18 March 2026

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

11.00AM WEDNESDAY, 25 March 2026

QUORUM: Three Panel members.

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

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Live Streaming of Meetings

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

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

AGENDA

WLPP-2603.A
Apologies

WLPP-2603.DI
Declarations of Interest

The Chair will call for any declarations of interest.

WLPP-2603.1 **PAGE 5**
699 Old South Head Road VAUCLUSE NSW 2030 - Demolition of dwelling and construction of a four-storey residential flat building containing four units with basement parking. **(DA-472/2025)**

Report dated 12 March 2026 from MoDA.

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

WLPP-2603.2 **PAGE 128**
4-6 Ethel Street VAUCLUSE NSW 2030 - Demolition of dwelling and construction of two x semi-detached dwelling with integrated car parking, swimming pools, boundary adjustment and associated landscaping works. **(DA-628/2025)**

Report dated 11 March 2026 from MoDA.

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

WLPP-2603.3 **PAGE 196**
20 Sandridge Street BONDI NSW 2026 - Section 4.56 modification application for internal and external changes, increase in height of residential flat building, additional excavation for levelling and structural shoring wall, changes to facades, landscaping, reconfiguration of private open spaces and various other changes. **(DA-69/2024/B)**

Report dated 13 March 2026 from MoDA.

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

WLPP-2603.4 **PAGE 443**
91 Curlewis Street BONDI BEACH NSW 2026 - Amalgamation of unit 5 and unit 6 into one and associated works. **(DA-664/2025)**

Report dated 11 March 2026 from MoDA.

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

WLPP-2603.5 **PAGE 496**

St Catherine's School 26 Albion Street WAVERLEY NSW 2024 - Alterations and additions to three existing buildings at St Catherine's School, including the Jane Barker Hall, J Floor (Level 02) and the roof of the TAS Building to create a library and senior study centre. **(DA-631/2025)**

Report dated 10 March 2026 from MoDA.

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

WLPP-2603.6 **PAGE 565**

28 Kenneth Street TAMARAMA NSW 2026 - Alterations and additions to semi-detached dwelling including relocation of the stairwell to accommodate a new dining area and study, new first floor balcony, and rear pergola. **(DA-629/2025)**

Report dated 10 March 2026 from MoDA.

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

Report to the Waverley Local Planning Panel

Application number	DA-472/2025 (PAN-572101)
Site address	699 Old South Head Road VAUCLUSE
Proposal	Demolition of dwelling and construction of a four-storey residential flat building containing four units with basement parking.
Date of lodgement	23 September 2025
Owner / Applicant	Bondi Boys P/L
Submissions	Four objections
Cost of works	$4,884,384
Principal Issues	• Height • Floor space ratio
Recommendation	That the application be **APPROVED** in accordance with the conditions contained in the report.
SITE MAP	

1. PREAMBLE

1.1. Executive Summary

The development application seeks consent for demolition of the existing dwelling and construction of a part three and four-storey residential flat building (RFB) containing four units with basement parking at 699 Old South Head Road, Vaucluse.

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

- Height: The proposal exceeds the height development standard by 11.4% for a small portion of the roof contained to the eastern face of the lift overrun and the roof parapet in the north-east corner of the site. The variation is due to previous excavation of the site which results in a depression in the height plane. The additional height will not affect the character of the building or result in unreasonable amenity impacts on surrounding properties.
- Floor space ratio (FSR): The proposal exceeds the FSR development standard by 15.3% by providing an additional apartment at the lower ground floor level partially excavated into the site. The additional FSR will not affect the character of the building or result in unreasonable amenity impacts on surrounding properties.
- Separation distances: The proposal provides privacy measures to ameliorate the impact of insufficient separation distances.
- Landscaped area: The proposal does not meet the minimum required landscaped area; however, the site accommodates sufficient other areas of planting within the site to balance the variation.

The assessment finds these issues acceptable.

A total number of four submissions were received and 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 or submissions received by a Councillor.

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 10 December 2025.

The site is identified as Lot 4 in DP 223349, known as 699 Old South Head Road, Vaucluse.

The site has a frontage of 11.58m to Old South Head Road to the west and Stanley Street to the east. It has an area of 395.4m^2 and falls from the Old South Head Road frontage towards the Stanley Street frontage by approximately 2m.

The site is occupied by a single storey dwelling house with vehicular access provided from Stanley Street to a single garage beneath the dwelling.

The site is adjoined by part three and four-storey RFB to the north at 2 Stanley Street and a two-storey RFB to the south at 699A Old South Head Road. The locality is characterised by a variety of low and medium density residential developments.

Figures 1 to **6** are photos of the site and its context.

Figure 1: Site viewed from Old South Head Road (from the west).

Figure 2: Front elevation of the existing dwelling viewed from the west.

Figure 3: Stanley Street frontage (viewed from the east).

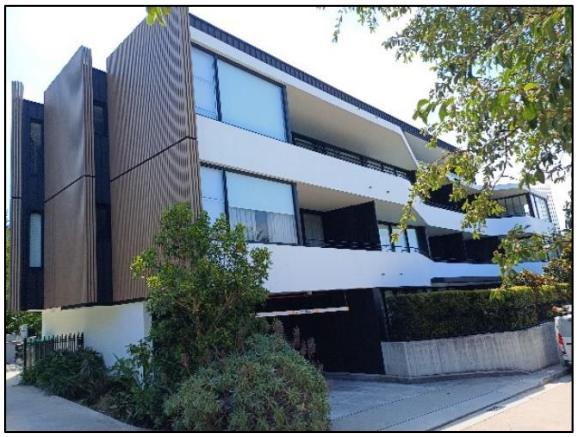


Figure 4: Adjoining RFB to the north (2 Stanley St) as viewed from Stanley Street.

Figure 5: Adjoining RFB to the south at 699A Old South Head Road as viewed from Stanley Street (from the east).

Figure 6: Adjoining RFB to the north at 2 Stanley Street as viewed from Old South Head Road.

1.3. Relevant Development History

Council has no record of recent development history for the site.

1.4. Proposal

The development application seeks consent for demolition of the existing dwelling and construction of a new part three and four-storey RFB containing four apartments.

The proposed building will contain an apartment per floor, comprised of one x 2-bedroom and three x 3-bedroom apartments. Balconies are proposed to the front and rear elevations.

The proposal will provide two levels of basement parking accessed via a driveway and car lift from Stanley Street and will provide six car spaces; four motorcycle spaces; four bicycle spaces; car turntables; bin room and plant.

1.5. Background

The development application was lodged on 23 September 2025 and deferred on 17 December 2025 for the following reasons (summarised):

1. Incorrect and further detail required on the plans and within documentation.
2. Address privacy impacts upon 699A Old South Head Road from the eastern balconies.
3. Provide view analysis documentation.
4. Stormwater and flooding matters.
5. Waverley Design Excellence Advisory Panel (DEAP) comments to be addressed in regard to the following:
    - *The panel raised some concerns with regard to the lower level open space as it is contained on all sides and may not be well ventilated or able to drain easily. This zone could potentially*

be improved if it could be more open at the eastern end or should be demonstrated with more detail to confirm is appropriateness.

- *The amenity of the main bedroom on the lower ground floor can be improved. Moving the rainwater tank (RWT) and having a second window and making the indent in the building where the primary window is located as open to the sky as possible is suggested. These should be reviewed in conjunction with a review of the car lift to see if the open space can be made more open for light and ventilation.*
- *The Panel noted that in the presentation material the black colour of the cladding at the upper level appears very dark. Further material detail should be provided to confirm the material palette. Please also have regard to Section 2.1 of Part B2 Ecologically Sustainable Development of DCP 2022 which requires that finishes must provide solar absorptance to mitigate the buildup of urban heat with wall and roof finishes to have a solar absorptance of <0.475.*

The amended plans and documentation were received on 1 February 2026 and 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 (Housing) 2021
- SEPP (Transport and Infrastructure) 2021
- SEPP (Biodiversity and Conservation) 2021
- SEPP (Resilience and Hazards) 2021

A detailed discussion is provided for relevant SEPP as follows:

SEPP (Housing) 2021

Chapter 4 Design of residential apartment development

The application was referred to the DEAP on 8 October 2025. The DEAP's comment of the proposed development against the nine design quality principles under the Apartment Design Guide (ADG) and a planning response where relevant are set out in **Table 1** of this report. The amended plans were not

further reviewed as it was not required by the DEAP or considered necessary given the minor changes to the original plans (refer to planning response were relevant).

Table 1: Assessment against the Nine Design Quality Principles

Principle 1: Context and Neighbourhood
DEAP comment: *The local context is varied in scale, form and architecture. The proposal is of a similar scale to many of the surrounding buildings with a two to three-storey expression in more solid masonry materials and a setback upper level in recessive colours and materials. It is considered an appropriate response.*
Principle 2: Built Form and Scale
DEAP comment: *The proposal does achieve this principle in the following ways:* • *The expression, achieved by use of projecting balconies, of two storeys to Old South Head Road and three storeys to Stanley Street is aligned with existing local scale and built form.*
Principle 3: Density
DEAP comment: *Subject to a planning review of the gross floor area (GFA) method of measurement the proposal seems to be close to the permissible area deemed appropriate for the site. Review of GFA calculations at the lobby of each level should be considered.* **Planning response:** The GFA and FSR have been considered and reviewed by the Assessment Planner and are considered accurate. The FSR is further discussed in Section 2.1.2 of this report.
Principle 4: Sustainability
DEAP comment: *The proposal does achieve this principle in the following ways:* • *Single level apartments will achieve high levels of cross ventilation particularly in coastal locations as well as high levels of natural light.* • *Integrated landscape contributes a health and wellness aspect of living in the development.*
Principle 5: Landscape
DEAP comment: *The proposal does achieve this principle however the panel notes the following for review:* • *The proposal integrates a high level of landscaping which is supported by the panel.* • *The panel raised some concerns with regard to the lower level open space as it is contained on all sides and may not be well ventilated or able to drain easily. This zone could potentially be improved if it could be more open at the eastern end. Or should be demonstrated with more detail to confirm is appropriateness.* • *A portion of the front garden could be considered for communal use. This will put an emphasis on communal maintenance for the address and visibility from the street. And provide a moment for social interaction between residents if this can be achieved without compromising privacy between private and communal areas.* **Planning response:** The ADG requires that 70% of the apartments receive at least 2 hours solar access mid-winter. The proposal provides 75% of apartments with sufficient solar access to meet this control

with Unit 1 at the lower ground level apartment being the apartment that does not achieve 2 hours of solar access to either the living area windows or the private open space. Notwithstanding, Unit 1 utilises the setback from Stanley Street as private open space and the eastern elevation is fully glazed and openable for the full width, allowing for morning light and some solar penetration. The amended plans have introduced additional full height northern windows to the two bedrooms at this level to increase light penetration.

Unit 1 at the lower level utilises the setback from Stanley Street as private open space as well as the northern side setback. The northern side setback is narrow and overshadowed however the principal private open space on the eastern side adjoining Stanley Street is an open area with adequate dimensions and solar access at midday. Stormwater issues with the northern side setback have been addressed in the amended plans.

Communal use of the open spaces provided from the street setbacks are not considered appropriate due to privacy impacts upon the windows adjoining these spaces and the small area of each which would not result in meaningful, useable area. Each apartment has generous balconies or private courtyards to meet user needs. Additionally, Kimberley Reserve is opposite the site to the east and provides an abundance of open space for community use. In this regard, communal open space is not considered necessary on this site.

Principle 6: Amenity

DEAP comment: *The proposal should review the following:*

- *Provision of communal open space as noted above. This can be sufficient for a sense of address, some communal seating and a sense of entry.*
- *The amenity of the main bedroom on the lower ground floor can be improved. Moving the RWT and having a second window. And making the indent in the building where the primary window is located as open to the sky as possible is suggested. These should be reviewed in conjunction with a review of the car lift to see if the open space can be made more open for light and ventilation.*

Planning response: Refer to previous discussion regarding communal open space. The amended plans have added a window to the main bedroom by moving the rainwater tank. No changes have been made to the car lift in the amended scheme as the applicant has stated that there would be no material solar access benefit gained from any change to the car lift. Notwithstanding, the proposal meets the minimum requirements of the ADG in terms of solar access as previously discussed.

Principle 7: Safety

DEAP comment: *The panel did not identify any key safety issues.*

Principle 8: Housing Diversity and Social Interaction

DEAP comment: *The proposal integrates additional housing and more diverse liveability (for eg. Silver liveable).*

Principle 9: Aesthetics

DEAP comment: *The proposal should review the following:*

- *The panel noted that in the presentation material the black colour of the cladding at the upper level appears very dark. Further material detail should be provided to confirm the material palette.*

Planning response: The amended plans have changed the black colour to a dark bronze. The darker colour to the upper level is to distinguish it from the base of the building below consistent with the emerging character of the streetscape and the adjoining building to the north.

Apartment Design Guide

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

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

If a DCP contains provisions that specify requirements, standards or controls in relation to a matter to which this clause applies, those provisions are of no effect. An assessment against the provisions within the ADG is provided in **Table 2** of this report.

Table 2: Apartment Design Guide

Design Criteria	Compliance	Comment
Part 3 Siting the development		
3A Site analysis	Yes	A satisfactory site analysis was provided with the application.
3B Orientation	Yes	The proposed building has been orientated and designed to relate to the shape of the site, addressing both street frontages.
3C Public domain interface	Yes	The proposed building provides a satisfactory interface with the public domain addressing both street frontages. The vehicular entry from Stanley Street is appropriate given that Old South Head Road is a classified road under the provisions of SEPP (Transport and Infrastructure) 2021. This SEPP requires vehicular entry from a road other than a classified road where it is safe and practicable (refer to discussion elsewhere in this report).

Design Criteria	Compliance	Comment
		Pedestrian entry is provided from Old South Head Road to the main entry foyer and from Stanley Street directly to the carpark.
3D Communal and public open space • *Minimum of 25% of site* • *Minimum of 50% direct sunlight to the principal usable part on winter solstice*	No	The proposal provides no communal open space. Communal use of the open spaces provided from the street setbacks are not considered appropriate due to privacy impacts upon the windows adjoining these spaces and the small area of each which would not result in meaningful, useable area. Each apartment has generous balconies or private courtyards to meet user needs. Additionally, Kimberley Reserve is opposite the site to the east and provides an abundance of open space for community use. In this regard, communal open space is not considered necessary on this site.
3E Deep soil zones • *7% of the site, deep soil zones should be provided* • *Min dimension of 3m*	Yes	The proposal provides 63.6m^2 of the site as deep soil (with the minimum dimension) equating to 16.1% of the site.
3F Visual privacy *Min separation distances from buildings (windows and balconies) to side and rear boundaries:* • *Up to 12m (4 storey) – 6m habitable & 3m non-habitable*	No	Refer to detailed discussion following this table.
3G Pedestrian access and entries	Yes	The proposal provides a central lobby accessed from Old South Head Road along the southern boundary of the site. The entry is connected to, and addresses the public domain, is easily identifiable and provides a strong connection with the streetscape.
3H Vehicle access	Yes	Vehicular access is provided from Stanley Street via a single vehicular access to a car lift to the two basement levels.
3J Bicycle and car parking	Yes	Under clause 148 of the Housing SEPP, the car parking must be equal to, or greater than, the recommended minimum amount of car parking specified in this part. This is a non-discretionary development standard that if complied with,

Design Criteria	Compliance	Comment
		prevents the consent authority from requiring more onerous standards for this matter. The car parking will be provided within two levels of underground car park accessed via a driveway from Stanley Street. The car parking rates of Waverley Development Control Plan 2022 (Waverley DCP 2022) apply to this development as the DCP rates are less than the minimum of the *'Guide to Traffic Generating Developments'* as discussed in section 2.1.3 of this report.
Part 4 – Designing the building		
4A Solar and daylight access • *Living rooms and private open spaces of at least 70% of units receive minimum of 2 hours direct sunlight between 9am-3pm mid-winter* • *A maximum of 15% receive no direct sunlight between 9am-3pm mid-winter.*	Yes	• 75% (3 of 4) of apartments receive at least 2 hours to living room windows and private open spaces. • No apartments receive no solar access.
4B Natural ventilation • *All habitable rooms are naturally ventilated* • *Number of units with natural cross ventilation is maximised:* - *At least 60% of units naturally ventilated in the first 9 storeys of the development.*	Yes	• All habitable rooms are provided with a window for natural ventilation. • All apartments (100%) are naturally cross-ventilated with a minimum of three aspects.
4C Ceiling heights • *Habitable rooms – 2.7m* • *Non-habitable rooms – 2.4m*	Yes	Under clause 148 of the Housing SEPP, the ceiling heights must be equal to, or greater than, the recommended minimum ceiling heights specified in this part. This is a non-discretionary development standard that if complied with, prevents the consent authority from requiring more onerous standards for this matter.

Design Criteria	Compliance	Comment
		All habitable levels provide 3150mm floor to floor, which is sufficient to achieve 2.7m ceiling heights.
4D Apartment size and layout *The following minimum internal areas apply:* • *2 Bed = 70 m^2* • *3 Bed = 90 m^2* • *Add 5m^2 for each additional bathroom (above 1)* • *Add 12m^2 for each additional bedroom* *Every habitable room must have a window in an external wall with a total minimum glass area of not less than 10% of the floor area of the room.* *Maximum depth of open plan living layouts is 8m.*	Yes	Under clause 148 of the Housing SEPP, the internal area for each apartment must be equal to, or greater than, the recommended minimum internal area specified in this part. This is a non-discretionary development standard that if complied with, prevents the consent authority from requiring more onerous standards for this matter. All apartments have internal areas equal to, or greater than, the minimum required internal areas. Sufficient windows are provided to achieve compliance with the minimum glazed area to each habitable room. Habitable room depths and widths are in accordance with the design criteria. All bedrooms meet the minimum requirements in terms of dimensions and area. All kitchens are separate to the circulation spaces. The proposal is generally consistent with the objectives and design guidance of this part of the ADG.
4E Private open space and balconies *All apartments provide primary balcony as follows:* • *2-bed – 10m^2 & 2m depth* • *3-bed - 12m^2 & 2.4m depth* • *Ground level, min 15m^2 & 3m depth*	Yes	All apartments are provided with a balcony and/or courtyard accessed from the main living areas which meet the minimum requirements of the ADG in terms of area and depth. Secondary balconies or a courtyard are also provided off bedrooms on the western elevation above lower ground floor level. The design of the balconies and courtyards is integrated into, and contributes to, the architectural form and detail of the building. The finishes of the balconies is consistent with the contemporary palette of materials in the building overall. Screens or solid side walls are provided to enhance privacy.
4F Common circulation and spaces • *Max of 8 units accessed off a*	Yes	The proposal provides one apartment per floor.

Design Criteria	Compliance	Comment
circulation core on a single level		
4G Storage *In addition to kitchens, bathrooms and bedrooms, the following is provided:* • *2-bed – 8m^3* • *3-bed – 10m^3*	Yes	All apartments provide sufficient storage to meet the requirements of the ADG. Each apartment provides internal storage within the apartment and has access to a separate storage room at the lower ground floor level.
4H Acoustic privacy	Yes	Windows and door opening are generally oriented away from noise sources. The living area windows are oriented toward Stanley Street away from the noise source of Old South Head Road. The Architect has stated that the window and door systems are designed to meet specific acoustic performance requirements, effectively minimising noise impact from Old South Head Road. The internal planning of apartments is consistent with the ADG in regard to this issue.
4J Noise and Pollution	Yes	The Architect has stated that the window and door systems are designed to meet specific acoustic performance requirements, effectively minimising noise impact from Old South Head Road.
4K Apartment mix	Yes	The proposal provides a mix of two and three-bedroom apartments.
4L Ground floor apartments	Yes	The ground floor apartments are considered appropriate with sufficient setbacks from the street and landscaping to ensure privacy from the street.
4M Facades	Yes	The proposal provides visual interest along the street and respects the character of the area. The palette of materials is considered appropriate and reflective of the desired future character.
4N Roof design	Yes	The roof provides plant and solar panels, all of which are set back an appropriate distance from the outer edges of the roof or are largely concealed by a parapet to ensure low visibility from surrounding areas and within the streetscape.

Design Criteria	Compliance	Comment
4O Landscape design	Yes	Landscaping will be provided around the perimeter of the site; within the rear and front setbacks; and within planters at the upper levels. The landscaping is considered appropriate and will contribute to the site and area.
4P Planting on structures	Yes	The proposal provides landscaped planters to balconies to provide visual interest and enhance privacy.
4Q Universal Design	No (conditioned)	The objective requires a benchmark of 20% of apartments to achieve silver level universal design features. A condition to this effect is included in Appendix A.
4U Energy efficiency	Yes	A BASIX Certificate was provided with the application. Additionally, a condition regarding sustainability and energy efficiency is included in Appendix A.
4V Water management and conservation	Yes	A BASIX Certificate has been provided with the application which indicates that the proposal will meet the required water target. A rainwater tank is provided for water reuse on site. An on-site detention tank is also provided in accordance with Council's requirements under the DCP.
4W Waste management	Yes	The proposal provides sufficient waste storage areas within the basement and will be collected on street. This is considered acceptable.
4X Building maintenance	Yes	The guideline suggests that building design should provide protection from weathering, systems and access for maintenance and materials which reduce ongoing maintenance costs. There is no evidence to suggest that the proposed building could not achieve this through the detailed construction certificate documentation process.

The following is a detailed discussion of the issues identified in **Table 2** above.

Separation Distances

The main living area windows are located on the eastern side of the building oriented toward Stanley Street. The setback from Stanley Street to windows is 6m complying with the control. The principal balconies accessed from these living areas are orientated toward Stanley Street also and these are set back 3.5m from the boundary. These have outlook to Stanley Street and Kimberley Reserve opposite the site. The amended plans have included solid side boundary walls for most of these balconies on the southern side to inhibit direct viewing into No. 669A Old South Head Road, to the south of the site. The adjoining development to the north, No. 2 Stanley Street, is a four-storey RFB with a loading and

unloading area on the shared boundary with the subject site as demonstrated in **Figure 7** below. Windows on the RFB at 2 Stanley Street are set back from the shared boundary by the width of the loading bay and are orientated away from the shared boundary or are screened. In this regard, privacy impacts from the eastern balconies are not considered unreasonable.

Figure 7: Loading area located to the north of the subject site at 2 Stanley Street viewed from Stanley Street (single storey building on the left of the image is the subject site).

The proposal also includes balconies and windows on the western elevation oriented toward Old South Head Road. These balconies are accessed from bedrooms which are rooms of low use with limited privacy impacts. The balconies are also small in size, being approximately 7.5m^2 in area and separated from the nearest balconies at No. 2 Stanley Street by 8.5m. The balconies are set back from the southern boundary with No. 699A Old South Head Road and are orientated away from this property with landscaped planters between. These privacy measures are considered to ameliorate any unreasonable privacy impacts and the western balconies are considered acceptable.

The proposal has limited windows on the side elevations, predominantly to non-habitable rooms or bedrooms. These windows have privacy screens or are obscure glazed except at the lower ground floor level where fencing will inhibit viewing into adjoining properties.

The proposal provides small side balconies with limited dimensions and an area of only 2.1m^2 on the northern side of the building which are accessed from bedrooms. Given these are accessed from low use rooms with fewer privacy impacts; have a small size that would hold a very limited number of occupants; and overlook the driveway and side landscaped area of the adjoining property, they are considered acceptable and unlikely to result in unreasonable privacy impacts.

Given the above analysis, it is considered that the proposal will not have unreasonable privacy impacts upon surrounding properties.

SEPP (Transport and Infrastructure) 2021

Subdivision 2 of Division 17 *Roads and traffic* applies to the development as Old South Head Road is a classified road. Clause 2.119 *Development with frontage to classified road* requires the following:

(2) The consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that—

(a) where practicable and safe, vehicular access to the land is provided by a road other than the classified road, and

(b) the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of—

(i) the design of the vehicular access to the land, or

(ii) the emission of smoke or dust from the development, or

(iii) the nature, volume or frequency of vehicles using the classified road to gain access to the land, and

(c) *the development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road.*

The proposal provides vehicular access from Stanley Street, rather than the classified road (Old South Head Road) consistent with clause 2(a). This is consistent with the other properties with frontage to Stanley Street and is the safe and practical road for vehicular access. The design of the basement area is furthest away from the classified road, does not result in any impact upon the ongoing operation of the classified road, and the volume of vehicles using the classified road to gain access to the land is low.

The living area windows are oriented toward Stanley Street away from the noise source of Old South Head Road. The Architect has stated that the window and door systems are designed to meet specific acoustic performance requirements, effectively minimising noise impact from Old South Head Road.

The proposal is considered to be consistent with the relevant clauses of this 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 3: Waverley LEP 2012 Compliance Table

Provision	Compliance	Comment
Part 1 Preliminary		
1.2 Aims of plan	Yes	The proposal is consistent with the aims of the LEP.
Part 2 Permitted or prohibited development		
Land Use Table *R3 Medium Density Residential Zone* • *To provide for the housing needs of the community within a medium density residential environment.* • *To provide a variety of housing types within a medium density residential environment.* • *To enable other land uses that provide facilities or services to meet the day to day needs of residents.* • *To maximise public transport patronage and encourage walking and cycling.* • *To increase or preserve residential dwelling density.* • *To encourage the supply of housing, including affordable housing, that meets the needs of the population, particularly housing for older people and people with disability.* • *To provide development that is compatible with the desired future character and amenity of the surrounding neighbourhood.* • *To promote development that incorporates planning and design measures that reduce the urban heat island effect.* • *To improve the urban tree canopy by providing high*	Yes	The proposal is defined as a RFB, which is permitted with consent in the R3 zone. The proposal is generally consistent with the objectives of the R3 zone as it continues to contribute to the variety of housing types within a medium density environment. The basement car park accommodates vehicular and bicycle parking and does not seek more than the minimum requirements of the DCP thereby encouraging public transport patronage, walking and cycling. The proposal will increase the number of dwellings on the site. The proposal does not provide affordable housing; however, will increase housing density within the area contributing to the longer term goal of providing more housing to meet demand. This, in turn, impacts housing affordability in the longer term. The proposal is compatible with the desired future character and preserves the amenity of the surrounding neighbourhood. Deep soil landscaping will be provided and the proposal will increase the urban canopy through the provision of additional trees and landscaping on the site. This will contribute to a reduction in the urban heat island effect.

Provision	Compliance	Comment
levels of deep soil planting and additional landscaping.		
Part 4 Principal development standards		
4.3 Height of buildings • *12.5m*	No	The proposal has a maximum height of 13.93m exceeding the development standard by 1.43m or 11.4%.
4.4 Floor space ratio and • *0.9:1*	No	The proposal has a maximum GFA of 410.2m^2 or FSR of 1.04:1, exceeding the development standard by 54.34m^2 or 15.3%.
4.6 Exceptions to development standards	See discussion	The application is accompanied by written requests pursuant to clause 4.6 of Waverley LEP 2012 to vary the FSR and height development standards. A detailed discussion of the variation to the development standards is presented below this table.
Part 5 Miscellaneous provisions		
5.21 Flood Planning	Yes	A small portion of the northern side boundary of the site is flood affected. Amended stormwater plans were provided which have been reviewed by Council's Stormwater Engineers and are considered satisfactory. Council's Stormwater Engineers advise that '*the proposed ground floor RL 64.25 is higher than new 1% AEP (approximately RL at affected area is 63.7)'.*
Part 6 Additional local provisions		
6.2 Earthworks	Yes	The proposal provides two levels of basement parking located below ground. A Geotechnical Desktop Study was provided with initial recommendations in regard to ground water, vibration monitoring, footings etc. Further geotechnical reports are required by condition during the construction phase. Conditions relating to excavation are recommended in the consent conditions. The proposal, subject to conditions, is considered to be consistent with this clause of the LEP.
6.14 Waste minimisation and recycling	Yes	Waste storage rooms for bins and bulky waste have been included in the basement levels

Provision	Compliance	Comment
		which are capable of providing the required number of bins. A condition specifying the bin numbers and the waste management plan specifics are also recommended in the conditions of consent.
6.15 Stormwater Management	Yes	The proposal was referred to Council's stormwater engineers who reviewed the proposal and raised no issues in relation to stormwater and flooding subject to conditions which are recommended.
6.17 Affordable housing contributions	Yes	This clause requires development for the purposes of a new RFB, multi-dwelling, shop top housing or independent living unit to provide a contribution towards affordable housing by way of monetary contribution or dedication of unit/s. The applicant has opted to provide a contribution. An assessment against Clause 6.17 is provided as follows: • 1% of 410.2m^2 is 4.102m^2 • 4.102m^2 x $25,000 (Vaucluse benchmark rate) = $102,550 A condition regarding the contribution (as agreed by the Applicant) is recommended in Appendix A.

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

Clause 4.6 Exceptions to Development Standards - Height of buildings

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

The site is subject to a maximum height development standard of 12.5m. The proposed development has a maximum height of 13.93m, exceeding the standard by 1.43m equating to a 11.4% variation.

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

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

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

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

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

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

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

(i) *The proposal preserves the environmental amenity of the neighbouring properties and the locality.*

(ii) *There is no adverse view loss attributed the areas of additional height above the standard. The non-compliant portion of the lift overrun sits in the background of the predominantly compliant lift overrun envelope. It is notable that the building itself, minus the overrun, is substantially lower than the height standard. The length of the parapet that is non-compliant is de minimis and exists only as a product of being measured against an exaggerated existing ground level caused by the existing subterranean garage level on the site.*

(iii) *There are no privacy impacts attributed to the area of height non-compliance, being a lift overrun wall and slither of the parapet. Furthermore, privacy impacts for the development as a whole are regulated through offering limited openings on the side elevations of the building, with balconies predominantly facing the rear and front of the site.*

(iv) *There is no impact to the solar access to neighbouring and adjacent buildings as a result of the area of height non-compliance. Solar access to neighbouring and adjacent buildings is consistent with the anticipated impact of the medium density controls. Notably the building sits almost a storey below the height limit in many areas.*

(v) *The height of the building is consistent with the desired future character of the locality as its envelope is generally within that anticipated for this site.*

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

(i) *The building generally complies with height standard despite the extant excavation on the site arising from the garage below the existing building that exaggerates the non-compliance.*

(ii) *The variation in height to the building itself when the lift overrun is excluded is marginal and imperceptible, at 1.76% only, and relating only to a slither of the parapet at the rear of the site, whereby the same level parapet complies for the overwhelming majority of the building, demonstrating that it meets the purpose of the height standard.*

(iii) *The variation in height to the lift overrun's rear wall is required to facilitate equitable access to all levels by virtue of allowing a lift overrun to peak through the height plane. Shuffling the lift back 300mm towards the west would eliminate the variation, however it is not necessary and would not provide any tangible or material planning benefit.*

(iv) *The design satisfies the Object 1(g) of the EP&A Act 1979 which seeks to promote good design and amenity of the built environment.*

(v) *The proposal is consistent with the objectives of the height development standard and the objectives of the zone.*

Consideration of Applicant's Written Request

The applicant's written request has correctly identified the development standard to be varied, relevant legislation and 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]. The applicant has provided sound justification establishing that the proposal is consistent with the objectives of the height development standard.

The relevant objectives of the height development standard are as follows:

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

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

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

The proposal exceeds the height development standard for a small portion of the roof as demonstrated in **Figures 8** and **9** below:

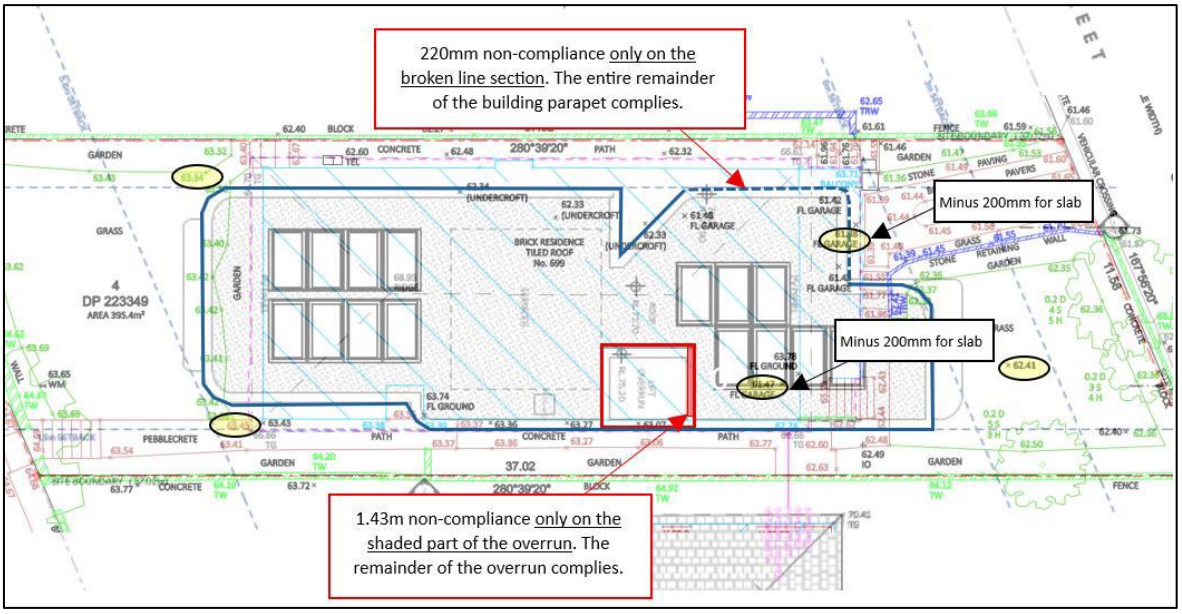


Figure 8: Roof plan and survey overlay indicating those parts of the roof above the height plane and the extent of the variations sought (Source: LK Planning).

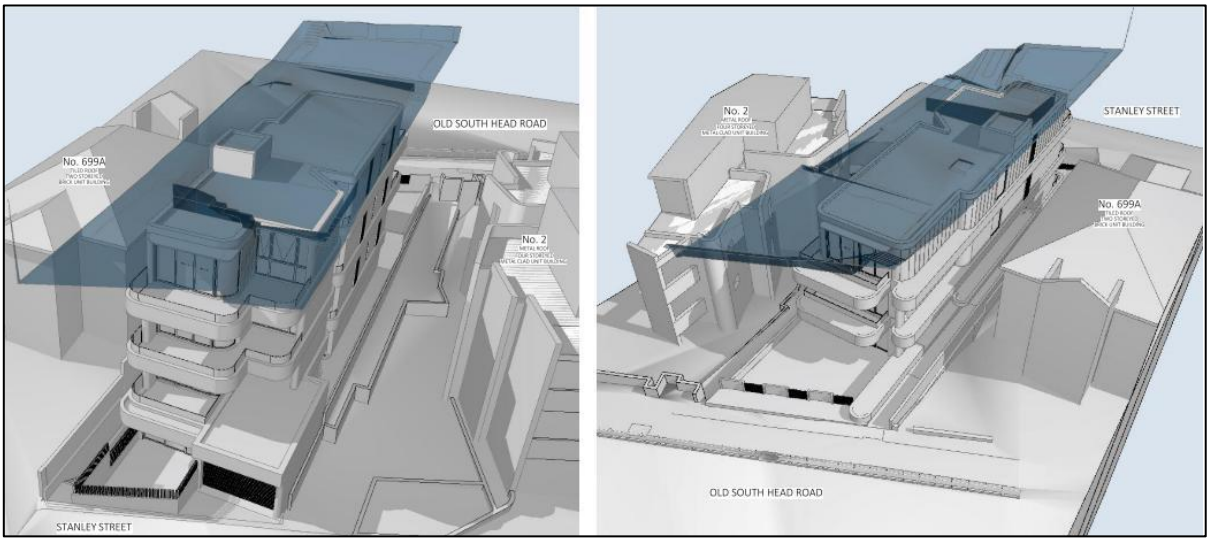


Figure 9: Three-dimensional height control plan indicating those areas outside of the height development standard (Source: LK Planning).

The variations to the height development standard are as a result of previous excavation to provide a garage level to the existing dwelling on the site and this is demonstrated in the section below in **Figure 10** which is extracted from the plan set. As shown in **Figure 10** the ground plane has a depression where the existing garage is located on the site with the remainder of the site having a consistent gentle slope from Old South Head Road to Stanley Street.

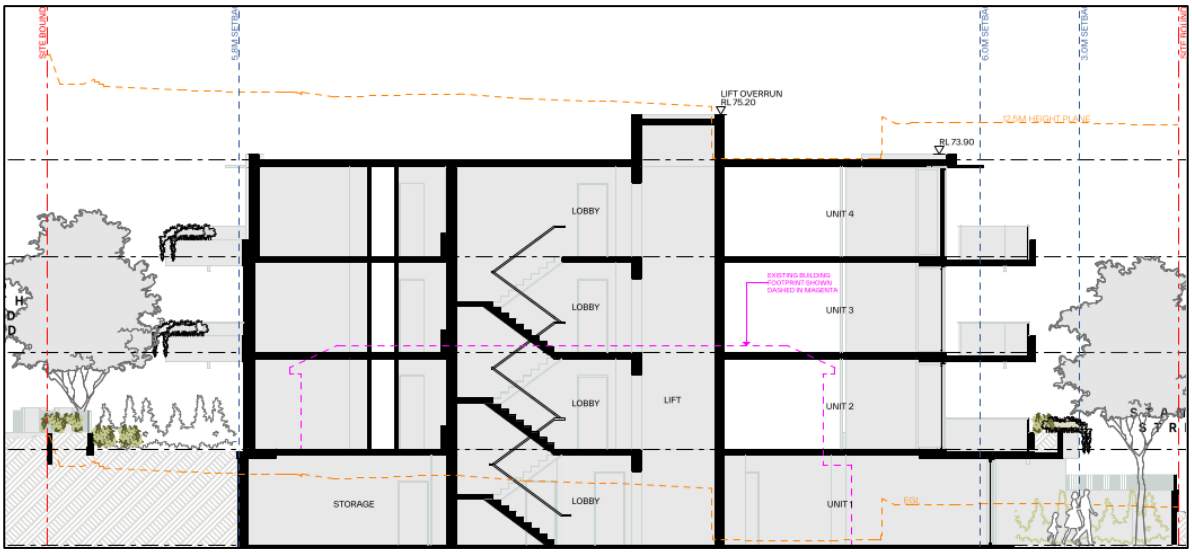


Figure 10: Extract of the section drawing demonstrating the height plane relative to the existing ground level.

Impacts from variations to the height development standard are assessed against the objectives of the height development standard. Objective (a) is to ensure building heights preserve the environmental amenity of neighbouring properties and public spaces and, if appropriate, the sharing of views. The relevant amenity impacts that result from the proposal are privacy, overshadowing and views.

There are no privacy impacts as a result of the height variation as that part that exceeds the height contains no habitable spaces.

View analysis diagrams were provided with the application that demonstrates the reasonably expected view impacts of the proposal from surrounding properties. The diagrams indicate that of the potentially affected properties, there will be only one property which will experience impacts upon significant views of the ocean with the remaining properties experiencing impacts upon outlook. The impacted property is located to the west of the site. The views experienced are partial views of the ocean over rooftops and between buildings. Existing dense street tree canopies largely obscure views from properties opposite.

