



16 September 2026

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

11.00AM WEDNESDAY, 23 September 2026

QUORUM: Three Panel members.

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

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Live Streaming of Meetings

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

AGENDA

WLPP-2609.A **Apologies**

WLPP-2609.DI **Declarations of Interest**

The Chair will call for any declarations of interest.

WLPP-2609.1 **PAGE 5** **105 Carrington Road QUEENS PARK NSW 2022** – Alterations and additions to an existing heritage listed dwelling which forms part of a row of terraces together with construction of a new swimming pool and associated landscaping. **(DA – 186/2026)**

Report 9 September 2026 from the Managers of Development Assessment (MoDA).

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

WLPP-2609.2 **PAGE 90** **252 Campbell Parade BONDI BEACH NSW 2026** - Section 4.55(2) modifications including reconfiguration of the internal layout to provide an additional dwelling; alterations at the roof level and addition of a double car stacker. **(DA-553/2011/D)**

Report dated 9 September 2026 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-2609.3 **PAGE 202** **56 Liverpool Street ROSE BAY NSW 2029** - Demolition of existing single residence to be replaced with a dual occupancy development with strata subdivision. **(DA-182/2026)**

Report 9 September 2026 from the Managers of Development Assessment (MoDA).

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

9 Stewart Street NORTH BONDI NSW 2026 - Regularise the use of the basements of the dual occupancy dwellings, in conjunction with a Building Information Certificate. **(DA-238/2026)**

Report dated 9 September 2026 from the Managers of Development Assessment (MoDA).

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



Report to the Waverley Local Planning Panel

Overview	
Application number	DA-186/2026
Site address	105 Carrington Road, Queens Park NSW 2022
Proposal	Alterations and additions to an existing heritage listed dwelling which forms part of a row of terraces together with construction of a new swimming pool and associated landscaping.
Date of lodgement	29 May 2026
Owner	R Widdows and N J Costello
Applicant	Minto Planning Services Pty Ltd
Submissions	Nil
Cost of works	1,363,049.99
Principal Issues	Exceedance of the Height of Buildings and FSR principal development standards.
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 heritage listed dwelling which forms part of a row of terraces together with construction of a new swimming pool and associated landscaping at the site known as 105 Carrington Road, Queens Park.

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

- Exceedance of the Height of Buildings and FSR principal development standards.

The assessment finds these issues acceptable as the proposed development is largely located towards the rear of the subject site and does not result in any adverse streetscape impacts, view loss, overshadowing or visual and acoustic privacy impacts and therefore preserves the environmental amenity of the neighbouring properties. The overall proposal is designed to be a sympathetic response to the existing heritage character of the subject dwelling and the wider site context. The proposed development is consistent with the desired future character of the area, provides an improved amenity outcome for the subject site and is within the public interest.

No submissions from residents or from Councillors were received. 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* (the Act). It is recommended for approval subject to conditions of consent.

1.2. Site and Surrounding Locality

A site visit was carried out on 6 July 2026.

The site is identified as Lot 1 DP620208, known as 105 Carrington Road, Queens Park.

The site is rectangular in shape with a frontage of 10.115m to Carrington Road. It has an area of 344.9m² and it falls from the front (east) of the site towards the rear (west) by approximately 1.52m. The site is located to the western side of Carrington Road and is situated south of the principal intersection of Charing Cross incorporating Carrington Road, Bronte Road and Victoria Street.

The site is occupied by two-storey Victorian terrace style house and is a listed local heritage item (I413) as per Schedule 5 of the *Waverley Local Environmental Plan 2012*. The site includes an arched driveway to the northern side of the street frontage that was historically used for accessing the rear courtyard of the site. The driveway is now partially enclosed and used for accommodation of a single car parking space within the front setback of the site. An existing two-storey ancillary outbuilding that was formerly used as a coach house is located within the rear courtyard of the site.

The site is adjoined by an assortment of terraces, semi-detached and detached dwellings to its north and south and commercial development to its east on the opposite side of Carrington Road. The locality is characterised by a variety of low and medium density residential and commercial developments, and the site is within vicinity of the Charing Cross Heritage Conservation Area and Charing Cross Local Village Centre located to its north.

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



Figure 1: View of the existing terrace at the site from Carrington Road.



Figure 2: Existing site context towards north of the site.



Figure 3: Existing site context towards south of the site.



Figure 4: Existing partially enclosed driveway at the site.

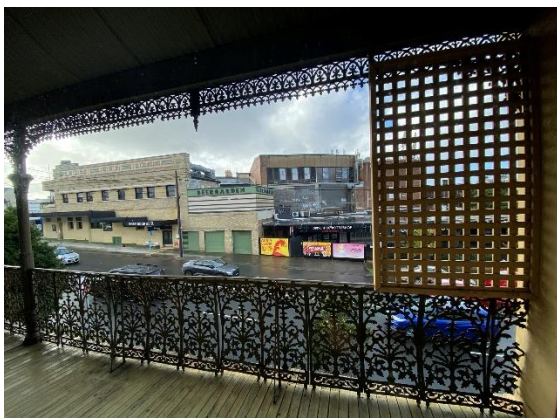


Figure 5: View of the existing front balcony at the first floor.



Figure 6: View of the terrace dwelling and landscaping from the rear courtyard.



Figure 7: View of an existing bathroom within the partially enclosed driveway from the rear courtyard.



Figure 8: View of the neighbouring property at 107 Carrington Road from the rear courtyard of the site.



Figure 9: Existing two-storey ancillary outbuilding within the rear courtyard of the site.



Figure 10: Existing mezzanine floor within the rear outbuilding.

1.3. Relevant Development History

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

1.4. Proposal

The development application seeks consent for alterations and additions to a terrace dwelling, and specifically includes the following:

Ground Floor

- Partial demolition to remove the existing kitchen, storage and externally accessed laundry and toilet towards the rear of the floor and addition of a larger kitchen, pantry and powder room.
- Addition of awnings to the rear windows.
- Removal of the existing bathroom within the carriageway along the northern boundary of the site to enable the use of the carriageway for tandem parking for 2 cars. Addition of new lattice screen to match the existing along the western elevation of the driveway. Addition of

new cobble paving to the driveway and a new metal iron vehicle gate to match the existing fencing at the front of the driveway.

- Alterations to the existing ancillary outbuilding within the rear courtyard to include a plant room and a bathroom at its ground floor level.
- Alteration to the existing landscaping within the rear courtyard to remove 2 trees, transplant 1 tree and to include new planters and a new pool, with external pool pump and equipment storage.

First Floor

- Alterations to the existing floor layout to include three bedrooms, one bathroom, an ensuite and storage room for bedroom 2, and to remove and replace the existing rumpus room with a tiled roof with a skylight over the new kitchen below.
- Addition of awnings to the rear windows.
- Refurbishment of the front balcony including like for like replacement of the existing lattice screens and repainting of the existing heritage balustrades and fretwork.
- Alterations to the existing attic floor level of the ancillary outbuilding within the rear courtyard to include new stairs and remedial works to the eastern deck and its balustrades. Refurbishment of the roof and addition of skylights and solar panels over the roof of the ancillary outbuilding.

Attic Floor

- Addition of a new bedroom and an ensuite within the existing roof envelope of the subject dwelling and addition of dormer windows to the western slope of the roof.

Roof

- Refurbishment of the roofs over the existing and proposed rear extensions of the subject dwelling.
- Addition of a skylight over the staircase area of the attic floor level.

1.5. Background

The development application was lodged on 29 May 2026 and a Stop the Clock letter for additional information was issued on 2 June 2026 for the following required amendments:

1. Amended Survey Plan to indicate the existing subfloor level and to indicate spot levels to identify the lowest point at the existing ground level of the site.
2. Amended Architectural Plans to provide clarification on the use of the rear outbuilding, to indicate the existing ground lines as per the amended survey plan, to include a doors and windows schedule, all applicable open space and landscape area calculations and the BASIX stamp on them.

3. Amended Gross Floor Area (GFA) Plans to accurately include all areas of the proposed development that are subject to GFA inclusion.
4. Amended Clause 4.6 Variation Requests in accordance with the amended measurement of building height and GFA calculations.
5. Amended Shadow Diagrams to indicate clear outlines of the existing and proposed shadows cast by the subject site at hourly intervals between 9am and 3pm on winter solstice, in plan, elevation and views from the sun form, to indicate complete extents of all properties (within lot boundaries) affected by the existing and proposed shadows and to identify the extent and areas of shadows cast by parts of the dwelling that exceed the principal development standards.
6. Amended Statement of Environmental Effects (SEE) in accordance with the above amendments and to include and discuss applicable controls under State Environmental Planning Policies.

The amended documents were received on 19 June 2026 and then the application was notified.

The application was further deferred on 21 July 2026 for the following reasons:

1. Amendment of the proposal to prevent any further exceedance of the height of buildings and FSR principal development standards than existing and/or be amended to remove all overshadowing impacts to the neighbouring properties located to the south of the site.
2. Amended Proposal and Architectural Drawings to accurately identify the proposed maximum building height and to consider the removal of the rear dormers from the proposal or a redesign to prevent any additional shadow impacts to the neighbouring properties.
3. Amended Gross Floor Area (GFA) Plans to include the complete envelope of the internal staircases at each level of the subject dwelling, excluding only the stair void at the top level.
4. Amended Clause 4.6 Variation Requests in accordance with the amended measurement of building height and GFA calculations, ensuring that the statements refer to accurate objectives of the Height of Buildings and FSR development standards as per the latest amendments to the Waverley LEP.
5. Amended Shadow Diagrams to indicate a shadow envelope cast by a built form that complies with all applicable development standards and development controls and to clearly identify the full extent and details of neighbouring buildings and open space areas impacted by additional shadows.

6. Amended Stormwater Management Design to prevent any discharge of seepage water or subsoil drainage to Council's street gutter.

The amended plans received on 4 August 2026 and amended Clause 4.6 Variation Requests received on 17 and 18 August 2026 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 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 • <i>R3: Medium Density Residential Zone</i>	Yes	Complies. The proposal is defined as alterations and additions to a terrace dwelling, which is permitted with consent in the R3 zone.
Part 4 Principal development standards		
4.3 Height of buildings • <i>9.5m</i>	No	The proposed development results in a maximum building height of 10.73m and exceeds the height of buildings development standard by 1.23m or 12.95%.

Provision	Compliance	Comment
4.4 Floor space ratio (FSR) 4.4A Exceptions to floor space ratio (FSR) • Site Area – 344.90m² • Maximum permissible FSR – 0.726:1 • Maximum permissible Gross Floor Area (GFA) – 250.397m²	No	The proposed development results in a maximum FSR of 0.839:1 with a GFA of 289.3m ² and exceeds the FSR development standard by 38.903m ² or 15.565%.
4.6 Exceptions to development standards	See discussion below	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 5 Miscellaneous provisions		
5.10 Heritage conservation	Yes	The site is occupied by a two-storey Victorian terrace style house and is identified as local heritage item no. (I413) as per Schedule 5 of the <i>Waverley Local Environmental Plan 2012</i>. The site is also within the vicinity of Charing Cross Heritage Conservation Area located to its north. The application was referred to Council's Heritage Advisor, and they have raised no objections to the proposal, subject to the satisfaction of conditions of consent.
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 maximum 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 9.5m. The proposed development has a maximum building height of 10.73m, exceeding the standard by 1.23m equating to a 12.95% variation.

It is noted that the existing building includes a maximum height of 12.35m and already exceeds the development standard by 2.85m or 30%.

The relevant objectives for the height of buildings development standard in clause 4.3 are as follows:

- (a) to ensure building heights preserve the environmental amenity of neighbouring properties and public spaces,*
- (b) N/A,*
- (c) N/A,*
- (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 proposed additions results in a dwelling that is compatible with the height, bulk and scale of the desired future character of the locality. The existing surrounding development comprises a mix of original housing stock and larger two storey modern dwellings. The proposed rear additions are well articulated with the new attic level and associated dormers provided with ample setbacks to all boundaries and positioned below the existing ridge line. This element will not be prominent when viewed from the street or public domain nor will it detract from the character of the locality.*
 - (ii) The presentation of the existing dwelling is to be retained when viewed from the street and public domain.*
 - (iii) The habitable attic space and associated dormers are provided with setbacks from the site boundaries which in conjunction with the proposed room uses and window locations, ensures that the proposed additions do not reduce the privacy of the adjoining properties. The privacy currently enjoyed by the adjoining properties is preserved.*
 - (iv) Shadow diagrams have been prepared in support of the application depicting both existing and proposed shadows. The proposal does not result in any*

additional overshadowing of private open space or windows on the winter solstice of the adjoining properties. The existing solar access enjoyed by the adjoining properties is preserved.

- (v) Furthermore, there will be no loss of views from public or private spaces.*
 - (vi) In this regard the proposal whilst resulting in a non-compliance with the numerical controls of the height of building development standard will ensure the preservation of the environmental amenity of the neighbouring properties.*
 - (vii) The proposed works will not result in any adverse streetscape impacts or impacts upon the heritage item or surrounding heritage items or HCA located opposite the site as detailed in the accompanying Statement of Heritage Impact.*
- (b) That there are sufficient environmental planning grounds to justify contravening the standard:*
- (i) The additions include a single storey rear addition and conversion of the attic space to habitable area including rear skillion dormers having a height 300mm below the existing ridge line and includes works located under the existing roof structure.*
 - (ii) The existing dwelling and roof form currently provides for a maximum height of 12.35m which exceeds the maximum 9.5m building height as required by Clause 4.3 of the LEP by 2.85m. The proposed additions will have a maximum height of 10.73m and an exceedance of 1.23m or 12.95%.*
 - (iii) The area of the existing roof which results in a non-compliance equates to 35.5m² or 17% of the total roof area. The area of the proposed dormers which result in a non-compliance equates to 14.6m² or 7.02% of the total roof area.*
 - (iv) The additional area of non-compliance is considered minor and does not result in loss of amenity to adjoining properties.*
 - (v) The proposed additions are located either below the existing ridge line or beneath the existing roof form, do not extend above the height of the existing dwelling, therefore, any breach of the height control is considered to be of a technical nature.*
 - (vi) The proposal has also been designed and sited consistent with the existing dwelling and will have a height lower than the existing dwelling.*
 - (vii) The proposal will not result in any additional impacts upon the adjoining properties particularly in relation to a loss of view, overlooking or overshadowing.*
 - (viii) The proposed alterations and additions have been designed so as to not result in any unreasonable heritage impacts upon the item, particularly when viewed from the public domain or upon the heritage items in the vicinity or HCA located opposite the site as detailed in the accompanying Statement of Heritage Impact.*
 - (ix) It is considered that a contravention of the development standard is justified on environmental planning grounds on the basis that the existing dwelling and roof form currently exceeds the maximum 9.5m building height as required by Clause 4.3 of the LEP.*
 - (x) The proposed non-compliance will promote good design, amenity and the proper construction and maintenance of built environments, including the protection of*

the health and safety of the occupants of buildings consistent with 1.3(g) of the Act.

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 development 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.

It is acknowledged that the existing terrace dwelling at the subject site already exceeds the height of buildings development standard at its roof ridge by 2.85m or 30%.

The proposed rear additions at the ground and first floor level comply with the height of buildings development standard. The proposed addition of dormer windows to enable the use of the attic space as a habitable room results in an exceedance of the height of buildings development standard by 1.23m or 12.95%. The exceedance is limited to the new dormers that are located on the rear slope of the roof and sit below the existing roof ridge of the semi-detached terrace dwelling at the subject site.

Notwithstanding the proposed exceedance of the height of buildings development standard, the proposed rear dormers are provided with sufficient side setbacks and high internal sill

heights. The proposed rear dormers do not result in any overlooking or view loss impacts, and as demonstrated in the submitted shadow diagrams, do not result in any additional shadow impacts, thereby preserving the existing environmental amenity of the neighbouring properties. The bulk of the proposed development is located towards the rear of the site and maintains the existing streetscape of Carrington Road and the character of the Charing Cross Heritage Conservation Area within the vicinity of the site. The proposed development improves site amenity and is consistent with the desired future character of the locality.

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

The existing terrace dwelling at the subject site has an overall building height of 12.35m, contravening the development standard by 12.95%. Notwithstanding the proposal's variation to the height of buildings development standard, the height of the proposed rear dormers stays below the existing maximum building height by 1.62m.

The proposal does not affect the environmental amenity of the neighbouring properties through any unreasonable overshadowing, view loss or visual and acoustic privacy impacts. The bulk and scale of the proposed extension is limited to the rear of the semi-detached terrace dwelling and is consistent within the site context.

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 height of buildings development standard 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 maximum 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 0.726:1 (GFA - 250.397m²). The proposed development has a maximum FSR of 0.839:1, exceeding the standard by 38.903m² equating to a 15.565% variation.

It is noted that the existing building includes a GFA of 290.1m² and already exceeds the FSR development standard by 39.703m² or 15.856%. Therefore, the proposed development results in a reduction of the existing GFA at the site by 0.8m² or 0.29%.

The relevant objectives for the floor space ratio (FSR) development standard in clause 4.4 are as follows:

- (a) N/A,

- (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.*

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 Floor Space Ratio 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 considered to provide for a floor space ratio and height of building which in my opinion appropriately correlate and result in a built form which is both compatible with the site and the locality.*
 - (ii) *The proposed additions are considered to result in a dwelling that is compatible with the bulk and scale of the desired future character of the locality. The existing surrounding development comprises a mix of original housing stock and larger two storey modern dwellings. The proposed additions are well articulated with the new habitable attic space and associated dormers provided with ample setbacks to all boundaries. This element will not be prominent when viewed from the street or public domain nor will it detract from the character of the locality. It is noteworthy that the existing building already exceeds the FSR control and noting that the proposal results in a reduction of 0.8m² of gross floor area (0.2%) resulting in a 0.002:1 reduction in the existing FSR of the site.*
 - (iii) *The proposed development which results in a non-compliance with the floor space ratio controls will preserve the environmental amenity of the neighbouring properties and public spaces.*
 - (iv) *In this regard the proposed non-compliance does not result in any additional loss of amenity to the adjoining properties. The habitable attic space and associated dormers are provided with setbacks from the site boundaries which in conjunction with the proposed room uses and window locations, ensures that*

the proposed additions do not reduce the privacy of the adjoining properties. The privacy currently enjoyed by the adjoining properties is preserved.

- (v) Shadow diagrams have been prepared in support of the application depicting both existing and proposed shadows. The proposal does not result in any additional overshadowing of private open space or windows on the winter solstice of the adjoining properties. The existing solar access enjoyed by the adjoining properties is preserved.*
 - (vi) The proposal whilst resulting in a non-compliance with the numerical controls of the floor space ratio development standard will ensure the preservation of the environmental amenity of the neighbouring properties and in my opinion satisfies this objective.*
 - (vii) The proposal is therefore considered to be consistent with the objectives of clause 4.4 & 4.4A of the LEP.*
- (b) That there are sufficient environmental planning grounds to justify contravening the standard:*
- (i) The proposal provides for a total floor area of 289.3m² or 0.839:1 and results in a non-compliance with the requirements of Clause 4.4 & Clause 4.4A of the LEP.*
 - (ii) The existing dwelling has an FSR of 0.841:1. The proposal therefore results in a reduction of 0.8m² of gross floor area (0.2%) resulting in a 0.002:1 reduction in the existing FSR of the site.*
 - (iii) The additional floor area is primarily associated with the provision of a habitable attic space.*
 - (iv) The top of the new dormers associated with the habitable attic space are located to the rear of the existing roof and below the existing ridge and the dwelling as viewed from the street remains largely unchanged and it is submitted that the additional FSR does not contribute to the perceivable size and scale of the development.*
 - (v) Proposed alterations and additions sit within existing building footprint and therefore minimises the need for further excavation on site.*
 - (vi) New additions are strategically located to the rear of the building where it is less visible from the street and minimise the effects of bulk and scale*
 - (vii) The proposal will not result in any additional impacts upon the adjoining properties particularly in relation to a loss of view, overlooking or overshadowing.*
 - (viii) The proposed alterations and additions have been designed so as to not result in any unreasonable heritage impacts upon the item, particularly when viewed from the public domain or upon the heritage items in the vicinity or HCA located opposite the site as detailed in the accompanying Statement of Heritage Impact.*

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 proposed additions that contribute to additional FSR and GFA are largely located within the existing attic space and towards the rear of the existing terrace dwelling. The proposed additional bulk of the development will not be visible from Carrington Road and therefore, the proposal maintains the existing streetscape within the site context and the character of the Charing Cross Heritage Conservation Area.

The proposed development results in a reduction to the existing GFA at the site by 0.8m² or 0.29%, thereby reducing the extent of the existing non-compliance of the development standard. The proposed variation to the FSR development standard is acceptable as the bulk of the breach itself is located within the existing attic space and at the rear of the subject site and preserves the existing environmental amenity of the neighbouring properties as it does not result in any view loss impacts, overshadowing impacts or unreasonable impacts to the visual and acoustic privacy of the neighbouring properties. Therefore, the overall proposal is compatible with the desired future character of the locality.

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

The proposed variation to the FSR development standard has been justified on environmental planning grounds with regard to preservation of environmental amenity of the neighbouring properties in relation to the breach itself and the proposal's compatibility with the existing site context and the maintenance of the streetscape.

The bulk of the proposed additional GFA is located at the rear of the terrace dwelling and will not be visible from the streetscape of Carrington Road, maintaining its existing character. Despite the exceedance, the proposed development preserves the existing environmental amenity of the neighbouring properties, and as demonstrated in the submitted shadow diagrams, results in a net improvement to the solar access for the neighbouring properties towards the south of the subject site.

The overall proposal is consistent with the existing streetscape and built forms within the site context and the applicant has satisfactorily argued that there are sufficient environmental planning grounds to justify contravening the FSR development standard.

Conclusion

The written request provided by the applicant to vary the FSR development standard 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) (Amendment 6)

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 <i>Garbage bins are to be stored in an appropriate location.</i>	Yes	Satisfactory. A completed Site Waste and Recycling Management Plan Part 1 Form has been submitted.
2. Ecologically Sustainable Development	Yes	Satisfactory.
5. Water Management	Yes	Satisfactory.
7. Transport 7.1 Streetscape	Yes	The proposed development aims to continue utilising the existing driveway located along the northern boundary of the subject site to facilitate on-site car parking and has no additional impact on the existing streetscape of Carrington Road and is acceptable.
7.2 On-Site Parking	Yes	Satisfactory.

Development Control	Compliance	Comment
7.2.1 Vehicle Access	Yes	The proposal retains the existing cross over and driveway for vehicle access at the site.
7.2.2 Parking Rates <i>Maximum parking rate: 2</i>	Yes	The proposed development includes two car parking spaces within the extent of the existing driveway located along the northern boundary of the subject site.
8. Heritage 8.6 Character and Streetscape <i>Additions should be located to the rear to minimise the impact from the street.</i> <i>New development and alterations and additions to existing dwellings should be compatible and consistent with development both in the immediate vicinity and in the overall context of the street.</i>	Yes	The proposed bulk of the additions is largely located towards the rear of the subject site. The proposed alterations to the front façade of the subject dwelling maintain and improve its existing heritage character and are compatible and consistent with the streetscape and site context.
8.8 Scale and Proportion <i>Alterations and additions should not visually dominate, compete with or conceal the original scale and proportion of the heritage item, contributory building or conservation area.</i> <i>Alterations and additions should respect the proportions of major elements including doors, windows, roof forms and verandahs.</i>	Yes	The proposed bulk of the additions is largely located towards the rear of the subject site, therefore maintaining the original scale and proportion of the heritage item. The design of the proposed rear dormers and fenestrations is appropriate and proportionate to the retained fenestrations along the rear elevations of the subject dwelling.
8.10 Materials and Colours <i>Alterations and additions should use materials similar to or compatible with the original material used.</i> <i>Colours for alterations and additions should be consistent or harmonious with existing building to help integrate new and old.</i>	Yes	The proposed materials and colours are sympathetic to the visual and heritage character of the original development at the subject site and are considered to be appropriate for the proposed development.

Development Control	Compliance	Comment
8.11 Roofs and Chimneys Attic rooms are to be wholly within existing roof forms which retain the streetscape appearance of the existing building.	Yes	The proposed attic room is contained within the existing roof form of the subject dwelling.
8.16 Detailing - New windows should match the existing in size and detail, including the existing sill details, window heads, and stained or patterned glass type. Window should not be enlarged or altered. - Development should be designed to enhance original detailing of buildings.	Yes	The design of the proposed rear dormers and fenestrations reflects the heritage character of the original dwelling, is appropriate and proportionate to the retained fenestrations along the rear elevations of the subject dwelling.
8.17 Fencing and Gates - New fence heights and form should be appropriate to the character of the heritage item or to the conservation area. - Front fences should be of a low or transparent style.	Yes	The proposed metal iron vehicle gate is designed to match the heritage character of the existing front fencing and is acceptable.
11. Design Excellence	Yes	Satisfactory. The proposal satisfactorily complies with the relevant design excellence controls.

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		
Pitched roof dwelling house Maximum external wall height of 7m	N/A	The proposed development retains the existing maximum external wall height of the subject dwelling.

1.2 Setbacks		
1.2.1 Front and rear building lines • <i>Predominant front building line</i> • <i>Predominant rear building line at each floor level</i> • <i>Development at first floor level and above shall be set back from the rear building line of the ground floor level</i>	Yes	The proposed development retains the existing predominant front and rear building lines at each level for the subject dwelling.
1.2.2 Side setbacks • <i>Minimum of 0.9m for ground floor and first floors.</i> • <i>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.</i> • <i>Third floor assessed on merit.</i>	No (existing non-compliance)	The proposed infill part of the development at the ground and first floor level retains the existing nil setback along the northern and southern site boundaries. The proposed third floor level is largely contained within the existing attic envelope of the dwelling, with the exception of the proposed rear dormer projections that are provided with at least 1.5m side setbacks. The overall side setback non-compliance is existing and acceptable as the proposal provides sufficient side setbacks for the new external components of the development, preserves the environmental amenity of the neighbouring properties and therefore, no additional impact is expected.
1.3 Streetscape and visual impact		
• <i>New development to be compatible with streetscape context</i>	Yes	The proposed removal of the timber lattice work from the first-floor balcony, refurbishment of the ornamental balustrades and fretwork and the addition of new metal iron vehicle gate to match existing front fencing results in an improved streetscape outlook for the subject dwelling.
• <i>Significant landscaping to be maintained.</i>	Yes	Satisfactory.
1.4 Fences		
Front: • <i>Maximum height of 1.2m</i> • <i>Solid section no more than 0.6m in height</i>	Yes	The proposed metal iron vehicle gate is designed to match the height and heritage character of the existing front fencing and is acceptable.
Side and Rear: • <i>Maximum height of 1.8m</i>	N/A	The proposal retains the existing side boundary walls/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	Yes	Satisfactory.
Maximum size of balconies: 10m² in area, 1.5m deep	No (conditioned)	The proposed new tiled roof over the kitchen extension at the ground floor level is capable of being accessible, therefore enabling the use of this roof as a balcony space. Whilst the proposal does not indicate any intention of this area to be used as a balcony space, to ensure safety of the residents and to prevent any overlooking impacts and to comply with this control, a condition is recommended to prevent access to this area so that it remains a non-trafficable space.

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).	Yes	Complies. The proposed development predominantly maintains the existing solar access of the subject site and the neighbouring properties. The submitted shadow diagrams indicate that the extent of the shadows cast by the proposed rear dormers that exceed the height of buildings principal development standard is limited to the existing roof of the neighbouring property at 107 Carrington Road, located to the south of the subject site. The overall proposal does not affect any habitable windows or private open spaces of the neighbouring dwellings and therefore does not result in any adverse shadow impacts. On the contrary, the proposed removal of the existing external laundry and toilet within the rear courtyard improves solar access to the southern neighbouring property.
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1.7 Views		
<i>Views from the public domain are to be maintained</i> <i>Development to be designed and sited so as to enable a sharing of views with surrounding dwellings particularly from habitable rooms and decks.</i>	Yes	Satisfactory. The proposed development does not result in any unreasonable view loss of any significant views available from the neighbouring properties.
1.8 Car parking		
1.8.1 Design Approach <i>Parking only allowed where site conditions permit</i> <i>Designed to complement the building and streetscape</i> <i>Car parking structures to be behind the front building line</i>	Yes	The proposed development aims to continue utilising the existing driveway located along the northern boundary of the subject site to facilitate on-site car parking and has no additional impact on the existing streetscape of Carrington Road and is acceptable.
1.8.2 Parking rates	Yes	The proposed development includes two car parking spaces within the extent of the existing driveway located along the northern boundary of the subject site.
1.8.3 Location <i>Existing development to be in accordance with the hierarchy of preferred car parking locations</i>	Yes	Satisfactory.
1.8.4 Design <i>Complement the style, massing and detail of the dwelling</i> <i>Secondary in area and appearance to the design of the residences</i> <i>No part of the façade is to be demolished to accommodate car parking</i> <i>Gates to have an open design</i>	Yes	The proposed car parking within the existing driveway located along the northern boundary of the subject site has no impact on the style, massing and detail of the dwelling and is secondary in area and appearance to the design of the dwelling. The proposed metal iron vehicle gate is designed to match the heritage character of the existing front fencing and is acceptable.
1.8.5 Dimensions <i>5.4m x 2.4m per vehicle</i>	Yes	Satisfactory.
1.8.6 Driveways <i>Maximum of one per property</i>	N/A	The proposal retains the existing side driveway and crossover for the subject site.

Maximum width of 3m at the gutter (excluding splay)		
1.9 Landscaping and open space		
Overall open space: 40% of site area (137.96m²)	Yes	40% (138m ²) of site area has been provided as overall open space.
Overall landscaped area: 20% (68.98m²) of site area, with at least half deep soil (34.49m²)	No (acceptable on merit)	19% (64.10m ²) of site area has been provided as overall landscaped area, with 56% (38.5m ²) of it being provided as deep soil area. The non-compliance is minor and acceptable as the proposed overall landscaped area provision is a significant improvement over the existing 9% (31.6m ²) of overall landscaped area at the site.
Minimum area of 25m² for private open space	Yes	At least 112.7m ² of private open space area has been provided.
Outdoor clothes drying area to be provided	No (conditioned)	The proposal is to be amended to include an outdoor clothes drying area within the rear courtyard of the subject site. A condition of consent is recommended to this effect.
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	Satisfactory.
1.11 Dormer windows		
- Minimum 0.3m below main roof ridge - Skillion dormer permitted at the rear of the roof, provided ridge line is maintained	Yes	Satisfactory.
1.13 Semi-detached dwellings and terrace style development		
1.13.4 Side setback and courtyard design controls for terraces - Nil setback permitted where abuts an existing wall with nil setback - The extension should not encroach beyond the	Yes	Satisfactory.

<i>predominant rear building line</i>		
1.13.5 Streetscape and visual impact controls for terraces • <i>Attic conversions maintain existing roof envelope with only dormers</i>	Yes	Satisfactory.
1.16 Secondary dwellings and ancillary buildings		
1.16.2 - Ancillary buildings • <i>Floor area not to exceed 10% of site area</i> • <i>Maximum wall height when on a property boundary of 2.1m</i> • <i>Maximum overall height of 2.4m</i>	No (acceptable on merit)	The existing ancillary outbuilding within the rear courtyard of the subject site includes 61.9m² of floor area equating to 17.94% of the site area and has a maximum overall height of 5.44m. The outbuilding does not result in any additional impacts to the environmental amenity of the neighbouring properties as the proposed development retains the existing building envelope of the outbuilding. Therefore, the overall non-compliance of the existing ancillary outbuilding with the design controls under this part are acceptable as existing non-compliances.

2.2. Other Impacts of the Development

The proposal is considered to have no significant likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in 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 initially notified for 14 days between 22 June 2026 and 8 July 2026. Following receipt of amended plans and additional information, the application was re-notified for 21 days between 14 August 2026 and 8 September 2026 with a site notice installed in accordance with the *Waverley Community Engagement Strategy Amendment 1 (2025)*.

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. Traffic and Transport Development

The application was referred to Council's Traffic Engineers, and they have raised no objections to the proposal, subject to the satisfaction of the conditions of consent.

3.2. Stormwater Design and Flooding (Infrastructure Services)

The application was referred to Council's Infrastructure Engineers, and they have raised no objections to the proposal, subject to the satisfaction of the conditions of consent.

3.3. Tree Management

The application was referred to Council's Tree Technical Officer, and they have raised no objections to the proposal, subject to the satisfaction of the conditions of consent.

3.4. Heritage

The application was referred to Council's Heritage Advisor, and they have raised no objections to the proposal, subject to the satisfaction of the 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.

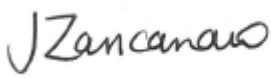
5. RECOMMENDATION TO WAVERLEY LOCAL PLANNING PANEL

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

Managers of Development Assessment (MODA) Review

The application was reviewed by the MODA at the meeting on 11 August 2026 and the MODA concurred with the Assessment Planner's recommendation.

MODA members: B McNamara, B Magistrale, A Jelfs and J Zancanaro

Report prepared by:	Application reviewed and agreed by:
	
Kalyani Bhishikar	Jo Zancanaro
Development Assessment Planner	Manager, Development Assessment
Date: 9 September 2026	Date: 9 September 2026

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)	12.95% 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 rear dormers only
	X	No unreasonable impacts on the amenity of adjoining properties or streetscape
	X	Sufficient environmental planning grounds
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)	X	Consistent with the objectives of the standard
	15.565% variation to FSR (Clause 4.4)	
	X	Pre-existing non-compliance
	X	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

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
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
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 - GENERAL CONDITIONS

1. APPROVED PLANS AND DOCUMENTATION

The development must be in accordance with:

- (a) Architectural Plans prepared by Michiru Higginbotham of Project Code: EVAN including the following:

Plan Number and Revision	Plan description	Plan Date	Date received by Council
DA01 Rev 8	Existing Level 1 Plan	31/07/2026	04/08/2026
DA02 Rev 8	Existing Level 2 Plan	31/07/2026	04/08/2026
DA03 Rev 8	Existing Level 3 Plan	31/07/2026	04/08/2026
DA04 Rev 8	Existing Roof Plan	31/07/2026	04/08/2026
DA06 Rev 8	Lower Ground Plan	31/07/2026	04/08/2026
DA07 Rev 8	Level 1 Plan	31/07/2026	04/08/2026
DA08 Rev 8	Level 2 Plan	31/07/2026	04/08/2026
DA09 Rev 8	Level 3 Plan	31/07/2026	04/08/2026
DA10 Rev 8	Roof Plan	31/07/2026	04/08/2026
DA11 Rev 8	East and West Elevations	31/07/2026	04/08/2026
DA12 Rev 8	North Elevation	31/07/2026	04/08/2026
DA13 Rev 8	South Elevation	31/07/2026	04/08/2026
DA14 Rev 8	Ancillary Studio East and West Elevations	31/07/2026	04/08/2026
DA15 Rev 8	Section AA	31/07/2026	04/08/2026
DA16 Rev 8	Section BB	31/07/2026	04/08/2026
DA17 Rev 8	Section CC	31/07/2026	04/08/2026
DA22 Rev 8	Finishes and Materials Schedule	31/07/2026	04/08/2026
DA24 Rev 8	Proposed Door and Window Schedule	31/07/2026	04/08/2026

- (b) The BASIX Certificate;

- (c) Arborist Report prepared by Michael Shaw Consulting Arborist dated 20 April 2026, and received by Council on 29/05/2026;
- (d) The Site Waste and Recycling Management Plan (SWRMP) Part 1 and received by Council on 29/05/2026;

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 include an outdoor clothes drying area within the rear courtyard of the subject site.

Condition reason: To enhance site amenity and to ensure compliance with the controls as per section 1.9 *Landscaping and Open Space* of Part C1 *Low Density Residential Development* under the *Waverley Development Control Plan 2022*.

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

Condition reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.

3. RESTRICTED ROOF ACCESS

The proposed new tiled roof over the kitchen extension at the rear of the ground floor level of the dwelling is to remain non-trafficable at all times. Access to the tiled roof is to be limited for maintenance purposes only.

Condition reason: To ensure safety of the residents and to ensure compliance with controls for rooftop design and access as per section 1.5 *Visual and Acoustic Privacy* of Part C1 *Low Density Residential Development* under the *Waverley Development Control Plan 2022*.

4. DOMESTIC HEATERS

The provision of solid fuel heating is prohibited.

Condition reason: To protect air quality and emissions.

5. APPROVED USE - HABITABLE OUTBUILDING

- (a) This development consent authorises the use of the site as a single terrace dwelling house only, known as the 'principal dwelling'.
- (b) The rear outbuilding can only be used as a habitable room provided it is used only in conjunction with the principal dwelling.
- (c) No approval is granted or implied for the rear habitable outbuilding to be used as a self-contained dwelling that is separate to the principal dwelling on the site.

Condition reason: To confirm the approved use of an outbuilding occurs in conjunction with the principal dwelling and is not used for other purposes (such as a secondary dwelling).

6. ARBORIST SITE SUPERVISION AND REPORTING

- (a) A qualified Arborist (minimum AQF Level 5) must oversee various stages of work within the Tree Protection Zone(s) (TPZs) of any tree listed for retention.
- (b) The Arborist must undertake inspections through the development works aligning with critical stages of works.
- (c) The Arborist must certify compliance with each key milestone detailed below:
 - (i) Installation of tree protection measures (i.e. tree protection fencing, trunk and branch protection, ground protection, tree protection signage) prior to the commencement of the development works;
 - (ii) Demolition of ground surface materials (pavers, concrete, grass etc.) or inground structures within the TPZs of any tree to be retained;
 - (iii) Excavation and trenching within the TPZs;
 - (iv) Construction of the slab, footings and patio within the tree's TPZs;
 - (v) Landscape works within the TPZs;
 - (vi) Other times as specified in the Arboricultural Impact Assessment Report, Tree Protection Plan or these conditions.
- (d) A Tree Protection Compliance Report is required, which includes photographic evidence and provides details on the health and structure of tree(s), for each scheduled inspection and key milestone listed above.
- (e) The report is to be submitted to the Principal Certifier within one week of each inspection.
- (f) The Tree Protection Compliance Report must include:
 - (i) Confirmation that the tree protection measures have been installed in accordance with these conditions;
 - (ii) Details of any additional tree protection recommendations and subsequent implementation to ensure the tree(s) remain in a healthy condition;
 - (iii) Details of works undertaken on any tree to be retained or any works within the TPZs.
- (g) A final Tree Protection Compliance Certificate demonstrating that all Tree Protection Compliance Reports at each scheduled inspection and key milestone listed above must be submitted and approved by the Principal Certifier prior to the issue of any Occupation Certificate.

Condition reason: To ensure the protection and ongoing health of trees on the site.

7. COMPLIANCE WITH NATIONAL CONSTRUCTION CODE

All proposed work must comply with the *National Construction Code* (previously known as the *Building Code of Australia*).

Condition reason: Prescribed condition pursuant to the *Environmental Planning and Assessment Regulation 2021*.

8. MATERIALS FOR MAKING GOOD

New materials for making good and repairs, are to match the existing in terms of colours, finishes, sizes, profile and properties.

Condition reason: To ensure appropriate materials and finishes are used.

9. PUBLIC UTILITIES AND SERVICE ALTERATIONS

Any utility services and all public infrastructure which requires alteration due to works associated with the development, both internally and externally of the development boundary, must 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.

Condition reason: To ensure that all existing and any proposed alteration or relocation of the utilities as a result of the development are as per utility providers requirements.

PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

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

GENERAL

10. NO BUILDING WORKS PRIOR TO RELEASE OF A CONSTRUCTION CERTIFICATE

The building work must not be commenced until:

- (a) A Construction Certificate has been obtained from Council or an Accredited Principal Certifier in accordance with the *Environmental Planning and Assessment Act 1979*;
- (b) A Principal Certifier 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.

11. 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 Certifier 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*.

CONTRIBUTIONS, FEES & BONDS

12. 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 \$500,001 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 \$1,000,001 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).
- (ii) 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.
- (iii) 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.
- (iv) Should there be a discrepancy between the Detailed Cost Report 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 is 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.
- (e) Where a modification to a development consent has been granted, the contribution is to be recalculated based on the amended total development cost.
- (f) Prior to the issue of any Construction Certificate, evidence must be provided to the Principal Certifier 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 S7.12 Contributions are paid for the development, and any amendments are accounted for.

13. 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 Certifier prior to the issue of any Construction Certificate.

Note: Council acts as a collecting agent for the Long Service Payment Corporation and the levy may be paid at Council's office or online via the Service NSW website. The levy rate is 0.25% of building work costing \$250,000 or more.

Condition reason: To ensure the long service levy is paid.

14. STREET TREE BOND

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 and maintenance of the following trees:

- One (1) *Tristaniopsis laurina* (Watergum) 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 final Occupation Certificate subject to the satisfaction of Council
- b) The \$2000 bond will be refunded twelve (12) months from the issue of the final 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 tree (if required) must be provided to the Principal Certifier Authority, prior to the issue of any Construction Certificate.

Condition reason: To ensure trees are maintained and protected

15. SECURITY DEPOSIT

- (a) Payment to the amount of **\$27,260.99** must be provided to Council for any damage caused to any property of the consent authority (i.e. public land) as a consequence of the works and completing any public work (such as road work, kerbing and guttering, footway construction, stormwater drainage and environmental controls) required in connection with the consent. This fee is charged in accordance with Council's *Pricing Policy and Schedule of Fees and Charges*.
- (b) This payment (security deposit) must be provided to Council prior to the issue of any Construction Certificate. The full amount of the security 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 of all of works associated with this consent (including the required public works) to the person who paid the deposit. Any works required to Council property associated with the consent need to be undertaken with the approval of the Infrastructure Services Department and in line with current Council standards. See the General Advisory Notes at the end of this consent for further details.

Condition reason: To ensure any damage to public infrastructure is rectified and public works can be completed.

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 *Pricing Policy and Schedule of Fees and 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 allow for Council assessment officer time to assess engineering plans for approval and ensure payments are made prior to commencement of works.

HERITAGE MATTERS

17. EXTERNAL FINISHES FOR HERITAGE BUILDING OR BUILDINGS OF CHARACTER

- (a) A schedule of external finishes shall be submitted for Council's consideration and approval, prior to the release of the relevant Construction Certificate.
- (b) The schedule shall include details of proposed external walls and roofing materials in the form of either trade brochures or building samples. The schedule shall also include window fenestration and window frame colour details, as well as fencing, paving and balustrading details and guttering colour and profile.
- (c) Any works to the retained building (which has historical value) including any paint or render finishes are to be subject to Council's written approval. Materials and finishes are to be restricted to the range of heritage colours sympathetic to the historical character of the area.

Condition reason: To ensure the materials and finishes complement the aesthetic of the development.

18. ARCHIVAL RECORDING OF EXISTING HERITAGE BUILDINGS

An archival record of building exteriors, all interiors, outbuildings grounds and boundary enclosures including decorative elements, paint finishes and details of notable elements of each of these areas shall be prepared for deposit in Waverley Council's Archive. This record must be carried out prior to the removal of any significant building fabric or furnishings from the site and must be submitted to Council in digital format (PDF) prior to the commencement of any demolition work. The record is to comply with the *NSW Heritage Office Guidelines* for digital archival recording.

Condition reason: To record the historic qualities of the building prior to any works commencing.

19. HERITAGE ARCHITECT

The applicant is to commission an experienced conservation architect to work with the consultant team throughout the design development, contract documentation and construction stages of the project. The conservation architect is to be involved in the resolution of all matters where existing significant fabric and spaces are to be subject to preservation, restoration, reconstruction, adaptive reuse, recording and demolition. The conservation architect is to be provided with full access to the site and authorised by the

owner to respond directly to Council where information or clarification is required regarding the resolution of heritage issues throughout the project. The owner is to commission experienced trades persons (as appropriate) that are skilled in traditional building, engineering, and decorative trades to carry out the proposed scope of works.

Condition reason: To ensure specialist advice and trades are utilised throughout the construction phase of the development.

CONSTRUCTION AND SITE MATTERS

20. HOARDING FOR CONSTRUCTION SITES

A hoarding is a temporary structure of solid construction, erected around the perimeter of construction sites to shield them from view and prevent unauthorised access. It is an important component in ensuring health and safety, for site workers, visitors and the general public and can also be part of a site security system to prevent theft or vandalism. The design and construction of any hoarding must be in accordance with the requirements of *Safe Work NSW*.

Council authorisation is required when construction or other works will impact a footpath, such as the erection of hoarding or scaffolding, or the storage of building materials. Refer to Waverley Council's website by visiting the [Hoarding and Scaffolding Guidelines](#) webpage for more information.

To apply to occupy Council property (public domain and/or footway), complete the '[Application for Occupation of Council Footpath](#)' form and submit it, directly to email building.compliance.admin@waverley.nsw.gov.au.

Please allow a minimum of 2weeks for processing your application.

Note: You are not to erect the hoarding or store building materials on Council's footpath until written permission is given by Council and all relevant fees have been paid. Failure to do so, may result in enforcement action.

Condition reason: Under Section 68 of the *Local Government Act 1993* and under Section 138 of *The Roads Act 1993*, where Occupation of Council property is required over the footpath or any public place, the approval of Council must be obtained and the applicable fees paid prior to any occupation. This is to ensure the safety of the site and public whilst construction occurs.

21. EROSION AND SEDIMENT CONTROL PLAN

- (a) A *Soil and Water Management Plan* (SWMP), also known as an Erosion and Sediment Control Plan must be prepared by a suitably qualified person in accordance with *Waverley Council's Water Management Technical Manual*.
- (b) The SWMP must be submitted and approved by the Principal Certifier prior to the issue of any Construction Certificate. A copy of the SWMP must be kept on site at all times and made available to Council officers upon request.
- (c) 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 no substance other than rainwater enters the stormwater system and waterways.

22. 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 the structural stability of work on site.

23. ENGINEERING CERTIFICATE OF ADEQUACY

A 'Certificate of Adequacy' prepared by a suitably qualified Structural Engineer is to be submitted for approval of the Principal Certifier 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 existing structures are capable of taking the extra load from a structural integrity perspective.

24. STRUCTURAL INTEGRITY OF RETAINED BUILDING ELEMENTS

Prior to the issue of any Construction Certificate, a report or certification from a suitably qualified and practising Structural Engineer must be submitted to the Principal Certifier to explain how the retained building elements, such as building facades, chimneys, etc. are to be retained, structurally supported and not undermined by the proposed development. Recommendations, including details of any intervention or retrofitting needed are to be incorporated into the construction methodology of the build.

Condition reason: To ensure structural stability of retained building elements occurs.

TRAFFIC MATTERS

25. 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. CTMP's are to be submitted via email to traffic@waverley.nsw.gov.au for assessment. 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

Note: It is recommended that any sites that are significantly large meet with Council prior to the preparation of the CTMP to discuss specifics. All sites within Waverley Council require the installation of a Construction Zone for the duration of building works unless the applicant is able to demonstrate adequate access is available otherwise.

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.

STORMWATER AND FLOODING

26. STORMWATER MANAGEMENT

The submitted stormwater management plan prepared by ITM Design, Job No. 25/156, Drawing No. H-DA-00 Rev. B dated 30/07/2026, H-DA-03 Rev. B dated 30/07/2026, H-DA-04 Rev. B dated 30/07/2026, H-DA-05 Rev. B dated 30/07/2026, H-DA-06 Rev. B dated 30/07/2026, H-DA-07 Rev. B dated 30/07/2026, H-DA-08 Rev. B dated 30/07/2026, H-DA-09 Rev. B dated 30/07/2026 & H-DA-10 Rev. B dated 30/07/2026 is considered satisfactory.

All recommendations and design details specified in the stormwater plan must be adhered to.

Condition reason: To ensure all recommendations and design details specified in the approved stormwater plan are adhered to.

ENERGY EFFICIENCY & SUSTAINABILITY

27. BASIX CERTIFICATE – DETAILS TO BE LODGED WITH A CONSTRUCTION CERTIFICATE

A copy of the required completed BASIX certificate accepted as part of this Development Consent with respect to the proposed residential building works, must be lodged with an application for a Construction Certificate and the items nominated as part of the subject BASIX certificate must be specified on the plans submitted with the construction certificate application. – See Note.

Note: Any requirement detailed in the accompanying BASIX Certificate, MUST be included as a specific notation or inclusion on any future Construction Certificate plans and specification in accordance with Part 3 of Schedule 1 of the *Environmental Planning and Assessment Regulation 2021*.

Condition reason: To ensure BASIX commitments are fulfilled in accordance with the BASIX certificate (prescribed condition under clause 75 *EP&A Regulation 2021*).

28. RENEWABLE ENERGY AND ENERGY EFFICIENCY

- (a) No gas cooktops or gas ovens are permitted where works are proposed to the kitchen. Alternate options must be used such as electric or induction.
- (b) No gas heating systems are permitted. If heating is provided it must be electric or solar sourced.
- (c) Ceiling or wall mounted fans must be installed in all habitable rooms (main living areas and bedrooms).
- (d) In circumstances where the existing BASIX certificate does not comply with the above, the BASIX certificate must be amended and submitted to the Principal Certifier for approval, prior to the issue of the relevant Construction Certificate.
- (e) The architectural plans shall be updated to notate the above and submitted to the Principal Certifier for approval, prior to the issue of the relevant Construction Certificate.

Condition reason: To improve air quality and human health, and to ensure all new (or altered) homes have future capacity to be an all-electric building, powered by renewable energy.

29. RAINWATER TANKS

The construction certificate plans are to comply with the following requirements for the approved rainwater tank/s.

- (a) Tanks are to be fitted with a first-flush device that causes initial run-off rainwater to bypass the tank
- (b) Tanks are to be fitted with a screened rain head designed to prevent leaf litter entering into the water tank
- (c) Tanks plumbed for internal water use must have a filter installed to prevent sediment from entering toilets and washing machines
- (d) Pumps attached to the rainwater tank must be housed in an enclosure that is soundproofed.
- (e) Tanks must have the overflow connected to a stormwater drainage system that does not discharge to an adjoining property, or cause a nuisance to adjoining owners
- (f) Tanks must have a sign affixed to it stating the water in it is rainwater.
- (g) The rainwater tank must be designed and installed as per the Plumbing Code, National Construction Code and relevant Australian Standards as well as manufacturer's instructions. See the [Rainwater Tank Design and Installation Handbook \(2008\)](#) for guidance.

The construction certificate plans must comply with the above and submitted to the Principal Certifier for approval, prior to the issue of the relevant Construction Certificate.

Condition reason: To conserve water to comply with the Waverley Development Control 2022.

WASTE

30. SITE WASTE AND RECYCLING MANAGEMENT PLAN

A *Site Waste and Recycling Management Plan (SWRMP) - Part 2* is to be submitted and approved by the Principal Certifier 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, and the contact details of those removing the waste 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.

LANDSCAPE & TREES

31. SUBMISSION OF TRANSPLANT METHOD STATEMENT

A Transplant Method Statement must be submitted and approved by Council's Tree Technical Officer (or delegate) for the transplanting of T5 – *Plumeria acutifolia* (Frangipani) prior to the issue of any Construction Certificate as per Council's *Tree Management Guidelines 2022*.

Condition reason: To document the tree transplant process.

32. REPLACEMENT PLANTING AND LANDSCAPE PLAN SUBMISSION

An amended Landscape plan must be submitted and approved by Council's Tree Technical Officer (or delegate) prior to the issue of any Construction Certificate, and must reflect the following:

- (a) At minimum one (1) small-sized endemic (local native) replacement trees (selected from *Waverley Development Control Plan 2022*, Annexure B3-1 - Planting List) with minimum pot size of 75L must be planted anywhere on-site to compensate for the removal of T6.

Condition reason: To ensure adequate replacement trees are planted to compensate for canopy loss.

COMPLIANCE PRIOR TO WORK COMMENCING AND DURING CONSTRUCTION

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

PRIOR TO ANY WORKS

33. CONSTRUCTION SIGNS

Prior to commencement of any works on the site and during construction phase, a sign shall be erected on the main frontage of the site detailing the name, address and contact details (including a telephone number and email address) of the Principal Certifier 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 Certifier and principal contractor's (the coordinator of the building works) contact details.

34. DILAPIDATION REPORT

- (a) 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 Certifier. At minimum, the following properties are to be included:
 - (i) 103 Carrington Road, Queens Park NSW 2022
 - (ii) 107 Carrington Road, Queens Park NSW 2022
- (b) 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 Certifier that all reasonable steps were taken to obtain access to the adjoining properties.
- (c) The report is to be dated, submitted to, and accepted by the Principal Certifier, prior to any work commencing on the site.
- (d) 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.
- (e) 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 affected neighbours and council are provided with the dilapidation report.

35. SURVEY SETOUT

Prior to the commencement of construction, all footings, walls and floor slabs adjacent to a boundary must be set out by a registered surveyor. The building shall be sufficiently set back to ensure that no component of the building (such as the roof, guttering, or downpipes) encroach upon or overhang the boundaries of the site.

The registered surveyor shall provide a survey and report to the Principal Certifier indicating the position of the footings, walls and floor slabs in relation to the boundaries of the allotment, prior to the commencement of construction works.

Condition reason: To ensure the development does not encroach onto neighbouring properties.

TREE PROTECTION MEASURES

36. TREE PROTECTION CERTIFICATE

The Arborist engaged for the duration of the project shall undertake an inspection of the site once tree protection measures have been fully installed and prior to any works commencing. An inspection Certificate stating that appropriate tree protection measures have been installed for the trees to be retained and protected shall be submitted to Council and the Principal Certifier.

Condition reason: To ensure trees are protected prior to work commencing.

DEMOLITION & EXCAVATION

37. 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:

- (a) *Work Health and Safety Act 2011*;
- (b) *Work Health and Safety Regulation 2017*;
- (c) *SafeWork NSW Code of Practice for the Safe Removal of Asbestos*;
- (d) *Australian Standard 2601-2001 – Demolition of Structures*;
- (e) *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 and Hazardous Materials Assessment for the approval of the Principal Certifier in accordance with *Australian Standard AS 2601-2001 Demolition of Structure* and a Hazardous Materials Assessment.

The Work Plan and Hazardous Materials Assessment shall be prepared by a suitably qualified person and shall:

- (i) Outline the identification of any hazardous materials, including surfaces coated with lead paint;
- (ii) Confirm that no asbestos products are present on the subject land, or
- (iii) 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);
- (iv) Describe the method of demolition;
- (v) Describe the precautions to be employed to minimise any dust nuisance; and
- (vi) Describe the disposal methods for hazardous materials.

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

38. 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.
- (b) Water must not be allowed to enter the street and stormwater systems.
- (c) Demolition is not to be performed during adverse winds, which may cause dust to spread beyond the site boundaries.
- (d) All contractors and employees directly involved in the removal of hazardous dusts and substances are to wear protective equipment conforming to *Australian Standard AS1716 -2012 Respiratory Protective Devices*.

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

CONSTRUCTION MATTERS

39. CONSTRUCTION HOURS

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

40. 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 boundaries. No materials are to be stored on Council's footpath, nature strip, or road reserve without prior Council approval. If required, you can apply to temporarily use Council's footpath for the erection of a hoarding, scaffold, mobile scaffold, scissor lift, ladders, barricades for abseiling work, and/or storage of building materials on Council's footpath. This is a separate application form and assessment process. Details of this can be found on Council's website under 'Occupation of Council Footpath'.

https://www.waverley.nsw.gov.au/planning/application_forms_and_certificates

Condition reason: To ensure building material is stored in an appropriate location.

41. BASIX (DURING BUILDING WORK)

During construction, the Principal Certifier should ensure the commitments listed in the BASIX certificate are met when conducting critical stage inspections.

Condition reason: To ensure compliance with the *SEPP (Sustainable Buildings 2022)*

42. CRITICAL/MANDATORY BUILDING INSPECTIONS DURING CONSTRUCTION

The building works are to be inspected during construction by the Principal Certifier in accordance with, 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.

43. 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 for each level is to be submitted to the Principal Certifier during construction and prior to continuing with the construction of the subsequent level of the building. A final Certificate from a Registered Surveyor is required to be submitted for approval of the Principal Certifier, certifying the finished ridge and overall building height levels accord with the approved architectural plans.

Condition reason: To ensure buildings are sited and positioned in the approved location and to the approved height.

44. 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 Certifier 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.

45. CONSTRUCTION OF SWIMMING POOLS AND OUTDOOR SPAS

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

- (a) Any reinforced swimming pool/outdoor spa and other elements are 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.
- (a) 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 the pool or spa and associated equipment is constructed and installed correctly.

46. WORK OUTSIDE PROPERTY BOUNDARY

This consent does not authorise any work outside the property boundary, including storage of building materials or goods. Separate approval is required for any works outside the property boundary, with fees being paid where applicable. Requests are to be made via email to assets@waverley.nsw.gov.au.

Condition reason: To ensure all works are located within the property boundary and specific approval is sought for any external works.

TREE PROTECTION & REMOVAL

47. TREE SCHEDULE

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

Tree No.	Species	Height (m)	Location	Status	Action
T1	<i>Jacaranda mimosifolia</i> (<i>Jacaranda</i>)	8	Rear yard	Protected	Retain and protect
T2	<i>Camellia japonica</i> (<i>Japanese camellia</i>)	2.5	Rear yard	Exempt in height (<3metres)	Remove

T3	<i>Camellia japonica</i> (Japanese camellia)	2.5	Rear yard	Exempt in height (<3metres)	Remove
T4	<i>Howea forsteriana</i> (Kentia palm)	6	Rear yard	Protected	Transplant – Transplant Method Statement required
T5	<i>Plumeria acutifolia</i> (frangipani)	5	Rear yard	Protected	Retain and protect
T6	<i>Camellia japonica</i> (Japanese camellia)	4	Rear yard	Protected	Remove and replace
T(a)	Several species	-	16 Edmund Street and 103 Carrington Road overhanging Stable.	Protected	Tree Permit Application with owner's consent must be submitted if pruning is required.
T(b)	<i>Tristaniaopsis laurina</i> (Watergum)	2	Grass verge	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.

48. 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 approved Landscape Plan, the approved Arborist Report, and *Australian Standard – AS 4970 – 2025 - Protection of Trees on Development Sites*
- (b) 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 the retained trees remain unimpacted by construction.

49. 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) and a Tree Pruning Report must be submitted to Waverley Council for processing. Application forms are available on Council's website.

- (b) If any trees on Council owned land require pruning, the application should be accompanied with a Tree Pruning Report, prepared by an Arborist with AQF level 5 qualification or above. The Report shall include photos showing the branches that need to be removed.
- (c) The application and Report are to be submitted and approved by Council's Tree Technical Officer prior to any works or pruning to the affected tree/s.

Condition reason: To protect trees during construction.

50. ENCROACHMENTS IN THE NOTIONAL ROOT ZONE (NRZ)

- (a) Works within the TPZ or NRZ will require the authorisation of the site arborist engaged for the duration of the project.
- (b) For assessment of major encroachments, a more detailed investigation is necessary by the site arborist. The preferred method of examination and or excavation within the Structural Root Zone (SRZ) is the application of non-invasive vacuum or hydro excavation.

Condition reason: To ensure precautions are taken when working near trees during construction.

51. ROOT PROTECTION DURING WORK WITHIN THE TREE PROTECTION ZONE (TPZ)

- (a) When determining the potential impacts of encroachment into the Tree Protection Zone (TPZ), the site arborist engaged for the construction project 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 Mapping Report prepared and submitted to the Principal Certifier.
 - 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.
- (b) The potential loss of root mass resulting from the encroachment, including number and size of roots.
- (c) 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.
- (d) Other excavation work near trees, including landscape work such as paving, irrigation and planting, can adversely affect root systems. These should be considered and addressed in the Tree Protection Specifications (TPS).
- (e) If any tree roots are exposed during any approved works, then roots smaller than 30mm are to be cut cleanly by hand by an experienced Arborist/Horticulturist (minimum AQF

Level 3 Certificate in Horticulture or Certificate 3 in Arboriculture) in accordance with AS 4373 2007 Pruning of Amenity Trees

- (f) It is the construction project's Arborist responsibility to determine if such root pruning is suitable. If there are any concerns regarding this process, then Waverley Council's Tree Technical Officer is to be contacted to make final determination.

Condition reason: To ensure precautions are taken when working near trees during construction

STORMWATER

52. DISPOSAL OF SEEPAGE AND STORMWATER

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.

Condition reason: To ensure the proper management of stormwater runoff.

PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE OR SUBDIVISION CERTIFICATE

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

CERTIFICATES, LICENSES, EASEMENTS AND RESTRICTIONS

53. FINAL OCCUPATION CERTIFICATE

- (a) Prior to occupation or use of the development, an Occupation Certificate must be obtained.
- (b) The Principal Certifier 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.

54. CERTIFICATION OF BASIX COMMITMENTS

All commitments listed in each relevant BASIX Certificate for the development must be fulfilled prior to any Occupation Certificate being issued.

Condition reason: To ensure BASIX commitments are fulfilled in accordance with the BASIX certificate (prescribed condition under clause 75, *Environmental Planning and Assessment Regulation 2021*).

55. CERTIFICATION OF LANDSCAPING

At the completion of all works a certificate is to be submitted to the Principal Certifier from a suitably 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. Where relevant, the waterproofing of any green roof / planter 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.

56. CERTIFICATION OF TREE ASSESSMENT

Prior to the issue of a Final Occupation Certificate, certification is required from the project arborist that the completed works have been carried out in accordance with the approved Tree Protection Specifications (TPS), Tree Protection Plan (TPP) imposed in the conditions of consent. Certification should include a statement on the condition of the retained trees, as well as details of any deviations from the approved TPS, TPP or consent conditions, and their impacts on trees. The certification is to be provided to the satisfaction of Council's Tree Technical Officer and submitted to treemgt@waverley.nsw.gov.au.

Condition reason: To ensure tree protection measures have been carried out in appropriately.

57. TREE PROTECTION MEASURES TO BE REMOVED

All tree protection shall be removed prior to the issuing of the final Occupation Certificate.

Condition reason: To ensure that the tree can continue to grow post construction.

58. CERTIFICATION OF NEWLY CONSTRUCTED AND RETAINED STORMWATER DRAINAGE

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 *Waverley Development Control Plan 2022* and all applicable Codes, Policies, Plans, Standards and good engineering practice.

A copy of the certification/s must be submitted via email to assets@waverley.nsw.gov.au for Council's records and the Principal Certifier for approval, prior to the issue of any Occupation Certificate.

Condition reason: To ensure the stormwater system has been constructed or retained in accordance with the approved stormwater management plans and to best engineering practice.

59. 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 engineer's 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.

OPERATIONAL MATTERS

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

AMENITY AND SAFETY

60. 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.

61. ONGOING MAINTENANCE – STORMWATER TREATMENT SYSTEM

The stormwater treatment system must be maintained in accordance with the manufacturers or designer's specification for the life of the development.

Condition reason: Ensure the stormwater treatment systems are maintained and continue to operate as intended.

62. WASTE/BIN COLLECTION DAYS

Waste and recycling bins shall be placed out on Council footpath for collection no earlier than the evening on the day prior to collection day. Waste and recycling bins shall be removed from the Council footpath, nature strip or public domain on the day of collection. Waste and recycling bins are not permitted on Council footpaths, nature strips or in the public domain at any other time.

Condition reason: To protect the amenity of the local area.

PARKING AND ACCESS

63. SIZE OF VEHICLES TO BE PARKED WITHIN THE SITE

Any vehicle utilising the car space is to be parked fully within the confines of the site and is not to park over the public footway at any time. The vehicle access gate is to be closed at all times when the car is parked on the hardstand.

Condition reason: To ensure the vehicles don't encroach on the public footpath.

GENERAL ADVISORY NOTES

1. DEVELOPMENT IS TO COMPLY WITH LEGISLATION

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

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 *Environmental Planning and Assessment Act 1979* 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:

- (a) Please read your conditions carefully.
- (b) Information to be submitted to Council should be either via email to info@waverley.nsw.gov.au or via the NSW Planning Portal (if required).
- (c) Attention the documentation to the relevant officer/position of Council (where known/specified in condition).
- (d) Include DA reference number.
- (e) Include condition number/s seeking to be addressed.
- (f) 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).
- (g) 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.
- (h) 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.
- (i) Please note, in some circumstances, additional fees and/or additional documents (hard copy) may be required.
- (j) Council’s standard for review (from date the relevant officer receives documentation) is 14 days. Times may vary or be delayed if information is not received in this required manner.

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 1800 810 443.

6. ALTERATIONS AND ADDITIONS ONLY

This consent is for alterations and additions to the existing building only and should a significant amount of the remaining fabric of the building be required to be removed during the course of construction, 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. TREE REMOVAL/PRESERVATION

Any trees not identified for removal in this application have not been assessed and separate approval may be required.

Details on additional criteria regarding tree on development sites can be found in Waverley Council Tree Management Guidelines 2022, 10. Appendices.

9. ADDITIONAL INFORMATION IN RELATION TO SECURITY DEPOSIT – RELEASE PROCESS

Following completion of all works and satisfaction of all consent conditions, an Occupation Certificate will be issued for the site and uploaded to the NSW Planning Portal. Waverley Council will receive notification of this achievement and will begin the process of reviewing the site prior to release of the site's security deposit.

An officer from the Infrastructure Services team will attend the site and inspect the public domain in order to confirm that all public domain works within the conditions of consent have

been completed to Council's satisfaction and that no damage has occurred associated with the works. Specifically, they will be assessing the condition of the:

- (a) Footpath/s,
- (b) Kerb and Gutter,
- (c) Nature strip, turf and any trees,
- (d) Stormwater assets,
- (e) Driveway crossings,
- (f) Roadway/s, &
- (g) Any other public assets within the frontage or affected by the works.

It is the applicant's responsibility to ensure that the public domain is undamaged from the construction works which have occurred, and that any assets which have been renewed are completed with the consent of the Infrastructure Services Department (assets@waverley.nsw.gov.au) and in line with current Waverley Council Standards and Guidelines. Should there be any damage identified or works completed which do not meet Council's quality requirements, a Council officer will be in contact to outline what needs to be rectified prior to the release of the Security Deposit. Once all issues have been rectified to Council's satisfaction, the finance department will be notified to process the refund.

If no issues are identified onsite, the full security deposit should be typically expected to be refunded within 12 weeks from the date of upload of the site's final Occupation Certificate to the NSW Planning Portal by the site's Principal Certifier.

10. ENCROACHMENT BEYOND BOUNDARY

Vehicles parked on the hardstand shall not encroach onto the Council's footpath area at any time.

11. APPROVALS FOR WORKING THROUGH OR WITHIN THE PUBLIC DOMAIN

In accordance with the *Local Government Act 1993* and *Roads Act 1993*, the following permits may be required for works in, on, or over Council's public domain. Applicants are responsible for obtaining and submitting any necessary permits prior to the commencement of relevant associated works.

- (a) Road Opening Permit: The applicant shall apply for a road-opening permit and pay the required fee if there is a requirement to dig up a road, footpath or nature strip (typically trenching for service connection, maintenance or rehabilitation). Common purposes for this permit include electrical, gas, portable water connection, stormwater or telecommunication works. No opening of the road or footpath surface shall be carried out without this permit being obtained and a copy kept on the site. The applicant shall use Council's online portal to apply for a Road Opening Permit.
- (b) Occupy/Close a Public Road or Footway: The applicant shall apply for a permit if construction works require the occupation of a parking lane, road lane, cycleway, footpath, or open space. Common reasons for needing this permit include the use of boom or line concrete pump, cherry picker, scissor or boom lift or a mobile crane. Public

Liability Insurance of minimum \$20m, a Traffic Guidance Scheme or Traffic Management Plan plus a NSW Police Notification are generally required. The applicant shall use Council's online portal to submit the application.

- (c) Construction Zone Permit: If works require using a public space along the kerb of 9m or more, for a period of 13 weeks or more, a Construction Zone Permit is required. The applicant shall use Council's online portal to submit the application.
- (d) Occupation of Council Footpath: The applicant shall apply for an Occupation of Council Footpath and pay the required fee when construction or other works will impact a footpath, such as the erection of hoarding or scaffolding, or the storage of building materials. Refer to the Hoarding and Scaffolding Guidelines and apply via the PDF application form available online which is submitted directly to Council. For construction impacts that will go beyond the footpath, the applicant must use the 'Occupy/Close a Public Road or Footway' application.
- (e) Stand a Skip Bin / Container / Storage Unit on Public Road: The applicant can pay a fee to temporarily house a bin or storage unit in a roadside parking space, regardless of whether the spot is metered or subject to a residential permit area. Apply via submitting the PDF application available online directly to Council. If there are more elaborate construction impacts on public land such as needing to use a cherry picker or mobile crane, use the Occupy/Close a Public Road or Footway application instead.

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 *Environmental Planning and Assessment Regulation 2021* 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 *Environmental Planning and Assessment Act 1979*.

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 *Environmental Planning and Assessment Act 1979* 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.

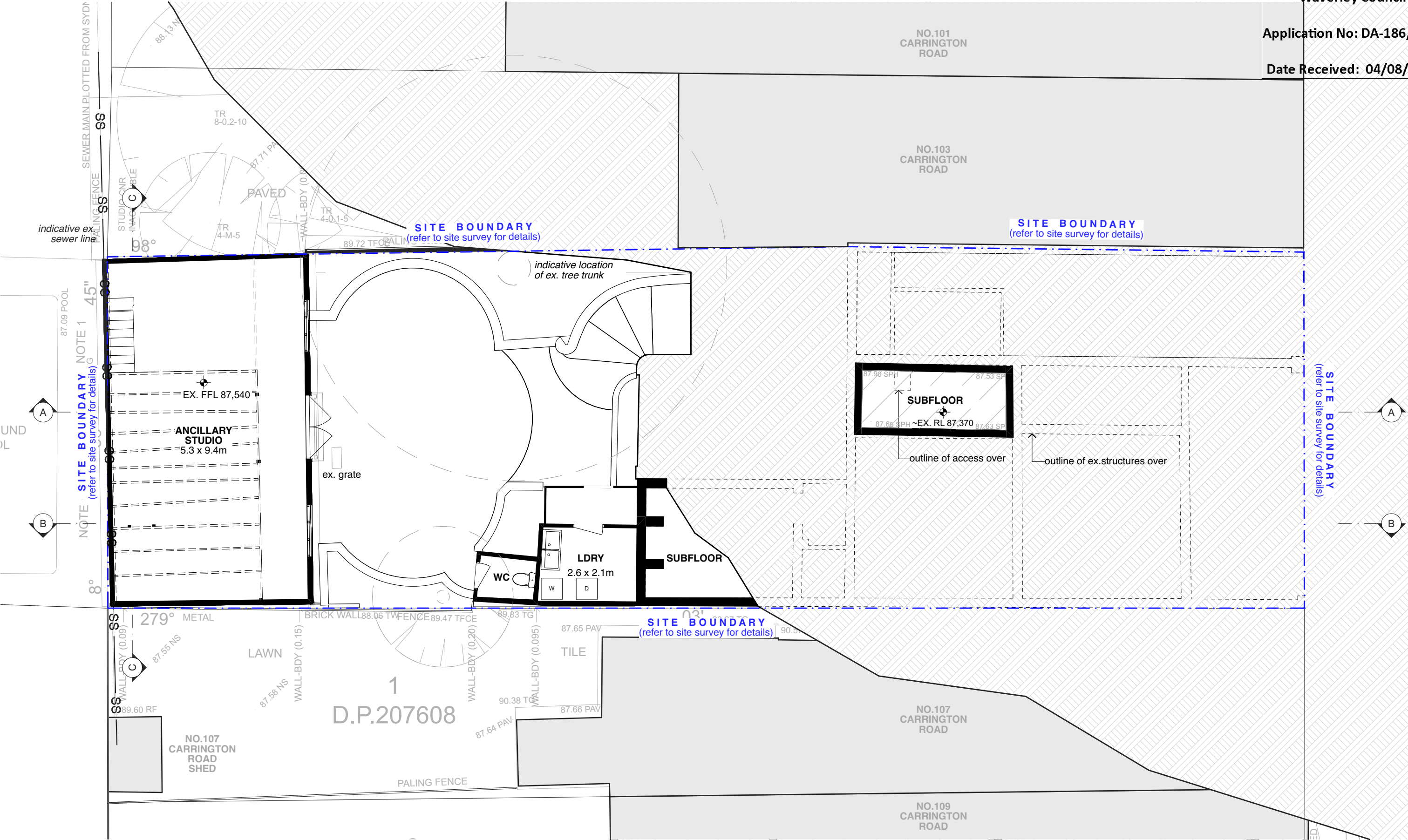
Strata certificate means a certificate in the approved form issued under Part 4 of the *Strata Schemes Development Act 2015* that authorises the registration of a strata plan, strata plan of subdivision or notice of conversion.

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

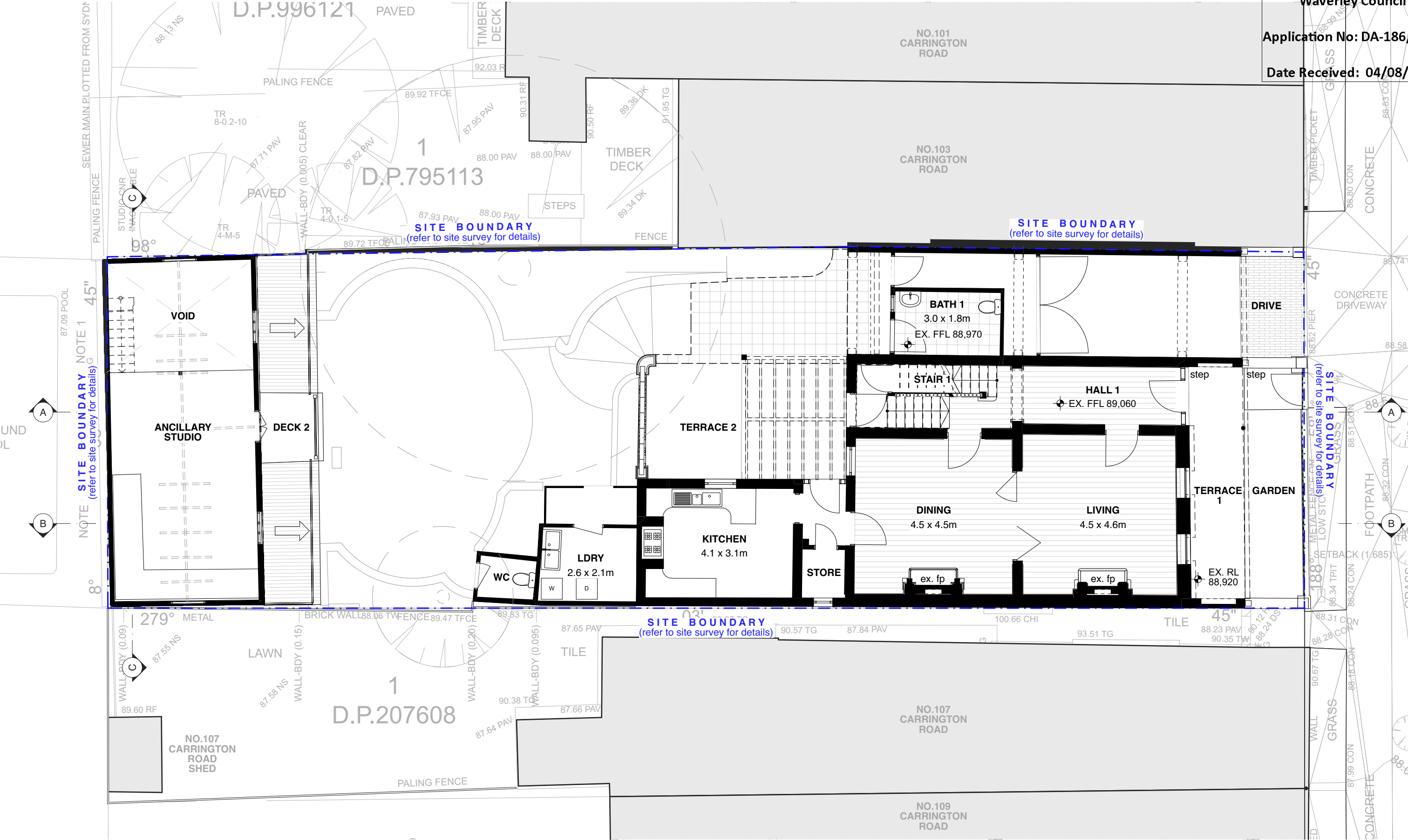
Subdivision works certificate means a certificate to the effect that subdivision work completed in accordance with specified plans and specifications will comply with the requirements of the *Environmental Planning and Assessment Regulation 2021*.

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.

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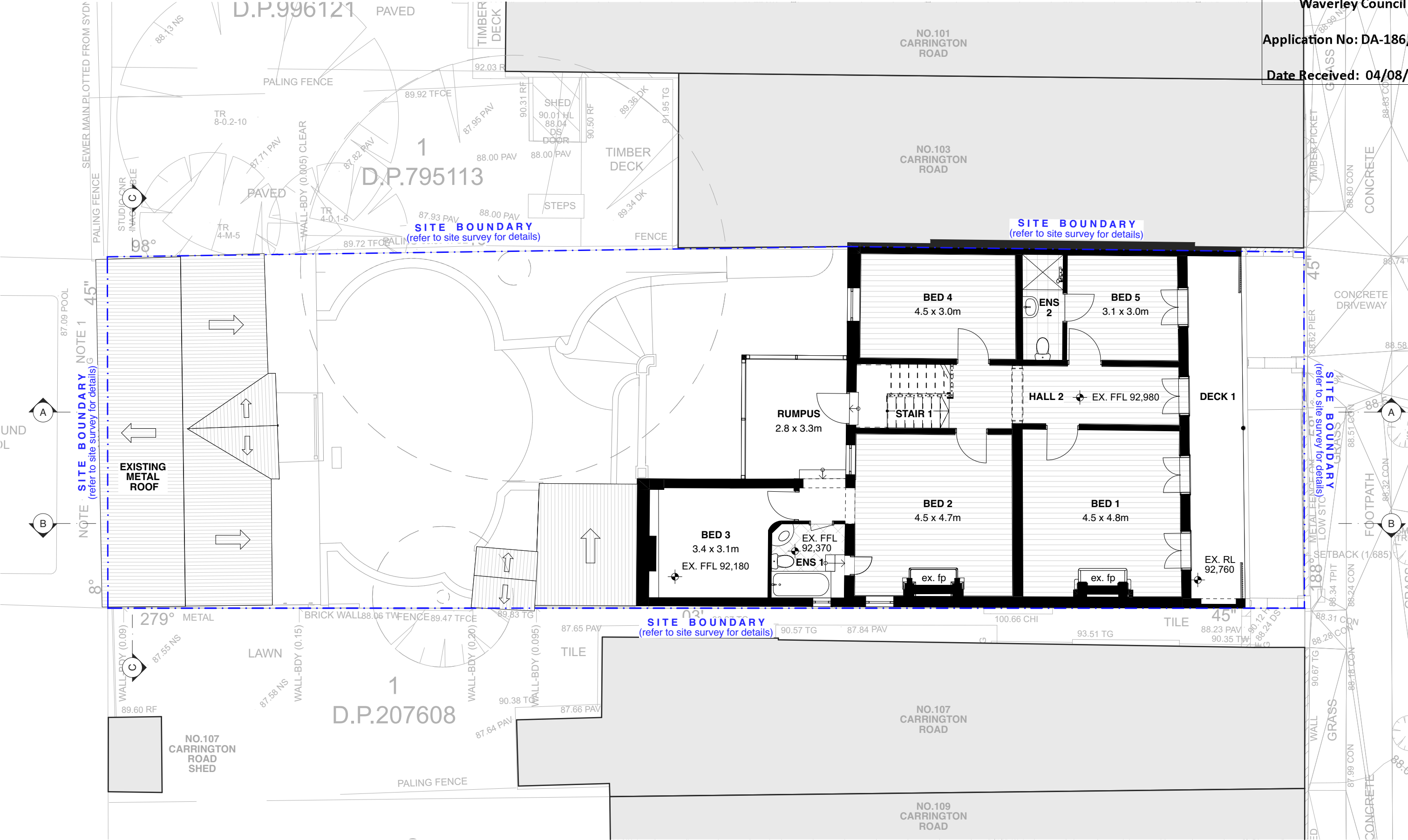


Notes		Notes Regarding "FOR CONSTRUCTION" Documents		Project Details		Drawing Details		DEVELOPMENT APPLICATION	
Do not scale the drawings. Use figured dimensions only. Builder to examine site, check and verify all dimensions and levels prior to commencement of construction. Notify all discrepancies to the Architect.		All work to be carried out in accordance with the NCC/BCA, the Australian Standard (AS), other relevant codes and manufacturers' specification and instructions. Comply with the BASIX certificate.		FOR APPROVALS NOT FOR CONSTRUCTION		Scale 1:100 @ A3 Drawn OJ / YY		Dwg Name EXISTING LEVEL 2 PLAN	
Project Carrington House		Project Address 105 Carrington Road Queens Park 2022		Client Name Ross & Nicola Widdows 62		Date 31/7/2026 Architect MC / AH		Dwg # Project Code Revision # DA02 EVAN 8	
michiru higginbotham.		(02) 9121 6239 michiruhigginbotham.com.au hello@michiruhigginbotham.com.au							

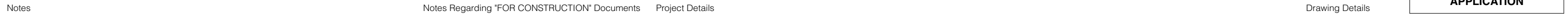
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Date Received: 04/08/2026

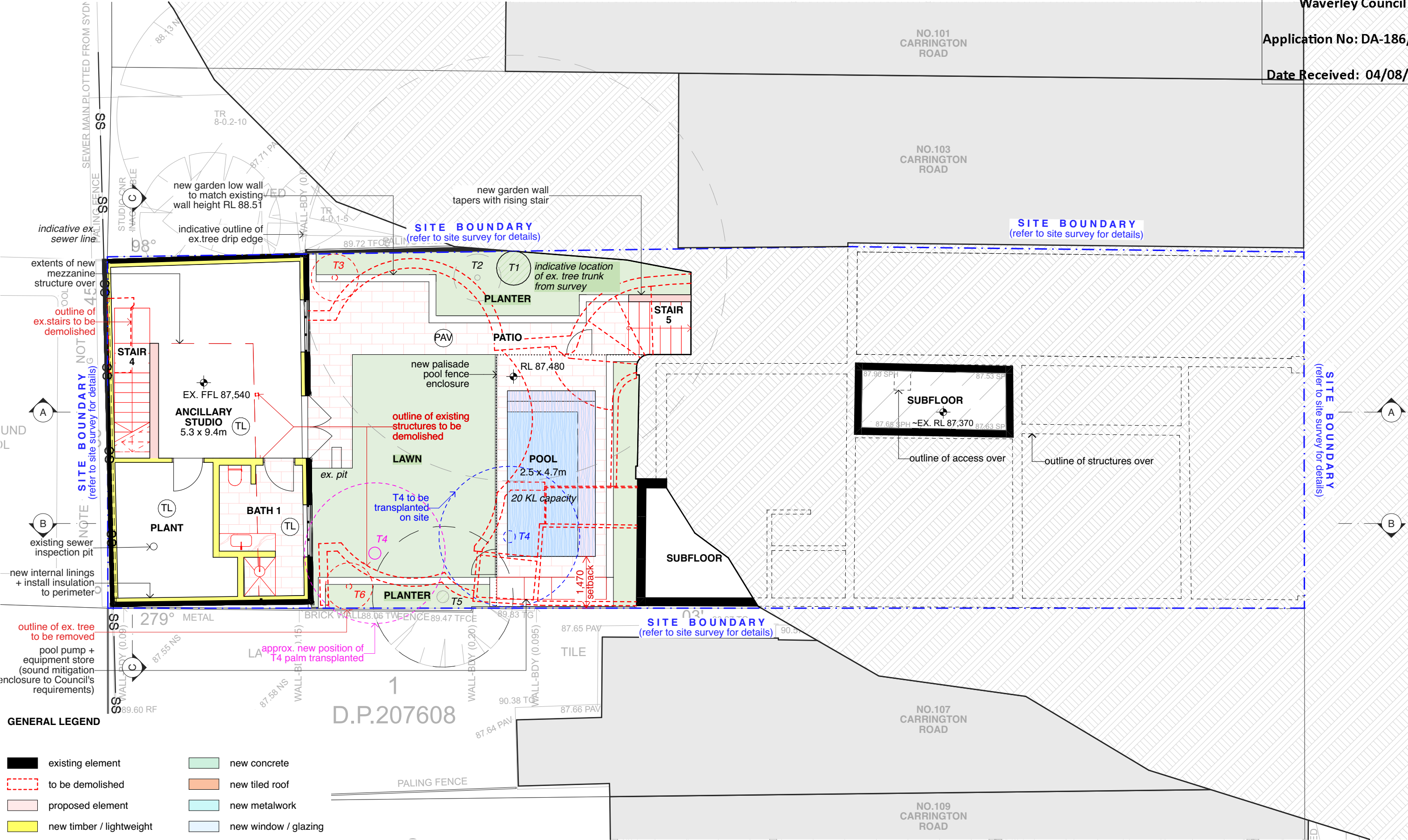


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Project Carrington House		Project Address 105 Carrington Road Queens Park 2022		Client Name Ross & Nicola Widdows 63		Date 31/7/2026 Architect MC / AH		Dwg # Project Code Revision # DA03 EVAN 8	
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DA04	EVAN	8
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Application No: DA-186/2026
Date Received: 04/08/2026



GENERAL LEGEND

- existing element
- to be demolished
- proposed element
- new timber / lightweight
- new brickwork / blockwork
- new concrete
- new tiled roof
- new metalwork
- new window / glazing
- new tiling

Notes
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and manufacturers' specification and
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certificate.

