15 October 2025

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

11.00AM WEDNESDAY, 22 October 2025

QUORUM: Three Panel members.

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

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Live Streaming of Meetings

This meeting is streamed live via the internet and an audio-visual recording of the meeting will be publicly available on Council's website.

By attending this meeting, you consent to your image and/or voice being live streamed and publicly available

AGENDA

WLPP-2510.A
Apologies

WLPP-2510.DI
Declarations of Interest

The Chair will call for any declarations of interest.

WLPP-2510.1 **PAGE 5**
21 Kent Street WAVERLEY NSW 2024 - Alterations and additions to existing dwelling, including partial demolition and new part two and three-storey addition to the rear. (DA-2283/2025)

Report 8 October 2025 from the Managers of Development Assessment (MoDA).

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

WLPP-2510.2 **PAGE 84**
48 Roscoe Street BONDI BEACH NSW 2026 - Alterations and additions to residential flat building to provide a new lift and additional 3-bedroom unit. (DA-309/2025)

Report 3 October 2025 from the Managers of Development Assessment (MoDA).

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

WLPP-2510.3 **PAGE 164**
Margaret Whitlam Recreation Centre Waverley Park 49C Bondi Road BONDI JUNCTION NSW 2022 - Modification of hours of operation. (DA-353/2023/A)

Report dated 1 October 2025 from MoDA

Council Recommendation: That the modification application be APPROVED by the Waverley Local Planning Panel subject to modified and new conditions in Appendices A and B.

WLPP-2510.4 **PAGE 192**
77 Hewlett Street BRONTE NSW 2024 – Alterations and additions to dwelling house. (DA-302/2025)

Report 1 October 2025 from the Managers of Development Assessment (MoDA).

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

WLPP-2510.5 **PAGE 275**

Waverley Cemetery – 44 St Thomas Street BRONTE NSW 2024 - Integrated development for the construction of new columbarium walls for memorial and associated landscape interface works at Waverley Cemetery. (DA-208/2025)

Report 13/10/2025 from the Managers of Development Assessment (MoDA).

Council Recommendation: That the development application be APPROVED by the Waverley Local Planning Panel subject to the conditions in Appendices A (Conditions of Consent) and B (General Terms of Approval from Heritage NSW).

WLPP-2510.6 **PAGE 353**

6-38 Blenheim Street QUEENS PARK NSW 2022 - Alterations and additions to dwelling, including a new skylight and an attic level addition to the rear. (DA-296/2025)

Report 10 October 2025 from the Managers of Development Assessment (MoDA).

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

WLPP-2510.7 **PAGE 418**

7/116-118 Brighton Boulevard NORTH BONDI NSW 2026 - Alterations and additions to Unit 7 to convert the use of an existing storage area to a home office and relocate rear sliding doors to upper floor bedrooms of the unit. (DA-291/2025)

Report 3 October 2025 from the Managers of Development Assessment (MoDA).

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

WLPP-2510.8 **PAGE 458**

59 Military Road NORTH BONDI NSW 2026 - Alterations and additions to dwelling house. (DA-280/2025)

Report 8 October 2025 from the Managers of Development Assessment (MoDA).

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

WLPP-2510.9 **PAGE 547**

154 Brighton Boulevard NORTH BONDI NSW 2026 - Section 4.55(2) including additional excavation and internal layout adjustments. (DA-133/2023/B)

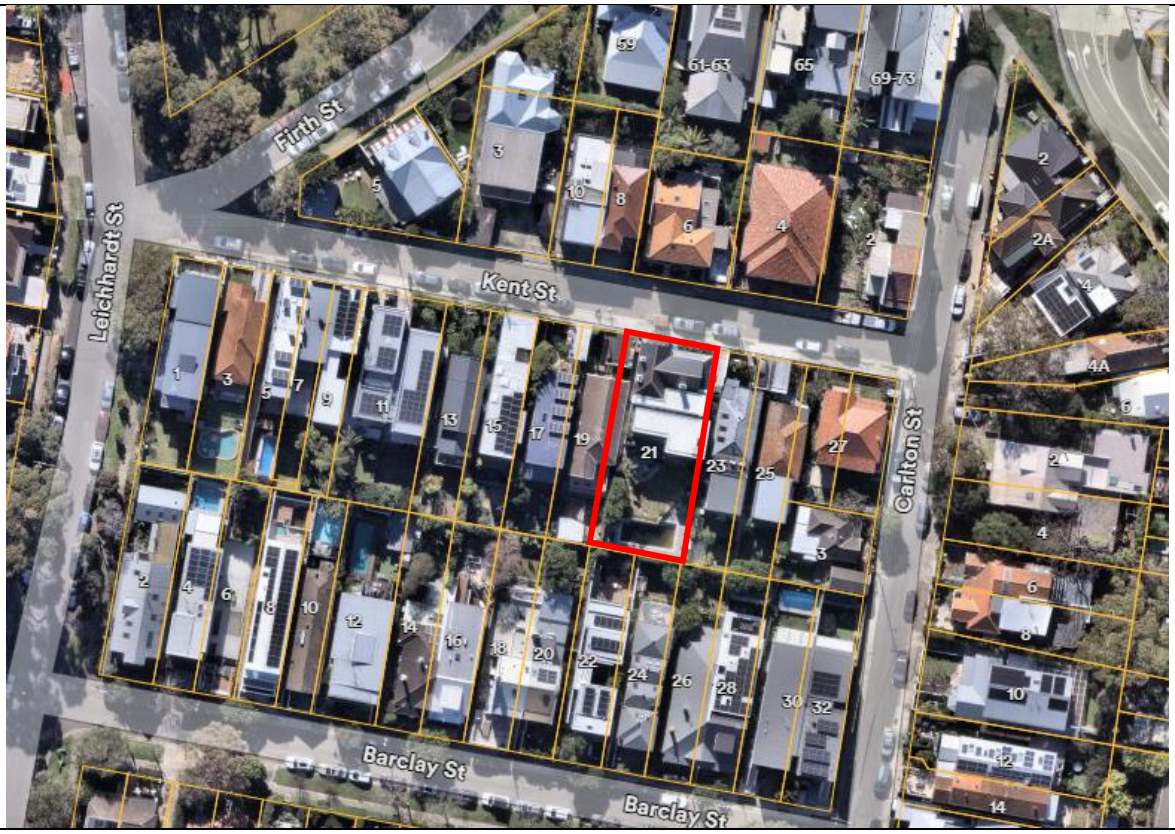
Report 8 October 2025 from the Managers of Development Assessment (MoDA).

Council Recommendation: That the modification application be APPROVED by the Waverley Local Planning Panel subject to modified and new conditions in Appendices A and B.



Report to the Waverley Local Planning Panel

Application number	DA-283/2025
Site address	21 Kent Street WAVERLEY
Proposal	Alterations and additions to existing dwelling, including partial demolition and new part two and three-storey addition to the rear.
Date of lodgement	20 June 2025
Owner	Ms L Sarzin and Mr A Pozniak
Applicant	Ellis Propriety Pty Ltd
Submissions	Five (5)
Cost of works	$5,139,222
Principal Issues	• Floor Space Ratio • Height • Heritage • Visual Privacy
Recommendation	That the application be APPROVED in accordance with the conditions contained in the report.
SITE MAP	



1. PREAMBLE

1.1. Executive Summary

The development application seeks consent for demolition of the rear and fire damaged portions of the dwelling and a new part two and three-storey rear addition at the site known as 21 Kent Street, Waverley.

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

- exceedance of the height development standard
- exceedance of the floor space ratio (FSR) development standard
- impacts on the heritage significance of the original dwelling
- visual privacy impacts.

Following submission of amended plans on 22 September 2025, the assessment finds these issues acceptable.

A total number of five submissions were received and the issues raised in the submissions have been considered and addressed in this report and in the recommendation.

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

1.2. Site and Surrounding Locality

A site visit was carried out on 22 July 2025.

The site is identified as Lot 11 in DP 175332, known as 21 Kent Street, WAVERLEY.

The site is rectangular in shape with a frontage to the southern side of Kent Street of 15.24m and an area of 550.1m^2 and it falls from the front boundary towards the rear by up to 6 metres.

The site is occupied by a dwelling house which presents as a single storey to Kent Street and extends to three storeys at the rear. Vehicular access is provided from Kent Street.

The site is listed as Heritage Item No. 485 *Late nineteenth century house* in Schedule 5 of Waverley Local Environmental Plan 2012.

The site is adjoined by part one and part two-storey dwelling houses that are set at lower levels to the dwelling house on the subject site. Opposite is a two-storey residential flat building and a two-storey dual occupancy. To the rear at 22 and 24 Barclay Street are two-storey dwelling houses. The locality is characterised by a variety of low and medium density residential developments.

Figures 1 to **8** are photos of the site and its context.



Figure 1: Subject site viewed from Kent Street



Figure 2: Existing rear addition viewed from Kent Street

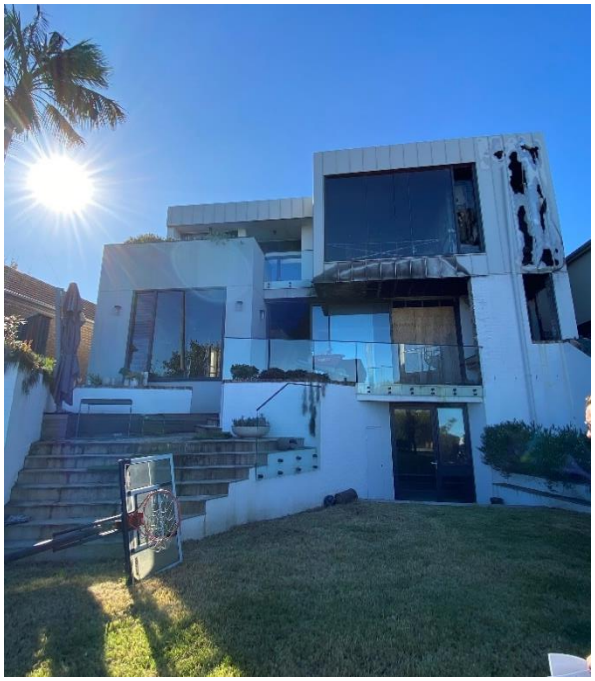


Figure 3: Existing rear addition viewed from the rear yard

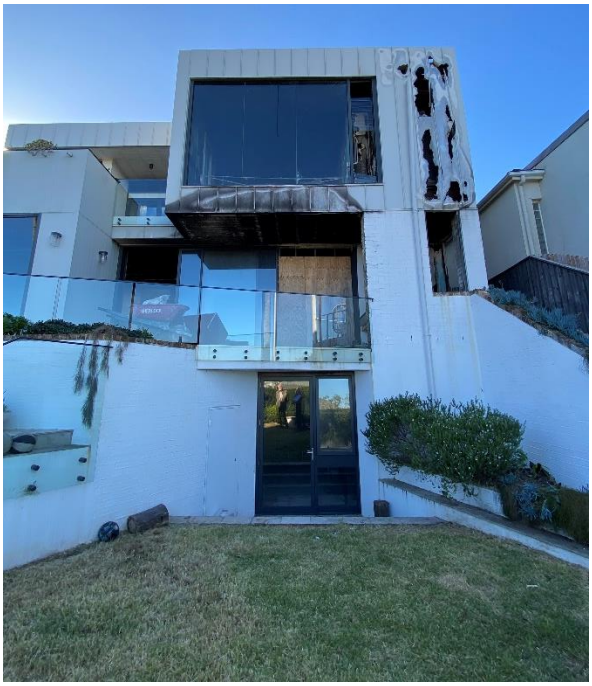


Figure 4: Existing rear addition showing fire damage



Figure 5: Rear of subject site and neighbouring property to the west (19 Kent Street)

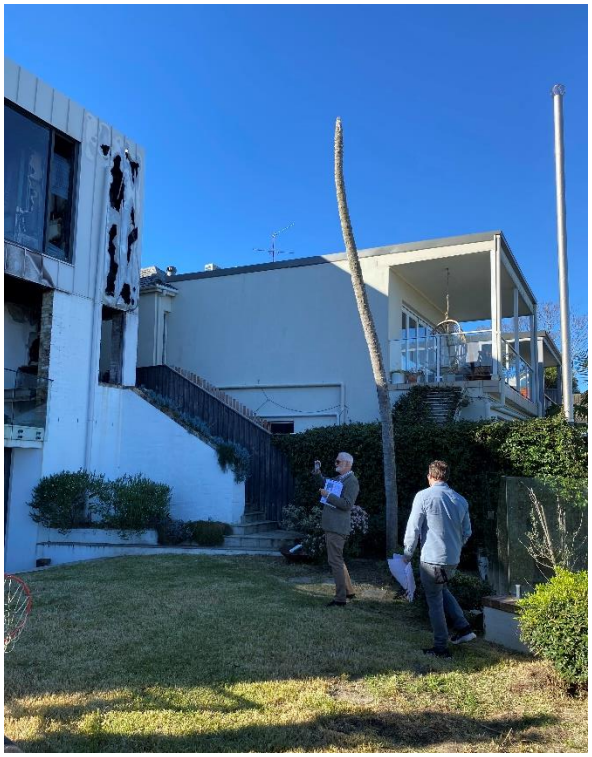


Figure 6: Rear of subject site and neighbouring property to the east (23 Kent Street)

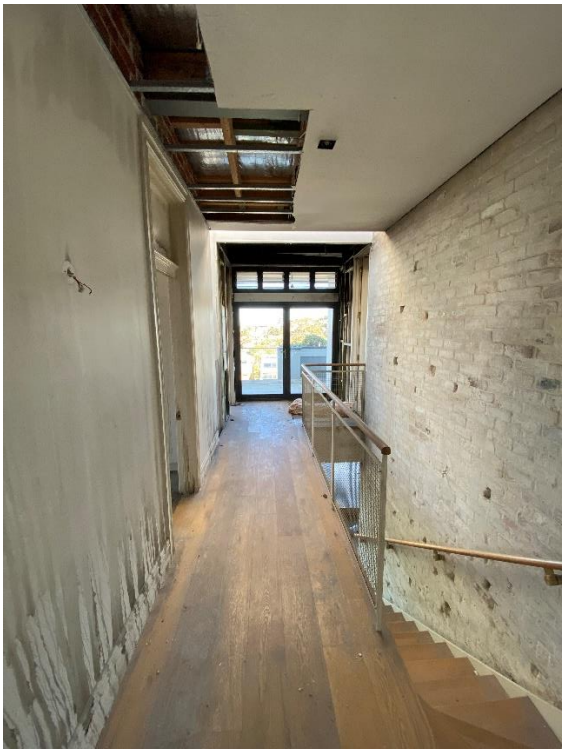


Figure 7: Existing hallway at ground floor level, looking towards the rear



Figure 8: Existing lower ground floor level, looking towards the rear

1.3. Relevant Development History

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

- DA-379/2014 approved on 6 March 2015 granted consent for alterations and a part two and three-storey rear addition, car stacker and filling of the rear yard.
- DA-99/2003 approved on 8 May 2003 granted consent for alterations and additions including a pool deck and screening.

The works approved by the DA-379/2014 consent were carried out, with an Occupation Certificate being issued on 24 July 2017. On 26 December 2023 a house fire subsequently destroyed the rear addition and caused non-structural damage to the heritage dwelling. The house has been uninhabitable since the fire.

1.4. Proposal

The development application seeks consent for demolition of the previous rear addition (which has been fire damaged) and construction of a new part two and three-storey addition and internal alterations to the existing heritage listed dwelling, and specifically includes the following:

Ground floor:

- Removal of the existing rear addition.
- Construction of a new rear addition in a new configuration.
- Internal works to the heritage item including new openings within rooms and new rear facing window opening to the study/lounge room.

Lower ground floor:

- Removal of the existing rear addition.
- Construction of new rear addition in a new configuration.
- Internal works to the heritage item.

Basement:

- Retain the existing basement utility area however, remove internal stair access to provide improved floor plan at the lower ground level. The basement is accessible via the rear garden.

External and landscaping:

- External painting of the heritage item.
- Internal courtyard area at the lower ground floor level.
- Construction of a new concrete breeze block work wall adjacent to the eastern boundary.
- Green roof above the lower ground floor.
- Landscaping works.

The proposal does not include any alterations to the existing car parking or swimming pool on site.

1.5. Background

The development application was lodged on 20 June 2025 and deferred on 1 September 2025 for the following reasons:

1. Bulk and scale
    a. The GFA calculations incorrectly exclude the storeroom at the garden level as this is not considered to be a basement.
    b. The overall GFA is to be reduced to result in no net increase from the existing FSR.
    c. The bulk of the development is to be reduced at the rear, with particular consideration given to the impact on the neighbouring property at 19 Kent Street.

2. Privacy
    a. The extent of glazing towards the rear is to be reduced.
    b. Privacy screening is to be included.
    c. Details of the privacy screen between 21 and 23 Kent Street are to be provided.

3. Heritage
    The application was reviewed by an external Heritage Consultant who provided comment for the assessing officer to consider. Their advice sought a number of amendments to the proposed internal alterations to the heritage dwelling, including retention of nib walls, existing doors and a reduction in openings on both the ground and lower ground floors. Concern about the proposed external colour scheme (charcoal) was also raised. Further, there was concern raised about the proposed Banskia serrata trees in the front garden potentially being too large near the original bay window.

4. General drawing and design
    a. A number of toilets do not provide minimum clearance distance.
    b. A number of new doorways have an opening of only 700mm.
    c. It is unclear how the new roof will drain effectively. There appears to be a number of complex junctions and angles, particularly where the new skylight meets the existing roof and the new sloping concrete roof drains to a flat roof.

The amended plans received on 22 September 2025 form the basis of the assessment.

2. ASSESSMENT

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

2.1. Planning Instruments and Development Control Plans

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

2.1.1. State Environmental Planning Policies (SEPPs)

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

- SEPP (Sustainable Buildings) 2022
- SEPP (Biodiversity and Conservation) 2021
- SEPP (Resilience and Hazards) 2021.

2.1.2. Waverley Local Environmental Plan 2012 (Waverley LEP 2012)

The relevant matters to be considered under the Waverley LEP 2012 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 Low Density Residential Zone*	Yes	The proposal is defined as a dwelling house which is permitted with consent in the R2 zone. The proposal is consistent with the objectives of the zone.
Part 4 Principal development standards		
4.3 Height of buildings • *8.5m*	No, but reduction from existing	The proposal has a maximum height of 9.86m which is a variation of 1.36m or 16%. It is noted that the existing dwelling has a maximum height of 9.878m, which is a variation of 1.378 or 16.21%. The proposal results in a reduction in the maximum height by 0.018m.
4.4 Floor space ratio and 4.4A Exceptions to floor space ratio	No, but reduction from existing	The proposal includes a total GFA of 341m^2, or FSR of 0.618:1, which is a 23.6% variation.

Provision	Compliance	Comment
• *0.5:1 (275.05m^2)*		It is noted that the existing dwelling has a total GFA of 355m^2, or FSR of 0.644:1, which is a 28.8% variation. The proposal results in a reduction of GFA by 14m^2.
4.6 Exceptions to development standards	See discussion	The application is accompanied by a written request pursuant to clause 4.6 of Waverley LEP 2012 to vary the Height and FSR development standards. A detailed discussion of the variation to the development standards is presented below this table.
Part 5 Miscellaneous provisions		
5.10 Heritage conservation	Yes	The site is listed as Heritage Item No. 485 described as a '*late nineteenth century house*' in Schedule 5 of the LEP. The proposal, as amended, is considered to satisfy the provisions of Clause 5.10.
Part 6 Additional local provisions		
6.15 Stormwater Management	Yes	The proposal satisfactorily meets clauses (a) (b) and (c).

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

Clause 4.6 Exceptions to Development Standards - Height of buildings

The application seeks to vary the height of buildings development standard in clause 4.3 under Waverley LEP 2012.

The site is subject to a maximum height development standard of 8.5m. The proposed development has a height of 9.86m, exceeding the standard by 1.36m equating to a 16% variation. It is noted that the existing building already exceeds the development standard by 1.378m or 16.21%.

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

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

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

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

Applicant's Written Request - Clause 4.6(3)(a) and (b)

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

(a) That compliance with the development standard is unreasonable or unnecessary in the circumstances of the case:
   (i) The proposal satisfies the objectives of the height development standard.
   (ii) The proposal reduces the extent of the non-compliance with height across the rear elevational profile and portion of the dwelling with partial removal of the upper floor and associated overhang.
   (iii) The roof area supporting the maximum height breach is reduced under the subject proposal. Currently, 35m^2 of the roof area exceeds the maximum height development standard. The proposal provides a reduction to 7m^2 of the roof area exceeding the maximum height development standard.
   (iv) The volume of the building outside the maximum height control is centrally locating, ensuring that the built form elements located closest to 19 Kent Street are height and setback compliant (ie, a two- storey presentation).
   (v) The sites on the southern side of Kent Street are sloping which makes it difficult to comply.
   (vi) The proposed rear addition sits behind the existing heritage item. The height is consistent with the current streetscape presentation and is reduced in bulk and height so it no longer projects to the eastern boundary outside of the established alignment of the heritage item.
   (vii) The proposed alterations are generally not visible from the public domain (only at oblique angles) which is an improvement on the existing rear addition on site as it reduces the impact on the heritage item.

(b) That there are sufficient environmental planning grounds to justify contravening the standard:
   (i) The existing building is non-compliant and the extent of non-compliance is reduced across the rear elevation.
   (ii) The overall extent of the existing height breaches are to be substantially reduced in some sections across the rear elevation.
   (iii) The height breaches are the result of an existing built form scenario and site conditions where the dwelling has been cut into the site and steps with a steep grade from the front towards the rear by approximately 6m.
   (iv) The proposal reduces the extent of the height variation but also reduces the massing and bulk due to partial removal of the upper floor level.
   (v) The proposal either maintains the current amenity or improves amenity.
   (vi) Solar access to 23 Kent Street is improved by the proposed development. Solar access to 19 Kent Street is improved between 9am and 10.30am.
   (vii) The height variation occurs in an area of the site where it is least likely to result in any perceived and actual adverse impacts on neighbouring amenity or the streetscape.

Consideration of Applicant's Written Request

The applicant's written request has correctly identified the development standard to be varied, relevant legislation and measured height using the correct ground level. The document also addressed those matters required in Clause 4.6(3)(a) and (b).

Consideration of 4.6(3)(a) whether compliance is unreasonable or unnecessary in the circumstances of the case

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

(a) the objectives of the development standard are achieved notwithstanding non-compliance with the standard;

(b) to establish that the underlying objective or purpose is not relevant to the development with the consequence that compliance is unnecessary;

(c) to establish that the underlying objective or purpose would be defeated or thwarted if compliance was required with the consequence that compliance is unreasonable;

(d) to establish that the development standard has been virtually abandoned or destroyed by the Council's own actions in granting consents departing from the standard and hence compliance with the standard is unnecessary and unreasonable; and

(e) to establish that "the zoning of particular land" was "unreasonable or inappropriate" so that "a development standard appropriate for that zoning was also unreasonable or unnecessary as it applied to that land" and that "compliance with the standard in that case would also be unreasonable or unnecessary.

The applicant specifically relies upon justification (a) of *Wehbe v Pittwater Council* (2007) 156 LGERA 446], *that the objectives of the height development standard are achieved notwithstanding non-compliance with the standard.* The objectives of the height development standard are discussed below.

(a) *to ensure building heights preserve the environmental amenity of neighbouring properties and public spaces and, if appropriate, the sharing of views,*

The proposed development results in improved solar access to neighbouring properties. The proposal does not result in view loss.

(b) to accommodate taller buildings on land in Zone E2 Commercial Centre in the Bondi Junction Centre and establish a transition in scale between adjoining zones to protect local amenity,

Not applicable.

(c) to maintain satisfactory solar access to existing buildings and public areas,

As discussed in other areas of this report, solar access is improved to neighbouring dwellings. The proposal does not overshadow public areas.

(d) to establish building heights that are consistent with the desired future character of the locality.

The proposed dwelling is consistent with the desired future character of the locality. The non-compliance is attributed to the sloping site and the existing heritage item sitting higher on the site. When viewed from the street, the rear yard and surrounding properties, the addition is reduced in height, bulk and massing than the existing rear addition.

Consideration of 4.6(3)(b) whether there are sufficient environmental planning grounds to justify contravening the development standard.

The applicant has satisfactorily argued that that there are sufficient environmental planning grounds to justify contravening the development standard particularly, the argument that the extent of the building that breaches the height is reduced. The steep fall of the land on the site, combined with the existing heritage item sitting higher than the neighbouring properties, is a particular environmental planning ground that drives the non-compliance. The proposed addition has been carefully designed to provide a junction with the heritage item and then step down to a lower height, to minimise the bulk and massing of the addition and reduce amenity impacts. **Figures 9 and 10** below show the comparison between the existing and proposed built form.

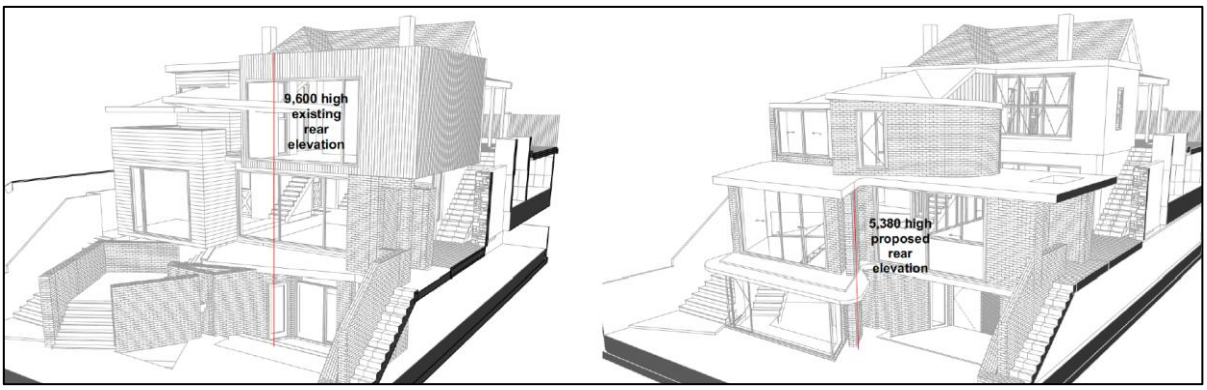


Figure 9: Perspectives showing a comparison between the existing (left) and proposed (right) rear elevations demonstrating a reduction in overall massing, scale and height.

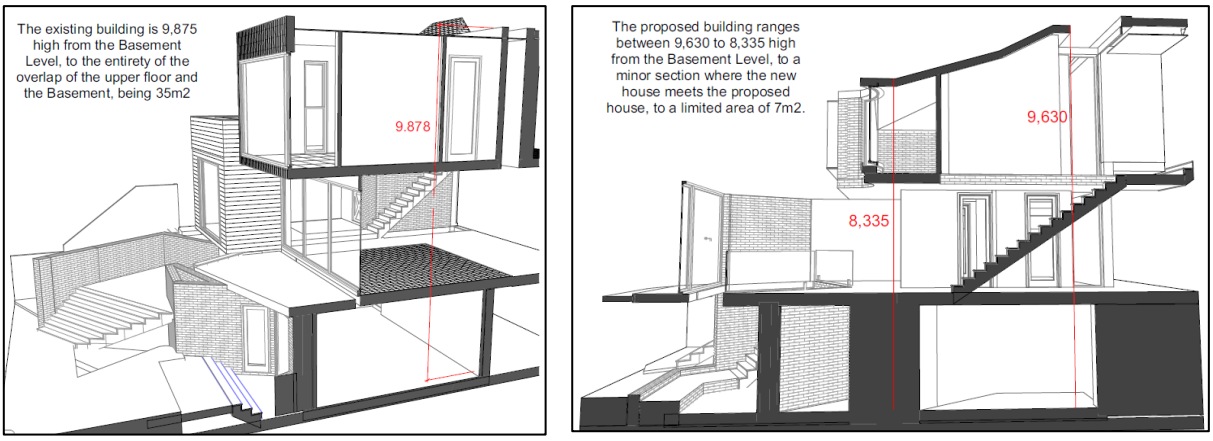


Figure 10: Comparison between the existing (left) and proposed (right) sections demonstrating a reduction from 35sqm to 7sqm of building over the height development standard.

Conclusion

The written request provided by the applicant to vary the height development has adequately addressed clause 4.6 of the Waverley LEP 2012 and the justification provided by the applicant is satisfactory.

Clause 4.6 Exceptions to Development Standards - Floor Space Ratio

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

The site is subject to a maximum FSR development standard of 0.5:1. The proposed development has a FSR of 0.618:1, exceeding the standard by or 65.95m^2 equating to a 23.6% variation. It is noted that the existing building already exceeds the FSR development standard by 79.95m^2 28.8%. The proposal results in a 14m^2 reduction in GFA.

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

(c) That compliance with the development standard is unreasonable or unnecessary in the circumstances of the case; and

(d) That there are sufficient environmental planning grounds to justify contravening the standard.

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

Applicant's Written Request - Clause 4.6(3)(a) and (b)

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

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

(i) The proposed alterations and additions include reductions to the overall height with decreases in FSR.
(ii) The proposed FSR is arranged in a way that maintains the rhythm of development, heritage values and residential amenity and improves solar access.
(iii) The proposal, as one stepping outside the numerical controls, is able to significantly increase solar access to 23 Kent Street due to siting of the GFA and also improves morning solar access to 19 Kent Street.
(iv) The overall presentation of the dwelling is residential in its scale, form and character and has an appropriate visual fit within the streetscape.
(v) The proposed bulk and scale of the rear addition is reduced from the existing addition on site.
(vi) The proposed GFA is better positioned behind the heritage item, the existing addition extends towards the eastern boundary and is highly visible from Kent Street. The proposed addition is lower in height and is only visible from oblique angles.

(b) That there are sufficient environmental planning grounds to justify contravening the standard:
(i) The proposal provides a 14m^2 reduction in GFA.
(ii) The development improves the built form component towards the rear of the dwelling with regard to its performance from a heritage perspective by reducing the width of the addition and aligning the external walls with the heritage item.
(iii) The three-storey element of the dwelling occurs in the central portion of the dwelling where it is for the most part not visible from the street or from primary living areas of 19 and 23 Kent Street. Specifically the lower level is not visible from the terrace at 19 Kent Street.
(iv) The proposal results in improved solar access to neighbouring properties.
(v) The proposal, notwithstanding the variation to the FSR development standard, results in significant architectural improvements across the rear elevational profile of the property, including enhanced articulation and retention of fine grain design outcomes benefiting the setting of the heritage item.

Consideration of Applicant's Written Request

The applicant's written request has correctly identified the development standard to be varied, relevant legislation and calculated the FSR using the definition in the LEP. The document also addressed those matters required in Clause 4.6(3)(a) and (b).

Consideration of 4.6(3)(a) whether compliance is unreasonable or unnecessary in the circumstances of the case

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

(a) the objectives of the development standard are achieved notwithstanding non-compliance with the standard;

(b) to establish that the underlying objective or purpose is not relevant to the development with the consequence that compliance is unnecessary;
(c) to establish that the underlying objective or purpose would be defeated or thwarted if compliance was required with the consequence that compliance is unreasonable;
(d) to establish that the development standard has been virtually abandoned or destroyed by the Council's own actions in granting consents departing from the standard and hence compliance with the standard is unnecessary and unreasonable; and
(e) to establish that "the zoning of particular land" was "unreasonable or inappropriate" so that "a development standard appropriate for that zoning was also unreasonable or unnecessary as it applied to that land" and that "compliance with the standard in that case would also be unreasonable or unnecessary.

The applicant specifically relies upon justification (a) of *Wehbe v Pittwater Council* (2007) 156 LGERA 446], *that the objectives of the floor space ratio development standard are achieved notwithstanding non-compliance with the standard.* The objectives of the floor space ratio development standard are discussed below.

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

Not applicable.

(b) to provide an appropriate correlation between maximum building heights and density controls.

The proposal results in a reduction in the height and floor space ratio, which demonstrates an appropriate correlation between maximum building heights and density controls.

(c) to ensure that buildings are compatible with the bulk and scale of the desired future character of the locality.

The proposed addition is consistent with the desired future character of the locality. The non-compliance is reduced from the existing situation and is largely attributed to the sloping site and the existing heritage item sitting higher on the site. When viewed from the street, the rear yard and surrounding properties, the addition is reduced in bulk and scale than the existing rear addition.

(d) to establish limitations on the overall scale of development to preserve the environmental amenity of neighbouring properties and the locality.

The proposed development results in improved solar access to neighbouring properties. As discussed in other areas of this report, there is no increased visual privacy impacts as a result of the proposed development.

The applicant has provided sound justification and compliance has been argued to be unreasonable and unnecessary. The proposal is consistent with the objectives of the FSR development standard. The proposal results in a reduction in FSR from the existing addition on site. The bulk and massing is reduced, which results in an increase in solar access to neighbouring properties.

Consideration of 4.6(3)(b) whether there are sufficient environmental planning grounds to justify contravening the development standard.

The applicant has satisfactorily argued that that there are sufficient environmental planning grounds to justify contravening the development standard particularly the argument that the extent of the floor space ratio breach is reduced. The steep fall of the land on the site, combined with the existing heritage item sitting higher than neighbouring properties, is a particular environmental planning ground that drives the non-compliance. As discussed above, and demonstrated in Figure 9, the proposed addition has been carefully design to minimise the bulk and scale of the addition and reduce amenity impacts.

Conclusion

The written request provided by the applicant to vary the FSR development has adequately addressed clause 4.6 of the Waverley LEP 2012 and the justification provided by the applicant is satisfactory.

2.1.3. Waverley Development Control Plan 2022 (Waverley DCP 2022)

The relevant matters to be considered under the Waverley DCP 2022 are outlined below:

Table 2: Waverley DCP 2022 – Part B General Provisions Compliance Table

Development Control	Compliance	Comment
1. Waste • *Garbage bins are to be stored in an appropriate location.*	Yes	Satisfactory.
2. Ecologically Sustainable Development • *Ceiling or wall mounted fans* • *Gas cooktops, gas ovens or gas internal space heating systems.*	Yes	Satisfactory.
3. Landscaping, Biodiversity and Vegetation Preservation	Yes	Satisfactory.
5.Water Management	Yes	Satisfactory.
8. Heritage	Yes	Satisfactory. See discussion below.

Development Control	Compliance	Comment
11. Design Excellence	Yes	Satisfactory.

Table 33: Waverley DCP 2022 – Part C1 Low Density Residential Development Compliance Table

Development Control	Compliance	Comment
1.0 General Objectives		
	Yes	The proposal does not contravene the general objectives of this part of the DCP.
1.1 Height		
Pitched roof dwelling house • *Maximum external wall height of 7m*	Yes	The proposed maximum wall height is 5.3m
1.2 Setbacks		
1.2.1 Front and rear building lines • *Predominant front building line (adjacent three neighbours on either side)* • *Predominant rear building line at each floor level (adjacent three neighbours or either side)* • *Development at first floor level and above shall be set back from the rear building line of the ground floor level*	Yes	The existing dwelling sits forward of the predominant front building line. The proposal does not alter the existing front building line. The proposed rear addition, as amended, does not extend beyond the rear building line of neighbouring properties and is considered appropriate.
1.2.2 Side setbacks • *Minimum of 0.9m for ground floor and first floors.)* • *Minimum 1.5m for second floor, noting that where a brand new three storey structure is proposed, all floors must be setback by 1.5m.* • *Third floor assessed on merit.*	Yes	The western side setback is maintained at 0.914m, which splays to a 2.79m side setback at the rear building line. The existing 2.4m side setback to the eastern boundary is maintained.
1.3 Streetscape and visual impact		
• *New development to be compatible with streetscape context* • *Replacement windows to complement the style*	Yes	The proposed addition will be less visible from the streetscape as the existing addition. From the street, it is secondary in scale to the heritage item. The addition is considered to be compatible with the streetscape context.

Development Control	Compliance	Comment
and proportions of existing dwelling • *Significant landscaping to be maintained.*		
1.4 Fences		
Front: • *Maximum height of 1.2m* • *Solid section no more than 0.6m in height* *Side and Rear:* • *Maximum height of 1.8m*	No change proposed	No change proposed to the front or side fences.
1.5 Visual and acoustic privacy		
• *Habitable windows are not to directly face habitable windows or open space of neighbouring dwellings unless direct views are screened or other appropriate measures are incorporated into the design* • *External stairs are not acceptable.* • *Maximum size of balconies:* *10m^2 in area* *1.5m deep*	Yes	See discussion below.
1.6 Solar access		
• *Minimum of 3 hours of sunlight to 50% of living areas and principal open space areas on 21 June to subject site* • *Minimum of 3 hours of sunlight maintained to at least 50% of principal open space areas of adjoining properties on 21 June.* • *Avoid unreasonably overshadowing of solar collectors (including habitable windows).*	No, however improvement on existing situation Yes	The shadow diagrams indicate that the proposal will improve solar access to a portion of the swimming pool between 10.30am and 12noon on the winter solstice. However, the proposal does not achieve a minimum of 3 hours of sunlight to 50% of the principal open space on the winter solstice. This is due to existing site constraints given the north/south orientation and the steep topography. The shadow diagrams submitted indicate that the amended proposal will result in improved solar access to both the subject site and neighbouring properties.
1.9 Landscaping and open space		
• *Overall open space: 40% of site area*	Yes	• 328m^2 of open space is provided (60% of site area) which complies.

Development Control	Compliance	Comment
• *Overall landscaped area: 20% of site area, with at least half deep soil* • *Minimum area of 25m^2 for private open space* • *Front open space: 50% of front building setback area* • *Front landscaped area: 50% of front open space provided*		• 128m^2 of landscaped area is provided (23% of the site area) which complies. • 204m^2 of private open space is provided in the rear yard plus a further 40m^2 terrace area off the kitchen. The proposal complies. • The front open space and landscaped area remains unchanged by the proposal. Notwithstanding, 100% of the building setback area is open space and landscaped which complies.

The following is a detailed discussion of the issues identified in the compliance tables above.

Visual Privacy

The deferral letter raised concerns about visual privacy impacts given the extent of glazing on the rear elevation. Furthermore, objections regarding privacy impacts were received from four properties on Barclay Street (the properties to the rear of the subject site).

A site inspection revealed that the natural typography results in the subject site and dwelling being at a higher level than the properties on Barclay Street. The private open spaces of the Barclay Street dwellings are not readily visible from the subject site, however the rear facing windows and roofs are visible. This degree of overlooking is largely unavoidable given the typography and subdivision patterns. Notwithstanding this, it was determined that the proposal should have no greater visual privacy impacts than the existing situation. **Figures 11 and 12** below indicate the existing situation.



Figure 11: Ground floor view from the existing glazed opening. Looking towards the rear of the properties on Barclay Street**.**

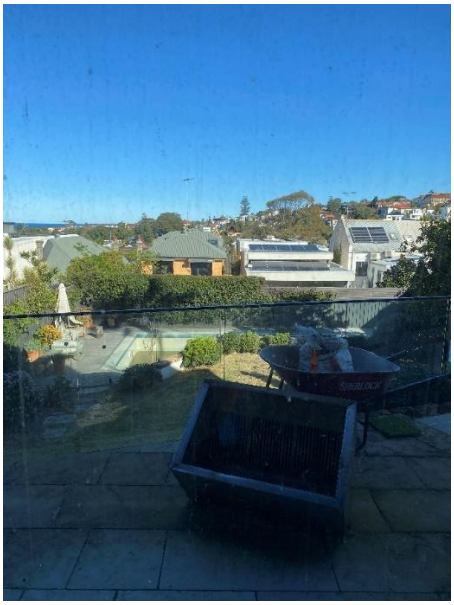


Figure 12: Lower ground floor view looking towards the rear of the properties on Barclay Street.

The amended proposal improves visual privacy impacts by removing the rear facing balcony and reducing the size of the glazed openings at the rear building line. The applicant also provided an assessment of visual privacy which demonstrates that the amended proposal creates no more visual privacy impacts than the existing situation. The perspectives provided below demonstrate the reduction in glazed openings at the rear building line. The amended proposal is considered acceptable from a visual privacy perspective.

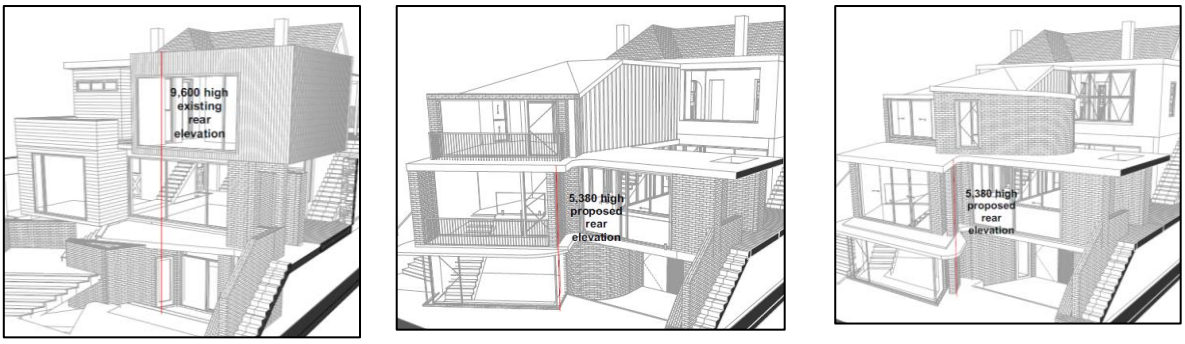


Figure 13: Perspective of existing (left), original proposal (middle) and amended proposal (right) demonstrating the extent of reduced glazing at the rear building line, which improves visual privacy for the properties on Barclay Street.

Heritage

The application was referred to an external heritage consultant who advised that the proposed rear addition would have a negligible heritage impact as it is set lower than the existing roof and attached by a link that will leave the body of the original house more clearly legible as seen from the street. However, concern was raised about internal works and new openings to the heritage item. These issues were included in the deferral letter and addressed by the applicant in the amended plans. The amended proposal was referred to the external heritage consultant who advised that the issues had largely been resolved, apart from the following:

Ground floor:

1. The opening within bedroom 2 is to retain the beam over head of the opening and cornice, in addition to the nib walls, to indicate original room configuration.
2. The additional masonry in the proposed lounge room around the single opening is not required.
3. The rear facing window to the study is still too large. While it has been separated into three double hung windows, it still results in the whole back wall being windows, which is out of character with the original house fenestration. It is recommended that two such windows with walls in between.

The above comments have been included as conditions of consent.

The original proposal included a charcoal colour scheme for the front of the heritage item. This was not supported by the heritage consultant. The amended proposal includes the Dulux colour *Shadow Catcher,* which the heritage consultant considered to be acceptable.

The heritage consultant also raised concern about replacement of the magnolia trees in the front yard with a Banksia serrata tree. Concern was raised about this species being accommodated in a small space (approximately 750mm) and in such close proximity to the bay window and front wall. The applicant's landscape designer provided a statement which notes that the *Banksia serrata* has the potential to grow to a mature height of 15m in natural bushland conditions, however in designed garden contexts it can be managed at a smaller scale. The *Banksia serrata* was chosen with both design intent and site suitability, given it provides significant ecological benefits including support for local biodiversity and seasonable flowering interest. While the heritage consultant maintains the *Banksia serrata* is not appropriate, Council's Tree Management Officer concurs with the applicant's landscape designer and raises no objection. From a planning perspective, there is no objection to proposed landscaping.

2.2. Other Impacts of the Development

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

2.3. Suitability of the Site for the Development

The site is considered suitable for the proposal.

2.4. Any Submissions

The application was notified for 21 days between 3 July 205 and 28 July 2025 and a site notice erected on the site in accordance with the *Community Engagement Strategy Amendment 1 (2025).*

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

- Reduction in bulk and scale.

A total of 5 unique submissions were received from the following properties:

- 19 Kent Street, Waverley
- 20 Barclay Street, Waverley
- 22 Barclay Street, Waverley
- 24 Barclay Street, Waverley
- 26 Barclay Street, Waverley

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

- Height and bulk of the rear addition
- Rear setbacks
- Landscaping

- Overshadowing
- Loss of natural light
- Visual privacy impacts

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

Issue: The development will increase pressure on on-street car parking if adequate off-street spaces are not provided.

Response: The proposal is for a single dwelling and it does not increase the density of the site. Therefore, there is expected to be no net increase in demand for car parking. Notwithstanding, the existing car parking space on site is to be retained.

Issue: Construction may create safety hazards and access issues for local residents

Response: The existing property is fire damaged and uninhabitable. Construction is required to rectify the current situation. Standard conditions of consent will be included to minimise the impact of construction on the surrounding area.

Issue: Swimming pool appears too close to neighbours and a new fence may be required which will cause overshadowing. Swimming pools have the potential to create significant noise impacts on neighbours.

Response: The swimming pool is existing. The proposal does not include any changes to the existing pool or boundary fencing.

2.5. Public Interest

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

3. REFERRALS

The following internal and external referral comments were sought:

3.1. Heritage

See discussion above regarding the comments from the external heritage consultant.

3.2. Stormwater

The application was referred to Council's Stormwater Engineers who raised no objection, subject to conditions of consent which have been included in the attached recommended conditions.

3.3. Tree Management

The application was referred to Council's Tree Management Officer who raised no objection, subject to conditions of consent which have been included in the attached recommended conditions.

4. CONCLUSION

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

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.

Managers of Development Assessment (MODA) Review

The application was reviewed by the MODA at the meeting on 27 August 2025 and 23 September 2025 and the MODA concurred with the Assessment Planner's recommendation.

MODA members: *B McNamara, B Magistrale, O Navratil and J Zancanaro*

Report prepared by:	**Application reviewed and agreed by:**
	
Emma Finnegan	Kylie Lucas
Senior Development Assessment Planner	**Acting Manager, Development Assessment**
Date: 30/09/2025	**Date: 08/10/2025**

Reason for WLPP referral:

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

OFFICE USE ONLY

Planning Portal Data	
Clause 4.6 register entry required (For the purposes of reporting to the planning portal, if the % approved is different to the % proposed in the original submission, please state what the variation initially proposed was – Planning Portal Requirement)	N/A
Clause 4.6 register entry required	16% variation to height (Clause 4.3) X Pre-existing non-compliance

<table>
<tr><td>(For the purposes of reporting to the planning portal, if the % approved is different to the % proposed in the original submission, please state what the variation initially proposed was – Planning Portal Requirement)</td><td><table>
<tr><td>X</td><td>No change to overall building height</td></tr>
<tr><td></td><td>No change to overall building envelope</td></tr>
<tr><td></td><td>Variation limited to the [lift/plant/parapet/attic] only</td></tr>
<tr><td>X</td><td>No unreasonable impacts on the amenity of adjoining properties or streetscape</td></tr>
<tr><td>X</td><td>Sufficient environmental planning grounds</td></tr>
<tr><td>X</td><td>Consistent with the objectives of the standard</td></tr>
<tr><td></td><td>[insert another reason here if required]</td></tr>
</table></td></tr>
<tr><td>Clause 4.6 register entry required

(For the purposes of reporting to the planning portal, if the % approved is different to the % proposed in the original submission, please state what the variation initially proposed was – Planning Portal Requirement)</td><td>23.6% variation to FSR (Clause 4.4)<table>
<tr><td>X</td><td>Pre-existing non-compliance</td></tr>
<tr><td>X</td><td>No change to overall building height</td></tr>
<tr><td></td><td>No change to overall building envelope</td></tr>
<tr><td></td><td>Variation limited to the [lift/plant/parapet/attic] only</td></tr>
<tr><td>X</td><td>No unreasonable impacts on the amenity of adjoining properties or streetscape</td></tr>
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<tr><td>X</td><td>Consistent with the objectives of the standard</td></tr>
<tr><td></td><td>[insert another reason here if required]</td></tr>
</table></td></tr>
<tr><td>Excavation Register</td><td>N/A</td></tr>
<tr><td>Determining Authority

(Concurrence Authority for Clause 4.6 variation)</td><td>Local Planning Panel</td></tr>
<tr><td>Were the requirements of the Sustainable Buildings SEPP (effective 1 October 2023) met?</td><td>Yes</td></tr>
<tr><td>Have any dwellings been approved for affordable Rental Housing under this approval/consent?
*This is a planning portal reporting requirement</td><td>No</td></tr>
<tr><td>Secondary Dwelling
*This is a planning portal reporting requirement</td><td>No</td></tr>
<tr><td>Boarding House
*This is a planning portal reporting requirement</td><td>No</td></tr>
<tr><td>Group Home
*This is a planning portal reporting requirement</td><td>No</td></tr>
<tr><td>Does the proposal trigger a Housing & Productivity Contribution ? If so, please ensure you have calculated the contribution in the CON case in the Planning Portal.</td><td>No</td></tr>
</table>

Is the development subject to the Special Infrastructure Contribution (SIC)?	No
Is the development located within an Urban Release area?	No
Waverley Council Data	
Trial Period database entry required	No
VPA submitted – follow up actions required	No
Refer to compliance for investigation	No
Commercial/liquor operational conditions	No
Was there a 'Conflict of Interest' declared	No

APPENDIX A – CONDITIONS OF CONSENT

Terms and Reasons for Conditions

Under section 88(1)(c) of the EP&A Regulation, the consent authority must provide the terms of all conditions and reasons for imposing the conditions other than the conditions prescribed under section 4.17(11) of the EP&A Act. The terms of the conditions and reasons are set out below.

GENERAL CONDITIONS

<table>
<tr><th></th><th>Condition</th></tr>
<tr><td>1.</td><td>APPROVED PLANS AND DOCUMENTATION
The development must be in accordance with:

(a) Architectural Plans prepared by Ellis Constructions including the following:

<table>
<tr><th>Plan Number and Revision</th><th>Plan description</th><th>Plan Date</th><th>Date received by Council</th></tr>
<tr><td>DA01 Rev B</td><td>Site Analysis</td><td>21/09/2025</td><td>22/09/2025</td></tr>
<tr><td>DA02 Rev B</td><td>Schedule of Finishes</td><td>21/09/2025</td><td>22/09/2025</td></tr>
<tr><td>DA03 Rev B</td><td>Setbacks, roof & boundary</td><td>21/09/2025</td><td>22/09/2025</td></tr>
<tr><td>DA04 Rev B</td><td>Streetscape analysis</td><td>21/09/2025</td><td>22/09/2025</td></tr>
<tr><td>DA05 Rev B</td><td>Demolition plans</td><td>21/09/2025</td><td>22/09/2025</td></tr>
<tr><td>DA06 Rev B</td><td>Basement plan</td><td>21/09/2025</td><td>22/09/2025</td></tr>
<tr><td>DA07 Rev B</td><td>Proposed Lower GF plan</td><td>21/09/2025</td><td>22/09/2025</td></tr>
<tr><td>DA08 Rev B</td><td>Proposed GF plan</td><td>21/09/2025</td><td>22/09/2025</td></tr>
<tr><td>DA09 Rev B</td><td>Proposed roof plan</td><td>21/09/2025</td><td>22/09/2025</td></tr>
<tr><td>DA10-A Rev B</td><td>East Elevations</td><td>21/09/2025</td><td>22/09/2025</td></tr>
<tr><td>DA10-B Rev B</td><td>South, West Elevation</td><td>21/09/2025</td><td>22/09/2025</td></tr>
<tr><td>DA10-C Rev B</td><td>Rear elevation</td><td>21/09/2025</td><td>22/09/2025</td></tr>
<tr><td>DA11 Rev B</td><td>Sections</td><td>21/09/2025</td><td>22/09/2025</td></tr>
<tr><td>DA16 Rev B</td><td>Window Schedule</td><td>21/09/2025</td><td>22/09/2025</td></tr>
</table>

(b) Landscape Plan and Documentation No. 862DA01, 862DA02, 862DA10, 862DA11, 862DA12, 862DA13, 862DA20 Issue B, dated 19/09/2025 and 862DA45, 862DA50 both Issue A, dated 14/04/2025 prepared by Myles Baldwin Design and received by Council on 22/09/2025.
(c) BASIX and NatHERs Certificate/s
(d) Geotechnical Report and documentation prepared by STS Geotechnics Pty Ltd dated March 2025, and received by Council on 23/06/2025
(e) Schedule of external finishes and colours received by Council on 22/09/2025
(f) The Site Waste and Recycling Management Plan (SWRMP) Part 1

Except where amended by the following conditions of consent.

Condition reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.</td></tr>
<tr><td>2.</td><td>GENERAL MODIFICATIONS
The application is approved subject to the following plan amendments:</td></tr>
</table>

	(a) The opening within Bedroom 2 is to retain the beam overhead and cornice, in addition to the nib walls, to indicate the original room configuration. (b) The additional masonry around the opening between the lounge and study is not required and is to be deleted. (c) The study includes a rear facing window that, while separated into three double hung windows, is out of character with the original house fenestration. The window is to be reconfigured into two double hung windows with wall in between. 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.
	Condition reason: To protect the heritage significance of the dwelling house.
3.	**DOMESTIC HEATERS**
	The provision of solid fuel heating is prohibited.
	Condition reason: To protect air quality.

BUILDING WORK

BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE

	Condition
4.	**NO BUILDING OR DEMOLITION WORKS PRIOR TO RELEASE OF CONSTRUCTION CERTIFICATE**
	The building work, or demolition work, must not be commenced until: (a) a Construction Certificate has been obtained from Council or an Accredited Certifier in accordance with the *Environmental Planning and Assessment Act 1979*; (b) a Principal Certifying Authority has been appointed and Council has been notified of the appointment in accordance with the *Environmental Planning and Assessment Act 1979* and *Environmental Planning and Assessment Regulation 2021*; and (c) Council is given at least two days' notice in writing of the intention to commence the building works.
	Condition reason: To ensure a Construction Certificate is obtained prior to work commencing.

5.	**HOME BUILDING ACT**
	The builder or person who does the residential building work shall comply with the applicable requirements of Part 6 of the *Home and Building Act 1989*. In this regard a person must not contract to do any residential building work unless a contract of insurance that complies with this Act is in force in relation to the proposed work. It is the responsibility of the builder or person who is to do the work to satisfy the Principal Certifying Authority that they have complied with the applicable requirements of Part 6, before any work commences.
	Condition reason: To ensure the builder or person who does the residential building work, complies with the applicable requirements of Part 6 of the *Home and Building Act 1989*.
6.	**SECTION 7.12 CONTRIBUTION**
	A monetary development contribution is payable to Waverley Council pursuant to section 7.12 of the *Environmental Planning and Assessment Act 1979* and the Waverley Council Development Contributions Plan in accordance with the following: (a) Where the total development cost is $500,000 or less: (i) a **Cost Summary Report** or **Building Contract** (dated within 12 months) or similar is to be submitted to Council's Customer Service Centre to process payment. (b) Where the total development cost is more than $500,000 but less than $1,000,000: (i) a **Detailed Cost Report** (dated within 12 months) prepared by a registered Quantity Surveyor, **Building Contract,** or similar is to be submitted to Council's Customer Service Centre to process payment. (c) Where the total development cost is $1,000,000 or more: (i) a **Detailed Cost Report** (dated within 12 months) prepared by a registered Quantity Surveyor, **Building Contract,** or similar is to be submitted to and approved by Council's Executive Manager, Urban Planning, Policy and Strategy (or delegate). - Please forward documents to info@waverley.nsw.gov.au attentioned to Strategic Planning, and reference the relevant application number, address and condition number to satisfy. (ii) Upon confirmation of the contribution amount by Council's Executive Manager, Urban Planning, Policy and Strategy (or delegate), payment is to be processed via the Customer Service Centre. (iii) Should there be a discrepancy between the cost of works approved in subclause (b)(i) and the DA fee nominated in the original DA, then additional DA Fees may be payable prior to the issue of a Construction Certificate.

	A copy of the required format for the cost reports are provided in the Waverley Council Contributions Plan, available on Council's website. (d) As legislated in section 209 of the Environmental Planning and Assessment Regulation 2021, the levy must be paid in accordance with the following; (i) A development valued at $100,000 or less will be exempt from the levy; (ii) A development valued at $100,001 - $200,000 will attract a levy of 0.5% of the full cost of the development; or (iii) A development valued at more than $200,000 will attract a levy of 1% of the full cost of the development. Prior to the issue of any Construction Certificate, evidence must be provided that the levy has been paid to Council in accordance with this condition or that the cost of works is less than $100,000.
	Condition reason: To ensure the Section 7.12 Contributions are paid.
7.	**SECURITY DEPOSIT**
	A deposit (cash or cheque) for the amount of **$102,784.44** 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) must be provided to Council prior to the issue of any Construction Certificate. The full amount of the deposit, minus Council's costs for any repair of damage to Council property or rectification of unauthorised works on Council property, will be refunded after satisfactory completion all of works associated with this consent (including the required public works) to the person who paid the deposit.
	Condition reason: To ensure any damage to public infrastructure is rectified and public works can be completed.
8.	**LONG SERVICE LEVY**
	A long service levy, as required under section 34 of the *Building and Construction Industry Long Service Payments Act, 1986*, is to be paid in respect of this building work. Evidence that the levy has been paid is to be submitted to the Principal Certifying Authority prior to the issue of any Construction Certificate. Note: Council acts as an agent for the Long Service Payment Corporation and the levy may be paid at Council's office. The levy rate is 0.25% of building work costing $250,000 or more.
	Condition reason: To ensure the long service levy is paid.
9.	**ENGINEERING PLANS ASSESSMENT AND WORKS INSPECTION FEES**
	The applicant is to pay to Council fees for assessment of all engineering plans and inspection of the completed works in the public domain inclusive of all stormwater

	assessment, in accordance with Council's Schedule of Fees & Charges at the time of engineering plan approval, prior to such approval being granted by Council. An invoice will be issued to the applicant for the amount payable, which will be calculated based on the design plans for the subject development.
	Condition reason: To ensure Council assessment fees are paid.
10.	**HOARDING**
	To ensure the site is contained during construction, a hoarding is required for the approved works, which is to be designed and constructed in accordance with the requirements of Safe Work NSW. Where the hoarding is to be erected over the footpath or any public place, the approval of Council's Compliance Unit must be obtained and the applicable fees paid, prior to the erection of the hoarding.
	Condition reason: To ensure safety to the general public.
11.	**EROSION & SEDIMENT CONTROL**
	A Soil and Water Management Plan (SWMP), also known as an Erosion and Sediment Control Plan must be prepared in accordance with Waverley Council's Water Management Technical Manual. The SWMP must be approved by the Principal Certifying Authority prior to the issue of a Construction Certificate. A copy of the SWMP must be kept on site at all times and made available to Council officers upon request. The recommendations of the SWMP must be implemented and maintained during all construction activities and until the site is fully stabilised following construction.
	Condition reason: To ensure sediment laden runoff and site debris do not impact local stormwater systems and waterways.
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.
	Condition reason: To ensure structural stability of work on site.
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.
	Condition reason: To ensure structural stability of work on site.
14.	**STORMWATER AND PUBLIC INFRASTRUCTURE MANAGEMENT**
	To ensure that stormwater runoff from the development is drained in an appropriate manner, without impact to neighbouring properties and downstream systems, a detailed plan and certification of the development's stormwater management

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

The submitted stormwater management plan prepared by Natasi & Associates, Project No. 4358SW, Drawing No. C1, C2, C3, Issue A, dated 12/05/2025 are considered concept only.

The applicant must submit amended plans and specifications to comply with the current Waverley Council Water Management Technical Manual and Development Control Plan (DCP) at the time of engineering plan approval. The submitted plans must be prepared by a suitably qualified and practising Civil Engineer (registered on the NER of Engineers Australia or equivalent) and comply with the following conditions:

a) Supporting calculations must be provided to demonstrate that the existing OSD/pump system is adequate to cater for additional flow increase. Otherwise, the existing system must be re-designed and upgraded in accordance with the current Water Management Technical Manual (WMTM).

b) Specify any components of the existing system to be retained and certified during construction to be in good condition and of adequate capacity to convey additional runoff and be replaced or upgraded if required.

c) If replacing any proposed stormwater discharge within the footpath verge of the street must be hot dipped galvanised steel hollow section with the size of 125mm x 75mm x 4mm (w x h x t). Note a minimum of 1m width of concrete kerb and gutter must be replaced encompassing this connection, with 10mm thick mastic expansion joints installed on both sides (full depth) and with a 600mm asphalt adjustment and liquid crack sealing if the asphalt is damaged as part of the works or found to be in a deteriorated state.

d) A sediment control stormwater pit must be installed inside the property, adjacent to the boundary, for all stormwater outlets. A sump must be provided at the outlet point.

e) Detail the proposed pipe sizes, type, grade, length, invert levels, dimensions and types of drainage pits and inspection openings and their location.

f) Provide calculations demonstrating that the proposed stormwater drainage system can cater for the relevant design storm event.

g) Pits and inspection openings are to be provided at all junctions, change in gradient, change in direction, and change in diameter for access and maintenance purposes.

h) Any seepage or rainwater collected on-site during construction or groundwater must not be pumped to the street stormwater system unless separate prior approval is given in writing by Council.

i) Any new downpipes are to be located wholly within the property's boundary.

j) A sewer/water main runs through the property, therefore plans must also be presented to Sydney Water for their approval prior to the issue of a Construction Certificate.

	Notes: • Any Council infrastructure affected as a 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 must be replaced if damaged as per the Waverley Council Public Domain Technical Manual. All associated costs will be borne by the applicant. • The checklist as set out on pages 68-76 in Council's Water Management Technical Manual (October 2021) available online must be completed and submitted with any revision of Construction Certificate Plan Submissions. • 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 must 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 8655 (operational hours between 9.30am to 4pm Monday to Friday). The expected duration to review and approve the stormwater management plan may take at least 15 working days from the date of submission. • Evidence from a suitably qualified and practicing Engineer that the approved design has been adhered to must be submitted to and approved by the Principal Certifying Authority (PCA) prior to the issue of the relevant Construction Certificate application.
	Condition reason: To ensure that the stormwater system is designed and constructed in accordance with Waverley Council's Water Management Technical Manual and will minimise the likelihood of stormwater related issues to the property owner, occupiers, neighbours and broader community.
15.	**GROUNDWATER ASSESSMENT**
	Prior to the issue of a Construction Certificate, the applicant must submit the following to the Executive Manager, Infrastructure Services (or delegate) for approval: a) A preliminary site hydrogeological investigation report prepared by a suitably qualified geotechnical engineer or hydrogeological professional. The report must: i. Include results from at least two groundwater monitoring bores installed on-site, or as advised by Council, (distributed across the site to capture groundwater flow direction and variation, including at the outer extents of the underground structure most likely to be impacted by groundwater) extending at least 5 meters below the proposed underground structure slab level and monitored for at least one month

	(standpipes or piezometers should be used to monitor groundwater levels, and soil and lithological logs must be recorded) ii. Clearly state whether groundwater is present and show the measured static groundwater level in each bore and in a site-wide groundwater contour plan in relation to the underground structure slab level. iii. Outline the potential need for dewatering during construction. iv. Comment on post-construction groundwater ingress and mitigation options: a. Fully tanked and waterproofed underground structure (if groundwater is identified within 5 meters of the slab level).; or b. Drained underground structure (if >5m above groundwater table). b) If groundwater is likely to be intercepted by the proposed works, or the above tanking requirement is contested, a detailed hydrogeological assessment must be prepared by a suitably qualified geotechnical engineer or hydrogeological professional, providing detail on groundwater depth and seasonal variation (6-12 months minimum monitoring as advised by Council), groundwater flow direction and rate, hydraulic conductivity, water quality, and including a conceptual hydrogeological model. c) If groundwater interference is expected, a groundwater impact assessment is also required, assessing the short-term and long-term impacts of dewatering (if relevant) and evaluating potential effects on neighbouring properties due to settlement or subsidence, as well as on groundwater dependent ecosystems, and contaminant mobilisation. If the report cannot be provided, or if it indicates that the predicted highest groundwater level over a 50-year design life for the development cannot be confidently confirmed to be more than 2m below the base of the proposed underground structure slab level, the following measures must be implemented: i. The underground structure must be fully waterproofed and tanked to prevent groundwater &/or seepage ingress. The design must ensure that the underground structure is capable of withstanding hydrostatic pressures without reliance on active or passive dewatering systems. ii. No subsoil drainage systems are to be installed around the perimeter of the underground structure walls or beneath the underground structure slab to prevent the potential extraction of groundwater. Post construction extraction or discharge of groundwater is strictly prohibited by Council under any circumstances. Fees for the preliminary and detailed hydrogeological report or investigation review are applicable as per Council's Fees and Charges.
	Condition reason: To ensure the potential groundwater impacts are identified and to avoid groundwater extraction, and ensure underground structures are designed to comply with Council's Water Management Technical Manual.
16.	**SEEPAGE WATER**
	Seepage water within the top 500mm of the ground surface may be collected and discharged to Council's stormwater network (below ground network). Seepage water below 500mm of the ground surface must be managed on-site through

	infiltration or directed into Council's below-ground stormwater system, subject to Council approval. This will be contingent on the discharge flow rate being quantified and the stormwater management system (including the OSD volume and orifice size) being adjusted to ensure the total discharge from the site does not exceed the permissible site discharge. Seepage water must not be discharged directly or indirectly to the street gutter.
	Condition reason: To ensure the seepage water is managed to comply with Council's Water Management Technical Manual.
17.	**BASIX**
	All requirements of the BASIX Certificate and/or NatHERS documentation are to be shown on the Construction Certificate plans and documentation.
	Condition reason: To ensure BASIX and/or NatHERS requirements are met.
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.
	Condition reason: To ensure resource recovery is promoted and the local amenity is protected during construction.
19.	**GREEN ROOF LANDSCAPING DETAILS**
	The construction certificate landscape plans are to comply with the controls for green roofs in Part B3.2.3 of the Waverley Development Control Plan 2022 including; (a) Comprise plants that are suitable for the site in relation to the environmental conditions (sun, wind and views) and include indigenous or local native plants to Waverley (see Annexure B3 – 1). (b) Have a minimum soil depth of 300mm and use lightweight soil mixes that are porous, able to drain freely, and suitable for the selected plant species. (c) The green roof is to be designed to be a non-trafficable area (with no balustrades) and must be irrigated without requiring frequent maintenance access. Any access to the roof is to be for servicing purposes only. A qualified landscape architect must review the design and verify that it complies with the above requirements.
	Condition reason: To ensure the longevity of the green roof.

20.	**CONSTRUCTION TRAFFIC MANAGEMENT PLAN (CTMP)**
	The applicant is to submit a Construction Traffic Management Plan (CTMP) for the approval of Council's Executive Manager, Infrastructure Services, or delegate, prior to the issue of any Construction Certificate. For further information on what is required in the CTMP, please refer to Council's website at: https://www.waverley.nsw.gov.au/building/development_applications/post_determination/development_applications_-_conditions_of_consent
	Condition reason: To require details of measures that will protect the public, and the surrounding environment, during site works and construction.
21.	**RENEWABLE ENERGY AND ENERGY EFFICIENCY**
	To enable all development to contribute to net zero greenhouse emissions by 2035, the following shall apply: (a) An electric hot water system is strongly encouraged in all developments. Recommended systems include electric heat pump, solar thermal with electric boost or electric storage. (b) Recommended swimming pool heating systems to include solar thermal only, solar thermal boosted with electric heat pump or electric heat pump. (c) No gas cooktops, gas ovens and gas heating systems are permitted. Alternate options must be used (such as electric, induction). (d) Recommended lighting systems to include LEDs with controls, such as motion sensors, step-dim controls and daylight sensors. The architectural plans shall be updated to notate the above and submitted to the Principal Certifying Authority for approval, prior to the issue of a Construction Certificate.
	Condition reason: To reduce community greenhouse emissions to net zero by 2035 and ensure all new (or altered) homes have future capacity to be an all-electric building, powered by renewable energy.

BEFORE BUILDING WORK COMMENCES

	Condition
22.	**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.
	Condition reason: To ensure the general public are afforded the Principal Certifying Authority and principal contractor's (the coordinator of the building works) contact details.

23. **DEMOLITION – ASBESTOS AND HAZARDOUS MATERIALS**

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

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

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

(a) Outline the identification of any hazardous materials, including surfaces coated with lead paint;

(b) Confirm that no asbestos products are present on the subject land, or

(c) particularise a method of safely disposing of the asbestos in accordance with the Code of Practice on how to safely remove asbestos published by SafeWork NSW (catalogue WC03561);

(d) Describe the method of demolition;

(e) Describe the precautions to be employed to minimise any dust nuisance; and

(f) Describe the disposal methods for hazardous materials.

Condition reason: To ensure the safety of workers and the general public.

24. **TREE SCHEDULE**

This schedule outlines which trees are approved for removal and replacement, or to be retained and protected.

Tree No.	Species	Location	Status	Action
T1 – T5	*Magnolia grandiflora* (Bull Bay Magnolia)	Front yard	Protected	Remove and replace as per Landscape Plan
T6	*Howea forsteriana* (Kentia Palm)	Rear yard	Protected	Remove and replace as per Landscape Plan

Condition reason: To clarify the trees approved for removal and those to be protected during the construction of the approved development.

DURING BUILDING WORK

	Condition
25.	**CONTROL OF DUST ON CONSTRUCTION SITES**
	The following requirements apply to demolition and construction works on site: (a) Hazardous dust is not to be allowed to escape from the site. The use of fine mesh dust proof screens or other measures are recommended. Any existing accumulations of dust (e.g. ceiling voids and wall cavities) must be removed by the use of an industrial vacuum fitted with a high efficiency particle air (HEPA) filter. All dusty surfaces and dust created from work are to be suppressed by a fine water spray. Water must not be allowed to enter the street and stormwater systems. Demolition is not to be performed during adverse winds, which may cause dust to spread beyond the site boundaries. (b) All contractors and employees directly involved in the removal of hazardous dusts and substances are to wear protective equipment conforming to Australian Standard AS1716 Respiratory Protective Devices.
	Condition reason: To ensure the safety of workers and the general public.
26.	**CLASSIFICATION OF WASTE/ DISPOSAL OF EXCAVATED SOILS**
	Prior to the exportation of waste (including fill or soil) from the site the material must be classified in accordance with the provisions of the Protection of the Environment Operations Act 1997 and the NSW EPA Waste Classification Guidelines 2014.
	Condition reason: To ensure compliance with the Protection of the Environment Operations Act 1997 and the NSW EPA Waste Classification Guidelines 2014.
27.	**EXCAVATION AND BACKFILLING**
	All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with the appropriate professional standards and must be properly guarded and protected to prevent them from being dangerous to life or property. If an excavation associated with the erection or demolition or 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.
	Condition reason: To ensure structural stability of work on site and general safety.
28.	**CONSTRUCTION HOURS**
	Demolition and building work must only be undertaken between the hours of 7am and 5pm on Mondays to Fridays and 8am to 3pm on Saturdays, with no work to be carried out on Sundays and public holidays. Excavation works involving the use of heavy earth movement equipment, including rock breakers and the like, must only be undertaken between the hours of 7am and

	5pm on Mondays to Fridays, with no such work to be carried out on Saturday, Sunday or a public holiday. Noise from construction activities shall comply with the *Protection of the Environmental Operations (Noise Control) Regulation 2017*.
	Condition reason: To protect the amenity of the surrounding area.
29.	**STOCKPILES, STORAGE OF MATERIALS AND LOCATION OF BUILDING OPERATIONS**
	All building materials and any other items associated with the development are to be stored within the property. No materials are to be stored on Council's footpath, nature strip, or road reserve without prior Council approval.
	Condition reason: To ensure building material is stored in an appropriate location.
30.	**CONSTRUCTION INSPECTIONS**
	The building works are to be inspected during construction by the Principal Certifying Authority (PCA) in accordance with the *Building Legislation Amendment (Quality of Construction) Act 2002, Part 8 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021* and the requirements of any other applicable legislation or instruments.
	Condition reason: To ensure regular inspections occur throughout the construction process.
31.	**CERTIFICATE OF SURVEY - LEVELS**
	All construction works are to be in accordance with the Reduced Levels (RLs) as shown on the approved plans. Certification from a Registered Surveyor certifying ground, upper floor/s and finished ridge levels is to be submitted to the Principal Certifying Authority during construction and prior to continuing to a higher level of the building.
	Condition reason: To ensure buildings are sited and positioned in the approved location.
32.	**CERTIFICATE OF SURVEY - BOUNDARIES AND LOCATION OF BUILDING**
	A Certificate of Survey prepared by a Registered Surveyor setting out the boundaries of the site and the location of the building on the site is to be submitted to the Principal Certifying Authority to certify the building is located in accordance with the development consent plans. The Certificate is to be submitted prior to the construction of the external walls above the ground floor level of the building.
	Condition reason: To ensure buildings are sited and positioned in the approved location.
33.	**WORK OUTSIDE PROPERTY BOUNDARY**
	This consent does not authorise any work outside the property boundary.
	Condition reason: To ensure all works are located within the property boundary.

BEFORE ISSUE OF AN OCCUPATION CERTIFICATE

	Condition
34.	**FINAL OCCUPATION CERTIFICATE**
	Prior to occupation or use of the development, an Occupation Certificate must be obtained. The Principal Certifying Authority must be satisfied that the requirements of the *Environmental Planning & Assessment Act 1979* have been satisfied including all critical stage inspections. Documentary evidence of all required inspections is to be submitted to Council.
	Condition reason: To ensure an Occupation Certificate is issued prior to occupation or use of the development.
35.	**CERTIFICATION OF BASIX COMMITMENTS**
	The Principal Certifying Authority shall certify that the all the undertakings in the approved BASIX certificate have been completed.
	Condition reason: To ensure all the undertakings in the approved BASIX certificate have been completed.
36.	**CERTIFICATION OF NEWLY CONSTRUCTED AND RETAINED STORMWATER DRAINAGE SYSTEM**
	Certification must be provided from a suitably qualified and practicing Engineer or Plumber, that any new stormwater drainage system has been constructed in accordance with the Development Consent, Water Management Technical Manual, all applicable Codes, Policies, Plans, Standards, and good engineering practice. Certification must be provided from a suitably qualified and practicing Engineer or Plumber, that any retained stormwater drainage system is unblocked, in good working order, and has been repaired or replaced in accordance with Council's Water Management Technical Manual and Development Control Plan and all applicable Codes, Policies, Plans, Standards and good engineering practice. A copy of the certifications must be submitted to the assessing stormwater engineer within Infrastructure Services for approval.
	Condition reason: To ensure stormwater drainage system has been constructed or retained as per the approved stormwater management plans.
37.	**WORKS-AS-EXECUTED DRAWINGS – STORMWATER MANAGEMENT SYSTEM**
	Prior to the issue of the final Occupation certificate, a Works-As-Executed drawing (WAED) of the stormwater drainage system must be prepared, stamped, and signed by a Registered Surveyor. This drawing must detail the alignment of the stormwater management system including all pipelines, pits and other drainage-related infrastructure. An original or a colour copy must be submitted to Waverley Council. Where changes have occurred, the Council-approved plans must be marked-up in red ink and must include levels and locations for the drainage structures and works.

	A suitably qualified and practising Civil Engineer (registered on the NER of Engineers Australia or equivalent) must provide certification of the WAED of the stormwater management system that the works were constructed to their satisfaction and in accordance with the Development Consent, Water Management Technical Manual, all applicable Codes, Policies, Plans, Standards, and good engineering practice. A copy of the aforementioned letter of certification must be submitted to Council.
	Condition reason: To ensure council are aware of the stormwater management systems on site and able to provide advice for any future or remedial works.
38.	**CREATION OF POSITIVE COVENANT AND RESTRICTION FOR THE STORMWATER MANAGEMENT SYSTEM**
	A "Positive Covenant" and "Restriction on the Use of Land" must be created for the stormwater management system under Section 88E of the Conveyancing Act 1919, to ensure the system is maintained and kept free of debris/weeds. The property owner/occupant must not modify or remove the stormwater management system without consent from Council. The applicant must submit Council's Legal Document Authorisation Application in line with Council requirements (including the wording of the Instrument) to the Assets team. Approval is required from the Executive Manager, Infrastructure Services (or delegate) prior to lodgement with NSW Land Registry Services. The Instrument must be registered and a copy of the document must be submitted to and approved by the consent authority prior to the issue of an Occupation Certificate or use of the building. All associated costs will be borne by the applicant.
	Condition reason: To ensure that the key stormwater management controls (e.g. OSD, pump out, infiltration system) are not modified or removed without Council consent and that they are maintained in order to minimise flooding impacts within the downstream catchment.
39.	**PLANNED PREVENTATIVE MAINTENANCE SCHEDULE FOR PUMP OUT SYSTEM**
	The registered proprietor will 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 must be submitted to the Executive Manager, Infrastructure Services or delegate prior to the issue of the Occupation Certificate.
	Condition reason: To ensure pump out systems are maintained and continue to operate as intended.

40.	**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.
	Condition reason: To confirm plantings.

OCCUPATION AND ONGOING USE

	Condition
41.	**ONGOING MAINTENANCE – STORMWATER DRAINAGE SYSTEM**
	An ongoing maintenance plan for the stormwater system is to be submitted and approved by the Executive Manager, Infrastructure Services (or delegate) prior to the issue of the relevant Occupation Certificate. At a minimum, the system must be: a) Kept clean and free from silt, rubbish and debris. b) Be maintained so that it functions in a safe and efficient manner. c) Not be altered without prior consent in writing of the Council.
	Condition reason: To ensure the stormwater drainage systems are maintained and continue to operate as intended.

GENERAL ADVISORY NOTES

	Condition
1.	**DEVELOPMENT IS TO COMPLY WITH LEGISLATION**
	This consent contains the conditions imposed by the consent authority which are to be complied with when carrying out the approved development. However, this consent is not an exhaustive list of all obligations which may relate to the carrying out of the development under the EP&A Act, EP&A Regulation and other legislation.
2.	**DEVELOPMENT MUST MEET CONDITIONS OF CONSENT**
	The approved development must be carried out in accordance with the conditions of this consent. It is an offence under the EP&A Act to carry out development that is not in accordance with this consent.
3.	**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
4.	**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.
5.	**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.
6.	**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.
7.	**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.
8.	**EXCAVATION TO BE LIMITED**
	Excavation shall be limited to that shown in the approved plans. Any further excavation will require Council approval.
9.	**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.
10.	**TREE MANAGEMENT GUIDELINES 2022**
	Details on additional criteria regarding tree on development sites can be found in Waverley Council Tree Management Guidelines 2022, 10. Appendices.

Dictionary

The following terms have the following meanings for the purpose of this determination (except where the context clearly indicates otherwise):

Approved plans and documents means the plans and documents endorsed by the consent authority, a copy of which is included in this notice of determination.

AS means Australian Standard published by Standards Australia International Limited and means the current standard which applies at the time the consent is issued.

Building work means any physical activity involved in the erection of a building.

Certifier means a council or a person that is registered to carry out certification work under the *Building and Development Certifiers Act 2018*.

Construction certificate means a certificate to the effect that building work completed in accordance with specified plans and specifications or standards will comply with the requirements of the EP&A Regulation and *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*.

Council means Waverley Council.

Court means the Land and Environment Court of NSW.

EPA means the NSW Environment Protection Authority.

EP&A Act means the *Environmental Planning and Assessment Act 1979.*

EP&A Regulation means the *Environmental Planning and Assessment Regulation 2021.*

Independent Planning Commission means Independent Planning Commission of New South Wales constituted by section 2.7 of the EP&A Act.

Local planning panel means Waverley Local Planning Panel.

Occupation certificate means a certificate that authorises the occupation and use of a new building or a change of building use for an existing building in accordance with this consent.

Principal certifier means the certifier appointed as the principal certifier for building work or subdivision work under section 6.6(1) or 6.12(1) of the EP&A Act respectively.

Site work means any work that is physically carried out on the land to which the development the subject of this development consent is to be carried out, including but not limited to building work, subdivision work, demolition work, clearing of vegetation or remediation work.

Stormwater drainage system means all works and facilities relating to:
the collection of stormwater,

the reuse of stormwater,

the detention of stormwater,

the controlled release of stormwater, and

connections to easements and public stormwater systems.

Strata certificate means a certificate in the approved form issued under Part 4 of the *Strata Schemes Development Act 2015* that authorises the registration of a strata plan, strata plan of subdivision or notice of conversion.

Subdivision certificate means a certificate that authorises the registration of a plan of subdivision under Part 23 of the *Conveyancing Act 1919*.

Subdivision works certificate means a certificate to the effect that subdivision work completed in accordance with specified plans and specifications will comply with the requirements of the EP&A Regulation.

Sydney district or regional planning panel means Sydney Eastern City Planning Panel.

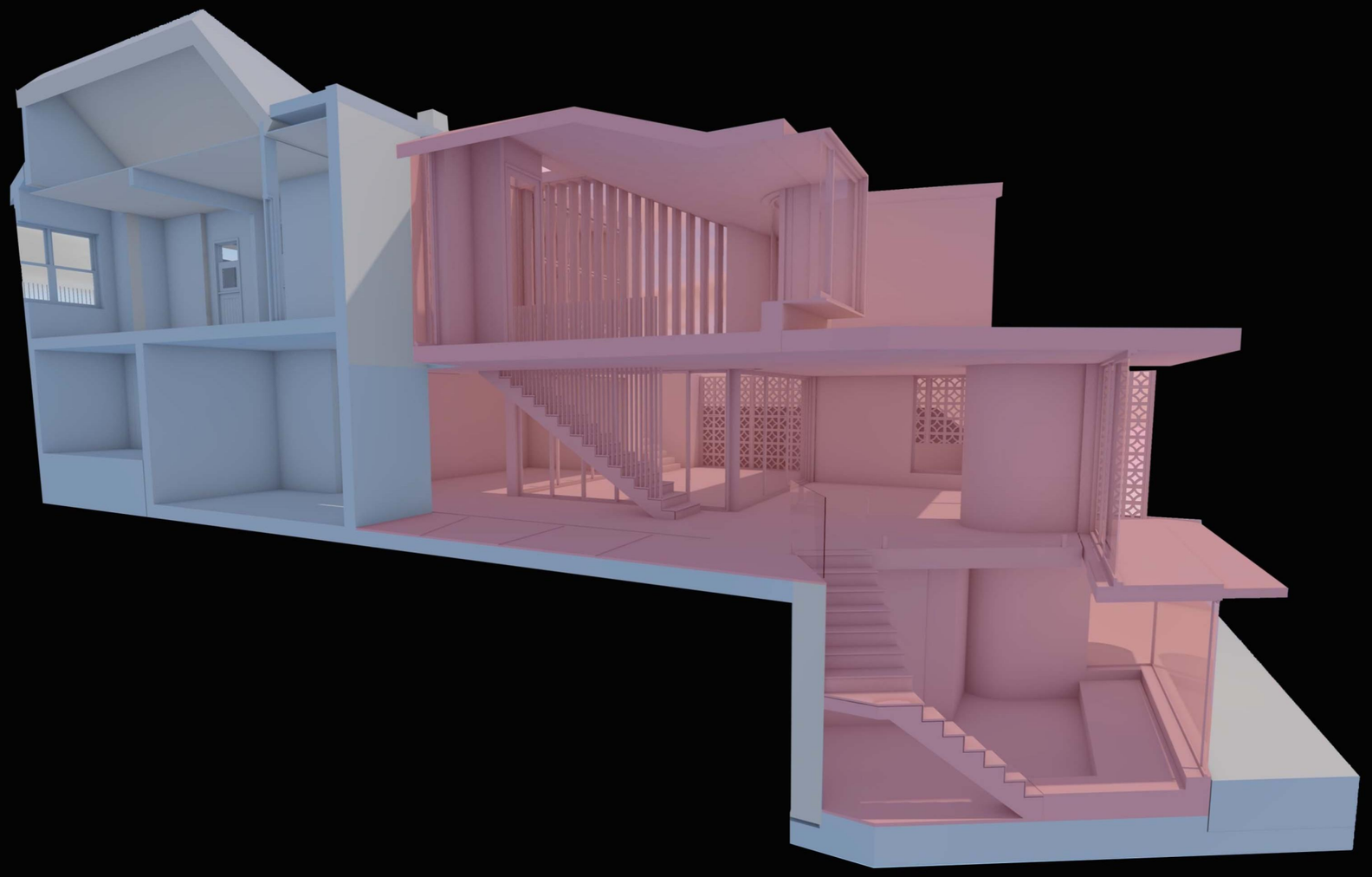
Suitably qualified acoustic consultant means suitably qualified acoustic consultant means an individual who possesses the qualifications to render them eligible for membership of both the Australian Acoustics Society and Institution of Engineers Australia at the grade of member or an individual who is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

They called it ash,
but ash is a map if you read it slow.
The southerly forgets nothing—
not the cracked mug,
not the kids footstep
racing to the door,
etched into the floorboards' sigh.

We build again, not over—through.
Each beam a hymn, each nail a promise.
No floorplan, just the grain
humming its welcome home.
Lost in a fire, found in the flame.

Let them mock the crooked angles—
beauty remembers
what symmetry forgets.

This place, this rising,
is not return.
It is the fire
choosing
to stay.



ellis constructions
ABN: 69 162 121 548 | 73 Macpherson Street Waverley NSW 2024
License: 285996C | Building Designer Assoc. Australia, Member #10887-24

the PHOENIX

ADDRESS: 21 Kent Street, Waverley
CLIENTS: Adam, Lisa, Gideon, Gabriel and Micah

STATUS: ~~Concept~~ | **Approval** | ~~Construction~~
DATE: Sunday, 21 September 2025

INTELLECTUAL PROPERTY:
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COMPLIANCE and DILIGENCE:
The user of these plans is to satisfy themselves as to the appropriateness of revisions and approval status.
Comply with all relevant authorities, NCC and Australian Standards.
Dimensions are in mm, and it is the contractors responsibility yto check all measurements prior to construction. Do not scale from drawings - use figured dimensions only and notify the designer immediately if there are any discrepancies or concerns.

DA0_COVER PAGE
Rev B

DATE: 21/09/2025

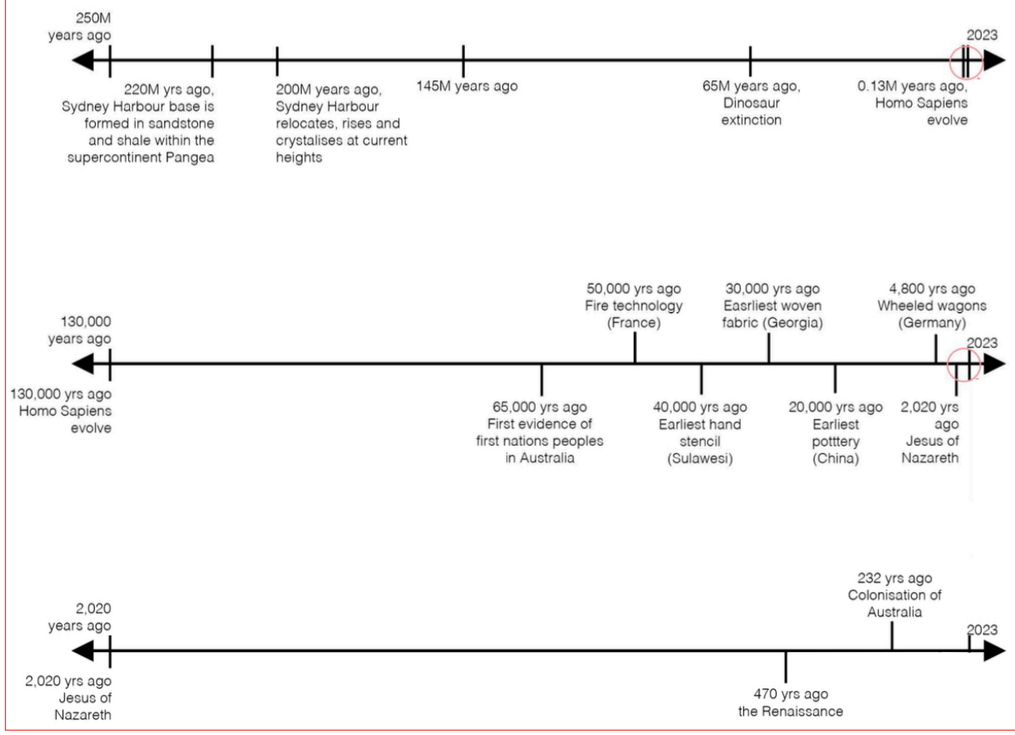
REV	DESCRIPTION	DATE: See Dwg name
A	DA Set for Lodgement	

SCALE: 1:100 at A3 unless otherwise noted
DRAWN BY: Shane Ellis

Sheet Index

Layout ID	Revision	Issued		Remark
DA0_COVER PAGE	Rev B	☐	☒	
DA00_Sheet Index and Country	Rev B	☐	☒	
DA01_Site Analysis	Rev B	☐	☒	
DA02_Schedule of Finishes	Rev B	☐	☒	
DA03 Setbacks, Roof & Boundary Plan	Rev B	☐	☒	
DA04_Streetscape Analysis	Rev B	☐	☒	
DA05_Demolition Plans	Rev B	☐	☒	
DA06_Proposed Basement Plan	Rev B	☐	☒	
DA07_Proposed Lower GF Plan	Rev B	☐	☒	
DA08_Proposed GF Plan	Rev B	☐	☒	
DA09_Proposed Roof Plan	Rev B	☐	☒	
DA10-A_Elevations	Rev B	☐	☒	
DA10-B_Elevations	Rev B	☐	☒	
DA10C_Rear Elev, inc Neighbours	Rev B	☐	☒	
DA11_Sections	Rev B	☐	☒	
DA12-A_Morning Shadow Diagrams	Rev B	☐	☒	
DA12-B_Afternoon Shadow Diagrams	Rev B	☐	☒	
DA13_FSR Calculations	Rev B	☐	☒	
DA14_Landscape Compliance	Rev B	☐	☒	
DA15-A_BASIX Part 1	Rev B	☐	☒	
DA15-B_BASIX Glazing Committments	Rev B	☐	☒	
DA16_Window Schedule	Rev B	☐	☒	
DA17-A_Clause 4.6_ Building Height	Report	☐	☒	
DA17-B_Clause 4.6_Building Height	Report	☐	☒	
DA18_Rear Setbacks	Modelled	☐	☒	
DA19_Survey	Rev A	☐	☒	

Graphic Acknowledgement of Country by ellis constructions



Acknowledgement of Country

I acknowledge the Bidjigal, Birrabirragal, and Gadigal peoples as the Traditional Custodians of the land of this proposed site in Waverley. These communities have maintained a deep and enduring connection to this coastal region for tens of thousands of years, caring for its lands, waters, and skies. I pay my respects to their Elders past and present, and extend that respect to all Aboriginal and Torres Strait Islander peoples.

This area holds significant cultural heritage, including ancient rock engravings at sites such as Mackenzie's Point and Ben Buckler Reserve, which bear witness to the rich histories and stories of the First Nations peoples. The name "Bondi" itself is derived from the Dharawal language, reflecting the deep linguistic and cultural roots embedded in the landscape

Commitment to Cultural and Environmental Sensitivity

In preparing this development proposal, I have engaged with the NSW Government Architect's Connecting with Country Framework, as well as Waverley Council's Local Environmental Plan (LEP) and Development Control Plan (DCP). These documents emphasize the importance of integrating Aboriginal cultural values and sustainable practices into the planning and design of built environments.

While the existing conditions of the site presents limitations, I have endeavored to honor these principles wherever feasible. Notably, the landscaping prioritizes the use of indigenous flora, aiming to restore and support local ecosystems, enhance biodiversity, and reflect the natural heritage of the area.

Furthermore, the decision to exclude the existing subterranean basement from the new design—due to its damp condition and lack of natural light—aligns with the Framework's emphasis on creating healthy, sustainable living spaces that respect the integrity of Country.

This approach also resonates with the objectives outlined in the Waverley LEP, particularly the aim to "protect and enhance the natural environment of Waverley."

Through these measures, the proposal seeks to contribute positively to the cultural and environmental fabric of the community, embodying a respectful and informed connection to Country.



Above - Tamarama Engraving:

The Aboriginal rock engravings at Mackenzie's Point, located in Marks Park, Tamarama, are pre-colonial. These engravings are believed to date back thousands of years, long before European settlement in Australia. They were created by the local Aboriginal peoples, specifically the Gadigal, Bidjigal, and Birrabirragal nations, and are part of a larger cultural and spiritual tradition that involved marking the landscape with important symbols and stories.

These engravings are often linked to specific Dreaming stories, teaching tools, and guides to the natural world. The six-meter shark engraving, for example, is significant in Aboriginal culture, representing a connection to marine life and perhaps associated with stories and rituals tied to the coastal environment.

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the PHOENIX

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DA00_Sheet Index and Country
Rev B

DATE: 21/09/2025

REV	DESCRIPTION	DATE: See Dwg name
A	DA Set for Lodgement	

SCALE: 1:100 at A3 unless otherwise noted
DRAWN BY: Shane Ellis



South: Fire destroyed, unsympathetic lightweight addition Approved 2014



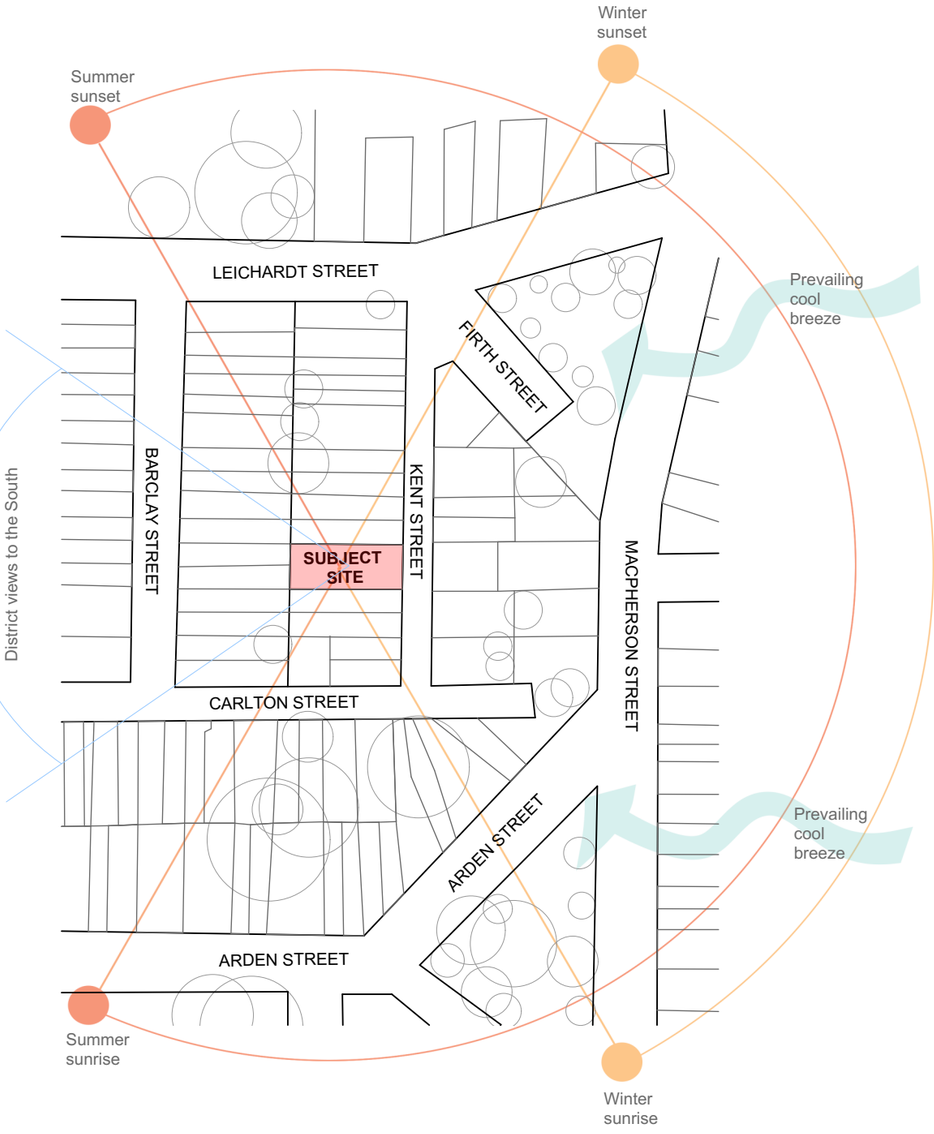
East: Kent Street looking West, heritage item at front, unsympathetic metal clad addition rear



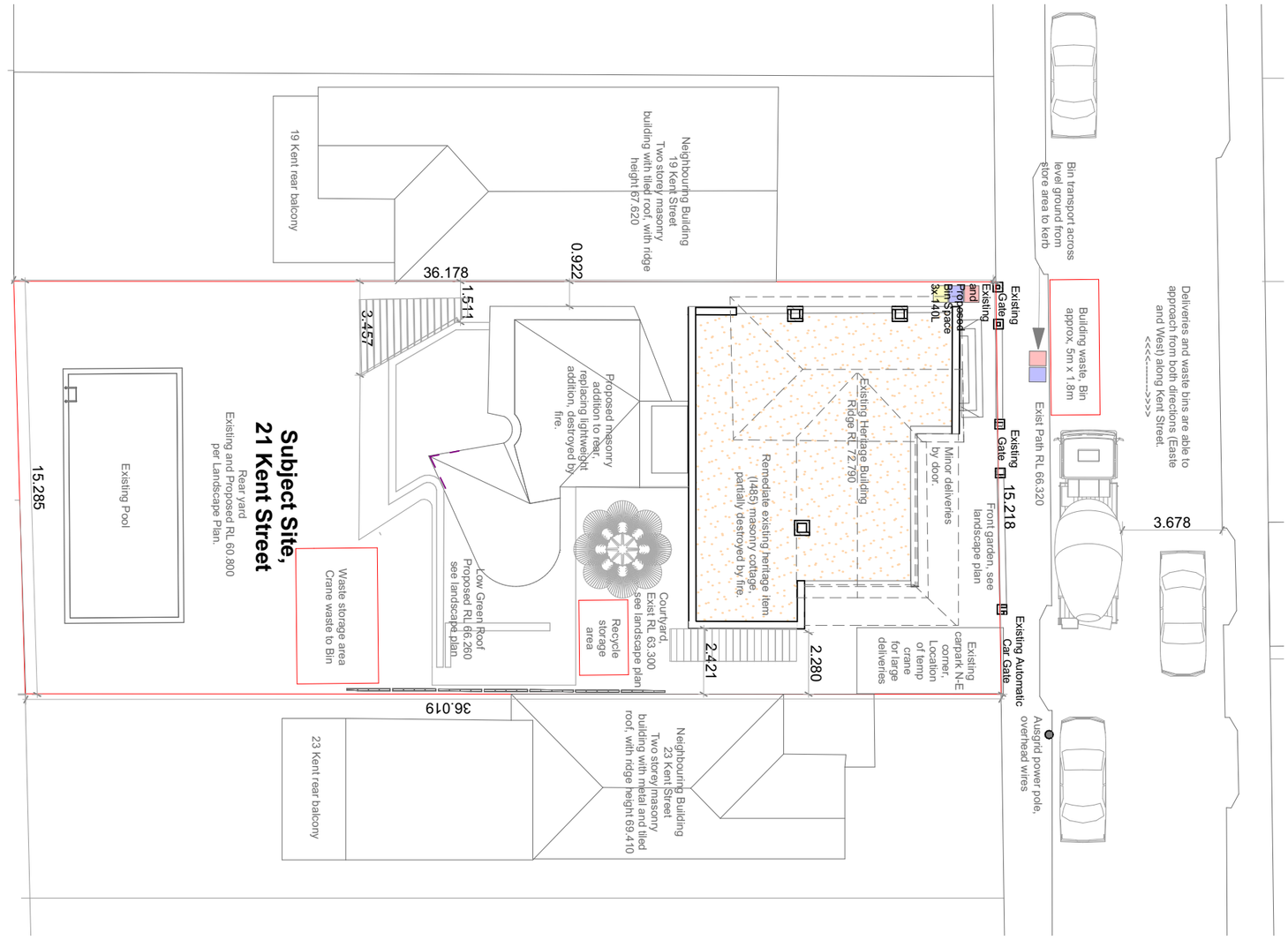
North: Heritage item at streetfront. Existing and proposed additions concealed, rear of site.



West: Kent Street looking East, heritage item at front, unsympathetic metal clad addition rear



Location Plan 1:2000



Site Plan 1:200

Notes:
No change to existing stormwater insfrastructure - see Hydraulic Engineering plans.

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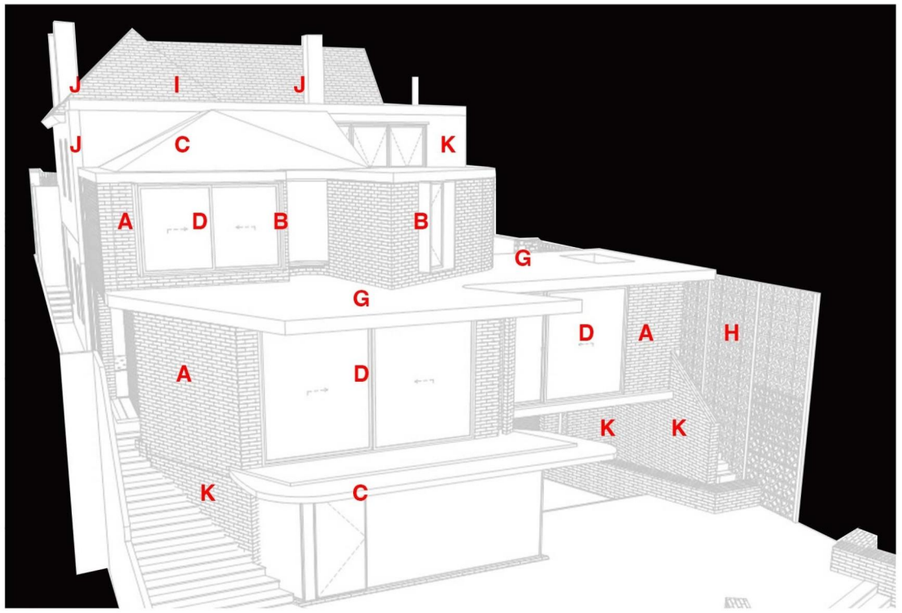
DA01_Site Analysis
Rev B

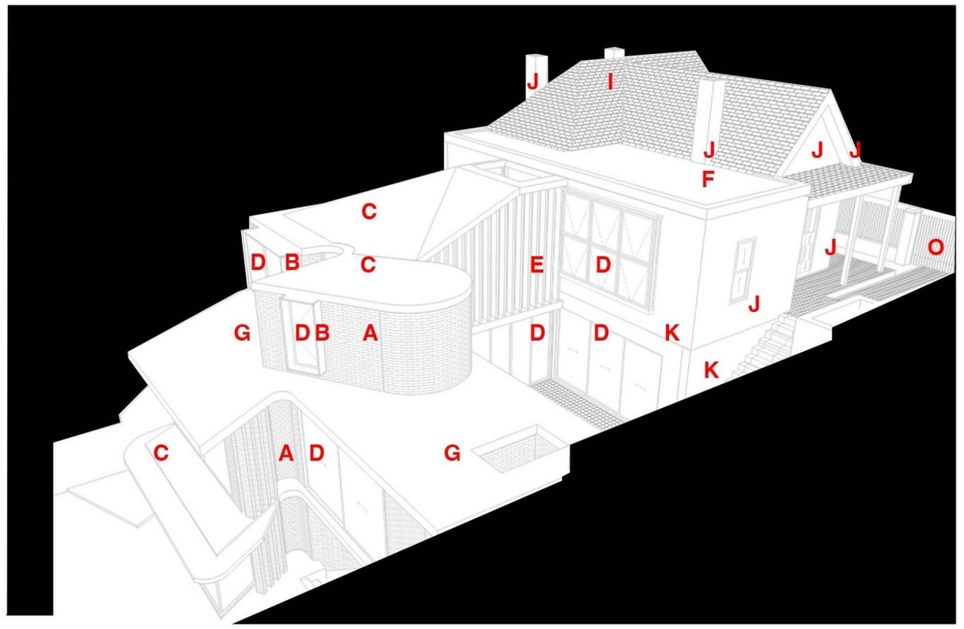
DATE: 21/09/2025

NORTH

REV	DESCRIPTION	DATE: See Dwg name
A	DA Set for Lodgement	

SCALE: 1:100 at A3 unless otherwise noted
DRAWN BY: Shane Ellis







A: New brickwork in light coloured pallete



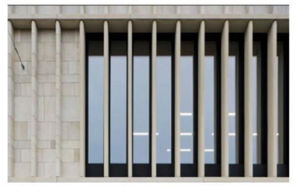
B: Aluminium deep reveal, window hood



C: New floors and roof in off-form concrete finish.



D: New windows in dark aluminium.



E: New masonry window louvres.



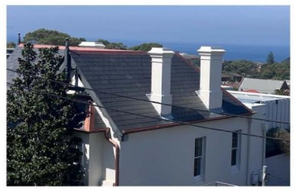
F: Retain existing flat metal roof and cappings.



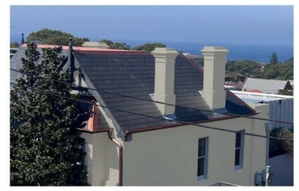
G: Green roof 300 deep contained by concrete hob.



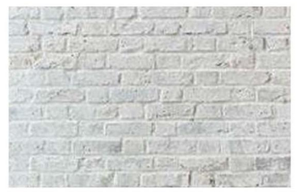
H: Concrete brieze screen.to East Boundary.



I: Exist. slate roof withcharcoal fascia, copper trims and gutters & downpipes.



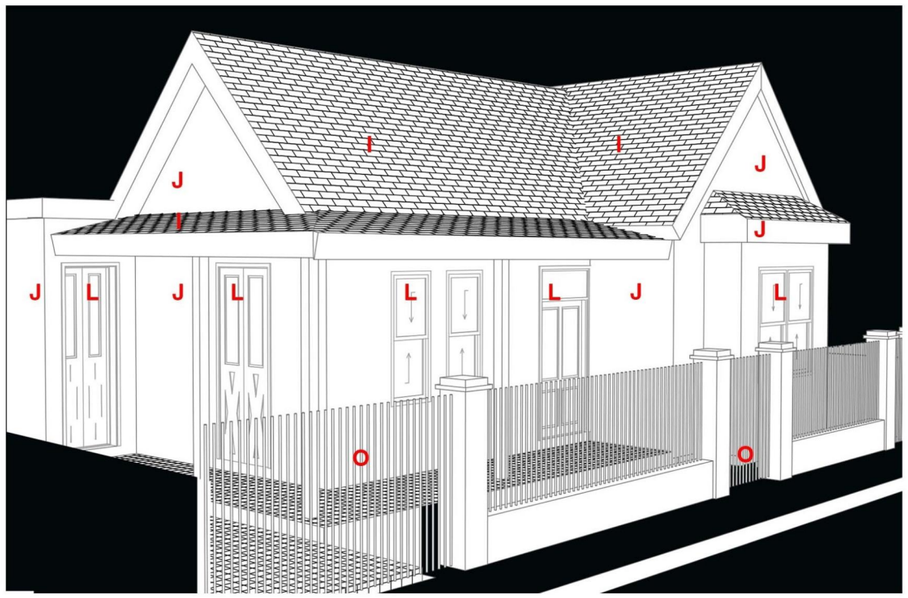
L: Retain existing white and charcoal colour trims. Restore and paint existing timber windows and doors.
J: Proposed 'Dulux Shadowcatcher' paint colour as endorsed by Heritage consultant.

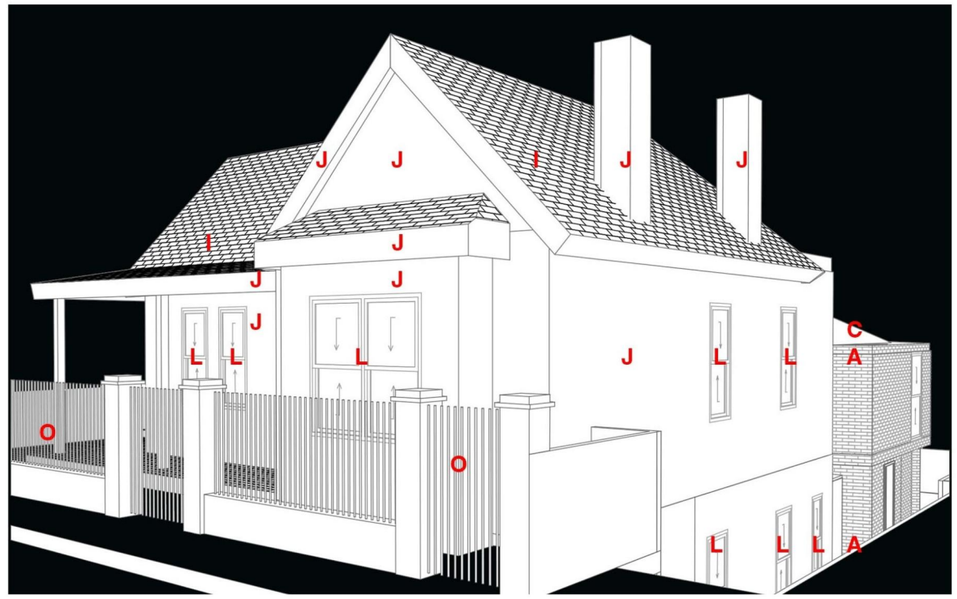


K: Retain exist. brickworks, limewashed as appropriate.



O: Retain exist. front masonry & metal palisade fence





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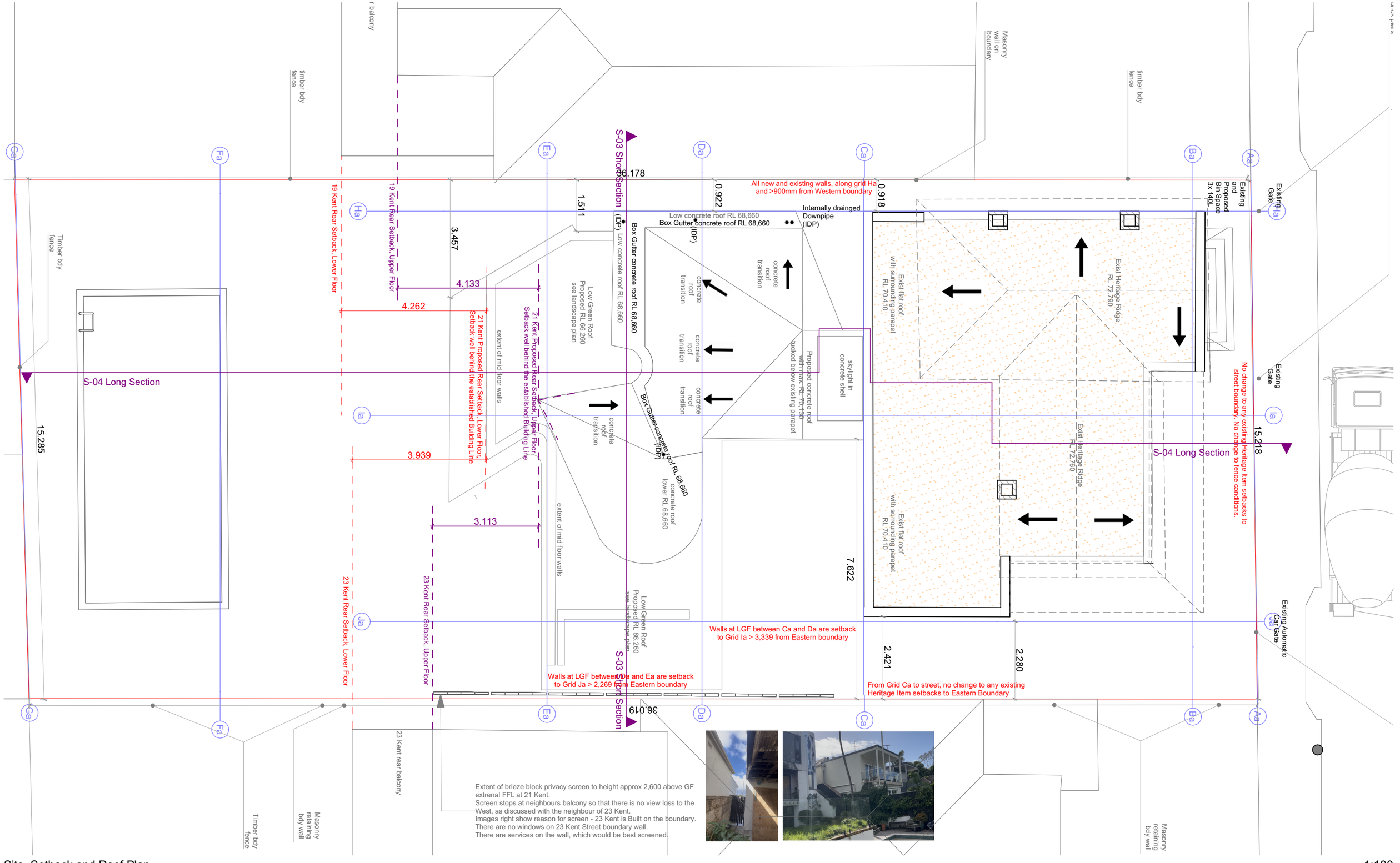
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DA02_Schedule of Finishes
Rev B

DATE: 21/09/2025

REV	DESCRIPTION	DATE: See Dwg name
A	DA Set for Lodgement	

SCALE: 1:100 at A3 unless otherwise noted
DRAWN BY: Shane Ellis



Site, Setback and Roof Plan 1:100

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DA03 Setbacks, Roof & Boundary Plan
Rev B

DATE: 21/09/2025

NORTH

REV	DESCRIPTION	DATE: See Dwg name
A	DA Set for Lodgement	

SCALE: 1:100 at A3 unless otherwise noted
DRAWN BY: Shane Ellis

27-29 Kent
detached dwelling, mid-century villa,corner block facing Kent and Carlton Streets.
Landscaped front yard being one of the only landscaped areas on the street.

25 Kent
detached dwelling, mid-century villa, recessed down into the stite topograpy, with approx. 6m setback beyond carport on the boundary

23 Kent
detached dwelling, mid-century villa, recessed down into the stite topograpy, with approx. 6m setback beyond carport on the boundary

SUBJECT SITE:
21 Kent
Heritatge listed detached dwelling built in Victorian Italianate style, estimated to be built circa 1895. The dwelling sits high on the topography and close to the street boundary. A carport with a car stacked was approved and installed at the North-Eastern corner, 2016.

19 Kent
detached dwelling, mid-century villa, recessed down into the stite topograpy, with only roof visible. Approx. 6m setback beyond carport on the boundary

17 Kent
detached dwelling, post-modern house with skillion roof, with approx. 6m setback beyond carport on the boundary

15 Kent
detached single occupancy dwelling Characterised by contemporary carport on boundary which conceals the building beyond

13 Kent
detached dwelling, mid-century villa, set down into the topography with only roof visible, and partially concealed behind landscaping - one of teh few landscapaed areas on the

11 and11A Kent
attached single occupancy dwellings, contemporary design with minimal features, 11A is recessed set down into the topography and is concealed behind landscaping - one of the few landscaped areas on the street.

5, 7 and 9 Kent
group of three attached single occupancy terraces dwellings, built to the street boundary with balconies overlooking the street, and parapet roofs built close to 9m high

3 Kent
detached dwelling mid-century californian bungalow style with gabled roofs and carport on boundary

1 Kent
detached dwelling, corner block facinhg Kent and Leichardt Streets. contemporary design, 3 levels with skillion roofs perched high on topography



KENT STREET



5 Firth, at rear facade facing Kent Street. Corner block facing Firth, Leichcardt and Kent Streets.
Detached Victorian Style dwelling with significant landscae and trees, one of the few properties with a landscaped yard.
The dwelling is screened by a tall masonry fence along Kent Street.

3 Firth, at rear facade facing Kent Street.
Detached Victorian Style dwelling facing Firth Street, with post-modern addition to the rear which is facing Kent Street.
A single car Garage is built on the street boundary.

8 and 10 Kent, attached, single occupancy terrace dwellings, contemporary design.
Set high on the topography and set back approx 3m from the street alignment, being the prevailing Building line for front facades.

6 Kent, rendered building with attached frameless glass balconies attached to the facade, which gives a post-modern style residential flat building with two apartments.
Set high on the topography and built close to the street boundary, with one garage on the street boundary.

4 Kent, early 20th century style residential flat building with four apartments constructed in red brick.
Set high on the topography and built close to the street boundary, with two garages on the street boundary.

2 Kent corner block facing Carlton and Kent Streets, detached dwelling, early 20th century style terrace house, without attached dwellings, parapet walls enclosing the sides of the dwelling and pitched roof.
Set high on the topography and built close to the street boundary

The streetscape is characterised by disparate architectural styles and an absence of common elements and features of the area. There are no contributory buildings. The heritage item stands alone and is not part of a broader heritage context. The streetscape analysis shows that there is no change to the streetscape, due to the proposed alterations being behind (and hidden by) the heritage item.

This streetscape analysis also includes: (i) Topography and landscape; (ii) Views to and from the site; (iii) Significant subdivision patterns, layout, front and side setbacks; (iv) Non-contributory buildings; (v) The interface between the public domain and building alignments and property boundaries; and, (vi) Colour schemes.

There is no change to the heritage item as the streetscape beyond a proposed colour change to a ceramic-hue (monumental basalt), which is stylistically appropriate, and already used (on external trims) in the current scheme.

The proposal is to the rear of the Heritage Item and separates completely from the heritage fabric with use of a fully glass hub (walls and roof) between the historical and new fabric. The new design is symmetrical in the general massing, setbacks (all less than existing) and materials.
The new fabric does not try to imitate or compete with the historic fabric. The new façade is in muted, natural tones (current fabric is dark, shiny metal). The new form is lower in level. The new form and fabric yields to, and pays deference to the historic fabric and is clearly legible and distinguishable as new and recessive.

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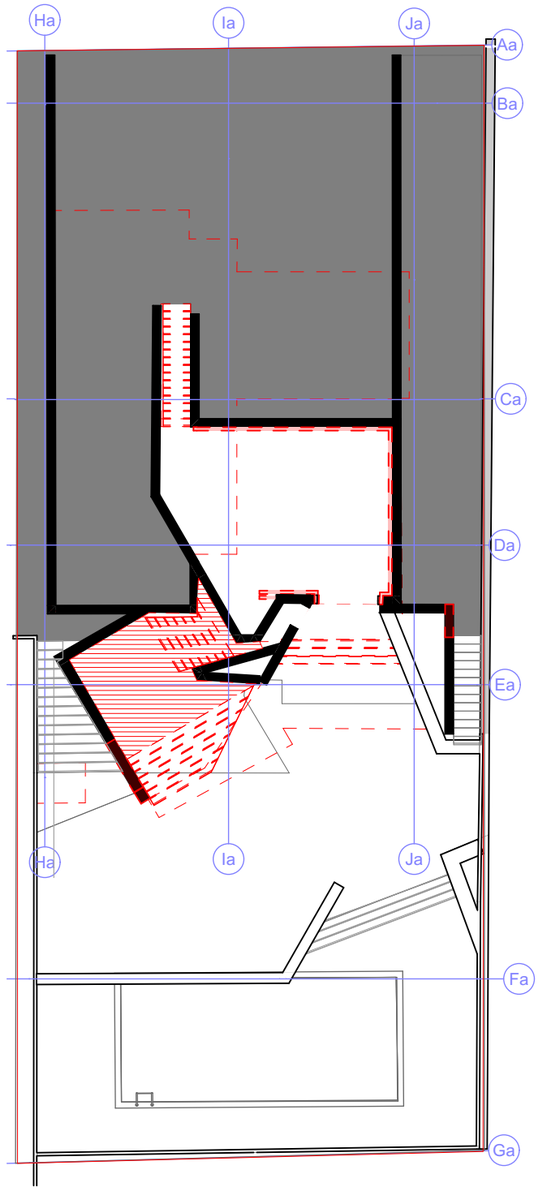
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DA04_Streetscape Analysis
Rev B

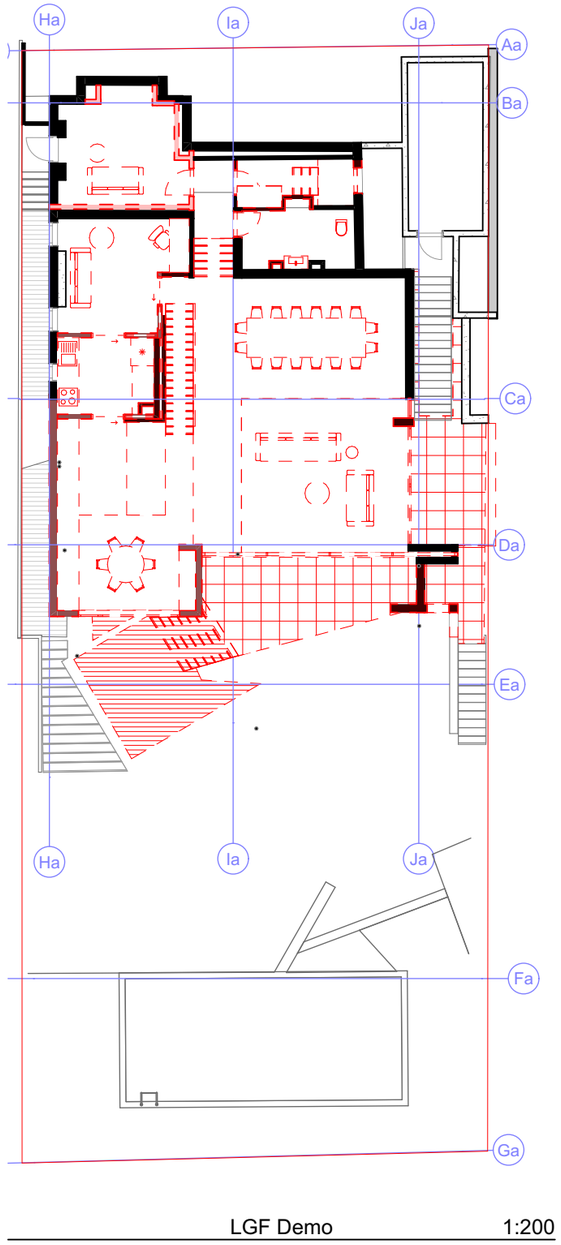
DATE: 21/09/2025

REV	DESCRIPTION	DATE: See Dwg name
A	DA Set for Lodgement	

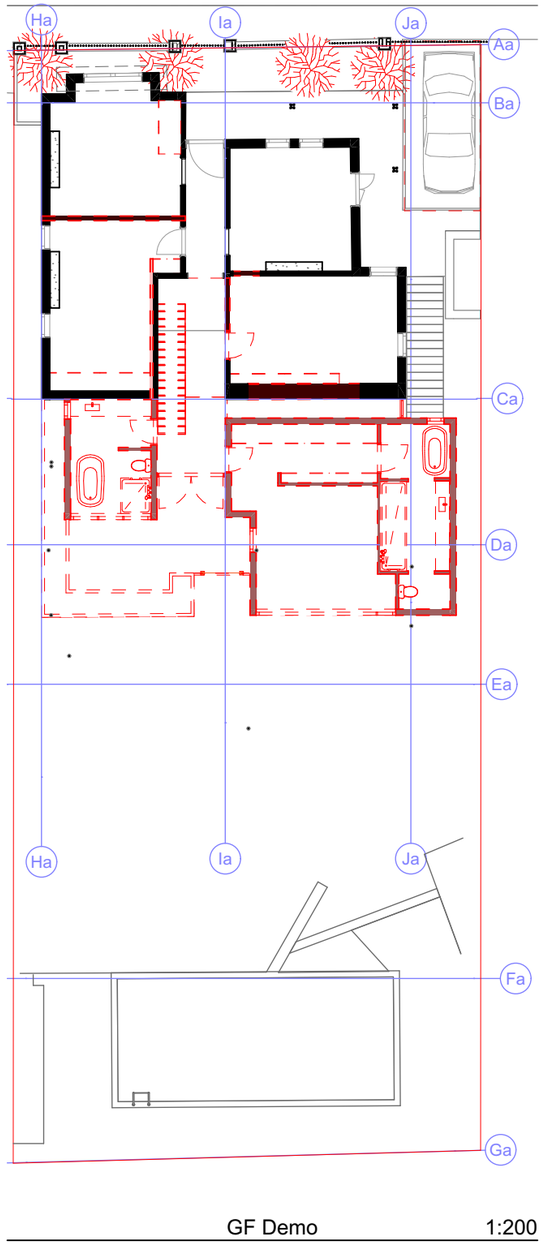
SCALE: 1:100 at A3 unless otherwise noted
DRAWN BY: Shane Ellis



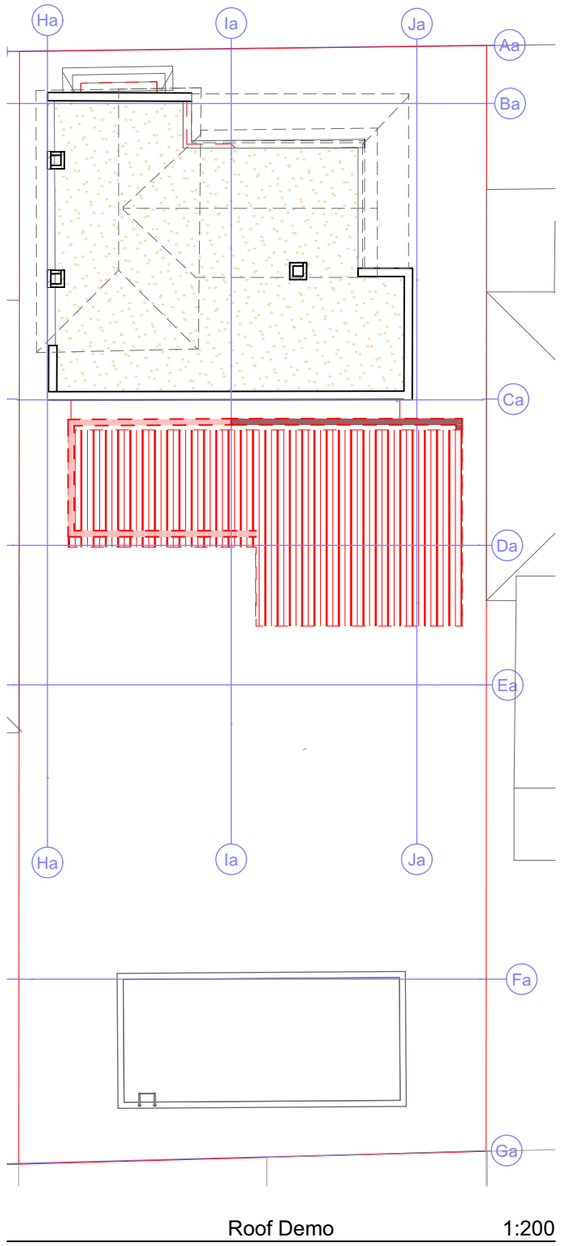
Bmt Demo 1:200



LGF Demo 1:200



GF Demo 1:200



Roof Demo 1:200

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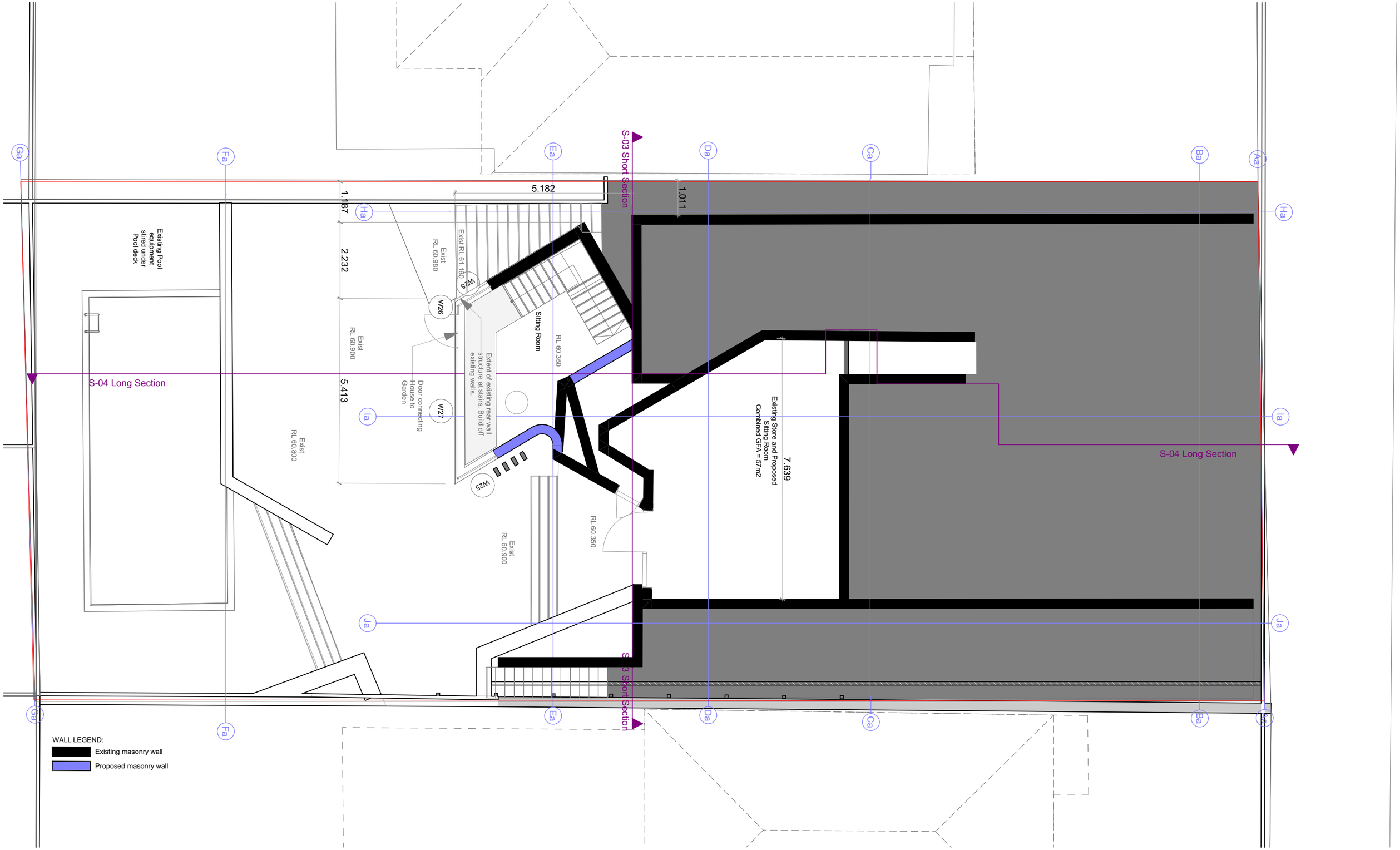
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DA05_Demolition Plans
Rev B
Bmt Demo, LGF Demo, GF Demo, Roof Demo
DATE: 21/09/2025

REV	DESCRIPTION	DATE: See Dwg name
A	DA Set for Lodgement	

SCALE: 1:100 at A3 unless otherwise noted
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Proposed Basement 1:100

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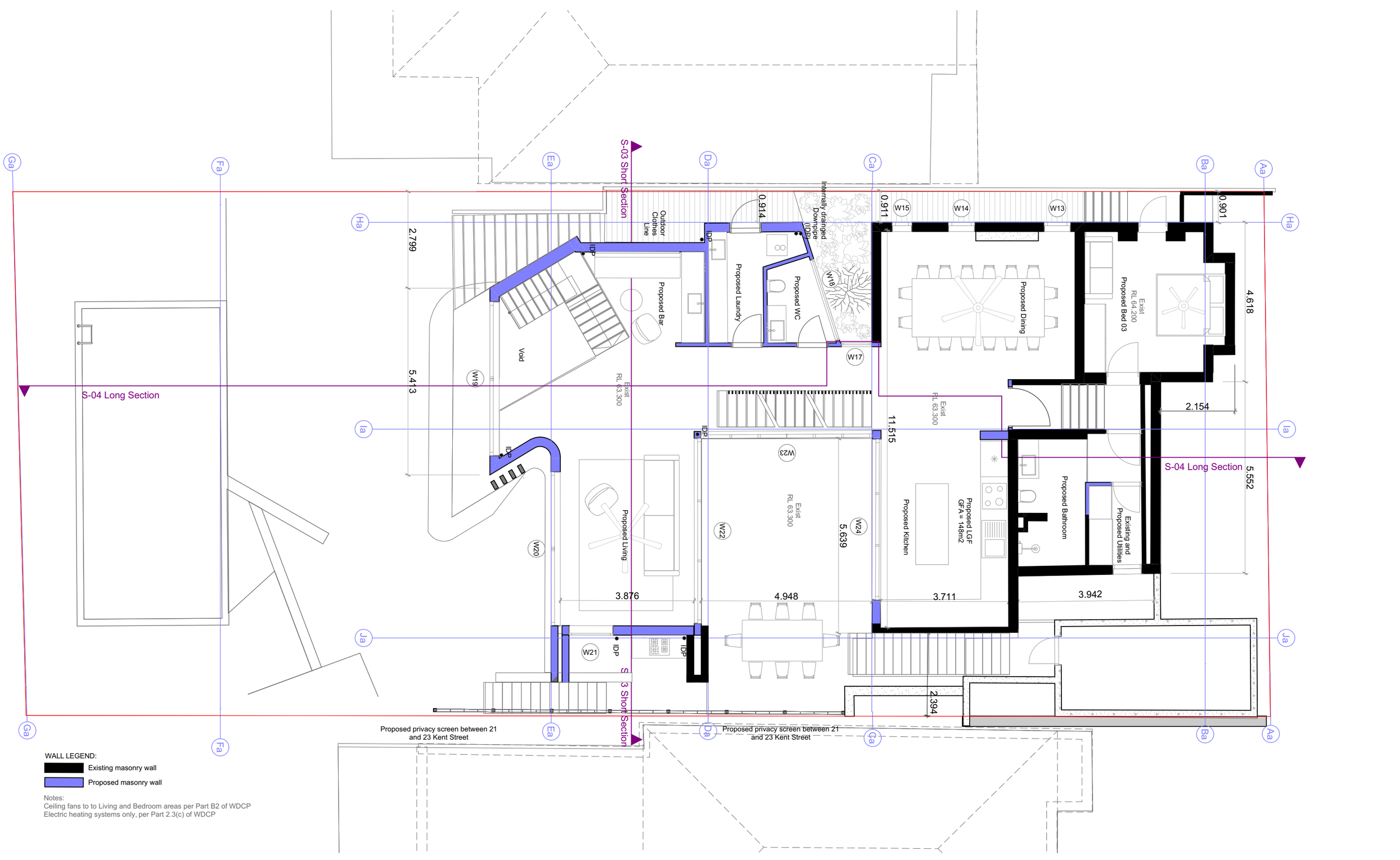
DA06_Proposed Basement Plan
Rev B

DATE: 21/09/2025

REV	DESCRIPTION	DATE: See Dwg name
A	DA Set for Lodgement	

NORTH

SCALE: 1:100 at A3 unless otherwise noted
DRAWN BY: Shane Ellis



WALL LEGEND:

- Existing masonry wall
- Proposed masonry wall

Notes:
Ceiling fans to to Living and Bedroom areas per Part B2 of WDCP
Electric heating systems only, per Part 2.3(c) of WDCP

Proposed LGF 1:100

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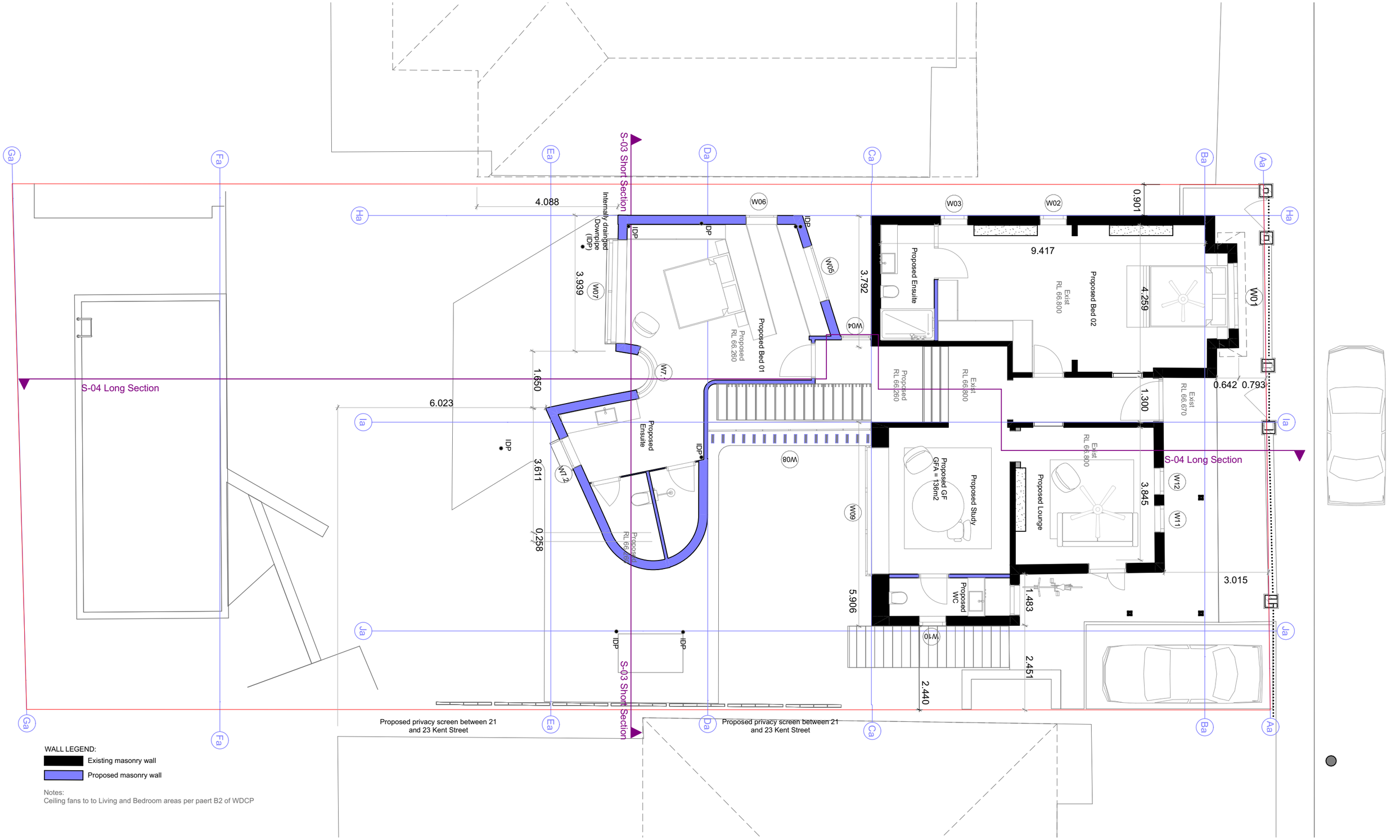
DA07_Proposed Lower GF Plan
Rev B

DATE: 21/09/2025

NORTH

REV	DESCRIPTION	DATE: See Dwg name
A	DA Set for Lodgement	

SCALE: 1:100 at A3 unless otherwise noted
DRAWN BY: Shane Ellis



Proposed GF 1:100

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the PHOENIX

ADDRESS: 21 Kent Street, Waverley
CLIENTS: Adam, Lisa, Gideon, Gabriel and Micah

STATUS: ~~Concept~~ | **Approval** | ~~Construction~~
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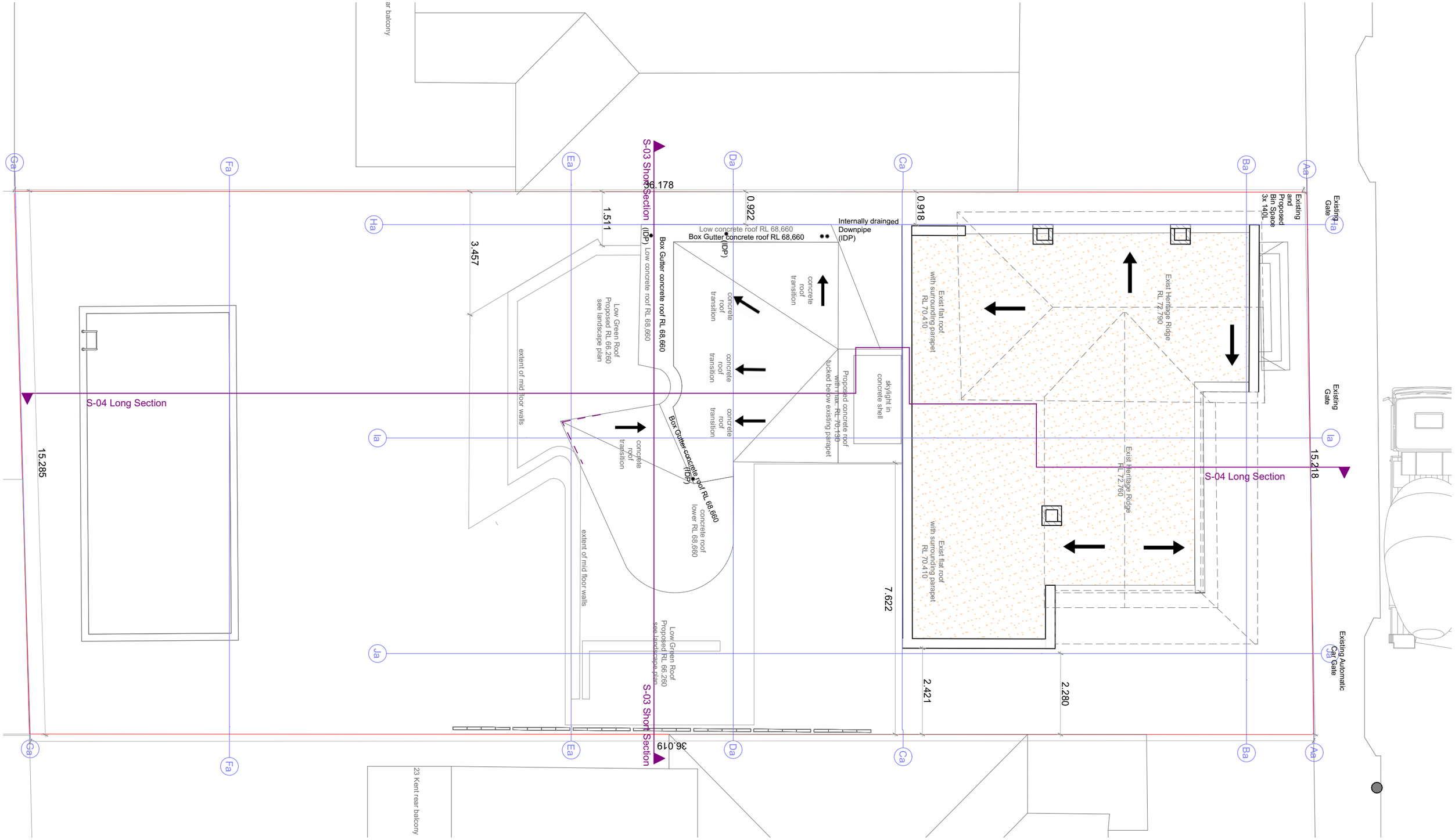
DA08_Proposed GF Plan
Rev B

DATE: 21/09/2025

NORTH

REV	DESCRIPTION	DATE: See Dwg name
A	DA Set for Lodgement	

SCALE: 1:100 at A3 unless otherwise noted
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Proposed Roof Plan 1:100

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DA09_Proposed Roof Plan
Rev B

DATE: 21/09/2025

NORTH

REV	DESCRIPTION	DATE: See Dwg name
A	DA Set for Lodgement	

SCALE: 1:100 at A3 unless otherwise noted
DRAWN BY: Shane Ellis

WLEP height limit: Existing external ground RL +8,500

WDCP wall limit: Existing external ground RL +7,500

North elevation - all existing, heritage item



E-01 North Evelation 1:100

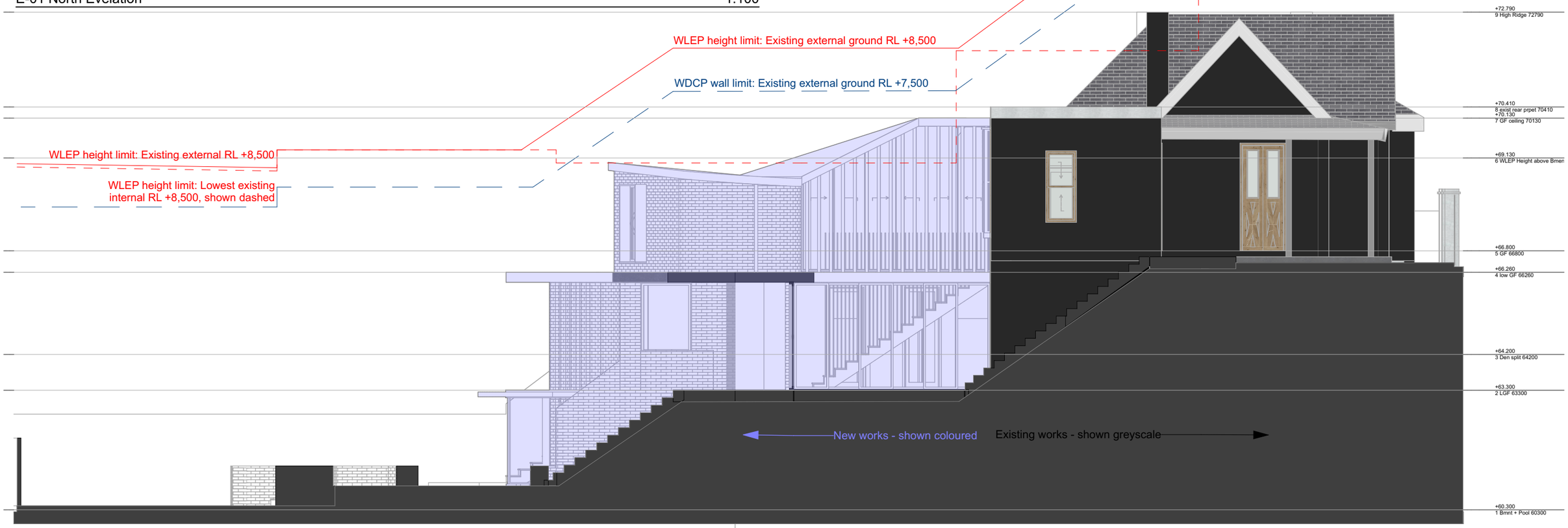
WLEP height limit: Existing internal RL +8,500, shown dashed

WLEP height limit: Existing external ground RL +8,500

WDCP wall limit: Existing external ground RL +7,500

WLEP height limit: Existing external RL +8,500

WLEP height limit: Lowest existing internal RL +8,500, shown dashed



E-02 East Elevation 1:100

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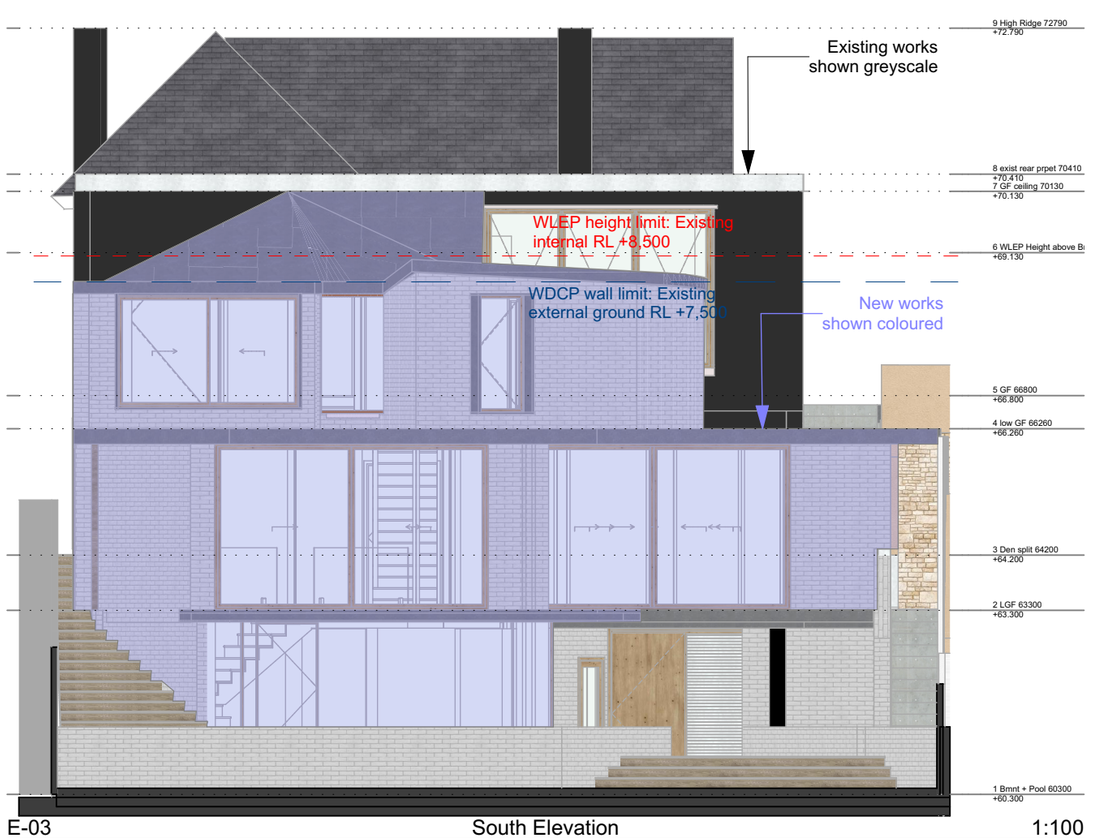
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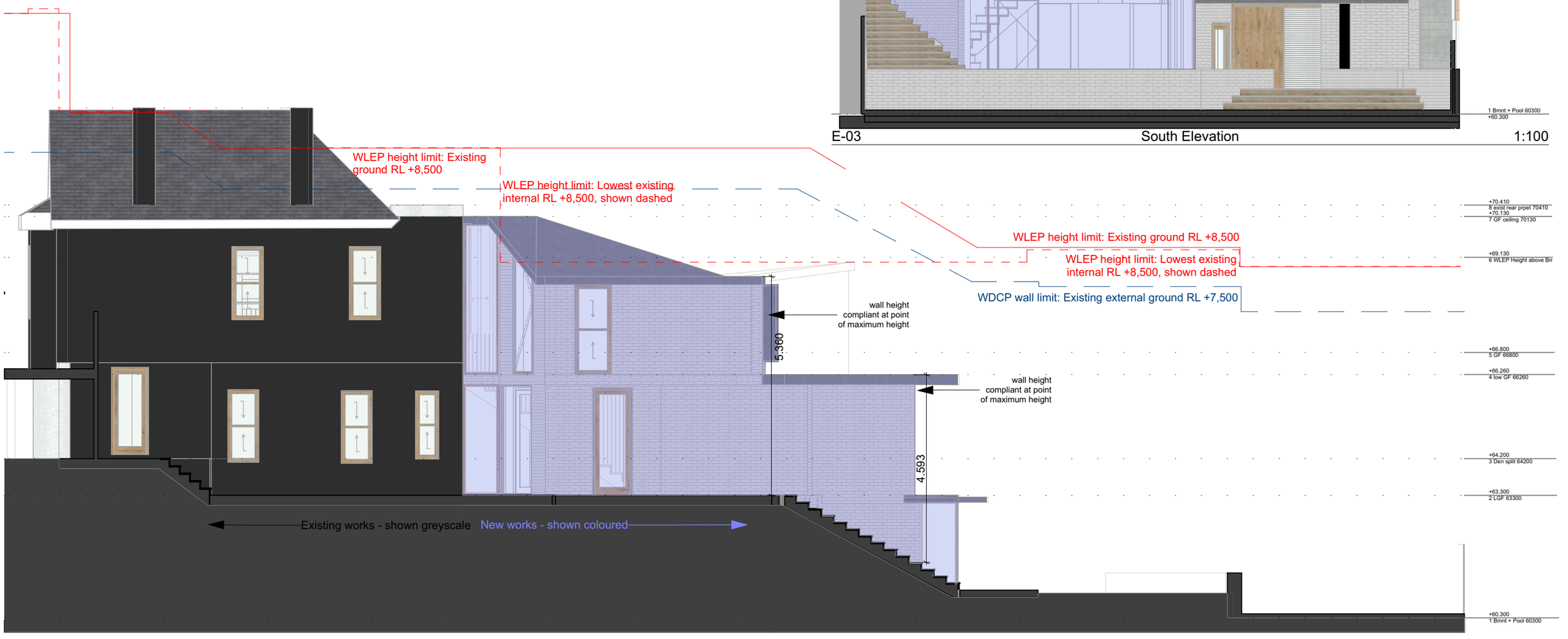
DA10-A_Elevations
Rev B
East Elevation
DATE: 21/09/2025

REV	DESCRIPTION	DATE: See Dwg name
A	DA Set for Lodgement	

SCALE: 1:100 at A3 unless otherwise noted
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E-03 South Elevation 1:100



E-04 West Elevation 1:100

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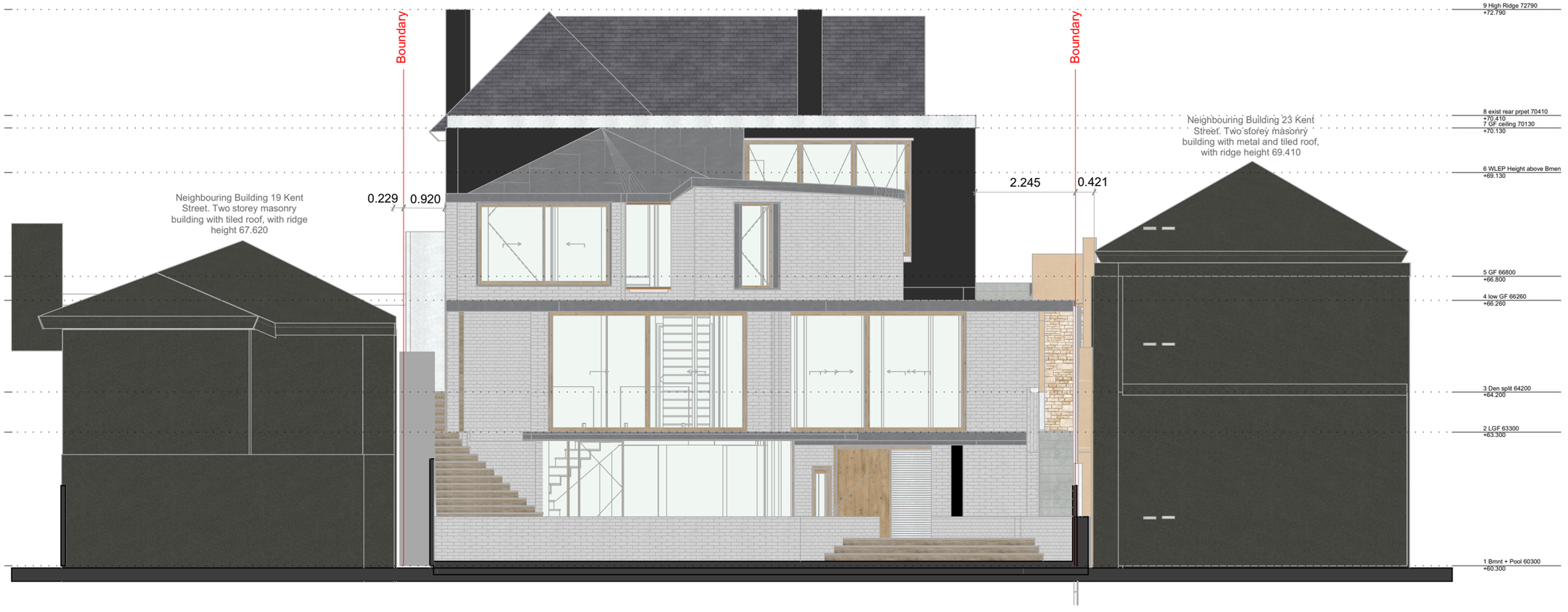
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DA10-B_Elevations
Rev B
South Elevation, West Elevation
DATE: 21/09/2025

REV	DESCRIPTION	DATE: See Dwg name
A	DA Set for Lodgement	

SCALE: 1:100 at A3 unless otherwise noted
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E-05 with Neighbours South Elevation 1:100

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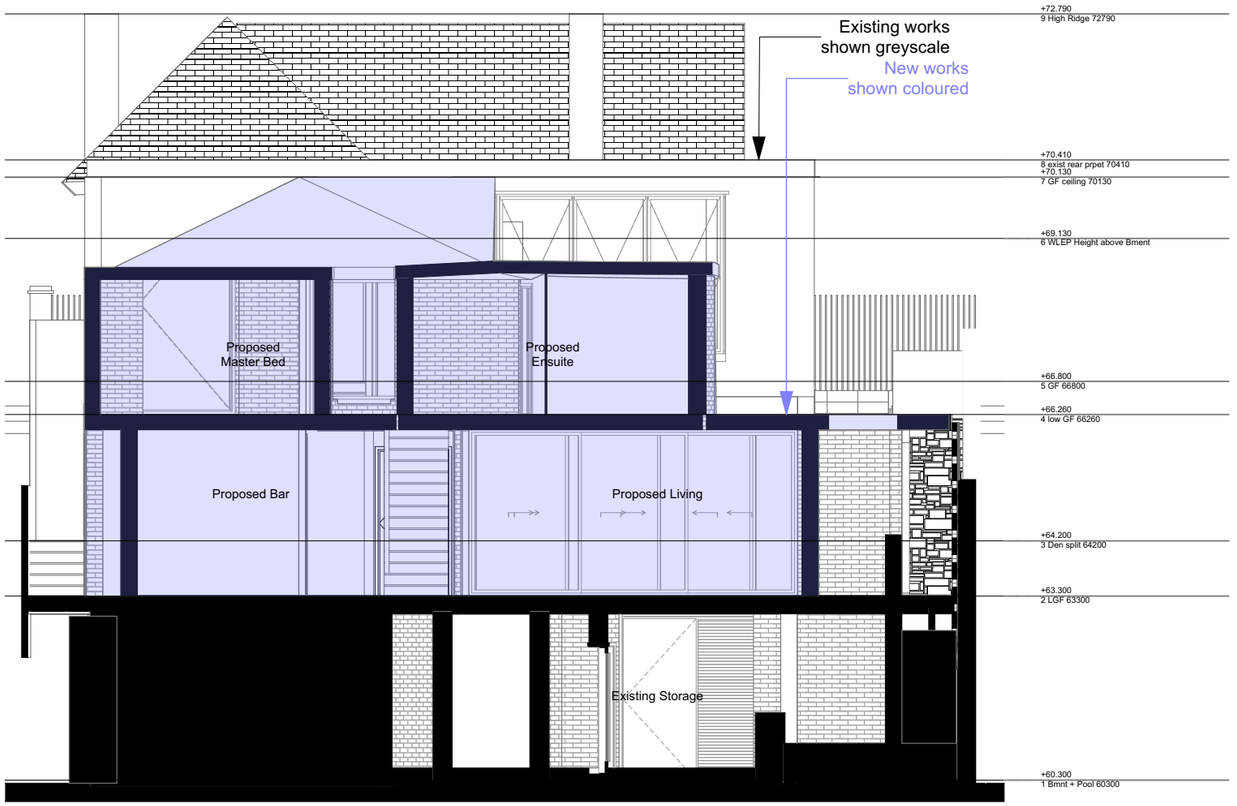
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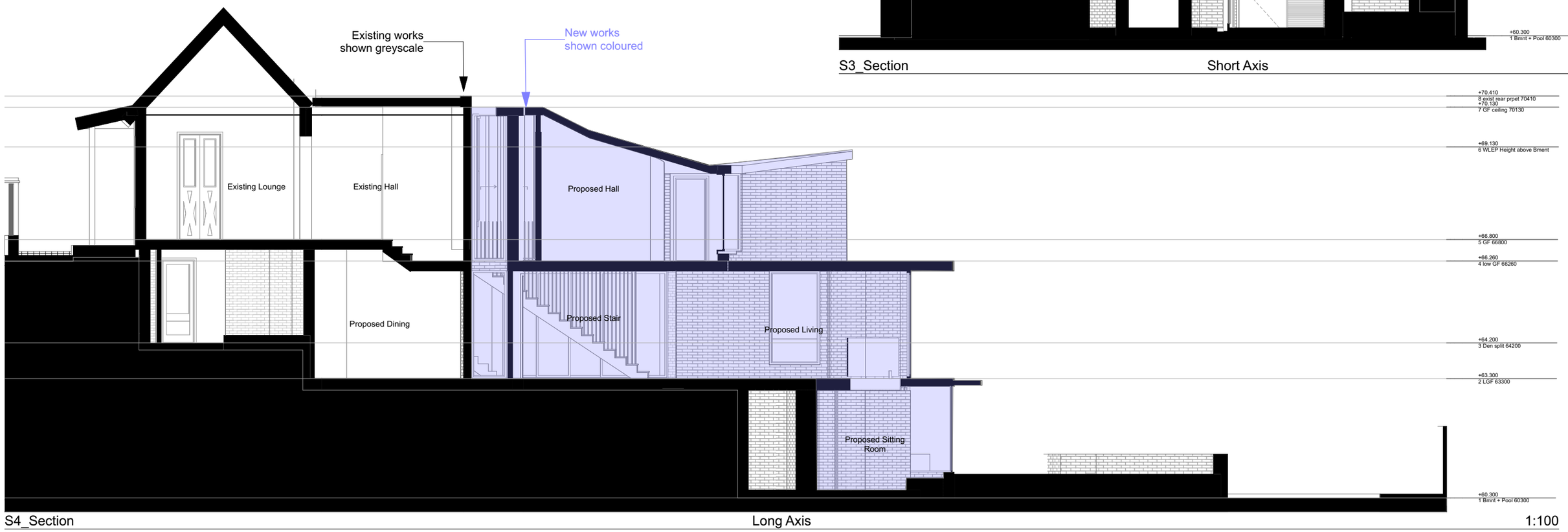
DA10C_Rear Elev, inc Neighbours
Rev B
South Elevation
DATE: 21/09/2025

REV	DESCRIPTION	DATE: See Dwg name
A	DA Set for Lodgement	

SCALE: 1:100 at A3 unless otherwise noted
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S3_Section Short Axis 1:100



S4_Section Long Axis 1:100

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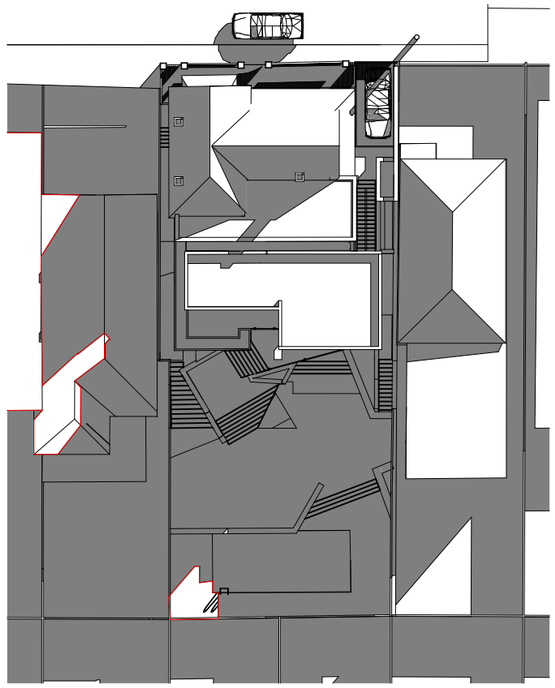
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DA11_Sections
Rev B
Short Axis, Long Axis
DATE: 21/09/2025

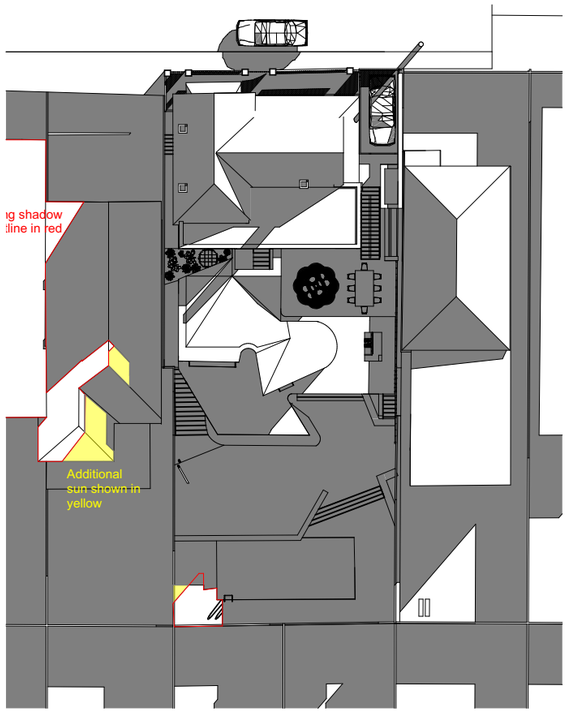
REV	DESCRIPTION	DATE: See Dwg name
A	DA Set for Lodgement	

SCALE: 1:100 at A3 unless otherwise noted
DRAWN BY: Shane Ellis

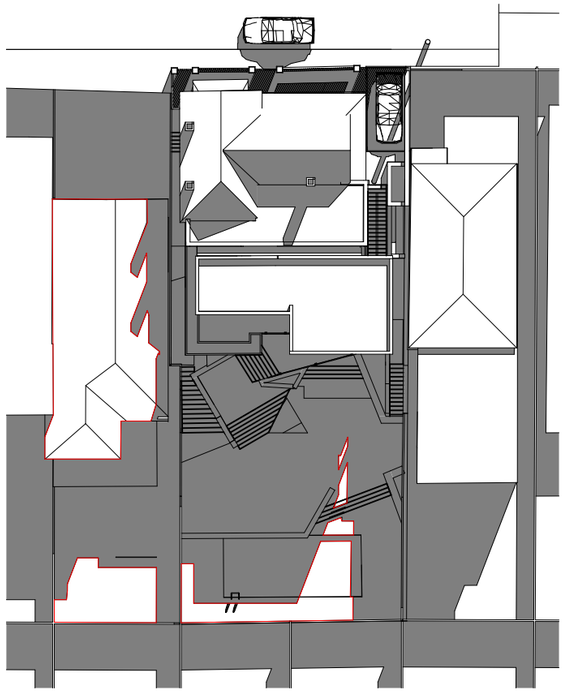


1. Existing 9am Solstice 1:400

9am Shadow Compared

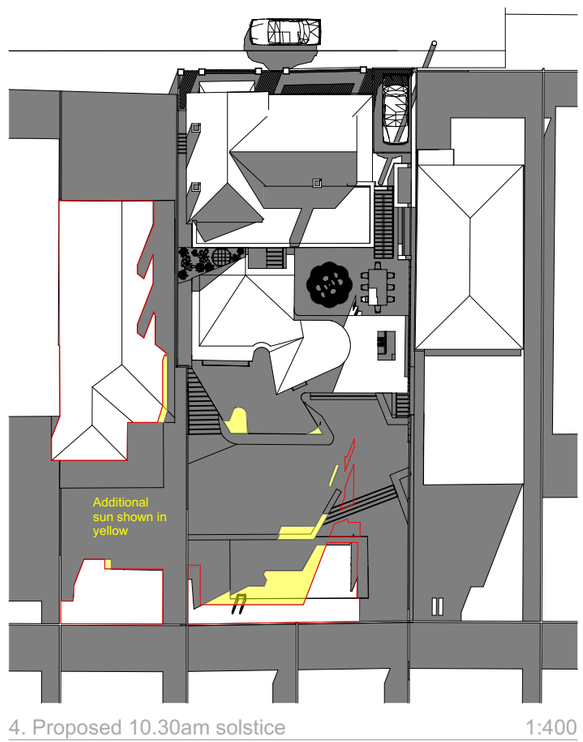


2. Proposed 9am Solstice 1:400

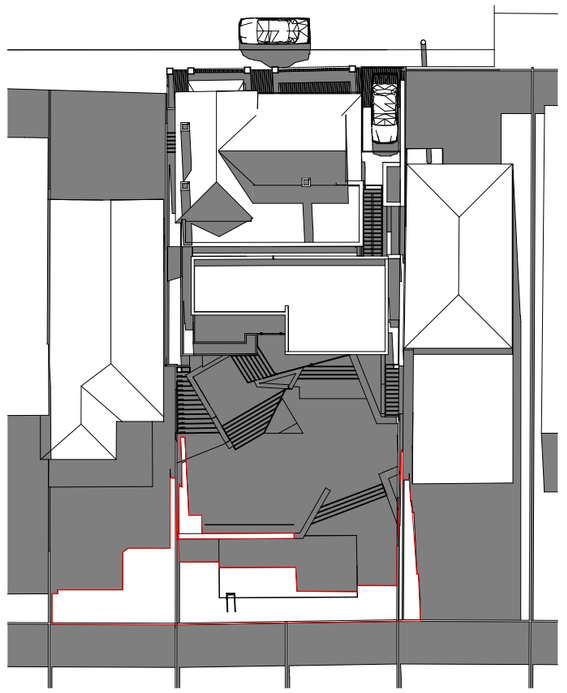


3. Existing 10.30am solstice 1:400

10.30am Shadow Compared

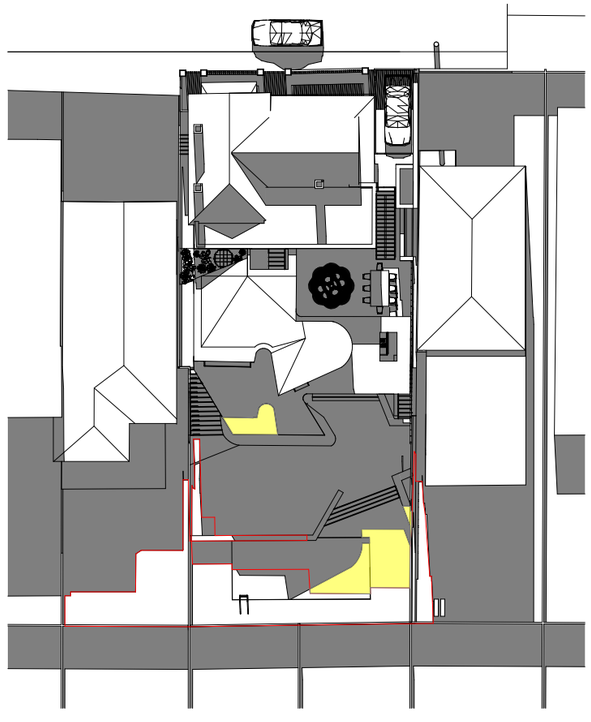


4. Proposed 10.30am solstice 1:400



5. Existing 12pm Solstice 1:400

12pm Shadow Compared



6. Proposed 12pm Solstice 1:400

Shadow Plan and Solar Access Analysis:

Shadow diagrams have been prepared comparing the existing and proposed dwellings at morning: 9am, 10.30am &12pm, and at afternoon: 12pm, 1.30pm and 3pm on the winter solstice.
The 9am, 12pm and 3pm are shown in accordance with Waverley Council's Development Application (DA) Guidelines and relevant controls under the Waverley Development Control Plan 2012 (Section C2 - Residential Development).
The 10.30am and 1.30pm are interim studies provided by the applicate to deomnstrate no increase in shadowing.

To illustrate solar access impacts, the outline of solar access for the existing dwelling has been traced in red pen and overlaid onto the proposed plans, providing a direct and accurate comparison between the existing and proposed conditions.

Where the proposed plans show greater solar access, those areas are shown in yellow fill.

NOTE: There are no windows to the side facades at either neighbouring properties at 19 and 23 Kent Street

Morning Shadow Impact on 19 Kent Street:

These proposed plans create an increase in solar amenity at 19 Kent Street. There is zero increase in adhsdowing - even at minor, localised areas.

Midday Shadow Impact on the Subject Site at 21 Kent Street:

These propsoed plans create an increase in solar amenity at the subject site.
This is due to a reduction in building bulk and height compared to the existing dwelling, allowing increased solar penetration to the site area.

Afternoon Shadow Impact on 23 Kent Street:

These proposed plans create an increase in solar amenity at 23 Kent Street, particularly to the rear portion of the roof where a series of skylights are located.

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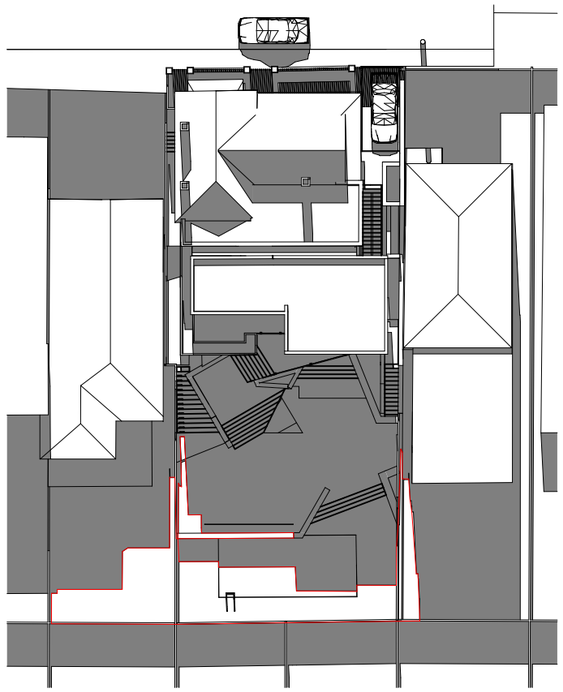
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DA12-A_Morning Shadow Diagrams
Rev B

DATE: 21/09/2025

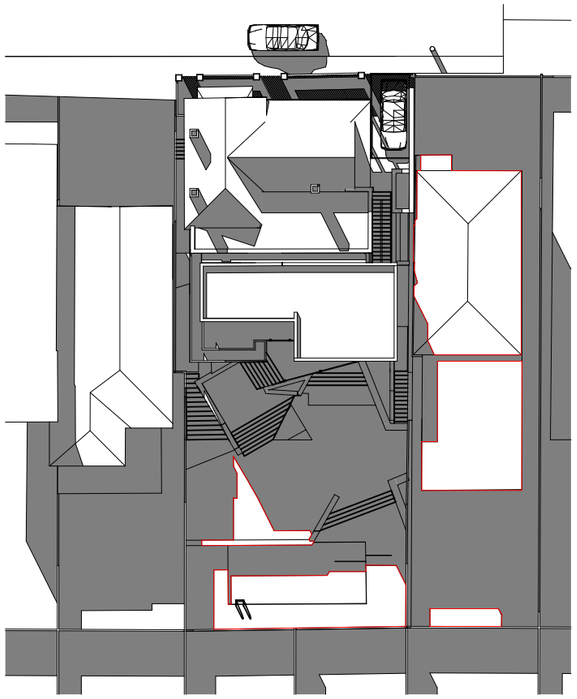
REV	DESCRIPTION	DATE: See Dwg name
A	DA Set for Lodgement	

SCALE: 1:100 at A3 unless otherwise noted
DRAWN BY: Shane Ellis



5. Existing 12pm Solstice 1:400

12pm Shadow Compared



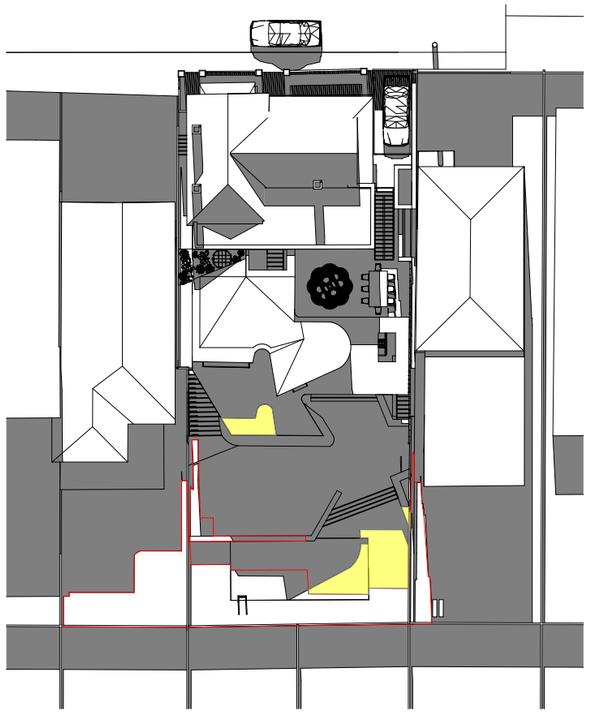
7. Existing 1.30pm solstice 1:400

1.30pm Shadow Compared

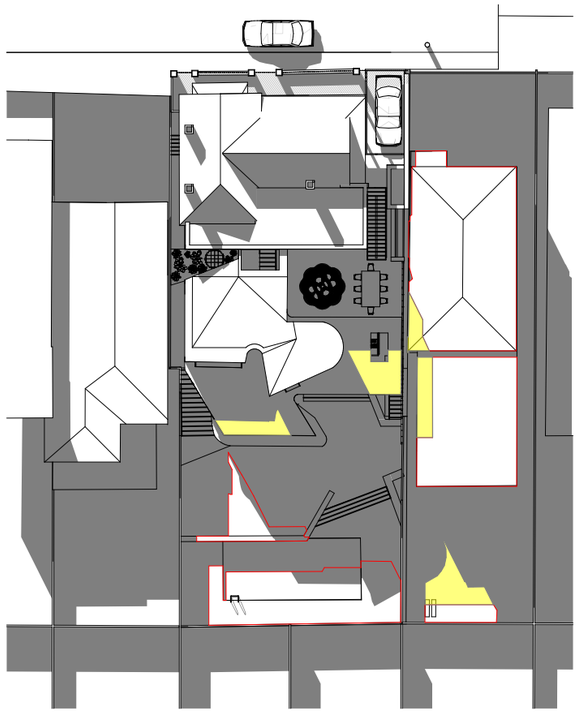


9. Existing 3pm Solstice 1:400

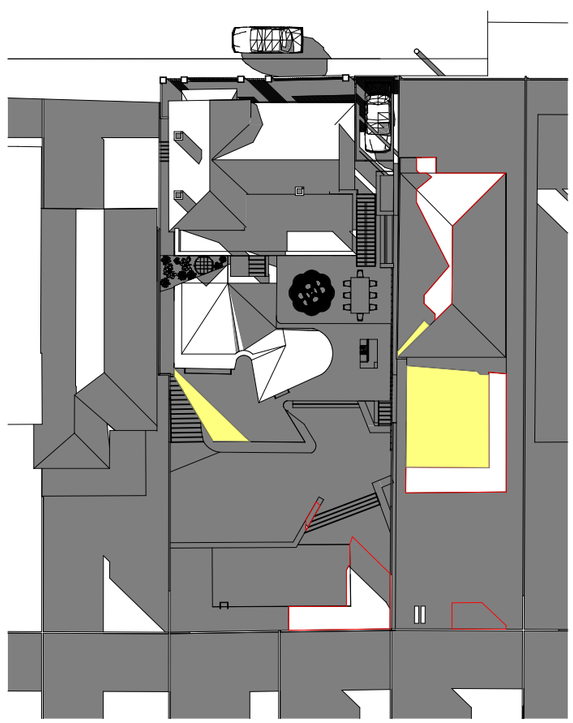
3pm Shadow Compared



6. Proposed 12pm Solstice 1:400



8. Proposed 1.30pm Solstice 1:400



10. Proposed 3pm Solstice 1:400

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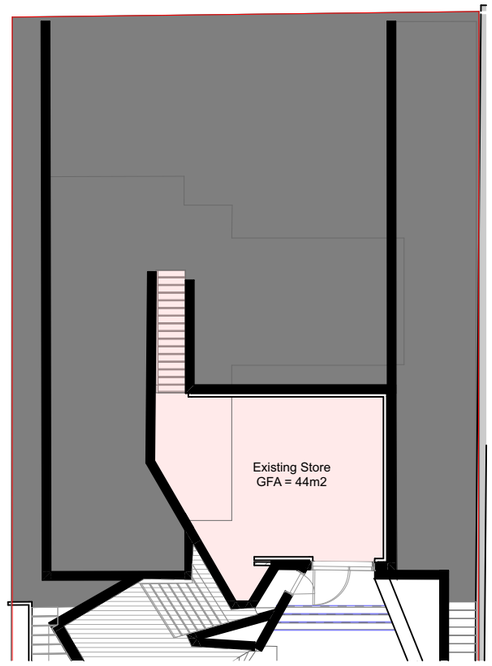
DA12-B_Afternoon Shadow Diagrams
Rev B

DATE: 21/09/2025

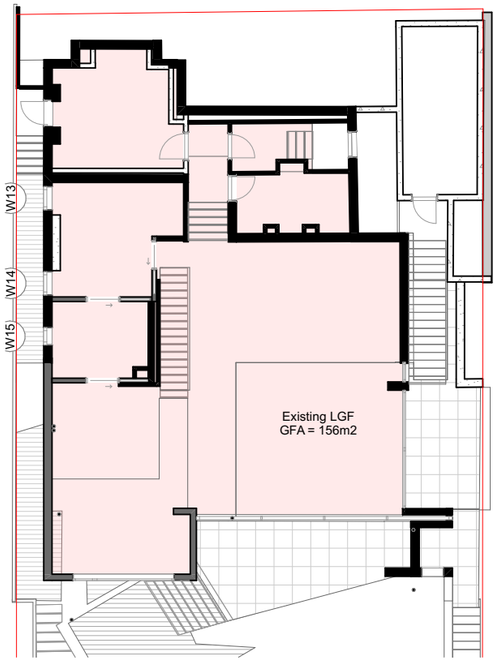
REV	DESCRIPTION	DATE: See Dwg name
A	DA Set for Lodgement	

NORTH

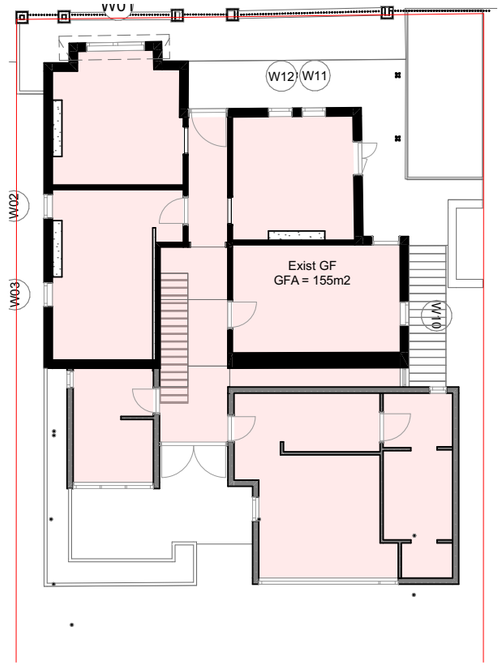
SCALE: 1:100 at A3 unless otherwise noted
DRAWN BY: Shane Ellis



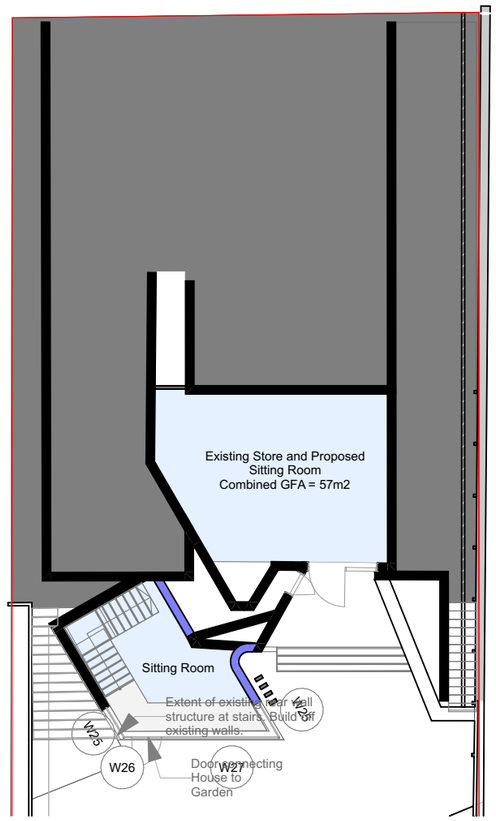
FSR Existing Basement 1:200



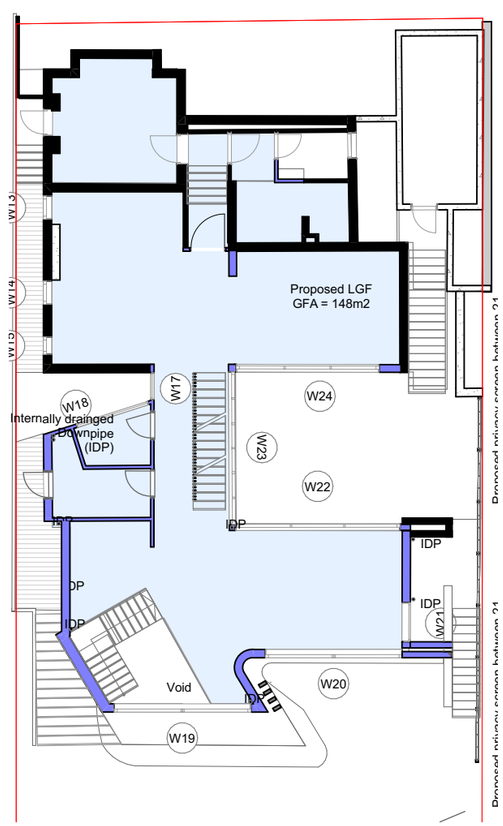
FSR Existing LGF 1:200



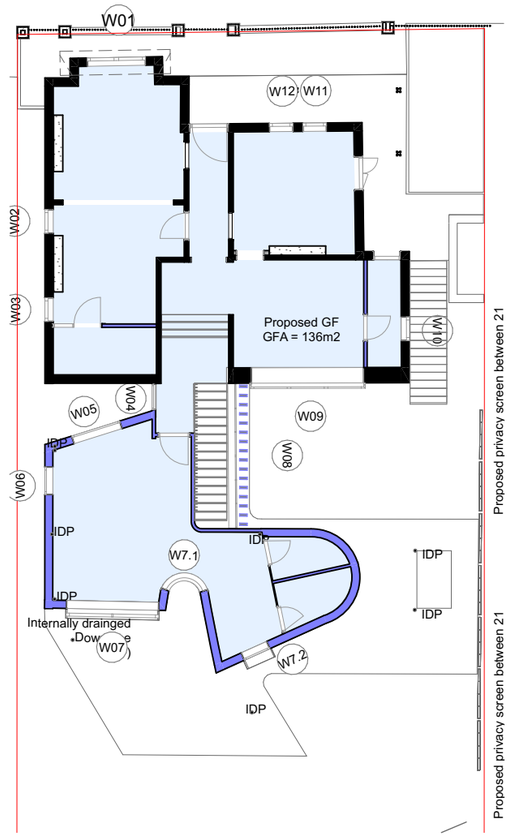
FSR Existing GF 1:200



FSR Proposed Basement 1:200



FSR Proposed LGF 1:200



FSR GF 1:200

Floor Space Ratio (FSR) Calculations:

Thre is a net reduction of 14m2 between existing and proposed FSR.

The existing dwelling has a Gross Floor Area (GFA) of 354m2 - including the unused Storea area, as follows:
44m² + 156m² + 155m² = 355m²

The proposed dwelling has a GFA of 338m2 - including the unused STore area, as follows:
57m² + 148m² + 136m² = 341m²

The subject site area is 551.1m².
Under the Waverley Local Environmental Plan 2012, the site has a maximum permitted Floor Space Ratio (FSR) of 0.5:1, which equates to an allowable GFA of 275.55m²

Please refer to the Clause 4.6 Variation Request submitted with the application for a detailed justification of the proposed FSR variation.

The proposed development exceeds the maximum permissible FSR; however, it is a redistribution and NET reduction (14m2) of the existing non-compliant GFA.

The proposal delivers a more functional layout, reduces the bulk and scale of the building, and improves solar access outcomes for the subject site and neighbouring properties.

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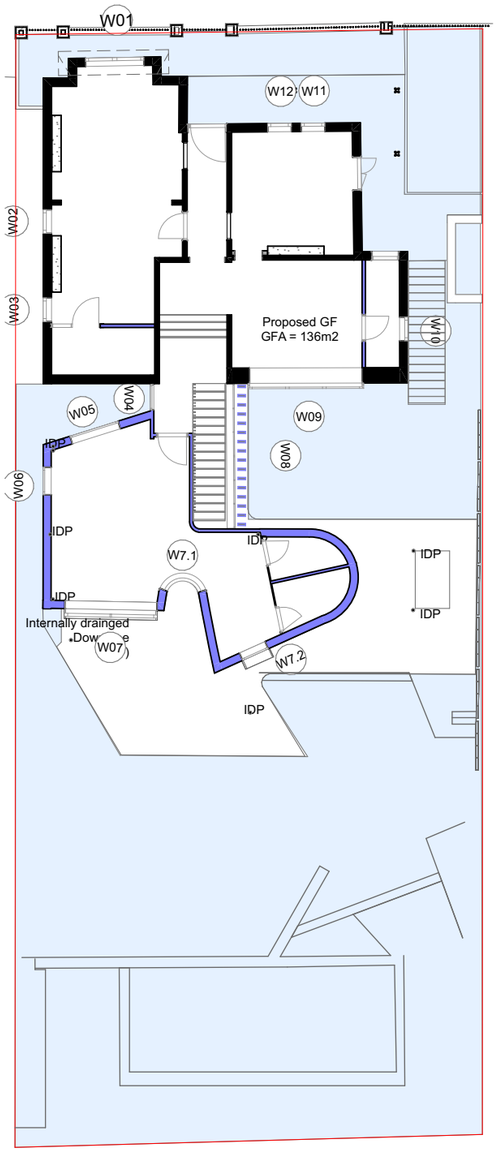
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DA13_FSR Calculations
Rev B

DATE: 21/09/2025

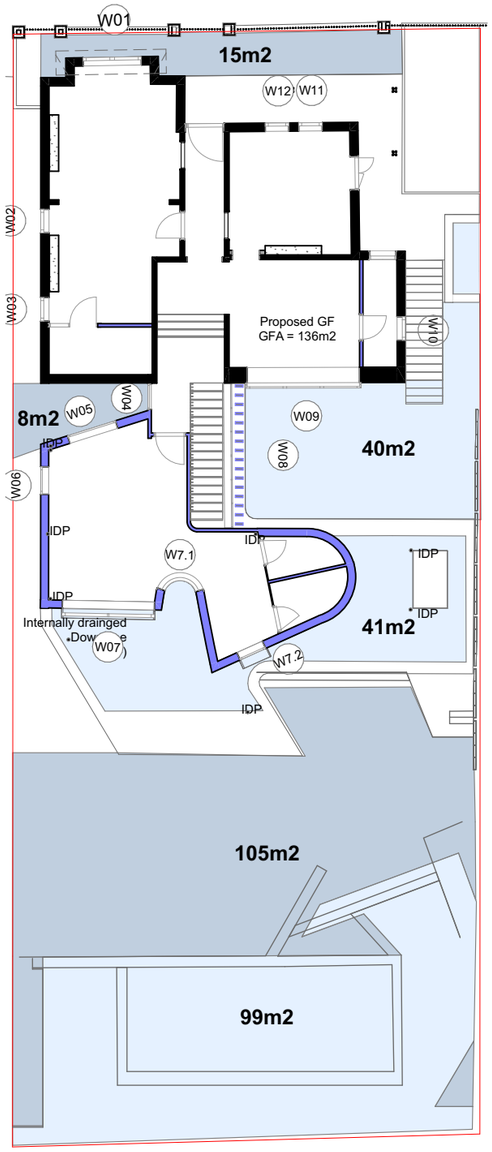
REV	DESCRIPTION	DATE: See Dwg name
A	DA Set for Lodgement	

SCALE: 1:100 at A3 unless otherwise noted
DRAWN BY: Shane Ellis



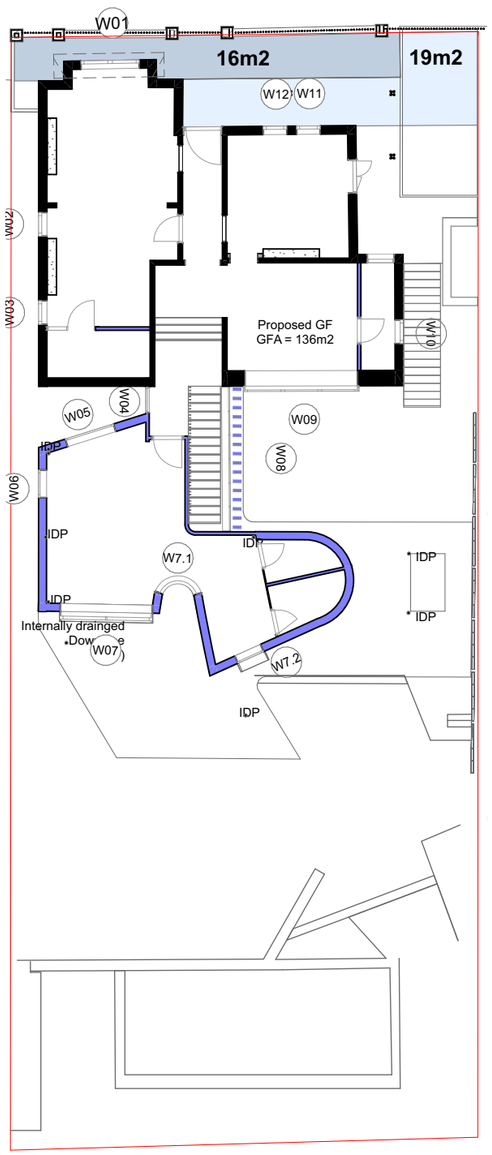
DCP C1.9(b):
328 m2 of private open space.
551,m2 site area
Private Open Space = 60%
Exceeds minimum 40% DCP requirement

DCP C1.9(e):
329 m2 of private open space.
Exceeds minimum 25m2 DCP requirement



DCP C1.9(c):
308 m2 landscaped area = 56% Landscaped,
Exceeds DCP requirement of 20%

DCP C1.9(d):
Of the above 308 m2 landscaped area, 128m2 is deep soil landscape = 40% total landscaped area
Does not meet DCP requirement of 50% of landscaped area - but we note that the 128m2 of deep soil achieved is much higher than the minimal requirement (being 50% of 20%) which would be 51m2



DCP C1.9(g):
35m2 and 100% of the area between the front of the primary building and streetfront is open space, which exceeds the 50% DCP requirement

DCP C1.9(h):
Of above 35m2, 16m2 is Landscaped Area, which is less than the 50% DCP requirement, but we note that there is no change to the existing conditions, which result from the Heritage Item.

DCP C1.9(h):
Note Outdoor clothes drying area, as nominated on Proposed LGF Plan.

WDCP C1.9(a):

The proposed landscape design includes 90% native plants, in accordance with Waverley DCP B.3.3.1(a). The selection of native vegetation promotes ecological sustainability, supports local biodiversity and reduces water demand.

WDCP B3.2.1(f):

Please see the Landscape plans which shows extensive permeable paving.

WDCP B3.2.1(h):

The proposed trees have been strategically positioned across the site to mitigate potential wind tunnelling effects along the east-western axes.
Additionally, the trees along the site boundary have been carefully located to avoid adverse overshadowing impacts on neighbouring properties, thereby maintaining solar access and residential amenity.
The landscape has been designed to complement the built form, enhance the visual character of the streetscape, and contribute positively to the urban microclimate through increased canopy cover and reduced heat retention

WDCP B3.2.3(h):

Please see the Landscape plans which shows Green Roof with concrete hob, 300 deep soil, waterproofed, and note 300mm soil depth with ground-cover per controls.

WDCP B3.3.1(a):

The proposed landscape design includes 90% native plants, in accordance with Waverley DCP B.3.3.1(a). The selection of native vegetation promotes ecological sustainability, supports local biodiversity and reduces water demand.

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the PHOENIX

ADDRESS: 21 Kent Street, Waverley
CLIENTS: Adam, Lisa, Gideon, Gabriel and Micah

STATUS: ~~Concept~~ | **Approval** | ~~Construction~~
DATE: Sunday, 21 September 2025

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DA14_Landscape Compliance
Rev B
GF 66800
DATE: 21/09/2025

REV	DESCRIPTION	DATE: See Dwg name
A	DA Set for Lodgement	

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BASIX™Certificate

Building Sustainability Index
www.planningportal.nsw.gov.au/development-and-assessment/basix

Alterations and Additions

Certificate number: A1813752

This certificate confirms that the proposed development will meet the NSW government's requirements for sustainability, if it is built in accordance with the commitments set out below. Terms used in this certificate, or in the commitments, have the meaning given by the document entitled "BASIX Definitions" dated 10/09/2020 published by the Department. This document is available at www.planningportal.nsw.gov.au/definitions

Secretary
Date of issue: Friday, 19 September 2025
To be valid, this certificate must be lodged within 3 months of the date of issue.

Project address	
Project name	21 Kent St Waverley
Street address	21 KENT Street WAVERLEY 2024
Local Government Area	Waverley Council
Plan type and number	Deposited Plan DP176332
Lot number	11
Section number	-
Project type	
Dwelling type	Dwelling house (detached)
Type of alteration and addition	The estimated development cost for my renovation work is $50,000 or more, and does not include a pool (and/or spa).
N/A	N/A
Certificate Prepared by (please complete before submitting to Council or PCA)	
Name / Company Name: Clockwork Consulting	
ABN (if applicable): 41152105783	

Legend
In these commitments, "applicant" means the person carrying out the development.
Commitments identified with a ✔ in the "Show on DA plans" column must be shown on the plans accompanying the development application for the proposed development (if a development application is to be lodged for the proposed development).
Commitments identified with a ✔ in the "Show on CC/CDC plans & specs" column must be shown in the plans and specifications accompanying the application for a construction certificate / complying development certificate for the proposed development.
Commitments identified with a ✔ in the "Certifier check" column must be certified by a certifying authority as having been fulfilled, before a final occupation certificate for the development may be issued.

Fixtures and systems	Show on DA Plans	Show on CC/CDC Plans & specs	Certifier Check
Lighting			
The applicant must ensure a minimum of 40% of new or altered light fixtures are fitted with fluorescent, compact fluorescent, or light-emitting-diode (LED) lamps.		✔	✔
Fixtures			
The applicant must ensure new or altered showerheads have a flow rate no greater than 9 litres per minute or a 3 star water rating.		✔	✔
The applicant must ensure new or altered toilets have a flow rate no greater than 4 litres per average flush or a minimum 3 star water rating.		✔	✔
The applicant must ensure new or altered taps have a flow rate no greater than 9 litres per minute or minimum 3 star water rating.		✔	

Construction	Show on DA Plans	Show on CC/CDC Plans & specs	Certifier Check
Insulation requirements			
The applicant must construct the new or altered construction (floor(s), walls, and ceilings/roofs) in accordance with the specifications listed in the table below, except that a) additional insulation is not required where the area of new construction is less than 2m2, b) insulation specified is not required for parts of altered construction where insulation already exists.	✔	✔	✔

Construction	Additional insulation required (R-value)	Other specifications
concrete slab on ground floor.	nil	N/A
floor above existing dwelling or building.	nil	N/A
external wall: cavity brick	nil	
flat ceiling, pitched roof	ceiling: R1.45 (up), roof: foil backed blanket (55 mm)	medium (solar absorptance 0.475 - 0.70)

Glazing requirements	Show on DA Plans	Show on CC/CDC Plans & specs	Certifier Check
Windows and glazed doors			
The applicant must install the windows, glazed doors and shading devices, in accordance with the specifications listed in the table below. Relevant overshadowing specifications must be satisfied for each window and glazed door.	✔	✔	✔
The following requirements must also be satisfied in relation to each window and glazed door:		✔	✔
Each window or glazed door with standard aluminium or timber frames and single clear or toned glass may either match the description, or, have a U-value and a Solar Heat Gain Coefficient (SHGC) no greater than that listed in the table below. Total system U-values and SHGCs must be calculated in accordance with National Fenestration Rating Council (NFRC) conditions.		✔	✔
Each window or glazed door with improved frames, or pyrolytic low-e glass, or clear/air gap/clear glazing, or toned/air gap/clear glazing must have a U-value and a Solar Heat Gain Coefficient (SHGC) no greater than that listed in the table below. Total system U-values and SHGCs must be calculated in accordance with National Fenestration Rating Council (NFRC) conditions. The description is provided for information only. Alternative systems with complying U-value and SHGC may be substituted.		✔	✔
For projections described in millimetres, the leading edge of each eave, pergola, verandah, balcony or awning must be no more than 500 mm above the head of the window or glazed door and no more than 2400 mm above the sill.	✔	✔	✔
For projections described as a ratio, the ratio of the projection from the wall to the height above the window or glazed door sill must be at least that shown in the table below.	✔	✔	✔
Pergolas with polycarbonate roof or similar translucent material must have a shading coefficient of less than 0.35.		✔	✔
External louvres and blinds must fully shade the window or glazed door beside which they are situated when fully drawn or closed.		✔	✔
Pergolas with fixed battens must have battens parallel to the window or glazed door above which they are situated, unless the pergola also shades a perpendicular window. The spacing between battens must not be more than 50 mm.		✔	✔
Overshadowing buildings or vegetation must be of the height and distance from the centre and the base of the window and glazed door, as specified in the 'overshadowing' column in the table below.	✔	✔	✔

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DA15-A_BASIX Part 1
Rev B
BASIX, requirements
DATE: 21/09/2025

REV	DESCRIPTION	DATE: See Dwg name
A	DA Set for Lodgement	

SCALE: 1:100 at A3 unless otherwise noted
DRAWN BY: Shane Ellis

Glazing requirements

Show on DA Plans	Show on CC/CDC Plans & specs	Certifier Check

Windows and glazed doors glazing requirements

Window/door number	Orientation	Area of glass including frame (m2)	Overshadowing height (m)	Overshadowing distance (m)	Shading device	Frame and glass type
W22	N	15.77	5.6	4.7	none	aluminium, single Lo-Tsol low-e, (U-value: 5.6, SHGC: 0.36)
W11	N	1.38	0	0	eave/ verandah/ pergola/balcony >=900 mm	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
W12	N	1.38	0	0	eave/ verandah/ pergola/balcony >=900 mm	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
W21	E	3.24	4	1.2	eave/ verandah/ pergola/balcony >=900 mm	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
W23	E	14.41	4	10.6	none	aluminium: thermally broken, double Lo-Tsol/air gap/clear , (U-value: 3.1, SHGC: 0.27)
W8	E	17.09	0	0	eave/ verandah/ pergola/balcony >=450 mm	aluminium, single Lo-Tsol low-e, (U-value: 5.6, SHGC: 0.36)
W26	SE	0.63	0	0	eave/ verandah/ pergola/balcony >=600 mm	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
W27	SE	10.85	0	0	eave/ verandah/ pergola/balcony >=900 mm	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
W19	SE	13.3	0	0	eave/ verandah/ pergola/balcony >=900 mm	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
W7	SE	10.73	0	0	projection/ height above sill ratio >=0.23	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)

Glazing requirements

Show on DA Plans	Show on CC/CDC Plans & specs	Certifier Check

Windows and glazed doors glazing requirements

Window/door number	Orientation	Area of glass including frame (m2)	Overshadowing height (m)	Overshadowing distance (m)	Shading device	Frame and glass type
W20	S	12	0	0	none	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
W24	S	13.73	3.1	4.9	none	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
W9	S	11.24	0	0	none	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
W25	SW	2.61	0	0	eave/ verandah/ pergola/balcony >=600 mm	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
W13	W	1.35	2.6	1.1	none	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
W14	W	1.35	2.6	1.1	none	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
W15	W	0.95	2.6	1.1	none	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
W17	W	2.86	2.6	4.6	none	aluminium: thermally broken, double Lo-Tsol/air gap/clear , (U-value: 3.1, SHGC: 0.27)
W4	W	4.58	0	0	external louvre/blind (adjustable)	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
W6	W	0.84	0	0	projection/ height above sill ratio >=0.23	aluminium, single Lo-Tsol low-e, (U-value: 5.6, SHGC: 0.36)
W18	NW	6.53	3.1	1.5	eave/ verandah/ pergola/balcony >=450 mm	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
W24	NW	5.68	3	1.6	none	aluminium, single Lo-Tsol low-e, (U-value: 5.6, SHGC: 0.36)

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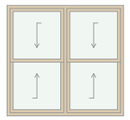
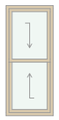
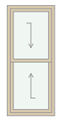
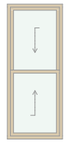
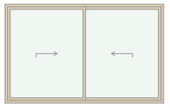
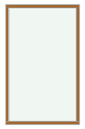
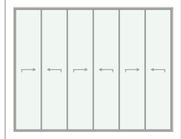
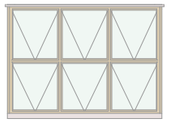
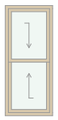
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DA15-B_BASIX Glazing Committments
Rev B
BASIX, glazing requiren
DATE: 21/09/2025

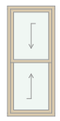
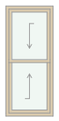
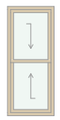
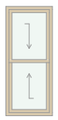
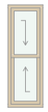
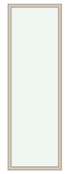
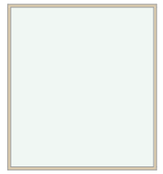
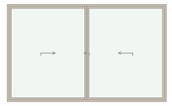
REV	DESCRIPTION	DATE: See Dwg name
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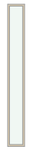
Window Schedule, dimensioned but NTS 1:1

Element ID	W01	W02	W03	W04	W05	W06	W07	W7.1	W7.2	W08	W09	W10
Opening Name	Double-Hung Double Window 27	Double-Hung Window 27	Double-Hung Window 27	Window 27	Window 27	Window 27	2-Sash Sliding Window 27	Curved Window 16	Window 27	6-Sash Sliding Window 27	Splay Bay Window 27	Double-Hung Window 27
3D Back View												
W x H Size	1.900×1.800	0.772×1.795	0.772×1.795	0.834×3.700	1.642×3.630	0.900×2.200	3.006×1.872	1.200×1.950	0.915×1.950	4.745×3.700	3.670×2.600	0.772×1.795
Orientation	N	W	W	W	N	W				E	S	E
Sill height	0.820	0.800	0.800	0.000	0.000	0.000	-0.212	0.250	0.250	0.020	0.450	0.715
Head height	2.620	2.595	2.595	3.700	3.630	2.200	1.660	2.200	2.200	3.720	3.050	2.510
Material and finishes	Remediate existing timber	Remediate existing timber	Remediate existing timber	Fixed aluminium	Fixedaluminium	Aluminium, Aneeta insert				Fixedaluminium	TImber 3 stack double hungs	Remediate existing timber
Pelmet and Blinds, curtains												
Flyscreen												

Window Schedule, dimensioned but NTS 1:1

Element ID	W11	W12	W13	W14	W15	W17	W18	W19	W20	W21	W22	W23
Opening Name	Double-Hung Window 27	Double-Hung Window 27	Double-Hung Window 27	Double-Hung Window 27	Double-Hung Window 27	Window 27	Window 27	3-Sash Sliding Window 27	3-Sash Sliding Window 27	Window 27	3-Sash Sliding Window 27	6-Sash Sliding Window 27
3D Back View												
W x H Size	0.772×1.795	0.772×1.795	0.760×1.780	0.760×1.780	0.570×1.670	0.876×2.720	2.446×2.720	4.460×2.720	4.460×2.720	1.278×2.360	5.364×2.720	4.970×2.720
Orientation	N	N	W	W	W	W	N		S	E	N	E
Sill height	0.800	0.800	0.810	0.785	0.890	0.000	0.000	0.000	0.000	0.350	0.000	0.000
Head height	2.595	2.595	2.590	2.565	2.560	2.720	2.720	2.720	2.720	2.710	2.720	2.720
Material and finishes	Remediate existing timber	Remediate existing timber	Remediate existing timber	Remediate existing timber	Remediate existing timber	Aluminium, Louvre insert	Fixed aluminium		Aluminium stacked slider	Aluminium louvre insert	Aluminium stacked slider	Fixed aluminium
Pelmet and Blinds, curtains												
Flyscreen												

Window Schedule, dimensioned but NTS 1:1

Element ID	W23	W24	W25	W25	W26
Opening Name	6-Sash Sliding Window 27	3-Sash Sliding Window 27	Window 27	Window 27	Window 27
3D Back View					
W x H Size	4.970×2.720	4.659×2.720	1.145×2.200	1.311×2.200	0.275×2.317
Orientation	E	S	W	W	S
Sill height	0.000	0.000	0.650	0.650	0.547
Head height	2.720	2.720	2.850	2.850	2.865
Material and finishes	Fixed aluminium	Aluminium stacked slider	Frameless glass glazing bead	Frameless glass glazing bead	Frameless glass glazing bead
Pelmet and Blinds, curtains					
Flyscreen					

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the PHOENIX

ADDRESS: 21 Kent Street, Waverley
CLIENTS: Adam, Lisa, Gideon, Gabriel and Micah

STATUS: ~~Concept~~ | **Approval** | ~~Construction~~
DATE: Sunday, 21 September 2025

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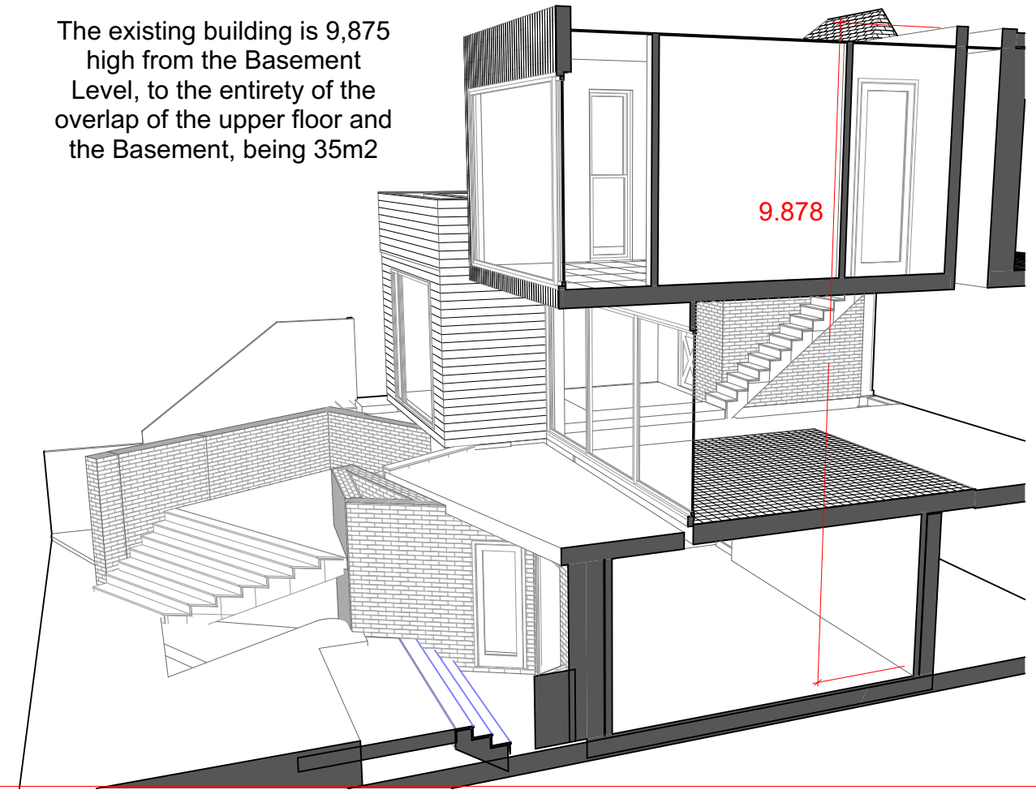
DA16_Window Schedule
Rev B

DATE: 21/09/2025

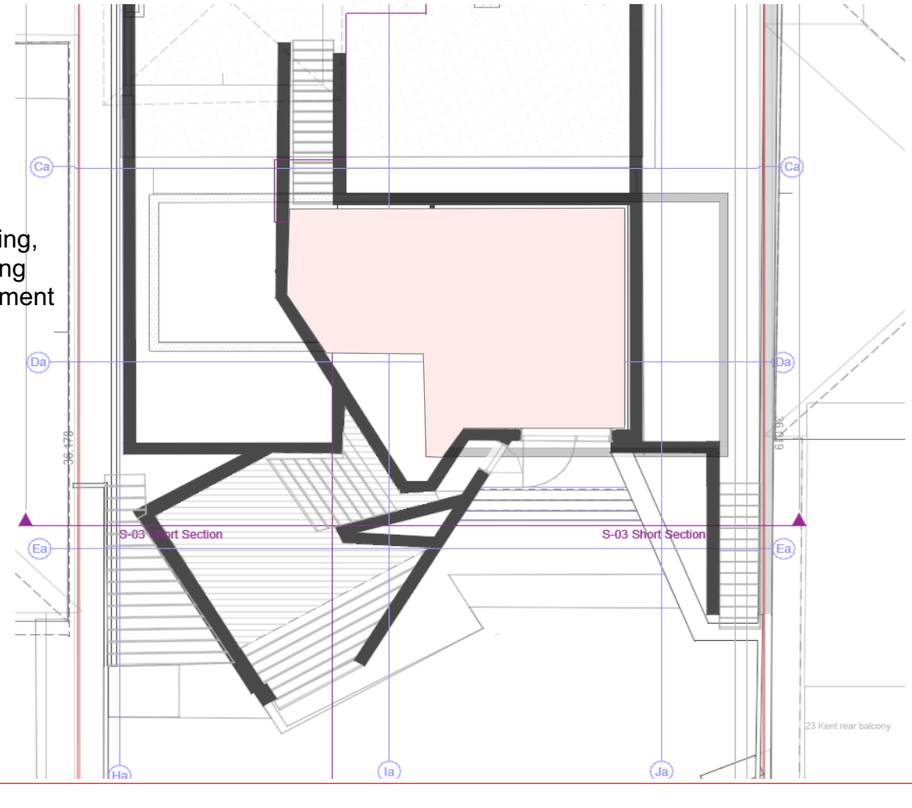
REV	DESCRIPTION	DATE: See Dwg name
A	DA Set for Lodgement	

SCALE: 1:100 at A3 unless otherwise noted
DRAWN BY: Shane Ellis

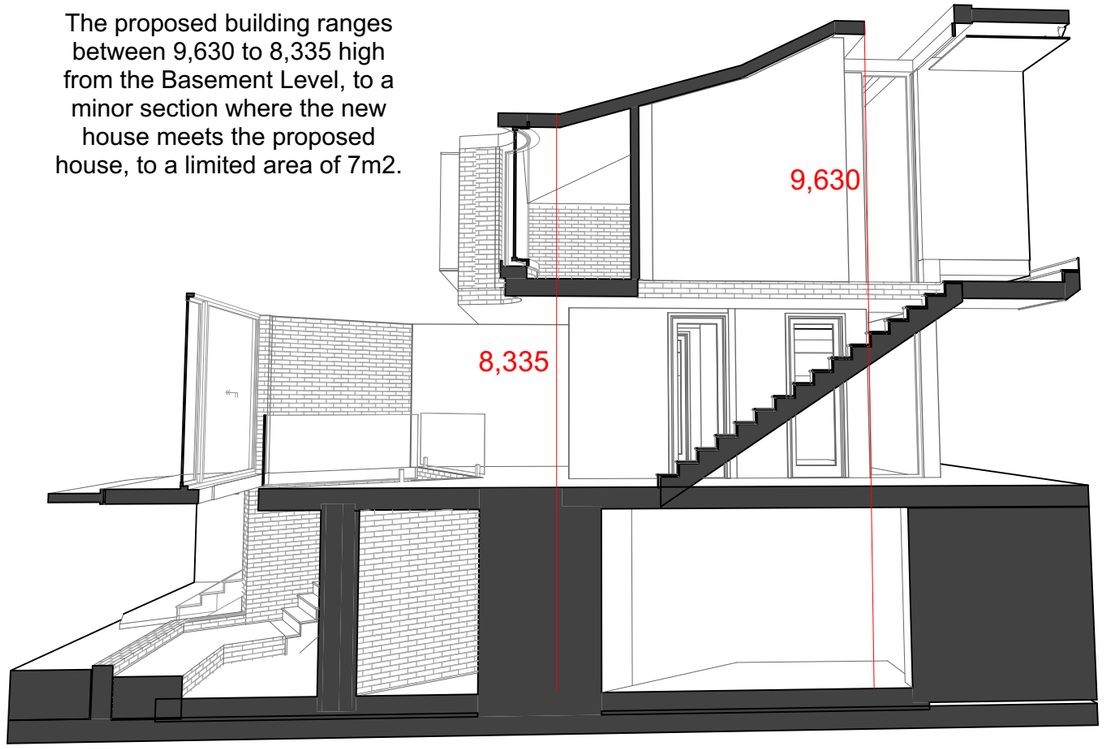
The existing building is 9,875 high from the Basement Level, to the entirety of the overlap of the upper floor and the Basement, being 35m2



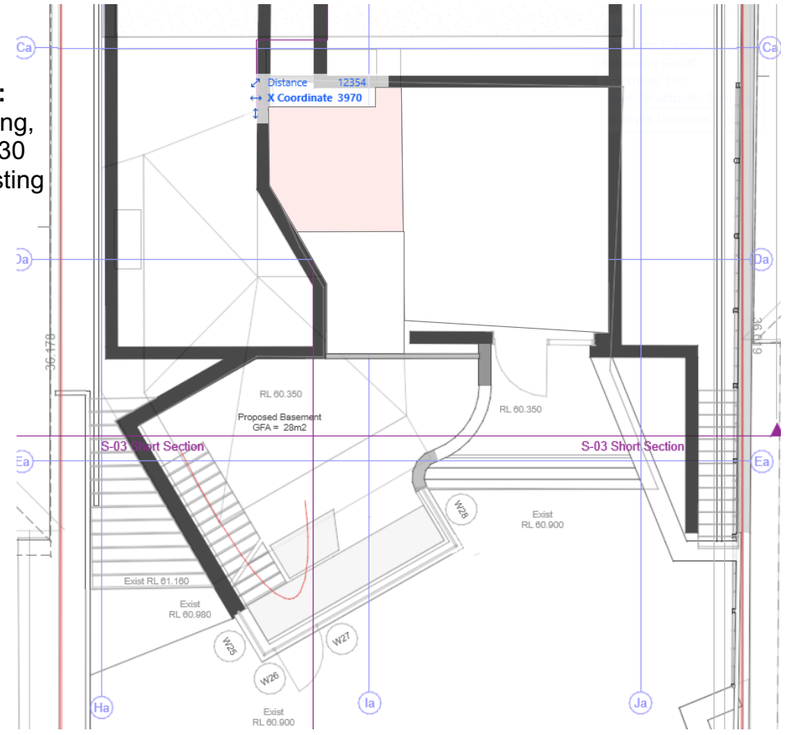
EXISTING HEIGHT:
35m2 shown in pink shading, with existing 9,875 building height above existing Basement



The proposed building ranges between 9,630 to 8,335 high from the Basement Level, to a minor section where the new house meets the proposed house, to a limited area of 7m2.