Notwithstanding, the view impact analysis provides a potential view that is currently inhibited by existing vegetation at No. 58 Old South Head Road (located directly to the east of the affected site). 15 Clarendon Street, Vaucluse will experience marginal impacts upon views as demonstrated in extracts from the View Impact Assessment (VIA) in **Figures 11** to **14** below.

Figure 12 is from a drone photo taken above the roof of No. 58 Old South Head Road and is used to demonstrate the impact upon a potential view from No. 15 Clarendon Street. At present there is a hedge or vegetation, located on No. 58 Old South Head Road, which would obscure this view however NearMap photography indicates that this vegetation may be kept trimmed to enable a view from this property. In this regard, **Figure 12** is considered to be a view that could be achieved from 15 Clarendon Street if the hedge were trimmed.

Figure 11: Location plan of drone photo above roof of No. 58 Old South Head Road (represented by the orange circle).

Figure 12: Wireframes of the proposal showing the impact on views from the roof of No. 58 Old South Head Road (drone photo taken above roof) indicating the potential view from No.15 Clarendon St upper floor level.

Figure 13: Location plan of No. 15 Clarendon Street (represented by the orange circle).

Figure 14: Wireframes of the proposal showing the impact on views from No. 15 Clarendon Street.

In both situations above, the view impact is experienced due to the parts of the development which are compliant with the height development standard. The small variation to the parapet will not impact upon significant views over the site. The lift overrun impacts upon the significant view however, given that the majority of the lift overrun is height compliant, this impact results as a consequence of the height compliant part of the lift overrun. Shifting the lift to comply with the height development standard would not result in any decrease in view impacts.

To comply with the development standard, the development would simply shift further toward the west and drop the height marginally in the north-east corner of the roof. This would not result in any discernible improvement upon the amenity of surrounding properties by way of overshadowing or view

impacts. In this regard, it is considered unnecessary and unreasonable to enforce compliance with the height development standard for no material gain to the amenity of surrounding properties.

The proposal is consistent with the desired future character of the area providing a RFB of similar bulk and scale to surrounding properties that is anticipated in the medium density zone. The variation to the height development standard is centrally located on the roof and is a result of the slope of the land and previous excavation of the site which results in a depression in the centre of the site. The location of the height variation does not unreasonably increase the bulk and scale of the development and it will present to the street as an appropriately scaled RFB. The majority of the building sits below the height plane with only small elements, set back from the front and rear elevations, marginally exceeding the height development standard.

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

The additional height is contained to a small centralised part of the building where the lift is located and the leading edge of the rear portion of the roof. The applicant has satisfactorily argued that that there are sufficient environmental planning grounds to justify contravening the development standard. The variation is simply due the slope of the land and previous excavation of the site which has altered the ground level.

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

Conclusion

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

Clause 4.6 Exceptions to Development Standards - FSR

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 0.9:1. The proposed development has an FSR of 1.04:1, exceeding the standard by 54.34m^2 equating to a 15.3% variation.

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

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

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

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

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

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

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

(i) *The building will be perceived as 3 storeys from the Old South Head Road frontage. To Stanley Street, the building will appear as 3 storeys with a recessive fourth storey at the top level, set back from the building, which aligns with more recent development in the area and the WDCP controls.*

(ii) *Due to the topography of the site and its two street frontages, this building has a reduced front setback to Stanley Street. This results in additional GFA within this lower level.*

(iii) *In combination with the height standard, the side, front and rear setback controls in the DCP dictate the visual bulk anticipated from the street and the public domain. Apart from the 'rear' (eastern) setback, the proposal generally complies with the front and side setbacks. The reduced eastern setback is beneficial to the Stanley Street streetscape, and offers increased casual surveillance and engagement.*

(iv) *The surrounding context of more recent development includes similar three to four storey buildings. With the lower ground level, the building is generally in line with the maximum permissible height, apart from one wall of the lift overrun and a small slither of the building's parapet at the NE corner.*

(v) *If strict compliance were required, and the non-compliant component of floor space were removed, there would be no consequential change to the building's bulk or scale.*

(vi) *With respect to density, the residential flat building will have 4 units as anticipated by the R3 Medium Density residential land use zone, to meet the housing needs of the local area.*

(vii) *The bulk and scale of the building is compatible with the desired future character of the locality as its envelope is generally within that anticipated for this site. The proposed building respects the front building lines as dictated by the adjoining properties.*

(viii) *There is no adverse view loss attributed to the proposed development as the height of the built form is generally as anticipated by the WLEP controls.*

(ix) *There is no impact to the solar access to neighbouring and adjacent buildings as a result of the area of FSR non-compliance. Solar access to neighbouring and adjacent buildings is consistent with the anticipated impact of the medium density controls. Overshadowing diagrams demonstrate that the southern adjoining property is overshadowed by this development. This occurs irrespective of the non-compliant components of the building due to the site's east-west orientation.*

(x) *The building preserves privacy to the extent anticipated by the controls, with limited side-facing openings which are also screened.*

(xi) *In terms of the amenity of the locality, the landscape plan introduces 732 new plants onto the site and throughout the building, of which at least 428 (58%) are native species. Of the*

21 varieties of plants proposed, 13 (61%) are native species, that will enhance the biodiversity and landscape contribution of the site.

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

(i) *The proposal introduces increased housing supply in a desirable location with excellent connection to public transport, employment and recreational facilities.*

(ii) *The scale of the building is appropriately 3 storeys with a 4th recessive level above, as viewed from Stanley Street and 3 storeys as viewed from Old South Head Road, being generally within the WLEP height development standard.*

(iii) *The design, form and scale of the building is complementary to, and compatible with, the character of the locality, which is directly facilitated by the inclusion of a lower ground level that relates to the FSR variation.*

(iv) *The topography of the site lends itself to the utilisation of the lower level in a built form that responds to emerging development outcomes in this street.*

(v) *The additional floor area contained within Unit 1 on the lower ground level introduces a unit that can benefit from the site's unique characteristic of having a secondary street. The unit provides causal surveillance and a connection with the street that otherwise would not be possible if strict compliance were required.*

(vi) *Removing Unit 1 would reduce the opportunity to provide additional housing to address local housing demand in the face of the current housing crisis and reduce housing mix.*

(vii) *The additional floor area allows for the attainment of the Object of the Act that seeks to promote good design and amenity of the built environment. The scale of the building ensures it is compatible with its neighbouring residential flat buildings.*

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

Consideration of Applicant's Written Request

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

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

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

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

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

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

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

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

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

The relevant objectives of the FSR development standard are:

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

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

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

The proposal predominantly complies with the height development standard except for small parts of the roof due to previous excavation of the site to provide a garage as previously discussed. The proposal provides three levels of habitable floor space above the existing ground level with an excavated level providing an additional apartment. Given the general compliance with the height development standard, it is reasonable to associate the additional floor space with the apartment at the lower ground floor level. The variation to the GFA equates to 54.34m^2 and the lower ground floor level apartment (Unit 1) has a GFA of 75m^2 so it could be argued that the additional floor space is contained to this level. The lower ground floor level is predominantly excavated below the existing ground level however presents to Stanley Street as part of the four-storey form of the development. If Council were to require strict compliance with the FSR development standard, the apartment would be removed. In material terms, there would be no substantial reduction in the height or bulk of the proposal by enforcing compliance.

Unit 1 will be excavated into the site, largely below the existing ground level and as such, will not result in additional privacy impacts upon adjoining properties due to boundary fencing obscuring views into surrounding properties. The living area windows are located on the eastern elevation oriented toward Stanley Street where there are no privacy impacts.

Unit 1, being at the lower ground floor level and excavated into the site, will not impact upon views from surrounding properties and will not unreasonably increase the bulk and scale of the building. As

previously discussed, the proposal is consistent with the desired future character of the area providing a RFB of similar bulk and scale to surrounding properties that is anticipated in the medium density zone.

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

The additional floor space is generally contained to Unit 1 at the lower ground floor level which is to be excavated into the site. The applicant has satisfactorily argued that that there are sufficient environmental planning grounds to justify contravening the development standard. The variation will not result in unreasonable amenity impact to surrounding properties or the locality. The variation allows the provision of an additional two-bedroom apartment on the site that strict compliance would negate. This allows the provision of more dwellings within the locality.

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

Conclusion

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

2.1.3. Waverley Development Control Plan 2022 (Waverley DCP 2022) (Amendment 5)

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

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

Development Control	Compliance	Comment
1. Waste • *Garbage bins are to be stored in an appropriate location.*	Yes	Satisfactory.
2. Ecologically Sustainable Development • *Ceiling or wall mounted fans* • *Gas cooktops, gas ovens or gas internal space heating systems.*	Yes	Satisfactory. The proposal provide electric cooking and heating as outlined in the BASIX Certificate. Solar photovoltaic cells are to be provided on the roof and ceiling fans are shown in all bedrooms. Notwithstanding, a condition will require ceiling or wall fans in all habitable rooms
3. Landscaping, Biodiversity and Vegetation Preservation	Yes	The proposal includes the removal of trees and hedges however these are to be replaced on site. The proposal has been reviewed by Council's Tree Management Officer who raised no issues with the removal and

<table>
<tr><th>Development Control</th><th>Compliance</th><th>Comment</th></tr>
<tr><td></td><td></td><td>replacement of trees. Suitable conditions are recommended.</td></tr>
<tr><td>5.Water Management</td><td>Yes</td><td>Satisfactory, subject to recommended conditions.</td></tr>
<tr><td>6. Accessibility and Adaptability</td><td>Yes</td><td>Satisfactory.</td></tr>
<tr><td>7. Transport
7.1 Streetscape

7.2 On-Site Parking

7.2.1 Vehicle Access

7.2.2 Parking Rates
Minimum parking rate:
• Nil
Maximum parking rate:
• 6 resident spaces

7.2.5 Motorcycle Parking
Resident: 2

7.2.6 Bicycle Parking
Resident: 4

7.8 Electric Vehicle Charging Points</td><td>Yes</td><td>The subject site is located within Parking Zone 2.

As previously outlined, the carpark is accessed from Stanley Street which is considered appropriate as Old South Head Road is a classified road.

The proposal provides six resident parking spaces and four motorcycle spaces within two levels of basement parking complying with the controls of the DCP.

Four bicycle spaces are also provided within the basement carpark consistent with the DCP.

Conditions regarding electric vehicle charging are recommended in Appendix A.

Council’s Traffic Engineers have reviewed the application and state the following in regard to traffic generation:

According to Transport for NSW’s (TfNSW) Guide to Transport Impact Assessment (Version 1.1), the residential component of this development will generate:
• AM peak hour vehicle trips = 0.39 trips per dwelling
• PM peak hour vehicle trips = 0.37 trips per dwelling.

With application of TfNSW’s trip generation rates, the proposed development will generate the following vehicle trips:

<table>
<tr><td></td><td colspan="2">Rate (vehicle trips/dwelling)</td><td colspan="2">Trip Generation</td></tr>
<tr><td>Use</td><td>AM</td><td>PM</td><td>AM</td><td>PM</td></tr>
</table>
</td></tr>
</table>

<table>
<tr><th>Development Control</th><th>Compliance</th><th>Comment</th></tr>
<tr><td></td><td></td><td>
<table>
<tr><td>Medium density RFB's (9 dwellings)</td><td>0.39 per dwelling</td><td>0.37 per dwelling</td><td>1.56</td><td>1.48</td></tr>
<tr><td colspan="3">Total</td><td>2 (rounded)</td><td>2 (rounded)</td></tr>
</table>

Traffic impacts can be accommodated within the existing road system.
</td></tr>
<tr><td>9. Safety</td><td>Yes</td><td>Satisfactory.</td></tr>
<tr><td>11. Design Excellence</td><td>Yes</td><td>Satisfactory.</td></tr>
<tr><td>13. Excavation</td><td>Yes</td><td>The excavation does not add to the visual bulk and scale of the development. The basement carpark is contained below the existing ground level.

The excavation is for the full width of the site and as such, a Geotechnical Desktop Study was provided with initial recommendations in regard to vibration monitoring, footings and protection of adjoining properties etc. Further geotechnical reports are required by condition during the construction phase.

Standard conditions are recommended in relation to the excavation to ensure the protection of adjoining properties.</td></tr>
<tr><td>15. Public Domain</td><td>Yes</td><td>Satisfactory.</td></tr>
</table>

Table 5: Waverley DCP 2022 – Part C2 Other Residential Development Compliance Table

Development Control	Compliance	Comment
2.1 Site, scale and frontage		
• *Minimum frontage: 15m – R3 zone*	No	The site has frontage to Old South Head Road frontage for a length of 11.58m. The site also has secondary frontage to Stanley Street also for a length of 11.58m. The proposed development largely complies with the DCP in regard to the key built form controls of height, setbacks and landscaping. The envelope in which the building is contained could reasonably

Development Control	Compliance	Comment
		be expected for this site. The apartments are provided over a single level each and meet the minimum area, solar access and ventilation requirements of the ADG. In this regard, it is considered that the site width is adequate to accommodate a medium sized RFB on the site. The proposal will not result in site isolation of surrounding sites.
2.2 Height		
• *Maximum external wall height:* *R3/12.5m – 9.5m*	No	The proposal sets back the upper floor level from the front and rear however not from the sides. This results in a wall height of 12.5m in parts. The upper floor level is set in from the level below providing articulation to the built form and softening the visual bulk and scale of the development. The proposal is below the maximum height permitted for the majority of the building. The wall height is also not out of character with the older style of RFB's within the vicinity of the site. The increased wall height does not unreasonably impact upon the amenity of surrounding properties. In this regard, the wall height is considered appropriate to the site and development.
2.3 Setbacks		
2.3.1 Street setbacks • *Consistent street setback*	Yes	Street setbacks are consistent with the predominant setbacks of building within the vicinity on both Stanley Street and Old South Head Road.
2.3.2 Side and rear setbacks • *Minimum side setback: 1.5-2.5m* • *Minimum rear setback: 6m or predominant rear building line, whichever is the greater setback* • *Deep soil along side boundary min 2m wide*	No	The proposal provides 1.5m side setbacks complying with the control. Stanley Street is technically the rear of the site however given it is a street frontage, it is considered more appropriate to respond to the predominant street setbacks. The setback is consistent with the adjoining development to the north which also addresses Stanley Street. This is considered appropriate. No deep soil zone along side boundary – deep soil provided within the front and rear setbacks. Given

Development Control	Compliance	Comment
		the limited width of the site, this is considered satisfactory.
2.4 Length and depth of buildings		
• *Maximum building length: 24m* • *Façade to be articulated* • *Maximum RFB depth: 18m*	Yes	The building length along the street is 8m. The façade is appropriate articulated on both the Stanley Street and Old South Head Road frontages, through the use of balconies, materials, landscaped planters and varying setbacks. The depth of the RFB exceeds 18m at 22m however provides articulation along the side elevations through the use of setbacks and varying materials. The apartments are over a single floor and as such have aspects on all sides for light and ventilation.
2.5 Building design and streetscape		
• *Respond to streetscape* • *Sympathetic external finishes*	Yes	The proposal provides a contemporary RFB which addresses both Old South Head Road and Stanley Street. The materials are considered appropriate to the site and location. The landscaping surrounding the building, and along the street frontages, will contribute to the streetscape and the area. The proposal responds appropriate to the streetscape, the site and exhibits design excellence.
2.6 Attic and roof design		
• *Roof design should contribute to the architectural design and the environmental performance of the development.* • *Roof design should respond to the streetscape character of the area.* • *Contemporary roof forms are permitted to minimise bulk and scale and respond appropriately to the context.*	Yes	The proposal provides a flat roof with the upper floor set back from the level below at the street frontages to reduce the bulk and scale of the building. The roof design is consistent with recent contemporary RFB development within the area. The recessive darker colour to the upper level is similar to the redevelopment adjoining to the north at No. 2 Stanley Street. The flat roof form minimises the bulk and scale of the building and is highly utilised for new development within the area given the coastal views to the east.

Development Control	Compliance	Comment
2.7 Fences and walls		
Front fence: • *Maximum height 1.2m* • *Maximum 2/3 solid* • *Maximum height of 1.8m and solid when secondary wall set within property if required for traffic noise* *Side fence:* • *Maximum height: 1.8m* *Rear fence:* • *Maximum height: 1.8m*	Yes	The proposal provides a low boundary wall along the Old South Head Road frontage of the site. Beyond this wall will be a planter to provide landscaping along this frontage and set further back beyond will be a higher courtyard wall for privacy for Unit 2. This will contribute to the streetscape and provide privacy for occupants of the development. A 1.2m-1.6m boundary fence will be provided on the Stanley Street frontage. This will have a solid base with a more open upper portion. This allows privacy to the private courtyard for Unit 1 and is consistent with the streetscape in Stanley Street. Side boundary fencing will be 1.8m high.
2.8 Pedestrian access and entry		
• *Entry at street level and respond to pattern within the street* • *Accessible entry* • *Separate to vehicular entry* • *Legible, safe, well-lit*	Yes	Refer to previous discussion in **Table 2.** The proposal provides pedestrian entry from the Old South Head Road frontage that is accessible, legible and safe. The pedestrian entry is separated from the vehicular entry which is from Stanley Street.
2.9 Landscaping		
• *Comply with part B3-Landscaping and Biodiversity* • *Minimum of 30% of site area landscaped: 118.6m^2* • *50% of the above is to be deep soil: 59.31m^2*	No	The proposal provides landscaped area which meets the definition (ie, not over a structure) of 18% (71.4m^2) of the site area. However, when landscaping over structures (including side passageways, OSD tank and the green roof over the car lift), 43.6% (172.5m^2) of the site will be landscaped. This is considered appropriate for the site which will present to both streets with landscaped setbacks. The proposal provides 63.6m^2 of the site as deep soil meeting the minimum requirement of the DCP.
2.10 Communal open space		
• *Minimum 15% communal (R3 zone):* • *Minimum dimensions: 6m x 6m*	No	Refer to previous discussion in **Table 2.**

Development Control	Compliance	Comment
• *Minimum of 30% of communal area must receive three hours of sunlight* • *RFB and shop top housing may locate communal open space on rooftops subject to amenity impacts.*		
2.12 Vehicular access and parking		
• *Car parking to be integrated into the design of the development* • *Max 1 x 2 way vehicle access point* • *Provided from secondary street or lane* • *Pedestrian safety considered* • *Basement parking should not contravene deep soil zone controls*	Yes	The carpark is located within the basement and will not be visible above ground level. The proposal provides a single width driveway entry from Stanley Street, which is the secondary road to the site (given Old South Head Road is a classified road). There are no anticipated pedestrian conflicts by locating the vehicular entry on Stanley Street, particularly given the pedestrian entry from Old South Head Road. The proposal provides appropriate deep soil as previously discussed.
2.13 Solar access and overshadowing		
• *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	Shadow diagrams were provided in plan and three-dimensional form which demonstrate that overshadowing will fall upon the adjoining property to the south at No. 699 Old South Head Road, given it is due south of the site. Notwithstanding, the property will retain at least 2 hours to the front and rear yards throughout the day. Windows on the northern side elevation of this building will be overshadowed all day however this is to be expected upon any redevelopment of the site and it is noted that the existing building also overshadows the northern side elevation of No. 699A to some degree. Despite this, the reasonableness of the overshadowing impact is considered based on the performance and compliance of the development with relevant built form development standards and controls as well as the site's orientation.

Development Control	Compliance	Comment
		As detailed previously in this report, the proposal exceeds the height development standard however for only a small portion of the roof parapet and the eastern face of the lift overrun. The remainder of the proposed building remains at, or below, the height development standard. The minor breaches of the height development standard will not result in unreasonable additional overshadowing particularly beyond that of a height compliant form. The proposed development also breaches the FSR development standard, however this is contained to the apartment at the lower ground floor level which is partially excavated into the site. Compliance with the FSR development standard would result in the removal of the lower ground floor apartment however the height would be largely retained. The additional GFA therefore does not result in any additional overshadowing than an FSR compliant form. The proposal also complies with the setback controls and deep soil and is considered acceptable in regard to the landscaped area. Based on the proposal's compliance with the key built form controls, any additional overshadowing impact caused by the proposed development is deemed reasonable and non-adverse and anticipated for any compliant redevelopment of the subject site.
2.14 Views and view sharing		
• *Minimise view loss through design* • *Landscaping on sites adjacent to a Council Park or reserve should be sympathetic to soften the public/private interface* • *Views from public spaces to be maintained*	Yes	Refer to detailed discussion following this table.
2.15 Visual privacy and security		
	Table 2	Refer to previous discussion in **Table 2** for discussion regarding privacy.

Development Control	Compliance	Comment
2.19 Acoustic privacy		
• *Internal amenity by locating noisy areas away from quiet areas*	Yes	Acoustic privacy has been considered in the design by locating rooms with similar uses above and below each other. The main principal balconies are located orientated to Stanley Street and Kimberley Reserve opposite the site. Given that Old South Head Road is a traffic noise source, this is the appropriate location for these balconies.
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 private open spaces and bedrooms.* • *Services on roof not to be seen from street or impact public or private views and be min 2m from the building edge.* • *The maximum volume permitted for a plant room is the minimum required to meet Australian Standards, accommodate typical dimensions of equipment required and the associated circulation space to access the equipment for maintenance.*	Yes	The services are integrated into the design of the building. The location of the mail boxes is on Old South head Road near the pedestrian entry. Servicing on the roof includes the lift overrun, servicing zone and solar photovoltaic cells. These services are common to roof tops and are set back from the building edges to ensure limited visibility from the street and public domain. No outdoor clothes drying area is provided given that they would be contained within a street frontage. Notwithstanding, there is sufficient area on balconies for drying of clothes. The plant areas within the basement are not considered excessive for the development.

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

View impacts

A Visual Impact Assessment was provided with the application which includes view analysis diagrams from properties surrounding the site which would be impacted by the proposed development.

Section 2.1.2 of this report discusses view impacts as a result of the non-compliant height of the development. This assessment relates only to the height variation and is assessed against the height development standard which seeks to 'preserve' the amenity of surrounding properties despite the variation. This section assesses the view impacts of the development as a whole.

An assessment of the view loss caused by the proposed development has been undertaken in accordance with the four steps applied in the NSW Land and Environment Court planning principle on view sharing arising from the case of *Tenancy Consulting vs. Warringah [2004] LEC 140*. The assessment is set out below.

1. *The first step is the assessment of views to be affected. Water views are valued more highly than land views. Iconic views (eg of the Opera House, the Harbour Bridge or North Head) are valued more highly than views without icons. Whole views are valued more highly than partial views, eg a water view in which the interface between land and water is visible is more valuable than one in which it is obscured.*

As previously detailed in this report, 15 Clarendon Street, Vaucluse will experience marginal impacts upon significant views as demonstrated in extracts from the VIA in **Figures 11** to **14** in Section 2.1.3 of this report. This property is acknowledged as being the most likely impacted properties in terms of view impacts. The VIA takes into account several properties and provides a sample of the impacted views and outlook. The full view assessments are provided in the VIA which was taken into consideration upon assessment of this development application, however will not be repeated in full in this report.

The VIA indicates that from all properties except No. 15 Clarendon Street, significant views (ie, those containing water, land and water interface or icons) were not impacted or concealed behind vegetation. This means that the impact was on outlook of roofscapes and surrounding properties rather than views classified as 'significant' according to the Planning Principles. These views are not assessed or considered under the Planning Principles.

The only property with significant views affected is 15 Clarendon Street which has partial water views through surrounding building and over the subject site.

2. *The second step is to consider from what part of the property the views are obtained. For example the protection of views across side boundaries is more difficult than the protection of views from front and rear boundaries. In addition, whether the view is enjoyed from a standing or sitting position may also be relevant. Sitting views are more difficult to protect than standing views. The expectation to retain side views and sitting views is often unrealistic.*

The view analysis is from the upper floor levels of No.15 Clarendon Street from a standing position. The views are over the front boundary of the subject site however over the side boundary of No.15 Clarendon Street.

3. *The third step is to assess the extent of the impact. This should be done for the whole of the property, not just for the view that is affected. The impact on views from living areas is more significant than from bedrooms or service areas (though views from kitchens are highly valued because people spend so much time in them). The impact may be assessed quantitatively, but in many cases this can be meaningless. For example, it is unhelpful to say that the view loss is 20% if it includes one of the sails of the Opera House. It is usually more useful to assess the view loss qualitatively as negligible, minor, moderate, severe or devastating.*

The impacted views are part of a larger partial view of the coastline which is comprised of water glimpses or partial views above and between the surrounding buildings. The impact upon the views can be categorised as minor to moderate.

4. *The fourth step is to assess the reasonableness of the proposal that is causing the impact. A development that complies with all planning controls would be considered more reasonable than one that breaches them. Where an impact on views arises as a result of non-compliance with one or more planning controls, even a moderate impact may be considered unreasonable. With a complying proposal, the question should be asked whether a more skilful design could provide the applicant with the same development potential and amenity and reduce the impact on the views of neighbours. If the answer to that question is no, then the view impact of a complying development would probably be considered acceptable and the view sharing reasonable.*

The zoning of the site and surrounding properties is R3 medium density residential with the applicable development standards under the LEP being 12.5m height and 0.9:1 FSR. As previously discussed, the proposal seeks to vary the height development standard only marginally and only for two small portions of the roof. These areas of height variation are concealed behind the height compliant part of the lift overrun and as such do not impact upon significant views any more than a height compliant development would.

To comply with the development standard, the development would simply shift the lift further toward the west and drop the height marginally in the north-east corner of the roof. This would not result in any discernible improvement upon the views.

A similar situation arises with the FSR variation sought for the site whereby compliance would be achieved by deleting the lower ground floor apartment which is partially excavated into the site. This would not necessarily translate to a lowering of the height of the development and an improvement upon the view impact.

The desired character of this street, envisioned by the controls, is a much higher density and scale than the existing single storey dwelling on the site over which the views are achieved. In effect, the views from the properties opposite are only achieved due to the fact that the subject site is an underdeveloped site.

The proposed development provides a building envelope that is reasonable and expected for this site. Although the view impact is an unfortunate consequence of the development of this site, on balance, it is not considered unreasonable. The proposal is therefore considered to be consistent with the view sharing principles and is supported.

2.1.4. Planning Agreement

The applicant has submitted an undertaking to Council regarding their commitment to enter into a Planning Agreement (PA), in accordance with the Waverley Council Planning Agreement Policy 2014 (the Policy). The calculation of the PA is based on the additional GFA of the development.

The Policy provides a mechanism to address the public benefit offset of additional reasonable impacts from developments exceeding development standards. The offer to enter into a PA addresses the public benefit aspect of maintaining the FSR development standard when Council considers a variation with the standard by way of assessing and determining a development application.

The fundamental principle of the Policy is that any benefit that arises from agreement to vary development standards is shared between developer and the community and must be acceptable on environmental impact grounds. The reasonableness of impacts associated with the additional floor space of the proposed development has been considered against the likely public interest (i.e. public domain improvements in the area), which has been found to be acceptable in this instance. The reasonableness relates to the merits of this case only as discussed in the body of this assessment report.

The proposal is in accordance with other variations which have been permitted in conjunction with public benefits or purpose, such as affordable housing, public domain works or the like. The proposed development is not against the public interest as it complies with the limitations set in the Policy.

A suitable public purpose or benefit is considered to be provided in the form of the forthcoming execution of a PA, which would contribute to public works or a similar public benefit within the catchment of the site. Appropriate conditions are recommended in Appendix A in relation to the PA.

2.2. Other Impacts of the Development

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

2.3. Suitability of the Site for the Development

The site is considered suitable for the proposal.

2.4. Any Submissions

The application was notified for 21 days between 7 and 30 October 2025 and a site notice erected on the site in accordance with the *Community Engagement Strategy Amendment 1 (2025).* Due to an error properties within the Woollahra Local Government Area were notified separately for 21 days.

Following receipt of amended plans and additional information, the application was re-notified for 14 days between 6 and 24 February 2026.

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

Table 6: Submission details

Count	Property Address
1.	2 Stanley Street, Vaucluse (owners corporation)
2.	104/2 Stanley Street, Vaucluse
3.	301/2 Stanley Street, Vaucluse
4.	58 Old South Head Road, Vaucluse

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

- Traffic and parking
- View impacts.

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

Issue: Access constraints and safety risks on Stanley Street. Council should urgently review and install "No Parking" or "No Stopping" signage near the Old South Head Road intersection to enforce the required setback and ensure safe turning movements.

Response: As detailed previously in this report, the proposal has been reviewed by Council's Traffic Engineers and they have advised that given the limited number of vehicles, traffic impacts can be accommodated within the existing road system. Any changes to parking or signage is a matter for the Local Traffic Committee or Transport for NSW.

Issue: Construction issues including no access from Old South Head Road. The use of Stanley Street for construction vehicles is unsuitable given the limited width and high parking demands on Stanley Street; Construction impacts including excavation, noise, dust and disturbance.

Response: Standard conditions of consent in regard to construction are recommended in the conditions. Construction impacts is not a reason for refusal under the planning act as construction can be managed during the construction process. Conditions regarding damage deposits for damage to roads and footpaths and the approval of a Construction Traffic Management Plan (CTMP) are included in the consent. The approval of the CTMP is a matter for Council's Traffic Engineers prior to the issue of a Construction Certificate.

Issue: Privacy impact from the top floor balcony to the top floor balcony on the adjoining property.

Response: The upper level balcony on the adjoining property at No. 2 Stanley Street is separated from the proposed balcony on the subject site by over 12m. This distance alone is considered sufficient to ensure that there are no unreasonable visual and acoustic privacy impacts between the balconies. Notwithstanding, the adequate separation distance, the balcony at No. 2 Stanley Street has side boundary walls that will further inhibit any privacy impacts.

2.5. Public Interest

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

3. REFERRALS

The following internal referral comments were sought:

3.1. Traffic and Development

The proposal was reviewed and no issues raised subject to conditions which are recommended in Appendix A.

3.2. Stormwater

The amended stormwater plans and flooding documentation was referred to Council's Stormwater Engineers and no issues were raised subject to conditions which are recommended in Appendix A.

3.3. Tree Management

The proposal was reviewed and no issues raised subject to conditions which are recommended in Appendix A.

3.4. Public Domain

The proposal was reviewed and no issues raised subject to conditions which are recommended in Appendix A.

3.5. Sustainable Development

The proposal was reviewed and no issues raised subject to conditions which are recommended in Appendix A.

3.6. Strategic Planning

The proposal was reviewed and no issues raised subject to conditions which are recommended in Appendix A.

3.7. Land Information (numbering)

The proposal was reviewed and no issues raised subject to conditions which are recommendedin Appendix A.

4. CONCLUSION

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

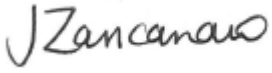
5. RECOMMENDATION TO WAVERLEY LOCAL PLANNING PANEL

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

Managers of Development Assessment (MODA) Review

The application was reviewed by the MODA at the meeting on 03/03/2026 and the MODA concurred with the Assessment Planner's recommendation.

MODA members: *B McNamara, B Magistrale, K Johnstone and J Zancanaro*

Report prepared by:	**Application reviewed and agreed by:**	**Application reviewed and agreed by:**
		
Kylie Lucas	Bridget McNamara	Jo Zancanaro
Senior Development Assessment Planner	**Manager, Development Assessment**	**Acting Executive Manager, Development Assessment**
Date: 11/03/2026	**Date: 12/03/2026**	**Date: 12/03/2026**

Reason for WLPP referral:

1. Departure from any development standard in an EPI by more than 10%
2. Sensitive development:
   (a) Development to which State Environmental Planning Policy (Housing) 2021 Chapter 4 (Design of residential apartment) applies and is more than 4 storeys in height
   (b) Planning Agreements

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)	11.4% variation to height (Clause 4.3)	
	X	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
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)	15.3% variation to FSR (Clause 4.4)	
	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	
Does the proposal trigger a Housing & Productivity Contribution ? If so, please ensure you have calculated the contribution in the CON case in the Planning Portal.	Yes	
Have any dwellings been approved for affordable Rental Housing under this approval/consent? *This is a planning portal reporting requirement	No	
Secondary Dwelling *This is a planning portal reporting requirement	No	
Boarding House *This is a planning portal reporting requirement	No	
Group Home *This is a planning portal reporting requirement	No	
Is the development subject to the Special Infrastructure Contribution (SIC)?	No	
Is the development located within an Urban Release area?	No	
Waverley Council Data		
Trial Period database entry required	No	
PA submitted – follow up actions required	Yes	
Refer to compliance for investigation	No	
Commercial/liquor operational conditions	No	
Was there a 'Conflict of Interest' declared	No	

APPENDIX A - GENERAL CONDITIONS

1. APPROVED PLANS AND DOCUMENTATION

The development must be in accordance with:

(a) Architectural Plans prepared by PBD Architects of Project No: 2507 including the following:

Plan Number and Revision	Plan description	Plan Date	Date received by Council
DA000 Issue 2	Cover Page	14/01/2026	01/02/2026
DA001 Issue 2	Project Information	14/01/2026	01/02/2026
DA002 Issue 2	Demolition Plan	14/01/2026	01/02/2026
DA004 Issue 2	Site Plan	14/01/2026	01/02/2026
DA100 Issue 2	Basement 2 Plan	14/01/2026	01/02/2026
DA101 Issue 2	Basement 1 Plan	14/01/2026	01/02/2026
DA102 Issue 2	Lower Ground Floor Plan	14/01/2026	01/02/2026
DA103 Issue 2	Ground Floor Plan	14/01/2026	01/02/2026
DA104 Issue 2	Level 1 Plan	14/01/2026	01/02/2026
DA105 Issue 2	Level 2 Plan	14/01/2026	01/02/2026
DA106 Issue 2	Roof Plan	14/01/2026	01/02/2026
DA200 Issue 2	Elevation Sheet 1	14/01/2026	01/02/2026
DA201 Issue 2	Elevation Sheet 2	14/01/2026	01/02/2026
DA300 Issue 2	Section Sheet 1	14/01/2026	01/02/2026
DA301 Issue 2	Section Sheet 2	14/01/2026	01/02/2026
DA302 Issue 2	Section Sheet 3	14/01/2026	01/02/2026
DA400 Issue 2	Finishes Schedule	14/01/2026	01/02/2026

(b) Landscape Plan No. DA_02, DA_03, DA_04, DA_11, DA_12, DA_13, DA_14, all Revision 01 and documentation prepared by Wyer and Co, dated 14/08/2025 and received by Council on 23/09/2025;

(c) The BASIX and NatHERs Certificates;

(d) Geotechnical Desktop Study prepared by AssetGeoEnviro dated 04/07/2025, and received by Council on 23/09/2025;

(e) Arborist Report prepared by Ezigrow dated 11/09/2025, and received by Council on 23/09/2025;

(f) The Operational Waste Management Plan prepared by Elephants Foot Consulting and received by Council on 01/02/2026;

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. MULTI UNIT HOUSING DEVELOPMENT DESIGN

The approved design (including any element or detail of that design) or materials, finish or colours of the building must not be changed without the written approval of Council's Executive Manager, Development Assessment or delegate.

Condition reason: To ensure the approved design aligns with the constructed form of the development.

3. 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.

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.

CONTRIBUTIONS, FEES & BONDS

6. SECTION 7.12 CONTRIBUTION

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

(a) Where the total development cost is $500,000 or less:

  (i) a Cost Summary Report or Building Contract (dated within 12 months) or similar is to be submitted to Council's Customer Service Centre to process payment.

(b) Where the total development cost is more than $500,001 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.

7. HOUSING AND PRODUCTIVITY CONTRIBUTIONS HOUSING AND PRODUCTIVITY CONTRIBUTIONS

Before the issue of a Construction 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)	$43,248.70
Transport project component	Nil
Strategic Biodiversity Component	Nil
Estimated total housing and productivity contribution	$43,248.70

(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

8. LONG SERVICE LEVY

A long service levy, as required under section 34 of the *Building and Construction Industry Long Service Payments Act, 1986*, is to be paid in respect of this building work. Evidence that the levy has been paid is to be submitted to the Principal 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.

9. STREET TREE BOND

(a) A bond of $10,000 is to be paid to Council either as cash or by way of an unconditional bank guarantee to ensure the protection and maintenance of and maintenance of the following trees:

(i) T1 - *Melaleuca quinquenervia* (Broad-Leafed Paperbark) - $5,000 bond

(ii) T2 - *Melaleuca quinquenervia* (Broad-Leafed Paperbark) - $5,000 bond

The sum will be forfeited to the Council at its discretion for a breach of these requirements:

(b) Street trees to be inspected twelve (12) months from the issue of the final Occupation Certificate subject to the satisfaction of Council

(c) The $10,000 bond will be refunded twelve (12) months from the issue of the final Occupation Certificate subject to the satisfaction of Council.

(d) 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

(e) 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.

(f) 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

10. SECURITY DEPOSIT

(a) Payment to the amount of **$97,687** 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.

11. 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.

12. PLANNING AGREEMENT

(a) The owner/ applicant is to:

(i) Enter into an Agreement the subject of the offer made by the applicant to the Council by letter dated 8 September 2025, in accordance with *Waverley's Planning Agreement Policy 2014* prior to the issue of any Construction Certificate for the development that relates to any building work, other than demolition, excavation, piling, shoring and ancillary work for construction purposes including site hoardings and temporary site sheds that relates to works contained in contained in DA-472/2025; and

(ii) Pay a monetary contribution amount of **$206,492** prior to the issue of any Occupation Certificate for the Development (calculated in accordance with *Waverley's Planning Agreement Policy 2014* at 54.34m^2 of GFA exceedance at a rate of $3800/m^2).

(iii) A Planning Agreement will be entered into under Section 7.4 of the *Environmental Planning and Assessment Act 1979* between the applicant/owner of the land the subject of the Development, the applicant and Council.

(b) In accordance with the said offer, the Planning Agreement shall make provision in respect to the following:

(i) The Planning Agreement shall be registered upon the title to the land the subject of the Development prior to the issue of any Construction Certificate that relates to any building work, other than demolition, excavation, piling, shoring and ancillary works for construction purposes including site hoardings and temporary site sheds that relates to works contained in DA-472/2025, and

(ii) The owner/ applicant shall provide Council with a Bank Guarantee to secure the payment of the Monetary Contribution prior to the issue of any Construction Certificate that relates to any building work, other than demolition, excavation, piling, shoring and ancillary works

for construction purposes including site hoardings and temporary site sheds that relates to works contained in DA-472/2025 which is:

(A) In a form acceptable to Council and from an institution acceptable to Council,

(B) Irrevocable,

(C) Unconditional, and

(D) With no end date.

(c) The payment of the Monetary Contribution to Council is to be made prior to the issue of any Occupation Certificate for the Development and is to be applied towards a public purpose in accordance with the Agreement and Council's *Planning Agreement Policy 2014*.

Condition reason: The confirm the terms of acceptance of the Planning Agreement offered.

