
Application No: DA-326/2020

Date Received: 07/10/2020



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THE OWNERS
19 DELLVIEW ST, TAMARAMA

Project
ALTERATIONS AND ADDITIONS
19 DELLVIEW ST, TAMARAMA
Status

DA ISSUE

Drawing Title:

WINDOW SCHEDULE 2

Sheet No.

DELL-22

Drawn: PZ

Checked: AS/DRB

Scale: 1:100 U.N.O

Rev. C



Report to the Waverley Local Planning Panel

Application number	DA-82/2016/C
Site address	629-631 Old South Head Road, ROSE BAY
Proposal	Modifications to approved residential flat building, including external and internal unit reconfiguration, lift access extended to top level and various other alterations to facades of building.
Approved development description	Demolition of existing buildings, amalgamation of two Torrens title lots, construction of a four storey residential flat building comprising 11 units and basement carparking and strata subdivision (approved via section 34 agreement with the Land and Environment Court)
Date of lodgement	21 July 2020 (Amended plans and additional information submitted on 4 November 2020).
Owner	MH Development One Pty Limited
Applicant	MHN Design Union Pty Ltd
Submissions	Three unique submissions received.
Cost of Works	No change to the original cost of the approved development declared.
Issues	Non-compliance with floor space ratio development standard; SEPP 65 and the ADG matters; and building design and streetscape.
Recommendation	That the application be APPROVED subject to modified and additional conditions.

Site Map



1. PREAMBLE

1.1 Site and Surrounding Locality

The site was inspected in 2016 during the assessment of the original development application. Demolition and construction works have yet to commence on the site.

The site is comprised of two allotments, which are identified as Lot 1 in DP176012 and Lot 7 in DP 309425 and is known as 629-631 Old South Head Road, Rose Bay. It is located on the eastern side of Old South Head Road between Kobada Road and George Street.

The site is irregular in shape with frontages to Old South Head Road (western boundary) measuring 21.585m and George Street (southern boundary) measuring 35.635m. The site has an area of 747.4m² and it substantially falls from its eastern portion towards its western portion adjacent to Old South Head Road by approximately 7.8m. The site has a gentle cross-fall (i.e. north-south) of approximately 1.3m.

The site is occupied by a two storey dwelling house (No. 631) and a single storey dwelling house (No. 629), which are each located on individual lots. Vehicular access to and from the site is presently provided from Old South Head Road by two separate vehicular crossings.

The subject site is adjoined by two storey dwelling houses to the north of the site at 633 Old South Head Road and to the east of the site at 65 George Street. To the south of the site and on the opposite side of George Street is a three, part four storey multi dwelling housing development at 70 George Street. To the west and on the opposite side of Old South Head Road are two storey walk-up residential flat buildings.

The locality is characterised by low and medium density residential development, including dwelling houses, dual occupancy development and residential flat buildings (RFB's).



Figure 1: Site viewed from Old South Head Road, looking north-east



Figure 2: Site viewed from George Street, looking north-west



Figure 3: Multi dwelling housing development to the south of the site across George Street (70 George Street).

1.2 Details of Approved Development

The original application, known as DA-82/2016 for demolition of existing buildings, amalgamation of two Torrens title lots, construction of a four storey residential flat building (RFB) comprising 12 units (reduced to 11 units when approved) and basement car parking and Strata subdivision, was refused by the former Waverley Development Assessment Panel on 24 August 2016.

The applicant appealed the refusal determination of this application in the NSW Land and Environment Court. Council and the applicant reached an agreement under section 34 of the *Land and Environment Court Act 1979* and development consent (by way of deferred commencement consent) was granted to the application on 27 March 2017. Part of the deferred commencement consent was satisfied by providing a suitable landscape plan, with the remaining deferred commencement consent matter being satisfied after a Planning Agreement associated with the development consent was drafted and executed on 4 December 2019. The development consent is therefore operative.

A modification application, known as DA-82/2016/A to replace references to application with applicant/owner, was approved on 16 November 2018.

A further modification application, known as DA-82/2016/B to modify the approved RFB by reducing number of apartments from 11 to 10 (strata consolidation) with parking for 17 cars, relocate basement carpark eastern wall, lower basement parking floor by 200mm, amend internal apartments, reduce size of window opening and addition of bedroom and loft overrun at level 4, was refused by the Development and Building Unit (DBU) on 26 September 2019. The principal reasons for refusal are summarised as follows:

- Lack of information about the performance against design principles of State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development (SEPP 65) and the accompanying Apartment Design Guide (ADG);
- Unjustified and unreasonable additional gross floor area (GFA) and further exceedance of the floor space ratio development standard under Waverley Local Environmental Plan 2012;
- Reduction of level of articulation across the façades of the development;
- Reduction of landscaped area to less than the minimum requirement;
- Unreasonable internal and external privacy impacts; and
- Insufficient information.

1.3 Background to subject application

The subject modification application was lodged on 21 July 2020. It was deferred on 14 October 2020 for the following reasons:

- Incomplete set and inadequacy of architectural plans;
- Excess additional onsite parking provided and consideration of additional visitor parking and provision of motorcycle parking;
- Further exceedance of the floor space ratio (FSR) development standard and justification;
- Internal building layout matters; and
- Stormwater matters.

Council received amended plans and additional information on 4 November 2020 in response to the deferral. The amended plans and additional information generally satisfied the deferral matters, and

were publicly notified in November 2020. Refer to section 2.5 of this report in relation to submissions received.

1.4 Proposal

The application has been lodged as a section 4.56 (modification of consent granted by the Court) application and provides for the following modifications to the approved development:

Basement

- Additional excavation to accommodate relocated bin storage room on the northern side of the site (anticipated to accommodate 13 bins);
- Slight extension of the basement towards the eastern boundary of the site, maintaining a setback of 4.763m from this boundary;
- Reconfiguration of car parking spaces, including the deletion of one of the six double car stackers and replace it with a visitor car space; and
- Replacement of bin collection room with motorcycle parking.

Level 1

- Reduction of floor area of western side and indent to create a consistent western building alignment;
- Reconfiguration, expansion and rationalisation of internal layout of Units 1.01 (changed from two bedroom to three bedroom unit) and 1.02;
- Relocation of unit storage to eastern side to accommodate expanded Unit 1.02;
- Reconfigured and resized terraces;
- Increased landscaped area or garden and part perimeter planter boxes adjacent to terraces across southern, western and northern edges of the development;
- Relocation of bin store in basement; and
- Rationalisation of bike parking and individual unit stores.

Level 2

- Expansion of volume towards the northern, western and eastern sides. Infilling of central indent across southern side;
- Reconfiguration, expansion and rationalisation of internal layout of Units 2.01 (changed from one bedroom to three bedroom unit), 2.02 (changed from two bedroom to one bedroom apartment) and 2.03 (changed from three bedroom to two bedroom unit);
- Reconfiguration of pedestrian entry;
- Reconfiguration of common or communal open space within the south-eastern portion of the site;
- Expansion of private open space such that it wraps around from northern to eastern external sides of Unit 2.03;
- Deletion of secondary private open space area on the northern side of Unit 2.01; and
- Rationalisation of west-facing terraces accessed from Units 2.01 and 2.02, such that they adjoin one another.

Level 3

- Expansion of volume towards the northern, western and eastern sides. Infilling of central indent across southern side;
- Reconfiguration, expansion and rationalisation of internal layout if Units 3.01 (changed from one bedroom to three bedroom unit), 3.02 (changed from two bedroom to one bedroom unit) and 3.03 (changed from a studio and one bedroom units to a two bedroom unit);
- New terrace to the north-eastern corner; and
- Rationalisation of west-facing terraces accessed from Units 3.01 and 3.02, such that they adjoin one another.

Level 4

- Expansion of volume towards the northern and southern sides;
- Rationalisation of west and south facing wraparound terrace; and
- Reconfiguration, expansion and rationalisation of internal layout if Units 4.01 (changed from three bedroom to two bedroom unit) and 4.02 (changed from two bedroom to three bedroom unit).

Level 5

- Reduction of area of west-facing terrace;
- Minor reconfiguration of living room/area of Unit 4.02; and
- New awning above part of the west-facing terrace.

Roof level

- Change from attic-looking or mansard roof form to a more pronounced flat roof form.

Elevations

- Significant changes to window openings and glazed door openings across all elevations, specifically reduction of surface areas of windows on northern and southern elevations; and
- Resolved materiality palette (compared with the original approved plans that comprised predominately cement rendered painted finishes).

Other

- Lift relocated from northern to southern end of central lobby/foyer.

The proposed modifications change the development statistics of the approved development and the previously refused approved development, as proposed to be modified by DA-82/2016/B, as shown in **Table 1** below.

Table 1: Development statistics between approved and proposed development schemes

Element	Approved (DA-82/2016)	Refused Mod (DA-82/2016/B)	Proposed (DA-82/2016/C)
Number of apartments	11 apartments with a mix of: <ul style="list-style-type: none"> • 1 x studio • 4 x one bedroom • 4 x two bedroom • 2 x three bedroom 	10 apartments with a mix of: <ul style="list-style-type: none"> • 2 x one bedroom (-2) • 5 x two bedroom (+1) • 3 x three bedroom (+1) 	10 apartments with a mix of: <ul style="list-style-type: none"> • 3 x 1 bedroom (-1) • 3 x 2 bedroom (-1) • 4 x 3 bedroom (+2).
Overall building height	12.5m RL73.000	12.5m RL73.000	12.5m RL73.000
Floor space ratio	1.104:1 825m ² of GFA	1.19:1 893m ² of GFA +68m ² of GFA	1.23:1 924.7m ² (99.7m ² of additional GFA)
Car parking	19 car spaces	17 car spaces	19 car spaces
Finished floor levels:	-	-	-
Basement	RL54.600	RL54.400 (-0.2m)	RL54.600
Ground floor level	RL57.500	RL57.500	RL57.500
First floor level	RL60.600	RL60.600	RL60.600
Second floor level	RL63.700	RL63.700	RL63.700
Third floor level	RL66.800	RL66.800	RL66.800
Fourth floor level	RL69.900	RL69.900	RL69.900
Roof level	RL73.000	RL73.000	RL73.000

The owner of the property has provided an undertaking or in-principle offer to enter into a planning agreement for the additional GFA sought by this modification application.

The approved development, as proposed to be modified, is visualised in a photomontage shown in **Figure 4** below.



Figure 4: Photomontage of the approved development, as proposed to be modified, as viewed from Old South Head Road, looking east (Source: MHNDU)

2. ASSESSMENT

The following matters are to be considered in the assessment of this modification application under sections 4.15 and 4.56 of the *Environmental Planning and Assessment Act 1979* (the Act).

2.1 Section 4.56 Considerations

The application is submitted under section 4.56 of the Act, which is a modification of a development consent granted by the Court.

The development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified. While there is a notable increase of GFA sought by this modification application, **Table 1** in this report demonstrates that the quantitative fundamentals of the originally approved development largely remain unchanged by this modification application, such as the overall building height and number of storeys and finished floor levels of the development. The additional gross floor area will not be manifested in obvious increases or expansions to the perceived building envelope as

explained in section 2.2.6 of this report in relation to the floor space ratio development standard under clause 4.4 of Waverley Local Environmental Plan 2012 (Waverley LEP 2012).

Despite the unit mix of the development being revised, that change is not deemed a ‘radical transformation’, and results in a reduction of one unit from the overall number of units of the originally approved development. The proposed modifications seek to rationalise the overall design, aesthetics and building layout in order to achieve optimal amenity for future occupants of the buildings in line with *SEPP 65* and its accompanying ADG. Further, the building envelope and articulation of all facades of the development are proposed to be rationalised, however, the perceived elements of the approved development, as proposed to be modified, in relation to the building height and setbacks, are not overly dissimilar to those of the originally approved development, specifically the uppermost floor level of the development remains recessive.

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*.

The application was publicly notified and three unique submissions were received. The issues and matters raised in the submission are discussed in section 2.5 of this 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 revised BASIX Certificate has been submitted in relation to the proposed modifications to the approved development, reflecting changes to unit layouts and window and door openings.

Conditions already exist in the consent to ensure that the development is constructed in accordance with requirements and obligations under SEPP BASIX.

2.2.2 SEPP 55 Remediation of Land

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

2.2.3 SEPP 65 Design Quality of Residential Flat Development

While this modification application was not referred to the Waverley Design Excellence Advisory Panel (DEAP), the original development application and the most recent determined modification application (i.e. DA-82/2016/B) were referred to the equivalent of the DEAP in 2016 and 2019, respectively, and were considered against the design quality principles of SEPP 65. The approved development, as proposed to be modified, is considered to improve the performance of the approved development against the nine design quality principles of SEPP 65 compared to the originally approved development, as discussed in **Table 2** below.

A new Design Verification Statement prepared by MHN Design Union has been submitted with this modification application to account for the change of architects, noting that the originally approved development was designed by Bureau SRH. The Design Verification Statement is considered satisfactory with regard to relevant requirements under SEPP 65.

Table 2: Assessment against the Nine Design Quality Principles under SEPP 65

Principle	Planning Comment
1. Context and Neighbourhood	The approved development, as proposed to be modified, rationalises the perceived overall building envelope and introduces better resolved finishes, materials and textures, specifically textured white facebrick and featured brick panels, that will contribute to the emerging and desired future character of Rose Bay and development along Old South Head Road.
2. Built form and Scale	The approved development, as proposed to be modified, results in additional GFA, however, will be largely contained within the building envelope of the approved development and any addition to the envelope will be minor and not overly discernible. The development will remain compliant with the height of buildings development standard and, for the most part, its setbacks remaining unchanged compared to the originally approved development. The design and area of the west-facing balconies and terraces have been revised to be more functional, while maintaining articulation across the western elevation of the development.
3. Density	The approved development, as proposed to be modified, does not increase the number of units, but rather deletes a studio unit to bolster and balance the unit mix of the development, which will achieve optimal amenity for future occupants. The proposed modifications are not expected to result in unreasonable additional demand on existing infrastructure within the locality.
4. Sustainability	The approved development, as proposed to be modified, remains consistent with the sustainability design quality principle in that the development affords adequate solar access and natural cross ventilation that minimises reliance on artificial heating and cooling. The application is accompanied by an amended BASIX certificate, which demonstrates the approved development, as proposed to be modified, meets the energy, water and thermal comfort targets set by SEPP BASIX.

Principle	Planning Comment
5. Landscape	The approved development, as proposed to be modified, improves the landscape scheme, specifically by providing vegetated gardens within the western and southern setback areas of the development that face Old South Head Road and George Street, respectively. Further planters and planting on structures are provided on upper levels to assist with softening the built form from the two streets and neighbouring properties, while contributing to the quality of amenity for each apartment.
6. Amenity	The unit size and layouts of the approved development, as proposed to be modified, have been rationalised and bolstered to provide greater internal amenity to each apartment and with regard to key amenity considerations under the ADG, such as natural cross-ventilation, privacy and solar access. Window openings have been modified for weather protection and thermal comfort factors and are anticipated to improve these factors compared to the originally approved development that comprises expansive window and door openings across the northern and western elevations of the development.
7. Safety	The approved development, as proposed to be modified, retains the location and arrangements of vehicular and pedestrian entry points of the development. It also retains terraces and balconies orientated to Old South Head Road so that casual surveillance of the Road is provided.
8. Housing Diversity and Social Interaction	The approved development, as proposed to be modified, reduces the overall units by one and seeks to provide a balanced unit mix, while bolstering the number of three bedroom units to meet housing trends and market demands in the locality. The communal open space has been retrained within the south-eastern corner of the site and adjacent to the pedestrian entry from George Street. Its location and design will encourage social interaction between occupants.
9. Aesthetics	The approved development, as proposed to be modified, achieves greater resolution on the materiality of the development by providing a sufficient materials schedule to demonstrate the selection of materials and finishes. The selection and composition of the materiality is deemed to satisfy this design principle in that facebrick finishes could reminisce the historical built form character of the area while being contemporary, which is an outcome more successfully achieved than by the cemented rendered and painted finishes of the originally approved development.

The approved development, as proposed to be modified, is considered to satisfy all the design quality principles of SEPP 65.

SEPP 65 requires the approved development, as proposed to be modified, to consider Parts 3 and 4 of the ADG. The application is accompanied by a detailed assessment against these parts. Further, clause 6A of SEPP 65 requires that development control plans (DCPs) cannot be inconsistent with the ADG in respect of the following:

- If a DCP contains provisions that specify requirements, standards or controls in relation to a matter to which this clause applies, those provisions are of no effect. Waverley Development Control Plan 2012 (Waverley DCP 2012) contains provisions in relation to the above criteria and as such, these provisions of the DCP no longer have effect.

Table 3: Assessment against the Apartment Design Guide

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Design Criteria	Consistency	Planning assessment
		The visual privacy impacts of the modifications are confined to the reconfiguration of unit layouts and window placement and size changes. The modifications are considered an improvement on the intensity of visual privacy impacts upon neighbouring properties given the reduction of the size and increased sill heights of north and east facing windows. The relocation of the balcony on Level 3 from the south-eastern corner to the north-eastern corner results in a slight reduction of privacy impacts given that the approved development comprises two east-facing balconies on Level 3 and the proposed modifications deletes one of these (i.e. the central balcony). The relocated balcony on the north-eastern corner (and accessed from Unit 3.03) does not encroach on the minimum distance of separation of 6m from the eastern boundary. However, part of its northern side (that is set back 4.5m from the northern side boundary) is exposed and may cause privacy impacts upon the adjoining northern property. In this regard, a condition of consent is recommended to require privacy treatment across the exposed part of the northern side of the terrace.
3J Bicycle and car parking	Yes	The approved development, as proposed to be modified, maintains the overall car parking spaces provided in the development, with two visitor parking spaces and motorcycle parking being provided in accordance with Waverley Development Control Plan 2012. The provision of 12 bicycle parking spaces has been retained in the approved development, as proposed to be modified.
Part 4 Designing the building		
Amenity		
4A Solar and daylight access <ul style="list-style-type: none"> 70% of apartments in a building receive a minimum of 2 hours between 9am and 3pm mid winter Maximum of 15% of apartments in a building receive no direct sunlight during 9am and 3pm during mid winter 	Yes	All apartments (i.e. 100%) in the approved development, as proposed to be modified, will receive a minimum of two hours of sunlight to living rooms and private open space areas of these apartments between 9am and 3pm in mid-winter.
4B Natural ventilation <ul style="list-style-type: none"> 60% of apartments are naturally cross ventilated in the first nine storeys of the building 	Yes	All apartments (i.e. 100%) of the approved development, as proposed to be modified, are naturally cross-ventilated.

Design Criteria	Consistency	Planning assessment
4C Ceiling heights <ul style="list-style-type: none"> Habitable rooms – 2.7m Non-habitable rooms – 2.4m 	Yes	The application provides more progressed detail of ceilings and bulk heads in the section drawings compared to the plans associated with the original development consent. The sections demonstrate that all habitable rooms on all floor levels will have a minimum ceiling height of 2.7m and non-habitable rooms, such as bathrooms, a ceiling height of 2.4m.
4D Apartment size and layout	Yes	All the proposed reconfigured apartments comply with the minimum internal area and incorporate high quality internal design that will afford good residential amenity for both future occupants without unreasonably impacting on the amenity of surrounding residential buildings and private open spaces.
4E Private open space and balconies	Yes	The approved development, as proposed to be modified, maintains private open space for each apartment in the form of a balcony or terrace. Each private open space area is accessed from a living area of individual apartments and includes appropriate privacy treatments and orientations, with many apartments having balconies off bedrooms.
4F Common circulation and spaces <ul style="list-style-type: none"> max 8 apartments off a circulation core max apartments sharing a lift is 40 safe and promote social interaction 	Yes	A maximum of three apartments are accessed from the central lobby. The principal pedestrian entry of the lobby is accessed from George Street with secondary access provided directly from the basement car park.
4G Storage <ul style="list-style-type: none"> One bed – 6m³ Two bed – 8m³ Three bed – 10m³ 	Yes	Drawing No. A1.04 (Revision A) quantifies the volume of storage provided inside and outside of each apartment. The development for the most part provides at least 50% of the minimum volume of storage inside each apartment, which are contained within cupboards, and the location of storage is shown on the architectural plans. The plans also identify the area of the remaining volume of storage in the basement car park (above select car spaces) and on Level 1 next to the bicycle parking area. A condition exists in the consent to ensure the storage in the basement levels of the development identify, allocate and quantify the volume of storage for each apartment within the basement, consistent with design criterion 1 in Part 4G of the ADG.
Configuration		
4K Apartment mix	Yes	The approved development, as proposed to be modified, maintains a mix of one, two and three bedroom apartments that will support a wide variety of household types and sizes.

Design Criteria	Consistency	Planning assessment
4M Facades	Yes	The approved development, as proposed to be modified, improves and achieves a high quality architectural design, materials and finishes.
4N Roof design	Yes	The proposal changes the attic-like or mansard roof form of the approved development to a more pronounced flat roof form. The proposed modified roof and top floor level will remain recessive given its setbacks are largely maintained and differing materials (i.e. aluminium cladding) to differentiate and soften its appearance from that of the floor levels below.
4O Landscape design and 4P Planting on structures	Yes	The proposal expands the quantum of landscaping within the western and eastern portion of the site as well on structures on the upper levels of the development. This is considered to improve the character of the building and enhance the amenity afforded to private open space areas of each apartment in the development.

2.2.4 SEPP (Infrastructure) 2007

The site fronts a classified road; however, the proposal does not change the vehicular access aspects of the approved development. Therefore, the application does not need to be re-examined under the Infrastructure SEPP.

2.2.5 SEPP (Vegetation in Non-Rural Areas) 2017

Condition 74 of the consent authorises specific trees to be removed. This modification application does not seek to remove trees in addition to those that have already approved for removal.

2.2.6 Waverley LEP 2012

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

Table 3: Waverley LEP 2012 Compliance Table

Provision	Compliance	Comment
Part 1 Preliminary		
1.2 Aims of plan	Yes	Satisfactory.
Part 2 Permitted or prohibited development		
Land Use Table R3 Medium Density Residential Zone	Yes	The approved development, as proposed to be modified, is defined as a 'residential flat building', which is permitted with consent in the R3 zone.
Part 4 Principal development standards		
4.3 Height of buildings • 12.5m	Yes	No change to overall building height of the approved development, which measures

Provision	Compliance	Comment
		12.5m above existing ground level. The new awning above the west-facing terrace on the uppermost floor level of the development is just below the height of buildings development standard of 12.5m.
4.4 Floor space ratio <ul style="list-style-type: none"> 0.9:1 Max GFA = 673.2m ²	No	<ul style="list-style-type: none"> The approved development comprises an overall GFA of 825m², achieving an FSR of 1.104:1. The approved development, as proposed to be modified, results in net increase of GFA of 99.7m² to a total of 924.7m², achieving an FSR of 1.23:1. The cumulative exceedance of the FSR development standard is 251.5m² or 37%.
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 WLEP 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		
6.2 Earthworks	Yes	<p>The proposed additional excavation to accommodate the bin store in the basement level of the development can be managed soundly as per relevant requirements set out in existing conditions of consent.</p> <p>A geotechnical report was submitted with the original development application and it forms part of the development consent. A separate condition of consent is recommended to require an amended geotechnical report or addendum to address the additional excavation sought by this application.</p>

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 result in an increase of the overall GFA of the approved development. The net increase of GFA is 99.7m², culminating in the approved development, as proposed to be modified, comprising an overall GFA of 924.7m² and an FSR of 1.23:1, which results in a cumulative exceedance of the FSR development standard by 251.5m² or 37%.

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 additional GFA is a function of internal reconfiguration of the development to make a more efficient use of the site.
- The additional FSR will not readily change the approved building envelope nor result in a more intensive use, given the proposal reduces one apartment from the approved scheme.
- The greatest increase of GFA is on Level 1 of the development, where living areas will be extended further west, replacing a large storage area rather than extending beyond the approved building envelope.
- The perceived bulk and scale of the development will be reduced by highly articulated facades and revised external finishes, which are more in keeping with the streetscape.
- The proposal is unlikely to result in significant additional impacts on solar access, views or privacy given the envelope of the approved development generally remains the same.
- The proposed modifications are unlikely to have any additional privacy impacts, and may improve visual privacy for 633 Old South Head Road due to relocation of balconies and reduction of surface areas of north-facing window openings.
- The overshadowing diagram submitted in response to the deferral of the application reveal that the modifications will not result in significant overshadowing impacts on surrounding properties. This is due to the additional FSR being predominately a function of better utilising the approved building envelope.
- The proposed modifications are consistent with the objectives of the FSR development standard for the following reasons:
 - The proposed modifications do not alter the approved and compliant building height of the development.
 - The proposed modifications generally maintain the approved bulk and scale which are considered compatible with a medium density residential environmental undergoing transition.

- The proposed modifications are unlikely to result in adverse environmental amenity impacts as the approved height and leading edges of the development are not changed.
- There are examples of recent approval of new residential flat buildings on Old South Head Road which have exceeded the FSR development standard of 0.9:1.

In addition to the above justification, the owner of the property has offered to enter into a separate planning agreement (that is in addition to the currently executed planning agreement for the approved development) for the additional GFA of 99.7m² sought by this modification application. In accordance with Council's Planning Agreement Policy 2014, a monetary contribution of \$287,635 would be payable and would go towards a public benefit within the immediate locality. At this stage, the terms of the planning agreement have yet to be negotiated and will occur following determination of this modification application, which will be overseen by Council's Strategic Town Planning department. To give effect to this offer/undertaking by the owner, a separate condition of consent is recommended to be added to the modified consent to require the planning agreement to be drafted and executed with a monetary contribution of \$287,635.

The applicant's points of justification are considered sufficient and acceptable to support the increase of GFA to the approved development.

The application was deferred to ask the applicant to clearly identify and locate changes to the building envelope on plans and/or diagrammatically and this was satisfied by the submission of amended plans/additional information. The additions to the envelope are generally infilling the indents in the centre of the northern and southern elevations of the development with minor protrusions for ear windows and towards the southern and western edges of the front (western portion) of the development. A sizeable portion of the additional GFA is contained within Level 1 where the unit storeroom was located on this level of the development. Therefore, the additional GFA will not be discernible read from the public domain and neighbouring properties and will not overly accentuate the perceived building bulk, scale and volume of the approved development. This point raised by the applicant in their written justification to support the further exceedance of the FSR development standard is accepted.

Following submission of amended plans/additional information, the applicant has now satisfactorily demonstrated that the further exceedance of the FSR development standard will not result in undue and unreasonable additional impacts on the amenity of neighbouring properties and the surrounding public domain.

The shadow diagrams distinguish the net additional overshadowing impact caused by the proposed modifications of the approved development and reveal that the net impact is marginal, with the majority of it falling on the road reserves of Old South Head Road and George Street between 9am and 3pm on 21 June. There is also a slight reduction of overshadowing impact upon the adjoining property to the east of the site at 65 George Street at 3pm as a result of the proposed modifications to the approved development. Therefore, the additional net overshadowing impact is considered reasonable and will preserve the environmental amenity of neighbouring properties in relation to enjoyment of solar access.

In terms of privacy impact, as discussed against, the visual privacy design criteria and considerations in the ADG, the proposed modifications to window openings and placement, configuration and size of balconies reduce privacy impacts upon neighbouring properties with the exception of the relocated north-eastern balcony on Level 3, which is recommended to require privacy treatment by way of a condition of consent.

In terms of views, the approved development, as proposed to be modified, maintains its overall building height and protrusions of the approved building envelope at the uppermost floor level are generally awnings, roof overhang and lift overrun (that are within the height of buildings development standard of 12.5m). These new additions are not expected to affect any view corridor that is available across the site. Submissions received from the public about this modification application did not raise view impacts.

In terms of visual bulk and amenity, the protrusions of the approved building envelope will not be overly discernible from neighbouring properties and the surrounding public domain as the minimum setbacks of the approved development, as proposed to be modified, are retained, with the exception of ear windows and other minor protrusions that have limited consequence to the overall perceived building bulk and scale of the development. Further, the front (western) building alignment has been rationalised with the west-facing terraces and balconies being reconfigured and repositioned to improve usability and afford better amenity, and at the same time, providing a neater level of articulation compared to that of the originally approved development.

The applicant has successfully demonstrated and justified that the further exceedance of the FSR development standard will be inconsequential and its net environmental impacts will be non-adverse and will preserve the environmental amenity of neighbouring properties and the surrounding public domain.

Despite the existing and further exceedance of the FSR development standard, the approved development, as proposed to be modified, will achieve and be consistent with the relevant objectives of the FSR development standard. Therefore, the exceedance is deemed acceptable and is supported.

2.2.7 Waverley DCP 2012 - Amendment No 7

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

Table 4: Waverley DCP 2012 – Part B General Provisions Compliance Table

Development Control	Compliance	Comment
1. Waste	Yes (by condition)	<p>The bin storeroom has been centralised and relocated adjacent to the lift core and vehicular driveway in order to provide easier access to and from the street. The plans indicate that 13 bins will be accommodated, however, based on waste generation rates in the DCP, the following number of bins and bulky waste storage area are required based on the revised unit mix of the approved development, as proposed to be modified:</p> <ul style="list-style-type: none"> • 5 general waste 240L bins; • 5 recycling (containers) 240L bins; • 5 recycling (paper cardboard) 240L bins; and • 5m² of bulky waste.

Development Control	Compliance	Comment
		<p>Condition 31 of the consent specifies waste management requirements, however, these requirements were based on the originally approved development and the waste management requirements at the time the development was approved.</p> <p>In this regard, condition 31 is recommended to be modified to reflect current waste management requirements for the approved development, as proposed to be modified.</p>
2. Ecologically sustainable Development	Yes	Satisfactory.
3. Landscaping and Biodiversity	Yes	An amended landscape plan, prepared by a suitably qualified landscape architect, has been submitted and is deemed satisfactory. It is recommended to replace the existing approved landscaped plan in the modified consent.
6. Stormwater	Yes (by condition)	The application was deferred to require amended stormwater plans. Council's Stormwater Engineer deemed the amended stormwater plans generally satisfactory, subject to changes to be mandated by conditions. Therefore, additional conditions of consent are recommended.
<p>8. Transport</p> <p>8.2 – On Site Parking Zone 2</p> <ul style="list-style-type: none"> • Minimum: nil • Maximum: <ul style="list-style-type: none"> ○ 1 bed:1 space = 3 ○ 2 bed: 1.2 space= 3.6 ○ 3 bed: 1.5 space = 6 spaces ○ Total = 12.6 or 13 spaces • Visitor spaces = 1 space per 5 units = 2 spaces • Total on site parking = 15 spaces • Bicycle parking: <ul style="list-style-type: none"> ○ 10 resident spaces ○ 1 visitor spaces • Motorcycle space: <ul style="list-style-type: none"> ○ 1 per 3 car parking bays 	<p>No (existing approval)</p> <p>Yes</p> <p>Yes</p>	<ul style="list-style-type: none"> • The approved development comprises 19 on-site car parking spaces, which is represents a surplus of 4 spaces as per the DCP. The application has been amended to retain the 19 approved car spaces and no longer proposes to increase spaces. Two spaces have been devoted to visitor car spaces to lessen the existing (approved) surplus. The two surplus spaces will NOT be counted as gross floor area as the approved provision of car parking spaces was based on the car parking rates that applied at the time the originally approved development was determined. • Condition 37 requires 11 resident spaces and 1 visitor bicycle space based on the number of apartments in the originally approved development. The approved development, as proposed to be modified, comprises 12 bicycle parking spaces and has therefore satisfied condition 37 of the consent and the DCP. • Six motorcycle spaces have been provided

Development Control	Compliance	Comment
(including visitor): 6.3 or 6 spaces		
10. Safety	Yes	The proposal does not contravene the objectives of this part of the DCP.
12. Design Excellence	Yes	The proposal improves the contemporary architecture of the approved development, as proposed to be modified, and in this regard, bolsters its performance against design excellence principles outlined in Part B11 of Waverley DCP 2012.
14. Excavation	Yes	The proposed additional excavation does not add to the scale of the building or result in the loss of naturally occurring sandstone.

Table 5: Waverley DCP 2012 – Part C4 High Density Residential Development Compliance Table

This part applies to development that is subject to SEPP 65 – Design Quality of Residential Apartment Development.

Development Control	Compliance	Comment
4.1 Site, scale and frontage		
<ul style="list-style-type: none"> Minimum frontage: 15m – R3 zone 	N/A	No change to the site's street frontages.
4.2 Height		
<ul style="list-style-type: none"> Refer to the LEP 	Yes	<ul style="list-style-type: none"> The approved development, as proposed to be modified, complies with the height of buildings development standard under Waverley LEP 2012. The overall external wall height of the development is measured to the top of the roof parapet of Level 4 at the south-western corner of the development above existing ground level, which is approximately 10.7m. As shown on the eastern elevation, this overall wall height is effectively existing. The approved development, as proposed to be modified, is well articulated, particularly across its uppermost floor level, which is recessive, in-set and comprised of materiality that is distinct to that of the floor levels below. Despite the numerical non-compliance, the development satisfies the relevant objectives in relation to wall height.

Development Control	Compliance	Comment
4.3 Excavation		
<ul style="list-style-type: none"> • Fill shall not be used to raise the ground level. • Not within a 1.5m setback from side boundaries and only within the building footprint except where access to a basement car park is required. • Basement car parking is to be located fully below natural ground level or max 1.2m above ground 	Yes	<ul style="list-style-type: none"> • No additional fill and ground level raising are proposed. • The relocated bin store encroaches within the northern setback area of the basement level and will be set back 700mm from the northern side boundary of the site. The additional excavation involved for the bin store is not deemed excessive and is expected to be managed soundly as per relevant requirements set out in existing conditions of consent. Further, the bin store will not overly encroach upon the deep soil zone provided within the northern setback area of the development. The landscape plan indicates that trees will be provided within the northern setback area, demonstrating that the encroachment of the bin store will not be determinantal. • A geotechnical report was submitted with the original development application and it forms part of the development consent. A separate condition of consent is recommended to require an amended geotechnical report or addendum to address the additional excavation sought by this application.
4.4 Streetscape		
<ul style="list-style-type: none"> • Setbacks to be consistent with building line along the street • Front setback to provide deep soil landscaping • Sympathetic external finishes • Setbacks above street frontage height are to be included where the adjacent buildings includes upper level setbacks • Max building length to the street is 24m. • Buildings to be articulated to respond to the streetscape. 	Yes	<ul style="list-style-type: none"> • As discussed in section 2.2.3 of this report, the setbacks of the approved development, as proposed to be modified, largely remain unchanged. • In terms of setbacks from Old South Head Road, these setbacks have been slightly reduced given the reconfiguration of the front (west-facing) balconies and terraces. However, the approved development, as proposed to be modified, maintains consistency with the predominant front building line shown in surrounding buildings to the north and south of the site. Landscaped area is maintained within this front setback area. • In terms of setbacks from George Street, a minimum setback of 3m has been maintained in the approved development, as proposed to be modified.

Development Control	Compliance	Comment
		<ul style="list-style-type: none"> While the new ear windows encroach within the eastern and northern setback areas, the setbacks of the development from the northern side boundary are a minimum of 4.5m. Further, the setbacks of the development from the eastern rear boundary are a minimum of 6m. The privacy impacts of the encroachments of the windows have been considered and are deemed acceptable. The windows are unlikely to cause any other environmental amenity impacts upon neighbouring properties. No changes to the overall length and depth of the approved development, as proposed to be modified. The uppermost floor level remains recessive and distinct to that of the floor levels below due to it comprising differing materials and being stepped in from the outer edges of the development.
4.5 Building Design and Streetscape		
<ul style="list-style-type: none"> Building design is to respond to the existing streetscape character of the area. The colour and finish of external finishes should be sympathetic to the street and contribute to the overall appearance of the building. Corner sites, each frontage of the development must present as a primary street frontage. 	Yes	As discussed previously in this report, the proposed modifications to the building envelope and facades enhance the contemporary architecture of the development, and therefore, improves on the overall streetscape and aesthetical presentation of the development, particularly emerging development on Old South Head Road that utilise contemporary architecture. The level of articulation provided across the George Street (southern) elevation is commensurate with that of the Old South Head Road (western) elevation.
4.6 Fences and walls		
<ul style="list-style-type: none"> Front fence to be provided where it is characteristic of the street Front fences must have a max proportion of two thirds solid to one third open design. 	Yes (on merit)	<ul style="list-style-type: none"> The approved plans do not clearly detail the height and composition of fences and street walls across the Old South Head Road and George Street frontages of the site. However, the plans show that storey-high street walls front Old South Head Road and part of George Street frontage to form a podium for the private outdoor areas for the lowest floor level of the development, with

Development Control	Compliance	Comment
<ul style="list-style-type: none"> Sloping sites, the height is averaged so that fences step down the street. 		<p>the top level of the street wall along Old South Head Road at RL 57.500 and standard-height balustrades on top (on the inner edge of the planter boxes). The materiality of the street walls is not identified in the approved plans.</p> <ul style="list-style-type: none"> The approved development, as proposed to be modified, maintains the base height of the street wall along Old South Head Road and replaces the glazed balustrade above with a solid concrete balustrade. According to the landscape plan, screen planting will be provided across the planters above the street wall, and these will assist to soften the solidity of the street wall when viewed from Old South Head Road. The approved plans show no fencing details across the George Street frontage of the site, other than part of the street wall returning from Old South Head Road. The approved development, as proposed to be modified, introduces a blend of solid and light-weight fence along the George Street frontage with a height ranging between 0.6m and 2.36m (excluding the Old South Head Road street wall return). While the height is greater than the maximum front fence height control of 1.2m, the proposed new fence steps down in segments to respond to the steeply sloping terrain of the site across its George Street frontage. The fence will therefore not present as excessively high and a blank wall appearance. The approved plans do not indicate new side and rear boundary fences, nor does the approved development, as proposed to be modified. Separate development consent would be required should boundary fencing be constructed if it is not deemed 'exempt development'.
4.7 Vehicular access and parking		
	Yes	<p>No discernible change to the vehicular access arrangements of the approved development. The passing bay is retained at the top of the ramp while the ramp gradients have been slightly revised. A new security door at the base of the ramp will be provided. Council's Traffic</p>

Development Control	Compliance	Comment
		Engineer has reviewed these modifications and does not object to these.
4.8 Pedestrian access and entry		
	Yes	No changes to the location of the pedestrian access and entry of the development. A facebrick pier adjacent to the pedestrian entry has been introduced, which improves the legibility of this entry point.
4.9 Landscaping		
<ul style="list-style-type: none"> Comply with part B3- Landscaping and Biodiversity Minimum of 30% of site area landscaped: 224.31m² 50% of the above is to be deep soil: 112.16m² 	Yes (for the most part)	<ul style="list-style-type: none"> The approved development, as proposed to be modified, provides for the following: <ul style="list-style-type: none"> A total of 131.5m² of genuine landscaped area (in accordance with the LEP definition that excludes landscaping on structures); A total of 340m² of overall landscaped area (including landscaping on structures); and A total of 131.5m² of deep soil area. Despite the shortfall of genuine landscaped area, the proposed modifications increase the provision of landscaped area on structures, particularly on the upper levels of the development. This increase demonstrates that the approved development, as proposed to be modified, improves on the landscape elements of the overall development. Further, the development will continue to provide for sufficient deep soil area.
4.10 Views and view sharing		
	Yes	The additional or no new view loss impacts are expected to be encountered by the approved development, as proposed to be modified.
4.11 Visual privacy and security		
<ul style="list-style-type: none"> Dwellings to be orientated to the street with entrances and street numbering visible Above ground open space must not overlook rooms and private landscaped areas of adjoining properties or be screened 	Yes	<ul style="list-style-type: none"> The privacy impacts of the proposed modifications to window, glazed door and balcony/terraces of the development have already been discussed in section 2.2.3 of this report and found to be acceptable. The reconfigured and resized upper floor level balconies and terraces are not expected to result in greater overlooking of the private open space areas that are situated on floor levels below compared to

Development Control	Compliance	Comment
<ul style="list-style-type: none"> Prevent overlooking of more than 50% of private open space of lower level dwellings in same development Privacy be considered in relation to context density, separation use and design. 		<p>the design of these balconies and terraces of the originally approved development.</p> <ul style="list-style-type: none"> The sunken nature of the wraparound garden connected to Unit 1.02 on the south-western corner of Level of the development is such that overlooking can occur from pedestrians passing by the site along the footpath on George Street. This was also an expected outcome in the originally approved development given that the finished level of the garden is not dissimilar to that of the originally approved development. Nonetheless, an additional light-weight fence above the solid component of the front fence fronting George Street and adjacent screen plants will endeavour to limit and discourage direct overlooking of the garden as well as south-facing window openings of Unit 1.02 from the George Street footpath.
4.12 Acoustic privacy		
<ul style="list-style-type: none"> Internal amenity by locating noisy areas away from quiet areas 	Yes	<p>The proposed reconfiguration of unit layouts is sound in that non-habitable rooms (such as bathrooms, storage areas and laundries) for the most part adjoin common areas and mechanical equipment (such as the lift) in order to ensure adequate internal noise and acoustic privacy is provided to more sensitive rooms, such as bedrooms.</p>
4.13 Building services		
<ul style="list-style-type: none"> Building Services setback from walls, edges and front entrances Services on roof not to be seen from street or impact public or private views and be min 2m from the building edge 	Yes	<p>The following building services are missing, and conditions of consent are recommended to require these to be provided:</p> <ul style="list-style-type: none"> letter boxes; and outdoor communal drying area. <p>Despite the lift being relocated to the southern side and its overrun exposed across the southern or George Street elevation of the development, the lift overrun is neatly integrated with the materiality and form of the uppermost floor level of the development, and therefore, will not be readily discerned from George Street.</p>

2.3 Other Impacts of the Development

It is considered that the approved development, as proposed to be modified, will have no significant detrimental effect relating to environmental, social or economic impacts on the locality, subject to appropriate conditions being imposed.

2.4 Suitability of the Site for the Development

The site is considered to be suitable for the approved development, as proposed to be modified.

2.5 Any Submissions

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

Following submission of amended plans and additional information, the application was re-notified for 14 days.

A total of three unique submissions were received during both notification periods. Two of the submissions were received from the same household at 633 Old South Head Road, Rose Bay, while the other one was received from 65 George Street, Dover Heights.

The following issues raised in the submissions have already been addressed in the body of the report:

- *Non-compliance with the floor space ratio development standard; and*
- *Additional overshadowing.*

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

Issue: *The modified proposal is very different to the approval*

Response: There has been a change of architect between the originally designed and proposed modified development. Notwithstanding the design and aesthetical changes of the development, the modified development is considered to be substantially the same as that of the originally approved development in relation to section 4.56 of the Act and as detailed in section 2.1 of this report.

Issue: *Removal of the Canary Island date palm tree*

Response: This tree has already been approved for removal as shown in condition 74 of the original consent.

Issue: *Excavation impacts*

Response: Noted. The additional excavation to accommodate the relocated bin store is deemed reasonable and can be managed soundly as per relevant requirements set out in existing conditions of consent.

Issue: *The photomontage is a poor rendition of the development*

Response: Disagreed. The photomontage adequately depicts and visualises the approved development, as proposed to be modified by this modification application. Notwithstanding, the assessment of the design and aesthetical values of the approved development, as proposed to be modified, are based on the architectural plans (such as plan, elevations and section drawings) and not based purely on the photomontage.

2.6 Public Interest

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

3. REFERRALS

3.1 Traffic and Development (Infrastructure Services)

Council's Traffic Engineer raised no objection to the proposed reconfigured car park basement layout.

3.2 Stormwater (Infrastructure Services)

Modified stormwater plans (differing from those already approved) were submitted with the modification application, which prompted a referral to Council's Stormwater Engineer, who considered these unsatisfactory. The stormwater plans were amended and resubmitted following the deferral of the application. These amended stormwater plans were reviewed by Council's Stormwater Engineer, who considered these generally satisfactory, subject to amendments and other requirements that can be addressed prior to the issue of a construction certificate. Modified and additional conditions are recommended to this effect.

3.3 Strategic Planning (Urban Planning, Policy and Strategy)

Council's Manager, Strategic Planner advised on the relevant monetary contribution for an in-principle offer from the owner of the property to enter into a separate Planning Agreement for the additional gross floor area sought by this modification application. A condition of consent has been recommended to this effect.

4. SUMMARY

The application seeks to modify the approved RFB at 629-631 Old South Head Road, Rose Bay, specifically increasing the GFA of the development. The proposal will further the exceedance of the FSR development standard under Waverley LEP 2012, however, the additional GFA will be largely contained within the approved envelope of the development with any extension of volume, bulk and scale caused by the additional GFA resulting in reasonable additional environmental amenity impacts upon neighbouring properties. The applicant has also justified the net increase of the GFA and exceedance of the FSR development standard soundly and the exceedance can be supported. Further, the owner of the property has offered to enter into a Planning Agreement for the additional GFA sought by this modification application.

The application was publicly notified, and three unique submissions were received. The issues raised in the submissions have been identified, considered and addressed in the assessment of this application.

The approved development, as proposed to be modified, is substantially the same as the originally approved development as demonstrated in the body of this report. The revised design scheme presented is an appropriate avenue given, if it is approved, supersedes the originally approved design scheme of the development, which is lacking in detail and architectural expression. Further, the quantitative and qualitative elements and impacts of the approved development are not too dissimilar to those of the approved development, as proposed to be modified. The additional environmental

impacts arising from the proposed modifications have been demonstrated to be minor and non-adverse to the environmental amenity of neighbouring properties and the surrounding public domain.

The application is made under section 4.56 of the Act and will exceed the FSR development standard under Waverley LEP 2012 by more than 10%. It is also associated with a Planning Agreement. Therefore, the application is referred to the Waverley Local Planning Panel for determination.

The application has been assessed against the matters for consideration under sections 4.15 and 4.56 of the Act, and is recommended for approval, subject to modified conditions of consent.

DBU Decision

The application was reviewed by the DBU at the meeting on 10 November 2020 and the DBU determined:

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

DBU members: *B McNamara, E Finnegan and K Johnstone.*

5. RECOMMENDATION TO WAVERLEY LOCAL PLANNING PANEL

That the Section 4.56 Modification Application be **APPROVED** by the Waverley Local Planning Panel subject to modified and additional conditions in Appendix A:

Report prepared by:



Ben Magistrale
Senior Development Assessment Planner

Date: 27 November 2020

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



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

Date: 29 November 2020

Reason for referral:

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

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APPENDIX A – CONDITIONS OF CONSENT TO BE MODIFIED

A. Amended/Deleted Conditions

1. APPROVED DEVELOPMENT

The development must be in accordance with:

- (a) Architectural Plans prepared by ~~Bureau SRH Architecture~~ **MHN Design Union of Project Number 19-062 and received by Council on 4 November 2020** as follows:

Plan Description	Drawing / Revision	Dated
Cover Sheet	0.00 / Revision B	28 October 2020
Basement plan	S34 100 Revision F A1.02 / Revision B	22 December 2016 28 October 2020
Ground floor Level 1 plan	S34 101 Revision F A1.03 / Revision B	22 December 2016 28 October 2020
First floor Level 2 plan	S34 102 Revision F A1.04 / Revision B	22 December 2016 28 October 2020
Second floor Level 3 plan	S34 103 Revision F A1.05 / Revision B	22 December 2016 28 October 2020
Third floor Level 4 plan	S34 104 Revision F A1.06 / Revision B	22 December 2016 28 October 2020
Fourth floor Level 5 plan	S34 105 Revision H A1.07 / Revision B	13 March 2017 28 October 2020
Roof plan	S34 106 Revision F A1.08 / Revision B	22 December 2016 28 October 2020
North and South elevation (George Street) plan	S34 201 Revision F A2.01 / Revision C	22 December 2016 11 November 2020
West and east elevation (Old South Head Rd) plan	S34 202 Revision G A2.02 / Revision C	14 March 2017 11 November 2020
East elevation	A2.03 / Revision C	11 November 2020
North elevation	A2.04 / Revision C	11 November 2020
Sections plan AA	S34 301 Revision G A3.01 / Revision C	14 March 2017 11 November 2020
Section BB	A3.02 / Revision C	11 November 2020
Area calculations plan	S34 401 Revision G A1.10 / Revision A and A1.11 / Revision A	9 February 2017 8 July 2020

(MODIFIED BY DA-82/2016/C)

- (b) BASIX Certificate;
- (c) Arboricultural Impact Assessment Report (Reference No, 1711) prepared by Redgum Horticultural, dated 8 February 2016, and received by Council on 11 March 2016;
- (d) Geotechnical Investigation Report prepared by JK Geotechnics (Reference No. 229116ZRpt) and dated 18 February 2016 and received by Council on 11 March 2016; ~~and~~
- (e) The Site Waste and Recycling Management Plan (SWRMP) and Checklist, in accordance with the SWRMP Checklist of Part B, Waverley DCP 2012;

(f) Landscape Plan Nos LPS4.55 20 – 269/2 to LPS4.55 20 – 269/7, prepared by Concept Landscape Architects, dated 4 June 2020 and received by Council on 21 July 2020;

(ADDED BY DA-82/2016/C)

(g) Design Verification Statement or SEPP 65 Statement prepared by MHN Design Union, dated 14 July 2020 and received by Council on 21 July 2020.

(ADDED BY DA-82/2016/C)

except where amended by the following conditions of consent.

15. NOISE ATTENUATION IN RESIDENTIAL FLAT BUILDINGS (DELETED BY DA-82/2016/C)

Noise attenuation is to be achieved in all new residential units within the building by a minimum of the following standards:

- ~~(a) A wall shall have a Field Sound Transmission Class (FSTC) of not less than 50 if it separates sole occupancy units or a sole occupancy unit from a stairway, public corridor, hallway or the like;~~
- ~~(b) A wall separating a bathroom, sanitary compartment, laundry or kitchen in one sole occupancy unit from a habitable room (other than a kitchen) in an adjoining unit shall have a FSTC of not less than 55;~~
- ~~(c) A wall or floor shall have a FSTC of not less than 55 if it separates a sole occupancy unit from a plant room;~~
- ~~(d) A floor separating sole occupancy units must not have a FSTC of less than 50; and~~
- ~~(e) A floor separating a bathroom, sanitary compartment, laundry or kitchen in one sole occupancy unit from a habitable room (other than a kitchen) in an adjoining unit shall have an Impact Isolation Class of not less than 55.~~

30. STORMWATER MANAGEMENT

~~Prior to the issue of a Construction Certificate, the stormwater plans shall be amended to the satisfaction of Executive Manager, Creating Waverley to address the following:~~

- ~~(a) Where stormwater disposal system is to be connected to Council's below ground drainage system, the connection details are required as per section 2.2.1 of Waverley Council's Water Management Technical Manual.~~
- ~~(b) An engineering design of the proposed stormwater line is required including a Hydraulic Grade Line (HGL) analysis of the full length of the pipe connecting to Council's drainage system. The long section information to include existing surface levels, pipe invert and obvert levels.~~

- ~~(c) Provide a 65mm diameter orifice for detention tank.~~

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

The submitted stormwater drainage plans prepared by RTS Civil Consulting Engineers Pty Ltd, Project No. 200506, Drawing ID. CP100, SW100, SW101, SW102, SW200 & SW201, Issue B, dated 16/10/2020, are conditionally considered satisfactory.