PROPOSED HEIGHT:
7m2 shown in pink shading, with existing 8,335 - 9,630 building height above existing Basement



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USE PROPOSED HEIGHTS

Perspective

the PHOENIX

ADDRESS: 21 Kent Street, Waverley
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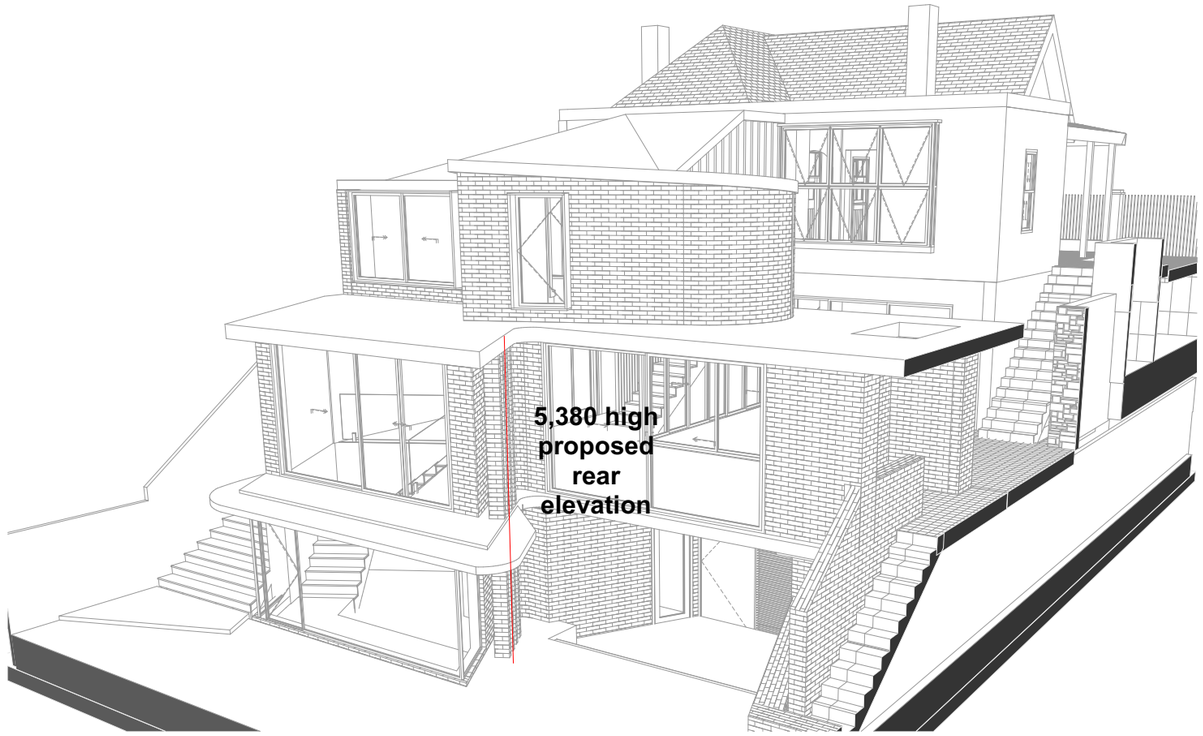
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DA17-A_Clause 4.6_ Building Height Report Perspective
DATE: 21/09/2025

REV	DESCRIPTION	DATE: See Dwg name
A	DA Set for Lodgement	

SCALE: 1:100 at A3 unless otherwise noted
DRAWN BY: Shane Ellis





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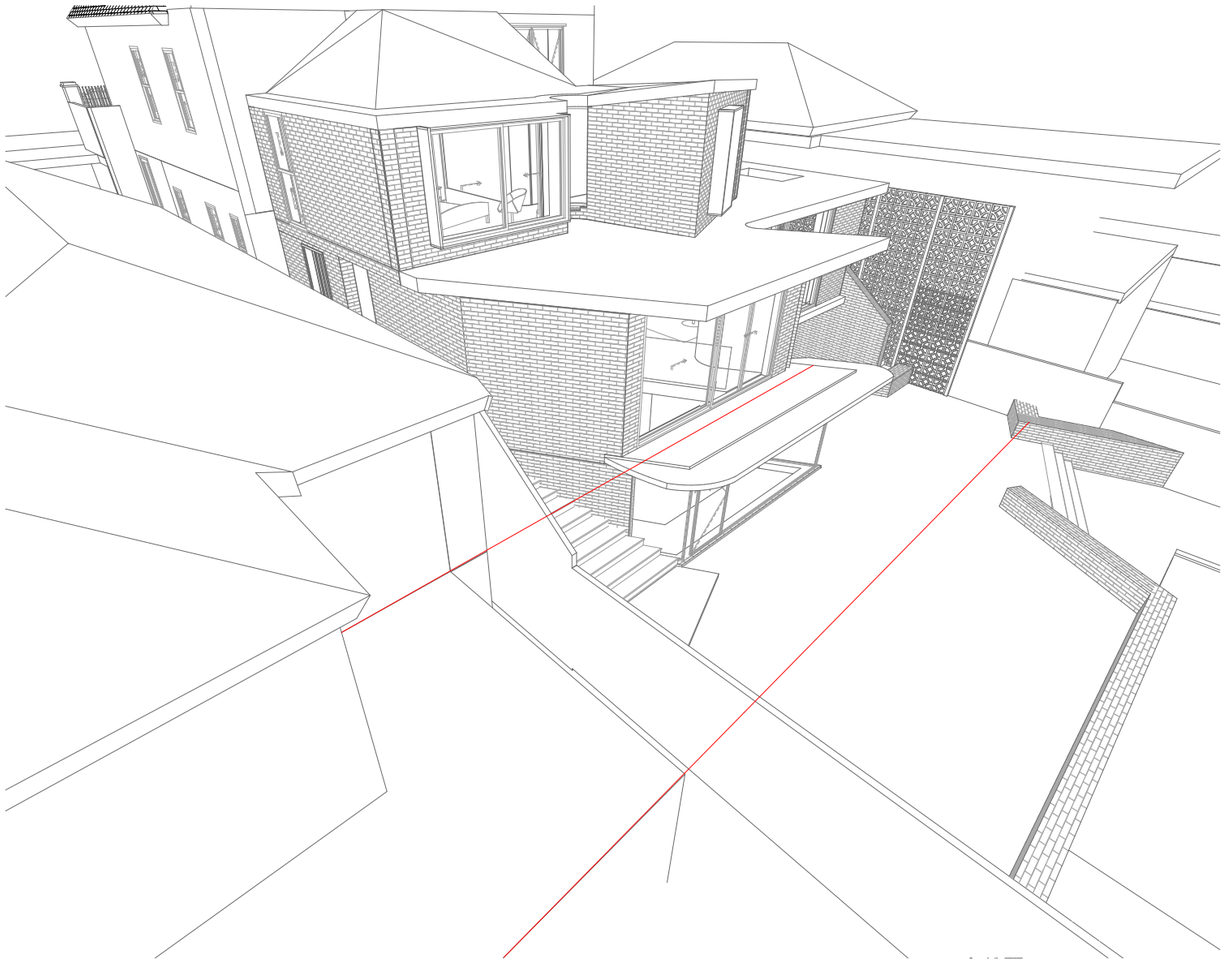
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DA17-B_Clause 4.6_Building Height Report Perspective

DATE: 21/09/2025

REV	DESCRIPTION	DATE: See Dwg name
A	DA Set for Lodgement	

SCALE: 1:100 at A3 unless otherwise noted
DRAWN BY: Shane Ellis



setback 3D 19 Kent Perspective 1:300

Rear Setback at 19 Kent Street

3D model shows that the lower level of 21 Kent Street is set far back from the comparable setback of level level at 19 Kent Street. The difference in comparable setback is 4.26m - as shown on per plan DA03

The mid level of 21 Kent street is set slightly back from the upper level at 19 Kent Street.

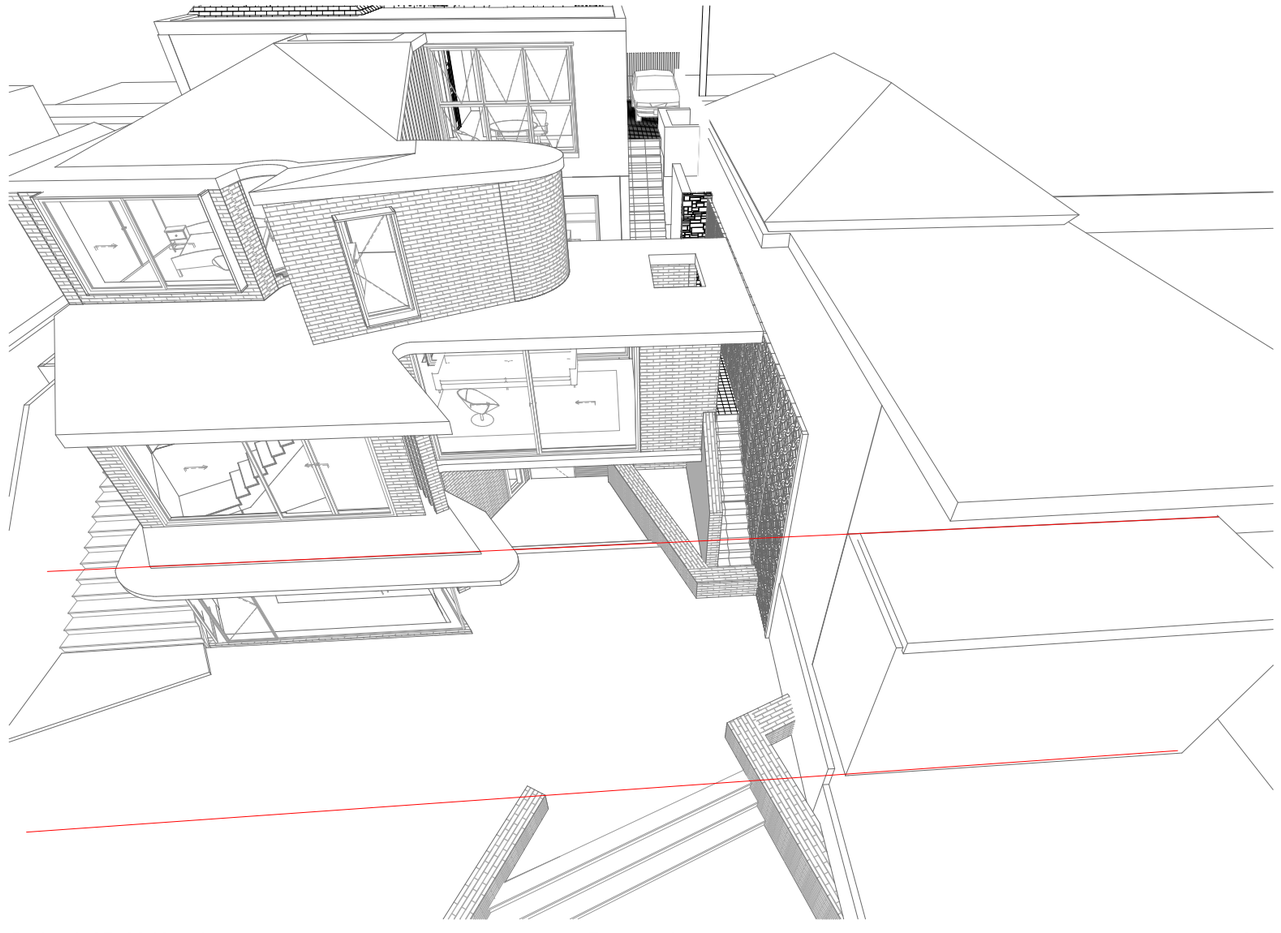
The most extended part of the Upper Level of 21 Kent Street - being a localised extremity of the Proposed Ensuite wall is set 4.12m back from the upper level of 21 Kent - as shown on per plan DA03

Rear Setback at 23 Kent Street

3D model shows that the lower level of 21 Kent Street is set far back from the comparable setback of level level at 23 Kent Street.
The difference in comparable setback is 3.94m - as shown on plan DA03

The mid level of 21 Kent street is set approx 2.03m back from the upper level at 19 Kent Street.

The most extended part of the Upper Level of 21 Kent Street - being a localised extremity of the Proposed Ensuite wall is set 3.11 back from the upper level of 23 Kent - as shown on plan DA03.



Setback 3D 23 Kent1 Perspective 1:300

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DA18_Rear Setbacks Modelled Perspective
DATE: 21/09/2025

NORTH

REV	DESCRIPTION	DATE: See Dwg name
A	DA Set for Lodgement	

SCALE: 1:100 at A3 unless otherwise noted
DRAWN BY: Shane Ellis

D.P. 316325

GUTTER 65.56
TILED BALCONY
(BUILDING UNDER)
RL. 62.60

RIDGE 67.62
ONE & TWO STOREY
BRICK HOUSE
TILE ROOF
No. 19

62.52

TIMBER PARKING SPACE

0°

LAPPED & CAPPED PALING FENCE

36.315

GUTTER 65.54

TIMBER DECK RL. 63.25

GUTTER 70.17

PALING FENCE

30'

WATER METER GAS METER

GATE FOOTPATH

VEHICLE CROSSING

GAS LID

HYDRANT

TIMBER DECKS

METAL PIT LID

TIMBER DECK

GARDEN

PALM 0.20ø, 8H, 2S

DECK
RL. 61.14

DECK
RL. 60.98

WALL TIMBER BRICK BENCH TILED

TOW 63.26

PLANTER

PARAPET 67.72
PLANTER

TERRACE
(BUILDING UNDER)
RL. 66.76

ROOF 70.38

PARAPET 70.37

TOP OF CHIMNEY 73.05

TOP OF CHIMNEY 72.97

RIDGE 72.77

48'

GARDEN

GUTTER 70.19

WALLS

FENCE

PALING

GLASS POOL FENCE ON BRICK WALL

POOL

INGROUND

PAVED CAPPING

TOF 62.18

CAPPED

15.24

11

D.P. 176332

SITE AREA

551.1m²

(D.P. 176332)

LAWN

TILED TERRACE
(BUILDING UNDER)
RL. 63.26

PLANTER

DRAINAGE PIT
GRATE 60.25
INVERT 59.95

INSPECTION CAP

ROOF 70.40

LOWER LEVEL
FL. 60.27
MID LEVEL (LOWER)
FL. 63.27
MID LEVEL (UPPER)
FL. 64.13
TOP LEVEL
FL. 66.79

ONE, TWO & THREE STOREY
RENDERED & CLAD RESIDENCE
TILE & METAL ROOF
No. 21

ROOF 70.40

PARAPET 70.41

RIDGE 72.77

+TOP OF CHIMNEY 72.99

DOORSTEP
+66.79

GUTTER 70.20

VERANDAH

TILED

GATE

BENCH MARK
NAIL IN WALL
RL. 61.25 A.H.D.

BENCH MARK
CUT ON KER
RL. 66.35 A.H

OF

GARDEN

GUTTER 69.29

METAL FENCE ON RENDERED

269°

TREE 0.30ø, 8H, 8S

GARDEN

36.08

BRICK WALL

GARDEN

TILED

(TILED UNDER)

PAVED LANDING

BRICK WALL

CAR STACKER

89°

TELECOM. PIT

VEHICLE CROSSING

TILED

STONE

GARDEN

WALL

RENDERED

WALL

LAPPED & CAPPED PALING FENCE

180°

TOF 62.81

SEWER VENT

30'

DRAINAGE PIT
GRATE 66.41

POWER POLE

RENDERED PIERS

CONCRETE

TOP

10

D.P. 651370

WINDOW HEAD 63.65

GUTTER 67.40

METAL ROOF

GUTTER 67.44

GUTTER 67.11

GUTTER 67.46

TILED BALCONY
(BUILDING UNDER)
RL. 64.35

METAL ROOF

ROOF 67.83

RIDGE 69.41

RIDGE 68.81

ONE & TWO STOREY
RENDERED HOUSE
TILE & METAL ROOF
No. 23

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the PHOENIX

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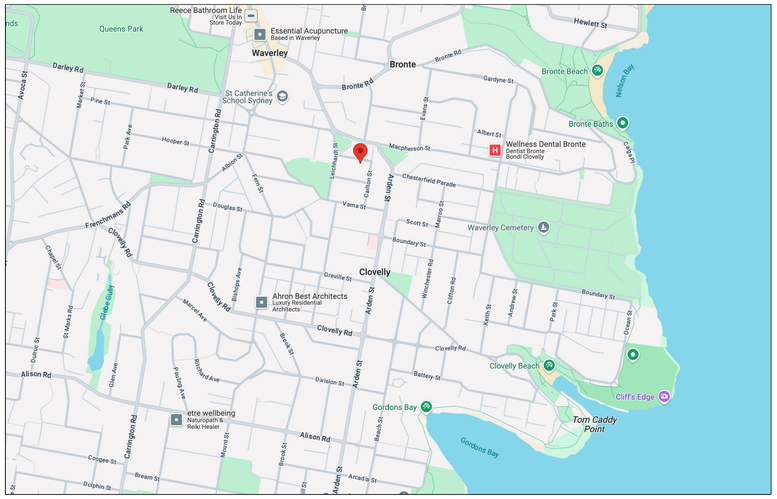
DA19_Survey
Rev A

DATE: 21/09/2025

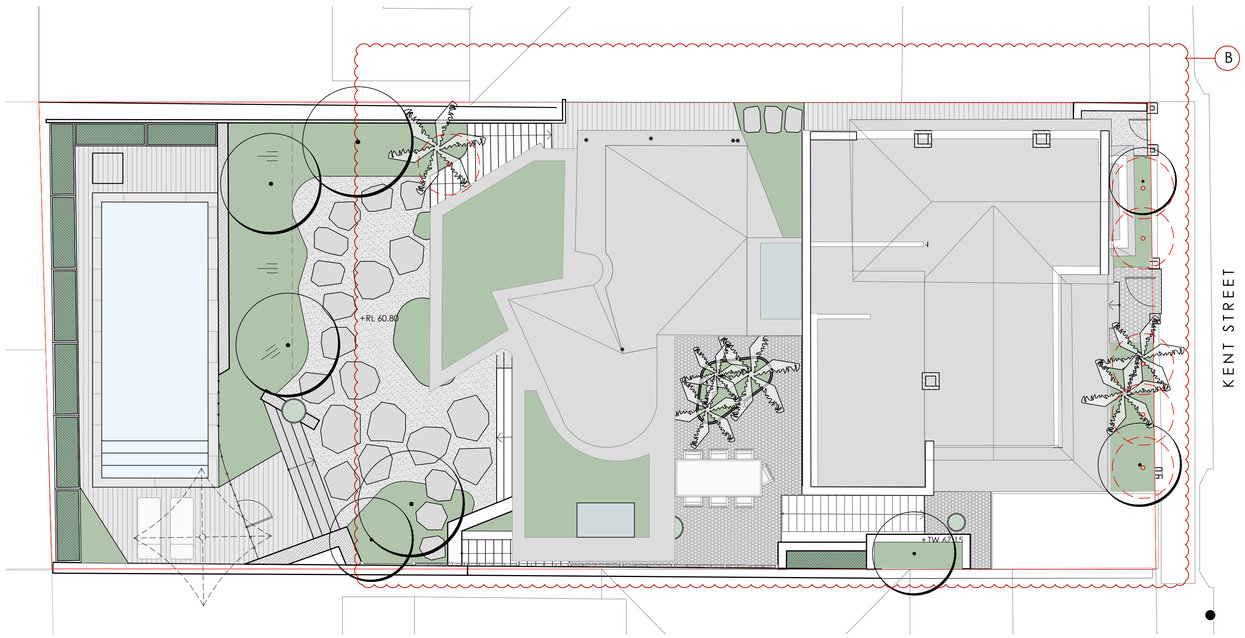
NORTH

REV	DESCRIPTION	DATE: See Dwg name
A	DA Set for Lodgement	

SCALE: 1:100 at A3 unless otherwise noted
DRAWN BY: Shane Ellis



SITE LOCATION
NTS | GOOGLE MAPS



SITE PLAN
SCALE 1:100 @ A1

DRAWING SCHEDULE

862_DA_01	COVER PAGE
862_DA_02	PLANT SCHEDULE
862_DA_10	LANDSCAPE PLAN 1 - GROUND FLOOR
862_DA_11	LANDSCAPE PLAN 2 - LOWER GROUND FLOOR
862_DA_12	LANDSCAPE PLAN 3 - BASEMENT
862_DA_13	LANDSCAPE PLAN 4 - ROOFTOP
862_DA_20	SECTION - POOL FENCE
862_DA_45	TYPICAL DETAILS
862_DA_50	GENERAL SPECIFICATION

GENERAL NOTES

- ALL LANDSCAPE DRAWINGS ARE TO BE READ IN CONJUNCTION WITH THE ARCHITECT'S AND ADDITIONAL CONSULTANT'S DRAWINGS, SPECIFICATIONS AND REPORTS
- ALL PUBLIC UTILITY SERVICES ARE TO BE LOCATED ON SITE BY THE CONTRACTOR PRIOR TO THE COMMENCEMENT OF WORKS. THE LOCATION, PRESENCE AND EXTENT OF SERVICES SHOWN ARE NOT GUARANTEED COMPLETE OR CORRECT
- PERFORM EXCAVATION IN THE VICINITY OF UNDERGROUND UTILITIES WITH CARE AND IF NECESSARY, BY HAND. THE CONTRACTOR BEARS FULL RESPONSIBILITY FOR THIS WORK AND DISRUPTION OR DAMAGE TO UTILITIES SHALL BE REPAIRED IMMEDIATELY AT NO EXPENSE TO THE OWNER
- NO TREES PROTECTED UNDER THE LOCAL COUNCIL'S TREE PRESERVATION ORDER ARE TO BE REMOVED UNLESS APPROVED BY DEVELOPMENT CONSENT OR PERMIT OBTAINED FROM COUNCIL
- ALL PAVING IS INDICATIVE, TO BE TO FUTURE SPECIFICATION, AND SET OUT ON SITE
- ALL WORK TO BE CARRIED OUT IN ACCORDANCE WITH THE LOCAL COUNCIL'S APPROVAL, STANDARDS AND CODES
- THE CONTRACTOR IS TO ENSURE THAT ALL THE WORKS ARE CARRIED OUT IN ACCORDANCE WITH THE WORK HEALTH AND SAFETY ACT
- MBD TO REVIEW PLANT MATERIALS AT SOURCE OR BY PHOTOGRAPHS PRIOR TO PURCHASE AND DELIVERY
- EXACT LOCATIONS OF NEW PLANT MATERIAL TO BE SETOUT AND APPROVED BY THE MBD ONSITE PRIOR TO INSTALLATION. MBD RESERVES THE RIGHT TO ADJUST PLANTS TO EXACT LOCATION ONSITE

DRAINAGE AND IRRIGATION NOTES

- REFER TO CIVIL ENGINEER'S UTILITY AND DRAINAGE PLANS FOR UTILITY LOCATION AND DRAINAGE INFORMATION.
- REQUIREMENTS FOR LANDSCAPE DRAINAGE TO BE CONFIRMED ONSITE UNLESS OTHERWISE SHOWN ON THE LANDSCAPE PLANS
- TREE PITS THAT HAVE BEEN EXCAVATED INTO HEAVY EARTH OR STONE TO CONTAIN A RING OF AG PIPE LAID AT THE INVERT OF THE PIT WITHIN A MINIMUM 200mm LAYER OF FREE DRAINING MATERIAL. AG PIPE TO BE CONNECTED TO A DRAINAGE OUTLET (REFER TO TYPICAL TREE PIT DRAINAGE SECTION)
- WATER / IRRIGATION CONTROLLER POINTS SHOWN INDICATIVELY ONLY. EXACT LOCATION TO BE CONFIRMED ONSITE
- ALL POTS TO HAVE AN IRRIGATION ALLOWANCE (SHRUBBLERS OR DRIP)
- FOR POTS LOCATED ON PAVED SURFACES, TYPICAL PAVING IRRIGATION DETAIL TO BE USED AS SHOWN
- POTS ADJACENT TO GARDEN BEDS TO BE IRRIGATED VIA IN GARDEN IRRIGATION SYSTEM
- ALL LAWN AREAS TO HAVE POPUP ROTORS
- ALL GARDEN BEDS TO HAVE FIXED SOLID RISERS WITH SPRAYS
- LOCATIONS OF IRRIGATION LINES, VALVES, SPRAY HEADS ETC ARE SHOWN INDICATIVELY ONLY. THE EXACT LOCATION AND FREQUENCY OF THE ABOVE TO BE NOMINATED BY THE IRRIGATION PROVIDER
- REFER TO IRRIGATION PLAN FOR FURTHER DETAIL

MYLES BALDWIN DESIGN
8 Maddison Lane, Redfern, NSW 2016 Australia
PH +61 2 9699 2622 | www.mylesbaldwin.com

PROJECT:
21 KENT ST, WAVERLEY

CLIENT:
POZNIAK

AMENDMENT

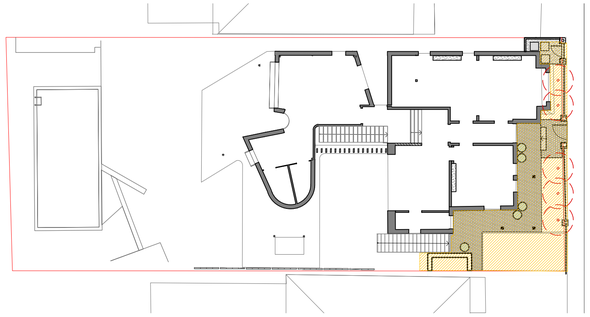
ISSUE	DATE	DETAILS
A	14.04.25	FOR DEVELOPMENT APPLICATION
B	19.09.25	FOR DEVELOPMENT APPLICATION

MBD MUST BE PRESENT ON-SITE FOR THE POSITIONING OF **ALL PLANTS**.
CONTACT MBD IF DISCREPANCIES OCCUR BETWEEN LANDSCAPE AND CONSULTANTS DOCUMENTS.
BUILDER TO CHECK AND VERIFY ALL DIMENSIONS ON SITE PRIOR TO CONSTRUCTION.

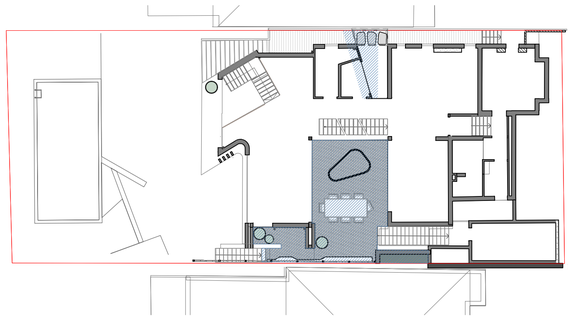
DRAWING:
COVER PAGE

DWG No: 862_DA_01
SCALE: AS NOTED
DRAWN: GC
CHECKED: LM
ISSUE: B

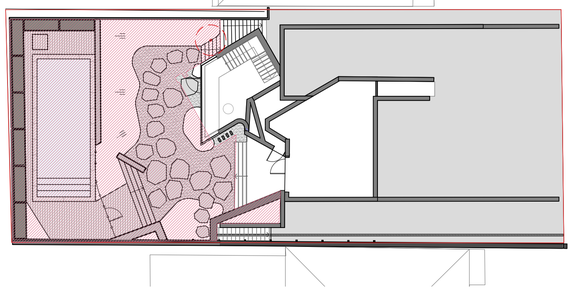
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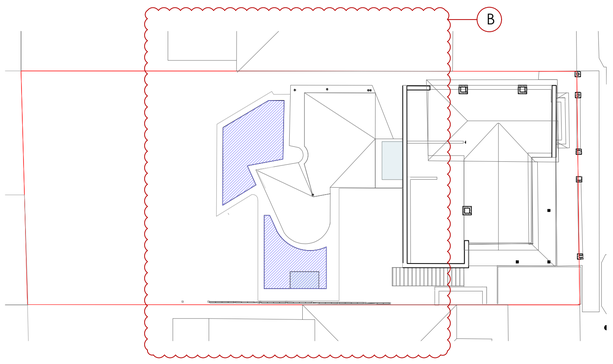
PLANTING KEY PLAN - GROUND FLOOR
SCALE 1:200 @ A1



PLANTING KEY PLAN - LOWER GROUND FLOOR
SCALE 1:200 @ A1



PLANTING KEY PLAN - BASEMENT
SCALE 1:200 @ A1



PLANTING KEY PLAN - ROOFTOP
SCALE 1:200 @ A1

LEGEND

- ZONE 1
- ZONE 2
- ZONE 3
- ZONE 4

PLANT SCHEDULE

TREES									
CODE	BOTANIC NAME	COMMON NAME	ZONE 1	ZONE 2	ZONE 3	ZONE 4	**TOTAL**	POT SIZE	MATURE HEIGHT
BI	Banksia integrifolia	Coastal Banksia			2		**2**	300 Lt	10m
BS	Banksia serrata	Old Man Banksia	3				**3**	300Lt	8m
CG	Corymbia gummifera	Red bloodwood			1		**1**	300Lt	12m
MQ	Melaleuca quinquenervia	Broad-leaved Paperbark			2		**2**	300Lt	10m
PH	Podocarpus henkellii	Henkel yellowwood		5	24		**29**	200Lt	6m
TF	Trachycarpus fortunei	Chinese windmill	2	3	1		**6**	Various Clear Trunk (betweek 2.5 and 5m)	7m
SHRUBS									
CODE	BOTANIC NAME	COMMON NAME	ZONE 1	ZONE 2	ZONE 3	ZONE 4	**TOTAL**	POT SIZE	MATURE HEIGHT
Ca	Correa alba	White correa			21		**21**	200mm	1.5m
LI	Leptospermum laevigatum	Coastal Tea Tree	5				**5**	300mm	3m
Mc	Macrozamia communis	Burrawang			5		**5**	400mm	2m
Wf	Westringia fruticosa	Coastal Rosemary			15		**15**	200mm	1m
PERENNIALS									
CODE	BOTANIC NAME	COMMON NAME	ZONE 1	ZONE 2	ZONE 3	ZONE 4	**TOTAL**	POT SIZE	MATURE HEIGHT
Dc	Dianella caerulea	Blue Flax-lily	25		25		**50**	200mm	1m
Da	Doodia aspera	Rasp fern		25	30		**55**	140mm	0.4m
Fn	Ficinia nodosa	Knobby Club Rush			15		**15**	200mm	1m
Pl	Poa labillardieri	Common Tussock Grass	30		25		**55**	200mm	0.6m
GROUNDCOVERS & CLIMBERS									
CODE	BOTANIC NAME	COMMON NAME	ZONE 1	ZONE 2	ZONE 3	ZONE 4	**TOTAL**	POT SIZE	MATURE HEIGHT
Cg	Carpobrotus glaucescens	Pig face				230	**230**	140mm	Groundcover
Ca	Centella asiatica	Gotu Cola		45	60		**105**	140mm	Groundcover
Hs	Hibertia scandens	Golden guinea flower	30				**30**	140mm	Groundcover / Climber
Ps	Parthenocissus sikkimensis	Sikkimen Creeper		96	50		**146**	140mm	Groundcover
Sj	Stephania japoinica var. discolor	Wonga Wonga Vine		9	25		**9**	140mm	Climber

B

SPECIES LISTED IN ANNEXURE B2-1 AND B3-2 OF WAVERLEY DCP 2022

INDIGENOUS SPECIES

NOTES

- 90% OF PROPOSED PLANTING TO BE INDIGENOUS OR LOCAL NATIVE PLANT LISTED IN ANNEXTURE B3-1 AND B3-2 TO COMPLY WITH **WAVERLEY DCP 2022 - 3.3.1 CONTROLS (a)**
- A MINIMUM OF 50% OF THE PROPOSED TREES, 50% OF THE PROPOSED SHRUBS AND 50% OF THE PROPOSED GRASSES AND GROUNDCOVER (NOT INCLUDING TURFED AREAS) ARE TO BE NATIVE PLANTS THAT ARE LISTED IN ANNEXTURE B3-1 TO COMPLY WITH **WAVERLEY DCP 2022 - 3.3.1 CONTROLS (a)**
- IF SPECIFIED POT SIZES ARE NOT READILY AVAILABLE, PLEASE CONTACT MBD TO CLARIFY SUBSTITUTE SIZES AND CHANGES TO QUANTITIES
- ALL MATURE TREES TO BE SOURCED AND SUPPLIED BY MYLES BALDWIN DESIGN
- THE PLANT SCHEDULE IS CALCULATED BASED OFF THE LANDSCAPE PLANS PROVIDED BY MBD. ADDITIONAL PLANTS OUTSIDE OF THIS SCHEDULE MAY BE REQUIRED TO REACH THE DESIRED PLANT DENSITIES ONSITE
- ALL PLANT MATERIAL TO BE SETOUT ONSITE BY MYLES BALDWIN DESIGN PRIOR TO INSTALLATION

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PH +61 2 9699 2622 | www.mylesbaldwin.com

PROJECT:
21 KENT ST, WAVERLEY

CLIENT:
POZNIAK

AMENDMENT

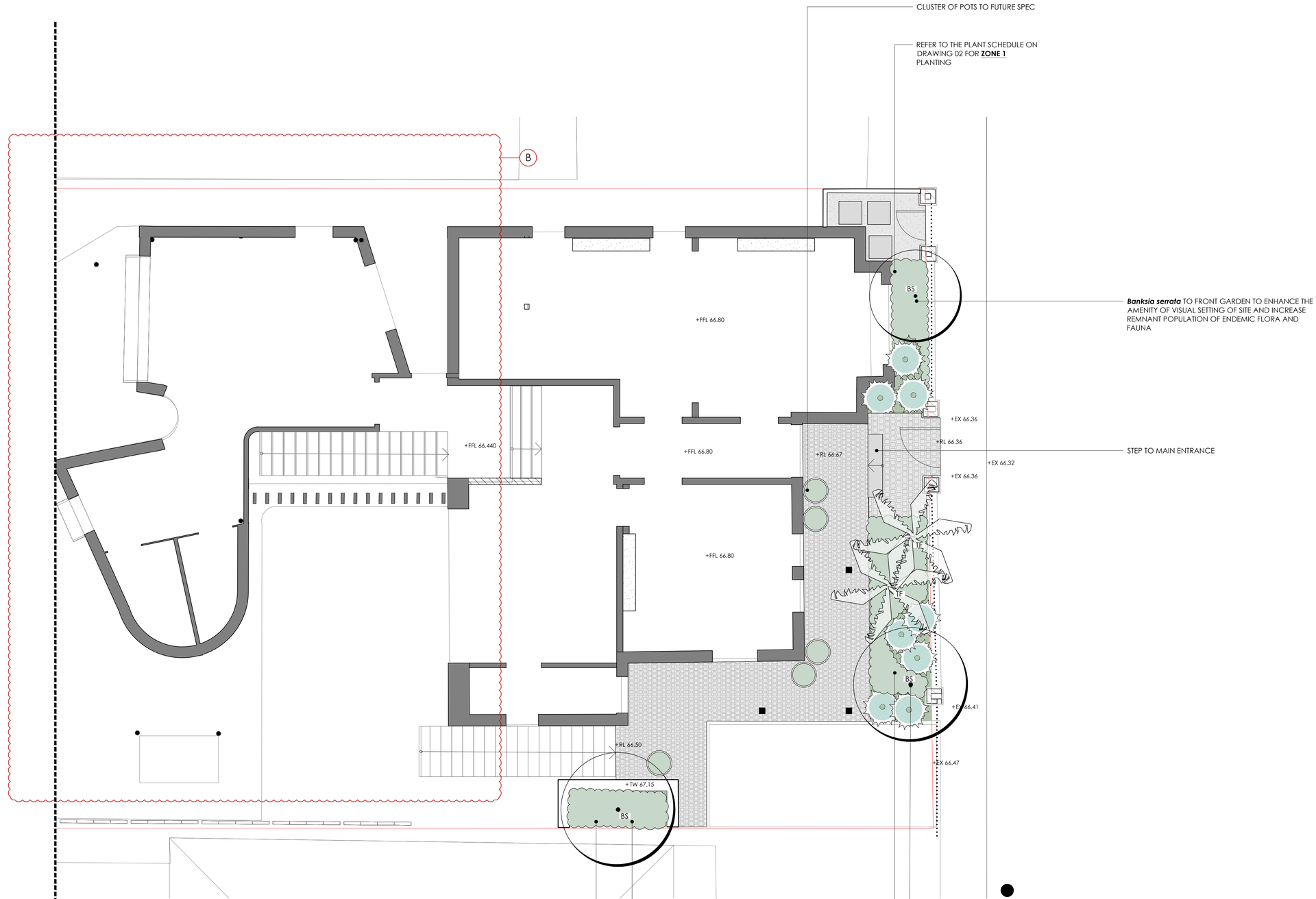
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CONTACT MBD IF DISCREPANCIES OCCUR BETWEEN LANDSCAPE AND CONSULTANTS DOCUMENTS.
BUILDER TO CHECK AND VERIFY ALL DIMENSIONS ON SITE PRIOR TO CONSTRUCTION.

DRAWING:
PLANT SCHEDULE

DWG No: 862_DA_02
SCALE: AS NOTED
DRAWN: GC
CHECKED: LM
ISSUE: B

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LEGEND

- PROPOSED TREE
- EXISTING TREE
- EXISTING TREE TO BE REMOVED
- GRAVEL
- GARDEN BED
- PROPOSED HEDGE

SCALE 1:50

0 1 2 3 4 5

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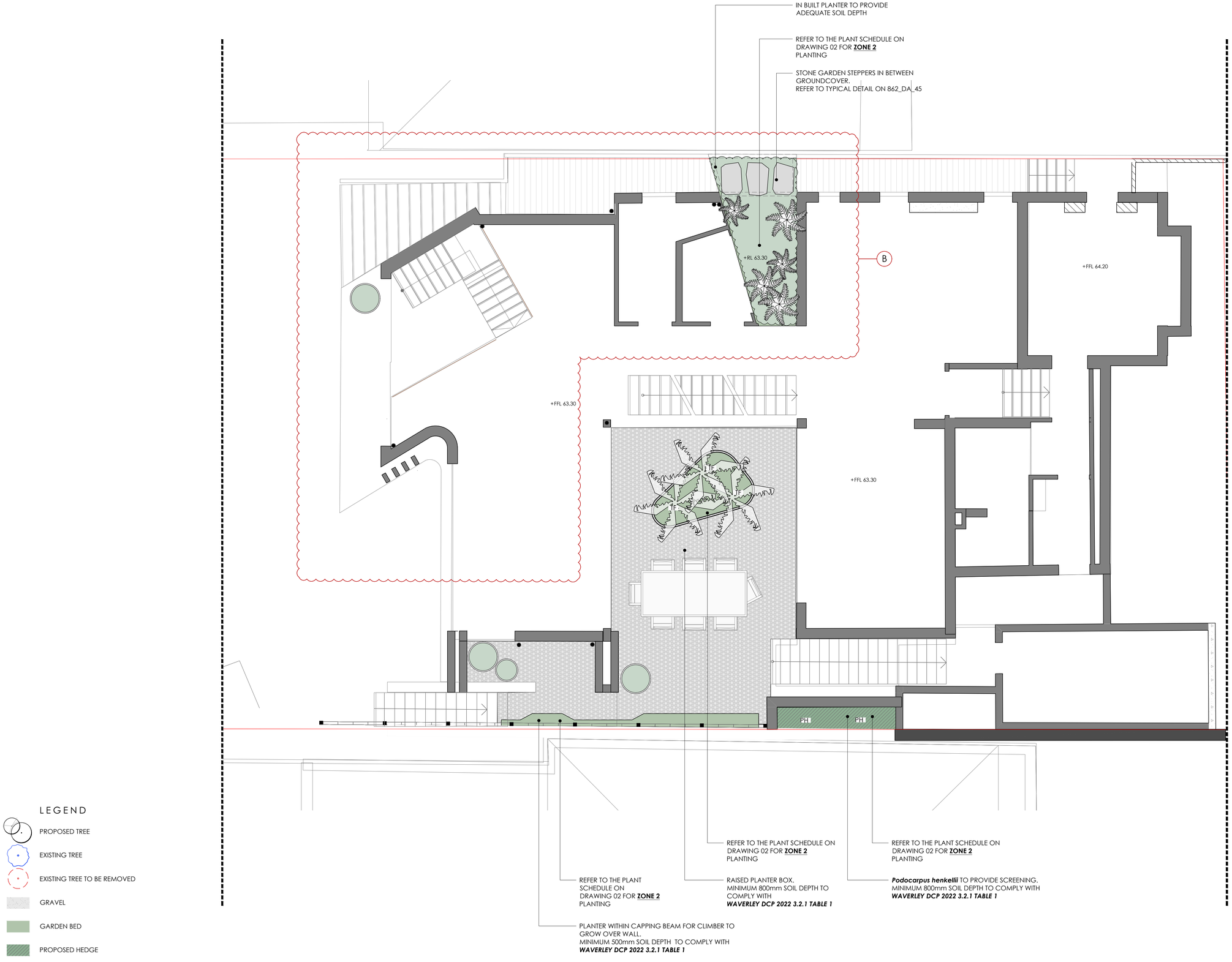
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DRAWING:
LANDSCAPE PLAN 1 - GROUND FLOOR

DWG No: 862_DA_10
SCALE: 1:50 @ A1
DRAWN: GC
CHECKED: LM
ISSUE: B

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LEGEND

- PROPOSED TREE
- EXISTING TREE
- EXISTING TREE TO BE REMOVED
- GRAVEL
- GARDEN BED
- PROPOSED HEDGE

SCALE 1:50

0 1 2 3 4 5

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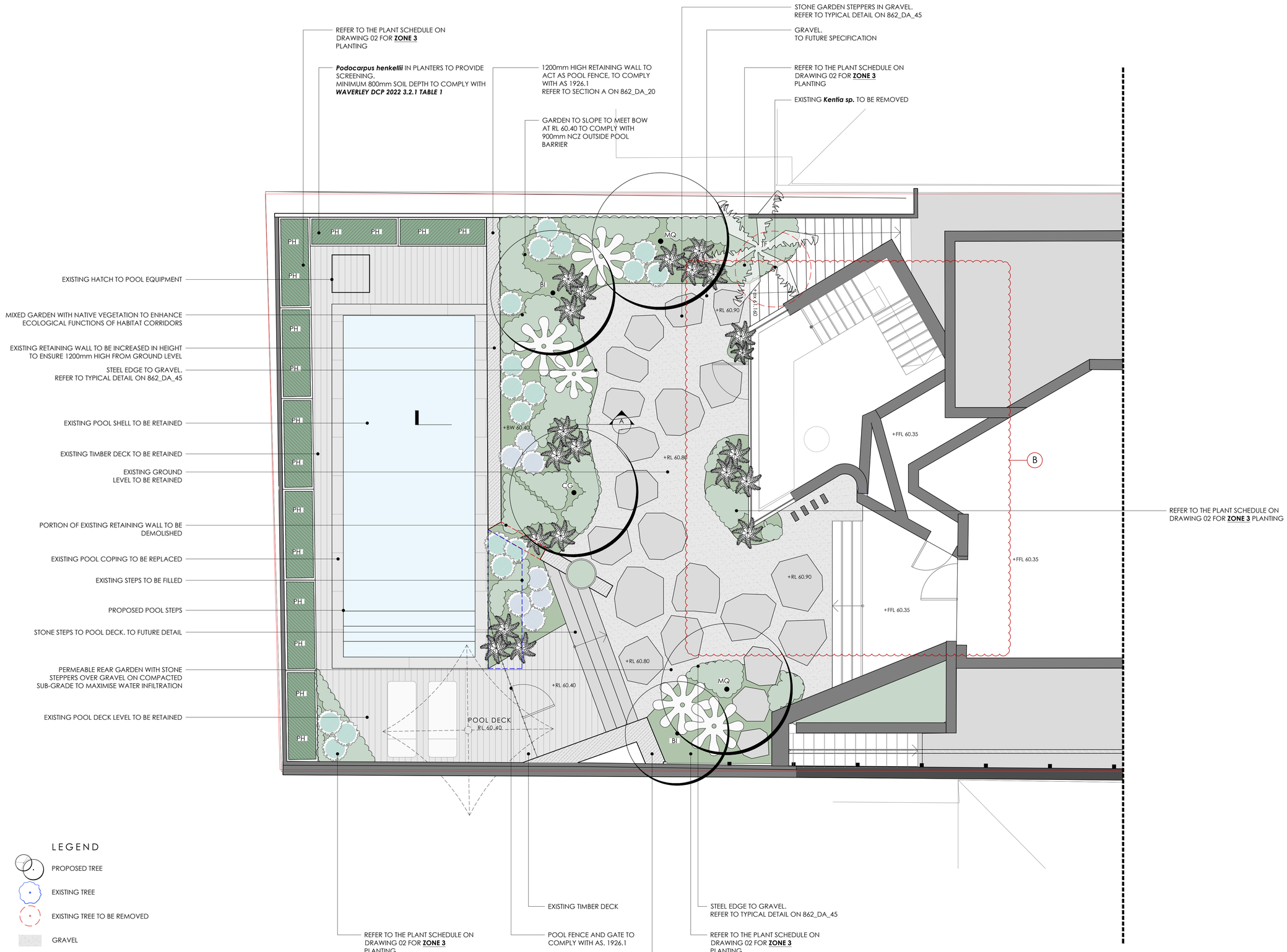
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DRAWING:
LANDSCAPE PLAN 2 - LOWER GROUND FLOOR

DWG No: 862_DA_11
SCALE: 1:50 @ A1
DRAWN: GC
CHECKED: LM
ISSUE: B

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SCALE 1:50

0 1 2 3 4 5

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DRAWING:
LANDSCAPE PLAN 3 - BASEMENT

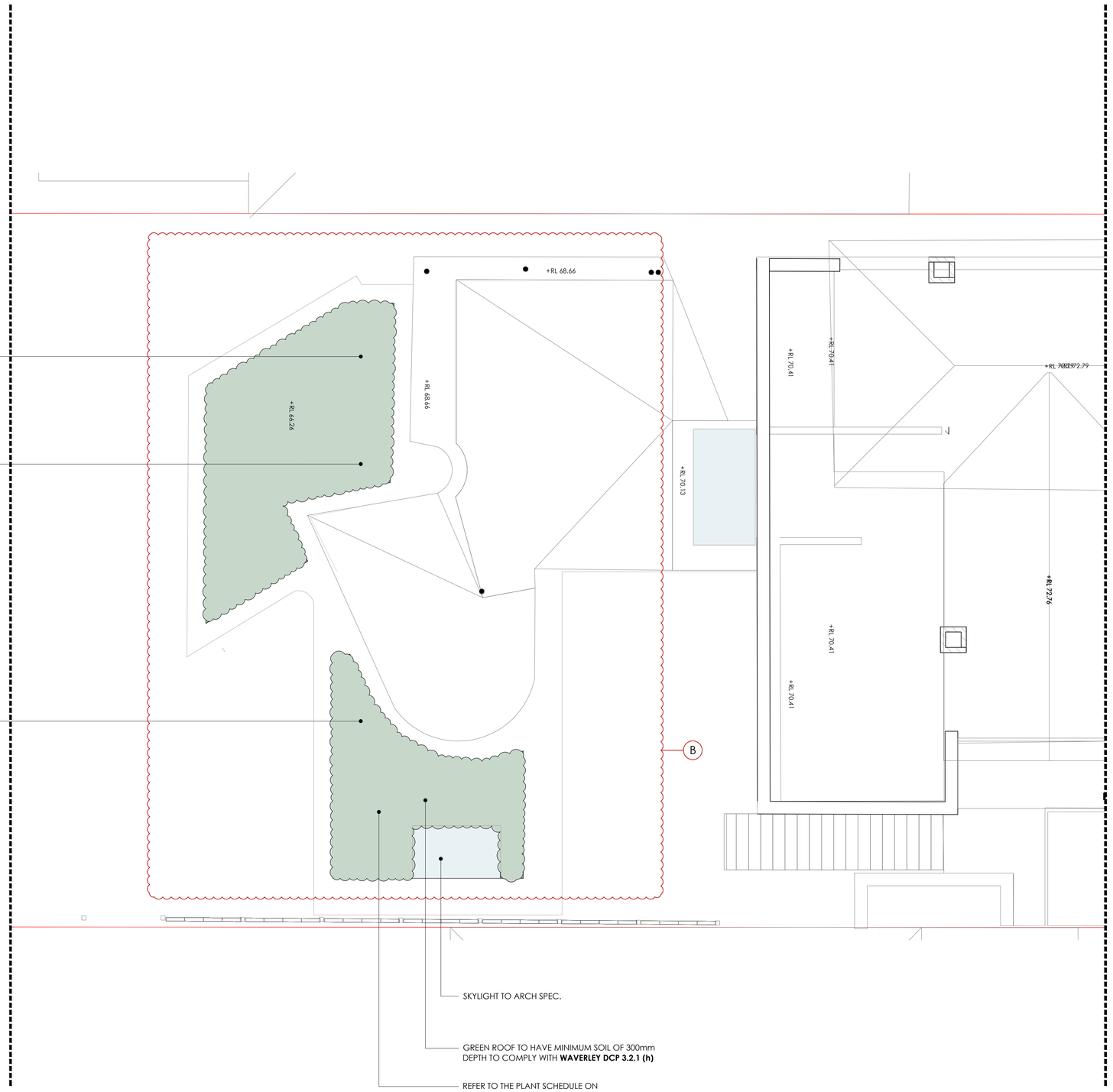
DWG No: 862_DA_12
SCALE: 1:50 @ A1
DRAWN: GC
CHECKED: LM
ISSUE: B

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GREEN ROOF TO HAVE MINIMUM SOIL OF 300mm DEPTH TO COMPLY WITH **WAVERLEY DCP 3.2.1 (h)**

REFER TO THE PLANT SCHEDULE ON DRAWING 02 FOR **ZONE 4** PLANTING

REFER TO TYPICAL DETAIL ON 862_DA_45 FOR PLANTER BOX SOIL PROFILE



LEGEND

- PROPOSED TREE
- EXISTING TREE
- EXISTING TREE TO BE REMOVED
- GRAVEL
- GARDEN BED
- PROPOSED HEDGE

SCALE 1:50

0 1 2 3 4 5

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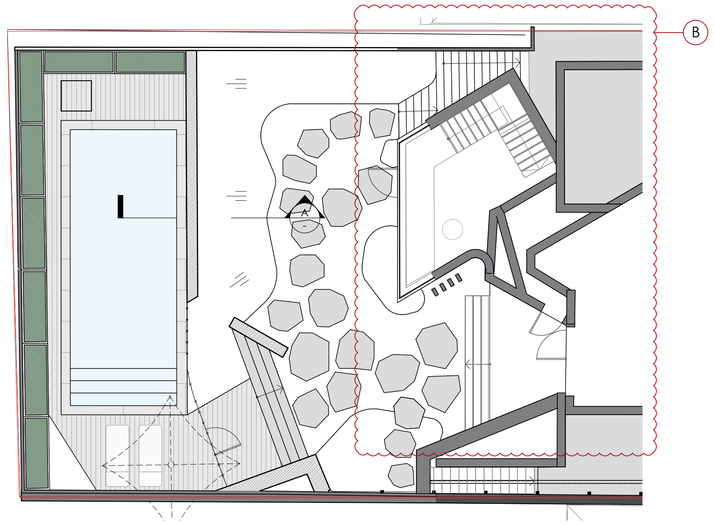
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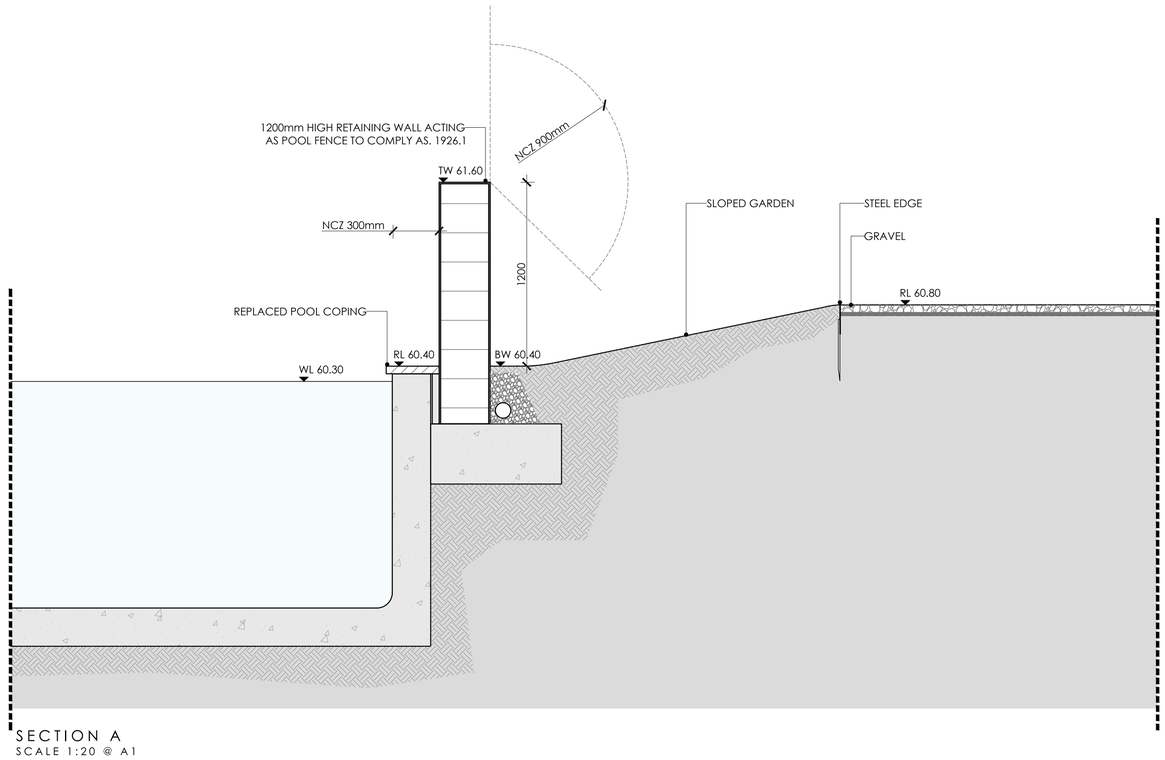
DRAWING:
LANDSCAPE PLAN 4 - ROOFTOP

DWG No: 862_DA_13
SCALE: 1:50 @ A1
DRAWN: GC
CHECKED: LM
ISSUE: B

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KEY PLAN
SCALE 1:100 @ A1



SECTION A
SCALE 1:20 @ A1

SCALE 1:50
0 1 2 3 4 5

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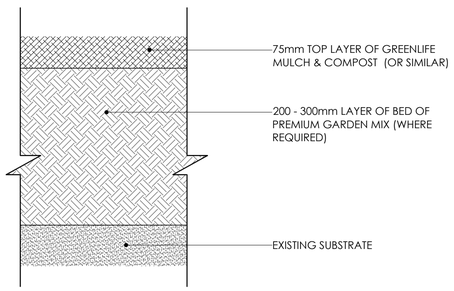
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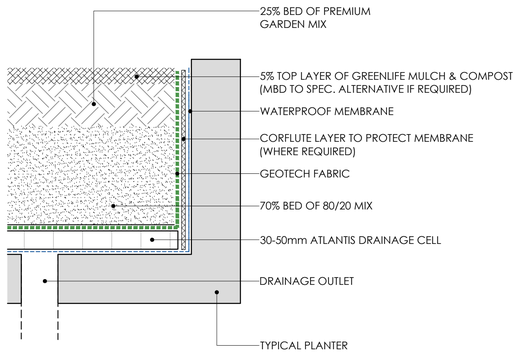
DRAWING:
SECTION - POOL FENCE

DWG No: 862_DA_20
SCALE: 1:50 @ A1
DRAWN: GC
CHECKED: LM
ISSUE: B

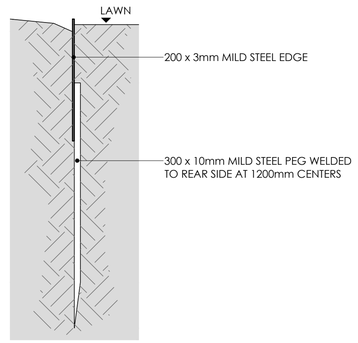
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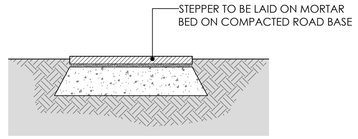
TYPICAL GARDEN SOIL PROFILE
SCALE: 1:5 @ A1



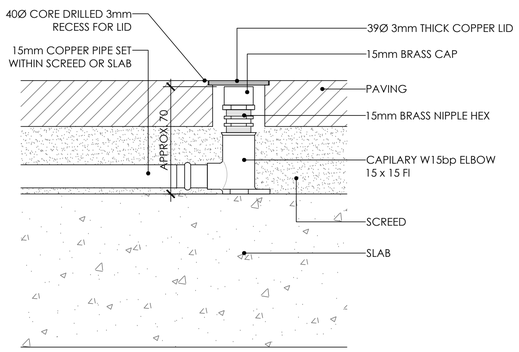
TYPICAL PLANTER SOIL PROFILE
SCALE: 1:5 @ A1



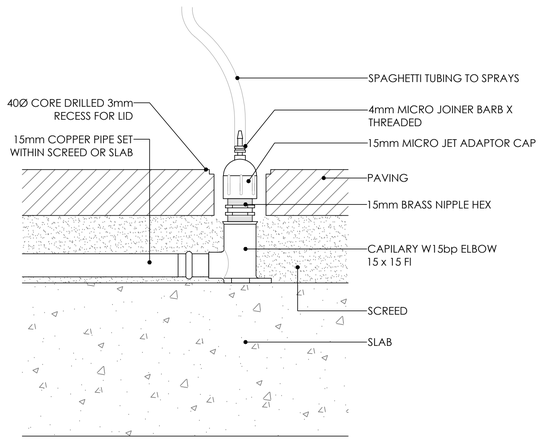
TYPICAL STEEL EDGE
SCALE 1:5 @ A1



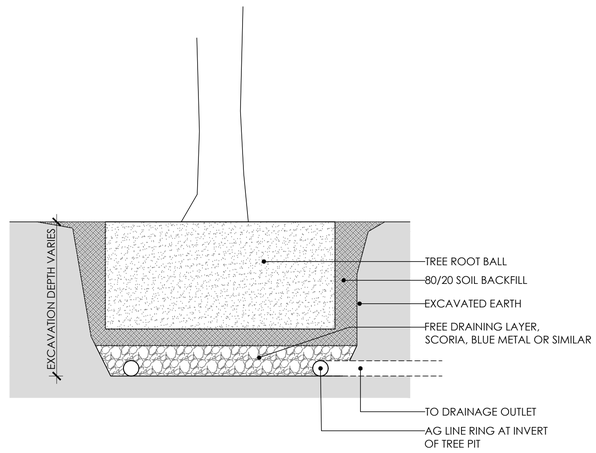
TYPICAL GARDEN STEPPER
SCALE: 1:10 @ A1



TYPICAL PAVING IRRIGATION CLOSED
SCALE 1:2 @ A1



TYPICAL PAVING IRRIGATION OPEN
SCALE 1:2 @ A1



TYPICAL TREE PIT DRAINAGE
SCALE 1:20 @ A1

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DRAWING:
TYPICAL DETAILS

DWG No: 862_DA_45
SCALE: AS NOTED
DRAWN: GC
CHECKED: LM
ISSUE: A

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GENERAL SPECIFICATION NOTES

1.0 STANDARDS

1.1 SOILS

- AS 4419: Soils for Landscaping and Garden Use
- AS 3743: Potting Mixes
- AS 4454: Composts, Soil Conditioners and Mulches

1.2 Plants

- AS 2303: Tree Stock for Landscape Use
- AS 4970: Protection of Trees on Development Sites

2.0 PRODUCTS

2.1 MATERIAL

Topsoil

- Source: Provide topsoil, which contains organic matter, is free from stones, contaminants and weeds
- Site: If available, provide material recovered from the site

Turf

- Supplier: Obtain turf from a specialist grower of cultivated turf
- Quality: Provide turf of even thickness, free from weeds and other foreign matter

Fertiliser

- General: Provide proprietary fertilisers, delivered to the site in sealed bags marked to show manufacturer or vendor, weight, fertiliser type, N:P:K ratio, recommended uses and application rates

Plants

- Health: Supply plants with foliage size, texture and colour at time of delivery consistent with the size, texture and colour shown in healthy specimens of the nominated species
- Vigour: Supply plants with extension growth consistent with that exhibited in vigorous specimens of the species nominated
- Damage: Supply plants free from damage and from restricted habit due to growth in nursery rows
- Pests and disease: Supply plants with foliage free from pest attack or disease
- Substitutes: Plant substitution (species or quantities) is not acceptable unless approved by Myles Baldwin Design.

3.0 EXECUTION

3.1 SITE PREPARATION

Weed eradication

- Herbicide: Eradicate weeds with a non-residual glyphosate herbicide in any of its registered formulae, at the recommended maximum rate
- Earth mounds
- Placing: Place clean filling in layers approximately 150 mm thick compacted to 85% of the dry density ratio of the surrounding soil as determined by AS 1289.5.4.1. Minimise slumping and further internal packing down

Edges

- Construct changes in grade over a minimum width of 500 mm to smooth, gradual and rounded profiles with no distinct joint

Existing trees

- Tree protection zones (TPZ) shall be established around all trees to be retained and in accordance of AS 4970. The area within the fence shall be mulched and maintained at 75mm depth
- No excavation, construction activity, grade changes, storage of materials, stock piling, siting of sheds, preparation of mixes or cleaning of tolls is permitted within the TPZ

Planting beds

- Excavated: Excavate to bring the subsoil to at least 300 mm below finished design levels. Shape the subsoil to fall to subsoil drains where applicable. Break up the subs to a further depth of 100 mm
- Unexcavated: Remove weeds, roots, building rubble and other debris. Bring the planting bed to 75 mm below finished design levels
- Services and roots: Do not disturb services or tree roots; if necessary, cultivate these areas by hand

Placing topsoil

- General: Spread the topsoil on the prepared subsoil and grade evenly, making the necessary allowances to permit the following:
- Required finished levels and contours may be achieved after light compaction
- Grassed areas may be finished flush with adjacent hard surfaces such as kerbs, paths and mowing strips

Topsoil depths

- General: Spread topsoil to the following typical depths:
- Excavated planting areas: If using organic soil, 300 mm. Refer to typical soil profile detail
- Irrigated grassed areas generally: 150 mm
- Irrigated grassed areas, heavy use (e.g. playing fields, playgrounds, and public parks): 200 mm

Sediment and Erosion Control

- Sediment and erosion control measures are required during the construction of all developments and building works. It shall be the contractor's responsibility that works are carried out in accordance with a sediment and erosion control plan and council/approving authority's requirements.

3.2 TURFING

General

- Supply: Deliver the turf within 24 hours of cutting, and lay it within 36 hours of cutting. Prevent the turf from drying out between cutting and laying. If it is not laid within 36 hours of cutting, roll it out on a flat surface with the grass up, and water as necessary to maintain a good condition
- Laying: Lay the turf in the following manner:
- In stretcher pattern with the joints staggered and close butted
- Parallel with the long sides of level areas, and with contours on slopes
- To finish flush, after tamping, with adjacent finished surfaces of ground, paving edging, or grass seeded areas
- Tamping: Lightly tamp to an even surface immediately after laying. Do not use a roller
- Fertilising: Mix the fertiliser thoroughly into the topsoil before placing the turf. Apply lawn fertiliser at the completion of the first and last mowings, and at other times as required to maintain healthy grass cover
- Watering: Water immediately after laying until the topsoil is moistened to its full depth. Continue watering to maintain moisture to this depth
- Levels: Where levels have deviated from the design levels after placing and watering, lift turf and re-grade topsoil to achieve design levels

3.3 PLANTING

General

- Individual plantings in grassed areas: Excavate a hole twice the diameter of the root ball and at least 100 mm deeper than the root ball. Break up the base of the hole to a further depth of 100 mm, and loosen compacted sides of the hole to prevent confinement of root growth
- Watering: Thoroughly water the plants before planting, immediately after planting, and as required to maintain growth rates free of stress
- Placing: Remove the plant from the container with minimum disturbance to the root ball, ensure that the root ball is moist and place it in its final position, in the center of the hole and plumb, and with the top soil level of the plant root ball level with the finished surface of the surrounding soil
- Fertilising plants: In planting beds and individual plantings, place fertiliser pellets around the plants at the time of planting
- Backfilling: Backfill with topsoil mixture. Lightly tamp and water to eliminate air pockets

3.4 TREES

General

- All trees must be planted by an AQF Level 3 Qualified Arborist, Landscape Gardener or Horticulturalist

Clay Soils

- The base of each tree pit within clay soils shall be laid with 100mm deep scoria. A 90mm ag line ring shall sit within the scoria and drain directly to a suitable location. Lay geo-textile fabric evenly above the scoria, prior to tree placement and backfilling with 80/20 mineral soil

3.5 MULCHING

Placing mulch

- General: Place mulch to the required depth, clear of plant stems, and rake to an even surface flush with the surrounding finished levels. Spread and roll mulch so that after settling, or after rolling, it is smooth and evenly graded between design surface levels sloped towards the base of plant stems in plantation beds, and not closer to the stem than 50 mm in the case of gravel mulches.
- Garden beds: Greenlife Mulch and Compost
- Tree mulch ring: Mushroom compost
- Depths: Spread organic mulch to a depth of 75 mm, and gravel mulch to a depth of 50 mm

3.6 STAKES AND TIES

Stakes

- Material: Hardwood, straight, free from knots or twists, pointed at one end
- Installation: Drive stakes into the ground at least one third of their length, avoiding damage to the root system

Ties

- General: Provide 50 mm hessian webbing ties fixed securely to the stakes, one tie at half the height of the main stem, others as necessary to stabilise the plant

3.7 WATERING

Establishment

- Extent: Available soil moisture content of grass areas and garden beds to be monitored on a weekly basis using an approved moisture probe and water applied on a demand basis. Readings should be taken at a depth of 250mm
- All grass areas and garden beds should be maintained within a range of 50-80% available soil moisture. Under no circumstance should areas under irrigation fall below a level of 30% available soil moisture
- No visible signs of wilting of leaves or stems, with all plants fully turgid at all times.
- No sign of over-watering such as constantly wet soil, brown leaf margins, stem rot or brown spots on foliage

3.8 LANDSCAPE SUBSOIL DRAINAGE

General

- Include subsoil drainage behind retaining walls, along path edges and in mass planting beds, including lawn areas. Maintenance access points shall be every 15m

Materials

- Geotextile fabric: shall consist of a woven or a non-woven type to be manufactured from synthetic materials other than polyamide
- Aggregate: shall be a single size with a nominal dimension of 10-40mm
- Subsoil pipe: shall be 90 mm diameter corrugated flexible slotted PVC pipe in a geofabric sock, or 100mm µPVC if under pavement. All pipes to requirements of AS 1254. Where vehicle loads are encountered, reinforced concrete pipe shall be used only

Construction

- Trenches to be minimum 300mm wide and extend 500mm below the subgrade level or 150mm if into bed rock
- Trenches to be lined with geotextile fabric and backfilled with aggregate. Pipe to be laid 50mm above trench floor
- Prior to backfilling the trench, drainage and connection to stormwater is to be approved by the site manager

3.9 COMPLETION

Cleaning

- Stakes and ties: Remove those no longer required at the end of the planting establishment period
- Temporary fences: Remove temporary protective fences at the end of the planting establishment period

4.0 ESTABLISHMENT & DEFECTS LIABILITY

4.1 ESTABLISHMENT

General

- All landscaping works will have an establishment period of 26 weeks in which the subcontractor will be responsible for the maintenance and upkeep of the contracted scope, unless otherwise noted in the project documentation. If applicable refer to the project manager / builder for confirmation

4.2 DEFECTS LIABILITY PERIOD

General

- All landscaping works will be subject to a defects liability period of 52 weeks, commencing from the date of Practical Completion, unless otherwise noted in the project documentation. If applicable refer to the project manager / builder for confirmation

4.3 FAILED PLANTINGS

General

- Photographic images of plants shall be approved by Myles Baldwin Design prior to procurement of replacement plant and tree stock

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DRAWING:
GENERAL SPECIFICATION

DWG No: 862_DA_50
SCALE: AS NOTED
DRAWN: GC
CHECKED: LM
ISSUE: A

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Report to the Waverley Local Planning Panel

Application number	DA-309/2025
Site address	48 Roscoe Street BONDI BEACH
Proposal	Alterations and additions to residential flat building to provide a new lift and additional 3-bedroom unit.
Date of lodgement	3 July 2025
Owner	Ms P A Halle
Applicant	CSA Architects Pty Ltd
Submissions	Nil
Cost of works	$778,800
Principal Issues	Floor Space Ratio
Recommendation	That the application be APPROVED in accordance with the conditions contained in the report.

SITE MAP



1. PREAMBLE

1.1. Executive Summary

The development application seeks consent for alterations and additions to the residential flat building at the site known as 48 Roscoe Street BONDI BEACH.

The principal issue arising from the assessment of the application is an exceedance of the floor space ratio (FSR) development standard. The applicant has provided justification establishing that the proposal is consistent with the objectives of the FSR development standard. The applicant has adequately addressed that there are sufficient environmental planning grounds to justify contravening the development standard.

No submissions were received.

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

1.2. Site and Surrounding Locality

A site visit was carried out on 1 September 2025.

The site is identified as Lot 1 DP 121646, known as 48 Roscoe Street BONDI BEACH.

The site is rectangular with a 12.19m frontage to Roscoe Street and a 34.135m frontage to Glenayr Avenue. It has an area of 416.1m^2 and it falls from the front (southwest) towards the rear (northeast) by approximately 1.5m.

The site is occupied by a two-storey Inter-War residential flat building, constructed of face brickwork with a hipped roof clad in concrete tiles, accommodating eight apartments including 6 x 2 bedroom and 2 x 1 bedroom units. There is no car parking provided on site.

The site is adjoined by Inter-War residential flat buildings on Roscoe Street, which vary between 2 and 4 storeys. Glenayr Avenue is a commercial thoroughfare characterised by ground floor commercial shopfronts with residential apartments above. The locality is characterised by a variety of medium density residential developments and is within or surrounds a neighbourhood centre.

The site is not listed as a heritage item nor is it located in a heritage conservation area, but it is adjacent to, and in the vicinity of, the following heritage items:

- Inter-War Mediterranean style substation (Local Item I109) to the rear (south); and
- Art Deco style flat building (Local item I110) at 149-151 Glenayr Avenue.

Figures 1 to **10** are photos of the site and its context.

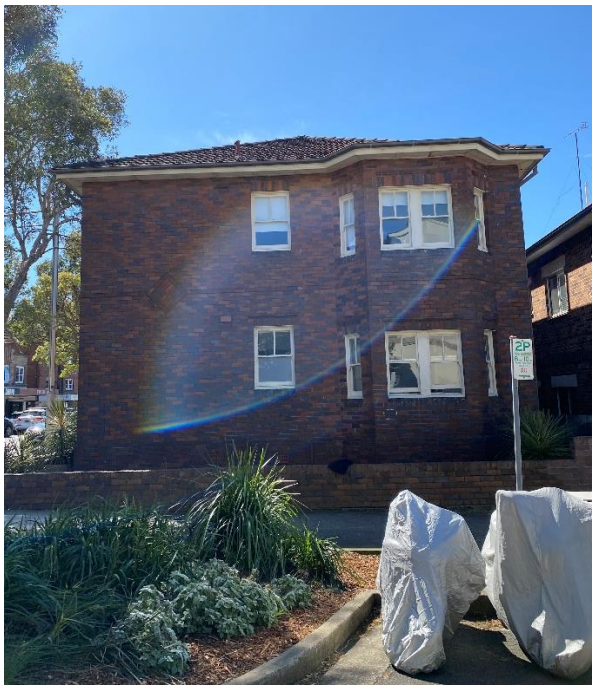


Figure 1: Subject site viewed from Roscoe Street

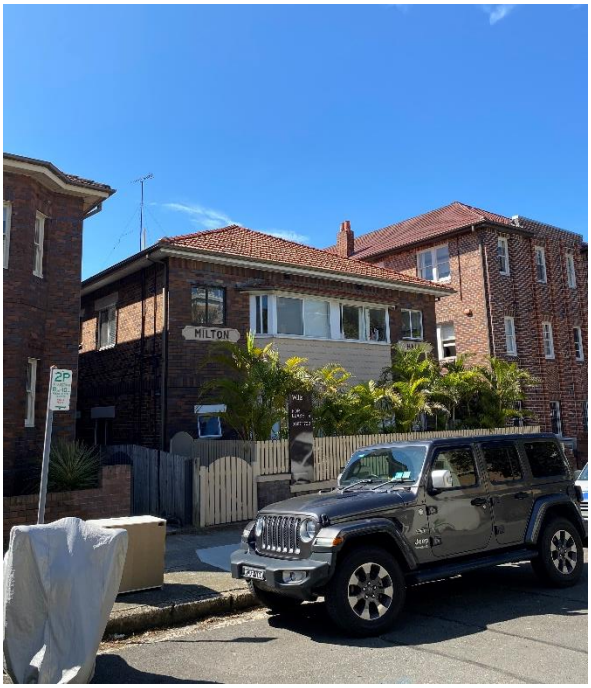


Figure 2: Neighbouring buildings on Roscoe Street



Figure 3: Subject site viewed from Glenayr Ave



Figure 4: Subject site viewed from Glenayr Ave



Figure 5: Building entrance from Glenayr Ave, which is proposed to be retained



Figure 6: Existing window viewed from within the stairwell, proposed to be retained



Figure 7: Existing foyer looking towards proposed lift location

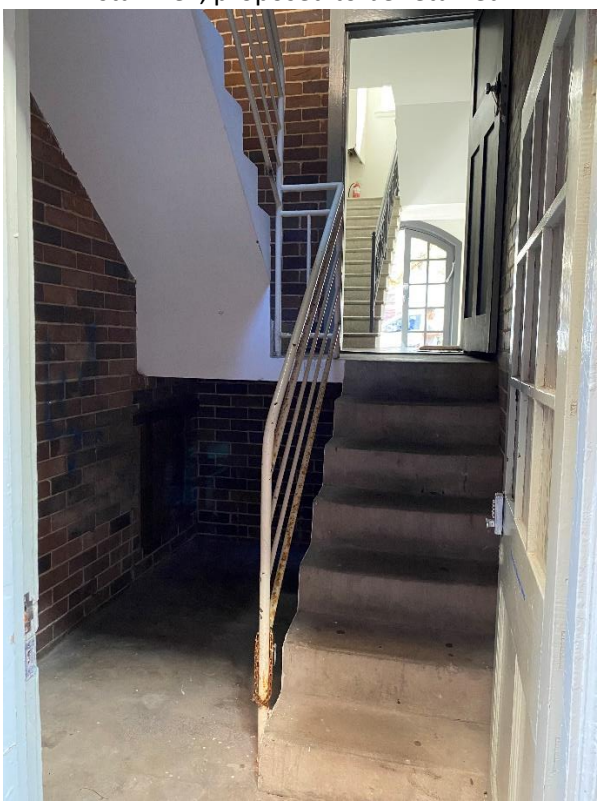


Figure 8: Existing stairs to be removed to accommodate lift access



Figure 9: Building entrance from the eastern passageway entrance. This entry is proposed to be widened to accommodate lift access

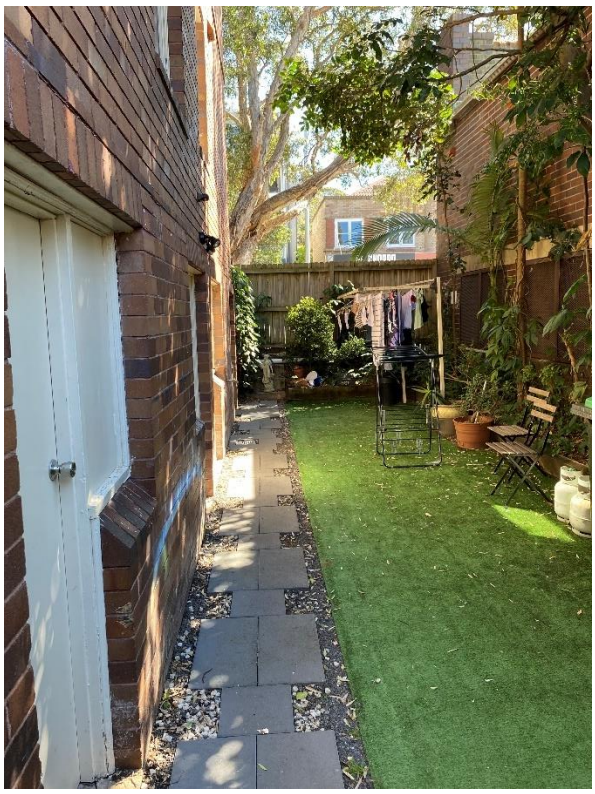


Figure 10: Existing outdoor area. The proposal includes bicycle parking and landscaping

1.3. Relevant Development History

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

- DA-22/2022 proposed alterations and additions to the residential flat building, including an upper floor addition to provide for an additional two-bedroom unit.

  The Design Excellence Advisory Panel was not supportive of the design, suggesting that the *"design be revisited from first principles, starting with a thorough investigation of the local character and the site's unique attributes. The conceptual direction of the revised design could still be distinctly contemporary, setting itself apart from the existing building, but this move needs to be carefully argued and considered."* The application was withdrawn by the applicant on 11 March 2022.

- PD-1/2024 was lodged seeking Pre-DA advice on a revised scheme for alterations and additions to provide a new lift and additional 3-bedroom unit. The advice provided by Council staff on 23 February 2024 indicated that the key issues with the proposal were the FSR exceedance, overshadowing and design excellence. The applicant was encouraged to incorporate good design to better align with the character of the area.

1.4. Proposal

The development application seeks consent for alterations and additions to the existing residential flat building, and specifically includes the following:

- Remove the existing roof and extend the parapet to accommodate a new single storey three-bedroom apartment.
- Installation of planters on the balcony with 1m high glass balustrades.
- Construction of a new Colorbond metal hipped roof and the installation of solar photovoltaic panels.
- Removal of one internal staircase on all levels and replacement with an access lift.
- Works to the external communal area including bin storage area; bicycle parking for nine bikes; replacement of the rear fence, gate and stairs; and introduction of landscaping.

1.5. Background

The development application was lodged on 3 July 2025 and deferred on 9 September 2025 for the following reasons:

1. Additional shadow diagrams in plan, elevation and view from the sun form on the winter solstice are required.

The additional information was received on 15 September 2025 and have been relied upon for the assessment. The additional information related to shadow diagrams only.

2. ASSESSMENT

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

2.1. Planning Instruments and Development Control Plans

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

2.1.1. State Environmental Planning Policies (SEPPs)

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

- SEPP (Sustainable Buildings) 2022
- SEPP (Housing) 2021

A detailed discussion is provided for relevant SEPPs as follows:

SEPP (Housing) 2021

Part 3 – Retention of existing affordable rental housing

Division 1, Chapter 2, Part 3 of SEPP (Housing) 2021 relates to the development as the existing building contains low rental dwellings. This part of the Housing SEPP 2021 allows Council to consider charging the developer a monetary contribution if a development application is considered to result in a reduction of bedrooms in low rental dwellings.

The existing building is considered to contain affordable housing, as 7 of the 8 units are low-rental dwellings being leased at prices at, or below, the median rental price at least once in the five years prior to the lodgement of the application and therefore can be considered as low-rental dwellings.

The proposal includes the installation of a lift and the additional level containing a new three-bedroom unit. The proposal does not include any changes to the lower levels or the existing units. Therefore, the proposal will not impact the existing tenancy arrangements of the occupancy and/or result in the loss of low rental dwellings in the building. Given the proposal will not cause a material loss of these apartments, and the proposed works will not provide any additional benefit or renovation to the units that would justify any increased rents, the existing apartments will remain as is and will not be impacted by this proposal.

A contribution under Clause 47(2) of the Housing SEPP is not required.

Part 4 – Design of residential apartment development

Division 1, Chapter 2, Part 3 of SEPP (Housing) 2021 relates to the development as the existing building The application was referred to the Waverley Design Advisory Excellence Panel (DEAP) on 13 August 2025. The DEAP did not comment on the proposed development against the nine design quality principles under the Apartment Design Guide, instead only remarking that the proposal is considered capable of meeting the design principles of SEPP (Housing) 2021 and achieve design excellence. Planning comments are set out in **Table 1** of this report in response to each of the design principles.

Table 1: Assessment against the Nine Design Quality Principles under SEPP 65

Principle	Planning Comment
1. Context and Neighbourhood	The proposal considers the surrounding context, especially the heritage items and Inter-War buildings of the Bondi Beach area. The roof form was designed to blend with the surroundings. There are a number of examples of contemporary top floor additions to Inter-War buildings within the surrounding context.
2. Built form and Scale	The top floor addition is set back from the façade on all four sides of the building. The proportion and scale of the addition ensures that the existing part of the

Principle	Planning Comment
	building remains the dominant visual element. The scale of the proposal is in keeping with the existing streetscape and does not dominate the public domain.
3. Density	The density is appropriate for the site and its context. The proposed 3-bedroom apartment will improve housing diversity and respond to the current housing needs in the area.
4. Sustainability	The design incorporates ceiling fans in all bedrooms and living areas. Additionally, the new unit will have electric appliances to avoid the use of gas. New solar panels will also be incorporated into the new roof for use by the whole building.
5. Landscape	The proposal significantly improves landscaping on site. New planters are proposed on the balcony of the top floor addition and vegetation will be visible from the street. New landscaping is proposed on the ground floor
6. Amenity	The proposed apartment offers amenity to future occupants, having openings on all sides for natural ventilation and solar access.
7. Safety	There is a main lockable entry door to the building and an intercom which will remain as existing.
8. Housing Diversity and Social Interaction	The existing building consists of 8 apartments (six x 2-bedroom and two x 1-bedroom). The proposed top floor unit, being a 3-bedroom unit, will improve the housing diversity offered on site. The proposal includes landscaping works and bicycle parking within the communal open space, which provides opportunities for social interaction.
9. Aesthetics	The proposal achieves a good composition of new and old elements. The roof design recedes above all sides of the existing building and is consistent with the neighbouring roofs in terms of form and pitch.

Apartment Design Guide

Clause 149 of SEPP (Housing) 2021 requires that development control plans (DCPs) cannot be inconsistent with the Apartment Design Guide (ADG) in respect of the following:

(a) visual privacy,
(b) solar and daylight access,
(c) common circulation and spaces,
(d) apartment size and layout,
(e) ceiling heights,
(f) private open space and balconies,
(g) natural ventilation,
(h) storage.

If a DCP contains provisions that specify requirements, standards or controls in relation to a matter to which this clause applies, those provisions are of no effect. An assessment against the provisions within the ADG is provided in **Table 2** of this report. The relevant parts of the DCP which have no effect have not been considered in **Table 5** of this report.

Table 2: Apartment Design Guide

Design Criteria	Compliance	Comment
3F Visual privacy		
• *Min separation distances from buildings to side and rear boundaries:* • *Up to 12m (4 storey) – 6m habitable & 3m non-habitable* • *Increased separation of 3m where adjoins a lower density zone*	No, but considered acceptable	The existing building is separated by 1.2m from the eastern boundary and 3.2m from the rear boundary. The proposed addition is separated by 2.9m from the eastern boundary and 7.8m from the rear boundary. The minor non-compliance with the minimum separation distance to the eastern boundary is considered acceptable as this façade contains secondary windows to the kitchen splashback, lounge room and bathroom and ensuite only. The primary outlook is to the south, west and northern boundaries.
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*	Yes	• The proposed unit receives more than 2 hours of solar access mid winter. • The unit has openings in all directions and as such will receive direct sunlight in mid-winter. The proposal is consistent with the remaining objectives of this part of the ADG ensuring that daylight access is satisfactory and incorporating shading in the warmer months.
4B Natural ventilation		
• *All habitable rooms are naturally ventilated* • *At least 60% of units with natural cross ventilation*	Yes	• All habitable rooms are provided with at least one window for natural ventilation. • The proposed new unit has openings in all directions and can therefore be naturally cross ventilated.
4C Ceiling heights		
• *Habitable rooms – 2.7m* • *Non-habitable rooms – 2.4m*	Yes	The ceiling height for the new unit is 2.7m at the lowest point and 3.8m at the highest point.

4D Apartment size and layout		
The following minimum internal areas apply: • *3 Bed = 90 m^2* • *Add 5m^2 for each additional bathroom (above 1)* *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*	Yes	The proposed unit has a total area of 99.86m^2 which exceeds the minimum ADG requirement. In this regard, the unit size and layout is acceptable. The Applicant states the proposal achieves compliance with the minimum glazed area to each habitable room. All bedrooms meet the minimum requirements in terms of dimensions and area. The kitchen is separate to the circulation spaces. All robes are a minimum of 1.5m. The proposal is consistent with the objectives of this part of the ADG.
4E Private open space and balconies		
All apartments provide primary balcony as follows: • *3+bed - 12m^2 & 2.4m depth*	Yes	The proposed unit is provided with two balconies that are accessible from the main living areas and bedrooms that meets the minimum requirements of the ADG in terms of area and depth. The balconies are accessed from the main living area and face north, east and south. The design of the balconies is integrated into, and contributes to, the architectural form and detail of the building. The finishes of the balconies is consistent with the contemporary palette of materials in the building overall.
4F Common circulation and spaces		
• *Max of 8 units accessed off a circulation core on a single level*	Yes	The common circulation to the existing units will remain as existing, with the addition of the new lift replacement the secondary stairs. The existing and new corridors are comfortable and of appropriate length.
4G Storage		
In addition to kitchens, bathrooms and bedrooms, the following is provided: • *3+bed – 10m^3*	Yes	The applicant advises that the proposed unit has a total storage of 10m^2 as suggested by the ADG. There is laundry space and storage accessible via the communal open space. The proposal also includes bicycle parking spaces.

2.1.2. Waverley Local Environmental Plan 2012 (Waverley LEP 2012)

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

Table 3: Waverley LEP 2012 Compliance Table

Provision	Compliance	Comment
Part 1 Preliminary		
1.2 Aims of plan	Yes	The proposal is consistent with the aims of the LEP.
Part 2 Permitted or prohibited development		
Land Use Table *R3 Medium Density Zone*	Yes	The proposal is defined as a residential flat building which is permitted with consent in the R3 zone. The proposal is consistent with the objectives of the zone.
Part 4 Principal development standards		
4.3 Height of buildings • *12.5m*	Yes	The proposed height is 11.84m which complies.
4.4 Floor space ratio and • *0.9:1 (374.49sqm GFA)*	No	The proposed FSR is 1.4:1 (GFA of 583.28sqm), which is a 208.72sqm or 55.75% variation. It is noted that the existing FSR is 1.17:1 (GFA of 485.01sqm), which is a 110.52sqm or 29.51% variation.
4.6 Exceptions to development standards	See discussion	The application is accompanied by a written request pursuant to clause 4.6 of Waverley LEP 2012 to vary the FSR development standard. A detailed discussion of the variation to the development standard is presented below this table.
Part 5 Miscellaneous provisions		
5.10 Heritage conservation	Yes	The site is not a heritage item, nor is it located in a heritage conservation area. To the rear of the site is a heritage item, *Inter-war electricity substation* (Local Item I109). A Statement of Heritage Impact assessment was submitted with the development application and the application was referred to an external heritage consultant. In

Provision	Compliance	Comment
		principle, there is no objection to the development from a heritage perspective. Further details regarding the heritage referral comments are discussed in other sections of this report.
5.21 Flood Planning	Yes	The site is located within a Medium Flood Risk Precinct as identified on Council's online Flood Planning Map. The proposal does not include any substantive ground level works or changes to the building footprint therefore, no further assessment is required in this regard.
Part 6 Additional local provisions		
6.1 Acid sulfate soils	Yes	The site is located in a Class 5 Acid Sulfate Soil Area. The works will not lower the water table.
6.14 Waste minimisation and recycling	Yes	Satisfactory. The proposal includes appropriate bin storage.
6.15 Stormwater Management	Yes	Satisfactory. Council's stormwater engineers raised no objection to the proposal, subject to conditions relating to stormwater included in the consent conditions.

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

Clause 4.6 Exceptions to Development Standards

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

The site is subject to a maximum FSR development standard of 0.9:1. The proposed development has an FSR of 1.4:1, exceeding the standard by 208.72m^2 equating to a 55.75% variation. It is noted that the existing building already exceeds the development standard by 110.52m^2 or a 29.51% variation.

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

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

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

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

Applicant's Written Request - Clause 4.6(3)(a) and (b)

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

(a) That compliance with the development standard is unreasonable or unnecessary in the circumstances of the case:
   (i) The proposal meets the FSR development standard objective (b) by providing a correlation between maximum building heights and density controls:
      a. The maximum height development standard is 12.5m. This proposal is 11.84m, being 0.66m below the height standard.
      b. The building will be perceived as two storeys with a recessive third storey at the top level, set back from the original building fabric which respects the proportions and scale of the original building.
      c. Typical of corner Inter-war buildings, this building has reduced front setbacks to both Roscoe Street and Glenayr Avenue. This results in additional GFA as compared to other buildings that are subject to side setback controls on both sides.
      d. In combination with the height standard, the side, front and rear setback controls in the DCP dictate the visual bulk anticipated from the street and the public domain. The existing building has 1.2m side setback on ground and first floor level. The proposed addition on the second level, is setback further to a minimum 2.4m to the southeastern boundary.
      e. The surrounding context includes similar three-storey buildings. With the addition of a storey, the building is still under the maximum permissible height. The proposed addition is recessed from the original building fabric, which ensures that the proposed addition sits within the existing architectural features of the building.
   (ii) The proposal meets the FSR development standard objective (c) by ensuring that the building is compatible with the bulk and scale of the desired future character of the locality:
      a. The bulk and scale of the building is compatible with the character of the locality as it seeks to retain and adapt the building of architectural character that has been on this site since the 1930s.
      b. The proposed addition to the building respects the front and rear building lines dictated by the adjoining properties, measured at each level. The building's visual bulk and scale is comparable to recent development in this locality.
   (iii) The proposal meets the FSR development standard objective (d) by ensuring that the overall scale of the development preserves the environmental amenity of neighbouring properties and the locality.
      a. The overshadowing diagrams demonstrate that the proposed impact on solar access preserves the amenity of neighbouring properties.
      b. In terms of the amenity of the locality, the landscape plan introduces 432 new plants onto the site, including a *Pheonix Roebelinii* feature tree positioned on the corner of

the site presenting to both Roscoe Street and Glenayr Avenue, that will enhance the biodiversity and landscape contribution of the site.

c. There are no direct impacts on the amenity of the locality arising from the proposed additional level. As such, the environmental amenity of the locality is also preserved.

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

(i) The scale of the building is appropriately two-storeys with a third recessive level above, being more than 0.66m below the WLEP height development standard.

(ii) The design, form and scale of the building is complementary to, and compatible with, the character of the locality, which is directly facilitated by the inclusions of a recessive third storey that relates to the FSR variation.

(iii) The additional floor area contained within the third storey is set back from the original building fabric to reduce the building's form and avoid any overshadowing impacts to neighbouring buildings.

(iv) The additional floor area is required to ensure that the third level has sufficient area to be an independent unit with lift access for greater accessibility. Removing this level would not make the existing building compliant as it already exceeds the FSR development standard by 114.14m^2. Removing the level would reduce the opportunity to provide additional housing and accessibility options for the existing occupants.

(v) The additional floor area facilitates engagement with the Council's Planning Agreements Policy, and offers a financial contribution of $519.272 towards public benefits at the discretion of Council, inclusive of 25% towards their affordable housing portfolio.

(vi) That despite the non-compliance, the building satisfies the objectives of the development standard and the zone.

Consideration of Applicant's Written Request

The applicant's written request has correctly identified the development standard to be varied, relevant legislation and calculated the FSR using the definition in the LEP. The document also addressed those matters required in Clause 4.6(3)(a) and (b).

The applicant has provided justification establishing that the proposal is consistent with the objectives of the FSR development standard. The applicant has adequately addressed that there are sufficient environmental planning grounds to justify contravening the development standard. The environmental planning grounds used to justify the variation are well-considered and sound.

Consideration of 4.6(3)(a) whether compliance is unreasonable or unnecessary in the circumstances of the case

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

(a) the objectives of the development standard are achieved notwithstanding non-compliance with the standard;
(b) to establish that the underlying objective or purpose is not relevant to the development with the consequence that compliance is unnecessary;
(c) to establish that the underlying objective or purpose would be defeated or thwarted if compliance was required with the consequence that compliance is unreasonable;
(d) to establish that the development standard has been virtually abandoned or destroyed by the Council's own actions in granting consents departing from the standard and hence compliance with the standard is unnecessary and unreasonable; and
(e) to establish that "the zoning of particular land" was "unreasonable or inappropriate" so that "a development standard appropriate for that zoning was also unreasonable or unnecessary as it applied to that land" and that "compliance with the standard in that case would also be unreasonable or unnecessary.

The applicant specifically relies upon justification (a) of *Wehbe v Pittwater Council* (2007) 156 LGERA 446]. The applicant has provided sound justification establishing that the proposal is consistent with the objectives of the FSR development standard.

The objectives of the FSR 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 and scale of the desired future character of the locality,
d) to establish limitations on the overall scale of development to preserve the environmental amenity of neighbouring properties and the locality.

The proposal is below the maximum allowable height development standard and therefore satisfies objective (b). The locality is characterised by buildings between two and four storeys. The proposal for the third storey, which is recessed behind the main two-storey façade, is compatible with the bulk and scale of the desired future character of the locality, therefore satisfying objective (c). The proposal will not result in unreasonable additional overshadowing (discussed in other areas of this report) or privacy impacts upon surrounding properties, preserving the existing level of amenity. The proposal is considered to be consistent with the relevant objectives of the FSR development standard.

<u>Consideration of 4.6(3)(b) whether there are sufficient environmental planning grounds to justify contravening the development standard.</u>

The applicant has satisfactorily argued that that there are sufficient environmental planning grounds to justify contravening the development standard. As outlined above, the variation promotes improved design and amenity; environmental sustainability; accessibility and design excellence.

The applicant has submitted an undertaking to Council regarding their commitment to enter into a Planning Agreement (PA), in accordance with the *Waverley Council Planning Agreement Policy 2014* (the Policy). The calculation of the PA is based on the additional GFA of the development, that is, calculated as the difference in GFA between existing and proposed form.

The Policy provides a mechanism to address the public benefit offset of additional reasonable impacts from developments exceeding development standards. The offer to enter into a planning agreement addresses the public benefit aspect of maintaining the FSR development standard when Council considers a variation with the standard by way of assessing and determining a development application. The fundamental principle of the Policy is that any benefit that arises from agreement to vary development standards is shared between developer and the community and must be acceptable on environmental impact grounds. The reasonableness of impacts associated with the additional floor space of the proposed development has been considered against the likely public interest (i.e. public domain improvements in the area), which has been found to be acceptable in this instance. The reasonableness relates to the merits of this case only as discussed in the body of this assessment report.

A suitable public purpose or benefit is considered to be provided in the form of the forthcoming execution of a planning agreement, which would contribute to public works or a similar public benefit within the catchment of the site. Appropriate conditions have been included in relation to the Planning Agreement.

The applicant has satisfactorily argued that there are sufficient environmental planning grounds to justify contravening the development standard.

Conclusion

The written request provided by the applicant to vary the FSR development has adequately addressed clause 4.6 of the Waverley LEP 2012 and the justification provided by the applicant is satisfactory.

2.1.3. Waverley Development Control Plan 2022 (Waverley DCP 2022)

The relevant matters to be considered under the Waverley DCP 2022 are outlined below:

Table 4: Waverley DCP 2022 – Part B General Provisions Compliance Table

Development Control	Compliance	Comment
1. Waste • *Garbage bins are to be stored in an appropriate location.*	Yes	Satisfactory. The proposal includes appropriate bin storage.
2. Ecologically Sustainable Development • *Ceiling or wall mounted fans*	Yes	Satisfactory. Solar Panels and ceiling fans have been incorporated into the proposal. The proposal includes electric appliances rather than gas.

Development Control	Compliance	Comment
• *No gas cooktops, gas ovens or gas internal space heating systems.*		
3. Landscaping, Biodiversity and Vegetation Preservation	Yes	Satisfactory. A landscape plan has been provided which increases landscaping on the site.
5.Water Management	Yes	Satisfactory.
6. Accessibility and Adaptability	Yes	Satisfactory.
8. Heritage	Yes	The site is not a heritage item, nor is it located in a heritage conservation area. It is located in close proximity to heritage items (as discussed in the LEP table above). The proposed addition is recessive to the existing building and is within the existing building setbacks. The proposed roof is hipped in form, to be consistent with the existing streetscape character. The proposed addition is visually removed from the heritage items in the vicinity of the site. The proposal is considered to satisfy the relevant clauses in Part B8 *Heritage.*
9. Safety	Yes	Satisfactory. The proposal allows for passive surveillance of the street by introducing new balconies.
11. Design Excellence	Yes	Satisfactory. The proposal demonstrates design excellence as it is of a high standard of architectural design and includes high quality materials and detailing.
16. Inter War Buildings	Yes	Satisfactory. The building was built between 1934 and 1935 and is identified as an Inter-war building, therefore the provisions of Part B16 apply. The proposal is consistent with the objectives as it retains and maintains the Inter-war building and enhances the landscape setting. Furthermore, the proposal is consistent with Objective (f) in that if facilitates design excellence and innovative approaches to alterations and additions in a way that enhances the essential characteristics of both the building and the

Development Control	Compliance	Comment
		streetscape without dominating the original building. The proposal is consistent with the conservation principles in that the façade, streetscape elevations and principal form of the building is retained. The original fenestration, entrance, windows and tiled flooring in the lobby are to be retained.

Table 55: Waverley DCP 2022 – Part C2 Other Residential Development Compliance Table

Development Control	Compliance	Comment
2.2 Height		
• *Maximum external wall height:* *R3/12.5m – 9.5m*	Yes	The proposed maximum height is 11.84m, which complies with the maximum building height control of 12.5m. The external wall height varies between 7.735m and 8.805m which complies.
2.5 Building design and streetscape		
• *Respond to streetscape* • *Sympathetic external finishes* • *Corner sites to address both streets as primary frontages* • *Removal of original architectural features not supported*	Yes	The proposal is consistent with the prevailing streetscape in terms of height, scale and built form. The overall massing, including the proposed hipped roof from, responds well to the existing pattern of development and roofscape character along both Roscoe Street and Glenayr Avenue. The proposed materials match the existing building at the lower levels and contribute to a cohesive appearance across the development.
2.6 Attic and roof design		
• *Roof design should contribute to the architectural design and streetscape character of the area*	Yes	The hipped roof form is characteristic of the Inter-war building architecture. The pitch of the roof is consistent with the surrounding context.
2.7 Fences and walls		
Front fence: • *Maximum height 1.2m* • *Maximum 2/3 solid* • *Maximum height of 1.8m and solid when secondary wall set within property if required for traffic noise*	Yes	The existing front masonry fence is being retained. It measures 1m at its highest point and slopes with the land. The existing side fence to the southern boundary is being retained; it does not exceed 1.8m in height.

Development Control	Compliance	Comment
Side fence: • *Maximum height: 1.8m* *Rear fence:* • *Maximum height: 1.8m*		
2.8 Pedestrian access and entry		
• *Entry at street level and respond to pattern within the street* • *Accessible entry* • *Separate to vehicular entry* • *Legible, safe, well-lit*	Yes	The main building entry from Glenayr Avenue is being retained.
2.9 Landscaping		
• *Comply with part B3-Landscaping and Biodiversity* • *Minimum of 30% of site area landscaped: 124.83m^2* • *50% of the above is to be deep soil: 62.415m^2*	No, existing non-compliance	The site currently provides 85.56m^2 or 20.5% of the site area as landscaped area, which falls short of the minimum requirement of 30% of the site area. The proposal seeks to increase the landscaped area to 101.67sqm, or 24.24% of the site area. While still non-compliant, the proposal improves the landscaping on site which make a positive contribution to the surrounding area.
2.10 Communal open space		
• *Minimum 15% communal (R3 zone): 62.415m^2* • *Minimum dimensions: 6m x 6m* • *Minimum of 30% of communal area must receive three hours of sunlight* • *Residential flat building and shop top housing may locate communal open space on rooftops subject to amenity impacts.*	No, existing non-compliance	The existing front yard to Roscoe Street provides outdoor space for residents. It measures 44.12m^2 or 10.6% of the site area. The outdoor communal area to the rear is 28.88m^2 which provides bicycle parking and access to the communal laundry facilities. Collectively, 73m^2 of communal open space is provided.
2.15 Visual privacy and security		
• *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	The proposed addition is orientated towards the street frontage and is set back from the building façade to maximise privacy for future occupants of the dwelling and neighbouring properties.

Development Control	Compliance	Comment
• *Privacy be considered in relation to context density, separation use and design* • *Prevent overlooking of more than 50% of private open space of lower-level dwellings in same development* • *Roof tops a may be used to meet communal open space requirements*		
2.19 Acoustic privacy		
• *Internal amenity by locating noisy areas away from quiet areas*	Yes	The proposal complies.
2.21 Building services		
• *Services are to be integrated into the design of buildings (garbage rooms, mail boxes, fire hydrants boosters, electrical substations, down pipes, plant rooms, satellite/communications structures*	Yes	No changes proposed to the existing building services.

2.2. Other Impacts of the Development

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

2.3. Suitability of the Site for the Development

The site is considered suitable for the proposal.

2.4. Any Submissions

The application was notified for 14 days between 8 July 2025 and 24 July 2025 in accordance with the *Community Engagement Strategy 2023.* No submissions were received.

2.5. Public Interest

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

3. REFERRALS

The following internal and external referral comments were sought:

3.1. Sustainable Development

Council's sustainable development team advised that the application meets the minimum requirements under the BASIX legislation and an accurate NatHERs certificate from an accredited assessor has been provided. The applicant has designed an all-electric dwelling, which includes ceiling fans and solar panels, which is supported.

3.2. Waste and Recycling

Council's Waste and Recycling department advised that the property currently has five x 240L bin, which is considered adequate to service the proposed development. Should an additional bin be required, this can be purchased by the property owner and additional waste charges will be applied. No conditions were recommended.

3.3. Tree Management

Council's Tree Management Officer advised that the proposal is supportable, subject to conditions requiring an on-site arborist to oversee tree protection measures; and a street tree bond payment for the protection of the street tree on Roscoe Street and the three street trees on Glenayr Avenue. The recommended conditions have been included in Appendix A.

3.4. Strategic Planning

Council's Strategic Planner recommended conditions of consent relating to the Planning Agreement. These have been included in Appendix A.

3.5. Stormwater

Council's Stormwater Engineer raised no objection to the proposal, subject to conditions relating to stormwater and public infrastructure management. The recommended conditions have been included in Appendix A.

3.6. Fire Safety

Council's Building Surveyor has recommended conditions of consent, which have been included in Appendix A.

3.7. Design Excellence Advisory Panel

The application was referred to the Design Excellence Advisory Panel, the advice as follows:

- The Panel recommends the roof provided be revised to a zinc standing seam in 'zincalume' or a similar medium grey colour with a low solar absorptance rating. This will help minimise potential thermal loading within the new top floor habitable spaces.
- The fire stair arrangement for the topmost level should be reviewed to ensure accuracy and to address any potential drafting or graphic inconsistencies.

The above comments have been included in the attached recommended conditions.

3.8. Urban Design

Council's Urban Designer has advised that the proposal is consistent with the prevailing streetscape in terms of height, scale and built form. The overall massing including the proposed hipped roof form, responds well to the existing pattern of development and roofscape character along both Roscoe Street and Glenayr Avenue. The proposed materials are supported as they match the existing building at the lower levels and contribute to a cohesive appearance across the development.

Concern was raised about the shadow diagrams submitted with the development application. Additional shadow diagrams were requested and the applicant provided these on 15 September 2025.

3.9. Heritage

The application was referred to an External Heritage Consultant who raised the following:

- *The Bowral "Blends Bargo" is not a good or sympathetic match to the original darker, multi-tone face brick of the building.*

  Planning comment: This concern was not shared by the DEAP. The schedule of materials and finishes notes "or similar to match existing" which indicates that the bricks will be selected to match the existing façade. This is considered acceptable.

- *Materials and finishes information regarding the selection of roof tiles for the new hipped awning roof above the first-floor bay window on the west elevation.*

  Planning comment: This has been included as a condition of consent.

- *Revised architectural drawings showing the retention of the existing windows in the southern stair well (Figure 11 in the HIS).*

  Planning comment: The window referred to is above the entrance from the side passageway. See below **Figure 11** taken from the assessing officer's site visit. This is the proposed lift location, and the stairs are proposed to be removed. The window is not visible from the public domain and given the narrow side passageway between the subject building and the neighbouring property, it is difficult to view from between the buildings. A site visit revealed it was difficult to even take a photo

of the window from outside given the angle from the passageway. The lift shaft will block the window internally, so the retention of the window provides no amenity and given it is not readily visible from anywhere in the public domain or within the subject and neighbouring sites, its removal is considered acceptable.

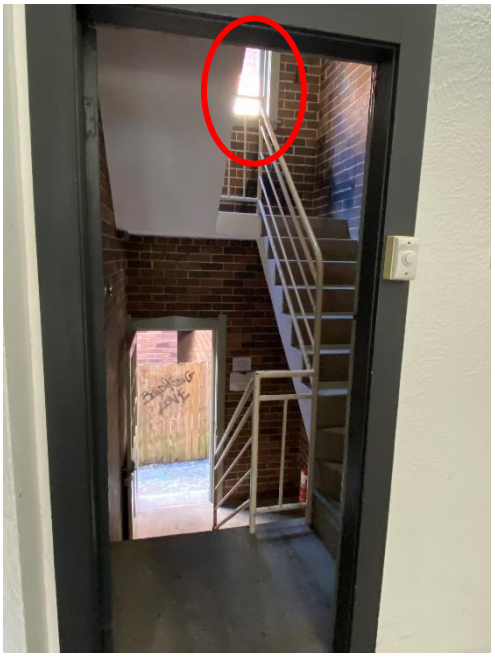


Figure 11: Stairs proposed to be removed to allow for the new lift. The window to be removed is circled

- *BCA report addressing fire safety upgrades. The removal of the service stairs will impact the fire safety provisions of the building, and it is unclear what additional works may be required to ensure the building meets current standard.*

  Planning comment: A recommended condition of consent has been included from Council's building surveyor relating to a BCA report and fire safety.

- *Dilapidation report for the exteriors of the subject building to be included as a condition.*

  Planning comment: Relevant conditions relating to the structural integrity of the existing building have been recommended in Appendix A.

4. CONCLUSION

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

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.

Managers of Development Assessment (MODA) Review

The application was reviewed by the MODA at the meeting on 9 September 2025 and the MODA concurred with the Assessment Planner's recommendation.

DBU members: *B McNamara, B Magistrale, J Zancanaro and B Matlawski.*

Report prepared by:	**Application reviewed and agreed by:**
	
Emma Finnegan	Kylie Lucas
Senior Development Assessment Planner	**Acting Manager, Development Assessment**
Date: 2/10/2025	**Date: 03/10/2025**

Reason for WLPP referral:

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

OFFICE USE ONLY

Planning Portal Data	
Clause 4.6 register entry required	N/A
Clause 4.6 register entry required	N/A
Clause 4.6 register entry required (For the purposes of reporting to the planning portal, if the % approved is different to the % proposed in the original submission, please state what the variation initially proposed was – Planning Portal Requirement)	55.75% variation to FSR (Clause 4.4) X Pre-existing non-compliance No change to overall building height No change to overall building envelope Variation limited to the [lift/plant/parapet/attic] only X No unreasonable impacts on the amenity of adjoining properties or streetscape X Sufficient environmental planning grounds X Consistent with the objectives of the standard [insert another reason here if required]
Excavation Register	N/A

Determining Authority (Concurrence Authority for Clause 4.6 variation)	Local Planning Panel
Were the requirements of the Sustainable Buildings SEPP (effective 1 October 2023) met?	Yes
Does the proposal trigger a Housing & Productivity Contribution ? If so, please ensure you have calculated the contribution in the CON case in the Planning Portal.	Yes
Have any dwellings been approved for affordable Rental Housing under this approval/consent? *This is a planning portal reporting requirement	No
Secondary Dwelling *This is a planning portal reporting requirement	No
Boarding House *This is a planning portal reporting requirement	No
Group Home *This is a planning portal reporting requirement	No
Is the development subject to the Special Infrastructure Contribution (SIC)?	No
Is the development located within an Urban Release area?	No
Waverley Council Data	
Trial Period database entry required	No
VPA submitted – follow up actions required	Yes
Refer to compliance for investigation	No
Commercial/liquor operational conditions	No
Was there a 'Conflict of Interest' declared	No

APPENDIX A – CONDITIONS OF CONSENT

Terms and Reasons for Conditions

Under section 88(1)(c) of the EP&A Regulation, the consent authority must provide the terms of all conditions and reasons for imposing the conditions other than the conditions prescribed under section 4.17(11) of the EP&A Act. The terms of the conditions and reasons are set out below.

GENERAL CONDITIONS

<table>
<tr><th></th><th>Condition</th></tr>
<tr><td>1.</td><td>APPROVED PLANS AND DOCUMENTATION
The development must be in accordance with:

(a) Architectural Plans prepared by CSA Architects including the following:

<table>
<tr><th>Plan Number and Revision</th><th>Plan description</th><th>Plan Date</th><th>Date received by Council</th></tr>
<tr><td>02.1 Rev A</td><td>Location Plan</td><td>10/02/2025</td><td>15/09/2025</td></tr>
<tr><td>02.2 Rev A</td><td>Site Plan</td><td>10/02/2025</td><td>15/09/2025</td></tr>
<tr><td>02.3 Rev A</td><td>Floor Plan – Lower Ground</td><td>10/02/2025</td><td>15/09/2025</td></tr>
<tr><td>02.4 Rev A</td><td>Floor Plan – Ground Floor</td><td>10/02/2025</td><td>15/09/2025</td></tr>
<tr><td>02.5 Rev A</td><td>Floor Plan – First Floor</td><td>10/02/2025</td><td>15/09/2025</td></tr>
<tr><td>02.6 Rev A</td><td>Floor Plan – Second Floor</td><td>10/02/2025</td><td>15/09/2025</td></tr>
<tr><td>02.7 Rev A</td><td>Floor Plan – Roof Plan</td><td>10/02/2025</td><td>15/09/2025</td></tr>
<tr><td>04.1 Rev A</td><td>North Elevation</td><td>10/02/2025</td><td>15/09/2025</td></tr>
<tr><td>04.2 Rev A</td><td>South Elevation</td><td>10/02/2025</td><td>15/09/2025</td></tr>
<tr><td>04.3 Rev A</td><td>East Elevation</td><td>10/02/2025</td><td>15/09/2025</td></tr>
<tr><td>04.4 Rev A</td><td>West Elevation</td><td>10/02/2025</td><td>15/09/2025</td></tr>
<tr><td>04.5 Rev A</td><td>Section 1</td><td>10/02/2025</td><td>15/09/2025</td></tr>
<tr><td>04.6 Rev A</td><td>Section 2 & 3</td><td>10/02/2025</td><td>15/09/2025</td></tr>
<tr><td>05.8 Rev A</td><td>Window Schedule</td><td>10/02/2025</td><td>15/09/2025</td></tr>
<tr><td>05.9 Rev A</td><td>Materials & Finishes</td><td>10/02/2025</td><td>15/09/2025</td></tr>
</table>

(b) Landscape Plan No. DA01 Rev A and documentation prepared by Michael Zinn Landscape Designer, dated February 2025 and received by Council on 03/07/2025
(c) BASIX and NatHERs Certificate/s
(d) Statement of Heritage Impact, report number J7184_01, prepared by Weir Phillips Heritage dated (November 2024), and received by Council on (03/07/25)
(e) Schedule of external finishes and colours received by Council on (15/09/2025)
(f) The Site Waste and Recycling Management Plan (SWRMP) Part 1

Except where amended by the following conditions of consent.

Condition reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.</td></tr>
</table>

2.	**GENERAL MODIFICATIONS**
	The application is approved subject to the following plan amendments; (a) The roof profile is to be zinc standing seam in 'zincalume' or similar medium grey colour with a low solar absorptance rating.
	Condition reason: To minimise potential thermal loading within the new top floor habitable spaces.
	(b) A schedule of materials and finishes regarding the roof tiles for the new hipped awning roof above the first-floor bay window on the Roscoe Street elevation is to be provided.
	Condition reason: To ensure the selected materials and finishes are consistent with the building and the streetscape character.
	(c) Detailed plans at 1:50 scale are to be submitted which show the stair access to the top floor at the feature window above the main building entrance on Glenayr Avenue.
	Condition reason: To ensure the feature window is retained and protected.
	The amendments are to be approved by the **Executive Manager, Development Assessment or delegate** prior to the issue of any Construction Certificate. An electronic copy of the amended plans or additional information (see website for electronic document requirements) addressing this condition, including a covering letter shall be provided to Council for review.
3.	**MULTI UNIT HOUSING DEVELOPMENT DESIGN (SEPP Housing 2021)**
	The approved design (including any element or detail of that design) or materials, finish or colours of the building must not be changed without the written approval of Council.
	Condition reason: To ensure the approved deign remains unchanged.
4.	**APPOINTMENT OF AN ON-SITE ARBORIST**
	The applicant is to appoint an on-site arborist to oversee tree protection measures throughout the building works.
	Condition reason: To ensure trees remain unimpacted by the proposal.

BUILDING WORK

BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE

	Condition
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 and Assessment Act 1979*; (b) a Principal Certifying Authority has been appointed and Council has been notified of the appointment in accordance with the *Environmental Planning and Assessment Act 1979* and *Environmental Planning and Assessment Regulation 2021*; and (c) Council is given at least two days' notice in writing of the intention to commence the building works.
	Condition reason: To ensure a Construction Certificate is obtained prior to work commencing.
6.	**SECTION 7.12 CONTRIBUTION**
	A monetary development contribution is payable to Waverley Council pursuant to section 7.12 of the *Environmental Planning and Assessment Act 1979* and the Waverley Council Development Contributions Plan in accordance with the following: (a) Where the total development cost is $500,000 or less: (i) a **Cost Summary Report** or **Building Contract** (dated within 12 months) or similar is to be submitted to Council's Customer Service Centre to process payment. (b) Where the total development cost is more than $500,000 but less than $1,000,000: (i) a **Detailed Cost Report** (dated within 12 months) prepared by a registered Quantity Surveyor, **Building Contract,** or similar is to be submitted to Council's Customer Service Centre to process payment. (c) Where the total development cost is $1,000,000 or more: (i) a **Detailed Cost Report** (dated within 12 months) prepared by a registered Quantity Surveyor, **Building Contract,** or similar is to be submitted to and approved by Council's Executive Manager, Urban Planning, Policy and Strategy (or delegate).

- Please forward documents to info@waverley.nsw.gov.au attentioned to Strategic Planning, and reference the relevant application number, address and condition number to satisfy.

(ii) Upon confirmation of the contribution amount by Council's Executive Manager, Urban Planning, Policy and Strategy (or delegate), payment is to be processed via the Customer Service Centre.

(iii) Should there be a discrepancy between the cost of works approved in subclause (b)(i) and the DA fee nominated in the original DA, then additional DA Fees may be payable prior to the issue of a Construction Certificate.

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

(d) As legislated in section 209 of the Environmental Planning and Assessment Regulation 2021, the levy must be paid in accordance with the following;

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

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

(iii) A development valued at more than $200,000 will attract a levy of 1% of the full cost of the development.

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

Condition reason: To ensure the Section 7.12 Contributions are paid.

7. **HOUSING AND PRODUCTIVITY CONTRIBUTIONS**

Before **the issue of Construction Certificate**, the housing and productivity contribution (HPC) set out in the table below is required to be made.

Housing and productivity contribution	**Amount**
Housing and productivity contribution (base component)	$10,493.11
Transport project component	Nil
Total housing and productivity contribution	**$10,493.11**

The HPC must be paid using the NSW planning portal.

At the time of payment, the amount of the HPC is to be adjusted in accordance with the Environmental Planning and Assessment (Housing and Productivity Contributions) Order 2024 (HPC Order).

	The HPC may be made wholly or partly as a non-monetary contribution (apart from any transport project component) if the Minister administering the *Environmental Planning and Assessment Act 1979* agrees. The HPC is not required to be made to the extent that a planning agreement excludes the application of Subdivision 4 of Division 7.1 of the *Environmental Planning and Assessment Act 1979* to the development, or the HPC Order exempts the development from the contribution. The amount of the contribution may be reduced under the HPC Order, including if payment is made before 1 July 2025.
	Condition reason: To require contributions towards the provision of regional infrastructure.
8.	**PLANNING AGREEMENT**
	The owner/applicant is to: (a) Enter a planning Agreement the subject of the offer made by the applicant to Council by letter dated 12 February 2025, in accordance with Waverley's Planning Agreement Policy 2014 prior to the issue of any Construction Certificate that relates to any building work, other than demolition, excavation, piling, shoring and ancillary work for construction purposes including site hoardings and temporary site sheds that relates to works contained in DA-309/2025; and (b) Pay a monetary contribution amount of ($511,004) prior to the issue of any Occupation certificate for the Development (calculated in accordance with Waverley's Planning Agreement Policy 2014 at 98.27sqm of GFA exceedance at a rate of $5,200/sqm. (c) A Planning Agreement will be entered into under Section 7.4 of the Environment Planning and Assessment Act 1979 between the applicant/owner of the land subject of the Development and Council. In accordance with the said offer, the Planning Agreement shall make provision in the respect to the following: (a) 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 that relates to any building work, other than demolition, excavation, piling, shoring and ancillary works for construction purposes including site hoardings and temporary site sheds that relates to works contained in DA-309/2025; (b) 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 that relates to any building work, other than demolition, excavation, piling, shoring and ancillary works for construction purposes including site hoardings and temporary sheds that relates to works contained in DA-309/2025 for the Development which is: • In a form acceptable to Council and from an institution acceptable to Council

	• Irrevocable • Unconditional • With no end date The payment of the Monetary Contribution to Council is to be made prior to the issue of any Occupation Certificate for the Development and is to be applied towards a public purpose in accordance with the Agreement and Council's Planning Agreement Policy 2014.
	Condition reason: To applicant offered to enter into a Planning Agreement and their offer is consistent with the Waverley Planning Agreement Policy 2014 and supported by the Strategic Town Planning team.
9.	**SECURITY DEPOSIT**
	A deposit (cash or cheque) for the amount of $29,790 must be provided to Council for any damage caused to any property of the consent authority (ie. public land) as a consequence of the works and completing any public work (such as road work, kerbing and guttering, footway construction, stormwater drainage and environmental controls) required in connection with the consent. This deposit (cash or cheque) must be provided to Council prior to the issue of any Construction Certificate. The full amount of the deposit, minus Council's costs for any repair of damage to Council property or rectification of unauthorised works on Council property, will be refunded after satisfactory completion all of works associated with this consent (including the required public works) to the person who paid the deposit.
	Condition reason: To ensure any damage to public infrastructure is rectified and public works can be completed.
10.	**LONG SERVICE LEVY**
	A long service levy, as required under section 34 of the *Building and Construction Industry Long Service Payments Act, 1986*, is to be paid in respect of this building work. Evidence that the levy has been paid is to be submitted to the Principal Certifying Authority prior to the issue of any Construction Certificate. Note: Council acts as an agent for the Long Service Payment Corporation and the levy may be paid at Council's office. The levy rate is 0.25% of building work costing $250,000 or more.
	Condition reason: To ensure the long service levy is paid.
11.	**ENGINEERING PLANS ASSESSMENT AND WORKS INSPECTION FEES**
	The applicant is to pay to Council fees for assessment of all engineering plans and inspection of the completed works in the public domain inclusive of all stormwater assessment, in accordance with Council's Schedule of Fees & Charges at the time of engineering plan approval, prior to such approval being granted by Council. An invoice will be issued to the applicant for the amount payable, which will be calculated based on the design plans for the subject development.

	Condition reason: To ensure Council assessment fees are paid.
12.	**VERIFICATION OF CONSTRUCTION CERTIFICATE DOCUMENTATION**
	The preparation of the construction certificate plans shall be supervised and be to the satisfaction of an architect who is registered in accordance with the *Architects Act 2003* (i.e. a qualified designer) in accordance with the requirements of the *State Environmental Planning Policy (Housing) 2021.* In accordance with the Environmental Planning and Assessment Regulation 2021, the Principal Certifying Authority must not issue a construction certificate unless it has received a design verification statement from a qualified designer which verifies that the construction certificate plans and specifications achieve or improve the design quality of the development for which development consent was granted, having regard to the design quality principles set out in *State Environmental Planning Policy (Housing) 2021.*
	Condition reason: To maintain the architectural integrity of the approved development.
13.	**BUILDING CODE OF AUSTRALIA (BCA) REPORT**
	Pursuant to Section 64 of the Environmental Planning and Assessment Regulations 2021, the following shall be carried out and submitted with the construction certificate application: a) Engage the services of a suitably qualified Building Code of Australia Consultant (i.e. Building Surveyor/Accredited Certifier) to provide a Building Code of Australia (BCA) Report for the building, including the proposed works. b) The appointed Building and Fire Safety Consultant is to incorporate the findings/results of the BCA audit of the subject premises into a BCA/Fire Safety Upgrade Report. The report must outline a strategy, scope of works, and recommendations to provide the premises with adequate means of fire safety, including preventing fires, suppressing fires, and preventing the spread of fires, as well as ensuring the safety of persons/occupants in the event of a fire. Please note that where Building Solutions contained within the Building Code of Australia are not applied in the Fire Safety Upgrade Report to address a non-compliance identified during the fire safety audit of the premises, such non-application must be justified. c) A schedule of proposed Essential Fire Safety Measures for the proposed building, including their standard of performance, must be included in the BCA Report.
	Condition reason: To ensure the development complies with relevant standards.
14.	**HOARDING**
	To ensure the site is contained during construction, a hoarding is required for the approved works, which is to be designed and constructed in accordance with the requirements of Safe Work NSW. Where the hoarding is to be erected over the footpath or any public place, the approval of Council's Compliance Unit must be obtained and the applicable fees paid, prior to the erection of the hoarding.

	Condition reason: To ensure safety to the general public.
15.	**EROSION & SEDIMENT CONTROL**
	A Soil and Water Management Plan (SWMP), also known as an Erosion and Sediment Control Plan must be prepared in accordance with Waverley Council's Water Management Technical Manual. The SWMP must be approved by the Principal Certifying Authority prior to the issue of a Construction Certificate. A copy of the SWMP must be kept on site at all times and made available to Council officers upon request. The recommendations of the SWMP must be implemented and maintained during all construction activities and until the site is fully stabilised following construction.
	Condition reason: To ensure sediment laden runoff and site debris do not impact local stormwater systems and waterways.
16.	**ENGINEERING DETAILS**
	Structural details are to be prepared and certified by a practicing Structural Engineer in connection with all structural components of the approved works, prior to the issue of the relevant Construction Certificate.
	Condition reason: To ensure structural stability of work on site.
17.	**STRUCTURAL DOCUMENTATION**
	A construction management plan must be submitted to an independent, third party structural engineer as part of the construction certificate should and should detail the following: (a) Design and documentation of the Strengthening and Stability requirements to ensure the existing building is suitable for the intended alteration and additions, and (b) Provide detailed procedure on the methodology and constructability of the proposed work within the existing / approved building envelope.
	Condition reason: To ensure structural stability of work on site.
18.	**CONSTRUCTION TRAFFIC MANAGEMENT PLAN (CTMP)**
	The applicant is to submit a Construction Traffic Management Plan (CTMP) for the approval of Council's Executive Manager, Infrastructure Services, or delegate, prior to the issue of any Construction Certificate. For further information on what is required in the CTMP, please refer to Council's website at: https://www.waverley.nsw.gov.au/building/development_applications/post_determination/development_applications_-_conditions_of_consent
	Condition reason: To minimise disruption to local traffic.
19.	**STORMWATER AND PUBLIC INFRASTRUCTURE MANAGEMENT**
	To ensure that stormwater runoff from the development is drained in an appropriate manner, without impact to neighbouring properties and downstream

	systems, a detailed plan and certification of the development's stormwater management system must be submitted and approved by the Executive Manager, Infrastructure Services (or delegate) prior to the issue of the relevant Construction Certificate. The submitted stormwater management plan prepared by ITM Design Pty Ltd, Job No. 24/125, Drawing No. H-DA-00, H-DA-03, H-DA-04, H-DA-05, H-DA-06, H-DA-07, H-DA-08, H-DA-09, H-DA-10, Issue A, dated 12/12/2024 are considered concept only. The applicant must submit amended plans and specifications to comply with the current Waverley Council Water Management Technical Manual and Development Control Plan (DCP) at the time of engineering plan approval. The submitted plans must be prepared by a suitably qualified and practising Civil Engineer (registered on the NER of Engineers Australia or equivalent) and comply with the following conditions: a) Specify any components of the existing system to be retained and certified during construction to be in good condition and of adequate capacity to convey additional runoff and be replaced or upgraded if required. b) If replacing any proposed stormwater discharge within the footpath verge of the street must be hot dipped galvanised steel hollow section with the size of 125mm x 75mm x 4mm (w x h x t). Note a minimum of 1m width of concrete kerb and gutter must be replaced encompassing this connection, with 10mm thick mastic expansion joints installed on both sides (full depth) and with a 600mm asphalt adjustment and liquid crack sealing if the asphalt is damaged as part of the works or found to be in a deteriorated state. c) Detail the proposed pipe sizes, type, grade, length, invert levels, dimensions and types of drainage pits and inspection openings and their location. d) Pits and inspection openings are to be provided at all junctions, change in gradient, change in direction, and change in diameter for access and maintenance purposes. e) Any seepage or rainwater collected on-site during construction or groundwater must not be pumped to the street stormwater system unless separate prior approval is given in writing by Council. f) Any new downpipes are to be located wholly within the property's boundary. Notes: i. Any Council infrastructure affected as a 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 must be replaced if damaged as per the Waverley Council Public Domain Technical Manual. All associated costs will be borne by the applicant. ii. The checklist as set out on pages 68-76 in Council's Water Management Technical Manual (October 2021) available online must be completed and submitted with any revision of Construction Certificate Plan Submissions iii. 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.

	iv. 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 must not be replicated. v. 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. vi. Council's contact for infrastructure assessment: E-mail: assets@waverley.nsw.gov.au or Phone: 9083 8655 (operational hours between 9.30am to 4pm Monday to Friday). The expected duration to review and approve the stormwater management plan may take at least 15 working days from the date of submission. vii. Evidence from a suitably qualified and practicing Engineer that the approved design has been adhered to must be submitted to and approved by the Principal Certifying Authority (PCA) prior to the issue of the relevant Construction Certificate application.
	Condition reason: To ensure that the stormwater system is designed and constructed in accordance with Waverley Council's Water Management Technical Manual and will minimise the likelihood of stormwater related issues to the property owner, occupiers, neighbours and broader community.
20.	**BASIX**
	All requirements of the BASIX Certificate and/or NatHERS documentation are to be shown on the Construction Certificate plans and documentation.
	Condition reason: To ensure BASIX and/or NatHERS requirements are met.
21.	**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.
	Condition reason: To ensure resource recovery is promoted and the local amenity is protected during construction.

22.	**STREET TREE BOND PAYMENT**
	A bond of $27,000 is to be paid to Council either as cash or by way of an unconditional bank guarantee to ensure the protection and maintenance of the following trees: i. One (1) *Jacaranda mimosifolia* (Jacaranda) in a garden bed on Roscoe Street. $2000 bond. ii. One (1) *Melaleuca quinquenervia* (Broad-leaved Paperbark) on the grass verge on Glenayr Avenue, closest to Roscoe Street. $10,000 bond. iii. One (1) *Melaleuca quinquenervia* (Broad-leaved Paperbark) on the grass verge on Glenayr Avenue, adjacent to the building entrance. $5000 bond. iv. One (1) *Melaleuca quinquenervia* (Broad-leaved Paperbark) on the grass verge on Glenayr Avenue, adjacent to the electricity substation. $10,000 bond. The sum will be forfeited to the Council at its discretion for a breach of these requirements; a) Street trees to be inspected twelve (12) months from the issue of the Occupation Certificate subject to the satisfaction of Council b) The $27,000 bond will be refunded twelve (12) months from the issue of the Occupation Certificate subject to the satisfaction of Council. c) If any trees identified to be retained and protected are found to be faulty, damaged, dying, or dead, the full bond amount or part thereof will be forfeited d) Council will require the applicant to remove and replace the faulty, damaged, dying, or dead street tree and a new bond will be applied on the replacement street tree. e) Proof of purchase of the replacement street (if required) must be provided to the Principal Certifying Authority, prior to the issue of a Construction Certificate.
	Condition reason: To ensure trees are maintained and protected.
23.	**PROTECTIVE FENCING**
	Prior to the issue of any construction certificate: a) Protective fencing must be erected around each tree nominated for retention and protection. b) The protective fencing shall remain in place for the duration of the works, it must be secured to restrict access, and must not be removed or altered without approval from the on-site arborist. c) Fencing should be installed in accordance with AS 4687 d) Protective fencing shall comprise of 1800mm high chain link wire mesh fixed to 50mm galvanised steel posts. e) Portable chain link fencing may be installed.

	f) Chain link portable panels must be securely fixed top and bottom to avoid separation. g) Coloured plastic tape fencing or plain strained fencing wire fixed to steel droppers is unacceptable. h) Signs identifying the Tree Protection Zone (TPZ) are to be placed around the edge of the TPZ and be visible from within the development site. Contact telephone numbers for the site arborist/site manager shall be clearly shown on all warning sign.
	Condition reason: To create an exclusion zone around the tree throughout the construction to ensure all tree parts are protected and to advise contractors and visitors to the site of the purpose for protecting and preserving the trees.
24.	**TRUNK AND BRANCH PROTECTION**
	Where protective fencing is not possible, trunk protection is to be installed with the following: a) The placement of 1.8m or less lengths of 75 mm x 40 mm hardwood or pine spaced at 125 mm centres around the trunk secured in place by metal strap bindings or 10-gauge fencing wire fixed at 300 mm centres. Prior to placing battens install a soft protective padding to ends of timbers to prevent damage to bark and conducting tissue. b) Trunk protection must remain in place for the duration of all site work. c) Tree crowns may be injured by machinery such as excavators, drilling rigs, cranes, trucks, hoarding installation, and scaffolding. The tree protection zone may need to include additional protection of the above ground parts of the tree. d) Crown protection may include pruning, tying-back of branches or other measures. If pruning is required, requirements are specified in AS 4373 and should be undertaken before the establishment of the TPZ.
	Condition reason: To ensure all tree parts are protected throughout the construction.
25.	**TREE PROTECTION CERTIFICATE**
	The onsite arborist is to provide a certificate to Council stating that appropriate tree protection measures have been installed for the trees to be retained and protected.
	Condition reason: To ensure trees are protected prior to work commencing.
26.	**RENEWABLE ENERGY AND ENERGY EFFICIENCY**
	To enable all development to contribute to net zero greenhouse emissions by 2035, the following shall apply: (a) An electric hot water system is strongly encouraged in all developments. Recommended systems include electric heat pump, solar thermal with electric boost or electric storage.

	(b) Recommended swimming pool heating systems to include solar thermal only, solar thermal boosted with electric heat pump or electric heat pump. (c) No gas cooktops, gas ovens and gas heating systems are permitted. Alternate options must be used (such as electric, induction). (d) Recommended lighting systems to include LEDs with controls, such as motion sensors, step-dim controls and daylight sensors. The architectural plans shall be updated to notate the above and submitted to the Principal Certifying Authority for approval, prior to the issue of a Construction Certificate.
	Condition reason: To reduce community greenhouse emissions to net zero by 2035 and ensure all new (or altered) homes have future capacity to be an all-electric building, powered by renewable energy.

BEFORE BUILDING WORK COMMENCES

	Condition
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.
	Condition reason: To ensure the general public are afforded the Principal Certifying Authority and principal contractor's (the coordinator of the building works) contact details.
28.	**DEMOLITION – ASBESTOS AND HAZARDOUS MATERIALS**
	The demolition, removal, storage, handling and disposal of products and materials containing asbestos must be carried out in accordance with the relevant requirements of SafeWork NSW and the NSW Environment Protection Authority (EPA), including: • Work Health and Safety Act 2011; • Work Health and Safety Regulation 2017; • SafeWork NSW Code of Practice for the Safe Removal of Asbestos; • Australian Standard 2601 (2001) – Demolition of Structures; • *Protection of the Environment Operations Act 1997.* At least 5 days prior to the demolition, renovation work or alterations and additions to any building, the person acting on the consent shall submit a Work Plan to the Principal Certifying Authority in accordance with Australian Standard AS 2601-2001, Demolition of Structure and a Hazardous Materials Assessment prepared by a

person with suitable expertise and experience. The Work Plan and Hazardous Materials Assessment shall:

(a) Outline the identification of any hazardous materials, including surfaces coated with lead paint;

(b) Confirm that no asbestos products are present on the subject land, or

(c) particularise a method of safely disposing of the asbestos in accordance with the Code of Practice on how to safely remove asbestos published by SafeWork NSW (catalogue WC03561);

(d) Describe the method of demolition;

(e) Describe the precautions to be employed to minimise any dust nuisance; and

(f) Describe the disposal methods for hazardous materials.

Condition reason: To ensure the safety of workers and the general public.

29. **TREES TO BE RETAINED AND PROTECTED**

This schedule outlines which trees are approved for removal and replacement, or to be retained and protected.

Tree No.	Species	Location	Status	Action
T1	*Jacaranda mimosifolia* (Jacaranda)	Garden bed on Roscoe Street.	Protected	Retain and protect
T2	*Melaleuca quinquenervia* (Broad-leaved Paperbark)	Grass verge on Glenayr Avenue, closest to Roscoe Street	Protected	Retain and protect
T3	*Melaleuca quinquenervia* (Broad-leaved Paperbark)	Grass verge on Glenayr Avenue, adjacent to the building entrance.	Protected	Retain and protect
T4	*Melaleuca quinquenervia* (Broad-leaved Paperbark)	Grass verge on Glenayr Avenue, adjacent to the electricity substation	Protected	Retain and protect
T5	*Cupaniopsis anacardioides* (Tuckeroo)	Substation No: 339 Glenayr Avenue	Protected	Retain - root mapping report required

Condition reason: To clarify the trees approved for removal and those to be protected during construction.

30.	**PROTECTING TREES ON DEVELOPMENT SITES**
	a) Throughout construction, tree protection measures installed are to be retained in accordance with Waverley Council's Development Control Plan 2022, the Landscape Plan, and Australian Standard – AS 4970 – 2009 - Protection of Trees on Development Sites. b) If any trees identified to be retained and protected are found to be faulty, damaged, dying, or dead, they must be removed and replaced with the same species at the applicant's expense. c) All approved tree work must be carried out by minimum AQF Level 3 arborist in accordance with AS 4373-2007 Pruning of amenity trees.
	Condition reason: To ensure trees remain unimpacted by construction.
31.	**TREE WORK**
	a) If any trees on the site or on neighbouring properties require pruning, then permission must be gained from the owner of the tree(s) and an application to Prune, or Remove Trees on Private Property is then to be submitted to Waverley Council for processing. b) If any trees on Council owned land require pruning, the applicant must submit a tree pruning report, prepared by an Arborist with AQF level 5 qualification or above with photos showing the branches that need to be removed to Council's Tree Management Officer for approval prior to any works occurring.
	Condition reason: To ensure trees remain unimpacted by construction.

DURING BUILDING WORK

	Condition
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.
	Condition reason: To ensure the safety of workers and the general public.

34.	**CONSTRUCTION HOURS**
	Demolition and building work must only be undertaken between the hours of 7am and 5pm on Mondays to Fridays and 8am to 3pm on Saturdays, with no work to be carried out on Sundays and public holidays. Excavation works involving the use of heavy earth movement equipment, including rock breakers and the like, must only be undertaken between the hours of 7am and 5pm on Mondays to Fridays, with no such work to be carried out on Saturday, Sunday or a public holiday. Noise from construction activities shall comply with the *Protection of the Environmental Operations (Noise Control) Regulation 2017*.
	Condition reason: To protect the amenity of the surrounding area.
35.	**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.
	Condition reason: To ensure building material is stored in an appropriate location.
36.	**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, Part 8 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021* and the requirements of any other applicable legislation or instruments.
	Condition reason: To ensure regular inspections occur throughout the construction process.
37.	**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.
	Condition reason: To ensure buildings are sited and positioned in the approved location.
38.	**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.
	Condition reason: To ensure buildings are sited and positioned in the approved location.

39.	**WORK OUTSIDE PROPERTY BOUNDARY**
	This consent does not authorise any work outside the property boundary.
	Condition reason: To ensure buildings are sited and positioned in the approved location.
40.	**ACTIVITIES EXCLUDED WITHIN TREE PROTECTION ZONE (TPZ)**
	Activities excluded from the TPZ include but are not limited to: a) Stockpiling of bulk materials, spoil or fill b) Machine excavation including trenching c) Excavation for silt fencing d) Cultivation e) Preparation or disposal of chemicals, including preparation of cement products f) Parking of vehicles and plant machinery g) Refuelling h) Dumping of waste i) Wash down and cleaning of equipment j) Lighting of fires k) Soil level changes l) Temporary or permanent installation of utilities and signs m) Physical damage to the tree n) Ground compaction
	Condition reason: To ensure precautions are taken when working near trees during construction.
41.	**ROOF PRUNING**
	a) When determining the potential impacts of encroachment into the TPZ, the site arborist should consider the following: i. Location and distribution of the roots to be determined through non-destructive investigation methods (pneumatic, hydraulic, hand digging or ground penetrating radar). Photographs should be taken and a root zone map prepared. ii. NOTE: Regardless of the method, roots must not be cut, bruised or frayed during the process. It is imperative that exposed roots are kept moist and the excavation back filled as soon as possible. iii. The potential loss of root mass resulting from the encroachment: number and size of roots. b) Where roots within the TPZ are exposed by excavation, temporary root protection should be installed to prevent them drying out. This may include jute mesh or hessian sheeting as multiple layers over exposed roots and excavated soil profile, extending to the full depth of the root zone. Root protection

	sheeting should be pegged in place and kept moist during the period that the root zone is exposed. c) If any tree roots are exposed during any approved works, then roots smaller than 30mm are to be pruned as per the specifications below: i. They shall be cut cleanly by hand, by an experienced Arborist/Horticulturist (minimum AQF Level 3 Certificate in Horticulture or Certificate 3 in Arboriculture). ii. It is the on-site arborist's responsibility to determine if such root pruning is suitable. If there are any concerns regarding this process, then Waverley Council's Tree Management Officer is to be contacted to make final determination.
	Condition reason: To ensure precautions are taken when working near trees during construction.

BEFORE ISSUE OF AN OCCUPATION CERTIFICATE

	Condition
43.	**FINAL OCCUPATION CERTIFICATE**
	Prior to occupation or use of the development, an Occupation Certificate must be obtained. The Principal Certifying Authority must be satisfied that the requirements of the *Environmental Planning & Assessment Act 1979* have been satisfied including all critical stage inspections. Documentary evidence of all required inspections is to be submitted to Council.
	Condition reason: To ensure an Occupation Certificate is issued prior to occupation or use of the development.
44.	**CERTIFICATION OF BASIX COMMITMENTS**
	The Principal Certifying Authority shall certify that the all the undertakings in the approved BASIX certificate have been completed.
	Condition reason: To ensure all the undertakings in the approved BASIX certificate have been completed.
45.	**CERTIFICATION OF APPROVED DESIGN**
	In accordance with the Environmental Planning and Assessment Regulations 2021, the Principal Certifying Authority must not issue an occupation certificate, to authorise a person to commence occupation or use of the development unless it has received a design verification statement from an architect who is registered in accordance with the Architects Act 2003 (i.e. qualified designer) that verifies that the building achieves the design quality of the development as shown in the plans

	and specifications in respect of which the construction certificate was issued, having regard to the design quality principles.
	Condition reason: To maintain the architectural integrity of the approved development.
46.	**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.
	Condition reason: To ensure the high quality landscape solution is appropriately established and maintained for the life of the development.
47.	**TREE PROTECTION MEASURES TO BE REMOVED**
	All tree protection shall be removed prior to the issuing of the Occupation Certificate
	Condition reason: To ensure that the tree can continue to grow post construction.
48.	**CERTIFICATION OF NEWLY CONSTRUCTED AND RETAINED STORMWATER DRAINAGE SYSTEM**
	Certification must be provided from a suitably qualified and practicing Engineer or Plumber, that any new stormwater drainage system has been constructed in accordance with the Development Consent, Water Management Technical Manual, all applicable Codes, Policies, Plans, Standards, and good engineering practice. Certification must be provided from a suitably qualified and practicing Engineer or Plumber, that any retained stormwater drainage system is unblocked, in good working order, and has been repaired or replaced in accordance with Council's Water Management Technical Manual and Development Control Plan and all applicable Codes, Policies, Plans, Standards and good engineering practice. A copy of the certifications must be submitted to the assessing stormwater engineer within Infrastructure Services for approval.
	Condition reason: To stormwater drainage system has been constructed or retained as per the approved stormwater management plans.
49.	**FLOOR SPACE RATIO**
	The following applies to Floor Space Ratio: (a) The Gross Floor Area of the building shall be limited to 583.28m^2. (b) Prior to any Occupation Certificate (including Interim) being issued, a Registered Surveyor must provide certification of the total and component Gross Floor Areas (by use) in the development, utilising the definition under the

	Waverley Local Environmental Plan 2012, applicable at the time of development consent, to the satisfaction of the Principal Certifier. Condition reason: To ensure the constructed development complies with the approved floor space ratio.
50.	**BUILDING HEIGHT** (a) The height of the buildings must not exceed the following RLs (AHD) to the top of the buildings and (where relevant) to the top of building parapets: i. Ridge: RL 30.68 Prior to an Occupation Certificate being issued, a Registered Surveyor must provide certification that the height of the building accords with (a) above, to the satisfaction of the Principal Certifier. Condition reason: To ensure the constructed development complies with the approved height.

GENERAL ADVISORY NOTES

	Condition
1.	**DEVELOPMENT IS TO COMPLY WITH LEGISLATION** This consent contains the conditions imposed by the consent authority which are to be complied with when carrying out the approved development. However, this consent is not an exhaustive list of all obligations which may relate to the carrying out of the development under the EP&A Act, EP&A Regulation and other legislation.
2.	**DEVELOPMENT MUST MEET CONDITIONS OF CONSENT** The approved development must be carried out in accordance with the conditions of this consent. It is an offence under the EP&A Act to carry out development that is not in accordance with this consent.
3.	**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
4.	**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.
5.	**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.
6.	**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.

7.	**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.
8.	**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.
9.	**EXCAVATION TO BE LIMITED**
	Excavation shall be limited to that shown in the approved plans. Any further excavation will require Council approval.
10.	**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.
11.	**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.
12.	**PLANNING AGREEMENT**
	After a Development Application has been approved with a Planning Agreement, the legal agreement must be drafted by Council, exhibited and endorsed by Council prior to fulfilling the requirements of the DA condition. This process will take a minimum of 4 months, so please contact the Strategic Town Planning team (email strategictownplanning@waverley.nsw.gov.au) at least 4 months before you intend to obtain the relevant Construction Certificate associated with the VPA under this DA to commence the process.

Dictionary

The following terms have the following meanings for the purpose of this determination (except where the context clearly indicates otherwise):

Approved plans and documents means the plans and documents endorsed by the consent authority, a copy of which is included in this notice of determination.

AS means Australian Standard published by Standards Australia International Limited and means the current standard which applies at the time the consent is issued.

Building work means any physical activity involved in the erection of a building.

Certifier means a council or a person that is registered to carry out certification work under the *Building and Development Certifiers Act 2018*.

Construction certificate means a certificate to the effect that building work completed in accordance with specified plans and specifications or standards will comply with the requirements of the EP&A Regulation and *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*.

Council means Waverley Council.

Court means the Land and Environment Court of NSW.

EPA means the NSW Environment Protection Authority.

EP&A Act means the *Environmental Planning and Assessment Act 1979.*

EP&A Regulation means the *Environmental Planning and Assessment Regulation 2021.*

Independent Planning Commission means Independent Planning Commission of New South Wales constituted by section 2.7 of the EP&A Act.

Local planning panel means Waverley Local Planning Panel.

Occupation certificate means a certificate that authorises the occupation and use of a new building or a change of building use for an existing building in accordance with this consent.

Principal certifier means the certifier appointed as the principal certifier for building work or subdivision work under section 6.6(1) or 6.12(1) of the EP&A Act respectively.

Site work means any work that is physically carried out on the land to which the development the subject of this development consent is to be carried out, including but not limited to building work, subdivision work, demolition work, clearing of vegetation or remediation work.

Stormwater drainage system means all works and facilities relating to:
the collection of stormwater,

the reuse of stormwater,

the detention of stormwater,

the controlled release of stormwater, and

connections to easements and public stormwater systems.

Strata certificate means a certificate in the approved form issued under Part 4 of the *Strata Schemes Development Act 2015* that authorises the registration of a strata plan, strata plan of subdivision or notice of conversion.

Subdivision certificate means a certificate that authorises the registration of a plan of subdivision under Part 23 of the *Conveyancing Act 1919*.

Subdivision works certificate means a certificate to the effect that subdivision work completed in accordance with specified plans and specifications will comply with the requirements of the EP&A Regulation.

Sydney district or regional planning panel means Sydney Eastern City Planning Panel.

Suitably qualified acoustic consultant means 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.

48 ROSCOE STREET, BONDI, NSW

	Drawing No:	Description	Rev	Dat
	HALLE-01	COVER	B	10/09/2025
02 FLOOR PLANS				
	HALLE-02.1	LOCATION PLAN	A	10/02/2025
	HALLE-02.2	SITE PLAN	A	10/02/2025
	HALLE-02.3	FLOOR PLAN - LOWER GROUN...	A	10/02/2025
	HALLE-02.4	FLOOR PLAN - GROUND FLOOR	A	10/02/2025
	HALLE-02.5	FLOOR PLAN - FIRST FLOOR	A	10/02/2025
	HALLE-02.6	FLOOR PLAN - SECOND FLOOR	A	10/02/2025
	HALLE-02.7	FLOOR PLAN - ROOF PLAN	A	10/02/2025
03 FLOOR PLAN CALCS				
	HALLE-03.1	FSR CALCULATION	A	10/02/2025
	HALLE-03.2	LANDSCAPE CALCULATION	A	10/02/2025
	HALLE-03.3	EXISTING / PROPOSED 1/4	A	10/02/2025
	HALLE-03.4	EXISTING / PROPOSED 2/4	A	10/02/2025
	HALLE-03.5	EXISTING / PROPOSED 3/4	A	10/02/2025
	HALLE-03.6	EXISTING / PROPOSED 4/4	A	10/02/2025
04 SECTIONS + ELEVATIONS				
	HALLE-04.1	NORTH ELEVATION	A	10/02/2025
	HALLE-04.2	SOUTH ELEVATION	A	10/02/2025
	HALLE-04.3	EAST ELEVATION	A	10/02/2025
	HALLE-04.4	WEST ELEVATION	A	10/02/2025
	HALLE-04.5	SECTION 1	A	10/02/2025
	HALLE-04.6	SECTION 2 & 3	A	10/02/2025
05 INFO				
	HALLE-05.1	3D VIEWS	A	10/02/2025
	HALLE-05.2	SHADOW DIAGRAMS - PLANS - ...	B	10/09/2025
	HALLE-05.3	SHADOW DIAGRAMS - PLANS - ...	B	10/09/2025
	HALLE-05.4	SHADOW DIAGRAMs - 3D - DEC...	B	10/09/2025
	HALLE-05.5	SHADOW DIAGRAM - 3D - JULY	B	10/09/2025
	HALLE-05.6	VIEWS FROM THE SUN 1/2	B	10/09/2025
	HALLE-05.7	VIEWS FROM THE SUN 2/2	B	10/09/2025
	HALLE-05.8	WINDOW SCHEDULE	A	10/02/2025
	HALLE-05.9	MATERIALS & FINISHES	A	10/02/2025
	HALLE-05.10	PHOTOMONTAGE	A	10/02/2025
	HALLE-05.11	BASIX (Pg 1 of 5)	A	10/02/2025
	HALLE-05.12	BASIX (Pg 2 of 5)	A	10/02/2025
	HALLE-05.13	BASIX (Pg 3 of 5)	A	10/02/2025
	HALLE-05.14	BASIX (Pg 4 of 5)	A	10/02/2025
	HALLE-05.15	BASIX (Pg 5 of 5)	A	10/02/2025



RECEIVED
Waverley Council

Application No: DA-309/2025

Date Received: 15/09/2025

AMENDED

CSA ARCHITECTS

Nominated Architect: Alex Smith Reg #5473
alex@csa-arch.com.au

CSA Architects Pty Ltd.
61 2 9389 4055 www.csa-arch.com.au
185 Old South Head Rd., Bondi Junction NSW
2022 a.c.n. 087 234 053

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Rev	Description	Date
A	DA Issue	10/02/2025
B	Additional info. requested by Council	10/09/2025

Client
HALLE

Project
ALTERATIONS & ADDITIONS

Site Address
48 ROSCOE STREET BONDI NSW

Status
DEVELOPMENT APPLICATION

Drawing Title:
COVER

Sheet No.
HALLE-01

Drawn:	Checked:	Scale:	Rev.
AY	AS	1 :100 U.N.O	B

1:200 1:100 1:50 1 METRE INCREMENTS

Plot Date: Friday, 12 September 2025



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ALTERATIONS & ADDITIONS

Site Address
48 ROSCOE STREET BONDI NSW

Status
DEVELOPMENT APPLICATION

Drawing Title:
LOCATION PLAN

Sheet No.
HALLE-02.1

Drawn:	Checked:	Scale:	Rev.
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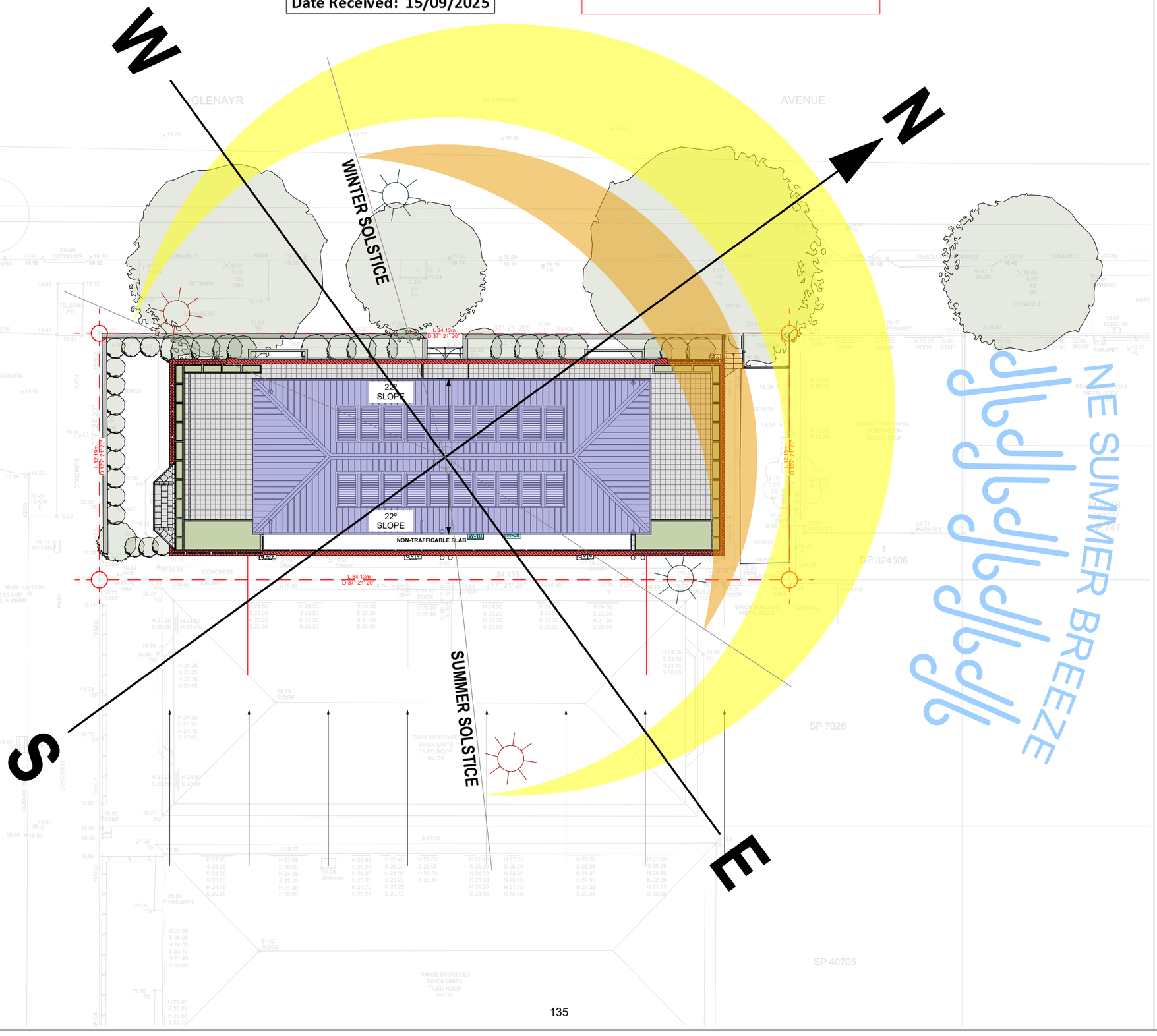
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Site Address
48 ROSCOE STREET BONDI NSW

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Drawing Title:
SITE PLAN

Sheet No.
HALLE-02.2

Drawn:	Checked:	Scale:	Rev.
AY	AS	1 :100 U.N.O	A

1:200 1:100 1:50 1 METRE INCREMENTS

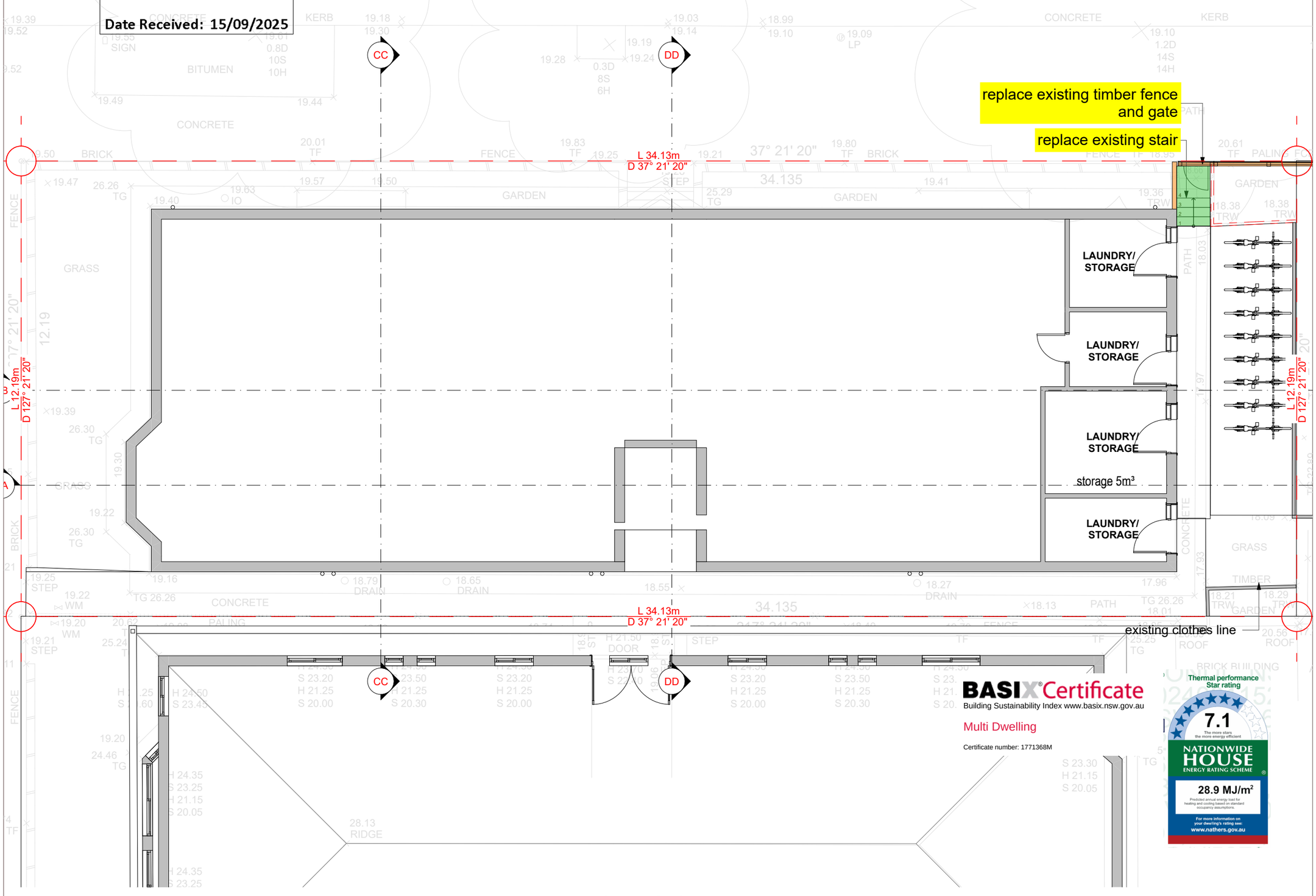
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1 LOWER GROUND 1:100

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Project
ALTERATIONS & ADDITIONS

Site Address
48 ROSCOE STREET BONDI NSW

Status
DEVELOPMENT APPLICATION

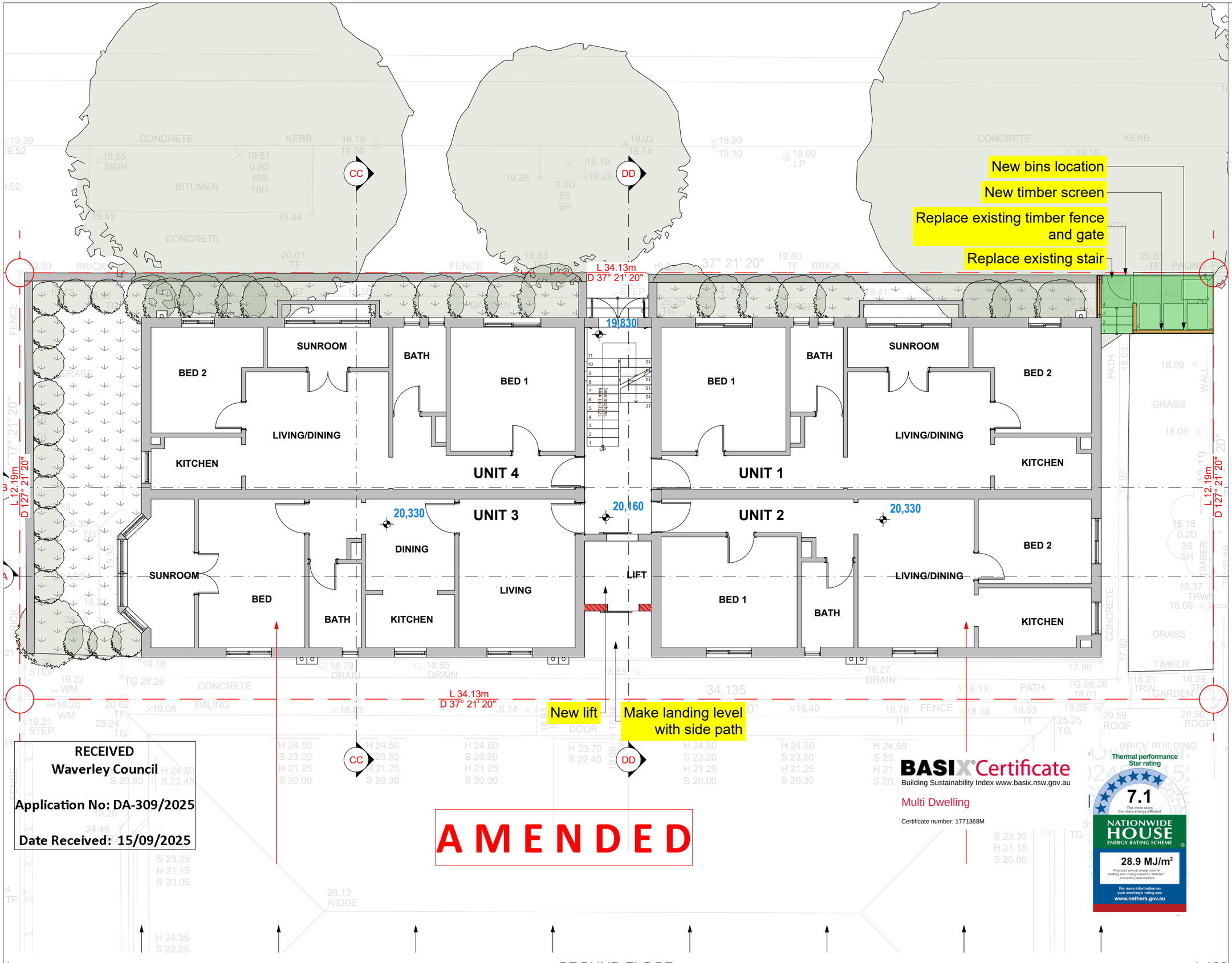
Drawing Title:
FLOOR PLAN - LOWER GROUND FLOOR

Sheet No.
HALLE-02.3

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1 GROUND FLOOR 1:100

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Site Address
48 ROSCOE STREET BONDI NSW

Status
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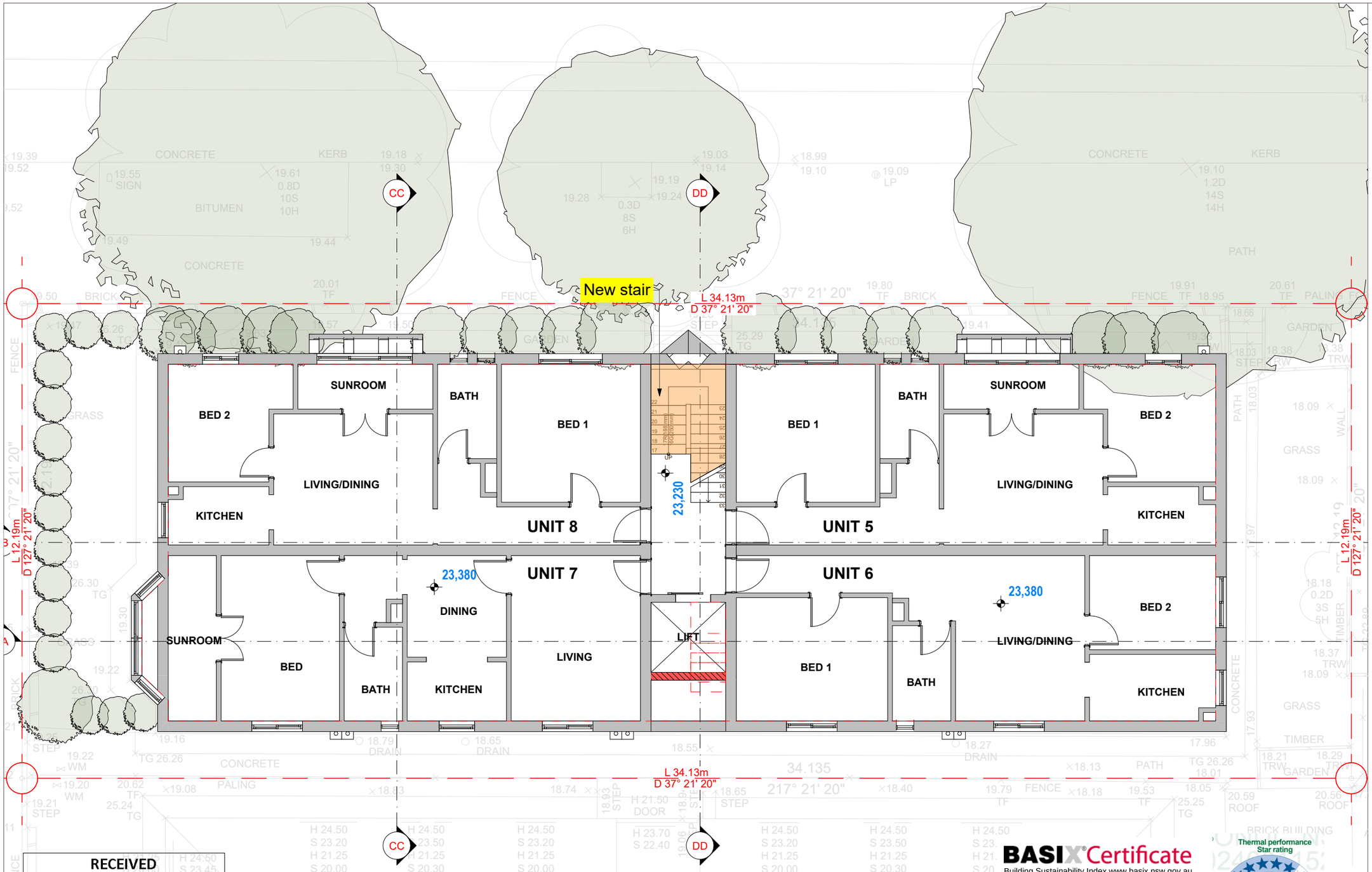
Drawing Title:
FLOOR PLAN - GROUND FLOOR

Sheet No.
HALLE-02.4

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1:200 1:100 1:50 1 METRE INCREMENTS

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1 FIRST FLOOR 1:100

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ALTERATIONS & ADDITIONS

Site Address
48 ROSCOE STREET BONDI NSW

Status
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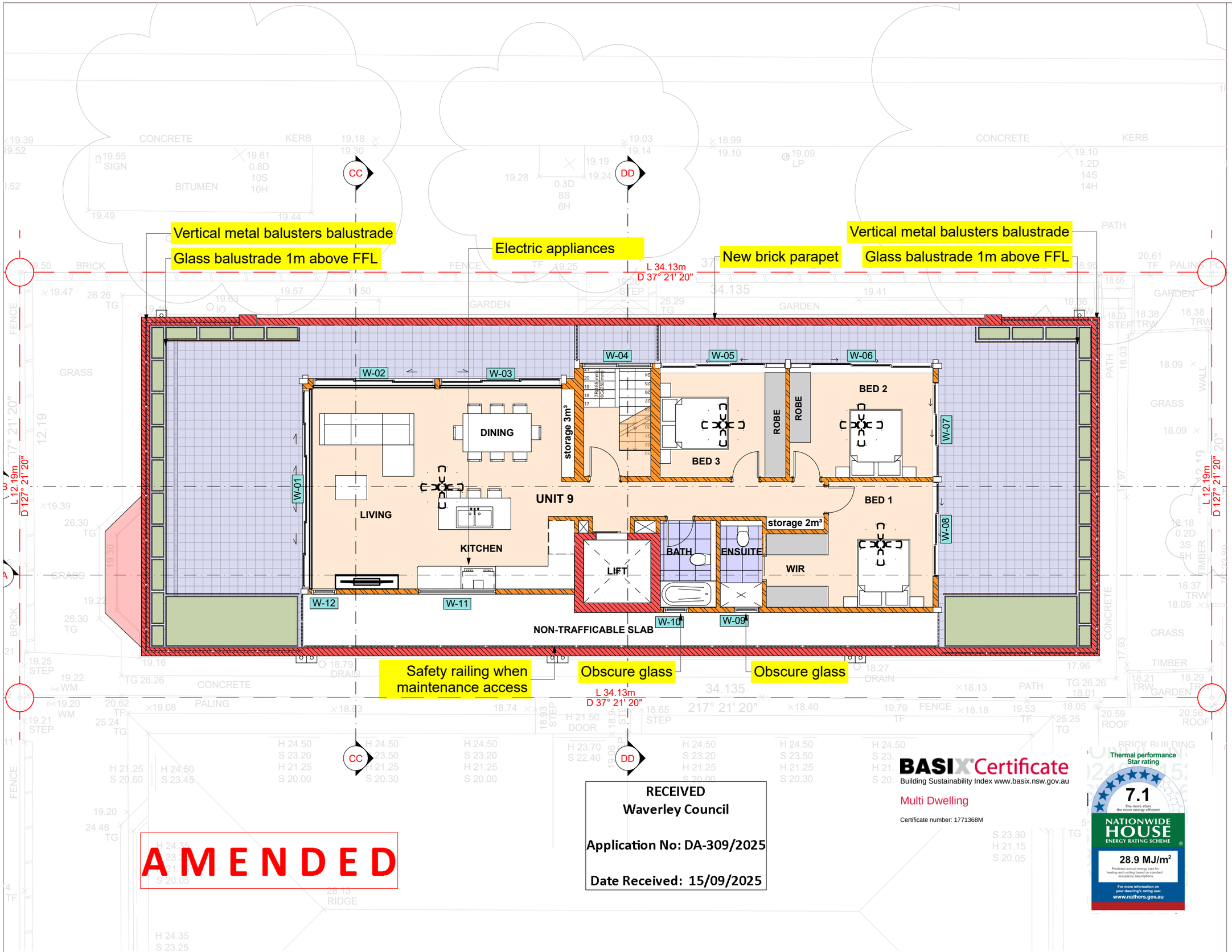
Drawing Title:
FLOOR PLAN - FIRST FLOOR

Sheet No.
HALLE-02.5

Drawn:	Checked:	Scale:	Rev.
AY	AS	1 :100 U.N.O	A

1:200 1:100 1:50 1 METRE INCREMENTS

Plot Date: Friday, 12 September 2025



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1 SECOND FLOOR 1:100

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Site Address
48 ROSCOE STREET BONDI NSW

Status
DEVELOPMENT APPLICATION

Drawing Title:
FLOOR PLAN - SECOND FLOOR

Sheet No.
HALLE-02.6

Drawn:	Checked:	Scale:	Rev.
AY	AS	1 :100 U.N.O	A

1:200 1:100 1:50 1 METRE INCREMENTS

Plot Date: Friday, 12 September 2025

AMENDED

New solar panels

New colourbond metal roof

22º SLOPE

22º SLOPE

L 34.13m
D 37° 21' 20"

L 34.13m
D 37° 21' 20"

L 12.19m
D 127° 21' 20"

L 12.19m
D 127° 21' 20"

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1 NEW - ROOF PLAN 1:100

CSA ARCHITECTS

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Site Address
48 ROSCOE STREET BONDI NSW

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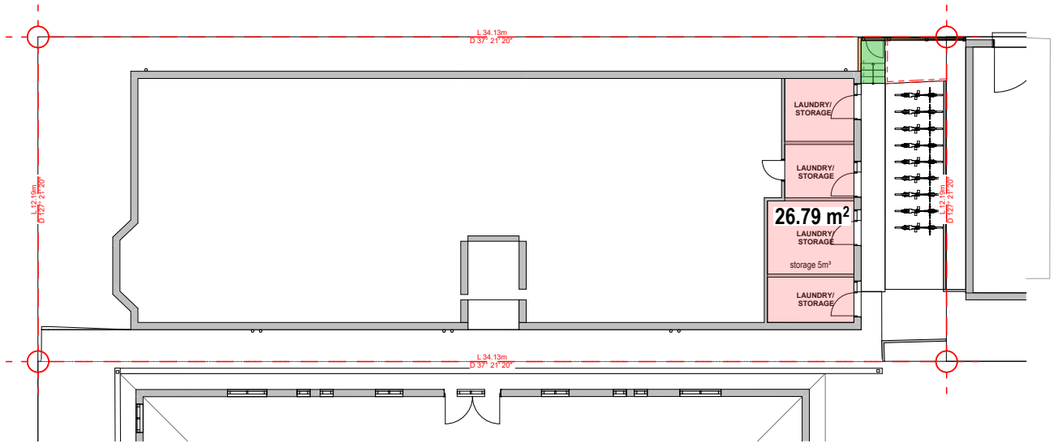
Drawing Title:
FLOOR PLAN - ROOF PLAN

Sheet No.
HALLE-02.7

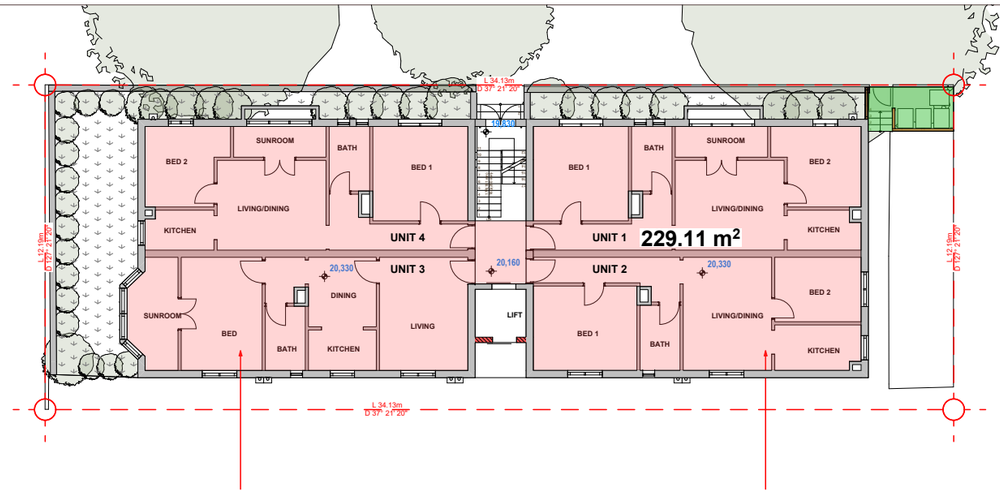
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AY	AS	1 :100 U.N.O	A

1:200 1:100 1:50 1 METRE INCREMENTS

Plot Date: Friday, 12 September 2025



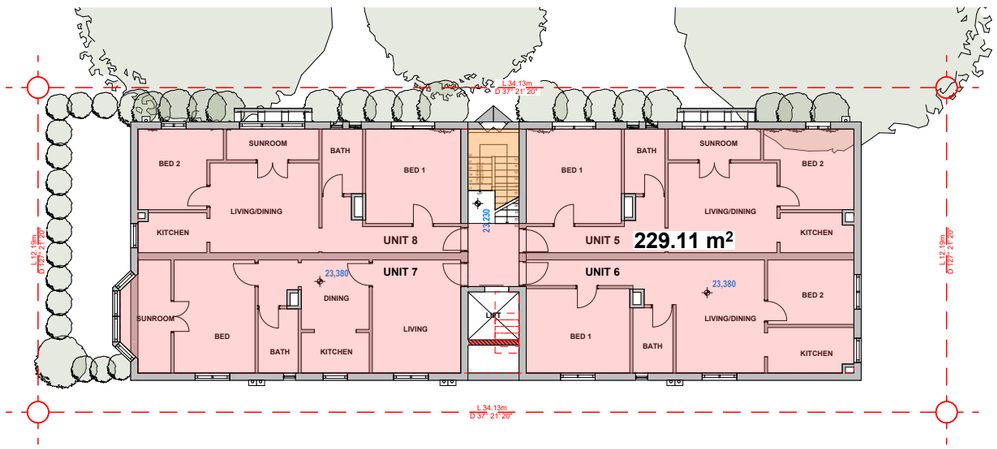
1 FSR LOWER GROUND



3 FSR GROUND FLOOR

LOWER GROUND

Existing Gross floor area= 26.79m²



2 FSR FIRST FLOOR

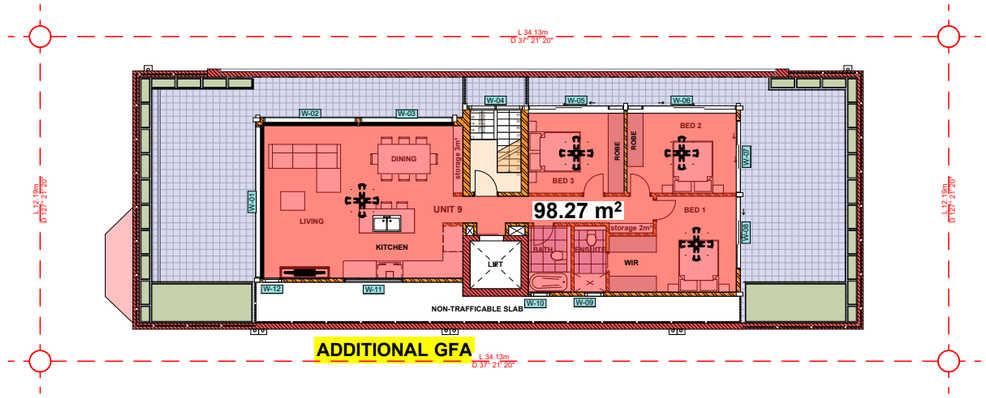
FIRST

Existing Gross floor area= 229.11m²

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Date Received: 15/09/2025



ADDITIONAL GFA

4 FSR SECOND FLOOR

GROUND

Existing Gross floor area= 229.11m²

AMENDED

ROOF

Proposed Gross floor area= 98.27m²

FSR CALCULATION

Site area=416.1m²
Existing Gross floor area= 485.01m²
Proposed Gross floor area= 583.28m²

Permitted FSR 0.9:1
Existing FSR 1.17:1
Proposed FSR 1.4:1

CSA ARCHITECTS

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Site Address
48 ROSCOE STREET BONDI NSW

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DEVELOPMENT APPLICATION

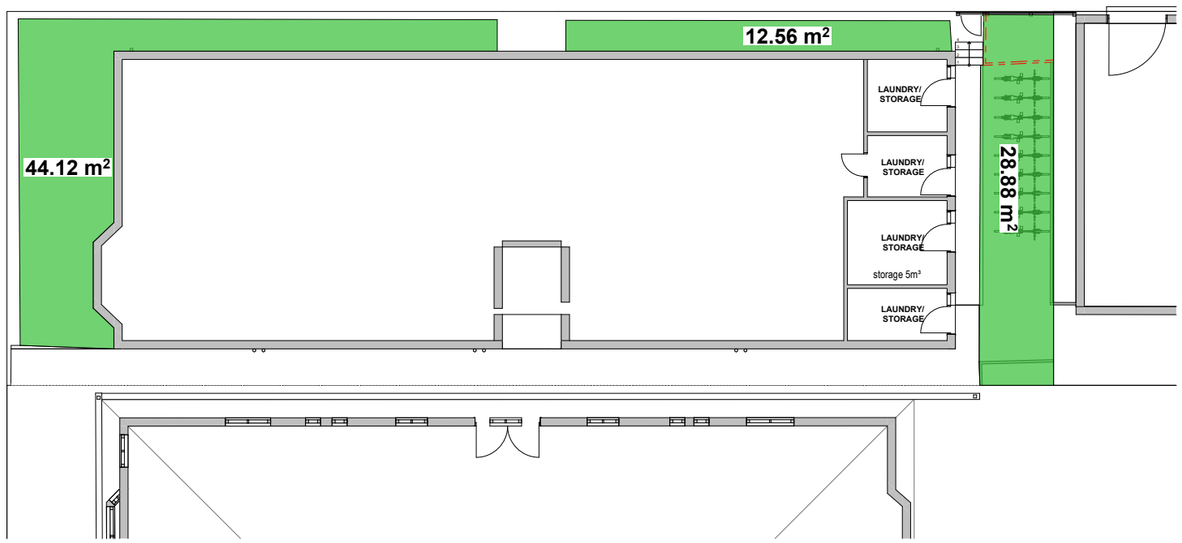
Drawing Title:
FSR CALCULATION

Sheet No.
HALLE-03.1

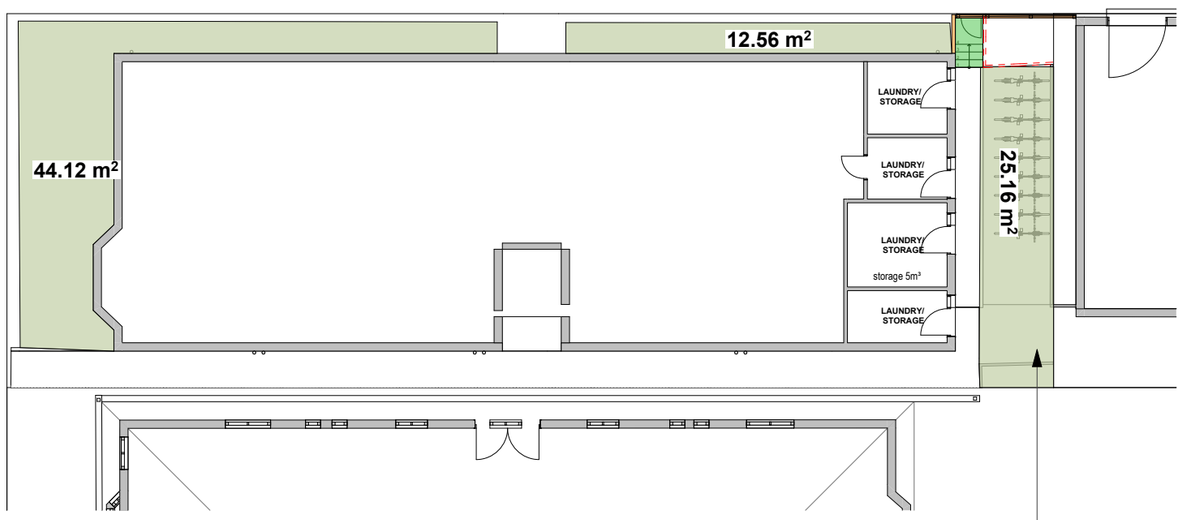
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1:200 1:100 1:50 1 METRE INCREMENTS

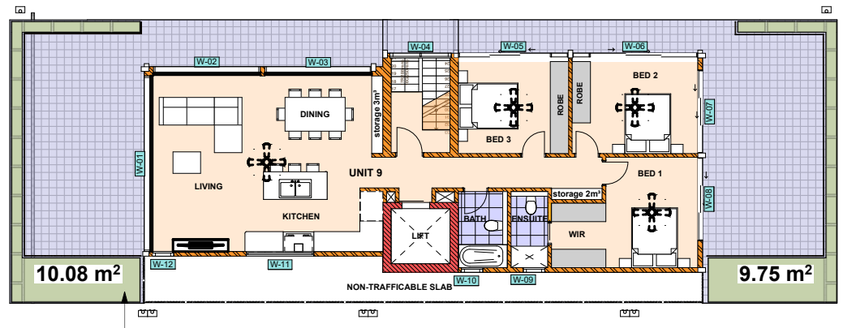
Plot Date: Friday, 12 September 2025



2 EXISTING LANDSCAPE 1:200



1 PROPOSED LANDSCAPE 1:200



3 PROPOSED SECOND FLOOR 1:200

LANDSCAPE CALCULATION

Site area=416.1m²
Existing landscape area= 85.56m² (20.5%)
Proposed landscape area= 101.67m² (24.24%)

Refer to preliminary design
prepared by Mike Zinn landscape

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Site Address
48 ROSCOE STREET BONDI NSW

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DEVELOPMENT APPLICATION

Drawing Title:
LANDSCAPE CALCULATION

Sheet No.
HALLE-03.2

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2 NORTH ELEVATION



1 NORTH ELEVATION 1:200

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Status
DEVELOPMENT APPLICATION

Drawing Title:
NORTH ELEVATION

Sheet No.
HALLE-04.1

Drawn:	Checked:	Scale:	Rev.
AY	AS	1 :100 U.N.O	A

1:200 1:100 1:50 1 METRE INCREMENTS

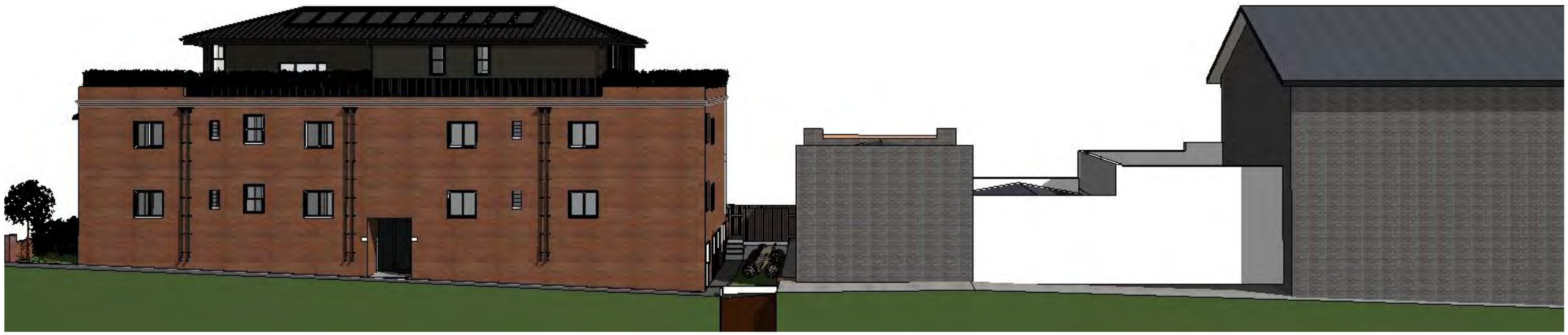
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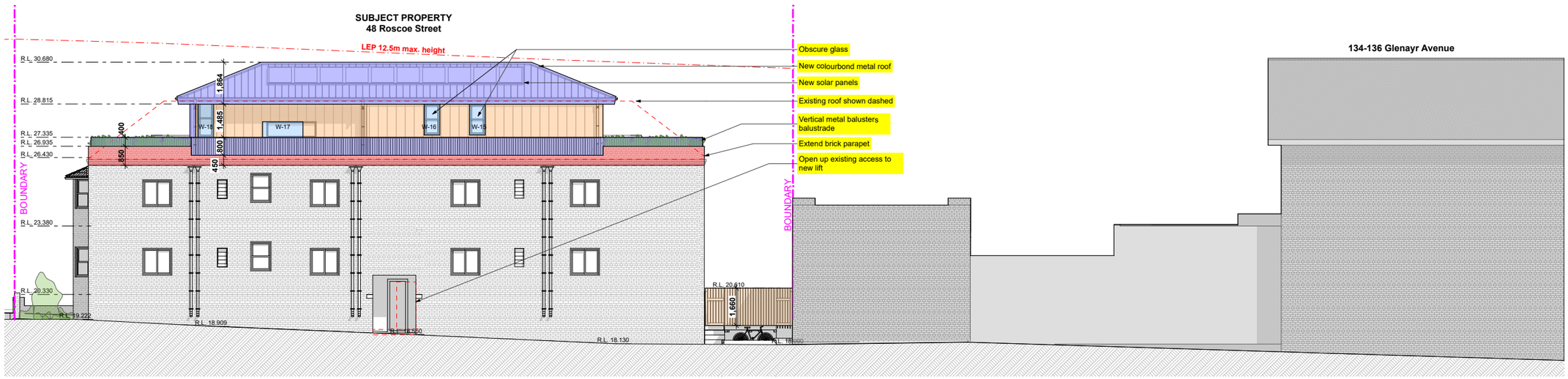
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2 SOUTH ELEVATION



1 SOUTH ELEVATION 144 1:200

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DEVELOPMENT APPLICATION

Drawing Title:
SOUTH ELEVATION

Sheet No.
HALLE-04.2

Drawn:	Checked:	Scale:	Rev.
AY	AS	1 :100 U.N.O	A

1:200 1:100 1:50 1 METRE INCREMENTS

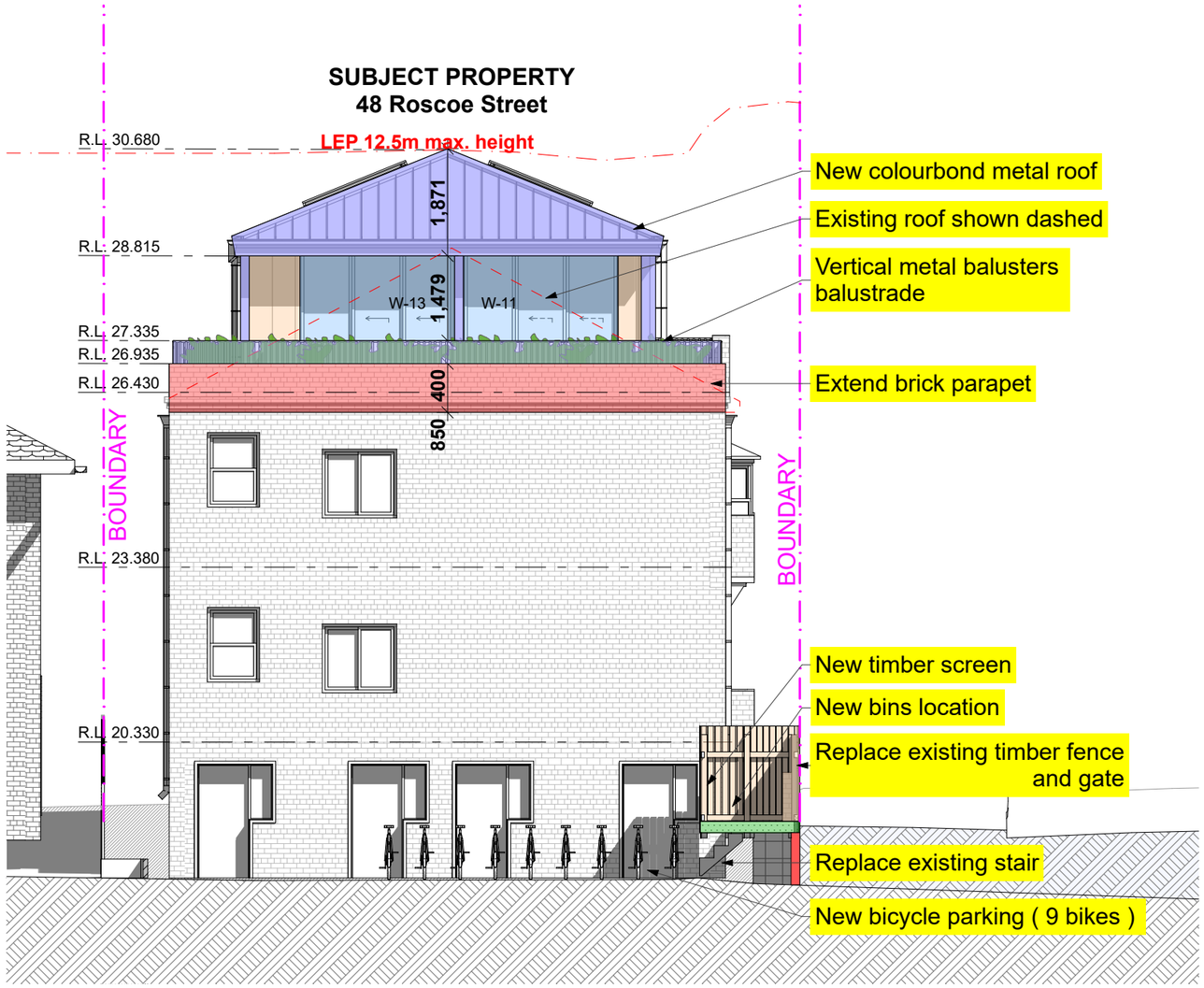
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1 EAST ELEVATION 1:100



2 EAST ELEVATION

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185 Old South Head Rd., Bondi Junction NSW
2022 a.c.n. 087 234 053

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Multi Dwelling

Certificate number: 1771368M

Thermal performance Star rating
7.1
The more stars the more energy efficient
NATIONWIDE HOUSE ENERGY RATING SCHEME
28.9 MJ/m²
Predicted annual energy load for heating and cooling based on standard occupancy assumptions.
For more information on your dwelling's rating see:
www.nathers.gov.au

NOTE:

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Rev	Description	Date
A	DA Issue	10/02/2025

Client
HALLE

Project
ALTERATIONS & ADDITIONS

Site Address
48 ROSCOE STREET BONDI NSW

Status
DEVELOPMENT APPLICATION

Drawing Title:
EAST ELEVATION

Sheet No.
HALLE-04.3

Drawn:	Checked:	Scale:	Rev.
AY	AS	1 :100 U.N.O	A

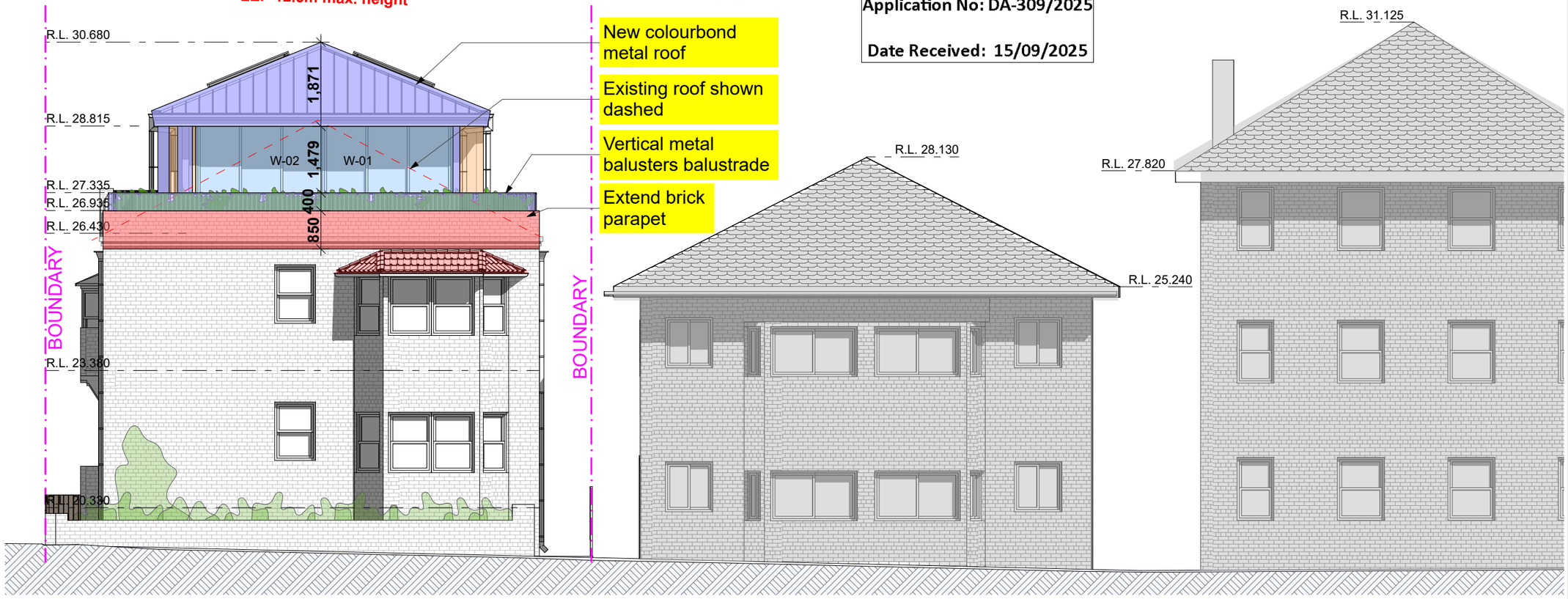
1:200 1:100 1:50 1 METRE INCREMENTS

Plot Date: Friday, 12 September 2025

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2 WEST ELEVATION



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Waverley Council
Application No: DA-309/2025
Date Received: 15/09/2025

1 WEST ELEVATION 1:100

CSA ARCHITECTS

Nominated Architect: Alex Smith Reg #5473
alex@csa-arch.com.au

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Client
HALLE

Project
ALTERATIONS & ADDITIONS

Site Address
48 ROSCOE STREET BONDI NSW

Status
DEVELOPMENT APPLICATION

Drawing Title:
WEST ELEVATION

Sheet No.
HALLE-04.4

Drawn:	Checked:	Scale:	Rev.
AY	AS	1 :100 U.N.O	A

1:200 1:100 1:50 1 METRE INCREMENTS

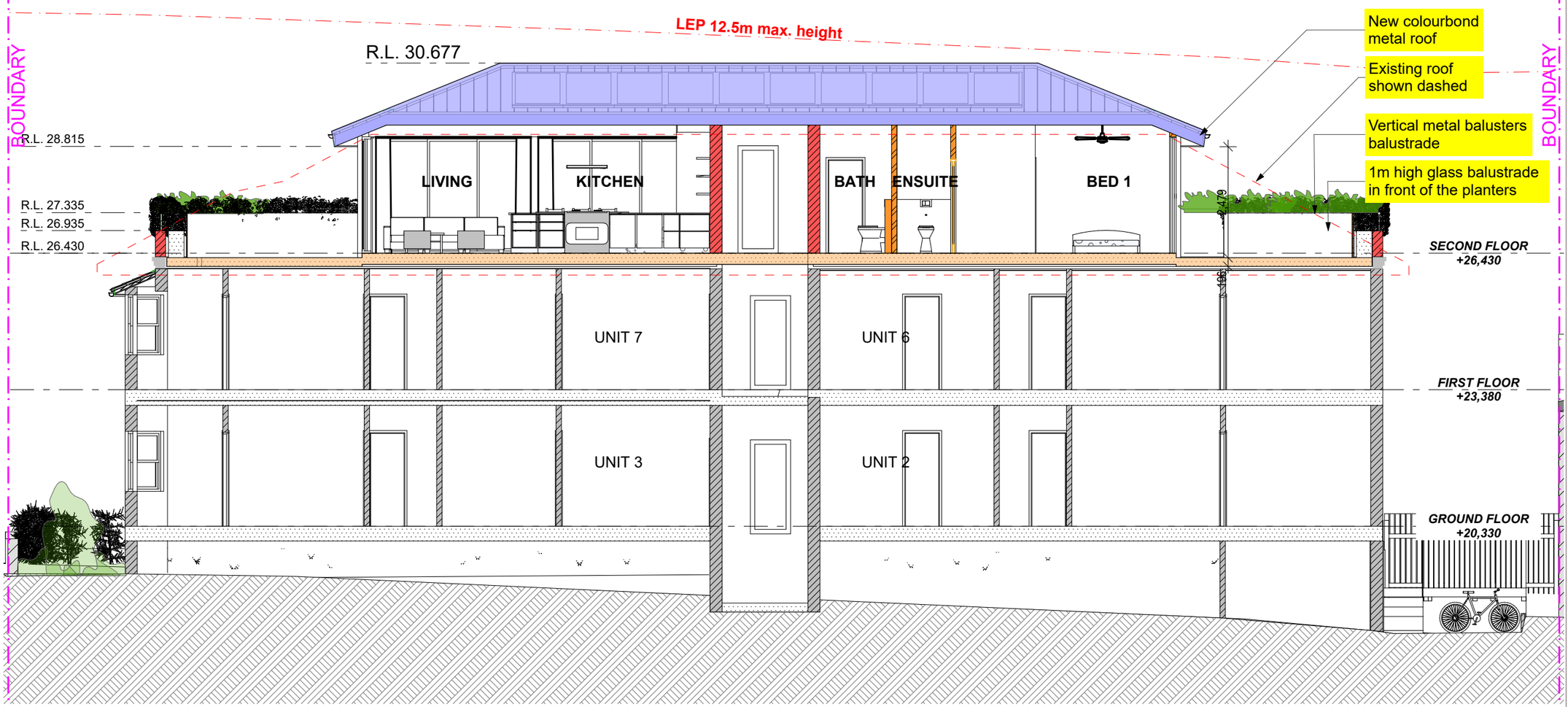
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Application No: DA-309/2025

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1 SECTION A 1:100

HALLE-02.6

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Client
HALLE

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Site Address
48 ROSCOE STREET BONDI NSW

Status
DEVELOPMENT APPLICATION

Drawing Title:
SECTION 1

Sheet No.
HALLE-04.5

Drawn:	Checked:	Scale:	Rev.
AY	AS	1 :100 U.N.O	A

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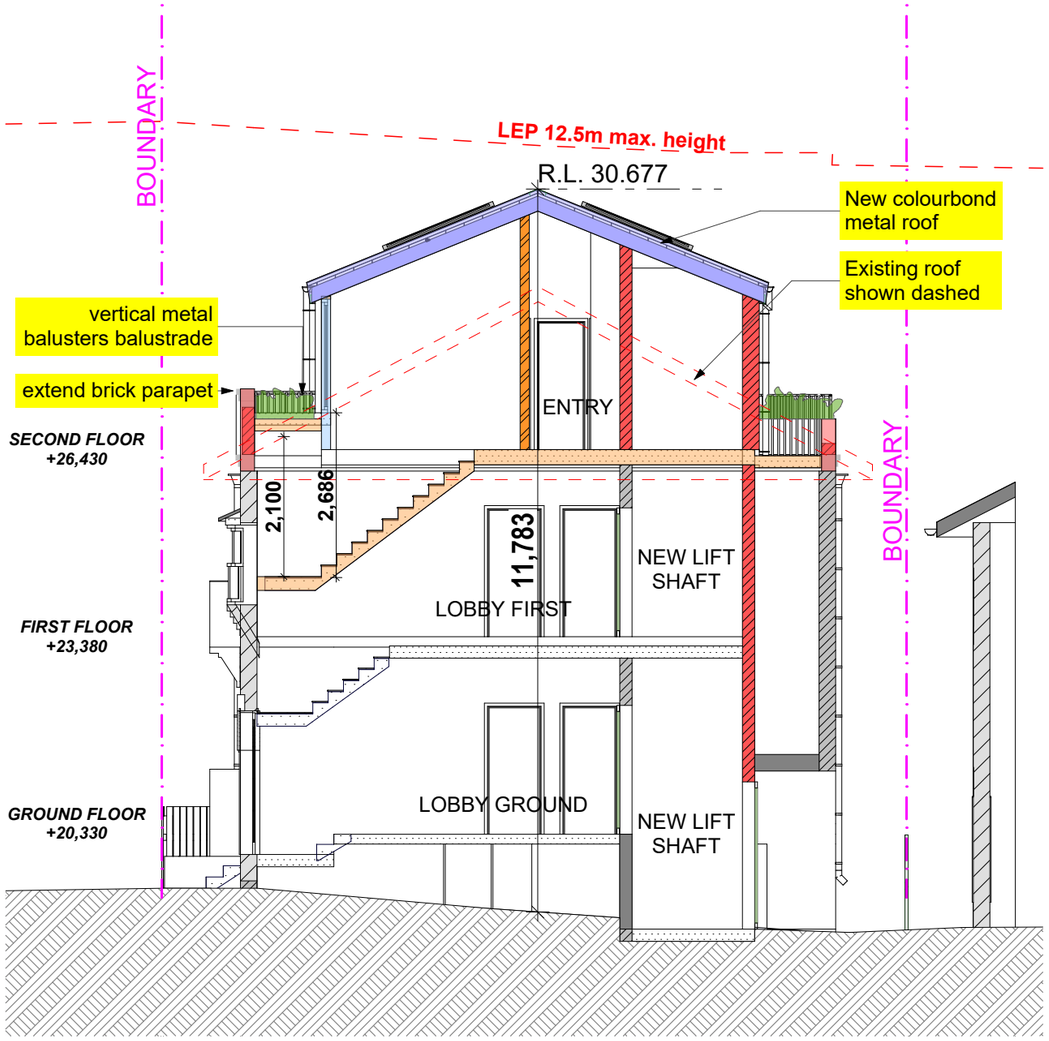
Plot Date: Friday, 12 September 2025

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Application No: DA-309/2025

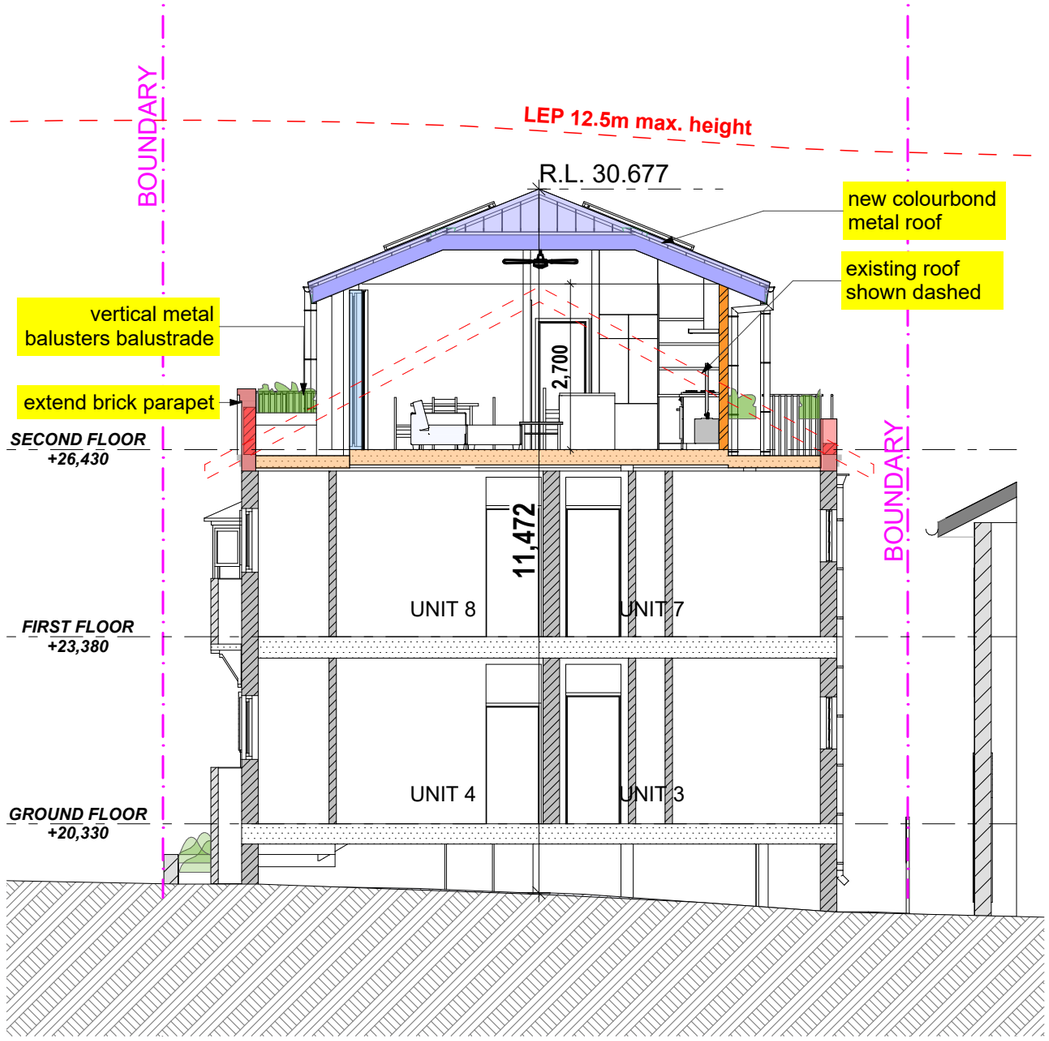
Date Received: 15/09/2025

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1 SECTION B 1:100

HALLE-02.6



2 SECTION D 1:100

HALLE-02.6

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Project
ALTERATIONS & ADDITIONS

Site Address
48 ROSCOE STREET BONDI NSW

Status
DEVELOPMENT APPLICATION

Drawing Title:
SECTION 2 & 3

Sheet No.
HALLE-04.6

Drawn:	Checked:	Scale:	Rev.
AY	AS	1 :100 U.N.O	A

1:200 1:100 1:50 1 METRE INCREMENTS

Plot Date: Friday, 12 September 2025

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1 STREET VIEW 1



2 STREET VIEW 2



3 STREET VIEW 3



4 STREET VIEW 4

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Site Address
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Status
DEVELOPMENT APPLICATION

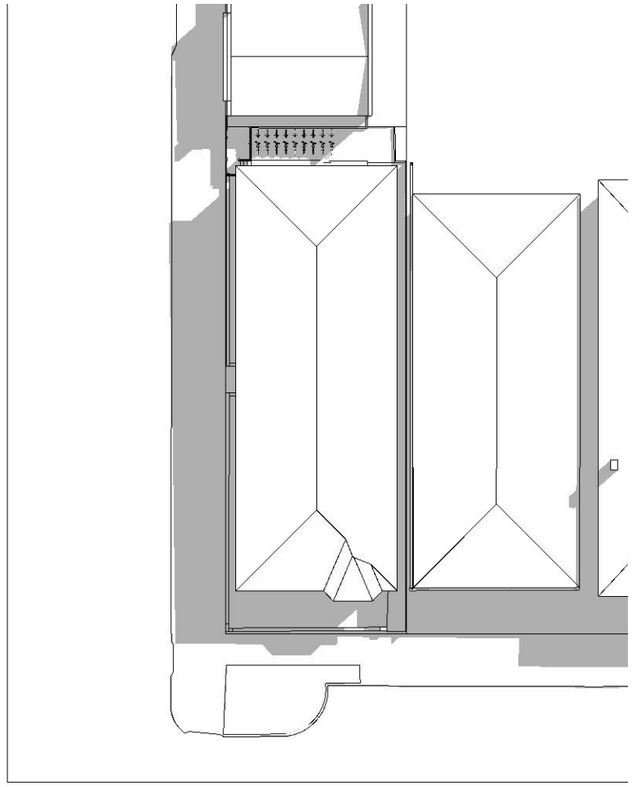
Drawing Title:
3D VIEWS

Sheet No.
HALLE-05.1

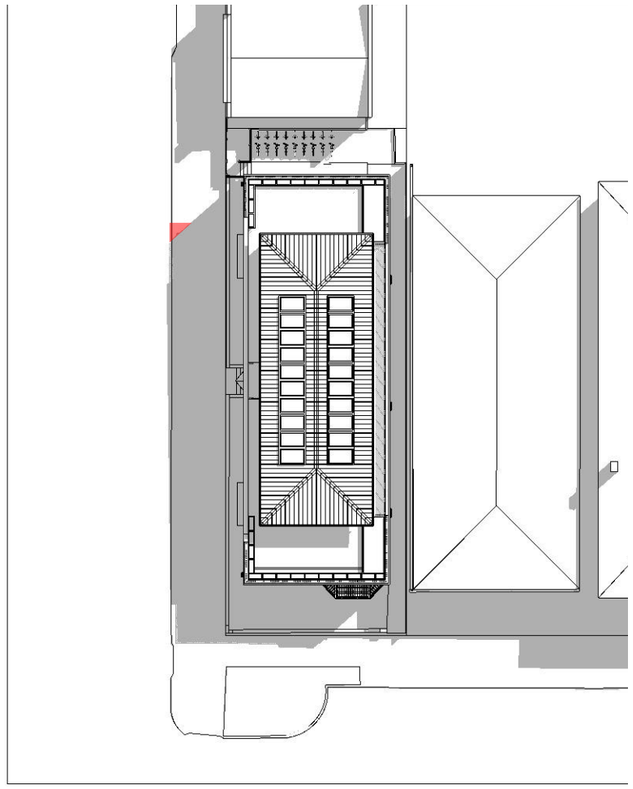
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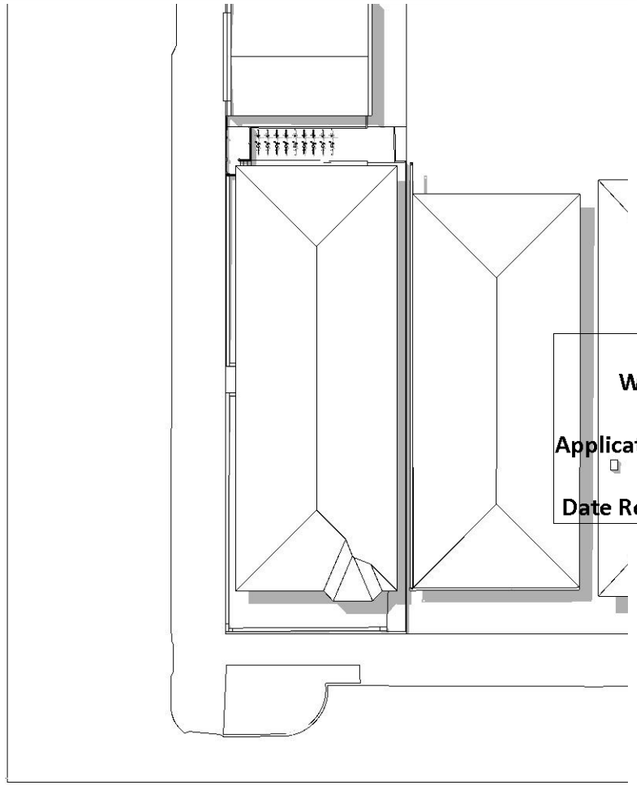
Plot Date: Friday, 12 September 2025



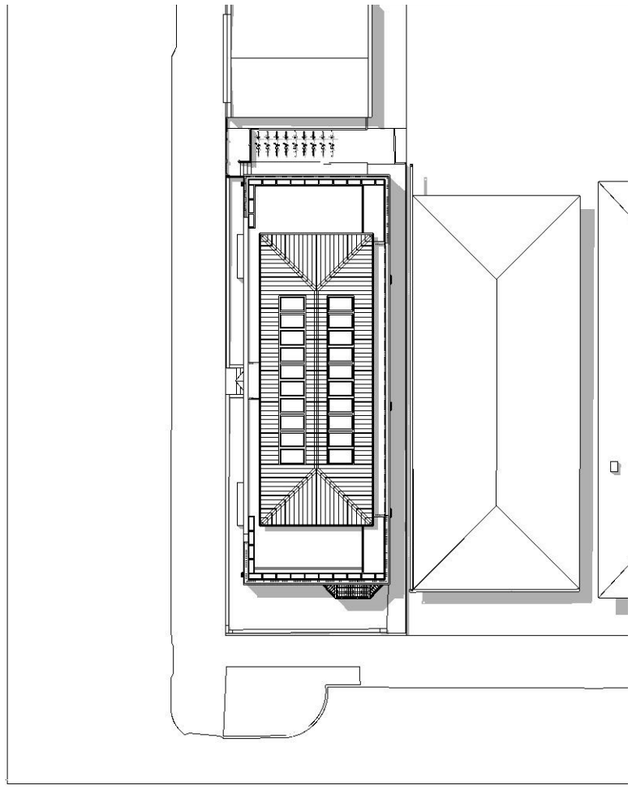
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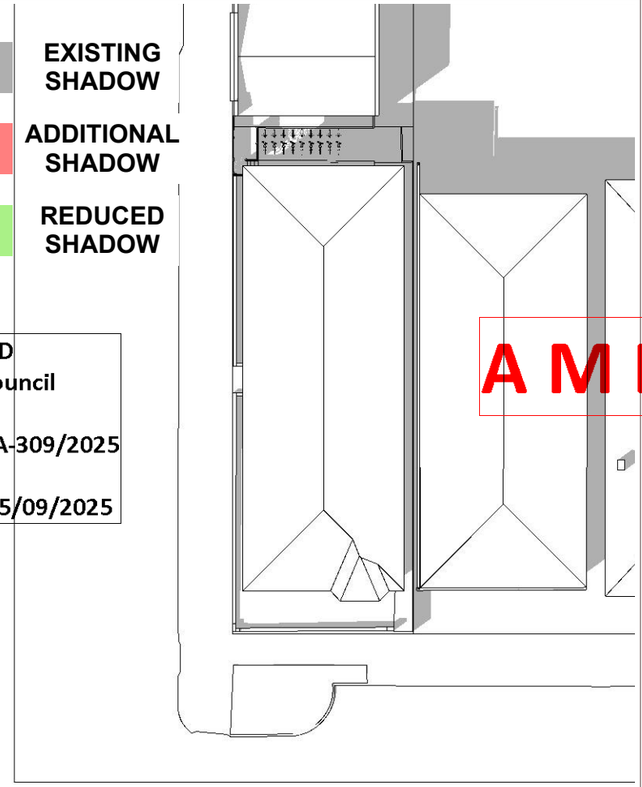
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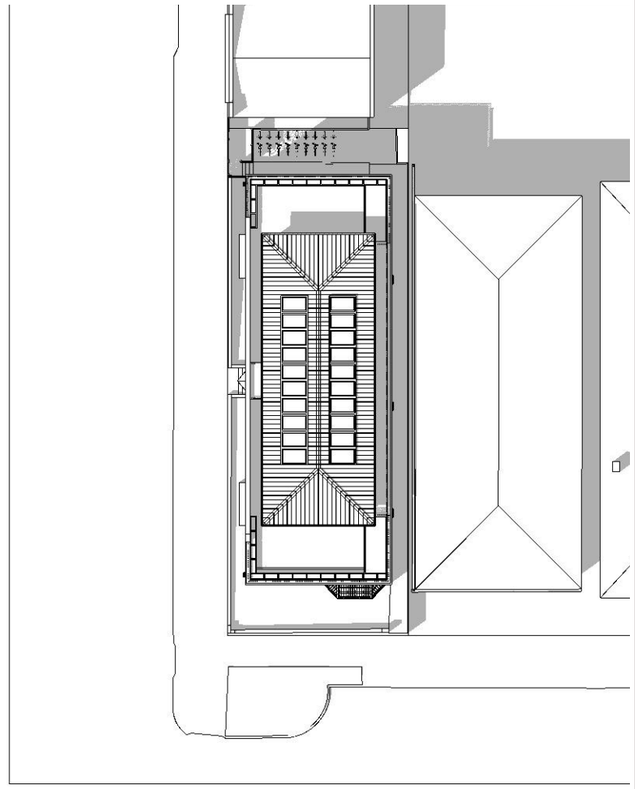
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4 PROPOSED - 21st DECEMBER - 12PM