13. AFFORDABLE HOUSING CONTRIBUTION – PAYMENT IN ACCORDANCE WITH CLAUSE 6.17 OF THE WAVERLEY LOCAL ENVIRONMENTAL PLAN 2012

The Affordable Housing Contribution is as follows:

(a) Pursuant to Clause 6.17 of the Waverley Local Environmental Plan 2012 and the Waverley Affordable Housing Contribution Scheme 2023, the applicant must provide Council a monetary contribution towards the provision of affordable housing.

(b) The contribution of **$102,550.00** payable for the provision of affordable housing shall be paid in one complete payment to Waverley Council prior to the issue of any Occupation Certificate. This contribution amount has been calculated based on a total proposed residential gross floor area of 410.2 sqm.

Condition reason: The proposal requires a contribution in accordance with Cl 6.17 of the WLEP and the Waverley Affordable Housing Contribution Scheme 2023.

PLAN DETAILS

14. VERIFICATION OF CONSTRUCTION CERTIFICATE DOCUMENTATION

(a) The preparation of the Construction Certificate plans shall be supervised and be to the satisfaction of an architect who is registered in accordance with the *Architects Act 2003* (i.e. a qualified designer) in accordance with the requirements of the *State Environmental Planning Policy (Housing) 2021.*

(b) In accordance with the *Environmental Planning and Assessment Regulation 2021,* the Principal Certifier must not issue a Construction Certificate unless it has received a Design Verification Statement from a qualified designer which verifies that the Construction Certificate plans and specifications achieve or improve the design quality of the development for which development consent was granted, having regard to the design quality principles set out in *SEPP (Housing) 2021.*

Condition reason: To ensure the architectural merits of the developments come to fruition.

15. BASEMENT STORAGE

The basement level/s are to provide separate and secure storage areas (in the form of lockable storage cages or the like), allocated to each apartment in the development for larger bulkier items (surfboards, boxes, camping equipment etc.) which are not suited to be stored within each individual apartment.

Storage is to be allocated to individual units in accordance with the requirements of the *Waverley Development Control Plan 2022*.

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.

Conditions reason: To ensure adequate storage is provided within the development.

16. UNIVERSAL HOUSING

Apartments in the development are to be provided with universal design features (as outlined in the *Liveable Housing Design Guidelines*) to meet the changing need of occupant(s) over their lifetimes in accordance with Part B6 of the *Waverley Development Control Plan 2022*.

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 universal design features are provided.

CONSTRUCTION AND SITE MATTERS

17. 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.

18. 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.

19. 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.

20. 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.

21. GEOTECHNICAL REPORT

A further detailed Geotechnical Report is to be submitted and approved by Council's Executive Manager, Infrastructure Services (or delegate), prior to the issue of the relevant Construction Certificate.

The Report must address how the excavation works can be carried out without damage or adverse impacts on adjoining properties including de-watering as a result of the proposed excavation.

Condition reason: To ensure geotechnical considerations have been adequately addressed prior to construction.

22. 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

23. 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.

24. LONG SECTIONS OF DRIVEWAY

To minimise instances of vehicular scraping, long sections drawn along both edges of the driveway shall be submitted to Council for the approval of the Executive Manager, Infrastructure Services prior to the issue of a Construction Certificate. Drawings are to be submitted via email to traffic@waverley.nsw.gov.au for assessment.

The long section drawings shall:

(a) Include reduced levels (RL's) of the Stanley St centreline, carriageway, edge of bitumen, layback, kerb and gutter, footpath, property boundary, paving within the property and the garage floor.

(b) Include existing and proposed levels.

(c) Include ground clearance of the B85 design vehicle using the ground clearance template contained in Appendix C of AS 2890.1: 2004 Off Street Car Parking.

(d) Show paving at the property boundary being sloped to follow the longitudinal fall on the Council's concrete pathway at all points across the opening.

(e) Show all paving on Council's land being sloped/ drained towards the roadway.

Condition reason: To ensure a B85 standard design vehicle can enter/exit the site without vehicular scraping.

STORMWATER AND FLOODING

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

The submitted stormwater management plan prepared by Apex Civil Engineers, Project No. CSW2025.84, DWG No. SW-100, SW-101, SW-102, SW-200, SW-201, SW-202, SW-203, SW-204, SW-300, SW-400, SW-401, SW-500, Rev 2, dated 15/01/2026 are considered concept only.

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

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

(b) 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 junction pit must be installed fronting the site in Stanley Steet. The design and construction of the junction pit must comply with Council's standard drawings and specifications.

(c) The minimum pipe diameter within Council's road reserve must be 375 mm. The new stormwater pipe connection from the junction pit to the existing kerb inlet pit must be constructed at a minimum longitudinal grade of 1%. Where necessary, the existing kerb inlet pit must be reconstructed to ensure compliance with the minimum 1% grade requirement along the stormwater pipe connection.

(d) Standard Council grated kerb inlet pits are required at every 30m along the extended stormwater system/pipe. The kerb inlet pit must be 2.4m in overall length (with 1.8m clear internal opening).

(e) 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.

(f) 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).

(g) 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.

(h) The minimum pipe cover shall be in accordance AS 3500.

(i) 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 hours' notice must be provided to Council prior to inspection.

(j) Provide calculations of the roof guttering system for the 1% AEP storm event and minimum number of downpipes required.

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

(l) 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.

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

(n) 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.

(o) The proposed junction pit, kerb inlet pit and pipes must be constructed to Council's satisfaction. Details must form part of the stormwater management plans.

(p) 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.

(q) The Permissible site discharge (PSD) must be limited to the maximum discharge from the site during the 20% AEP for a 5 minute storm event under undeveloped site conditions (with fraction imperviousness 0.1) as outlined in the Waverley Technical Manual 2021.

(r) The summation of the discharge rate from the OSD system and the rate of runoff from the bypass areas during a 1% AEP storm event must not exceed the PSD.

(s) Invert levels to show the arrangement between OSD and junction pit connection must be provided. Discharge from the OSD must drain by gravity as a 1% minimum fall.

(t) The electronic copy of DRAINS model shall be submitted.

(u) 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 based.

(v) The OSD system must be designed for the 1% AEP storm event.

(w) Details of any rainwater tank must be shown on the architectural plan, including the overflow connection to the approved stormwater drainage system.

(x) The proposed rainwater tank may need to be relocated to a common area to ensure unobstructed access for ongoing maintenance. Alternatively, detailed documentation must be provided demonstrating how maintenance access will be achieved.

(y) The rainwater tank must have a minimum capacity of 5000 litres and be connected to at least 140m^2 of roof area.

(z) An Erosion and Sediment Control Plan must be submitted.

(aa) Sub soil drainage (seepage) water must not be directly or indirectly discharged to Council's street gutter.

(bb) 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.

(cc) Show an alarm system comprising of 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.

(dd) Full hydraulic details and pump manufacturers specification must be provided.

(ee) In the event of pump failure, pondage in a suitably visible area must be provided. These areas must be sited with a view to minimising the cost of damage to occupiers of the property and include signage warning residents that inundation of the area may occur in the event of a pump failure.

(ff) 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) Any Council infrastructure affected as a result of construction activities within the public domain area, inclusive of stormwater, stormwater outlet/s, kerb and gutter, pavement, grass verges and vehicle crossovers within the extent works must be replaced if damaged as per the Waverley Council Public Domain Technical Manual. All associated costs will be borne by the applicant.

(ii) The checklist as set out on pages 68-76 in Council's Water Management Technical Manual (October 2021) available online must be completed and submitted with any revision of Construction Certificate Plan Submissions.

(iii) Waverley Council has a template for the calculation of OSD and infiltration system sizing which is available upon request.

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

(v) Waverley Council's standard drawings for public domain infrastructure assets are available upon request. Details that are relevant may be replicated in the Engineering design submissions however, Council's title block must not be replicated.

(vi) Prior to commencement of works a security deposit will be made payable to Council to ensure any additional damage or unauthorised works within the Council property, not conditioned above. Council will reserve the right to withhold the cost of restoring the

damaged assets from the security deposit should the applicant fail to restore the defects to the satisfaction of Council.

(vii) Council's contact for infrastructure assessment: E-mail: assets@waverley.nsw.gov.au or Phone: 9083 8655 (operational hours between 9.30am to 4pm Monday to Friday). The expected duration to review and approve the stormwater management plan may take at least 15 working days from the date of submission.

(viii) Evidence from a suitably qualified and practicing Engineer (registered on the NER of Engineers Australia or equivalent) that the approved design has been adhered to must be submitted to and approved by the Principal Certifying Authority (PCA) prior to the issue of the relevant Occupation Certificate.

(ix) 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.

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.

26. FLOODING REQUIREMENTS

The flood report prepared by Stellen Consulting, dated 22/01/2026 is considered satisfactory. Evidence from a suitably qualified and practising Civil Engineer (registered on the NER of Engineers Australia or equivalent) that the approved flood report has been adhered to must be submitted to Council for the issue of Compliance Certificate prior to the release of any construction certificate by the Principal Certifying Authority (PCA).

The Applicant must pay Council fees for the Issue of Compliance Certificate, in accordance with the Council's Schedule of Fees & Charges at the time of the issuance of Compliance Certificate, prior to such approval being granted by Council.

Condition Reason: To ensure the approved report has been adhered to.

27. FLOODGATES AND FLOOD PROOF STRUCTURAL WALL

The development must minimise risk to life and damage to property, consider the impacts of the full range of potential floods and ensure that development does not have an unacceptable impact on flood behaviour, people's safety, surrounding properties and structures, and/or the natural environment.

In accordance with Section 5.21 of the Waverley LEP and Section B5.2 of Waverley Council's DCP the following conditions must be satisfied. Compliance with these requirements must be demonstrated to the satisfaction of the Executive Manager, Infrastructure Services (or delegate) prior to issuance of the Construction Certificate:

(a) Full design details of the flood proof structural walls and automatic floodgates system must be provided.

(b) The automatic floodgates system must be provided to protect any underground structure and ground floor areas from flooding to a minimum height of the 1% AEP plus 300mm freeboard or the probable maximum flood (PMF), whichever is higher.

(c) The architectural and landscape drawing must be updated to be consistent with the updated stormwater management plans.

Condition reason: To ensure the development minimises risk to life and damage to property, considers the impacts of the full range of potential floods and ensures that development does not have an unacceptable impact on flood behaviour, people's safety, surrounding properties and structures, and the natural environment.

28. TEMPORARY DE-WATERING OF UNDERGROUND STRUCTURES

If any temporary dewatering is required during the construction of underground structures an application must be made with WaterNSW to obtain relevant approval and determine if a licence is required under the *Water Management Act 2000*, for temporary dewatering. A copy of the aforementioned approval must be submitted to Council.

If temporary dewatering is required and approved, a separate Waverley Council temporary de-watering application must be submitted and approved by the Executive Manager, Infrastructure Services (or delegate) and associated fees paid prior to issue of any Construction Certificate.

Note: Permanent dewatering is not allowed. If a licence is required, then the Development Application becomes Integrated Development and Council's Development Assessment Planner must be consulted.

Condition reason: To ensure proper groundwater approvals are obtained and no permanent dewatering occurs as part of the proposed development.

29. GROUNDWATER ASSESSMENT

Prior to the issue of any Construction Certificate, the applicant must submit the following to the Executive Manager, Infrastructure Services (or delegate) for approval:

(a) A preliminary site hydrogeological investigation report prepared by a suitably qualified geotechnical engineer or hydrogeological professional. The report must:

  (i) Include results from at least four groundwater monitoring bores installed on-site (distributed across the site to capture groundwater flow direction and variation, including at the outer extents of the underground structure most likely to be impacted by groundwater) extending at least 5 meters below the proposed underground structure slab level and monitored for at least one month (standpipes or piezometers should be used to monitor groundwater levels, and soil and lithological logs must be recorded)

  (ii) Clearly state whether groundwater is present and show the measured static groundwater level in each bore and in a site-wide groundwater contour plan in relation to the underground structure slab level.

  (iii) Outline the potential need for dewatering during construction.

  (iv) Comment on post-construction groundwater ingress and mitigation options:

    (A) Fully tanked and waterproofed underground structure (if groundwater is identified within 5 meters of the slab level).; or

(B) Drained underground structure (if >5m above groundwater table).

(b) If groundwater is likely to be intercepted by the proposed works, or the above tanking requirement is contested, a detailed hydrogeological assessment must be prepared by a suitably qualified geotechnical engineer or hydrogeological professional, providing detail on groundwater depth and seasonal variation (6-12 months minimum monitoring as advised by Council), groundwater flow direction and rate, hydraulic conductivity, water quality, and including a conceptual hydrogeological model. These must also be in accordance with the NSW Department of Planning, Industry and Environments (DPIE) document: 'Minimum Requirements for Building Site Groundwater Investigations and Reporting', dated October 2022 (or the current revised version).

(c) If groundwater interference is expected, a groundwater impact assessment is also required, assessing the short-term and long-term impacts of dewatering (if relevant) and evaluating potential effects on neighbouring properties due to settlement or subsidence, as well as on groundwater dependent ecosystems, and contaminant mobilisation. If the report cannot be provided, or if it indicates that the predicted highest groundwater level over a 50-year design life for the development cannot be confidently confirmed to be more than 2m below the base of the proposed underground structure slab level, the following measures must be implemented:

(i) The underground structure must be fully waterproofed and tanked to prevent groundwater &/or seepage ingress. The design must ensure that the underground structure is capable of withstanding hydrostatic pressures without reliance on active or passive dewatering systems.

(ii) No subsoil drainage systems are to be installed around the perimeter of the underground structure walls or beneath the underground structure slab to prevent the potential extraction of groundwater.

Post construction extraction or discharge of groundwater is strictly prohibited by Council under any circumstances. Fees for the preliminary and detailed hydrogeological report or investigation review are applicable as per Council's Fees and Charges.

Notes:

In accordance with DPIE/WaterNSW requirements, where the seepage analysis demonstrates a seepage volume of less than 3ML/year then only a Water Supply Works approval must be obtained, unless otherwise directed by DPIE/WaterNSW. Where the seepage analysis demonstrates a seepage volume in excess of 3ML/year then a Water Access Licence (WAL) will also need to be obtained from WaterNSW. This is likely to require the purchase of 'water shares' in accordance with DPIE/WaterNSW requirements.

Prior to the issue of any Construction Certificate, if required based on item (i), an application pursuant to the Water Management Act 2000 shall be made with WaterNSW to obtain Water Supply Works (WSW) approval. A copy of the aforementioned approval must be submitted to Waverley Council or details confirming (by WaterNSW) why a WSW is not required.

Condition reason: To ensure the potential groundwater impacts are identified and to avoid groundwater extraction, and ensure underground structures are designed to comply with Council's *Water Management Technical Manual* (WMTM).

30. SEEPAGE WATER

Seepage water within the top 500mm of the ground surface may be collected and discharged to Council's stormwater network (below ground network). Seepage water below 500mm of the ground surface must be managed on-site through infiltration or directed into Council's below-ground stormwater system, subject to Council approval. This will be contingent on the discharge flow rate being quantified and the stormwater management system (including the OSD volume and orifice size) being adjusted to ensure the total discharge from the site does not exceed the permissible site discharge.

The Principal Certifier shall ensure the above measures are satisfied.

Condition Reason: To ensure the seepage water is managed to comply with Council's Water Management Technical Manual. Seepage water must not be discharged directly or indirectly to the street gutter.

31. PRE-CONSTRUCTION STORMWATER PIPE &/ OR PIT CCTV DILAPIDATION REPORT

Prior to any works commencing, a dilapidation report including photographic evidence of internal conditions of pit ID. 1816301013 must be prepared and submitted by an engineer to confirm the existing structural and serviceability condition.

The report/s must be dated and submitted to the satisfaction of Council's Executive Manager, Infrastructure Services (or delegate). No works on Council's stormwater infrastructure will commence until given approval by Council.Condition Reason: To ensure the seepage water is managed to comply with Council's Water Management Technical Manual. Seepage water must not be discharged directly or indirectly to the street gutter.

Condition reason: Confirm the condition of the stormwater pipes and pits servicing the site prior to works occurring which may damage them.

32. WATER QUALITY

The development will at all times maintain the water quality system to achieve the following minimum pollutant removal targets for the entire site in perpetuity as per Council's *Water Technical Management Manual 2021*.

Pollutant	% post development pollutant reduction targets
Gross Pollutants	90
Total Suspended Solids	80
Total Phosphorous	55
Total Nitrogen	40

Prior to the issue of any Construction Certificate, plans and specifications for the proposed Stormwater Quality Improvement Device (SQID), including cross-sections and the hydraulics are to be submitted and approved by Council's Executive Manager, Infrastructure Services (or delegate) . These are to be prepared by a suitably qualified and practising Civil Engineer showing complete and detailed SQID design and hydraulics. MUSIC model must be provided to Council for assessment

Condition reason: To protect the downstream environment from any contaminants

PUBLIC INFRASTRUCTURE

33. PUBLIC DOMAIN IMPROVEMENTS

The public domain is to be upgraded along Old South Head Road and Stanley Street frontage of the development site in accordance with the current Waverley Council Development Control Plan (DCP) and Public Domain Technical Manual (PDTM) at the time of engineering plan approval. A public domain plan for the following works must be submitted to Council and approved by the Executive Manager, Infrastructure Services (or delegate) prior to the issue of relevant Construction Certificate.

(a) Pedestrian footpath

(b) Kerb and gutter

(c) Vehicular crossing

(d) Electrical undergrounding.

Condition reason: This is to ensure that the public domain is upgraded along the frontage of the development as required and in accordance with the DCP and PDTM.

34. 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.

35. PUBLIC INFRASTRUCTURE WORKS

Public infrastructure works must be designed and constructed as outlined in this condition of consent. The approved works must be completed to Council's satisfaction at no cost to Council.

Full design engineering drawings must be prepared by a suitably qualified and experienced engineering professional (registered on the NER of Engineers Australia) and must be submitted to Council and approved by the Executive Manager, Infrastructure Services (or delegate) prior to the issue of relevant Construction Certificate.

The Applicant must submit plans and specifications for the following infrastructure works to Council's Infrastructure Engineer:

(a) Footpath, Kerb and Gutter: the existing footpath along the Old South Head Road frontage, and kerb and gutter along the Stanley Street frontage, are to be reconstructed and upgraded in accordance with the current Waverley Council Development Control Plan (DCP) and Public Domain Technical Manual (PDTM) at the time of engineering plan approval. The proposed footpath, kerb, and gutter profiles must include longitudinal and cross sections to ensure proper connections to the existing Council infrastructure traversing the development site.

(b) Replenish and returf the existing Council verge for the full frontage of the development.

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

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

(e) A separate application must be submitted to Council for the proposed driveway crossover/s within the public domain.

(f) The full public domain traversing both Old South Head Road and Stanley Street frontages must be protected from the proposed building works. The applicant will be required to replace any damaged footpath, street furniture, pavement, kerb and gutter, and Council's infrastructure at no cost to Council.

Notes:

(i) Depending on the complexity of the proposed public domain works, the Council's review of each submission of the plans may take a minimum of six (6) weeks.

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

(iii) Waverley Council standard drawings for public domain infrastructure assets are available upon request and online at Council Website. Details that are relevant may be replicated in the public domain design submissions; however Council's title block shall not be replicated.

(iv) Prior to commencement of works a security deposit will be made payable to Council to insure any additional damage or unauthorised works within the Council property, not conditioned above. Council will reserve the right to withhold the cost of restoring the damaged assets from the security deposit should the applicant fail to restore the defects to the satisfaction of Council.

(v) Council's contact for the public domain: E-mail: assets@waverley.nsw.gov.au or Phone: 9083 8655 (operational hours between 9.30am to 4.00pm Monday to Friday).

Condition reason: This condition imposed is to ensure that the public assets within the public domain are upgraded in alignment with the LEP, DCP and/or PDTM.

36. GEOTECHNICAL AND HYDROGEOLOGICAL RISK MANAGEMENT

The following geotechnical and hydrogeological risk management measures must be followed:

(a) Prior to issuance of a Construction Certificate, a Construction Methodology Report (CMR) must be prepared and submitted for the review and approval of the Private Certifying Authority (PCA). A copy of the approval must be submitted to Waverley Council for the purpose of the record keeping.

(i) The CMR must be prepared or reviewed by a senior Geotechnical Engineer/Engineering Geologist and Structural Engineer (CP Eng or equivalent and with at least 10 years relevant experience).

(ii) The CMR must include a review of, but not limited to, the full detailed design including the temporary and permanent excavation, shoring support systems, dewatering (if applicable), footing design, earthworks, drainage, pavements and any other relevant items.

(iii) The CMR must include a review of the geotechnical report and advise on the need of any further assessment work such as additional geotechnical investigation, groundwater monitoring, further assessment of the stability of the slope or cliff line. The CMR must be followed in its entirety unless otherwise agreed by the authors of the CMR (or their organisation).

(iv) The CMR must include the methodology to be adopted in undertaking excavation, measures to reduce vibrations, shoring works and measures to maintain the stability of the neighbouring structures and the slope or cliff line.

(v) The CMR must include an appropriate monitoring plan to confirm that ground surface movement on the site boundaries (and beyond) and deflections of shoring systems fall within acceptable limits and identify hold points and contingency plans for any exceedances.

(vi) The CMR must include proposed excavation techniques to be undertaken to reduce vibrations and prepare a Vibration Monitoring Plan which identifies hold points and contingency plans for any exceedances. The vibration monitoring must ensure that the peak vibration velocity (Vi, max) or Maximum Peak Particle Velocity falls within 'safe' limits as defined in the German Standard DIN 4150-3, dated 2016: *Structural vibration – Part 3: Effects of vibration on structures*.

(vii) The CMR must include a statement confirming that the proposed development is suitable for the site and will maintain the stability of the site, any slopes or cliff lines and the neighbouring buildings and structures.

(viii) The CMR must be submitted to the Principle Certifying Authority and Council for review and approval. The approved CMR is to be submitted to Council's Infrastructure Services Department for records.

(b) Where groundwater is encountered and dewatering is expected to be required, prior to issuing the construction certificate a hydrogeological investigation must be carried out that includes a minimum of three wells to be installed for future groundwater monitoring purposes in accordance with the NSW Department of Planning, Industry and Environments (DPIE) document: 'Minimum Requirements for Building Site Groundwater Investigations and Reporting', dated October 2022 (or the current revised version).

(c) The groundwater investigation, monitoring, inflow (seepage) analysis and reporting must be in accordance with the NSW Department of Planning, Industry and Environments document, Titled 'Minimum Requirements for Building Site Groundwater Investigations and Reporting', dated October 2022, or the most recent version. Groundwater level monitoring must be carried out for a minimum of three months as required by DPIE/WaterNSW requirements.

(d) In accordance with DPIE/WaterNSW requirements, where the seepage analysis demonstrates a seepage volume of less than 3ML/year then only a Water Supply Works approval must be obtained, unless otherwise directed by DPIE/WaterNSW. Where the seepage analysis demonstrates a seepage volume in excess of 3ML/year then a Water Access Licence (WAL) will also need to be obtained from WaterNSW. This is likely to require the purchase of 'water shares' in accordance with DPIE/WaterNSW requirements.

(e) Prior to the issue of any Construction Certificate, if required based on items c and d, an application pursuant to the Water Management Act 2000 shall be made with WaterNSW to obtain Water Supply Works (WSW) approval. A copy of the aforementioned approval must be submitted to Waverley Council or details confirming (by WaterNSW) why a WSW is not required.

(f) Inspections of any unsupported vertical excavations into bedrock are required by a qualified geotechnical engineer/engineering geologist (tertiary qualified with at least 5 years relevant experience) and must be completed in accordance with the Monitoring Program detailed in the CMR.

Inspections must be completed or reviewed by a qualified geotechnical engineer/engineering geologist (as defined in 'g' above) during shoring works to confirm socket requirements below the bulk excavation level have been achieved for the shoring and during the excavation/drilling of high level footings/pile footings to confirm that the foundation materials are in accordance with the requirements of the structural drawings and/or geotechnical report, as applicable.

Condition reason: Temporary ground anchors were approved, but these must be destressed to prevent ongoing load and or damage to Council assets.

37. GROUND ANCHORS

(a) Where any ground anchors (i.e., rock or sand anchors) are proposed to extend beyond the property boundary beneath roadways and / or other Council property, details must be submitted to Council's Assets Department and approved by the Executive Manager, Infrastructure Services (or delegate) prior to the issue of the relevant Construction Certificate.

(b) For further information and application form, refer to Council's website. regarding this, please contact assets@waverley.nsw.gov.au at (02) 9083 8655. Fees shall be payable.

(c) Separate approval will be required for ground anchors beneath roadways governed by the Transport for NSW (TfNSW).

Condition reason: To ensure appropriate consideration is given for anchoring beyond the boundary of the site.

38. PRE-CONSTRUCTION DILAPIDATION REPORT

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

(a) Road pavement

(b) Kerb and gutter

(c) Footpath

(d) Drainage pits and lintels

(e) Traffic signs

(f) Any other relevant infrastructure

The report is to be dated, submitted to, and approved by Council's Infrastructure Services, Executive Manager (or delegate), prior to any work commencing on the site. All fees and charges associated with the collation of this report must be borne by the Applicant.

Condition reason: To establish and document the structural condition of public assets prior to works commencing.

39. NOTICE OF INTENTION TO COMMENCE PUBLIC DOMAIN WORKS

Prior to commencement of the public domain works notice must be submitted to Councils Infrastructure Engineer. This notice must include the name and insurance details of the Contractor who will be responsible for the construction works, and the details of the managing site supervisor/engineer. The applicant is also responsible for obtaining all Road Activity Permits required for the works, from the respective authorities.

Condition reason: This is to ensure that the development has been granted with relevant CC design approval and obtained relevant permits from Council, along with copies of the current insurances provided to Council.

40. APPROVALS FOR WORKING THROUGH/WITHIN THE PUBLIC DOMAIN

Road Activity Permits - To carry out work in, on or over a public road, the Consent of Council is required as per *Local Government Act 1993* and *Roads Act 1993*. Prior to the commencement of the relevant works and considering the lead times required for each application, permits for the following activities are to be obtained and copies submitted to Council with the Notice of Intention to Commence Public Domain 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.

Condition reason: To ensure that works undertaken in the roads, footpaths and verges surrounding the site are undertaken with appropriate planning and approvals in place to maximise safety and limit nuisance to neighbouring properties and members of the public.

ENERGY EFFICIENCY & SUSTAINABILITY

41. 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*.

42. RENEWABLE ENERGY AND ENERGY EFFICIENCY

(a) No gas cooktops or gas ovens are permitted. 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.

43. 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

44. 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.

45. WASTE STORAGE AREAS

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

(a) Residential component:

  (i) 2 x 240L Mobile Garbage Bins (MGBs) for general waste;

  (ii) 2 x 240L MGBs for paper and cardboard recycling;

  (iii) 2 x 240L MGBs for container recycling;

(iv) 1 x 240L MGBs for food and garden organics

All waste and recycling storage rooms must be built to meet all appropriate design requirements set in Part B1 of the *Waverley Council Development Control Plan 2022* to the satisfaction of the Principal Certifier.

Condition reason: To ensure appropriate waste storage areas are provided.

LANDSCAPE & TREES

46. LANDSCAPE WORKS IN A HABITAT CORRIDOR

(a) 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:

(b) a minimum of 50% of the proposed trees, and

(c) a minimum of 50% of the shrubs, and

(d) a minimum of 50% of the grasses and groundcovers (not including turfed areas)

(e) 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.

(f) Landscape plans must include a planting schedule that lists all proposed plant species, plant number/s for each species and pot size including approved **replacement trees**.

(g) Three vegetation levels are required to be included in landscape design, e.g. (i) tree or tall shrub canopy, (ii) mid-storey and (iii) groundcover layer.

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

47. 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.

Condition reason: To ensure the landscaping is appropriate for the roof.

SERVICES

48. TELECOMMUNICATIONS INFRASTRUCTURE IN NEW MULTI UNIT DEVELOPMENTS

Evidence is to be provided to the Principal Certifier that arrangements have been made for:

(a) The installation of fibre-ready facilities to all individual lots and/or premises to enable fibre to be readily connected to any premises that is being or may be constructed on those lots. Demonstrate that the carrier has confirmed in writing that they are satisfied that the fibre ready facilities are fit for purpose; and

(b) The provision of fixed-line telecommunications infrastructure in the fibre-ready facilities to all individual lots and/or premises demonstrated through an agreement with a carrier.

(c) Where possible, service provisions are to be located within the building, avoiding chasing or external fixtures and visual clutter.

(d) Details to be approved by the Principal Certifier prior to the issue of any Occupation Certificate.

Condition reason: To ensure appropriate telecommunication services are provided.

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

49. 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.

50. 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) 2 Stanley Street, Vaucluse

  (ii) 699A Old South Head Road, Vaucluse

(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.

51. 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.

52. 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

53. 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

54. 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.

55. 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.

56. 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.

57. 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 or a building extends below the level of the footings of a building on an adjoining allotment of land, the excavation is to be managed by a 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.

(d) All excavations and backfilling are to be managed on-site by a registered and practising Structural / Geotechnical Engineer.

(e) Vibration emissions must be monitored on-site at all times to ensure compliance with the recommendations of the detailed geotechnical report prepared by a suitably qualified and practising Structural / Geotechnical Engineer.

(f) All excavations and backfilling are to be carried out in accordance with the detailed Geotechnical Report.

(g) Any changes to the excavation methodology which deviate from the detailed geotechnical report must be reviewed by a suitably qualified and practising Structural / Geotechnical Engineer and approved by the Principal Certifier.

Condition reason: To ensure the structural stability of work on site and general safety.

CONSTRUCTION MATTERS

58. 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.

59. 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.

60. 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)*

61. 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.

62. 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.

63. 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.

64. 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.

65. PUBLIC DOMAIN ENGINEERING INSPECTIONS

To ensure all public infrastructure engineering works required by Council under this consent will be constructed to Council satisfaction, inspection(s) will be required, and compliance certificates must be obtained from Council's Infrastructure Engineer for the kerb and gutter, footpath paving, undergrounding works, landscaping hold points.

Kerb and Gutter & Footpath Paving

(a) After completion of formwork and prior to casting of concrete

(b) After full completion and restoration

Landscape

(c) After full completion and restoration

Undergrounding works

(d) After full completion

All applicable engineering inspection fees in accordance with Council's Pricing policy – Fees & Charges are to be fully paid prior to the issue of the Construction Certificate for the works. A minimum 48 hours' notice will be required when booking for the site inspections.

Condition reason: The reason for this condition is to ensure the proposed work within public domain area is constructed in accordance with approved design plans and Council's specifications and guidelines.

TREE PROTECTION & REMOVAL

66. 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.

67. 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) 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 (where relevant) 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.

VEHICLE ACCESS AND PUBLIC DOMAIN WORKS

68. NEW VEHICLE CROSSING

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

Applications for driveway works are to be lodged online via Council's website.

https://epwgate.waverley.nsw.gov.au/ePathway/Production/Web/Default.aspx

Condition reason: To ensure the development complies with Section 138 of the *Roads Act 1993*.

69. 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. Applications for driveway works are to be lodged online via Council's website.

https://epwgate.waverley.nsw.gov.au/ePathway/Production/Web/Default.aspx

Condition reason: To ensure reinstatement of verge occurs once crossing is closed, which will help to ensure stormwater overland flow is appropriately drained away from the site.

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

70. 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.

71. FLOOR SPACE RATIO

The following applies to Floor Space Ratio:

(a) The Gross Floor Area of the building shall be limited to 410.2m^2.

(b) Prior to any Occupation Certificate (including Interim) being issued, a Registered Surveyor must provide certification of the total Gross Floor Area (categorised by each 'use' in the development), utilising the definition under the *Waverley Local Environmental Plan 2012*, applicable at the time of development consent, to the satisfaction of the Principal Certifier. A copy is to be forwarded to Council for its records on the Development Application file.

Condition reason: To ensure the constructed development complies with the approved floor space ratio in the relevant consent.

72. BUILDING HEIGHT

(a) The height of the building must not exceed the following RLs (AHD) to the top of the buildings and (where relevant) to the top of building parapets:

  (i) Ridge/parapet height: RL 73.9.

  (ii) Lift overrun: RL 75.2

(b) Prior to an Occupation Certificate being issued, a Registered Surveyor must provide certification that the height of the building accords with (a) above, to the satisfaction of the Principal Certifier.

Condition reason: To ensure the constructed development complies with the approved height.

73. CERTIFICATION OF ALL MECHANICAL PLANT

All mechanical plant is to be tested. A 'Certificate of Testing', accompanied with a copy of the final test figures, certifying that the system/s complies with the conditions of this consent, National Construction Code (NCC) and relevant Australian Standards is to be submitted to the Principal Certifier. The testing, Certificate and figures referred to in this condition, are to be undertaken by a suitably qualified person,

Condition reason: To ensure the proper installation and testing of the mechanical plant has been undertaken.

74. 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*).

75. CERTIFICATION OF APPROVED DESIGN

In accordance with the *Environmental Planning and Assessment Regulations 2021*, the Principal Certifier must not issue an Occupation Certificate, to authorise a person to commence occupation or use of the development unless it has received a Design Verification Statement (DVS). The DVS is to be prepared by the registered architect (who is registered in accordance with the *Architects Act 2003* i.e. qualified designer) that verifies that the building achieves the design quality of the development as shown in the plans and specifications in respect of which the relevant Construction Certificate was issued, having regard to the design quality principles.

Condition reason: To maintain the architectural integrity of the approved development through the construction phase.

76. 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 that a high-quality landscape solution is appropriately established and maintained for the life of the development.

77. 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.

78. 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.

79. 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 to Council (attention to: Infrastructure Services) for record.

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.

80. WORKS-AS-EXECUTED DRAWINGS – STORMWATER MANAGEMENT SYSTEM

Prior to the issue of the final Occupation Certificate, a Works-As-Executed drawing (WAED) of the stormwater drainage system must be prepared, stamped, and signed by a Registered Surveyor. This drawing must detail the alignment of the stormwater management system including all pipelines, pits and other drainage-related infrastructure.

An original colour copy, to scale must be submitted to Waverley Council. 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.

A suitably qualified and practicing Engineer must provide certification of the WAED of the stormwater management system that the works were constructed to their satisfaction and in accordance with the Development Consent, Water Management Technical Manual, all applicable Codes, Policies, Plans, Standards, and good engineering practice.

A copy of the aforementioned letter of certification must be submitted to Council (attention to: Infrastructure Services) for the record.

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.

81. CREATION OF POSITIVE COVENANT – AUTOMATIC FLOOD GATES

A “Positive Covenant” to the approval of the Council must be registered on the Certificate of Title of the property acknowledging that the site has an automatic flood gate system and that the implementation and management of flood protection will be at the responsibility of the building owners.

Council is neither responsible nor liable to any damages caused as a result of any flooding of the property and/or neighbouring properties.

Evidence of the creation of the Covenant being registered on the Title must be submitted to Council (attention to Assets team) and the Principal Certifier, prior to the issue of any Occupation Certificate.

The covenant will not be revoked or modified without the prior approval of Council.

All legal costs associated with the review and registration of the legalise must be borne by the applicant and/or owners.

Condition reason: To ensure the Automatic Flood Gate system is embedded on the title of the land and all future owners can be made aware of this.

82. CREATION OF POSITIVE COVENANT AND RESTRICTION FOR THE STORMWATER MANAGEMENT SYSTEM

A "Positive Covenant" and "Restriction on the Use of Land" must be created for the stormwater management system under Section 88E of the *Conveyancing Act 1919*, to ensure the system is maintained and kept free of debris/weeds. The property owner/occupant must not modify or remove the stormwater management system without consent from Council.

The applicant must submit Council's 'Legal Document Authorisation Application' in line with Council requirements (including the wording of the Instrument) to the Assets team. Approval is required from the Executive Manager, Infrastructure Services (or delegate) prior to lodgement with NSW Land Registry Services.

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 (attention to Assets team) and the Principal Certifier, prior to the issue of any Occupation Certificate.

All legal costs associated with the review and registration of the legalise must be borne by the applicant and/or owners.

Condition reason: To ensure the key stormwater management controls (e.g. OSD, pump out, infiltration system) 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.

83. CREATION OF POSITIVE COVENANT AND RESTRICTION FOR STORMWATER QUALITY IMPROVEMENT SYSTEM

A "Positive Covenant" and "Restriction on the Use of Land" must be created for the stormwater quality improvement system under Section 88E of the *Conveyancing Act 1919*, to ensure the system is maintained and functioning effectively. The property owner/occupant must not modify or remove the system without consent from Council. 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's Executive Manager, Infrastructure Service by email to assets@waverley.nsw.gov.au for Council's records.

The applicant must submit Council's 'Legal Document Authorisation Application' in line with Council requirements (including the wording of the Instrument) to the Assets team. Approval is required from the Executive Manager, Infrastructure Services (or delegate) prior to lodgement with NSW Land Registry Services.

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 (attention to Assets team) and the Principal Certifier, prior to the issue of any Occupation Certificate.

All legal costs associated with the review and registration of the legalise must be borne by the applicant and/or owners.

Condition reason: To ensure that the stormwater quality improvement system is not modified or removed without Council consent, is maintained in order to minimise pollution entering the catchment from the site and that these be embedded on the title of the land and all future owners can be made aware of this.

84. DRAINAGE EASEMENT REGISTRATION

Evidence of the registration of easement on the Title must be submitted to Council (attention to Assets team) and the Principal Certifier, prior to the issue of any Occupation Certificate and shall include the terms of the drainage easement and its location on the burdened properties.

The easement is to be in favour of Waverley Council and is to be registered on the Certificate of Title of the property in which the easement passes through.

All legal costs associated with the review and registration of the legalise must be borne by the applicant and/or owners.

Condition reason: To ensure easements are correctly registered and that these be embedded on the title of the land and all future owners can be made aware of this.

85. PLANNED PREVENTATIVE MAINTENANCE SCHEDULE FOR PUMP OUT SYSTEM

The registered proprietor will be required to submit written intent to establish and maintain a Planned Preventative Maintenance (PPM) schedule of the pump out system prior to the issue of an Occupation Certificate. Council will not be liable for any claims for damages arising from the failure of the pump out system.

Evidence must be submitted to the Executive Manager, Infrastructure Services or delegate prior to the issue of an Occupation Certificate.

Condition reason: Ensure pump out systems are maintained and continue to operate as intended.

86. POST CONSTRUCTION STORMWATER PIT AND PIT CCTV & DILAPIDATION REPORT

A post-construction CCTV report must be prepared by an accredited operator in line with Council's CCTV Inspection Scope document and submitted to Council, assessing the proposed drainage line from Stanley Street site frontage to pit ID. 1816301013. The Assets team shall be contacted for pit numbers prior to completion.

A post-construction dilapidation report including photographic evidence of internal conditions of pit ID. 1816301013 following works must be prepared by an engineer or plumber 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 Council assets condition prior to the issue of the 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.