The applicant must submit updated stormwater drainage 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 in accordance with the approved stormwater drainage design drawing, except where modified by the following:

- a) The sump in the proposed OSD tank shall be 0.6 m x 0.6 m x 0.2 m.***
- b) Cleaning eyes shall be installed at all changes of direction of the stormwater pipe in the road reserve to facilitate maintenance works.***
- c) A non-return valve to be installed at the outlet pipe at the connection point with Council's stormwater line so that stormwater cannot surcharge back into the property's stormwater drainage system.***
- d) Demonstrate that the proposed development will not increase total suspended solids (TSS), total nitrogen (TN), total phosphorus (TP) and gross pollutant levels of receiving waters.***

Council must be notified prior to any works being carried out on the existing stormwater infrastructure on Old South Head Road. An inspection must be made by a Council officer prior to the commencement of works. An inspection fee will apply for each inspection visit required by a Council officer, payable prior to any site inspection. Minimum 48 hours' notice must be provided to Council prior to inspection.

(MODIFIED BY DA-82/2016/C)

31. WASTE AND RECYCLING STORAGE AND COLLECTION

- ~~(a) The proposal must have a bin storage point for a minimum;
 - 4 x 240L Mobile Garbage Bins (MGB) for general waste,
 - 2 x 240L MGBs for recyclables, and
 - 2 x 240L MGBs for paper and cardboard.
 - Additional space is to be made available for an extra 1 x 240L MGBs general waste, 2 x 240L MGBs for recyclables and 2 x 240L MGBs paper/cardboard.~~
- ~~(b) All waste and recycling storage rooms must be built to meet all appropriate design requirements set in Part B1, Section 1.2.1, Section 1.2.3 and Section 1.2.4 of Waverley Council Development Control Plan 2012.~~
- ~~(c) The development must have rooms or caged areas with a minimum volume 4m³ available for the storage of discarded residential bulky waste, such as old furniture, awaiting Council pick up.~~
- ~~(d) Composting facilities which meet all design requirements set in Annexure B1-5 of the Waverley Council Development Control Plan must be provided at this development.~~
- ~~(e) Responsibilities for transporting bins from the storage points to the nominated collection area, cleaning of waste receptacles, cleaning of storage areas and booking and transporting bulky waste for Council pick up must be outlined in contracts with the building manager, cleaners and tenants.~~
- ~~(f) Clear and easy signs identifying the different MGB and where the MGBs should be stored in the storage area(s) must be displayed.~~

The above matters are to be shown on the Construction Certificate drawings and submitted to the satisfaction of Council's Sustainable Waverley staff prior to the issue of a Construction Certificate.

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

- ***Residential***
 - ***5 x 240L Mobile Garbage Bins (MGBs) for general waste***
 - ***5 x 240L MGBs for paper and cardboard recycling***
 - ***5 x 240L MGBs for container recycling***
 - ***5m² for bulky waste.***

All waste and recycling storage rooms must be built to meet all appropriate design requirements set in Part B1 of the Waverley Council Development Control Plan 2012 to the satisfaction of the Principal Certifying Authority.

(MODIFIED BY DA-82/2016/C)

34. CONSTRUCTION VEHICLE AND PEDESTRIAN TRAFFIC PLAN OF MANAGEMENT

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

The CVPPM shall:

- (a) Show the size and number of trucks to be used during the various stages of the development.
- (b) Show the route to be taken by trucks in (a) above within the Waverley Council area when gaining access to and from the site. Note, if it is considered with the information submitted that such vehicles cannot adequately and safely gain access to and from the site or where access into or out of the site may not be possible without the need to remove an unsatisfactory number of vehicles parked on the roadway in the vicinity of the site, the trucks may not be approved for use.
- (c) Show the location and length of any proposed Works/Construction Zones.

Note:

- (a) Such zones require the approval of the Waverley Traffic Committee and Council prior to installation.
- (b) It is illegal to park a truck exceeding 4.5 tonnes on a roadway for more than one (1) hour unless signs are installed allowing such and illegal to barricade/ reserve a section of roadway without the prior approval of Council.
- (d) Indicate the number of and where it is proposed to park light vehicles associated with staff/employees/contractors working on the site.

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:

37. ~~BICYCLE PARKING~~ (SATISFIED BY DA-82/2016/C)

~~Provision shall be made to satisfaction of Council for the parking of 11 resident bicycles and 1 visitor bicycle. Details are to be shown on the construction certificate plans.~~

~~83. NOISE ATTENUATION CERTIFICATE (DELETED BY DA-82/2016/C)~~

~~On completion of any building containing residential units and prior to the issue of the Occupation Certificate the applicant shall:~~

~~(a) Engage and an Australian Association Acoustic Consultant to conduct a test for noise attenuation to classify the buildings performance on the National Star Rating Table and to confirm compliance with condition 16 in Schedule B.~~

~~(b) Lodge with Council for public record, the noise attenuation star rating results.~~

91. ALLOCATION OF STREET NUMBER

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

- No 631 ***Old South Head Road*** for the building:

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.

- As the proposed development has sub addressing the following shall apply when the sub addresses are numbered:

Nos 1-~~11~~ **10** for the units within the building correlating with Nos. 1-~~11~~ **10** on the floor plans for the building.

The primary premises number for the property shall be a minimum of 75mm high and shall be positioned 600mm-1500mm above ground level on the site boundary that fronts Old South Head Road. The primary and sub premises numbers are to be positioned on the site prior to the issue of the Occupation Certificate.

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

(MODIFIED BY DA-82/2016/C)

B. New Conditions

1A. GENERAL MODIFICATIONS

The modification application, known as DA-82/2016/C, is approved subject to the following plan amendments;

- (a) A privacy screen shall be provided on the exposed northern side elevation of the terrace accessed from Unit 3.03 on Level 3 of the development and designed to mitigate overlooking to adjoining properties. The privacy screens are to be of a lightweight material (such as timber or obscure glazing and complementary to the overall architectural of the development) and be a minimum of 1.6m high when measured above the finished floor level of the balcony.*
- (b) Letter boxes shall be provided adjacent to the pedestrian entry accessed from George Street.*
- (c) A communal outdoor clothes drying area shall be provided.*

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

(ADDED BY DA-82/2016/C)

13A. PLANNING AGREEMENT FOR ADDITIONAL GROSS FLOOR AREA SOUGHT BY DA-82/2016/C

- (a) The owner / applicant to:*
 - (i) Enter into an Agreement in accordance with Waverley's Planning Agreement Policy 2014 prior to the issue of any Construction Certificate for the development that relates to works contained in development application DA-82/2016/C; and*
 - (ii) Pay a monetary contribution amount of \$287,635 prior to the issue of any Occupation certificate for the Development*
 - (iii) A Planning Agreement will be entered into under Section 7.4 of the Environment Planning and Assessment Act 1979 between the owner / applicant of the land the subject of the Development and Council.*
- (b) In accordance with the said offer, the Planning Agreement shall make provision in respect to the following:*
 - (i) The Planning Agreement shall be registered upon the title to the land the subject of the Development prior to the issue of any Construction Certificate for the Development*
 - (ii) The owner / applicant shall provide Council with a Bank Guarantee to secure the payment of the Monetary Contribution prior to the issue of any Construction Certificate for the Development which is:*
 - i. In a form acceptable to Council and from an institution acceptable to Council*
 - ii. Irrevocable*
 - iii. Unconditional*
 - iv. With no end date*
- (c) The payment of the Monetary Contribution to Council is to be made prior to the issue of any Occupation Certificate for the Development and is to be applied towards a public purpose in accordance with the Agreement and Council's Planning Agreement Policy 2014.*

(ADDED BY DA-82/2016/C)

22A. DETAILS OF BULK EXCAVATION, SHORING OR PILE CONSTRUCTION

An amended geotechnical report shall be prepared and submitted for the approval of Principal Certifying Authority to address the additional excavation involved for the bin store on the basement level of the development 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-82/2016/C)

30A. 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.

(ADDED BY DA-82/2016/C)

95. 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.

(ADDED BY DA-82/2016/C)

96. CREATION OF POSITIVE COVENANT FOR OSD

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

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.

(ADDED BY DA-82/2016/C)

97. WORKS-AS-EXECUTED DRAWINGS – STORMWATER DRAINAGE

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, basement pump-out facility, the detention facilities and other drainage related infrastructure. An original or a colour copy must be submitted to Waverley Council's Infrastructure Services department.

(ADDED BY DA-82/2016/C)

98. PLANNED PREVENTATIVE MAINTENANCE SCHEDULE FOR PUMP OUT SYSTEM

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

(ADDED BY DA-82/2016/C)

99. ONGOING MAINTENANCE – STORMWATER DRAINAGE

Council will need to be provided with an OSD Maintenance Schedule that supports the routine maintenance activities. At a minimum, the detention facility must be:

- Kept clean and free from silt, rubbish and debris.*
- Be maintained so that it functions in a safe and efficient manner.*
- Not be altered without prior consent in writing of the Council.*

(ADDED BY DA-82/2016/C)

APPENDIX B – FULL SET OF CONDITIONS

A. APPROVED DEVELOPMENT

1. APPROVED DEVELOPMENT

The development must be in accordance with:

- (a) Architectural Plans prepared by MHN Design Union of Project Number 19-062 and received by Council on 4 November 2020 as follows:

Plan Description	Drawing / Revision	Dated
Cover Sheet	0.00 / Revision B	28 October 2020
Basement plan	A1.02 / Revision B	28 October 2020
Level 1 plan	A1.03 / Revision B	28 October 2020
Level 2 plan	A1.04 / Revision B	28 October 2020
Level 3 plan	A1.05 / Revision B	28 October 2020
Level 4 plan	A1.06 / Revision B	28 October 2020
Level 5 plan	A1.07 / Revision B	28 October 2020
Roof plan	A1.08 / Revision B	28 October 2020
South elevation (George Street)	A2.01 / Revision C	11 November 2020
West elevation (Old South Head Rd)	A2.02 / Revision C	11 November 2020
East elevation	A2.03 / Revision C	11 November 2020
North elevation	A2.04 / Revision C	11 November 2020
Section AA	A3.01 / Revision C	11 November 2020
Section BB	A3.02 / Revision C	11 November 2020
Area calculations plan	A1.10 / Revision A and A1.11 / Revision A	8 July 2020

(MODIFIED BY DA-82/2016/C)

- (b) BASIX Certificate;
- (c) Arboricultural Impact Assessment Report (Reference No, 1711) prepared by Redgum Horticultural, dated 8 February 2016, and received by Council on 11 March 2016;
- (d) Geotechnical Investigation Report prepared by JK Geotechnics (Reference No. 229116ZRpt) and dated 18 February 2016 and received by Council on 11 March 2016; ~~and~~
- (e) The Site Waste and Recycling Management Plan (SWRMP) and Checklist, in accordance with the SWRMP Checklist of Part B, Waverley DCP 2012;
- (f) Landscape Plan Nos LPS4.55 20 – 269/2 to LPS4.55 20 – 269/7, prepared by Conzept Landscape Architects, dated 4 June 2020 and received by Council on 21 July 2020;
- (g) Design Verification Statement or SEPP 65 Statement prepared by MHN Design Union, dated 14 July 2020 and received by Council on 21 July 2020.

(ADDED BY DA-82/2016/C)

except where amended by the following conditions of consent.

1A. GENERAL MODIFICATIONS

The modification application, known as DA-82/2016/C, is approved subject to the following plan amendments;

- (a) A privacy screen shall be provided on the exposed northern side elevation of the terrace accessed from Unit 3.03 on Level 3 of the development and designed to mitigate overlooking to adjoining properties. The privacy screens are to be of a lightweight material (such as timber or obscure glazing and complementary to the overall architectural of the development) and be a minimum of 1.6m high when measured above the finished floor level of the balcony.
- (b) Letter boxes shall be provided adjacent to the pedestrian entry accessed from George Street.
- (c) A communal outdoor clothes drying area shall be provided.

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

(ADDED BY DA-82/2016/C)

2. APPROVED DESIGN - RESIDENTIAL FLAT DEVELOPMENT

The approved design (including an element or detail of that design) or materials, finish or colours of the building must not be changed so as to affect the internal layout or external appearance of the building, without the approval of Council.

3. ARCHITECT TO SUPERVISE DESIGN

The preparation of the Construction Certificate plans shall be supervised and be to the satisfaction of **a qualified designer** in accordance with the requirements of State Environmental Planning Policy No. 65 - Design Quality of Residential Flats.

4. DOMESTIC HEATERS

The provision of solid fuel heating is prohibited.

5. NOISE FROM BUILDING WORKS - RESTRICTED ACTIVITIES

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

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

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

6. EXCAVATION TO BE LIMITED

Excavation shall be limited to that shown in the approved plans. Excavation, proposed or undertaken in the certification or construction of the development, that results in additional habitable or non-habitable floor space (including storage) shall require the submission of a new development application

or Section 96 application to modify the approved development. During consideration of this application construction work on site shall cease without prior agreement of Council. Failure to comply with this condition may lead to Council prosecuting or taking a compliance action against the development for breach of its consent.

7. USE OF COMMON PROPERTY

No exclusive use of common property (other than for approved storage) shall occur without the prior consent of Council.

8. NOISE - MECHANICAL PLANT

Noise associated with mechanical plant shall not give rise to any one or more of the following:

- (a) Transmission of "offensive noise" as defined in the *Protection of the Environment Operations Act 1997* to any place of different occupancy.
- (b) A sound pressure level at any affected property that exceeds the background (LA90, 15 minute) noise level by more than 5dB(A). The background noise level must be measured in the absence of noise emitted from the use. The source noise level must be assessed as a LAeq, 15 minute.
- (c) Notwithstanding compliance with (a) and (b) above, the noise from mechanical plant associated with the premises must not be audible in any habitable room in any residential premises between the hours of 12.00 midnight and 7.00am.
- (d) A Certificate is to be submitted at the completion of all work and prior to the issue of an Occupation Certificate, from a suitably qualified Acoustic Engineer. The Certificate is to certify all plant and equipment complies with the terms of approval in relation to noise.

B. COMPLIANCE PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

9. SECTION 94A CONTRIBUTION

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

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

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

"Waverley Council Cost Summary Report"; or,

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

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

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

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

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

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

Advisory Note

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

10. SECURITY DEPOSIT

A deposit or guarantee satisfactory to Council for the amount of **\$25,000** must be provided as security for the payment of the cost of making good any damage caused or unauthorised works that may be caused to any Council property as a consequence of this building work.

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

11. TREE PRESERVATION BOND

A bond of **\$20,000** is to be lodged with Council either as cash or by way of an unconditional bank guarantee to ensure the protection and maintenance of the four Eucalyptus street trees within the nature strip of George Street immediately in front of the property. The bond is to be lodged prior to the issue of a Construction Certificate

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

12. LONG SERVICE LEVY

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

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

13. PLANNING AGREEMENT

The payment of a monetary contribution to Council in the sum of the agreed value (as determined in deferred commencement consent condition 1. shall be made prior to the issue of any occupation certificate associated with this development consent and to be applied towards a public purpose in accordance with the agreement and Waverley Council's Planning Agreement Policy 2014.

The Planning Agreement shall be registered upon the title to the land the subject of the Development prior to the issue of any Construction Certificate for the development.

The owner/ applicant shall provide Council with a Bank Guarantee to secure the payment of the Monetary Contribution prior to the issue of any Construction Certificate for the Development which is:

- In a form acceptable to Council and from an institution acceptable to Council
 - Irrevocable
 - Unconditional
 - With no end date

13A. PLANNING AGREEMENT FOR ADDITIONAL GROSS FLOOR AREA SOUGHT BY DA-82/2016/C

(a) The owner / applicant to:

- (i) Enter into an Agreement in accordance with Waverley's Planning Agreement Policy 2014 prior to the issue of any Construction Certificate for the development that relates to works contained in development application DA-82/2016/C; and
- (ii) Pay a monetary contribution amount of \$287,635 prior to the issue of any Occupation certificate for the Development

- (iii) A Planning Agreement will be entered into under Section 7.4 of the Environment Planning and Assessment Act 1979 between the owner / applicant of the land the subject of the Development and Council.
- (b) In accordance with the said offer, the Planning Agreement shall make provision in respect to the following:
 - (i) The Planning Agreement shall be registered upon the title to the land the subject of the Development prior to the issue of any Construction Certificate for the Development
 - (ii) The owner / applicant shall provide Council with a Bank Guarantee to secure the payment of the Monetary Contribution prior to the issue of any Construction Certificate for the Development which is:
 - v. In a form acceptable to Council and from an institution acceptable to Council
 - vi. Irrevocable
 - vii. Unconditional
 - viii. With no end date
- (c) The payment of the Monetary Contribution to Council is to be made prior to the issue of any Occupation Certificate for the Development and is to be applied towards a public purpose in accordance with the Agreement and Council's Planning Agreement Policy 2014.

(ADDED BY DA-82/2016/C)

14. ARCHITECT TO SUPERVISE DESIGN - CONSTRUCTION CERTIFICATE DOCUMENTATION

The preparation of the Construction Certificate plans shall be supervised and be to the satisfaction of a qualified designer in accordance with the requirements of State Environmental Planning Policy No. 65 - Design Quality of Residential Flats.

In accordance with clause 143a of the Environmental Planning and Assessment Regulations 2000, the Principal Certifying Authority must not issue a Construction Certificate unless it has received a design verification from a qualified designer, being a statement in which the qualified designer verifies that the plans and specifications achieve or improve the design quality of the development for which development consent was granted.

15. (DELETED BY DA-82/2016/C)

16. CERTIFICATION OF MECHANICAL EXHAUST

The mechanical exhaust ventilation system is to comply with the approved plans and specifications in addition to Australian Standards AS 1668 (part 1, 1998 and part 2, 2012). A Certificate of Test together with a copy of the final test figures is to be submitted by a competent person and approved by the Principle Certifying Authority prior to the issue of the Occupation Certificate.

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

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

- (a) a Construction Certificate has been obtained from Council or an Accredited Certifier in accordance with Section 81A(2) of the Environmental Planning and Assessment Act, 1979; and

(b) a Principal Certifying Authority has been appointed and Council has been notified of appointment in accordance with Section 81(A)(2)(b) of the Environmental Planning and Assessment Act, 1979 and Form 7 of Schedule 1 of the Regulations; and

(c) Council is given at least two days Notice in writing of the intention to commence the building works.

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

18. ESSENTIAL SERVICES - NEW BUILDING

Details of the proposed essential fire safety measures/services shall be submitted to Council with the application for a Construction Certificate or be attached to the Construction Certificate, including a certificate, prepared by a person competent to do so, setting out the:

- (a) basis of design;
- (b) standard to which the system is to be installed; and
- (c) all relevant documentation, including all drawings such as wiring diagrams, duct layouts, hydraulic schematics etc and calculations shall be submitted for Council's records.

At the completion of the installation, certification containing the following information shall be attached to the application for an Occupation Certificate or to the Occupation Certificate:

- (a) inspection, testing and commissioning details;
- (b) date of inspection, testing and commissioning;
- (c) the name and address of the individual who carried out the test; and
- (d) a statement that the service has been designed, installed and is capable of operating to the above standard.

19. HOARDING REQUIRED

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

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

20. SERVICE AUTHORITIES

The applicant is to seek approval from all relevant authorities regarding any possible modification to the service authority's infrastructure prior to the issue of a Construction Certificate.

The applicant is responsible for all public utility adjustment/relocation works, necessitated by the development and as required by the various public utility authorities and/or their agents.

21. ENGINEERING DETAILS

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

22. DETAILS OF BULK EXCAVATION, SHORING OR PILE CONSTRUCTION

Any practices or procedures regarding bulk excavation, shoring or pile construction specified in the Geotechnical Report prepared by JK Geotechnics (Reference No. 229116ZRpt) and dated 18 February 2016 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.

22A. DETAILS OF BULK EXCAVATION, SHORING OR PILE CONSTRUCTION

An amended geotechnical report shall be prepared and submitted for the approval of Principal Certifying Authority to address the additional excavation involved for the bin store on the basement level of the development 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-82/2016/C)

23. SITE WASTE AND RECYCLING MANAGEMENT PLAN

A Site Waste and Recycling Management Plan (SWRMP) Checklist 2 shall be submitted to the Principal Certifying Authority for approval in accordance with Waverley DCP 2012 prior to the issue of the Construction Certificate. In this regard, Council expects demolition and excavated material to be reused and/or recycled wherever possible.

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

24. EROSION, SEDIMENT AND POLLUTION CONTROL

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

25. FENCE NOT TO ENCROACH BEYOND BOUNDARIES

No portion of the proposed fence, including the footings, is to encroach beyond the boundaries of the subject property. Alternatively, documentary evidence that the owner of the adjoining property has no

objection to the construction of the party fence wall on the common boundary between these properties is to be submitted to Council prior to the issue of a Construction Certificate.

26. ROOFWATER GUTTERING

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

27. BASIX

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

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

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

28. USE OF RENEWABLE TIMBERS

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

29. LANDSCAPED SLABS

Details shall be submitted to the Principal Certifying Authority prior to the issue of the Construction Certificate indicating the proposed method of water-proofing and drainage of the concrete slabs over which landscaping is proposed.

30. 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 to the Executive Manager, Infrastructure Services (or delegate) prior to the issue of the Construction Certificate.

The submitted stormwater drainage plans prepared by RTS Civil Consulting Engineers Pty Ltd, Project No. 200506, Drawing ID. CP100, SW100, SW101, SW102, SW200 & SW201, Issue B, dated 16/10/2020, are conditionally considered satisfactory.

The applicant must submit updated stormwater drainage 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 in accordance with the approved stormwater drainage design drawing, except where modified by the following:

- a) The sump in the proposed OSD tank shall be 0.6 m x 0.6 m x 0.2 m.
- b) Cleaning eyes shall be installed at all changes of direction of the stormwater pipe in the road reserve to facilitate maintenance works.
- c) A non-return valve to be installed at the outlet pipe at the connection point with Council's stormwater line so that stormwater cannot surcharge back into the property's stormwater drainage system.
- d) Demonstrate that the proposed development will not increase total suspended solids (TSS), total nitrogen (TN), total phosphorus (TP) and gross pollutant levels of receiving waters.

Council must be notified prior to any works being carried out on the existing stormwater infrastructure on Old South Head Road. An inspection must be made by a Council officer prior to the commencement of works. An inspection fee will apply for each inspection visit required by a Council officer, payable prior to any site inspection. Minimum 48 hours' notice must be provided to Council prior to inspection.

(MODIFIED BY DA-82/2016/C)

30A. 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.

(ADDED BY DA-82/2016/C)

31. WASTE AND RECYCLING STORAGE AND COLLECTION

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

- Residential
 - 5 x 240L Mobile Garbage Bins (MGBs) for general waste
 - 5 x 240L MGBs for paper and cardboard recycling
 - 5 x 240L MGBs for container recycling
 - 5m² for bulky waste.

All waste and recycling storage rooms must be built to meet all appropriate design requirements set in Part B1 of the Waverley Council Development Control Plan 2012 to the satisfaction of the Principal Certifying Authority.

(MODIFIED BY DA-82/2016/C)

32. NEW VEHICULAR CROSSING

All redundant driveways are to be removed and replaced on Old South Head Road with kerb and gutter to Roads and Maritime requirements.

The design and construction of the kerb and gutter crossing on Old South Head Road shall be in accordance Roads and Maritime Services requirements. The driveway shall be 5.5 metres wide for at least 6 metres from the property boundary to allow simultaneous entry and exit. Details of these requirements should be obtained from Roads and Maritime Services, Manager Developer Works, Statewide Delivery, Parramatta (telephone 9598 7798).

Detailed design plans of the proposed gutter crossing are to be submitted to Roads and Maritime Services for approval prior to the issue of a Construction Certificate and commencement of any road works.

A plan checking fee (amount to be advised) and lodgement of a performance bond may be required from the applicant prior to the release of the approved road design plans by Roads and Maritime.

33. SPLAYED DRIVEWAY AT ENTRY/EXIT

The internal ramp at the Old South Head Road property boundary shall be provided with a splay on the southern side to improve driver sight lines of pedestrians or alternatively convex mirrors be installed within the site at the property boundary.

Details are to be shown on the construction certificate plans to the satisfaction of the Principal Certifying Authority.

34. CONSTRUCTION TRAFFIC PLAN OF MANAGEMENT

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

(MODIFIED BY DA-82/2016/C)

35. LONG SECTION OF DRIVEWAY

Long sections drawn along both edges of the driveway shall be submitted to Council for the approval of the Executive Manager, Creating Waverley prior to issue of the Construction Certificate.

The long section drawings shall:

- (a) Be drawn at a scale of 1:25
- (b) Include reduced levels (RL's) of the Old South Head Road carriageway, the kerb and gutter, footpath and paving within the property and the basement carpark floor.
- (c) Include existing and design levels.

- (d) Include ground clearance of the B85 design vehicle using the ground clearance template contained in Appendix C of AS 2890.1: 2004 Off Street Car Parking.
- (e) Show paving at the Old South Head Road property boundary being sloped to follow the longitudinal fall on the Council's concrete pathway at all points across the opening.
- (f) Show any proposed changes to the level of Council's footpath on Old South Head Road to provide access for the B85 Design Vehicle.

36. SWEPT PATH DIAGRAM

The swept path of the longest vehicle (to service the site) entering and exiting the subject site, as well as manoeuvrability through the site, shall be in accordance with AUSTROADS. In this regard, a plan shall be submitted to the Executive Manager, Creating Waverley for approval prior to the issue of a construction certificate, which shows that the proposed development complies with this requirement.

37. BICYCLE PARKING (*SATISFIED BY DA-82/2016/C*)

38. ADAPTABLE HOUSING

One unit in the development shall be designed to be adaptable dwellings in accordance with AS4299 - Adaptable Housing. Details are to be submitted to the Principal Certifying Authority prior to the issue of the Construction Certificate.

39. STORAGE

Secured storage areas shall be provided and allocated to individual units in accordance with the following requirements:

- a) 1 bedroom and studio units 6m³ of storage; and
- b) 2 bedroom unit 8m³ of storage.
- c) 3+ bedroom unit 10m³ of storage.

This is to be shown on plans to be submitted to the Principal Certifying Authority with the plans for the Construction Certificate.

40. TREE PRUNING ON ADJOINING PROPERTIES

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

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

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

C. COMPLIANCE PRIOR TO AND DURING CONSTRUCTION

41. PRIOR TO SITE WORKS

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

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

42. SPECIAL CONDITION FROM NSW ROADS AND MARITIME SERVICES

The developer is to submit design drawings and documents relating to the excavation of the site and support structures to Roads and Maritime Services for assessment, in accordance with Technical Direction GTD2012/001.

The developer is to submit all documentation at least six (6) weeks prior to commencement of construction and is to meet the full cost of the assessment by Roads and Maritime Services.

The report and any enquiries should be forwarded to:

Project Engineer, External Works
Sydney Asset Management
Roads and Maritime Services
PO Box 973 Parramatta CBD 2124.
Telephone 8849 2114

If it is necessary to excavate below the level of the base of the footings of the adjoining roadways, the person acting on the consent shall ensure that the owner/s of the roadway is/are given at least seven (7) days notice of the intention to excavate below the base of the footings. The notice is to include complete details of the work.

43. STORMWATER DISCHARGE DETAILS TO BE SUBMITTED TO NSW ROADS AND MARITIME SERVICES

The NSW Roads and Maritime Services advises that should post development stormwater discharge from the subject site into the Roads and Maritime system exceed pre-development discharge, then detailed design plans and hydraulic calculations of any changes to the stormwater discharge system are to be submitted to Roads and Maritime Services for approval prior to the commencement of any works.

Details should be forwarded to:

The Sydney Asset Management
Roads and Maritime Services
PO Box 973
Parramatta CBD 2124

A plan checking fee will be payable and a performance bond may be required before Roads and Maritime Services approval is issued. With regard to the Civil Works requirement please contact the Roads and Maritime Project Engineer, External Works Ph: 8849 2114.

44. 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.

45. 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.

46. DEMOLITION AND CONSTRUCTION VEHICLES

All demolition and construction vehicles are to be contained wholly within the site or on George Street. All vehicles must enter the site before stopping as a construction zone will not be permitted on Old South Head.

A road occupancy licence should be obtained from Transport Management Centre for any works that may impact on traffic flows on Old South Head Road during construction activities.

47. 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.

48. EXCAVATION BELOW FOOTINGS

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

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

49. EXCAVATION TO BE LIMITED

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

50. OBSTRUCTION TO PUBLIC AREAS

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

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

51. TOILET FACILITIES

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

52. NO USE OF ORGANOCHLORIN PESTICIDES

The use of organochlorin pesticides as termite barriers in new development is prohibited pursuant to Council Policy. Only physical barriers are to be used for termite control. The building shall comply with Australian Standard 3660: Protection of building from subterranean termites - prevention, detection and treatment of infestation.

53. DILAPIDATION REPORTS

Dilapidation surveys must be conducted and dilapidation reports prepared by a practising professional engineer (structural) of all buildings, (both internal and external), including ancillary structures located on land adjoining the site and of such further buildings located within the likely "zone of influence" of any excavation, dewatering and/or construction induced vibration. The survey must identify which properties are within the likely 'zone of influence'.

These properties must include (but are not limited to) **633 Old South Head Road, Rose Bay and 65 George Street, Dover Heights**, and any others identified to be in the zone of influence in the Dilapidation Survey.

The dilapidation reports must be completed and submitted to Council and the Principal Certifying Authority with or prior to the Notice of Commencement and prior to the commencement of any

development work. The adjoining building owner(s) must be given a copy of the dilapidation report for their building(s) prior to the commencement of any work.

Please note the following:

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

54. DEMOLITION OR ALTERATION OF PRE 1987 BUILDINGS

At least five (5) days prior to the demolition, renovation work or alterations and additions to any building constructed before 1987, the person acting on the consent shall submit a Work Plan prepared in accordance with Australian Standard AS 2601-2001, Demolition of Structure and a Hazardous Materials Assessment prepared by a person with suitable expertise and experience. The Work Plan and Hazardous Materials Assessment shall:

- (a) outline the identification of any hazardous materials, including surfaces coated with lead paint;
- (b) confirm that no asbestos products are present on the subject land; or
- (c) particularise a method of safely disposing of the asbestos in accordance with the Code of Practice on how to safely remove asbestos published by WorkCover NSW (catalogue WC03561)
- (d) describe the method of demolition;
- (e) describe the precautions to be employed to minimise any dust nuisance; and
- (f) describe the disposal methods for hazardous materials.

55. DEMOLITION & SITE PREPARATION

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

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

56. COMPLIANCE WITH WORKCOVER NSW REQUIREMENTS

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

57. STOCKPILES

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

58. LOCATION OF BUILDING OPERATIONS

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

59. ALL BUILDING MATERIALS STORED ON SITE

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

60. CONSTRUCTION HOURS

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

- (a) The Saturday (except minor renovation or refurbishment to a single dwelling construction) and Sunday which form part of public holiday weekends; and
- (b) Sundays and public holidays

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

61. USE OF HEAVY EARTH MOVEMENT EQUIPMENT

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

62. BUILDING CODE OF AUSTRALIA

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

63. BUILDING LEGISLATION AMENDMENT (QUALITY OF CONSTRUCTION) ACT - INSPECTIONS (RESIDENTIAL FLAT DEVELOPMENT AND OTHER RESIDENTIAL CLASS 2, 3 AND 4)

The building works are to be inspected during construction by the Principal Certifying Authority (PCA) and in accordance with the Building Legislation (Quality of Construction) Act 2002 and the

Environmental Planning and Assessment Regulations. Also, documentary evidence of compliance with the relevant terms of conditions of development consent and standards of construction detailed in the Building Code of Australia is to be obtained prior to proceeding to the subsequent stages of construction and/or issue of an Occupation Certification.

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

The specified **MANDATORY** inspections are:

In the case of a Class 2, 3 and 4 building:

- (a) at the commencement of the building work;
- (b) prior to covering of waterproofing in any wet area for a minimum of 10% of rooms with wet area within a building;
- (c) prior to covering any stormwater drainage connections; and
- (d) after the building work has been completed and prior to any Occupation Certificate being issued in relation to the building.

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

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

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

64. ASBESTOS REMOVAL

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

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

(c) No asbestos products are to be reused on site.

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

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

65. CERTIFICATE OF SURVEY - LEVELS

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

66. CERTIFICATE OF SURVEY - BOUNDARIES AND LOCATION OF BUILDING

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

67. ENCROACH BEYOND THE BOUNDARIES

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

68. IN-SINK WASTE DISPOSAL SYSTEMS

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

69. WATER PROOFING

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

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

70. HOT TAP WATER SCALDING

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

71. SMOKE ALARM SYSTEM

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

72. SERVICE PIPES

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

73. TREE PRESERVATION

A tree preservation order exists in the Waverley Local Government Area.

The following trees that are tabulated below shall be retained and protected as per Arboricultural Impact Assessment prepared by Redgum Horticultural 2016, Ref. 1711 and dated 8 February 2016. Tree protection fences, or works, shall be located in accordance with Site Plan B- Trees to be Retained and Tree Protection Zones contained in Appendix F on page 28 of the Arboricultural Impact Assessment.

Tree No.	Species	Location	Action
5	Callistemon citrinus	Street Tree	Retain and protect within a Tree Protection Zone (TPZ) as per the Tree Protection Plan. – Street Tree Specimen
7	Eucalyptus sp.	Street Tree	Retain and protect within a Tree Protection Zone (TPZ) as per the Tree Protection Plan. – Street Tree Specimen
8	Eucalyptus sp.	Street Tree	Retain and protect within a Tree Protection Zone (TPZ) as per the Tree Protection Plan. – Street Tree Specimen
9	Eucalyptus sp.	Street Tree	Retain and protect within a Tree Protection Zone (TPZ) as per the Tree Protection Plan. – Street Tree Specimen
10	Eucalyptus sp.	Street Tree	Retain and protect within a Tree Protection Zone (TPZ) as per the Tree Protection Plan. – Street Tree Specimen
11	Melaleuca quinquenervia	Street Tree	Retain and protect within a Tree Protection Zone (TPZ) as per the Tree Protection Plan. – Street Tree Specimen
16	Howea fosteriana	On site	Retain and protect within a Tree Protection Zone (TPZ) as per the Tree Protection Plan.

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

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

Trunk protection measures as per AS 4970 – 2009, Section 4.5.3 is to be installed. Padding to be used shall be non-absorbing or free draining to prevent moisture build up around the part being protected. The trunk protection shall consist of a layer of carpet underfelt (or similar) wrapped around the trunk, followed by 1.8 metre lengths of softwood timbers (90 x 45mm in section) aligned vertically and spaced evenly around the trunk at 150mm centres (i.e. with a 50mm gap) and secured together with 2mm galvanised wire or galvanised hoop strap. The timbers shall be wrapped around the trunk (over the carpet underfelt), but not fixed to the tree to avoid mechanical injury or damage to the trunk. Trunk protection must be installed prior to any site works including demolition and maintained in good condition for the duration of the construction period.

74. TREE REMOVAL

This consent authorises the removal of the trees listed in the table below and identified in the Arboricultural Impact Assessment prepared by Redgum Horticultural 2016, Ref. 1711 and dated 8 February 2016. The trees to be removed shall be replaced as per the Arboricultural Impact Assessment.

Tree No.	Species	Location
1	Phoenix canariensis	On site
2	Melia azedarach	On site
3	Cinnamomum camphora	On site
4	Tristanopsis laurina	Street Tree
6/2	Howea fosteriana x3	On site
12	Melia azedarach	On site
13	Howea fosteriana	On site
14	Howea fosteriana	On site
15	Howea fosteriana	On site
17	Cupressus glabra	On site
18	Pittosporum tobira	On site
19	Cupressus glabra	On site

75. NEW VEHICLE CROSSING

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

76. EXISTING VEHICLE CROSSINGS ARE TO BE CLOSED

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

77. FINISHED PAVING LEVELS

Paving at the property boundaries shall be finished as follows:

- (a) **Old South Head Road** – match the existing footpath level.
- (b) **George Street** – 30mm above the existing footpath level.

78. WORK OUTSIDE PROPERTY BOUNDARY

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

D. COMPLIANCE PRIOR TO OCCUPATION OR DURING OCCUPATION

79. FINAL OCCUPATION CERTIFICATE

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

80. SUBDIVISION

A Subdivision Certificate must be obtained from Council in accordance with Section 109C(d) of the Environmental Planning and Assessment Act, 1979 prior to the registration of the subdivision plans.

81. USE OF COMMON PROPERTY

No exclusive use of common property (other than for approved storage) shall occur without the prior consent of Council. In this regard the applicant is to register a restriction as to user that prohibits the separate occupation, use or disposition of the land by way of agreement, instrument or dealing including and agreement, instrument or dealing evidenced by a company's constitution or articles of association. The restriction as to user is to be registered prior to the issue of the Occupation Certificate.

82. SYDNEY WATER

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

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

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

83. (DELETED BY DA-82/2016/C)

84. NOISE – PLANT AND EQUIPMENT

A Certificate is to be submitted to Council at the completion of all work and prior to the issue of an Occupation Certificate, from a suitably qualified Acoustic Engineer. The Certificate is to certify all plant and equipment including mechanical supply and exhaust ventilation systems (including the car park) and lift motors comply with the terms of approval in relation to noise.

85. STORMWATER MANAGEMENT

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

86. SLIP TESTS OF COMMON AREAS

Common area tiles should not have slippery finishes. Slip tests should be undertaken in wet conditions.

87. LANDSCAPE PLAN

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

88. LIGHTING

- (a) Any lighting on the site shall be designed so as not to cause nuisance to other residences in the area or to motorists on nearby roads and to ensure no adverse impact on the amenity of the surrounding area by light overspill. All lighting shall comply with the Australian Standard AS 4282:1997 Control of the Obtrusive Effects of Outdoor Lighting.
- (b) All external lighting fixtures should be vandal resistant.
- (c) Lighting should be carefully considered in areas covered by CCTV to allow for optimum viewing.
- (d) Lighting should be free of obstructions, such as tree branches, pipes, etc.
- (e) Transition lighting should also be used throughout the site to reduce vision impairment, i.e. impairment caused by walking from dark to light places and light to dark places.
- (f) All external area lights and carparks to multi-unit dwellings shall be on sensor switches to save energy and reduce light spill to the sky; low voltage solar powered lights to front entry footpaths are acceptable for continuously illuminated lighting.

89. INTRUDER ALARM

Intruder alarm/s associated with the development must operate only in accordance with the requirements of Clause 53 of the *Protection of the Environment Operations (Noise Control) Regulation 2008* under the *Protection of the Environment Operations Act, 1997*.

90. TACTILE NUMBER IN LIFT

The applicant is advised that with regard to the provision of the lift in the building, it will be necessary for tactile numbers to be placed on each level of the building and within the lift to assist visually impaired people.

91. ALLOCATION OF STREET NUMBER

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

- No 631 Old South Head Road for the building:

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.

- As the proposed development has sub addressing the following shall apply when the sub addresses are numbered:

Nos 1-10 for the units within the building correlating with Nos. 1-10 on the floor plans for the building.

The primary premises number for the property shall be a minimum of 75mm high and shall be positioned 600mm-1500mm above ground level on the site boundary that fronts Old South Head Road. The primary and sub premises numbers are to be positioned on the site prior to the issue of the Occupation Certificate.

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

(MODIFIED BY DA-82/2016/C)

92. DISPLAY OF WASTE MANAGEMENT PLAN

The occupant/body corporate shall be provided with at least one copy of the Waste Management Plan. An additional copy of the plan shall be displayed in a secure, visible and accessible position within or adjacent to the waste storage area. The approved Waste Management Plan must be complied with at all times during occupation.

93. VEHICLE TO BE PARKED WITHIN THE SITE

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

94. VEHICULAR ACCESS TO AND FROM THE SITE

All vehicles are to enter and leave the site in a forward direction.

95. 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.

(ADDED BY DA-82/2016/C)

96. CREATION OF POSTIVE COVENTANT FOR OSD

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

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.

(ADDED BY DA-82/2016/C)

97. WORKS-AS-EXECUTED DRAWINGS – STORMWATER DRAINAGE

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, basement pump-out facility, the detention facilities and other drainage related infrastructure. An original or a colour copy must be submitted to Waverley Council's Infrastructure Services department.

(ADDED BY DA-82/2016/C)

98. PLANNED PREVENTATIVE MAINTENANCE SCHEDULE FOR PUMP OUT SYSTEM

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

(ADDED BY DA-82/2016/C)

99. ONGOING MAINTENANCE – STORMWATER DRAINAGE

Council will need to be provided with an OSD Maintenance Schedule that supports the routine maintenance activities. At a minimum, the detention facility must be:

- Kept clean and free from silt, rubbish and debris.
- Be maintained so that it functions in a safe and efficient manner.
- Not be altered without prior consent in writing of the Council.

(ADDED BY DA-82/2016/C)

RECEIVED
Waverley Council

Application No: DA-82/2016/C

Date Received: 04/11/2020


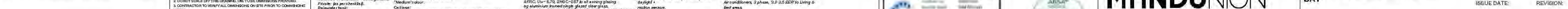
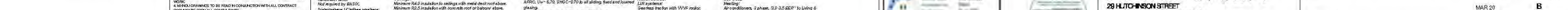
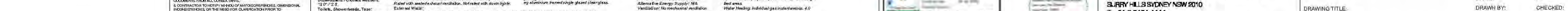
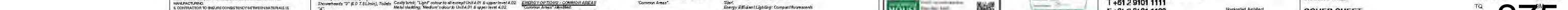

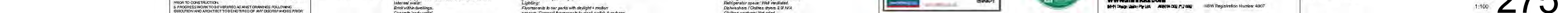
GFA	924.7sqm
Site area	748sm
FSR	1.23:1
WAVERLEY FSR	09:1 (673.2sqm)
APPROVED S34 FSR	1.104:1 (825sqm)

LANDSCAPE	
PROPOSED DEEP SOIL	131.5sqm
LANDSCAPE TOTAL	309sqm

3 X 1 BEDROOM
3 X 2 BEDROOM
4 X 3 BEDROOM

TOTAL 10 UNITS

UNIT AREA SUMMARY			AREA SUMMARY			
UNIT	TYPE	AREA(sqm)	FLOOR AREAS	proposed (sqm)	s34 approved	
1.01	3 bed	95	L1	172.3	134.5	
1.02	1 bed	57	L2	255.6	236.5	
2.01	3 bed	95	L3	245.6	224.8	
2.02	1 bed	54	L4	192.3	176.2	
2.03	2 bed	84	L5	58.9	53	
3.01	3 bed	95	TOTAL	924.7	825	
3.02	1 bed	57				
3.03	2 bed	75				
4.01	2 bed	100				
4.02	3 bed	130				

<p>A ISSUED FOR 64.56 B UPDATED INFORMATION FOR COUNCIL</p>	<p>3/7/20 29/10/20</p>	<p>GENERAL NOTES</p> <p>1. ALL WORKS TO BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA, AUSTRALIAN STANDARDS, STATUTORY REGULATIONS AND LOCAL AUTHORITY REQUIREMENTS.</p> <p>2. CONSENT SHALL BE OBTAINED FROM THE LOCAL COUNCIL PRIOR TO COMMENCEMENT OF WORKS.</p> <p>3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE RELEVANT AUTHORITIES PRIOR TO COMMENCEMENT OF WORKS.</p> <p>4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE RELEVANT AUTHORITIES PRIOR TO COMMENCEMENT OF WORKS.</p> <p>5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE RELEVANT AUTHORITIES PRIOR TO COMMENCEMENT OF WORKS.</p>	<p>BASIX NOTES</p> <p>WATER EFFICIENCY</p> <p>1. All new and replacement water-using fixtures and fittings must be water efficient.</p> <p>2. All new and replacement water-using fixtures and fittings must be water efficient.</p> <p>3. All new and replacement water-using fixtures and fittings must be water efficient.</p> <p>4. All new and replacement water-using fixtures and fittings must be water efficient.</p> <p>5. All new and replacement water-using fixtures and fittings must be water efficient.</p>	<p>THERMAL OPTIONS</p> <p>1. All new and replacement windows must be double-glazed.</p> <p>2. All new and replacement windows must be double-glazed.</p> <p>3. All new and replacement windows must be double-glazed.</p> <p>4. All new and replacement windows must be double-glazed.</p> <p>5. All new and replacement windows must be double-glazed.</p>	<p>THERMAL OPTIONS</p> <p>1. All new and replacement windows must be double-glazed.</p> <p>2. All new and replacement windows must be double-glazed.</p> <p>3. All new and replacement windows must be double-glazed.</p> <p>4. All new and replacement windows must be double-glazed.</p> <p>5. All new and replacement windows must be double-glazed.</p>	<p>ENTRY OPTIONS - COMMON AREAS</p> <p>1. All new and replacement entryways must be accessible.</p> <p>2. All new and replacement entryways must be accessible.</p> <p>3. All new and replacement entryways must be accessible.</p> <p>4. All new and replacement entryways must be accessible.</p> <p>5. All new and replacement entryways must be accessible.</p>	<div> <div>  <p>PROJECT ADDRESS: 629-631 OLD SOUTH HEAD RD ROSE BAY</p> </div> <div>  <p>PROJECT NUMBER: 19-062 DWG NUMBER: 0.00</p> </div> <div>  <p>ISSUE DATE: MAR 20 REVISION: B</p> </div> <div>  <p>DRAWING TITLE: COVER SHEET</p> </div> <div>  <p>SCALE: 1:100</p> </div> <div>  <p>NOTES:</p> <p>PROJECT ADDRESS: 629-631 OLD SOUTH HEAD RD ROSE BAY</p> <p>PROJECT NUMBER: 19-062 DWG NUMBER: 0.00</p> <p>ISSUE DATE: MAR 20 REVISION: B</p> <p>DRAWING TITLE: COVER SHEET</p> <p>SCALE: 1:100</p> </div> <div>  <p>Architect: MINDUNION 29 HILL STREET SYDNEY NSW 2010 T +61 2 9101 1111 F +61 2 9101 1100 www.mindunion.com.au NSW Planning P12-2015-0001 HSW Registration Number: 43007</p> </div> </div>
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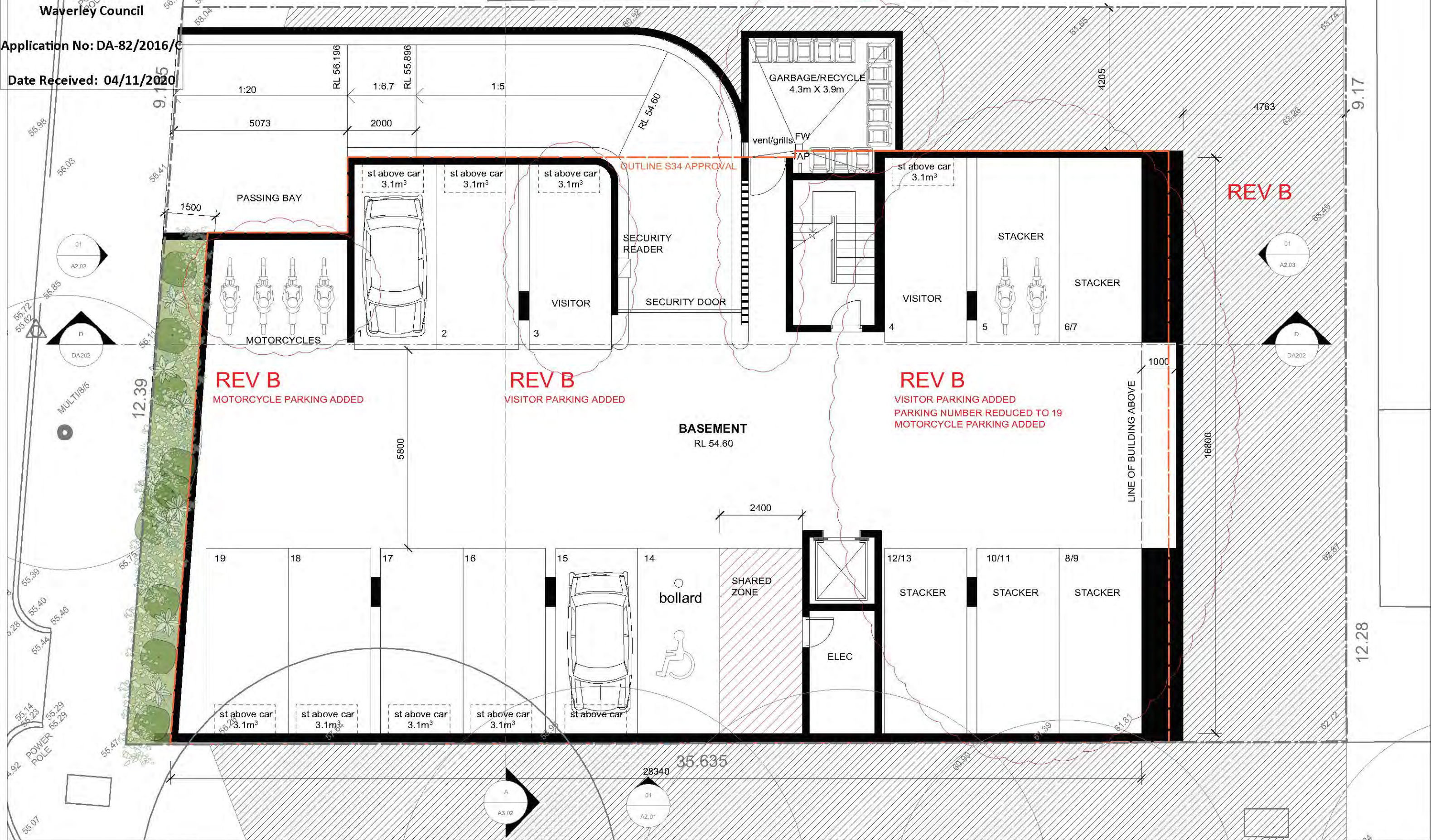
AMENDED PLANS

RECEIVED
Waverley Council

Application No: DA-82/2016/C

Date Received: 04/11/2020

REV B
UPDATE TO GRABAGE ROOM 33.945



ISSUED FOR 54.56
UPDATED INFORMATION FOR COUNCIL

3/7/20
28/10/20

GENERAL NOTES

1. ALL WORK TO BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA, AUSTRALIAN STANDARD STATUTORY REGULATIONS AND LOCAL AUTHORITY REQUIREMENTS. INCLUDE CONFORMANCE OF CONSTRUCTION.