5 EXISTING - 21st DECEMBER - 3PM



6 PROPOSED - 21st DECEMBER - 3PM

EXISTING SHADOW

ADDITIONAL SHADOW

REDUCED SHADOW

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Waverley Council

Application No: DA-309/2025

Date Received: 15/09/2025

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CSA ARCHITECTS

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Client
HALLE

Project
ALTERATIONS & ADDITIONS

Site Address
48 ROSCOE STREET BONDI NSW

Status
DEVELOPMENT APPLICATION

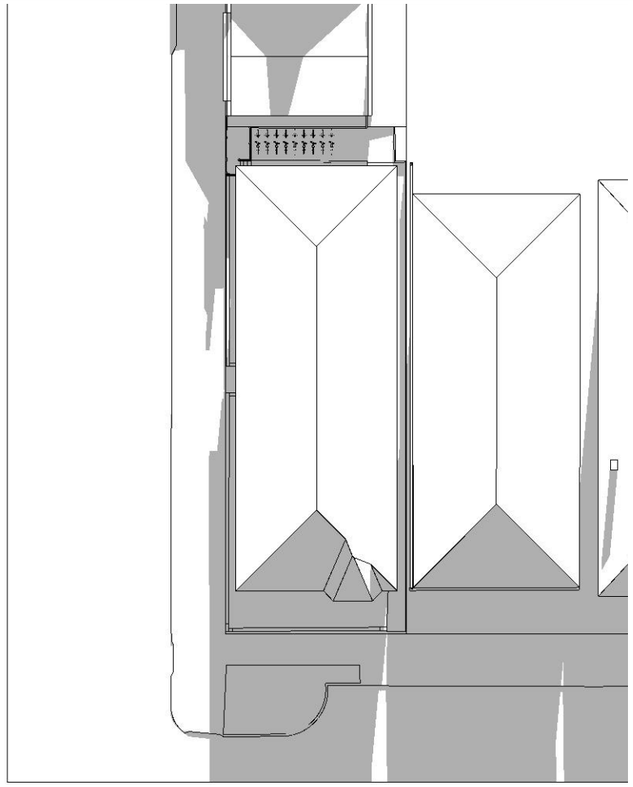
Drawing Title:
SHADOW DIAGRAMS - PLANS - DECEMBER

Sheet No.
HALLE-05.2

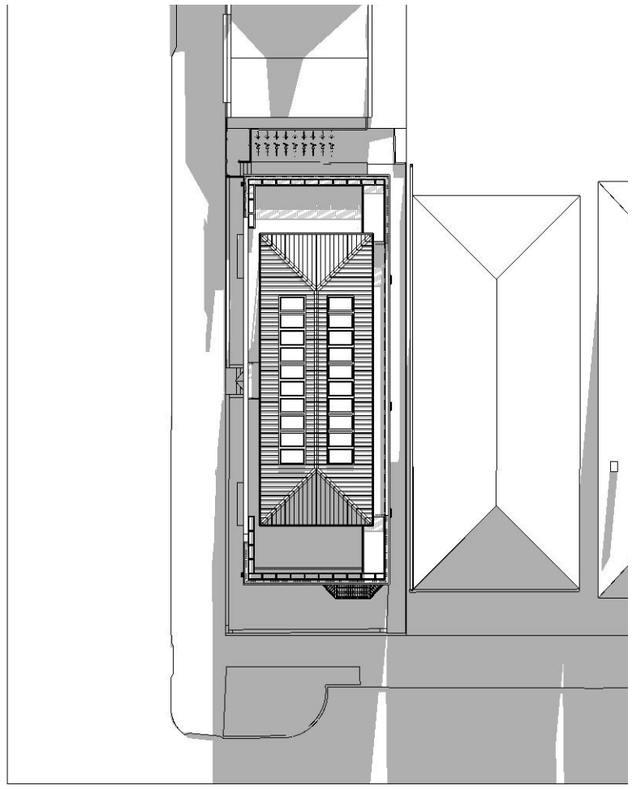
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AY	AS	1 :100 U.N.O	**B**

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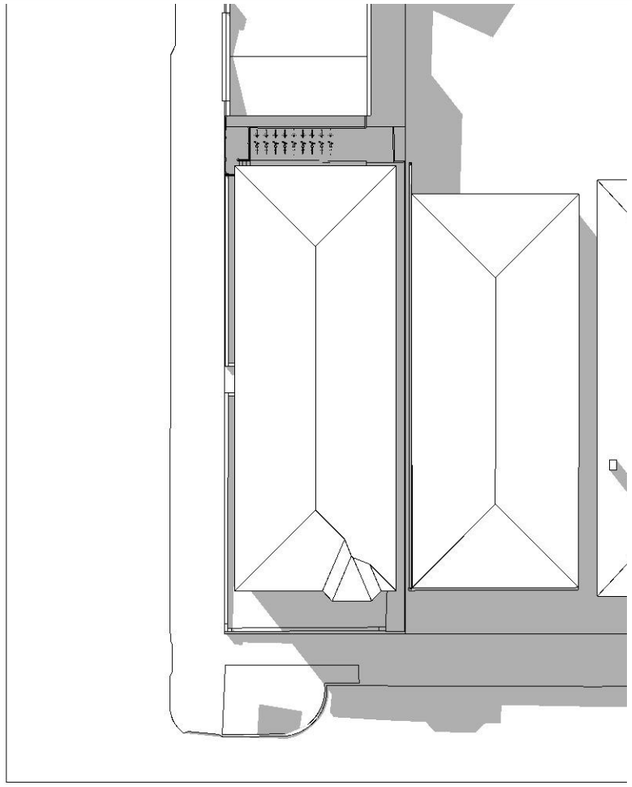
Plot Date: Friday, 12 September 2025



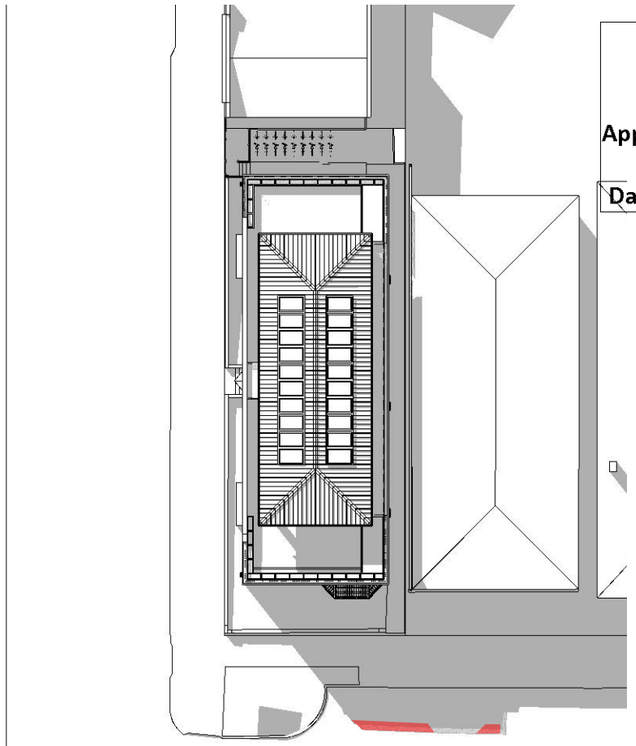
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2 PROPOSED - 21st JUNE - 9AM



3 EXISTING - 21st JUNE - 12PM

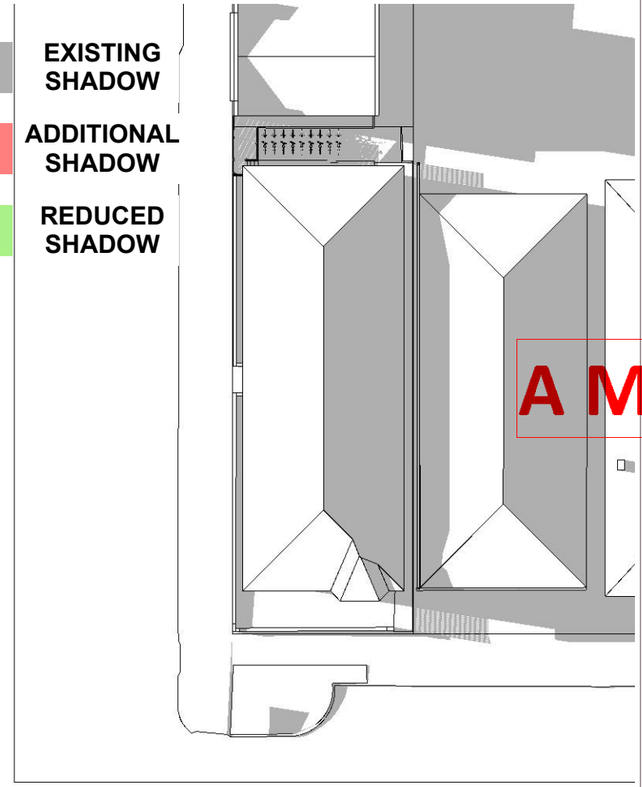


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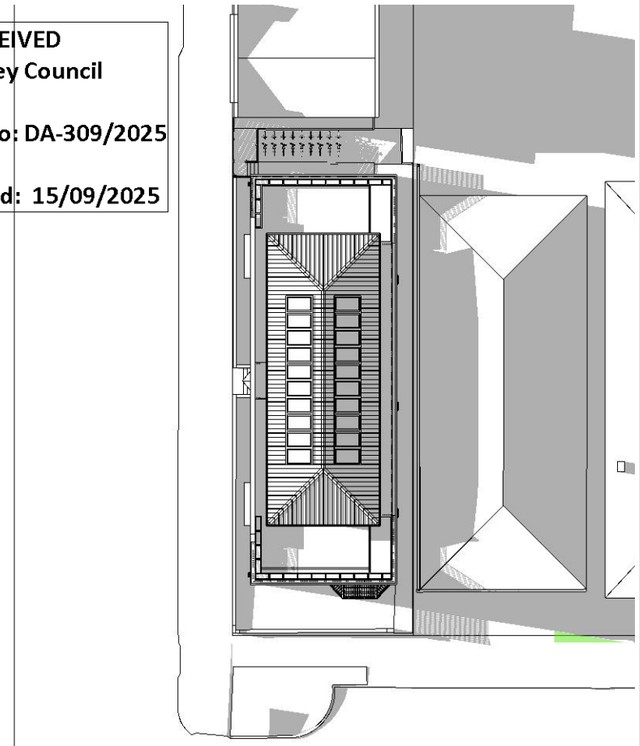
EXISTING SHADOW

ADDITIONAL SHADOW

REDUCED SHADOW



5 EXISTING - 21st JUNE - 3PM



6 PROPOSED - 21st JUNE - 3PM

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Application No: DA-309/2025

Date Received: 15/09/2025

CSA ARCHITECTS

Nominated Architect: Alex Smith Reg #5473
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Client
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Project
ALTERATIONS & ADDITIONS

Site Address
48 ROSCOE STREET BONDI NSW

Status
DEVELOPMENT APPLICATION

Drawing Title:
SHADOW DIAGRAMS - PLANS - JULY

Sheet No.
HALLE-05.3

Drawn:	Checked:	Scale:	Rev.
AY	AS	1 :100 U.N.O	B

1:200 1:100 1:50 1 METRE INCREMENTS

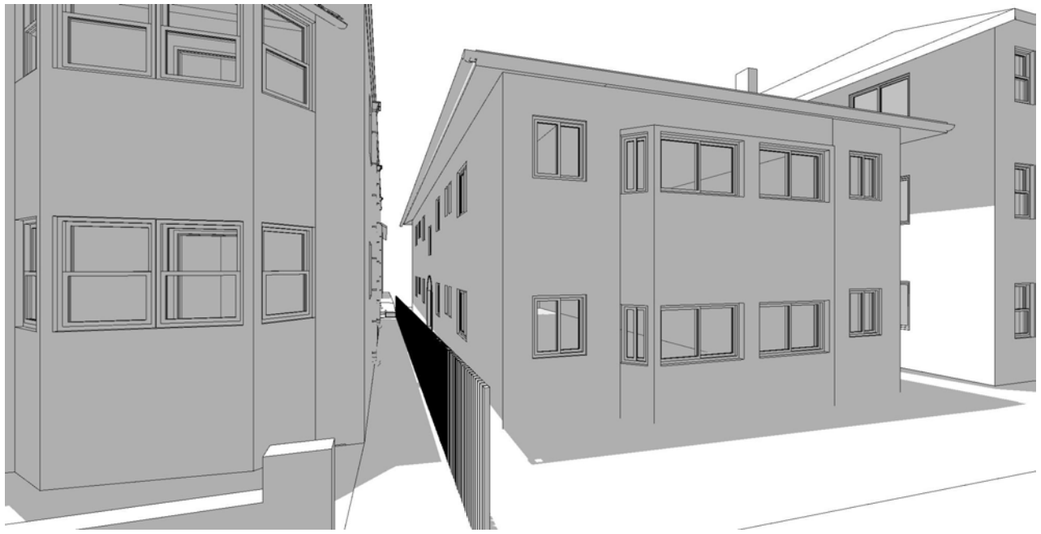
Plot Date: Friday, 12 September 2025



1 PROPOSED - 21st DECEMEBER - 9AM



4 EXISTING - 21st DECEMBER - 9AM



2 PROPOSED - 21st DECEMBER - 12PM



5 EXISTING - 21st DECEMBER- 12PM



3 PROPOSED - 21st DECEMBER - 3PM



6 EXISTING - 21st DECEMBER - 3PM

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Project
ALTERATIONS & ADDITIONS

Site Address
48 ROSCOE STREET BONDI NSW

Status
DEVELOPMENT APPLICATION

Drawing Title:
SHADOW DIAGRAMs - 3D - DECEMBER

Sheet No.
HALLE-05.4

Drawn:	Checked:	Scale:	Rev.
AY	AS	1 :100 U.N.O	B

1:200 1:100 1:50 1 METRE INCREMENTS

Plot Date: Friday, 12 September 2025



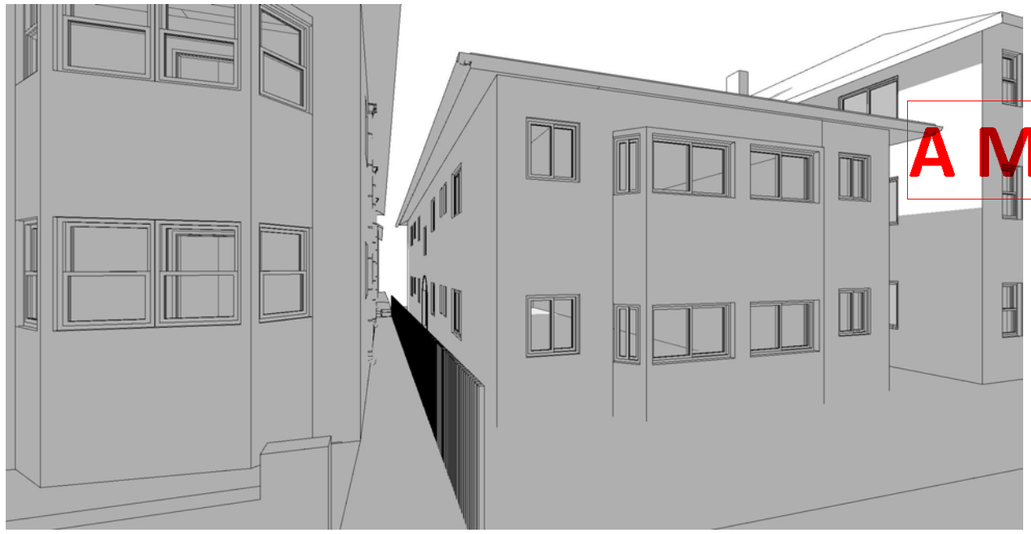
1 PROPOSED - 21st JUNE - 9AM



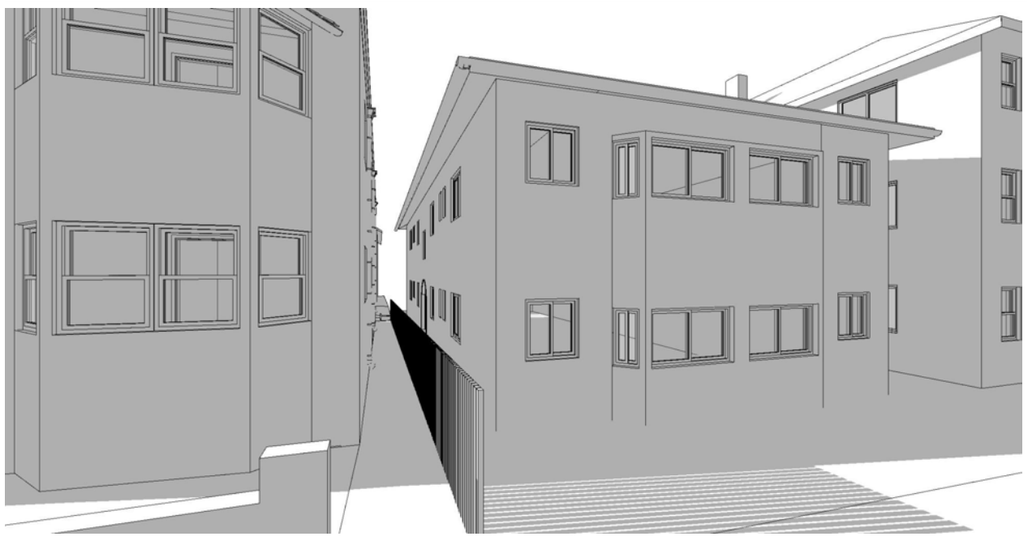
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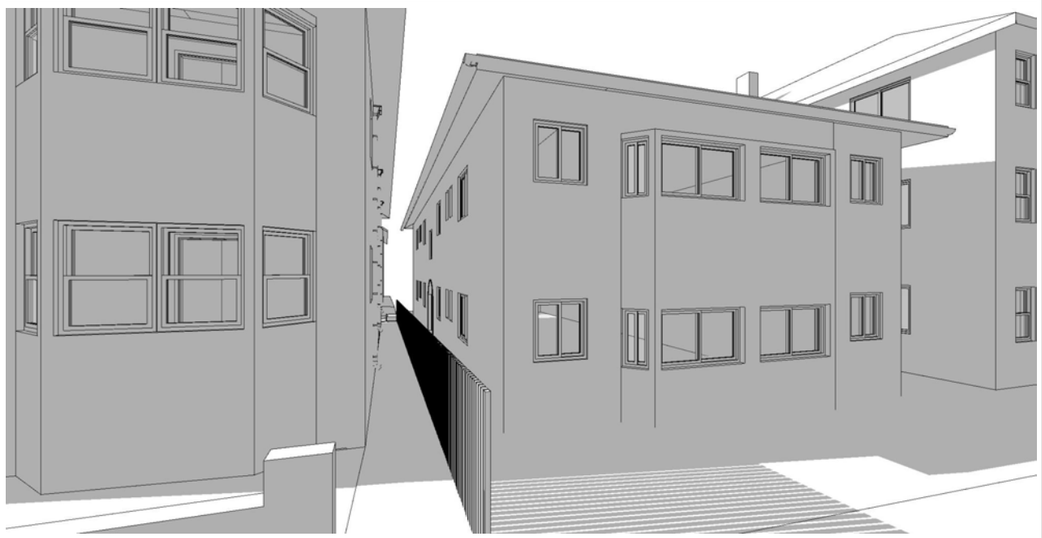
2 PROPOSED - 21st JUNE - 12PM



5 EXISTING - 21st JUNE - 12PM



3 PROPOSED - 21st JUNE- 3PM



6 EXISTING - 21st JUNE - 3PM

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Project
ALTERATIONS & ADDITIONS

Site Address
48 ROSCOE STREET BONDI NSW

Status
DEVELOPMENT APPLICATION

Drawing Title:
SHADOW DIAGRAM - 3D - JULY

Sheet No.
HALLE-05.5

Drawn:	Checked:	Scale:	Rev.
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1:200 1:100 1:50 1 METRE INCREMENTS

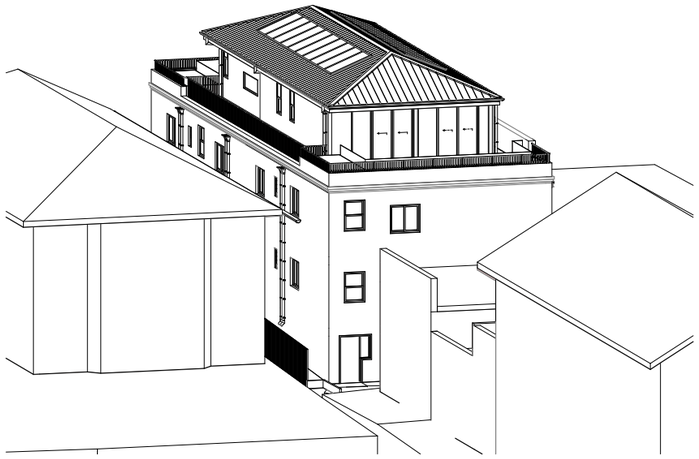
Plot Date: Friday, 12 September 2025

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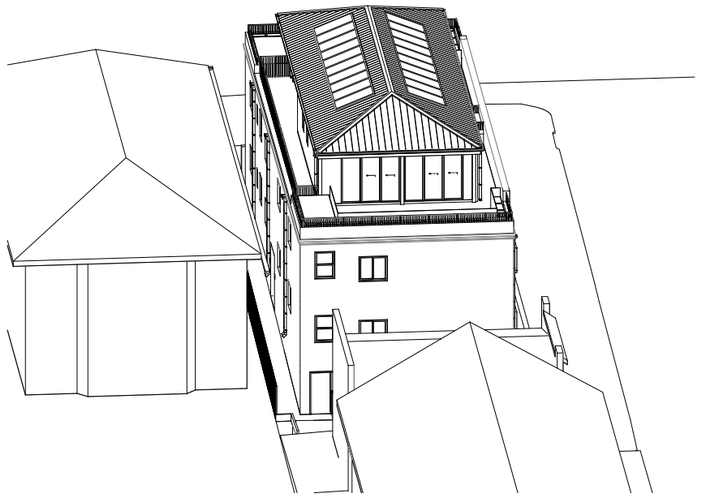
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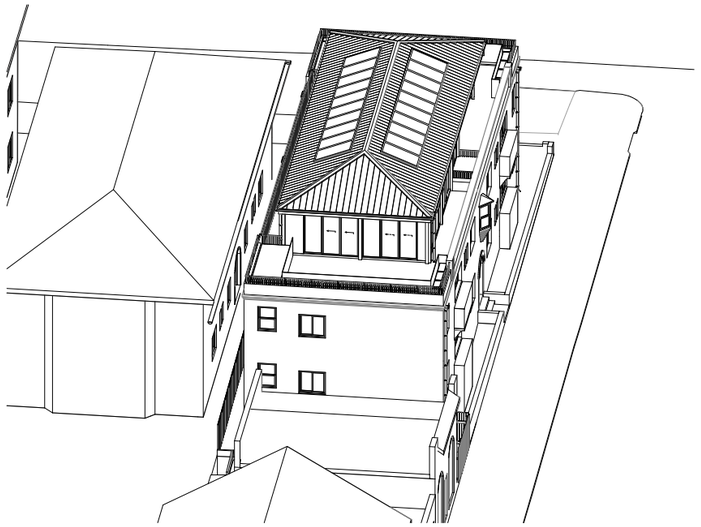
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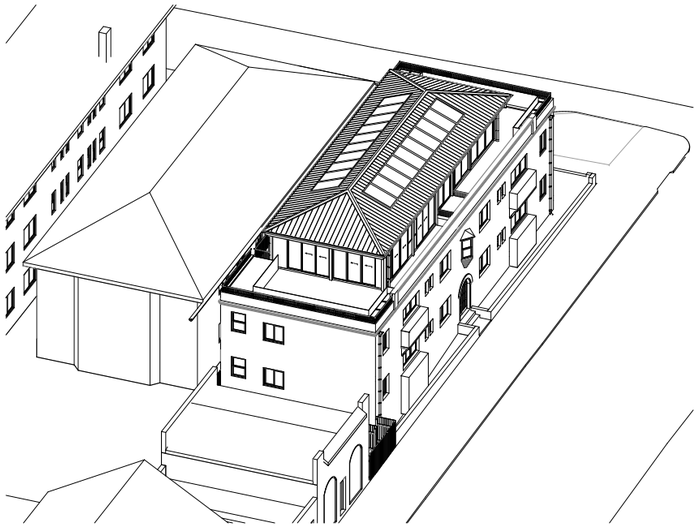
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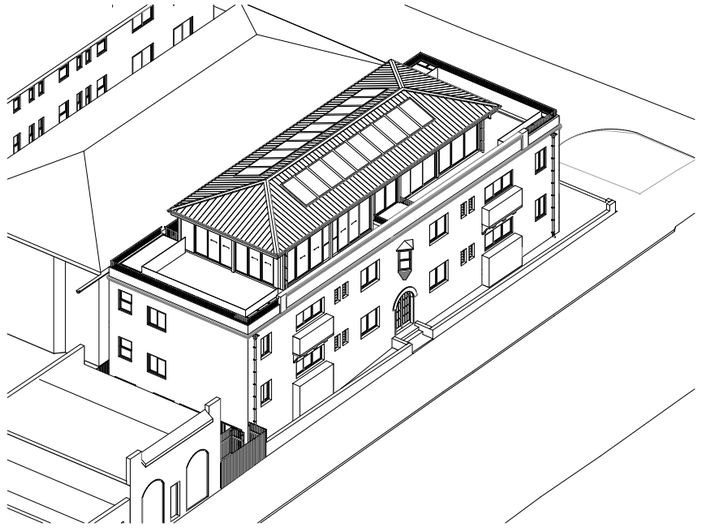
2 PROPOSED - 21st JUNE - 9AM



3 PROPOSED - 21st JUNE - 10AM



4 PROPOSED - 21st JUNE - 11AM



5 PROPOSED - 21st JUNE - 12PM



6 PROPOSED - 21st JUNE - 1PM

CSA ARCHITECTS

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Status
DEVELOPMENT APPLICATION

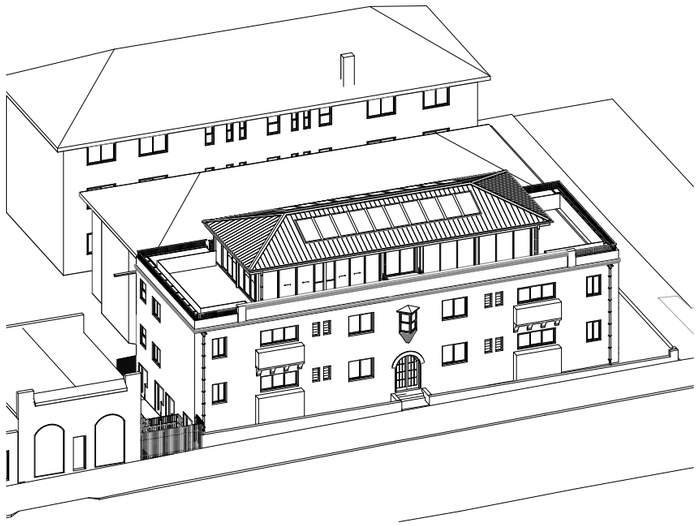
Drawing Title:
VIEWS FROM THE SUN 1/2

Sheet No.
HALLE-05.6

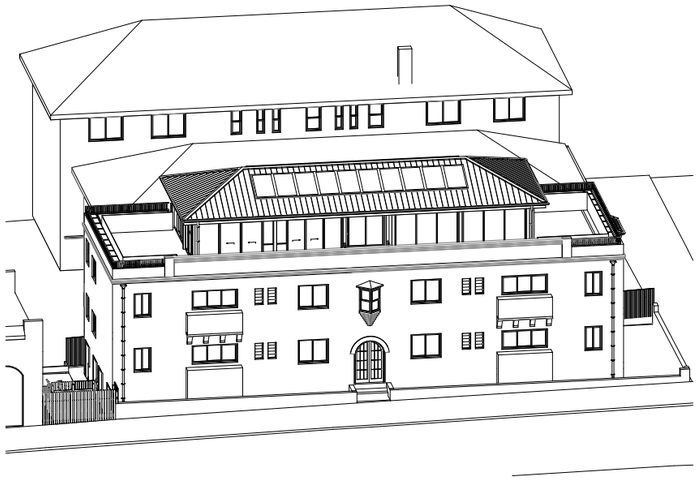
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AY	AS	1 :100 U.N.O	**B**

1:200 1:100 1:50 1 METRE INCREMENTS

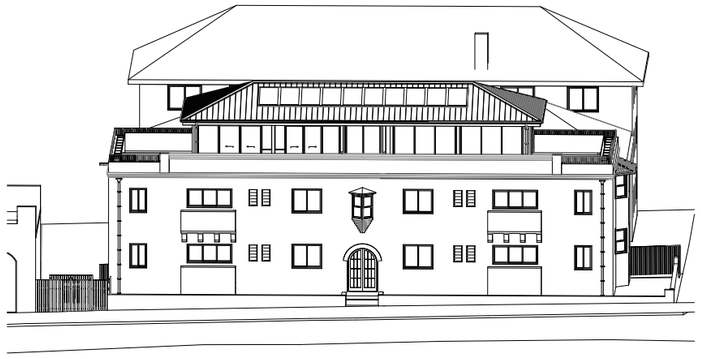
Plot Date: Friday, 12 September 2025



1 PROPOSED - 21st JUNE - 2PM



2 PROPOSED - 21st JUNE - 3PM



3 PROPOSED - 21st JUNE - 4PM

AMENDED

RECEIVED
Waverley Council

Application No: DA-309/2025

Date Received: 15/09/2025

CSA ARCHITECTS

Nominated Architect: Alex Smith Reg #5473
alex@csa-arch.com.au

CSA Architects Pty Ltd.
61 2 9389 4055 www.csa-arch.com.au
185 Old South Head Rd., Bondi Junction NSW
2022 a.c.n. 087 234 053

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Rev	Description	Date
A	DA Issue	10/02/2025
B	Additional info. requested by Council	10/09/2025

Client
HALLE

Project
ALTERATIONS & ADDITIONS

Site Address
48 ROSCOE STREET BONDI NSW

Status
DEVELOPMENT APPLICATION

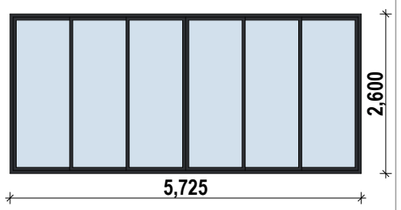
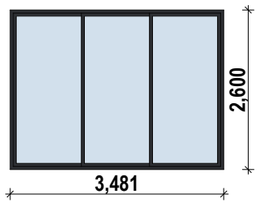
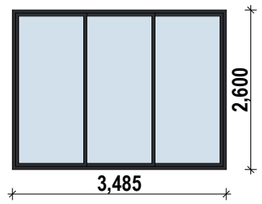
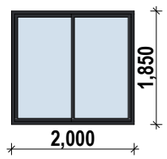
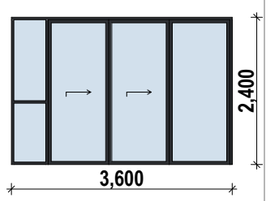
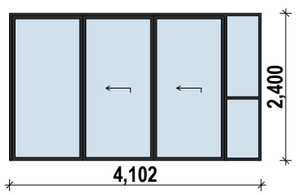
Drawing Title:
VIEWS FROM THE SUN 2/2

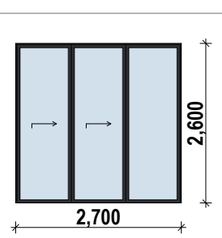
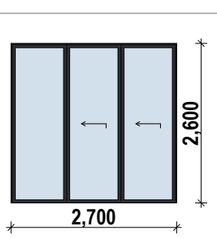
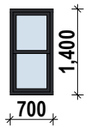
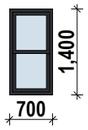
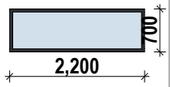
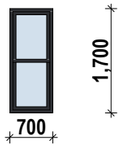
Sheet No.
HALLE-05.7

Drawn:	Checked:	Scale:	Rev.
AY	AS	1 :100 U.N.O	**B**

1:200 1:100 1:50 1 METRE INCREMENTS

Plot Date: Friday, 12 September 2025

ID	W-01	W-02	W-03	W-04	W-05	W-06
Window Name	CI Tools Door Exterior	CI Tools Door Exterior	CI Tools Door Exterior	2-Sash Sliding Window 27	Sliding Door with Sidelight on Side...	Sliding Door with Sidelight on Side 2 27
Height	2,600	2,600	2,600	1,850	2,400	2,400
Width	5,725	3,481	3,485	2,000	3,600	4,102
Window sill height	0	0	0	0	0	0
2D Symbol						
Elevation						
Notes						

ID	W-07	W-08	W-09	W-10	W-11	W-12
Window Name	Sliding Door 27	Sliding Door 27	Double-Hung Win...	Double-Hung Windo...	Window 27	Double-Hung Window 27
Height	2,600	2,600	1,400	1,400	700	1,700
Width	2,700	2,700	700	700	2,200	700
Window sill height	0	0	1,000	1,000	900	900
2D Symbol						
Elevation						
Notes			obscure glass	obscure glass		

RECEIVED
Waverley Council

Application No: DA-309/2025

Date Received: 15/09/2025

AMENDED

CSA ARCHITECTS

Nominated Architect: Alex Smith Reg #5473
alex@csa-arch.com.au

CSA Architects Pty Ltd.
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185 Old South Head Rd., Bondi Junction NSW
2022 a.c.n. 087 234 053

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Rev	Description	Date
A	DA Issue	10/02/2025

Client
HALLE

Project
ALTERATIONS & ADDITIONS

Site Address
48 ROSCOE STREET BONDI NSW

Status
DEVELOPMENT APPLICATION

Drawing Title:
WINDOW SCHEDULE

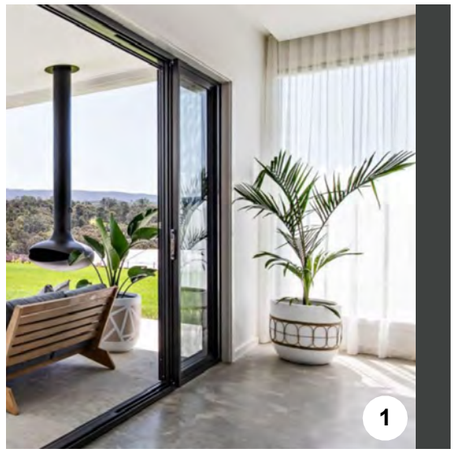
Sheet No.
HALLE-05.8

Drawn:	Checked:	Scale:	Rev.
AY	AS	1 :100 U.N.O	A

1:200 1:100 1:50 1 METRE INCREMENTS

Plot Date: Friday, 12 September 2025

MATERIALS AND FINISHES SCHEDULE



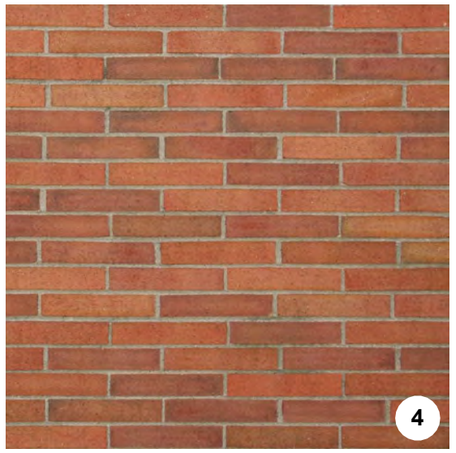
WINDOW & DOOR FRAMES - Anodised window and door frames in dark charcoal colour



METAL ROOF - Lysaght Imperial flat standing seam profile. " Dulux Monument " finish



TIMBER EAVES - Light timber finish to raked eaves



BRICK PARAPET - Bowral "Blends Bargo" or similar to match existing

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RECEIVED
Waverley Council

Application No: DA-309/2025

Date Received: 15/09/2025



CSA ARCHITECTS

Nominated Architect: Alex Smith Reg #5473
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Rev	Description	Date
A	DA Issue	10/02/2025

Client
HALLE

Project
ALTERATIONS & ADDITIONS

Site Address
48 ROSCOE STREET BONDI NSW

Status
DEVELOPMENT APPLICATION

Drawing Title:
MATERIALS & FINISHES

Sheet No.
HALLE-05.9

Drawn:	Checked:	Scale:	Rev.
AY	AS	1 :100 U.N.O	A

1:200 1:100 1:50 1 METRE INCREMENTS

Plot Date: Friday, 12 September 2025

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Waverley Council

Application No: DA-309/2025

Date Received: 15/09/2025

AMENDED



PHOTOMONTAGE

CSA ARCHITECTS

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

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Rev	Description	Date
A	DA Issue	10/02/2025

Client
HALLE

Project
ALTERATIONS & ADDITIONS

Site Address
48 ROSCOE STREET BONDI NSW

Status
DEVELOPMENT APPLICATION

Drawing Title:
PHOTOMONTAGE

Sheet No.
HALLE-05.10

Drawn:	Checked:	Scale:	Rev.
AY	AS	1 :100 U.N.O	**A**

1:200 1:100 1:50 1 METRE INCREMENTS

Plot Date: Friday, 12 September 2025

BASIX® Certificate

Building Sustainability Index www.basix.nsw.gov.au

Multi Dwelling

Certificate number: 1771368M

Certificate No. 0011527306-03

Scan QR code or follow website link for rating details.

Assessor name ANTHONY PEART

Accreditation No. DMN/13/1511

Property Address Unit 9, 48 ROSCOE STREET ,BONDI NSW,2026

hstar.com.au/QR/Generate?p=IJTYINkfN

RECEIVED
Waverley Council

Application No: DA-309/2025

Date Received: 15/09/2025

AMENDED

1. Commitments for multi-dwelling housing

(a) Dwellings

(i) Water

(a) The applicant must comply with the commitments listed below in carrying out the development of a dwelling listed in a table below.

(b) The applicant must plant indigenous or low water use species of vegetation throughout the area of land specified for the dwelling in the "Indigenous species" column of the table below, as private landscaping for that dwelling. (This area of indigenous vegetation is to be contained within the "Area of garden and lawn" for the dwelling specified in the "Description of Project" table).

(c) If a rating is specified in the table below for a fixture or appliance to be installed in the dwelling, the applicant must ensure that each such fixture and appliance meets the rating specified for it.

(d) The applicant must install an on demand hot water recirculation system which regulates all hot water use throughout the dwelling, where indicated for a dwelling in the "HW recirculation or diversion" column of the table below.

(e) The applicant must install:

(aa) a hot water diversion system to all showers, kitchen sinks and all basins in the dwelling, where indicated for a dwelling in the "HW recirculation or diversion" column of the table below; and

(bb) a separate diversion tank (or tanks) connected to the hot water diversion systems of at least 100 litres. The applicant must connect the hot water diversion tank to all toilets in the dwelling.

(e) The applicant must not install a private swimming pool or spa for the dwelling, with a volume exceeding that specified for it in the table below.

(f) If specified in the table, that pool or spa (or both) must have a pool cover or shading (or both).

(g) The pool or spa must be located as specified in the table.

(h) The applicant must install, for the dwelling, each alternative water supply system, with the specified size, listed for that dwelling in the table below. Each system must be configured to collect run-off from the areas specified (excluding any area which supplies any other alternative water supply system), and to divert overflow as specified. Each system must be connected as specified.

(ii) Energy

(a) The applicant must comply with the commitments listed below in carrying out the development of a dwelling listed in a table below.

(b) The applicant must install each hot water system specified for the dwelling in the table below, so that the dwelling's hot water is supplied by that system. If the table specifies a central hot water system for the dwelling, then the applicant must connect that central system to the dwelling, so that the dwelling's hot water is supplied by that central system.

(c) The applicant must install, in each bathroom, kitchen and laundry of the dwelling, the ventilation system specified for that room in the table below. Each such ventilation system must have the operation control specified for it in the table.

(d) The applicant must install the cooling and heating system/s specified for the dwelling under the "Living areas" and "Bedroom areas" headings of the "Cooling" and "Heating" columns in the table below, in/for at least 1 living/bedroom area of the dwelling. If no cooling or heating system is specified in the table for "Living areas" or "Bedroom areas", then no systems may be installed in any such areas. If the term "zoned" is specified beside an air conditioning system, then the system must provide for day/night zoning between living areas and bedrooms.

(e) This commitment applies to each room or area of the dwelling which is referred to in a heading to the "Artificial lighting" column of the table below (but only to the extent specified for that room or area). The applicant must ensure that the "primary type of artificial lighting" for each such room in the dwelling is fluorescent lighting or light emitting diode (LED) lighting. If the term "dedicated" is specified for a particular room or area, then the light fittings in that room or area must only be capable of being used for fluorescent lighting or light emitting diode (LED) lighting.

(f) This commitment applies to each room or area of the dwelling which is referred to in a heading to the "Natural lighting" column of the table below (but only to the extent specified for that room or area). The applicant must ensure that each such room or area is fitted with a window and/or skylight.

(g) This commitment applies if the applicant installs a water heating system for the dwelling's pool or spa. The applicant must:

(aa) install the system specified for the pool in the "Individual Pool" column of the table below (or alternatively must not install any system for the pool). If specified, the applicant must install a timer, to control the pool's pump; and

(bb) install the system specified for the spa in the "Individual Spa" column of the table below (or alternatively must not install any system for the spa). If specified, the applicant must install a timer to control the spa's pump.

(h) The applicant must install in the dwelling:

(aa) the kitchen cook-top and oven specified for that dwelling in the "Appliances & other efficiency measures" column of the table below;

(bb) each appliance for which a rating is specified for that dwelling in the "Appliances & other efficiency measures" column of the table, and ensure that the appliance has that minimum rating; and

(cc) any clothes drying line specified for the dwelling in the "Appliances & other efficiency measures" column of the table.

(i) If specified in the table, the applicant must carry out the development so that each refrigerator space in the dwelling is "well ventilated".

(j) The applicant must install the photovoltaic system specified for the dwelling under the "Photovoltaic system" heading of the "Alternative energy" column of the table below, and connect the system to that dwelling's electrical system.

(iii) Thermal Performance and Materials

(a) The applicant must attach the certificate referred to under "Assessor details" on the front page of this BASIX certificate (the "Assessor Certificate") to the development application and construction certificate application for the proposed development (or, if the applicant is applying for a complying development certificate for the proposed development, to that application). The applicant must also attach the Assessor Certificate to the application for a final occupation certificate for the proposed development.

(b) The Assessor Certificate must have been issued by an Accredited Assessor in accordance with the Thermal Comfort Protocol.

(c) The details of the proposed development on the Assessor Certificate must be consistent with the details shown in this BASIX Certificate, including the details shown in the "Thermal Loads" table below.

(d) The applicant must show on the plans accompanying the development application for the proposed development, all matters which the Thermal Comfort Protocol requires to be shown on those plans. Those plans must bear a stamp of endorsement from the Accredited Assessor, to certify that this is the case.

(e) The applicant must show on the plans accompanying the application for a construction certificate (or complying development certificate, if applicable), all thermal performance specifications set out in the Assessor Certificate, and all aspects of the proposed development which were used to calculate those specifications.

(f) The applicant must construct the development in accordance with all thermal performance specifications set out in the Assessor Certificate, and in accordance with those aspects of the development application or application for a complying development certificate which were used to calculate those specifications.

(g) Where there is an in-slab heating or cooling system, the applicant must:

(aa) Install insulation with an R-value of not less than 1.0 around the vertical edges of the perimeter of the slab; or

(bb) On a suspended floor, install insulation with an R-value of not less than 1.0 underneath the slab and around the vertical edges of the perimeter of the slab.

(h) The applicant must construct the floors and walls of the development in accordance with the specifications listed in the table below.

(i) The applicant must show on The plans accompanying The development application for The proposed development, The locations of ceiling fans set out in The Assessor Certificate.

(j) The applicant must show on the plans accompanying the application for a construction certificate (or complying development certificate, if applicable), the locations of ceiling fans set out in the Assessor Certificate.

2. Commitments for single dwelling houses

(a) Dwellings

(i) Water

(a) The applicant must comply with the commitments listed below in carrying out the development of a dwelling listed in a table below.

(b) The applicant must plant indigenous or low water use species of vegetation throughout the area of land specified for the dwelling in the "Indigenous species" column of the table below, as private landscaping for that dwelling. (This area of indigenous vegetation is to be contained within the "Area of garden and lawn" for the dwelling specified in the "Description of Project" table).

(c) If a rating is specified in the table below for a fixture or appliance to be installed in the dwelling, the applicant must ensure that each such fixture and appliance meets the rating specified for it.

(d) The applicant must install an on demand hot water recirculation system which regulates all hot water use throughout the dwelling, where indicated for a dwelling in the "HW recirculation or diversion" column of the table below.

CSA ARCHITECTS

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Rev	Description	Date
A	DA Issue	10/02/2025

Client
HALLE

Project
ALTERATIONS & ADDITIONS

Site Address
48 ROSCOE STREET BONDI NSW

Status
DEVELOPMENT APPLICATION

Drawing Title:
BASIX (Pg 1 of 5)

Sheet No.
HALLE-05.11

Drawn:	Checked:	Scale:	Rev.
AY	AS	1 :100 U.N.O	A

1:200 1:100 1:50 1 METRE INCREMENTS

Plot Date: Friday, 12 September 2025

(e) The applicant must install:

(aa) a hot water diversion system to all showers, kitchen sinks and all basins in the dwelling, where indicated for a dwelling in the "HW recirculation or diversion" column of the table below; and

(bb) a separate diversion tank (or tanks) connected to the hot water diversion systems of at least 100 litres. The applicant must connect the hot water diversion tank to all toilets in the dwelling.

(e) The applicant must not install a private swimming pool or spa for the dwelling, with a volume exceeding that specified for it in the table below.

(f) If specified in the table, that pool or spa (or both) must have a pool cover or shading (or both).

(g) The pool or spa must be located as specified in the table.

(h) The applicant must install, for the dwelling, each alternative water supply system, with the specified size, listed for that dwelling in the table below. Each system must be configured to collect run-off from the areas specified (excluding any area which supplies any other alternative water supply system), and to divert overflow as specified. Each system must be connected as specified.

	Fixtures					Appliances		Individual pool				Individual spa		
Dwelling no.	All shower-heads	All toilet flushing systems	All kitchen taps	All bathroom taps	HW recirculation or diversion	All clothes washers	All dish-washers	Volume (max volume)	Pool cover	Pool location	Pool shaded	Volume (max volume)	Spa cover	Spa shaded
All dwellings	4 star (> 4.5 but <= 6 L/min)	6 star	6 star	6 star	On demand HW recirculation	-	-	-	-	-	-	-	-	-

	Alternative water source							
Dwelling no.	Alternative water supply systems	Size	Configuration	Landscape connection	Toilet connection (s)	Laundry connection	Pool top-up	Spa top-up
All dwellings	No alternative water supply	-	-	-	-	-	-	-

(ii) Energy

(a) The applicant must comply with the commitments listed below in carrying out the development of a dwelling listed in a table below.

(b) The applicant must install each hot water system specified for the dwelling in the table below, so that the dwelling's hot water is supplied by that system. If the table specifies a central hot water system for the dwelling, then the applicant must connect that central system to the dwelling, so that the dwelling's hot water is supplied by that central system.

(c) The applicant must install, in each bathroom, kitchen and laundry of the dwelling, the ventilation system specified for that room in the table below. Each such ventilation system must have the operation control specified for it in the table.

(d) The applicant must install the cooling and heating system/s specified for the dwelling under the "Living areas" and "Bedroom areas" headings of the "Cooling" and "Heating" columns in the table below, in/for at least 1 living/bedroom area of the dwelling. If no cooling or heating system is specified in the table for "Living areas" or "Bedroom areas", then no systems may be installed in any such areas. If the term "zoned" is specified beside an air conditioning system, then the system must provide for day/night zoning between living areas and bedrooms.

(e) This commitment applies to each room or area of the dwelling which is referred to in a heading to the "Artificial lighting" column of the table below (but only to the extent specified for that room or area). The applicant must ensure that the "primary type of artificial lighting" for each such room in the dwelling is fluorescent lighting or light emitting diode (LED) lighting. If the term "dedicated" is specified for a particular room or area, then the light fittings in that room or area must only be capable of being used for fluorescent lighting or light emitting diode (LED) lighting.

(f) This commitment applies to each room or area of the dwelling which is referred to in a heading to the "Natural lighting" column of the table below (but only to the extent specified for that room or area). The applicant must ensure that each such room or area is fitted with a window and/or skylight.

(g) This commitment applies if the applicant installs a water heating system for the dwelling's pool or spa. The applicant must:

(aa) install the system specified for the pool in the "Individual Pool" column of the table below (or alternatively must not install any system for the pool). If specified, the applicant must install a timer, to control the pool's pump; and

(bb) install the system specified for the spa in the "Individual Spa" column of the table below (or alternatively must not install any system for the spa). If specified, the applicant must install a timer to control the spa's pump.

(h) The applicant must install in the dwelling:

(aa) the kitchen cook-top and oven specified for that dwelling in the "Appliances & other efficiency measures" column of the table below;

(bb) each appliance for which a rating is specified for that dwelling in the "Appliances & other efficiency measures" column of the table, and ensure that the appliance has that minimum rating; and

(cc) any clothes drying line specified for the dwelling in the "Appliances & other efficiency measures" column of the table.

(i) If specified in the table, the applicant must carry out the development so that each refrigerator space in the dwelling is "well ventilated".

(j) The applicant must install the photovoltaic system specified for the dwelling under the "Photovoltaic system" heading of the "Alternative energy" column of the table below, and connect the system to that dwelling's electrical system.

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Application No: DA-309/2025

Date Received: 15/09/2025

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CSA ARCHITECTS

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ALTERATIONS & ADDITIONS

Site Address
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Status
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Drawing Title:
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Sheet No.
HALLE-05.12

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Plot Date: Friday, 12 September 2025

	Hot water	Bathroom ventilation system		Kitchen ventilation system		Laundry ventilation system	
Dwelling no.	Hot water system	Each bathroom	Operation control	Each kitchen	Operation control	Each laundry	Operation control
All dwellings	electric instantaneous	individual fan, open to façade	manual switch on/off	individual fan, open to façade	manual switch on/off	natural ventilation only, or no laundry	-

	Cooling		Heating		Natural lighting	
Dwelling no.	living areas	bedroom areas	living areas	bedroom areas	No. of bathrooms or toilets	Main kitchen
All dwellings	1-phase airconditioning - ducted / 5 star (average zone)	1-phase airconditioning - ducted / 5 star (average zone)	1-phase airconditioning - ducted / 5 star (average zone)	1-phase airconditioning - ducted / 5 star (average zone)	-	-

	Individual pool			Individual spa		Appliances other efficiency measures				
Dwelling no.	Pool heating system	Pool Pump	Timer	Spa heating system	Timer	Kitchen cooktop/oven	Dishwasher	Clothes dryer	Indoor or sheltered clothes drying line	Private outdoor or unsheltered clothes drying line
All dwellings	-	-	-	-	-	induction cooktop & electric oven	-	-	no	yes

	Alternative energy		
Dwelling no.	Photovoltaic system (min rated electrical output in peak kW)	Photovoltaic collector installation	Orientation inputs
All dwellings	between >0° to <=10° degree to the horizontal	1	N

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(iii) Thermal Performance and Materials

(a) The applicant must attach the certificate referred to under "Assessor details" on the front page of this BASIX certificate (the "Assessor Certificate") to the development application and construction certificate application for the proposed development (or, if the applicant is applying for a complying development certificate for the proposed development, to that application). The applicant must also attach the Assessor Certificate to the application for a final occupation certificate for the proposed development.

(b) The Assessor Certificate must have been issued by an Accredited Assessor in accordance with the Thermal Comfort Protocol.

(c) The details of the proposed development on the Assessor Certificate must be consistent with the details shown in this BASIX Certificate, including the details shown in the "Thermal Loads" table below.

(d) The applicant must show on the plans accompanying the development application for the proposed development, all matters which the Thermal Comfort Protocol requires to be shown on those plans. Those plans must bear a stamp of endorsement from the Accredited Assessor, to certify that this is the case.

(e) The applicant must show on the plans accompanying the application for a construction certificate (or complying development certificate, if applicable), all thermal performance specifications set out in the Assessor Certificate, and all aspects of the proposed development which were used to calculate those specifications.

(f) The applicant must construct the development in accordance with all thermal performance specifications set out in the Assessor Certificate, and in accordance with those aspects of the development application or application for a complying development certificate which were used to calculate those specifications.

(g) Where there is an in-slab heating or cooling system, the applicant must:

(aa) Install insulation with an R-value of not less than 1.0 around the vertical edges of the perimeter of the slab; or

(bb) On a suspended floor, install insulation with an R-value of not less than 1.0 underneath the slab and around the vertical edges of the perimeter of the slab.

(h) The applicant must construct the floors and walls of the development in accordance with the specifications listed in the table below.

(i) The applicant must show on The plans accompanying The development application for The proposed development, The locations of ceiling fans set out in The Assessor Certificate.

(j) The applicant must show on the plans accompanying the application for a construction certificate (or complying development certificate, if applicable), the locations of ceiling fans set out in the Assessor Certificate.

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Application No: DA-309/2025

Date Received: 15/09/2025

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Site Address
48 ROSCOE STREET BONDI NSW

Status
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Drawing Title:
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Sheet No.
HALLE-05.13

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Plot Date: Friday, 12 September 2025

	Thermal loads		
Dwelling no.	Area adjusted heating load (in MJ/m²/yr)	Area adjusted cooling load (in MJ/m²/yr)	Area adjusted total load (in MJ/m²/yr)
All dwellings	18	11	29.000

	Construction of floors and walls				
Dwelling no.	Concrete slab on ground (m²)	Suspended floor with open subfloor (m²)	Suspended floor with enclosed subfloor (m²)	Suspended floor above garage (m²)	Primarily rammed earth or mudbrick walls
All dwellings	-	-	120	-	no

	Floor types									
	Concrete slab on ground				Suspended floor above enclosed subfloor			Suspended floor above open subfloor		
Dwelling no.	Area (m²)	Insulation	Low emissions option	Dematerialisation	Construction type	Area (m²)	Insulation	Construction type	Area (m²)	Insulation
All dwellings	-	-	-	conventional slab	concrete - suspended	120	-	-	-	-

	Floor types										
	First floor above habitable rooms or mezzanine			Suspended floor above garage			Garage floor				
Dwelling no.	Construction type	Area (m²)	Insulation	Construction type	Area (m²)	Insulation	Construction type	Area (m²)	Insulation	Low emissions option	Dematerialisation
All dwellings	concrete - suspended	120	-	-	-	-	-	0	-	-	conventional slab

	External walls							
	External wall type 1				External wall type 2			
Dwelling no.	Wall type	Area (m²)	Insulation	Low emissions option	Wall type	Area (m²)	Insulation	Low emissions option
All dwellings	framed (metal clad), frame : timber - untreated softwood	63	fibreglass batts or roll	-	-	-	-	-

	External walls							
	External wall type 3				External wall type 4			
Dwelling no.	Wall type	Area (m²)	Insulation	Low emissions option	Wall type	Area (m²)	Insulation	Low emissions option
All dwellings	-	-	-	-	-	-	-	-

	Internal walls								
	Internal walls shared with garage			Internal wall type 1			Internal wall type 2		
Dwelling no.	Wall type	Area (m²)	Insulation	Wall type	Area (m²)	Insulation	Wall type	Area (m²)	Insulation
All dwellings	-	-	-	plasterboard, frame: timber - untreated softwood	91	-	-	-	-

	Ceiling and roof								
	Flat ceiling / pitched roof			Raked ceiling / pitched or skillion roof			Flat ceiling / flat roof		
Dwelling no.	Construction type	Area (m²)	Insulation	Construction type	Area (m²)	Insulation	Construction type	Area (m²)	Insulation
All dwellings	-	-	Ceiling:,Roof:	framed - metal roof, frame: laminated veneer lumber (LVL)	120	Ceiling:fibreglass batts or roll,Roof: foil/ sarking	-	-	Ceiling:,Roof:

	Glazing type			Frame types				
Dwelling no.	Single glazing (m²)	Double glazing (m²)	Triple glazing (m²)	Aluminium frames (m²)	Timber frames (m²)	uPVC frames (m²)	Steel frames (m²)	Composite frames (m²)
All dwellings	0	74	0	74	0	0	0	0

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ALTERATIONS & ADDITIONS

Site Address
48 ROSCOE STREET BONDI NSW

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Plot Date: Friday, 12 September 2025

3. Commitments for common areas and central systems/facilities for the development (non-build

(b) Common areas and central systems/facilities

(i) Water
(a) If, in carrying out the development, the applicant installs a showerhead, toilet, tap or clothes washer into a common area, then that item must meet the specifications listed for it in the table.
(b) The applicant must install (or ensure that the development is serviced by) the alternative water supply system(s) specified in the "Central systems" column of the table below. In each case, the system must be sized, be configured, and be connected, as specified in the table.
(c) A swimming pool or spa listed in the table must not have a volume (in kLs) greater than that specified for the pool or spa in the table.
(d) A pool or spa listed in the table must have a cover or shading if specified for the pool or spa in the table.
(e) The applicant must install each fire sprinkler system listed in the table so that the system is configured as specified in the table.
(f) The applicant must ensure that the central cooling system for a cooling tower is configured as specified in the table.

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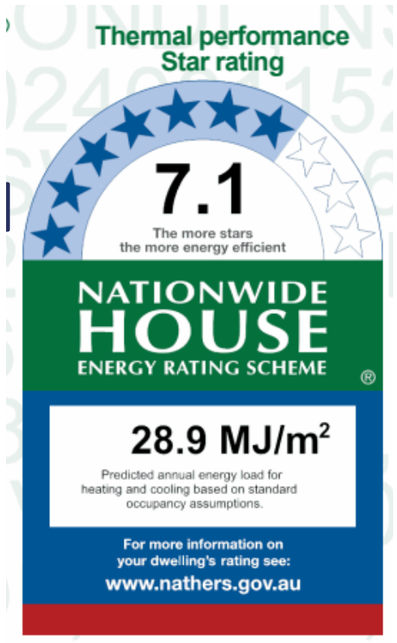
Common area	Showerheads rating	Toilets rating	Taps rating	Clothes washers rating
All common areas	no common facility	no common facility	no common facility	no common laundry facility

(ii) Energy
(a) If, in carrying out the development, the applicant installs a ventilation system to service a common area specified in the table below, then that ventilation system must be of the type specified for that common area, and must meet the efficiency measure specified.
(b) In carrying out the development, the applicant must install, as the "primary type of artificial lighting" for each common area specified in the table below, the lighting specified for that common area. This lighting must meet the efficiency measure specified. The applicant must also install a centralised lighting control system or Building Management System (BMS) for the common area, where specified.
(c) The applicant must install the systems and fixtures specified in the "Central energy systems" column of the table below. In each case, the system or fixture must be of the type, and meet the specifications, listed for it in the table.

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Application No: DA-309/2025

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Window and glazed door *type and performance*

Default windows*

Window ID	Window Description	Maximum U-value*	SHGC*	Substitution tolerance ranges	
				SHGC lower limit	SHGC upper limit
ATB-004-04 B	Al Thermally Broken B DG Air Fill Low Solar Gai	3.1	0.27	0.26	0.28

External wall *type*

Wall ID	Wall type	Solar absorptance	Wall shade [colour]	Bulk insulation [R-value]	Reflective wall wrap*
EW-1	Timber Stud Frame Panel on Battens	0.85		Foil, Anti-glare one side + Bulk Insulation R3	No

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48 ROSCOE STREET BONDI NSW

Status
DEVELOPMENT APPLICATION

Drawing Title:
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HALLE-05.15

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Plot Date: Friday, 12 September 2025



Report to the Waverley Local Planning Panel

Application number	DA-353/2023/A
Site address	Margaret Whitlam Centre, Waverley Park, 49C Bondi Road, Bondi Junction
Proposal	Modification of hours of operation.
Description of Approved Development	Formalisation of the use of the community room at Margaret Whitlam Recreation Centre for functions.
Date of lodgement	19 June 2025
Owner	Waverley Council
Applicant	Milestone (Aust) Pty Limited
Submissions	9 unique submissions
Amended cost of works	No change
Principal Issues	• Unreasonable increase in base hours of operation, and • Unreasonable length of proposed reviewable period for extended hours of operation.
Recommendation	That the application be APPROVED in accordance with the conditions contained in the report.
SITE MAP	



1. PREAMBLE

Executive Summary

The modification application seeks to modify development consent, known as DA-353/2023 for the formalisation of the use of the community room at Margaret Whitlam Recreation Centre for functions at the site known as Waverley Park, 49C Bondi Road, Bondi Junction.

1.1. The proposed modifications are for the increase in base hours of operation by one hour until 11.00pm and for the continuation of extended reviewable hours of operation for a period of 5 years.

The application is presented to the Waverley Planning Panel for determination because the site is owned by Waverley Council and therefore there is a conflict of interest. A conflict of interest management statement has been prepared and was published on Council's website.

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

- Unreasonable increase in base hours of operation, and
- Unreasonable length of proposed reviewable period for extended hours of operation.

The assessment finds these issues unacceptable. To overcome the issues, this report recommends the existing base hours of operation are not modified and that the extended reviewable hours of operations are continued for a shorter period of 2 years.

A total of nine unique submissions were received and the issues raised in the submissions have been considered and addressed in this report and in the recommendation.

1.2. The application has been assessed against the relevant matters for consideration under section 4.55(1A) the *Environmental Planning and Assessment Act 1979* and is recommended for approval subject to conditions of consent.

Site and Surrounding Locality

A site visit was carried out on 23 September 2025.

The site is identified as Lot 31 in DP1087364, known as Waverley Park, 49C Bondi Road, Bondi Junction. The site is irregular in shape with frontages to Bondi Road, Park Parade, and Birrell Street. It has an area of 101,803m². The site is identified as Crown Land, which is managed and leased by Waverley Council from Crown Lands as Trustee.

The site is a public park with sports facilities, a playground, memorial park, water reservoirs and open green space. The application relates to the modern three storey Margaret Whitlam Pavilion building located toward the north of the site. The building includes indoor courts, changing rooms, Council offices, kiosk and storage on the lower ground floor, the community room on the ground floor and a café, public toilets, and grandstand seating on the upper floor.

The Community Room is sunken below the café and built into the sloping hill on the side of the Waverley Oval (see photos in **Figures 1-4**). The function room has a floor area of 170m^2 with a commercial-sized kitchen and toilets. There is no direct vehicular access to the site but there is a Council car park off Paul Street which houses the waste storage for the centre.

The northern part of the park is adjoined by residential development to the north of Bondi Road, to the east of Park Parade, and to the west of Paul Street. The Council Chambers building adjoins the park to the north-west. The locality is characterised by a variety of low, medium and high density residential developments surrounding the site, and also by commercial uses along Bondi Road.

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



Figure 1: Southerly view of the Margaret Whitlam Centre.



Figure 2: Westerly view of the grandstand and oval.



Figure 3: Westerly view of the outside area of the community functions area.



Figure 4: Southerly view of the outside area of the community functions area.



Figure 5: Internal layout of the Community Room.



Figure 6: Internal layout of the Community Room.



Figure 7: Community Room kitchen.

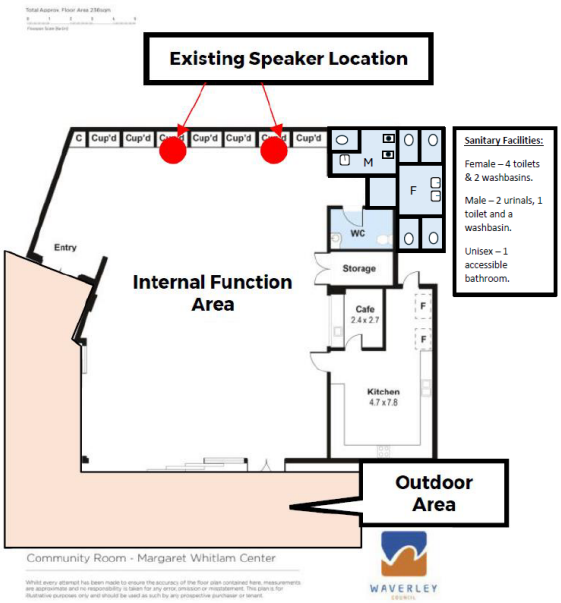


Figure 8: Existing Plan of the Community Room, kitchen and external area.

1.3.

Relevant Development History

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

DA-289/2009 – Development consent was granted on 22 September 2009 for the demolition of an existing pavilion building and construction of a new pavilion including clubroom, community room, multipurpose court, public amenities and a café. The approved development has been constructed on site and has been operating and been available for hire as a community room, café and sports facility.

The conditions of consent included environmental health conditions relating to noise and food premises fitout and operation, but did not include ongoing operation conditions including any limitations on hours of operation or maximum patron numbers in the community room.

- DA-347/2009 – Development Consent was granted on 22 September 2009 for the demolition of the Waverley Park Pavilion.

- DA-19/2022 – Development consent was granted on 13 May 2022 for the new operating hours from 6.00am to 6.00pm, for 31 patrons and new signage zones, at existing Cafe at Waverley Pavilion (located directly above the subject tenancy/centre).

- DA-19/2022/A – Development consent was granted on 24 June 2022 for modifications to the patron capacity increasing to 48, at existing Cafe at Waverley Pavilion.

Details of Approved Development

1.4. The original development application, known as DA-353/2025 for formalisation of the use of the community room at Margaret Whitlam Recreation Centre for functions was approved by the Waverley Local Planning Panel on 26 June 2024. The approved patron capacity is 120 people.

The approved development consent includes the following conditions of consent which are relevant to this modification application:

5. HOURS OF OPERATION

The hours of operation for the premises are restricted to:

INDOOR AREA

Monday to Saturday: 7.00am to 10.00pm

Sunday and Public Holidays: 8.00am to 10.00pm.

OUTDOOR AREA

Monday to Saturday: 7.00am to 10.00pm

Sunday and Public Holidays: 8.00am to 10.00pm.

All furniture shall be packed away and room cleaned within 60 minutes from the cease of the outdoor and indoor area (as specified in the hours of operations as contained above).

Condition reason: To protect the amenity of the local area.

6. HOURS OF OPERATION WITH ONE YEAR TRIAL FOR EXTENDED HOURS

This consent allows for a one (1) year trial period for indoor as follows:

Monday to Sunday and Public Holidays: 10.00pm to 12.00am midnight

The trial period starts from the date of approval and ceases on the anniversary of that date. A further application may be lodged before the expiration date for Council's consideration for the continuation of the trial hours.

Council's consideration of any further application will take into account matters including but not limited to:

i. compliance of the premises in terms of security and its general management;

ii. number and nature of substantiated complaints regarding the operation of the premises;

iii. compliance with conditions of consent.

Condition reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.

Condition reason: To protect the amenity of the local area.

The documentation provided with the original development application identified that the patron capacity of the premises is 120 persons standing or 90 persons seated. The use of the Community Room, including the indoor function area and adjoining outdoor paved area, is for community events including but not limited to:

- Celebrations;
- Conferences;
- Voting;
- Photo shoots;
- Team building functions;
- Book launches;
- Fundraisers;
- Seniors groups;
- Local community groups;
- Classes/workshops; and
- Networking events.

Service of food and alcohol is permitted, provided food and drink caterers/vendors operating from the Community Room have a valid liquor licence.

Proposal

The modification application has been submitted under section 4.55 (1A) of the *Environmental Planning and Assessment Act 1979*, and it seeks consent for the following modifications to the approved hours of operation of the community room:

1.5. **Table 1: Indoor base hours of operation**

Days	Approved	Proposed
Monday to Saturday	7.00am to 10.00pm	7.00am to **11.00pm**
Sunday and public holidays	8.00am to 10.00pm	8.00am to **11.00pm**

Table 2: Indoor extended (reviewable) hours of operation

Days	Approved	Proposed
All days	10.00pm to 12.00am midnight	**11.00pm** to 12.00am midnight

The applicant proposes that the temporary reviewable hours of operation be continued for a period of 5 years.

1.6.

Background

The modification application was lodged on 19 June 2025.

On 8 September 2025 the applicant requested to amend the application by including the deletion of part of condition 19 relating to acoustic certification. The proposed amendment to the application has not been accepted as the partial deletion of the condition was not advertised during the original public notification period.

2. ASSESSMENT

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

Section 4.55 – Modification of consents – generally

The application is made under section 4.55(1A) of the Act. The proposed modification are considered to have minimal environmental impact for reasons identified and explained in the following sections of this report.

The application has been compared to the essential nature of the development as originally approved and it is considered to be *substantially the same development*.

The application was notified for a minimum of 28 days between 9 July and 7 August 2025, a site notices were erected on the site, and the proposal was advertised on Council's Have Your Say website in accordance with the *Community Engagement Strategy 2023*. Nine unique submissions were received.

The issues and matters raised in public submissions are discussed in section 2.3.4 of this report.

Evaluation of Matters for Consideration under Section 4.15

2.2. In accordance with section 4.55(3) of the Act the following is an assessment of the proposed modifications of the development consent against the relevant matters for consideration under section 4.15(1) of the Act.

2.2.1. Planning Instruments and Development Control Plans

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

2.3.1.1 State Environmental Planning Policies (SEPPs)

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

- SEPP (Resilience and Hazards) 2021

2.3.1.2 Waverley Local Environmental Plan 2012 (Waverley LEP 2012)

The land use definition of the approved development as a community facility remains unchanged and continues to be permitted development in the RE1 Public Recreation zone under Waverley LEP 2012.

The proposed amendments have no impact on compliance with Waverley LEP 2012 clause 5.10 regarding heritage conservation.

The proposal continues to align with the aims of the plan subject to the conditions of consent discussed in this report below.

2.3.1.3 Waverley Development Control Plan 2022 (Waverley DCP 2022) Amendment 4

Compliance with the relevant parts and sections of Waverley DCP 2022 is discussed in table 3 below. Only the parts and sections of Waverley DCP 2022 that apply to the proposed modifications are discussed.

Table 3: Waverley DCP 2022 – Part D1 Commercial and Retail Development Compliance Table

Development Control	Compliance	Comment
1.2 Design		
1.2.5 Noise	Yes	The applicant provided an acoustic report with the original development application which demonstrated that the approved indoor hours of operation have acceptable acoustic impacts on neighbouring residents. The proposed modifications do not extend the hours of operation beyond the previously approved midnight closing time. The approved acoustic report remains relevant and existing conditions of consent requiring compliance with the acoustic report remain on the consent.
1.3 Hours of operation		

Hours of operation:
 	
No specific controls for RE1 Public Recreation zone.
 	
The controls for the adjacent Bondi Road local centre are:
• *General base trading hours:*
  • *Monday to Saturday: 7.00am to 11.00pm; and*
  • *Sunday: 7.00am to 10.00pm.*
• *Temporary extended trading hours up to:*
  • *Monday – Sunday: 6.00am to midnight.*
 	
Extended trading hours:
• *Assessment of extended trading hours to include consideration of use of premises, location, patron capacity, security and management, substantiated complaints received, compliance with conditions of consent, and likely noise matters*
	Acceptable on merit	The proposed modifications to the base hours of operation and for a 5 year reviewable period for the extended hours of operation is not supported.
		
		Instead, this assessment recommends:
		a. no change to the approved base hours of consent, and
		b. a 2 year reviewable period for the extended hours of operation
		
		The reasons for this recommendation are set out in detail following this compliance table below.
		
		Subject to the imposition of conditions of consent reflecting the above recommendation, the proposal will retain satisfactory amenity for nearby residents in alignment with the originally approved development.

Development Control	Compliance	Comment
• *Following completion of a 1 year fixed term, extended trading hours may be given another reviewable term which is to be maximum of 2 years*		

Proposed hours of operation

Consideration of modifications to the base hours of operation:

The modification application proposes to increase the base hours of operation by one hour until 11.00pm (previously approved as 10.00pm) every night.

The currently approved base hours of operation and the associated extended reviewable hours of operation serve a purpose, being that the extended hours are subject to future review and potential non-renewal should the premises cause unreasonable late-night amenity impacts on neighbours. The proposed increase in the base hours diminishes the ability of the planning system to control potential mismanagement impacts, and therefore the modification is not supported.

Whilst the DCP does permit base hours of up to 11.00pm for premises within the adjacent Bondi Road local centre, the site is not located within that centre, and such base hours are not appropriate the non-commercial setting of the site.

Therefore, it is recommended that the base hours of operation are not extended beyond 10.00pm.

Consideration of proposed extended hours:

The extended (reviewable) hours are proposed to continue to be until 12.00am, for a period of 5 years.

The community room has been operating for more than one year since the original approval was granted. No substantiated complaints have been received regarding its operation. The approved overall hours of operation until midnight continues to be supported for the reasons set out in the original assessment report, including the substantial distances from nearby residential properties, the limited scale of the operation, the record of good management and the imposition of management conditions which require no outdoor use and no open doors after 10.00pm. Therefore, the continuation of extended hours until 12.00am is supported.

However, the proposed 5 year period is not supported. The DCP sets out that the first reviewable term shall be for a maximum of 2 years. There are no special circumstances that support a 5 year term in this instance, and therefore a 2 year term is recommended to be imposed.

2.2.2. Other Impacts of the Development

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

2.2.3. Suitability of the Site for the Development

The site is considered suitable for the proposal.

2.2.4. Any Submissions

The application was notified for a minimum of 28 days between 9 July and 7 August 2025, a site notices were erected on the site, and the proposal was advertised on Council's Have Your Say website in accordance with the *Community Engagement Strategy 2023*.

A total of 9 unique submissions from the following 10 properties were received:

Table 4: Submission details.

Count	Property Address
1.	270 Birrell Street, Bondi
2.	104a Bondi Road, Bondi Junction
3.	4/29-31 Paul Street, Bondi Junction
N/A	26/29-31 Paul Street, Bondi Junction (duplicate submission)
4.	72 Bondi Road, Bondi Junction
5.	100 Bondi Road, Bondi Junction
6.	100 Bondi Road, Bondi Junction
7.	4/27 Dalley Street, Bondi Junction
8.	102 Bondi Road, Bondi Junction
9.	8 Park Parade, Bondi

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

- Inappropriate proposed increase in the base hours of operation,
- Inappropriate proposed 5 year period for extended hours of operation, and
- Potential acoustic impacts.

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

Issue: The applicant's acoustic report demonstrates the proposal will breach acceptable noise standards for nearby residents, and the report may not be accurate.

Response: The acoustic report was reviewed by Council's environmental health officer as part of the assessment of the original development application. The modification application does not propose an overall increase in hours of operation, does not change outdoor hours of operation and does not represent an intensification of the use. The approved and proposed hours of operation adhere to the recommendations of the acoustic report, noting that existing conditions of consent require that doors be closed from 10.00pm onwards to prevent noise leakage.

Issue: The existing conditions of consent requiring doors to be closed from 10.00pm is unenforceable as there are multiple doors and warm weather events create circumstances where people want to open doors for ventilation, and as Council staff are not present.

Response: There is no proposed change to the overall hours of operation nor to the condition requiring door closure from 10.00pm. There have been no substantiated complaints regarding the management

of the venue since it's approval in 2024. The condition of consent is capable of being enforced by visits by rangers or by other compliance action should breaches occur.

Issue: There is a conflict of interest as Council owns the venue and benefits from venue hire revenue.

Response: A conflict-of-interest management statement relating to the application has been published on Council's website. The statement outlines that the development assessment team are separate from the teams within Council that deal with Council assets and finances, and that the application is presented to the independent Waverley Planning Panel for determination.

Issue: The proposal will result in additional traffic and parking problems.

Response: The modification application does not propose an overall increase in hours of operation and does not represent an intensification of the use. There is not anticipated to be any substantial impact on traffic and parking associated with the continuation of the extended hours of operation between 10.00pm and 12.00am.

Issue: The use of the premises for functions does not meet the definition of "recreation", which is what the park should be used for. The proposal represents the commercialisation of the park.

Response: The proposed modifications to the application do not alter the approved use of the premises as a community facility which is permitted within the RE1 Public Recreation zone.

Issue: The types of functions at the premises should be limited, for example excluding birthdays, weddings or other noisy functions.

Response: The proposed modifications to the application do not alter the approved use of the premises nor the functions that can be carried out there. Existing conditions of consent state that "hens and bucks nights", "dance parties, raves and DJ performance" are prohibited.

2.2.5. Public Interest

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

3.1 3. REFERRALS

The following internal and external referral comments were sought:

NSW Police

No response was received from NSW Police.

NSW Police was consulted during the assessment of the original application. The Police recommended conditions of consent which were imposed on the original consent and which remain in place.

Environmental Health

Council's environmental health officer stated that no complaints had been received regarding the premises, and did not object to the application.

4. CONCLUSION

3.2.

The modification application seeks to modify development consent, known as DA-353/2023 for the formalisation of the use of the community room at Margaret Whitlam Recreation Centre for functions at the site known as Waverley Park, 49C Bondi Road, Bondi Junction.

The proposed modifications are for the increase in base hours of operation by one hour until 11.00pm and for the continuation of extended reviewable hours of operation for a period of 5 years.

The application is presented to the Waverley Planning Panel for determination because the site is owned by Waverley Council and therefore there is a conflict of interest. A conflict of interest management statement has been prepared and was published on Council's website.

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

- Unreasonable increase in base hours of operation, and
- Unreasonable length of proposed reviewable period for extended hours of operation.

The assessment finds these issues unacceptable. To overcome the issues, this report recommends the existing base hours of operation are not modified and that the extended reviewable hours of operations are continued for a shorter period of 2 years.

A total of nine unique submissions were received and the issues raised in the submissions have been considered and addressed in this report and in the recommendation.

The application has been assessed against the relevant matters for consideration under section 4.55(1A) the *Environmental Planning and Assessment Act 1979* and is recommended for approval subject to conditions of consent.

5. RECOMMENDATION TO WAVERLEY LOCAL PLANNING PANEL

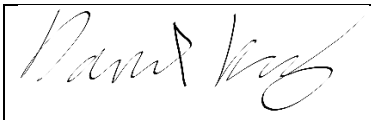
That the modification application be APPROVED by the Waverley Local Planning Panel subject to modified and new conditions in Appendices A and B.

Managers of Development Assessment (MODA) Review

The application was reviewed by the MODA at the meeting on 9 September 2025 and the MODA concurred with the Assessment Planner's recommendation.

DBU members: *B McNamara, B Magistrale, and Jo Zancanaro*

Report prepared by:	**Application reviewed and agreed by:**

	
David Knight	Olivia Navratil
Senior Development Assessment Planner	**A/Manager, Development Assessment**
Date: 25 September 2025	**Date: 1 October 2025**

Reason for WLPP referral:

The consent authority for the original development application was the WLPP, this modification is made under section 4.55(2) of the Act and relates to:

1. Conflict of interest

OFFICE USE ONLY

Planning Portal Data	
Determining Authority (Concurrence Authority)	Local Planning Panel
Were the requirements of the Sustainable Buildings SEPP (effective 1 October 2023) met?	N/A
Have any dwellings been approved for affordable Rental Housing under this approval/consent? *This is a planning portal reporting requirement	No
Secondary Dwelling *This is a planning portal reporting requirement	No
Boarding House *This is a planning portal reporting requirement	No
Group Home *This is a planning portal reporting requirement	No
Is the development subject to the Special Infrastructure Contribution (SIC)?	No
Is the development located within an Urban Release area?	No
Waverley Council Data	
Trial Period database entry required	Yes
VPA submitted – follow up actions required	No
Refer to compliance for investigation	No
Commercial/liquor operational conditions	No
Was there a 'Conflict of Interest' declared	Yes- details are included in the conclusion of the report)

APPENDIX A – CONDITIONS OF CONSENT TO BE MODIFIED

A. Amended/Deleted Conditions

6.	**HOURS OF OPERATION WITH ONE YEAR TRIAL FOR EXTENDED HOURS**
	This consent allows for a ~~one (1)~~ ***two (2)*** year trial period for indoor as follows: Monday to Sunday and Public Holidays: 10.00pm to 12.00am midnight The trial period starts from the date of approval and ceases on the anniversary of that date. A further application may be lodged before the expiration date for Council's consideration for the continuation of the trial hours. Council's consideration of any further application will take into account matters including but not limited to: i. compliance of the premises in terms of security and its general management; ii. number and nature of substantiated complaints regarding the operation of the premises; iii. compliance with conditions of consent. ***(As amended by DA-353/2023/A)***
	Condition reason: To protect the amenity of the local area.

APPENDIX B – FULL SET OF CONDITIONS

Terms and Reasons for Conditions

Under section 88(1)(c) of the EP&A Regulation, the consent authority must provide the terms of all conditions and reasons for imposing the conditions other than the conditions prescribed under section 4.17(11) of the EP&A Act. The terms of the conditions and reasons are set out below.

GENERAL CONDITIONS

	Condition
1.	**APPROVED PLANS AND DOCUMENTATION**
	The development must be in accordance with: (a) Noise Impact Assessment (Ref:23159.1-Revision2) prepared by VMS Australia Ptd Ltd dated 4 April 2024, and received by Council on 11/04/2024; (b) Plan of Management prepared by Milestone dated April 2024, and received by Council on (11/04/2024). Except where amended by the following conditions of consent.

	Condition reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.
2.	**GENERAL MODIFICATIONS**
	The application is approved subject to the following plan amendments; (a) The Plan of Management is to be updated within 7 days of date of determination of this development consent to correctly reflect the conditions relating to use, closure of doors, hours of operation and signage specified in this development consent.
	Condition reason: To align the supported documents will the conditions.
	The amendments are to be approved by the **Executive Manager, Development Assessment or delegate** prior to use in accordance with this development consent. 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.	**DELETED**

OCCUPATION AND ONGOING USE

	Condition
4.	**FOOD PREMISES**
	The premises are to be registered with Waverley Council and inspected by Council's Environmental Health Officer.
	Condition reason: To ensure the food and drink premises is registered with Waverley Council.
5.	**HOURS OF OPERATION**
	The hours of operation for the premises are restricted to: INDOOR AREA Monday to Saturday: 7.00am to 10.00pm Sunday and Public Holidays: 8.00am to 10.00pm. OUTDOOR AREA Monday to Saturday: 7.00am to 10.00pm Sunday and Public Holidays: 8.00am to 10.00pm. All furniture shall be packed away and room cleaned within 60 minutes from the cease of the outdoor and indoor area (as specified in the hours of operations as contained above).
	Condition reason: To protect the amenity of the local area.
6.	**HOURS OF OPERATION WITH ONE YEAR TRIAL FOR EXTENDED HOURS**
	This consent allows for a two (2) year trial period for indoor as follows: Monday to Sunday and Public Holidays: 10.00pm to 12.00am midnight The trial period starts from the date of approval and ceases on the anniversary of that date. A further application may be lodged before the expiration date for Council's consideration for the continuation of the trial hours. Council's consideration of any further application will take into account matters including but not limited to: i. compliance of the premises in terms of security and its general management; ii. number and nature of substantiated complaints regarding the operation of the premises; iii. compliance with conditions of consent. ***(As amended by DA-353/2023/A)***
	Condition reason: To protect the amenity of the local area.
7.	**MAXIMUM PATRON CAPACITY**

	(a) The approved patron capacity for the premises is limited to: Total of 120 patrons. (b) A comfortable dining position must be available for each patron upon the premises. This will include a seat and access to table / bench space generally in accordance with the approved plans. (c) Any person/s attending the premises for the purpose of 'takeaway' products / services will not be considered a 'patron' for the purposes of subclause (a), provided no food and or drink is consumed by those persons on the premises. (d) Management are responsible for ensuring the number of patrons in the premises does not exceed the approved capacity specified in sub clause (a).
	Condition reason: To provide patrons with details of the operator and maximum number of persons permitted on the premises.
8.	**SIGNAGE TO BE DISPLAYED**
	(a) Signage (in lettering not less than 25mm in height on a contrasting background) is to be erected in a prominent position near the main entry to the premises. The signage shall state: Approved hours of operation - Indoor Area Monday to Saturday: 7.00am to 12.00am Sunday and Public Holidays: 8.00am to 12.00am (Trial Period) Approved hours of operation - Outdoor Area Monday to Saturday: 7.00am to 10.00pm Sunday: 8.00am to 10.00pm Approved patron capacity 120 patrons (b) Signage (in lettering not less than 25mm in height on a contrasting background) is to be erected near the main entry to the premises, in such manner that it would be reasonable to expect that a person leaving the premises will be alerted to its contents. The signage shall state: *Upon leaving, please respect local residents by minimising noise.* Signage specified in sub clauses (a) and (b) is to be erected prior to the commencement of operations and changed accordingly after the trial period.
	Condition reason: To protect the amenity of the local area.
9.	**FUNCTION ACTIVITY**

	(I).The following function activity shall not occur on the premises without prior written approval by the **Commander (or delegate), of the Eastern Suburbs Local Police Command;** (a) Functions for 16 - 21 year old persons including 18th and 21st birthday celebrations. In such circumstances that approval is sought for these types of functions to take place, management must provide such request a minimum of 14 days prior to the scheduled function. Should approval be given, management must adhere to any conditions that accompany such written approval as issued by the Commander (or delegate), of the Eastern Suburbs Local Police Command. (i) Council reserves the right to further include (by way of written advice) types of other functions considered under this condition. (ii) Food of a nature and quantity consistent with the responsible sale, supply and service of alcohol must be made available whenever liquor is made available at the function. (iii) No use of the external areas adjacent to the Community Room is to occur after 10.00pm (other than for egress). In this regard, the doors of the Community Room shall remain closed after 10.00pm. (II) . The following activities are prohibited on the premises: a. Hens and bucks nights; and b. Dance parties, raves and DJ performance. The PoM is to be updated to reflect these aspects of this condition.
	Condition reason: To protect the amenity of the local area.
10.	**FUTURE TENANT OR HIRER OF EVENT/FUNCTION SPACE**
	Prior to commencement of operations, an Operation Manual shall be implemented in conjunction with **Council's Executive Manager, Property and Facilities (or delegate)** for the Margaret Whitlam Community Room that provides all relevant operational conditions applicable to the use and management of rooms or event space. The Operational Manual shall be provided to all future tenants, leaseholders or hirer's of space within the Margaret Whitlam Community Room (as part of their lease agreement) to ensure those persons are familiar with relevant conditions of this consent that apply to their use and management of a space. Elements to include though not limited to; approved management plans, emergency evacuation procedures, outdoor dining zone, maximum patron capacity, hours of operation etc.
	Condition reason: To protect the amenity of the local area.
11.	**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) on an annual basis, and at any time there is a change in business ownership of the premises.

	Condition reason: To protect the amenity of the local area.
12.	**COPIES OF CONSENTS AND MANAGEMENT PLAN**
	A full copy of all current development consents (including approved plans) for the operation of the premises, any Registers 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 ILGR Authorised Officers.
	Condition reason: To ensure consents and management plan are easily available.
13.	**AMENITY**
	The management of the premises/ hirer 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.
	Condition reason: To protect the amenity of the local area.
14.	**CLOSURE OF DOORS**
	To minimise any transmission of noise from the premises to nearby residential buildings, all doors of the Community Room shall be closed by 10pm, each day an event is held involving foreground music. The PoM is to be updated to reflect these aspects of this condition.
15.	**PATRON BEHAVIOUR**
	The hirer shall ensure that the behaviour of patrons entering and leaving the premises does not detrimentally affect the amenity of the neighbourhood. In this regard, the hirer shall be responsible for the control of noise and litter generated by patrons of the premises and shall ensure that patrons leave the vicinity of the premises in an orderly manner to the satisfaction of Council. If so directed by council, the hirer is to employ private security staff to ensure that this condition is complied with.
	Condition reason: To protect the amenity of the local area.
16.	**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.

	Condition reason: To protect the amenity of the local area.
17.	**AIR EMISSIONS**
	The use of the premises shall not give rise to air impurities in contravention of the Protection of the Environment Operations Act, 1997.
	Condition reason: To protect the amenity of the local area.
18.	**WASTE MANAGEMENT PLAN REVIEW**
	After 5 years of operation under this development consent, the Approved Waste Management Plan is to be reviewed to ensure that the details including contracts, roles and responsibilities, commercial tenants (if relevant) are current. The updated plan is to supersede the previous plan.
	Condition reason: To ensure the management of waste is ongoing.
19.	**ACOUSTIC REPORT RECOMMENDATIONS**
	The "recommendations" in the Noise Impact Assessment [Ref:23159.1Revision2] prepared by VMS Australia Ptd Ltd dated 4 April 2024 shall be implemented in full. A Certificate of Compliance prepared by a suitably qualified acoustic consultant is to be submitted to Council's Executive Manager Compliance, certifying that all acoustic recommendations and conditions of consent (including the operational conditions) have been incorporated into the development and can be satisfied.
	Condition reason: To protect the amenity of the local area.
20.	**DELETED**
21.	**AMPLIFIED NOISE**
	No live music is to be performed on the premises. No bands are to play on the premises, no acoustic instruments or drums are permitted to be played on the premises.
	Condition reason: To protect the amenity of the local area, to ensure compliance with the recommendations in Noise Impact Assessment [Ref:23159.1Revision2] prepared by VMS Australia Ptd Ltd dated 4 April 2024.
22.	**NOISE COMPLAINTS**
	If, during on-going use of the premises, substantiated complaints of breaches of noise emission conditions and/or the *Protection of the Environment Operations Act, 1997* occur, an acoustic report assessing the impact of the operation will be required to be carried out by a suitably qualified acoustic consultant. The report is to be submitted to the satisfaction of Council's Environmental Health Compliance Unit

	within 60 days of written request. The investigation shall include, but not be limited to: (a) The identification of sensitive noise receivers potentially impacted by the proposal; (b) The quantification of the existing acoustic environment at the receiver locations (measurement techniques and assessment period should be fully justified and accordance with relevant Australian Standards and NSW Environment Protection Authority (EPA) requirements); (c) The formation of a suitable assessment criteria having regard to the guidelines contained in the NSW EPA Industrial Noise Policy; (d) The identification of operational noise producing facets of the use and the subsequent predictions of resultant noise at the identified sensitive receiver locations from the operation of the use. Where appropriate the predication procedures must be justified and include an evaluation of prevailing atmospheric conditions that may promote noise propagation; (e) A statement indicating that the operation of the premises complies with the relevant criteria together with details of acoustic control measures that will be incorporated into the development/use, will not create adverse noise impacts to surrounding development.
	Condition reason: To protect the amenity of the local area.
23.	**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.
	Condition reason: To protect the amenity of the local area.
24.	**NO BARBECUE OR CHARCOAL TYPE COOKING ON SITE**
	This approval does not permit the installation of barbecue or charcoal type cooking appliances. Comprehensive details must be submitted with a formal application to Council for approval prior to the installation of any such equipment.
	Condition reason: To protect the amenity of the local area.

25.	**REFRIGERATION UNITS & 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.
	Condition reason: To protect the amenity of the local area.
26.	**HIRER RESPONSIBILITY**
	The hirer of the premises shall be responsible for: (a) Ensuring patrons do not loiter at the front of the premises. (b) Ensure no crowding in front of the premises occurs that obstructs pedestrian access and flow. (c) Patron's behaviour of those utilising the sanitary facilities.
	Condition reason: To protect the amenity of the local area.
27.	**LIQUOR SALE / SUPPLY / CONSUMPTION**
	(a) No liquor may be sold on the premises except with the approval and authorisation from the relevant Liquor Authority. (b) The sale of liquor must cease 15 minutes prior to the cessation of the respective hours of operation for the specified indoor and outdoor seating areas. (c) Liquor may only be sold on the premises by way of opened cans, opened bottles, or other opened containers. (d) There is to be no consumption, possession or movement of opened liquor beyond the external terrace of the venue (ie no liquor in parklands). (e) The hirer is to ensure that persons are not permitted to leave the facility in the possession of open liquor.
	Condition reason: To protect the amenity of the local area.

GENERAL ADVISORY NOTES

	Condition
1.	**DEVELOPMENT IS TO COMPLY WITH LEGISLATION**
	This consent contains the conditions imposed by the consent authority which are to be complied with when carrying out the approved development. However, this consent is not an exhaustive list of all obligations which may relate to the carrying out of the development under the EP&A Act, EP&A Regulation and other legislation.
2.	**DEVELOPMENT MUST MEET CONDITIONS OF CONSENT**
	The approved development must be carried out in accordance with the conditions of this consent. It is an offence under the EP&A Act to carry out development that is not in accordance with this consent.
3.	**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
4.	**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.
5.	**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.

Dictionary

The following terms have the following meanings for the purpose of this determination (except where the context clearly indicates otherwise):

Approved plans and documents means the plans and documents endorsed by the consent authority, a copy of which is included in this notice of determination.

AS means Australian Standard published by Standards Australia International Limited and means the current standard which applies at the time the consent is issued.

Building work means any physical activity involved in the erection of a building.

Certifier means a council or a person that is registered to carry out certification work under the *Building and Development Certifiers Act 2018*.

Construction certificate means a certificate to the effect that building work completed in accordance with specified plans and specifications or standards will comply with the requirements of the EP&A Regulation and *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*.

Council means Waverley Council.

Court means the Land and Environment Court of NSW.

EPA means the NSW Environment Protection Authority.

EP&A Act means the *Environmental Planning and Assessment Act 1979.*

EP&A Regulation means the *Environmental Planning and Assessment Regulation 2021.*

Independent Planning Commission means Independent Planning Commission of New South Wales constituted by section 2.7 of the EP&A Act.

Local planning panel means Waverley Local Planning Panel.

Occupation certificate means a certificate that authorises the occupation and use of a new building or a change of building use for an existing building in accordance with this consent.

Principal certifier means the certifier appointed as the principal certifier for building work or subdivision work under section 6.6(1) or 6.12(1) of the EP&A Act respectively.

Site work means any work that is physically carried out on the land to which the development the subject of this development consent is to be carried out, including but not limited to building work, subdivision work, demolition work, clearing of vegetation or remediation work.

Stormwater drainage system means all works and facilities relating to:
the collection of stormwater,

the reuse of stormwater,

the detention of stormwater,

the controlled release of stormwater, and

connections to easements and public stormwater systems.

Strata certificate means a certificate in the approved form issued under Part 4 of the *Strata Schemes Development Act 2015* that authorises the registration of a strata plan, strata plan of subdivision or notice of conversion.

Subdivision certificate means a certificate that authorises the registration of a plan of subdivision under Part 23 of the *Conveyancing Act 1919*.

Subdivision works certificate means a certificate to the effect that subdivision work completed in accordance with specified plans and specifications will comply with the requirements of the EP&A Regulation.

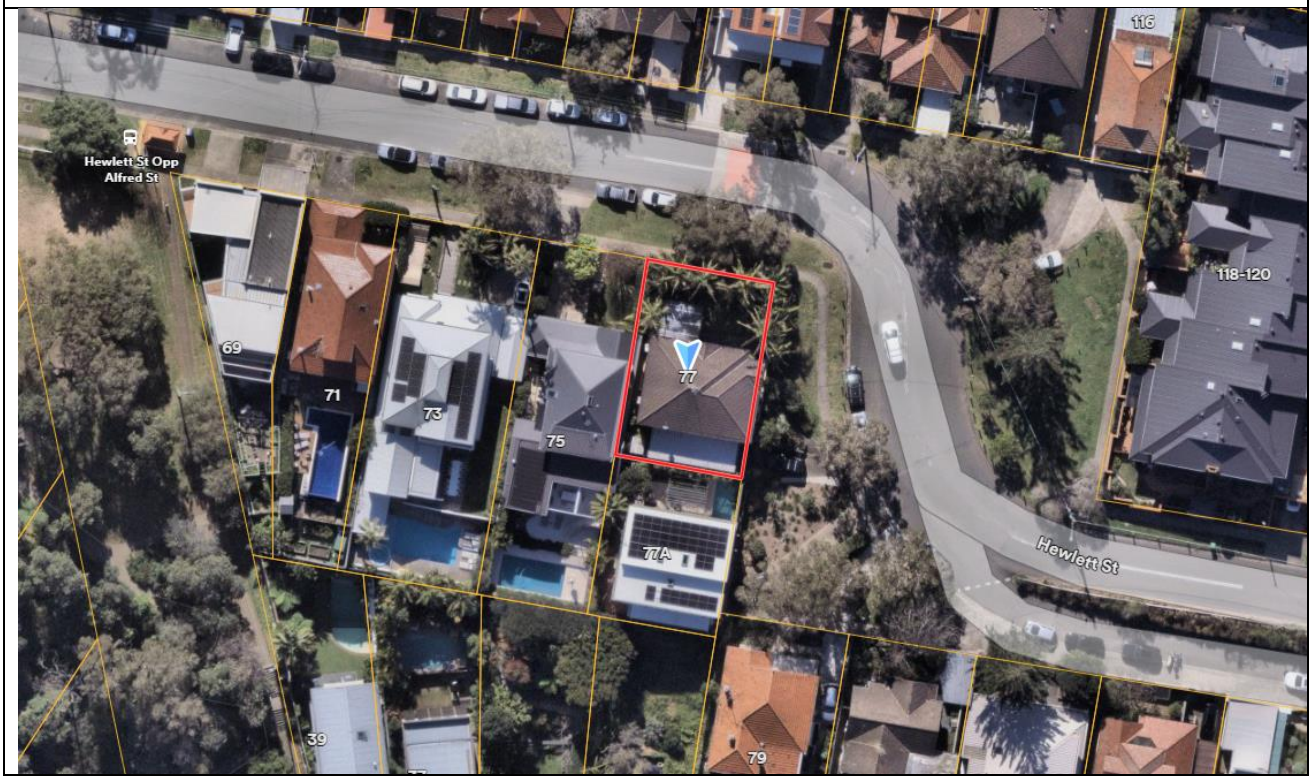
Sydney district or regional planning panel means Sydney Eastern City Planning Panel.

Suitably qualified acoustic consultant means 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.



Report to the Waverley Local Planning Panel

Application number	DA-302/2025
Site address	77 Hewlett Street, Bronte
Proposal	Alterations and additions to dwelling house
Date of lodgement	2 July 2025
Owner	N Mitchell and J L Mitchell
Applicant	J L Mitchell
Submissions	One objection
Cost of works	$1,656,000
Principal Issues	• Exceedance to the height of building development standard
Recommendation	That the application be APPROVED in accordance with the conditions contained in the report.
SITE MAP	



1. PREAMBLE

1.1. Executive Summary

The development application seeks consent for alterations and additions to the existing dwelling house at the site known as 77 Hewlett Street, Bronte.

The principal issue arising from the assessment of the application is the exceedance to the height of buildings development standard.

The exceedance consists of minor alterations to the existing roof form and the rebuilding of existing external walls. The exceedance does not alter the overall height or form of the building and does not result in any amenity impacts, and therefore the exceedance is acceptable.

One submission was received and the issues raised in the submission have been considered and addressed in this report and in the recommendation.

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

1.2. Site and Surrounding Locality

A site visit was carried out on 25 August 2025.

The site is identified as Lot 2 in DP 861894, known as 77 Hewlett Street, Bronte.

The site is located at the corner of an approximately 90 degree bend in Hewlett Street, and therefore has two frontages to Hewlett Street, being a 23.35m eastern frontage and a 15.24m northern frontage.

It has an area of 357.9m² and is generally flat aside from the south-eastern part of the site containing the driveway and garage which is approximately 1.5m lower than other parts of the site.

The site boundaries result from a previous Torrens title subdivision of a singular larger lot which has been split into two smaller lots resulting in Lot 1 subject site and Lot 2 at 77A Hewlett Street to the south. The site is atypical of the surrounding subdivision pattern, and therefore it is not possible to readily categorise its setbacks from the street and neighbouring properties as being "front", "side" or "rear" setbacks.

The site is occupied by a two storey dwelling house with basement and integrated garage at the south-eastern part of the site accessed from Hewlett Street. The area above the garage is a terrace with pergola structure above. The primary pedestrian and vehicle entrances to the site are from the eastern boundary with Hewlett Street, and the house is generally oriented towards the eastern boundary.

The site is adjoined by two storey dwelling houses at 77A Hewlett Street to the south and at 75 Hewlett Street to the west. The locality is characterised by a variety of low and medium density residential development.

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



Figure 1: Site viewed from Hewlett Street looking west



Figure 2: Site viewed from Hewlett Street looking south-west



Figure 3: View from southern deck / pergola area, looking east



Figure 4: View of northern private open space, looking east

1.3. Relevant Development History

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

1.4. Proposal

The development application seeks consent for alterations and additions to the existing dwelling house, including comprehensive re-design of the external appearance of the dwelling, internal configuration, additional floorspace predominantly within the existing footprint of the building, and other external changes.

The following is a detailed description of the development.

Demolition:

- Demolition of northern façade at ground floor level and part of northern façade at first floor level,
- Demolition of curved eastern façade at ground and first floor levels,
- Demolition of part of southern façade at ground floor level,
- Demolition of southern pergola structure above garage including demolition of party wall with 77A Hewlett Street,
- Demolition of northern pergola structure,
- Demolition of parts of main roof, and
- Removal of 10 trees within the site, consisting of:
    - 3x Archontophoenix cunninghamiana (Bangalow)
    - 5x Archontophoenix cunninghamiana (Bangalow)
    - Ficus benjamina (Weeping Fig)
    - Ficus benjamina (Weeping Fig)
    - Howea forsteriana (Kentia Palm).

Lower ground floor / basement:

- Minor internal alterations.

Ground floor:

- Replacement of previously curved northern and eastern facades with straight facades resulting in increases in gross floor area (GFA),
- Replacement of southern façade resulting in minor increase in GFA at south-western corner of the dwelling,
- Internal reconfiguration,
- Replacement of southern pergola structure above garage terrace with new pergola structure with the same height and footprint as existing, and
- Relocation of western external steps between above-garage terrace and ground level.

First floor level:

- Replacement of previously curved northern and eastern facades with straight facades resulting in minor reduction in GFA,
- Provision of balcony to eastern and part of northern façade, and
- Internal reconfiguration.

Roof:

- Simplification of roof form to provide standard hipped roof, in place of the previous roof which featured a non-symmetrical roof form at the east and features a gable roof component. There is a minor increase in the ridge height of the eastern portion of the roof, to match with the existing ridge height of the remainder of the roof.

External:

- External finishes comprising of brick, render and aluminium screening,
- Masonry canopy surrounding ground floor northern elevation,
- New planters on masonry canopy, balconies and southern terrace structure,
- New windows to all facades, including the following windows facing adjacent sites at first floor level:
    - two windows with privacy screens to southern elevation,
    - a large unscreened stairway window to southern elevation, and
    - a bathroom window with operable privacy screen to western elevation.
- Privacy screening to ground floor eastern and northern windows
- Swimming pool and acoustically-enclosed plant equipment within northern setback,
- Increase in ground levels by 400mm within northern setback to create pool terrace,
- Increase in northern and eastern boundary fence heights to 2.2m measured from existing ground level,
- Landscaping within the site including the planting of 1 *Lagerstroemia indica* ('Natchez' Crepe Myrtle) tree.

1.5. Background

The development application was lodged on 2 July 2025. Council requested amended plans and documentation on 12 September 2025 to address the following issues:

1. The submitted clause 4.6 request for an exception to the height of buildings development standard is inaccurate,
2. The proposed southern pergola structure increases building bulk along the southern boundary and includes work within the neighbouring site at 77A Hewlett Street,
3. The proposal has unreasonable visual privacy impacts on neighbours,
4. The proposed lightwell excavation results in a habitable underground space with poor amenity and has stormwater management impacts,
5. The proposal includes excessive tree removal including tree removal within the public domain, and
6. There are errors with the architectural drawings.

The amended plans received on 24 September form the basis of the assessment.

2. ASSESSMENT

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

2.1. Planning Instruments and Development Control Plans

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

2.1.1. State Environmental Planning Policies (SEPPs)

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

- SEPP (Sustainable Buildings) 2022
- SEPP (Transport and Infrastructure) 2021
- SEPP (Biodiversity and Conservation) 2021
- SEPP (Resilience and Hazards) 2021

2.1.2. Waverley Local Environmental Plan 2012 (Waverley LEP 2012)

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

Table 1: Waverley LEP 2012 Compliance Table

Provision	Compliance	Comment
Part 1 Preliminary		
1.2 Aims of plan	Yes	The proposal aligns with the aims of the plan.
Part 2 Permitted or prohibited development		
Land Use Table *R2 Low Density Residential Zone*	Yes	The proposal is alterations and additions to an existing dwelling house, which is permitted with consent in the R2 zone.
Part 4 Principal development standards		
4.3 Height of buildings • *8.5m*	No	The proposal has a height of 11.5m, which exceeds the development standard by 3m or 35.3%.
4.4 Floor space ratio and 4.4A Exceptions to floor space ratio • *0.71:1 FSR* • *254.58 m² GFA*	Yes	The proposal has a gross floor area (GFA) of 242.1m² and an FSR of 0.68:1 in compliance with the development standard.
4.6 Exceptions to development standards	See discussion	The application is accompanied by a written request pursuant to clause 4.6 of Waverley LEP 2012 to vary the height of building development standard. A detailed discussion of the variation to the development standard is presented below this table.
Part 5 Miscellaneous provisions		
5.21 Flood Planning	Yes	The northern part of the site is partly classified as a medium and low risk flood area. The proposal does not alter the footprint of the building, does not increase floor space at ground level, and does not alter the existing internal floor levels.

Provision	Compliance	Comment
		The proposal is therefore is unlikely to affect flood behaviour and the proposal is suitable for the flood risk of the site subject to conditions of consent regarding flood compatible construction methods and materials.
Part 6 Additional local provisions		
6.1 Acid sulfate soils	Yes	Class 5, minor works. No excavation is proposed and therefore no special measures required are required.
6.15 Stormwater Management	Yes	The proposal satisfactorily manages stormwater in compliance clauses (a) (b) and (c) subject to standard conditions of consent requiring the submission of finalised stormwater plans to Council.

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

Clause 4.6 Exceptions to Development Standards

The application seeks to vary the height of buildings development standard in clause 4.3 under Waverley LEP 2012.

The site is subject to a maximum height of buildings development standard of 8.5m. The proposed development has a height of 11.5m, which exceeds the development standard by 3m or 35.3%.

The proposed exceedance is associated with minor changes to the existing roof form, which align with the height of the existing roof ridge. The proposal is therefore no higher than the existing building. The exceedance results from the measurement of "existing ground level" being taken from the existing excavated basement level of the site.

There are also exceedances associated with the rebuilding of external walls that do not alter the height of the building.

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

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

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

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

Applicant's Written Request - Clause 4.6(3)(a) and (b)

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

(a) That compliance with the development standard is unreasonable or unnecessary in the circumstances of the case as the proposal achieves the objectives of the development standard notwithstanding the numerical non-compliance, as follows:

(i) Objective (a), *To ensure building heights preserve the environmental amenity of neighbouring properties and public spaces and, if appropriate, the sharing of views*, is achieved as the minor alterations to the roof form and rebuilding of external walls does not result in any overshadowing of neighbouring private open spaces, windows, or of the public domain, does not affect any views, does not impact on privacy as the proposed additional windows feature privacy screening, and does not result in visual intrusion for neighbours.

(ii) Objective (b), *To accommodate taller buildings on land in Zone E2 Commercial Centre in the Bondi Junction Centre and establish a transition in scale between adjoining zones to protect local amenity,* is not relevant to the proposal.

(iii) Objective (c), *To maintain satisfactory solar access to existing buildings and public areas*, is achieves as the minor alteration to the roof form does not result in any overshadowing of neighbouring private open spaces, windows, or of the public domain.

(iv) Objective (d), *To establish building heights that are consistent with the desired future character of the locality,* is achieved as the proposal retains the bulk and scale of the existing building and does not increase the maximum height of the existing building. The building retains its existing appearance as a two storey building which is compatible with surrounding development and with the locality.

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

(i) The proposal is largely within the existing building envelope aside from the minor alterations to the roof form. The changes to the roof form are no higher than the existing roof ridge level, and therefore there is no change to the overall building height which remains compatible with surrounding development.

(ii) The proposed non-compliance is due to existing excavation at the site, and therefore the exceedance is only technical in nature. The building retains its two storey form which is compatible with the what is envisaged by the height of buildings development standard for the site.

(iii) The proposed exceedances do not result in any amenity impacts on neighbours.

<u>Consideration of Applicant's Written Request</u>

The applicant's written request correctly identifies the development standard to be varied, relevant legislation and correctly measures the height of the building. The document also addresses those matters required in Clause 4.6(3)(a) and (b).

<u>Consideration of 4.6(3)(a) whether compliance is unreasonable or unnecessary in the circumstances of the case</u>

The applicant has adequately addressed that compliance with the standard is unreasonable or unnecessary in the circumstances of the case in reference to the following justification 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;

The proposal achieves the objectives of the height of buildings development standard as described below.

Objectives (a) and (c) relating to amenity are achieved as the proposed minor change to the roof form and the proposed rebuilding of existing walls does not result in any overshadowing of neighbouring properties or the public domain, does not cause any view impacts, and does not result in any other amenity impacts.

Objective (b) concerns Bondi Junction and is not relevant to the proposal.

Objective (d) is achieved as the minor change to the roof form and rebuilding of walls does not alter the overall height or form of the existing building, and as the retained two storey form of the building is compatible with the predominant two storey form of the area.

Consideration of 4.6(3)(b) whether there are sufficient environmental planning grounds to justify contravening the development standard.

The applicant has satisfactorily argued that that there are sufficient environmental planning grounds to justify contravening the development standard as set out below.

The proposal does not alter the overall height or form of the existing building, the building remains compatible with the existing streetscape, and the proposed exceedance does not result in any amenity impacts on neighbours.

The exceedance is a result of measuring the existing ground level from the level of the existing basement, the exceedance is technical in nature, and the exceedance is not perceptible from the street or from neighbouring buildings.

Conclusion

The written request provided by the applicant to vary the height of buildings development standard has adequately addressed clause 4.6 of the Waverley LEP 2012 and the justification provided by the applicant is satisfactory.

2.1.3. Waverley Development Control Plan 2022 (Waverley DCP 2022)

The relevant matters to be considered under the Waverley DCP 2022 are outlined below:

Table 2: Waverley DCP 2022 – Part B General Provisions Compliance Table

Development Control	Compliance	Comment
2. Ecologically Sustainable Development • *Gas cooktops, gas ovens or gas internal space heating systems.*	Yes	The proposal is acceptable subject to conditions of consent requiring non-gas appliances in the new kitchen.
3. Landscaping, Biodiversity and Vegetation Preservation • *Consent is required to remove a tree that is 3m or greater in height, or 3m or greater in spread.)* • *Canopy coverage should not be reduced* • *Landscaping must include 50% native species within habitat corridors*	Yes (subject to conditions)	The site is within a habitat corridor. The proposed removal of 10 trees is acceptable as the species are either exempt species, non-native species including palms with limited canopy coverage, or small specimens. The trees therefore have generally low retention value and their removal is acceptable subject to proposed replacement planting which will have a similar canopy coverage to the existing trees and which meets the requirements of 50% native species for habitat corridors. The proposed replacement tree is a *Lagerstroemia indica* (Crepe Myrtle) is not native to Australia and is therefore not a suitable replacement species within the habitat corridor. A condition of consent is therefore included at Appendix A of this report requiring that the proposed Crepe Myrtle tree either be replaced by a native species or be supplemented by an additional native species. Additionally, the proposed planting schedule including smaller plants and bushes generally does not provide 50% native species. Conditions of consent requiring amended landscape plans to comply with the habitat corridor control are included at Appendix A.
5.Water Management	Yes	The proposal satisfactorily manages stormwater in compliance clauses (a) (b) and (c) subject to standard conditions of consent requiring the submission of finalised stormwater plans to Council.
11. Design Excellence	Yes	The proposal is compatible with the character of the streetscape and locality subject to conditions of consent regarding fences discussed in this report below. Additionally, the proposal does not have any significant or unreasonable amenity impacts.

Development Control	Compliance	Comment
		The proposal therefore achieves design excellence.

Table 33: Waverley DCP 2022 – Part C1 Low Density Residential Development Compliance Table

Development Control	Compliance	Comment
1.0 General Objectives		
	Yes	The proposal does not contravene the general objectives of this part of the DCP.
1.1 Height		
Pitched roof dwelling house • *Maximum external wall height of 7m*	Yes	The proposal does not alter existing wall heights, which remain at 6m in compliance with the control.
1.2 Setbacks		
• *Minimum of 0.9m side setbacks for ground floor and first floors.)* • *Front and rear setbacks to extend no further than predominant front and rear building lines*	No (acceptable on merit)	As described in the *Site and surrounding locality* section of this report above, the site is atypical of the surrounding subdivision pattern and it is not possible to categorise and identify front, rear and side setbacks. The proposed setbacks are therefore assessed on merit. The southern pergola structure has a nil setback from the southern boundary with 77A Hewlett Street. The nil setback is acceptable on merit as the pergola has the same height and footprint as the existing structure and will therefore not result in any additional amenity or streetscape impacts. The northern pergola structure is set back approximately 8m from the northern side boundary with Hewlett Street. The structure projects forward of the adjacent building line at 73 and 75 Hewlett Street. The structure is acceptable on merit as existing setbacks further west along Hewlett Street are inconsistent, as the site is a corner site with a differing building orientation to neighbours, and as the pergola structure is single storey and set back significantly from the street and therefore will not be a dominant feature.
1.3 Streetscape and visual impact		
• *New development to be compatible with streetscape context*	Yes	The proposal comprehensively alters the appearance of the existing building. The significant changes are supported as the streetscape does not feature a consistent

Development Control	Compliance	Comment
• *Replacement windows to complement the style and proportions of existing dwelling* • *Significant landscaping to be maintained.*		character, the existing design of the building has no heritage or special qualities, and as the proposed design is generally appropriate for the existing eclectic streetscape.
1.4 Fences		
Front: • *Maximum height of 1.2m* • *Solid section no more than 0.6m in height* *Side and Rear:* • *Maximum height of 1.8m*	No	The proposal includes 2.2m high fencing to the northern and eastern Hewlett Street boundaries. Similar height fencing already existing to the northern boundary but not to the eastern boundary. The fencing height is contrary to the control, and such high fencing is not characteristic of the existing streetscape. Conditions of consent are therefore included at Appendix A requiring the fencing to be no higher than existing fencing at the site, other than were required to meet the Australian Standards for pool fencing.
1.5 Visual and acoustic privacy		
• *Habitable windows are not to directly face habitable windows or open space of neighbouring dwellings unless direct views are screened or other appropriate measures are incorporated into the design*	Yes	The proposal includes privacy screening to first floor windows.
• *Maximum size of balconies:* *10m^2 in area* *1.5m deep*	No (acceptable on merit)	The proposal retains the existing southern terrace above the garage. The terrace is significantly larger than permitted by the DCP control. The non-compliance is acceptable on merit as the proposal improves the current situation at the site by providing additional privacy screening to the southern boundary as part of the construction of the replacement pergola.
1.6 Solar access		
• *Minimum of 3 hours of sunlight to 50% of living areas and principal open space areas on 21 June to subject site*	Yes Yes	The proposal retains solar access for the subject site in compliance with the control.

Development Control	Compliance	Comment
• *Minimum of 3 hours of sunlight maintained to at least 50% of principal open space areas of adjoining properties on 21 June.* • *Avoid unreasonably overshadowing of solar collectors (including habitable windows).*	Yes	The proposal has no impact on solar access to neighbouring private open space. The proposal does not unreasonably overshadow any solar collectors.
1.7 Views		
• *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 has no known view impact.
1.9 Landscaping and open space		
• *Overall open space: 40% of site area* • • *Overall landscaped area: 20% of site area, with at least half deep soil* • *Minimum area of 25m^2 for private open space* • *Front open space: 50% of front building setback area*	Yes Yes Yes N/A	57% open space is provided, in compliance with the control. 20% landscaped area is provided of which more than 50% is deep soil, in compliance with the control. The private open space exceeds 25m². There is no change to the eastern front setback.
1.10 Swimming pools and spa pools		
• *Located in the rear of property* • *Should not be located within the side setback between dwellings* • *Pool decks on side boundaries must consider visual privacy* • *All pool equipment to be enclosed within an acoustically treated enclosure*	No (acceptable on merit)	As described in the *Site and surrounding locality* section of this report above, the site is atypical of the surrounding subdivision pattern and it is not possible to categorise and identify front, rear and side setbacks. The proposed location of the pool is assessed as being acceptable on merit as there are no significant visual or acoustic privacy impacts due to: • the pool being set back 4.5m from the northern boundary with 75 Hewlett Street,

Development Control	Compliance	Comment
		• the raised pool deck area being set back a minimum of 900mm from 75 Hewlett Street, and • the pool deck and coping being only approximately 400mm above existing ground level. Conditions of consent are included in at Appendix A requiring pool equipment to be acoustically screened.

2.2. Other Impacts of the Development

The proposed architectural and landscape plans include new paving within the public domain in locations where there is currently planting. Changes to the public domain are not supported as part of this application, therefore a condition of consent requiring deletion of the paving and retention of the existing public domain layout is included at Appendix A. The applicant has been advised that there is a separate application process for requesting alterations to the public domain.

The proposal otherwise has no significant detrimental effect relating to environmental, social or economic impacts on the locality, subject to appropriate conditions being imposed.

2.3. Suitability of the Site for the Development

The site is considered suitable for the proposal.

2.4. Any Submissions

The application was notified for a minimum of 14 days between 14 July and 30 July 2025 in accordance with the *Community Engagement Strategy 2023.*

Following receipt of amended plans and additional information, the application was no renotified as the amended plans reduced the scale of the southern pergola structure, deleted previously proposed excavation, and reduced the scale of tree removal, therefore resulting in lesser environmental planning impacts.

A one submission was received, 77A Hewlett Street.

Issues raised in the submissions are summarised and discussed below.

Issue: The application proposes changes to the party wall between 77 and 77A Hewlett Street.

Response: The original application proposed partial demolition of the boundary wall on both sides of the boundary and construction of a new structure on both sides of the boundary. The amended proposal

does not propose works across the boundary according to the majority of the elevation and plan drawings. However, there is an error on drawing *01.01.03_DA Plan – Proposed Level 1* which incorrectly depicts works straddling the boundary. A condition of consent is therefore included in at Appendix A requiring the plan to be amended to depict no work outside of the site boundary.

Issue: The proposed changes to the southern pergola include demolition of the solid wall on the boundary and replacement with privacy screening which will reduce visual and acoustic privacy compared to the existing situation.

Response: The proposal has been amended to retain the solid wall on the boundary. The proposal still includes privacy screening above the height of the solid wall, however this is in addition to the solid wall and replaces a previously open area and therefore enhances visual and acoustic privacy.

Issue: The proposed southern pergola is larger than the existing pergola and has a nil setback to the boundary, and therefore results in unreasonable amenity impacts.

Response: The proposal has been amended so that the replacement southern pergola is the same height and footprint as the existing pergola, so there will be no additional amenity impacts.

2.5. Public Interest

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

3. REFERRALS

The following internal referral comments were sought:

3.1. Traffic and Development

Council's traffic and transport team did not object to the proposal subject to standard conditions of consent regarding construction management. The conditions are included in Appendix A of this report.

3.2. Stormwater

Council's stormwater team objected to the proposal due to the stormwater management issues associated with the previously proposed excavation. The plans have been amended to delete the excavation, therefore that issue is resolved. Conditions of consent regarding stormwater management are included in Appendix A of this report.

3.3. Tree Management

Council's tree management officer supported the proposal subject to conditions of consent relating to tree protection and replacement tree planting. The issues are discussed in the DCP 2022 compliance table in this report above. The conditions are included in Appendix A of this report.

3.4. Biodiversity

Council's sustainability officer provided conditions of consent requiring amended plans to ensure that 50% of the plants at the site are native species.

4. CONCLUSION

The development application seeks consent for alterations and additions to the existing dwelling house at the site known as 77 Hewlett Street, Bronte.

The principal issue arising from the assessment of the application is the exceedance of height of buildings development standard.

The exceedance consists of minor alterations to the existing roof form and the rebuilding of existing external walls. The exceedance does not alter the overall height or form of the building and does not result in any amenity impacts, and therefore the exceedance is acceptable.

One submission was received and the issues raised in the submission have been considered and addressed in this report and in the recommendation.

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

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.

Managers of Development Assessment (MODA) Review

The application was reviewed by the MODA at the meeting on 9 September 2025 and the MODA concurred with the Assessment Planner's recommendation.

MODA members: *B McNamara, B Magistrale, and Jo Zancanaro*

Report prepared by:	**Application reviewed and agreed by:**
	
David Knight	Olivia Navratil
Senior Development Assessment Planner	**A/Manager, Development Assessment**
Date: 1 October 2025	**Date: 1 October 2025**

Reason for WLPP referral:

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

OFFICE USE ONLY

<table>
<tr><td colspan="2">Planning Portal Data</td></tr>
<tr><td>Clause 4.6 register entry required

(For the purposes of reporting to the planning portal, if the % approved is different to the % proposed in the original submission, please state what the variation initially proposed was – Planning Portal Requirement)</td><td>35.3% variation to height (Clause 4.3)

<table><tr><td>X</td><td>Pre-existing non-compliance</td></tr><tr><td>X</td><td>No change to overall building height</td></tr><tr><td>X</td><td>No change to overall building envelope</td></tr><tr><td></td><td>Variation limited to the [lift/plant/parapet/attic] only</td></tr><tr><td>X</td><td>No unreasonable impacts on the amenity of adjoining properties or streetscape</td></tr><tr><td>X</td><td>Sufficient environmental planning grounds</td></tr><tr><td>X</td><td>Consistent with the objectives of the standard</td></tr><tr><td></td><td>[insert another reason here if required]</td></tr></table></td></tr>
<tr><td>Determining Authority

(Concurrence Authority for Clause 4.6 variation)</td><td>Local Planning Panel</td></tr>
<tr><td>Were the requirements of the Sustainable Buildings SEPP (effective 1 October 2023) met?</td><td>Yes</td></tr>
<tr><td>Have any dwellings been approved for affordable Rental Housing under this approval/consent?
*This is a planning portal reporting requirement</td><td>No</td></tr>
<tr><td>Secondary Dwelling
*This is a planning portal reporting requirement</td><td>No</td></tr>
<tr><td>Boarding House
*This is a planning portal reporting requirement</td><td>No</td></tr>
<tr><td>Group Home
*This is a planning portal reporting requirement</td><td>No</td></tr>
<tr><td>Does the proposal trigger a Housing & Productivity Contribution ? If so, please ensure you have calculated the contribution in the CON case in the Planning Portal.</td><td>No</td></tr>
<tr><td>Is the development subject to the Special Infrastructure Contribution (SIC)?</td><td>No</td></tr>
<tr><td>Is the development located within an Urban Release area?</td><td>No</td></tr>
<tr><td colspan="2">Waverley Council Data</td></tr>
</table>

Trial Period database entry required	No
VPA submitted – follow up actions required	No
Refer to compliance for investigation	No
Commercial/liquor operational conditions	No
Was there a 'Conflict of Interest' declared	No

APPENDIX A – CONDITIONS OF CONSENT

Terms and Reasons for Conditions

Under section 88(1)(c) of the EP&A Regulation, the consent authority must provide the terms of all conditions and reasons for imposing the conditions other than the conditions prescribed under section 4.17(11) of the EP&A Act. The terms of the conditions and reasons are set out below.

GENERAL CONDITIONS

	Condition
1.	**APPROVED PLANS AND DOCUMENTATION**

The development must be in accordance with:

(a) Architectural Plans prepared by George Livissianis including the following:

Plan Number and Revision	Plan description	Plan Date	Date received by Council
01.01.01 B	PLAN - PROPOSED BASEMENT	18/09/2025	24/09/2025
00.02 B	BASIX	18/09/2025	24/09/2025
01.01.02 B	PLAN - PROPOSED GROUND	18/09/2025	24/09/2025
01.01.03 B	PLAN - PROPOSED LEVEL 1	18/09/2025	24/09/2025
01.01.04 B	PLAN - PROPOSED ROOF	18/09/2025	24/09/2025
01.02.01 B	PLAN - DEMOLITION BASEMENT	18/09/2025	24/09/2025
01.02.02 B	PLAN - DEMOLITION GROUND	18/09/2025	24/09/2025
01.02.03 B	PLAN - DEMOLITION LEVEL 1	18/09/2025	24/09/2025
01.02.04 B	PLAN - DEMOLITION ROOF	18/09/2025	24/09/2025
02.01 D	ELEVATION - EAST	18/09/2025	24/09/2025
02.02 D	ELEVATION - SOUTH	18/09/2025	24/09/2025
02.03 D	ELEVATION - WEST	18/09/2025	24/09/2025
02.04 D	ELEVATION - NORTH	18/09/2025	24/09/2025
02.05 D	ELEVATION - STREETSCAPE	18/09/2025	24/09/2025
03.01 D	SECTION - AA & BB	18/09/2025	24/09/2025
03.02 A	SECTION - CC	18/09/2025	24/09/2025

(b) Landscape Plans project no.25-010 revision G and documentation prepared by Inspired Exteriors, dated 18/09/2025 and received by Council on 24/09/2025

	(c) BASIX and NatHERs Certificate/s (d) Arboricultural Impact Assessment Report prepared by Martin Peacock Tree Care dated 06/06/2025, and received by Council on 02/07/2025 Except where amended by the following conditions of consent.
	Condition reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.
2.	**GENERAL MODIFICATIONS**
	The application is approved subject to the following plan amendments; (a) The proposed northern and eastern boundary fence to Hewlett Street must be reduced in height to be no higher than the existing boundary fence, other than in locations where relevant Australian Standards require higher fencing for pool safety reasons.
	Condition reason: To maintain the streetscape character of the area.
	(b) The architectural drawings must be amended to ensure all works are contained within the boundaries of the site. Specifically the potential encroachment of the southern boundary depicted on drawing 01.01.03 B "PLAN - PROPOSED LEVEL 1" must be deleted.
	Condition reason: To ensure there no encroachments on neighbouring sites.
	(c) The architectural and landscape drawings must be amended to delete the proposed paving within the public domain. No changes are permitted to the public domain.
	Condition reason: To ensure works are contained within the site and to retain the existing state of the public domain including existing planting.
	The amendments are to be approved by the **Principal Certifying Authority** prior to the issue of any Construction Certificate.

BUILDING WORK

BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE

	Condition
3.	**NO BUILDING OR DEMOLITION WORKS PRIOR TO RELEASE OF CONSTRUCTION CERTIFICATE**
	The building work, or demolition work, must not be commenced until: (a) a Construction Certificate has been obtained from Council or an Accredited Certifier in accordance with the *Environmental Planning and Assessment Act 1979*; (b) a Principal Certifying Authority has been appointed and Council has been notified of the appointment in accordance with the *Environmental Planning and Assessment Act 1979* and *Environmental Planning and Assessment Regulation 2021*; and (c) Council is given at least two days' notice in writing of the intention to commence the building works.
	Condition reason: To ensure a Construction Certificate is obtained prior to work commencing.
4.	**HOME BUILDING ACT**
	The builder or person who does the residential building work shall comply with the applicable requirements of Part 6 of the *Home and Building Act 1989*. In this regard a person must not contract to do any residential building work unless a contract of insurance that complies with this Act is in force in relation to the proposed work. It is the responsibility of the builder or person who is to do the work to satisfy the Principal Certifying Authority that they have complied with the applicable requirements of Part 6, before any work commences.
	Condition reason: To ensure the builder or person who does the residential building work, complies with the applicable requirements of Part 6 of the *Home and Building Act 1989*.
5.	**SECTION 7.12 CONTRIBUTION**
	A monetary development contribution is payable to Waverley Council pursuant to section 7.12 of the *Environmental Planning and Assessment Act 1979* and the Waverley Council Development Contributions Plan in accordance with the following: (a) Where the total development cost is $500,000 or less: (i) a **Cost Summary Report** or **Building Contract** (dated within 12 months) or similar is to be submitted to Council's Customer Service Centre to process payment.

	(b) Where the total development cost is more than $500,000 but less than $1,000,000: (i) a **Detailed Cost Report** (dated within 12 months) prepared by a registered Quantity Surveyor, **Building Contract,** or similar is to be submitted to Council's Customer Service Centre to process payment. (c) Where the total development cost is $1,000,000 or more: (i) a **Detailed Cost Report** (dated within 12 months) prepared by a registered Quantity Surveyor, **Building Contract,** or similar is to be submitted to and approved by Council's Executive Manager, Urban Planning, Policy and Strategy (or delegate). - Please forward documents to info@waverley.nsw.gov.au attentioned to Strategic Planning, and reference the relevant application number, address and condition number to satisfy. (ii) Upon confirmation of the contribution amount by Council's Executive Manager, Urban Planning, Policy and Strategy (or delegate), payment is to be processed via the Customer Service Centre. (iii) Should there be a discrepancy between the cost of works approved in subclause (b)(i) and the DA fee nominated in the original DA, then additional DA Fees may be payable prior to the issue of a Construction Certificate. A copy of the required format for the cost reports are provided in the Waverley Council Contributions Plan, available on Council's website. (d) As legislated in section 209 of the Environmental Planning and Assessment Regulation 2021, the levy must be paid in accordance with the following; (i) A development valued at $100,000 or less will be exempt from the levy; (ii) A development valued at $100,001 - $200,000 will attract a levy of 0.5% of the full cost of the development; or (iii) A development valued at more than $200,000 will attract a levy of 1% of the full cost of the development. Prior to the issue of any Construction Certificate, evidence must be provided that the levy has been paid to Council in accordance with this condition or that the cost of works is less than $100,000.
	Condition reason: To ensure the Section 7.12 Contributions are paid.
6.	**SECURITY DEPOSIT**
	A deposit (cash or cheque) for the amount of $33,120 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) must be provided to Council prior to the issue of any Construction Certificate. The full amount of the deposit, minus Council's costs for any repair of damage to Council property or rectification of unauthorised works on Council property, will be refunded after satisfactory completion all of works associated with this consent (including the required public works) to the person who paid the deposit.
	Condition reason: To ensure any damage to public infrastructure is rectified and public works can be completed.
7.	**STREET TREE BOND PAYMENT**
	A bond of $20,000 is to be paid to Council prior to the issue of any Construction Certificate either as cash or by way of an unconditional bank guarantee to ensure the protection and maintenance of the following trees: i. Tree A - *Melaleuca quinquenervia* (Broadleaved Paperbark) on the grass verge, adjacent to eastern property boundary - *$5000 bond* ii. Tree B - *Melaleuca quinquenervia* (Broadleaved Paperbark) on the grass verge, adjacent to northern property boundary – easternmost tree. - *$5000 bond* iii. Tree C - *Melaleuca quinquenervia* (Broadleaved Paperbark) on the grass verge, adjacent to northern property boundary. - *$5000 bond* iv. T14 - *Archontophoenix cunninghamiana* (Bangalow Palm) - *$2000 bond* v. G15 - 3x *Archontophoenix cunninghamiana* (Bangalow Palm) - *$3000 bond* The sum will be forfeited to the Council at its discretion for a breach of these requirements; (a) Street trees to be inspected twelve (12) months from the issue of the Occupation Certificate subject to the satisfaction of Council (b) The $20,000 bond will be refunded twelve (12) months from the issue of the Occupation Certificate subject to the satisfaction of Council. (c) If any trees identified to be retained and protected are found to be faulty, damaged, dying, or dead, the full bond amount or part thereof will be forfeited (d) Council will require the applicant to remove and replace the faulty, damaged, dying, or dead street tree and a new bond will be applied on the replacement street tree. Proof of purchase of the replacement street (if required) must be provided to the Principal Certifying Authority, prior to the issue of a Construction Certificate.

	Condition reason: To ensure trees are maintained and protected
8.	**LONG SERVICE LEVY**
	A long service levy, as required under section 34 of the *Building and Construction Industry Long Service Payments Act, 1986*, is to be paid in respect of this building work. Evidence that the levy has been paid is to be submitted to the Principal Certifying Authority prior to the issue of any Construction Certificate. Note: Council acts as an agent for the Long Service Payment Corporation and the levy may be paid at Council's office. The levy rate is 0.25% of building work costing $250,000 or more.
	Condition reason: To ensure the long service levy is paid.
9.	**ENGINEERING PLANS ASSESSMENT AND WORKS INSPECTION FEES**
	The applicant is to pay to Council fees for assessment of all engineering plans and inspection of the completed works in the public domain inclusive of all stormwater assessment, in accordance with Council's Schedule of Fees & Charges at the time of engineering plan approval, prior to such approval being granted by Council. An invoice will be issued to the applicant for the amount payable, which will be calculated based on the design plans for the subject development.
	Condition reason: To ensure Council assessment fees are paid.
10.	**HOARDING**
	To ensure the site is contained during construction, a hoarding is required for the approved works, which is to be designed and constructed in accordance with the requirements of Safe Work NSW. Where the hoarding is to be erected over the footpath or any public place, the approval of Council's Compliance Unit must be obtained and the applicable fees paid, prior to the erection of the hoarding.
	Condition reason: To ensure safety to the general public.
11.	**EROSION & SEDIMENT CONTROL**
	A Soil and Water Management Plan (SWMP), also known as an Erosion and Sediment Control Plan must be prepared in accordance with Waverley Council's Water Management Technical Manual. The SWMP must be approved by the Principal Certifying Authority prior to the issue of a Construction Certificate. A copy of the SWMP must be kept on site at all times and made available to Council officers upon request. The recommendations of the SWMP must be implemented and maintained during all construction activities and until the site is fully stabilised following construction.
	Condition reason: To ensure sediment laden runoff and site debris do not impact local stormwater systems and waterways.
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.
	Condition reason: To ensure structural stability of work on site.
13.	**WORKS TO PARTY**
	All work to the party wall must be contained within the boundaries of the subject site only, unless agreement between neighbours for work affecting both sides of a separating wall, including written consent of all owners of all properties upon which work will take place has been obtained.
	Condition reason: To meet the requirements of the National Construction Code.
14.	**STORMWATER AND PUBLIC INFRASTRUCTURE MANAGEMENT**
	To ensure that stormwater runoff from the development is drained in an appropriate manner, without impact on neighbouring properties and downstream systems, a detailed plan and certification of the development's stormwater management system must be submitted and approved by the Executive Manager, Infrastructure Services (or delegate) prior to the issue of the relevant Construction Certificate. The submitted stormwater management plan prepared by Istruct Pty Ltd, Job No. 250502, Drawing No. D-01, REV 1, dated 04/06/2025 are considered concept only. The applicant must submit amended plans and specifications to comply with the current Waverley Council Water Management Technical Manual and Development Control Plan (DCP) at the time of engineering plan approval. The submitted plans must be prepared by a suitably qualified and practising Civil Engineer (registered on the NER of Engineers Australia or equivalent) and comply with the following conditions: 1. Any proposed stormwater discharge within the footpath verge of Hewlett Street must be hot dipped galvanised steel hollow section with the size of 125mm x 75mm x 4mm (w x h x t). Note a minimum of 1m width of concrete kerb and gutter must be replaced encompassing this connection, with 10mm thick mastic expansion joints installed on both sides (full depth) and with a 600mm asphalt adjustment and liquid crack sealing if the asphalt is damaged as part of the works or found to be in a deteriorated state. 2. A minimum of 500 mm clearance must be provided from the edge of the layback of the vehicular crossing to the edge of the stormwater outlet. 3. Provide calculations of the roof guttering system for the 5% AEP storm event and minimum number of downpipes required. 4. Specify any components of the existing system to be retained and certified during construction to be in good condition and of adequate capacity to convey additional runoff and be replaced or upgraded if required.

5. Pits and inspection openings must be provided at all junctions, change in gradient, change in direction, and changes in diameter for access and maintenance purposes.

6. Provide calculations demonstrating that the proposed stormwater drainage system can cater for the relevant design storm event.

7. The rainwater tank must have a minimum capacity of 1837.5 litres and be connected to at least 73.5m^2 of roof area.

8. Sub soil drainage (seepage) water must not be directly or indirectly discharged to Council's street gutter.

9. Any seepage or rainwater collected on-site during construction or groundwater must not be pumped to the street stormwater system unless separate prior approval is given in writing by Council.

10. In accordance with Section 4.9 of WMTM, for properties that fall to the street, the use of a pump-out system for stormwater disposal will only be permitted for drainage of basement driveways. When proposing a pump out system, evidence must be submitted to Council that an honest and reasonable attempt has been made to acquire an easement to drain water through any of the downstream properties or demonstrate that all avenues to establish an easement are impractical or unviable.

Notes

i. Any Council infrastructure affected as a 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 must be replaced if damaged as per the Waverley Council Public Domain Technical Manual. All associated costs will be borne by the applicant.
ii. The checklist as set out on pages 68-76 in Council's Water Management Technical Manual (October 2021) available online must be completed and submitted with any revision of Construction Certificate Plan Submissions.
iii. Waverley Council has a template for the calculation of OSD and infiltration system sizing which is available upon request.
iv. 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.
v. Waverley Council's 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 must not be replicated.
vi. 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.

	vii. Council's contact for infrastructure assessment: E-mail: assets@waverley.nsw.gov.au or Phone: 9083 8655 (operational hours between 9.30am to 4pm Monday to Friday). The expected duration to review and approve the stormwater management plan may take at least 15 working days from the date of submission. viii. Evidence from a suitably qualified and practicing Engineer (registered on the NER of Engineers Australia or equivalent) that the approved design has been adhered to must be submitted to and approved by the Principal Certifying Authority (PCA) prior to the issue of the relevant Occupation Certificate. All redundant pipelines (incl. kerb outlets) must be removed. Any affected infrastructure (such as footpath and kerb and gutter) must be reinstated to the satisfaction of Waverley Council as per Waverley Council Standard Drawings and specifications.
	Condition Reason: To ensure that the stormwater system is designed and constructed in accordance with Waverley Council's Water Management Technical Manual and will minimise the likelihood of stormwater related issues to the property owner, occupiers, neighbours and broader community.
15.	**FLOODING REQUIREMENTS**
	The development must minimise risk to life and damage to property, consider the impacts of the full range of potential floods and ensure that development does not have an unacceptable impact on flood behaviour, people's safety, surrounding properties and structures, and/or the natural environment. In accordance with Section 5.21 of the Waverley LEP and Section B5.2 of Waverley Council's DCP the following conditions must be satisfied. Compliance with these requirements must be demonstrated to the satisfaction of the Executive Manager, Infrastructure Services (or delegate) prior to issuance of the Construction Certificate: a) An Engineer's report (refer to Annexure B5-3 of DCP 2022 for details) shall be provided for development to certify that any new structure can withstand the forces of floodwater, debris and buoyancy up to and including a 1% AEP flood level plus freeboard. Note: Certification to be up to and including PMF if required to satisfy evacuation criteria. b) As part of the Engineer's report (refer to Annexure B5-3 for details) shall be provided to certify that the development (including indoor and outdoor features, such as above ground swimming pools and associated pump housing) will not materially increase flood effects elsewhere, having regard to changes in flood levels, flows and velocities caused by alterations to the flood conveyance. c) The evacuation requirements of the development during flooding shall be considered in the Engineer's report. d) The Applicant is to demonstrate that an area is available to store goods above the 1% AEP flood level plus freeboard.

	e) In-ground swimming pools are to have surrounding coping/tiling that is no more than 100 mm above surrounding ground level. All pumping/electricals are to be above the 1% AEP flood level plus freeboard. f) Fencing is to be constructed in a manner that does not obstruct the flow of floodwaters so as to have an adverse impact on flooding. g) The development must comply with all the requirements stipulated under *Section 5.21 FLOOD PLANNING* of the Waverley Council LEP. A certificate from a suitably qualified and practising Civil Engineer (registered on the NER of Engineers Australia or equivalent) must be submitted to the Executive Manager, Infrastructure Services (or delegate) stating compliance with this condition prior to issuance of the Construction Certificate.
	Condition reason: To ensure the development minimises risk to life and damage to property, considers the impacts of the full range of potential floods and ensures that development does not have an unacceptable impact on flood behaviour, people's safety, surrounding properties and structures, and the natural environment.
16.	**ENGINEERING PLANS ASSESSMENT AND WORKS INSPECTION FEES**
	The Applicant must pay to Council fees for the assessment of all engineering plans and inspection of the completed works in the public domain inclusive of all stormwater assessments, in accordance with the 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.
	Condition Reason: The engineering plans assessment fees are applicable as per Waverley Council's Pricing Policy Fees and Charges 2025-2026, to assess and issue approval by Council's Infrastructure Services Team on the proposed design and associated works.
17.	**SEEPAGE WATER**
	Seepage water within the top 500mm of the ground surface may be collected and discharged to Council's stormwater network (below ground network). Seepage water below 500mm of the ground surface must be managed on-site through infiltration. If infiltration is proved to be not viable, the seepage water shall be directed into Council's below-ground stormwater system, subject to Council approval. This will be contingent on the discharge flow rate being quantified and the stormwater management system (including the OSD volume and orifice size) being adjusted to ensure the total discharge from the site does not exceed the permissible site discharge. Seepage water must not be discharged directly or indirectly to the street gutter.

	Condition Reason: To ensure the seepage water is managed to comply with Council's Water Management Technical Manual.
18.	**ENGINEERING PLANS ASSESSMENT AND WORKS INSPECTION FEES**
	The Applicant must pay to Council fees for the assessment of all engineering plans and inspection of the completed works in the public domain inclusive of all stormwater assessments, in accordance with the 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.
	Condition Reason: The engineering plans assessment fees are applicable as per Waverley Council's Pricing Policy Fees and Charges 2025-2026, to assess and issue approval by Council's Infrastructure Services Team on the proposed design and associated works.
19.	**SITE WASTE AND RECYCLING MANAGEMENT PLAN**
	A *Site Waste and Recycling Management Plan (SWRMP) - Part 2* is to be submitted to the Principal Certifying Authority prior to the issue of the relevant Construction Certificate, which outlines materials to be reused and/or recycled as a result of demolition and construction works. At least one copy of the *SWRMP Part 2* is to be available on site at all times during construction. Copies of demolition and construction waste dockets that verify the facility that received the material for recycling or disposal and the quantity of waste received, must be retained on site at all times during construction.
	Condition reason: To ensure resource recovery is promoted and the local amenity is protected during construction.
20.	**REPLACEMENT TREE SPECIES**
	The landscape plan must be amended to either: (a) replace the *Lagerstroemia indica* (Crepe Myrtle) with one (1) small-medium sized local native tree OR, or (b) install one (1) additional small-medium sized local native tree anywhere on site. The one (1) local native tree must be from Annexure B3-1 within the DCP, recommended species include Archontophoenix cunninghamiana (Bangalow Palm) and Livistona australis (Cabbage Palm).
	Condition reason: To meet the biodiversity requirements of Waverley Development Control Plan 2022.
21.	**LANDSCAPE WORKS IN A HABITAT CORRIDOR AND REPLACEMENT TREE PLANTING**
	An amended landscape plan is to be submitted to and approved by Council's Executive Manager, Environmental Sustainability (or delegate) with prior to the

	issuance of any construction certificate in compliance with the following requirements: (a) A plant species list having a minimum of 50% of the proposed trees, 50% of the shrubs and 50% of the grasses and groundcovers (not including turfed areas) of indigenous or local native plants listed in Annexure B3-1 of the Waverley Development Control Plan 2022. Cultivars or hybrids of listed plant species are not to be counted towards this requirement. Any hedging of trees will result in their classification as shrubs for the purposes of applying habitat corridor landscape controls. Any hedging of trees will result in their classification as shrubs.; (b) In addressing the above requirements regarding replacement tree species, the landscape plans must be amended to either: i. replace the proposed *Lagerstroemia indica* (Crepe Myrtle) tree with one (1) small-medium sized local native tree, OR ii. install one (1) additional small-medium sized local native tree anywhere on site. (c) Landscape plans must include a planting schedule that lists all plant species proposed, the number of plants of each species proposed, and indicate whether each plant species proposed is listed in Annexure B3-1; (d) Three strata of vegetation are required to be included in the landscape design, e.g. (i) tree or tall shrub canopy, (ii) mid-storey and (ii) groundcover layer. (e) Replacement trees are to be sited at a distance of at least 25% of the minimum mature canopy width (diameter) of the tree between the fences or building and the tree stem to ensure healthy long-term growth and canopy development.
	Condition reason: To protect the habitat corridor by ensuring indigenous and local native plants are provided for local biodiversity.
22.	**CONSTRUCTION TRAFFIC MANAGEMENT PLAN (CTMP)**
	The applicant is to submit a Construction Traffic Management Plan (CTMP) for the approval of Council's Executive Manager, Infrastructure Services, or delegate, prior to the issue of any Construction Certificate. For further information on what is required in the CTMP, please refer to Council's website at: https://www.waverley.nsw.gov.au/building/development_applications/post_determination/development_applications_-_conditions_of_consent
	Condition reason: To require details of measures that will protect the public, and the surrounding environment, during site works and construction.
23.	**DILAPIDATION REPORT**
	Before any site work commences, a dilapidation report must be prepared by a suitably qualified engineer detailing the structural condition of adjoining

	buildings, structures or works and public land to the satisfaction of the Principal Certifying Authority. At minimum, the following properties are to be included: (a) 75 Hewlett Street, Bronte (b) 77A Hewlett Street, Bronte Where access has not been granted to an adjoining property to prepare the dilapidation report, the report must be based on a survey of what can be observed externally and demonstrate, in writing, to the satisfaction of the Principal Certifying Authority that all reasonable steps were taken to obtain access to the adjoining properties. The report is to be dated, submitted to, and accepted by the Principal Certifying Authority, prior to any work commencing on the site. No less than 14days before any site work commences, adjoining property owner(s) must be provided with a copy of the dilapidation report for their property(ies) and a copy of the report(s) must be provided to council (where council is not the principal certifier) at the same time. 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.
	Condition reason: To establish and document the structural condition of adjoining properties and public land for comparison as site work progresses and is completed and ensure neighbours and council are provided with the dilapidation report.
24.	**RENEWABLE ENERGY AND ENERGY EFFICIENCY**
	To enable all development to contribute to net zero greenhouse emissions by 2035, the following shall apply: (a) An electric hot water system is strongly encouraged in all developments. Recommended systems include electric heat pump, solar thermal with electric boost or electric storage. (b) Recommended swimming pool heating systems to include solar thermal only, solar thermal boosted with electric heat pump or electric heat pump. (c) No gas cooktops or gas ovens are permitted. Alternate options must be used (such as electric, induction). (d) Recommended lighting systems to include LEDs with controls, such as motion sensors, step-dim controls and daylight sensors. The architectural plans shall be updated to notate the above and submitted to the Principal Certifying Authority for approval, prior to the issue of a Construction Certificate.

	Condition reason: To reduce community greenhouse emissions to net zero by 2035 and ensure all new (or altered) homes have future capacity to be an all-electric building, powered by renewable energy.

BEFORE BUILDING WORK COMMENCES

	Condition
25.	**CONSTRUCTION SIGNS**
	Prior to commencement of any works on the site and during construction a sign shall be erected on the main frontage of the site detailing the name, address and contact details (including a telephone number) of the Principal Certifying Authority and principal contractor (the coordinator of the building works). The sign shall be clearly legible from the adjoining street/public areas and maintained throughout the building works.
	Condition reason: To ensure the general public are afforded the Principal Certifying Authority and principal contractor's (the coordinator of the building works) contact details.
26.	**DEMOLITION – ASBESTOS AND HAZARDOUS MATERIALS**
	The demolition, removal, storage, handling and disposal of products and materials containing asbestos must be carried out in accordance with the relevant requirements of SafeWork NSW and the NSW Environment Protection Authority (EPA), including: • Work Health and Safety Act 2011; • Work Health and Safety Regulation 2017; • SafeWork NSW Code of Practice for the Safe Removal of Asbestos; • Australian Standard 2601 (2001) – Demolition of Structures; • *Protection of the Environment Operations Act 1997.* At least 5 days prior to the demolition, renovation work or alterations and additions to any building, the person acting on the consent shall submit a Work Plan to the Principal Certifying Authority in accordance with Australian Standard AS 2601-2001, Demolition of Structure and a Hazardous Materials Assessment prepared by a person with suitable expertise and experience. The Work Plan and Hazardous Materials Assessment shall: (a) Outline the identification of any hazardous materials, including surfaces coated with lead paint; (b) Confirm that no asbestos products are present on the subject land, or (c) particularise a method of safely disposing of the asbestos in accordance with the Code of Practice on how to safely remove asbestos published by SafeWork NSW (catalogue WC03561); (d) Describe the method of demolition; (e) Describe the precautions to be employed to minimise any dust nuisance; and (f) Describe the disposal methods for hazardous materials.
	Condition reason: To ensure the safety of workers and the general public.
27.	**TREE PROTECTION CERTIFICATE**

	The onsite arborist is to provide a certificate to Council stating that appropriate tree protection measures have been installed for the trees to be retained and protected.
	Condition reason: To ensure trees are protected prior to work commencing.
28.	**TREES TO BE RETAINED AND PROTECTED** This schedule outlines which trees are approved for removal and replacement, or to be retained and protected.

Tree No.	Species	Location	Status	Action
T1	*Archontophoenix cunninghamiana* (Bangalow Palm)	Eastern boundary -*75 Hewlett Street*	Protected	Retain and protect
G2	2x *Dypsis lutescens* (Golden Cane Palm)	Northwest corner	Protected	Retain and protect
T3	*Archontophoenix cunninghamiana* (Bangalow)	Northwest corner	Protected	Retain and protect
G4	3x *Archontophoenix cunninghamiana* (Bangalow)	Northern boundary	Protected	Remove
G5	5x *Archontophoenix cunninghamiana* (Bangalow)	Northern boundary	Protected	Remove
T6	*Ficus benjamina* (Weeping Fig)	Northern boundary	Exempt in height (<3metres)	Remove
T7	*Ficus benjamina* (Weeping Fig)	Northeast corner	Exempt in height (<3metres)	Remove
T8	*Howea forsteriana* (Kentia Palm)	Northeast corner	Protected	Remove
G9	3x *Archontophoenix cunninghamiana* (Bangalow Palm)	Northeast corner	Protected	Retain and protect
T10	*Archontophoenix cunninghamiana* (Bangalow Palm)	Eastern boundary	Protected	Retain and protect
T11	- *Yucca elephantipes* (Spineless Yucca)	Adjacent to front entry	Protected	Retain and protect

T12	- *Dracaena draco* (Dragon Tree)	Adjacent to front entry	Exempt in height (<3metres)	Retain and protect
T13	*Dracaena marginata* (Dracaena)	Adjacent to front entry	Protected	Retain and protect
T14	*Archontophoenix cunninghamiana* (Bangalow Palm)	Eastern boundary – public domain	Protected	Retain and protect
G15	3x *Archontophoenix cunninghamiana* (Bangalow Palm)	Eastern boundary – public domain	Protected	Retain and protect
Tree A	*Melaleuca quinquenervia* (Broadleaved Paperbark)	Grass verge – adjacent to eastern property boundary	Protected	Retain and protect
Tree B	*Melaleuca quinquenervia* (Broadleaved Paperbark)	Grass verge – adjacent to northern property boundary – easternmost tree	Protected	Retain and protect
Tree C (a)	*Melaleuca quinquenervia* (Broadleaved Paperbark)	Grass verge – adjacent to northern property boundary	Protected	Retain and protect

Condition reason: To clarify the trees approved for removal and those to be protected during the construction of the approved development.

29. **PROTECTING TREES ON DEVELOPMENT SITES**

(a) Throughout construction, tree protection measures installed are to be retained in accordance with Waverley Council's Development Control Plan 2022, Australian Standard – AS 4970 – 2025 - Protection of Trees on Development Sites, the approved Landscape Plan, and the approved Arborist Report.

(b) If any trees identified to be retained and protected are found to be faulty, damaged, dying, or dead, they must be removed and replaced with the same species at the applicant's expense.

	(c) All approved tree work must be carried out by minimum AQF Level 3 arborist in accordance with AS 4373-2007 Pruning of amenity trees.
	Condition reason: To ensure trees remain unimpacted by construction
30.	**TREE WORK**
	(a) If any trees on the site or on neighbouring properties require pruning, then permission must be gained from the owner of the tree(s) and an application to Prune, or Remove Trees on Private Property (Tree Permit Application) is then to be submitted to Waverley Council for processing (b) If any trees on Council owned land require pruning, the applicant must submit a tree pruning report, prepared by an Arborist with AQF level 5 qualification or above with photos showing the branches that need to be removed to Council's Tree Management Officer for approval prior to any works occurring.
	Condition reason: To ensure trees remain unimpacted by construction

DURING BUILDING WORK

	Condition
31.	**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.
	Condition reason: To ensure the safety of workers and the general public.
32.	**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.
	Condition reason: To ensure compliance with the Protection of the Environment Operations Act 1997 and the NSW EPA Waste Classification Guidelines 2014.
33.	**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 or 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.
	Condition reason: To ensure structural stability of work on site and general safety.
34.	**CONSTRUCTION HOURS**
	Demolition and building work must only be undertaken between the hours of 7am and 5pm on Mondays to Fridays and 8am to 3pm on Saturdays, with no work to be carried out on Sundays and public holidays. Excavation works involving the use of heavy earth movement equipment, including rock breakers and the like, must only be undertaken between the hours of 7am and 5pm on Mondays to Fridays, with no such work to be carried out on Saturday, Sunday or a public holiday.

	Noise from construction activities shall comply with the *Protection of the Environmental Operations (Noise Control) Regulation 2017*.
	Condition reason: To protect the amenity of the surrounding area.
35.	**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.
	Condition reason: To ensure building material is stored in an appropriate location.
36.	**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, Part 8 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021* and the requirements of any other applicable legislation or instruments.
	Condition reason: To ensure regular inspections occur throughout the construction process.
37.	**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.
	Condition reason: To ensure buildings are sited and positioned in the approved location.
38.	**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.
	Condition reason: To ensure buildings are sited and positioned in the approved location.
39.	**WORK OUTSIDE PROPERTY BOUNDARY**
	This consent does not authorise any work outside the property boundary.
	Condition reason: To ensure all works are located within the property boundary.
40.	**CONSTRUCTION OF SWIMMING POOLS AND OUTDOOR SPAS**
	The following applies to the construction of swimming pools and outdoor spas:

	(a) Reinforcement of the swimming pool/outdoor spa is to be inspected by an Accredited Officer or other suitably qualified person prior to the pouring of concrete (b) The electrical wiring system for any proposed underwater artificial lighting installation to the pool/spa is to be installed in accordance with the requirements of Australian Standard 3000, Part 1 - Wiring Rules (c) The swimming pool/outdoor spa water is to be treated by an approved water treatment and filtration unit (d) To prevent noise nuisance to surrounding properties, the swimming pool/outdoor spa filtration motor and pump unit is to be housed within a ventilated soundproof enclosure (e) Waste waters from the swimming pool/outdoor spa are to be discharged into Sydney Water's sewerage system and in this regard, approved plans MUST be submitted to Sydney Water at least 14 days prior to commencement of building operations.
	Condition reason: To ensure pools are constructed in a correct manner.
41.	**ACTIVITIES EXCLUDED WITHIN TREE PROTECTION ZONE (TPZ)**
	Activities excluded from the TPZ include but are not limited to: (a) Stockpiling of bulk materials, spoil or fill (b) Machine excavation including trenching (c) Excavation for silt fencing (d) Cultivation (e) Preparation or disposal of chemicals, including preparation of cement products (f) Parking of vehicles and plant machinery (g) Refuelling (h) Dumping of waste (i) Wash down and cleaning of equipment (j) Lighting of fires (k) Soil level changes (l) Temporary or permanent installation of utilities and signs (m) Physical damage to the tree (n) Ground compaction
	Condition reason: To ensure precautions are taken when working near trees during construction.

BEFORE ISSUE OF AN OCCUPATION CERTIFICATE

	Condition
42.	**FINAL OCCUPATION CERTIFICATE**
	Prior to occupation or use of the development, an Occupation Certificate must be obtained. The Principal Certifying Authority must be satisfied that the requirements of the *Environmental Planning & Assessment Act 1979* have been satisfied including all critical stage inspections. Documentary evidence of all required inspections is to be submitted to Council.
	Condition reason: To ensure an Occupation Certificate is issued prior to occupation or use of the development.
43.	**CERTIFICATION OF BASIX COMMITMENTS**
	The Principal Certifying Authority shall certify that the all the undertakings in the approved BASIX certificate have been completed.
	Condition reason: To ensure all the undertakings in the approved BASIX certificate have been completed.
44.	**LANDSCAPE WORKS IN A HABITAT CORRIDOR**
	The applicant must provide written confirmation from a suitably qualified and experienced landscape contractor, bush regenerator, or ecologist to the satisfaction of Council's Executive Manager, Environmental Sustainability (or delegate) prior to the issuance of any occupation certificate that demonstrates: • All landscape works have been completed in accordance with the approved Landscape Plan as amended by conditions of consent. • All plants procured and planted match those specified in the approved landscape plan and no cultivars, hybrids, or other substitutions have been used in place of the approved native species selected from Waverley Council's planting list (Waverley Council's DCP 2022, Annexure B3-1).
	Condition reason: To ensure the biodiversity requirements of Waverley Development Control Plan 2022 are achieved.
45.	**CERTIFICATION OF NEWLY CONSTRUCTED AND RETAINED STORMWATER DRAINAGE SYSTEM**
	Prior to the issue of any Occupation certificate, certification must be provided from a suitably qualified and practising Engineer or Plumber, that any new stormwater drainage system has been constructed in accordance with the Development Consent, Water Management Technical Manual, all applicable Codes, Policies, Plans, Standards, and good engineering practice. Certification must be provided from a suitably qualified and practising Engineer or Plumber, that any retained stormwater drainage system is unblocked, in good working order, and has been repaired or replaced in accordance with Council's

	Water Management Technical Manual and Development Control Plan and all applicable Codes, Policies, Plans, Standards and good engineering practice. A copy of the certifications must be submitted to the assessing stormwater engineer within Infrastructure Services for approval.
	Condition reason: Ensure stormwater drainage system has been constructed or retained as per the approved stormwater management plans.
46.	**CERTIFICATION OF SWIMMING POOL/OUTDOOR SPA**
	Prior to the pool being used, the following must be provided; (a) Certification that the pool has been constructed in accordance with the consulting engineers design; (b) Evidence that the swimming pool/outdoor spa has been registered on the State Government Swimming Pool Register (http://www.swimmingpoolregister.gov.au); (c) A sign outlining details of resuscitation techniques for adults, children and infants has been placed in a prominent position, close to the pool/outdoor spa. Signs are available from Council; (d) A copy of the occupation certificate must be submitted to Council. Note: Swimming/spa pool pumps are restricted from use between 8pm to 7am weekdays and Saturdays, 8pm to 8am on Sundays and public holidays in accordance with the requirements of the Protection of the Environment Operations (Noise Control) Regulation 2017.
	Condition reason: To ensure the swimming pool/outdoor spa has been constructed appropriately to ensure the safety of users.
47.	**TREE PROTECTION MEASURES TO BE REMOVED**
	All tree protection must be removed prior to the issuing of the Occupation Certificate.
	Condition reason: To ensure that the tree can continue to grow post construction.
48.	**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.
	Condition reason: Confirmation of plantings

OCCUPATION AND ONGOING USE

	Condition
49.	**ONGOING FLOODING REQUIREMENTS**
	(a) Materials which may be damaged by flood waters, materials which may be mobilised during flooding and materials which may cause pollution must be stored above 1% AEP plus 300mm freeboard. (b) There must be no modifications made to flood compatible fencing. (c) There must be no filling or blocking of the open, underfloor areas below 1% AEP plus 300mm freeboard.
	Condition reason: Ensure the development continues to must have a net neutral effect on flood behaviour, and does not increase risk to the occupants.
50.	**ONGOING MAINTENANCE – RAINWATER HARVESTING AND REUSE**
	The operation of all devices or appliances installed within the development approved by this consent as required by conditions pertinent to rainwater harvesting and rainwater reuse must be maintained in good operating order at all times.
	Condition reason: Ensure the rainwater harvesting and reuse systems are maintained and continue to operate as intended.

GENERAL ADVISORY NOTES

	Condition
1.	**DEVELOPMENT IS TO COMPLY WITH LEGISLATION**
	This consent contains the conditions imposed by the consent authority which are to be complied with when carrying out the approved development. However, this consent is not an exhaustive list of all obligations which may relate to the carrying out of the development under the EP&A Act, EP&A Regulation and other legislation.
2.	**DEVELOPMENT MUST MEET CONDITIONS OF CONSENT**
	The approved development must be carried out in accordance with the conditions of this consent. It is an offence under the EP&A Act to carry out development that is not in accordance with this consent.
3.	**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
4.	**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.
5.	**FLOODING EVACUATION REQUIREMENTS**
	The property is located on flood affected land identified as within the low flood risk precinct under the Council endorsed Waverley LGA Flood Study 2021. The site is expected to be flood affected during very rare events up to the Probable Maximum Flood (PMF). The owners of the land should make consideration as to emergency plans in the instance of future flooding including e.g. evacuation.
6.	**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.
7.	**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.
8.	**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.
9.	**EXCAVATION TO BE LIMITED**
	Excavation shall be limited to that shown in the approved plans. Any further excavation will require Council approval.
10.	**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.
11.	**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.
12.	**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.

Dictionary

The following terms have the following meanings for the purpose of this determination (except where the context clearly indicates otherwise):

Approved plans and documents means the plans and documents endorsed by the consent authority, a copy of which is included in this notice of determination.

AS means Australian Standard published by Standards Australia International Limited and means the current standard which applies at the time the consent is issued.

Building work means any physical activity involved in the erection of a building.

Certifier means a council or a person that is registered to carry out certification work under the *Building and Development Certifiers Act 2018*.

Construction certificate means a certificate to the effect that building work completed in accordance with specified plans and specifications or standards will comply with the requirements of the EP&A Regulation and *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*.

Council means Waverley Council.

Court means the Land and Environment Court of NSW.

EPA means the NSW Environment Protection Authority.

EP&A Act means the *Environmental Planning and Assessment Act 1979.*

EP&A Regulation means the *Environmental Planning and Assessment Regulation 2021.*

Independent Planning Commission means Independent Planning Commission of New South Wales constituted by section 2.7 of the EP&A Act.

Local planning panel means Waverley Local Planning Panel.

Occupation certificate means a certificate that authorises the occupation and use of a new building or a change of building use for an existing building in accordance with this consent.

Principal certifier means the certifier appointed as the principal certifier for building work or subdivision work under section 6.6(1) or 6.12(1) of the EP&A Act respectively.

Site work means any work that is physically carried out on the land to which the development the subject of this development consent is to be carried out, including but not limited to building work, subdivision work, demolition work, clearing of vegetation or remediation work.

Stormwater drainage system means all works and facilities relating to:
the collection of stormwater,

the reuse of stormwater,

the detention of stormwater,

the controlled release of stormwater, and

connections to easements and public stormwater systems.

Strata certificate means a certificate in the approved form issued under Part 4 of the *Strata Schemes Development Act 2015* that authorises the registration of a strata plan, strata plan of subdivision or notice of conversion.

Subdivision certificate means a certificate that authorises the registration of a plan of subdivision under Part 23 of the *Conveyancing Act 1919*.

Subdivision works certificate means a certificate to the effect that subdivision work completed in accordance with specified plans and specifications will comply with the requirements of the EP&A Regulation.

Sydney district or regional planning panel means Sydney Eastern City Planning Panel.

Suitably qualified acoustic consultant means 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.

FORMAT		DISTRIBUTION													
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					Y	6	6	7	9						
DRAWING NO.		DRAWING TITLE			R	25	25	25	25						
00.01		CONTENT PAGE				A	B	C	D						
00.02		BASIX				A			B						
00.03		COMPLIANCE				A			B						
00.04		COMPLIANCE				A			B						
00.05		SURVEY				A			B						
00.06		SITE PLAN				A			B						
01.01.01		PLAN - PROPOSED BASEMENT				A			B						
01.01.02		PLAN - PROPOSED GROUND				A			B						
01.01.03		PLAN - PROPOSED LEVEL 1				A			B						
01.01.04		PLAN - PROPOSED ROOF				A			B						
01.02.01		PLAN - DEMOLITION BASEMENT				A			B						
01.02.02		PLAN - DEMOLITION GROUND				A			B						
01.02.03		PLAN - DEMOLITION LEVEL 1				A			B						
01.02.04		PLAN - DEMOLITION ROOF				A			B						
02.01		ELEVATION - EAST				A	B	C	D						
02.02		ELEVATION - SOUTH				A	B	C	D						
02.03		ELEVATION - WEST				A	B	C	D						
02.04		ELEVATION - NORTH				A	B	C	D						
02.05		ELEVATION - STREETSCAPE				A	B	C	D						
03.01		SECTION - AA & BB				A	B	C	D						
03.02		SECTION - CC							A						
04.01		SHADOW DIAGRAM				A		B	C						
04.02		SHADOW DIAGRAM				A		B	C						
04.03		SHADOW DIAGRAM						A	B						
04.04		SUN'S EYE DIAGRAM						A	B						
VIS.01.01		VISUALISATION				A			B						
VIS.01.02		VISUALISATION				A			B						
VIS.01.03		VISUALISATION				A			B						

AMENDED

RECEIVED
Waverley Council

Application No: DA-302/2025

Date Received: 24/09/2025

PROPERTY INFORMATION

ADDRESS	77 HEWLET STREET, BRONTE, NSW 2024
BUILT	1990
COUNCIL	WAVERLY
LOT/PLAN NO.	2/-/DP861894
LOT SIZE	361SQM

SITE LOCATION





SIDE VIEW - EAST



FRONT VIEW - NORTH

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35 glenmore road
paddington nsw 2021
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+612 9361 6885
livistudio p/l

caution

Copies of drawings which do not show status have not been verified by George Livissianis and are not to be used for any purpose other than for preliminary information only. Do not scale from drawings. Check all dimensions on site prior to the commencement of work. Refer all discrepancies to George Livissianis.

It is the builders responsibility to co-ordinate all design,consultant, authority and compliance information.

copyright

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compliance

*All works are to comply with the Australian Building Code, National Construction Code, relevant Australian Standards, Statutory policies & authority requirements, any other strata, company title, tenancy or landlord requirements.

revision

A	19/6/2025	FOR DEVELOPMENT APPLICATION
B	25/6/2025	FOR DEVELOPMENT APPLICATION
C	15/7/2025	FOR DEVELOPMENT APPLICATION
D	239/2025	FOR DEVELOPMENT APPLICATION

job
MITCHELL HOUSE

address
77 HEWLETT STREET, BRONTE

job no.
JAMIE & NEYAT MITCHELL

issue
FOR DEVELOPMENT APPLICATION

dwg
CONTENT PAGE

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date
18/9/2025

AMENDED

BASIX REQUIREMENT SUMMARY

Pool and Spa
Rainwater Tank
The applicant must install a rainwater tank of at least 1837.5 litres on the site. This rainwater tank must meet, and be installed in accordance with, the requirements of all applicable regulatory authorities.
The applicant must configure the rainwater tank to collect rainwater runoff from at least 73.5 square metres of roof area.
The applicant must connect the rainwater tank to a tap located within 10 metres of the edge of the pool and outdoor spa.

Outdoor Swimming Pool
The swimming pool must be outdoors.
The swimming pool must not have a capacity greater than 12.87 kilolitres.
The swimming pool must have a pool cover.
The applicant must install a pool pump timer for the swimming pool.
The applicant must install the following heating system for the swimming pool that is part of this development: solar (gas boosted).

Outdoor Spa
The spa must not have a capacity greater than 3.85 kilolitres.
The spa must have a spa cover.
The applicant must install a spa pump timer.
The applicant must install the following heating system for the outdoor spa that is part of this development: solar (gas boosted).

Fixtures and systems

Hot Water
The applicant must install the following hot water system in the development: gas instantaneous.

Lighting
The applicant must ensure a minimum of 40% of new or altered light fixtures are fitted with fluorescent, compact fluorescent, or light- emitting-diode (LED) lamps.

Fixtures
The applicant must ensure new or altered showerheads have a flow rate no greater than 9 litres per minute or a 3 star water rating.
The applicant must ensure new or altered toilets have a flow rate no greater than 4 litres per average flush or a minimum 3 star water rating.
The applicant must ensure new or altered taps have a flow rate no greater than 9 litres per minute or minimum 3 star water rating.

Construction

Insulation Requirements
The applicant must construct the new or altered construction (floor(s), walls, and ceilings/roofs) in accordance with the specifications listed in the table below, except that a) additional insulation is not required where the area of new construction is less than 2m2, b) insulation specified is not required for parts of altered construction where insulation already exists.

Construction	Additional insulation required (R-value)	Other specifications
Concrete slab on ground floor.	nil	N/A
Suspended floor with enclosed subfloor: framed (R0.7).	R0.60 (down) (or R1.30 including construction)	N/A
External wall: cavity brick	nil	
Flat ceiling, flat roof: framed ceiling:	ceiling: R1.58 (up), roof: foil backed blanket (75mm)	medium (solar absorptance 0.475 - 0.70)

Glazing requirements
Window and Glazed Door
The applicant must install the windows, glazed doors and shading devices, in accordance with the specifications listed in the table below. Relevant overshadowing specifications must be satisfied for each window and glazed door.
The following requirements must also be satisfied in relation to each window and glazed door:
Each window or glazed door with improved frames, or pyrolytic low-e glass, or clear/air gap/clear glazing, or toned/air gap/clear glazing must have a U-value and a Solar Heat Gain Coefficient (SHGC) no greater than that listed in the table below. Total system U-values and SHGCs must be calculated in accordance with National Fenestration Rating Council (NFRC) conditions. The description is provided for information only. Alternative systems with complying U-value and SHGC may be substituted.
For projections described in millimetres, the leading edge of each eave, pergola, verandah, balcony or awning must be no more than 500 mm above the head of the window or glazed door and no more than 2400 mm above the sill.
Pergolas with polycarbonate roof or similar translucent material must have a shading coefficient of less than 0.35.
External louvres and blinds must fully shade the window or glazed door beside which they are situated when fully drawn or closed.
Pergolas with fixed battens must have battens parallel to the window or glazed door above which they are situated, unless the pergola also shades a perpendicular window. The spacing between battens must not be more than 50 mm.
Overshadowing buildings or vegetation must be of the height and distance from the centre and the base of the window and glazed door, as specified in the 'overshadowing' column in the table below.

Windows and glazed doors glazing requirements

Window / door no.	Orientation	Area of glass inc. frame (m2)	Overshadowing H	Overshadowing D	Shading device	Frame and glass type
W1	E	3.04	0	0	eave/verandah/pergola/balcony >=750 mm	improved aluminium, clear/air gap/clear, (U-value: 4.12, SHGC: 0.66)
W2	E	3.04	0	0	eave/verandah/pergola/balcony >=750 mm	improved aluminium, clear/air gap/clear, (U-value: 4.12, SHGC: 0.66)
W3	E	2.93	0	0	eave/verandah/pergola/balcony >=750 mm	improved aluminium, clear/air gap/clear, (U-value: 4.12, SHGC: 0.66)
W4	E	2.93	0	0	eave/verandah/pergola/balcony >=750 mm	improved aluminium, clear/air gap/clear, (U-value: 4.12, SHGC: 0.66)
W5	N	8.83	0	0	eave/verandah/pergola/balcony >=900 mm	improved aluminium, clear/air gap/clear, (U-value: 4.12, SHGC: 0.66)
W6	N	16.29	0	0	eave/verandah/pergola/balcony >=900 mm	improved aluminium, clear/air gap/clear, (U-value: 4.12, SHGC: 0.66)
W7	S	5.51	0	0	eave/verandah/pergola/balcony >=900 mm	improved aluminium, clear/air gap/clear, (U-value: 4.12, SHGC: 0.66)
W8	S	9.34	0	0	eave/verandah/pergola/balcony >=900 mm	improved aluminium, clear/air gap/clear, (U-value: 4.12, SHGC: 0.66)
W9	E	8.85	0	0	eave/verandah/pergola/balcony >=900 mm	improved aluminium, clear/air gap/clear, (U-value: 4.12, SHGC: 0.66)
W10	E	14.35	0	0	eave/verandah/pergola/balcony >=900 mm	improved aluminium, clear/air gap/clear, (U-value: 4.12, SHGC: 0.66)
W11	N	8.36	0	0	eave/verandah/pergola/balcony >=900 mm	improved aluminium, clear/air gap/clear, (U-value: 4.12, SHGC: 0.66)
W12	N	2.85	0	0	external louvre/ blind (fixed)	improved aluminium, clear/air gap/clear, (U-value: 4.12, SHGC: 0.66)
W13	N	2.88	0	0	external louvre/ blind (fixed)	improved aluminium, clear/air gap/clear, (U-value: 4.12, SHGC: 0.66)
W14	W	1.6	1.99	3.15	external louvre/ blind (fixed)	improved aluminium, clear/air gap/clear, (U-value: 4.12, SHGC: 0.66)
W15	S	2.97	0	0	external louvre/ blind (fixed)	improved aluminium, clear/air gap/clear, (U-value: 4.12, SHGC: 0.66)
W16	S	5.92	0	0	external louvre/ blind (fixed)	improved aluminium, clear/air gap/clear, (U-value: 4.12, SHGC: 0.66)
W17	S	2.81	0	0	external louvre/ blind (fixed)	improved aluminium, clear/air gap/clear, (U-value: 4.12, SHGC: 0.66)

Skylights
The applicant must install the skylights in accordance with the specifications listed in the table below.
The following requirements must also be satisfied in relation to each skylight:
Each skylight may either match the description, or, have a U-value and a Solar Heat Gain Coefficient (SHGC) no greater than that listed in the table below.

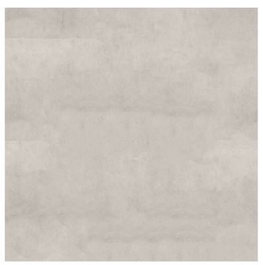
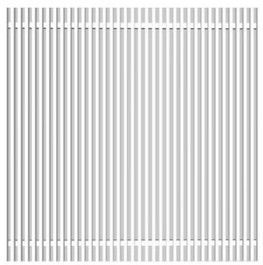
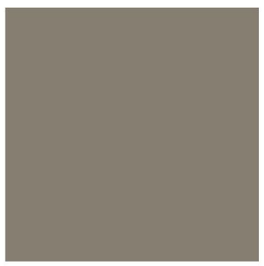
Skylights glazing requirements

Skylight number	Area of glazing inc. frame (m2)	Shading device	Frame and glass type
S1	1.09	no shading	timber, low-E internal/argon fill/clear external, (or U-value: 2.5, SHGC: 0.456)
S2	0.99	no shading	timber, low-E internal/argon fill/clear external, (or U-value: 2.5, SHGC: 0.456)
S3	0.99	no shading	timber, low-E internal/argon fill/clear external, (or U-value: 2.5, SHGC: 0.456)
S4	0.99	no shading	timber, low-E internal/argon fill/clear external, (or U-value: 2.5, SHGC: 0.456)
S5	0.99	no shading	timber, low-E internal/argon fill/clear external, (or U-value: 2.5, SHGC: 0.456)

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Application No: DA-302/2025

Date Received: 24/09/2025

						
DRAWING LEGEND	BR 1	RE 1	CO 1	SC 1	AL 1	AW 1
DESCRIPTION	**LIGHT COLOUR BRICK**	**CREAM COLOUR RENDER**	**CONCRETE RENDER**	**ALUMINIUM SCREEN**	**ANNODISED ALUMINIUM**	**AWNING FABRIC**
NAME				25X25MM BATTEN SCREEN	AAF PORTLAND STONE	SUNBRELLA AWNING FABRIC

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revision
A 19/6/2025 FOR DEVELOPMENT APPLICATION
B 18/9/2025 FOR DEVELOPMENT APPLICATION

job MITCHELL HOUSE
address 77 HEWLETT STREET, BRONTE
job no. JAMIE & NEYAT MITCHELL

issue FOR DEVELOPMENT APPLICATION
dwg BASIX
scale 1:1 @ A3

dwg no. 00.02_DA
rev. B
date 18/9/2025

LEP & DCP GUIDELINES		COMPLIANCE
Land Zoning	R2 low density residential	
Lot Size Map	361 sqm	
Height of Building	Maximum building height: 8.5m	yes
Max External Wall Height	Buildings with a pitched roof= 7m above existing ground level	yes
Floor Space Ratio	Max floor space ratio; 0.7:1 = 255.5sqm	
Private Open Space	Minimum 25sqm required	yes
Front Open Space	Minimum 50% of area between the front primary building line and street alignment	yes
Front Landscaping	Minimum 50% of the front open space	yes
Pool Setback	Located at the rear of the property & not encourch into side set backs	no
Landscaping & Open Space	Minimum 40% of total site area as open space	yes
	Minimum 20% of total site area as landscaped area	yes
	Minimum 50% of landscaped area as deep soil	yes
	Minimum 50% of area between front primary building & street alignment to be open space	yes
	Minimum 50% open space provided at front of site to be landscaped area	yes
	Each dwelling to have an outdoor clothes drying area	yes
Front & Rear Setbacks	Extension no further than the front & rear predominant building lines	existing
Side Setbacks	Minimum 0.9m set back for ground & first floor	yes
Balcony	Maximum area of 10sqm and maximum depth of 1.5m	existing
Solar Access	Minimum 3 hours of direct sunlight to at least 50% of the proposed living area and principle private open space, when measured during 9am and 3pm during winter solstice	
Fence	Front fences should not exceed 1.2m in height, with any solid upstand limited to 600mm high. The top half of the fence to have an open design with min 50% open area. Side and rear boundary fences are not to exceed 1.8m above existing ground level	

GROSS FLOOR AREA	Existing	Proposed	Addition
BASEMENT	25.2sqm	25.2sqm	NIL
GROUND FLOOR	108.7sqm	121.7sqm	13sqm
LEVEL ONE	97.2sqm	95.2sqm	- 2sqm
Total	*231.1sqm*	*242.1sqm*	*11sqm*

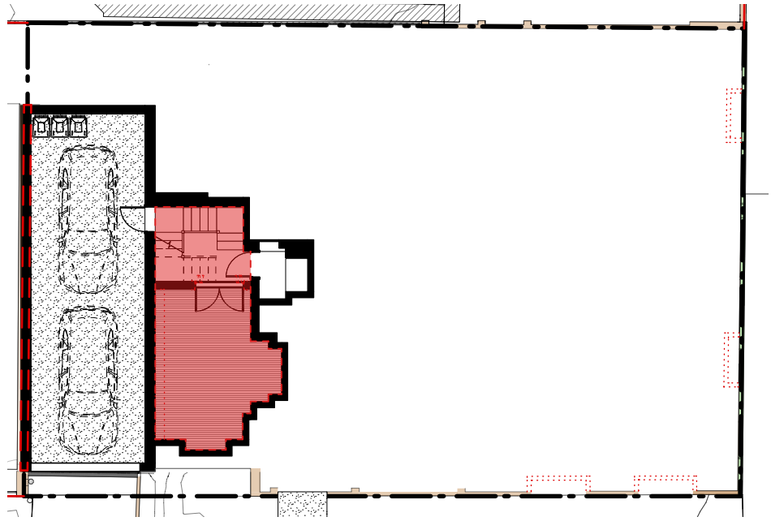
Site Area - 361 sqm (Guideline)	Existing	Requirement	Achieved
Floor Space Ratio (0.7:1)	0.64	0.7	0.67
Site Coverage	180sqm	255.5 sqm max	193.5sqm
Open Space (40%)	215.1sqm	144.4sqm	202.5sqm
Front Open Space (50% from building line to street)	109.7sqm	57.5sqm	115sqm
Front Landscaping (50% of front open space)	71.2sqm	57.5sqm	60.3sqm
Landscaping (20%)	74.4sqm	72.2sqm	74.3sqm
Deep Soil (50% of landscaped area)	67.8sqm	37.2sqm	47sqm
Private Open Space (25sqm)	73.8sqm	25sqm	52.9sqm

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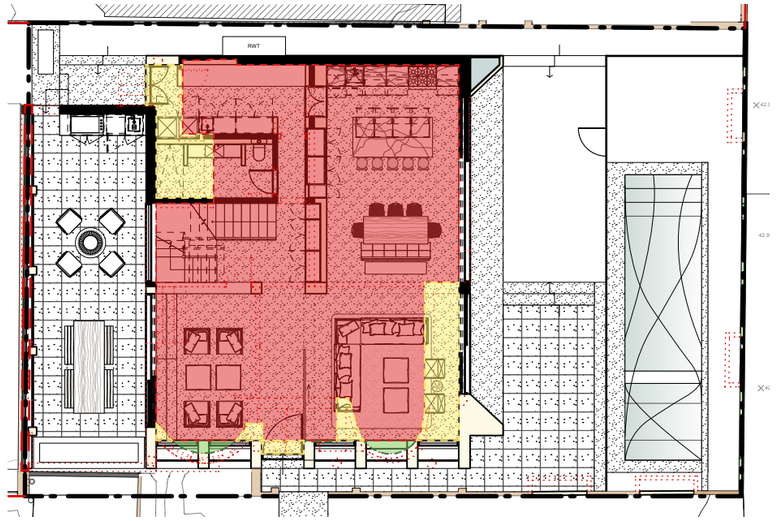
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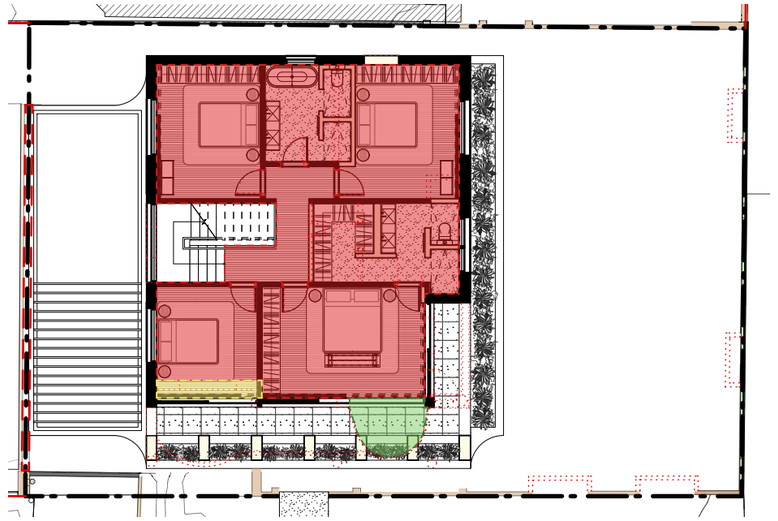
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1 PLAN - BASEMENT
00.03_DA 1:200 @A3



2 PLAN - GROUND
00.03_DA 1:200 @A3



3 PLAN - LEVEL 1
00.03_DA 1:200 @A3

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A	19/6/2025	FOR DEVELOPMENT APPLICATION
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EXISTING GFA
PROPOSED GFA
REMOVED

job
MITCHELL HOUSE

address
77 HEWLETT STREET, BRONTE

job no.
JAMIE & NEYAT MITCHELL

issue
FOR DEVELOPMENT APPLICATION

dwg
COMPLIANCE

scale
1:1 @ A3

dwg no.
00.03_DA

rev.
B

date
18/9/2025

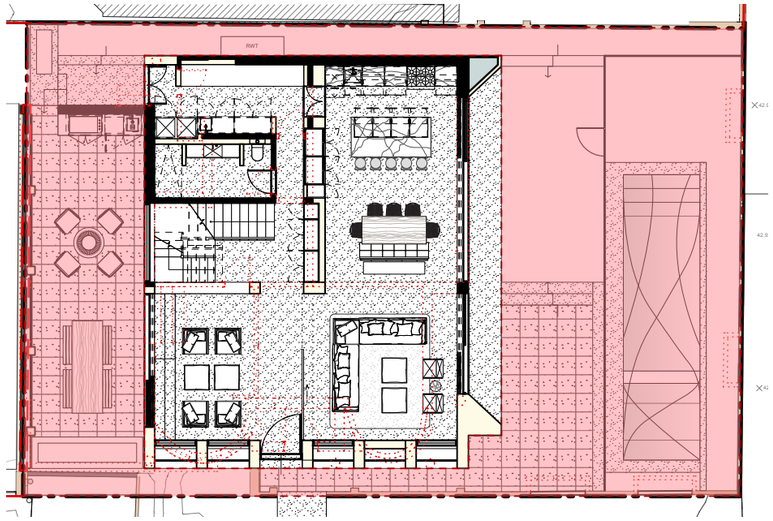
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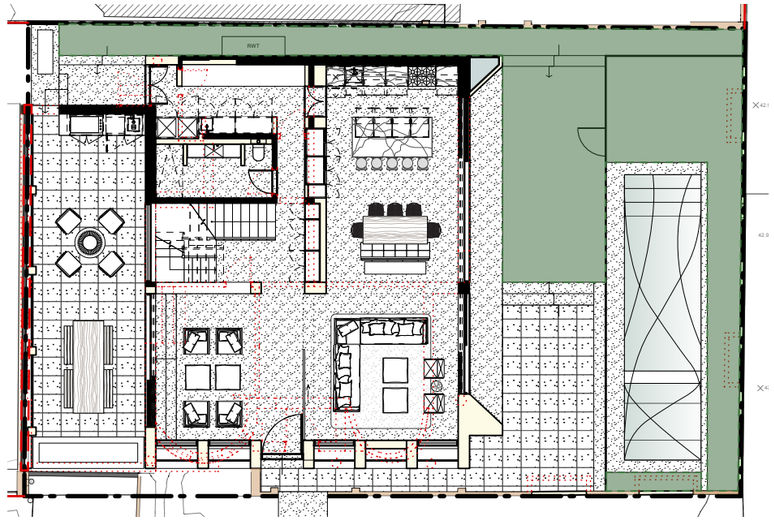
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Guideline	Total Proposed	Requirement	Complies
Open Space (40% of total site)	202.5 sqm	144.4 sqm	yes



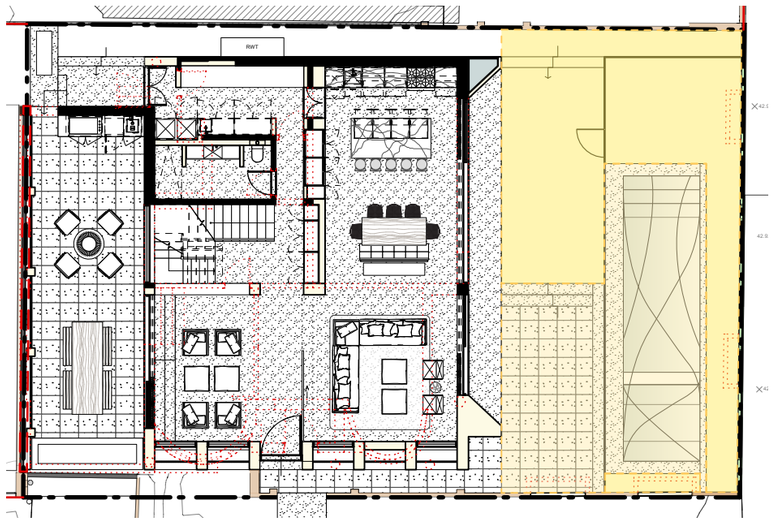
1 PLAN - OPEN SPACE
00.04_DA 1:200 @A3

Guideline	Total Proposed	Requirement	Complies
Landscaping (20% of total site)	74.3 sqm	72.2 sqm	yes



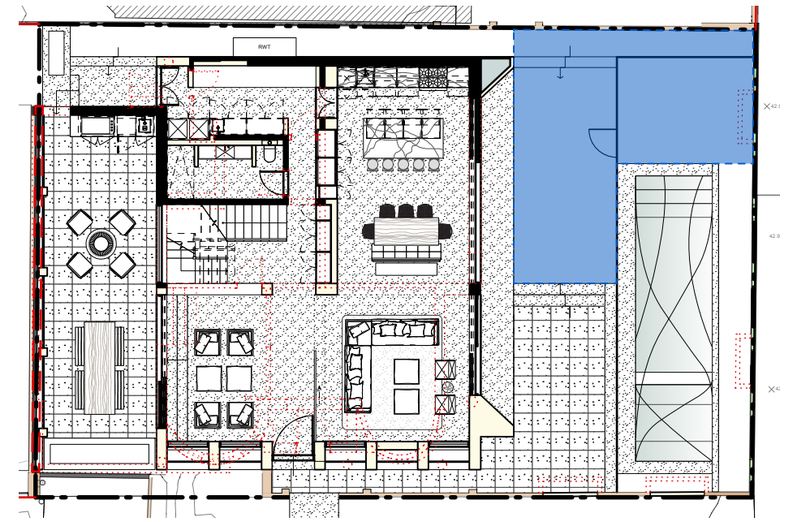
2 PLAN - LANDSCAPED AREA
00.04_DA 1:200 @A3

Guideline	Total Proposed	Requirement	Complies
Front Open Space (50% of area between front primary building line and street alignment)	115 sqm	57.5 sqm	yes
Front Landscape (50% of front open space)	60.3 sqm	57.5 sqm	yes



4 PLAN - FRONT LANDSCAPE/OPEN SPACE
00.04_DA 1:200 @A3

Guideline	Total Proposed	Requirement	Complies
Deep Soil (50% of landscaped area)	47 sqm	37.2 sqm	yes



3 PLAN - DEEP SOIL
00.04_DA 1:200 @A3

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242

OPEN SPACE
LANDSCAPED AREA
FRONT OPEN SPACE
FRONT LANDSCAPE
DEEP SOIL

job
MITCHELL HOUSE

address
77 HEWLETT STREET, BRONTE

job no.
JAMIE & NEYAT MITCHELL

issue
FOR DEVELOPMENT APPLICATION

dwg
COMPLIANCE

scale
1:1 @ A3

dwg no.
00.04_DA

rev.
B

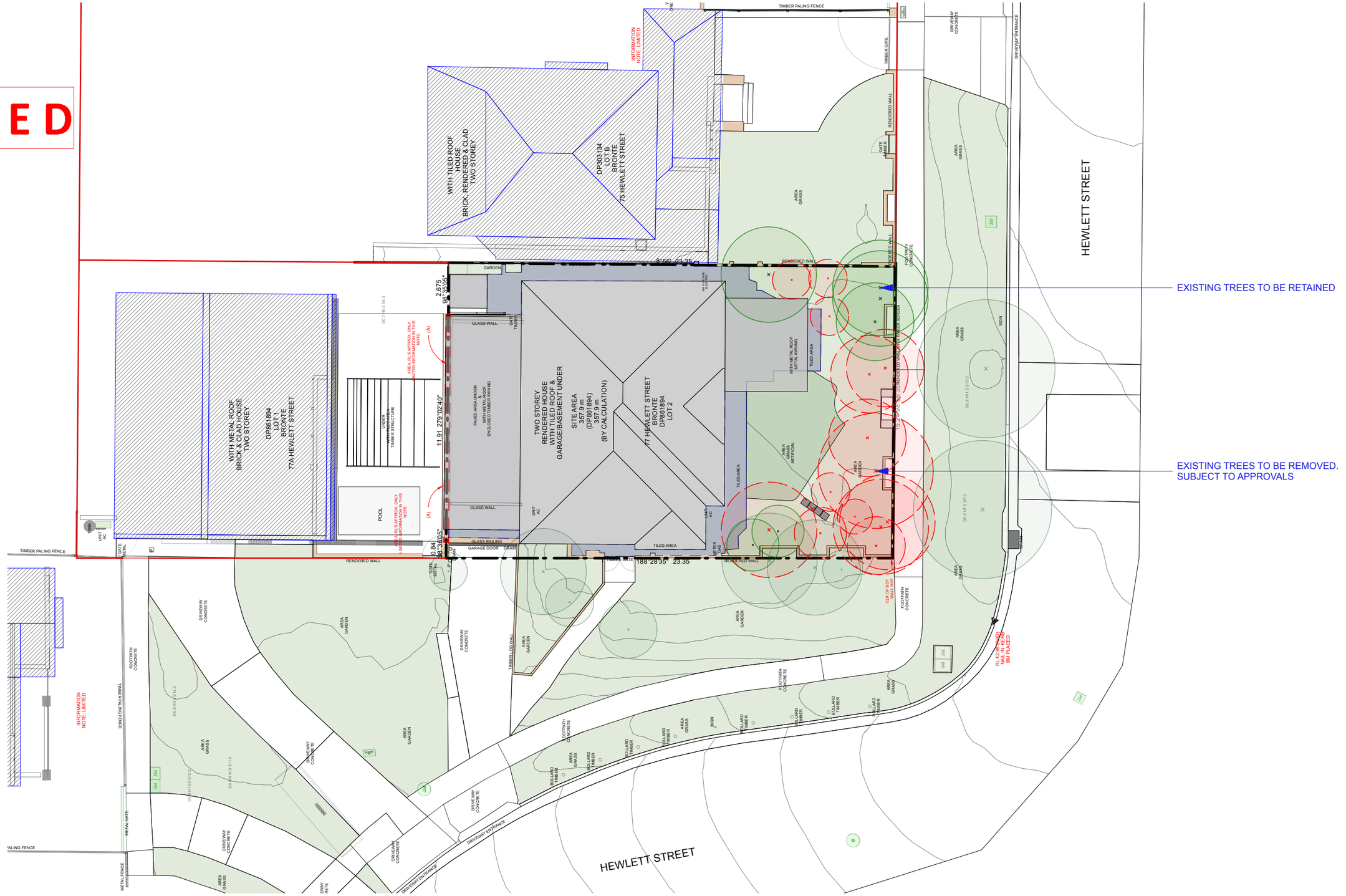
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1 SURVEY
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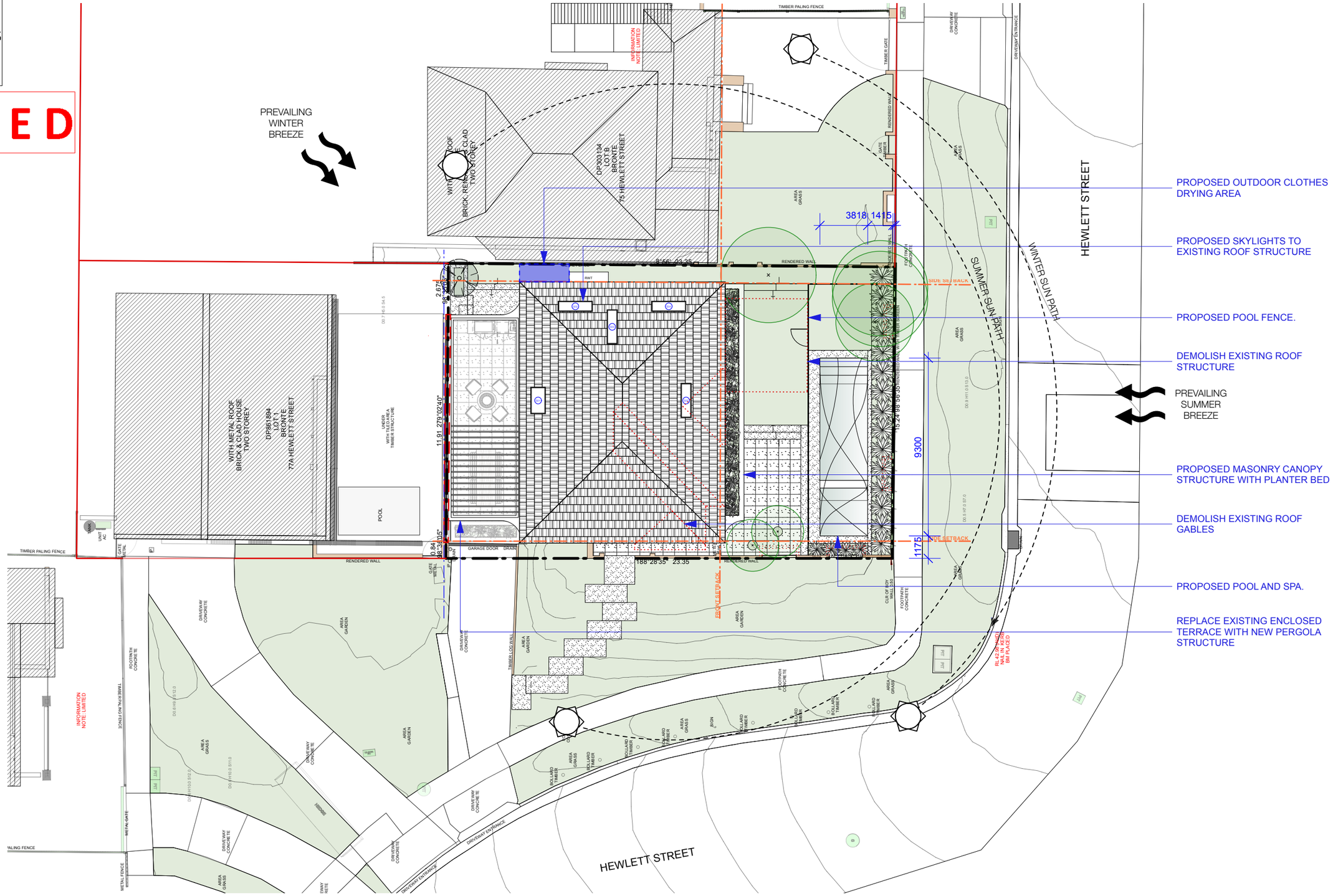
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MITCHELL HOUSE		FOR DEVELOPMENT APPLICATION	00.05_DA
address		**dwg**	**rev.**
77 HEWLETT STREET, BRONTE		**SURVEY**	**B**
job no.	**scale**		**date**
JAMIE & NEYAT MITCHELL	1:200 @ A3		18/9/2025

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1 SITE PLAN
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job
MITCHELL HOUSE

address
77 HEWLETT STREET, BRONTE

job no.
JAMIE & NEYAT MITCHELL

issue
FOR DEVELOPMENT APPLICATION

dwg
SITE PLAN

scale
1:200 @ A3

dwg no.
00.06_DA

rev.
B

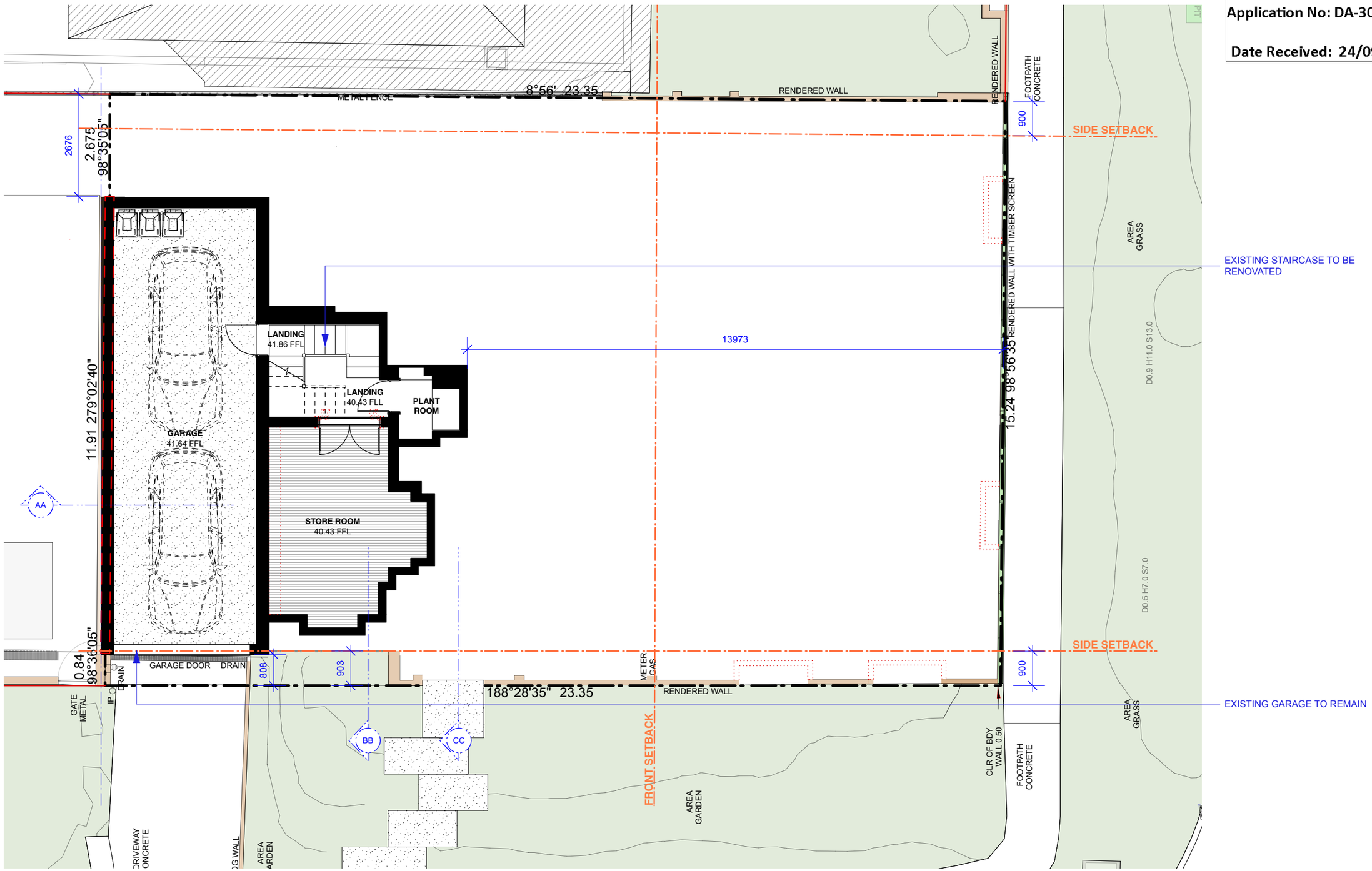
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1 PROPOSED PLAN - BASEMENT
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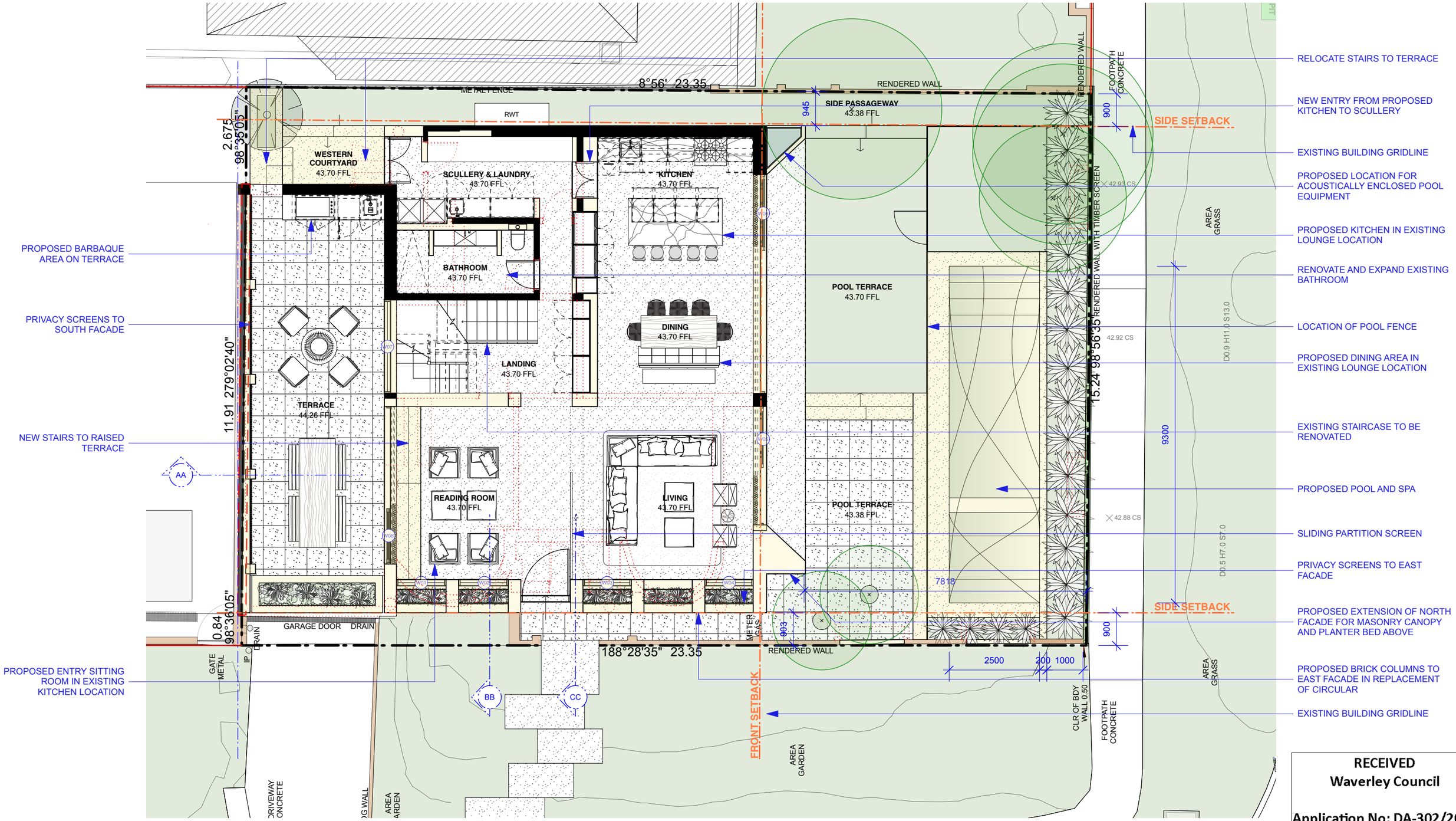
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B	18/9/2025	FOR DEVELOPMENT APPLICATION

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job	**issue**	**dwg no.**
MITCHELL HOUSE	FOR DEVELOPMENT APPLICATION	01.01.01_DA
address	**dwg**	**rev.**
77 HEWLETT STREET, BRONTE	**PLAN - PROPOSED BASEMENT**	**B**
job no.	**scale**	**date**
JAMIE & NEYAT MITCHELL	1:100 @ A3	18/9/2025

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Application No: DA-302/2025

Date Received: 24/09/2025

1 PROPOSED PLAN - GROUND
01.01.02_DA 1:100 @A3

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job MITCHELL HOUSE

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job no. JAMIE & NEYAT MITCHELL

issue FOR DEVELOPMENT APPLICATION

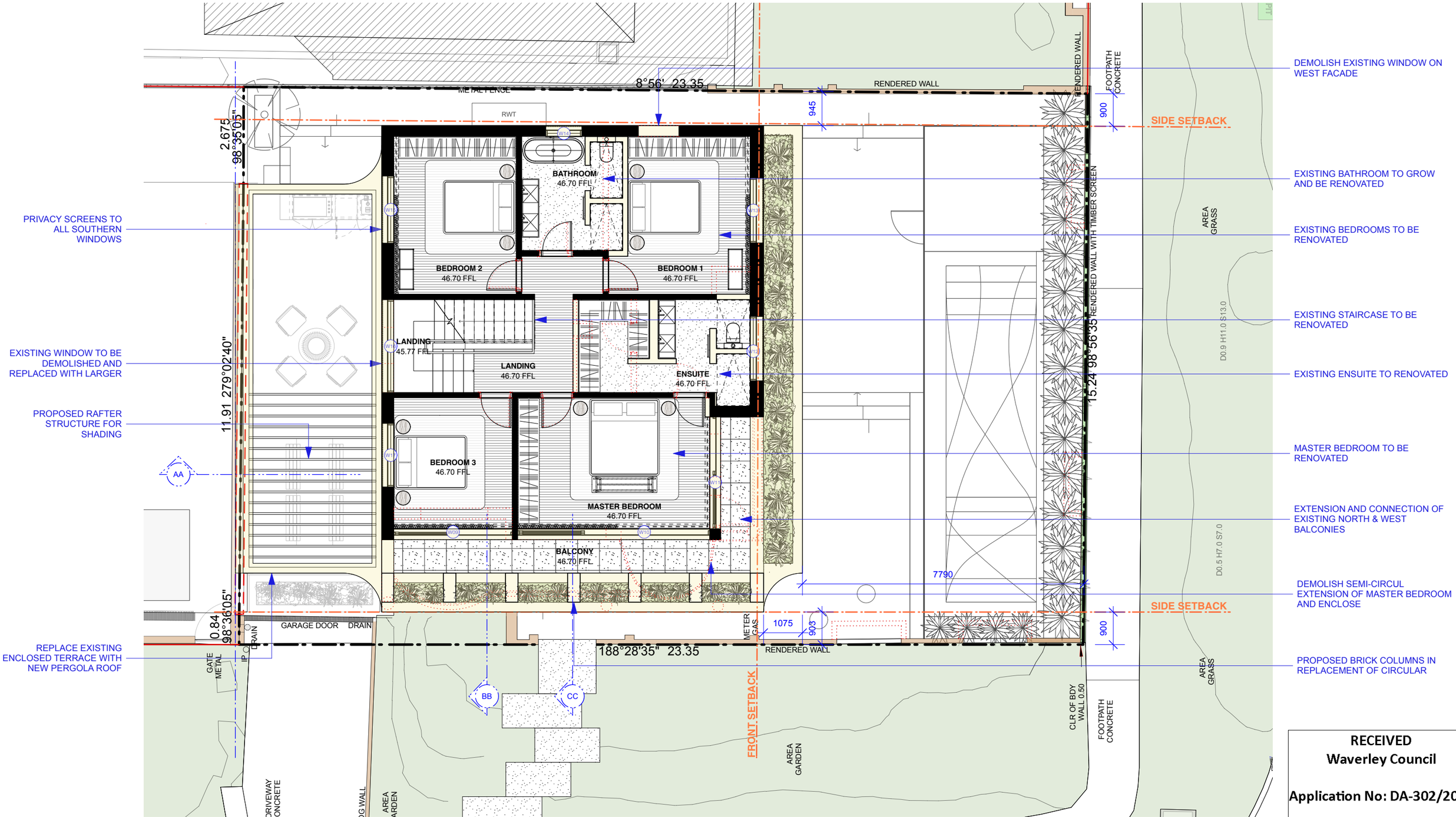
dwg PLAN - PROPOSED GROUND

scale 1:100 @ A3

dwg no. 01.01.02_DA

rev. B

date 18/9/2025



1 PROPOSED PLAN - LEVEL 1
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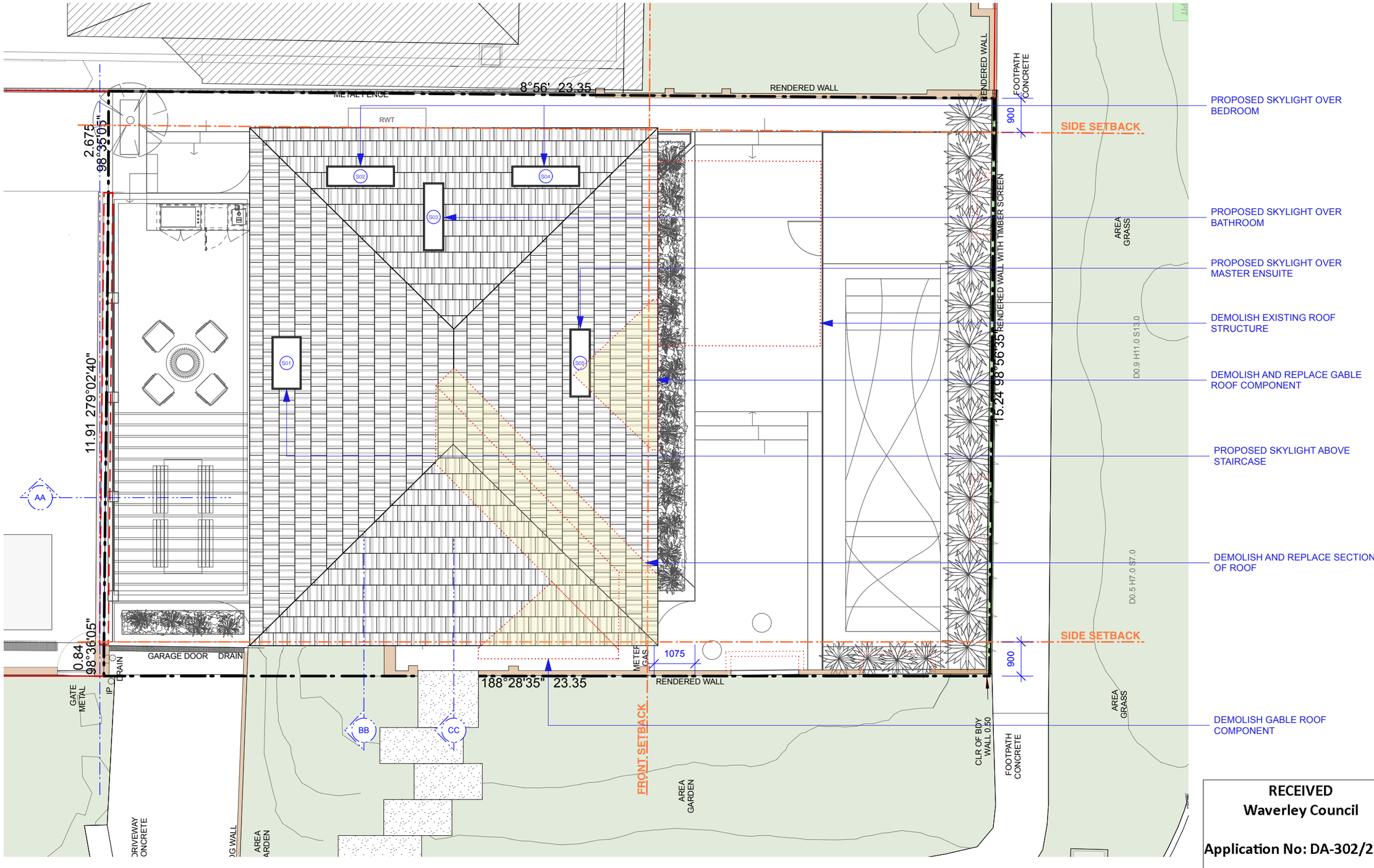
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address 77 HEWLETT STREET, BRONTE
job no. JAMIE & NEYAT MITCHELL

issue FOR DEVELOPMENT APPLICATION
dwg no. 01.01.03_DA
dwg PLAN - PROPOSED LEVEL 1
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1 PROPOSED PLAN - ROOF
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dwg no. 01.01.04_DA

dwg PLAN - PROPOSED ROOF

rev. B

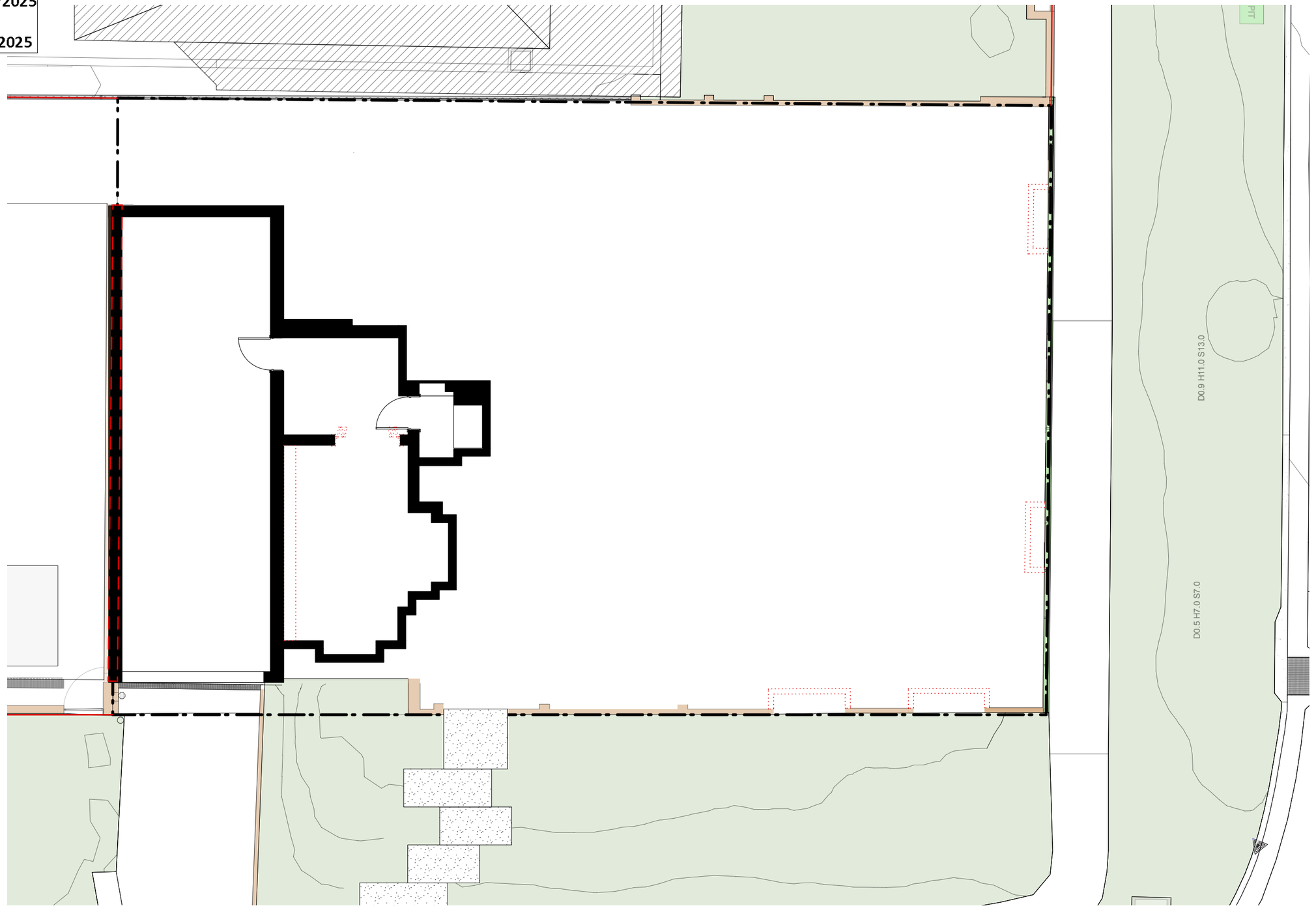
scale 1:100 @ A3

date 18/9/2025

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Waverley Council

Application No: DA-302/2025

Date Received: 24/09/2025



1 PLAN - DEMOLITION BASEMENT
01.02.01_DA 1:100 @A3

AMENDED

TO BE DEMOLISHED

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livistudio p/l

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revision

A	19/6/2025	FOR DEVELOPMENT APPLICATION
B	18/9/2025	FOR DEVELOPMENT APPLICATION

job
MITCHELL HOUSE

address
77 HEWLETT STREET, BRONTE

job no.
JAMIE & NEYAT MITCHELL

issue
FOR DEVELOPMENT APPLICATION

dwg
PLAN - DEMOLITION BASEMENT

scale
1:1 @ A3

dwg no.
01.02.01_DA

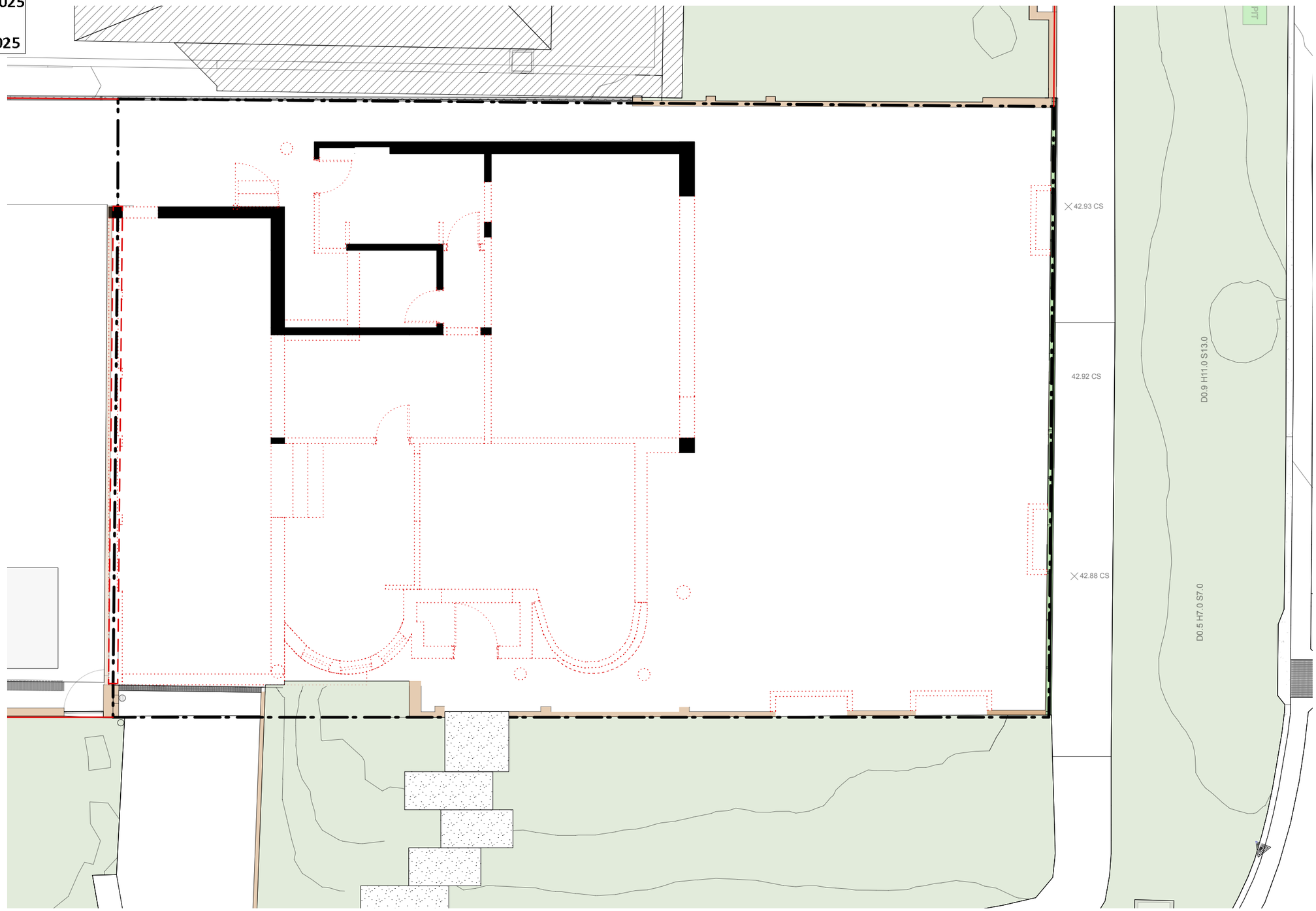
rev.
B

date
18/9/2025

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Date Received: 24/09/2025



1 PLAN - DEMOLITION GROUND
01.02.02_DA 1:100 @A3

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revision

A	19/6/2025	FOR DEVELOPMENT APPLICATION
B	18/9/2025	FOR DEVELOPMENT APPLICATION

250

job
MITCHELL HOUSE

address
77 HEWLETT STREET, BRONTE

job no.
JAMIE & NEYAT MITCHELL

issue
FOR DEVELOPMENT APPLICATION

dwg
PLAN - DEMOLITION GROUND

scale
1:1 @ A3

dwg no.
01.02.02_DA

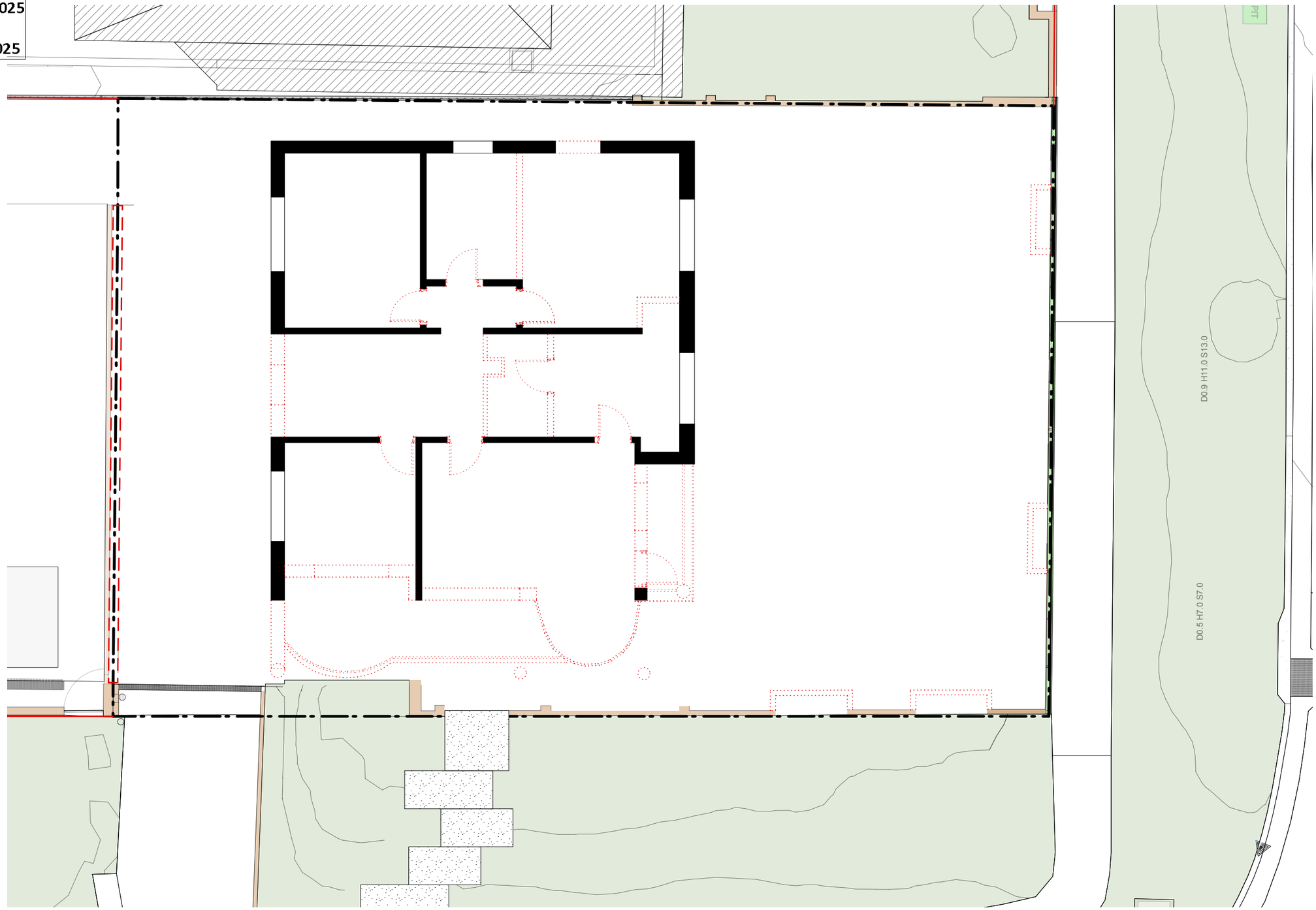
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B