FOR APPROVALS
NOT FOR CONSTRUCTION

Notes Regarding "FOR CONSTRUCTION" Documents

Project Details

Project
Carrington House
Client Name
Ross & Nicola Widdows 65
Project Address
105 Carrington Road
Queens Park 2022



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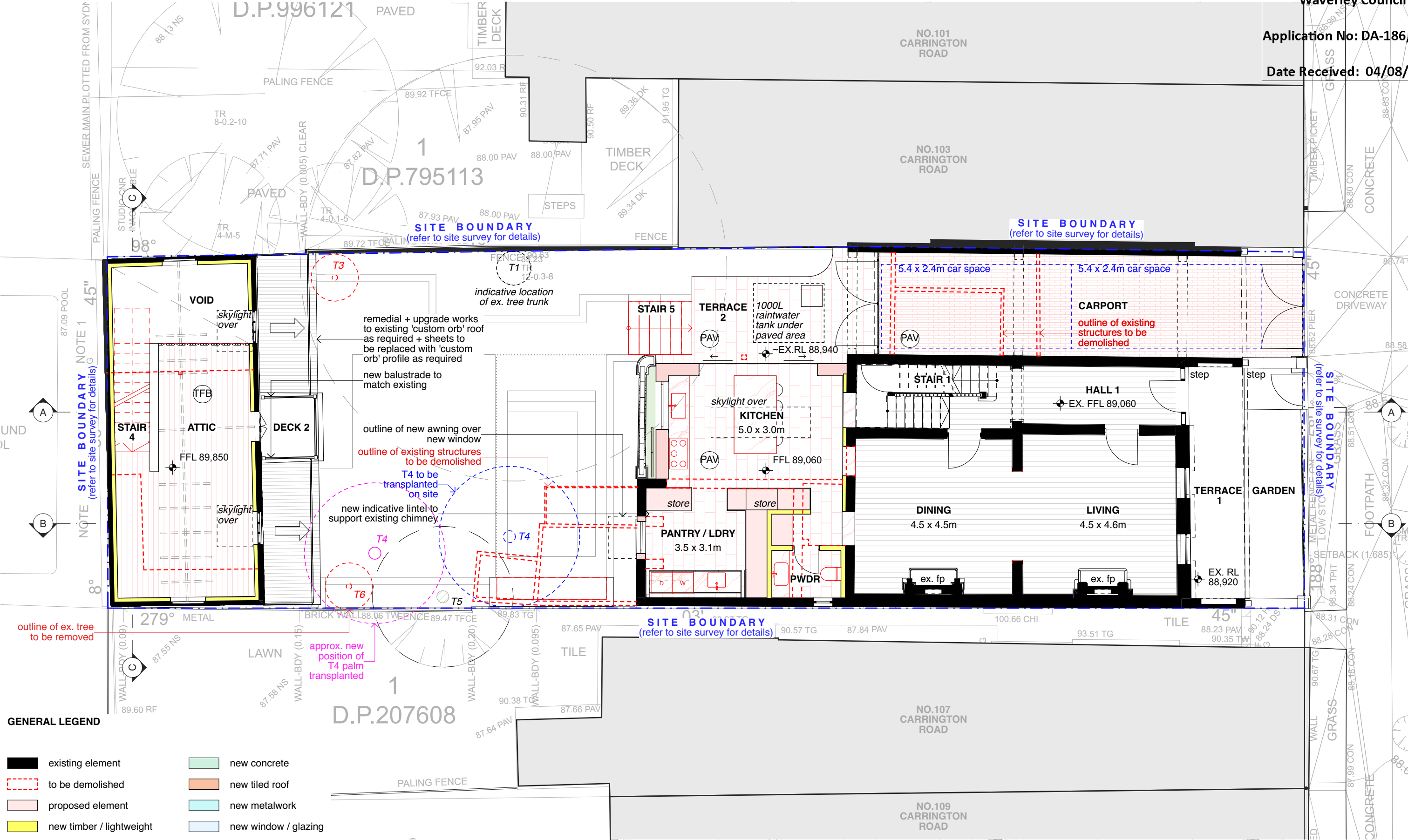
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Scale 1:100 @ A3
Drawn OJ / YY
Date 31/7/2026
Architect MC / AH

DEVELOPMENT
APPLICATION

Dwg Name
LOWER GROUND PLAN
Dwg # DA06
Project Code EVAN
Revision # 8

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Date Received: 04/08/2026



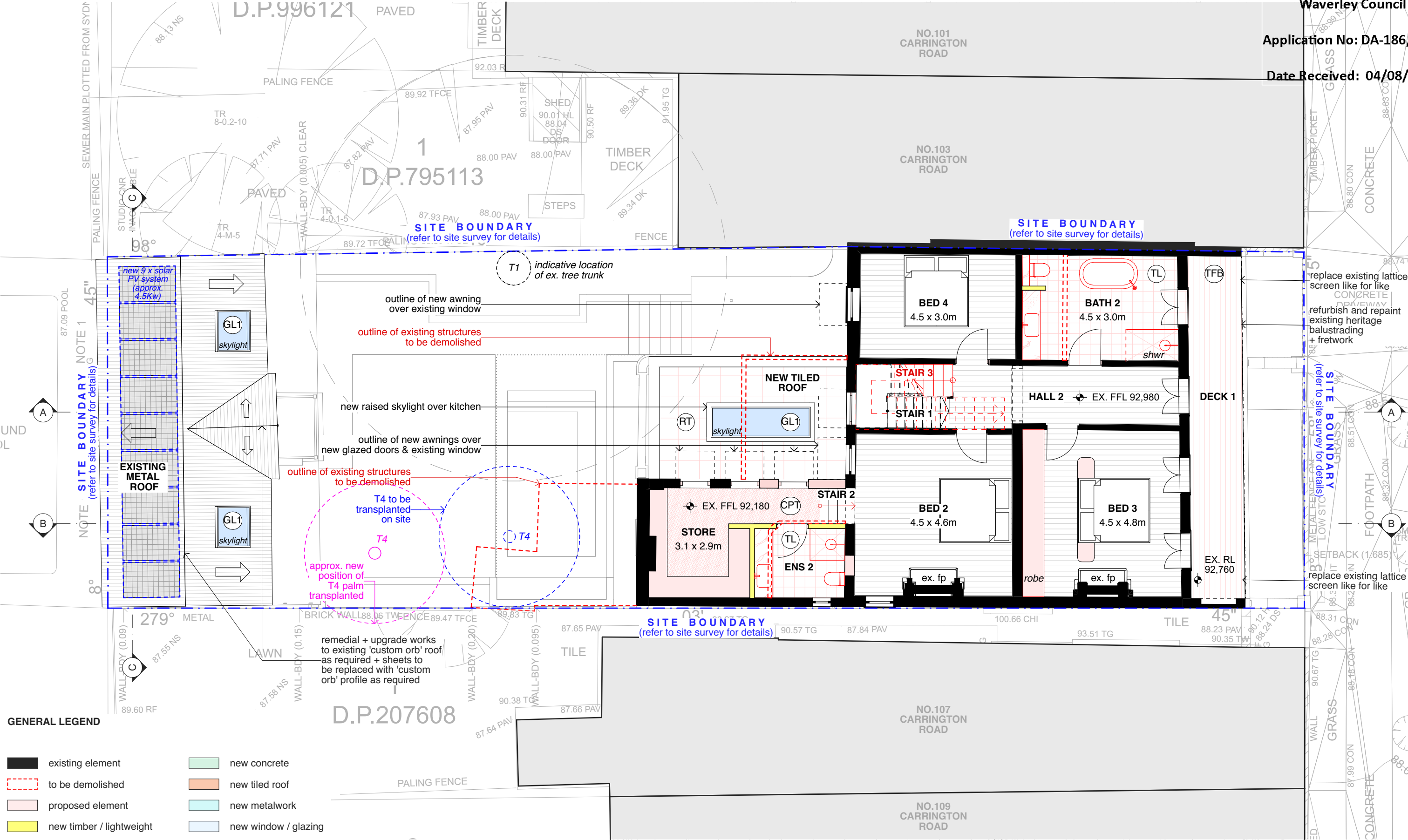
GENERAL LEGEND

- existing element
- to be demolished
- proposed element
- new timber / lightweight
- new brickwork / blockwork
- new concrete
- new tiled roof
- new metalwork
- new window / glazing
- new tiling

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Application No: DA-186/2026

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GENERAL LEGEND

- existing element

to be demolished

proposed element

new timber / lightweight

new brickwork / blockwork
- new concrete

new tiled roof

new metalwork

new window / glazing

new tiling

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FOR APPROVALS
NOT FOR CONSTRUCTION

Notes Regarding "FOR CONSTRUCTION" Documents

Project Details

Project
Carrington House

Project Address
105 Carrington Road
Queens Park 2022

Client Name
Ross & Nicola Widdows 67



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Drawing Details

Scale 1:100 @ A3
Drawn OJ / YY

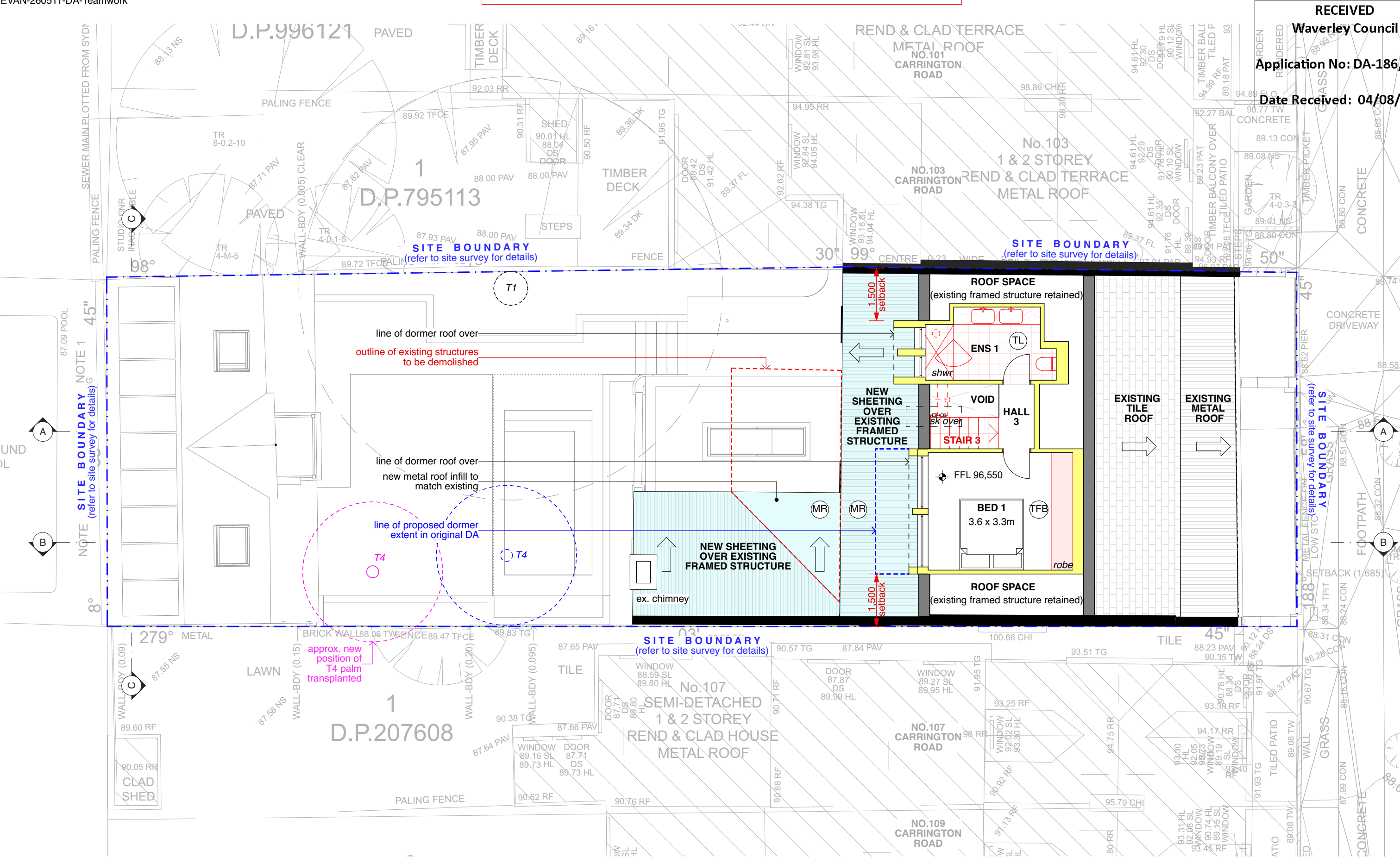
Date 31/7/2026
Architect MC / AH

DEVELOPMENT
APPLICATION

Dwg Name
LEVEL 2 PLAN

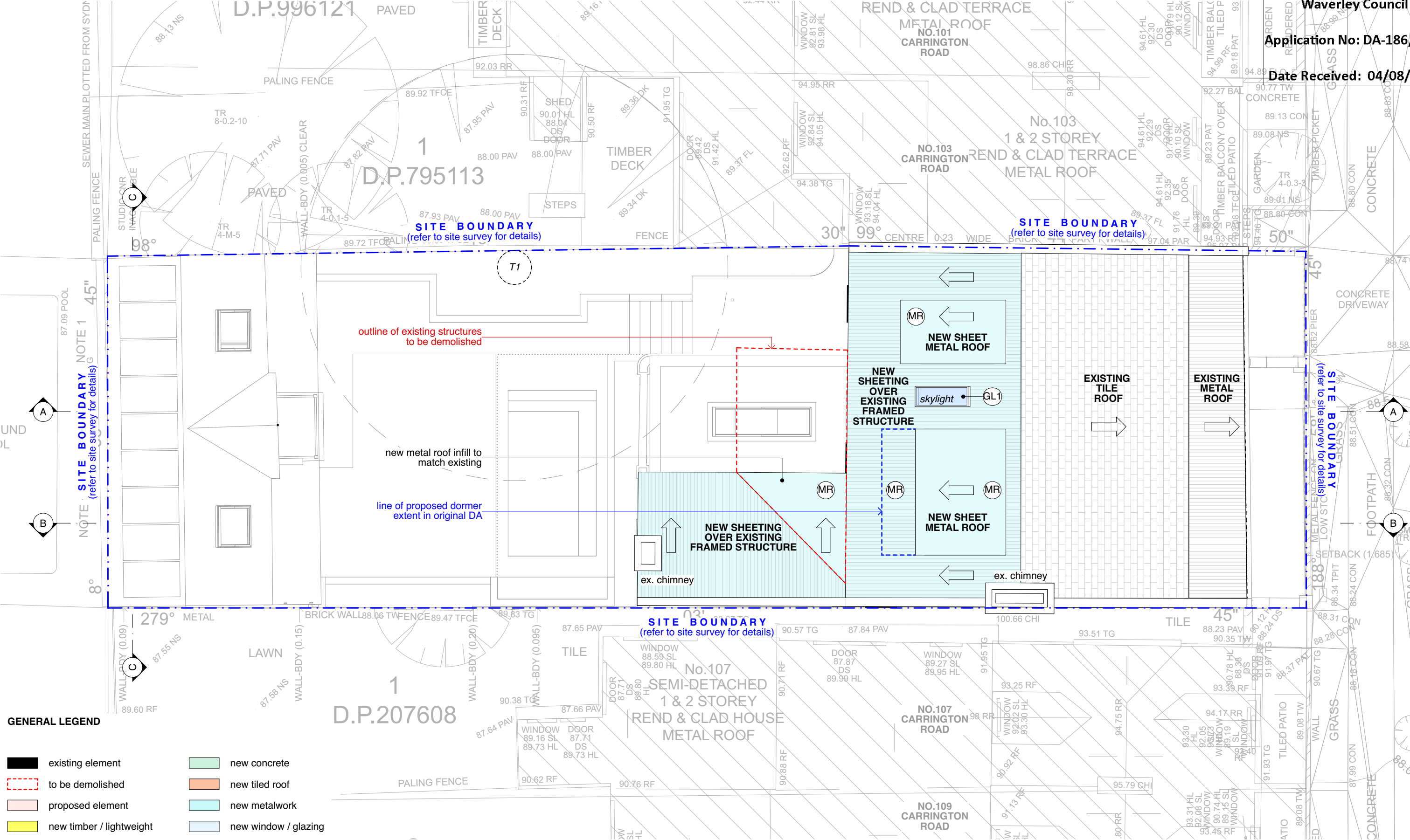
Dwg # DA08
Project Code EVAN
Revision # 8

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Application No: DA-186/2026
Date Received: 04/08/2026



Notes		Notes Regarding "FOR CONSTRUCTION" Documents		Project Details		Drawing Details		DEVELOPMENT APPLICATION	
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Project Carrington House		Project Address 105 Carrington Road Queens Park 2022		Client Name Ross & Nicola Widdows 68		Date 31/7/2026 Architect MC / AH		Dwg # DA09	
Project Details		Project Address		Client Name		Date		Project Code	
Project Carrington House		Project Address 105 Carrington Road Queens Park 2022		Client Name Ross & Nicola Widdows 68		Date 31/7/2026 Architect MC / AH		Project Code EVAN	
Project Details		Project Address		Client Name		Date		Revision #	
Project Carrington House		Project Address 105 Carrington Road Queens Park 2022		Client Name Ross & Nicola Widdows 68		Date 31/7/2026 Architect MC / AH		Revision # 8	

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Date Received: 04/08/2026



GENERAL LEGEND

- existing element
- to be demolished
- proposed element
- new timber / lightweight
- new brickwork / blockwork
- new concrete
- new tiled roof
- new metalwork
- new window / glazing
- new tiling

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certificate.

FOR APPROVALS
NOT FOR CONSTRUCTION

Notes Regarding "FOR CONSTRUCTION" Documents

Project Details

Project
Carrington House
Client Name
Ross & Nicola Widdows 69
Project Address
105 Carrington Road
Queens Park 2022



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Drawing Details

Scale
Drawn
1:100 @ A3
OJ / YY
Date
Architect
31/7/2026
MC / AH

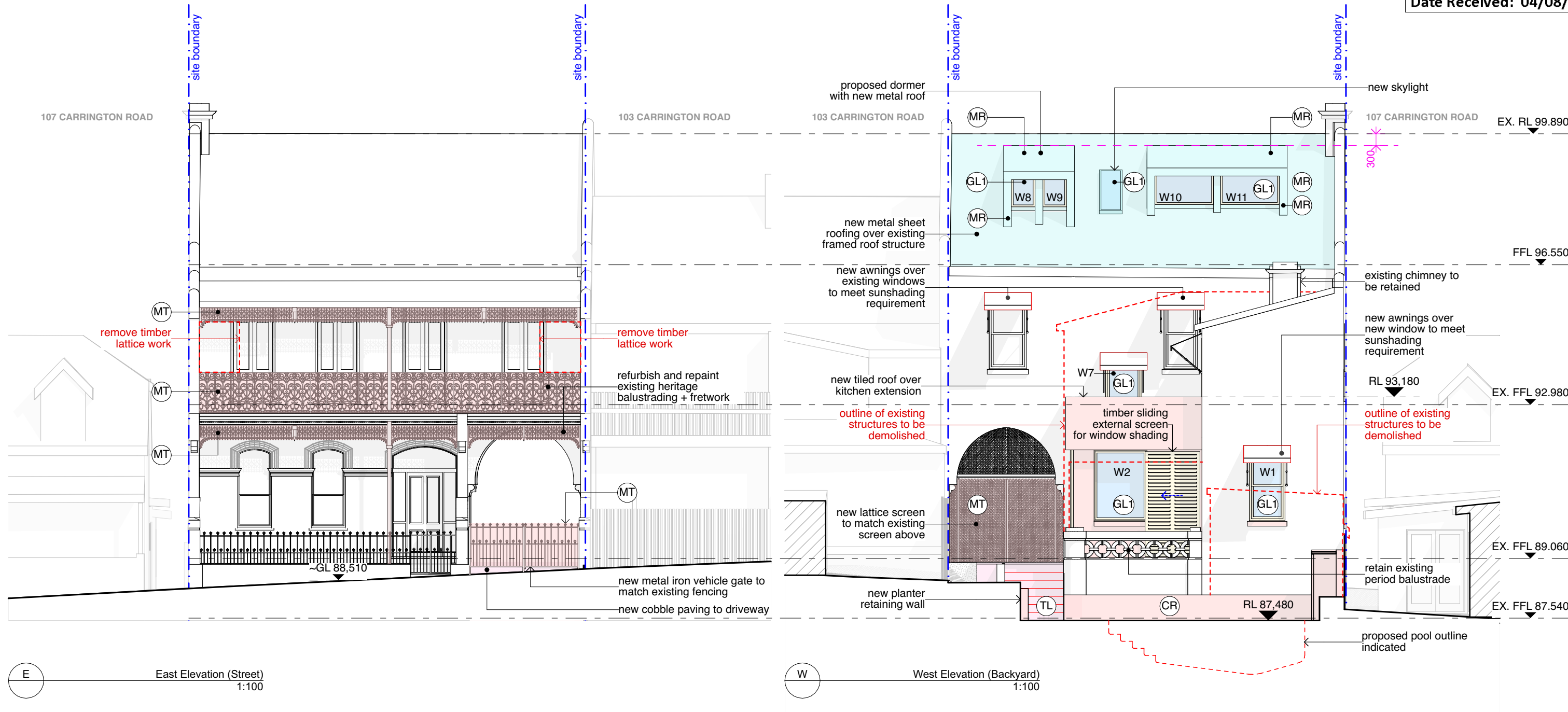
DEVELOPMENT
APPLICATION

Dwg Name
Roof Plan
Dwg #
DA10
Project Code
EVAN
Revision #
8

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Application No: DA-186/2026

Date Received: 04/08/2026



GENERAL LEGEND

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| existing element | new concrete |
| to be demolished | new tiled roof |
| proposed element | new metalwork |
| new timber / lightweight | new window / glazing |
| new brickwork / blockwork | new tiling |

Notes

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Notes Regarding "FOR CONSTRUCTION" Documents

FOR APPROVALS
NOT FOR CONSTRUCTION

Project Details

Project
Carrington House

Client Name
Ross & Nicola Widdows 70

Project Address
105 Carrington Road
Queens Park 2022

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Drawing Details

Scale 1:100 @ A3
Drawn OJ / YY

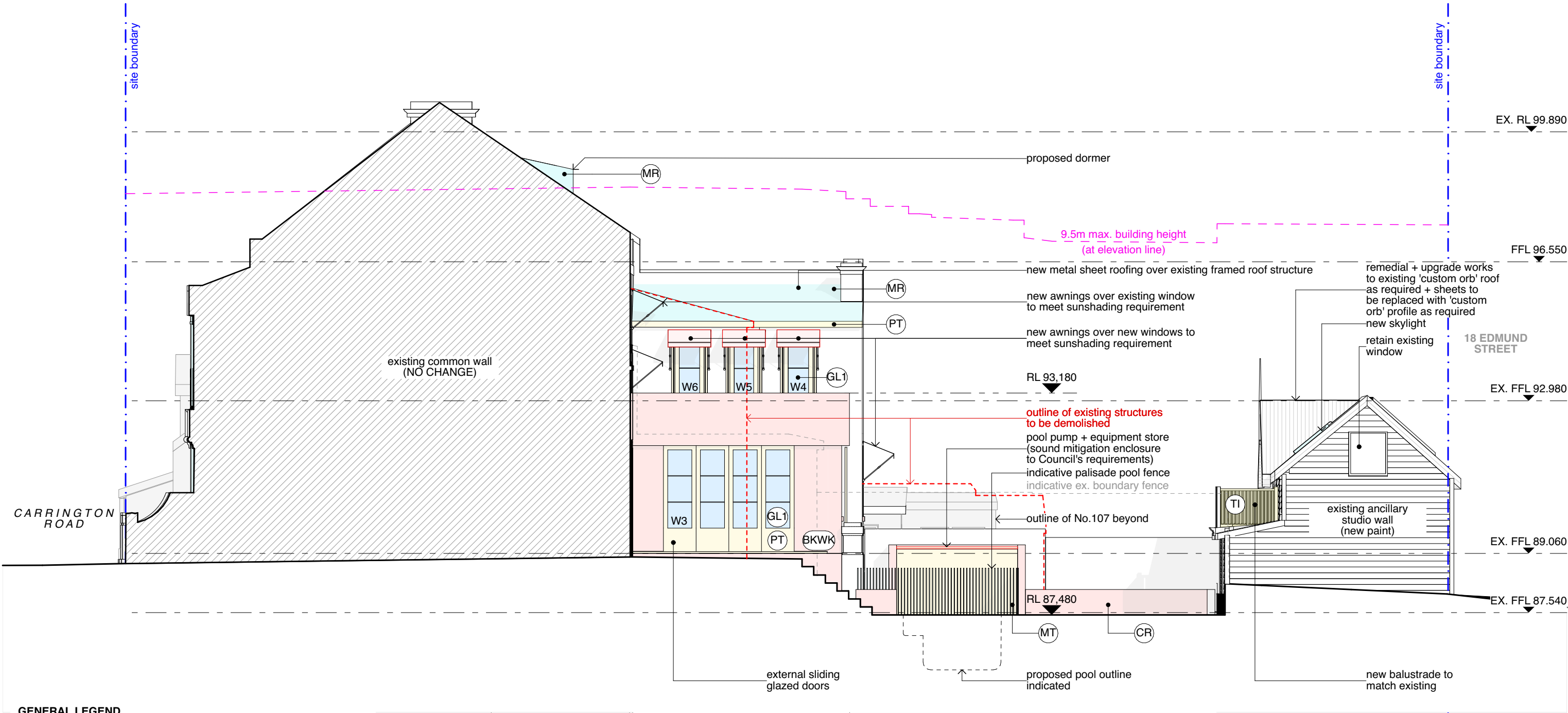
Date 31/7/2026
Architect MC / AH

DEVELOPMENT
APPLICATION

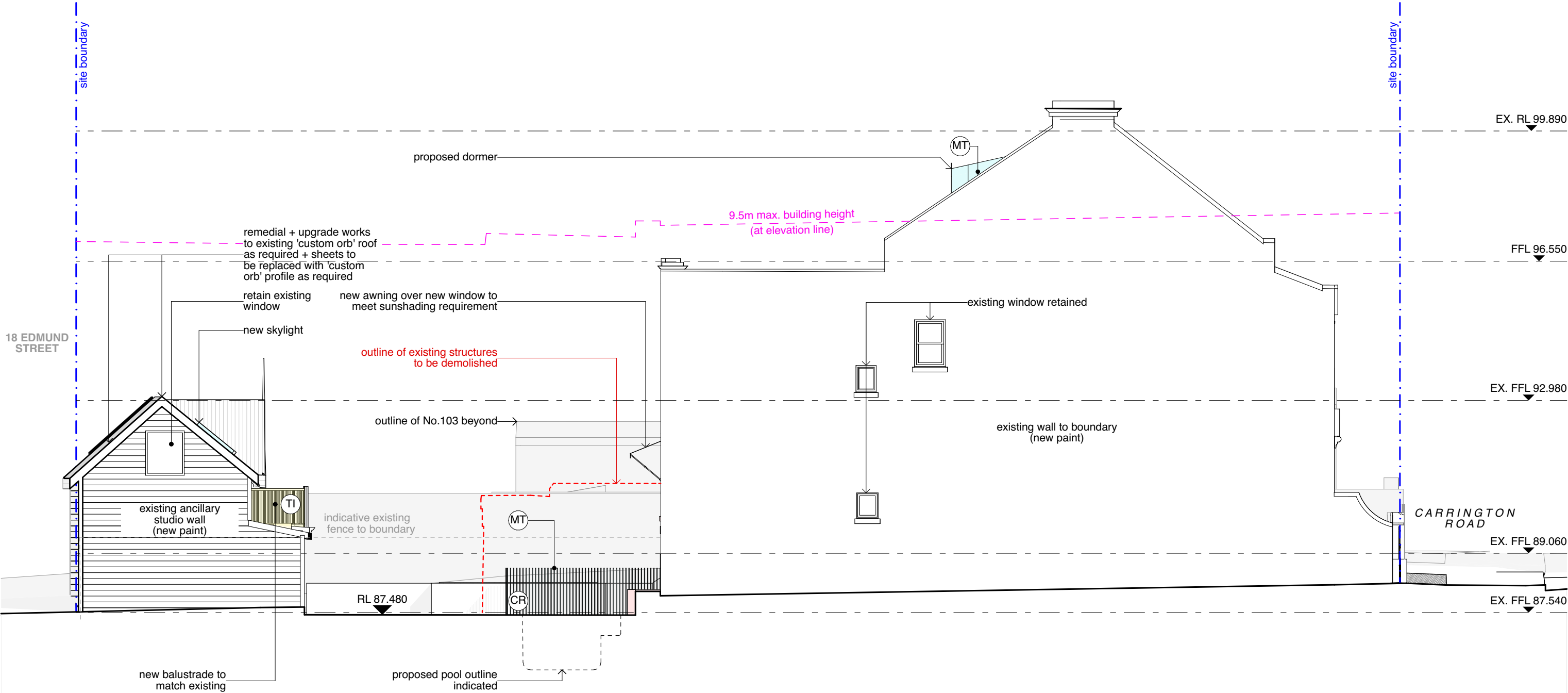
Dwg Name
EAST & WEST ELEVATIONS

Dwg # DA11
Project Code EVAN
Revision # 8

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GENERAL LEGEND

- | | | | |
|--|---------------------------|--|----------------------|
| | existing element | | new concrete |
| | to be demolished | | new tiled roof |
| | proposed element | | new metalwork |
| | new timber / lightweight | | new window / glazing |
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Notes Regarding "FOR CONSTRUCTION" Documents

FOR APPROVALS
NOT FOR CONSTRUCTION

Project Details

Project	Project Address
Carrington House	105 Carrington Road Queens Park 2022
Client Name	
Ross & Nicola Widdows	72

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Drawing Details

Scale	1:100 @ A3
Drawn	OJ / YY
Date	31/7/2026
Architect	MC / AH

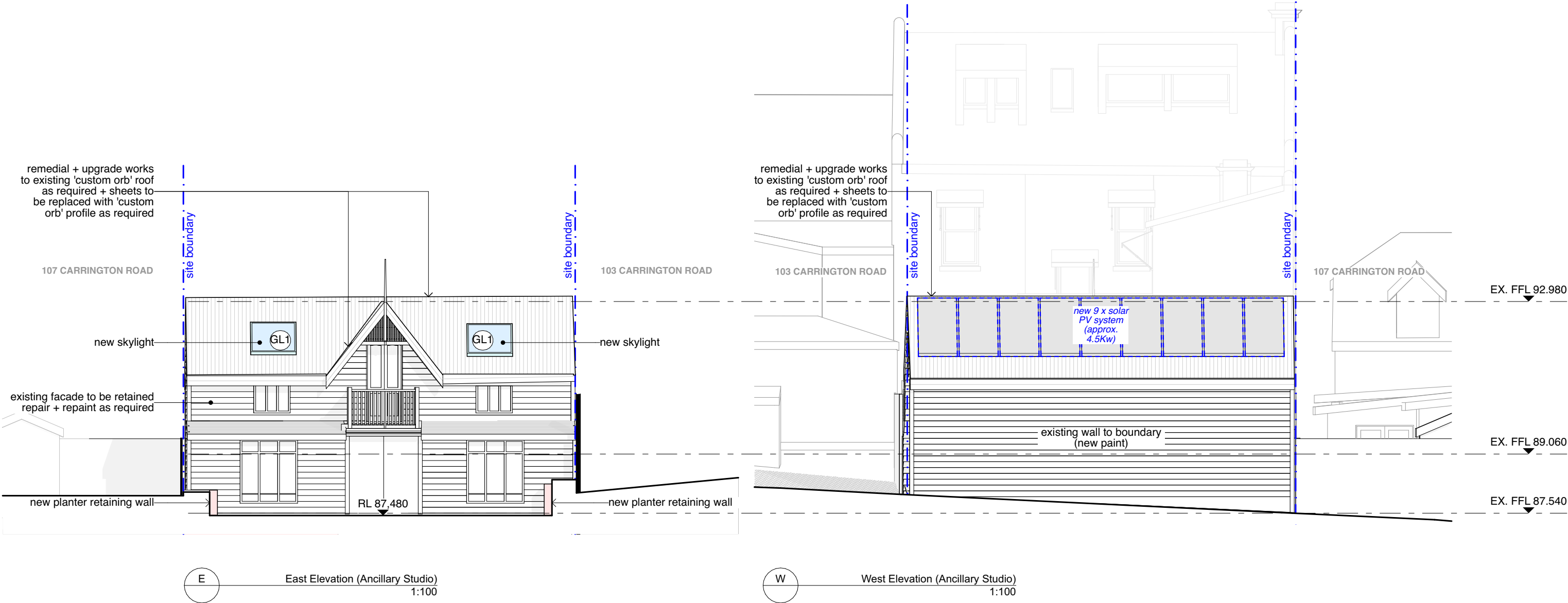
DEVELOPMENT
APPLICATION

Dwg Name	SOUTH ELEVATION		
Dwg #	Project Code	Revision #	
DA13	EVAN	8	

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Application No: DA-186/2026

Date Received: 04/08/2026



GENERAL LEGEND

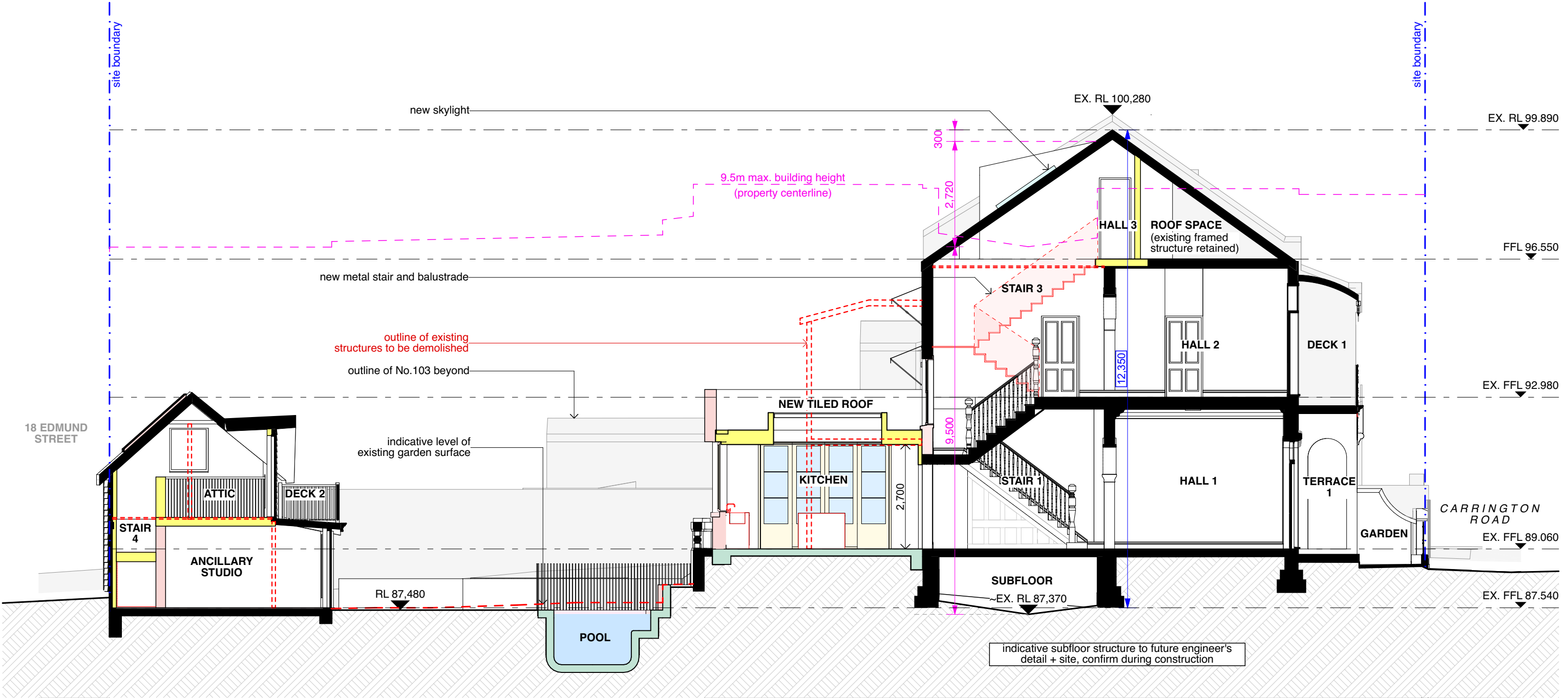
- existing element
- to be demolished
- proposed element
- new timber / lightweight
- new brickwork / blockwork
- new concrete
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- new window / glazing
- new tiling

Notes	Notes Regarding "FOR CONSTRUCTION" Documents	Project Details	Drawing Details	DEVELOPMENT APPLICATION
Do not scale the drawings. Use figured dimensions only. Builder to examine site, check and verify all dimensions and levels prior to commencement of construction. Notify all discrepancies to the Architect.	All work to be carried out in accordance with the NCC/BCA, the Australian Standard (AS), other relevant codes and manufacturers' specification and instructions. Comply with the BASIX certificate.	FOR APPROVALS NOT FOR CONSTRUCTION	Scale 1:100 @ A3 Drawn OJ / YY Date 31/7/2026 Architect MC / AH	Dwg Name ANCILLARY STUDIO EAST & WEST ELEVATIONS Dwg # DA14 Project Code EVAN Revision # 8
		Project Carrington House Client Name Ross & Nicola Widdows Project Address 105 Carrington Road Queens Park 2022 73	michiru higginbotham. (02) 9121 6239 michiruhigginbotham.com.au hello@michiruhigginbotham.com.au	

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Application No: DA-186/2026

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GENERAL LEGEND

- | | |
|---------------------------|----------------------|
| existing element | new concrete |
| to be demolished | new tiled roof |
| proposed element | new metalwork |
| new timber / lightweight | new window / glazing |
| new brickwork / blockwork | new tiling |

Notes
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Standard (AS), other relevant codes
and manufacturers' specification and
instructions. Comply with the BASIX
certificate.

Notes Regarding "FOR CONSTRUCTION" Documents
**FOR APPROVALS
NOT FOR CONSTRUCTION**

Project Details
Project Carrington House
Project Address 105 Carrington Road
Queens Park 2022
Client Name Ross & Nicola Widdows 74

michiru
higginbotham.

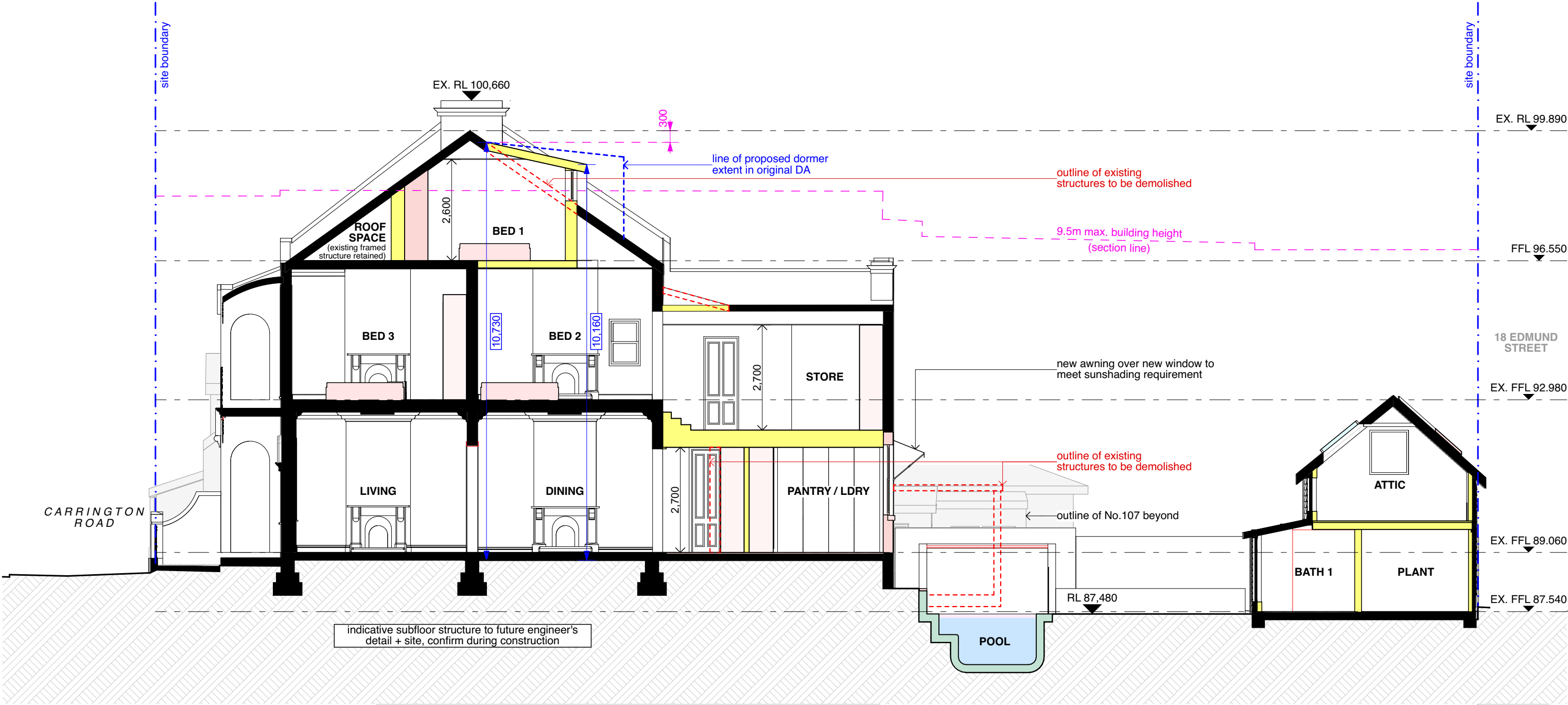
(02) 9121 6239
michiruhigginbotham.com.au
hello@michiruhigginbotham.com.au

Drawing Details
Scale 1:100 @ A3
Drawn OJ / YY
Date 31/7/2026
Architect MC / AH

DEVELOPMENT
APPLICATION

Dwg Name
SECTION AA
Dwg # DA15
Project Code EVAN
Revision # 8

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Waverley Council
Application No: DA-186/2026
Date Received: 04/08/2026



GENERAL LEGEND

- | | | | |
|--|---------------------------|--|----------------------|
| | existing element | | new concrete |
| | to be demolished | | new tiled roof |
| | proposed element | | new metalwork |
| | new timber / lightweight | | new window / glazing |
| | new brickwork / blockwork | | new tiling |

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Notes Regarding "FOR CONSTRUCTION" Documents
**FOR APPROVALS
NOT FOR CONSTRUCTION**

Project Details
Project Carrington House
Project Address 105 Carrington Road
Queens Park 2022
Client Name Ross & Nicola Widdows 75

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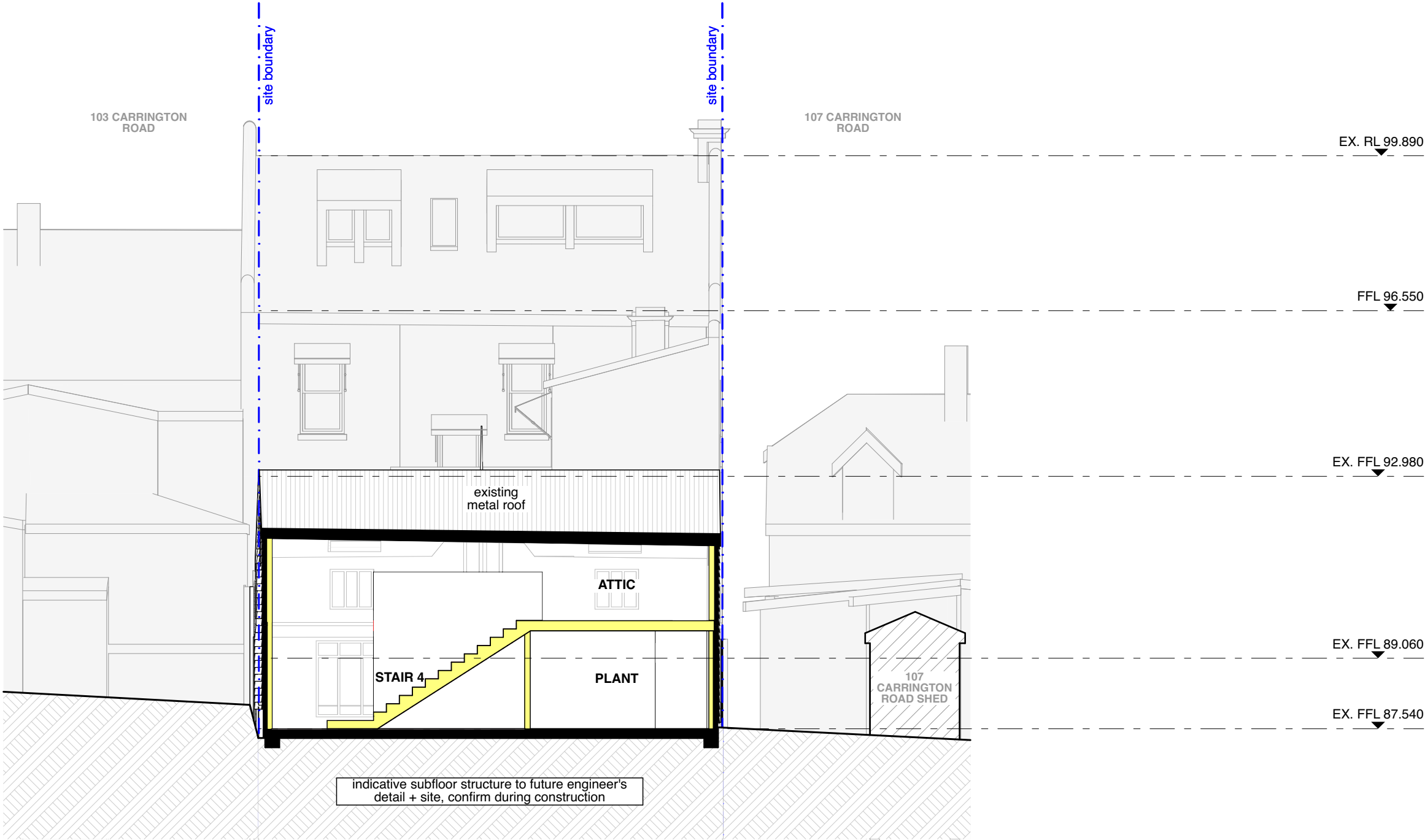
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Scale 1:100 @ A3
Drawn OJ / YY
Date 31/7/2026
Architect MC / AH

DEVELOPMENT
APPLICATION
Dwg Name
SECTION BB
Dwg # **DA16**
Project Code **EVAN**
Revision # **8**

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Application No: DA-186/2026

Date Received: 04/08/2026



GENERAL LEGEND

- existing element

to be demolished

proposed element

new timber / lightweight

new brickwork / blockwork
- new concrete

new tiled roof

new metalwork

new window / glazing

new tiling

Notes

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certificate.

Notes Regarding "FOR CONSTRUCTION" Documents

FOR APPROVALS
NOT FOR CONSTRUCTION

Project Details

Project

Carrington House

Client Name

Ross & Nicola Widdows

Project Address

105 Carrington Road
Queens Park 2022

76

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Drawing Details

Scale

Drawn

1:100 @ A3

OJ / YY

Date

Architect

31/7/2026

MC / AH

DEVELOPMENT
APPLICATION

Dwg Name

SECTION CC

Dwg #

Project Code

Revision #

DA17

EVAN

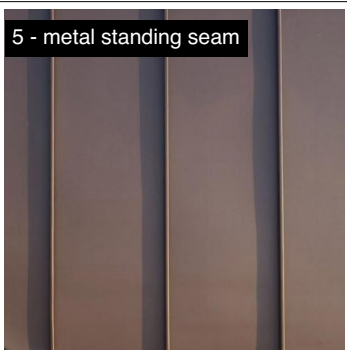
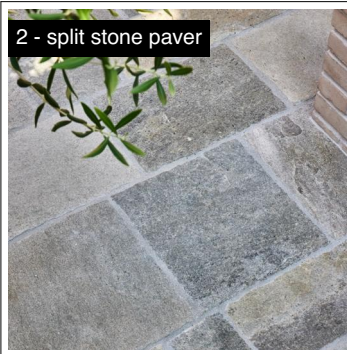
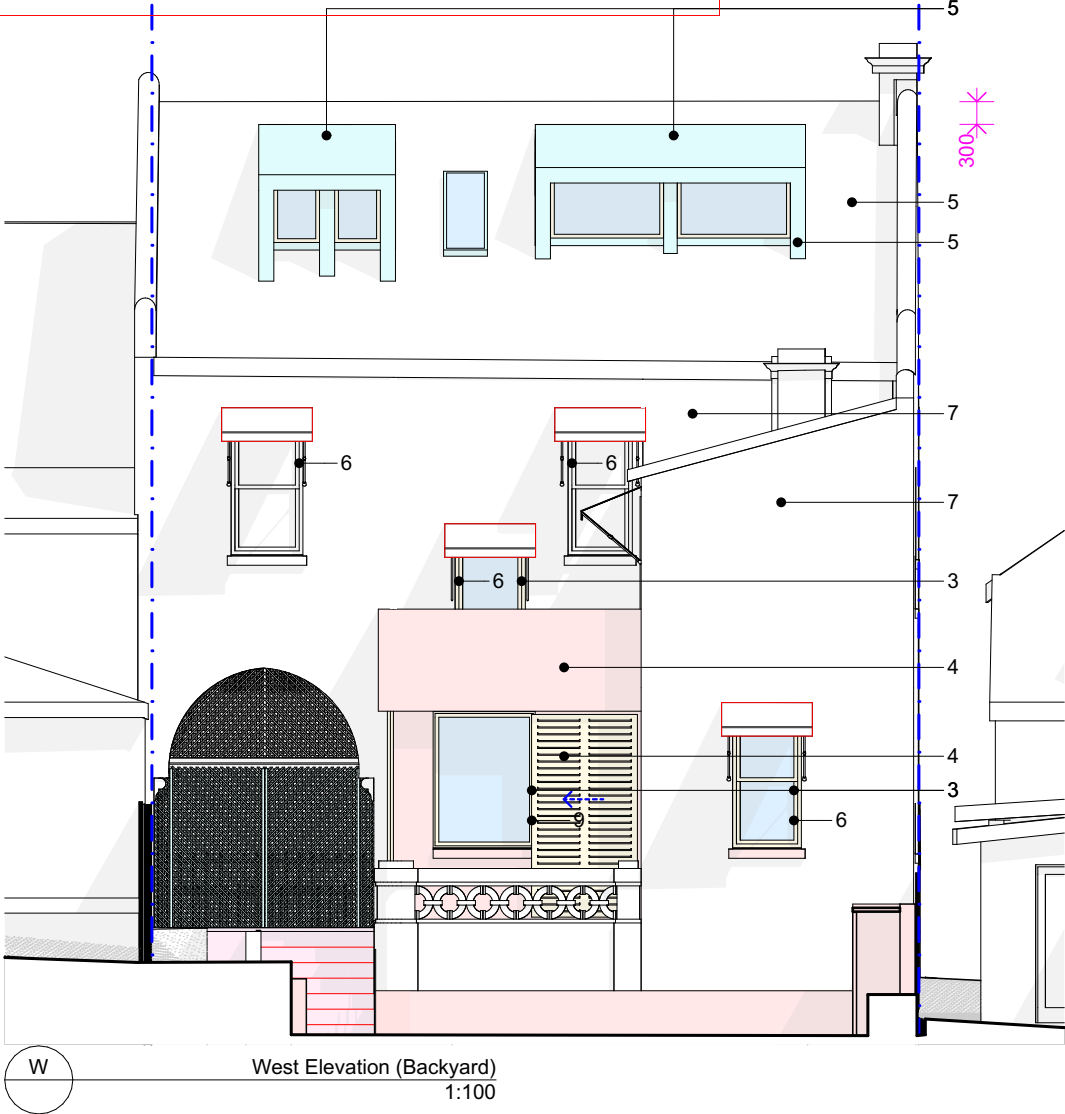
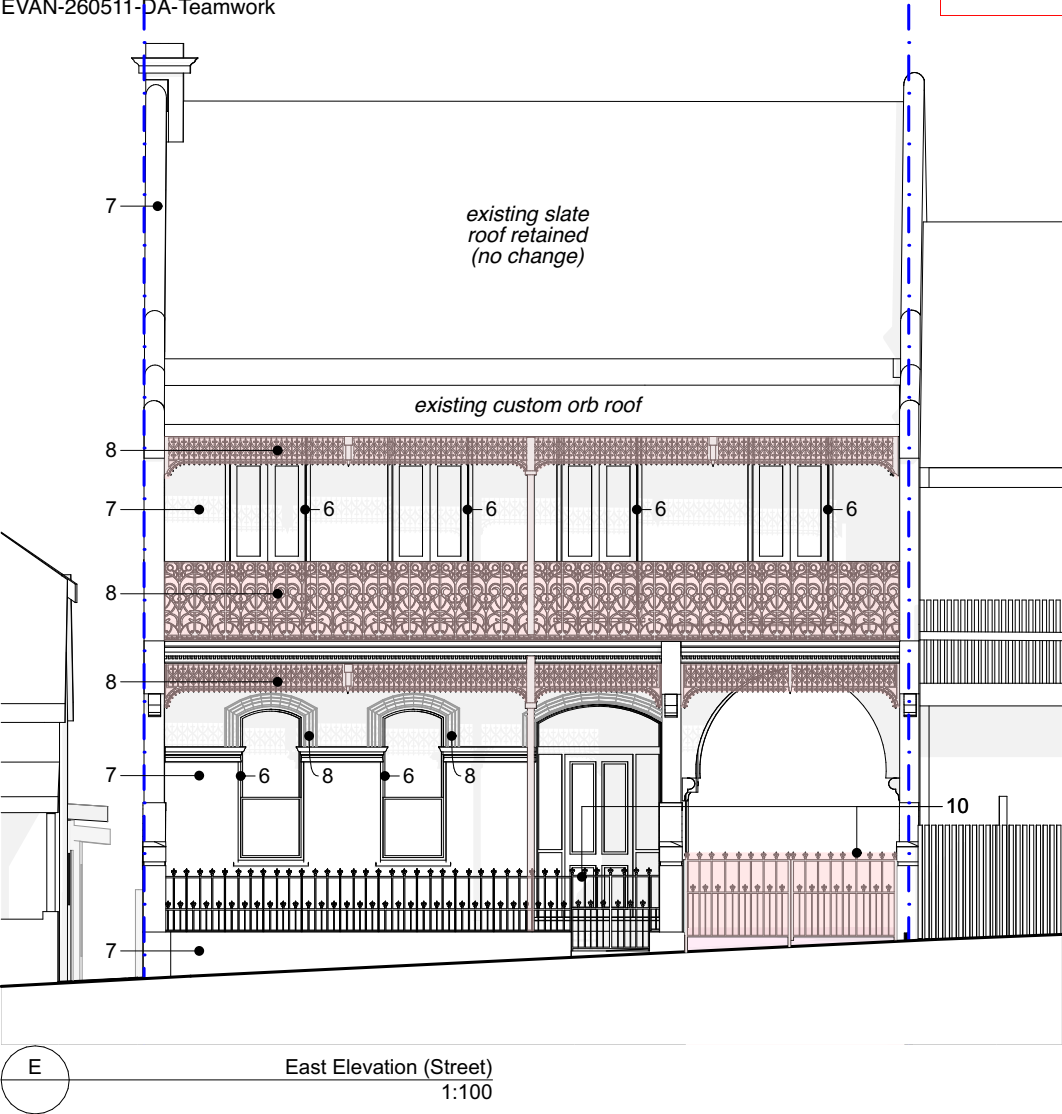
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AMENDED PLANS

RECEIVED
Waverley Council

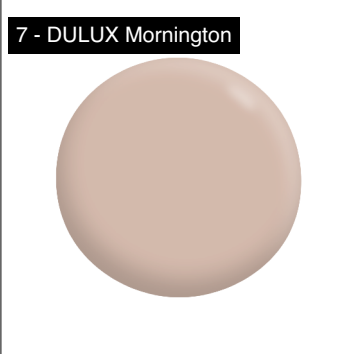
Application No: DA-186/2026

Date Received: 04/08/2026



GENERAL LEGEND

- existing element
- to be demolished
- proposed element
- new timber / lightweight
- new brickwork / blockwork
- new concrete
- new tiled roof
- new metalwork
- new window / glazing
- new tiling



Notes

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Notes Regarding "FOR CONSTRUCTION" Documents

FOR APPROVALS
NOT FOR CONSTRUCTION

Project Details

Project
Carrington House

Client Name
Ross & Nicola Widdows 77

Project Address
105 Carrington Road
Queens Park 2022

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Drawing Details

Scale
Drawn
Date
Architect

NTS @ A3
OJ / YY
31/7/2026
MC / AH

Dwg Name

FINISHES AND MATERIALS
SCHEDULE

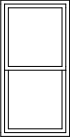
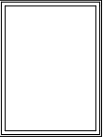
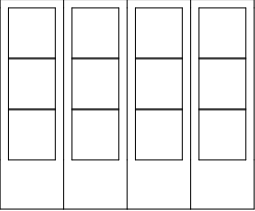
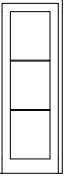
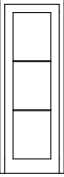
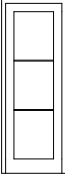
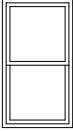
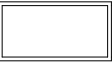
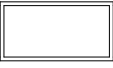
Dwg #
DA22

Project Code
EVAN

Revision #
8

DEVELOPMENT
APPLICATION

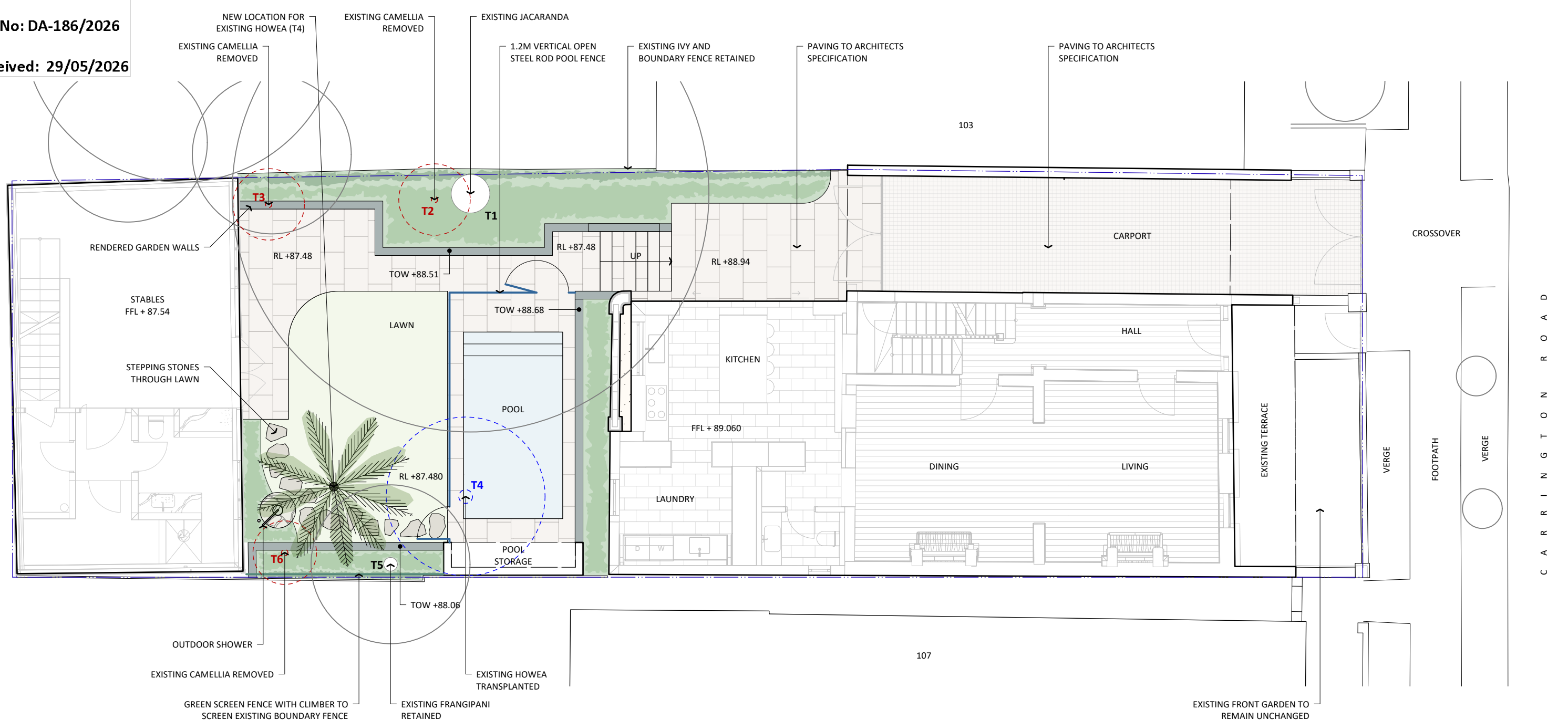
AMENDED PLANS

WINDOW & DOOR SCHEDULE											
Window ID	W1	W2	W3	W4	W5	W6	W7	W8	W9	W10	W11
											
Room	PANTRY / LDRY	KITCHEN	KITCHEN	STORE / STAIR 2	STORE / STAIR 2	STORE / STAIR 2	STAIR 1 / STAIR 3	ENS 1	ENS 1	BED 1	BED 1
Width	910	1,350	3,360	850	850	850	930	605	605	1,495	1,495
Height	1,800	1,800	2,770	2,300	2,300	2,300	1,700	820	820	780	780
Privacy + ShadingTreatment	adjustable awning	external sliding screen	N/A	adjustable awning	adjustable awning	adjustable awning	adjustable awning	N/A	N/A	N/A	N/A

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Application No: DA-186/2026

Date Received: 04/08/2026



KEY:

SITE BOUNDARY

EXISTING TREE RETAINED

EXISTING TREE REMOVED

TRANSPLANTED TREE

LAWN/TURF

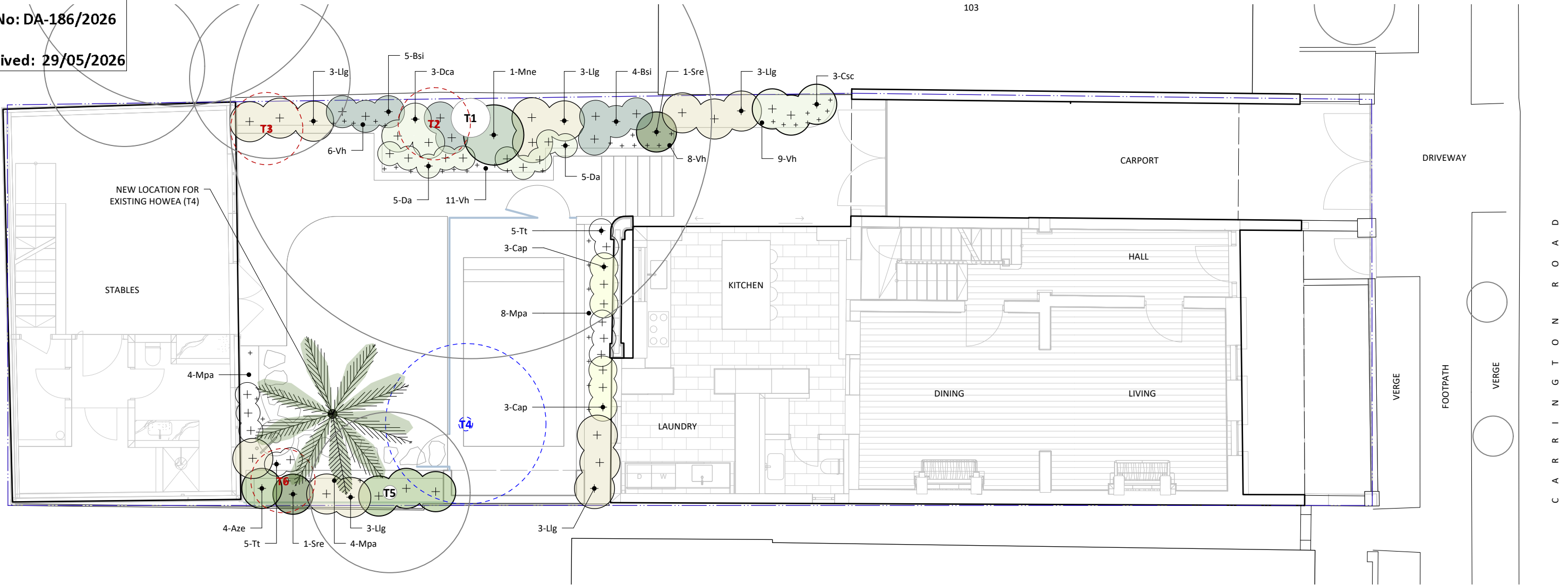
MASSED SHRUBS, GRASSES AND GROUNDCOVERS

CRAZY PAVING TO ARCHITECTS SPECIFICATION

COBBLESTONE PAVING TO ARCHITECTS SPECIFICATION

RENDERED GARDEN WALL

1.2M VERTICAL STEEL ROD POOL FI



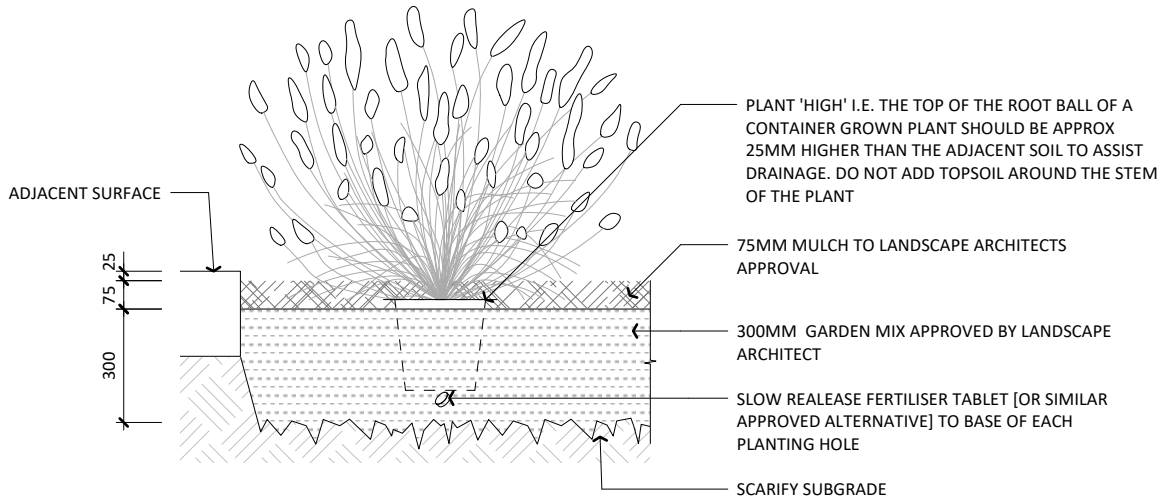
PLANT SCHEDULE:

ID	QTY	BOTANICAL NAME	COMMON NAME	GRADE
Aze	4	<i>Alpinia zerumbet</i>	shell ginger	200mm
Bsi	9	<i>Blechnum 'Silver Lady'</i>	silver lady fern	200mm
Cap	6	<i>Chrysocephalum apiculatum</i>	yellow buttons	140mm
Csc	3	<i>Cordyline stricta</i>	slender palm lily	200mm
Dca	3	<i>Dianella caerulea</i>	flax lily	140mm
Da	10	<i>Doodia aspera</i>	prickly rasp fern	140mm
Llg	15	<i>Lomandra longifolia</i>	mat rush	140mm
Mne	1	<i>Melaleuca nesophila</i>	honey myrtle	140mm
Mpa	16	<i>Myoporum parvifolium</i>	creeping boobialla	200mm
Sre	2	<i>Strelitzia reginae</i>	bird of paradise	300mm
Tt	10	<i>Themeda triandra</i>	kangaroo grass	140mm
Vh	34	<i>Viola hederacea</i>	native violet	140mm

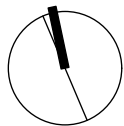
TOTAL PLANTS	NATIVE PLANTS	NATIVE %	ENDEMIC PLANTS	% ENDEMIC	EXOTIC PLANTS
113	107	94.7%	84	74.3%	6

EXISTING TREE SCHEDULE:

KEY	BOTANICAL NAME	COMMON NAME	SPREAD	H	DBH	STATUS
T1	<i>Jacaranda mimisofolia</i>	JACARANDA	12000	8000	300	RETAIN
T2	<i>Camellia japonica</i>	CAMELLIA	2000	2500	-	REMOVE
T3	<i>Camellia japonica</i>	CAMELLIA	2000	2500	-	REMOVE
T4	<i>Howea fosteriana</i>	KENTIA PALM	6000	3000	200	TRANSPLANT
T5	<i>Plumeria acutifolia</i>	FRANGIPANI	5000	4000	200	RETAIN
T6	<i>Camellia japonica</i>	CAMELLIA	4000	3000	-	REMOVE



1 TYPICAL SHRUB PLANTING DETAIL
Scale: 1:20



AMENDED PLANS



JUN 21 9am



JUN 21 10am



JUN 21 11am



JUN 21 12pm

SHADOW DIAGRAM NOTE

Indicative neighbouring property cadastre sourced from Mecone Mosaic

Background aerial image sourced from SIX Maps

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Waverley Council

Application No: DA-186/2026

Date Received: 04/08/2026

SHADOW LEGEND

- proposed shadow
- existing shadow
- shadows cast by parts of proposed structure over building height plane
- proposed shadow reduction area betterment for solar access gain
- outline of proposed shadows by the subject site
- outline of existing shadows by the subject site

DEVELOPMENT APPLICATION

Notes

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Notes Regarding "FOR CONSTRUCTION" Documents

FOR APPROVALS
NOT FOR CONSTRUCTION

Project Details

Project
Carrington House

Client Name
Ross & Nicola Widdows 81

Project Address
105 Carrington Road
Queens Park 2022



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Drawing Details

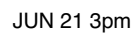
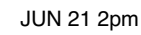
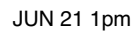
Scale 1:500 @ A3
Drawn OJ / YY

Date 31/7/2026
Architect MC / AH

Dwg Name

SHADOW PLANS JUNE 21
9AM TO 12PM

Dwg # Project Code Revision #
DA25 EVAN 8



Project Details

**FOR APPROVALS
NOT FOR CONSTRUCTION**

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Date	31/7/2026
Architect	MC / AH

Dwg Name
**SHADOW PLANS JUNE 21
1PM TO 3PM**

Dwg #	Project Code	Revision #
DA26	EVAN	8

Date Received: 04/08/2026

DEVELOPMENT APPLICATION



JUN 21 9am



JUN 21 10am

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Waverley Council

Application No: DA-186/2026

Date Received: 04/08/2026

- SHADOW LEGEND
- proposed shadow
 - existing shadow
 - shadows cast by parts of proposed structure over building height plane

Notes

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Notes Regarding "FOR CONSTRUCTION" Documents

Project Details

Project Carrington House
Project Address 105 Carrington Road
Queens Park 2022
Client Name Ross & Nicola Widdows 83

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Drawing Details

Scale NTS @ A3
Drawn OJ / YY
Date 31/7/2026
Architect MC / AH

DEVELOPMENT
APPLICATION

Dwg Name
AXONOMETRIC SHADOW
JUNE 21 9AM TO 10AM
Dwg # DA27
Project Code EVAN
Revision # 8



JUN 21 11am



JUN 21 12pm

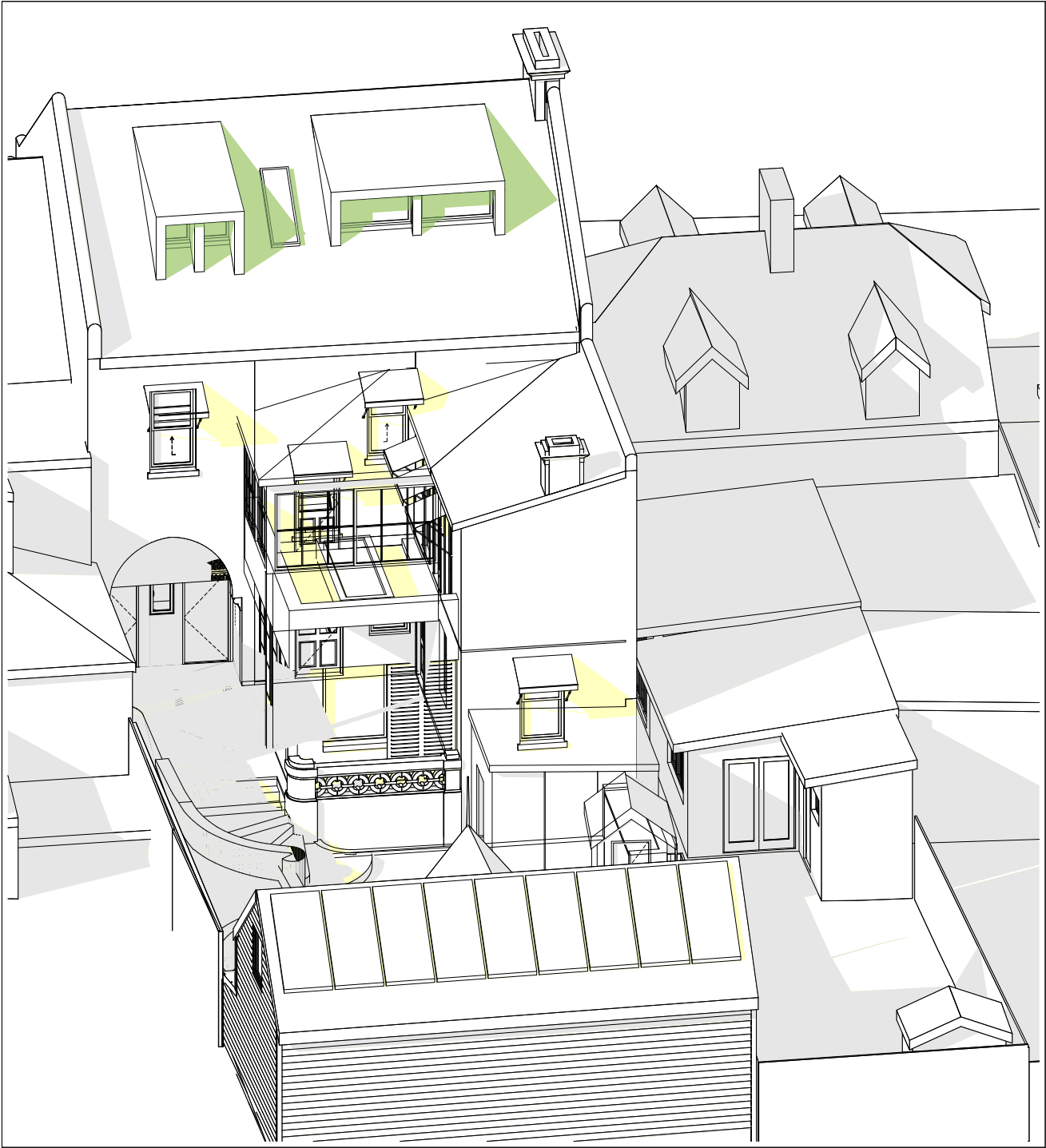
RECEIVED
Waverley Council

Application No: DA-186/2026

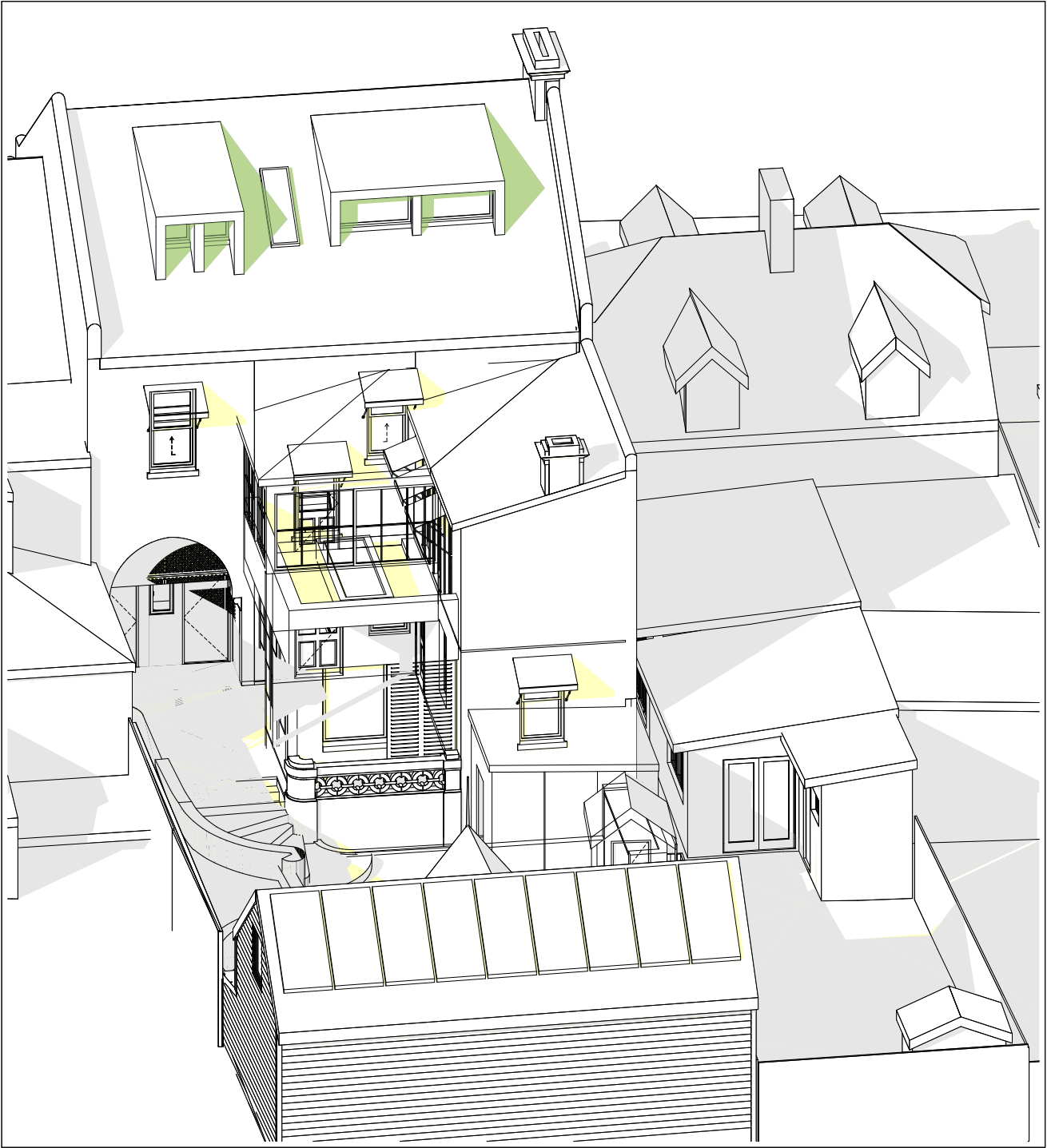
Date Received: 04/08/2026

SHADOW LEGEND

- proposed shadow
- existing shadow
- shadows cast by parts of proposed structure over building height plane



JUN 21 1pm



JUN 21 2pm

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Waverley Council

Application No: DA-186/2026

Date Received: 04/08/2026

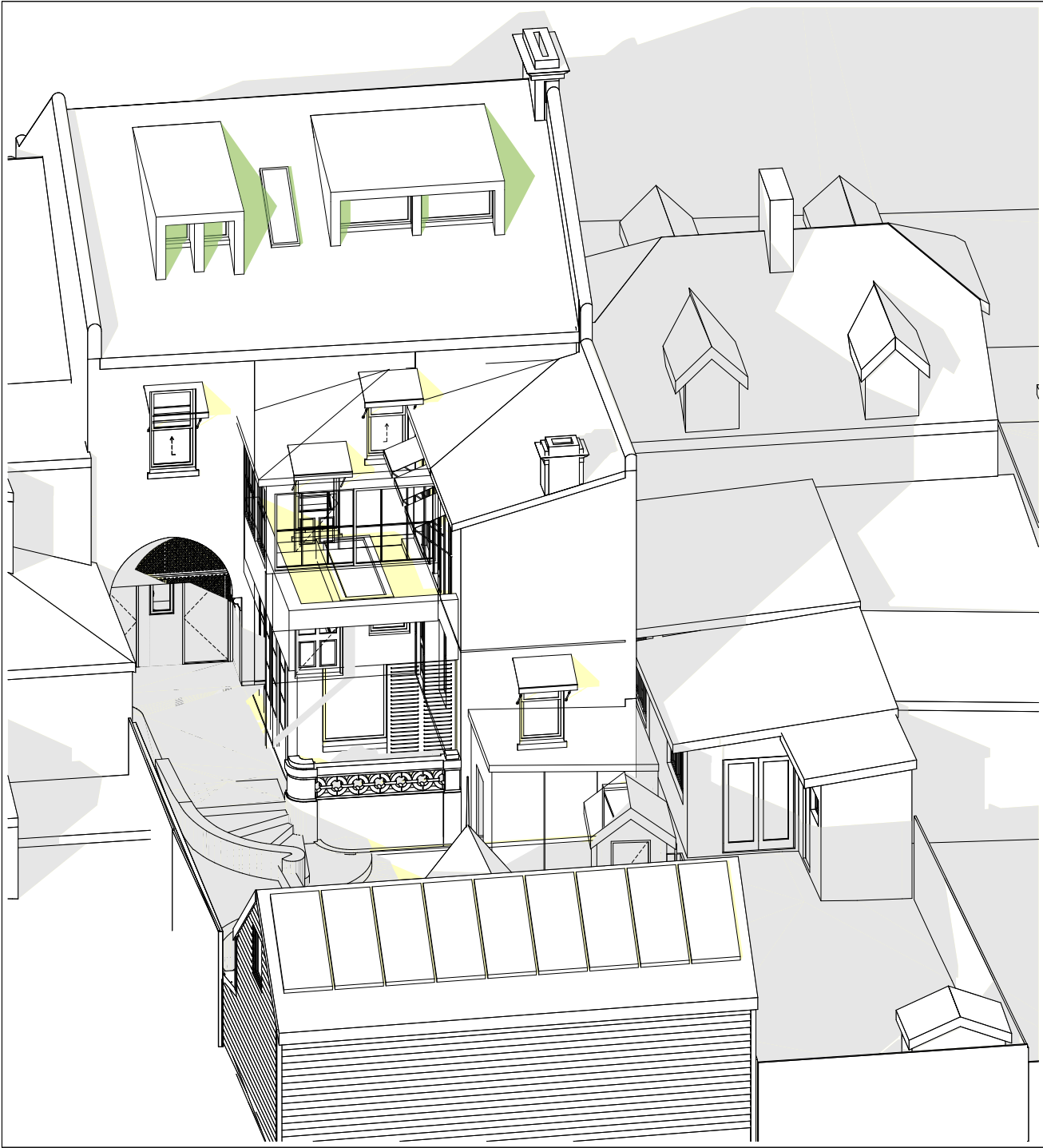
- SHADOW LEGEND
- proposed shadow
 - existing shadow
 - shadows cast by parts of proposed structure over building height plane

AMENDED PLANS

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Waverley Council

Application No: DA-186/2026

Date Received: 04/08/2026



JUN 21 3pm

SHADOW LEGEND

- proposed shadow
- existing shadow
- shadows cast by parts of proposed structure over building height plane

Notes

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Notes Regarding "FOR CONSTRUCTION" Documents

FOR APPROVALS
NOT FOR CONSTRUCTION

Project Details

Project Carrington House
Project Address 105 Carrington Road
Queens Park 2022
Client Name Ross & Nicola Widdows 86

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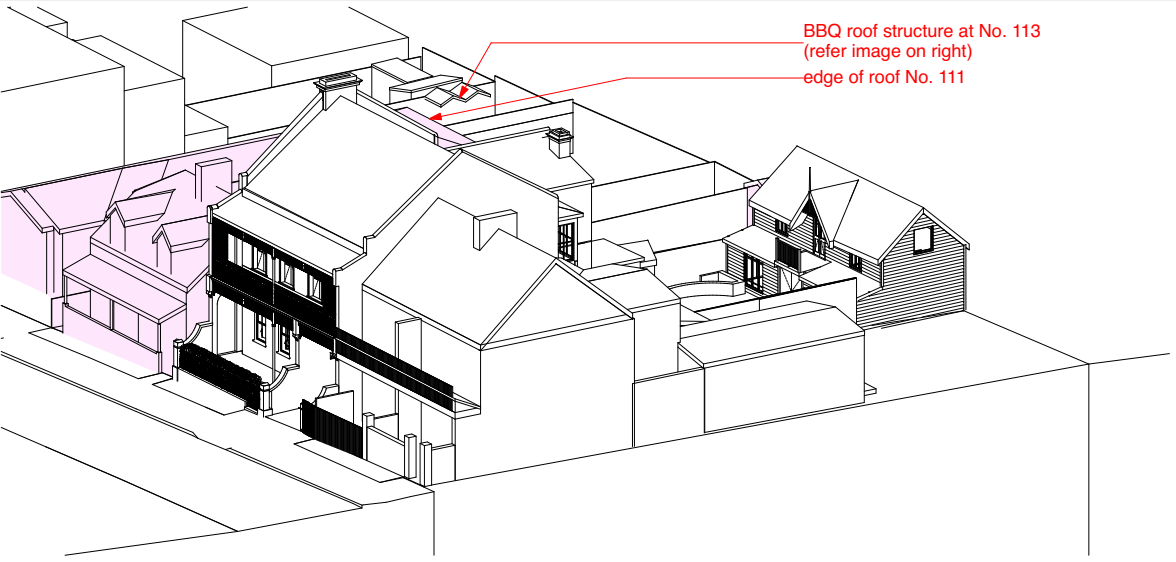
(02) 9121 6239
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hello@michiruhigginbotham.com.au

Drawing Details

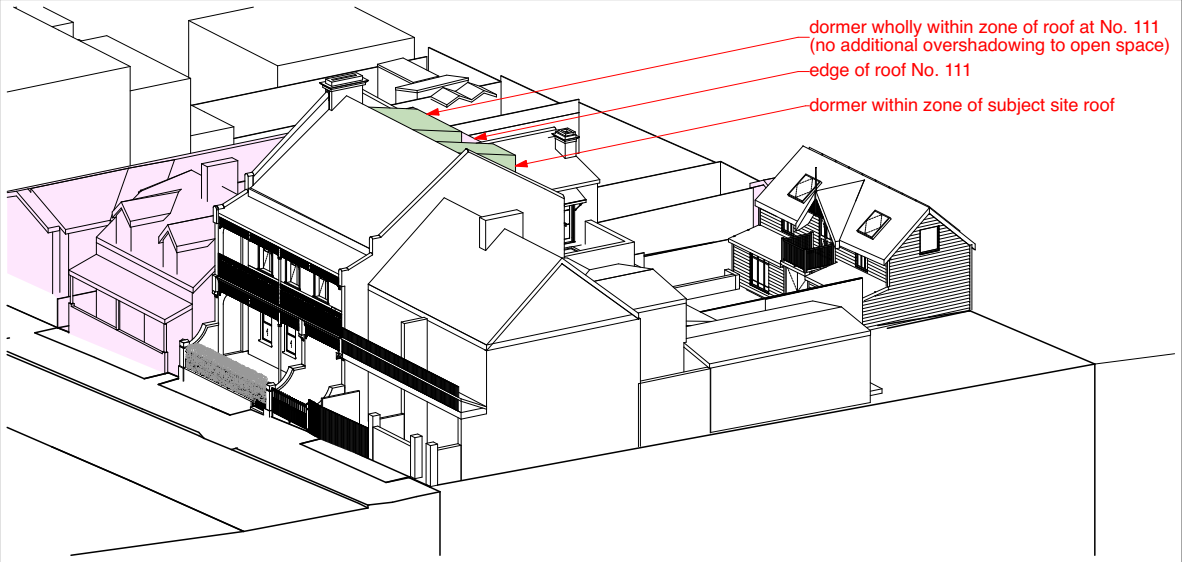
Scale NTS @ A3
Drawn OJ / YY
Date 31/7/2026
Architect MC / AH

DEVELOPMENT
APPLICATION

Dwg Name
AXONOMETRIC SHADOW
JUNE 21 3PM
Dwg # Project Code Revision #
DA30 EVAN 8