87. PUBLIC DOMAIN ENGINEERING INSPECTIONS AND COMPLIANCE CERTIFICATE

Prior to the issue of any Occupation Certificate for the works, the Applicant must submit to Council, a Final Certificate from the Supervising Engineer (charted engineer registered on the NER of Engineers Australia) confirming that the public domain works have been constructed in accordance with the Council-approved plans and Waverley Council standards and specifications. The certificate must include commentary to support any variations from the approved drawings.

Condition reason: To ensure all public infrastructure engineering works required by Council under this consent are be constructed to Council satisfaction.

88. WORK-AS-EXECUTED PLAN – PUBLIC DOMAIN

To ensure public infrastructure works required under the consent are completed in accordance with the approved plans and specifications, a Work-as-Executed plan of the completed works, prepared by a registered surveyor, must be submitted for review to the Principal Certifying Authority and the Council. Any required rectification works must be carried out by the Applicant and approved by must be submitted to Council and approved by the Executive Manager, Infrastructure Services (or delegate) prior to the issue of any Occupation Certificate.

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

Condition reason: The reason for this condition is to ensure all the proposed works within the public domain are completed by per design approval granted by Waverley Council, and copies of the 'As-Build' brand new assets are provided to Council.

89. CERTIFICATION OF PUBLIC INFRASTRUCTURE WORKS

Prior to the issue of any Occupation Certificate, a final Compliance Certificate must be obtained from Council's Executive Manager, Infrastructure Services (or delegate) confirming that all works in the road reserve including all public domain infrastructure and restorations have been completed and constructed to Council's satisfaction, as required under the consent. A final inspection is required to be carried out by Council's Infrastructure Engineer.

Notes

(i) The issue of a final Compliance Certificate from the Council's Infrastructure Engineer will be withheld should there be any outstanding fees and charges applicable to the development. This includes but is not limited to fees applicable for engineering plans assessment and work inspection fees.

(ii) The refund of any damage and/or security deposits will be subject to the satisfactory restoration and rectification of all civil infrastructure that have dilapidated as a result of the construction activities associated with this development consent, as determined by the Council.

(iii) To ensure satisfactory performance of the public domain works, a defects liability period of twelve (12) months shall apply to the works in the road reserve following completion of the development. The defects liability period shall commence from the date of issue of the compliance certificate for the public domain works for the Occupation Certificate. The applicant shall be liable for any part of the work which fails to perform in a satisfactory manner during the twelve (12) months' defects liability period. A bond in the form of a cash deposit for the value of the public domain works following final completion of the works shall be lodged with Waverley Council prior upon release of the damage deposit subsequent issuance of the OC Compliance Certificate. The bond will only be refunded when the works are determined to be satisfactory to Council after the expiry of the twelve (12) months defects liability period.

Condition reason: This is to ensure that all works are completed as per the approved DA and Council's requirements including any restorations works. This includes rectification of any part of the work which fails to perform during the 12 months defects liability period prior to handing over to Council.

90. STRUCTURAL AND GEOTECHNICAL CERTIFICATION

Prior to the issue of any Occupation Certificate, a Compliance Certificate shall be obtained from Council's Infrastructure Services Department confirming any affected Councils infrastructure as the result of construction activities within the public domain area including stormwater, stormwater outlet/s, kerb and gutter, road pavement, pedestrian footpath, grass verges and vehicle crossover within the extent works shall be replaced as per Waverley Council Public Domain Technical Manual and Development Control Plan.

Condition reason: This is to ensure that all works are completed as per the approved DA and Council's requirements including any restorations works.

91. DECOMMISSIONING GROUND ANCHORS

Decommissioning of Ground Anchors – Prior to the issue of any Occupation Certificate, the Applicant shall provide Council a certificate from a suitably qualified Structural or Geotechnical Engineer confirming that all temporary soil/ground anchors installed into the public road reserve, have been decommissioned and are not transferring any structural loads into the road reserve stratum.

Condition reason: Temporary ground anchors were approved, but these must be destressed to prevent ongoing load and or damage to Council assets.

92. 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.*

MANAGEMENTS PLANS

93. PLAN OF MANAGEMENT FOR AUTOMATIC FLOOD GATES

The Flood Protection Plan of Management must be prepared by a suitably qualified professional, and submitted to the satisfaction of the Executive Manager, Infrastructure Services (or delegate) prior to issuance of the Occupation Certificate.

The PoM must include, but not limited to:

(a) A description of the type, location and function of the floodgate(s).

(b) Details of operational procedures, including triggers for opening and closing.

(c) Routine inspection and maintenance schedules.

(d) Emergency access and response procedures in the event of gate malfunction.

(e) Record keeping and contact information for the managing party.

(f) Any manufacturer specifications or installation details relevant to ongoing operation.

(g) If the automatic floodgates system is misplaced, lost or damaged, the property owner/occupant of the premises must replace the gates immediately at no cost to Council. All associated costs with the replacement or maintenance of the floodgates must be borne by the property owner/occupant.

(h) Training requirements for the property owner or occupants in the deployment, operation and emergency response procedures associated with the floodgate(s).

The floodgate(s) must be managed and maintained in accordance with the approved PoM for the life of the development.

Condition reason: This is to ensure the property owner/occupant of the premises is adequately trained and capable of operating the automatic floodgates system effectively during occurrence of flood events in a timely manner.

VEHICLE ACCESS AND PARKING

94. CAR PARKING

A total of 6 car/vehicle parking spaces are to be provided within the development, allocated in the following manner:

(a) 6 standard residential parking spaces

(b) At least 10% of all the car parking spaces are to be allocated as accessible parking spaces and be shared amongst the residential, visitor and commercial spaces where applicable.

(c) Accessible parking spaces are to be designed in accordance with Australian Standard AS2890.6 - 2009 Off Street Parking for People with Disabilities.

(d) All spaces are to be clearly delineated and numbered.

(e) Car parking spaces are to be allocated with the rates specified in the DCP, with no more than 2 spaces allocated to any residential unit/dwelling.

(f) All car spaces are to be appropriately signposted and marked.

(g) Car parking spaces shall not be independent lots, but rather part lots attached to units in any future Subdivision Plans.

As constructed plans demonstrating compliance with the above is to be submitted to Council for the approval of the Executive Manager, Infrastructure Services, or delegate prior to the issuance of an Occupation Certificate. Plans are to be emailed to traffic@waverley.nsw.gov.au.

Condition reason: To ensure the correct number of car spaces are allocated to the appropriate users.

95. BICYCLE PARKING

A total of 4 bicycle parking spaces are to be provided within the development, allocated in the following manner:

(a) 4 residential bicycle spaces.

The bicycle spaces are to be designed in accordance with Australian Standard AS2890.3 - 2015 Parking Facilities - Bicycle Parking.

The bicycle spaces are to be provided by way of a secure lockable area, individual lockers or suitable bicycle racks and are to be located within the ground floor foyer or adjacent within any forecourt or within the basement car parking area. Signage and line-marking (way finding) is to be provided to guide visitors to the allocated bicycle parking spaces to ensure a safe path of travel to the bicycle spaces (separate to cars).

As constructed plans demonstrating compliance with the above is to be submitted to Council for the approval of the Executive Manager, Infrastructure Services, or delegate prior to the issuance of an Occupation Certificate. Plans are to be emailed to traffic@waverley.nsw.gov.au.

Condition reason: To ensure the site promotes sustainable transport in the form of bicycles.

96. VEHICLE PRIORITY/TRAFFIC LIGHT SYSTEM

A vehicle priority system (mirrors etc.) or traffic light system shall be provided for driveways and ramps which have access via a single lane to or from car parking spaces.

As constructed plans and details demonstrating compliance with the above is to be submitted to Council for the approval of the Executive Manager, Infrastructure Services, or delegate prior to the issuance of an Occupation Certificate. Plans and details are to be emailed to traffic@waverley.nsw.gov.au

Condition reason: To minimise vehicular conflicts.

OTHER MATTERS

97. 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.

98. ALLOCATION OF STREET NUMBER

(a) The redevelopment or subdivision of the property requires the allocation of street numbers as follows:

  (i) 701 Old South Head Road for the primary property;

  (ii) No. LG1/701 Old South Head Road for the allotment on the lower ground floor;

  (iii) No. G2/701 Old South Head Road for the allotment on the ground floor;

  (iv) No. 3/701 Old South Head Road for the allotment on the first floor;

  (v) No. 4/701 Old South Head Road for the allotment on the second floor.

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

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

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

(e) 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.

(f) Level at ground and below ground shall also be identified by prefixes to distinguish these levels i.e. Ground =G, Lower Ground = LG Basement= B1 etc.

(g) Commercial premises will be identified with an address identifier i.e. ShopG1, Shop 101, Office 102.

(h) 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 and to ensure compliance with NSW Geographical Names Boards Policy and Principles 2024.

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

99. ONGOING FLOOD REQUIREMENTS

(a) Materials which may be damaged by flood waters, materials which may be mobilised during flooding and materials which may cause pollution must be stored above 1% AEP plus 300mm freeboard.

(b) The site flood emergency response warning systems and plan must be regularly maintained, reviewed and/or updated and be in good working order at all times.

Condition reason: Ensure the development continues to must have a net neutral effect on flood behaviour and does not increase risk to the occupants.

100. 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.

101. 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.

PARKING AND ACCESS

102. VEHICLE ACCESS

All vehicles including service vehicles entering and exiting the building are to do so in a forward direction. Any vehicle utilising a car, motorcycle or bicycle space is to be parked fully within the confines of the site and is not to park over the public footway at any time.

Condition reason: To improve safety when entering and exiting the site.

103. ADJUSTMENTS TO STREET SIGNS

Any street signs required to be removed as a result of the works shall be relocated at the applicant and/or owner's expense in accordance with Council's requirements. Applicants are to email traffic@waverley.nsw.gov.au for details.

Condition reason: To ensure signage is provided.

104. ELECTRIC VEHICLE CHARGING POINTS

All resident car spaces must be 'EV Ready' and provided a dedicated circuit with a minimum current of 16A and cable storage for each parking space with power demand management system to enable all circuits to be used simultaneously. Electrical circuit have capacity to deliver a minimum 15 kWh between 11pm-7am.

At least one of the resident car spaces is to have a charger installed.

At least one dedicated space and charging point is to be provided for electric bicycles and mobility scooters.

All visitor car spaces require an EV charger with a 3-phase - 32A connection as a minimum. Electrical circuit have capacity to deliver a minimum 15 kWh between 9am-5pm.

Condition reason: To ensure EV ready spaces comply with WDCP requirements at time of approval.

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. WAVERLEY LGA FLOOD STUDY

(das for alts an additions)

The property is on land identified as flood affected under the Council endorsed Waverley LGA Flood Study 2021. It is also noted that flood affectation mapping has been updated in the Draft Flood Risk Management Study. Therefore, it is advised that the measures are undertaken in accordance with Section B5.2 of Waverley Council's DCP.

8. SITE RECTIFICATION WORKS

The vacant site is to be maintained in a safe and secure manner. Fencing is to be erected around the permitter of the site once demolition has been completed to secure the site. The site is to be protected from windblown soil loss and stormwater erosion at all times.

If the site is commenced to be developed and there is suspension in activity for 6months (or suspensions of activity which in the aggregate exceed 6 months), resulting in a building site which has an appearance not acceptable to Council, then the Council will have the readily enforceable rights to:

(k) Require certain works to be carried out, including but not limited to:

  (i) Make the building/site safe and of an appearance acceptable to Council;

  (ii) Allow the ground level to be landscaped and of an appearance acceptable to Council from any public vantage point;

  (iii) For the hole to be covered to allow it to be landscaped and made attractive from any public vantage point.

(iv) Council may call on any bank guarantee to cover the cost thereof.

(l) In the event of default, have the right to enter and carry out these works and to call upon security in the nature of a bank guarantee to cover the costs of the works.

9. EXCAVATION TO BE LIMITED

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

10. 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.

11. SUITABLY QUALIFIED ACOUSTIC CONSULTANT

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

12. 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:

(m) Footpath/s,

(n) Kerb and Gutter,

(o) Nature strip, turf and any trees,

(p) Stormwater assets,

(q) Driveway crossings,

(r) Roadway/s, &;

(s) 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.

13. PLANNING AGREEMENT

After a Development Application has been approved with a Planning Agreement, the legal agreement must be drafted by Council, exhibited and endorsed by Council prior to fulfilling the requirements of the DA condition. This process will take a minimum of 4 months, so please contact the Strategic Town Planning team (email strategictownplanning@waverley.nsw.gov.au) at least 4 months before you intend to obtain the relevant Construction Certificate associated with the VPA under this DA to commence the process.

14. TRENCHING COUNCIL'S ROAD RESERVE AND RESTORATION WORKS

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

15. PARKING PERMITS

Occupants of the building are not to be eligible for resident parking permits under Council's Resident Parking Scheme.

16. VEHICULAR ACCESS TO AND FROM STANLEY STREET

Having regard to the presence of on-street parking on Stanley Street resulting in access into and out of the car lift at times being difficult when vehicles are parked adjacent or opposite the garage, any application submitted to Council for consideration to be given to installing full or part time parking restrictions in the lane to improve vehicular access requires the approval of Council and consultation with residents of nearby properties prior to any restrictions being imposed.

Councils may not approve the installation of parking restrictions in some instances.

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.

Proposed Residential Flat Building
699 Old South Head Road, Vaucluse NSW 2030

AMENDED

Drawing List

DA000	Cover Page	DA400	Finishes Schedule
DA001	Project Information	DA410	Photomontage Sheet 1
DA002	Demolition Plan	DA411	Photomontage Sheet 2
DA003	Site Analysis	DA500	GFA Diagram
DA004	Site Plan	DA510	Deep Soil Diagram
DA100	Basement 2 Plan	DA511	Landscaped Area
DA101	Basement 1 Plan	DA520	Height Limit Diagram
DA102	Lower Ground Floor Plan	DA530	Cross Ventilation Diagram
DA103	Ground Floor Plan	DA540	Private Open Spaces
DA104	Level 1 Plan	DA550	Unit Mix Diagram
DA105	Level 2 Plan	DA560	Storage Calculation Diagram
DA106	Roof Plan	DA600	Solar Access Diagram
DA200	Elevation Sheet 1	DA610	Shadow Diagram Sheet 1
DA201	Elevation Sheet 2	DA611	Shadow Diagram Sheet 2
DA300	Section Sheet 1		
DA301	Section Sheet 2		
DA302	Section Sheet 3		

LIST OF MODIFICATIONS

1. UPDATED SHADOW DIAGRAMS WITH ADDTIONAL OUTLINES SHOWING THE SHADOWS CAST BY THE EXISTING BUILDING, AND HIGHLIGHTING SHADOW CAST BY A PART OF PROPOSED OVER 12.5M HEIGHT PLANE.
2. CHANGING THE FINISH OF METAL CLADDING AND FENCE FROM MONUMENT TO DARK BRONZE
3. PROVISION OF AN ADDITIONAL WINDOW TO THE MAIN BEDROOM OF UNIT 1, AND RELOCATION OF RAINWATER TANK
4. REDUCTION OF THE OVERHANGING STRUCTURE ABOVE THE TERRACE OF UNIT 1
5. NEW GATE FROM OLD SOUTH HEAD ROAD TO PROVIDE DIRECT ACCESS TO THE LIFT LOBBY
6. CLARIFICATION REGARDING ROOF AREA TO DRAIN TO RAINWATER TANK
7. PROVISION OF ADDITIONAL INFORMATION REGARDING SIDE BOUNDARY WALL
8. OPAQUE GLAZING SHOWN ON MATERIALS LEGEND AND FINISHES SCHEDULE
9. EXTENSION OF BLADE WALLS (GF & L1) AND ADDITIONAL PRIVACY SCREEN (L2) TO ADDRESS OVERLOOKING FROM THE EASTERN BALCONY TO THE REAR YARD OF No.699A
10. PROVISION OF AN ADDITIONAL SECTION THROUGH THE UNIT 1 TERRACE
11. ADD INDICATIVE 9.5M WALL HEIGHT LINE TO SECTIONS AND ELEVATIONS
12. CLARIFICATION REGARDING THE NOMINATED BIN COLLECTION POINT ON STANLEY STREET
13. UPDATE OF LANDSCAPED CALCULATION AND DEEP SOIL CALCULATION
14. FLOOD BARRIER AS PER FLOOD ENGINEER'S REQUIREMENTS
15. RAISED WALL AS PER FLOOD ENGINEER'S REQUIREMENTS
16. REVISED OSD TANK
17. PROVISION OF BASIX SPECIFICATION BLOCK

RECEIVED
Waverley Council
Application No: DA-472/2025
Date Received: 01/02/2026

NatHERS Thermal Performance Specifications (BASIX Thermal Comfort)
699 Old South Head Road, Vaucluse

The NatHERS specifications are summarised below. Please refer to the NatHERS certificate(s) for full details. If details included in these specifications vary from other drawings or written specifications, these specifications shall take precedence. If only one specification option is detailed for a building element, that specification must apply to all instances of that element for the project.

Windows	*Glass*	*Frame*	*U value*	*SHGC*	*Detail*
Default	Double glazed, low E low solar gain	Aluminium	4.9	0.33	Window types: awning, hinged door, sliding doors, fixed - all windows

** The glass type and frame descriptions are indicative only. The U-value and SHGC performance figures must be met to achieve compliance*

Skylights	*Glass*	*Frame*	*U value*	*SHGC*	*Detail*
None					

External walls	*Construction*	*Added Insulation*	*Detail*
Concrete + stud		R 2.5	For levels: lower ground, ground, level 1
Framed with metal cladding		R 2.5	For Level 2

Internal walls	*Construction*	*Added Insulation*	*Detail*
Plasterboard on studs		None	Walls within units
Concrete + stud		R 2.0	Internal walls separating units from common lobbies and non-conditioned spaces

Floors	*Construction*	*Added Insulation*	*Detail*
Concrete		None	Floors generally
Concrete		R 2.0	For unit 1 - lower ground level floor over basement carpark

Ceilings	*Construction*	*Added Insulation*	*Detail*
Plasterboard		None	Ceilings below internal spaces
Plasterboard		R 3.0	Ceilings below roof

Roof	*Construction*	*Added Insulation*
Concrete		(refer to ceiling detail)

Other Requirements

Building Sealing
All vents, exhaust fans and downlights to be **sealed** to prevent air-infiltration

Floor coverings
Timber generally, carpet for bedrooms, tiles for wet areas

Ceiling Fans
1200mm ceiling fans to be provided in all units:-
- Living / dining / kitchen – 2 fans
- Bedrooms – 1 fan per bedroom

BASIX Commitments
Certificate number: 1812425M_02
Please see BASIX certificate for full details and supporting information

Water
Water fixtures:
- Shower heads: 4 star (> 6 but <= 7.5 L/min)
- Toilets: 4 star; Kitchen taps: 5 star; Bathroom taps: 5 star

Appliances:
- Dishwashers: 3 star (water rating)
- Clothes washers 3 star (water rating)

Rainwater tank:
- Central rainwater tank: 5000 litres, for landscape irrigation only
- Roof run-off: 140 sqm

Thermal Comfort
See NatHERS specification attached to drawings - NatHERS certificate no: **HR-CNXL87-02**

Energy
Hot water:
- Central system: gas instantaneous, piping insulation: R0.6

Ventilation:
- Kitchens: individual fan, ducted to façade or roof; operation: manual
- Bathrooms and laundry: individual fan, ducted to façade or roof; operation: manual

Heating and cooling:
- Living and bedrooms areas: 1-phase air-conditioning non ducted, rating EER 2.5 – 3.0

Artificial lighting:
- LED lighting throughout

Appliances
- Cooktop/ oven: electric cooktop & electric oven; Dishwashers: 4 stars; Clothes dryers: 4 stars

Central systems and central systems
- Common area ventilation and lighting: refer to table on page 13 of BASIX certificate.
- Lifts: gearless traction with V V V F motor
- Photovoltaic system: Rated electrical output (min): 6 peak kW

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Certificate No. #HR-CNXL87-02
Scan QR code or follow website link for rating details.

Assessor name	Rob Mallindine
Accreditation No.	DMN/12/1475
Property Address	699 Old South Head Road, Vaucluse, NSW, 2030

http://www.hero-software.com.au/pdf/HR-CNXL87-02

GENERAL NOTES:

- ALL WORKS TO COMPLY WITH BUILDING CODE OF AUSTRALIA, REQUIREMENTS OF RELEVENT STATUTORY AUTHORITIES/ LOCAL GOVERNMENT & RELEVENT AUSTRALIAN BUILDING STANDARDS
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LEGEND:

AW	AWNING
AH	ACCESS HATCH
AC	A/C CONDENSER UNITS
FH	FIRE HYDRANT
FHR	FIRE HOSE REEL
FS	FIRE STAIRS
GC	GARBAGE CHUTE
HW	HIGHLIGHT WINDOW
MV	MECHANICAL RISER TO FUTURE DETAIL
MB	MAILBOX TO FUTURE DETAIL
R	240L RECYCLING BIN
RWT	RAINWATER TANK
SK	SKYLIGHT
ST	STORAGE
HWU	HOT WATER UNITS

MATERIALS LEGEND:

AFG	ALUMINIUM FRAMED GLAZING
LV	ALUMINIUM ELLIPTICAL FIXED LOUVERS
AW	AWNING (TO FUTURE DETAIL)
CONC	CONCRETE
FB	FACE BRICK
GB	FRAMELESS TOUCHENED GLASS BALUSTRADE (TO BCA/AUS STANDARDS)
MB	METAL BALUSTRADE
MC	METAL CLADDING
OP	OPAQUE GLAZING
FCR	METAL FENCING (TO FUTURE SELECTION)
PC	COMPOSITE PANEL CLADDING
PSx	PRIVACY SCREEN (TO FUTURE SELECTION)
PTx	PAINT FINISH TYPEx
RD	ROLLER DOOR
RP	RIVER PEBBLES
RW	RENDERED FINISH/SELECTED PAINT FINISH
TC	TIMBER CLADDING
VB	EXTERNAL VENETIAN BLINDS

8

Issue	Date	Description
01	10/09/2025	DA Submission
02	14/01/2026	Council RFI

CLIENT:
Bondi Boys PTY LTD.

pbd architects
P - 02 9698 8140
E - info@pbdarchitects.com.au
W - pbdarchitects.com.au
Level 2, 52 Albion Street, Surry Hills NSW 2010
ABN 36 147 035 550
Nominated Architect: Paul Buljevic NSW 7768

PROJECT:
Proposed Residential Flat Building
699 Old South Head Road, Vaucluse NSW 2030

DRAWING TITLE:
Cover Page

DRAWING BY: TT	CHECKED BY: PB	DATE: 23/01/2026
SCALE: NTS	DRAWING NO: **DA000**	ISSUE: **02**
PROJECT NO: 2507		

PROJECT INFORMATION	
699 Old South Head Road, Vaucluse NSW 2030	
Site Area	395.4 sqm

Zoning	R3 Medium Density Residential

Permissible LEP FSR	0.9 : 1
Permissible LEP GFA	355.9 sqm
Permissible LEP Height	12.50 m

Proposed FSR	1.04 : 1
Proposed GFA	410.2 sqm

Unit Mix				
Level	1 Bed	2 Bed	3 Bed	Total
Lower ground		1		1
Ground			1	1
Level 1			1	1
Level 2			1	1

Total	0	1	3	4
	0%	25%	75%	100%

Car Parking Requirements				
	Rate per Unit (max)	No. of units	Required (min.)	Proposed
Residential				
1 bed	1.0	0	0.0	6
2 bed	1.2	1	1.2	
3 bed	1.5	3	4.5	
Visitors	3 to 4 units - 0 spaces	4	0	0
TOTAL			6	6

Other Parking Requirements					
Motorcycle		1 per 4 dwelling	4	1	4
Bicycle (Residents)		1 Bike per dwelling	4	4	4

Other Requirements					
		Required	Proposed		
Solar access (2+ HR)	70%	2.8	3	75%	
Solar access (nil)	15%	0.6	0	0%	
Cross ventilation	60%	2.4	4	100%	
Deep soil	15%	59.3	63.6	54%	(percentage relative to min. DCP required landscaped area)
Landscape	30%	118.6	172.5	43.6%	(landscaped area including landscaping over structure)
			71.4	18.1%	(landscaped area not over structure)

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AREA SCHEDULE

Level	Unit Number	Type		Terrace / Balcony	Livable	Adaptable	Storage	Basement Storage	Total Storage
			sqm	sqm			cube	cube	cube
Lower Ground	Unit 1	2 BED	75	26.8			4	9	13
Ground	Unit 2	3 BED	112	65.9	✓		5	9	14
Level 1	Unit 3	3 BED	112	34.3			5	12.6	17.6
Level 2	Unit 4	3 BED	112	35.4			5	18.3	23.3

RECEIVED
Waverley Council
Application No: DA-472/2025
Date Received: 01/02/2026

AMENDED

Certificate No. #HR-CNXL87-02
Scan QR code or follow website link for rating details.
Assessor name Rob Mallindine
Accreditation No. DMN/12/1475
Property Address 699 Old South Head Road, Vaucluse, NSW, 2030
http://www.hero-software.com.au/pdf/HR-CNXL87-02

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8 FCR METAL FENCING (TO FUTURE SELECTION)

Issue	Date	Description
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02	14/01/2026	Council RFI

CLIENT:
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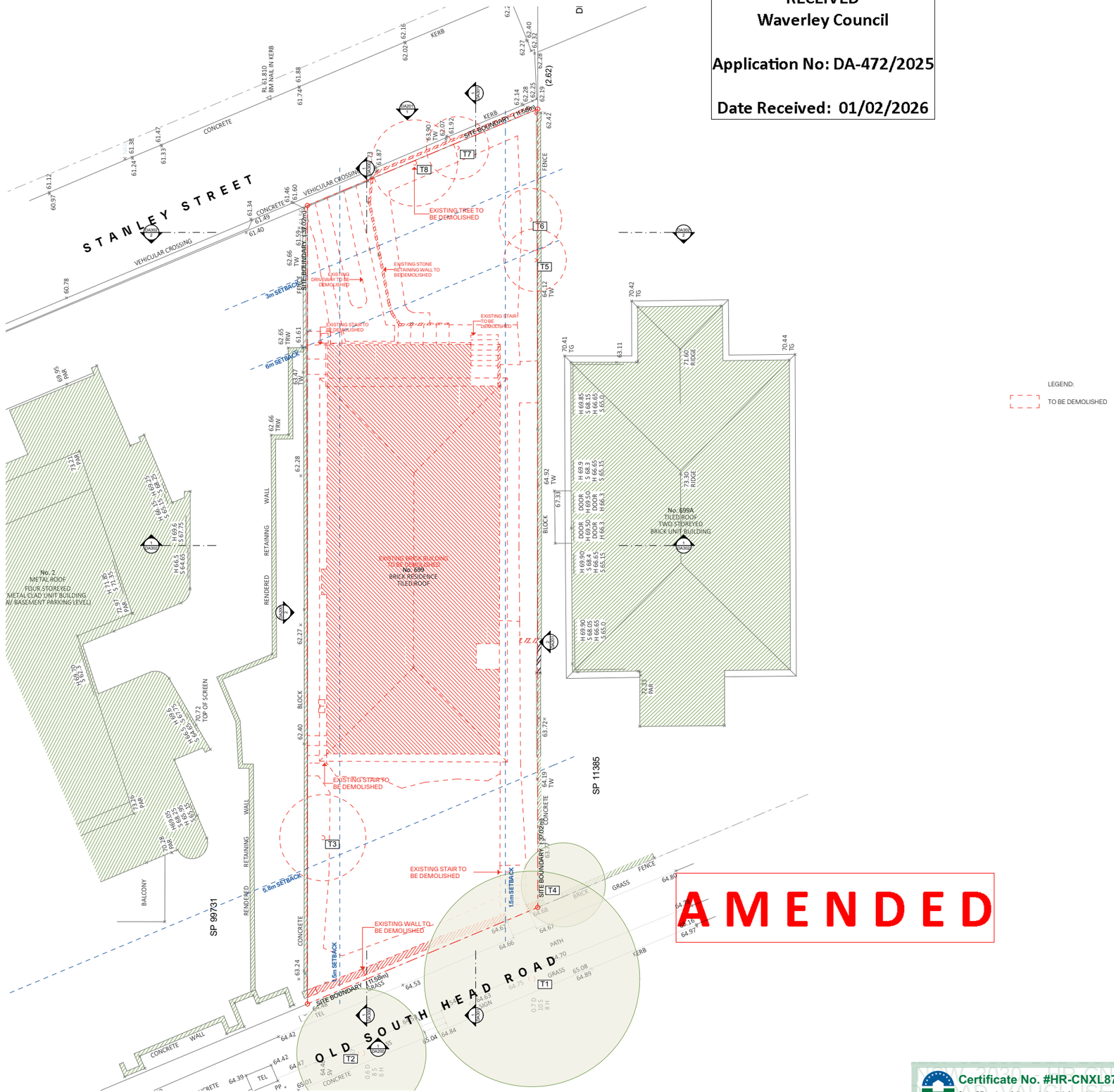
699 Old South Head Road, Vaucluse NSW 2030

DRAWING TITLE:
Project Information

DRAWING BY:	CHECKED BY:	DATE:
TT	PB	23/01/2026
SCALE: NTS	DRAWING NO: DA001	ISSUE: 02
PROJECT NO: 2507		



1 Demolition Plan 1:100

RECEIVED
Waverley Council

Application No: DA-472/2025

Date Received: 01/02/2026

AMENDED

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Scale Bar 1 : 100 @ A1

0 1 2 3 4 5m

CLIENT:
Bondi Boys PTY LTD.

pbd architects

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Level 2, 52 Albion Street, Surry Hills NSW 2010

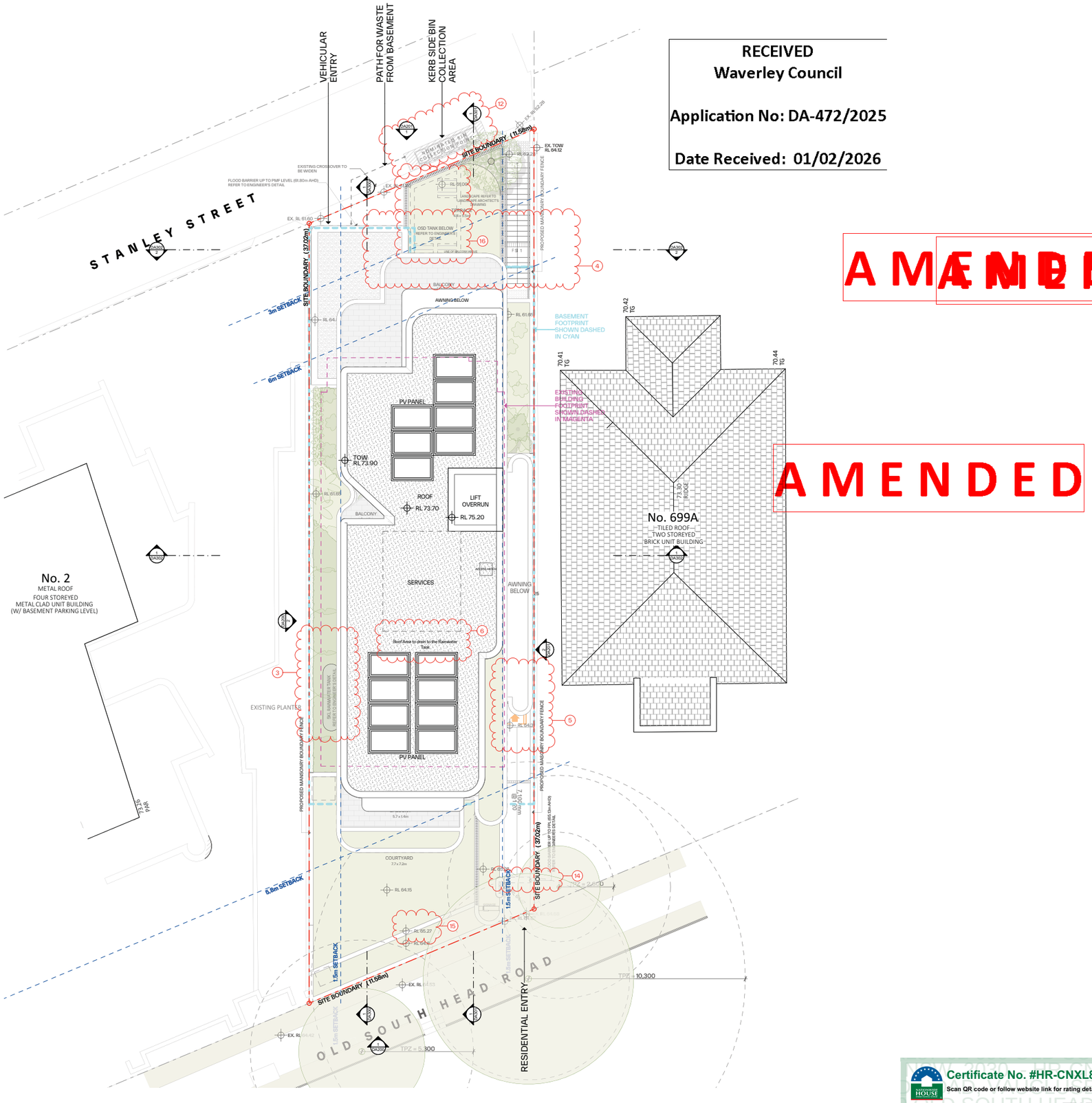
ABN 36 147 035 550
Nominated Architect: Paul Buljevic NSW 7768

PROJECT:
Proposed Residential Flat Building
699 Old South Head Road, Vaucluse NSW 2030

DRAWING TITLE:
Demolition Plan

Certificate No. #HR-CNXL87-02
Scan QR code or follow website link for rating details.
Assessor name Rob Mallindine
Accreditation No. DMN/12/1475
Property Address 699 Old South Head Road, Vaucluse, NSW, 2030
http://www.hero-software.com.au/pdf/HR-CNXL87-02

DRAWING BY:	CHECKED BY:	DATE:
TT	PB	23/01/2026
SCALE: 1:100@A1	DRAWING NO: DA002	ISSUE: 02
PROJECT NO: 2507		



1 Site Plan 1:100

RECEIVED
Waverley Council

Application No: DA-472/2025

Date Received: 01/02/2026

AMENDED

AMENDED

GENERAL NOTES:

- ALL WORKS TO COMPLY WITH BUILDING CODE OF AUSTRALIA, REQUIREMENTS OF RELEVENT STATUTORY AUTHORITIES/ LOCAL GOVERNMENT & RELEVENT AUSTRALIAN BUILDING STANDARDS
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LEGEND:

AW	AWNING
AH	ACCESS HATCH
AC	A/C CONDENSER UNITS
FH	FIRE HYDRANT
FHR	FIRE HOSE REEL
FS	FIRE STAIRS
GC	GARBAGE CHUTE
HW	HIGHLIGHT WINDOW
MV	MECHANICAL RISER TO FUTURE DETAIL
MB	MAILBOX TO FUTURE DETAIL
R	240L RECYCLING BIN
RWT	RAINWATER TANK
SK	SKYLIGHT
ST	STORAGE
HWU	HOT WATER UNITS

MATERIALS LEGEND:

AFG	ALUMINIUM FRAMED GLAZING
LV	ALUMINIUM ELLIPTICAL FIXED LOUVERS
AW	AWNING (TO FUTURE DETAIL)
CONC	CONCRETE
BRK	FACE BRICK
FGB	FRAMELESS TOUCHED GLASS BALUSTRADE (TO BCA/AUS STANDARDS)
MB	METAL BALUSTRADE
MC	METAL CLADDING
OP	OPAQUE GLAZING
PCF	METAL FENCING (TO FUTURE SELECTION)
PC	COMPOSITE PANEL CLADDING
PSx	PRIVACY SCREEN (TO FUTURE SELECTION)
PTx	PAINT FINISH TYPEx
RD	ROLLER DOOR
RP	RIVER PEBBLES
RW	RENDERED FINISH/SELECTED PAINT FINISH
TC	TIMBER CLADDING
VB	EXTERNAL VENETIAN BLINDS

Issue	Date	Description
01	10/09/2025	DA Submission
02	14/01/2026	Council RFI

Scale Bar 1 : 100 @ A1

0 1 2 3 4 5m

CLIENT:
Bondi Boys PTY LTD.

pbd architects

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W - pbdarchitects.com.au

Level 2, 52 Albion Street, Surry Hills NSW 2010

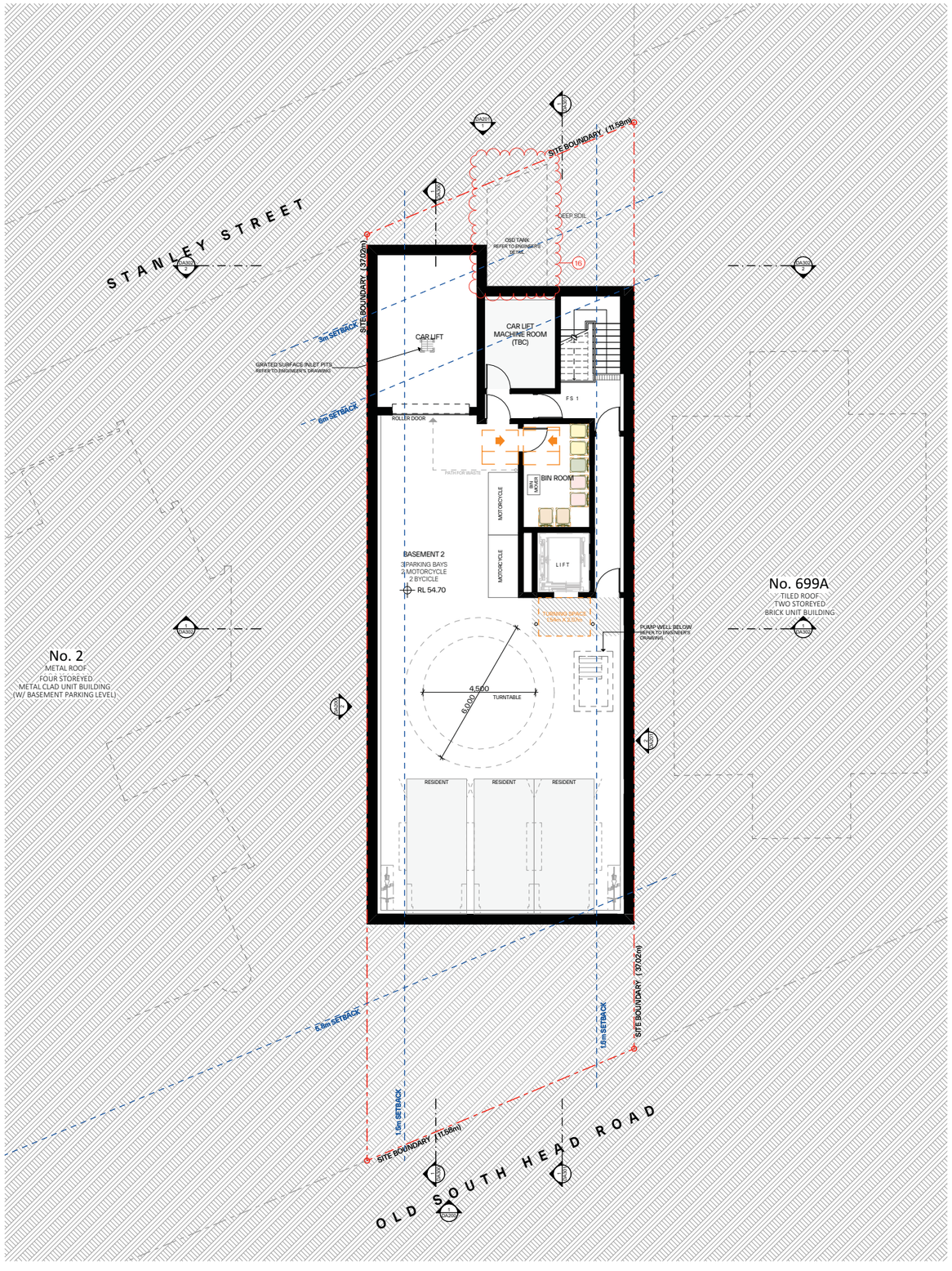
ABN 36 147 035 550
Nominated Architect: Paul Buljevic NSW 7768