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1 PLAN - DEMOLITION LEVEL 1
01.02.03_DA 1:100 @A3

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revision

A	19/6/2025	FOR DEVELOPMENT APPLICATION
B	18/9/2025	FOR DEVELOPMENT APPLICATION

251

TO BE DEMOLISHED

job
MITCHELL HOUSE

address
77 HEWLETT STREET, BRONTE

job no.
JAMIE & NEYAT MITCHELL

issue
FOR DEVELOPMENT APPLICATION

dwg
PLAN - DEMOLITION LEVEL 1

scale
1:1 @ A3

dwg no.
01.02.03_DA

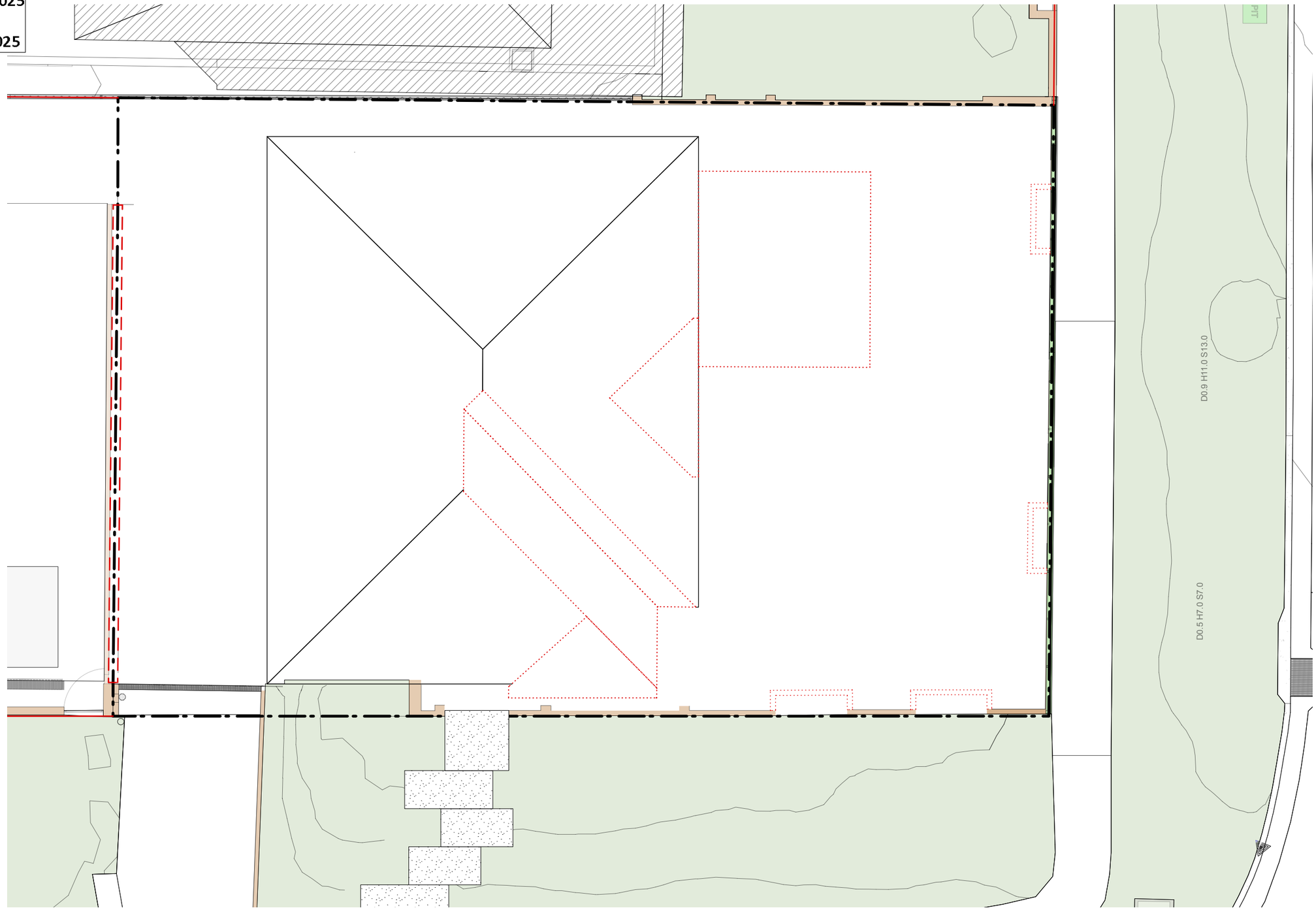
rev.
B

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18/9/2025

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Application No: DA-302/2025

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1 PLAN - DEMOLITION ROOF
01.02.04_DA 1:100 @A3

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revision

A	19/6/2025	FOR DEVELOPMENT APPLICATION
B	18/9/2025	FOR DEVELOPMENT APPLICATION

252

job
MITCHELL HOUSE

address
77 HEWLETT STREET, BRONTE

job no.
JAMIE & NEYAT MITCHELL

issue
FOR DEVELOPMENT APPLICATION

dwg
PLAN - DEMOLITION ROOF

scale
1:1 @ A3

dwg no.
01.02.04_DA

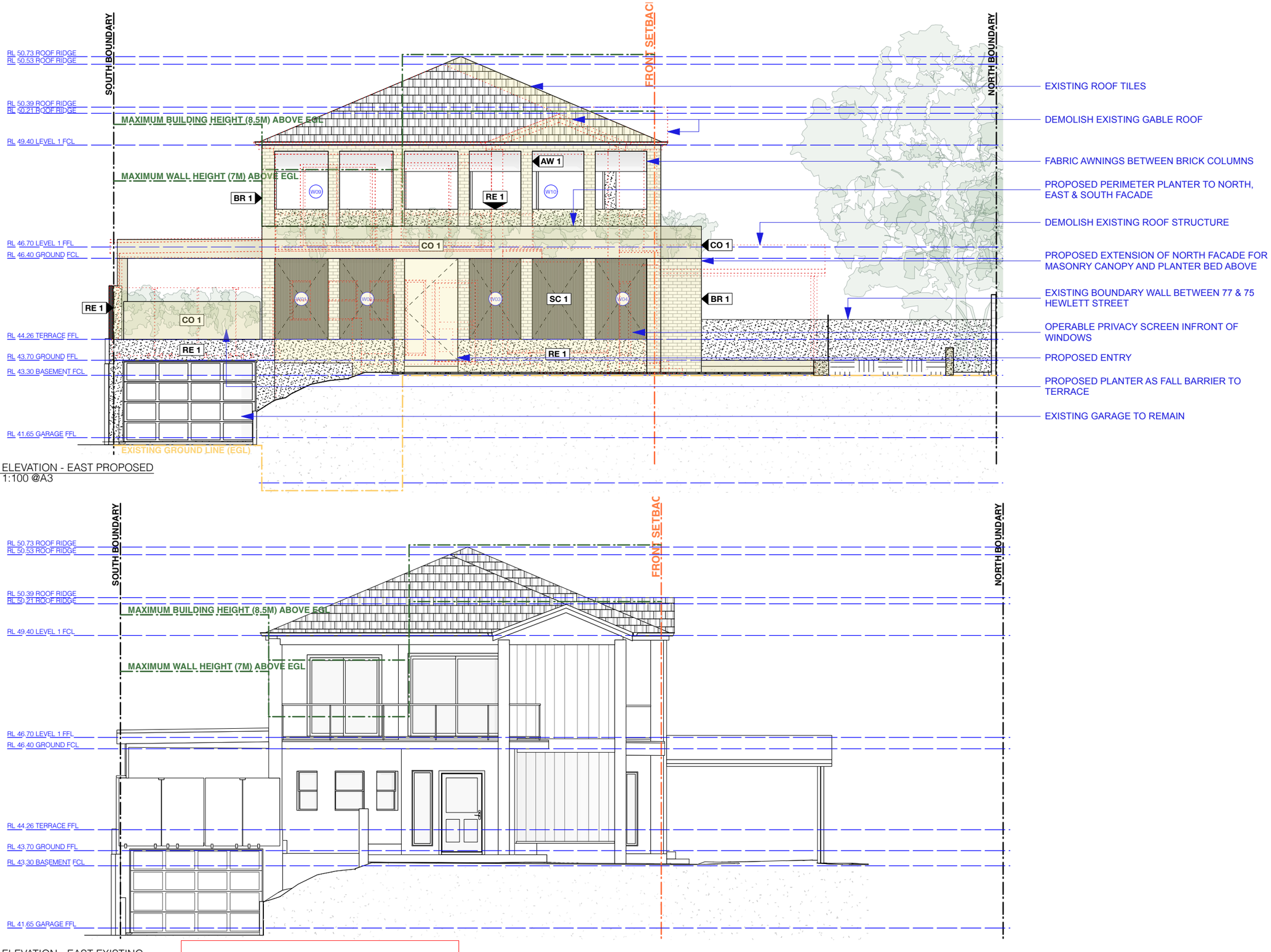
rev.
B

date
18/9/2025

RECEIVED
Waverley Council

Application No: DA-302/2025

Date Received: 24/09/2025



2 ELEVATION - EAST PROPOSED
02.01_DA 1:100 @A3

1 ELEVATION - EAST EXISTING
02.01_DA 1:100 @A3

AMENDED

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revision

A	19/6/2025	FOR DEVELOPMENT APPLICATION
B	25/6/2025	FOR DEVELOPMENT APPLICATION
C	15/7/2025	FOR DEVELOPMENT APPLICATION
D	253/2025	FOR DEVELOPMENT APPLICATION

job
MITCHELL HOUSE

address
77 HEWLETT STREET, BRONTE

job no.
JAMIE & NEYAT MITCHELL

issue
FOR DEVELOPMENT APPLICATION

dwg
ELEVATION - EAST

scale
1:100 @ A3

dwg no.
02.01_DA

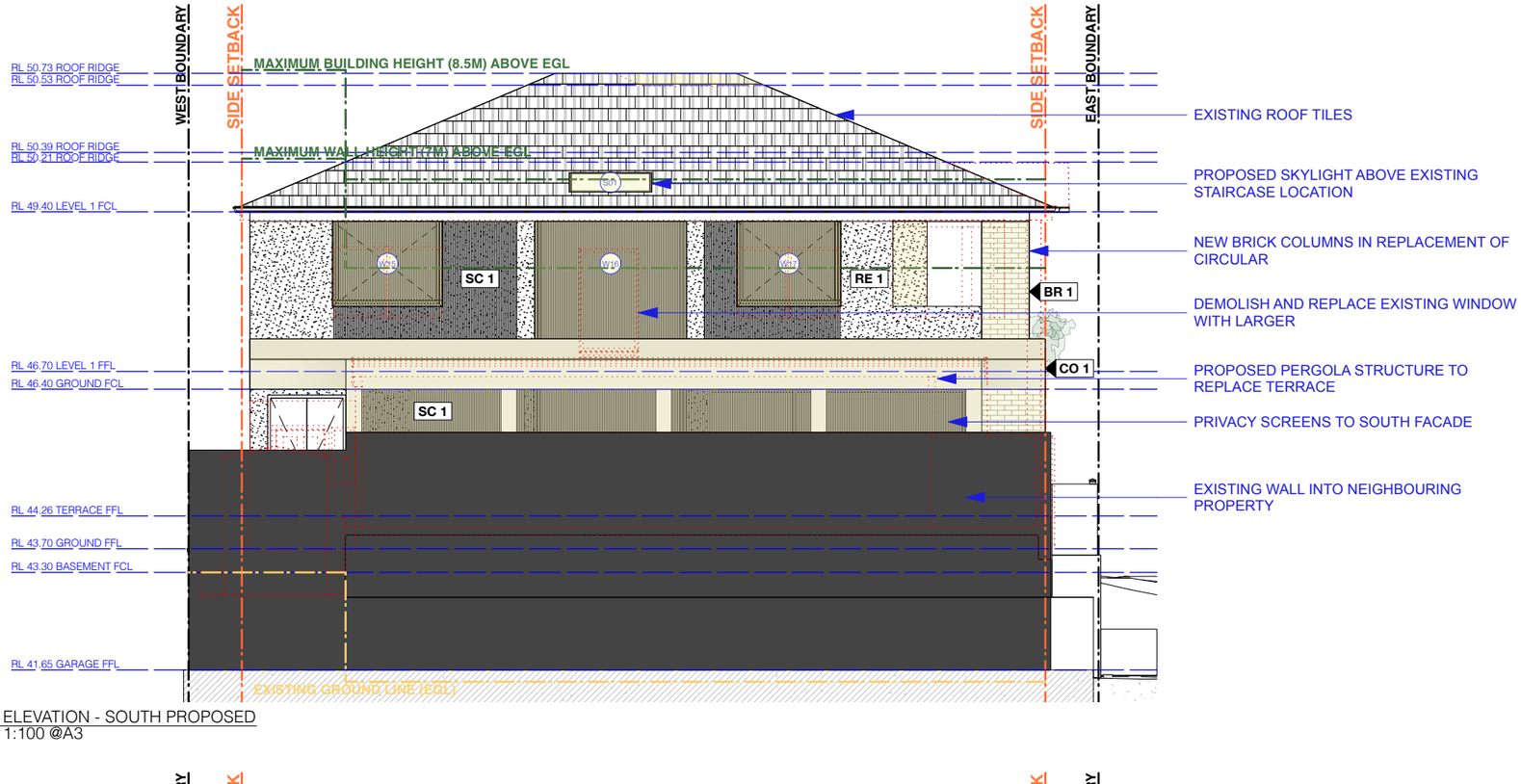
rev.
D

date
18/9/2025

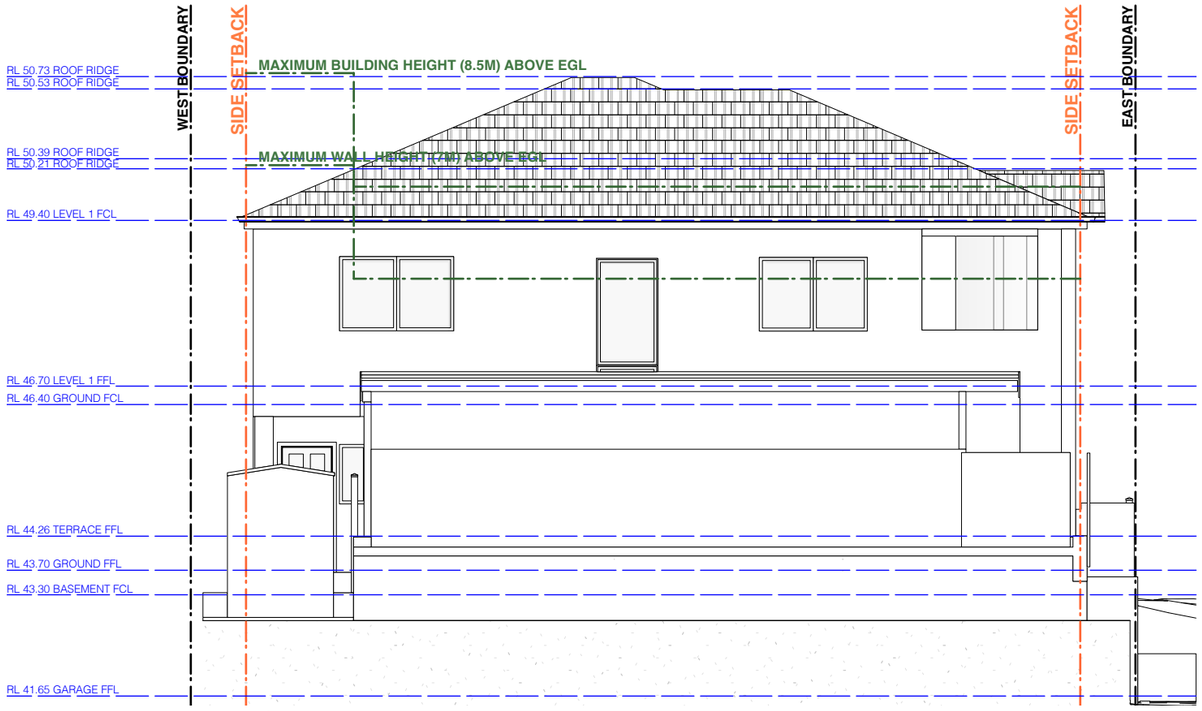
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Waverley Council

Application No: DA-302/2025

Date Received: 24/09/2025



2 ELEVATION - SOUTH PROPOSED
02.02_DA 1:100 @A3



1 ELEVATION - SOUTH EXISTING
02.02_DA 1:100 @A3

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revision

A	19/6/2025	FOR DEVELOPMENT APPLICATION
B	25/6/2025	FOR DEVELOPMENT APPLICATION
C	15/7/2025	FOR DEVELOPMENT APPLICATION
D	18/9/2025	FOR DEVELOPMENT APPLICATION

job MITCHELL HOUSE

address 77 HEWLETT STREET, BRONTE

job no. JAMIE & NEYAT MITCHELL

issue FOR DEVELOPMENT APPLICATION

dwg ELEVATION - SOUTH

scale 1:100 @ A3

dwg no. 02.02_DA

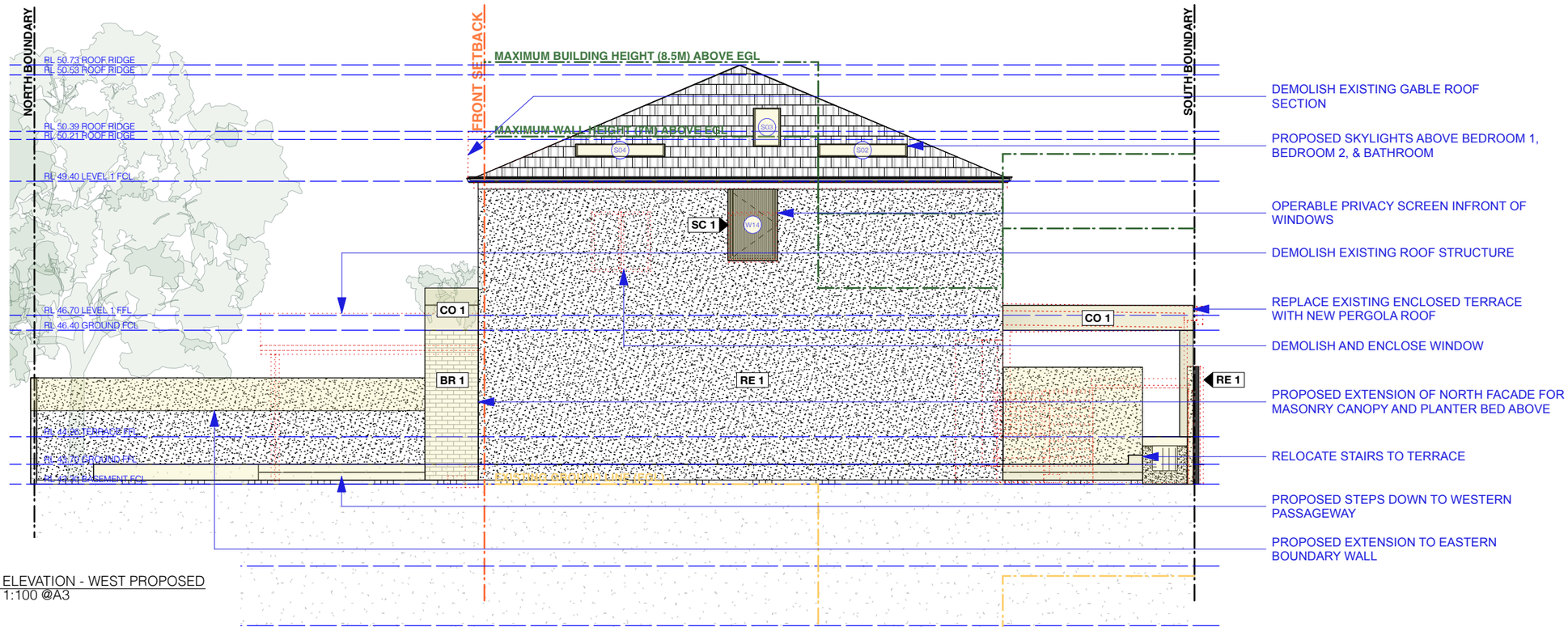
rev. D

date 18/9/2025

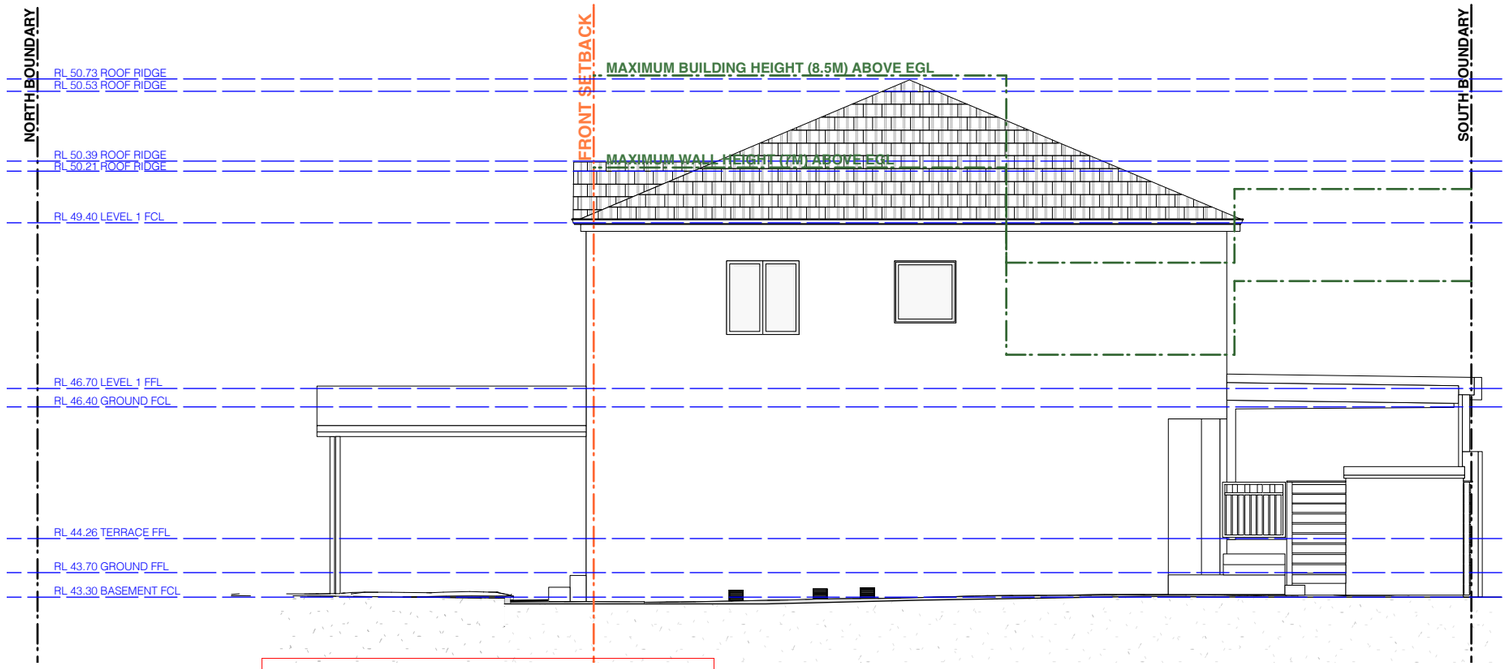
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Application No: DA-302/2025

Date Received: 24/09/2025



2 ELEVATION - WEST PROPOSED
02.03_DA 1:100 @A3



1 ELEVATION - WEST EXISTING
02.03_DA 1:100 @A3

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A	19/6/2025	FOR DEVELOPMENT APPLICATION
B	25/6/2025	FOR DEVELOPMENT APPLICATION
C	15/7/2025	FOR DEVELOPMENT APPLICATION
D	255/2025	FOR DEVELOPMENT APPLICATION

job
MITCHELL HOUSE

address
77 HEWLETT STREET, BRONTE

job no.
JAMIE & NEYAT MITCHELL

issue
FOR DEVELOPMENT APPLICATION

dwg
ELEVATION - WEST

scale
1:100 @ A3

dwg no.
02.03_DA

rev.
D

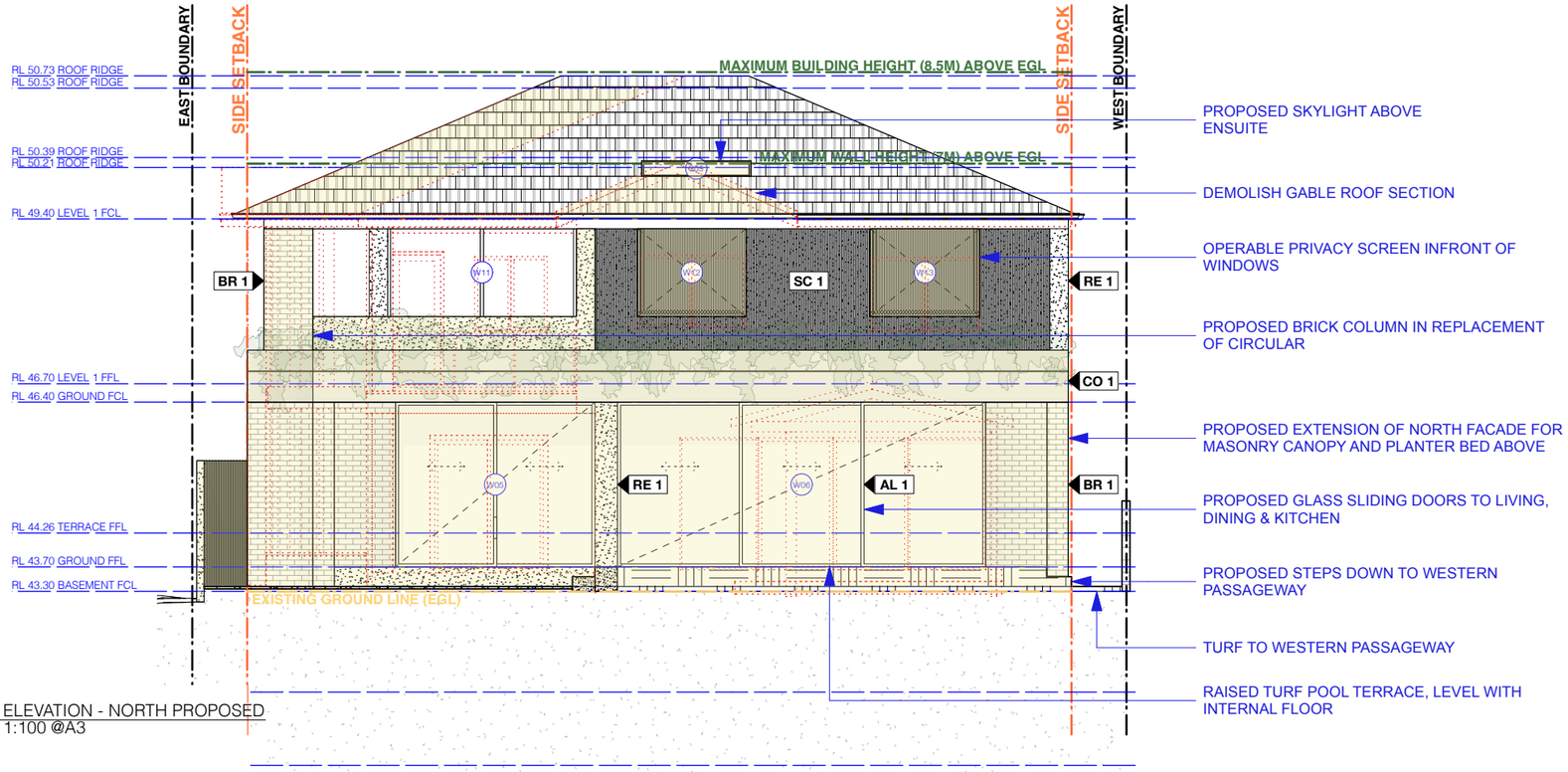
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18/9/2025

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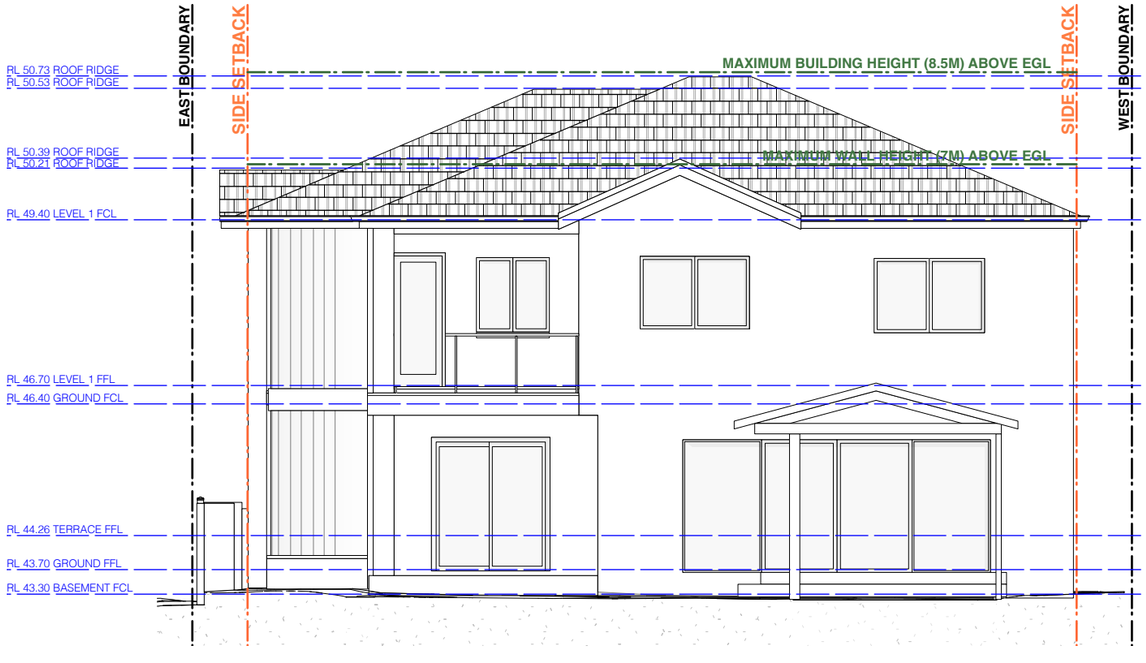
Application No: DA-302/2025

Date Received: 24/09/2025

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2 ELEVATION - NORTH PROPOSED
02.04_DA 1:100 @A3



1 ELEVATION - NORTH EXISTING
02.04_DA 1:100 @A3

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A	19/6/2025	FOR DEVELOPMENT APPLICATION
B	25/6/2025	FOR DEVELOPMENT APPLICATION
C	15/7/2025	FOR DEVELOPMENT APPLICATION
D	256/2025	FOR DEVELOPMENT APPLICATION

job
MITCHELL HOUSE

address
77 HEWLETT STREET, BRONTE

job no.
JAMIE & NEYAT MITCHELL

issue
FOR DEVELOPMENT APPLICATION

dwg
ELEVATION - NORTH

scale
1:100 @ A3

dwg no.
02.04_DA

rev.
D

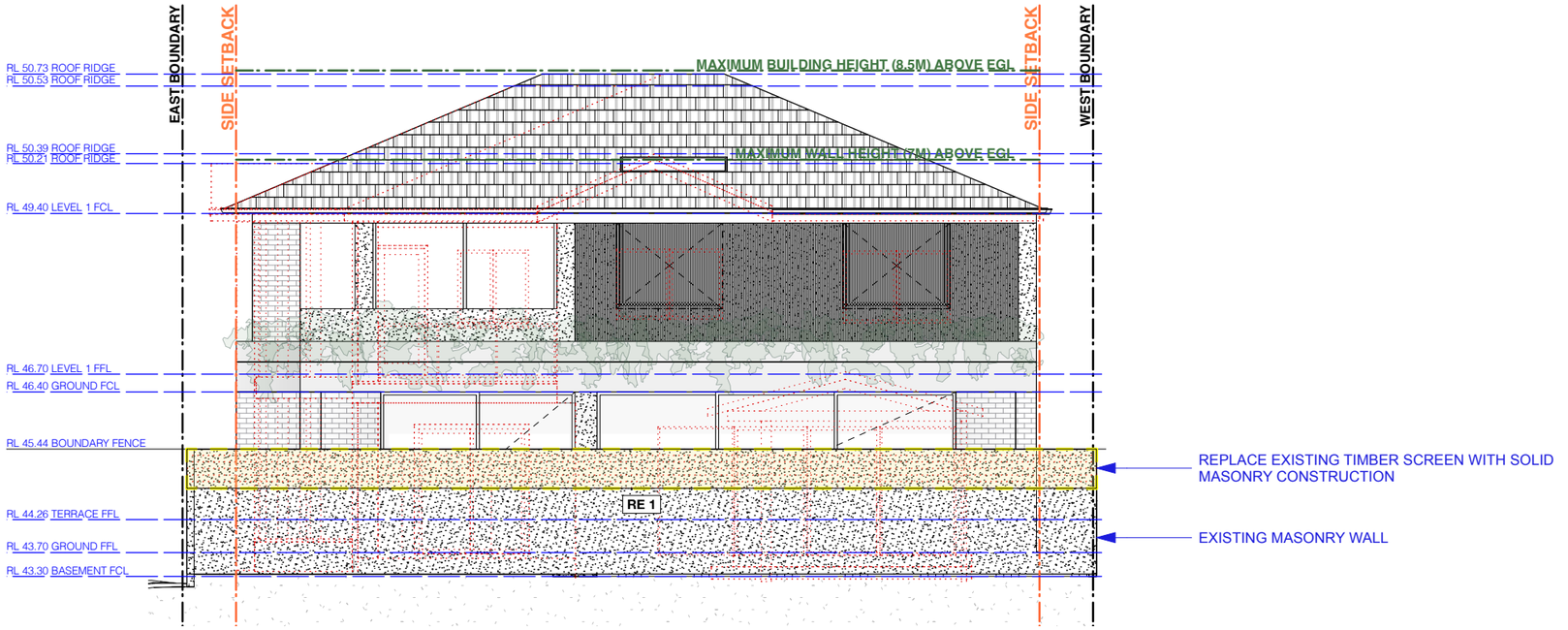
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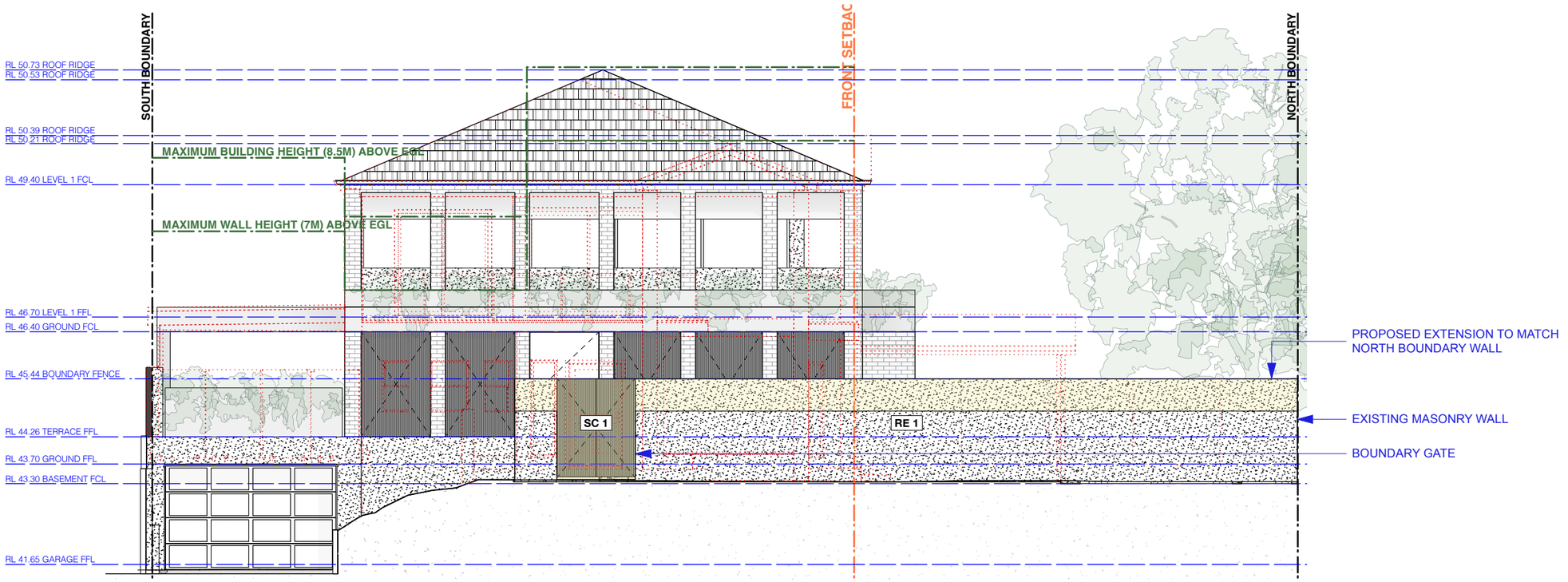
Application No: DA-302/2025

Date Received: 24/09/2025

AMENDED



2 ELEVATION - NORTH STREETSCAPE PROPOSED
02.05_DA 1:100 @A3



1 ELEVATION - EAST STREETSCAPE PROPOSED
02.05_DA 1:100 @A3

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revision

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B	25/6/2025	FOR DEVELOPMENT APPLICATION
C	15/7/2025	FOR DEVELOPMENT APPLICATION
D	18/9/2025	FOR DEVELOPMENT APPLICATION

job
MITCHELL HOUSE

address
77 HEWLETT STREET, BRONTE

job no.
JAMIE & NEYAT MITCHELL

issue
FOR DEVELOPMENT APPLICATION

dwg
ELEVATION - STREETSCAPE

scale
1:100 @ A3

dwg no.
02.05_DA

rev.
D

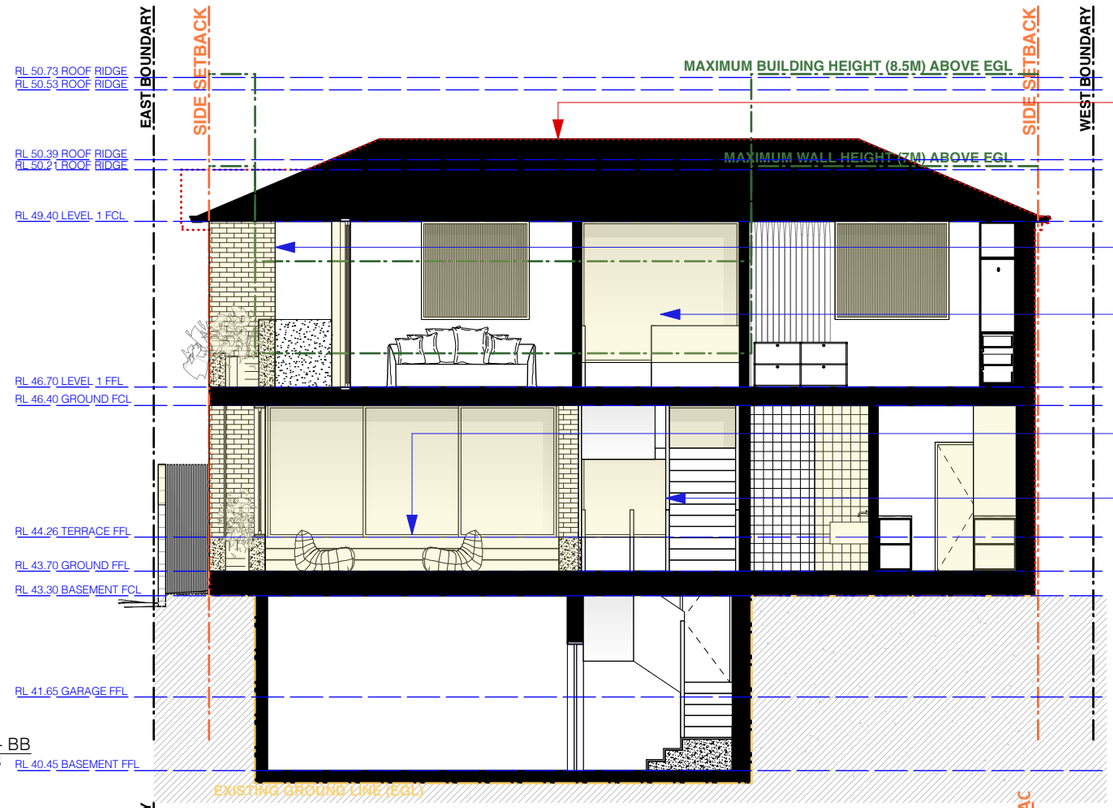
date
18/9/2025

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Waverley Council

Application No: DA-302/2025

Date Received: 24/09/2025



2 SECTION - BB
03.01_DA 1:100 @A3

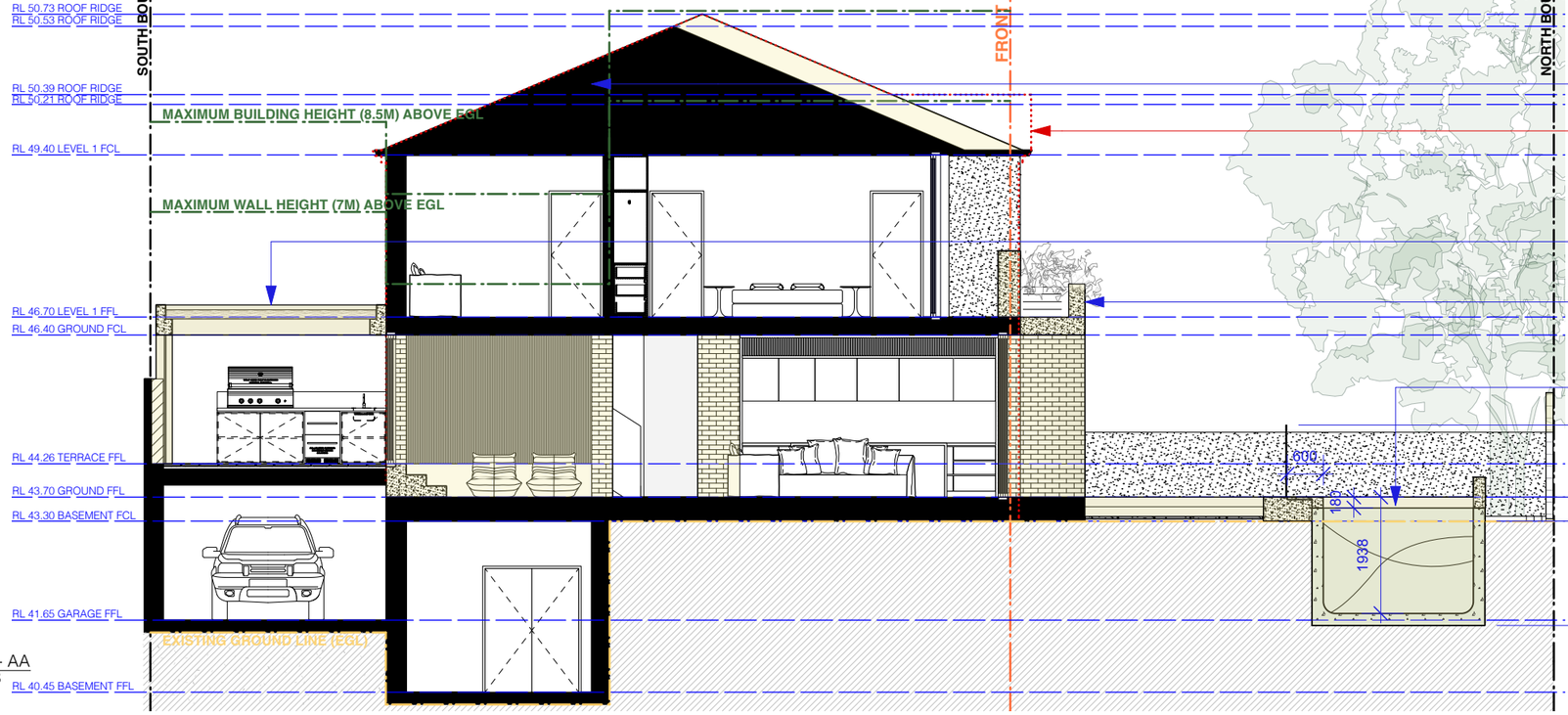
OUTLINE OF EXISTING BUILDING

NEW BRICK COLUMNS IN REPLACEMENT OF CIRCULAR

DEMOLISH AND REPLACE EXISTING WINDOW WITH LARGER

NEW STAIRS TO RAISE TERRACE AREA

NEW WINDOW TO STAIR VOID



1 SECTION - AA
03.01_DA 1:100 @A3

EXISTING ROOF EXCEEDS MAXIMUM BUILDING HEIGHT

OUTLINE OF EXISTING BUILDING

PROPOSED OPEN PERGOLA STRUCTURE WITH TIMBER RAFTERS

PROPOSED PLANTER TO NORTHERN FACADE

PROPOSED POOL

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revision

A	19/6/2025	FOR DEVELOPMENT APPLICATION
B	25/6/2025	FOR DEVELOPMENT APPLICATION
C	18/9/2025	FOR DEVELOPMENT APPLICATION

258

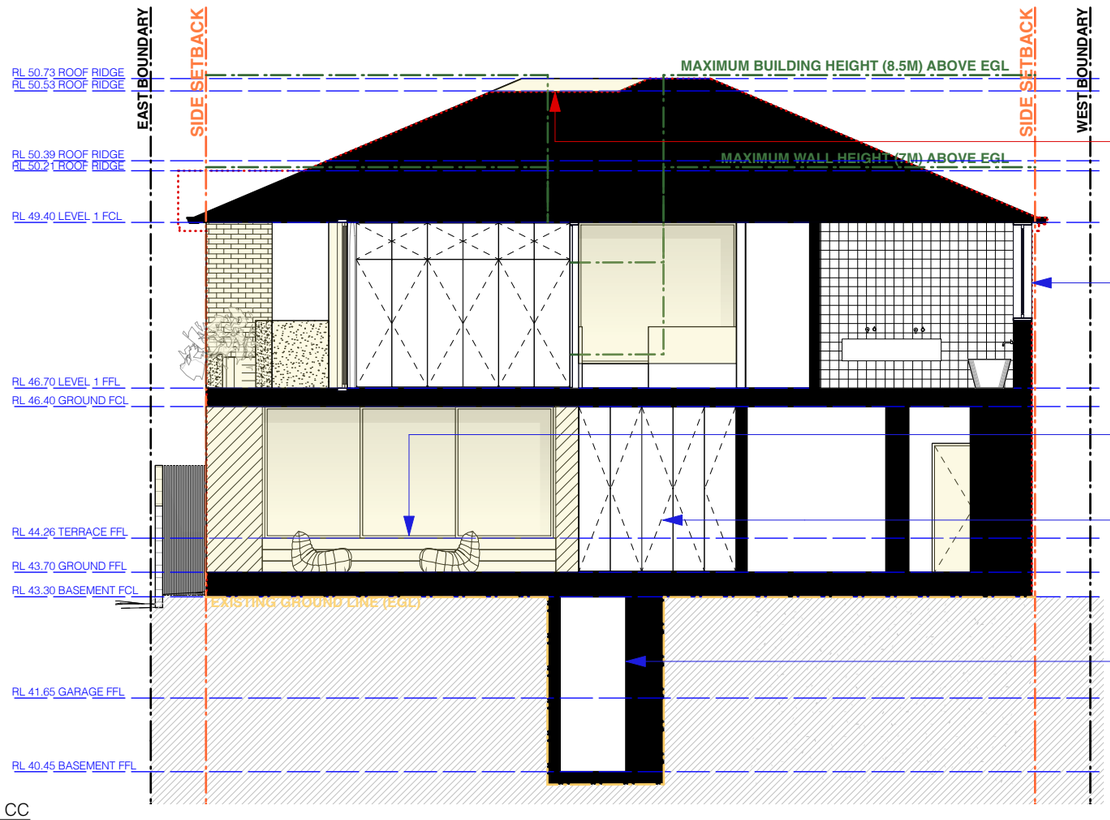
job	**issue**	**dwg no.**
MITCHELL HOUSE	FOR DEVELOPMENT APPLICATION	03.01_DA
address	**dwg**	**rev.**
77 HEWLETT STREET, BRONTE	**SECTION - AA & BB**	**D**
job no.	**scale**	**date**
JAMIE & NEYAT MITCHELL	1:100 @ A3	18/9/2025

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Application No: DA-302/2025

Date Received: 24/09/2025



1 SECTION - CC
03.02_DA 1:100 @A3

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revision

A	18/9/2025	FOR DEVELOPMENT APPLICATION

job
MITCHELL HOUSE

address
77 HEWLETT STREET, BRONTE

job no.
JAMIE & NEYAT MITCHELL

issue
FOR DEVELOPMENT APPLICATION

dwg
SECTION - CC

scale
1:100 @ A3

dwg no.
03.02_DA

rev.
A

date
18/9/2025

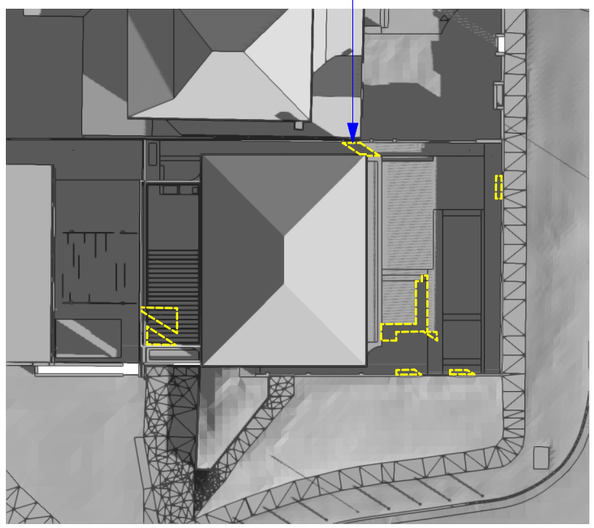
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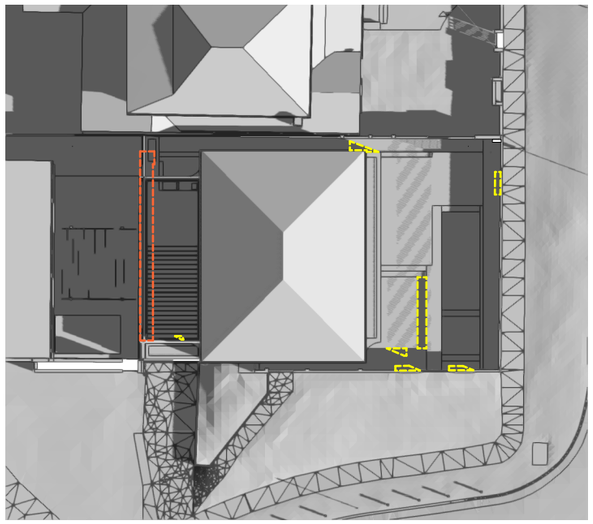
Application No: DA-302/2025

Date Received: 24/09/2025

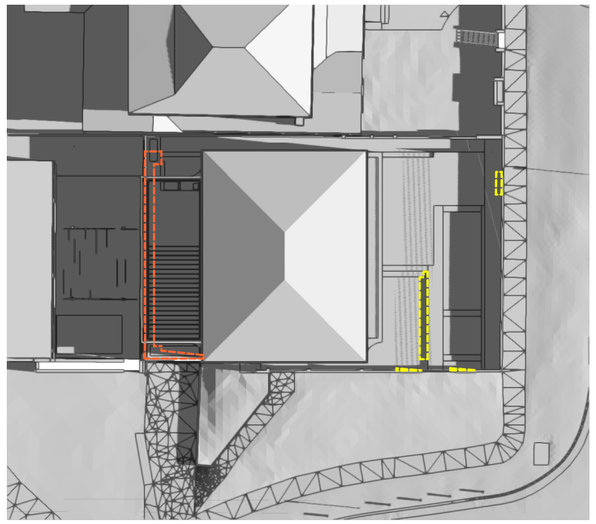
EXTENT OF NEW SHADOWS OUTINED IN YELLOW. SHADOW CASTING DUE TO EXTENSION OF NORTH FACADE LINE ON GROUND FLOOR.



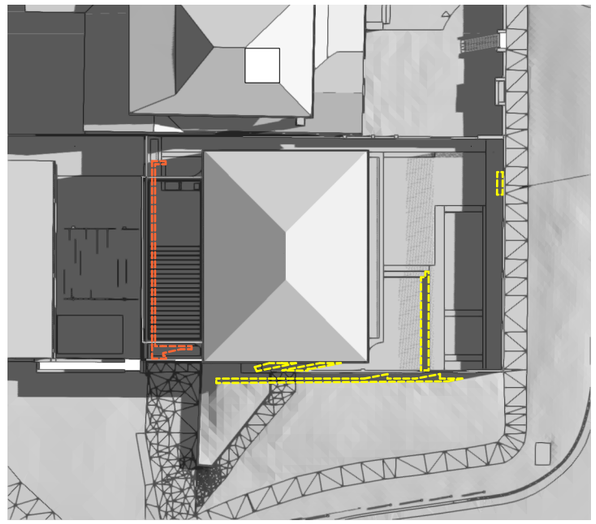
2 PROPOSED - 21ST JUNE 9AM
04.01_DA 1:400 @A3



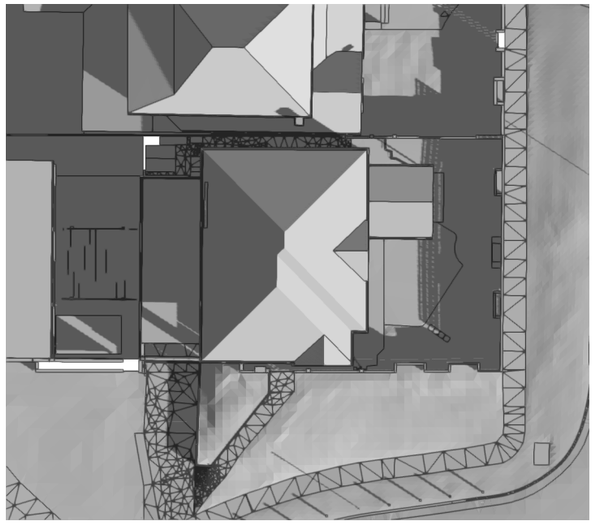
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04.01_DA 1:400 @A3



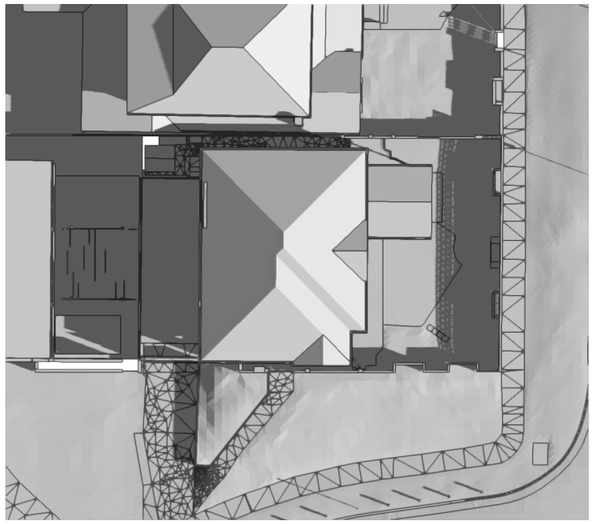
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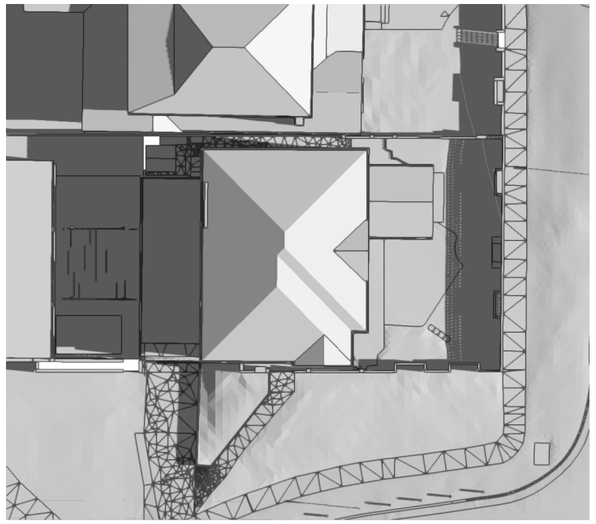
8 PROPOSED - 21ST JUNE 12PM
04.01_DA 1:400 @A3



1 EXISTING - 21ST JUNE 9AM
04.01_DA 1:400 @A3



3 EXISTING - 21ST JUNE 10AM
04.01_DA 1:400 @A3



5 EXISTING - 21ST JUNE 11AM
04.01_DA 1:400 @A3



7 EXISTING - 21ST JUNE 12PM
04.01_DA 1:400 @A3

N

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revision

A	19/6/2025	FOR DEVELOPMENT APPLICATION
B	15/7/2025	FOR DEVELOPMENT APPLICATION
C	18/9/2025	FOR DEVELOPMENT APPLICATION

260

ADDITIONAL SHADOW CAST BY EXISTING BUILDING EXCEEDING MAX BUILDING HEIGHT

ADDITIONAL SHADOW CAST BY PROPOSED BUILDING EXCEEDING MAX BUILDING HEIGHT

job
MITCHELL HOUSE

address
77 HEWLETT STREET, BRONTE

job no.
JAMIE & NEYAT MITCHELL

issue
FOR DEVELOPMENT APPLICATION

dwg
SHADOW DIAGRAM

scale
1:400 @ A3

dwg no.
04.01_DA

rev.
C

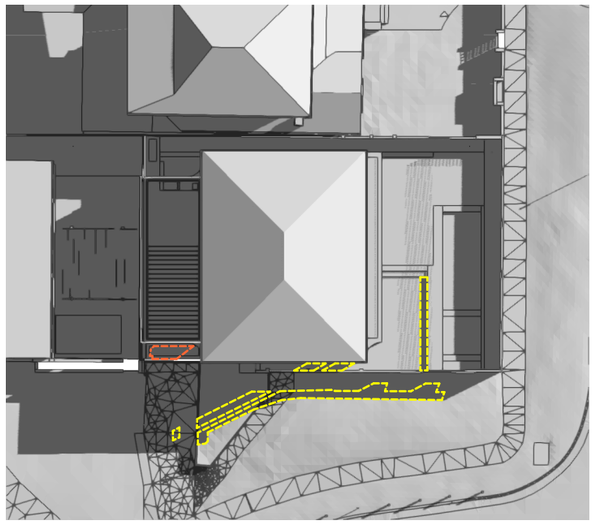
date
18/9/2025

AMENDED

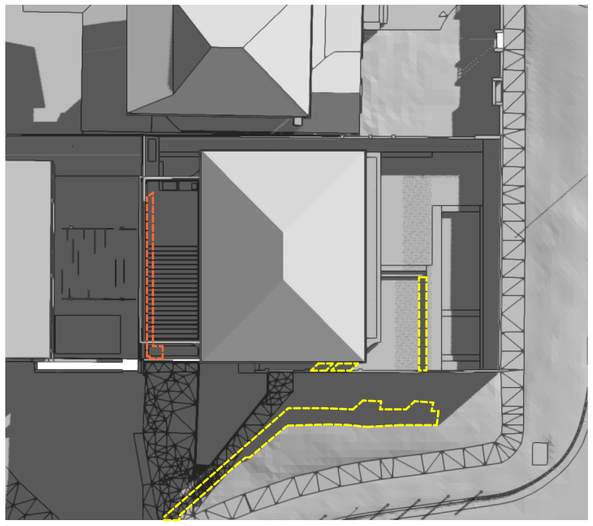
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Waverley Council

Application No: DA-302/2025

Date Received: 24/09/2025



2 PROPOSED - 21ST JUNE 1PM
04.02_DA 1:400 @A3



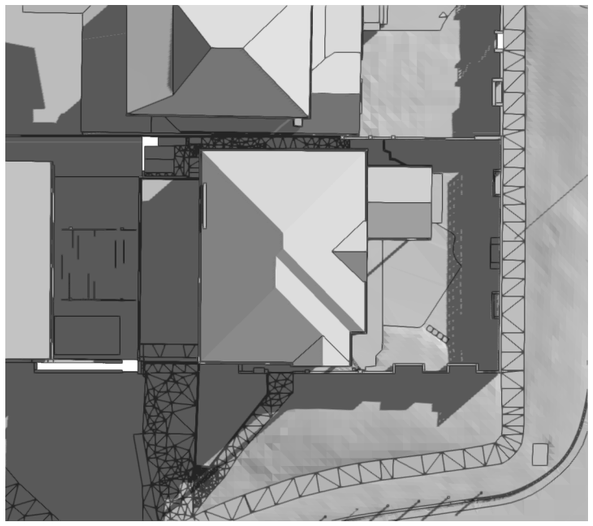
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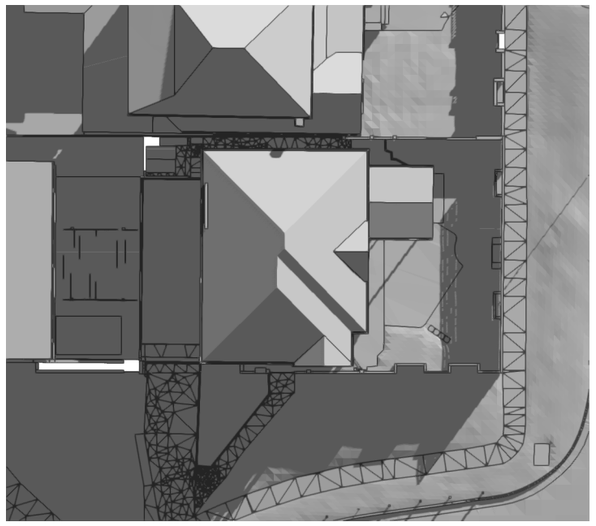
6 PROPOSED - 21ST JUNE 3PM
04.02_DA 1:400 @A3



1 EXISTING - 21ST JUNE 1PM
04.02_DA 1:400 @A3



3 EXISTING - 21ST JUNE 2PM
04.02_DA 1:400 @A3



5 EXISTING - 21ST JUNE 3PM
04.02_DA 1:400 @A3

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ADDITIONAL SHADOW CAST BY EXISTING BUILDING EXCEEDING MAX BUILDING HEIGHT

ADDITIONAL SHADOW CAST BY PROPOSED BUILDING EXCEEDING MAX BUILDING HEIGHT

job
MITCHELL HOUSE

address
77 HEWLETT STREET, BRONTE

job no.
JAMIE & NEYAT MITCHELL

issue
FOR DEVELOPMENT APPLICATION

dwg
SHADOW DIAGRAM

scale
1:400 @ A3

dwg no.
04.02_DA

rev.
C

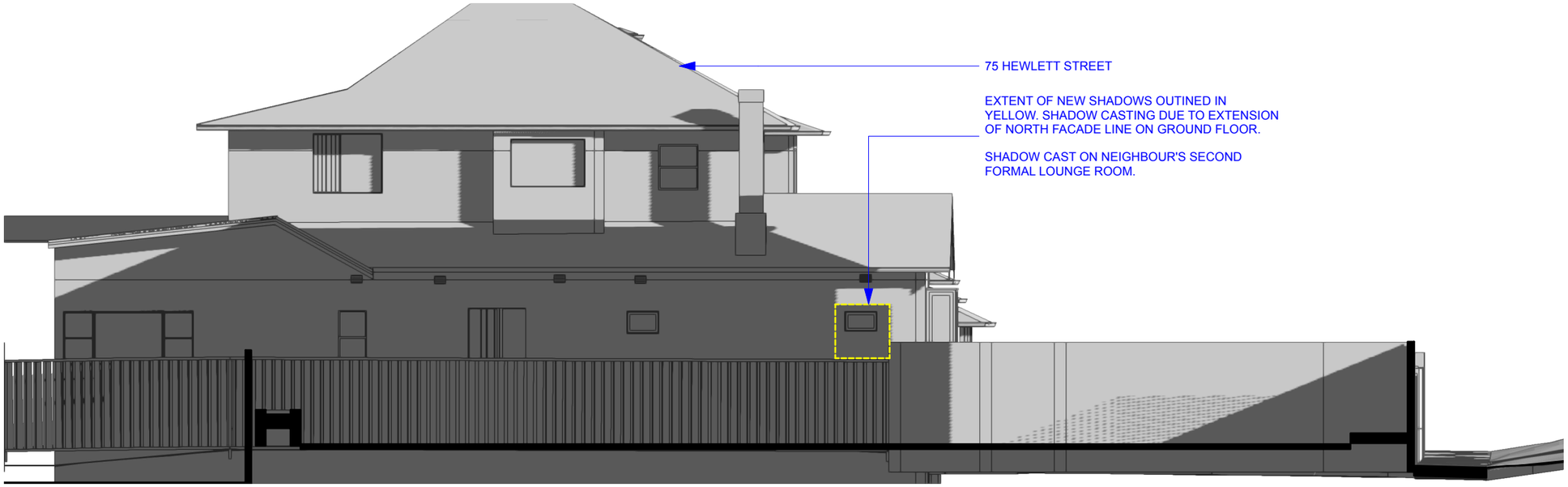
date
18/9/2025

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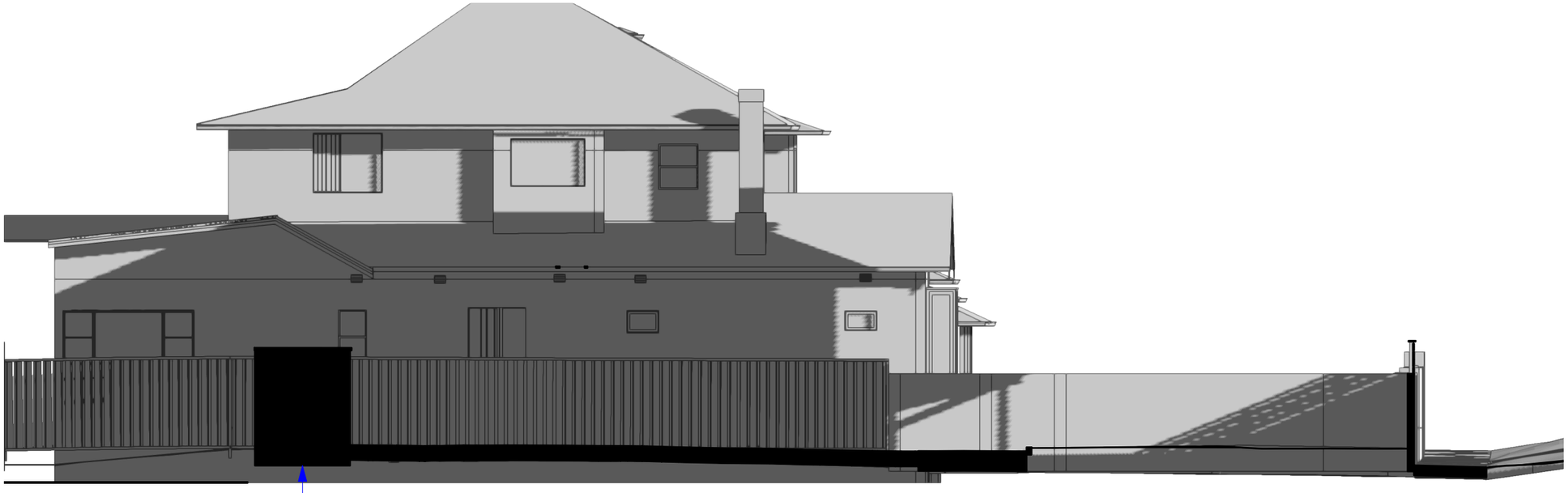
RECEIVED
Waverley Council

Application No: DA-302/2025

Date Received: 24/09/2025



2 PROPOSED SHADOW ON 75 HEWLETT ST - 21ST JUNE 9AM
04.03_DA 1:100 @A3



1 EXISTING SHADOW ON 75 HEWLETT ST - 21ST JUNE 9AM
04.03_DA 1:100 @A3

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job
MITCHELL HOUSE

address
77 HEWLETT STREET, BRONTE

job no.
JAMIE & NEYAT MITCHELL

issue
FOR DEVELOPMENT APPLICATION

dwg
SHADOW DIAGRAM

scale
1:100 @ A3

dwg no.
04.03_DA

rev.
B

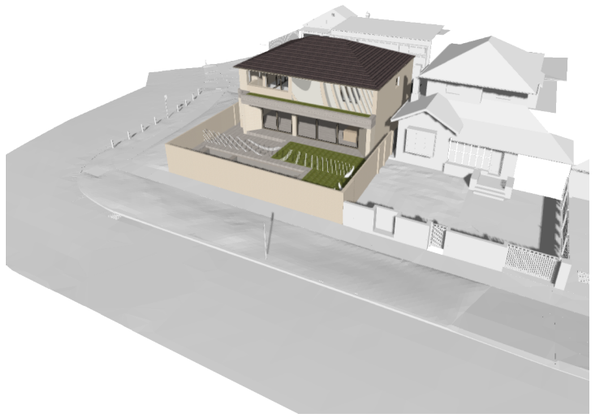
date
18/9/2025

AMENDED

RECEIVED
Waverley Council

Application No: DA-302/2025

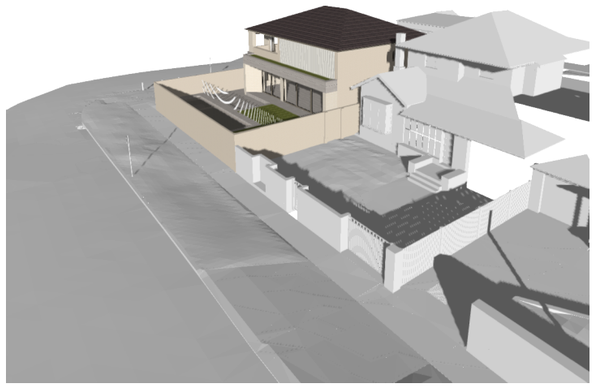
Date Received: 24/09/2025



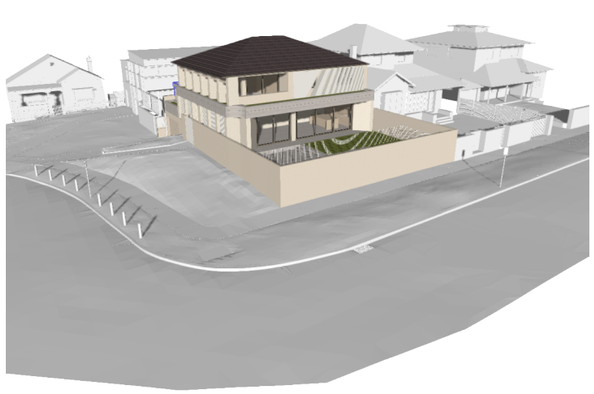
5 SUN'S EYE DIAGRAM - 21ST JUNE 1PM
04.04_DA 1:400 @A3



6 SUN'S EYE DIAGRAM - 21ST JUNE 2PM
04.04_DA 1:400 @A3



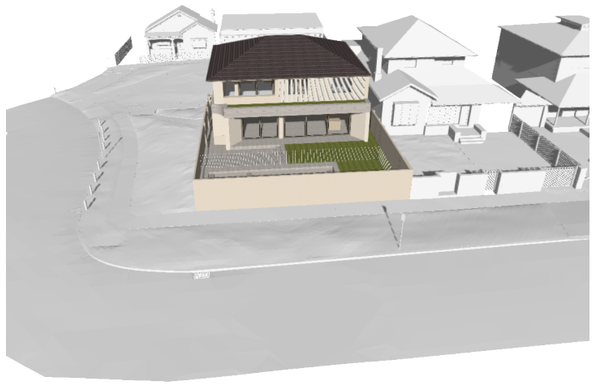
7 SUN'S EYE DIAGRAM - 21ST JUNE 3PM
04.04_DA 1:400 @A3



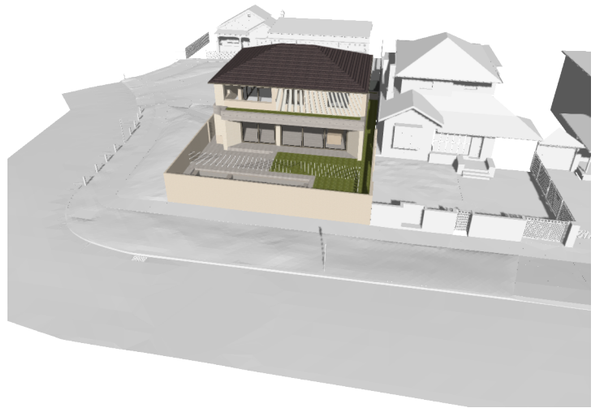
1 SUN'S EYE DIAGRAM - 21ST JUNE 9AM
04.04_DA 1:400 @A3



2 SUN'S EYE DIAGRAM - 21ST JUNE 10AM
04.04_DA 1:400 @A3



3 SUN'S EYE DIAGRAM - 21ST JUNE 11AM
04.04_DA 1:400 @A3



4 SUN'S EYE DIAGRAM - 21ST JUNE 12PM
04.04_DA 1:400 @A3

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revision

A	15/7/2025	FOR DEVELOPMENT APPLICATION
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job
MITCHELL HOUSE

address
77 HEWLETT STREET, BRONTE

job no.
JAMIE & NEYAT MITCHELL

issue
FOR DEVELOPMENT APPLICATION

dwg
SUN'S EYE DIAGRAM

scale
1:100 @ A3

dwg no.
04.04_DA

rev.
B

date
18/9/2025

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job no.
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issue
FOR DEVELOPMENT APPLICATION

dwg
VISUALISATION

scale
NTS @ A3

dwg no.
VIS.01.01

rev.
B

date
18/9/2025

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address
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job no.
JAMIE & NEYAT MITCHELL

issue
FOR DEVELOPMENT APPLICATION

dwg
VISUALISATION

scale
NTS @ A3

dwg no.
VIS.01.02

rev.
B

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dwg
VISUALISATION

scale
NTS @ A3

dwg no.
VIS.01.03

rev.
B

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18/9/2025

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SITE LOCATION

SOURCE: SIX MAPS
NOT TO SCALE

DEVELOPMENT APPLICATION

77 HEWLETT ST, BRONTE, NSW 2024

LANDSCAPE DOCUMENTATION

Drawing List

Sheet No.	Sheet Name	Sheet Size	Page No.
DA-300	TITLE SHEET & DRAWING LIST	A1/A3	1
DA-301	SITE PLAN - EXISTING TREES	A1/A3	2
DA-302	LANDSCAPE PLAN - GROUND	A1/A3	3
DA-303	LANDSCAPE PLAN - LEVEL 1	A1/A3	4
DA-304	PLANTING PLAN - GROUND	A1/A3	5
DA-305	PLANTING PLAN - LEVEL 1	A1/A3	6
DA-306	MATERIAL SCHEDULE	A1/A3	7
DA-307	NOTES & DETAILS	A1/A3	8

PREPARED BY: INSPIRED EXTERIORS

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E: INFO@INSPIREDEXTERIORS.COM.AU
P: (+61) 0478 617 618
A: WOOLLAHRA, NSW 2025

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3. CONTRACTOR TO UNDERTAKE DIAL-BEFORE-YOU-DIG PRIOR TO COMMENCEMENT OF WORKS
4. ALL WORKS TO BE CARRIED OUT IN ACCORDANCE WITH LOCAL BUILDING CODES
5. CONTRACTOR TO CONFIRM ALL MEASUREMENTS ON SITE BEFORE COMMENCEMENT OF WORKS
6. FINAL LAYOUT TO BE DETERMINED ONSITE BY SITE SUPERVISOR WITH APPROVAL FROM INSPIRED EXTERIORS
7. PLANS ARE PROTECTED BY COPYRIGHT LAWS. NO PLAN OR PART THEREOF MAY BE USED, COPIED OR REPRODUCED IN ANY WAY WITHOUT THE PRIOR WRITTEN PERMISSION OF INSPIRED EXTERIORS

ISSUE:	NOTE:	DATE:	DRAWN:
A	DRAFT ISSUE FOR CLIENTS REVIEW	22/5/2025	CK
B	ISSUED FOR DA SUBMISSION	10/06/2025	CK
C	REVISED TO ARCH PLANS	10/6/2025	SK
D	REVISED TO CLIENTS FEEDBACK	19/6/2025	CK
E	REVISED TO ARCHITECTURAL CHANGES	17/9/2025	CK
F	REVISED TO CLIENT FEEDBACK	18/9/2025	SK
G	REVISED TO CLIENT FEEDBBACK	18/9/2025	SK

ADDRESS:
77 HEWLETT ST, BRONTE, NSW 2024

CLIENT:
MR & MRS MITCHELL

COUNCIL:
WAVERLEY COUNCIL

PROJECT TITLE:
MITCHELL RESIDENCE

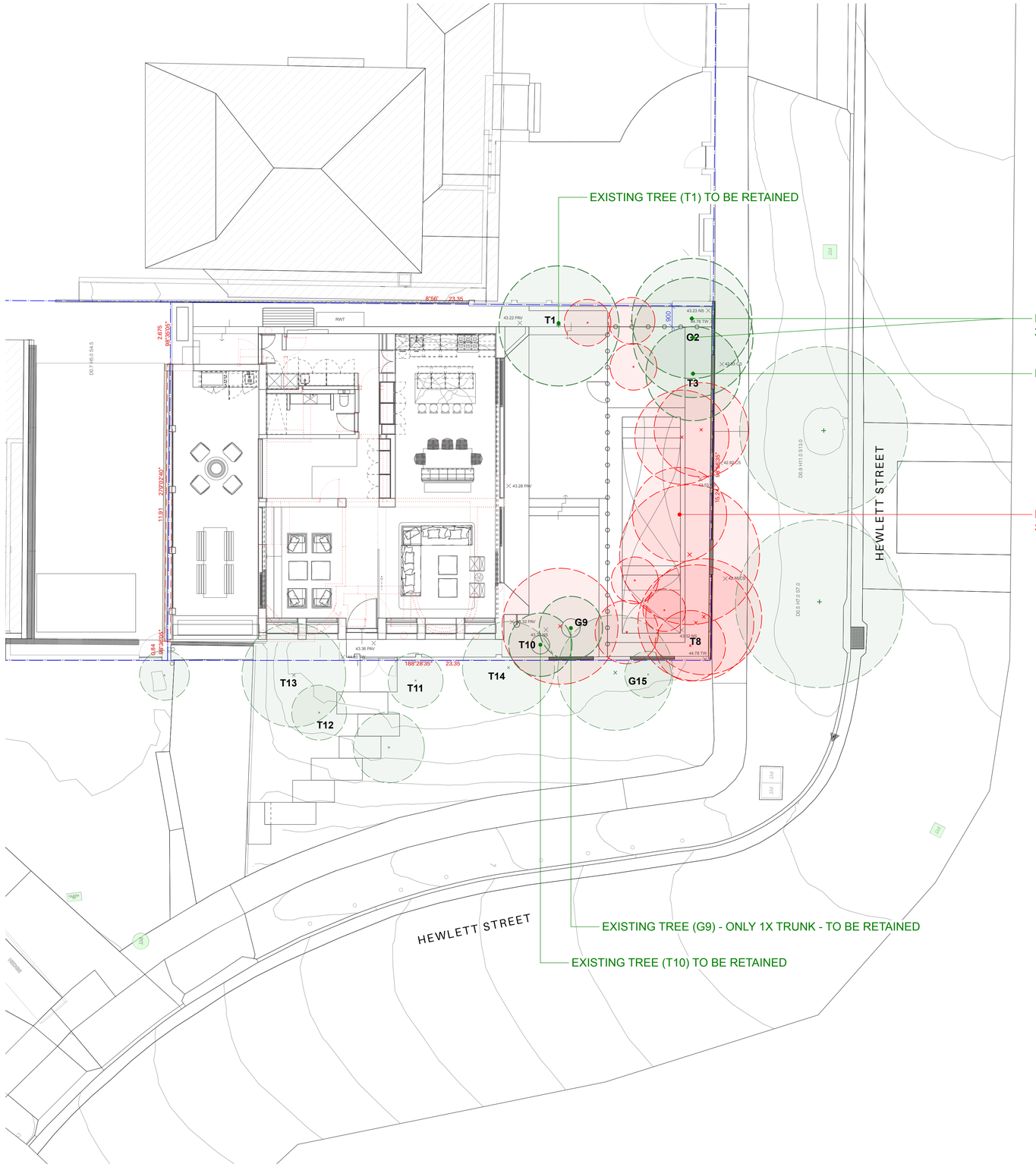
SIZE: **A1/A3**
SCALE: **NTS**
DRAWN: **CK/SK**
CHECKED: **SK**

PLAN TITLE:
TITLE SHEET & DRAWING LIST

PROJECT NUMBER: **25-010**
PLAN NUMBER: **DA-300**
PAGE: **1**
ISSUE: **G**
STAGE: **DA**
DATE: **18 September 2025**

LEGEND:

- PROPERTY BOUNDARY
- EXISTING BOUNDARY FENCE
- EXISTING CONTOURS
- +10.000 EXISITING LEVELS
- +10.000 PROPOSED LEVELS
- EXISTING ELEMENTS TO BE REMOVED
- EXISTING TREES TO BE RETAINED
- EXISTING TREES TO BE REMOVED (SUBJECT TO APPROVAL)
- PROPOSED TREES (REFER TO PLANTING PLAN)
- PROPOSED SHRUBS (REFER TO PLANTING PLAN)
- PROPOSED GARDEN BEDS
- PROPOSED LAWN
- EXISTING / PROPOSED CONCRETE
- PROPOSED LARGE FORMAT TILING
- PROPOSED WATER FEATURE / POOL
- PROPOSED POOL FENCE
- PROPOSED STEEL GARDEN EDGE
- EXISTING RETAINING / BOUNDARY WALL
- EXISTING RESIDENCE WALL



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Waverley Council

Application No: DA-302/2025

Date Received: 24/09/2025

AMENDED

0 5 M

SCALE BAR 1:100 @A1 / 1:200 @ A3

PREPARED BY: INSPIRED EXTERIORS

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E: INFO@INSPIREDEXTERIORS.COM.AU
P: (+61) 0478 617 618
A: WOOLLAHRA, NSW 2025

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G	REVISED TO CLIENT FEEDBBACK	18/9/2025	SK

ADDRESS:
77 HEWLETT ST, BRONTE, NSW 2024

CLIENT:
MR & MRS MITCHELL

COUNCIL:
WAVERLEY COUNCIL

PROJECT TITLE:
MITCHELL RESIDENCE

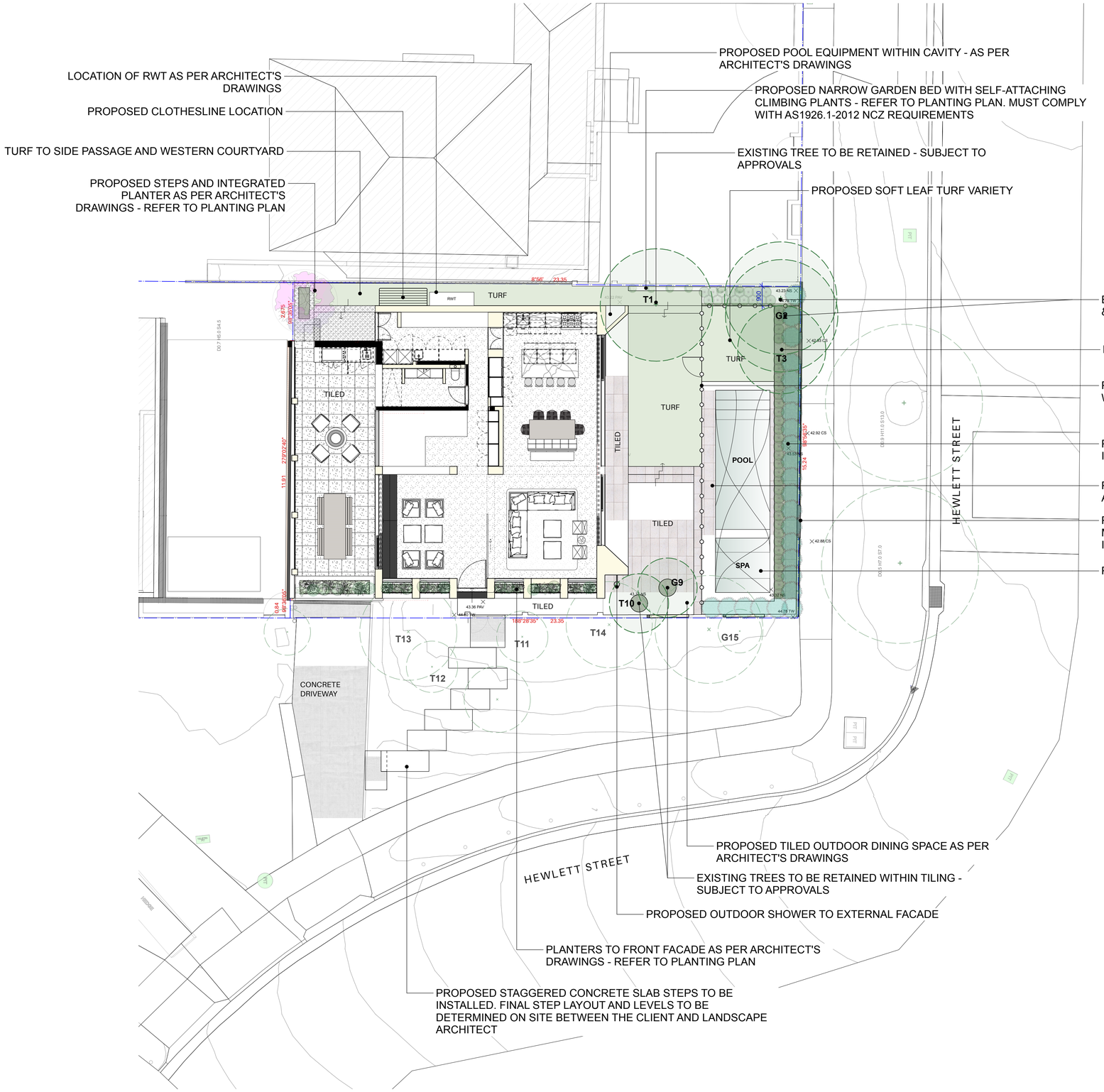
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DRAWN: **CK/SK**
CHECKED: **SK**

PLAN TITLE:
SITE PLAN - EXISTING TREES

PROJECT NUMBER: **25-010**
PLAN NUMBER: **DA-301**
PAGE: **2**
ISSUE: **G**
STAGE: **DA**
DATE: **18 September 2025**

LEGEND:

- PROPERTY BOUNDARY
- EXISTING BOUNDARY FENCE
- EXISTING CONTOURS
- +10.000 EXISITING LEVELS
- +10.000 PROPOSED LEVELS
- EXISTING ELEMENTS TO BE REMOVED
- EXISTING TREES TO BE RETAINED
- EXISTING TREES TO BE REMOVED (SUBJECT TO APPROVAL)
- PROPOSED TREES (REFER TO PLANTING PLAN)
- PROPOSED SHRUBS (REFER TO PLANTING PLAN)
- PROPOSED GARDEN BEDS
- PROPOSED LAWN
- EXISTING / PROPOSED CONCRETE
- PROPOSED LARGE FORMAT TILING
- PROPOSED WATER FEATURE / POOL
- PROPOSED POOL FENCE
- PROPOSED STEEL GARDEN EDGE
- EXISTING RETAINING / BOUNDARY WALL
- EXISTING RESIDENCE WALL



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Application No: DA-302/2025

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LANDSCAPE AREA CALCULATIONS:

TOTAL SITE AREA:	316.1m²
PROPOSED LANDSCAPE AREA:	83.2m² (26.1%)

0 5 M

SCALE BAR 1:100 @A1 / 1:200 @ A3

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PLAN TITLE:
LANDSCAPE PLAN - GROUND

PROJECT NUMBER: **25-010**
PLAN NUMBER: **DA-302**
PAGE: **3**
ISSUE: **G**
STAGE: **DA**
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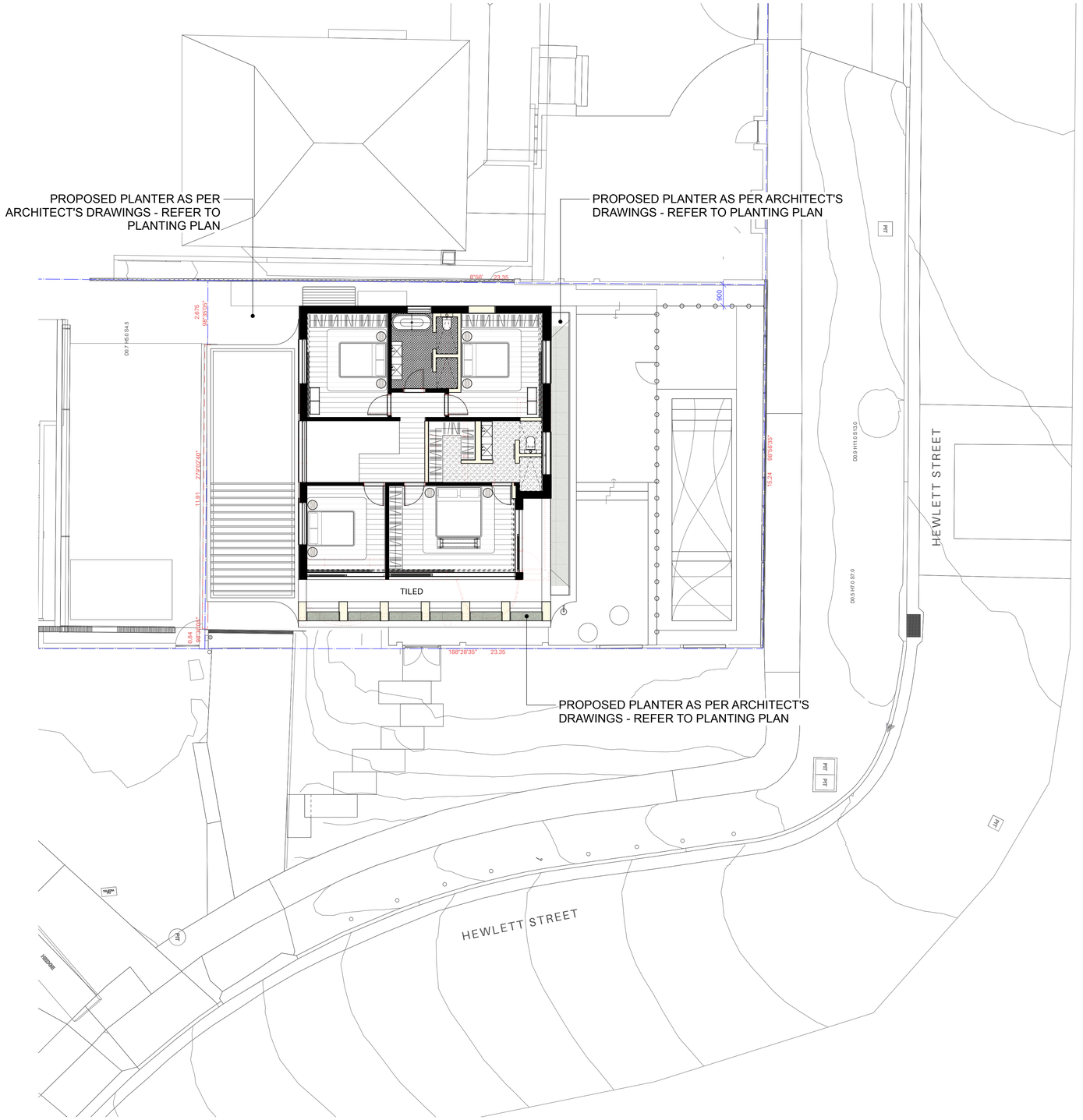
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- EXISTING RETAINING / BOUNDARY WALL
- EXISTING RESIDENCE WALL



0 5 M

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PLAN TITLE:
LANDSCAPE PLAN - LEVEL 1

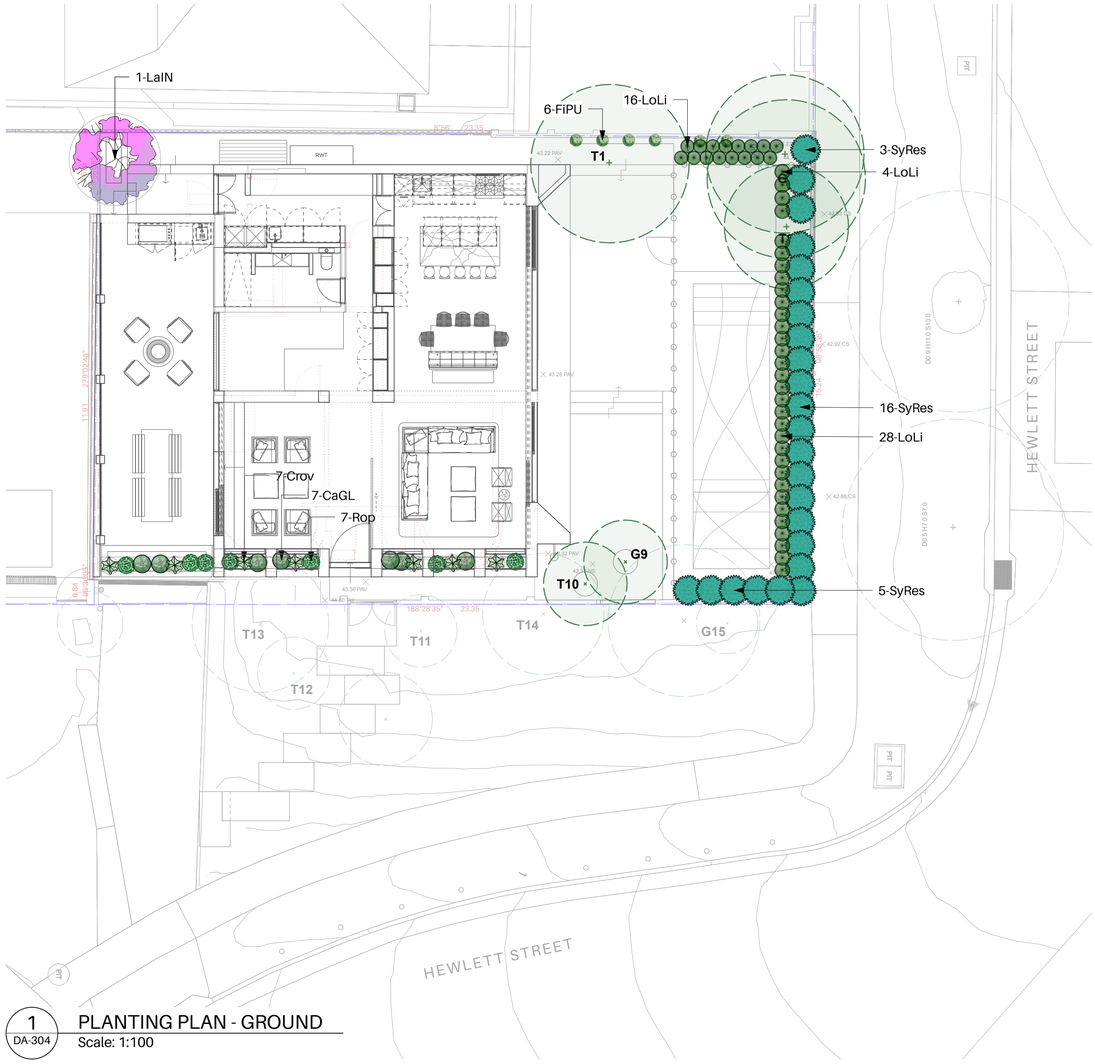
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1 DA-304 PLANTING PLAN - GROUND
Scale: 1:100

Planting Schedule - Ground Floor

Image	ID	Qty	Latin Name	Common Name	Pot Size	Mature Height
	CaGL	7	Carpobrotus glaucescens	Pigface	200 MM	0.45 - 0.6m
	Crov	7	Crassula ovata 'Blue Bird'	Silver Dollar Jade	300 MM	1m
	FiPU	6	Ficus pumila 'Minima'	Creeping Fig	100 MM	300mm
	LaIN	1	Lagerstroemia indica 'Natchez'	Crepe Myrtle	100 L	5m
	LoLi	48	Lomandra 'Little Cricket'	Mat Rush	200 MM	1m
	Rop	7	Rosmarinus officinalis 'Prostratus'	Trailing Rosemary	140 MM	0.3m
	SyRes	24	Syzygium 'Resilience'	Lilly Pilly	45 L	3m

Denotes Native Species

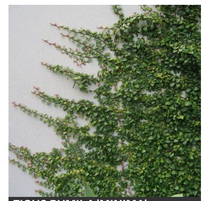

CARPOBRUTUS GLAUCESCENS

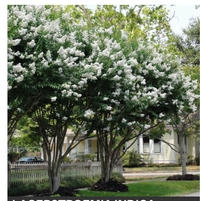

CRASSULA BLUE BIRD


SYZYGIUM 'RESILIENCE'


LOMANDRA HYSTRIX 'LITTLE CRICKET'


ROSMARINUS OFFICINALIS PROSTRATUS


FICUS PUMILA 'MINIMA'


LAGERSTROEMIA INDICA 'NATCHEZ'

0 5 M

SCALE BAR 1:100 @A1 / 1:200 @ A3

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PLAN TITLE:
PLANTING PLAN - GROUND

PROJECT NUMBER: **25-010**
PLAN NUMBER: **DA-304**
PAGE: **5**
ISSUE: **G**
STAGE: **DA**
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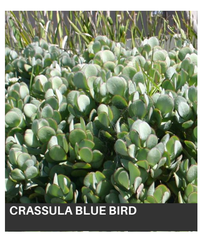
Application No: DA-302/2025

Date Received: 24/09/2025



1 DA-305 PLANTING PLAN - LEVEL 1
Scale: 1:50


CARPOBRUTUS GLAUCESCENS


CRASSULA BLUE BIRD


RAPHIOLEPIS 'SNOW MAIDEN'


EUPHORBIA 'COWBOY'


RHIPSALIS SPP.


KALANCHOE 'SILVER SPOONS'


ROSMARINUS OFFICINALIS PROSTRATUS

Planting Schedule - Lvl

Image	ID	Qty	Latin Name	Common Name	Pot Size	Mature Height
	CaGL	11	Carpobrotus glaucescens	Pigface	200 MM	0.45 - 0.6m
	Crov	12	Crassula ovata 'Blue Bird'	Silver Dollar Jade	300 MM	1m
	EuCO	4	Euphorbia acrurensis 'Cowboy'	Cowboy Cactus	200 MM	2 - 4m
	KSs	5	Kalanchoe 'Silver Spoons'	Silver Spoons	200 MM	1m
	RhSM	5	Rhaphiolepis 'Snow Maiden'	Indian Hawthorn	300 MM	1.5m
	Agig	7	Rhipsalis baccifera	Mistletoe Cactus	200 MM	0.15m
	Rop	14	Rosmarinus officinalis 'Prostratus'	Trailing Rosemary	300 MM	0.3m

Denotes Native Species

0 5 M

SCALE BAR 1:50 @A1 / 1:100 @ A3

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DRAWN: **CK/SK**
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PLAN TITLE:
PLANTING PLAN - LEVEL 1

PROJECT NUMBER: **25-010**
PLAN NUMBER: **DA-305**
PAGE: **6**
ISSUE: **G**
STAGE: **DA**
DATE: **18 September 2025**

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CODE	SAMPLE IMAGE	ITEM	MATERIAL / PRODUCT	COLOUR / FINISH	DIMENSION	NOTES
HARDSTAND						
H1		CONCRETE	POLISHED CONCRETE	GREY	N/A	INSTALLED TO PRODUCT SPEC & DETAILS
H2		TILING & COPING	TBD BY ARCHITECT	TBC	N/A	INSTALLED TO NOTED TILED SPACES AROUND DWELLING
H3		INTERNAL POOL TILING	TBD BY ARCHITECT	TBC	N/A	INSTALLED INTERNAL WALLS AND FLOORING OF POOL & SPA
EDGING						
E1		GARDEN EDGING	STEEL	GALVANISED	75MM H x 1.6M GAUGE	N/A

CODE	SAMPLE IMAGE	ITEM	MATERIAL / PRODUCT	COLOUR / FINISH	DIMENSION	NOTES
FENCING						
F1		POOL FENCING	TBD BY CLIENT	TBC	MIN. 1200MM HIGH	TO COMPLY WITH AS POOL FENCING REGULATIONS
SOFT FINISHES						
SF1		GARDEN MULCH	EUCY MULCH	N/A	15MM 75MM DEPTH	N/A
SF2		TURF	SIR GRANGE ZOYSIA	N/A	N/A	INSTALLED TO INTERNAL YARD
SF3		DECORATIVE GRAVEL	PEBBLE COWRA WHITE LANDSCAPE BLEND	COWRA WHITE	10MM	INSTALLED TO WESTERN PASSAGE AND COURTYARD

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PLAN TITLE:
MATERIAL SCHEDULE

PROJECT NUMBER: **25-010**
PLAN NUMBER: **DA-306**
PAGE: **7**
ISSUE: **G**
STAGE: **DA**
DATE: **18 September 2025**

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LANDSCAPE NOTES:

EXISTING TREES
EXISTING TREES ARE TO BE PROTECTED AND MAINTAINED DURING THE COURSE OF CONSTRUCTION. THE CONTRACTOR IS TO ABIDE BY COUNCIL REGULATIONS RELATING TO ANY TREES NOMINATED IN DA APPROVAL, WHICH WILL REQUIRE ALL ON-SITE TREES TO BE PROVIDED WITH A 1800MM HIGH FULLY SUPPORTED CHAINMESH TO MINIMISE DISTURBANCE TO EXISTING GROUND CONDITIONS WITHIN THE CANOPY DRIP LINE FOR THE DURATION OF CONSTRUCTION WORKS. "TREE PROTECTION ZONE" IS TO BE ATTACHED TO THE PROTECTIVE FENCE. NO VEHICULAR TRAFFIC, STOCKPILING OR STORAGE OF MATERIALS WITHIN TREE PROTECTION ZONES (TPZS).

GARDEN BEDS
PREMIUM QUALITY GARDEN SOILS SHALL BE USED THAT MEET AUSTRALIAN STANDARD AS4419, FREE FROM WEEDS AND CONTAMINATION AND THE BEST OF ITS TYPE. ALLOW FOR DEPTH OF MULCH TO FINISHED LEVELS WHEN INSTALLING SOIL MIX.

PLANTS
ALL PLANTING SHALL BE UNDERTAKEN BY A SUITABLY QUALIFIED LANDSCAPE PROFESSIONAL IN A PROFESSIONAL TRADESMAN LIKE MANNER. ALL PLANTS SHALL BE VIGOROUS IN CONDITION, TRUE TO TYPE AND FREE FROM PEST AND DISEASE. AN INDUSTRY STANDARD AUTOMATIC IRRIGATION SYSTEM SHALL BE INSTALLED MEETING CURRENT WATER RESTRICTIONS AND PARTICULAR SITE REQUIREMENTS

PLANT QUALITY
ALL PLANTS MUST BE HEALTHY, WELL-ESTABLISHED, AND TRUE TO TYPE. THEY SHOULD HAVE A STRONG, BALANCED ROOT SYSTEM AND BE FREE FROM PESTS, DISEASE, OR DAMAGE. PLANTS SHOULD NOT SHOW SIGNS OF BEING ROOT-BOUND, OVERGROWN, OR FORCED. OVERALL FORM SHOULD BE CONSISTENT WITH THE SPECIES AND SUITABLE FOR LANDSCAPE USE.

MULCH
MULCH SHALL BE ANL 'EUCY MULCH' OR SIMILAR; WHICH IS BEST SUITED TO THE PLANT TYPE AND CLIENTS NEEDS. VARIATION FROM THIS CAN ONLY BE MADE WITH CONSULTATION WITH THE PROJECT MANAGER. MULCH SHALL BE FREE OF SOIL, WEED GROWTH OR ANY OTHER FOREIGN MATTER. SPREAD MULCH EVENLY TO A DEPTH OF 75MM OVER ALL GARDEN BEDS. RAKE OVER MULCH SURFACE TO CREATE AN EVEN FINISH. MULCHING OF GARDEN BEDS MUST ADHERE TO AUSTRALIAN STANDARD AS4454.

CONSTRUCTION
CONTRACTOR SHALL PROTECT EXISTING BUILDING FABRIC, ADJOINING COUNCIL AND PRIVATE PROPERTY FOR DURATION OF WORKS. ALL LANDSCAPE WORKS TO BE CARRIED OUT BY SUITABLY QUALIFIED CONTRACTOR IN ACCORDANCE WITH RELEVANT AUSTRALIAN STANDARDS AND BUILDING CODES. MATERIALS SUPPLIED BY THE CONTRACTOR ARE TO BE IN NEW CONDITION AND INSTALLED IN ACCORADANCE WITH MANUFACTURERS SPECIFICATIONS. ALL ADJOINING PROPERTY ELEMENTS INCLUDING BUT NOT LIMITED TO BUILDINGS, WALLS, TREES AND PAVING TO BE PROTECTED. DAMAGED ELEMENTS REMAIN THE RESPONSIBILITY OF THE CONTRACTOR AND SHALL BE RECTIFIED AT NO COST TO THE CLIENT OR ANY OTHER PARTY.

IRRIGATION
IRRIGATION DESIGN TO BE FINALISED BY SPECIALIST CONSULTANT. REFER TO IRRIGATION CONSULTANT DOCUMENTATION FOR DETAILS AND REQUIREMENTS OF LANDSCAPE IRRIGATION SYSTEM. IRRIGATION IS TO COMPLY WITH COUNCIL CONDITIONS OF CONSENT AND WATER AUTHORITIES. CONTROLLER LOCATION TO CLIENTS SPECIFICATION DURING INSTALLATION. BUILDER TO ALLOW FOR CONDUIT TO EACH GARDEN BED ZONE FOR IRRIGATION CONTRACTOR TO CONNECT TO. IRRIGATION CONTROLLER TO BE WIRELESS WITH RAIN SENSOR & INCLUDE B.O.M RAINFALL DATA. DRIP LINE, POP-UP SPRAY & MICRO SPRAY FITTINGS TO BE SPECIFIED BY SPECIALIST IRRIGATION CONTRACTOR. IRRIGATION MUST BE SPACED AT MIN. 200 CENTRES AND ADJUSTED ACCORDING TO PLANT SETOUT TO PROVIDE ADEQUATE IRRIGATION TO ALL PLANTS. DRIP IRRIGATION IS TO BE FULLY CONCEALED BY 75MM MINIMUM OF MULCH.

MAINTENANCE SCHEDULE:

THE CONSOLIDATION PROGRAM SHALL INCLUDE, BUT NOT LIMITED TO, THE FOLLOWING ITEMS:

ROUTINE MAINTENANCE
PROVIDE ROUTINE MAINTENANCE FOR A PERIOD OF TWELVE MONTHS AFTER PRACTICAL COMPLETION. PROGRAM TO INCLUDE BUT NOT LIMITED TO PLANT ESTABLISHMENT, WATERING, FERTILISING, WEEDING, PRUNING, MULCHING, PEST AND DISEASE CONTROL AND GENERALLY MAINTAINING THE SITE IN A NEAT AND TIDY CONDITION.

WATERING
WATERING OF PLANTS SHOULD BE DONE IN CONJUNCTION WITH ANY LOCAL GOVERNMENT WATERING RESTRICTIONS.

FERTILISING
APPLY AN APPROPRIATE LAWN FERTILISER, AT MANUFACTURER'S RATES, AFTER 6 WEEKS OF INSTALLATION. ENSURE FERTILISER IS ADEQUATELY WATERED AND EVENLY DISPERSED FOR HEALTHY EVEN LAWN GROWTH.

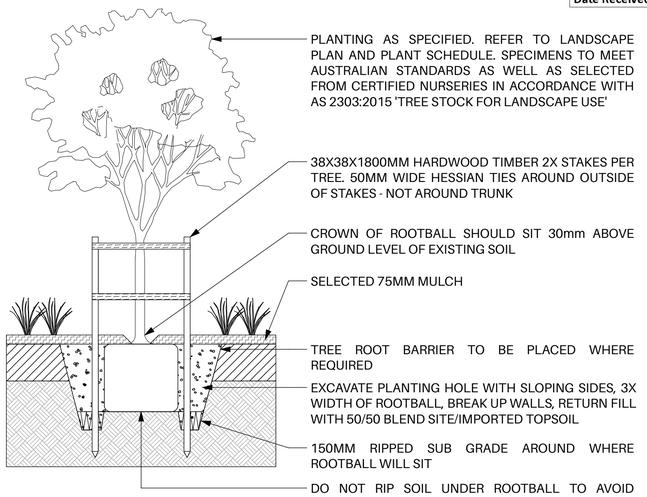
MULCH
MULCHING OF GARDEN BEDS MUST ADHERE TO AUSTRALIAN STANDARD AS4454.

DISEASE AND PEST CONTROL
IF PATHOLOGICAL DISEASE OR INSECT PESTS APPEAR, THEY ARE TO BE CONTROLLED USING ORGANIC METHODS OR PEST AND DISEASE CONTROL. FAILING THIS, CHEMICAL SPRAYS MAY BE USED, AT MANUFACTURER'S RATES, WITH PRIOR CONSENT OF CLIENT.

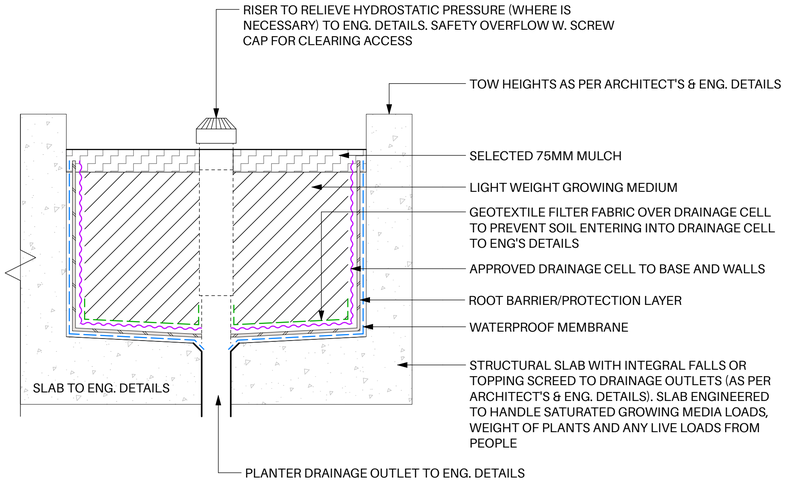
PLANT REPLACEMENT
DEFECTS INCLUDING ANY DEAD OR UNHEALTHY PLANT MUST BE REPLACED OR TREATED WITHIN 3 WEEKS. MISSING, DEAD OR UNHEALTHY PLANTS ARE TO REPLACED WITH PLANTS OF SIMILAR SIZE AND QUALITY AND IDENTICAL SPECIES/VARIETY, UNLESS A SUBSTITUTION HAS BEEN APPROVED BY COUNCIL.

PRUNING
ANY PRUNING MUST BE CARRIED OUT TO MEET AUSTRALIAN STANDARDS AS4373 'PRUNING OF AMENITY TREES' AND SHALL COMPLY WITH COUNCILS TREE PRESERVATION ORDER.

MAKING GOOD
THE CONTRACTOR SHALL MAKE GOOD EROSION OF SOIL OR SUBSIDENCE WHICH MAY OCCUR, AT NO CONTRACT VARIATION.



1 DA-307 TYPICAL TREE PLANTING AT GRADE
Scale: 1:25



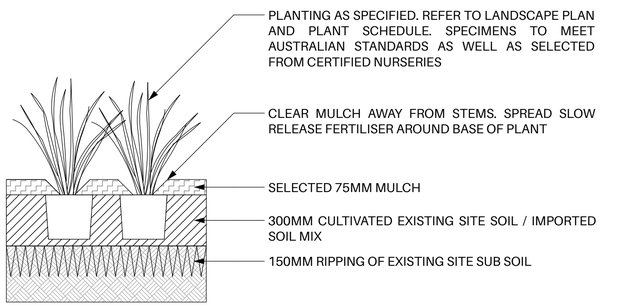
4 DA-307 INSITU CONCRETE PLANTER ON SLAB DETAIL
Scale: NTS

NOTE - BCA COMPLIANCE

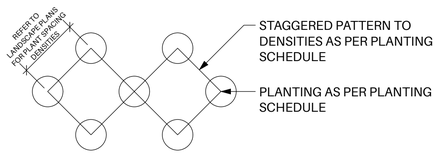
WHERE NO EXTERNAL BALUSTRADE IS PROPOSED. THE INTERNAL PLANTER WALL FACE MUST BE NON-CLIMBABLE TO A HEIGHT TO MEET AS & BCA COMPLIANCE.

NOTE - DRAINAGE & WATER PROOFING

DRAINAGE PITS AND LAYOUT TO BE NOMINATED BY ENGINEER TO WORK WITH STRUCTURAL DESIGN AND LANDSCAPE. THE WATERPROOFING, ROOT BARRIER/PROTECTION LAYER, APPROVED DRAINAGE CELL AND SPECIFIED GEOFABRIC LAYER IN THIS DETAIL ARE INDICATIVE ONLY AND SHOULD BE DETAILED BY THE RELEVANT PROFESSIONAL ENGINEER 'FOR CONSTRUCTION'. UNDER THE CONSTRUCTION PRACTITIONER BILL, STRUCTURAL WATER-PROOFING SHALL BE DOCUMENTED BY A QUALIFIED ENGINEER



2 DA-307 TYPICAL SHRUB & GROUNDCOVER PLANTING
Scale: 1:15



3 DA-307 TYPICAL MASS PLANTING / MATRIX
Scale: NTS

PREPARED BY: INSPIRED EXTERIORS
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GENERAL NOTES:

1. DRAWING NOT FOR CONSTRUCTION PURPOSES
2. DO NOT SCALE FROM DRAWINGS - WRITTEN DIMENSIONS TAKE PRECEDENCE
3. CONTRACTOR TO UNDERTAKE DIAL-BEFORE-YOU-DIG PRIOR TO COMMENCEMENT OF WORKS
4. ALL WORKS TO BE CARRIED OUT IN ACCORDANCE WITH LOCAL BUILDING CODES
5. CONTRACTOR TO CONFIRM ALL MEASUREMENTS ON SITE BEFORE COMMENCEMENT OF WORKS
6. FINAL LAYOUT TO BE DETERMINED ONSITE BY SITE SUPERVISOR WITH APPROVAL FROM INSPIRED EXTERIORS
7. PLANS ARE PROTECTED BY COPYRIGHT LAWS. NO PLAN OR PART THEREOF MAY BE USED, COPIED OR REPRODUCED IN ANY WAY WITHOUT THE PRIOR WRITTEN PERMISSION OF INSPIRED EXTERIORS

ISSUE:	NOTE:	DATE:	DRAWN:
A	DRAFT ISSUE FOR CLIENTS REVIEW	22/5/2025	CK
B	ISSUED FOR DA SUBMISSION	10/06/2025	CK
C	REVISED TO ARCH PLANS	10/6/2025	SK
D	REVISED TO CLIENTS FEEDBACK	19/6/2025	CK
E	REVISED TO ARCHITECTURAL CHANGES	17/9/2025	CK
F	REVISED TO CLIENT FEEDBACK	18/9/2025	SK
G	REVISED TO CLIENT FEEDBBACK	18/9/2025	SK

ADDRESS:
77 HEWLETT ST, BRONTE, NSW 2024

CLIENT:
MR & MRS MITCHELL

COUNCIL:
WAVERLEY COUNCIL

PROJECT TITLE:
MITCHELL RESIDENCE

SIZE: **A1/A3**
SCALE: **NTS**
DRAWN: **CK/SK**
CHECKED: **SK**

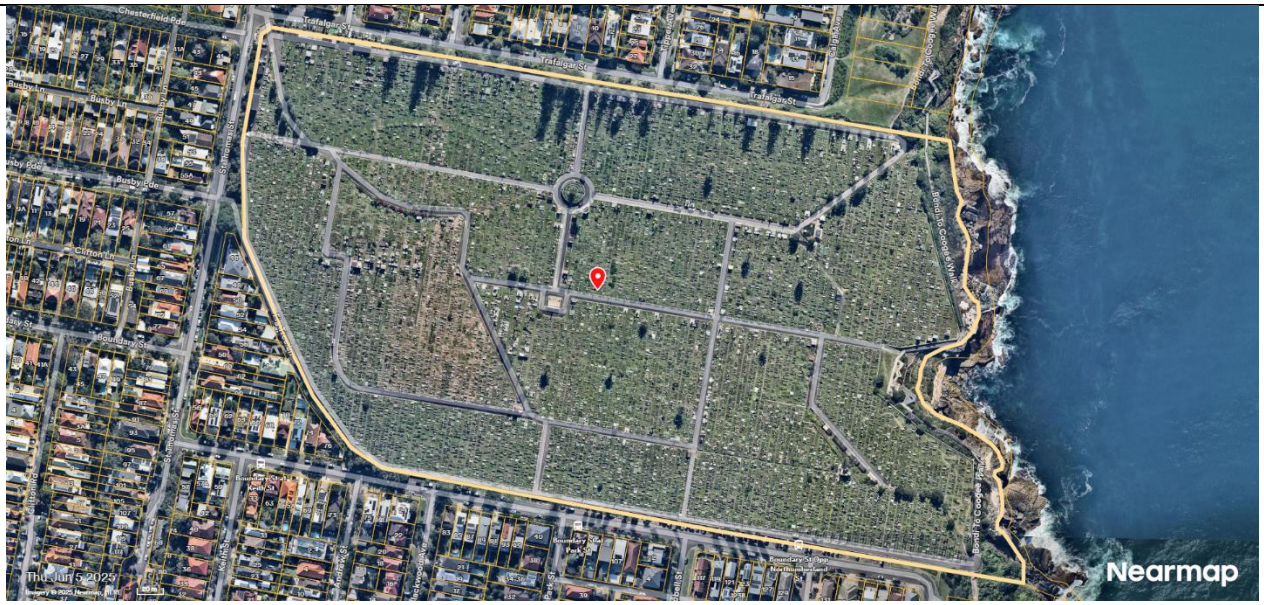
PLAN TITLE:
NOTES & DETAILS

PROJECT NUMBER: **25-010**
PLAN NUMBER: **DA-307**
PAGE: **8**
ISSUE: **G**
STAGE: **DA**
DATE: **18 September 2025**



Report to the Waverley Local Planning Panel

Application number	DA-208/2025
Site address	Waverley Cemetery, 44 St Thomas Street, Bronte NSW 2024
Proposal	Integrated development for the construction of new columbarium walls for memorial and associated landscape interface works at Waverley Cemetery.
Date of lodgement	27 May 2025
Owner	Waverley Council
Applicant	Waverley Council
Submissions	Nil
Cost of works	$2,337,000.00
Principal Issues	• Conflict of Interest
Recommendation	That the application be **APPROVED** accordance with the conditions contained in the report.
SITE MAP	



1. PREAMBLE

1.1. Executive Summary

The development application seeks consent for integrated development for the construction of new columbarium walls for memorial and associated landscape interface works at the site known as Waverley Cemetery, 44 St Thomas Street, Bronte.

The application is presented to the Waverley Planning Panel for determination because the site is owned by Waverley Council and therefore there is a conflict of interest. A conflict of interest management statement has been prepared and was published on Council's website.

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

- Conflict of Interest.

The assessment finds these issues acceptable as the application is subject to determination by the Waverley Local Planning Panel as per Council's 'Managing Conflicts of Interest for Council-related Development Policy'.

No submissions were received from any residents or councillors.

A conflict of interest was declared by the relevant senior staff members in Council's Assets and Operations Directorate who are responsible for project management and delivery of this development that relates to a Council owned property. They were excluded from reviewing the application and referral commentary. The application instead was reviewed by staff that are not a part of the project delivery team in the Assets and Operations Directorate.

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

1.2. Site and Surrounding Locality

A site visit was carried out on 10 June 2025.

The site is identified as Lot 1877 in DP1173589, known as Waverley Cemetery, 44 St Thomas Street, Bronte and is owned by Waverley Council.

Waverley Cemetery is a State Heritage item, identified as SHR #01975 on the NSW State Heritage Inventory. The site is also listed as C66 Landscape Conservation Area under Schedule 5 of the Waverley Local Environmental Plan 2012.

The site is irregular in shape with four street frontages to (west), Trafalgar Street (north), Boundary Street (south) and Fig Tree Lane (southwest). The fifth frontage to the east adjoins the Bondi to Coogee coastal boardwalk. The topography of the site includes a steep slope of approximately 46m from the north-west, at the entrance to the cemetery on St Thomas Street.

The proposed development is limited to the extent of Quinn Road within the cemetery highlighted in **Figure 1** and **Figure 2** below. Quinn Road is an internal access road located in the western part of the cemetery, between Trumper Avenue and Hargrave Avenue. An existing sandstone retaining wall delineates the western edge of Quinn Road. The topography of Quinn Road is generally flat, and the road has access to ocean views as the cemetery slopes steeply towards the east.

The locality is characterised by a variety of low-density residential developments with the MacPherson Street local centre located within vicinity, to northwest of the site. Boundary Street separates Waverley Cemetery from the local government area of Randwick Council to its south.

Figures 1 to **10** are photos of the site and its context.



Figure 1: Site extent for the proposed works within Waverley Cemetery.



Figure 2: View of the site extent for the proposed works within Waverley Cemetery *(source: Google Earth)*



Figure 3: View along Quinn Road towards northwest from the southeastern corner of the site.



Figure 4: Elevated view along Quinn Road towards northwest from the southeastern corner of the site. *(Source: Applicant)*



Figure 5: View along Quinn Road towards northwest.



Figure 6: View of the existing landscape interface condition along Quinn Road towards northwest.



Figure 7: View along Quinn Road towards southeast from the northwestern corner of the site.



Figure 8: Ocean views towards east from the northwestern corner of the site.



Figure 9: View of existing sandstone wall, kerb, gutter and asphalt condition along Quinn Road towards southeast *(Source: Applicant)*



Figure 10: View of the existing landscape interface condition along Quinn Road towards southeast. *(Source: Applicant)*



Figure 11: View of existing columbarium walls for ash internment along Martin Avenue within the cemetery.



Figure 12: View of existing ash internments in between the columbarium walls along Martin Avenue within the cemetery.

1.3. Relevant Development History

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

- DA-489/2006 – Extension to the coastal walk, including a boardwalk adjacent to Waverley Cemetery. Approved by on 14 April 2007.
- DA-489/2006/A – Sec. 96(1) application to modify Condition 4 of the development consent to extend the coastal walk, including a boardwalk adjacent to Waverley Cemetery. Approved by on 22 October 2007.
- HEC-12/2013 – Replacement of internal fencing at Waverley Cemetery. Approved under delegated authority on 17 December 2013.
- HEC-10/2016 – Restoration and reconstruction works at Waverley Cemetery. Approved under delegated authority on 8 April 2016.

1.4. Proposal

The development application seeks consent for integrated development for the construction of new columbarium walls for memorial and associated landscape interface works at Waverley Cemetery and specifically includes the following:

Works to be retained:

- Retention of existing sandstone wall, railing, gutter, kerb and access stairs on the southwestern side of Quinn Road.
- Retention of existing trees and removal of existing lawn beds along northeastern edge of Quinn Road to provide new native planting including eleven coastal banksia trees integrated within the existing interments on eastern side of Quinn Road.

New works:

- Installation of freestanding signage and interpretation pillars on north and south intersection of Quinn Road.
- Resurfacing of Quinn Road and addition of a cobble stone border at each intersection of Quinn Road with Trumper Avenue and Hargrave Avenue.
- Addition of asphalt paving with 0.1m wide brass inlay panels that include interpretive literature, poetry and other text as separators between each columbarium wall. Addition of cobble stone paving along both edges of the road. See **Figure 13** below for details.
- Addition of twenty 3.03m x 1.394m sandstone columbarium walls along the length of Quinn Road. Each columbarium wall to contain thirty-six ash internment niches with blank brass face plates for engraving and fixed flower vases. See **Figure 14** and **Figure 15** below for details.
- Addition of removable bollards located at the northwestern and southeastern ends of Quinn Road.
- Structural engineering assessment of the existing sandstone wall along southwestern edge of Quinn Road with repointing and maintenance works carried out where required.



Figure 13: Proposed plan details for the northern section of Quinn Road. *(Source: Applicant)*



Figure 14: Proposed elevation details for a typical columbarium wall. *(Source: Applicant)*



Figure 15: Three-dimensional indicative view of the proposed development. *(Source: Applicant)*

Details on signage and brass inlay within the pavement

- The proposed freestanding signage and interpretation pillars on northwestern and southeastern intersection of Quinn Road will aid the visitor experience and to locate interments as well as express the existing qualities of the site and specifically the themes of notable poets, authors and other influential figures buried throughout the cemetery. See **Figure 16** below for details.
- The proposed brass inlay interpretation panels incorporated into the new pavement surface between each of the columbarium walls will be aligned east to west and measure approximately 0.1m in width and 3.74 metres in length.
- These panels will include the names and extracts of selective literature of notable poets buried in the cemetery. Additional interpretation panels will be included on the sides of each columbarium wall and will provide the title of the poem to be engraved on the brass inlay paver

panel. A schedule of poems and extracts in included in the submitted Statement of Environmental Effects. See **Figure 16** below for details.

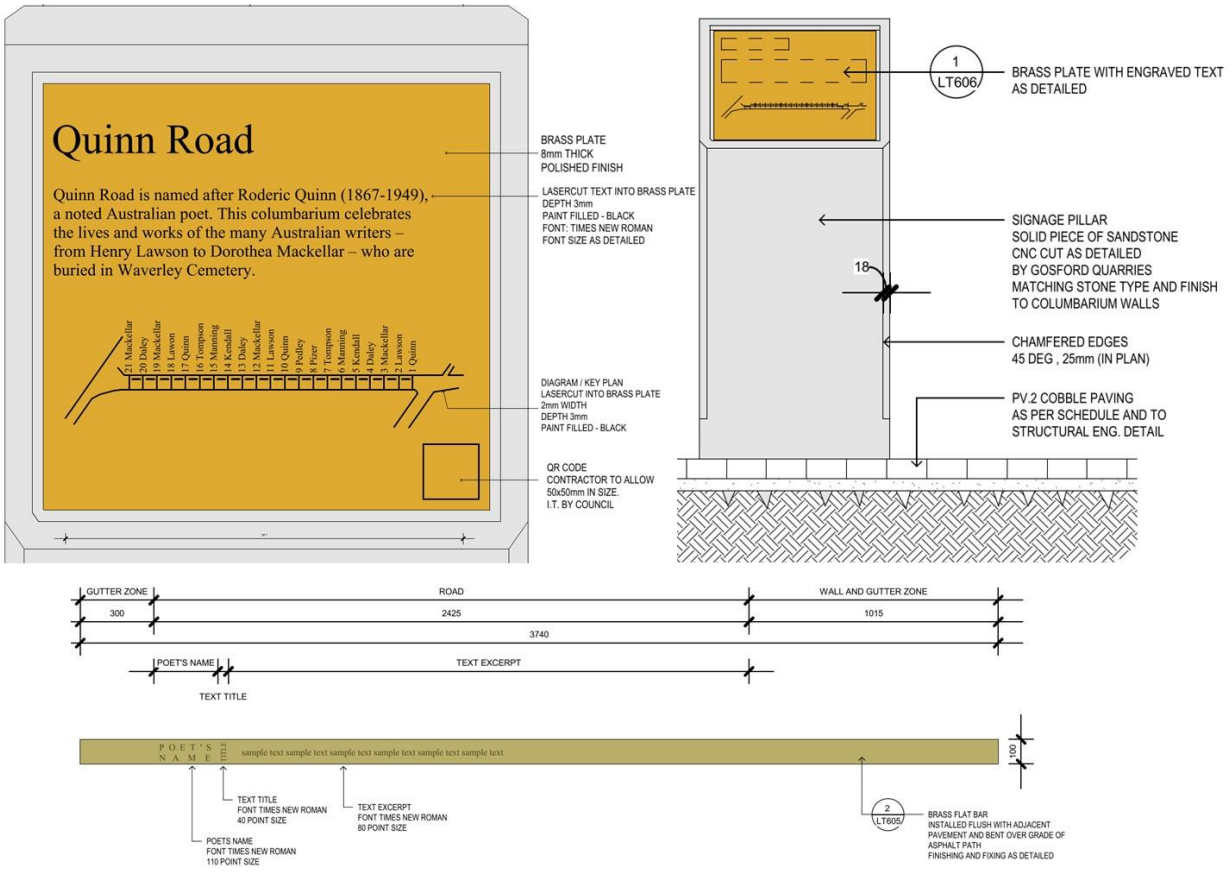


Figure 16: Proposed freestanding signage and interpretation pillars and the brass inlays. *(Source: Applicant)*

1.5. Background

A Waverley Cemetery Conservation Management Plan (CMP) was prepared in 2018 by City Plan Heritage as an update to the Waverley CMP authored by Allan Jack + Cottier in 2003.

The intent of the updated Waverley CMP is to be a principal reference document for future management of Waverley Cemetery, and to provide advice in guiding decisions for the conservation and any modifications, information on potential adaptive re-use of the site, and a plan for ongoing operations and maintenance.

Following the amended Waverley CMP, a Waverley Cemetery Master Plan was prepared by Group GSA and City Plan in June 2018 to explore opportunities to enhance the overall experience and quality of service within the cemetery. The Master Plan sets out a vision and framework for the development of Waverley Cemetery for meeting the present and future needs of the surrounding communities.

The development application was lodged on 27 May 2025 and was identified as 'Integrated Development'. Therefore, the application was advertised for 28 days between 5 June 2025 and 2 July 2025 in accordance with the *Waverley Community Engagement Strategy 2023* and was referred to Heritage NSW for concurrence.

An additional information request was created by Heritage NSW on 6 August 2025, and the following information was requested:

1. A survey of the existing conditions that include the defined scope of work area.
2. Revised Elevations, drawing sheet LT401 that include the top of wall RL's for the existing sandstone block wall to be retained.
3. A copy of the Geotech report noted in the Historical Archaeology Assessment as follows:
4. JK Geotechnics (2023) Geotechnical Investigation for Proposed Road and Columbarium Walls at Waverley Cemetery, St Thomas and Trafalgar Streets, Bronte, NSW: Report to Waverley Council.
5. Further details of the maximum excavation depth for the following items:
   (i) The Coastal Banksia (BI) Tree plantings
   (ii) The removable bollards at either end of Quinn Road
   (iii) The columbarium plinths at their deepest below ground depth taken from the top of the existing Quinn Road hard surface.

The amended documents were submitted on 18 August 2025. The General Terms of Approval were received from Heritage Council NSW on 25 August 2025.

2. ASSESSMENT

The following matters are to be considered in the assessment of this development application under the following Acts and Regulations:

- *Cemeteries and Crematoria Act 2013*
- *National Parks and Wildlife Act 1974*
- *Heritage Act 1977*
- *Environmental Planning and Assessment Act 1979* (the Act).

A detailed discussion is provided for above Acts and Regulations as follows:

Cemeteries and Crematoria Act 2013

The proposed development satisfactorily ensures sufficient land allocation for current and future generations' equitable access to internment services and is consistent with the relevant objectives of this Act.

National Parks and Wildlife Act 1974

The Aboriginal Heritage Information Management System search undertaken by the applicant confirms the absence of any Aboriginal sites recorded within the extent of the subject site. Notwithstanding that, the applicant has submitted an Aboriginal Heritage Due Diligence Assessment to determine whether the proposed works have potential to impact Aboriginal heritage items, in accordance with Heritage NSW

Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales and makes the following recommendations:

1. *Recommendation 1 - The study area is unlikely to retain Aboriginal objects; however, should any Aboriginal objects be exposed during any future works, disturbance of the area should cease, and Heritage NSW should be informed in accordance with Section 89A of the NPW Act. Works should not continue without the written consent of Heritage NSW.*

2. *Recommendation 2 - There are no additional constraints to the proposed works arising from considerations of Aboriginal cultural heritage and archaeology. No further Aboriginal cultural heritage assessment is required prior to the proposed works being undertaken, and the works may proceed with due caution.*

The proposed development sufficiently satisfies the relevant objectives of this Act. Notwithstanding that, as per *Recommendation 1* above of the submitted Due Diligence Assessment, a standard condition is included in the recommendation to minimise the risks to any Aboriginal objects discovered or exposed within the subject site.

Heritage Act 1977

Waverley Cemetery is identified as a State Heritage Item pursuant to the *Heritage Act 1977*, and therefore, the proposed development is identified as 'integrated development', requiring approval from the NSW Heritage Council. The applicant has submitted a Heritage Impact Statement in support of the proposal, and Council has received General Terms of Approval from Heritage NSW upon seeking concurrence in from Heritage NSW accordance with this Act.

Environmental Planning and Assessment Act 1979 (the Act)

As Waverley Council owns Waverley Cemetery, the application has been notified and advertised for a 28-day period in accordance with Section 4.16(11) and Clause 9B under Schedule 1 of the Act. The proposed development is consistent with the relevant objectives of the Act, and the following matters are considered in the assessment of this development application under section 4.15 of the Act.

2.1. Planning Instruments and Development Control Plans

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

2.1.1. State Environmental Planning Policies (SEPPs)

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

- SEPP (Biodiversity and Conservation) 2021
- SEPP (Resilience and Hazards) 2021
- SEPP (Industry and Employment) 2021.

A detailed discussion is provided for relevant SEPPs as follows:

SEPP (Biodiversity and Conservation) 2021

The proposed development does not result in any clearing of vegetation, native or otherwise that may require approval under this SEPP. Therefore, Council is satisfied that the overall proposal maintains compliance with the requirements of this SEPP.

SEPP (Resilience and Hazards) 2021

Part of the cemetery is identified as coastal use and coastal environment area under this SEPP., however no further consideration is required under this development application as the proposed works along Quinn Road are not located within the mapped area as identified in **Figure 17** below.

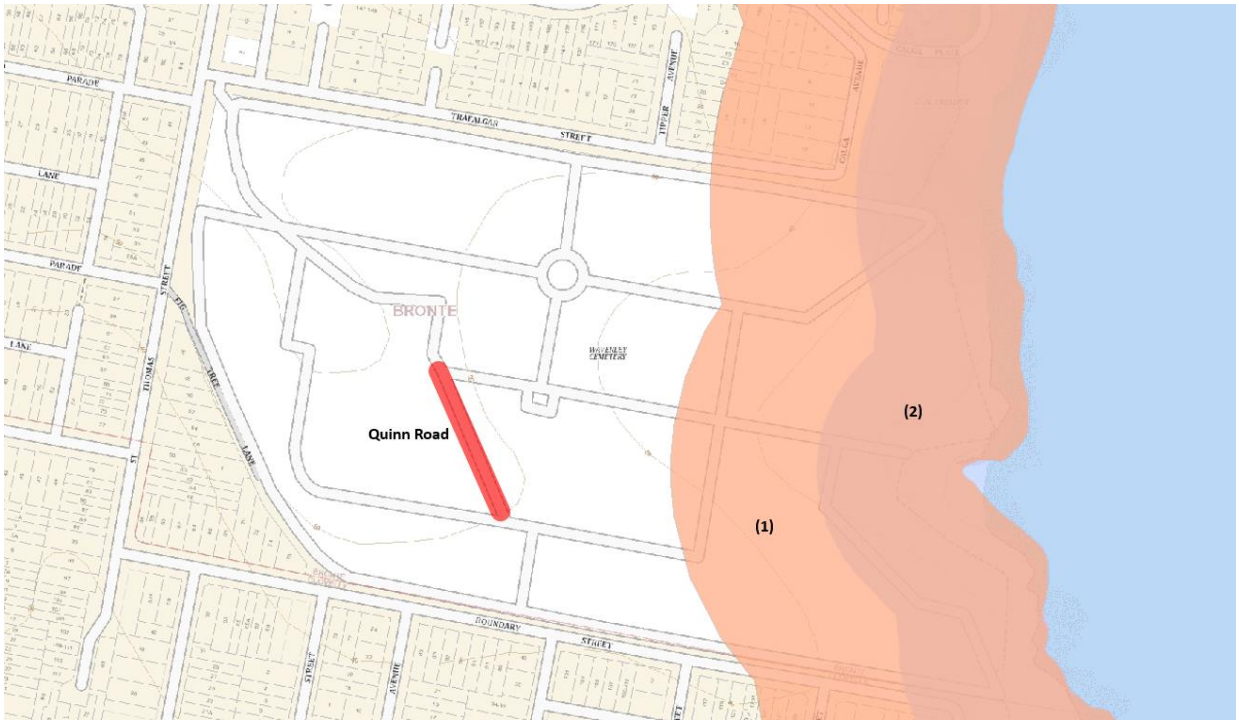


Figure 17: Coastal Use area is identified in red (1), and the Coastal Environment area is identified in blue (2).

The land of the subject site has been historically used as cemetery land since 1877 and the proposal does not change the existing use of the site, nor would the proposal result in adverse ground disturbance. The applicant has submitted a geotechnical report in support of this applicant and no further investigations are required by the associated planning guidelines or warranted for the purposes of the proposed development. Accordingly, Council is satisfied that the land is suitable for continued use of the cemetery for erecting columbarium walls in accordance with clause 4.6 of the SEPP.

SEPP (Industry and Employment) 2021

The proposed signage development under this application is subject to assessment against the criteria specified in Schedule 5 of Chapter 3 Advertising and Signage under this SEPP.

Table 1: Schedule 5 Assessment Criteria Compliance Table

Provision	Compliance	Comment
1 Character of the area		
• *Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?*	Yes	Complies. The proposed sandstone signage pillars with brass engravement plates with interpretation text is sympathetic to the heritage aspect and aligns with the existing character of the cemetery, in particular with the existing sandstone retaining wall that forms a backdrop to the proposed signage. The proposed signage development is compatible with the existing and desired future character of Waverley Cemetery.
• *Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?*	Yes	Satisfactory. In the absence of any signage strategy specific to Waverley Cemetery, the proposed signage development results in the establishment of a theme for signage within the cemetery that is compatible with the comprehensive opportunities described under section *8.8.6 Interpretation* under the *Waverley Conservation Management Plan* and is acceptable.
2 Special areas		
• *Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?*	Yes	Complies. The proposed signage development is designed to be compatible and to integrate with the existing heritage character of Waverley Cemetery and Quinn Road.
3 Views and vistas		
• *Does the proposal obscure or compromise important views?* • *Does the proposal dominate the skyline and reduce the quality of vistas?* • *Does the proposal respect the viewing rights of other advertisers?*	Yes	Complies. The proposed signage development is located at street level and does not obscure, compromise or have any impact on any ocean views or other significant views identified across the subject site.

Provision	Compliance	Comment
4 Streetscape, setting or landscape		
• *Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?* • *Does the proposal contribute to the visual interest of the streetscape, setting or landscape?* • *Does the proposal reduce clutter by rationalising and simplifying existing advertising?* • *Does the proposal screen unsightliness?* • *Does the proposal protrude above buildings, structures or tree canopies in the area or locality?* • *Does the proposal require ongoing vegetation management?*	Yes	Complies. The scale of the proposed signage is sympathetic in scale and design with the heritage character of the subject site. The proposed signage will not project beyond any existing walls, vegetation and tree canopies or any proposed columbarium structures. The signage will not require any ongoing vegetation management and is proportionate and appropriate for the streetscape setting and landscape.
5 Site and building		
• *Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?* • *Does the proposal respect important features of the site or building, or both?* • *Does the proposal show innovation and imagination in its relationship to the site or building, or both?*	Yes	Complies. The proposed signage is compatible with the scale and proportion of Quinn Road and is design to complement the existing heritage character of the site.
6 Associated devices and logos with advertisements and advertising structures		
• *Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?*	N/A	The proposed signage does not include any safety devices, platforms, lighting devices or logos.
7 Illumination		
• *Would illumination result in unacceptable glare?* • *Would illumination affect safety for pedestrians, vehicles or aircraft?*	N/A	The proposed signage does not include any illumination.

Provision	Compliance	Comment
• *Would illumination detract from the amenity of any residence or other form of accommodation?* • *Can the intensity of the illumination be adjusted, if necessary?* • *Is the illumination subject to a curfew?*		
8 Safety		
• *Would the proposal reduce the safety for any public road?* • *Would the proposal reduce the safety for pedestrians or bicyclists?* • *Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?*	Yes	Complies. The proposed signage will not obscure any sightlines from Quinn Road or reduce or compromise the safety of any pedestrians, bicyclists or children within the subject site.

2.1.2. Waverley Local Environmental Plan 2012 (Waverley LEP 2012)

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

Table 2: 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 *SP2: Infrastructure Zone*	Yes	The proposal is defined as an integrated development for the construction of new columbarium walls and associated landscape works at Waverley Cemetery, which is permitted with consent in the SP2 zone.
Part 5 Miscellaneous provisions		
5.10 Heritage conservation	Yes	See discussion below.
Part 6 Additional local provisions		
6.2 Earthworks	Yes (conditioned)	Satisfactory. The proposed earthworks are unlikely to disturbing any relics or disrupt or have any detrimental effect on the drainage patterns and soil stability of the subject site. Notwithstanding that, standard conditions with regards to earthworks are included in the

Provision	Compliance	Comment
		recommendation to minimise the risk of any impact to the heritage value of the subject site. A geotechnical assessment report has been submitted.
6.15 Stormwater Management	Yes	Complies. The proposal satisfactorily mees clauses (a) (b) and (c).

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

Clause 5.10 Heritage Conservation

Waverley Cemetery is described as "Waverley Cemetery Landscape Conservation Area" (C66) Schedule 5 of the Waverley Local Environmental Plan 2012. Waverley Cemetery is also listed as a state significant heritage item SHR #01975 on the NSW State Heritage Inventory.

The objectives of this clause are as follows:

(a) to conserve the environmental heritage of Waverley,
(b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,
(c) to conserve archaeological sites,
(d) to conserve Aboriginal objects and Aboriginal places of heritage significance.

The proposed integrated development for the construction of new columbarium walls for memorial and associated landscape interface works at Waverley Cemetery will conserve the overall heritage significance of the site and are consistent with the objectives of this Clause. The proposed works are designed to complement and enhance the use of the subject site along Quinn Road and are compatible with the heritage character of Waverley Cemetery.

A Heritage Impact Statement, Historical Archaeological Impact Assessment and an Aboriginal Cultural Heritage Assessment has been submitted in support of this application.

Waverley Cemetery Conservation Management Plan 2018 (CMP)

The Heritage Council of NSW continues to recommend conservation management plans as best practice heritage management documents for supporting applications for making alterations to State Heritage Register listed items. The proposal is assessed against the relevant policies described in the Waverley CMP which is endorsed as the main guide to future planning, management and work on the site.

A detailed ranking system for individual components and fabric of the built elements based on site surveys and the Assessment of Significance has been adopted and described in the Waverley CMP. The plan ranks the roadway alignment of Quinn Road with high significance and its road surface with low significance within Waverley Cemetery.

Individual elements with heritage significance along Quinn Road are identified as follows:

Table 3: CMP ranking of significant elements identified along Quinn Road within Waverley Cemetery

Item	Significance	Commentary
Sandstone retaining walls throughout the cemetery	Exceptional - landmark feature of the original fabric which dates to earliest period of the cemetery	The sandstone constructed sections of the retaining walls are of exceptional significance and add to the historic character of the site (See **Figure 5** above).
Timber ordinance fencing throughout cemetery	Neutral – modern sympathetic addition	The original ordinance fencing was replaced with new timber in the same style based on the results of an assessment and report by Clive Lucas Stapleton and Partners, Architects and Heritage Consultants in 2015. The current assessment refers to the new material and form (See **Figure 5** above).
Asphalt road surfaces	Low – modern addition which reflects original layout	The new asphalt to the roads within the site is of low significant as they do not reflect the original fabric of the road (See **Figure 5** above).
Sandstone kerbs, gutters and drains	Exceptional – landmark feature of the original fabric which dates to earliest period of the cemetery	The sandstone kerbs and gutters as well as iron drains, are of exceptional significance as they provide evidence of the early development of the site and contribute to the historic appearance (See **Figure 9** and **Figure 10** above).

The relevant Conservation Policies to be considered under the of the Waverley Cemetery Conservation Management Plan 2018 are outlined below:

Table 4: Conservation Policies of the Waverley CMP 2018 - Compliance Table

Policy No.	Policy Description	Compliance	Comment
9.4.2 Conservation Process			
Policy 9	*All surviving original building fabric and other fabric identified as being of Exceptional or High significance tables and plans located in Section 7.6.2 is to be conserved and interpreted as part of the future use and development of the site.*	Yes	Satisfactory.
Policy 12	*All works are to be carried out in accordance with a Schedule of Conservation Works prepared by a built heritage specialist.*	Conditioned	A standard condition of consent is recommended to this effect.
Policy 13	*Proposals involving physical intervention on elements graded as being of Exceptional and High*	Yes	a Heritage Impact Statement has been submitted for the proposed development.

Policy No.	Policy Description	Compliance	Comment
	significance are to be accompanied by a Heritage Impact Statement (HIS).		
9.4.3 Conservation of Fabric			
Policy 15	*Properties listed on the State Heritage Register are required to be maintained in accordance with Section 118 of the Heritage Act 1977.*	Conditioned	A standard condition of consent is recommended to this effect.
Policy 20	*Damage to significant fabric is to be repaired wherever practicable. Any significant fabric that cannot be adequately or appropriately repaired may be replaced. New replacement elements are to be based upon the design and configuration of the original element and following the advice of a built heritage specialist.*		
9.4.5 Curtilage and Setting			
Policy 32	*Significant views identified in Section 3.6 are to remain uninterrupted by other developments. Open landscape vistas are to be protected from encroachment.*	Yes	Satisfactory. The proposed development is not expected to result in the loss of any identified significant view across the subject site.
Policy 33	*The visual setting of the site shall be maintained and enhanced. Any works carried out to the ground must not adversely affect the setting.*	Yes	Satisfactory. The proposed works aim to maintain and enhance the existing streetscape of Quinn Road.
Policy 38	*All graves and memorials are to be regarded as important cultural objects and all conservation work to ensure their future retention, and the cemetery as a whole, must be undertaken using minimum intervention.*	Conditioned	A standard condition of consent is recommended to this effect.
9.5.2 Graves and Ash Interments			
Policy 45	*Graves, ash interments, and their associated monuments and*	Conditioned	A standard condition of consent is recommended to this effect.

Policy No.	Policy Description	Compliance	Comment
	plaques must not be disturbed or moved.		
9.5.4 New Monuments and Memorials			
Policy 59	*Materials for new monuments should be consistent with those prevalent in the cemetery (marble and sandstone). They should also be suitable for the coastal conditions of the site.*	Yes	Satisfactory. The proposed materials for the columbarium walls include sandstone with brass plates for interpretation. The proposed materiality is an appropriate reflection of the existing sandstone retaining wall and heritage character of the site context
Policy 61	*Dimensions of new monuments must be consistent with other monuments in the cemetery.*	Yes	Satisfactory. The proposed dimensions for the columbarium walls are compatible with existing monuments and vaults within the cemetery.
Policy 63	*All monuments should be constructed in accordance with Australian Standard AS 4204 1994 - Headstones and Monuments.*	Conditioned	A standard condition of consent is recommended to this effect.
Policy 64	*Monuments should be fabricated and installed by stonemasons or monumental masons with experience working in cemeteries of heritage significance.*		
9.5.11 Roads			
Policy 93	*No further roads or paths should be closed for the creation of law cemetery areas or for other purposes.*	No (conditioned)	The proposed addition of removable bollards located at the northwestern and southeastern ends of Quinn Road is inconsistent with this Policy. Notwithstanding the 'removable' nature of the bollards, the proposal is to be amended to remove the bollards from the development. A general condition of consent is recommended to this effect.
Policy 95	*Asphalt surfaces to roads should be re-laid where degraded. The composition of the new asphalt should be specified by a qualified*	Yes	The proposal aims to renew the existing asphalt surface paving along Quinn Road.

Policy No.	Policy Description	Compliance	Comment
	conservation professional, preferably a materials conservator.		
Policy 96	*Weeds to road surfaces should be removed on a regular basis.*	Conditioned	A standard condition of consent is recommended to this effect.
9.5.12 Kerbs, gutters and drains			
Policy 97	*Sandstone kerbs, gutters, drain and drain covers should be retained and conserved.*	Yes	The proposal retains the existing significant sandstone kerbs, gutters, drain and drain covers.
Policy 100	*Where the physical condition of sandstone kerbs and gutters, drains and drain covers makes replacement necessary, they should be detailed to match the original elements. In particular, sandstone should match the original stone as closely as possible.*	Conditioned	A standard condition of consent is recommended to this effect.
Policy 101	*Where they have dislodged, sandstone kerbs, gutters and drain covers should be re-laid to correct falls and joints and depressions should be re-pointed to ensure adequate water run-off. Mortar used for re-pointing should be of an appropriate mix with a low cement content.*		
Policy 102	*Where sandstone kerbs and gutters need to be removed temporarily to allow for consolidation or levelling of substrate, they should be reinstated in their previous locations.*		
Policy 103	*Asphalt overruns to sandstone gutters should be removed as long as the process of removal does not damage the stone.*		
Policy 104	*Weeds to joints and depressions in kerbs and gutters should be removed on a regular basis.*		

Policy No.	Policy Description	Compliance	Comment
9.5.15 Retaining Walls			
Policy 109	*Retaining walls should be retained and conserved.*	Yes	The proposal retains the existing sandstone retaining wall along Quinn Road, with repairs and repointing works proposed where required.
9.5.19 Landscape elements			
Policy 124	*An updated landscape assessment including conservation and management policies should be undertaken by a qualified heritage consultant with specialised expertise in landscapes.*	No (conditioned)	Whilst a heritage landscape assessment is not provided, standard conditions with regard to landscaping and biodiversity management are recommended.
9.6.4 Archaeology			
Policy 139	*Avoid disturbing locations of known graves.*	Conditioned	A standard condition of consent is recommended to this effect.
Policy 142	*In the event of an unexpected archaeological find during the process of excavation, the STOP WORK provisions of the NSW Heritage Act apply. The works must stop immediately around the find and a suitably qualified archaeologist be contacted for appropriate actions and management.*		
9.6.6 Maintenance and Repair			
Policy 152	*A schedule of ongoing maintenance work should be developed and regular inspection, monitoring and maintenance works undertaken in accordance with the developed schedule.*	Conditioned	A standard condition of consent is recommended to this effect.
9.6.9 Interpretation			
Policy 162	*An Interpretation Strategy and Plan should be prepared to establish interpretative actions and media that could be incorporated within the site and future adaptive reuses of the structures on the site. The*	No (conditioned)	A condition of consent is imposed as per the General Terms of Approval provided by Heritage NSW with regard to Interpretation strategies.

Policy No.	Policy Description	Compliance	Comment
	recommended interpretive actions should be implemented at the first opportunity to ensure the heritage layered story of Waverley Cemetery is adequately conveyed to the public.		
Policy 163	*There are opportunities for signage within the cemetery. New signage should be designed, detailed and located in consultation with a heritage professional, in order to minimise any potential impact on the heritage significance of the site and its structures.*		
Policy 164	*Any new sign should conform to the future Interpretation Strategy and controls of Waverley Council.*		
Policy 165	*Any directional or safety signs for compliance with BCA requirements should be placed in areas that would minimise visual cluttering and aim to fit the purpose of such signs and not be placed across large areas of the buildings on the site.*		
9.6.10 Future Development			
Policy 168	*The planning, design and supervision of any changes to fabric or any future development associated with the site should be undertaken in conjunction with persons having relevant expertise and experience in building conservation projects and under the supervision of a suitably qualified and experienced built heritage specialist.*	Yes	Satisfactory.

2.1.3. Waverley Development Control Plan 2022 (Waverley DCP 2022)

The relevant matters to be considered under the Waverley DCP 2022 are outlined below:

Table 5: Waverley DCP 2022 – Part B General Provisions Compliance Table

Development Control	Compliance	Comment
1. Waste	No (conditioned)	A standard condition of consent is recommended to ensure appropriate waste management procedures are carried out at the subject site during demolition and construction works.
3. Landscaping, Biodiversity and Vegetation Preservation	Yes	Satisfactory. The application was referred to Council's Biodiversity
4. Coastal Risk Management	Yes	Satisfactory. A geotechnical risk assessment has been submitted.
5.Water Management	Yes	Satisfactory.
6. Accessibility and Adaptability	No (conditioned)	The proposed addition of removable bollards located at the northwestern and southeastern ends of Quinn Road interferes with the required continuous path of travel and potentially reduces equitable access for people with mobility difficulties and other temporary or permanent disabilities. Notwithstanding the 'removable' nature of the bollards, the proposal is to be amended to remove the bollards from the development. A general condition of consent is recommended to this effect.
7. Transport	Yes	Satisfactory.
8. Heritage **8.2 Demolition & Excavation** • *Excavation beneath and/or adjacent to heritage items and/or in heritage conservation areas will only be permitted if it is supported by both a Geotechnical Engineering report and a Structural Engineering report.*	Yes	Satisfactory. A geotechnical risk assessment has been submitted.
8.5 Landscape Conservation Areas • *New works in the vicinity of Landscape Conservation Areas and natural settings are to*	Yes	Satisfactory. The proposed development is sympathetic to the significant character, detail and context of the setting and is not

Development Control	Compliance	Comment
acknowledge the significant character, detail and context of the setting. • *Any new works must consider the visual and physical impact upon the setting.* • *Any new work should avoid the removal of fabric whether plant material, manmade feature or natural formation and any works likely to cause long or short term impact upon the setting.*		expected to result in any adverse visual or physical impact.
8.6 Character and Streetscape **8.6.1 All Development** • *A Context and Streetscape Analysis is to be provided that identifies common elements and features of the area*	Yes	Satisfactory. Whilst a Context and Streetscape Analysis is not provided, the submitted Heritage Impact Statement identifies common elements and features of the area and is acceptable.
8.6.3 Infill Development • *Contemporary design is acceptable in a conservation area where it is sympathetic to and respects the context of the conservation area and any heritage item in the vicinity.* • *Appropriate landscape species and plantings are used to reinforce and frame existing vistas, particularly in the typical north-south street corridors.*	Yes	Satisfactory. The proposed development is sympathetic to and respects the context of the conservation area. The proposed landscape species are consistent with the recommended species for the area and are considered to be appropriate.
8.7 Siting **8.7.2 Heritage Items** • *Construction, demolition or modification should not adversely affect the existing setting of the item or area*	Conditioned	A standard condition of consent is recommended to this effect.
8.8 Scale and Proportion **8.8.1 Heritage Items** • *Alterations and additions should not visually dominate, compete with or conceal the original scale and proportion of the heritage*	Yes	Satisfactory. The proposed development is generally consistent with the Waverley Cemetery CMP and the design strategies as per the Waverley Cemetery Masterplan. The scale and proportions of the proposed development are cohesive and appropriate within the extent of Quinn Road and does

Development Control	Compliance	Comment
item, contributory building or conservation area. **8.8.2 Infill Development** • *Infill development should be cohesive in scale, proportion and finish to the surrounding streetscape and buildings.* • *Infill development should maintain and enhance the skyline profiles of established settings.* **8.9 Architectural Style** • *New development is to be sympathetic to the established architectural style in the vicinity and preserve the area's character.*		not visually dominate any existing significant element within the streetscape. The proposal development is sympathetic to the established architectural style in the vicinity and satisfactorily preserve the area's heritage character.
8.10 Materials and Colours **8.10.1 Heritage Items** • *Original construction and in particular original finishes are to be maintained where possible.* • *The selection of materials and colours is to be consistent with those used in the item or conservation area.* **8.10.2 Infill Development** • *Modern materials can be used if their proportions and details are harmonious within the surrounding historic context.*	No (conditioned)	The proposal aims to maintain all original built fabric with heritage significance within Quinn Road. The proposed materiality is generally an appropriate reflection of the existing sandstone retaining wall and heritage character of the site context, with the exception of the proposed cobble stone surface paving across Quinn Road, which is inconsistent with the existing materials found within the cemetery. A general condition of consent is recommended to limit the extent of new paving to the western side of Quinn Road, along the sides of roadways for landscaping and niche walls. The proposed new paving for the northwestern and southeastern transition zones along Quinn Road is to be deleted. The proposed overall cobble stone paving is to be replaced with decomposed granite to maintain consistency with the Waverley Cemetery Masterplan.
8.14 Garden Elements **8.14.1 Heritage Items**	Yes	The proposal retains the existing significant sandstone retaining wall along Quinn Road. The proposed replacement landscaping

Development Control	Compliance	Comment
• *Original and contributing elements of hard and soft landscaping are to be retained on heritage listed sites and were occurring in Conservation Areas.* • *Where a site contains existing coursed local sandstone retaining walls, the walls are to be retained and incorporated into the overall design.* • *New hard and soft landscaping is to be provided with regard to the:* *(i) Stability of existing significant fabric;* *(ii) Retention and enhancement of original hard and soft landscaping; and* *(iii) Character of the site and Conservation Area.*		enhances the original and is appropriate for the site.
8.16 Detailing **8.16.2 Heritage Items** • *Original details should be retained and repaired where possible.*	Conditioned	A standard condition of consent is recommended to this effect.
11. Design Excellence • *Development is to achieve a high standard of architectural design, materials and detailing appropriate to the development type and location.* • *The form and external appearance of development is to improve the quality and amenity of the public domain.* • *Development is to consider and retain view corridors. Development will not be supported where detrimental impacts upon views and vistas is imposed, particularly those views from the public domain.* • *Development must not have a detrimental effect upon the*	Yes	Satisfactory. The proposed development is designed to be sympathetic to the heritage value of the subject site and is considered to be an appropriate outcome for the site. The form and external appearance of the proposed development will be an improved outcome for the public domain as it provides for additional spaces for ash internment for communal benefit. The proposed development will retain all existing view corridors through the subject site and does not have any detrimental impact on public amenity.

Development Control	Compliance	Comment
amenity of public plazas and public open spaces.		
13. Excavation	Yes	Satisfactory.

2.2. Other Impacts of the Development

The proposal is considered to have no significant detrimental effect relating to environmental, social or economic impacts on the locality, subject to appropriate conditions being imposed and is recommended for approval.

2.3. Suitability of the Site for the Development

The site is considered suitable for the proposal.

2.4. Any Submissions

The application is identified as integrated development under the *Heritage Act 1977* as well as a council related development application. The application was notified and advertised for at least 28 days between 5 June 2025 and 2 July 2025, with site notices and public exhibition on Council's website in accordance with the *Waverley Community Engagement Strategy 2023* and referred to Heritage NSW for concurrence.

No submissions were received.

2.5. Public Interest

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

3. REFERRALS

The following internal and external referral comments were sought:

3.1. Heritage NSW

Waverley Cemetery is listed as a State Heritage item, identified as SHR #01975 on the NSW State Heritage Inventory and as "Waverley Cemetery Landscape Conservation Area" (C66) Schedule 5 of the Waverley Local Environmental Plan 2012. The application was referred to Heritage NSW for concurrence in accordance with Section 4.47 for Integrated Development under the EP&A Act 1979, and Heritage NSW has provided General Terms of Approval to be included in the Notice of Determination for this development application, should consent be granted.

3.2. Heritage Conservation

The application was referred to Council's external Heritage Advisor, who has raised concerns regarding the lack of specific design strategies for interpretation, signage, landscaping, upgrading of roadways, and the introduction of new materials and features which are not sufficiently addressed in Waverley CMP 2018.

1. *Cobble Stone Paving*

(a) *A justification for cobble stone paving, inclusive of a discussion of alternatives considered is to be provided in the Statement of Heritage Impacts.*

(b) *Consideration should be given to the use of decomposed granite in a strip along the western side of Quinn Road to accommodate the new niche walls in accordance with the Waverley Cemetery Master Plan that suggests the use of decomposed granite along the sides of roadways for landscaping and niche walls.*

(c) *The extent of new paving should be reduced: the transition zones at the north and south ends of Quinn Road should be deleted and the corresponding strip of paving along the eastern side of the road abutting the gutter should be deleted.*

This assessment concurs with the above referral commentary and conditions of consent in relation to point 1(b) and 1(c) are recommended.

2. *Landscaping and new planting*

(a) *Where graves and vaults are orientated to the north- plantings to the corner pockets should be deleted.*

(b) *The proposed planting scheme for Quinn Road should be developed as part of a holistic approach to landscaping across the cemetery.*

(c) *An Arborist report should be provided to consider potential impacts on adjacent graves, vaults and sandstone kerb and gutters as a result of tree roots.*

3. *Landscape Features- Signs, bollards and seating*

(a) *The proposal includes the introduction of new features that are not currently found in the cemetery: freestanding signs, bollards and seating.*

(b) *Any interpretation to be introduced at the cemetery needs to be done in a holistic way.*

(c) *These does not seem to be any provision for new seating accounted for in the Waverley Cemetery CMP or the Waverley Cemetery Master Plan and these features should be addressed as part of a whole of site landscape plan. Suggest the seats should be deleted as they could obscure or block access to adjacent graves.*

(d) *The introduction of removable bollards to the north and south ends of Quinn Road appears inconsistent with the Waverley Cemetery Master Plan which identifies the road as a shared pedestrian/vehicle roadway.*

4. *Interpretation*

(a) *Interpretation of the history of the cemetery does not currently exist on site and any interpretation to be introduced at the cemetery needs to be done in a holistic way.*

5. *Sandstone Kerb and Gutters*

(a) *It is noted on drawing no. LT203B that the western sandstone gutter is to be sawcut straight for the cobble interface and is considered to be inappropriate as the sandstone gutters are graded as being of Exceptional significance and should be retained and conserved.*

(b) *Currently the asphalt roadway is located on top of the edge of the gutter and is to be removed and the road regraded. The asphalt will need to be carefully removed from along both the east and west sides to reveal the full extent of the sandstone gutters before finalising the interface between the gutters and any new road topping or paving. This work should be detailed by a heritage architect as part of a Schedule of Conservation Works.*

(c) *No information has been provided in relation to the efficacy of the existing gutters, which are in fair and sometimes poor condition, and there is a concern that stormwater could potentially pool behind the new niche walls and cause damage to the footings of the sandstone retaining wall adjacent. A hydraulic engineer should be engaged to review the current and proposed situation with these gutters. Any repair or adjustments to the gutters should be detailed by a heritage architect (not a structural engineer).*

6. *Sandstone Wall*

(a) *The proposed repair and repointing works to the sandstone wall along the western side of Quinn Rd should be detailed by a heritage architect (not a structural engineer) with appropriate experience in dealing with historic sandstone walls.*

The issues raised in the referral commentary above are generally addressed and superseded by the General Terms of Approval provided by Heritage NSW.
In relation to point 3(c) regarding seating, Quinn Road being provided with vehicular access, does not include sufficient width to incorporate seating without affecting vehicular access. Therefore, no seating is recommended as per this assessment.
A general condition of consent in relation to point 3(d) is recommended.

7. *Columbarium Niche Walls*

(a) *The proposed design for the niche walls should be adjusted for the coping stone to be weathered and have an overhanging with a drip groove otherwise the face of the stonework will be soiled.*

(b) *The laser cut stone for the walls will be very straight and clean compared to the sandstone throughout the cemetery which is all tooled. The only straight edged stonework is found on headstones. Retaining walls throughout the site are tooled or rusticated sandstone and it would be more appropriate and sympathetic for the niche walls to also be tooled, to blend in with the historical character of the cemetery, particularly since the walls are located immediately in front of a tooled sandstone retaining wall.*

The issues raised in the referral commentary above are acknowledged; however, this assessment does not concur with the recommended amendments for the following reasons:

The proposed design of the columbarium walls consists of laser cut sandstone with beveled edges across horizontal sections. Whilst a straight and clean sandstone finish for the columbarium walls is in contrast with the tooled finish of the sandstone retaining wall, the overall design of the built form reflects the existing design language observed within the cemetery. The simplicity of the sandstone finish for the

columbarium walls avoids imitation with the existing tooled finish of the sandstone retaining wall and is considered to be a beneficial outcome as it will continue to highlight the existing heritage value of the retaining wall in the background of the proposed columbarium walls.

Additionally, in comparison to the existing columbarium walls along Martin Avenue within the cemetery (see **Figure 11**), the overall design of the proposed columbarium walls is an improved outcome in a sympathetic reflection of the cemetery's heritage.

3.3. Stormwater Management

The application was referred to Council's Stormwater Engineers and they have raised no objection to the proposal, subject to the satisfaction of the recommended conditions of consent.

3.4. Tree Management

The application was referred to Council's Tree Management Officer and they have raised no objection to the proposal, subject to the satisfaction of the recommended conditions of consent.

3.5. Environmental Biodiversity Management

The application was referred to Council's Environmental Biodiversity Management Officer and they have raised no objection to the proposal, subject to the satisfaction of the recommended conditions of consent.

3.6. Traffic and Development

The application was referred to Council's Traffic Engineers and they have raised no objection to the proposal, subject to the satisfaction of the recommended conditions of consent.

3.7. Public Domain

The application was referred to Council's Public Domain Officer and they have raised no objection to the proposal, subject to the satisfaction of the recommended conditions of consent.

4. CONCLUSION

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

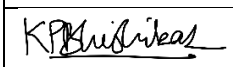
5. RECOMMENDATION TO WAVERLEY LOCAL PLANNING PANEL

That the development application be **APPROVED** by the Waverley Local Planning Panel subject to the conditions in Appendices A (Conditions of Consent) and B (General Terms of Approval from Heritage NSW).

Managers of Development Assessment (MODA) Review

The application was reviewed by the MODA at the meeting on 16 September 2025 and the MODA concurred with the Assessment Planner's recommendation.

MODA members: *B McNamara, B Magistrale, J Zancanaro and O Navratil.*

Report prepared by:	**Application reviewed and agreed by:**	**Application reviewed and agreed by:**
		
Kalyani Bhishikar	Olivia Navratil	Ben Magistrale
Development Assessment Planner	**A/Manager, Development Assessment**	**A/Executive Manager, Development Assessment**
Date: 29 September 2025	**Date: 1 October 2025**	**Date: 13 October 2025**

Reason for WLPP referral:

1. Conflict of interest

OFFICE USE ONLY

Planning Portal Data	
Clause 4.6 register entry required	N/A
Determining Authority	Local Planning Panel
Were the requirements of the Sustainable Buildings SEPP (effective 1 October 2023) met?	N/A
Have any dwellings been approved for affordable Rental Housing under this approval/consent?	No
Secondary Dwelling	No
Boarding House	No
Group Home	No
Does the proposal trigger a Housing & Productivity Contribution? If so, please ensure you have calculated the contribution in the CON case in the Planning Portal.	No
Is the development subject to the Special Infrastructure Contribution (SIC)?	No
Is the development located within an Urban Release area?	No
Waverley Council Data	
Trial Period database entry required	No
VPA submitted – follow up actions required	No
Refer to compliance for investigation	No
Commercial/liquor operational conditions	No
Was there a 'Conflict of Interest' declared	Yes - details are included in the executive summary of the report

Terms and Reasons for Conditions

Under section 88(1)(c) of the EP&A Regulation, the consent authority must provide the terms of all conditions and reasons for imposing the conditions other than the conditions prescribed under section 4.17(11) of the EP&A Act. The terms of the conditions and reasons are set out below.

GENERAL CONDITIONS

	Condition
1.	**APPROVED PLANS AND DOCUMENTATION**

The development must be in accordance with:

(a) Architectural Plans prepared by Taylor Brammer of Project No: 23-060s including the following:

Plan Number and Revision	Plan description	Plan Date	Date received by Council
LT000 Rev A	Cover Sheet	09/09/2024	27/05/2025
LT100 Rev A	Demolition Plan	09/09/2024	27/05/2025
LT101 Rev A	Demolition Plan – North	09/09/2024	27/05/2025
LT102 Rev A	Demolition Plan – South	09/09/2024	27/05/2025
LT200 Rev A	Site Plan Proposed	09/09/2024	27/05/2025
LT201 Rev A	Detail Plan – North	09/09/2024	27/05/2025
LT202 Rev A	Detail Plan – South	09/09/2024	27/05/2025
LT203 Rev B	Detailed Arrangement Plan and Section	03/10/2024	27/05/2025
LT301 Rev A	Planting Plan – North	09/09/2024	27/05/2025
LT302 Rev A	Planting Plan - South	09/09/2024	27/05/2025
LT401 Rev B	Sections and Elevations	15/08/2025	18/08/2025
LT403 Rev A	Test Plan	09/09/2024	27/05/2025
LT501 Rev A	Schedules	09/09/2024	27/05/2025
LT601 Rev B	Details Columbarium Wall	11/04/2025	27/05/2025
LT602 Rev B	Details – Bollard, Jointing and Paving	15/08/2025	18/08/2025
LT603 Rev B	Details – Planting	15/08/2025	18/08/2025
LT604 Rev A	Details Signage Pillar	09/09/2024	27/05/2025
LT605 Rev A	Paving Inlays	09/09/2024	27/05/2025
LT606 Rev A	Interpretation Signage Content	09/09/2024	27/05/2025

(b) Statement of Heritage Impact Waverley Cemetery, prepared by Taylor Brammer, dated 24/04/2025, and received by Council on 27/05/2025.

(c) Statement of Environmental Effects Quinn Road, Waverley Cemetery, Bronte, prepared by BBC Consulting Planners, dated May 2025, and received by Council on 27/05/2025.

	(d) Waverley Cemetery Aboriginal Heritage Due Diligence Assessment, prepared by AMBS Ecology & Heritage, dated April 2025, and received by Council on 27/05/2025. (e) Waverley Cemetery Historical Archaeological Impact Assessment, prepared by AMBS Ecology & Heritage, dated April 2025, and received by Council on 27/05/2025. (f) Geotechnical Investigation for proposed road and columbarium walls prepared by JK Geotechnics dated 4/08/2023 and received by Council on 18/08/2025. (g) Survey Quinn Road Waverley Cemetery, prepared by Core Spatial dated 26/06/2023 and received by Council on 18/08/2025. (h) Traffic Impact Assessment, prepared by Waverley Council dated 11 February 2025, and received by Council on 27/05/2025. (i) Community Consultation Report, prepared by Waverley Council dated March 2024, and received by Council on 27/05/2025. (j) Conflict of Interest Management Statement, prepared by Waverley Council dated 27/05/2025, and received by Council on 04/06/2025. (k) Civil Services Erosion and Sediment Control Plan and Details, prepared by JHA Services dated 11/10/2023, and received by Council on 27/05/2025. Except where amended by the following conditions of consent.
	Condition reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.
2.	**GENERAL MODIFICATIONS**
	The application is approved subject to the following plan amendments: (a) The proposal is to be amended to remove the proposed bollards located at the northwestern and southeastern ends of Quinn Road from the development.
	Condition reason: To ensure the retention of existing accessibility to Quinn Road, and to ensure the proposal's compliance with the Waverley Conservation Management Plan 2018.
	(a) The proposal is to be amended to limit the extent of new paving to the western side of Quinn Road, along the sides of roadways for landscaping and niche walls. (b) The proposed new paving for the northwestern and southeastern transition zones along Quinn Road is to be deleted. (c) The proposed overall cobble stone paving is to be replaced with decomposed granite to maintain consistency with the Waverley Cemetery Masterplan.
	Condition reason: To ensure that the proposed materials are consistent with and sympathetic to the existing materials within the heritage fabric of Waverley Cemetery.

	The amendments are to be approved by the **Executive Manager, Development Assessment or delegate** prior to the issue of any Construction Certificate. An electronic copy of the amended plans or additional information (see website for electronic document requirements) addressing this condition, including a covering letter shall be provided to Council for review.
3.	**HERITAGE CONSERVATION AND MANAGEMENT**
	The application is approved subject to the following conditions as per the Polies under Waverley Conservation Management Plan 2018: (a) All works are to be carried out in accordance with a Schedule of Conservation Works prepared by a built heritage specialist. (b) Properties listed on the State Heritage Register are required to be maintained in accordance with Section 118 of the Heritage Act 1977. (c) Damage to significant fabric is to be repaired wherever practicable. Any significant fabric that cannot be adequately or appropriately repaired may be replaced. New replacement elements are to be based upon the design and configuration of the original element and following the advice of a built heritage specialist. (d) All graves and memorials are to be regarded as important cultural objects and all conservation work to ensure their future retention, and the cemetery as a whole, must be undertaken using minimum intervention. (e) Graves, ash interments, and their associated monuments and plaques must not be disturbed or moved. (f) All monuments should be constructed in accordance with Australian Standard AS 4204 1994 - Headstones and Monuments. (g) Monuments should be fabricated and installed by stonemasons or monumental masons with experience working in cemeteries of heritage significance. (h) Where the physical condition of sandstone kerbs and gutters, drains and drain covers makes replacement necessary, they should be detailed to match the original elements. In particular, sandstone should match the original stone as closely as possible. (i) Where they have dislodged, sandstone kerbs, gutters and drain covers should be re-laid to correct falls and joints and depressions should be re-pointed to ensure adequate water run-off. Mortar used for re-pointing should be of an appropriate mix with a low cement content. (j) Where sandstone kerbs and gutters need to be removed temporarily to allow for consolidation or levelling of substrate, they should be reinstated in their previous locations. (k) Asphalt overruns to sandstone gutters should be removed as long as the process of removal does not damage the stone. (l) Weeds to road surfaces, joints and depressions in kerbs and gutters should be removed on a regular basis.

	(m) In the event of an unexpected archaeological find during the process of excavation, the STOP WORK provisions of the NSW Heritage Act apply. The works must stop immediately around the find and a suitably qualified archaeologist be contacted for appropriate actions and management. (n) A schedule of ongoing maintenance work should be developed and regular inspection, monitoring and maintenance works undertaken in accordance with the developed schedule.
	Condition reason: To preserve and appropriately maintain the significant heritage fabric of Waverley Cemetery.
4.	**APPOINTMENT OF ON-SITE ARBORIST**
	The applicant is to appoint an on-site arborist to oversee tree protection measures throughout the building works.
	Condition reason: To ensure trees remain unimpacted by the proposal.
5.	**LANDSCAPE WORKS IN A HABITAT CORRIDOR**
	An amended landscape plan is to be submitted to and approved by Council's Executive Manager, Environmental Sustainability (or delegate) with: (a) A plant species list having a minimum of 90% of the shrubs and 90% of the grasses and groundcovers (not including turfed areas) of indigenous or local native plants listed in Annexure B3-1 of the Waverley Development Control Plan 2022. Cultivars or hybrids of listed plant species are not to be counted towards this requirement. (b) Three strata of vegetation are required to be included in the landscape design, e.g. (i) tall shrub canopy, (ii) mid-storey and (ii) groundcover layer. (c) The eleven (11) Banksia integrifolia (Coastal Banksia) replaced with Banksia ericifolia (Heath-leaved Banksia). Landscape plans must include a planting schedule that lists all plant species proposed, the number of plants of each species proposed, and indicate whether each plant species proposed is listed in Annexure B3-1.
	Condition reason: To protect and enhance the biodiversity habitat corridor by ensuring indigenous and local native plants are provided for local biodiversity.

BUILDING WORK

BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE

	Condition
6.	**NO BUILDING OR DEMOLITION WORKS PRIOR TO RELEASE OF CONSTRUCTION CERTIFICATE**
	The building work, or demolition work, must not be commenced until: (a) a Construction Certificate has been obtained from Council or an Accredited Certifier in accordance with the *Environmental Planning and Assessment Act 1979*; (b) a Principal Certifying Authority has been appointed, and Council has been notified of the appointment in accordance with the *Environmental Planning and Assessment Act 1979 and Environmental Planning and Assessment Regulation 2021*; and (c) Council is given at least two days' notice in writing of the intention to commence the building works.
	Condition reason: To ensure a Construction Certificate is obtained prior to work commencing.
7.	**SECTION 7.12 CONTRIBUTION**
	A monetary development contribution is payable to Waverley Council pursuant to section 7.12 of the *Environmental Planning and Assessment Act 1979* and the Waverley Council Development Contributions Plan in accordance with the following: (a) Where the total development cost is $500,000 or less: (i) a **Cost Summary Report** or **Building Contract** (dated within 12 months) or similar is to be submitted to Council's Customer Service Centre to process payment. (b) Where the total development cost is more than $500,000 but less than $1,000,000: (i) a **Detailed Cost Report** (dated within 12 months) prepared by a registered Quantity Surveyor, **Building Contract**, or similar is to be submitted to Council's Customer Service Centre to process payment. (c) Where the total development cost is $1,000,000 or more: (i) a **Detailed Cost Report** (dated within 12 months) prepared by a registered Quantity Surveyor, **Building Contract**, or similar is to be submitted to and approved by Council's Executive Manager, Urban Planning, Policy and Strategy (or delegate). Please forward documents to info@waverley.nsw.gov.au attentioned to Strategic Planning, and reference the relevant application number, address and condition number to satisfy.

	(ii) Upon confirmation of the contribution amount by Council's Executive Manager, Urban Planning, Policy and Strategy (or delegate), payment is to be processed via the Customer Service Centre. (iii) Should there be a discrepancy between the cost of works approved in subclause (b)(i) and the DA fee nominated in the original DA, then additional DA Fees may be payable prior to the issue of a Construction Certificate. A copy of the required format for the cost reports are provided in the Waverley Council Contributions Plan, available on Council's website. (d) As legislated in section 209 of the Environmental Planning and Assessment Regulation 2021, the levy must be paid in accordance with the following: (i) A development valued at $100,000 or less will be exempt from the levy; (ii) A development valued at $100,001 - $200,000 will attract a levy of 0.5% of the full cost of the development; or (iii) A development valued at more than $200,000 will attract a levy of 1% of the full cost of the development. Prior to the issue of any Construction Certificate, evidence must be provided that the levy has been paid to Council in accordance with this condition or that the cost of works is less than $100,000.
	Condition reason: To ensure the Section 7.12 Contributions are paid.
8.	**SECURITY DEPOSIT**
	A deposit (cash or cheque) for the amount of **$59,060.00** must be provided to Council for any damage caused to any property of the consent authority (ie. public land) as a consequence of the works and completing any public work (such as road work, kerbing and guttering, footway construction, stormwater drainage and environmental controls) required in connection with the consent. This deposit (cash or cheque) must be provided to Council prior to the issue of any Construction Certificate. The full amount of the deposit, minus Council's costs for any repair of damage to Council property or rectification of unauthorised works on Council property, will be refunded after satisfactory completion all of works associated with this consent (including the required public works) to the person who paid the deposit.
	Condition reason: To ensure any damage to public infrastructure is rectified and public works can be completed.
9.	**LONG SERVICE LEVY**
	A long service levy, as required under section 34 of the Building and Construction Industry Long Service Payments Act, 1986, is to be paid in respect of this building work. Evidence that the levy has been paid is to be submitted to the Principal Certifying Authority prior to the issue of any Construction Certificate.

	Note: Council acts as an agent for the Long Service Payment Corporation and the levy may be paid at Council's office. The levy rate is 0.25% of building work costing $250,000 or more.
	Condition reason: To ensure the long service levy is paid.
10.	**ENGINEERING PLANS ASSESSMENT AND WORKS INSPECTION FEES**
	The applicant is to pay to Council fees for assessment of all engineering plans and inspection of the completed works in the public domain inclusive of all stormwater assessment, in accordance with Council's Schedule of Fees & Charges at the time of engineering plan approval, prior to such approval being granted by Council. An invoice will be issued to the applicant for the amount payable, which will be calculated based on the design plans for the subject development.
	Condition reason: To ensure Council assessment fees are paid.
11.	**HOARDING**
	To ensure the site is contained during construction, a hoarding is required for the approved works, which is to be designed and constructed in accordance with the requirements of Safe Work NSW. Where the hoarding is to be erected over the footpath or any public place, the approval of Council's Compliance Unit must be obtained and the applicable fees paid, prior to the erection of the hoarding.
	Condition reason: To ensure safety to the general public.
12.	**EROSION & SEDIMENT CONTROL**
	A Soil and Water Management Plan (SWMP), also known as an Erosion and Sediment Control Plan must be prepared in accordance with Waverley Council's Water Management Technical Manual. The SWMP must be approved by the Principal Certifying Authority prior to the issue of a Construction Certificate. A copy of the SWMP must be kept on site at all times and made available to Council officers upon request. The recommendations of the SWMP must be implemented and maintained during all construction activities and until the site is fully stabilised following construction.
	Condition reason: To ensure sediment laden runoff and site debris do not impact local stormwater systems and waterways.
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.
	Condition reason: To ensure any excavation, shoring or pile construction is carried out in a safe manner.
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.
	Condition reason: To ensure structural stability of work on site.
15.	**CONSTRUCTION TRAFFIC MANAGEMENT PLAN (CTMP)**
	To minimise possible impacts of construction vehicles, 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 or demolition on the site. 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 Once approved, the works must be undertaken in line with and comply with the CTMP. Any modifications must be approved by Council's Executive Manager, Infrastructure Services, or delegate.
	Condition reason: To require details of measures that will protect the public, and the surrounding environment, during site works and construction.
16.	**PRE-CONSTRUCTION STORMWATER PIT CCTV DILAPIDATION REPORT**
	Prior to commencing any works, an internal CCTV inspection of Council's adjacent stormwater inlet pit in Quinn Road is required to determine its condition. The CCTV report, prepared by an accredited operator using a track-mounted camera, must assess the pit's structural and serviceability condition. A dilapidation report, including photographic evidence of the pit's internal condition, must be prepared and submitted by an engineer to confirm the existing structural and serviceability condition. The report must be dated and submitted to Council's Executive

	Manager, Infrastructure Services (or delegate) for approval. No works on Council's stormwater infrastructure will commence until Council's approval is given.
	Condition reason: To **c**onfirm the condition of the stormwater pipes and pits servicing the site prior to works occurring which may damage them.
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.
	Condition reason: To ensure resource recovery is promoted and the local amenity is protected during construction.
18.	**PRE- DEMOLITION DILAPIDATION REPORT**
	To ensure Council's infrastructure is adequately protected, a pre-demolition dilapidation report on the existing public infrastructure in the vicinity of the proposed development and along the travel routes of all construction vehicles for up to 100m is to be submitted to Council. The report must detail, but not be limited to, the location, description, and photographic record (in colour) of any observable defects to the following infrastructure where applicable: (a) Sandstone wall and railing (b) Kerb and gutter (c) Road pavement (d) Access stairs on western side of Quinn Road (e) Inlet pits (f) Any landscaping (g) Any other relevant infrastructure The report is to be dated, submitted to, and accepted by Council's Infrastructure Engineer, prior to any work commencing on the site. All fees and charges associated with the collation of this report must be borne by the Applicant.
	Condition reason: This condition is imposed to protect Councill's existing infrastructure and assets including the roadways and footpath from the construction activities undertaken by the developments.

19.	**PROTECTIVE FENCING**
	Prior to the issue of any construction certificate: (a) Protective fencing must be erected around each tree nominated for retention and protection. (b) The protective fencing shall remain in place for the duration of the works, it must be secured to restrict access and must not be removed or altered without approval from the on-site arborist. (c) Fencing should be installed in accordance with AS 4687 (d) Protective fencing shall comprise of 1800mm high chain link wire mesh fixed to 50mm galvanised steel posts. (e) Portable chain link fencing may be installed. (f) Chain link portable panels must be securely fixed top and bottom to avoid separation. (g) Coloured plastic tape fencing or plain strained fencing wire fixed to steel droppers is unacceptable. (h) Signs identifying the Tree Protection Zone (TPZ) are to be placed around the edge of the TPZ and be visible from within the development site. Contact telephone numbers for the site arborist/site manager shall be clearly shown on all warning signs.
	Condition reason: To create an exclusion zone around the tree throughout the construction to ensure all tree parts are protected and to advise contractors and visitors to the site of the purpose for protecting and preserving the tree (s)
20.	**TRUNK AND BRANCH PROTECTION**
	Where protective fencing is not possible, trunk protection is to be installed with the following: (a) The placement of 1.8m or less lengths of 75 mm x 40 mm hardwood or pine spaced at 125 mm centres around the trunk secured in place by metal strap bindings or 10-gauge fencing wire fixed at 300 mm centres. Prior to placing battens install a soft protective padding to ends of timbers to prevent damage to bark and conducting tissue. (b) Trunk protection must remain in place for the duration of all site work. (c) Tree crowns may be injured by machinery such as excavators, drilling rigs, cranes, trucks, hoarding installation, and scaffolding. The tree protection zone may need to include additional protection of the above ground parts of the tree. (d) Crown protection may include pruning, tying-back of branches or other measures. If pruning is required, requirements are specified in AS 4373 and should be undertaken before the establishment of the TPZ.

	Condition reason: To ensure all tree parts are protected throughout the construction.
21.	**TREE PROTECTION CERTIFICATE**
	The onsite arborist is to provide a certificate to Council stating that appropriate tree protection measures have been installed for the trees to be retained and protected.
	Condition reason: To ensure trees are protected prior to work commencing.

BEFORE BUILDING WORK COMMENCES

	Condition
22.	**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.
	Condition reason: To ensure the general public are afforded the Principal Certifying Authority and principal contractor's (the coordinator of the building works) contact details.
23.	**DEMOLITION – ASBESTOS AND HAZARDOUS MATERIALS**
	The demolition, removal, storage, handling and disposal of products and materials containing asbestos must be carried out in accordance with the relevant requirements of SafeWork NSW and the NSW Environment Protection Authority (EPA), including: • Work Health and Safety Act 2011; • Work Health and Safety Regulation 2017; • SafeWork NSW Code of Practice for the Safe Removal of Asbestos; • Australian Standard 2601 (2001) – Demolition of Structures; • *Protection of the Environment Operations Act 1997.* At least 5 days prior to the demolition, renovation work or alterations and additions to any building, the person acting on the consent shall submit a Work Plan to the Principal Certifying Authority in accordance with Australian Standard AS 2601-2001, Demolition of Structure and a Hazardous Materials Assessment prepared by a person with suitable expertise and experience. The Work Plan and Hazardous Materials Assessment shall: (a) Outline the identification of any hazardous materials, including surfaces coated with lead paint; (b) Confirm that no asbestos products are present on the subject land, or (c) Particularise a method of safely disposing of the asbestos in accordance with the Code of Practice on how to safely remove asbestos published by SafeWork NSW (catalogue WC03561); (d) Describe the method of demolition; (e) Describe the precautions to be employed to minimise any dust nuisance; and (f) Describe the disposal methods for hazardous materials.
	Condition reason: To ensure the safety of workers and the general public.

24.	**PROTECTING TREES ON DEVELOPMENT SITES**
	(a) Throughout construction, tree protection measures installed are to be retained in accordance with Waverley Council's Development Control Plan 2022, the Landscape Plan, and Australian Standard – AS 4970 – 2009 - Protection of Trees on Development Sites. (b) If any trees identified to be retained and protected are found to be faulty, damaged, dying, or dead, they must be removed and replaced with the same species at the applicant's expense. (c) All approved tree work must be carried out by minimum AQF Level 3 arborist in accordance with AS 4373-2007 Pruning of amenity trees.
	Condition reason: To ensure trees remain unimpacted by construction
25.	**TREE WORK**
	(a) If any trees on the site or on neighbouring properties require pruning, then permission must be gained from the owner of the tree(s) and an application to Prune or Remove Trees on Private Property is then to be submitted to Waverley Council for processing. (b) If any trees on Council owned land require pruning, the applicant must submit a tree pruning report, prepared by an Arborist with AQF level 5 qualification or above with photos showing the branches that need to be removed to Council's Tree Management Officer for approval prior to any works occurring.
	Condition reason: To ensure trees remain unimpacted by construction
26.	**PUBLIC DOMAIN UPGRADES**
	The public domain is to be upgraded along the street frontage for the site at the owner's expense in accordance with the current Waverley Council Development Control Plan (DCP) and Public Domain Technical Manual (PDTM) at the time of engineering plan approval, prior to construction. A detailed plan of the works required on Council's Road reserve/footpath area are to be submitted to Council for the approval of the Executive Manager, Infrastructure Services (or delegate) prior to those works commencing. The following detailed engineering plans and specifications for the following infrastructure works to Council's Public Domain Engineer: (a) All public domain infrastructure including the upgrade of footpath, road pavement, street landscaping, kerb and gutter (b) Be drawn by a suitably qualified and experienced engineering professional (c) Show existing and proposed levels outside the site details for a distance of not less than 20m to the north and south of the site

	(d) Include boundary floor and doorway levels inside the site at all street frontages (e) Include plantings and other features to be installed in the footpath area as part of landscaping works. (f) Include the location and alignment of entry and exit points to the site. (g) No utility pillars or columns shall be erected within the Council Road reserve to support the new development. Any proposed utility erections to be constructed with the property boundary or undergrounded, with all authority approvals to be communicated to Council with written confirmation, before executing any works. A fee is applicable for this assessment as per Council's Schedule of Fees & Charges. An invoice will be issued to the owner for the amount payable, which will be calculated based on the design plans for the public domain works.
	Condition reason: To ensure public domain upgrade works are done correctly.

DURING BUILDING WORK

	Condition
27.	**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.
	Condition reason: To ensure the safety of workers and the general public.
28.	**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.*
	Condition reason: To ensure compliance with the Protection of the Environment Operations Act 1997 and the NSW EPA Waste Classification Guidelines 2014.
29.	**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 or 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.
	Condition reason: To ensure structural stability of work on site and general safety.
30.	**CONSTRUCTION HOURS**
	Demolition and building work must only be undertaken between the hours of 7am and 5pm on Mondays to Fridays and 8am to 3pm on Saturdays, with no work to be carried out on Sundays and public holidays.

	Excavation works involving the use of heavy earth movement equipment, including rock breakers and the like, must only be undertaken between the hours of 7am and 5pm on Mondays to Fridays, with no such work to be carried out on Saturday, Sunday or a public holiday. Noise from construction activities shall comply with the *Protection of the Environmental Operations (Noise Control) Regulation 2017.*
	Condition reason: To protect the amenity of the surrounding area.
31.	**STOCKPILES, STORAGE OF MATERIALS AND LOCATION OF BUILDING OPERATIONS**
	All building materials and any other items associated with the development are to be stored within the property. No materials are to be stored on Council's footpath, nature strip, or road reserve without prior Council approval.
	Condition reason: To ensure building material is stored in an appropriate location.
32.	**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, Part 8 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021* and the requirements of any other applicable legislation or instruments.
	Condition reason: To ensure regular inspections occur throughout the construction process.
33.	**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.
	Condition reason: To ensure buildings are sited and positioned in the approved location.
34.	**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.
	Condition reason: To ensure buildings are sited and positioned in the approved location.

35.	**WORK OUTSIDE PROPERTY BOUNDARY**
	This consent does not authorise any work outside the property boundary.
	Condition reason: To ensure buildings are sited and positioned in the approved location.
36.	**ACTIVITIES EXCLUDED WITHIN TREE PROTECTION ZONE (TPZ)**
	Activities excluded from the TPZ include but are not limited to: (a) Stockpiling of bulk materials, spoil or fill (b) Machine excavation including trenching (c) Excavation for silt fencing (d) Cultivation (e) Preparation or disposal of chemicals, including preparation of cement products (f) Parking of vehicles and plant machinery (g) Refuelling (h) Dumping of waste (i) Wash down and cleaning of equipment (j) Lighting of fires (k) Soil level changes (l) Temporary or permanent installation of utilities and signs (m) Physical damage to the tree (n) Ground compaction
	Condition reason: To ensure precautions are taken when working near trees during construction.
37.	**ENCROACHMENTS**
	(a) Works within the TPZ will require the authorisation of the site arborist. (b) The preferred method of examination and or excavation within the SRZ is the application of non-invasive vacuum or hydro excavation. This practice is now widely adopted in sensitive situations that require root investigation. (c) Tree sensitive construction measures such as pier and beam, suspended slabs, cantilevered building sections, screw piles and contiguous piling may be adopted to minimize the impact of encroachment.
	Condition reason: To ensure precautions are taken when working near trees during construction.

38.	**ROOT PRUNING**
	(a) When determining the potential impacts of encroachment into the TPZ, the site arborist should consider the following: (i) Location and distribution of the roots to be determined through non-destructive investigation methods (pneumatic, hydraulic, hand digging or ground penetrating radar). Photographs should be taken and a root zone map prepared. (ii) NOTE: Regardless of the method, roots must not be cut, bruised or frayed during the process. It is imperative that exposed roots are kept moist and the excavation back filled as soon as possible. (iii) The potential loss of root mass resulting from the encroachment: number and size of roots. (b) Where roots within the TPZ are exposed by excavation, temporary root protection should be installed to prevent them drying out. This may include jute mesh or hessian sheeting as multiple layers over exposed roots and excavated soil profile, extending to the full depth of the root zone. Root protection sheeting should be pegged in place and kept moist during the period that the root zone is exposed. (c) If any tree roots are exposed during any approved works, then roots smaller than 30mm are to be pruned as per the specifications below: (i) They shall be cut cleanly by hand, by an experienced Arborist/Horticulturist (minimum AQF Level 3 Certificate in Horticulture or Certificate 3 in Arboriculture) (ii) It is the on-site arborist's responsibility to determine if such root pruning is suitable. If there are any concerns regarding this process, then Waverley Council's Tree Management Officer is to be contacted to make final determination.
	Condition reason: To ensure precautions are taken when working near trees during construction.
39.	**MANUAL EXCAVATION**
	All demolition and excavation along the pathway shall be carried out with manual excavation which should be carried out under the supervision of the on-site arborist to identify roots critical to tree stability.
	Condition reason: To ensure the trees to be retained remain unimpacted.

BEFORE ISSUE OF AN OCCUPATION CERTIFICATE

	Condition
40.	**SUPERVISING ENGINEER FINAL CERTIFICATE – PUBLIC DOMAIN**
	Prior to the issue of any Occupation Certificate for the works, the Applicant must 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 must include commentary to support any variations from the approved drawings.
	Condition reason: This is to ensure that the proposed works constructed within the Council's public domain are as per the approved design plans and certified by the applicant's supervising engineer.
41.	**POST-CONSTRUCTION STORMWATER PIT CCTV & DILAPIDATION REPORT**
	Following construction, a post-construction CCTV inspection of Council's stormwater inlet pit in Quinn Road must be conducted by an accredited operator. The CCTV report, prepared using a track-mounted camera, must assess the pit's structural and serviceability condition. A post-construction dilapidation report, including photographic evidence of the pit's internal condition, must be prepared by an engineer or plumber to confirm the final structural and serviceability condition. The reports must be submitted to Council's Executive Manager, Infrastructure Services (or delegate) for approval. Written approval of the CCTV footage and reports is required prior to the issue of the Occupation Certificate, confirming that Council's stormwater assets have not been damaged during the works.
	Condition reason: Ensure Council's stormwater infrastructure was adequately protected and there is no damage due to the construction activities or the connection to the private property connection.
42.	**CERTIFICATION OF NEWLY CONSTRUCTED AND RETAINED INFRASTRUCTURE ASSETS**
	Prior to the issue of any Occupation Certificate, certification must be provided from a suitably qualified and practicing Structural Engineer. This certification should confirm that: (a) The new columbarium walls along the western edge of Quinn Road, have been constructed in accordance with the approved design, relevant engineering standards, and good engineering practice. (b) The existing sandstone retaining wall has been assessed and is structurally sound, with any necessary repairs or maintenance having been carried out to ensure its stability and integrity.

	A copy of the certifications must be submitted to Waverley Council for approval and record-keeping purposes.
	Condition reason: To ensure infrastructure assets been constructed or retained as per approved design, relevant engineering standards, and good engineering practice.
43.	**TREE PROTECTION MEASURES TO BE REMOVED**
	All tree protection shall be removed prior to the issuing of the Occupation Certificate.
	Condition reason: To ensure that the tree can continue to grow post construction.
44.	**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.
	Condition reason: Confirmation of plantings

APPENDIX B - GENERAL TERMS OF APPROVAL – HERITAGE NSW

The Terms of Approval for Integrated Development as advised by the Heritage NSW are as follows:

DETAILS TO BE SUBMITTED FOR APPROVAL

1. The following information is to be submitted with the s60 application for approval by the Heritage Council of NSW (or delegate):

   A construction management plan is to be provided that includes site protection around existing burials including a protective fence during new landscaping works to ensure burials are not disturbed.

   Amended landscape plans indicating a smaller Banksia species or cultivar that can attain and be maintained at a maximum height of 1.5m.

   Reason: The details requested were either not supplied during the assessment of the application or were considered to be unsympathetic to the heritage values. The assessment and management of these details is considered essential in order to obtain a good heritage outcome.

HERITAGE CONSULTANT

2. A suitably qualified and experienced heritage consultant must be nominated for this project. The nominated heritage consultant must provide input into the detailed design, provide heritage information which outlines the heritage significance of the site and the archaeological potential to be imparted to all tradespeople during site inductions, and oversee the works to minimise impacts to heritage values. The nominated heritage consultant must be involved in the selection of appropriate tradespersons and must be satisfied that all work has been carried out in accordance with the conditions of this consent.

   Reason: So that appropriate heritage advice is provided to support best practice conservation and ensure works are undertaken in accordance with this approval.

SPEACIALIST TRADESPERSONS

3. All work to, or affecting, significant fabric shall be carried out by suitably qualified tradespersons with practical experience in conservation and restoration of similar heritage structures, materials and construction methods.

   Reason: So that construction, conservation and repair of significant fabric follows best heritage practice.

SITE PROTECTION

4. Significant built and landscape elements are to be protected during the site preparation and the work from potential damage. Protection systems must ensure significant fabric, including landscape elements, is not damaged or removed.

   Reason: To ensure significant fabric including vegetation is protected during construction.

HERITAGE INTERPRETATION PLAN

5. An interpretation plan must be prepared in accordance with the Heritage NSW publication 'Interpreting Heritage Places and Items Guidelines'(2005) and submitted for approval to the Heritage Council of NSW (or delegate) prior to the issue of a Construction Certificate/ Government certification.
6. The interpretation plan must detail how information on the history and significance of Waverley Cemetery will be provided for the public, and make recommendations regarding public accessibility, signage and lighting. The plan must identify the types, locations, materials, colours, dimensions, fixings and text of interpretive devices that will be installed as part of this project.
7. The approved interpretation plan must be implemented prior to the issue of an Occupation Certificate.

   Reason: Interpretation is an important part of every proposal for works at heritage places.

HISTORICAL ARCHAEOLOGY

8. The Applicant shall submit an Archaeological Research Design and Excavation Methodology for archaeological monitoring of the ground disturbing works as part of the Section 60 application. The Archaeological Research Design and Excavation Methodology must include measures to identify and manage any unmarked burials within the subject site. This must be undertaken by a suitably qualified and experienced historical archaeologist.
9. The Applicant shall submit the name of a nominated Excavation Director suitably to satisfy the Excavation Director Criteria of the Heritage Council of NSW for the proposed activity and significance level.
10. Following the receipt of the Archaeological Research Design and Excavation Methodology part of the Section 60 application, the Heritage Council of NSW reserves the right to issue Archaeological Conditions as part of the Section 60 Approval to manage the archaeology. Matters such as (but not limited to) fieldwork methodology, artefact analysis, final reporting may be included as part of these archaeological conditions.

    Reason: To ensure any potentially unmarked burials and /or archaeological resources at the site are appropriately managed.

UNEXPECTED FINDS

11. The Applicant must ensure that if substantial intact archaeological deposits and/ or State significant relics or any other buried fabrics are discovered, work must cease in the affected area(s) and the Heritage Council of NSW must be notified. Additional assessment and approval may be required prior to works continuing in the affected area(s) based on the nature of the discovery.

    Reason: All significant fabric within a State Heritage Register curtilage should be managed according to its significance. This is a standard condition to identify to the applicant how to proceed if historical archaeological relics, or other unexpected, buried discoveries such as works are identified during the approved project.

ABORIGINAL OBJECTS

12. Should any Aboriginal objects be uncovered by the work which is not covered by a valid Aboriginal Heritage Impact Permit, excavation or disturbance of the area is to stop immediately and Heritage NSW is to be informed in accordance with the National Parks and Wildlife Act 1974. Works affecting aboriginal objects on the site must not continue until Heritage NSW has been informed and the appropriate approvals are in place. Aboriginal objects must be managed in accordance with the National Parks and Wildlife Act 1974.

    Reason: This is a standard condition to identify to the applicant how to proceed if aboriginal objects are unexpectedly identified during works.

COMPLIANCE

13. If requested, the applicant and any nominated heritage consultant may be required to participate in audits of Heritage Council of NSW approvals to confirm compliance with the conditions of consent.

    Reason: To ensure that the proposed works are completed as approved.

SECTION 60 APPLICATION

14. An application under section 60 of the Heritage Act 1977 must be submitted to, and approved by, the Heritage Council of NSW (or delegate), prior to work commencing.

    Reason: To meet legislative requirements.

ADVICE

Section 148 of the Heritage Act 1977 (the Act) allows people authorised by the Minister to enter and inspect, for the purposes of the Act, with respect to buildings, works, relics, movable objects, places or items that is or contains an item of environmental heritage. Reasonable notice must be given for the inspection.

Right of appeal

if you are dissatisfied with this determination, Section 70A of the Act gives you the right of appeal to the Land Environmental Court.

If you have any questions about this correspondence, please contact Spiros Spyrou, Senior Assessments Officer at Heritage NSW on (02) 9873 8500 or heritagemailbox@environment.nsw.gov.au.

GENERAL ADVISORY NOTES

	Condition
1.	**DEVELOPMENT IS TO COMPLY WITH LEGISLATION**
	This consent contains the conditions imposed by the consent authority which are to be complied with when carrying out the approved development. However, this consent is not an exhaustive list of all obligations which may relate to the carrying out of the development under the EP&A Act, EP&A Regulation and other legislation.
2.	**DEVELOPMENT MUST MEET CONDITIONS OF CONSENT**
	The approved development must be carried out in accordance with the conditions of this consent. It is an offence under the EP&A Act to carry out development that is not in accordance with this consent.
3.	**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.

4.	**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.
5.	**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.
6.	**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.
7.	**EXCAVATION TO BE LIMITED**
	Excavation shall be limited to that shown in the approved plans. Any further excavation will require Council approval.
8.	**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.

9.	**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. Details on additional criteria regarding tree on development sites can be found in Waverley Council Tree Management Guidelines 2022, 10. Appendices.
10.	**LANDSCAPE WORKS IN A HABITAT CORRIDOR**
	The applicant must provide written confirmation from a suitably qualified and experienced landscape contractor, bush regenerator, or ecologist that: • All landscape works have been completed in accordance with the approved Landscape Plan. • All plants procured and planted match those specified in the approved Landscape Plan and no cultivars, hybrids, or other substitutions have been used in place of the approved native species selected from Waverley Council's planting list (Waverley Council's DCP 2022, Annexure B3-1). • Evidence is to be submitted to the satisfaction of Council's Executive Manager, Environmental Sustainability (or delegate). The applicant must contact Council to arrange an inspection of completed landscaping. Council's Executive Manager, Environmental Sustainability (or delegate) will undertake the inspection.

Dictionary

The following terms have the following meanings for the purpose of this determination (except where the context clearly indicates otherwise):

Approved plans and documents means the plans and documents endorsed by the consent authority, a copy of which is included in this notice of determination.

AS means Australian Standard published by Standards Australia International Limited and means the current standard which applies at the time the consent is issued.

Building work means any physical activity involved in the erection of a building.

Certifier means a council or a person that is registered to carry out certification work under the *Building and Development Certifiers Act 2018*.

Construction certificate means a certificate to the effect that building work completed in accordance with specified plans and specifications or standards will comply with the requirements of the EP&A Regulation and *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*.

Council means Waverley Council.

Court means the Land and Environment Court of NSW.

EPA means the NSW Environment Protection Authority.

EP&A Act means the *Environmental Planning and Assessment Act 1979.*

EP&A Regulation means the *Environmental Planning and Assessment Regulation 2021.*

Independent Planning Commission means Independent Planning Commission of New South Wales constituted by section 2.7 of the EP&A Act.

Local planning panel means Waverley Local Planning Panel.

Occupation certificate means a certificate that authorises the occupation and use of a new building or a change of building use for an existing building in accordance with this consent.

Principal certifier means the certifier appointed as the principal certifier for building work or subdivision work under section 6.6(1) or 6.12(1) of the EP&A Act respectively.

Site work means any work that is physically carried out on the land to which the development the subject of this development consent is to be carried out, including but not limited to building work, subdivision work, demolition work, clearing of vegetation or remediation work.

Stormwater drainage system means all works and facilities relating to:
the collection of stormwater,

the reuse of stormwater,

the detention of stormwater,

the controlled release of stormwater, and

connections to easements and public stormwater systems.

Strata certificate means a certificate in the approved form issued under Part 4 of the *Strata Schemes Development Act 2015* that authorises the registration of a strata plan, strata plan of subdivision or notice of conversion.

Subdivision certificate means a certificate that authorises the registration of a plan of subdivision under Part 23 of the *Conveyancing Act 1919*.

Subdivision works certificate means a certificate to the effect that subdivision work completed in accordance with specified plans and specifications will comply with the requirements of the EP&A Regulation.

Sydney district or regional planning panel means Sydney Eastern City Planning Panel.

Suitably qualified acoustic consultant means 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.

Waverley Cemetery Renewal and Enhancements

St Thomas St &, Trafalgar St, Bronte NSW 2024
Quinn Road Columbariuml Project

LANDSCAPE ARCHITECTURE - TENDER DOCUMENTATION

Sheet List

Sheet Number	Sheet Name	Current Revision
LT000	COVER SHEET AND DRAWING REGISTER	A
LT100	DEMOLITION PLAN	A
LT101	DEMOLITION PLAN - NORTH	A
LT102	DEMOLITION PLAN - SOUTH	A
LT200	SITE PLAN PROPOSED	A
LT201	DETAIL PLAN - NORTH	A
LT202	DETAIL PLAN - SOUTH	A
LT203	DETAILED ARRANGEMENT PLAN AND SECTION	B
LT301	PLANTING PLAN - NORTH	A
LT302	PLANTING PLAN - SOUTH	A
LT401	SECTIONS AND ELEVATIONS	A
LT501	SCHEDULES	A
LT601	DETAILS - COLUMBARIUM WALL	A
LT602	DETAILS - BOLLARD, JOINTING AND PAVING	A
LT603	DETAILS - PLANTING	A
LT604	DETAILS - SIGNAGE PILLAR	A
LT605	PAVING INLAY	A
LT606	INTERPRETATION SIGN CONTENT	A



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NOTES:
1. Figured dimensions shall be taken in preference to scaling.
2. The contractor shall check all dimensions on site before commencing work.