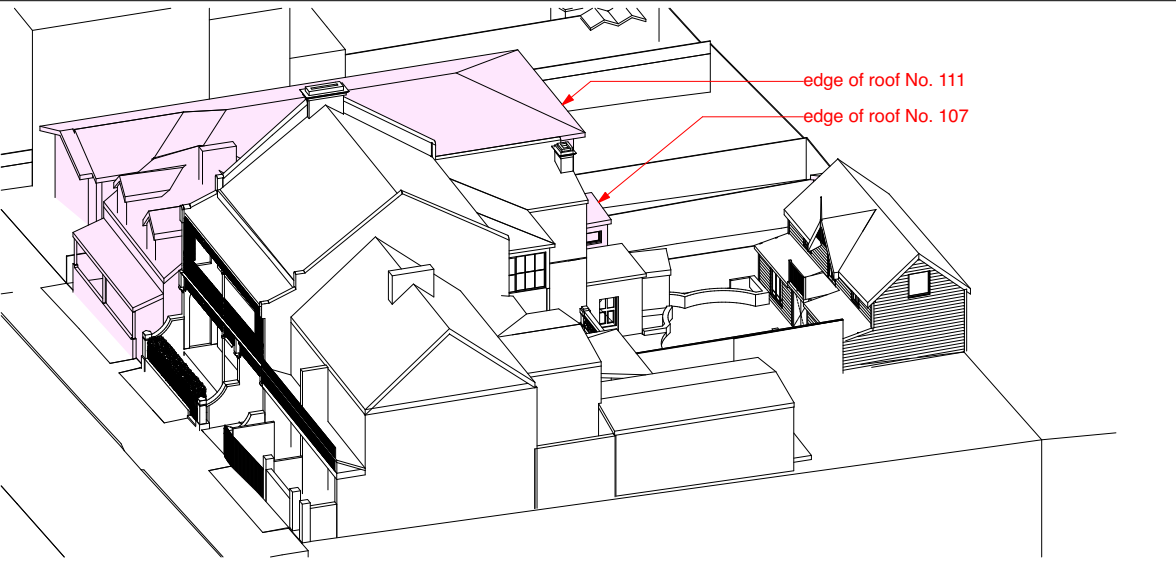
Existing JUN 21 9am



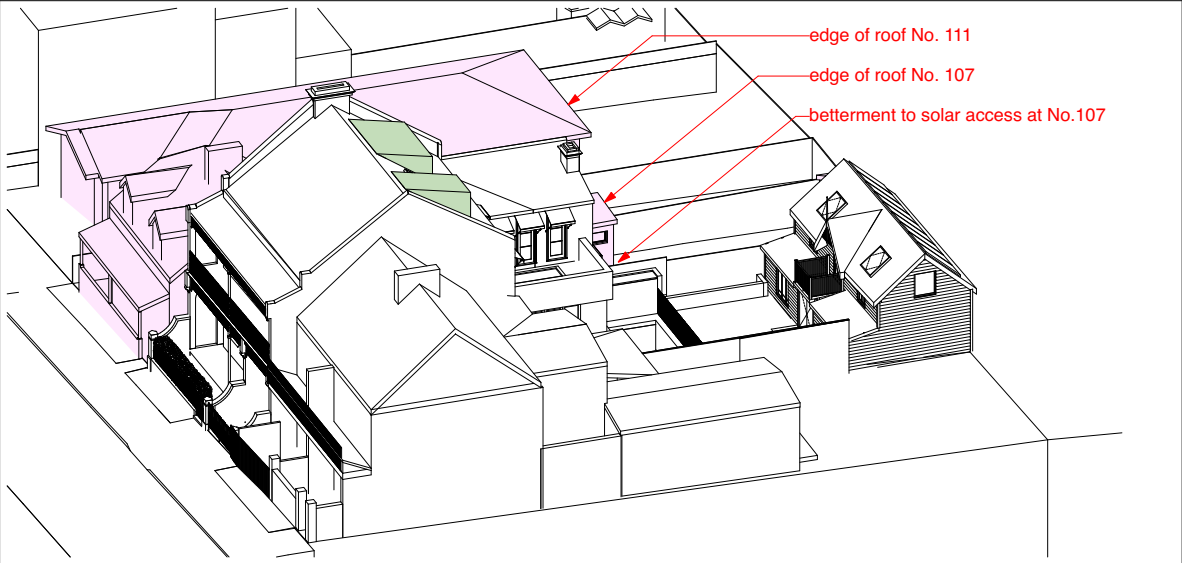
Proposed JUN 21 9am



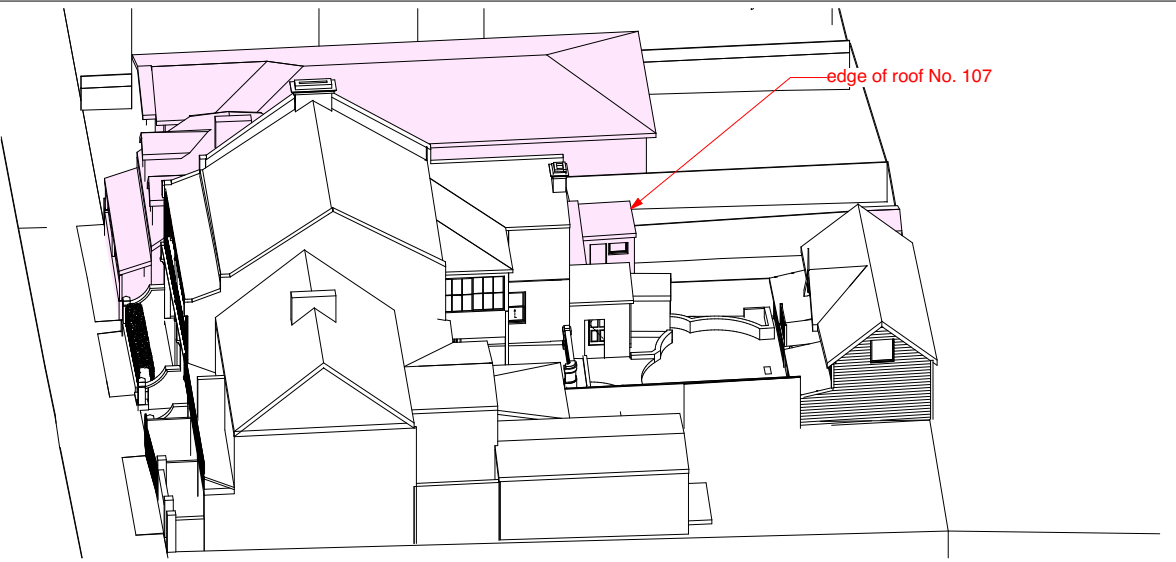
REAR OPEN SPACE AT No. 113 SHOWING BBQ PITCH ROOF STRUCTURE + GARDEN TERRACE
source: domain.com.au



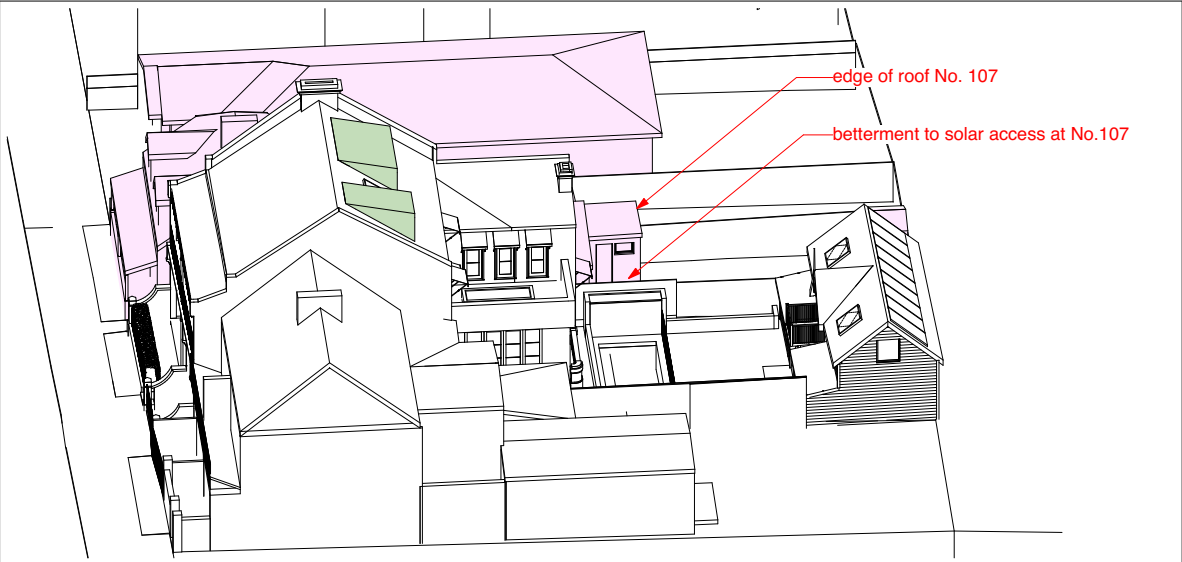
Existing JUN 21 10am



Proposed JUN 21 10am



Existing JUN 21 11am



Proposed JUN 21 11am

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Waverley Council

Application No: DA-186/2026

Date Received: 04/08/2026

SHADOW LEGEND

extends of proposed dormers

indicative extents of No.107, No.109 & No. 111

Notes

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FOR APPROVALS
NOT FOR CONSTRUCTION

Notes Regarding "FOR CONSTRUCTION" Documents

Project Details

Project

Carrington House

Client Name

Ross & Nicola Widdows

Project Address

105 Carrington Road
Queens Park 2022

87

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Drawing Details

Scale

Drawn

Date

Architect

NTS

OJ / YY

31/7/2026

MC / AH

DEVELOPMENT APPLICATION

Dwg Name

SUN EYE VIEWS JUNE 21 9AM TO 11AM

Dwg #

DA32

Project Code

EVAN

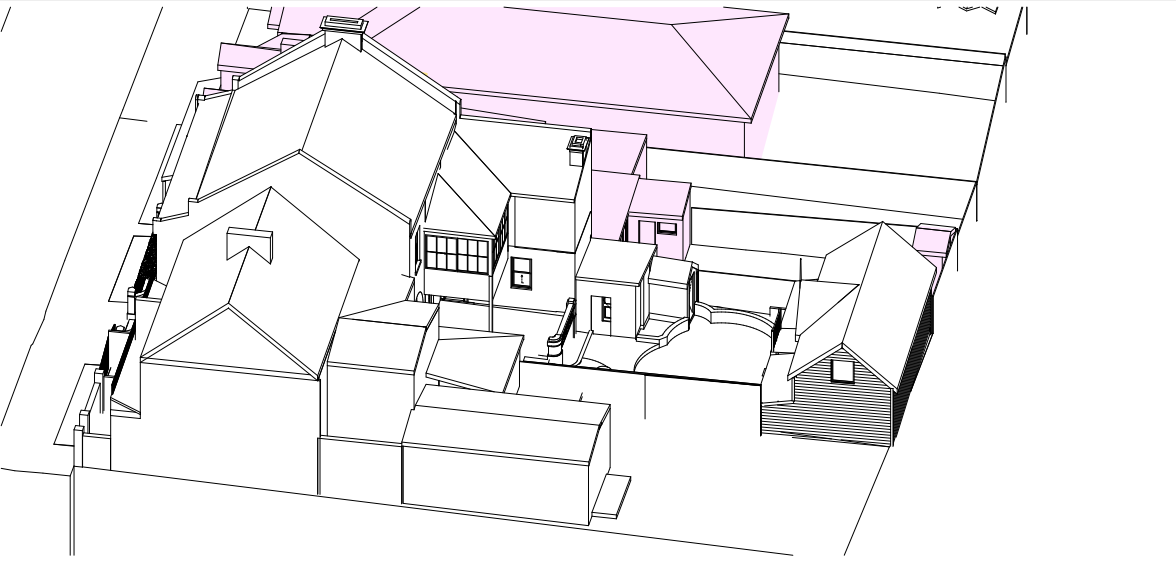
Revision #

8

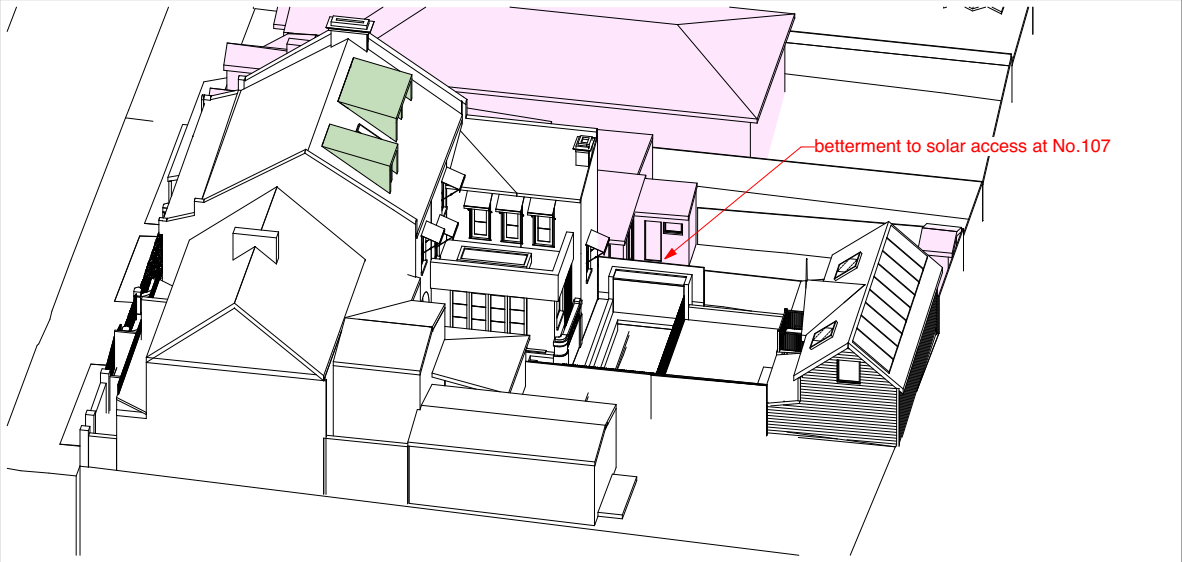
RECEIVED
Waverley Council

Application No: DA-186/2026

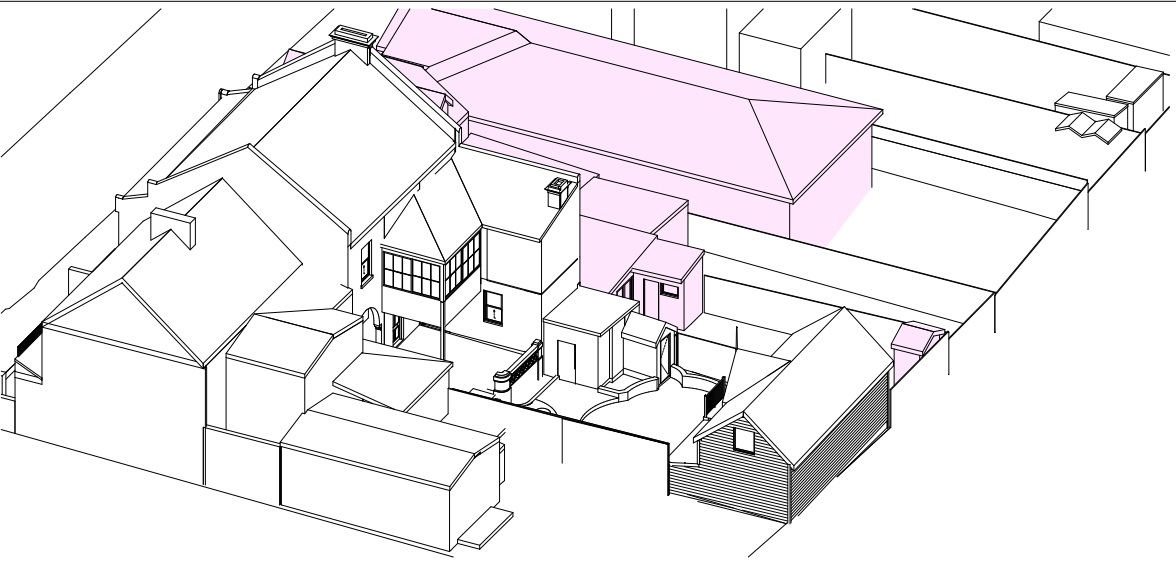
Date Received: 04/08/2026



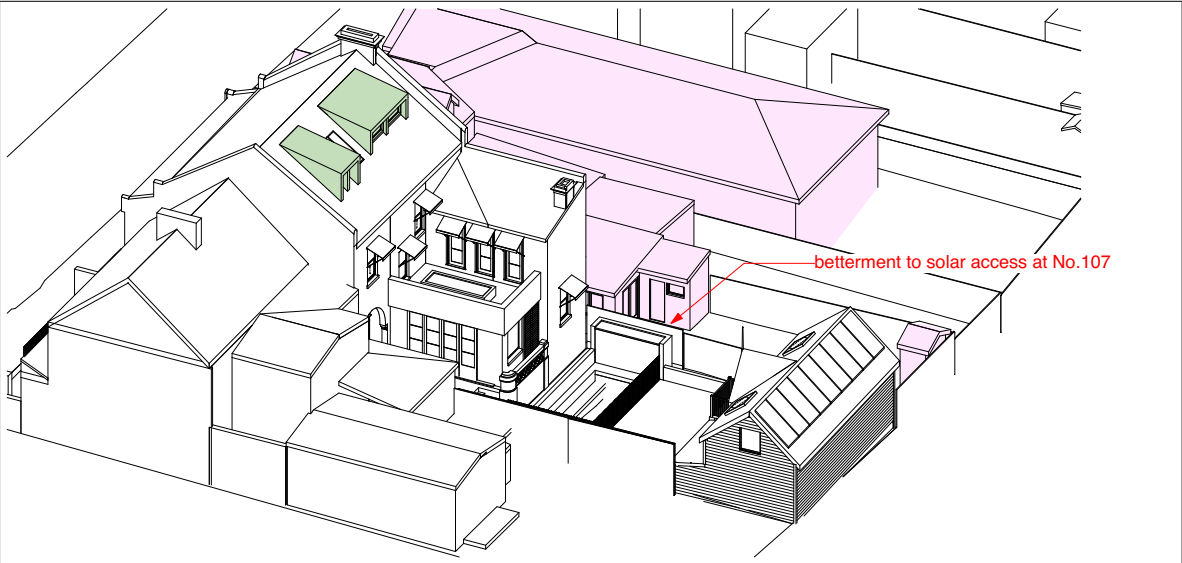
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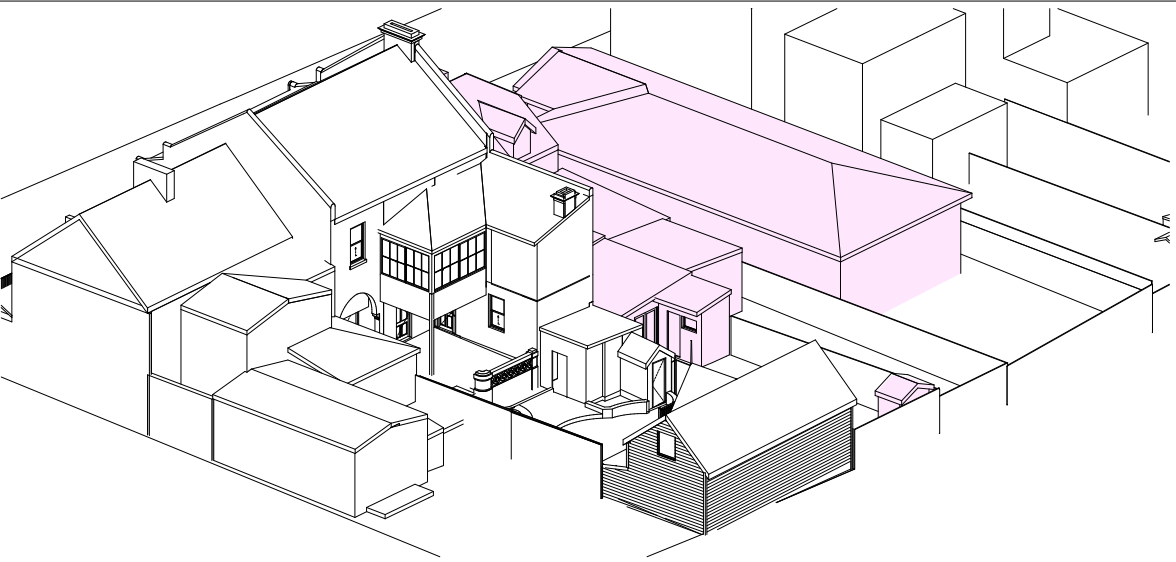
Proposed JUN 21 12pm



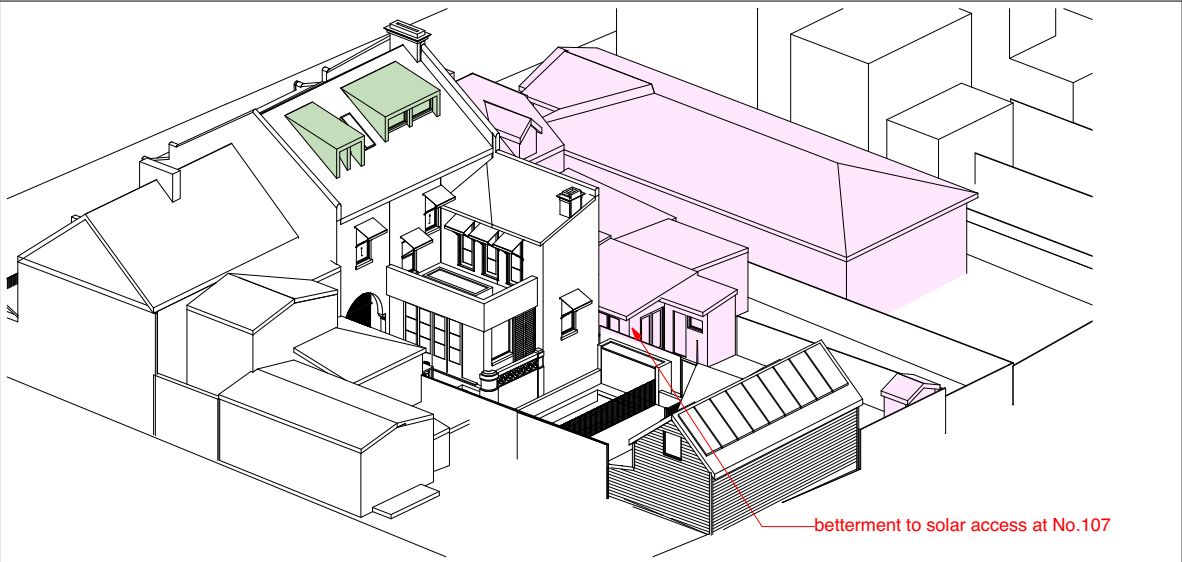
Existing JUN 21 1pm



Proposed JUN 21 1pm



Existing JUN 21 2pm



Proposed JUN 21 2pm

SHADOW LEGEND

- extents of proposed dormers
- indicative extents of No.107, No.109 & No. 111

Notes

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FOR APPROVALS
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Notes Regarding "FOR CONSTRUCTION" Documents

Project Details

Project Carrington House
Client Name Ross & Nicola Widdows 88
Project Address 105 Carrington Road
Queens Park 2022

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Drawing Details

Scale NTS @ A3
Drawn OJ / YY
Date 31/7/2026
Architect MC / AH

DEVELOPMENT
APPLICATION

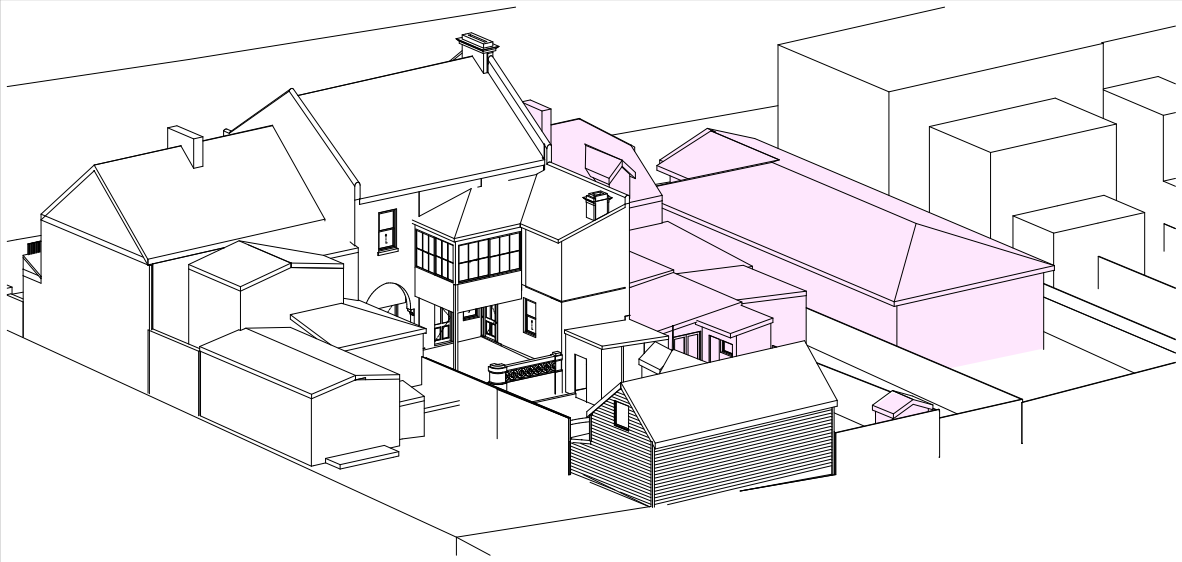
Dwg Name
SUN EYE VIEWS JUNE 21
12PM TO 2PM
Dwg # DA33
Project Code EVAN
Revision # 8

AMENDED PLANS

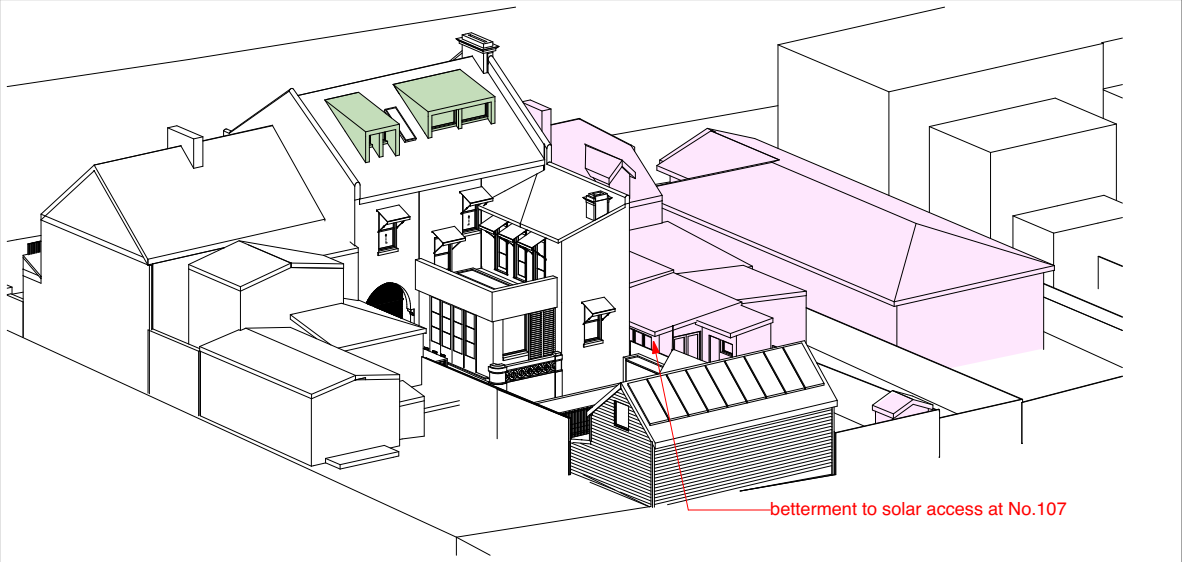
RECEIVED
Waverley Council

Application No: DA-186/2026

Date Received: 04/08/2026



Existing JUN 21 3pm



Proposed JUN 21 3pm

SHADOW LEGEND

- extents of proposed dormers
- indicative extents of No.107, No.109 & No. 111

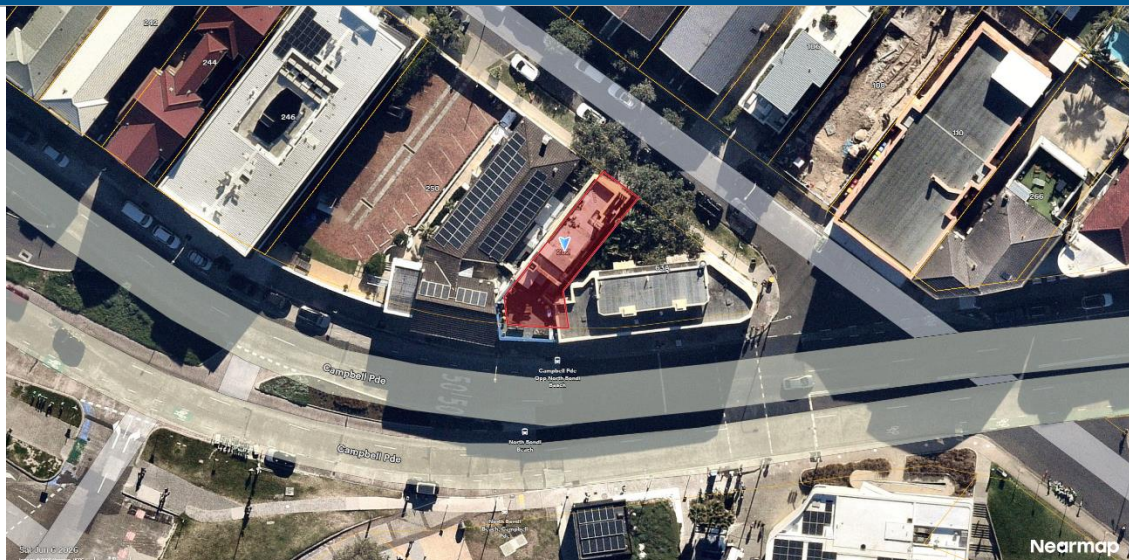


Modification of Consent

Report to the Waverley Local Planning Panel

Overview	
Application number	DA-553/2011/D (PAN-615370)
Site address	252 Campbell Parade BONDJ BEACH
Description of Development	Section 4.55(2) modifications including reconfiguration of the internal layout to provide an additional dwelling; alterations at the roof level; and addition of a double car stacker.
Date of Original Determination	23 October 2012
Date of lodgement	10 March 2026
Owner	Domain Motors P/L
Applicant	Common Office P/L
Submissions	Three submissions
Cost of works	\$3,109,340
Principal Issues	- Floor Space Ratio (FSR) - Height
Recommendation	That the application be APPROVED in accordance with the modified and new conditions contained in the report.

Site Map



1. PREAMBLE

1.1. Executive Summary

The modification application seeks to modify development consent DA-553/2011 for demolition of the existing building and construction of a mixed use building at 252 Campbell Parade, Bondi Beach. In summary, the proposed modifications are reconfiguration of the internal layout to provide an additional dwelling; alterations at the roof level; and addition of a double car stacker.

The principal issues arising from the assessment of the application is the increase in the exceedance of the FSR and height development standards. The assessment finds these issues acceptable as the proposed modifications are contained below the existing roof with only a minor awning extension to the approved roof structure. The built form and envelope of the approved development is generally maintained. Additional overshadowing impacts and view impacts are negligible given the extensions are contained within the approved roof.

A total number of three submissions from residents and no submissions from Councillors were received. The issues raised in the submissions have been considered and addressed in this report and in the Recommendation.

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 4.55 (2) of 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 on 15 June 2026.

The site is identified as Lot 6 DP 14120, known as 252 Campbell Parade, Bondi Beach. It is located on the northern side of Campbell Parade opposite Bondi Park and North Bondi Beach. The site also has frontage to Ramsgate Avenue at the rear of the site.

The site currently contains a part three, part four storey building with the fourth storey being limited in size and predominantly for access to a rooftop terrace with a small kitchen and utility area. The existing building on the site is a mixed-use development containing a ground floor restaurant and backpacker/private hotel accommodation above.

The immediately surrounding area is generally comprised of a mix of architectural styles and building types, with the Campbell Parade frontages consisting mainly of three and four storey inter-war residential flat buildings built up to the street boundary with nil side setbacks to provide a continuous street wall along Campbell Parade.

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



Figure 1: Subject site viewed from Campbell Parade (source: Google Maps)



Figure 2: Subject site viewed from Ramsgate Avenue



Figure 3: Existing structure on the roof



Figure 4: Existing roof terrace

1.3. Details of the Original Consent

DA-553/2011: Demolition of the existing building and construction of a mixed use building including a cafe/restaurant and garage at the ground floor level and two dwellings above was approved by the former Development Control Committee (DCC) on 23 October 2013 (see discussion below regarding activation of this consent).

DA-553/2011/A: Modifications including changes to external walls and openings, internal layout, auto parking system and the enclosure of section of rooftop terrace which essentially sought approval for a fifth level on the building was refused by the Development and Building Unit (DBU) on 29 June 2015.

DA-553/2011/B: Modifications to the internal configuration of units 1 and 2 to amalgamate the two units into one dwelling was approved by DBU on 17 September 2019.

DA-553/2011/C: Modification of approved development including changes to front and rear façade; changes to balconies and window openings; internal reconfiguration; replacement of double car stacker with single car stacker; increased excavation; and new landscaping on the rooftop level was approved under delegated authority on 12 July 2021.

The following condition from the development consent has direct relevance to this modification application:

2. GENERAL MODIFICATIONS

The proposal shall be amended as follows:

- (a) All windows on the western elevation are to be translucent and fixed glazing to protect the privacy of adjoining properties.*
- (b) The roof terrace at the rear (on the Ramsgate Avenue side of the fifth level) is to be deleted from the proposal to limit privacy impacts upon the residential properties at the rear. In this regard, the roof over the roof terrace, balustrading and any proposed door openings within the rear elevation at upper floor level shall be deleted from the proposal to ensure that this area is not used for the purposes of a roof terrace.*
- (c) The roof over the front terrace (on the Campbell Parade side of the fifth level) shall extend no further to the Campbell Parade frontage than the exhaust vent.*
- (d) DELETED DA-553/2011/C*
- (e) The exterior colour palette of the proposed development be to the satisfaction of Council's Director, Planning & Environmental Services.*
- (f) The windows within the western side elevation to be provided with translucent fire rated fixed glazing.*
- (g) Deletion of the metal privacy screens at all levels to both the Campbell Parade and Ramsgate Avenue elevations;*
- (h) Deletion of the proposed metal entry gate at the ground level retail entry to the Campbell Parade frontage;*
- (i) To ameliorate against view impacts, balustrading/ screens to the third floor level terrace are limited in height to 1.2m above finished floor level at the point immediately below the screen.*
- (j) To ameliorate against view impacts, the proposed landscape planting to the planter boxes on the third floor level terrace are to have a maximum species growth height at maturity of 500mm only.*
- (k) A total of two (2) off street bicycle parking spaces are to be provided within the development, with one (1) space allocated to the ground floor retail/ commercial tenancy and one (1) space allocated to the proposed dwelling.*
- (l) Balcony encroachments shall be limited to a maximum of 300mm.*

The amendments shall be submitted for the approval of Council prior to the issue of a Construction Certificate under the Environmental Planning and Assessment Act 1979.

Activation of development consent DA-553/2011

Concerns were raised with the applicant in previous modification applications regarding the activation of development consent DA-553/2011, which was approved on 23 October 2013. The applicant provided documentation confirming that works had physically commenced on site prior to the lapsing of the development consent, thereby activating the consent. Council is satisfied that the development consent is activated enabling the assessment and determination of this subject modification application.

1.4. Proposal

The modification application has been submitted under section 4.55 (2) of the Environmental Planning and Assessment Act 1979 (the Act), and it seeks consent for the following modifications to the approved development:

- Revert the development back to two dwellings above a commercial premises instead of one dwelling, as per the original development approval.
- Deletion of the basement level and revert the approved single car lift back to a double car stacker consistent with the original development approval.
- Minor internal and external design refinements and fenestration changes.
- Inclusion of pedestrian access to the residential component from Campbell Parade and removal of the pedestrian entry from Ramsgate Avenue.
- Internal reconfiguration of the ground floor commercial premises.
- Internal reconfiguration of apartments.
- Enclosure of front balcony (Campbell Parade) at the first floor level.
- Enclosure of the rear balcony (Ramsgate Avenue) and expansion of the front balcony (Campbell Parade) at the second floor level.
- Enclosure of the rear balcony at third floor level (Ramsgate Avenue).
- Extension of the fourth floor level within the approved roof line and a minor awning extension of the enclosure on the roof.
- Modifications to private open space and landscaping at the roof level.
- Reconfiguration of the shape of the eastern side internal void.
- New windows and alteration of windows within the eastern side internal void.
- Deletion of condition 2 (General Modifications) as the proposed modified plans satisfy all criteria.

1.5. Background

Further information was requested on 25 August 2026 for the following reasons:

1. *The proposal must provide separate bin storage area for the residential and retail uses. There can be no mingling of residential and retail waste.*

2. *Specify where the bins (retail and residential) are to be collected from and provide a plan demonstrating this and the path of travel.*
3. *Provide details regarding the solar panels. If they are not flush with the roof, Council would require that they be retained on the lower roof on the northern side to ensure no view obstruction.*

The amended plans received on 28 August 2026 form the basis of the assessment.

2. ASSESSMENT

The following matters are to be considered in the assessment of this modification application under relevant sections of 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 three submissions from residents were received. The issues raised in the public submissions have been considered and addressed in this report.

The reasons given by the consent authority to give consent to the original development consent have also been considered in the assessment of this modification application.

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.

2.3.1. 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.

2.3.1.1. 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 (Biodiversity and Conservation) 2021
- SEPP (Resilience and Hazards) 2021

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

The approved development, as proposed to be modified, continues to comply with the relevant parts and sections of Waverley LEP 2012. Only the parts and sections of Waverley LEP 2012 that apply to the proposed modifications are outlined in **Table 1** and a detailed discussion is provided below the table where relevant.

Table 1: Waverley LEP 2012 Compliance Table

Provision	Compliance	Comment
Part 1 Preliminary		
1.2 Aims of plan	Yes	The modified proposal is consistent with the aims of the plan.
Part 2 Permitted or prohibited development		
Land Use • <i>R3 Medium Residential Zone</i>	No	The modification application does not change the use of the approved development, comprising <i>retail premises</i> at ground level and <i>residential accommodation</i> above under DA-553/2011. Retail premises are prohibited within the R3 zone. The application relies on the “existing use rights” provisions under Division 4.11 of the Act and Part 7 of the Environmental Planning and Assessment Regulation 2021 (the Regulations). The applicant satisfactorily demonstrated that existing use rights apply in their original application. The existing building at the site was approved and constructed prior to the WLEP prohibiting the existing <i>retail premises</i> use within the zone and as such is considered to be an “existing use” under Division 4.11 of the <i>Environmental Planning & Assessment Act 1979</i>.
Part 4 Principal development standards		
4.3 Height of buildings • <i>12.5m</i>	No	The proposal includes a minor extension at the roof level at a height above the 12.5m height development standard. The approved maximum building height of 14.35m represents a variation of 1.85m or

Provision	Compliance	Comment
		14.8%. The proposed extension at the fourth floor level has a maximum height of 14.38m from existing ground line. This is a 30mm increase from the approved variation, representing a departure of 1.88m (15.04%). This issue is discussed in detail following this table.
4.4 Floor space ratio (FSR) • Site Area – 167.4m² • Maximum permissible FSR – 0.9:1 • Maximum permissible Gross Floor Area (GFA) – 150.66m²	No	The approved FSR is 2.6:1 (GFA of 435.6m²). The proposed modification increases the GFA by 10.6m² and results in a maximum FSR of 2.7:1 with a GFA of 446.2m². This issue is discussed in detail following this table.
Part 5 Miscellaneous provisions		
5.10 Heritage conservation	Yes	The site is not heritage listed however it is located in the Bondi Beach Conservation Area (C2). The adjoining property at No. 250-258 Campbell Parade is the Rose Bay Surf Club which is a heritage listed building under the LEP. Council's Heritage Advisor reviewed the modifications and advised that the proposal is acceptable and will not impact negatively upon the significance of the conservation area.
5.21 Flood Planning	N/A	The original consent was approved before the flood planning controls came into effect for this site. This part of the LEP relates to the granting of 'development consent' which is the original consent. Approval granted under a modification application is not a 'development consent' and as such this section does not apply. Notwithstanding, advisory conditions regarding flooding have been added to the consent (Appendix A) as requested by Council's Infrastructure Engineers.

Provision	Compliance	Comment
Part 6 Additional local provisions		
6.2 Earthworks	Yes	The proposed modifications remove the basement parking approved under the previous modification and as such, excavation is reduced. Notwithstanding, all previous excavation conditions remain on the consent in relation to the remaining proposed excavation.
6.14 Waste minimisation and recycling	Yes	The modified proposal provides separate bin storage rooms of sufficient size for the residential and commercial uses and to satisfy the existing condition regarding the number of bins required. The modified proposal satisfies this part of the LEP.
6.15 Stormwater Management	Yes	The submitted stormwater plans have been reviewed by Council's Infrastructure Engineers and conditions have been recommended. These conditions are included in Appendix A. The proposal satisfactorily meets clauses (a) (b) and (c).

The following is a detailed discussion of issues raised in the above table:

Height of buildings development standard

The proposal includes a minor extension at the roof level at a height above the 12.5m maximum height of buildings development standard. The approved maximum building height of 14.35m represents a variation of 1.85m or 14.8%.

A portion of the proposed extension to the fourth floor level (namely the awning extending from the southern side of the rooftop structure) and terrace balustrading are above the 12.5m height plane. The proposed maximum RL of the works aligns with the approved maximum RL, however due to the underlying topography falling from north to south, the southernmost edge of the modified roof (ie, awning) over the fourth floor level is 14.38m from the existing ground line. This is a 30mm increase from the approved variation, representing a departure of 1.88m (15.04%).

The applicant has provided written justification for the non-compliance with the height development standard and has based the justification on the performance of the proposal against the objectives of the development standard.

The objectives for the height development standard in clause 4.3 are as follows:

- (a) to ensure building heights preserve the environmental amenity of neighbouring properties and public spaces,*
- (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,*
- (c) (Repealed)*
- (d) to establish building heights that are consistent with the desired future character of the locality.*

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

- The majority of the work above the height plane is within the envelope of the approval. The modified fourth floor level continues to orient the private open space and habitable space towards Campbell Parade and Bondi Beach, away from neighbouring properties. Accordingly, privacy for neighbours is preserved as per the approval.*
- The proposal maintains satisfactory, compliant solar access to existing buildings and public areas. The shadow diagrams prepared for the modification demonstrate that the majority of shadowing is a function of the approved building and any additional shadows are negligible in extent. Most of the additional shading is cast to the roadway, rather than public areas or neighbouring existing buildings*
- While four windows on the north elevation of the existing building at No. 262 Campbell Parade are affected by additional shading, this building is approved for demolition and its most recent consent for modification was granted on 23 July 2025. The replacement building adjoins the subject site with a 0m setback along the full length of the common boundary and does not include any windows on the side elevation*
- The amended roof line does not form part of the leading edge where views from neighbouring properties are obtained across. The proposal is largely within the envelope of the approved building and retains the approved maximum roof RL. On this basis, the proposal preserves approved views.*
- The proposal retains the approved maximum building height RL of the development, and the same number of storeys as the approval. On this basis, the height remains consistent with the desired future character of the locality, as per the approval.*

The proposed modifications maintain the approved RL of the development at RL22.15 as the additional height variation is due to the slope of the land. The proposed modifications include minor extensions to the north (rear) and south (front) contained within the approved roof area. In this regard, the proposed extensions are predominantly contained below the existing roof and there is no extension of the approved structures on the roof or the built form except for a small awning extension on the southern side of the roof structure. The modifications

essentially involve moving the glass line of the roof structure and given it is set back substantially from both frontages, will only be obscurely visible from the street and public domain. Additional overshadowing impacts and view impacts are negligible given the extensions are contained within the approved roof with only a minor extension contained on the southern side of the roof.

Accordingly, the proposed modifications are consistent with objectives (a) and (d). Objective (b) is not applicable to the site.

The approved development, as proposed to be modified, is consistent with the relevant objectives of the height development standard. Therefore, the net exceedance is deemed acceptable and is supported.

FSR development standard

The proposed modifications result in a net increase of gross floor area (GFA) of 10.6m², resulting in an overall FSR of 2.7:1. This culminates in an overall exceedance of the FSR development standard by 295.54m² or 196%. The net increase of FSR due to the proposed modifications represents 3.6% of the overall exceedance of the standard.

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

The objectives for the FSR development standard in clause 4.4 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 justification provided by the applicant to support the increased exceedance of the FSR development standard is summarised as follows:

- *The proposed modifications to GFA will not alter the approved number of storeys or building height. The additional GFA will not be visible when viewed from the public domain or neighbouring site because it will be located within the approved building envelope, setbacks and height. Therefore, the development as modified will continue to provide an appropriate correlation between maximum building heights and density controls.*

- *The bulk and scale of the development will be remained, as approved, when viewed from surrounding areas. This is because the additional GFA is located within the approved building envelope or otherwise is not visible from the public domain. All building facades will be well-articulated and will have the same boundary setbacks as the approval.*
- *Council has been satisfied that the building is compatible with the desired future character of the locality, in the former approvals of DA-553/2011 and subsequent modifications. This proposal continues to result in a development that is sympathetic in appearance to the street and will respond to the evolving and desired medium density contemporary character of the area. Accordingly, the modified building will remain compatible with the bulk and scale of the desired future character of the locality.*
- *Environmental amenity comprises a number of elements including privacy, solar access and views. The proposed modifications have been designed to preserve approved levels of environmental amenity for neighbouring properties and the locality. This has been achieved by carefully locating additional GFA within the approved building envelope, height and setbacks.*

The changes to the FSR are a result of infilling of various balconies and the extension at the roof level. The reallocation of internal spaces results in the additional GFA equating to only 10.6m² as reintroduced parking spaces within the building envelope (rather than a basement) reduce the included GFA. As detailed in the discussion regarding the height development standard, the proposed modifications include minor extensions to the north (rear) and south (front) generally contained within the approved roof area. In this regard, the proposed extensions are predominantly contained below the existing roof with only a minor awning extension to the approved roof structure. The built form and envelope of the approved development is generally maintained. The modifications essentially involve moving the glass line of the fourth floor structure and given it is set back substantially from both frontages, will be only obscurely visible from the street and public domain. Additional overshadowing impacts and view impacts are negligible given the extensions are contained within the approved roof.

The proposed extensions into the approved balconies are also contained within the approved envelope of the building and will not harm the streetscape or the amenity of surrounding properties.

The proposed modifications are therefore consistent with objectives (b), (c) and (d) of the FSR development standard. Objective (a) is not relevant to this site.

The approved development, as proposed to be modified, is consistent with the relevant objectives of the FSR development standard. Therefore, the net exceedance is deemed acceptable and is supported.

2.3.1.3. Waverley Development Control Plan 2022 (Waverley DCP 2022) (Amendment 6)

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 **Table 1, 3, 4 and 5** and detailed discussion provided below.

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

Development Control	Compliance	Comment
1. Waste <i>Garbage bins are to be stored in an appropriate location.</i>	Yes	The modified proposal provides separate bin storage rooms of sufficient size for the residential and commercial uses. The bins are to be collected from Campbell Parade.
2. Ecologically Sustainable Development <i>Ceiling or wall mounted fans in all main living areas and bedrooms (notated on DA and CC plans).</i> <i>Electric cooking and heating systems (notated on DA and CC plans).</i>	Yes	A BASIX Certificate has been provided with the modification application which indicates that the cooking and heating systems for the dwellings will be electric. The proposal is to be amended to include ceiling or wall mounted fans in all main living areas and bedrooms. A standard condition of consent is included to this effect.
3. Landscaping, Biodiversity and Vegetation Preservation	Yes	The site is located within a habitat corridor. The landscape plans must be amended to comply with the DCP requirement that 50% of plant species are to be indigenous or endemic in a habitat corridor. A condition to this effect is include in Appendix A.
5. Water Management	Yes	Satisfactory subject to conditions recommended by Council's Stormwater Engineers (included in Appendix A).
6. Accessibility and Adaptability	Yes	Satisfactory.
7. Transport 7.1 Streetscape 7.2 On-Site Parking 7.2.1 Vehicle Access 7.2.2 Parking Rates <i>Parking rate:</i> <i>Residential: 0-4</i> <i>Retail: 0-2</i>	Yes	The modified proposal provides two residential spaces per apartment which is consistent with the maximum provisions of the DCP. No retail spaces have been provided however given the DCP has a minimum requirement of nil spaces, this is acceptable and compliant. The vehicular access continues to be from Ramsgate Avenue, as approved, which is consistent with the DCP which does not allow vehicular access from Campbell Parade.

Development Control	Compliance	Comment
		Concerns have been raised by Council's Traffic Engineers regarding the width of the driveway crossing on Ramsgate Avenue and a condition to this effect is included in Appendix A. Refer to section 3 of this report on referral commentary in relation to this matter.
8. Heritage	Yes	Satisfactory. There is no impact on the significance of heritage items or conservation areas.
11. Design Excellence	Yes	The proposal satisfactorily complies with the relevant design excellence controls.
13. Excavation	Yes	Satisfactory.
15. Public Domain	Yes	The proposal includes balconies that encroach over the public domain at the front of the site (Campbell Parade). These were approved in the previous modification consent and remain as part of this proposal. As discussed later in this report, condition 2(l) limits the encroachment to no more than 300mm in compliance with the DCP controls. The proposal complies with this condition.

Table 3: Waverley DCP 2022 – Part C2 Other Residential Development Compliance Table

Development Control	Compliance	Comment
2.3 Setbacks		
2.3.1 Street setbacks Consistent street setback 2.3.2 Side and rear setbacks	N/A	No change
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 external appearance of the modified proposal remains similar to the previous approval under DA-553/2011/C. The design of the building was altered to modernise the design since the original approval in 2012, including altered materials and finishes which are largely repeated in the current modification application. The building continues to provide an acceptable streetscape appearance on

Development Control	Compliance	Comment
		both frontages and is not contrary to the conservation area.
2.8 Pedestrian access and entry		
• <i>Entry at street level and respond to pattern within the street</i> • <i>Accessible entry</i> • <i>Separate to vehicular entry</i> • <i>Legible, safe, well-lit</i>	Yes	The modifications relocate the residential entry from Ramsgate Avenue to Campbell Parade. The entry is separate to the vehicular entry from Ramsgate Avenue, and is accessible, legible and safe.
2.9 Landscaping		
• <i>Comply with part B3-Landscaping and Biodiversity</i> • <i>Minimum of 30% of site area landscaped</i> • <i>50% of the above is to be deep soil</i>	No	There is no deep soil on site as per the original approval. The landscaping is limited to the roof terrace planters. The modifications increase the landscaping on the roof terrace by increasing the extent of the planters.
2.11 Private Open Space		
2.11.2 – Balconies/decks • <i>Balcony additions to match the character of the building</i> • <i>Should not dominate the façade</i> • <i>Located to maximise solar access and privacy</i> • <i>Balustrades to allow views and casual surveillance of the street & privacy</i>	Yes	Each dwelling provides a principal balcony accessed via the living room. These balconies were approved as part of the original consent and previous modification application, do not result in significant amenity impacts on neighbours and match the character of the building. See section 2.13 below for discussion regarding solar access.
2.12 Vehicular access and parking		
• <i>Car parking to be integrated into the design of the development</i> • <i>Max 1 x 2 way vehicle access point</i> • <i>Provided from secondary street or lane</i> • <i>Pedestrian safety considered</i>	Yes	The parking spaces continue to be accessed from Ramsgate Avenue at the rear which is the preferred location. A condition regarding the width of the driveway crossing is provided in Appendix A. Refer to Traffic comments in Section 3.1 of this report for further details. Pedestrian access is from Campbell Parade which is separate to the vehicular access from Ramsgate Avenue at the rear.
2.13 Solar access and overshadowing		

Development Control	Compliance	Comment
Minimum of 3 hours of sunlight to living rooms and balconies of a minimum of 70% of units in the development on 21 June	No	The principal balconies and living areas are located at the front of the site overlooking Campbell Parade. These balconies were approved as part of the original consent and previous modification application. One of the apartments will receive sufficient solar access to the private open space given the rooftop terrace associated with that apartment, however the other apartment does not receive solar access to the balcony or living room. This was considered acceptable in the original application as the balconies and living rooms, being located on the southern side of the building, take advantage of views of Bondi Beach and the ocean.
- 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 hours of sunlight on 21 June	Yes	The overshadowing impacts of the proposal will only marginally increase as a result of the modifications given that the envelope of the approved building is being predominantly maintained. The minor awning extension at the roof level results in additional overshadowing which is predominantly contained to Campbell Parade in front of the site. There will also be minor additional overshadowing to some windows on the rear elevation of the adjoining building at 262 Campbell Parade. This building has approval for demolition and construction of shop top housing which would be unaffected by the proposed modifications. Although this has not yet been constructed it is an active consent which extends for the full width and breadth of the site. As such the additional overshadowing impact is considered reasonable.
2.14 Views and view sharing		
- Minimise view loss through design - Landscaping on sites adjacent to a Council Park or reserve should be	Yes	The proposed modifications do not increase the maximum RL of the approved development with the additions being contained predominantly within the approved building envelope as discussed

Development Control	Compliance	Comment
<i>sympathetic to soften the public/private interface</i> <i>Views from public spaces to be maintained</i>		previously in this report. As such, the proposal is unlikely to have further impacts upon surrounding views over the site. The modification application relocated the approved solar panels from the rear roof of the main building to the roof over the upper level sunroom. The applicant has provided additional information demonstrating that the solar panels will be flush with the roof to ensure that there is no obstruction of views from surrounding properties.
2.15 Visual privacy and security		
<i>Privacy be considered in relation to context density, separation use and design</i> <i>Prevent overlooking of more than 50% of private open space of lower-level dwellings in same development</i> <i>Roof tops a may be used to meet communal open space requirements</i>	Yes	The proposed modifications will not impact upon the amenity of the adjoining premises with respect to visual privacy and security. The previously approved glass bricks on the side elevations have been removed as part of these modifications. Conditions 2(a) and (f) relate to the windows on the side boundaries. Given these are to be deleted in this modification, these conditions can also be deleted from the consent as shown in Appendix A. The changes to windows within the internal void are reasonable, and given that the adjoining property at No. 262 Campbell Parade has recently been granted approval to infill a similar lightwell at the approved development for this site, there will be limited privacy impacts.
2.16 Dwelling size and layout		
<i>Max habitable room depth for single aspect dwelling is 8m from a window</i> <i>Width of dwelling over 15m deep is min 4m</i> <i>All habitable rooms to have a window</i> <i>Provide a range of dwelling types and sizes</i> <i>Min sizes:</i> <i>Studio = 35m²</i> <i>1 bedroom = 50m²</i>	Yes	- No room has a depth greater than 8m from a window. - The dwellings are 5.4m wide. - All habitable rooms have a window. - The proposal provides 1 x 3-bedroom and 1 x 4-bedroom apartments. - Dwelling 1 has an internal floor space of approximately 150m².

Development Control	Compliance	Comment
○ 2 bedroom = 80m² ○ 3 bedroom = 100m² • Accessible and Adaptable		• Dwelling 2 has an internal floor space of approximately 195m². • Both dwellings are accessible and adaptable.
2.18 Storage		
• In addition to kitchen cupboards and bedroom wardrobes, min storage required is: ○ Studio and 1 bed = 6m³ ○ 2 bed = 8m³ ○ 3 or more bed = 10m³ • All to provide bulk storage area in basement or ancillary structure	Yes	Each apartment is provided with sufficient areas of internal storage as well as storage areas within the common lobby.
2.19 Acoustic privacy		
• Internal amenity by locating noisy areas away from quiet areas	Yes	The proposed modifications will not impact upon the amenity of the adjoining premises with respect to acoustic privacy.
2.20 Natural Ventilation		
• All dwellings to be naturally cross-ventilated • Building to be orientated to maximise breezes • Ceiling fans are to be provided in all habitable rooms	Yes	The apartments are naturally cross-ventilated. A condition requiring ceiling fans in all habitable rooms is included in Appendix A.
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) • Outdoor Communal clothes drying area to be provided • Plant rooms away from entry communal and	Yes	The building services are integrated into the design of the building. It is noted that the internal ventilation shaft from the shop to the roof is proposed to be deleted by the modification application. The deletion is not supported as the shaft is required to ensure future alterations for the use of the shop as a food premises does not result in ventilation shafts in unsuitable locations. As such, a condition requiring the retention of the shaft is included in Appendix A. Solar panels are contained to the roof. Communal outdoor clothes drying areas were not part of the original consent

Development Control	Compliance	Comment
<i>private open spaces and bedrooms.</i> <i>Services on roof not to be seen from street or impact public or private views and be min 2m from the building edge.</i> <i>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.</i>		however there are sufficient balconies and outdoor spaces for the external drying of clothes. The solar panels are proposed to be relocated from the rear roof over the main building to the roof over the upper level sunroom. As previously discussed, this is acceptable given they are flush with the roof and therefore unlikely to impact upon views from surrounding properties.

Table 4: Waverley DCP 2022 – Part D1 Commercial and Retail Development Compliance Table

Development Control	Compliance	Comment
1.1 Other Policies, Strategies and Standards		
1.2 Design		
1.2.1 Frontages	Yes	The previously approved building contained a recessed entry to the shop with a metal gate at the boundary. Condition 2(h) requires the deletion of the gate. The modified proposal provides the front entry to the shop aligning with the front boundary which satisfies the condition and responds appropriately to the public domain.
1.2.2 Awnings	Yes	The awning is appropriate to the shopfront, providing a continuous awning along Campbell Parade.
1.2.3 General Amenity	Yes	The modifications incorporate plant rooms and associated services into the building envelope. An internal ventilation shaft has been conditioned to accommodate future uses of the shop.

Development Control	Compliance	Comment
1.2.4 Noise	Yes	Satisfactory as existing conditions are retained on the consent.

Table 5: Waverley DCP 2022 –E2 Bondi Beachfront Area Compliance Table

Provision	Compliance	Comment
2.1 General Controls		
2.1.1 Public Domain Interface <i>All development to which this Part applies is to provide active street frontages.</i> <i>Commercial and residential entries must be separated.</i> <i>Access to residential dwellings above ground level should not occupy more than 20% of the principal street frontage.</i> <i>Vehicular entries are not permitted along Campbell Parade and primary commercial street frontages.</i>	Yes	The proposed shopfront alterations respond appropriately to the public domain. The commercial and residential entries are separated and clearly defined. The residential entry is 19% of the Campbell Parade frontage. The vehicular entry remains from Ramsgate Avenue as approved.
2.1.2 Building Use	Yes	There is no change to the approved building uses which remain as retail at ground level with residential uses above.
2.1.3 Built Form <i>Buildings along Campbell Parade must be built to the street alignment and predominant surrounding street wall height.</i>	Yes	The built form of the approved building remains largely unchanged. The proposed modifications are contained within the approved envelope of the building.
2.1.5 Views	Yes	Refer to previous comments within this report.
2.1.6 Heritage conservation	Yes	Refer to previous comments within this report.
2.1.7 Infill Buildings	Yes	The building remains largely as approved with only minor changes to the external

Provision	Compliance	Comment
		facades of the building. The proposed building will continue to contribute to both streetscapes and respect the conservation area.
2.2 Character Areas		
2.2.4 Campbell Parade North (Area D)	Yes	The proposal is consistent with the desired future character controls within this part of the DCP. The proposal maintains the retail use at ground level fronting Campbell Parade despite the R3 zoning of the site. The proposed modifications maintain the four-storey scale from the street with the fifth storey continuing to be set well back from both frontages so as to appear recessive within the streetscape. The proposal maintains the nil side boundary setbacks and street edge design. The materials and finishes are considered appropriate continuing to be predominantly masonry with parapets as per the previous approval under DA-553/2011/C. The modification seeks to slightly alter the materials to the front façade from tiles to brickwork to the balcony balustrading; darker gunmetal balustrade top rails to brass finish; and a light coloured render similar to surrounding properties. Council's Heritage Advisor has confirmed that the materials and finishes are acceptable in terms of the conservation area.

Table 6: Waverley DCP 2022 – Part E4 – Special Character Areas

Development Control	Compliance	Comment
4.2 North Bondi		
Desired Future Character Objectives <i>Maintain streetscape rhythm in building frontages</i> <i>Improve amenity on site and adjoining sites</i>	Yes	The proposal retains the building envelope with no significant changes to the external appearance of the building. The building will continue to align with adjoining buildings and maintain the streetscape rhythm of frontages on both Campbell Parade and Ramsgate Avenue.

Minor alterations in the roof space		
Controls - The proportion of openings along street facades is to be maintained when retrofitting with balconies. - The established patterns of materiality and colour where there are existing rows of consistency along a street are to be maintained. - Roof-top terraces are discouraged due to the greater potential impacts in higher density areas.	Yes	The controls within this part of the DCP are not relevant to this site which has existing use rights for retail premises at ground floor. The controls within the Campbell Parade North Character Area discussed in the previous table are more relevant to the buildings fronting Campbell Parade. The modifications to the Ramsgate Avenue frontage maintain the proportion of openings along this street. The approved roof terrace remains on the southern side of the building overlooking Campbell Parade.

The following is a detailed discussion of additional issues.

Requested deletion of condition No. 2

The modification application seeks the deletion of condition No. 2 which relates to modified plans as the modification application addresses the criteria. An assessment/comment in relation to each criteria is provided below:

- (a) *All windows on the western elevation are to be translucent and fixed glazing to protect the privacy of adjoining properties.*

Comment: The side boundary windows have been removed in this modification and as such this condition can be deleted.

- (b) *The roof terrace at the rear (on the Ramsgate Avenue side of the fifth level) is to be deleted from the proposal to limit privacy impacts upon the residential properties at the rear. In this regard, the roof over the roof terrace, balustrading and any proposed door openings within the rear elevation at upper floor level shall be deleted from the proposal to ensure that this area is not used for the purposes of a roof terrace.*

Comment: The rear roof terrace has been deleted including balustrading and door openings. As such this condition can be deleted.

- (c) *The roof over the front terrace (on the Campbell Parade side of the fifth level) shall extend no further to the Campbell Parade frontage than the exhaust vent.*

Comment: This condition was imposed in the original application. Although the riser is not shown on the submitted plans, comparison with the survey indicates that the approved roof

(under the previous modification) is consistent with this condition. As such, this condition can be deleted.

(d) *DELETED DA-553/2011/C*

(e) *The exterior colour palette of the proposed development be to the satisfaction of Council's Director, Planning & Environmental Services.*

Comment: Discussions with Council's Heritage Architect confirm that the colours, materials and finishes are satisfactory and this condition can be deleted.

(f) *The windows within the western side elevation to be provided with translucent fire rated fixed glazing.*

Comment: The side boundary windows have been removed in this modification and as such this condition can be deleted.

(g) *Deletion of the metal privacy screens at all levels to both the Campbell Parade and Ramsgate Avenue elevations;*

Comment: The metal privacy screens have been deleted and as such this condition can be deleted.

(h) *Deletion of the proposed metal entry gate at the ground level retail entry to the Campbell Parade frontage;*

Comment: The previously approved building contained a recessed entry to the shop with a metal gate at the boundary. The modified proposal provides the front entry to the shop aligning with the front boundary. As such, this condition can be deleted.

(i) *To ameliorate against view impacts, balustrading/screens to the third floor level terrace are limited in height to 1.2m above finished floor level at the point immediately below the screen.*

Comment: The balustrading to the terrace on the topmost level is up to 1m in height above the finished floor level (FFL) complying with this condition. This proposed modifications lower the wall along the western side boundary for most of the terrace. As such, this condition can be deleted.

(j) *To ameliorate against view impacts, the proposed landscape planting to the planter boxes on the third floor level terrace are to have a maximum species growth height at maturity of 500mm only.*

Comment: A condition has been recommended in regard to alteration of the plant species in the landscape plan to ensure that at least 50% are endemic species as the site is within a habitat corridor. Given that the species in the landscaping plan will likely change to address this condition, Condition 2(j) cannot be satisfied at this stage. As such, this condition should remain on the consent.

- (k) *A total of two (2) off street bicycle parking spaces are to be provided within the development, with one (1) space allocated to the ground floor retail/ commercial tenancy and one (1) space allocated to the proposed dwelling.*

Comment: The proposal provides two bicycle spaces within the modified first floor plan. Although these are likely to be allocated to the residential properties, this is considered appropriate given that under the DCP, there is no requirement for bike parking. The number of apartments and area of the retail shop do not meet the minimum threshold to require bicycle parking. As such, this condition can be deleted.

- (l) *Balcony encroachments shall be limited to a maximum of 300mm.*

Comment: The modified proposal has balcony encroachments no more than 300mm satisfying this condition. As such, this condition can be deleted.

2.3.2. Other Impacts of the Development

The proposal is considered to have no significant likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality, subject to appropriate conditions being imposed and is recommended for approval.

2.3.3. Suitability of the Site for the Development

The site is considered suitable for the proposal.

2.3.4. Any Submissions

The application was notified for at least 14 days between 17 March and 2 April 2026 in accordance with the *Waverley Community Engagement Strategy Amendment 1 (2025)*.

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

- The amended plans added an internal waste room to the shop.
- The amended plans provided a path of travel for bins and collection points.
- The amended plans provided further details regarding the solar panels

Having regard to the nature of the amendments, there is a lesser impact on all properties.

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

Table 7: Submission details

Count	Property Address
1	110 Ramsgate Avenue BONDI BEACH (owners corporation)
2	12/110 Ramsgate Avenue BONDI BEACH

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

- The proposed height is excessive
- Traffic and parking issues

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

Issue: *Loss of on-street parking and driveway width; the driveway should be from Campbell Parade instead of Ramsgate Avenue.*

Response: This is part of the original consent and cannot be revisited as part of the modification application. Notwithstanding, the DCP does not allow new driveway crossings from Campbell Parade.

Issue: *Construction and structural impacts upon surrounding properties.*

Response: Appropriate conditions are retained on the consent in regard to the construction phase of the development including conditions relation to geotechnical reporting, engineering, excavation and the building works.

2.3.5. 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. Traffic and Transport Development

The application was referred to Council's Traffic Engineers, and they have provided the following comments with regards to the proposed development:

Council notes that the existing narrow entrance to the car lift is being removed in this application. It is proposed that it be replaced with a double width driveway.

*The team does **not** support a double width driveway. However, rather than the refusal of this proposal, Council consider it could be satisfied via a new condition of consent.*

It is recommended that engineering Swept Wheel Path drawings be submitted in order to determine the minimum width required at the street to cater for the swept path of vehicles entering /exiting the site.

A new condition has been recommended which address the above and is included in Appendix A.

3.2. Stormwater Design and Flooding (Infrastructure Services)

The application was referred to Council's Infrastructure Engineers, and they have raised no objections to the proposal, subject to recommended conditions of consent which are included in Appendix A.

3.3. Tree Management

The application was referred to Council's Tree Technical Officer, and they have raised no objections to the proposal, and no changes to the existing conditions of consent.

3.4. Heritage

The application was referred to Council's Heritage Advisor and no formal comments were received. However, verbal discussions were held with Council's Heritage Advisor who advised that the modifications are considered acceptable and consistent with the character of the conservation area.

3.5. Fire Safety

The application was referred to Council's Building Compliance Officer for Fire Safety, and they have raised no objections to the proposal, subject to a condition requiring compliance with National Construction Code (NCC) and Building Code of Australia (BCA). The existing condition No. 44 requires compliance with the BCA.

3.6. Waste Management

The application was referred to Council's Waste Management Officer, and they have raised concerns regarding the size of the bin rooms and the bin carting plan. This information has since been provided and is considered satisfactory. There is an existing condition relating to the waste rooms (No. 66) and this is being retained.

3.7. Environmental Sustainability

The application was referred to Council's Sustainable Engagement Officer and concerns were raised regarding the proposed species contained within the landscape plan given the site lies within the identified biodiversity habitat corridor. A condition addressing this matter is included in Appendix A.

3.8. Sustainable Development

The application was referred to Council's Sustainability Officer, and they have raised no objections to the proposal, subject to a recommended conditions of consent regarding ceiling fans which is included in Appendix A.

3.9. Strategic Planning

The application was referred to Council's Strategic Planner who identified that a planning agreement could be requested.

However, as the Waverley Planning Agreement Policy 2014 did not apply at the time of consent of the original application Council cannot now apply the Policy to the modification application.

3.10. Urban Design

The application was referred to Council's Urban Designer and the following comment was provided:

We have no objections to the general modifications proposed, however, we note the following:

- *Amenity of lift lobby and staircase – The lift lobby and common staircase lack windows or natural ventilation. Introducing natural light and / or ventilation would improve amenity for residents.*

The proposal has been amended to remove glass bricks that were on the side elevations built up to the boundary. Windows on boundaries cannot be openable due to fire separation controls under the NCC/BCA. In order to provide openable windows, setbacks would need to be incorporated into the built form. Given the stairs are accessing only two apartments, the lack of light and ventilation to this common area is considered reasonable and does not warrant amendment of the building.

4. CONCLUSION

The application has been assessed against the relevant matters for consideration under section 4.55 (2) of the Act and is recommended for approval subject to existing and modified 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 Modification Application was reviewed by the MODA at the meeting on 25 August 2026 and the MODA concurred with the Assessment Planner's recommendation.

MODA members: B McNamara, B Magistrale, J Zancanaro and A Jelfs

Report prepared by:

Application reviewed and agreed by:

	
Kylie Lucas	David Knight
Senior Development Assessment Planner	Acting Manager, Development Assessment
7 September 2026	9 September 2026

Reason for WLPP referral:

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
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 – MODIFICATION OF CONDITIONS SUMMARY

a. Amended/Deleted Condition/s

1. APPROVED DEVELOPMENT

The development must be in accordance with:

- (a) ~~Architectural Plan Nos DA04 – DA15 Issue D, tables and documentation prepared by MPRDC, dated 10/09/12, and received by Council on date 13 September 2012; Architectural Plans prepared by Common Office of Project No. 2532 including the following~~

- ~~(i) As amended by Drawing No's DA0200 to DA0204 and DA0206 to DA0211 Revision A tables and documentation prepared by Red Blue Architecture and Design, dated 15/08/19, and received by Council on 15 August, 2019;~~

- ~~(ii) As amended by Drawing Nos. DA0200 to DA0204 and DA0206 to DA0212 Revision C prepared by Red Blue Architecture and Design, dated 05/05/2021, and received by Council on 17/05/2021.~~

Plan Number and Revision	Plan description	Plan Date	Date received by Council
DA-210[01]	Proposed – Ground Floor Plan	28/08/2026	28/08/2026
DA-211[00]	Proposed – First Floor Plan	20/02/2026	28/08/2026
DA212[00]	Proposed – Second Floor Plan	20/02/2026	28/08/2026
DA213[00]	Proposed – Third Floor Plan	20/02/2026	28/08/2026
DA214[00]	Proposed – Fourth Floor Plan	20/02/2026	28/08/2026
DA215[00]	Proposed – Roof Plan	20/02/2026	28/08/2026
DA300[00]	Front Elevation	20/02/2026	28/08/2026
DA301[00]	Rear Elevation	20/02/2026	28/08/2026
DA302[00]	East Elevation	20/02/2026	28/08/2026
DA303[00]	West Elevation	20/02/2026	28/08/2026
DA400[01]	Sections	28/08/2026	28/08/2026
DA410[00]	Detailed Section – Campbell Street Façade	20/02/2026	28/08/2026
DA500[00]	Areas	20/02/2026	28/08/2026

DA700[01]	Waste Management Plan	28/08/2026	28/08/2026
DA800[00]	External Materials Schedule	20/02/2026	28/08/2026

- (b) BASIX Certificate;
- (c) ~~Schedule of external finishes and colours numbered DA17 Issue C dated 17/07/12 and received by council on 30 July 2012 as amended by plan titled External Finishes received by Council on 03/11/2020; and DELETED DA-553/2011/D~~
- (d) The Site Waste and Recycling Management Plan (SWRMP) and Checklist, in accordance with the SWRMP Checklist of Part G1, Waverley DCP 2010; and.
- (e) Preliminary Geotechnical Assessment report prepared by AssetGeoEnviro dated 25/09/2020 and received by Council on 06/05/2021 *as amended by Desktop Geotechnical Report prepared by Australian Geoenviro P/L dated 21/01/2026 and received by Council on 10/03/2026;*
- (f) *Landscape plan Nos. C1, C2 and C3, all Revision 8 prepared by Contour Landscape Architecture dated 08/02/2026 and received by Council on 10/03/2026;*

except where amended by the following conditions of consent.

(AMENDED DA-553/2011/C)
(AMENDED DA-553/2011/D)

2. GENERAL MODIFICATIONS

The proposal shall be amended as follows:

- (a) ~~All windows on the western elevation are to be translucent and fixed glazing to protect the privacy of adjoining properties. DELETED DA-553/2011/D~~
- (b) ~~The roof terrace at the rear (on the Ramsgate Avenue side of the fifth level) is to be deleted from the proposal to limit privacy impacts upon the residential properties at the rear. In this regard, the roof over the roof terrace, balustrading and any proposed door openings within the rear elevation at upper floor level shall be deleted from the proposal to ensure that this area is not used for the purposes of a roof terrace. DELETED DA-553/2011/D~~
- (c) ~~The roof over the front terrace (on the Campbell Parade side of the fifth level) shall extend no further to the Campbell Parade frontage than the exhaust vent. DELETED DA-553/2011/D~~
- (d) DELETED DA-553/2011/C

- (e) ~~The exterior colour palette of the proposed development be to the satisfaction of Council's Director, Planning & Environmental Services. DELETED DA-553/2011/D~~
- (f) ~~The windows within the western side elevation to be provided with translucent fire-rated fixed glazing. DELETED DA-553/2011/D~~
- (g) ~~Deletion of the metal privacy screens at all levels to both the Campbell Parade and Ramsgate Avenue elevations; DELETED DA-553/2011/D~~
- (h) ~~Deletion of the proposed metal entry gate at the ground level retail entry to the Campbell Parade frontage; DELETED DA-553/2011/D~~
- (i) ~~To ameliorate against view impacts, balustrading/ screens to the third floor level terrace are limited in height to 1.2m above finished floor level at the point immediately below the screen. DELETED DA-553/2011/D~~
- (j) To ameliorate against view impacts, the proposed landscape planting to the planter boxes on the third floor level terrace are to have a maximum species growth height at maturity of 500mm only.
- (k) ~~A total of two (2) off street bicycle parking spaces are to be provided within the development, with one (1) space allocated to the ground floor retail/ commercial tenancy and one (1) space allocated to the proposed dwelling. DELETED DA-553/2011/D~~
- (l) ~~Balcony encroachments shall be limited to a maximum of 300mm. DELETED DA-553/2011/D~~
- (m) *An internal ventilation shaft from the shop to the roof is to be incorporated into the design to ensure that the retail shop may be used as a potential food premises. (ADDED DA-553/2011/D)*
- (n) *Ceiling fans are to be provided to all habitable rooms. (ADDED DA-553/2011/D)*

The amendments shall be submitted for the approval of ~~Council~~ **the Principal Certifier** prior to the issue of a Construction Certificate under the Environmental Planning and Assessment Act 1979.

(AMENDED DA-553/2011/C)

(AMENDED DA-553/2011/D)

67. ALLOCATION OF STREET NUMBER

The redevelopment *or subdivision* of the property ~~has lead to~~ **requires** the following allocation of street numbers:

- No. 252 **Campbell Parade as the primary address for the building;**

- Nos. Shop 1/~~252 Campbell Parade~~ for the commercial ***allotment on the ground floor; within the building correlating with Nos. 1 (level 1) on the floor plans for the building.***
- No. ~~1~~ 2/~~252 Campbell Parade~~ for the south residential ***allotment on the second floor; for the residential unit within the building correlating with ground floor level and above.***
- No. 3/~~252 Campbell Parade~~ for the north residential ***allotment on the second floor.***

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. The street number is to be positioned on the site prior to the issue of the Occupation Certificate

The address number for a sub-address site shall consist of the sub-address followed by the number of the primary address site.

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

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

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

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

(AMENDED DA-553/2011/C)
(AMENDED DA-553/2011/D)

b. Added Condition/s

25A. PRE-CONSTRUCTION STORMWATER PIT DILAPIDATION

A dilapidation report including photographic evidence of internal conditions of pit No. 24805 must be prepared and submitted by a suitably qualified engineer or an accredited operator to confirm the existing structural and serviceability condition. Council must be contacted for pit numbers prior to completion at assets@waverley.nsw.gov.au.

The report/s must be dated and submitted via email to assets@waverley.nsw.gov.au to the satisfaction of Council's Executive Manager, Infrastructure Services (or delegate). No works on Council's stormwater infrastructure shall commence until Council has granted written approval.

Condition reason: Confirm the condition of the stormwater pipes and pits servicing the site prior to works commencing.

(ADDED DA-553/2011/D)

25B. STORMWATER 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 on Council's website through an Engineering Plan Assessment application for assessment and approval. The plans must be approved to the satisfaction of the Executive Manager, Infrastructure Services (or delegate) prior to the issue of the relevant Construction Certificate.

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 *Pricing Policy and Schedule of Fees and Charges* at the time of engineering plan approval, prior to such approval being granted by Council.

The submitted stormwater management plan prepared by NY Civil Engineering, Job Reference No. E260049, Drawing No. D1- D9, Revision A and Dated 19/02/2026 is considered concept only.

The applicant must submit amended plans and specifications to comply with the current Council's *Water Management Technical Manual* (WMTM) 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) All connections to Council's below ground drainage system must occur at a stormwater pit. If no such pit exists adjacent to the site, then a new grated kerb inlet/access pit must be installed over the existing Council pipeline at the applicant's expense.
- (b) A non-return valve must be installed at the discharge point within the silt arrestor pit near the property boundary so that stormwater cannot surcharge back into the property's private stormwater system.
- (c) A long section of the connection to Council's infrastructure must be provided and its details included (e.g. the location of existing services being crossed with the clearances, existing surface levels, inverts and obverts of existing and proposed).
- (d) The invert level of the stormwater discharge line connecting to Council's kerb inlet pit is at or above the top third of Council stormwater pipeline.
- (e) Any new downpipes must be located wholly within the property's boundary.
- (f) Provide calculations of the roof guttering system for the 5% AEP storm event and minimum number of downpipes required.
- (g) The stormwater management plans must provide details of any required On-Site Stormwater Detention (OSD) system and its details e.g. pit

dimensions, cross & long sections, significant water invert levels of inlet and outlet pipes, details of discharge control pit, orifice plate details including orifice diameter, depth of water above centreline of orifice, pit overflow, OSD plaque, OSD warning sign and catchment plan.

- (h) OSD system must be located as close as possible to the lowest point of the site and must be designed to collect all piped and surface stormwater runoff from all pervious and impervious areas of the site.
- (i) All OSD systems for multi-unit and commercial developments must be located in common areas (not in private courtyards etc).
- (j) A certificate from a registered structural engineer certifying the structural adequacy of the OSD tank structure must be provided. Any below ground OSD tank structure must be a cast in-situ concrete base.
- (k) A minimum of two 600 mm square access grates must be installed over the OSD tank. One grate must be placed over the OSD outlet pipe and orifice plate. However, If the OSD tank is deeper than 900 mm, the grates should be 900 x 900 mm with step irons installed.
- (l) The OSD system must be designed for the 1% AEP storm event.
- (m) An Erosion and Sediment Control Plan must be submitted
- (n) Sub soil drainage (seepage) water must not be directly or indirectly discharged to Council's street gutter.
- (o) 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.
- (p) 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.
- (q) Show an alarm system comprising a basement pump-out failure warning sign together with a flashing strobe light and siren installed at a clearly visible location at the entrance to the basement in case of pump failure.
- (r) Full hydraulic details and pump manufacturer's specifications must be provided.
- (s) The pump out system must be connected to a stilling pit and gravity line before being discharged to Council's stormwater network.
- (t) In the event of pump failure one of the following must be provided:
 - (i) an overland flow path is provided; or
 - (ii) pondage in a suitably visible area is provided. These areas must be sited with a view to minimise 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.

- (u) All electrical fittings and supply of the pump out system are located to have at least 300 mm freeboard above the maximum water level and/or any overland flow path.

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) 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.
- (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) For more information, contact Council's Assets Department at assets@waverley.nsw.gov.au
- (vi) Standard review timeframes for stormwater plans and supporting documents are generally a minimum of 4 weeks from the date of submission. However, review timeframe may vary depending on the volume of applications being assessed noting submissions will be reviewed in the order they are received. Applicants are advised to allow adequate time for the assessment process.
- (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 must be submitted to and approved by the Principal Certifier prior to the issue of the relevant Occupation Certificate.
- (viii) 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.

(ADDED DA-553/2011/D)

25C. LANDSCAPE WORKS IN A HABITAT CORRIDOR

A landscape plan is to be submitted to and approved by Council's Executive Manager, Environmental Sustainability (or delegate) prior to the issue of the relevant Construction Certificate. The Landscape Plan shall provide a plant species list having:

- (a) a minimum of 50% of the shrubs, and a minimum of 50% of the grasses and groundcovers (not including turfed areas) to be 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) Comply with the requirements of condition No. 2(j) of this consent.
- (c) Landscape plans must include a planting schedule that lists all proposed plant species, plant number/s for each species and pot size.

Condition reason: To ensure appropriate levels of native vegetation are included, providing vital habitat, shelter and food for local wildlife.

(ADDED DA-553/2011/D)

25D. SWEPT WHEEL PATH DRAWINGS

In order to minimise the loss of on street parking, the proposed layback/gutter crossing shall be reduced in width. In this regard, prior to issue of the relevant Construction Certificate, swept wheel path drawings, prepared by a suitably qualified and experienced Traffic Engineer, showing the swept wheel path of vehicles entering and exiting the garage from Ramsgate Ave shall be submitted to Council for the approval of the Executive Manager, Infrastructure Services. Drawings are to be submitted via email to traffic@waverley.nsw.gov.au for assessment.

The swept wheel path drawings shall:

- (a) Be drawn for the B85, standard design vehicle as described in AS/NZS 2890.1: 2004 Part 1 Off Street Car Parking.
- (b) Accurately show the kerb and gutter, driveways and vehicles parked kerbside on Ramsgate Ave both opposite and to the immediate east and west of the proposed driveway.
- (c) Show the minimum length of driveway layback considered necessary to gain satisfactory access to and from the proposed garage.
- (d) Show the minimum length of opening and clearances required at the property boundary to cater for the design vehicle swept wheel path.

Condition reason: To minimise the loss of on street parking and the overall driveway width on Council land.

(ADDED DA-553/2011/D)

68. CERTIFICATION OF NEWLY CONSTRUCTED STORMWATER DRAINAGE

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.

A copy of the certification/s must be submitted via email to assets@waverley.nsw.gov.au for Council's records and the Principal Certifier for approval, prior to the issue of any Occupation Certificate.

Condition reason: To ensure the stormwater system has been constructed in accordance with the approved stormwater management plans and to best engineering practice.

(ADDED DA-553/2011/D)

69. 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.

A suitably qualified and practicing 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.

An original colour copy of the WAED, to scale, together with the aforementioned certification, must be submitted via email to assets@waverley.nsw.gov.au for Council's records. Where changes have occurred, the Council-approved plans must be marked-up in red colour and must include new/amended levels and locations for the drainage structures and works.

Condition reason: Ensure Council have a record of the stormwater management systems on site, which may be used for the provision of advice for any future or remedial works.

(ADDED DA-553/2011/D)

70. CREATION OF POSITIVE COVENANT AND RESTRICTION FOR THE STORMWATER MANAGEMENT CONTROLS

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.

Where a stormwater quality improvement system is proposed, the “Positive Covenant” and “Restriction on the Use of Land” must also apply to the stormwater quality improvement system to ensure that the system is maintained and functioning effectively. The covenant requirements must include the submission of an annual report on water treatment by the first business day on or after the 1st of September each year. The annual report is to be submitted annually to Council for records.

The applicant must submit Council’s Legal Document Authorisation Application’ in line with Council requirements (including the wording of the Instrument) via email to assets@waverley.nsw.gov.au. Approval is required from the Executive Manager, Infrastructure Services (or delegate) prior to lodgement with NSW Land Registry Services.

Evidence of the creation of the Positive Covenant and Restriction on the Use of Land, being registered on the Title must be submitted to Council for records and to the Principal Certifier, prior to the issue of any Occupation Certificate.

All legal costs associated with the review and registration of the legal instrument must be borne by the applicant and/or owner(s).

Note: Waverley Council is not a PEXA subscriber. The required legal instruments must be lodged in paper through the PEXA Residual Documents Portal using the “Dealing with Exception” pathway and the Lodgement Rules Exceptions form (selecting exception 41.1 or 45.1).

Condition reason: To ensure the key stormwater management controls are not modified or removed without Council consent, are maintained in order to minimise flooding impacts within the downstream catchment and these are embedded on the title of the land and all future owners can be made aware of this.

(ADDED DA-553/2011/D)

71. POST CONSTRUCTION STORMWATER PIT DILAPIDATION REPORT

A post-construction dilapidation report including photographic evidence of internal conditions of pit No. 24805 following works must be prepared by a suitably qualified engineer or an accredited operator to confirm the final structural and serviceability condition.

The reports will be used by Council to assess whether any damage has occurred to Council’s stormwater pipes associated with the works.

The applicant must obtain written approval from Council’s Executive Manager, Infrastructure Services (or delegate) of the adequacy of the CCTV footage, reports and condition of the Council asset prior to the issue of an Occupation Certificate.

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.

(ADDED DA-553/2011/D)

72. ONGOING MAINTENANCE – STORMWATER DRAINAGE SYSTEM

An ongoing maintenance plan for the stormwater system is to be submitted via email to assets@waverley.nsw.gov.au to the satisfaction of 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.
- (d) The stormwater treatment system must be maintained in accordance with the manufacturer's or designer's specification for the life of the development.
- (e) The registered proprietor must submit written intent to establish and maintain a Planned Preventative Maintenance (PPM) schedule of the pump out system. Council will not be liable for any claims for damages arising from the failure of the pump out system.

Condition reason: Ensure the stormwater drainage systems are maintained and continue to operate as intended.

(ADDED DA-553/2011/D)

c. New Advisory notes

WAVERLEY COUNCIL FLOOD RISK MANAGEMENT STUDY AND PLAN 2026

The property is on land identified as flood affected under the Council endorsed *Waverley Council Flood Risk Management Study and Plan 2026*. The registered proprietor's attention is drawn to the likelihood that the development may be inundated by flood waters.

(ADDED DA-553/2011/D)

FLOODING EVACUATION REQUIREMENTS

The property is located on flood affected land identified as within the low and medium flood risk precinct under *Waverley Council Flood Risk Management Study and Plan 2026*. The site is expected to be flood affected during 1% AEP and 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.

(ADDED DA-553/2011/D)

APPENDIX B - CONDITIONS OF DEVELOPMENT CONSENT

A. APPROVED DEVELOPMENT

1. APPROVED DEVELOPMENT

The development must be in accordance with:

- (a) Architectural Plans prepared by Common Office of Project No. 2532 including the following

Plan Number and Revision	Plan description	Plan Date	Date received by Council
DA-210[01]	Proposed – Ground Floor Plan	28/08/2026	28/08/2026
DA-211[00]	Proposed – First Floor Plan	20/02/2026	28/08/2026
DA212[00]	Proposed – Second Floor Plan	20/02/2026	28/08/2026
DA213[00]	Proposed – Third Floor Plan	20/02/2026	28/08/2026
DA214[00]	Proposed – Fourth Floor Plan	20/02/2026	28/08/2026
DA215[00]	Proposed – Roof Plan	20/02/2026	28/08/2026
DA300[00]	Front Elevation	20/02/2026	28/08/2026
DA301[00]	Rear Elevation	20/02/2026	28/08/2026
DA302[00]	East Elevation	20/02/2026	28/08/2026
DA303[00]	West Elevation	20/02/2026	28/08/2026
DA400[01]	Sections	28/08/2026	28/08/2026
DA410[00]	Detailed Section – Campbell Street Façade	20/02/2026	28/08/2026
DA500[00]	Areas	20/02/2026	28/08/2026
DA700[01]	Waste Management Plan	28/08/2026	28/08/2026
DA800[00]	External Materials Schedule	20/02/2026	28/08/2026

- (b) BASIX Certificate;
- (c) DELETED DA-553/2011/D
- (d) The Site Waste and Recycling Management Plan (SWRMP) and Checklist, in accordance with the SWRMP Checklist of Part G1, Waverley DCP 2010;

- (e) Preliminary Geotechnical Assessment report prepared by AssetGeoEnviro dated 25/09/2020 and received by Council on 06/05/2021 as amended by Desktop Geotechnical Report prepared by Australian Geoenviro P/L dated 21/01/2026 and received by Council on 10/03/2026;
- (f) Landscape plan Nos. C1, C2 and C3, all Revision 8 prepared by Contour Landscape Architecture dated 08/02/2026 and received by Council on 10/03/2026;

except where amended by the following conditions of consent.

(AMENDED DA-553/2011/C)
(AMENDED DA-553/2011/D)

2. GENERAL MODIFICATIONS

The proposal shall be amended as follows:

- (a) DELETED DA-553/2011/D
- (b) DELETED DA-553/2011/D
- (c) DELETED DA-553/2011/D
- (d) DELETED DA-553/2011/C
- (e) DELETED DA-553/2011/D
- (f) DELETED DA-553/2011/D
- (g) DELETED DA-553/2011/D
- (h) DELETED DA-553/2011/D
- (i) DELETED DA-553/2011/D
- (j) To ameliorate against view impacts, the proposed landscape planting to the planter boxes on the third floor level terrace are to have a maximum species growth height at maturity of 500mm only.
- (k) DELETED DA-553/2011/D
- (l) DELETED DA-553/2011/D
- (m) An internal ventilation shaft from the shop to the roof is to be incorporated into the design to ensure that the retail shop may be used as a potential food premises. (ADDED DA-553/2011/D)
- (n) Ceiling fans are to be provided to all habitable rooms. (ADDED DA-553/2011/D)

The amendments shall be submitted for the approval of the Principal Certifier prior to the issue of a Construction Certificate under the Environmental Planning and Assessment Act 1979.

(AMENDED DA-553/2011/C)

(AMENDED DA-553/2011/D)

2A. SEPARATE APPLICATION FOR USE, SIGNAGE AND FITOUT

The use, fit-out, signage or proposed hours of operation for the retail component of the development has not been proposed in this application, therefore these elements require the separate approval from Council, unless deemed Exempt Development under the SEPP (Exempt and Complying Development) 2008. The use shall be limited to a retail premises as defined under the Waverley Local Environmental Plan 2012, so as to ensure compliance with the approved permitted use.

In this regard, compliance with the NCC in respect to the provision of sanitary facilities shall be provided for the retail tenancy. It is recommended that sufficient services for future sanitary facilities be provided to the tenancy to meet future requirements.

(ADDED DA-553/2011/C)

3. BONDI - ROSE BAY SAND BODY

This site is 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. Works may resume on the site pending receipt of express written permission from the NSW National Parks and Wildlife Service. 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.