2. DO NOT SCALE OFF THE DRAWING. ON 1:100 DIMENSIONS PROVIDED.

3. CONTRACTOR TO VERIFY ALL DIMENSIONS ON SITE PRIOR TO COMMENCING WORK.

4. HINDU UNIONS TO BE READ IN CONJUNCTION WITH ALL CONTRACT DOCUMENTS FROM ALL CONTRACTORS.

5. CONTRACTOR TO NOTIFY HINDU UNIONS OF ANY DISCREPANCIES, OMISSIONS, INADEQUACIES, OR THE NEED FOR CLARIFICATION PRIOR TO COMMENCING WORK.

6. CONTRACTOR TO INSURE CONSTRUCTION WITHIN MATERIALS IS MAINTAINED.

7. HINDU UNIONS TO BE VERIFIED AS SET OUT ON THE FOLLOWING: RESOLUTION AND ARCHITECT TO BE NOTIFIED OF ANY DISCREPANCIES PRIOR TO CONTRACTOR PROCEEDING WITH THE TRADE.

BASIC NOTES

WATER OPTIONS

Roof: Metal deck with 100mm insulation blanket to underside. Concrete to selected roof areas.

Wastewater: 100mm PVC to 100mm sewer.

Private (see per site visit).

Handicapped: 100mm PVC to 100mm sewer.

Minimum R4.0 insulation to ceilings with metal deck roof above. Minimum R2.5 insulation to concrete roof or balcony above. Rated with sealed exhaust ventilation. Not rated with down lights.

External walls: 100mm R4.0 insulation to all external walls. Unit 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.

Unit 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.

Unit 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.

THERMAL OPTIONS

Common Areas: 100mm R4.0 insulation to all external walls. Unit 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.

Unit 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.

ENERGY OPTIONS - COMMON AREAS

Common Areas: 100mm R4.0 insulation to all external walls. Unit 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.

Unit 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.

ENERGY OPTIONS - DWELLINGS

Dwellings: 100mm R4.0 insulation to all external walls. Unit 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.

Unit 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.

NOTES:

1. ALL WORK TO BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA, AUSTRALIAN STANDARD STATUTORY REGULATIONS AND LOCAL AUTHORITY REQUIREMENTS. INCLUDE CONFORMANCE OF CONSTRUCTION.

2. DO NOT SCALE OFF THE DRAWING. ON 1:100 DIMENSIONS PROVIDED.

3. CONTRACTOR TO VERIFY ALL DIMENSIONS ON SITE PRIOR TO COMMENCING WORK.

4. HINDU UNIONS TO BE READ IN CONJUNCTION WITH ALL CONTRACT DOCUMENTS FROM ALL CONTRACTORS.

5. CONTRACTOR TO NOTIFY HINDU UNIONS OF ANY DISCREPANCIES, OMISSIONS, INADEQUACIES, OR THE NEED FOR CLARIFICATION PRIOR TO COMMENCING WORK.

6. CONTRACTOR TO INSURE CONSTRUCTION WITHIN MATERIALS IS MAINTAINED.

7. HINDU UNIONS TO BE VERIFIED AS SET OUT ON THE FOLLOWING: RESOLUTION AND ARCHITECT TO BE NOTIFIED OF ANY DISCREPANCIES PRIOR TO CONTRACTOR PROCEEDING WITH THE TRADE.

MHNDUNION

29 HILTON STREET
SURRY HILLS SYDNEY NSW 2010
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F +61 2 9101 1100
www.mhndunion.com

Not a Registered Architect
Not a Registered Engineer
Not a Registered Surveyor
Not a Registered Valuer
Not a Registered Planner
Not a Registered Environmental Consultant
Not a Registered Heritage Consultant
Not a Registered Archaeologist
Not a Registered Geologist
Not a Registered Hydrologist
Not a Registered Meteorologist
Not a Registered Oceanographer
Not a Registered Palaeontologist
Not a Registered Pedologist
Not a Registered Plant Physiologist
Not a Registered Soil Scientist
Not a Registered Toxicologist
Not a Registered Zoologist

PROJECT ADDRESS:
629-631 OLD SOUTH HEAD RD ROSE BAY

DRAWING TITLE:
BASEMENT PLAN

PROJECT NUMBER:
19-062

ISSUE DATE:
MAR 20

DRAWN BY:
TQ

SCALE:
1:100

DWG NUMBER:
A1.02

REVISION:
B

CHECKED:
B

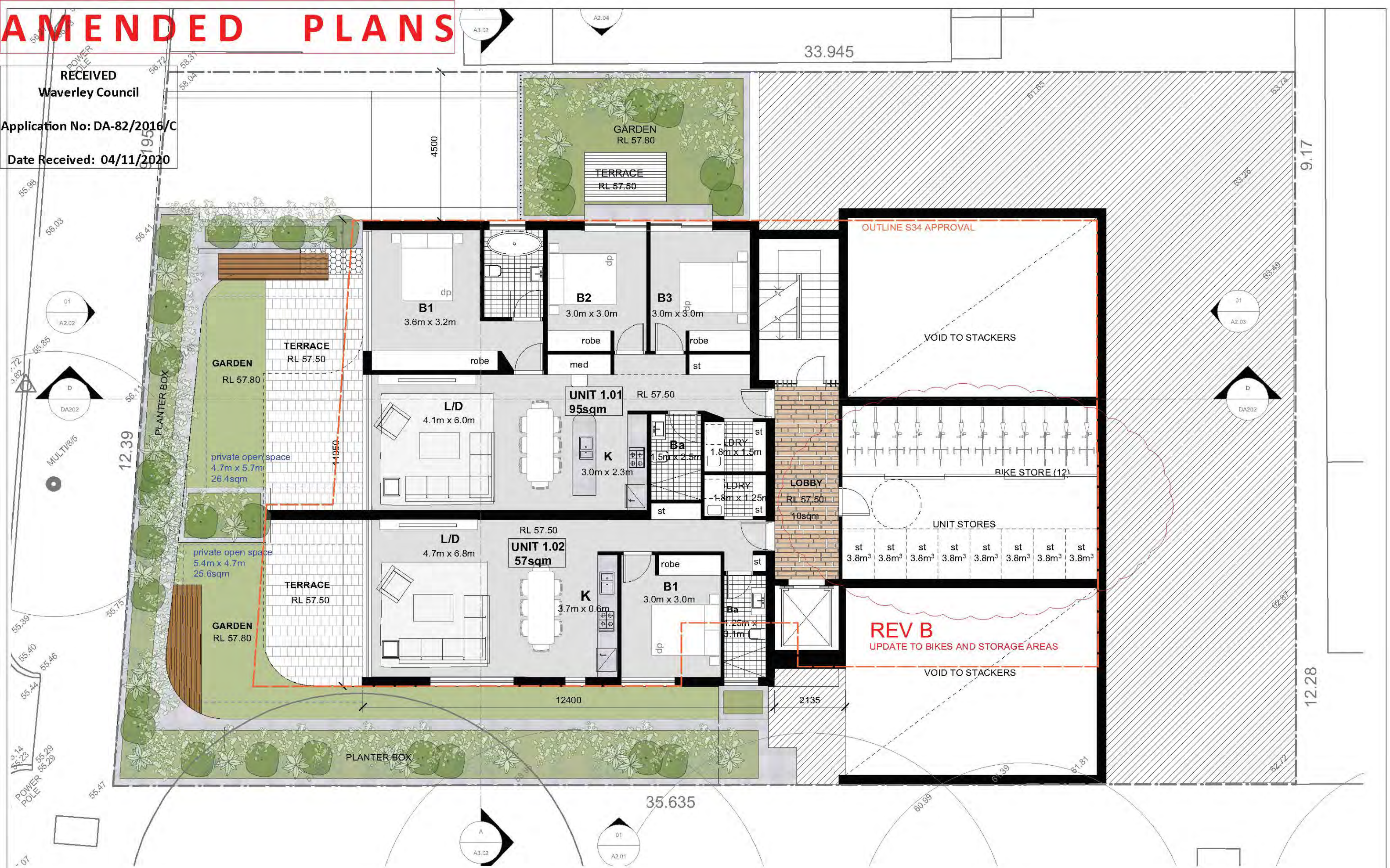
276

AMENDED PLANS

RECEIVED
Waverley Council

Application No: DA-82/2016/C

Date Received: 04/11/2020



A ISSUED FOR \$4.56
B UPDATED INFORMATION FOR COUNCIL

3/7/20
28/10/20

GENERAL NOTES
1. ALL WORKS TO
AUSTRALIAN STANDARDS

1. ALL WORKS TO BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA, AUSTRALIAN STANDARDS, STATUTORY REGULATIONS AND LOCAL AUTHORITY REQUIREMENTS. ALL CONSULTANTS SHALL COMPLY WITH THE CODE OF PRACTICE FOR THE DESIGN OF BUILDINGS.

2. NO SCALE OF THE DRAWING. ONLY USE DIMENSIONS PROVIDED.

3. CONTRACTOR TO VERIFY ALL DIMENSIONS ON SITE PRIOR TO COMMENCING WORK.

4. BUILDING DRAWINGS TO BE READ IN CONJUNCTION WITH ALL CONTRACT DOCUMENTS FROM ALL CONSULTANTS.

5. CONTRACTOR TO NOTIFY IMMEDIATELY OF ANY DISCREPANCIES, OMISSIONS, INCONSISTENCIES, OR THE NEED FOR CLARIFICATION PRIOR TO MANUFACTURE.

6. CONTRACTOR TO ENSURE CONSISTENCY BETWEEN MATERIALS IS MAINTAINED.

7. WORKER TO REVIEW ALL CONTRACTOR'S DETAILED DRAWINGS / SETTING OUT PRIOR TO CONSTRUCTION.

8. PROGRESS MONITORING TO BE VERIFIED AS MANY CONTRACTS ALLOWING DESIGN TO BE ADJUSTED TO 2 TO 3 MONTHS OF ANY DISCREPANCY FOLLOWING TO CONTRACTOR PROCEEDING WITH PROJECT TRADE.

BASIC NOTES

BASIC NOTES

WATER OPTIONS
Landscape vegetation:
Common: 145m2 lawn + 50m2 gardens
Private: (as per chemo list)
Rainwater tank
Not required by BASIX.
Dishwashers + Clothes washers:
"0" / 2.3.
Toilets, Showerheads, Taps:
Showerheads "3" (10.7 L/min), Toilets
"4"
Kitchen Taps "4", Bathroom Taps "4".

TECHNICAL OPTIONS

Roof Thermal Options

Reveal:
Metal deck with R1.0 insulation blanket to underside.
Concrete to selected roof areas.
Medium 'cavity'.
Ceilings:
Minimum R4.0 insulation to ceilings with metal deck roof above.
Minimum R2.5 insulation with concrete roof or balcony above.
External wall: no heat loss ventilation. Noted with down lights.
External wall: Water:
Cavity brick: "Light" colour to all except Unit 4.01 & 4.02 upper level 4.
Metal cladding: Medium 'cavity' to Unit 4.01 & 4.02 upper level 4.02.
Unit 1.02, 1.03, 2.02, 3.01 or insulation to all external walls.
Unit 1.01, upper level 4.02: R1.5 insulation to all walls.
Internal wall:
Brick within dwellings.
Concrete 'party walls'.

Thermal Options

THERMAL OPTIONS
 Floor: Concrete throughout with timber & tile covering.
 Glazing: AFRAC Uw = 5.70, SHG C=57 to all wiring glazing, aluminium framed single glazed clear glass.
 AFRAC Uw = 5.70, SHG C=57 to all sliding, fixed and louvre glazing, aluminium framed single glazed clear glass.

ENERGY OPTIONS - COMMON AREAS
 Common Areas Identified
 Car-park, Garbage Room, Plant room, Switch room, ground floor lobby, hallway, lift.
 Light fix: Fluorescents to car parks with daylight + motion sensors, Comp of fluorescent to plant, switch & garbage

ENERGY OPTIONS

ENERGY OPTIONS - COMMON AREA
 "Common Areas" identified:
 LED to ground floor lobby & hallways with daylight + motion sensors.
 Lift system:
 Gearless traction with VVVF motor.
 Alternative Energy Supply: N/A
 Ventilation: No mechanical ventilation
 "Common Areas".

ENERGY OPTIONS

Bathrooms: Laundries; Kitchens; Exhausts as ducted, manual "on/off".
Cooling:
Air-conditioners, 3 phase, "3.0-3.5 EER" to Living Bed areas.
Heating:
Air-conditioners, 3 phase, "3.0-3.5 EER" to Living Bed areas.
Water Heating: Individual gas instantaneous, 4.0 "Star".
Energy Efficient Lighting: Compact fluorescent or LED to ALL rooms.
Cooking: Induction cook top, electric oven.
Refrigerator space: Well ventilated.
Dishwashers / Clothes dryer 3 B N/A
Clothes washers: Not rated.

NOTES:



MHNDUNION

29 HUTCHINSON STREET
SLURRY HILLS SYDNEY NSW 2010
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www.mihndu.com
MHN Design Works Pty Ltd AEN 04 002 71 2 002

Nominated Architect
Brian Meyers
Registration Number 49

PROJECT ADDRESS:
**629-631 OLD S
BAY**

DRAWING TITLE:
LEVEL 1 PLAN

PROJECT NUMBER: 19-062 DWG NUMBER: A1.03

ISSUE DATE: MAR 20

REVISION: **B**

DRAWN BY: TQ
CHECKED: BM

SCALE: 1:100 **277**

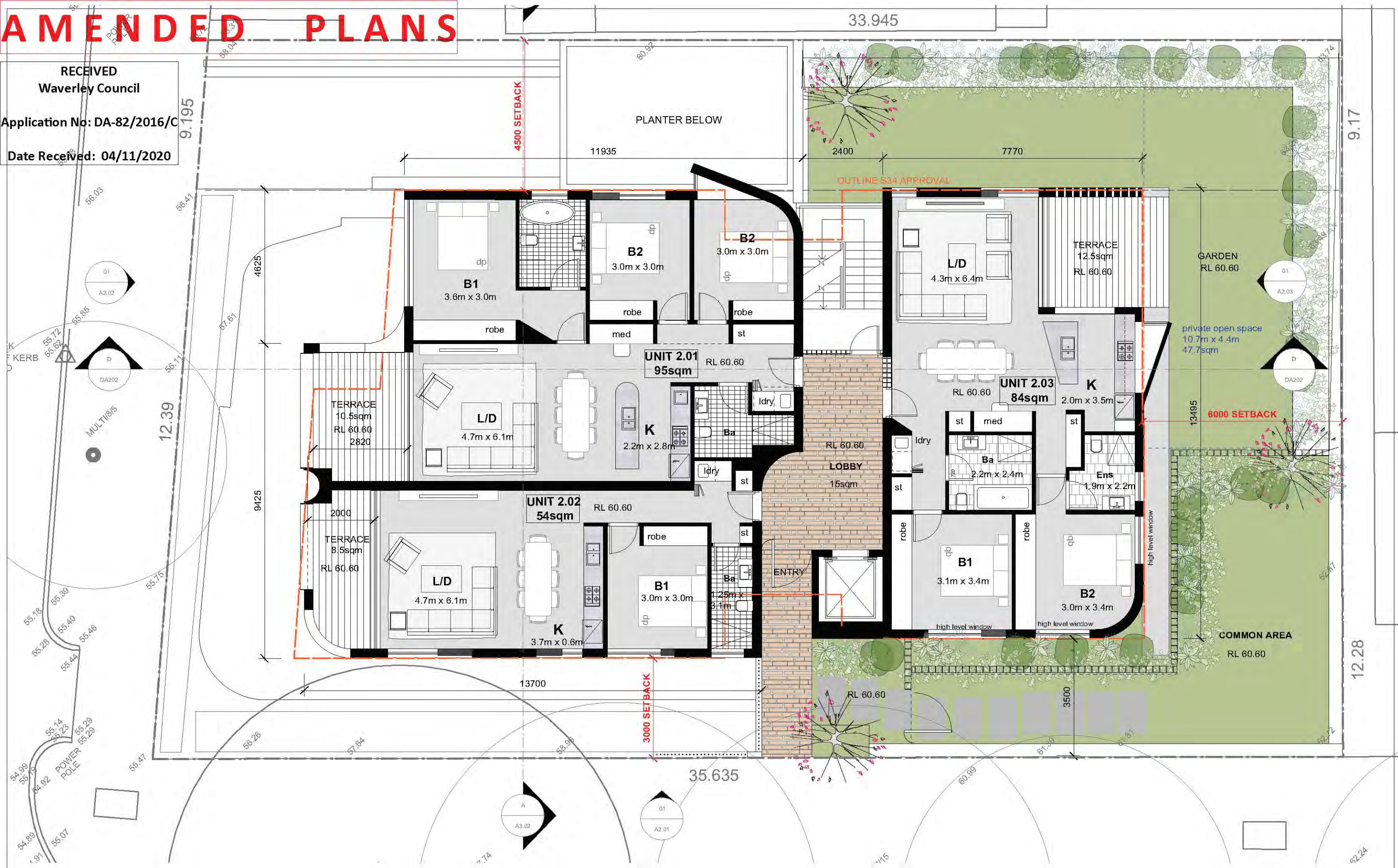


AMENDED PLANS

RECEIVED
Waverley Council

Application No: DA-82/2016/C

Date Received: 04/11/2020



A	ISSUED FOR \$4.56	3/7/20
B	UPDATED INFORMATION FOR COUNCIL	28/10/20

GENERAL NOTES
1. ALL WORKS TO
AUSTRALIAN STANDARDS

GENERAL NOTES

1. ALL WORKS TO BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA, AUSTRALIAN STANDARDS, STATUTORY REGULATIONS AND LOCAL AUTHORITY REGULATIONS. INCLUDES THE CONSIDERATION OF CONSERVATION.
2. ONOT SCALE OF THIS DRAWING. ONLY USE DIMENSIONS PROVIDED.
3. CONTRACTOR TO VERIFY ALL DIMENSIONS ON SITE PRIOR TO COMMENCING WORK.
4. MINOR VARIATIONS TO BE READ IN CONNECTION WITH ALL CONTRACT DOCUMENTS FROM AS BUILDING.
5. CONTRACTOR TO NOTIFY IN WRITING OF ANY DISCREPANCIES, OMISSIONS, INCONSISTENCIES, OR THE NEED FOR CLARIFICATION PRIOR TO MANUFACTURING.
6. CONTRACTOR TO ENSURE COORDINATION BETWEEN MATERIALS IS MAINTAINED.
7. MINOR TO REMAIN ALL CONTRACTOR'S OR TENDERS ORANGE, SETTING OUT PRIOR TO CONSTRUCTION.
8. PROGRESS WORK TO BE SUPERVISED AND APPROVED DIMENSIONS FOLLOWING BUILDING AND CONTRACT TO BE NOTIFIED OF ANY DISCREPANCIES PRIOR TO CONTRACT PROCEEDING WITH NEXT TASK.

BASIC NOTES

WATER OPTIONS

Landscaping Vegetation:
Common: 145m2 lawn + 50m2 gardens
Private: (as per ches.klad).
Rainwater tank:
Not required by BASIX.
Dishwasher: 1
Clothes washers: 1
Toilets, Shower heads, Taps:
Showerheads "3" (8.7 L/min), Toilets "4",
Kitchen Taps "4", Bathroom Taps "4".

Thermal Options:

- Roof:
 - Metal deck with R1.0 insulation blanketed to underside.
 - Concrete to selected roof areas.
 - 'Medium' colour.
- Ceiling:
 - Minimum R4.0 insulation to ceilings with metal deck roof above.
 - Minimum R2.5 insulation with concrete roof or balcony above.
 - Rated with sealed exhaust ventilation. Not treated with down lights.
 - External wall.
- Cavity brick: "Light" colour to all except Unit 4.01 & upper level 4.02.
- Metal cladding: 'Medium' colour to Unit 4.01 & upper level 4.02.
- Unit 2.02, 2.03, 4.02 - R2.0 insulation to all external walls.
- Unit 4.01, upper level 4.02: R1.5 insulation to all walls.
- Internal walls:
 - Brick within dwellings.
 - Concrete 'party walls'.

THERMAL OPTIONS
Floors:
Concrete throughout with timber & tile covering.
Glazing:
APRC: Uir-670, SHG-C-657 to all wiring glazing.
eg aluminium framed single glazing clear glass.
APRC: Uir-670, SHG-C-670 to all sliding fixed and for
glazing aluminium framed single glazing clear glass.

ENERGY OPTIONS - COMMON AREAS
Common Areas identified:
Carpeted Garages, Plant rooms, Plant rooms, Switch rooms,
ground floor lobby, hallway, lift.
Lighting:
Fluorescents to car parks with daylight + motion
sensors. Compact fluorescent to plant, switch & garage

ENERGY OPTIONS - COMMON AREAS
 "Common Areas" identified:
 LED to ground floor lobby & hallways with daylight + motion sensors.
 LTR system.
 Gearless traction with VVVF motor.
 Alternative Energy Supply: N/A
 Ventilation: No mechanical ventilation
 "Common Areas".

ENERGY OPTIONS - DWELLINGS
 Ventilation:
 Induction: Launches 3 Kitchen Exhausts each
 300cfm, manual "on/off"
 Gas/Gly:
 Air conditioners 3 phase, 3.0 3.5 BERT to Living &
 Bed areas
 Free/Gly:
 Air conditioners 3 phase, 3.0 3.5 BERT to Living &
 Bed areas
 Water Heating: Individual gas instantaneous 4.0
 Star
 Energy Efficient Lighting: Compact Fluorescents
 LED lights in rooms
 Cooking: Induction cook top, electric oven
 Refrigerator space: Well ventilated
 Dishwashers / Clothes dryers 3 if N/A
 Glides: washers: Not noted

NOTES:



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John Deakin John Pyle Ltd AGENT 04 002 71 2 000

Nominated Architect
Brian Meyers
Registration Number 49

PROJECT ADDRESS:
**629-631 OLD SOUTH HEAD RD ROSE
BAY**

DRAWING TITLE:
LEVEL 2 PLAN

PROJECT NUMBER: DWG NUMBER:

19-062 A1.04

ISSUE DATE: REVISION:

MAR 20 B

DRAWN BY: _____ CHECKED: _____

TQ 270 BM

SCALE: 1:100

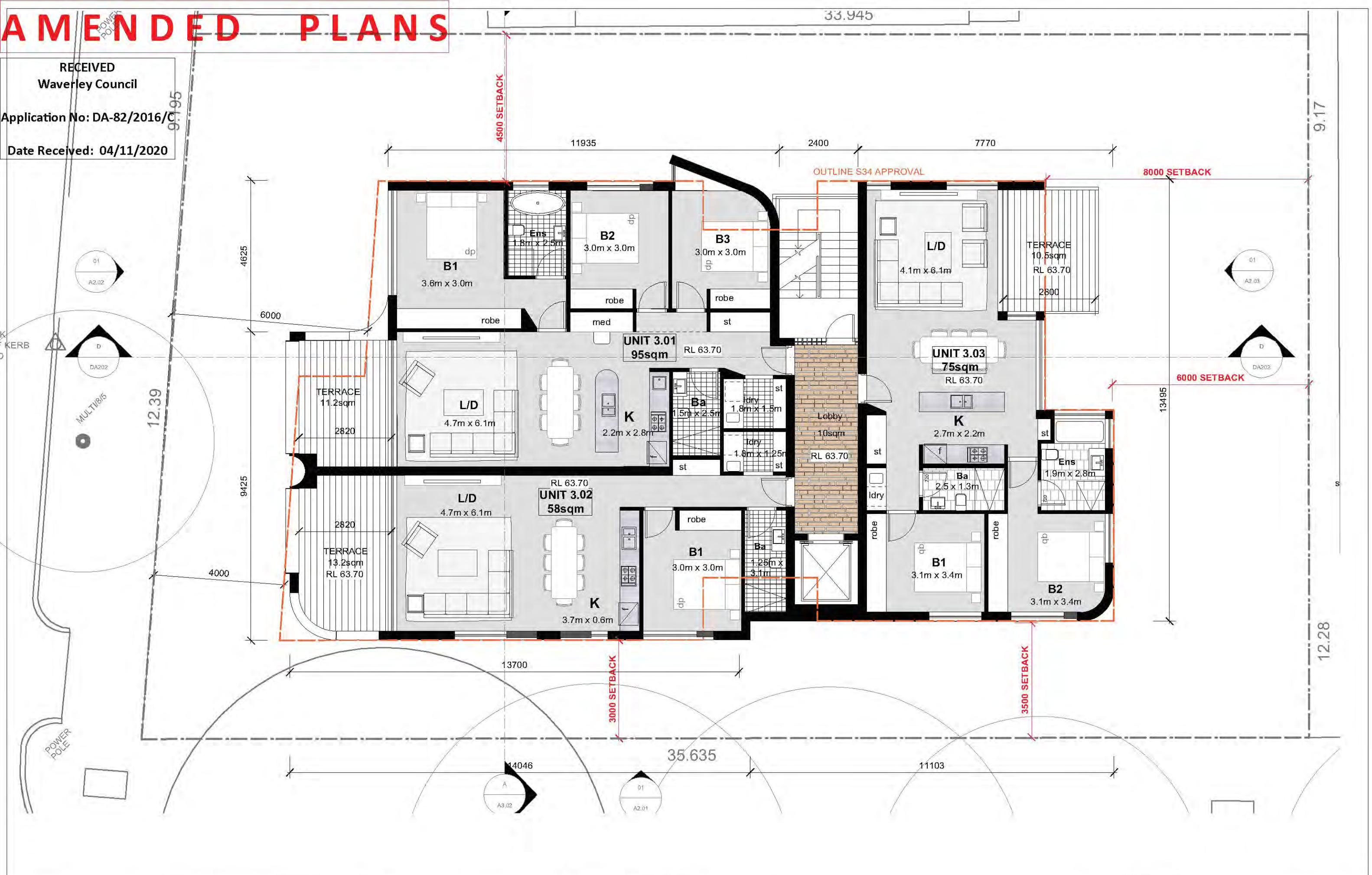
278

AMENDED PLANS

RECEIVED
Waverley Council

Application No: DA-82/2016/C

Date Received: 04/11/2020



A	ISSUED FOR \$4.56	3/7/20
B	UPDATED INFORMATION FOR COUNCIL	28/10/20

GENERAL NOTES
1. ALL WORKS TO
AUSTRALIAN STANDARDS

GENERAL NOTES

1. ALL WORKS TO BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA, AUSTRALIAN STANDARDS, STATUTORY REGULATIONS AND LOCAL AUTHORITY REGULATIONS. INCLUDES CONSIDERATION OF CONSERVATION.
2. ONOT SCALE OF THIS DRAWING. ONLY USE DIMENSIONS PROVIDED.
3. CONTRACTOR TO VERIFY ALL DIMENSIONS ON SITE PRIOR TO COMMENCING WORK.
4. MINOR VARIATIONS TO BE MADE IN CONNECTION WITH ALL CONTRACT DOCUMENTS TO ALI. CONSULTATION.
5. CONTRACTOR TO NOTIFY IN WRITING OF ANY DISCREPANCIES, OMISSIONS, INCONSISTENCIES, OR THE NEED FOR CLARIFICATION PRIOR TO MANUFACTURING.
6. CONTRACTOR TO ENSURE COORDINATION BETWEEN MATERIALS IS MAINTAINED.
7. MINOR TO REMAIN. CONTRACTOR TO OBTAIN GRAPHS / SETTING OUT PRIOR TO COMMENCEMENT.
8. PROGRESS WORKS TO BE SUPERVISED AND APPROVED FOLLOWING SUBMISSION AND ACCEPTANCE TO BE AVOIDED OF ANY DISCREPANCIES PRIOR TO CONTRACT PROCEEDING WITHIN THE SITE.

BASIC NOTES

WATER OPTIONS:
Landscaping vegetation:
Common: 145m² lawn + 50m² gardens
Private: (as per chs class)
Rainwater tank:
Not required by BASIX.
Dishwashing hets / Clothes washers:
"0" / "2.5"
Toilets, Shower heads, Taps:
Showerheads "3" (@ 0.7 L/min), Toilets
"4",
Kitchen Taps "4", Bathroom Taps "4".

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THERMAL OPTIONS

Roof:
Metal deck with R1.0 insulation blanked to underside
Concrete to selected roof areas.
"Medium" colour.

Ceiling:
Minimum R6.0 insulation to ceilings with metal deck
Minimum R2.5 insulation with concrete roof or cardboard
Rafted with sealed exhaust ventilation. Not treated with
External Waller.

Cavity brick: "Light" colour to all except Unit 4.01 &
6. Metal cladding: "Medium" colour to Unit 4.01 & all
Units 1 to 1.02, 2.02 & 3.02; R1.0 insulation to all external
Unit 4.01, up level 4.02; R1.5 insulation to all wall
Internal waller.

Brick within dwellings.
Concrete "pale walls".

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ENERGY OPTIONS - COMMON AREAS
 "Common Areas" identified:
 Car-park; Garage Room; Plant room; Switch room;
 ground floor lobby; hallways; JIL
 Lighting
 Fluorescents to car parks with daylight + motion
 sensors. Compact fluorescents to plant, switch & garage

ENERGY OPTIONS - COMMON AREAS
 "Common Areas" identified:
 LED to ground floor lobby & hallways with daylight + motion sensors.
 Lift system:
 Gearless traction with VVVF motor.
 All other five Energy Supply: N/A
 Ventilation: No mechanical ventilation
 "Common Areas".

ENERGY OPTIONS - DWELLING

Ventilation:
Bathrooms & Laundries & Kitchens: Exhausts sealed & ducted, manual "on/off".
Cooling:
Air conditioners, 3 phase, "3.0 3.5 EER" to Living & Bed areas.
Heating:
Air conditioners, 3 phase, "3.0 3.5 EER" to Living & Bed areas.
Water Heating: Individual gas instantaneous, 4.0 "Star".
Energy Efficient Lighting: Compact fluorescents or LED to all rooms.
Cooking: Induction cook top, electric oven.
Refrigerator space: Well ventilated.
Dishwashers / Clothes dryer: 3 B/H A.
Clothes washers: MTD rated.

NOTES:



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Nominated Architect
Brian Mayerson

MHNDU Design & Architecture Pty Ltd A/NZ INC 152 212 082 NSW Registration Number: 4307

PROJECT ADDRESS:
**629-631 OLD SOUTH HEAD RD ROSE
BAY**

DRAWING TITLE:
LEVEL 3 PLAN

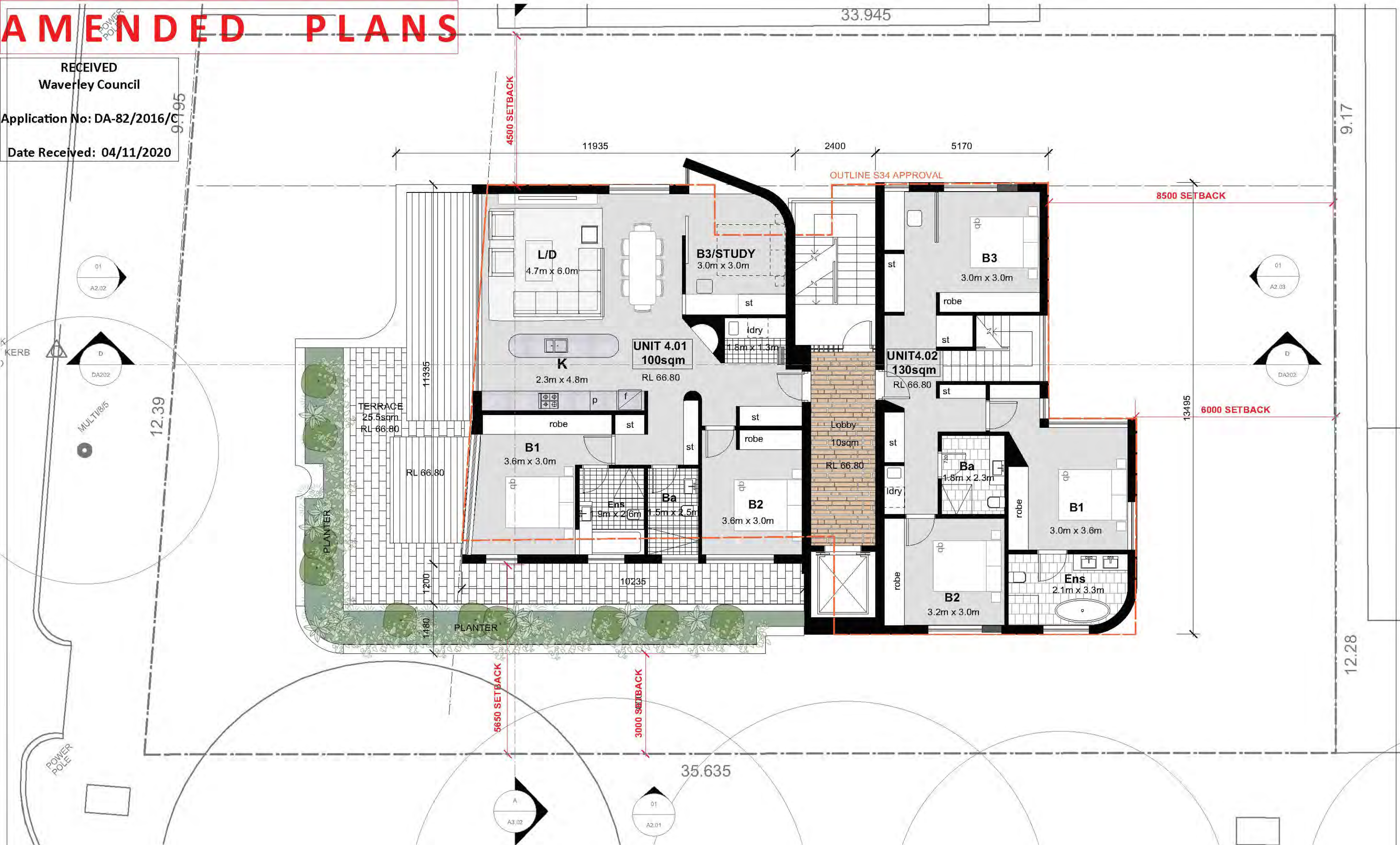
PROJECT NUMBER: DWG NUMBER:
19-062 **A1.05**
 ISSUE DATE: REVISION:
 MAR 20 **B**
 DRAWN BY: CHECKED:
 TQ **279** RM
 SCALE: 1:100

AMENDED PLANS

RECEIVED
Waverley Council

Application No: DA-82/2016/C

Date Received: 04/11/2020



A	ISSUED FOR \$4.56	3/7/20
B	UPDATED INFORMATION FOR COUNCIL	28/10/20

GENERAL NOTES

1. ALL WORKS TO AUSTRALIAN STANDARDS REQUIREMENTS.
2. DO NOT SCALE.
3. CONTRACTOR TO WORK.
4. MINOR CRACKS OCCURENCE FROM
5. CONTRACTOR TO INCONSISTENT MANUFACTURING.
6. CONTRACTOR TO MAINTAIN
7. MINOR TO REVIEW PRIOR TO CONSTRUCTION.
8. PROGRESS WORKSOLUTION AND A TO CONTRACTOR.

BASIC NOTES

WATER OPTIONS

Landscaping Vegetation:

Common: 145m2 lawn + 50m2 gardens

Private: (as per ches Klaf.)

Rainwater tank:

Not required by BASIX.

Dishwasher / Clothes washers:

"1" / 2.8.

Toilets, Showerheads, Taps:

Showerheads "3" (10.7.5 L/min), Toilets "4".

Kitchen Taps "4", Bathroom Taps "4".

Thermal options

Roofs:
 Metal deck with R1.0 insulation blanket is undesirable.
 Concrete is selected roof area.
 "Medium" colour.

Ceilings:
 Minimum R4.0 insulation to ceilings with metal deck.
 Minimum R2.5 insulation with concrete roof or balcony.
 Rated with sealed or airtight ventilation. Not rated with
 Exposed steel.

Walls:
 Cavity brick: "Light" colour outside, all except U1.0 & U1.1
 Metal cladding: "Medium" colour to U1.0 & U1.1 & upper
 U1.0, U1.2, U1.2, U1.2 - R1.0 insulation to all exterior &
 U1.0, U1.0, upper level 4, U1.0: R1.0 insulation to all walls
 Internal walls:
 Brick within dwellings.
 Concrete "fairly walls".

THERMAL OPTIONS
Floors:
Concrete throughout with timber & tile on
Glazing:
APRC: Uw=6.70, SHGC=0.57 is all silver
eg aluminium framed single glazed clear
APRC: Uw=6.70, SHGC=0.70 is all silver
glazing
eg aluminium framed single glazed clear

ENERGY OPTIONS - COMMON AREAS
"Common Areas" identified:
Garage, Garbage Room, Plant room, S
ground floor lobby, hallway, lift
Lift Entry
Fluorescents in car parks with daylight
sensors. Compact fluorescent in plant

ENERGY OPTIONS - COMMON AREAS
 "Common Areas" identified:

- LED to ground floor lobby & hallways with daylight
- motion sensors
- Lift systems
- Geofence track-in with WWF radar
- Altera & Eve Energy Supply: N/A
- Ventilated on: No mechanical ventilation
- "Common Areas"

ENERGY OPTIONS - DWELLINGS
Vertical Gen:
 Bathrooms: Laundries & Kitchens: Exhaust sealed & ducted, manual "on/off".
 Cooling:
 Air conditioners, 3 phase, 3.0 3.5 BEE* to Living & Bed areas.
 Heat loss:
 Air conditioners, 3 phase, 3.0 3.5 BEE* to Living & Bed areas.
 Water Heating: Individual gas instantaneous, 4.0 "Star".
Energy Efficient Lighting: Compact Fluorescents or LEDs in all rooms.
 Cooking: Induction cook top, electric oven, Refrigerator space: Well ventilated.
 Dishwashers / Clothes dryers & G/N/A
 Clothes washers: Not rated.

NOTES:



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MHNDU Design: Martin P. W. Ltd. A/NZ INC 002 27 082 NSW Registration Number: 4307

Nominated Architect
Brian Mayerson

PROJECT ADDRESS:
**629-631 OLD SOUTH HEAD RD ROSE
BAY**

DRAWING TITLE:
LEVEL 4 PLAN

PROJECT NUMBER: **19-062** DWG NUMBER: **A1.06**
 ISSUE DATE: MAR 20 REVISION: **B**
 DRAWN BY: TQ CHECKED: BM
 SCALE: 1:100

AMENDED PLANS

RECEIVED
Waverley Council

Application No: DA-82/2016/C

Date Received: 04/11/2020

33.945

9.17

12.28

35.635

OUTLINE S34 APPROVAL

9000

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01
A2.02

DA202

MULTI/8/5

01

A2.02

DA202

MULTI/8/5

01

A2.03

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A3.02

A3.02



A21

A ISSUED FOR \$4.56
B UPDATED INFORMATION FOR COUNCIL

3/7/20
28/10/20

GENERAL NOTES

1. ALL WORKS TO AUSTRALIAN STANDARDS REQUIREMENTS.
2. DO NOT SCALE.
3. CONTRACTOR TO WORK.
4. MINOR DRAIN DOCUMENTS PROVIDED.
5. CONTRACTOR TO INCONSISTENCIES MANUFACTURING.
6. CONTRACTOR TO MAINTAINED.
7. MINOR TO REV PRIOR TO CONSTRUCTION.
8. PROGRESS WORKSOLUTION AND A TO CONTRACTOR.

BASIC NOTES

WATER OPTIONS
Landscaping vegetation:
Common: 140m² lawn + 50m² gardens
Private (as per ches/High).
Rainwater tanks
Not required by BASIX.
Dishwashers / Clothes washers:
"3.0" / "2.3".
Toilets, Showerheads, Taps:
Showerheads "3" (S 0.7 S/L/min). Toilets
"4".
Kitchen Taps "4", Bathroom Taps "4".

THERMAL OPTIONS

Internal up stairs

Roof:
Metal deck with R1.0 insulation blankets to underside
Concrete to selected roof areas.
"Medium" colour.

Ceilings:
Minimum R6.0 insulation to ceilings with metal deck
Minimum R2.5 insulation with concrete roof or balustrade
Railed with sealed exhaust ventilation. Not rated with
External Wall:

Cavity brick: "Light" colour to all except Unit 4.01 &
Metal cladding: "Medium" colour to Unit 4.01 &
Units 1.02, 2.02, 3.02: R1.0 insulation to all external
Unit 4.01, up level 4.02: R1.5 insulation to all wall
Internal wall:

Brick within dwellings:
Concrete "pale walls".

THERMAL OXIDATION

Finishes:
Concrete throughout with timber & tile covering.
Glazing:
AFRC: Uv- 6.70, SHG C-0.57 to all sining glazing
eg aluminium framed single glazed clear glass.
AFRC: Uv- 6.70, SHG C- 0.70 to all sliding, fixed and
glazing
eg aluminium framed single glazed clear glass.

ENERGY OPTIONS - COMMON AREAS
Common Areas identified:
Car-park; Garbage Room; Plant room; Switch room;
ground floor lobby; hallway; HL
Lighting:
Fluorescents in car parks with daylight + motion
sensors. Compact fluorescent to plant, switch & garage

ENERGY OPTIONS - COMMON AREAS

LED to ground floor lobby & hallways with daylight + motion sensors.
Lift system:
Geostack traction with VVVF motor.
Alternative Energy Supply: N/A
Ventilation: No mechanical ventilation
"Common Areas".

ENERGY OPTIONS - DWELLING

Bathrooms + Laundries + Kitchens: Exhausts sealed & ducted, manual "on/off".
 Cooling:
 Air conditioners, 3 phase, 3.0-3.5 EER* to Living & Bed areas.
 Heating:
 Air conditioners, 3 phase, 3.0-3.5 EER* to Living & Bed areas.
 Water Heating: Individual gas instantaneous, 4.0 Star.
 Energy Efficient Lighting: Compact fluorescent or LED to ALL rooms.
 Cooking: Induction cook top, electric oven.
 Refrigerator space: Well ventilated.
 Dishwashers / Clothes dryer: 3 & 4 MJA.
 Clothes washers: Not ruled.

NOTES



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MHNDU Design Studio Pty Ltd A/N 140 012 271 082 NSW Registration Number: 4903

PROJECT ADDRESS:
**629-631 OLD SOUTH HEAD RD ROSE
BAY**

DRAWING TITLE:
LEVEL 5 PLAN

PROJECT NUMBER: 19-062 DWG NUMBER: A1.07
ISSUE DATE: MAR 20 REVISION: B
DRAWN BY: TQ CHECKED: BM
SCALE: 1:100

AMENDED PLANS

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Application No: DA-82/2016/C

Date Received: 04/11/2020

33.945

9.17

1228

ROOF
RL 73.00

AWNING

FALL 1deg

ROOF
RL 73.00

ROOF
RL 72.60

35.635

2016/12/15

2/15

A ISSUED FOR \$4.56

3/07/20

GENERAL NOTES

1. ALL WORKS TO AUSTRALIAN STANDARDS REQUIREMENTS.

2. O.O NOT SCALE

3. CONTRACTOR TO WORK

4. MINIMUM DRAWING DOCUMENTS PROVIDED

5. CONTRACTOR TO INCONSISTENCIES MANUFACTURING.

6. CONTRACTOR TO MAINTAIN

7. MINIMUM TO REVIEW PRIOR TO CONSTRUCTION

8. PROGRESS WORK DISCUSSION AND APPROVAL TO CONTRACTOR

BASIX NOTES
WATER OPTIONS
Landscape Vegetation
Common: 145m² lawn
Private: (as per choice)
Rainwater tank
Not required by BAS
Dishwashers 1/1000
"3.0" / 2.5,
Toilets, Showerheads
Showerheads "3" / 2.5
"4",
Kitchen Taps "4", B

THERMAL OPTIONS
Roof:
Metal deck with R1.0
Concrete to selected
"Medium" colour.
Ceilings:
Minimum R4.0 Insul
Minimum R2.5 Insul
Rafter with sealed ex
External Walls:
Cavity brick "Light"
Metal cladding: Med
Units 1.02, 2.02, 3.02
Unit 4.01, upper level
Internal walls:
Brick within dwellings.
Concrete 'party walls'

THERMAL OPTIONS:
Floors:
Concrete throughout
Glazing:
AFRC: Uv= E-70, SH
eg aluminium frames
AFRC: Uv= E-70, SH
glazing:
eg aluminium frames

ENERGY OPTIONS:
Common Areas: Ideal
Car-park: Garbage
ground floor lobby; h
Lighting:
Fluorescents to car p
sensors. Compact f
sensors with manual

- o covering
- o wiring glazing
- o ear glass
- o sliding, fixed and lowered
- o ear glass

2.5

- o Switch room;
- o + motion
- o switch & garbage

ENERGY OPTIONS - COMMON AREAS
 "Common Areas" Identified:
 LED to ground floor lobby & hallways with daylight + motion sensors.
 Lift systems:
 Gearless traction with VVVF motor
 Allmeva five Energy Supply/ IWA
 Ventilation: No mechanical ventilation
 "Common Areas".

ENERGY OPTIONS - DWELLINGS
 Ventilation:
 Bathrooms: Laundries & Kitchens: Exhaust sealed & ducted, manual "on/off".
 Cooling:
 Air conditioners, 3 phase, 3.0 3.5 BEE* to Living & Bed areas.
 Heat pumps:
 Air conditioners, 3 phase, 3.0 3.5 BEE* to Living & Bed areas.
 Water Heating: Individual gas instantaneous, 4.0 Star.
 Energy Efficient Lighting: Compact Fluorescents or LED's in all rooms.
 Cooking: Induction cook top, electric oven, Refrigerator space: Well ventilated.
 Dishwashers / Clothes dryers & G/N/A
 Clothes washers: Not rated.

NOTES:



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MHNDU Design: Martin Heide ARTS 90 002 71 000 NSW Registration Number: 4007

PROJECT ADDRESS:
**629-631 OLD SOUTH HEAD RD ROSE
BAY**

DRAWING TITLE:
ROOF PLAN

PROJECT NUMBER: DWG NUMBER:
19-062 **A1.08**
 ISSUE DATE: REVISION:
 MAR 20 **A**
 DRAWN BY: CHECKED:
 TQ BM
 SCALE: **282**
 1:100

AMENDED PLANS

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Waverley Council

Application No: DA-82/2016/C

Date Received: 04/11/2020

DEEP SOIL LANDSCAPE AREA
131.5sqm

LANDSCAPE AREA 214.6sqm

LANDSCAPE AREA
31sqm

LANDSCAPE AREA
49sqm

LANDSCAPE AREA
25.sqm

LANDSCAPE AREA
20.4sqm

A ISSUED FOR \$4.56

3/07/20

GENERAL NOTES

1. ALL WORKS TO AUSTRALIAN STANDARDS REQUIREMENTS.
2. O-NOT SCALE
3. CONTRACTOR TO WORK
4. MINOR DRAWING DOCUMENTS FROM
5. CONTRACTOR TO INCONSISTENCIES IN MANUFACTURING.
6. CONTRACTOR TO MAINTAINED
7. MINOR TO REV PRIOR TO CONSTRUCTION
8. PROGRESS WORKSOLUTION AND A
9. TO CONTRACTOR

BASIX NOTES
WATER OPTIONS
Landscaping vegetable
Common: 145m2
Private: (as per chm)
Rainwater tank
Nol required by BASIX
Disinfectant / Chlorine
"3.0" / 2.5
Toilets, Showers
Showerheads "3" (if
"4",
Kitchen Taps "4", B

THERMAL OPTIONS
Roof:
Metal deck with R1.0.
Concrete is selected as
"Medium" colour.
Ceilings:
Minimum R4.0 insulated
Minimum R2.5 insulated
Raked with sealed edge
External Walls:
Cavity brick, "Light" or
Metal cladding, 2002
Units 1.02, 2.02, 3.02
Unit 4.01, upper level
Internal walls:
Brick within dwellings.
Concrete 'party walls'.

THERMAL OPTIONS:
Floors:
Concrete throughout
Glazing:
APRC: Uvw- E-70, S7
eg aluminium frames
APRC: Uvw- E-70, S7
glazing:
eg aluminium frames

ENERGY OPTIONS:
"Common Areas" idea
Car-park: Garbage R
ground floor lobby; h
Lighting:
Fluorescents in car p
sensors. Compact fl
rooms with manual

ENERGY OPTIONS - COMMON AREAS
 "Common Areas" identified:
 LED to ground floor lobby & hallways with daylight + motion sensors.
 LIFT systems:
 Gearless traction with VVVF motor.
 Alternative Energy Supply: N/A
 Ventilation: No mechanical ventilation
 "Common Areas".