ISSUE	DESCRIPTION	DATE
A	TENDER	09.09.2024
P5	STRUCTURAL INPUTS	12.07.2024
P4	DRAFT TENDER	28.06.2024
P3	DRAFT TENDER	14.06.2024
P2	DRAFT TENDER	03.06.2024
P1	DRAFT TENDER	08.02.2024

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St Thomas St &, Trafalgar St, Bronte NSW 2024
Quinn Road Columbariuml Project

CLIENT:
Waverley Council

DRAWING TITLE:
COVER SHEET AND DRAWING REGISTER

SCALE:
DATE: DATE
DRAWN: MR / AL
CHECKED: DMT
JOB NO.: 23-060s
DESIGNED: AL
DRAWING NUMBER: LT000
REVISION: A

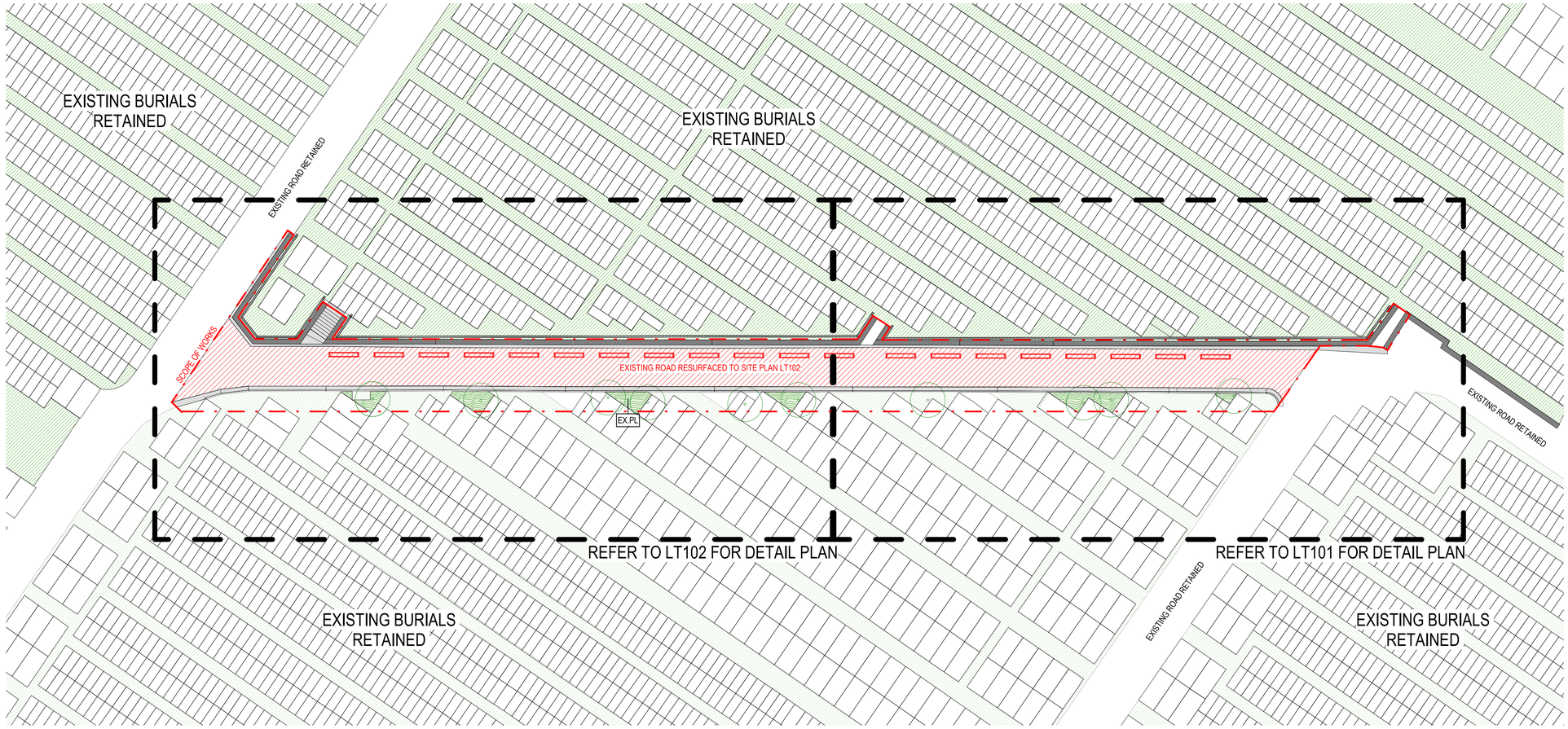
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1 DEMOLITION SITE PLAN
1 : 250

NOTES:
1. Figured dimensions shall be taken in preference to scaling.
2. The contractor shall check all dimensions on site before commencing work.

LEGEND

- SCOPE OF WORKS
- EXISTING TREES TO BE RETAINED
- 51.50 EXISTING CONTOURS
- + e 51.50 EXISTING RLS
- EXISTING TO BE DEMOLISHED
- EX.TU EXISTING TURF RETAINED
- EXISTING STONE GUTTER RETAINED
- EX.WL EXISTING STONE WALL TO BE RETAINED
- EXISTING BURIALS TO BE RETAINED
- EX.PL EXISTING PLANTING TO BE RETAINED
- NEW COLUMBARIUM WALLS SAWCUT FOR INSTALLATION

ISSUE	DESCRIPTION	DATE
A	TENDER	09.09.2024
P5	STRUCTURAL INPUTS	12.07.2024
P4	DRAFT TENDER	28.06.2024
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St Thomas St &, Trafalgar St, Bronte NSW 2024
Quinn Road Columbariuml Project

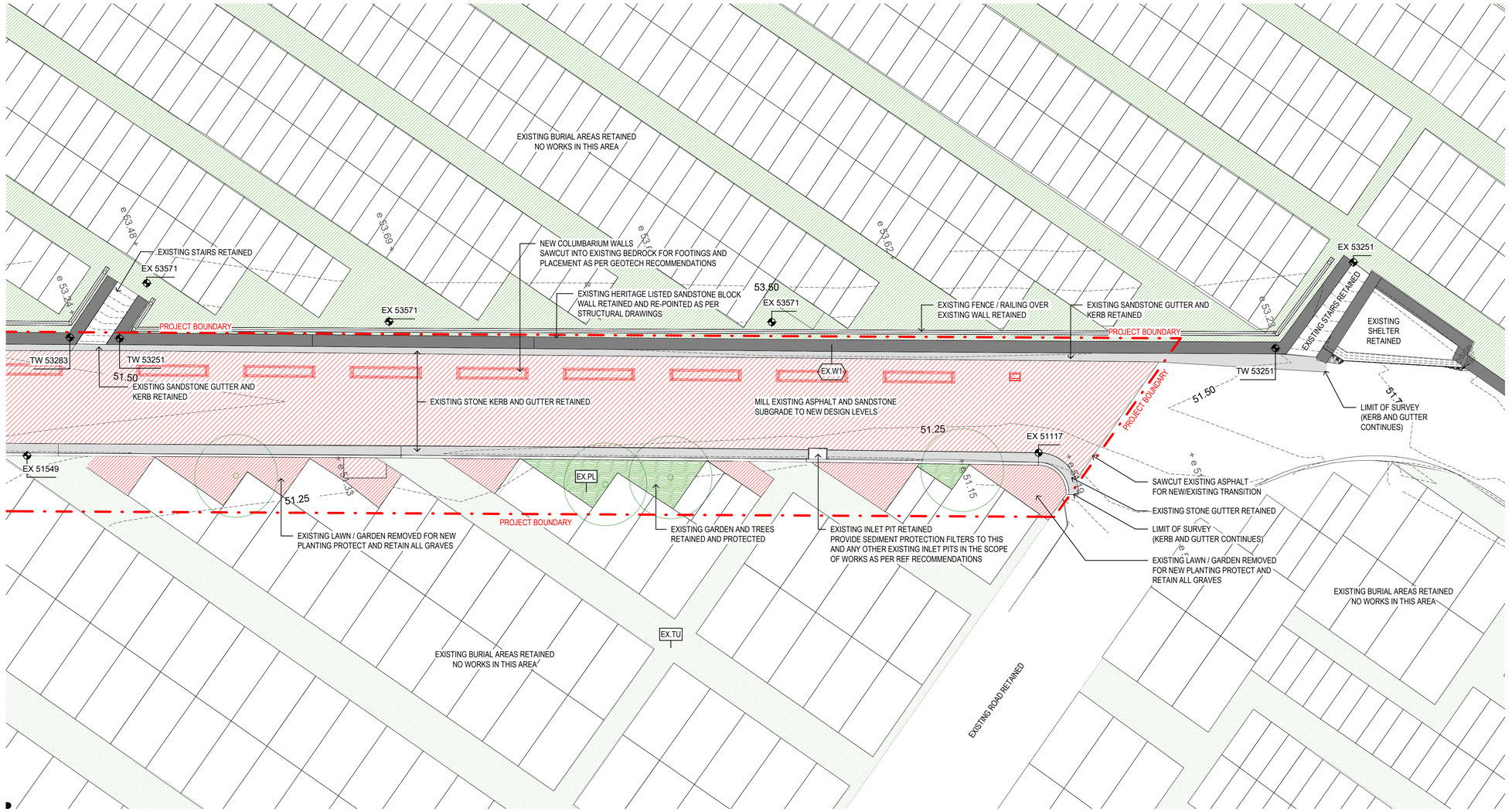
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Waverley Council

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DATE: DATE JOB NO.: 23-060s LT100 A
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1 DEMOLITION PLAN - NORTH

1 : 100

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LEGEND

- SCOPE OF WORKS
- EXISTING TREES TO BE RETAINED
- 51.50 EXISTING CONTOURS
- + e 51.50 EXISTING RLS
- EXISTING TO BE DEMOLISHED
- EX.TU EXISTING TURF RETAINED
- EXISTING STONE GUTTER RETAINED
- EX.W EXISTING STONE WALL TO BE RETAINED
- EXISTING BURIALS TO BE RETAINED
- EX.PL EXISTING PLANTING TO BE RETAINED
- NEW COLUMBARIUM WALLS SAWCUT FOR INSTALLATION

ISSUE	DESCRIPTION	DATE
A	TENDER	09.09.2024
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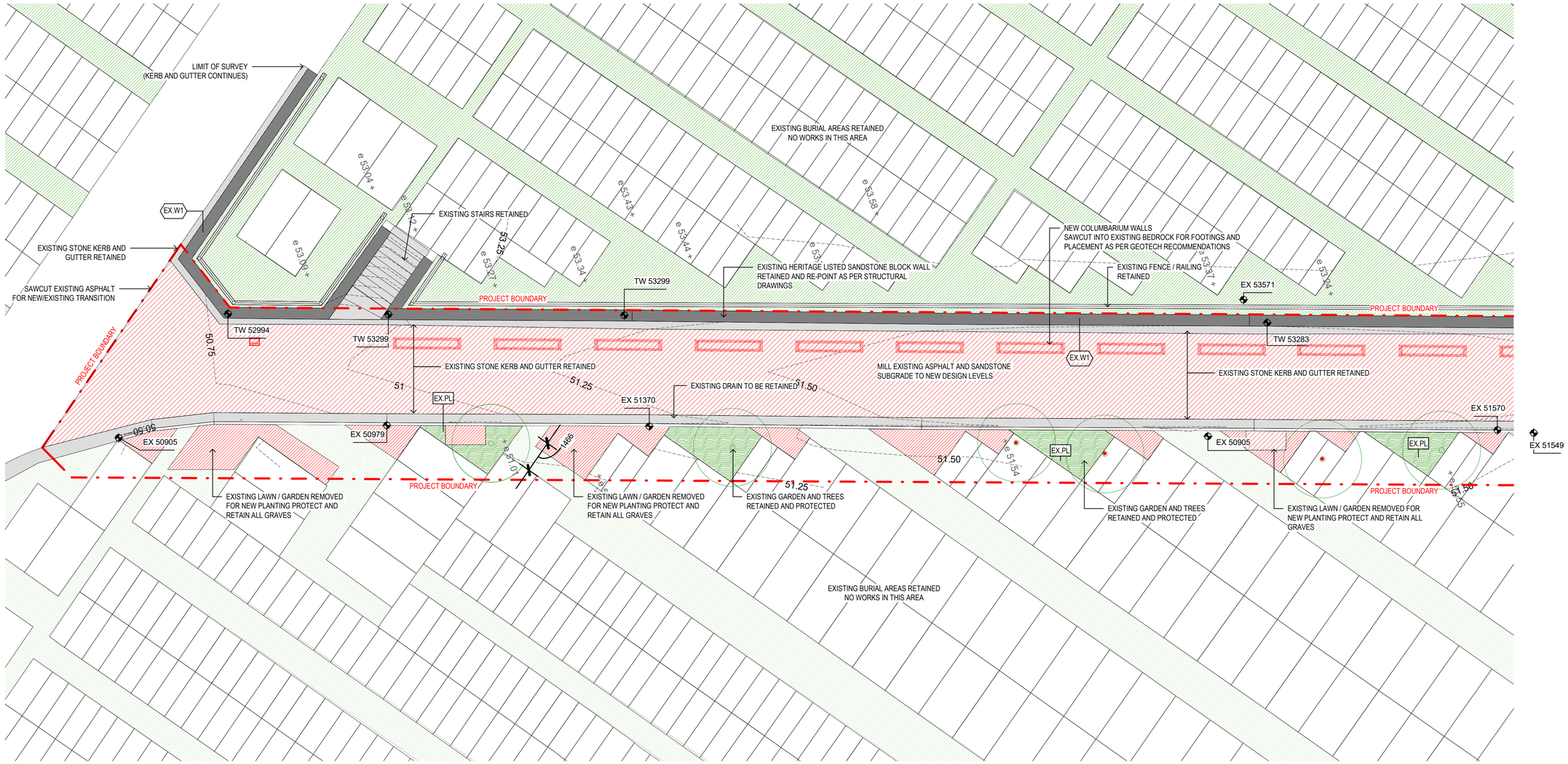
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DRAWN: MR / AL DESIGNED: AL
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1 DEMOLITION PLAN - SOUTH

1 : 100

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NOTES:
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2. The contractor shall check all dimensions on site before commencing work.

LEGEND

- SCOPE OF WORKS
- EXISTING TREES TO BE RETAINED
- EXISTING CONTOURS (51.50)
- + e 51.50 EXISTING RLS
- EXISTING TO BE DEMOLISHED
- EX.TU EXISTING TURF RETAINED
- EXISTING STONE GUTTER RETAINED
- EX.W EXISTING STONE WALL TO BE RETAINED
- EXISTING BURIALS TO BE RETAINED
- EX.PL EXISTING PLANTING TO BE RETAINED
- NEW COLUMBARIUM WALLS SAWCUT FOR INSTALLATION

ISSUE	DESCRIPTION	DATE
A	TENDER	09.09.2024
P2	DRAFT TENDER	28.06.2024
P1	DRAFT TENDER	14.06.2024

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St Thomas St &, Trafalgar St, Bronte NSW 2024
Quinn Road Columbariuml Project

CLIENT:
Waverley Council

DRAWING TITLE:
DEMOLITION PLAN - SOUTH

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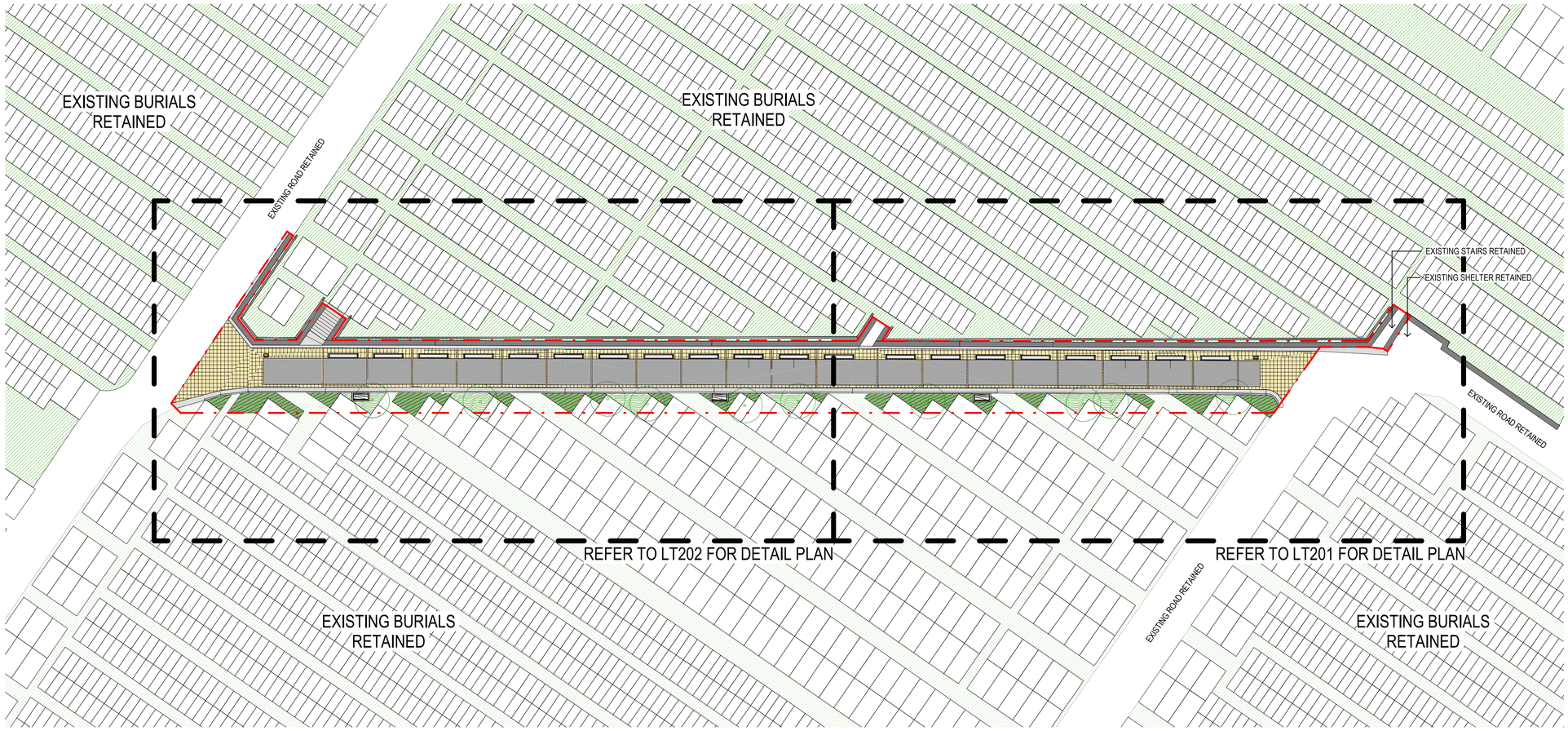
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1 SITE PLAN PROPOSED

1 : 250

NOTES:
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LEGEND

- SCOPE OF WORKS
- EXISTING TREES TO BE RETAINED
- EXISTING BURIALS TO BE RETAINED
- EX.TU — EXISTING TURF ON GRADE
- EX.PV — EXISTING PAVING TO BE RETAINED
- EX.W1 — EXISTING STONE WALL
- PV.01 — PAVING TYPE 1 ASPHALT WITH BASE / TACK COAT TO STRUCTURAL ENG. DETAIL
- PV.02 — PAVING TYPE 2 COBBLE AS PER SCHEDULE TO STRUCTURAL ENG. DETAIL
- BR.01 — BRASS INLAYS WITH ENGRAVINGS TBC
- NEW COLUMBARIUM WALL
- PL.OG — PLANTING TYPE 1 PLANTING ON GRADE
- BO — BOLLARD TYPE 1 TRADITIONAL BOLLARD BY STREET FURNITURE
- FU.1 — SEAT TYPE 1 CLASSIC PROMENADE SEAT BY STREET FURNITURE SURFACE FIXED
- PV.03 — PAVING TYPE 3 BROOM FINISH CONCRETE TO STRUCTURAL ENG. DETAIL

ISSUE	DESCRIPTION	DATE
A	TENDER	09.08.2024
P4	STRUCTURAL INPUTS	12.07.2024
P3	DRAFT TENDER	28.06.2024
P2	DRAFT TENDER	03.05.2024
P1	DRAFT TENDER	08.02.2024

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Quinn Road Columbariuml Project

CLIENT:
Waverley Council

DRAWING TITLE:
SITE PLAN PROPOSED

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DRAWING NUMBER: LT200
REVISION: A

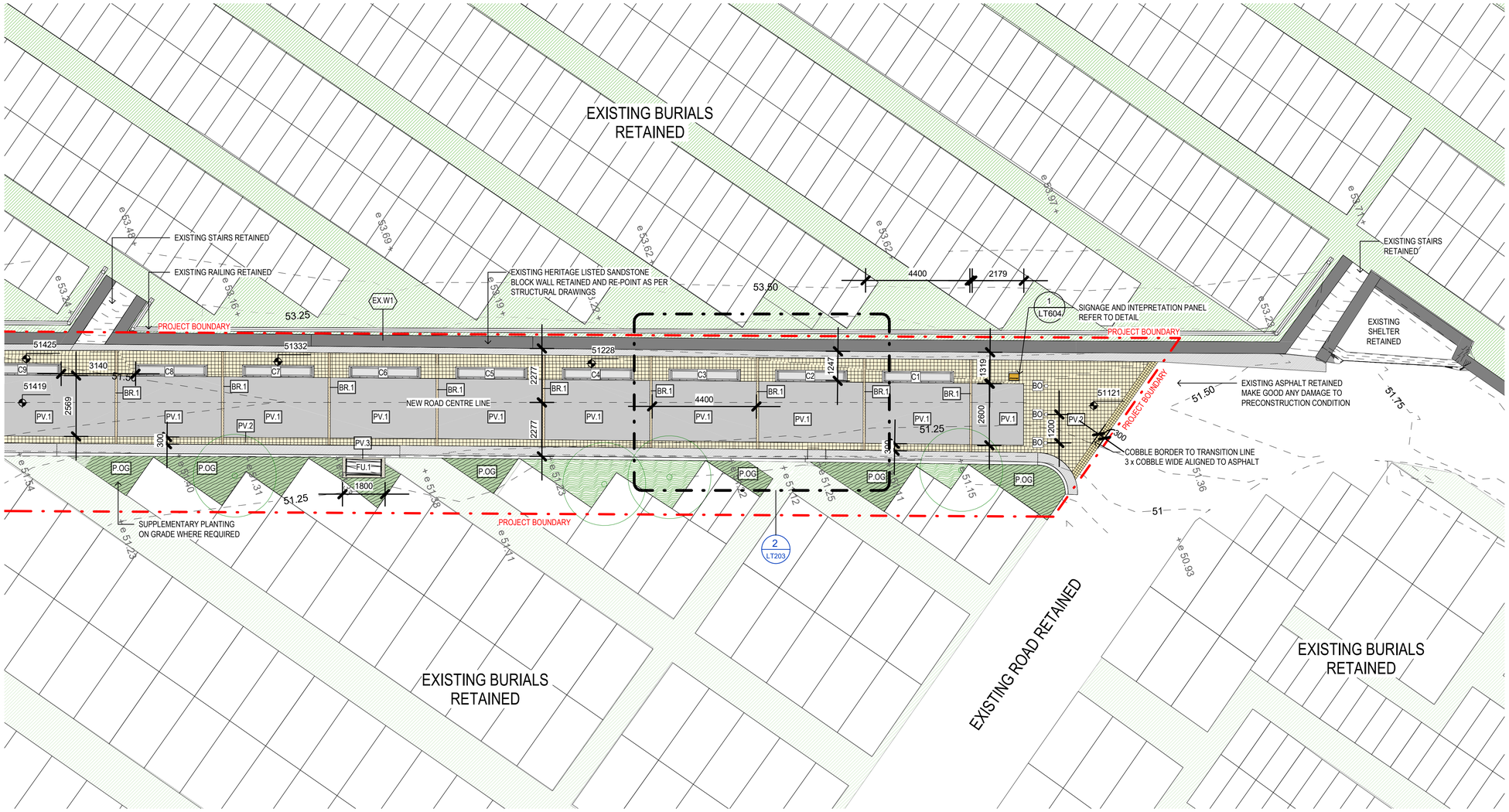
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1 TENDER PLAN - NORTH 1

1 : 100

NOTES:
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LEGEND

- SCOPE OF WORKS
- EXISTING TREES TO BE RETAINED
- EXISTING BURIALS TO BE RETAINED
- EX.TU — EXISTING TURF ON GRADE
- EX.PV — EXISTING PAVING TO BE RETAINED
- EX.W1 — EXISTING STONE WALL
- PV.01 — PAVING TYPE 1 ASPHALT WITH BASE / TACK COAT TO STRUCTURAL ENG. DETAIL
- PV.02 — PAVING TYPE 2 COBBLE AS PER SCHEDULE TO STRUCTURAL ENG. DETAIL
- BR.01 — BRASS INLAYS WITH ENGRAVINGS TBC
- C1 — NEW COLUMBARIUM WALL
- PL.OG — PLANTING TYPE 1 PLANTING ON GRADE
- BO — BOLLARD TYPE 1 TRADITIONAL BOLLARD BY STREET FURNITURE
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Quinn Road Columbariuml Project

CLIENT:
Waverley Council

DRAWING TITLE:
DETAIL PLAN - NORTH

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0 2 4

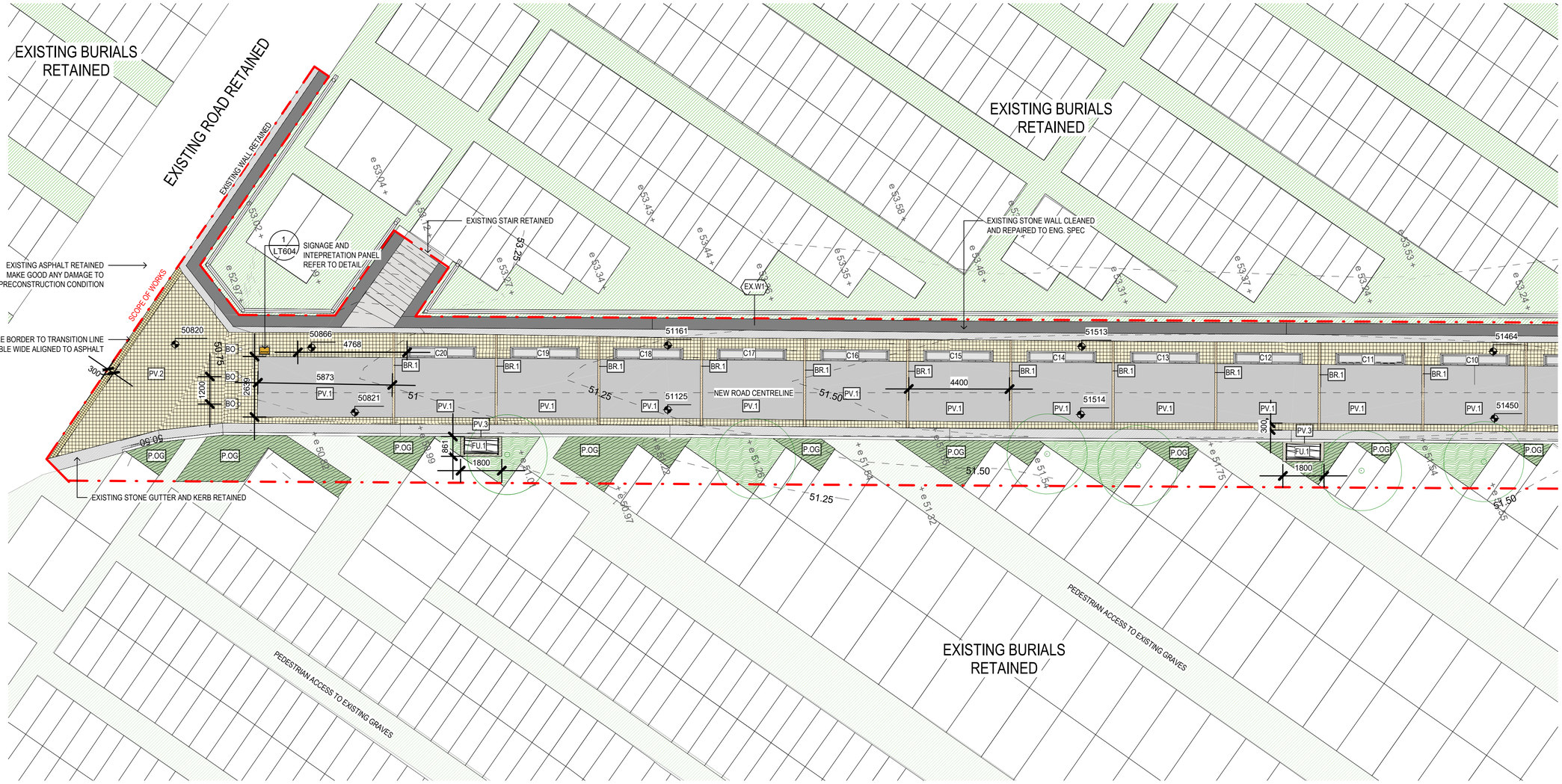
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1 TENDER PLAN - SOUTH 1

1 : 100

NOTES:
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LEGEND

- SCOPE OF WORKS
- EXISTING TREES TO BE RETAINED
- EXISTING BURIALS TO BE RETAINED
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St Thomas St &, Trafalgar St, Bronte NSW 2024
Quinn Road Columbariuml Project

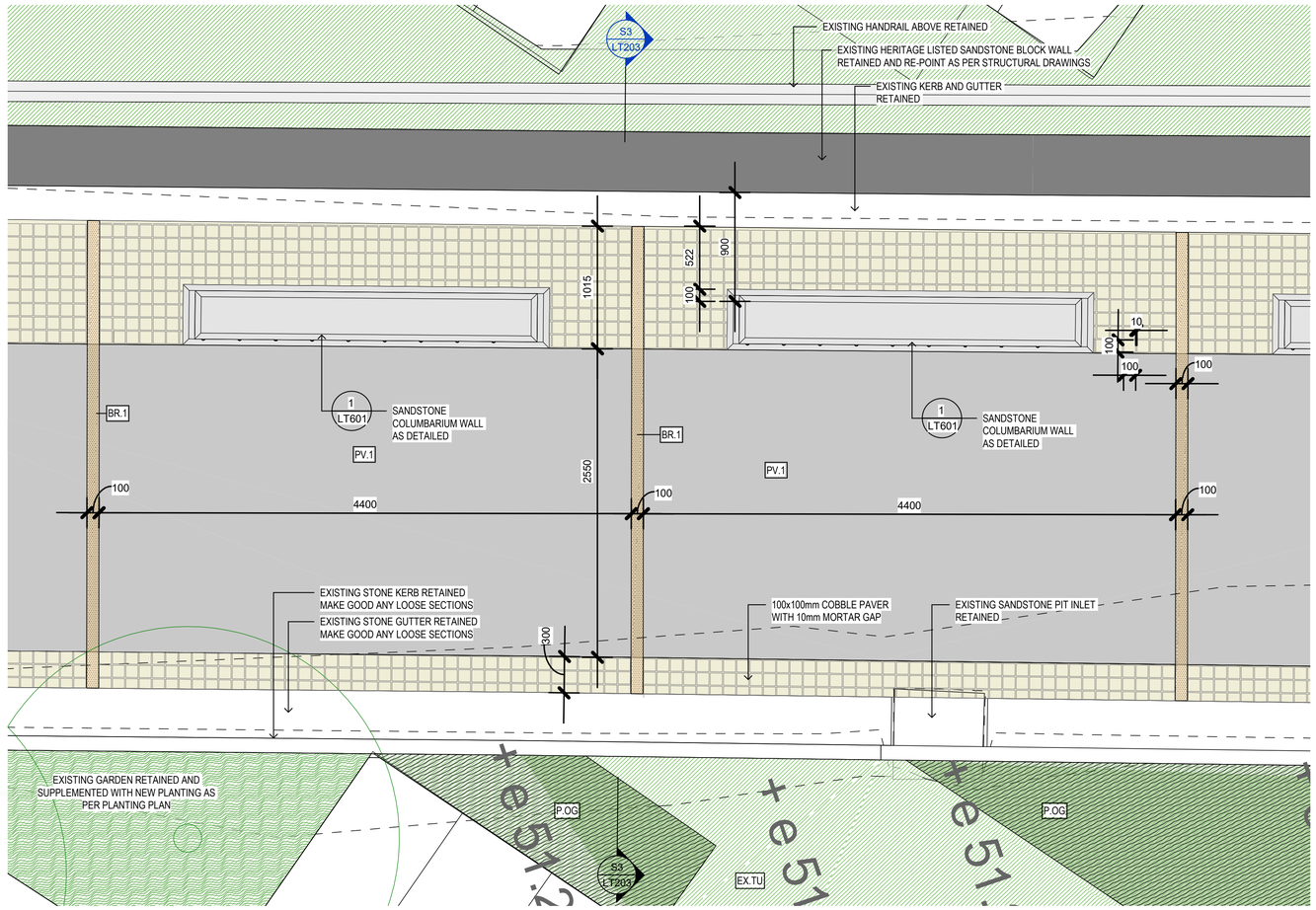
CLIENT:
Waverley Council

DRAWING TITLE:
DETAIL PLAN - SOUTH

1 3 5m
0 2 4

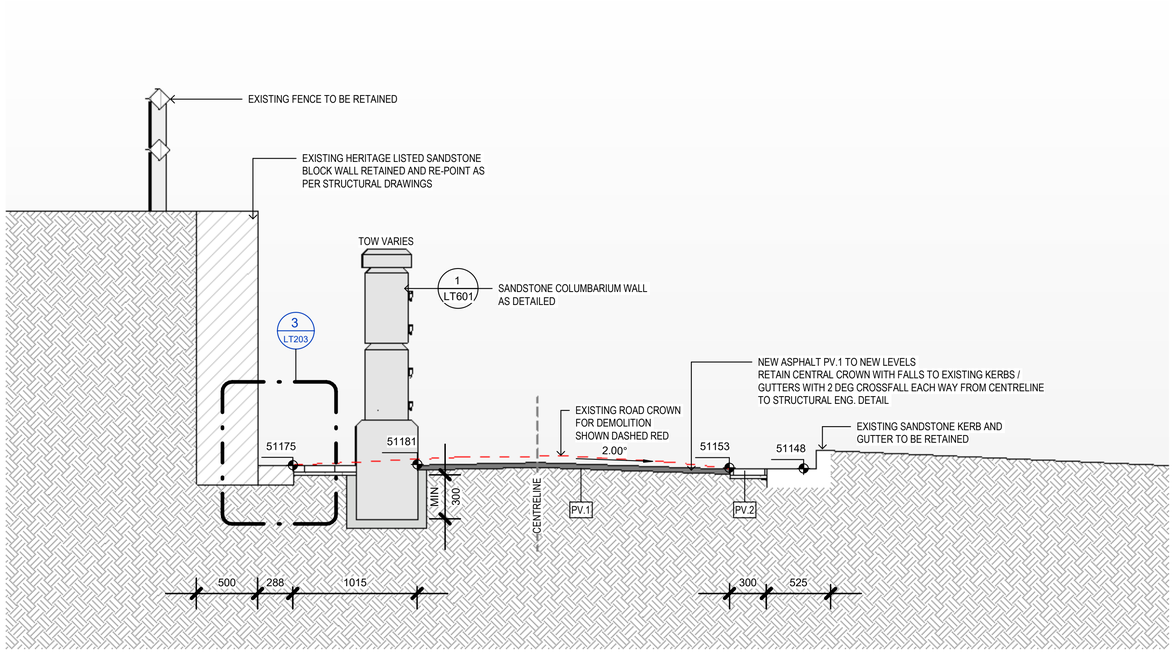
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DATE: DATE JOB NO.: 23-060s LT202 A
DRAWN: MR / AL DESIGNED: AL

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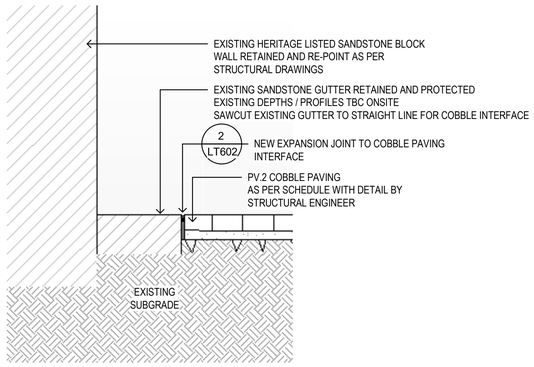
2 DETAILED PLAN - TYPICAL ARRANGEMENT

1 : 25



1 S3

1 : 25



3 COBBLE AND GUTTER INTERFACE

1 : 10

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NOTES:
1. Figured dimensions shall be taken in preference to scaling.
2. The contractor shall check all dimensions on site before commencing work.

LEGEND

- SCOPE OF WORKS
- EXISTING TREES TO BE RETAINED
- EXISTING BURIALS TO BE RETAINED
- EX.TU — EXISTING TURF ON GRADE
- EX.PV — EXISTING PAVING TO BE RETAINED
- EX.W1 — EXISTING STONE WALL
- PV.01 — PAVING TYPE 1 ASPHALT WITH BASE / TACK COAT TO STRUCTURAL ENG. DETAIL
- PV.02 — PAVING TYPE 2 COBBLE AS PER SCHEDULE TO STRUCTURAL ENG. DETAIL
- BR.01 — BRASS INLAYS WITH ENGRAVINGS TBC
- C1 — NEW COLUMBARIUM WALL
- PL.OG — PLANTING TYPE 1 PLANTING ON GRADE
- BO — BOLLARD TYPE 1 TRADITIONAL BOLLARD BY STREET FURNITURE
- FU.1 — SEAT TYPE 1 CLASSIC PROMENADE SEAT BY STREET FURNITURE SURFACE FIXED
- PV.03 — PAVING TYPE 3 BROOM FINISH CONCRETE TO STRUCTURAL ENG. DETAIL

ISSUE	DESCRIPTION	DATE
B	PAVER LAYOUT	03.10.2024
A	TENDER	09.09.2024
P2	STRUCTURAL INPUTS	11.07.2024
P1	DRAFT TENDER	28.06.2024

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PROJECT:
Waverley Cemetery Renewal and Enhancements
St Thomas St &, Trafalgar St, Bronte NSW 2024
Quinn Road Columbariuml Project

CLIENT:
Waverley Council

DRAWING TITLE:
DETAILED ARRANGEMENT PLAN AND SECTION

SCALE: As indicated | CHECKED: DMT | DRAWING NUMBER: LT203 | REVISION: B
DATE: DATE | JOB NO.: 23-060s
DRAWN: MR / AL | DESIGNED: AL

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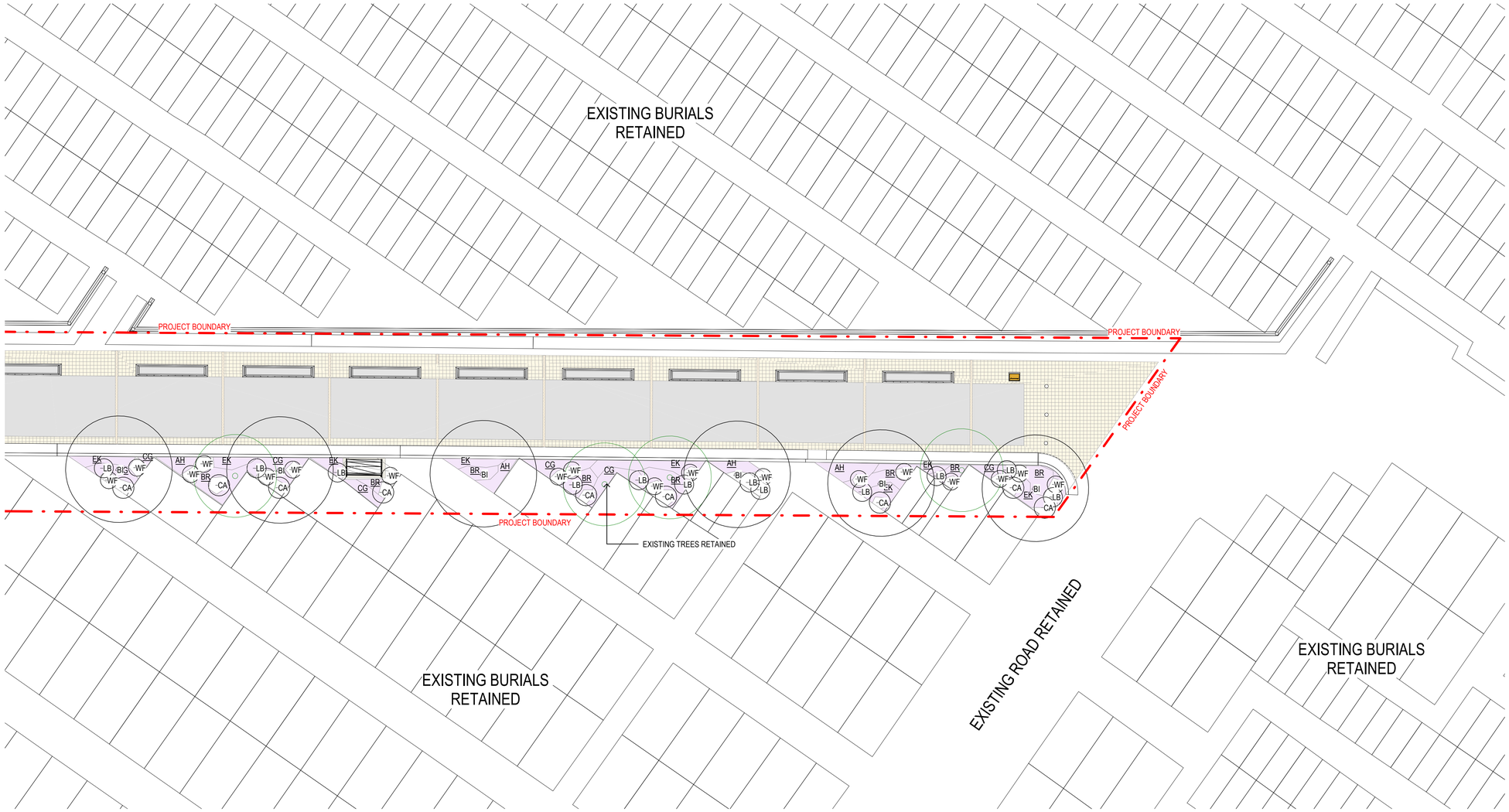
NOTES:
1. Figured dimensions shall be taken in preference to scaling.
2. The contractor shall check all dimensions on site before commencing work.

LEGEND

SCOPE OF WORKS

BI — PROPOSED TREES

ER, WF, CG — PROPOSED SHRUBS & GROUNDCOVERS



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ISSUE	DESCRIPTION	DATE
A	TENDER	09.09.2024
P4	STRUCTURAL INPUTS	12.07.2024
P3	DRAFT TENDER	28.06.2024
P2	DRAFT TENDER	03.06.2024
P1	DRAFT TENDER	08.02.2024

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PROJECT:
Waverley Cemetery Renewal and Enhancements

St Thomas St &, Trafalgar St, Bronte NSW 2024
Quinn Road Columbariuml Project

CLIENT:
Waverley Council

DRAWING TITLE:
PLANTING PLAN - NORTH

0 5 2.5 10 15m

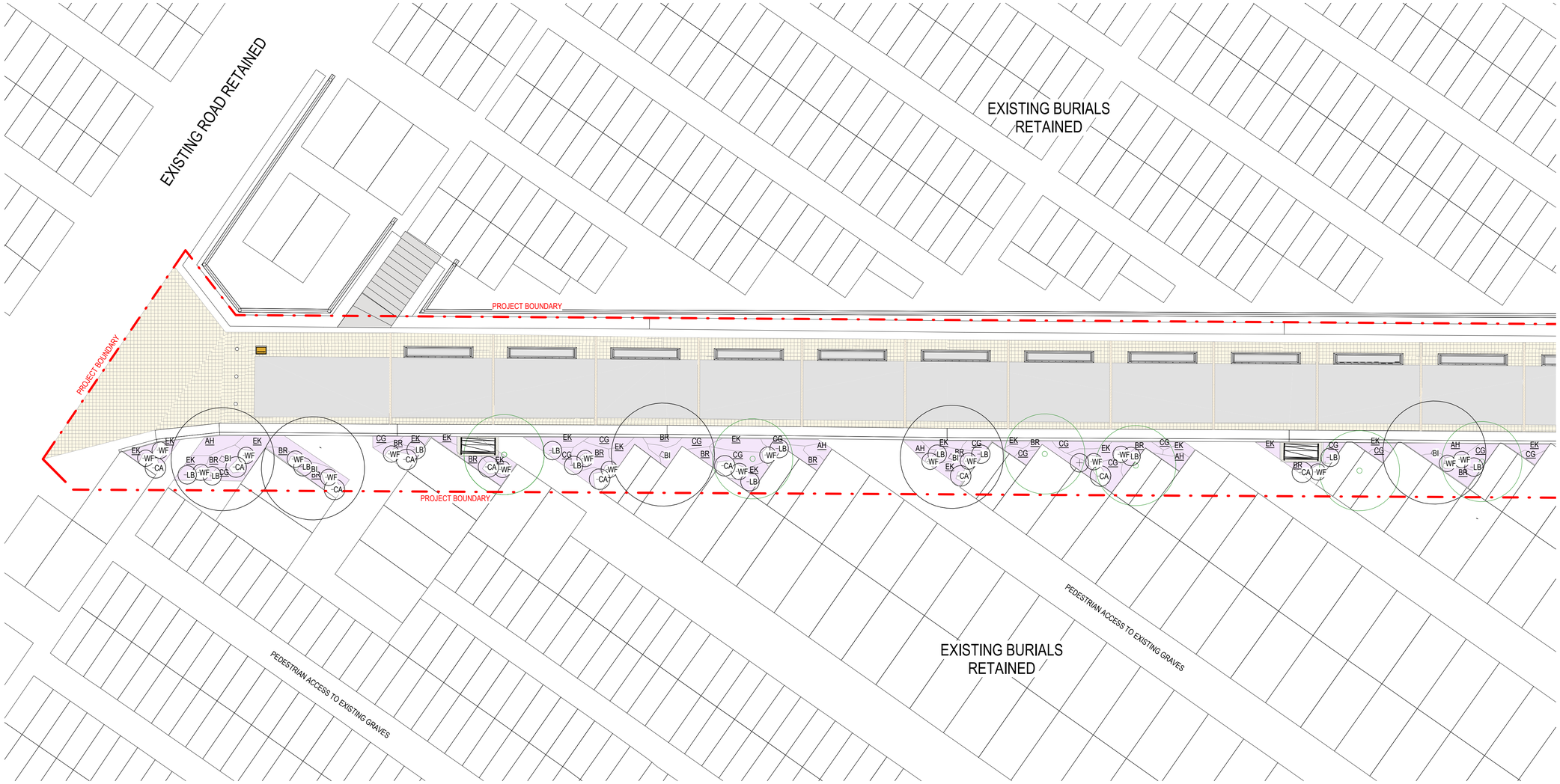
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DRAWN: MR / AL DESIGNED: AL

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Receipt No: DA-208/2025

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NOTES:
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2. The contractor shall check all dimensions on site before commencing work.

LEGEND

SCOPE OF WORKS

PROPOSED TREES

PROPOSED SHRUBS & GROUNDCOVERS

ISSUE	DESCRIPTION	DATE
A	TENDER	09.09.2024
P4	STRUCTURAL INPUTS	12.07.2024
P3	DRAFT TENDER	28.06.2024
P2	DRAFT TENDER	03.05.2024
P1	DRAFT TENDER	08.02.2024

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PROJECT:
Waverley Cemetery Renewal and Enhancements

St Thomas St &, Trafalgar St, Bronte NSW 2024
Quinn Road Columbariuml Project

CLIENT:
Waverley Council

DRAWING TITLE:
PLANTING PLAN - SOUTH

2.5 0 5 10 15m

SCALE: 1 : 100 CHECKED: DMT
DATE: DATE JOB NO.: 23-060s
DRAWN: MR / AL DESIGNED: AL

DRAWING NUMBER LT302 REVISION A

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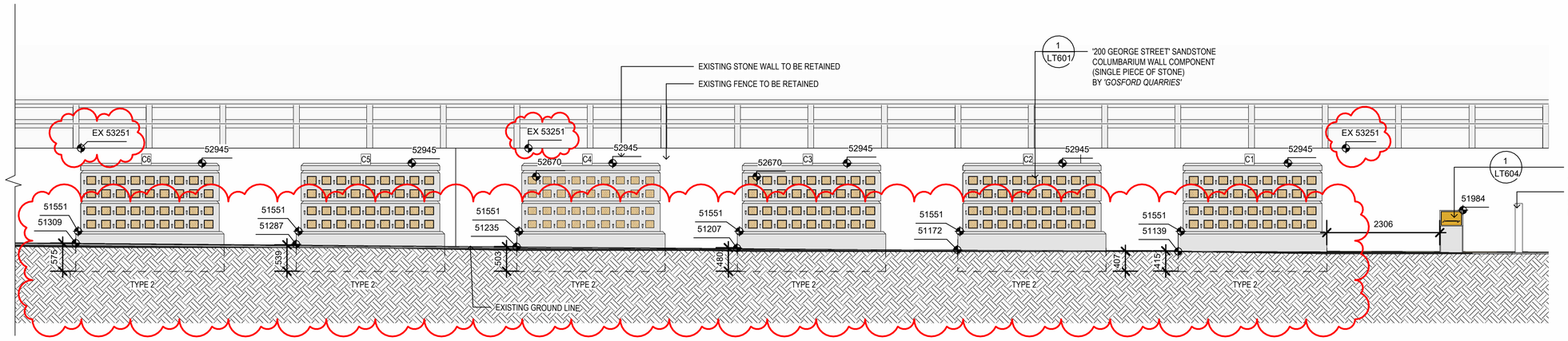
AMENDED PLANS

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Waverley Council

Application No: DA-208/2025

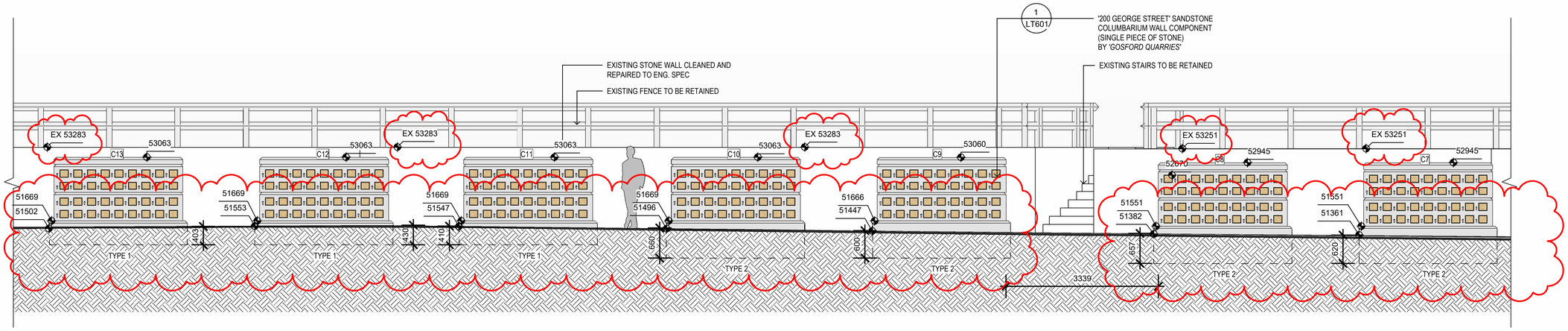
Date Received: 18/08/2025

NOTES:
1. Figured dimensions shall be taken in preference to scaling.
2. The contractor shall check all dimensions on site before commencing work.



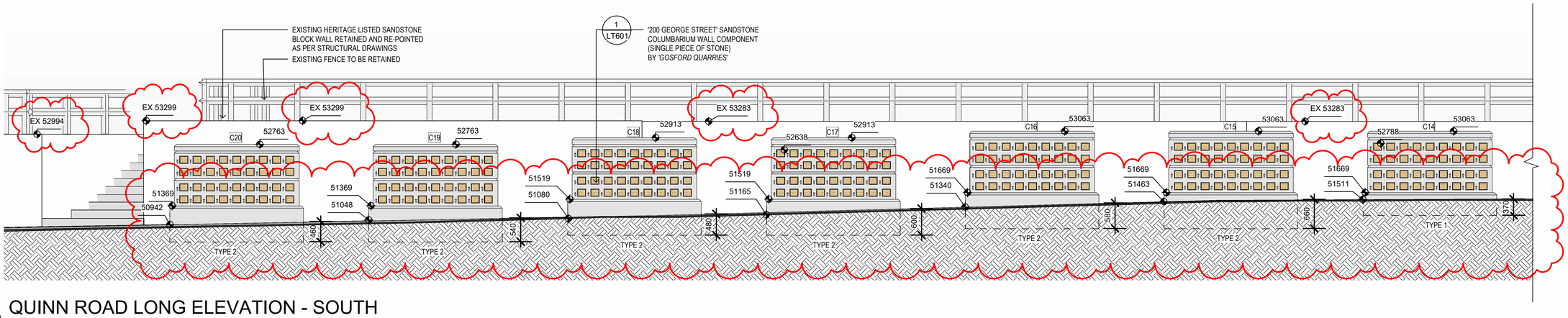
1 QUINN ROAD LONG ELEVATION - NORTH

1 : 50



2 QUINN ROAD LONG ELEVATION - CENTRE

1 : 50



3 QUINN ROAD LONG ELEVATION - SOUTH

1 : 50

ISSUE	DESCRIPTION	DATE
D	RFI RESPONSE	15.08.2025
A	TENDER	09.09.2024
P4	STRUCTURAL INPUTS	12.07.2024
P3	DRAFT TENDER	08.06.2024
P2	DRAFT TENDER	03.05.2024
P1	DRAFT TENDER	08.02.2024

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PROJECT:
Waverley Cemetery Renewal and Enhancements

St Thomas St &, Trafalgar St, Bronte NSW 2024
Quinn Road Columbariuml Project

CLIENT:
Waverley Council

DRAWING TITLE:
SECTIONS AND ELEVATIONS

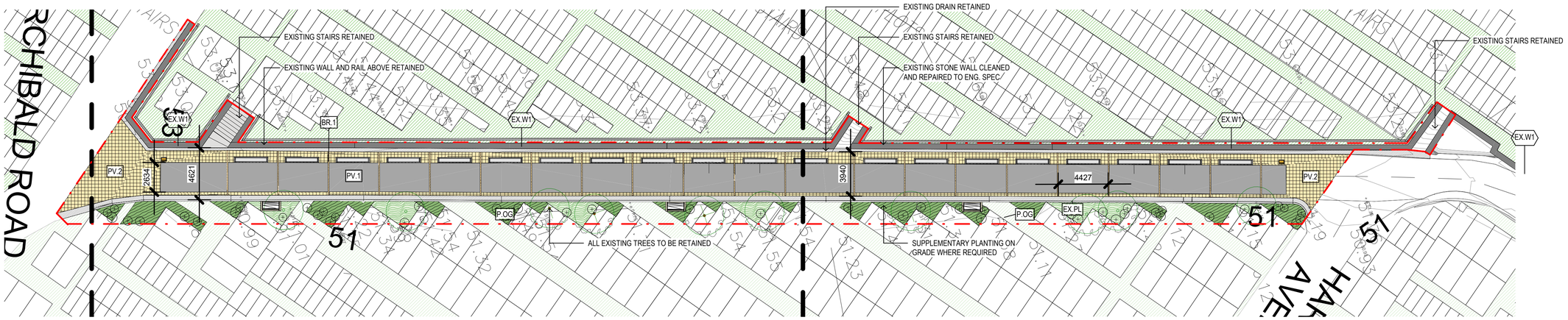
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DATE: DATE	JOB NO.: 23-060a	LT401	B
DRAWN: MR / AL	DESIGNED: AL		

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NOTES:

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ISSUE	DESCRIPTION	DATE
A	TENDER	09.09.2024
P1	DRAFT TENDER	03.05.2024

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PROJECT:
Waverley Cemetery Renewal and Enhancements

St Thomas St &, Trafalgar St, Bronte NSW 2024
Quinn Road Columbariuml Project

CLIENT:
Waverley Council

DRAWING TITLE:
TEST PLAN

0 5 15m 2.5 10

SCALE: 1 : 200 CHECKED: DMT DRAWING NUMBER REVISION
DATE: DATE JOB NO.: 23-060s LT403 A
DRAWN: MR / AL DESIGNED: AL

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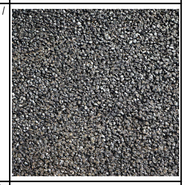
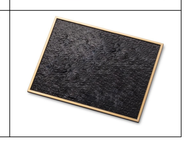
Planting Schedule - Trees and Shrubs

Plant ID	Botanical Name	Common Name	Mature Height (mm)	Pot Size	Qty	Image
BI	Banksia integrifolia	Coastal banksia	6000	100L	11	
CA	Correa alba	White Correa	1500	200mm	19	
LB	Leucophyta brownii	Cushion Bush	900	200mm	26	
WF	Westringa fruticosa 'Mundi'	Dwarf coastal rosemary	500	200mm	37	

Planting Schedule - Groundcovers

Plant ID	Botanical Name	Common Name	Mature Height (mm)	Spacing (mm)	Qty	Pot Size	Image
AH	Actinotus helianthus	Flannel flower	300	500	31	150mm	
BR	Banksia 'Roller Coaster'	Groundcover Banksia	200	500	82	150mm	
CG	Carpobrotus glaucescens	Pigface	200	500	72	150mm	
PL	Pimelea linifolia 'White Jewel'	Rice Flower	400	500	92	150mm	

Materials and Finishes Schedule

Code	Type	Supplier	Product Information	Type Image
BR.1	BR.1 BRASS PLATE WITH TEXT	N/A	100x8mm BRASS PLATE WITH LASERCUT / ENGRAVED TEXT AS PER SCHEDULE	
P.OG	P.OG PLANTING ON GRADE	AUSTRALIAN NATIVE LANDSCAPES PH: 13 14 58	IMPORTED LOW PH NATIVE GARDEN BLEND WITH HORTGRADE BARK MULCH AS DETAILED	
PV.1	PV.1 ASPHALT PAVEMENT	N/A	ASPHALT WITH BASE / TACK COAT TO STRUCTURAL ENG. DETAIL	
PV.2	PV.2 COBBLE PAVING	ECO OUTDOOR (02) 9305 9888	BOKARA SPLIT FACED COBBLESTONE 100x100x30-50mm INDIVIDUAL LAY WITH 10mm FLUSH GROUT ALL SIDES (OXIDE). TO STRUCTURAL ENG. DETAIL	
PV.3	CONCRETE PAVING	N/A	BROOM FINISH CONCRETE TO STRUCTURAL ENG. DETAIL	
CO.1	Columbarium wall	Gosford Quarries (02) 8585 8282	200 George Street Sandstone (Columbarium wall component - single piece of stone)	
FU.1	Classic Promenade Seat	Street Furniture 1300 027 799	Classic Promenade Seat with Arch Legs Surface fixed 1750(L) x 800(H) x 725(W)mm Finish: Aluminium Spotted Gum Textura Dark Bronze Frame Quantity: 3	
	Niche Vase	Phoenix Foundry orders@phoenixfoundry.com.au	Niche Side Lug Vase 77x25mm Quantity: 720	
B0	Removable bollard	Street Furniture 1300 027 799	Victorian Bollard by Street Furniture Placed into socket in-ground 900(L) x 215(H) x 215(W)mm Body: Cast Aluminium Powdercoated Fixing: Removable in-ground Colour: Textura Dark Bronze	
	Spring Clip System	Phoenix Foundry orders@phoenixfoundry.com.au	Spring Clip Made to fit dimensions of columbarium wall niche void - 170(W) x 150(H)mm Quantity: 1x per niche	
	Bronze Plaque	Phoenix Foundry orders@phoenixfoundry.com.au	Blank INVN Plaque with raised border 180(L) x 160(H)mm Quantity: 720	

NOTES:
1. Figured dimensions shall be taken in preference to scaling.
2. The contractor shall check all dimensions on site before commencing work.

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Receipt No: DA-208/2025
Date Received: 27/05/2025

ISSUE	DESCRIPTION	DATE
A	TENDER	09.09.2024
P4	STRUCTURAL INPUTS	12.07.2024
P3	DRAFT TENDER	28.06.2024
P2	DRAFT TENDER	03.05.2024
P1	DRAFT TENDER	09.02.2024

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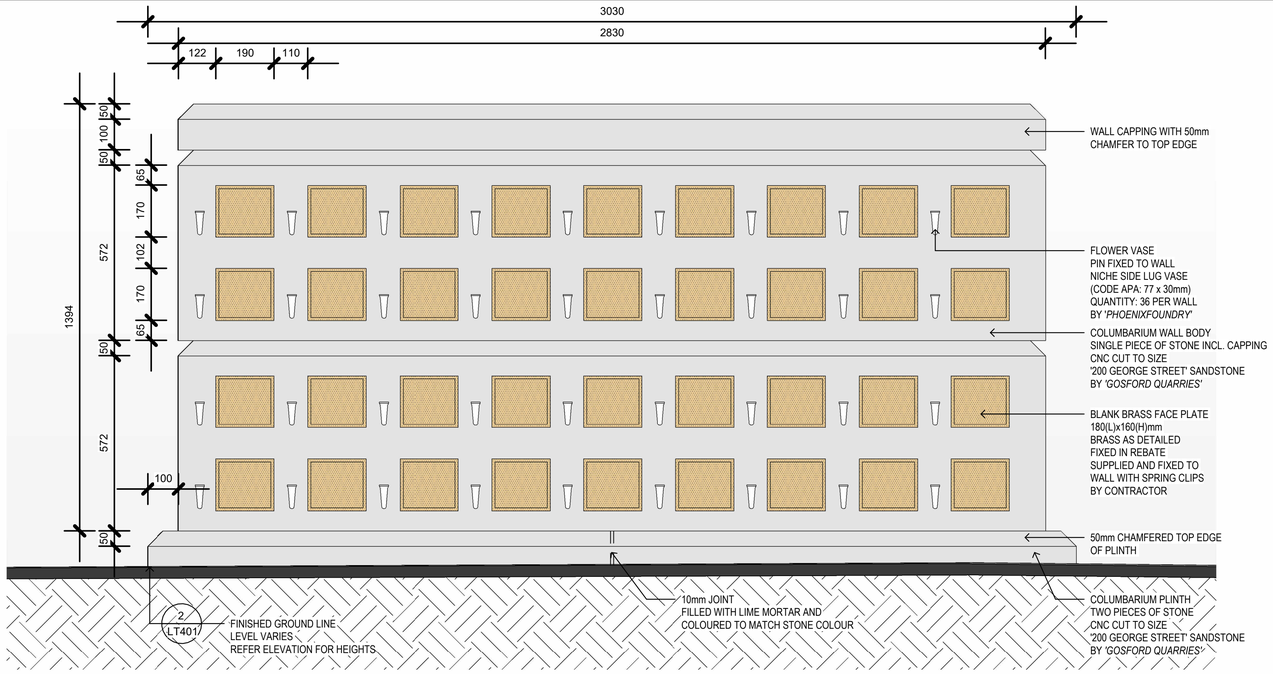
PROJECT:
Waverley Cemetery Renewal and Enhancements
St Thomas St &, Trafalgar St, Bronte NSW 2024
Quinn Road Columbariuml Project

CLIENT:
Waverley Council

DRAWING TITLE:
SCHEDULES

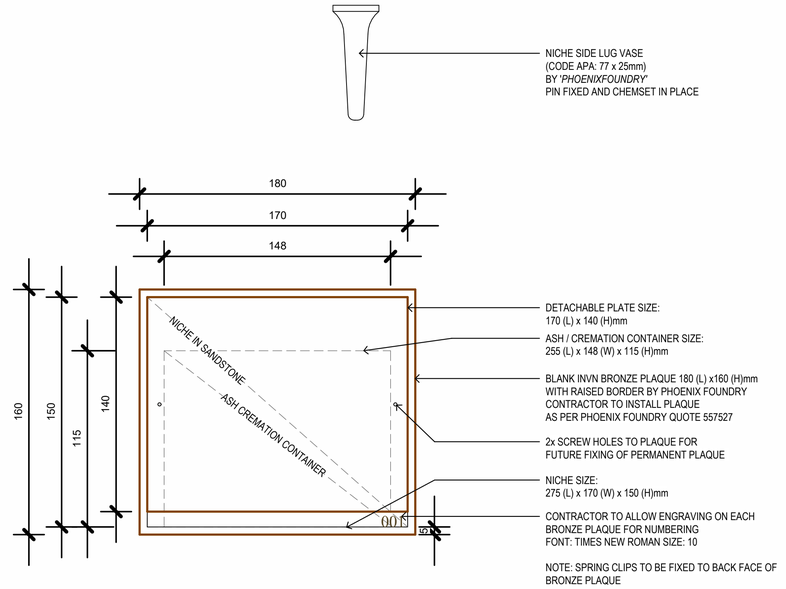
SCALE:
DATE: DATE
DRAWN: MR / AL
CHECKED: DMT
JOB NO.: 23-060s
DESIGNED: AL
DRAWING NUMBER: LT501
REVISION: A

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1 COLUMBARIUM WALL TYPE 1 - ELEVATION

1 : 10



3 NICHE COVER PLATE AND FLOWER VASE

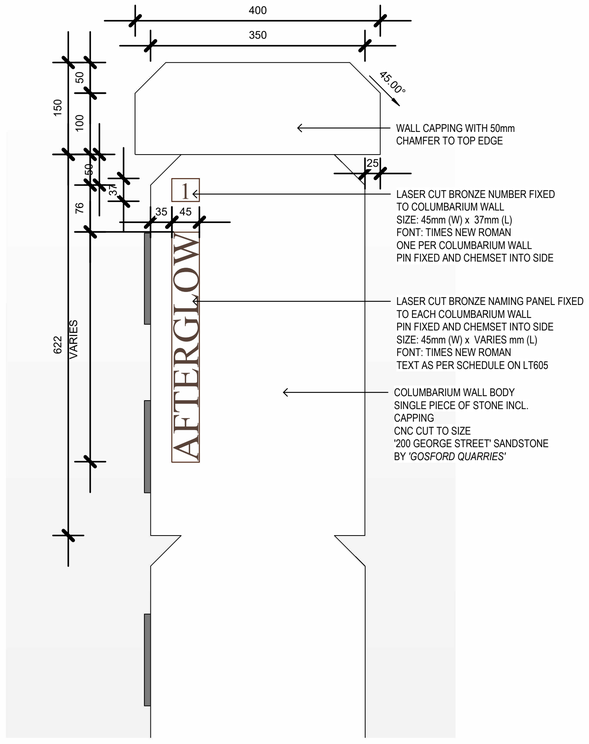
1 : 2

2 COLUMBARIUM WALL TYPE 1- SECTION

1 : 10

4 COLUMBARIUM WALL TYPE 2 - SECTION

1 : 10



5 COLUMBARIUM WALL LASER CUT STEEL PANEL

1 : 5

NOTES:
1. Figured dimensions shall be taken in preference to scaling.
2. The contractor shall check all dimensions on site before commencing work.

RECEIVED
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Receipt No: DA-208/2025

Date Received: 27/05/2025

ISSUE	DESCRIPTION	DATE
B	COLUMBARIUM BASE DETAIL	11.04.2025
A	TENDER	09.09.2024
P4	STRUCTURAL INPUTS	12.07.2024
P3	DRAFT TENDER	28.06.2024
P2	DRAFT TENDER	03.05.2024
P1	DRAFT TENDER	08.02.2024

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PROJECT:
Waverley Cemetery Renewal and Enhancements
St Thomas St &, Trafalgar St, Bronte NSW 2024
Quinn Road Columbariuml Project

CLIENT:
Waverley Council

DRAWING TITLE:
DETAILS - COLUMBARIUM WALL

SCALE: As indicated | CHECKED: DMT | DRAWING NUMBER: LT601 | REVISION: B
DATE: DATE | JOB NO.: 23-060s
DRAWN: MR / AL | DESIGNED: AL

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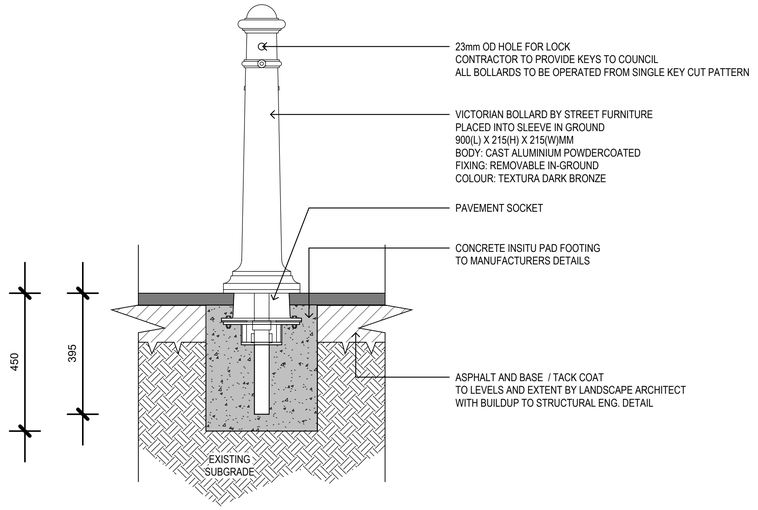
ABN 61 098 724 988

AMENDED PLANS

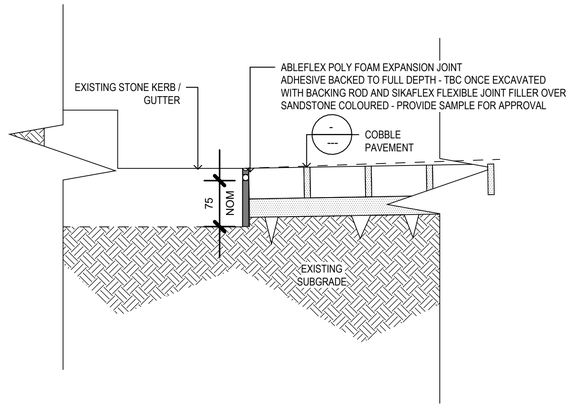
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Application No: DA-208/2025

Date Received: 18/08/2025



1 REMOVABLE BOLLARD - BO
1 : 10



2 EXPANSION JOINT
1 : 5

NOTES:
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ISSUE	DESCRIPTION	DATE
B	RFI RESPONSE	15.08.2025
A	TENDER	09.09.2024
P4	STRUCTURAL INPUTS	12.07.2024
P3	DRAFT TENDER	28.06.2024
P2	DRAFT TENDER	03.05.2024
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PROJECT:
Waverley Cemetery Renewal and Enhancements

St Thomas St &, Trafalgar St, Bronte NSW 2024
Quinn Road Columbariuml Project

CLIENT:
Waverley Council

DRAWING TITLE:
DETAILS - BOLLARD, JOINTING AND PAVING

SCALE: As indicated | CHECKED: DMT | DRAWING NUMBER | REVISION
DATE: DATE | JOB NO.: 23-060s | LT602 | B
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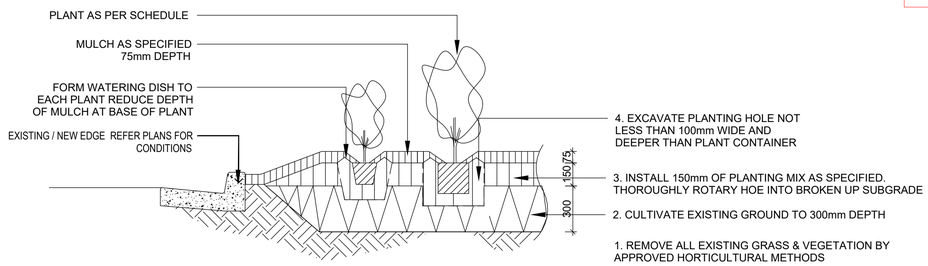
ABN 61 098 724 988

AMENDED PLANS

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Waverley Council

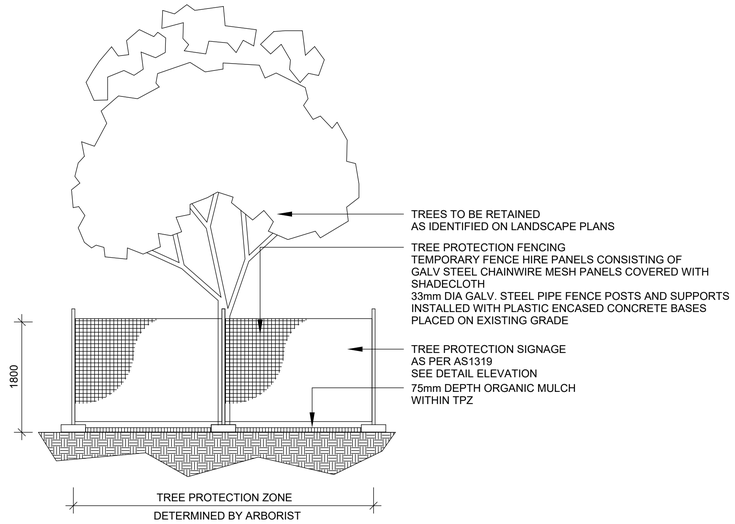
Application No: DA-208/2025

Date Received: 18/08/2025



1 PLANTING ON GRADE
1 : 20

2 TREE PLANTING
1 : 20



3 EXISTING TREE PROTECTION
1 : 50

NOTES:
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ISSUE	DESCRIPTION	DATE
B	RFI RESPONSE	15.08.2025
A	TENDER	09.09.2024
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St Thomas St &, Trafalgar St, Bronte NSW 2024
Quinn Road Columbariuml Project

CLIENT:
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DRAWING TITLE:
DETAILS - PLANTING

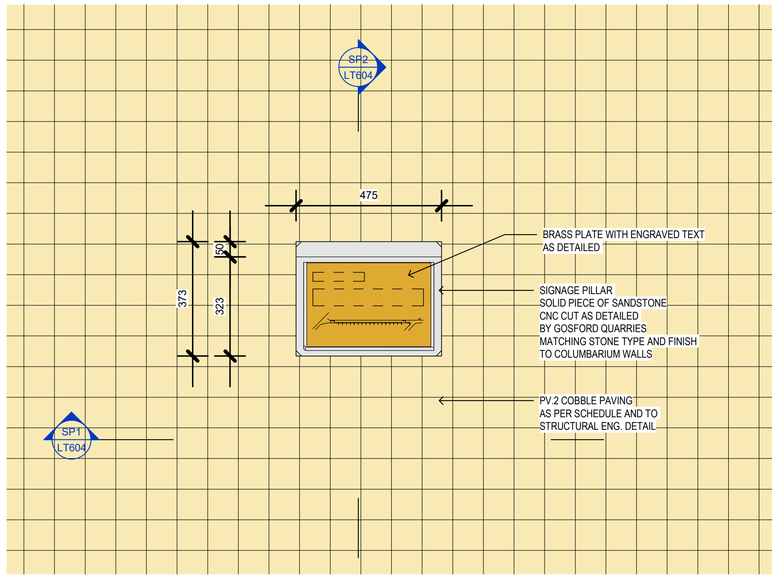
SCALE: As indicated
DATE: DATE
DRAWN: MR / AL
CHECKED: DMT
JOB NO.: 23-060s
DESIGNED: AL

DRAWING NUMBER: LT603
REVISION: B

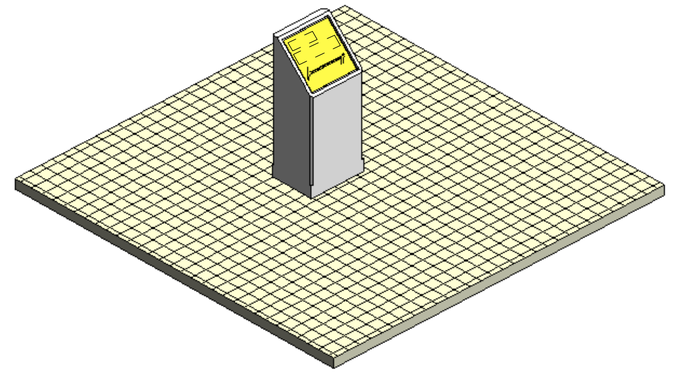
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NOTES:
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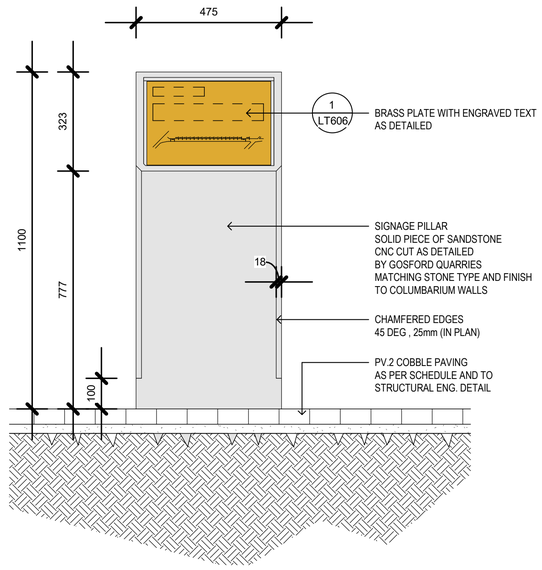


1 SIGNAGE PILLAR PLAN
1 : 10

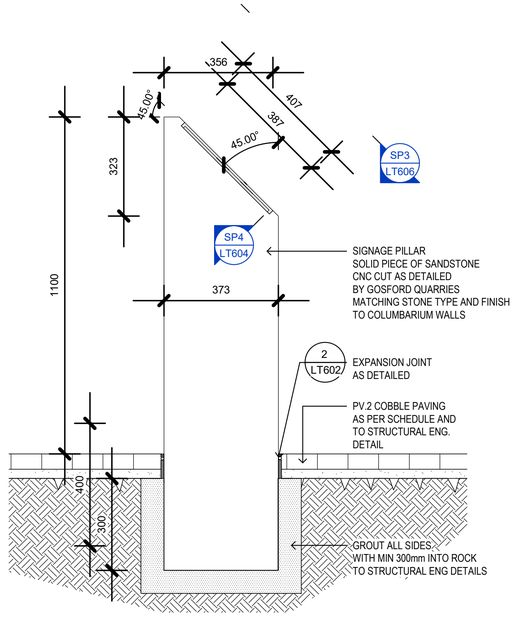


2 SIGNAGE PILLAR AXO

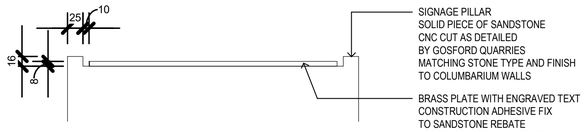
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3 SIGNAGE PILLAR ELEVATION
1 : 10



4 SIGNAGE PILLAR SECTION
1 : 10



5 BRASS PLATE RECESS
1 : 5

ISSUE	DESCRIPTION	DATE
A	TENDER	09.09.2024
P4	STRUCTURAL INPUTS	12.07.2024
P3	DRAFT TENDER	05.06.2024
P2	DRAFT TENDER	03.05.2024
P1	DRAFT TENDER	08.02.2024

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PROJECT:
Waverley Cemetery Renewal and Enhancements
St Thomas St &, Trafalgar St, Bronte NSW 2024
Quinn Road Columbariuml Project

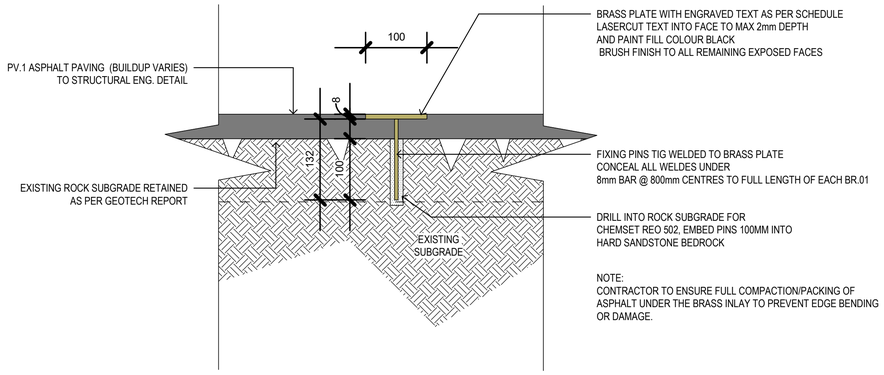
CLIENT:
Waverley Council

DRAWING TITLE:
DETAILS - SIGNAGE PILLAR

SCALE: As indicated
DATE: DATE
DRAWN: MR / AL
CHECKED: DMT
JOB NO.: 23-060s
DESIGNED: AL
DRAWING NUMBER: LT604
REVISION: A

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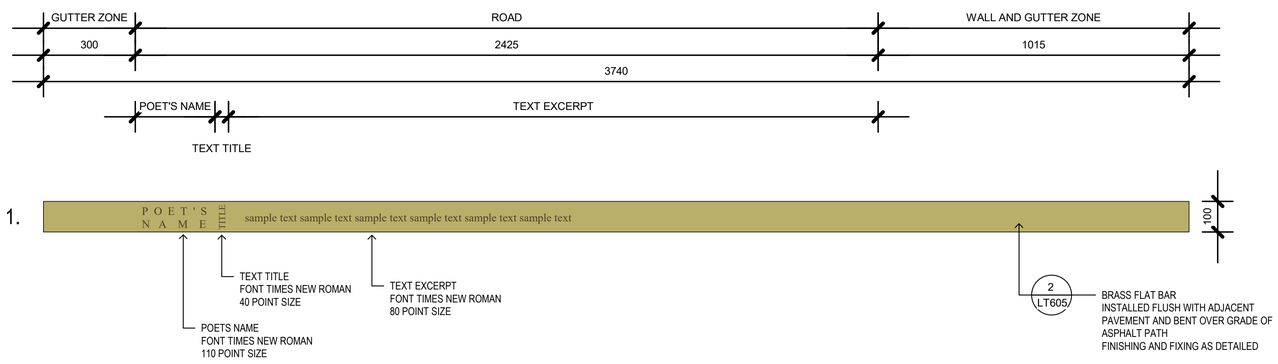


2 BR.1 BRASS PAVING INLAY DETAIL
1 : 5

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Receipt No: DA-208/2025

Date Received: 27/05/2025



1 BR.1 BRASS INLAY - TYPICAL PLAN VIEW
1 : 10

POEM SCHEDULE

WALL NUMBER Note 1	WALL NAME Note 2	POET'S NAME 110 POINT FONT	TEXT TITLE 40 POINT FONT	TEXT EXCERPT 80 POINT FONT WITH BOLD TEXT AT 120 POINT Note 3
C1	Afterglow	Roderic Quinn	'The hidden Tide'	The **afterglow** is like the light Of sunset on tired seas.
C2	Rovers	Henry Lawson	'Outside'	To feel the heave of the deck, and draw The breath that the **rovers** know.
C3	Dreaming	Dorothea Mackellar	'The Dreamer'	Into a country of wondrous things, Enter we **dreaming**, and know we're kings.
C4	Melody	Victor Daley	'A Sunset Fantasy'	A **melody** that has no words Of mortal speech a part,
C5	Silence	Henry Kendall	'A Death In The Bush'	A lovely **silence**, like a silver mist, Across the rainy relics of the storm.
C6	Travellers	Emily Manning	'From The Clyde To Braidwood'	Higher the **travellers** rise—at every turn Gaining through avenued vista some new glimpse
C7	Woodland	Charles Tompson	'Sonnet to Spring'	In softer cadence wafts the **woodland** song, And lulls the fond of solitude to sleep;
C8	Sky	Marjorie Pizer	'Overwhelmed'	Let me look at the **sky** at night And let the stars tell me Of limitless horizons and unknown universes
C9	Summer	Ethel Pedley	'The Australian Dying Year'	In the glory of **summer** the Old Year dies, When the midnight chime is tolled
C10	Sunset	Roderic Quinn	'The Hidden Tide'	The afterglow is like the light Of **sunset** on tired seas.
C11	Coast	Henry Lawson	'Up the Country'	Further out may be the pleasant scenes of which our poets boast, But I think the country's rather more inviting round the **coast**.
C12	Country	Dorothea Mackellar	'My Country'	I love a sunburnt **country**, A land of sweeping plains,
C13	Joy	Victor Daley	'A Vision of Youth'	That rider with his face aglow With **joy** of life I see
C14	Wandering	Henry Kendall	'By the Cliffs of the Sea'	Above him the **wandering** face Of the moon is a loveliness now,
C15	Song	Emily Manning	'The Muster'	O'er hill and on level our pace we keep. With a gallop, a gallop, a gallop And a jolly **song** on our lips,
C16	Bright	Charles Tompson	'Song'	And will the **bright** day-spring of love Ne'er brighten my hemisphere more?
C17	Lotus	Roderic Quinn	'The Lotus-Flower'	The spirit spelled by the **Lotus** swoons, Its beauty summons the artist mood;
C18	Brave	Henry Lawson	'After All'	My heart grows **brave**, and the world, my girl, is a good world after all.
C19	Plover	Dorothea Mackellar	'The Colours of Light'	Cream of the **plover**; grey of the dove - These are the hues of the land I love.
C20	Eternal	Victor Daley	'Life'	Let be! Warm hearts shall never wax a-cold, But burn in roses through **eternal** springs;
21 (No wall and paving inlay only)		Dorothea Mackellar	'Dawn'	The horizon turned crystal-white, And a sea of **diamond**

NOTES
1 - 20 Columbarium Walls proposed with 21 brass inlays required. The 21st will not have a wall name
2 - Wall names relate to the lasercut lettering installed to the side of the columbarium wall - refer LT601
3 - Bold text refers is to be capitalised on the engraving section on the floor panel

ISSUE	DESCRIPTION	DATE
A	TENDER	30.09.2024
P2	STRUCTURAL INPUTS	12.07.2024
P1	DRAFT TENDER	28.06.2024

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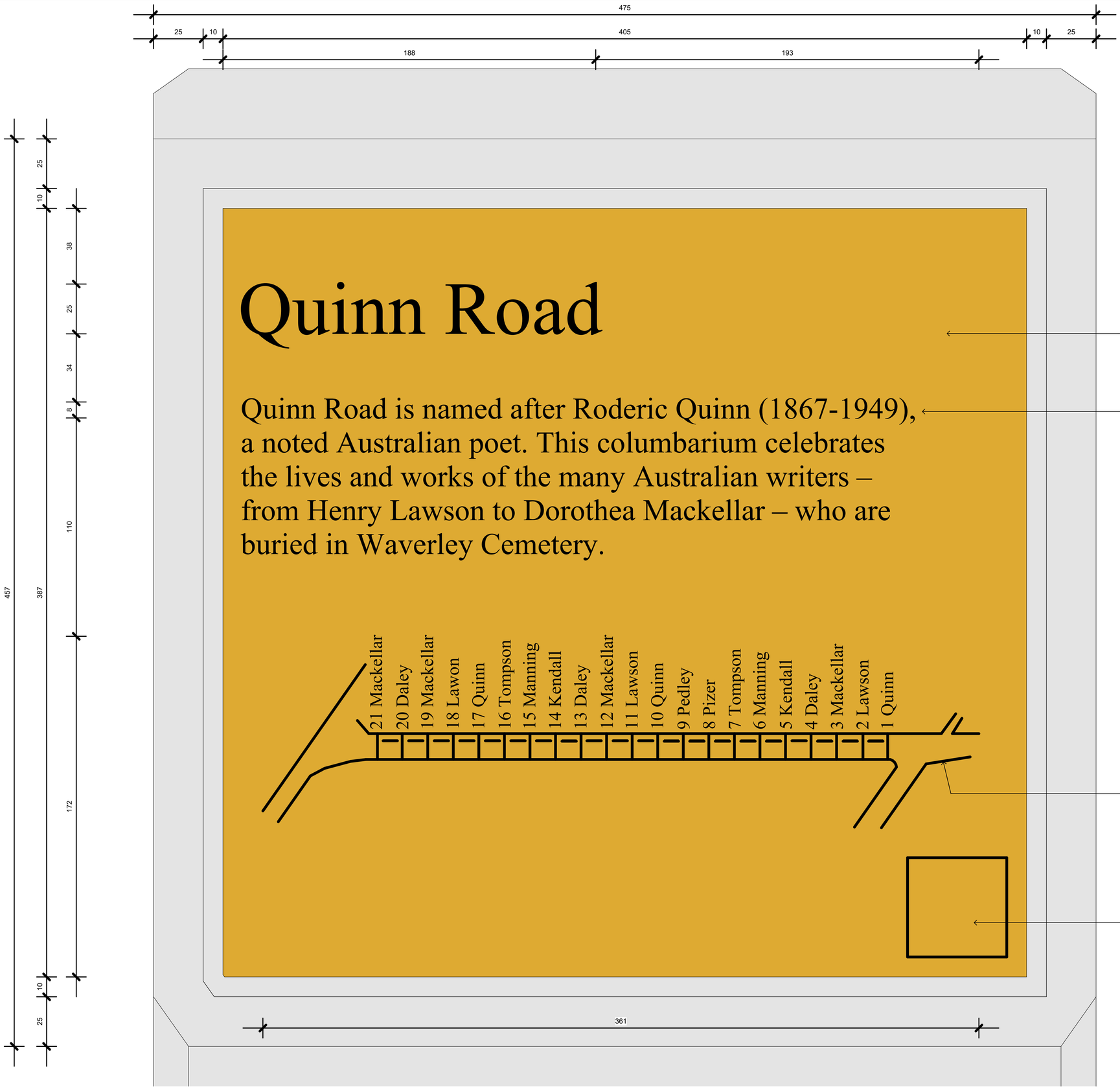
PROJECT:
Waverley Cemetery Renewal and Enhancements
St Thomas St &, Trafalgar St, Bronte NSW 2024
Quinn Road Columbariuml Project

CLIENT:
Waverley Council

DRAWING TITLE:
PAVING INLAY

SCALE: As indicated | CHECKED: DMT | DRAWING NUMBER | REVISION
DATE: DATE | JOB NO.: 23-060s | LT605 | A
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BRASS PLATE
8mm THICK
POLISHED FINISH

LASERCUT TEXT INTO BRASS PLATE
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PAINT FILLED - BLACK
FONT: TIMES NEW ROMAN
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DIAGRAM / KEY PLAN
LASERCUT INTO BRASS PLATE
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DEPTH 3mm
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QR CODE
CONTRACTOR TO ALLOW
50x50mm IN SIZE.
I.T. BY COUNCIL

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Waverley Council

Receipt No: DA-208/2025

Date Received: 27/05/2025

NOTES:
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ISSUE	DESCRIPTION	DATE
A	TENDER	09.09.2024
P3	INTERPRETATION SIGNAGE AMENDMENT	04.07.2024
P2	STRUCTURAL INPUTS	12.07.2024
P1	DRAFT TENDER	28.06.2024

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Quinn Road Columbariuml Project

CLIENT:
Waverley Council

DRAWING TITLE:
INTERPRETATION SIGN CONTENT

SCALE: 1 : 1
DATE: DATE
DRAWN: MR / AL
CHECKED: DMT
JOB NO.: 23-060s
DESIGNED: AL
DRAWING NUMBER: LT606
REVISION: A

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1 INTERPRETATION SIGN
1 : 1



Report to the Waverley Local Planning Panel

Application number	DA-296/2025
Site address	5/6-38 Blenheim Street, Queens Park NSW 2022
Proposal	Alterations and additions to dwelling, including a new skylight and an attic level addition to the rear.
Date of lodgement	30 June 2025
Owner	Proprietors of Strata Plan 46099
Applicant	Yelena Smetannikov
Submissions	2 submissions
Cost of works	$168,960.00
Principal Issues	• Exceedance of the Height of Buildings development standard.
Recommendation	That the application be **APPROVED** in accordance with the conditions contained in the report.
SITE MAP	



1. PREAMBLE

1.1. Executive Summary

The development application seeks consent for alterations and additions to a dwelling, including a new skylight and an attic level addition to the rear at the site known as 6-38 Blenheim Street, Queens Park. The dwelling is part of a 'multi dwelling housing (terraces)' complex at the site.

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

- Exceedance of the Height of Buildings development standard.

The assessment finds these issues acceptable the proposal is consistent with public interest and the aim of the Chapter 6 Low and mid rise housing under the State Environmental Planning Policy (Housing) 2021 (SEPP (Housing) 2021) and with the objectives of the land use zone of the Waverley Local Environmental Plan 2012 (Waverley LEP 2012).

A total of two submissions were received and the issues raised in the submissions have been considered and addressed in this report and in the recommendation. No Councillor submissions were received and there were no conflicts of interest raised by Council staff.

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

1.2. Site and Surrounding Locality

A site visit was carried out on 20 August 2025

The site is identified as SP46099, known as 6-38 Blenheim Street, Queens Park. It is acknowledged that the proposed development is to take place for unit 5 (Lot 5 in SP46099) (also identified as unit 16) within the strata lot. The subject unit will be identified as unit 5 for the purpose of this assessment.

The site is irregular in shape with a frontage of approximately 93m to Blenheim Street. It has an area of 2767m^2, and it falls from the front (west) of the side towards the rear (east) by approximately 2.4m.

The site is occupied by 10 x part-2 part-3 storey multi-dwelling housing (terraces) dwellings towards the north of the site and four x part-3 part-4 storey multi-dwelling housing (terraces) dwellings towards the south of the site, separated by a vehicular driveway to access basement car parking. The dwellings are configured in a 'townhouse' form and are defined as 'multi dwelling housing (terraces)' under relevant environmental planning instruments as they are attached and face and are aligned along one or more public roads.

The site is adjoined by detached and attached dwellings to its north, south and west and a part-7 part-8 storey residential flat building to its east. The locality is characterised by a variety of low and medium

density residential developments and commercial development, and the subject site is within proximity of the Bondi Junction Centre to its north.

Figures 1 to **12** are photos of the site and its context.



Figure 1: View of the existing part-2 part-3 storey attached multi-dwellings with subject unit 5 highlighted at the subject site from Blenheim Street.



Figure 2: View of the existing site context across from the subject site along Blenheim Street.



Figure 3: Aeriel view of the existing site context and rear view of the subject unit 5 from east along Bronte Road.

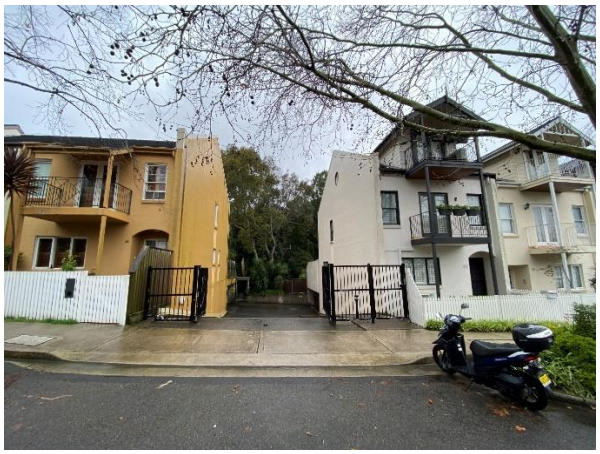


Figure 4: Existing entryway to basement parking from Blenheim Street.



Figure 5: View of the existing part-3 part -4 storey attached multi-dwellings towards the south of the site from Blenheim Street



Figure 6: View of the existing rear courtyard for unit 5.



Figure 7: View of unit 5 from its existing rear courtyard.



Figure 8: View of the existing extension of the rear courtyard for unit 5.



Figure 9: View of unit 5 from its existing extension of the rear courtyard.



Figure 10: View of the existing residential flat buildings at 129-131 Bronte Road, Queens Park from the exiting first floor window of the rear bedroom of unit 5.



Figure 11: Existing habitable room at the basement level of unit 5.

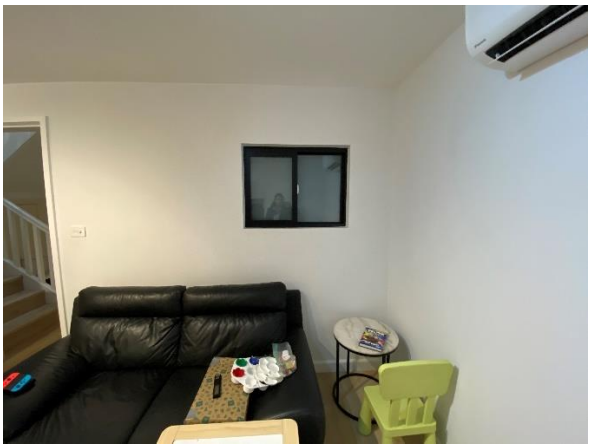


Figure 12: Existing habitable room at the basement level of unit 5.



Figure 13: View of the existing garage and habitable room at the basement level of unit 5.

1.3. Relevant Development History

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

- BR-184/1992 – New residential flat building and town house development. Approved on 9 March 1992.
- DA-345/2022 - Alterations and additions including conversion of storage area to gym/media room. Approved on 29 November 2022.

1.4. Proposal

The development application seeks consent for alterations and additions to unit 5 of the multi-dwelling housing (terraces) complex, and specifically includes the following:

First Floor

- Addition of an internal staircase for the new attic level.

Attic Floor

- Addition of a new attic floor consisting of a bedroom with a walk-in wardrobe and an ensuite, and attic storage.

Roof

- Addition of a dormer wall with skillion roof over the new bedroom below.
- Addition of skylights over the new walk-in wardrobe and ensuite at the floor below.

1.5. Background

The development application was lodged on 30 June 2025 and a Stop the Clock letter for additional information was issued on 10 July 2025 for the following reasons:

1. Amended Survey Plan to include the complete extent of the lot and an accurate site area of the lot.

2. Amended Floor Space Ratio (FSR) and Gross Floor Area (GFA) calculation as per accurate site survey and site area.

3. Amended Architectural Drawings to include the complete extent of the lot and site context in the site plan, accurate indication of the existing ground line, and the proposed skillion roof for the attic floor.

4. A Context Analysis plan.

5. Amended Statement of Environmental Effects (SEE) and Clause 4.6 Variation Requests to discuss and address the proposal's compliance with the non-discretionary development standards for multi dwelling housing (terraces) in Part 3 under Chapter 6 Low and mid rise housing of the State Environmental Planning Policy (Housing) 2021.

6. Amended Shadow Diagrams to outline and distinguish the existing and proposed shadows cast by unit 5 from those cast by the neighbouring units and amended to ensure that the drawings indicate the complete extent of shadowing, with the views from the sun diagrams to identify and indicate all neighbouring properties to the southeast of the subject site and any existing vegetation within the lots of the affected neighbouring properties.

The amended survey plan received on 27 July 2025 and amended plans received on 7 October 2025 form the basis of the assessment. A Clause 4.6 Variation Request for exceedance of the Height of Buildings development standard was received on 9 October 2025.

2. ASSESSMENT

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

2.1. Planning Instruments and Development Control Plans

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

2.1.1. State Environmental Planning Policies (SEPPs)

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

- SEPP (Sustainable Buildings) 2022
- SEPP (Housing) 2021
- SEPP (Resilience and Hazards) 202.

A detailed discussion is provided for relevant SEPP as follows:

SEPP (Housing) 2021 - Chapter 6 Low and mid rise housing

The relevant matters to be considered under SEPP (Housing) 2021 are outlined below:

Table 1: SEPP (Housing) 2021 - Chapter 6 Low and mid-rise housing Compliance Table

Provision	Compliance	Comment
Chapter 6		
Part 1 Preliminary		
162 Aim of chapter	Yes	The aim of this chapter is to encourage the development of low and mid rise housing in areas that are well located with regard to goods, services and public transport. The proposal achieves the aims.
164 Land to which this chapter applies	Yes	The land is not excluded from this chapter of the SEPP.
Part 3 - Attached dwellings, multi dwelling housing and multi dwelling housing (terraces)		
Division 1 – Preliminary		
171 Landscaping—multi dwelling housing or multi dwelling housing (terraces) • *R3 Medium Residential Zone* • *The consent authority must consider the Tree Canopy Guide for Low and Mid Rise Housing*	Yes	The subject site is located in a R3 Medium Density Residential Zone under Waverley Local Environmental Plan 2012 (Waverley LEP 2012). The 'Tree Canopy Guide for Low and Mid Rise Housing' has been considered, however, as the proposal does not increase site coverage, does not seek to remove trees and does not change the provision of landscaped area and deep soil planting on the site, the tree planting rates in Table 4 of the Guide cannot be reasonably applied in this instance. The eastern side of the whole site comprises canopy trees that would contribute to the relevant tree planting rates in the Guide.

Division 2 – Non-discretionary standards – the Act, S4.15		
172 Non-discretionary development standards for multi dwelling housing (terraces)		
172 (1) Land Use Zone • *R3 Medium Residential Zone*	Yes	The subject site is located in a R3 Medium Density Residential Zone under Waverley LEP 2012 and therefore section 172 of SEPP (Housing) 2021 applies to the proposal.
172 (3)(a) Minimum lot size • *500m^2*	N/A	The proposal retains the existing lot area of the subject site.
172 (3)(b) Minimum lot width at the front building line • *18m*	N/A	The proposal retains the existing lot width at the front building line of the subject site.
172 (3)(c) Minimum car parking space per dwelling • *0.5 car parking space*	N/A	The proposal retains the existing car parking spaces of the subject site.
172 (3)(d) Maximum Floor Space Ratio (FSR) • *0.7:1* • *Gross Floor Area (GFA) – 1936.90m^2*	Yes	The proposal results in an FSR of 0.69:1 with a GFA of 1936m^2.
172 (3)(e) Maximum Building Height • *9.5m*	No	The proposal results in a building height of 12.135m, exceeding the development standard by 2.635m or 27.7%. The existing multi-dwelling already exceeds this development standard by 12.46m or 31.15% and the proposed development is located below this height. The application is accompanied by a written request pursuant to clause 4.6 of Waverley LEP 2012 to vary the Height of Buildings development standard under section 172(3)(e) of SEPP (Housing) 2021. A detailed discussion of the variation to the development standard is presented below **Table 2**.

State Environmental Planning Policy (Sustainable Buildings) 2022

The requirements outlined in the SEPP have been satisfied in the design of the proposed development. The application has been accompanied by a BASIX certificate, and associated commitments are contained within the submitted plans. A condition would be imposed to ensure that BASIX commitments are fulfilled prior to occupation.

2.1.2. Waverley Local Environmental Plan 2012 (Waverley LEP 2012)

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

Table 2: Waverley LEP 2012 Compliance Table

Provision	Compliance	Comment
Part 1 Preliminary		
1.2 Aims of plan	Yes	The proposal is consistent with the aims of the plan.
Part 2 Permitted or prohibited development		
Land Use Table *R3 Medium Density Residential Zone*	Yes	The proposal is defined as alterations and additions to 'multi dwelling housing', which is a permitted use with consent in the R3 zone under Waverley LEP 2012.
Part 4 Principal development standards		
4.6 Exceptions to development standards	See discussion	The application is accompanied by a written request pursuant to clause 4.6 of Waverley LEP 2012 to vary the Height of Buildings development standard under section 172(3)(e) of SEPP (Housing) 2021 as that development standard prevails over the height of buildings development standard of 12.5m under Waverley LEP 2012 in so far as section 8 of SEPP (Housing) 2021 prevails when inconsistencies arise between differing environmental planning instruments A detailed discussion of the variation to the development standard is presented below Table 2.
Part 5 Miscellaneous provisions		
5.10 Heritage conservation	Yes	The subject site is located within C24 - Blenheim Street/Bronte Road Landscape Conservation Area. The proposed development is consistent with the objectives of this Clause.
Part 6 Additional local provisions		
6.15 Stormwater Management	Yes	Satisfactory.

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

Clause 4.6 Exceptions to Development Standards

The application seeks to vary the Height of Buildings development standard in section 172 (3)(a) under SEPP (Housing) 2021 - Chapter 6 Low and mid rise housing.

The site is subject to a maximum Height of Buildings development standard of 9.5m. The proposed development has a maximum building height of 12.135m, exceeding the development standard by 2.635m, equating to a 27.7% variation. It is noted that the existing building already exceeds the development standard by 12.46m or 31.15% and the proposed development is located below this height.

The applicant has provided some written justification for the non-compliance with the Height of Buildings development standard and has based the justification on the performance of the proposal against the aims of the development standard in the Housing SEPP 2021 as well as the objectives of the development standard in the Waverley LEP 2012. The relevant objectives of the development standard are as follows:

Aim of Chapter 6 Low and mid rise housing under the State Environmental Planning Policy (Housing) 2021:

The aim of this chapter is to encourage the development of low and mid rise housing in areas that are well located with regard to goods, services and public transport.

The relevant Objectives of Clause 4.3 Height of Buildings under the Waverley LEP 2012, while strictly not required to be considered as part of the clause 4.6 assessment, are as follows as a means to provide a consistent approach to assessing clause 4.6 written requests for non-conforming development in the Waverley local government area:

(a) to ensure building heights preserve the environmental amenity of neighbouring properties and public spaces and, if appropriate, the sharing of views,

(c) to maintain satisfactory solar access to existing buildings and public areas,

(d) to establish building heights that are consistent with the desired future character of the locality.

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

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

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

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

Applicant's Written Request - Clause 4.6(3)(a) and (b)

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

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

(i) The proposal is consistent with the aim of Chapter 6 of SEPP Housing as the proposal delivers refurbishment in the form of alterations and additions to an existing mid-rise residential development in a location that is well serviced by public transport, shops, and community facilities, thereby aligning with the intent to support increased housing supply in accessible urban areas.

(ii) The proposed development provides for an alternate housing type that increases housing diversity.

(iii) The existing building is to be retained, with only minor alterations and additions proposed including at the attic level to add an additional bedroom to an existing multi-dwelling housing development, providing for the needs of the occupants within an established residential area. The proposed alterations and additions offer a high level of residential living amenity with good access to light, privacy, ventilation and access.

(iv) The proposed alterations and additions offer an appropriate bulk, scale and character that is compatible with the immediate context and the character of the overall locality. The proposed development is considered to generate positive impacts for the streetscape with no adverse environmental or amenity impacts expected.

(v) There are no adverse overshadowing impacts, privacy, view or noise impacts arising from the proposal or height contravention.

(vi) The proposal will not alter the building's presentation to the streetscape, remaining consistent with the existing character of the area and is compliant with the height of building development standard under the LEP. The proposed height contravention will not be visible from the public domain and will be located within the permitted building envelope of the LEP (i.e. 12.5m height limit).

(vii) The proposal considers climate and environmental impacts through thoughtful design that provides appropriate orientation, light and ventilation for the residents and reducing the requirement for heating and cooling. Additionally, the alterations and additions are able to achieve BASIX certification.

(viii) Requiring strict compliance would thwart the underlying objectives and purpose of achieving appropriate built form, aligned with the overarching strategic planning objectives which is to encourage the development of low and mid rise housing in areas that are well located with regard to goods, services and public transport.

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

(i) The exceedance results solely from the interpretation of "ground level (existing)" and the presence of existing basement level having altered the ground level on site.

(ii) The proposed development is consistent with the precincts' medium density residential character. The location of the new works (behind front building line and rear of site) minimises the impact of the proposed works when viewed from the public domain and ensures that they remain consistent with the existing and desired future character of the locality.

(iii) *The proposed new works will not substantially alter the way the existing multi-dwelling housing development that is perceived from the public domain nor from neighbouring properties being readily integrated into the existing architectural style of the building.*

(iv) *The proposed variation can also be considered compatible with other forms of development in the visual catchment which assists in being compatible with the desired future character.*

(v) *The building height is compatible with the evolving character of the Low and Mid Housing Area and aligns with the intended urban form under the Waverley LEP and Chapter 6 of the Housing SEPP.*

(vi) *The proposal achieves the visual and environmental objectives the height limit is intended to support noting that basements contribute to building height under the strict definition, even where these levels are largely subterranean and do not impact the perceived scale or bulk of the proposed development.*

(vii) *The proposed development envelope, scale, and impact remains consistent with the intent of the height control that is to provide for a maximum of 9.5m above natural ground level (under the LMR) and 12.5m (under the LEP).*

(viii) *The proposed design features a functional and high-quality development, with high levels of amenity.*

(ix) *It is considered that there is an absence of any significant material impacts attributed to the breach on the amenity or the environmental values of surrounding properties, the amenity of future building occupants and on the character of the locality. Specifically:*

- *The extent of the additional height creates no adverse overshadowing impacts to adjoining development when considered against the backdrop of the permissible building controls. As such, the increase to overshadowing caused by the non-compliant elements would be insignificant or nil;*
- *The height breach does not result in any adverse additional privacy impacts. The proposed alterations and additions to the existing dwelling will improve its functionality without adversely impacting neighbouring properties amenity; and*
- *The height breach will not result in any view loss as the subject site does not contain any significant views or vistas across or from the public domain. As such, the extent of view loss caused by the non-compliant elements would be insignificant or nil.*

(x) *The proposed development meets the objectives of the development standard and meets the objectives of the R3 Medium Density zone.*

(xi) *The proposed development achieves the objects in Section 1.3 of the EPA Act, specifically:*

- *The proposal promotes the orderly and economic use and development of land through the proposed alterations and additions that provide additional facilities that better meet the needs and significantly improve the living amenity of the residents.*
- *The proposed development promotes good design and amenity of the built environment through a well-considered design which is responsive to its setting and context.*

<u>Consideration of Applicant's Written Request</u>

The applicant's written request has correctly identified the development standard to be varied, relevant legislation and measured height using the correct ground level. The document also addressed those matters required in Clause 4.6(3)(a) and (b).

Consideration of 4.6(3)(a) whether compliance is unreasonable or unnecessary in the circumstances of the case

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

(a) the objectives of the development standard are achieved notwithstanding non-compliance with the standard;

(b) to establish that the underlying objective or purpose is not relevant to the development with the consequence that compliance is unnecessary;

(c) to establish that the underlying objective or purpose would be defeated or thwarted if compliance was required with the consequence that compliance is unreasonable;

(d) to establish that the development standard has been virtually abandoned or destroyed by the Council's own actions in granting consents departing from the standard and hence compliance with the standard is unnecessary and unreasonable; and

(e) to establish that "the zoning of particular land" was "unreasonable or inappropriate" so that "a development standard appropriate for that zoning was also unreasonable or unnecessary as it applied to that land" and that "compliance with the standard in that case would also be unreasonable or unnecessary.

The applicant specifically relies upon justification (a) and (c) of *Wehbe v Pittwater Council* (2007) 156 LGERA 446]

There are no specific objectives for Height of Buildings within Chapter 6 Low and mid rise housing under the State Environmental Planning Policy (Housing) 2021. The proposed development, as assessed, is consistent with the aim of Chapter 6 of the Housing SEPP as it provides a low and mid rise housing development in an area that is well located with regard to goods, services and public transport.

It is acknowledged that the proposed development does not sufficiently satisfy objective (a) under Clause 4.3 Height of Buildings under the Waverley LEP 2012 as the proposed building height fails to preserve the environmental amenity of neighbouring properties and public spaces as it results in additional shadowing; however, the proposal does not have any impact on accessible views. The proposal continues to satisfy objectives (c) and (d) of the Clause 4.3 Height of Buildings under the Waverley LEP 2012 as it maintains satisfactory solar access to existing buildings and public areas and as the proposal does not alter the established overall building height of the subject dwelling. The proposal does not result in any adverse view, overshadowing, or visual and acoustic impact and continues to maintain compatibility with the bulk and scale of the desired future character of the locality.

The proposal also achieves the relevant objectives of the R3 Medium Density Residential Zone by providing a development that is compatible with the desired future character and amenity of the surrounding neighbourhood through preserving and enhancing the existing residential dwelling density at the subject site.

The applicant has satisfactorily argued that strict compliance is unreasonable or unnecessary in the circumstances of this case to justify contravening the development standard.

Consideration of 4.6(3)(b) whether there are sufficient environmental planning grounds to justify contravening the development standard.

The proposed bulk resulting in the variation of 2.635m or 27.7% to the maximum permissible Height of Buildings development standard applicable to the subject site is located at the rear of the existing dwelling. The proposed variation to the Height of Buildings development standard has emerged as a function the application of Chapter 6 Low and mid rise housing under the State Environmental Planning Policy (Housing) 2021 to the proposal and the subject site since 28 February 2025. The proposed development otherwise complies with the Height of Buildings development standard of 12.5m under Waverley LEP 2012.

The proposed development maintains consistency with the streetscape and provides an appropriate response to the existing built form and site topography. The proposed addition of an attic bedroom is an improved outcome for the amenity of the existing attached multi-dwelling. Whilst the proposal results in additional shadows, therefore failing to preserve the existing environmental amenity of the neighbouring development, the additional impact is not considered to be significant. Additionally, the proposal does not result in any significant or additional view or visual and acoustic impact.

The applicant has satisfactorily argued that that there are sufficient environmental planning grounds to justify contravening the development standard.

Conclusion

The written request provided by the applicant to vary the Height of Buildings development has adequately addressed clause 4.6 of the Waverley LEP 2012 and the justification provided by the applicant is satisfactory.

2.1.3. Waverley Development Control Plan 2022 (Waverley DCP 2022)

The relevant matters to be considered under the Waverley DCP 2022 are outlined below:

Table 3: Waverley DCP 2022 – Part B General Provisions Compliance Table

Development Control	Compliance	Comment
1. Waste • *Garbage bins are to be stored in an appropriate location.*	Yes	Satisfactory. A completed Site Waste and Recycling Management Part 1 Form is provided and the proposed waste disposal arrangement at the site is acceptable.
2. Ecologically Sustainable Development • *Ceiling or wall mounted fans are to be provided in*	No (conditioned)	A condition is recommended requiring ceiling or wall-mounted fans and electric heating systems in all new habitable rooms for the subject multi-dwelling.

Development Control	Compliance	Comment
all habitable rooms (main living areas and bedrooms) and be notated on DA and CC plans • *Gas cooktops, gas ovens and gas space heating systems are not permitted in residential development*		
5.Water Management	Yes	Satisfactory.
8. Heritage **8.5 Landscape Conservation Areas** • *New works in the vicinity of Landscape Conservation Areas and natural settings are to acknowledge the significant character, detail and context of the setting.* • *Any new works must consider the visual and physical impact upon the setting.*	Yes	The subject dwelling is not a listed heritage item or a contributory building. The proposed development is located at the rear of the existing dwelling and is not considered to have any significant or adverse impact on the heritage value of the Blenheim Street/Bronte Road Landscape Conservation Area.
11. Design Excellence	Yes	Satisfactory. The proposal is consistent with the design excellence controls.

Table 54: Waverley DCP 2022 – Part C2 Other Residential Development Compliance Table

Development Control	Compliance	Comment
2.1 Site, scale and frontage		
• *Minimum frontage*	N/A	The proposal retains the existing frontage of the attached multi-dwelling.
2.2 Height		
• *Maximum external wall height.*	Yes	The proposal results in a maximum external wall height of 8.72m and is acceptable.
2.3 Setbacks		
2.3.1 Street setbacks • *Consistent street setback*	Yes	The proposal retains the existing street setback of the attached multi-dwelling.
2.3.2 Side and rear setbacks	No	No side setbacks are provided for the proposed attic bedroom addition. The proposal complies

Development Control	Compliance	Comment
• *Minimum side setback: 1.5m*	(acceptable on merit)	with the FSR development standard and achieving strict compliance with this control is not expected to significantly reduce additional shadow impacts and the proposed development would result in a 2.3m wide bedroom space. Notwithstanding the non-compliance, the proposed nil setbacks for the attic bedroom offer improved amenity for the subject dwelling and therefore, the non-compliance is acceptable.
• *Minimum rear setback: 6m or predominant rear building line, whichever is the greater setback*	Yes	Satisfactory. A 12.9m rear setback is provided for the proposed attic addition.
2.5 Building design and streetscape		
• *Building design is to respond to the existing streetscape character of the area.* • *The design of alterations and additions should demonstrate architectural compatibility with the existing building.* • *The colour and finish of external materials should be sympathetic to the streetscape and contribute to the overall appearance of the building*	Yes	Complies. The proposed alterations and additions provide an appropriate material and design response for the subject site and dwelling and maintain the existing streetscape character.
2.6 Attic and roof design		
• *An attic must be wholly contained within a pitched roof form; that is a hipped or gabled roof, but not a flat or skillion roof (with the exception of dormer windows).*	Yes	The proposed attic addition is contained partially within the existing envelope of the subject dwelling and partially within a single dormer window.
• *An attic must not increase the bulk and height of the roof.* • *Attic levels must:*	No (acceptable on merit)	The proposed development retains the existing overall height of the roof and the additional bulk through the inclusion of a dormer window for the

Development Control	Compliance	Comment
(i) Ensure the pitched roof form is the major visual element of the roof and must respond to the context; *(ii) Not exceed 50% of the floor area of the floor below;* *(iv) Be naturally ventilated using cross or stack ventilation.*		proposed attic is located on the rear slope of the existing pitched roof of the subject dwelling. The attic addition equates to an approximate of 65% of the floor area of the floor below and is proposed to be naturally ventilated through the dormer bedroom window.
• *Where dormer structures are proposed they must:* *(i) Be secondary to the primary roof structure; and* *(ii) Be set down a minimum of 300mm from the main ridge line.* • *Attic additions must not contain a single expansive dormer window. Multiple smaller dormers are preferred where appropriate.* • *Dormer windows and skylights are to be less than 50% of the area of the roof elevation.*		The proposed dormer structure is not secondary to the primary roof structure and consists of a single expansive dormer that is set down from the existing main ridgeline by 300mm. The visibility of the additional bulk is limited to the rear courtyards of the adjoining attached multi-dwellings and to the units facing the rear courtyard of the residential flat building at 129-131 Bronte Road. The overall non-compliance for these controls is acceptable as the proposed development complies with the FSR development standard and does not have any unreasonable impact on the streetscape or on the environmental amenity of the neighbouring dwellings.
• *Attic rooms must have a minimum width of 3m and must have a minimum floor to ceiling height of 2.4m, for at least two thirds of the floor area of the room*	Yes	Satisfactory.
2.13 Solar access and overshadowing		
• *Living rooms and private open spaces of at least 70% of dwellings in a development are to receive a minimum of*	Yes	Satisfactory. Whilst the proposed addition of the attic bedroom results in additional shadows over the rear courtyard of the adjoining attached multi-dwelling at 6/6-38 Blenheim Street between 1:00pm and 2:00pm on June 21 and over the rear

Development Control	Compliance	Comment
three hours direct sunlight between 9:00am and 3:00pm on June 21. • *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.*		courtyard of the residential flat building at 129-131 Bronte Road between 2:00pm and 3:00pm on June 21, the overall proposal satisfactorily complies with these controls.
2.14 Views and view sharing		
• *Minimise view loss through design* • *Views from public spaces to be maintained*	Yes	The proposed development does not result in any unreasonable view loss of any significant views available to the neighbouring properties of the subject site.
2.15 Visual privacy and security		
• *Privacy be considered in relation to context density, separation use and design* • *Windows and balconies of an upper level dwelling should be designed to prevent overlooking of more than 50% of the private open space of a lower level dwelling directly below and within the same development.*	No (conditioned)	The proposed dormer window overlooks the private open spaces of the neighbouring dwellings and is to be amended to include fixed privacy screening up to a minimum height of 1.6m measured above the internal finished floor of the attic. A condition of consent is recommended to this effect.
2.16 Dwelling size and layout		
• *Max habitable room depth for single aspect dwelling is 8m from a window* • *All habitable rooms to have a window* • *Min sizes* *3 bedroom = 100m^2* • *Consideration should be given to the internal design of dwellings to*	Yes	Satisfactory.

Development Control	Compliance	Comment
encourage flexibility of uses over time. • *Accessible and Adaptable*		
2.17 Ceiling Heights		
• *Min 2.4m floor to ceiling height attic levels*	Yes	Satisfactory.
2.18 Storage		
• *In addition to kitchen cupboards and bedroom wardrobes, min storage required is:* *3 or more bed = 10m^3*	Yes	Satisfactory.
2.19 Acoustic privacy		
• *Internal amenity by locating noisy areas away from quiet areas*	Yes	Satisfactory.
2.20 Natural Ventilation		
• *All dwellings to be naturally cross-ventilated*	Yes	Satisfactory.
• *Ceiling fans are to be provided in all habitable rooms*	No (conditioned)	The proposal is to be amended to include ceiling or wall-mounted fans in all new habitable rooms. A condition of consent is recommended to this effect.
2.21 Building services		
• *Services are to be integrated into the design of buildings*	Yes	Satisfactory.

2.2. Other Impacts of the Development

The proposal is considered to have no significant detrimental effect relating to environmental, social or economic impacts on the locality, subject to appropriate conditions being imposed and is recommended for approval.

2.3. Suitability of the Site for the Development

The site is considered suitable for the proposal.

2.4. Any Submissions

The application was notified for at least 14 days between 14 August 2025 and 2 September 2025 in accordance with the *Community Engagement Strategy Amendment 1 (2025).*

Following receipt of amended plans and additional information that includes a Clause 4.6 Variation request for exceedance of the Height of Buildings development standard, the application was not notified as the amended form of the proposal resolves technical requirements whilst retaining the original design form of the proposed development that was publicly notified.

A total of 2 unique submissions were received from the following properties:

- 504/129-131 Bronte Road, Queens Park NSW 2022
- 603/129-131 Bronte Road, Queens Park NSW 2022.

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

- Impact to visual privacy through the proposed dormer windows.
- Inconsistency of visual bulk of the proposed dormer windows with the existing neighbourhood character.

2.5. Public Interest

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

3. REFERRALS

The following internal referral comments were sought:

3.1. Stormwater Management

The application was referred to Council's Stormwater Engineers, and they have raised no objections to the proposal, subject to the satisfaction of the conditions of consent.

3.2. Heritage Conservation

The application was referred to Council's Heritage Advisor, and they have raised an objection to the asymmetrical placement of the proposed skylight on the side of the roof that faces Blenheim Street.
A condition is recommended to amend the proposal to ensure that the size and placement of the skylight on the front roof achieves a symmetrical outlook to the streetscape of Blenheim Street.
The Heritage Advisor has raised no other objections to the proposed development.

4. CONCLUSION

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

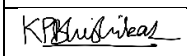
5. RECOMMENDATION TO WAVERLEY LOCAL PLANNING PANEL

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

Managers of Development Assessment (MODA) Review

The application was reviewed by the MODA at the meeting on 1 October 2025 and the MODA concurred with the Assessment Planner's recommendation.

MODA members: *B McNamara, B Magistrale, J Zancanaro and O Navratil*

Report prepared by:	**Application reviewed and agreed by:**
	
Kalyani Bhishikar	Ben Magistrale
Development Assessment Planner	**A/Executive Manager, Development Assessment**
Date: 9 October 2025	**Date: 10 October 2025**

Reason for WLPP referral:

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

OFFICE USE ONLY

Planning Portal Data		
Clause 4.6 register entry required	27.7% variation to height (Clause 4.3)	
	X	Pre-existing non-compliance
	X	No change to overall building height
		No change to overall building envelope
	X	Variation limited to the attic only
	X	No unreasonable impacts on the amenity of adjoining properties or streetscape
	X	Sufficient environmental planning grounds
	X	Consistent with the objectives of the standard

Determining Authority	Council
Were the requirements of the Sustainable Buildings SEPP (effective 1 October 2023) met?	Yes
Does the proposal trigger a Housing & Productivity Contribution ? If so, please ensure you have calculated the contribution in the CON case in the Planning Portal.	No
Have any dwellings been approved for affordable Rental Housing under this approval/consent?	No
Secondary Dwelling	No
Boarding House	No
Group Home	No
Is the development subject to the Special Infrastructure Contribution (SIC)?	No
Is the development located within an Urban Release area?	No
Waverley Council Data	
Trial Period database entry required	No
VPA submitted – follow up actions required	No
Refer to compliance for investigation	No
Commercial/liquor operational conditions	No
Was there a 'Conflict of Interest' declared	No

Terms and Reasons for Conditions

Under section 88(1)(c) of the EP&A Regulation, the consent authority must provide the terms of all conditions and reasons for imposing the conditions other than the conditions prescribed under section 4.17(11) of the EP&A Act. The terms of the conditions and reasons are set out below.

GENERAL CONDITIONS

<table>
<tr><th></th><th>Condition</th></tr>
<tr><td>1.</td><td>APPROVED PLANS AND DOCUMENTATION

The development must be in accordance with:
(a) Architectural Plans prepared by Urban Den Architects including the following:
<table>
<tr><th>Plan Number and Revision</th><th>Plan description</th><th>Plan Date</th><th>Date received by Council</th></tr>
<tr><td>Page 1 Issue I</td><td>Existing Basement Plan</td><td>27/07/2025</td><td>09/10/2025</td></tr>
<tr><td>Page 2 Issue I</td><td>Existing Ground Floor Plan</td><td>27/07/2025</td><td>09/10/2025</td></tr>
<tr><td>Page 3 Issue I</td><td>Existing First Floor Plan</td><td>27/07/2025</td><td>09/10/2025</td></tr>
<tr><td>Page 4 Issue I</td><td>Existing Site Plan</td><td>27/07/2025</td><td>09/10/2025</td></tr>
<tr><td>Page 5 Issue I</td><td>Proposed First Floor Plan</td><td>27/07/2025</td><td>09/10/2025</td></tr>
<tr><td>Page 6 Issue I</td><td>Proposed Attic Plan</td><td>27/07/2025</td><td>09/10/2025</td></tr>
<tr><td>Page 7 Issue I</td><td>Proposed Site Plan</td><td>27/07/2025</td><td>09/10/2025</td></tr>
<tr><td>Page 8 Issue I</td><td>Proposed Site Plan</td><td>27/07/2025</td><td>09/10/2025</td></tr>
<tr><td>Page 9 Issue I</td><td>North Elevation</td><td>27/07/2025</td><td>09/10/2025</td></tr>
<tr><td>Page 10 Issue I</td><td>East Elevation</td><td>27/07/2025</td><td>09/10/2025</td></tr>
<tr><td>Page 11 Issue I</td><td>South Elevation</td><td>27/07/2025</td><td>09/10/2025</td></tr>
<tr><td>Page 12 Issue I</td><td>West Elevation</td><td>27/07/2025</td><td>09/10/2025</td></tr>
<tr><td>Page 13 Issue I</td><td>Section A</td><td>27/07/2025</td><td>09/10/2025</td></tr>
<tr><td>Page 14 Issue I</td><td>Section B</td><td>27/07/2025</td><td>09/10/2025</td></tr>
<tr><td>Page 15 Issue I</td><td>External Finishes Schedule</td><td>27/07/2025</td><td>09/10/2025</td></tr>
</table>
(b) BASIX Certificate.
(c) Stormwater Details and documentation prepared by ROSS Engineers, Sheet No. 1-2, (23-3043 SW), Issue 1, dated 19/02/2024, and received by Council on 30/06/2025.
(d) The Site Waste and Recycling Management Plan (SWRMP) Part 1 received by Council on 30/06/2025.
Except where amended by the following conditions of consent.

Condition reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.</td></tr>
</table>

2.	**GENERAL MODIFICATIONS**
	The application is approved subject to the following plan amendments: (a) Ceiling or wall mounted fans are to be provided in all new habitable rooms and be notated on DA and CC plans.
	Condition reason: To comply with the Ecologically Sustainable Development of the Waverley Development Control Plan 2022.
	(b) The proposed dormer window for the attic floor is to be amended to include fixed privacy screening up to a minimum height of 1.6m measured above the internal finished floor of the attic.
	Condition reason: To mitigate impacts to visual privacy of the neighbouring properties.
	(c) The proposal is to be amended to ensure that the size and placement of the skylight on the front roof achieves a symmetrical appearance when viewed from Blenheim Street.
	Condition reason: To provide an improved outcome for the streetscape character of Blenheim Street.
	The amendments are to be approved by the **Principal Certifying Authority** prior to the issue of any Construction Certificate.

BUILDING WORK

BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE

	Condition
3.	**NO BUILDING OR DEMOLITION WORKS PRIOR TO RELEASE OF CONSTRUCTION CERTIFICATE**
	The building work, or demolition work, must not be commenced until: (a) a Construction Certificate has been obtained from Council or an Accredited Certifier in accordance with the *Environmental Planning and Assessment Act 1979*; (b) a Principal Certifying Authority has been appointed and Council has been notified of the appointment in accordance with the *Environmental Planning and Assessment Act 1979* and *Environmental Planning and Assessment Regulation 2021*; and (c) Council is given at least two days' notice in writing of the intention to commence the building works.
	Condition reason: To ensure a Construction Certificate is obtained prior to work commencing.
4.	**SECTION 7.12 CONTRIBUTION**
	A monetary development contribution is payable to Waverley Council pursuant to section 7.12 of the *Environmental Planning and Assessment Act 1979* and the Waverley Council Development Contributions Plan in accordance with the following: (a) Where the total development cost is $500,000 or less: (i) a **Cost Summary Report** or **Building Contract** (dated within 12 months) or similar is to be submitted to Council's Customer Service Centre to process payment. (b) Where the total development cost is more than $500,000 but less than $1,000,000: (i) a **Detailed Cost Report** (dated within 12 months) prepared by a registered Quantity Surveyor, **Building Contract,** or similar is to be submitted to Council's Customer Service Centre to process payment. (c) Where the total development cost is $1,000,000 or more: (i) a **Detailed Cost Report** (dated within 12 months) prepared by a registered Quantity Surveyor, **Building Contract,** or similar is to be submitted to and approved by Council's Executive Manager, Urban Planning, Policy and Strategy (or delegate). - Please forward documents to info@waverley.nsw.gov.au attentioned to Strategic Planning, and reference the relevant application number, address and condition number to satisfy. (ii) Upon confirmation of the contribution amount by Council's Executive Manager, Urban Planning, Policy and Strategy (or delegate), payment is to be processed via the Customer Service Centre. (iii) Should there be a discrepancy between the cost of works approved in subclause (b)(i) and the DA fee nominated in the original DA, then

	additional DA Fees may be payable prior to the issue of a Construction Certificate. A copy of the required format for the cost reports are provided in the Waverley Council Contributions Plan, available on Council's website. (d) As legislated in section 209 of the Environmental Planning and Assessment Regulation 2021, the levy must be paid in accordance with the following: (i) A development valued at $100,000 or less will be exempt from the levy; (ii) A development valued at $100,001 - $200,000 will attract a levy of 0.5% of the full cost of the development; or (iii) A development valued at more than $200,000 will attract a levy of 1% of the full cost of the development. Prior to the issue of any Construction Certificate, evidence must be provided that the levy has been paid to Council in accordance with this condition or that the cost of works is less than $100,000.
	Condition reason: To ensure the Section 7.12 Contributions are paid.
5.	**SECURITY DEPOSIT**
	A deposit (cash or cheque) for the amount of **$7,385.00** must be provided to Council for any damage caused to any property of the consent authority (ie. public land) as a consequence of the works and completing any public work (such as road work, kerbing and guttering, footway construction, stormwater drainage and environmental controls) required in connection with the consent. This deposit (cash or cheque) must be provided to Council prior to the issue of any Construction Certificate. The full amount of the deposit, minus Council's costs for any repair of damage to Council property or rectification of unauthorised works on Council property, will be refunded after satisfactory completion all of works associated with this consent (including the required public works) to the person who paid the deposit.
	Condition reason: To ensure any damage to public infrastructure is rectified and public works can be completed.
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 of this building work. Evidence that the levy has been paid is to be submitted to the Principal Certifying Authority prior to the issue of any Construction Certificate. Note: Council acts as an agent for the Long Service Payment Corporation and the levy may be paid at Council's office. The levy rate is 0.25% of building work costing $250,000 or more.
	Condition reason: To ensure the long service levy is paid.

7.	**ENGINEERING PLANS ASSESSMENT AND WORKS INSPECTION FEES**
	The Applicant must pay to Council fees for the assessment of all engineering plans and inspection of the completed works in the public domain inclusive of all stormwater assessments, in accordance with the 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.
	Condition Reason: The engineering plans assessment fees are applicable as per Waverley Council's Pricing Policy Fees and Charges 2025-2026, to assess and issue approval by Council's Infrastructure Services Team on the proposed design and associated works.
8.	**HOARDING**
	To ensure the site is contained during construction, a hoarding is required for the approved works, which is to be designed and constructed in accordance with the requirements of Safe Work NSW. Where the hoarding is to be erected over the footpath or any public place, the approval of Council's Compliance Unit must be obtained and the applicable fees paid, prior to the erection of the hoarding.
	Condition reason: To ensure safety to the general public.
9.	**EROSION & SEDIMENT CONTROL**
	A Soil and Water Management Plan (SWMP), also known as an Erosion and Sediment Control Plan must be prepared in accordance with Waverley Council's Water Management Technical Manual. The SWMP must be approved by the Principal Certifying Authority prior to the issue of a Construction Certificate. A copy of the SWMP must be kept on site at all times and made available to Council officers upon request. The recommendations of the SWMP must be implemented and maintained during all construction activities and until the site is fully stabilised following construction.
	Condition reason: To ensure sediment laden runoff and site debris do not impact local stormwater systems and waterways.
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.
	Condition reason: To ensure structural stability of work on site.
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.
	Condition reason: To ensure structural stability of work on site.
12.	**STORMWATER AND PUBLIC INFRASTRUCTURE MANAGEMENT**
	To ensure that stormwater runoff from the development is drained in an appropriate manner, without impact on neighbouring properties and downstream systems, a detailed plan and certification of the development's stormwater management system must be submitted and approved by the Executive Manager, Infrastructure Services (or delegate) prior to the issue of the relevant Construction Certificate. The submitted stormwater management plan prepared by ROSS Engineers, Sheet No. 1-2, (23-3043 SW), Issue 1, dated 19/02/2024 are considered concept only. The applicant must submit amended plans and specifications to comply with the current Waverley Council Water Management Technical Manual and Development Control Plan (DCP) at the time of engineering plan approval. The submitted plans must be prepared by a suitably qualified and practising Civil Engineer and comply with the following conditions: (a) If the stormwater is proposed to be connected to the existing stormwater system, detail the system and any proposed pipe sizes, type, grade, length, invert levels, dimensions and types of drainage pits and inspection openings and their location. (b) The existing stormwater system must be adequate to cater for flow increase. Otherwise, the existing stormwater system must be re-designed and upgraded in accordance with the Water Management Technical Manual (WMTM). (c) Specify any components of the existing system to be retained and certified during construction to be in good condition and of adequate capacity to convey additional runoff and be replaced or upgraded if required. (d) Pits and inspection openings must be provided at all junctions, change in gradient, change in direction, and changes in diameter for access and maintenance purposes. (e) Any new downpipes must be located wholly within the property's boundary. Notes: (i) Any Council infrastructure affected as a 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 must be replaced if damaged as per the Waverley Council Public Domain Technical Manual. All associated costs will be borne by the applicant. (ii) The checklist as set out on pages 68-76 in Council's Water Management Technical Manual (October 2021) available online must be completed and submitted with any revision of Construction Certificate Plan Submissions. (iii) 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.

	(iv) 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 must not be replicated. (v) 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. (vi) Council's contact for infrastructure assessment: E-mail: assets@waverley.nsw.gov.au or Phone: 9083 8655 (operational hours between 9.30am to 4pm Monday to Friday). The expected duration to review and approve the stormwater management plan may take at least 15 working days from the date of submission. (vii) Evidence from a suitably qualified and practicing Engineer that the approved design has been adhered to must be submitted to and approved by the Principal Certifying Authority (PCA) prior to the issue of the relevant Construction Certificate application.
	Condition Reason: To ensure that the stormwater system is designed and constructed in accordance with Waverley Council's Water Management Technical Manual and will minimise the likelihood of stormwater related issues to the property owner, occupiers, neighbours and broader community.
13.	**BASIX**
	All requirements of the BASIX Certificate are to be shown on the Construction Certificate plans and documentation.
	Condition reason: To ensure BASIX requirements are met.
14.	**SITE WASTE AND RECYCLING MANAGEMENT PLAN**
	A *Site Waste and Recycling Management Plan (SWRMP) - Part 2* is to be submitted to the Principal Certifying Authority prior to the issue of the relevant Construction Certificate, which outlines materials to be reused and/or recycled as a result of demolition and construction works. At least one copy of the *SWRMP Part 2* is to be available on site at all times during construction. Copies of demolition and construction waste dockets that verify the facility that received the material for recycling or disposal and the quantity of waste received, must be retained on site at all times during construction.
	Condition reason: To ensure resource recovery is promoted and the local amenity is protected during construction.
15.	**DILAPIDATION REPORT**
	Before any site work commences, a dilapidation report must be prepared by a suitably qualified engineer detailing the structural condition of adjoining buildings,

	structures or works and public land to the satisfaction of the Principal Certifying Authority. At minimum, the following properties are to be included: (a) Unit 4, 6-38 Blenheim Street, Queens Park NSW 2022 (b) Unit 6, 6-38 Blenheim Street, Queens Park NSW 2022 Where access has not been granted to an adjoining property to prepare the dilapidation report, the report must be based on a survey of what can be observed externally and demonstrate, in writing, to the satisfaction of the Principal Certifying Authority that all reasonable steps were taken to obtain access to the adjoining properties. The report is to be dated, submitted to, and accepted by the Principal Certifying Authority, prior to any work commencing on the site. No less than 14 days before any site work commences, adjoining property owner(s) must be provided with a copy of the dilapidation report for their property(ies) and a copy of the report(s) must be provided to council (where council is not the principal certifier) at the same time. 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.
	Condition reason: To establish and document the structural condition of adjoining properties and public land for comparison as site work progresses and is completed and ensure neighbours and council are provided with the dilapidation report.
16.	**RENEWABLE ENERGY AND ENERGY EFFICIENCY**
	To enable all development to contribute to net zero greenhouse emissions by 2035, the following shall apply: (a) An electric hot water system is strongly encouraged in all developments. Recommended systems include electric heat pump, solar thermal with electric boost or electric storage. (b) Recommended lighting systems to include LEDs with controls, such as motion sensors, step-dim controls and daylight sensors. The architectural plans shall be updated to notate the above and submitted to the Principal Certifying Authority for approval, prior to the issue of a Construction Certificate.
	Condition reason: To reduce community greenhouse emissions to net zero by 2035 and ensure all new (or altered) homes have future capacity to be an all-electric building, powered by renewable energy.

BEFORE BUILDING WORK COMMENCES

	Condition
17.	**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.
	Condition reason: To ensure the general public are afforded the Principal Certifying Authority and principal contractor's (the coordinator of the building works) contact details.
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; • *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.
	Condition reason: To ensure the safety of workers and the general public.
19.	**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.
	Condition reason: To protect and retain trees.
20.	**STREET TREES TO BE RETAINED/TREE PROTECTION**
	No existing street trees shall be removed without Council approval. Precautions shall be taken when working near trees to ensure their retention, including the following: (a) Do not store harmful or bulk materials or spoil under or near trees; (b) Prevent damage to bark and root system; (c) Do not use mechanical methods to excavate within root zones; (d) Do not add or remove topsoil from under the drip line; (e) Do not compact ground under the drip line; (f) Do not mix or dispose of liquids within the drip line of the tree; and (g) All trees marked for retention must have a protective fence/guard placed around a nominated perimeter in accordance with AS4970-2009 "Protection of trees on construction sites.
	Condition reason: To protect trees during the carrying out of site work.

DURING BUILDING WORK

	Condition
21.	**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.
	Condition reason: To ensure the safety of workers and the general public.
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 Sundays and public holidays. Excavation works involving the use of heavy earth movement equipment, including rock breakers and the like, must only be undertaken between the hours of 7am and 5pm on Mondays to Fridays, with no such work to be carried out on Saturday, Sunday or a public holiday. Noise from construction activities shall comply with the *Protection of the Environmental Operations (Noise Control) Regulation 2017*.
	Condition reason: To protect the amenity of the surrounding area.
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.
	Condition reason: To ensure building material is stored in an appropriate location.
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, Part 8 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021* and the requirements of any other applicable legislation or instruments.

	Condition reason: To ensure regular inspections occur throughout the construction process.
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.
	Condition reason: To ensure buildings are sited and positioned in the approved location.
26.	**WORK OUTSIDE PROPERTY BOUNDARY**
	This consent does not authorise any work outside the property boundary.
	Condition reason: To ensure all works are located within the property boundary.

BEFORE ISSUE OF AN OCCUPATION CERTIFICATE

	Condition
27.	**FINAL OCCUPATION CERTIFICATE**
	Prior to occupation or use of the development, an Occupation Certificate must be obtained. The Principal Certifying Authority must be satisfied that the requirements of the *Environmental Planning & Assessment Act 1979* have been satisfied including all critical stage inspections. Documentary evidence of all required inspections is to be submitted to Council.
	Condition reason: To ensure an Occupation Certificate is issued prior to occupation or use of the development.
28.	**CERTIFICATION OF BASIX COMMITMENTS**
	The Principal Certifying Authority shall certify that the all the undertakings in the approved BASIX certificate have been completed.
	Condition reason: To ensure all the undertakings in the approved BASIX certificate have been completed.
29.	**CERTIFICATION OF NEWLY CONSTRUCTED AND RETAINED STORMWATER DRAINAGE SYSTEM**
	Certification must be provided from a suitably qualified and practicing Engineer or Plumber, that any new stormwater drainage system has been constructed in accordance with the Development Consent, Water Management Technical Manual, all applicable Codes, Policies, Plans, Standards, and good engineering practice. Certification must be provided from a suitably qualified and practicing Engineer or Plumber, that any retained stormwater drainage system is unblocked, in good working order, and has been repaired or replaced in accordance with Council's Water Management Technical Manual and Development Control Plan and all applicable Codes, Policies, Plans, Standards and good engineering practice. A copy of the certifications must be submitted to the assessing stormwater engineer within Infrastructure Services for approval.
	Condition reason: Ensure stormwater drainage system has been constructed or retained as per the approved stormwater management plans.

GENERAL ADVISORY NOTES

	Condition
1.	**DEVELOPMENT IS TO COMPLY WITH LEGISLATION**
	This consent contains the conditions imposed by the consent authority which are to be complied with when carrying out the approved development. However, this consent is not an exhaustive list of all obligations which may relate to the carrying out of the development under the EP&A Act, EP&A Regulation and other legislation.
2.	**DEVELOPMENT MUST MEET CONDITIONS OF CONSENT**
	The approved development must be carried out in accordance with the conditions of this consent. It is an offence under the EP&A Act to carry out development that is not in accordance with this consent.
3.	**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
4.	**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.
5.	**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.
6.	**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.
7.	**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.
8.	**EXCAVATION TO BE LIMITED**
	Excavation shall be limited to that shown in the approved plans. Any further excavation will require Council approval.
9.	**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.
10.	**FLOODING REQUIREMENTS**
	The property is on land identified as flood affected under the Council endorsed Waverley LGA Flood Study 2021. The registered proprietor's attention is drawn to the likelihood that the development may be inundated by flood waters. As flood events can cause significant damage to property and pose risk to life, it is advised that the following measure is undertaken in accordance with Section B5.2

	of Waverley Council's DCP: The evacuation requirements of the development thus must be considered.

Dictionary

The following terms have the following meanings for the purpose of this determination (except where the context clearly indicates otherwise):

Approved plans and documents means the plans and documents endorsed by the consent authority, a copy of which is included in this notice of determination.

AS means Australian Standard published by Standards Australia International Limited and means the current standard which applies at the time the consent is issued.

Building work means any physical activity involved in the erection of a building.

Certifier means a council or a person that is registered to carry out certification work under the *Building and Development Certifiers Act 2018*.

Construction certificate means a certificate to the effect that building work completed in accordance with specified plans and specifications or standards will comply with the requirements of the EP&A Regulation and *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*.

Council means Waverley Council.

Court means the Land and Environment Court of NSW.

EPA means the NSW Environment Protection Authority.

EP&A Act means the *Environmental Planning and Assessment Act 1979.*

EP&A Regulation means the *Environmental Planning and Assessment Regulation 2021.*

Independent Planning Commission means Independent Planning Commission of New South Wales constituted by section 2.7 of the EP&A Act.

Local planning panel means Waverley Local Planning Panel.

Occupation certificate means a certificate that authorises the occupation and use of a new building or a change of building use for an existing building in accordance with this consent.

Principal certifier means the certifier appointed as the principal certifier for building work or subdivision work under section 6.6(1) or 6.12(1) of the EP&A Act respectively.

Site work means any work that is physically carried out on the land to which the development the subject of this development consent is to be carried out, including but not limited to building work, subdivision work, demolition work, clearing of vegetation or remediation work.

Stormwater drainage system means all works and facilities relating to:
the collection of stormwater,

the reuse of stormwater,

the detention of stormwater,

the controlled release of stormwater, and

connections to easements and public stormwater systems.

Strata certificate means a certificate in the approved form issued under Part 4 of the *Strata Schemes Development Act 2015* that authorises the registration of a strata plan, strata plan of subdivision or notice of conversion.

Subdivision certificate means a certificate that authorises the registration of a plan of subdivision under Part 23 of the *Conveyancing Act 1919*.

Subdivision works certificate means a certificate to the effect that subdivision work completed in accordance with specified plans and specifications will comply with the requirements of the EP&A Regulation.

Sydney district or regional planning panel means Sydney Eastern City Planning Panel.

Suitably qualified acoustic consultant means 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.

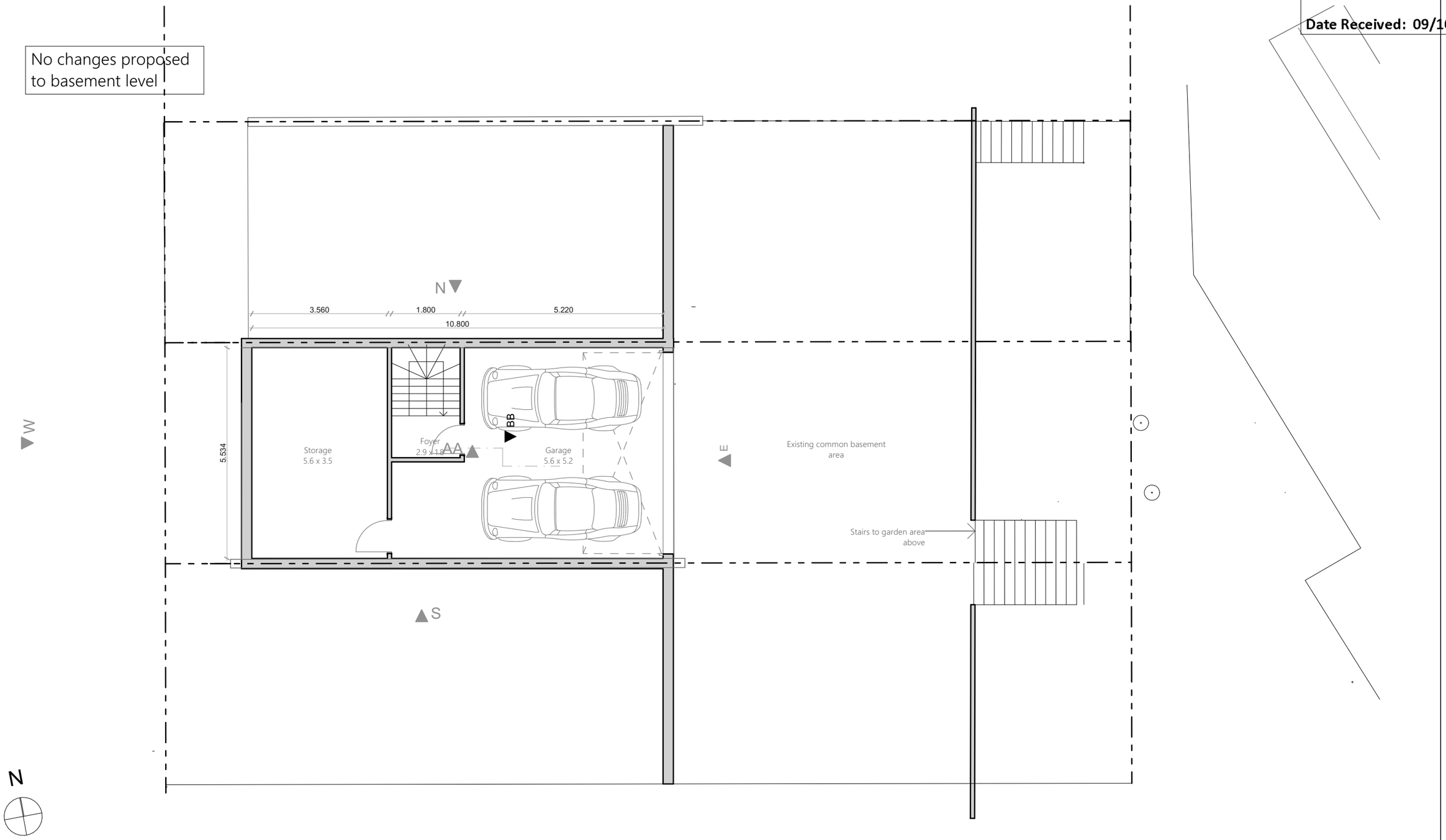
AMENDED PLANS

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Date Received: 09/10/2025

No changes proposed to basement level



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Urban Den
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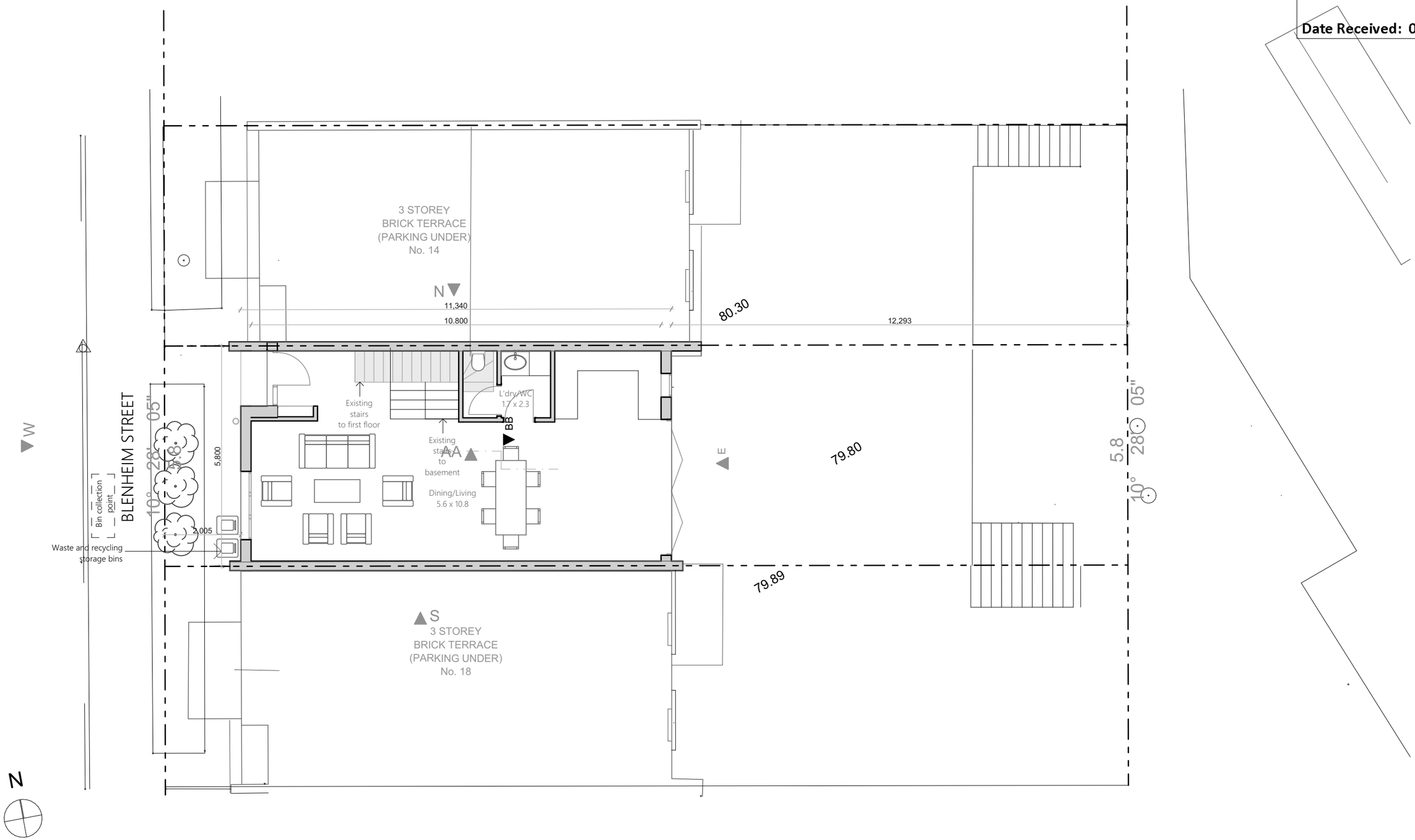
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B	DEVELOPMENT	24.04.23
C	DEVELOPMENT	26.05.23
D	DEVELOPMENT	11.07.23
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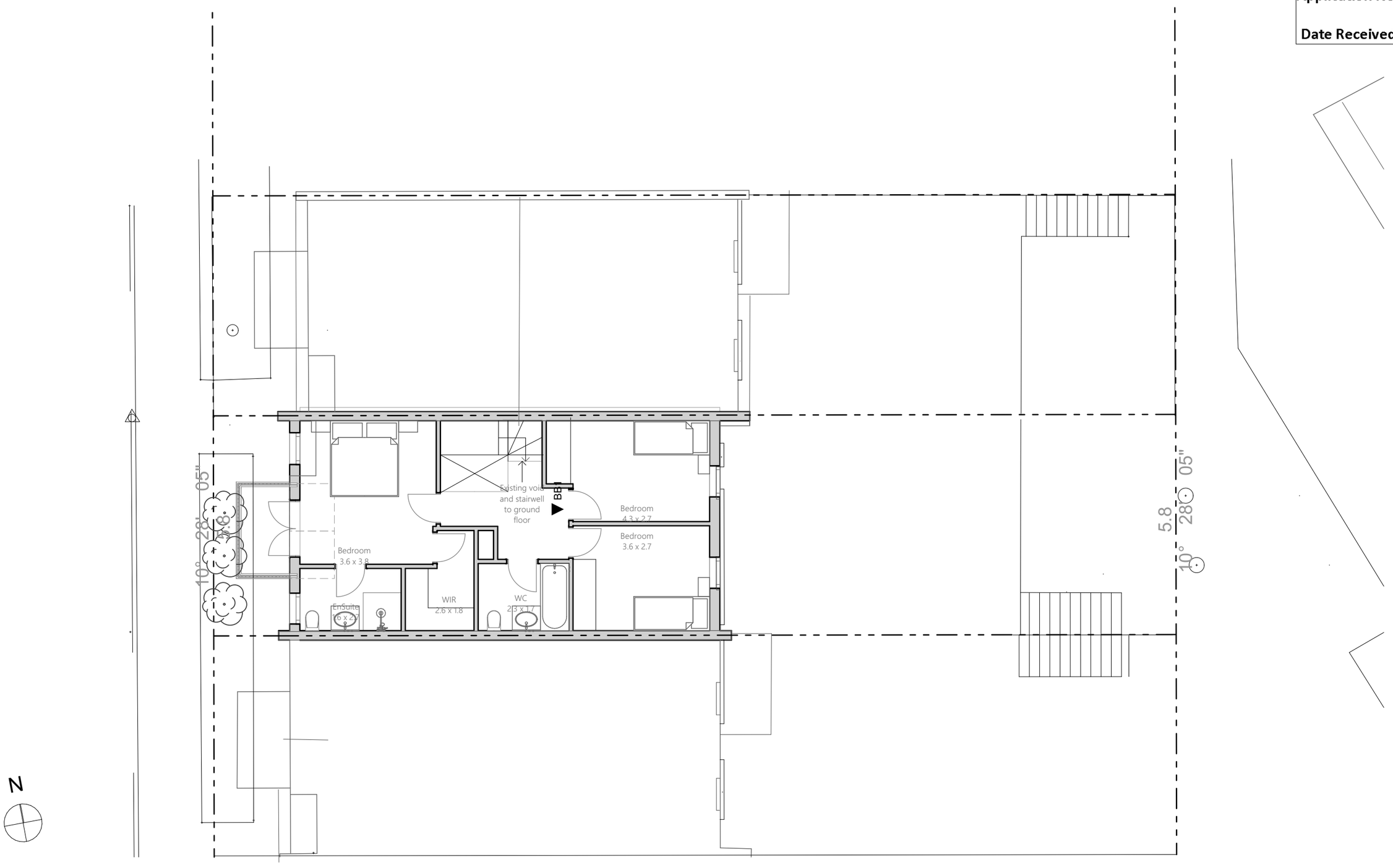
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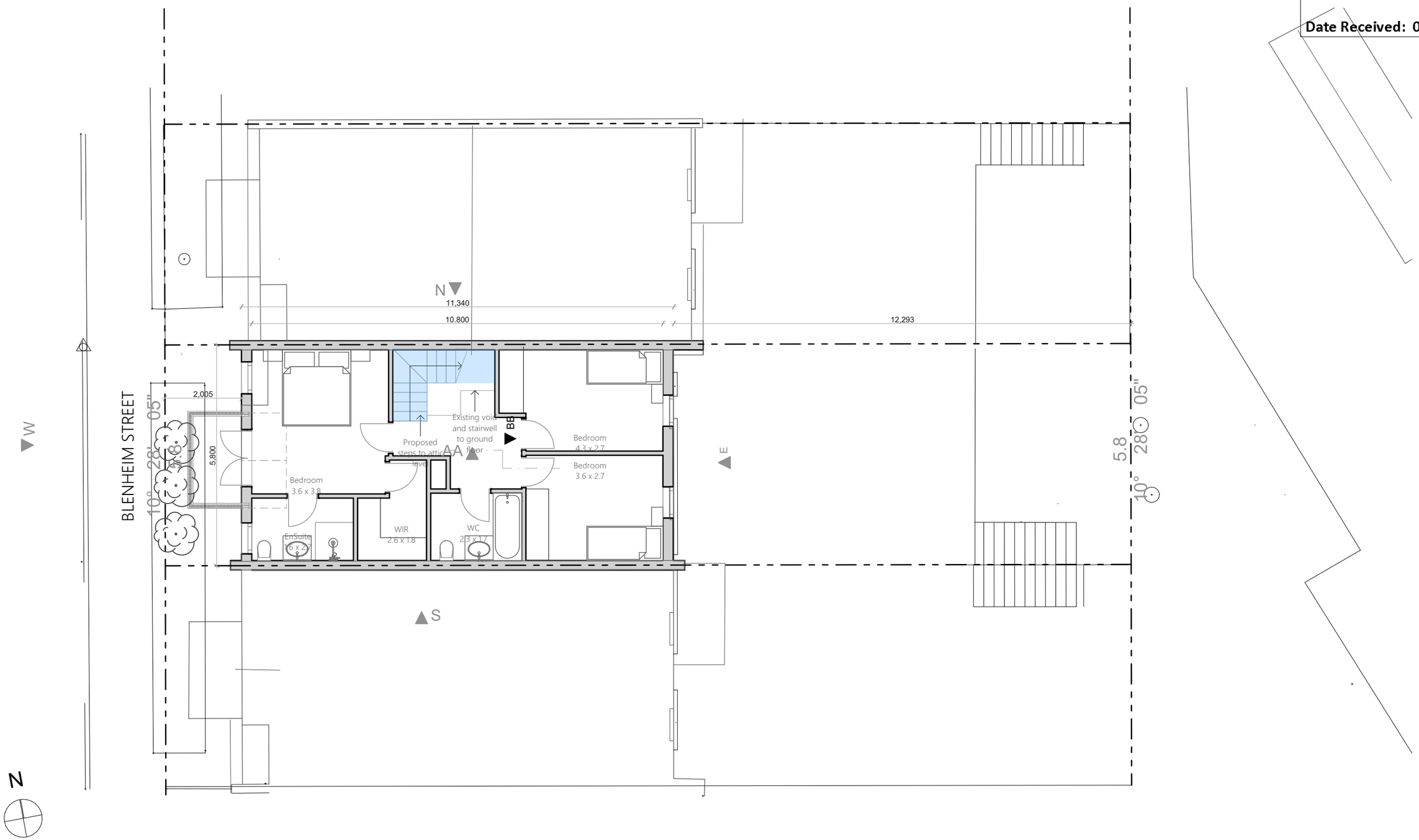
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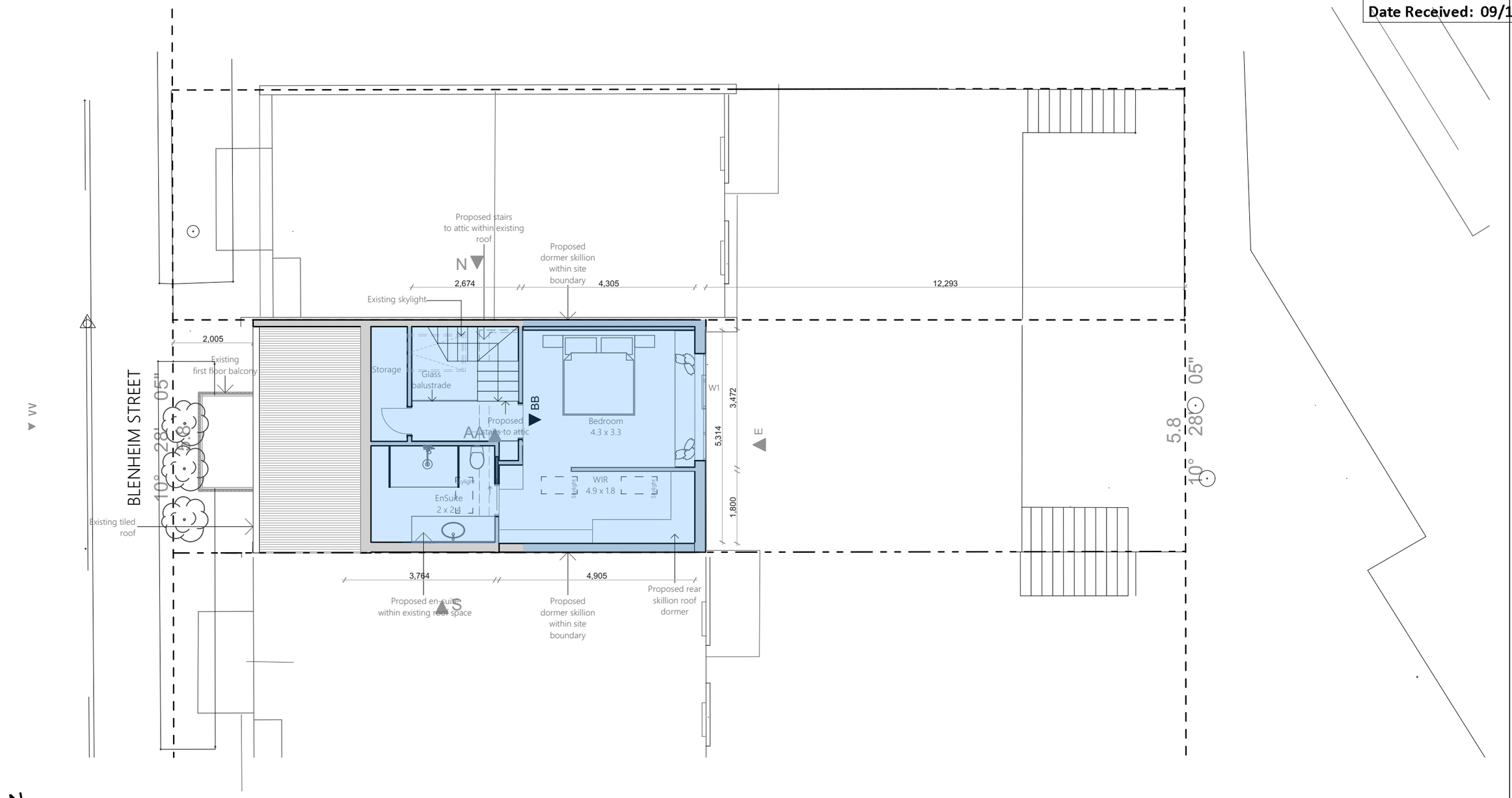
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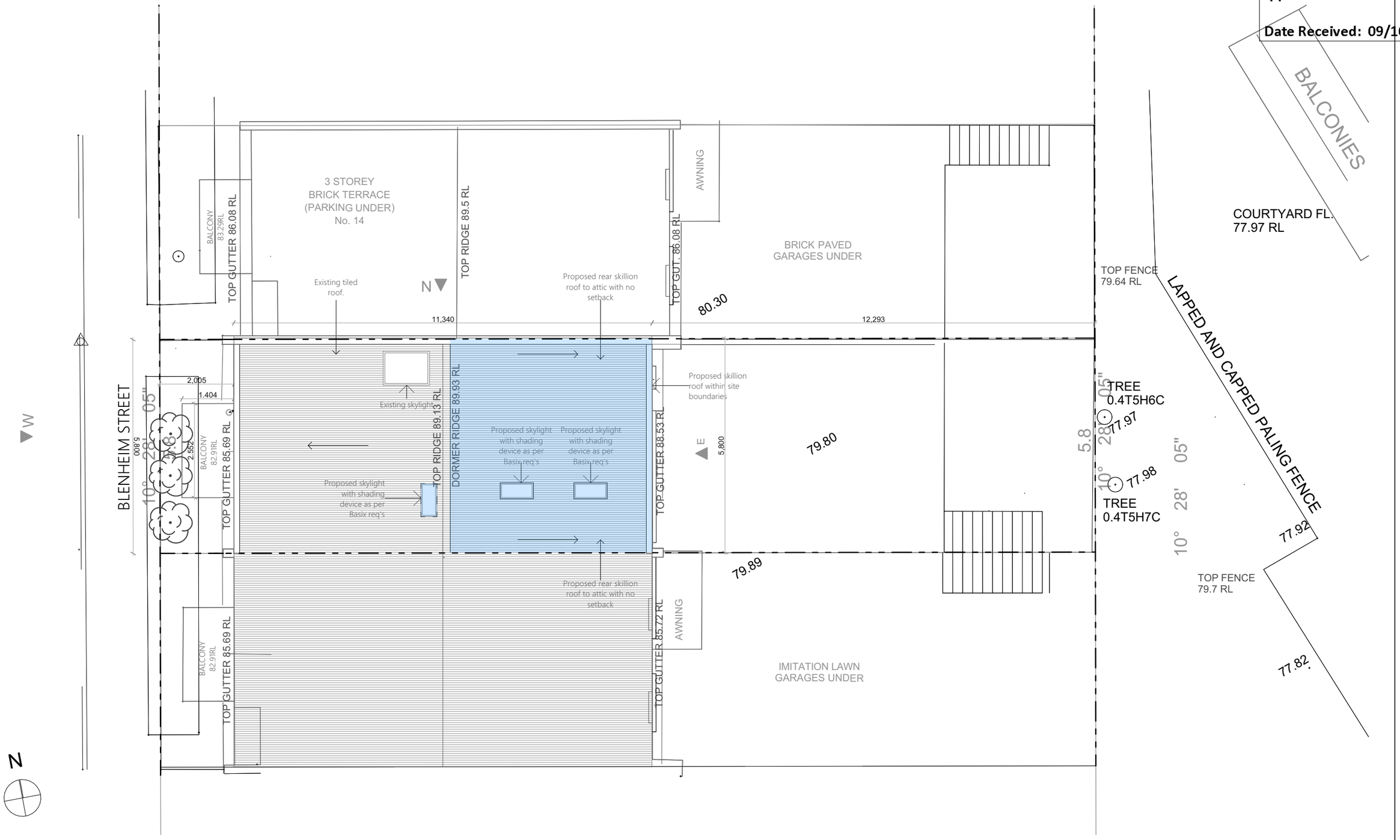
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Waverley Council

Application No: DA-296/2025

Date Received: 09/10/2025



Urban Den
ARCHITECTS

2 HILL ST SURRY HILLS
NSW 2010
T: 0450 964 320
E: DESIGN@URBANDEN.COM.AU

CLIENT
MR & MRS MERWITZ

SITE ADDRESS
5/6-38 BLENHEIM ST QUEENS PARK

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1:100

0 1000 2000 4000

DO NOT SCALE DRAWINGS

Drawing Name
Proposed Site Plan

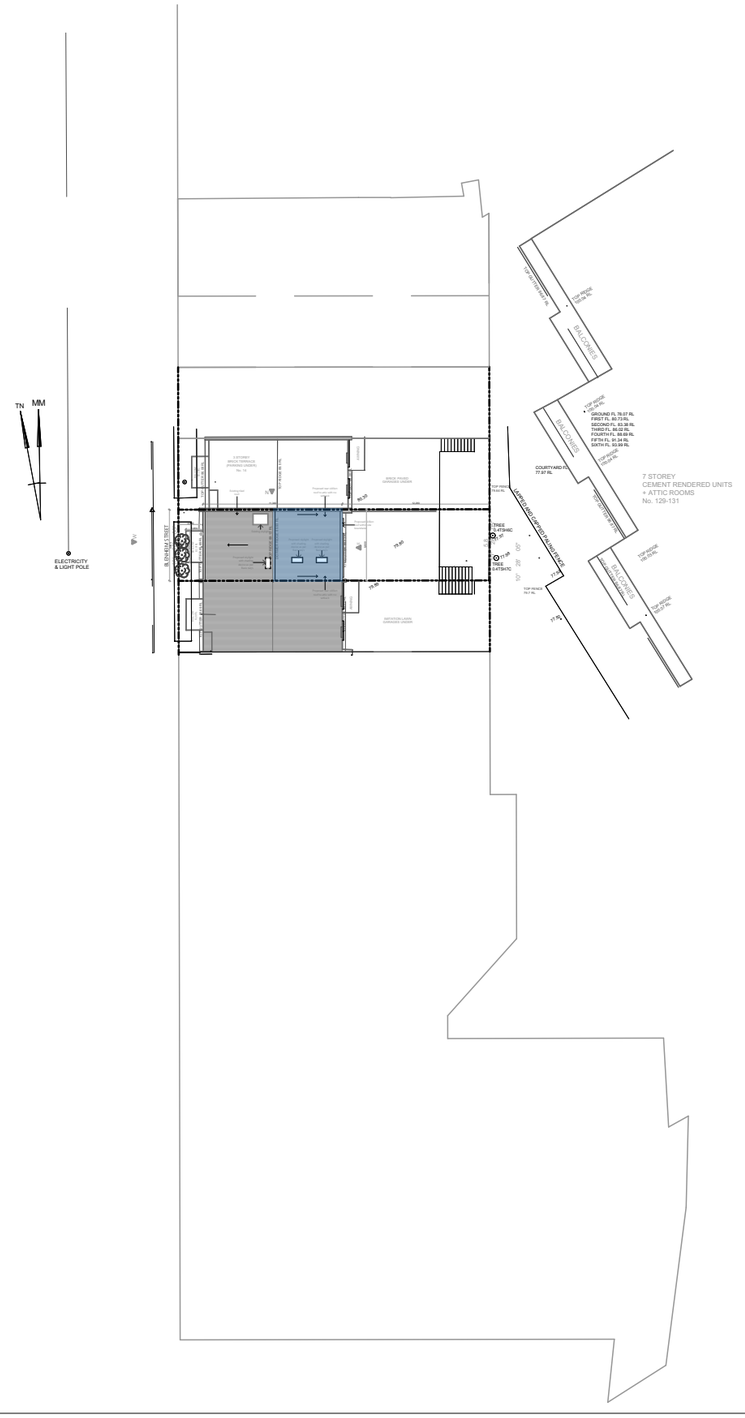
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A	CONCEPT	04.04.23
B	DEVELOPMENT	24.04.23
C	DEVELOPMENT	26.05.23
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H	DA	01.09.24
I	DA	27.07.25

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N

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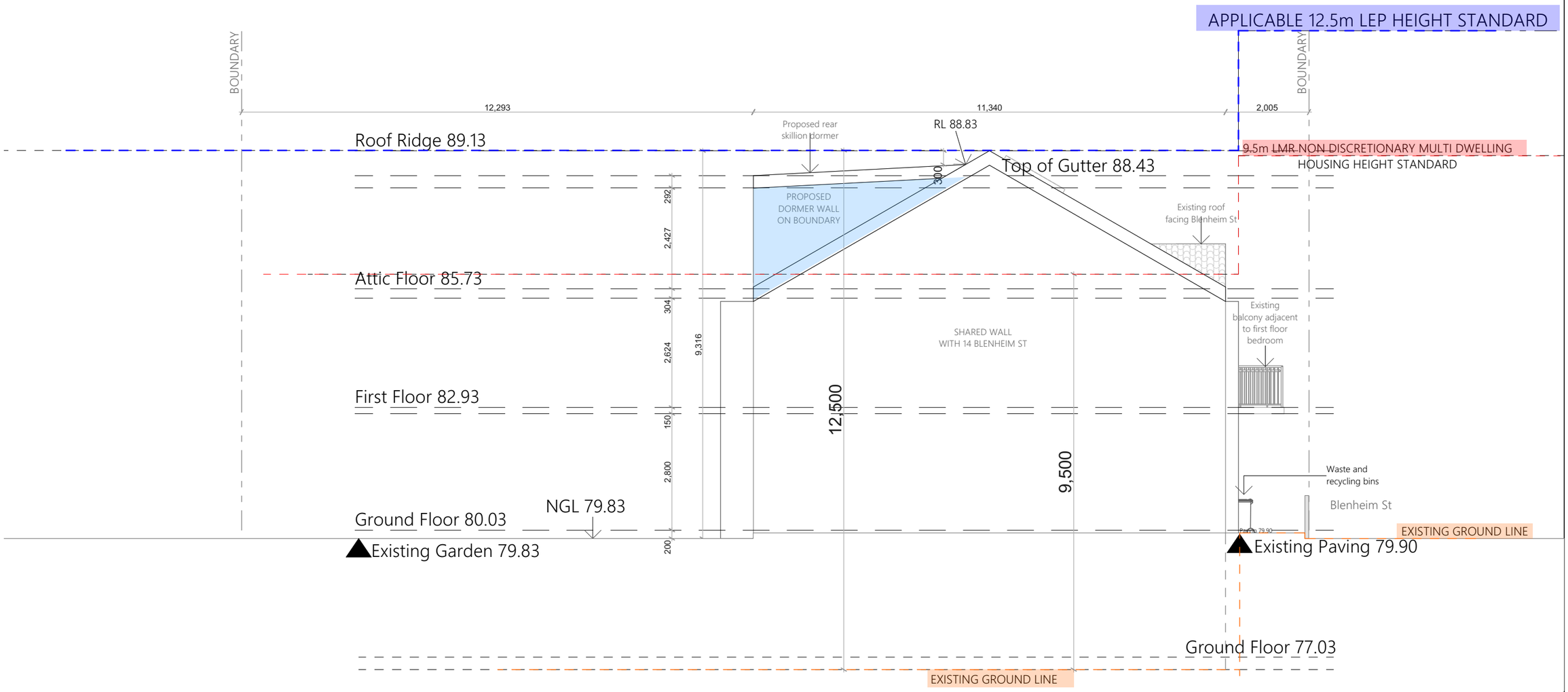
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Drawing Name
North Elevation

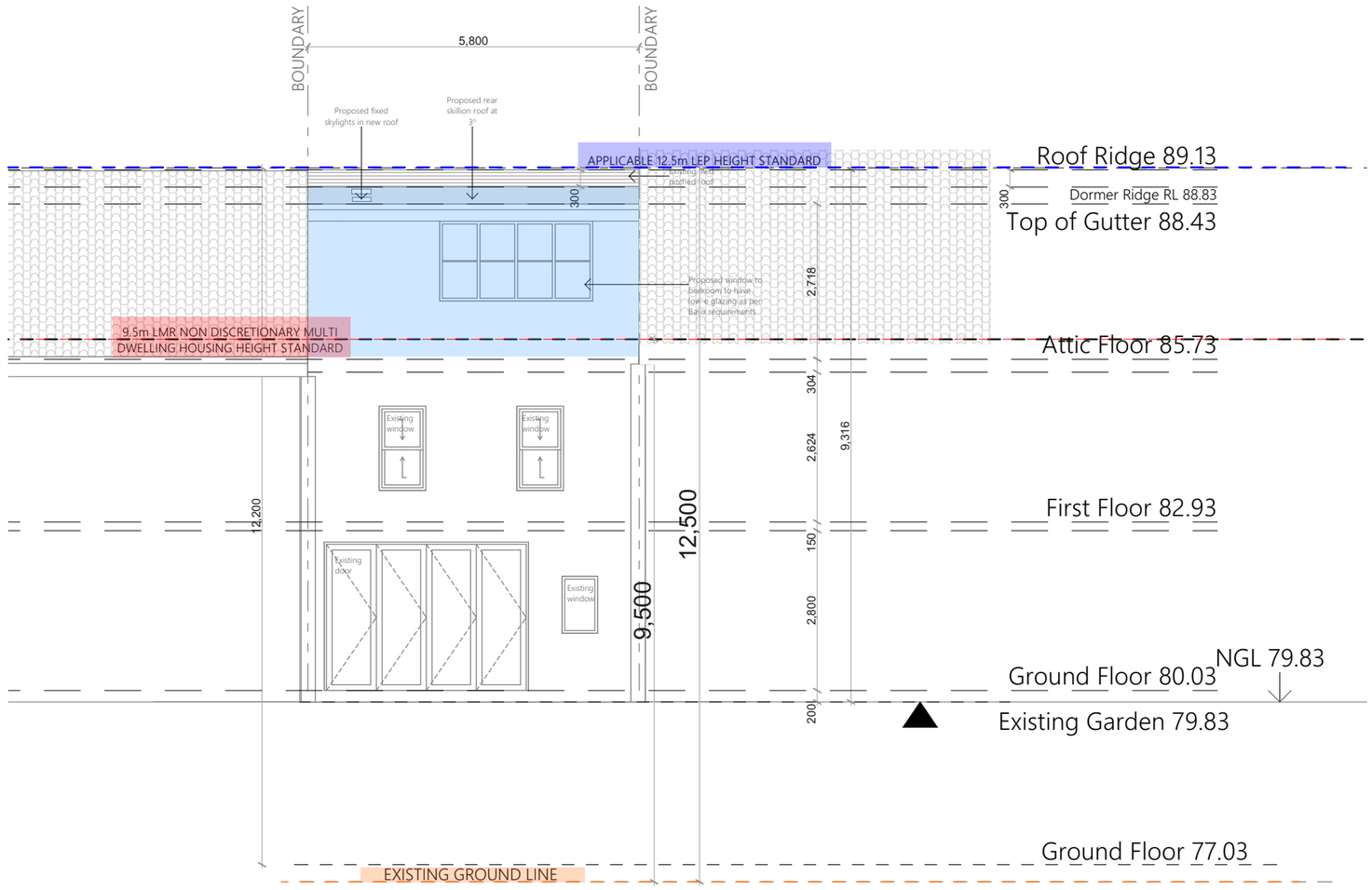
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Drawing Name
East Elevation

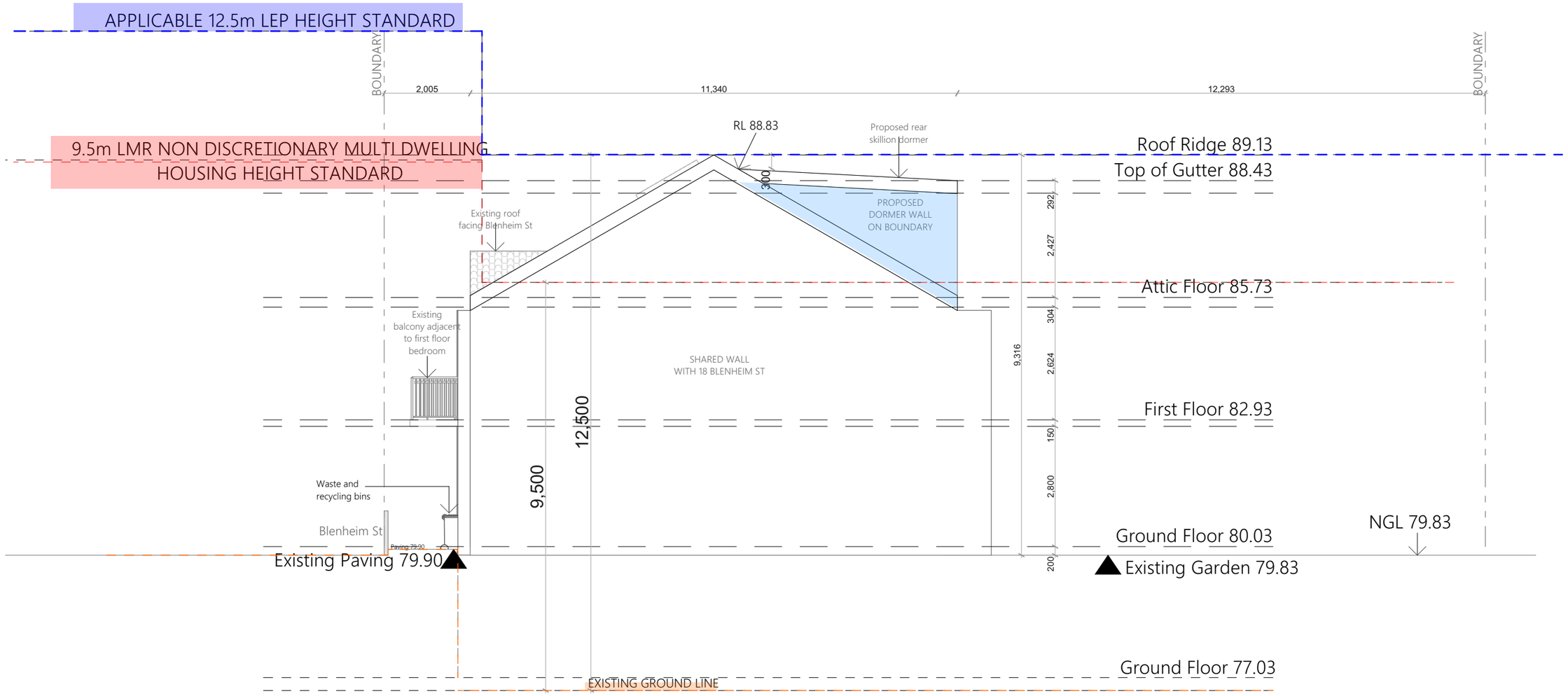
ISSUE	REASON	DATE
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Drawing Name
South Elevation

ISSUE	REASON	DATE
A	CONCEPT	04.04.23
B	DEVELOPMENT	24.04.23
C	DEVELOPMENT	26.05.23
D	DEVELOPMENT	11.07.23
E	DEVELOPMENT	27.07.23
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Drawing Name
West Elevation

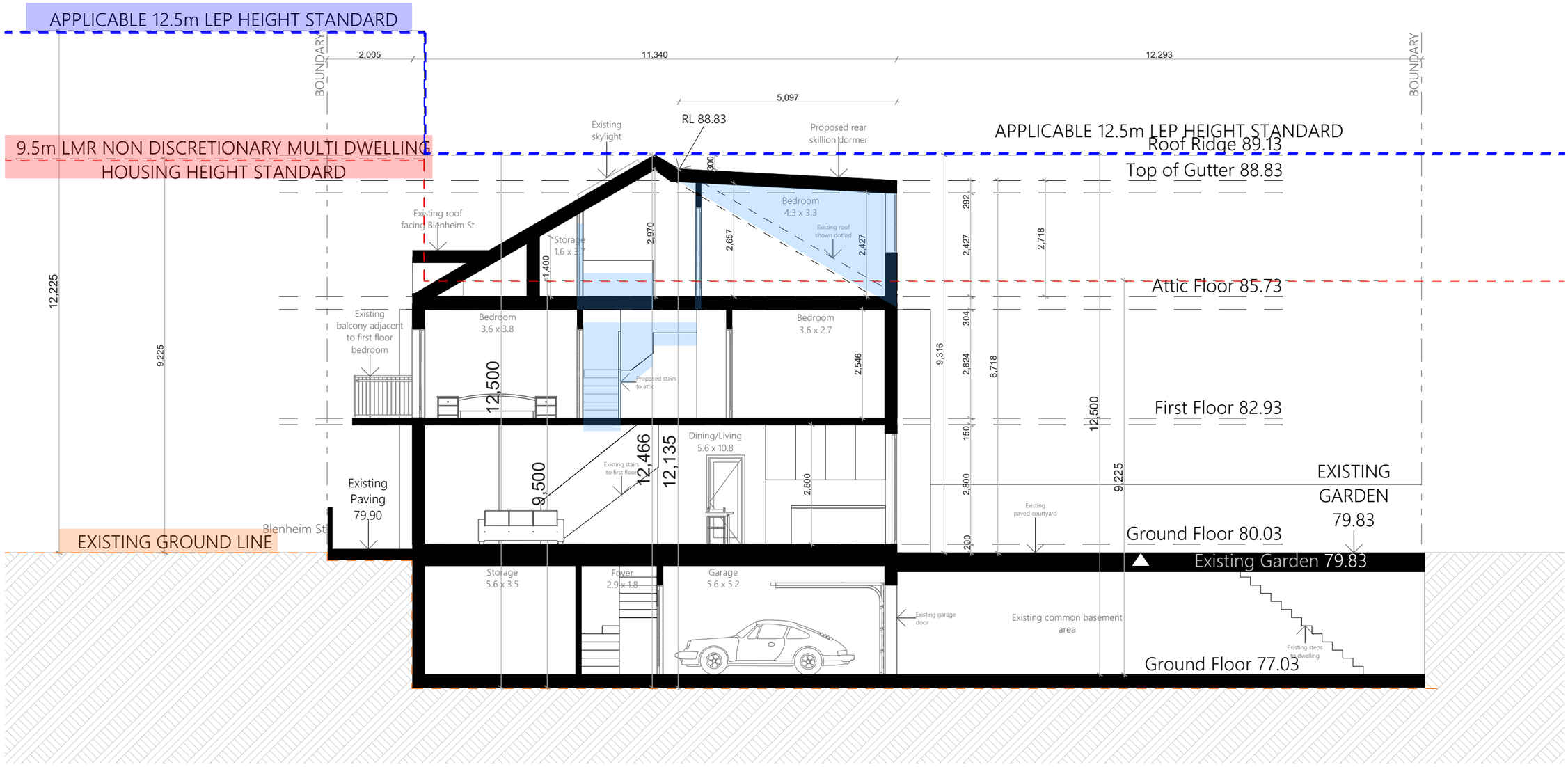
ISSUE	REASON	DATE
A	CONCEPT	04.04.23
B	DEVELOPMENT	24.04.23
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D	DEVELOPMENT	11.07.23
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Drawing Name
Section A

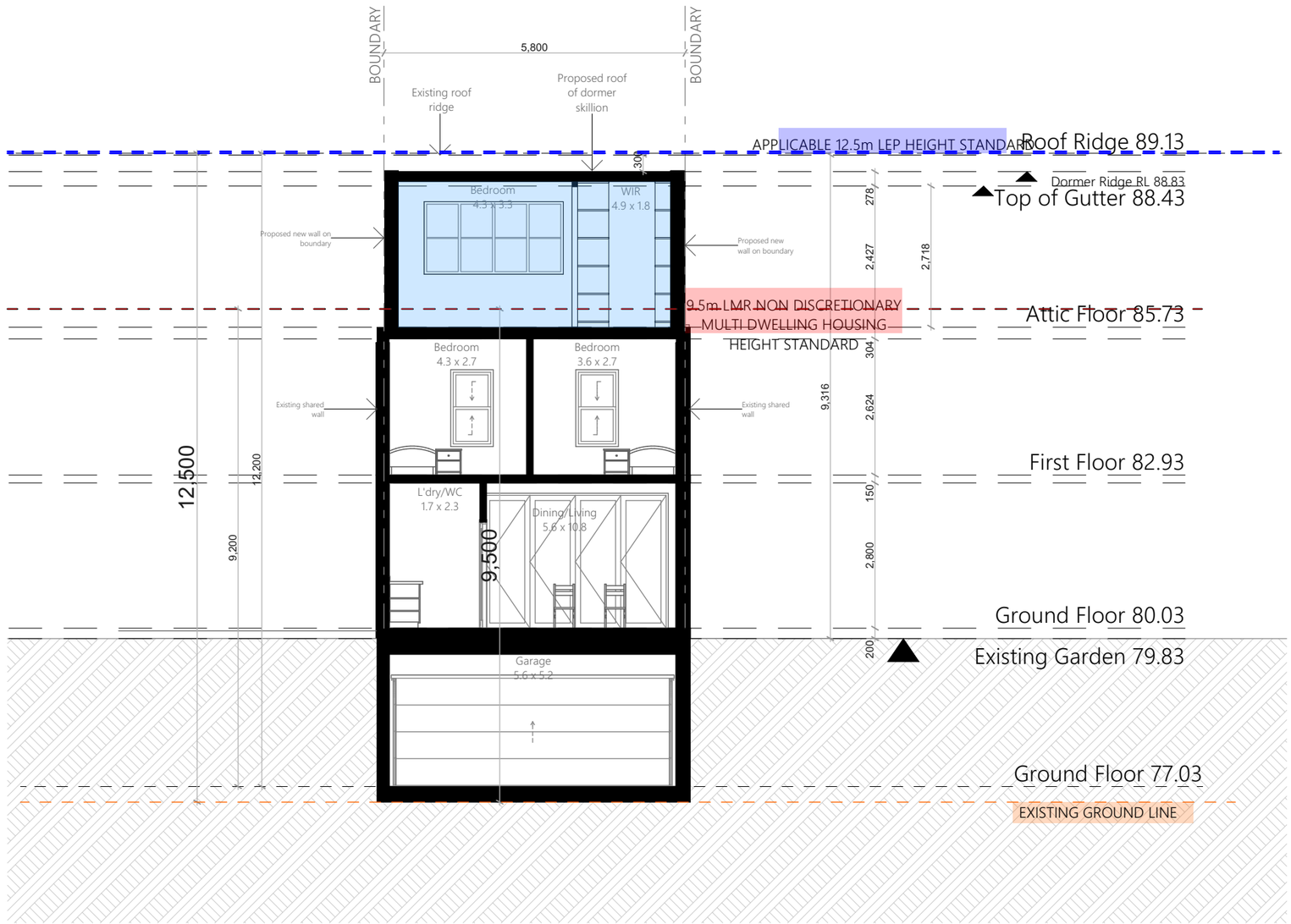
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Drawing Name
Section B

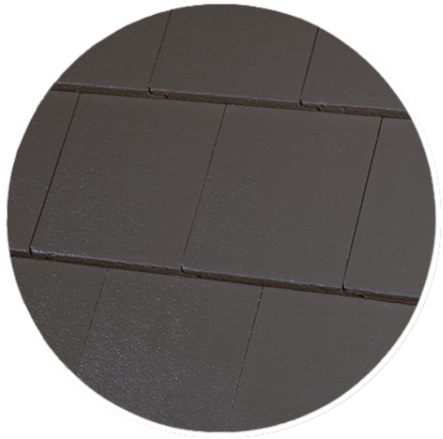
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C	DEVELOPMENT	26.05.23
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Roof tile
Concrete roof tile to match existing

External Walls
Paint Colour To match existing

Window Frames
Satin White Aluminium

Urban Den
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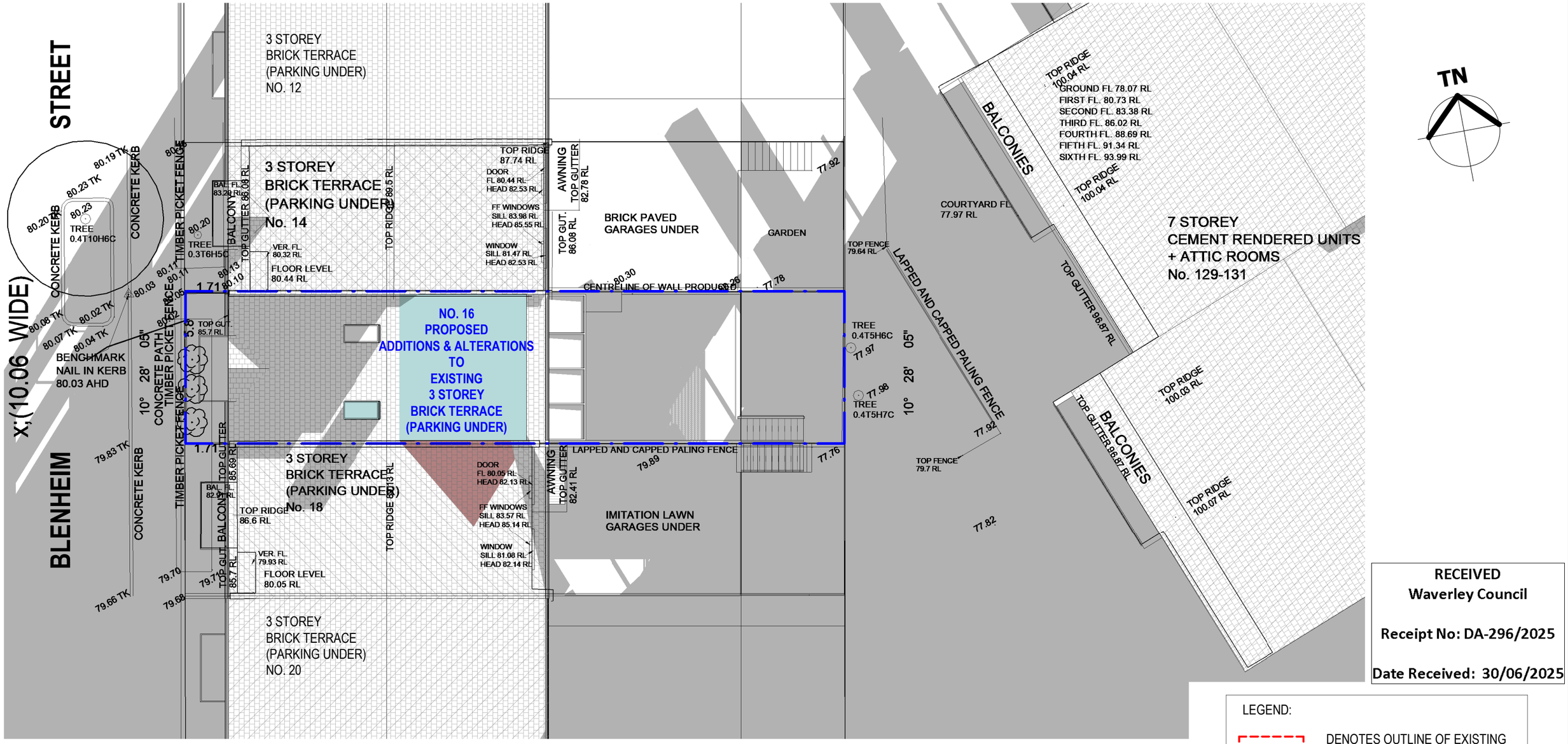
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DO NOT SCALE DRAWINGS

Drawing Name

External Finishes Schedule

ISSUE	REASON	DATE
A	CONCEPT	04.04.23
B	DEVELOPMENT	24.04.23
C	DEVELOPMENT	26.05.23
D	DEVELOPMENT	11.07.23
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Receipt No: DA-296/2025

Date Received: 30/06/2025

1 Shadowing June 21st 9.00am

1 : 150

NOTE:

SHADOWS SHOWN HAVE BEEN COMPILED FROM INFORMATION FROM DETAIL & LEVEL SURVEY & ARCHITECTURAL PLANS SUPPLIED BY URBAN DEN ARCHITECTS REV. G DATED 24.11.23

LEGEND:

- DENOTES OUTLINE OF EXISTING STRUCTURES TO BE DEMOLISHED
- DENOTES AREA OF EXISTING & SURROUNDING BUILDING SHADOW
- DENOTES AREA OF PROPOSED ADDITIONS & ALTERATIONS
- DENOTES AREA OF PROPOSED ADDITIONAL BUILDING SHADOW

Cad Draft P/L

ABN 27 083 288 153

SUITE 1, 505 Balmain Rd
Lilyfield, NSW
P.O BOX 446 GLADESVILLE 2111

SHADOW ANALYSIS CONSULTANTS

PH: 0410 699919

info@caddraftnsw.com.au

No.	Description	Date

408

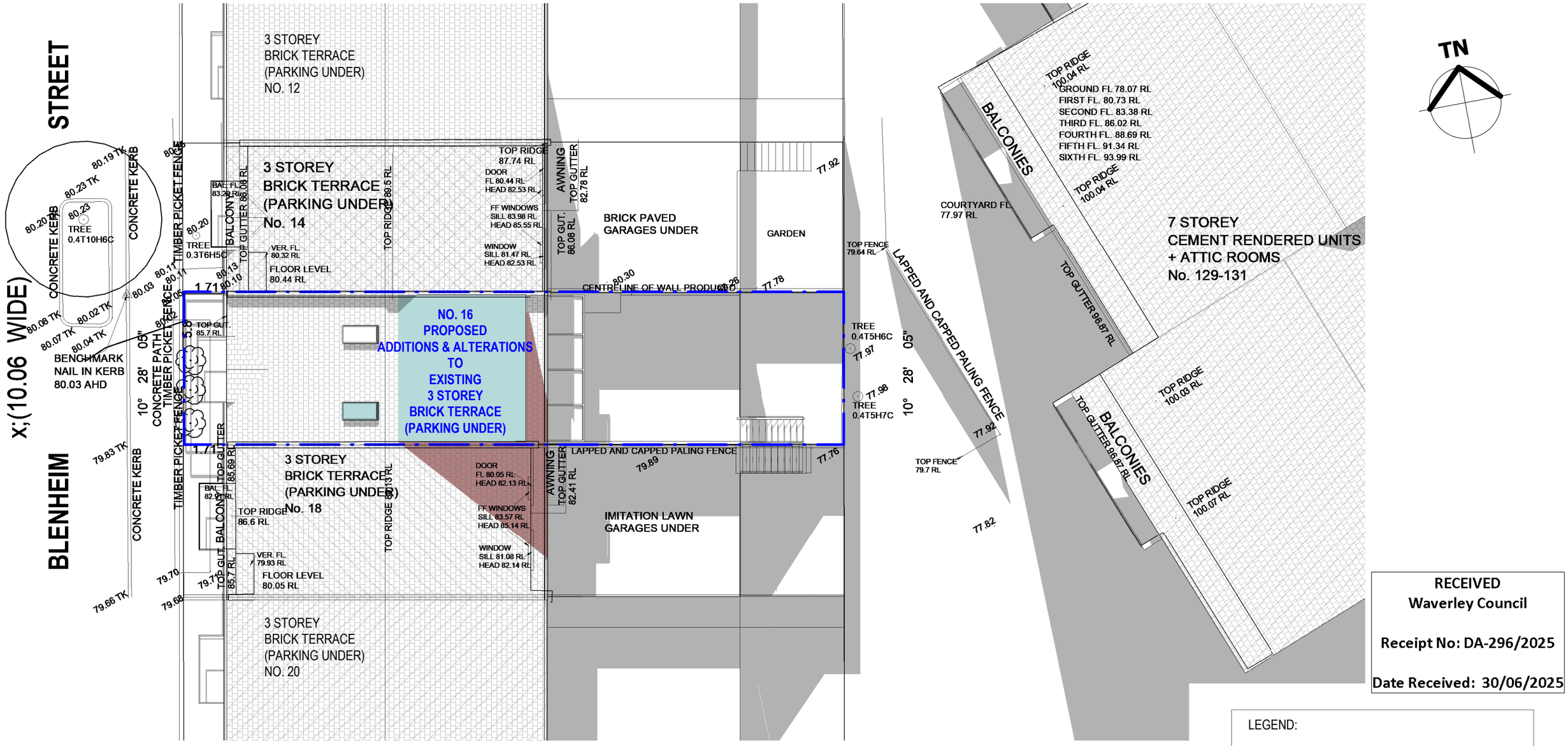
SHADOW DIAGRAMS:
No.16 BLENHEIM STREET
QUEENS PARK

CLIENT: MR & MRS MERWITZ

Shadowing June 21st 9.00am

Project number	23-187	A100	
Date	19-12-23		
Drawn by	KP		
Checked by	JD	Scale	1 : 150

19/12/2023 14:20:28



1 Shadowing June 21st 12.00pm

1 : 150

NOTE:

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SHADOW ANALYSIS CONSULTANTS
PH: 0410 699919
info@caddraftnsw.com.au

No.	Description	Date

409

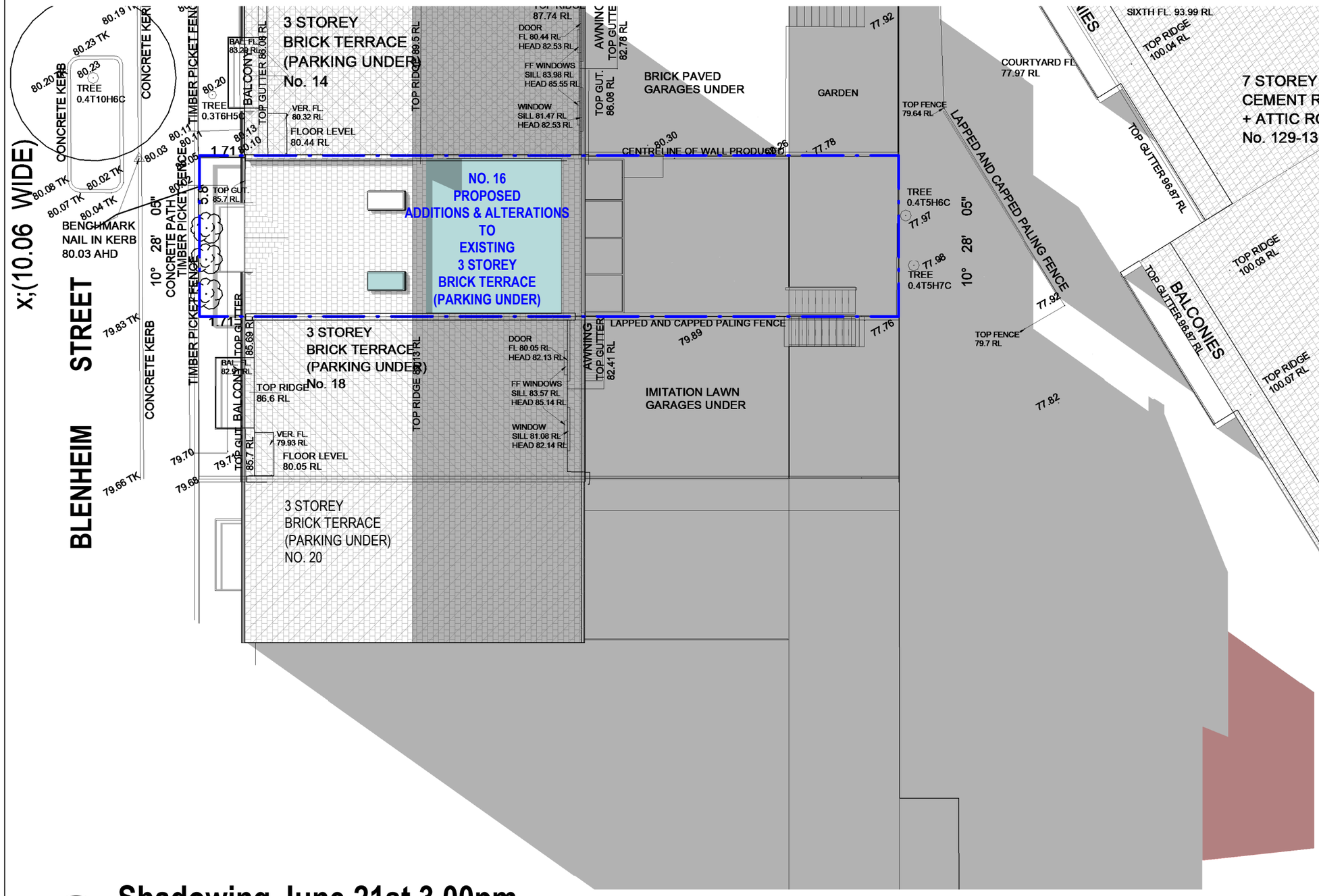
SHADOW DIAGRAMS:
No.16 BLENHEIM STREET
QUEENS PARK

CLIENT: MR & MRS MERWITZ

Shadowing June 21st 12.00pm

Project number	23-187	A101	
Date	19-12-23		
Drawn by	KP		
Checked by	JD	Scale	1 : 150

19/12/2023 14:20:33



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- DENOTES AREA OF PROPOSED ADDITIONS & ALTERATIONS
- DENOTES AREA OF PROPOSED ADDITIONAL BUILDING SHADOW

1 Shadowing June 21st 3.00pm

1 : 150

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ABN 27 083 288 153

SUITE 1, 505 Balmain Rd
Lilyfield, NSW
P.O BOX 446 GLADESVILLE 2111

SHADOW ANALYSIS CONSULTANTS

PH: 0410 699919

info@caddraftnsw.com.au

No.	Description	Date

410

SHADOW DIAGRAMS:
No.16 BLENHEIM STREET
QUEENS PARK

CLIENT: MR & MRS MERWITZ

Shadowing June 21st 3.00pm

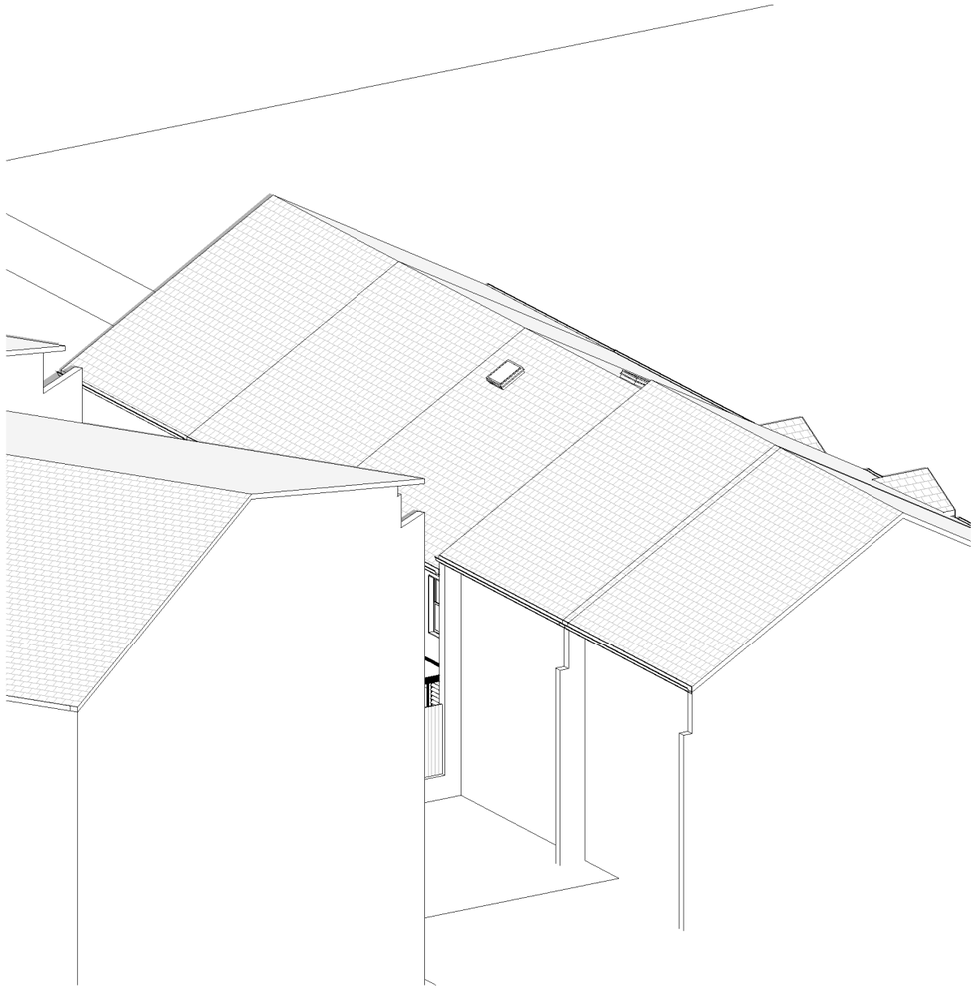
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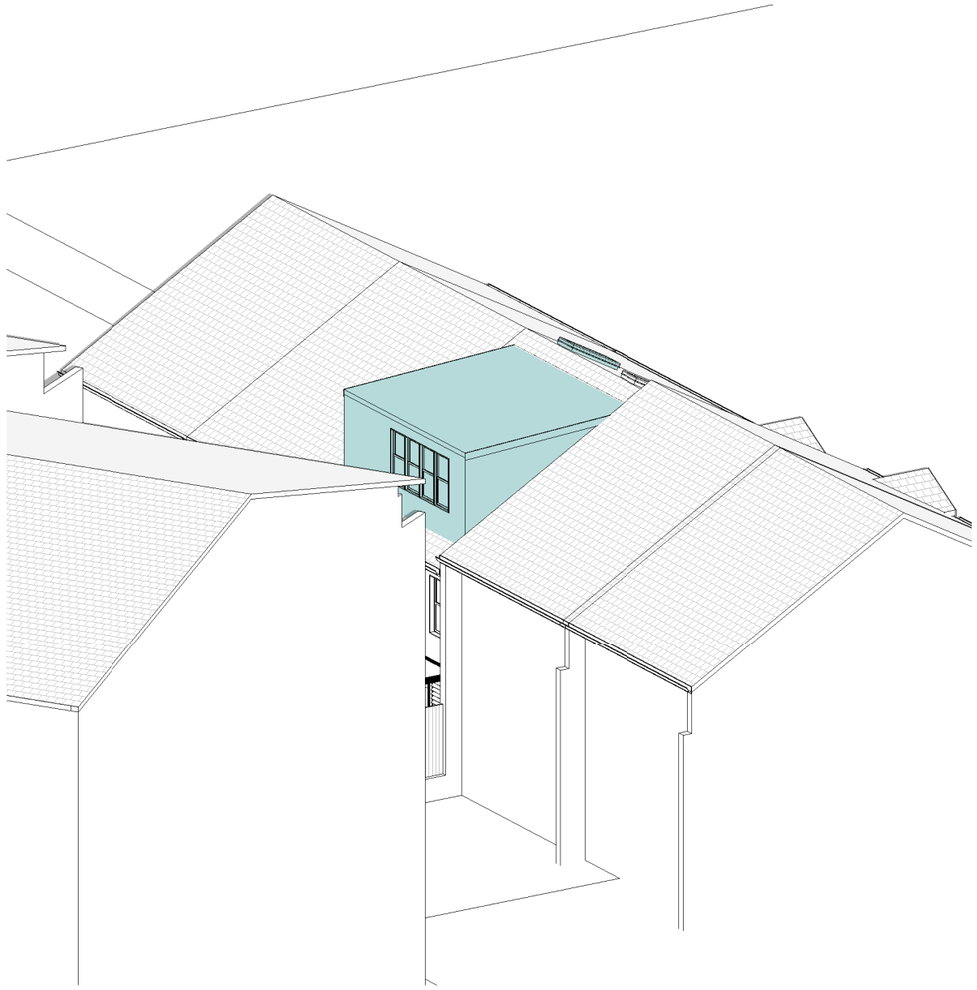
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1 June 21st 9.00am Existing



2 June 21st 9.00am Proposed

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SUITE 1, 505 Balmain Rd
Lilyfield, NSW
P.O BOX 446 GLADESVILLE 2111

SHADOW ANALYSIS CONSULTANTS
PH: 0410 699919
info@caddraftnsw.com.au

No.	Description	Date

411

SHADOW DIAGRAMS:
No.16 BLENHEIM STREET
QUEENS PARK

CLIENT: MR & MRS MERWITZ

3D Sun Views June 21st 9.00am

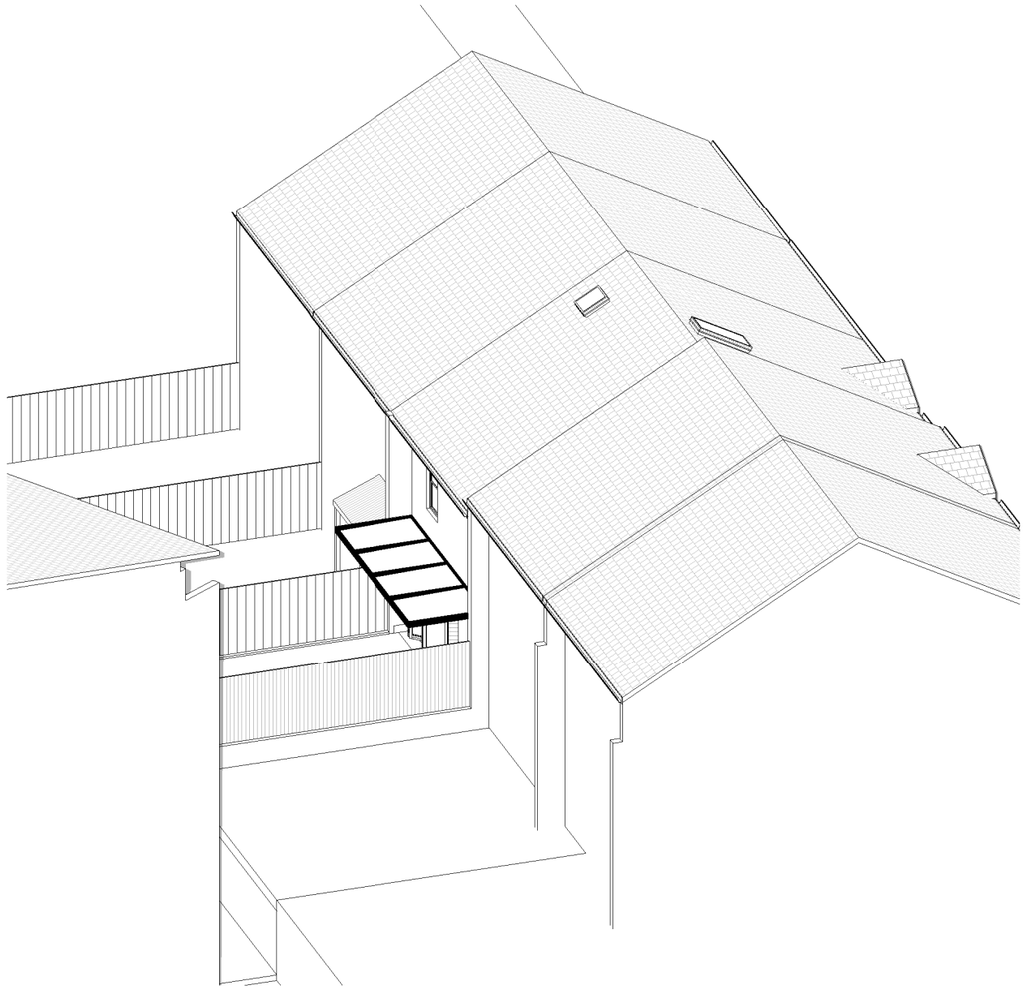
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Checked by	JD	Scale

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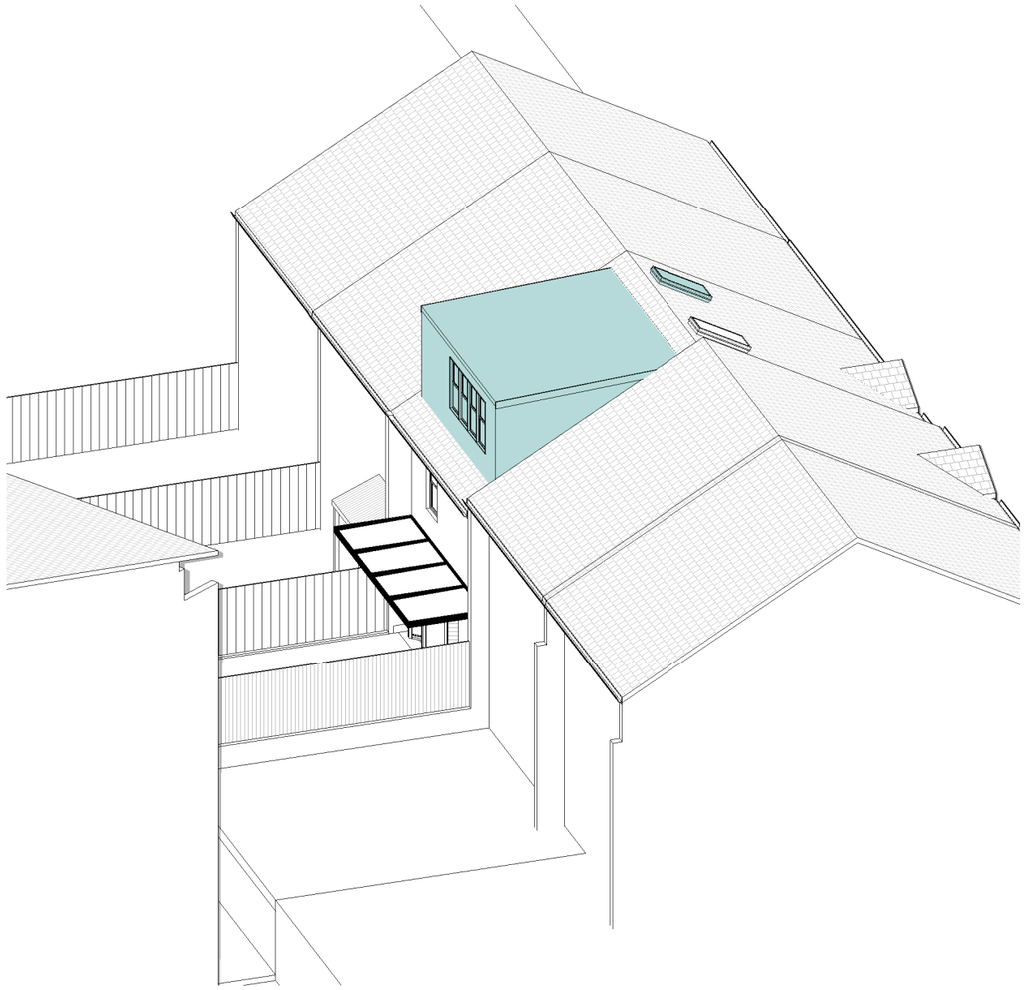
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Waverley Council

Receipt No: DA-296/2025

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1 June 21st 10.00am Existing



2 June 21st 10.00am Proposed

Cad Draft P/L
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Lilyfield, NSW
P.O BOX 446 GLADESVILLE 2111

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PH: 0410 699919
info@caddraftnsw.com.au