4. NOISE - MECHANICAL PLANT

Noise associated with mechanical plant shall not give rise to any one or more of the following:

- (a) Transmission of "offensive noise" as defined in the *Protection of the Environment Operations Act 1997* to any place of different occupancy.
- (b) A sound pressure level at any affected property that exceeds the background (LA90, 15 minute) noise level by more than 5dB(A). The background noise level must be measured in the absence of noise emitted from the use. The source noise level must be assessed as a LAeq, 15 minute.
- (c) Notwithstanding compliance with (a) and (b) above, the noise from mechanical plant associated with the premises must not be audible in

any habitable room in any residential premises between the hours of 12.00 midnight and 7.00am.

- (d) A Certificate is to be submitted at the completion of all work and prior to the issue of an Occupation Certificate, from a suitably qualified Acoustic Engineer. The Certificate is to certify all plant and equipment complies with the terms of approval in relation to noise.

5. NOISE EMISSIONS

The use of the premises shall not give rise to:

- (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 premises that exceeds the background (LA90) noise level in the absence of the noise under consideration by more than 5dB(A). The background noise level must be measured in the absence of noise emitted from the use in accordance with Australian Standard 1055.

6. SEPARATE APPLICATION FOR SIGNAGE

Any proposed advertising structures to be displayed at the premises are to be subject to a separate development application to and approval from Council.

7. EXCAVATION TO BE LIMITED

Excavation shall be limited to that shown in the approved plans. Excavation, proposed or undertaken in the certification or construction of the development, that results in additional habitable or non-habitable floor space (including storage) shall require the submission of a new development application or Section 96 application to modify the approved development. During consideration of this application construction work on site shall cease without prior agreement of Council. Failure to comply with this condition may lead to Council prosecuting or taking a compliance action against the development for breach of its consent.

8. ACID SULPHATE SOILS

If when doing works on the site, acid sulphate reactive soils are encountered, then appropriate construction and management methods should be employed.

9. PARKING PERMITS

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

10. LOADING FACILITIES

The applicant is advised that changes to parking conditions/restrictions on Campbell Parade or Ramsgate Avenue will not be approved should an

application be made to Council at any time for the provision of designated, on street service/delivery vehicle parking.

B. COMPLIANCE PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

11. SECTION 94A CONTRIBUTION

A cash contribution is payable to Waverley Council pursuant to section 94A of the *Environmental Planning and Assessment Act 1979* and Waverley Council Development Contributions Plan 2006 in accordance with the following:

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

A copy of the required format for the cost reports may be obtained from Waverley Council Customer Service Centre or downloaded from: www.waverley.nsw.gov.au/publications/

- (b) Prior to the issue of the Construction Certificate, evidence must be provided that the levy has been paid to Council in accordance with this condition or that the cost of works is less than \$100,000.
- (c) Should a section 96 modification result in any change to the total cost of the work, the Section 94A contribution is to be revised and amended. Prior to the issue of the Construction Certificate, evidence must be provided that the revised levy has been paid to Council in accordance with this condition.

Waverley Council Development Contributions Plans 2006 may be inspected at Waverley Council Customer Service Centre.

Advisory Note

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

12. SECURITY DEPOSIT

A deposit or guarantee satisfactory to Council for the amount of \$10,000 must be provided as security for the payment of the cost of making good any damage caused or unauthorised works that may be caused to any Council property as a consequence of this building work.

This deposit (cash or cheque) or guarantee must be established prior to the issue of the Construction Certificate. The full amount of the difference after recovery of

Council's cost for any repair of damage to Council property or rectification of unauthorised works on Council property will be refunded after satisfactory completion of the building work to the person who paid the deposit.

13. LONG SERVICE LEVY

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

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

14. NO BUILDING WORKS PRIOR TO RELEASE OF CONSTRUCTION CERTIFICATE

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

- (a) a Construction Certificate has been obtained from Council or an Accredited Certifier in accordance with Section 81A(2) of the Environmental Planning & Assessment Act, 1979; and
- (b) a Principal Certifying Authority has been appointed and Council has been notified of appointment in accordance with Section 81(A)(2)(b) of the Environmental Planning & Assessment Act, 1979 and Form 7 of Schedule 1 of the Regulations; and
- (c) Council is given at least two days notice in writing of the intention to commence the building works.

The owner/applicant may make application to Council or an Accredited Certifier for the issue of a Construction Certificate and to be the Principle Certifying Authority.

15. ESSENTIAL SERVICES - NEW BUILDING

Details of the proposed essential fire safety measures/services shall be submitted to Council with the application for a Construction Certificate or be attached to the Construction Certificate, including a certificate, prepared by a person competent to do so, setting out the:

- (a) basis of design;
- (b) standard to which the system is to be installed; and
- (c) all relevant documentation, including all drawings such as wiring diagrams, duct layouts, hydraulic schematics etc and calculations shall be submitted for Council's records.

At the completion of the installation, certification containing the following information shall be attached to the application for an Occupation Certificate or to the Occupation Certificate:

- (a) inspection, testing and commissioning details;
- (b) date of inspection, testing and commissioning;
- (c) the name and address of the individual who carried out the test; and
- (d) a statement that the service has been designed, installed and is capable of operating to the above standard.

16. BOUNDARY WINDOWS

All windows adjacent to the eastern and western boundary of the site must be sealed, bricked up or otherwise enclosed, prior to the construction of any building immediately abutting, adjoining or adjacent to such windows. The owner and future owner(s) are to acknowledge that these windows are approved on the basis that the future development of adjoining sites may fully or partially obscure these windows. A covenant to the approval of Council is to be placed on the title of the property to this effect and acknowledging the basis of approval of these windows. Evidence of the creation of the covenant is to be submitted prior to issue of a Construction Certificate under the Environmental Planning and Assessment Act 1979.

17. HOARDING REQUIRED

If required, hoarding designed and constructed in accordance with the requirements of the Work Cover Authority is to be erected on the street alignments of the property, prior to the commencement of building operations, and such hoardings are to be maintained during the course of building operations. Details of the hoarding are to be provided to Council prior to issue of the Construction Certificate.

Where the hoarding is to be erected over the footpath or any public place, the approval of Council must be obtained prior to the erection of the hoarding.

18. GEOTECHNICAL ENGINEERS REPORT

A geotechnical report, regarding the stability of the subject site and stating that damage should not occur to any adjoining premises as a result of the proposed bulk excavation, driven type piles and shoring works, is to be submitted to the Principal Certifying Authority, Council and the owners of adjoining premises. The report is to be submitted prior to the issue of a Construction Certificate and commencement of any such works on the site.

19. DETAILS OF BULK EXCAVATION, SHORING OR PILE CONSTRUCTION

A report shall be prepared by a suitably qualified and practising Structural 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. The Report shall be submitted to the Principal Certifying Authority, Council and the owners of adjoining properties prior to the issue of a Construction Certificate.

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.

20. SITE WASTE AND RECYCLING MANAGEMENT PLAN

A Site Waste and Recycling Management Plan (SWRMP) Checklist 2 shall be submitted to the Principal Certifying Authority for approval in accordance with Part G1, Waverley DCP 2010 prior to the issue of the Construction Certificate. In this regard, Council expects demolition and excavated material to be reused and/or recycled wherever possible.

The builder and all subcontractors shall comply with the approved SWRMP Part 1 and 2 at all times during construction. At least one copy of the SWRMP is to be available on site at all times during construction. Copies of demolition and construction waste dockets that verify the facility that received the material for recycling or disposal and the quantity of waste received, must be retained on site at all times during construction.

21. EROSION, SEDIMENT AND POLLUTION CONTROL

Erosion, sediment and pollution control measures are to be implemented on this site. These measures are to be in accordance with Council's Stormwater Policy and are to be implemented prior to commencement of any work or activities on or around the site. Details of these measures are to be submitted to the Principal Certifying Authority prior to the issuing of a Construction Certificate.

22. CONSTRUCTION VEHICLE AND PEDESTRIAN PLAN OF MANAGEMENT

Prior to any works on the site commencing, including any demolition works, the applicant is to submit a "Construction Vehicle and Pedestrian Plan of Management" (CVPPM) for the routing and control of construction vehicles accessing and exiting the site for approval of Council's Manager of Technical Services. No works are to take place on the site until Council's

Manager of Technical Services has approved the CVPPM in writing. The CVPPM is to be complied with at all times.

23. ENGINEERING DETAILS

Structural details prepared and certified by a practicing Structural Engineer being furnished to Council or Accredited Certifier in connection with all structural components prior to the issue of a Construction Certificate.

24. BASIX

The undertakings provided in the BASIX Certificate shall be provided for in the Construction Certificate plans and documentation prior to the issue of the Construction Certificate. If required, a modified BASIX Certificate shall be provided that reflects the development as approved (e.g. addressing any modification required via conditions of consent). Any significant works (i.e. any

works not able to be considered as Exempt and Complying Development) that result from changes to the BASIX Certificate or conflict with conditions of consent require Council's consent.

The Principal Certifying Authority shall be responsible for ensuring that all the undertakings are satisfied prior to the issue of an Occupation Certificate.

The above condition is a prescribed condition under the Environmental Planning and Assessment Act Regulations clause 97A and the above BASIX commitments are mandatory and cannot be modified under Section 96 of the *Environmental Planning and Assessment Act 1979*.

25. USE OF RENEWABLE TIMBERS

Council requires, wherever possible, the use of renewable timbers and/or plantation timbers such as Radiata Pine or Oregon as an alternative to the use of non-renewable rainforest timber products in buildings so as to help protect the existing areas of rainforest. In this regard, a schedule of proposed timber products to be used in the building is to be submitted for approval by the Principle Certifying Authority prior to the issue of the Construction Certificate. Where the applicant is to use timbers not recommended in Council's Policy, reasons are to be given why the alternative timbers recommended cannot be used.

25A. PRE-CONSTRUCTION STORMWATER PIT DILAPIDATION

A dilapidation report including photographic evidence of internal conditions of pit No. 24805 must be prepared and submitted by a suitably qualified engineer or an accredited operator to confirm the existing structural and serviceability condition. Council must be contacted for pit numbers prior to completion at assets@waverley.nsw.gov.au.

The report/s must be dated and submitted via email to assets@waverley.nsw.gov.au to the satisfaction of Council's Executive Manager, Infrastructure Services (or delegate). No works on Council's stormwater infrastructure shall commence until Council has granted written approval.

Condition reason: Confirm the condition of the stormwater pipes and pits servicing the site prior to works commencing.

(ADDED DA-553/2011/D)

25B. STORMWATER 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 on Council's website through an Engineering Plan Assessment application for assessment and approval. The plans must be approved to the satisfaction of the Executive Manager, Infrastructure Services (or delegate) prior to the issue of the relevant Construction Certificate.

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 *Pricing Policy and Schedule of Fees and Charges* at the time of engineering plan approval, prior to such approval being granted by Council.

The submitted stormwater management plan prepared by NY Civil Engineering, Job Reference No. E260049, Drawing No. D1- D9, Revision A and Dated 19/02/2026 is considered concept only.

The applicant must submit amended plans and specifications to comply with the current Council's *Water Management Technical Manual* (WMTM) 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) All connections to Council's below ground drainage system must occur at a stormwater pit. If no such pit exists adjacent to the site, then a new grated kerb inlet/access pit must be installed over the existing Council pipeline at the applicant's expense.
- (b) A non-return valve must be installed at the discharge point within the silt arrestor pit near the property boundary so that stormwater cannot surcharge back into the property's private stormwater system.
- (c) A long section of the connection to Council's infrastructure must be provided and its details included (e.g. the location of existing services being crossed with the clearances, existing surface levels, inverts and obverts of existing and proposed).
- (d) The invert level of the stormwater discharge line connecting to Council's kerb inlet pit is at or above the top third of Council stormwater pipeline.
- (e) Any new downpipes must be located wholly within the property's boundary.
- (f) Provide calculations of the roof guttering system for the 5% AEP storm event and minimum number of downpipes required.
- (g) The stormwater management plans must provide details of any required On-Site Stormwater Detention (OSD) system and its details e.g. pit dimensions, cross & long sections, significant water invert levels of inlet and outlet pipes, details of discharge control pit, orifice plate details including orifice diameter, depth of water above centreline of orifice, pit overflow, OSD plaque, OSD warning sign and catchment plan.
- (h) OSD system must be located as close as possible to the lowest point of the site and must be designed to collect all piped and surface stormwater runoff from all pervious and impervious areas of the site.
- (i) All OSD systems for multi-unit and commercial developments must be located in common areas (not in private courtyards etc).

- (j) A certificate from a registered structural engineer certifying the structural adequacy of the OSD tank structure must be provided. Any below ground OSD tank structure must be a cast in-situ concrete base.
- (k) A minimum of two 600 mm square access grates must be installed over the OSD tank. One grate must be placed over the OSD outlet pipe and orifice plate. However, If the OSD tank is deeper than 900 mm, the grates should be 900 x 900 mm with step irons installed.
- (l) The OSD system must be designed for the 1% AEP storm event.
- (m) An Erosion and Sediment Control Plan must be submitted
- (n) Sub soil drainage (seepage) water must not be directly or indirectly discharged to Council's street gutter.
- (o) 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.
- (p) 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.
- (q) Show an alarm system comprising a basement pump-out failure warning sign together with a flashing strobe light and siren installed at a clearly visible location at the entrance to the basement in case of pump failure.
- (r) Full hydraulic details and pump manufacturer's specifications must be provided.
- (s) The pump out system must be connected to a stilling pit and gravity line before being discharged to Council's stormwater network.
- (t) In the event of pump failure one of the following must be provided:
 - (i) an overland flow path is provided; or
 - (ii) pondage in a suitably visible area is provided. These areas must be sited with a view to minimise 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.
- (u) All electrical fittings and supply of the pump out system are located to have at least 300 mm freeboard above the maximum water level and/or any overland flow path.

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) 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.
- (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) For more information, contact Council's Assets Department at assets@waverley.nsw.gov.au
- (vi) Standard review timeframes for stormwater plans and supporting documents are generally a minimum of 4 weeks from the date of submission. However, review timeframe may vary depending on the volume of applications being assessed noting submissions will be reviewed in the order they are received. Applicants are advised to allow adequate time for the assessment process.
- (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 must be submitted to and approved by the Principal Certifier prior to the issue of the relevant Occupation Certificate.
- (viii) 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.

(ADDED DA-553/2011/D)

25C. LANDSCAPE WORKS IN A HABITAT CORRIDOR

A landscape plan is to be submitted to and approved by Council's Executive Manager, Environmental Sustainability (or delegate) prior to the issue of the relevant Construction Certificate. The Landscape Plan shall provide a plant species list having:

- (a) A minimum of 50% of the shrubs, and a minimum of 50% of the grasses and groundcovers (not including turfed areas) to be 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) Comply with the requirements of condition No. 2(j) of this consent.
- (c) Landscape plans must include a planting schedule that lists all proposed plant species, plant number/s for each species and pot size.

Condition reason: To ensure appropriate levels of native vegetation are included, providing vital habitat, shelter and food for local wildlife.

(ADDED DA-553/2011/D)

25D. SWEEP WHEEL PATH DRAWINGS

In order to minimise the loss of on street parking, the proposed layback/gutter crossing shall be reduced in width. In this regard, prior to issue of the relevant Construction Certificate, swept wheel path drawings, prepared by a suitably qualified and experienced Traffic Engineer, showing the swept wheel path of vehicles entering and exiting the garage from Ramsgate Ave shall be submitted to Council for the approval of the Executive Manager, Infrastructure Services. Drawings are to be submitted via email to traffic@waverley.nsw.gov.au for assessment.

The swept wheel path drawings shall:

- (a) Be drawn for the B85, standard design vehicle as described in AS/NZS 2890.1: 2004 Part 1 Off Street Car Parking.
- (b) Accurately show the kerb and gutter, driveways and vehicles parked kerbside on Ramsgate Ave both opposite and to the immediate east and west of the proposed driveway.
- (c) Show the minimum length of driveway layback considered necessary to gain satisfactory access to and from the proposed garage.
- (d) Show the minimum length of opening and clearances required at the property boundary to cater for the design vehicle swept wheel path.

Condition reason: To minimise the loss of on street parking and the overall driveway width on Council land.

(ADDED DA-553/2011/D)

C. COMPLIANCE PRIOR TO AND DURING CONSTRUCTION

26. PRIOR TO SITE WORKS

The Principal Certifying Authority must be informed in writing before any site works, building or demolition commences of:

- (a) the name and contractor licence number of the licensee who has contracted to do, or intends to do, work ; or
- (b) the name and permit number of the owner/builder who intends to do the work; and
- (c) any change to these arrangements for doing of the work.

27. HOME BUILDING ACT

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

28. 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.

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.

30. EXCAVATION BELOW FOOTINGS

If an excavation associated with the erection or demolition of a building extends below the level of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made, at their own expense, must:

- (a) preserve and protect the building from damage; and
- (b) if necessary, must underpin and support the building in an approved manner; and

- (c) must, at least seven days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.

31. OBSTRUCTION TO PUBLIC AREAS

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

- (a) a hoarding fence must be erected between the building site and the public place of the proposed building and the public place. If necessary, an awning sufficient to prevent any substance from, or in connection with, the work falling into the public place, is also to be erected;
- (b) the work is to be kept lit during the time between sunset and sunrise if the work may be of a sort of danger to persons using the public place; and
- (c) a hoarding, fence or awning is to be removed when it is no longer required for the purpose it was provided.

32. TOILET FACILITIES

Toilet facilities being provided on the work site in accordance with the requirements of Sydney Water.

33. NO USE OF ORGANOCHLORIN PESTICIDES

The use of organochlorin pesticides as termite barriers in new development is prohibited pursuant to Council Policy. Only physical barriers are to be used for termite control. The building shall comply with Australian Standard 3660: Protection of building from subterranean termites - prevention, detection and treatment of infestation.

34. DILAPIDATION REPORT

A dilapidation report prepared by a practising Structural Engineer shall be submitted to the Principal Certifying Authority, Council and the owners of the adjoining properties prior to the commencement of demolition, bulk excavation or building works, detailing the current condition and the status of all buildings (both internal and external), including ancillary structures located upon the adjoining properties.

35. DEMOLITION OR ALTERATION OF PRE 1987 BUILDINGS

At least five (5) days prior to the demolition, renovation work or alterations and additions to any building constructed before 1987, the person acting on the consent shall submit a Work Plan prepared in accordance with Australian Standard AS260-2001, Demolition of Structure and a Hazardous Materials

Assessment 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 for the Safe Removal of Asbestos NOHSC 2002 (1998);
- (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.

36. COMPLIANCE WITH WORKCOVER NSW REQUIREMENTS

All site works complying with the occupational health and safety requirements of WorkCover NSW.

37. SOIL AND WATER MANAGEMENT PLAN

A Soil and Water Management Plan (also known as an Erosion and Sediment Control Plan) shall be prepared according to SSROC's Soil and Water Management Brochure and the NSW Environment Protection Authority (EPA) Managing Urban Stormwater: Soils and Construction. This Plan shall be implemented prior to commencement of any works or activities. All controls in the Plan shall be maintained at all time. A copy of the Soil and Water

Management Plan must be kept on site at all times and made available to Council officers on request.

38. STOCKPILES

Stockpiles of topsoil, sand, aggregate, soil or other material shall not be located on any drainage line or easement, natural watercourse, footpath or roadway and shall be protected with adequate sediment controls.

39. LOCATION OF BUILDING OPERATIONS

Building operations such as brick cutting, washing tools or brushes and mixing mortar are not permitted on public roadways or footpaths or in any locations which could lead to the discharge of materials into the stormwater drainage system.

40. ALL BUILDING MATERIALS STORED ON SITE

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

41. CONSTRUCTION HOURS

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

- (a) The Saturday (except minor renovation or refurbishment to a single dwelling construction) and Sunday which form part of public holiday weekends;
- (b) Sundays and public holidays; and
- (c) On the Saturday (except minor renovation or refurbishment to a single dwelling construction) and Sunday which immediately precede or follow industry Rostered Days Off, as agreed by the CFMEU and the Master Builders Association of NSW.

Noise from construction activities shall comply with the Protection of the Environmental Operations (Noise Control) Regulation 2000.

42. USE OF HEAVY EARTH MOVEMENT EQUIPMENT

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

43. CONSTRUCTION NOISE - PERIODS GREATER THAN 4 WEEKS

The LA10 level measured over a period of not less than 15 minutes when the construction site is in operation must not exceed the background (LA90) noise level by more than 10dB(A) when assessed at any sensitive noise receiver.

44. BUILDING CODE OF AUSTRALIA

All building work must be carried out in accordance with the requirements of the Building Code of Australia.

45. QUALITY OF CONSTRUCTION ACT - INSPECTIONS (RESIDENTIAL FLAT DEVELOPMENT AND OTHER RESIDENTIAL CLASS 2, 3, 4 AND 6)

The building works are to be inspected during construction by the Principal Certifying Authority (PCA) and in accordance with the Building Legislation (Quality of Construction) Act 2002 and the Environmental Planning and Assessment Regulations. Also, documentary evidence of compliance with the relevant terms of conditions of development consent and standards of construction detailed in the Building Code of Australia is to be obtained prior to proceeding to the subsequent stages of construction and/or issue of an Occupation Certification.

MANDATORY Critical Stage Inspections **MUST** be carried out by the PCA for work undertaken during specified stages of construction and prior to issuing an Occupation Certificate.

The specified **MANDATORY** inspections are:

In the case of a Class 2, 3 and 4 building:

- (a) at the commencement of the building work;
- (b) prior to covering of waterproofing in any wet area for a minimum of 10% of rooms with wet area within a building;
- (c) prior to covering any stormwater drainage connections; and
- (d) after the building work has been completed and prior to any Occupation Certificate being issued in relation to the building.

The following additional inspections are required to be undertaken by the PCA:

- (a) sediment control measures prior to the commencement of building work;
- (b) foundation material prior to undertaking building work;
- (c) shoring of excavation works, retaining walls, piers, piling or underpinning works;
- (d) steel reinforcement, prior to pouring concrete;
- (e) prior to covering timber or steel framework for floors, walls and roofing, including beams and columns;
- (f) prior to installation of fire resisting construction systems (ie fire rated ceilings and walls).

Note: Certification may be required from a suitably qualified person, in relation to specialist matters, verifying that particular works satisfy the relevant requirements of the Building Code of Australia and standards of construction.

46. CERTIFICATE OF SURVEY - LEVELS

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

47. CERTIFICATE OF SURVEY - BOUNDARIES AND LOCATION OF BUILDING

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

48. ENCROACH BEYOND THE BOUNDARIES

No portion of the proposed building or works, including the footings and roof eaves, to encroach beyond the boundaries of the subject property.

49. WATER PROOFING

The floor and wall surfaces of the proposed wet areas being protected against water in accordance with the Building Code of Australia. The wet areas are to be examined and certified by an Accredited Certifier.

Note: Water proofing is to be in accordance with AS 3740 - Water Proofing of Wet Areas within residential buildings.

50. HOT TAP WATER SCALDING

To reduce the incidence of hot tap water scalding and, for the purpose of energy efficiency, all new or replacement hot water systems shall deliver hot water to a maximum 50 degrees Celsius at the outlet of all sanitary fixtures used for personal hygiene.

51. SMOKE ALARM SYSTEM

A smoke alarm system is to be installed within the building in accordance with the requirements of the Building Code of Australia.

52. EXCAVATION TO BE MANAGED BY STRUCTURAL ENGINEER

Bulk excavation is to be managed by a practising structural engineer, in accordance with the specification for shoring and support, as detailed in the approved Construction Certificate.

53. SERVICE PIPES

All plumbing and drainage, including sewerage drainage stacks, ventilation stacks and water service pipes shall be concealed within the building. Plumbing other than stormwater downpipes shall not be attached to the external surfaces of the building.

54. TREATMENT OF BOUNDARY WALLS

The walls on the eastern and western boundaries are to be finished to a minimum standard, that being face brickwork and all mortar joints ironed (no dags).

55. NEW VEHICLE CROSSING

A new vehicle crossing is to be provided to access the proposed garage. A separate application is required for the modified vehicle crossing, with all work to be carried out with the approval of and in accordance with the requirements of Council. All new vehicle crossings to be Wheel Strips instead of full width concrete driveway wherever feasible.

56. VEHICULAR ACCESS - FINISHED LEVEL

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

57. FINISHED LEVEL- CAMPBELL PARADE

The finished level of paving at the Campbell Parade boundary is to match Council's existing footpath level.

58. WORK OUTSIDE PROPERTY BOUNDARY

All work outside the property boundary is to be carried out with the approval of, and in accordance with, the requirements of Council at the applicant's expense.

59. AWNINGS

Awnings shall be a minimum of 3.5m above the footpath level and offset a minimum of 600mm behind the kerb.

D. COMPLIANCE PRIOR TO OCCUPATION OR DURING OCCUPATION

60. SYDNEY WATER

A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained. **Application must be made through an authorised Water Servicing Coordinator, for details see the Sydney Water website www.sydneywater.com.au/customer/urban/index or telephone 13 20 92.**

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

The Section 73 Certificate must be submitted to the Principal Certifying Authority prior to release of the subdivision plan/occupation of the development.

61. SUBDIVISION

A Subdivision Certificate must be obtained from Council in accordance with Section 109C(d) of the Environmental Planning and Assessment Act, 1979 prior to the registration of the subdivision plans.

62. FINAL OCCUPATION CERTIFICATE

The Principal Certifying Authority prior to occupation or use of the development must issue a final Occupation Certificate. In issuing an Occupation Certificate, the Principal Certifying Authority must be satisfied that the requirements of Section 109H of the Environmental Planning & Assessment Act, 1979 have been satisfied.

63. WASTE STORAGE

The following requirements apply to waste management:

(a) Residential Waste

- i. The development must provide 1 x 240L MGB for garbage, 1 x 240L MGB for recycling and 1 x 240L MGB for paper / cardboard collected weekly
- ii. The residential waste and recycling storage area must be able to accommodate all bins, with all bins simultaneously accessible and be completely separated from the commercial waste storage area.
- iii. The waste and recycling storage area must be bunded and drained to the sewer.
- iv. The waste and recycling storage area must be able to accommodate all bins, with all bins simultaneously accessible.

(b) Commercial Waste

- i. The development must provide 2 x 240L MGB for garbage collected daily, 1 x 240L MGB for recycling and 1 x 240L MGB for paper / cardboard collected at least 3 times per week. The applicant must enter into a commercial waste contract for the removal of these bins.
- ii. The commercial waste and recycling storage area must be able to accommodate all bins, with all bins simultaneously accessible and be completely separated from the commercial waste storage area.
- iii. The waste and recycling storage area must be bundled to the sewer.

64. TELECOMMUNICATIONS

Notification of arrangement with Telstra and/or Optus for the provision of a telephone supply to each lot is to be submitted to the satisfaction of the Principle Certifying Authority prior to the release of the Subdivision Certificate.

65. LIGHTING

Any lighting on the site shall be designed so as not to cause nuisance to other residences in the area or to motorists on nearby roads and to ensure no adverse impact on the amenity of the surrounding area by light overspill. All lighting shall comply with the *Australian Standard AS 4282:1997 Control of the Obtrusive Effects of Outdoor Lighting*.

66. LIGHTS

All external area lights and carpark lights to multi-unit dwellings shall be on sensor switches to save energy and reduce light spill to the sky; low voltage solar powered lights to front entry footpaths are acceptable for continuously illuminated lighting.

67. ALLOCATION OF STREET NUMBER

The redevelopment or subdivision of the property requires the following allocation of street numbers:

- No. 252 Campbell Parade as the primary address;
- Shop 1/252 Campbell Parade for the commercial allotment on the ground floor;
- No. 2/252 Campbell Parade for the south residential allotment on the second floor;
- No. 3/252 Campbell Parade for the north residential allotment on the second floor.

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. The street number is to be positioned on the site prior to the issue of the Occupation Certificate

The address number for a sub-address site shall consist of the sub-address followed by the number of the primary address site.

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

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

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

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

(AMENDED DA-553/2011/C)

(AMENDED DA-553/2011/D)

68. CERTIFICATION OF NEWLY CONSTRUCTED STORMWATER DRAINAGE

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.

A copy of the certification/s must be submitted via email to assets@waverley.nsw.gov.au for Council's records and the Principal Certifier for approval, prior to the issue of any Occupation Certificate.

Condition reason: To ensure the stormwater system has been constructed in accordance with the approved stormwater management plans and to best engineering practice.

(ADDED DA-553/2011/D)

69. 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.

A suitably qualified and practicing 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.

An original colour copy of the WAED, to scale, together with the aforementioned certification, must be submitted via email to assets@waverley.nsw.gov.au for Council's records. Where changes have occurred, the Council-approved plans

must be marked-up in red colour and must include new/amended levels and locations for the drainage structures and works.

Condition reason: Ensure Council have a record of the stormwater management systems on site, which may be used for the provision of advice for any future or remedial works.

(ADDED DA-553/2011/D)

70. CREATION OF POSITIVE COVENANT AND RESTRICTION FOR THE STORMWATER MANAGEMENT CONTROLS

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.

Where a stormwater quality improvement system is proposed, the “Positive Covenant” and “Restriction on the Use of Land” must also apply to the stormwater quality improvement system to ensure that the system is maintained and functioning effectively. The covenant requirements must include the submission of an annual report on water treatment by the first business day on or after the 1st of September each year. The annual report is to be submitted annually to Council for records.

The applicant must submit Council’s Legal Document Authorisation Application’ in line with Council requirements (including the wording of the Instrument) via email to assets@waverley.nsw.gov.au. Approval is required from the Executive Manager, Infrastructure Services (or delegate) prior to lodgement with NSW Land Registry Services.

Evidence of the creation of the Positive Covenant and Restriction on the Use of Land, being registered on the Title must be submitted to Council for records and to the Principal Certifier, prior to the issue of any Occupation Certificate.

All legal costs associated with the review and registration of the legal instrument must be borne by the applicant and/or owner(s).

Note: Waverley Council is not a PEXA subscriber. The required legal instruments must be lodged in paper through the PEXA Residual Documents Portal using the “Dealing with Exception” pathway and the Lodgement Rules Exceptions form (selecting exception 41.1 or 45.1).

Condition reason: To ensure the key stormwater management controls are not modified or removed without Council consent, are maintained in order to minimise flooding impacts within the downstream catchment and these are embedded on the title of the land and all future owners can be made aware of this.

(ADDED DA-553/2011/D)

71. POST CONSTRUCTION STORMWATER PIT DILAPIDATION REPORT

A post-construction dilapidation report including photographic evidence of internal conditions of pit No. 24805 following works must be prepared by a suitably qualified engineer or an accredited operator to confirm the final structural and serviceability condition.

The reports will be used by Council to assess whether any damage has occurred to Council's stormwater pipes associated with the works.

The applicant must obtain written approval from Council's Executive Manager, Infrastructure Services (or delegate) of the adequacy of the CCTV footage, reports and condition of the Council asset prior to the issue of an Occupation Certificate.

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.

(ADDED DA-553/2011/D)

72. ONGOING MAINTENANCE – STORMWATER DRAINAGE SYSTEM

An ongoing maintenance plan for the stormwater system is to be submitted via email to assets@waverley.nsw.gov.au to the satisfaction of the Executive Manager, Infrastructure Services (or delegate) prior to the issue of the relevant Occupation Certificate.

At a minimum, the system must be:

- (v) Kept clean and free from silt, rubbish and debris.
- (w) Be maintained so that it functions in a safe and efficient manner.
- (x) Not be altered without prior consent in writing of the Council.
- (y) The stormwater treatment system must be maintained in accordance with the manufacturer's or designer's specification for the life of the development.
- (z) The registered proprietor must submit written intent to establish and maintain a Planned Preventative Maintenance (PPM) schedule of the pump out system. Council will not be liable for any claims for damages arising from the failure of the pump out system.

Condition reason: Ensure the stormwater drainage systems are maintained and continue to operate as intended.

(ADDED DA-553/2011/D)

Advice to Applicant

Your Construction Certificate will not be issued until all the conditions of consent are satisfied.

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.

Dial Before You Dig

Information regarding the location of underground services may be obtained from "Dial Before You Dig" services by either phoning 1100 during business hours or go to www.1100.com.au.

POST CONSENT CONDITIONS REQUIRING COUNCIL INPUT

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

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

(ADDED DA-553/2011/C)

WAVERLEY COUNCIL FLOOD RISK MANAGEMENT STUDY AND PLAN 2026

The property is on land identified as flood affected under the Council endorsed *Waverley Council Flood Risk Management Study and Plan 2026*. The registered proprietor's

attention is drawn to the likelihood that the development may be inundated by flood waters.

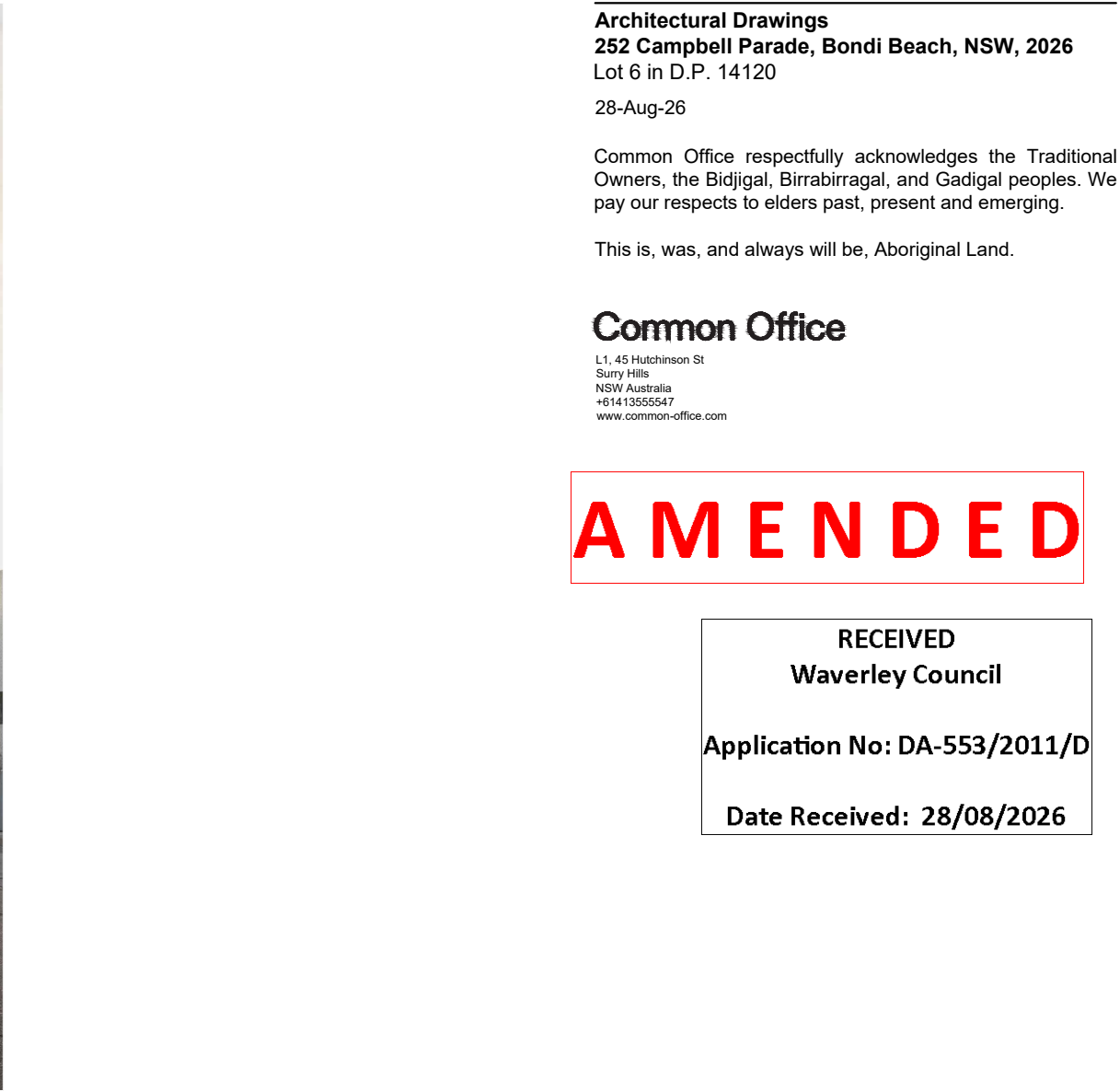
(ADDED DA-553/2011/D)

FLOODING EVACUATION REQUIREMENTS

The property is located on flood affected land identified as within the low and medium flood risk precinct under *Waverley Council Flood Risk Management Study and Plan 2026*. The site is expected to be flood affected during 1% AEP and 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.

(ADDED DA-553/2011/D)



28-Aug-26

Common Office respectfully acknowledges the Traditional Owners, the Bidjigal, Birrabirragal, and Gadigal peoples. We pay our respects to elders past, present and emerging.

This is, was, and always will be, Aboriginal Land.

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Surry Hills
NSW Australia
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Waverley Council

Date Received: 28/08/2026

1. REMOVAL OF BASEMENT CAR PARK.
2. MODIFICATIONS TO GROUND FLOOR LAYOUT INCLUDING EXISTING RETAIL PREMISES, LOBBY CAR STACKER SYSTEM.
3. INCREASE FROM SINGLE TO DOUBLE PLATFORM CAR STACKER.
4. MODIFICATIONS TO FIRST FLOOR LAYOUT INCLUDING LOBBY AND INCLUSION OF UNITS 1 AND 2.
5. MODIFICATIONS TO SECOND FLOOR LAYOUT INCLUDING LOBBY AND INCLUSION OF UNITS 1 AND 2.
6. MODIFICATIONS TO THIRD FLOOR LAYOUT TO ACCOMMODATE UNIT 2.
7. MODIFICATIONS TO FOURTH FLOOR LAYOUT TO ACCOMMODATE UNIT 2.
8. REMOVAL OF SKYLIGHTS TO FOURTH FLOOR.
9. MODIFICATIONS TO ROOF TERRACE LANDSCAPING.
10. MODIFICATIONS TO FRONT AND REAR FACADES.
11. MODIFICATIONS TO EAST AND WEST FACADES.
12. REMOVAL OF WINDOWS TO WEST ELEVATION.

01.1	SEPARATE BIN STORAGE PROVIDED FOR RESIDNEITLA AND RETAIL
01.2	PATH OF TRAVEL FROM BIN STORAGE TO COLLECTION POINT ADDED
01.3	ROOF PARAPET DEFINED AND SOLAR PANELS SHOWN ON ROOF NOT TO EXCEED PARAPET

Certificate No. #HR-3F99DZ-01

Scan QR code or follow website link for rating details.

Assessor name	Elias Aboutannous
Accreditation No.	HERA 110205
Property Address	252 Cammerell Parade, Bondi, NSW, 2026

<http://www.hero-software.com.au/pdf/HR-3F99DZ-01>

Legend

- Existing to be demolished
- Unit 1
- Unit 2
- Circulation Zone
- Retail Premises

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

[illegible]

- Natural lighting of bathrooms or toilets (all dwellings)
- **Appliances other efficiency measures (all dwellings)**
 - Kitchens/countertop: electric cooking & electric oven
 - No indoor or sheltered clothes drying line
 - Private outdoor or unsheltered clothes drying line

Thermal Performance (all dwellings)

- **Thermal loads (Dwellings 0-1)**
 - Area adjusted heating load (in MJ/m²/yr): 2.7
 - Area adjusted cooling load (in MJ/m²/yr): 4.8
 - Area adjusted total load (in MJ/m²/yr): 28.5
- **Thermal loads (All other dwellings)**
 - Area adjusted heating load (in MJ/m²/yr): 13.3
 - Area adjusted cooling load (in MJ/m²/yr): 10.9
 - Area adjusted total load (in MJ/m²/yr): 24.2

Common areas

- All common areas: no common showerheads, toilets or clothes washers
- All common area: top 3 star rating
- **Common area ventilation options**
 - Carpark/blacker: ventilation (supply + exhaust)
 - Bin/screpit: ventilation (supply + exhaust)

- Lobby: no mechanical ventilation
- **Common areas lighting**
 - Lift banks: light-emitting diode, connected to lift call button
 - Carpark: light-emitting diode, zoned switching with motion sensor
 - Bin/encounter: light-emitting diode, motion sensors
- **Control energy systems**
 - Lift bank (no 1): gearless traction with V V V motor. No. of levels with apartments served by a lift 2
 - Number of levels from the bottom of the lift shaft to the top: 3
 - Number of lifts: 2
 - Lift load capacity: >= 100 kg but <= 1500kg

Non-building-specific comments:

- **Common areas**
 - All common areas: no common showertubs, toilets or clothes washers
 - All common areas: 3 star rating
- **Control energy systems**
 - Alternative energy supply: photovoltaic system. Spec: rated electrical output (m) peak kW

Consultants:
PLANNER
 GSA
LANDSCAPE DESIGNER
 CONTOUR LANDSCAPE ARCHITECTURE
SHADOWS
 CADRAFT
STORMWATER
 CIVIL ENGINEERING
BASIX/SECTION J
ECERTS
BCA/ACCESS
 BUILDING INNOVATIONS AUSTRALIA
TRAFFIC MANAGEMENT
 WONGALA
SURVEY
 VERIS
GEOTECH
 AUSTRALIAN GEOENVIRO
MANAGER
 MOGRAMMA

Project
252 Campbell Parade,
Bondi Beach

Date	28-Aug-26
Scale	Drawn
nts at A3	MC/RM

Project No
2532

Drawing No Rev

DA000[01]

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Application No: DA-553/2011/D

Date Received: 28/08/2026

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Date Received: 28/08/2026

NO 250
3 STOREY BUILDING
TILE & METAL ROOF

NO 262
3 STOREY BUILDING
FLAT ROOF

EXISTING RETAIL
RL 6.95

COMM GARBAGE

ACCESSIBLE TOILET

RESI GARBAGE

CAR LIFT
FFL 5.98

PLANT AREA

MECH. RISER

BDRY 5.05 171°31'45"

BDRY 8.355 271°35'35"

BDRY 6.07 171°31'45"

BDRY 22.58 36°54'45"

BDRY 17.17 216°54'45"

BDRY 6.095 125°36'35"

RL 6.64

RL 6.55

RL 6.56

RL 6.90

RL 6.95

CAMPBELL PARADE

OUTLINE OF APPROVED DA-422/2020/B

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NO 262
3 STOREY BUILDING
FLAT ROOF

BDRY 6.095 125°36'35"

ENTRY
COURTYARD

CAR LIFE

RUMPUS
FFL 10.15

ROBE

ENS. 4

BED 3

BED 4

BALCONY

BAL
BDRY 8.355 271°35'35"

BDRY 6.07 171°31'45"

OUTLINE OF APPROVED DA-422/2020/B

Retail

1. ALL WORKS TO BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA, NATIONAL CONSTRUCTION CODE (NCC), AUSTRALIAN STANDARDS STATUTORY REGULATIONS AND LOCAL AUTHORITY REQUIREMENTS.
2. CONTRACTOR TO ENSURE CONSISTENCY BETWEEN MATERIALS IS MAINTAINED
3. CONTRACTOR TO NOTIFY DESIGNER OF ANY DISCREPANCIES, DIMENSIONAL INCONSISTENCIES AND THE NEED FOR CLARIFICATION PRIOR TO MANUFACTURING
4. DESIGNER TO REVIEW ALL CONTRACTORS DETAILED DRAWINGS / SETTING OUT PRIOR TO CONSTRUCTION.
5. CONTRACTOR TO LIAISE WITH ELECTRICAL CONTRACTORS TO ENSURE ALL POWER/DATA/COMMUNICATION

6. ALL DIMENSIONS TO BE VERIFIED ON SITE DO NOT SCALE

7. ALL WORKS TO BE VERIFIED AGAINST DRAWINGS FOLLOWING CONSTRUCTION AND DESIGNER TO BE NOTIFIED OF ANY DISCREPANCIES PRIOR TO PROCEEDING WITH NEXT TRADE

[illegible]

- (latex)
- Natural lighting: No. of bathrooms or toilets: 0 and Kitchen
- Appliances and efficiency measures (all dwellings)
- Area equipped with cooling load (in MJ/m²/yr): 2.8
- No indoor or unsheltered clothes drying line
- No Private outdoor or unsheltered clothes drying line
- Thermal loads (all dwellings)
- Thermal loads (Dwellings 01)
- Area equipped heating load (in MJ/m²/yr): 23.7
- Area equipped cooling load (in MJ/m²/yr): 22.6
- Area equipped total load (in MJ/m²/yr): 28.5
- Thermal loads (All other dwellings)
- Area equipped heating load (in MJ/m²/yr): 13.3
- Area equipped cooling load (in MJ/m²/yr): 12.9
- Area equipped total load (in MJ/m²/yr): 24.2
- Common areas
- All common areas: no common showerheads, toilets or c/s
- All common areas: taps: 3 star rating
- Common ventilation supply + exhaust
- Ceiling/floor: ventilation (supply + exhaust)
- Bs/porcelain: ventilation (supply + exhaust)

- Lobby: no mechanical ventilation
- **Common area lighting:**
 - Lift bank: light-emitting diode, connected to lift call button
 - Corridor: light-emitting diode, zoned switching with motion sensor
 - Service/entrance: light-emitting diode, motion sensors
- **Central energy systems:**
 - Lift bank: 11 lifts in 12-story building with V V V F motor. No. of levels with apartments served by a lift: 2
 - Number of levels from the bottom of the lift shaft to the top: 3
 - Number of lifts: 1
 - Lift load capacity: ≥ 100 kg but ≤ 1500 kg

Non-building-specific commitments:

- **Common areas**
 - All common areas: no common showsheds, toilets or clothes washers
 - All common areas: top-of-riser stalling
- **Central energy systems:**
 - Alternative energy supply: photovoltaic system. Spec: rated electrical output (min) peak kW.

PLANNER
CSA
LANDSCAPE DESIGNER
CONTOUR LANDSCAPE ARCHITECTURE
SHADOWS
CADDRAFT
STORMWATER
HYDRA ENGINEERING
BASIX/SECTION J
ECERTS
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TRAFFIC MANAGEMENT
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AUSTRALIAN GEOENVIRO
IMAGERY
MOGAMMA

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02 9055 9261
www.common-office.com

Nominated NSW Architect
William J McKee
NSW ARB 12651

Project
252 Campbell Parade,
Bondi Beach

Date _____

20-Feb-26

Scale	Drawn
1:100 at A3	MC/RM

Drawing
**Approved - First
Floor Plan**
Project No
2532

Drawing No Rev

DA201[00]

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Waverley Council
Application No: DA-553/2011/D
Date Received: 28/08/2026

BDRY 22.58 36°54'45"

45"

WC

ROBB

EX

~~LKT~~

ENSUITE 2

~~BALCONY~~

ROBB

LAUNDRY

STUDY
FFL 13.15

BED 2

BALC

DDVV 6 00E 12E036135"

BD

BDRY 17.17 216°54'45"

OUTLINE OF APPROVED DA-422/2020/B

--- Existing to be demolished

Unit 1

Unit 2

Circulation Zone

Retail Premises

1. ALL WORKS TO BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA, NATIONAL CONSTRUCTION CODE (NCC), AUSTRALIAN STANDARDS STATUTORY REGULATIONS AND LOCAL AUTHORITY REQ.
2. CONTRACTOR TO ENSURE CONSISTENCY BETWEEN MATERIALS IS MAINTAINED
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4. DESIGNER TO REVIEW ALL CONTRACTOR'S DETAILED DRAWINGS / SETTING OUT PRIOR TO CONSTRUCTION.
5. CONTRACTOR TO LIAISE WITH ELECTRICAL CONTRACTORS TO ENSURE ALL POWER/DATA/COMMUNICATION

REQUIREMENTS ARE ACCESSIBLE.

6. ALL DIMENSIONS TO BE VERIFIED ON SITE. DO NOT SCALE

7. ALL WORKS TO BE VERIFIED AGAINST DRAWINGS FOLLOWING CONSTRUCTION AND DESIGNER TO BE NOTIFIED OF ANY DISCREPANCIES PRIOR TO PROCEEDING WITH NEXT TRADE

[illegible]

- (latex)
- Natural lighting: No. of bathrooms or toilets, 0 and Kitchen
- Appliances other efficiency measures (all dwellings)**
 - No Electric clothes dryer, electric clothes dryer
 - No Indoor or unshelved clothes drying line
 - No Private outdoor or unshelved clothes drying line
- Thermal loads (all dwellings)**
 - Area adjusted heating load (in MJ/m²/yr): 23.8
 - Area adjusted cooling load (in MJ/m²/yr): 27.5
 - Area adjusted total load (in MJ/m²/yr): 28.5
- Thermal loads (All other dwellings)**
 - Area adjusted heating load (in MJ/m²/yr): 13.9
 - Area adjusted cooling load (in MJ/m²/yr): 10.0
 - Area adjusted total load (in MJ/m²/yr): 24.2
- Common areas**
 - All common areas: no common showereads, toilets or cr
 - All common areas: taps, 3 star rating
 - Common ventilation
 - Central/cluster ventilation (supply + exhaust)
 - Boiler/central ventilation (supply + exhaust)

- Lobby: no mechanical ventilation
- **Common area lighting:**
 - Lift: dark: light-emitting diode, connected to lift call button
 - Corridor: light-emitting diode, zoned switching with motion sensor
 - Elevator/lift: light-emitting diode, motion sensors.
- **Central energy systems:**
 - Lift: 11: 11 lifts in connection with V V V F motor. No. of levels apartments served by a lift: 2
 - Number of levels from the bottom of the lift shaft to the top: 3
 - Number of the 1:
 - Lift load capacity: ≥ 100 kg but ≤ 1500 kg

Non-building-specific comments:

- **Common areas**
 - All common areas: no common showersheds, toilets or clothes wash
- All common area taps: 3 star rating
- **Central energy systems:**
 - Alternative energy supply: photovoltaic system. Scope: rated electric (max): peak kW.

PLANNER
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STORMWATER
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NSW, 2010, Australia
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Nominated NSW Architect
William J McKee
NSW ARB 12651

Project
252 Campbell Parade,
Bondi Beach

Date _____

Scale	Drawn
-------	-------

Approved - Second
Floor Plan

Project No
2532

Drawing No Rev

DA202[00]

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Application No: DA-553/2011/D
Date Received: 28/08/2026

LIVING/DINING

KITCHEN
FFL 16.15

SITTING

~~BALC~~

PANTRY

WC

BALCONY

NO 262
GREY BUILDING
LAT ROOF

OUTLINE OF APPROVED DA-422/2020/B

Legend

- Existing to be demolished
- Unit 1
- Unit 2
- Circulation Zone
- Retail Premises

Notes

1. ALL WORKS TO BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA, NATIONAL CONSTRUCTION CODE (NCC), AUSTRALIAN STANDARD STATUTORY REGULATIONS AND LOCAL AUTHORITY REQ.
2. CONTRACTOR TO ENSURE CONSISTENCY BETWEEN MATERIALS IS MAINTAINED
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6. ALL DIMENSIONS TO BE VERIFIED ON SITE DO NOT SCALE

7. ALL WORKS TO BE VERIFIED AGAINST DRAWINGS FOLLOWING CONSTRUCTION AND DESIGNER TO BE NOTIFIED OF ANY DISCREPANCIES PRIOR TO PROCEEDING WITH NEXT TRADE

BASIX/NATHERS: All other requirements as per certificates

[illegible]

- **Labels**
- **Natural lighting:** No. of bathrooms or toilets: 0 and Kitchen
- **Average other efficiency measures (all dwellings)**
- **Thermochimiques:** average (in MJ/kWhyr) 23.8
- **No indoor or sheltered clothes drying line**
- **No Private outdoor or unsheltered clothes drying line**
- **Thermal Performance (all dwellings)**
- **Thermal loads (Dwellings 01)**
- **Area adjusted heating load (in MJ/kWhyr)** 23.8
- **Area adjusted cooling load (in MJ/kWhyr)** 27.7
- **Area adjusted total load (in MJ/kWhyr)** 51.5
- **Thermal loads (All other dwellings)**
- **Area adjusted heating load (in MJ/kWhyr)** 25.5
- **Area adjusted cooling load (in MJ/kWhyr)** 39.3
- **Area adjusted total load (in MJ/kWhyr)** 64.8
- **Area adjusted total load (in MJ/kWhyr)** 24.2
- **Common areas**
- **All common areas:** no common showrooms, toilets or kitchen
- **All common areas tags:** 3 star rating
- **Common areas ventilation**
- **Compartmentation:** ventilation (supply + exhaust)
- **Environnement:** ventilation (supply + exhaust)

- Lobby: no common ventilation
- **Common area lighting:**
 - Lift bank: light-emitting diode, connected to lift call button
 - Corridor: light-emitting diode, 2-wired switching with motion sensor.
 - Bicycles/park: light-emitting diode, motion sensors.
- **Control energy systems:**
 - Lift bank (1): 17-gang switchbox with VVVF motor. No. of levels with 17-gang switchbox served by it: 18-2
 - Number of levels from the bottom of the lift shaft to the top: 3
 - Number of lifts: 1
 - Lift load capacity = 100 kg but < 1500kg

Non-building-specific commitments:

- **Common areas**
 - All common areas: no common showersheds, toilets or clothes washers
- All common areas: 24 hr. 3-star rating
- **Control energy systems:**
 - Alternative energy supply: photovoltaic system. Spec: rated electrical output (min): peak kW.

Consultants:
PLANNER
 GSA
LANDSCAPE DESIGNER
 CONTOUR LANDSCAPE ARCHITECTURE
SHADOWS
 CADRAFT
STORMWATER
 BY CIVIL ENGINEERING
BASE/SECTION J
 ECERTS
B/CIA/ACCESS
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TRAFFIC MANAGEMENT
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Nominated NSW Architect
William J McKee
NSW ARB 12651



Project 252 Campbell Parade, Bondi Beach	
Date 20-Feb-26	
Scale 1:100 at A3	Drawn MC/RM

Drawing
**Approved - Third
Floor Plan**

Project No
2532

Drawing No Rev

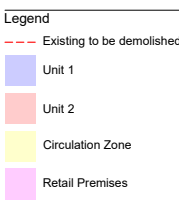
DA203[00]

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Date Received: 28/08/2026



Notes	
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[illegible][illegible]

Consultants:

- PLANNER
- GRA
- LANDSCAPE DESIGNER
- CONTOUR LANDSCAPE ARCHITECTURE
- SHADOWS
- CALDERA PT
- STORMWATER
- NY CIVIL ENGINEERING
- BASS/SECTION J
- ECERTS
- BCA/ACCESS
- BUILDING INNOVATIONS AUSTRALIA
- TRAFFIC MANAGEMENT
- WONGALA
- SURVEY
- VERIS
- GET2CH
- AUSTRALIAN GEOENVIRO
- IMAGERY
- MOGAMMA

Common Office
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NSW, 2010, Australia
02 9055 9281
www.common-office.com

Nominated NSW Architect
William J McKee
NSW ARB 12651



Project 252 Campbell Parade, Bondi Beach	Drawing Approved - Fourth Floor Plan
Date 20-Feb-26	Project No 2532
Scale 1:100 at A3	Drawing No Rev DA204[00]
Drawn MC/RM	

AMENDED

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Waverley Council
Application No: DA-553/2011/D
Date Received: 28/08/2026

Application No: DA-553/2011/D

Date Received: 28/08/2026

RAMSGATE AVENUE

CAMPBELL PARADE

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Legend

--- Existing to be demolished

Unit 1

Unit 2

 Circulation Zone

Retail Premises

Notes

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4. DESIGNER TO REVIEW ALL CONTRACTOR DETAIL DRAWINGS / SETTING OUT PRIOR TO CONSTRUCTION.
5. CONTRACTOR TO LIAISE WITH ELECTRICAL CONTRACTORS TO ENSURE ALL POWER/DATA/COMMUNICATION

REQUIREMENTS ARE ACCESSIBLE.

6. ALL DIMENSIONS TO BE VERIFIED ON SITE - DO NOT SCALE

7. ALL WORKS TO BE VERIFIED AGAINST DRAWINGS FOLLOWING CONSTRUCTION AND DESIGNER TO BE NOTIFIED OF ANY DISCREPANCIES PRIOR TO PROCEEDING WITH NEXT TRADE

BASIX/NATHERS: All other requirements as per certificates

[illegible]

- Label!
- Natural lighting: No. of bathrooms or toilets: 0 and Kitchen
- **Average other efficiency measures (all dwellings)**
- Energy conservation devices: 0 = no device; 1 = electric oven
- No indoor or sheltered clothes drying line
- No Private outdoor or unsheltered clothes drying line
- **Thermal Performance (all dwellings)**
- **Thermal loads (Dwellings 01)**
- Area adjusted heating load (in MJ/m²/yr) 23.8
- Area adjusted cooling load (in MJ/m²/yr) 47.7
- Area adjusted total load (in MJ/m²/yr) 71.5
- **Thermal loads (All other dwellings)**
- Area adjusted heating load (in MJ/m²/yr) 25.5
- Area adjusted cooling load (in MJ/m²/yr) 39.3
- Area adjusted total load (in MJ/m²/yr) 64.8
- Area adjusted total load (in MJ/m²/yr) 70.0
- Area adjusted total load (in MJ/m²/yr) 74.2
- **Common areas**
- All common areas: no common showrooms, toilets or cloak rooms
- All common areas type 3: stair rail
- Common area ventilation system:
- Carpentry-staircase ventilation (supply + exhaust)
- Bins/storeroom: ventilation (supply + exhaust)

- Lobby: no common ventilation
- **Common area lighting:**
 - Lift bank: light-emitting diode, connected to lift call button
 - Corridor: light-emitting diode, 2-wired switching with motion sensor.
 - Bicycles/park: light-emitting diode, motion sensors.
- **Control energy systems:**
 - Lift bank (1): 17-gang switchbox with V V V F motor. No. of levels with 17-gang switchbox served by it: 18, 2
 - Number of levels from the bottom of the lift shaft to the top: 3
 - Number of lifts: 1
 - It had capacity ≈ 100 kg but ≈ 1500 kg

Non-building-specific commitments:

- **Common areas**
 - All common areas: no common showehoods, toilets or clothes washers
- All common areas: 24 hr. 3 star rating
- **Control energy systems:**
 - Alternative energy supply: photovoltaic system. Spec: rated electrical output (min): peak kW.

Consultants:

PLANNER
GSA
LANDSCAPE DESIGNER
CONTOUR LANDSCAPE ARCHITECTURE
SHADOWS
CAD/CRAFT
STORMWATER
NY CIVIL ENGINEERING
BASIN/SECTION J
ECERTS
BCA/ACCESS
BUILDING INNOVATIONS AUSTRALIA
TRAFFIC MANAGEMENT
WONGALA
SURVEY
VERIS
GEOTECH
AUSTRALIAN GEOTECHNOLOGY
IMAGERY
MOGAMMA

Common Office

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Nominated NSW Architect
William J McKee
NSW ARB 12651

Project
252 Campbell Parade,
Bondi Beach

Date
20-Feb-26

Scale	Drawn
1:100 at A3	MC/BM

Drawing

Approved - Roof
Plan

Project No
2532

Drawing No Rev
DA205[00]

SCHEDULE OF CHANGES
FROM PREVIOUSLY APPROVED DA TO THIS MODIFICATION

1. REMOVAL OF BASEMENT CAR PARK.
2. MODIFICATIONS TO GROUND FLOOR LAYOUT INCLUDING EXISTING RETAIL PREMISES, LOBBY CAR STACKER SYSTEM.
3. INCREASE FROM SINGLE TO DOUBLE PLATFORM CAR STACKER.
4. MODIFICATIONS TO FIRST FLOOR LAYOUT INCLUDING LOBBY AND INCLUSION OF UNITS 1 AND 2.
5. MODIFICATIONS TO SECOND FLOOR LAYOUT INCLUDING LOBBY AND INCLUSION OF UNITS 1 AND 2.
6. MODIFICATIONS TO THIRD FLOOR LAYOUT TO ACCOMMODATE UNIT 2.
7. MODIFICATIONS TO FOURTH FLOOR LAYOUT TO ACCOMMODATE UNIT 2.
8. REMOVAL OF SKYLIGHTS TO FOURTH FLOOR.
9. MODIFICATIONS TO ROOF TERRACE LANDSCAPING.
10. MODIFICATIONS TO FRONT AND REAR FACADES.
11. MODIFICATIONS TO EAST AND WEST FACADES.
12. REMOVAL OF WINDOWS TO WEST ELEVATION.

SCHEDULE OF AMENDMENTS
FROM REV 00 OF THIS MOD SUBMISSION

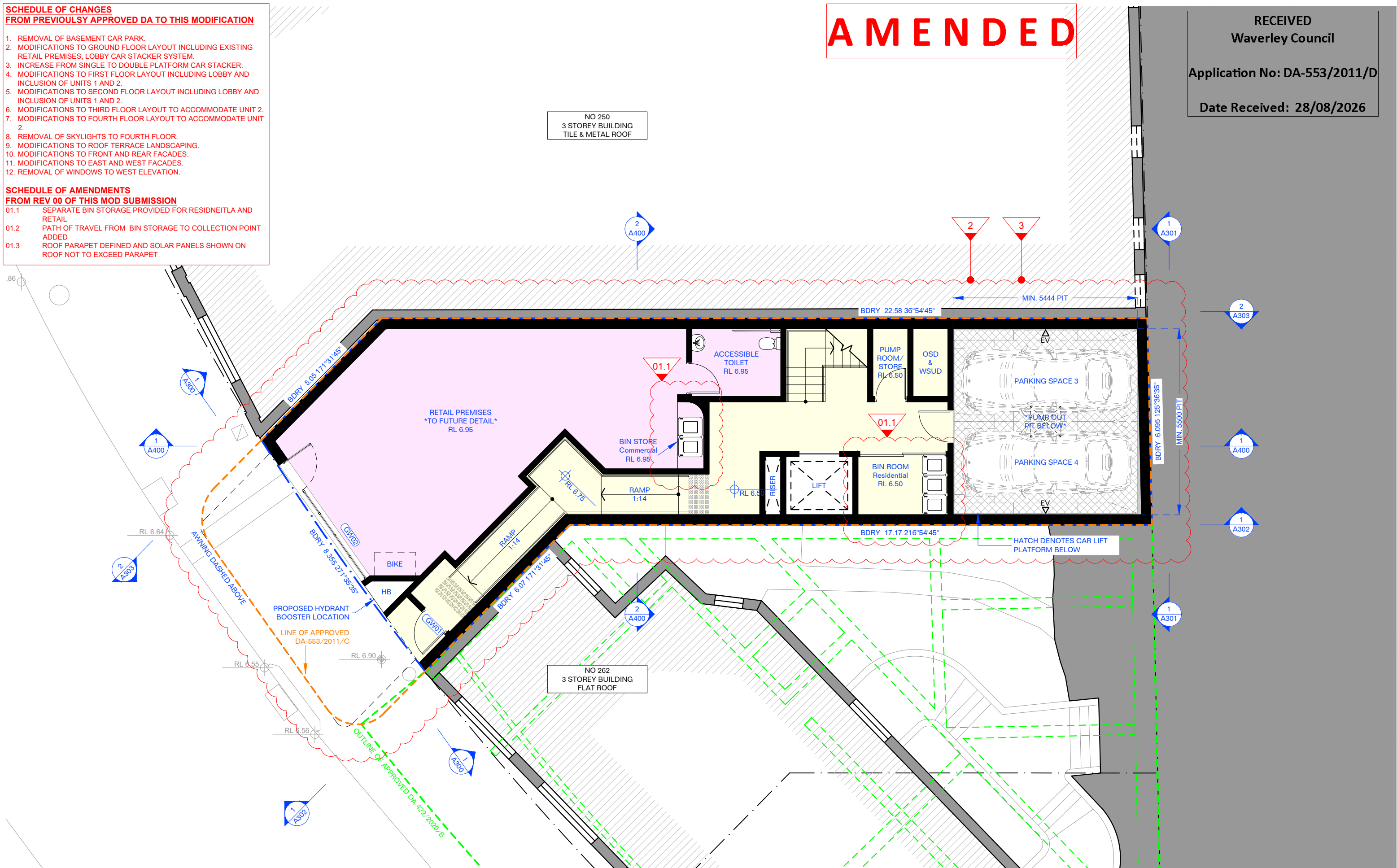
- | | |
|------|---|
| 01.1 | SEPARATE BIN STORAGE PROVIDED FOR RESIDNEITLA AND RETAIL |
| 01.2 | PATH OF TRAVEL FROM BIN STORAGE TO COLLECTION POINT ADDED |
| 01.3 | ROOF PARAPET DEFINED AND SOLAR PANELS SHOWN ON ROOF NOT TO EXCEED PARAPET |

AMENDED

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Waverley Council

Application No: DA-553/2011/D

Date Received: 28/08/2026



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Legend

- Existing to be demolished
- Unit 1
- Unit 2
- Circulation Zone
- Retail Premises

Notes	
1. ALL WORKS TO BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA.	7. REQUIREMENTS ARE ACCESSIBLE.
2. NATIONAL CONSTRUCTION CODE (NCC), AUSTRALIAN STANDARD (AS) AND LOCAL REGULATIONS AND LOCAL AUTHORITY REQ.	8. ALL DIMENSIONS TO BE VERIFIED ON SITE. DO NOT SCALE
3. CONTRACTOR TO ENSURE THAT ALL DRAWINGS FROM MATERIALS IS MAINTAINED.	9. ALL WORKS TO BE VERIFIED AGAINST DRAWINGS FOLLOWING CONSTRUCTION AND DESIGNATION TO BE NOTIFIED OF ANY DISCREPANCIES PRIOR TO PROCEEDING WITH NEXT TRADE
4. CONTRACTOR TO NOTIFY DESIGNER OF ANY DISCREPANCIES, DIMENSIONAL INCONSISTENCIES OR THE NEED FOR CLARIFICATION PRIOR TO MANUFACTURING	
5. DESIGNER TO REVIEW ALL CONTRACTORS DETAILED DRAWINGS / SETTING OUT PRIOR TO CONSTRUCTION	
6. CONTRACTOR TO LIAISE WITH ELECTRICAL CONTRACTORS TO ENSURE ALL POWERED/COMMUNICATIONS	

[illegible][illegible]

Consultants:

PLANNER

LANDSCAPE DESIGNER

CONTOUR LANDSCAPE ARCHITECTURE

SHADOWS

CAD/CAM

STORMWATER

NO CIVIL ENGINEERING

BARBICHERTON J

EGD/CIVIL

ROCKCICESSE

BUILDING INNOVATIONS AUSTRALIA

TRAFFIC MANAGEMENT

WONGSLA

SURVEY

VIEW

GEOTECH

AUSTRIAN JEN GEN/VIRO

IMAGERY

MOOREMAN



Project
252 Campbell Parade,
Bondi Beach

Date
28-Aug-26

Scale	Drawn
1:100 at A3	MC/RM

Drawing
Proposed - Ground
Floor Plan
Project No
2532

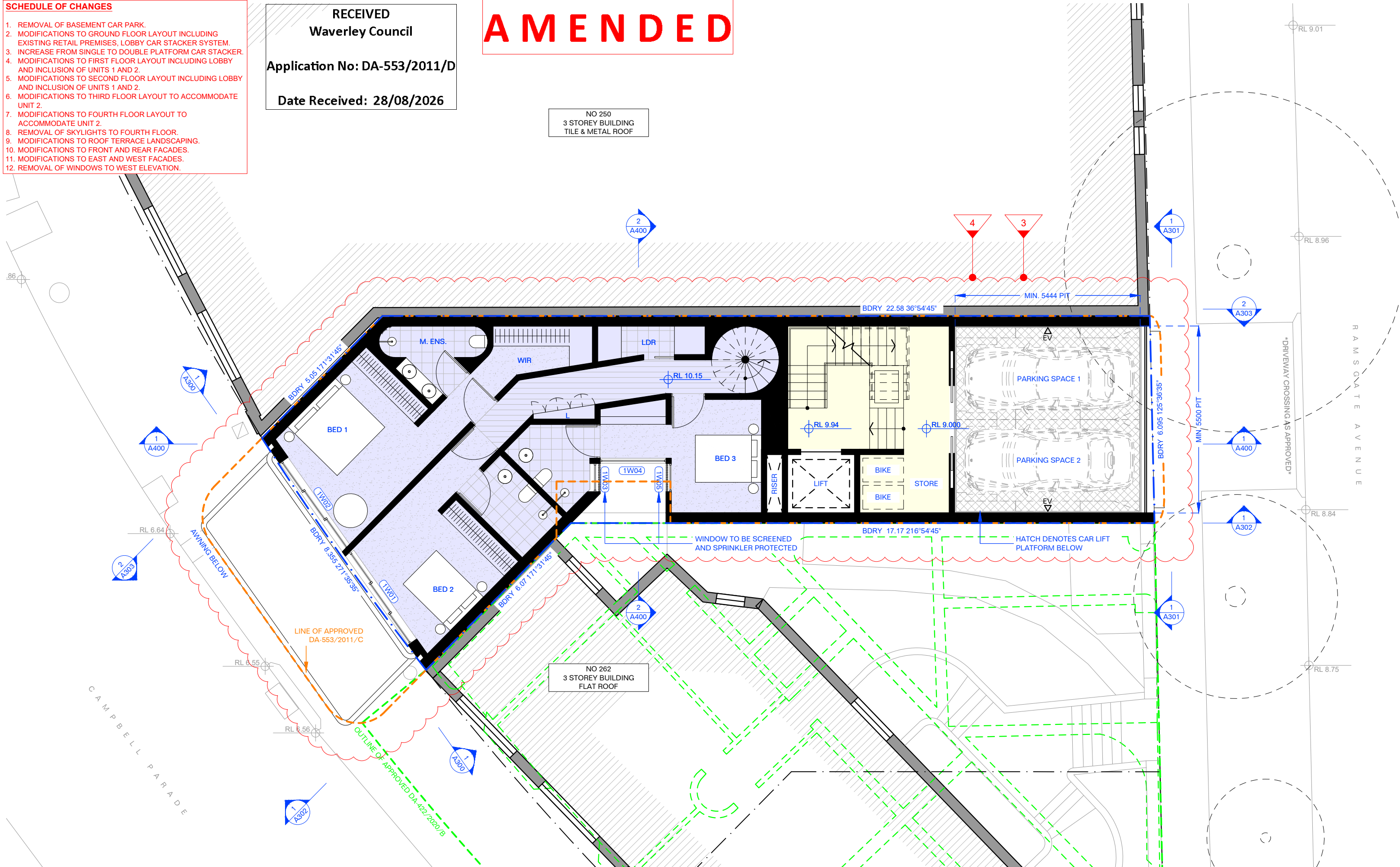
Drawing No Rev
DA210[01]

1. REMOVAL OF BASEMENT CAR PARK.
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12. REMOVAL OF WINDOWS TO WEST ELEVATION.

Date Received: 28/08/2026

AMENDED

NO 250
3 STOREY BUILDING
TILE & METAL ROOF



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Retail Premises

1. ALL WORKS TO BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA, NATIONAL CONSTRUCTION CODE (NCC), AUSTRALIAN STANDARDS STATUTORY REGULATIONS AND LOCAL AUTHORITY REQ.
2. CONTRACTOR TO ENSURE CONSISTENCY BETWEEN MATERIALS IS MAINTAINED
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5. CONTRACTOR TO LIAISE WITH ELECTRICAL CONTRACTORS TO ENSURE ALL POWER/DATA/COMMUNICATION

REQUIREMENTS ARE ACCESSIBLE.

6. ALL DIMENSIONS TO BE VERIFIED ON SITE. DO NOT SCALE

7. ALL WORKS TO BE VERIFIED AGAINST DRAWINGS FOLLOWING CONSTRUCTION AND DESIGNER TO BE NOTIFIED OF ANY DISCREPANCIES PRIOR TO PROCEEDING WITH NEXT TRADE

[illegible]

- Natural lighting: No. of bathrooms or toilets, 0 and Kitchen
- Appliances other efficiency measures (all dwellings)
 - Dishwasher: improved efficiency, 0 electric over
 - No Indoor or unshared clothes drying line
 - No Private outdoor or unshared clothes drying line
- Thermal Performance (all dwellings)
 - Thermal loads (Dwellings 0-1)
 - Area adjusted heating load (in MJ/m²/yr): 23.8
 - Area adjusted cooling load (in MJ/m²/yr): 4.7
 - Area adjusted total load (in MJ/m²/yr): 28.5
- Thermal loads (All other dwellings)
 - Area adjusted heating load (in MJ/m²/yr): 13.3
 - Area adjusted cooling load (in MJ/m²/yr): 10.9
 - Area adjusted total load (in MJ/m²/yr): 24.2
- Common areas
 - All common areas: no common showerheads, toilets or clothes washers
 - All common areas: 3+ star rating
 - Common area ventilation systems
 - Carpark/clacker: ventilation (supply + exhaust)
 - Bin/recycle/pack: ventilation (supply + exhaust)

- Lobby: no mechanical ventilation
- **Common area lighting:**
 - Lift bank: light-emitting diode, connected to lift call button
 - Carpark: light-emitting diode, 20min switching with motion sensor
 - Binstore/plant: light-emitting diode, motion sensors
- **Control energy systems:**
 - Lift bank: (no 1) guarantee traction with V V V F motor. No. of levels with apartments served by a lift 2
 - Number of levels from the bottom of the lift shaft to the top: 3
 - Number of lifts: 1
 - Lift load capacity: ≈ 100 kg but ≈ 1500 kg

Non-building specific commitments:

- **Common areas**
 - All common areas: no common showehouses, toilets or clothes washers
 - All common area taps: 3 star rating
- **Control energy systems:**
 - Alternative energy supply: photovoltaic system. Spec: rated electrical output (min) peak kW.

PLANNER
GSA
LANDSCAPE DESIGNER
CONTOUR LANDSCAPE ARCHITECTURE
SHADOWS
CADDRAFT
STORMWATER
NY CIVIL ENGINEERING
BASIX/SECTION J
ECERTS
BCA/ACCESS
BUILDING INNOVATIONS AUSTRALIA
TRAFFIC MANAGEMENT
WONGALA
SURVEY
VERIS
GEOTECH
AUSTRALIAN GEOTECH/VIRO
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MOGAMMA

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www.common-office.com

Nominated NSW Architect
William J McKee
NSW ARB 12651

Scale Drawn
1:100 at A3 MC/RM

Drawing
Proposed - First
Floor Plan
Project No
2532

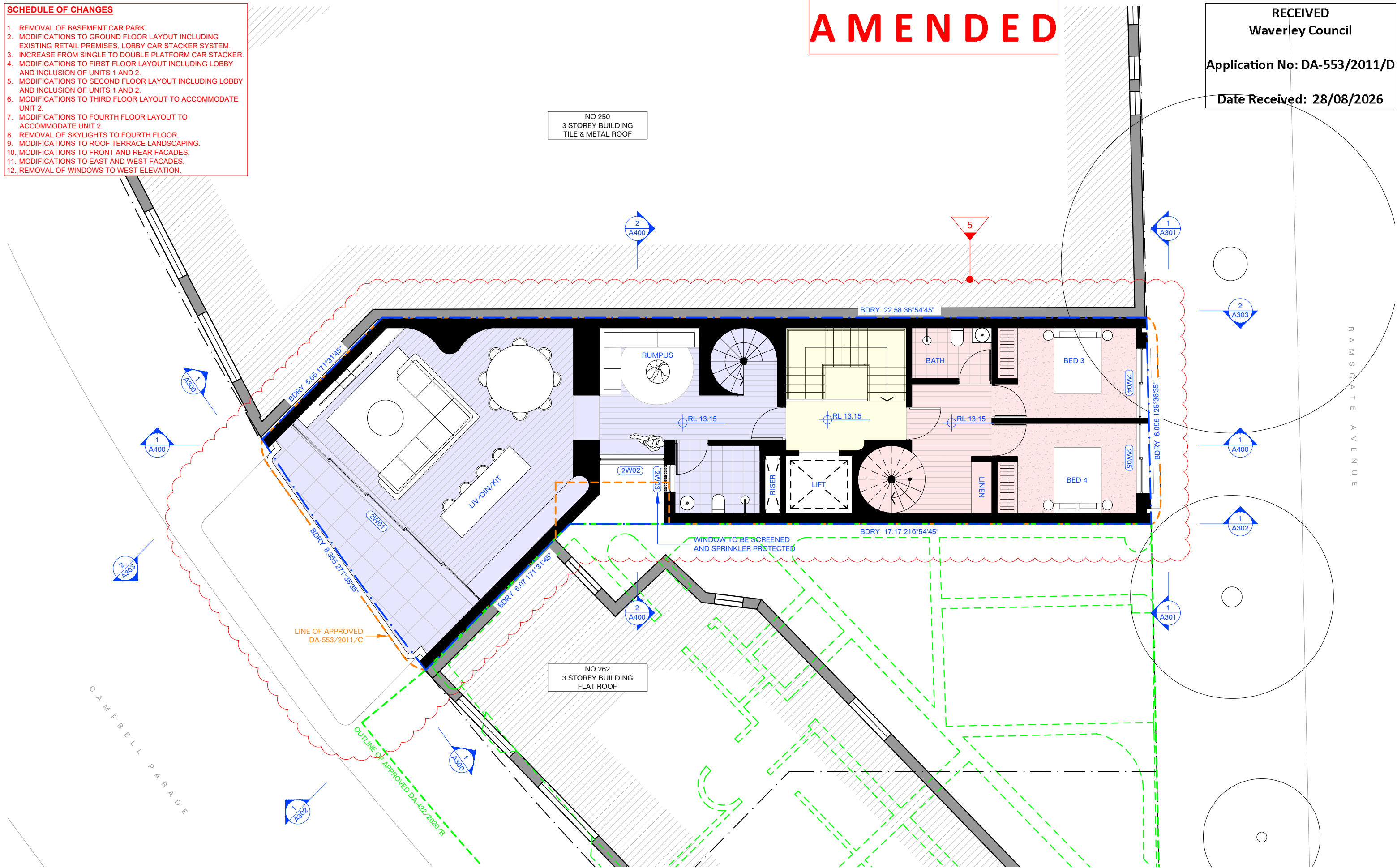
Drawing No Rev

DA211[00]

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RECEIVED
Waverley Council
Application No: DA-553/2011/D
Date Received: 28/08/2026



Certificate No. #HR-3F99DZ-01

Scan QR code or follow website link for rating details.

Assessor name: Elias Abouatnious

Accreditation No: HERA 112005

Property Address: 252 Campbell Parade, Bondi, NSW, 2029

<http://www.hero-software.com.au/pdf/HR-3F99DZ-01>

Notes	
1. ALL WORKS TO BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA. 2. CONTRACTOR TO OBTAIN ALL NECESSARY AUSTRALIAN STANDARDS STATUTORY REGULATIONS AND LOCAL AUTHORITY REQ. 3. CONTRACTOR TO ENSURE COMPLIANCE BETWEEN MATERIALS IS MAINTAINED 4. CONTRACTOR TO NOTIFY DESIGNER OF ANY DISCREPANCIES, DIMENSIONAL INCONSISTENCIES OR THE NEED FOR CLARIFICATION PRIOR TO MANUFACTURING 5. DESIGNER TO REVIEW ALL CONTRACTORS DETAILED DRAWINGS / SETTING OUT PRIOR TO CONSTRUCTION. 6. CONTRACTOR TO LIAISE WITH ELECTRICAL CONTRACTORS TO ENSURE A POWER/DATA COMMUNICATION	7. REQUIREMENTS ARE ACCESSIBLE. 8. ALL DIMENSIONS TO BE VERIFIED ON SITE. 9. DO NOT SCALE 10. ALL WORKS TO BE VERIFIED AGAINST DRAWINGS FOLLOWING CONSTRUCTION AND DESIGNER TO BE NOTIFIED OF ANY DISCREPANCIES PRIOR TO PROCEEDING WITH NEXT TRADE

[illegible]

- (label)
- Natural lighting: No. of bathrooms or toilets, 0 and Kitchen
- Appliances/other efficiency measures (all dwellings)**
- Electricity consumption: electric cooking & electric oven
- No Indoor or sheltered clothes drying line
- No Private outdoor or unsheltered clothes drying line
- Thermal Performance (all dwellings)**
- Thermal loads (Dwellings 01)**
- Area adjusted heating load (in MJ/m²/yr): 23.8
- Area adjusted cooling load (in MJ/m²/yr): 4.7
- Area adjusted total load (in MJ/m²/yr): 28.5
- Thermal loads (All other dwellings)**
- Area adjusted heating load (in MJ/m²/yr): 13.3
- Area adjusted cooling load (in MJ/m²/yr): 10.9
- Area adjusted total load (in MJ/m²/yr): 24.2
- Common areas**
- All common areas: no common showerrooms, toilets or clothes washers
- All common areas: 3 star rating
- Common area ventilation systems
- Carpark/shed: ventilation (supply + exhaust)
- Bins/corridor: ventilation (supply + exhaust)

- Lobby: no mechanical ventilation
- **Common areas lighting:**
 - Lift bank: light-emitting diode, connected to lift call button
 - Staircase: light-emitting diode, zoned switching with motion sensor
 - Bi-level area: light-emitting diode, motion sensor
- **Central energy systems:**
 - Lift bank type 1: gas boiler, heating with VVVF motor. No. of levels with apartments served by lift: 2
 - Number of levels from the bottom of the lift shaft to the top: 3
 - Number of the lift: 1
 - Lift load capacity: ≈ 100 kg but ≈ 1500 kg

Non-building specific comments:

- **Common areas**
 - All common areas: no common showeheders, isolats or clothes washers
 - All common areas type: 3 star rating
- **Alternative energy supply:** photovoltaic system. Spec: rated electrical output (mrr) peak kW.

Consultants:
PLANNER
 GSA
LANDSCAPE DESIGNER
 CONTOUR LANDSCAPE ARCHITECTURE
SHADOWS
 CADRAFT
STORMWATER
 MT CIVIL ENGINEERING
BASIN/SECTION J
 ECERTS
BCA/ACCESS
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TRAFFIC MANAGEMENT
 WONGALA
SURVEY
 VERIS
GEOTECH
 AUSTRALIAN GEOENVIRO
IMAGERY
 MOGAMMA

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Nominated NSW Architect
William J McKee
NSW ARB 12651

Project	
252 Campbell Parade, Bondi Beach	
Date	
20-Feb-26	
Scale	Drawn
1:100 at A3	MC/RM

Drawing
Proposed - Second
Floor Plan
Project No
2532
Drawing No Rev
DA212[00]

SCHEDULE OF CHANGES

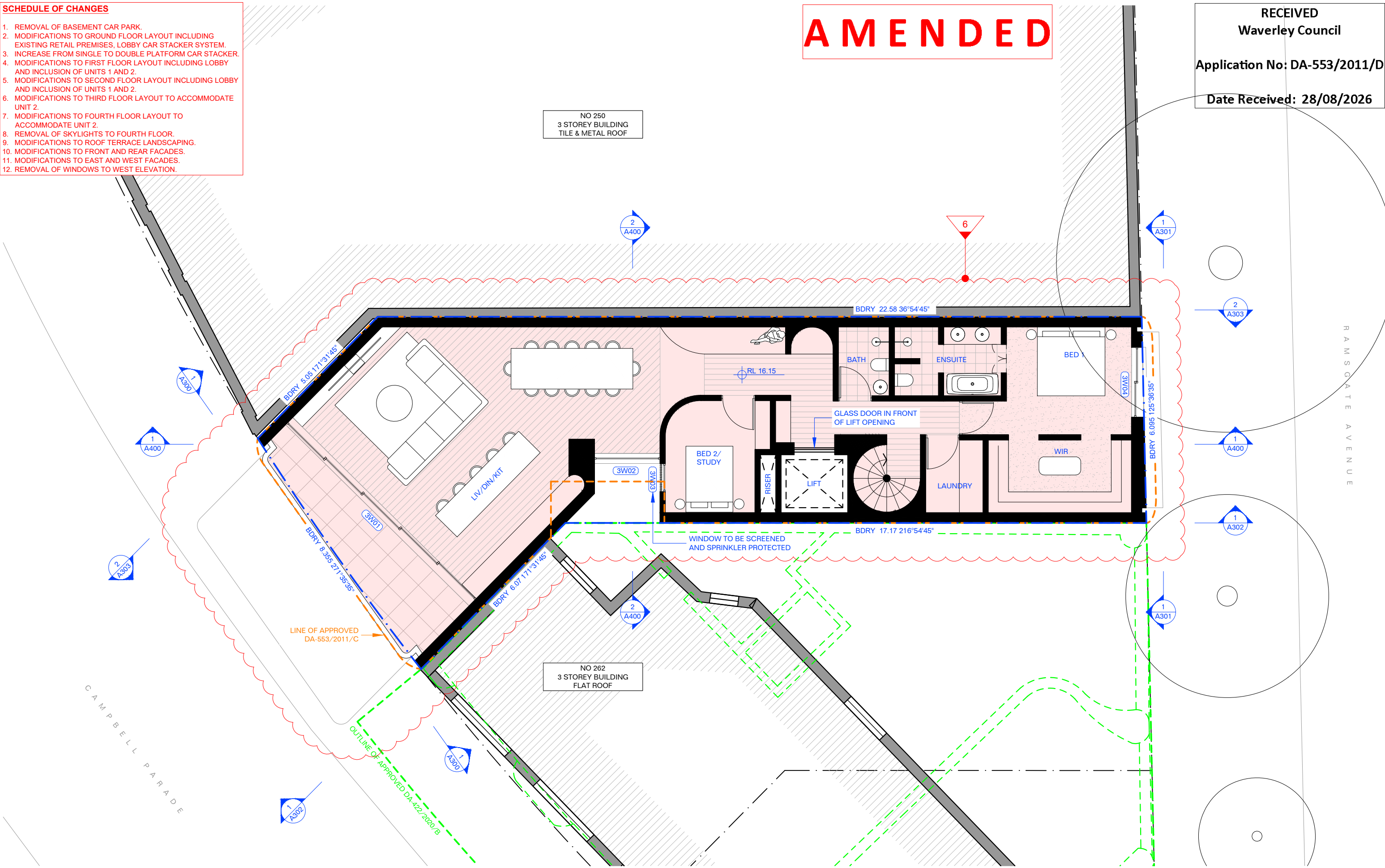
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AMENDED

RECEIVED
Waverley Council

Application No: DA-553/2011/D

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- Legend
- Existing to be demolished
 - Unit 1
 - Unit 2
 - Circulation Zone
 - Retail Premises

- Notes
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 7. ALL WORKS TO BE VERIFIED AGAINST DRAWINGS FOLLOWING CONSTRUCTION AND DESIGNER TO BE NOTIFIED OF ANY DISCREPANCIES PRIOR TO PROCEEDING WITH NEXT TRADE.