PROJECT:
Proposed Residential Flat Building
699 Old South Head Road, Vaucluse NSW 2030

DRAWING TITLE:
Site Plan

Certificate No. #HR-CNXL87-02
Scan QR code or follow website link for rating details.
Assessor name: Rob Mallindine
Accreditation No.: DMN/12/1475
Property Address: 699 Old South Head Road, Vaucluse, NSW, 2030
http://www.hero-software.com.au/pdf/HR-CNXL87-02

DRAWING BY:	CHECKED BY:	DATE:
TT	PB	23/01/2026
SCALE: 1:100@A1	DRAWING NO: DA004	ISSUE: 02
PROJECT NO: 2507		



1 Basement 2 1:100

RECEIVED
Waverley Council

Application No: DA-472/2025

Date Received: 01/02/2026

GENERAL NOTES:

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LEGEND:

AW	AWNING
AH	ACCESS HATCH
AC	A/C CONDENSER UNITS
FH	FIRE HYDRANT
FHR	FIRE HOSE REEL
FS	FIRE STAIRS
GC	GARBAGE CHUTE
HW	HIGHLIGHT WINDOW
MV	MECHANICAL RISER TO FUTURE DETAIL
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MATERIALS LEGEND:

AFG	ALUMINIUM FRAMED GLAZING
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TC	TIMBER CLADDING
VB	EXTERNAL VENETIAN BLINDS

Issue	Date	Description
01	10/09/2025	DA Submission
02	14/01/2026	Council RFI

Scale Bar 1 : 100 @ A1

0 1 2 3 4 5m

N

CLIENT:
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Level 2, 52 Albion Street,
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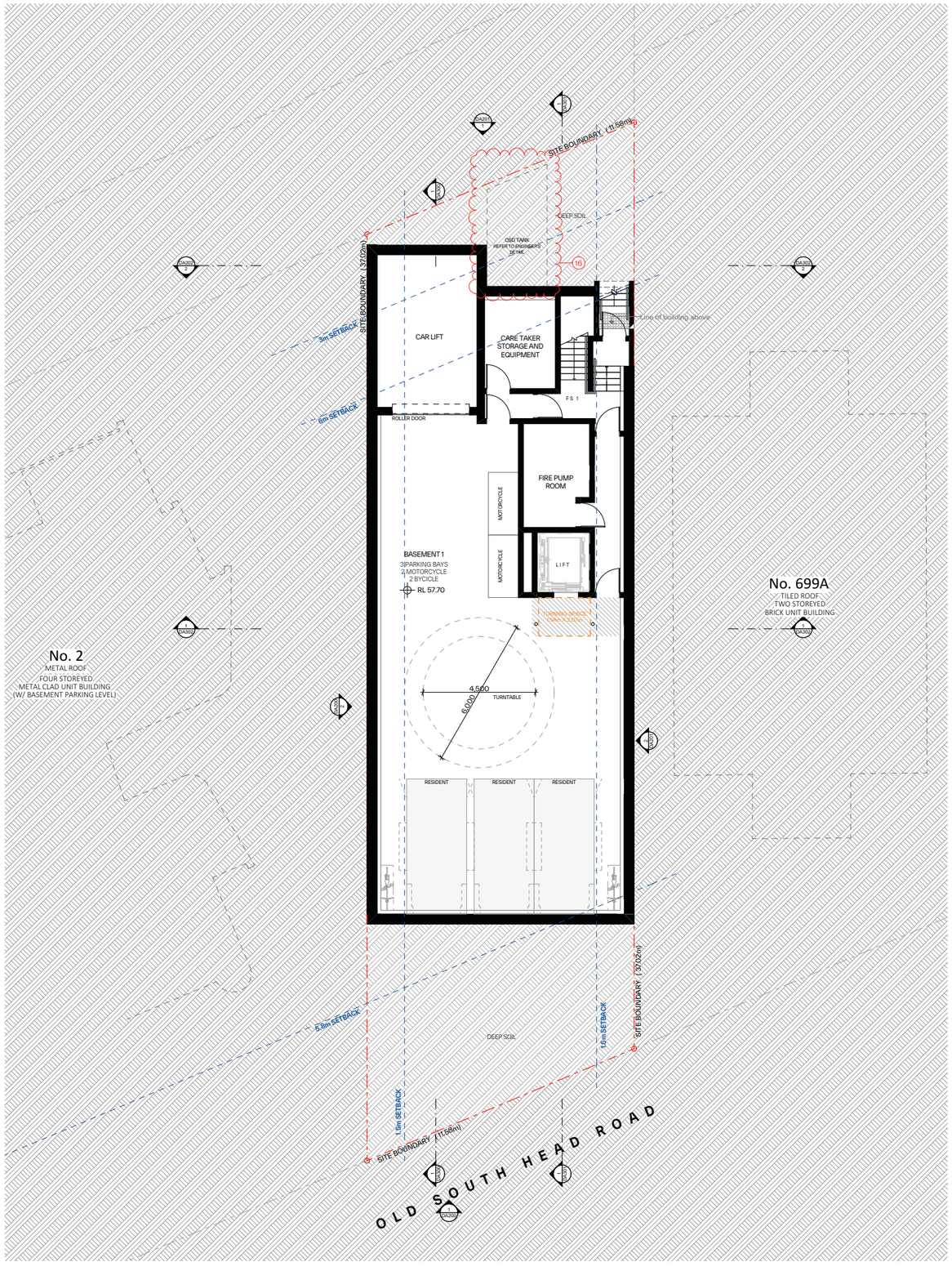
ABN 36 147 035 550
Nominated Architect:
Paul Buljevic NSW 7768

PROJECT:
Proposed Residential Flat Building
699 Old South Head Road, Vaucluse NSW 2030

DRAWING TITLE:
Basement 2 Plan

Certificate No. #HR-CNXL87-02
Scan QR code or follow website link for rating details.
Assessor name Rob Mallindine
Accreditation No. DMN/12/1475
Property Address 699 Old South Head Road, Vaucluse, NSW, 2030
http://www.hero-software.com.au/pdf/HR-CNXL87-02

DRAWING BY: TT	CHECKED BY: PB	DATE: 23/01/2026
SCALE: 1:100@A1	DRAWING NO: DA100	ISSUE: 02
PROJECT NO: 2507		



1 Basement 1 1:100

RECEIVED
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Application No: DA-472/2025

Date Received: 01/02/2026

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Issue	Date	Description
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02	14/01/2026	Council RFI

Scale Bar 1 : 100 @ A1

0 1 2 3 4 5m

N

CLIENT:
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Level 2, 52 Albion Street,
Surry Hills NSW 2010

ABN 36 147 035 550
Nominated Architect:
Paul Buljevic NSW 7768

PROJECT:
Proposed Residential Flat Building
699 Old South Head Road, Vaucluse NSW 2030

DRAWING TITLE:
Basement 1 Plan

Certificate No. #HR-CNXL87-02
Scan QR code or follow website link for rating details.
Assessor name Rob Mallindine
Accreditation No. DMN/12/1475
Property Address 699 Old South Head Road, Vaucluse, NSW, 2030
http://www.hero-software.com.au/pdf/HR-CNXL87-02

DRAWING BY:	CHECKED BY:	DATE:
TT	PB	23/01/2026
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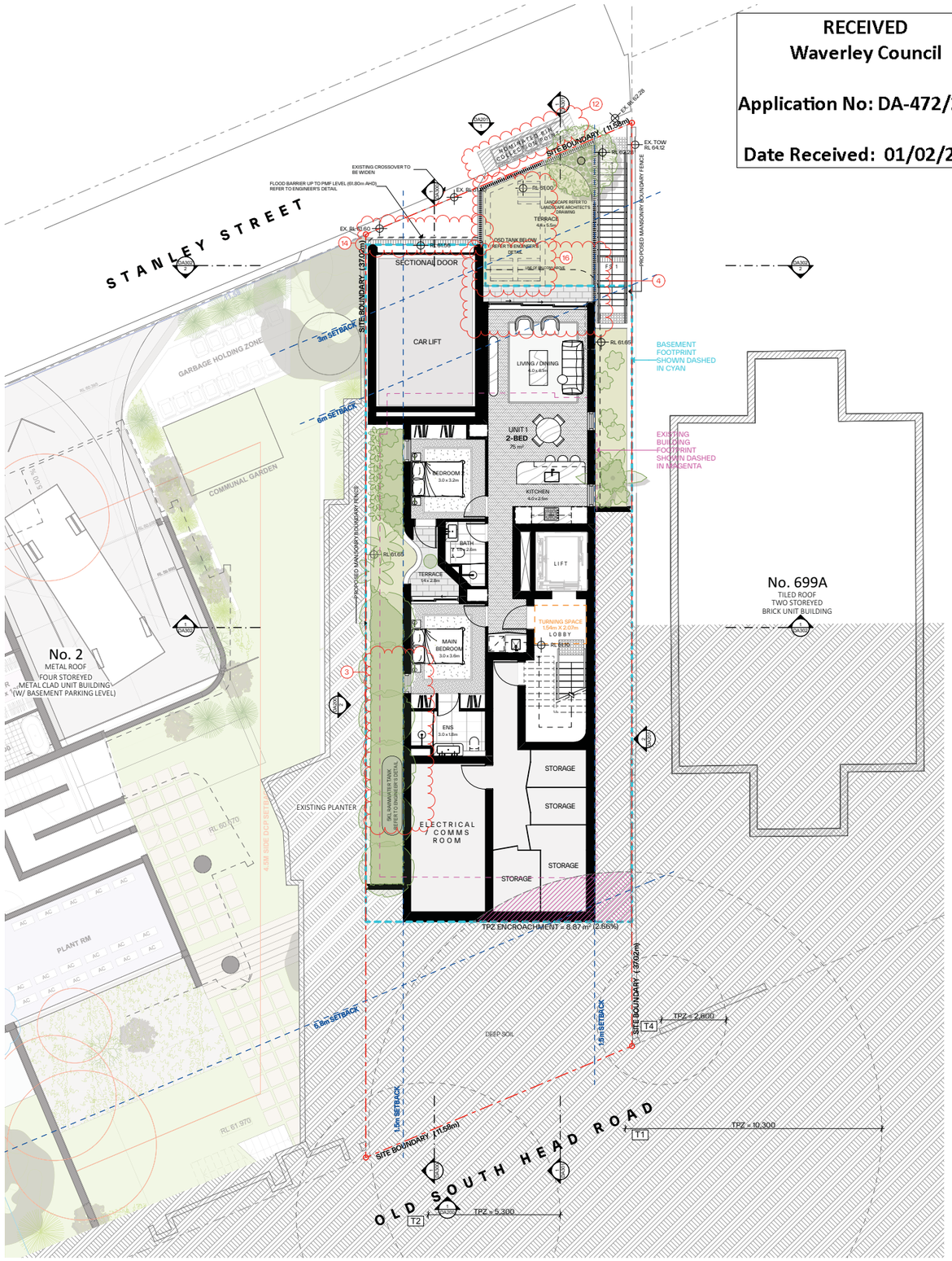
PROJECT NO: 2507		



1 Lower Ground 1:100

RECEIVED
Waverley Council

Application No: DA-472/2025

Date Received: 01/02/2026

GENERAL NOTES:

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LEGEND:

AW	AWNING
AH	ACCESS HATCH
AC	A/C CONDENSER UNITS
FH	FIRE HYDRANT
FHR	FIRE HOSE REEL
FS	FIRE STAIRS
GC	GARBAGE CHUTE
HW	HIGHLIGHT WINDOW
MV	MECHANICAL RISER TO FUTURE DETAIL
MB	MAILBOX TO FUTURE DETAIL
R	240L RECYCLING BIN
RWT	RAINWATER TANK
SK	SKYLIGHT
ST	STORAGE
HWU	HOT WATER UNITS

MATERIALS LEGEND:

AFG	ALUMINIUM FRAMED GLAZING
LV	ALUMINIUM ELLIPTICAL FIXED LOUVERS
AW	AWNING (TO FUTURE DETAIL)
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Issue	Date	Description
01	10/09/2025	DA Submission
02	14/01/2026	Council RFI

Scale Bar 1 : 100 @ A1

0 1 2 3 4 5m

N

CLIENT:
Bondi Boys PTY LTD.

pbd architects

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W - pbdarchitects.com.au

Level 2, 52 Albion Street, Surry Hills NSW 2010

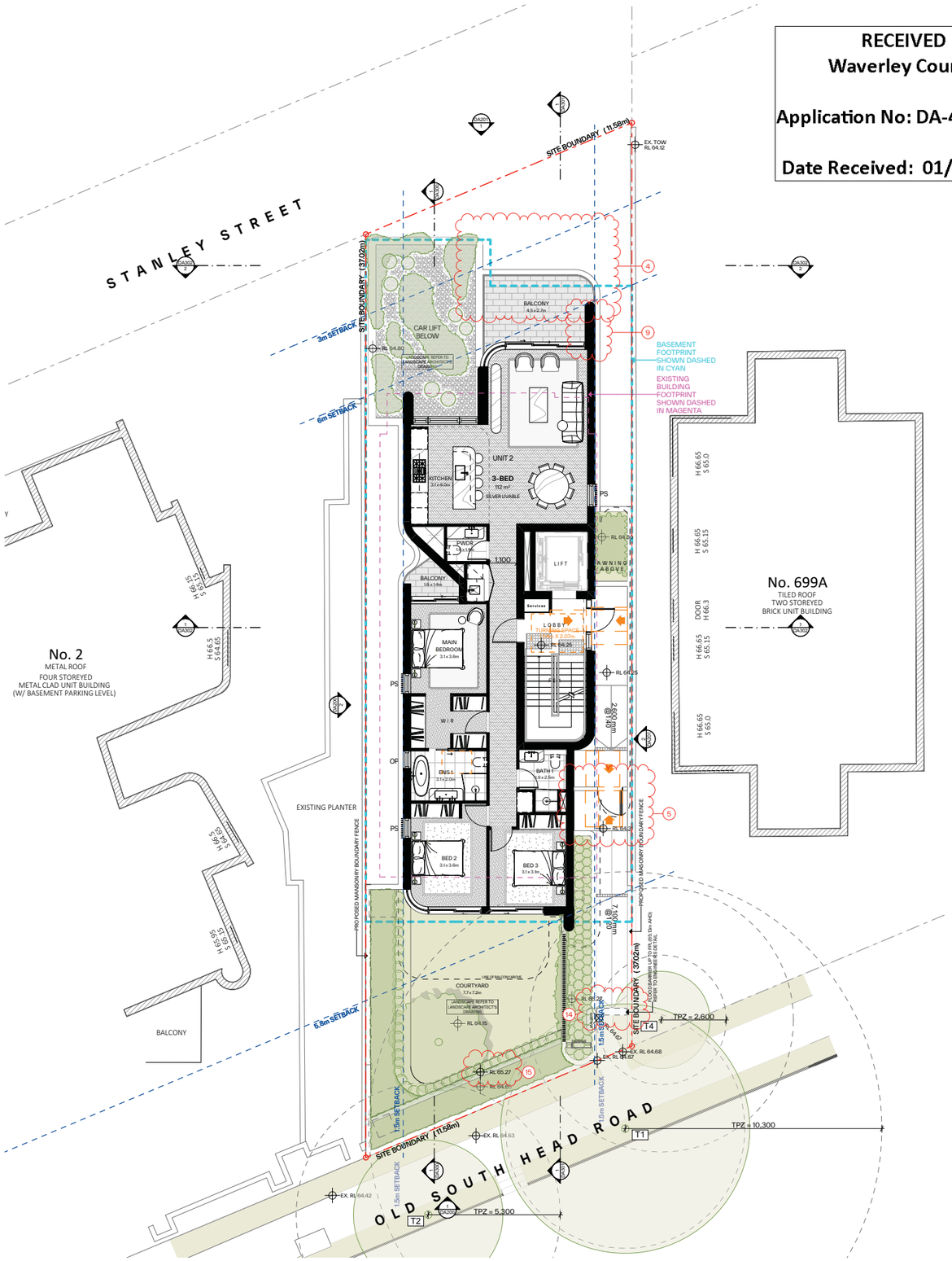
ABN 36 147 035 550
Nominated Architect: Paul Buljevic NSW 7768

PROJECT:
Proposed Residential Flat Building
699 Old South Head Road, Vaucluse NSW 2030

DRAWING TITLE:
Lower Ground Floor Plan

Certificate No. #HR-CNXL87-02
Scan QR code or follow website link for rating details.
Assessor name: Rob Mallindine
Accreditation No.: DMN/12/1475
Property Address: 699 Old South Head Road, Vaucluse, NSW, 2030
http://www.hero-software.com.au/pdf/HR-CNXL87-02

DRAWING BY:	CHECKED BY:	DATE:
TT	PB	23/01/2026
SCALE: 1:100@A1	DRAWING NO: DA102	ISSUE: 02
PROJECT NO: 2507		



1 Ground 1:100

RECEIVED
Waverley Council

Application No: DA-472/2025

Date Received: 01/02/2026

GENERAL NOTES:

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LEGEND:

AW	AWNING
AH	ACCESS HATCH
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FH	FIRE HYDRANT
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Issue	Date	Description
01	10/09/2025	DA Submission
02	14/01/2026	Council RFI

Scale Bar 1 : 100 @ A1

0 1 2 3 4 5m

N

CLIENT:
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pbd architects

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W - pbdarchitects.com.au

Level 2, 52 Albion Street,
Surry Hills NSW 2010

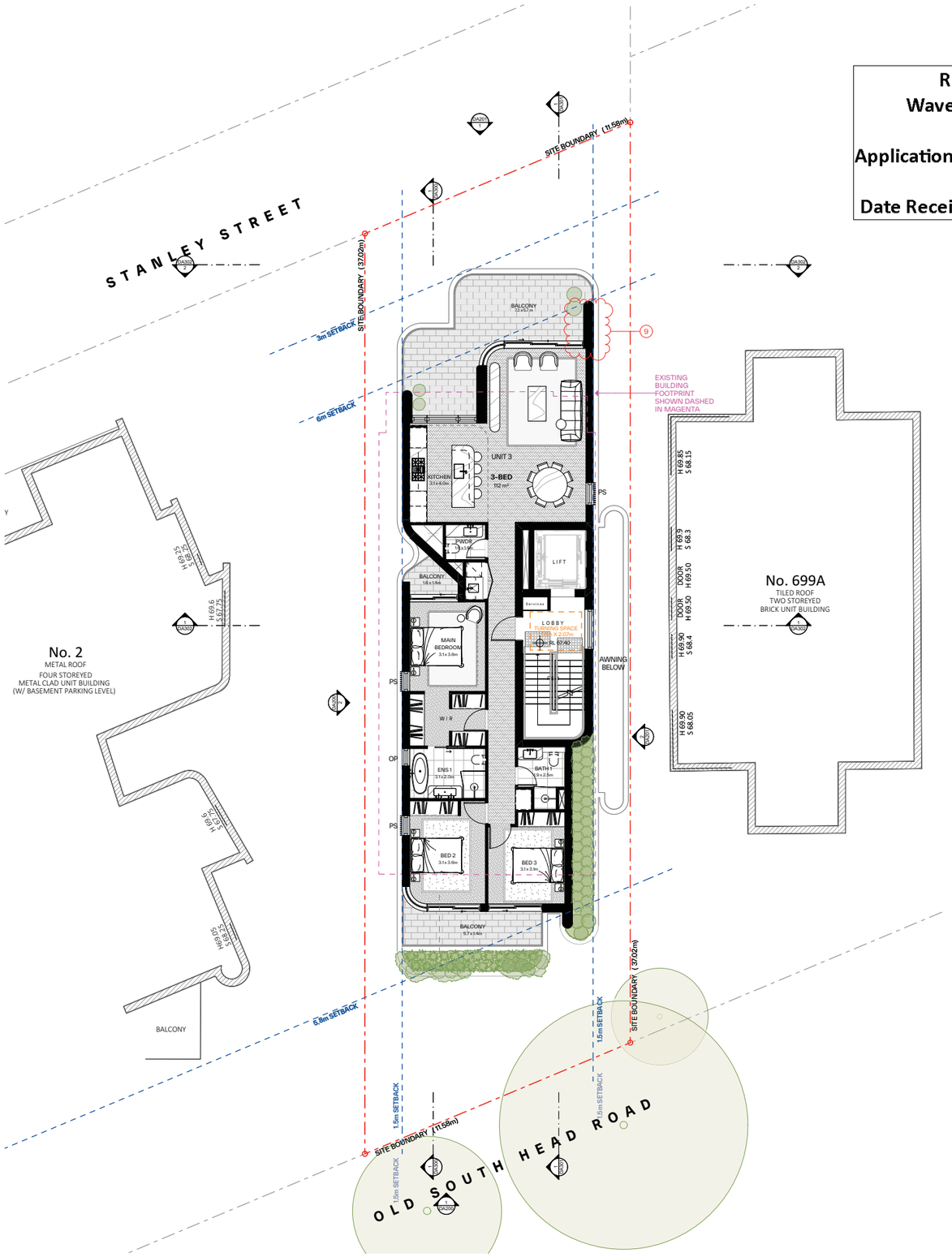
ABN 36 147 035 550
Nominated Architect:
Paul Buljevic NSW 7768

PROJECT:
Proposed Residential Flat Building
699 Old South Head Road, Vaucluse NSW 2030

DRAWING TITLE:
Ground Floor Plan

Certificate No. #HR-CNXL87-02
Scan QR code or follow website link for rating details.
Assessor name Rob Mallindine
Accreditation No. DMN/12/1475
Property Address 699 Old South Head Road, Vaucluse, NSW, 2030
http://www.hero-software.com.au/pdf/HR-CNXL87-02

DRAWING BY:	CHECKED BY:	DATE:
TT	PB	23/01/2026
SCALE: 1:100@A1	DRAWING NO: DA103	ISSUE: 02
PROJECT NO: 2507		



1 Level 1 1:100

RECEIVED
Waverley Council

Application No: DA-472/2025

Date Received: 01/02/2026

GENERAL NOTES:

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MATERIALS LEGEND:

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VB	EXTERNAL VENETIAN BLINDS

Issue	Date	Description
01	10/09/2025	DA Submission
02	14/01/2026	Council RFI

Scale Bar 1 : 100 @ A1

0 1 2 3 4 5m

N

CLIENT:
Bondi Boys PTY LTD.

pbd architects

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Level 2, 52 Albion Street,
Surry Hills NSW 2010

ABN 36 147 035 550
Nominated Architect:
Paul Buljevic NSW 7768

PROJECT:
Proposed Residential Flat Building
699 Old South Head Road, Vaucluse NSW 2030

DRAWING TITLE:
Level 1 Plan

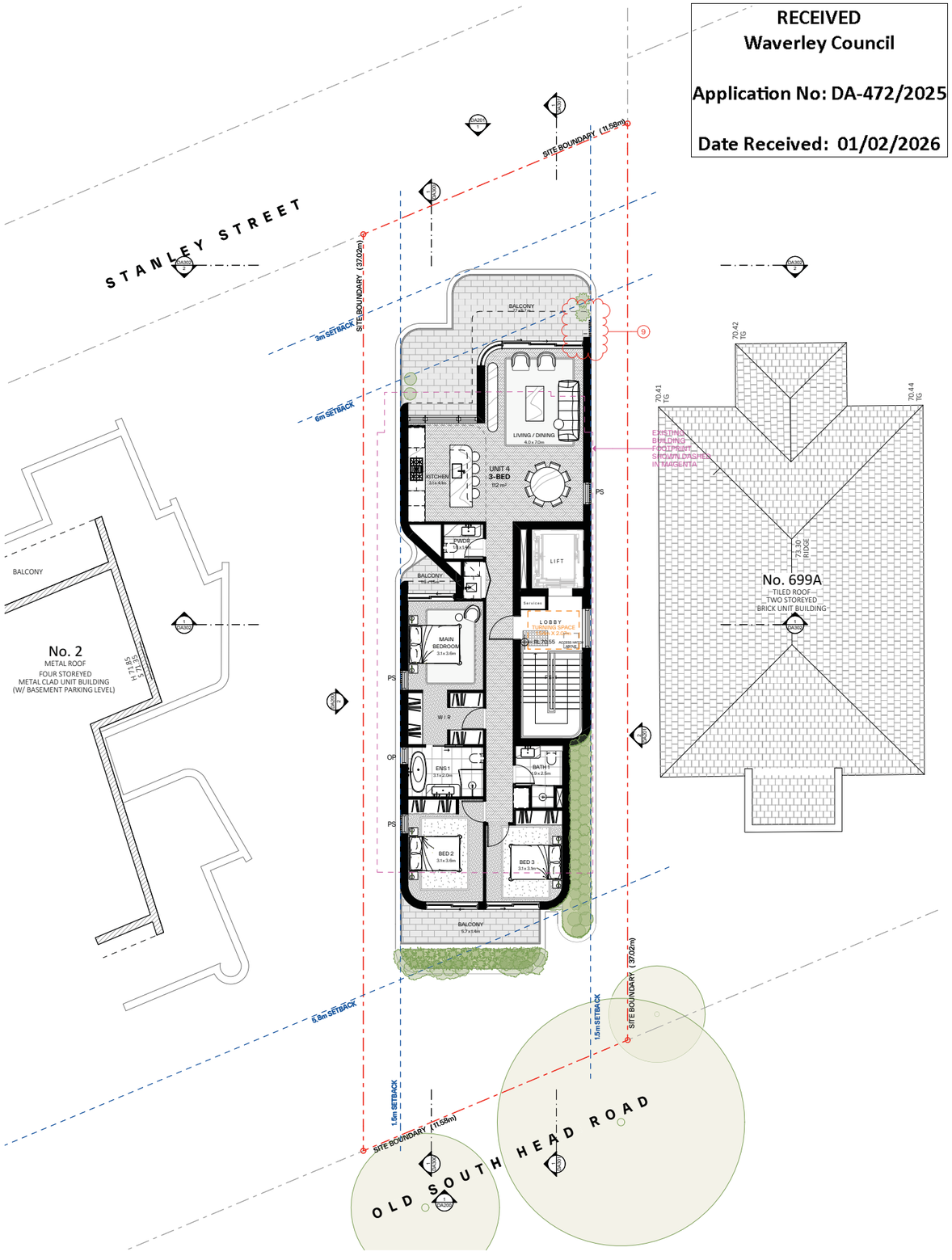
Certificate No. #HR-CNXL87-02
Scan QR code or follow website link for rating details.
Assessor name Rob Mallindine
Accreditation No. DMN/12/1475
Property Address 699 Old South Head Road, Vaucluse, NSW, 2030
http://www.hero-software.com.au/pdf/HR-CNXL87-02

DRAWING BY:	CHECKED BY:	DATE:
TT	PB	23/01/2026
SCALE: 1:100@A1	DRAWING NO: DA104	ISSUE: 02
PROJECT NO: 2507		

RECEIVED
Waverley Council

Application No: DA-472/2025

Date Received: 01/02/2026



1 Level 2 1:100

GENERAL NOTES:

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02	14/01/2026	Council RFI

Scale Bar 1 : 100 @ A1

0 1 2 3 4 5m

N

CLIENT:
Bondi Boys PTY LTD.

pbd architects

P - 02 9698 8140
E - info@pbdarchitects.com.au
W - pbdarchitects.com.au

Level 2, 52 Albion Street,
Surry Hills NSW 2010

ABN 36 147 035 550
Nominated Architect:
Paul Buljevic NSW 7758

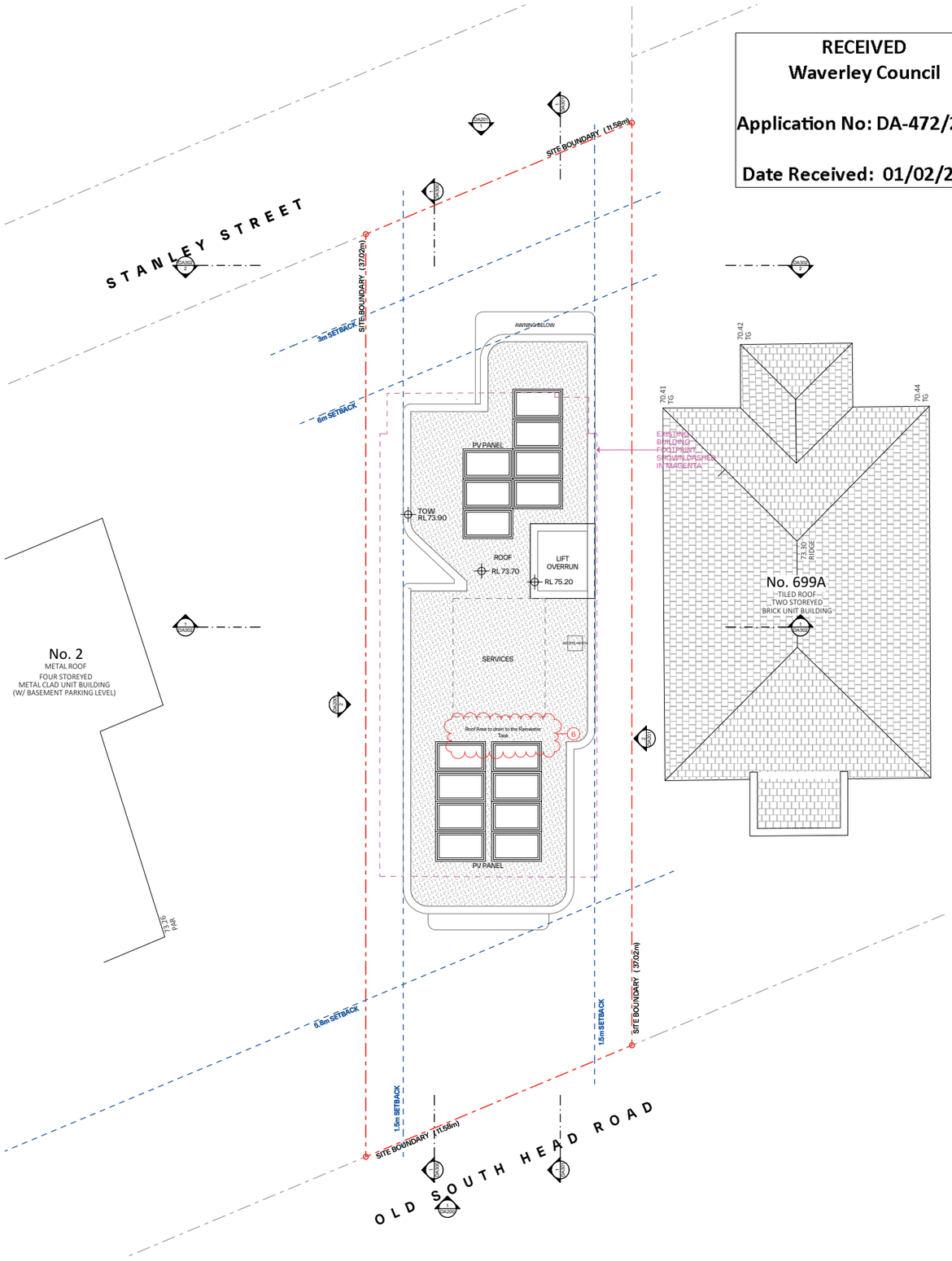
PROJECT:
Proposed Residential Flat Building
699 Old South Head Road, Vaucluse NSW 2030

DRAWING TITLE:
Level 2 Plan

Certificate No. #HR-CNXL87-02
Scan QR code or follow website link for rating details.
Assessor name Rob Mallindine
Accreditation No. DMN/12/1475
Property Address 699 Old South Head Road, Vaucluse, NSW, 2030
http://www.hero-software.com.au/pdf/HR-CNXL87-02

DRAWING BY:	CHECKED BY:	DATE:
TT	PB	23/01/2026
SCALE: 1:100@A1	DRAWING NO: DA105	ISSUE: 02
PROJECT NO: 2507		

AMENDED



1 Roof 1:100

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Waverley Council

Application No: DA-472/2025

Date Received: 01/02/2026

GENERAL NOTES:

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LEGEND:

AW	AWNING
AH	ACCESS HATCH
AC	A/C CONDENSER UNITS
FH	FIRE HYDRANT
FHR	FIRE HOSE REEL
FS	FIRE STAIRS
GC	GARBAGE CHUTE
HW	HIGHLIGHT WINDOW
MV	MECHANICAL RISER TO FUTURE DETAIL
MB	MAILBOX TO FUTURE DETAIL
R	240L RECYCLING BIN
RWT	RAINWATER TANK
SK	SKYLIGHT
ST	STORAGE
HWU	HOT WATER UNITS

MATERIALS LEGEND:

AFG	ALUMINIUM FRAMED GLAZING
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AW	AWNING (TO FUTURE DETAIL)
CONC	CONCRETE
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PTx	PAINT FINISH TYPEx
RD	ROLLER DOOR
RP	RIVER PEBBLES
RW	RENDERED FINISH/SELECTED PAINT FINISH
TC	TIMBER CLADDING
VB	EXTERNAL VENETIAN BLINDS

Issue	Date	Description
01	10/09/2025	DA Submission
02	14/01/2026	Council RFI

Scale Bar 1 : 100 @ A1

0 1 2 3 4 5m

N

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ABN 36 147 035 550
Nominated Architect:
Paul Buljevic NSW 7768

PROJECT:
Proposed Residential Flat Building
699 Old South Head Road, Vaucluse NSW 2030

DRAWING TITLE:
Roof Plan

Certificate No. #HR-CNXL87-02
Scan QR code or follow website link for rating details.
Assessor name: Rob Mallindine
Accreditation No.: DMN/12/1475
Property Address: 699 Old South Head Road, Vaucluse, NSW, 2030
http://www.hero-software.com.au/pdf/HR-CNXL87-02

DRAWING BY:	CHECKED BY:	DATE:
TT	PB	23/01/2026
SCALE: 1:100@A1	DRAWING NO: DA106	ISSUE: 02
PROJECT NO: 2507		

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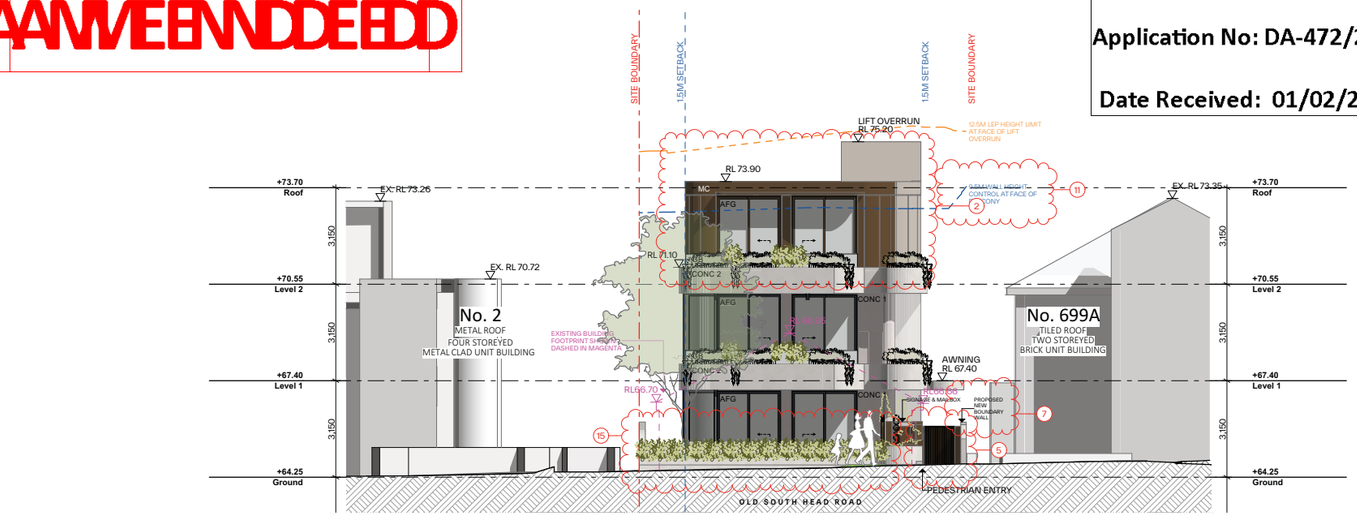
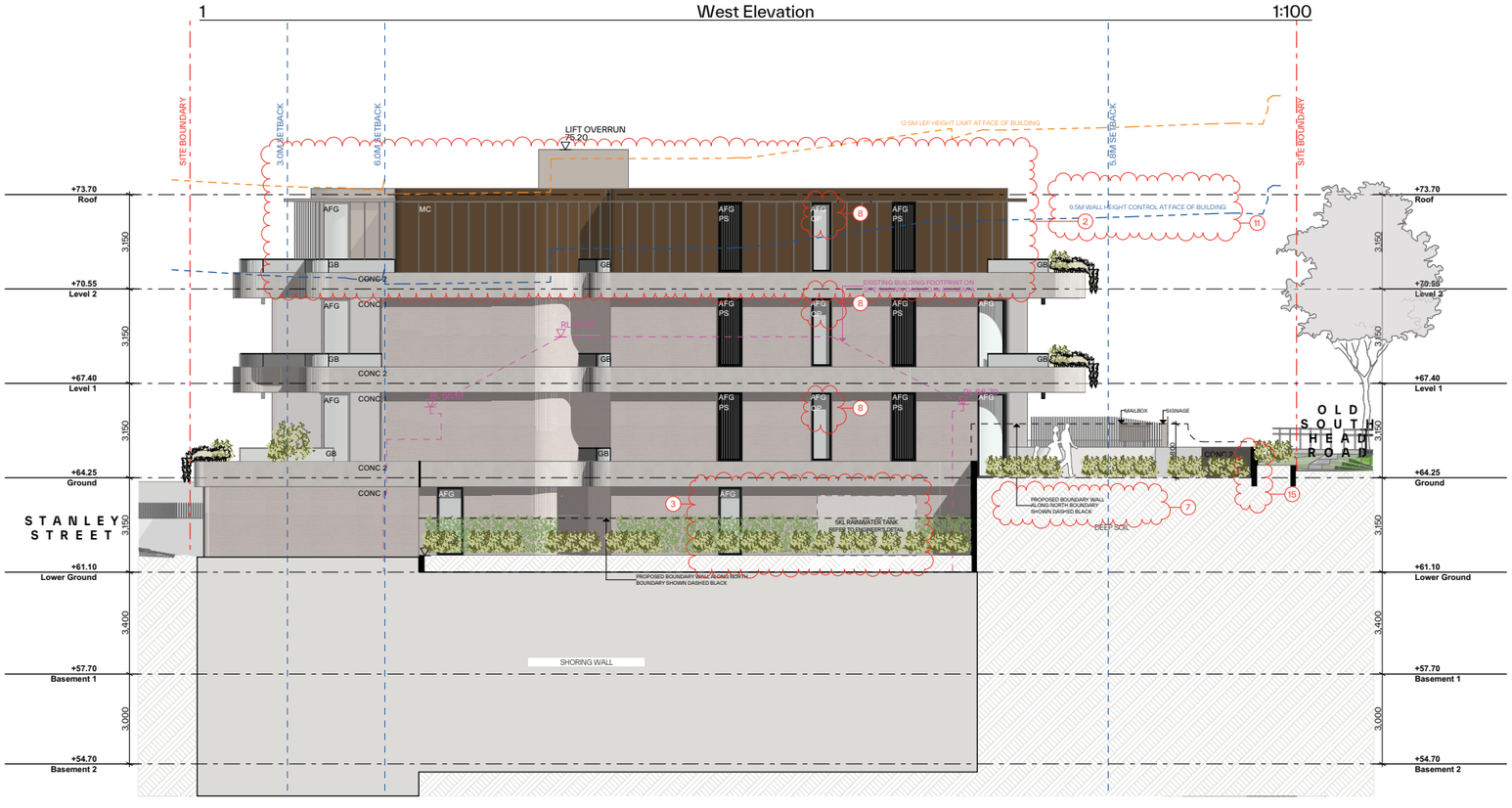
Waverley Council

Application No: DA-472/2025

Date Received: 01/02/2026



1 West Elevation 1:100



2 North Elevation 1:100

Certificate No. #HR-CNXL87-02

Scan QR code or follow website link for rating details.