ENERGY OPTIONS - DWELLINGS
Heating:
 Bathrooms + Landings + Kitchens: Electric sealed & double, manual (1 unit)
 Gas/ing:
 Air conditioner, 3 phase, 3.0 3.5 BERT to Living & Bed areas
 Living & Bed areas
 Air conditioner, 3 phase, 3.0 3.5 BERT to Living & Bed areas
 Water Heating: Individual gas instantaneous, 4.0 Star
Energy Efficient Lighting: Compact fluorescent or LED for all rooms
Cooking: Induction cook top, electric oven
Refrigerator space: Well ventilated
Dishwashers / Clothes driers: 3 or N/A
 Glitters washers: Not rated

NOTES:



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MHNDU Design: Martin Perle Ltd. A/NZ INC 002 271 082

Nominated Architect
Brian Meyerson

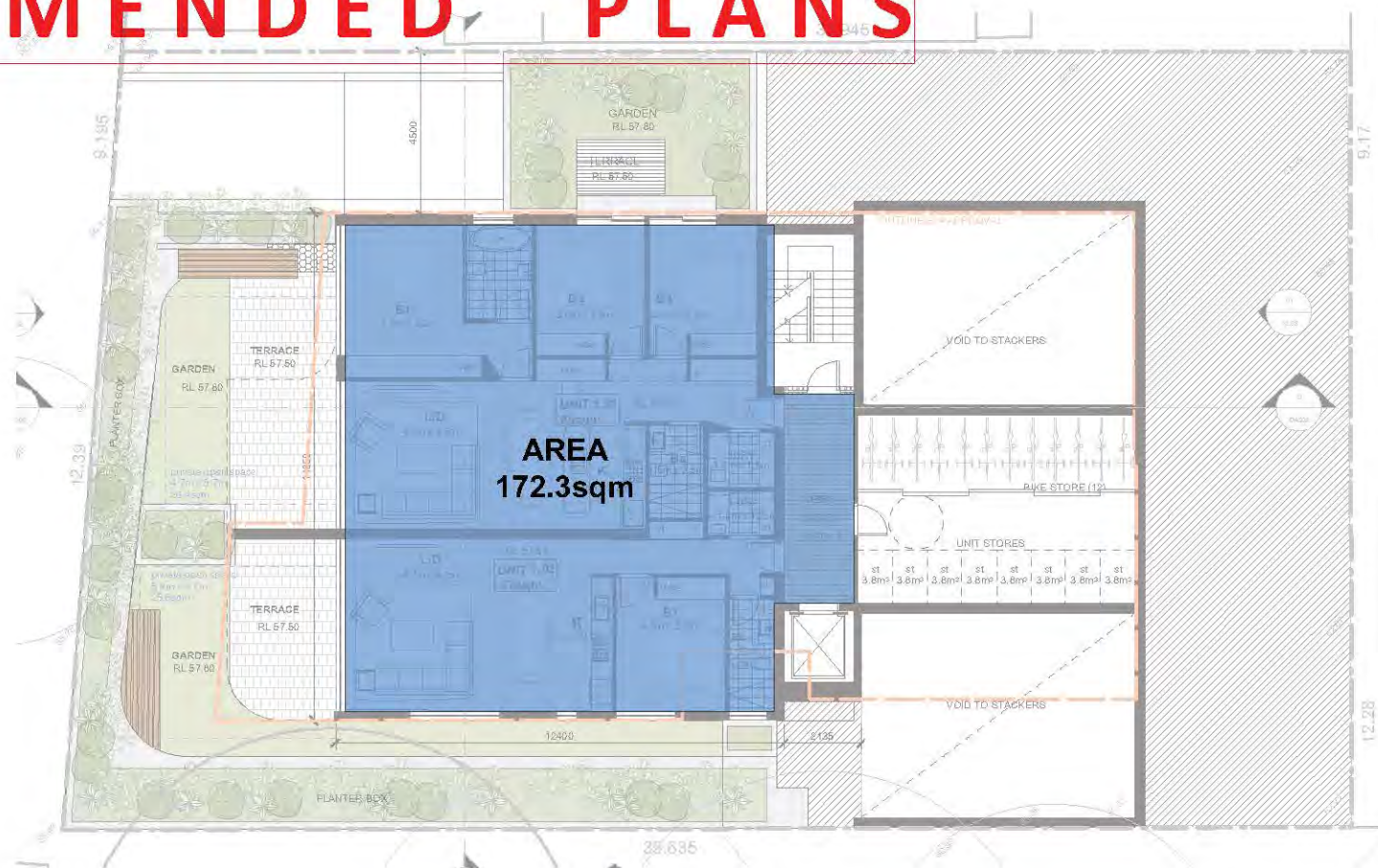
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PROJECT ADDRESS:
**629-631 OLD SOUTH HEAD RD ROSE
BAY**

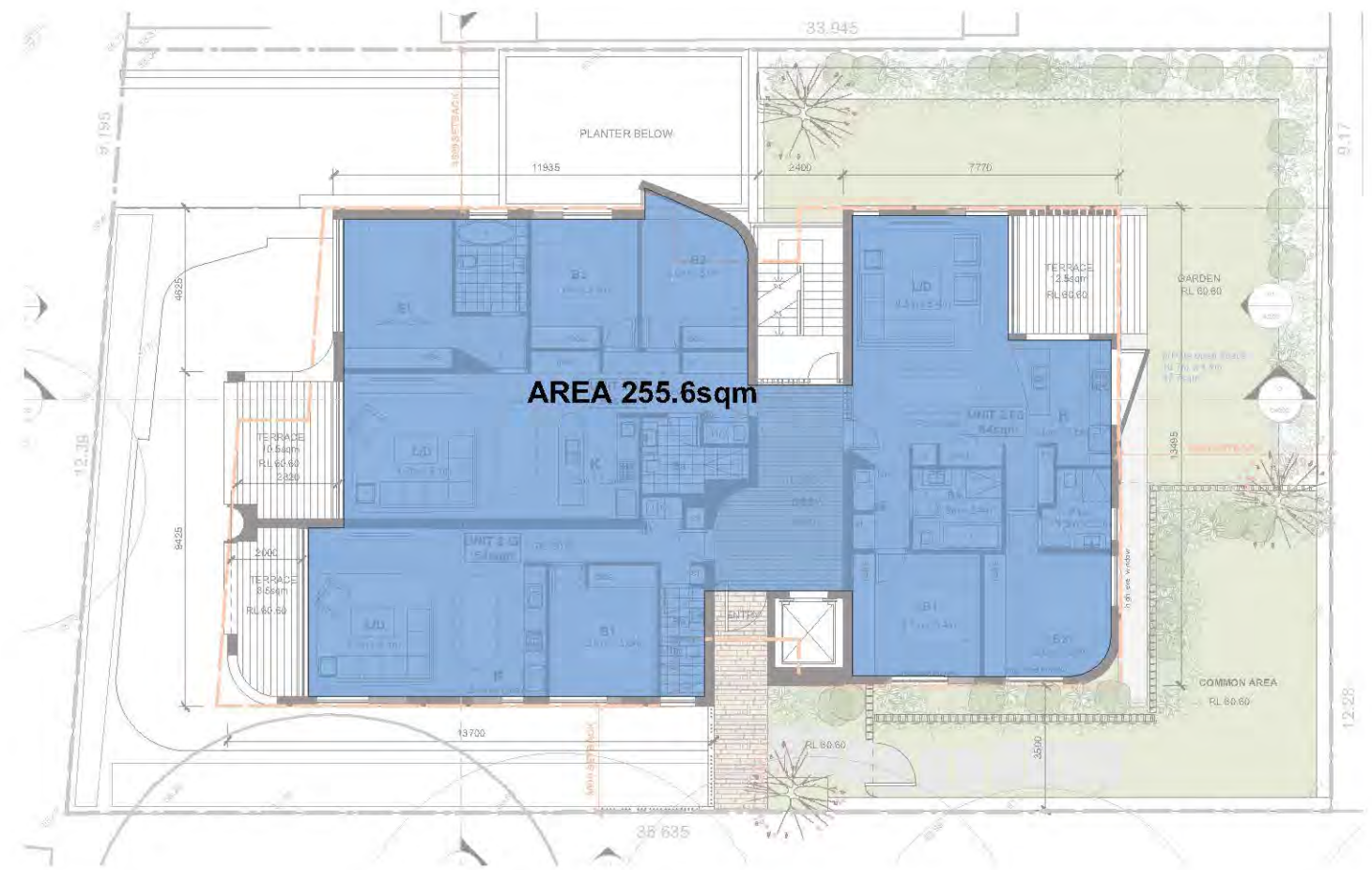
DRAWING TITLE:
LANDSCAPE AREAS

PROJECT NUMBER: DWG NUMBER:
19-062 A1.09
 ISSUE DATE: REVISION:
 MAR 20 **A**
 DRAWN BY: CHECKED:
 TQ BM
 SCALE: **283**
 1:100

AMENDED PLANS



LEVEL 1



LEVEL 2



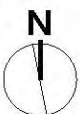
LEVEL 3

RECEIVED
Waverley Council

Application No: DA-82/2016/C

Date Received: 04/11/2020

A ISSUED FOR \$4.56



8/07/20

GENERAL NOTES

1. ALL DRAWINGS TO BE IN ACCORDANCE WITH THE BUILDING CODE OF ALBERTA AND THE CANADIAN STANDARDS, STATUTORY REGULATIONS AND LOCAL AUTHORITY REQUIREMENTS, INCLUDING CONDITIONS OF CONTRACT.
2. OWNER SCALE OF THIS DRAWING: ONLY US DIMENSIONS PROVIDED.
3. CONTRACTOR TO VERIFY ALL DIMENSIONS ON SITE PRIOR TO COMMENCING CONSTRUCTION.
4. IN-HOUSE DRAWINGS TO BE READ IN CONJUNCTION WITH ALL CONTRACT DOCUMENTS FROM ALL CONSULTANTS.
5. CONTRACTOR TO NOTIFY MANAGER OF ANY DISCREPANCIES, DIMENSIONAL INADEQUACIES, OR THE NEED FOR CLARIFICATION PRIOR TO MANUFACTURING.
6. CONTRACTOR TO ENSURE COEXISTENCE BETWEEN MATERIALS IS MAINTAINED.
7. INQUIRY TO REVIEW ALL CONTRACTOR'S OBTAINED DRAWINGS / SETTING OUT PRIOR TO CONSTRUCTION.
8. PROGRESS WORKS TO BE VERIFIED AGAINST DRAWINGS FOLLOWING COMPLETION OF EACH PHASE TO CORRECT ANY DISCREPANCIES PRIOR TO CONTRACTOR PROCEEDING WITH NEXT TRADE.

BASIC NOTES

WATER OPTIONS
Landscape vegetation:
 Common: 145m2 lawn + 50m2 gardens
 Private: (as per checklist)
 Rainwater tank
 Not required by BASIX
 D is twas hers / Clothes washers:
 "10" / 2-3
 Toilets, Showers, Baths, Taps:
 Showerheads "3" (E 0.7.5 L/min), Toilets
 "4",
 Kitchen Taps "4", Bathroom Taps "4".

0.000000

THERMAL OPTIONS
Roof:
 Metal deck with R1.0 insulation blanked to underside
 Concrete to selected roof areas.
 Medium colour.
Ceilings:
 Minimum R4.0 insulation to ceilings with metal deck
 Minimum R2.5 insulation with concrete roof or balustrade
 Railed with sealed sheet ventilation. Not railed with
 External Walltie.
Cavity brick: "Light" colour to all except Unit 4.01 & 4.02
 Metal cladding: Medium colour to Unit 4.01 & upper
 Unit 1.02, 2.02 & 3.02; R1.0 insulation to all external
 Unit 4.01, upper level 4.02; R1.5 insulation to all wall
 internal walls.
 Brick within dwellings.
 Concrete 'purity walls'.

Thermal Options
Floors:
Concrete throughout with timber & tile covering
Ceilings:
AFRC Uv-670, SHGC-057 to all wiring glazing
eg aluminium framed single glazed clerestory.
AFRC Uv-670, SHGC-070 to all sliding, fixed area
glazing
eg aluminium framed single glazed clearglass.

Energy Options - Common Areas
Common Areas identified
Garage; Garbage Room; Plant room; Switch room;
ground floor lobby; hallway; lift
Lighting:
Fluorescents to car parks with daylight + motion
sensors. Compact Fluorescents to plant, switch & garage

ENERGY OPTIONS - COMMON AREAS
 "Common Areas" identified:
 LED to ground floor lobby & hallways with daylight + motion sensors.
 LIFT systems
 Gearless traction with VVVF motor.
 Alternative Energy Supply: N/A
 Ventilation: No mechanical ventilation
 "Common Areas".

ENERGY OPTIONS - DWELLINGS

Verbiage:
 Bathrooms + Landries + Kitchens: Exhausts sealed & ducted, manual "on/off".
 Gas/ing:
 Air conditioners, 2 phase, 3.0 3.5 EER* to Living & Bed areas
 Heat/ing:
 Air conditioners, 2 phase, 3.0 3.5 EER* to Living & Bed areas
 Water Heating: Individual gas instantaneous, 4.0 "Star".
 Energy Efficient Lighting: Compact fluorescent or LED in ALL rooms.
 Cooking: Induction cook top, electric oven.
 Refrigerator space: Well ventilated.
 Dishwashers / Clothes dryer 3 B / N/A
 Clothes washer: Not rated.

NOTES:



MHNDUNION

29 HILTON STREET
SUNRISE HILLS SYDNEY NSW 2010

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www.mhndu.com

MHN Design Works Pty Ltd ABN 68 002 271 082 NSW Registration Number 4307

Nominated Architect
Brian Mayerson

PROJECT ADDRESS:
**629-631 OLD SOUTH HEAD RD ROSE
BAY**

DRAWING TITLE:
AREA CALCULATIONS

PROJECT NUMBER: 9-062 DWG NUMBER: A1.10
 ISSUE DATE: MAR 20 REVISION: A
 DRAWN BY: QM CHECKED: BM
 SCALE: 100 284

AMENDED PLANS

RECEIVED
Waverley Council

Application No: DA-82/2016/C

Date Received: 04/11/2020



LEVEL 4



LEVEL 5

A ISSUED FOR \$4.56

3/07/20

GENERAL NOTES

1. ALL WORKS TO AUSTRALIAN STANDARD REQUIREMENTS.
2. O NOT SCALE
3. CONTRACTOR TO WORK
4. MINOR DRAIN OCCURENCS FROM
5. CONTRACTOR TO INCONSISTENCIES MANUFACTURING
6. CONTRACTOR TO MAINTAINED
7. MINOR TO REV PRIOR TO CONSTR
8. PROGRESS AND SOLUTION AND A TO CONTRACTOR

BASIX NOTES
WATER OPTIONS
Landscape vegetation
Common: 14.5m² lot
Private: (as per chert)
Rainwater tank
Not required by BASIX
Disinfectant / Chlorine
"3.0" / 2.9
Toilets, Showers
Showerheads "3" (1)
"4"
Kitchen Taps "4", B

THERMAL OPTIONS
Roof:
Metal deck with R1.0.
Concrete to selected
"Medium" colour.
Ceilings:
Minimum R4.0 insul.
Minimum R2.5 insul.
Raked with sealed ext.
External Walls:
Cavity brick, "Light" or
Metal cladding; Min.
Units 1.02, 2.02, 3.02
Unit 4.01, upper level
Internal wall:
Brick with in dwellings.
Concrete 'party walls'.

THERMAL OPTIONS:
Floors:
Concrete throughout
Glazing:
APRC: U_{av}=5.70, S_{av}
eg aluminium framed
APRC: U_{av}=5.70, S_{av}
glazing:
eg aluminium framed

ENERGY OPTIONS:
Common Areas: Ideal
Car-park: Garbage Room
ground floor lobby; h
Lighting:
Fluorescents in car p
sensors. Compact fl
rooms with manual

: ceiling
 nining glass
 eerglass
 iding, fixed and lo
 eerglass
 AS
 : Switch room;
 f + motion
 l switch & garbage

ENERGY OPTIONS - COMMON AREAS
 "Common Areas" identified:
 LED to ground floor lobby & hallways with daylight + motion sensors.
 Lift systems:
 Gearless traction with VVVF motor.
 Alternative Energy Supply: N/A
 Ventilation: No mechanical ventilation
 "Common Areas".

ENERGY OPTIONS - DWELLINGS
 Water heating:
 Bathrooms + Laundry + Kitchen: Exhaust sealed & ducted, manual "on/off".
 Goolgong:
 Air conditioner, 3 phase, 3.0 SLS BERT* to Living & bed areas.
 Healyton:
 Air conditioner, 3 phase, 3.0 SLS BERT* to Living & bed areas.
 Water Heating: Individual gas instantaneous, 4.0 Star.
 Lighting: Efficient Lighting: Compact Fluorescents or LED for all lights.
 Cooking: Induction cook top, electric oven.
 Refrigerator space: Well ventilated.
 Dishwashers / Clothes dryers 3 & 9 A.
 Glitters washers: Not rated.

NOTES:



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www.mhndu.com
MHND Design (Australia) Pty Ltd. A/N 04 002 71 082 NSW Registration Number 4307

PROJECT ADDRESS:
**629-631 OLD SOUTH HEAD RD ROSE
BAY**

DRAWING TITLE:
AREA CALCULATIONS

PROJECT NUMBER: **19-062** DWG NUMBER: **A1.11**
 ISSUE DATE: MAR 20 REVISION: **A**
 DRAWN BY: TQ CHECKED: BM
 SCALE: 1:100

AMENDED PLANS

SEPP 65 DIAGRAMS

RECEIVED

Waverley Council

Application No: DA-82/2016/C

Date Received: 04/11/2020

SEPP 65 BREAKDOWN

UNIT	SOLAR	CROSS VENT.
1.01	YES	YES
1.02	YES	YES
2.01	YES	YES
2.02	YES	YES
2.03	YES	YES
3.01	YES	YES
3.02	YES	YES
3.03	YES	YES
4.01	YES	YES
4.02	YES	YES

STORAGE (m³)

UNIT	INTERNAL	EXTERNAL	TOTAL
1.01/3B	6.0	6.9	13.9
1.02/1B	3.865	6.9	10.76
2.01/3B	4.22	6.9	11.12
2.02/1B	1.71	6.9	8.61
2.03/2B	5.56	6.9	12.46
3.01/3B	5.97	6.9	12.57
3.02/1B	3.6	6.9	10.5
3.03/2B	3.5	6.9	10.4
4.01/2B	9.53	0	9.53
4.02/3B	10.89	0	10.89

WASTE MANAGEMENT

240L GENERAL WASTE GARBAGE	6
240L RECYCLING	6
240L GREEN WASTE	1

GROUND FLOOR

FIRST FLOOR

NOTES



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www.mhndll.com
Nominated Architect
Brian Meyerson
NSW Registration Number 4903

PROJECT ADDRESS:
**629-631 OLD SOUTH HEAD RD ROSE
BAY**

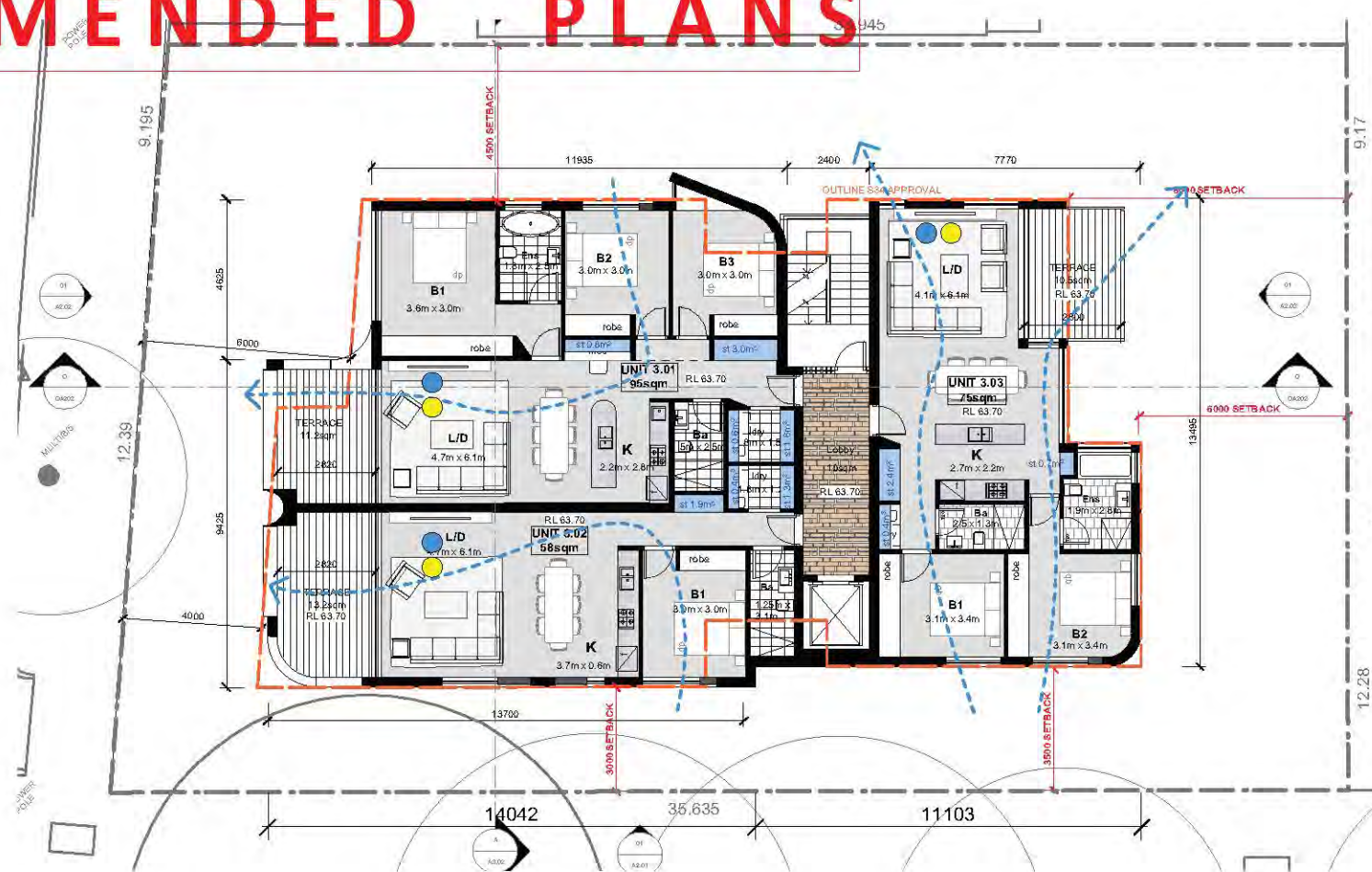
DRAWING TITLE:
LEVEL 2 PLAN

PROJECT NUMBER:	DWG NUMBER:
19-062	A1.04

DRAWN BY: TQ
CHECKED: BM
SCALE: 1:100
286

286

AMENDED PLANS

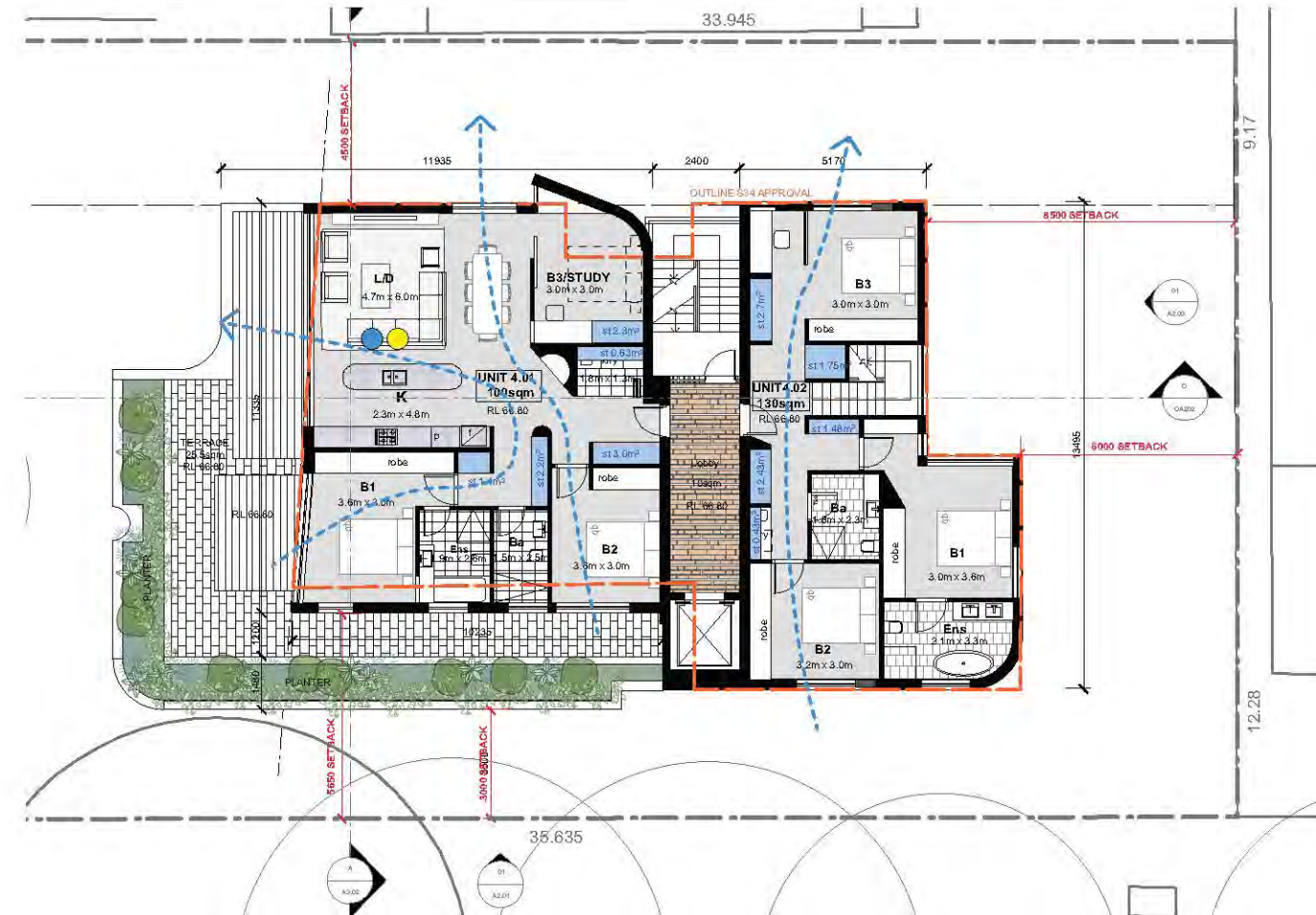


LEVEL 3

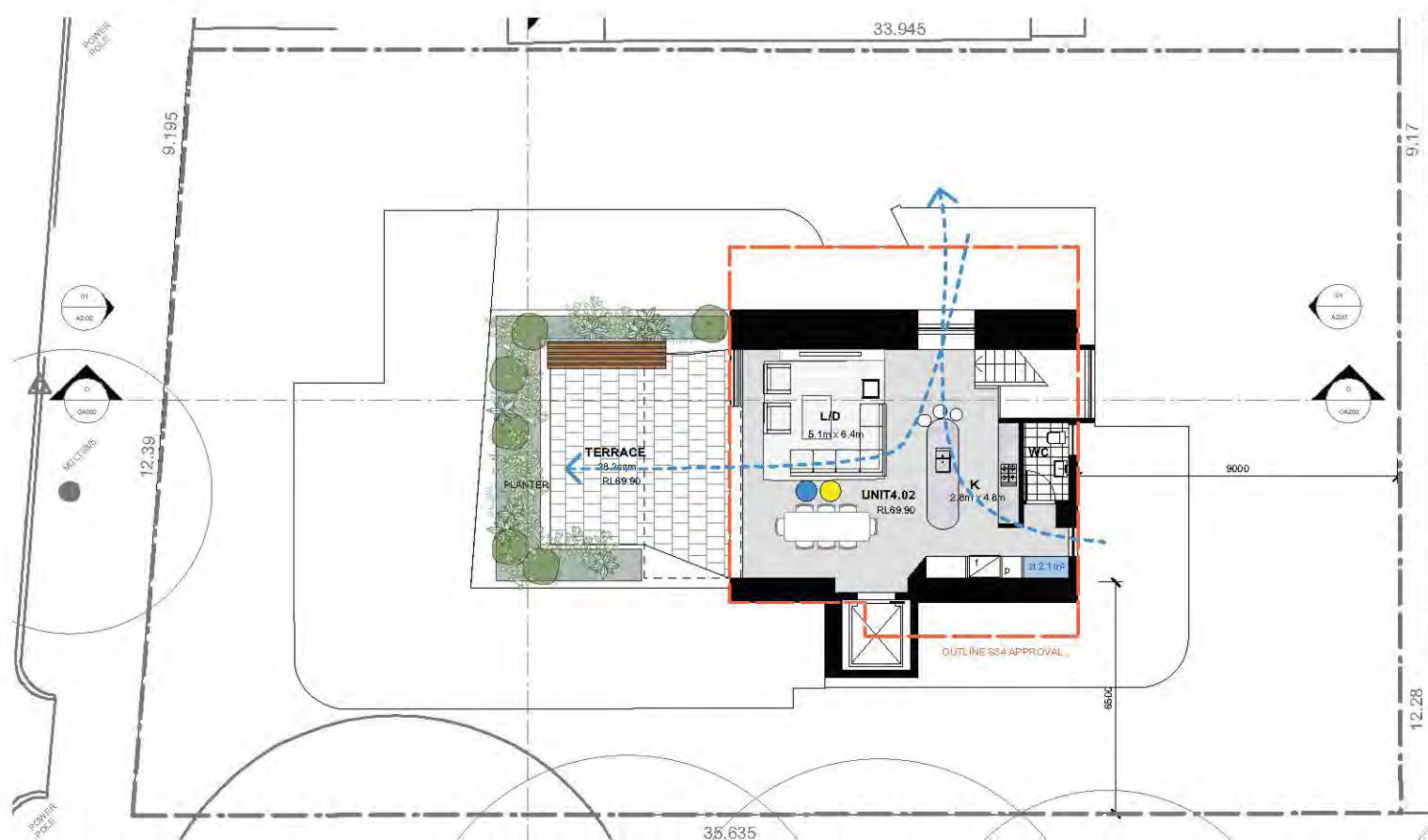
RECEIVED
Waverley Council

Application No: DA-82/2016/C

Date Received: 04/11/2020



LEVEL 4



LEVEL 5

[illegible]

AMENDED PLANS

S34 ENVELOPE COMPARISONS

■ ADDITIONAL AREA IN RELATION TO S34 ENVELOPE

REDUCUTION OF AREA IN RELTION TO S34 ENVELOPE

RECEIVED
Waverley Council

Application No: DA-82/2016/C

Date Received: 04/11/2020

LEVEL 1

BASEMENT LEVEL



NOTES:



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Nominated Architect
Brian Meyerzon
Registration Number 4903

PROJECT ADDRESS:
**629-631 OLD SOUTH HEAD RD ROSE
BAY**

DRAWING TITLE:
LEVEL 2 PLAN

PROJECT NUMBER: DWG NUMBER:

PROJECT NUMBER:	DATE:
19-062	A1.04

ISSUE DATE: REVISION:

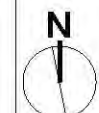
ISSUE DATE: MAR 00

DRAWN BY: _____ CHECKED: _____

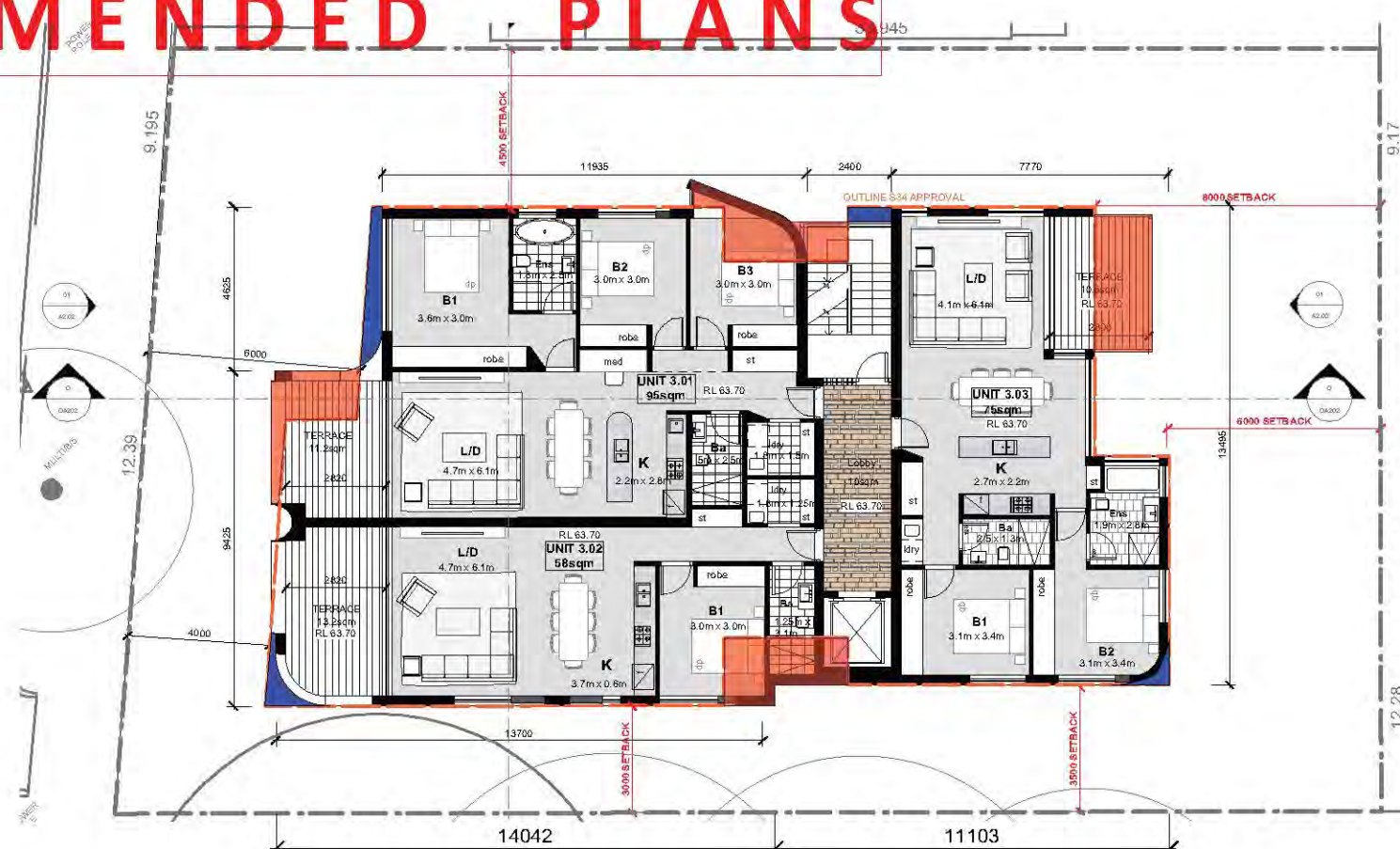
TQ  BM

SCALE: 288

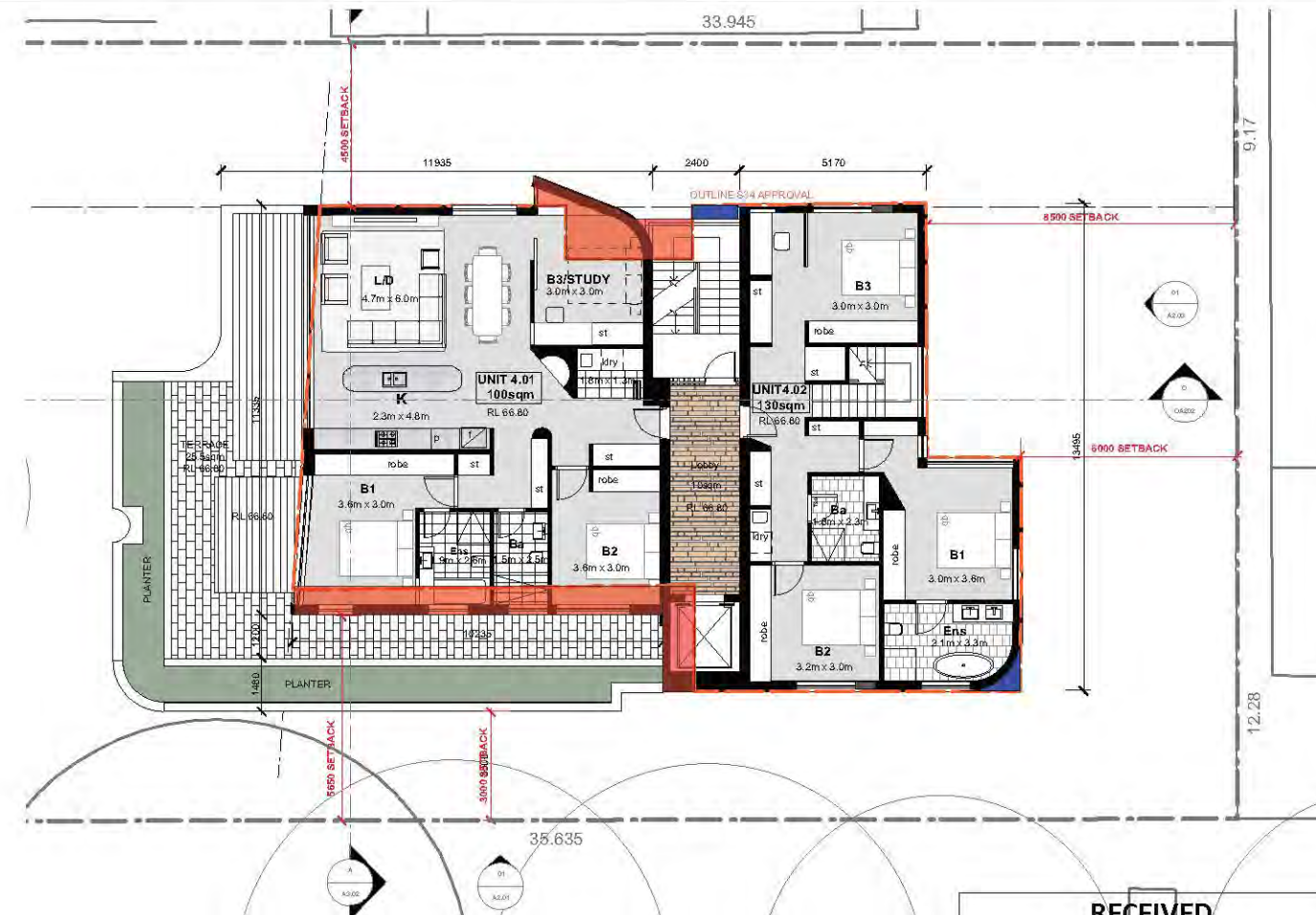
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AMENDED PLANS



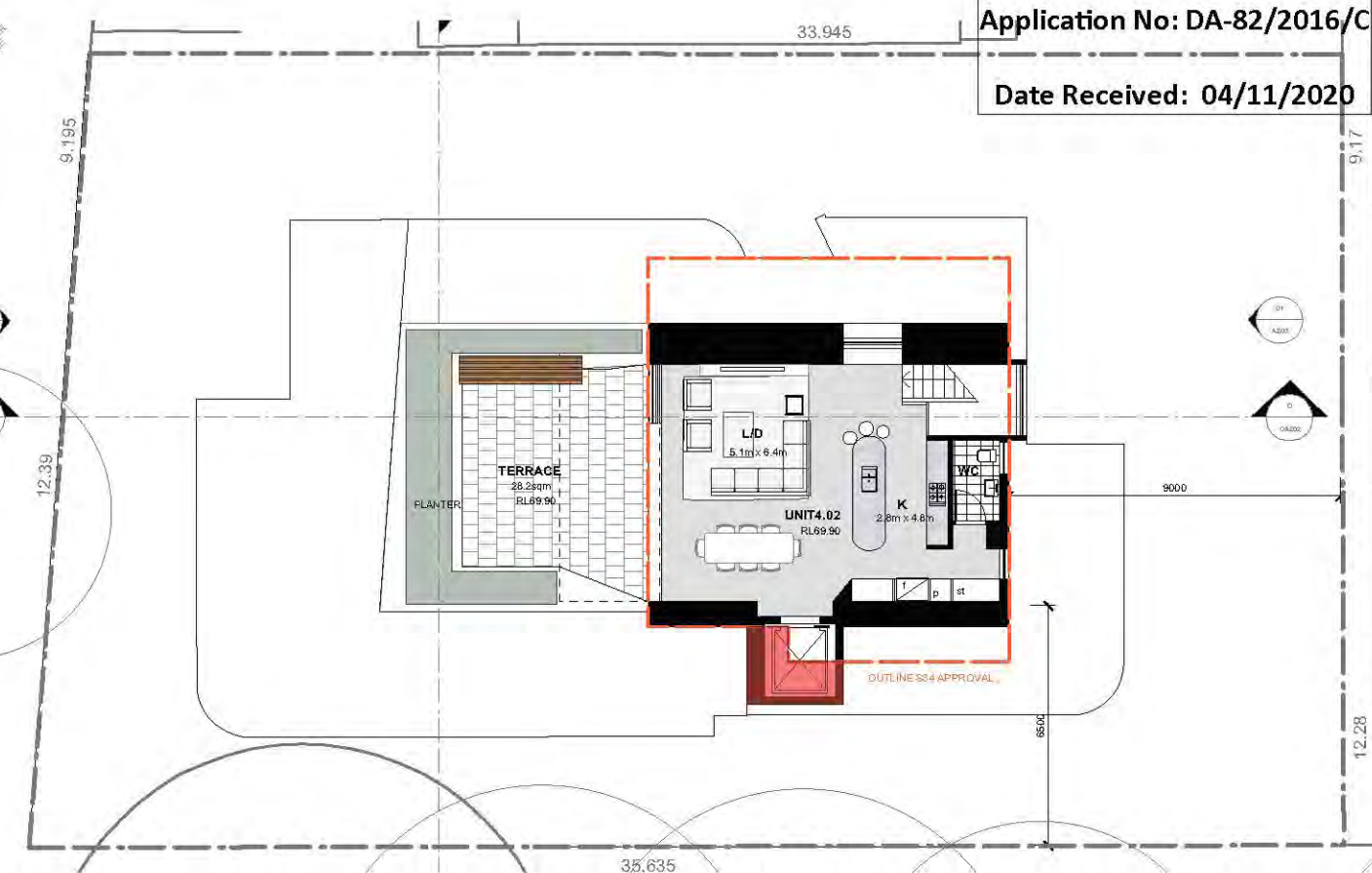
LEVEL 3



LEVEL 4



LEVEL 2



RECEIVED
Waverley Council

Application No: DA-82/2016/C

Date Received: 04/11/2020

A	UPDATED INFORMATION FOR COUNCIL	28/10/20
B	UPDATED PLANS	11/11/20

GENERAL NOTES

1. ALL WORKING TO BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA, AUSTRALIAN STANDARDS, STATUTORY REGULATIONS AND LOCAL AUTHORITY REQUIREMENTS. A FULLY DETAILED CONSTRUCTION DOCUMENT.
2. DO NOT SCALE OFF THE DRAWING. ONLY USE DIMENSIONS PROVIDED.
3. CONTRACTOR TO VERIFY ALL DIMENSIONS ON SITE PRIOR TO COMMENCING WORK.
4. MINOR CHANGES TO BE MADE IN CONJUNCTION WITH ALL CONTRACT DOCUMENTS FROM ALL CONSULTANTS.
5. CONTRACTOR TO NOTIFY IN WRITING OF ANY DISCREPANCIES, OMISSIONS, INCONSISTENCIES OR THE NEED FOR CLARIFICATION PRIOR TO MANUFACTURING.
6. CONTRACTOR TO ENSURE COHERENCY BETWEEN MATERIALS IS MAINTAINED.
7. IN ORDER TO RENEW ALL CONTRACTORS' DETAILED DRAWINGS / SETTING OUT PRIOR TO COMMENCEMENT OF CONSTRUCTION.
8. PROGRESS WORKS TO BE SUPERVISED AS INSTANT DRAWINGS FOLLOWING INSPECTION AND ARCHITECT TO BE NOTIFIED OF ANY DISCREPANCIES PRIOR TO COMMENCEMENT OF CONSTRUCTION.

BASIS NOTES	
WATER OPTIONS	THERMAL OPTIONS
Landscaping vegetation:	Roof:
Concrete 140mm layer + 50mm gardens.	Metal deck with R1.0.
Private (as per council Miss).	Concrete is selected
Rainwater tank	"Medium" colour.
Not required by BASIX.	Ceiling:
Do towels here / Clothes washers:	Minimum R4.0 insulad.
"R 0.7" 2.5.	Minimum R2.5 insulad.
Toilets, Showerheads, Taps:	Rated with insulated/
Showerheads "3" (R 0.75 l/min). Toilets "4"	Exterior wall:
Kitchen Taps "4", Bathroom Taps "4".	Cavity brick: "Light" or
	Metal cladding: Medium
	Units 1.02, 2.02, 3.02
	Unit 4.01 - upper level
	Internal wall:
	Brick within dwellings.
	Concrete "pale" walls.

is fan blanked to underside.
with concrete roof or balcony above.
ventilation. Not rated with down lights.

to all except Unit 4.01 & upper level 4.02
insulation to all external walls.
RTS insulation to all walls.

THEME: THERMAL OPTIONS
Flows:
 Concrete throughout with timber & tile covering
Glazing:
 AFRAC: Uw-5,70, SHGC-0,57 to all sining glazing
 eg aluminium framed single glazed clear glass
 AFRAC: Uw-5,70, SHGC-0,70 to all sliding, fixed and lou
 glazing
 eg aluminium framed single glazed clear glass.

ENERGY OPTIONS - COMMON AREAS
 "Common Areas" identified
 Gar-park; Garage Room; Hall room; Switch room;
 and floor lobby; hallway; lift
Lighting:
 Fluorescents to car parks with daylight + motion
 sensors. Compact Fluorescents to plant, switch & garage

ENERGY OPTIONS - COMMON AREAS
 "Common Area" Identified:
 LED to ground floor lobby & hallways with daylight +
 motion sensors.
 Lift systems
 Geosolar traction with VWF motor.
 Alternative Energy Supply: N/A
 Ventilation: No mechanical ventilation
 "Common Area".

ENERGY OPTIONS: DWELLING
Ventilation:
Bathrooms & Laundrys & Kitchens
2 ducted, manual 'on/off'.
Cooling:
Air conditioners, 3 phase, 3.0 3.5
Bed areas
Heat pump
Air conditioners, 3 phase, 3.0 3.5
Bed areas.
Water Heating: Individual gas instant
Star.
Energy Efficient Lighting: Compact
or LED for all rooms.
Cooking: Induction cook top, electric
Refrigeration space: Seal top, stainless
dishwashers & Clothes dryer 3 B.
Glether washers: Not rated.

NOTES



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MHNDU Design & Interiors Pty Ltd. ABN 94 002 717 690
Nominated Architect
Brian Mayerson
NSW Registration Number 4401

PROJECT ADDRESS:
**629-631 OLD SOUTH HEAD RD ROSE
BAY**

DRAWING TITLE:
LEVEL 2 PLAN

PROJECT NUMBER:	DWG NUMBER:
19-062	A1.04
ISSUE DATE:	REVISION:
MAR 20	B
DRAWN BY:	CHECKED:
TQ	BM
SCALE:	
1:100	

AMENDED PLANS

RECEIVED
Waverley Council
Application No: DA-82/2016/C
Date Received: 04/11/2020

ROOF
RL 73.00

LEVEL 05
RL 69.90

LEVEL 04
RL 66.80

LEVEL 03
RL 63.70

LEVEL 02
RL 60.60

LEVEL 01
RL 57.50

PARKING LEVEL
RL 54.40

12.5M HEIGHT LIMIT

line of building in elevation is beyond height line

BOUNDARY

BOUNDARY

OUTLINE S34 APPROVAL

01

SOUTH ELEVATION
Scale: 1:100

SMOOTH OFF FORM
CONCRETE FINISH
lower level portion of
building

VERTICAL
BOARDED
CONCRETE
external boundary
wall basement

TEXTURED WHITE
BRICK
general building
facade

SEALED VERTICAL
ALUMINIUM
CLADDING
upper level of building

FEATURE BRICK
panels adjacent
windows

A ISSUED FOR S4.56 13/07/20
B UPDATED FOR S4.56 29/10/20
C S34 OUTLINE ADDED 11/11/20

GENERAL NOTES

1. ALL WORKS TO BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA, AUSTRALIAN STANDARDS, STATUTORY REGULATIONS AND LOCAL AUTHORITY REQUIREMENTS, INCLUDING CONDITIONS OF CONSISTENT.
2. DO NOT SCALE OFF THIS DRAWING. ONLY USE DIMENSIONS PROVIDED.
3. CONTRACTOR TO VERIFY ALL DIMENSIONS ON SITE PRIOR TO COMMENCING WORK.
4. SHOWN DRAWINGS TO BE READ IN CONJUNCTION WITH ALL CONTRACT DOCUMENTS FROM ALL CONSULTANTS.
5. CONTRACTOR TO NOTIFY MINDU OF ANY DISCREPANCIES, DIMENSIONAL INCONSISTENCIES, OR THE NEED FOR CLARIFICATION PRIOR TO MANUFACTURING.
6. CONTRACTOR TO ENSURE CONSISTENCY BETWEEN DRAWINGS & SETTING OUT PRIOR TO CONSTRUCTION.
7. MINDU TO REVIEW ALL CONTRACTORS' DETAILS DRAWINGS / SETTING OUT PRIOR TO CONSTRUCTION.
8. PROGRESS WORK TO BE VERIFIED AGAINST DRAWINGS FOLLOWING EXCAVATION AND ARCHITECT TO BE NOTIFIED OF ANY DISCREPANCIES PRIOR TO CONTRACTOR PROCEEDING WITH NEXT TRADE.

BASIS NOTES

WATER OPTIONS
Landscape vegetation:
Common: 1500mm x 500mm garden.
Private: (as per checklist).
Rainwater tank:
Not required by BASIX.
Dishwashers / Clothes washers:
"3.0" / "2.0".
Toilets, Showers, Taps:
Showers: 7" (16.0 x 3.1 L/min), Toilet
"4".
Kitchen: Taps "4". Bathroom Taps "4".

THERMAL OPTIONS

Roof:
Metal deck with R1.0 insulation blanket to underside.
Concrete to selected roof areas.
"Medium" colour.
Glazing:
Minimum R4.0 insulation to ceilings with metal deck roof above.
Minimum R1.5 insulation with concrete roof or balcony above.
Raked with sealed exhaust ventilation. Not raked with down lights.
External Walls:
Cavity brick. "Light" colour to all except Unit 4.01 & upper level 4.02.
Metal cladding. "Medium" colour to Unit 4.01 & upper level 4.02.
Units 1.02, 2.02, 3.02, R1.0 insulation to all external walls.
Unit 4.01, upper level 4.02: R1.5 insulation to all walls.
Internal walls:
Brick within dwellings.
Concrete party walls.

THERMAL OPTIONS - COMMON AREAS

Floors:
Concrete throughout with timber & tile covering.
Glazing:
AFRC: Unit 4.01, SHGC: 0.67 to all ceiling glazing.
AFRC: Unit 4.02, SHGC: 0.70 to all ceiling glazing.
AFRC: Unit 4.03, SHGC: 0.70 to all ceiling glazing.
AFRC: Unit 4.04, SHGC: 0.70 to all ceiling glazing.
Energy Options - Common Areas
LED to ground floor lobby & hallways with daylight + motion sensors.
LED systems:
Clearance ceiling with VVVV motor.
Alternative Energy Supply: N/A.
Ventilation: No mechanical ventilation.
"Common Areas".

ENERGY OPTIONS - COMMON AREAS

LED to ground floor lobby & hallways with daylight + motion sensors.
LED systems:
Clearance ceiling with VVVV motor.
Alternative Energy Supply: N/A.
Ventilation: No mechanical ventilation.
"Common Areas".

ENERGY OPTIONS - DWELLINGS

Ventilation:
Bathrooms + Kitchens: Exhausts sealed & ducted, manual "boost".
Cooling:
Air-conditioners: 3 phase, 3.0-3.5 EER* to Living & Bed areas.
Heating:
Air-conditioners: 3 phase, 3.0-3.5 EER* to Living & Bed areas.
Water Heating:
Individual gas instantaneous, 4.0 Star.
Energy Efficient Lighting:
Compact fluorescent or LED to ALL rooms.
Cooking: induction cook-top, electric oven.
Refrigerator: space, 180L, 180L.
Dishwashers / Clothes dryers: 3.0/ N/A.
Clothes washers: Not rated.