BASIX/NATHERS: All other requirements as per certificates

- Basix**
- **Water (all dwellings)**
 - All shower heads: 4 star (+ A-2 but + A-1 limit)
 - All toilet flushing systems: 4 star
 - All kitchen taps: 4 star
 - All bathroom taps: 4 star
 - All clothes washers: 4 star
 - All dishwashers: 4 star
 - All water saving: 4 star
 - **Energy (all dwellings)**
 - Hot water system: 4 star (or 3.5 to 3.6 STCs)
 - Bathroom ventilation systems: Each bathroom: individual fan, ducted to terrace or roof. Manual switch on/off.
 - Kitchen ventilation systems: Individual fan, ducted to terrace or roof manual switch on/off.
 - Laundry ventilation systems: Individual fan, ducted to terrace or roof manual switch on/off.
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NSW, 2015, Australia
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www.common-office.com
Nominated NSW Architect
William J McKee
NSW ARB 12651

Project
252 Campbell Parade,
Bondi Beach

Date
20-Feb-26

Scale
1:100 at A3

Drawn
MC/RM

Drawing
Proposed - Third
Floor Plan

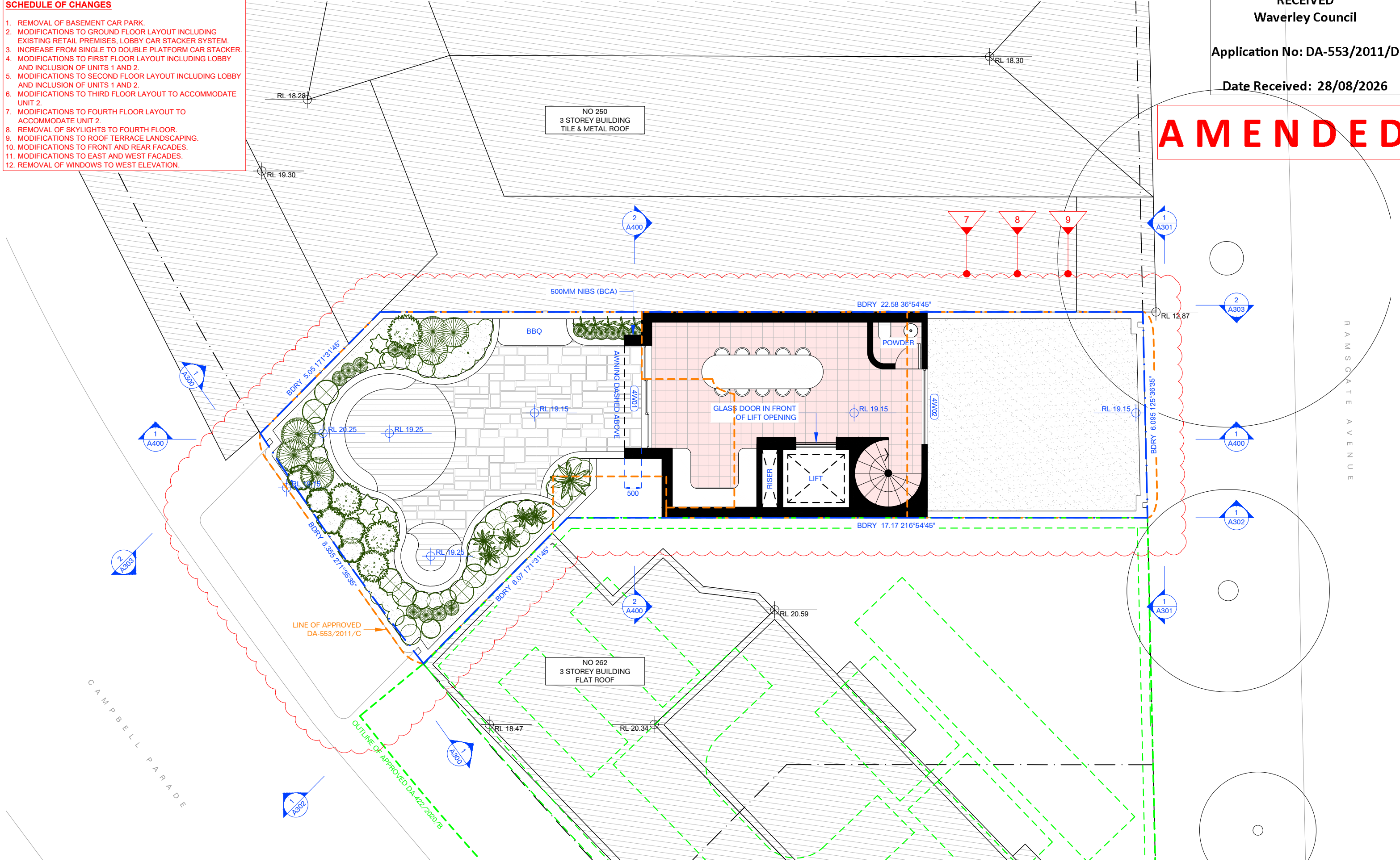
Project No
2532

Drawing No
DA213[00]

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12. REMOVAL OF WINDOWS TO WEST ELEVATION.

Date Received: 28/08/2026

~~AMENDED~~



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[illegible]

(labour)

- Natural lighting: No. of bathtubs or toilets: 0 and Kitchen
- Appliances (other efficiency measures) (all dwellings)**
- No. of electric showers: electric clothes dryer: 4 electric oven
- No indoor or sheltered clothes drying line
- No Private outdoor or unsheltered clothes drying line

Thermal Performance (all dwellings)

Thermal loads (Dwellings 01)

- Area adjusted heating load (in MJ/m²/yr): 23.8
- Area adjusted cooling load (in MJ/m²/yr): 4.7
- Area adjusted total load (in MJ/m²/yr): 28.5

Thermal loads (All other dwellings)

- Area adjusted heating load (in MJ/m²/yr): 13.3
- Area adjusted cooling load (in MJ/m²/yr): 10.9
- Area adjusted total load (in MJ/m²/yr): 24.2

COMMON AREAS

- All common areas: no common showrooms, toilets or clothes area ventilation
- All common areas: 3 star rating
- Common area ventilation: public
- Carpark/clacker: ventilation (supply + exhaust)
- Bin/repotplant: ventilation (supply + exhaust)

- Lobby: no mechanical ventilation
- **Common area lighting:**
 - Lift bank: light-emitting diode, connected to lift call button
 - Corridor: light-emitting diode, zoned switching with motion sensor.
 - Binocular/plant: light-emitting diode, motion sensors.
- **Central energy systems:**
 - Lift bank no. 11: gearless traction with V V V motor. No. of levels with entrances served by a lift: 2
 - Number of levels from the bottom of the lift shaft to the top: 3
 - Number of lifts: 1
 - Lift load capacity: >= 100 kg but <= 1500 kg

Non-building-specific commitments:

- **Common areas**
 - All common areas: no common showereads, toilets or clothes washers
 - All common areas have 3 star rating
- **Central energy systems:**
 - Alternative energy supply: photovoltaic system. Spec. rated electrical output (min): peak kW.

PLANNER
GSA
LANDSCAPE DESIGNER
CONTOUR LANDSCAPE ARCHITECTURE
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CADDRAFT
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BUILDING INNOVATIONS AUSTRALIA
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NSW ARB 12651



Scale	Drawn
1:100 at A3	MC/RM

Drawing No Rev

DA214[00]

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11. MODIFICATIONS TO EAST AND WEST FACADES.
12. REMOVAL OF WINDOWS TO WEST ELEVATION.

AMENDED



Drawing
**Proposed - Roof
Plan**
Project No
2532

Drawing No Rev

DA215[00]

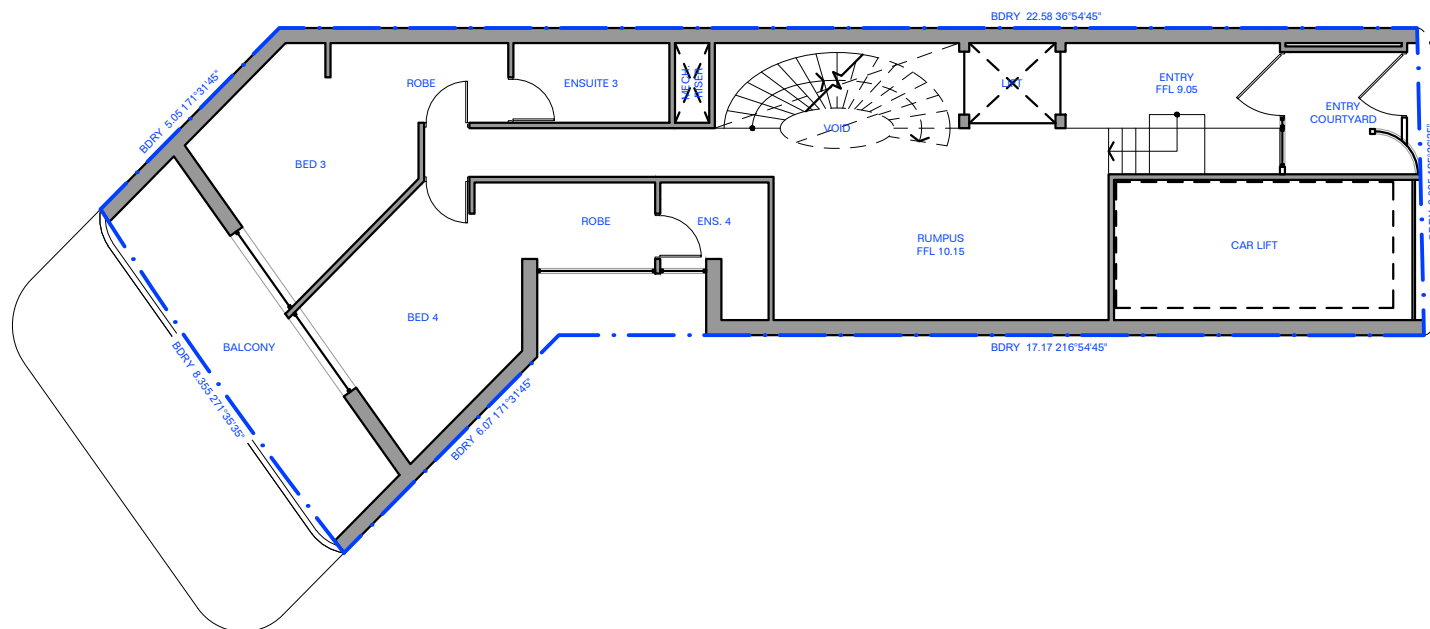
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AMENDED

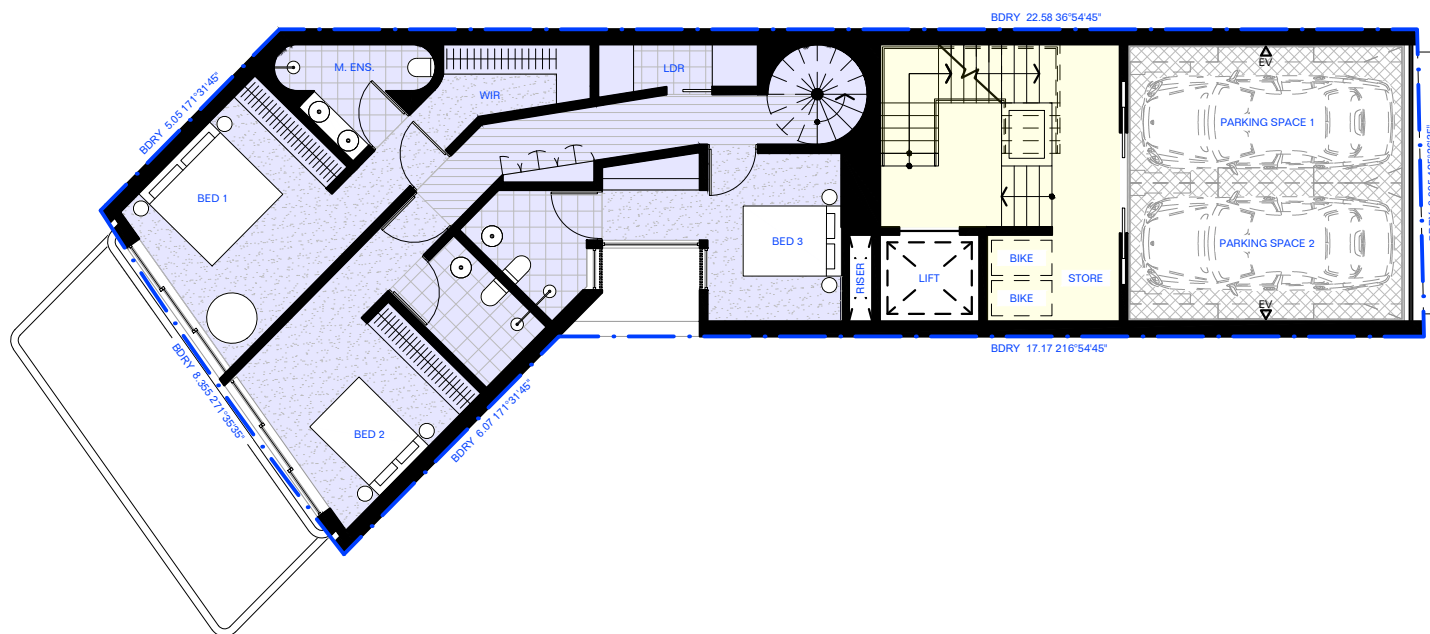


Drawing No Rev
DA220[01]

AMENDED



1 APPROVED - FIRST FLOOR PLAN
221



2
221

Certificate No. #HR-3F99DZ-01

Scan QR code or follow website link for rating details:

Assessor name	Elias Aboutannous
Accreditation No.	HERA-10205
Property Address	252 Campbell Parade, Bondi, NSW, 2029

<http://www.hero-software.com.au/pdf/HR-3F99DZ-01>

Legend

- Existing to be demolished
- Unit 1
- Unit 2
- Circulation Zone
- Retail Premises

Notes	
1. ALL WORKS TO BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA, NATIONAL CONSTRUCTION CODE (NCC), AS WELL AS RELEVANT STATE AND TERRITORY REGULATIONS AND LOCAL AUTHORITY REQ.	2. REQUIREMENTS ARE ACCESSIBLE. ALL DIMENSIONS TO BE VERIFIED ON SITE. DO NOT SCALE.
3. CONTRACTOR TO ENSURE COMPLIANCE WITH ALL RELEVANT STANDARDS AS MAINTAINED BY THE RELEVANT AUTHORITY.	4. ALL WORKS TO BE VERIFIED AGAINST DRAWINGS FOLLOWING CONSTRUCTION AND DESIGNER TO BE NOTIFIED OF ANY DISCREPANCIES PRIOR TO PROCEEDING WITH NEXT TRADE.
5. CONTRACTOR TO NOTIFY DESIGNER OF ANY DISCREPANCIES, DIMENSIONAL INCONSISTENCIES OR THE NEED FOR CLARIFICATION PRIOR TO MANUFACTURING.	
6. CONTRACTOR TO REVIEW ALL CONTRACTORS' DETAILED DRAWINGS / SETTING OUT PRIOR TO CONSTRUCTION.	
7. CONTRACTOR TO LAUSE WITH ELECTRICAL CONTRACTORS TO ENSURE ALL POWER AND DATA COMMUNICATIONS ARE CORRECTLY INSTALLED.	

[illegible]

- Natural lighting: No. of bathrooms or toilets: 0 and Kitchen
- Appliances other efficiency measures (all dwellings)**
 - Kitchen/cupboard: electric cooking & electric oven
 - Indoor or sheltered clothes drying line
 - No Private outdoor or unsheltered clothes drying line
- Thermal Performance (all dwellings)**
 - Thermal loads (Dwellings)**
 - Area adjusted heating load (in MJ/m²/yr): 23.8
 - Area adjusted cooling load (in MJ/m²/yr): 4.7
 - Area adjusted total load (in MJ/m²/yr): 28.5
 - Thermal loads (All other dwellings)**
 - Area adjusted heating load (in MJ/m²/yr): 13.3
 - Area adjusted cooling load (in MJ/m²/yr): 30.9
 - Area adjusted total load (in MJ/m²/yr): 24.2
- Common areas**
 - All common areas: no common showersheds, toilets or clothes washes
 - All common areas type: 3 star rating
- Common area ventilation systems**
 - Exhaust fan ventilation (supply & exhaust)
 - Backdraft/relief: ventilation (supply & exhaust)

- Lobby: no mechanical ventilation
- Common area lighting
 - Lift bank: light-emitting diode, connected to call button
 - Corridor: light-emitting diode, zoned switching with motion sensor.
 - Circulation: light-emitting diode, motion sensors.
- Central energy systems:
 - Lift bank (no.1): gearless traction with V V V F motor. No. of levels with lift bank served by it = 8
 - Number of levels from the bottom of the lift shaft to the top: 3
 - Number of lifts: 1
 - Lift load capacity: ≈ 100 kg but ≈ 1500 kg

Non-building-specific commitments:

- Common areas
 - All common areas: no common show/hedders, bollards or clothes washers
 - All common areas type: 3 star rating
- **Central energy systems:**
 - Alternative energy supply: photovoltaic system. Spec: rated electrical output (mW) peak kW.

Consultants:
PLANNER
 GSA
LANDSCAPE DESIGNER
 CONTOUR LANDSCAPE ARCHITECTURE
SHADOWS
 CADRAFT
STORMWATER
 NY CIVIL ENGINEERING
BASIN/SECTION J
 ECDR
BASE/ACCESS
 BUILDING INNOVATIONS AUSTRALIA
TRAFFIC MANAGEMENT
 WONGALA
SURVEY
 VERIS
GEOTECH
 AUSTRALIAN GEOENVIRO
IMAGERY
 MOGAMMA

Common Office
L1, 58 Riley Street
Darlinghurst
NSW, 2010, Australia
02 9055 9261
www.common-office.com

Nominated NSW Architect
William J McKee
NSW ARB 12651



Project
252 Campbell Parade,
Bondi Beach

Date
20-Feb-26

Scale
1:150 at A3

Drawn
MC/RM

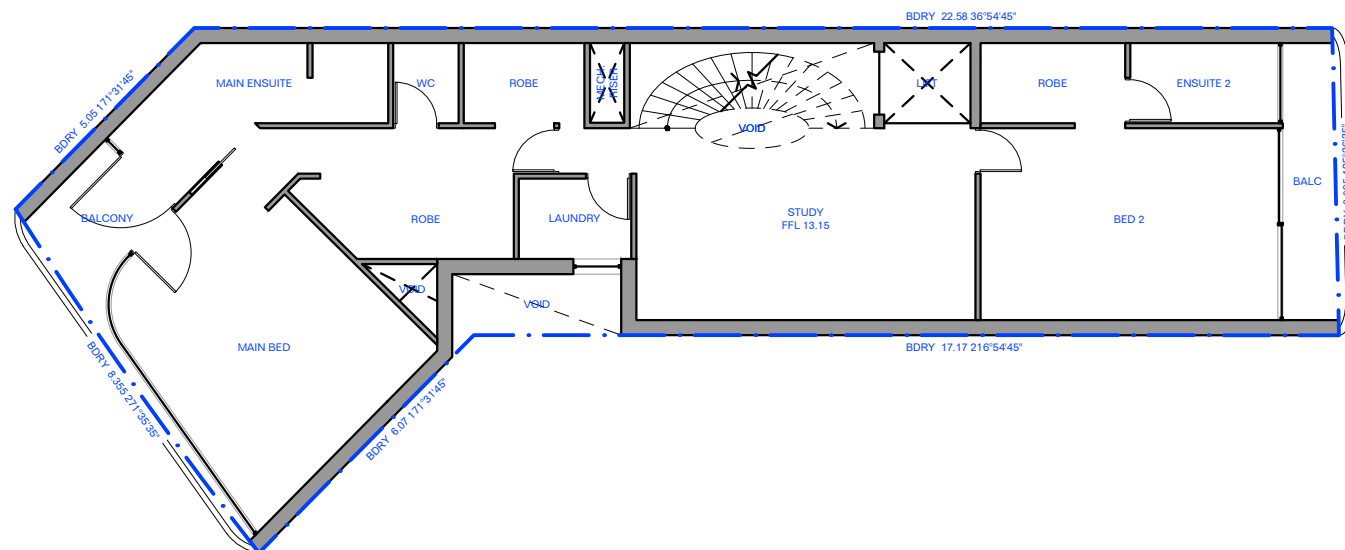
Drawing
**Comparison -
First Floor Plan**

Project No
2532

Drawing No Rev

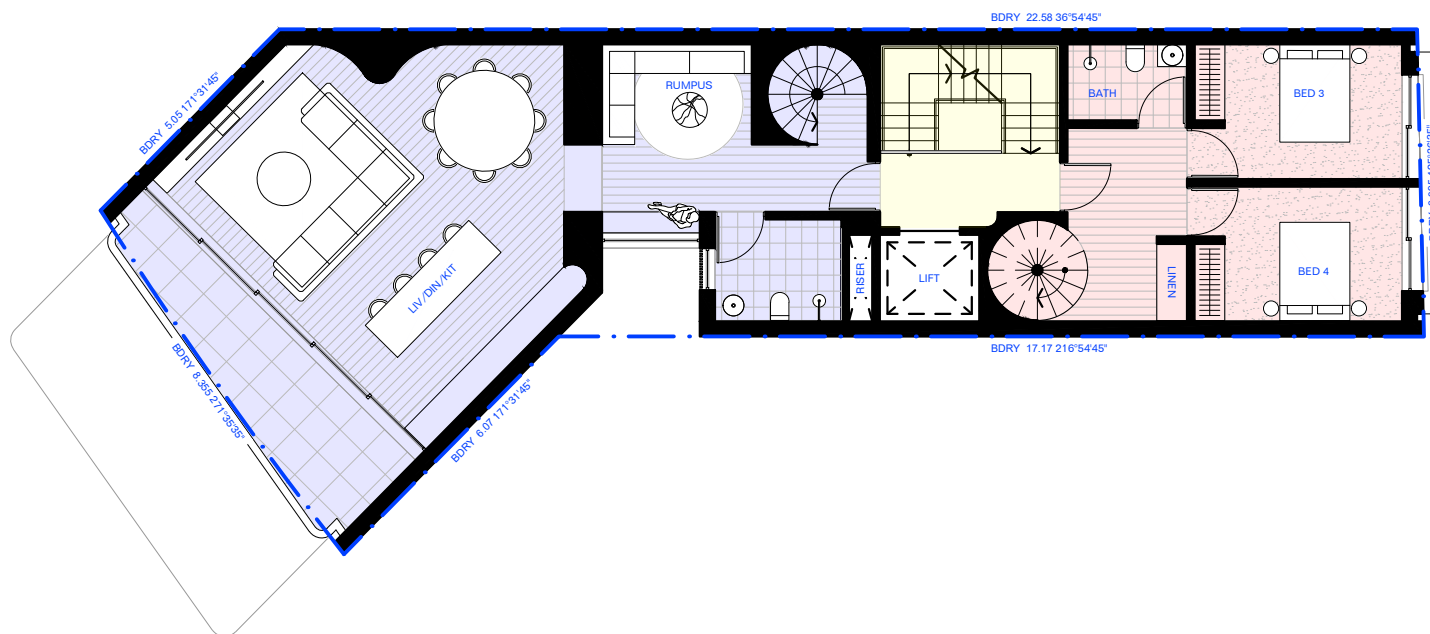
DA221[00]

AMENDED



1
222

APPROVED - SECOND FLOOR PLAN


$$\frac{2}{221}$$

PROPOSED - SECOND FLOOR PLAN

Legend

- Existing to be demolished
- Unit 1
- Unit 2
- Circulation Zone
- Retail Premises

Notes

1. ALL WORKS TO BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA, NATIONAL CONSTRUCTION CODE (NCC), AUSTRALIAN STANDARDS STATUTORY REGULATIONS AND LOCAL AUTHORITY REQ.
2. CONTRACTOR TO ENSURE CONSISTENCY BETWEEN MATERIALS IS MAINTAINED
3. CONTRACTOR TO NOTIFY DESIGNER OF ANY DISCREPANCIES, DIMENSIONAL INCONSISTENCIES OR THE NEED FOR CLARIFICATION PRIOR TO MANUFACTURING
4. DESIGNER TO REVIEW ALL CONTRACTORS DETAILED DRAWINGS / SETTING OUT PRIOR TO CONSTRUCTION
5. CONTRACTOR TO LIAISE WITH ELECTRICAL CONTRACTORS TO ENSURE ALL POWER/DATA/COMMUNICATION

REQUIREMENTS ARE ACCESSIBLE.

6. ALL DIMENSIONS TO BE VERIFIED ON SITE DO NOT SCALE

7. ALL WORKS TO BE VERIFIED AGAINST DRAWINGS FOLLOWING CONSTRUCTION AND DESIGNER TO BE NOTIFIED OF ANY DISCREPANCIES PRIOR TO PROCEEDING WITH NEXT TRADE

[illegible]

- **Appliances** other efficiency measures **(all dwellings)**
 - Kitchen: Kitchens with electric cooking & electric oven
 - Air: Inducer or shutoff valves on clothes drying line
 - No: Private outdoor or unheated clothes drying line
- **Thermal Performance (all dwellings)**
 - **Thermal loads (Dwellings)** (all MJ/yearly)
 - Areas adjusted heating load (in MJ/yearly): 23.8
 - Areas adjusted cooling load (in MJ/yearly): 27.7
 - Areas adjusted total load (in MJ/yearly): 28.5
 - **Thermal loads (All other dwellings)**
 - Areas adjusted heating load (in MJ/yearly): 13.3
 - Areas adjusted cooling load (in MJ/yearly): 19.9
 - Areas adjusted total load (in MJ/yearly): 24.2
- **Common areas**
 - All common areas: no common showrooms, toilets or clothes washers
 - All common areas: taps: 3 star rating
- **Common area ventilation systems**
 - Fresh air: mechanical ventilation (supply + exhaust)
 - Bio: mechanical ventilation (supply + exhaust)

- Lobby: no mechanical ventilation
- Common area lighting:
 - Lift bank: light-emitting diode, connected to lift call button
 - Carpark: light-emitting diode, zoned switching with motion sensor.
- Central energy systems:
 - Lift bank (no. 1): gas-fired traction with V V V F motor. No. of levels with space heating served by it is 2
 - Number of levels from the bottom of the lift shaft to the top: 3
 - Number of lifts: 1
 - Lift load capacity: ≥ 100 kg but ≤ 1500 kg

Non-building-specific comments:

- Common areas
 - All common areas: no common showehouses, toilets or clothes washers
 - All common areas taps: 3 star rating
- Central energy systems:
 - Alternative energy supply: photovoltaic system. Spec: rated electrical output (mva) peak kW.

Consultants:
PLANNER
 GSA
LANDSCAPE DESIGNER
 CONTOUR LANDSCAPE ARCHITECTURE
SHADOWS
 CADRAFT
STORMWATER
 NY CIVIL ENGINEERING
BASIN/SECTION J
 ECEBTS
BCA/ACCESS
 BUILDING INNOVATIONS AUSTRALIA
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Nominated NSW Architect
William J McKee
NSW ARB 12651



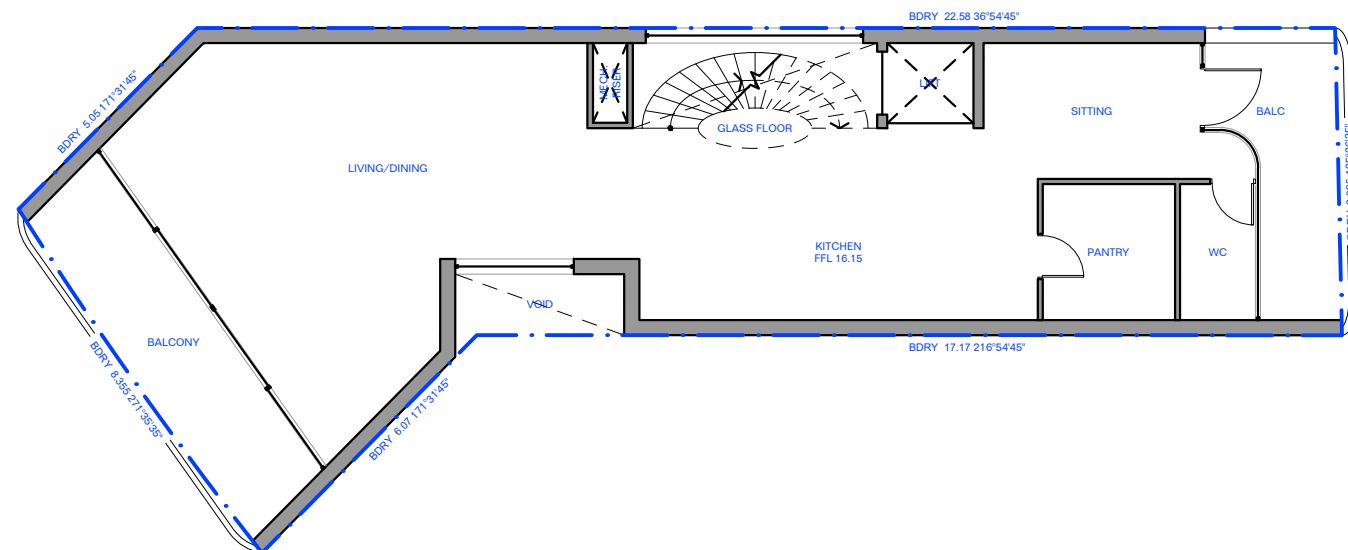
Project
252 Campbell Parade,
Bondi Beach

Date
20-Feb-26

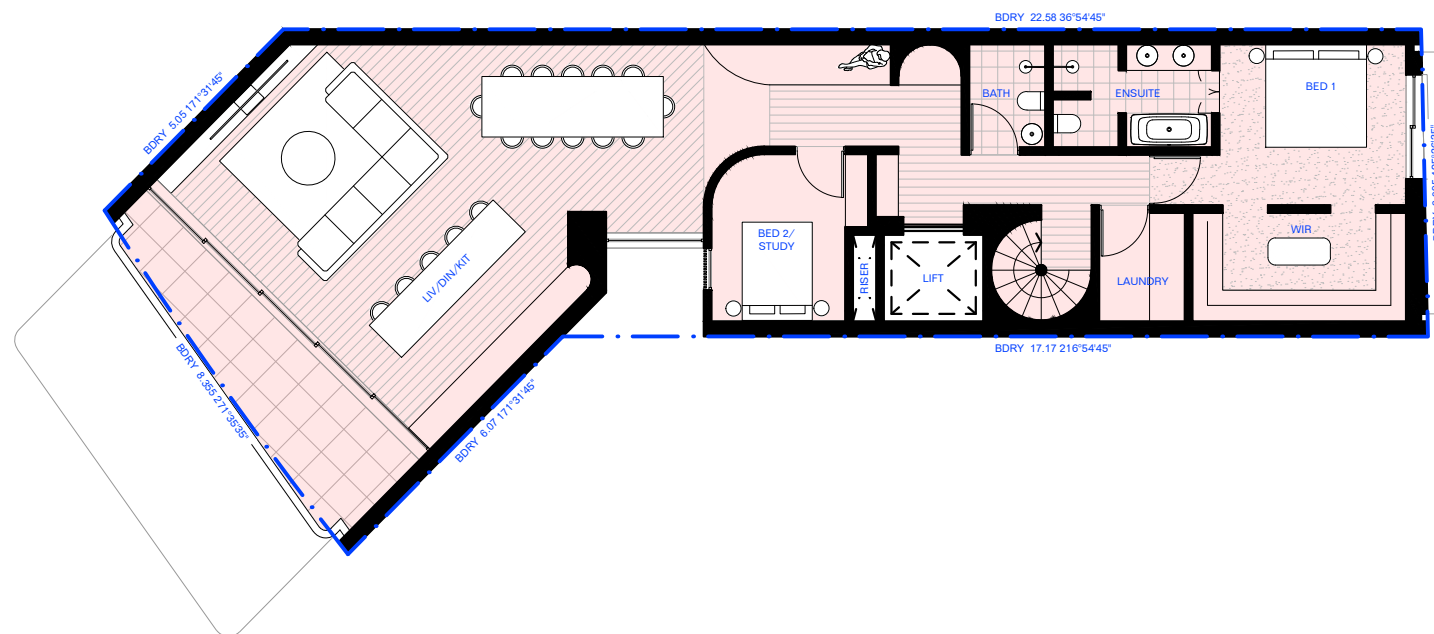
Scale Drawn

Drawing
Comparison -
Second Floor Plan
Project No
2532
Drawing No Rev
DA222[00]

AMENDED



1 APPROVED - THIRD FLOOR PLAN
223



2
223

Legend

- Existing to be demolished
- Unit 1
- Unit 2
- Circulation Zone
- Retail Premises

Notes

1. ALL WORKS TO BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA, NATIONAL CONSTRUCTION CODE (NCC), AUSTRALIAN STANDARDS STATUTORY REGULATIONS AND LOCAL AUTHORITY REQ.
2. CONTRACTOR TO ENSURE CONSISTENCY BETWEEN MATERIALS IS MAINTAINED
3. CONTRACTOR TO NOTIFY DESIGNER OF ANY DISCREPANCIES, DIMENSIONAL INCONSISTENCIES OR THE NEED FOR CLARIFICATION PRIOR TO MANUFACTURING
4. DESIGNER TO REVIEW ALL CONTRACTORS DETAILED DRAWINGS / SETTING OUT PRIOR TO CONSTRUCTION
5. CONTRACTOR TO Liaise WITH ELECTRICAL CONTRACTORS TO ENSURE ALL POWER/DATA/COMMUNICATION

BASIXNATHERS: All other requirements as per certificates

Accessories Place type 1) Floor 2) Wall 3) Ceiling 4) Other 5) Suspended ceiling 6) Floor above garage, frame suspended, concrete slab, 300x30, insulation Polystyrene 7) Floor above foundation, concrete, frame suspended, concrete slab, 413x102	Weight (all wallings) 1) Per square meter of walling 2) All walling 3) All walling 4) All walling 5) All walling 6) All walling 7) All walling 8) All walling 9) All walling 10) All walling 11) All walling 12) All walling 13) All walling 14) All walling 15) All walling 16) All walling 17) All walling 18) All walling 19) All walling 20) All walling 21) All walling 22) All walling 23) All walling 24) All walling 25) All walling 26) All walling 27) All walling 28) All walling 29) All walling 30) All walling 31) All walling 32) All walling 33) All walling 34) All walling 35) All walling 36) All walling 37) All walling 38) All walling 39) All walling 40) All walling 41) All walling 42) All walling 43) All walling 44) All walling 45) All walling 46) All 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- **Appliances** other efficiency measures **(all dwellings)**
 - Kitchen: Kitchens with electric cooking & electric oven
 - Air: Inducer or shutoff valves on clothes drying line
 - No: Private outdoor or unheated clothes drying line
- **Thermal Performance (all dwellings)**
 - **Thermal loads (Dwellings (all))**
 - Areas adjusted heating load (in MJ/m²/yr): 23.8
 - Areas adjusted cooling load (in MJ/m²/yr): 27.7
 - Areas adjusted total load (in MJ/m²/yr): 28.5
 - **Thermal loads (All other dwellings)**
 - Areas adjusted heating load (in MJ/m²/yr): 13.3
 - Areas adjusted cooling load (in MJ/m²/yr): 19.9
 - Areas adjusted total load (in MJ/m²/yr): 24.2
- **Common areas**
 - All common areas: no common showrooms, toilets or clothes washers
 - All common areas: taps: 3 star rating
- **Common area ventilation systems**
 - Fresh air: mechanical ventilation (supply & exhaust)
 - Bioventilation: ventilation (supply + exhaust)

- Lobby: no mechanical ventilation
- Common area lighting
 - Lift bank: light-emitting diode, connected to lift call button
 - Carpark: light-emitting diode, zoned switching with motion sensor.
 - Staircase: light-emitting diode, motion sensors.
- Central energy system
 - Lift bank (no. 1): gas-fired traction with VVVF motor. No. of levels with space heating service by lift = 2
 - Number of levels from the bottom of the lift shaft to the top: 3
 - Number of lifts: 1
 - Lift load capacity: ≈ 100 kg to ≈ 1500 kg

Non-building-specific comments:

- Common areas
 - All common areas: no common show/household, babies or clothes washers
 - All common areas taps: 3 star rating
- Central energy system
 - Alternative energy supply: photovoltaic system. Spec: rated electrical output (mim) peak kW.

Consultants:
PLANNER
 GSA
LANDSCAPE DESIGNER
 CONTOUR LANDSCAPE ARCHITECTURE
SHADOWS
 CADRAFT
STORMWATER
 NY CIVIL ENGINEERING
BASIN/SECTION J
 ECDR
BASE/ACCESS
 BUILDING INNOVATIONS AUSTRALIA
TRAFFIC MANAGEMENT
 WONGALA
SURVEY
 VERIS
GEOTECH
 AUSTRALIAN GEOENVIRO
IMAGERY
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NSW, 2010, Australia
02 9055 9261
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Nominated NSW Architect
William J McKee
NSW ARB 12651



Project
252 Campbell Parade,
Bondi Beach

Date
20-Feb-26

Scale Drawn

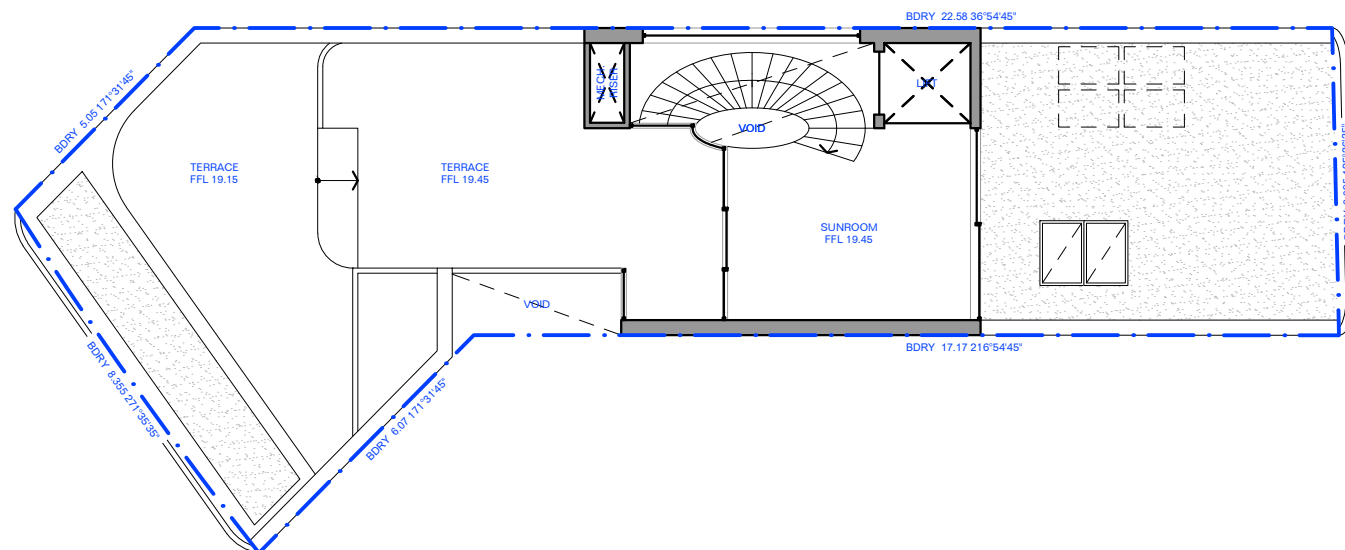
Drawing
**Comparison -
Third Floor Plan**

Project No
2532

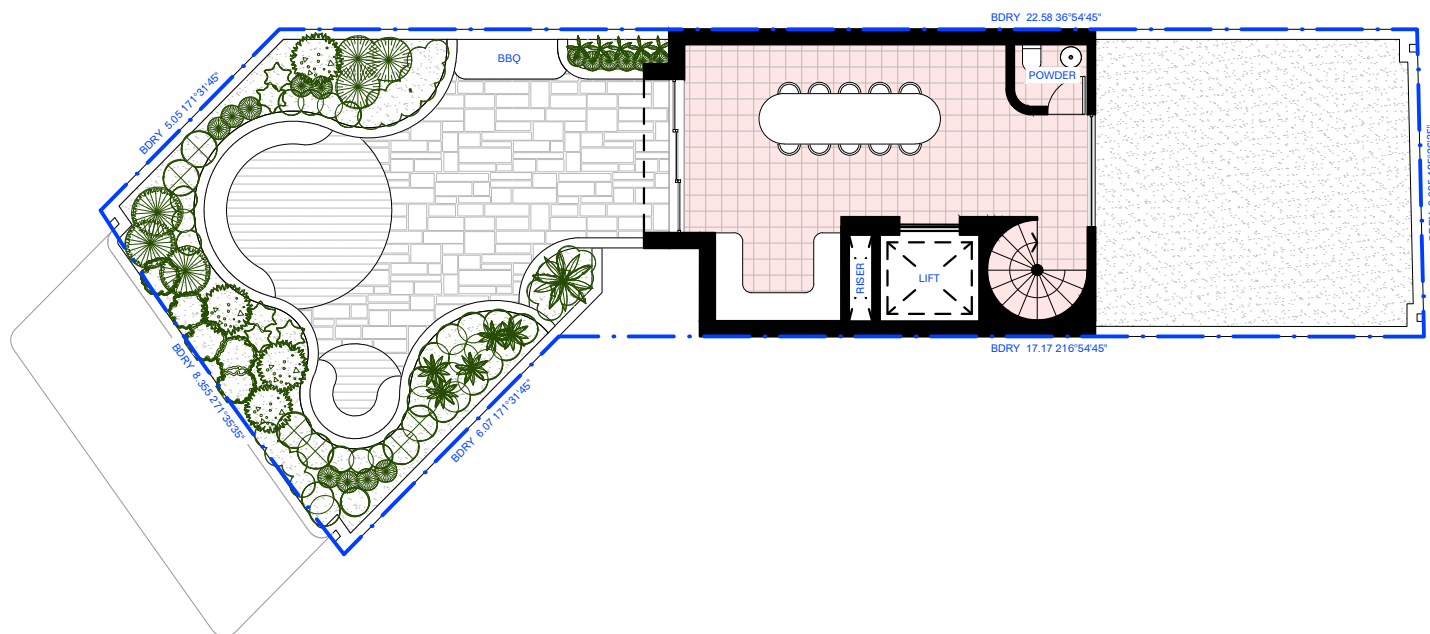
Drawing No Rev

DA223[00]

AMENDED



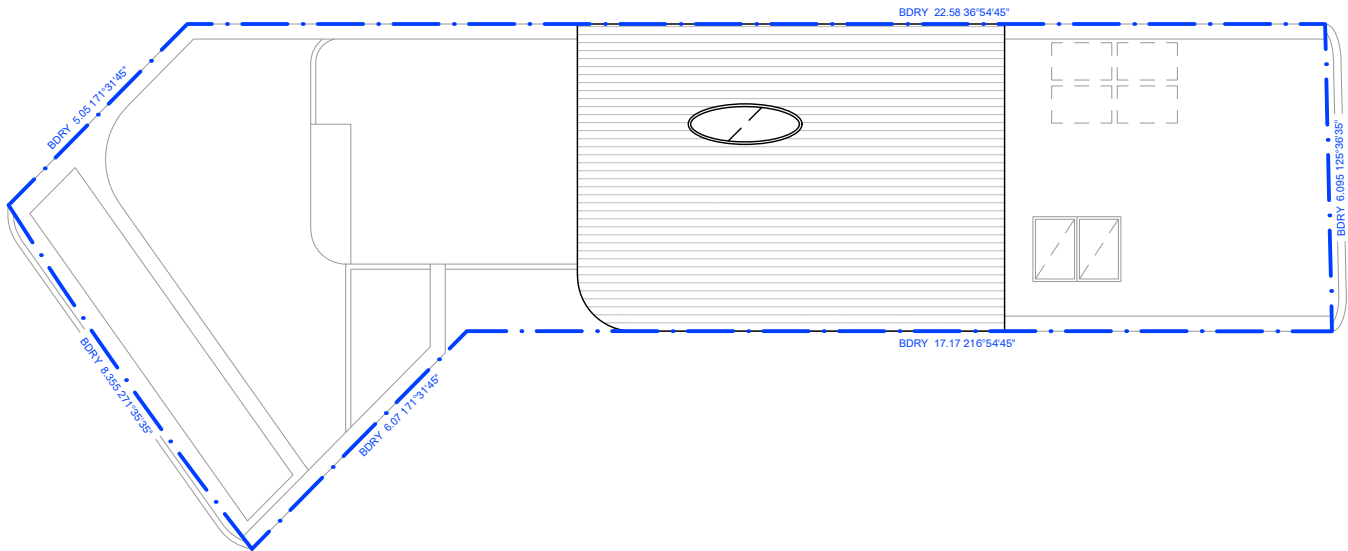
APPROVED - FOURTH FLOOR PLAN



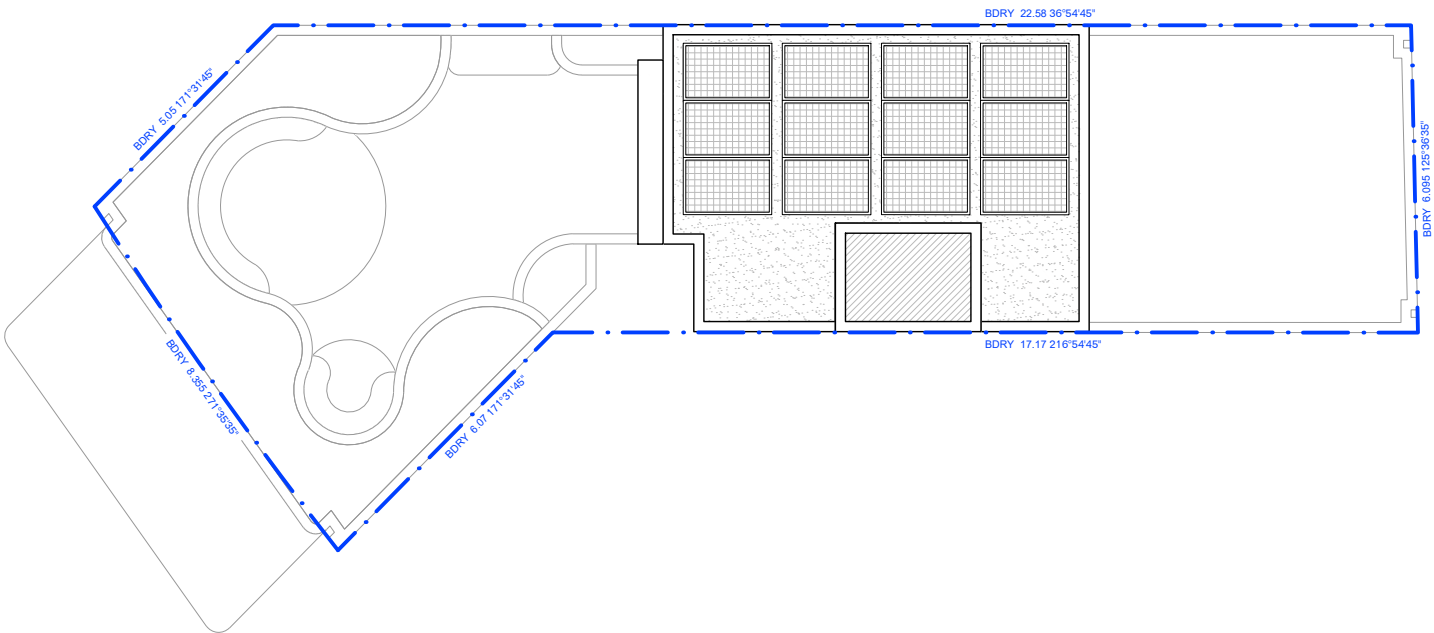
PROPOSED - FOURTH FLOOR PLAN

Drawing No Rev
DA224[00]

AMENDED



1 APPROVED - ROOF PLAN
225



2 PROPOSED - ROOF PLAN
225

Certificate No. #HR-3F99DZ-01

Scan QR code or follow website link for rating details.

Assessor name	Elias Aboutannous
Accreditation No.	HERA 110205
Property Address	252 Cammell Parade, Bondi, NSW, 2026

<http://www.hero-software.com.au/pdf/HR-3F99DZ-01>

Legend

- Existing to be demolished
- Unit 1
- Unit 2
- Circulation Zone
- Retail Premises

Notes	
ALL WORKS TO BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA. NATIONAL CONSTRUCTION CODE (NCC), AUSTRALIAN STANDARDS STATUTORY REGULATIONS AND LOCAL AUTHORITY REQ. CONTRACTOR TO ENSURE CONSISTENCY BETWEEN MATERIALS IS MAINTAINED CONTRACTOR TO NOTIFY DESIGNER OF ANY DISCREPANCIES, DIMENSIONAL INCONSISTENCIES OR THE NEED FOR CLARIFICATION PRIOR TO MANUFACTURING DESIGNER TO REVIEW ALL CONTRACTORS DETAILED DRAWINGS / SETTING OUT PRIOR TO CONSTRUCTION CONTRACTOR TO Liaise WITH ELECTRICAL CONTRACTORS TO ENSURE ALL POWER/DATA/COMMUNICATION	REQUIREMENTS ARE ACCESSIBLE. ALL DIMENSIONS TO BE VERIFIED ON SITE - NO NET SCALE ALL WORKS TO BE VERIFIED AGAINST DRAWINGS FOLLOWING CONSTRUCTION AND DESIGNER TO BE NOTIFIED OF ANY DISCREPANCIES PRIOR TO PROCEEDING WITH NEXT TRADE

[illegible]

(Label)
 Natural lighting: No. of bathrooms or toilets: 0 and Kitchen
 Appliances other efficiency measures all efficiency
 • Dishwasher: own electric connection • Electric oven
 • No open or shaltered clothes drying line
 • No Private outdoor or unshaltered clothes drying line
Thermal Performance (all dwellings)
Thermal loads (Dwellings 01)
 Area adjusted heating load (in MJ/m²/yr): 23.8
 Area adjusted cooling load (in MJ/m²/yr): 4.7
 Area adjusted total load (in MJ/m²/yr): 28.5
Thermal loads (All other dwellings)
 Area adjusted heating load (in MJ/m²/yr): 13.3
 Area adjusted cooling load (in MJ/m²/yr): 10.0
 Area adjusted total load (in MJ/m²/yr): 24.2
Common areas
 All common areas: no common showerheads, toilets or clothes washers
 All common area taps: 3 star rating
Common area ventilation
 • Camper/Cooker: ventilation (supply + exhaust)
 • Bins/Store: ventilation (supply + exhaust)

- Lobby: no mechanical ventilation
- Common area **lighting**:
 - Lift bank: light-emitting diode, connected to lift call button
 - Carpark: light-emitting diode, zoned switching with motion sensor
 - Bioclimaparc: light-emitting diode, motion sensors
- **Central energy systems**:
 - Lift bank (cc): 1 gas/steam fraction with V V V F motor. No. of levels with apartments served by a lift: 2
 - Number of levels from the bottom of the lift shaft to the top: 3
 - Number of the: 1
 - Lift load capacity: $\gg 100$ kg but $\ll 1500$ kg

Non-building specific commitments:

- Common areas
 - All common areas: no common showethers, toilets or clothes washers
- All common area taps: 3 star rating
- **Gas/energy supply**:
 - Alternative energy supply: photovoltaic system. Spec: rated electrical output (nrr): peak kW.

Consultants:
PLANNER
GSA
LANDSCAPE DESIGNER
CONTOUR LANDSCAPE ARCHITECTURE
SHADOWS
CASCADRAFT
STORMWATER
NY CIVIL ENGINEERING
BASO/SECTION J
ECERTS
BCA/ACCESS
BUILDING INNOVATIONS AUSTRALIA
TRAFFIC MANAGEMENT
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NSW ARB 12651

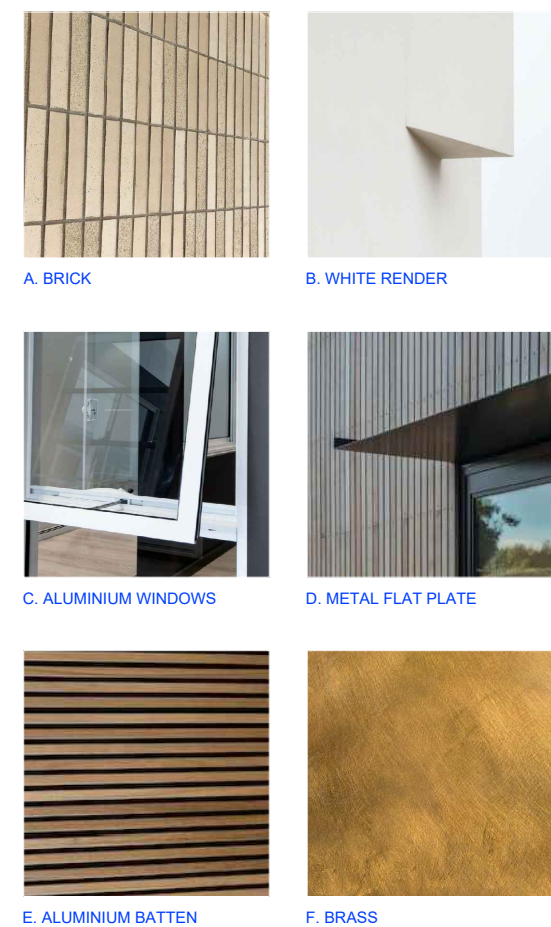


Project	
252 Campbell Parade, Bondi Beach	
Date	
20-Feb-26	
Scale	Drawn
1:150 at A3	MC/RM

Drawing
**Comparison -
Roof Plan**
Project No
2532

Drawing No Rev

DA225[00]



AMENDED

RECEIVED
Waverley Council

Application No: DA-553/2011/D

Date Received: 28/08/2026

SCHEDULE OF CHANGES

1. REMOVAL OF BASEMENT CAR PARK.
2. MODIFICATIONS TO GROUND FLOOR LAYOUT INCLUDING EXISTING RETAIL PREMISES, LOBBY CAR STACKER SYSTEM.
3. INCREASE FROM SINGLE TO DOUBLE PLATFORM CAR STACKER.
4. MODIFICATIONS TO FIRST FLOOR LAYOUT INCLUDING LOBBY AND INCLUSION OF UNITS 1 AND 2.
5. MODIFICATIONS TO SECOND FLOOR LAYOUT INCLUDING LOBBY AND INCLUSION OF UNITS 1 AND 2.
6. MODIFICATIONS TO THIRD FLOOR LAYOUT TO ACCOMMODATE UNIT 2.
7. MODIFICATIONS TO FOURTH FLOOR LAYOUT TO ACCOMMODATE UNIT 2.
8. REMOVAL OF SKYLIGHTS TO FOURTH FLOOR.
9. MODIFICATIONS TO ROOF TERRACE LANDSCAPING.
10. MODIFICATIONS TO FRONT AND REAR FACADES.
11. MODIFICATIONS TO EAST AND WEST FACADES.
12. REMOVAL OF WINDOWS TO WEST ELEVATION.

FOR S4.55 ONLY:
NOT FOR CONSTRUCTION



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Legend

- Existing to be demolished
- Unit 1
- Unit 2
- Circulation Zone
- Retail Premises

Notes

1. ALL WORKS TO BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA, NATIONAL CONSTRUCTION CODE (NCC), AUSTRALIAN STANDARDS STATUTORY REGULATIONS AND LOCAL AUTHORITY REQ.
2. CONTRACTOR TO ENSURE CONSISTENCY BETWEEN MATERIALS IS MAINTAINED
3. CONTRACTOR TO NOTIFY DESIGNER OF ANY DISCREPANCIES, DIMENSIONAL INCONSISTENCIES OR THE NEED FOR CLARIFICATION PRIOR TO MANUFACTURING
4. DESIGNER TO REVIEW ALL CONTRACTORS DETAILED DRAWINGS / SETTING OUT PRIOR TO CONSTRUCTION
5. CONTRACTOR TO Liaise WITH ELECTRICAL CONTRACTORS TO ENSURE ALL POWER/DATA/COMMUNICATION

REQUIREMENTS ARE ACCESSIBLE.

6. ALL DIMENSIONS TO BE VERIFIED ON SITE - DO NOT SCALE

7. ALL WORKS TO BE VERIFIED AGAINST DRAWINGS FOLLOWING CONSTRUCTION AND DESIGNER TO BE NOTIFIED OF ANY DISCREPANCIES PRIOR TO PROCEEDING WITH NEXT TRADE

BASIX/NATHERS: All other requirements as per certificates

[illegible]

- **Labels**
- **Manual lighting:** No. of bathrooms or toilets: 0 and Kitchen
- **Appliances (other efficiency measures) (all dwellings)**
- Kitchen: electric cooking, electric cooling & electric oven
- Dryer or shaver corded electric line
- No Private outdoor or unshaded clothes drying line
- **Thermal Performance (all dwellings)**
- **Thermal loads (Overwintering)**
- Area adjusted heating load (in MJ/m²/yr): 23.8
- Area adjusted cooling load (in MJ/m²/yr): 47.7
- Area adjusted total load (in MJ/m²/yr): 25.5
- **Thermal loads (All other dwellings)**
- Area adjusted heating load (in MJ/m²/yr): 13.3
- Area adjusted cooling load (in MJ/m²/yr): 10.9
- Area adjusted total load (in MJ/m²/yr): 24.2
- **Common areas:**
- All common areas: no common showerheads, toilets or clothes washers
- All common area taps: 3 star rating
- **Common area ventilation systems:**
- Canopy/mechanical ventilation (supply + exhaust)
- Bimbo/plant: ventilation (supply + exhaust)

- Lobby: no mechanical ventilation
- **Common area lighting**
 - Lift bank, light-emitting diode, connected to lift call button
 - Carpark, light-emitting diode, zoned switched with motion sensor.
 - Reception/entrance, light-emitting diode, motion sensors.
- **Central energy systems**
 - Lift bank (no.1): gearless traction with V V F motor. No. of levels with elevators served by 1 motor: 10
 - Number of levels from the bottom of the lift shaft to the top: 3
 - Number of lifts: 1
 - Lift load capacity: >= 100 kg but <= 1500kg

Non-building-specific commitments:

- **Common areas**
 - All common areas: no common showersheds, toilets or clothes washers
 - All common areas type 3: star rating
- **Central energy systems**
 - Alternative energy supply photovoltaic system. Spec. rated electrical output (irradi) peak kW.

Consultants:
PLANNER
 GSA
LANDSCAPE DESIGNER
 CONTOUR LANDSCAPE ARCHITECTURE
SHADOWS
 CADRAFT
STORMWATER
 NY CIVIL ENGINEERING
BASIN/SECTION J
 ECDR
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 AUSTRALIAN GEOENVIRO
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Nominated NSW Architect
William J McKee
NSW ARB 12651

Project
252 Campbell Parade,
Bondi Beach

Date
20-Feb-26

Scale	Drawn
1:200 at A3	MC/RM

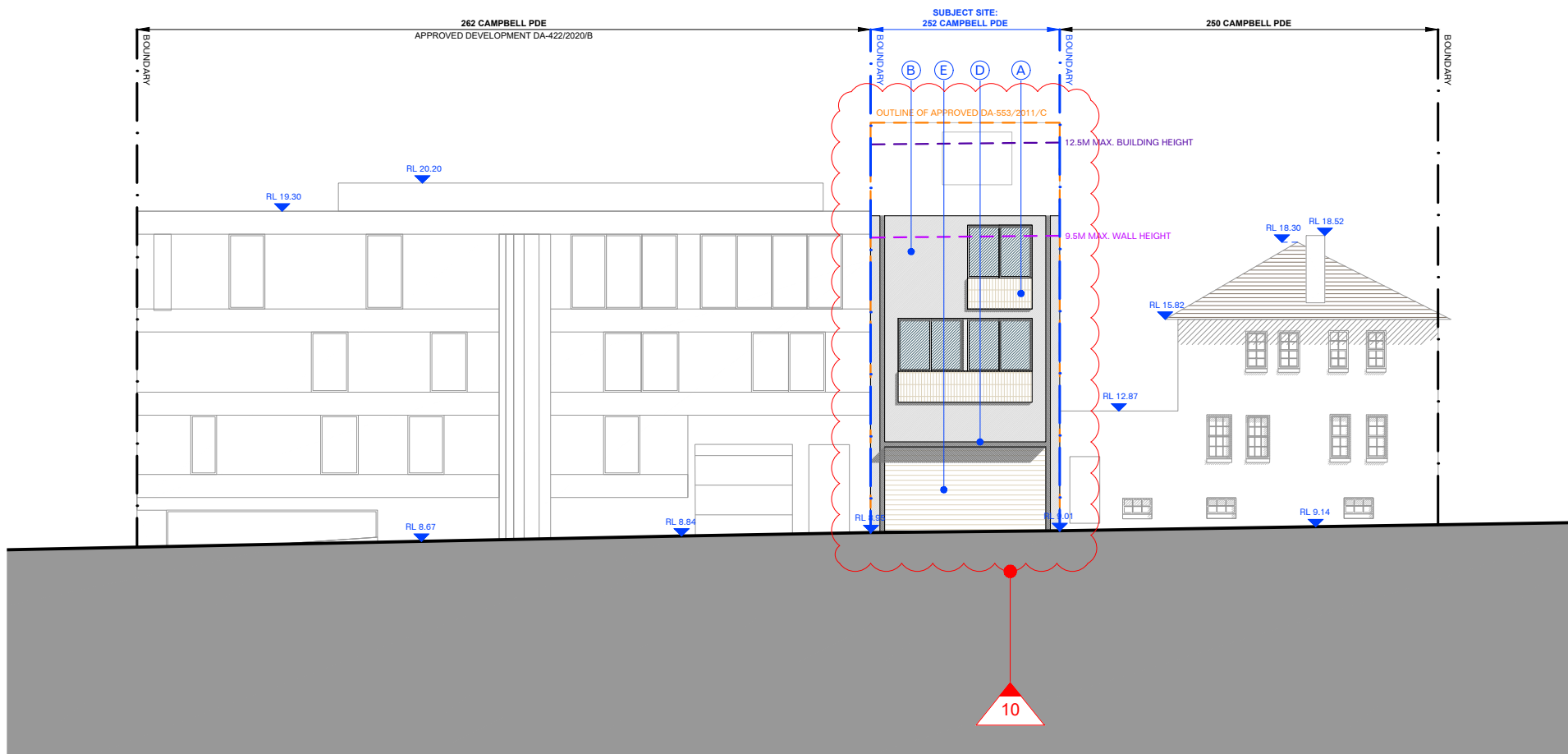
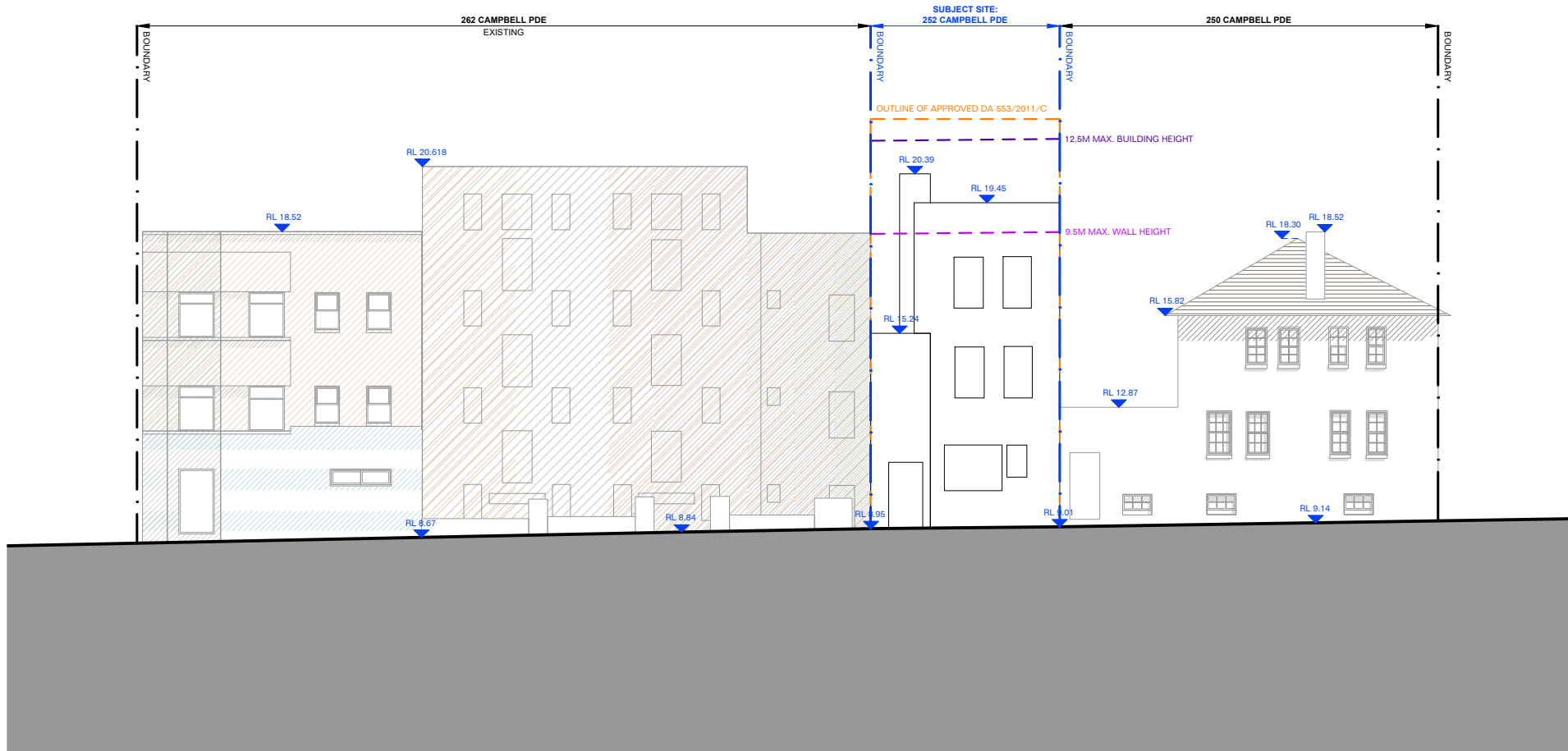
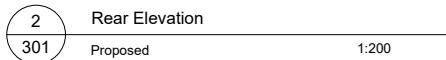
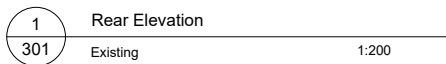
Drawing

Front Elevation

Project No
2532

Drawing No Rev

DA300[00]



AMENDED

RECEIVED
Waverley Council
Application No: DA-553/2011/D
Date Received: 28/08/2026

SCHEDULE OF CHANGES

1. REMOVAL OF BASEMENT CAR PARK.
2. MODIFICATIONS TO GROUND FLOOR LAYOUT INCLUDING EXISTING RETAIL PREMISES, LOBBY CAR STACKER SYSTEM.
3. INCREASE FROM SINGLE TO DOUBLE PLATFORM CAR STACKER.
4. MODIFICATIONS TO FIRST FLOOR LAYOUT INCLUDING LOBBY AND INCLUSION OF UNITS 1 AND 2.
5. MODIFICATIONS TO SECOND FLOOR LAYOUT INCLUDING LOBBY AND INCLUSION OF UNITS 1 AND 2.
6. MODIFICATIONS TO THIRD FLOOR LAYOUT TO ACCOMMODATE UNIT 2.
7. MODIFICATIONS TO FOURTH FLOOR LAYOUT TO ACCOMMODATE UNIT 2.
8. REMOVAL OF SKYLIGHTS TO FOURTH FLOOR.
9. MODIFICATIONS TO ROOF TERRACE LANDSCAPING.
10. MODIFICATIONS TO FRONT AND REAR FACADES.
11. MODIFICATIONS TO EAST AND WEST FACADES.
12. REMOVAL OF WINDOWS TO WEST ELEVATION.

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Legend

- Existing to be demolished
- Unit 1
- Unit 2
- Circulation Zone
- Retail Premises

Notes	
1. ALL WORKS TO BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA. 2. NATIONAL CONSTRUCTION CODE (NCC), AUSTRALIAN STANDARDS STANDARD 2031 REGULATIONS AND LOCAL AUTHORITY REQ. 3. CONTRACTOR TO ENSURE ACCURACY BETWEEN MATERIALS IS MAINTAINED 4. CONTRACTOR TO NOTIFY DESIGNER OF ANY DISCREPANCIES, DIMENSIONAL INCONSISTENCIES OR THE NEED FOR CLARIFICATION PRIOR TO MANUFACTURING 5. DESIGNER TO REVIEW ALL CONTRACTORS DETAILED DRAWINGS / SETTING OUT PRIOR TO CONSTRUCTION 6. CONTRACTOR TO LIAISE WITH ELECTRICAL CONTRACTORS TO ENSURE A POWER/DATA COMMUNICATIONS	7. REQUIREMENTS ARE ACCESSIBLE. 8. DO NOT SCALE 9. ALL DIMENSIONS TO BE VERIFIED ON SITE 10. ALL WORKS TO BE VERIFIED AGAINST DRAWINGS FOLLOWING CONSTRUCTION AND DESIGNER TO BE NOTIFIED OF ANY DISCREPANCIES PRIOR TO PROCEEDING WITH NEXT TRADE

BASIX/NATHERS: All other requirements as per certificates

[illegible]

- (label)
- Natural lighting: No. of bathrooms or toilets, 0 and Kitchen
- Appliances and efficiency measures (all dwellings)**
 - Electricity consumption: electric cooking & electric oven
 - No indoor or sheltered clothes drying line
 - No Private outdoor or unsheltered clothes drying line
- Thermal Performance (all dwellings)**
 - Area adjusted heating load (in MJ/m²/yr): 23.8
 - Area adjusted cooling load (in MJ/m²/yr): 4.7
 - Area adjusted total load (in MJ/m²/yr): 28.5
- Thermal loads (All other dwellings)**
 - Area adjusted heating load (in MJ/m²/yr): 13.3
 - Area adjusted cooling load (in MJ/m²/yr): 10.9
 - Area adjusted total load (in MJ/m²/yr): 24.2
- Common areas**
 - All common areas: no common showerrooms, toilets or clothes washers
 - All common areas: 3 star rating
 - Common area ventilation systems
 - Carpark/shed: ventilation (supply + exhaust)
 - Bins/corridor: ventilation (supply + exhaust)

- Lobby: no mechanical ventilation
- **Common area lighting:**
 - Lift bank: light-emitting diode, connected to lift call button
 - Corridor: light-emitting diode, zoned switching with motion sensor
 - Binocular/plant: light-emitting diode, motion sensors
- **Central energy systems:**
 - 1) 2-pipe system, distribution with V V V F motor. No. of levels with apartments served by a lift.
 - Number of levels from the bottom of the lift shaft to the top: 3
 - Number of lifts: 1
 - Lift load capacity: $\gg 100$ kg $\ll 1500$ kg

Non-building-specific commitments:

- **Common areas:**
 - All common areas: no common showertubs, toilets or clothes washers
 - All common areas tops: 3 star rating
- **Central energy systems:**
 - Alternative energy supply: photovoltaic system. Spec: rated electrical output (nrr): peak kW.

Consultants:
PLANNER
 GSA
LANDSCAPE DESIGNER
 CONTOUR LANDSCAPE ARCHITECTURE
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STORMWATER
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Nominated NSW Architect
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NSW ARB 12651

Project
252 Campbell Parade,
Bondi Beach

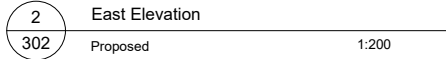
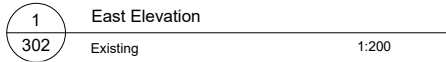
Date 20-Feb-26	
Scale 1:200 at A3	Drawn MC/RM

Drawing
Rear Elevation

Project No
2532

Drawing No Rev

DA301[00]



RECEIVED
Waverley Council
Application No: DA-553/2011/D
Date Received: 28/08/2026

1. REMOVAL OF BASEMENT CAR PARK.
2. MODIFICATIONS TO GROUND FLOOR LAYOUT INCLUDING EXISTING RETAIL PREMISES, LOBBY CAR STACKER SYSTEM.
3. INCREASE FROM SINGLE TO DOUBLE PLATFORM CAR STACKER.
4. MODIFICATIONS TO FIRST FLOOR LAYOUT INCLUDING LOBBY AND INCLUSION OF UNITS 1 AND 2.
5. MODIFICATIONS TO SECOND FLOOR LAYOUT INCLUDING LOBBY AND INCLUSION OF UNITS 1 AND 2.
6. MODIFICATIONS TO THIRD FLOOR LAYOUT TO ACCOMMODATE UNIT 2.
7. MODIFICATIONS TO FOURTH FLOOR LAYOUT TO ACCOMMODATE UNIT 2.
8. REMOVAL OF SKYLIGHTS TO FOURTH FLOOR.
9. MODIFICATIONS TO ROOF TERRACE LANDSCAPING.
10. MODIFICATIONS TO FRONT AND REAR FACADES.
11. MODIFICATIONS TO EAST AND WEST FACADES.
12. REMOVAL OF WINDOWS TO WEST ELEVATION.

Legend

- Existing to be demolished
- Unit 1
- Unit 2
- Circulation Zone
- Retail Premises

[illegible]

- Labels - Natural lighting: No of bathrooms or toilets: 0 and Kitchen Appliances and electrical equipment all (in detail) - Number of electrical outlets - No Private outdoor or unshaded clothes drying line	- Looky on mechanical ventilation Common area lighting - LI bank lighting/dimmer, connected to hot water control - Number of electrical outlets Central mechanical ventilation - Number of rooms with V V V or MERV - No of Awns with equipment used for A B 2 - Number of rooms with the equipment used for the Air 3 - LI bank lighting used = 1000 lux for 1000lux
Thermal loads (Heat loss) - Number of rooms with the equipment used for the Air 2.8 - Number of rooms with the equipment used for the Air 3 - Area adjusted heat loss (in MWh/yr) 25.0 Thermal loads (Heat gain) - Number of rooms with the equipment used for the Air 3 - Area adjusted heat gain (in MWh/yr) 10.0	
Common areas - All common areas are common areas, toilets or clothes washers - All common areas have 24 hour lighting - Common area ventilation (Supply) = exhaust - Common area ventilation (Supply) = exhaust	Common areas - All common areas are common areas, toilets or clothes washers - All common areas have 24 hour lighting Common area ventilation - Common area ventilation (Supply) = exhaust - Common area ventilation (Supply) = exhaust

Consultants:
PLANNER
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Nominated NSW Architect
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NSW ARB 12651

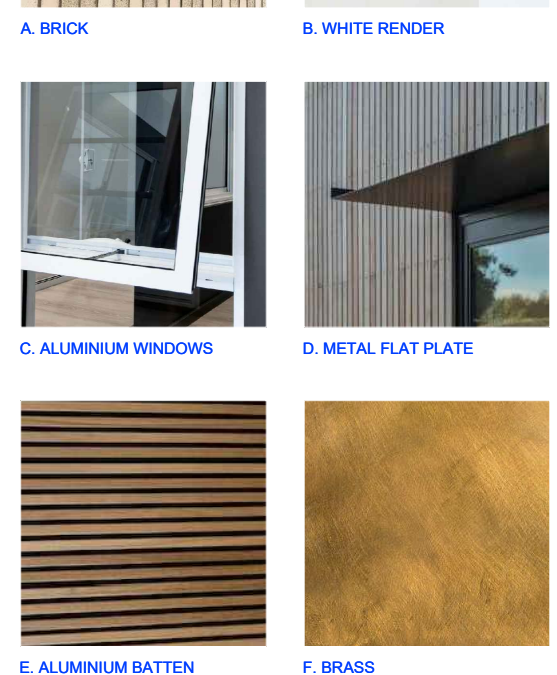
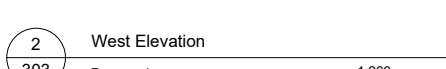
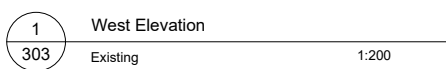
Project	
252 Campbell Parade, Bondi Beach	
Date	
20-Feb-26	
Scale	Drawn
1:200 at A3	MC/RM

Drawing
East Elevation

Project No
2532

Drawing No Rev

DA302[00]



AMENDED

RECEIVED
Waverley Council

Application No: DA-553/2011/D

Date Received: 28/08/2026

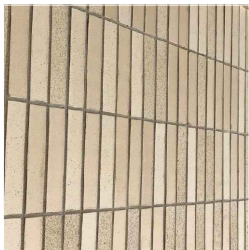
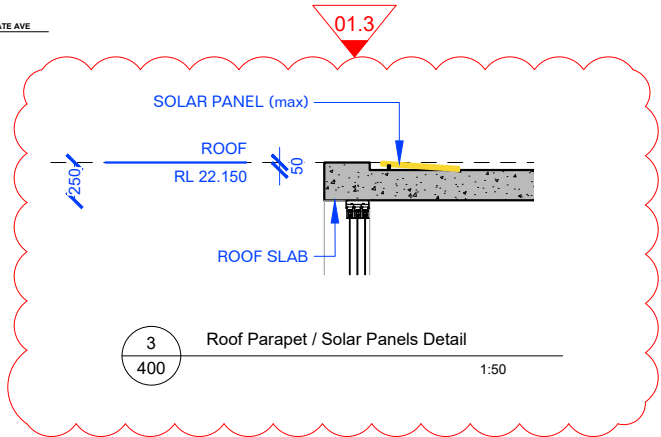
SCHEDULE OF CHANGES

1. REMOVAL OF BASEMENT CAR PARK.
2. MODIFICATIONS TO GROUND FLOOR LAYOUT INCLUDING EXISTING RETAIL PREMISES, LOBBY CAR STACKER SYSTEM.
3. INCREASE FROM SINGLE TO DOUBLE PLATFORM CAR STACKER.
4. MODIFICATIONS TO FIRST FLOOR LAYOUT INCLUDING LOBBY AND INCLUSION OF UNITS 1 AND 2.
5. MODIFICATIONS TO SECOND FLOOR LAYOUT INCLUDING LOBBY AND INCLUSION OF UNITS 1 AND 2.
6. MODIFICATIONS TO THIRD FLOOR LAYOUT TO ACCOMMODATE UNIT 2.
7. MODIFICATIONS TO FOURTH FLOOR LAYOUT TO ACCOMMODATE UNIT 2.
8. REMOVAL OF SKYLIGHTS TO FOURTH FLOOR.
9. MODIFICATIONS TO ROOF TERRACE LANDSCAPING.
10. MODIFICATIONS TO FRONT AND REAR FACADES.
11. MODIFICATIONS TO EAST AND WEST FACADES.
12. REMOVAL OF WINDOWS TO WEST ELEVATION.

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[illegible]

Consultants: P.A.H.R.I.E. CHL LANDSCAPE DESIGNER CONTOUR LANDSCAPE ARCHITECTURE SHADOWS GARDENWAT STORMWATER RY CIVIL ENGINEERING BASIS/SECTION 1 BOARDS/ACCESS BUILDING/ENVIRONMENTAL AUSTRALIA TRAFFIC MANAGEMENT WONGALA SURVEY VEGET GEOTECH AUSTRALIAN/GEOTECHNICAL MAGNET BOGARRA	 L1, 58 Riley Street Darlington NSW 2015, Australia 02 9005 0261 www.common-office.com Nominated NSW Architect William J McKee NSW A418 12061	Project 252 Campbell Parade, Bondi Beach Date 20-Feb-26 Scale 1:200 at A3	Drawn MC/RM	Drawing No 2532 Drawing No Rev
DA303[00]				



A. BRICK



B. WHITE RENDER



C. ALUMINIUM WINDOWS



D. METAL FLAT PLATE



E. ALUMINIUM BATTEN



F. BRASS

AMENDED

RECEIVED
Waverley Council

Application No: DA-553/2011/D

Date Received: 28/08/2026

SCHEDULE OF CHANGES FROM PREVIOUSLY APPROVED DA TO THIS MODIFICATION

1. REMOVAL OF BASEMENT CAR PARK.
2. MODIFICATIONS TO GROUND FLOOR LAYOUT INCLUDING EXISTING RETAIL PREMISES, LOBBY CAR STACKER SYSTEM.
3. INCREASE FROM SINGLE TO DOUBLE PLATFORM CAR STACKER.
4. MODIFICATIONS TO FIRST FLOOR LAYOUT INCLUDING LOBBY AND INCLUSION OF UNITS 1 AND 2.
5. MODIFICATIONS TO SECOND FLOOR LAYOUT INCLUDING LOBBY AND INCLUSION OF UNITS 1 AND 2.
6. MODIFICATIONS TO THIRD FLOOR LAYOUT TO ACCOMMODATE UNIT 2.
7. MODIFICATIONS TO FOURTH FLOOR LAYOUT TO ACCOMMODATE UNIT 2.
8. REMOVAL OF SKYLIGHTS TO FOURTH FLOOR.
9. MODIFICATIONS TO ROOF TERRACE LANDSCAPING.
10. MODIFICATIONS TO FRONT AND REAR FACADES.
11. MODIFICATIONS TO EAST AND WEST FACADES.
12. REMOVAL OF WINDOWS TO WEST ELEVATION.

SCHEDULE OF AMENDMENTS **FROM REV 00 OF THIS MOD SUBMISSION**

- | | |
|------|---|
| 01.1 | SEPARATE BIN STORAGE PROVIDED FOR RESIDNEITLA AND RETAIL |
| 01.2 | PATH OF TRAVEL FROM BIN STORAGE TO COLLECTION POINT ADDED |
| 01.3 | ROOF PARAPET DEFINED AND SOLAR PANELS SHOWN ON ROOF NOT TO EXCEED PARAPET |

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Legend

--- Existing to be demolished

Unit 1

Circulation Zone

Retail Premises

Notes

1. ALL WORKS TO BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA, NATIONAL CONSTRUCTION CODE (NCC), AUSTRALIAN STANDARDS STATUTORY REGULATIONS AND LOCAL AUTHORITY REQ.
2. CONTRACTOR TO ENSURE CONSISTENCY BETWEEN MATERIALS IS MAINTAINED
3. CONTRACTOR TO NOTIFY DESIGNER OF ANY DISCREPANCIES, DIMENSIONAL INCONSISTENCIES OR THE NEED FOR CLARIFICATION PRIOR TO MANUFACTURING
4. DESIGNER TO REVIEW ALL CONTRACTORS DRAWINGS / SETTING OUT PRIOR TO CONSTRUCTION
5. CONTRACTOR TO LIAISE WITH ELECTRICAL CONTRACTORS TO ENSURE ALL POWER/DATA/COMMUNICATION

6. ALL DIMENSIONS TO BE VERIFIED ON SITE. DO NOT SCALE
7. ALL WORKS TO BE VERIFIED AGAINST DRAWINGS FOLLOWING CONSTRUCTION AND DESIGNER TO BE NOTIFIED OF ANY DISCREPANCIES PRIOR TO PROCEEDING WITH NEXT TRADE

BASIX/NATHERS: All other requirements as per certificates

FLANGES	Drainings
FLANGE Circular flange; frame: concave slots on ground, area 60x2. Low emissions option: None	Al: closed drains: 4 size (4 x 3.5 x 0.5 = 4 L/min)
Dispersed flow above gage, frame: suspended concave slots, area: 30x2. Inclusion: Polyethylene	Al: dual heating system: 4 size
Flange above ball valve, frame: suspended concave slots, area: 41x2	Al: dual heating system: 4 size
Wet lines	Al: dual heater: 4 size
100% flow: 1 em of concave frame, frame: 12G heated subfloor, area: 330x2. Low emissions option: None	Al: dual heater: 4 size
100% flow: 1 em of concave frame, frame: 12G heated subfloor, area: 330x2. Low emissions option: None	Al: dual heater: 4 size
100% flow: 1 em of concave frame, frame: 12G heated subfloor, area: 330x2. Low emissions option: None	Al: dual heater: 4 size
Cellular and roof types	Al: dual heater: 4 size
100% flow: 1 em of concave frame, frame: 12G heated subfloor, area: 132x2. Heating inclusion: fiberglass balls or roll	Al: dual heater: 4 size
Cellular lines	Al: dual heater: 4 size
Single drilling: 50x2	Al: dual heater: 4 size
Aluminum frame: 50x2	Al: dual heater: 4 size

(label)

Natural lighting: No. of bathrooms or toilets. 0 and Kitchen

Appliances other efficiency measures (all dwellings)

No Electric water heating

No Electric oven

No Indoor or sheltered clothes drying line

No Private outdoor or unsheltered clothes drying line

Thermal loads (all dwellings)

Thermal loads (Dwellings 01)

Area adjusted heating load (in MJ/m²/yr) 23.8

Area adjusted cooling load (in MJ/m²/yr) 47.6

Area adjusted total load (in MJ/m²/yr) 26.5

Thermal loads (All other dwellings)

Area adjusted heating load (in MJ/m²/yr) 13.3

Area adjusted cooling load (in MJ/m²/yr) 10.0

Area adjusted total load (in MJ/m²/yr) 24.2

Common areas

All common areas: no common showerheads, toilets or sinks

All common areas: taps 3 star rating

Common area ventilation systems

Common area ventilation (supply and exhaust)

Common area ventilation (supply + exhaust)

Single/extract ventilation (supply + exhaust)

- Lobby: no mechanical ventilation
- **Common area lighting:**
- Lift bank: light-emitting diode, connected to lift call button
- Carpark: light-emitting diode, zoned switching with motion sensor
- Bio/laundry: light-emitting diode, motion sensors
- **Central energy systems:**
- Lift bank (no-1) gearless traction with VVVF motor. No. of lifts apartments served by a lift: 2
- Number of levels from the bottom of the lift shaft to the top: 3
- Number of lifts: 1
- Lift load capacity: ≥ 100 kg but ≤ 1500 kg

Non-building-specific comments:

Common areas

- All common areas: no common showertubs, toilets or clothes
- All common areas taps: 3 star rating

Alternative energy systems:

- Alternative energy supply: photovoltaic system. Spec: rated site (min): peak kW.

Consultants:

PLANNER
GSA
LANDSCAPE DESIGNER
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CADDRAFT
STORMWATER
NY CIVIL ENGINEERING
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www.common-office.com

Nominated NSW Architect
William J McKee
NSW ARB 12651

Project
252 Campbell Parade,
Bondi Beach

Date
28-Aug-26

Scale	Drawn
1:200 at A3	MC/RM

Drawing

Sections

Project M
2532

Drawing No DA400[01]

Date Received: 28/08/2026

A wide-angle photograph of a city street intersection. On the left is a white building with arched windows. Next to it is a brown building with "PRIVATE HOTEL" and "EL INDIO" signs. The street curves to the right, with traffic lights and cars visible in the distance under a cloudy sky.

600



2

600

Certificate No. #HR-3F99DZ-01

Scan QR code or follow website link for rating details:

Assessor name Elias Aboutanious

Accreditation No. HERA 11205

Property Address 252 Campbell Parade, Bondi, NSW, 2020

<http://www.hero-software.com.au/pdf/HR-3F99DZ-01>

Legend

- Existing to be demolished
- Unit 1
- Unit 2
- Circulation Zone
- Retail Premises

REQUIREMENTS ARE ACCESSIBLE.

6. ALL DIMENSIONS TO BE VERIFIED ON SITE DO NOT SCALE

7. ALL WORKS TO BE VERIFIED AGAINST DRAWINGS FOLLOWING CONSTRUCTION AND DESIGNER TO BE NOTIFIED OF ANY DISCREPANCIES PRIOR TO PROCEEDING WITH NEXT TRADE

[illegible]

- **Labels**
- National lighting: No. of bathrooms or toilets: 0 and Kitchen
- **Apartments offer efficiency measures (all dwellings)**
- **Common areas ventilation**
 - No indoor or unshelved clothes drying line
 - No Private outdoor or unshelved clothes drying line
- **Thermal Performance (all dwellings)**
 - **Thermal loads (Dwellings)**
 - Area adjusted heating load (in MJ/m²/yr): 23.8
 - Area adjusted cooling load (in MJ/m²/yr): 47.7
 - Area adjusted total load (in MJ/m²/yr): 28.5
 - **Thermal loads (All other dwellings)**
 - Area adjusted heating load (in MJ/m²/yr): 13.3
 - Area adjusted cooling load (in MJ/m²/yr): 70.9
 - Area adjusted total load (in MJ/m²/yr): 24.2
- **Common areas**
 - All common areas: no common showereads, toilets or clothes washers
 - All common areas: less than 3 other units
 - Common area ventilation
 - Carport/cloakier ventilation (supply + exhaust)
 - Bio/soloplant ventilation (supply + exhaust)

- Lobby: no mechanical ventilation
- **Common area lighting:**
 - Lift bank: light-emitting diode, connected to lift call button
 - Carpark: light-emitting diode, zoned switching with motion sensor.
 - Staircase: light-emitting diode, motion sensors
- **Central energy systems:**
 - Lift bank (no.1): gas-fired traction with V V V F motor. No. of levels with apartment served by 1
 - Number of levels from the bottom of the lift shaft to the top: 3
 - Number of lifts: 1
 - Lift load capacity: >= 100 kg but <= 1500kg

Non-building-specific comments:

- **Common areas**
 - All common areas: 3 common showersheds, toilets or clothes washers
- **All common areas:** 3 star rating
- **Central energy systems:**
 - electrical energy supply: photovoltaic system. Spec: rated electrical output (peak) peak kW

Consultants:
PLANNER
 GSA
LANDSCAPE DESIGNER
 CONTOUR LANDSCAPE ARCHITECTURE
SHADOWS
 CADRAFT
STORMWATER
 HYDRO ENGINEERING
BASIX/SECTION J
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02 9055 9261
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Nominated NSW Architect
William J McKee
NSW ARB 12651

Date
20-Feb-26

Scale	Drawn
nts at A3	MC/RM

Project No
2532

Drawing No Rev

DA600[00]

SCHEDULE OF CHANGES
FROM PREVIOUSLY APPROVED DA TO THIS MODIFICATION

1. REMOVAL OF BASEMENT CAR PARK.
2. MODIFICATIONS TO GROUND FLOOR LAYOUT INCLUDING EXISTING RETAIL PREMISES, LOBBY CAR STACKER SYSTEM.
3. INCREASE FROM SINGLE TO DOUBLE PLATFORM CAR STACKER.
4. MODIFICATIONS TO FIRST FLOOR LAYOUT INCLUDING LOBBY AND INCLUSION OF UNITS 1 AND 2.
5. MODIFICATIONS TO SECOND FLOOR LAYOUT INCLUDING LOBBY AND INCLUSION OF UNITS 1 AND 2.
6. MODIFICATIONS TO THIRD FLOOR LAYOUT TO ACCOMMODATE UNIT 2.
7. MODIFICATIONS TO FOURTH FLOOR LAYOUT TO ACCOMMODATE UNIT 2.
8. REMOVAL OF SKYLIGHTS TO FOURTH FLOOR.
9. MODIFICATIONS TO ROOF TERRACE LANDSCAPING.
10. MODIFICATIONS TO FRONT AND REAR FACADES.
11. MODIFICATIONS TO EAST AND WEST FACADES.
12. REMOVAL OF WINDOWS TO WEST ELEVATION.