Assessor name	Rob Mallindine
Accreditation No.	DMN/12/1475
Property Address	699 Old South Head Road, Vaucluse, NSW, 2030

http://www.hero-software.com.au/pdf/HR-CNXL87-02

GENERAL NOTES:

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Issue	Date	Description
01	10/09/2025	DA Submission
02	14/01/2026	Council RFI

Scale Bar 1 : 100 @ A1

0 1 2 3 4 5m

CLIENT:
Bondi Boys PTY LTD.

pbd architects

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Level 2, 52 Albion Street, Surry Hills NSW 2010

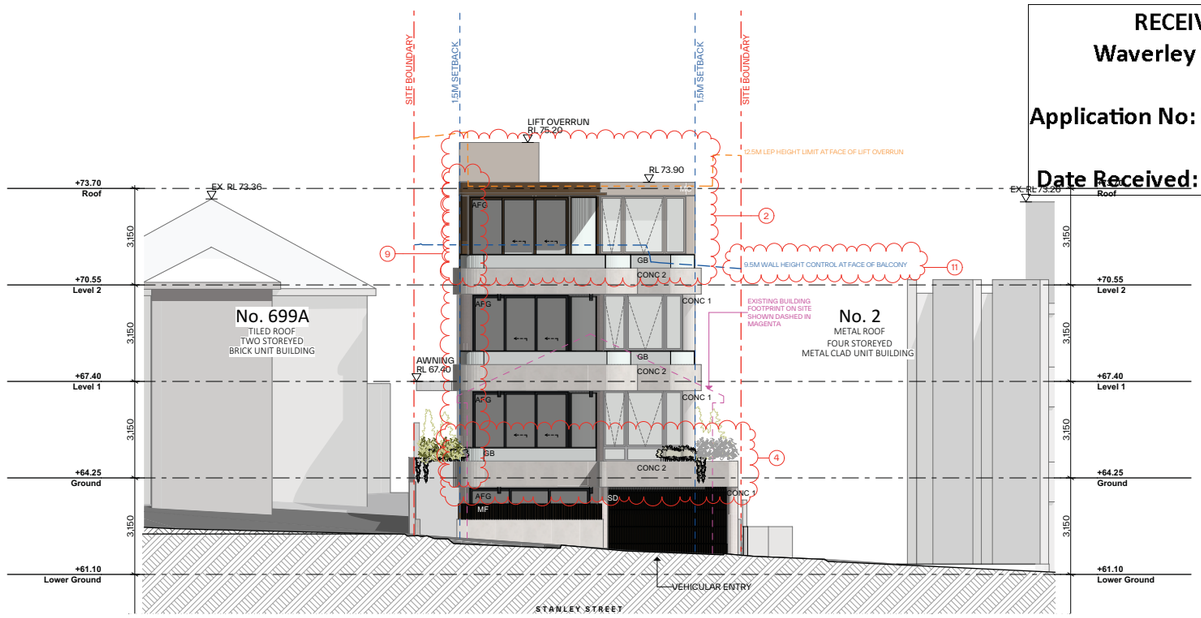
ABN 36 147 035 550
Nominated Architect: Paul Buljevic NSW 7768

PROJECT:
Proposed Residential Flat Building
699 Old South Head Road, Vaucluse NSW 2030

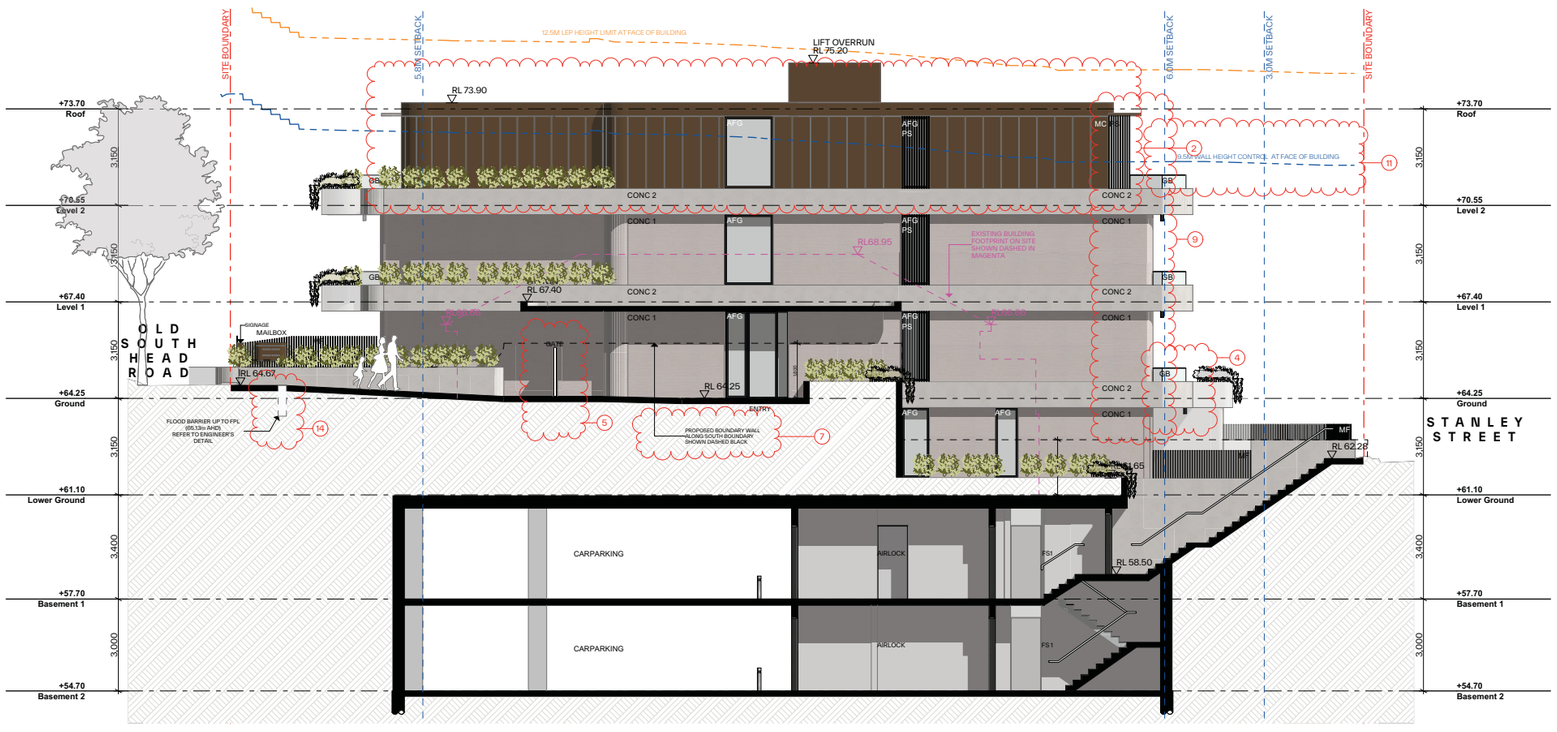
DRAWING TITLE:
Elevation Sheet 1

DRAWING BY: TT	CHECKED BY: PB	DATE: 23/01/2026
SCALE: 1:100@A1	DRAWING NO: **DA200**	ISSUE: **02**
PROJECT NO: 2507		

AMENDED



1 East Elevation 1:100



2 South Elevation 1:100

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LIST OF MODIFICATIONS

1. UPDATED SHADOW DIAGRAMS WITH ADDTIONAL OUTLINES SHOWING THE SHADOWS CAST BY THE EXISTING BUILDING, AND HIGHLIGHTING SHADOW CAST BY A PART OF PROPOSED OVER 12.5M HEIGHT PLANE.
2. CHANGING THE FINISH OF METAL CLADDING AND FENCE FROM MONUMENT TO DARK BRONZE
3. PROVISION OF AN ADDITIONAL WINDOW TO THE MAIN BEDROOM OF UNIT 1, AND RELOCATION OF RAINWATER TANK
4. REDUCTION OF THE OVERHANGING STRUCTURE ABOVE THE TERRACE OF UNIT 1
5. NEW GATE FROM OLD SOUTH HEAD ROAD TO PROVIDE DIRECT ACCESS TO THE LIFT LOBBY
6. CLARIFICATION REGARDING ROOF AREA TO DRAIN TO RAINWATER TANK
7. PROVISION OF ADDITIONAL INFORMATION REGARDING SIDE BOUNDARY WALL
8. OPAQUE GLAZING SHOWN ON MATERIALS LEGEND AND FINISHES SCHEDULE
9. EXTENSION OF BLADE WALLS (GF & L1) AND ADDITIONAL PRIVACY SCREEN (L2) TO ADDRESS OVERLOOKING FROM THE EASTERN BALCONY TO THE REAR YARD OF No.699A
10. PROVISION OF AN ADDITIONAL SECTION THROUGH THE UNIT 1 TERRACE
11. ADD INDICATIVE 9.5M WALL HEIGHT LINE TO SECTIONS AND ELEVATIONS
12. CLARIFICATION REGARDING THE NOMINATED BIN COLLECTION POINT ON STANLEY STREET
13. UPDATE OF LANDSCAPED CALCULATION AND DEEP SOIL CALCULATION
14. FLOOD BARRIER AS PER FLOOD ENGINEER'S REQUIREMENTS
15. RAISED WALL AS PER FLOOD ENGINEER'S REQUIREMENTS

Issue	Date	Description
01	10/09/2025	DA Submission
02	14/01/2026	Council RFI

Scale Bar 1 : 100 @ A1

0 1 2 3 4 5m

CLIENT:
Bondi Boys PTY LTD.

pbd architects

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Level 2, 52 Albion Street,
Surry Hills NSW 2010

ABN 36 147 035 550
Nominated Architect:
Paul Buljevic NSW 7758

PROJECT:
Proposed Residential Flat Building
699 Old South Head Road, Vaucluse NSW 2030

DRAWING TITLE:
Elevation Sheet 2

DRAWING BY:	CHECKED BY:	DATE:
TT	PB	23/01/2026
SCALE: 1:100@A1	DRAWING NO: DA201	ISSUE: 02
PROJECT NO: 2507		

RECEIVED
Waverley Council

Application No: DA-472/2025

Date Received: 01/02/2026

Certificate No. #HR-CNXL87-02
Scan QR code or follow website link for rating details.
Assessor name: Rob Mallindine
Accreditation No.: DMN/12/1475
Property Address: 699 Old South Head Road, Vaucluse, NSW, 2030
http://www.hero-software.com.au/pdf/HR-CNXL87-02

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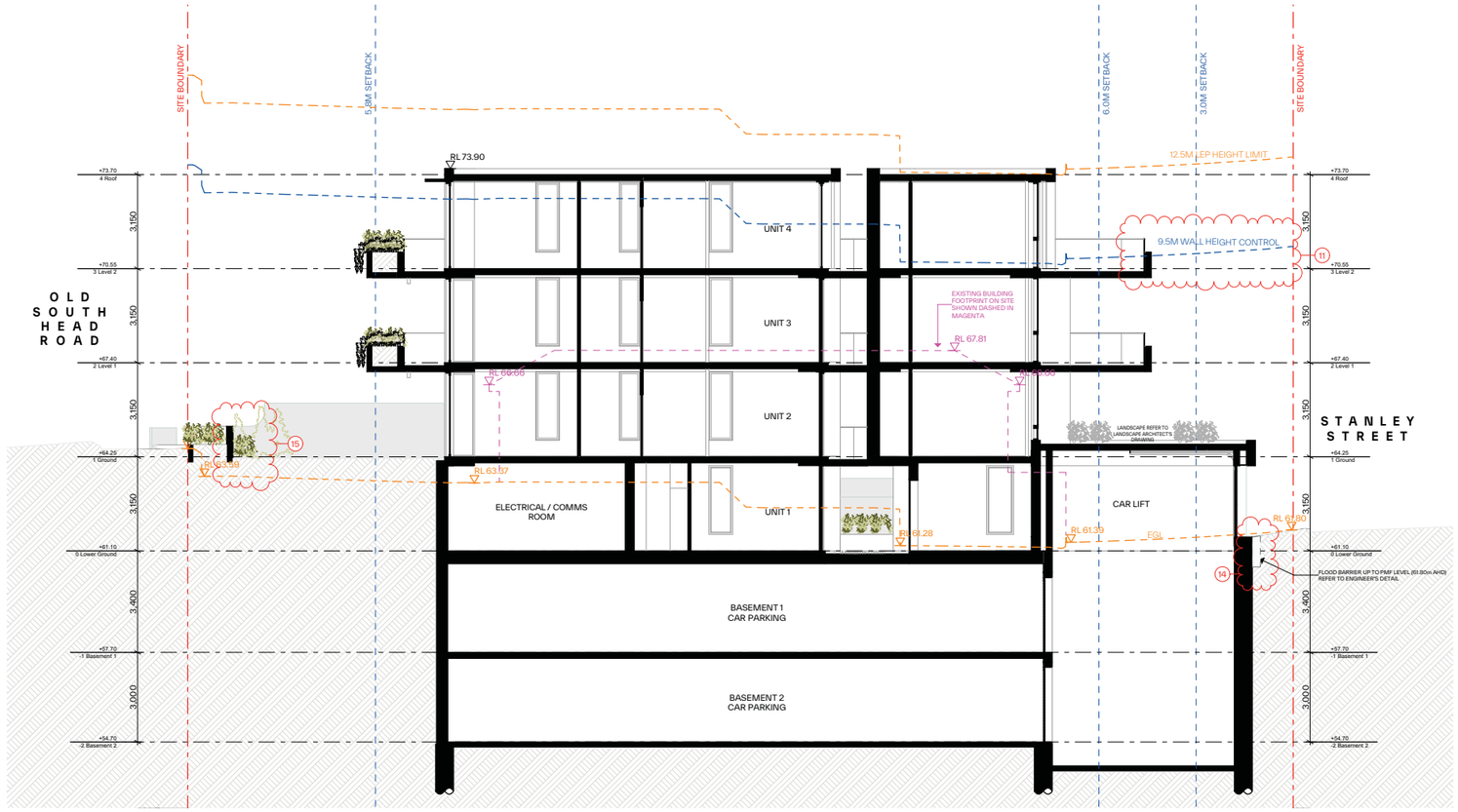
Application No: DA-472/2025

Date Received: 01/02/2026



1 Section A 1:100

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ABN 36 147 035 550
Nominated Architect:
Paul Buljevic NSW 7768

PROJECT:
Proposed Residential Flat Building
699 Old South Head Road, Vaucluse NSW 2030

DRAWING TITLE:
Section Sheet 1

Certificate No. #HR-CNXL87-02
Scan QR code or follow website link for rating details.
Assessor name Rob Mallindine
Accreditation No. DMN/12/1475
Property Address 699 Old South Head Road, Vaucluse, NSW, 2030
http://www.hero-software.com.au/pdf/HR-CNXL87-02

DRAWING BY: TT	CHECKED BY: PB	DATE: 23/01/2026
SCALE: 1:100@A1	DRAWING NO: DA300	ISSUE: 02
PROJECT NO: 2507		

AMENDED

RECEIVED
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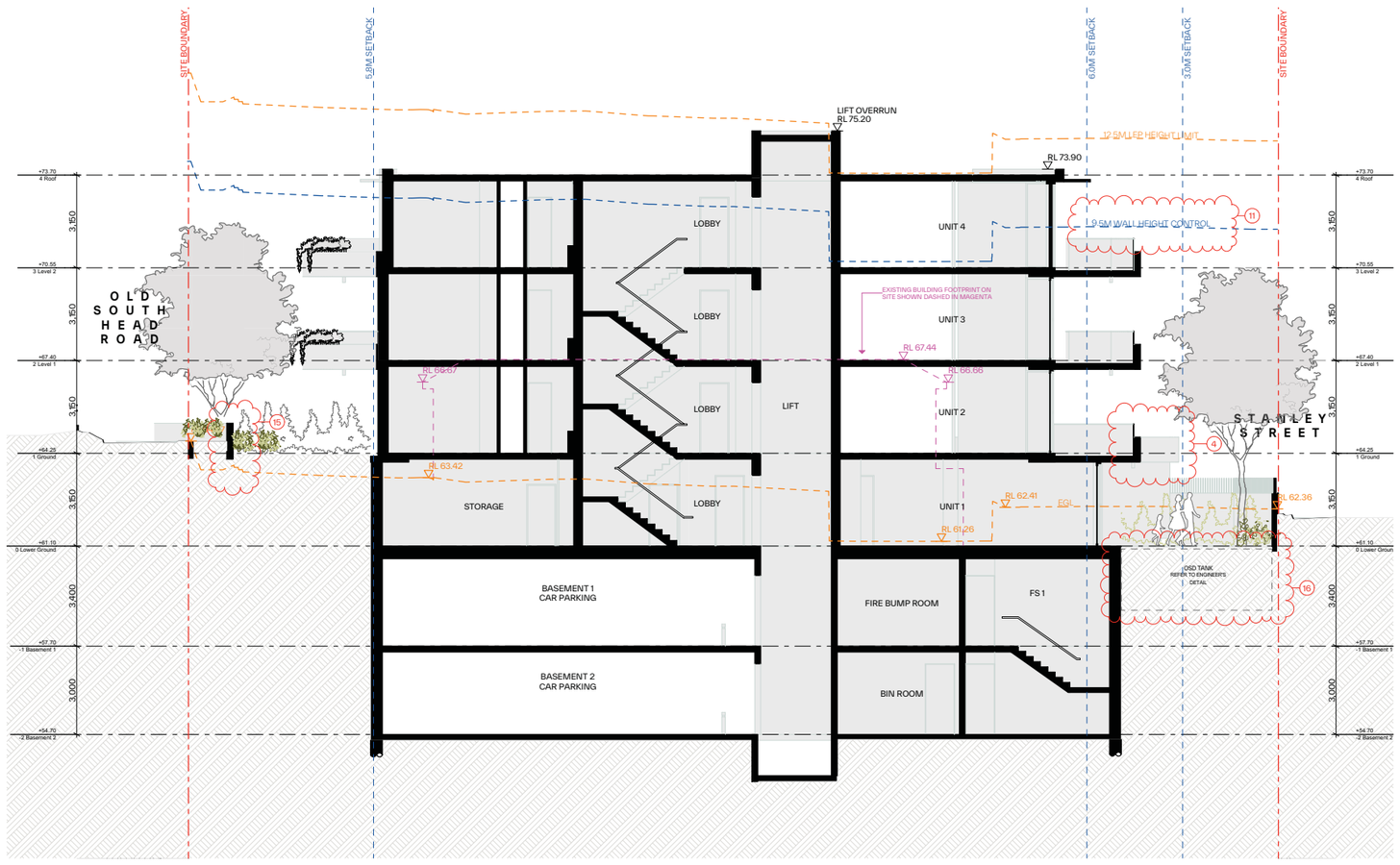
Date Received: 01/02/2026



1 Section B 1:100

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Nominated Architect: Paul Buljevic NSW 7768

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Proposed Residential Flat Building
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DRAWING TITLE:
Section Sheet 2

Certificate No. #HR-CNXL87-02
Scan QR code or follow website link for rating details.
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Accreditation No. DMN/12/1475
Property Address 699 Old South Head Road, Vaucluse, NSW, 2030
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DRAWING BY: TT	CHECKED BY: PB	DATE: 23/01/2026
SCALE: 1:100@A1	DRAWING NO: DA301	ISSUE: 02
PROJECT NO: 2507		

AMENDED

RECEIVED
Waverley Council

Application No: DA-472/2025

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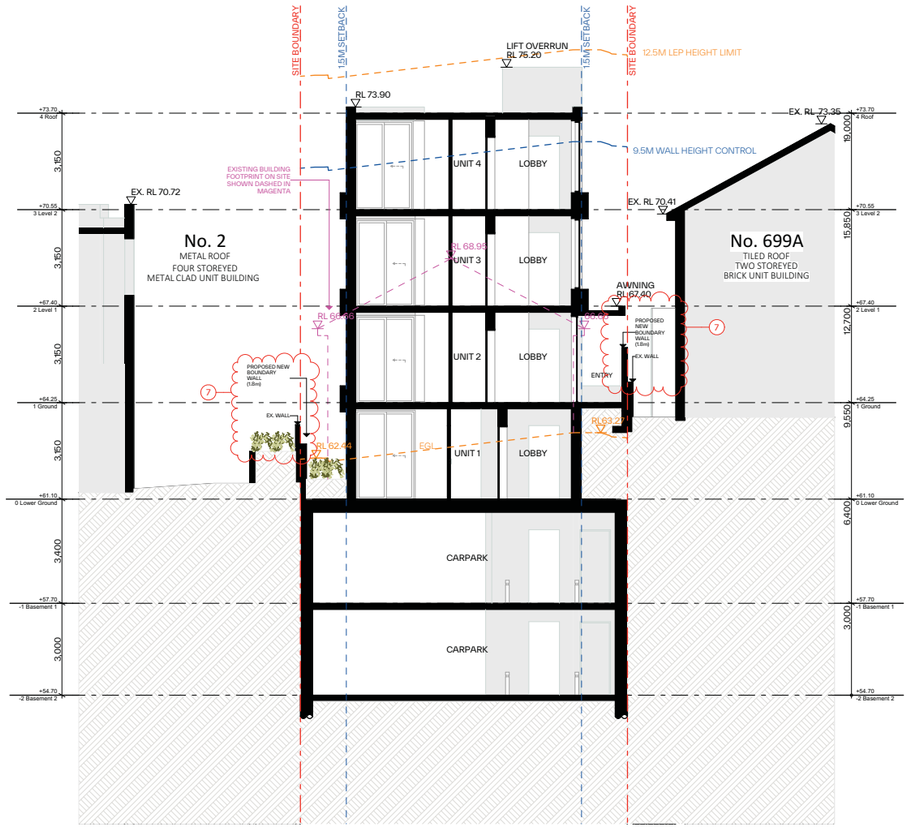

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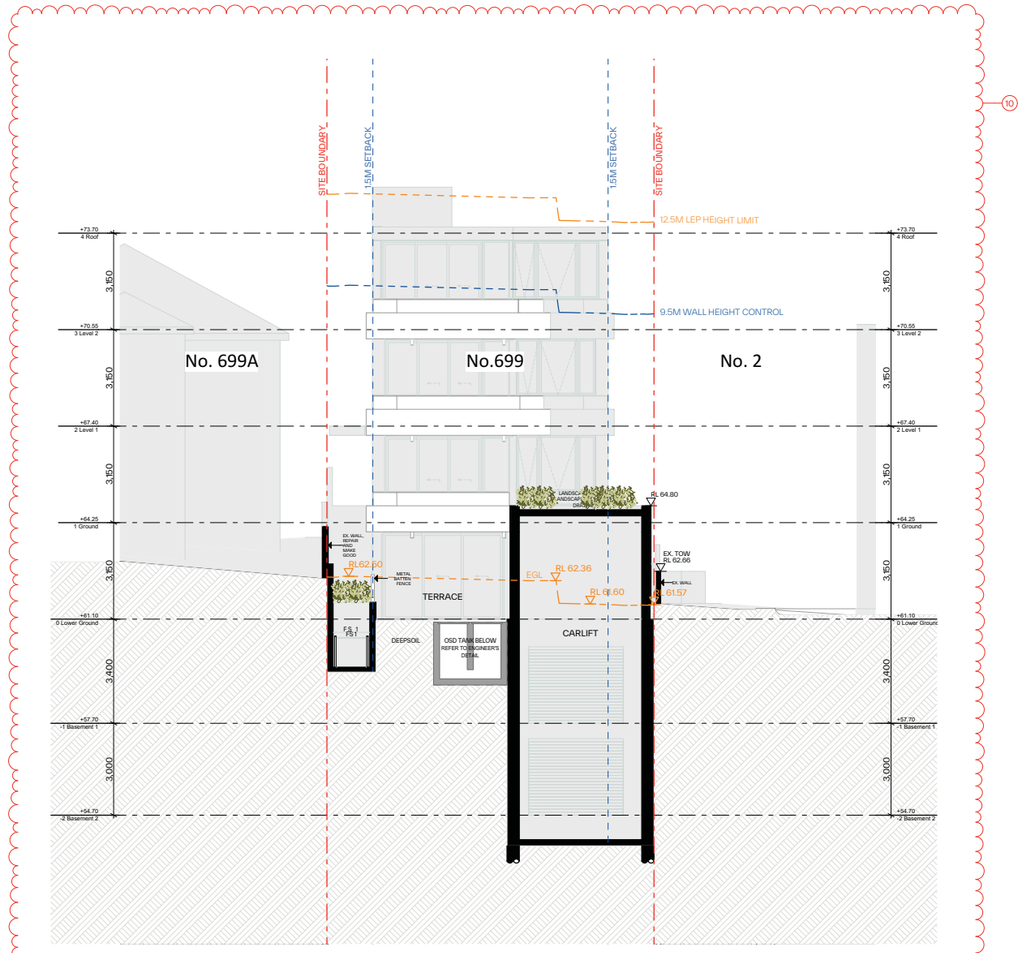

2 Section D 1:100

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Issue	Date	Description
01	10/09/2025	DA Submission
02	14/01/2026	Council RFI

Scale Bar 1 : 100 @ A1

0 1 2 3 4 5m

CLIENT:
Bondi Boys PTY LTD.

pbd architects

P - 02 9698 8140
E - info@pbdarchitects.com.au
W - pbdarchitects.com.au

Level 2, 52 Albion Street,
Surry Hills NSW 2010

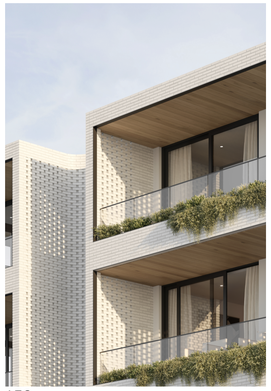
ABN 36 147 035 550
Nominated Architect:
Paul Buljevic NSW 7768

PROJECT:
Proposed Residential Flat Building
699 Old South Head Road, Vaucluse NSW 2030

DRAWING TITLE:
Section Sheet 3

Certificate No. #HR-CNXL87-02
Scan QR code or follow website link for rating details.
Assessor name Rob Mallindine
Accreditation No. DMN/12/1475
Property Address 699 Old South Head Road, Vaucluse, NSW, 2030
http://www.hero-software.com.au/pdf/HR-CNXL87-02

DRAWING BY:	CHECKED BY:	DATE:
TT	PB	23/01/2026
SCALE: 1:100@A1	DRAWING NO: DA302	ISSUE: 02
PROJECT NO: 2507		

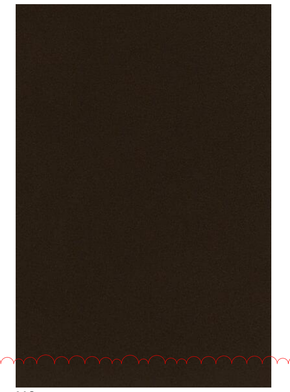


AFG

POWDERCOATED ALUMINIUM FRAME GLAZING
EQUAL OR SIMILAR TO MONUMENT COLOUR
DULUX - DURATEC ELEMENTS 9E17724F

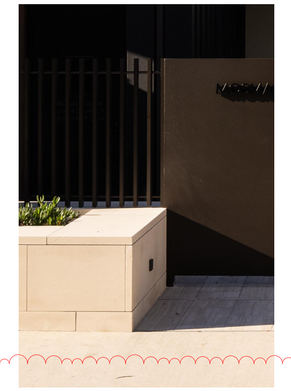
PS

FIXED PRIVACY SCREENS
ALUMINUM BATTENS
EQUAL OR SIMILAR TO DARK BROWN BRONZE
DULUX - DURATEC 9E28184F



MC

METAL CLADDING
EQUAL OR SIMILAR TO DARK BROWN BRONZE
DULUX - DURATEC 9E28184F



MF

METAL FENCE
EQUAL OR SIMILAR TO DARK BROWN BRONZE
DULUX - DURATEC 9E28184F

8

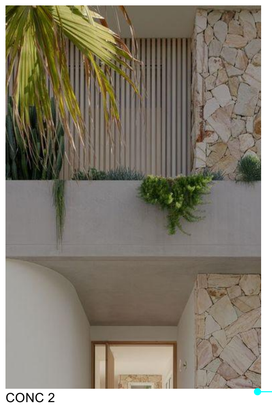
OP

OPAQUE GLAZING

GB

FRAMELESS GLASS BALUSTRADE WITH METAL TOP RAIL

9



CONC 2

PIGMENTED OFF-FORM CONCRETE
EQUAL OR SIMILAR TO BEIGE

4

2

CONC 1

STRIATED PATTERN CONCRETE WALL
EQUAL OR SIMILAR TO BEIGE

SD

ALUMININUM BATTEN SECTIONAL GARAGE DOOR
EQUAL OR SIMILAR TO DARK BROWN BRONZE
DULUX - DURATEC 9E28184F

GENERAL NOTES:

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LEGEND:

AW	AWNING
AH	ACCESS HATCH
AC	A/C CONDENSER UNITS
FH	FIRE HYDRANT
FHR	FIRE HOSE REEL
FS	FIRE STAIRS
GC	GARBAGE CHUTE
HW	HIGHLIGHT WINDOW
MV	MECHANICAL RISER TO FUTURE DETAIL
MB	MAILBOX TO FUTURE DETAIL
R	240L RECYCLING BIN
RWT	RAINWATER TANK
SK	SKYLIGHT
ST	STORAGE
HWU	HOT WATER UNITS

MATERIALS LEGEND:

AFG	ALUMINIUM FRAMED GLAZING
LV	ALUMINIUM ELLIPTICAL FIXED LOUVERS
AW	AWNING (TO FUTURE DETAIL)
CONC	CONCRETE
FB	FACE BRICK
GB	FRAMELESS TOUCHENED GLASS BALUSTRADE (TO BCA/AUS STANDARDS)
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PC	COMPOSITE PANEL CLADDING
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RD	ROLLER DOOR
RP	RIVER PEBBLES
RW	RENDERED FINISH/SELECTED PAINT FINISH
TC	TIMBER CLADDING
VB	EXTERNAL VENETIAN BLINDS

RECEIVED
Waverley Council

Application No: DA-472/2025

Date Received: 01/02/2026

AMENDED

Issue	Date	Description
01	10/09/2025	DA Submission
02	14/01/2026	Council RFI

Scale Bar 1 : 100 @ A1

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CLIENT:
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Level 2, 52 Albion Street,
Surry Hills NSW 2010

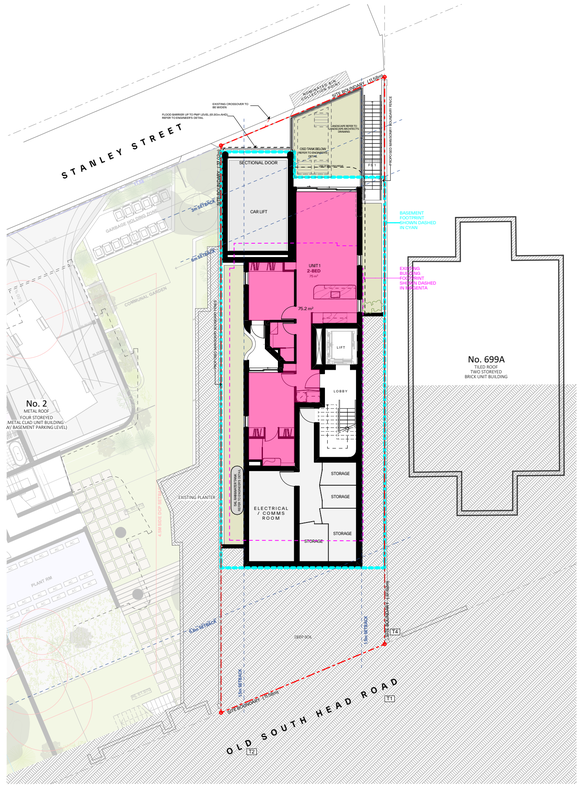
ABN 36 147 035 550
Nominated Architect:
Paul Buljevic NSW 7758

PROJECT:
Proposed Residential Flat Building
699 Old South Head Road, Vaucluse NSW 2030

DRAWING TITLE:
Finishes Schedule

DRAWING BY: TT	CHECKED BY: PB	DATE: 23/01/2026
SCALE: NTS	DRAWING NO: DA400	ISSUE: 02
PROJECT NO: 2507		

AMENDED


STANLEY STREET
OLD SOUTH HEAD ROAD
No. 2
METAL ROOF
FOUR STOREYED
METAL CLAD UNIT BUILDING
A/ BASEMENT PARKING LEVEL)
No. 699A
TILED ROOF
TWO STOREYED
BRICK UNIT BUILDING
SECTIONAL DOOR
CAR LIFT
UNIT 1
2-BED
75.2 m²
LIFT
LOBBY
STORAGE
STORAGE
STORAGE
ELECTRICAL / COMMS ROOM
EXISTING PLANTER
BASEMENT BUILDING ENVELOPE SHOWN DASHED IN CYAN
EXISTING BUILDING ENVELOPE SHOWN DASHED IN MAGENTA
SITE BOUNDARY 1755m²
1st SETBACK
2nd SETBACK
3rd SETBACK
4th SETBACK
5th SETBACK
RL2.4
RL3.0
RL3.2
RL3.4
RL3.6
RL3.8
RL4.0
RL4.2
RL4.4
RL4.6
RL4.8
RL5.0
RL5.2
RL5.4
RL5.6
RL5.8
RL6.0
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RL8.8
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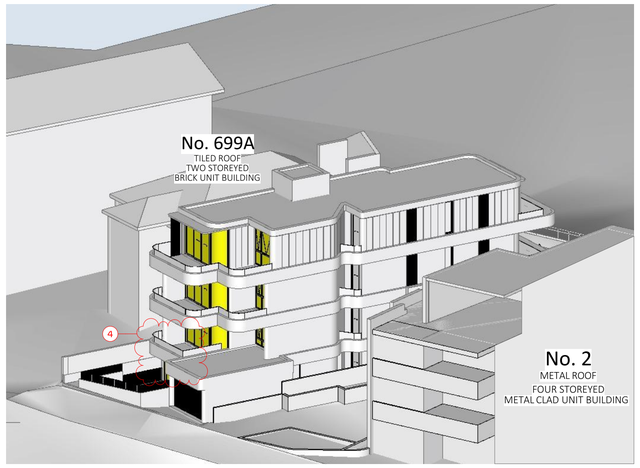
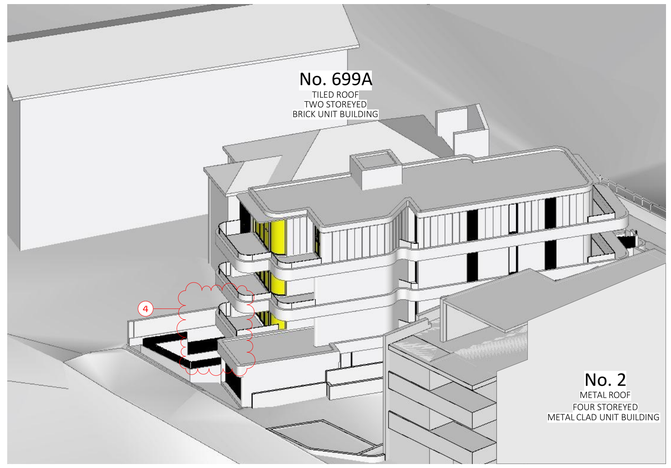
RL10.2
RL10.4
RL10.6
RL10.8



1 9 AM June 21st



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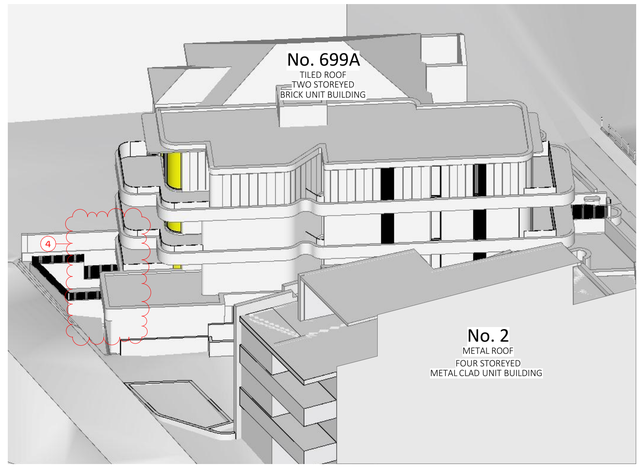