No.	Description	Date

412

SHADOW DIAGRAMS:
No.16 BLENHEIM STREET
QUEENS PARK

CLIENT: MR & MRS MERWITZ

3D Sun Views June 21st 10.00am

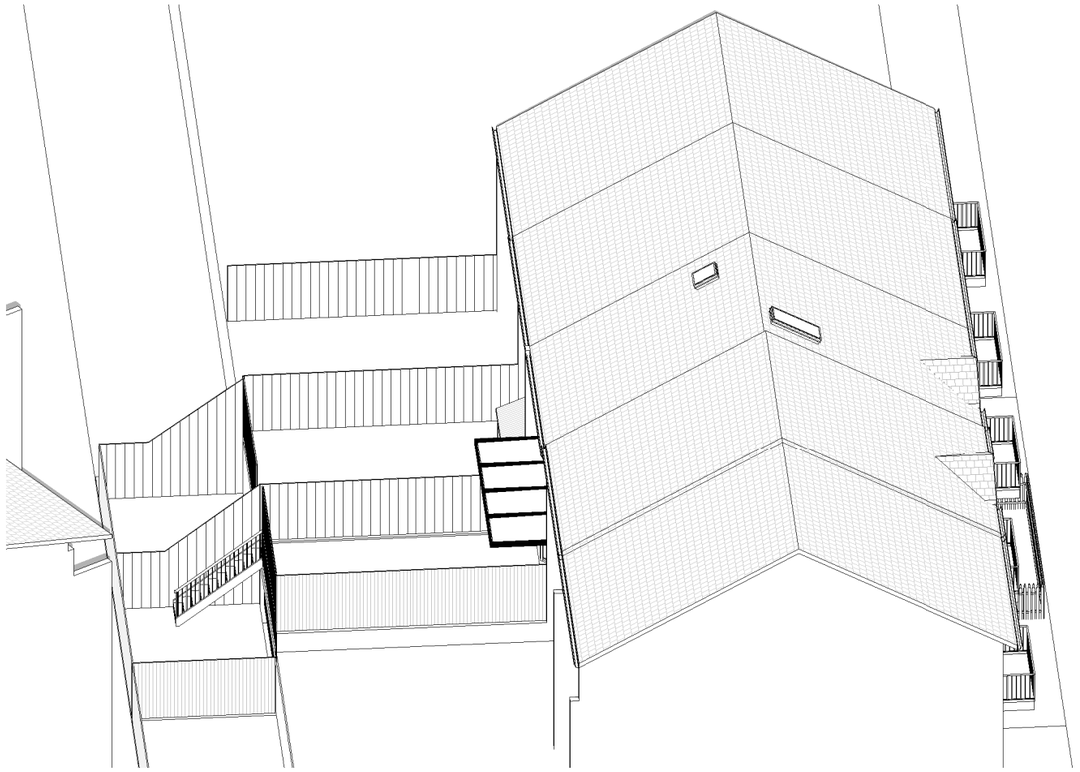
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Checked by	JD	Scale

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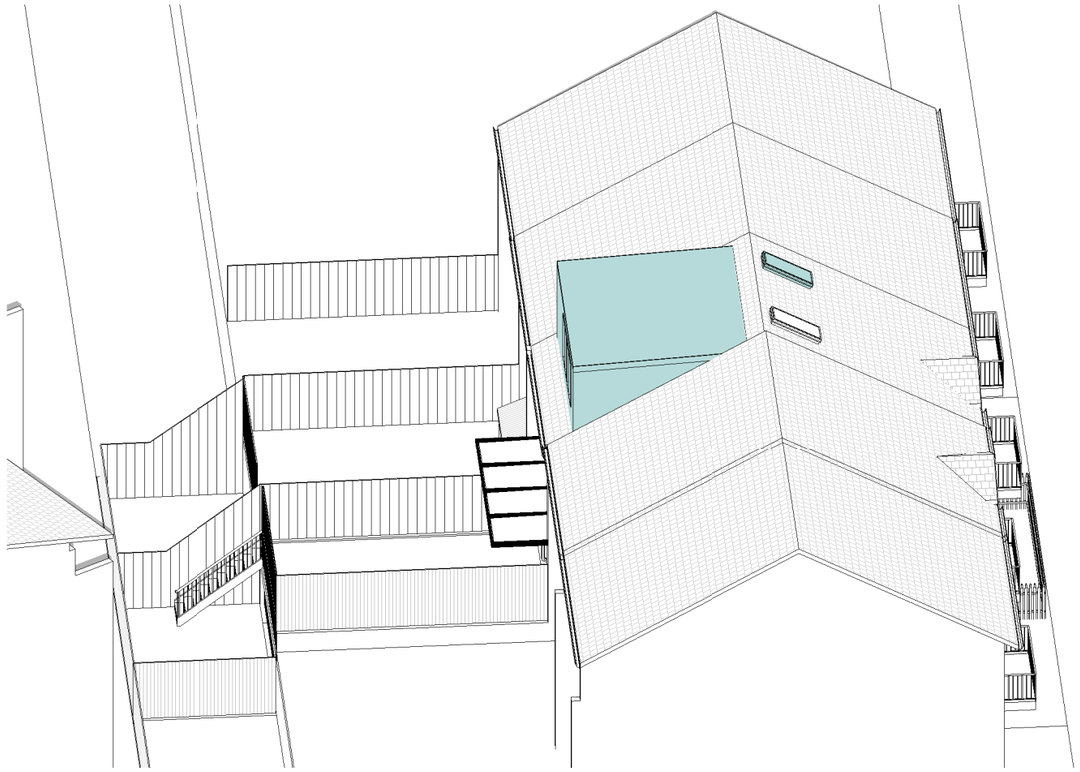
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Receipt No: DA-296/2025

Date Received: 30/06/2025



1 June 21st 11.00am Existing



2 June 21st 11.00am Proposed

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info@caddraftnsw.com.au

No.	Description	Date

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QUEENS PARK

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3D Sun Views June 21st 11.00am

Project number	23-187
Date	19-12-23
Drawn by	KP
Checked by	JD

A105

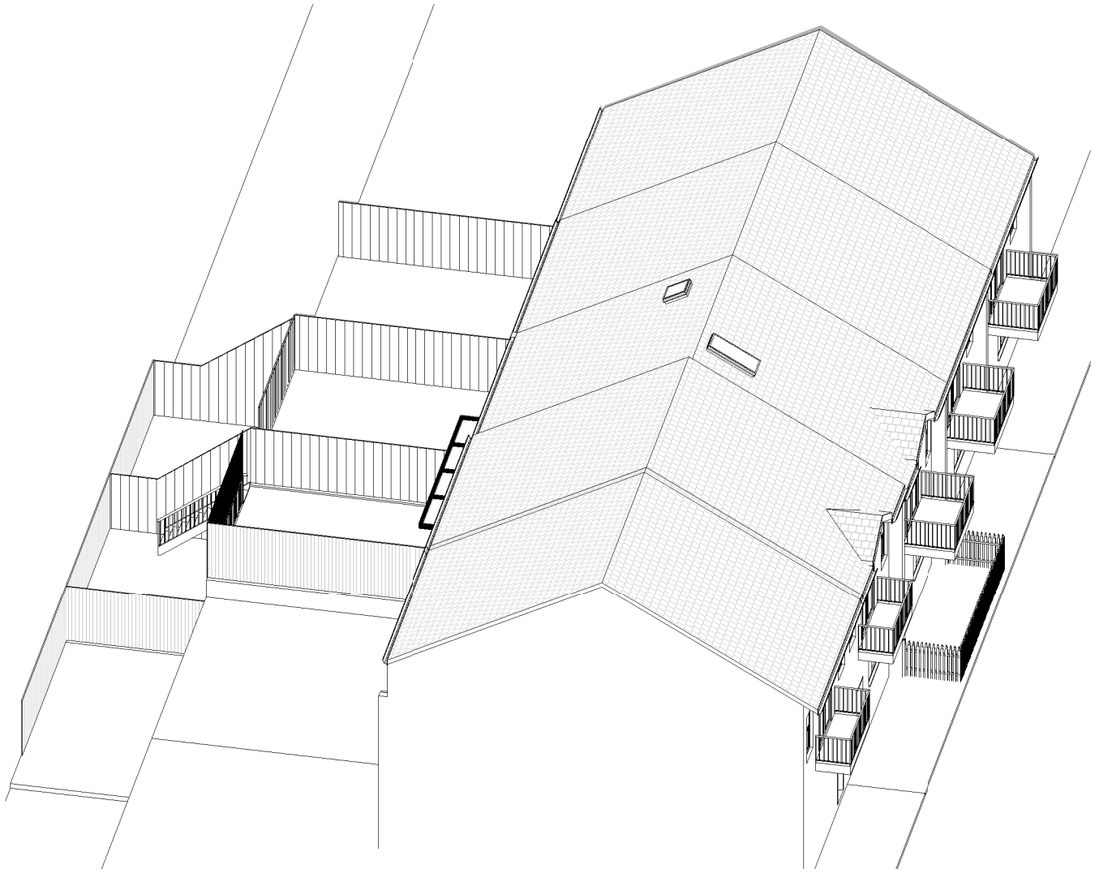
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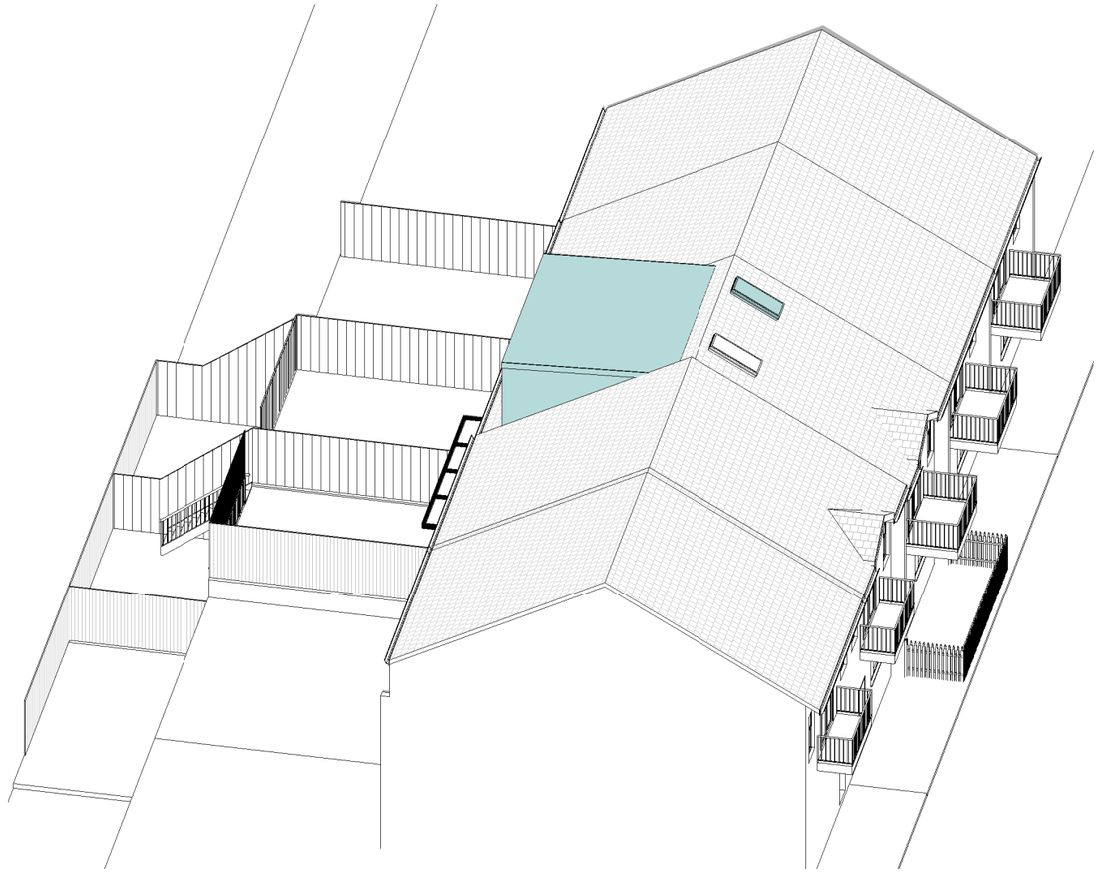
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1 June 21st 12.00pm Existing



2 June 21st 12.00pm Proposed

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SUITE 1, 505 Balmain Rd
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No.	Description	Date

414

SHADOW DIAGRAMS:
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QUEENS PARK

CLIENT: MR & MRS MERWITZ

3D Sun Views June 21st 12.00pm

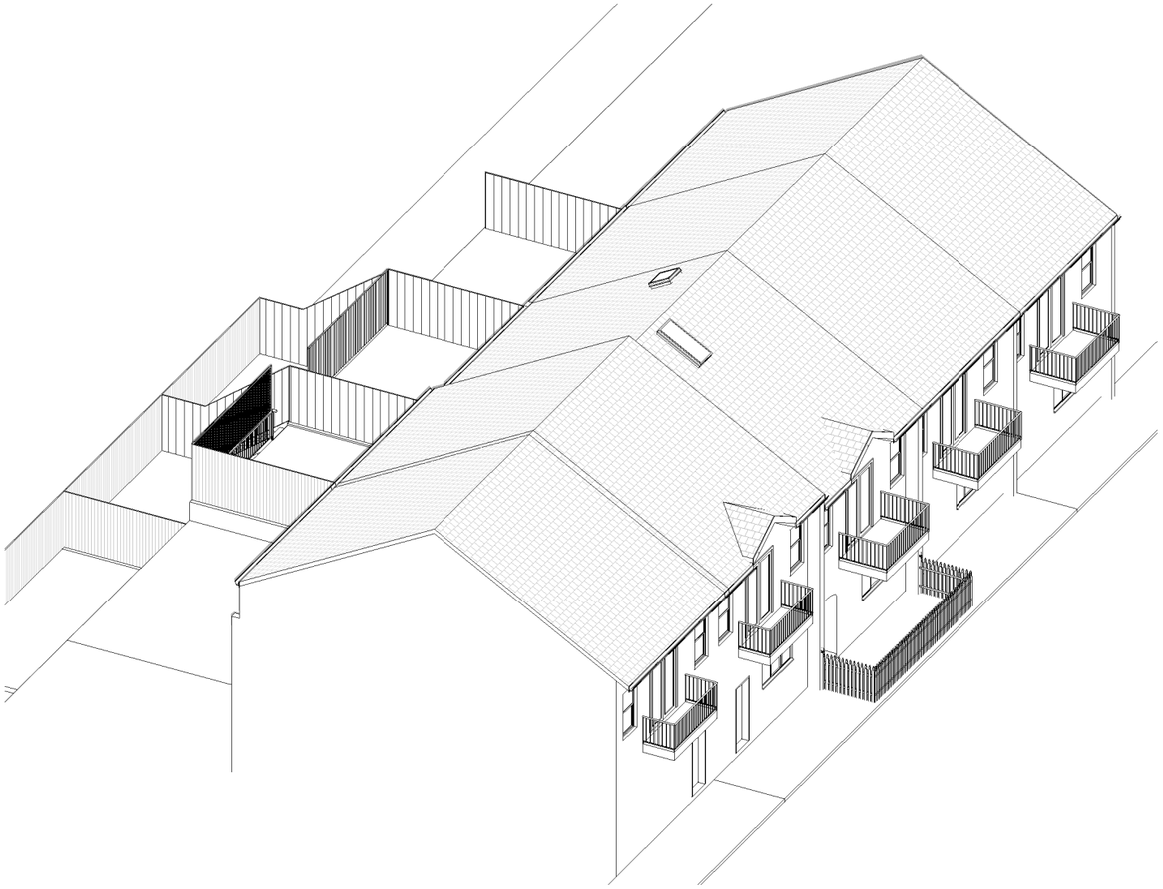
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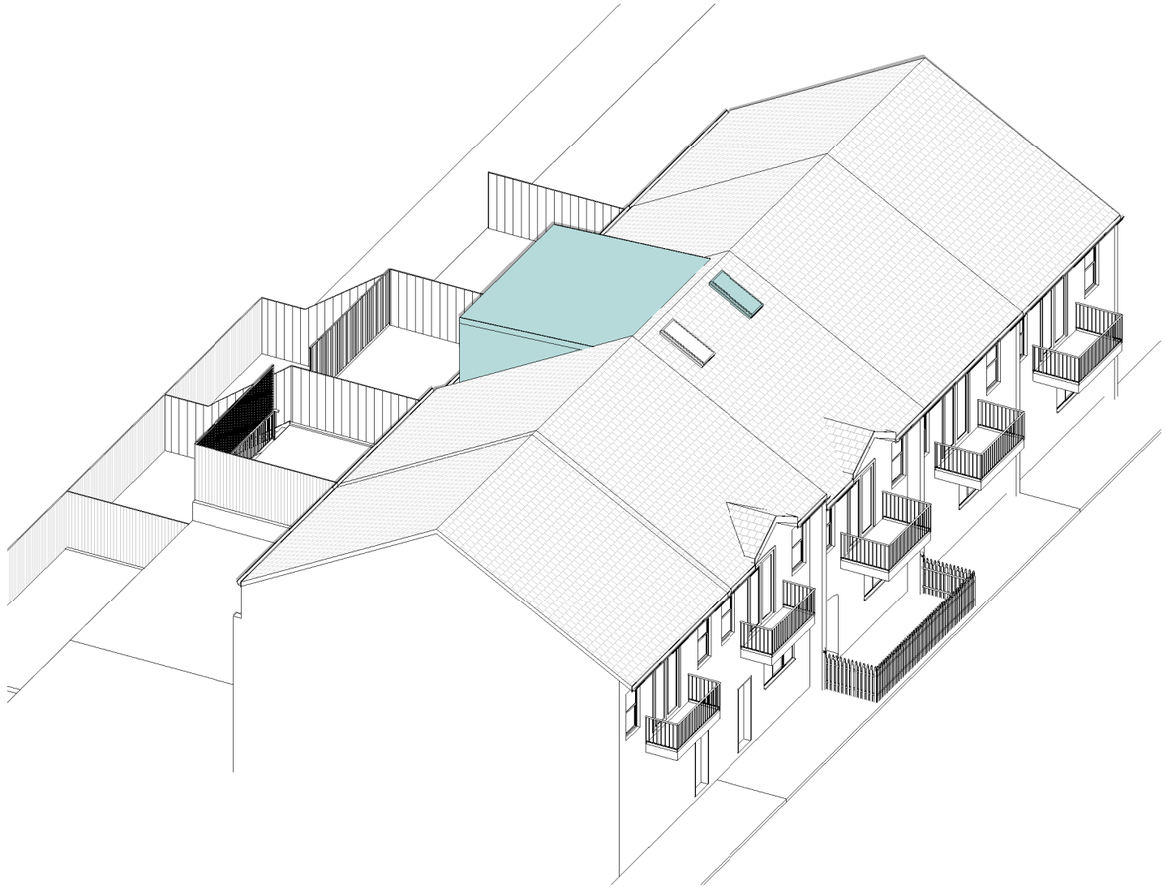
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1 June 21st 1.00pm Existing



2 June 21st 1.00pm Proposed

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Lilyfield, NSW
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SHADOW ANALYSIS CONSULTANTS
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info@caddraftnsw.com.au

No.	Description	Date

415

SHADOW DIAGRAMS:
No.16 BLENHEIM STREET
QUEENS PARK

CLIENT: MR & MRS MERWITZ

3D Sun Views June 21st 1.00pm

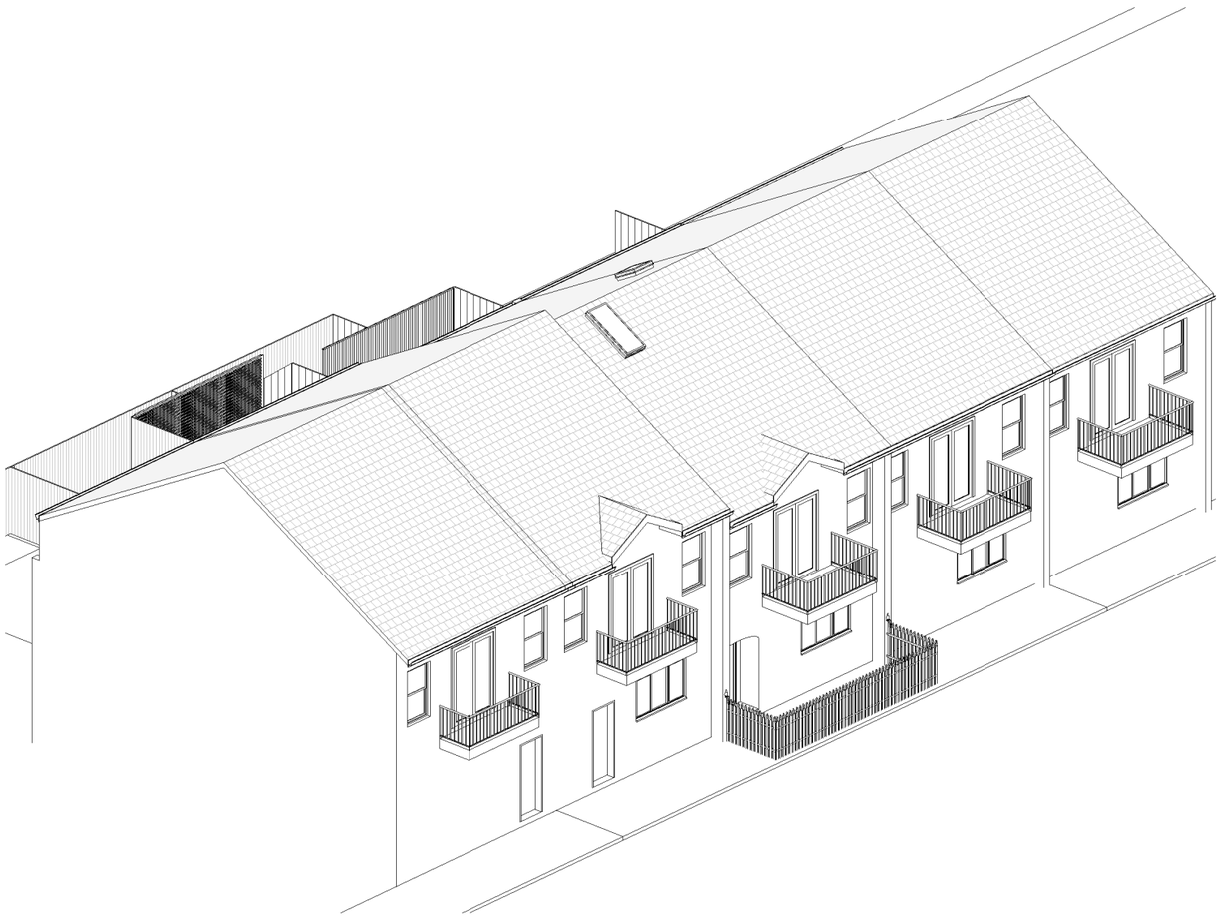
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Checked by	JD	Scale

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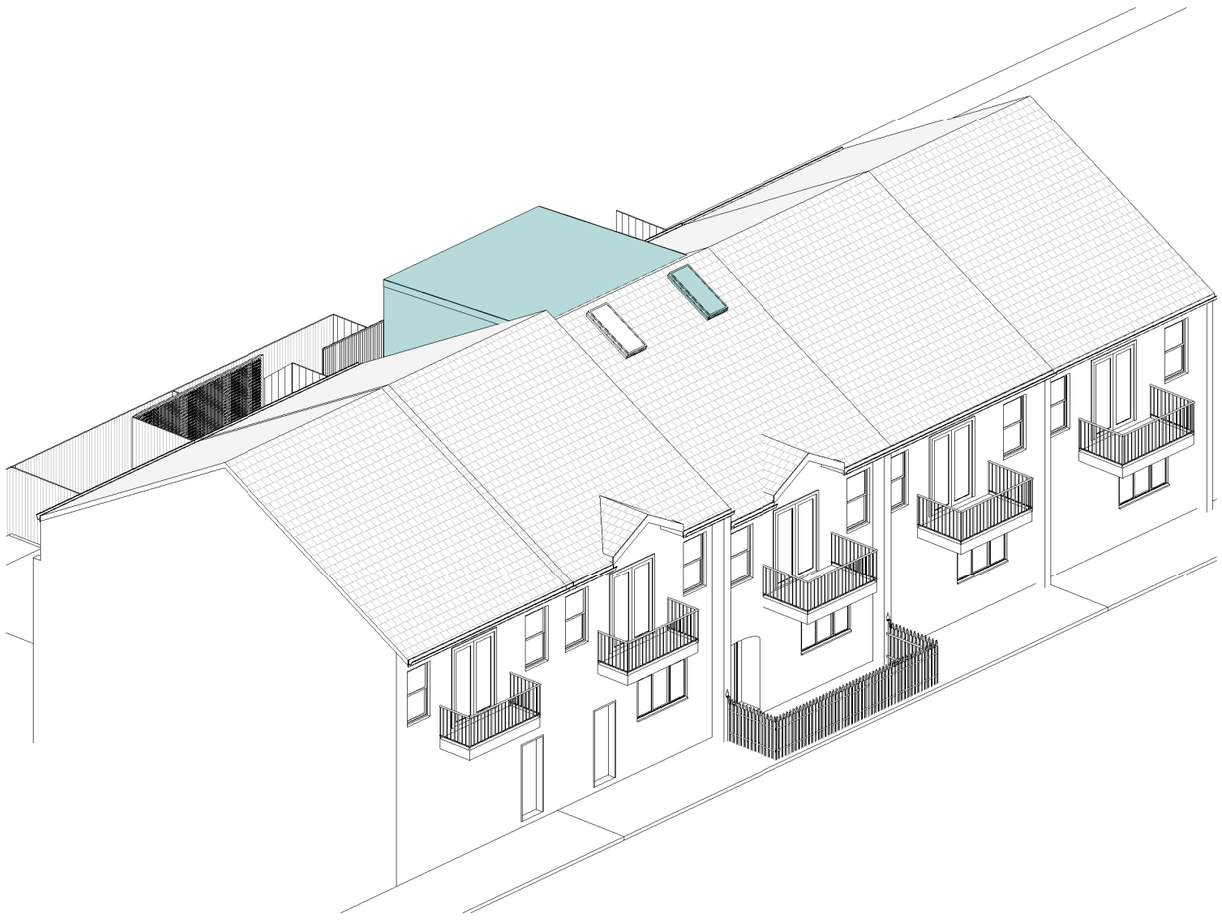
RECEIVED
Waverley Council

Receipt No: DA-296/2025

Date Received: 30/06/2025



1 June 21st 2.00pm Existing



2 June 21st 2.00pm Proposed

Cad Draft P/L
ABN 27 083 288 153
SUITE 1, 505 Balmain Rd
Lilyfield, NSW
P.O BOX 446 GLADESVILLE 2111

SHADOW ANALYSIS CONSULTANTS
PH: 0410 699919
info@caddraftnsw.com.au

No.	Description	Date

416

SHADOW DIAGRAMS:
No.16 BLENHEIM STREET
QUEENS PARK

CLIENT: MR & MRS MERWITZ

3D Sun Views June 21st 2.00pm

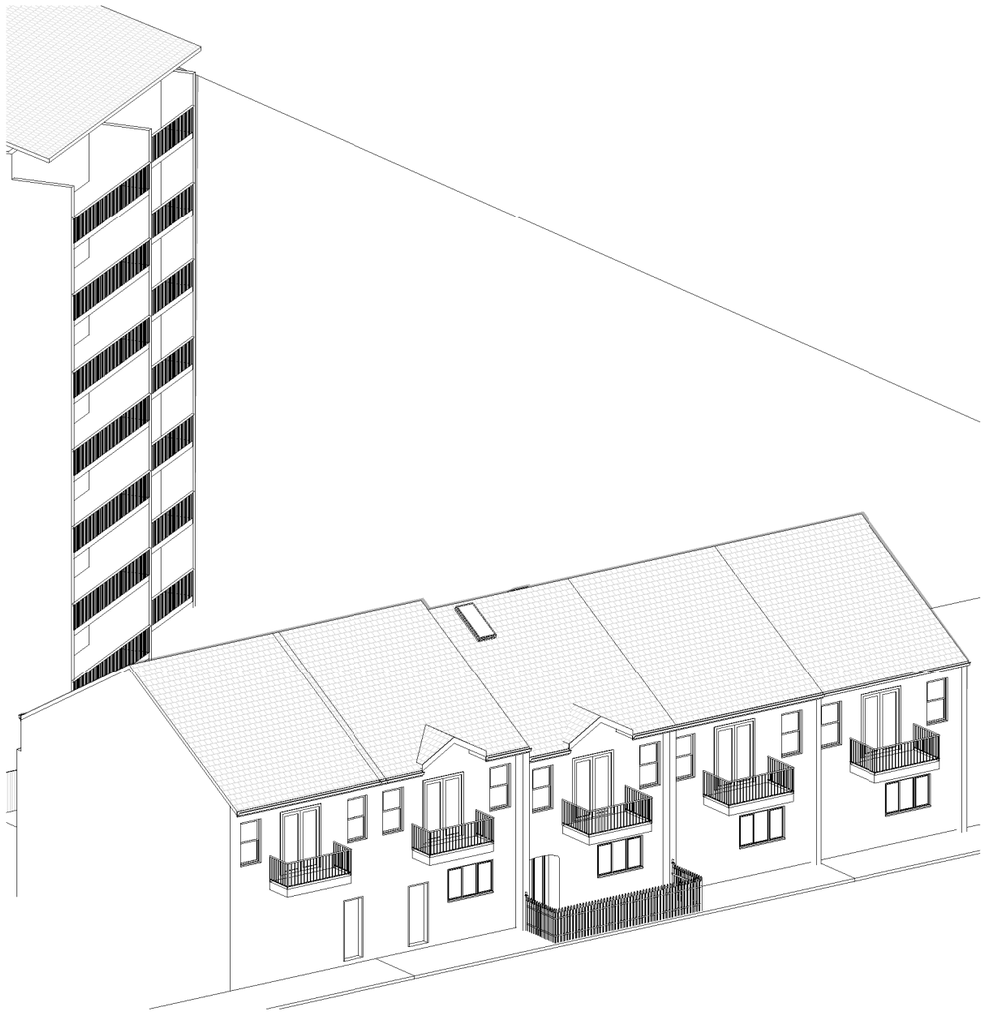
Project number	23-187	A108
Date	19-12-23	
Drawn by	KP	
Checked by	JD	Scale

19/12/2023 14:21:18

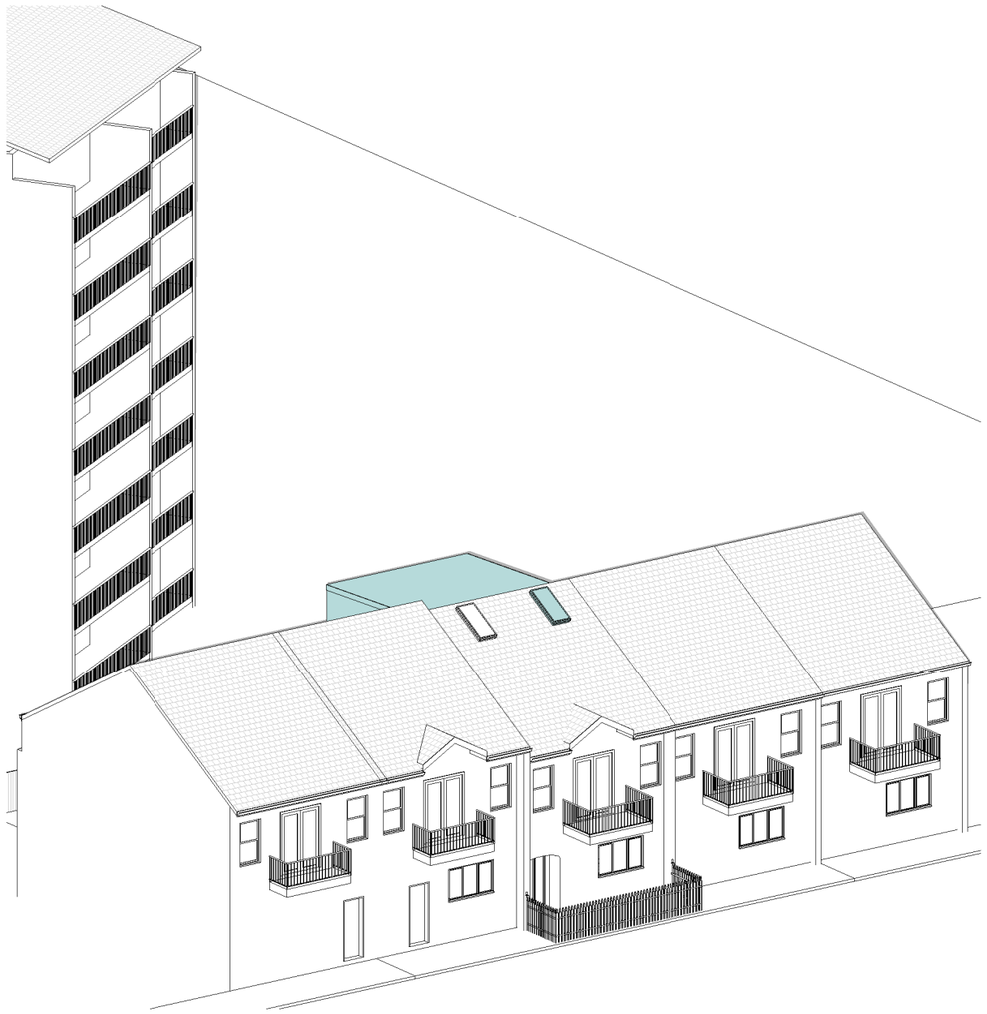
RECEIVED
Waverley Council

Receipt No: DA-296/2025

Date Received: 30/06/2025



1 June 21st 3.00pm Existing



2 June 21st 3.00pm Proposed

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PH: 0410 699919
info@caddraftnsw.com.au

No.	Description	Date

SHADOW DIAGRAMS:
No.16 BLENHEIM STREET
QUEENS PARK

CLIENT: MR & MRS MERWITZ

3D Sun Views June 21st 3.00pm

Project number	23-187	A109
Date	19-12-23	
Drawn by	KP	
Checked by	JD	Scale

19/12/2023 14:21:24



Report to the Waverley Local Planning Panel

Application number	DA-291/2025
Site address	Unit 7, 116-118 Brighton Boulevard, North Bondi
Proposal	Alterations and additions to Unit 7 to convert the use of an existing storage area to a home office and relocate rear sliding doors to upper floor bedrooms of the unit
Date of lodgement	26 June 2025
Owner	Mr I Findlay
Applicant	CSA Architects Pty Ltd
Submissions	No submissions
Cost of works	$ 44,880
Principal Issues	• Floor space ratio exceedance; and • Unauthorised works.
Recommendation	That the application be **APPROVED** in accordance with the conditions contained in the report
SITE MAP	



1. PREAMBLE

1.1. Executive Summary

The development application seeks consent for alterations and additions at the site known as Unit 7 within residential flat building (RFB), 116-118 Brighton Boulevard, North Bondi.

The principal issues arising from the assessment of the application is the FSR exceedance and unauthorised works. The minor increase in floor space to enclose the second floor level balconies and subsequent increased exceedance will not give rise to unacceptable environmental amenity impacts on neighbouring properties and is therefore acceptable. The unauthorised bathroom and kitchenette works in the lower ground storeroom have been reviewed by Council's Building Compliance team. A Building Certificate will be required prior to a construction certificate being obtained for the refit works to the storeroom. In addition, a condition of consent is recommended to ensure that the proposed home office is not used as a separate domicile and is therefore acceptable.

No submissions were received and there were no declared conflicts of interest on this application from Council staff.

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

1.2. Site and Surrounding Locality

A site visit was carried out on 27 August 2025.

The site is identified as SP 5629 known as Unit 7, 116-118 Brighton Boulevard, North Bondi.

The site is rectangular in shape with a frontage of 24.385m to Brighton Boulevard. It has an area of 955m^2 and falls from the eastern rear boundary towards the western front boundary by approximately 7m.

The site is occupied by a five storey RFB with two separate vehicular accesses provided from Brighton Boulevard along the northern and southern sides of the site.

The site is adjoined by a two storey duplex to the north and a RFB to the south. The locality is characterised by a variety of low to medium density residential developments and is approximately 100m east of Bondi Beach. The site is within the Ben Buckler special character area.

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



Figure 1:Subject site frontage, facing east

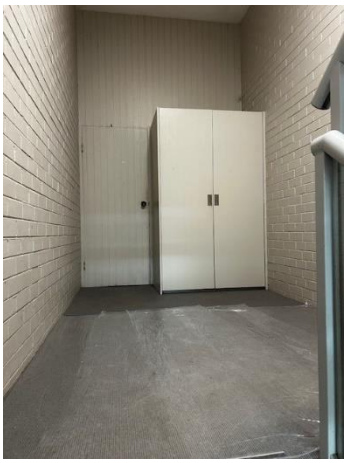


Figure 2: Entry at ground floor to lower ground storage/home office



Figure 3: Unauthorised bathroom in lower ground storage room



Figure 4: Balconies to be enclosed by shifting glazing line to the east



Figure 5: Neighbouring RFB to the south, facing east



Figure 6: Neighbouring duplex to the north, facing east

1.3. Relevant Development History

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

- DA-137/2014, Installation of a new internal wall and retractable awning to Units 1 and 3. Approved 14 May 2014.
- DA-293/2017, Extension to Unit 2 in an RFB. Approved 14 August 2017.

- CD-230/2024, Alterations to Unit 6. Approved 6 November 2024 and currently underway.

1.4. Proposal

The development application seeks consent for alterations and additions to the existing unit, including:

- Storeroom level (Unit 7):
  - Demolish existing mezzanine currently accommodating a bed;
  - Conversion of the existing storeroom to a home office, retain in built desk and kitchenette for home office;
  - Retrospective 'use' approval of an existing internal bathroom, which was constructed without approval within storeroom and refit;
- Second floor level (Unit 7):
  - Relocate and replace rear sliding doors from the second floor level bedrooms out into the rear balcony area;
  - Replace existing balustrades and adjust height to the required specifications.

1.5. Background

The development application was lodged on 26 June 2025 and deferred on 18 September 2025 for the following reasons:

The following additional details were required to be provided on plan:

1. *Plan detail:*
   The following plan amendments are required:
   - *Existing layout of the storage room, including the furnishings and mezzanine level/bed.*
   - *Unauthorised works to be shown on the plan to differentiate between existing, unauthorised and proposed.*
   - *Proposed layout, including the proposed home office layout and details of the room beyond the bathroom (on floor plan and pictures to be provided of this space).*
   - *Confirm the use of the room beyond the bathroom and whether this should be included in the floor space calculation.*

The amended plans received on 23 September 2025 form the basis of the assessment.

2. ASSESSMENT

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

2.1. Planning Instruments and Development Control Plans

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

2.1.1. State Environmental Planning Policies (SEPPs)

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

- SEPP (Housing) 2021
- SEPP (Resilience and Hazards) 2021.

A detailed discussion is provided for the relevant SEPP as follows:

SEPP (Housing) 2021

Chapter 4 of SEPP (Housing) 2021 applies to a building that contains four or more units and three or more storeys. However, the SEPP only applies to the erection of a new building, the substantial redevelopment or refurbishment of an existing building or the conversion of an existing building.

The proposal involves minor alterations and therefore the SEPP does not apply in this instance.

SEPP (Resilience and Hazards) 2021

SEPP Resilience and Hazards applies to the subject site as it is wholly located within the Coastal Use Area as defined by clause 2.11.

Clause 2.11 of the SEPP states that development consent must not be granted for development on land within the Coastal Use Area unless the consent authority has considered and is satisfied with the matters for consideration.

The proposed amendments to Unit 7 are internal to the existing RFB and would not be visible from the public foreshore or public domain. The works to enclose the balconies within Unit 7 are minor and the proposal to refit the existing storage room to create a home office and formalise the use of the existing bathroom and kitchenette would not give rise to unacceptable impacts on neighbouring properties or the coastal environment. The proposal is consistent with the matters for consideration and is acceptable.

2.1.2. Waverley Local Environmental Plan 2012 (Waverley LEP 2012)

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

Table 1: Waverley LEP 2012 Compliance Table

Provision	Compliance	Comment
Part 1 Preliminary		
1.2 Aims of plan	Yes	The proposal is not inconsistent with the aims of the plan.
Part 2 Permitted or prohibited development		
Land Use Table *R3 Medium Density Residential Zone*	Yes	The proposal is defined as alterations and additions to a RFB, which is permitted with consent in the R3 zone. The proposed home office is permitted development within the zone however given that the space will accommodate a bathroom (existing) and kitchenette (existing) a condition of consent is recommended to require that the home office is not to be used as a separate domicile.
Part 4 Principal development standards		
4.3 Height of buildings • *9.5m*	No, existing non-compliance	The existing building has a maximum height of 12m. The height of the works to enclose the rear balconies on the second floor level of Unit 7 is at a height of approximately 8.5m.
4.4 Floor space ratio and 4.4A Exceptions to floor space ratio (FSR) • *0.6:1 (573m²)*	No	The existing building has a total gross floor area (GFA) of 762m² and an FSR of 0.797:1. The proposal seeks an increase of 28m² of GFA with a total of 790m² and a proposed FSR of 0.83:1.
4.6 Exceptions to development standards	See discussion	The application is accompanied by a written request pursuant to clause 4.6 of Waverley LEP 2012 to vary the FSR development standard. A detailed discussion of the variation to the development standard is presented below this table.
Part 6 Additional local provisions		
6.14 Waste minimisation and recycling	Yes	The proposal does not seek to change the current waste arrangements on the site.
6.15 Stormwater Management	Yes	The proposal will not impact on the stormwater arrangements on the site and given the minor nature of the works proposed, a stormwater management plan is not required.

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

Clause 4.6 Exceptions to Development Standards - FSR

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

The site is subject to a maximum FSR development standard of 0.6:1. The proposed development has a FSR of 0.83:1, exceeding the standard by 217m^2 equating to a 37.9% variation. It is noted that the existing building already exceeds the development standard by 189m² or 32.9%.

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

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

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

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

Applicant's Written Request - Clause 4.6(3)(a) and (b)

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

(a) That compliance with the development standard is unreasonable or unnecessary in the circumstances of the case:
   (i) The maximum height of development standard in the LEP is 9.5m. The height of the existing building at more than 12m is unchanged by the proposed development.
   (ii) The building appears 4 levels in height with the 5th level setback which is compatible with the surrounding development and consistent with other residential flat buildings in the locality.
   (iii) The front, rear and side setbacks of the existing building remain unchanged, maintaining glimpses to the ocean where applicable.
   (iv) The landscaping controls in the DCP dictate overall site coverage provisions to ensure the massing of the building is acceptable. The proposal makes no change to the existing site coverage of the site.
   (v) The correlation between the height and density controls is achieved with the building's height, site coverage and setbacks. As outlined above, these key parameters remain unchanged.

(b) That there are sufficient environmental planning grounds to justify contravening the standard:
   (i) The variation to the FSR standard is required to facilitate conversion of a storage area into a functional expansion of Unit 7 for the purpose of working from home.
   (ii) The additional GFA on the second floor resulting from the relocation of the rear sliding doors in the bedrooms to the rear balcony area is required to improve the natural ventilation and solar access into the bedrooms and reduce privacy impacts.

(iii) The majority of the additional floor space (25.08m²) is contained within the existing storage level of the building, retaining the existing building height, bulk and scale which preserves the environmental amenity of the neighbouring properties and the locality. The proposal simply seeks a reclassification of an existing area from use that is not counted as GFA, to one that is counted.

(iv) The design allows for the attainment of Object 1.3(g) of the EP&A Act 1979 which seeks to promote good design and amenity of the built environment. The additional floor area provides improved amenity outcomes to the occupants of Unit 7.

(v) That despite the non-compliance, the building satisfies the objectives of the development standard and the zone.

Consideration of Applicant's Written Request

The applicant's written request has correctly identified the development standard to be varied, relevant legislation and calculated the FSR using the definition in the LEP. The document also addressed those matters required in Clause 4.6(3)(a) and (b).

Consideration of 4.6(3)(a) whether compliance is unreasonable or unnecessary in the circumstances of the case

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

(a) the objectives of the development standard are achieved notwithstanding non-compliance with the standard;

(b) to establish that the underlying objective or purpose is not relevant to the development with the consequence that compliance is unnecessary;

(c) to establish that the underlying objective or purpose would be defeated or thwarted if compliance was required with the consequence that compliance is unreasonable;

(d) to establish that the development standard has been virtually abandoned or destroyed by the Council's own actions in granting consents departing from the standard and hence compliance with the standard is unnecessary and unreasonable; and

(e) to establish that "the zoning of particular land" was "unreasonable or inappropriate" so that "a development standard appropriate for that zoning was also unreasonable or unnecessary as it applied to that land" and that "compliance with the standard in that case would also be unreasonable or unnecessary.

The applicant specifically relies upon justification (a) of *Wehbe v Pittwater Council* (2007) 156 LGERA 446]. The applicant has appropriately demonstrated that the objectives of the FSR development standard are achieved notwithstanding the non-compliance. The enclosing of the rear balconies will increase floor space by 2.93m² and will not give rise to any measurable impact as a result. Solar access to neighbouring properties will be preserved and there will be no privacy impacts above the existing situation. Views to the east will be unimpeded by the proposal. The conversion of the existing lower

ground storeroom to a home office is going from non-habitable to habitable floor space within the existing envelope of the building. Accordingly, the increased floor space at this level is a technical breach and will not give rise to any external impacts.

Consideration of 4.6(3)(b) whether there are sufficient environmental planning grounds to justify contravening the development standard.

The applicant has satisfactorily argued that that there are sufficient environmental planning grounds to justify contravening the development standard. The majority of the additional floor space is within the existing storeroom and the small amount of additional space on the second floor level will not impact solar access, views or privacy of neighbouring properties. The additional floor space provides for increased amenity for the occupant of Unit 7, seeking to reclassify existing space that is currently excluded from calculable floor space to being included. The proposal contributes to the variety of housing types within the locality, offering a unit with a dedicated home office allowing for other land uses to meet the needs of residents, in line with the objectives of the FSR development standard and R3 zone.

Conclusion

The written request provided by the applicant to vary the FSR development standard has adequately addressed clause 4.6 of the Waverley LEP 2012 and the justification provided by the applicant is satisfactory.

2.1.3. Waverley Development Control Plan 2022 (Waverley DCP 2022)

The relevant matters to be considered under the Waverley DCP 2022 are outlined below:

Table 2: Waverley DCP 2022 – Part B General Provisions Compliance Table

Development Control	Compliance	Comment
2. Ecologically Sustainable Development	N/A	A BASIX certificate is not required because the proposed works are under $50,000.
11. Design Excellence	Yes	The application seeks to enclose the rear facing balconies at second floor level and convert an existing storage area at the lower ground floor to a home office. The material and finishes will match the existing building, and the rear glazing will be consistent with the existing sliding doors. The rear balustrade and glazing will be replaced to the required specifications. The works will significantly enhance the amenity for the occupant of Unit 7, without giving rise to external bulk, scale, shadow or privacy impacts and is considered to achieve design excellence.

Table 3: Waverley DCP 2022 – Part C2 Other Residential Development Compliance Table

Development Control	Compliance	Comment
2.3 Setbacks		
2.3.2 Side and rear setbacks • *Minimum rear setback: 6m or predominant rear building line, whichever is the greater setback*	Yes	The proposal includes shifting the glazing line of the rear upper floor bedrooms to enclose the balconies. The rear setback remains compliant at 10.2m.
2.15 Visual privacy and security		
• *Privacy be considered in relation to context density, separation use and design* • *Prevent overlooking of more than 50% of private open space of lower-level dwellings in same development*	Yes Yes	The rear facing balconies currently overlook the lower courtyard and private open space of Unit 7. The enclosure of the balconies will likely reduce the extent to which the courtyard and rear yards of the neighbouring properties will be overlooked and is acceptable.
2.18 Storage		
• *In addition to kitchen cupboards and bedroom wardrobes, min storage required is:* *Studio and 1 bed = 6m^3* *2 bed = 8m^3* *3 or more bed = 10m^3* *All to provide bulk storage area in basement or ancillary structure*	Yes	The repurposing of the existing storeroom to a home office will remove the extent of storage available for the unit however adequate space will remain within the storeroom and throughout the multi-level unit for storage. The proposal will remain compliant with the minimum spatial requirements.
2.20 Natural Ventilation		
• *All dwellings to be naturally cross-ventilated*	Yes	The proposal includes shifting the operable glazed doors towards the rear, maintaining cross ventilation within the unit.

Table 4: Waverley DCP 2022 – Part E4 – Special Character Areas

4.3 Ben Buckler		
Desired Future Character Objectives • Maintain Landscape Character • Maintain rhythm of buildings to the street • Allow ocean glimpses through side setbacks • Respect character and architectural elements • View Sharing	Yes	The Ben Buckler Character Area controls relate predominantly to street facing works and landscaping within the front setback and are therefore not relevant to the proposal. Notwithstanding, the proposal remains consistent with the desired future character objectives of the Ben Buckler character area.

2.2. Other Impacts of the Development

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

2.3. Suitability of the Site for the Development

The site is considered suitable for the proposal.

2.4. Any Submissions

The application was notified for a minimum of 14 days between 4 July 2025 and 24 July 2025 in accordance with the *Community Engagement Strategy 2023.*

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

- The plans were amended to show the existing layout of the storage room, including the mezzanine / bed, lounge and kitchenette and the unauthorised, existing, and proposed works clearly differentiated on the plans.
- The plans were amended to include the proposed layout of the home office, and confirmation of the storage room that accommodates the hot water tank located beyond the bathroom.

No submissions were received.

2.5. Public Interest

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

3. REFERRALS

The following internal referral comments were sought:

3.1. Fire Safety

The application was referred to Council's Fire Safety officer. No objections were raised subject to the recommended conditions of consent.

3.2. Building Compliance

The application was referred to Council's Building Compliance Officer. No objections were raised subject to a requirement for a Building Information Certifciate to be obtained for the unauthorised building work in the storeroom prior to a Construction Certificate being issued.

4. CONCLUSION

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

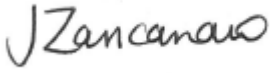
Managers of Development Assessment (MODA) Review

The application was reviewed by the MODA at the meeting on 16 September 2025 and the MODA concurred with the Assessment Planner's recommendation.

DBU members: *B McNamara, B Magistrale, J Zancanaro, and O Navratil*

5. RECOMMENDATION TO WAVERLEY LOCAL PLANNING PANEL

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

Report prepared by:	**Application reviewed and agreed by:**
	
Alana Jelfs	Jo Zancanaro
Senior Development Assessment Planner	**Manager, Development Assessment**
Date: 30 September 2025	**Date: 3 October 2025**

Reason for WLPP referral:

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

OFFICE USE ONLY

Planning Portal Data		
Clause 4.6 register entry required (For the purposes of reporting to the planning portal, if the % approved is different to the % proposed in the original submission, please state what the variation initially proposed was – Planning Portal Requirement)	37.9% variation to FSR (Clause 4.4)	
	X	Pre-existing non-compliance
	X	No change to overall building height
	X	No change to overall building envelope
	X	No unreasonable impacts on the amenity of adjoining properties or streetscape
	X	Sufficient environmental planning grounds
	X	Consistent with the objectives of the standard
Determining Authority	Local Planning Panel	

(Concurrence Authority for Clause 4.6 variation)	
Were the requirements of the Sustainable Buildings SEPP (effective 1 October 2023) met?	N/A
Does the proposal trigger a Housing & Productivity Contribution ? If so, please ensure you have calculated the contribution in the CON case in the Planning Portal.	No
Have any dwellings been approved for affordable Rental Housing under this approval/consent? *This is a planning portal reporting requirement	No
Secondary Dwelling *This is a planning portal reporting requirement	No
Boarding House *This is a planning portal reporting requirement	No
Group Home *This is a planning portal reporting requirement	No
Is the development subject to the Special Infrastructure Contribution (SIC)?	No
Is the development located within an Urban Release area?	No
Waverley Council Data	
Trial Period database entry required	No
VPA submitted – follow up actions required	No
Refer to compliance for investigation	No
Commercial/liquor operational conditions	No
Was there a 'Conflict of Interest' declared	No

Terms and Reasons for Conditions

Under section 88(1)(c) of the EP&A Regulation, the consent authority must provide the terms of all conditions and reasons for imposing the conditions other than the conditions prescribed under section 4.17(11) of the EP&A Act. The terms of the conditions and reasons are set out below.

GENERAL CONDITIONS

<table>
<tr><th></th><th>Condition</th></tr>
<tr><td>1.</td><td>APPROVED PLANS AND DOCUMENTATION
The development must be in accordance with:

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

<table>
<tr><th>Plan Number and Revision</th><th>Plan description</th><th>Plan Date</th><th>Date received by Council</th></tr>
<tr><td>FIND-02, Rev 2</td><td>Existing Storeroom Floor Plan</td><td>23.09.2025</td><td>23.09.2025</td></tr>
<tr><td>FIND-03, Rev 2</td><td>Proposed Storeroom Floor Plan</td><td>23.09.2025</td><td>23.09.2025</td></tr>
<tr><td>FIND-04, Rev 1</td><td>Ground Floor Plan</td><td>23.09.2025</td><td>23.09.2025</td></tr>
<tr><td>FIND-05, Rev 1</td><td>First Floor Plan</td><td>20.03.2025</td><td>23.09.2025</td></tr>
<tr><td>FIND-06, Rev 1</td><td>Second Floor Plan</td><td>20.03.2025</td><td>23.09.2025</td></tr>
<tr><td>FIND-07, Rev 1</td><td>Roof Level Plan</td><td>20.03.2025</td><td>23.09.2025</td></tr>
<tr><td>FIND-09, Rev 1</td><td>East Elevation</td><td>20.03.2025</td><td>23.09.2025</td></tr>
<tr><td>FIND-10, Rev 1</td><td>West Elevation</td><td>20.03.2025</td><td>23.09.2025</td></tr>
<tr><td>FIND-11, Rev 1</td><td>Section AA</td><td>20.03.2025</td><td>23.09.2025</td></tr>
<tr><td>FIND-12, Rev 1</td><td>Window Schedule</td><td>20.03.2025</td><td>23.09.2025</td></tr>
</table>

(b) Fire Engineer Report prepared by Holmes Australia dated 26 May 2025 and received by Council 26 June 2025

(c) The Site Waste and Recycling Management Plan (SWRMP) Part 1 (26.06.2025)

Except where amended by the following conditions of consent.

Condition reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.</td></tr>
<tr><td>2.</td><td>APPROVED USE - HOME OFFICE
This development consent authorises the use of the existing storeroom, on Unit 7 title as a home office attached to existing Unit 7, being the ‘principal dwelling’.

The home office can only be used as a habitable room provided it is only in conjunction with the principal dwelling (Unit 7).

No approval is granted or implied for the home office to be used as a self-contained dwelling that is separate to the principal dwelling (Unit 7) on the site.

Condition reason: To prevent the use of the home office as a secondary dwelling.</td></tr>
</table>

3.	**BUILDING INFORMATION CERTIFICATE FOR UNAUTHORISED WORKS**
	No approval is granted or implied under this development consent for the existing bathroom and kitchenette in the storeroom. A Building Information Certificate is required to authorise the works undertaken without development consent on the site. This development consent only relates to prospective works (at date of determination) and use of this level as proposed under this development consent.
	Condition reason: To ensure a Building Information Certificate is obtained for the unauthorised works to the storeroom.
4.	**BUILDING CODE OF AUSTRALIA**
	All building works must comply with the Building Code of Australia, Volume 1 of 2022, including, the requirements of ventilation and access.
	Condition reason: To ensure that the proposed works are compliant with the BCA.

BUILDING WORK

BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE

	Condition
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 and Assessment Act 1979*; (b) a Principal Certifying Authority has been appointed, and Council has been notified of the appointment in accordance with the *Environmental Planning and Assessment Act 1979* and *Environmental Planning and Assessment Regulation 2021*; and (c) Council is given at least two days' notice in writing of the intention to commence the building works.
	Condition reason: To ensure a Construction Certificate is obtained prior to work commencing.
6.	**SECTION 7.12 CONTRIBUTION**
	A monetary development contribution is payable to Waverley Council pursuant to section 7.12 of the *Environmental Planning and Assessment Act 1979* and the Waverley Council Development Contributions Plan in accordance with the following: (a) Where the total development cost is $500,000 or less: (i) a **Cost Summary Report** or **Building Contract** (dated within 12 months) or similar is to be submitted to Council's Customer Service Centre to process payment. (b) Where the total development cost is more than $500,000 but less than $1,000,000: (i) a **Detailed Cost Report** (dated within 12 months) prepared by a registered Quantity Surveyor, **Building Contract,** or similar is to be submitted to Council's Customer Service Centre to process payment. (c) Where the total development cost is $1,000,000 or more: (i) a **Detailed Cost Report** (dated within 12 months) prepared by a registered Quantity Surveyor, **Building Contract,** or similar is to be submitted to and approved by Council's Executive Manager, Urban Planning, Policy and Strategy (or delegate).

	- Please forward documents to info@waverley.nsw.gov.au attentioned to Strategic Planning, and reference the relevant application number, address and condition number to satisfy. (ii) Upon confirmation of the contribution amount by Council's Executive Manager, Urban Planning, Policy and Strategy (or delegate), payment is to be processed via the Customer Service Centre. (iii) Should there be a discrepancy between the cost of works approved in subclause (b)(i) and the DA fee nominated in the original DA, then additional DA Fees may be payable prior to the issue of a Construction Certificate. A copy of the required format for the cost reports are provided in the Waverley Council Contributions Plan, available on Council's website. (d) As legislated in section 209 of the Environmental Planning and Assessment Regulation 2021, the levy must be paid in accordance with the following; (i) A development valued at $100,000 or less will be exempt from the levy; (ii) A development valued at $100,001 - $200,000 will attract a levy of 0.5% of the full cost of the development; or (iii) A development valued at more than $200,000 will attract a levy of 1% of the full cost of the development. Prior to the issue of any Construction Certificate, evidence must be provided that the levy has been paid to Council in accordance with this condition or that the cost of works is less than $100,000.
	Condition reason: To ensure the Section 7.12 Contributions are paid.
7.	**SECURITY DEPOSIT**
	A deposit (cash or cheque) for the amount of **$ 1,568.92** 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) must be provided to Council prior to the issue of any Construction Certificate. The full amount of the deposit, minus Council's costs for any repair of damage to Council property or rectification of unauthorised works on Council property, will be refunded after satisfactory completion all of works associated with this consent (including the required public works) to the person who paid the deposit.
	Condition reason: To ensure any damage to public infrastructure is rectified and public works can be completed.

8.	**LONG SERVICE LEVY**
	A long service levy, as required under section 34 of the *Building and Construction Industry Long Service Payments Act, 1986*, is to be paid in respect of this building work. Evidence that the levy has been paid is to be submitted to the Principal Certifying Authority prior to the issue of any Construction Certificate. Note: Council acts as an agent for the Long Service Payment Corporation and the levy may be paid at Council's office. The levy rate is 0.25% of building work costing $250,000 or more.
	Condition reason: To ensure the long service levy is paid.
9.	**EROSION & SEDIMENT CONTROL**
	A Soil and Water Management Plan (SWMP), also known as an Erosion and Sediment Control Plan must be prepared in accordance with Waverley Council's Water Management Technical Manual. The SWMP must be approved by the Principal Certifying Authority prior to the issue of a Construction Certificate. A copy of the SWMP must be kept on site at all times and made available to Council officers upon request. The recommendations of the SWMP must be implemented and maintained during all construction activities and until the site is fully stabilised following construction.
	Condition reason: To ensure sediment laden runoff and site debris do not impact local stormwater systems and waterways.
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.
	Condition reason: To ensure structural stability of work on site.

11.	**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.
	Condition reason: To ensure resource recovery is promoted and the local amenity is protected during construction.
12.	**RENEWABLE ENERGY AND ENERGY EFFICIENCY**
	To enable all development to contribute to net zero greenhouse emissions by 2035, the following shall apply: (a) An electric hot water system is strongly encouraged in all developments. Recommended systems include electric heat pump, solar thermal with electric boost or electric storage. (b) No new gas cooktops, gas ovens and gas heating systems are permitted. Alternate options must be used (such as electric, induction). (c) Recommended lighting systems to include LEDs with controls, such as motion sensors, step-dim controls and daylight sensors. The architectural plans shall be updated to notate the above and submitted to the Principal Certifying Authority for approval, prior to the issue of a Construction Certificate.
	Condition reason: To reduce community greenhouse emissions to net zero by 2035 and ensure all new (or altered) homes have future capacity to be an all-electric building, powered by renewable energy.

BEFORE BUILDING WORK COMMENCES

	Condition
13.	**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.
	Condition reason: To ensure the general public are afforded the Principal Certifying Authority and principal contractor's (the coordinator of the building works) contact details.
14.	**DEMOLITION – ASBESTOS AND HAZARDOUS MATERIALS**
	The demolition, removal, storage, handling and disposal of products and materials containing asbestos must be carried out in accordance with the relevant requirements of SafeWork NSW and the NSW Environment Protection Authority (EPA), including: • Work Health and Safety Act 2011; • Work Health and Safety Regulation 2017; • SafeWork NSW Code of Practice for the Safe Removal of Asbestos; • Australian Standard 2601 (2001) – Demolition of Structures; • *Protection of the Environment Operations Act 1997.* At least 5 days prior to the demolition, renovation work or alterations and additions to any building, the person acting on the consent shall submit a Work Plan to the Principal Certifying Authority in accordance with Australian Standard AS 2601-2001, Demolition of Structure and a Hazardous Materials Assessment prepared by a person with suitable expertise and experience. The Work Plan and Hazardous Materials Assessment shall: (a) Outline the identification of any hazardous materials, including surfaces coated with lead paint; (b) Confirm that no asbestos products are present on the subject land, or (c) particularise a method of safely disposing of the asbestos in accordance with the Code of Practice on how to safely remove asbestos published by SafeWork NSW (catalogue WC03561); (d) Describe the method of demolition; (e) Describe the precautions to be employed to minimise any dust nuisance; and (f) Describe the disposal methods for hazardous materials.
	Condition reason: To ensure the safety of workers and the general public.

15.	**STREET TREES TO BE RETAINED/TREE PROTECTION**
	No existing street trees shall be removed without Council approval. Precautions shall be taken when working near trees to ensure their retention, including the following: (a) Do not store harmful or bulk materials or spoil under or near trees; (b) Prevent damage to bark and root system; (c) Do not use mechanical methods to excavate within root zones; (d) Do not add or remove topsoil from under the drip line; (e) Do not compact ground under the drip line; (f) Do not mix or dispose of liquids within the drip line of the tree; and (g) All trees marked for retention must have a protective fence/guard placed around a nominated perimeter in accordance with AS4970-2009 “Protection of trees on construction sites.
	Condition reason: To protect trees during the carrying out of site work.

DURING BUILDING WORK

	Condition
16.	**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.
	Condition reason: To ensure the safety of workers and the general public.
17.	**CONSTRUCTION HOURS**
	Demolition and building work must only be undertaken between the hours of 7am and 5pm on Mondays to Fridays and 8am to 3pm on Saturdays, with no work to be carried out on Sundays and public holidays. Excavation works involving the use of heavy earth movement equipment, including rock breakers and the like, must only be undertaken between the hours of 7am and 5pm on Mondays to Fridays, with no such work to be carried out on Saturday, Sunday or a public holiday. Noise from construction activities shall comply with the *Protection of the Environmental Operations (Noise Control) Regulation 2017*.
	Condition reason: To protect the amenity of the surrounding area.
18.	**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.
	Condition reason: To ensure building material is stored in an appropriate location.
19.	**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, Part 8 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021* and the requirements of any other applicable legislation or instruments.

	Condition reason: To ensure regular inspections occur throughout the construction process.
20.	**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.
	Condition reason: To ensure buildings are sited and positioned in the approved location.
21.	**WORK OUTSIDE PROPERTY BOUNDARY**
	This consent does not authorise any work outside the property boundary.
	Condition reason: To ensure buildings are sited and positioned in the approved location.

BEFORE ISSUE OF AN OCCUPATION CERTIFICATE

	Condition
22.	**FINAL OCCUPATION CERTIFICATE**
	Prior to occupation or use of the development, an Occupation Certificate must be obtained. The Principal Certifying Authority must be satisfied that the requirements of the *Environmental Planning & Assessment Act 1979* have been satisfied including all critical stage inspections. Documentary evidence of all required inspections is to be submitted to Council.
	Condition reason: To ensure an Occupation Certificate is issued prior to occupation or use of the development.

GENERAL ADVISORY NOTES

	Condition
1.	**DEVELOPMENT IS TO COMPLY WITH LEGISLATION**
	This consent contains the conditions imposed by the consent authority which are to be complied with when carrying out the approved development. However, this consent is not an exhaustive list of all obligations which may relate to the carrying out of the development under the EP&A Act, EP&A Regulation and other legislation.
2.	**DEVELOPMENT MUST MEET CONDITIONS OF CONSENT**
	The approved development must be carried out in accordance with the conditions of this consent. It is an offence under the EP&A Act to carry out development that is not in accordance with this consent.
3.	**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
4.	**SYDNEY WATER REQUIREMENTS**
	You may be required to submit your plans to the appropriate Sydney Water office to determine whether the development will affect Sydney Water's sewer and water mains, stormwater drains and/or easements. 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.
5.	**SYDNEY WATER CERTIFICATE**
	A Section 73 Compliance Certificate under the Sydney Water Act 1994 may be required to 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.
6.	**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.
7.	**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.
8.	**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.
9.	**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.
10.	**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.
11.	**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.

Dictionary

The following terms have the following meanings for the purpose of this determination (except where the context clearly indicates otherwise):

Approved plans and documents means the plans and documents endorsed by the consent authority, a copy of which is included in this notice of determination.

AS means Australian Standard published by Standards Australia International Limited and means the current standard which applies at the time the consent is issued.

Building work means any physical activity involved in the erection of a building.

Certifier means a council or a person that is registered to carry out certification work under the *Building and Development Certifiers Act 2018*.

Construction certificate means a certificate to the effect that building work completed in accordance with specified plans and specifications or standards will comply with the requirements of the EP&A Regulation and *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*.

Council means Waverley Council.

Court means the Land and Environment Court of NSW.

EPA means the NSW Environment Protection Authority.

EP&A Act means the *Environmental Planning and Assessment Act 1979.*

EP&A Regulation means the *Environmental Planning and Assessment Regulation 2021.*

Independent Planning Commission means Independent Planning Commission of New South Wales constituted by section 2.7 of the EP&A Act.

Local planning panel means Waverley Local Planning Panel.

Occupation certificate means a certificate that authorises the occupation and use of a new building or a change of building use for an existing building in accordance with this consent.

Principal certifier means the certifier appointed as the principal certifier for building work or subdivision work under section 6.6(1) or 6.12(1) of the EP&A Act respectively.

Site work means any work that is physically carried out on the land to which the development the subject of this development consent is to be carried out, including but not limited to building work, subdivision work, demolition work, clearing of vegetation or remediation work.

Stormwater drainage system means all works and facilities relating to:
the collection of stormwater,

the reuse of stormwater,

the detention of stormwater,

the controlled release of stormwater, and

connections to easements and public stormwater systems.

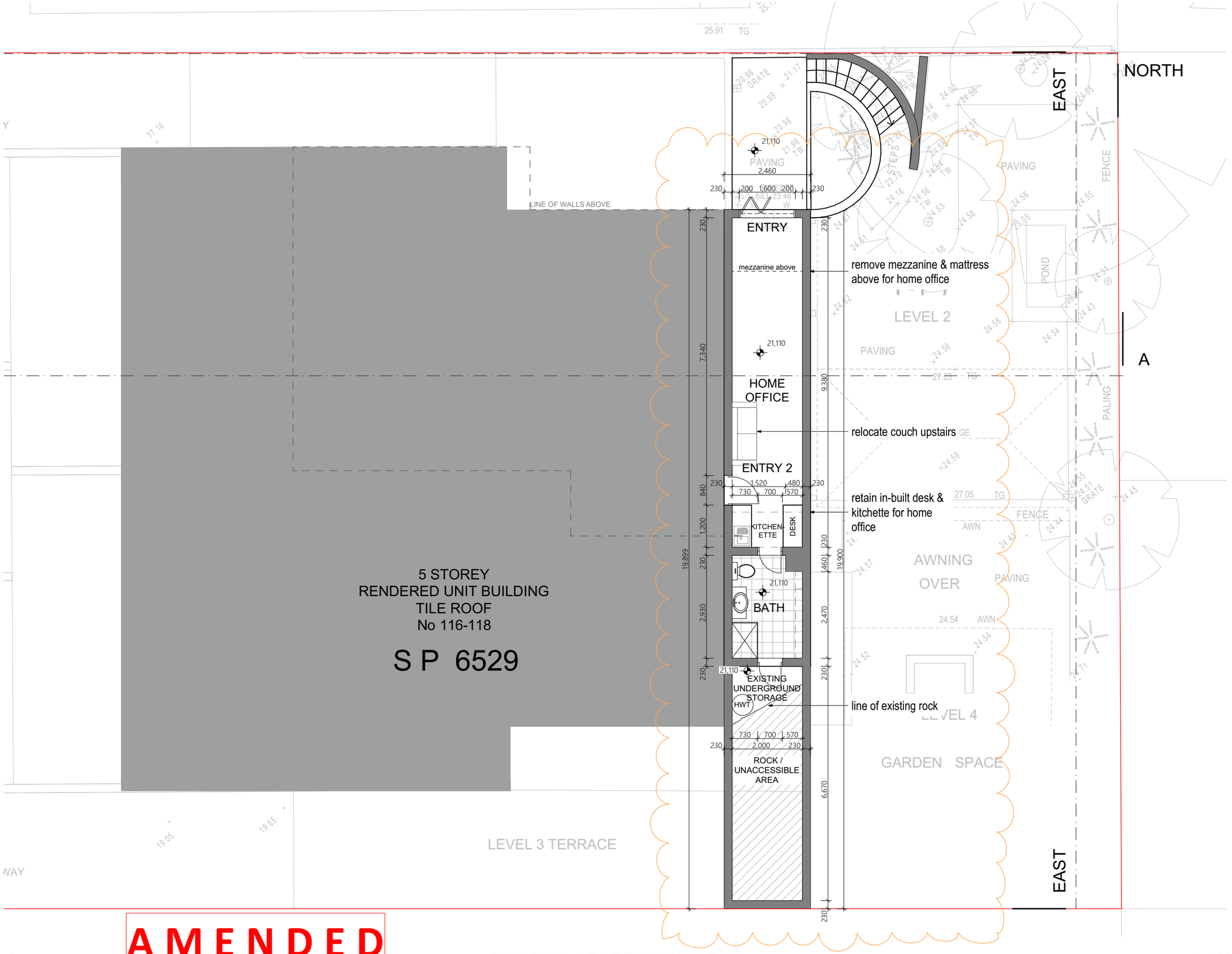
Strata certificate means a certificate in the approved form issued under Part 4 of the *Strata Schemes Development Act 2015* that authorises the registration of a strata plan, strata plan of subdivision or notice of conversion.

Subdivision certificate means a certificate that authorises the registration of a plan of subdivision under Part 23 of the *Conveyancing Act 1919*.

Subdivision works certificate means a certificate to the effect that subdivision work completed in accordance with specified plans and specifications will comply with the requirements of the EP&A Regulation.

Sydney district or regional planning panel means Sydney Eastern City Planning Panel.

Suitably qualified acoustic consultant means 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.



AMENDED

3 EXISTING STORE ROOM LEVEL 1:100

CSA ARCHITECTS

Nominated Architect: Alex Smith Reg #5473
alex@csa-arch.com.au

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61 2 9389 4055 www.csa-arch.com.au
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RECEIVED
Waverley Council

Application No: DA-291/2025

Date Received: 23/09/2025

Rev	Transmittal Set Name	Date
02	DEVELOPMENT APPLICATION - Amended	23/09/2025

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
FINDLAY

Project
ALTERATIONS

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7/116-118 BRIGHTON BOULEVARD NORTH BONDI NSW 2026

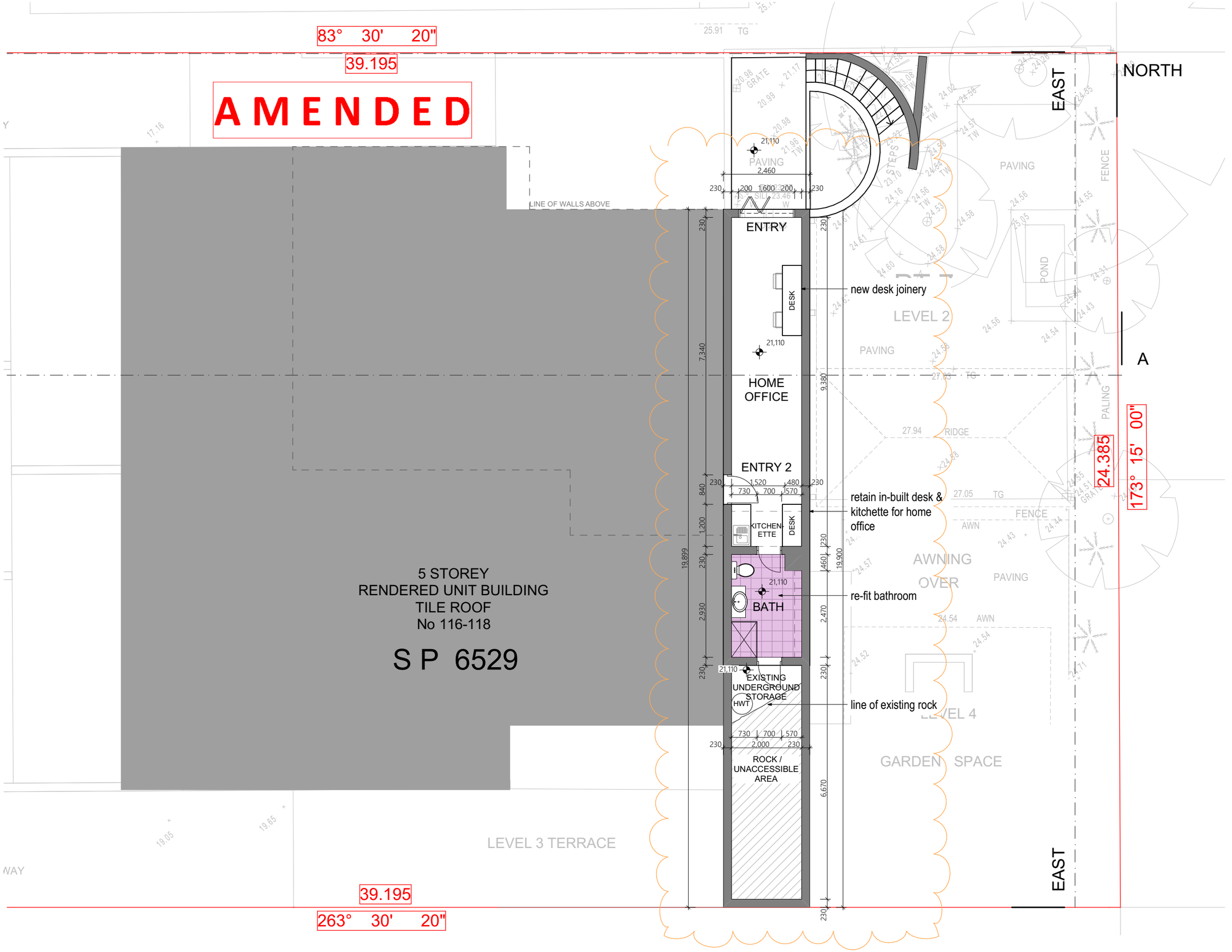
Status
DEVELOPMENT APPLICATION

Drawing Title:
EXISTING STORE ROOM FLOOR PLAN
Sheet No.
FIND-02

Drawn:	Checked:	Scale:	Rev.
PH	AS/AY	1 :100 U.N.O	02

1:200 1:100 1:50 1 METRE INCREMENTS

Plot Date: Tuesday, 23 September 2025



1 PROPOSED STORE ROOM LEVEL 1:100

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RECEIVED
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Application No: DA-291/2025

Date Received: 23/09/2025

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Client
FINDLAY

Project
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Address
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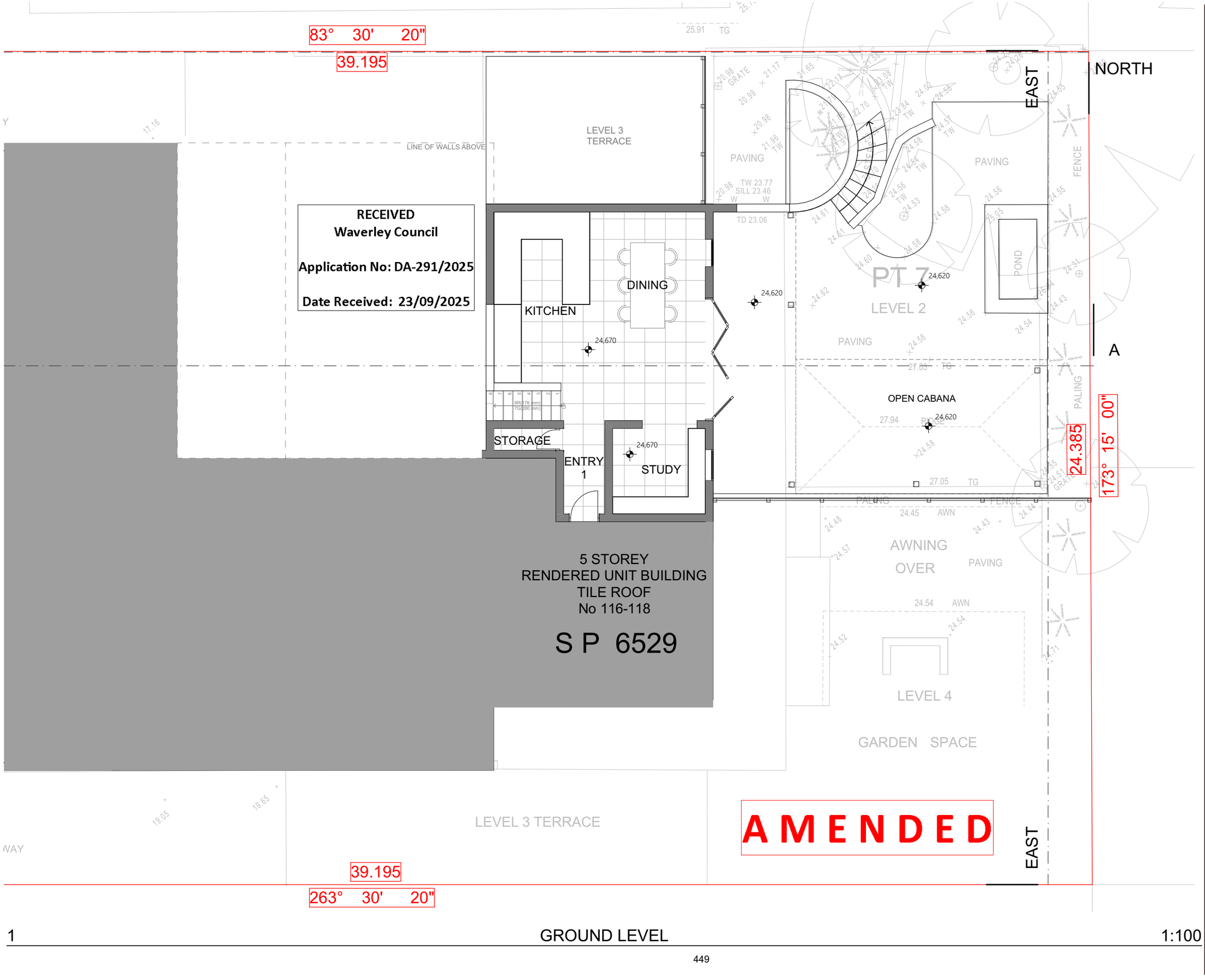
Status
DEVELOPMENT APPLICATION

Drawing Title:
PROPOSED STORE ROOM FLOOR PLAN
Sheet No.
FIND-03

Drawn:	Checked:	Scale:	Rev.
PH	AS/AY	1 :100 U.N.O	02

1:200 1:100 1:50 1 METRE INCREMENTS

Plot Date: Tuesday, 23 September 2025



1 GROUND LEVEL 1:100

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Rev	Transmittal Set Name	Date
01	DEVELOPMENT APPLICATION	20/03/2025

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Client
FINDLAY

Project
ALTERATIONS

Address
7/116-118 BRIGHTON BOULEVARD NORTH BONDI NSW 2026

Status
DEVELOPMENT APPLICATION

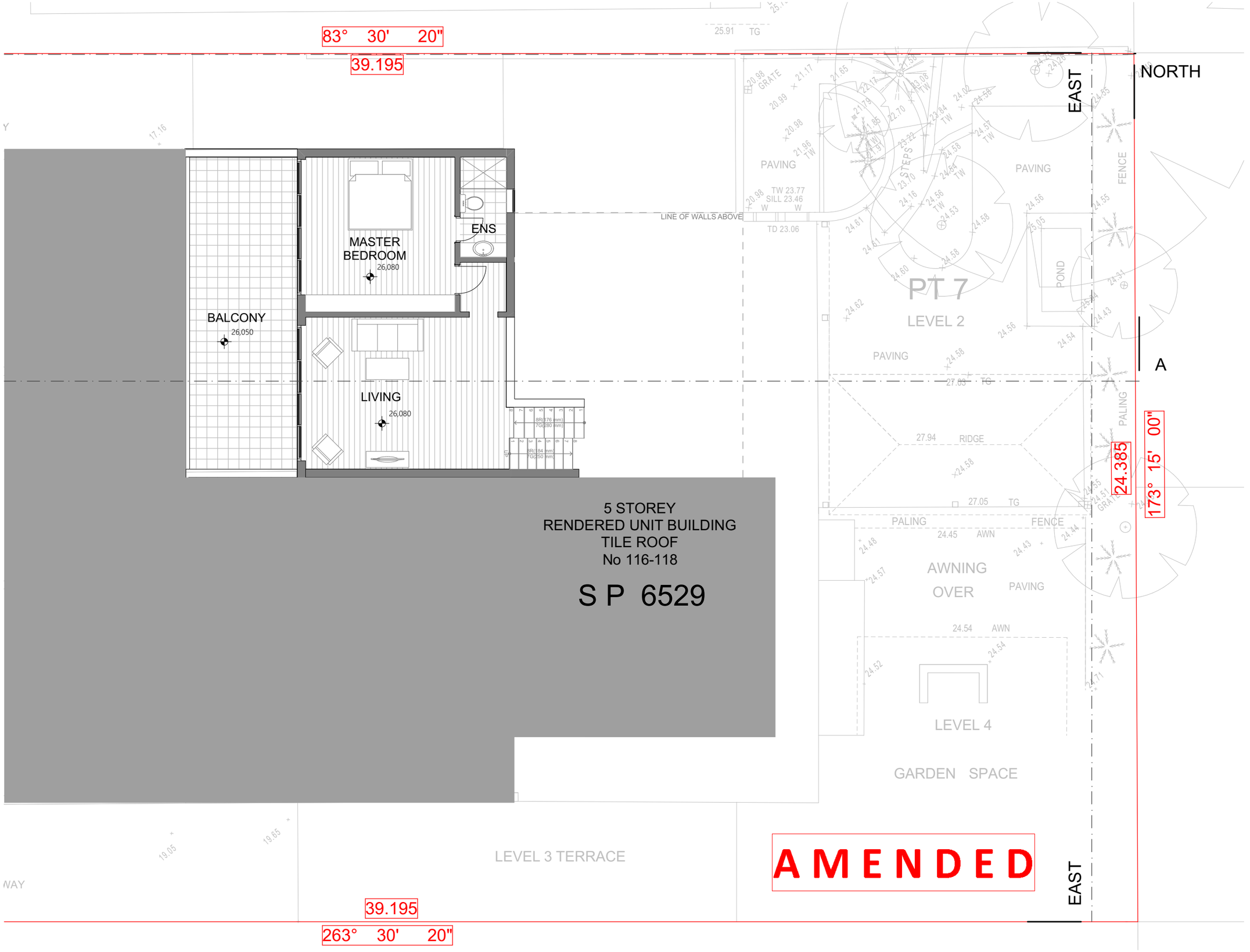
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GROUND FLOOR PLAN

Sheet No.
FIND-04

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PH	AS/AY	1 :100 U.N.O	**01**

1:200 1:100 1:50 1 METRE INCREMENTS

Plot Date: Tuesday, 23 September 2025



1 FIRST LEVEL 1:100

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Client
FINDLAY

Project
ALTERATIONS

Address
7/116-118 BRIGHTON BOULEVARD NORTH BONDI NSW 2026

Status
DEVELOPMENT APPLICATION

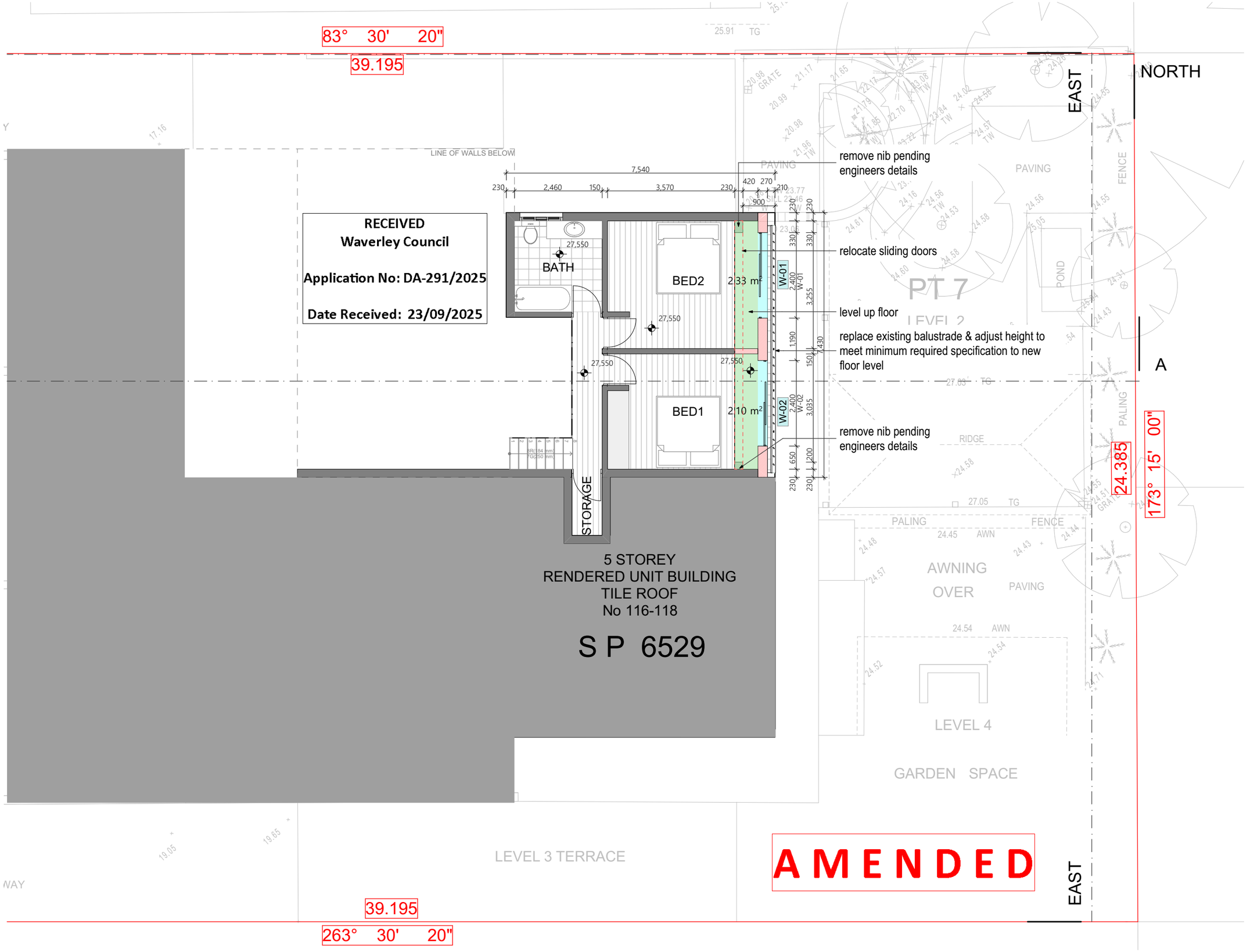
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FIRST FLOOR PLAN

Sheet No.
FIND-05

Drawn:	Checked:	Scale:	Rev.
PH	AS/AY	1 :100 U.N.O	**01**

1:200 1:100 1:50 1 METRE INCREMENTS

Plot Date: Tuesday, 23 September 2025



1 SECOND LEVEL 1:100

CSA ARCHITECTS

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01	DEVELOPMENT APPLICATION	20/03/2025

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Client
FINDLAY

Project
ALTERATIONS

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Status
DEVELOPMENT APPLICATION

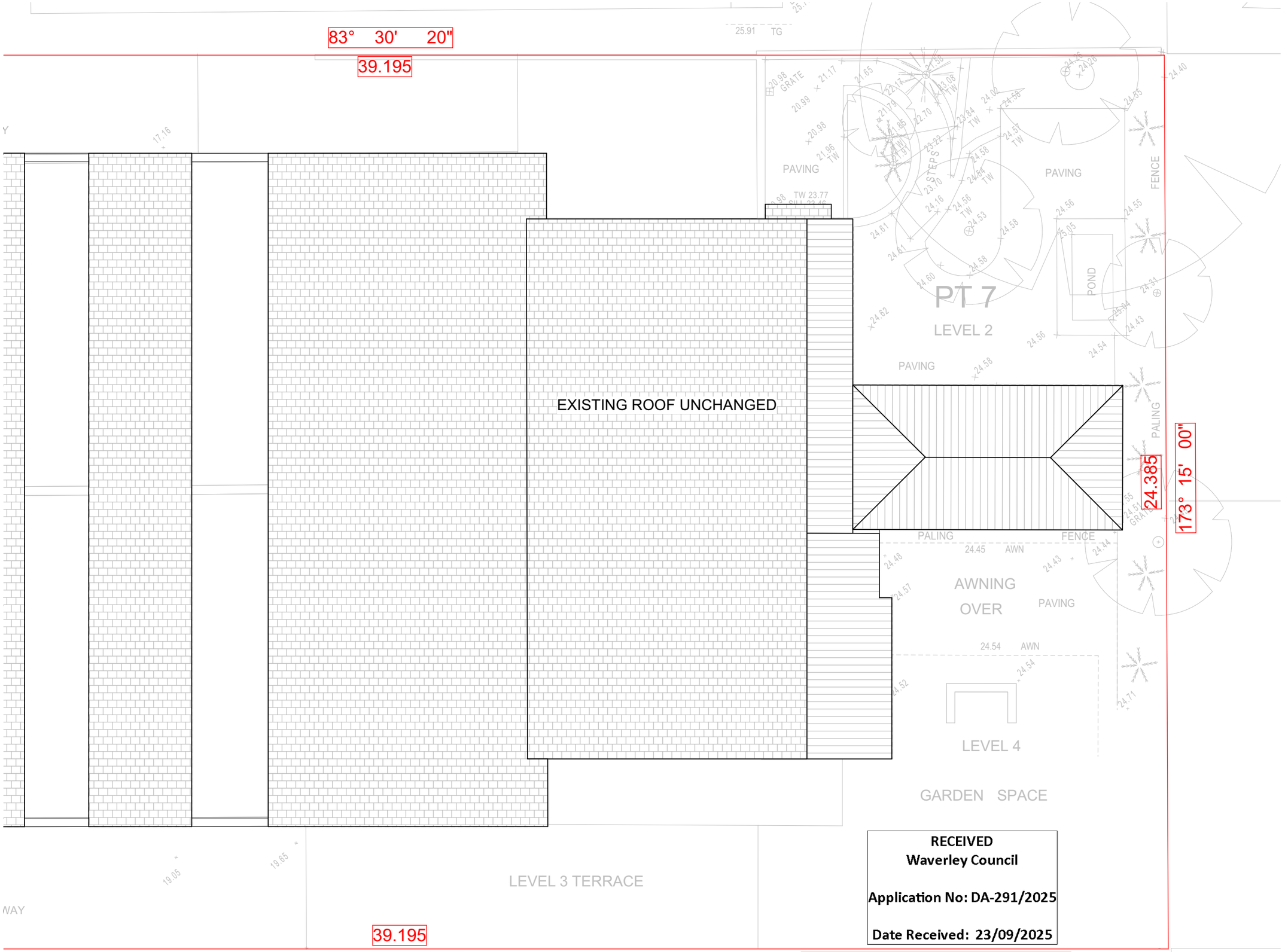
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SECOND FLOOR PLAN

Sheet No.
FIND-06

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Plot Date: Tuesday, 23 September 2025



RECEIVED
Waverley Council

Application No: DA-291/2025

Date Received: 23/09/2025

AMENDED

1 ROOF LEVEL 1:100

CSA ARCHITECTS

Nominated Architect: Alex Smith Reg #5473
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Rev	Transmittal Set Name	Date
01	DEVELOPMENT APPLICATION	20/03/2025

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Client
FINDLAY

Project
ALTERATIONS

Address
7/116-118 BRIGHTON BOULEVARD NORTH BONDI NSW 2026

Status
DEVELOPMENT APPLICATION

Drawing Title:
ROOF LEVEL PLAN

Sheet No.
FIND-07

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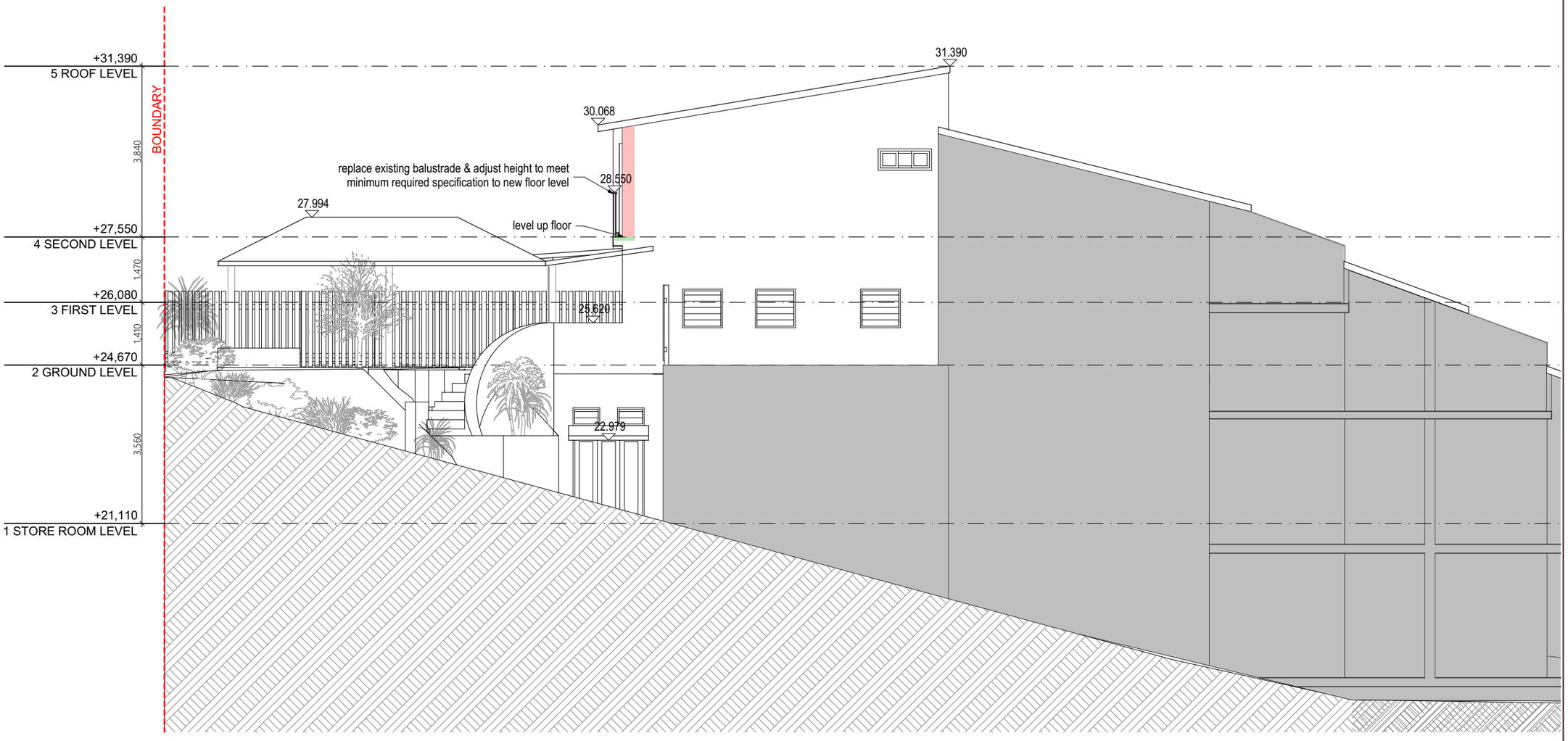
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Plot Date: Tuesday, 23 September 2025

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Waverley Council

Application No: DA-291/2025

Date Received: 23/09/2025



1 NORTH ELEVATION 1:100

AMENDED

CSA ARCHITECTS

Nominated Architect: Alex Smith Reg #5473
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Status
DEVELOPMENT APPLICATION

Drawing Title:
NORTH ELEVATION

Sheet No.
FIND-08

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Plot Date: Tuesday, 23 September 2025

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Application No: DA-291/2025

Date Received: 23/09/2025



1 EAST ELEVATION 1:100

AMENDED

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Status
DEVELOPMENT APPLICATION

Drawing Title:
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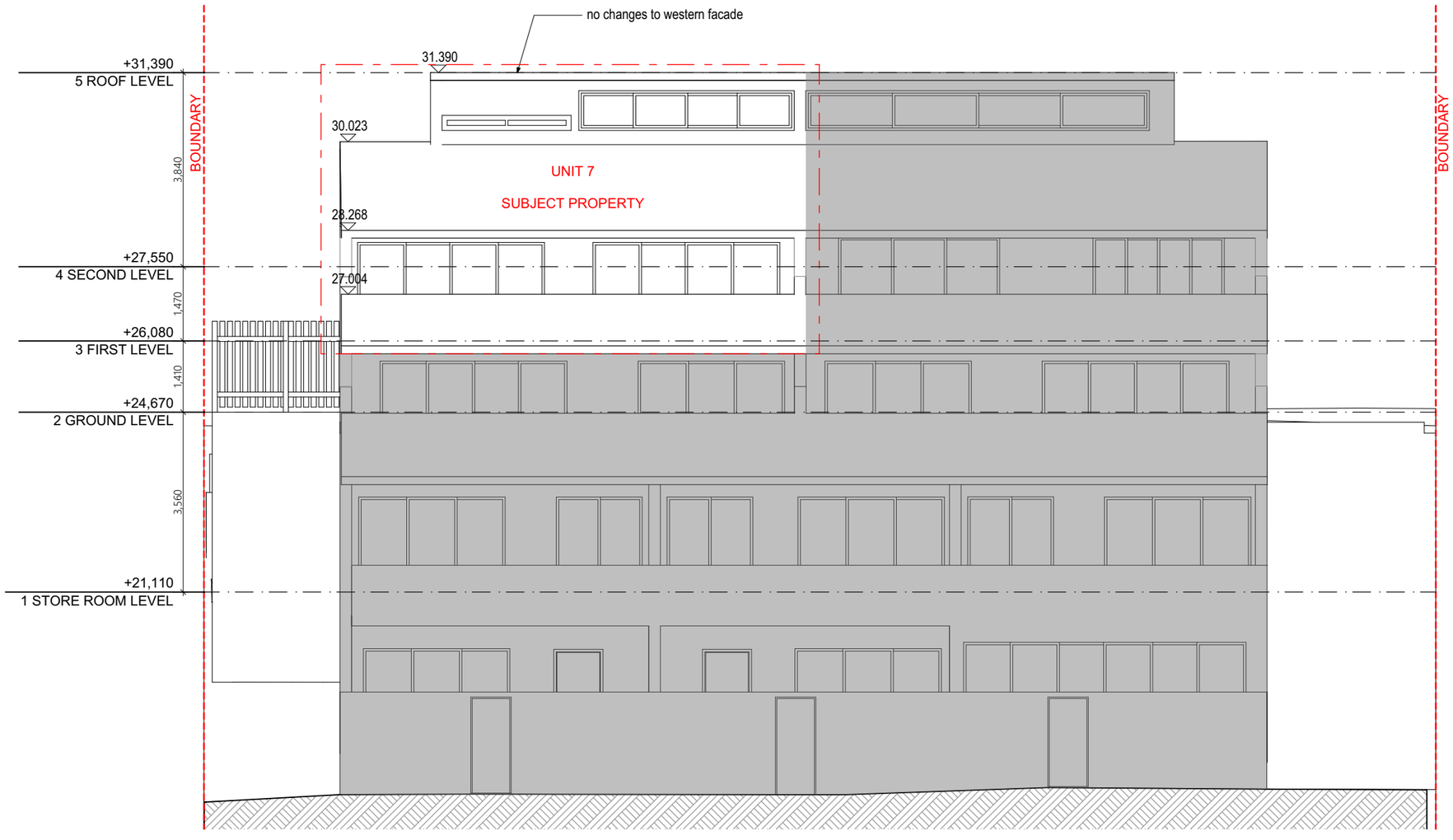
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Plot Date: Tuesday, 23 September 2025

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1 WEST ELEVATION 1:100

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Application No: DA-291/2025

Date Received: 23/09/2025

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Rev	Transmittal Set Name	Date
01	DEVELOPMENT APPLICATION	20/03/2025

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Address
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Status
DEVELOPMENT APPLICATION

Drawing Title:
WEST ELEVATION

Sheet No.
FIND-10

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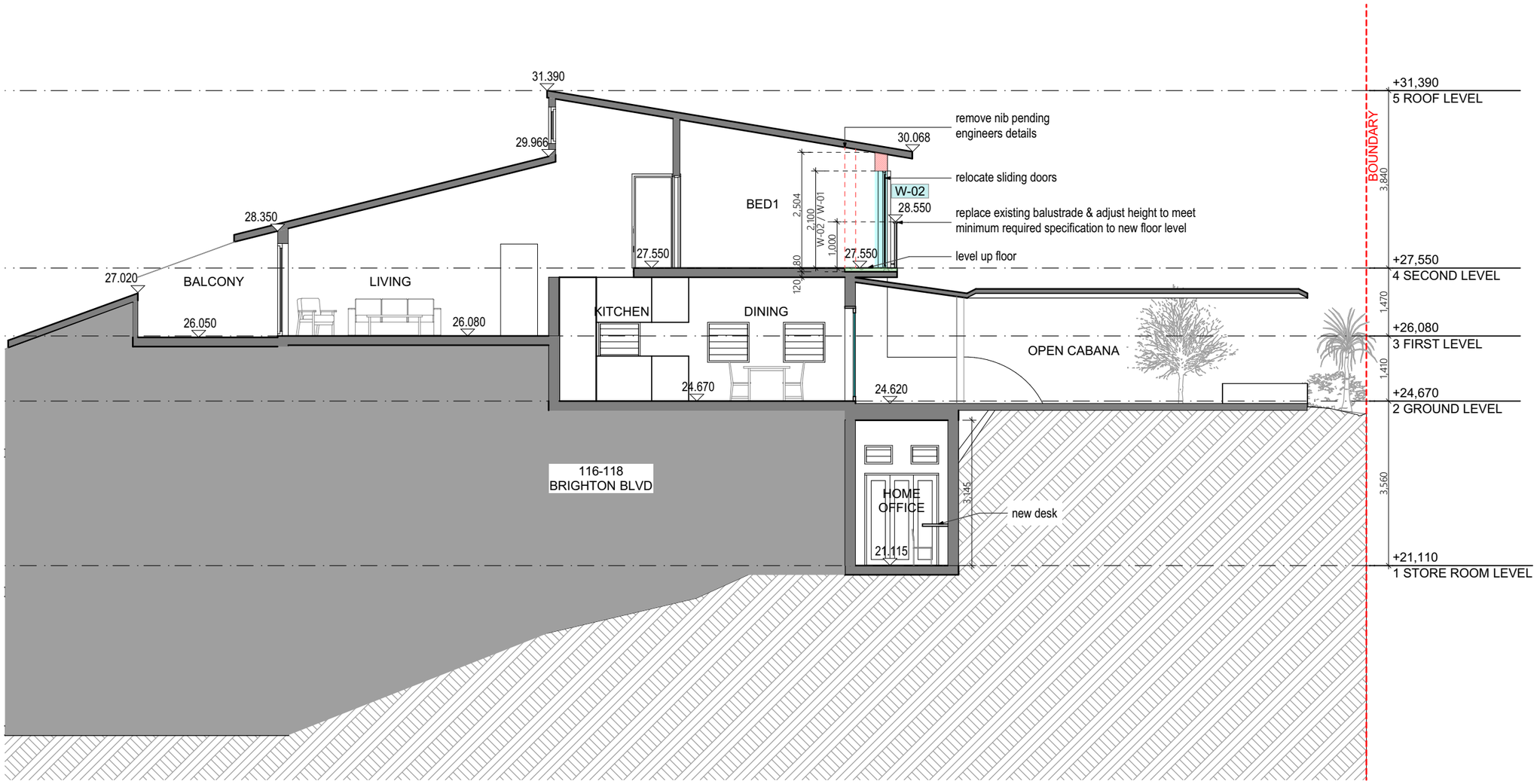
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Plot Date: Tuesday, 23 September 2025

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Application No: DA-291/2025

Date Received: 23/09/2025



1 SECTION 1:100

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456

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Rev	Transmittal Set Name	Date
01	DEVELOPMENT APPLICATION	20/03/2025

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Status
DEVELOPMENT APPLICATION

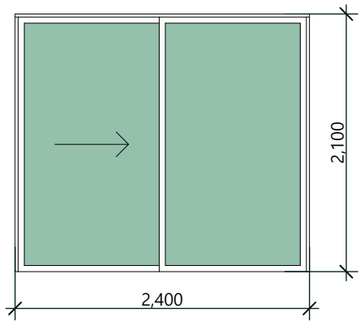
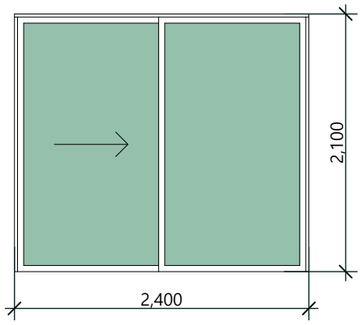
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SECTION AA

Sheet No.
FIND-11

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Plot Date: Tuesday, 23 September 2025

GLAZED DOOR & WINDOW SCHEDULE		
ID	W-01	W-02
Window Name	Sliding door Multi-panels	Sliding door Multi-panels
Height	2,100	2,100
Width	2,400	2,400
Window sill height	0	0
Orientation	East	East
2D Symbol		
3D Front View		
Notes		

RECEIVED
Waverley Council

Application No: DA-291/2025

Date Received: 23/09/2025

AMENDED

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Address
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Status
DEVELOPMENT APPLICATION

Drawing Title:
WINDOW SCHEDULE

Sheet No.
FIND-12

Drawn:	Checked:	Scale:	Rev.
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Plot Date: Tuesday, 23 September 2025



Report to the Waverley Local Planning Panel

Application number	DA-280/2025
Site address	59 Military Road, Dover Heights
Proposal	Alterations and additions to dwelling house
Date of lodgement	23 June 2025
Owner	C Zhu and M Jiang
Applicant	Making Architecture Pty Ltd
Submissions	None
Cost of works	$848,068
Principal Issues	• Exceedance of height of buildings development standard • Exceedance of floor space ratio development standard
Recommendation	That the application be **APPROVED** in accordance with the conditions contained in the report.

SITE MAP



1. PREAMBLE

1.1. Executive Summary

The development application seeks consent for alterations and additions to an existing dwelling house at the site known as 59 Military Road, Dover Heights.

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

- Exceedance of height of buildings development standard, and
- Exceedance of floor space ratio development standard.

The assessment finds these issues acceptable as the proposal reduces the height of the existing building, the additional floor space is located within the footprint of the existing building, and as there are no significant amenity or streetscape impacts.

No submissions were received.

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

1.2. Site and Surrounding Locality

A site visit was carried out on 27 August 2025.

The site is identified as Lot A in DP 369097, known as 59 Military Road, Dover Heights.

The site is rectangular in shape with a frontage of 16.16m to the north side of Military Road. It has an area of 429.4m^2. Levels fall from the north (rear) to south (front) by approximately 1.5m.

The site is occupied by a three storey dwelling house with pitched roof and integrated garage accessed from Military Road. There is a large in-ground swimming pool within the rear yard.

The site is adjoined by a two storey dwelling house to the west at 61 Military Road and a three storey dual occupancy development to the east at 57 Military Road.

The locality is predominantly characterised by low density residential development.

Figures 1 to **3** are photos of the site and its context.



Figure 1: Site viewed from Military Road looking north



Figure 2: Rear of existing building viewed from rear yard of site, looking south-east



Figure 3: Rear yard of site, looking north-east

1.3. Relevant Development History

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

1.4. Proposal

The development application seeks consent for alterations and additions to the existing dwelling house including the following:

Demolition and tree removal:

- Demolition of various internal and external walls, including the front external wall at first floor level,
- Demolition of kitchen and bathroom fitouts,
- Demolition of balcony balustrades and windows,
- Demolition of pitched roof, and
- Removal of three *Cupressus sp* trees.

External works:

- Excavation of rear yard between dwelling house and pool by approximately 1m, to make level with internal ground floor level,
- Landscaping within front setback, surrounded by low walls,
- Landscaping to southern side boundary,
- Landscaping and paving within rear yard,
- New pool fencing and boundary fencing,
- Pergola structure over south-eastern part of rear yard,
- Replacement of existing external steps at front of building between ground and first floor levels with new steps in the same location,
- Rendering of existing walls,
- Timber-look panelling to part of western and southern elevations,
- Timber-look cladding to garage door,
- Stone cladding to part of ground floor southern and northern elevations, and
- Planting of one *Aloe barberae* (Tree Aloe) and *Michelia x alba* (White Champaca) tree.

Ground floor:

- Internal reconfiguration to create lounge room, media room, gym, laundry, bathroom, bedroom and two storage rooms,
- New rear-facing windows and glazed doors,
- Retention of integrated garage, and
- Enclosure of existing north-western external stairs with large windows to form internal stairs.

First floor:

- Additions at the front of the dwelling resulting in reductions in the setback of the balconies and external walls of the dwelling from the front boundary,
- Internal reconfiguration to create living room, dining room, kitchen, pantry, bedroom and bathroom,
- New high-level western side-facing window,
- New rear-facing windows, front facing windows, and front entrance door, and
- Enclosure of existing north-western external stairs with large windows to form internal stairs.

Second floor:

- Additions at the front of the dwelling resulting in reductions in the setback of balcony from the front boundary to create larger balcony,
- Extension at the north-western corner of the building,
- Internal reconfiguration to create three bedrooms, two bathrooms, and study room,
- New western side-facing window with privacy screen,
- New front and rear facing windows, and
- Staircase to roof level.

Roof:

- Construction of new flat roof, and

- 15m² roof terrace at centre of roof accessed by internal stairs and sliding access hatch.

1.5. Background

The development application was lodged on 23 June 2025.

Council made a 'stop the clock' request for additional information regarding solar access impacts on 3 July 2025 prior to public notification. The requested information was provided on 9 July 2025.

Council requested amendments and additional information on 12 September 2025 to address the following issues:

1. The clause 4.6 written requests for exceptions to the height of buildings and floor space ratio development standards were inadequate and inaccurate,
2. The second floor front balcony must not project beyond the front building line, and
3. Insufficient information was provided regarding proposed fencing.

The applicant provided amended documentation on 25 September 2025.

Council made a further request for amended documentation on 1 October 2025 to address the following issues:

1. The clause 4.6 written requests for exceptions to the height of buildings and floor space ratio development standards were inadequate and inaccurate,
2. Insufficient information was provided regarding proposed fencing.

The amended documentation received on 7 October 2025 form the basis of the assessment.

2. ASSESSMENT

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

2.1. Planning Instruments and Development Control Plans

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

2.1.1. State Environmental Planning Policies (SEPPs)

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

- SEPP (Sustainable Buildings) 2022
- SEPP (Biodiversity and Conservation) 2021
- SEPP (Resilience and Hazards) 2021

2.1.2. Waverley Local Environmental Plan 2012 (Waverley LEP 2012)

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

Table 1: Waverley LEP 2012 Compliance Table

Provision	Compliance	Comment
Part 1 Preliminary		
1.2 Aims of plan	Yes	The proposal generally aligns with the aims of the plan.
Part 2 Permitted or prohibited development		
Land Use Table *R2 Low Density Residential Zone*	Yes	The proposal is for alterations and additions to a dwelling house, which is permitted with consent in the R2 zone.
Part 4 Principal development standards		
4.3 Height of buildings • *8.5m*	No	The proposal has a maximum height of 10.46m, inclusive of the proposed roof terrace balustrade, which exceeds the development standard by 1.96m or 23%.
4.4 Floor space ratio and 4.4A Exceptions to floor space ratio • *0.563:1 FSR* • *277.4 m² GFA*	No	The proposal increases the GFA at the site by 29.27 m². The proposal has a gross floor area (GFA) of 303.53m² and an FSR of 0.62:2, which exceeds the development standard by 26.13m² or 9.4%.
4.6 Exceptions to development standards	See discussion	The application is accompanied by a written request pursuant to clause 4.6 of Waverley LEP 2012 to vary the height of buildings and FSR development standards. A detailed discussion of the variation to the development standards is presented below this table.
Part 6 Additional local provisions		
6.2 Earthworks	Yes	The proposal includes minor excavation works within the rear yard to lower the level of the yard adjacent to the subject dwelling house. The minor extent of the excavation is unlikely to result in any impacts to land stability, drainage, structural stability or other issues.
6.15 Stormwater Management	Yes	The proposal satisfactorily manages stormwater in compliance with clauses (a) (b) and (c). Conditions of consent are included at Appendix A requiring the submission of finalised stormwater plans.

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

Clause 4.6 Exceptions to Development Standards – height of building

The application seeks to vary the height of buildings development standard in clause 4.3 of Waverley LEP 2012.

The site is subject to a maximum height of building development standard of 8.5m. The proposed development has a height of 10.46m, which exceeds the development standard by 1.96m or 23%.

The proposal includes the demolition of the existing pitched roof and replacement with a flat roof with roof terrace. The proposal results in reduction in the maximum height of the building compared to the existing structure.

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

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

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

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

Applicant's Written Request - Clause 4.6(3)(a) and (b)

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

(a) That compliance with the development standard is unreasonable or unnecessary in the circumstances of the case as the objectives of the standard are achieved notwithstanding non-compliance with the standard as follows:
    (i) Objective (a), *to ensure building heights preserve the environmental amenity of neighbouring properties and public spaces and, if appropriate, the sharing of views*, is achieved as:
        - The proposed height exceedance results in minimal overshadowing of the neighbouring property at 57 Military Road limited to between 1pm and 3pm, will not impact key areas of private open space or north-facing windows, and therefore natural daylight, sunlight and ventilation will largely be preserved for neighbouring buildings,
        - The proposed height exceedance has no impact on views, and
        - The proposed height exceedance remains consistent with existing privacy and visual impacts on neighbouring properties.
    (ii) Objective (b) relates to Bondi Junction and is therefore not relevant to the application.
    (iii) Objective (c), *to maintain satisfactory solar access to existing buildings and public areas*, is achieved for the same reasons set out for objective (a) described above,
    (iv) Objective (d), *to establish building heights that are consistent with the desired future character of the locality*, is achieved as the proposed building height is consistent with the existing height

of two and three storeys within the vicinity of the site, and as the proposal reduces the overall height of the building bringing it closer to compliance with the development standard.

(b) That there are sufficient environmental planning grounds to justify contravening the standard:
  (i) The development retains the footprint of the existing dwelling,
  (ii) The existing building height is proposed to be reduced, so that the exceedance of the development standard is reduced from a 3.25m exceedance to a 1.96m exceedance,
  (iii) There is minor additional overshadowing to a bedroom, bathroom and corridor window at 57 Military Road. The extent of overshadowing does not result in any material impacts, and
  (iv) Privacy and outlook are maintained for neighbouring properties.

Consideration of Applicant's Written Request

The applicant's written request has correctly identified the development standard to be varied, relevant legislation and has correctly measured the height of the building. The document also addressed those matters required in Clause 4.6(3)(a) and (b).

Consideration of 4.6(3)(a) whether compliance is unreasonable or unnecessary in the circumstances of the case

The applicant has adequately addressed that compliance with the standard is unreasonable or unnecessary in the circumstances of the case and has referenced 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.

Objectives (a) and (c) of the height of building development standard, relating to preservation of amenity and retention of satisfactory solar access, are achieved as:

- The solar access impacts on neighbours resulting from proposed additional exceedances of the development standard are not significant, and a high level of amenity is retained for neighbours. The only solar access impact is on 57 Military Road. Three windows at that property are impacted by additional overshadowing associated with proposed exceedances of the development standard compared to the existing development at the site, being one corridor window, one bathroom window and one bedroom window. The proposed exceedances impact each window for only approximately one hour at the winter solstice. The bedroom and bathroom windows are impacted at 2pm only, with both windows retaining significant solar access between 12pm and 2pm including at 2pm. The corridor window is impacted at 3pm only, with the window retaining significant solar access between 12pm and 3pm including at 3pm.
- The proposed exceedance does not result in any privacy impacts. The proposed roof terrace is set-in from the side walls of the building and therefore does not allow overlooking down toward neighbouring windows and private open spaces.
- The proposed exceedance does not impact on views, outlook or on other amenity matters.

Objective (b) relates to Bondi Junction and therefore is not relevant.

Objective (d), relating to consistency with the desired future character of the area, is achieved as the proposal reduces the overall height of the development and retains the existing number of storeys and general proportions, and as the retained three-storey form is similar to existing dwellings within the vicinity of the site and therefore is appropriate within the streetscape context of the site.

In addition to the above justifications which are supported, the applicant also argues the following justifications which are not supported by this assessment report:

- The underlying objective or purpose of the standard is not relevant to the development and therefore compliance is unnecessary,
- The underlying object or purpose would be defeated or thwarted if compliance was required and therefore compliance is unreasonable,
- The development standard has been virtually abandoned or destroyed by the council's own actions in granting consents departing from the standard and hence compliance with the standard is unnecessary and unreasonable, and
- The compliance with the development standard is unreasonable or inappropriate due to existing use of land and current environmental character of the particular parcel of land. That is, the particular parcel of land should not have been included in the zone.

Consideration of 4.6(3)(b) whether there are sufficient environmental planning grounds to justify contravening the development standard.

The applicant has satisfactorily argued that that there are sufficient environmental planning grounds to justify contravening the development standard. The proposal lowers the height of the building, is within the existing footprint of the building, does not result in any significant amenity impacts on neighbours, and is compatible with the character of the area.

Conclusion

The written request provided by the applicant to vary the height of buildings development standard has adequately addressed clause 4.6 of the Waverley LEP 2012 and the justification provided by the applicant is satisfactory.

Clause 4.6 Exceptions to Development Standards – floor space ratio

The application seeks to vary the FSR development standard in clause 4.4A of Waverley LEP 2012.

The site is subject to a maximum FSR development standard of 0.563:1, which permits a maximum GFA of 277.4m². The proposed development has an FSR of 0.62:1 and a GFA of 303.53m², exceeding the standard by 26.13m^2 or 9.4%.

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

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

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

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

Applicant's Written Request - Clause 4.6(3)(a) and (b)

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

(a) That compliance with the development standard is unreasonable or unnecessary in the circumstances of the case as the objectives of the standard are achieved notwithstanding non-compliance with the standard as follows:
   (i) Objective (a) relates to Bondi Junction and is therefore not relevant to the development.
   (ii) Objective (b) *to provide an appropriate correlation between maximum building heights and density controls*, is achieved as the minor exceedance of 26.29m² relates to extensions of existing floor plates at first and second floor levels, does not alter the number of storeys at the site, and will not be perceptible from the public domain.
   (iii) Objective (c), *to ensure that buildings are compatible with the bulk and scale of the desired future character of the locality*, is achieved as the proposal is consistent with the prevailing bulk and scale of nearby two and three storey dwellings, the proposed additional GFA results in minor modifications to the building's façade and does not result in any discernible impact on the overall bulk and scale of the dwelling.
   (iv) Objective, (d), *to establish limitations on the overall scale of development to preserve the environmental amenity of neighbouring properties and the locality*, is achieved as the increase in GFA is within the existing building envelope, therefore the increase in GFA results in nominal shadow impact on neighbouring properties, there are no privacy impacts due to proposed screening to new windows, and outlooks and views are maintained.

(b) That there are sufficient environmental planning grounds to justify contravening the standard:
   (i) The development retains the existing footprint of the dwelling, and only introduces minor external modifications.
   (ii) The proposed additional floor space is minimal and contained within the existing building form, and
   (iii) The proposed additional floor space does not affect the amenity of adjoining properties.

Consideration of Applicant's Written Request

The applicant's written request has correctly identified the development standard to be varied, relevant legislation and correctly calculated the GFA and FSR of the development using the definition in the LEP. The document also addressed those matters required in Clause 4.6(3)(a) and (b).

Consideration of 4.6(3)(a) whether compliance is unreasonable or unnecessary in the circumstances of the case

The applicant has adequately addressed that compliance with the standard is unreasonable or unnecessary in the circumstances of the case and has referenced 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.

Objective (b), relating to an appropriate correlation between maximum building heights and density controls, is achieved as the proposal results in a reduction of building height at the site. The proposed additional GFA is located at existing levels of the building.

Objective (c), relating to compatibility with the bulk and scale of the desired future character of the area, is achieved as the proposed additional GFA does not add to the perceived bulk and scale of the proposal as it is located within the footprint of the existing building, and as the bulk and scale of the dwelling remains similar to neighbouring three storey developments within the area.

Objective (d), regarding preservation of environmental amenity, is achieved as the additional GFA does not result in overshadowing of windows or private open space of neighbouring properties, and the additional GFA does not result in any other amenity impacts including privacy, view or outlook impacts.

In addition to the above justifications which are supported, the applicant also argues the following justifications which are not supported by this assessment report:

- The underlying objective or purpose of the standard is not relevant to the development and therefore compliance is unnecessary,
- The underlying object or purpose would be defeated or thwarted if compliance was required and therefore compliance is unreasonable,
- The development standard has been virtually abandoned or destroyed by the council's own actions in granting consents departing from the standard and hence compliance with the standard is unnecessary and unreasonable, and
- The compliance with the development standard is unreasonable or inappropriate due to existing use of land and current environmental character of the particular parcel of land. That is, the particular parcel of land should not have been included in the zone.

Consideration of 4.6(3)(b) whether there are sufficient environmental planning grounds to justify contravening the development standard.

The applicant has satisfactorily argued that that there are sufficient environmental planning grounds to justify contravening the development standard. The proposed additional GFA is within the footprint of the existing building, will not result in a perceivable increase in the bulk and scale of the building, and will not result in amenity impacts on neighbours.

Conclusion

The written request provided by the applicant to vary the floor space ratio development standard has adequately addressed clause 4.6 of the Waverley LEP 2012 and the justification provided by the applicant is satisfactory.

2.1.3. Waverley Development Control Plan 2022 (Waverley DCP 2022)

The relevant matters to be considered under the Waverley DCP 2022 are outlined below:

Table 2: Waverley DCP 2022 – Part B General Provisions Compliance Table

Development Control	Compliance	Comment
2. Ecologically Sustainable Development • *Ceiling or wall mounted fans* • *Gas cooktops, gas ovens or gas internal space heating systems.*	Yes	Conditions of consent are included at Appendix A requiring ceiling fans and non-gas appliances.
3. Landscaping, Biodiversity and Vegetation Preservation • *Consent is required to remove a tree that is 3m or greater in height, or 3m or greater in spread.* • *Where such a tree is proposed for removal, replacement plantings of suitable species from Annexure B3-2 and of minimum 45L pot sizes must be shown on a Landscape Plan.*	Yes (subject to conditions)	The proposed tree removal is acceptable as the *Cupressus sp* trees have low landscape value. However, the proposed *Aloe barberae* (Tree Aloe) and *Michelia x alba* (White Champaca) trees are not suitable replacement species listed in Annexure B3-2 of the DCP. A condition of consent is therefore included at Appendix A requiring the planting of two trees from the DCP Annexure to ensure suitable canopy coverage is provided.
5.Water Management	Yes	Satisfactory subject to conditions of consent requiring the submission of finalised stormwater plans to Council.
7. Transport	N/A	No changes are proposed to existing parking arrangements.
11. Design Excellence	Yes	Satisfactory. The proposed development is compatible with the existing varied streetscape, and maintains acceptable levels of amenity for neighbouring properties.
13. Excavation	Yes	The proposal includes minor excavation works within the rear yard to lower the level of the yard adjacent to the subject dwelling house. The minor extent of the excavation is unlikely to result in any impacts land stability, drainage, structural stability or other issues.

Table 3: Waverley DCP 2022 – Part C1 Low Density Residential Development Compliance Table

Development Control	Compliance	Comment
1.0 General Objectives		
	Yes	The proposal does not contravene the general objectives of this part of the DCP.
1.1 Height		
Flat roof dwelling house • *Maximum wall height of 7.5m*	No (acceptable on merit)	The proposal has a maximum wall height of 9.9m, contrary to the control. The exceedance is acceptable on merit as set out below. The proposed wall height is similar to the existing wall height at the site, the proposed height of the building is generally compatible with the height of neighbouring buildings within the vicinity including 61 Military Road, and the exceedance does not result in any unreasonable amenity impacts on neighbours. For further discussion regarding the overall height of the building, see the Waverley LEP 2012 section of this report above.
1.2 Setbacks		
1.2.1 Front and rear building lines • *Predominant front building line (adjacent three neighbours on either side)* • *Predominant rear building line at each floor level (adjacent three neighbours or either side)* • *Development at first floor level and above shall be set back from the rear building line of the ground floor level*	Yes	The proposed front additions sit within the footprint of the existing building, and provide an acceptable front building line which provides an appropriate transition between the varying front building lines at numbers 57 and 61 Military Road. The proposal does not alter rear setbacks at the site.
1.2.2 Side setbacks • *Minimum of 0.9m for ground floor and first floors.)* • *Minimum 1.5m for second floor, noting that where a brand new three storey structure is proposed, all floors must be setback by 1.5m.*	No (acceptable on merit)	The proposal does not alter the existing side setbacks at the site, which remain as 1.37m from the eastern boundary and 1.44m from the western boundary. The non-compliance with the control is acceptable on merit as the existing setbacks are retained, as the proposed additions are within the footprint of the existing building, as the proposed additions do not result in any unreasonable or substantial amenity impacts on neighbours.

Development Control	Compliance	Comment
• *Third floor assessed on merit.*		
1.3 Streetscape and visual impact		
• *New development to be compatible with streetscape context*	Yes	The proposed development is contemporary in appearance and is compatible with the existing varied streetscape within the locality.
1.4 Fences		
Front: • *Maximum height of 1.2m* • *Solid section no more than 0.6m in height*	Yes	The proposed front fence has a maximum height of 1.2m and a maximum solid height of 600mm in compliance with the control.
Side and Rear: • *Maximum height of 1.8m*	Yes	The proposed additional fencing adjacent to the swimming pool has a maximum height of 1.8m in compliance with the control.
1.5 Visual and acoustic privacy		
• *Habitable windows are not to directly face habitable windows or open space of neighbouring dwellings unless direct views are screened or other appropriate measures are incorporated into the design*	Yes	The proposed windows do not directly face neighbouring private open spaces or windows.
• *Maximum size of balconies:* *10m² in area* *1.5m deep*	No (acceptable on merit)	The proposed second floor front balcony has a depth of 2m and an area of 23m² in exceedance of the control. The balcony is acceptable on merit as it will not result in unreasonable impacts on neighbouring privacy as it is located adjacent to bedrooms and therefore is unlikely to be used intensively, as it surrounded by a planter box to increase separation from neighbouring buildings, as it is set back a minimum of 2.1m from neighbouring sites and a minimum of 3.2m from neighbouring buildings, and as it is located at the front of the site adjacent to the street where there is a lesser expectation of privacy.
• *Roof tops to be non-trafficable unless predominant in the immediate vicinity, no larger than 15m², are not an extension of private open space or entertaining areas, and*	No (acceptable on merit)	There is not a predominance of trafficable roof terraces in the area, however the proposed roof terrace is acceptable on merit as its size is limited to 15m², it is not designed as an extension to any living area or private open space and therefore it is likely to be used infrequently, it is accessed via a operable skylight which does not add bulk or height to the building, as it is set-in significantly

Development Control	Compliance	Comment
are not accessed from access hoods above the main roof level.		from the external walls of the building and therefore will not overlook adjacent properties to the east and west, and as it is set back a minimum of 16m from the rear boundary and therefore will not result in any significant privacy impacts for neighbours to the north.
1.6 Solar access		
• *Minimum of 3 hours of sunlight to 50% of living areas and principal open space areas on 21 June to subject site*	Yes	The proposal does not impact solar access to the subject site.
• *Minimum of 3 hours of sunlight maintained to at least 50% of principal open space areas of adjoining properties on 21 June*	No (acceptable on merit)	The adjacent property at 57 Military Road currently does not receive solar access in compliance with the control due to the presence of a two storey dwelling house at 2 Arthur Street immediately to the north of the private open space at 57 Military Road. The proposal will result in additional minor overshadowing to the open space at 57 Military Road. The additional overshadowing is acceptable on merit as it is caused by a proposed 1.8m high boundary fence which complies with the relevant controls for fencing, and therefore the impact is reasonable.
• *Avoid unreasonably overshadowing of solar collectors (including habitable windows).*	Yes	The proposal does not unreasonably impact neighbouring solar collectors. There is no impact on 61 Military Road to the west. There is a minor and acceptable impact on 57 Military Road to the east which is discussed in further detail within the Height of buildings development standard section of this report above.
1.7 Views		
• *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 has no known view impacts.
1.8 Car parking		
• *Complement the style, massing and detail of the dwelling*	Yes	The proposal does not alter existing parking arrangements other than changing the appearance of the garage door. The proposed

Development Control	Compliance	Comment
		timber-look cladding is appropriate for the contemporary design of the building and for the varied surrounding streetscape.
1.9 Landscaping and open space		
• *Overall open space: 40% of site area*	Yes	Significantly more than 40% of the site is open space, in compliance with the control.
• *Overall landscaped area: 20% of site area, with at least half deep soil*	Yes	24% landscaped area is provided, the majority of which is deep soil area, in compliance with the control.
• *Minimum area of 25m^2 for private open space*	Yes	Significantly more than 25 m² private open space is provided.
• *Front open space: 50% of front building setback area*	Yes	100% of the front building setback is open space.
• *Front landscaped area: 50% of front open space provided*	No	33.6% of the front open space is landscaped area, contrary to the control. The non-compliance is acceptable on merit as it represents an increase in landscaped area compared to the existing condition of the site and as there is limited opportunity for landscaping due to the existing double-width driveway at the site.
1.10 Swimming pools and spa pools		
• *Located in the rear of property* • *Pool decks on side boundaries must consider visual privacy* • *All pool equipment to be enclosed within an acoustically treated enclosure*	Yes	The existing swimming pool remains at the rear of the site. There will be no change regarding visual privacy impacts. A condition of consent requiring pool plant equipment to be acoustically screened is included at Appendix A.

2.2. Other Impacts of the Development

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

2.3. Suitability of the Site for the Development

The site is considered suitable for the proposal.

2.4. Any Submissions

The application was notified for a minimum of 14 days between 18 July and 5 August 2025 in accordance with the *Community Engagement Strategy Amendment 1 (2025).*

Following receipt of amended plans and additional information, the application was not re-notified for 14 days as the amendments reduced the scale of the proposed second floor balcony and therefore reduced impacts on neighbours, and as the additional information provided regarding fencing does not result in any significant impact on neighbours.

No submissions were received.

2.5. Public Interest

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

3. REFERRALS

The following internal referral comments were sought:

3.1. Traffic and Development

Council's traffic and development team supported the proposal subject to conditions of consent regarding construction management and driveway levels within the site. The conditions are included at Appendix A.

3.2. Stormwater

Council's stormwater engineers supported the proposal subject to conditions of consent requiring the submission of finalised stormwater plans. The conditions are included at Appendix A.

3.3. Tree Management

Council's tree management officer provided conditions of consent regarding tree protection and replacement, which are included at Appendix A. Tree removal issues are discussed in the Waverley DCP compliance table within this report above.

4. CONCLUSION

The development application seeks consent for alterations and additions to an existing dwelling house at the site known as 59 Military Road, Dover Heights.

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

- Exceedance of height of buildings development standard, and
- Exceedance of floor space ratio development standard.

The assessment finds these issues acceptable as the proposal reduces the height of the existing building, the additional floor space is located within the footprint of the existing building, and as there are no significant amenity or streetscape impacts.

No submissions were received.

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

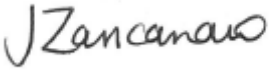
5. RECOMMENDATION TO WAVERLEY LOCAL PLANNING PANEL

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

Managers of Development Assessment (MODA) Review

The application was reviewed by the MODA at the meeting on 9 September 2025 and the MODA concurred with the Assessment Planner's recommendation.

MODA members: *B McNamara, B Magistrale, and J Zancanaro*

Report prepared by:	**Application reviewed and agreed by:**
	
David Knight	Jo Zancanaro
Senior Development Assessment Planner	**Manager, Development Assessment**
Date: 7 October 2025	**Date: 8 October 2025**

Reason for WLPP referral:

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

OFFICE USE ONLY

<table>
<tr><td colspan="2">Planning Portal Data</td></tr>
<tr><td>Clause 4.6 register entry required

(For the purposes of reporting to the planning portal, if the % approved is different to the % proposed in the original submission, please state what the variation initially proposed was – Planning Portal Requirement)</td><td>23% variation to height (Clause 4.3)

<table><tr><td>X</td><td>Pre-existing non-compliance</td></tr><tr><td>X</td><td>No change to overall building height</td></tr><tr><td></td><td>No change to overall building envelope</td></tr><tr><td>X</td><td>Variation limited to the [lift/plant/parapet/attic] only</td></tr><tr><td>X</td><td>No unreasonable impacts on the amenity of adjoining properties or streetscape</td></tr><tr><td>X</td><td>Sufficient environmental planning grounds</td></tr><tr><td>X</td><td>Consistent with the objectives of the standard</td></tr><tr><td></td><td>[insert another reason here if required]</td></tr></table></td></tr>
<tr><td>Clause 4.6 register entry required

(For the purposes of reporting to the planning portal, if the % approved is different to the % proposed in the original submission, please state what the variation initially proposed was – Planning Portal Requirement)</td><td>9.4% variation to FSR (Clause 4.4)

<table><tr><td>X</td><td>Pre-existing non-compliance</td></tr><tr><td>X</td><td>No change to overall building height</td></tr><tr><td></td><td>No change to overall building envelope</td></tr><tr><td></td><td>Variation limited to the [lift/plant/parapet/attic] only</td></tr><tr><td>X</td><td>No unreasonable impacts on the amenity of adjoining properties or streetscape</td></tr><tr><td>X</td><td>Sufficient environmental planning grounds</td></tr><tr><td>X</td><td>Consistent with the objectives of the standard</td></tr><tr><td></td><td>[insert another reason here if required]</td></tr></table></td></tr>
<tr><td>Determining Authority

(Concurrence Authority for Clause 4.6 variation)</td><td>Council</td></tr>
<tr><td>Were the requirements of the Sustainable Buildings SEPP (effective 1 October 2023) met?</td><td>Yes</td></tr>
<tr><td>Have any dwellings been approved for affordable Rental Housing under this approval/consent?
*This is a planning portal reporting requirement</td><td>No</td></tr>
<tr><td>Secondary Dwelling
*This is a planning portal reporting requirement</td><td>No</td></tr>
<tr><td>Boarding House
*This is a planning portal reporting requirement</td><td>No</td></tr>
</table>

Group Home *This is a planning portal reporting requirement	No
Does the proposal trigger a Housing & Productivity Contribution ? If so, please ensure you have calculated the contribution in the CON case in the Planning Portal.	No
Is the development subject to the Special Infrastructure Contribution (SIC)?	No
Is the development located within an Urban Release area?	No
Waverley Council Data	
Trial Period database entry required	No
VPA submitted – follow up actions required	No
Refer to compliance for investigation	No
Commercial/liquor operational conditions	No
Was there a 'Conflict of Interest' declared	No

APPENDIX A – CONDITIONS OF CONSENT – DA-280/2025

Terms and Reasons for Conditions

Under section 88(1)(c) of the EP&A Regulation, the consent authority must provide the terms of all conditions and reasons for imposing the conditions other than the conditions prescribed under section 4.17(11) of the EP&A Act. The terms of the conditions and reasons are set out below.

GENERAL CONDITIONS

	Condition
1.	**APPROVED PLANS AND DOCUMENTATION**

The development must be in accordance with:

(a) Architectural Plans prepared by MA + King Studio including the following:

Plan Number and Revision	Plan description	Plan Date	Date received by Council
A010 E	Site Plan	06/10/2025	07/10/2025
A031 D	Streetscape Elevation	25/09/2025	07/10/2025
A120 E	Demolition_Ground Level Plan	06/10/2025	07/10/2025
A121 D	Demolition_First Level Plan (Entry)	25/09/2025	07/10/2025
A122 D	Demolition_Second Level Plan	25/09/2025	07/10/2025
A123 D	Demolition_Roof Plan	25/09/2025	07/10/2025
A130 E	Proposed_Ground Level Plan	06/10/2025	07/10/2025
A131 D	Proposed_First Level Plan (Entry)	25/09/2025	07/10/2025
A132 D	Proposed_Second Level Plan	25/09/2025	07/10/2025
A133 D	Proposed_Roof Level Plan	25/09/2025	07/10/2025
A200 D	South Elevation (Front)	25/09/2025	07/10/2025
A200a D	South Elevation (Front)	25/09/2025	07/10/2025
A201 E	North Elevation (Rear)	06/10/2025	07/10/2025
A201a E	North Elevation (Rear)	06/10/2025	07/10/2025
A202 E	West Elevation (Side)	06/10/2025	07/10/2025
A202a E	West Elevation (Side)	06/10/2025	07/10/2025
A203 E	East Elevation (Side)	06/10/2025	07/10/2025
A203a E	East Elevation (Side)	06/10/2025	07/10/2025
A210 E	Longitudinal Section	06/10/2025	07/10/2025
A211 D	Cross Section	25/09/2025	07/10/2025
A300 D	Schedule of Materials and Finishes	25/09/2025	07/10/2025
A310 D	Window Schedule	25/09/2025	07/10/2025
A320 D	Fence Detail	25/09/2025	07/10/2025

	A321 E	Fence Detail 2	06/10/2025	07/10/2025

(b) Landscape Plan No.L-100 rev.C and documentation prepared by Space Landscape Designs Pty Ltd, dated 08/04/2025 and received by Council on 26/06/2025
(c) BASIX and NatHERs Certificate/s

Except where amended by the following conditions of consent.

Condition reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.

BUILDING WORK

BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE

	Condition
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 and Assessment Act 1979*; (b) a Principal Certifying Authority has been appointed and Council has been notified of the appointment in accordance with the *Environmental Planning and Assessment Act 1979* and *Environmental Planning and Assessment Regulation 2021*; and (c) Council is given at least two days' notice in writing of the intention to commence the building works.
	Condition reason: To ensure a Construction Certificate is obtained prior to work commencing.
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 applicable requirements of Part 6, before any work commences.
	Condition reason: To ensure the builder or person who does the residential building work, complies with the applicable requirements of Part 6 of the *Home and Building Act 1989*.
4.	**SECTION 7.12 CONTRIBUTION**
	A monetary development contribution is payable to Waverley Council pursuant to section 7.12 of the *Environmental Planning and Assessment Act 1979* and the Waverley Council Development Contributions Plan in accordance with the following: (a) Where the total development cost is $500,000 or less: (i) a **Cost Summary Report** or **Building Contract** (dated within 12 months) or similar is to be submitted to Council's Customer Service Centre to process payment. (b) Where the total development cost is more than $500,000 but less than $1,000,000:

	(i) a **Detailed Cost Report** (dated within 12 months) prepared by a registered Quantity Surveyor, **Building Contract,** or similar is to be submitted to Council's Customer Service Centre to process payment. (c) Where the total development cost is $1,000,000 or more: (i) a **Detailed Cost Report** (dated within 12 months) prepared by a registered Quantity Surveyor, **Building Contract,** or similar is to be submitted to and approved by Council's Executive Manager, Urban Planning, Policy and Strategy (or delegate). Please forward documents to info@waverley.nsw.gov.au attentioned to Strategic Planning, and reference the relevant application number, address and condition number to satisfy. (ii) Upon confirmation of the contribution amount by Council's Executive Manager, Urban Planning, Policy and Strategy (or delegate), payment is to be processed via the Customer Service Centre. (iii) Should there be a discrepancy between the cost of works approved in subclause (b)(i) and the DA fee nominated in the original DA, then additional DA Fees may be payable prior to the issue of a Construction Certificate. A copy of the required format for the cost reports are provided in the Waverley Council Contributions Plan, available on Council's website. (d) As legislated in section 209 of the Environmental Planning and Assessment Regulation 2021, the levy must be paid in accordance with the following; i. A development valued at $100,000 or less will be exempt from the levy; ii. A development valued at $100,001 - $200,000 will attract a levy of 0.5% of the full cost of the development; or iii. A development valued at more than $200,000 will attract a levy of 1% of the full cost of the development. Prior to the issue of any Construction Certificate, evidence must be provided that the levy has been paid to Council in accordance with this condition or that the cost of works is less than $100,000.
	Condition reason: To ensure the Section 7.12 Contributions are paid.
5.	**SECURITY DEPOSIT**
	A deposit (cash or cheque) for the amount of $29,790 must be provided to Council for any damage caused to any property of the consent authority (ie. public land) as a consequence of the works and completing any public work (such as road work, kerbing and guttering, footway construction, stormwater drainage and environmental controls) required in connection with the consent. This deposit (cash or cheque) must be provided to Council prior to the issue of any Construction Certificate. The full amount of the deposit, minus Council's costs for any repair of damage to Council property or rectification of unauthorised works on Council property, will be refunded after satisfactory completion all of works associated with this consent (including the required public works) to the person who paid the deposit.

	Condition reason: To ensure any damage to public infrastructure is rectified and public works can be completed.
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 of this building work. Evidence that the levy has been paid is to be submitted to the Principal Certifying Authority prior to the issue of any Construction Certificate. Note: Council acts as an agent for the Long Service Payment Corporation and the levy may be paid at Council's office. The levy rate is 0.25% of building work costing $250,000 or more.
	Condition reason: To ensure the long service levy is paid.
7.	**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.
	Condition reason: To ensure Council assessment fees are paid.
8.	**HOARDING**
	To ensure the site is contained during construction, a hoarding is required for the approved works, which is to be designed and constructed in accordance with the requirements of Safe Work NSW. Where the hoarding is to be erected over the footpath or any public place, the approval of Council's Compliance Unit must be obtained and the applicable fees paid, prior to the erection of the hoarding.
	Condition reason: To ensure safety to the general public.
9.	**EROSION & SEDIMENT CONTROL**
	A Soil and Water Management Plan (SWMP), also known as an Erosion and Sediment Control Plan must be prepared in accordance with Waverley Council's Water Management Technical Manual. The SWMP must be approved by the Principal Certifying Authority prior to the issue of a Construction Certificate. A copy of the SWMP must be kept on site at all times and made available to Council officers upon request. The recommendations of the SWMP must be implemented and maintained during all construction activities and until the site is fully stabilised following construction.
	Condition reason: To ensure sediment laden runoff and site debris do not impact local stormwater systems and waterways.

10.	**DETAILS OF EXCAVATION, SHORING OR PILE CONSTRUCTION**
	A report shall be prepared by a suitably qualified and practising Structural Engineer/Geotechnical Engineer detailing the proposed methods of bulk excavation, shoring or pile construction, including details of vibration emissions and any possible damage which may occur to adjoining or nearby properties as a result of the proposed building and excavation works. Any practices or procedures specified in the Structural Engineer's report in relation to the avoidance or minimisation of structural damage to adjoining properties are to be fully complied with and incorporated into the plans and specifications together with the Construction Certificate.
	Condition reason: To ensure any excavation, shoring or pile construction is carried out in a safe manner.
11.	**ENGINEERING DETAILS**
	Structural details are to be prepared and certified by a practicing Structural Engineer in connection with all structural components of the approved works, prior to the issue of the relevant Construction Certificate.
	Condition reason: To ensure structural stability of work on site.
12.	**STORMWATER AND PUBLIC INFRASTRUCTURE MANAGEMENT**
	To ensure that stormwater runoff from the development is drained in an appropriate manner, without impact on neighbouring properties and downstream systems, a detailed plan and certification of the development's stormwater management system must be submitted and approved by the Executive Manager, Infrastructure Services (or delegate) prior to the issue of the relevant Construction Certificate. The submitted stormwater management plan prepared by YP Engineering Civil & Structural, Job No. T-7272-SW, Sheet No. 1, 2 & 3, Issue 02 dated 08/05/2025 are considered concept only. The applicant must submit amended plans and specifications to comply with the current Waverley Council Water Management Technical Manual and Development Control Plan (DCP) at the time of engineering plan approval. The submitted plans must be prepared by a suitably qualified and practising Civil Engineer and comply with the following conditions: a) A pre-developed and post developed catchment plan must be provided to support the proposed exemption of an onsite detention (OSD) system. b) Detail the existing legal point of discharge which is proposed to be retained, following confirmation onsite with pipe size, invert levels etc. » c) Specify any components of the existing system to be retained and certified during construction to be in good condition and of adequate capacity to convey additional runoff and be replaced or upgraded if required.

	Notes i. Any Council infrastructure affected as a 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 must be replaced if damaged as per the Waverley Council Public Domain Technical Manual. All associated costs will be borne by the applicant. ii. 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. iii. Waverley Council's 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 must not be replicated. iv. 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. v. Council's contact for infrastructure assessment: E-mail: assets@waverley.nsw.gov.au or Phone: 9083 8655 (operational hours between 9.30am to 4pm Monday to Friday). The expected duration to review and approve the stormwater management plan may take at least 15 working days from the date of submission. » Evidence from a suitably qualified and practicing Engineer that the approved design has been adhered to must be submitted to and approved by the Principal Certifying Authority (PCA) prior to the issue of the relevant Construction Certificate application.
	Condition Reason: To ensure that the stormwater system is designed and constructed in accordance with Waverley Council's Water Management Technical Manual and will minimise the likelihood of stormwater related issues to the property owner, occupiers, neighbours and broader community. »
13.	**ENGINEERING PLANS ASSESSMENT AND WORKS INSPECTION FEES**
	The Applicant must pay to Council fees for the assessment of all engineering plans and inspection of the completed works in the public domain inclusive of all stormwater assessments, in accordance with the 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.
	Condition Reason: The engineering plans assessment fees are applicable as per Waverley Council's Pricing Policy Fees and Charges 2025-2026, to assess and issue approval by Council's Infrastructure Services Team on the proposed design and associated works.

14.	**BASIX**
	All requirements of the BASIX Certificate and/or NatHERS documentation are to be shown on the Construction Certificate plans and documentation.
	Condition reason: To ensure BASIX and/or NatHERS requirements are met.
15.	**SITE WASTE AND RECYCLING MANAGEMENT PLAN**
	A *Site Waste and Recycling Management Plan (SWRMP) - Part 2* is to be submitted to the Principal Certifying Authority prior to the issue of the relevant Construction Certificate, which outlines materials to be reused and/or recycled as a result of demolition and construction works. At least one copy of the *SWRMP Part 2* is to be available on site at all times during construction. Copies of demolition and construction waste dockets that verify the facility that received the material for recycling or disposal and the quantity of waste received, must be retained on site at all times during construction.
	Condition reason: To ensure resource recovery is promoted and the local amenity is protected during construction.
16.	**CONSTRUCTION TRAFFIC MANAGEMENT PLAN (CTMP)**
	The applicant is to submit a Construction Traffic Management Plan (CTMP) for the approval of Council's Executive Manager, Infrastructure Services, or delegate, prior to the issue of any Construction Certificate. For further information on what is required in the CTMP, please refer to Council's website at: https://www.waverley.nsw.gov.au/building/development_applications/post_determination/development_applications_-_conditions_of_consent
	Condition reason: To require details of measures that will protect the public, and the surrounding environment, during site works and construction.
17.	**DILAPIDATION REPORT**
	Before any site work commences, a dilapidation report must be prepared by a suitably qualified engineer detailing the structural condition of adjoining buildings, structures or works and public land to the satisfaction of the Principal Certifying Authority. At minimum, the following properties are to be included: (a) 57 Military Road, Dover Heights, (b) 61 Military Road, Dover Heights, (c) 77 Military Road, Dover Heights, (d) 2 Arthur Street, Dover Heights Where access has not been granted to an adjoining property to prepare the dilapidation report, the report must be based on a survey of what can be observed externally and demonstrate, in writing, to the satisfaction of the Principal Certifying Authority that all reasonable steps were taken to obtain access to the adjoining properties. The report is to be dated, submitted to, and accepted by the Principal Certifying Authority, prior to any work commencing on the site.

	No less than 14days before any site work commences, adjoining property owner(s) must be provided with a copy of the dilapidation report for their property(ies) and a copy of the report(s) must be provided to council (where council is not the principal certifier) at the same time. 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.
	Condition reason: To establish and document the structural condition of adjoining properties and public land for comparison as site work progresses and is completed and ensure neighbours and council are provided with the dilapidation report.
18.	**RENEWABLE ENERGY AND ENERGY EFFICIENCY**
	To enable all development to contribute to net zero greenhouse emissions by 2035, the following shall apply: (a) An electric hot water system is strongly encouraged in all developments. Recommended systems include electric heat pump, solar thermal with electric boost or electric storage. (b) Recommended swimming pool heating systems to include solar thermal only, solar thermal boosted with electric heat pump or electric heat pump. (c) No gas cooktops, gas ovens and gas heating systems are permitted. Alternate options must be used (such as electric, induction). (d) Recommended lighting systems to include LEDs with controls, such as motion sensors, step-dim controls and daylight sensors. The architectural plans shall be updated to notate the above and submitted to the Principal Certifying Authority for approval, prior to the issue of a Construction Certificate.
	Condition reason: To reduce community greenhouse emissions to net zero by 2035 and ensure all new (or altered) homes have future capacity to be an all-electric building, powered by renewable energy.
19.	**REPLACEMENT PLANTING AND AMENDED LANDSCAPE PLAN SUBMISSION**
	To compensate for the removal of the three (3) *Cupressus sp.* on-site, at minimum three (3) local native replacement trees shall be planted anywhere on-site, replacing the species selection of the one (1) *Aloe barberae* (Tree Aloe) and one (1) *Michelia x alba* (White Champaca). A Landscape Plan shall be submitted to and approved by Council's Tree Management Officer to reflect the installation of the three (3) new trees which shall be selected from Council's Development Control Plan 2022, Annexure B3-1 - Planting List.
	Condition reason: To reflect replacement trees to compensate for canopy loss

BEFORE BUILDING WORK COMMENCES

	Condition
20.	**CONSTRUCTION SIGNS**
	Prior to commencement of any works on the site and during construction a sign shall be erected on the main frontage of the site detailing the name, address and contact details (including a telephone number) of the Principal Certifying Authority and principal contractor (the coordinator of the building works). The sign shall be clearly legible from the adjoining street/public areas and maintained throughout the building works.
	Condition reason: To ensure the general public are afforded the Principal Certifying Authority and principal contractor's (the coordinator of the building works) contact details.
21.	**DEMOLITION – ASBESTOS AND HAZARDOUS MATERIALS**
	The demolition, removal, storage, handling and disposal of products and materials containing asbestos must be carried out in accordance with the relevant requirements of SafeWork NSW and the NSW Environment Protection Authority (EPA), including: • Work Health and Safety Act 2011; • Work Health and Safety Regulation 2017; • SafeWork NSW Code of Practice for the Safe Removal of Asbestos; • Australian Standard 2601 (2001) – Demolition of Structures; • *Protection of the Environment Operations Act 1997.* At least 5 days prior to the demolition, renovation work or alterations and additions to any building, the person acting on the consent shall submit a Work Plan to the Principal Certifying Authority in accordance with Australian Standard AS 2601-2001, Demolition of Structure and a Hazardous Materials Assessment prepared by a person with suitable expertise and experience. The Work Plan and Hazardous Materials Assessment shall: (a) Outline the identification of any hazardous materials, including surfaces coated with lead paint; (b) Confirm that no asbestos products are present on the subject land, or (c) particularise a method of safely disposing of the asbestos in accordance with the Code of Practice on how to safely remove asbestos published by SafeWork NSW (catalogue WC03561); (d) Describe the method of demolition; (e) Describe the precautions to be employed to minimise any dust nuisance; and (f) Describe the disposal methods for hazardous materials.
	Condition reason: To ensure the safety of workers and the general public.

22.	**STREET TREE BOND PAYMENT**
	A bond of $2000 is to be paid to Council either as cash or by way of an unconditional bank guarantee to ensure the protection and maintenance of One (1) Metrosideros excelsa (NZ Xmas Bush) on the grass verge. The sum will be forfeited to the Council at its discretion for a breach of these requirements; (a) Street tree/s to be inspected twelve (12) months from the issue of the Occupation Certificate subject to the satisfaction of Council (b) The $2000 bond will be refunded twelve (12) months from the issue of the Occupation Certificate subject to the satisfaction of Council. (c) If any trees identified to be retained and protected are found to be faulty, damaged, dying, or dead, the full bond amount or part thereof will be forfeited (d) Council will require the applicant to remove and replace the faulty, damaged, dying, or dead street tree and a new bond will be applied on the replacement street tree. (e) Proof of purchase of the replacement street (if required) must be provided to the Principal Certifying Authority, prior to commencement of works.
	Condition reason: To ensure trees are maintained and protected
23.	**PROTECTIVE FENCING**
	» Prior to commencement of works: (a) Protective fencing must be erected around each tree nominated for retention and protection. (b) The protective fencing shall remain in place for the duration of the works, it must be secured to restrict access, and must not be removed or altered without approval from the on-site arborist. (c) Fencing should be installed in accordance with AS 4687 (d) Protective fencing shall comprise of 1800mm high chain link wire mesh fixed to 50mm galvanised steel posts. (e) Portable chain link fencing may be installed. (f) Chain link portable panels must be securely fixed top and bottom to avoid separation. (g) Coloured plastic tape fencing or plain strained fencing wire fixed to steel droppers is unacceptable. (h) Signs identifying the Tree Protection Zone (TPZ) are to be placed around the edge of the TPZ and be visible from within the development site. Contact

	telephone numbers for the site arborist/site manager shall be clearly shown on all warning signs.
	Condition reason: To create an exclusion zone around the tree throughout the construction to ensure all tree parts are protected and to advise contractors and visitors to the site of the purpose for protecting and preserving the tree (s)
24.	**TRUNK AND BRANCH PROTECTION**
	» Where protective fencing is not possible, trunk protection is to be installed with the following: (a) the placement of 1.8m or less lengths of 75 mm x 40 mm hardwood or pine spaced at 125 mm centres around the trunk secured in place by metal strap bindings or 10-gauge fencing wire fixed at 300 mm centres. Prior to placing battens install a soft protective padding to ends of timbers to prevent damage to bark and conducting tissue. (b) Trunk protection must remain in place for the duration of all site work. (c) Tree crowns may be injured by machinery such as excavators, drilling rigs, cranes, trucks, hoarding installation, and scaffolding. The tree protection zone may need to include additional protection of the above ground parts of the tree. (d) Crown protection may include pruning, tying-back of branches or other measures. If pruning is required, requirements are specified in AS 4373 and should be undertaken before the establishment of the TPZ.
	Condition reason: To ensure all tree parts are protected throughout the construction.
25.	**TREE PROTECTION CERTIFICATE**
	The onsite arborist is to provide a certificate to Council stating that appropriate tree protection measures have been installed for the trees to be retained and protected.
	Condition reason: To ensure trees are protected prior to work commencing.

DURING BUILDING WORK

	Condition
26.	**CONTROL OF DUST ON CONSTRUCTION SITES** (
	The following requirements apply to demolition and construction works on site: (a) Hazardous dust is not to be allowed to escape from the site. The use of fine mesh dust proof screens or other measures are recommended. Any existing accumulations of dust (e.g. ceiling voids and wall cavities) must be removed by the use of an industrial vacuum fitted with a high efficiency particle air (HEPA) filter. All dusty surfaces and dust created from work are to be suppressed by a fine water spray. Water must not be allowed to enter the street and stormwater systems. Demolition is not to be performed during adverse winds, which may cause dust to spread beyond the site boundaries. (b) All contractors and employees directly involved in the removal of hazardous dusts and substances are to wear protective equipment conforming to Australian Standard AS1716 Respiratory Protective Devices.
	Condition reason: To ensure the safety of workers and the general public.
27.	**CLASSIFICATION OF WASTE/ DISPOSAL OF EXCAVATED SOILS**
	Prior to the exportation of waste (including fill or soil) from the site the material must be classified in accordance with the provisions of the Protection of the Environment Operations Act 1997 and the NSW EPA Waste Classification Guidelines 2014.
	Condition reason: To ensure compliance with the Protection of the Environment Operations Act 1997 and the NSW EPA Waste Classification Guidelines 2014.
28.	**EXCAVATION AND BACKFILLING**
	All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with the appropriate professional standards and must be properly guarded and protected to prevent them from being dangerous to life or property. If an excavation associated with the erection or demolition or 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.
	Condition reason: To ensure structural stability of work on site and general safety.
29.	**CONSTRUCTION HOURS**
	Demolition and building work must only be undertaken between the hours of 7am and 5pm on Mondays to Fridays and 8am to 3pm on Saturdays, with no work to be carried out on Sundays and public holidays. Excavation works involving the use of heavy earth movement equipment, including rock breakers and the like, must only be undertaken between the hours of 7am and 5pm on Mondays to Fridays, with no such work to be carried out on Saturday, Sunday or a public holiday.

	Noise from construction activities shall comply with the *Protection of the Environmental Operations (Noise Control) Regulation 2017*.
	Condition reason: To protect the amenity of the surrounding area.
30.	**STOCKPILES, STORAGE OF MATERIALS AND LOCATION OF BUILDING OPERATIONS**
	All building materials and any other items associated with the development are to be stored within the property. No materials are to be stored on Council's footpath, nature strip, or road reserve without prior Council approval.
	Condition reason: To ensure building material is stored in an appropriate location.
31.	**CONSTRUCTION INSPECTIONS**
	The building works are to be inspected during construction by the Principal Certifying Authority (PCA) in accordance with the *Building Legislation Amendment (Quality of Construction) Act 2002, Part 8 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021* and the requirements of any other applicable legislation or instruments.
	Condition reason: To ensure regular inspections occur throughout the construction process.
32.	**CERTIFICATE OF SURVEY - LEVELS**
	All construction works are to be in accordance with the Reduced Levels (RLs) as shown on the approved plans. Certification from a Registered Surveyor certifying ground, upper floor/s and finished ridge levels is to be submitted to the Principal Certifying Authority during construction and prior to continuing to a higher level of the building.
	Condition reason: To ensure buildings are sited and positioned in the approved location.
33.	**CERTIFICATE OF SURVEY - BOUNDARIES AND LOCATION OF BUILDING**
	A Certificate of Survey prepared by a Registered Surveyor setting out the boundaries of the site and the location of the building on the site is to be submitted to the Principal Certifying Authority to certify the building is located in accordance with the development consent plans. The Certificate is to be submitted prior to the construction of the external walls above the ground floor level of the building.
	Condition reason: To ensure buildings are sited and positioned in the approved location.
34.	**WORK OUTSIDE PROPERTY BOUNDARY**
	This consent does not authorise any work outside the property boundary.
	Condition reason: To ensure all works are located within the property boundary.
35.	**CONSTRUCTION OF SWIMMING POOLS AND OUTDOOR SPAS**
	The following applies to the construction of swimming pools and outdoor spas:

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

Condition reason: To ensure pools are constructed in a correct manner.

36. **TREES TO BE RETAINED AND PROTECTED**

This schedule outlines which trees are approved for removal and replacement, or to be retained and protected.

Tree No.	Species	Location	Status	Action
T1	*Metrosideros excelsa* (NZ Xmas Bush)	Grass verge	Protected	Retain and protect
T2 – T3	*Cupressus sp.*	Front yard	Protected	Remove and replace with two (2) medium-sized local native trees
T3	*Cupressus sp.*	Rear northeastern corner	Protected	Remove and replace with one (1) medium-sized local native tree
T4	Unknown species	Rear northeast corner	Protected	Retain and protect

Condition reason: To clarify the trees approved for removal and those to be protected during the construction of the approved development.

37. **PROTECTING TREES ON DEVELOPMENT SITES**

(a) Throughout construction, tree protection measures installed are to be retained in accordance with Waverley Council's Development Control Plan

	2022, the Landscape Plan, and Australian Standard – AS 4970 – 2009 - Protection of Trees on Development Sites. (b) If any trees identified to be retained and protected are found to be faulty, damaged, dying, or dead, they must be removed and replaced with the same species at the applicant's expense. (c) All approved tree work must be carried out by minimum AQF Level 3 arborist in accordance with AS 4373-2007 Pruning of amenity trees.
	Condition reason: To ensure trees remain unimpacted by construction
38.	**TREE WORK**
	(a) If any trees on the site or on neighbouring properties require pruning, then permission must be gained from the owner of the tree(s) and an application to Prune, or Remove Trees on Private Property is then to be submitted to Waverley Council for processing (b) If any trees on Council owned land require pruning, the applicant must submit a tree pruning report, prepared by an Arborist with AQF level 5 qualification or above with photos showing the branches that need to be removed to Council's Tree Management Officer for approval prior to any works occurring.
	Condition reason: To ensure trees remain unimpacted by construction
39.	**ACTIVITIES EXCLUDED WITHIN TREE PROTECTION ZONE (TPZ)**
	Activities excluded from the TPZ include but are not limited to: (a) Stockpiling of bulk materials, spoil or fill (b) Machine excavation including trenching (c) Excavation for silt fencing (d) Cultivation (e) Preparation or disposal of chemicals, including preparation of cement products (f) Parking of vehicles and plant machinery (g) Refuelling (h) Dumping of waste (i) Wash down and cleaning of equipment (j) Lighting of fires (k) Soil level changes (l) Temporary or permanent installation of utilities and signs (m) Physical damage to the tree (n) Ground compaction

	Condition reason: To ensure precautions are taken when working near trees during construction.
40.	**VEHICULAR ACCESS - FINISHED LEVEL**
	The internal finished level shall be constructed to match the longitudinal fall of Council's footpath. In this regard, the finished level at the property boundary on both sides of the vehicle crossing is to be 50mm above the level of the back edge of the existing concrete footpath. Should the internal slab be poured incorrectly, Council may ask that internal alterations be made and the slab adjusted at the applicant's cost.
	Condition reason: To ensure stormwater falling on Council land drains away from the property boundary.

BEFORE ISSUE OF AN OCCUPATION CERTIFICATE

	Condition
41.	**FINAL OCCUPATION CERTIFICATE**
	Prior to occupation or use of the development, an Occupation Certificate must be obtained. The Principal Certifying Authority must be satisfied that the requirements of the *Environmental Planning & Assessment Act 1979* have been satisfied including all critical stage inspections. Documentary evidence of all required inspections is to be submitted to Council.
	Condition reason: To ensure an Occupation Certificate is issued prior to occupation or use of the development.
42.	**CERTIFICATION OF BASIX COMMITMENTS**
	The Principal Certifying Authority shall certify that the all the undertakings in the approved BASIX certificate have been completed.
	Condition reason: To ensure all the undertakings in the approved BASIX certificate have been completed.
43.	**CERTIFICATION OF NEWLY CONSTRUCTED AND RETAINED STORMWATER DRAINAGE SYSTEM**
	Prior to the issue of any Occupation certificate, certification must be provided from a suitably qualified and practicing Engineer or Plumber, that any new stormwater drainage system has been constructed in accordance with the Development Consent, Water Management Technical Manual, all applicable Codes, Policies, Plans, Standards, and good engineering practice. Certification must be provided from a suitably qualified and practicing Engineer or Plumber, that any retained stormwater drainage system is unblocked, in good working order, and has been repaired or replaced in accordance with Council's Water Management Technical Manual and Development Control Plan and all applicable Codes, Policies, Plans, Standards and good engineering practice. A copy of the certifications must be submitted to the assessing stormwater engineer within Infrastructure Services for approval.
	Condition reason: Ensure stormwater drainage system has been constructed or retained as per the approved stormwater management plans.
44.	**CERTIFICATION OF SWIMMING POOL/OUTDOOR SPA**
	Prior to the pool being used, the following must be provided; (a) Certification that the pool has been constructed in accordance with the consulting engineers design; (b) Evidence that the swimming pool/outdoor spa has been registered on the State Government Swimming Pool Register (http://www.swimmingpoolregister.gov.au);

	(c) A sign outlining details of resuscitation techniques for adults, children and infants has been placed in a prominent position, close to the pool/outdoor spa. Signs are available from Council; (d) A copy of the occupation certificate must be submitted to Council. Note: Swimming/spa pool pumps are restricted from use between 8pm to 7am weekdays and Saturdays, 8pm to 8am on Sundays and public holidays in accordance with the requirements of the Protection of the Environment Operations (Noise Control) Regulation 2017.
	Condition reason: To ensure the swimming pool/outdoor spa has been constructed appropriately to ensure the safety of users.
45.	**TREE PROTECTION MEASURES TO BE REMOVED**
	All tree protection shall be removed prior to the issuing of the Occupation Certificate.
	Condition reason: To ensure that the tree can continue to grow post construction.
46.	**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.
	Condition reason: Confirmation of plantings

GENERAL ADVISORY NOTES

	Condition
1.	**DEVELOPMENT IS TO COMPLY WITH LEGISLATION**
	This consent contains the conditions imposed by the consent authority which are to be complied with when carrying out the approved development. However, this consent is not an exhaustive list of all obligations which may relate to the carrying out of the development under the EP&A Act, EP&A Regulation and other legislation.
2.	**DEVELOPMENT MUST MEET CONDITIONS OF CONSENT**
	The approved development must be carried out in accordance with the conditions of this consent. It is an offence under the EP&A Act to carry out development that is not in accordance with this consent.
3.	**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
4.	**SYDNEY WATER REQUIREMENTS**
	You may be required to submit your plans to the appropriate Sydney Water office to determine whether the development will affect Sydney Water's sewer and water mains, stormwater drains and/or easements. 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.
5.	**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.
6.	**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.
7.	**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.
8.	**SITE RECTIFICATION WORKS**
	The vacant site is to be maintained in a safe and secure manner. Fencing is to be erected around the permitter of the site once demolition has been completed to secure the site. The site is to be protected from windblown soil loss and stormwater erosion at all times. If the site is commenced to be developed and there is suspension in activity for 6months (or suspensions of activity which in the aggregate exceed 6 months), resulting in a building site which has an appearance not acceptable to Council, then the Council will have the readily enforceable rights to: (a) Require certain works to be carried out, including but not limited to: i. Make the building/site safe and of an appearance acceptable to Council; ii. Allow the ground level to be landscaped and of an appearance acceptable to Council from any public vantage point; iii. For the hole to be covered to allow it to be landscaped and made attractive from any public vantage point. iv. Council may call on any bank guarantee to cover the cost thereof. (b) In the event of default, have the right to enter and carry out these works and to call upon security in the nature of a bank guarantee to cover the costs of the works.

9.	**EXCAVATION TO BE LIMITED**
	Excavation shall be limited to that shown in the approved plans. Any further excavation will require Council approval.
10.	**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.
11.	**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.
12.	**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.

Dictionary

The following terms have the following meanings for the purpose of this determination (except where the context clearly indicates otherwise):

Approved plans and documents means the plans and documents endorsed by the consent authority, a copy of which is included in this notice of determination.

AS means Australian Standard published by Standards Australia International Limited and means the current standard which applies at the time the consent is issued.

Building work means any physical activity involved in the erection of a building.

Certifier means a council or a person that is registered to carry out certification work under the *Building and Development Certifiers Act 2018*.

Construction certificate means a certificate to the effect that building work completed in accordance with specified plans and specifications or standards will comply with the requirements of the EP&A Regulation and *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*.

Council means Waverley Council.

Court means the Land and Environment Court of NSW.

EPA means the NSW Environment Protection Authority.

EP&A Act means the *Environmental Planning and Assessment Act 1979.*

EP&A Regulation means the *Environmental Planning and Assessment Regulation 2021.*

Independent Planning Commission means Independent Planning Commission of New South Wales constituted by section 2.7 of the EP&A Act.

Local planning panel means Waverley Local Planning Panel.

Occupation certificate means a certificate that authorises the occupation and use of a new building or a change of building use for an existing building in accordance with this consent.

Principal certifier means the certifier appointed as the principal certifier for building work or subdivision work under section 6.6(1) or 6.12(1) of the EP&A Act respectively.

Site work means any work that is physically carried out on the land to which the development the subject of this development consent is to be carried out, including but not limited to building work, subdivision work, demolition work, clearing of vegetation or remediation work.

Stormwater drainage system means all works and facilities relating to:
the collection of stormwater,

the reuse of stormwater,

the detention of stormwater,

the controlled release of stormwater, and

connections to easements and public stormwater systems.

Strata certificate means a certificate in the approved form issued under Part 4 of the *Strata Schemes Development Act 2015* that authorises the registration of a strata plan, strata plan of subdivision or notice of conversion.

Subdivision certificate means a certificate that authorises the registration of a plan of subdivision under Part 23 of the *Conveyancing Act 1919*.

Subdivision works certificate means a certificate to the effect that subdivision work completed in accordance with specified plans and specifications will comply with the requirements of the EP&A Regulation.

Sydney district or regional planning panel means Sydney Eastern City Planning Panel.

Suitably qualified acoustic consultant means 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.

RECEIVED
Waverley Council

Application No: DA-280/2025

Date Received: 07/10/2025

MA+KING STUDIO
ARCHITECTURE & INTERIORS

AMENDED PLANS

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Nom. Architect: King H. Edward Hung
NSW ARB 11736 | ARBV 800404
Design Practitioner - Architectural - DEP0004308

Project Information:

Project Address:	59 Military Road, Dover Heights
Project Type:	Alterations and Additions
Client:	Mr Joseph Zhu
Project Number:	2413
Design Phase:	Development Application

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This drawing shall only be used for the purpose for which it was commissioned. Unauthorised use of this drawing is prohibited.

Note: Do not scale from drawings. Figured dimensions shall take precedence over scaled dimensions. Any discrepancy shall be reported to the Architect for clarification prior to the commencement of any work.

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Sheet List

A010	Site Plan
A011	Site Analysis
A020	Area Calculation
A030	Streetscape Analysis
A031	Streetscape Elevation
A110	Existing_Ground Level Plan
A111	Existing_First Level Plan (Entry)
A112	Existing_Second Level Plan
A120	Demolition_Ground Level Plan
A121	Demolition_First Level Plan (Entry)
A122	Demolition_Second Level Plan
A123	Demolition_Roof Plan
A130	Proposed_Ground Level Plan
A131	Proposed_First Level Plan (Entry)
A132	Proposed_Second Level Plan
A133	Proposed_Roof Level Plan
A200	South Elevation (Front)
A200a	South Elevation (Front)
A201	North Elevation (Rear)
A201a	North Elevation (Rear)
A202	West Elevation (Side)
A202a	West Elevation (Side)
A203	East Elevation (Side)
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A210	Longitudinal Section
A211	Cross Section
A300	Schedule of Materials and Finishes
A310	Window Schedule
A320	Fence Detail
A321	Fence Detail 2
A400	Shadow Diagram
A401	Shadow Diagram
A402	Shadow Diagram
A403	Shadow Diagram
A404	Shadow Diagram
A405	Shadow Diagram
A406	Shadow Diagram
A410	Overlooking Diagram
A420	View From Sun Diagram
A421	View From Sun Diagram
A431	Elevational Solar Access Diagram (No.57) - 1pm
A432	Elevational Solar Access Diagram (No.57) - 2pm
A433	Elevational Solar Access Diagram (No.57) - 3pm

BASIX Commitment

Construction

Insulation requirements
The applicant must construct the new or altered construction (floor(s), walls, and ceilings/roofs) in accordance with the specifications
listed in the table below, except that a) additional insulation is not required where the area of new construction is less than 2m2, b)
insulation specified is not required for parts of altered construction where insulation already exists.

Construction	Additional insulation required (R-value)	Other specifications
external wall: cavity brick	nil	
flat ceiling, flat roof: concrete/ plasterboard internal	ceiling: R1.82 (up), roof: foil/sarking	light (solar absorptance < 0.475)

Glazing requirements

Windows and glazed doors
-The applicant must install the windows, glazed doors and shading devices, in accordance with the specifications listed in the table below. Relevant overshadowing specifications must be satisfied for each window and glazed door.

-For projections described in millimetres, the leading edge of each eave, pergola, verandah, balcony or awning must be no more than 500 mm above the head of the window or glazed door and no more than 2400 mm above the sill.

-Overshadowing buildings or vegetation must be of the height and distance from the centre and the base of the window and glazed door, as specified in the 'overshadowing' column in the table to the right.



Window/door number	Orientation	Area of glass including frame (m2)	Overshadowing height (m)	Overshadowing distance (m)	Shading device	Frame and glass type
w1	N	0.46	0	0	eave/ verandah/ pergola/balcony >=900 mm	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
w2	N	1.32	0	0	eave/ verandah/ pergola/balcony >=900 mm	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
w3	N	7.88	0	0	eave/ verandah/ pergola/balcony >=900 mm	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
w7	N	7.28	0	0	eave/ verandah/ pergola/balcony >=900 mm	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
w9	N	0.81	0	0	eave/ verandah/ pergola/balcony >=900 mm	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)

Window/door number	Orientation	Area of glass including frame (m2)	Overshadowing height (m)	Overshadowing distance (m)	Shading device	Frame and glass type
w10	N	0.8118	0	0	eave/ verandah/ pergola/balcony >=900 mm	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
w15	N	5.92	0	0	eave/ verandah/ pergola/balcony >=900 mm	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
w5	S	3.78	0	0	eave/ verandah/ pergola/balcony >=900 mm	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
w6	S	3.51	0	0	eave/ verandah/ pergola/balcony >=900 mm	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
w8	S	10.8	0	0	eave/ verandah/ pergola/balcony >=900 mm	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)

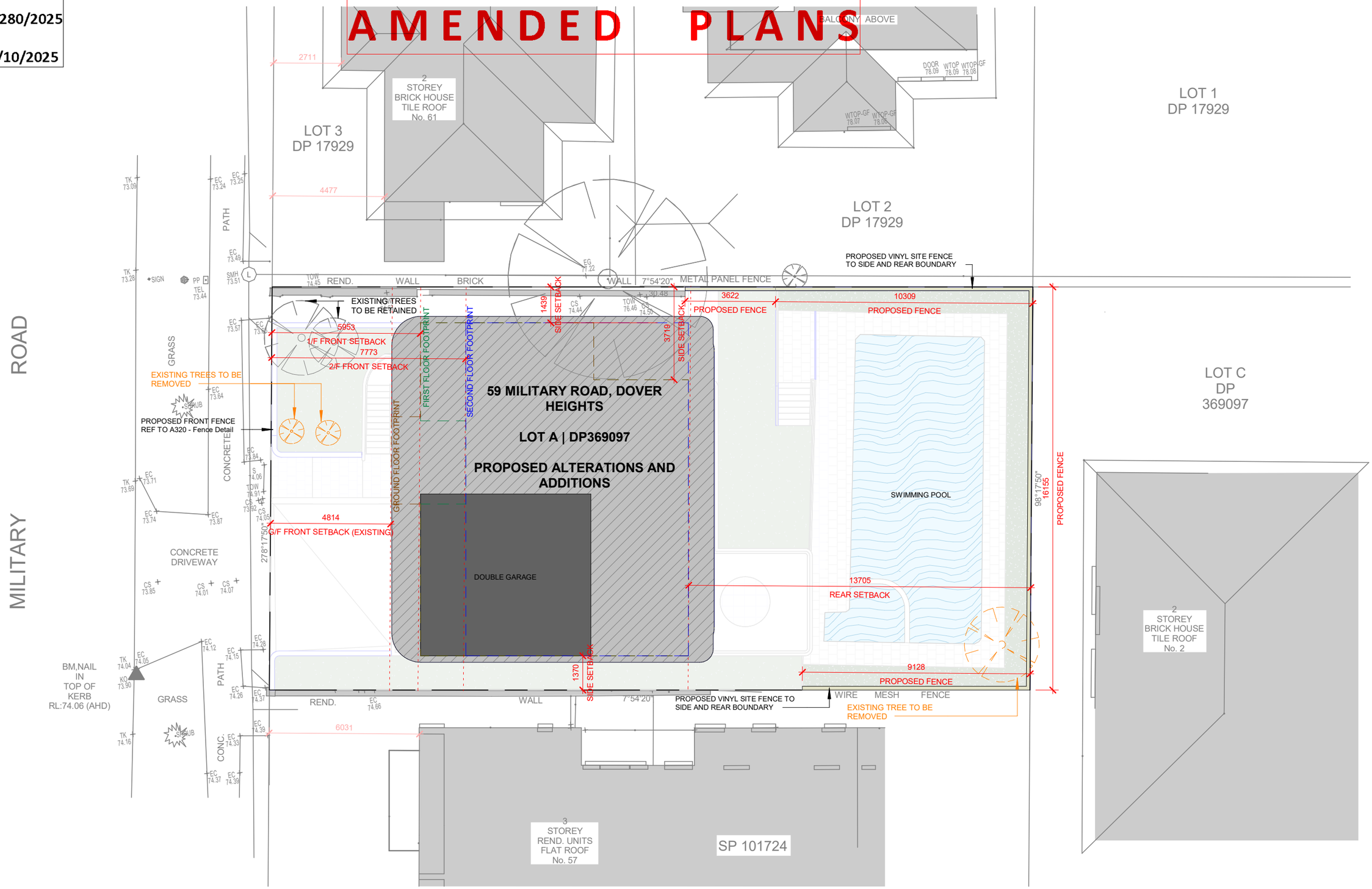
Window/door number	Orientation	Area of glass including frame (m2)	Overshadowing height (m)	Overshadowing distance (m)	Shading device	Frame and glass type
w12	S	4.06	0	0	eave/ verandah/ pergola/balcony >=900 mm	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
w13	S	6.13	0	0	eave/ verandah/ pergola/balcony >=900 mm	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
w14	S	6.22	0	0	eave/ verandah/ pergola/balcony >=900 mm	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
w4	W	0.4	1.23	1.95	none	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
w11	W	2.85	0	0	external louvre/blind (adjustable)	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)

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Design Practitioner - Architectural - DEP0004308

PROJECT TITLE
59 Military Road, Dover Heights
CLIENT: Mr Joseph Zhu

DRAWING TITLE
Site Plan

N 503

DESIGNER	EH/MA
SCALE	1 : 150 @ A3
STATUS	Development Application
PROJECT NO.	2413

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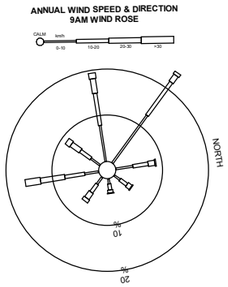
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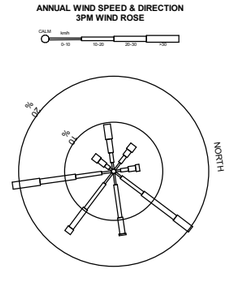
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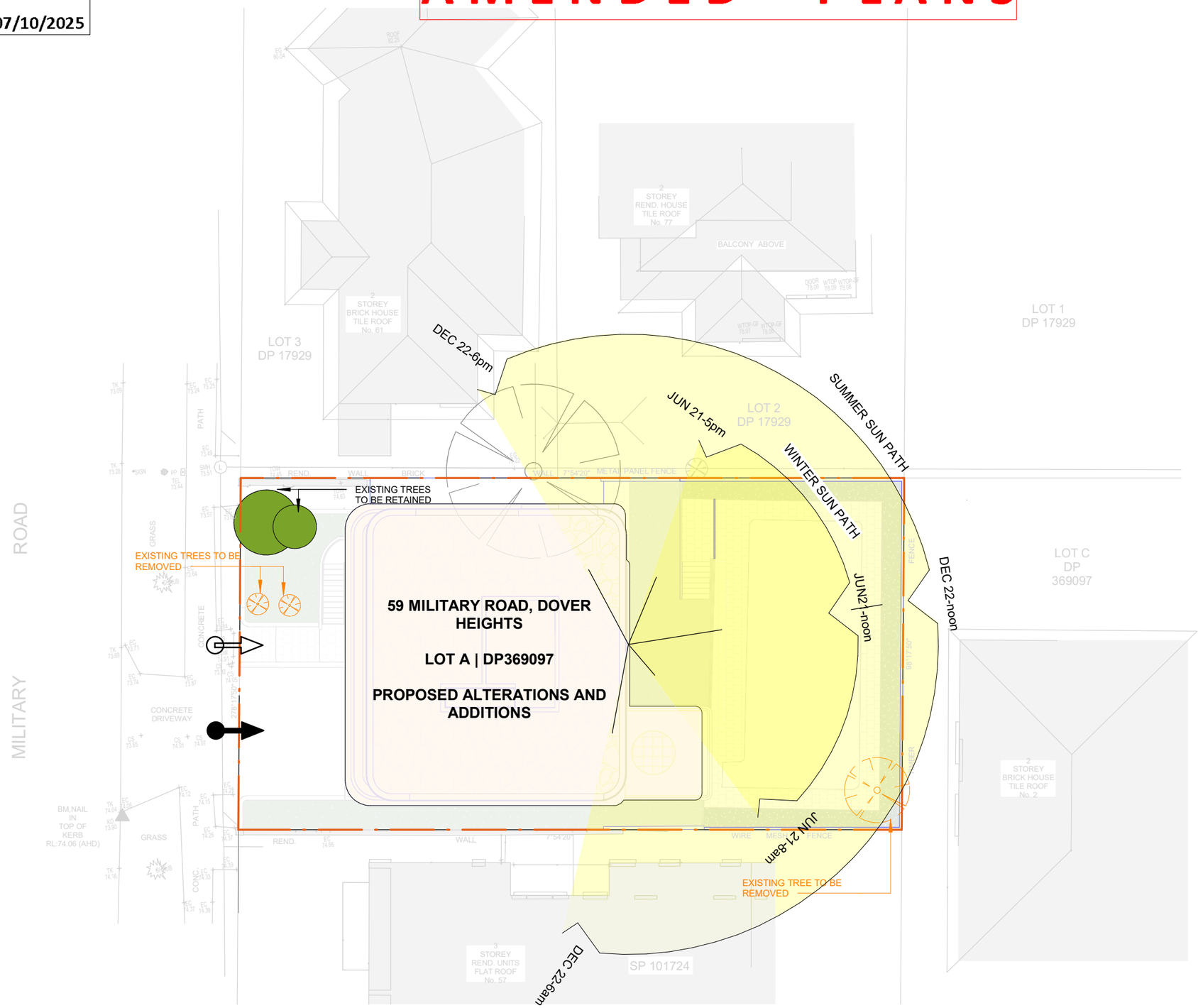
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Site Analysis Legend

- Site boundary
- Building footprint
- Neighbouring buildings
- Existing pedestrian access point
- Existing vehicular access point
- Existing site trees to be retained
- Existing site trees to be removed

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PROJECT TITLE
59 Military Road, Dover Heights
CLIENT: Mr Joseph Zhu

DRAWING TITLE
Site Analysis

N

DESIGNER	EH/MA
SCALE	1 : 200 @ A3
STATUS	Development Application
PROJECT NO.	2413

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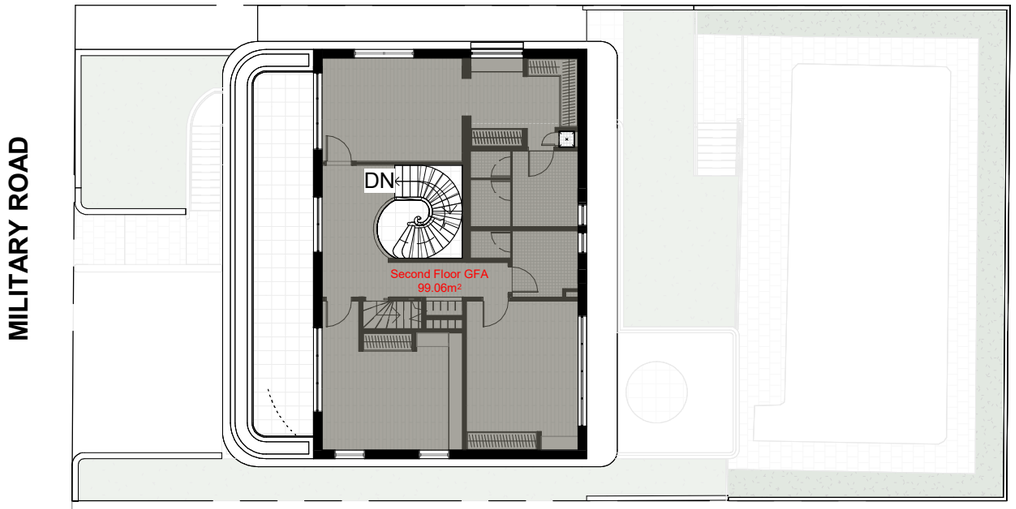
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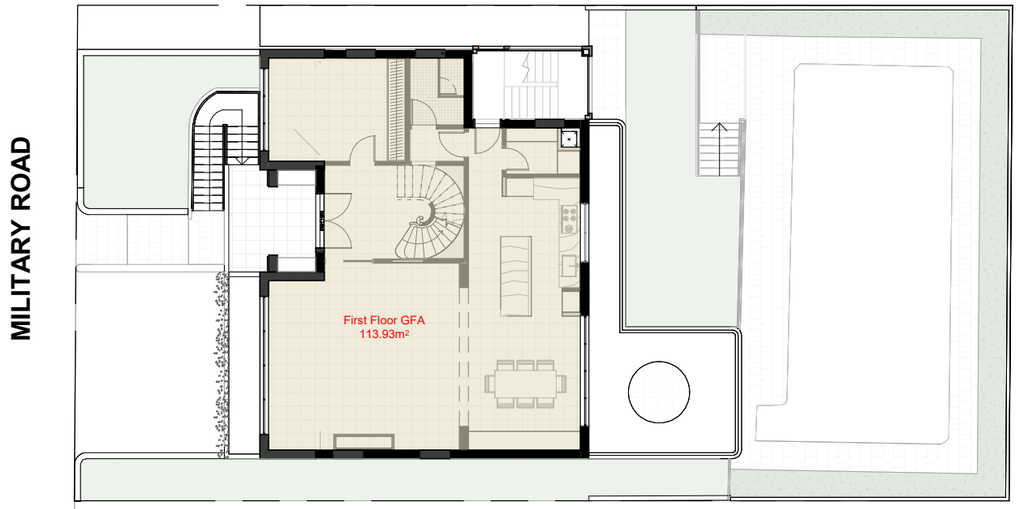
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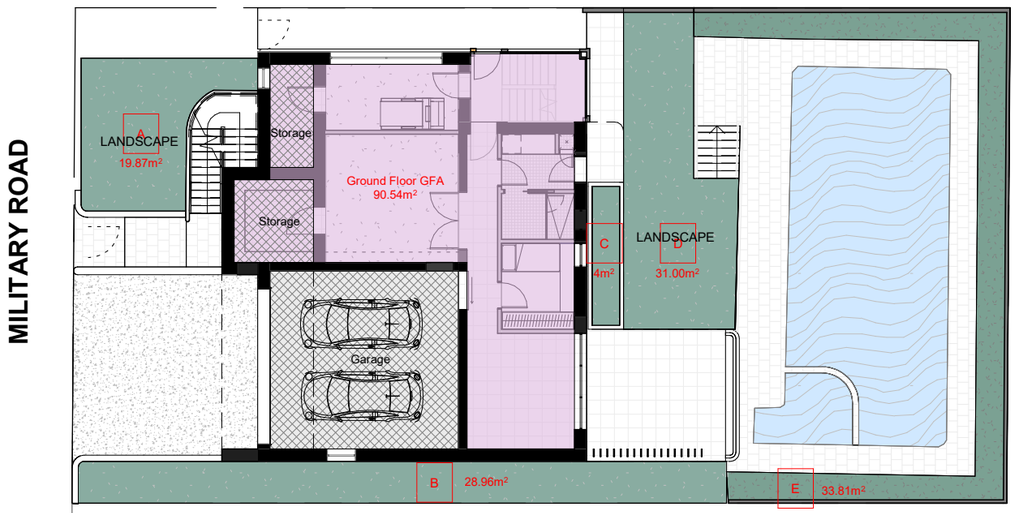
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1 / A031 — Area_Second Level
Plan — 1 : 200



3 / A031 — Area_First Level (Entry)
Plan — 1 : 200



2 / A031 — Area_Ground Level
Plan — 1 : 200

Area Calculation

Site Area:	492.4m²
Second Floor GFA:	99.06m²
First Floor GFA:	113.93m²
Ground Floor GFA (excl. storage, garage):	90.54m²
Total GFA:	**303.53m²**
Maximum Allowable FSR:	0.563:1
Proposed FSR:	**0.616:1**
Required Minimum Landscaped Area (20% of Site Area):	98.48m²
Proposed Landscaped Area: A+B+C+D+E	**117.64m²**

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PROJECT TITLE
59 Military Road, Dover Heights
CLIENT: Mr Joseph Zhu

DRAWING TITLE
Area Calculation

N 505

DESIGNER	EH/MA
SCALE	1 : 200 @ A3
STATUS	Development Application
PROJECT NO.	2413

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61 Military Road, Dover Heights

No. 61, situated on a corner lot adjacent to the subject site, is a two-storey brick dwelling with a traditional pitched roof. The property features tall hedges along the front boundary, providing a sense of privacy and softening its interface with the street.



57&57A Military Road, Dover Heights

No. 57&57A, also adjacent to the subject site, is a three-storey duplex featuring a modern appearance with a contemporary material and colour palette. It presents a flat roof form to the street which contributes to the evolving character of the area.



17 Loombah Road, Dover Heights

17 Loombah Road, located across the street from the subject site, presents a distinctly modern appearance with large windows oriented towards the street and a flat roof form. Its scale and design also contribute to the modern character that is emerging in the area.



79 Military Road, Dover Heights

No. 79, located around the corner on the same side of the street, presents as a three-storey dwelling with a modern architectural expression. It features a flat roof and incorporates curved elements in its facade design.



102 Military Road, Dover Heights

No. 102 is located across the street, it features a pitched roof form with a roof terrace discreetly integrated within the roof structure, which is concealed from the street view.