SCHEDULE OF AMENDMENTS
FROM REV 00 OF THIS MOD SUBMISSION

- | | |
|------|---|
| 01.1 | SEPARATE BIN STORAGE PROVIDED FOR RESIDNEITLA AND RETAIL |
| 01.2 | PATH OF TRAVEL FROM BIN STORAGE TO COLLECTION POINT ADDED |
| 01.3 | ROOF PARAPET DEFINED AND SOLAR PANELS SHOWN ON ROOF NOT TO EXCEED PARAPET |

AMENDED

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Application No: DA-553/2011/D

Date Received: 28/08/2026

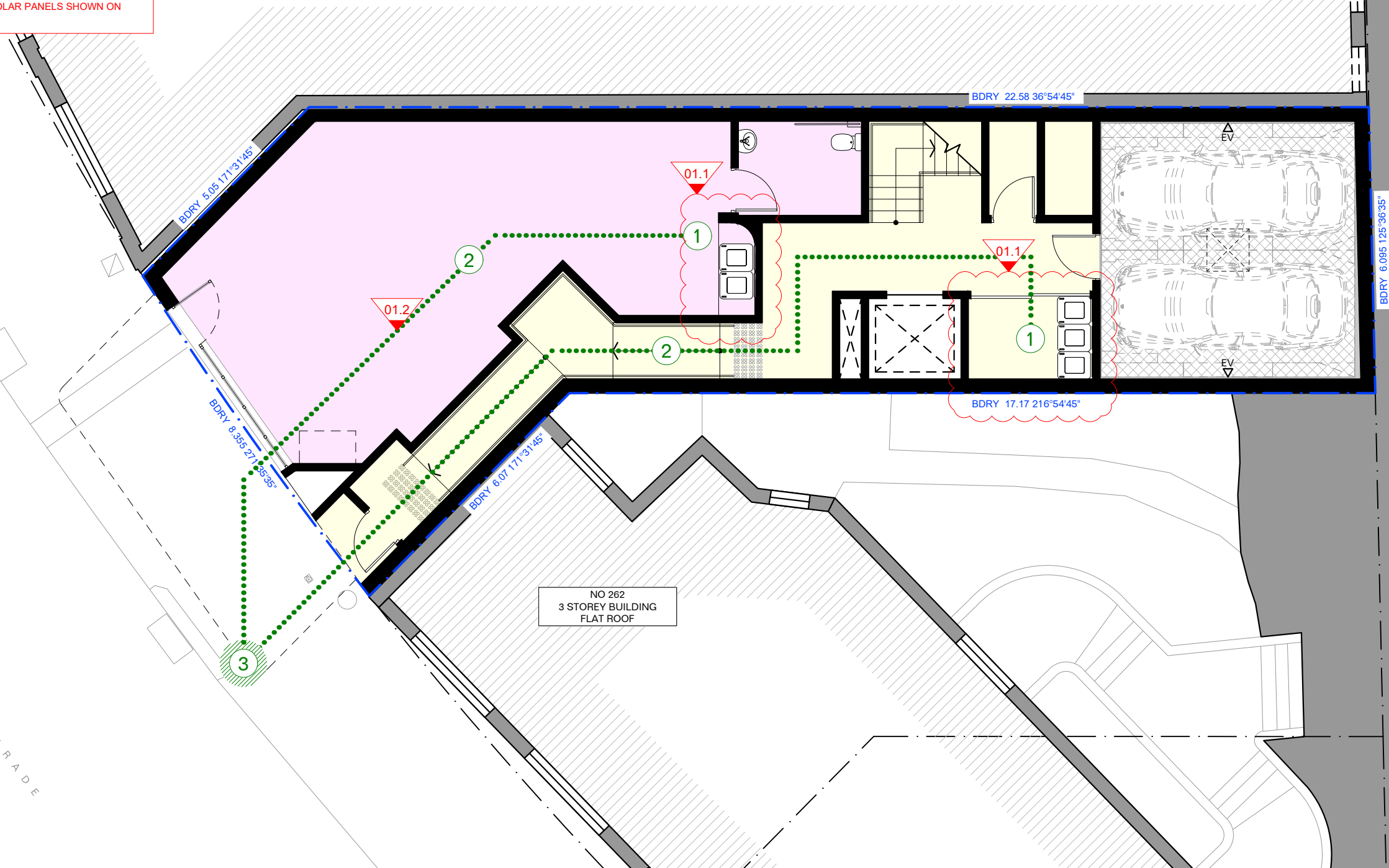
BIN ROUTE

- 1. BIN STORAGE AREA (Residential)**
x1 RED BIN
x1 YELLOW BIN
x1 BLUE BIN

- 1. BIN STORE (Commercial):**
x1 GENERAL WASTE
x1 RECYCLING

2. PATH OF TRAVEL.
3. BIN COLLECTION POINT on Campbell Parade

(Refer to Waste Management Plan prepared by Wongala Consulting Engineers)



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Legend

--- Existing to be demolished

Unit 1

 Circulation Zone

Retail Premises

Notes

1. ALL WORKS TO BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA, NATIONAL CONSTRUCTION CODE (NCC), AUSTRALIAN STANDARDS STATUTORY REGULATIONS AND LOCAL AUTHORITY REQUIREMENTS.
2. CONTRACTOR TO ENSURE CONSISTENCY BETWEEN MATERIALS IS MAINTAINED
3. CONTRACTOR TO NOTIFY DESIGNER OF ANY DISCREPANCIES, DIMENSIONAL INCONSISTENCIES OR THE NEED FOR CLARIFICATION PRIOR TO MANUFACTURING
4. DESIGNER TO REVIEW ALL CONTRACTORS SUBMITTALS AND ORDERING / SETTING OUT PRIOR TO CONSTRUCTION.
5. CONTRACTOR TO LIAISE WITH ELECTRICAL CONTRACTORS TO ENSURE ALL POWER/DATA/COMMUNICATION

6. ALL DIMENSIONS TO BE VERIFIED ON SITE. DO NOT SCALE
7. ALL WORKS TO BE VERIFIED AGAINST DRAWINGS FOLLOWING CONSTRUCTION AND DESIGNER TO BE NOTIFIED OF ANY DISCREPANCIES PRIOR TO PROCEEDING WITH NEXT TRADE

BASIC/NATHERS: All other requirements as per certificates

- [illegible]

- Natural lighting: No. of bathrooms or toilets: 0 and Kitchen
- **Appliances/other efficiency measures (all dwellings)**
 - Dishwasher: 0 and Electric oven
 - No Indoor or sheltered clothes drying line
 - No Private outdoor or unsheltered clothes drying line
- **Thermal Performance (all dwellings)**
 - Thermal loads (Dwellings 0-1)
 - Area adjusted heating load (in MJ/kWh/y): 22.8
 - Area adjusted cooling load (in MJ/kWh/y): 47.8
 - Area adjusted total load (in MJ/kWh/y): 23.5
 - Thermal loads (All other dwellings)
 - Area adjusted heating load (in MJ/kWh/y): 13.3
 - Area adjusted cooling load (in MJ/kWh/y): 15.0
 - Area adjusted total load (in MJ/kWh/y): 24.2
- **Common areas**
 - All common areas: no common showersheds, toilets or clothes washers
 - All common area tags: 3 star rating
- **Common area ventilation systems**
 - Complete/mechanical ventilation (supply + exhaust)
 - Semi/mechanical ventilation (supply + exhaust)

- Lobby:
 - Common area ventilation
 - **Common area lighting:**
 - Lift bank: light-emitting diode, connected to lift call button
 - Corridor: light-emitting diode, zoned switching with motion sensor.
 - Elevator/plant: light-emitting diode, motion sensors.
 - **Central energy systems:**
 - Number of VAV boxes: 1 per apartment with V V V F motor. No. of levels with apartments served by a lift: 2
 - Number of levels from the bottom of the lift shaft to the top: 3
 - Number of lifts: 1
 - Lift load capacity: ~ 100 kg/bt or ~ 1500kg
- Non-building-specific commitments:**
- **Common areas**
 - All common areas: no common showsheds, toilets or clothes washers
 - All common areas taps: 3 star rating
 - **Central energy systems:**
 - Alternative energy supply: photovoltaic system. Spec: rated electrical output (mW) peak kW.

- Consultants:**

- PLANNER
GSA
LANDSCAPE DESIGNER
CONTOUR LANDSCAPE ARCHITECTURE
SHADOWS
CADDRAFT
STORMWATER
NY CIVIL ENGINEERING
BASIX/SECTION J
ECERTS
BCA/ACCESS
BUILDING INNOVATIONS AUSTRALIA
TRAFFIC MANAGEMENT
WONGALA
SURVEY
VERIS
GEOTECH
AUSTRALIAN GEOENVIRO
IMAGERY
MOGAMMA

Common Office

L1, 58 Riley Street
Darlinghurst
NSW, 2010, Australia
02 9055 9261
www.common-office.com

Nominated NSW Architect
William J McKee
NSW ARB 12651

Project
252 Campbell Parade
Bondi Beach

Date
28-Aug-26

Scale	Drawn
1:100 at A3	MC/RM

Drawing

Waste Management Plan

Project No
2532

Drawing No Rev
DA700[01]

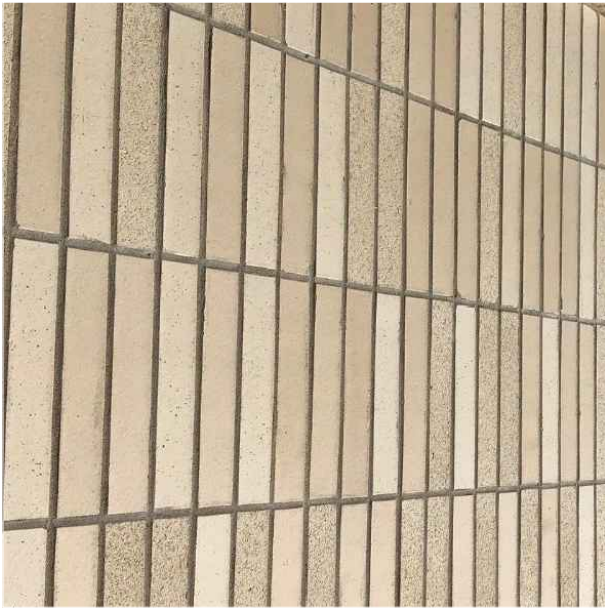
DA700[01]

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Application No: DA-553/2011/D

Date Received: 28/08/2026



A. BRICK

B. WHITE RENDER



C. METAL WINDOWS



D. METAL AWNING



E. ALUMINUM BATTEN



F. BRASS

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Legend

- Existing to be demolished
- Unit 1
- Unit 2
- Circulation Zone
- Retail Premises

Notes

1. ALL WORKS TO BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA, NATIONAL CONSTRUCTION CODE (NCC), AUSTRALIAN STANDARD STATUTORY REGULATIONS AND LOCAL AUTHORITY REQ.
2. CONTRACTOR TO ENSURE CONSISTENCY BETWEEN MATERIALS IS MAINTAINED
3. CONTRACTOR TO NOTIFY DESIGNER OF ANY DISCREPANCIES, DIMENSIONAL INCONSISTENCIES OR THE NEED FOR CLARIFICATION PRIOR TO MANUFACTURING
4. DESIGNER TO REVIEW ALL CONTRACTORS DETAILED DRAWINGS / SETTING OUT PRIOR TO CONSTRUCTION
5. CONTRACTOR TO LIAISE WITH ELECTRICAL CONTRACTORS TO ENSURE ALL POWER/DATA/COMMUNICATION

REQUIREMENTS ARE ACCESSIBLE.

6. ALL DIMENSIONS TO BE VERIFIED ON SITE DO NOT SCALE

7. ALL WORKS TO BE VERIFIED AGAINST DRAWINGS FOLLOWING CONSTRUCTION AND DESIGNER TO BE NOTIFIED OF ANY DISCREPANCIES PRIOR TO PROCEEDING WITH NEXT TRADE

BASIX/NATHERS: All other requirements as per certificates

[illegible]

- **Labels:**
 - Natural lighting: No. of bathrooms or toilets: 0 and Kitchen
 - **Average other efficiency measures (all dwellings)**
 - Energy conservation: 0.00
 - Water conservation: 0.00
 - No indoor or sheltered clothes drying line
 - No Private outdoor or unsheltered clothes drying line
- **Thermal Performance (all dwellings)**
 - **Thermal loads (Dwellings 01)**
 - Area adjusted heating load (in MJ/m²/yr) 23.8
 - Area adjusted cooling load (in MJ/m²/yr) 47.7
 - Area adjusted total load (in MJ/m²/yr) 71.5
 - **Thermal loads (All other dwellings)**
 - Area adjusted heating load (in MJ/m²/yr) 25.5
 - Area adjusted cooling load (in MJ/m²/yr) 39.3
 - Area adjusted total load (in MJ/m²/yr) 64.8
- **Common areas**
 - All common areas: no common showereads, toilets or kitchen
 - All common areas tags: 3 star rating
 - **Common area ventilation**
 - Carpinter-vitaler ventilation (supply + exhaust)
 - Bins/storeroom: ventilation (supply + exhaust)

- Lobby: no mechanical ventilation
- **Common area lighting:**
 - Lift bank: light-emitting diode, connected to lift call button
 - Corridor: light-emitting diode, zoned switching with motion sensor
 - Service/Janitor: light-emitting diode, motion sensors
- **Control energy systems:**
 - Lift bank (in): 1600 wattage with V V V F motor. No. of levels with call buttons = 2
 - Number of levels from the bottom of the lift shaft to the top: 3
 - Number of lifts: 1
 - Lift load capacity >= 100kg but <= 1500kg

Non-building specific commitments:

- **Common areas**
 - All common areas: no common showereads, toilets or clothes washers
- All common areas: 3 star rating
- **Control energy systems:**
 - Alternative energy supply: photovoltaic system. Spec: rated electrical output (max): peak kW.

Consultants:
PLANNER
GSA
LANDSCAPE DESIGNER
CONTOUR LANDSCAPE
SHADOWS
CADDRAFT
STORMWATER
NY CIVIL ENGINEERING
BASIX/SECTION J
ECERTS
BCA/ACCESS
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Nominated NSW Architect
William J McKee
NSW ARB 12651

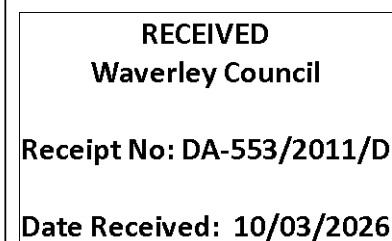
Project
252 Campbell Parade,
Bondi Beach

Date
20-Feb-26

Scale	Drawn
nts at A3	MC/RM

Drawing
External Materials
Schedule
Project No
2532

Drawing No Rev
DA800[00]



	DENOTES OUTLINE OF EXISTING STRUCTURES TO BE DEMOLISHED
	DENOTES AREA OF EXISTING & SURROUNDING BUILDING SHADOW
	DENOTES OUTLINE OF APPROVED DA-553/2011/C & APPROVED SHADOW
	DENOTES FOOTPRINT OF PROPOSED NEW DA
	DENOTES AREA OF PROPOSED ADDITIONAL BUILDING SHADOW AS COMPARED TO EXISTING
	DENOTES AREA OF PROPOSED REDUCTION OF BUILDING SHADOW (STRUCTURES TO BE DEMOLISHED)
	DENOTES AREA OF PROPOSED ADDITIONAL BUILDING SHADOW AS COMPARED TO APPROVED

**SHADOWS SHOWN HAVE BEEN COMPILED
FROM INFORMATION FROM DETAIL & LEVEL
SURVEY BY VERIS SURVEYORS REF NO. 202499
ISSUE 2 DATED 15.12.2025 & APPROVED
DA-553/2011/C PLANS BY RED BLUE ARCH. &
PROPOSED PLANS SUPPLIED BY COMMON
OFFICE PROJECT NO. 2532 DATED 3-FEB-26**

1 : 200

[illegible]

CLIENT: C/- COMMON OFFICE

Project number	26-17	A100
Date	12-02-26	
Drawn by	KP	
Checked by	JD	Scale 1 : 200

SUITE 1, 505 BALMAIN ROAD,
LILYFIELD, NSW
P.O.BOX 446 GLADESVILLE 2111

info@caddraftnsw.com.au

**DENOTES OUTLINE OF EXISTING
STRUCTURES TO BE DEMOLISHED**

114

**DENOTES AREA OF EXISTING &
SURROUNDING BUILDING SHADOW**

10

**DENOTES OUTLINE OF APPROVED
DA-553/2011/C & APPROVED SHADOW**

**DENOTES FOOTPRINT OF
PROPOSED NEW DA**

**DENOTES AREA OF PROPOSED
ADDITIONAL BUILDING SHADOW AS
COMPARED TO EXISTING**

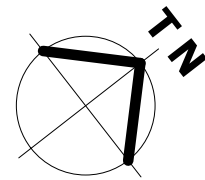
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REDUCTION OF BUILDING SHADOW
(STRUCTURES TO BE DEMOLISHED)**

114

**DENOTES AREA OF PROPOSED
ADDITIONAL BUILDING SHADOW AS
COMPARED TO APPROVED**

NOTE:

**SHADOWS SHOWN HAVE BEEN COMPILED
FROM INFORMATION FROM DETAIL & LEVEL
SURVEY BY VERIS SURVEYORS REF NO. 202499
ISSUE 2 DATED 15.12.2025 & APPROVED
DA-553/2011/C PLANS BY RED BLUE ARCH. &
PROPOSED PLANS SUPPLIED BY COMMON
OFFICE PROJECT NO. 2532 DATED 3-FEB-26**



**NORTHERN ELEVATION
NO. 262 CAMPBELL PDE
3 STORY
TERRACE BUILDING
FLAT ROOF**



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Receipt No: DA-553/2011/D

Date Received: 10/03/2026

Shadowing June 21st 11.00am

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

[illegible]

**SHADOW DIAGRAMS:
No. 252 CAMPBELL PARADE
BONDI BEACH**

CLIENT: C/- COMMON OFFICE

Shadowing June 21st 11.00am

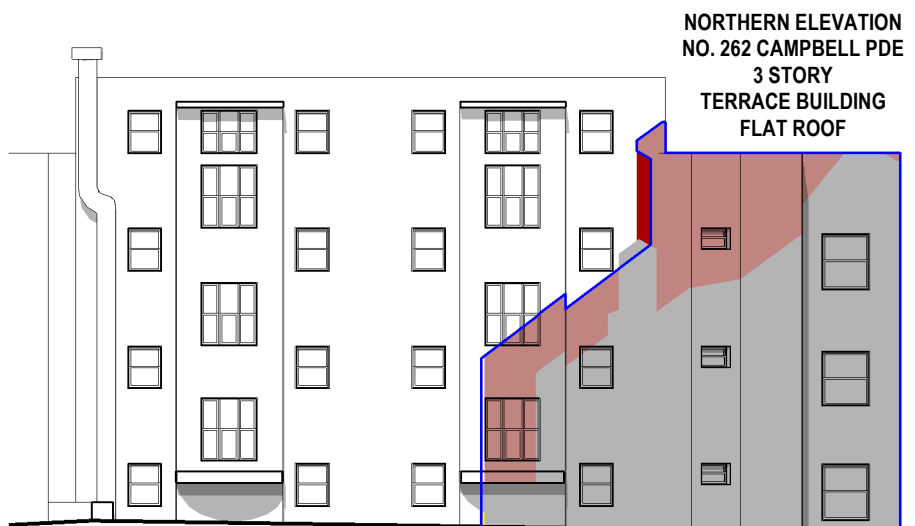
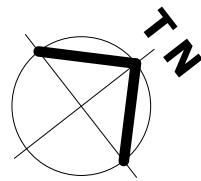
Project number	26-17	A102
Date	12-02-26	
Drawn by	KP	
Checked by	JD	
		Scale 1 : 200

12/02/2026 13:29:46

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	DENOTES AREA OF EXISTING & SURROUNDING BUILDING SHADOW
	DENOTES OUTLINE OF APPROVED DA-553/2011/C & APPROVED SHADOW
	DENOTES FOOTPRINT OF PROPOSED NEW DA
	DENOTES AREA OF PROPOSED ADDITIONAL BUILDING SHADOW AS COMPARED TO EXISTING
	DENOTES AREA OF PROPOSED REDUCTION OF BUILDING SHADOW (STRUCTURES TO BE DEMOLISHED)
	DENOTES AREA OF PROPOSED ADDITIONAL BUILDING SHADOW AS COMPARED TO APPROVED

**SHADOWS SHOWN HAVE BEEN COMPILED
FROM INFORMATION FROM DETAIL & LEVEL
SURVEY BY VERIS SURVEYORS REF NO. 202499
ISSUE 2 DATED 15.12.2025 & APPROVED
DA-553/2011/C PLANS BY RED BLUE ARCH. &
PROPOSED PLANS SUPPLIED BY COMMON
OFFICE PROJECT NO. 2532 DATED 3-FEB-26**

Date Received: 10/03/2026



**NORTHERN ELEVATION
NO. 262 CAMPBELL PDE
3 STORY
TERRACE BUILDING
FLAT ROOF**

Shadowing June 21st 12.00pm

1 : 200

[illegible]

CLIENT: C/- COMMON OFFICE

Shadowing June 21st 12.00pm

Project number	26-17	A103
Date	12-02-26	
Drawn by	KP	
Checked by	JD	
		Scale 1 : 200

ABN 27 083 288 153

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LILYFIELD, NSW
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SHADOW ANALYSIS CONSULTANTS

MOBILE: 0410 699919

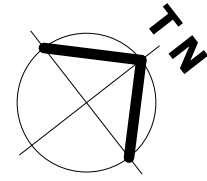
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103

11/11/2019

**SHADOWS SHOWN HAVE BEEN COMPILED
FROM INFORMATION FROM DETAIL & LEVEL
SURVEY BY VERIS SURVEYORS REF NO. 202499
ISSUE 2 DATED 15.12.2025 & APPROVED
DA-553/2011/C PLANS BY RED BLUE ARCH. &
PROPOSED PLANS SUPPLIED BY COMMON
OFFICE PROJECT NO. 2532 DATED 3-FEB-26**



**NORTHERN ELEVATION
NO. 262 CAMPBELL PDE
3 STORY
TERRACE BUILDING
FLAT ROOF**

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Receipt No: DA-553/2011/D

Date Received: 10/03/2026

Shadowing June 21st 1.00pm

1 : 200

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LILYFIELD, NSW
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SHADOW ANALYSIS CONSULTANTS

MOBILE: 0410 699919

info@caddraftnsw.com.au

[illegible]

**SHADOW DIAGRAMS:
No. 252 CAMPBELL PARADE
BONDI BEACH**

CLIENT: C/- COMMON OFFICE

Shadowing June 21st 1.00pm

Project number	26-17	A104
Date	12-02-26	
Drawn by	KP	
Checked by	JD	
		Scale 1 : 200

12/02/2026 13:29:51



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Date Received: 10/03/2026

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P.O.BOX 446 GLADESVILLE 2111

SHADOW ANALYSIS CONSULTANTS

MOBILE: 0410 699919

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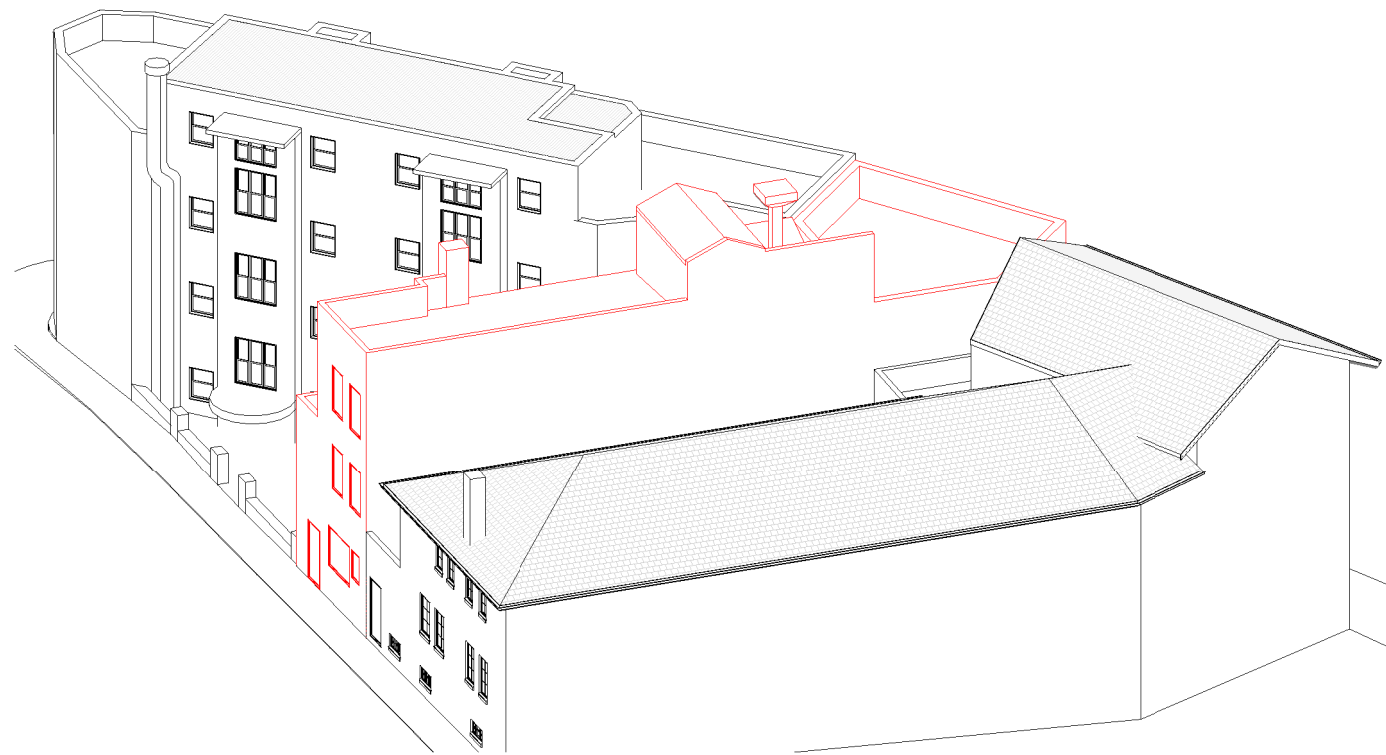
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**SHADOW DIAGRAMS:
No. 252 CAMPBELL PARADE
BONDI BEACH**

CLIENT: C/- COMMON OFFICE

3D Sun Views June 21st 9.00am

Project number	26-17	A107
Date	12-02-26	
Drawn by	KP	
Checked by	JD	
		Scale



June 21st 2.00pm Existing



June 21st 2.00pm Approved



June 21st 2.00pm Proposed

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Receipt No: DA-553/2011/D

Date Received: 10/03/2026

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ABN 27 083 288 153

SUITE 1, 505 BALMAIN ROAD,
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P.O.BOX 446 GLADESVILLE 2111

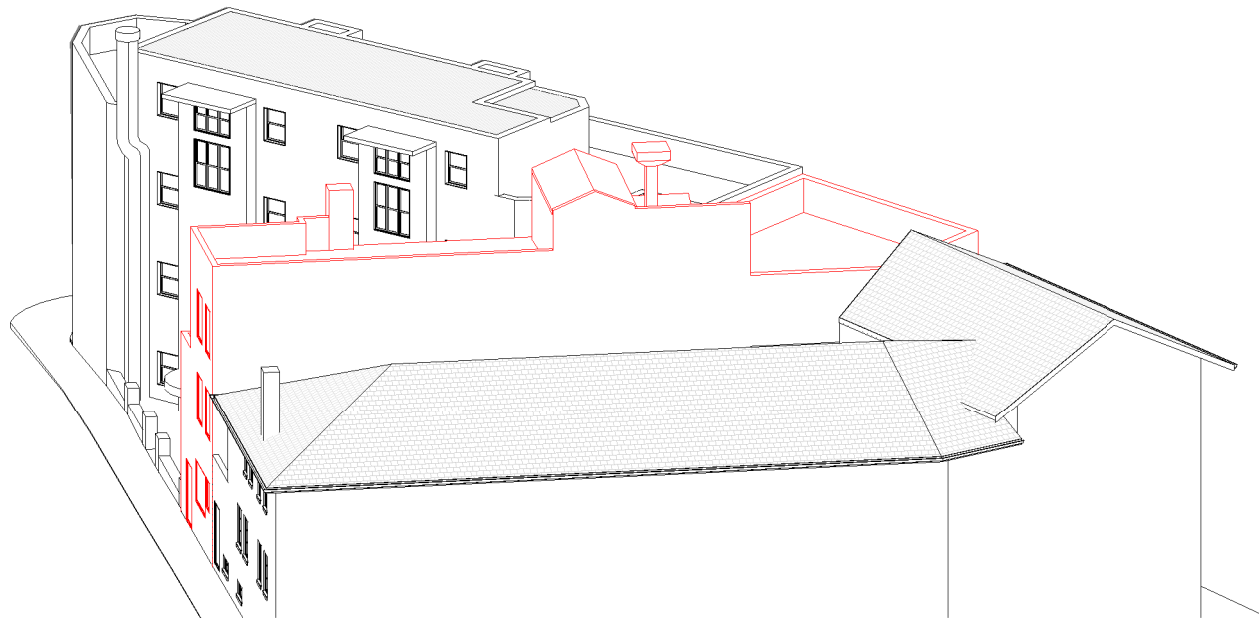
SHADOW ANALYSIS CONSULTANTS

MOBILE: 0410 699919

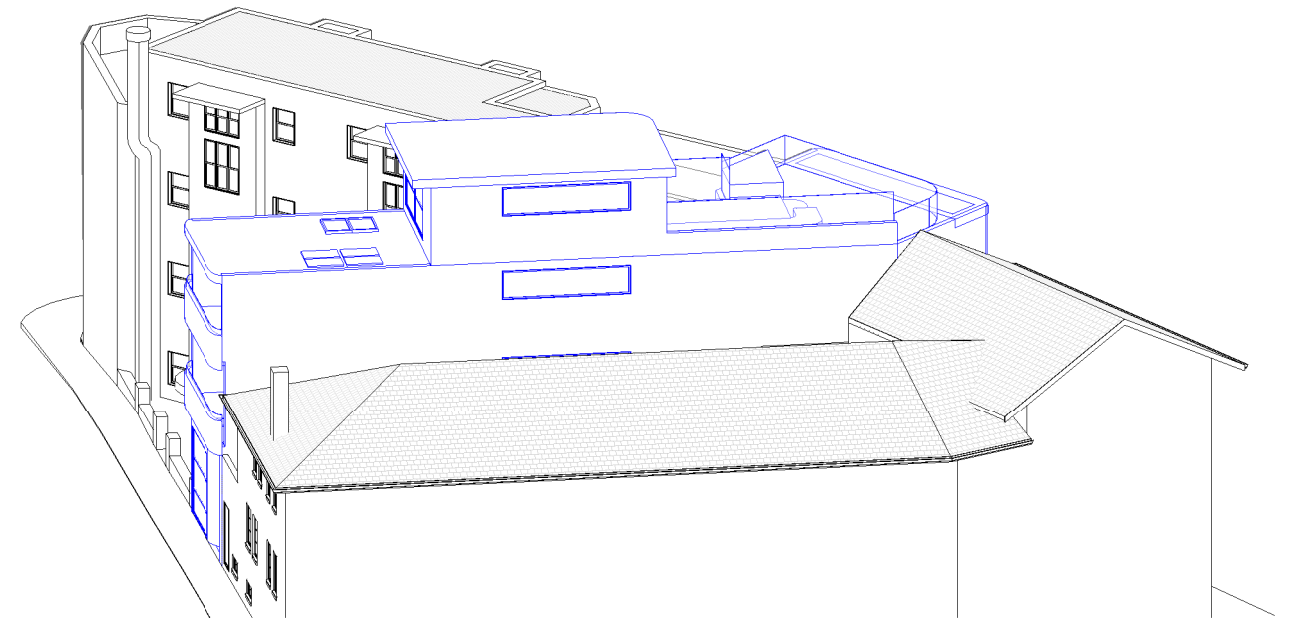
info@caddraftnsw.com.au

No.	Description	Date
		200

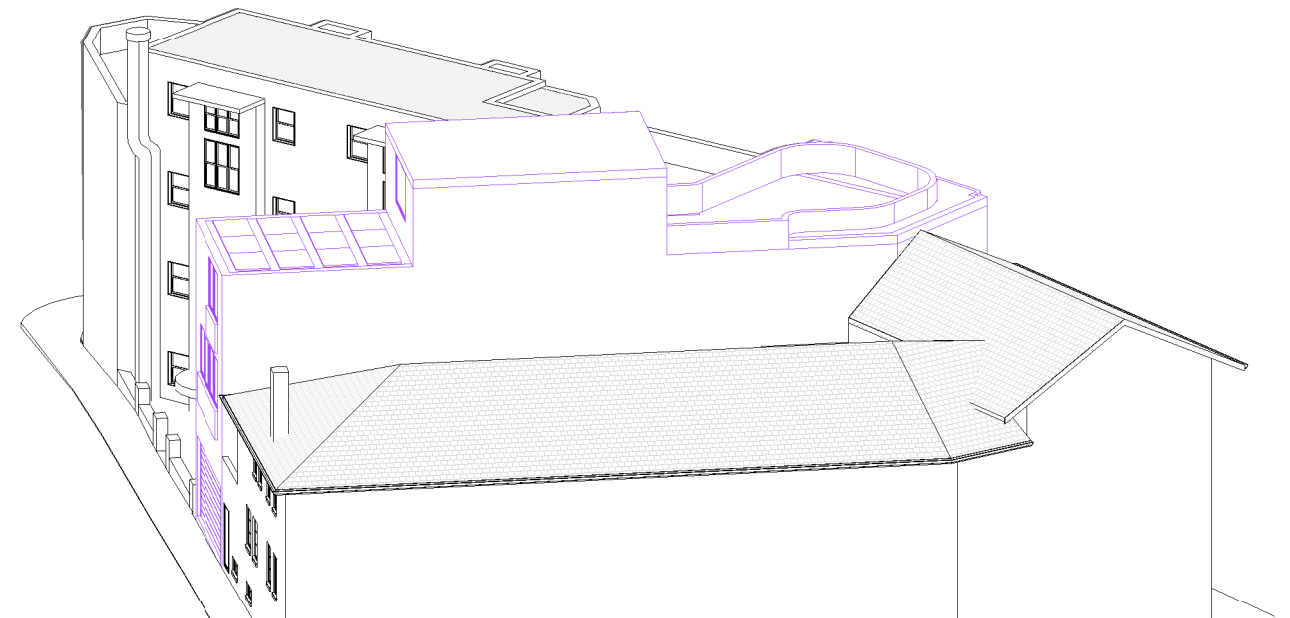
SHADOW DIAGRAMS: No. 252 CAMPBELL PARADE BONDI BEACH		3D Sun Views June 21st 2.00pm	
CLIENT: C/- COMMON OFFICE		Project number	26-17
		Date	12-02-26
		Drawn by	KP
		Checked by	JD
		A112	
		Scale	



June 21st 3.00pm Existing



June 21st 3.00pm Approved



June 21st 3.00pm Proposed

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Receipt No: DA-553/2011/D

Date Received: 10/03/2026

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SHADOW ANALYSIS CONSULTANTS

MOBILE: 0410 699919

info@caddraftnsw.com.au

No.	Description	Date
		201

SHADOW DIAGRAMS:
No. 252 CAMPBELL PARADE
BONDI BEACH

CLIENT: C/- COMMON OFFICE

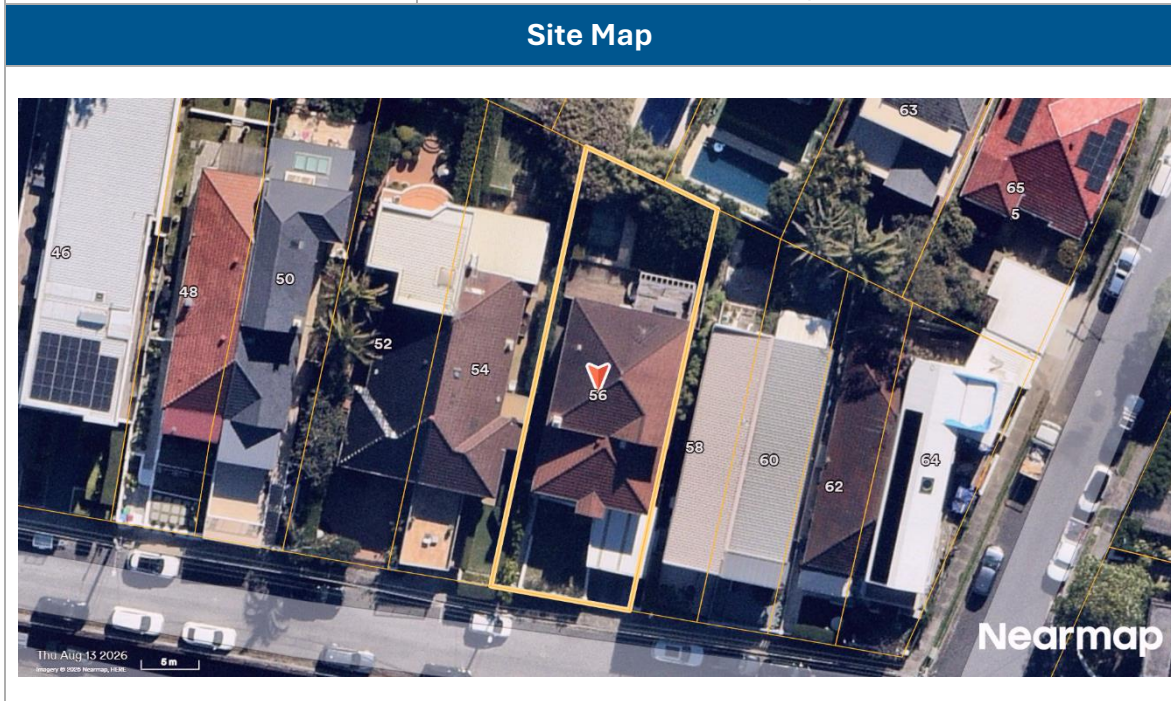
3D Sun Views June 21st 3.00pm

Project number	26-17	A113
Date	12-02-26	
Drawn by	KP	
Checked by	JD	Scale



Report to the Waverley Local Planning Panel

Overview	
Application number	DA-182/2026
Site address	56 Liverpool Street, ROSE BAY NSW 2029
Proposal	Demolition of existing single residence to be replaced with a dual occupancy development with strata subdivision.
Date of lodgement	29 May 2026 26 August 2026 (amended lodgement date)
Owner	M Haber
Applicant	M Haber
Submissions	nil submissions
Cost of works	\$2,635,695
Principal Issues	Exceedance of the Height of Buildings principal development standard.
Recommendation	That the application be APPROVED in accordance with the conditions contained in the report



1. PREAMBLE

1.1. Executive Summary

The development application seeks consent for the demolition of the existing single residence and is to be replaced with a dual occupancy development with Strata subdivision, at the site known as 56 Liverpool Street, Rose Bay.

The principal issue arising from the assessment of the application is as follows:

- Exceedance of the Height of Buildings principal development standard.

The assessment finds this issue acceptable, as the proposed dual occupancy results in a bulk and scale compatible with the surrounding streetscape. While it introduces some shadowing, the portion of the height exceedance crucially causes no additional overshadowing to adjacent neighbours. A condition is recommended to lower the front blade wall located within the first-floor front setback to reduce the structure's visual bulk and scale from the street.

No submissions from residents and no submissions from Councillors were received. There are 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* (the Act). It is recommended for approval subject to conditions of consent.

1.2. Site and Surrounding Locality

A site visit was carried out on 20 July 2026.

The site is identified as Lot 3 Section 1 DP 319455, known as 56 Liverpool Street, Rose Bay.

The site is irregular in shape with a southern frontage of 12.205m to Liverpool Street. It has an area of 448.9m² and falls from the rear of the site towards the front by approximately 3.97m.

The site is occupied by a three-storey detached dwelling with one on-site car parking space. The site is provided with vehicular access provided from Liverpool Street.

The site is adjoined by one to three storey semi-detached on either side. The locality is characterised by a variety of low-density residential dwellings.

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



Figure 1: View of subject site along Liverpool Street.



Figure 2: View opposite the subject site along Liverpool Street.



Figure 3: Rear yard view of the subject site looking south.



Figure 4: Rear yard view of the subject site looking north.

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 a new dual occupancy with Strata subdivision, and specifically includes the following:

Strata Subdivision

- Strata subdivision of the subject site into two Strata lots labelled as 56A and 56B Liverpool Street.

Site Preparation and Demolition

- Demolition of entire building and swimming pool; and
- Excavation of site to accommodate proposal.

Lower Ground Floor

Dwellings 56A and 56B

- One car space garage with internal bin storage;
- Side entrance to staircase and lift; and

- Storage/plant room.

Ground Floor

Dwellings 56A and 56B

- Bedroom 3 with attached front balcony;
- Central staircase, lift and hallway;
- Bathroom;
- Living, dining and kitchen with attached laundry/pantry.
- Rear terrace with BBQ area; and
- Clothesline alongside passage.

First Floor

Dwellings 56A and 56B

- Bedroom 2 with attached front balcony;
- Bedroom 1 with attached ensuite and rear balcony;
- Bathroom; and
- Staircase.

Roof

Dwellings 56A and 56B

- Skylights.

Landscaping

- Shared driveway and vehicle cross over;
- Soft and hardscaping within front setback;
- Paving and external steps along east and west side passageway; and
- Rear soft and hard landscaping.

1.5. Background

The development application was lodged on 29 May 2026 and a Stop the Clock letter for additional information was issued on 9 June 2026 for the following reasons:

1. Floor space ratio (FSR) calculation;
2. Building Height plane analysis;
3. Architectural drawings missing information; and
4. Landscape and open space calculations.

The amended documents were received on 24 June 2026 and the application was notified.

The application was further deferred on 13 August 2026 for the following reasons:

1. Exceedance of the FSR and overshadowing;
2. Side setback;
3. Front landscaping and driveway cross over; and
4. Stormwater.

The amended plans received on 26 August 2026 form the basis of the assessment. The amended documents were considered to be non-minor and in accordance with Section 38 of the *Environmental Planning and Assessment Regulation 2021* (the Regulation) the lodgement date has been reset to the date the amendment was applied for on 26 August 2026.

2. ASSESSMENT

The following matters are to be 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/unacceptable in the assessment of this development application:

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

A detailed discussion is provided for relevant SEPP's as follows:

SEPP (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 to ensure that BASIX commitments are fulfilled prior to occupation is retained.

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

The land of the subject site has been historically used as a residential development and the proposal does not change the existing use of the site, nor would the proposal result in adverse ground disturbance. Accordingly, Council is satisfied that the land is suitable for continued use of the site for residential use in accordance with clause 4.6 of the SEPP.

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												
2.6 Subdivision – consent requirements	Yes	The proposed dual occupancy is to be strata subdivided										
Land Use R2 Low Density Residential Zone	Yes	The proposal is defined as a dual occupancy, which is permitted with consent in the R2 low density residential zone.										
Part 4 Principal development standards												
4.3 Height of buildings (HOB) 8.5m	No	The proposed development results in a maximum building height of 9.9m, equating to a variation of 16.5%.										
4.4 Floor space ratio (FSR) 4.4A Exceptions to floor space ratio (FSR) - Site Area – 448.9m² - Maximum permissible FSR – 0.61:1 - Maximum permissible Gross Floor Area (GFA) – 274.37m²	Yes	The proposed development results in a maximum FSR of 0.61:1 with a GFA of 274.3m². <table><tr><td>Lower Ground</td><td>15.30 m²</td></tr><tr><td>Ground</td><td>151.30 m²</td></tr><tr><td>First</td><td>107.70 m²</td></tr><tr><td>Net GFA</td><td>274.30 m²</td></tr><tr><td>FSR</td><td>0.61:1</td></tr></table>	Lower Ground	15.30 m ²	Ground	151.30 m ²	First	107.70 m ²	Net GFA	274.30 m²	FSR	0.61:1
Lower Ground	15.30 m ²											
Ground	151.30 m ²											
First	107.70 m ²											
Net GFA	274.30 m²											
FSR	0.61:1											
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 HOB development standard. A detailed discussion of the variation to the development standard is presented below this table.										
Part 6 Additional local provisions												
6.2 Earthworks	Yes	The excavation required for the storage/plant rooms and side passages is not expected to have a detrimental impact on environmental functions and neighbouring uses. Standard conditions of consent are recommended regarding earthworks.										

Provision	Compliance	Comment
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 – HOB

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

The site is subject to a maximum HOB development standard of 8.5m. The proposed development has a maximum building height of 9.9m, exceeding the standard by 1.4m equating to a 16.5% variation.

It is noted that the existing building already exceeds the development standard by 0.4m equating to a 4.7% variation.

The relevant objectives for the height of buildings development standard in clause 4.3 are as follows:

- (a) to ensure building heights preserve the environmental amenity of neighbouring properties and public spaces,*
- (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.

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

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

- (a) That compliance with the development standard is unreasonable or unnecessary in the circumstances of the case:
 - (i) appropriate screening along the proposed front and rear balconies, and suitable setbacks are provided to ensure existing impacts on privacy for the neighbouring properties is not increased as a result of the proposal and the associated building height variation.*
 - (ii) No material private or public views expected to be impacted by the proposal and the associated height variation.*

- (iii) *The design ensures solar access can generally be maintained to adjoining properties.*
 - (iv) *The bulk and scale of the proposed dual occupancy is compatible with that of the desired future character of the locality.*
 - (v) *Summarise applicant's points of justification*
- (b) That there are sufficient environmental planning grounds to justify contravening the standard:
- (i) *The new building has been designed in response to the characteristics and constraints of the site and responds to the topography of the land, which steeply slopes from the rear towards the front by approximately 4m. The majority of the building is situated well below the height limit as the variation is isolated to the front portion.*
 - (ii) *The existing building has a height of 9.9m, reflecting a variation of 16.5%. This demonstrates that the steeply sloping topography of the land largely drives the need for the variation.*
 - (iii) *Nearby properties in the vicinity of the site present similar bulk and scale for a three storey building, as what is currently being sought at the subject site. It is also recognised the existing building is already three storeys in height.*
 - (iv) *The height variation is well integrated into the design and built form of the proposed contemporary architectural style, of the building which will positively contribute to the streetscape of the locality. The proposal is consistent with the two-three storey scale of the development within the area.*
 - (v) *Visual and acoustic privacy has been carefully considered in the design as depicted on the architectural plans.*
 - (vi) *The front section of the building above the height plane does not affect the sharing of views from the public domain and private properties. As the existing building is already above the maximum height, and the proposal incorporates a lower pitched roof, this will actually open up view corridors.*
 - (vii) *This application is supported by detailed shadow diagrams incorporating hourly intervals and 3D sun views. These shadow diagrams demonstrate how the proposal can achieve compliance with solar access objectives in the DCP, despite the building height variation. The reduction to the existing building height actually reduces the extent of shadowing over adjoining properties, considered to be an improvement.*
 - (viii) *Due to the site orientation, the majority of additional shadowing is cast over the road and not over residential properties. The private open space of adjoining properties is unaffected by additional shadowing.*
 - (ix) *The design fully complies with the maximum FSR, and therefore any additional shadowing is not produced by a variation to FSR. Refer to the figures below and full set of shadow diagrams for further details.*

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.

Council is satisfied that the proposed exceedance of the HOB standard has a bulk and scale compatible with the locality's desired future character. Furthermore, while the proposal causes additional overshadowing, this impact is not generated by the non-compliant elements. As a result, the portion of the proposal that exceeds the HOB standard, preserves the environmental amenity regarding solar access, privacy and views. In conclusion, the exceedance is considered reasonable.

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 there are sufficient environmental planning grounds to justify contravening the development standard. Council is satisfied that the proposed height exceedance and subsequent bulk preserves the environmental amenity of the neighbouring dwellings. Furthermore, the proposal is of a similar bulk and scale to the character of the locality.

Conclusion

The written request provided by the applicant to vary the HOB development standard 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) (Amendment 6)

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 <i>Garbage bins are to be stored in an appropriate location.</i>	Yes	A Site Waste and Recycling Plan was submitted and bin storage is located within the garages of each dwelling.
2. Ecologically Sustainable Development	Yes	A BASIX and Nathers certificate was submitted. A condition is recommended that all habitable rooms have ceiling or wall fans.
5. Water Management	Yes	Council's Stormwater Design Engineers do not object to the proposal, subject to conditions.
7. Transport		The off-street parking is acceptable.
7.1 Streetscape	Yes	The subject site is located within Parking Zone 2.
7.2 On-Site Parking	Yes	
7.2.1 Vehicle Access	Yes	The driveway crossover is acceptable subject to recommended conditions.
7.2.2 Parking Rates <i>Maximum parking rate: 2</i>	Yes	The development provides one off-street parking space per dwelling, which complies with the development control.
11. Design Excellence	Yes	The proposal satisfactorily complies with the relevant design excellence controls and will result in a well-designed building.
13. Excavation	Yes	Refer to the 6.2 Earthworks section in Table 1 above.

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 results in a maximum external wall height of approximately 8.5m from the existing ground level and is considered acceptable on merit as the site slopes down to the street front by 3.97m. The first-floor addition, where the non-compliance occurs, is setback from the ground floor, minimising the visual bulk of the non-compliance within the streetscape.
1.2 Setbacks		
1.2.1 Front and rear building lines - Predominant front building line - Predominant rear building line at each floor level - Development at first floor level and above shall be set back from the rear building line of the ground floor level	Yes	Front Building Line: - The Lower Ground, Ground and First Floors are all set back behind the front building line of 58 Liverpool Street. Rear Building Line: - Ground Floor building line is set back from both 54 and 58 Liverpool Street. - The First Floor building line is set back from the rear building line of 60 Liverpool Street.
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.	No (acceptable on merit)	While the compliant 1.5m setback is maintained along the front portion of the building, where the proposal has a three-storey appearance, the middle and rear sections propose a reduced setback of 1.1m. This variation is considered acceptable as the natural topography slopes upwards, visually reducing the building's scale to a two-storey appearance at the rear. Consequently, the reduced setback will not result in adverse bulk, scale, or amenity impacts on neighbouring properties.

Development Control	Compliance	Comment
1.3 Streetscape and visual impact		
<i>New development to be compatible with streetscape context</i> <i>Significant landscaping to be maintained.</i>	Yes (Condition) Yes	The proposed dual occupancy is compatible with the established character of the surrounding streetscape. However, a condition is recommended to lower the blade wall located within the first-floor front setback. This adjustment will reduce the structure's visual bulk and scale from the street.
1.4 Fences		
Front: <i>Maximum height of 1.2m</i> <i>Solid section no more than 0.6m in height</i>	Yes	A front fence of 1.2m is proposed.
Side and Rear: <i>Maximum height of 1.8m</i>	Yes	The side and rear fences are proposed to have a height of 1.8m.
1.5 Visual and acoustic privacy		
<i>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</i>	Yes	Eastern Facing Windows towards no. 58: - No impact from the lower ground floor. - W03 and 04 have a sill height of 1.8m and address any privacy concerns. - W05 serves a laundry, a non-habitable room. - W06 has a sill height of 0.9m and does not directly face a neighbouring window. - D05 direct sightlines are sufficiently obstructed by the proposed boundary fence and addresses privacy concerns. - W13, 14 and 15 have a sill height of 1.5m and do not direct face habitable windows. - W16 does not directly face habitable windows. Western Facing Windows towards no. 54: - No impact from the lower ground floor. - W11 and 12 have a sill height of 1.8m and address privacy concerns. - W10 serves a laundry, a non-habitable room.

Development Control	Compliance	Comment
Maximum size of balconies: 10m² in area, 1.5m deep	No (acceptable on merit)	- W09 has a sill height of 0.9m and does not directly face a neighbouring window. - D08 direct sightlines are sufficiently obstructed by the proposed boundary fence and addresses privacy concerns. - W18, 19 and 20 have a sill height of 1.5m and do not direct face habitable windows. - W17 does not direct face habitable windows. Balconies: - The two ground floor front balconies each have a depth of 2.27m and an area of 8.57m². - The two first floor front balconies have a depth of 1.2m and an area of 3.72m² with privacy screens and comply. - The two first floor rear balconies have a depth of 1.1m and an area of 3.43m² with privacy screens and comply.
Roof tops to be non-trafficable unless predominant in the immediate vicinity	Yes	The front green roof is proposed to be non-trafficable.
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	A minimum of 3 hours of sunlight is expected for the living areas and principal open space.
Minimum of 3 hours of sunlight maintained to at least 50% of principal open space areas of adjoining properties on 21 June.	Yes	The proposal is not expected to reduce solar access to either open space or windows of the adjacent windows to less than 3 hours.
Avoid unreasonably overshadowing of solar collectors (including habitable windows).	Yes	The proposal results in minor overshadowing to some windows at No 54 Liverpool Street at 9am and No 58 Liverpool Street from 1pm onwards. Crucially, the proposed overshadowing results from building elements that comply with the maximum HOB development standard. As a result, the proposal is considered reasonable, and consistent

Development Control	Compliance	Comment
		with what would be expected from any compliant redevelopment of the site.
1.7 Views		
<i>Views from the public domain are to be maintained</i> <i>Development to be designed and sited so as to enable a sharing of views with surrounding dwellings particularly from habitable rooms and decks.</i>	Yes	No impacts on views have been identified, and no submissions have been received that raise an issue with view loss. As such, the proposal is not expected to result in impacts on any known views enjoyed by surrounding properties.
1.8 Car parking		
1.8.1 Design Approach <i>Parking only allowed where site conditions permit</i> <i>Designed to complement the building and streetscape</i> <i>Car parking structures to be behind the front building line</i> <i>Driveways are to be located to minimise the loss of on street parking</i>	Yes Yes No (acceptable on merit) Yes	The proposed garages of the dual occupancy are complementary and integrated into the design of the building and streetscape. The proposed car parking aligns with the front building line of the first floor front balcony. This is considered acceptable on merit, as both the existing garage on site and at 54 Liverpool Street are located forward of the dwellings front building line. The proposed driveway results in the loss of one on-street parking space.
1.8.2 Parking rates	Yes	One car space per dwelling is proposed for a total of two.
1.8.3 Location <i>Parking to be behind front building line for new dwellings</i>	No (acceptable on merit)	Refer to 1.8.1 Design Approach above.
1.8.4 Design <i>Complement the style, massing and detail of the dwelling</i> <i>Secondary in area and appearance to the design of the residences</i> <i>Gates to have an open design</i>	Yes Yes Yes	The proposed garages are architecturally compatible with the style and scale of the dual occupancy. The proposed garages are considered secondary in appearance and integrated into the design of the residences. The gates are shown to open inwards.

Development Control	Compliance	Comment
1.8.5 Dimensions 5.4m x 2.4m per vehicle	Yes	Each proposed car parking space measures 5.4m x 2.4m.
1.8.6 Driveways - Maximum of one per property - Maximum width of 3m at the gutter (excluding splay) - Crossings not permitted where 2 on street spaces are lost	Yes Yes Yes	One shared driveway is proposed with a maximum width of 3m and results in the loss of one off-street parking space. Crossover is proposed to have a maximum width of 3m. One crossing is proposed.
1.9 Landscaping and open space		
- Overall open space: 40% of site area (179.56m²) - Overall landscaped area: 20% (89.78m²) of site area, with at least half deep soil (44.89m²) - Minimum area of 25m² for private open space - Front open space: 50% of front building setback area - Front landscaped area: 50% of front open space provided - Outdoor clothes drying area to be provided	Yes Yes Yes Yes Yes Yes	- Approximately 57% (254.3m²) of site area has been provided as overall open space. - Approximately 26% (116.79m²) of site area has been provided as overall landscaped area, with 69.64m²) of it being provided as deep soil area. - Approximately 122.47m² of private open space area has been provided. - Approximately 100% (77.43m²) of the front building setback area has been provided as front open space. - Approximately 54% (41.8m²) of the front open space area has been provided as front landscaped area. - The proposal includes a clothesline for each dwelling along their respective side setback of the subject site.
1.15 Dual Occupancy Development		
Min lot of 450m² attached dwellings	No (acceptable on merit)	The subject site has a total area of 448.9m ² , which falls short of the minimum requirement. However, this non-compliance of 1.1m ² is minor and considered acceptable on merit, especially given that the proposed bulk and scale are consistent with the established streetscape character.
Attached dual occupancy development should be	No	The proposed dual occupancy presents as two semi-detached dwellings. This is

Development Control	Compliance	Comment
<i>designed so as to have the appearance from the street of a single dwelling.</i> <i>Dual occupancy development must provide a single vehicle crossing to the street.</i>	(acceptable on merit) Yes	acceptable as the streetscape has multiple semi-detached dwellings. A single vehicle crossing is proposed.

2.2. Other Impacts of the Development

The proposal is considered to have no significant likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in 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 25 June and 13 July 2026 in accordance with the *Waverley 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:

- The first floor was reduced in bulk reducing overshadowing.

Having regard to the nature of the amendments, there is a lesser impact on all properties.

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 referral comments were sought:

3.1. Traffic and Transport Development

The application was referred to Council's Traffic Engineers, and they have raised no objections to the proposal, subject to conditions of consent.

3.2. Stormwater Design and Flooding (Infrastructure Services)

The application was referred to Council's Infrastructure Engineers, and they have raised no objections to the proposal, subject to conditions of consent.

3.3. GIS

The application was referred to Council's GIS Officer, and they have raised no objections to the proposal, subject to 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 conditions in Appendix A.

Managers of Development Assessment (MODA) Review

The application was reviewed by the MODA at the meeting on 1 September 2026 and the MODA concurred with the Assessment Planner's recommendation.

MODA members: B McNamara, B Magistrale, J Zancanaro and D Knight

Report prepared by:	Application reviewed and agreed by:
	
Damien Wilmotte	Bridget McNamara
Senior Development Assessment Planner	Manager, Development Assessment
Date: 3 September 2026	Date: 9 September 2026

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)	16.5% variation to height (Clause 4.3)
	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]
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
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
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
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

GENERAL CONDITIONS

1. APPROVED PLANS AND DOCUMENTATION

The development must be in accordance with:

- (a) Architectural Plans prepared by architect of Project No: 2404 including the following:

Plan Number and Revision	Plan description	Plan Date	Date received by Council
DA-01 Rev D	Cover + Location Plan	24/08/2026	26/08/2026
DA-02 Rev D	Site/Roof Plan	24/08/2026	26/08/2026
DA-03 Rev D	Lower + Ground Floor Plan	24/08/2026	26/08/2026
DA-04 Rev D	Proposed Upper Floor Plan	24/08/2026	26/08/2026
DA05 Rev D	Elevations	24/08/2026	26/08/2026
DA06 Rev D	Section + East Elevation	24/08/2026	26/08/2026

- (b) Landscape Plan No. L100 Rev C and documentation prepared by Landsberg Garden Design, dated 17/08/2026 and received by Council on 26/08/2026;
- (c) The BASIX and NatHERs Certificates;
- (d) Draft Subdivision/Strata Plan prepared by Yvonne Haber Architect dated 6/05/2026 and received by Council on 29/05/2026;
- (e) The Site Waste and Recycling Management Plan (SWRMP) Part 1 and received by Council on 29/05/2026;

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 blade wall located within the first-floor front setback is to be lowered to be a maximum 200mm above the adjacent planted area parapet.

Condition reason: To reduce the structure's visual bulk and scale from the street.

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 ensure all parties are aware of the approved plans and supporting documentation that applies to the development.

3. STRATA SUBDIVISION

- (a) This consent includes approval for two (2) lot Strata subdivision of the dual occupancy.
- (b) A Strata Certificate must be obtained from either Council or a Registered Principal Certifier in accordance with either Section 54(1) or Section 58(1) of the *Strata Schemes Development Act 2015*.
- (c) The allocated car parking and storage spaces are not permitted to be subdivided as individual allotments and are to be part lots allocated to individual residential allotments or identified as common property as shown on the approved plans. Part allotments are to be generally allocated in accordance with the parking and storage requirements of *Waverley Development Control Plan 2022*. No exclusive use of common property shall occur without the prior consent of Council.

Condition reason: To ensure the approved development complies with the *Strata Schemes Development Act 2015*.

4. COMPLIANCE WITH NATIONAL CONSTRUCTION CODE

All proposed work must comply with the *National Construction Code* (previously known as the *Building Code of Australia*).

Condition reason: Prescribed condition pursuant to the *Environmental Planning and Assessment Regulation 2021*.

PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

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

GENERAL

5. NO BUILDING WORKS PRIOR TO RELEASE OF A CONSTRUCTION CERTIFICATE

The building work must not be commenced until:

- (a) a Construction Certificate has been obtained from Council or an Accredited Principal Certifier in accordance with the *Environmental Planning and Assessment Act 1979*;
- (b) a Principal Certifier 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. 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 Certifier 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*.

CONTRIBUTIONS, FEES & BONDS

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 \$500,001 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 \$1,000,001 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).
- (ii) 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.
- (iii) 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.
- (iv) Should there be a discrepancy between the Detailed Cost Report 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 is 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.
- (e) Where a modification to a development consent has been granted, the contribution is to be recalculated based on the amended total development cost.
- (f) Prior to the issue of any Construction Certificate, evidence must be provided to the Principal Certifier 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 S7.12 Contributions are paid for the development, and any amendments are accounted for.

8. HOUSING AND PRODUCTIVITY CONTRIBUTIONS HOUSING AND PRODUCTIVITY CONTRIBUTIONS

Before the issue of a Occupation Certificate or Subdivision Certificate, the Housing and Productivity Contribution (HPC) set out in the table below is required to be made:

Housing and productivity contribution		Estimated Amount (\$)
Housing and Productivity Contribution (base component)	(base	\$ 10,833.93
Transport project component		Nil
Strategic Biodiversity Component		Nil

Estimated total housing and productivity contribution \$ 10,833.93

- (a) The HPC must be paid online via the NSW Planning Portal.
- (b) 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).
- (c) 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.
- (d) 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.

Condition reason: To require contributions towards the provision of regional infrastructure

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 Certifier prior to the issue of any Construction Certificate.

Note: Council acts as a collecting agent for the Long Service Payment Corporation and the levy may be paid at Council's office or online via the Service NSW website. 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. SECURITY DEPOSIT

- (a) Payment to the amount of **\$ 52,713.9** must be provided to Council for any damage caused to any property of the consent authority (i.e. public land) as a consequence of the works and completing any public work (such as road work, kerbing and guttering, footway construction, stormwater drainage and environmental controls) required in connection with the consent. This fee is charged in accordance with Council's *Pricing Policy and Schedule of Fees and Charges*.
- (b) This payment (security deposit) must be provided to Council prior to the issue of any Construction Certificate. The full amount of the security 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 of all of works associated with this consent (including the required public works) to the person who paid the deposit. Any works required to Council property associated with the consent need to be undertaken with the approval of the Infrastructure Services Department and in line with current Council standards. See the General Advisory Notes at the end of this consent for further details.

Condition reason: To ensure any damage to public infrastructure is rectified and public works can be completed.

CONSTRUCTION AND SITE MATTERS

11. HOARDING FOR CONSTRUCTION SITES

A hoarding is a temporary structure of solid construction, erected around the perimeter of construction sites to shield them from view and prevent unauthorised access. It is an important component in ensuring health and safety, for site workers, visitors and the general public and can also be part of a site security system to prevent theft or vandalism. The design and construction of any hoarding must be in accordance with the requirements of *Safe Work NSW*.

Council authorisation is required when construction or other works will impact a footpath, such as the erection of hoarding or scaffolding, or the storage of building materials. Refer to Waverley Council's website by visiting the [Hoarding and Scaffolding Guidelines](#) webpage for more information.

To apply to occupy Council property (public domain and/or footway), complete the '[Application for Occupation of Council Footpath](#)' form and submit it, directly to email building.compliance.admin@waverley.nsw.gov.au.

Please allow a minimum of 2weeks for processing your application.

Note: You are not to erect the hoarding or store building materials on Council's footpath until written permission is given by Council and all relevant fees have been paid. Failure to do so, may result in enforcement action.

Condition reason: Under Section 68 of the *Local Government Act 1993* and under Section 138 of *The Roads Act 1993*, where Occupation of Council property is required over the footpath or any public place, the approval of Council must be obtained and the applicable fees paid prior to any occupation. This is to ensure the safety of the site and public whilst construction occurs.

12. EROSION AND SEDIMENT CONTROL PLAN

- (a) A *Soil and Water Management Plan* (SWMP), also known as an Erosion and Sediment Control Plan must be prepared by a suitably qualified person in accordance with *Waverley Council's Water Management Technical Manual*.
- (b) The SWMP must be submitted and approved by the Principal Certifier prior to the issue of any Construction Certificate. A copy of the SWMP must be kept on site at all times and made available to Council officers upon request.
- (c) 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 no substance other than rainwater enters the stormwater system 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 Engineer's report in relation to the avoidance or minimisation of structural damage to adjoining properties are to be fully complied with during construction.

Details are to be provided on the architectural plans and submitted to the Principal Certifier for approval prior to the issue of the relevant Construction Certificate.

Condition reason: To ensure any excavation, shoring and 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 the structural stability of work on site.

15. PRE-CONSTRUCTION STORMWATER PIT DILAPIDATION

Prior to any works commencing, a dilapidation report including photographic evidence of internal conditions of pit No. 20603 and 20503 must be prepared and submitted by a suitably qualified engineer or an accredited operator to confirm the existing structural and serviceability condition.

The report/s must be dated and submitted via email to assets@waverley.nsw.gov.au to the satisfaction of Council's Executive Manager, Infrastructure Services (or delegate). No works on Council's stormwater infrastructure shall commence until Council has granted written approval.

Condition reason: Confirm the condition of the stormwater pipes and pits servicing the site prior to works commencing.

16. SYDNEY WATER SECTION 73 COMPLIANCE CERTIFICATE APPLICATION

- (a) 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.
- (b) For more information about making an application to obtain a Section 73 Compliance Certificate, please consult Sydney Water's website.
- (c) 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 Co-ordinator, as the

building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design.

- (d) A Section 73 Compliance Certificate must be issued from Sydney Water prior to the issue of an Occupation Certificate.

Condition reason: To comply with the requirements of Sydney Water.

TRAFFIC MATTERS

17. CONSTRUCTION TRAFFIC MANAGEMENT PLAN (CTMP)

The applicant is to submit a Construction Traffic Management Plan (CTMP) for the approval of Council's Executive Manager, Infrastructure Services, or delegate, prior to the issue of any Construction Certificate. CTMP's are to be submitted via email to traffic@waverley.nsw.gov.au for assessment. 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.

STORMWATER AND FLOODING

18. STORMWATER 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 on Council's website through an Engineering Plan Assessment application for assessment and approval. The plans must be approved to the satisfaction of the Executive Manager, Infrastructure Services (or delegate) prior to the issue of the relevant Construction Certificate.

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 *Pricing Policy and Schedule of Fees and Charges* at the time of engineering plan approval, prior to such approval being granted by Council.

The stormwater management plans prepared by Inline Hydraulic Services, Project No. 26119, Drawing Nos. HDA000 to HDA003, HDA06, HDA100, HDA101, HDA200 and HDA201, Issue E, dated 24/08/2026 are concept only.

The applicant must submit amended plans and specifications to comply with the current Council's *Water Management Technical Manual* (WMTM) 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) The architectural and landscape drawings must be updated to be consistent with the stormwater management plans.
- (b) An individual stormwater management system must be designed per dwelling.
- (c) A sewer/water main runs through the rear of the property, therefore plans must also be presented to Sydney Water for their approval prior to the issue of a Construction Certificate.
- (d) The stormwater management plans must provide details of the required On-Site Stormwater Detention (OSD) system and its details e.g. pit dimensions, cross & long sections, significant water invert levels of inlet and outlet pipes, details of discharge control pit, orifice plate details including orifice diameter, depth of water above centreline of orifice, pit overflow, OSD plaque, OSD warning sign and catchment plan per dwelling.
- (e) Permissible site discharge (PSD) is incorrectly calculated. The PSD must be limited to the maximum discharge from the site during the 20% AEP for a 5minute storm event under undeveloped site conditions (with fraction imperviousness 0.1) as outlined in the Waverley Technical Manual 2021, Section 6.3. Redesign OSD and associated orifice accordingly.
- (f) The OSD system must be designed for the 1% AEP storm event.
- (g) Detail the proposed pipe sizes, type, grade, length, invert levels, dimensions and types of drainage pits and inspection openings and their location.
- (h) 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.
- (i) Provide calculations demonstrating that the proposed stormwater drainage system can cater for the relevant design storm event.
- (j) Details of any rainwater tank must be shown on the architectural plan, including the overflow connection to the approved stormwater drainage system.
- (k) The rainwater tank must have a minimum capacity of 1,000 litres per each dwelling and be connected to at least 30m² of roof area per each dwelling.
- (l) 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.
- (m) Provide calculations of the roof guttering system for the 1% AEP storm event and minimum number of downpipes required.
- (n) Sub soil drainage (seepage) water must not be directly or indirectly discharged to Council's street gutter.
- (o) Show sub-soil drainage is restricted from entering the underground areas of the building and the stormwater drainage system by waterproofing and tanking the underground areas of the building in accordance with a Registered Structural Engineer's design.

- (p) 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.
- (q) Any new downpipes must be located wholly within the property's boundary.
- (r) A grated trench drain must be provided across the (garage entrance/driveway/street boundary) within the private property to prevent stormwater flows from the site crossing the footpath. Unless otherwise sized by a suitably qualified and practising Engineer, the dimensions of the trench grate are to be not less than 200mm wide by 100mm deep at the shallow end and have a "bottom" slope of 2%. This trench drain must be connected to the approved drainage system.
- (s) All connections to Council's below ground drainage system must occur at a stormwater pit. If no such pit exists adjacent to the site, then a new grated kerb inlet/access pit must be installed over the existing Council pipeline at the applicant's expense. A new kerb inlet pit (2.4m lintel) shall be installed fronting the subject development site. A new Class 3 reinforced concrete pipeline diameter of 375mm shall be constructed between the new kerb inlet pit and Council existing kerb inlet pit no. 20603.
- (t) The existing 300mm diameter pipe located between the pit no. 20603 to pit no. 20503 shall be removed and replaced with Class 3 reinforced concrete pipe diameter of 375mm.
- (u) All proposed stormwater pipeline within the public domain must be constructed using Class 3 reinforced concrete pipes (RCPs) with a minimum diameter of 375 mm. A junction pit must be installed at all changes of gradient and changes of direction in the pipeline.
- (v) A non-return valve must be installed at the discharge point within the silt arrestor pit near the property boundary so that stormwater cannot surcharge back into the properties private stormwater system.
- (w) A long section of the connection to Council's infrastructure must be provided and its details included (e.g. the location of existing services being crossing with the clearances, existing surface levels, inverts and obverts of existing and proposed).
- (x) The invert level of the stormwater discharge line connecting to Council's kerb inlet pit is at or above the top third of Council stormwater pipeline.
- (y) Council must be notified prior to any connection being made to Council's network and an inspection must be made by a Council officer prior to public domain restoration and backfill at the point of connection. An inspection fee will apply for each inspection visit required by a Council officer, payable prior to any site inspection. Minimum 48 hour's notice must be provided to Council prior to inspection.
- (z) The plans must show 1-metre-wide inter-allotment drainage easement adjacent to western property boundary over 56A Liverpool Street, Rose Bay benefiting 56B Liverpool Street, Rose Bay. The proposed inter-allotment drainage easement over 56B Liverpool Street, Rose Bay shall be removed.

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) 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.
- (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) For more information, contact Council's Assets Department at assets@waverley.nsw.gov.au
- (vi) Standard review timeframes for stormwater plans and supporting documents are generally a minimum of 4 weeks from the date of submission. However, review timeframe may vary depending on the volume of applications being assessed noting submissions will be reviewed in the order they are received. Applicants are advised to allow adequate time for the assessment process.
- (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 must be submitted to and approved by the Principal Certifier prior to the issue of the relevant Occupation Certificate.
- (viii) 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.

ENERGY EFFICIENCY & SUSTAINABILITY

19. BASIX CERTIFICATE – DETAILS TO BE LODGED WITH A CONSTRUCTION CERTIFICATE

A copy of the required completed BASIX certificate accepted as part of this Development Consent with respect to the proposed residential building works, must be lodged with an application for a Construction Certificate and the items nominated as part of the subject

BASIX certificate must be specified on the plans submitted with the construction certificate application. – See Note.

Note: Any requirement detailed in the accompanying BASIX Certificate, MUST be included as a specific notation or inclusion on any future Construction Certificate plans and specification in accordance with Part 3 of Schedule 1 of the *Environmental Planning and Assessment Regulation 2021*.

Condition reason: To ensure BASIX commitments are fulfilled in accordance with the BASIX certificate (prescribed condition under clause 75 *EP&A Regulation 2021*).

20. RENEWABLE ENERGY AND ENERGY EFFICIENCY

- (a) No gas cooktops or gas ovens are permitted where works are proposed to the kitchen. Alternate options must be used such as electric or induction.
- (b) No gas heating systems are permitted. If heating is provided it must be electric or solar sourced.
- (c) Ceiling or wall mounted fans must be installed in all habitable rooms (main living areas and bedrooms).
- (d) In circumstances where the existing BASIX certificate does not comply with the above, the BASIX certificate must be amended and submitted to the Principal Certifier for approval, prior to the issue of the relevant Construction Certificate.
- (e) The architectural plans shall be updated to notate the above and submitted to the Principal Certifier for approval, prior to the issue of the relevant Construction Certificate.

Condition reason: To improve air quality and human health, and to ensure all new (or altered) homes have future capacity to be an all-electric building, powered by renewable energy.

LANDSCAPE & TREES

21. GREEN ROOF LANDSCAPING DETAILS

The Landscape Plan shall comply with the provisions for green roofs contained 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 B2 – 1).
- (b) Have a minimum soil depth of 300mm and use lightweight soil mixes that are porous, able to drain freely, and suitable for the selected plant species;
- (c) The green roof is to be designed to be a non-trafficable area (with no balustrades) and must be irrigated without requiring frequent maintenance access.
- (d) Any access to the roof is to be for servicing purposes only.
- (e) A qualified landscape architect must review the design and verify that it complies with the above requirements.

Details are to be provided on the landscape plans and submitted to the Principal Certifier for approval prior to the issue of the relevant Construction Certificate.

WASTE

22. SITE WASTE AND RECYCLING MANAGEMENT PLAN

A *Site Waste and Recycling Management Plan (SWRMP) - Part 2* is to be submitted and approved by the Principal Certifier 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, and the contact details of those removing the waste 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.

COMPLIANCE PRIOR TO WORK COMMENCING AND DURING CONSTRUCTION

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

PRIOR TO ANY WORKS

23. CONSTRUCTION SIGNS

Prior to commencement of any works on the site and during construction phase, a sign shall be erected on the main frontage of the site detailing the name, address and contact details (including a telephone number and email address) of the Principal Certifier 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 Certifier and principal contractor's (the coordinator of the building works) contact details.

24. DILAPIDATION REPORT

- (a) 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 Certifier. At minimum, the following properties are to be included:
 - (i) 54 Liverpool Street
 - (ii) 58 Liverpool Street
- (b) 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 Certifier that all reasonable steps were taken to obtain access to the adjoining properties.
- (c) The report is to be dated, submitted to, and accepted by the Principal Certifier, prior to any work commencing on the site.
- (d) 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.
- (e) 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 affected neighbours and council are provided with the dilapidation report.

25. USE OF FILL ON SITE

- (a) The following shall be adhered to:
- (b) All fill imported onto the site shall be free of building and other demolition waste, and contain virgin excavated natural material (VENM) as defined in Part 3 of Schedule 1 of the *Protection of the Environment Operations Act 1997*.
- (c) Sampling and analysis of the fill material should be conducted in accordance with the NSW EPA *Contaminated Land Guidelines Sampling design part 1 and part 2 (2022)* to ensure that the material is not contaminated.
- (d) Any other waste derived material the subject of a resource recovery exemption under cl. 51A of the *Protection of the Environmental Operations (Waste) Regulations 2014* that is permitted to be used as fill material.
- (e) Any waste derived material the subject of resource exemption received at the development site must be accompanied by documentation as to the materials compliance with the exemption conditions and must be provided to the Principal Certifier on request.

Condition reason: To ensure that land contamination does not occur.

26. SURVEY SETOUT

Prior to the commencement of construction, all footings, walls and floor slabs adjacent to a boundary must be set out by a registered surveyor. The building shall be sufficiently set back to ensure that no component of the building (such as the roof, guttering, or downpipes) encroach upon or overhang the boundaries of the site.

The registered surveyor shall provide a survey and report to the Principal Certifier indicating the position of the footings, walls and floor slabs in relation to the boundaries of the allotment, prior to the commencement of construction works.

Condition reason: To ensure the development does not encroach onto neighbouring properties.

DEMOLITION & EXCAVATION

27. 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:

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

(e) *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 and Hazardous Materials Assessment for the approval of the Principal Certifier in accordance with *Australian Standard AS 2601-2001 Demolition of Structure and a Hazardous Materials Assessment.*

The Work Plan and Hazardous Materials Assessment shall be prepared by a suitably qualified person and shall:

- (i) Outline the identification of any hazardous materials, including surfaces coated with lead paint;
- (ii) Confirm that no asbestos products are present on the subject land, or
- (iii) 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);
- (iv) Describe the method of demolition;
- (v) Describe the precautions to be employed to minimise any dust nuisance; and
- (vi) Describe the disposal methods for hazardous materials.

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

28. 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.
- (b) Water must not be allowed to enter the street and stormwater systems.
- (c) Demolition is not to be performed during adverse winds, which may cause dust to spread beyond the site boundaries.
- (d) All contractors and employees directly involved in the removal of hazardous dusts and substances are to wear protective equipment conforming to *Australian Standard AS1716 -2012 Respiratory Protective Devices.*

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

29. 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* to the satisfaction of the Principal Certifier.

Condition reason: To ensure that contaminated soil not escape the site.

30. EXCAVATION AND BACKFILLING

- (a) 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.
- (b) If an excavation associated with the erection or demolition of a building extends below the level of the footings of a building on an adjoining allotment of land, the excavation is to be managed by a suitably qualified and practising Structural Engineer.
- (c) All work 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.

Condition reason: To ensure the structural stability of work on site and general safety.

CONSTRUCTION MATTERS

31. CONSTRUCTION HOURS

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

32. 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 boundaries. No materials are to be stored on Council's footpath, nature strip, or road reserve without prior Council approval. If required, you can apply to temporarily use Council's footpath for the erection of a hoarding, scaffold, mobile scaffold, scissor lift, ladders, barricades for abseiling work, and/or storage of building materials on Council's footpath. This is a separate application form and assessment process. Details of this can be found on Council's website under 'Occupation of Council Footpath'.

https://www.waverley.nsw.gov.au/planning/application_forms_and_certificates

Condition reason: To ensure building material is stored in an appropriate location.

33. BASIX (DURING BUILDING WORK)

During construction, the Principal Certifier should ensure the commitments listed in the BASIX certificate are met when conducting critical stage inspections.

Condition reason: To ensure compliance with the *SEPP (Sustainable Buildings 2022)*

34. CRITICAL/MANDATORY BUILDING INSPECTIONS DURING CONSTRUCTION

The building works are to be inspected during construction by the Principal Certifier in accordance with, 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.

35. 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 for each level is to be submitted to the Principal Certifier during construction and prior to continuing with the construction of the subsequent level of the building. A final Certificate from a Registered Surveyor is required to be submitted for approval of the Principal Certifier, certifying the finished ridge and overall building height levels accord with the approved architectural plans.

Condition reason: To ensure buildings are sited and positioned in the approved location and to the approved height.

36. 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 Certifier 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.

37. WORK OUTSIDE PROPERTY BOUNDARY

This consent does not authorise any work outside the property boundary, including storage of building materials or goods. Separate approval is required for any works outside the property boundary, with fees being paid where applicable. Requests are to be made via email to assets@waverley.nsw.gov.au.

Condition reason: To ensure all works are located within the property boundary and specific approval is sought for any external works.

VEHICLE ACCESS AND PUBLIC DOMAIN WORKS

38. NEW VEHICLE CROSSING

A new vehicle crossing is to be provided to access the proposed garages. A separate application (search “Driveway Works on Council Land” on Council’s website) is required for the vehicle crossing, with all work to be carried out with the approval of and in accordance with the requirements of Council.

Applications for driveway works are to be lodged online via Council’s website.

<https://epwgate.waverley.nsw.gov.au/ePathway/Production/Web/Default.aspx>

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

Condition reason: To ensure the development complies with Section 138 of the *Roads Act 1993*.

39. EXISTING VEHICLE CROSSING IS TO BE CLOSED

The existing vehicle crossing is to be closed, and all work associated with the closure is to be carried out with the approval of, and in accordance with, the requirements of Council. Applications are to be lodged online via Council's website. The kerb shall be reinstated in a like for like manner with adjacent area. Applications for driveway works are to be lodged online via Council's website.

<https://epwgate.waverley.nsw.gov.au/ePathway/Production/Web/Default.aspx>

40. VEHICULAR ACCESS – FINISHED LEVEL

The internal finished level shall be construction 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 existing concrete footpath.

Should the internal slab be poured incorrectly Council may require internal alterations be made and the slab adjusted.

Condition reason: To ensure stormwater falling on Council land drains away from the property boundary.

41. RETENTION OF ON STREET PARKING

To minimise the loss of on-street parking, the driveway across Council's footpath shall be designed and constructed to provide a kerb length of not less than 5.4m between laybacks.

Condition reason: To minimise the loss of on-street parking.

PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE OR SUBDIVISION CERTIFICATE

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

CERTIFICATES, LICENSES, EASEMENTS AND RESTRICTIONS

42. FINAL OCCUPATION CERTIFICATE

- (a) Prior to occupation or use of the development, an Occupation Certificate must be obtained.
- (b) The Principal Certifier 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. SUBDIVISION CERTIFICATE

A Subdivision Certificate must be obtained from Council in accordance with of the *Environmental Planning and Assessment Act 1979* prior to the registration of the subdivision plans.

Condition reason: To ensure a Subdivision Certificate is issued prior to occupation or use of the development.

44. CERTIFICATION OF BASIX COMMITMENTS

All commitments listed in each relevant BASIX Certificate for the development must be fulfilled prior to any Occupation Certificate being issued.

Condition reason: To ensure BASIX commitments are fulfilled in accordance with the BASIX certificate (prescribed condition under clause 75, *Environmental Planning and Assessment Regulation 2021*).

45. POST CONSTRUCTION STORMWATER PIT AND PIT CCTV REPORT

A post-construction CCTV report must be prepared by an accredited operator in line with Council's CCTV Inspection Scope document and submitted via email to assets@waverley.nsw.gov.au to the satisfaction of the Executive Manager, Infrastructure Services (or delegate), assessing the newly constructed drainage line/s from the new kerb inlet pit fronting the site to the pit No. 20503. The Waverley Council Assets team shall be contacted for pit numbers prior to completion.

The reports will be used by Council to assess whether any damage has occurred to Council's stormwater pipes associated with the works.

The applicant must obtain written approval from Council's Executive Manager, Infrastructure Services (or delegate) of the adequacy of the CCTV footage, reports and condition of the Council asset prior to the issue of an Occupation Certificate.

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.

46. CREATION OF INTERALLOTMENT DRAINAGE EASEMENT WITHIN DEVELOPMENT SITE

Plans submitted with the Subdivision Certificate must illustrate that a 1 m wide inter-allotment drainage easement adjacent to western property boundary is being created over 56A Liverpool Street, Rose Bay benefiting 56B Liverpool Street, Rose Bay.

Condition reason: To ensure the ability to maintain and repair stormwater infrastructure as required.

47. CERTIFICATION OF NEWLY CONSTRUCTED AND RETAINED STORMWATER DRAINAGE

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.

A copy of the certification/s must be submitted via email to assets@waverley.nsw.gov.au for Council's records and the Principal Certifier for approval, prior to the issue of any Occupation Certificate.

Condition reason: To ensure the stormwater system has been constructed in accordance with the approved stormwater management plans and to best engineering practice.

48. WORKS-AS-EXECUTED DRAWINGS – STORMWATER MANAGEMENT SYSTEM DRAINAGE

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.

A suitably qualified and practicing 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.

An original colour copy of the WAED, to scale, together with the aforementioned certification, must be submitted via email to assets@waverley.nsw.gov.au for Council's records. Where changes have occurred, the Council-approved plans must be marked-up in red colour and must include new/amended levels and locations for the drainage structures and works.

Condition reason: Ensure Council have a record of the stormwater management systems on site, which may be used for the provision of advice for any future or remedial works.

49. CREATION OF POSITIVE COVENANT AND RESTRICTION FOR THE STORMWATER MANAGEMENT CONTROLS DRAINAGE

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) via email to assets@waverley.nsw.gov.au. Approval is required from the Executive Manager, Infrastructure Services (or delegate) prior to lodgement with NSW Land Registry Services.

Evidence of the creation of the Positive Covenant and Restriction on the Use of Land, being registered on the Title must be submitted to Council for records and to the Principal Certifier, prior to the issue of any Occupation Certificate.

All legal costs associated with the review and registration of the legal instrument must be borne by the applicant and/or owner(s).

Note: Waverley Council is not a PEXA subscriber. The required legal instruments must be lodged in paper through the PEXA Residual Documents Portal using the “Dealing with Exception” pathway and the Lodgement Rules Exceptions form (selecting exception 41.1 or 45.1).

Condition reason: To ensure the key stormwater management controls are not modified or removed without Council consent, are maintained in order to minimise flooding impacts within the downstream catchment and these are embedded on the title of the land and all future owners can be made aware of this.

50. ONGOING MAINTENANCE – STORMWATER DRAINAGE SYSTEM

An ongoing maintenance plan for the stormwater system is to be submitted via email to assets@waverley.nsw.gov.au to the satisfaction of 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.
- (d) 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 stormwater drainage systems are maintained and continue to operate as intended.

51. 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 compliance with Section 73 Compliance Certificate under the *Sydney Water Act 1994*.

OTHER MATTERS

52. STREET NUMBER

The street number for the property shall be a minimum of 75mm high and shall be positioned 600mm-1500mm above ground level on the site boundary that fronts the street, near the pedestrian entry point. 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.

53. ALLOCATION OF STREET NUMBER

- (a) The redevelopment or subdivision of the property requires the allocation of street numbers as follows:
 - (i) No. 56A Liverpool Street for the west allotment;
 - (ii) No. 56B Liverpool Street for the east allotment.
- (b) Any variation to the above street numbering requires a new application to be lodged with Council.

Condition reason: To ensure the property address is clearly identified.

GENERAL ADVISORY NOTES

1. DEVELOPMENT IS TO COMPLY WITH LEGISLATION

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

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 *Environmental Planning and Assessment Act 1979* 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:

- (a) Please read your conditions carefully.
- (b) Information to be submitted to Council should be either via email to info@waverley.nsw.gov.au or via the NSW Planning Portal (if required).
- (c) Attention the documentation to the relevant officer/position of Council (where known/specified in condition).
- (d) Include DA reference number.
- (e) Include condition number/s seeking to be addressed.
- (f) 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).
- (g) 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.
- (h) 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.
- (i) Please note, in some circumstances, additional fees and/or additional documents (hard copy) may be required.
- (j) Council’s standard for review (from date the relevant officer receives documentation) is 14 days. Times may vary or be delayed if information is not received in this required manner.

4. SYDNEY WATER REQUIREMENTS

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.

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 1800 810 443.

7. EXCAVATION TO BE LIMITED

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

8. TREE REMOVAL/PRESERVATION

Any trees not identified for removal in this application have not been assessed and separate approval may be required.

Details on additional criteria regarding tree on development sites can be found in Waverley Council Tree Management Guidelines 2022, 10. Appendices.

9. VEHICULAR ACCESS TO AND FROM LIVERPOOL STREET

Having regard to the driveway being on located in a narrow street resulting in access into and out of the garages at times being difficult when vehicles are parked adjacent to or opposite the driveway, any application submitted to Council for consideration to be given to installing full or part time parking restrictions in the street to improve vehicular access requires the approval

of Council and consultation with residents of nearby properties prior to any restrictions being imposed. Requests are to be made via email to traffic@waverley.nsw.gov.au. Noting Council may not approve the installation of parking restrictions in some instances.