NOTES

NATIONAL HOUSE
6.5
Certificate no. 1000001188
Assessor name: Paul Brennan
Assessment no. 20009
Certificate date: 29 Jul 2020
Building Address: 629-631 Old South Head Rd
Rose Bay, NSW 2029
www.nathans.gov.au



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29 HUTCHINSON STREET
SURREY HILLS SYDNEY NSW 2150
T +61 2 9101 1111
F +61 2 9101 1100
www.mhndu.com
MH Design: Pty Ltd. ABN 94 028 711 682 NSW Registration Number 4907
Nominated Architect
Brian Meyerstein

PROJECT ADDRESS:
629-631 OLD SOUTH HEAD RD ROSE
BAY
DRAWING TITLE:
SOUTH ELEVATION
(GEORGE ST)

PROJECT NUMBER:
19-062
ISSUE DATE:
MAR 20
DRAWN BY:
TO
SCALE:
1:100
DWG NUMBER:
A2.01
REVISION:
C
CHECKED:
290

AMENDED PLANS

RECEIVED
Waverley Council

Application No: DA-82/2016/C

Date Received: 04/11/2020



01

WEST ELEVATION Scale: 1:100

SMOOTH OFF FORM
CONCRETE FINISH
lower level portion of
building

VERTICAL
BOARDED
CONCRETE
external boundary
wall basement

TEXTURED WHITE
BRICK
general building
facade

SEAMED VERTICAL
ALUMINIUM
CLADDING
upper level of building

FEATURE BRICK
panels adjacent
windows

A ISSUED FOR S4 56 13/07/20
B UPDATED FOR S4 56 29/10/20
C S34 OUTLINE ADDED 11/11/20

GENERAL NOTES

1. ALL WORKS TO BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA, AUSTRALIAN STANDARDS, STATUTORY REGULATIONS AND LOCAL AUTHORITY REQUIREMENTS, INCLUDING CONDITIONS OF CONSENT.
2. DO NOT SCALE OFF THIS DRAWING. ONLY USE DIMENSIONS PROVIDED.
3. CONTRACTOR TO VERIFY ALL DIMENSIONS ON SITE PRIOR TO COMMENCING WORK.
4. MINDU DRAWINGS TO BE READ IN CONJUNCTION WITH ALL CONTRACT DOCUMENTS FROM ALL CONSULTANTS.
5. CONTRACTOR TO NOTIFY MINDU OF ANY DISCREPANCIES, DIMENSIONAL INCONSISTENCIES, OR THE NEED FOR CLARIFICATION PRIOR TO MANUFACTURING.
6. CONTRACTOR TO ENSURE CONSISTENCY BETWEEN MATERIALS IS MAINTAINED.
7. MINDU TO REVIEW ALL CONTRACTORS' DETAILED DRAWINGS - SETTING OUT PRIOR TO CONSTRUCTION.
8. PROGRESS WORK TO BE VERIFIED AGAINST DRAWINGS FOLLOWING EXECUTION AND ARCHITECT TO BE NOTIFIED OF ANY DISCREPANCIES PRIOR TO CONTRACTOR PROCEEDING WITH NEXT TRADE.

BASIX NOTES

WATER OPTIONS
Landscaping vegetation:
Common: 1500/1500 + 50m2 gardens.
Provide: (as per checklist).
Rainwater tank:
Not required by BASIX.
Dishwashers / Clothes washers:
"3.0" / "2.0".
Toilets, Showers, Taps:
Showers: 7" (16.7 L/min). Toilets:
"4".
Kitchen: Taps "4". Bathroom Taps "4".

THERMAL OPTIONS

Roof:
Metal deck with R1.0 insulation blanket to underside.
Concrete to selected roof areas.
Glazing:
"Medium" colour.
Ceiling:
Minimum R4.0 insulation to ceilings with metal deck roof above.
Minimum R5.0 insulation to concrete roof or balcony above.
External Walls:
Cavity brick. "Light" colour to all except Unit 4.01 & upper level 4.02.
Metal cladding. "Medium" colour to Unit 4.01 & upper level 4.02.
Unit 1.02, 2.02, 3.02: R1.0 insulation to all external walls.
Unit 4.01, upper level 4.02: R1.5 insulation to all walls.
Internal walls:
Brick within dwellings.
Concrete party walls.
Concrete party walls.

THERMAL OPTIONS

Floors:
Concrete throughout with timber & tile covering.
Concrete to selected roof areas.
Glazing:
AFRC: Uen = 6.70, SHGC = 0.67 to all existing glazing.
AFRC: Uen = 6.70, SHGC = 0.67 to all existing glazing.
AFRC: Uen = 6.70, SHGC = 0.67 to all existing glazing.
AFRC: Uen = 6.70, SHGC = 0.67 to all existing glazing.
ENERGY OPTIONS - COMMON AREAS
"Common Areas" identified:
Carport, Carriage Room, Plant room, Switch room:
ground floor lobby, hallways, lift.
Lighting:
Fluorescents to car parks with daylight + motion sensors.
Compact fluorescents to plant, switch & garage rooms with manual switches.

ENERGY OPTIONS - COMMON AREAS

"Common Areas" identified:
Carport, Carriage Room, Plant room, Switch room:
ground floor lobby, hallways, lift.
Lighting:
Fluorescents to car parks with daylight + motion sensors.
Compact fluorescents to plant, switch & garage rooms with manual switches.

ENERGY OPTIONS - DWELLINGS

Ventilation:
Bathrooms + Laundries + Kitchens: Exhausts sealed & ducted, manual "on/off".
Cooling:
Air-conditioners, 3 phase, 3.0-3.5 EER* to Living & Bed areas.
Heating:
Air-conditioners, 3 phase, 3.0-3.5 EER* to Living & Bed areas.
Water Heating:
Individual gas instantaneous, 4.0 Star.
Energy Efficient Lighting:
Compact fluorescents or LED to ALL rooms.
Cooking: induction cook-top, electric oven.
Refrigerator: space, 180L, vented.
Dishwashers / Clothes dryers 3.0* N/A.
Clothes washers: Not rated.

NOTES:

6.5
NATIONWIDE HOUSE
www.nationwidehouse.com.au
www.nationwidehouse.com.au



MHNDUNION
29 HUTCHINSON STREET
SURRY HILLS SYDNEY NSW 2010
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www.mhndu.com
M H Design Union Pty Ltd. ABN 94 003 111 880 NSW Registration Number 4907

PROJECT ADDRESS:

629-631 OLD SOUTH HEAD RD ROSE BAY

DRAWING TITLE:

WEST ELEVATION
(OLD SOUTH HEAD RD)

PROJECT NUMBER:

19-062

DWG NUMBER:

A2.02

ISSUE DATE:

MAR 20

REVISION:

C

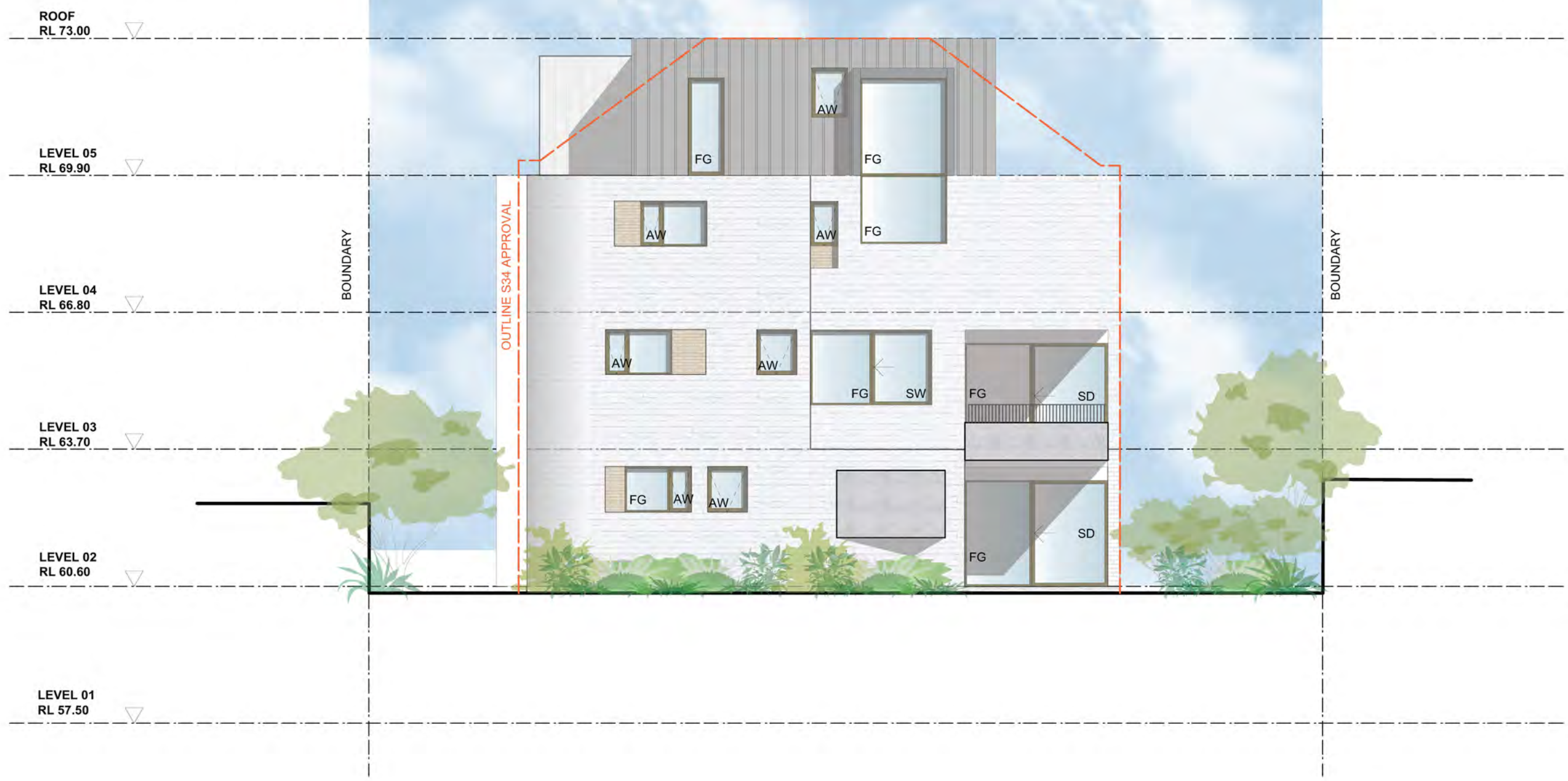
DRAWN BY:

TO

SCALE:

1:100

291



01 EAST ELEVATION
Scale: 1:100



GENERAL NOTES

1. ALL WORKS TO BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA, AUSTRALIAN STANDARDS, STATUTORY REGULATIONS AND LOCAL AUTHORITY REQUIREMENTS, INCLUDING CONDITIONS OF CONSENT.

2. DO NOT SCALE OFF THIS DRAWING. ONLY USE DIMENSIONS PROVIDED.

3. CONTRACTOR TO VERIFY ALL DIMENSIONS ON SITE PRIOR TO COMMENCING WORK.

4. MINOR DRAWINGS TO BE READ IN CONJUNCTION WITH ALL CONTRACT DOCUMENTS FROM ALL CONSULTANTS.

5. CONTRACTOR TO NOTIFY ARCHITECT OF ANY DISCREPANCIES, DIMENSIONAL INCONSISTENCIES, OR THE NEED FOR CLARIFICATION PRIOR TO MANUFACTURING.

6. CONTRACTOR TO ENSURE CONSISTENCY BETWEEN MATERIALS IS MAINTAINED.

7. MINOR TO REVIEW ALL CONTRACTORS DETAILED DRAWINGS - SETTING OUT PRIOR TO CONSTRUCTION.

8. PROGRESS WORK TO BE VERIFIED AGAINST DRAWINGS FOLLOWING EXECUTION AND ARCHITECT TO BE NOTIFIED OF ANY DISCREPANCIES PRIOR TO CONTRACTOR PROCEEDING WITH NEXT TRADE.

BASIX NOTES

WATER OPTIONS
Landscaping vegetation:
Common: 1500/1000 + 50m2 gardens.
Provide: (as per checklist).

Rainwater tank
Not required by BASIX.

Dishwashers / Clothes washers
"3.0" / "2.0"

Toilets, Showersheads, Taps
Showersheads: "7" (60-75 L/min). Toilets: "4".
Kitchen: Taps "4". Bathroom Taps "4".

THERMAL OPTIONS
Roof:
Metal deck with R1.0 insulation blanket to underside.
Concrete to selected roof areas.
Glazing:
LED to ground floor lobby & hallway with daylight + motion sensors.
Minimum R4.0 insulation to ceilings with metal deck roof above.
Minimum R1.5 insulation to concrete roof or balcony above.
R1.5 insulation to all external walls.
Unit 4.01, upper level 4.02: R1.5 insulation to all walls.

ENERGY OPTIONS - COMMON AREAS
Common Areas: Identified.
Carport, Carriage Room, Plant room: Switch room: ground floor lobby, hallway, lift.

ENERGY OPTIONS - DWELLINGS
Ventilation:
Bathrooms + Laundries + Kitchens: Exhausts sealed & ducted, manual "on/off".
Cooling:
Air-conditioners, 3 phase, 3.0-3.5 EER* to Living & Bed areas.
Heating:
Air-conditioners, 3 phase, 3.0-3.5 EER* to Living & Bed areas.
Water Heating: Individual gas instantaneous, 4.0 Star.
Energy Efficient Lighting: Compact Fluorescents or LED to ALL rooms.
Cooking: Induction cook-top, electric oven.
Refrigerator/appliance: R601 ventilated.
Dishwashers / Clothes dryers: 3.0* N/A.
Clothes washers: Not rated.

NOTES:

6.5
NATIONWIDE HOUSE
www.nationwidehouse.com.au

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F +61 2 9101 1100
www.mhndu.com

Nominated Architect: Brian Mayerson
NSW Registration Number: 49017

PROJECT ADDRESS:
629-631 OLD SOUTH HEAD RD ROSE BAY

DRAWING TITLE:
EAST ELEVATION

PROJECT NUMBER:
19-062

ISSUE DATE:
MAR 20

DWG NUMBER:
A2.03

REVISION:
C

DRAWN BY:
TO

CHECKED:
TO

SCALE:
1:100

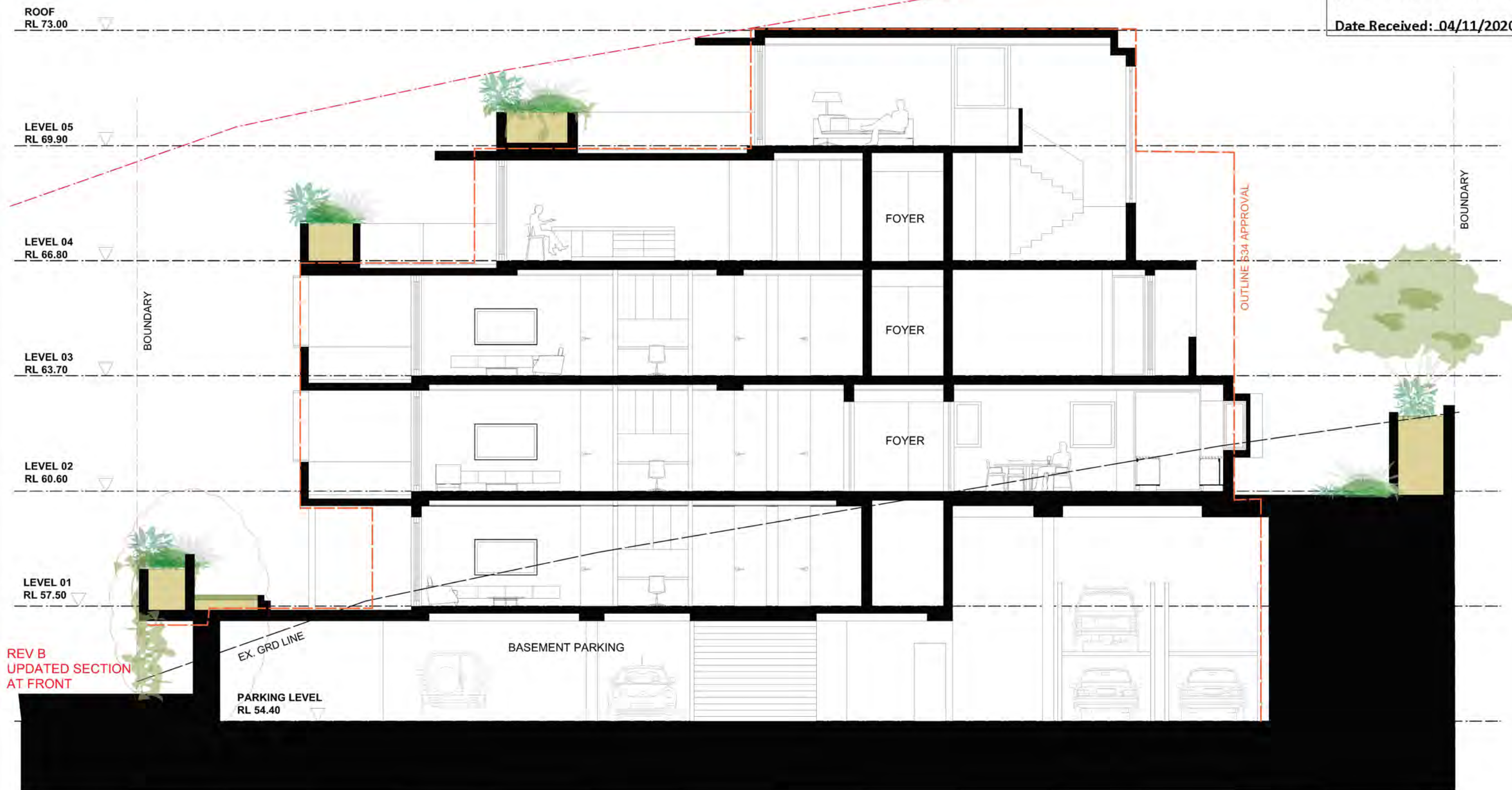
292

AMENDED PLANS

RECEIVED
Waverley Council

Application No: DA-82/2016/C

Date Received: 04/11/2020



REV B
UPDATED SECTION
AT FRONT

01

SECTION AA
Scale: 1:100

A ISSUED FOR S4.56 13/07/20
B UPDATED FOR S4.56 29/10/20
C S34 OUTLINE ADDED 11/11/20

GENERAL NOTES

1. ALL WORKS TO BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA
2. ALL WORKS TO BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA
3. CONTRACTOR TO VERIFY ALL DIMENSIONS ON SITE PRIOR TO COMMENCING WORK
4. WHEN DRAWINGS TO BE USED IN CONSTRUCTION WITH ALL CONTRACT DOCUMENTS TO BE USED IN CONSTRUCTION
5. CONTRACTOR TO NOTIFY OWNER OF ANY DISCREPANCIES IMMEDIATELY
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10. CONTRACTOR TO NOTIFY OWNER OF ANY DISCREPANCIES IMMEDIATELY

BASIX NOTES

WATER USE
Common: 150L per person per day
Private: 150L per person per day
Rubbish: 150L per person per day
Not required by BASIX
Dishwasher / Clothes washer: 150L per person per day
Toilet, Shower, Bath, Tap: 150L per person per day
Showerhead: 150L per person per day
Addition Tap: 150L per person per day
Bathroom Tap: 150L per person per day

THERMAL NOTES

Roof:
Minimum R1.5 insulation to ceiling with metal deck and above
Minimum R2.5 insulation to ceiling with concrete and/or masonry above
Minimum R2.5 insulation to ceiling with masonry and/or masonry above
Minimum R2.5 insulation to ceiling with masonry and/or masonry above
Minimum R2.5 insulation to ceiling with masonry and/or masonry above
Minimum R2.5 insulation to ceiling with masonry and/or masonry above
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THERMAL NOTES

Floors:
Concrete throughout with 100mm R1.5 insulation to underside
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ENERGY NOTES - COMMON AREAS

Common Areas:
LED lighting in ground floor lobby & hallway with daylight
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ENERGY NOTES - DWELLINGS

Dwellings:
LED lighting in bedrooms & living areas with daylight
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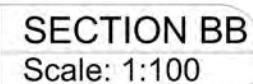
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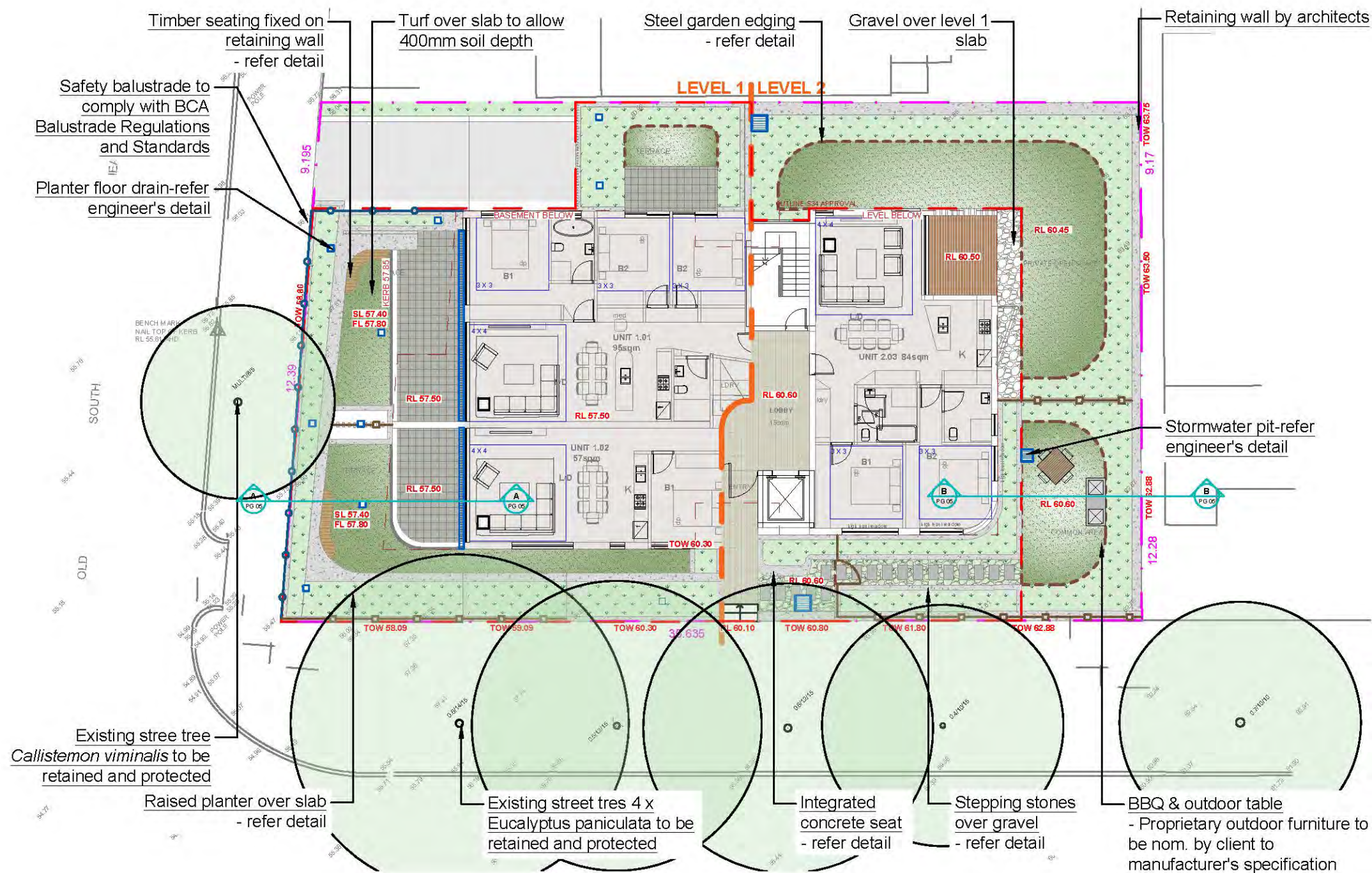


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www.mhndunion.com
MHN Design Union Pty Ltd ABN 64 003 111 800 NSW Registration Number 4907

PROJECT ADDRESS: 629-631 OLD SOUTH HEAD RD ROSE BAY
DRAWING TITLE: LONG SECTION
PROJECT NUMBER: 19-062
ISSUE DATE: MAR 20
DRAWN BY: TQ
SCALE: 1:100
DWG NUMBER: A3.01
REVISION: C
CHECKED: BM
294



PROJECT NUMBER: **19-062** DWG NUMBER: **A3.02**
ISSUE DATE: MAR 20 REVISION: **C**
DRAWN BY: TQ CHECKED: **295**
SCALE: 1:100



LOCATION PLAN

Scale: NTS



OTHER LANDSCAPE ITEMS

- Steel Garden Edging - refer detail
- Turf area - refer detail
- Timber deck - refer detail
- Gravel surface on slab
- Stepping stones in gravel - refer detail
- Retaining / raised planter wall - refer detail
- Timber seating fixed on retaining wall - refer detail
- Metal palisade fence & gate by architects
- Safety balustrade to comply with BCA Balustrade Regulations and Standards
- Trees proposed to be removed and replaced with new landscaping
- Existing trees proposed to be retained and protected
- Proprietary outdoor furniture to be nom. by client to manufacturer's specification

RECEIVED
Waverley Council

Application No: DA-82/2016/C

Date Received: 21/07/2020

NOTES:

FIXED OUTDOOR FURNITURE FOR ROOFTOP COMMUNAL OPEN SPACE SHALL BE LOCATED A MINIMUM 1M AWAY FROM PLANTER WALL, WHEREVER EXTERNAL HANDRAIL IS OMITTED. WHERE BENCHES OR FURNITURE IS FIXED OR LOCATED ADJACENT THE ROOFTOP PLANTER WALL, AN EXTERNAL BALUSTRADE MUST BE INSTALLED TO COMPLY WITH BCA AND AUSTRALIAN STANDARDS.

NON-FIXED FURNITURE ADDED BY STRATA SHALL BE LOCATED A MINIMUM 1M AWAY FROM PLANTER WALL, AND SHALL BE THE RESPONSIBILITY OF THE BODY CORPORATE.

REV	DATE	NOTATION/AMENDMENT
A	04.06.20	Preliminary plan prepared for review
B	22.06.20	Coordinate with architectural updates
C	03.07.20	Coordinate with architectural updates
D	13.07.20	Coordinate with stormwater plan

DRAWING SCHEDULE

SHEET #	DRAWING TITLE	REV.
/1	HARDSCAPE PLAN	D
/2	LANDSCAPE PLAN	D
/3	LANDSCAPE PLAN	D
/4	SECTIONS	A
/5	DETAILS	A
/6	DETAILS	A
/7	SPECIFICATION	A



STREET VIEW 1



STREET VIEW 2



STEEL GARDEN EDGING



MAPLE WITH CONCRETE SEAT

PROPOSED RESIDENTIAL DEVELOPMENT

629-631 OLD SOUTH HEAD ROAD, ROSE BAY

DWG.No: LPS4.55 20 - 269 / 1



Suite 101, 506 Miller St
CAMMERAY NSW 2062
Phone: 9922 5312
Fax: 8209 4982
Mob: 0413 861 351
www.conzept.net.au
enquiries@conzept.net.au

LEGEND & SCHEDULE

NOTES:

1. ALL FINAL PLANT QUANTITIES INDICATED ON PLANS SHALL BE CHECKED AND VERIFIED BY SUCCESSFUL LANDSCAPE CONTRACTOR.
2. ANY PLANT SUBSTITUTES REQUIRED DUE TO UNAVAILABILITY SHALL BE RECOMMENDED BY THE LANDSCAPE CONTRACTOR TO BEST MATCH SUBSTITUTED PLANTS AND APPROVED PRIOR TO PURCHASING BY THE LANDSCAPE ARCHITECT.
3. WORKS CERTIFIED FOR FINAL OCCUPANCY CERTIFICATE ARE TO MATCH APPROVED LANDSCAPE PLANS.
4. LANDSCAPE CONTRACTOR SHALL LOCATE AND AVOID SITE STORM WATER & DRAINAGE SERVICES. LOCATE TREES A MINIMUM 1.25M FROM PITS.
5. ALL PLANTING AROUND EXISTING TREES SHALL BE ADJUSTED TO AVOID DAMAGE AND CLASHING WITH SURFACE ROOTS.
6. THE NATURE STRIP (STREET FRONTAGE) FOR THE SITE IS PUBLIC LAND, AND ONLY AUTHORIZED WORKS MAY OCCUR HERE. EXISTING CONDITIONS SUCH AS STREET TREES, COUNCIL PLANTING ETC SHALL BE RETAINED AND PROTECTED DURING CONSTRUCTION, UNLESS SPECIFIC APPROVAL HAS BEEN GRANTED FOR NEW WORK IN THIS AREA.

TREES



Botanical Name: *Waterhousia floribunda*
Common Name: Weeping Lilly Pilly (Native)
Pot size: 75L
Mature H x S: 10m x 6m
Qty Required: 3



Botanical Name: *Lagerstroemia indica*
Common Name: Crepe myrtle (Exotic)
Pot size: 75L
Mature H x S: 8m x 5m
Qty Required: 1



Botanical Name: *Acer palmatum 'Ariadne'*
Common Name: Japanese maple (Exotic)
Pot size: 75L
Mature H x S: 3m x 4m
Qty Required: 3



Botanical Name: *Hymenosporum flavum*
Common Name: Native Frangipani (Native)
Pot size: 75L
Mature H x S: 8m x 5m
Qty Required: 3

SHRUBS AND HEDGES



Botanical Name: *Syzygium 'Resilience'*
Common Name: Resilience Lilly Pilly (Native)
Pot size: 200mm
Mature H x S: 3m x 2m
Qty Required: 51



Botanical Name: *Callistemon 'Great Balls of Fire'*
Common Name: GBOF Bottlebrush (Native)
Pot size: 200mm
Mature H x S: 1.8m x 1.5m
Qty Required: 30



Botanical Name: *Callistemon 'Better John'*
Common Name: Better John Bottlebrush (Native)
Pot size: 200mm
Mature H x S: 1m x 0.9m
Qty Required: 9

ACCENT & SHADES



Botanical Name: *Russelia equisetiformis*
Common Name: Firecracker (Exotic)
Pot size: 200mm
Mature H x S: 1m x 1.2m
Qty Required: 12



Botanical Name: *Cyathea australis*
Common Name: Rough Tree Fern (Native)
Pot size: 45L (Min 1m trunk)
Mature H x S: 2.5-5m x 3m
Qty Required: 6



Botanical Name: *Rhaphis excelsa*
Common Name: Rhaphis Palm (Exotic)
Pot size: 200mm
Mature H x S: 3m x 1.5m
Qty Required: 14



Botanical Name: *Zamia furfuracea*
Common Name: Cardboard Palm (Exotic)
Pot size: 200mm
Mature H x S: 1m x 1.25m
Qty Required: 16



Botanical Name: *Asplenium australasicum*
Common Name: Birds Nest Fern (Native)
Pot size: 200mm
Mature H x S: 1m x 1.4m
Qty Required: 13

Screen planting to driveway to include:

- 9 S. 'Resilience'
- 2.3m² D. argentea 'Silver Falls'

Screen planting in raised planter to include:

- 5 C. 'Great Balls of Fire'

Screen planting in raised planter over slab to include:

- 3 H. flavum
- 6 C. 'Better John'
- 6 R. equisetiformis
- 9.1m² D. argentea 'Silver Falls'

Screen planting along dividing fence to include:

- 6 C. 'Great Balls of Fire'

Screen planting to raised planter to include:

- 13 C. 'Great Balls of Fire'
- 8 R. excelsa
- 6 R. equisetiformis
- 3 C. 'Better John'
- 6 C. zebrina
- 6 Z. furfuracea
- 7.6m² D. argentea 'Silver Falls'
- 3.8m² C. 'Aussie Rambler'

ACCENT & SHADES



Botanical Name: *Calathea zebrina*
Common Name: Zebra plant (Exotic)
Pot size: 300mm
Mature H x S: 1m x 0.6m
Qty Required: 9

GRASSES / GROUNDCOVERS



Botanical Name: *Dichondra argentea 'Silver Falls'*
Common Name: Silver Falls Dichondra (Exotic)
Pot size: 140mm
Mature H x S: 0.15m x spreading
Qty Required: 9m² (20.8m² total)

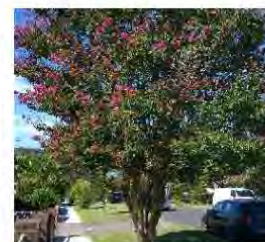


Botanical Name: *Carpobrotus 'Aussie Rambler'*
Common Name: Aussie Rambler Pigface (Native)
Pot size: 140mm
Mature H x S: 0.25m x spreading
Qty Required: 7m² (9.3m² total)

AN AUTOMATED COMMERCIAL GRADE IRRIGATION SYSTEM SHALL BE PROFESSIONALLY INSTALLED TO ALL GARDEN AREAS, INCLUDING RAISED PLANTERS, UPPER FLOOR PLANTERS AND GARDENS IN NATURAL GROUND. THE SYSTEM SHALL BE DESIGNED AND INSTALLED IN LINE WITH THE IRRIGATION PERFORMANCE SPECIFICATION, BY A LICENCED CONTRACTOR OR LANDSCAPER. THE LICENCED CONTRACTOR SHALL PREPARE AN 'AS BUILT' PLAN OF THE SYSTEM TO THE SUPERINTENDENT FOR STRATA RECORDS, FOR FUTURE MAINTENANCE.



Acer palmatum 'Ariadne'



Lagerstroemia indica



Waterhousia floribunda



Hymenosporum flavum



Callistemon 'Great Balls of Fire'



Callistemon 'Better John'

LANDSCAPE PLAN NOTES

This plan should be read in conjunction with the architectural and hydraulics plans. Work specific to these plans should be prepared in accordance to these plans, including specification and details prior to the installation of landscaping, and should not be altered or compromised during landscape construction. Elements such as drainage swales may be incorporated in garden bed areas (using non-floatable mulch) without compromising the capacity or form.

This plan has been prepared for Section 4.55 approval only, not for construction.

This plan has been prepared with reference to **Waverley Council Councils** Landscaping Guidelines & requirements. Planting proposed using mainly indigenous, commercially available plant species selected from local planting lists and the BASIX local plant list and from Sydney Waters "Plant Selector" web site one-drip rated native plants (**acceptable for Basix planting**).

The Design & location of new letter boxes shall be in accordance with Australia Post's "Requirements for Delivery of Mail to Residential Premises" published Feb '97. All noxious weeds listed in Councils weed lists & located on the site shall be continually removed & suppressed. Reinstate all boundary fencing in poor condition with Council approved 1.8m fencing to rear of building line, rake to 1m forward of BL. Pollution, sediment & erosion control devices as specified shall be in place, and maintained for the duration of the construction period. Proposed excavation near existing established trees to be supervised by arborist.

General Notes:

Figured dimensions take preference to scale readings. Verify all dimensions on site. PDF files may vary slightly in scale to that indicated on plans. Report any discrepancies to the Landscape Architect before proceeding with the work.

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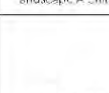
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AILA Associate



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Bar Scale



REV DATE NOTATION/AMENDMENT

A	04.06.20	Preliminary plan prepared for review
B	22.06.20	Coordinate with architectural updates
C	03.07.20	Coordinate with architectural updates
D	13.07.20	Coordinate with stormwater plan

COUNCIL
WAVERLEY COUNCIL



ARCHITECT
MHNDUNION

STATUS / ISSUE
S4.55 - ISSUE D



Conzept Landscape Architects
 Suite 101, 506 Miller St
 CAMMERAY NSW 2062
 Phone: 9922 5312
 Fax: 8209 4982
 enquiries@concept.net.au
 Mob: 0413 861 351

TITLE:
LANDSCAPE PLAN

PROPOSED RESIDENTIAL DEVELOPMENT

**629-631 OLD SOUTH HEAD ROAD
 ROSE BAY**

DWG No:
LPS4.55 20 - 269 / 2

SCALE:
1:200 @ A3

DATE:
JUNE 2020

DRAWN: R.H
 CHECKED: R.H

LEGEND & SCHEDULE

NOTES:

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SHRUBS AND HEDGES



Botanical Name: *Banksia 'Birthday Candles'*
Common Name: Banksia Birthday Candles (Native)
Pot size: 200mm
Mature H x S: 0.6m x 0.9m
Qty Required: 12



Botanical Name: *Callistemon 'Better John'*
Common Name: Better John Bottlebrush (Native)
Pot size: 200mm
Mature H x S: 1m x 0.9m
Qty Required: 12

ACCENT & SHADES



Botanical Name: *Russelia equisetiformis*
Common Name: Firecracker (Exotic)
Pot size: 200mm
Mature H x S: 1m x 1.2m
Qty Required: 12

GRASSES / GROUNDCOVERS



Botanical Name: *Carpobrotus 'Aussie Rambler'*
Common Name: Aussie Rambler Pigface (Native)
Pot size: 140mm
Mature H x S: 0.25m x spreading
Qty Required: 7/m2 (**3.7m2 total**)



Botanical Name: *Dichondra argentea 'Silver Falls'*
Common Name: Silver Falls Dichondra (Exotic)
Pot size: 140mm
Mature H x S: 0.15m x spreading
Qty Required: 9/m2 (**3.0m2 total**)

OTHER LANDSCAPE ITEMS



Timber deck - refer detail



Retaining / raised planter wall - refer detail



Safety balustrade to comply with BCA Balustrade Regulations and Standards

Safety balustrade to comply with
BCA Balustrade Regulations and
Standards

SOUTH

OLD

Screen planting in raised planter
to include:

- 12 B. 'Birthday Candles'
- 12 C. 'Better John'

Cascading planting along the
planter to include:

- 12 R. *equisetiformis*
- 3.7m2 C. 'Aussie Rambler'
- 3.0m2 D. *argentea 'Silver Falls'*

LANDSCAPE PLAN NOTES

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D.A approved landscape plan's are required to be constructed as approved to obtain occupancy certificate. **Permeable areas may be indicated to achieve site coverage restrictions & should be constructed as drawn on this plan.**



Banksia spinulosa 'Birthday Candles'



Russelia equisetiformis



Carpobrotus 'Aussie Rambler'



Dichondra argentea 'Silver Falls'

General Notes:

Figured dimensions take preference to scale readings. Verify all dimensions on site. PDF'd plans may vary slightly in scale for that indicated on plans. Report any discrepancies to the Landscape Architect before proceeding with the work.

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This plan and associated IP remains the property of Sulphurcrest Enterprises (Pty) Ltd until such time as all agreed payments are made in full. We reserve the right to withdraw or to inform others from the assessment process if such payments are not made, following the notification period.

AILA Associate



Australia Institute of
Landscape Architects

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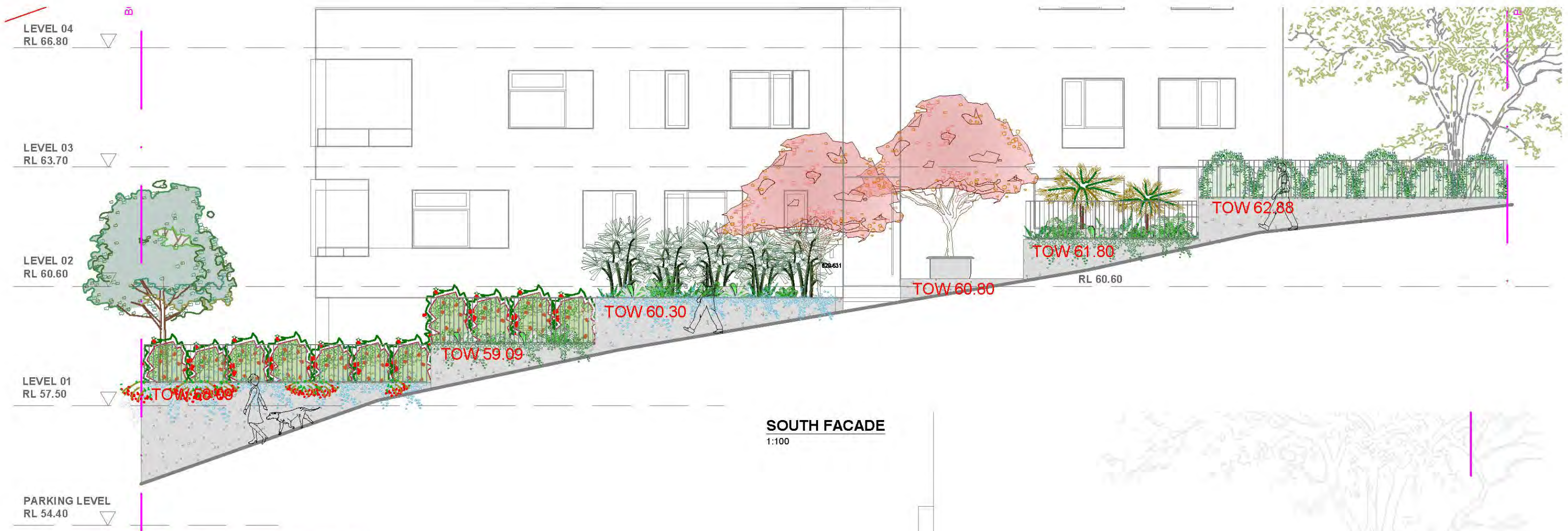
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D	13.07.20	Coordinate with stormwater plan

COUNCIL	WAVERLEY COUNCIL
CLIENT	NEW FORTUNE GROUP
ARCHITECT	MHNDUNION
STATUS / ISSUE	S4.55 - ISSUE D

Conzept
Landscape Architects

Conzept Landscape Architects Suite 101, 506 Miller St CAMMERAY NSW 2062
Phone: 9922 5312 Fax: 8209 4982
www.conzept.net.au enquiries@conzept.net.au Mob: 0413 861 351

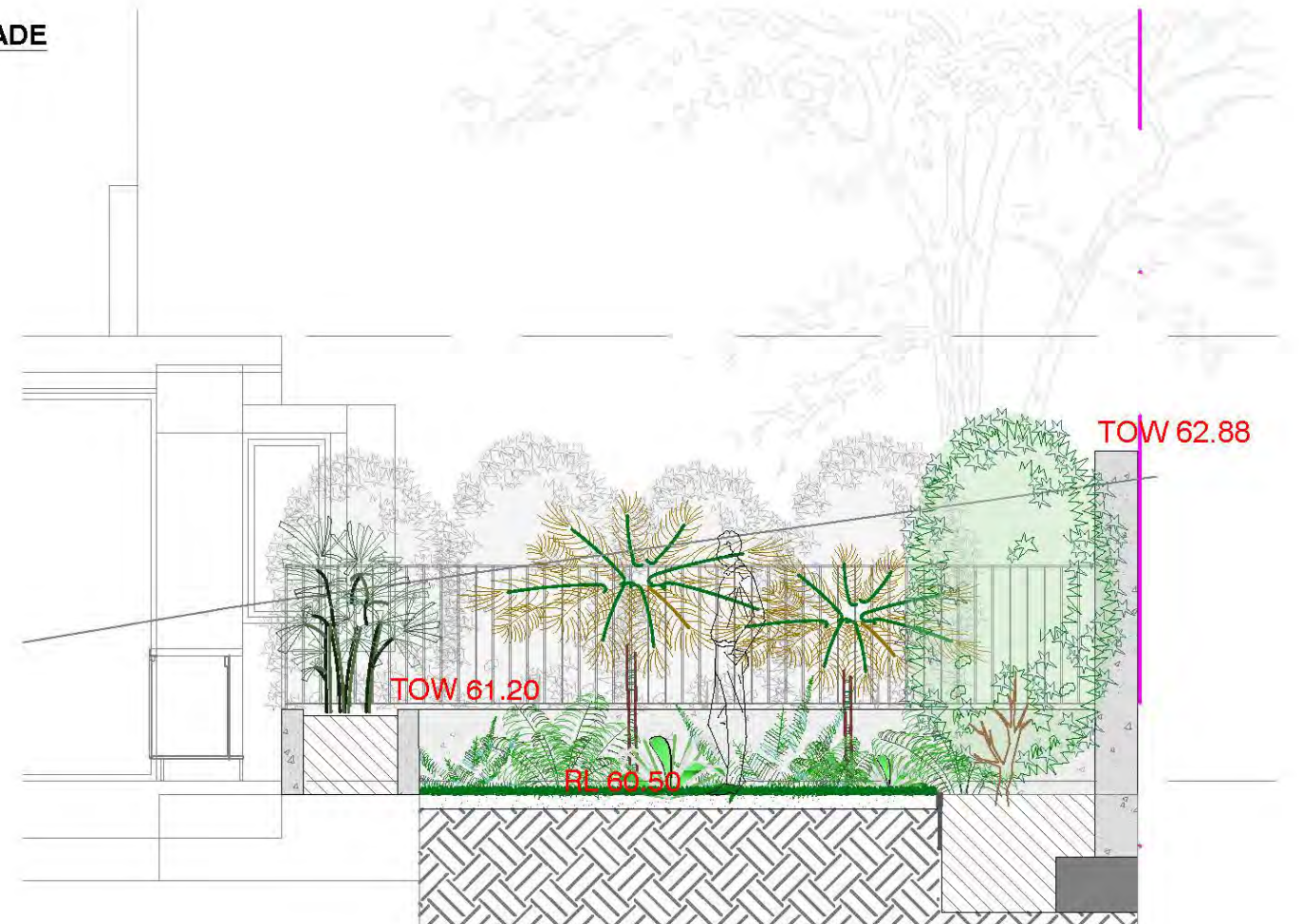
TITLE:	LANDSCAPE PLAN	DWG No:	LPS4.55 20 - 269 / 3
	PROPOSED RESIDENTIAL DEVELOPMENT	SCALE:	1:200 @ A3
	629-631 OLD SOUTH HEAD ROAD	DATE:	JUNE 2020
	ROSE BAY	DRAWN:	R.H
		CHECKED:	R.F



SOUTH FACADE
1:100



SECTION AA
1:50



SECTION BB
1:50

General Notes:

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REV	DATE	NOTATION/AMENDMENT
A	04.06.20	Preliminary plan prepared for review

COUNCIL	WAVERLEY COUNCIL
CLIENT	NEW FORTUNE GROUP
ARCHITECT	MHNDUION
STATUS / ISSUE	S4.55 - ISSUE A

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Landscape Architects

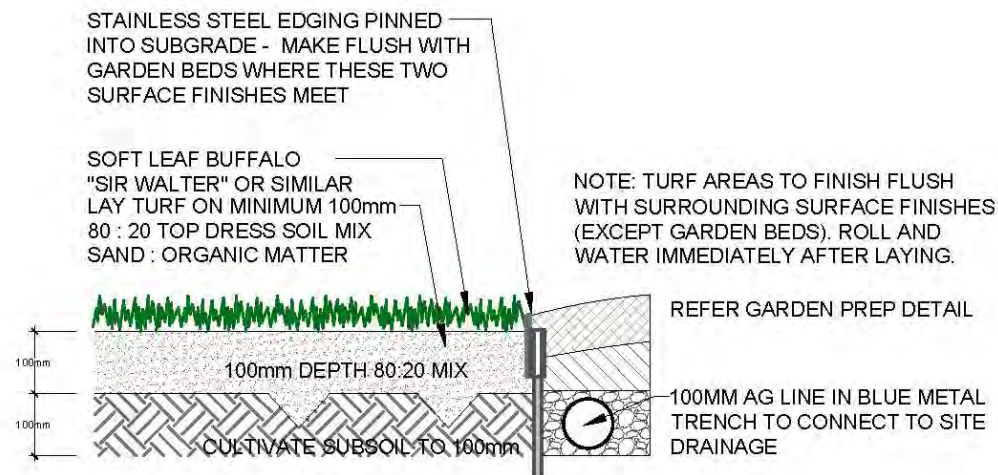
Conzept Landscape Architects Suite 101, 506 Miller St CAMMERAY NSW 2062
Phone: 9922 5312 Fax: 8209 4982
www.conceptnet.au enquiries@conceptnet.au Mob: 0413 861 381

TITLE:	SECTIONS	DWG No:	LPS4.55 20 - 269 / 4
	PROPOSED RESIDENTIAL DEVELOPMENT	SCALE:	AS SHOWN @ A3
	629-631 OLD SOUTH HEAD ROAD ROSE BAY	DATE:	JUNE 2020
		DRAWN:	R.H
		CHECKED:	R.H

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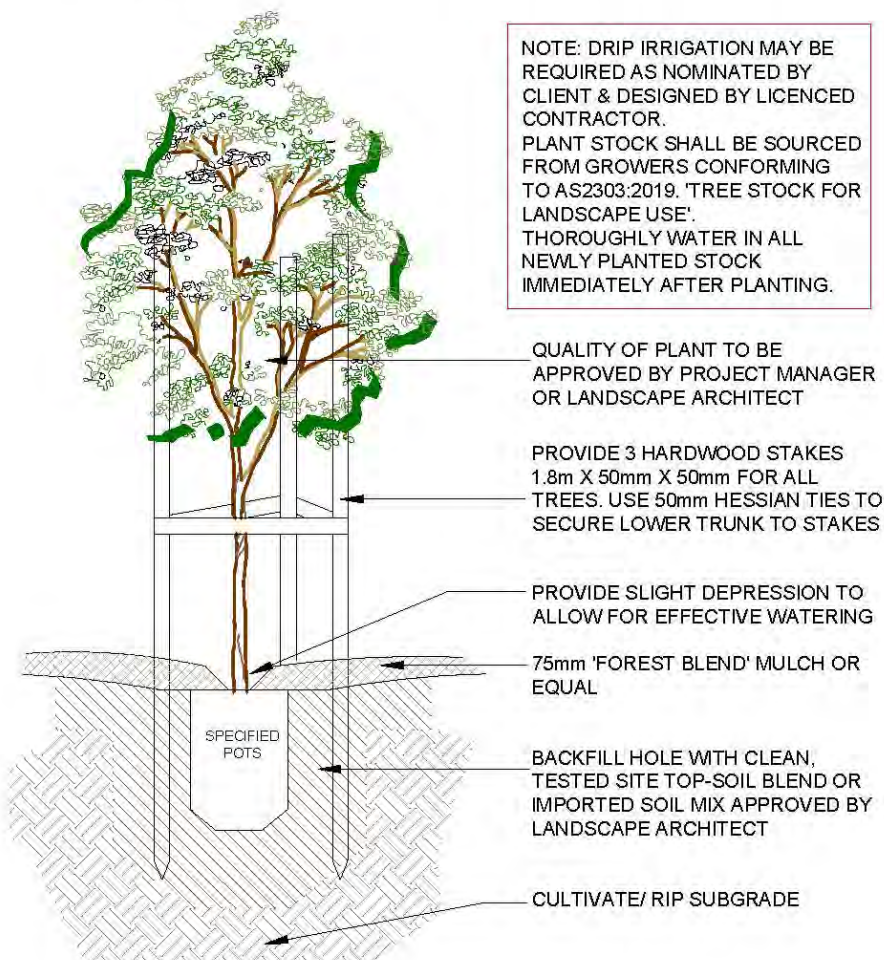
Application No: DA-82/2016/C

Date Received: 21/07/2020



TURF WITH STEEL EDGE DETAIL

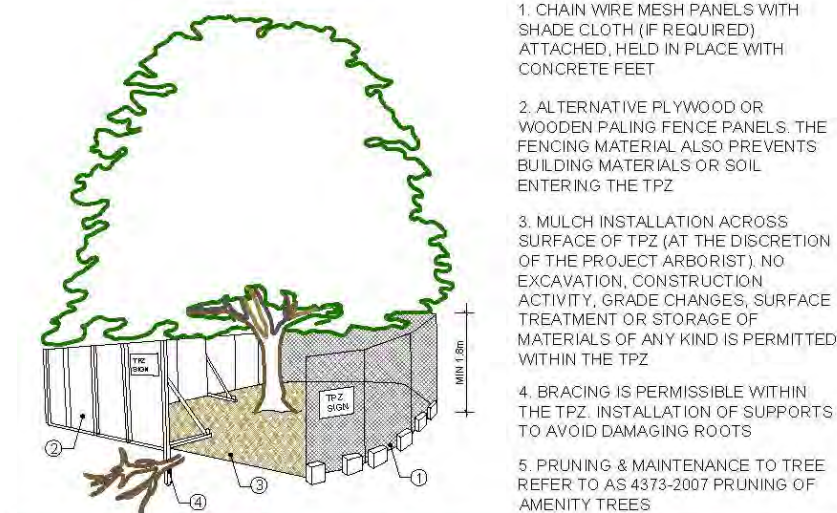
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TREE PLANTING DETAIL

SCALE: NTS

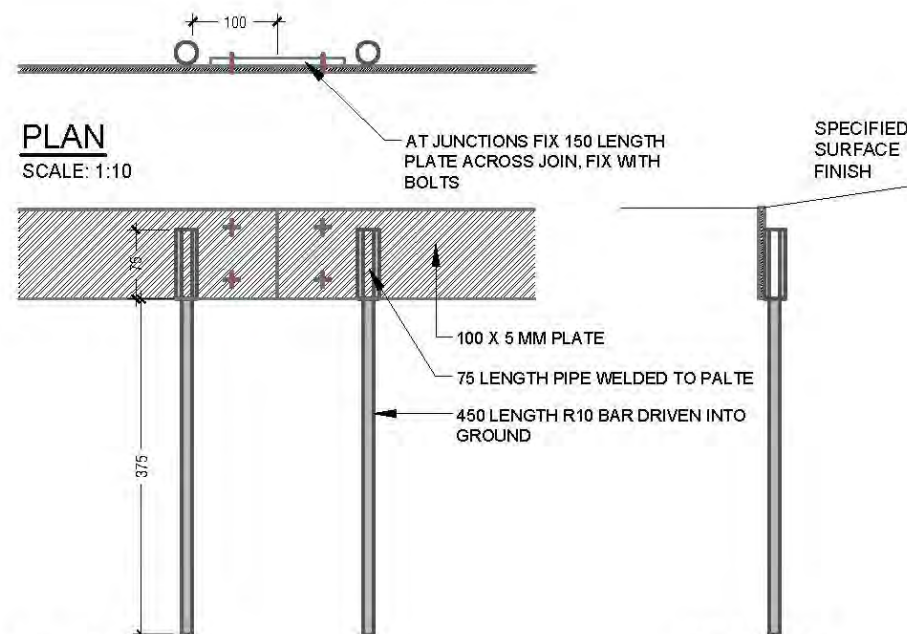
(ONLY APPLICABLE FOR PLANTING AREA OUTSIDE TREE PROTECTION ZONE OF TREES TO BE RETAINED. NO CHANGES ARE TO OCCUR TO EXISTING LEVELS, INCLUDING RIPPING/CULTIVATING OF THE SOIL WITHIN THE TPZ OF TREES TO BE RETAINED ON SITE)



PROVIDE FENCING AS DETAILED TO ALL TREES PROPOSED TO BE RETAINED ON THE SUBJECT SITE. FENCING TO BE LOCATED TO THE DRIP LINE OF TREES OR AS INDICATED ON PLANS OR DIRECTED ON-SITE BY ARBORIST. NO STOCKPILING WITHIN FENCE PERIMETERS.