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PROJECT TITLE
59 Military Road, Dover Heights
CLIENT: Mr Joseph Zhu

DRAWING TITLE
Streetscape Analysis

N

506

DESIGNER	EH/MA
SCALE	@ A3
STATUS	Development Application
PROJECT NO.	2413

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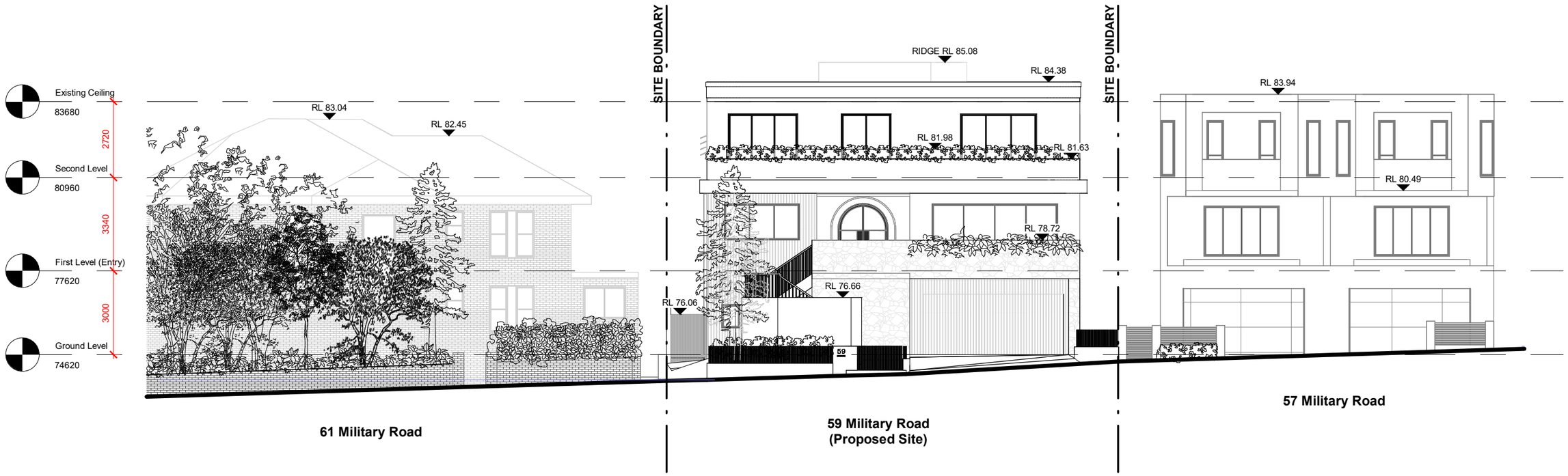
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MILITARY ROAD

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PROJECT TITLE
59 Military Road, Dover Heights
CLIENT: Mr Joseph Zhu

DRAWING TITLE
Streetscape Elevation

DESIGNER	EH/MA
SCALE	1 : 150 @ A3
STATUS	Development Application
PROJECT NO.	2413

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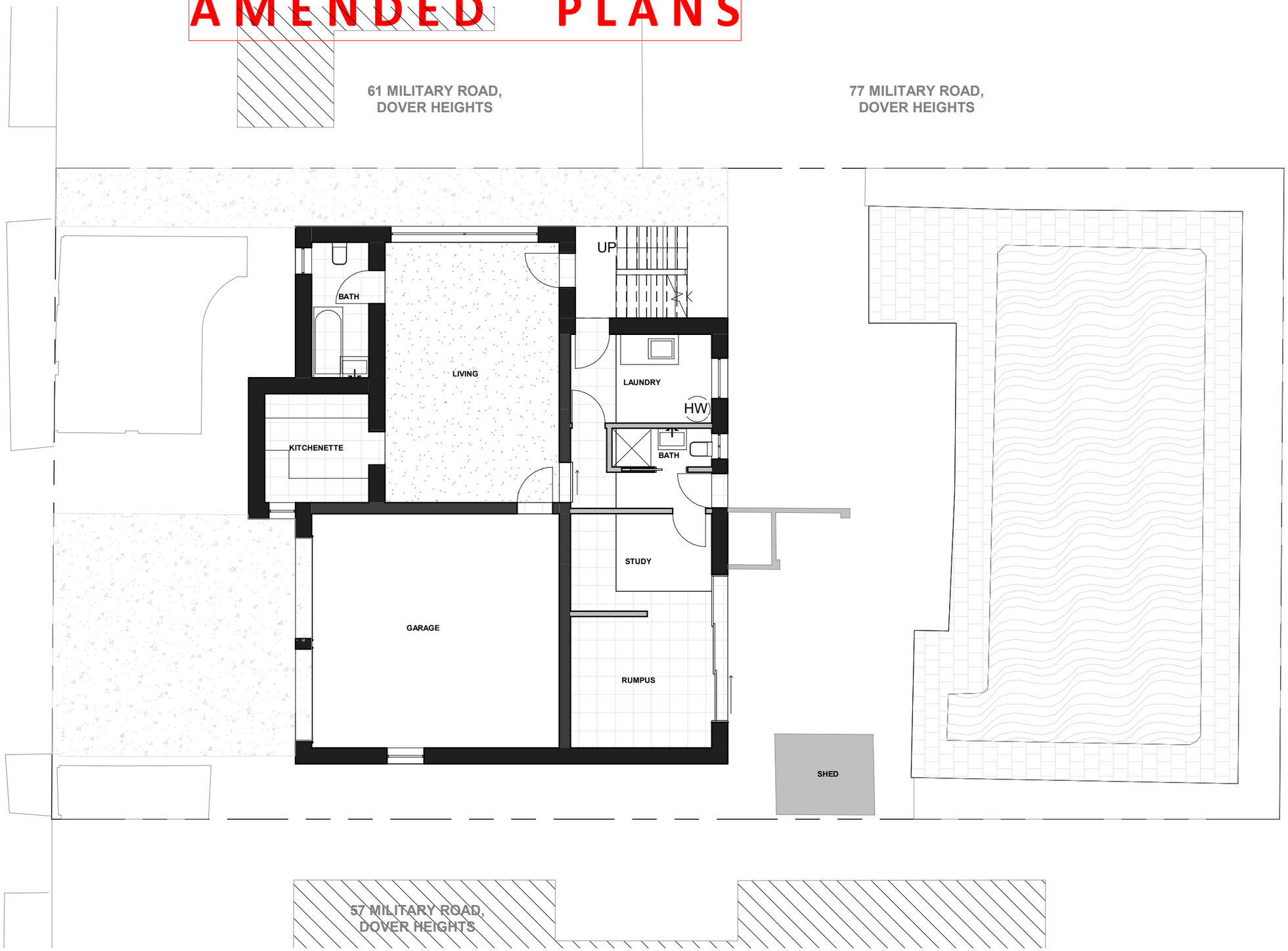
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PROJECT TITLE
59 Military Road, Dover Heights
CLIENT: Mr Joseph Zhu

DRAWING TITLE
Existing_Ground Level Plan

N

508

DESIGNER	EH/MA
SCALE	1 : 100 @ A3
STATUS	Development Application
PROJECT NO.	2413

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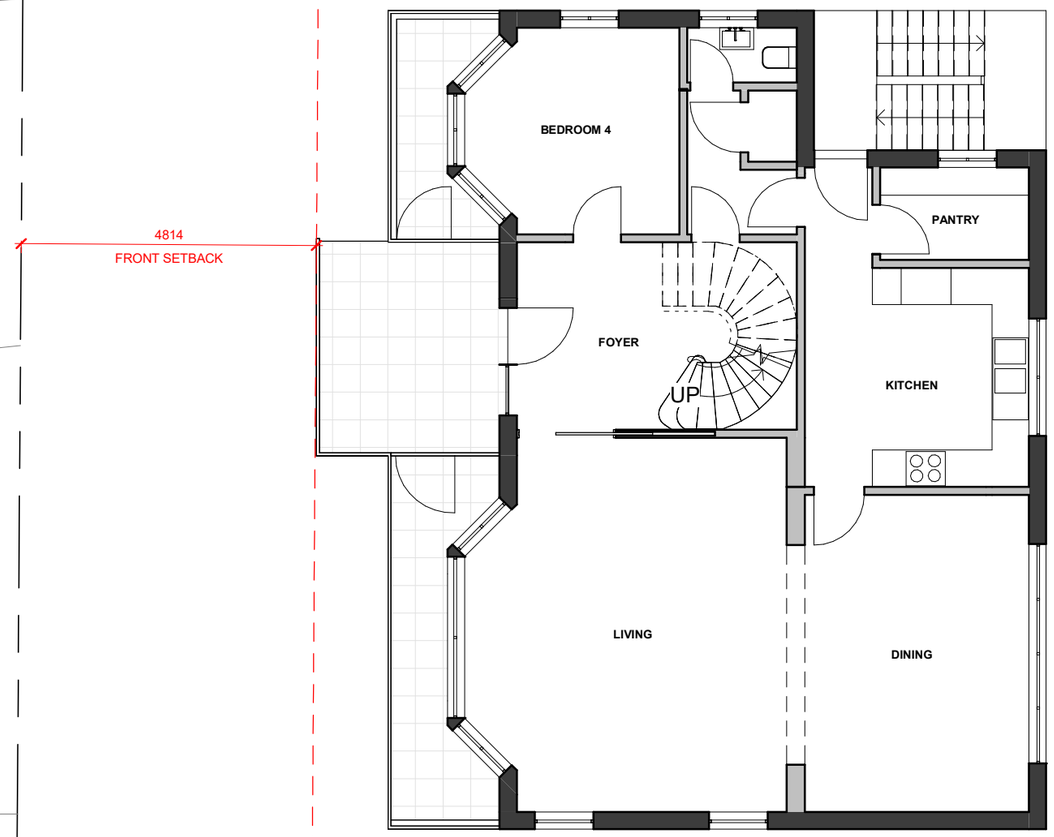
Date Received: 07/10/2025

AMENDED PLANS

61 MILITARY ROAD,
DOVER HEIGHTS

77 MILITARY ROAD,
DOVER HEIGHTS

MILITARY ROAD



57 MILITARY ROAD,
DOVER HEIGHTS

LEGEND

EXISTING STRUCTURE

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PROJECT TITLE
59 Military Road, Dover Heights
CLIENT: Mr Joseph Zhu

DRAWING TITLE
Existing_First Level Plan (Entry)

DESIGNER	EH/MA
SCALE	1 : 100 @ A3
STATUS	Development Application
PROJECT NO.	2413

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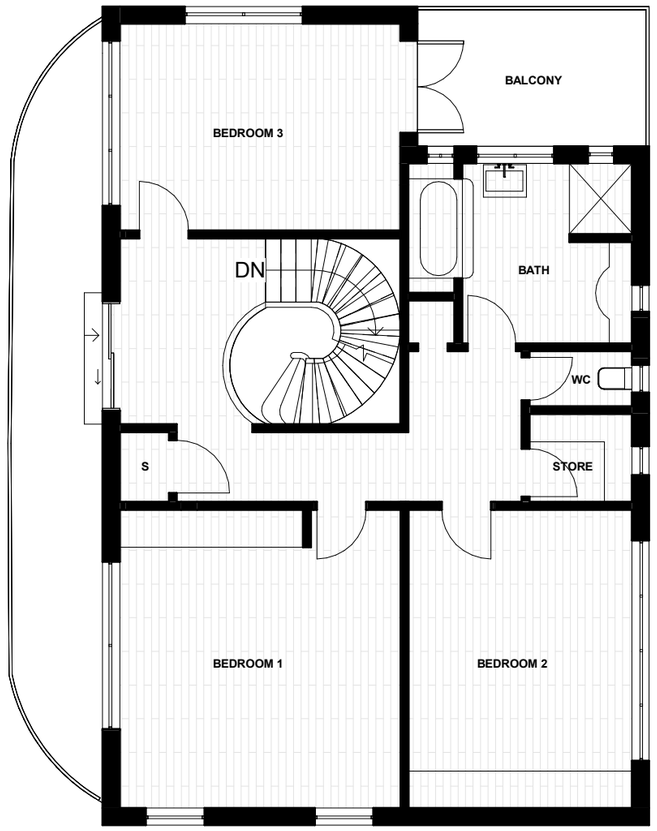
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AMENDED PLANS

61 MILITARY ROAD,
DOVER HEIGHTS

77 MILITARY ROAD,
DOVER HEIGHTS

MILITARY ROAD



57 MILITARY ROAD,
DOVER HEIGHTS

LEGEND

EXISTING STRUCTURE

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Design Practitioner - Architectural - DEP0004308

PROJECT TITLE
59 Military Road, Dover Heights

CLIENT: Mr Joseph Zhu

DRAWING TITLE
Existing_Second Level Plan

N

510

DESIGNER	EH/MA
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PROJECT NO.	2413

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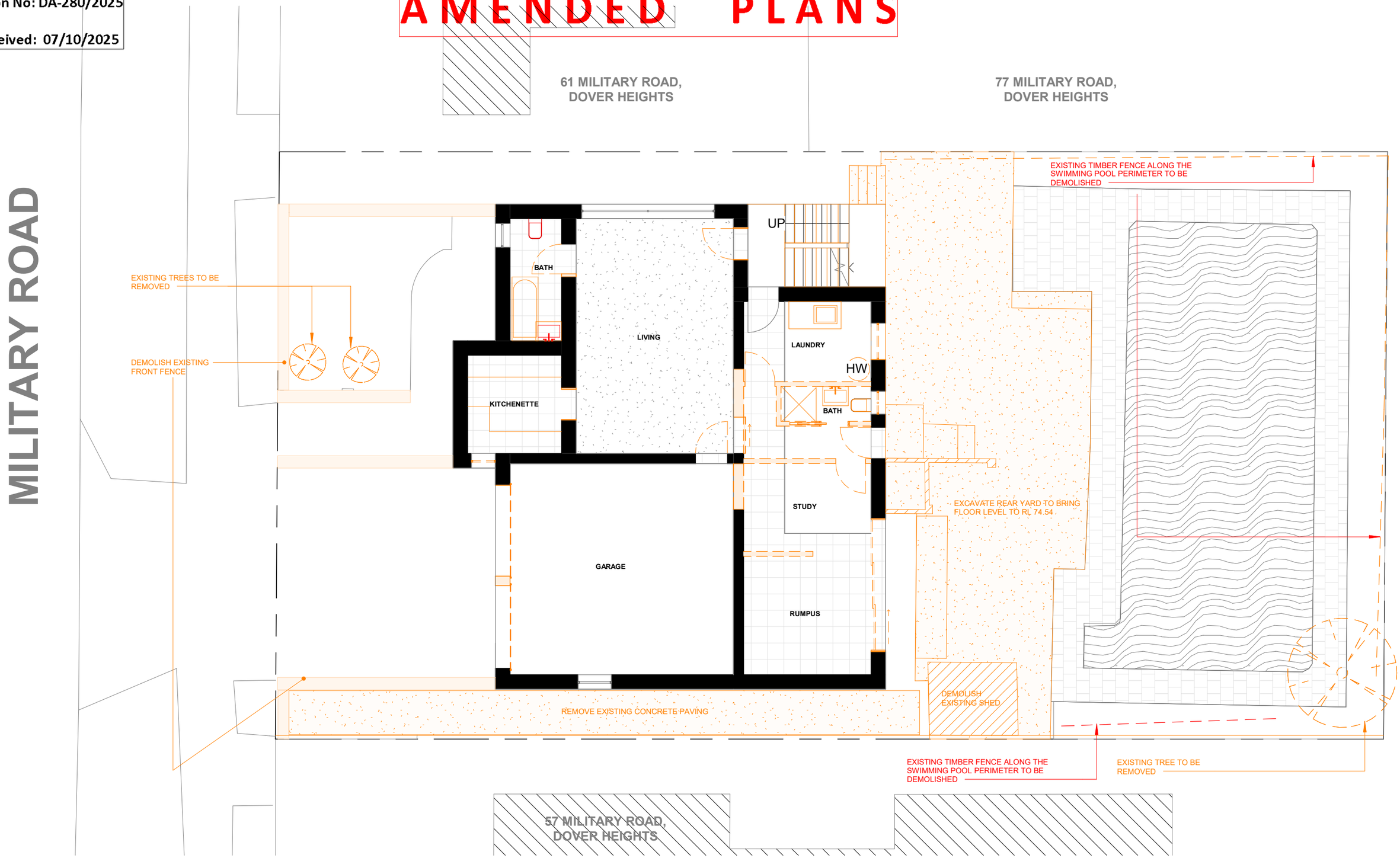
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AMENDED PLANS



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Design Practitioner - Architectural - DEP0004308

PROJECT TITLE
59 Military Road, Dover Heights
CLIENT: Mr Joseph Zhu

DRAWING TITLE
Demolition_Ground Level Plan

N

DESIGNER	EH/MA
SCALE	1 : 100 @ A3
STATUS	Development Application
PROJECT NO.	2413

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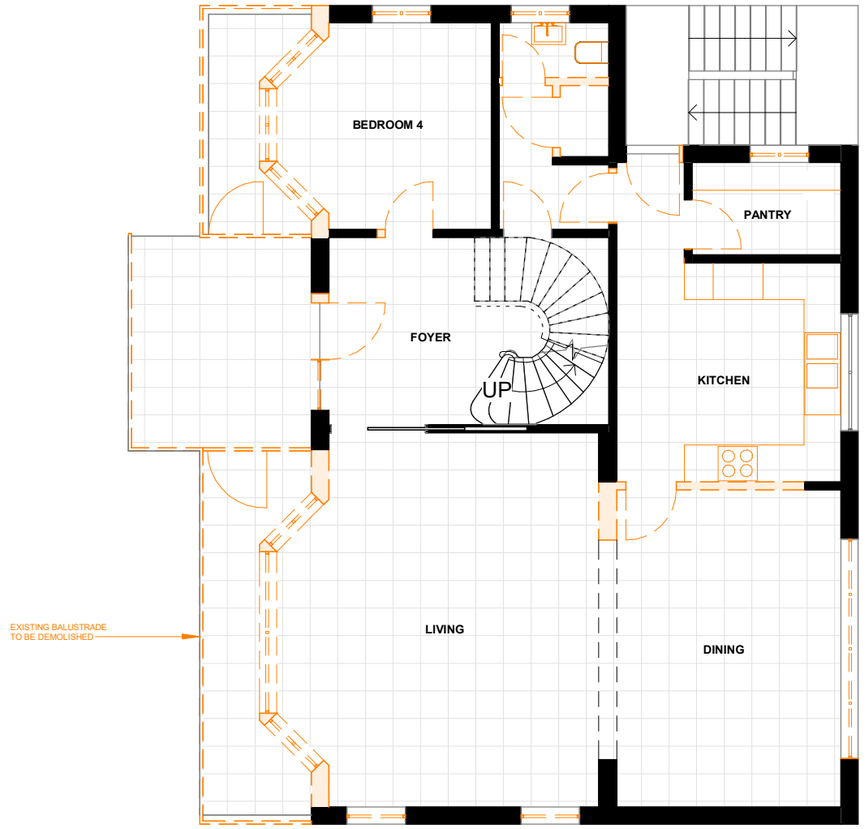
Date Received: 07/10/2025

AMENDED PLANS

61 MILITARY ROAD,
DOVER HEIGHTS

77 MILITARY ROAD,
DOVER HEIGHTS

MILITARY ROAD



57 MILITARY ROAD,
DOVER HEIGHTS

LEGEND

EXISTING STRUCTURE

STRUCTURES TO BE DEMOLISHED

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Design Practitioner - Architectural - DEP0004308

PROJECT TITLE
59 Military Road, Dover Heights
CLIENT: Mr Joseph Zhu

DRAWING TITLE
Demolition_First Level Plan (Entry)

DESIGNER	EH/MA
SCALE	1 : 100 @ A3
STATUS	Development Application
PROJECT NO.	2413

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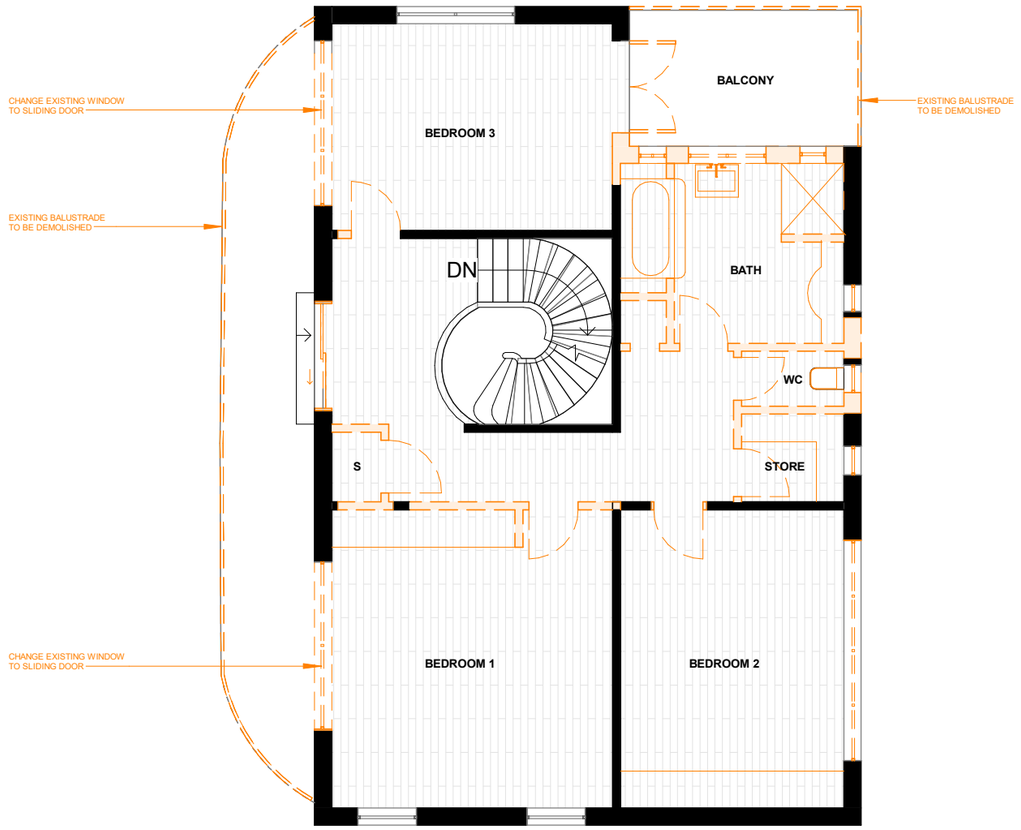
Date Received: 07/10/2025

AMENDED PLANS

61 MILITARY ROAD,
DOVER HEIGHTS

77 MILITARY ROAD,
DOVER HEIGHTS

MILITARY ROAD



57 MILITARY ROAD,
DOVER HEIGHTS

LEGEND

EXISTING STRUCTURE

STRUCTURES TO BE DEMOLISHED

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Design Practitioner - Architectural - DEP0004308

PROJECT TITLE
59 Military Road, Dover Heights

CLIENT: Mr Joseph Zhu

DRAWING TITLE
Demolition_Second Level Plan

N

513

DESIGNER	EH/MA
SCALE	1 : 100 @ A3
STATUS	Development Application
PROJECT NO.	2413

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DRAWING NO.	REVISION
2413-A122	D

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Application No: DA-280/2025

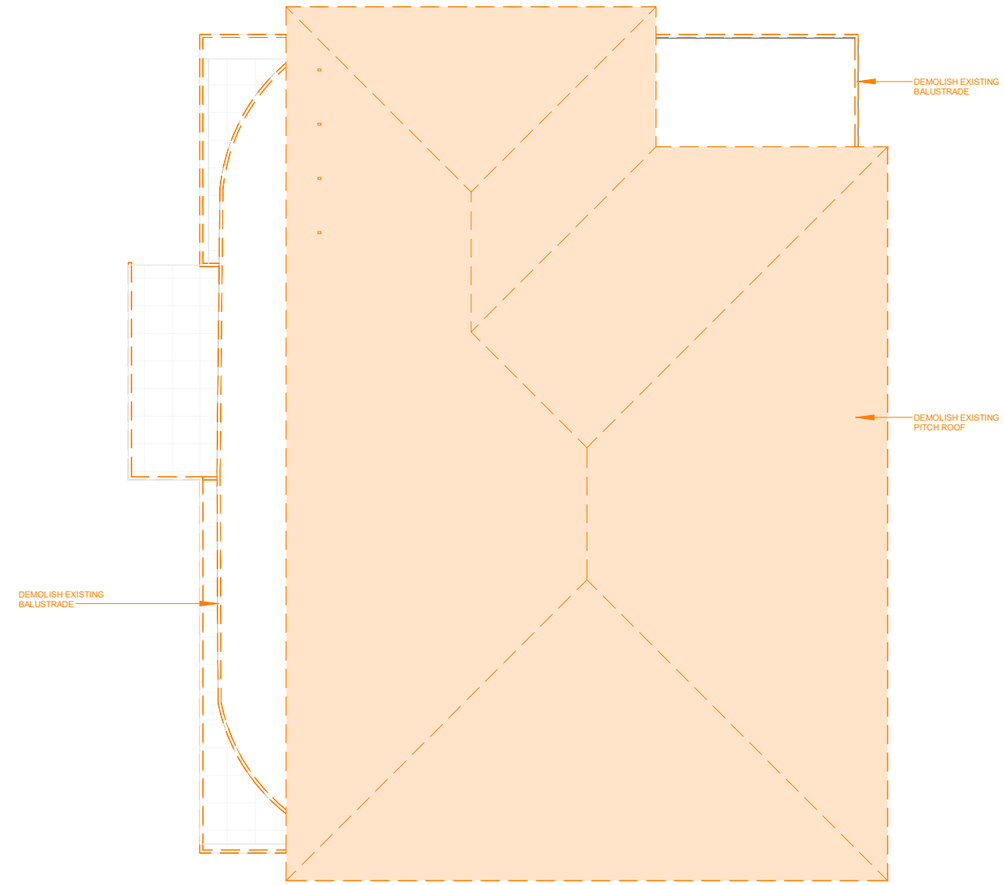
Date Received: 07/10/2025

AMENDED PLANS

61 MILITARY ROAD,
DOVER HEIGHTS

77 MILITARY ROAD,
DOVER HEIGHTS

MILITARY ROAD



57 MILITARY ROAD,
DOVER HEIGHTS

LEGEND

EXISTING STRUCTURE

STRUCTURES TO BE DEMOLISHED

rev.	date	description
D	25.09.2025	DA SUBMISSION

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Nom. Architect: King H. Edward Hung
NSWARB 11736 | ARBV 800404
Design Practitioner - Architectural - DEP0004308

PROJECT TITLE
59 Military Road, Dover Heights
CLIENT: Mr Joseph Zhu

DRAWING TITLE
Demolition_Roof Plan

514

DESIGNER	EH/MA
SCALE	1 : 100 @ A3
STATUS	Development Application
PROJECT NO.	2413

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DRAWING NO.	REVISION
2413-A123	D

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Application No: DA-280/2025

Date Received: 07/10/2025

AMENDED PLANS

MILITARY ROAD

61 MILITARY ROAD, DOVER HEIGHTS

LOT 2
DP 17929

77 MILITARY ROAD, DOVER HEIGHTS

PROPOSED VINYL SITE FENCE TO SIDE AND REAR BOUNDARY

PROPOSED FENCE

PROPOSED FRONT FENCE REF TO A320 - Fence Detail

1200MM HIGH POOL FENCE TO COMPLY WITH AS 1926.1- 2012

POOL PUMP AND FILTER LOCATION W/ SOUND PROOF ENCLOSURE

EXISTING WINDOW

EXISTING SIDE SETBACK

VENTILATED EXTERNAL STAIRWAY

LANDSCAPE

EQUIPMENT STORAGE

GYM 4325x2150

WINE STORAGE

MEDIA 4325x4180

LAUNDRY 2375x1800

BATHROOM 2375x1500

GUEST BEDROOM 2375x2800

HIGH LEVEL WINDOW

PLANTER

1200MM HIGH POOL FENCE TO COMPLY WITH AS 1926.1- 2012

LANDSCAPE

EXISTING SWIMMING POOL

GARDEN

CONCRETE DRIVEWAY

GARAGE 6145x5805

LOUNGE 3505x3775

ALFRESCO

SKYLIGHT ABOVE

PROPOSED SPA POOL

PRIVACY SCREEN

LINE OF SLAB EDGE ABOVE

G/F FRONT SETBACK (EXISTING)

G/F REAR SETBACK (EXISTING)

PROPOSED COLUMN

PROPOSED VINYL SITE FENCE TO SIDE AND REAR BOUNDARY

PROPOSED FENCE

57 MILITARY ROAD, DOVER HEIGHTS

LEGEND

EXISTING STRUCTURE | PROPOSED STRUCTURES (DEFAULT) | PROPOSED BRICK STRUCTURES | PROPOSED CONCRETE STRUCTURES | PROPOSED GLAZING | PROPOSED METAL STRUCTURE | PROPOSED TIMBER STRUCTURE

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PROJECT TITLE
59 Military Road, Dover Heights
CLIENT: Mr Joseph Zhu

DRAWING TITLE
Proposed_Ground Level Plan

DESIGNER	EH/MA
SCALE	1 : 100 @ A3
STATUS	Development Application
PROJECT NO.	2413

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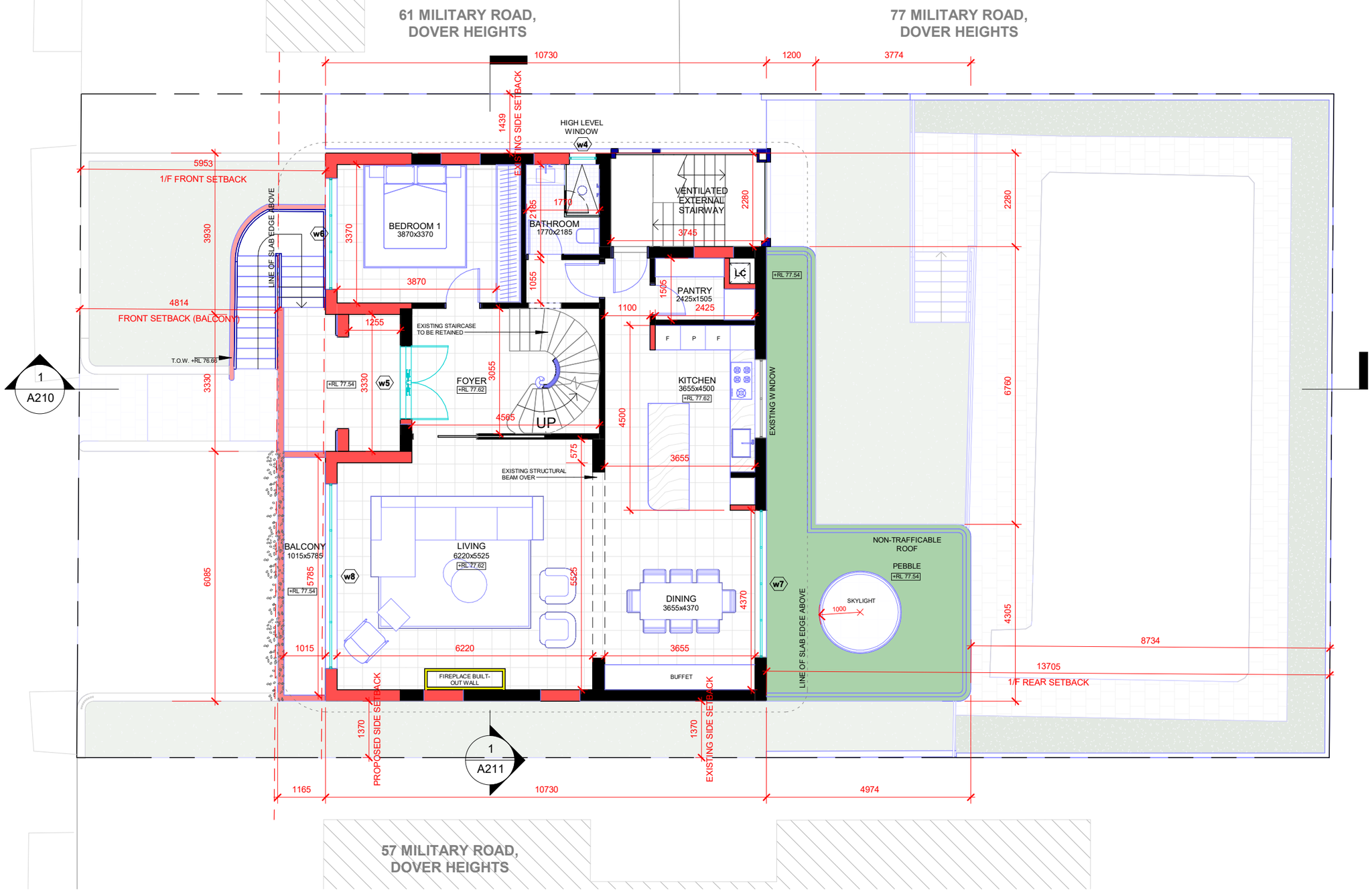
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2413-A130	E

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Date Received: 07/10/2025

AMENDED PLANS



LEGEND

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PROJECT TITLE
59 Military Road, Dover Heights
CLIENT: Mr Joseph Zhu

DRAWING TITLE
Proposed_First Level Plan (Entry)

N
516

DESIGNER	EH/MA
SCALE	1 : 100 @ A3
STATUS	Development Application
PROJECT NO.	2413

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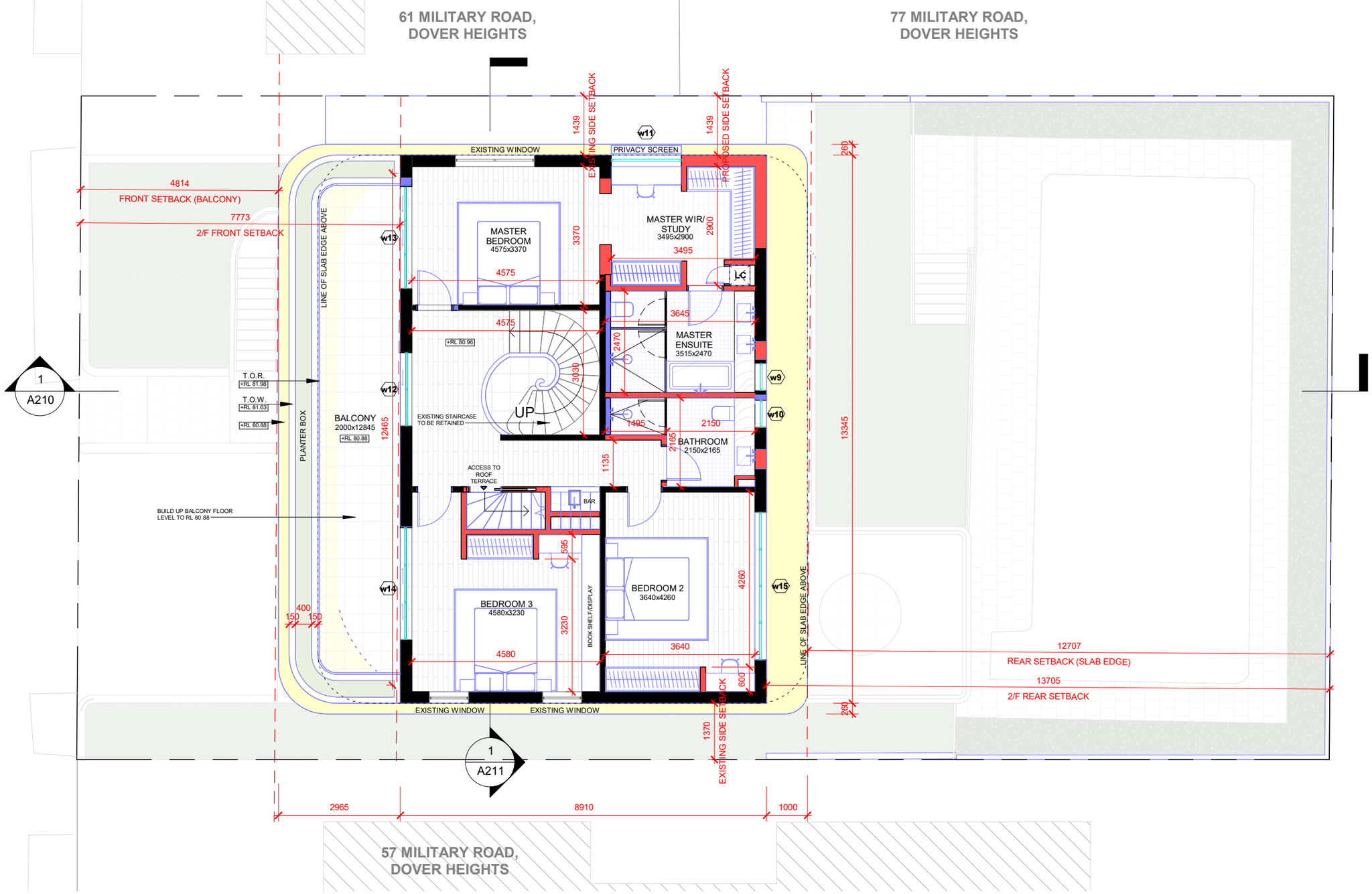
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2413-A131	D

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Application No: DA-280/2025

Date Received: 07/10/2025

AMENDED PLANS



LEGEND

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PROJECT TITLE
59 Military Road, Dover Heights
CLIENT: Mr Joseph Zhu

DRAWING TITLE
Proposed_Second Level Plan

N
517

DESIGNER	EH/MA
SCALE	1 : 100 @ A3
STATUS	Development Application
PROJECT NO.	2413

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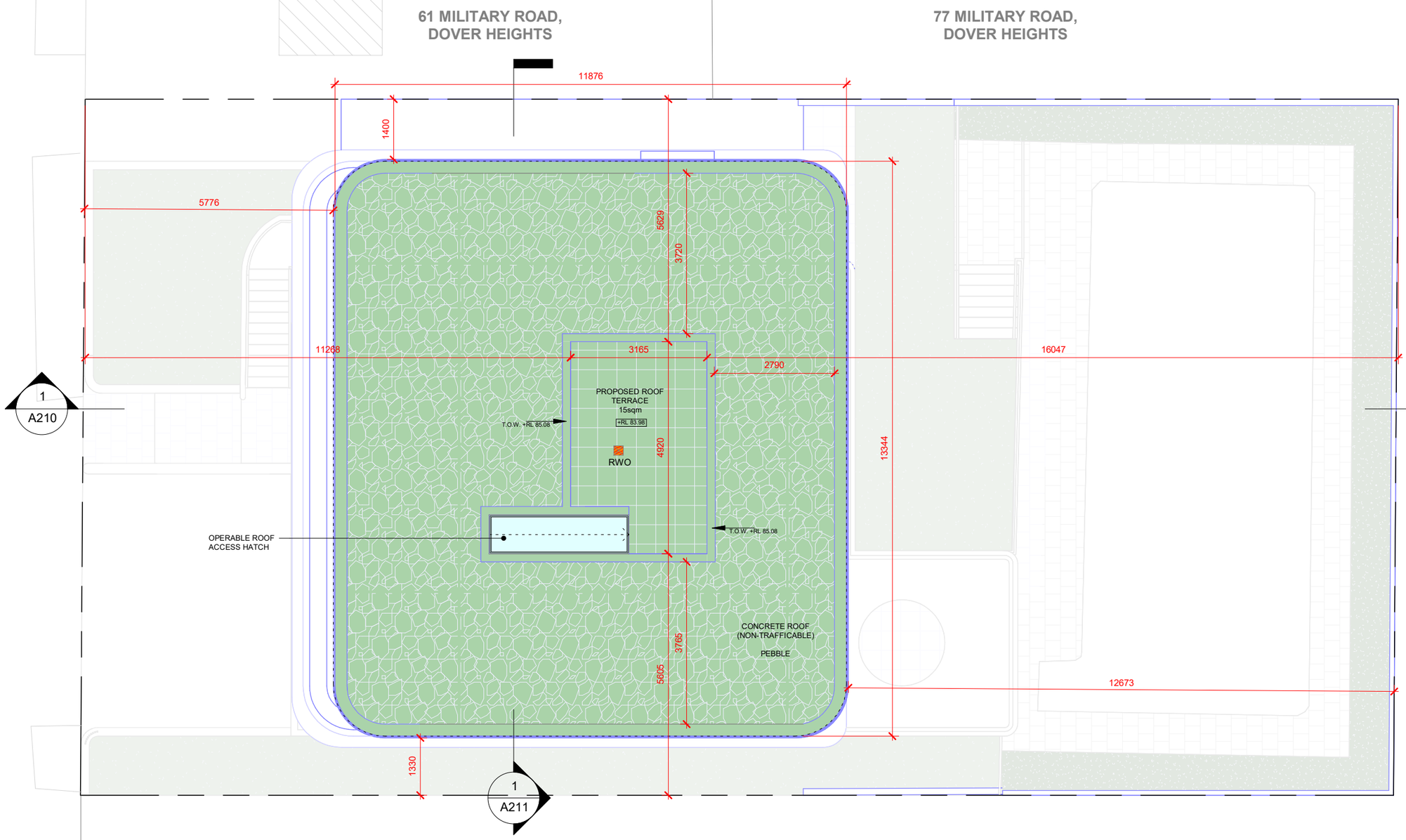
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2413-A132	D

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Application No: DA-280/2025

Date Received: 07/10/2025

AMENDED PLANS



LEGEND

EXISTING STRUCTURE | PROPOSED STRUCTURES (DEFAULT) | PROPOSED BRICK STRUCTURES | PROPOSED CONCRETE STRUCTURES | PROPOSED GLAZING | PROPOSED METAL STRUCTURE | PROPOSED TIMBER STRUCTURE

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Design Practitioner - Architectural - DEP0004308

PROJECT TITLE
59 Military Road, Dover Heights
CLIENT: Mr Joseph Zhu

DRAWING TITLE
Proposed_Roof Level Plan

N
518

DESIGNER	EH/MA
SCALE	1 : 100 @ A3
STATUS	Development Application
PROJECT NO.	2413

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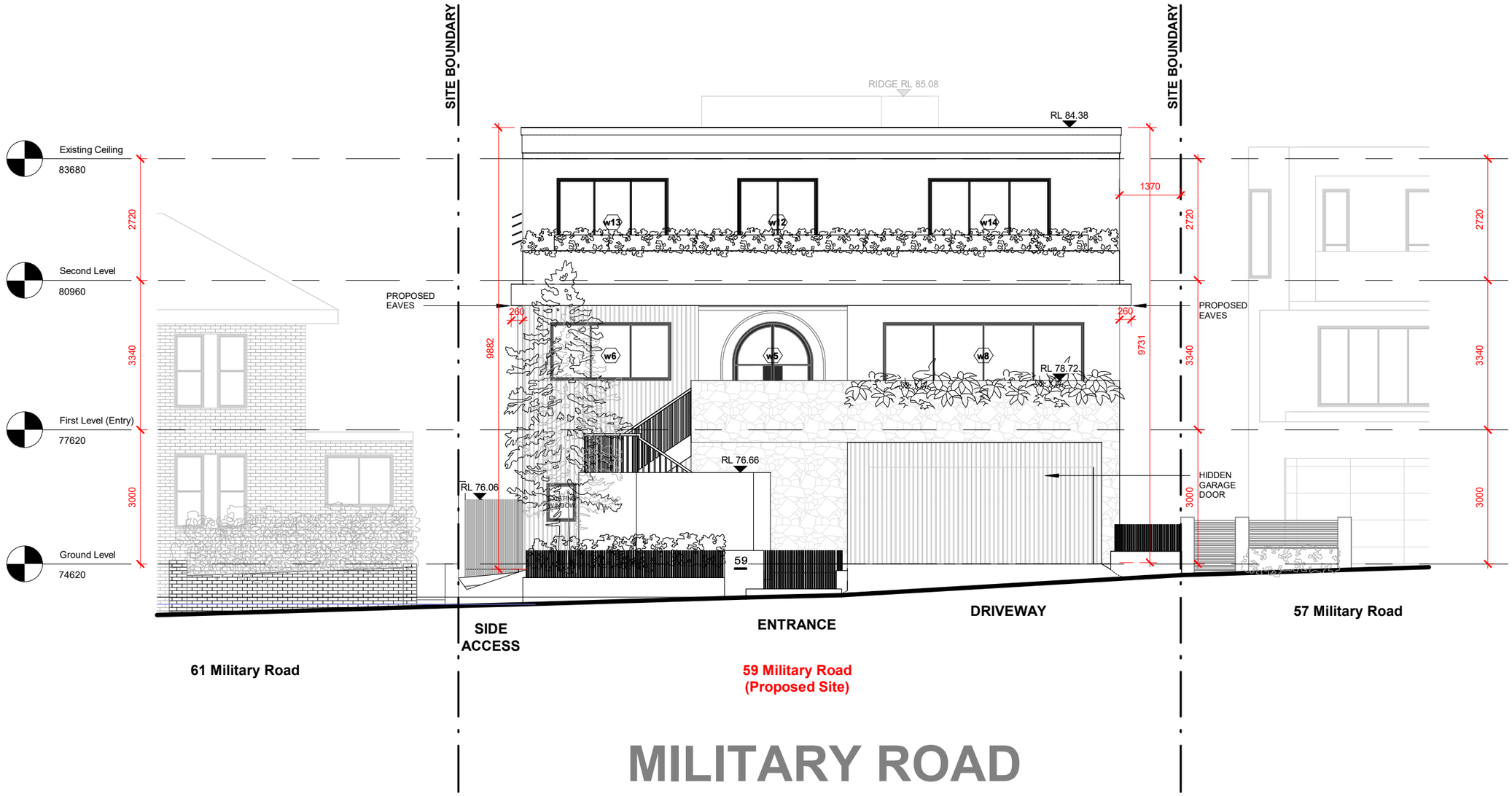
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Application No: DA-280/2025

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AMENDED PLANS



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Design Practitioner - Architectural - DEP0004308

PROJECT TITLE
59 Military Road, Dover Heights
CLIENT: Mr Joseph Zhu

DRAWING TITLE
South Elevation (Front)

DESIGNER	EH/MA
SCALE	1 : 100 @ A3
STATUS	Development Application
PROJECT NO.	2413

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DRAWING NO.	REVISION
2413-A200	D

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Application No: DA-280/2025

Date Received: 07/10/2025

AMENDED PLANS



MILITARY ROAD



1. Render
Rockcote Finecote

or similar

2. Stone Cladding

Eco Outdoor
Freeform Bodega

or similar

3. Timber-look Panelling
Knotwood - WhiteAsh

or similar

4. Aluminium Screen + Aluminium Frame

Dulux Monument

5. Clear Glass

LEGEND

EXISTING STRUCTURE | PROPOSED STRUCTURES (DEFAULT) | PROPOSED RENDERED FINISH | PROPOSED CONCRETE STRUCTURES | PROPOSED GLAZING | PROPOSED METAL STRUCTURE | PROPOSED NATURAL STONE FINISH

rev.	date	description
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Design Practitioner - Architectural - DEP0004308

PROJECT TITLE
59 Military Road, Dover Heights

CLIENT: Mr Joseph Zhu

DRAWING TITLE
South Elevation (Front)

DESIGNER	EH/MA
SCALE	1 : 100 @ A3
STATUS	Development Application
PROJECT NO.	2413

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AMENDED PLANS



59 Military Road
(Proposed Site)

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Design Practitioner - Architectural - DEP0004308

PROJECT TITLE
59 Military Road, Dover Heights
CLIENT: Mr Joseph Zhu

DRAWING TITLE
North Elevation (Rear)

DESIGNER	EH/MA
SCALE	1 : 100 @ A3
STATUS	Development Application
PROJECT NO.	2413

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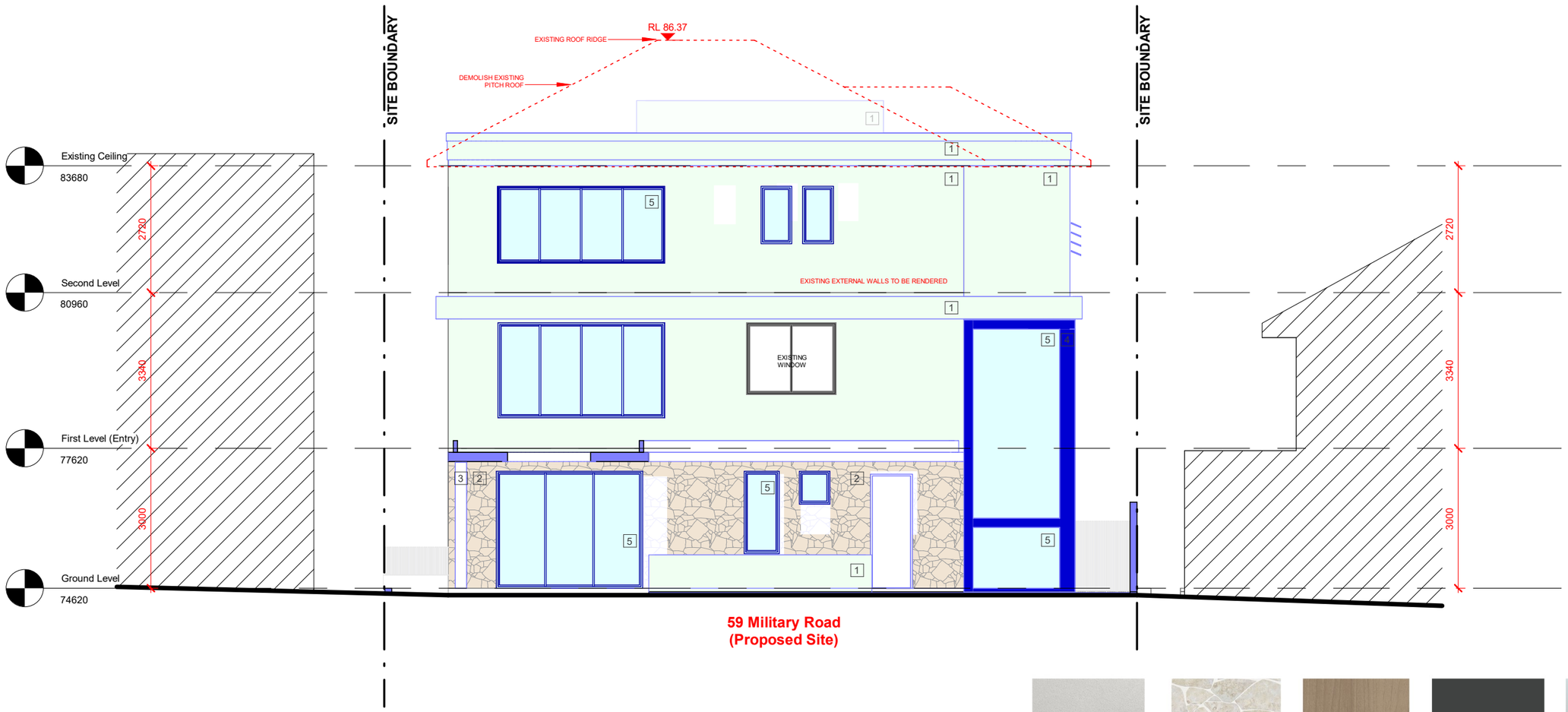
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Application No: DA-280/2025

Date Received: 07/10/2025

AMENDED PLANS





1. Render
Rockcote Finecote

or similar



2. Stone Cladding

Eco Outdoor
Freeform Bodega

or similar



3. Timber-look
Panelling
Knotwood -
WhiteAsh

or similar



4. Aluminium
Screen +
Aluminium
Frame

Dulux Monument



5. Clear Glass

LEGEND

EXISTING STRUCTURE | PROPOSED STRUCTURES (DEFAULT) | PROPOSED RENDERED FINISH | PROPOSED CONCRETE STRUCTURES | PROPOSED GLAZING | PROPOSED METAL STRUCTURE | PROPOSED NATURAL STONE FINISH

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Nom. Architect: King H, Edward Hung
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Design Practitioner - Architectural - DEP0004308

PROJECT TITLE
59 Military Road, Dover Heights

CLIENT: Mr Joseph Zhu

DRAWING TITLE
North Elevation (Rear)

DESIGNER	EH/MA
SCALE	1 : 100 @ A3
STATUS	Development Application
PROJECT NO.	2413

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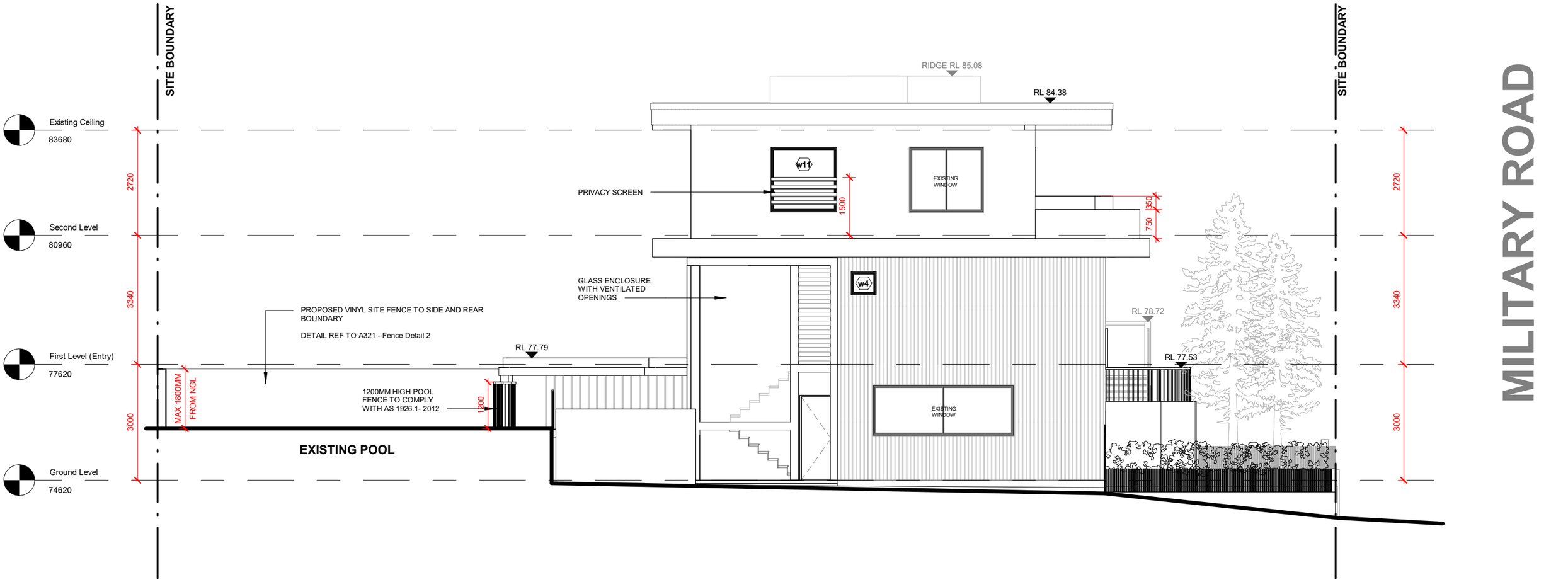
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Application No: DA-280/2025

Date Received: 07/10/2025

AMENDED PLANS



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PROJECT TITLE
59 Military Road, Dover Heights

CLIENT: Mr Joseph Zhu

DRAWING TITLE
West Elevation (Side)

DESIGNER	EH/MA
SCALE	1 : 100 @ A3
STATUS	Development Application
PROJECT NO.	2413

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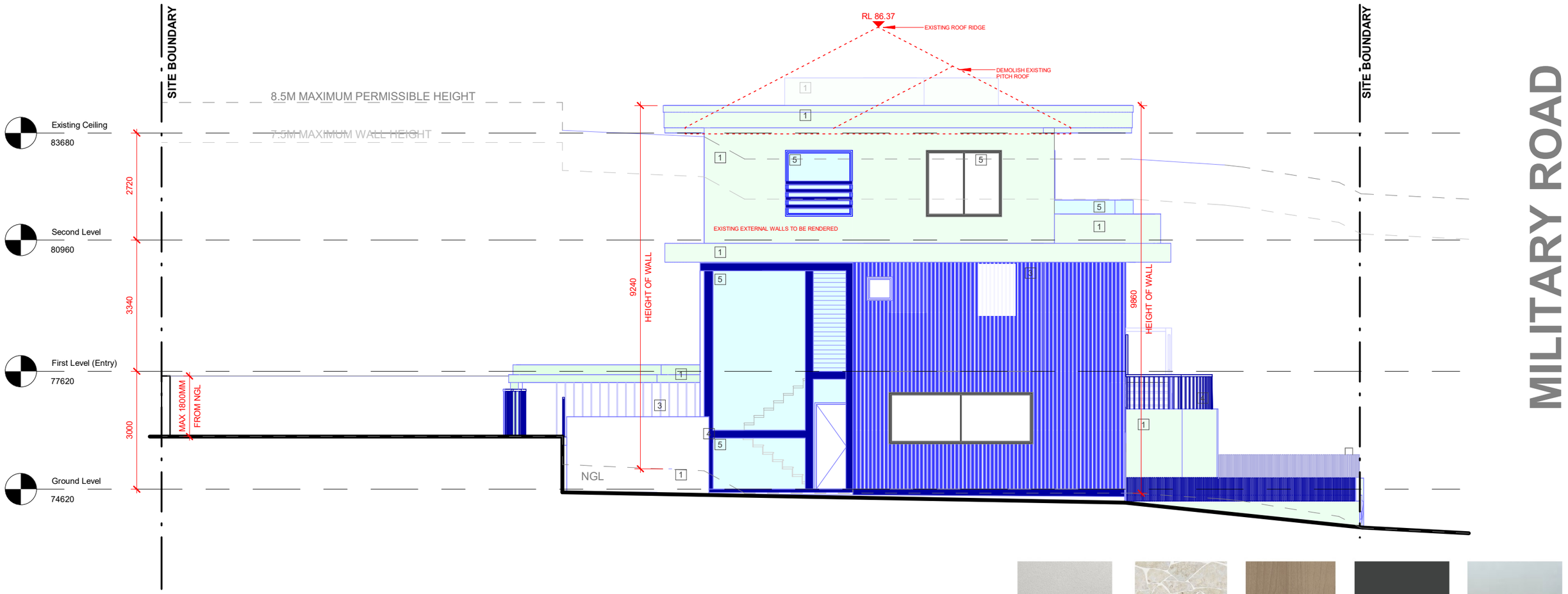
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2413-A202	E

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Application No: DA-280/2025

Date Received: 07/10/2025

AMENDED PLANS





1. Render
Rockcote Finecote

or similar



2. Stone Cladding

Eco Outdoor
Freeform Bodega

or similar



3. Timber-look
Panelling
Knotwood -
WhiteAsh

or similar



4. Aluminium
Screen +
Aluminium
Frame

Dulux Monument



5. Clear Glass

LEGEND

EXISTING STRUCTURE
PROPOSED STRUCTURES (DEFAULT)
PROPOSED RENDERED FINISH
PROPOSED CONCRETE STRUCTURES
PROPOSED GLAZING
PROPOSED METAL STRUCTURE
PROPOSED NATURAL STONE FINISH

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Design Practitioner - Architectural - DEP0004308

PROJECT TITLE
59 Military Road, Dover Heights

CLIENT: Mr Joseph Zhu

DRAWING TITLE
West Elevation (Side)

DESIGNER	EH/MA
SCALE	1 : 100 @ A3
STATUS	Development Application
PROJECT NO.	2413

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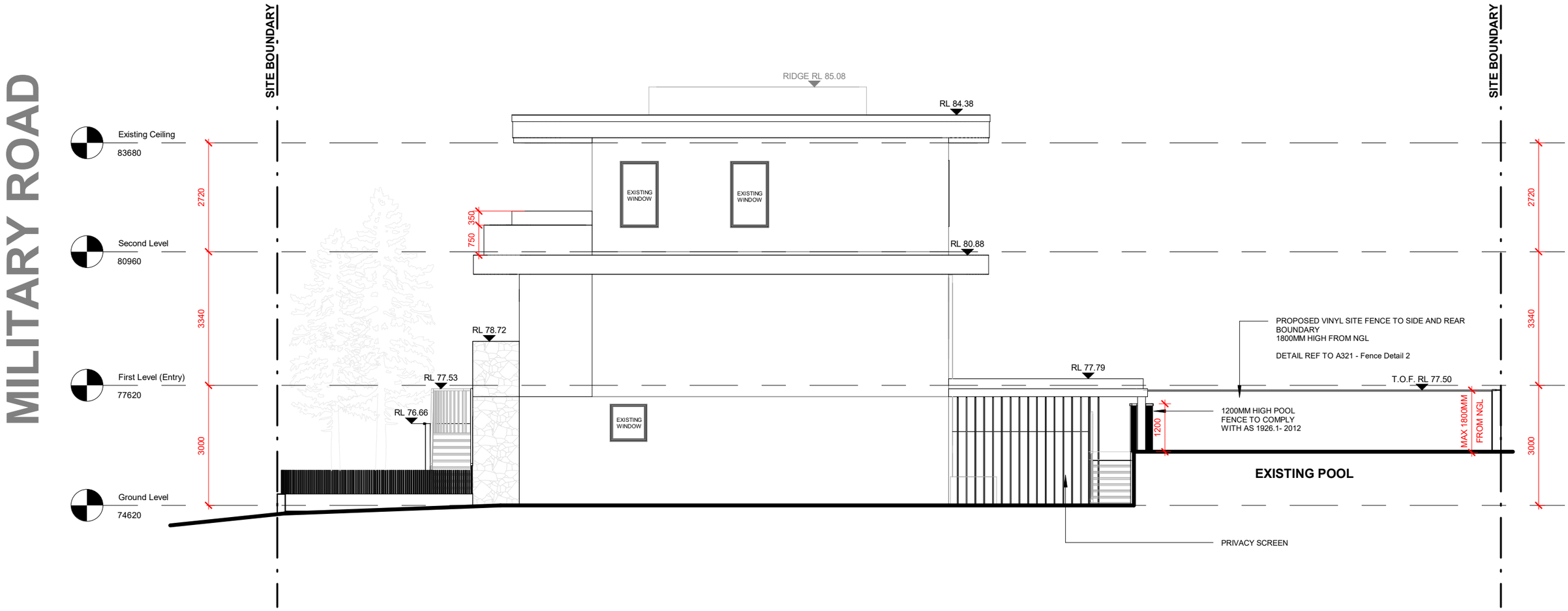
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Application No: DA-280/2025

Date Received: 07/10/2025

AMENDED PLANS



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Design Practitioner - Architectural - DEP0004308

PROJECT TITLE
59 Military Road, Dover Heights
CLIENT: Mr Joseph Zhu

DRAWING TITLE
East Elevation (Side)

DESIGNER	EH/MA
SCALE	1 : 100 @ A3
STATUS	Development Application
PROJECT NO.	2413

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DRAWING NO. 2413-A203

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Application No: DA-280/2025

Date Received: 07/10/2025

AMENDED PLANS

MILITARY ROAD

SITE BOUNDARY

SITE BOUNDARY

RL 86.37

EXISTING ROOF RIDGE

DEMOLISH EXISTING PITCH ROOF

8.5M MAXIMUM PERMISSIBLE HEIGHT

7.5M MAXIMUM WALL HEIGHT

Existing Ceiling
83680

Second Level
80960

First Level (Entry)
77620

Ground Level
74620

2720

3340

3000

2720

3340

3000

9771

HEIGHT OF WALL

9243

HEIGHT OF WALL

EXISTING EXTERNAL WALLS TO BE RENDERED

T.O.F. RL 77.50

MAX 1800MM FROM NGL

NGL

EXISTING POOL

1. Render
Rockcote Finecote

or similar

2. Stone Cladding

Eco Outdoor
Freeform Bodega

or similar

3. Timber-look Panelling
Knotwood - WhiteAsh

or similar

4. Aluminium Screen + Aluminium Frame

Dulux Monument

5. Clear Glass

LEGEND

EXISTING STRUCTURE

PROPOSED STRUCTURES (DEFAULT)

PROPOSED RENDERED FINISH

PROPOSED CONCRETE STRUCTURES

PROPOSED GLAZING

PROPOSED METAL STRUCTURE

PROPOSED NATURAL STONE FINISH

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Design Practitioner - Architectural - DEP0004308

PROJECT TITLE
59 Military Road, Dover Heights

CLIENT: Mr Joseph Zhu

DRAWING TITLE
East Elevation (Side)

DESIGNER	EH/MA
SCALE	1 : 100 @ A3
STATUS	Development Application
PROJECT NO.	2413

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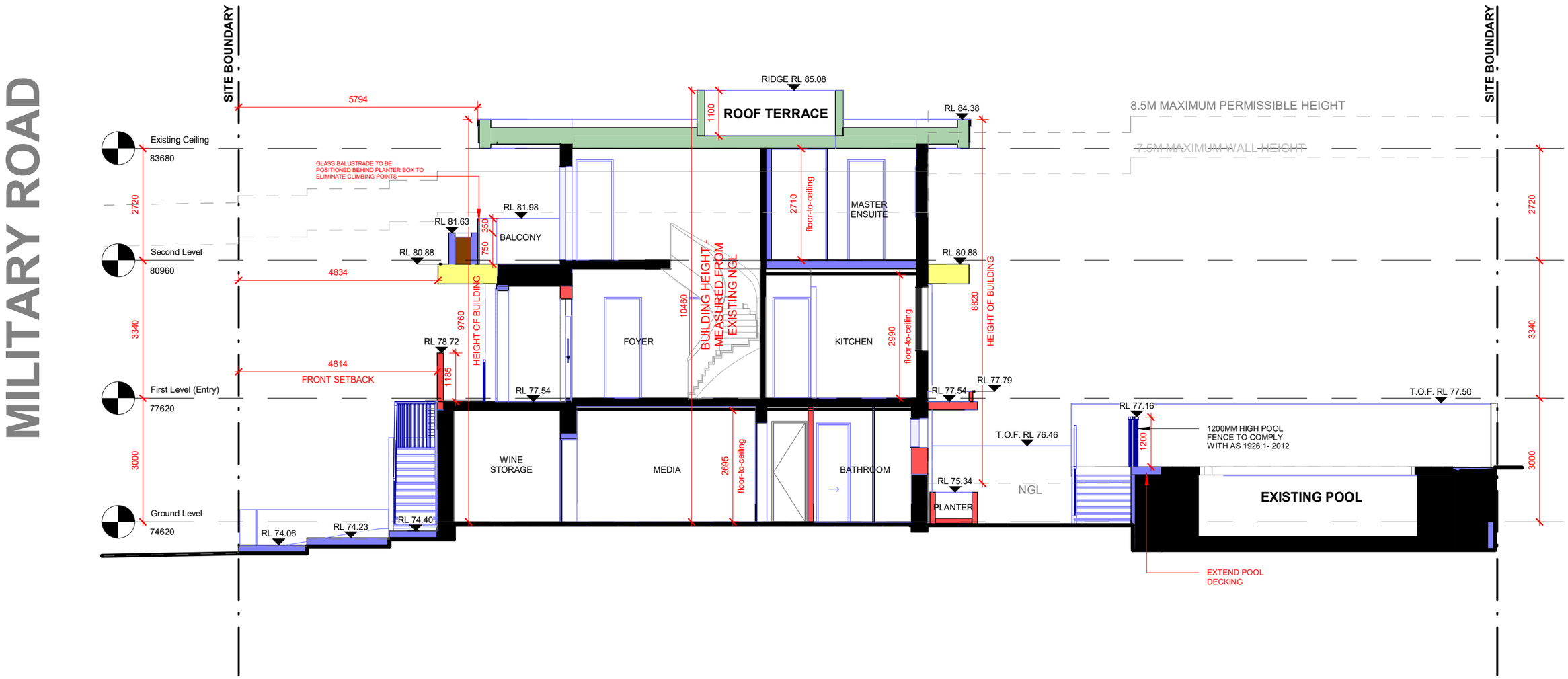
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Application No: DA-280/2025

Date Received: 07/10/2025

AMENDED PLANS



LEGEND

EXISTING STRUCTURE | PROPOSED STRUCTURES (DEFAULT) | PROPOSED BRICK STRUCTURES | PROPOSED CONCRETE STRUCTURES | PROPOSED GLAZING | PROPOSED METAL STRUCTURE | PROPOSED TIMBER STRUCTURE

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Design Practitioner - Architectural - DEP0004308

PROJECT TITLE
59 Military Road, Dover Heights
CLIENT: Mr Joseph Zhu

DRAWING TITLE
Longitudinal Section

DESIGNER	EH/MA
SCALE	1 : 100 @ A3
STATUS	Development Application
PROJECT NO.	2413

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Application No: DA-280/2025

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AMENDED PLANS



LEGEND

EXISTING STRUCTURE | PROPOSED STRUCTURES (DEFAULT) | PROPOSED BRICK STRUCTURES | PROPOSED CONCRETE STRUCTURES | PROPOSED GLAZING | PROPOSED METAL STRUCTURE | PROPOSED TIMBER STRUCTURE

rev.	date	description
D	25.09.2025	DA SUBMISSION

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Design Practitioner - Architectural - DEP0004308

PROJECT TITLE
59 Military Road, Dover Heights
CLIENT: Mr Joseph Zhu

DRAWING TITLE
Cross Section

DESIGNER	EH/MA
SCALE	1 : 100 @ A3
STATUS	Development Application
PROJECT NO.	2413

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2413-A211	D

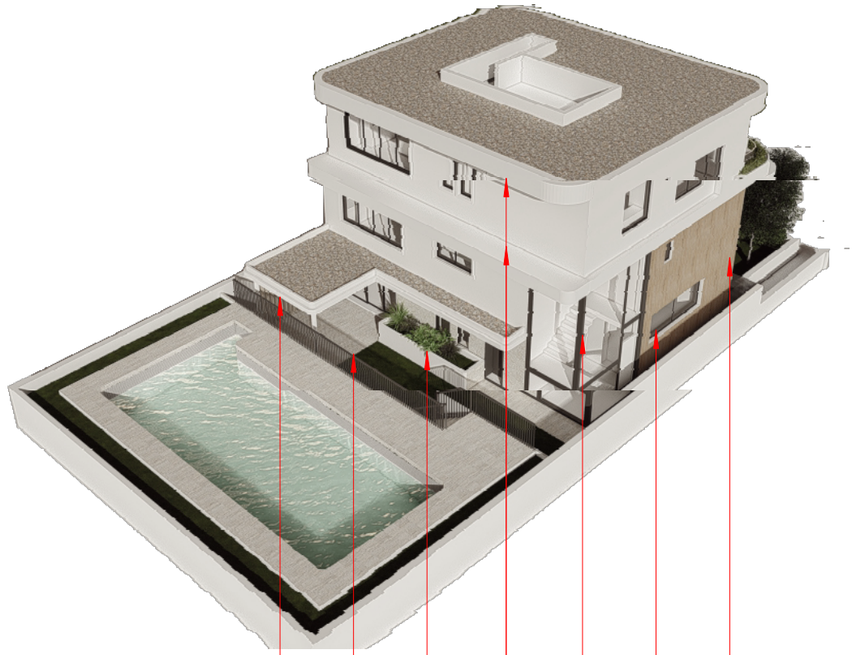
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Application No: DA-280/2025

Date Received: 07/10/2025

AMENDED PLANS







1. Render
Rockcote Finecote

or similar



2. Stone Cladding

Eco Outdoor
Freeform Bodega

or similar



3. Timber-look
Panelling
Knotwood -
WhiteAsh

or similar



4. Aluminium
Screen +
Aluminium
Frame

Dulux Monument



5. Clear Glass

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D	25.09.2025	DA SUBMISSION

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PROJECT TITLE
59 Military Road, Dover Heights

CLIENT: Mr Joseph Zhu

DRAWING TITLE
Schedule of Materials and Finishes

DESIGNER	EH/MA
SCALE	1 : 100 @ A3
STATUS	Development Application
PROJECT NO.	2413

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AMENDED PLANS

Window Schedule

Level	Mark	Width	Height	Head Height	Description	Count
Ground Level	w1	660	710	2510	Operable Window	1
Ground Level	w2	750	1770	2510	Operable Window	1
Ground Level	w3	3140	2510	2510	3-Panel Sliding Door	1
First Level (Entry)	w4	650	600	2400	Operable Window	1
First Level (Entry)	w5	1800	2100	2015	Wrought Iron Door	1
First Level (Entry)	w6	2700	1300	2400	Operable Window	1
First Level (Entry)	w7	3580	2035	2690	Operable Window	1
First Level (Entry)	w8	4500	2400	2400	4-Panel Sliding Door	1
Second Level	w9	660	1230	2280	Operable Window	1
Second Level	w10	660	1230	2280	Operable Window	1
Second Level	w11	1705	1675	2280	Operable Window	1
Second Level	w12	1785	2280	2280	2-Panel Sliding Door	1
Second Level	w13	2485	2280	2280	3-Panel Sliding Door	1
Second Level	w14	2730	2280	2280	3-Panel Sliding Door	1
Second Level	w15	3590	1650	2280	Operable Window	1

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PROJECT TITLE
59 Military Road, Dover Heights
CLIENT: Mr Joseph Zhu

DRAWING TITLE
Window Schedule

DESIGNER	EH/MA
SCALE	@ A3
STATUS	Development Application
PROJECT NO.	2413

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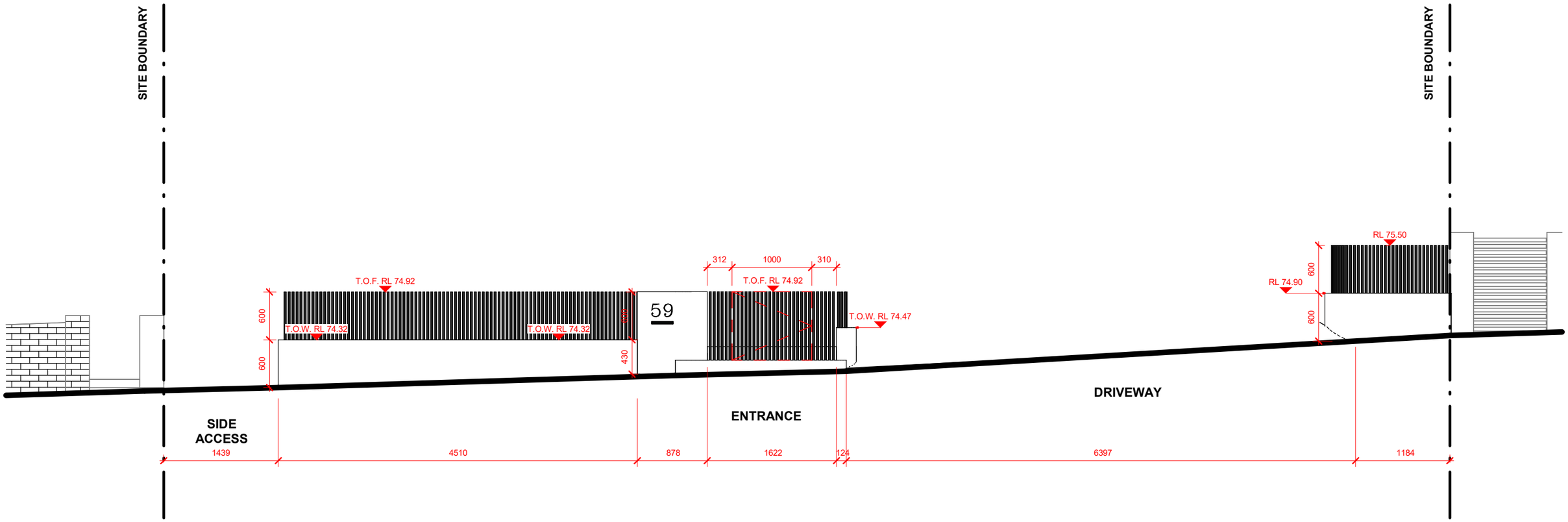
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Application No: DA-280/2025

Date Received: 07/10/2025

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MILITARY ROAD

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PROJECT TITLE
59 Military Road, Dover Heights
CLIENT: Mr Joseph Zhu

DRAWING TITLE
Fence Detail

DESIGNER	EH/MA
SCALE	1 : 50 @ A3
STATUS	Development Application
PROJECT NO.	2413

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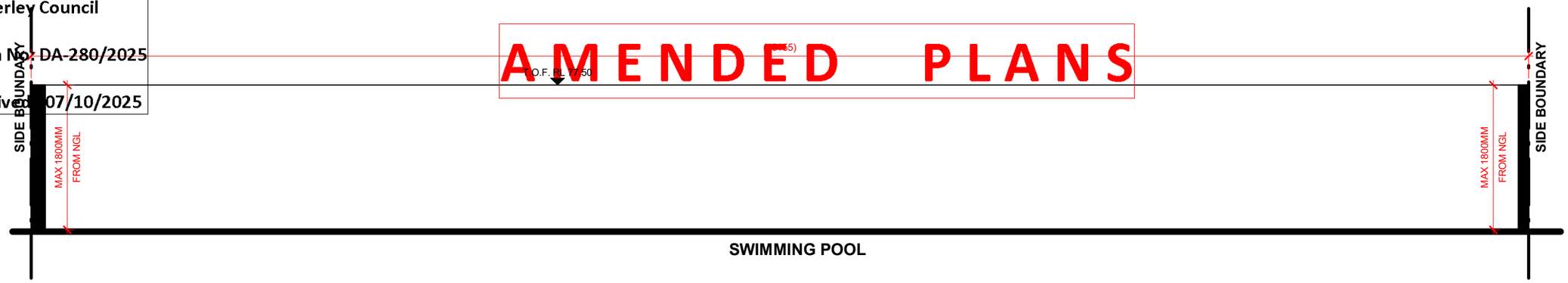
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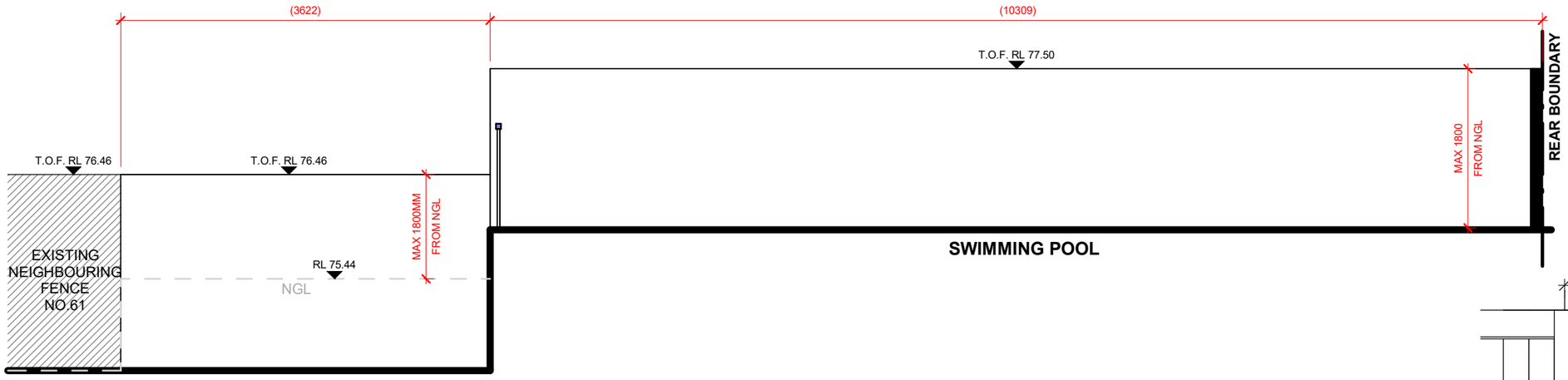
DRAWING NO.	REVISION
2413-A320	D

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Application No: DA-280/2025
Date Received: 07/10/2025

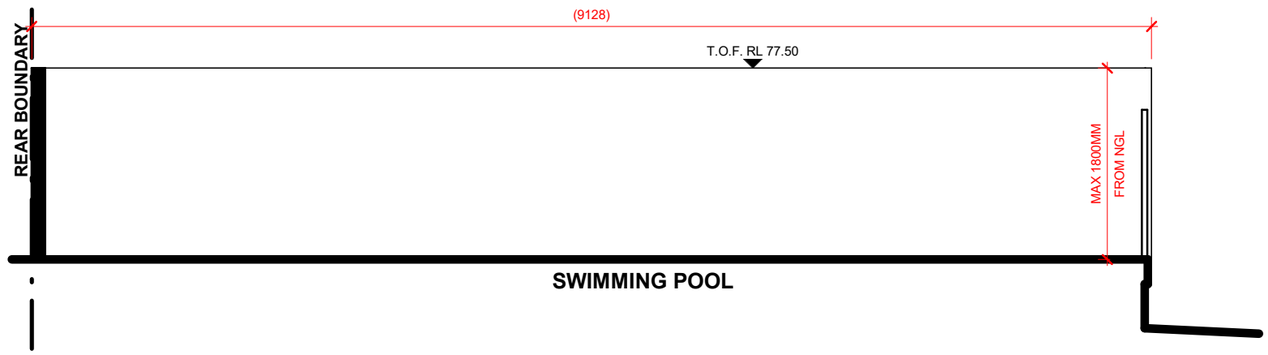
AMENDED PLANS



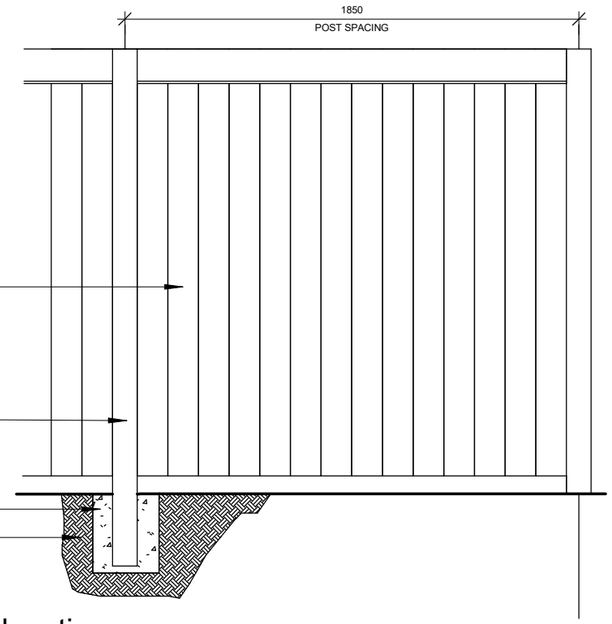
1 / A010 Fence Elevation - North (Rear) - view from inside property
Elevation 1 : 50



2 / A010 Fence Elevation - West (Side) - view from inside property
Elevation 1 : 50



3 / A010 Fence Elevation - East (Side) - view from inside property
Elevation 1 : 50



Fence Detail Elevation
Elevation 1 : 25

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PROJECT TITLE
59 Military Road, Dover Heights
CLIENT: Mr Joseph Zhu

DRAWING TITLE
Fence Detail 2

DESIGNER	EH/MA
SCALE	As indicated @ A3
STATUS	Development Application
PROJECT NO.	2413

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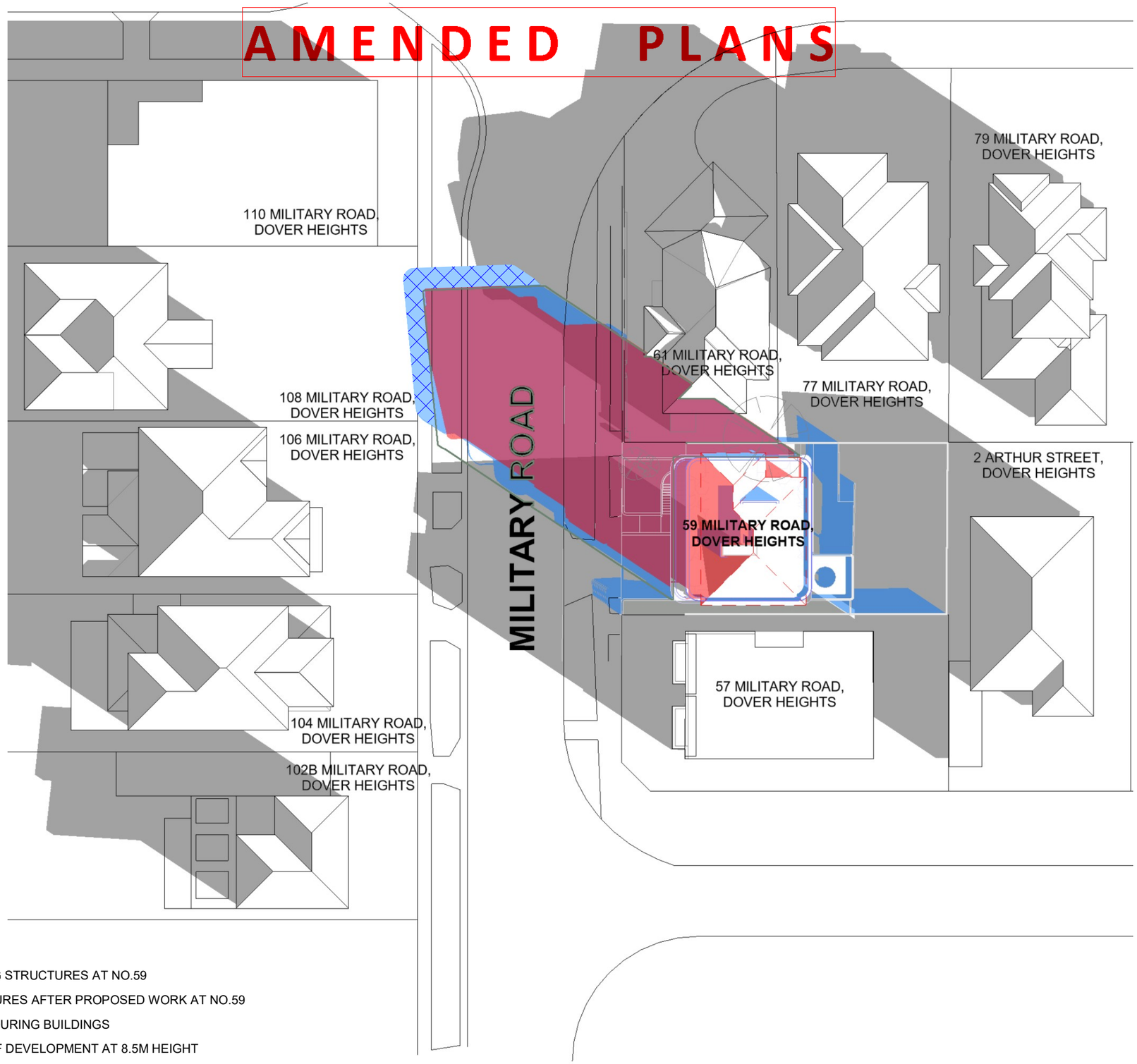
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Application No: DA-280/2025

Date Received: 07/10/2025

AMENDED PLANS



LEGEND

- SHADOWS OF EXISTING STRUCTURES AT NO.59
- SHADOWS OF STRUCTURES AFTER PROPOSED WORK AT NO.59
- SHADOWS OF NEIGHBOURING BUILDINGS
- SHADOW ENVELOPE OF DEVELOPMENT AT 8.5M HEIGHT
- SHADOWS CAST BY PARTS OF THE DEVELOPMENT WHICH EXCEED THE HEIGHT OF BUILDINGS DEVELOPMENT STANDARD

Shadow Diagram - Winter Solstice - 9AM

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D	25.09.2025	DA SUBMISSION

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Design Practitioner - Architectural - DEP0004308

PROJECT TITLE
59 Military Road, Dover Heights
CLIENT: Mr Joseph Zhu

DRAWING TITLE
Shadow Diagram

N 533

DESIGNER	EH/MA
SCALE	
STATUS	Development Application
PROJECT NO.	2413

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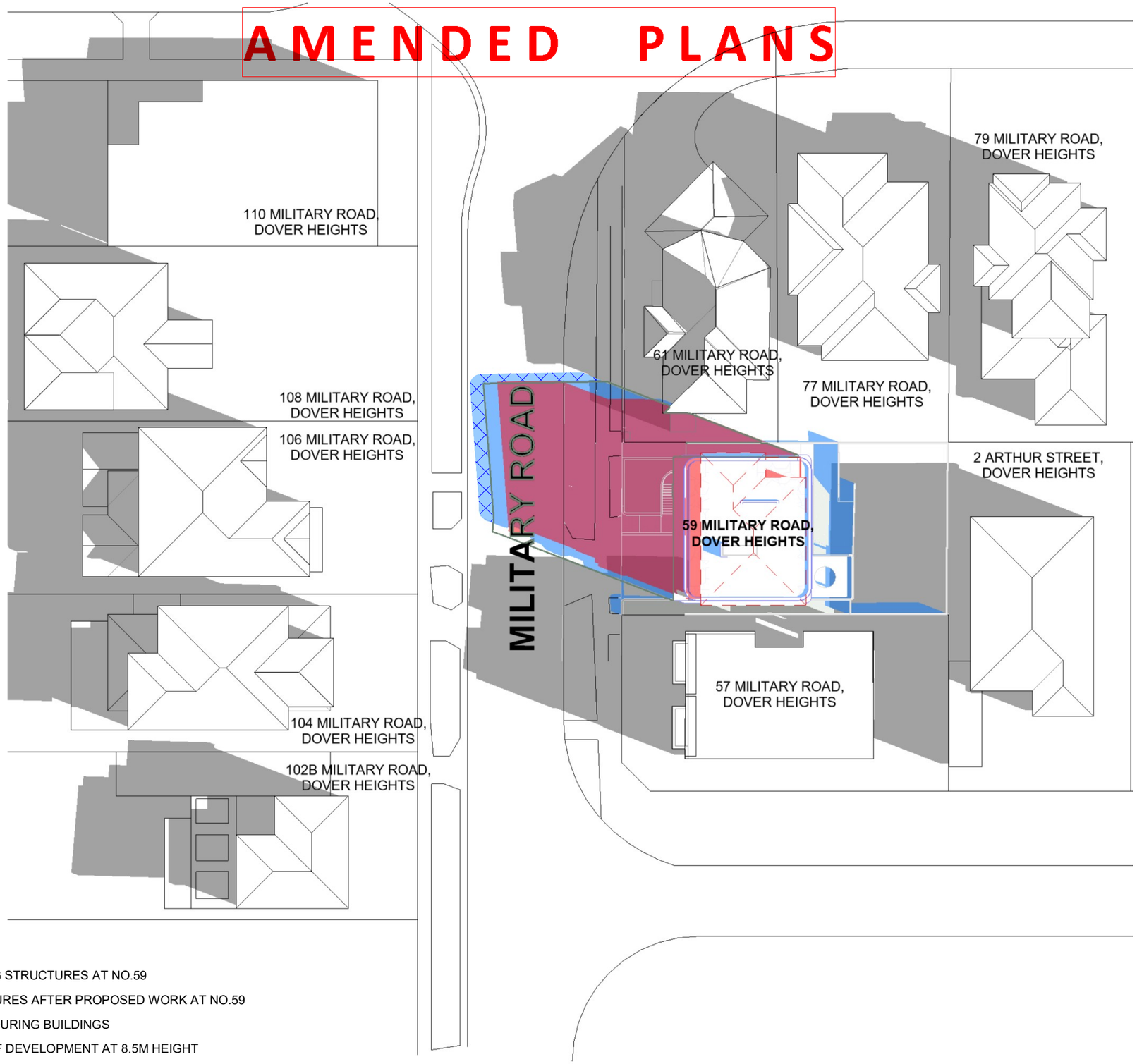
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2413-A400	D

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Waverley Council

Application No: DA-280/2025

Date Received: 07/10/2025

AMENDED PLANS



LEGEND

- SHADOWS OF EXISTING STRUCTURES AT NO.59
- SHADOWS OF STRUCTURES AFTER PROPOSED WORK AT NO.59
- SHADOWS OF NEIGHBOURING BUILDINGS
- SHADOW ENVELOPE OF DEVELOPMENT AT 8.5M HEIGHT
- SHADOWS CAST BY PARTS OF THE DEVELOPMENT WHICH EXCEED THE HEIGHT OF BUILDINGS DEVELOPMENT STANDARD

Shadow Diagram - Winter Solstice - 10AM

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PROJECT TITLE
59 Military Road, Dover Heights
CLIENT: Mr Joseph Zhu

DRAWING TITLE
Shadow Diagram

534

DESIGNER	EH/MA
SCALE	As indicated @ A3
STATUS	Development Application
PROJECT NO.	2413

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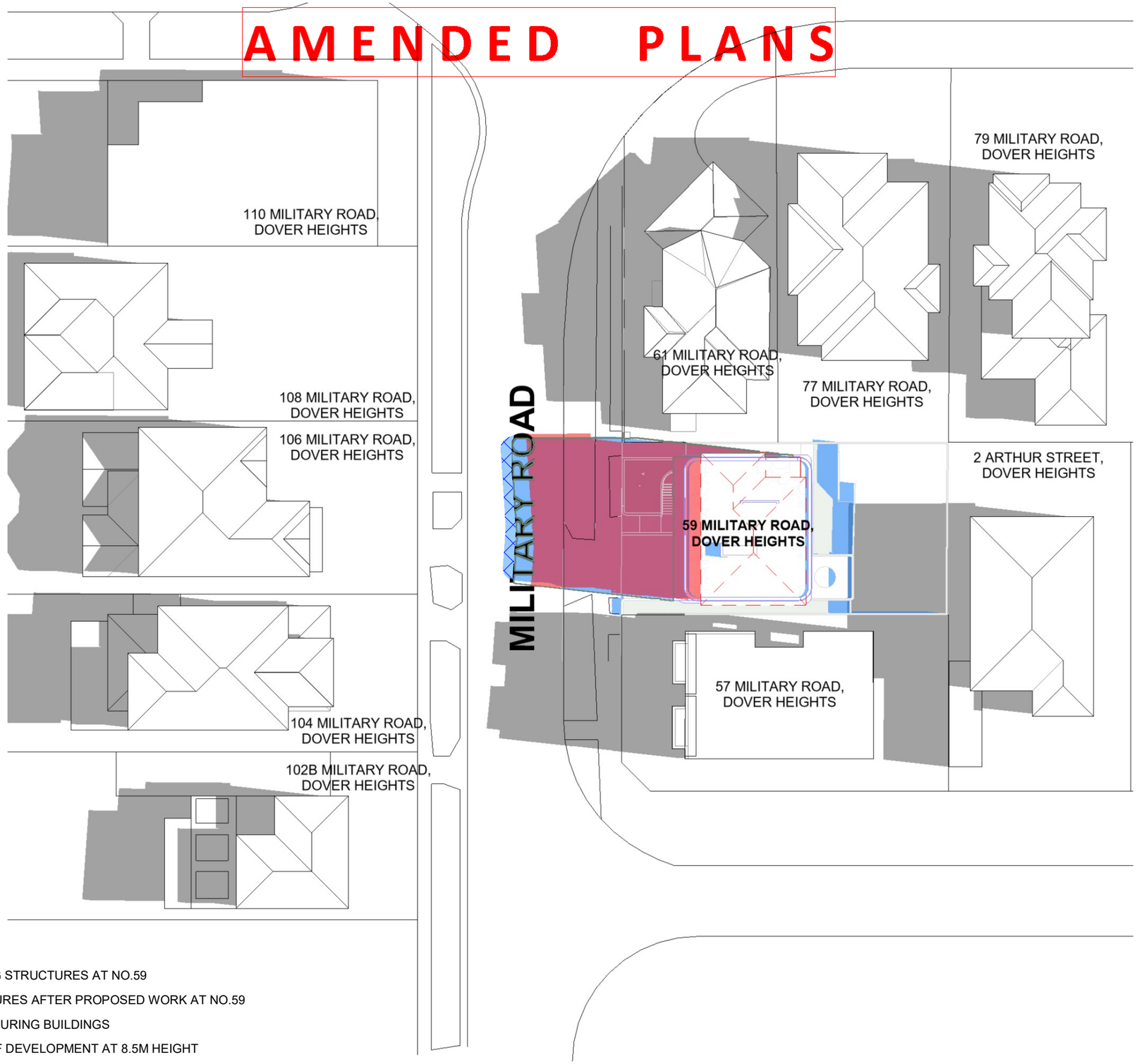
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2413-A401	D

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Application No: DA-280/2025

Date Received: 07/10/2025

AMENDED PLANS



LEGEND

- SHADOWS OF EXISTING STRUCTURES AT NO.59
- SHADOWS OF STRUCTURES AFTER PROPOSED WORK AT NO.59
- SHADOWS OF NEIGHBOURING BUILDINGS
- SHADOW ENVELOPE OF DEVELOPMENT AT 8.5M HEIGHT
- SHADOWS CAST BY PARTS OF THE DEVELOPMENT WHICH EXCEED THE HEIGHT OF BUILDINGS DEVELOPMENT STANDARD

Shadow Diagram - Winter Solstice - 11AM

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PROJECT TITLE
59 Military Road, Dover Heights
CLIENT: Mr Joseph Zhu

DRAWING TITLE
Shadow Diagram

N 535

DESIGNER	EH/MA
SCALE	As indicated @ A3
STATUS	Development Application
PROJECT NO.	2413

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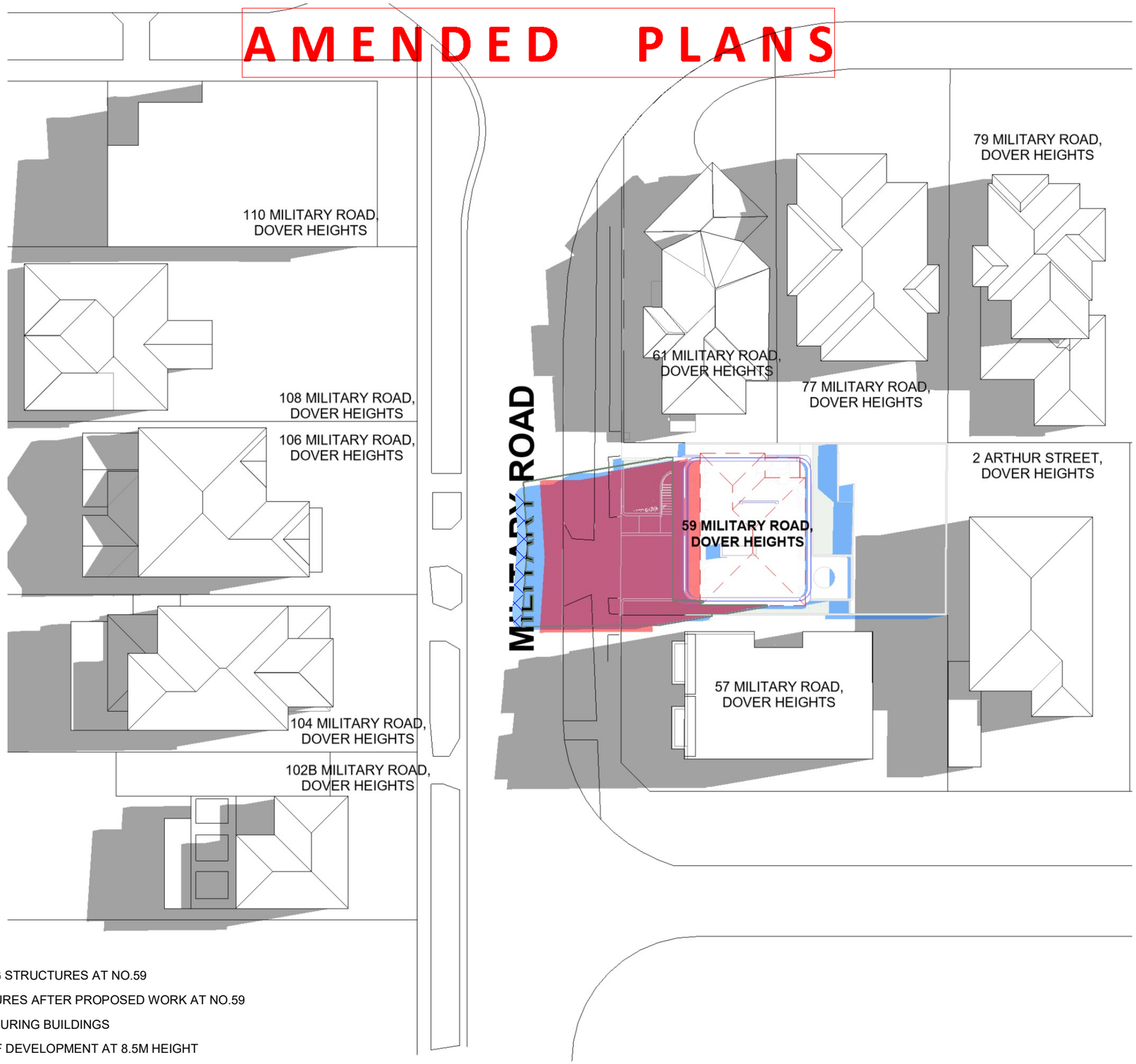
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2413-A402	D

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Application No: DA-280/2025

Date Received: 07/10/2025

AMENDED PLANS



LEGEND

- SHADOWS OF EXISTING STRUCTURES AT NO.59
- SHADOWS OF STRUCTURES AFTER PROPOSED WORK AT NO.59
- SHADOWS OF NEIGHBOURING BUILDINGS
- SHADOW ENVELOPE OF DEVELOPMENT AT 8.5M HEIGHT
- SHADOWS CAST BY PARTS OF THE DEVELOPMENT WHICH EXCEED THE HEIGHT OF BUILDINGS DEVELOPMENT STANDARD

Shadow Diagram - Winter Solstice - 12PM

rev.	date	description
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PROJECT TITLE
59 Military Road, Dover Heights
CLIENT: Mr Joseph Zhu

DRAWING TITLE
Shadow Diagram

N
536

DESIGNER	EH/MA
SCALE	As indicated @ A3
STATUS	Development Application
PROJECT NO.	2413

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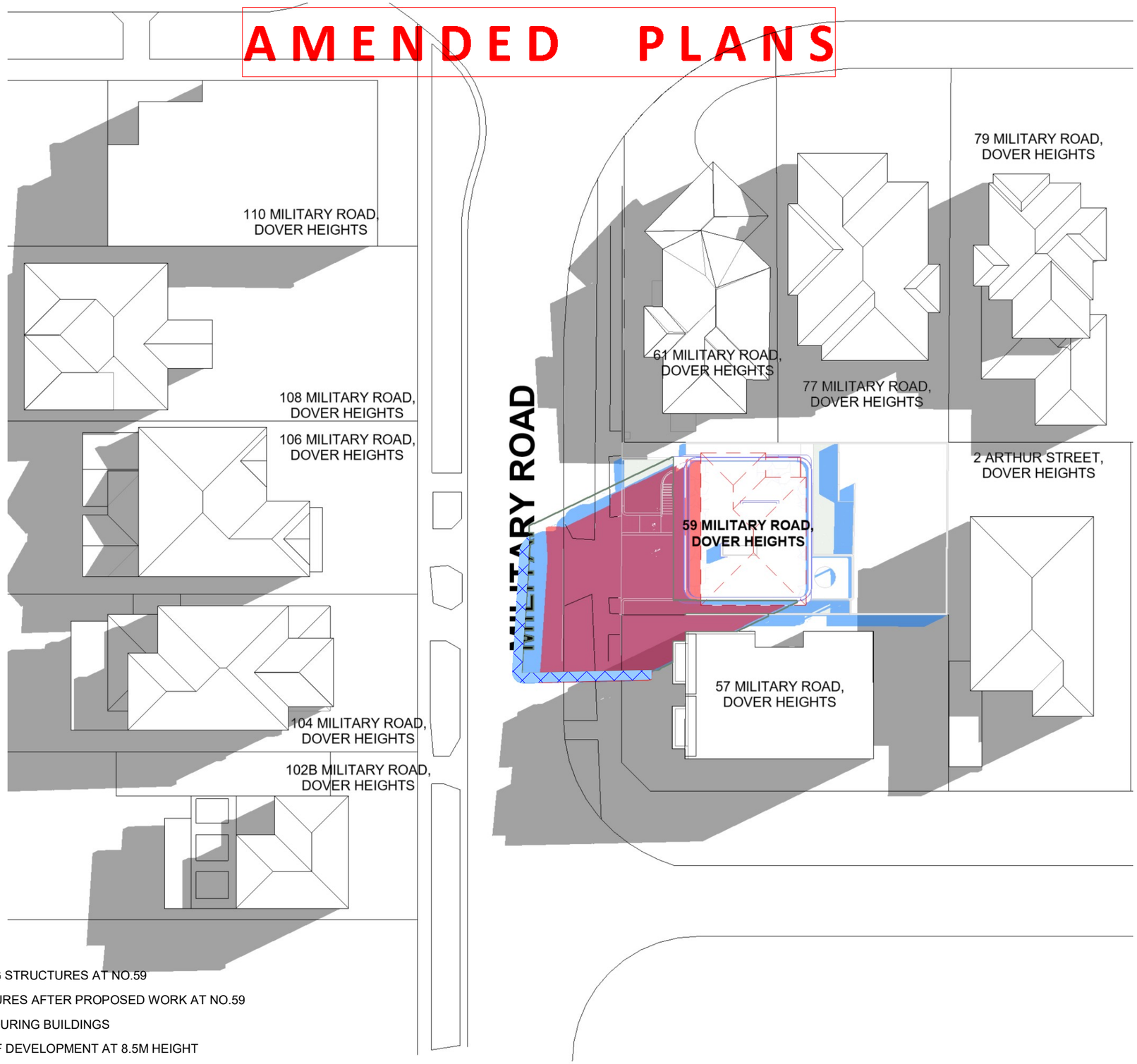
DRAWING NO.	REVISION
2413-A403	D

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Application No: DA-280/2025

Date Received: 07/10/2025

AMENDED PLANS



LEGEND

- SHADOWS OF EXISTING STRUCTURES AT NO.59
- SHADOWS OF STRUCTURES AFTER PROPOSED WORK AT NO.59
- SHADOWS OF NEIGHBOURING BUILDINGS
- SHADOW ENVELOPE OF DEVELOPMENT AT 8.5M HEIGHT
- SHADOWS CAST BY PARTS OF THE DEVELOPMENT WHICH EXCEED THE HEIGHT OF BUILDINGS DEVELOPMENT STANDARD

Shadow Diagram - Winter Solstice - 1PM

rev.	date	description
D	25.09.2025	DA SUBMISSION

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Nom. Architect: King H, Edward Hung
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Design Practitioner - Architectural - DEP0004308

PROJECT TITLE
59 Military Road, Dover Heights
CLIENT: Mr Joseph Zhu

DRAWING TITLE
Shadow Diagram

537

DESIGNER	EH/MA
SCALE	As indicated @ A3
STATUS	Development Application
PROJECT NO.	2413

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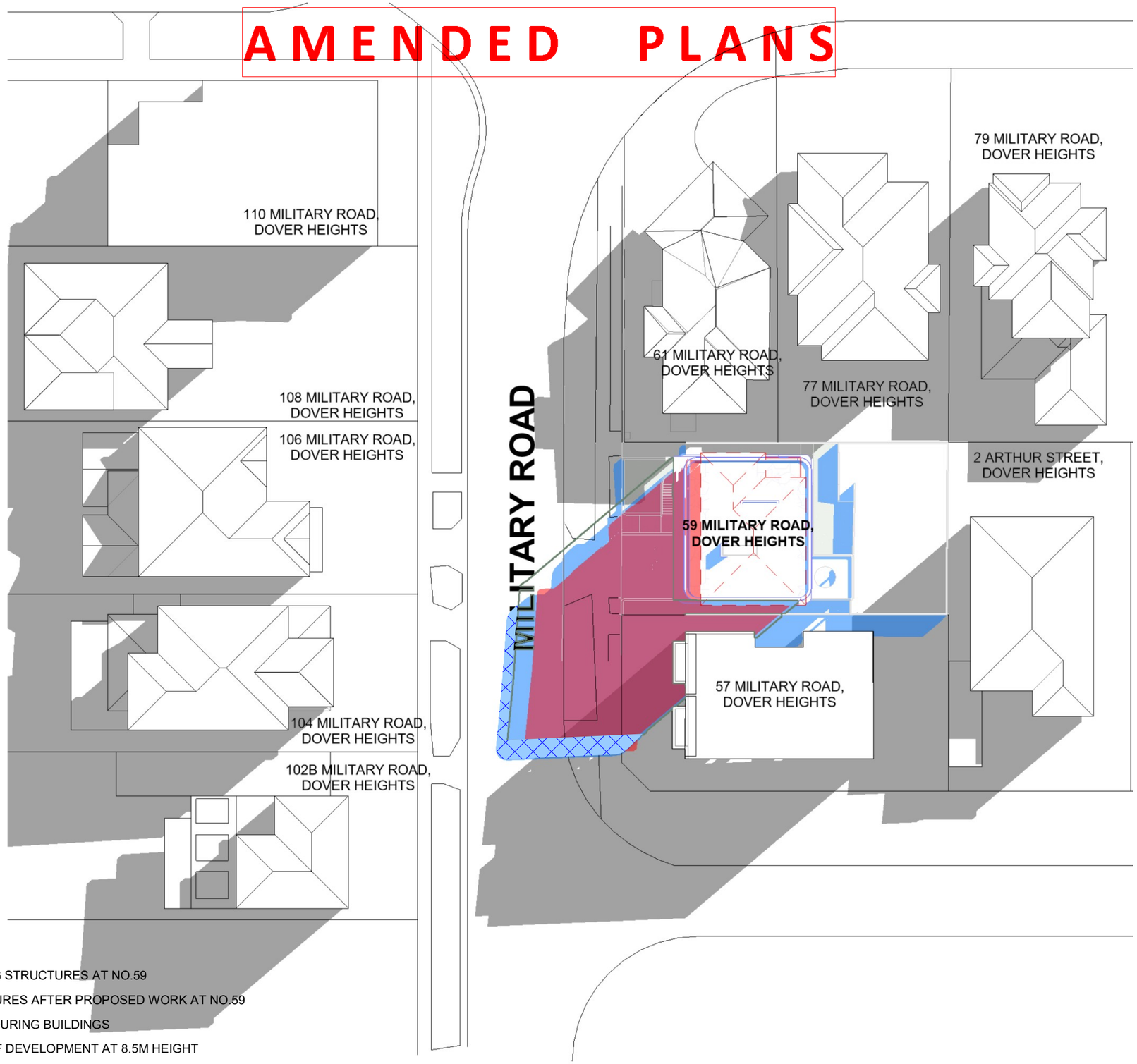
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2413-A404	D

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Application No: DA-280/2025

Date Received: 07/10/2025

AMENDED PLANS



LEGEND

- SHADOWS OF EXISTING STRUCTURES AT NO.59
- SHADOWS OF STRUCTURES AFTER PROPOSED WORK AT NO.59
- SHADOWS OF NEIGHBOURING BUILDINGS
- SHADOW ENVELOPE OF DEVELOPMENT AT 8.5M HEIGHT
- SHADOWS CAST BY PARTS OF THE DEVELOPMENT WHICH EXCEED THE HEIGHT OF BUILDINGS DEVELOPMENT STANDARD

Shadow Diagram - Winter Solstice - 2PM

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PROJECT TITLE
59 Military Road, Dover Heights
CLIENT: Mr Joseph Zhu

DRAWING TITLE
Shadow Diagram

N 538

DESIGNER	EH/MA
SCALE	As indicated @ A3
STATUS	Development Application
PROJECT NO.	2413

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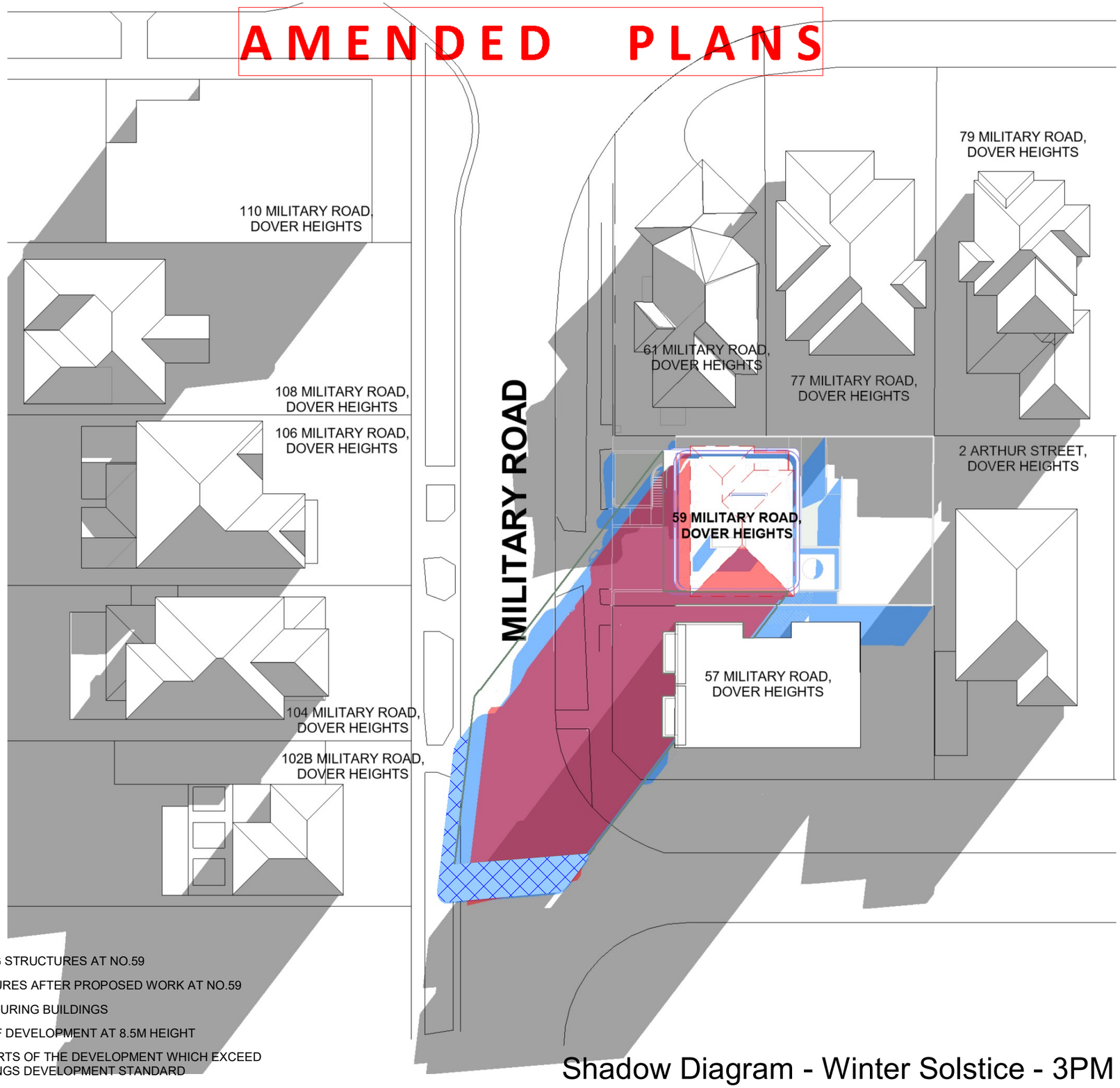
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Application No: DA-280/2025

Date Received: 07/10/2025

AMENDED PLANS



LEGEND

- SHADOWS OF EXISTING STRUCTURES AT NO.59
- SHADOWS OF STRUCTURES AFTER PROPOSED WORK AT NO.59
- SHADOWS OF NEIGHBOURING BUILDINGS
- SHADOW ENVELOPE OF DEVELOPMENT AT 8.5M HEIGHT
- SHADOWS CAST BY PARTS OF THE DEVELOPMENT WHICH EXCEED THE HEIGHT OF BUILDINGS DEVELOPMENT STANDARD

Shadow Diagram - Winter Solstice - 3PM

rev.	date	description
D	25.09.2025	DA SUBMISSION

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Nom. Architect: King H, Edward Hung
NSWARB 11736 | ARBV 800404
Design Practitioner - Architectural - DEP0004308

PROJECT TITLE
59 Military Road, Dover Heights

CLIENT: Mr Joseph Zhu

DRAWING TITLE
Shadow Diagram

N 539

DESIGNER	EH/MA
SCALE	As indicated @ A3
STATUS	Development Application
PROJECT NO.	2413

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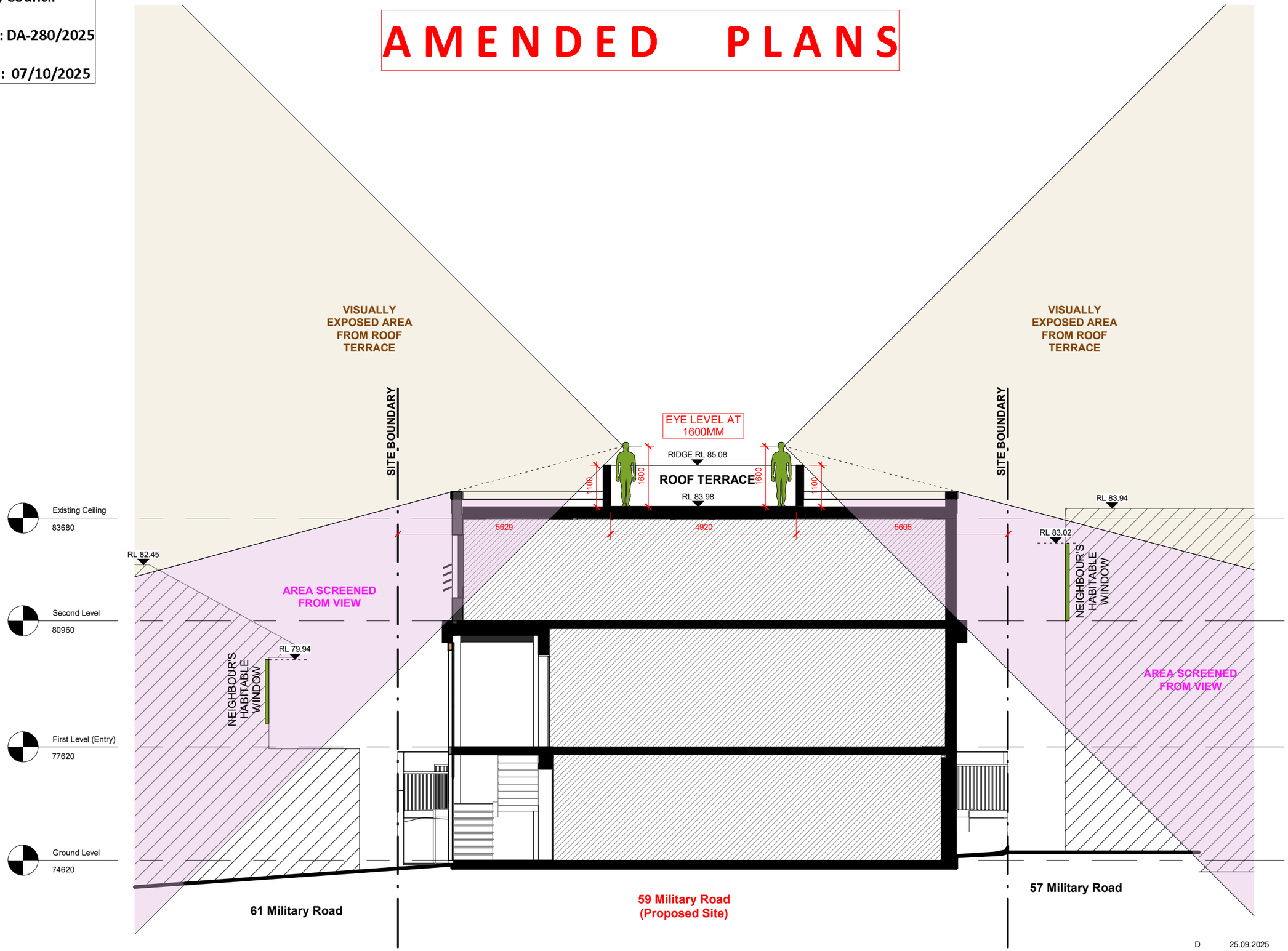
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2413-A406	D

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Application No: DA-280/2025

Date Received: 07/10/2025

AMENDED PLANS



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Design Practitioner - Architectural - DEP0004308

PROJECT TITLE
59 Military Road, Dover Heights

CLIENT: Mr Joseph Zhu

DRAWING TITLE
Overlooking Diagram

DESIGNER	EH/MA
SCALE	1 : 100 @ A3
STATUS	Development Application
PROJECT NO.	2413

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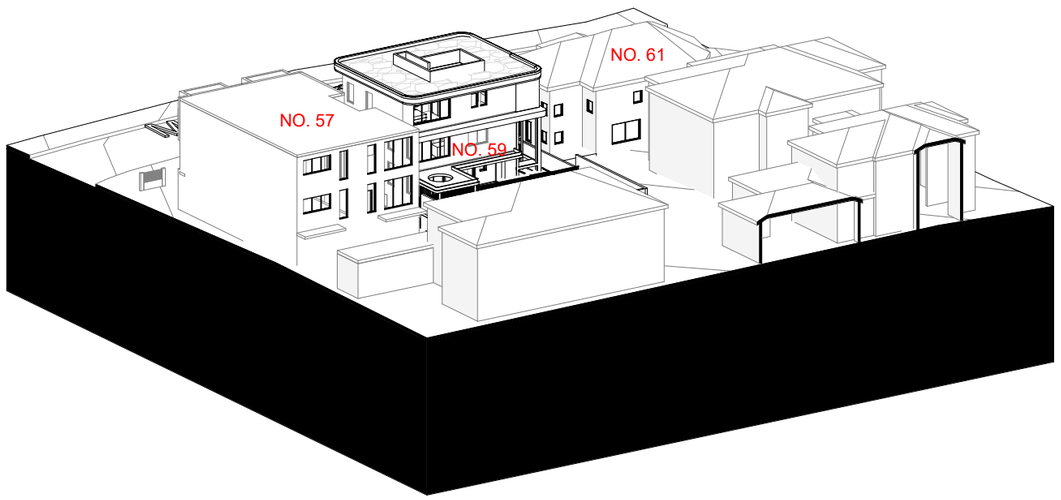
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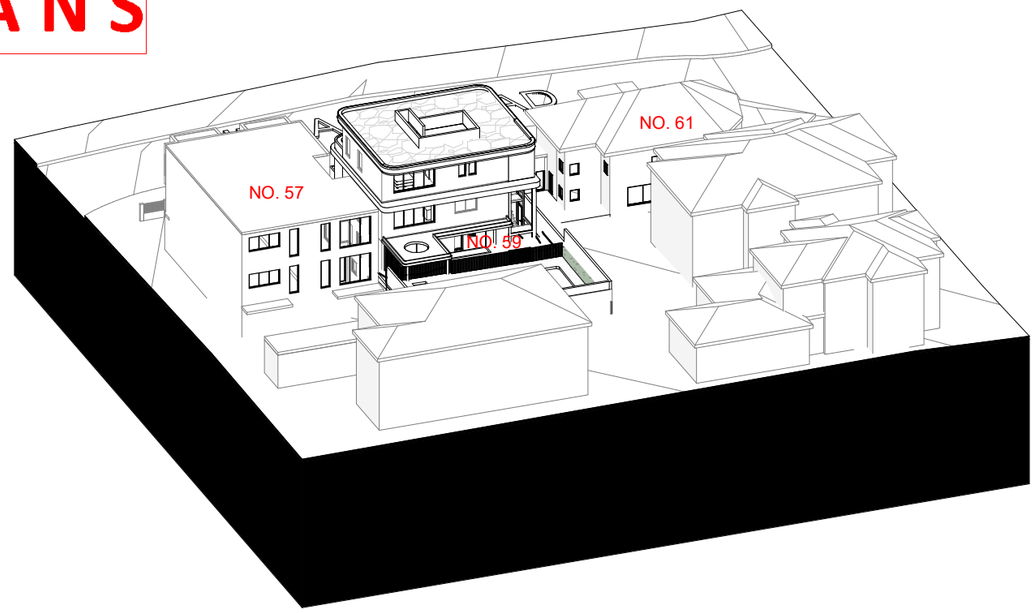
Application No: DA-280/2025

Date Received: 07/10/2025

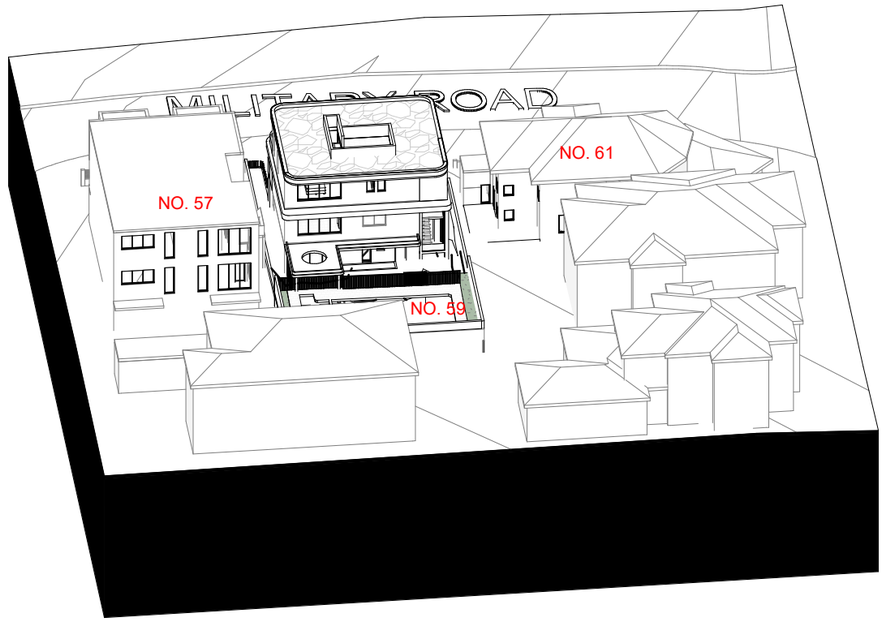
AMENDED PLANS



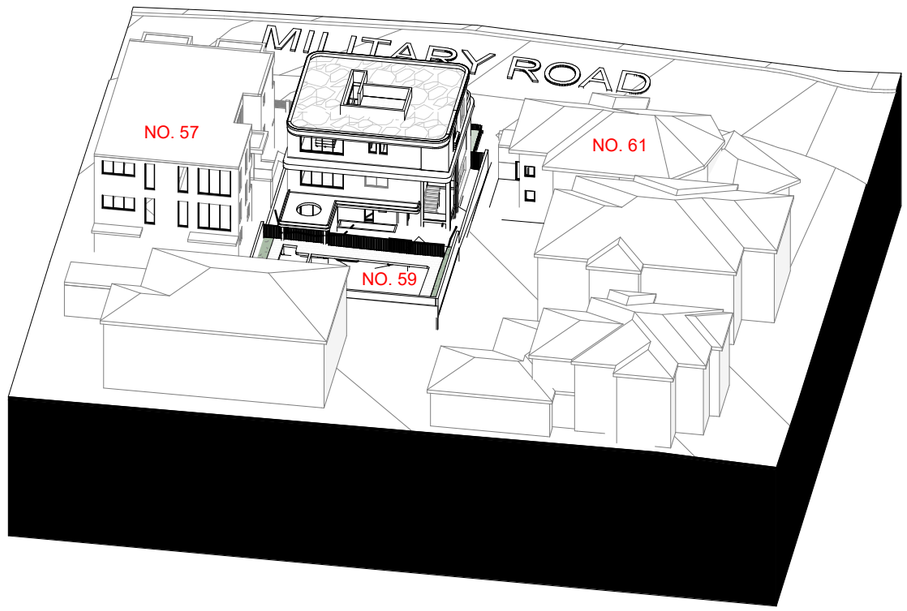
1 View From Sun Diagram - 9am
Perspective



2 View From Sun Diagram - 10am
Perspective



3 View From Sun Diagram - 11am
Perspective



4 View From Sun Diagram - 12pm
Perspective

rev.	date	description
D	25.09.2025	DA SUBMISSION

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Nom. Architect: King H. Edward Hung
NSWARB 11736 | ARBV 800404
Design Practitioner - Architectural - DEP0004308

PROJECT TITLE
59 Military Road, Dover Heights
CLIENT: Mr Joseph Zhu

DRAWING TITLE
View From Sun Diagram

DESIGNER	EH/MA
SCALE	@ A3
STATUS	Development Application
PROJECT NO.	2413

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DRAWING NO. 2413-A420

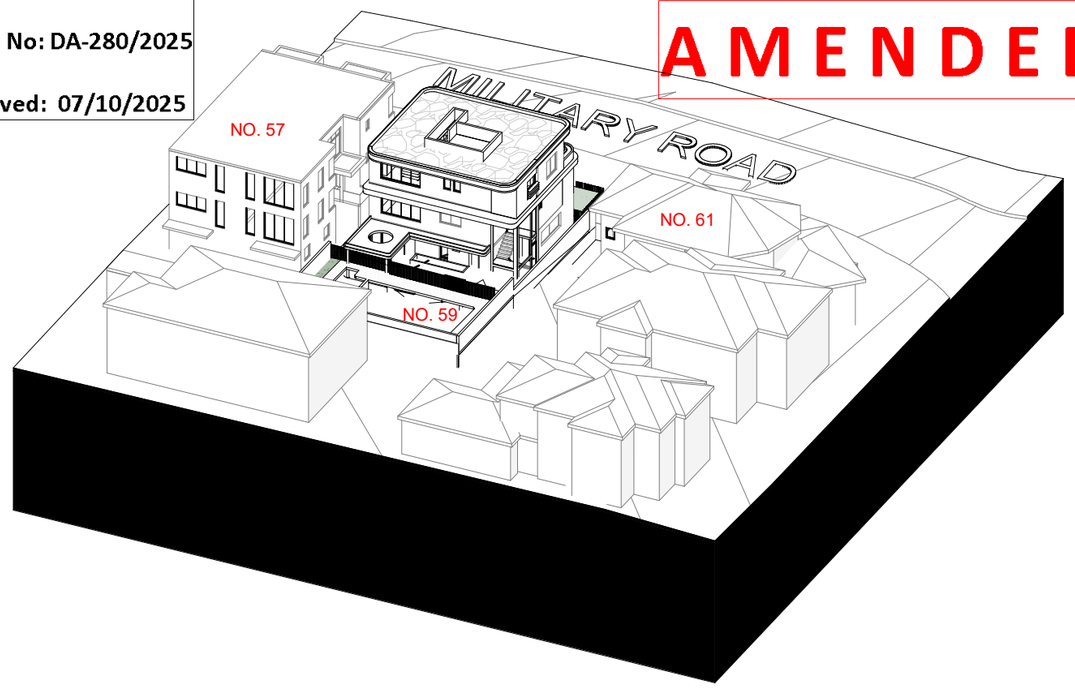
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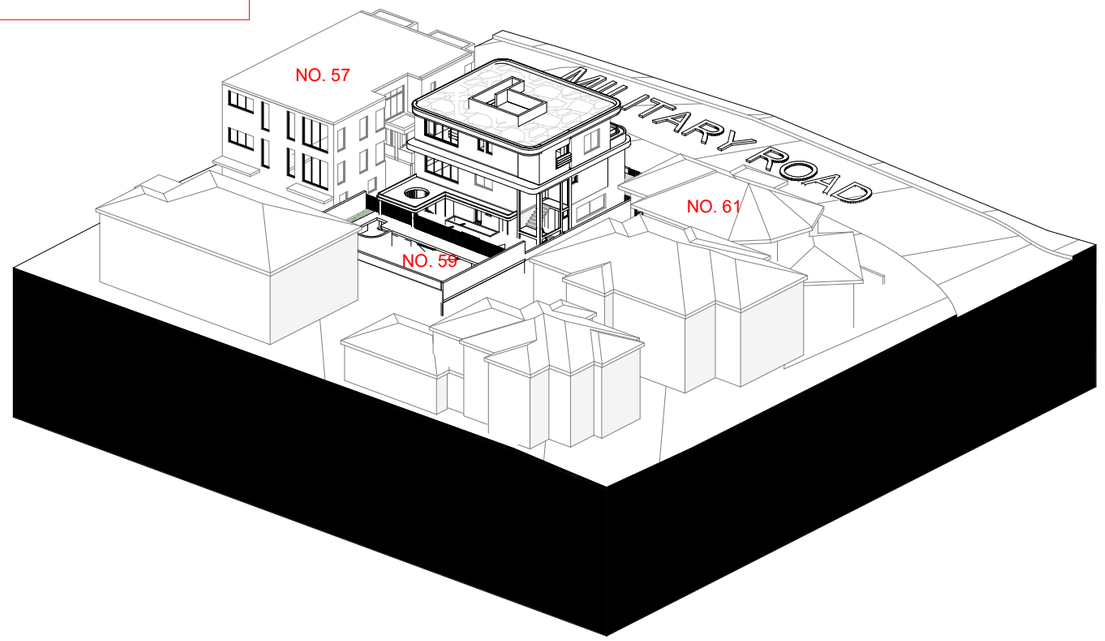
Application No: DA-280/2025

Date Received: 07/10/2025

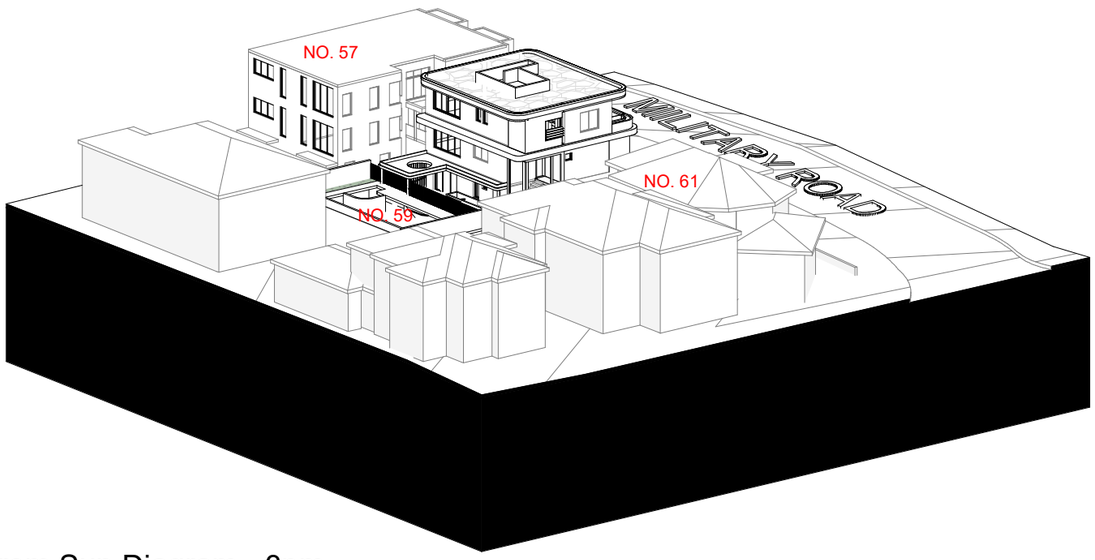
AMENDED PLANS



1 View From Sun Diagram - 1pm
Perspective



2 View From Sun Diagram - 2pm
Perspective



3 View From Sun Diagram - 3pm
Perspective

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DRAWING TITLE
View From Sun Diagram

DESIGNER	EH/MA
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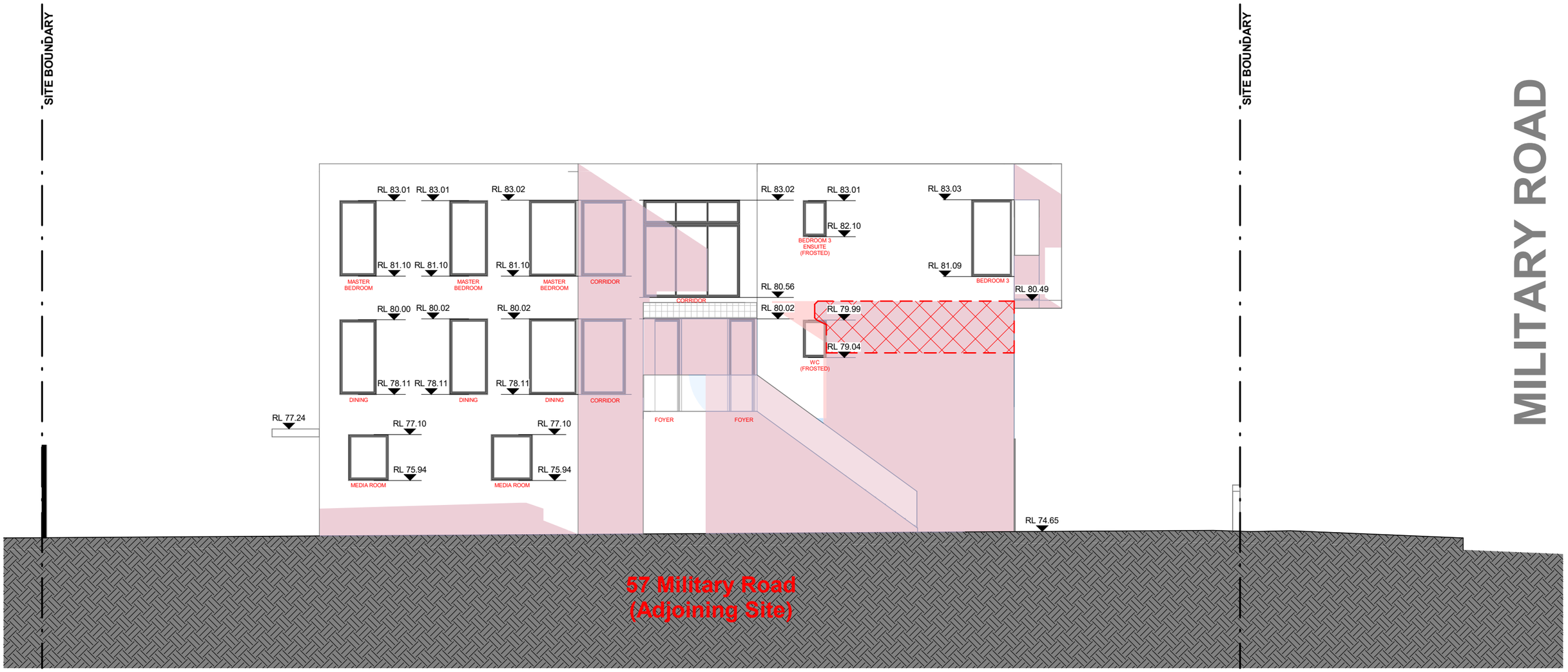
DRAWING NO.	REVISION
2413-A421	D

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Application No: DA-280/2025

Date Received: 07/10/2025

AMENDED PLANS



Elevational Solar Access Diagram (No.57) - Winter Solstice - 1PM

LEGEND

- EXISTING SHADOWS
- SHADOWS OF STRUCTURES AFTER PROPOSED WORK AT NO.59
- SHADOWS CAST BY PARTS OF THE DEVELOPMENT WHICH EXCEED THE HEIGHT OF BUILDINGS DEVELOPMENT STANDARD
- REDUCTION IN SHADOWS COMPARED TO EXISTING SHADOWS

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D	25.09.2025	DA SUBMISSION

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Design Practitioner - Architectural - DEP0004308

PROJECT TITLE
59 Military Road, Dover Heights
CLIENT: Mr Joseph Zhu

DRAWING TITLE
Elevational Solar Access Diagram (No.57) - 1pm

DESIGNER	EH/MA
SCALE	1 : 100 @ A3
STATUS	Development Application
PROJECT NO.	2413

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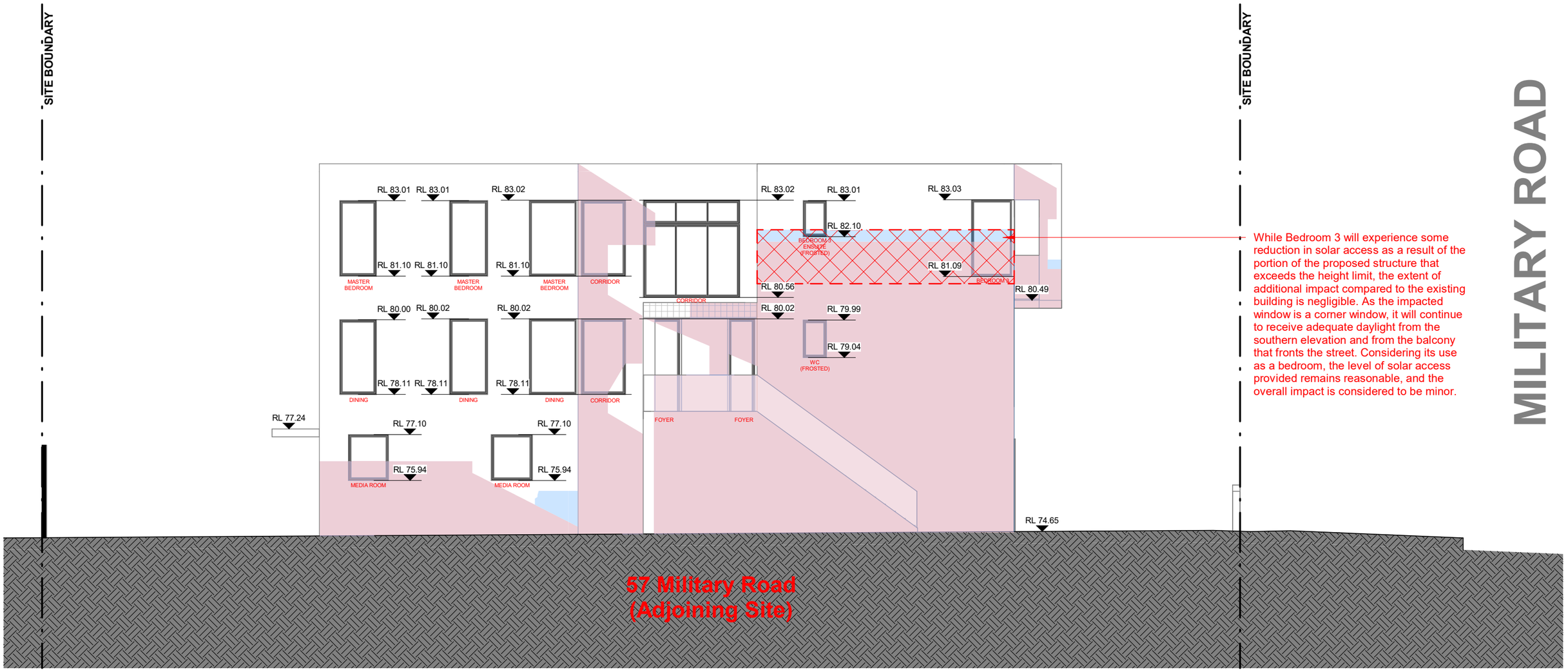
DRAWING NO.	REVISION
2413-A431	D

RECEIVED
Waverley Council

Application No: DA-280/2025

Date Received: 07/10/2025

AMENDED PLANS



While Bedroom 3 will experience some reduction in solar access as a result of the portion of the proposed structure that exceeds the height limit, the extent of additional impact compared to the existing building is negligible. As the impacted window is a corner window, it will continue to receive adequate daylight from the southern elevation and from the balcony that fronts the street. Considering its use as a bedroom, the level of solar access provided remains reasonable, and the overall impact is considered to be minor.

Elevational Solar Access Diagram (No.57) - Winter Solstice - 2PM

LEGEND

- EXISTING SHADOWS
- SHADOWS OF STRUCTURES AFTER PROPOSED WORK AT NO.59
- SHADOWS CAST BY PARTS OF THE DEVELOPMENT WHICH EXCEED THE HEIGHT OF BUILDINGS DEVELOPMENT STANDARD
- REDUCTION IN SHADOWS COMPARED TO EXISTING SHADOWS

rev.	date	description
D	25.09.2025	DA SUBMISSION

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Design Practitioner - Architectural - DEP0004308

PROJECT TITLE
59 Military Road, Dover Heights
CLIENT: Mr Joseph Zhu

DRAWING TITLE
Elevational Solar Access Diagram (No.57) - 2pm

DESIGNER	EH/MA
SCALE	1 : 100 @ A3
STATUS	Development Application
PROJECT NO.	2413

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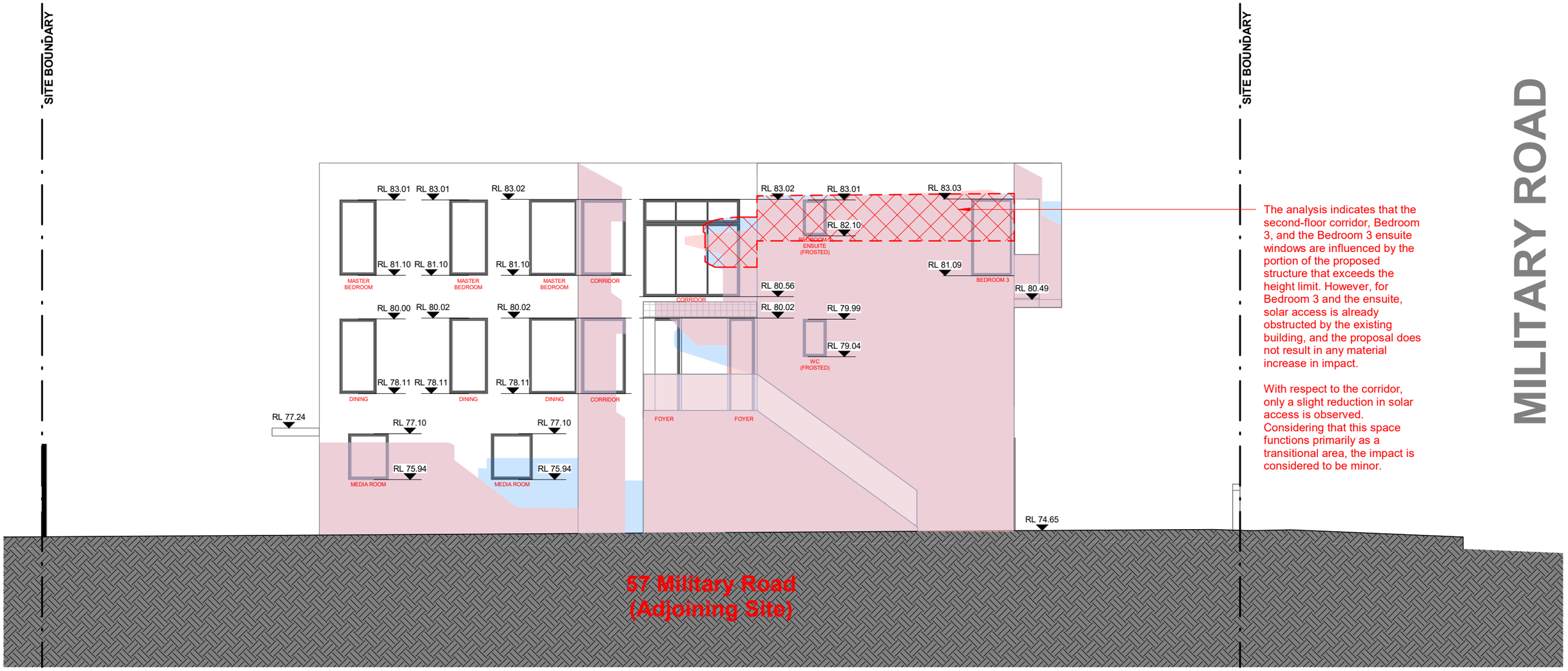
DRAWING NO.	REVISION
2413-A432	D

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Waverley Council

Application No: DA-280/2025

Date Received: 07/10/2025

AMENDED PLANS



The analysis indicates that the second-floor corridor, Bedroom 3, and the Bedroom 3 ensuite windows are influenced by the portion of the proposed structure that exceeds the height limit. However, for Bedroom 3 and the ensuite, solar access is already obstructed by the existing building, and the proposal does not result in any material increase in impact.

With respect to the corridor, only a slight reduction in solar access is observed. Considering that this space functions primarily as a transitional area, the impact is considered to be minor.

Elevational Solar Access Diagram (No.57) - Winter Solstice - 3PM

LEGEND

- EXISTING SHADOWS
- SHADOWS OF STRUCTURES AFTER PROPOSED WORK AT NO.59
- SHADOWS CAST BY PARTS OF THE DEVELOPMENT WHICH EXCEED THE HEIGHT OF BUILDINGS DEVELOPMENT STANDARD
- REDUCTION IN SHADOWS COMPARED TO EXISTING SHADOWS

rev.	date	description
D	25.09.2025	DA SUBMISSION

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Design Practitioner - Architectural - DEP0004308

PROJECT TITLE
59 Military Road, Dover Heights
CLIENT: Mr Joseph Zhu

DRAWING TITLE
Elevational Solar Access Diagram (No.57) - 3pm

DESIGNER	EH/MA
SCALE	1 : 100 @ A3
STATUS	Development Application
PROJECT NO.	2413

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DRAWING NO.	REVISION
2413-A433	D

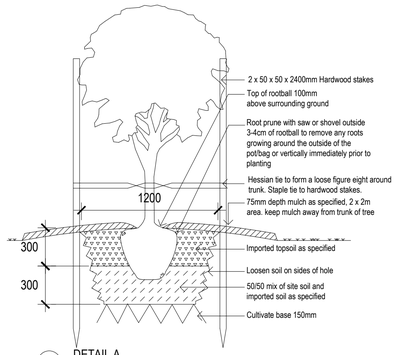
LEGEND

- BOUNDARY
- SEWER
- TO BE REMOVED
- EXISTING CONTOURS (85.50)
- EXISTING FENCE
- NEW FENCE
- EXISTING POOL FENCE
- EXISTING CONCRETE
- EXISTING PAVING
- PROPOSED PAVING
- PROPOSED WALL (TW 75.94)
- EXISTING TURF
- PROPOSED LEVELS (RL 74.54)
- TREE TO BE RETAINED
- TREE TO BE REMOVED

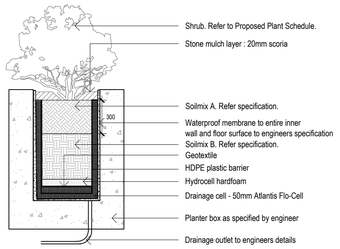
PROPOSED PLANT SCHEDULE

KEY	BOTANICAL NAME	COMMON NAME	QTY	MATURE HGT	POT SIZE
	TREES				
AB	ALOE BARBERAE	TREE ALOE	1	3m	45Ltr
MA	MICHELIA X ALBA	WHITE CHAMPACA	1	6m	45Ltr
	SHRUBS				
AB	AGAVE 'BLUE GLOW'	BLUE GLOW AGAVE	2	0.6m	200mm
AD	AGAVE DESMETTIANA 'EL MIRADORE GOLD'	SMOOTH CENTURY PLANT	1	1m	200mm
^ AS	ACMENA SMITHII 'BABY LILLY'	DWARF LILLY PILLY	16	1.5m	200mm
BN	BLECHNUM NUDUM	FISHBONE WATER-FERN	4	1m	200mm
CA	CORREA ALBA DWARF	DWARF WHITE CORREA	10	0.3m	200mm
CM	CRASSULA UNDULATIFOLIA 'MAX COOK'	MAX COOK	1	1m	200mm
HB	HELICONIA BIHAI X MARGINATA 'RAULINIANA'	RAULINIANA HELICONIA	11	3.5m	300mm
KH	KALANCHOE HILDEBRANDTII 'SILVER SPOONS'	SILVER SPOONS	1	0.6m	200mm
PX	PHILODENDRON SELLOUM 'XANADU'	PHILODENDRON	2	1m	200mm
RI	RHAPHIOLEPIS INDICA 'SNOW MAIDEN'	SNOW MAIDEN	2	0.7m	250mm
SZ	SANSEVIERIA ZEYLANICA	SNAKE PLANT	7	1m	200mm
*^ SA	SYZYGIUM AUSTRALE 'AUSSIE BOOMER'	AUSSIE BOOMER LILLY PILLY	15	2m	200mm
^ VO	VIBURNUM ODORATISSIMUM 'DENSE FENCE'	DENSE FENCE	6	2.5m	250mm
	GRASSES / GROUND COVERS				
CG	CARPOBROTUS GLAUCESCENS	PIG FACE	5	0.2m	200mm
DC	DIANELLA CAERULEA 'KING ALFRED'	KING ALFRED	24	0.7m	200mm
DA	DICHONDRA ARGENTEA 'SILVER FALLS'	SILVER FALLS	7	0.1m	140mm
DR	DICHONDRA REPENS	KIDNEY WEED	6	0.1m	140mm
HP	HELICHRYSUM PETIOLARE	LICORICE PLANT	2	0.6m	200mm
LM	LIRIOPE MUSCARI 'ISABELLA'	ISABELLA	8	0.4m	140mm
SS	SENECIO SERPENS	BLUE CHALK STALKS	2	0.2m	140mm
TT	TRACHELOSPERMUM JASMINOIDES 'TRICOLOUR'	VARIEGATED JASMINE	4	0.2m	200mm

* maintained to comply with AS 1926.1
^ trained as hedge

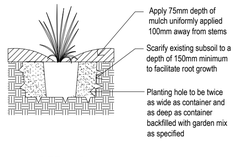


DETAIL A
TREE PIT NTS

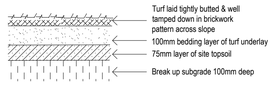


DETAIL E
TYPICAL STEPPING STONE SCALE N.T.S.

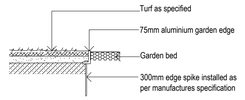
Note:
- sub surface drip irrigation buried 30-40mm deep at 400mm row spacing to ensure a uniform moisture application



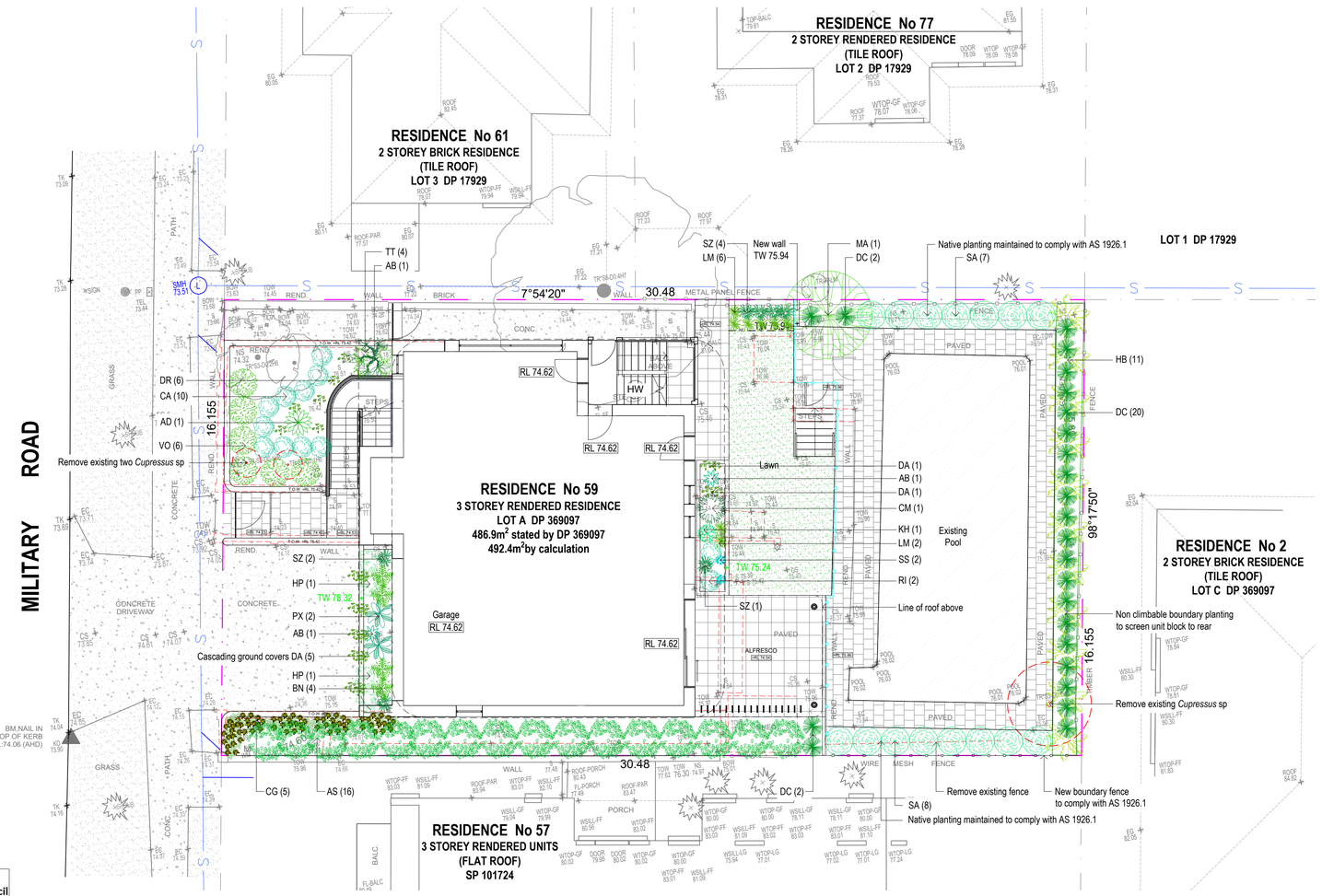
DETAIL B
SHRUB PLANTING DETAIL N.T.S



DETAIL C
TURF DETAIL N.T.S



DETAIL D
ALUMINIUM EDGE DETAIL N.T.S



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Receipt No:
DA: 280/2025
Date Received:
26/06/2025

Notes:
- Contractors to check and verify all dimensions and all levels on site prior to any works.
- Any discrepancies should be immediately referred to Space Landscape Designs.
- All works shall comply with any Authorities and relevant Australian Standards.
- All measurements are in millimetres.

Rev.	Date	Issue	Checked
A	12/03/25	Preliminary Issue	AE
B	03/04/25	DA Issue	AE
C	08/04/25	DA Issue	AE

546

SPACE LANDSCAPE DESIGNS
Space Landscape Designs Pty Ltd
ABN 60 799 663 674 ACN 139 316 251
info@spacedesigns.com.au
spacedesigns.com.au
P 02 9905 7870 F 02 9905 7657
Suite 138, 117 Old Pittwater Rd, Brookvale NSW 2100

PROJECT: Alterations & Additions
SITE ADDRESS: 59 Military Road, DOVER HEIGHTS NSW 2030
CLIENT: Zhu
DRN: C.Wallace (BLArch)
SCALE: 1:100@A1
PROJECT NO: 252247
DRAWING TITLE: LANDSCAPE PLAN
DRAWING No: L-100
Rev: C

LANDSCAPE SPECIFICATION NOTES

SITE PREPARATION
Locate any underground and overground services & ensure no damage occurs. Levels on plan are nominal only & all dimensions to be checked on site prior to commencement. Final structural integrity of all items shall be the sole responsibility of landscape contractor.

WORKMANSHIP AND MATERIAL QUALITY
Materials and workmanship are to conform to the current applicable Australian Standard Specifications and Codes. Any work or materials, which, in the opinion of the Site Manager do not meet appropriate industry standards should be rejected. Where works are adjacent to existing works, make proper junctions between new and existing works and make good any damage caused to adjoining existing and retained works.

PROTECTION OF EXISTING TREES:
Prior to construction, the builder shall erect tree protection fencing to the drip line of existing trees to be retained. The fence shall be constructed of star pickets at 2.4m spacings and connected by three strands of 2mm wire at 300mm spacings to a minimum height of 1500mm. Protect all trees affected by demolition & construction.
Take necessary precautions to protect the Structural Root Zone(SRZ) as per AS 4970-2009 Australian Standard for Protection of Trees on Development Sites.Tree protection measures shall remain intact until the completion of all construction works.
Prohibited Works or material storage within the TPZ as per AS 4970-2009 except with approval of council:
- entry of machinery or storage of building materials, parking of any kind of vehicle
- erection or placement of site facilities, removal or stockpiling of soil or site debris,disposal of liquid waste including paint & concrete wash
- excavation or trenching of any kind (including irrigation or electrical connections).
- attaching any signs or any other objects to the tree, placement of waste disposal or skip bins
- pruning and removal of branches, other than those by a qualified Arborist

Compacted Ground/Coring: Avoid compaction of the ground under trees. If compaction nevertheless occurs loosen the soil by Coring. Coring to be carried out by a qualified Arborist.

ELIMINATE WEEDS
Remove all existing weeds by hand, wiping or spraying with a glyphosate based herbicide. Weed control shall never be performed by mechanical cultivation or by scraping. Herbicide spraying is to be used to eliminate all existing weeds 30 days prior to planting.

IMPORTED TOPSOIL
All construction must comply with AS 4419-2018 Soils for Landscaping and Garden Use. Spread the topsoil on the prepared subsoil and grade evenly, making allowances, if appropriate, for the following:
- Required finished levels and contours after light compaction.
- Compact lightly and uniformly in 150 mm layers. Avoid differential subsidence and excess compaction and produce a finished topsoil surface which has the following characteristics:
- Finished to design levels, smooth and free from stones or lumps of soil. Graded to drain freely, without ponding, to catchment points. Grade evenly into adjoining ground surfaces ready for planting.
-

PLANTING AREA
Remove weeds, rubbish, mulch and other debris. Do not disturb tree roots or services and if necessary cultivate these areas by hand. Spread topsoil on the prepared subsoil and grade evenly, making the necessary allowance to permit the required finished levels and contours after a light compaction. Spread topsoil to the typical depth of 300mm. Feather edges into adjoining undisturbed ground.

PLANT STOCK
Plant stock to be supplied by production nurseries in accordance with AS 2303:2018 Tree Stock for Landscape Use.
Health & Vigour: Supply plants with foliage size, texture & colour consistent with that shown in healthy specimens of the species. Balance of Crown: Supply plants with max. variation in crown bulk on opposite sides of stem axis, +/- 20%. Stock selection should also be based on NATSPEC Guide *Specifying Trees: a Guide to Assessment of Tree Quality*.

TREE DELIVERY
Carefully load, transport and unload, at the nominated site, the specified trees. All trees are to be delivered in such a way to prevent in transit wind damage. All trees shall be watered prior to loading for delivery. Plants shall not be contained within delivery vehicles for a period longer than 24hrs. Trees shall be carefully unloaded using methods appropriate to the size and weight of the trees. Damage to trees sustained during transport or unloading will result in those plants being rejected. Plants shall conform to the requirements at the time of delivery to the planting site. Transpiration shall be minimised during transport to prevent subsequent wilting or unseasonal defoliation. Plants that have been allowed to wilt or dry out during transport shall be rejected, irrespective of any previous acceptance. The soil mass of the root ball shall be securely contained and supported during transport. Root balls that have been unreasonably fractured, deformed or slumped during transit or unloading should not be accepted.

TREE PLACEMENT AND ALIGNMENT
When the tree pit is excavated and the hole is the correct size, place the rootball in its final position. Ensure the trees are centred and plumb and the top of the rootball level with the finished surface of the surrounding soil mix. Do not use the trunk of the tree as a lever in positioning or moving the tree in the planting hole. Position the tree at the set out distances as indicated in the details. Ensure trunks are set vertically and aligned with other new or existing trees. Orientate the trees trunk north where indicated by supplied markings where applicable.

ROOT TRIMMING
All trees shall have the outer 10-25mm of the external root ball faces pruned or sliced away using secateurs or a sharp and clean spade. Avoid excessive disturbance to the remaining root ball during this trimming and discontinue if excessive root ball soil begins to fall away. Do not leave the root balls exposed for extended periods. Cover the root ball with moist hessian if backfilling cannot occur immediately.

STAKING
Install 3 x 2100mm (H) x 50mm x 50mm hardwood timber stakes with hessian ties to all trees. Provide appropriate support considering exposure to prevailing winds. Stakes and hessian ties to be removed as soon as the tree is self supporting.

BACKFILLING
Backfill with soil mix as specified in soil mixes and in accordance with the details and specification. Lightly compact the soil to ensure all voids around root balls are filled and that no air pockets are retained. Ensure that the backfill soil is not paced over the top of the potted root ball. The top of the root ball and plant stem must be kept level with the top of the backfill.

FERTILISING
Fertiliser to be applied at time of planting. Slow release landscape fertiliser suitable for trees and shrubs, 9 to 12 months release time. Osmocote or approved equivalent applied according to manufacturers directions.

IRRIGATION SYSTEM
New inground dripline irrigation system to be installed with backflow preventer and with timers. Irrigation system to be designed and installed to local codes.
The entire irrigation system shall be fully automated and provide drip irrigation to all tree, shrub and ground cover zones. It is the Contractor's responsibility to verify water pressure available and determine all design-built parameters prior to any installation and sizing of irrigation components. Irrigation system to be connected to water tank to supplement water from mains.

MULCHING
All landscaping must comply with AS 4454-2012 Compost, soil conditioners and mulches. All planting areas to receive 50-75mm of garden Mulch, Droughtmaster, ANL p: 02 9450 1444 or approved alternative. Keep mulch 100mm away from plant stem & form a well to stop excessive water runoff. Finish flush with adjacent surfaces. Always apply mulch to damp soil. Never place mulch over dry soil as once applied it will be difficult for soil rehydration to occur. If mulching on top of a pre-existing grass area, the grass or weeds must first be hand weeded or sprayed with a non-selective herbicide and allowed to wilt and die before the mulch is placed over the area. This practice will negate grass growing up through the mulch over time.

MULCHING AROUND EXISTING TREES
Mulch should be applied at a uniform thickness of 75-100mm and re-applied when necessary. Mulch should also not be placed against the trunk of a tree.
Mulch should cover an area at least as large as a tree's crown canopy area to be effective. Mulching within the canopy areas of larger trees will not only improve long term tree health but can also act to reduce tree risk by reducing targets that pass and/or congregate under their canopies, which in turn will minimize the likelihood of injury in the event of a branch failure. Never apply fresh, 'green' mulch around trees.

WATERING
Water in immediately after plant installation & allow for soil settlement. Watering program: Minimum 3 complete waterings, soaking to a depth of 150 mm at fortnightly intervals for the first 6 weeks of plant establishment irrespective of natural rainfall. Manually water all lawn and planting areas in absence of an irrigation system or until the proposed irrigation system is fully operational. Avoid frequent dampening of the surface. Allow the surface of the soil to partially dry out between waterings.

RETAINING WALLS & PLANTER BOXES
All retaining walls & planter boxes more than 600mm high to be constructed to Engineer's details. Ensure all internal surfaces are waterproofed. Geotextile wrapped ag. drainage line backfilled with aggregate is to be installed behind all retaining walls & connected to stormwater in accordance with Sydney Water regulations. All planter boxes are to have Atlantis drainage cell (or approved alternative) installed & connected to stormwater in accordance with Sydney Water regulations.

ESTABLISHMENT MAINTENANCE
The Contractor shall monitor and maintain all planting and associated landscaping works for the duration of the maintenance period. This shall generally include lawn mowing, watering, failed plant replacements, pest and disease control, weed control and monitoring. Maintenance to be carried out to all areas where new planting is installed. Weeding shall extend around and in between individual plants and up to paths, kerns or other defining edges. Carry out all maintenance activities for all new garden and lawn areas as required to ensure the plants and turf become established within the maintenance period and are kept in a healthy and tidy state in accordance with best horticultural practices.



Report to the Waverley Local Planning Panel

Application number	DA-133/2023/B
Site address	154 Brighton Boulevard, North Bondi
Proposal	Section 4.55(2) including additional excavation and internal layout adjustments
Description of Approved Development	Demolition and construction of a new four storey residential flat building (RFB) with two levels of basement parking and associated landscaping works
Date of lodgement	16 July 2025
Owner	Proprietors of Strata Plan 30225
Applicant	Bruce Stafford & Associates Pty Limited
Submissions	No submissions
Amended cost of works	$4,481,563
Principal Issues	• Excavation; • Building height.
Recommendation	That the application be **APPROVED** in accordance with the conditions contained in the report
SITE MAP	



1. PREAMBLE

1.1. Executive Summary

The modification application seeks to modify development consent, known as DA-133/2023 for demolition and construction of a new four storey residential flat building (RFB) with two levels of basement parking and associated landscaping works at the site known as 154 Brighton Boulevard, North Bondi. In summary, the proposed modifications are for additional excavation and extension to the approved basement levels, internal layout adjustments and a new lift overrun within the approved roof slope.

The principal issues arising from the assessment of the application are excavation and building height. The assessment finds these issues acceptable because the additional excavation is necessary to accommodate the spatial requirements for plant and services and is satisfactory to Council's Assets team subject to the amended report and scope of works being peer reviewed at the applicant's cost. This has bene included in the modified conditions of consent.

The proposed lift overrun has been designed into the approved northern roof slope in order to minimise shadow impacts on neighbouring properties. The lift overrun and the upper floor window amendments sit within the extent of the height variation. There would be no further increase to the height of the building which remains consistent with the desired future character of the locality and would preserve the environmental amenity of neighbouring properties and public spaces.

There were no submissions received and no declared conflicts of interest on this application from Council staff.

The application has been assessed against the relevant matters for consideration under section 4.55 (2) the *Environmental Planning and Assessment Act 1979* and is recommended for approval subject to conditions of consent.

1.2. Site and Surrounding Locality

A site visit was carried out during the assessment of the original development application. A further site visit was undertaken on 24 September 2025.

The site is identified as SP30225, known as 154 Brighton Boulevard, North Bondi.

The site is rectangular in shape with a western frontage to Brighton Boulevard, measuring 12.19m. It has an area of 477.4m² and falls from the front eastern boundary to the western rear boundary by approximately 0.88m.

The site is occupied by a four storey RFB (see **Figure 1**). The ground floor of the RFB is occupied by parking that is accessed via Brighton Boulevard and a right-of-way driveway south of the site shared with No. 156 Brighton Boulevard (see **Figure 2**). No. 156 Brighton Boulevard comprises a single detached dwelling (see **Figure 3**).

The site is adjoined by a four storey RFB with a small fifth storey addition to the north at 152 Brighton Boulevard (see **Figure 4**).

The locality is characterised by a variety of low to medium density residential development, with the streetscape primarily consisting of RFBs and large dwelling houses.

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



Figure 1: Subject site, facing east



Figure 2: Shared right-of-way between No. 154 and No. 156 Brighton Boulevard, facing east



Figure 3: Neighbouring property to the south, No. 156 Brighton Boulevard, facing east



Figure 4: Neighbouring RFB to the north, No. 152 Brighton Boulevard, facing east

1.3. Details of Approved Development

The original development application, known as DA-133/2023 for demolition and construction of a new four storey RFB with two levels of basement parking and associated landscaping works, was approved on 25 October 2023 by the Waverley Local Planning Panel.

The previous modification (Modification A) was returned to the applicant.

The proposal seeks to amend Conditions 1, 2, 13 and 23 (see section 1.4 below for further detail).

1.4. Proposal

The modification application has been submitted under section 4.55 (2) of the *Environmental Planning and Assessment Act 1979*, and it seeks consent for the following modifications to the approved development:

- Basement 2:
  - Amend finished floor level from RL 21.26 (approved) to RL 20.86 (proposed);
  - Northern wall shifted 150mm towards the northern boundary to satisfy Condition 2 (c);
  - Car lift dimensions amended to satisfy Condition 47;
  - Residential parking space for Apartment 2 relocated from Basement 1;
  - Extension of basement to the south and east with the layout amended to comply with minimum spatial requirements for parking spaces, clear pedestrian egress path and services equipment;
  - Addition of secure storage areas for Apartments 1 and 2 to satisfy Condition 13;
  - Addition of bulky waste storage area to satisfy Condition 26;
  - Electric Vehicle (EV) charging provided for each parking space to satisfy Condition 48;
  - Clear aisle and nib wall adjacent to bike parking provided to satisfy Condition 52;
  - Car lift motors with clear service area provided;
  - Amendments to passenger lift to comply with BCA requirements and Australian Standards;
  - Amendments to fire isolated stairs, fire hose reel provided and fire hydrant system provided to comply with the BCA, NCC and Australian Standards;
  - Amendments to services, exhausts and ducts, with the carpark exhaust system, risers and fan equipment;
- Basement 1:
  - Amend finished floor level from RL 23.96 (approved) to RL 23.66 (proposed);
  - Northern wall shifted 150mm towards the northern boundary to satisfy Condition 2 (c);
  - Car lift dimensions amended to satisfy Condition 47;
  - Residential parking space for Apartment 2 relocated to Basement 2, with the space utilised for the two approved motorcycle spaces and the clear pedestrian egress path;
  - Extension of basement to the east to accommodate pump room in compliance with Fire Services Engineer's advice and Australian Standards;
  - Addition of secure storage area for Apartment 3 to satisfy Condition 13;
  - EV charging provided for each parking space to satisfy Condition 48;
  - Clear aisle and nib wall adjacent to bike parking provided to satisfy Condition 52;
  - Amendments to passenger lift to comply with BCA requirements and Australian Standards;
  - Amendments to fire isolated stairs, fire hose reel provided and fire hydrant system provided to comply with the BCA, NCC and Australian Standards;
  - Amendments to services, exhausts and ducts, with the carpark exhaust system, risers and fan equipment;
- Ground floor level:
  - Amend finished floor level from RL 26.66 (approved) to RL 26.56 (proposed);
  - Addition of fire booster assembly unit and fire water storage tank to north-west corner;
  - Amendments to satisfy the stormwater management requirements in Condition 22;

- Bin storage area updated, with auto gates added and AC units relocated to this area;
- Approved AC plant duct changed to accommodate hot water plant and basement ventilation systems as required by services engineer;
- Minor alterations to northern façade architectural treatment, comprising adjustments to the window/planter profile and external skin of brick facade;
- Car lift dimensions amended to satisfy Condition 47 and high level window to car lift deleted;
- Common area stair design adjusted to comply BCA and Australian Standards access requirements;
- Amendments to passenger lift to comply with BCA requirements and Australian Standards;
- Amendments to fire isolated stair, fire hose reel provided and fire hydrant system shown to comply with the BCA, NCC and Australian Standards;
- Amendments to services, exhausts and ducts, with the carpark exhaust system and risers shown;
- Approved common WC removed and laundry facilities for Apartment 3 relocated to this area from Level 1;

- First floor level:
  - Minor alterations to northern and southern façade architectural treatments, comprising adjustments to the window/planter profile and external skin of brick façade;
  - Common area stair design adjusted;
  - Amendments to passenger lift to comply with BCA requirements and Australian Standards;
  - Internal reconfiguration to accommodate fire hydrant systems as per fire service engineer design requirements, BCA and Australian Standards;
  - Amendments to services, exhausts and ducts, with the carpark exhaust system and risers shown Internal reconfiguration and addition of ensuite to Apartment 1, with associated relocation of approved laundry facilities for Apartment 3 to the ground floor level;
  - Internal reconfiguration of Apartment 2 including inclusion of laundry and change to internal door location to approved bedroom;
- Second floor level:
  - Minor alterations to northern and southern façade architectural treatments, comprising adjustments to the window/planter profile and external skin of brick façade;
  - Approved window feature to the southern façade relocated from Level 3 living room to Level 2 master bedroom;
  - Private stair design to Apartment 3 adjusted to suit spiral design;
  - Amendments to passenger lift to comply with BCA requirements and Australian Standards;
  - Internal reconfiguration to accommodate fire hydrant systems as per fire service engineer design requirements, BCA and Australian Standards;
  - Amendments to services, exhausts and ducts, with the carpark exhaust system and risers shown;
  - Internal layout to master bathroom adjusted;
- Third floor level:
  - Minor alterations to northern façade architectural treatment, comprising adjustments to the window/planter profile and external skin of brick façade;
  - Window profile to southern façade adjusted;

- Private stair design to Apartment 3 adjusted to suit spiral design;
- Amendments to passenger lift to comply with BCA requirements and Australian Standards;
- Internal reconfiguration to accommodate fire hydrant systems as per fire service engineer design requirements, BCA and Australian Standards;
- Amendments to services, exhausts and ducts, with the carpark exhaust system and risers shown;
- Internal reconfiguration including relocation of powder room and scullery with associated refinements;

- Roof level:
  - Roof levels to remain as approved;
  - Inclusion of the lift overrun on the northern roof plane, below the approved ridgeline, to comply with the BCA and Australian Standards requirements for passenger lifts.

The proposed modification application seeks to amend **Condition 1** 'Approved Plans and Documentation' to reflect the amended plans and documentation for approval. As indicated above, the application seeks to delete **Condition 2 (a), (c)** and **(d)** as these amendments have been incorporated in the modification application plans. Council is satisfied that the amendments are included in the modified plans and the condition subsections may be deleted, noting that Condition 2(b) remains to be satisfied:

2. GENERAL MODIFICATIONS

(a) Full details of windows on the ground floor southern elevation are to be shown on all relevant plans, including elevations and sections.

(c) The northern wall of the basement garage on Basement Levels 1 and 2 is to be shifted 150mm towards the northern boundary to ensure parking complies with Figure 5.2 of AS2890.1.

(d) At Basement 1 level, the car space for Apartment 3 shall be shifted closer to the car lift (to be adjacent to Apartment 2 parking). The plant room shall be relocated to the former Apartment 3 parking, so it is forward of the stairs. No excavation is approved beyond the stairwell at Basement level 1.

The application seeks to delete **Condition 13** as the modified plans accommodate the appropriate storage requirements. Council is satisfied that the amendments are included in the modified plans, and the condition may be noted as satisfied:

13. BASEMENT STORAGE

The basement level/s are to provide separate and secure storage areas (in the form of lockable storage cages or the like), allocated to each apartment in the development for larger bulkier items (surfboards, boxes, camping equipment etc.) which are not suited to be stored within each individual apartment. Storage is to be allocated to individual units in accordance with the requirements of the Waverley Development Control Plan 2022.

The application seeks to amend **Condition 23** to reflect the proposed design amendments and modified documentation submitted with the application. The amendments are agreed subject to the requirement for the amended Geotechnical Assessment submitted for the modification application being peer reviewed at the cost of the applicant and any additional recommendations applied and complied with prior to a Construction Certificate being obtained:

23. GEOTECHNICAL RISK MANAGEMENT

(b) Any recommendations in the amended geotechnical investigation report prepared by Crozier Geotechnical Consultants, Project No. 2022-137.2, Issue No 3 dated 26 September 2023 must be addressed and complied with. The Geotechnical Assessment for Section 4.55 modification to approved works prepared by Crozier Geotechnical Consultants dated 16 June 2025 must be peer reviewed, at the applicant's cost, by a suitably qualified geotechnical engineer and any additional recommendations applied that shall be complied prior to the site obtaining a Construction Certificate.

These amendments are incorporated in the modified conditions of consent.

1.5. Background

The modification application was lodged on 16 July 2025. The application was not deferred.

2. ASSESSMENT

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

2.1. Section 4.55 – Modification of consents – generally

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

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 no submissions were received.

2.2. Evaluation of Matters for Consideration under Section 4.15

In accordance with section 4.55(3) of the Act the following is an assessment of the proposed modifications of the development consent against the relevant matters for consideration under section 4.15(1) of the Act.

2.2.1. Planning Instruments and Development Control Plans

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

2.3.1.1 State Environmental Planning Policies (SEPPs)

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

- SEPP (Sustainable Buildings) 2022
- SEPP (Housing) 2021
- SEPP (Resilience and Hazards) 2021.

A detailed discussion is provided for the relevant SEPP as follows:

SEPP (Housing) 2021

Chapter 4 of SEPP (Housing) 2021 applies to a building that contains four or more units and three or more storeys. The SEPP does not apply to the development as the building only contains three apartments.

SEPP (Resilience and Hazards) 2021

SEPP Resilience and Hazards applies to the subject site as it is wholly located within the Coastal Environment Area (i.e. defined by clause 2.10) and a Coastal Use Area (i.e. defined by clause 2.11) .

Clause 2.10 of the SEPP states that development within the Coastal Environment Area must not be granted development consent unless the consent authority has considered whether the proposed development is likely to cause an adverse impact on the matters for consideration.

Clause 2.11 of the SEPP states that development consent must not be granted for development on land within the Coastal Use Area unless the consent authority has considered and is satisfied with the matters for consideration.

The original application included a detailed assessment of the SEPP. The proposed amendments to the application remain consistent and within compliance with the relevant matters for consideration as per the original assessment.

The proposed changes to the approved RFB include additional excavation and other minor amendments to the appearance of the building including a new lift overrun within the approved roof slope. A Geotechnical Report was submitted with the application including consideration of the amended excavation scope. The assessment provides an update to the original assessment and scope of work. The report states: '*The proposed changes to the original design do not significantly alter the geotechnical aspects of the proposed development or the site from those on which the original report were based. Including the critical aspects of geotechnical inspections and monitoring during the site works. As such*

we see no geotechnical reason for these changes not to be approved, provided all works are undertaken as per the recommendations of our reports'.

Councils' Assets team reviewed the amended application and supporting documentation and requested that the revised scope and Geotechnical Report be peer reviewed at the cost of the applicant and any additional recommendations and/or measures applied and complied with prior to a Construction Certificate being obtained. This process follows that undertaken for the original application, whereby the Geotechnical Assessment was peer reviewed by JK Geotechnics Pty Ltd. Any comments and or additional recommendations will be required to be implemented. This has been included in the modified conditions of consent.

The modification comprises no other changes that would impact the coastal environment/ use area ahead above what was assessed and approved under the original application. The proposal is consistent with the matters for consideration and is acceptable.

2.3.1.2 Waverley Local Environmental Plan 2012 (Waverley LEP 2012)

The land use definition of the approved development as an RFB remains unchanged and continues to be permitted development in the R3 zone under Waverley LEP 2012.

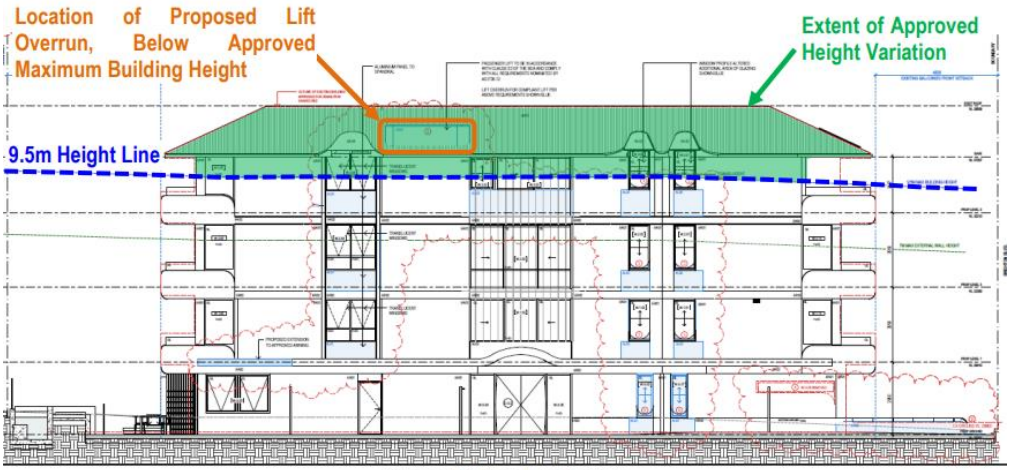
The quantities of the approved development remain unchanged in relation to principal development standards under Waverley LEP 2012. All other relevant provisions of Waverley LEP 2012 remain compliant (see **Table 1**).

Table 1: Waverley LEP 2012 Compliance Table

Provision	Compliance	Comment
Part 1 Preliminary		
1.2 Aims of plan	Yes	The proposal remains consistent with the aims of the plan.
Part 4 Principal development standards		
4.3 Height of buildings • *9.5m*	N/A	The proposal does not seek to amend the approved height of the development which remains at 12.598m. *See below the table for further discussion.*
4.4 Floor space ratio and • *0.6:1 (286.44m²)*	N/A	The approved development has a maximum gross floor area (GFA) of 523.6m² and an FSR of 1.1:1. The modification does not seek to alter the approved FSR, which remains at 1.1:1.
Part 6 Additional local provisions		
6.2 Earthworks	Yes	As set out above, Council requests that the Geotechnical Report, as amended, be peer reviewed to ensure that the revised scope has been reviewed to the same level of detail as done for the original application. This is included in the modified conditions of consent.

Height of Buildings

With respect to height, the overall height of the building is retained as approved at 12.598m however the proposed lift overrun is located within the northern roof slope sitting below the approved ridgeline at a height of 11.5m. The upper floor window amendments also sit marginally within the extent of the height variation at approximately 10.5m (see **Figure 5**).



Source: Stafford Architecture

Figure 5: Lift overrun and extent of exceedance, Source: GSA Planning

The applicant has provided an assessment against the relevant objectives of the height of buildings development standard:

> *(a) to ensure building heights preserve the environmental amenity of neighbouring properties and public spaces and, if appropriate, the sharing of views,*
>
> *(c) to maintain satisfactory solar access to existing buildings and public areas,*
>
> *(d) to establish building heights that are consistent with the desired future character of the locality.*

The proposed lift overrun has been designed into the approved northern roof slope in order to minimise shadow impacts on neighbouring properties. The proposal would give rise to minimal additional shadowing to the front setback of the subject site and road reserve at 9am and a small amount of additional shadow at the rear of the subject site at midday on 21 June. There would be no additional shadowing to neighbouring properties as a result of the modification application. The proposal remains consistent with the desired future character of the locality and would preserve the environmental amenity of neighbouring properties and public spaces. The new works proposed within the area of approved height exceedance is acceptable and supported.

2.3.1.3 Waverley Development Control Plan 2022 (Waverley DCP 2022)

The approved development, as proposed to be modified, continues to comply with the relevant parts and sections of Waverley DCP 2022. Only the parts and sections of Waverley DCP 2022 that apply to the proposed modifications are outlined in **Tables 2 and 3** and detailed discussion provided below.

Table 2: Waverley DCP 2022 – Part B General Provisions Compliance Table

Development Control	Compliance	Comment
1. Waste • *Garbage bins are to be stored in an appropriate location.*	Yes	The modification includes a designated space at basement level for bulky waste items and an automated gate added to the outside bin storage area. No other changes are proposed to the waste arrangements on the site.
2. Ecologically Sustainable Development • *Ceiling or wall mounted fans* • *Gas cooktops, gas ovens or gas internal space heating systems.*	Yes	The approved BASIX and NatHERS Certificates remain the operative Certificates, and the development remains bound by the commitments in those Certificates via conditions of consent. An amendment to the NatHERS thermal modal was submitted with the application to reflect the design changes. The original consent includes an advisory note to require ceiling fans in all habitable rooms and electric cooking systems which remains on the consent.
3. Landscaping, Biodiversity and Vegetation Preservation	Yes	The site is within a habitat corridor and adjacent to remnant bushland. The original application includes specific requirements for the amended landscape plan, which remain on the consent. There are no changes proposed to the provision of deep soil on the site which remains as approved at 36.5% of the site area. The modification application does not seek to amend the approved landscaping across the site or the current condition of consent relating to the landscape plan.
4. Coastal Risk Management	Yes, subject to condition	The subject site is located within the geotechnical hazard layer. As outlined above, the amended Geotechnical report and scope of works will be required to be peer reviewed to ensure the original recommendations remain appropriate and to enable any further measures to be incorporated as required.
5.Water Management	Yes	Satisfactory. Refer to section 3 of this report on referral commentary in relation to stormwater.
11. Design Excellence	Yes	The proposal includes some minor changes to the façade treatment, materiality and internal reconfigurations to enhance amenity. The principal change is the increase in area of the

Development Control	Compliance	Comment
		basement levels and excavation to facilitate the change. The appearance of the development from the streetscape remains largely as approved except for a minor amendment to windows. Importantly, the modification is consistent with the design intent of the originally approved development and continues to achieve design excellence.
13. Excavation	Yes, subject to condition	As noted above, the proposal seeks additional excavation to accommodate the necessary spatial requirements for plant and services. The proposed additional excavation is satisfactory to Council's Assets team subject to the amended report and scope of works being peer reviewed. This requirement has been included in the modified conditions of consent.

Table 3: Waverley DCP 2022 – Part C2 Other Residential Development Compliance Table

Development Control	Compliance	Comment
2.5 Building design and streetscape		
• *Respond to streetscape* • *Sympathetic external finishes* • *Removal of original architectural features not supported*	Yes Yes	The appearance of the modified building is largely as per the original approval. There are some minor amendments to the façade and proposed building will make a positive contribution to the streetscape, providing a contemporary building which is reflective of the character of the area. As previously discussed, the materials and finishes are considered sympathetic to the surrounding area and are acceptable.
2.13 Solar access and overshadowing		
• *Minimum of 3 hours of sunlight to a minimum of 70% of units in the development on 21 June* • *New development should maintain at least 2 hours of sunlight to solar collectors on adjoining properties in mid winter* • *Direct sunlight to north facing windows of habitable rooms on all private open space areas of adjacent dwellings to less than 3*	Yes Yes Yes	The proposal will give rise to a minor increase in shadowing within the front setback and road reserve at 9am on 21 June and a minor increase in the rear yard of the subject site at midday on 21 June. The additional shadow is wholly within the subject site and a small part of the road reserve and will be indiscernible when compared to the approved application. There would be no increase in shadowing of open space or habitable windows within neighbouring properties as a result of the modification application.

Development Control	Compliance	Comment
hours of sunlight on 21 June		
2.14 Views and view sharing		
• *Minimise view loss through design* • *Views from public spaces to be maintained*	Yes	The modification application and inclusion of the lift overrun will not give rise to view impacts or impact view sharing opportunities.
2.18 Storage		
• *In addition to kitchen cupboards and bedroom wardrobes, min storage required is:* *Studio and 1 bed = 6m^3* *2 bed = 8m^3* *3 or more bed = 10m^3* *All to provide bulk storage area in basement or ancillary structure*	Yes	The modification application includes storage at basement level for larger bulkier items as required by condition, which has now been satisfied.
2.21 Building services		
• *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* • *Plant rooms away from entry communal and private open spaces and bedrooms.* • *The maximum volume permitted for a plant room is the minimum required to meet Australian Standards, accommodate typical dimensions of equipment required and the associated circulation space to access the equipment for maintenance.*	Yes Yes Yes	The proposed increased excavation is in part to respond to the spatial requirements for necessary plant and services. The application includes a number of amendments to building services and plant at the basement levels and ground floor, including exhausts and ducts, carpark exhaust system, risers and fan equipment, fire isolated stairs and hydrant system to comply with the BCA and NCC and passenger lift amendments. The application includes an Advice Note on Building Services which provides an overview of the proposed spatial requirements governed by relevant Australian Standards, Authority requirements, Manufacturer specifications, Access and Clearance needs, Maintenance obligations, Safety in Design considerations, OHS/WHS standards, and Services Coordination requirements together with the requirement for a tanked basement. Council is satisfied that the information provided reflects the spatial requirements for the proposed plant and building services.

2.2.2. Other Impacts of the Development

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

2.2.3. Suitability of the Site for the Development

The site is considered suitable for the proposal.

2.2.4. Any Submissions

The application was notified for a minimum of 14 days between 22 July 2025 and 8 August 2025 in accordance with the *Community Engagement Strategy 2023*.

No submissions were received.

2.2.5. Public Interest

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

3. REFERRALS

The following internal referral comments were sought:

3.1. Traffic and Development

The application was referred to Council's Traffic Engineer. No objections were raised or new/modified conditions imposed as the parking rates remain as per the original approval.

3.2. Stormwater

The application was referred to Council's Stormwater Engineer. No objections were raised subject to modified conditions of consent relating to stormwater management and geotechnical risk management. All other conditions remain as per the original approval.

3.3. Public Domain

The application was referred to Council's Public Domain / Assets Engineer. No objections were raised subject to a further modification of the geotechnical risk management condition of consent to require the amended geotechnical report and scope of works to be peer reviewed prior to a Construction Certificate being issued. All other conditions remain as per the original approval.

3.4. Waste

The application was referred to Council's Waste team. No objections were raised subject to the original conditions of consent.

4. CONCLUSION

The application has been assessed against relevant sections of the Act and is recommended for approval subject to conditions of consent.

Managers of Development Assessment (MODA) Review

The application was reviewed by the MODA at the meeting on 23 September 2025 and the MODA concurred with the Assessment Planner's recommendation.

MODA members: *B McNamara, B Magistrale, J Zancanaro and O Navratil*

5. RECOMMENDATION TO WAVERLEY LOCAL PLANNING PANEL

That the modification application be **APPROVED** by the Waverley Local Planning Panel subject to modified and new conditions in Appendices A and B.

Report prepared by:	**Application reviewed and agreed by:**
	
Alana Jelfs	Jo Zancanaro
Senior Development Assessment Planner	**Manager, Development Assessment**
Date: 2 October 2025	**Date: 8 October 2025**

Reason for WLPP referral:

The consent authority for the original development application was the WLPP, this modification is made under section 4.55(2) of the Act and relates to:

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

OFFICE USE ONLY

Planning Portal Data	
Determining Authority (Concurrence Authority)	Local Planning Panel
Were the requirements of the Sustainable Buildings SEPP (effective 1 October 2023) met?	Yes
Have any dwellings been approved for affordable Rental Housing under this approval/consent? *This is a planning portal reporting requirement	No
Secondary Dwelling *This is a planning portal reporting requirement	No

Boarding House *This is a planning portal reporting requirement	No
Group Home *This is a planning portal reporting requirement	No
Is the development subject to the Special Infrastructure Contribution (SIC)?	No
Is the development located within an Urban Release area?	No
Waverley Council Data	
Trial Period database entry required	No
VPA submitted – follow up actions required	No
Refer to compliance for investigation	No
Commercial/liquor operational conditions	No
Was there a 'Conflict of Interest' declared	No

APPENDIX A DA-133/2023/B

Conditions of Consent to be Modified

A. Amended/Deleted Conditions

	Condition
1.	**APPROVED PLANS AND DOCUMENTATION**

The development must be in accordance with:

(a) Architectural Plans prepared by STAFFORD of Project No: 205 including the following:

Plan Number and Revision	Plan description	Plan Date	Date received by Council
DA101 / Rev -	Site Plan / Roof Plan	11/05/2023	07/08/2023
DA110 / Rev -	Demolition	11/05/2023	07/08/2023
DA120 / Rev -	Material Board	11/05/2023	07/08/2023
DA200 / Rev A	Basement 2 – Floor Plan	02/08/2023	07/08/2023
DA201 / Rev A	Basement 1 – Floor Plan	02/08/2023	07/08/2023
DA202 / Rev A	Ground Floor – Floor Plan	02/08/2023	07/08/2023
DA203 / Rev A	Level 1 – Floor Plan	02/08/2023	07/08/2023
DA204 / Rev A	Level 2 – Floor Plan	02/08/2023	07/08/2023
DA205 / Rev A	Level 3 – Floor Plan	02/08/2023	07/08/2023
DA301 / Rev A	North Elevation	02/08/2023	07/08/2023
DA302 / Rev A	South Elevation	02/08/2023	07/08/2023
DA303 / Rev A	West Elevation	02/08/2023	07/08/2023
DA304 / Rev A	East Elevation	02/08/2023	07/08/2023
DA321 / Rev A	Section - AA	02/08/2023	07/08/2023
DA322 / Rev A	Section - BB	02/08/2023	07/08/2023
A818 / Rev A	Long Pool Section	02/08/2023	07/08/2023

i. As amended by the following architectural plans by STAFFORD of Project No. 205:

Plan Number and Revision	*Plan description*	*Plan Date*	*Date received by Council*
S4.55-101 / Rev -	***Site Plan / Roof Plan***	***17/04/2025***	***16/07/2025***
DA110 / Rev -	***Demolition***	***11/05/2023***	***07/08/2023***
S4.55-121 / Rev A	***Material Board***	***17/04/2025***	***16/07/2025***
S4.55-201 / Rev A	***Basement 2 – Floor Plan***	***17/04/2025***	***16/07/2025***
S4.55-202 / Rev A	***Basement 1 – Floor Plan***	***17/04/2025***	***16/07/2025***
S4.55-203 / Rev A	***Ground Floor – Floor Plan***	***17/04/2025***	***16/07/2025***
S4.55-204 / Rev A	***Level 1 – Floor Plan***	***17/04/2025***	***16/07/2025***
S4.55-205 / Rev A	***Level 2 – Floor Plan***	***17/04/2025***	***16/07/2025***
S4.55-206 / Rev A	***Level 3 – Floor Plan***	***17/04/2025***	***16/07/2025***
S4.55-301 / Rev A	***North Elevation***	***17/04/2025***	***16/07/2025***

S4.55-302 / Rev A	***East Elevation***	***17/04/2025***	***16/07/2025***
S4.55-303 / Rev A	***West Elevation***	***17/04/2025***	***16/07/2025***
S4.55-304 / Rev A	***South Elevation***	***17/04/2025***	***16/07/2025***
S4.55-321 / Rev A	***Section - AA***	***17/04/2025***	***16/07/2025***
S4.55-322 / Rev A	***Section - BB***	***17/04/2025***	***16/07/2025***
A818 / Rev A	***Long Pool Section***	***02/08/2023***	***07/08/2023***

(b) BASIX and NatHERs Certificate/s.

(c) Geotechnical Report (Rev 3, Project No. 2022-137.2) prepared by CROZIER Geotechnical Consultants on 26/09/2023 and received by Council on 28/09/2023 ***and the Geotechnical Assessment for Section 4.55 modification to approved works at 154 Brighton Boulevard, North Bondi dated 16 June 2025 and received by Council on 16/07/2025.***

(d) Peer reviewed Geotechnical Report (Rev -, Project No. 32671Nlet) prepared by JK Geotechnics on 21/09/2023 and received by Council on 21/09/2023.

(e) The Site Waste and Recycling Management Plan (SWRMP) Part 1 received by Council 30/05/2023.

Except where amended by the following conditions of consent.

[AMENDED BY DA-133/2023/B]

Condition reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.

2. **GENERAL MODIFICATIONS**

The application is approved subject to the following plan amendments;

~~(a) Full details of windows on the ground floor southern elevation are to be shown on all relevant plans, including elevations and sections.~~ ***Satisfied by DA-133/2023/B.***

~~Condition reason: To ensure the drafting error is rectified.~~

(b) An outdoor clothes drying area is to be provided within the communal open space.

Condition reason: To promote sustainable living.

~~(c) The northern wall of the basement garage on Basement Levels 1 and 2 is to be shifted 150mm towards the northern boundary to ensure parking complies with Figure 5.2 of AS2890.1.~~ ***Satisfied by DA-133/2023/B.***

~~Condition reason: To ensure an acceptable width for occupants entering/exiting their vehicles.~~

~~(d) At Basement 1 level, the car space for Apartment 3 shall be shifted closer to the car lift (to be adjacent to Apartment 2 parking). The plant room shall be relocated to the former Apartment 3 parking, so it is forward of the stairs. No excavation is approved beyond the stairwell at Basement level 1.~~ ***Satisfied by DA-133/2023/B.***

	~~Condition reason: To ensure functional carspace and reduction in excavation occurs.~~
	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. ***[AMENDED BY DA-133/2023/B]***
13.	**BASEMENT STORAGE**
	~~The basement level/s are to provide separate and secure storage areas (in the form of lockable storage cages or the like), allocated to each apartment in the development for larger bulkier items (surfboards, boxes, camping equipment etc.) which are not suited to be stored within each individual apartment. Storage is to be allocated to individual units in accordance with the requirements of the Waverley Development Control Plan 2022.~~ ***Satisfied by DA-133/2023/B.***
	~~Condition reason: To ensure adequate basement storage is provided.~~ ***Satisfied by DA-133/2023/B.***
22.	**STORMWATER MANAGEMENT**
	To ensure that stormwater runoff from the development is drained in an appropriate manner, without impact to neighbouring properties and downstream systems, a detailed plan and certification of the development's stormwater management system must be submitted and approved by the Executive Manager, Infrastructure Services (or delegate) prior to the issue of the relevant Construction Certificate. ~~The submitted stormwater management plan prepared by JHA, Job No. 220251, Drawing No. C-DA2-000, C-DA2-101, C-DA2-200, C-DA2-300, C-DA2-301, CDA2-500, Revision P2, Drawing No. C-DA2-100, Revision P3, Drawing No. C-DA2-201, C-DA2-600, Revision P1, dated 14/08/2023, are considered concept only.~~ ***The applicant must submit amended plans and specifications to comply with the current Waverley Council Water Management Technical Manual and Development Control Plan (DCP) at the time of engineering plan approval. The submitted plans must be prepared by a suitably qualified and practising Civil Engineer and comply with the following conditions:*** a) Provide calculations of gutter sizing for 5% AEP storm event and minimum number of downpipes required. b) Ensure stormwater assets shown in architecture drawings are consistent with the stormwater drawings. » c) The rainwater tank must be designed to collect roof water only. The rainwater tank must be redesigned so water from the water quality chamber and pump-out chamber cannot enter the rainwater tank. » d) A certificate from a registered structural engineer certifying the structural adequacy of the OSD tank structure is to be provided. Any below ground OSD tank structure must be a cast in-situ concrete based.

e) OSD system has insufficient storage.

f) OSD ponding and overflow levels must not be less than 300 mm below any adjacent habitable floor levels of buildings and not less than 150 mm below non-habitable floor levels

g) A certificate from a registered structural engineer certifying the structural adequacy of the OSD tank structure is to be provided. Any below ground OSD tank structure must be a cast in-situ concrete based.

»

h) In the event of pump failure one of the following is to be provided:
   a. an overland flow path is provided; or
   b. pondage in a suitably visible area is provided. These areas are to be sited with a view to minimising the cost of damage to occupiers of the property and include signage warning residents that inundation of the area may occur in the event of a pump failure.

»

i) Any underground basement is to be protected from possible inundation by surface waters from the street.

j) Any affected Council's infrastructure as the result of construction activities within the public domain area, inclusive of stormwater, stormwater outlet/s, kerb and gutter, pavement, grass verges and vehicle crossovers within the extent works shall be replaced as per Waverley Council Public Domain Technical Manual. All associated costs will be borne by the applicant.

Notes:

(i) The checklist as set out on pages 68-76 in Council's Water Management Technical Manual (October 2021) available online must be completed and submitted with any revision of Construction Certificate Plan Submissions.

(ii) Waverley Council has a template for the calculation of OSD and infiltration system sizing which is available upon request.

(iii) 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.

(iv) 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 must not be replicated.

(v) 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.

(vi) Council's contact for infrastructure assessment: E-mail: assets@waverley.nsw.gov.au or Phone: 9083 8655 (operational hours between 9.30am to 4pm Monday to Friday). The expected duration to

	review and approve the stormwater management plan may take at least 15 working days from the date of submission. ***(vii) Evidence from a suitably qualified and practicing Engineer (registered on the NER of Engineers Australia or equivalent) that the approved design has been adhered to and approved by the Principal Certifying Authority (PCA) prior to the issue of the relevant Occupation Certificate.*** ***[AMENDED BY DA-133/2023/B]***
	Condition reason: To ensure the proper management of stormwater runoff.
23.	**GEOTECHNICAL RISK MANAGEMENT** The following geotechnical risk management measures must be followed: (a) The Applicant must comply with the Waverley Council Development Control Plan, Coastal Risk Management Policy, and Waverley Risks and Hazards Vulnerability Study Part 1 and Part 2, Reference No.301015-02526-CS-REP-0001, dated December 2011. Each of these documents are available on Waverley Council's website. (b) Any recommendations in the amended geotechnical investigation report prepared by Crozier Geotechnical Consultants, Project No. 2022-137.2, Issue No 3 dated 26 September 2023 must be addressed and complied with. ***The Geotechnical Assessment for Section 4.55 modification to approved works prepared by Crozier Geotechnical Consultants dated 16 June 2025 must be peer reviewed, at the applicant's cost, by a suitably qualified geotechnical engineer and any additional recommendations applied that shall be complied prior to the site obtaining a Construction Certificate.*** (c) Prior to issuance of a Construction Certificate, a Construction Methodology Report (CMR) must be prepared and submitted to the Principle Certifying Authority for review and approval and the approved CMR must be submitted to Council's Infrastructure Services – Assets Department for records. (i) The CMR must be prepared by a qualified and appropriately experienced Geotechnical Engineer/Engineering Geologist and Structural Engineer (CP Eng or equivalent and with at least 10 years relevant experience). (ii) The CMR must include a review of the full detailed design including the temporary and permanent excavation, and shoring support systems and the findings of the review. (iii) The CMR must include a review of the geotechnical report and advise on the need of any further assessment work such as additional geotechnical investigation, further assessment of the cliff line such as via aerial drone surveys, abseil rope inspections etc) and any specific monitoring requirements for the cliff line to be implemented during construction. (iv) The CMR must include the methodology to be adopted in undertaking excavation, measures to reduce vibrations, shoring works and measures to maintain the stability of the neighbouring structures and the foreshore cliff line. (v) The CMR must include an appropriate monitoring plan to confirm that ground surface movement on the site boundaries and beyond, and

		deflections of shoring systems fall within acceptable limits and identify hold points and contingency plans for any exceedances. (vi) The CMR must include proposed excavation techniques to be undertaken to reduce vibrations and prepare a Vibration Monitoring Plan which identifies hold points and contingency plans for any exceedances. The vibration monitoring must ensure that the peak vibration velocity (Vi, max) or Maximum Peak Particle Velocity falls within 'safe' limits as defined in the German Standard DIN 4150-3, dated 2016: Structural vibration – Part 3: Effects of vibration on structures. (vii) The CMR must include a statement confirming that the proposed development is suitable for the site and will maintain the stability of the neighbouring buildings and structures and the foreshore cliff line. (viii) ***The CMR must be submitted to the Principal Certifying Authority and Council for review and approval. The approved CMR is to be submitted to Council's Infrastructure Services – Assets Department for records.*** ***[AMENDED BY DA-133/2023/B]***
		Condition reason: To ensure geotechnical risks are reduced.

b. New Conditions

No new conditions proposed.

All other conditions are reaffirmed and attached in a modified Notice with all conditions stated (Attachment A).

Note:

1. Works either not identified in the modified plans (ie coloured or hatched) or not specifically requested in your written submission accompanying the above modification are not approved.
2. The development consent lapses on **25 October 2028**.

APPENDIX B **DA-133/2023/B**

Full set of Conditions of the development consent

Terms and Reasons for Conditions

Under section 88(1)(c) of the EP&A Regulation, the consent authority must provide the terms of all conditions and reasons for imposing the conditions other than the conditions prescribed under section 4.17(11) of the EP&A Act. The terms of the conditions and reasons are set out below.

GENERAL CONDITIONS

	Condition
1.	**APPROVED PLANS AND DOCUMENTATION**

The development must be in accordance with:

(a) Architectural Plans prepared by STAFFORD of Project No: 205 including the following:

Plan Number and Revision	Plan description	Plan Date	Date received by Council
DA101 / Rev -	Site Plan / Roof Plan	11/05/2023	07/08/2023
DA110 / Rev -	Demolition	11/05/2023	07/08/2023
DA120 / Rev -	Material Board	11/05/2023	07/08/2023
DA200 / Rev A	Basement 2 – Floor Plan	02/08/2023	07/08/2023
DA201 / Rev A	Basement 1 – Floor Plan	02/08/2023	07/08/2023
DA202 / Rev A	Ground Floor – Floor Plan	02/08/2023	07/08/2023
DA203 / Rev A	Level 1 – Floor Plan	02/08/2023	07/08/2023
DA204 / Rev A	Level 2 – Floor Plan	02/08/2023	07/08/2023
DA205 / Rev A	Level 3 – Floor Plan	02/08/2023	07/08/2023
DA301 / Rev A	North Elevation	02/08/2023	07/08/2023
DA302 / Rev A	South Elevation	02/08/2023	07/08/2023
DA303 / Rev A	West Elevation	02/08/2023	07/08/2023
DA304 / Rev A	East Elevation	02/08/2023	07/08/2023
DA321 / Rev A	Section - AA	02/08/2023	07/08/2023
DA322 / Rev A	Section - BB	02/08/2023	07/08/2023
A818 / Rev A	Long Pool Section	02/08/2023	07/08/2023

i. As amended by the following architectural plans by STAFFORD of Project No. 205:

Plan Number and Revision	Plan description	Plan Date	Date received by Council
S4.55-101 / Rev -	Site Plan / Roof Plan	17/04/2025	16/07/2025
DA110 / Rev -	Demolition	11/05/2023	07/08/2023
S4.55-121 / Rev A	Material Board	17/04/2025	16/07/2025
S4.55-201 / Rev A	Basement 2 – Floor Plan	17/04/2025	16/07/2025
S4.55-202 / Rev A	Basement 1 – Floor Plan	17/04/2025	16/07/2025

S4.55-203 / Rev A	Ground Floor – Floor Plan	17/04/2025	16/07/2025
S4.55-204 / Rev A	Level 1 – Floor Plan	17/04/2025	16/07/2025
S4.55-205 / Rev A	Level 2 – Floor Plan	17/04/2025	16/07/2025
S4.55-206 / Rev A	Level 3 – Floor Plan	17/04/2025	16/07/2025
S4.55-301 / Rev A	North Elevation	17/04/2025	16/07/2025
S4.55-302 / Rev A	East Elevation	17/04/2025	16/07/2025
S4.55-303 / Rev A	West Elevation	17/04/2025	16/07/2025
S4.55-304 / Rev A	South Elevation	17/04/2025	16/07/2025
S4.55-321 / Rev A	Section - AA	17/04/2025	16/07/2025
S4.55-322 / Rev A	Section - BB	17/04/2025	16/07/2025
A818 / Rev A	Long Pool Section	02/08/2023	07/08/2023

(b) BASIX and NatHERs Certificate/s.

(c) Geotechnical Report (Rev 3, Project No. 2022-137.2) prepared by CROZIER Geotechnical Consultants on 26/09/2023 and received by Council on 28/09/2023 and the Geotechnical Assessment for Section 4.55 modification to approved works at 154 Brighton Boulevard, North Bondi dated 16 June 2025 and received by Council on 16/07/2025.

(d) Peer reviewed Geotechnical Report (Rev -, Project No. 32671Nlet) prepared by JK Geotechnics on 21/09/2023 and received by Council on 21/09/2023.

(e) The Site Waste and Recycling Management Plan (SWRMP) Part 1 received by Council 30/05/2023.

Except where amended by the following conditions of consent.

[AMENDED BY DA-133/2023/B]

Condition reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.

2. **GENERAL MODIFICATIONS**

The application is approved subject to the following plan amendments;

(a) Satisfied by DA-133/2023/B.

(b) An outdoor clothes drying area is to be provided within the communal open space.

Condition reason: To promote sustainable living.

(c) Satisfied by DA-133/2023/B.

(d) Satisfied by DA-133/2023/B.

	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. ***[AMENDED BY DA-133/2023/B]***
3.	**AMENDED LANDSCAPE PLAN**
	(a) The landscape plan is to be amended to replace the 2 x Coastal Banksia and Grass trees (within communal open space) with planting that does not exceed a mature height of 1m. (b) The landscape plans are to be amended to replace the Coastal Correa within the planter boxes to the balconies with a plant species that do not exceed the height of the balcony balustrading. The planter boxes may be reduced in height. (c) A minimum of 90% of the proposed plantings (not including turfed areas) to be indigenous or local native plants as listed in Annexure B3 - 1 of the Waverley Development Control Plan 2022. (d) Three strata of vegetation are required to be included in landscape design, e.g. (i) tree or tall shrub canopy, (ii) mid-storey and (ii) groundcover layer. The amended landscape plan is to be approved by Council's Executive Manager, Environmental Sustainability (or delegate) prior to the issue of a construction certificate
	Condition reason: To ensure the approved vegetation respects views to neighbouring properties and the native planting for local fauna.
4.	**APPROVED PLANS TO BE FIXED WITH NATHERS STAMP**
	The approved plans are to be fixed with the NatHERS stamps (including QR code and AAO stamp). The amendments are to be approved by the **Principal Certifying Authority** prior to the issue of any Construction Certificate.
	Condition reason: To ensure the approved plans show compliance with NatHERS.
5.	**MULTI UNIT HOUSING DEVELOPMENT DESIGN**
	The approved design (including any element or detail of that design) or materials, finish or colours of the building must not be changed without the written approval of Council.
	Condition reason: To ensure the approved deign remains unchanged.

BUILDING WORK

BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE

	Condition
6.	**NO BUILDING OR DEMOLITION WORKS PRIOR TO RELEASE OF CONSTRUCTION CERTIFICATE**
	The building work, or demolition work, must not be commenced until: (a) a Construction Certificate has been obtained from Council or an Accredited Certifier in accordance with the *Environmental Planning and Assessment Act 1979*; (b) a Principal Certifying Authority has been appointed and Council has been notified of the appointment in accordance with the *Environmental Planning and Assessment Act 1979* and *Environmental Planning and Assessment Regulation 2021*; and (c) Council is given at least two days' notice in writing of the intention to commence the building works.
	Condition reason: To ensure a Construction Certificate is obtained prior to work commencing.
7.	**SECTION 7.12 CONTRIBUTION**
	A monetary development contribution is payable to Waverley Council pursuant to section 7.12 of the *Environmental Planning and Assessment Act 1979* and the Waverley Council Development Contributions Plan in accordance with the following: (a) Where the total development cost is $500,000 or less: (i) A **Cost Summary Report** or **Building Contract** or similar is to be submitted to Council's Customer Service Centre to process payment. (b) Where the total development cost is more than $500,000 but less than $1,000,000: (i) A **Detailed Cost Report** prepared by a registered Quantity Surveyor, **Building Contract**, or similar is to be submitted to Council's Customer Service Centre to process payment. (c) Where the total development cost is $1,000,000 or more: (i) A **Detailed Cost Report** prepared by a registered Quantity Surveyor, **Building Contract,** or similar is to be submitted to and approved by Council's Executive Manager, Urban Planning, Policy and Strategy (or delegate) Please forward documents to info@waverley.nsw.gov.au attention to Strategic Planning, and reference the relevant application number, address and condition number to satisfy. (ii) Upon confirmation of the contribution amount by Council's Executive Manager, Urban Planning, Policy and Strategy (or delegate), payment is to be processed via the Customer Service Centre. (iii) Should there be a discrepancy between the cost of works approved in subclause (b)(i) and the DA fee nominated in the original DA, then additional DA Fees may be payable prior to the issue of a Construction Certificate. A copy of the required format for the cost reports are provided in the Waverley Council Contributions Plan, available on Council's website.

	(d) As legislated in section 209 of the Environmental Planning and Assessment Regulation 2021, the levy must be paid in accordance with the following; (i) A development valued at $100,000 or less will be exempt from the levy; (ii) A development valued at $100,001 - $200,000 will attract a levy of 0.5% of the full cost of the development; or (iii) A development valued at more than $200,000 will attract a levy of 1% of the full cost of the development. Prior to the issue of any Construction Certificate, evidence must be provided that the levy has been paid to Council in accordance with this condition or that the cost of works is less than $100,000.
	Condition reason: To ensure the Section 7.12 Contributions are paid.
8.	**SECURITY DEPOSIT**
	A deposit (cash or cheque) for the amount of $89,631.26 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) must be provided to Council prior to the issue of any Construction Certificate. The full amount of the deposit, minus Council's costs for any repair of damage to Council property or rectification of unauthorised works on Council property, will be refunded after satisfactory completion all of works associated with this consent (including the required public works) to the person who paid the deposit.
	Condition reason: To ensure any damage to public infrastructure is rectified and public works can be completed.
9.	**LONG SERVICE LEVY**
	A long service levy, as required under section 34 of the *Building and Construction Industry Long Service Payments Act, 1986*, is to be paid in respect of this building work. Evidence that the levy has been paid is to be submitted to the Principal Certifying Authority prior to the issue of any Construction Certificate. Note: Council acts as an agent for the Long Service Payment Corporation and the levy may be paid at Council's office. The levy rate is 0.25% of building work costing $250,000 or more.
	Condition reason: To ensure the long service levy is paid.
10.	**ENGINEERING PLANS ASSESSMENT AND WORKS INSPECTION FEES**
	The applicant is to pay to Council fees for assessment of all engineering plans and inspection of the completed works in the public domain inclusive of all stormwater assessment, in accordance with Council's Schedule of Fees & Charges at the time of engineering plan approval, prior to such approval being granted by Council. An invoice will be issued to the applicant for the amount payable, which will be calculated based on the design plans for the subject development.

	Condition reason: To ensure Council assessment fees are paid.
11.	**PLANNING AGREEMENT**
	(a) The owner/applicant is to: (i) Enter into an Agreement in accordance with Waverley's Planning Agreement Policy 2014 prior to the issue of any Construction Certificate for the development that relates to works contained in DA-133/2023; and (ii) Pay a monetary contribution amount of $207,504 prior to the issue of any Occupation Certificate for the Development (calculated in accordance with Waverley's Planning Agreement Policy 2014 at 47.16 sqm of GFA exceedance at a rate of $4,400/sqm). (iii) A Planning Agreement will be entered into under Section 7.4 of the Environment Planning and Assessment Act 1979 between the applicant/owner of the land 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: a. In a form acceptable to Council and from an institution acceptable to Council. b. Irrevocable. c. Unconditional. d. 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.
	Condition reason: To provide a public benefit to the general public.
12.	**ARCHITECTURAL DETAILING**
	Further details of the architectural detailing of the building are required to be submitted for review and the satisfaction of Council's Executive Manager, Development Assessment (or delegate) which address the following matters: (a) A schedule of external materials and finishes and design details of all elements of the building façade, including materials for structure on balconies; (b) Large-scale detailed sections illustrating the construction of the roof, facades, method of fixing privacy screens, shading devices, balconies, planters and balustrades and major junctions between materials; (c) Detailed drawings of the entry foyers, awnings and window operation. This may also require a referral to the Waverley Design Excellence Advisory Panel with a referral fee to be paid at the time of lodgement. Please contact the assessment

	planner to clarify whether this applies in this case, prior to lodging documentation to satisfy this condition.
	Condition reason: To maintain the architectural integrity of the approved development.
13.	**BASEMENT STORAGE**
	Satisfied by DA-133/2023/B. ***[DELETED BY DA-133/2023/B]***
14.	**UNIVERSAL HOUSING**
	Apartments in the development are to be provided with universal design features (as outlined in the *Liveable Housing Design Guidelines*) to meet the changing need of occupant's over their lifetimes in accordance with Part B6 of the *Waverley Development Control Plan 2022*.
	Condition reason: To ensure universal design features are provided.
15.	**HOARDING**
	To ensure the site is contained during construction, a hoarding is required for the approved works, which is to be designed and constructed in accordance with the requirements of Safe Work NSW. Where the hoarding is to be erected over the footpath or any public place, the approval of Council's Compliance Unit must be obtained and the applicable fees paid, prior to the erection of the hoarding.
	Condition reason: To ensure safety to the general public.
16.	**EROSION & SEDIMENT CONTROL**
	A Soil and Water Management Plan (SWMP), also known as an Erosion and Sediment Control Plan must be prepared in accordance with Waverley Council's Water Management Technical Manual. The SWMP must be approved by the Principal Certifying Authority prior to the issue of a Construction Certificate. A copy of the SWMP must be kept on site at all times and made available to Council officers upon request. The recommendations of the SWMP must be implemented and maintained during all construction activities and until the site is fully stabilised following construction.
	Condition reason: To ensure sediment laden runoff and site debris do not impact local stormwater systems and waterways.
17.	**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.
	Condition reason: To ensure any excavation, shoring or pile construction is carried out in a safe manner.
18.	**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.
	Condition reason: To ensure structural stability of work on site.
19.	**TELECOMMUNICATIONS IN NEW RESIDENTIAL FLAT BUILDINGS**
	Evidence is to be provided to the Principal Certifier that arrangements have been made for; (a) The installation of fibre-ready facilities to all individual lots and/or premises to enable fibre to be readily connected to any premises that is being or may be constructed on those lots. Demonstrate that the carrier has confirmed in writing that they are satisfied that the fibre ready facilities are fit for purpose; and (b) The provision of fixed-line telecommunications infrastructure in the fibre-ready facilities to all individual lots and/or premises demonstrated through an agreement with a carrier.
	Condition reason: To ensure appropriate telecommunication services are provided.
20.	**SYDNEY WATER SECTION 73 COMPLIANCE CERTIFICATE APPLICATION**
	An application to obtain a Section 73 Compliance Certificate under the *Sydney Water Act 1994* must be made prior to the issue of the relevant Construction Certificate. The application must be made through an authorised Water Servicing Coordinator. For more information about making an application to obtain a Section 73 Compliance Certificate, please consult Sydney Water's website. Following this application, a "Notice of Requirements" will be provided by Sydney Water that outlines any requirements of works to be completed prior to the issue of the Section 73 Compliance Certificate. Please make early contact **with the Coordinator**, as building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design. A Section 73 Compliance Certificate must be issued from Sydney Water prior to the issue of an occupation certificate.
	Condition reason: To ensure the development appropriately connects to water and wastewater infrastructure provided by Sydney Water.
21.	**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
	Condition reason: To minimise disruption to local traffic.
22.	**STORMWATER MANAGEMENT**
	To ensure that stormwater runoff from the development is drained in an appropriate manner, without impact to neighbouring properties and downstream systems, a detailed plan and certification of the development's stormwater management system must be submitted and approved by the Executive Manager, Infrastructure Services (or delegate) prior to the issue of the relevant Construction Certificate. The applicant must submit amended plans and specifications to comply with the current Waverley Council Water Management Technical Manual and Development Control Plan (DCP) at the time of engineering plan approval. The submitted plans must be prepared by a suitably qualified and practising Civil Engineer and comply with the following conditions: a) Provide calculations of gutter sizing for 5% AEP storm event and minimum number of downpipes required. b) Ensure stormwater assets shown in architecture drawings are consistent with the stormwater drawings. » c) The rainwater tank must be designed to collect roof water only. The rainwater tank must be redesigned so water from the water quality chamber and pump-out chamber cannot enter the rainwater tank. » d) A certificate from a registered structural engineer certifying the structural adequacy of the OSD tank structure is to be provided. Any below ground OSD tank structure must be a cast in-situ concrete based. e) OSD system has insufficient storage. f) OSD ponding and overflow levels must not be less than 300 mm below any adjacent habitable floor levels of buildings and not less than 150 mm below non-habitable floor levels g) A certificate from a registered structural engineer certifying the structural adequacy of the OSD tank structure is to be provided. Any below ground OSD tank structure must be a cast in-situ concrete based. » h) In the event of pump failure one of the following is to be provided: a. an overland flow path is provided; or b. pondage in a suitably visible area is provided. These areas are to be sited with a view to minimising the cost of damage to occupiers of the property and include signage warning residents that inundation of the area may occur in the event of a pump failure.

	» i) Any underground basement is to be protected from possible inundation by surface waters from the street. j) Any affected Council's infrastructure as the result of construction activities within the public domain area, inclusive of stormwater, stormwater outlet/s, kerb and gutter, pavement, grass verges and vehicle crossovers within the extent works shall be replaced as per Waverley Council Public Domain Technical Manual. All associated costs will be borne by the applicant. Notes: i. The checklist as set out on pages 68-76 in Council's Water Management Technical Manual (October 2021) available online must be completed and submitted with any revision of Construction Certificate Plan Submissions. ii. Waverley Council has a template for the calculation of OSD and infiltration system sizing which is available upon request. iii. 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. iv. 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 must not be replicated. v. 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. vi. Council's contact for infrastructure assessment: E-mail: assets@waverley.nsw.gov.au or Phone: 9083 8655 (operational hours between 9.30am to 4pm Monday to Friday). The expected duration to review and approve the stormwater management plan may take at least 15 working days from the date of submission. vii. Evidence from a suitably qualified and practicing Engineer (registered on the NER of Engineers Australia or equivalent) that the approved design has been adhered to and approved by the Principal Certifying Authority (PCA) prior to the issue of the relevant Occupation Certificate. ***[AMENDED BY DA-133/2023/B]***
	Condition reason: To ensure the proper management of stormwater runoff.
23.	**GEOTECHNICAL RISK MANAGEMENT**
	The following geotechnical risk management measures must be followed: (a) The Applicant must comply with the Waverley Council Development Control Plan, Coastal Risk Management Policy, and Waverley Risks and Hazards Vulnerability Study Part 1 and Part 2, Reference No.301015-02526-CS-REP-0001, dated December 2011. Each of these documents are available on Waverley Council's website.

	(b) Any recommendations in the amended geotechnical investigation report prepared by Crozier Geotechnical Consultants, Project No. 2022-137.2, Issue No 3 dated 26 September 2023 must be addressed and complied with. The Geotechnical Assessment for Section 4.55 modification to approved works prepared by Crozier Geotechnical Consultants dated 16 June 2025 must be peer reviewed, at the applicant's cost, by a suitably qualified geotechnical engineer and any additional recommendations applied that shall be complied prior to the site obtaining a Construction Certificate. (c) Prior to issuance of a Construction Certificate, a Construction Methodology Report (CMR) must be prepared and submitted to the Principle Certifying Authority for review and approval and the approved CMR must be submitted to Council's Infrastructure Services – Assets Department for records. (i) The CMR must be prepared by a qualified and appropriately experienced Geotechnical Engineer/Engineering Geologist and Structural Engineer (CP Eng or equivalent and with at least 10 years relevant experience). (ii) The CMR must include a review of the full detailed design including the temporary and permanent excavation, and shoring support systems and the findings of the review. (iii) The CMR must include a review of the geotechnical report and advise on the need of any further assessment work such as additional geotechnical investigation, further assessment of the cliff line such as via aerial drone surveys, abseil rope inspections etc) and any specific monitoring requirements for the cliff line to be implemented during construction. (iv) The CMR must include the methodology to be adopted in undertaking excavation, measures to reduce vibrations, shoring works and measures to maintain the stability of the neighbouring structures and the foreshore cliff line. (v) The CMR must include an appropriate monitoring plan to confirm that ground surface movement on the site boundaries and beyond, and deflections of shoring systems fall within acceptable limits and identify hold points and contingency plans for any exceedances. (vi) The CMR must include proposed excavation techniques to be undertaken to reduce vibrations and prepare a Vibration Monitoring Plan which identifies hold points and contingency plans for any exceedances. The vibration monitoring must ensure that the peak vibration velocity (Vi, max) or Maximum Peak Particle Velocity falls within 'safe' limits as defined in the German Standard DIN 4150-3, dated 2016: Structural vibration – Part 3: Effects of vibration on structures. (vii) The CMR must include a statement confirming that the proposed development is suitable for the site and will maintain the stability of the neighbouring buildings and structures and the foreshore cliff line. (viii) The CMR must be submitted to the Principal Certifying Authority and Council for review and approval. The approved CMR is to be submitted to Council's Infrastructure Services – Assets Department for records. ***[AMENDED BY DA133/2023/B]***
	Condition reason: To ensure geotechnical risks are reduced.

24.	**BASIX**
	All requirements of the BASIX Certificate and/or NatHERS documentation are to be shown on the Construction Certificate plans and documentation.
	Condition reason: To ensure BASIX and/or NatHERS requirements are met.
25.	**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.
	Condition reason: To ensure resource recovery is promoted and the local amenity is protected during construction.
26.	**WASTE STORAGE AREAS**
	The development must have a bin storage area with sufficient space to accommodate the following minimum number of bins for the residential components of the development; **Residential** 2 x 1 bedroom, 2 x 2 bedroom ○ 2 x 240L Mobile Garbage Bins (MGBs) for general waste (collected weekly) ○ 2 x 240L MGBs for paper and cardboard recycling (collected fortnightly) ○ 2 x 240L MGBs for container recycling (collected fortnightly) ○ 1 x 240L MGB for garden organic waste should this be generated at the development. • A minimum of 3**m²** is required for the on-site storage of bulky waste awaiting collection. • All waste and recycling storage areas 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.
	Condition reason: To ensure the appropriate space for storage of waste on site.
27.	**DILAPIDATION REPORTS**
	(a) 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 be made available to affected property owners. The report is to be dated, submitted to, and accepted by the Principal Certifying Authority, prior to any work commencing on the site. Note: Any damage that may be caused is a civil matter. This consent does not allow or authorise any party to cause damage, trespass, or any other unlawful act and Council will not be held responsible for any damage that may be caused to adjoining buildings as a consequence of the development being carried out.

	Council will not become directly involved in disputes between the builder, owner, developer, its contractors and the owners of neighbouring buildings. (b) A comprehensive pre-demolition dilapidation survey for the purpose of assessing vibration effects and/or ground movements is required. The report is to cover at a minimum the following neighbouring properties of 152 Brighton Boulevarde and 156 Brighton Boulevarde. The report is to be submitted to the Principle Certifying Authority and Waverley Council's Infrastructure Services – Assets department.
	Condition reason: To establish and document the structural condition of adjoining properties and public land for comparison as site work progresses and is completed and ensure neighbours and council are provided with the dilapidation report.
28.	**DILAPIDATION REPORT FOR THE PUBLIC DOMAIN**
	To ensure Council's infrastructure is adequately protected a pre-demolition dilapidation report on the existing public infrastructure within the vicinity of the proposed development and along the travel routes of all construction vehicles 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: (a) Road pavement (b) Kerb and gutter (c) Footpath (d) Drainage pits and lintels (e) Traffic signs (f) 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. All fees and charges associated with the collation of this report shall be at the cost of the Applicant. Upon request by Council, the applicant may be required to submit a post-construction dilapidation report. Notes: (a) The checklist as set out on pages 68-76 on Council's Water Management Technical Manual (Oct 2021) available online must be completed and submitted with any revision of Construction Certificate Plan Submission. (b) 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. (c) 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. (d) Council's contact for infrastructure assessment: E-mail: assets@waverley.nsw.gov.au or Phone: 9083 8886 (operational hours between

	9.30am to 4pm Monday to Friday). The expected duration to review and approve the stormwater management plan may take at least 15 working days from the date of submission.
	Condition reason: To establish and document the structural condition of adjoining properties and public land for comparison as site work progresses and is completed and ensure neighbours and council are provided with the dilapidation report.
29.	**PUBLIC DOMAIN IMPROVEMENTS**
	The public domain along the Brighton Boulevard frontage of the development site is to be upgraded in accordance with the current Waverley Council Development Control Plan (DCP) and Public Domain Technical Manual (PDTM) at the time of engineering plan approval. A public domain plan for the following works shall be submitted to Council, and approved by the Executive Manager, Infrastructure Services (or delegate) prior to the issue of the relevant Construction Certificate. (a) Pedestrian footpath (b) Vehicular crossing (c) Road pavement (d) Kerb and gutter (e) Stormwater infrastructure located within the Council kerb and/or footpath (f) Street tree planting and landscaping
	Condition reason: To ensure public infrastructure is upgraded and constructed in the correct manner.
30.	**PUBLIC INFRASTRUCTURE WORKS**
	Public infrastructure works shall be designed and constructed as outlined in this condition of consent. The approved works must be completed to Council's satisfaction at no cost to Council. Full design engineering drawings must be prepared by a suitably qualified and experienced engineering professional and must be submitted to Council for the approval of the Executive Manager, Infrastructure Services (or delegate) prior to the issue of the relevant Construction Certificate. The Applicant must submit plans and specifications for the following infrastructure works to Council's Public Infrastructure Engineer: (a) Road Pavement: The full renewal and reconstruction of asphalt pavement for half road width in Brighton Boulevard frontage. Details of the road pavement treatments and sub-grade details to be advised by Council. (b) Footpath, Kerb and Gutter: The existing footpath, kerb, and gutter traversing Brighton Boulevard frontage is to be reconstructed and upgraded in accordance with the current Waverley Council Development Control Plan (DCP) and Public Domain Technical Manual (PDTM) at the time of engineering plan approval. Any stormwater kerb lintel infrastructure within the extent of kerb and gutter works shall be replaced. The proposed footpath, kerb, and gutter profiles must include

	longitudinal and cross sections to ensure proper connections to the existing Council infrastructure traversing the development site. (c) Street Tree: The existing street tree located within the nature strip along Brighton Boulevard frontage must be protected at all times. (d) The existing Council verge for the full frontage of the development must be returfed. (e) Any existing or proposed utility pillars on the site frontages are 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 Councils Public Domain to support the new development. 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. Council's contact for public domain: E-mail: assets@waverley.nsw.gov.au or Phone: 9083 8886 (operational hours between 9.30am to 4.00pm Monday to Friday).
	Condition reason: To ensure public infrastructure is upgraded and constructed in the correct manner.
31.	**GROUND ANCHORS**
	Where any ground anchors (i.e. rock or sand anchors) are proposed to extend beyond the property boundary beneath roadways and other Council property, details must be submitted to Council and approved by the Executive Manager, Infrastructure Services (or delegate) and will be subject to fees. For further information regarding this, please contact assets@waverley.nsw.gov.au at (02) 9083 8886. Separate approval will be required for ground anchors beneath roadways governed by the Transport for NSW (TfNSW).
	Condition reason: To ensure ground anchors to not impacts public infrastructure.
32.	**DE-WATERING OF UNDERGROUND STRUCTURES**
	It is a normal practice with the construction for underground structures, that de-watering may be required. The application shall be made with WaterNSW to obtain relevant approval and determine if a licence is required under the Water Management Act 2000, for the **temporary dewatering.** A copy of the aforementioned approval must be submitted to Council. Note: Permanent dewatering is not allowed. If a licence is required, then the Development Application becomes Integrated Development and Council's Development Assessment Planner must be consulted.
	Condition reason: To ensure WaterNSW is made aware of any de-watering.

BEFORE BUILDING WORK COMMENCES

	Condition
33.	**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.
	Condition reason: To ensure the general public are afforded the Principal Certifying Authority and principal contractor's (the coordinator of the building works) contact details.
34.	**DEMOLITION – ASBESTOS AND HAZARDOUS MATERIALS**
	The demolition, removal, storage, handling and disposal of products and materials containing asbestos must be carried out in accordance with the relevant requirements of SafeWork NSW and the NSW Environment Protection Authority (EPA), including: • Work Health and Safety Act 2011; • Work Health and Safety Regulation 2017; • SafeWork NSW Code of Practice for the Safe Removal of Asbestos; • Australian Standard 2601 (2001) – Demolition of Structures; • *Protection of the Environment Operations Act 1997.* At least 5 days prior to the demolition, renovation work or alterations and additions to any building, the person acting on the consent shall submit a Work Plan to the Principal Certifying Authority in accordance with Australian Standard AS 2601-2001, Demolition of Structure and a Hazardous Materials Assessment prepared by a person with suitable expertise and experience. The Work Plan and Hazardous Materials Assessment shall: (a) Outline the identification of any hazardous materials, including surfaces coated with lead paint; (b) Confirm that no asbestos products are present on the subject land, or (c) particularise a method of safely disposing of the asbestos in accordance with the Code of Practice on how to safely remove asbestos published by SafeWork NSW (catalogue WC03561); (d) Describe the method of demolition; (e) Describe the precautions to be employed to minimise any dust nuisance; and (f) Describe the disposal methods for hazardous materials.
	Condition reason: To ensure the safety of workers and the general public.

35.	**TREE PROTECTION**
	All trees on site and adjoining properties, including street trees, are to be retained and protected in accordance with AS4970-2009 'Protection of Trees on Construction Sites' and to be certified by an Arborist with AQF level 5 qualification or above, unless approved to be removed in this development consent.
	Condition reason: To protect and retain trees.
36.	**STREET TREES TO BE RETAINED/TREE PROTECTION**
	No existing street trees shall be removed without Council approval. Precautions shall be taken when working near trees to ensure their retention, including the following: (a) Do not store harmful or bulk materials or spoil under or near trees; (b) Prevent damage to bark and root system; (c) Do not use mechanical methods to excavate within root zones; (d) Do not add or remove topsoil from under the drip line; (e) Do not compact ground under the drip line; (f) Do not mix or dispose of liquids within the drip line of the tree; and (g) All trees marked for retention must have a protective fence/guard placed around a nominated perimeter in accordance with AS4970-2009 “Protection of trees on construction sites.
	Condition reason: To protect trees during the carrying out of site work.

DURING BUILDING WORK

	Condition
37.	**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.
	Condition reason: To ensure the safety of workers and the general public.
38.	**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.
	Condition reason: To ensure compliance with the Protection of the Environment Operations Act 1997 and the NSW EPA Waste Classification Guidelines 2014.
39.	**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 or 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.
	Condition reason: To ensure structural stability of work on site and general safety.
40.	**CONSTRUCTION HOURS**
	Demolition and building work must only be undertaken between the hours of 7am and 5pm on Mondays to Fridays and 8am to 3pm on Saturdays, with no work to be carried out on Sundays and public holidays. Excavation works involving the use of heavy earth movement equipment, including rock breakers and the like, must only be undertaken between the hours of 7am and 5pm on Mondays to Fridays, with no such work to be carried out on Saturday, Sunday or a public holiday. Noise from construction activities shall comply with the *Protection of the Environmental Operations (Noise Control) Regulation 2017*.

	Condition reason: To protect the amenity of the surrounding area.
41.	**STOCKPILES, STORAGE OF MATERIALS AND LOCATION OF BUILDING OPERATIONS**
	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 Critical stage inspections for building work of the Environmental Planning and Assessment Regulation 2021.
	Condition reason: To ensure the building works are constructed in accordance with the relevant legislation.
42.	**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.
	Condition reason: To ensure buildings are sited and positioned in the approved location.
43.	**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.
	Condition reason: To ensure buildings are sited and positioned in the approved location.
44.	**WORK OUTSIDE PROPERTY BOUNDARY**
	This consent does not authorise any work outside the property boundary.
	Condition reason: To ensure buildings are sited and positioned in the approved location.
45.	**CONSTRUCTION OF SWIMMING POOLS AND OUTDOOR SPAS**
	The following applies to the construction of swimming pools and outdoor spas: (a) Reinforcement of the swimming pool/outdoor spa is to be inspected by an Accredited Officer or other suitably qualified person prior to the pouring of concrete (b) The electrical wiring system for any proposed underwater artificial lighting installation to the pool/spa is to be installed in accordance with the requirements of Australian Standard 3000, Part 1 - Wiring Rules (c) The swimming pool/outdoor spa water is to be treated by an approved water treatment and filtration unit (d) To prevent noise nuisance to surrounding properties, the swimming pool/outdoor spa filtration motor and pump unit is to be housed within a ventilated soundproof enclosure

	(e) Waste waters from the swimming pool/outdoor spa are to be discharged into Sydney Water's sewerage system and in this regard, approved plans MUST be submitted to Sydney Water at least 14 days prior to commencement of building operations.
	Condition reason: To ensure pools are constructed in a correct manner.
46.	**HEADROOM CLEARANCE**
	The headroom clearance on the entry and within the car park shall be a minimum of 2.2 metres. The headroom clearance within the accessible parking spaces and adjacent shared areas shall be a minimum of 2.5 metres.
	Condition reason: To ensure acceptable height clearance for vehicles.
47.	**CAR LIFTS**
	Minimum internal dimensions for the car lifts are to be. (a) 5.4 metres long (b) 2.4 metres wide (c) 2.2 metres headroom. No parking of vehicles in the carlift shall occur – these are to be used for transporting vehicles between levels only.
	Condition reason: To ensure the car lift can accommodate vehicles.
48.	**ELECTRIC VEHICLE CHARGING POINTS**
	All resident car spaces must be 'EV Ready' and provided a dedicated circuit with a minimum current of 16A and cable storage for each parking space with power demand management system to enable all circuits to be used simultaneously. Electrical circuit have capacity to deliver a minimum 15 kWh between 11pm-7am. All visitor car spaces require an EV charger with a 3-phase - 32A connection as a minimum. Electrical circuit have capacity to deliver a minimum 15 kWh between 9am-5pm.
	Condition reason: To ensure facilities for electric vehicles are provided.
49.	**DAILY LOG REQUIREMENTS DURING BULK EXCAVATION**
	During the bulk excavation stages, a qualified supervising engineer will be required to be present on site for the duration of these works and to implement the requirements of the Construction Methodology Report (CMR). A daily log is to be kept on site and submitted to the Principal Certifying Authority
	Condition reason: To ensure excavation is carried out in a safe and correct manner.
50.	**NOTICE OF INTENTION TO COMMENCE PUBLIC DOMAIN WORKS**
	Prior to commencement of the public domain works notice shall be submitted to Councils Infrastructure Engineer. This notice shall include the name and insurance details of the Contractor who will be responsible for the construction works, and details of the managing site supervisor/engineer. The applicant is also responsible for

	obtaining all Road Activity Permits required for the works, from the respective authorities.
	Condition reason: To ensure Council is made aware of when public domain works commence.
51.	**PUBLIC DOMAIN ENGINEERING INSPECTIONS**
	To ensure all public infrastructure engineering works required by Council under this consent will be constructed to Council satisfaction, inspection(s) will be required, and compliance certificates must be obtained from Council's Public Infrastructure Engineer for the road pavement, kerb and gutter, stormwater, footpath paving, street tree and landscaping hold points. All applicable engineering inspection fees in accordance with Council's Management Plan are to be fully paid prior to the issue of the Construction Certificate for the works. A minimum 48 hours' notice will be required when booking for the site inspections.
	Condition reason: To ensure public infrastructure is constructed to the satisfaction of Council.
52.	**CAR PARKING**
	A total of **3** car vehicle parking spaces are to be provided within the development, allocated in the following manner: (a) 3 residential parking spaces Car parking spaces are to be allocated with the rates specified in the DCP, with no more than 2 spaces allocated to any residential unit/dwelling with 3 or more bedrooms. All car spaces and to be appropriately signposted and parked. Car parking spaces shall not be independent lots, but rather part lots attached to units in any future Subdivision Plans. A nib wall (minimum height of 1.5m from finished floor level) is to be built within the basement on the eastern side of Apartment 1 car space at basement level 2, and on the eastern side of the bicycle parking in basement level 1 providing a physical barrier between carparking and the adjacent area. In this regard, clear access shall be provided at all times for pedestrians to access the lift.
	Condition reason: To ensure the amount of car parking on site is reflective of the approval.
53.	**BICYCLE PARKING**
	A total of **4** bicycle parking spaces are to be provided within the development, allocated in the following manner: (a) 4 residential bicycle spaces The bicycle spaces are to be designed in accordance with Australian Standard AS2890.3 - 2015 Parking Facilities - Bicycle Parking. The bicycle spaces are to be provided by way of a secure lockable area, individual lockers or suitable bicycle racks and are to be located within the ground floor foyer or adjacent within any forecourt or within the basement car parking area. Signage and line-marking (way finding) is to be provided to guide visitors to the allocated

	bicycle parking spaces to ensure a safe path of travel to the bicycle spaces (separate to cars). Details of this are to be submitted to Council for the approval of the Executive Manager, Infrastructure Services, or delegate.
	Condition reason: To ensure the amount of bicycle parking is reflective of the approval.

BEFORE ISSUE OF AN OCCUPATION CERTIFICATE

	Condition
54.	**FINAL OCCUPATION CERTIFICATE**
	Prior to occupation or use of the development, an Occupation Certificate must be obtained. The Principal Certifying Authority must be satisfied that the requirements of the *Environmental Planning & Assessment Act 1979* have been satisfied including all critical stage inspections. Documentary evidence of all required inspections is to be submitted to Council.
	Condition reason: To ensure an Occupation Certificate is issued prior to occupation or use of the development.
55.	**CERTIFICATION OF BASIX COMMITMENTS**
	The Principal Certifying Authority shall certify that the all the undertakings in the approved BASIX certificate have been completed.
	Condition reason: To ensure all the undertakings in the approved BASIX certificate have been completed.
56.	**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.
	Condition reason: To ensure the high quality landscape solution is appropriately established and maintained for the life of the development.
57.	**SYDNEY WATER SECTION 73 COMPLIANCE CERTIFICATE**
	A Section 73 Compliance Certificate must be issued from Sydney Water prior to the issue of an occupation certificate.
	Condition reason: To ensure that the development has appropriately connected to water and wastewater infrastructure.
58.	**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.
	Condition reason: To ensure public domain works have been constructed to Council's satisfaction.
59.	**CERTIFICATION OF PUBLIC INFRASTRUCTURE WORKS**
	Prior to the issue of any Occupation Certificate, a final Compliance Certificate shall be obtained from Executive Manager, Infrastructure Services (or delegate) confirming

	that all works in the road reserve including all public domain infrastructure and restorations have been completed and constructed to Council's satisfaction, as required under the consent. A final inspection is required to be carried out by Council's Infrastructure Engineer. Notes (a) The issue of a final Compliance Certificate from the Council's Infrastructure Engineer 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. (b) 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. (c) 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 in Council's standard specification, during the twelve (12) months' defects liability period.
	Condition reason: To ensure public domain works have been constructed to Council's satisfaction.
60.	**COUNCIL PUBLIC INFRASTRUCTURE**
	Prior to the issue of any Occupation Certificate, a Compliance Certificate shall be obtained from Council's Infrastructure Services Department confirming any affected Council's infrastructure as the result of construction activities within the public domain area including stormwater, stormwater outlet/s, kerb and gutter, road pavement, pedestrian footpath, grass verges and vehicle crossover within the extent works shall be replaced as per Waverley Council Public Domain Technical Manual and Development Control Plan.
	Condition reason: To ensure public infrastructure is replaced and installed correctly.
61.	**STRUCTURAL AND GEOTECHNICAL CERTIFICATION**
	The project structural and geotechnical engineers must prepare separate certificates confirming that the development was completed in accordance with the CMR and identifying any departures from the CMR that were approved and implemented during construction. The Geotechnical Certificate must also include a statement on the stability of the cliff line and confirm the requirements for on-going geotechnical assessment of the cliff line.
	Condition reason: To ensure the works are completed correctly.
62.	**CERTIFICATION OF CONSTRUCTED STORMWATER DRAINAGE SYSTEM**
	Prior to the issue of any Occupation Certificate, certification is to be provided from a suitably qualified and practicing Engineer, that any new stormwater drainage system has been constructed in accordance with the Development Consent, Water

	Management Technical Manual, all applicable Codes, Policies, Plans, Standards, and good engineering practice. A copy of the aforementioned letter of certification must be submitted to Council.
	Condition reason: To ensure stormwater infrastructure has been installed and constructed correctly.
63.	**WORKS-AS-EXECUTED DRAWINGS – STORMWATER DRAINAGE SYSTEM**
	(a) A Works-As-Executed drawing (WAED) of the stormwater drainage system must be prepared, stamped, and signed by a Registered Surveyor. This drawing must detail the alignment of all pipelines, pits, basement pump-out facility, detention facility, rainwater harvesting facility, and other drainage-related infrastructure. An original or a colour copy must be submitted to Waverley Council. Where changes have occurred, the Council-approved plans must be marked-up in red ink and must include levels and locations for the drainage structures and works. (b) A suitably qualified and practicing Engineer must provide certification of the WAED of the stormwater drainage system that the stormwater drainage works, and basement pump-out facility were constructed to their satisfaction and in accordance with the Development Consent, Water Management Technical Manual, all applicable Codes, Policies, Plans, Standards, and good engineering practice. A copy of the aforementioned letter of certification must be submitted to Council.
	Condition reason: To ensure stormwater infrastructure has been constructed correctly.
64.	**WORK-AS-EXECUTED PLAN – PUBLIC DOMIAN**
	(a) 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. (b) 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.
	Condition reason: To ensure public domain infrastructure has been constructed correctly.
65.	**CREATION OF POSITIVE COVENANT AND RESTRICTION FOR OSD, PUMP OUT SYSTEM AND RAINWATER TANK**
	Prior to the issue of an Occupation Certificate, a "Positive Covenant" and "Restriction on the Use of Land" must be created for the On-Site Stormwater Detention (OSD) system, pump-out system and rainwater tank are maintained and kept free of debris/weed to allow unobstructed passage of stormwater through the site and underneath the residence. The property owner/occupant must not modify or remove the OSD system, pump-out system and rainwater tank without consent from Council.