10. ADDITIONAL INFORMATION IN RELATION TO SECURITY DEPOSIT – RELEASE PROCESS

Following completion of all works and satisfaction of all consent conditions, an Occupation Certificate will be issued for the site and uploaded to the NSW Planning Portal. Waverley Council will receive notification of this achievement and will begin the process of reviewing the site prior to release of the site's security deposit.

An officer from the Infrastructure Services team will attend the site and inspect the public domain in order to confirm that all public domain works within the conditions of consent have been completed to Council's satisfaction and that no damage has occurred associated with the works. Specifically, they will be assessing the condition of the:

- (a) Footpath/s,
- (b) Kerb and Gutter,
- (c) Nature strip, turf and any trees,
- (d) Stormwater assets,
- (e) Driveway crossings,
- (f) Roadway/s, &
- (g) Any other public assets within the frontage or affected by the works.

It is the applicant's responsibility to ensure that the public domain is undamaged from the construction works which have occurred, and that any assets which have been renewed are completed with the consent of the Infrastructure Services Department (assets@waverley.nsw.gov.au) and in line with current Waverley Council Standards and Guidelines. Should there be any damage identified or works completed which do not meet Council's quality requirements, a Council officer will be in contact to outline what needs to be rectified prior to the release of the Security Deposit. Once all issues have been rectified to Council's satisfaction, the finance department will be notified to process the refund.

If no issues are identified onsite, the full security deposit should be typically expected to be refunded within 12 weeks from the date of upload of the site's final Occupation Certificate to the NSW Planning Portal by the site's Principal Certifier.

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 *Environmental Planning and Assessment Regulation 2021* 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 *Environmental Planning and Assessment Act 1979*.

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 *Environmental Planning and Assessment Act 1979* 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 *Environmental Planning and Assessment Regulation 2021*.

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.

Development Application

Prepared by

Yvonne Haber Architect

NSW ARB REGISTRATION NO. 5725

For

PROPOSED DUAL OCCUPANCY SEMI-DETACHED RESIDENCE

at

56 LIVERPOOL STREET, ROSE BAY

LOT 3, SECTION 1, DP 319455



ARTIST IMPRESSION OF STREET ELEVATION

RECEIVED
Waverley Council

Application No: DA-182/2026

Date Received: 26/08/2026

Drawing List						
Sheet No.	Sheet Name	Size	Rev. No.	Scale	Date	Sheet Description
DA-01	Cover + Location Plan	ISO A2	D	NTS	24/08/2026	Council Resubmission
DA-02	Site/Roof Plan	ISO A2	D	1:100	24/08/2026	Council Resubmission
DA-03	Lower + Ground Floor Plan	ISO A2	D	1:100	24/08/2026	Council Resubmission
DA-04	Proposed Upper Floor Plan	ISO A2	E	1:100	26/08/2026	DA resubmission correcting dim.
DA-05	Elevations	ISO A2	D	1:100	24/08/2026	Council Resubmission
DA-06	Section + East Elevation	ISO A2	E	1:100	26/08/2026	DA resubmission correcting lables
DA-07	Finishes + Materials	ISO A2	D	1:100	19/08/2026	Council Resubmission
DA-08	Demolition Plan	ISO A2	D	1:100	19/08/2026	Council Resubmission
DA-09	Calculations- FSR	ISO A2	E	1:100	26/08/2026	DA resubmission correcting FSR
DA-10	Calc- Wall Height+Setbacks	ISO A2	D	1:100	24/08/2026	Council Resubmission
DA-11	Site Analysis	ISO A2	B	1:100	19/08/2026	Council Resubmission
DA-12	Strata Sub-Division	ISO A2	B	1:100	19/08/2026	Council Resubmission



LOCATION PLAN NTS

56 Liverpool Street Rose Bay				
SUMMARY OF BASIX COMMITMENTS FOR EACH UNIT				
This is a summary of the BASIX Commitments as detailed in the BASIX Certificate. Refer to the CURRENT BASIX Certificate for Complete details. For definitions refer to basix.nsw.gov.au				
WATER COMMITMENTS				
Fixtures				
4 Star Shower Heads	Yes (> 6 but <= 7.5 L/min)			
4 Star Kitchen / Basin Taps	Yes	4 Star Toilet	Yes	
Alternative Water				
Minimum Tank Size (L)	1000	Collected from Roof Area (m2)	30	
Tank Connected To:				
All Toilets	Yes	Laundry W/M Cold Tap	Yes	
One Outdoor Tap	Yes			
THERMAL COMFORT COMMITMENTS - Refer to TPA Specification on plans				
ENERGY COMMITMENTS				
Hot Water	Gas Instantaneous	6 Star		
Cooling System	Living	3 Phase A/C	EER 3.0 - 3.5	
	Bedrooms	3 Phase A/C	EER 3.0 - 3.5	
Heating System	Living	3 Phase A/C	EER 3.0 - 3.5	
	Bedrooms	3 Phase A/C	EER 3.0 - 3.5	
Ventilation	1 x Bathroom	Fan ducted to exterior	Manual on/off	
	Kitchen	Fan ducted to exterior	Manual on/off	
	Laundry	Fan ducted to exterior	Manual on/off	
Natural Lighting	Window/Skylight in Kitchen	Yes		
	Window/Skylight in Bathrooms/Toilets	Yes to	3	
OTHER COMMITMENTS				
Outdoor clothes line	Yes			
Stove/Oven		Induction cooktop & electric oven		
Alternative Energy	n/a			

August 2026	Unit 56A	BSA Reference: 21876
Building Sustainability Assessments	Ph: (02) 4962 3439	
enquiries@buildingsustainability.net.au	www. buildingsustainability.net.au	
Important Note		
The following specification was used to achieve the thermal performance values indicated on the Assessor Certificate. If the proposed construction varies to those detailed below than the Assessor and NatHERS certificates will no longer be valid. Assessments assume that the BCA provisions for building sealing & ventilation are complied with at construction. Be aware that BASIX does not over-ride the BCA and the NSW variations must be complied with.		
Thermal Performance Specifications (does not apply to garage)		
External Wall Construction		
Cavity Brick to basement & Ground Floor		Added Insulation R1.0
Lightweight to Upper Level		R2.5
Internal Wall Construction		
Masonry		Added Insulation R1.0 to walls adjacent to storage/plant
Double Brick (party walls)		None
Ceiling Construction		
Plasterboard		Added Insulation R5.0 to ceilings adjacent to roofs & decks above
Roof Construction		
Colour (Solar Absorbance)		Added Insulation
Metal		Light SA 0.30 Foil + R1.3 blanket
Concrete		Medium SA 0.50
Floor Construction		
Covering		Added Insulation
Concrete		None
Concrete		As drawn R1.0 to floors where open below
Concrete		As drawn R1.5 to floors adjacent to garage & storage/plant
Windows		
Glass and frame type		U value SHGC Range Area sq m
Performance glazing Type B		4.50 0.58 - 0.64 to louvers
Performance glazing Type A		3.40 0.45 - 0.49 to all other UNO
Performance glazing Type B		3.40 0.50 - 0.56 to all other UNO
Type A windows are awning windows, bifolds, casements, tilt 'n' turn' windows, entry doors, french doors		
Type B windows are double hung windows, sliding windows & doors, fixed windows, stacker doors, louvers		
Skylights		
Glass and frame type		U SHGC Range Area sq m Detail
VEL-011-01		2.58 0.23 - 0.25 As drawn
U and SHGC values are according to AFRC. Alternate products may be used if the U value is lower & the SHGC is within the range specified		
Shade elements		
All shade elements modelled as drawn		(eaves, verandahs, awnings etc)
Ceiling Penetrations		
Downlights are modelled as IC rated with insulation fitted over the fixtures		(downlights, exhaust fans, flues etc)
All exhaust fans are modelled as sealed		
Ceiling Fans used in the Modelling and to be installed in the following areas:		
1x 1200mm to each bedroom; 2x 1200mm to living areas (2x to kitchen/living).		

August 2026	Unit 56B	BSA Reference: 21876
Building Sustainability Assessments	Ph: (02) 4962 3439	
enquiries@buildingsustainability.net.au	www. buildingsustainability.net.au	
Important Note		
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Lightweight to Upper Level		R2.5
Internal Wall Construction		
Masonry		Added Insulation R1.0 to walls adjacent to storage/plant
Masonry		R2.0 to walls adjacent to garage
Ceiling Construction		
Double Brick (party walls)		None
Ceiling Construction		
Plasterboard		Added Insulation R5.0 to ceilings adjacent to roofs & decks above
Roof Construction		
Colour (Solar Absorbance)		Added Insulation
Metal		Light SA 0.30 Foil + R1.3 blanket
Concrete		Medium SA 0.50
Floor Construction		
Covering		Added Insulation
Concrete		None
Concrete		As drawn R1.0 to floors where open below
Concrete		As drawn R1.5 to floors adjacent to garage & storage/plant
Windows		
Glass and frame type		U value SHGC Range Area sq m
Performance glazing Type B		4.50 0.58 - 0.64 to louvers
Performance glazing Type A		3.40 0.45 - 0.49 to all other UNO
Performance glazing Type B		3.40 0.50 - 0.56 to all other UNO
Type A windows are awning windows, bifolds, casements, tilt 'n' turn' windows, entry doors, french doors		
Type B windows are double hung windows, sliding windows & doors, fixed windows, stacker doors, louvers		
Skylights		
Glass and frame type		U SHGC Range Area sq m Detail
VEL-011-01		2.58 0.23 - 0.25 As drawn
U and SHGC values are according to AFRC. Alternate products may be used if the U value is lower & the SHGC is within the range specified		
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1x 1200mm to each bedroom; 2x 1200mm to living areas (2x to kitchen/living).		

for development application only

KEY

-A.B.S: AS BEFORE SPECIFIED

Certificate No. #HR-DSN9QV-03

Scan QR code or follow website link for rating details.

Assessor name Krzysztof Kwiatkowski

Accreditation No. DMN/24/2214

Property Address 56 Liverpool Street, Rose Bay, NSW, 2029

http://www.hero-software.com.au/pdf/HR-DSN9QV-03

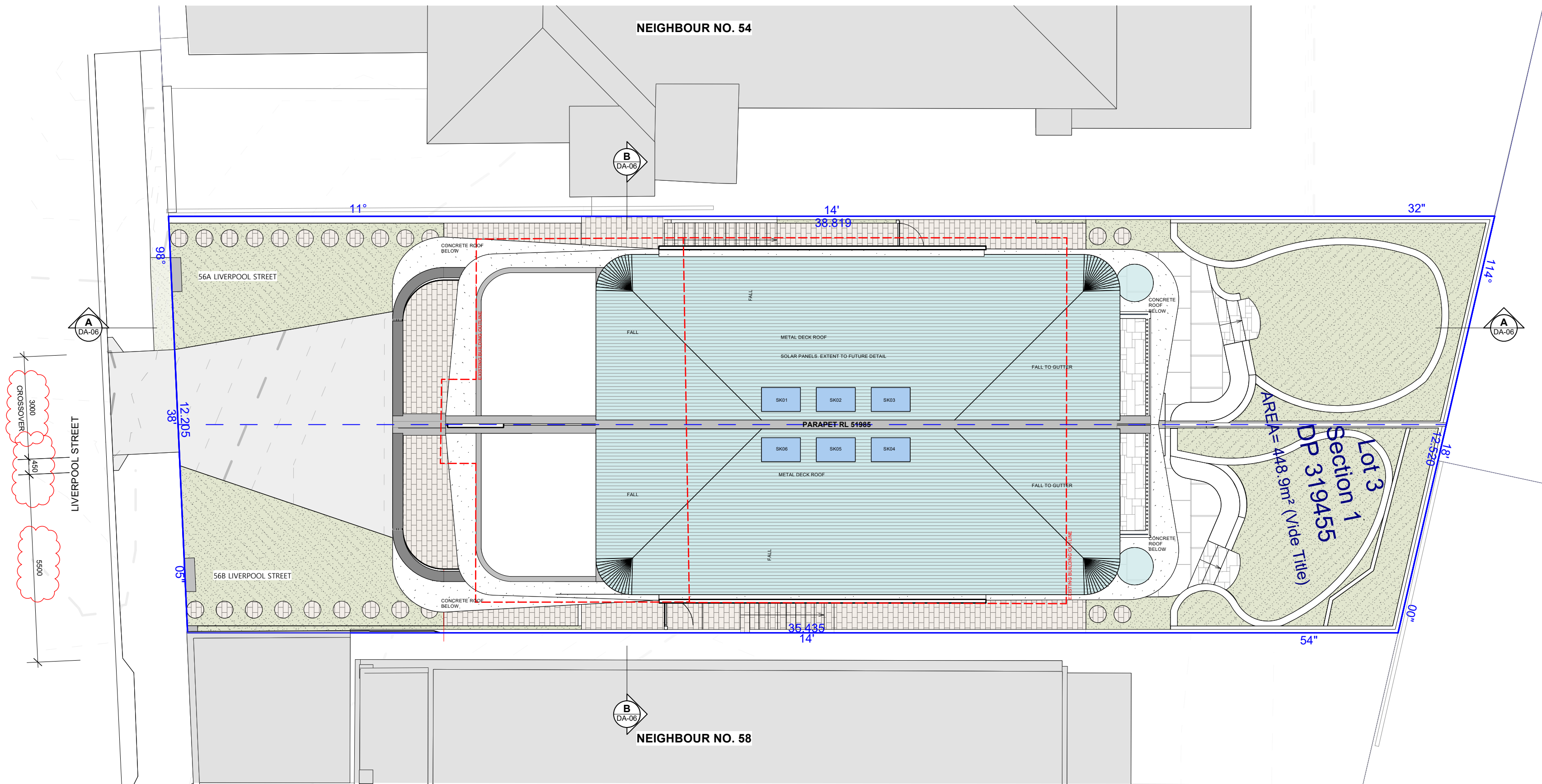
D 24/08/2026Council Resubmission
C 22/06/2026updated council submission
B 18/06/2026DA Amended
A 6/05/2026 DA submission

NO. DATE NOTE

-The builder is responsible for the setting out of the works, the checking of all dimensions and levels on site, and the reporting of any discrepancies to the architect prior to commencement of work.
-Do not scale off drawings.
-Comply with relevant Australian Standards for materials and construction practice
-Comply with Building Code of Australia requirements
-All structural work to engineer's specification
-Copyright remains the property of Yvonne Haber Architect

Project Haber Residence	YVONNE HABER ARCHITECT 61 O'DONNELL STREET, NORTH BONDI, NSW 2026 NSW ARB reg NO. 5725 M: 0411717667 E: yvonne@yvonnehaberarchitect.com		
Address 56 Liverpool Street Rose Bay	Job No. 2404	Dwg No. DA-01	Rev. D
Client M + H Haber	Date 30/01/2026	North	
Drawing Cover + Location Plan	Scale NTS		

RECEIVED
Waverley Council
Application No: DA-182/2026
Date Received: 26/08/2026



SITE / ROOF PLAN 1:100

for development application only

Certificate No. #HR-DSN9QV-03
Scan QR code or follow website link for rating details.

Assessor name: Krzysztof Kwiatkowski
Accreditation No.: DMN/24/2214
Property Address: 56 Liverpool Street, Rose Bay, NSW - 2029

http://www.hero-software.com.au/pdf/HR-DSN9QV-03

NO. DATE NOTE

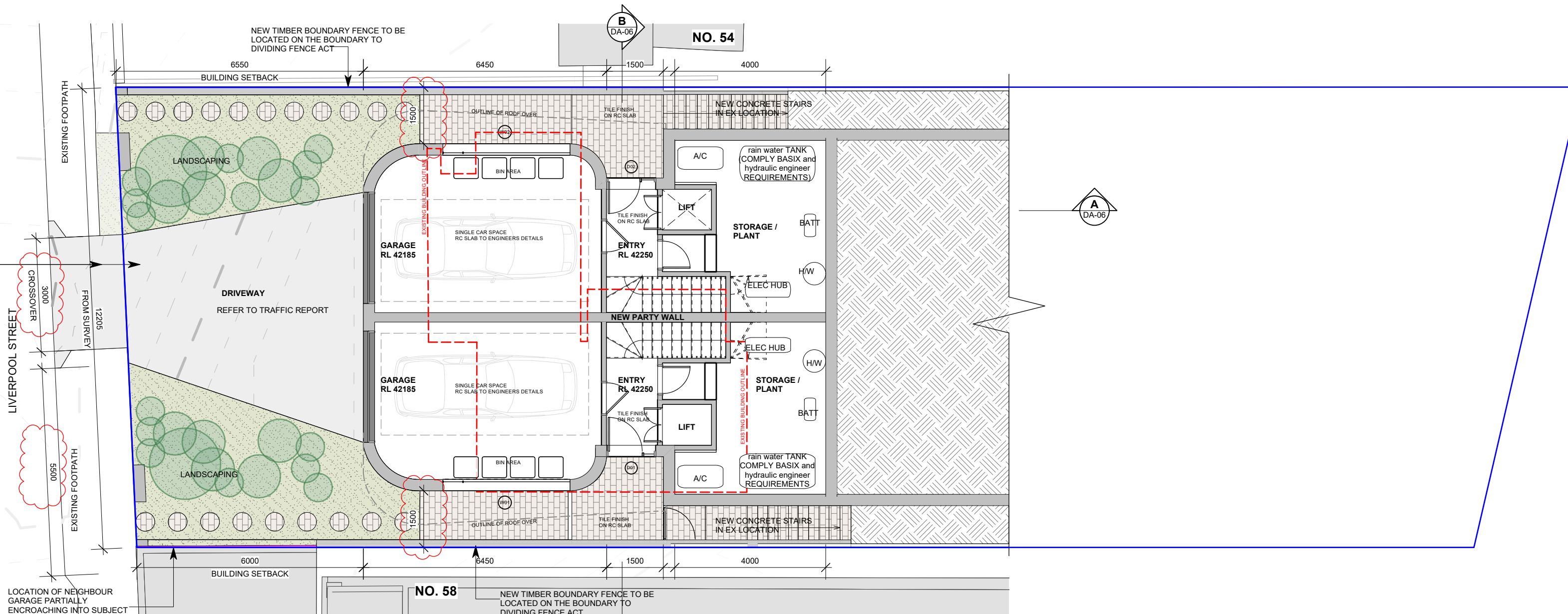
D	24/08/2026	Council Resubmission
C	22/06/2026	updated council submission
B	18/06/2026	DA Amended
A	6/05/2026	DA submission

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-All structural work to engineer's specification
-Copyright remains the property of Yvonne Haber Architect

Project Haber Residence	YVONNE HABER ARCHITECT 61 O'DONNELL STREET, NORTH BONDI, NSW 2026 NSW ARB reg NO. 5725 M: 0411717667 E: yvonne@yvonnehaberarchitect.com		
Address 56 Liverpool Street Rose Bay	Job No. 2404	Dwg No. DA-02	Rev. D
Client M + H Haber	Date 30/01/2026	North	
Drawing Site/Roof Plan	Scale 1:100		



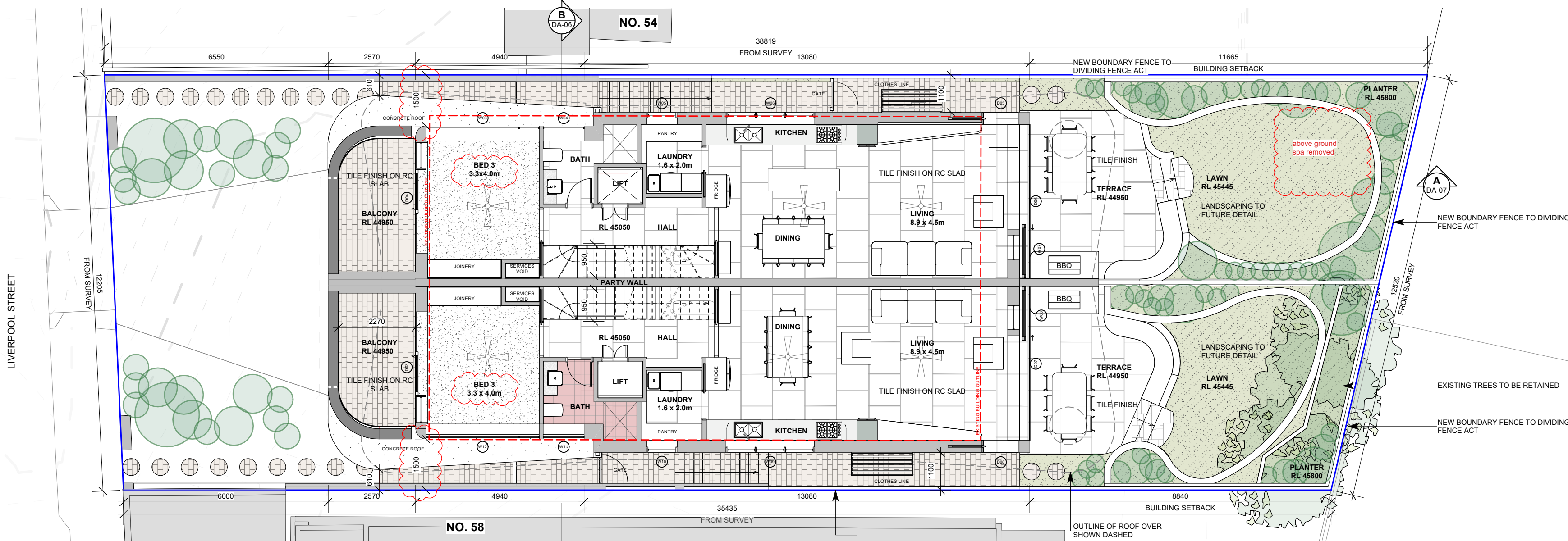
NEW CROSSOVER + DRIVEWAY
TO FUTURE DETAIL



PROPOSED LOWER FLOOR PLAN 1:100



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Application No: DA-182/2026
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PROPOSED GROUND FLOOR PLAN 1:100



for development application only

KEY



- CONCRETE - REFER TO SCHEDULE OF FINISHES
- PAINTED FC SHEET - REFER TO SCHEDULE OF FINISHES
- FACE BRICKWORK - REFER TO SCHEDULE OF FINISHES
- METAL DECK ROOF - REFER TO SCHEDULE OF FINISHES
- AS BEFORE SPECIFIED

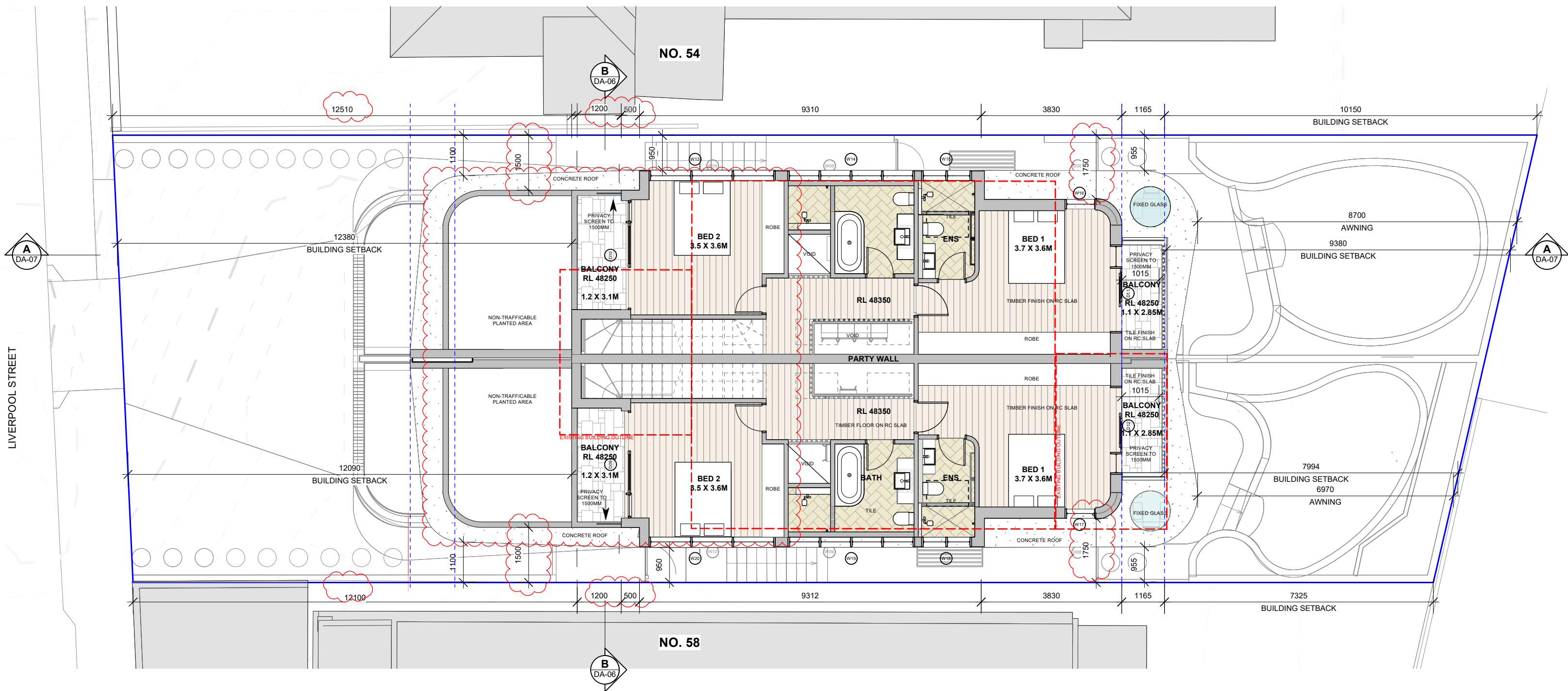
Certificate No. #HR-DSN9QV-03
Scan QR code or follow website link for rating details.
Assessor name: Krzysztof Kwiatkowski
Accreditation No.: DMN/24/2214
Property Address: 56 Liverpool Street, Rose Bay, NSW, 2026
http://www.hero-software.com.au/pdf/HR-DSN9QV-03

D 24/08/2026 Council Resubmission
C 22/06/2026 updated council submission
B 18/06/2026 DA Amended
A 6/05/2026 DA submission
NO. DATE NOTE

-The builder is responsible for the setting out of the works, the checking of all dimensions and levels on site, and the reporting of any discrepancies to the architect prior to commencement of work.
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-Comply with Building Code of Australia requirements
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-Copyright remains the property of Yvonne Haber Architect

Project
Haber Residence
Address
56 Liverpool Street Rose Bay
Client
M + H Haber
Drawing
Lower + Ground Floor Plan

YVONNE HABER ARCHITECT
61 O'DONNELL STREET, NORTH BONDI, NSW 2026
NSW ARB reg NO. 5725 M: 0411717667
E: yvonne@yvonnehaberarchitect.com
Job No. 2404 Dwg No. DA-03 Rev. D
Date 30/01/2026
Scale 1:100
North



PROPOSED UPPER FLOOR PLAN 1:100

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Application No: DA-182/2026
Date Received: 26/08/2026



ARTIST IMPRESSION OF REAR GARDEN TO 56B

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KEY

CON
FC
F.BWK
MET

- CONCRETE - REFER TO SCHEDULE OF FINISHES
- PAINTED FC SHEET - REFER TO SCHEDULE OF FINISHES
- FACE BRICKWORK - REFER TO SCHEDULE OF FINISHES
- METAL DECK ROOF - REFER TO SCHEDULE OF FINISHES

ABS

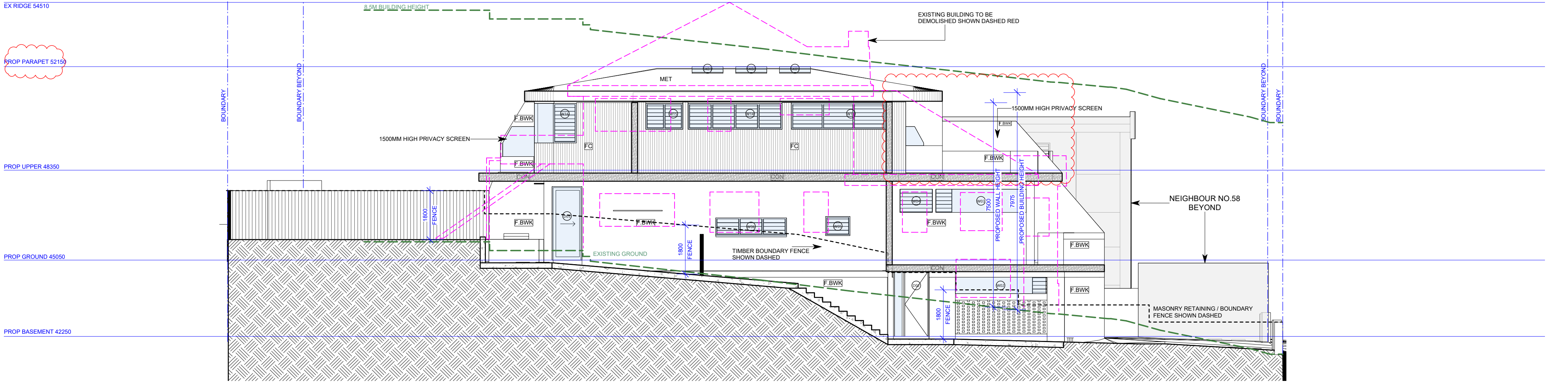
- AS BEFORE SPECIFIED

Certificate No. #HR-DSN9QV-03
Scan QR code or follow website link for rating details.
Assessor name Krzysztof Kwiatkowski
Accreditation No. DMN/24/2214
Property Address 56 Liverpool Street, Rose Bay, NSW, 2029
<http://www.hero-software.com.au/pdf/HR-DSN9QV-03>

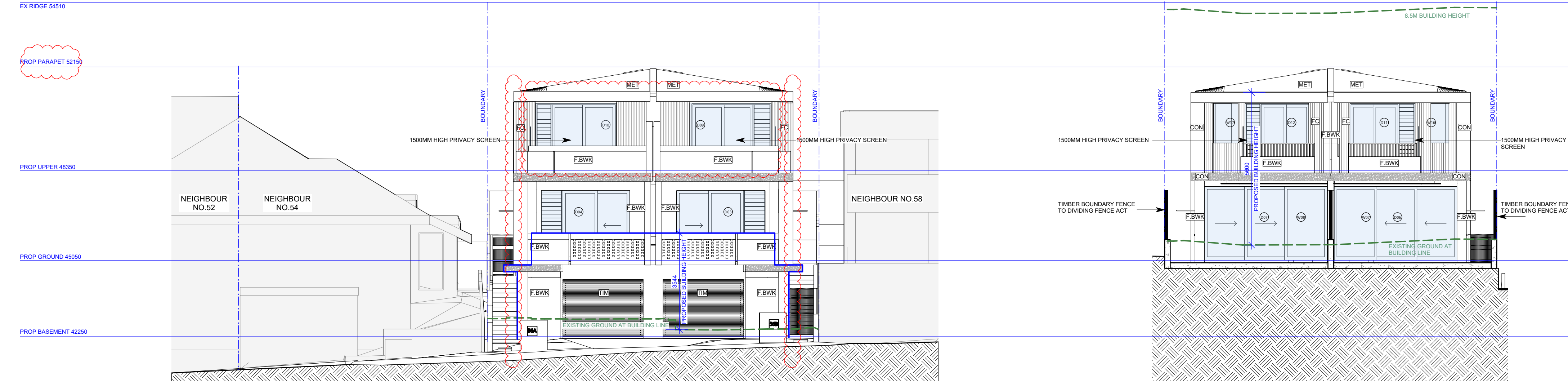
NO.	DATE	NOTE
E	26/08/2026	DA resubmission correcting dim.
D	24/08/2026	Council Resubmission
C	22/06/2026	updated council submission
B	18/06/2026	DA Amended
A	6/05/2026	DA submission

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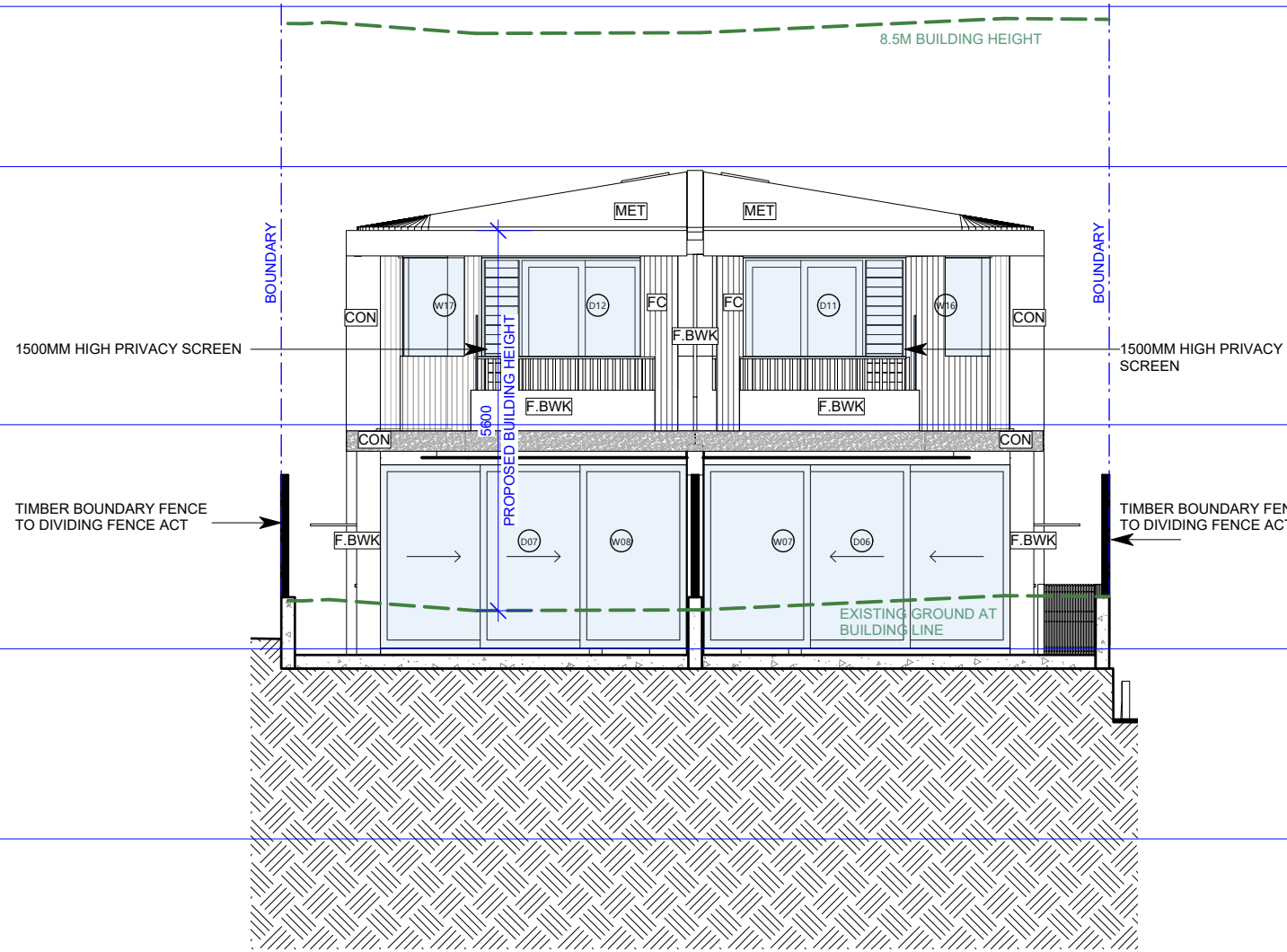
Project Haber Residence	YVONNE HABER ARCHITECT 61 O'DONNELL STREET, NORTH BONDI, NSW 2026 NSW ARB reg NO. 5725 M: 0411717667 E: yvonne@yvonnehaberarchitect.com		
Address 56 Liverpool Street Rose Bay	Job No. 2404	Dwg No. DA-04	Rev. E
Client M + H Haber	Date 30/01/2026	North	
Drawing Proposed Upper Floor Plan	Scale 1:100		



WEST ELEVATION 1:100



SOUTH ELEVATION - STREET 1:100



NORTH ELEVATION 1:100

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XKEY

CON
FC
F.BWK
MET
TIM
ABS

- CONCRETE - REFER TO SCHEDULE OF FINISHES
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Assessor name Krzysztof Kwiatkowski
Accreditation No. DMN/24/2214
Property Address 56 Liverpool Street, Rose Bay, NSW, 2029
http://www.hero-software.com.au/pdf/HR-DSN9QV-03

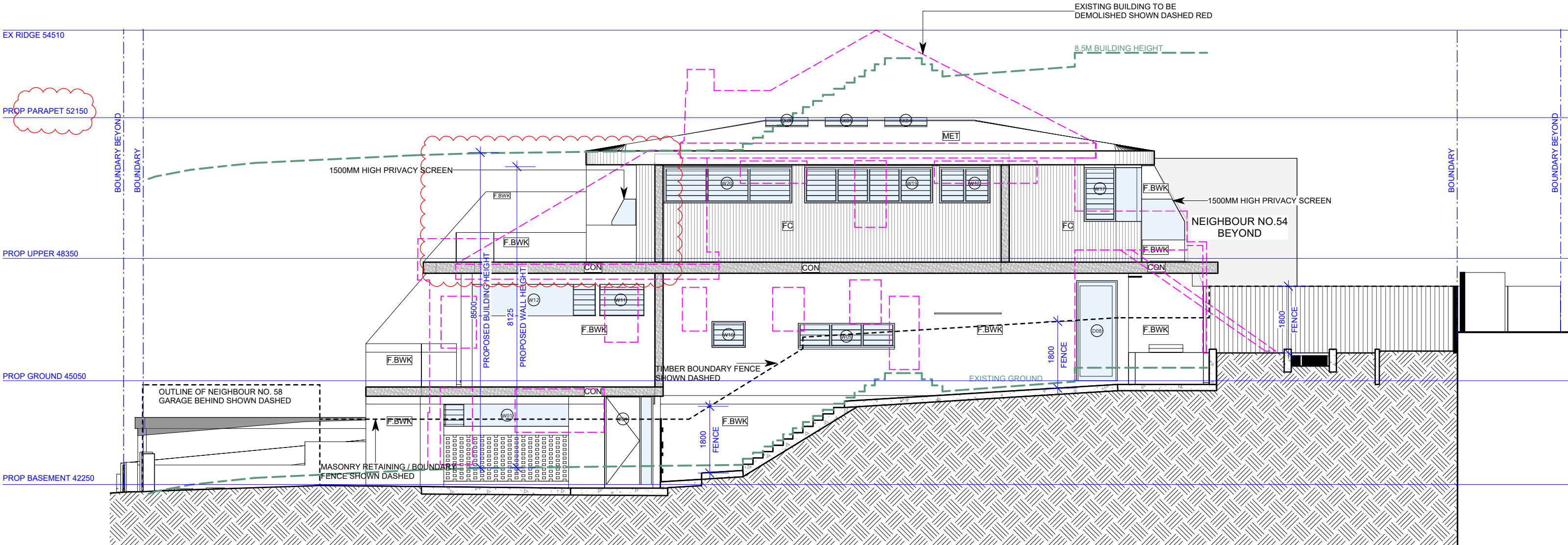
2023-2024
56 LIVERPOOL STREET
ROSE BAY
NSW 2029
DA-182/2026

NO. DATE NOTE

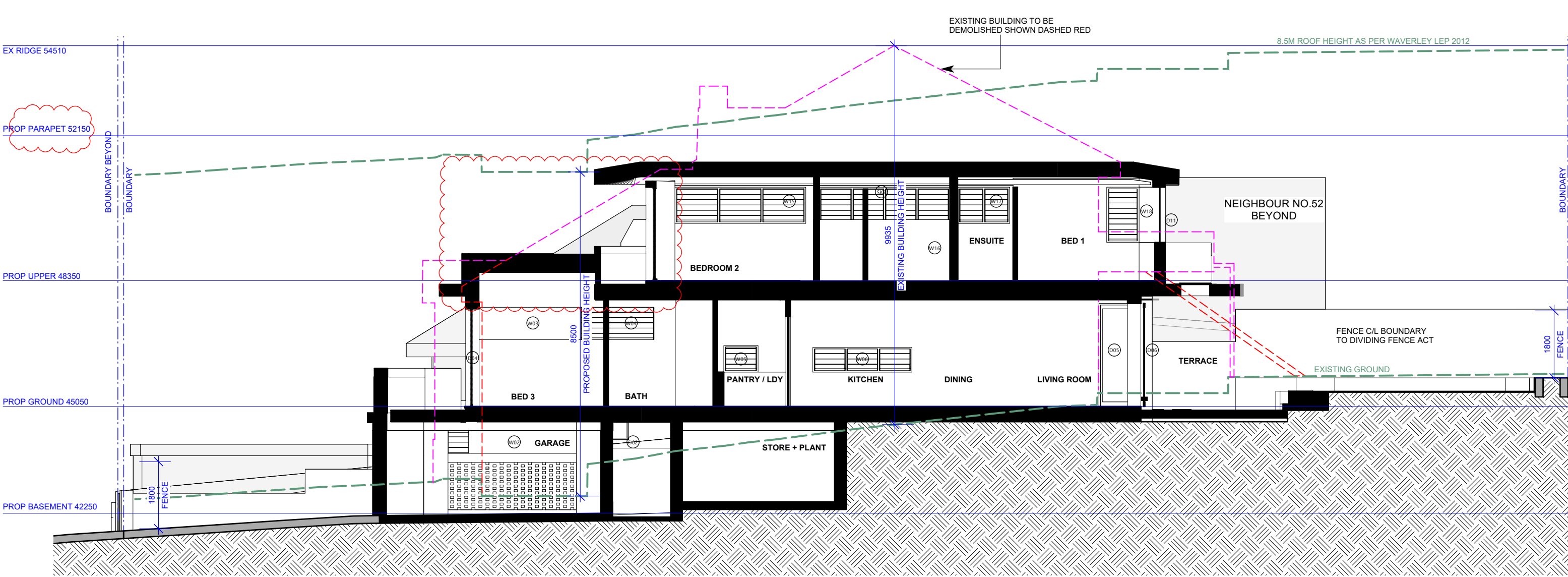
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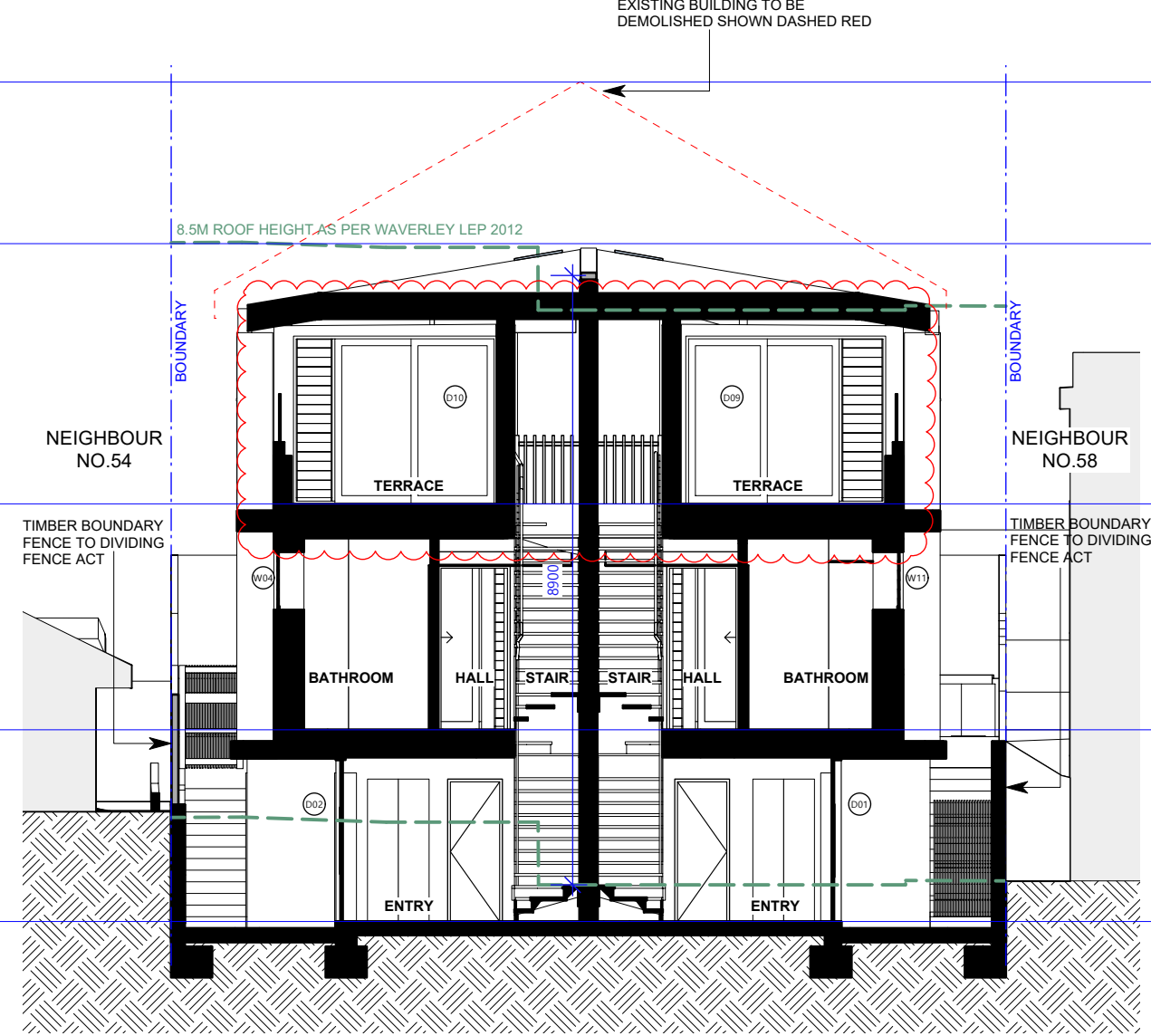
Project Haber Residence	YVONNE HABER ARCHITECT 61 O'DONNELL STREET, NORTH BONDI, NSW 2026 NSW ARB reg NO. 5725 M: 0411717667 E: yvonne@yvonnehaberarchitect.com		
Address 56 Liverpool Street Rose Bay	Job No. 2404	Dwg No. DA-05	Rev. D
Client M + H Haber	Date 30/01/2026	North	
Drawing Elevations	Scale 1:100		



EAST ELEVATION 1:100



SECTION A 1:100



SECTION B - AT ENTRY 1:100

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Accreditation No. DMN/24/2214

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NO.	DATE	NOTE
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Address 56 Liverpool Street Rose Bay		Job No. 2404	Dwg No. DA-06
Client M + H Haber		Date 30/01/2026	Rev. E
Drawing Section + East Elevation		Scale 1:100	North



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Application No: DA-182/2026
Date Received: 26/08/2026

INDICATIVE PLANT SCHEDULE						
Symbol	Latin Name	Common Name	Qty	Scheduled Size	Mature Spread (m)	Mature Height (m)
	Acacia cognata 'Limelight'	Limelight Acacia	9	200mm	0.6 - 0.9m	0.0 - 0.3m
	Blechnum gibbum 'Silver Lady'	Silver Lady	9	200mm	0.8m	0.8m
	Buckinghamia celsissima	Ivory Curl Tree	2	45L	4m	8m
	Clivia miniata	Clivia miniata	3	200mm	0.3-0.6m	0.3-0.6m
	Crassula undulatifolia 'Max Cook'	Max Cook Rippled Jade	5	175mm	0.6-0.8m	0.6-0.8m
	Dianella caerulea 'Little Jess'	Paroo Lily, Blue Flax-lily	73	140mm	0.3 - 0.6m	0.45 - 0.6m
	Farfugium japonicum	Ligularia	7	200mm	0.6m	0.6m
	Hibbertia scandens	Golden Guinea Flower, Snake	3	200mm	3.5 - 6m	0.0 - 0.3m
	Hymenosporum flavum 'Lushious'	Native Frangipani	3	300mm	1 - 1.5m	0.5m
	Kniphofia uvaria	Torch Lily, Red Hot Poker	6	140mm	300 - 600mm	0.9 - 1.5M
	Leucadendron 'Winter Red'	Winter Red Cone Bush	2	300mm	1.5m	2.5m
	Lomandra longifolia 'Tanika'	Tanika Lomandra	44	140mm	0.5m	0.6m
	Miscanthus sinensis 'Hiawatha'	'Hiawatha' Feather Grass	2	200mm	0.8m	1-1.8m
	Philodendron selloum 'Hope'	Hope Philodendron	2	400mm	1-1.6m	0.7m
	Philothea myoporoides	Long-leaf Wax Flower	3	200mm	0.9 - 1.2m	0.9 - 1.5m
	Rosmarinus prostratus 'Irene'	Irene Trailing Rosemary	3	140mm	1-1.5m	1m
	Strobilanthes gossypinus	Persian Shield	3	200mm	1m	1-1.5m
	Syzygium australe 'Pinnacle'	Lilly Pilly 'Pinnacle'	18	300mm	1-1.5m	1.5-2.5m
	Tristaniopsis laurina 'Luscious'	Kanooka, Water Gum	8	45L	3.5 - 6m	5 - 10m
	Viola hederacea	Native Violets	87	100mm	0.3-0.9m	0.1-0.3m
	Westringia fruticosa 'Funky Chunky'	Westringia 'Funky Chunky'	15	200mm	0.6-1.2m	0.6-1.2m

EXISTING TREE SCHEDULE						
ID	Botanical Name	Common Name	Average Spread	Height	Action	Notes
E01	Murraya paniculata	Satinwood	3000	4000	Retain	
E02	Murraya paniculata	Satinwood	3000	4000	Retain	
E03	Murraya paniculata	Satinwood	3000	4000	Retain	

FOR DEVELOPMENT APPLICATION ONLY





LANDSBERG GARDEN DESIGN

48 Watson St, Bondi, NSW, 2026 Australia
T: +61 2 93871155
W: www.landsberggardens.com.au

ABN: 63 620 685 234

NOTES:
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C	17/8/26	stop the clock landscape area amendment	RL
B	4/5/26	Updated front pathway and added area calcs	RL
A	19/2/26	255 Preliminary Issue - For Comment	RL
REV	DATE	REVISION NOTE	BY

CLIENT
M + H Haber

ADDRESS
56 Liverpool St

DRAWING
Planting Plan

DWG DATE
19/2/26

SCALE
1:100

DWG #
L100

CAD 260404 LIVERPOOL.vwx

DRAWN
R. Lewis

PAGE SIZE
A3

REVISION
C



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	Clivia miniata	Clivia miniata	3	200mm	0.3-0.6m	0.3-0.6m
	Crassula undulatifolia 'Max Cook'	Max Cook Rippled Jade	5	175mm	0.6-0.8m	0.6-0.8m
	Dianella caerulea 'Little Jess'	Paroo Lily, Blue Flax-lily	73	140mm	0.3 - 0.6m	0.45 - 0.6m
	Farfugium japonicum	Ligularia	7	200mm	0.6m	0.6m
	Hibbertia scandens	Golden Guinea Flower, Snake	3	200mm	3.5 - 6m	0.0 - 0.3m
	Hymenosporum flavum 'Lushious'	Native Frangipani	3	300mm	1 - 1.5m	0.5m
	Kniphofia uvaria	Torch Lily, Red Hot Poker	6	140mm	300 - 600mm	0.9 - 1.5M
	Leucadendron 'Winter Red'	Winter Red Cone Bush	2	300mm	1.5m	2.5m
	Lomandra longifolia 'Tanika'	Tanika Lomandra	44	140mm	0.5m	0.6m
	Miscanthus sinensis 'Hiawatha'	'Hiawatha' Feather Grass	2	200mm	0.8m	1-1.8m
	Philodendron selloum 'Hope'	Hope Philodendron	2	400mm	1-1.6m	0.7m
	Philotheca myoporoides	Long-leaf Wax Flower	3	200mm	0.9 - 1.2m	0.9 - 1.5m
	Rosmarinus prostratus 'Irene'	Irene Trailing Rosemary	3	140mm	1-1.5m	1m
	Strobilanthes gossypinus	Persian Shield	3	200mm	1m	1-1.5m
	Syzygium australe 'Pinnacle'	Lilly Pilly 'Pinnacle'	18	300mm	1-1.5m	1.5-2.5m
	Tristaniopsis laurina 'Luscious'	Kanooka, Water Gum	8	45L	3.5 - 6m	5 - 10m
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EXISTING TREE SCHEDULE						
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E02	Murraya paniculata	Satinwood	3000	4000	Retain	
E03	Murraya paniculata	Satinwood	3000	4000	Retain	

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LANDSBERG
GARDEN DESIGN

LANDSBERG GARDEN DESIGN

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REV	DATE	REVISION NOTE	BY

CLIENT
M + H Haber

ADDRESS
56 Liverpool St

DRAWING
Planting Plan

DWG DATE 19/2/26	DRAWN R. Lewis
SCALE 1:100	PAGE SIZE A3
DWG # L100	REVISION C
CAD 260404 LIVERPOOL.vwx	



LANDSCAPED AREA CALCULATIONS

TOTAL SITE AREA = 448.9 sqm
EXISTING LANDSCAPED AREA = 106.4 sqm (23.46%)
REQUIRED 20% LANDSCAPED AREA = 89.78 sqm
PROPOSED LANDSCAPED AREA = 114.95 sqm (25.6%)
PROPOSED AREA MEETS LANDSCAPE AREA REQUIREMENTS (C 1 - 1.9 (Control C))



DEEP SOIL

DEEP SOIL ZONE - SITE AREA THAT IS NOT BUILT ON, OR UNDERNEATH, THEREBY LEAVING AN AREA OF DEEP SOIL FOR DEEP-ROOTED VEGETATION, NATIVE VEGETATION AND NATURAL DRAINAGE. THE ZONE MUST HAVE A MINIMUM DIMENSION OF 2 BY 2 METRES AND SHOULD BE POSITIONED TO ENABLE THE RETENTION OF EXISTING MATURE AND / OR SIGNIFICANT TREES.
REQUIRED DEEP SOIL (50% OF LANDSCAPED AREA) = 56.86 sqm
PROPOSED DEEP SOIL = 83.304 sqm (72.5%)
PROPOSED AREA MEETS DEEP SOIL AREA REQUIREMENTS (C 1 - 1.9 (Control C))



OPEN SPACE

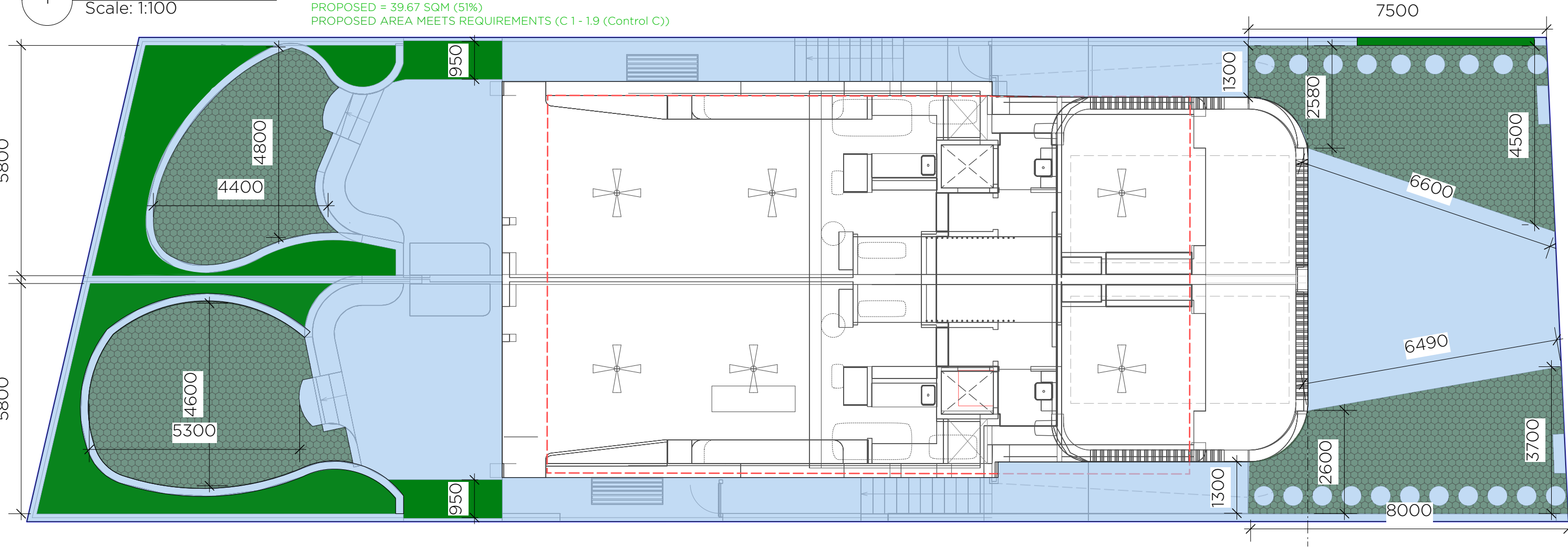
AN AREA EXTERNAL TO A BUILDING (INCLUDING AN AREA OF LAND, TERRACE, BALCONY OR DECK) AND INCLUDES HARD PAVED AREAS, AREAS CONTAINING SWIMMING POOLS AS WELL AS LANDSCAPED AREA.
A MINIMUM OF 40% OF THE TOTAL SITE AREA IS TO BE PROVIDED AS OPEN SPACE
REQUIRED 40% AREA = 179.6 SQM
PROPOSED OPEN SPACE = 257.32 SQM (57.32%)
PROPOSED AREA MEETS THIS REQUIREMENT
A MINIMUM OF 50% OF THE AREA BETWEEN THE FRONT OF THE PRIMARY BUILDING AND THE STREET ALIGNMENT IS TO BE OPEN SPACE
REQUIRED 50% AREA = 38.4 SQM
PROPOSED OPEN SPACE = 77.8 SQM (100%)
PROPOSED AREA MEETS REQUIREMENTS (C 1 - 1.9 (Control C))
A MINIMUM OF 50% OF THE OPEN SPACE PROVIDED AT THE FRONT OF THE SITE IS TO BE LANDSCAPED AREA
REQUIRED 50% AREA = 38.9 SQM
PROPOSED = 39.67 SQM (51%)
PROPOSED AREA MEETS REQUIREMENTS (C 1 - 1.9 (Control C))

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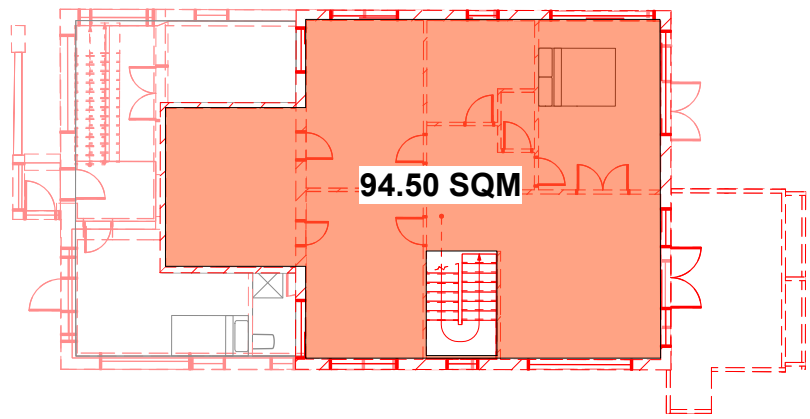
Date Received: 26/08/2026

1 LANDSCAPE AREA
Scale: 1:100

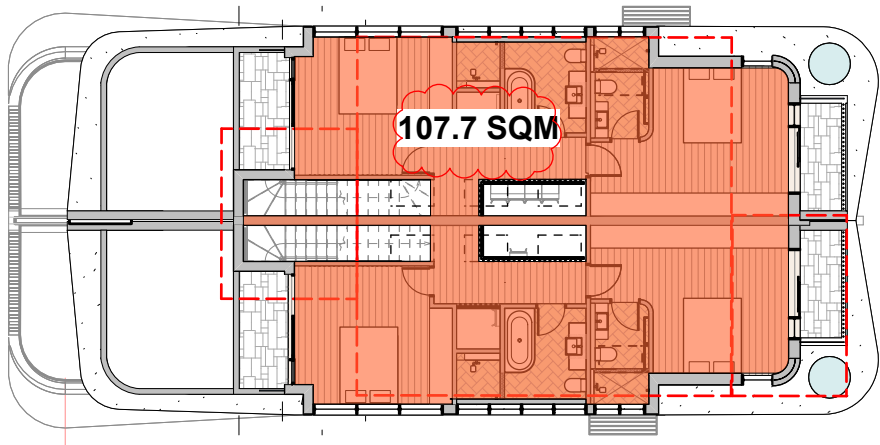


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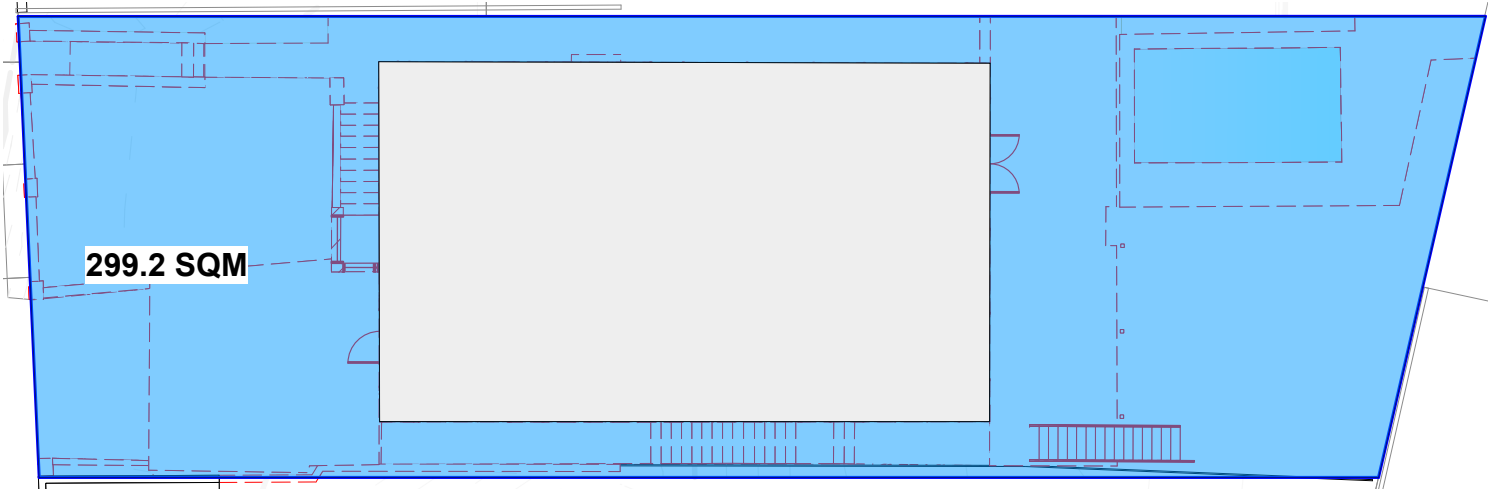




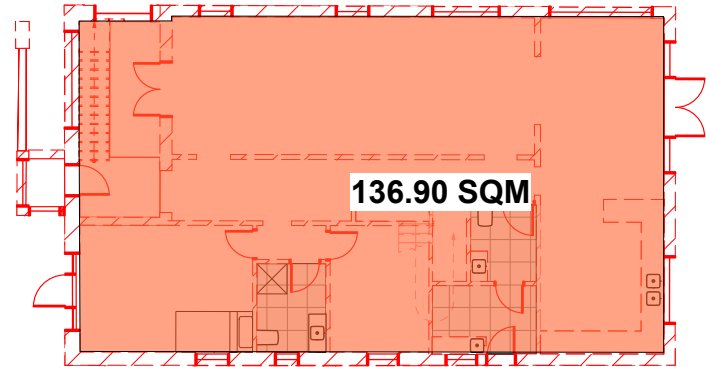
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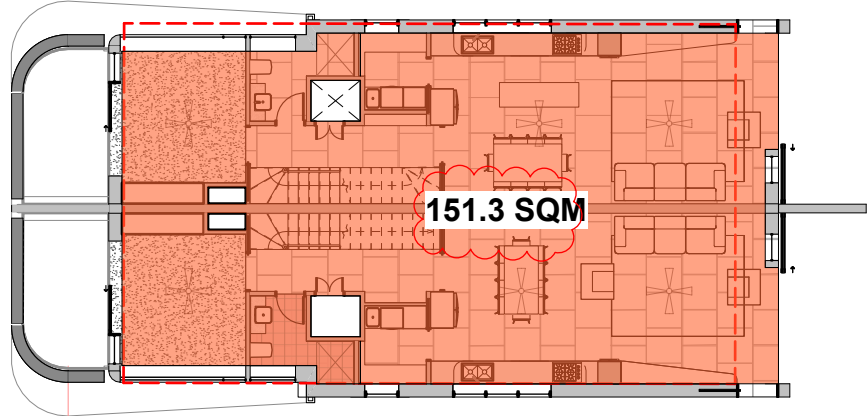
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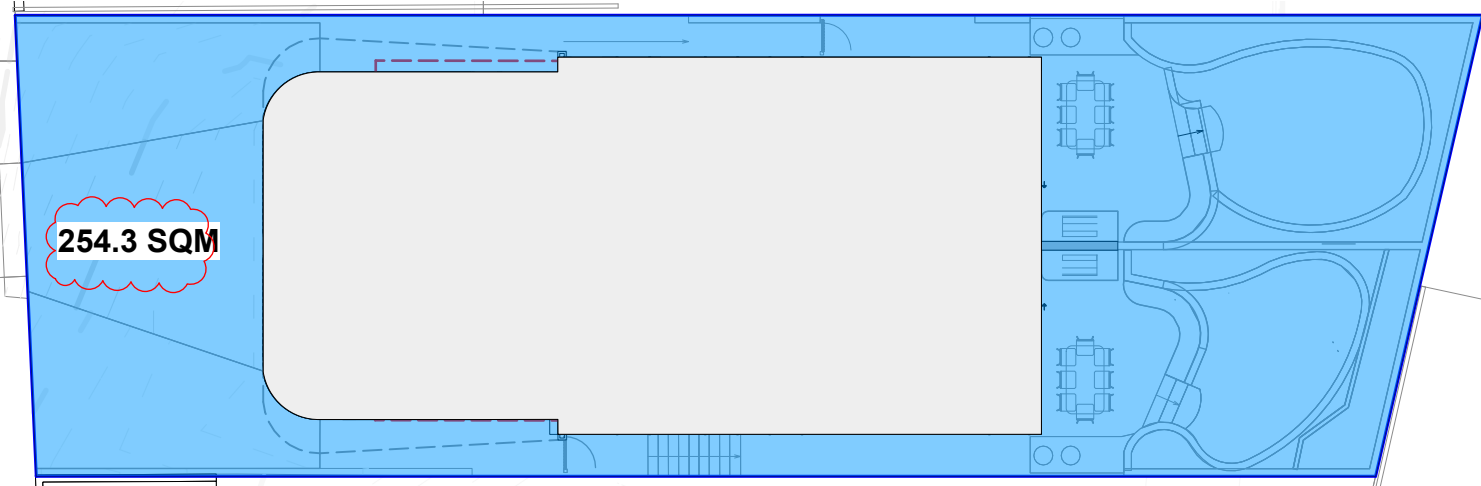
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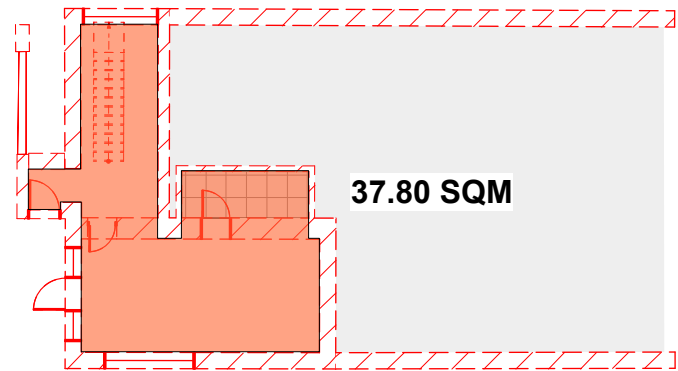
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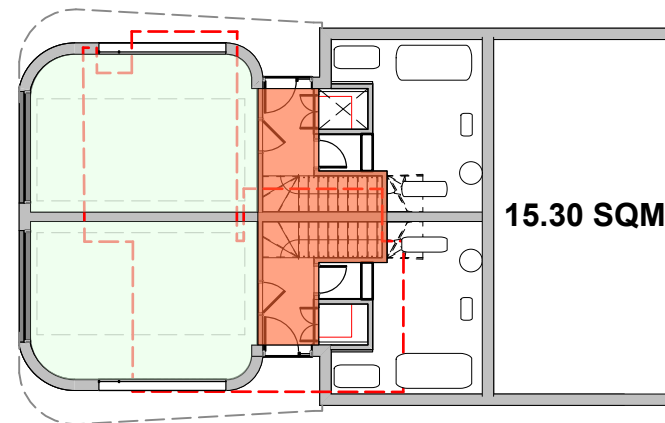
PROPOSED GROUND FSR - 1:200



PROPOSED OPEN SPACE - 1:200



EXISTING LOWER FSR - 1:200



PROPOSED GARAGE + LOWER FSR - 1:200

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Application No: DA-182/2026
Date Received: 26/08/2026

AREA CALCULATIONS

SITE ADDRESS: 56 LIVERPOOL STREET, ROSE BAY
LOT 3 SECTION 1 DP 319455
EXISTING SITE AREA: 448.9 SQM

FLOOR SPACE CALCULATION: $\frac{[(550 - \text{LOT AREA}) \times 0.0011] + 0.5}{1}$
= 0.611:1

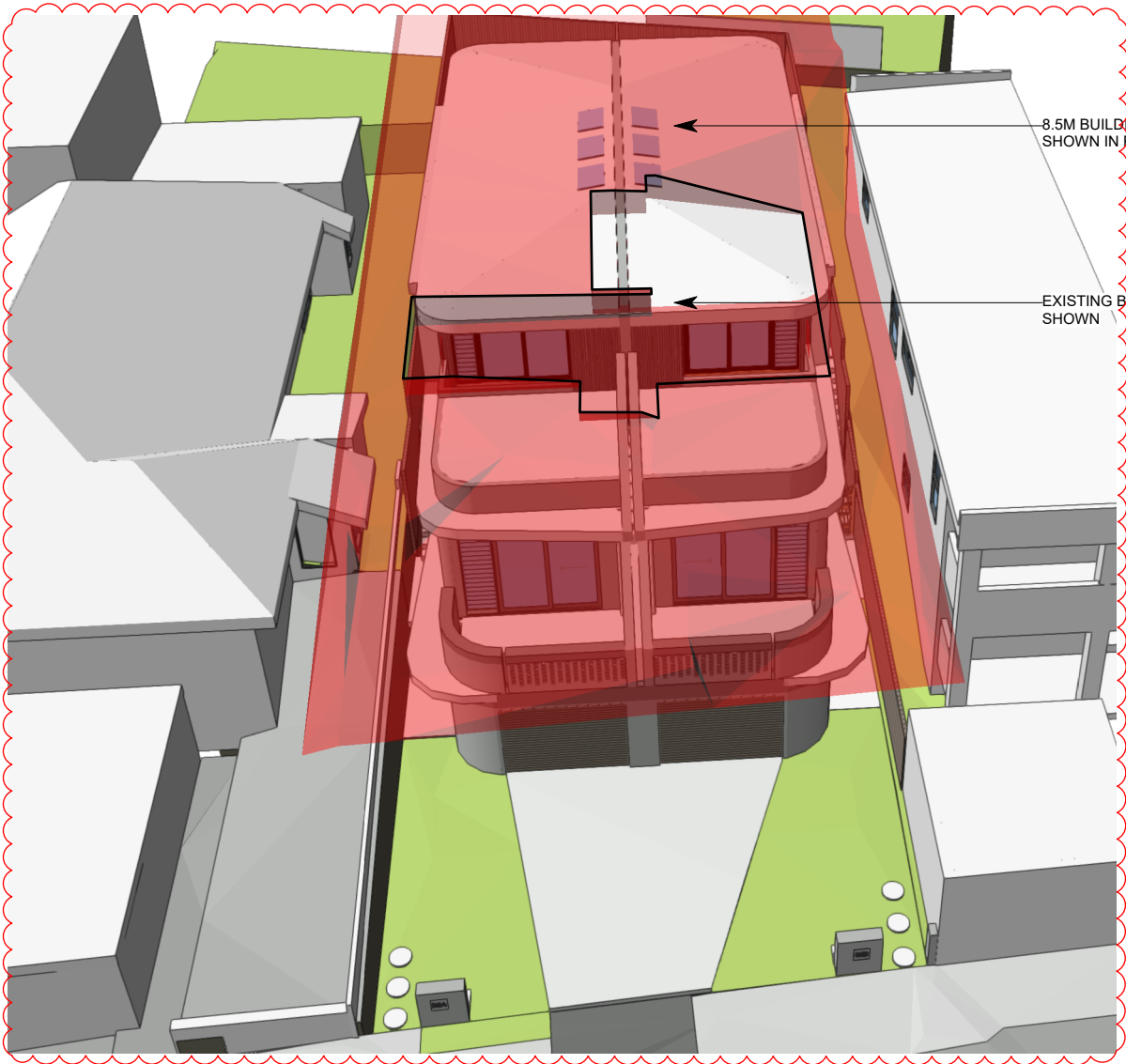
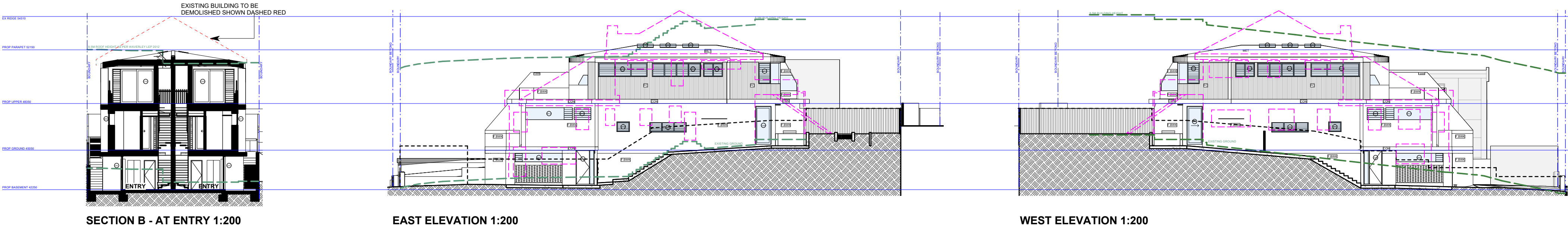
CONTROLS	CALCULATIONS - DCP REQUIREMENTS	CALCULATIONS - EXISTING	CALCULATIONS - PROPOSED	COMPLIANCE
FSR	ALLOWABLE FSR: 0.611:1 ALLOWABLE GFA: 274.37	EXISTING FSR: 0.6:1 EX GFA: 269.20 SQM	PROPOSED FSR: 0.610:1 PROPOSED GFA: 274.30 SQM	Y
OPEN SPACE	REQUIRED: 40% SITE OPEN SPACE =179.6 SQM	EXISTING = 299.2 SQM	PROPOSED = 254.3 SQM	Y
SOFT LANDSCAPING	REFER LANDSCAPE ARCHITECTS DRAWINGS			
LANDSCAPING - STREET	REFER LANDSCAPE ARCHITECTS DRAWINGS			
MAX BUILDING HEIGHT	MAX 8.5M	DOES NOT COMPLY - 10M AT PEAK	COMPLIES	Y

FLOOR AREA
OPEN SPACE
GARAGE FLOOR AREA
NOT IN CALCULATIONS

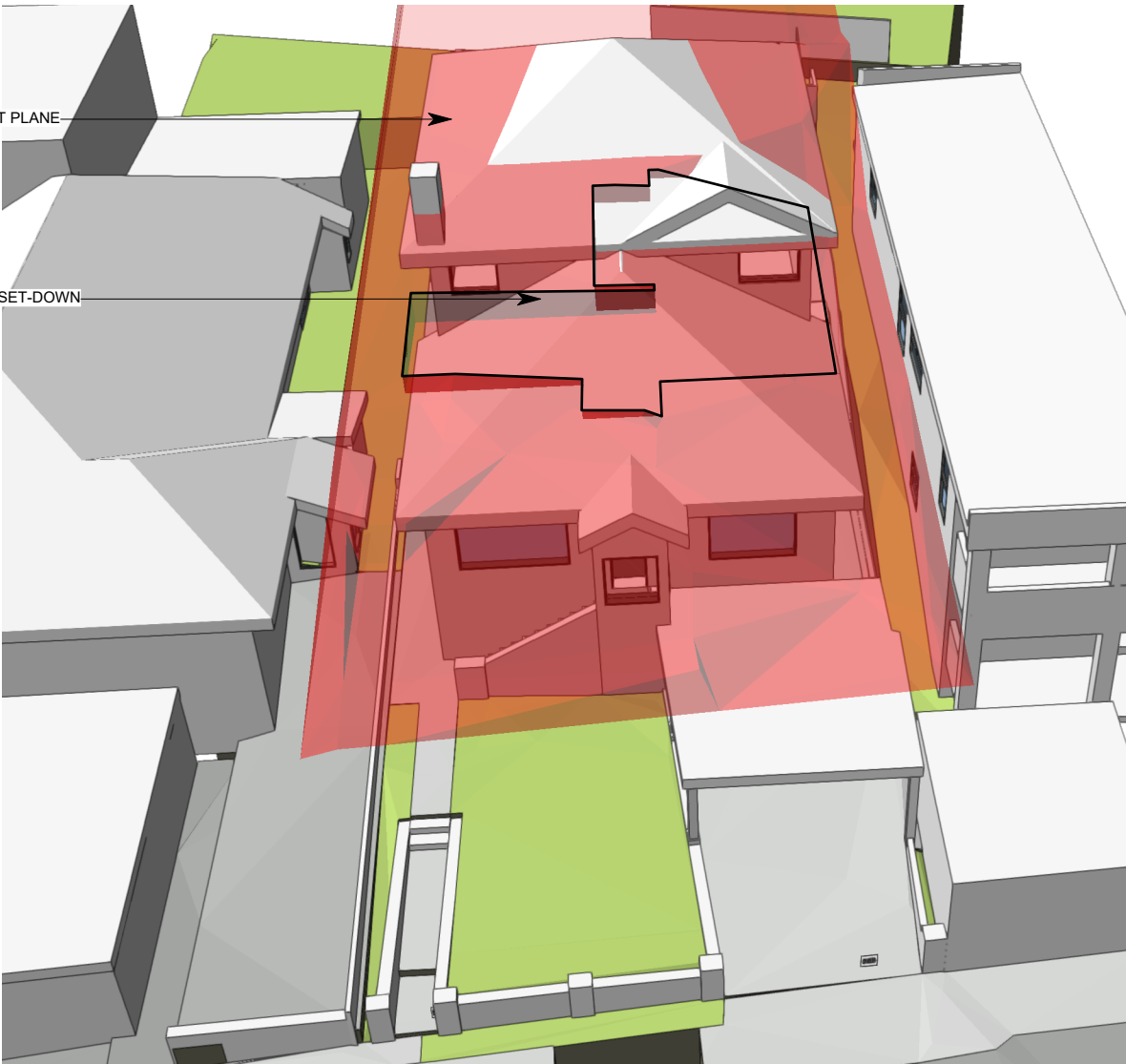
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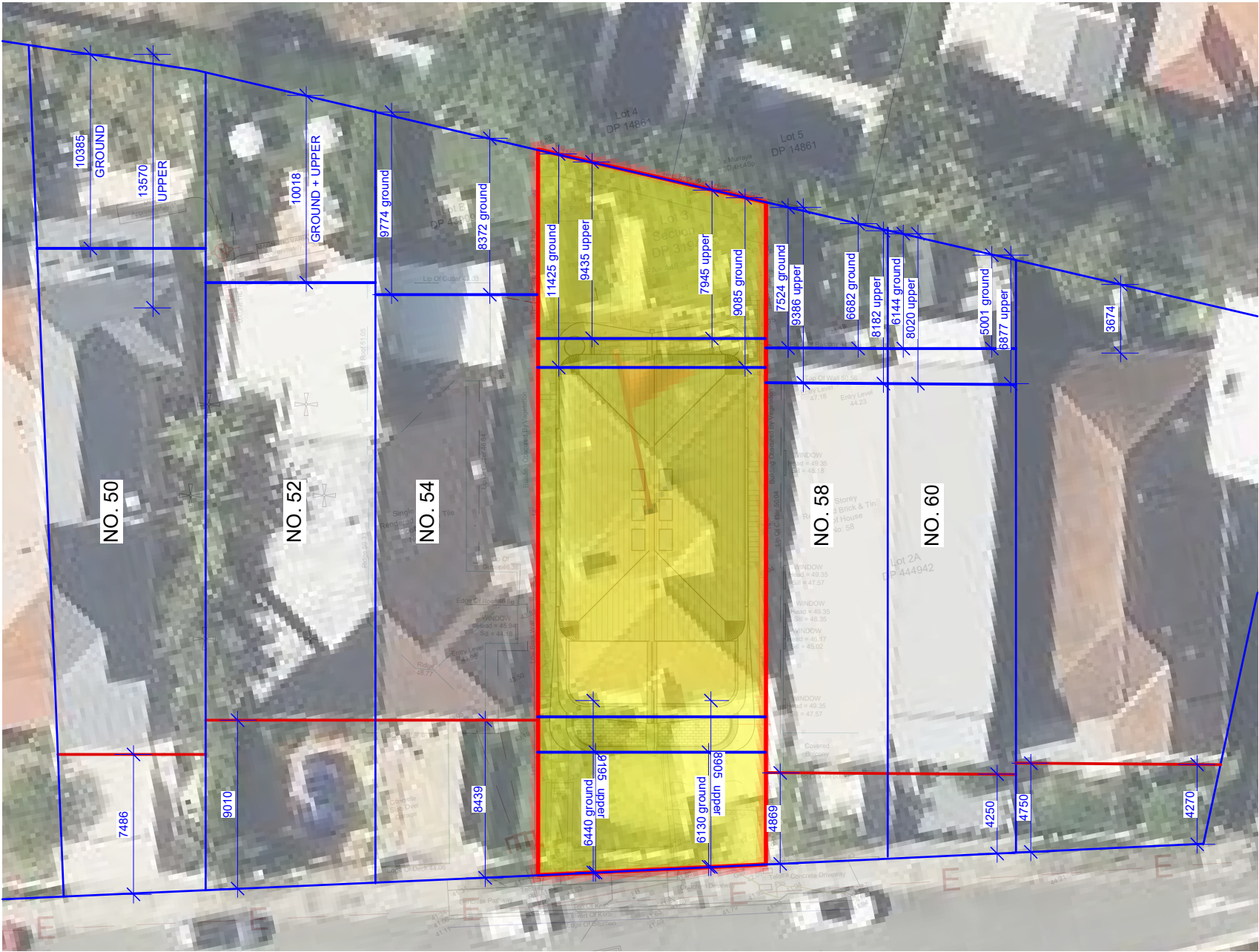
Project Haber Residence	YVONNE HABER ARCHITECT 61 O'DONNELL STREET, NORTH BONDI, NSW 2026 NSW ARB reg NO. 5725 M: 0411717667 E: yvonne@yvonnehaberarchitect.com		
Address 56 Liverpool Street Rose Bay	Job No. 2404	Dwg No. DA-09	Rev. E
Client M + H Haber	Date 30/01/2026	North	
Drawing Calculations- FSR	Scale 1:100		



PROPOSED - 8.5M ROOF HEIGHT AS PER WLEP 2012 - 3D PERSPECTIVE



EXISTING- 8.5M ROOF HEIGHT AS PER WLEP 2012 - 3D PERSPECTIVE



STREET FRONT + REAR BUILDING SETBACKS - NTS

for development application only

D	24/08/2026	Council Resubmission
C	22/06/2026	updated council submission
B	18/06/2026	DA Amended
A	6/05/2026	DA submission
NO.	DATE	NOTE

-The builder is responsible for the setting out of the works, the checking of all dimensions and levels on site, and the reporting of any discrepancies to the architect prior to commencement of work.
-Do not scale off drawings.
-Comply with relevant Australian Standards for materials and construction practice.
-Comply with Building Code of Australia requirements
-All structural work to engineer's specification
-Copyright remains the property of Yvonne Haber Architect

Project Haber Residence	YVONNE HABER ARCHITECT 61 O'DONNELL STREET, NORTH BONDI, NSW 2026 NSW ARB reg NO. 5725 M: 0411717667 E: yvonne@yvonnehaberarchitect.com		
Address 56 Liverpool Street Rose Bay	Job No. 2404	Dwg No. DA-10	Rev. D
Client M + H Haber	Date 30/01/2026	North	
Drawing Calc- Wall Height+Setbacks	Scale 1:100		



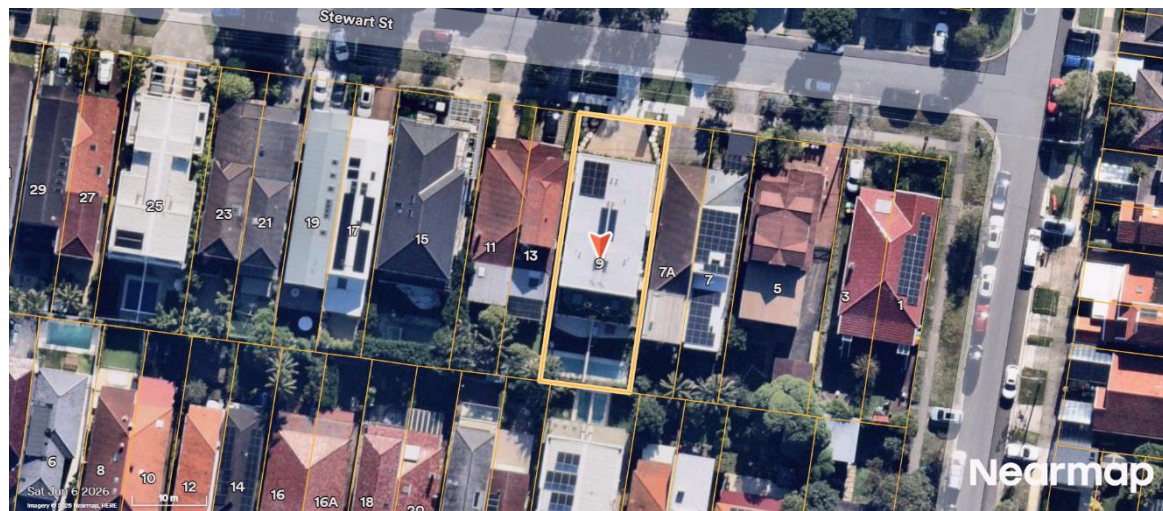
Low Density Residential Development

Report to the Waverley Local Planning Panel



Overview	
Application number	DA-238/2026
Site address	9 Stewart Street, NORTH BONDI NSW 2026
Proposal	Regularise the use of the basements of the dual-occupancy dwellings, in conjunction with a Building Information Certificate.
Date of lodgement	1 July 2026
Owner	M Airth
Applicant	M Airth
Submissions	Nil
Cost of works	\$216,700
Principal Issues	• <i>Unauthorised Works</i> • <i>Exceedance of the FSR principal development standard.</i>
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 use of unauthorised work for the basements of the approved dual-occupancy dwellings, in conjunction with a Building Information Certificate (BIC) application, at the site known as 9 Stewart Street, North Bondi.

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

- Unauthorised works; and
- Exceedance of the floor space ratio (FSR) principal development standard.

The assessment finds these issues acceptable as the unauthorised works do not increase the visual bulk and scale of the development and have no amenity impacts on the neighbouring dwellings.

No submissions from residents or Councillors were received. 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* (the Act). It is recommended for approval subject to conditions of consent.

1.2. Site and Surrounding Locality

A site visit was carried out on 28 August 2026.

The site is identified as Lot 24 in DP 11023, known as 9A and 9B Stewart Road, North Bondi.

The site is rectangular in shape with a frontage of 12.19m to Stewart Street. It has an area of 441.9m² and falls from the front northern boundary towards the rear southern boundary by approximately 2.13m.

The site is occupied by a three-storey dual occupancy including the basement with one on-site car parking space per dwelling. The site is provided with vehicular access provided from Stewart Street.

The site is adjoined by a single storey semi-detached dwelling to the east (No. 7A Stewart Street, North Bondi) and a two storey semi-detached dwelling to the west (no. 11 Stewart Street, North Bondi). The locality is characterised by a variety of low-density residential developments.