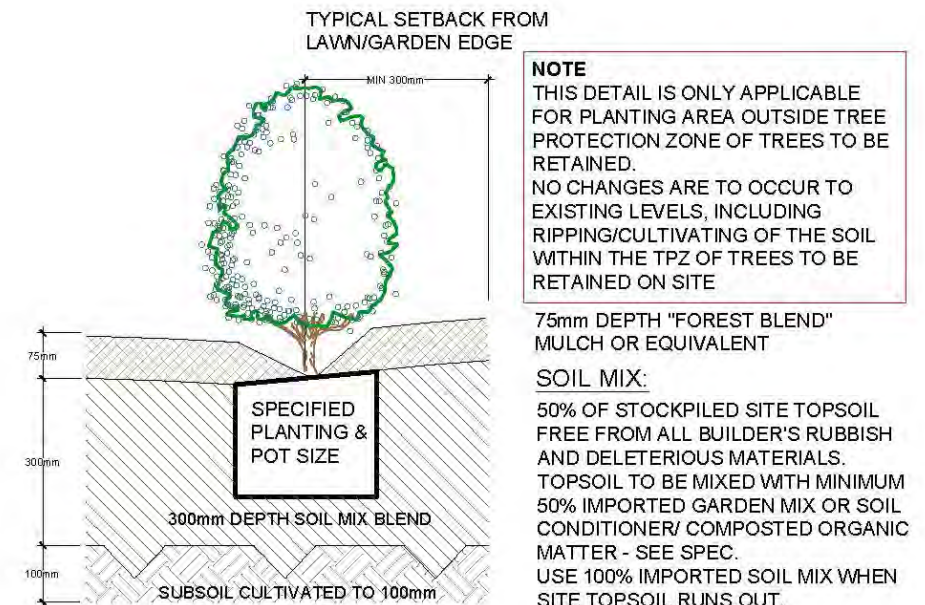
TREE PROTECTION ZONE

N.T.S



STEEL EDGE DETAIL

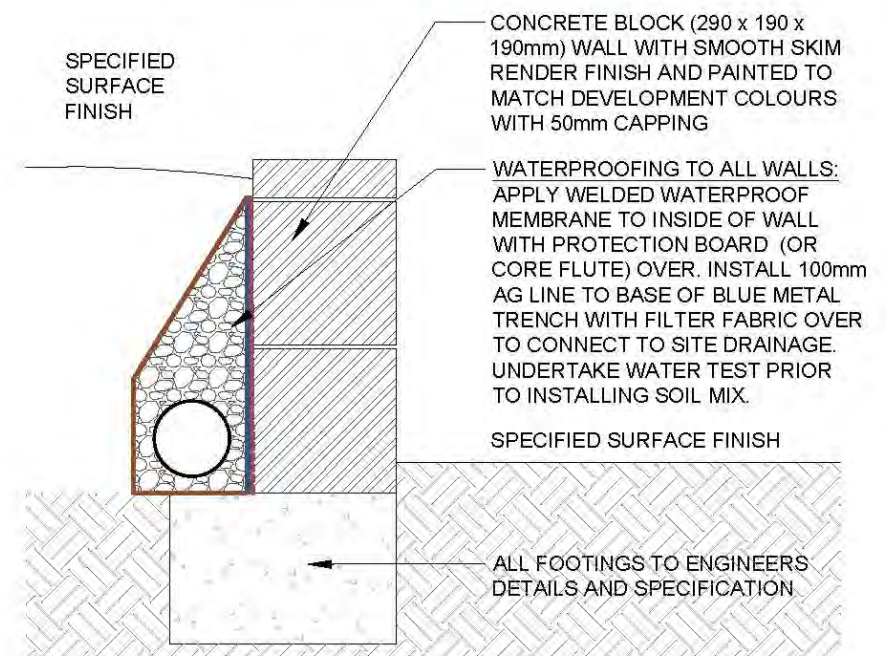
SCALE: 1:10



TYPICAL GARDEN PREPARATION DETAIL

SCALE 1:10

NOTE: TYPICAL DETAIL ONLY. ALL WALLS WHICH FORM PART OF DRAINAGE WORKS MUST BE BUILT AS DETAILED BY THE HYDRAULIC ENGINEER. ALL WALLS EXCEEDING 1m HEIGHT SHALL BE DETAILED BY A QUALIFIED ENGINEER. INSTALL WALL TO SUIT SITE LEVELS AND TO MANUFACTURE'S SPECIFICATION.



TYPICAL RETAINING WALL DETAIL

SCALE 1:10

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AILA Associate



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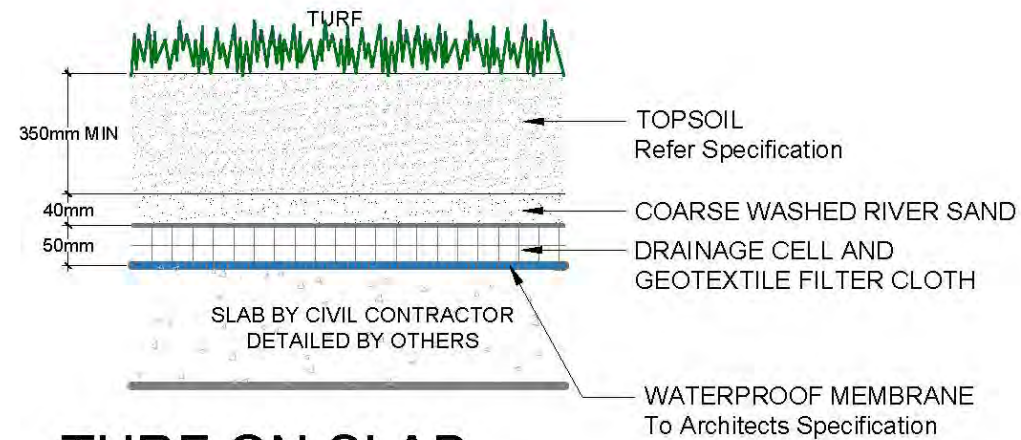
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Phone: 9922 5312 Fax: 8209 4982
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TITLE:	DETAILS	DWG No:	LPS4.55 20 - 269 / 5
	PROPOSED RESIDENTIAL DEVELOPMENT	SCALE:	AS SHOWN @ A3
	629-631 OLD SOUTH HEAD ROAD ROSE BAY	DATE:	JUNE 2020
		DRAWN:	R.H
		CHECKED:	R.F

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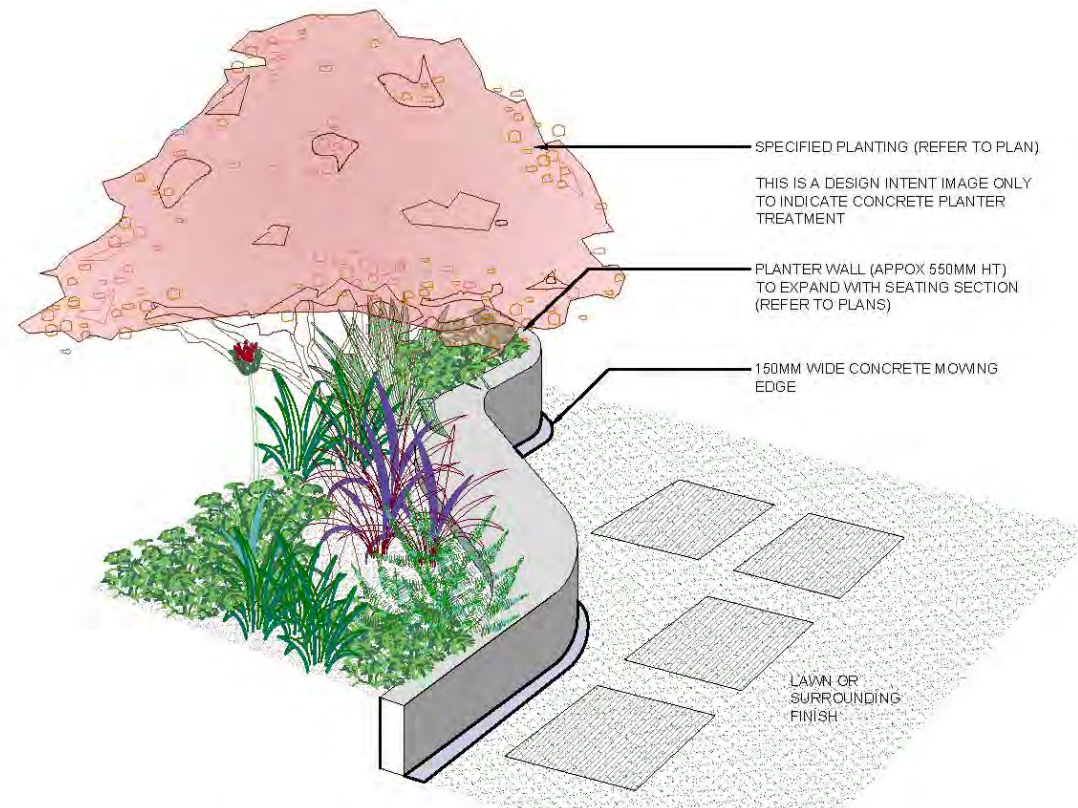
Application No: DA-82/2016/C

Date Received: 21/07/2020



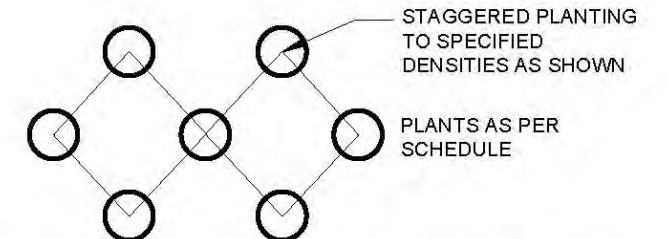
TURF ON SLAB

1:10



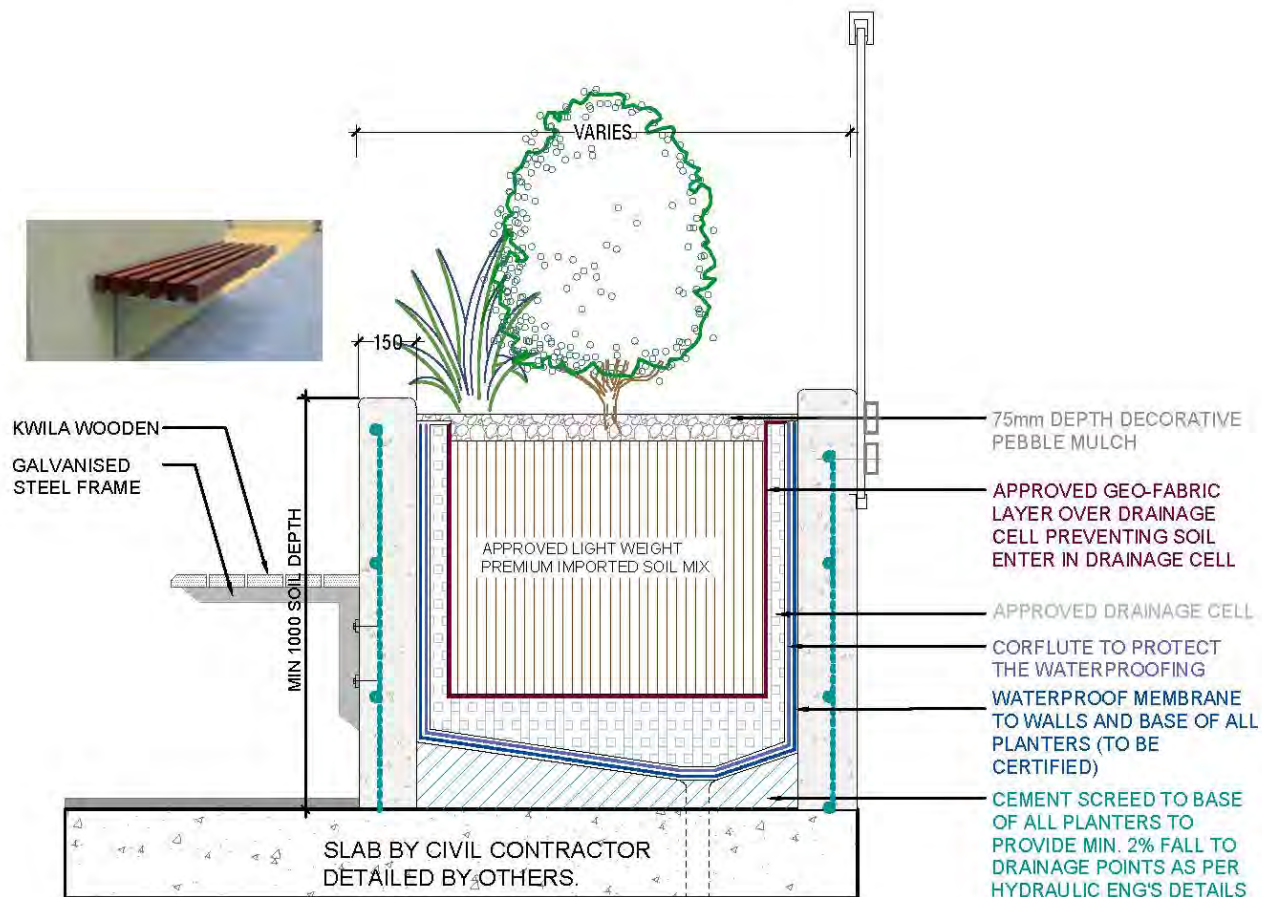
CONCRETE SEATING WALL

NTS



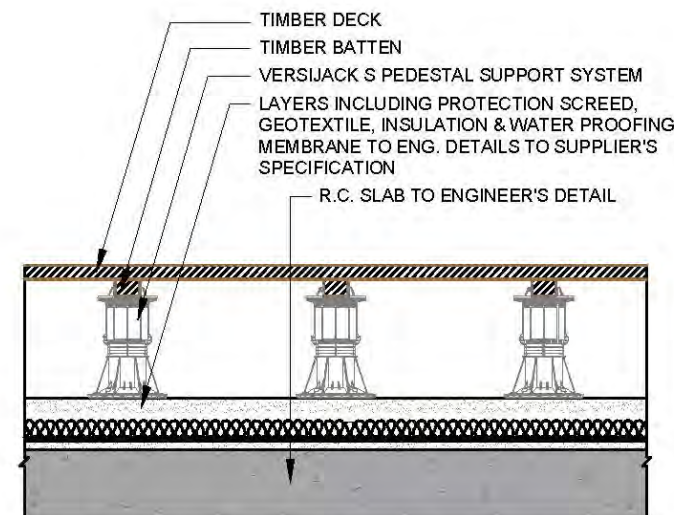
MASS PLANTING SETOUT

N.T.S



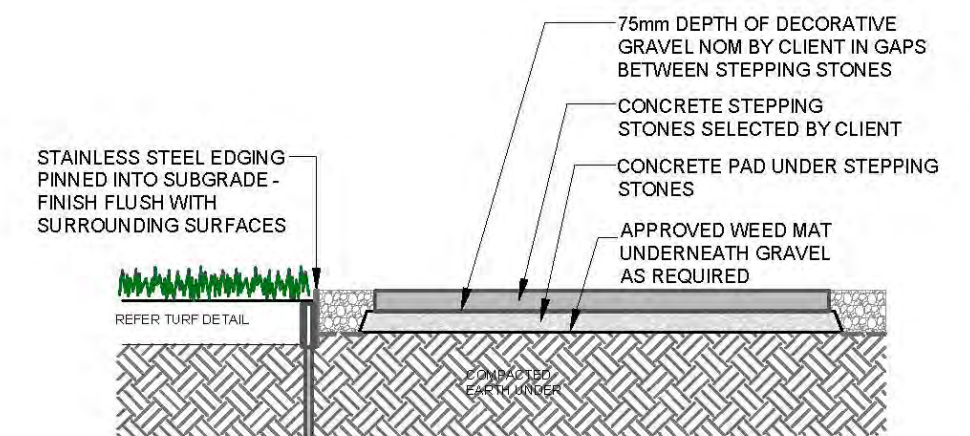
CONCRETE PLANTER ON SLAB DETAIL

SCALE: 1:15



TIMBER DECKING DETAIL

SCALE 1:20



STEPPING STONES AND GRAVEL PATH

SCALE 1:10

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TITLE:	DETAILS	DWG No:	LPS4.55 20 - 269 / 6
	PROPOSED RESIDENTIAL DEVELOPMENT	SCALE:	AS SHOWN @ A3
	629-631 OLD SOUTH HEAD ROAD	DATE:	JUNE 2020
	ROSE BAY	DRAWN:	R.H
		CHECKED:	301

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Application No: DA-82/2016/C

Date Received: 21/07/2020

LANDSCAPE WORK SPECIFICATION

PRELIMINARIES

1.01 GENERAL

The following general conditions should be considered prior to the commencement of landscape works:

- The landscape plans should be read in conjunction with the architectural plans, hydraulic plans, service plans and survey prepared for the proposed development.
- All services including existing drainage should be accurately located prior to the commencement of landscape installation. Any proposed tree planting which falls close to services will be relocated on site under the instruction of the landscape architect.
- Installation of conduit for required irrigation, electrical and other services shall be completed prior to the commencement of hardscape works and hardstand pours.
- All outdoor lighting specified by architect or client to be installed by qualified electrician.
- Anomalies that occur in these plans should be brought to our immediate attention.
- Where an Australian Standard applies for any landscape material testing or installation technique, that standard shall be followed.

1.02 PROTECTION OF ADJACENT FINISHES

The Contractor shall take all precautions to prevent damage to all or any adjacent finishes by providing adequate protection to these areas / surfaces prior to the commencement of the Works

1.03 PROTECTION OF EXISTING TREES

Existing trees identified to be retained shall be done so in accordance with AS 4970-2009 Protection of trees on development sites as well as in accordance with the tree protection measures prepared by project arborist.

Where general works are occurring around such trees, or pruning is required, a qualified Arborist shall be engaged to oversee such works and manage tree health.

Existing trees designated on the drawing for retention shall be protected at all times during the construction period. Any soil within the drip-line of existing trees shall be excavated and removed by hand only. No stockpiling shall occur within the root zone of existing trees to be retained.

Any roots larger in diameter than 50mm shall only be severed under instruction by a qualified arborist. Roots smaller than 50mm diameter shall be cut cleanly with a saw.

Temporary fencing shall be installed around the base of all trees to be retained prior to the commencement of landscape works. Where possible this fencing will be located around the drip line of these trees, or a minimum of 3m from the trunk. The fencing shall be maintained for the full construction period.

1.04 EROSION & POLLUTION CONTROL

The Contractor shall take all proper precautions to prevent the erosion of soil from the subject site. The contractor shall install erosion & sediment control barriers and as required by council, and maintain these barriers throughout the construction period. Note that the sediment control measures adopted should reflect the soil type and erosion characteristics of the site.

- Erosion & pollution control measures shall incorporate the following:
- Construction of a sediment trap at the vehicle access point to the subject site.
 - Sediment fencing using a geotextile filter fabric in the location indicated on the erosion control plan or as instructed on site by the landscape architect.
 - Earth banks to prevent scour of stockpiles
 - Sandbag kerb sediment traps
 - Straw bale & geotextile sediment filter.
 - Exposed banks shall be pegged with an approved Jute matting in preparation for mass planting

Refer to 'Guidelines for Erosion and Sediment Control on Building Sites' by DLWC (2000) for construction techniques

SOIL WORKS

2.01 MATERIALS

Specified Soil Conditioner (Generally to improve site soil)

The specified soil conditioner for site top soil improvement shall be an organic mix complies with **AS 4454-2012 Composts, soil conditioners and mulches**. Note that for sites where soil testing indicates toxins or extremes in pH, or soils that are extremely poor, allow to excavate and supply 300mm of imported soil mix.

New gardens & proposed Planting

New garden and planting areas shall consist of a 50/50 mix of clean site soil (refer d) below) and imported soil. All mixes are to comply with **AS4419-2003 Soils for Landscaping and garden use**, & AS-4454 Composts, Soil conditioners & mulches.

Specified Soil Mix - Turf

The specified soil mix for all turf areas shall be a min 75mm layer of imported soil mix consisting of 80% washed river sand (reasonably coarse), and 20% composted organic matter equivalent to mushroom compost or soil conditioner, or other approved lawn top dress.

Site Topsoil

Site topsoil is to be clean and free of unwanted matter such as gravel, clay lumps, grass, weeds, tree roots, sticks, rubbish and plastics, and any deleterious materials and materials toxic to plants. The topsoil must have a pH of between 5.5 and 7. Use 100% imported soil mix when site when site topsoil runs out.

2.02 INSTALLATION

Note: No level changes (Cut or Fill), soil ripping within the Tree Protection Zones of trees to be retained

a) Testing

All testing is to be conducted in accordance with AS4419-2003 Soils for Landscaping and garden use Methods for testing soils for engineering purposes. Site soil shall be given a pH test prior to modifying to ensure conditions are appropriate for planting as stated above. Tests shall be taken in several areas where planting is proposed, and the pH shall be adjusted accordingly with sulphur or lime to suit.

Note that a soil test conducted by the Sydney Environmental & Soil Laboratory or approved equal shall be prepared for all commercial, industrial and multi-unit residential sites. The successful landscape contractor shall implement the recommendations of this test.

b) Set Out of Individual Trees & Mass Planting Areas

All individual tree planting positions and areas designated for mass planting shall be set out with stakes or another form of marking, ready for inspection and approval. Locate all services.

c) Establishing Subgrade Levels

Subgrade levels are defined as the finished base levels prior to the placement of the specified material (i.e. soil conditioner). The following subgrade levels shall apply:

- Mass Planting Beds - 300mm below existing levels with specified imported soil mix.

- Turf areas - 100mm below finished surface level.
- Note that all subgrades shall consist of a relatively free draining natural material, consisting of site topsoil placed previously by the Civil Contractor. No builders waste material shall be acceptable.

d) Subgrade Cultivation

Cultivate all subgrades to a minimum depth of 100mm in all planting beds and all turf areas, ensuring a thorough breakup of the subgrade into a reasonably coarse tilth. Grade subgrades to provide falls to surface and subsurface drains, prior to the placement of the final specified soil mix.

e) Drainage Works

Install surface and subsurface drainage where required and as detailed on the drawing. Drain subsurface drains to outlets provided, with a minimum fall of 1:100 to outlets and / or service pits.

f) Placement and Preparation of Specified Soil Conditioner & Mixes:

- Trees in turf & beds - Holes shall be twice as wide as root ball and minimum 100mm deeper - backfill hole with 50/50 mix of clean site soil and imported "Organic Garden Mix" as supplied by ANL or approved equal.
 - Mass Planting Beds - Install specified soil conditioner to a compacted depth of 100mm
- Place the specified soil conditioner to the required compacted depth and use a rotary hoe to thoroughly mix the conditioner into the top 300mm of garden bed soil. Ensure thorough mixing and the preparation of a reasonably fine tilth and good growing medium in preparation for planting.
- Turf Areas - Install specified soil mix to a minimum compacted depth of 75mm.
- Place the specified soil mix to the required compacted depth and grade to required finished soil levels, in preparation for planting and turfing

PLANTING

3.01 MATERIALS

a) Quality and Size of Plant Material

All trees supplied above a 25L container size must be grown and planted in accordance with AS 2303:2019 *Tree stock for landscape use*. Certification that trees have been grown to AS2303:2018 guidelines is to be provided upon request of Council's Tree Management Officer.

Above - Ground Assessment:

The following plant quality assessment criteria should be followed:
Plant true to type, Good vigour and health, free from pest & disease, free from injury, self-supporting, good stem taper, has been pruned correctly, is apically dominant, has even crown symmetry, free from included bark & stem junctions, even trunk position in pot, good stem structure

Below - Ground Assessment:

Good root division & direction, rootball occupancy, rootball depth, height of crown, non-suckering For further explanation and description of these assessment criteria, refer to AS2303:2019.
All Plant material shall be to the type and size specified. No substitutions of plant material shall be permitted without written prior approval by the Landscape Architect. No plant shall be accepted which does not conform to the standards listed above.

b) Stakes and Ties

Provide min. 3 No. Stakes and ties to all plants identified as trees in the plant schedule. Stakes shall be sound, unpainted, straight hardwood, free of knots and pointed at one end. They shall be 2200mm x 50mm x 50mm Hardwood, or approved alternative. Ties shall be 50mm wide hessian webbing material.

c) Fertilisers

Fertilisers shall be approved slow release fertilisers suitable for the proposed planting types. Note that for native plants, specifically Proteaceae family plants including Grevillea species, low phosphorus fertilizers shall be used.

d) Mulch

Mulch shall be an approved equal to "Forest Blend" as supplied by ANL. Mulch shall be completely free from any soil, weeds, rubbish or other debris.

e) Turf

Turf shall be soft leaf Buffalo or equivalent (unless stated otherwise), free from any weeds and other grasses, and be in a healthy growing condition.

3.02 INSTALLATION

a) Setting Out

All planting set out shall be in strict accordance with the drawings, or as directed. Note that proposed tree planting located near services should be adjusted at this stage. Notify Landscape Architect for inspection for approval prior to planting.

b) Planting

All plant material shall be planted as soon after delivery as possible. Planting holes for trees shall be excavated as detailed and specified. Plant containers shall be removed and discarded, and the outer roots gently teased from the soil mass. Immediately set plant in hole and backfill with specified soil mix, incorporating the approved quantity of fertiliser for each plant type. Ensure that plants are set plumb vertically and root balls set to the consolidated finished grades detailed on the drawings. Compact the backfilled soil and saturate by hand watering to expel any remaining air pockets immediately after planting.

c) Staking and Tying

Staking and tying shall be in strict accordance with the drawings and shall occur immediately following plant placement and soil backfilling. All plants identified as "Trees" on the planting schedule shall be staked with a min. 3 stakes.

d) Mulching

Mulch for general planter bed shall be an approved equal to "Forest Blend" as supplied by ANL. Mulch shall be completely free from any soil, weeds, rubbish or other debris. Mulch for bio-retention/rain garden area where is required shall be non-floatable materials that could include crushed rock, gravel, coarse river sand, scoria or river pebbles. 4-7mm screenings or similar.

e) Turfing

Moisten soil prior to the turf being laid. Turf shall be neatly butt jointed and true to grade to finish flush with adjacent surfaces. Incorporate a lawn fertilizer and thoroughly water in. Keep turf moist until roots have taken and sods/rolls cannot be lifted. Keep all traffic off turf until this has occurred. Allow for top dressing of all turf areas. All turf shall be rolled immediately following installation.

f) Steel garden edging

Where is required, the Contractor shall install steel garden edging as detailed on the drawings, to all mass planting beds adjoining turf or gravel mulched areas, and where required. The resultant edge shall be true to line and flush with adjacent surfaces. However, no edging shall be used within the Structural Root Zone (SRZ) of trees to be retained.

g) Nature Strip and public domain works

The nature strip (street frontage) for the site is public land, and only authorized works may occur here. Existing Conditions such as street trees, council planting etc shall be retained and protected during construction, unless specific approval has been granted for new work in this area. Where council policy specifies a particular unit paver, material finish, pattern or treatment, it shall be the contractors responsibility to check and verify that this material & treatment is correct and current prior to undertaking construction works'

HARDSCAPE WORKS

4.01 GENERAL

The Contractor shall undertake the installation of all hardscape works as detailed on the drawing, or where not detailed, by manufacturers specification.

- Paving - refer to typical details provided, and applicable Australian Standards. *Permeable paving may be used as a suitable means of satisfying Council permeable surface requirements, while providing a useable, hardwearing, practical surface.* In most instances, the client shall nominate the appropriate paving material to be used.

Australian Standards shall be adhered to in relation to all concrete, masonry & metal work. Some details are typical and may vary on site. All hardscape works shall be setout as per the drawings, and inspected and approved by the Landscape Architect prior to installation. All workmanship shall be of the highest standard. Any queries or problems that arise from hardscape variations should be bought to the attention of the Landscape Architect.

Your attention is directed to any obligations or responsibilities under the Dividing Fences Act, 1991 in respect of adjoining property owner/s which may arise from this application. Any enquiries in this regard may be made to the Crown Lands on 1300 886 235.

IRRIGATION WORKS

5.01 GENERAL (PERFORMANCE SPECIFICATION)

This is a general Irrigation Performance Specification only, as a guide for projects requiring irrigation systems as part of consent requirements or building contractual arrangements.

An automated irrigation system is recommended for the effective establishment of new gardens, and to assist with the success of planting areas on terraces, over slabs and in Communal Open Spaces.

The inclusion of this general specification is no guarantee that an irrigation system forms part of the landscape scope of works, which will be determined by the building contract.

New irrigation systems to planting areas shall be a Commercial Grade Irrigation System conforming to all relevant Australian standards, including AS 3500 & the Gas and Electricity (Consumer Safety) Act 2017, Workplace Health & Safety Act 2011, & the latest Sydney Water Code

An automated drip-irrigation system is to be installed to all gardens, planters and lawn areas in accordance with the approved Irrigation Design. This system shall be designed and installed by a qualified and licensed irrigation specialist, to the highest industry standards and to maximise the efficient usage of water.

The installer is required to obtain all approvals necessary for the completion of works in accordance with the Laws of Australia, Laws of the State of NSW, Waverley Council Council By-Laws and Ordinances.

Drawings:

- The Landscape Contractor nominated Licensed Irrigation Specialist shall provide irrigation drawings for approval upon engagement.

Design Requirements:

- The irrigation system shall be installed prior to all planting works. It shall incorporate a commercially available irrigation system, with sub-surface dripper lines to irrigate all gardens, planters and lawn areas.
- It shall incorporate a suitable back flow prevention device for the scale of works, an in-line filter, check valves, and suitable high and low density poly hose fittings and PVC piping to achieve flow rates suitable for specified planting.
- The irrigation application rate shall not exceed the infiltration rate of the soil or creates run-off.
- The landscape contractor shall check the existing pressure available from the ring mains and size irrigation piping to suit. Supply shall be from local hose cock where available.
- All piping and fittings shall be buried 50mm below the finished soil levels in garden and lawn areas, and secured in position at 500mm centres with galv wire pins.
- Size of pipes shall be selected to ensure the working pressure at the end of the line does not decrease by more than 5%.

Services Co-ordination:

- Co-ordination required by Landscape Contractor or Project Manager to provide required conduit, pipe work and penetration through slabs and planter walls for water and power provisions.
- The Landscape Contractor shall be engaged with the Irrigation Specialist to co-ordinate with the Project Manager to identify the preferred service and conduit locations.
- Project Manager and Landscape Contractor to establish area suitable for irrigation control system with required area, power provision and water supply.

Testing & Defects:

- Upon completion of installation, the system shall be tested, including:
- Main Line Pressure Test: The main line is pressurised to test for leaks. All valves are shut and the pressure is taken over a determined length of time.
 - Dripper Pressure Test: Measurement at flushing valves are taken and the pressure gauged to make sure it conforms to the manufacturer recommendations. The inlet pressure is then tested under the same conditions to check it does not exceed 300Kpa.
 - All components are to be satisfactorily functional and operational prior to approval. Should any defect develop, or the capacity or efficiency of the system decline during the agreed maintenance system, then these faults shall be immediately rectified.

Warranty :

- A full 12 month warranty shall be included to cover labour and all parts.

Further Documentation:

- On request, a detailed irrigation performance specification report can be issued

CONSOLIDATION AND MAINTENANCE





6.01 GENERAL

The consolidation and maintenance period shall be 12 months beginning from the approved completion of the specified construction work (Practical Completion). A qualified landscape maintenance contractor shall undertake the required landscape maintenance works. Consolidation and maintenance shall mean the care and maintenance of Contracted works by accepted landscaping or horticultural practices, ensuring that all plants are in optimum growing conditions and appearance at all times, as well as rectifying any defects that become apparent in the contracted works.

This shall include, but not be limited to, the following items where and as required:

- Watering all planting and lawn areas / irrigation maintenance.
- Clearing litter and other debris from landscaped areas.
- Removing weeds, pruning and general plant maintenance.
- Replacement of damaged, stolen or unhealthy plants.
- Make good areas of soil subsidence or erosion.
- Topping up of mulched areas.
- Spray / treatment for Insect and disease control.
- Fertilizing with approved fertilizers at correct rates.
- Mowing lawns & trimming edges each 14 days in summer or 18 days in winter
- Adjusting ties to Stakes
- Maintenance of all paving, retaining and hardscape elements.

On the completion of the maintenance period, the landscape works shall be inspected and at the satisfaction of the superintendent or landscape architect, the responsibility will be signed over to the client.

<p>General Notes:</p> <p>Figured dimensions take preference to scale readings. Verify all dimensions on site. PDFs plans may vary slightly in scale to that indicated on plans. Report any discrepancies to the Landscape Architect before proceeding with the work.</p> <p>Copyright Sulphurcast Enterprises Pty Ltd Trading as CONZEPT (ABN: 75 623 405 630)</p> <p>This drawing is protected by copyright. All rights are reserved. Unauthorised use of the Copyright Act 1968 is a criminal offence in any form or by any means also reproduced, published, distributed or otherwise used without the prior written consent of the copyright owner.</p> <p>If the Client or third party must signed off for the Client then it will be subject to change, alteration or amendment at the discretion of the client. If the Client is not liable for any loss, damage or injury, whether special, consequential, direct or indirect, suffered by you or any other person as a result of your use of this drawing for any purpose whatsoever.</p> <p>These plans and associated IP are the property of Sulphurcast Enterprises (Sulphurcast) and shall remain the property of Sulphurcast until such time as all agreed payments are made in full. We retain the right to withdraw or to alter any plan from the agreement provided if such payments are not made following the notification period.</p>	<p>AILA Associate</p> <p>www.dialbeforeyoudig.com.au</p> <p>DIAL 1100 BEFORE YOU DIG</p> <p>Australian Institute of Landscape Architects</p>	<table><tr><th>REV</th><th>DATE</th><th>NOTATION/AMENDMENT</th></tr><tr><td>A</td><td>04.06.20</td><td>Preliminary plan prepared for review</td></tr><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr></table>	REV	DATE	NOTATION/AMENDMENT	A	04.06.20	Preliminary plan prepared for review																												<table><tr><td>COUNCIL</td><td>WAVERLEY COUNCIL</td></tr><tr><td>CLIENT</td><td></td></tr><tr><td>ARCHITECT</td><td>MHNDU</td></tr><tr><td>STATUS / ISSUE</td><td>S4.55 - ISSUE A</td></tr></table>	COUNCIL	WAVERLEY COUNCIL	CLIENT		ARCHITECT	MHNDU	STATUS / ISSUE	S4.55 - ISSUE A	<div><p>Conzept Landscape Architects</p><p>Suite 101, 506 Miller St CAMMERAY NSW 2062</p><p>Phone: 9922 5312 Fax: 8209 4982 Mob: 0413 861 351</p><p>www.conzept.net.au enquiries@conzept.net.au</p></div>	<p>TITLE</p> <p>SPECIFICATIONS</p> <p>PROPOSED RESIDENTIAL DEVELOPMENT</p> <p>629-631 OLD SOUTH HEAD ROAD</p> <p>ROSE BAY</p>	<table><tr><td>DWG No:</td><td>LPS4.55 20 - 269 / 7</td></tr><tr><td>SCALE:</td><td>NTS @ A3</td></tr><tr><td>DATE:</td><td>JUNE 2020</td></tr><tr><td>DRAWN:</td><td>R.H</td></tr><tr><td>CHECKED:</td><td>R.F</td></tr></table>	DWG No:	LPS4.55 20 - 269 / 7	SCALE:	NTS @ A3	DATE:	JUNE 2020	DRAWN:	R.H	CHECKED:	R.F
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DETAIL & LEVEL SURVEY BY USHER & COMPANY SURVEYING
PLAN REF. 5663-DET DATED 03-11-2015 AND
ARCHITECTURAL PLANS SUPPLIED BY
MHNDU PROJECT NO. 19-062 REV. A SUPPLIED JUNE 2020

1 Shading June 21st 9.00am
1 : 300

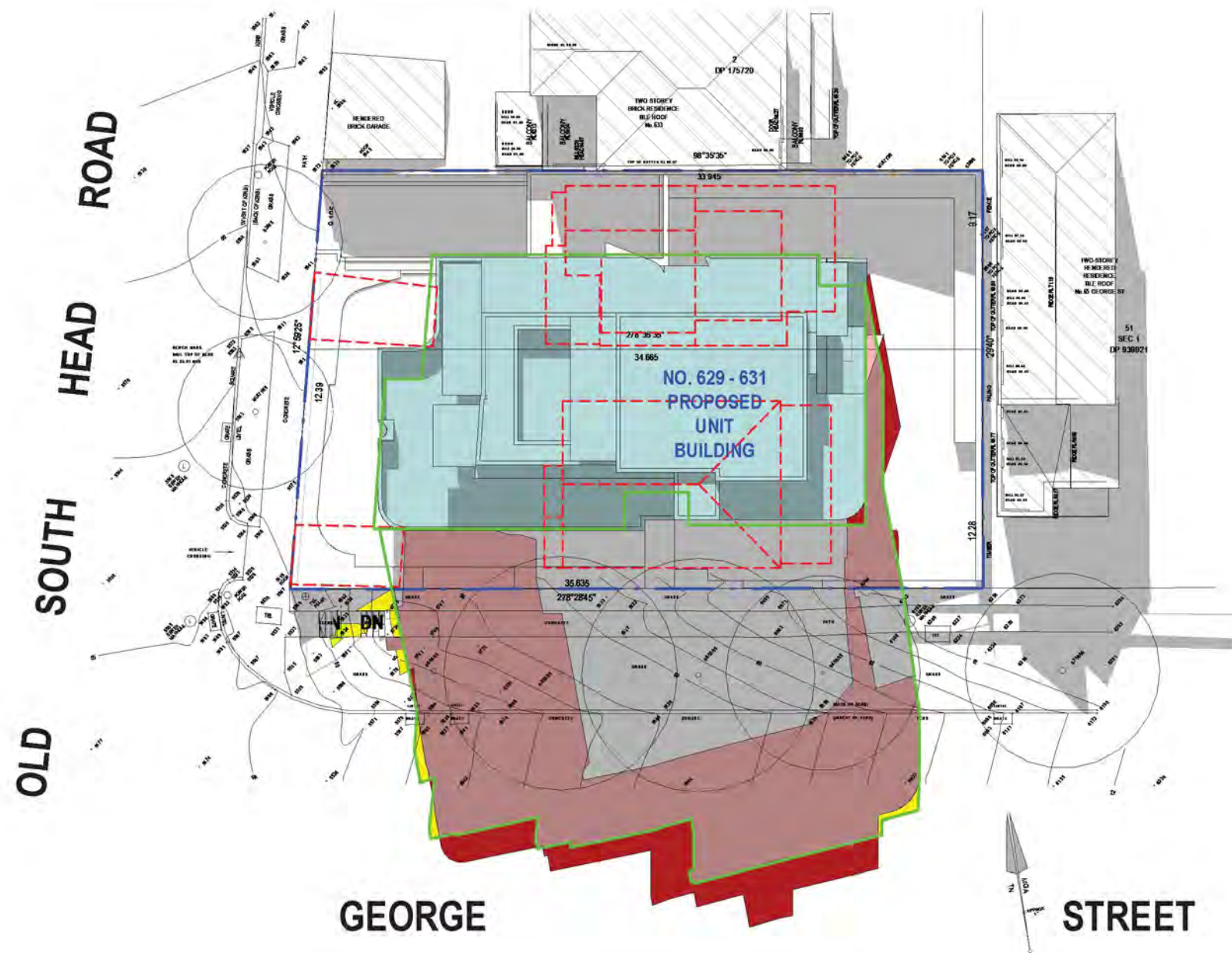
Cad Draft P/L
SHADOW ANALYSIS CONSULTANTS
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SUITE 4, 670 DARLING STREET,
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P.O BOX 446 GLADESVILLE 2111
PH: 9555 8545
info@caddraftnsw.com.au

No.	Description	Date
1	APPROVED MODEL SHADOWS ADDED	11-11-20

SHADOW DIAGRAMS
No. 629 - 631 OLD SOUTH HEAD ROAD
ROSE BAY

CLIENT: TED QUINTON

Shading June 21st 9.00am		
Project number	20-57	A100
Date	11-11-20	
Drawn by	KP	
Checked by	JD	Scale
		As indicated



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1 Shadowing June 21st 12.00pm
1 : 300

Cad Draft P/L

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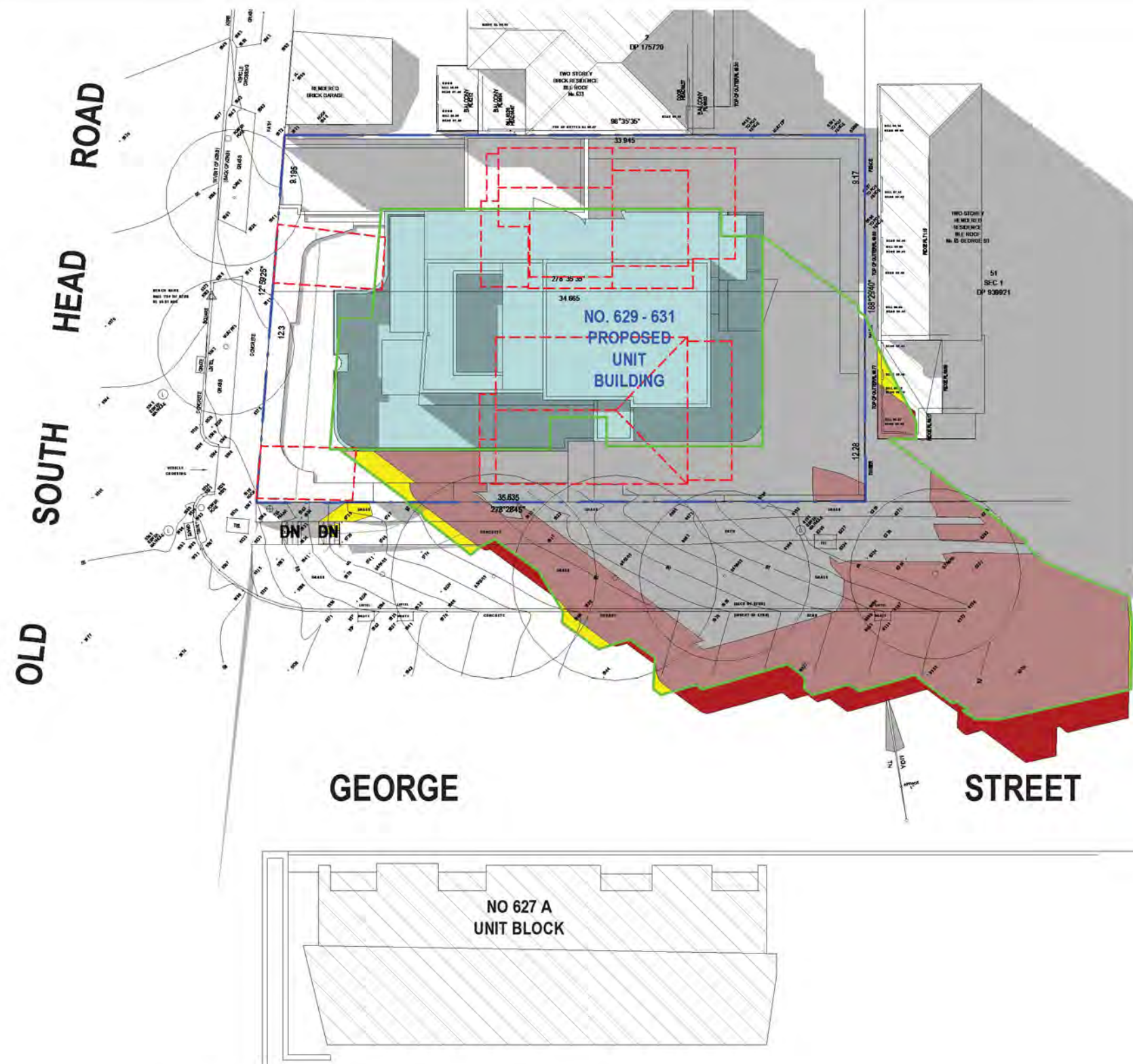
SHADOW DIAGRAMS
No. 629 - 631 OLD SOUTH HEAD ROAD
ROSE BAY

CLIENT: TED QUINTON

Shadowing June 21st 12.00pm

Project number	20-57	A101
Date	11-11-20	
Drawn by	KP	
Checked by	JD	Scale

As indicated



- DENOTES EXISTING SURROUNDING BUILDING SHADOW
- DENOTES OUTLINE OF EXISTING TO BE DEMOLISHED
- DENOTES OUTLINE OF APPROVED BUILDING & SHADOW
- DENOTES PROPOSED ADDITIONAL APPROVED BUILDING SHADOW
- DENOTES FOOTPRINT OF PROPOSED ALTERATIONS & ADDITIONS
- DENOTES PROPOSED ADDITIONAL SHADOW COMPARED TO APPROVED
- DENOTES PROPOSED REDUCTION IN SHADOW COMPARED TO APPROVED



SHADOWS SHOWN HAVE BEEN COMPILED FROM
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MHNDU PROJECT NO. 19-062 REV. A SUPPLIED JUNE 2020

1 Shadowing June 21st 3.00pm
1:300

Cad Draft P/L

ABN 27 083 288 153
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No.	Description	Date
1	APPROVED MODEL SHADOWS ADDED	11-11-20

SHADOW DIAGRAMS
No. 629 - 631 OLD SOUTH HEAD ROAD
ROSE BAY

CLIENT: TED QUINTON

Shadowing June 21st 3.00pm

Project number	20-57	A102
Date	11-11-20	
Drawn by	KP	
Checked by	JD	Scale



Report to the Waverley Local Planning Panel

Application number	DA-261/2020
Site address	130 Hewlett Street, BRONTE
Proposal	Demolition of dwelling and construction of a four storey dwelling house with integrated parking
Date of lodgement	20 August 2020
Owner	Mr J M & Mrs A M Taylor
Applicant	Black & Hellyer Pty Ltd
Submissions	Seven
Cost of works	\$1,160,326
Issues	Non-compliance in FSR and building height, wall height and setbacks, excavation, view loss
Recommendation	That the application be APPROVED subject to a DEFERRED COMMENCEMENT CONSENT

Site Map



1. PREAMBLE

1.1 Site and Surrounding Locality

A site visit was carried out on 16 September 2020.

The site is located at Lot 2 in DP 202821, also known as 130 Hewlett Street, BRONTE. The site is rectangular in shape with a southern front boundary to Hewlett Street measuring 6.98m, a northern rear boundary measuring 6.675m, a western side boundary measuring 34.18m and an eastern side boundary measuring 33.96m. The site has an area of 232.7m² and falls from the north towards the southern front boundary by approximately 7.6m.