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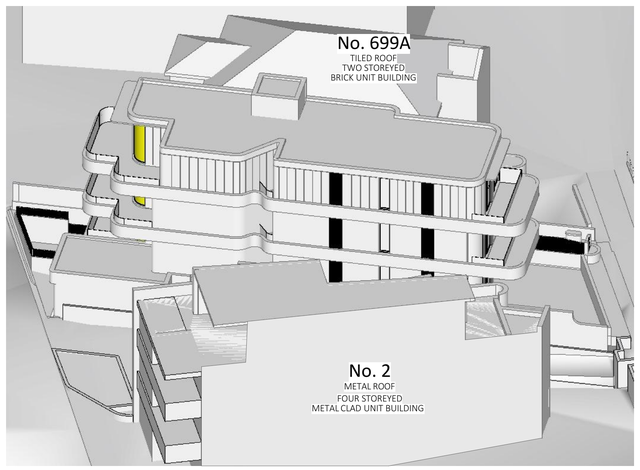
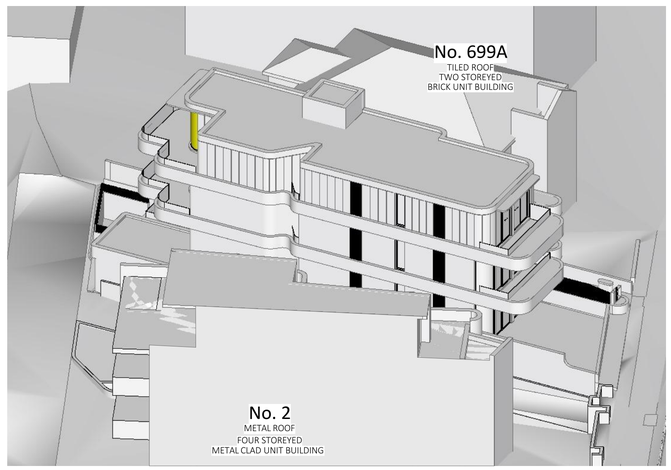


4 12 PM June 21st



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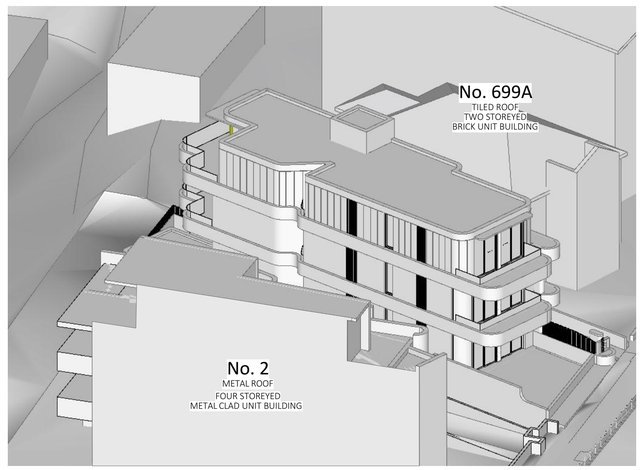

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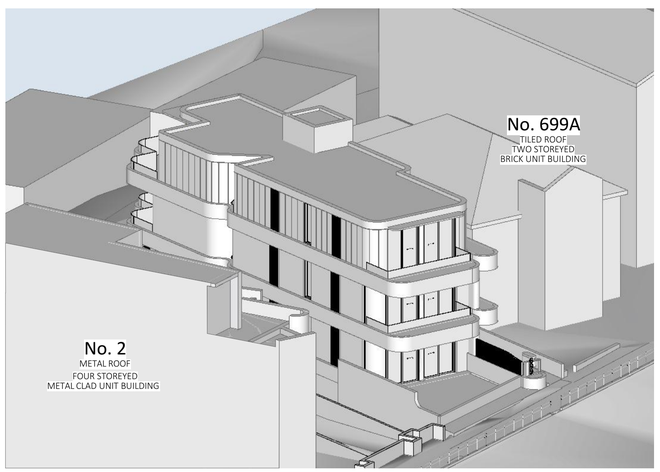

7 3 PM June 21st

LEGEND:

GLAZING IN LIVING SPACES

SOLAR COMPLIANCE CHECK

LEVEL	UNIT	DIRECT SUNLIGHT TO PRIVATE OPEN SPACE (21st JUNE)								DIRECT SUNLIGHT TO LIVING ROOMS (21st JUNE)							
		9AM	10AM	11AM	12PM	1PM	2PM	3PM	TOTAL	9AM	10AM	11AM	12PM	1PM	2PM	3PM	TOTAL
Lower Ground	Unit 1		Y	Y	Y	Y	Y		4	Y							
Ground	Unit 2	Y	Y	Y	Y	Y	Y	Y	6	Y	Y	Y					2
Level 1	Unit 3	Y	Y	Y	Y	Y	Y	Y	6	Y	Y	Y	Y				3
Level 2	Unit 4	Y	Y	Y	Y	Y	Y	Y	6	Y	Y	Y	Y	Y	Y		5
								NO. COMPLIANT UNITS	4							NO. COMPLIANT UNITS	3

Solar Access — Compliant

No Solar Access — Non-Compliant

TOTAL NO. UNITS	4
TOTAL COMPLIANT UNITS	3
NO DIRECT SOLAR	0
SOLAR COMPLIANCE	75%

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VB	EXTERNAL VENETIAN BLINDS

AMENDED

RECEIVED
Waverley Council

Application No: DA-472/2025

Date Received: 01/02/2026

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CLIENT:
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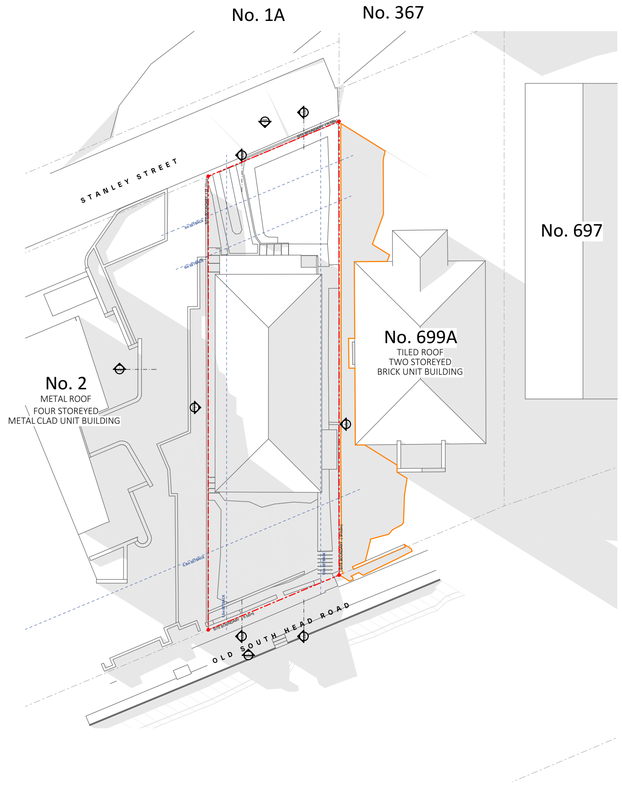
Level 2, 52 Albion Street,
Surry Hills NSW 2010

ABN 36 147 035 550
Nominated Architect:
Paul Buljevic NSW 7768

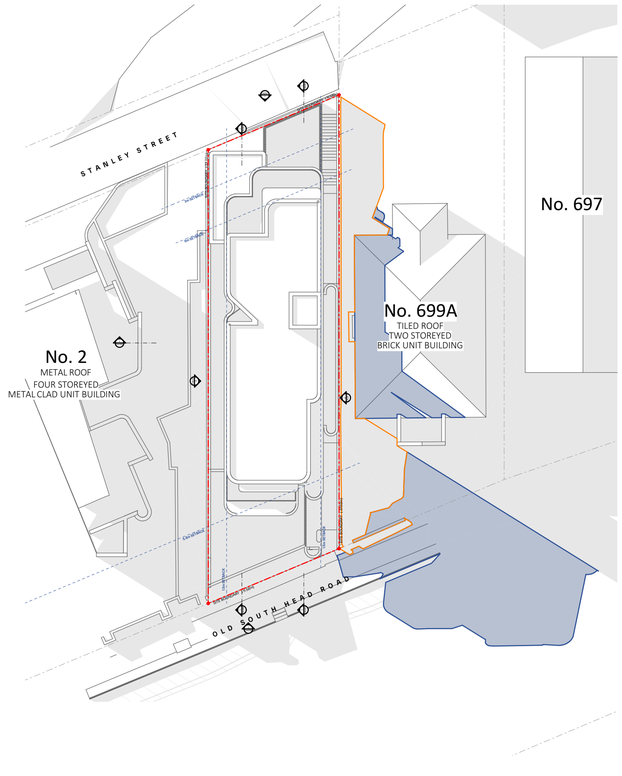
PROJECT:
Proposed Residential Flat Building
699 Old South Head Road, Vaucluse NSW 2030

DRAWING TITLE:
Solar Access Diagram

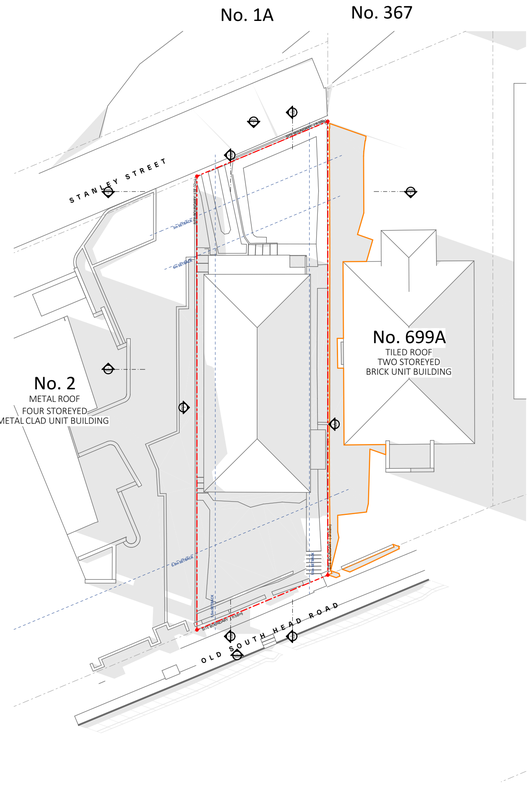
DRAWING BY:	CHECKED BY:	DATE:
TT	PB	23/01/2026
SCALE: NTS	DRAWING NO: DA600	ISSUE: 02
PROJECT NO: 2507		



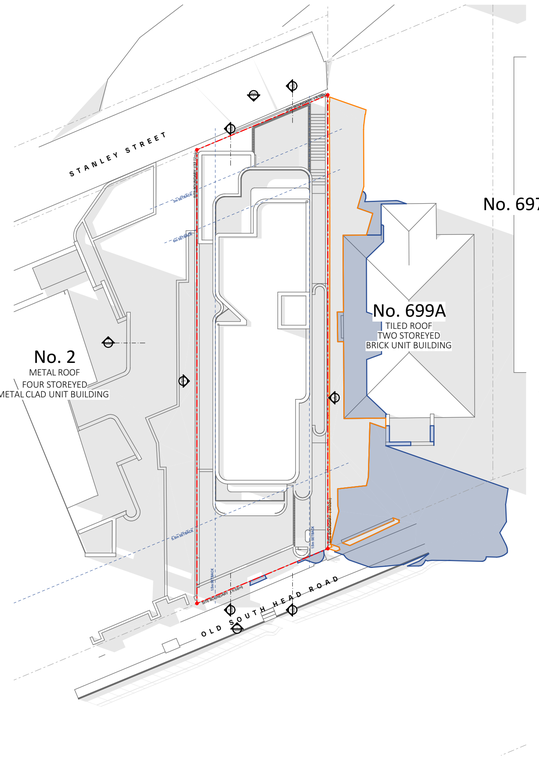
1 Shadow Study 21 June at 09 (Existing)



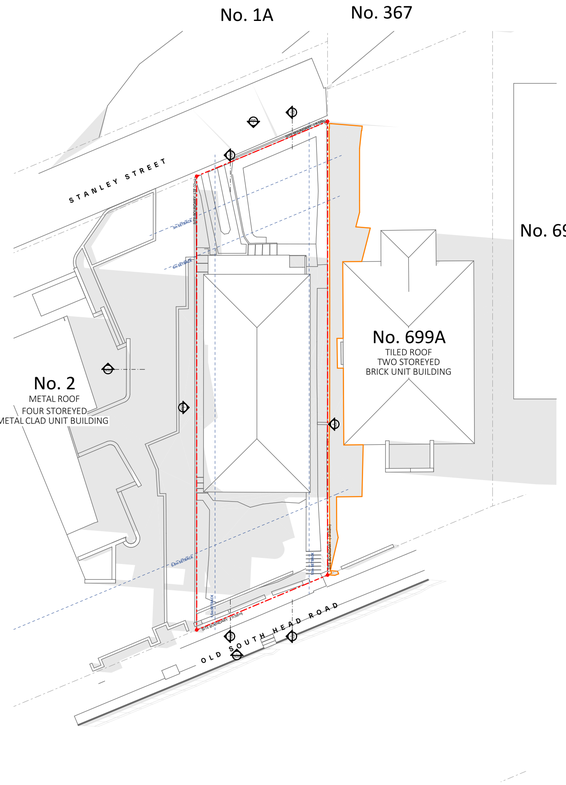
2 Shadow Study 21 June at 09 (Proposed)



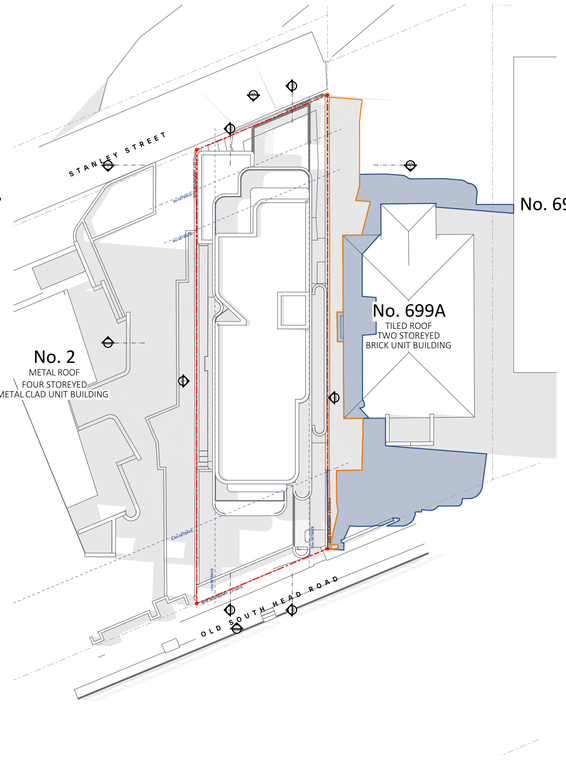
3 Shadow Study 21 June at 10 (existing)



4 Shadow Study 21 June at 10 (Proposed)



5 Shadow Study 21 June at 11 (existing)



6 Shadow Study 21 June at 11 (Proposed)

LEGEND:

- EXISTING SHADOW
- EXISTING SHADOW CAST BY EXISTING BUILDING
- REDUCTION OF EXISTING OVERSHADOWING
- ADDITIONAL OVERSHADOWING CAST BY PROPOSED DEVELOPEMENT
- ADDITIONAL OVERSHADOWING CAST BY PROPOSED BUILDING ABOVE 12.5m HEIGHT PLANE
- SITE BOUNDARY

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1

AMENDED

RECEIVED
Waverley Council

Application No: DA-472/2025

Date Received: 01/02/2026

Issue	Date	Description
01	10/09/2025	DA Submission
02	18/09/2025	Council RFI
03	14/01/2026	Council RFI

Scale Bar 1 : 100 @ A1

0 1 2 3 4 5m

N

CLIENT:
Bondi Boys PTY LTD.

pbd architects

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ABN 36 147 035 550
Nominated Architect:
Paul Buljevic NSW 7768

PROJECT:
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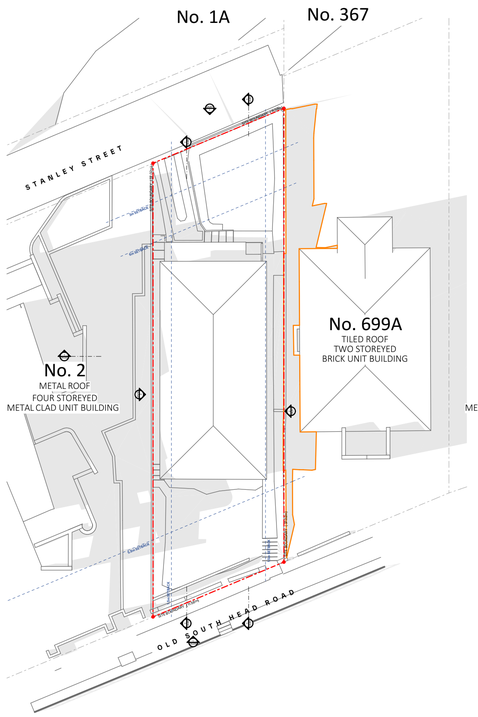
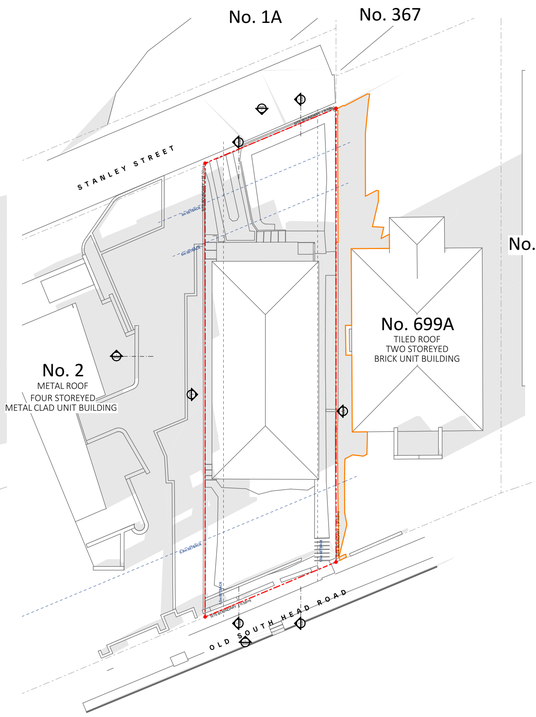
699 Old South Head Road, Vaucluse NSW 2030

DRAWING TITLE:
Shadow Diagram Sheet 1

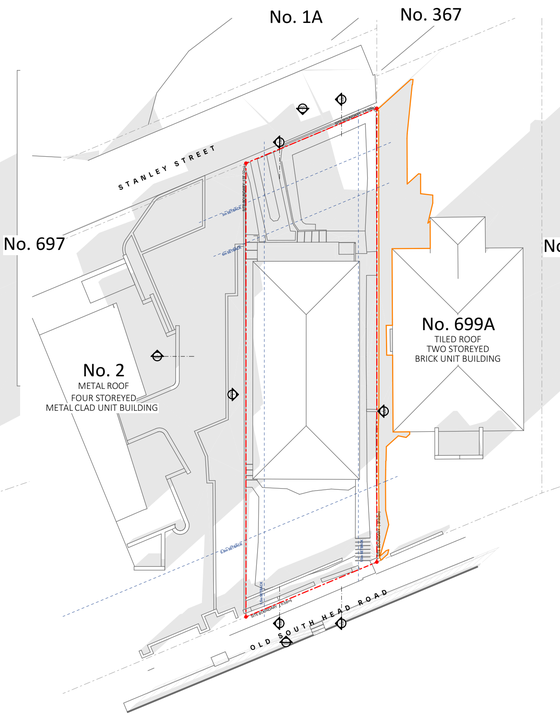
DRAWING BY: TT	CHECKED BY: PB	DATE: 23/01/2026
SCALE: 1:250@A1	DRAWING NO: **DA610**	ISSUE: **03**
PROJECT NO: 2507		



1 Shadow Study 21 June at 12 (existing)



3 Shadow Study 21 June at 13 (existing)



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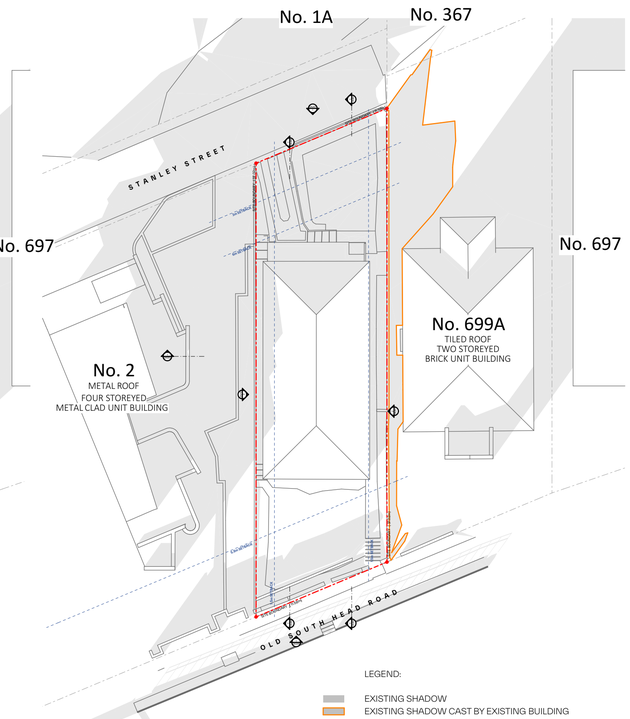
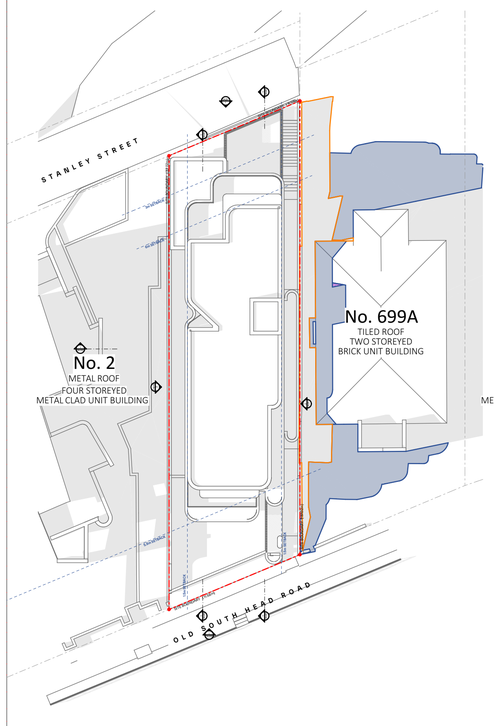
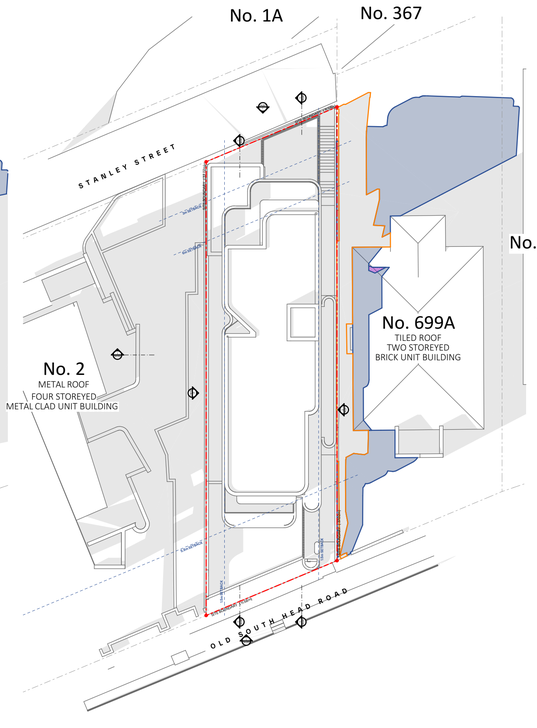


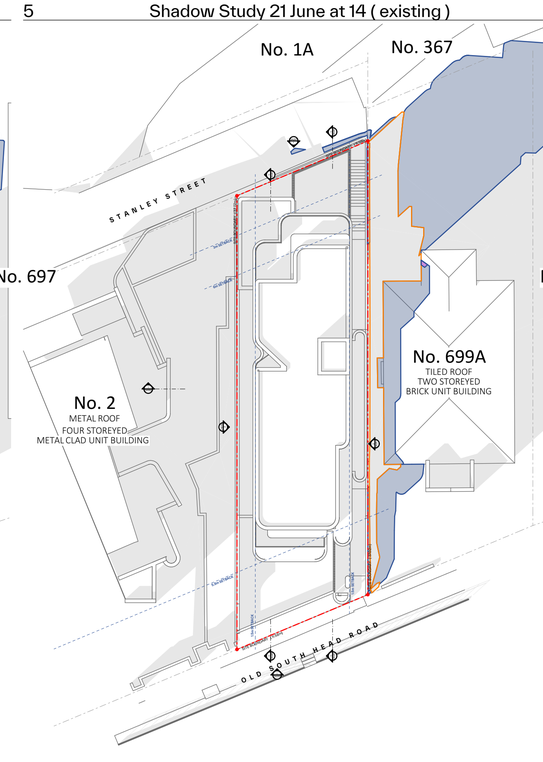
7 Shadow Study 21 June at 15 (existing)



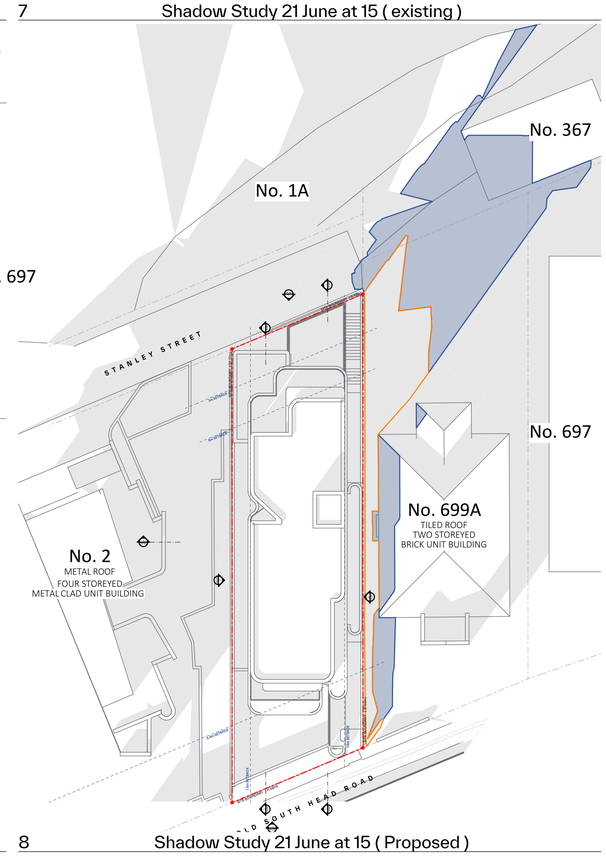
2 Shadow Study 21 June at 12 (proposed)



4 Shadow Study 21 June at 13 (proposed)



6 Shadow Study 21 June at 14 (proposed)



8 Shadow Study 21 June at 15 (Proposed)

GENERAL NOTES:

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LEGEND:

AW	AWNING
AH	ACCESS HATCH
AC	A/C CONDENSER UNITS
FH	FIRE HYDRANT
FHR	FIRE HOSE REEL
FS	FIRE STAIRS
GC	GARBAGE CHUTE
HW	HIGHLIGHT WINDOW
MV	MECHANICAL RISER TO FUTURE DETAIL
MB	MAILBOX TO FUTURE DETAIL
R	240L RECYCLING BIN
RWT	RAINWATER TANK
SK	SKYLIGHT
ST	STORAGE
HWU	HOT WATER UNITS

MATERIALS LEGEND:

AFG	ALUMINIUM FRAMED GLAZING
LV	ALUMINIUM ELLIPTICAL FIXED LOUVERS
AW	AWNING (TO FUTURE DETAIL)
CONC	CONCRETE
FB	FACE BRICK
GB	FRAMELESS TOUCHENED GLASS BALUSTRADE (TO BCA/AUS STANDARDS)
MB	METAL BALUSTRADE
MC	METAL CLADDING
OP	OPAQUE GLAZING
FCB	METAL FENCING (TO FUTURE SELECTION)
PC	COMPOSITE PANEL CLADDING
PSx	PRIVACY SCREEN (TO FUTURE SELECTION)
PTx	PAINT FINISH TYPEx
RD	ROLLER DOOR
RP	RIVER PEBBLES
RW	RENDERED FINISH/SELECTED PAINT FINISH
TC	TIMBER CLADDING
VB	EXTERNAL VENETIAN BLINDS

1

AMENDED

RECEIVED
Waverley Council

Application No: DA-472/2025

Date Received: 01/02/2026

Issue	Date	Description
01	10/09/2025	DA Submission
02	18/09/2025	Council RFI
03	14/01/2026	Council RFI

Scale Bar 1 : 100 @ A1

0 1 2 3 4 5m

N

CLIENT:
Bondi Boys PTY LTD.

pbd architects

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W - pbdarchitects.com.au

Level 2, 52 Albion Street,
Surry Hills NSW 2010

ABN 36 147 035 550
Nominated Architect:
Paul Buljevic NSW 7768

PROJECT:
Proposed Residential Flat Building
699 Old South Head Road, Vaucluse NSW 2030

DRAWING TITLE:
Shadow Diagram Sheet 2

DRAWING BY:	CHECKED BY:	DATE:
TT	PB	23/01/2026
SCALE: 1:250@A1	DRAWING NO: **DA611**	ISSUE: **03**
PROJECT NO: 2507		

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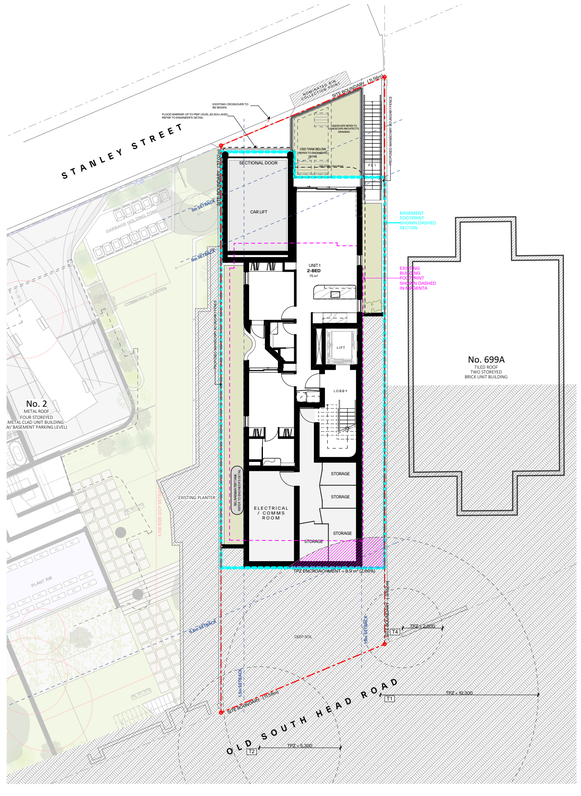
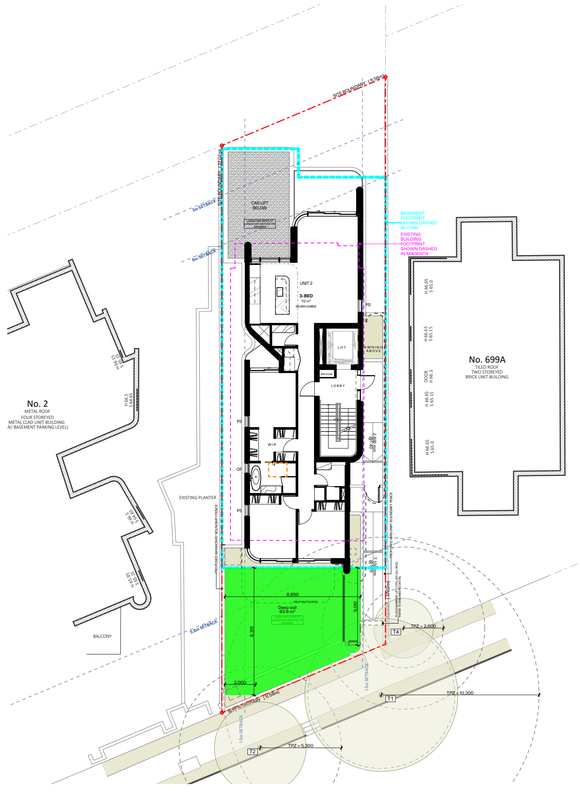
Waverley Council

Application No: DA-472/2025

Date Received: 01/02/2026



1 Lower Ground 1:200



2 Ground 1:200

LEGEND:

DEEP SOIL AREA
EXTENT OF BASEMNET AREA

PROPERTY DETAILS:
AREA: 395.4 m²
ZONE: R3 Medium Density Residential

WAVERLEY DCP 2022:
2.9 Landscaping

Landscaped area
(b) 30% of the site area is to be provided as landscaped area.
395.4 x 30% = **118.6** m²

Deep soil zone
(c) 50% of the landscaped area must deep soil zone.
395.4 x 30% x 50%= **59.31** m²

DEEP SOIL AREA SUMMARY

LEVEL	Ground	**Total**	**Percentage relative to min. DCP required landscaped area**
AREA	63.6	63.6 m²	53.6%

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VB	EXTERNAL VENETIAN BLINDS

Issue	Date	Description
01	10/09/2025	DA Submission
02	14/01/2026	Council RFI

Scale Bar 1 : 100 @ A1

0 1 2 3 4 5m

N

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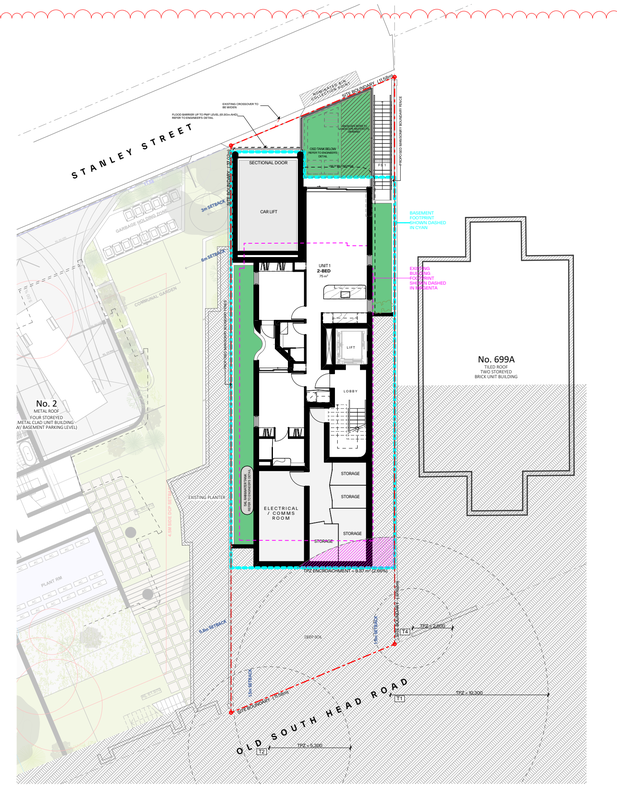
ABN 36 147 035 550
Nominated Architect:
Paul Buljevic NSW 7768

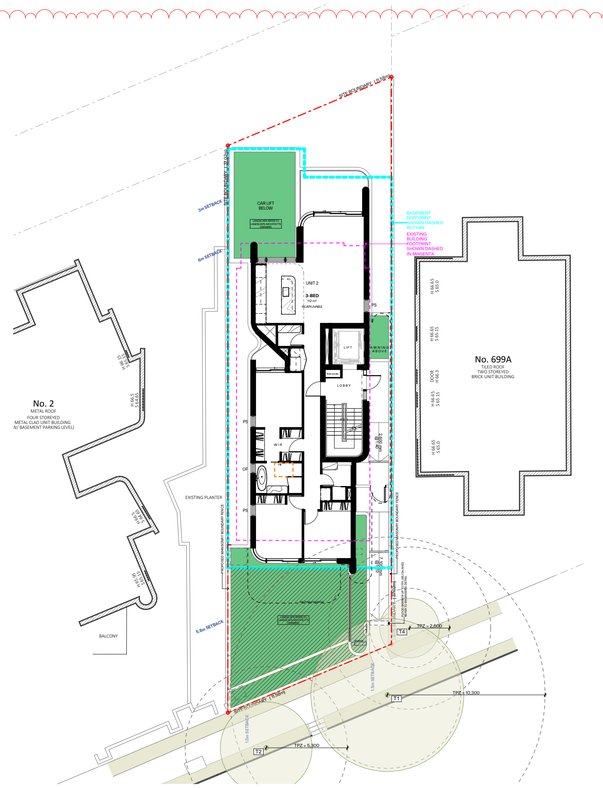
PROJECT:
Proposed Residential Flat Building
699 Old South Head Road, Vaucluse NSW 2030

DRAWING TITLE:
Deep Soil Diagram

DRAWING BY:	CHECKED BY:	DATE:
TT	PB	23/01/2026
SCALE: 1:200@A1	DRAWING NO: DA510	ISSUE: 02
PROJECT NO: 2507		



1 Lower Ground 1:200



2 Ground 1:200

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13

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Waverley Council

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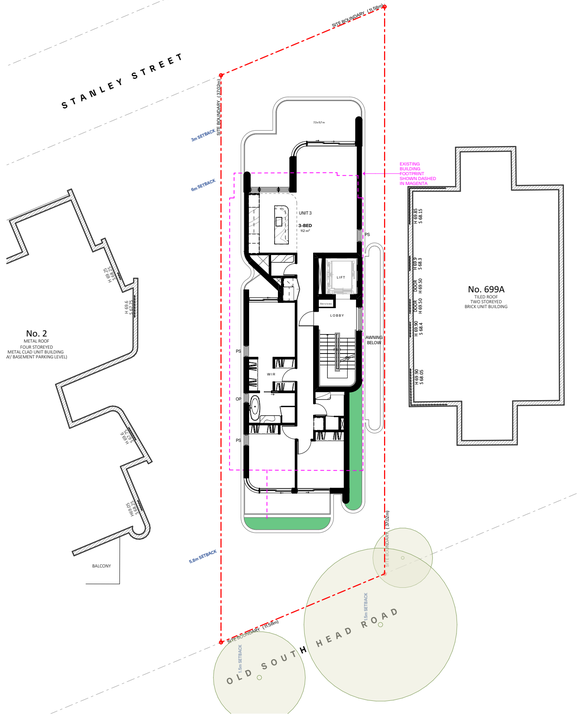
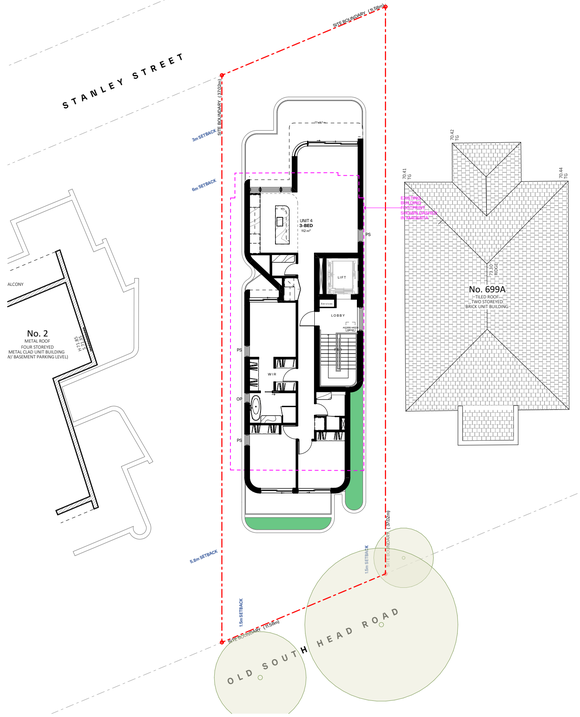
Date Received: 01/02/2026