	The wording of the Instrument must be submitted to and approved by Executive Manager, Infrastructure Services (or delegate) prior to lodgement at NSW Land Registry Services. Where a Title exists, the Positive Covenant and Restriction on the Use of Land is to be created via an application to the NSW Land Registry Services using forms 13PC and 13RPA. Accompanying this form is the requirement for a plan to scale showing the relative location of the OSD system, pump-out and rainwater tank, including its relationship to the building footprint. Electronic colour photographs of the OSD system, pump-out and rainwater tank must accompany the application for the Positive Covenant and Restriction on the Use of Land. The Instrument must be registered and a registered copy of the document must be submitted to and approved by the consent authority prior to the issue of an Occupation Certificate or use of the building. All associated costs will be borne by the applicant.
	Condition reason: To ensure that stormwater management arrangements are clearly identified on the Certificate of Title for the site.
66.	**CREATION OF POSITIVE COVENANT AND RESTRICTION FOR WATER QUALITY**
	Prior to the issue of an Occupation Certificate, a "Positive Covenant" and "Restriction on the Use of Land" must be created for the Stormwater Quality Improvement Devices in accordance with the requirements of Council's Water Management Manual 2021. The covenant requirements are to include the submission of an annual report on water treatment by the first business day on or after 1 September each year. The Restriction to User and Positive Covenant must be registered with NSW Land Registry Services prior to the Final Occupation Certificate.
	Condition reason: To ensure that stormwater management arrangements and obligations are clearly identified on the Certificate of Title for the site.
67.	**PLANNED PREVENTATIVE MAINTENANCE SCHEDULE FOR PUMP OUT SYSTEM**
	The registered proprietor will 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 must be submitted to the Executive Manager, Infrastructure Services or delegate prior to the issue of the Occupation Certificate.
	Condition reason: To ensure a PPM schedule is established for the maintenance of the pump out system.
68.	**CERTIFICATION OF SWIMMING POOL/OUTDOOR SPA**
	Prior to the pool being used, the following must be provided; (a) Certification that the pool has been constructed in accordance with the consulting engineers design; (b) Evidence that the swimming pool/outdoor spa has been registered on the State Government Swimming Pool Register (http://www.swimmingpoolregister.gov.au);

	(c) A sign outlining details of resuscitation techniques for adults, children and infants has been placed in a prominent position, close to the pool/outdoor spa. Signs are available from Council; (d) A copy of the occupation certificate must be submitted to Council. Note: Swimming/spa pool pumps are restricted from use between 8pm to 7am weekdays and Saturdays, 8pm to 8am on Sundays and public holidays in accordance with the requirements of the Protection of the Environment Operations (Noise Control) Regulation 2017.
	Condition reason: To ensure the swimming pool/outdoor spa has been constructed appropriately to ensure the safety of users.
69.	**STREET NUMBER/S**
	The street number for the property shall be a minimum of 75mm high and shall be positioned 600mm-1500mm above ground level on the site boundary that fronts the street. Should the number be fixed to an awning then it shall be a minimum 150mm high.
	Condition reason: To ensure the property address is clearly identified.
70.	**ALLOCATION OF STREET NUMBER**
	The redevelopment of the property has led to the following allocation of primary and sub-premises (unit) numbering: (a) No. 154 - primary address site number (b) Brighton Boulevarde primary address location. The primary address site number for the property shall be a minimum of 75mm high and shall be positioned 600mm-1500mm above ground level, located near the pedestrian entry point and be clearly visible on the site boundary that fronts Brighton Boulevarde. The following sub-addressing will apply: (a) Nos. 1-3 for the residential sub-address sites within the building correlating with Nos. 1-3 on the floor plans for the building. The address number for a sub-address site shall not consist of the primary address number on its own. The address number for a sub-address site shall not consist of the primary address number with an alpha suffix. Sub-address numbers shall be applied in a logical sequence and within a primary address site shall be unique regardless of the type of the address. The primary and sub-address site numbers are to be positioned on the site prior to the issue of the Occupation/Subdivision Certificate. Any variation to the above premises numbering requires a new application for a Change of street number and/or location to be lodged with Council.

	Condition reason: To ensure the property address is clearly identified.
71.	**FLOOR SPACE RATIO**
	The following applies to Floor Space Ratio: (a) The Gross Floor Area of the building shall be limited to 523.6m^2. (b) Prior to any Occupation Certificate (including Interim) being issued, a Registered Surveyor must provide certification of the total and component Gross Floor Areas (by use) in the development, utilising the definition under the Waverley Local Environmental Plan 2012, applicable at the time of development consent, to the satisfaction of the Principal Certifier.
	Condition reason: To ensure the constructed development complies with the approved floor space ratio.
72.	**BUILDING HEIGHT**
	(a) The height of the buildings must not exceed the following RLs (AHD) to the top of the buildings and (where relevant) to the top of building parapets: (i) Ridge/parapet height: RL 39.506 Prior to an Occupation Certificate being issued, a Registered Surveyor must provide certification that the height of the building accords with (a) above, to the satisfaction of the Principal Certifier.
	Condition reason: To ensure the constructed development complies with the approved height.
73.	**PLAN OF MANAGEMENT - WASTE AND RECYCLING STORAGE**
	The following must be followed as part of Site Waste Management Plan: (a) The waste storage area and bins must be cleaned and maintained regularly. (b) Clear signage identifying the different bin types and storage area for bulky household waste and problem waste must be displayed. (c) The recycling bins must be placed alongside the general waste bins for ease of access and to encourage recycling habits. (d) Responsibilities for transporting bins from the storage points to the nominated collection area, cleaning of bins, cleaning of storage areas and booking and transporting bulky waste for Council is the responsibility of residents and tenants. (e) All waste and recycling bins must only be placed out on Council footpath for collection no earlier than 5:30 p.m. on the day prior to the designated waste collection day and retrieved from the kerbside as early as possible. (f) The occupants/body corporate shall be provided with at least one copy of the Waste Management Plan. (g) At no times shall bins be stored on the public domain (e.g. footpaths).
	Condition reason: To ensure waste is correctly managed.
74.	**ONGOING OPERATION**
	Prior to issuance of Occupation Certificate, the property owners/occupants will be required to submit a deed of agreement for an annual geotechnical assessment of the cliff line. The property owners/occupants will need to acknowledge they are aware of

	the high-risk geotechnical fault lines traversing the property and all costs associated with the ongoing servicing and protection of the cliff top surface traversing the property shall be borne by the property owners/occupants. The deed shall note a registered surveyor to undertake an annual survey of the property to assess signs of damage to existing structures and fences, tension cracks developing at the site surface etc. The deed shall be submitted to Council and approved by the Executive Manager, Infrastructure Services (or delegate).
	Condition reason: To ensure the cliff is monitored for significant changes.

OCCUPATION AND ONGOING USE

	Condition
75.	**NOISE EMISSIONS & MECHANICAL PLANT**
	(a) 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. (b) 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.
	Condition reason: To ensure all mechanical plant installed in the development does not result in unacceptable noise impacts upon surrounding residences.

GENERAL ADVISORY NOTES

	Condition
1.	**DEVELOPMENT IS TO COMPLY WITH LEGISLATION**
	This consent contains the conditions imposed by the consent authority which are to be complied with when carrying out the approved development. However, this consent is not an exhaustive list of all obligations which may relate to the carrying out of the development under the EP&A Act, EP&A Regulation and other legislation.
2.	**DEVELOPMENT MUST MEET CONDITIONS OF CONSENT**
	The approved development must be carried out in accordance with the conditions of this consent. It is an offence under the EP&A Act to carry out development that is not in accordance with this consent.
3.	**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
4.	**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.
5.	**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.
6.	**EXCAVATION TO BE LIMITED**
	Excavation shall be limited to that shown in the approved plans. Any further excavation will require Council approval.
7.	**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.
8.	**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.
9.	**WORK OUTSIDE PROPERTY BOUNDARY**
	This consent does not authorise any work outside the property boundary.
10.	**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.
11.	**ECOLOGICALLY SUSTAINABLE DEVELOPMENT RECOMMENDATIONS**
	<u>Indoor air quality:</u> Council strongly encourages the use of electrical cooktops, ovens and internal heating systems within residential developments to ensure that ambient indoor air quality levels specified in the National Environmental Protection Measure (Ambient Air Quality) are met. <u>Ventilation:</u> Council strongly encourages the installation of ceiling or wall mounted fans or Heat Recovery Ventilation (HRV) Units within residential developments to enable adequate ventilation of habitable rooms. <u>Domestic hot water:</u> Council strongly encourages the installation of electric hot water systems. If an

	electrical system is not installed it is suggested to include specific provisions to enable the future installation
12.	**RAINWATER HARVESTING AND REUSE**
	The operation of all devices or appliances installed within the development approved by this consent as required by conditions pertinent to rainwater harvesting and rainwater reuse must be maintained in good operating order at all times.
13.	**ONGOING MAINTENANCE – STORMWATER TREATMENT SYSTEM**
	The stormwater treatment system must be maintained in accordance with the manufacturer's or designer's specification for the life of the development. Council will need to be provided with a Maintenance Schedule that supports the routine maintenance activities.
14.	**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. Upon notifying Council, the Applicant must comply with the requirements (including financial costs) of the relevant utility service provider (e.g. Ausgrid, Sydney Water, Telstra, Transport for NSW or similar) in relation to any connections, repairs, relocations, replacements and/or adjustments to public infrastructure or services affected by the proposed works.
15.	**PARKING PERMITS**
	Occupants of the building are not to be eligible for resident parking permits under Council's Residents Preferential Parking permits scheme.
16.	**WASTE MANAGEMENT PLAN REVIEW**
	After 5 years of operation under this development consent, the Approved Waste Management Plan is to be reviewed to ensure that the details including contracts, roles and responsibilities, commercial tenants (if relevant) are current. The updated plan is to supersede the previous plan.
17.	**SIGNAGE ADJOINING CLIFF EDGE**
	Suitable warning signage shall be installed within the property yard to advise occupants of the geotechnical hazard and deep rock face traversing the rear boundary. Details of the signage must be liaised with council prior to installation before Occupation of the site.

Dictionary

The following terms have the following meanings for the purpose of this determination (except where the context clearly indicates otherwise):

Approved plans and documents means the plans and documents endorsed by the consent authority, a copy of which is included in this notice of determination.

AS means Australian Standard published by Standards Australia International Limited and means the current standard which applies at the time the consent is issued.

Building work means any physical activity involved in the erection of a building.

Certifier means a council or a person that is registered to carry out certification work under the *Building and Development Certifiers Act 2018*.

Construction certificate means a certificate to the effect that building work completed in accordance with specified plans and specifications or standards will comply with the requirements of the EP&A Regulation and *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*.

Council means Waverley Council.

Court means the Land and Environment Court of NSW.

EPA means the NSW Environment Protection Authority.

EP&A Act means the *Environmental Planning and Assessment Act 1979.*

EP&A Regulation means the *Environmental Planning and Assessment Regulation 2021.*

Independent Planning Commission means Independent Planning Commission of New South Wales constituted by section 2.7 of the EP&A Act.

Local planning panel means Waverley Local Planning Panel.

Occupation certificate means a certificate that authorises the occupation and use of a new building or a change of building use for an existing building in accordance with this consent.

Principal certifier means the certifier appointed as the principal certifier for building work or subdivision work under section 6.6(1) or 6.12(1) of the EP&A Act respectively.

Site work means any work that is physically carried out on the land to which the development the subject of this development consent is to be carried out, including but not limited to building work, subdivision work, demolition work, clearing of vegetation or remediation work.

Stormwater drainage system means all works and facilities relating to:
the collection of stormwater,

the reuse of stormwater,

the detention of stormwater,

the controlled release of stormwater, and

connections to easements and public stormwater systems.

Strata certificate means a certificate in the approved form issued under Part 4 of the *Strata Schemes Development Act 2015* that authorises the registration of a strata plan, strata plan of subdivision or notice of conversion.

Subdivision certificate means a certificate that authorises the registration of a plan of subdivision under Part 23 of the *Conveyancing Act 1919*.

Subdivision works certificate means a certificate to the effect that subdivision work completed in accordance with specified plans and specifications will comply with the requirements of the EP&A Regulation.

Sydney district or regional planning panel means Sydney Eastern City Planning Panel.

Suitably qualified acoustic consultant means 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.

DRAWING LIST

NO.	REV	NAME
S4.55 000	A	TITLE PAGE
S4.55-001	A	SETBACK DIAGRAM
S4.55-002	A	DEEP SOIL PLAN
S4.55-003	A	GROSS FLOOR AREA CALCULATIONS
S4.55-004	A	HEIGHT BLANKET DIAGRAM
S4.55-005	A	EXCAVATION DIAGRAM
S4.55-006	A	CROSS VETILATION DIAGRAM
S4.55-101	A	SITE/ROOF PLAN
S4.55-102	A	SITE ANALYSIS
S4.55-121	A	MATERIAL BOARD
S4.55-201	A	BASEMENT 2 FLOOR PLAN
S4.55-202	A	BASEMENT 1 FLOOR PLAN
S4.55-203	A	GROUND FLOOR PLAN
S4.55-204	A	LEVEL 1 FLOOR PLAN
S4.55-205	A	LEVEL 2 FLOOR PLAN
S4.55-206	A	LEVEL 3 FLOOR PLAN
S4.55-301	A	ELEVATION - NORTH
S4.55-302	A	ELEVATION EAST
S4.55-303	A	ELEVATION WEST
S4.55-304	A	ELEVATION - SOUTH
S4.55-321	A	SECTION - AA
S4.55-322	A	SECTION - BB

BASIX COMMENTS

NATHERS THERMAL COMFORT INCLUSIONS

GLAZING DOORS/WINDOWS
GLAZED WINDOWS AND DOORS: TBC
GROUP A - AWNING + BIFOLD + CASEMENT WINDOWS + HINGE GLAZED DOORS
U-VALUE: 4.1 (EQUAL TO OR LOWER THAN) SHGC: 0.47 (+/-10%)
GROUP B - SLIDING DOORS/WINDOWS + FIXED GLAZING + LOUVERED WINDOWS
U-VALUE: 4.1 (EQUAL TO OR LOWER THAN) SHGC: 0.52 (+/-10%)
GIVEN VALUES ARE AFRC TOTAL WINDOW SYSTEM VALUES (GLASS AND FRAME)
NOTE: BASIX THERMAL COMFORT PROTOCOL TABLE 3 SHGC VALUE OF THE UNIT SHOULD BE WITHIN +/-10% OF THE VALUE SPECIFIED FOR THE DEFAULT WINDOW SELECTION ON THE CERTIFICATE.

ROOF AND CEILING
METAL ROOF WITH FOIL BACKED BLANKET (Ru1.8 AND Rd1.8)
PLASTERBOARD CEILING WITH R5.0 INSULATION (INSULATION ONLY VALUE) WHERE ROOF IS OVER PLASTERBOARD CEILING, NO INSULATION WHERE NEIGHBOURING UNITS ARE ABOVE.

EXTERNAL COLOUR
LIGHT (SA < 0.475)

CEILING PENETRATIONS
NO DOWNLIGHTS ACCOUNTED FOR IN NATHERS MODELLING

EXTERNAL WALL
CAVITY BRICK 90-90 WITH AIR-CELL PERMICAV INSULATION TO ALL OTHER WALLS. MINIMUM TOTAL SYSTEM R-VALUE OF Rt1.53
UPGRADES APPLIED AS PER THERMAL COMFORT UPGRADES TABLE

EXTERNAL COLOUR
MEDIUM (0.475<SA<0.7)

INTER-TENANCY WALLS
SINGLE BRICK - NO INSULATION
MINIMUM 150MM CONCRETE WITH FURRING CHANNEL AND PLASTERBOARD LINING TO ALL WALLS ADJACENT TO LIFT SHAFTS
NO INSULATION REQUIRED

WALLS WITHIN DWELLINGS
SINGLE BRICK - NO INSULATION

FLOORS
200MM SUSPENDED CONCRETE SLAB WITH R1.0 INSULATION (INSULATION ONLY VALUE) REQUIRED WHERE CAR LIFT AND COMMON AREAS BELOW
200MM SUSPENDED CONCRETE SLAB BETWEEN LEVELS, NO INSULATION REQUIRED

FLOOR COVERINGS
CARPET TO BEDROOM AND WIR, TILES ELSEWHERE

EXTERNAL SHADING
SHADING AS PER STAMPED DOCUMENTATION



154 BRIGHTON BLVD

SECTION 4.55 APPLICATION

RECEIVED
Waverley Council

Receipt No: DA-133/2023/B

Date Received: 16/07/2025

STAFFORD

STAFFORDARCHITECTURE.COM.AU | (02) 9327 7889 | INFO@STAFFORDARCHITECTURE.COM.AU
SUITE 307, 19A BOUNDARY ST, RUSHCUTTERS BAY, NSW 2011

0 1.000 2.000 4.000 8.000 m

GENERAL NOTES

DO NOT SCALE FROM DRAWINGS. ALL DIMENSIONS ARE TO BE CHECKED ON SITE BEFORE COMMENCEMENT OF WORK. ALL DISCREPANCIES TO BE BROUGHT TO THE ATTENTION OF THE PROJECT ARCHITECT. LARGER SCALE DRAWINGS AND WRITTEN DIMENSIONS TAKE PREFERENCE. THIS DRAWING IS COPYRIGHT AND THE PROPERTY OF THE AUTHOR, IT MUST NOT BE RETAINED, COPIED, OR USED WITHOUT THE EXPRESS AUTHORITY OF BRUCE STAFFORD & ASSOCIATES PTY LTD T/A STAFFORD ARCHITECTURE. ACN 097664527 | NOM. ARCHITECT: BRUCE MICHAEL BERESFORD STAFFORD - NSW ARCHITECTS REG. NO. 7155

S4.55 APPLICATION

DATE	REV	AMENDMENT
17.04.25	A	S4.55_For Submission



PROJECT
154 BRIGHTON BOULEVARD, NORTH BONDI

PROJECT NO. 205

DWG NO. S4.55 000

REV A

DRAWING
TITLE PAGE

DRAWN: JB

CHECKED: JB

SCALE: @A1

DATE: 17.04.25

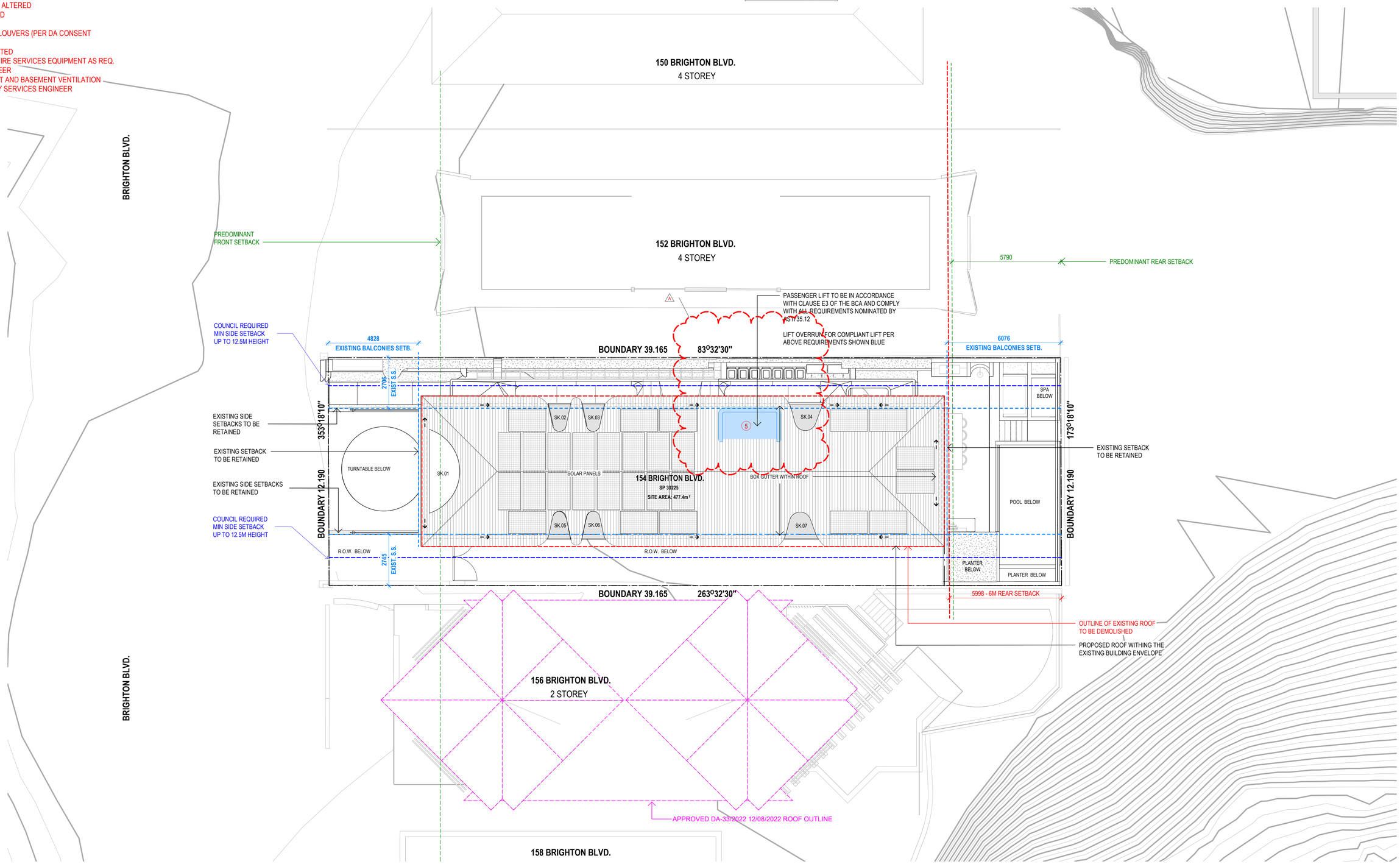
RECEIVED
Waverley Council

Receipt No: DA-133/2023/B

Date Received: 16/07/2025

S4.55 - AMENDMENTS

1 - BASEMENT EXTENT REVISED TO ACCOMMODATE SERVICES AND PARKING REQUIREMENTS
2 - B2, B1, GF RL'S AMMENDED
3 - WINDOW PROFILE ALTERED
4 - WINDOW REMOVED
5 - LIFT OVERRUN
6 - GLAZING BEHIND LOUVERS (PER DA CONSENT CONDITION)
7- AC PLANT RELOCATED
8 - HYDRAULIC AND FIRE SERVICES EQUIPMENT AS REQ. BY SERVICES ENGINEER
9 - HOT WATER PLANT AND BASEMENT VENTILATION SYSTEMS AS REQ. BY SERVICES ENGINEER



LEGEND

- CHANGE FROM APPROVED DA
- APPROVED UNDER DA 133/2023

KEY

- BOUNDARY
- DCP 9.5M MAX BUILDING HEIGHT
- 7M MAX WALL HEIGHT
- EXISTING SETBACKS
- EXISTING BUILDING ENVELOPE
- OUTLINE OF APPROVED DA-33/2022 12/08/2022 (156 BRIGHTON BLVD)

STAFFORD

STAFFORDARCHITECTURE.COM.AU | (02) 9327 7889 | INFO@STAFFORDARCHITECTURE.COM.AU
SUITE 307, 19A BOUNDARY ST, RUSHCUTTERS BAY, NSW 2011

0 1.000 2.000 4.000 8.000 m

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S4.55 APPLICATION

DATE	REV	AMENDMENT
17.04.25	A	S4.55_For Submission

5.6 Average star rating NATIONWIDE HOUSE ENERGY RATING www.nathers.gov.au

#HR-LC7PMA-04 30/05/2025
Assessor: Stefanie Simpson
Accreditation No.: HERA 10035
Address: 154 Brighton Boulevard, North Bondi, NSW, 2026
http://www.hero-software.com.au/pdf/HR-LC7PMA-04

PROJECT
154 BRIGHTON BOULEVARD, NORTH BONDI

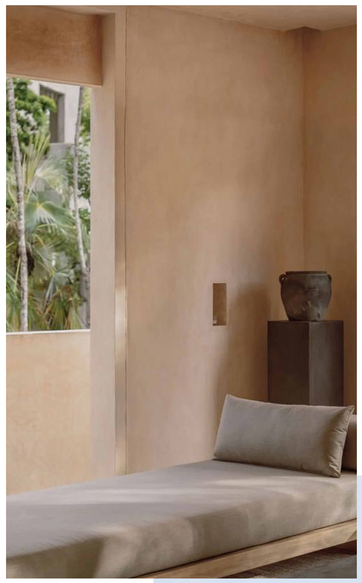
PROJECT NO. 205
DWG NO. S4.55-101
REV A

DRAWING
SITE/ROOF PLAN

DRAWN: AI
CHECKED: JB
SCALE: As indicated @A1
DATE: 17.04.25



ALUMINIUM BATTENS
SCREENS + GARAGE DOOR





STONE:
DRIVEWAY + FRONT ENTRY

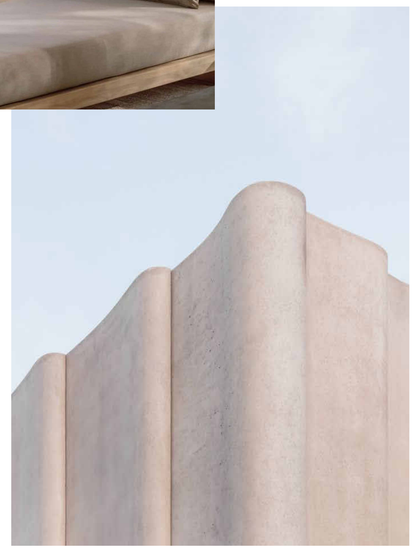


ROOF:
ZINC
MT-01

RECEIVED
Waverley Council

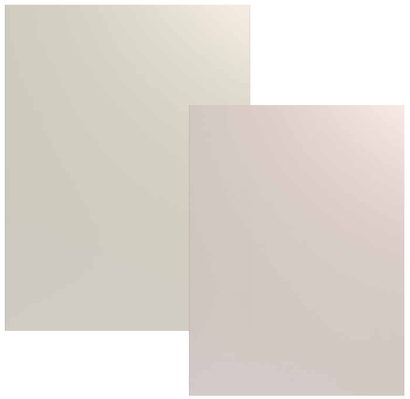
Receipt No: DA-133/2023/B

Date Received: 16/07/2025



TEXTURED RENDERED WALLS, ENTRY CANOPY :
ALL EXTERNAL WALLS

ER01 / ER02



METAL DETAILING
AL-02 / AL-03



LANDSCAPING:
TO LANDSCAPE ARCHITECTS DETAILS

STAFFORD

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SUITE 307, 19A BOUNDARY ST, RUSHCUTTERS BAY, NSW 2011

#HR-LC7PMA-04 30/05/2025
5.6 Average star rating NATIONWIDE HOUSE ENERGY RATING www.nathers.gov.au
Assessor Stefanie Simpson
Accreditation No. HERA 19035
Address 154 Brighton Boulevard, North Bondi, NSW, 2026
http://www.hero-software.com.au/pdf/HR-LC7PMA-04

GENERAL NOTES

DO NOT SCALE FROM DRAWINGS. ALL DIMENSIONS ARE TO BE CHECKED ON SITE BEFORE COMMENCEMENT OF WORK. ALL DISCREPANCIES TO BE BROUGHT TO THE ATTENTION OF THE PROJECT ARCHITECT. LARGER SCALE DRAWINGS AND WRITTEN DIMENSIONS TAKE PREFERENCE. THIS DRAWING IS COPYRIGHT AND THE PROPERTY OF THE AUTHOR, IT MUST NOT BE RETAINED, COPIED, OR USED WITHOUT THE EXPRESS AUTHORITY OF BRUCE STAFFORD & ASSOCIATES PTY LTD T/A STAFFORD ARCHITECTURE. ACN 097664527 | NOM. ARCHITECT: BRUCE MICHAEL BERESFORD STAFFORD - NSW ARCHITECTS REG. NO. 7155

S4.55 APPLICATION

DATE	REV	AMENDMENT
17.04.25	A	S4.55_For Submission

PROJECT
154 BRIGHTON BOULEVARD, NORTH BONDI

PROJECT NO. 205

DWG NO. S4.55-121

REV A

DRAWING
MATERIAL BOARD

DRAWN: AI

CHECKED: JB

SCALE: 1 : 1 @A1

DATE: 17.04.25

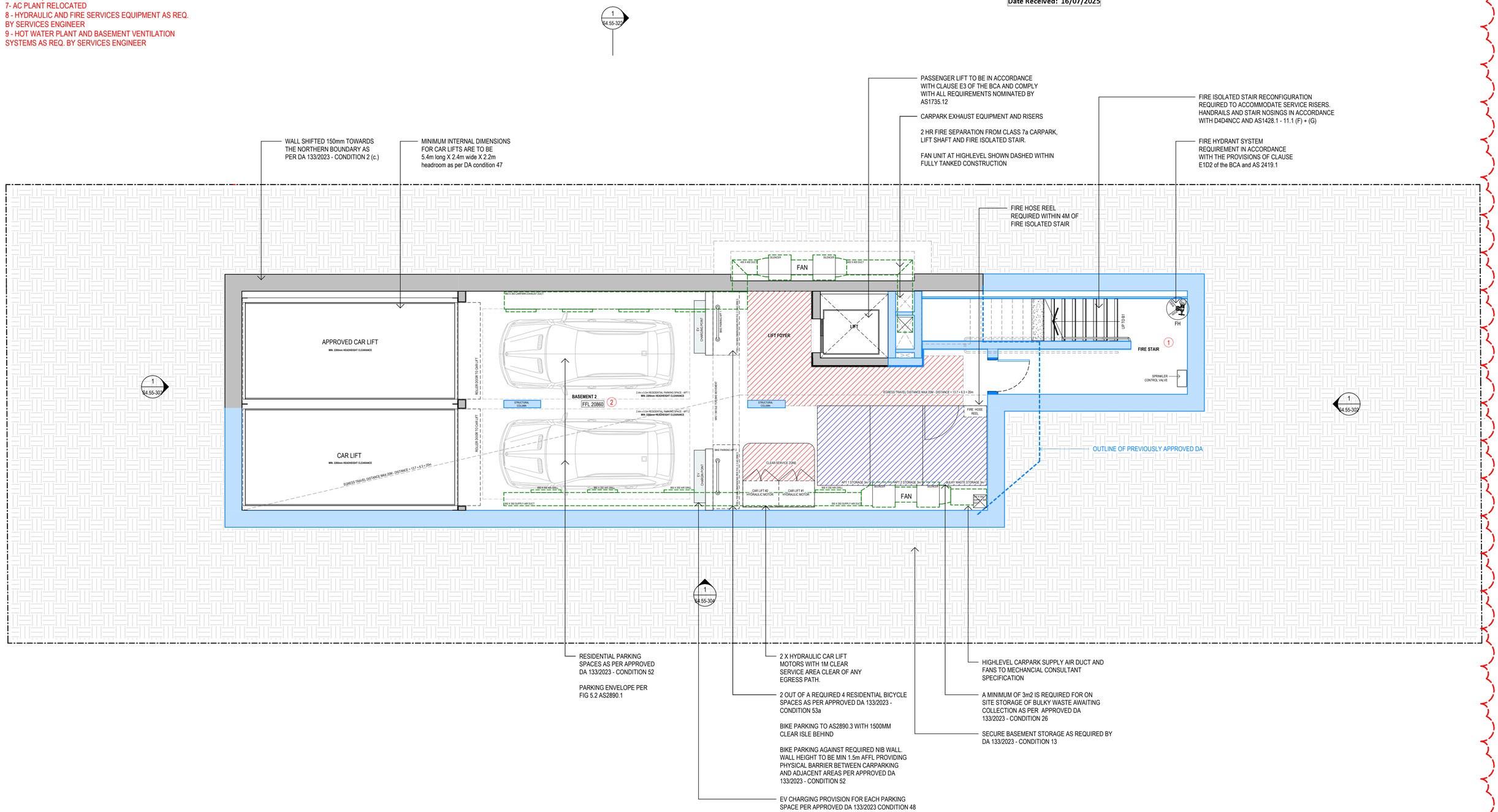
S4.55 - AMENDMENTS

1 - BASEMENT EXTENT REVISED TO ACCOMMODATE SERVICES AND PARKING REQUIREMENTS
2 - B2, B1, GF RL'S AMMENDED
3 - WINDOW PROFILE ALTERED
4 - WINDOW REMOVED
5 - LIFT OVERRUN
6 - GLAZING BEHIND LOUVERS (PER DA CONSENT CONDITION)
7- AC PLANT RELOCATED
8 - HYDRAULIC AND FIRE SERVICES EQUIPMENT AS REQ. BY SERVICES ENGINEER
9 - HOT WATER PLANT AND BASEMENT VENTILATION SYSTEMS AS REQ. BY SERVICES ENGINEER

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Waverley Council

Receipt No: DA-133/2023/B

Date Received: 16/07/2025



LEGEND

CHANGE FROM APPROVED DA
APPROVED UNDER DA 133/2023

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0 1.000 2.000 4.000 8.000 m

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S4.55 APPLICATION

DATE	REV	AMENDMENT
17.04.25	A	S4.55_For Submission

PROJECT
154 BRIGHTON BOULEVARD, NORTH BONDI

PROJECT NO. 205
DWG NO. S4.55-201
REV A

DRAWING
BASEMENT 2 FLOOR PLAN

DRAWN: AI
CHECKED: JB
SCALE: As indicated @A1
DATE: 17.04.25

S4.55 - AMENDMENTS

1 - BASEMENT EXTENT REVISED TO ACCOMMODATE SERVICES AND PARKING REQUIREMENTS
2 - B2, B1, GF RL'S AMMENDED
3 - WINDOW PROFILE ALTERED
4 - WINDOW REMOVED
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Date Received: 16/07/2025

WALL SHIFTED 150mm TOWARDS THE NORTHERN BOUNDARY AS PER DA 133/2023 - CONDITION 2 (c.)

MINIMUM INTERNAL DIMENSIONS FOR CAR LIFTS ARE TO BE 5.4m long X 2.4m wide X 2.2m headroom as per DA condition 47

RESIDENTIAL PARKING SPACES AS PER APPROVED DA 133/2023 - CONDITION 52

PARKING ENVELOPE PER FIG 5.2 AS2890.1

EV CHARGING PROVISION FOR EACH PARKING SPACE PER APPROVED DA 133/2023 CONDITION 48

FIRE HOSE REEL REQUIRED WITHIN 4M OF FIRE ISOLATED STAIR

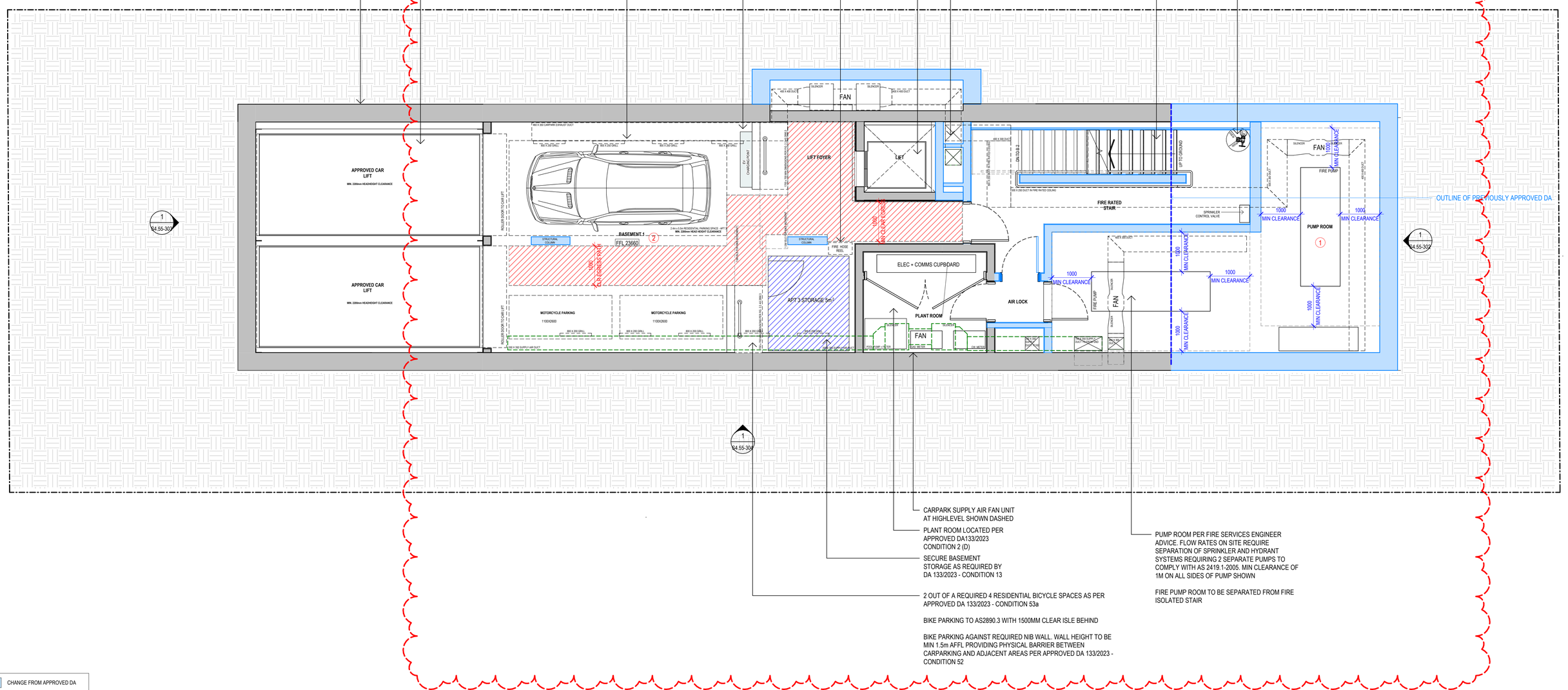
PASSENGER LIFT TO BE IN ACCORDANCE WITH CLAUSE E3 OF THE BCA AND COMPLY WITH ALL REQUIREMENTS NOMINATED BY AS1735.12

CARPARK EXHAUST & FIRE PUMP ROOM EXHAUST RISERS

2 HR FIRE SEPARATION FROM CLASS 7a CARPARK, LIFT SHAFT AND FIRE ISOLATED STAIR.

FIRE ISOLATED STAIR RECONFIGURATION REQUIRED TO ACCOMMODATE SERVICE RISERS. HANDRAILS AND STAIR NOSINGS IN ACCORDANCE WITH D4D4NCC AND AS1428.1 - 11.1 (F) + (G)

FIRE HYDRANT SYSTEM REQUIREMENT IN ACCORDANCE WITH THE PROVISIONS OF CLAUSE E1D2 of the BCA and AS 2419.1



CARPARK SUPPLY AIR FAN UNIT AT HIGHLEVEL SHOWN DASHED

PLANT ROOM LOCATED PER APPROVED DA133/2023 CONDITION 2 (D)

SECURE BASEMENT STORAGE AS REQUIRED BY DA 133/2023 - CONDITION 13

2 OUT OF A REQUIRED 4 RESIDENTIAL BICYCLE SPACES AS PER APPROVED DA 133/2023 - CONDITION 53a

BIKE PARKING TO AS2890.3 WITH 1500MM CLEAR ISLE BEHIND

BIKE PARKING AGAINST REQUIRED NIB WALL. WALL HEIGHT TO BE MIN 1.5m AFFL PROVIDING PHYSICAL BARRIER BETWEEN CARPARKING AND ADJACENT AREAS PER APPROVED DA 133/2023 - CONDITION 52

PUMP ROOM PER FIRE SERVICES ENGINEER ADVICE. FLOW RATES ON SITE REQUIRE SEPARATION OF SPRINKLER AND HYDRANT SYSTEMS REQUIRING 2 SEPARATE PUMPS TO COMPLY WITH AS 2419.1-2005. MIN CLEARANCE OF 1M ON ALL SIDES OF PUMP SHOWN

FIRE PUMP ROOM TO BE SEPARATED FROM FIRE ISOLATED STAIR

LEGEND

- CHANGE FROM APPROVED DA
- APPROVED UNDER DA 133/2023

STAFFORD

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0 1.000 2.000 4.000 8.000 m

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S4.55 APPLICATION

DATE	REV	AMENDMENT
17.04.25	A	S4.55_For Submission

PROJECT: 154 BRIGHTON BOULEVARD, NORTH BONDI
PROJECT NO.: 205
DWG NO.: S4.55-202
REV: A

DRAWING: BASEMENT 1 FLOOR PLAN

DRAWN: AI
CHECKED: JB
SCALE: As indicated @A1
DATE: 17.04.25

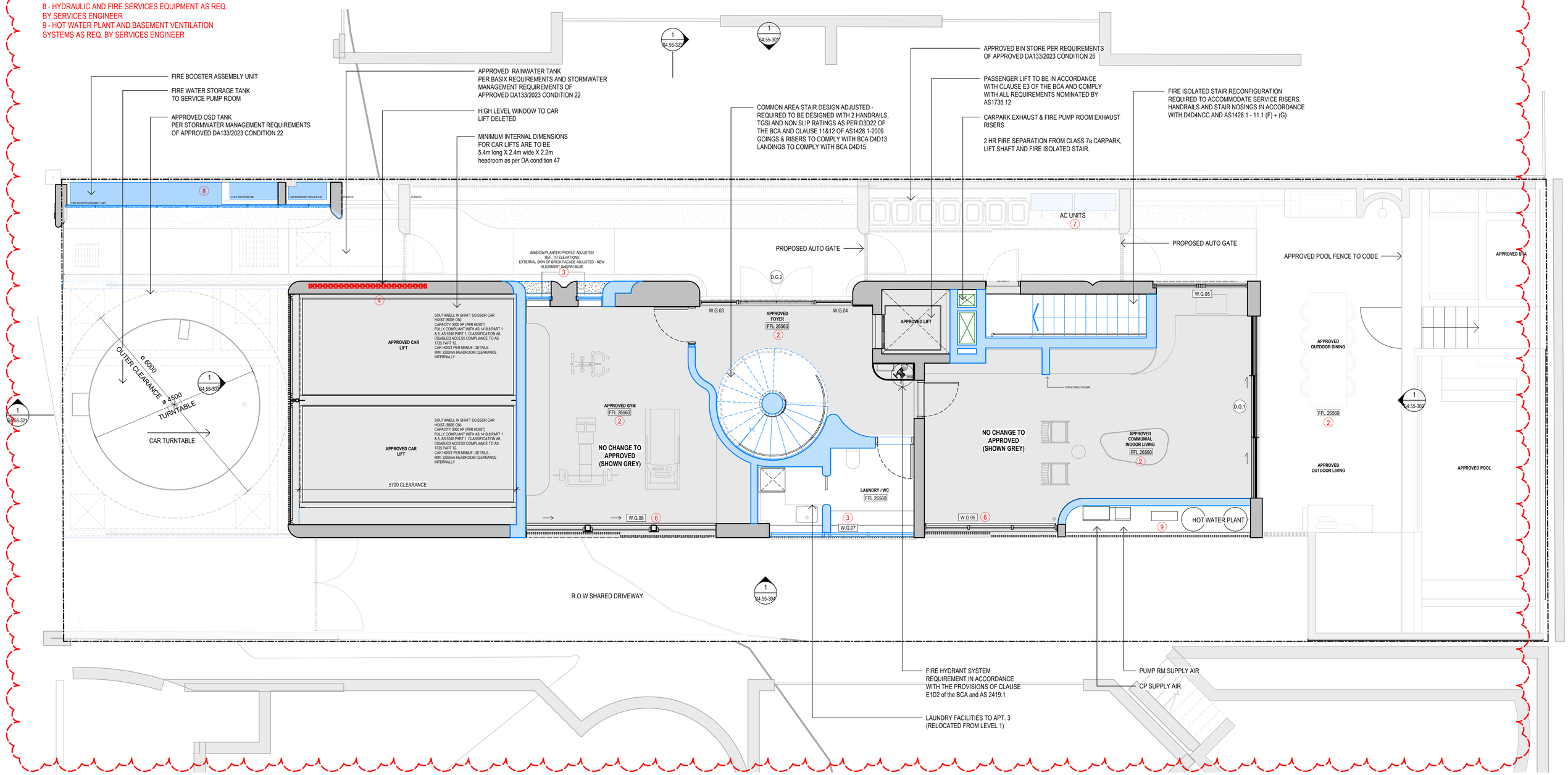
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2 - B2, B1, GF RL'S AMMENDED
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Waverley Council

Receipt No: DA-133/2023/B

Date Received: 16/07/2025



LEGEND

- CHANGE FROM APPROVED DA
- APPROVED UNDER DA 133/2023

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S4.55 APPLICATION

DATE	REV	AMENDMENT
17.04.25	A	S4.55_For Submission



PROJECT
154 BRIGHTON BOULEVARD, NORTH BONDI

PROJECT NO. 205 | DWG NO. S4.55-203 | REV A

DRAWING
GROUND FLOOR PLAN

DRAWN: AI | CHECKED: JB | SCALE: As indicated @A1 | DATE: 17.04.25

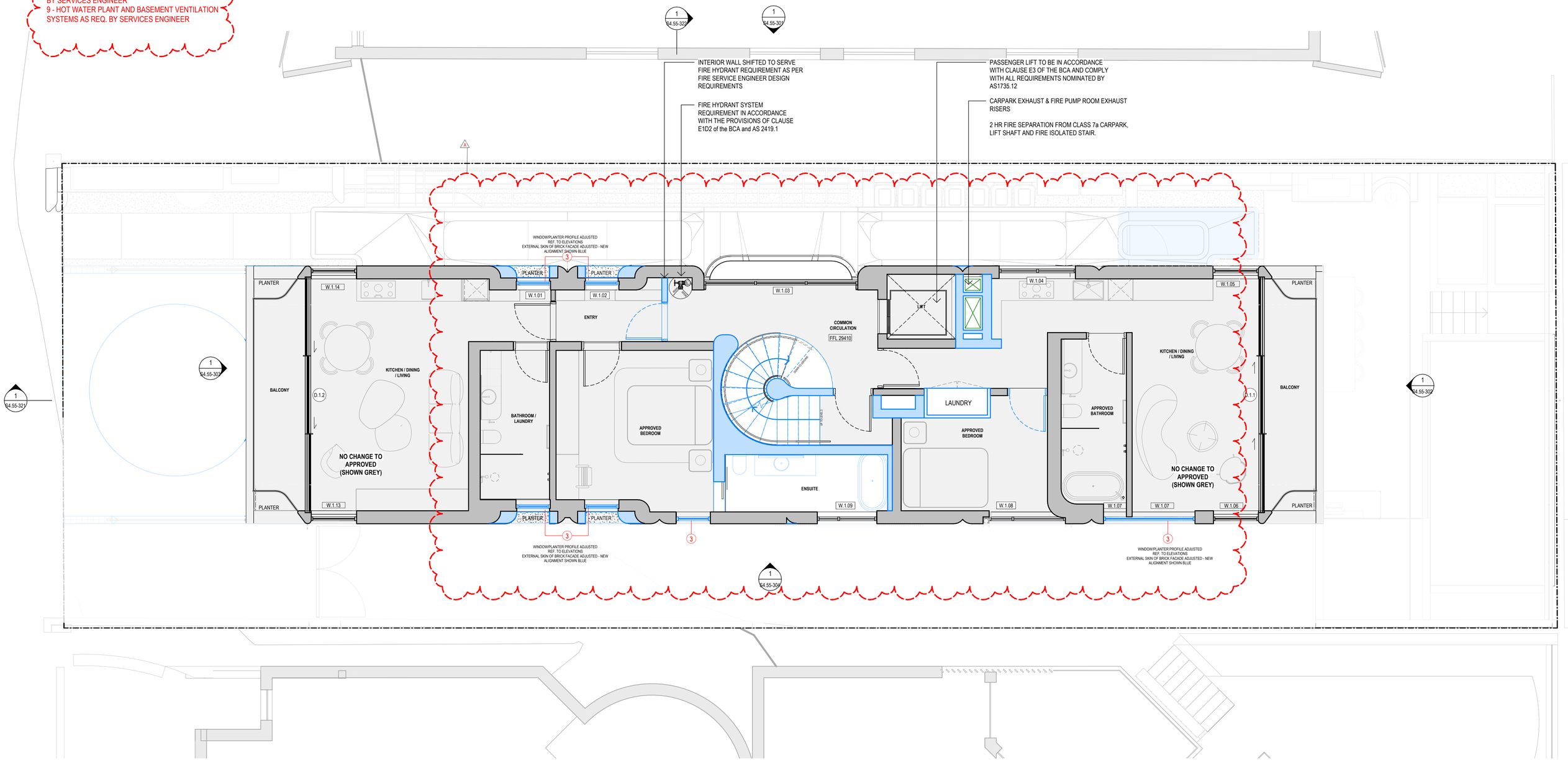
S4.55 - AMENDMENTS

1 - BASEMENT EXTENT REVISED TO ACCOMMODATE SERVICES AND PARKING REQUIREMENTS
2 - B2, B1, GF RL'S AMMENDED
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Waverley Council

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Date Received: 16/07/2025



LEGEND

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S4.55 APPLICATION

DATE	REV	AMENDMENT
17.04.25	A	S4.55_For Submission



PROJECT
154 BRIGHTON BOULEVARD, NORTH BONDI

PROJECT NO. 205
DWG NO. S4.55-204
REV A

DRAWING
LEVEL 1 FLOOR PLAN

N

DRAWN: AI
CHECKED: JB
SCALE: As indicated @A1
DATE: 17.04.25

S4.55 - AMENDMENTS

1 - BASEMENT EXTENT REVISED TO ACCOMMODATE SERVICES AND PARKING REQUIREMENTS
2 - B2, B1, GF RL'S AMMENDED
3 - WINDOW PROFILE ALTERED
4 - WINDOW REMOVED
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Receipt No: DA-133/2023/B

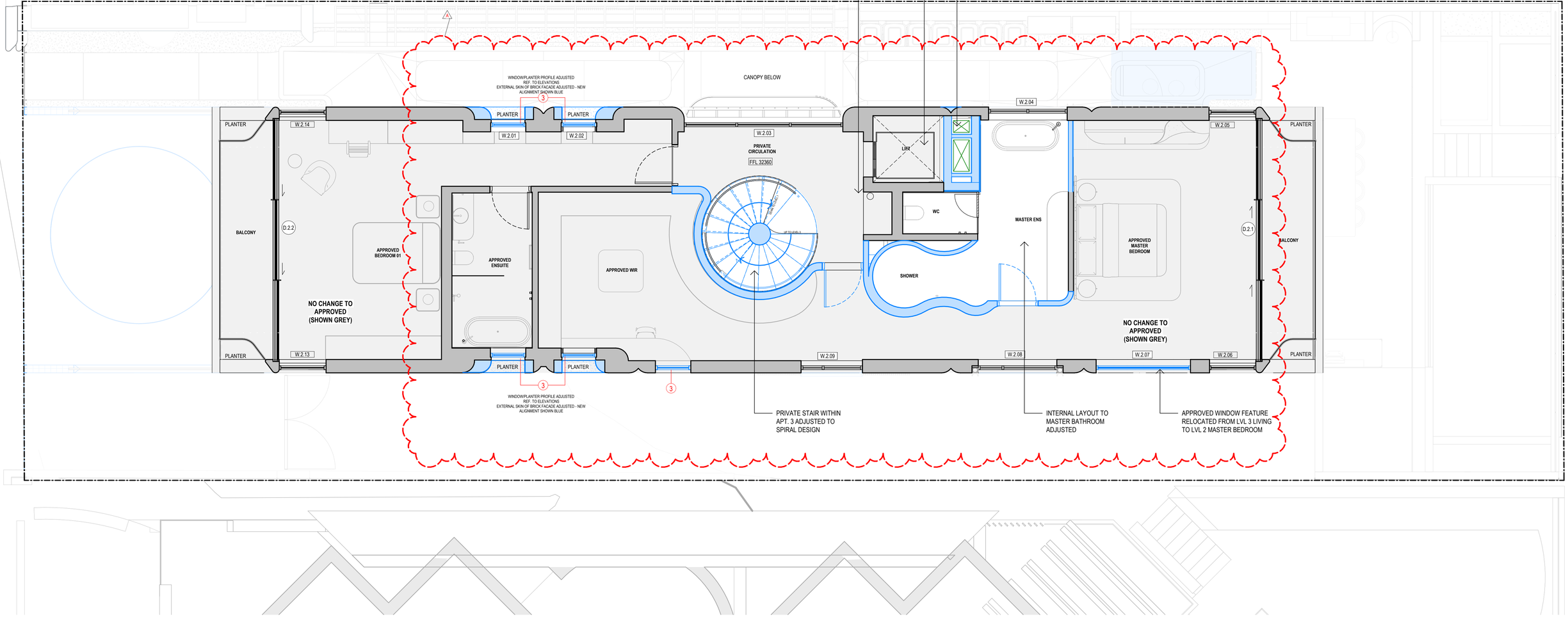
Date Received: 16/07/2025

FIRE HYDRANT SYSTEM REQUIREMENT IN ACCORDANCE WITH THE PROVISIONS OF CLAUSE E1D2 of the BCA and AS 2419.1

PASSENGER LIFT TO BE IN ACCORDANCE WITH CLAUSE E3 OF THE BCA AND COMPLY WITH ALL REQUIREMENTS NOMINATED BY AS1735.12

CARPARK EXHAUST & FIRE PUMP ROOM EXHAUST RISERS

2 HR FIRE SEPARATION FROM CLASS 7a CARPARK, LIFT SHAFT AND FIRE ISOLATED STAIR.



LEGEND

- CHANGE FROM APPROVED DA
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S4.55 APPLICATION

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#HR-LC7PMA-04 30/05/2025
5.6 Average star rating NATIONWIDE HOUSE ENERGY RATING SCHEME www.nathers.gov.au
Assessor Stefanie Simpson
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Address 154 Brighton Boulevard, North Bondi, NSW, 2026
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PROJECT
154 BRIGHTON BOULEVARD, NORTH BONDI

PROJECT NO. 205
DWG NO. S4.55-205
REV A

DRAWING
LEVEL 2 FLOOR PLAN

DRAWN: AI
CHECKED: JB
SCALE: As indicated @A1
DATE: 17.04.25

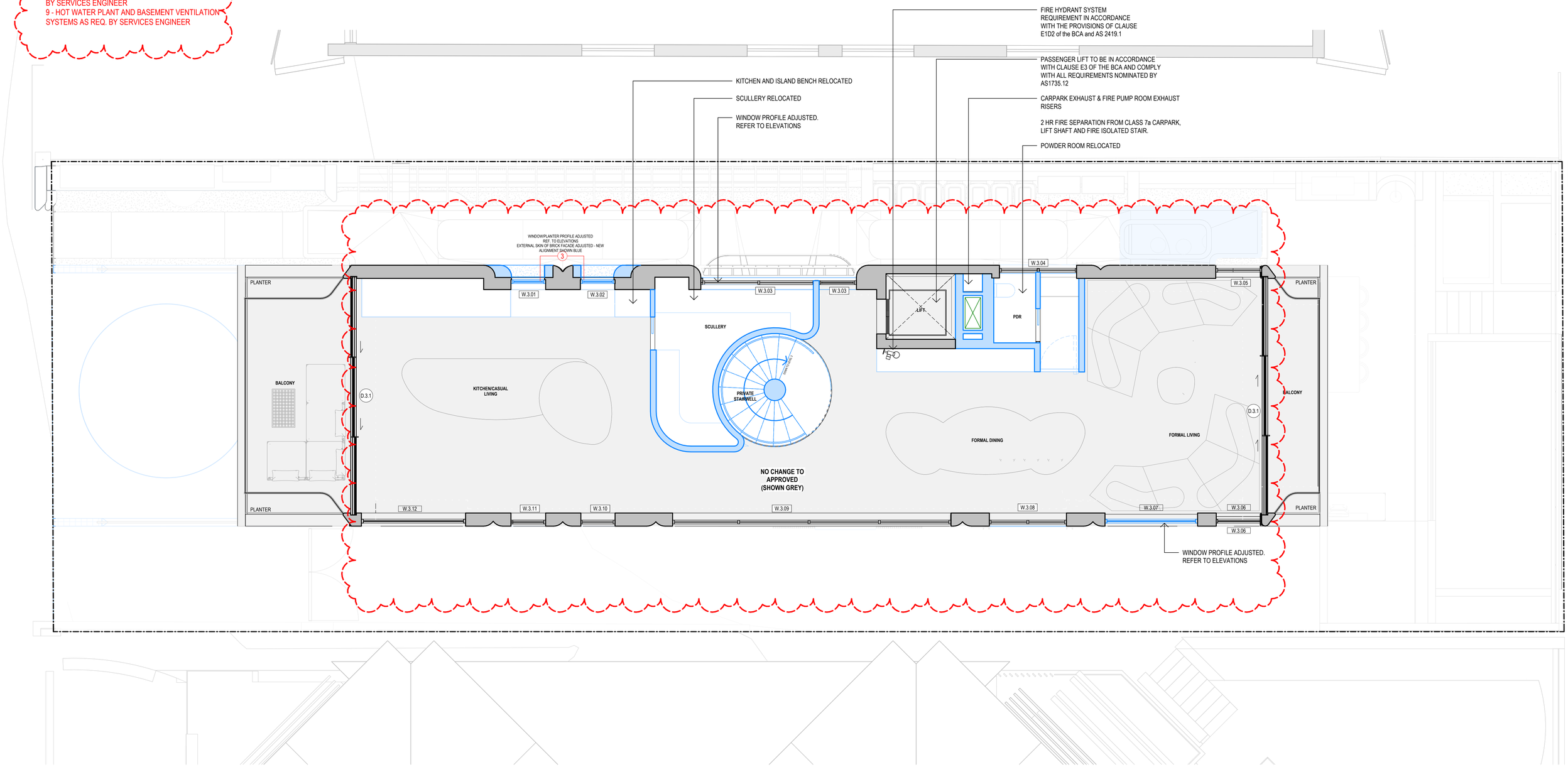
S4.55 - AMENDMENTS

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2 - B2, B1, GF RL'S AMMENDED
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S4.55 APPLICATION

DATE	REV	AMENDMENT
17.04.25	A	S4.55_For Submission

#HR-LC7PMA-04 30/05/2025
5.6 Average star rating NATIONWIDE HOUSE ENERGY RATING www.nathers.gov.au
Assessor Stefanie Simpson
Accreditation No. HERA 10035
Address 154 Brighton Boulevard, North Bondi, NSW, 2026
http://www.hero-software.com.au/pdf/HR-LC7PMA-04

PROJECT
154 BRIGHTON BOULEVARD, NORTH BONDI

PROJECT NO. 205
DWG NO. S4.55-206
REV A

DRAWING
LEVEL 3 FLOOR PLAN

DRAWN: AI
CHECKED: JB
SCALE: As indicated @A1
DATE: 17.04.25

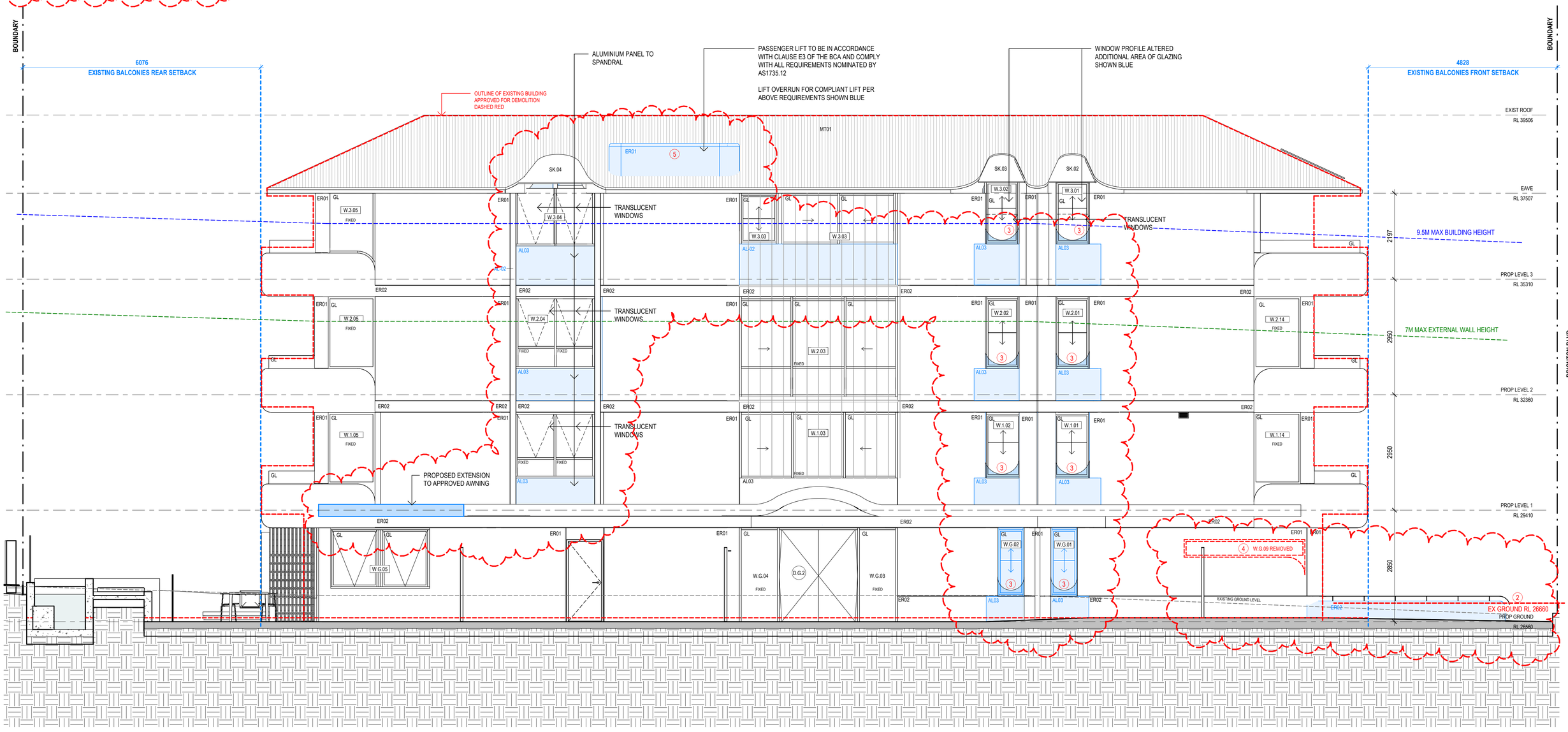
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2 - B2, B1, GF RL'S AMMENDED
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Waverley Council

Receipt No: DA-133/2023/B

Date Received: 16/07/2025



KEY

- BOUNDARY
- DCP 9.5M MAX BUILDING HEIGHT
- 7M MAX WALL HEIGHT
- EXISTING SETBACKS
- EXISTING BUILDING ENVELOPE
- OUTLINE OF APPROVED DA-33/2022 12/08/2022 (156 BRIGHTON BLVD)

MATERIALS LEGEND

ER01	EXTERNAL RENDER 01
ER02	EXTERNAL RENDER 02
GL	GLASS
AL02	POWDERCOAT ALUMINIUM

LEGEND

- CHANGE FROM APPROVED DA
- APPROVED UNDER DA 133/2023

#HR-LC7PMA-04 30/05/2025
5.6 Average star rating
NATIONWIDE HOUSE ENERGY RATING SCHEME
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S4.55 APPLICATION

DATE	REV	AMENDMENT
17.04.25	A	S4.55_For Submission

PROJECT
154 BRIGHTON BOULEVARD, NORTH BONDI

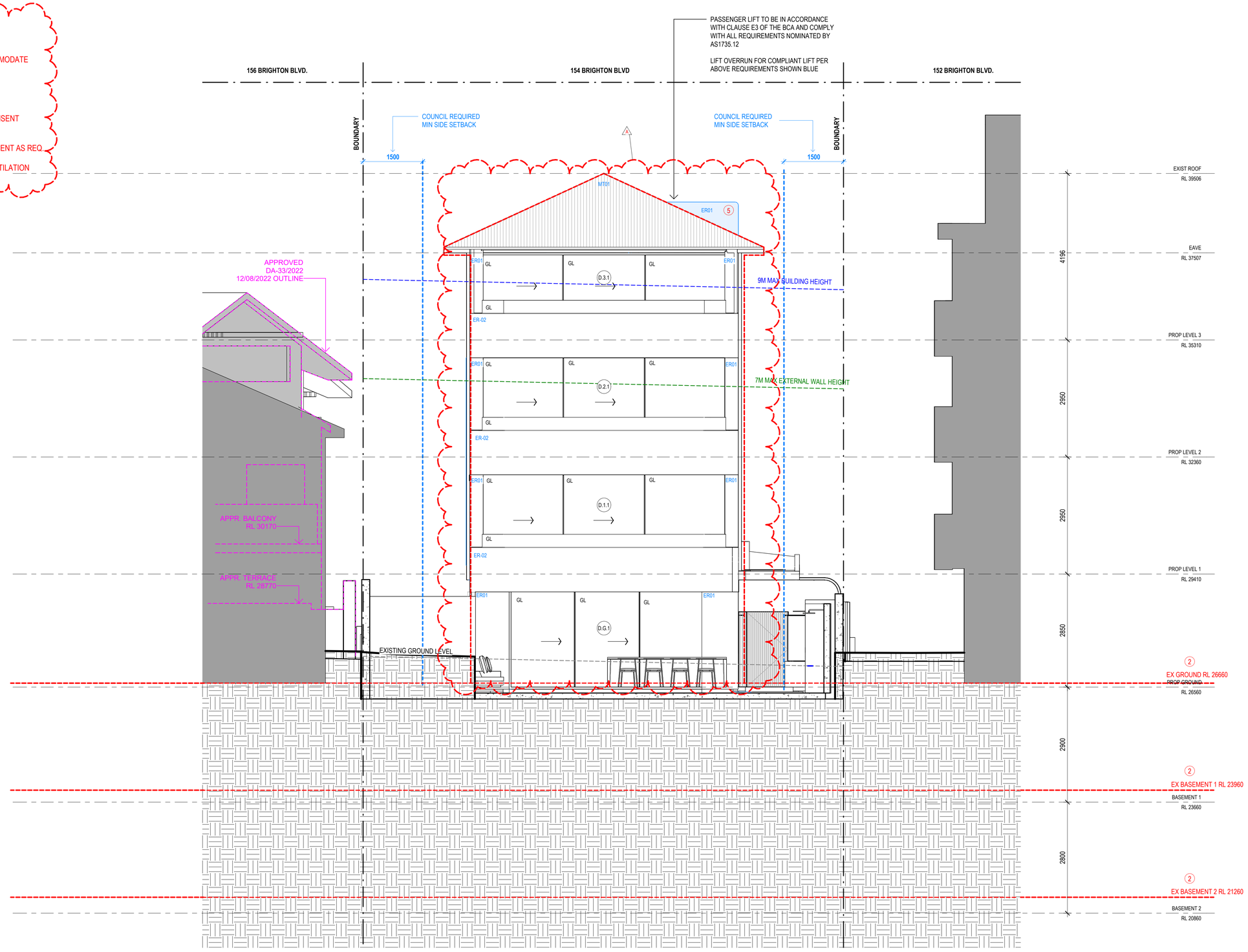
PROJECT NO. 205
DWG NO. S4.55-301
REV A

DRAWING
ELEVATION - NORTH

DRAWN: AI
CHECKED: JB
SCALE: As indicated @A1
DATE: 17.04.25

S4.55 - AMENDMENTS

1 - BASEMENT EXTENT REVISED TO ACCOMMODATE SERVICES AND PARKING REQUIREMENTS
2 - B2, B1, GF RL'S AMMENDED
3 - WINDOW PROFILE ALTERED
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KEY

- BOUNDARY
- DCP 9.0M MAX BUILDING HEIGHT
- 7M MAX WALL HEIGHT
- EXISTING SETBACKS
- EXISTING BUILDING ENVELOPE
- OUTLINE OF APPROVED DA-33/2022 12/08/2022 (156 BRIGHTON BLVD)

MATERIALS LEGEND

ER01	EXTERNAL RENDER 01
ER02	EXTERNAL RENDER 02
GL	GLASS
AL02	POWDERCOAT ALUMINIUM

LEGEND

- CHANGE FROM APPROVED DA
- APPROVED UNDER DA 133/2023

RECEIVED
Waverley Council
Receipt No: DA-133/2023/B
Date Received: 16/07/2025

#HR-LC7PMA-04 30/05/2025
5.6 Average star rating NATIONWIDE HOUSE ENERGY RATINGS www.nathers.gov.au
Assessor: Stefanie Simpson
Accreditation No.: HERA 10035
Address: 154 Brighton Boulevard, North Bondi, NSW, 2026
http://www.hero-software.com.au/pdf/HR-LC7PMA-04

STAFFORD
STAFFORDARCHITECTURE.COM.AU | (02) 9327 7889 | INFO@STAFFORDARCHITECTURE.COM.AU
SUITE 307, 19A BOUNDARY ST, RUSHCUTTERS BAY, NSW 2011

0 1.000 2.000 4.000 8.000 m

GENERAL NOTES

DO NOT SCALE FROM DRAWINGS. ALL DIMENSIONS ARE TO BE CHECKED ON SITE BEFORE COMMENCEMENT OF WORK. ALL DISCREPANCIES TO BE BROUGHT TO THE ATTENTION OF THE PROJECT ARCHITECT. LARGER SCALE DRAWINGS AND WRITTEN DIMENSIONS TAKE PREFERENCE. THIS DRAWING IS COPYRIGHT AND THE PROPERTY OF THE AUTHOR, IT MUST NOT BE RETAINED, COPIED, OR USED WITHOUT THE EXPRESS AUTHORITY OF BRUCE STAFFORD & ASSOCIATES PTY LTD T/A STAFFORD ARCHITECTURE. ACN 097664527 | NOM. ARCHITECT: BRUCE MICHAEL BERESFORD STAFFORD - NSW ARCHITECTS REG. NO. 7155

S4.55 APPLICATION

DATE	REV	AMENDMENT
17.04.25	A	S4.55_For Submission

PROJECT
154 BRIGHTON BOULEVARD, NORTH BONDI

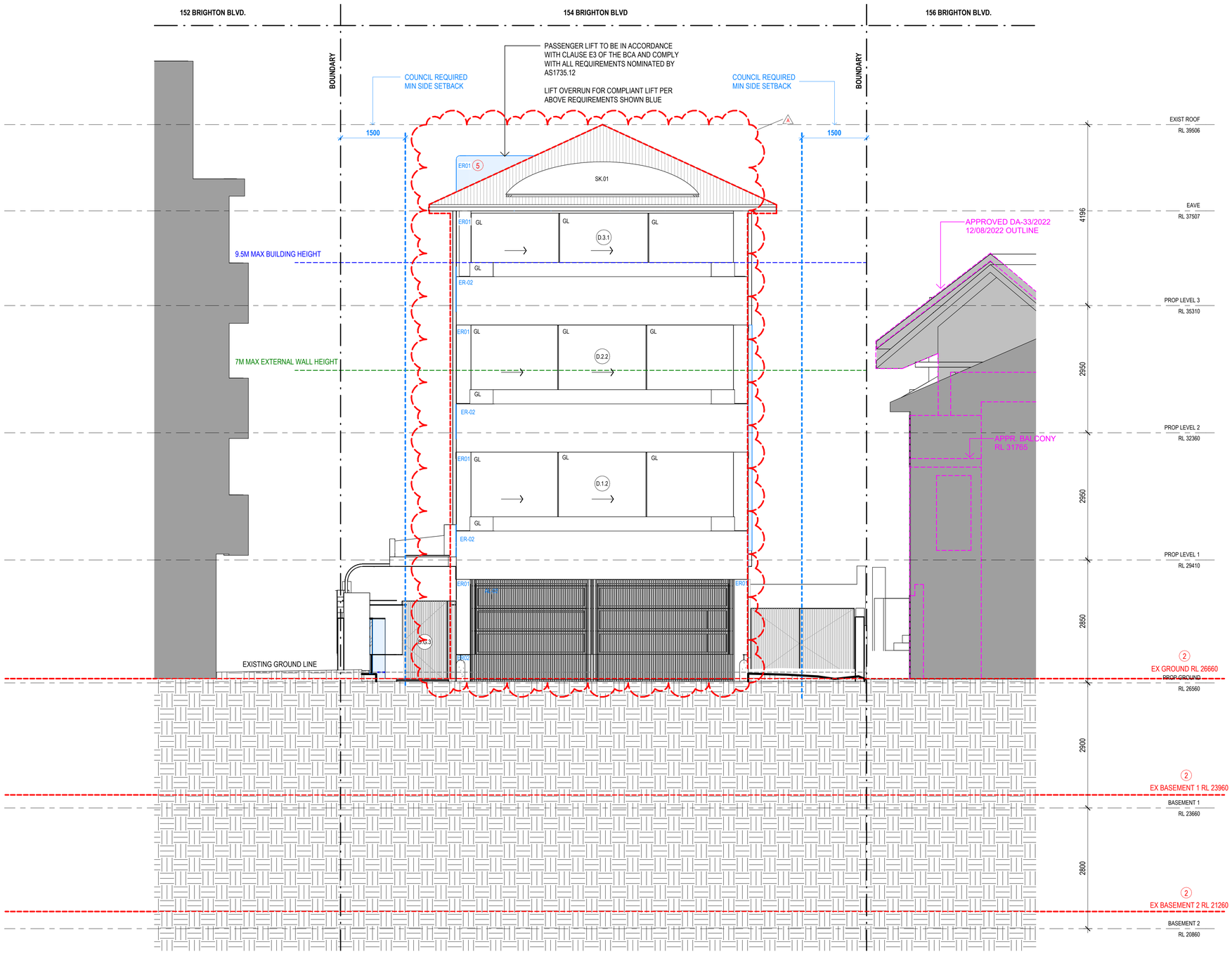
DRAWING
ELEVATION EAST

PROJECT NO. 205
DWG NO. S4.55-302
REV A

DRAWN: AI
CHECKED: JB
SCALE: As indicated @A1
DATE: 17.04.25

S4.55 - AMENDMENTS

1 - BASEMENT EXTENT REVISED TO ACCOMMODATE SERVICES AND PARKING REQUIREMENTS
2 - B2, B1, GF RL'S AMMENDED
3 - WINDOW PROFILE ALTERED
4 - WINDOW REMOVED
5 - LIFT OVERRUN
6 - GLAZING BEHIND LOUVERS (PER DA CONSENT CONDITION)
7- AC PLANT RELOCATED
8 - HYDRAULIC AND FIRE SERVICES EQUIPMENT AS REQ. BY SERVICES ENGINEER
9 - HOT WATER PLANT AND BASEMENT VENTILATION SYSTEMS AS REQ. BY SERVICES ENGINEER



KEY

- BOUNDARY
- DCP 9.5M MAX BUILDING HEIGHT
- 7M MAX WALL HEIGHT
- EXISTING SETBACKS
- EXISTING BUILDING ENVELOPE
- OUTLINE OF APPROVED DA-33/2022 12/08/2022 (156 BRIGHTON BLVD)

MATERIALS LEGEND

ER01	EXTERNAL RENDER 01
ER02	EXTERNAL RENDER 02
GL	GLASS
AL02	POWDERCOAT ALUMINIUM

LEGEND

- CHANGE FROM APPROVED DA
- APPROVED UNDER DA 133/2023

RECEIVED
Waverley Council
Receipt No: DA-133/2023/B
Date Received: 16/07/2025

STAFFORD

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SUITE 307, 19A BOUNDARY ST, RUSHCUTTERS BAY, NSW 2011

0 1.000 2.000 4.000 8.000 m

GENERAL NOTES

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S4.55 APPLICATION

DATE	REV	AMENDMENT
17.04.25	A	S4.55_For Submission

PROJECT
154 BRIGHTON BOULEVARD, NORTH BONDI

DRAWING
ELEVATION WEST

PROJECT NO.	DWG NO.	REV
205	S4.55-303	A

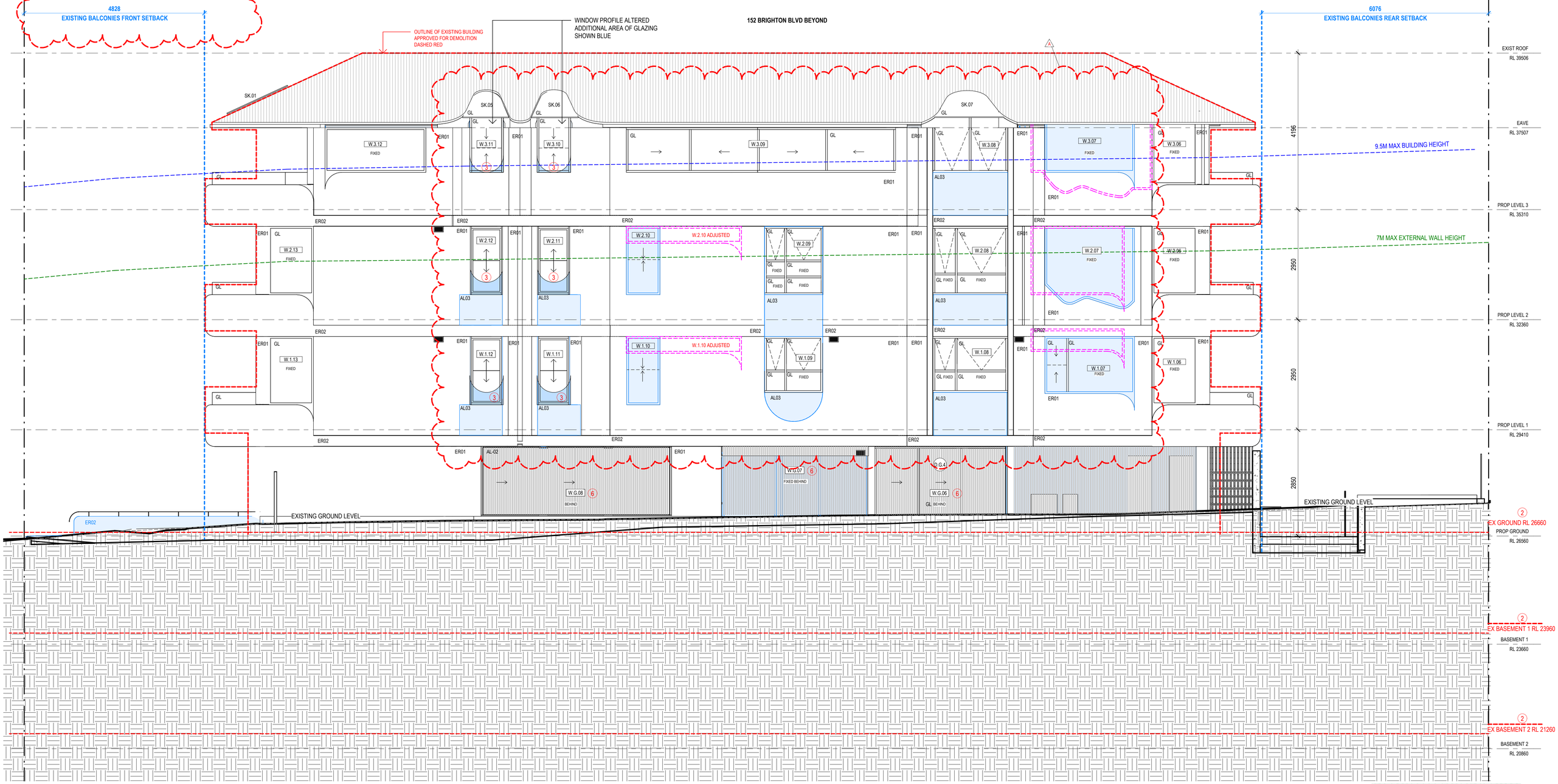
DRAWN: AI
CHECKED: JB
SCALE: As indicated @A1
DATE: 17.04.25

#HR-LC7PMA-04 30/05/2025
5.6 Average star rating
Assessor Stefanie Simpson
Accreditation No. HERA 10035
Address 154 Brighton Boulevard, North Bondi, NSW, 2026
http://www.hero-software.com.au/pdf/HR-LC7PMA-04

S4.55 - AMENDMENTS

1 - BASEMENT EXTENT REVISED TO ACCOMMODATE SERVICES AND PARKING REQUIREMENTS
2 - B2, B1, GF RL'S AMMENDED
3 - WINDOW PROFILE ALTERED
4 - WINDOW REMOVED
5 - LIFT OVERRUN
6 - GLAZING BEHIND LOUVERS (PER DA CONSENT CONDITION)
7- AC PLANT RELOCATED
8 - HYDRAULIC AND FIRE SERVICES EQUIPMENT AS REQ. BY SERVICES ENGINEER
9 - HOT WATER PLANT AND BASEMENT VENTILATION SYSTEMS AS REQ. BY SERVICES ENGINEER

RECEIVED
Waverley Council
Receipt No: DA-133/2023/B
Date Received: 16/07/2025



KEY

- BOUNDARY
- DCP 9.5M MAX BUILDING HEIGHT
- 7M MAX WALL HEIGHT
- EXISTING SETBACKS
- EXISTING BUILDING ENVELOPE
- OUTLINE OF APPROVED DA-33/2022 12/08/2022 (156 BRIGHTON BLVD)

MATERIALS LEGEND

ER01	EXTERNAL RENDER 01
ER02	EXTERNAL RENDER 02
GL	GLASS
AL02	POWDERCOAT ALUMINIUM

LEGEND

- CHANGE FROM APPROVED DA
- APPROVED UNDER DA 133/2023

#HR-LC7PMA-04 30/05/2025
5.6 Average star rating
NATIONWIDE HOUSE ENERGY RATING
www.nathers.gov.au
Assessor: Stefanie Simpson
Accreditation No.: HERA 10035
Address: 154 Brighton Boulevard, North Bondi, NSW, 2026
http://www.hero-software.com.au/pdf/HR-LC7PMA-04

STAFFORD
STAFFORDARCHITECTURE.COM.AU | (02) 9327 7889 | INFO@STAFFORDARCHITECTURE.COM.AU
SUITE 307, 19A BOUNDARY ST, RUSHCUTTERS BAY, NSW 2011

0 1.000 2.000 4.000 8.000 m

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S4.55 APPLICATION

DATE	REV	AMENDMENT
17.04.25	A	S4.55_For Submission

PROJECT
154 BRIGHTON BOULEVARD, NORTH BONDI

PROJECT NO. 205
DWG NO. S4.55-304
REV A

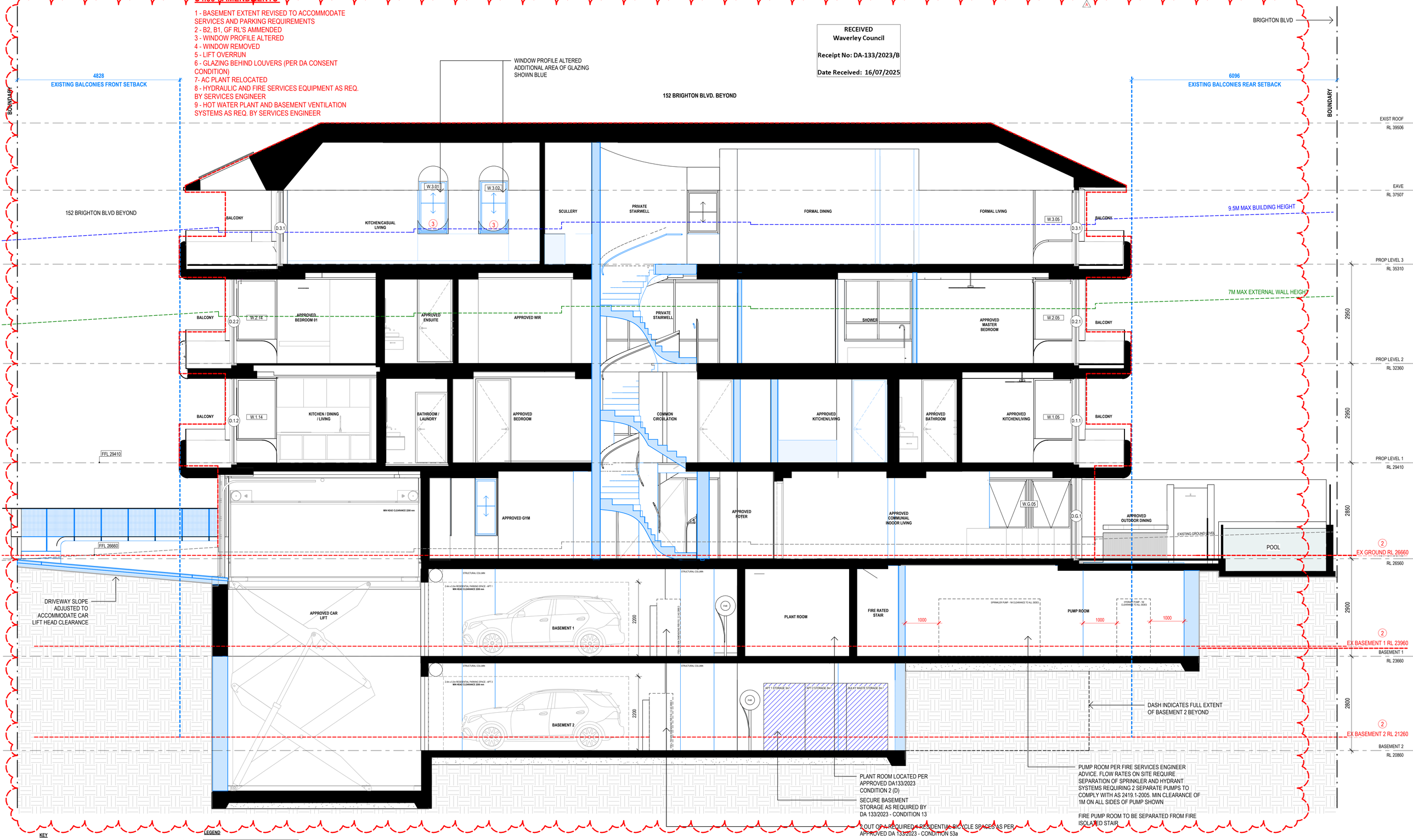
DRAWING
ELEVATION - SOUTH

DRAWN: AI
CHECKED: JB
SCALE: As indicated @A1
DATE: 17.04.25

S4.55 AMENDMENTS

1 - BASEMENT EXTENT REVISED TO ACCOMMODATE SERVICES AND PARKING REQUIREMENTS
2 - B2, B1, GF RL'S AMMENDED
3 - WINDOW PROFILE ALTERED
4 - WINDOW REMOVED
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7- AC PLANT RELOCATED
8 - HYDRAULIC AND FIRE SERVICES EQUIPMENT AS REQ. BY SERVICES ENGINEER
9 - HOT WATER PLANT AND BASEMENT VENTILATION SYSTEMS AS REQ. BY SERVICES ENGINEER

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Waverley Council
Receipt No: DA-133/2023/B
Date Received: 16/07/2025



KEY

- BOUNDARY
- DCP 9.5M MAX BUILDING HEIGHT
- 7M MAX WALL HEIGHT
- EXISTING SETBACKS
- EXISTING BUILDING ENVELOPE
- OUTLINE OF APPROVED DA-33/2022 12/08/2022 (156 BRIGHTON BLVD)

LEGEND

- CHANGE FROM APPROVED DA
- APPROVED UNDER DA 133/2023

#HR-LC7PMA-04 30/05/2025
5.6 Average star rating
NATIONWIDE HOUSE ENERGY RATINGS
www.nathers.gov.au
Assessor Stefanie Simpson
Accreditation No. HERA 19035
Address 154 Brighton Boulevard, North Bondi, NSW, 2026
http://www.hero-software.com.au/pdf/HR-LC7PMA-04

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S4.55 APPLICATION

DATE	REV	AMENDMENT
17.04.25	A	S4.55_For Submission

STAFFORD

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SUITE 307, 19A BOUNDARY ST, RUSHCUTTERS BAY, NSW 2011

PROJECT
154 BRIGHTON BOULEVARD, NORTH BONDI

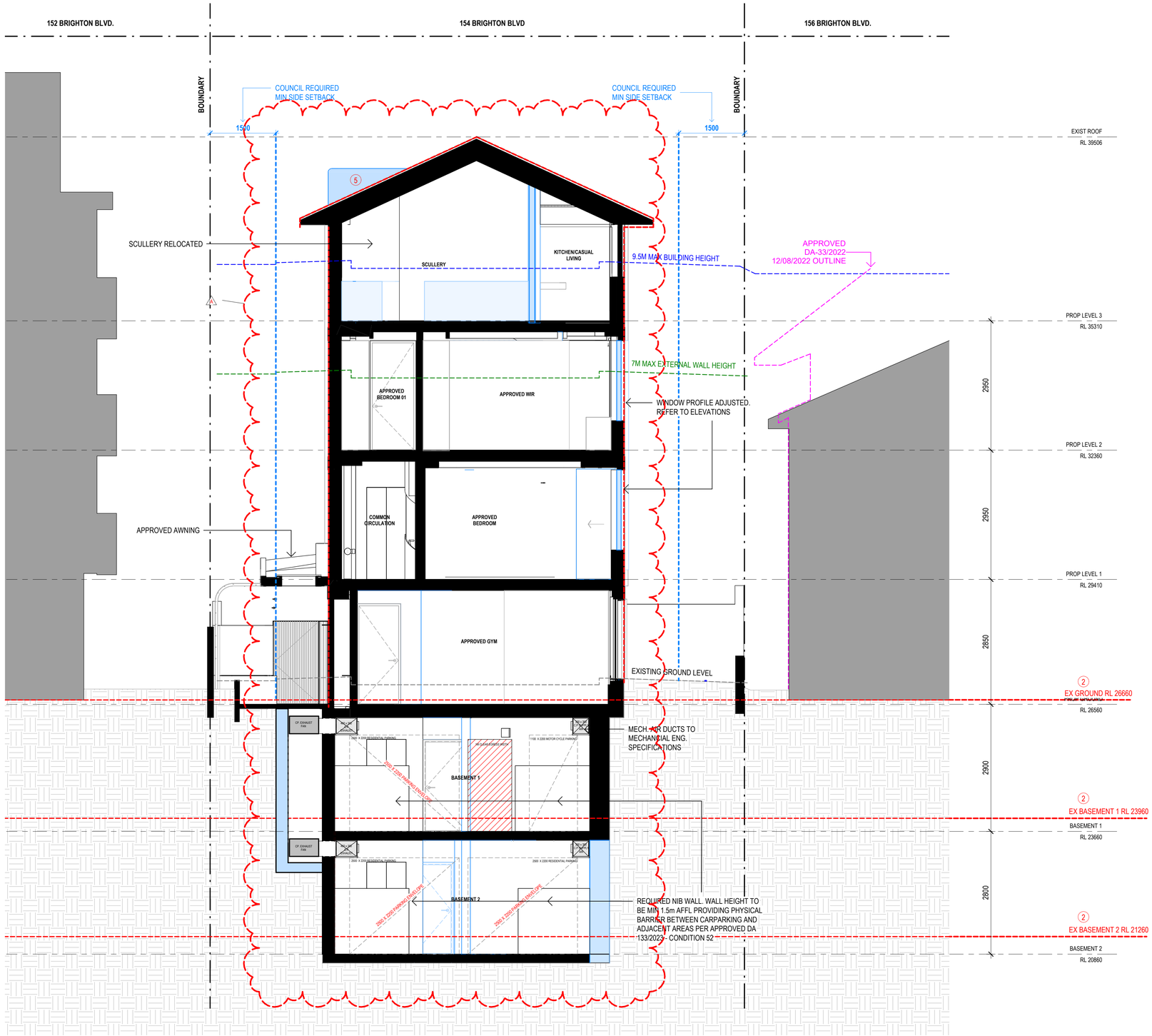
PROJECT NO. 205
DWG NO. S4.55-321
REV A

DRAWING
SECTION - AA

DRAWN: AI
CHECKED: JB
SCALE: As indicated @A1
DATE: 17.04.25

S4.55 - AMENDMENTS

1 - BASEMENT EXTENT REVISED TO ACCOMMODATE SERVICES AND PARKING REQUIREMENTS
2 - B2, B1, GF RL'S AMMENDED
3 - WINDOW PROFILE ALTERED
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KEY

- BOUNDARY
- DCP 9.5M MAX BUILDING HEIGHT
- 7M MAX WALL HEIGHT
- EXISTING SETBACKS
- EXISTING BUILDING ENVELOPE
- OUTLINE OF APPROVED DA-33/2022 12/08/2022 (156 BRIGHTON BLVD)

LEGEND

- CHANGE FROM APPROVED DA
- APPROVED UNDER DA 133/2023

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Waverley Council
Receipt No: DA-133/2023/B
Date Received: 16/07/2025

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S4.55 APPLICATION

DATE	REV	AMENDMENT
17.04.25	A	S4.55_For Submission

#HR-LC7PMA-04 30/05/2025
5.6 Average star rating NATIONWIDE HOUSE ENERGY RATING www.nathers.gov.au
Assessor Stefanie Simpson
Accreditation No. HERA 10035
Address 154 Brighton Boulevard, North Bondi, NSW, 2026
http://www.hero-software.com.au/pdf/HR-LC7PMA-04

PROJECT
154 BRIGHTON BOULEVARD, NORTH BONDI

PROJECT NO. 205
DWG NO. S4.55-322
REV A

DRAWING
SECTION - BB

DRAWN: AI
CHECKED: JB
SCALE: As indicated @A1
DATE: 17.04.25

EAST ELEVATION
NO. 156
APPROVED DA



NORTH ELEVATION
NO. 156
APPROVED DA



NORTH ELEVATION
NO. 156
APPROVED DA



1 June 21st 10am East
1 : 200

2 June 21st 10am North
1 : 200

5 June 21st 1pm North
1 : 200

RECEIVED
Waverley Council

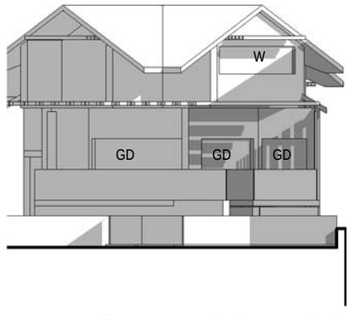
Receipt No: DA-133/2023/B

Date Received: 16/07/2025

LEGEND:

- DENOTES AREA OF EXISTING & SURROUNDING BUILDING SHADOW
- DENOTES ROOF TO APPROVED BUILDING
- DENOTES AREA OF APPROVED ADDITIONAL BUILDING SHADOW
- DENOTES AREA OF APPROVED REDUCTION OF SHADOW (STRUCTURES TO BE DEMOLISHED)
- DENOTES S.4.55 ADDITIONS TO APPROVED BUILDING
- DENOTES AREA OF S.455 ADDITIONAL SHADOW (AS COMPARED TO APPROVED)
- DENOTES AREA OF S.4.55 REDUCTION OF SHADOW (AS COMPARED TO APPROVED)

EAST ELEVATION
NO. 156
APPROVED DA



NORTH ELEVATION
NO. 156
APPROVED DA



NORTH ELEVATION
NO. 156
APPROVED DA



3 June 21st 11am East
1 : 200

4 June 21st 11am North
1 : 200

6 June 21st 2pm North
1 : 200

Cad Draft P/L
ABN 27 083 288 153

SUITE 1, 505 BALMAIN ROAD,
LILYFIELD, NSW
P.O.BOX 446 GLADESVILLE 2111

SHADOW ANALYSIS CONSULTANTS

MOBILE: 0410 699919

info@caddraftnsw.com.au

No.	Description	Date

619

SHADOW DIAGRAMS: S.4.55
No. 154 BRIGHTON BOULEVARD
NORTH BONDI

CLIENT: KEVIN & MICHELLE KALINKO

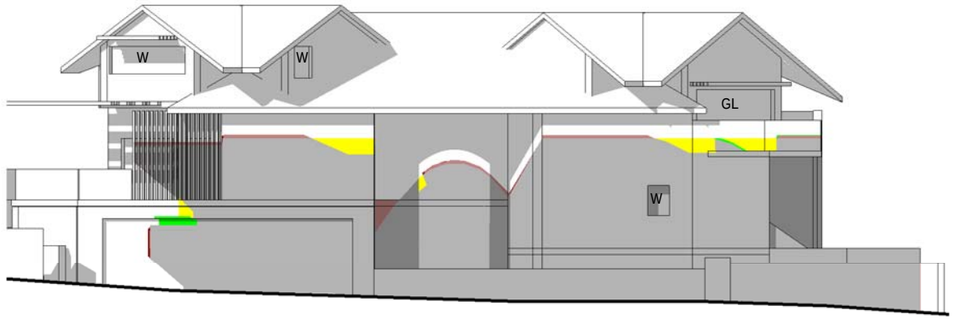
Additional Elevations June 21st

Project number	22-82
Date	05-12-24
Drawn by	KP
Checked by	JD

A103

Scale 1 : 200

NORTH ELEVATION
NO. 156
APPROVED DA



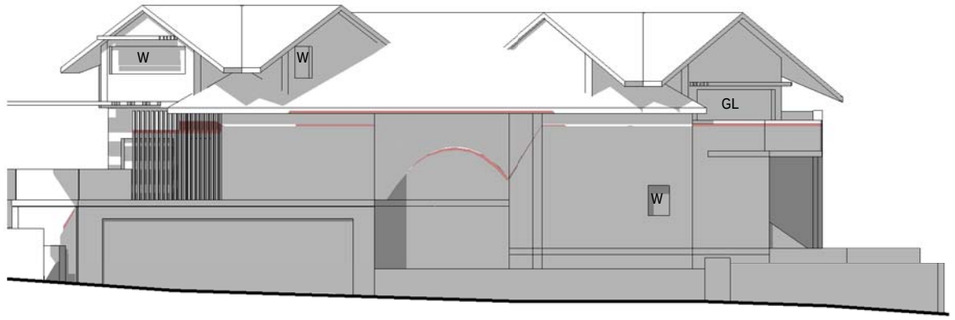
1 Equinox 9am

1 : 200

LEGEND:

- DENOTES AREA OF EXISTING & SURROUNDING BUILDING SHADOW
- DENOTES ROOF TO APPROVED BUILDING
- DENOTES AREA OF APPROVED ADDITIONAL BUILDING SHADOW
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- DENOTES AREA OF S.4.55 REDUCTION OF SHADOW (AS COMPARED TO APPROVED)

NORTH ELEVATION
NO. 156
APPROVED DA



2 Equinox 10am

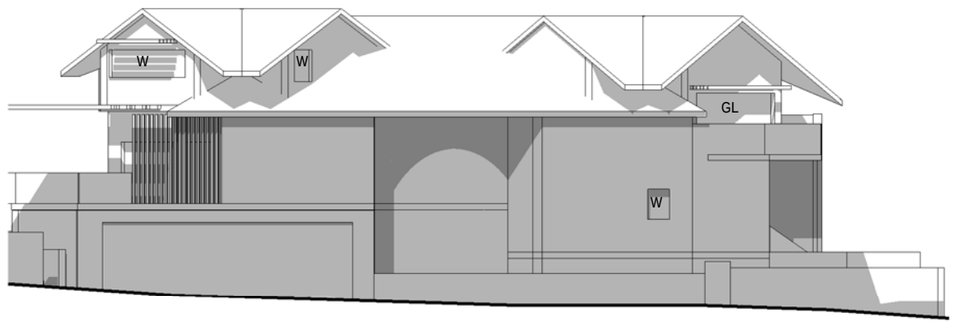
1 : 200

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Receipt No: DA-133/2023/B

Date Received: 16/07/2025

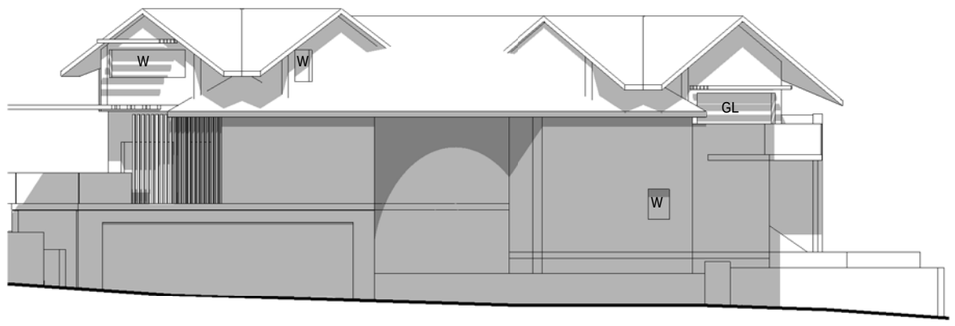
NORTH ELEVATION
NO. 156
APPROVED DA



3 Equinox 11am

1 : 200

NORTH ELEVATION
NO. 156
APPROVED DA



4 Equinox 12pm

1 : 200

Cad Draft P/L
ABN 27 083 288 153

SUITE 1, 505 BALMAIN ROAD,
LILYFIELD, NSW
P.O.BOX 446 GLADESVILLE 2111

SHADOW ANALYSIS CONSULTANTS

MOBILE: 0410 699919

info@caddraftnsw.com.au

No.	Description	Date

620

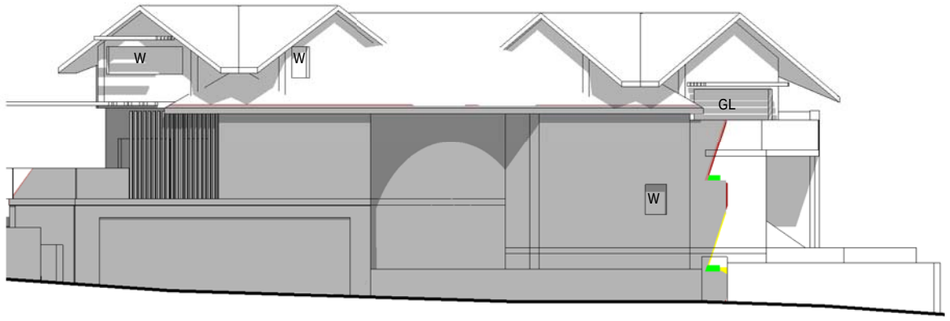
SHADOW DIAGRAMS: S.4.55
No. 154 BRIGHTON BOULEVARD
NORTH BONDI

CLIENT: KEVIN & MICHELLE KALINKO

Elevations Equinox 9am -12pm

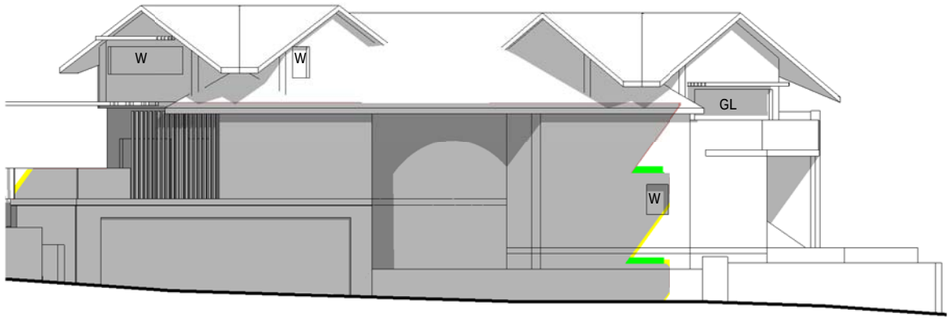
Project number	22-82	A104	
Date	05-12-24		
Drawn by	KP		
Checked by	JD	Scale	1 : 200

NORTH ELEVATION
NO. 156
APPROVED DA



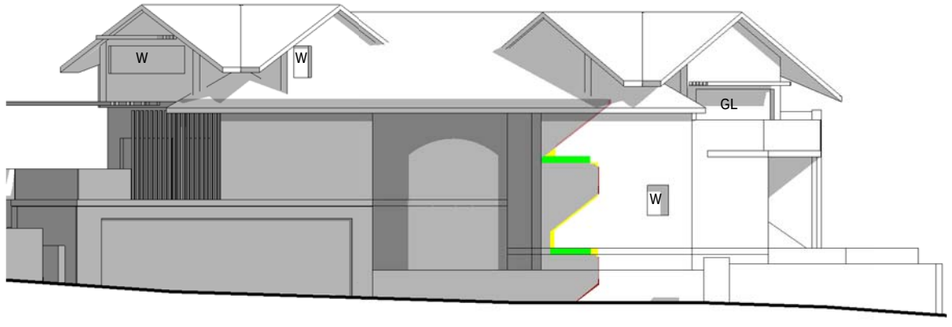
1 Equinox 1pm
1 : 200

NORTH ELEVATION
NO. 156
APPROVED DA



2 Equinox 2pm
1 : 200

NORTH ELEVATION
NO. 156
APPROVED DA



3 Equinox 3pm
1 : 200

RECEIVED
Waverley Council

Receipt No: DA-133/2023/B

Date Received: 16/07/2025

LEGEND:

- DENOTES AREA OF EXISTING & SURROUNDING BUILDING SHADOW
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- DENOTES AREA OF APPROVED ADDITIONAL BUILDING SHADOW
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- DENOTES AREA OF S.455 ADDITIONAL SHADOW (AS COMPARED TO APPROVED)
- DENOTES AREA OF S.4.55 REDUCTION OF SHADOW (AS COMPARED TO APPROVED)

Cad Draft P/L
ABN 27 083 288 153

SUITE 1, 505 BALMAIN ROAD,
LILYFIELD, NSW
P.O.BOX 446 GLADESVILLE 2111

SHADOW ANALYSIS CONSULTANTS

MOBILE: 0410 699919

info@caddraftnsw.com.au

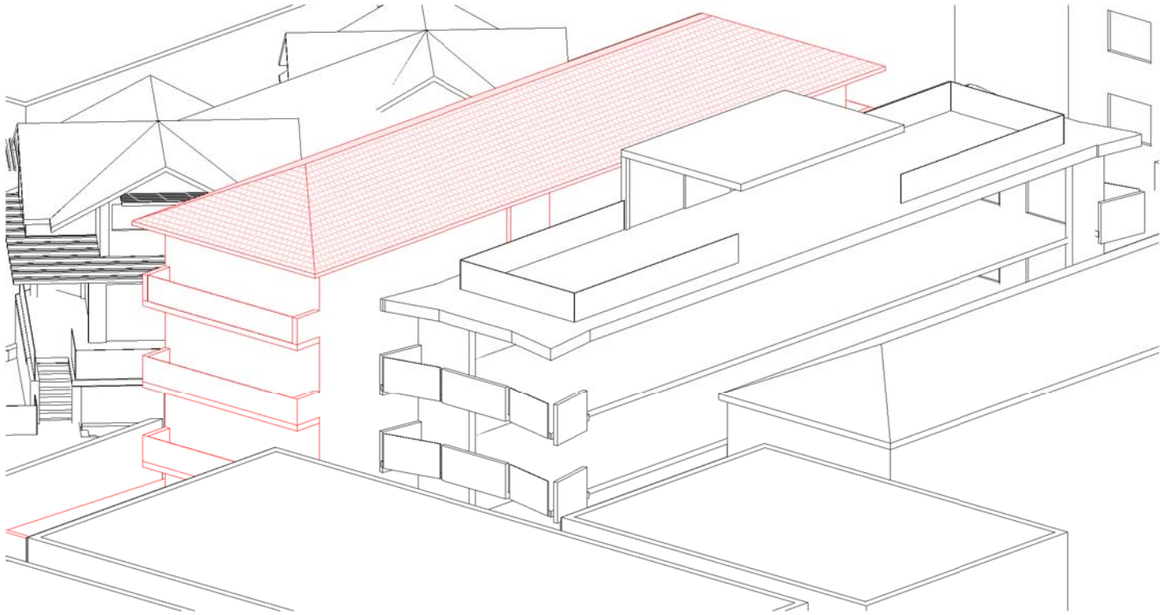
No.	Description	Date

SHADOW DIAGRAMS: S.4.55
No. 154 BRIGHTON BOULEVARD
NORTH BONDI

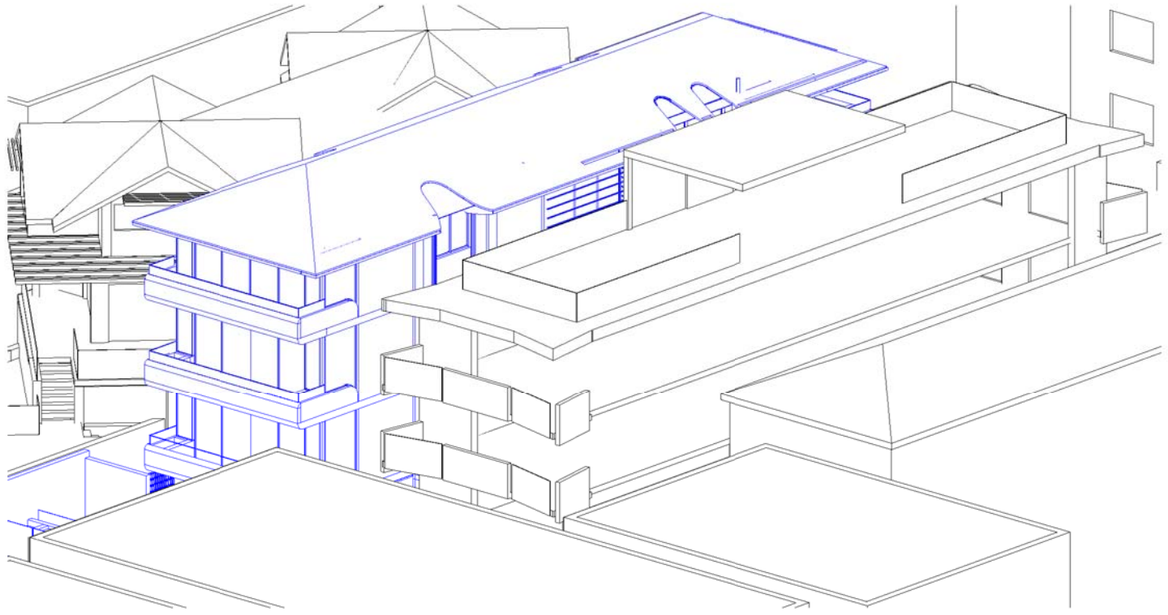
CLIENT: KEVIN & MICHELLE KALINKO

Elevations Equinox 1pm - 3pm

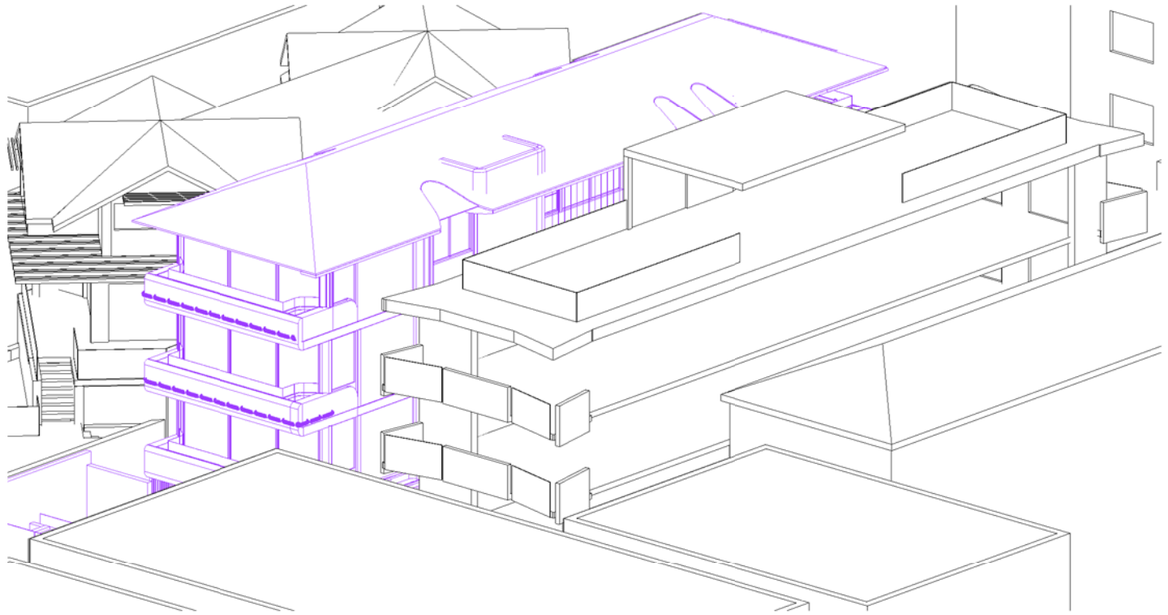
Project number	22-82	A105	
Date	05-12-24		
Drawn by	KP		
Checked by	JD	Scale	1 : 200



1 June 9.00am Existing



2 June 9.00am Approved



3 June 9.00am S.4.55

RECEIVED
Waverley Council

Receipt No: DA-133/2023/B

Date Received: 16/07/2025

Cad Draft P/L
ABN 27 083 288 153

SUITE 1, 505 BALMAIN ROAD,
LILYFIELD, NSW
P.O.BOX 446 GLADESVILLE 2111

SHADOW ANALYSIS CONSULTANTS

MOBILE: 0410 699919

info@caddraftnsw.com.au

No.	Description	Date

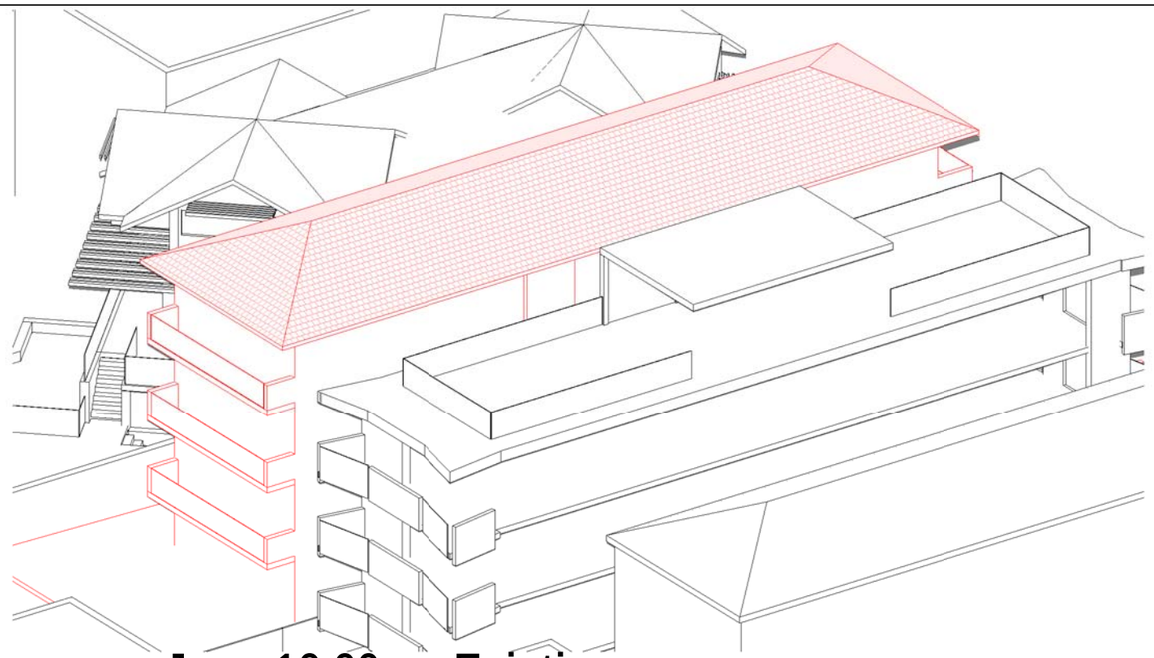
622

SHADOW DIAGRAMS: S.4.55
No. 154 BRIGHTON BOULEVARD
NORTH BONDI

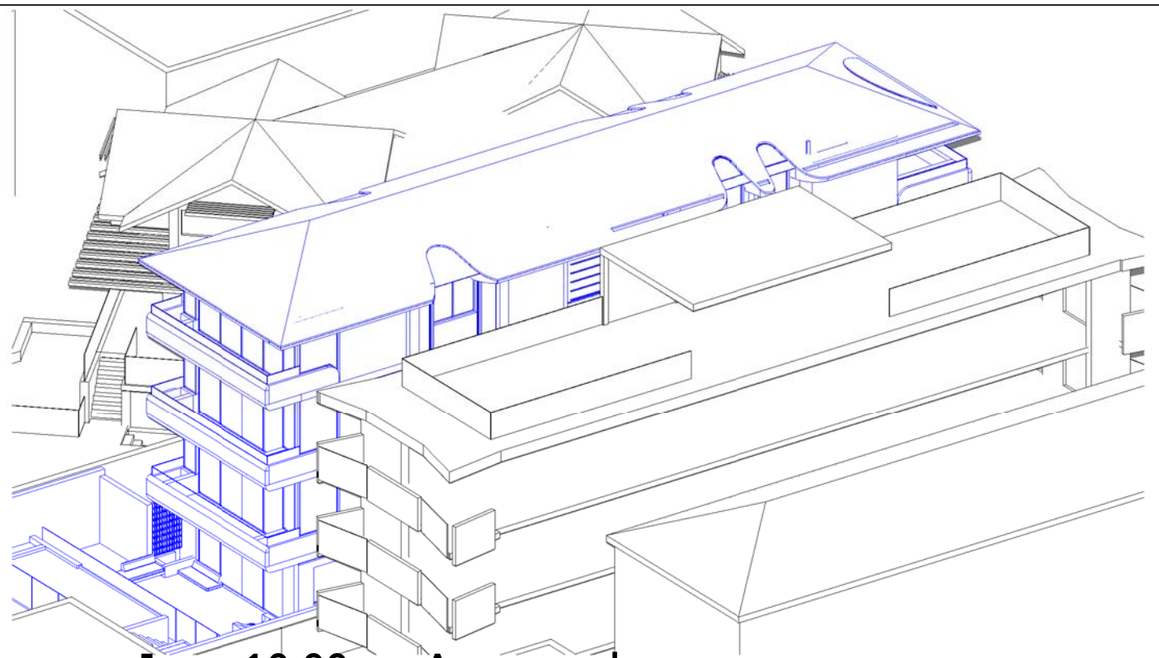
CLIENT: KEVIN & MICHELLE KALINKO

3D Sun Views June 9.00am

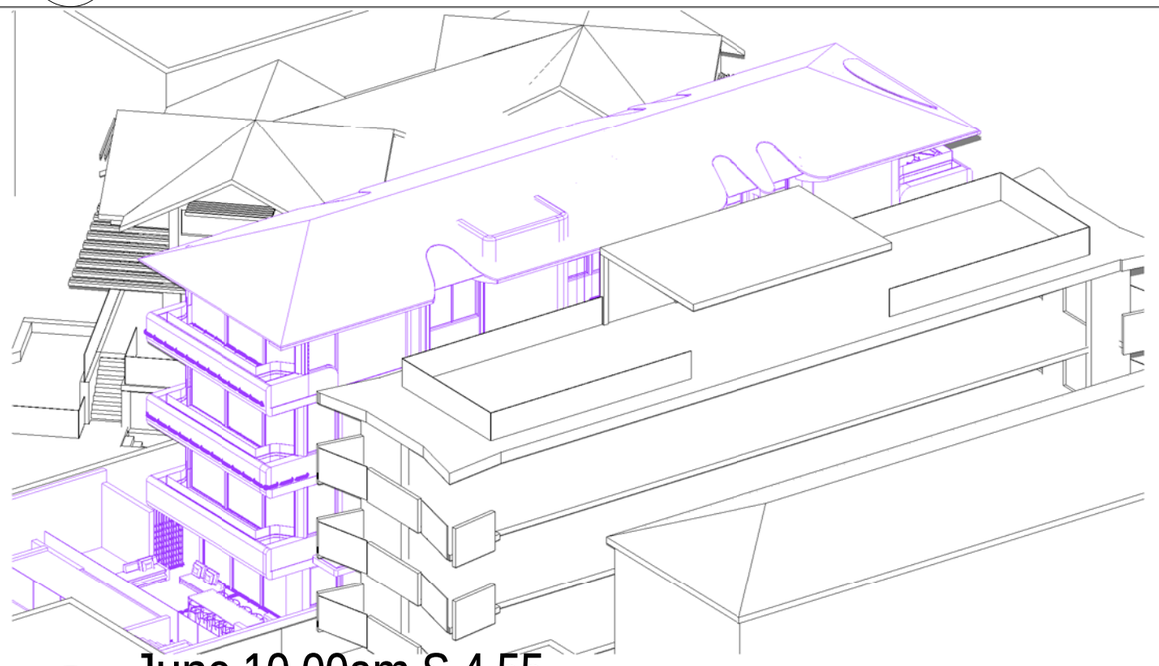
Project number	22-82	A106
Date	05-12-24	
Drawn by	KP	
Checked by	JD	Scale



1 June 10.00am Existing



2 June 10.00am Approved



3 June 10.00am S.4.55

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P.O.BOX 446 GLADESVILLE 2111

SHADOW ANALYSIS CONSULTANTS

MOBILE: 0410 699919

info@caddraftnsw.com.au

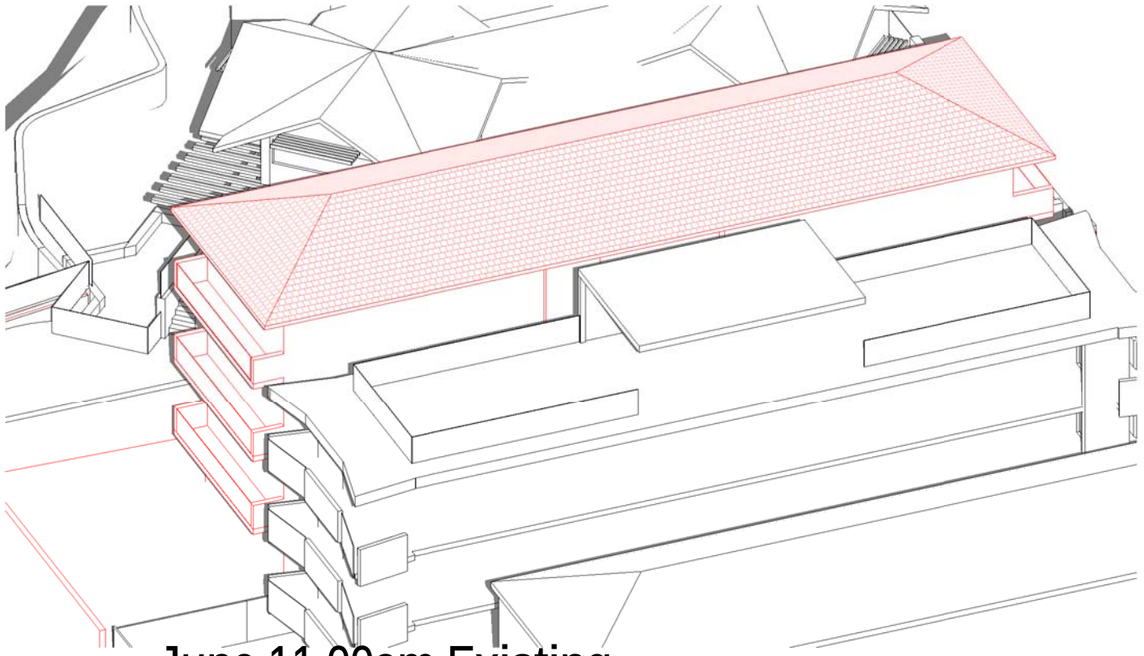
No.	Description	Date

SHADOW DIAGRAMS: S.4.55
No. 154 BRIGHTON BOULEVARD
NORTH BONDI

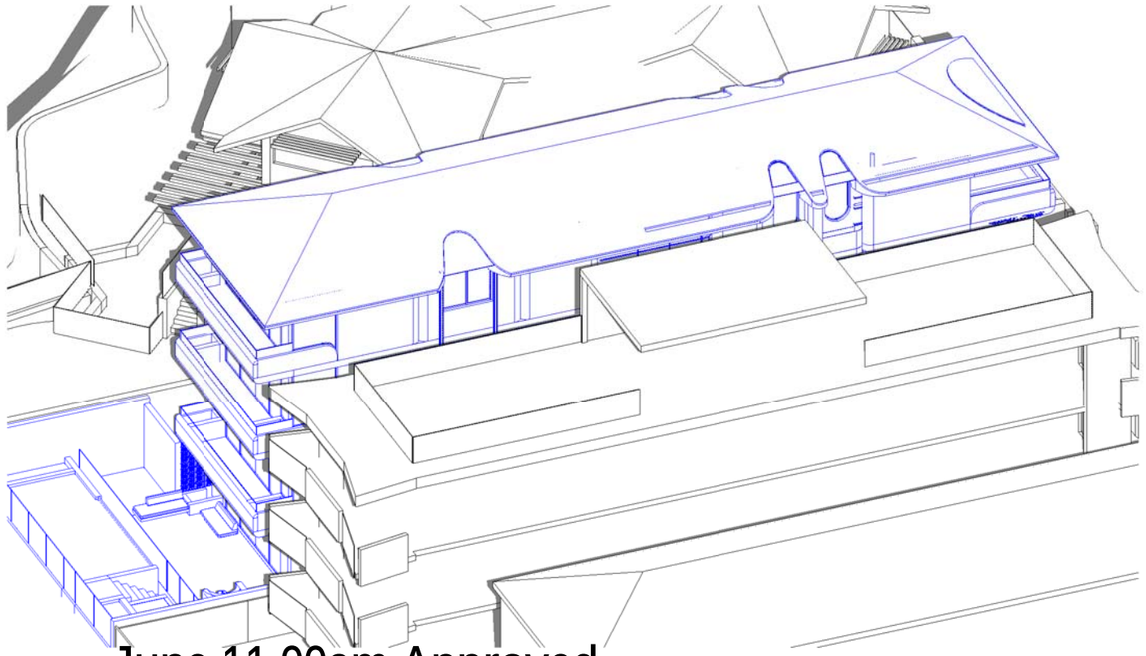
CLIENT: KEVIN & MICHELLE KALINKO

3D Sun Views June 10.00am

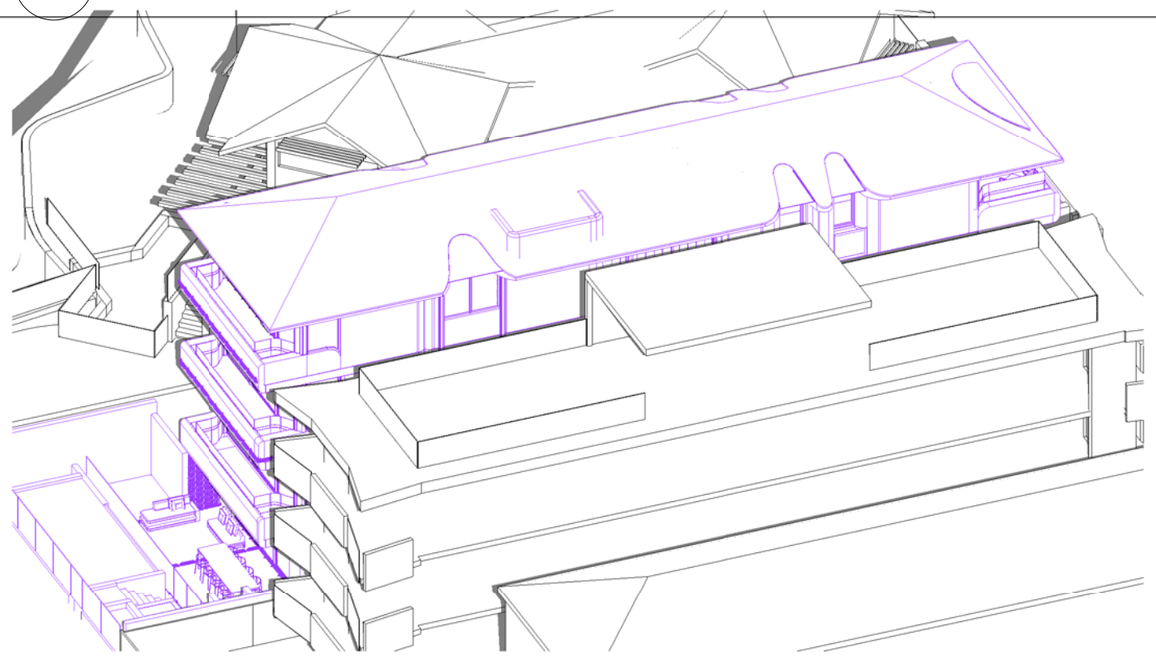
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Date	05-12-24	
Drawn by	KP	
Checked by	JD	Scale



1 June 11.00am Existing



2 June 11.00am Approved



3 June 11.00am S.4.55

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MOBILE: 0410 699919

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No.	Description	Date

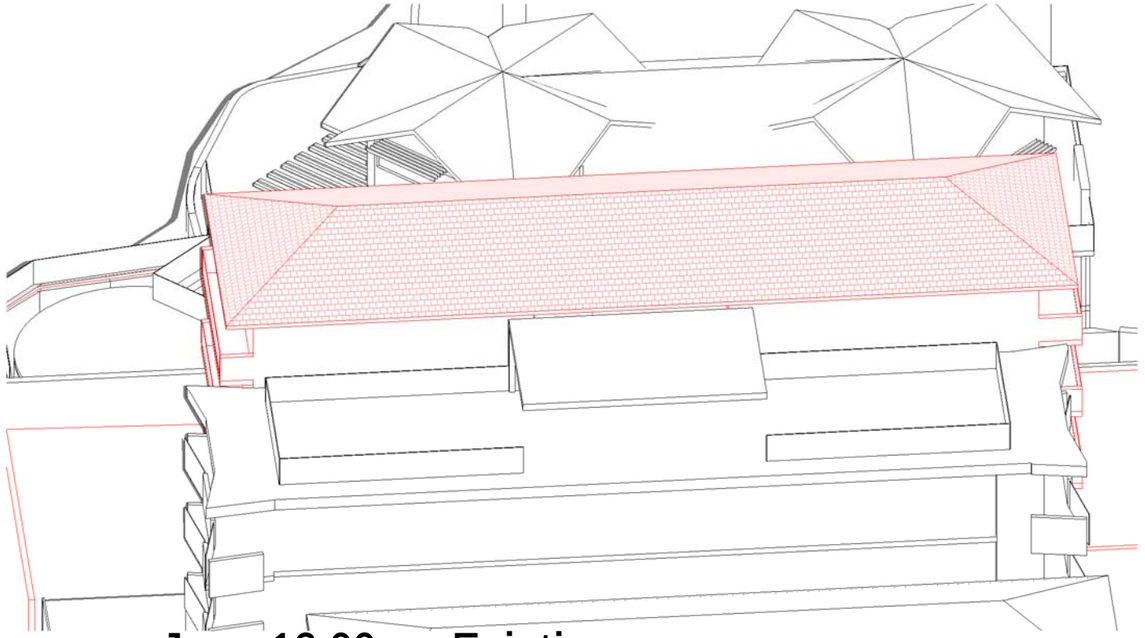
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SHADOW DIAGRAMS: S.4.55
No. 154 BRIGHTON BOULEVARD
NORTH BONDI

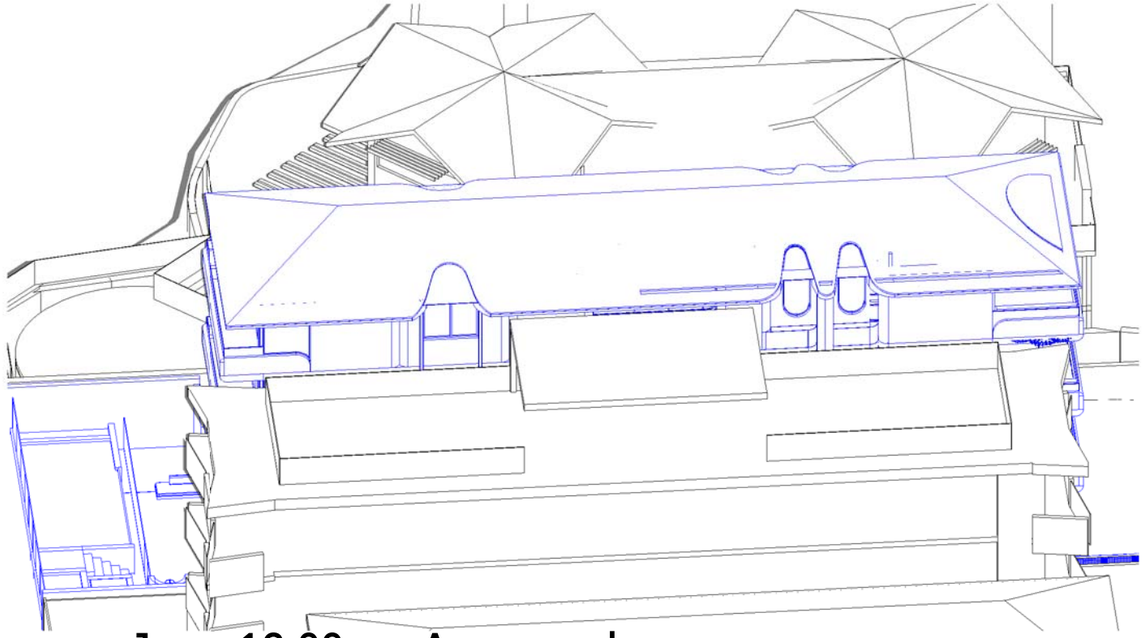
CLIENT: KEVIN & MICHELLE KALINKO

3D Sun Views June 11.00am

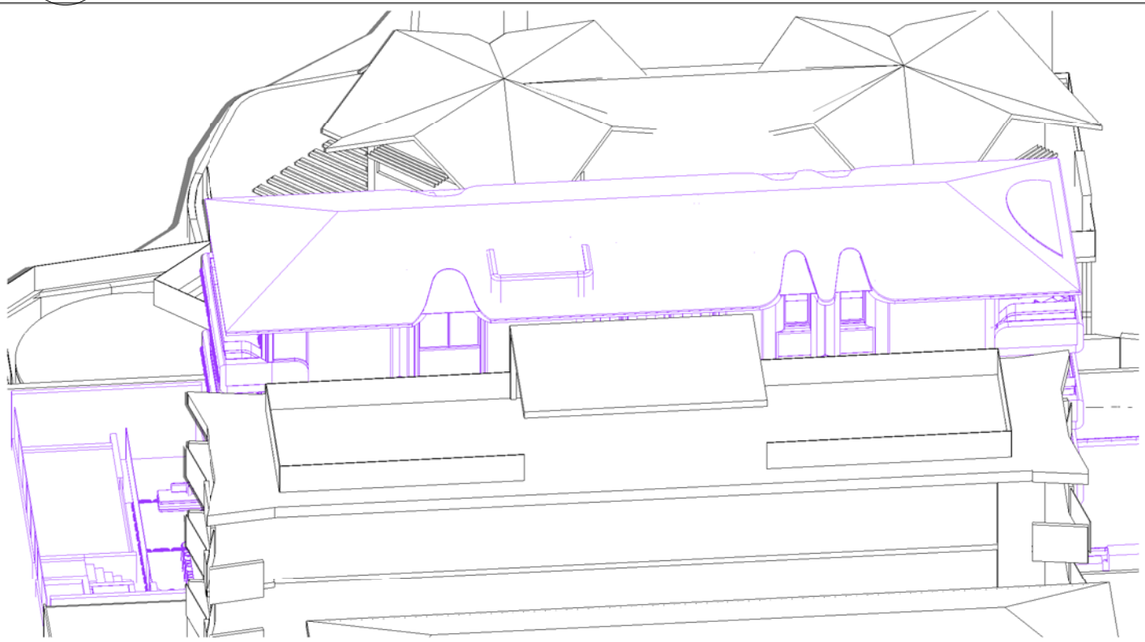
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Date	05-12-24	
Drawn by	KP	
Checked by	JD	Scale



1 June 12.00pm Existing



2 June 12.00pm Approved



3 June 12.00pm S.4.55

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Date Received: 16/07/2025

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No.	Description	Date

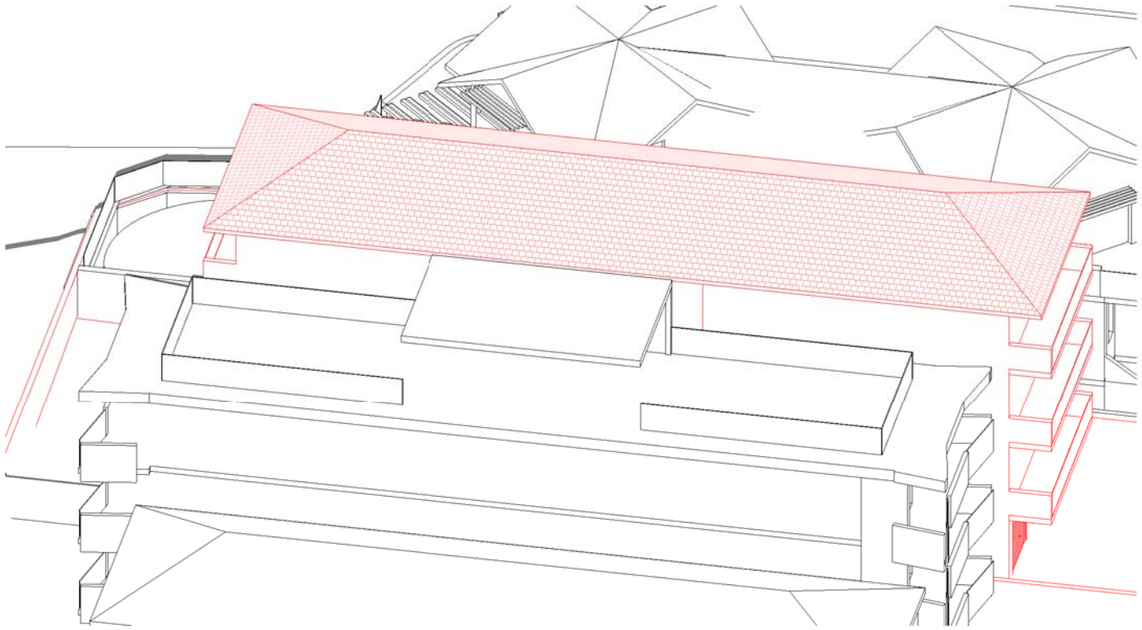
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No. 154 BRIGHTON BOULEVARD
NORTH BONDI

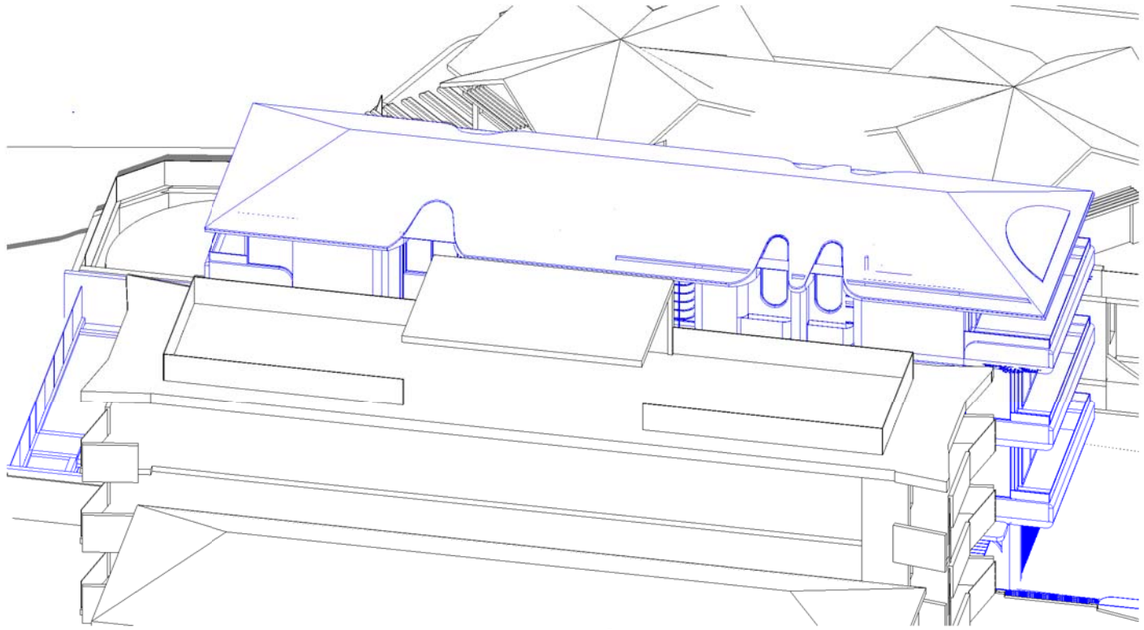
CLIENT: KEVIN & MICHELLE KALINKO

3D Sun Views June 12.00pm

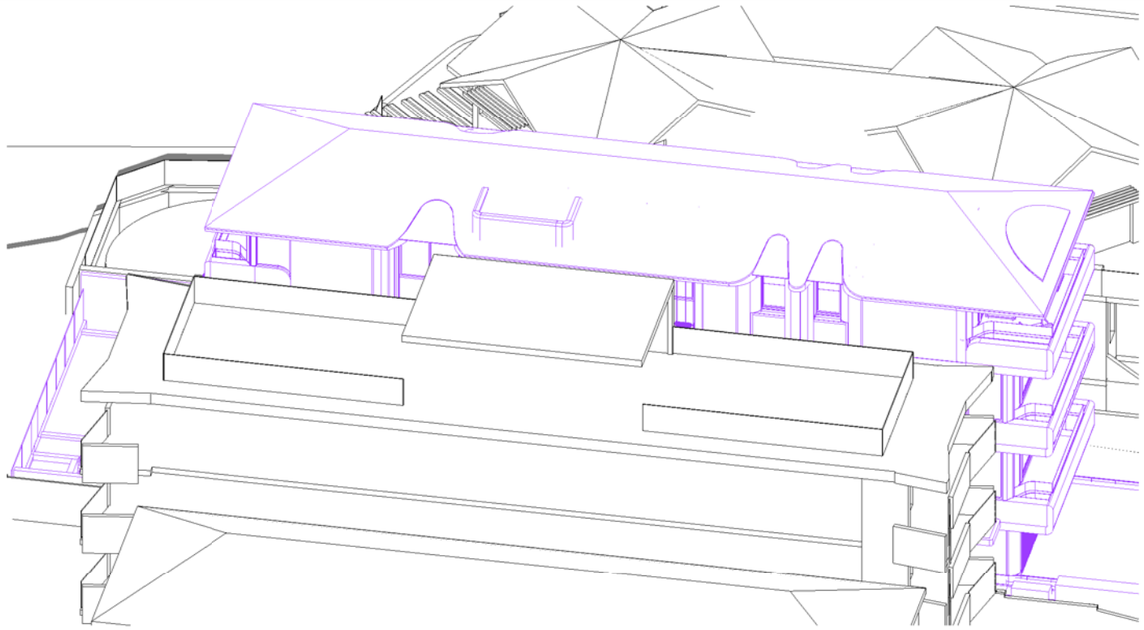
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Date	05-12-24	
Drawn by	KP	
Checked by	JD	Scale



1 June 1.00pm Existing



2 June 1.00pm Approved



3 June 1.00pm S.4.55

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Date Received: 16/07/2025

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No.	Description	Date

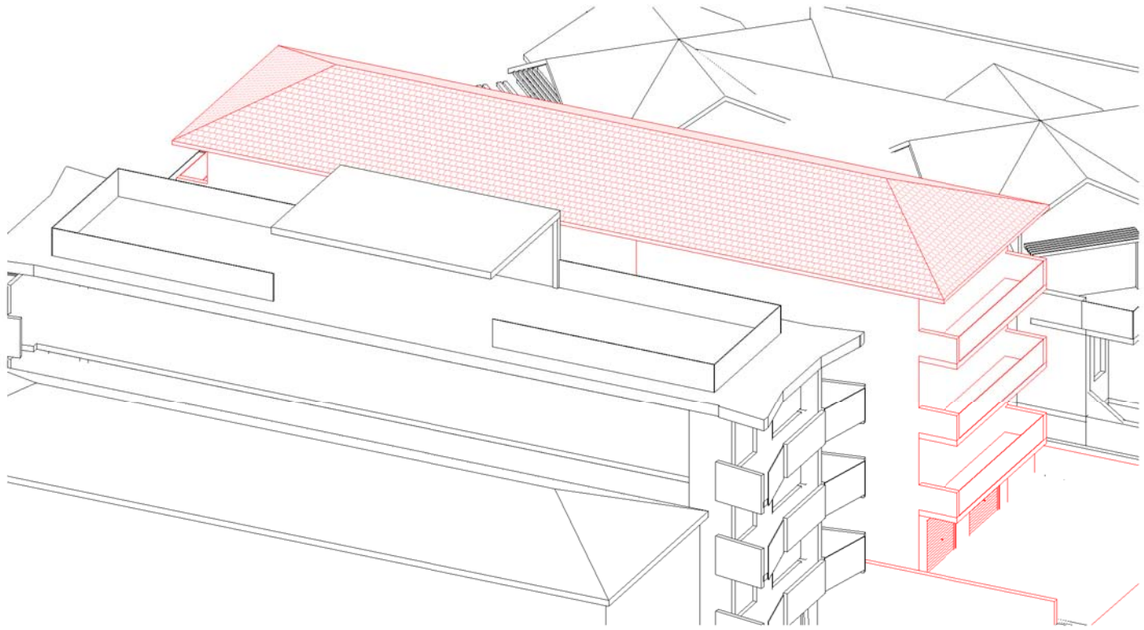
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SHADOW DIAGRAMS: S.4.55
No. 154 BRIGHTON BOULEVARD
NORTH BONDI

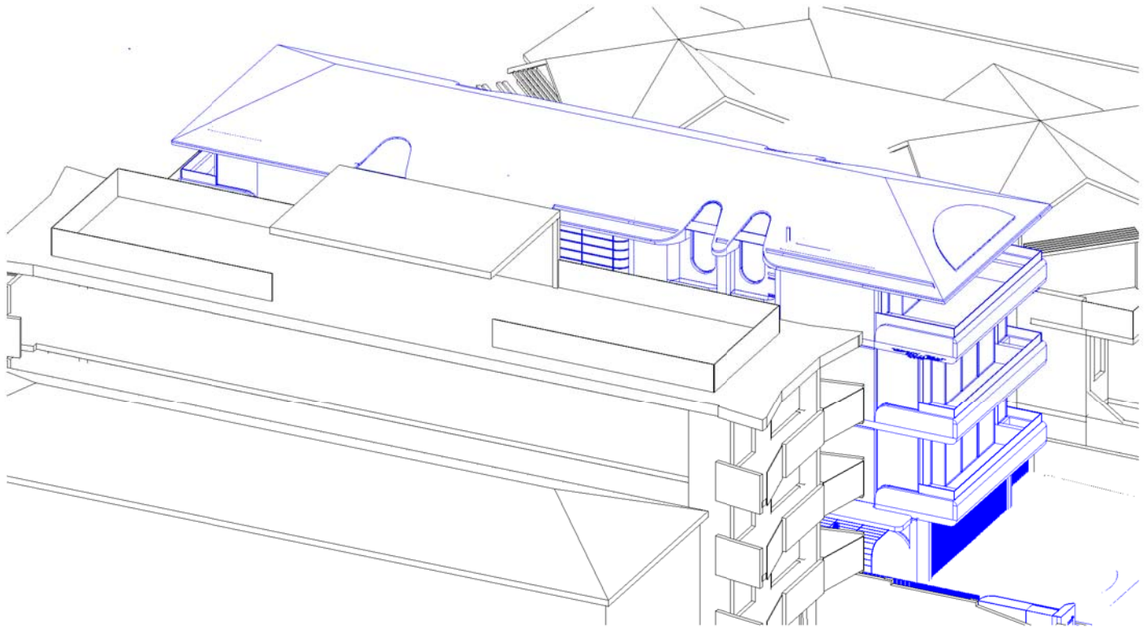
CLIENT: KEVIN & MICHELLE KALINKO

3D Sun Views June 1.00pm

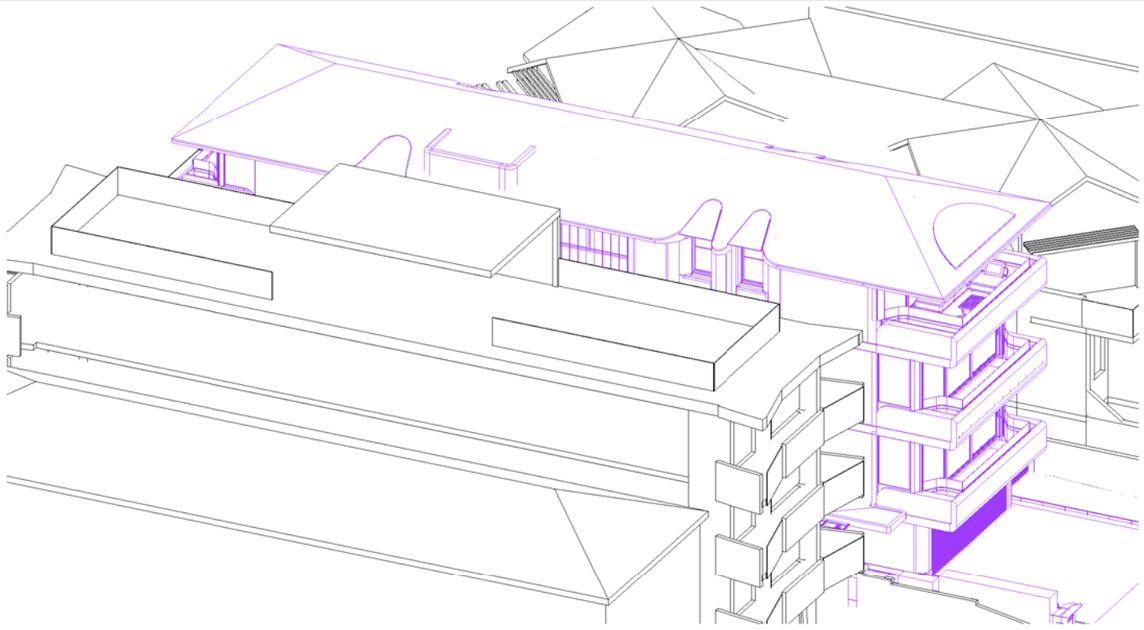
Project number	22-82	A110
Date	05-12-24	
Drawn by	KP	
Checked by	JD	Scale



1 June 2.00pm Existing



2 June 2.00pm Approved



3 June 2.00pm S.4.55

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No.	Description	Date

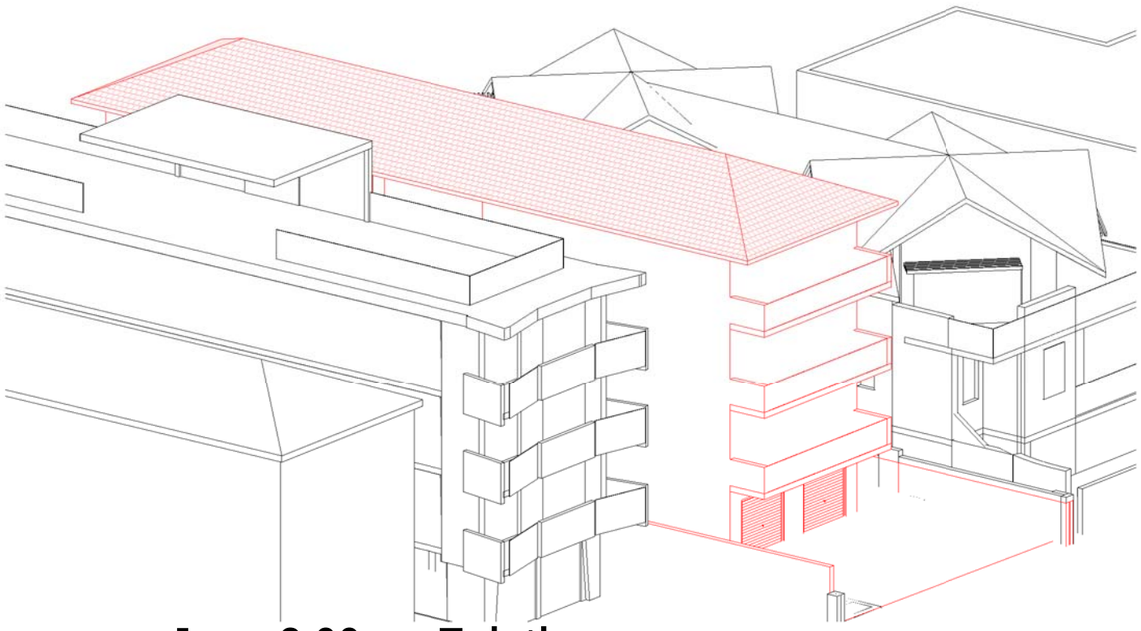
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SHADOW DIAGRAMS: S.4.55
No. 154 BRIGHTON BOULEVARD
NORTH BONDI

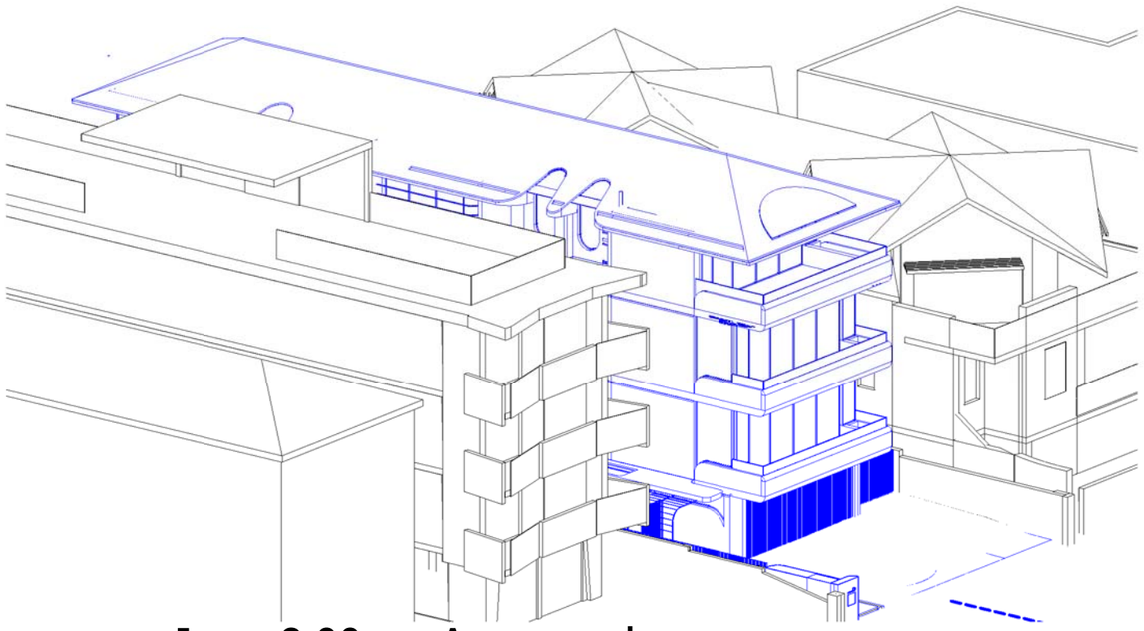
CLIENT: KEVIN & MICHELLE KALINKO

3D Sun Views June 2.00pm

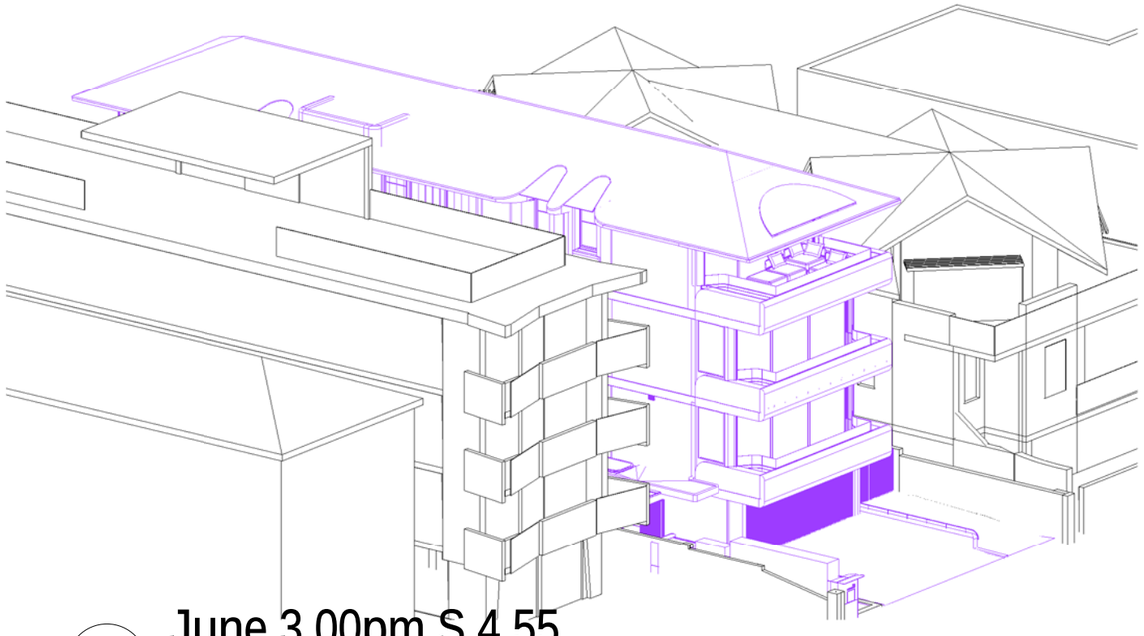
Project number	22-82	A111
Date	05-12-24	
Drawn by	KP	
Checked by	JD	Scale



1 June 3.00pm Existing



2 June 3.00pm Approved



3 June 3.00pm S.4.55

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Receipt No: DA-133/2023/B

Date Received: 16/07/2025

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No.	Description	Date

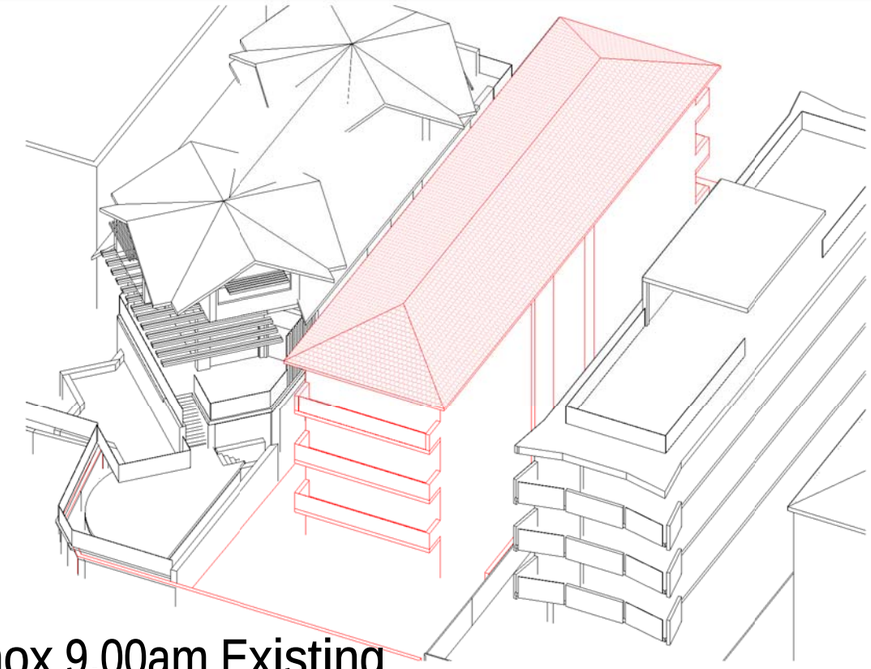
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No. 154 BRIGHTON BOULEVARD
NORTH BONDI

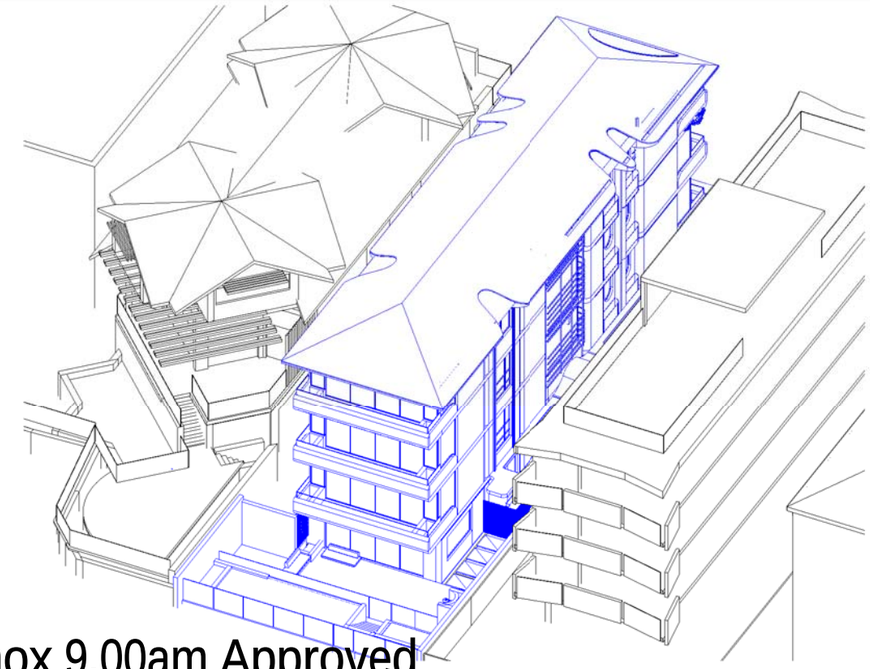
CLIENT: KEVIN & MICHELLE KALINKO

3D Sun Views June 3.00pm

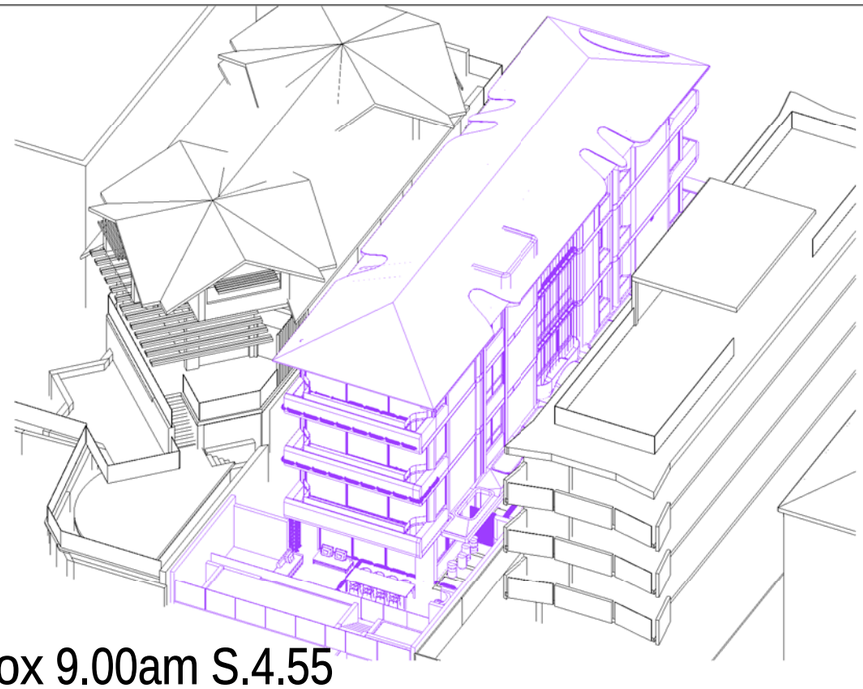
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Date	05-12-24	
Drawn by	KP	
Checked by	JD	Scale



1 Equinox 9.00am Existing



2 Equinox 9.00am Approved



3 Equinox 9.00am S.4.55

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SHADOW ANALYSIS CONSULTANTS

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No.	Description	Date

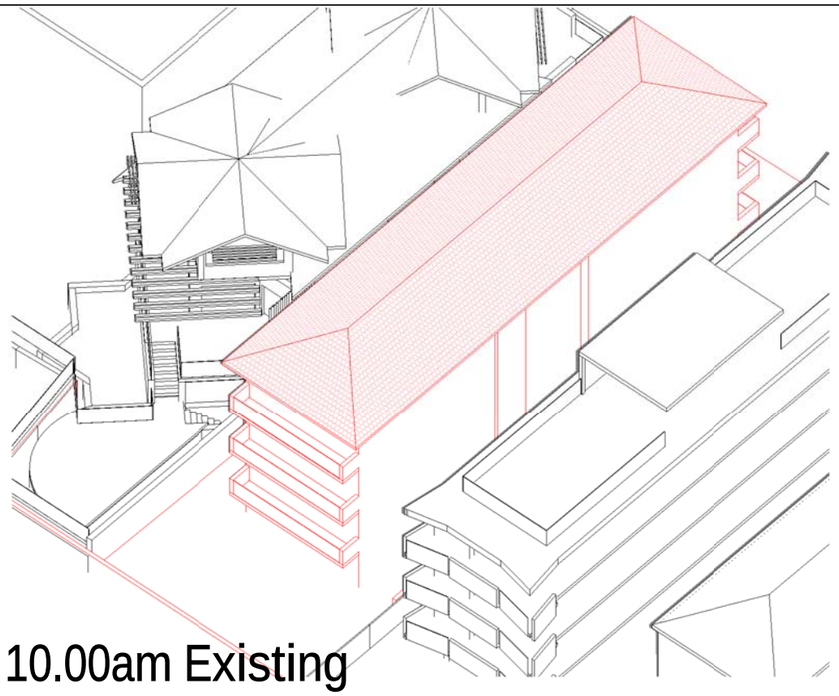
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No. 154 BRIGHTON BOULEVARD
NORTH BONDI

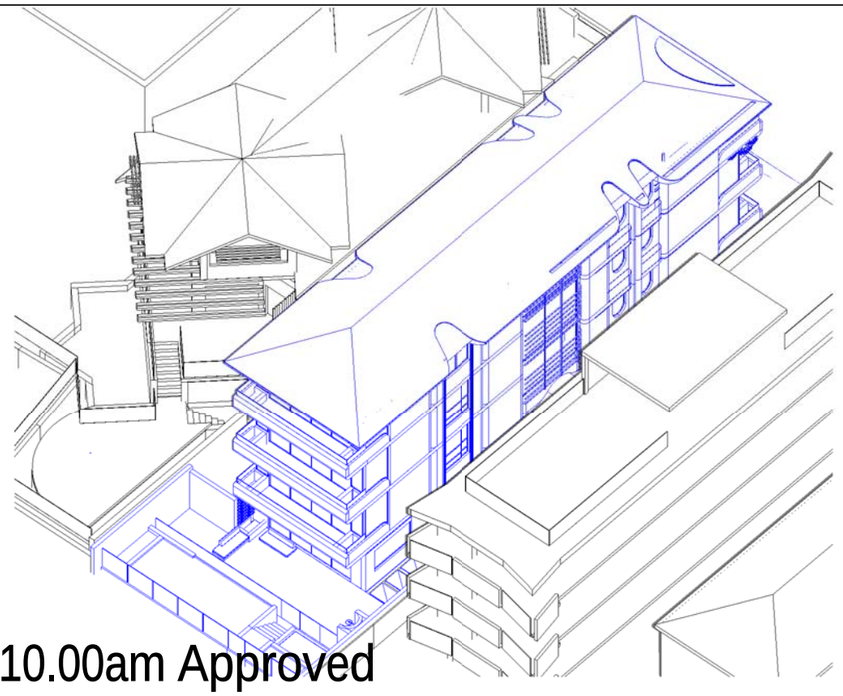
CLIENT: KEVIN & MICHELLE KALINKO

3D Sun Views Equinox 9.00am

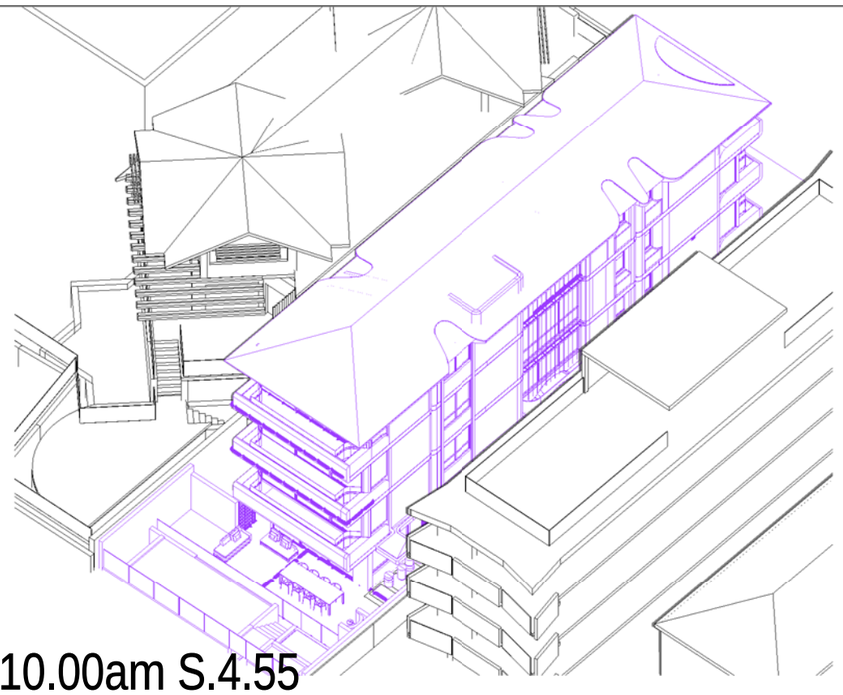
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Date	05-12-24	
Drawn by	KP	
Checked by	JD	Scale



1 Equinox 10.00am Existing



2 Equinox 10.00am Approved



3 Equinox 10.00am S.4.55

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SHADOW ANALYSIS CONSULTANTS

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No.	Description	Date

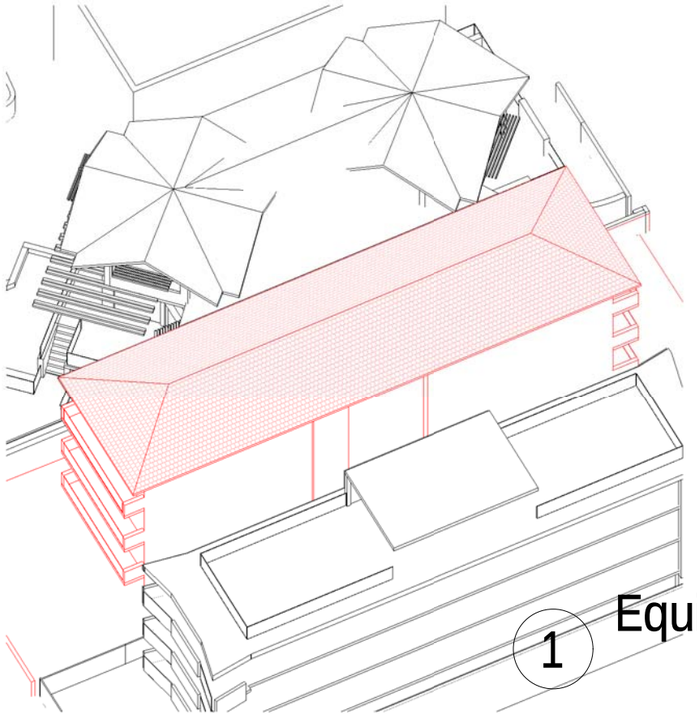
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SHADOW DIAGRAMS: S.4.55
No. 154 BRIGHTON BOULEVARD
NORTH BONDI

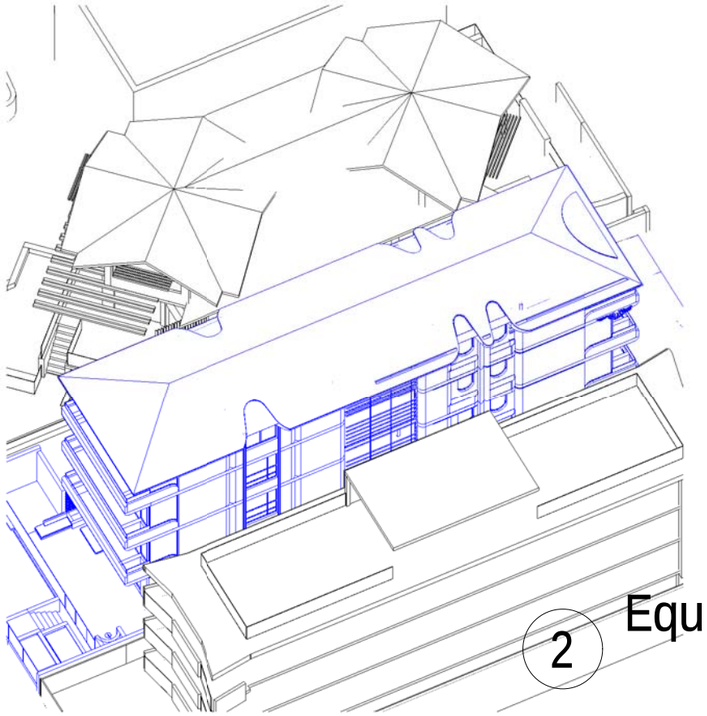
CLIENT: KEVIN & MICHELLE KALINKO

3D Sun Views Equinox 10.00am

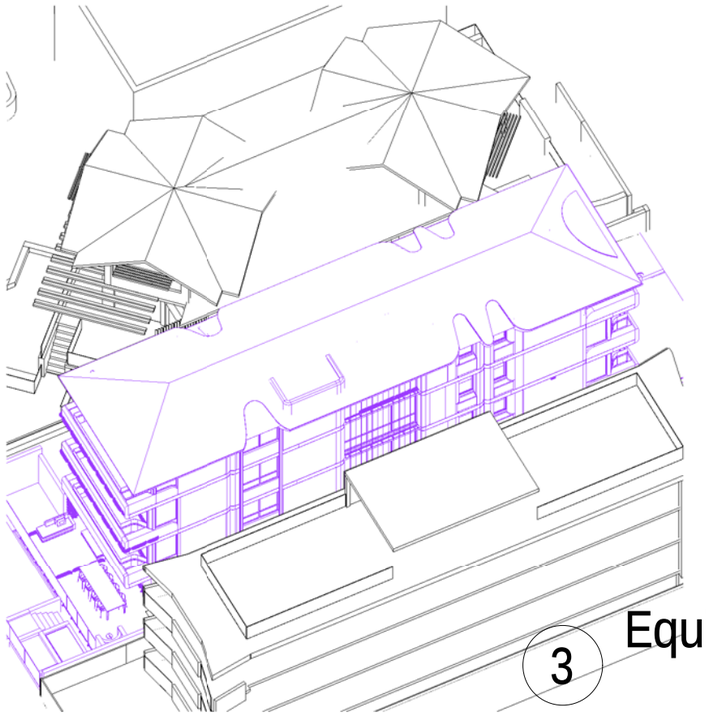
Project number	22-82	A114
Date	05-12-24	
Drawn by	KP	
Checked by	JD	Scale



1 Equinox 11.00am Existing



2 Equinox 11.00am Approved



3 Equinox 11.00am S.4.55

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Receipt No: DA-133/2023/B

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No.	Description	Date

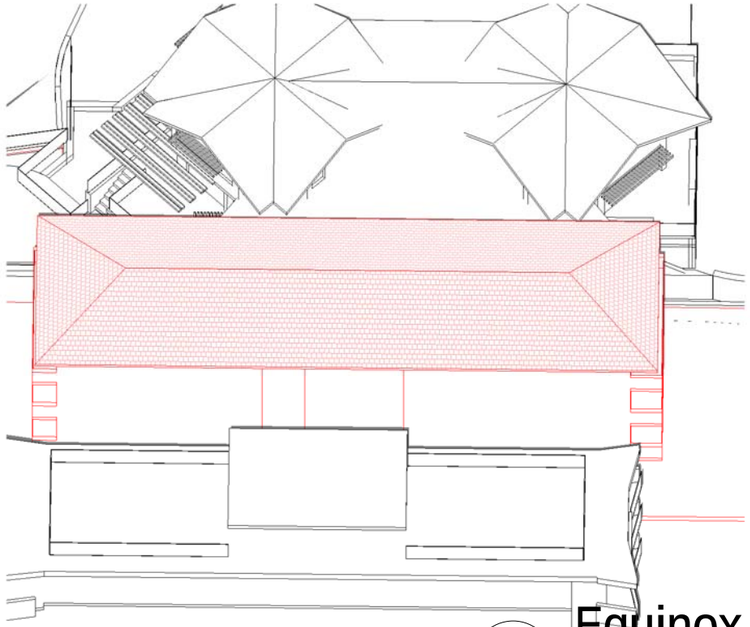
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No. 154 BRIGHTON BOULEVARD
NORTH BONDI

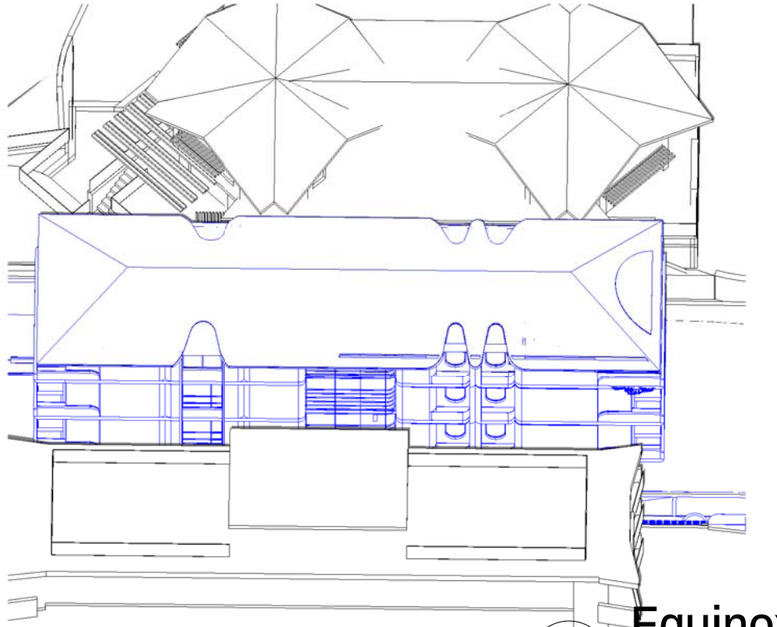
CLIENT: KEVIN & MICHELLE KALINKO

3D Sun Views Equinox 11.00am

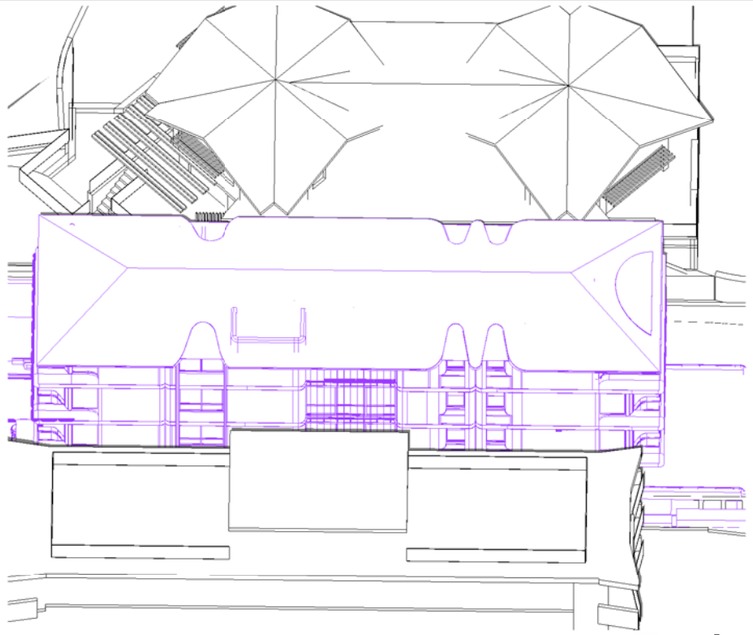
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Date	05-12-24	
Drawn by	KP	
Checked by	JD	Scale



1 Equinox 12.00pm Existing



2 Equinox 12.00pm Approved



3 Equinox 12.00pm S.4.55

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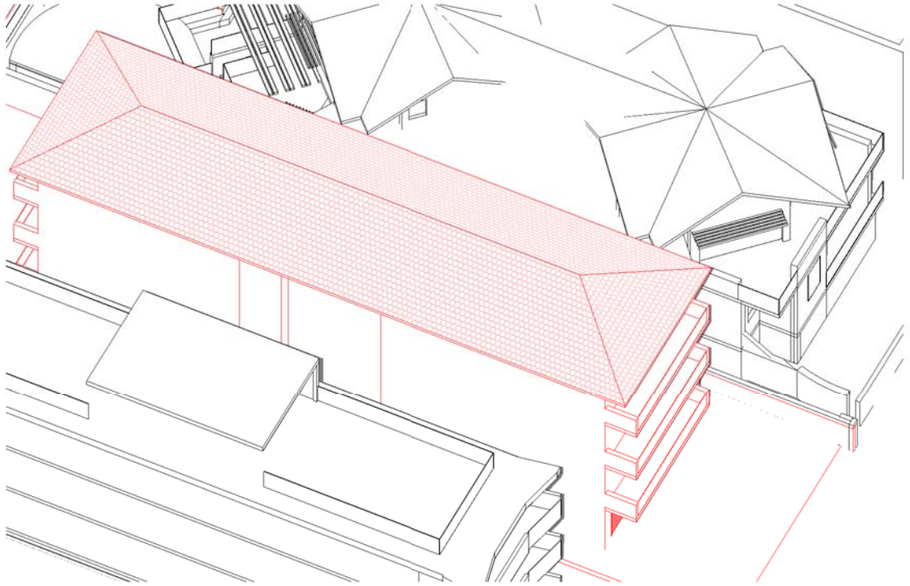
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No. 154 BRIGHTON BOULEVARD
NORTH BONDI

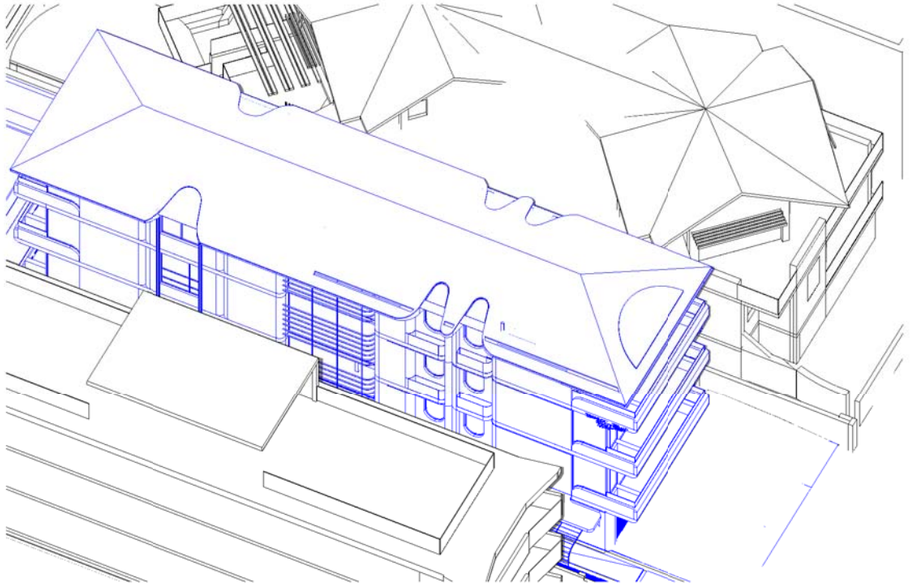
CLIENT: KEVIN & MICHELLE KALINKO

3D Sun Views Equinox 12.00pm

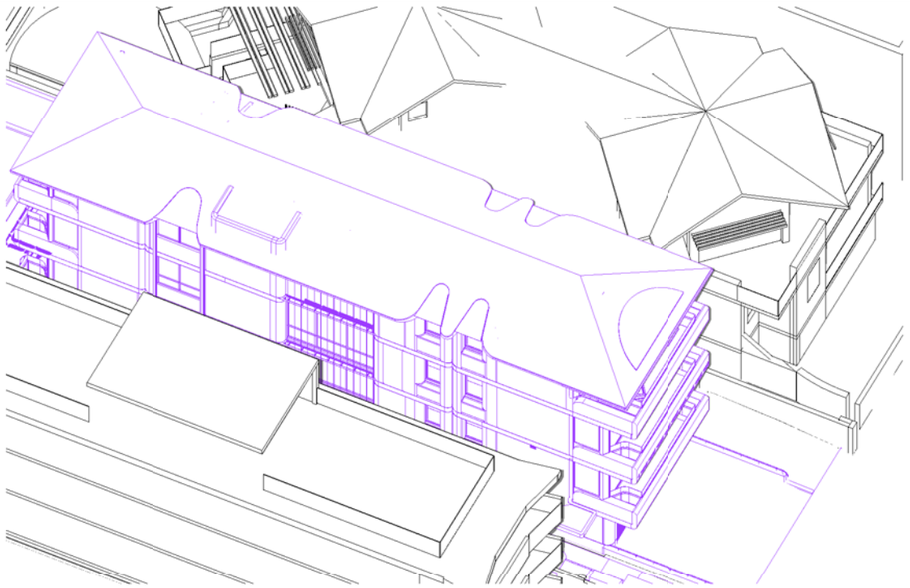
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Date	05-12-24	
Drawn by	KP	
Checked by	JD	Scale



1 Equinox 1.00pm Existing



2 Equinox 1.00pm Approved



3 Equinox 1.00pm S.4.55

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Receipt No: DA-133/2023/B

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No.	Description	Date

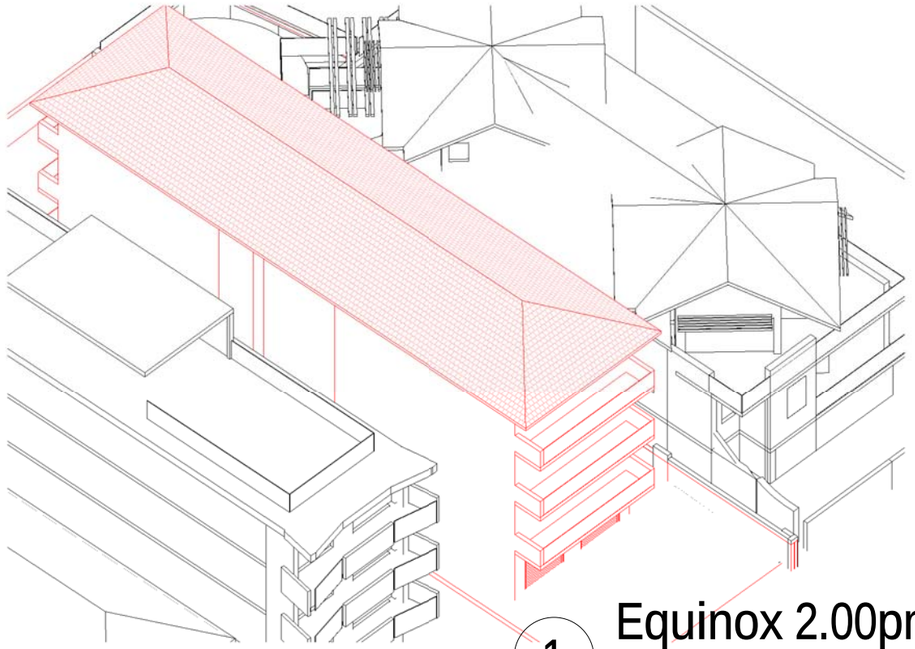
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SHADOW DIAGRAMS: S.4.55
No. 154 BRIGHTON BOULEVARD
NORTH BONDI

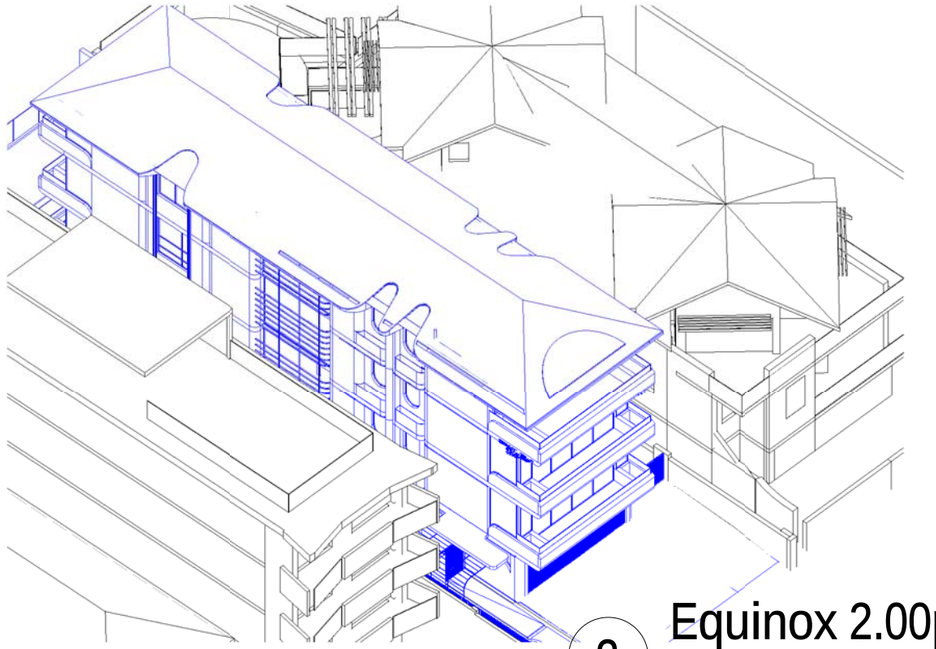
CLIENT: KEVIN & MICHELLE KALINKO

3D Sun Views Equinox 1.00pm

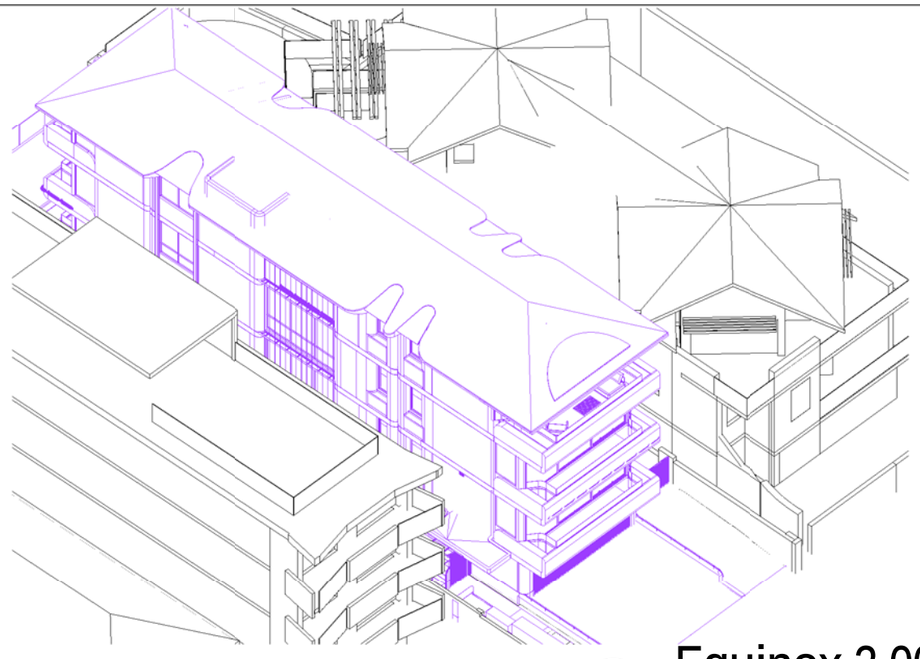
Project number	22-82	A117
Date	05-12-24	
Drawn by	KP	
Checked by	JD	Scale



1 Equinox 2.00pm Existing



2 Equinox 2.00pm Approved



3 Equinox 2.00pm S.4.55

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info@caddraftnsw.com.au

No.	Description	Date

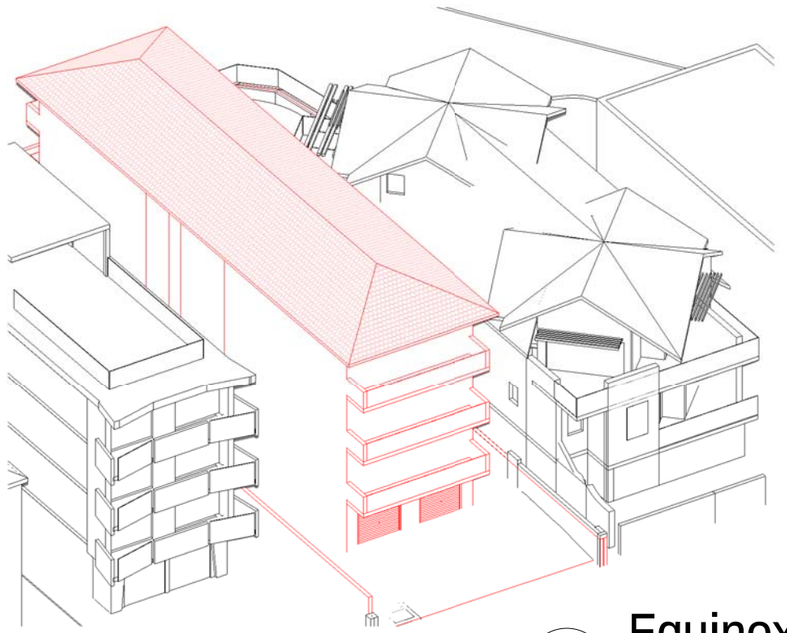
634

SHADOW DIAGRAMS: S.4.55
No. 154 BRIGHTON BOULEVARD
NORTH BONDI

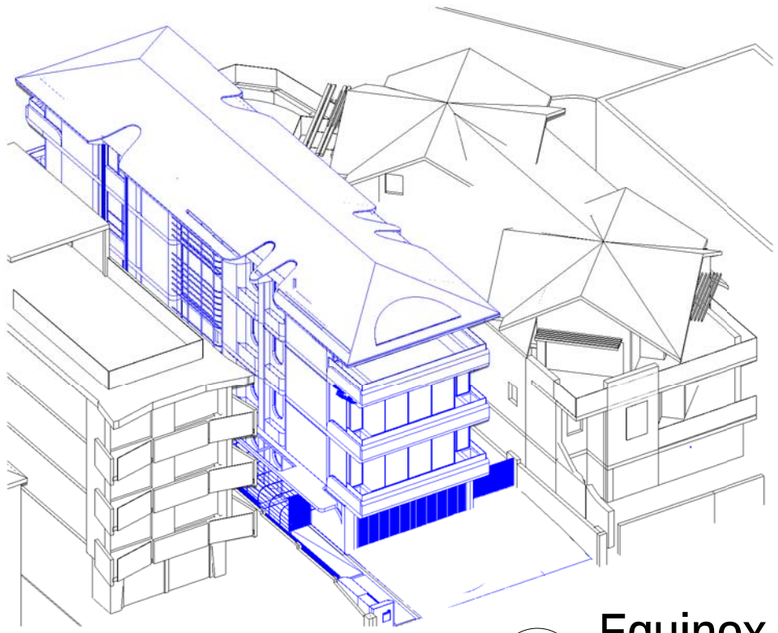
CLIENT: KEVIN & MICHELLE KALINKO

3D Sun Views Equinox 2.00pm

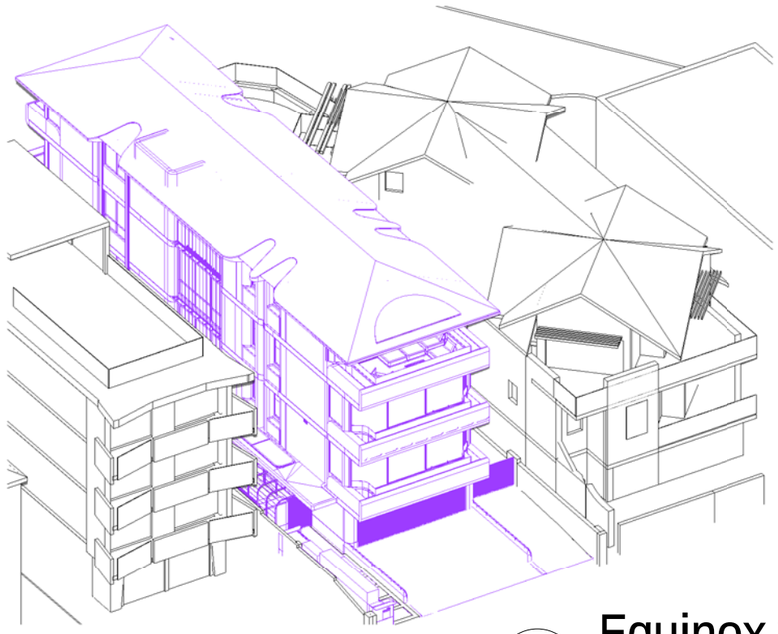
Project number	22-82	A118
Date	05-12-24	
Drawn by	KP	
Checked by	JD	Scale



1 Equinox 3.00pm Existing



2 Equinox 3.00pm Approved



3 Equinox 3.00pm S.4.55

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Waverley Council

Receipt No: DA-133/2023/B

Date Received: 16/07/2025

Cad Draft P/L

ABN 27 083 288 153

SUITE 1, 505 BALMAIN ROAD,
LILYFIELD, NSW
P.O.BOX 446 GLADESVILLE 2111

SHADOW ANALYSIS CONSULTANTS

MOBILE: 0410 699919

info@caddraftnsw.com.au

No.	Description	Date

635

SHADOW DIAGRAMS: S.4.55
No. 154 BRIGHTON BOULEVARD
NORTH BONDI

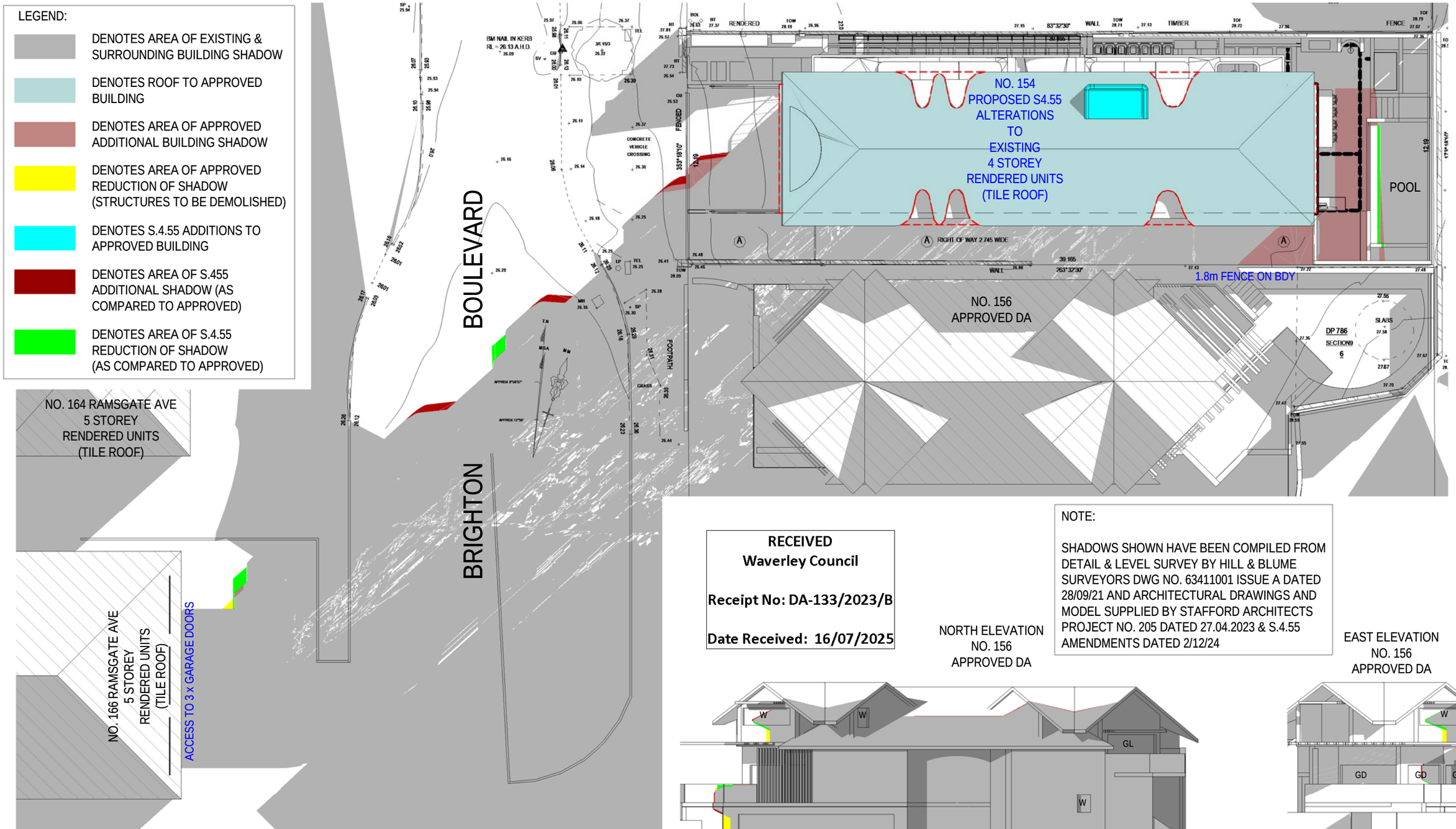
CLIENT: KEVIN & MICHELLE KALINKO

3D Sun Views Equinox 3.00pm

Project number	22-82	A119
Date	05-12-24	
Drawn by	KP	
Checked by	JD	Scale

LEGEND:

- DENOTES AREA OF EXISTING & SURROUNDING BUILDING SHADOW
- DENOTES ROOF TO APPROVED BUILDING
- DENOTES AREA OF APPROVED ADDITIONAL BUILDING SHADOW
- DENOTES AREA OF APPROVED REDUCTION OF SHADOW (STRUCTURES TO BE DEMOLISHED)
- DENOTES S.4.55 ADDITIONS TO APPROVED BUILDING
- DENOTES AREA OF S.455 ADDITIONAL SHADOW (AS COMPARED TO APPROVED)
- DENOTES AREA OF S.4.55 REDUCTION OF SHADOW (AS COMPARED TO APPROVED)



1 Shadowing June 21st 9.00am

1 : 200

RECEIVED
Waverley Council

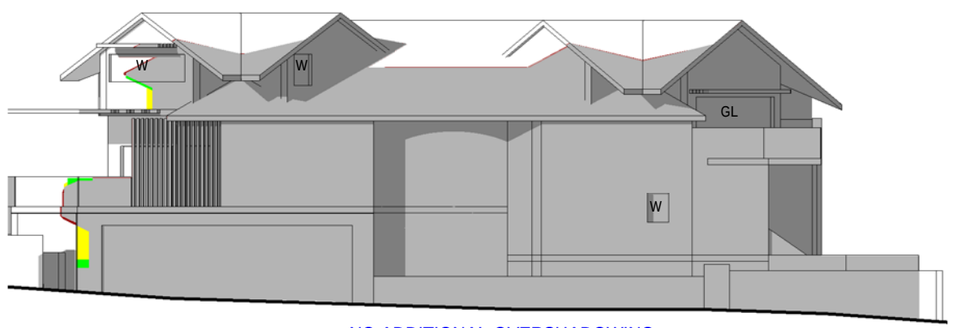
Receipt No: DA-133/2023/B

Date Received: 16/07/2025

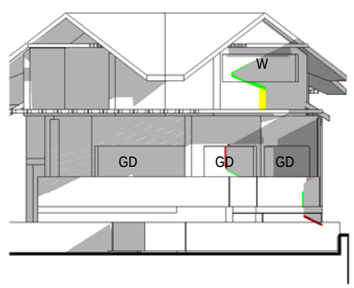
NOTE:

SHADOWS SHOWN HAVE BEEN COMPILED FROM DETAIL & LEVEL SURVEY BY HILL & BLUME SURVEYORS DWG NO. 63411001 ISSUE A DATED 28/09/21 AND ARCHITECTURAL DRAWINGS AND MODEL SUPPLIED BY STAFFORD ARCHITECTS PROJECT NO. 205 DATED 27.04.2023 & S.4.55 AMENDMENTS DATED 2/12/24

NORTH ELEVATION
NO. 156
APPROVED DA



EAST ELEVATION
NO. 156
APPROVED DA



NO ADDITIONAL OVERSHADOWING

Cad Draft P/L

ABN 27 083 288 153

SUITE 1, 505 BALMAIN ROAD,
LILYFIELD, NSW
P.O.BOX 446 GLADESVILLE 2111

SHADOW ANALYSIS CONSULTANTS

MOBILE: 0410 699919

info@caddraftnsw.com.au

No.	Description	Date

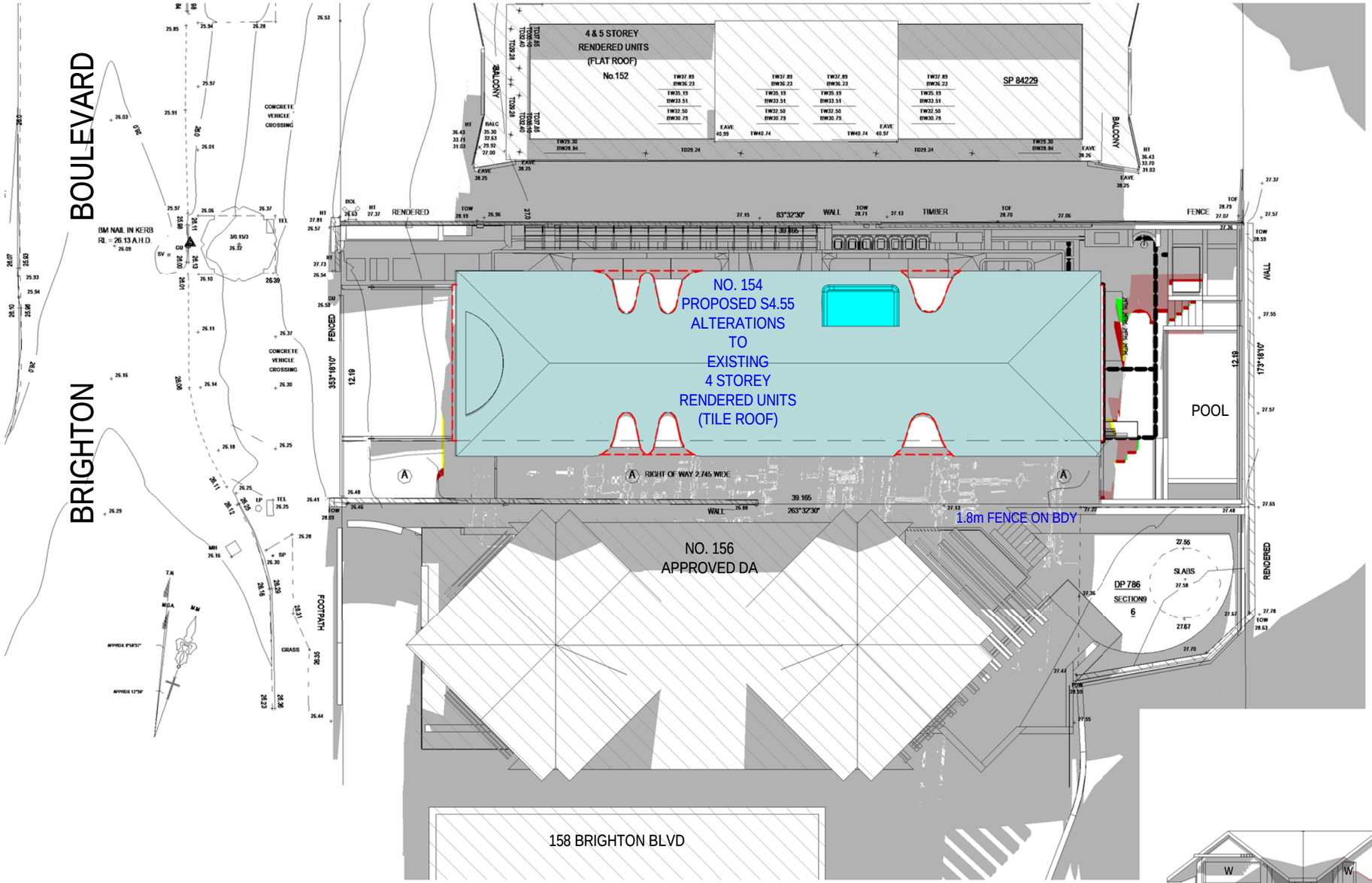
636

SHADOW DIAGRAMS: S.4.55
No. 154 BRIGHTON BOULEVARD
NORTH BONDI

CLIENT: KEVIN & MICHELLE KALINKO

Shadowing June 21st 9.00am

Project number	22-82	A100	
Date	05-12-24		
Drawn by	KP		
Checked by	JD	Scale	1 : 200



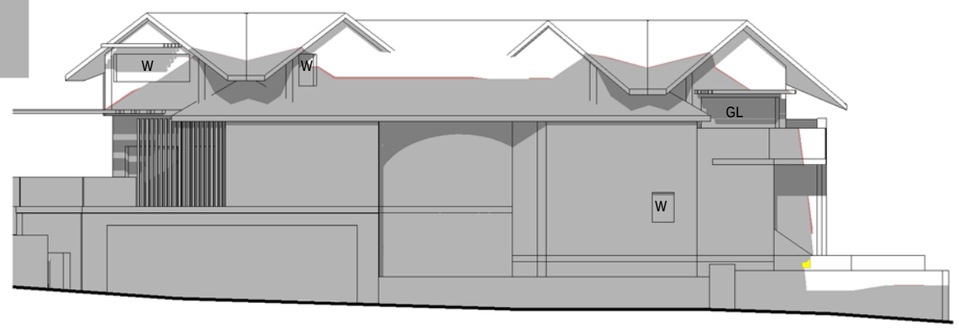
LEGEND:

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- DENOTES ROOF TO APPROVED BUILDING
- DENOTES AREA OF APPROVED ADDITIONAL BUILDING SHADOW
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- DENOTES AREA OF S.4.55 REDUCTION OF SHADOW (AS COMPARED TO APPROVED)

NOTE:

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NORTH ELEVATION
NO. 156
APPROVED DA



1 Shadowing June 21st 12.00pm

1 : 200

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Waverley Council

Receipt No: DA-133/2023/B

Date Received: 16/07/2025

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ABN 27 083 288 153

SUITE 1, 505 BALMAIN ROAD,
LILYFIELD, NSW
P.O.BOX 446 GLADESVILLE 2111

SHADOW ANALYSIS CONSULTANTS

MOBILE: 0410 699919

info@caddraftnsw.com.au

No.	Description	Date

637

SHADOW DIAGRAMS: S.4.55
No. 154 BRIGHTON BOULEVARD
NORTH BONDI

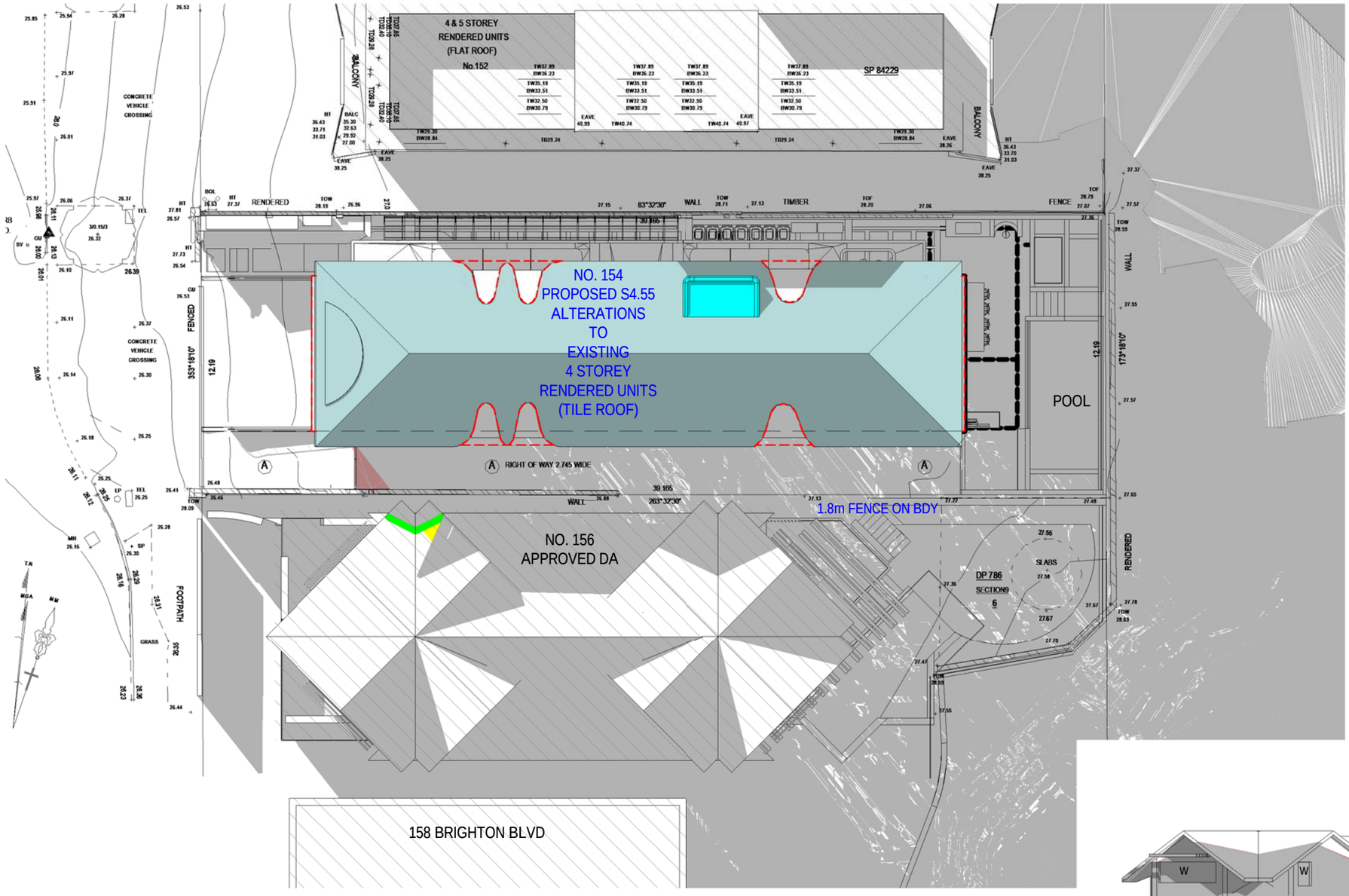
CLIENT: KEVIN & MICHELLE KALINKO

Shadowing June 21st 12.00pm

Project number	22-82	A101	
Date	05-12-24		
Drawn by	KP		
Checked by	JD	Scale	1 : 200

BOULEVARD

BRIGHTON



LEGEND:

- DENOTES AREA OF EXISTING & SURROUNDING BUILDING SHADOW
- DENOTES ROOF TO APPROVED BUILDING
- DENOTES AREA OF APPROVED ADDITIONAL BUILDING SHADOW
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NOTE:

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NORTH ELEVATION
NO. 156
APPROVED DA



1 Shadowing June 21st 3.00pm

1 : 200

RECEIVED
Waverley Council

Receipt No: DA-133/2023/B

Date Received: 16/07/2025

Cad Draft P/L

ABN 27 083 288 153

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SHADOW ANALYSIS CONSULTANTS

MOBILE: 0410 699919

info@caddraftnsw.com.au

No.	Description	Date

638

SHADOW DIAGRAMS: S.4.55
No. 154 BRIGHTON BOULEVARD
NORTH BONDI

CLIENT: KEVIN & MICHELLE KALINKO

Shadowing June 21st 3.00pm

Project number	22-82	A102	
Date	05-12-24		
Drawn by	KP		
Checked by	JD	Scale	1 : 200