The site is occupied by a three storey single dwelling with vehicular access provided from Hewlett street to a double garage.

The subject site is adjoined by a Council reserve to the east with pedestrian access to Andrew Street, and a block of four storey units to the west. On the northern side of Hewlett Street, it is generally characterised by residential flat buildings, whilst the southern side are generally single detached dwellings. Most dwellings in this section of Hewlett Street have views of Bronte Beach.



Figure 1: Site viewed from Hewlett Street



Figure 2: Subject site viewed from Andrew Street behind the subject site, looking SW.

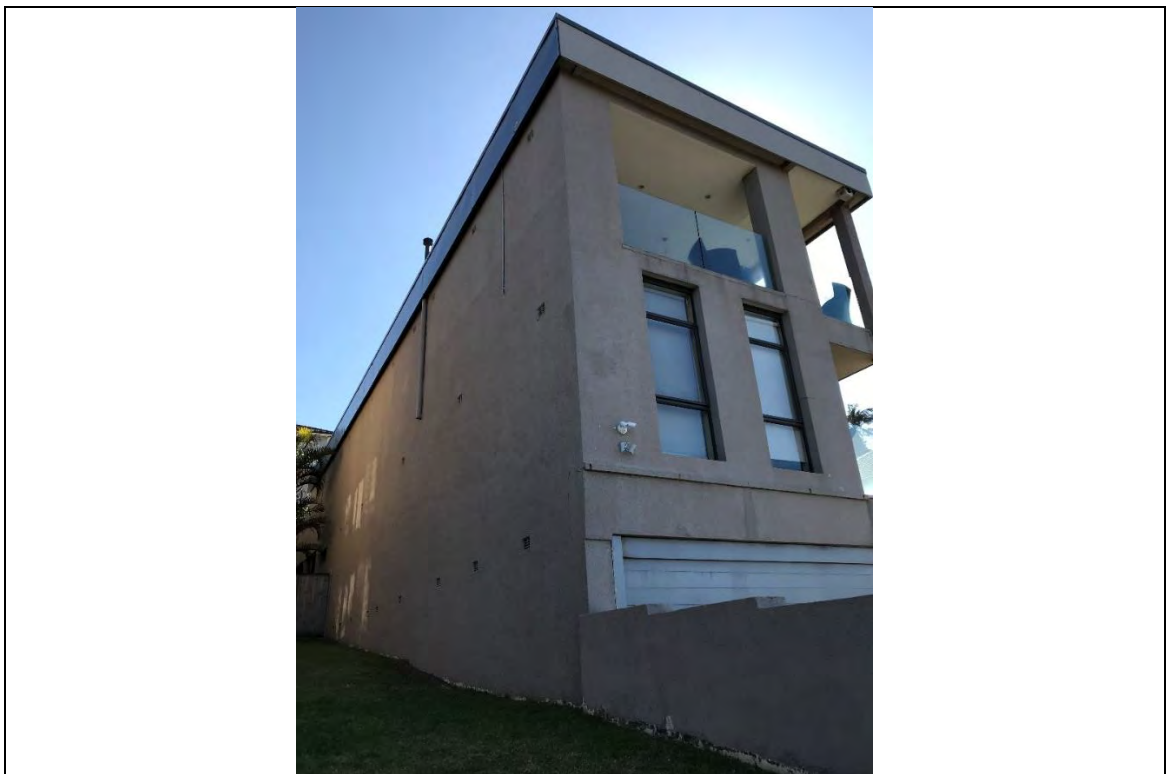


Figure 1: Site viewed from Hewlett Street, looking NE.



Figure 4: Existing dwelling and photomontage of the proposed development (NB: photomontage was created for the plans submitted on 20 August 2020. The top floor section has since been amended to be reduced in size. This is discussed further below).

1.2 Relevant History of Previous Applications

DA-612/2003 – alterations and additions to the existing dwelling including various window changes, approved on 28 October 2003.

DA-138/2009 – Construction of waste/recycling bins enclosure at the existing dwelling, approved on 31 March 2009.

1.3 Application History

16 September 2020 – A site visit was carried out at the subject site.

24 September 2020 – A site visit was carried out at the neighbouring block of units at 122-128 Hewlett Street and the property at 1 Andrew Street (a total of eight units visited).

24 September 2020 – The application was deferred, for the following reasons:

- The development proposed to vary the floor space ratio (FSR) standard by 133.9m² or 67.8%, the maximum overall height standard by 1.3 metres or 14%, and the maximum wall height limit by 3.8 metres. This would result in a gross overdevelopment of the site.
- Potential view loss impacts to neighbouring properties. A view impact assessment was not provided with the application and was requested.

29 October 2020 – An on-site meeting was held to discuss the issues with the design and comment on preliminary plans.

12 November 2020 – Amended plans were submitted, with the following amendments:

- The gross floor area (GFA) reduced in size to not be more than the current GFA on the site;
- Overall height of the development reduced to comply with the standard;
- The top floor reduced in size and design amended to reduce visual impacts to neighbouring properties; and

- A view impact analysis was submitted to accompany the potential impacts to neighbouring properties.

17 November 2020 – An amended Clause 4.6 was submitted to reflect the above amendments. The amended plans as submitted on 12 November 2020 are therefore the subject of assessment in this report.

1.4 Proposal

The development proposes the demolition of the existing dwelling and construct of a part three, part four storey dwelling. Specifically, the following works are proposed:

- Demolition of the existing dwelling on site;
- The lower ground floor will consist of a three car garage, bin storage, a bathroom and a sub-floor storage area;
- The ground floor will consist of a living area, two x bedrooms and a bathroom;
- The first floor will include a living area, deck, kitchen, bedroom and courtyard at the rear; and
- The second floor will have a master bedroom, ensuite and terrace.

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 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 does not contravene the aims of the plan.
Part 2 Permitted or prohibited development		
Land Use Table R3 Medium Density Zone	Yes	The proposal is defined as a dwelling, which is permitted with consent in the R3 zone.
Part 4 Principal development standards		
4.3 Height of buildings <ul style="list-style-type: none"> 9.5m 	Yes	The amended development proposes an overall height of 9.5m, which complies with the standard.
4.4 Floor space ratio and 4.4A Exceptions to floor space ratio <ul style="list-style-type: none"> 0.85:1 	No	The amended development proposes a total GFA of 306.2m ² or an FSR of 1.32:1. The proposed FSR does not comply with the standard by 54.9%.
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 and height development standards. A detailed discussion of the variation to the development standards is presented below this table.
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. The proposal complies with clause 6.1 of the Waverley LEP 2012.
6.2 Earthworks	Partial, condition recommended	<p>The development proposes excavation associated with the sub floor storage level on the lower ground floor and part of two bedrooms on the ground level.</p> <p>The extent of excavation will impact on the overall scale and built form and contributes to the non-compliance in FSR. The level of excavation is considered inappropriate and is recommended to be scaled down in size. This is discussed further in Table 2 below.</p>

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 FSR development standard in Clause 4.4.

The site is subject to a maximum FSR control of 0.85:1. The proposed development has an FSR of 1.32:1, exceeding the standard by 108.64m² equating to a 54.9% variation.

A written request has been submitted to Council in accordance with Clause 4.6(3)(a) and (b) of the Waverley LEP 2012 seeking to justify the contravention of the development standard by demonstrating:

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

A copy of the applicant's written request has been provided to the Waverley Local Planning Panel for consideration.

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) *In this case there is an appropriate correlation between the controls as the proposal complies with the height control meaning that the additional FSR does not create additional impacts due to height.*
 - (ii) *As noted, much of the additional FSR is below ground level and therefore does not contribute to additional building bulk.*
 - (iii) *Further, by maintaining the same floor space as the existing dwelling, the proposal is able to redistribute the same bulk in a less impactful way.*
 - (iv) *In this context where all the surrounding buildings appear to have similar height, bulk and scale, the proposed exceedance of the FSR control is appropriate and in fact should be encouraged in order to allow the redevelopment of a building which presently detracts from the overall character of the area.*
 - (v) *The proposal is generally compliant with the relevant height and setback controls and is compatible with the adjoining developments in relation to these matters. The side setbacks are generally less than other development, however one of the positive impacts of the proposal is that these setbacks can be increased and the additional articulation reduces the visual bulk of the building particularly when viewed from the adjoining park.*
 - (vi) *The proposal will not have any notable adverse impact on surrounding development and in fact will have benefits in relation to visual quality and reducing in the overshadowing of the adjoining park.*
 - (vii) *Whilst there are some view impacts from the proposal, enforcing compliance with FSR would not reduce this impact as the most logical place to lose GFA would be in the basement and the 3rd car space. Given that the proposal generally complies with the height controls this would be a reasonable approach but would not create any tangible benefit in terms of impact reduction.*

- (b) That there are sufficient environmental planning grounds to justify contravening the standard:
- (i) *The sloping nature of the land means that areas which constitute GFA can be accommodated predominantly below ground level and therefore do not contribute significantly to the visible bulk of the building.*
 - (ii) *Requiring removal of these areas would not result in any tangible external benefit and would have the adverse impact of an increase in the demand for on-street parking which is already in short supply in this locality.*
 - (iii) *Removing basement space would increase parking demand without any tangible benefit regarding visible bulk and scale.*
 - (iv) *The proposal needs to breach the FSR limit in order to maintain the existing FSR on the site. Any further reduction in FSR would mean that the significant benefits that the proposal provides compared to the existing building on the site would not be possible. Enforcing retention of the existing building form would be a far poorer planning outcome for surrounding development and in particular the adjoining public park.*
 - (v) *The proposal has been designed to minimise impact on neighbours and to ensure an appropriate appearance from the public domain. Overshadowing of the public park is reduced and there is minimal potential for privacy impacts.*
 - (vi) *The building bulk is consistent with that permitted by the FSR (with the excess being below ground level) and landscaped area controls, and has been distributed in a manner that provides significant articulation ensuring an improvement to the overall quality of the Hewlett Street streetscape and the public domain.*

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 not 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 not adequately addressed that compliance with the standard is unreasonable or unnecessary in the circumstances of the case as their written request has not explicitly referenced and addressed 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.*

The structure and substance of the written request suggests the applicant relies on the first justification, that is the objectives of the development standard are achieved despite the non-compliance with that standard. The substance of the commentary against each objective of the maximum FSR development control is deemed inadequate and, in some cases, incorrect (as explained in the succeeding section of this report).

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

No, the applicant attempts to establish that there are sufficient environmental planning grounds to justify contravening the development standard by stating that the development has a consistent floor space when compared with the existing dwelling on the site. The applicant further states that the development complies with height and setback controls and that the development will have a lesser impact to the Council reserve located immediately east of the subject site.

As the development proposes a complete demolition of the built form, the existing floor space on the site becomes redundant. It would therefore require the floor space to be calculated and assessed as a new development on a vacant lot. Whilst the existing built form and FSR may be taken into consideration when assessing the impacts of amenity and bulk, the existing non-compliance of FSR does not solely provide a reasonable justification for a non-compliance for the new development.

It is considered that the development now relies solely on compliance with the Waverley Development Control Plan 2012 (Waverley DCP 2012) controls and whether the development results in any additional impacts to neighbouring properties and the streetscape. The applicant incorrectly states that the proposed development complies with the height and setback controls under the Waverley DCP 2012. Whilst the overall height control may comply with the numerical maximum of the standard, the development provides a nil boundary setback along the western boundary on all four levels, which does not comply with the control. Further, the proposal seeks a variation of the maximum wall height control. These non-compliances with the controls contribute to the overall bulk and scale of the design and propose to be more of an impact than the existing built form, due to the additional storey. Whilst it is acknowledged that the floor space has been 're-designed' from the front setback to the top floor, the development would create a larger scaled development when viewed from the habitable windows of the units to the west and from the Council reserve and streetscape to the east due to the additional level.

The applicant focuses on the minimal impacts of the development to the Council reserve located to the east, however, fails to acknowledge the impacts to habitable windows and units to the west. Regardless of the built form reducing in the front setback, the proposal to include an additional storey above the existing built form will result in amenity impacts to both the western units, northern units and the Council reserve as it will be viewed as one level higher than the existing circumstance. The development will increase the adverse amenity impacts to the neighbouring units, rather than reducing or maintaining similar impacts from the existing built form. The applicant's argument that the development proposes to maintain the existing FSR is therefore not supported.

Is the development in the public interest?

The proposed development will not be in the public interest because it is inconsistent with both the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out.

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

The proposal results in a non-compliance of approximately 108.64m² above the development standard. The proposed FSR is not considered appropriate within the context of the site, as the built form will result in additional detrimental amenity impacts to the surrounding streetscape and neighbouring units. The additional storey will create an unreasonable bulk to the building, which is not consistent with the surrounding development.

The proposed breach of the FSR control is considered to be substantive with unreasonable impacts. Consideration should also be given to the view impact analysis provided elsewhere in this report, which demonstrates that there will be some impacts on views from neighbouring properties as a result of the proposal. This is discussed in more detail later in the report.

Conclusion

For the reasons provided above, the requested variation to the FSR development standard is not entirely supported, while the applicant's written request has adequately addressed the matters required to be addressed by cl 4.6(3) of the Waverley LEP 2012, the proposed development is not in the public interest because it is inconsistent with the objectives of FSR development standard and the R3 zone. As such, the application is recommended to be deferred to remove the top level master bedroom. This will soften the visual appearance of the built form and will result in a development that remains within the existing building envelope currently on site. The recommended deferred commencement condition will result in no additional amenity impacts to the streetscape or surrounding units.

2.1.4 Waverley Development Control Plan 2012 (Amendment 7) Effective 2 March 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 and Recycling Management plan has been submitted with the application. A condition of consent is recommended regarding ongoing waste on site. The waste and recycling storage area is conveniently located for users of the site.

Development Control	Compliance	Comment
2. Ecologically sustainable Development	Yes	The development incorporates passive design and natural ventilation. Given the low scale of this development, these mechanisms are considered to address the objectives of Part B2 of the DCP.
3. Landscaping and Biodiversity	Yes Subject to conditions	The subject site lies within the identified coastal biodiversity corridor. The proposal was referred to the Biodiversity Environmental Sustainability department who have recommended conditions relating to the planting of indigenous and native species on site. The extent of landscaping has been increased on site, which is considered acceptable and appropriate in this instance.
6. Stormwater	Yes Subject to conditions	The stormwater plans submitted with the application are unsatisfactory. Suitable conditions are recommended requiring an updated stormwater plan that complies with the requirements. The site is not flood prone and the design complies with the Water Management Technical Manual.
8. Transport	Yes Subject to conditions	<p>The proposed garage has a satisfactory streetscape impact, following the guidance of the DCP controls.</p> <p>The proposal seeks to utilise the existing vehicle access to the site from Hewlett Street. The car parking proposed compliments the design of the building and streetscape, is behind the front building line and does not reduce the number of on street spaces.</p> <p>However, the development proposes one additional car space over the maximum rate allowed under the control. This results in a significant increase in the extent of excavation, the built form, and additional floor space.</p> <p>A condition is recommended to remove one car space from the garage in order to better comply with the floor space and excavation standards. This is discussed further below this table under 'Excavation'.</p>
10. Safety	Yes	The proposal does not contravene the objectives of this part of the DCP.

Development Control	Compliance	Comment
11. Design Excellence	Yes Subject to conditions	Due to the Council reserve immediately adjacent to the subject site, the development is highly visible from the streetscape. As such, the bulk and scale of the development, in particular the top level, is not in keeping with the scale of development along Hewlett Street for single dwellings. As discussed above, a deferred commencement condition is recommended to remove the top level of the proposal. This will reduce the bulk and scale to the site and will fit better within the streetscape context.
14. Excavation	No	The proposed excavation increases the floor space of the site and sits along both east and west side boundaries, therefore not complying with the controls. This is discussed further below.

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

Excavation

The development proposes to extend the existing level of excavation further towards the rear of the site. This would result in boundary to boundary excavation for the first 8.36m of development, and then a further 10.54m of excavation along the western boundary. The extent of excavation is proposed in order to accommodate three car parking spaces, a bicycle parking space and a sub floor storage area.

The lower ground level as proposed does not comply with the Waverley DCP 2012 in terms of boundary setbacks and maximum car parking rates. Further, the extent of excavation is considered to be excessive and would not align with the objectives of this control. A condition is therefore recommended to remove one car parking space and replace this area with the sub floor storage room. This will limit the excavation on the site and will better comply with the Waverley LEP 2012 and Waverley DCP 2012 in relation to the allowable FSR, maximum parking rate, and excavation standards and controls.

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

The proposal is defined as a “Dwelling House” in the Waverley LEP 2012.

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 Waverley DCP 2012.

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	<p>The development proposes a maximum wall height of 9.8m, which does not comply with the control by 2.3m. The existing wall height of the dwelling is 9.5m, resulting in the proposed development being 300mm higher than the current building envelope.</p> <p>As the western wall is proposed to sit on the boundary, any additional height from the existing would be considered unacceptable as it would contribute to the overall bulk and scale and impact on the amenity of the neighbouring property.</p> <p>The applicant has stated the reason for the 300mm height variation is due to the planter boxes needing a minimum depth level to allow for meaningful landscaping. It is noted that the planter boxes are proposed to be 1 metre in depth, which is 400mm more than what would be required for meaningful landscaping.</p> <p>It is therefore recommended that a condition be placed on the consent to lower the height of the wall along the western elevation by 300mm to sit no higher than that of the existing built form.</p>
2.2 Setbacks		
2.2.1 Front and rear building lines <ul style="list-style-type: none"> Predominant front building line Predominant rear building line at each floor level 	Yes Acceptable on merit	<p>The front setback of the garage level and first floor level are proposed to have an increased setback to the current built form, with the ground level in line with the existing. This setback is in line with the buildings further to the east and west and is considered to be appropriate in the context of the immediate area.</p> <p>The development proposes a rear setback of 5.73m. This is discussed further below.</p>
2.2.2 Side setbacks <ul style="list-style-type: none"> Minimum of 0.9m-1.5m 	Yes	<p>The development proposes an eastern side setback of 0.9m for the lower ground, ground and level 1, and a 1.59m setback from Level 2, which complies with the control. This is an increase in the setback compared to the existing dwelling.</p>

Development Control	Compliance	Comment
		<p>In support of the non-compliances, it is noted that the predominant character along Hewlett Street is balconies and terraces, particularly at the neighbouring units to the west. Due to the natural slope of the land and the views to Bronte Beach, many dwellings and units along Hewlett Street maintain larger balconies and terraces to maximise these water and beach views. In regards the balcony, the development is therefore generally in keeping with the character of the area and its context and is considered acceptable.</p> <p>It should also be noted that the proposed terrace and balcony will face the streetscape and will not result in any privacy impacts to neighbouring properties.</p> <p>Notwithstanding, a deferred commencement condition has been recommended to remove the upper level and roof terrace from the plans to limit impacts to neighbouring properties.</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 development proposes the private open space to be located at the rear (north) of the site to allow for maximum sunlight access. The development complies with the control.</p> <p>The proposed development will have minor additional shadowing to the eastern ground floor unit at 132 Hewlett Street at 3pm only. The additional overshadowing is only for one hour of the day and will not impact on the principal private open space or main living areas of this unit. Further, the unit will receive sunlight prior to and after 3pm. The additional overshadowing at 3pm is considered acceptable in this instance.</p> <p>Notwithstanding the above, a recommendation has been included to reduce the height of the western wall and remove the top level master bedroom. This would result in no additional overshadowing to the ground floor unit to the west, as the proposed development will sit wholly within the existing building envelope.</p> <p>The development will result in some minor overshadowing at 9am to the eastern wall of units to the west. The additional impact will only be for one hour in the morning and will not</p>

Development Control	Compliance	Comment
		shadow the principal private open space of these units.
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	A comprehensive view impact analysis was submitted with the amended plans and is discussed in detail below.
2.8 Car parking		
2.8.2 Design Approach <ul style="list-style-type: none"> Parking only allowed where site conditions permit Designed to complement the building and streetscape Car parking structures to be behind the front building line Driveways are to be located to minimise the loss of on street parking Parking to be provided from secondary streets or lanes where possible. 	Yes	<p>The garage is proposed to sit 5.88m from the front boundary, which is 1.525m further than the existing garage on site. The development proposes to utilise the existing driveway.</p> <p>The proposed garage will complement the design of the built form and will be in character with the context of the streetscape.</p> <p>No street parking will be lost.</p>
2.8.2 Parking rates <i>Maximum rates:</i> <ul style="list-style-type: none"> 2 spaces for 3 or more bedrooms 	No	The development proposes three car parking spaces which is one more space than the maximum control allows. The additional car parking space contributes to the excessive breach in the FSR development standard and the extent of excavation proposed on site. As discussed above, a condition has been recommended to remove the additional car parking space in order to better comply with the Waverley LEP 2012 and Waverley DCP 2012 standards and controls.
2.8.3 Location <ul style="list-style-type: none"> Behind front building line for new dwellings 	Yes	The proposed garage is located behind the front building line of the ground and first floor above. The location of the garage is compatible with the

Development Control	Compliance	Comment
		streetscape and fits with the character of Hewlett Street.
2.8.4 Design <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 • Gates to have an open design 	Yes	Views of garages are a common characteristic of Hewlett Street and the proposal sits within that character. The design of the garage will complement the character of the streetscape of Hewlett Street. The increased setback and style of the garage is an improvement from the existing built form and is considered acceptable.
2.8.5 Dimensions <ul style="list-style-type: none"> • 5.4m x 2.4m per vehicle 	Yes	The garage proposes dimensions of 13m x 5.3m, which complies with the standard.
2.8.6 Driveways <ul style="list-style-type: none"> • Maximum of one per property • Maximum width of 3m at the gutter (excluding splay) • Crossings not permitted where 2 on street spaces are lost 	Yes	The development proposes to utilise the existing driveway.
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 Acceptable on merit Yes	The development will result in a total of 41% of the site accommodated by open space. 31% of the site is proposed for landscaping. The development proposes 57.58m ² of private open space. 100% of the front of the site is open space. 22% of the front setback is dedicated to landscaped area. Whilst this does not comply with the requirement, it is a 22% improvement from the existing development on site. A clothes drying area is available in the rear of the site.

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

Side Setbacks

The development proposes a nil boundary setback on the western wall on all levels, which does not comply with the standard. It is noted that the existing building currently has a nil boundary setback along the western boundary for all three levels. Due to the existing wall on the boundary, a nil boundary setback would be acceptable for this development up to the height of the existing built form only, as there would be no additional amenity impact on the neighbouring property.

The development proposes a wall height that is 300mm higher than the existing built form. As discussed above, a condition has been recommended to lower the wall height by 300mm in order to reduce impacts to the neighbouring units to the west.

Predominant Rear Setback

The development proposes a rear setback of 5.73m, which is reduced from the existing building by 0.8m-1.5m. The context of the area does not have a predominant character of consistent rear setbacks. The satellite image below demonstrates the context of the locality and the lack of predominant rear building lines.



Figure 5: Site context. The proposed rear setback will not result in additional amenity impacts to the neighbouring property. The rear setback is therefore considered acceptable in this instance.

Streetscape and Visual Impact

The development proposes to build the dwelling within the existing building envelope, with the exception of the Level 2 master bedroom. The development will have a reduced bulk when viewed from Hewlett Street on the lower ground, ground and first floor levels, as they have an increased setback and reduced solid walls to the street. The first three levels of the development are considered to be acceptable and compatible within the streetscape.

Level 2; however, is proposed as a part 3rd, part 4th storey, which will add to the overall bulk of the development. This is particularly emphasised when viewed across the Council reserve immediately adjacent to the subject site. This level will not be in keeping with the overall bulk and scale of surrounding development. This is further emphasised by the excessive breach in the maximum allowable FSR. A deferred commencement condition is recommended to remove the top level from the proposal in order to better comply with the Waverley DCP 2012 controls and to reduce the bulk and scale of the built form from the streetscape.

View Impacts

Clause 2.7 Views of Part C2 in the Waverley DCP 2012 outlines the objectives and controls relating the assessment of views and view loss. The development proposes to increase the overall height of the building, adding an additional storey from the existing built form. The proposed additional height is located in direct view of the units at 122-128 Hewlett Street and 1 Andrew Street.

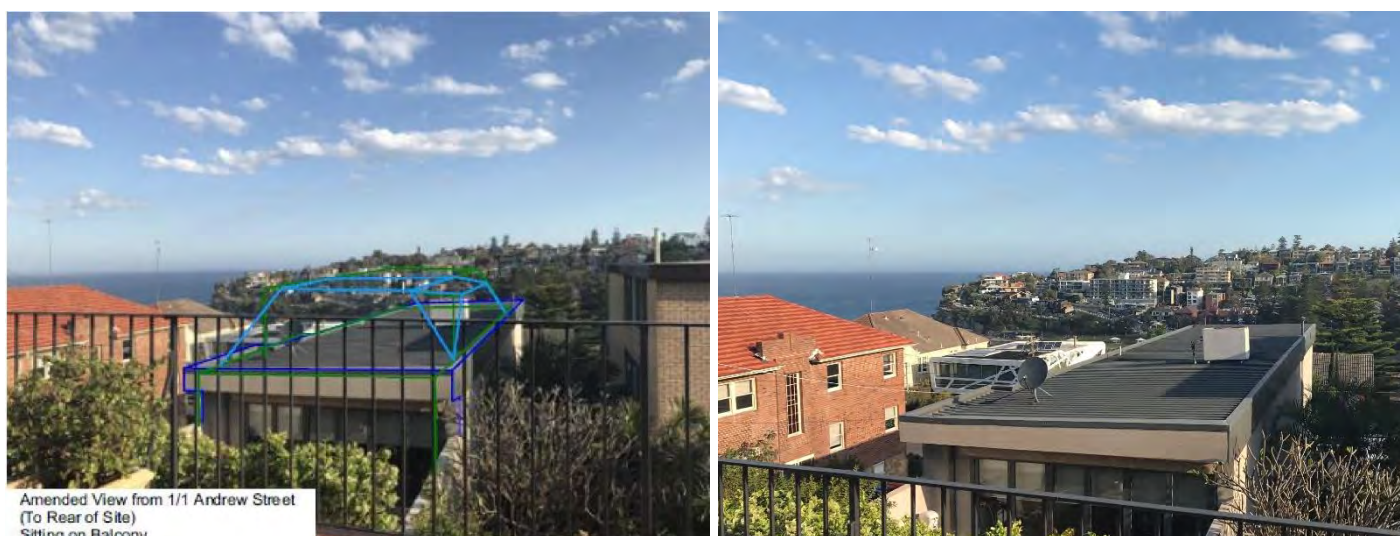
Council's view sharing objectives under Waverley DCP 2012 require that views are shared, providing equitable access to views from dwellings. This objective provides a general guide when assessing potential view loss, further expanded by guiding principles of the Land and Environment Court as follows. The judgement in *Tenacity Consulting v Warringah Council (2004)* resulted in a four step assessment in regards to view sharing. The applicant has submitted their own 'View Analysis', prepared by Ingham Planning dated 26 October 2020.

An assessment against all four steps has been undertaken below. For the purpose of this report, the first two steps will be assessed together.

1. *The first step is the assessment of views to be affected. Water views are valued more highly than land views. Iconic views (eg of the Opera House, the Harbour Bridge or North Head) are valued more highly than views without icons. Whole views are valued more highly than partial views, eg a water view in which the interface between land and water is visible is more valuable than one in which it is obscured.*
2. *The second step is to consider from what part of the property the views are obtained. For example the protection of views across side boundaries is more difficult than the protection of views from front and rear boundaries. In addition, whether the view is enjoyed from a standing or sitting position may also be relevant. Sitting views are more difficult to protect than standing views. The expectation to retain side views and sitting views is often unrealistic.*

To be noted in the figures below, the dark blue line indicates the existing building, the green line indicates the originally proposed development, and the light blue line indicates the amended proposed design.

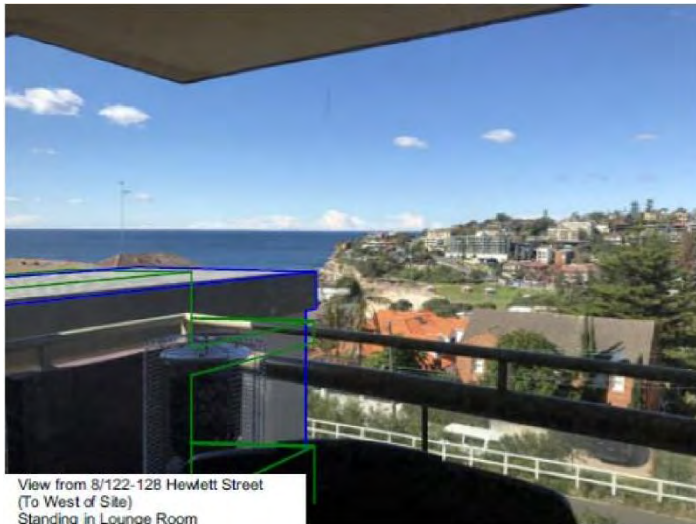
Unit 1/1 Andrew Street



The existing views from the unit at 1/1 Andrew Street comprises views to the south east towards Bronte Beach, as shown in the images above. The views that are to be impacted by the development

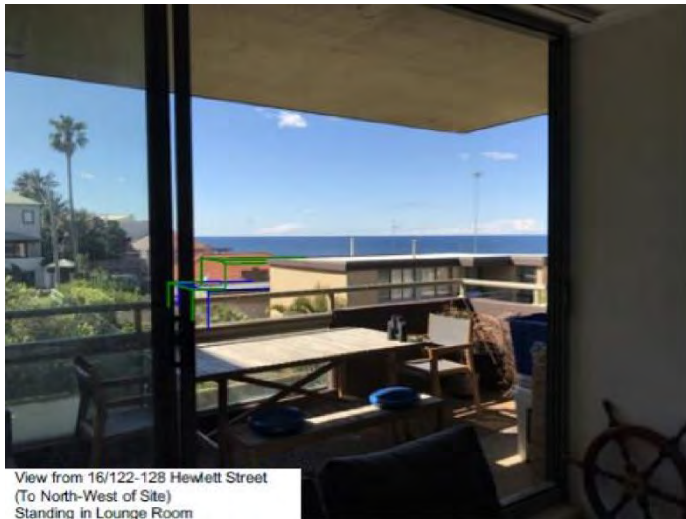
are partly the Council reserve fronting Bronte Beach and part of the headland. Water views are located further east and will not be impacted by the proposed development. The views are obtained looking across the subject site. The image on the right is from a sitting position and the image on the left is from a standing position.

Unit 5/122-128 Hewlett Street



The existing views from 5/122-128 Hewlett Street consists of views to the south east towards Bronte Beach and the Council reserve. The above images demonstrate the existing and proposed views from the unit. The first image shows views from the living room, the second image has been taken from the balcony, and the third image from the bedroom looking east. The views that are to be impacted are water views. The above photographs have been taken from a standing position, looking east across the subject site.

Units 16, 17, 18 and 19/122-128 Hewlett Street



View from 16/122-128 Hewlett Street
(To North-West of Site)
Standing in Lounge Room



View from 17/122-128 Hewlett Street
(To North-West of Site)
Standing on Balcony



View from 18/122-128 Hewlett Street
(To North-West of Site)
Standing on Balcony



View from 19/122-128 Hewlett Street
(To North-West of Site)
Standing on Balcony
Similar to views from Units 17 and 18/122-128 Hewlett Street

KEY
 OUTLINE OF EXISTING HOUSE
 OUTLINE OF PROPOSED HOUSE

The above photographs demonstrate the existing and proposed views from the units at No. 16, 17, 18 and 19 122-128 Hewlett Street. These views are looking east towards Bronte Beach. The views that are to be impacted are water views. The views are obtained looking east, across the front section of their own property and partly across the subject site's boundaries. All views are from a standing position.

Unit 20/122-128 Hewlett Street



The existing views from Unit 20 consist of water, beach and cliff face views of Bronte Beach, as shown above. The view is from a standing position on the balcony of the unit.

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

Unit 1/1 Andrew Street

The proposed development will result in some loss of views from the balcony of this unit, particularly part of the Council's reserve fronting Bronte Beach and part of the cliff face along the southern side of Bronte Beach. The existing water views will not be impacted by the proposed development. As the majority of the views, being the water views, are to be kept intact, it is considered that the extent of impact is relatively minor. The main impact of views would be to land views of the Bronte cliff edge. The headland on the southern side of Bronte will remain visible, as will the water views.

Unit 5/122-128 Hewlett Street

The views from unit 5 will be improved as a result of the development from the primary living areas and private open space. The increased setback of the first floor will allow for more visibility when looking east. Whilst it is acknowledged that the water views from the bedroom will be impacted, the overall outcome would be an improvement from the current building. It is noted that the bedroom views are from a standing position and it is considered that this room is not highly trafficable. The impact to this unit is considered acceptable.

Units 16, 17, 18 and 19 / 122-128 Hewlett Street

The views from units 16 and 19 will not be impacted by the development, as shown in the images above. The photographs taken were from a standing position and clearly show that the development will sit below the existing roof forms of neighbouring properties.

The views from units 17 and 18 will be impacted via a small amount of water above the existing roof top areas on the neighbouring properties. As the majority of water views will still be visible, it is considered that the impacts are minor.

Unit 20/122-128 Hewlett Street

The views from unit 20 will not be impacted, as shown in the image above. The proposed development will not sit higher than the existing roof forms on neighbouring properties, which already impede on the views.

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

Unit 1/1 Andrew Street

As the water views will not be impacted, and the development will only limit views of the land, it is considered that the proposed development will have a reasonable impact on the unit at 1/1 Andrew Street. The proposal is fully compliant with the maximum building height and sits 1.8m below the maximum allowable under the standard. It is considered that the impact of the development is reasonable, given the water views will not be impacted and the views to be impacted are assessed as 'minor'.

Unit 5/122-128 Hewlett Street

The views from Unit 5's living room and balcony will be improved by the proposed development, due to the balcony proposed on the first floor of the subject site. As shown in the images above, the increased setback of the blank wall will increase visibility from these areas and will improve the outlook.

The water views visible from the bedroom would be completely removed as a result of the development. It is acknowledged that although there would be some view loss impact for the neighbouring property in question, it is still considered that the proposal is reasonable as the overall outcome would result in increased views from the main living areas and their private open space. It is noted that the views from the bedroom are obtained across the side boundary. As the development complies with the 9.5m height limit, it is considered that a fully complying development on this site would impact on this view.

It is considered that the loss of view is not unreasonable in the circumstances of the case. Accordingly, the proposed development and corresponding view sharing arrangements are considered reasonable due to the overall increase in views. Notwithstanding, as mentioned earlier in the report, a condition

has been recommended to remove the Level 2 master bedroom from the proposal due to bulk and scale impacts. Should this condition be adopted, the views would not be impacted from the bedroom of this unit.

Units 16, 17, 18 and 19/ 122-128 Hewlett Street

The views from units 16 and 19 will not be impacted and the proposed development is therefore considered acceptable from these units.

The views of water in units 17 and 18 will be impacted by the development slightly. Whilst there is some impact on the water views, the majority of the water view will remain intact. The encroachment is considered to be minor and will not affect the overall outlook of water from these units. As such, the minor impact is considered acceptable.

Unit 20/122-128 Hewlett Street

The views from unit 20 will not be impacted and the proposed development due to the existing roof forms on neighbouring properties. No concerns are raised.

Conclusion

It is acknowledged that although there would be some view loss impact for the neighbouring properties as discussed above, it is still considered that the proposal is reasonable and that a fully compliant development on the subject site would likely result in some view loss impacts for the neighbour's property, which is across a side boundary. Some of the existing views currently obtained across the side boundary would be lost, however the remaining views from the primary living areas and private open spaces will remain.

It is considered that the loss of view is not unreasonable in the circumstances of the case. Accordingly, the proposed development and corresponding view sharing arrangements are considered reasonable and are an appropriate response to the view loss controls in the Waverley DCP 2012 and NSW Land and Environment Court Tenacity view loss planning principle.

Notwithstanding, a condition has been recommended to remove Level 2 master bedroom due to unreasonable bulk and scale from the streetscape. This would result in no significant additional view impacts to the neighbouring properties from the existing built form.

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, subject to conditions.

2.4 Any Submissions

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

this assessment have not been notified, as they are considered to be a reduced impact than those notified.

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

Table 3: Summary of property addresses that lodged a submission

Property
10/122-128 Hewlett Street, BRONTE
15/122-128 Hewlett Street, BRONTE
19/122-128 Hewlett Street, BRONTE
5/122-128 Hewlett Street, BRONTE
2 Andrew Street, BRONTE
1/1 Andrews Street, BRONTE
Strata, 122-128 Hewlett Street, BRONTE

Issue: *The development will result in overlooking to the rear unit on the neighbouring property at 20/122-128 Hewlett Street.*

Response: The proposed development will sit lower in height than unit 20 on the neighbouring property. The rear private open space will sit lower than the existing private open space on the subject site. Unit 20 will have some capacity to look into the private open space of the subject site, however the development will have little opportunity to look into the units at the rear, due to the height variance.

Issue: *View impacts from the units at 122-128 Hewlett Street.*

Response: The application has been amended. A detailed view analysis has been undertaken in the body of the report.

Issue: *The development will impact on the sunlight access to the units to the west.*

Response: The sunlight access and overshadowing has been assessed in the body of the report. As discussed above, the development complies with the overshadowing controls. Notwithstanding, conditions have been recommended to lower the height of the wall on the western boundary to avoid any additional overshadowing to the western neighbouring units.

Issue: *The proposal is an overdevelopment of the site and would result in an unreasonable bulk and scale to the streetscape.*

Response: Noted. The scale and bulk of the development has been discussed in the body of the report. Deferred Commencement conditions have been recommended to reduce the scale of the development from the streetscape.

Issue: *Noise from construction.*

Response: Standard conditions are recommended regarding hours of construction to minimise impacts to neighbouring properties.

Issue: Visual bulk from the streetscape.

Response: Noted. The visual bulk from the streetscape is considered to be unacceptable. As such, a condition is recommended to remove the top floor from the proposal. This is discussed in further detail in the body of the report.

Issue: Non-compliance with building height.

Response: Amended plans have since been submitted lowering the overall height of the development to comply with the standard. Notwithstanding, Level 2 is recommended to be deleted.

Issue: Non-compliance with FSR.

Response: Noted. The non-compliance of the FSR is considered unacceptable and conditions are recommended to remove the top level in order to reduce floor space and reduce the amount of excavation within the lower ground level.

Issue: Non-compliance with side setback on the western boundary.

Response: The side setback along the western boundary is acceptable up to the height of the existing wall on the boundary. Conditions have been recommended to reduce the proposed wall on boundary by 300mm to sit no higher than the existing wall. This will result in no additional impacts from the current built form.

Issue: Direct views from the Level 2 terrace to the front balcony of 2 Andrew Street.

Response: The balcony at 2 Andrew Street is located at the front of the property and is visible to the street, meaning all pedestrians walking in the area have clear views to this balcony. The proposed terrace would be located more than 25 metres from their balcony and is orientated to face south east towards the beach. Additionally, the balcony at 2 Andrews Street is higher than the proposed terrace. It would therefore be unreasonable to restrict the proposed balconies on the subject site due to privacy concerns. Notwithstanding, it is recommended the terrace on the second level be removed due to visual bulk impacts.

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 (Environmental Sustainability)

The development was referred to Council's Biodiversity officer who made the following comments:

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.

The planting schedule on the submitted landscape plans does not indicate proposed numbers of each species.

It is noted that very few species included on the submitted plans are listed in Annexure B2-1.

Planner Comment:

A condition has been recommended to provide an updated landscape plan that allows for 50% of the proposed trees, 50% of the shrubs and 50% of the grass and landcovers are to be indigenous or local native plants listed in Annexure B2-1.

3.2 Stormwater (Infrastructure Services)

Council's Engineers have advised that the stormwater proposal for the site is unsatisfactory and suitable conditions of consent are recommended.

3.3 Public Domain (Infrastructure Services)

The development was referred to Council's Public Domain officer who recommended a suitable security bond and noted:

The proposal seeking to remove the existing rendered walls encroaching into Councils' Reserve located on eastern side of the development. All new structure and any structure foundation must be contained and constructed within private property. From a Public Domain perspective there are no objections to approval of this application subject to conditions.

The conditions have been recommended in the consent.

3.4 Tree Management Officer (Open Space and Sports fields Management)

Council's Tree Management officer has reviewed the proposal and made the following comments:

- *On inspection, it was noted that on site there were no trees of any significance, the trees possess no outstanding attributes worthy of retention **and their removal is supported.***
- *Landscape plan prepared by Elke landscape architect, DWG: L-101.Rev; B. Date: 10/07/2020 **is satisfactory and should be used.***

Suitable conditions are recommended.

4. SUMMARY

The proposal seeks approval for the demolition of the existing dwelling and the construction of a part three, part four storey detached dwelling.

The proposed non-compliance regarding the breach in the FSR development standard has been assessed in the body of the report. In order to reduce the scale and bulk of the proposed development and lessen the breach in FSR, conditions have been recommended to remove the Level 2 master and reduce the amount of excavation by deleting the third car parking space.

The application received seven submissions relating to overshadowing, view loss and amenity impacts to neighbouring properties. These concerns have been addressed in the body of this report.

In light of the assessment made throughout this report, and the in the absence of adverse environmental impacts, the application is recommended for deferred commencement consent, specifically to address the issues with FSR.

DBU Decision

The application and assessment report were reviewed by the DBU at the meeting on 16 November 2020 and the DBU determined:

The application should be deferred and amendments required as follows:

- i. *The floor labelled Level 2 consisting of the master bedroom and terrace be removed from the plans;*
- ii. *The eastern wall on boundary lowered by 300mm to sit no higher than the existing wall on boundary on site; and*
- iii. *The lower ground level be amended to remove one car parking space and relocate the Sub Floor Storage room in the location of the third parking space to reduce the extent of excavation.*

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

5. RECOMMENDATION TO WAVERLEY LOCAL PLANNING PANEL

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

Report prepared by:



Katie Johnstone
Senior Development Assessment Planner

Date: 19 November 2020

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



Bridget McNamara
Manager, Development Assessment
(North/South)

Date: 26 November 2020

Reason for referral:

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

APPENDIX A – DEFERRED COMMENCEMENT CONSENT CONDITIONS

The consent authority must be satisfied as to the following matters before the consent can operate.

Deferred commencement consent is granted in accordance with the provisions of section 4.16(3) of the *Environmental Planning and Assessment Act 1979*. The consent is not to operate until the applicant has satisfied Council as to the following matters before the consent can operate:

1. The overall wall height of the external wall is to be reduced by 300mm to sit no higher than the existing building on site;
2. The lower ground floor plan is to be amended to remove one car parking space and relocate the 'Sub Floor Storage Room' to sit in place of the third car space in order to reduce the extent of excavation; and
3. The third floor labelled Level 2, which includes the master bedroom and terrace are to be removed entirely from the plans.

The applicant has 12 months to obtain approval of the amended plans and additional information required by the deferred commencement matters in order to activate the consent. The consent will become active for five years from the date of satisfying the deferred commencement consent matters.

APPENDIX B – CONDITIONS OF CONSENT

A. APPROVED DEVELOPMENT

1. APPROVED PLANS AND DOCUMENTATION

The development must be in accordance with:

- (a) Architectural Plans prepared by Black and Hellyer including the following:

Plan Number and Revision	Plan description	Plan Date	Date received by Council
DA 100 Rev. A	Site Analysis Plan	03/08/2020	20/08/2020
DA 110 Rev. A	Proposed Lower Ground Floor Plan	03/08/2020	20/08/2020
DA 120 Rev. A	Proposed Ground Floor Plan	03/08/2020	20/08/2020
DA 130 Rev. A	Proposed Level 1 Plan	03/08/2020	20/08/2020
DA 140 Rev. C	Proposed Level 2 Plan	10/11/2020	12/11/2020
DA 100 Rev. C	Proposed Site / Roof Plan	10/11/2020	12/11/2020
DA 200 Rev. C	Proposed South (Street) Elevation	10/11/2020	12/11/2020
DA 210 Rev. C	Proposed East Elevation	10/11/2020	12/11/2020
DA 220 Rev. C	Proposed West Elevation	10/11/2020	12/11/2020
DA 230 Rev. C	Proposed North (Rear) Elevations	10/11/2020	12/11/2020
DA 300 Rev. B	Proposed Section A A	26/10/2020	30/10/2020

- (b) BASIX Certificate;

- (c) Schedule of external finishes and colours received by Council on 20 August 2020;
- (d) The Site Waste and Recycling Management Plan (SWRMP) Part 1 received by Council on 20 August 2020.

Except where amended by the following conditions of consent.

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

2. 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.

3. 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

4. SECTION 7.12 CONTRIBUTION

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

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

5. SECURITY DEPOSIT

A deposit (cash or cheque) or guarantee for the amount of **\$23,206.52** 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.

6. LONG SERVICE LEVY

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

7. 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.

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.

9. 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.

10. 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

11. STORMWATER

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

The submitted stormwater civil plans prepared by Istruct Consulting Engineers, Project No. 200511, Drawing No. D01 (Revision 2), dated 29/07/2020 are considered unsatisfactory.

The applicant must submit plans and specifications to comply with the current Waverley Council Water Management Technical Manual and Development Control Plan (DCP) at the time of engineering plan approval. The submitted plans to include:

- a) OSD Details: The provided plans do not provide sufficient details of the proposed 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., pit overflow, OSD plaque and OSD warning sign. Councils mandatory OSD checklist as set out in page 22 of the Council's Water Management Technical Manual shall be submitted.
- b) Details of any rainwater tank required by BASIX commitments or as nominated on the architectural plan, including the overflow connection to the 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)

ENERGY EFFICIENCY & SUSTAINABILITY

12. BASIX

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

WASTE

13. 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

14. LANDSCAPE WORKS IN A HABITAT CORRIDOR

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

Note that cultivars will not be counted towards the 50% requirement of this control.

PUBLIC INFRASTRUCTURE WORKS

15. PUBLIC DOMAIN

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

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

Any affected Council's infrastructure as the result of construction activities within the public domain area, inclusive of Council's Reserve, stormwater, stormwater outlet/s, kerb and gutter, road pavement, footpath, grass verged and vehicle crossover within the extent works shall be replaced as per Waverley Council Public Domain Technical Manual.

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.
- (a) 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.

25. 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.

26. 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.

27. 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.

28. CERTIFICATION OF BASIX COMMITMENTS

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

29. 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.

30. COMPLIANCE CERTIFICATE

Prior to the issue of any Occupation Certificate, a final Compliance Certificate shall be obtained from Council confirming that all works in the road reserve including all public domain infrastructure works and restoration, have been completed to Council's satisfaction.

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. EXCAVATION TO BE LIMITED

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

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.

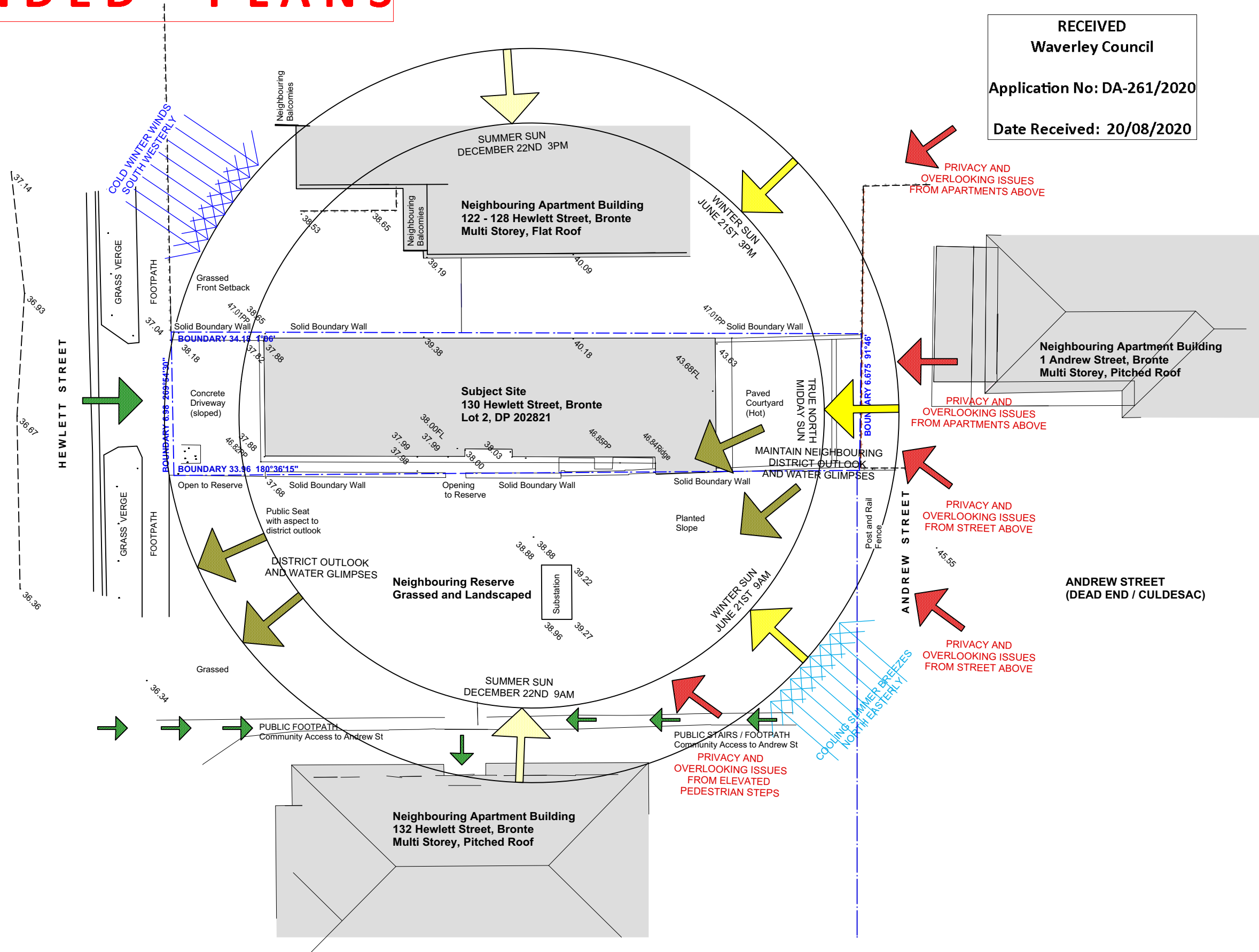
AD7. TREE REMOVAL/PRESERVATION

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.