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



Figure 1: View of the subject site along Stewart Road.



Figure 2: View opposite to the subject site along Stewart Road.



Figure 3: 9A unauthorised basement.



Figure 4: 9B unauthorised basement.



Figure 5: 9A unauthorised basement.



Figure 6: 9B stair to unauthorised basement.



Figure 7: 9A unauthorised skylight.



Figure 8: 9B unauthorised skylight.

1.3. Relevant Development History

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

- DA-255/2024 – Demolition of existing structures and construction of new two storey dual occupancy, strata subdivision, swimming pools and associated tree removal and landscaping works. Approved on 11 December 2024. **Figures 9 to 13** show the extracted approved floor plans.

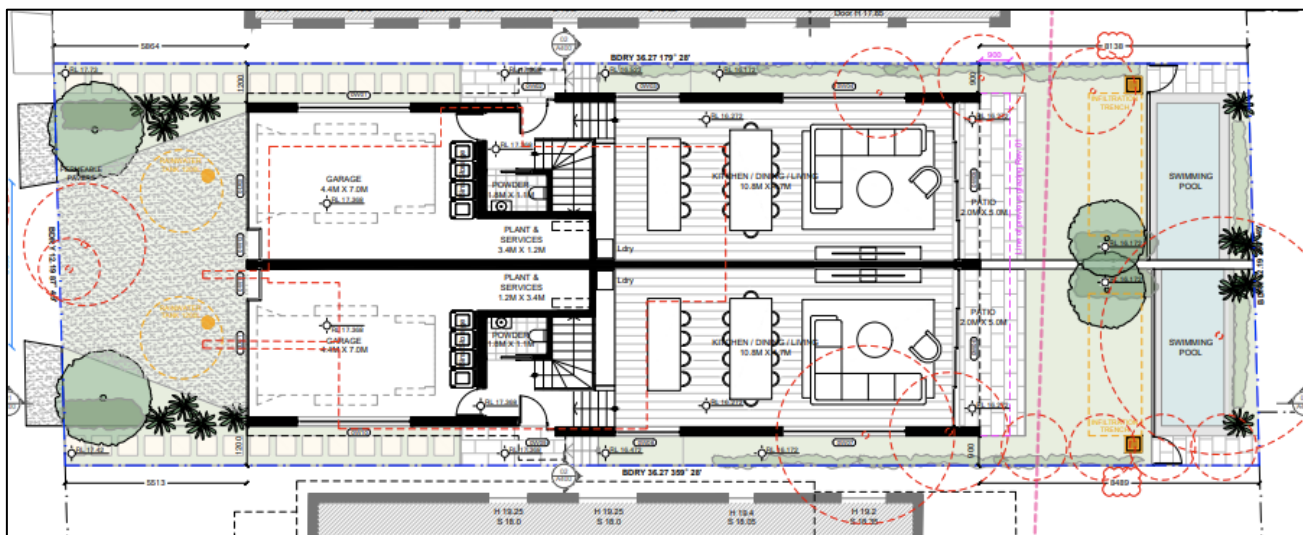


Figure 9: DA-255/2024 Approved Ground Floor Plan. Extracted from DA200 Rev 3.

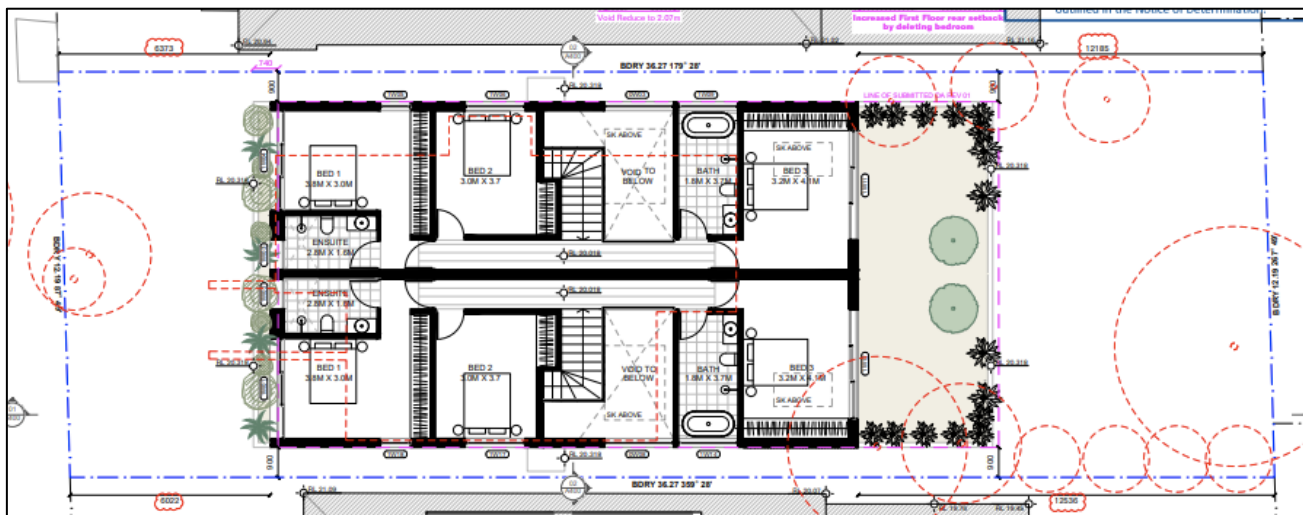


Figure 10: DA-255/2024 Approved First Floor Plan. Extracted from DA201 Rev 4.

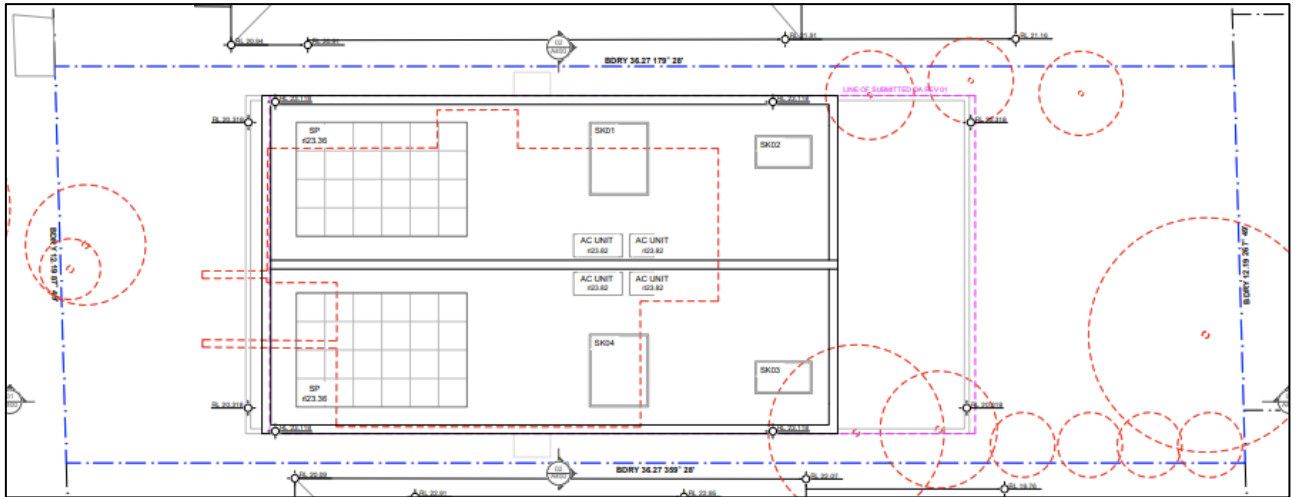


Figure 11: DA-255/2024 Approved Roof Plan. Extracted from DA202 Rev 4.

- CCB-39/2025 – Demolition of existing structures and construction of new dual occupancy, swimming pools and associated tree removal and landscaping works. The Certifier (PCA) responsible for overseeing the works was Building Control Group.
- Construction Certificate (CC) C240235-01. Approved 10 February 2025. **Figures 12 to 17** show the extracted approved architectural and structural floor plans.

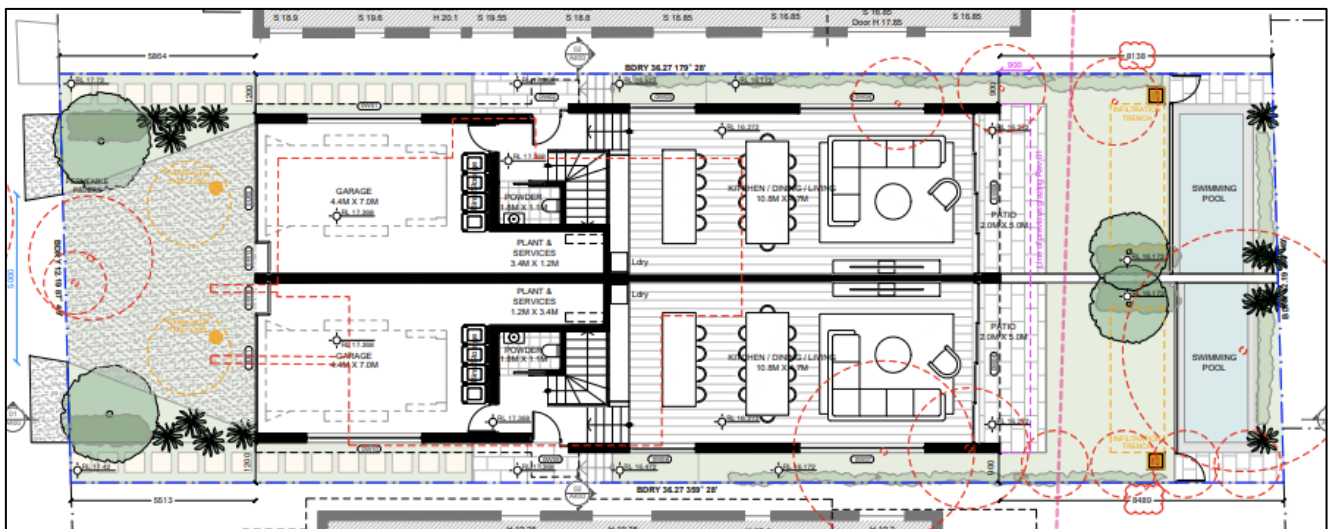


Figure 12: C240235-01 Approved Ground Floor Plan DA200 Rev 3.

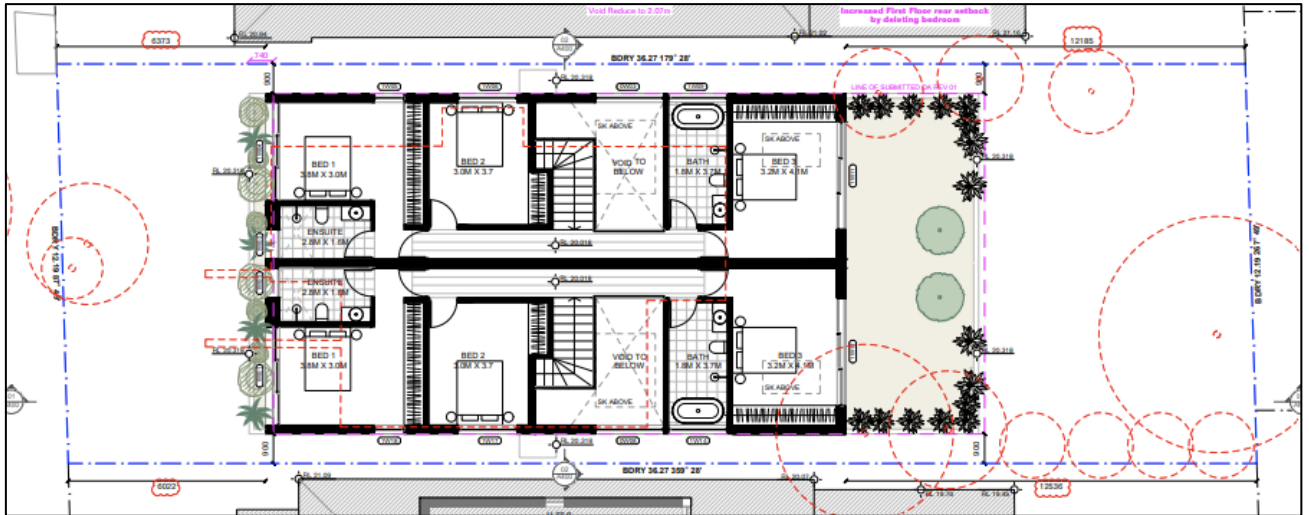


Figure 13: C240235-01 Approved First Floor Plan DA201 Rev 4.

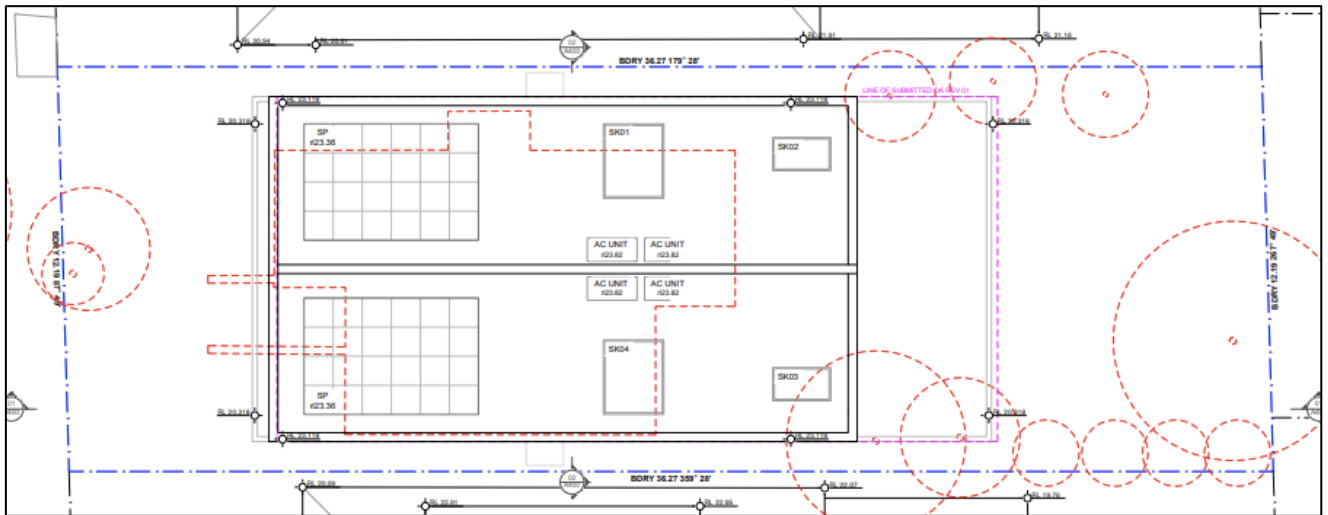


Figure 14: C240235-01 Approved Roof Plan DA202 Rev 4.

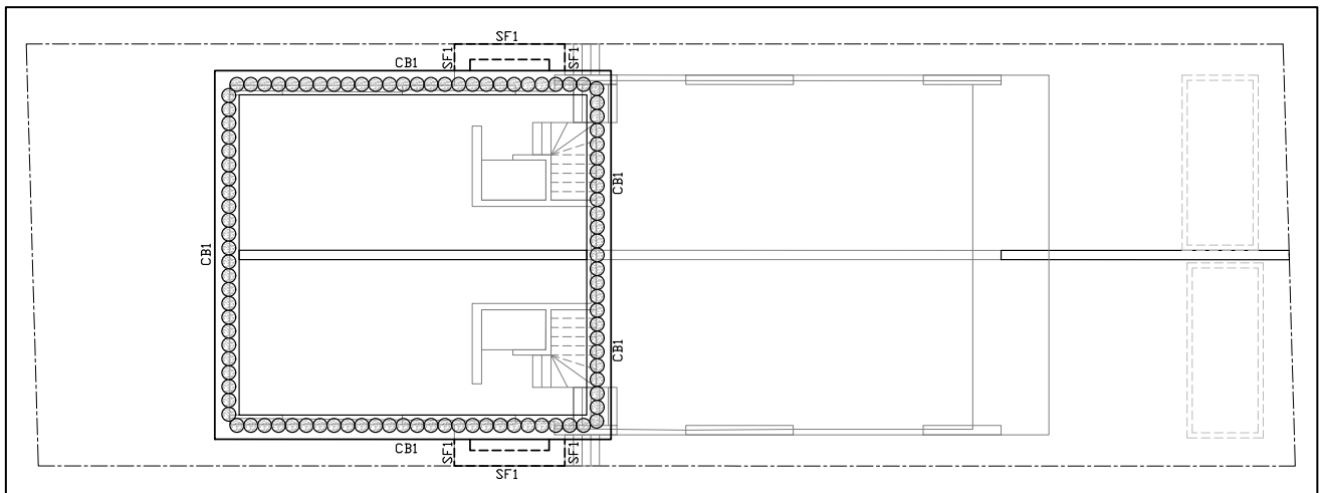


Figure 15: C240235-01 Approved Structural Shoring and Capping Beam Plan.

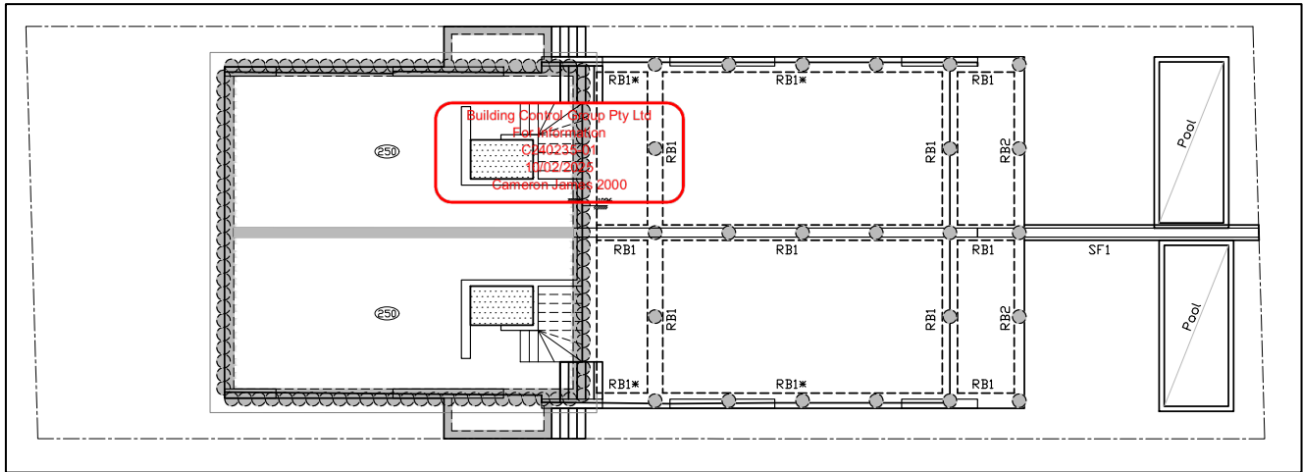


Figure 16: C240235-01 Approved Structural Ground Floor Slab Plan.

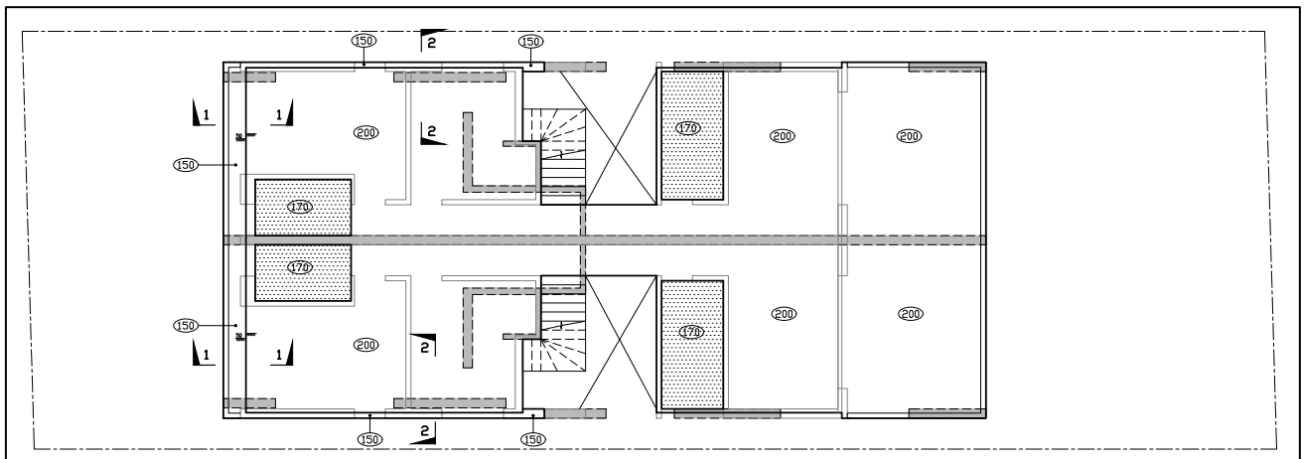


Figure 17: C240235-01 Approved Structural First Floor Slab Plan.

Planner Note: Within the first issued certificate there is a discrepancy between the architectural drawings and the structural drawings with the introduction of a shoring capping creating a void space for the basement. The Architectural drawings still match the approved drawings under DA-255/2025.

- DA-255/2024/A – Section 4.55(2) modification to DA-255/2024 to alter the internal layout and infill voids to create an additional bedroom. Approved on 5 May 2025. **Figures 18** and **19** show the extracted approved floor plans.

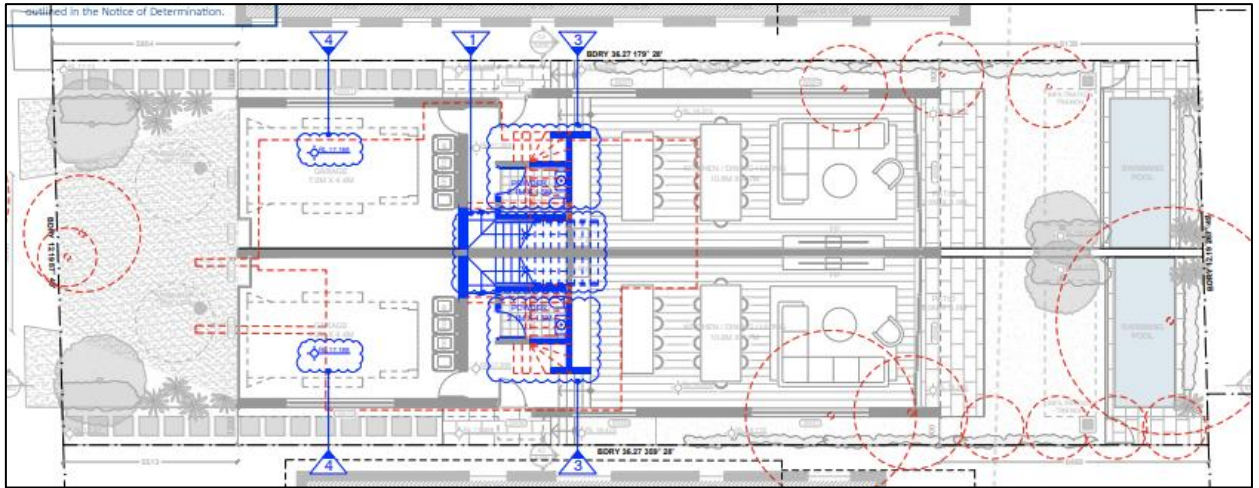


Figure 18: DA-255/2024/A Approved Ground Floor Plan. Extracted from DA200 Rev 5 dated 5 February 2025.

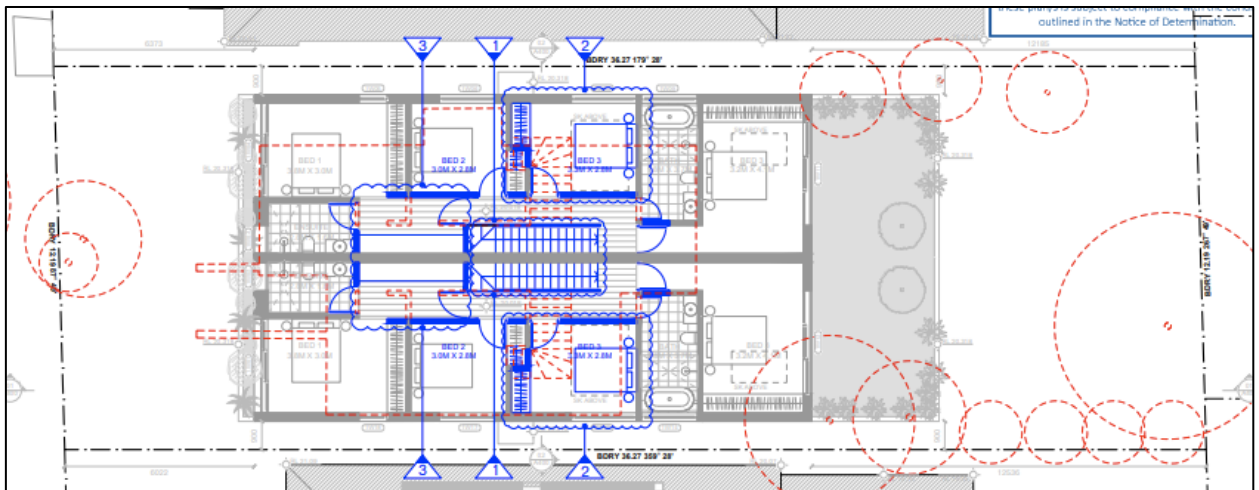


Figure 19: DA-255/2024/A Approved First Floor Plan DA201 Rev 5 dated 5 February 2025.

- CCB-39/2025/1 –Modification to CCB-39/2025.
 - Construction Certificate (CC) C240235-02. Approved 22 May 2025. **Figures 20 to 23** show the extracted approved architectural and structural floor plans.

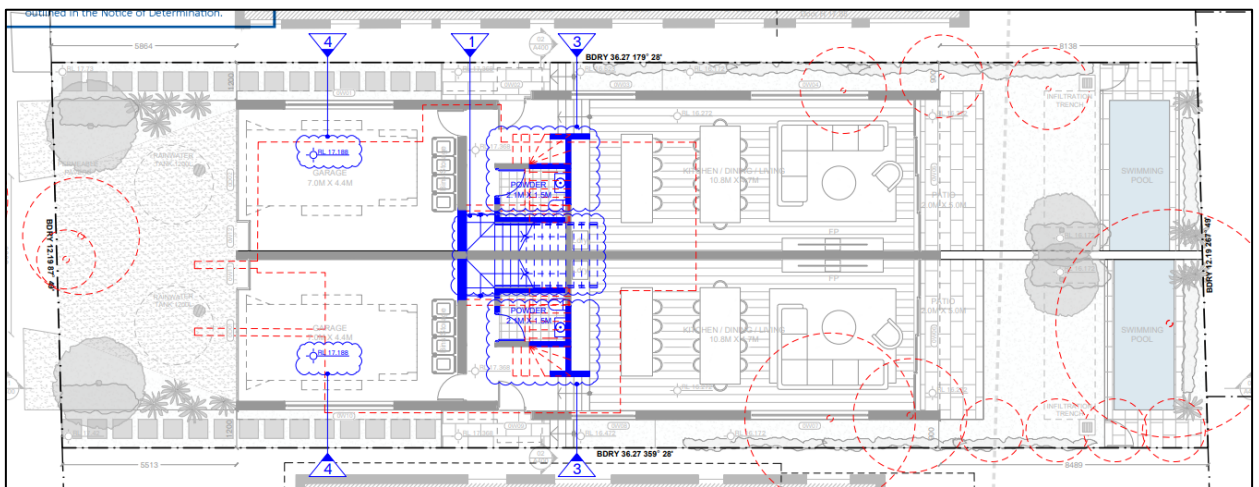


Figure 20: C240235-02 Approved Ground Floor Plan DA200 Rev 5.

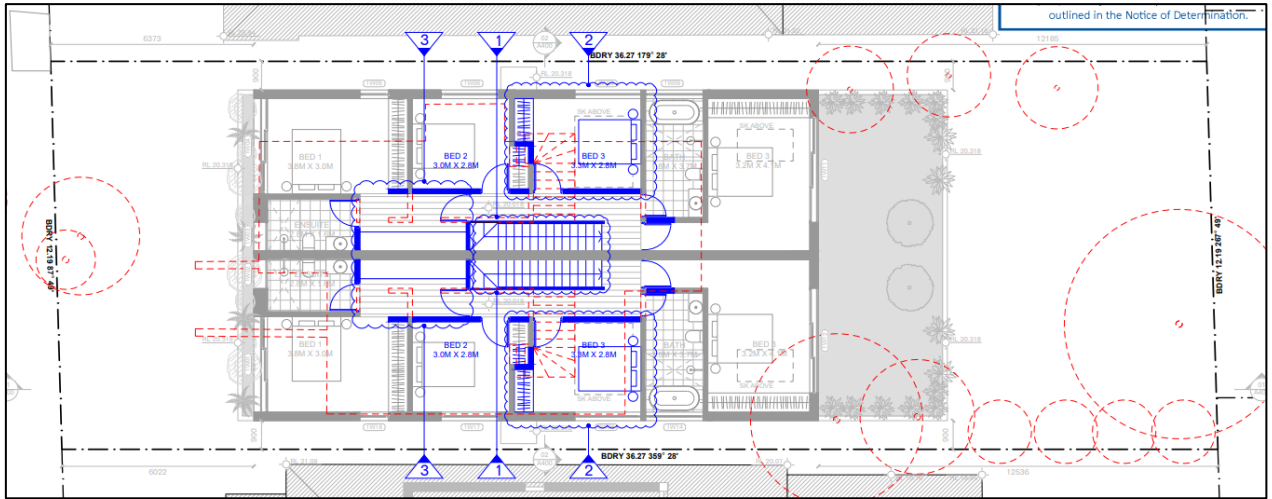


Figure 21: C240235-02 Approved First Floor Plan DA201 Rev 5.

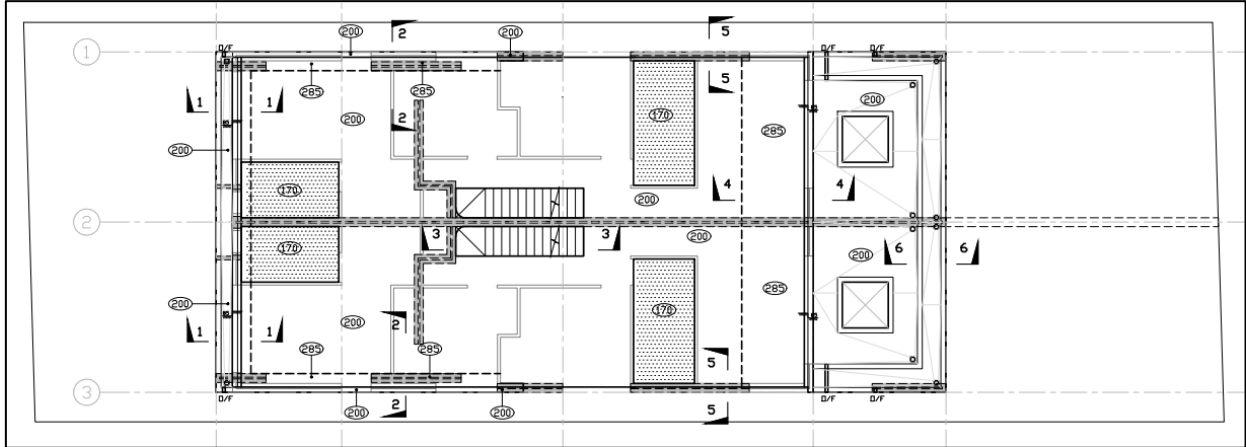


Figure 22: C240235-02 Approved Structural First Floor Slab Plan.

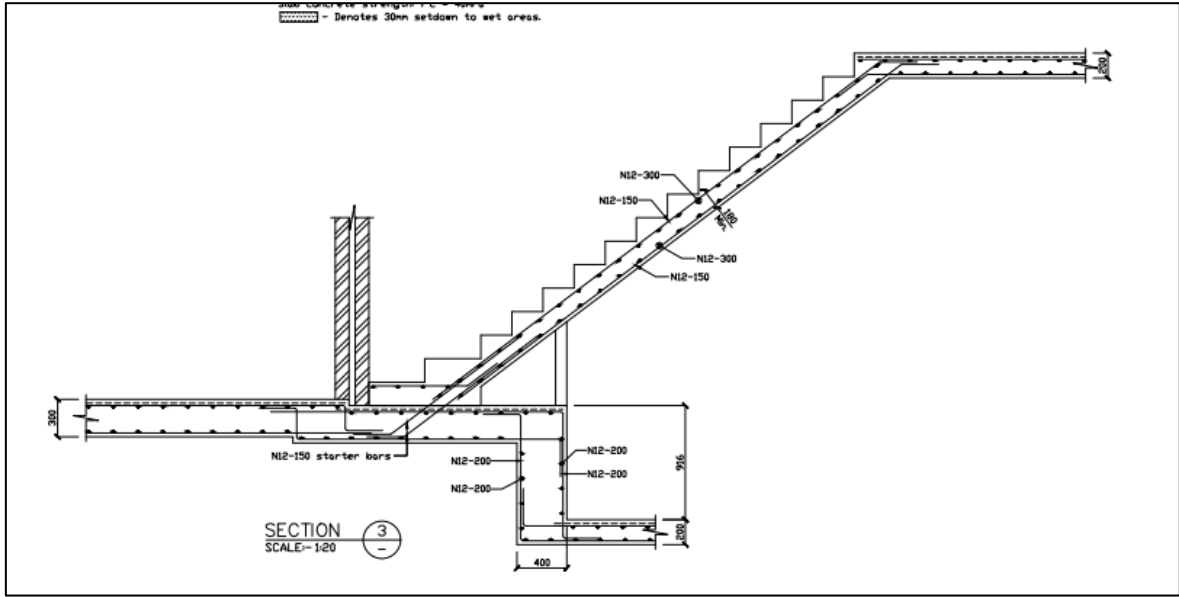


Figure 23: C240235-02 Approved Structural staircase detail.

Planner Note: The architectural drawings match those approved under DA-255/2024/A. No amended ground floor structural drawings have been provided to reflect the modifications

approved under DA-255/2024/A. However, extracted in **Figure 23** we can see that the ground floor slab is a suspended slab indicating a space below with the set down for the kitchen already different from the DA-255/2024/A plans.

- Occupation Certificate (OC) C240235-03. Approved 26 May 2026. **Figure 24** shows the following critical stage inspections.

Mandatory Inspections:				
CRITICAL STAGE INSPECTIONS Section 6.5 of the Act & Clause 61 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021				
In the case of a class 1 or 10 building	Critical Stage Inspections			Inspection Date/s
At the commencement of the building work, (Pre CC/CDC Inspection) and	Yes ☒	Missed ☐	N/A ☐	03/02/2025
After excavation for, and prior to the placement of any footings, and	Yes ☒	Missed ☐	N/A ☐	13/03/2025
Prior to pouring any in-situ reinforced concrete building element, and	Yes ☒	Missed ☐	N/A ☐	13/03/2025 11/08/2025
Prior to covering of the framework for any floor, wall, roof or other building element, and	Yes ☒	Missed ☐	N/A ☐	14/09/2025
Prior to covering waterproofing in any wet areas, and	Yes ☒	Missed ☐	N/A ☐	23/10/2025
Prior to covering any stormwater drainage connections, and	Yes ☒	Missed ☐	N/A ☐	17/03/2026
In the case of a swimming pool, as soon as practicable after the barrier has been erected, and	Yes ☒	Missed ☐	N/A ☐	11/05/2026
After the building work has been completed and prior to any occupation certificate	Yes ☒	Missed ☐	N/A ☐	11/05/2026

Figure 24: Mandatory Inspection checklist extracted from OC certificate.

- BC-39/2026 – Unauthorised works in basement. Lodged on 13 July 2026.

The following is a summary of the timeline:

1. 11 December 2024: DA approved
2. 3 February 2025: Commencement of works including demolition
3. 10 February 2025: CC for DA issued
4. 13 March 2025: Excavation and placement of footings prior to pouring concrete
5. 2 May 2025: CC for S4.55 issued
6. 5 May 2025: S4.55 approved
7. 11 August 2025: Prior to pouring concrete building elements
8. 14 September 2025: Framework inspection
9. 23 October 2025: Prior to waterproofing
10. 17 March 2026: stormwater drainage inspection
11. 11 May 2026: Swimming pool barrier installation and final inspection of works.
12. 1 July 2026: New DA for unauthorised works

Planner Note: Based on the project timeline, the unauthorised basement works occurred before the Occupation Certificate (OC) was issued. A critical record gap exists in the

Construction Certificate (CC) and subsequent stages, as they lacked complete stamped structural engineering drawings. Furthermore, the Principal Certifying Authority (PCA) failed to identify the extra basement level and plan changes during mandatory critical stage inspections.

Notwithstanding, Council must assess the proposed “use” as if it was not existing

1.4. Proposal

The development application seeks consent for the use only of the unauthorised works, and specifically includes the following:

Basement

- Basement with bathroom and laundry and staircase access.

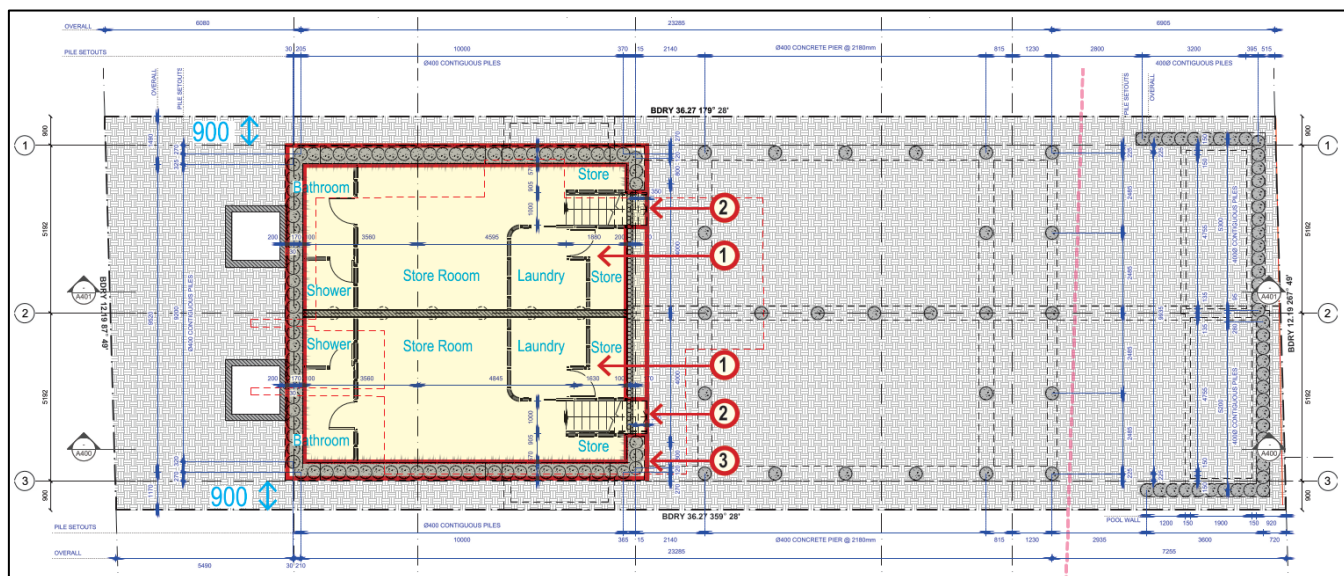


Figure 25: Proposed Basement

Ground Floor

- Reorganisation of internal walls and staircase locations;
- Introduction of kitchen pantry; and
- Laundry chute.

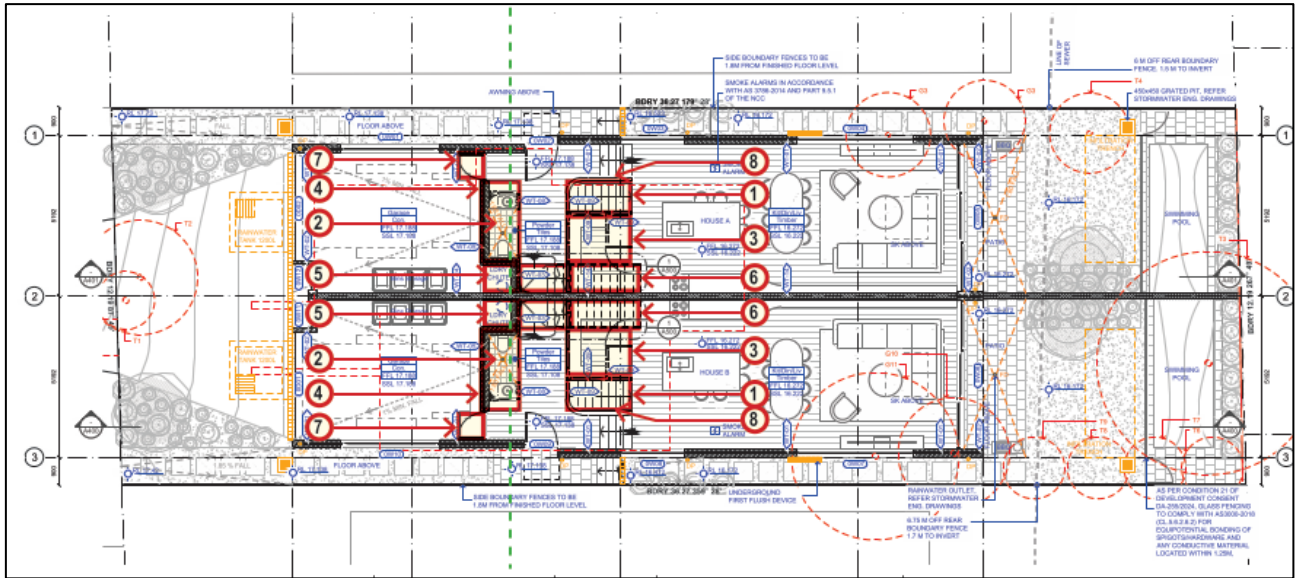


Figure 26: Proposed Ground Floor.

First Floor

- Minor alteration of internal wall staircase location;
- Laundry chute; and
- New skylights over Ground Floor living room.

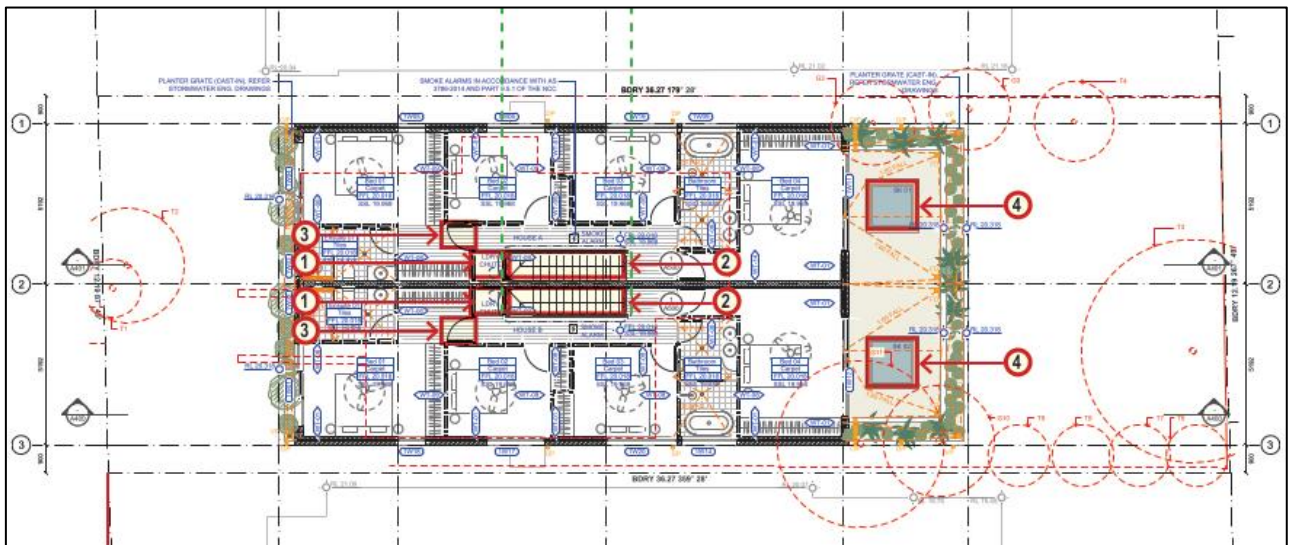


Figure 27: Proposed First Floor.

1.5. Background

The development application was lodged on 1 July and a Stop the Clock letter for additional information was issued on 1 July 2026 for the following reasons:

1. Amend the architectural drawings to clearly identify all unauthorised works.

The amended documents were received on 21 July 2026 and then the application was notified.

2. ASSESSMENT

The following matters are to be 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/unacceptable 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 • <i>R2 low Density Residential Zone</i>	Yes	Complies. The proposal remains as a dual occupancy, which is permitted with consent in the R2 zone.																					
Part 4 Principal development standards																							
4.3 Height of buildings • <i>8.5m</i>	Yes	The unauthorised works have in a maximum building height of 4.2m.																					
4.4 Floor space ratio (FSR) 4.4A Exceptions to floor space ratio (FSR) • <i>Site Area - 441.9m²</i> • <i>Maximum permissible FSR – 0.62:1</i> • <i>Maximum permissible Gross Floor Area (GFA) – 273.5m²</i>	No	The unauthorised works and its proposed use increase the GFA as follows. <table> <tr> <td></td><td>DA-255/2024/A</td><td>Proposed</td></tr> <tr> <td>Basement</td><td>0m²</td><td>32m²</td></tr> <tr> <td>Ground</td><td>139.6m²</td><td>139.6m²</td></tr> <tr> <td>First</td><td>158.9m²</td><td>158.9m²</td></tr> <tr> <td>Net GFA</td><td>298.5m²</td><td>330.5m²</td></tr> <tr> <td>FSR</td><td>0.67:1</td><td>0.74:1</td></tr> <tr> <td>Variation</td><td>9.1%</td><td>20.8%</td></tr> </table>		DA-255/2024/A	Proposed	Basement	0m ²	32m ²	Ground	139.6m ²	139.6m ²	First	158.9m ²	158.9m ²	Net GFA	298.5m²	330.5m²	FSR	0.67:1	0.74:1	Variation	9.1%	20.8%
	DA-255/2024/A	Proposed																					
Basement	0m ²	32m ²																					
Ground	139.6m ²	139.6m ²																					
First	158.9m ²	158.9m ²																					
Net GFA	298.5m²	330.5m²																					
FSR	0.67:1	0.74:1																					
Variation	9.1%	20.8%																					

Provision	Compliance	Comment
4.6 Exceptions to development standards	See discussion	The application is accompanied by a written request pursuant to clause 4.6 of Waverley LEP 2012 to vary the FSR development standard. A detailed discussion of the variation to the development standard is presented below this table.

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

Clause 4.6 Exceptions to Development Standards –Floor Space Ratio

The application seeks to vary the FSR development standard in clause 4.4 under Waverley LEP 2012.

The site is subject to a maximum FSR development standard of 0.62:1. The proposed development has a maximum FSR of 0.74:1, exceeding the standard by 57m² equating to a 20.8% variation.

It is noted that the building approved under DA-255/2024/A exceeded the development standard by 25m². The proposal represents an increase of 32m², equating variation increase of 11.7% from the previous approved.

The relevant objectives for the floor space ratio (FSR) development standard in clause 4.4 are as follows:

- (b) to provide an appropriate correlation between maximum building heights and density controls,*
- (c) to ensure that buildings are compatible with the bulk 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.*

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 insert development standard on the following basis:

- (a) That compliance with the development standard is unreasonable or unnecessary in the circumstances of the case:
 - (i) *Proposed height, bulk and scale is consistent with the desired future character of the locality.*
 - (ii) *The height of the development and building envelope is the same as DA-255/2024/A*
 - (iii) *The new basement areas are not visible from the exterior of the building as they are underground and only accessible from inside each dwelling via an internal staircase.*
 - (iv) *No neighbouring amenity impacts in terms of solar access, privacy, acoustic and views.*
- (b) That there are sufficient environmental planning grounds to justify contravening the standard:
 - (i) *The proposed FSR is not responsible for any inconsistency with the zone objectives as the proposed provides for a high quality dwelling house which significantly improves upon the amenity and presentation of the site to the Stewart Street streetscape.*
 - (ii) *The scale of the development and its typology is considered to be appropriate for the site and the surrounding area and meets the needs of the local residents*
 - (iii) *The new basement areas have zero visual impact on the streetscape, neighbouring properties and surrounding locality in terms of scale, bulk and function. The new basement areas are not visible from the exterior of the building as they are underground and only accessible from inside each dwelling via an internal staircase.*
 - (iv) *The scale of the development and its typology is considered to be appropriate for the site and the surrounding area*

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]. Council is satisfied that the proposed application exceedance in FSR has a bulk and scale compatible with the locality's desired future character. Furthermore, there is no additional bulk from the proposed exceedance, as it is located wholly underground and preserves the environmental amenity regarding solar, privacy and view access. As a result, the exceedance from the additional basement is considered reasonable.

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. Council is satisfied that the proposed alterations and additions does not increase the bulk of the existing building envelope (approved under DA-255/2024 and as further amended). The non-compliance preserves the environmental amenity of neighbouring dwellings, and the proposal matches the bulk, scale, and character of the local area.

Conclusion

The written request provided by the applicant to vary the FSR development standard 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) (Amendment 6)

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	Yes	A BASIX Certificate has been submitted.
11. Design Excellence	Yes	The proposal satisfactorily complies with the relevant design excellence controls.

Development Control	Compliance	Comment
13 Excavation	Yes	The unauthorised works are sufficiently setback from the side boundaries.

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.
1.3 Streetscape and visual impact		
<i>New development to be compatible with streetscape context</i> <i>Replacement windows to complement the style and proportions of existing dwelling</i>	Yes	No change in streetscape appearance.
1.5 Visual and acoustic privacy		
<i>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</i>	Yes	Habitable windows are as approved.
1.6 Solar access		
<i>Minimum of 3 hours of sunlight to 50% of living areas and principal open space areas on 21 June to subject site</i> <i>Minimum of 3 hours of sunlight maintained to at least 50% of principal open space areas of adjoining properties on 21 June.</i> <i>Avoid unreasonably overshadowing of solar</i>	Yes	No change from what has been approved under DA-255/2024/A

Development Control	Compliance	Comment
<i>collectors (including habitable windows).</i>		
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 proposed development does not result in any unreasonable view loss of any significant views available to the neighbouring properties.

2.2. Other Impacts of the Development

The proposal is considered to have no significant likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in 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/advertised for at least 14 days between 22 July and 7 August 2026 in accordance with the *Waverley Community Engagement Strategy Amendment 1 (2025)*.

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 external referral comments were sought:

3.1. Building Compliance

The application was referred to Council's Compliance officers, and they have raised no objection to the proposal, subject to conditions of consent.

4. RECOMMENDATION TO WAVERLEY LOCAL PLANNING PANEL

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

Managers of Development Assessment (MODA) Review

The application was reviewed by the MODA at the meeting on 25 August 2026 and the MODA concurred with the Assessment Planner's recommendation.

MODA members: B McNamara, B Magistrale, J Zancanaro and D Knight

Report prepared by:	Application reviewed and agreed by:
	
Damien Wilmotte	Bridget McNamara
Senior Development Assessment Planner	Manager, Development Assessment
Date: 31 August 2026	Date: 9 September 2026

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)	20.8% variation to FSR (Clause 4.4)
	☒ 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
	☒ No unreasonable impacts on the amenity of adjoining properties or streetscape
	☒ Sufficient environmental planning grounds
	☒ Consistent with the objectives of the standard
	[insert another reason here if required]
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?	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
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

GENERAL CONDITIONS

APPROVED PLANS AND DOCUMENTATION

The development must be in accordance with:

- (a) Architectural Plans prepared by Common Office of Project No: 2407 including the following:

Plan Number and Revision	Plan description	Plan Date	Date received by Council
SK-01 Rec C	Site Plan	13/07/2026	21/07/2026
SK-02 Rec C	Basement Plan As Built	13/07/2026	21/07/2026
SK-03 Rec C	Ground Floor Plan Comparison	13/07/2026	21/07/2026
SK-04 Rec C	First Floor Comparison	13/07/2026	21/07/2026

- (b) The 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.

2. COMPLIANCE WITH NATIONAL CONSTRUCTION CODE

All proposed work must comply with the *National Construction Code* (previously known as the *Building Code of Australia*).

Condition reason: Prescribed condition pursuant to the *Environmental Planning and Assessment Regulation 2021*.

3. UNAUTHORISED WORKS

This development consent only approves the prospective use of the 'as built' unauthorised works as per the following:

- (a) Basement:
- (i) Basement with bathroom and laundry and staircase access;
- (b) Ground Floor
- (i) Reorganisation of internal walls and staircase locations
 - (ii) Introduction of kitchen pantry;
 - (iii) Laundry chute;
- (c) First Floor
- (i) Minor alteration of internal wall staircase location;

- (ii) Laundry Chute;
- (iii) New skylights over Ground Floor living room.

A Building Information Certificate application is required to be lodged with Council within 30 days of the date of this consent (unless already done so) to regularise building works already carried out without consent.

These conditions shall also apply to any prospective or new building works, as identified on the approved architectural plans.

Condition reason: To clarify the nature of the consent, particularly where unlawful works have already occurred.

GENERAL ADVISORY NOTES

DEVELOPMENT IS TO COMPLY WITH LEGISLATION

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

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 *Environmental Planning and Assessment Act 1979* to carry out development that is not in accordance with this consent.

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:

- (d) Please read your conditions carefully.
- (e) Information to be submitted to Council should be either via email to info@waverley.nsw.gov.au or via the NSW Planning Portal (if required).
- (f) Attention the documentation to the relevant officer/position of Council (where known/specified in condition).
- (g) Include DA reference number.
- (h) Include condition number/s seeking to be addressed.
- (i) 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).
- (j) 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.
- (k) 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.
- (l) Please note, in some circumstances, additional fees and/or additional documents (hard copy) may be required.
- (m) Council’s standard for review (from date the relevant officer receives documentation) is 14 days. Times may vary or be delayed if information is not received in this required manner.

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 1800 810 443.

ALTERATIONS AND ADDITIONS ONLY

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

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.

ENCROACHMENT BEYOND BOUNDARY

Vehicles parked on the hardstand shall not encroach onto the Council's footpath area at any time.

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 *Environmental Planning and Assessment Regulation 2021* 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 *Environmental Planning and Assessment Act 1979*.

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 *Environmental Planning and Assessment Act 1979* 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,

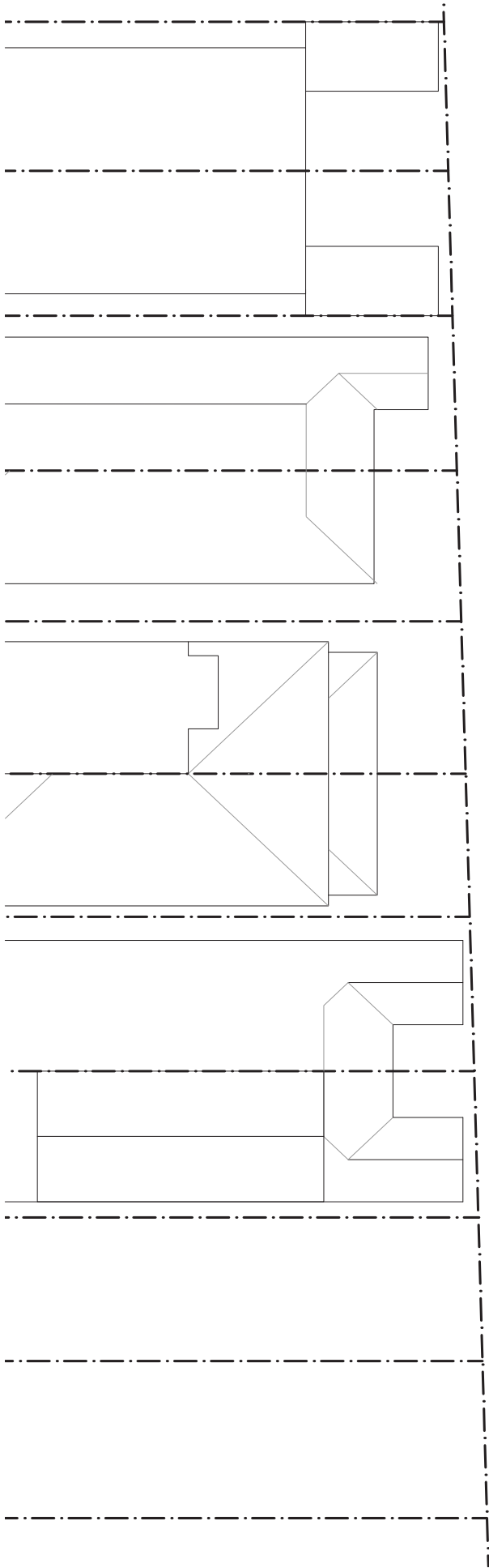
the controlled release of stormwater, and
connections to easements and public stormwater systems.

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 *Environmental Planning and Assessment Regulation 2021*.

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.



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Date
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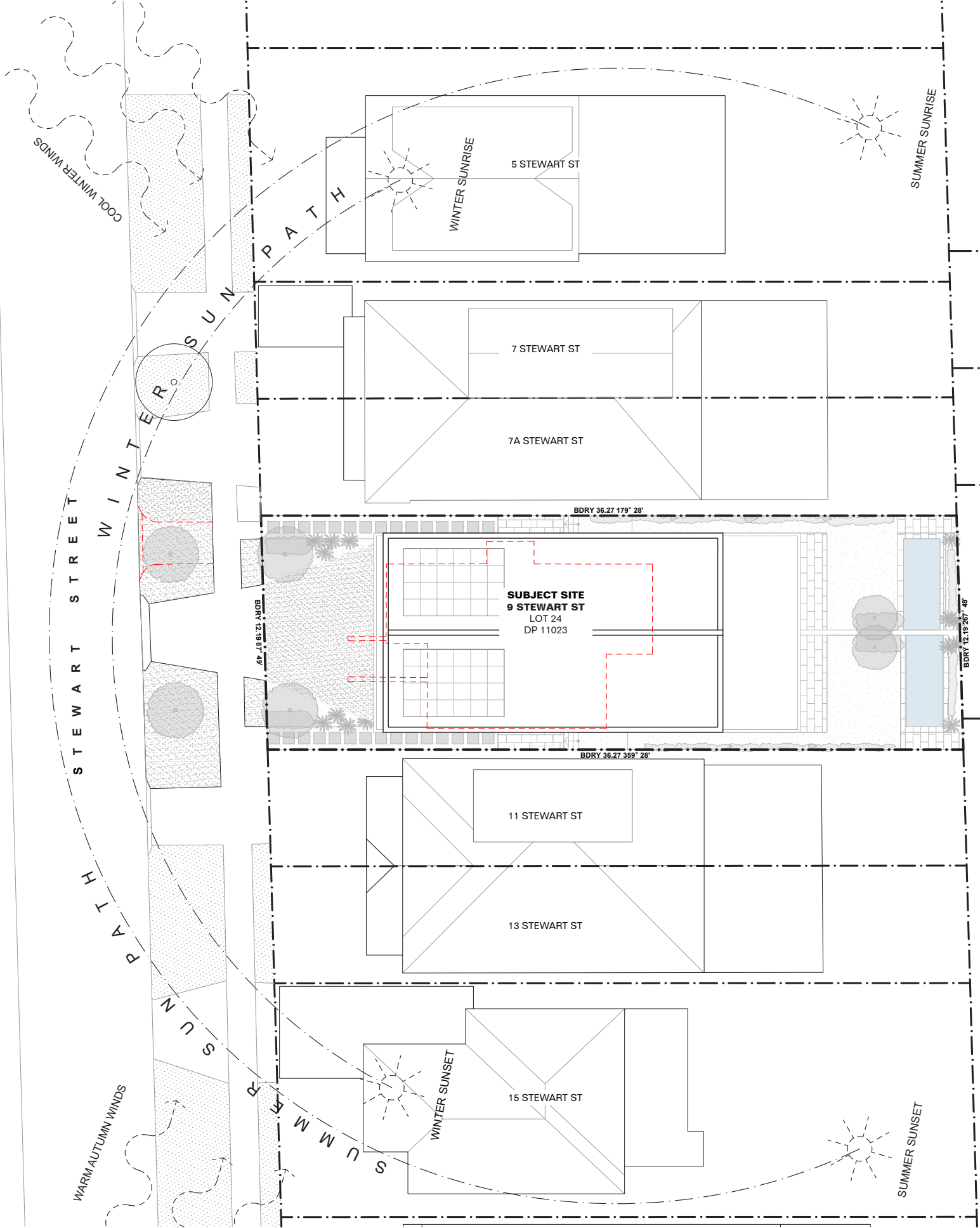
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Unauthorised works

Project No
2407
Address
9 Stewart St North Bondi

Drawing No
SK-01
Rev
C
Drawing
Site Plan

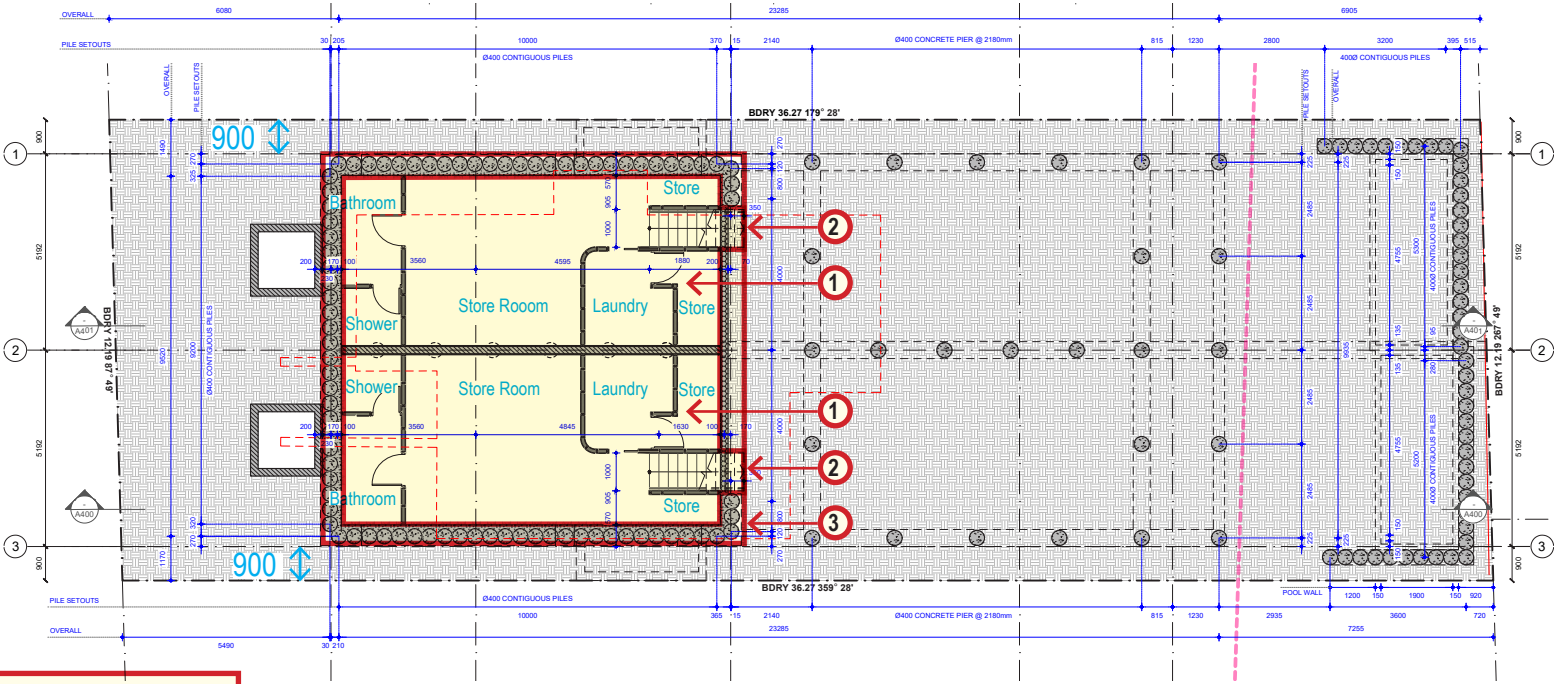
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office@common-office.com
+612 9055 9261
NSW Nominated Architect
Willm J McKee NSW ARB 12651



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Waverley Council
Application No: DA-238/2026
Date Received: 21/07/2026

Basement Plan
As Built



List of Unauthorised work:

Basement Plan:

1. All Rooms (Bathroom, Shower, Store Room, Laundry & Store)
2. Staircase from Basement to Ground
3. Piling and shotcrete wall

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 Denotes Location of
Unauthorised works

Project No
2407
Address
9 Stewart St North Bondi

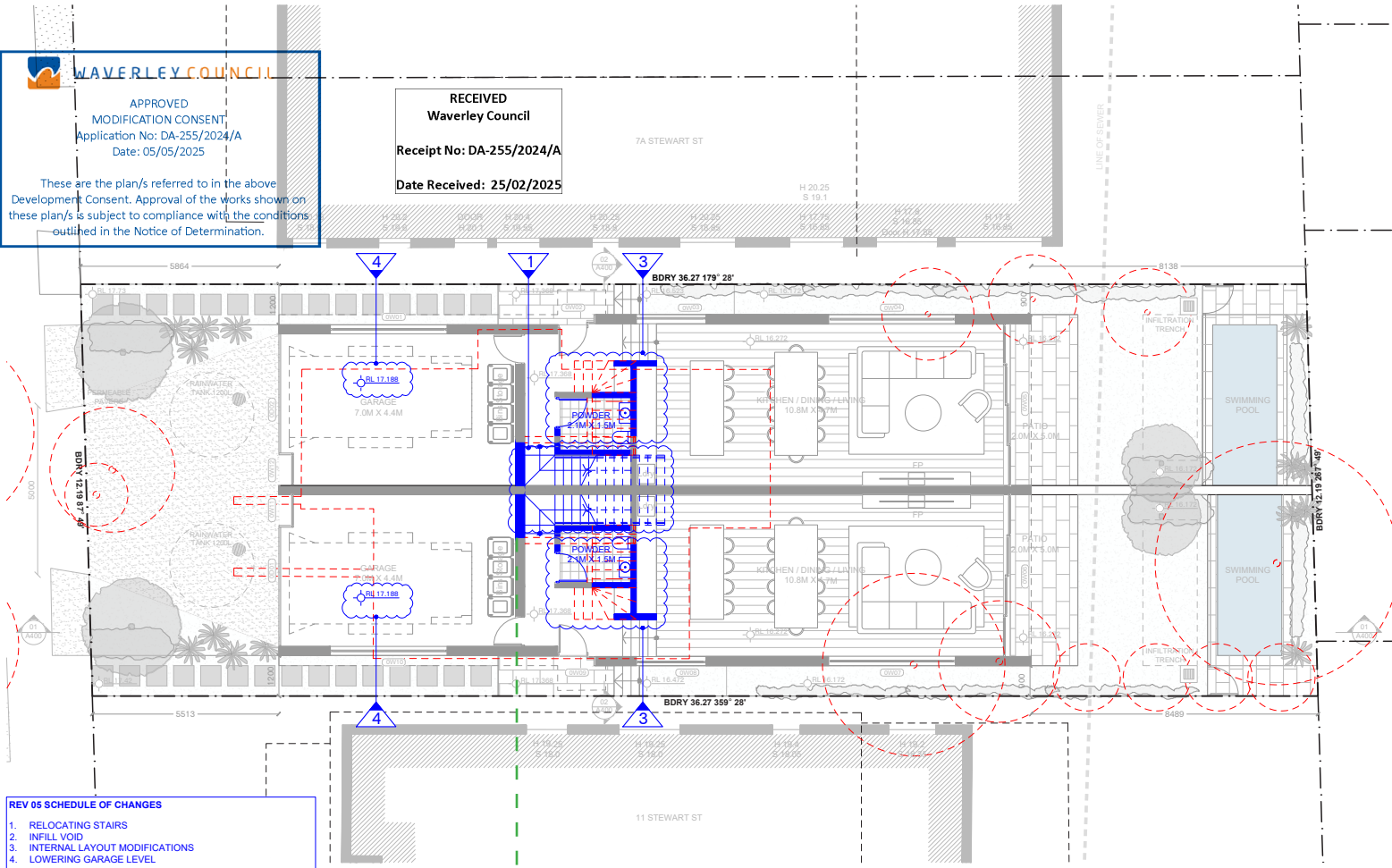
Drawing No
SK-02
Rev
C

Drawing
Basement Plan
As Built

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Willm J McKee NSW ARB 12651

Ground Floor Plan
Approved



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Application No: DA-238/2026

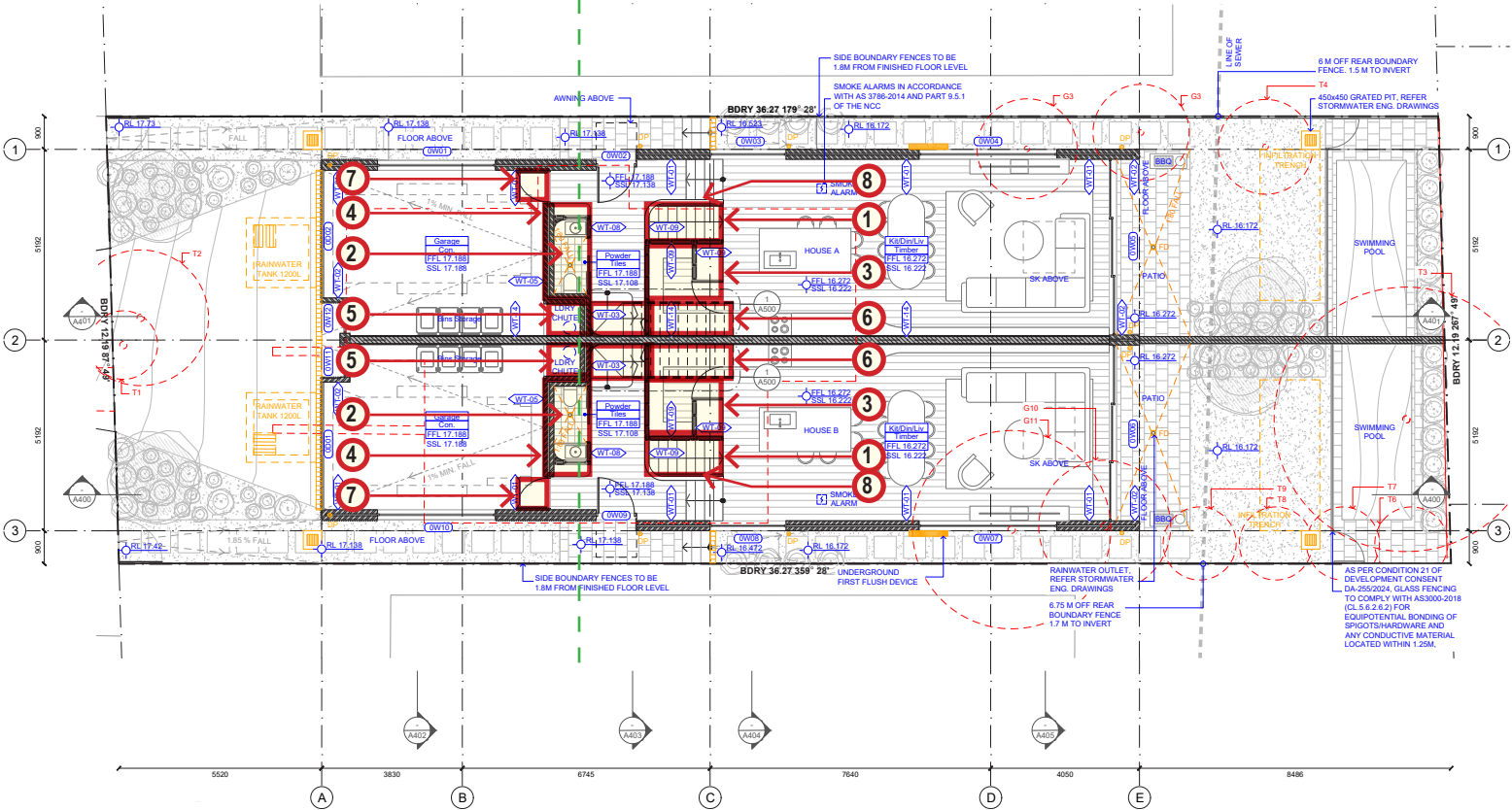
Date Received: 21/07/2026

Ground Floor Plan
As Built

List of Unauthorised work:

Ground Floor Plan:

1. Staircase to Basement
2. Relocation of Powder Room
3. Pantry
4. Associated Internal Walls
5. Laundry Chute and associated walls
6. Staircase Ground to First Slight shift
7. Relocation of door to Garage
8. Enlarged void to allow for stairs to basement



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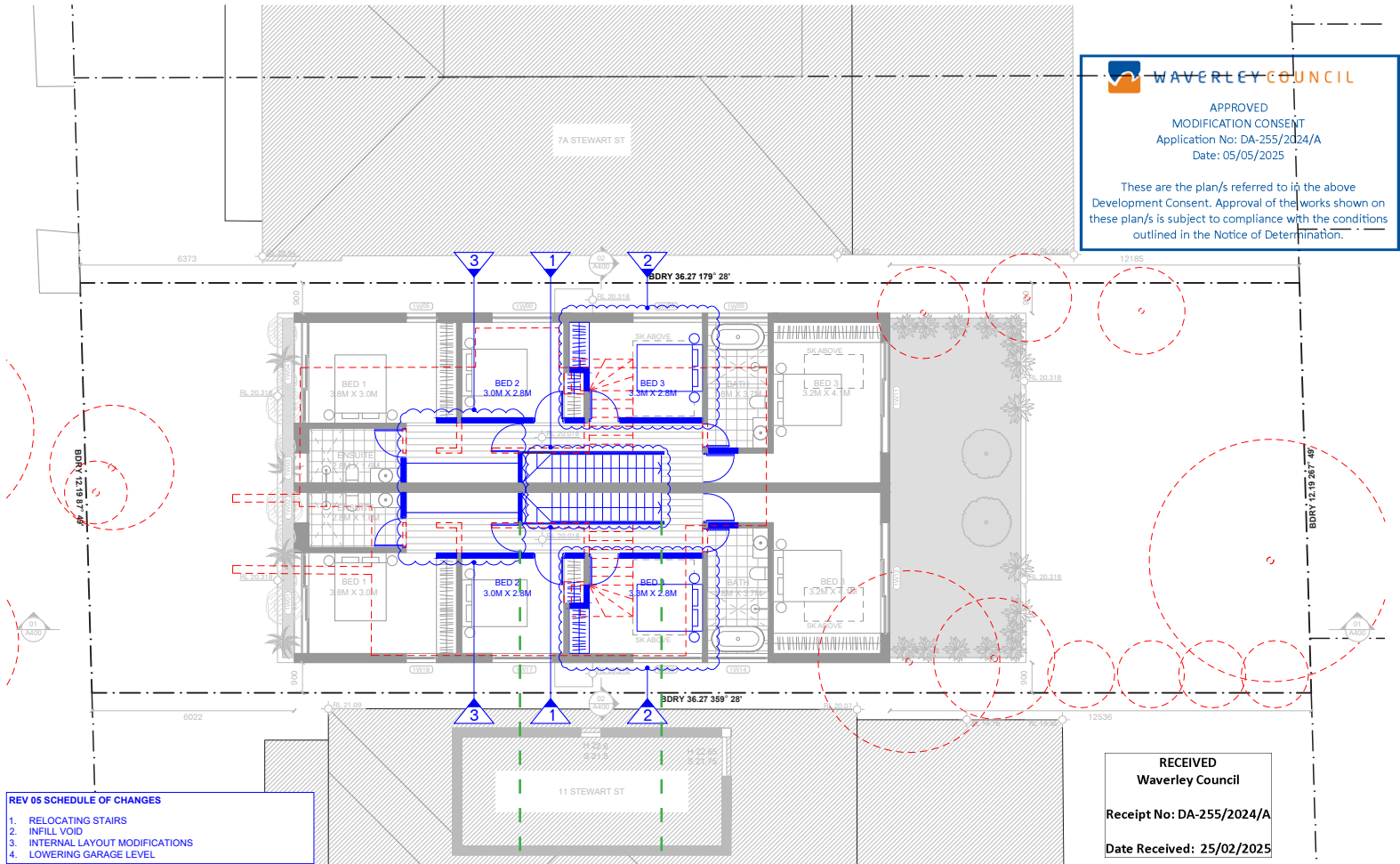
Drawing
Ground Floor Plan
Comparison

Denotes Location of
Unauthorised works

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office@common-office.com
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NSW Nominated Architect
William J McKee NSW ARB 12651

First Floor Plan
Approved

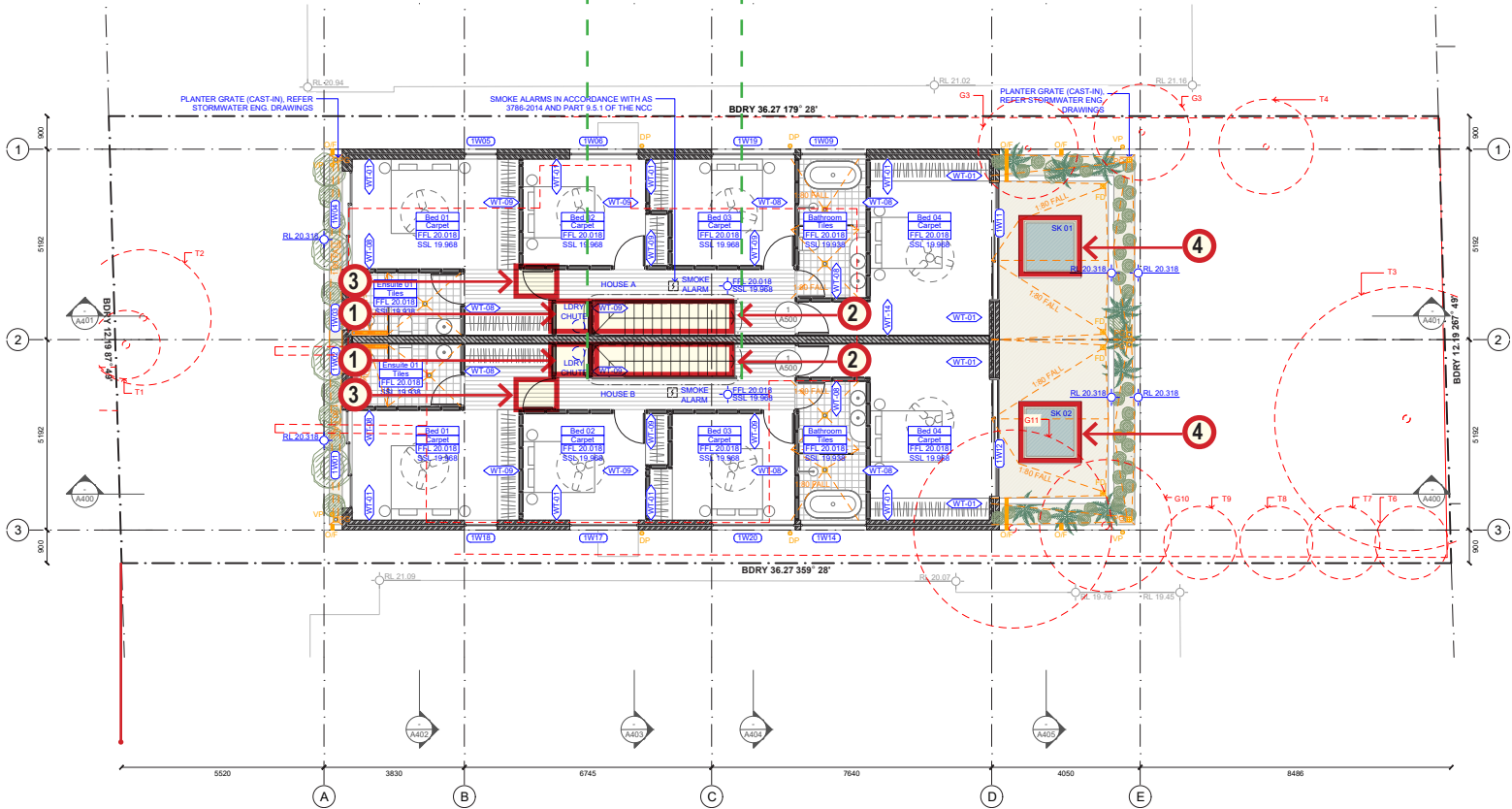


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Waverley Council

Application No: DA-238/2026

Date Received: 21/07/2026

First Floor Plan
As Built



- List of Unauthorised work:**
- First Floor Plan:
1. Laundry Chute and associated stud walls adjacent
 2. Staircase ground to first, slight shift
 3. Relocated door to master bed
 4. Skylights (sk)

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Project No
2407

Address
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Drawing No
SK-04

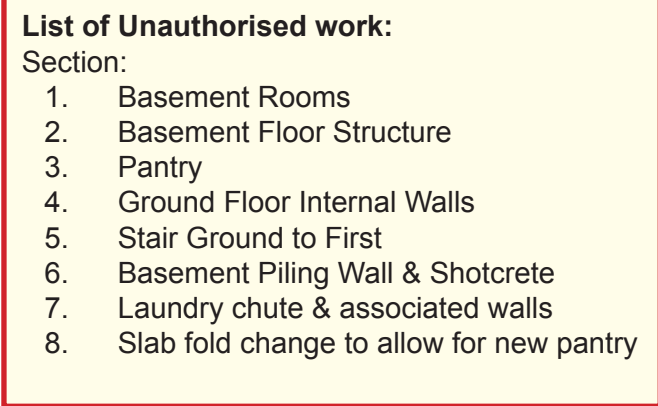
Rev
C

Drawing
First Floor Plan
Comparison

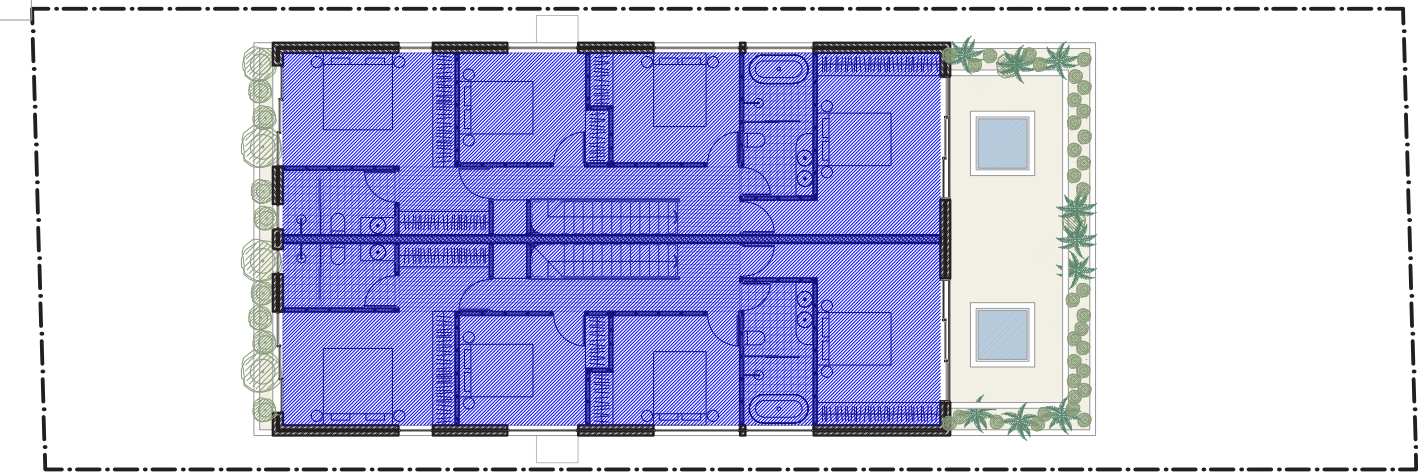
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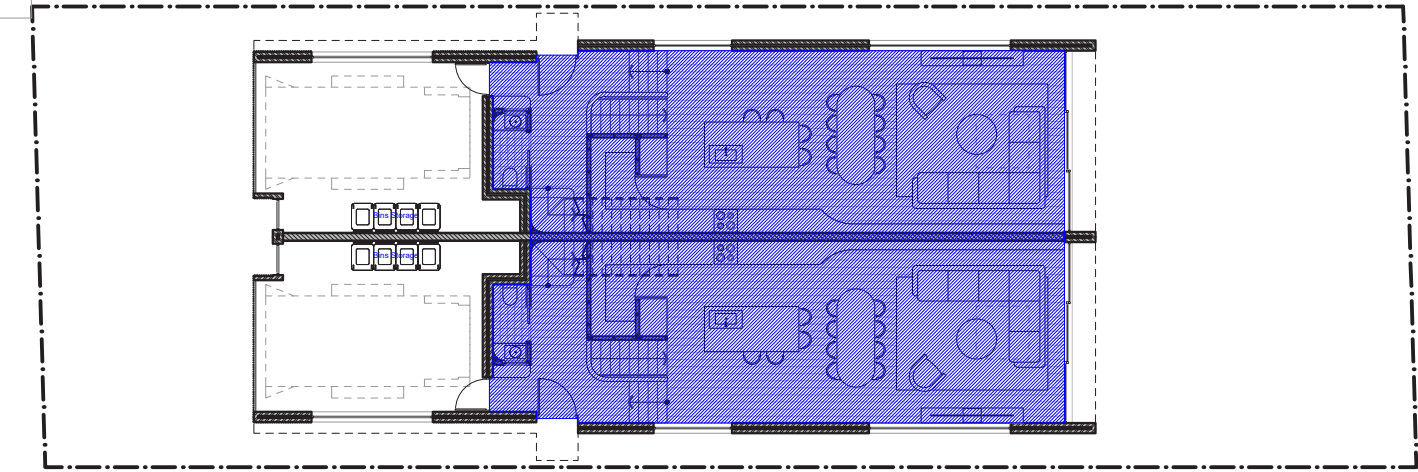
Date Received: 21/07/2026



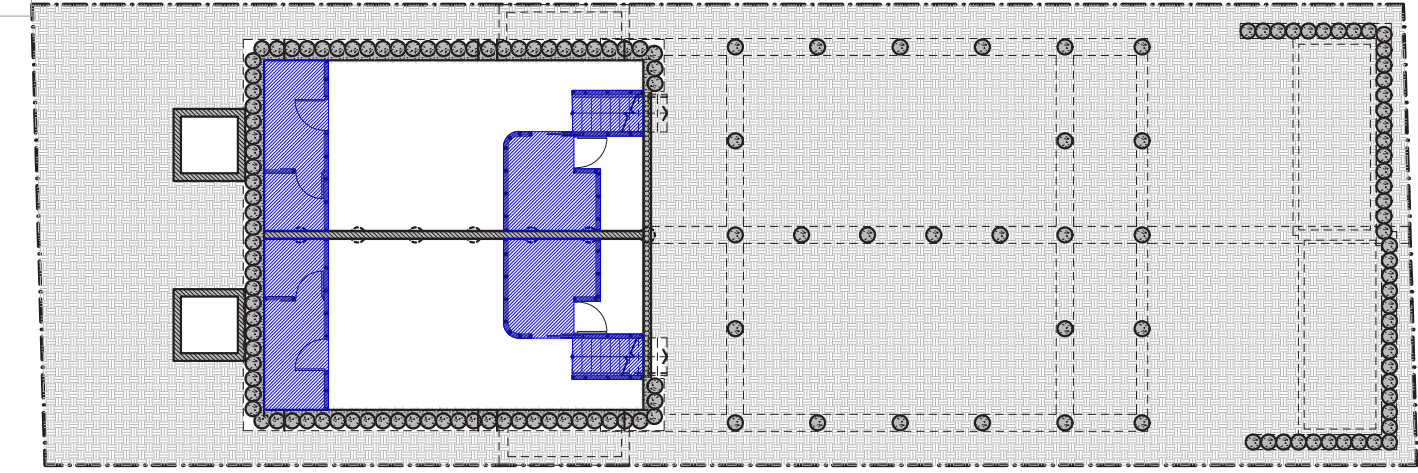
292



GFA: 1st Floor



GFA: Ground Floor



GFA: Basement

Site Area:	441.9m ²
Max allowable FSR:	0.6:1
Approved GFA (GF+1F)	298.5m ²
Approved FSR	0.67:1
Basement	32m ²
Ground Floor:	139.6m ²
First Floor:	158.9m ²
Total:	330.5m ²
Total FSR	0.74:1

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Drawing No
SK-06

Rev
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Drawing
GFA Calculations

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