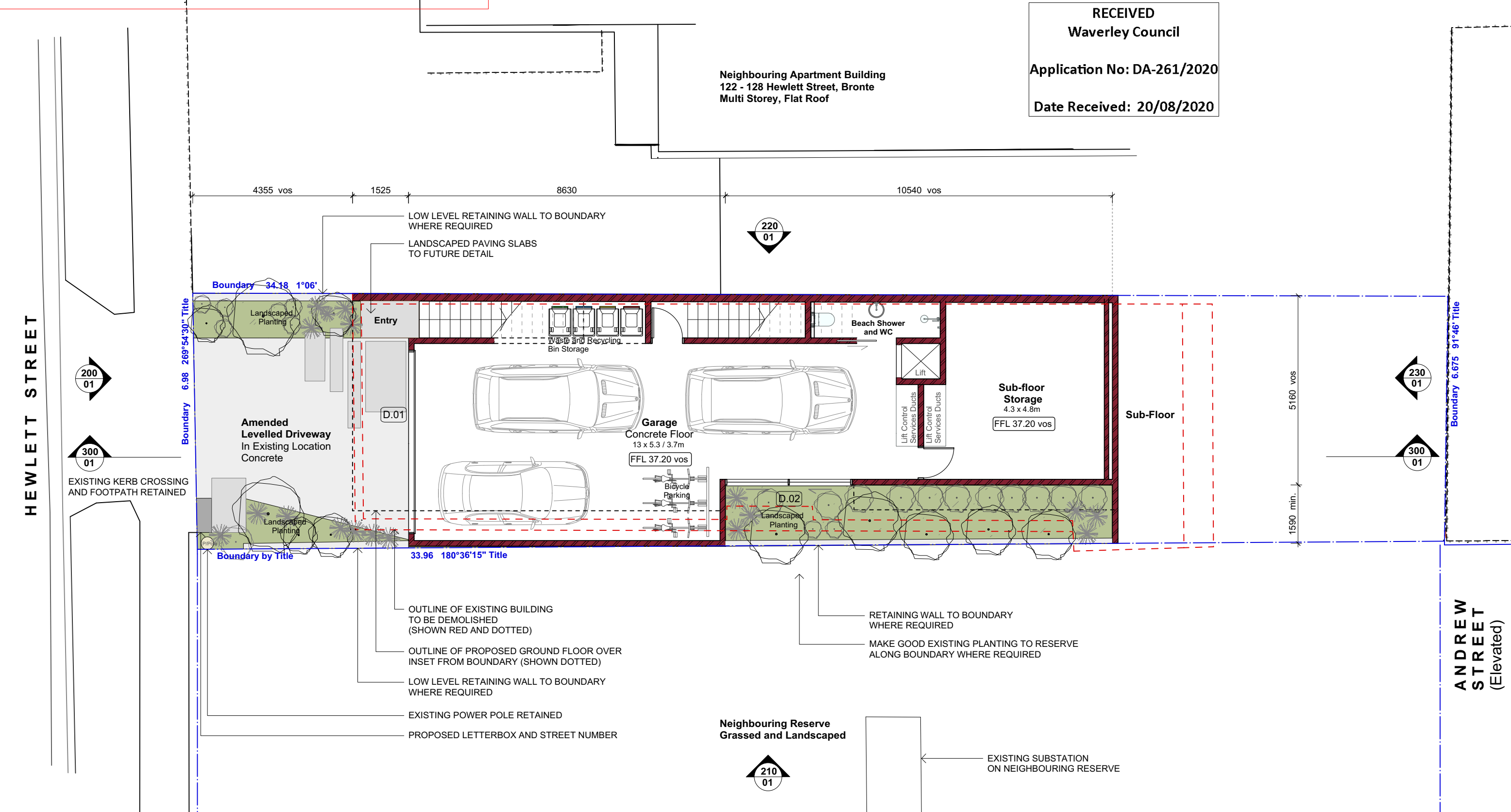
AD8. WORK OUTSIDE PROPERTY BOUNDARY

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

AMENDED PLANS



AMENDED PLANS



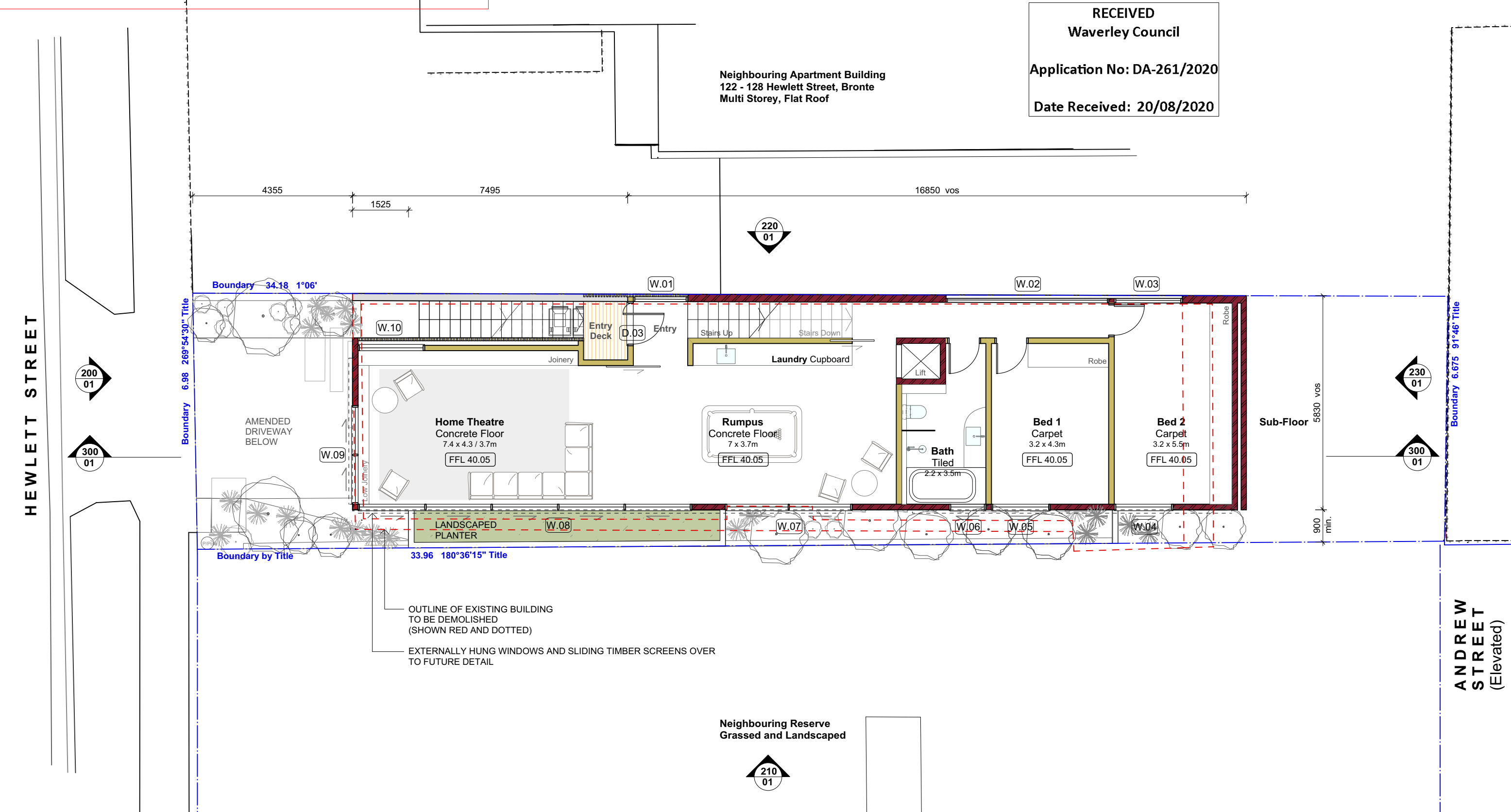
ABBREVIATIONS				KEY	
AF	AWING FRAME	FW	FIXED WINDOW		MASONRY IN PLAN / SECTION (NEW)
BC	BATTENED CLADDING TBS	MW	BAGGED MASONRY WALL		CONCRETE
BS	BATTENED SLIDING SCREEN	MR	METAL ROOF		METAL SHEETING / ROOFING
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Amendments		Project	
DATE	REV	DESCRIPTION	
03.08.2020	A	DEVELOPMENT APPLICATION TO COUNCIL	
		LOT 2, DP 202821 130 HEWLETT STREET BRONTE NSW 2024	
		DEVELOPMENT APPLICATION	

PROPOSED WORKS: DEMOLITION OF EXISTING STRUCTURE, CONSTRUCTION OF A NEW HOUSE WITH REAR COURTYARD AND EXTERNAL WORKS.			
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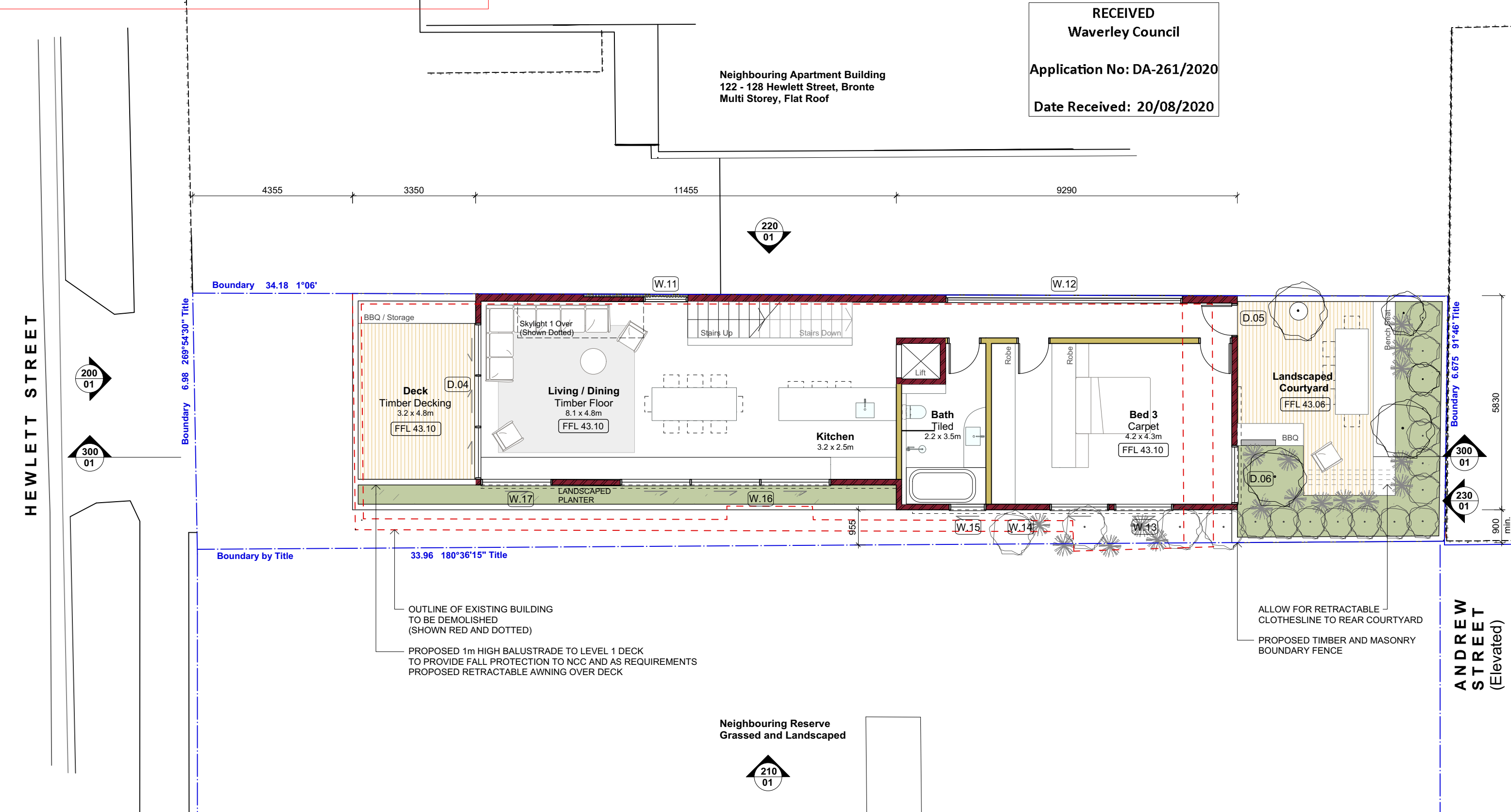
		Proposed Lower Ground Floor Plan	
Scale		Dwg No.	
1:100 @ A3		DA 110	
Date		Rev.	
03.08.2020		346	

AMENDED PLANS



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<div><div></div><div>blackandhellyer</div></div> <div>blackandhellyer@gmail.com</div>				<div>Notes</div> <div>THESE DRAWINGS ARE FOR THE PURPOSE OF DEVELOPMENT APPLICATION TO COUNCIL ONLY. THESE DRAWINGS ARE NOT FOR CONSTRUCTION. DO NOT SCALE FROM DRAWINGS.</div>		<div><div></div><div>TRUE NORTH</div></div>		Amendments			
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AMENDED PLANS



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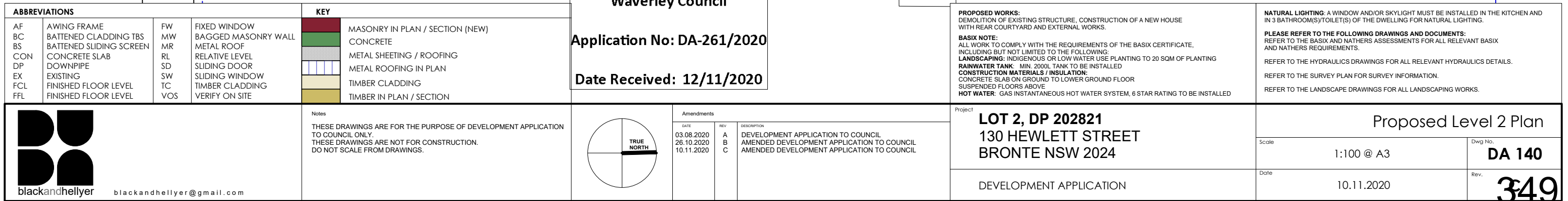
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blackandhellyer blackandhellyer@gmail.com		Proposed Level 1 Plan	
Scale		1:100 @ A3	Dwg No. DA 130
Date		03.08.2020	Rev. 348

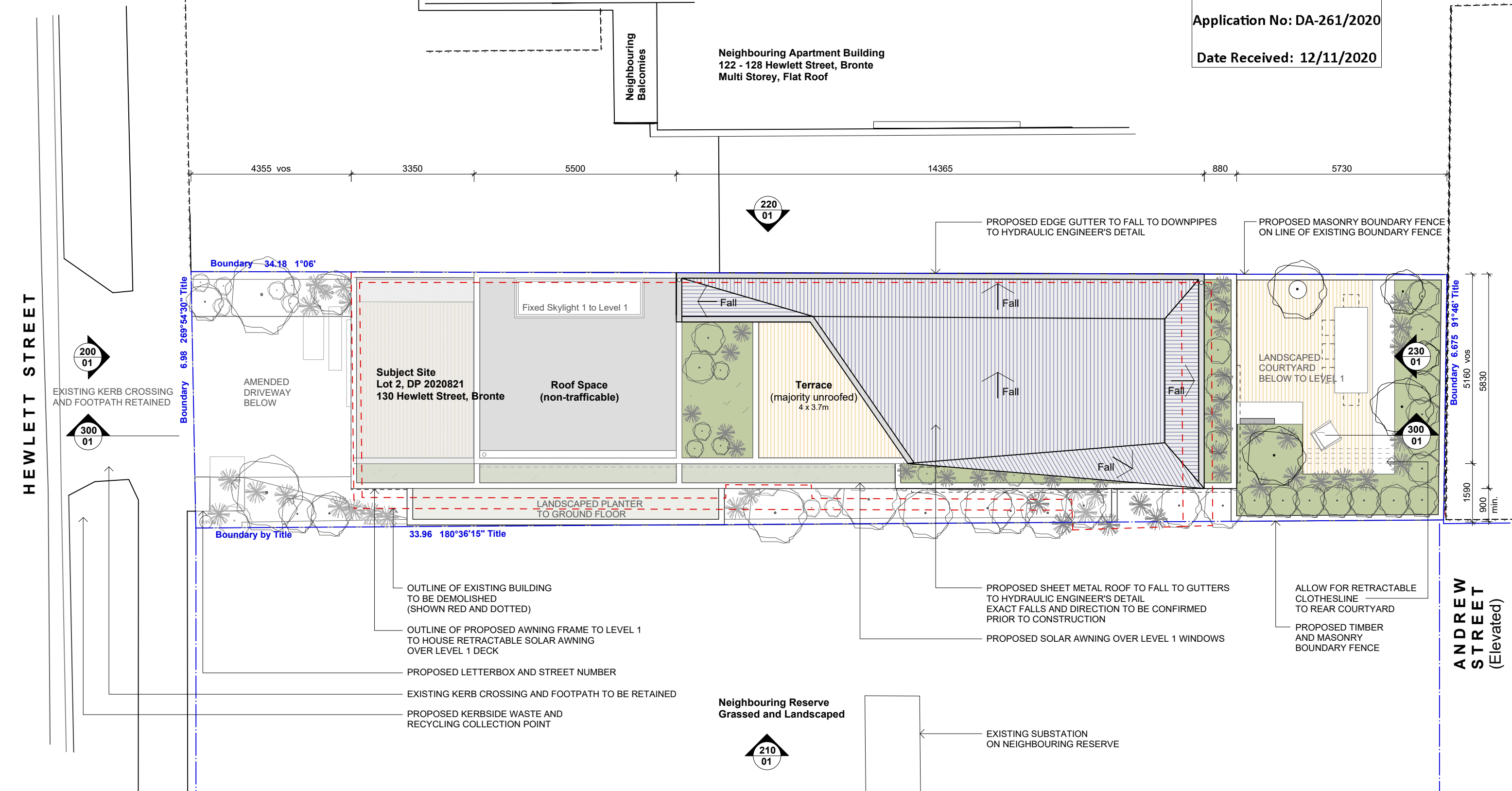
LOT 2, DP 202821 130 HEWLETT STREET BRONTE NSW 2024	
DEVELOPMENT APPLICATION	


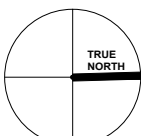
AMENDED PLANS



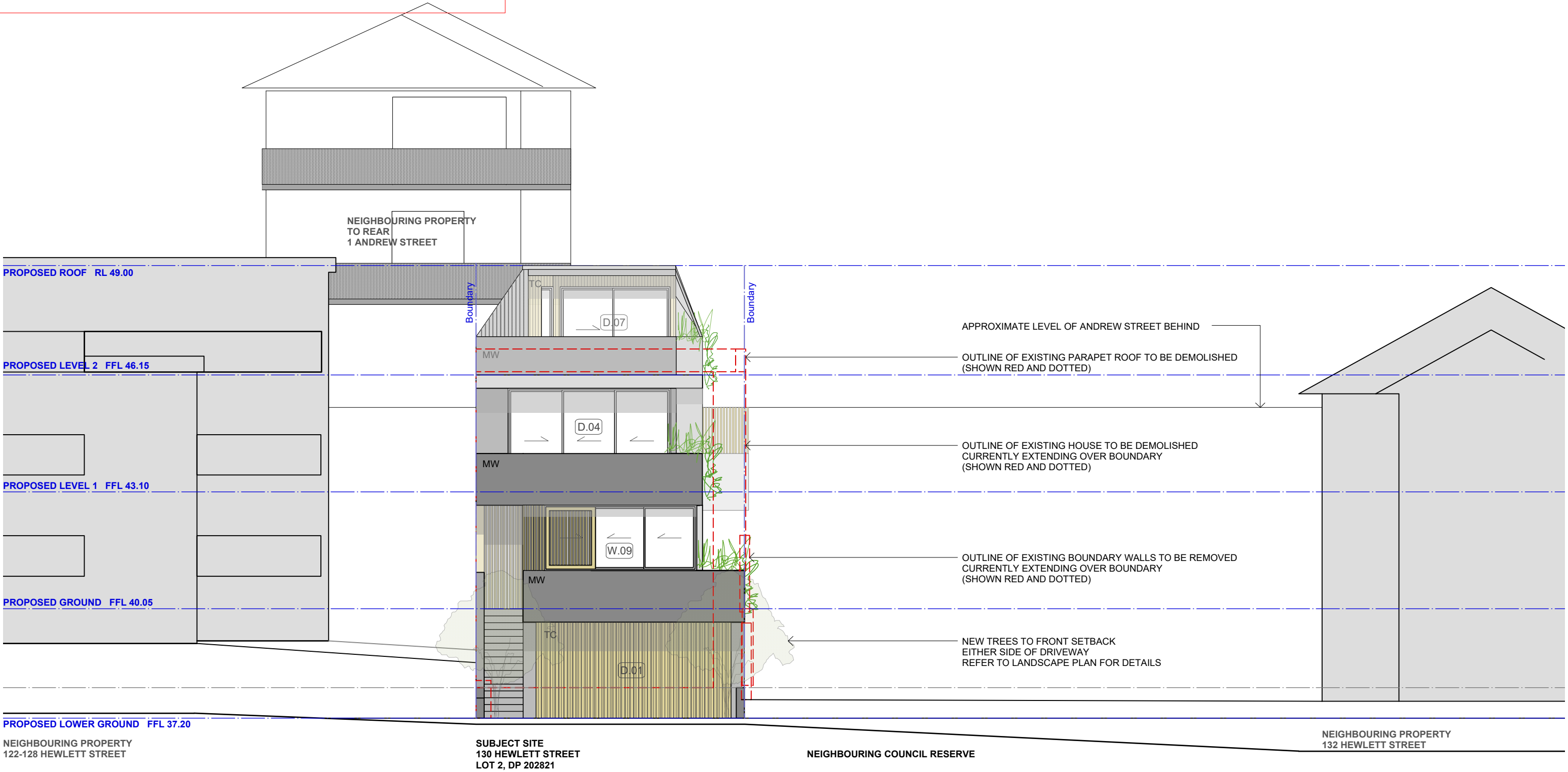
AMENDED PLANS

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Waverley Council
Application No: DA-261/2020
Date Received: 12/11/2020



ABBREVIATIONS				KEY		AREA CALCULATIONS:				PROPOSED WORKS:				NATURAL LIGHTING:			
AF	AWING FRAME	FW	FIXED WINDOW		MASONRY IN PLAN / SECTION (NEW)	SITE AREA: 232.7 sqm				DEMOLITION OF EXISTING STRUCTURE, CONSTRUCTION OF A NEW HOUSE WITH REAR COURTYARD AND EXTERNAL WORKS.				A WINDOW AND/OR SKYLIGHT MUST BE INSTALLED IN THE KITCHEN AND IN 3 BATHROOM(S)/TOILET(S) OF THE DWELLING FOR NATURAL LIGHTING.			
BC	BATTENED CLADDING TBS	MW	BAGGED MASONRY WALL		CONCRETE	EXISTING GROSS FLOOR AREA: 306.3sqm				BASIX NOTE: ALL WORK TO COMPLY WITH THE REQUIREMENTS OF THE BASIX CERTIFICATE, INCLUDING BUT NOT LIMITED TO THE FOLLOWING: LANDSCAPING: INDIGENOUS OR LOW WATER USE PLANTING TO 20 SQM OF PLANTING RAINWATER TANK: MIN. 2000L TANK TO BE INSTALLED CONSTRUCTION MATERIALS / INSULATION: CONCRETE SLAB ON GROUND TO LOWER GROUND FLOOR SUSPENDED FLOORS ABOVE HOT WATER: GAS INSTANTANEOUS HOT WATER SYSTEM, 6 STAR RATING TO BE INSTALLED				PLEASE REFER TO THE FOLLOWING DRAWINGS AND DOCUMENTS: REFER TO THE BASIX AND NATHERS ASSESSMENTS FOR ALL RELEVANT BASIX AND NATHERS REQUIREMENTS. REFER TO THE HYDRAULICS DRAWINGS FOR ALL RELEVANT HYDRAULICS DETAILS. REFER TO THE SURVEY PLAN FOR SURVEY INFORMATION. REFER TO THE LANDSCAPE DRAWINGS FOR ALL LANDSCAPING WORKS.			
BS	BATTENED SLIDING SCREEN	MR	METAL ROOF		METAL SHEETING / ROOFING	EXISTING LANDSCAPED AREA: 7.32 sqm or 3.15% OF SITE AREA											
CON	CONCRETE SLAB	RL	RELATIVE LEVEL		METAL ROOFING IN PLAN	PROPOSED GROSS FLOOR AREA: 331.5 sqm											
DP	DOWNPIPE	SD	SLIDING DOOR		TIMBER CLADDING	PROPOSED LOWER GROUND FLOOR: 38.3 sqm											
EX	EXISTING	SW	SLIDING WINDOW	TIMBER IN PLAN / SECTION	PROPOSED GROUND FLOOR: 122.3 sqm				PROPOSED LEVEL 1: 113 sqm								
FCL	FINISHED FLOOR LEVEL	TC	TIMBER CLADDING		PROPOSED LEVEL 2: 57.9 sqm				PROPOSED LANDSCAPED AREA: 72.7 sqm or 31% OF SITE AREA								
FFL	FINISHED FLOOR LEVEL	VOS	VERIFY ON SITE														
 blackandhellyer blackandhellyer@gmail.com				Notes THESE DRAWINGS ARE FOR THE PURPOSE OF DEVELOPMENT APPLICATION TO COUNCIL ONLY. THESE DRAWINGS ARE NOT FOR CONSTRUCTION. DO NOT SCALE FROM DRAWINGS.		 TRUE NORTH		Amendments DATE 03.08.2020 26.10.2020 10.11.2020 REV A B C DESCRIPTION DEVELOPMENT APPLICATION TO COUNCIL AMENDED DEVELOPMENT APPLICATION TO COUNCIL AMENDED DEVELOPMENT APPLICATION TO COUNCIL		Project LOT 2, DP 202821 130 HEWLETT STREET BRONTE NSW 2024 DEVELOPMENT APPLICATION				Proposed Site / Roof Plan Scale 1:100 @ A3 Dwg No. DA 100 Date 10.11.2020 Rev. 350			

AMENDED PLANS



01 Proposed South (Street) Elevation


ABBREVIATIONS				KEY	
AF	AWING FRAME	FW	FIXED WINDOW		MASONRY IN PLAN / SECTION (NEW)
BC	BATTENED CLADDING TBS	MW	BAGGED MASONRY WALL		CONCRETE
BS	BATTENED SLIDING SCREEN	MR	METAL ROOF		METAL SHEETING / ROOFING
CON	CONCRETE SLAB	RL	RELATIVE LEVEL		METAL ROOFING IN PLAN
DP	DOWNPIPE	SD	SLIDING DOOR		TIMBER CLADDING
EX	EXISTING	SW	SLIDING WINDOW		TIMBER IN PLAN / SECTION
FCL	FINISHED FLOOR LEVEL	TC	TIMBER CLADDING		
FFL	FINISHED FLOOR LEVEL	VOS	VERIFY ON SITE		

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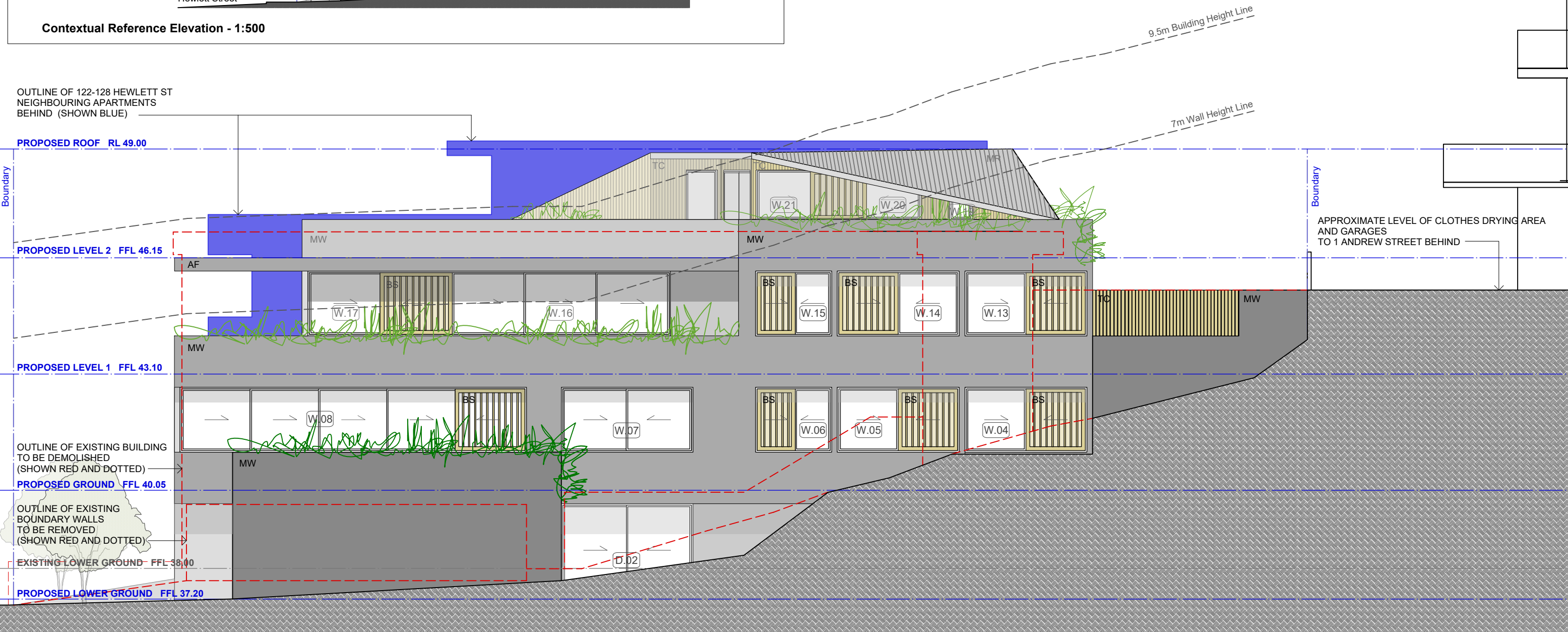
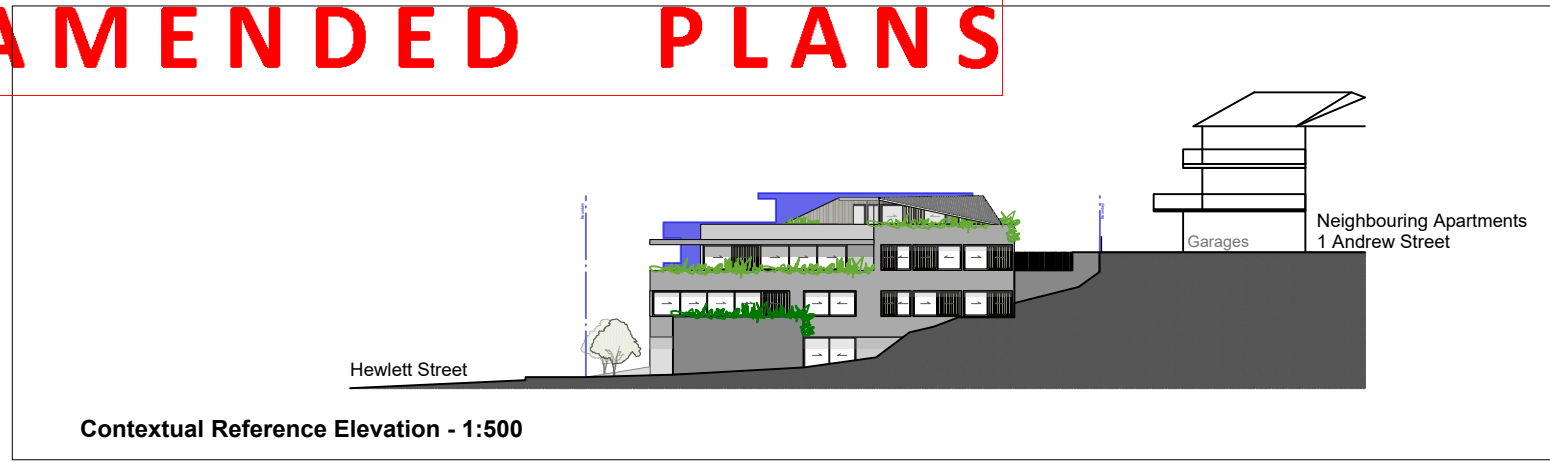
Waverley Council

Application No: DA-261/2020

Date Received: 12/11/2020

 blackandhellyer blackandhellyer@gmail.com	Notes THESE DRAWINGS ARE FOR THE PURPOSE OF DEVELOPMENT APPLICATION TO COUNCIL ONLY. THESE DRAWINGS ARE NOT FOR CONSTRUCTION. DO NOT SCALE FROM DRAWINGS.		Amendments			Project LOT 2, DP 202821 130 HEWLETT STREET BRONTE NSW 2024	Proposed South (Street) Elevation	
			DATE	REV	DESCRIPTION		Scale	Dwg No.
			03.08.2020	A	DEVELOPMENT APPLICATION TO COUNCIL	1:100 @ A3	DA 200	
			26.10.2020	B	AMENDED DEVELOPMENT APPLICATION TO COUNCIL			
10.11.2020	C	AMENDED DEVELOPMENT APPLICATION TO COUNCIL	DEVELOPMENT APPLICATION	Date	10.11.2020	Rev.	351	

AMENDED PLANS




01 Proposed East (Side) Elevation

ABBREVIATIONS				KEY	
AF	AWING FRAME	FW	FIXED WINDOW		MASONRY IN PLAN / SECTION (NEW)
BC	BATTENED CLADDING TBS	MW	BAGGED MASONRY WALL		CONCRETE
BS	BATTENED SLIDING SCREEN	MR	METAL ROOF		METAL SHEETING / ROOFING
CON	CONCRETE SLAB	RL	RELATIVE LEVEL		METAL ROOFING IN PLAN
DP	DOWNPIPE	SD	SLIDING DOOR		TIMBER CLADDING
EX	EXISTING	SW	SLIDING WINDOW		TIMBER IN PLAN / SECTION
FCL	FINISHED FLOOR LEVEL	TC	TIMBER CLADDING		
FFL	FINISHED FLOOR LEVEL	VOS	VERIFY ON SITE		

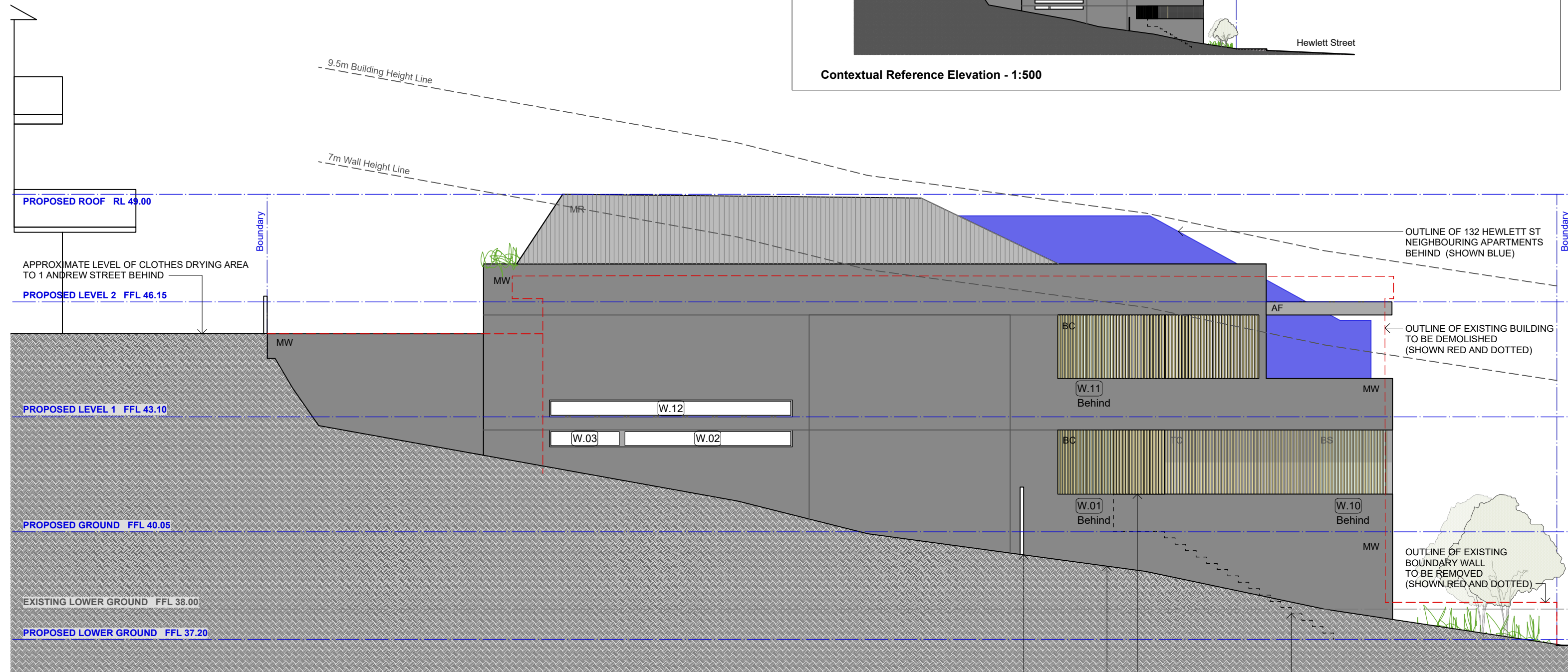
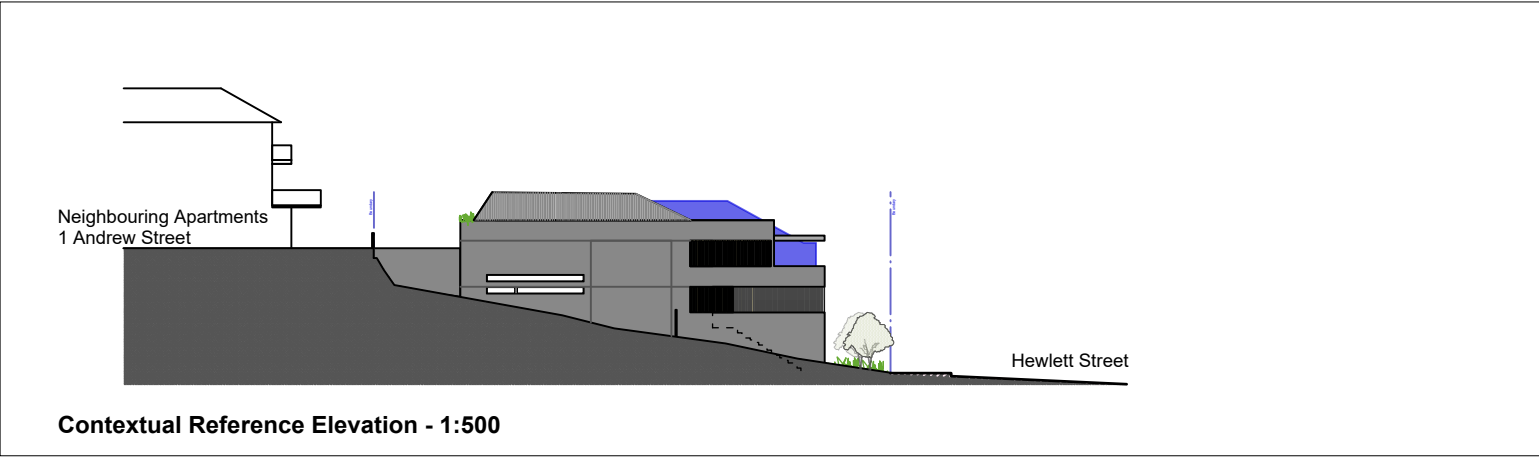
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Waverley Council

Application No: DA-261/2020

Date Received: 12/11/2020

 blackandhellyer blackandhellyer@gmail.com	Notes THESE DRAWINGS ARE FOR THE PURPOSE OF DEVELOPMENT APPLICATION TO COUNCIL ONLY. THESE DRAWINGS ARE NOT FOR CONSTRUCTION. DO NOT SCALE FROM DRAWINGS.		Amendments			Project LOT 2, DP 202821 130 HEWLETT STREET BRONTE NSW 2024	Proposed East Elevation	
			DATE	REV	DESCRIPTION		Scale	Dwg No.
			03.08.2020 26.10.2020 10.11.2020	A B C	DEVELOPMENT APPLICATION TO COUNCIL AMENDED DEVELOPMENT APPLICATION TO COUNCIL AMENDED DEVELOPMENT APPLICATION TO COUNCIL		1:100 @ A3	DA 210
						Date	Rev.	
						DEVELOPMENT APPLICATION	10.11.2020	352

AMENDED PLANS




01 Proposed West (Side) Elevation

ABBREVIATIONS				KEY	
AF	AWING FRAME	FW	FIXED WINDOW		MASONRY IN PLAN / SECTION (NEW)
BC	BATTENED CLADDING TBS	MW	BAGGED MASONRY WALL		CONCRETE
BS	BATTENED SLIDING SCREEN	MR	METAL ROOF		METAL SHEETING / ROOFING
CON	CONCRETE SLAB	RL	RELATIVE LEVEL		METAL ROOFING IN PLAN
DP	DOWNPIPE	SD	SLIDING DOOR		TIMBER CLADDING
EX	EXISTING	SW	SLIDING WINDOW		TIMBER IN PLAN / SECTION
FCL	FINISHED FLOOR LEVEL	TC	TIMBER CLADDING		
FFL	FINISHED FLOOR LEVEL	VOS	VERIFY ON SITE		

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Waverley Council

Application No: DA-261/2020

Date Received: 12/11/2020

 blackandhellyer blackandhellyer@gmail.com	Notes THESE DRAWINGS ARE FOR THE PURPOSE OF DEVELOPMENT APPLICATION TO COUNCIL ONLY. THESE DRAWINGS ARE NOT FOR CONSTRUCTION. DO NOT SCALE FROM DRAWINGS.	Amendments			Project LOT 2, DP 202821 130 HEWLETT STREET BRONTE NSW 2024	Proposed West Elevation	
		DATE	REV	DESCRIPTION		Scale	Dwg No.
		03.08.2020 26.10.2020 10.11.2020	A B C	DEVELOPMENT APPLICATION TO COUNCIL AMENDED DEVELOPMENT APPLICATION TO COUNCIL AMENDED DEVELOPMENT APPLICATION TO COUNCIL		1:100 @ A3	DA 220
DEVELOPMENT APPLICATION					Date	10.11.2020	Rev. 353

AMENDED PLANS

PROPOSED ROOF RL 49.00

PROPOSED LEVEL 2 FFL 46.15

PROPOSED LEVEL 1 FFL 43.10

NEIGHBOURING PROPERTY
132 HEWLETT STREET

NEIGHBOURING COUNCIL RESERVE

SUBJECT SITE
130 HEWLETT STREET
LOT 2, DP 202821

NEIGHBOURING PROPERTY
122-128 HEWLETT STREET

01 Proposed West (Side) Elevation
With privacy screens closed

PROPOSED ROOF RL 49.00

PROPOSED LEVEL 2 FFL 46.15

PROPOSED LEVEL 1 FFL 43.10

NEIGHBOURING PROPERTY
132 HEWLETT STREET

NEIGHBOURING COUNCIL RESERVE

SUBJECT SITE
130 HEWLETT STREET
LOT 2, DP 202821

NEIGHBOURING PROPERTY
122-128 HEWLETT STREET

02 Proposed West (Side) Elevation
With privacy screens open

ABBREVIATIONS				KEY	
AF	AWING FRAME	FW	FIXED WINDOW	<div></div>	MASONRY IN PLAN / SECTION (NEW)
BC	BATTENED CLADDING TBS	MW	BAGGED MASONRY WALL	<div></div>	CONCRETE
BS	BATTENED SLIDING SCREEN	MR	METAL ROOF	<div></div>	METAL SHEETING / ROOFING
CON	CONCRETE SLAB	RL	RELATIVE LEVEL	<div></div>	METAL ROOFING IN PLAN
DP	DOWNPIPE	SD	SLIDING DOOR	<div></div>	TIMBER CLADDING
EX	EXISTING	SW	SLIDING WINDOW	<div></div>	TIMBER IN PLAN / SECTION
FCL	FINISHED FLOOR LEVEL	TC	TIMBER CLADDING		
FFL	FINISHED FLOOR LEVEL	VOS	VERIFY ON SITE		

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Waverley Council

Application No: DA-261/2020

Date Received: 12/11/2020

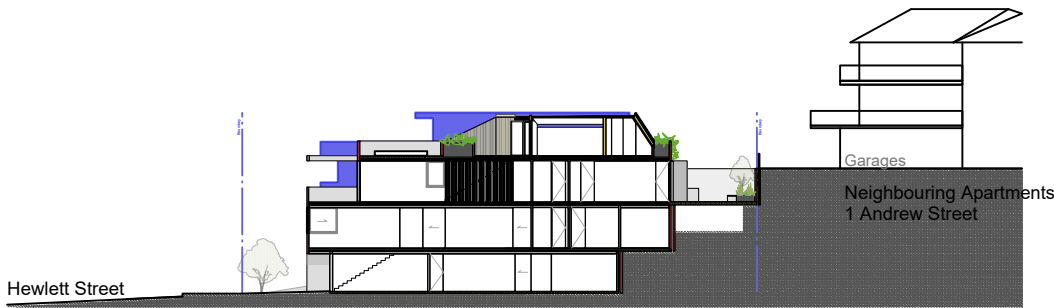
<div><div></div><div>blackandhellyer</div></div> <div>blackandhellyer@gmail.com</div>	<div>Notes</div> <div>THESE DRAWINGS ARE FOR THE PURPOSE OF DEVELOPMENT APPLICATION TO COUNCIL ONLY. THESE DRAWINGS ARE NOT FOR CONSTRUCTION. DO NOT SCALE FROM DRAWINGS.</div>	Amendments			Project LOT 2, DP 202821 130 HEWLETT STREET BRONTE NSW 2024	Proposed North (Rear) Elevations	
		DATE	REV	DESCRIPTION		Scale	Dwg No.
		03.08.2020 26.10.2020 10.11.2020	A B C	DEVELOPMENT APPLICATION TO COUNCIL AMENDED DEVELOPMENT APPLICATION TO COUNCIL AMENDED DEVELOPMENT APPLICATION TO COUNCIL		1:100 @ A3	DA 230
					DEVELOPMENT APPLICATION	Date	Rev.
					10.11.2020	354	

AMENDED PLANS

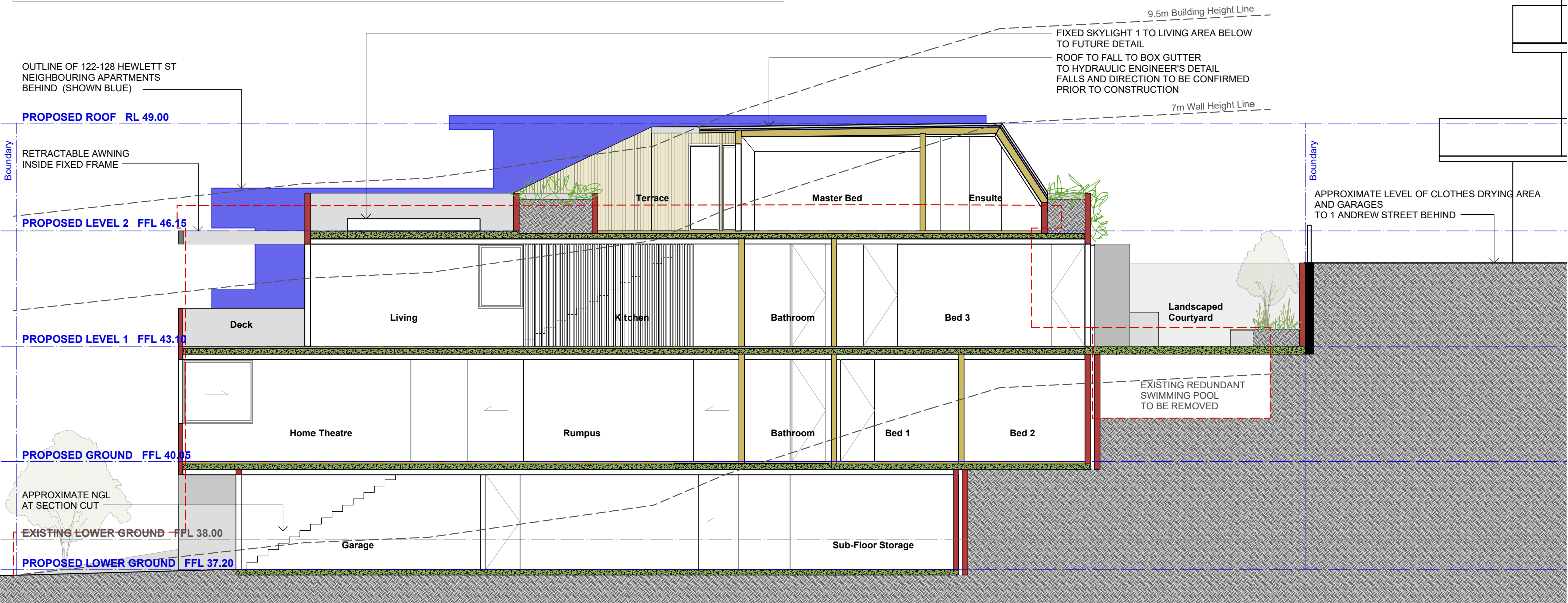
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Waverley Council

Application No: DA-261/2020

Date Received: 30/10/2020



Contextual Reference Section AA - 1:500



01 Proposed Section AA

ABBREVIATIONS				KEY	
AF	AWING FRAME	FW	FIXED WINDOW		MASONRY IN PLAN / SECTION (NEW)
BC	BATTENED CLADDING TBS	MW	BAGGED MASONRY WALL		CONCRETE
BS	BATTENED SLIDING SCREEN	MR	METAL ROOF		METAL SHEETING / ROOFING
CON	CONCRETE SLAB	RL	RELATIVE LEVEL		METAL ROOFING IN PLAN
DP	DOWNPIPE	SD	SLIDING DOOR		TIMBER CLADDING
EX	EXISTING	SW	SLIDING WINDOW		TIMBER IN PLAN / SECTION
FCL	FINISHED FLOOR LEVEL	TC	TIMBER CLADDING		
FFL	FINISHED FLOOR LEVEL	VOS	VERIFY ON SITE		

Notes
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THESE DRAWINGS ARE NOT FOR CONSTRUCTION.
DO NOT SCALE FROM DRAWINGS.

Amendments		
DATE	REV	DESCRIPTION
03.08.2020	A	DEVELOPMENT APPLICATION TO COUNCIL
26.10.2020	B	AMENDED DEVELOPMENT APPLICATION TO COUNCIL

Project	LOT 2, DP 202821 130 HEWLETT STREET BRONTE NSW 2024		Proposed Section AA	
	Scale	1:100 @ A3	Dwg No.	DA 300
DEVELOPMENT APPLICATION	Date	26.10.2020	Rev.	355