3 Level 1 1:200



4 Level 2 1:200

LEGEND:

LANDSCAPED AREA

LANDSCAPED AREA NOT OVER STRUCTURE

PROPERTY DETAILS:
AREA: 395.4 m²
ZONE: R3 Medium Density Residential

WAVERLEY DCP 2022:
2.9 Landscaping

Landscaped area
(b) 30% of the site area is to be provided as landscaped area.
395.4 x 30% = 118.6 m²

Landscaped Area Calculation

Lower Ground	53.9
Ground	96.5
Level 1	10.9
Level 2	11.2
Total	**172.5 m²**
Percentage	**43.6%**

Landscaped Area Calculation (Not Over Structure)

Lower Ground	9.9
Ground	61.5
Total	**71.4 m²**
Percentage	**18.1%**

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8

Issue	Date	Description
01	10/09/2025	DA Submission
02	14/01/2026	Council RFI

Scale Bar 1 : 100 @ A1

0 1 2 3 4 5m

N

CLIENT:
Bondi Boys PTY LTD.

pbd architects

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ABN 36 147 035 550
Nominated Architect:
Paul Buljevic NSW 7768

PROJECT:
Proposed Residential Flat Building
699 Old South Head Road, Vaucluse NSW 2030

DRAWING TITLE:
Landscaped Area

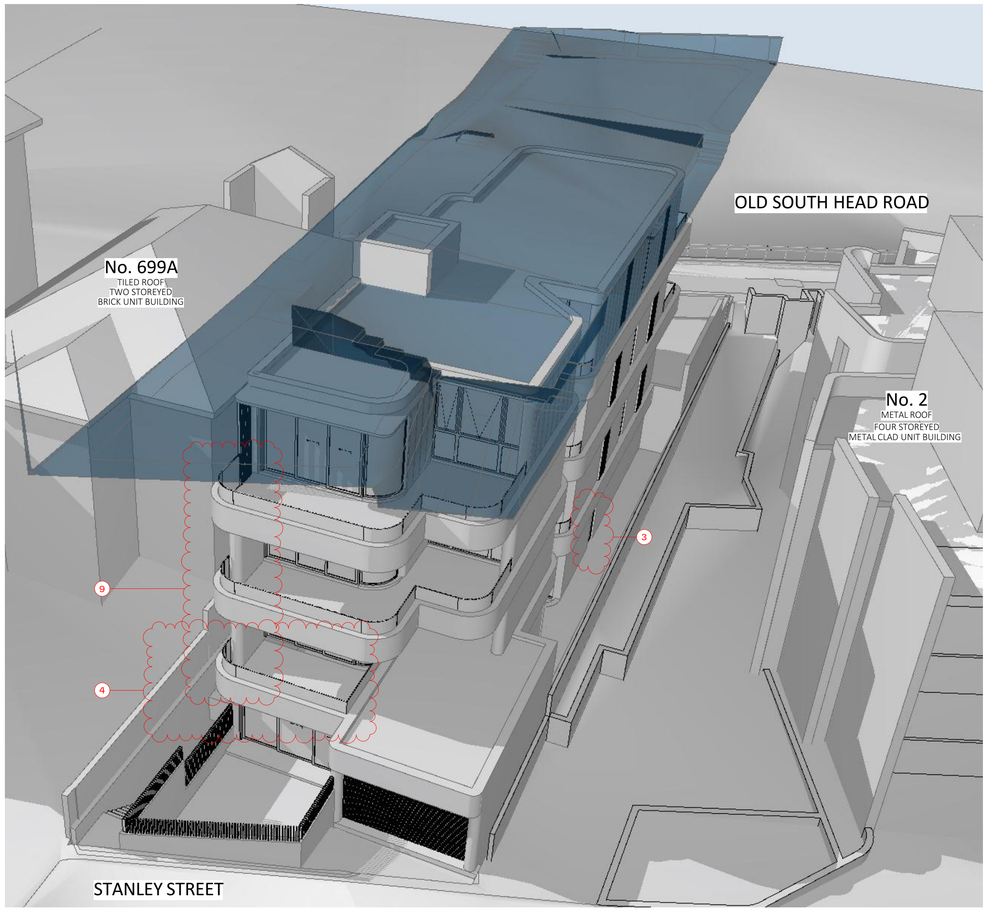
DRAWING BY:	CHECKED BY:	DATE:
TT	PB	23/01/2026
SCALE: 1:200@A1	DRAWING NO: DA511	ISSUE: 02
PROJECT NO: 2507		

RECEIVED
Waverley Council

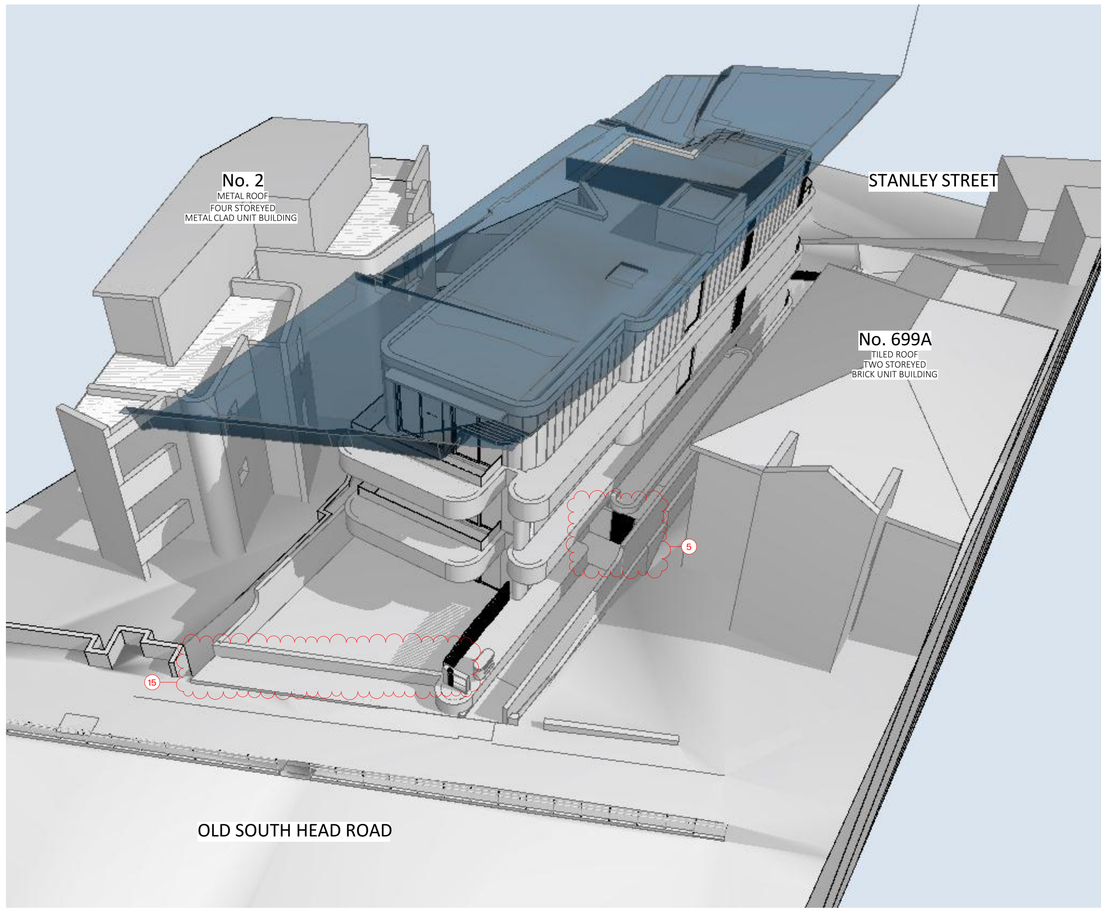
Application No: DA-472/2025

Date Received: 01/02/2026

AMENDED



1 12.5 m Height Plane | View from Stanley Street



2 12.5 m Height Plane | View from Old South Head Road

LEGEND:

HEIGHT PLANE

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RP	RIVER PEBBLES
RW	RENDERED FINISH/SELECTED PAINT FINISH
TC	TIMBER CLADDING
VB	EXTERNAL VENETIAN BLINDS

8

Issue	Date	Description
01	10/09/2025	DA Submission
02	14/01/2026	Council RFI

Scale Bar 1 : 100 @ A1

0 1 2 3 4 5m

CLIENT:

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ABN 36 147 035 550
Nominated Architect:
Paul Buljevic NSW 7768

PROJECT:

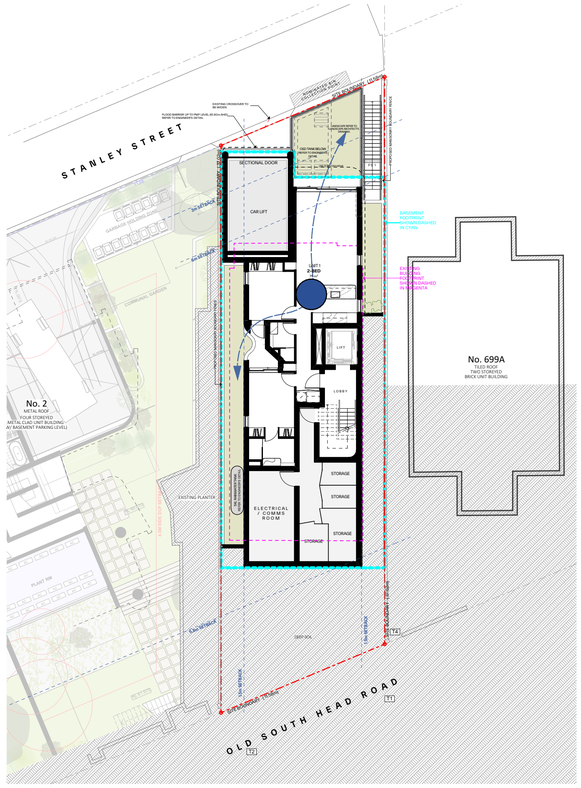
Proposed Residential Flat Building

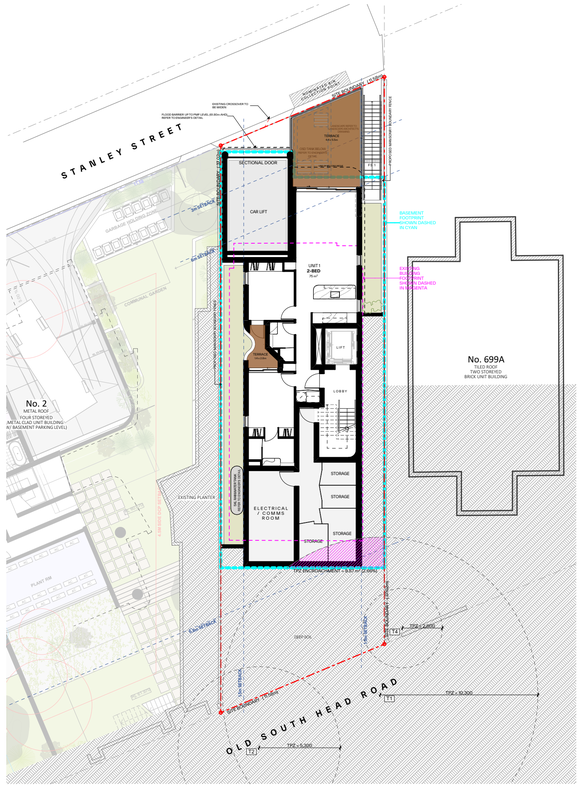
699 Old South Head Road, Vaucluse NSW 2030

DRAWING TITLE:

Height Limit Diagram

DRAWING BY:	CHECKED BY:	DATE:
TT	PB	23/01/2026
SCALE: NTS	DRAWING NO: DA520	ISSUE: 02
PROJECT NO: 2507		


STANLEY STREET
OLD SOUTH HEAD ROAD
No. 2
METAL ROOF
FOUR STOREYED
METAL CLAD UNIT BUILDING
A/ BASEMENT PARKING LEVEL)
No. 699A
TILED ROOF
TWO STOREYED
BRICK UNIT BUILDING
SECTIONAL DOOR
CAR LIFT
UNIT 1
3 BED
LIFT
LOBBY
STORAGE
STORAGE
STORAGE
ELECTRICAL / COMMS ROOM
EXISTING PLANTER
PLANT SHED
BASEMENT BELOW
EXISTING BUILDING TO BE DEMOLISHED
EXISTING BUILDING TO BE RETAINED
BASEMENT BEYOND SHOWN DASHED IN CYAN
EXISTING BUILDING TO BE DEMOLISHED SHOWN DASHED IN MAGENTA
EXISTING CROSSOVER TO BE MADE GOOD
FLOOD BARRIER UP TO RIGHT LEVEL OF ROLL MAT/ BARRIER TO BE DETAIL
EXISTING BUILDING TO BE RETAINED
EXISTING BUILDING TO BE DEMOLISHED
EXISTING BUILDING TO BE DEMOLISHED
EXISTING BUILDING TO BE RETAIN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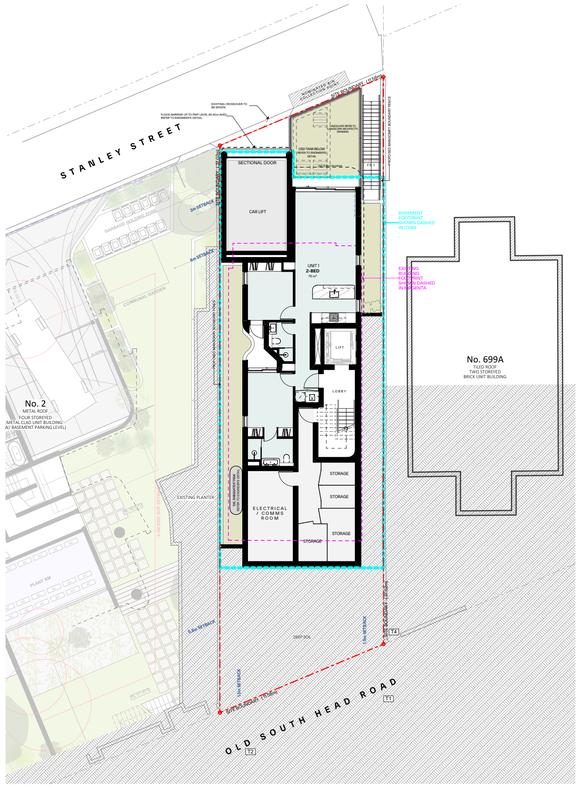
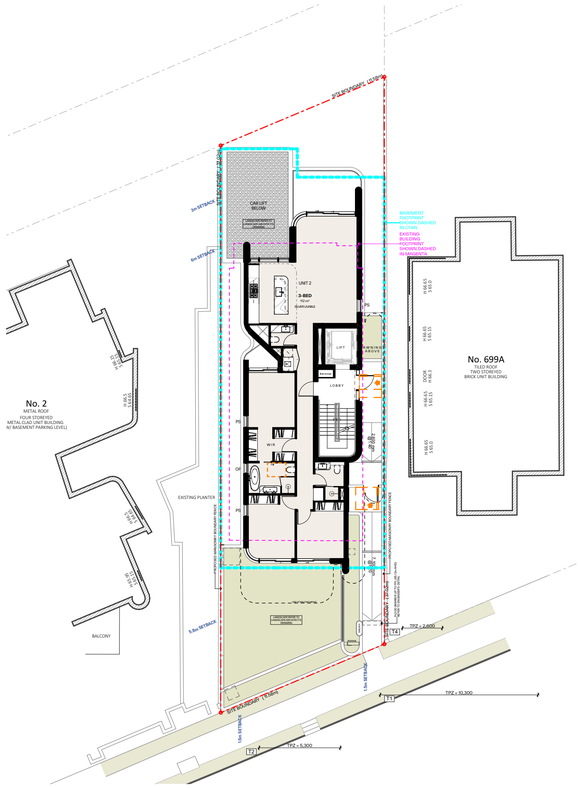
ELECTRICAL / COMMS ROOM
EXISTING PLANTER
EXISTING BUILDING FOOTPRINT SHOWN DASHED IN MAGENTA
BASEMENT FOOTPRINT SHOWN DASHED IN CYAN
TPZ = 2.400
TPZ = 50.500
TPZ = 5.300
SRZ = 3.600
T4
T1
T2
T3
1.8m HIGH TIMBER PALING FENCE
EXISTING VEHICULAR CROSSING
EXISTING PEDESTRIAN ACCESS
EXISTING PEDESTRIAN ACCESS RAMP



1 Lower Ground 1:200



2 Ground 1:200

AMENDED

RECEIVED
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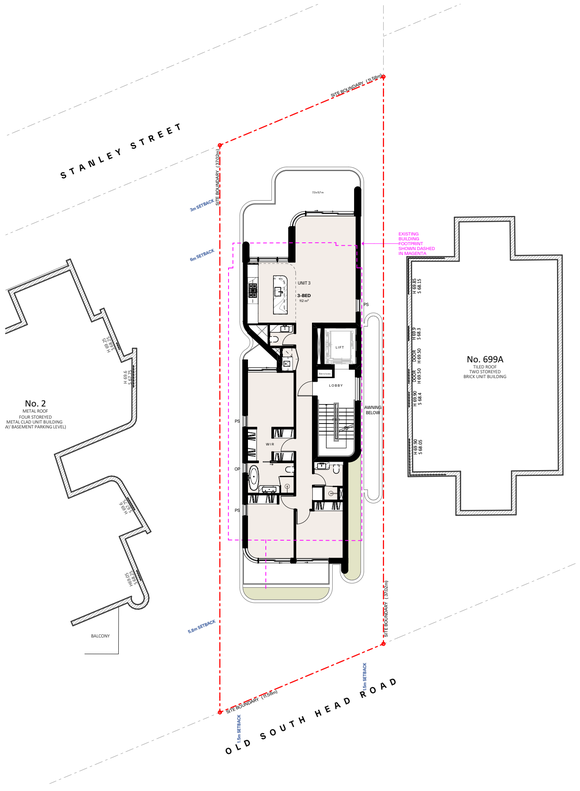
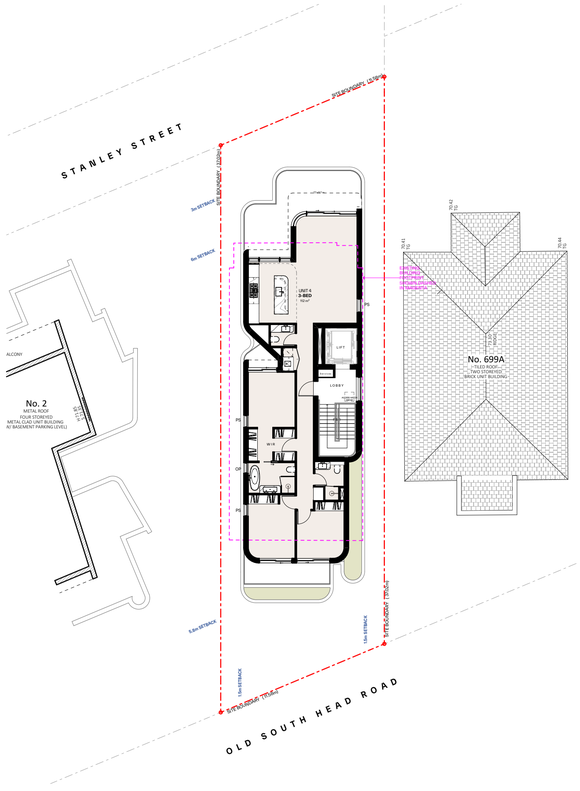
Application No: DA-472/2025

Date Received: 01/02/2026



3 Level 1 1:200



4 Level 2 1:200

LEGEND:

2 BEDROOM UNIT

3 BEDROOM UNIT

Unit Mix				
Level	1 Bed	2 Bed	3 Bed	Total
Lower ground		1		1
Ground			1	1
Level 1			1	1
Level 2			1	1

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CONC	CONCRETE
FB	FACE BRICK
GB	FRAMELESS TOUCHENED GLASS BALUSTRADE (TO BCA/AUS STANDARDS)
MB	METAL BALUSTRADE
MC	METAL CLADDING
OP	OPAQUE GLAZING
PCF	METAL FENCING (TO FUTURE SELECTION)
PC	COMPOSITE PANEL CLADDING
PSx	PRIVACY SCREEN (TO FUTURE SELECTION)
PTx	PAINT FINISH TYPEx
RD	ROLLER DOOR
RP	RIVER PEBBLES
RW	RENDERED FINISH/SELECTED PAINT FINISH
TC	TIMBER CLADDING
VB	EXTERNAL VENETIAN BLINDS

Issue	Date	Description
01	10/09/2025	DA Submission
02	14/01/2026	Council RFI

Scale Bar 1 : 100 @ A1

0 1 2 3 4 5m

N

CLIENT:

Bondi Boys PTY LTD.

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Level 2, 52 Albion Street,
Surry Hills NSW 2010

ABN 36 147 035 550
Nominated Architect:
Paul Buljevic NSW 7768

PROJECT:

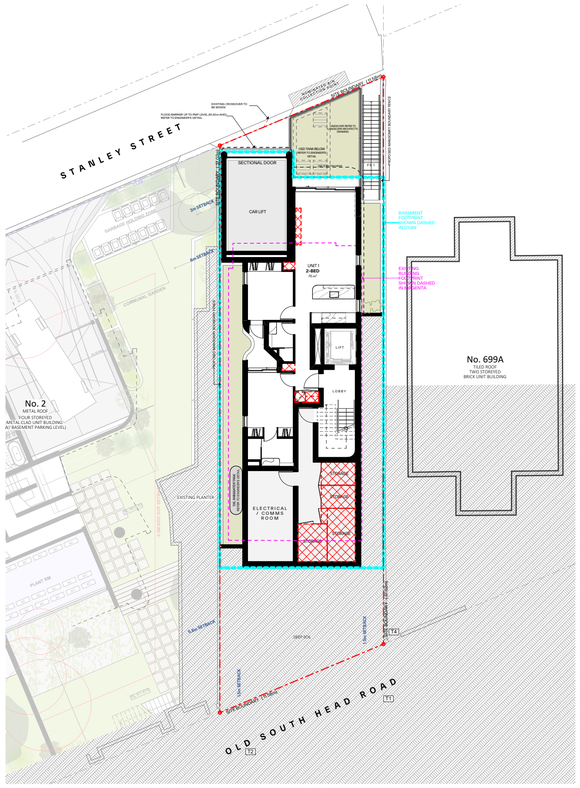
Proposed Residential Flat Building

699 Old South Head Road, Vaucluse NSW 2030

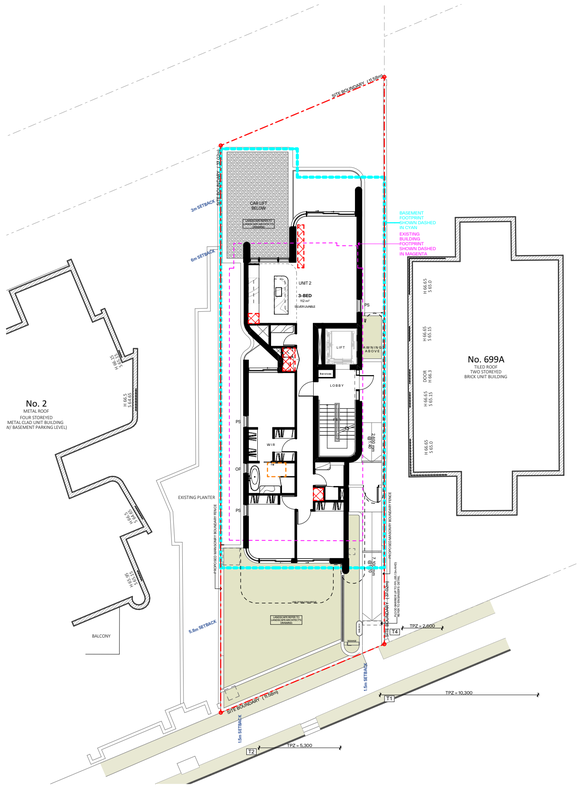
DRAWING TITLE:

Unit Mix Diagram

DRAWING BY:	CHECKED BY:	DATE:
TT	PB	23/01/2026
SCALE: 1:200@A1	DRAWING NO: DA550	ISSUE: 02
PROJECT NO: 2507		



1 Lower Ground 1:200



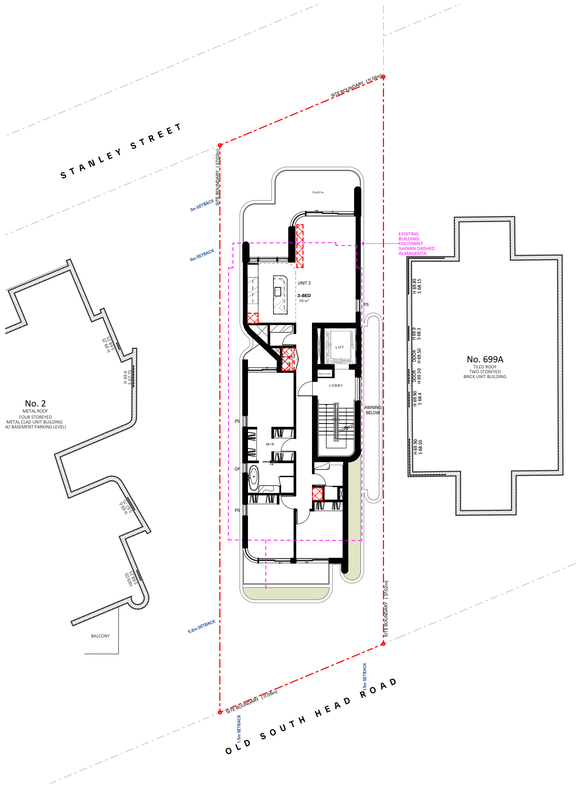
2 Ground 1:200

AMENDED

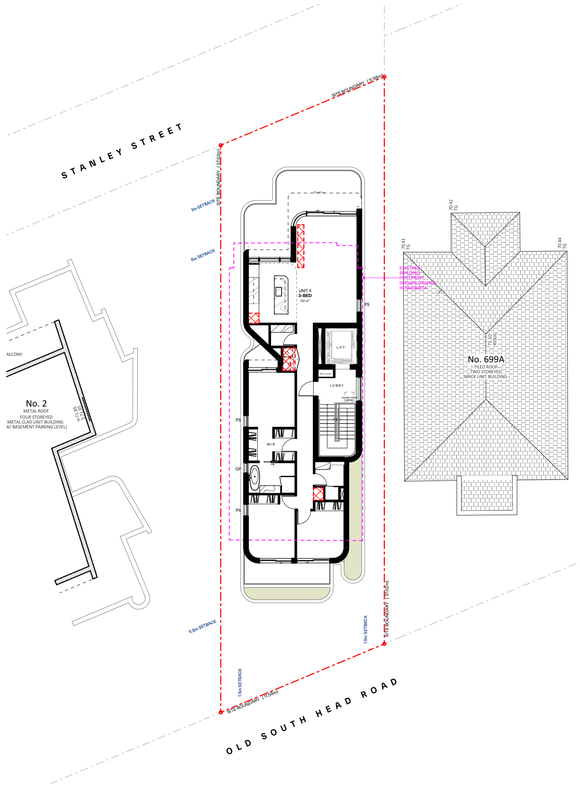
RECEIVED
Waverley Council

Application No: DA-472/2025

Date Received: 01/02/2026



3 Level 1 1:200



4 Level 2 1:200

LEGEND:

STORAGE AREA

ADG REQUIREMENT:

IN ADDITION TO STORAGE IN KITCHENS, BATHROOMS, AND BEDROOMS, THE FOLLOWING STORAGE IS PROVIDED:

DWELLING TYPE	STORAGE SIZE
1 BEDROOM APARTMENT	6 m^3
2 BEDROOM APARTMENT	8 m^3
3+ BEDROOM APARTMENT	10 m^3

AT LEAST 50% OF THE REQUIRED STORAGE IS TO BE LOCATED WITHIN THE APARTMENT

10F. STORAGE VOLUME (UNIT)

Unit No.	Volume (cube)
Unit 1, 2 BED	4.0
Unit 2, 3 BED	5.0
Unit 3, 3 BED	5.0
Unit 4, 3 BED	5.0

10G. STORAGE VOLUME (CARPARK)

Unit No.	Volume (cube)
Unit 1	9.0
Unit 2	9.0
Unit 3	12.6
Unit 4	18.3

GENERAL NOTES:

- ALL WORKS TO COMPLY WITH BUILDING CODE OF AUSTRALIA, REQUIREMENTS OF RELEVENT STATUTORY AUTHORITIES/ LOCAL GOVERNMENT & RELEVENT AUSTRALIAN BUILDING STANDARDS
- DRAWINGS FOR THE PURPOSES OF DA ONLY (NOT FOR CONSTRUCTION) - FURTHER CONSULTANT/ AUTHORITY COORDINATION WILL BE REQUIRED AT CC STAGE WHICH MAY IMPACT ON DESIGN AND PLANNING LAYOUTS
- ARCHITECTURAL PLANS TO BE READ IN CONJUNCTION WITH CONSULTANT'S DRAWINGS, SPECIFICATIONS & REPORTS
- COPYRIGHT OF DESIGN SHOWN HEREON IS RETAINED BY PBD ARCHITECTS AND AUTHORITY IS REQUIRED FOR ANY REPRODUCTION
- AREA SCHEDULES SUPPLIED ARE APPROXIMATE ONLY - FUTURE ALLOWANCE FOR VERTICAL SERVICE DUCTS, STRUCTURAL WALL SYSTEMS AND CONSULTANT INPUT WILL BE REQUIRED

LEGEND:

AW	AWNING
AH	ACCESS HATCH
AC	A/C CONDENSER UNITS
FH	FIRE HYDRANT
FHR	FIRE HOSE REEL
FS	FIRE STAIRS
GC	GARBAGE CHUTE
HW	HIGHLIGHT WINDOW
MV	MECHANICAL RISER TO FUTURE DETAIL
MB	MAILBOX TO FUTURE DETAIL
R	240L RECYCLING BIN
RWT	RAINWATER TANK
SK	SKYLIGHT
ST	STORAGE
HWU	HOT WATER UNITS

MATERIALS LEGEND:

AFG	ALUMINIUM FRAMED GLAZING
LV	ALUMINIUM ELLIPTICAL FIXED LOUVERS
AW	AWNING (TO FUTURE DETAIL)
CONC	CONCRETE
FB	FACE BRICK
GB	FRAMELESS TOUCHENED GLASS BALUSTRADE (TO BCA/AUS STANDARDS)
MB	METAL BALUSTRADE
MC	METAL CLADDING
OP	OPAQUE GLAZING
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Level 2, 52 Albion Street,
Surry Hills NSW 2010

ABN 36 147 035 550
Nominated Architect:
Paul Buljevic NSW 7768

PROJECT:
Proposed Residential Flat Building
699 Old South Head Road, Vaucluse NSW 2030

DRAWING TITLE:
Storage Calculation Diagram

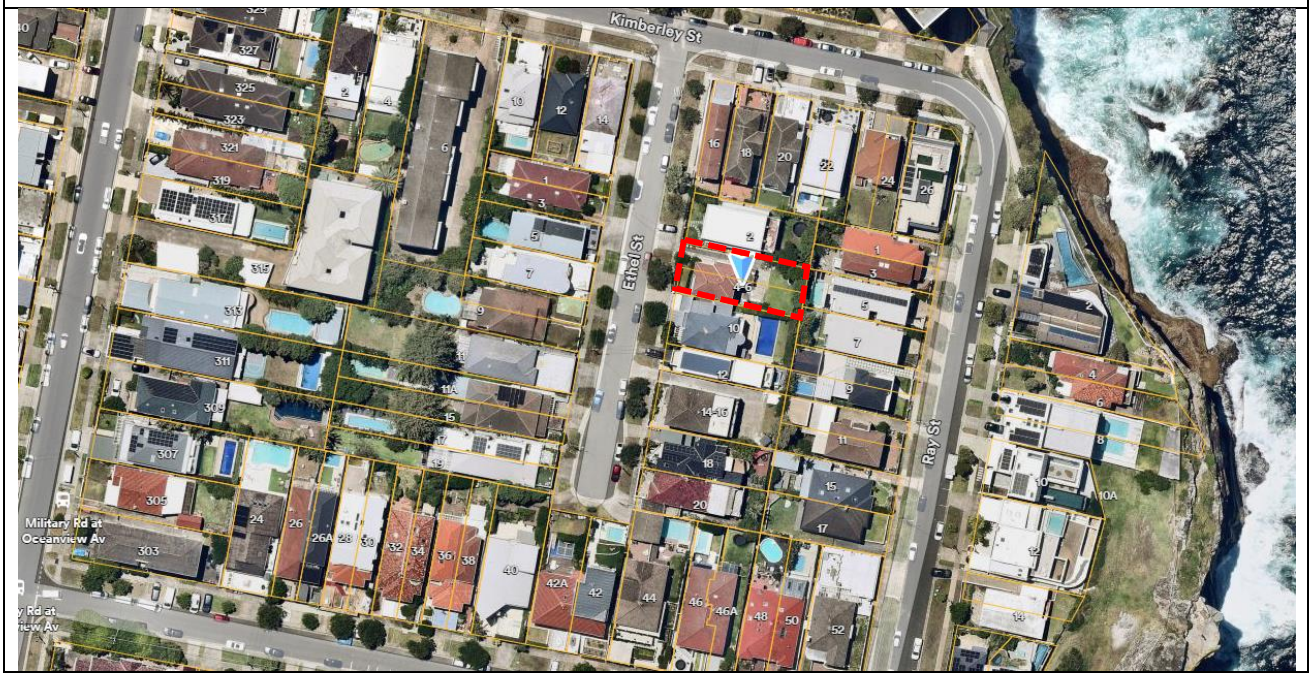
DRAWING BY:	CHECKED BY:	DATE:
TT	PB	23/01/2026
SCALE: 1:200@A1	DRAWING NO: DA560	ISSUE: 02
PROJECT NO: 2507		

WAVERLEY COUNCIL

Report to the Waverley Local Planning Panel

Application number	DA-628/2025
Site address	4-6 Ethel Street, VAUCLUSE
Proposal	Demolition of dwelling and construction of two x semi-detached dwelling with integrated car parking, swimming pools, boundary adjustment and associated landscaping works.
Date of lodgement	18 December 2025
Owner	Mr & Mrs Enoch
Applicant	J Enoch
Submissions	One submission
Cost of works	$4,385,956
Principal Issues	• Non-compliant minimum lot size • Non-compliant building height • Non-compliant floor space ratio • Front and rear building lines • Side setbacks • Vehicle access • Landscaping and trees
Recommendation	That the application be REFUSED for the reasons contained in the report.

SITE MAP



1. PREAMBLE

1.1. Executive Summary

The development application seeks consent for demolition of the existing dwelling and construction of two x semi-detached dwellings at the site known as 4-6 Ethel Street, VAUCLUSE.

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

- Non-compliant minimum lot size
- Non-compliant building height
- Non-compliant floor space ratio (FSR)
- Front and rear building lines
- Side setbacks
- Vehicle access
- Landscaping and trees

The assessment finds these issues unacceptable.

A total number of one submission was received and the issues raised in the submission have been considered and addressed in this report and in the recommendation.

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

1.2. Site and Surrounding Locality

A site visit was carried out on 17 February 2026.

The site is identified as Lot 1 in DP 115863 and Lot 2 in DP 342620, known as 4-6 Ethel Street, VAUCLUSE.

The site is rectangular in shape with a western frontage of 11.735m to Ethel Street. It currently contains two lots. Lot 1 (southern lot) has an area of 185.7m^2 and Lot 2 (northern lot) has an area of 171.9m^2. The site falls from the front towards the rear by approximately 3m.

The site is occupied by a two to three storey dwelling house with vehicular access provided from Ethel Street.

The site is adjoined by dwelling houses on either side. The locality is characterised by a variety of low to medium density residential developments.

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

Figure 1: Subject site viewed from Ethel Street.

Figure 2: Subject site (left) and adjoining property.

Figure 3: Dwellings opposite the subject site.

Figure 4: Subject site and Ethel Street streetscape.

1.3. Relevant Development History

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

- DA-129/2009 granted consent 31 July 2009 to alterations and additions to a duplex including new front fence and rear deck to ground floor dwelling.

1.4. Proposal

The development application seeks consent for demolition of the existing dwelling and construction of a 2 x semi-detached dwellings and boundary adjustment, and specifically includes the following:

- Demolition of the existing building;
- Boundary adjustment to create two equal sized lots;
- Construction of two x three-storey semi-detached dwellings, each dwelling consisting of:
    - **Lower ground floor level:**
        - Excavation of plant rooms and laundry;
        - Rumpus room, study and bathroom;

- Undercover patio with barbeque area; and
- Pool and landscaping in the rear yard.

- **Ground floor level:**
  - Driveway access to garage car parking;
  - Entrance to each dwelling via side door;
  - Open plan kitchen, dining and living area; and
  - Rear balcony.
- **First floor level:**
  - Three bedrooms and two bathrooms;
  - Juliette balcony to the front; and
  - Rear facing balcony.

1.5. Background

The development application was lodged on 18 December 2025.

A Stop the Clock letter was issued on 12 January 2026 advising that FSR had been incorrectly calculated based on the site area of each proposed lot, rather than the existing site area of each lot. Based on the existing site area of each lot, the proposal does not comply with the FSR development standard and a written request to vary the standard pursuant to *Waverley Local Environment Plan 2012* (Waverley LEP 2012) Clause 4.6 is required to be submitted. Updated documentation, including a Clause 4.6 request to vary the FSR development standard was submitted on 14 January 2026.

The application was also deferred on 12 February 2026 for the following reasons:

1. **Side Setbacks**

   a. *The proposed development does not comply with the Waverley Development Control Plan 2022 (Waverley DCP 2022) Part C1.1.2 Side setbacks. Given the proposal is for a three storey new build, a 1.5m setback to all levels is required. Furthermore, there are existing ocean views enjoyed from the properties opposite the subject site and from the public domain on Ethel Street. The proposal will have an impact on these views, particularly within the northern side setback between 2 and 4 Ethel Street. As such, a minimum side setback of 1.5m is required.*

2. ***Front and rear setbacks***

   a. *Waverley DCP 2022 Part C1.1.2 control 1.2.1(a) requires new buildings to extend no further than the front and rear predominant building lines. An aerial image indicating the predominant front and rear setbacks of dwellings on Ethel Street was provided to demonstrate there was a predominant front and rear building line along Ethel Street. It is recommended the proposed development be amended to extend no further towards the front and rear than the neighbouring property at 2 Ethel Street. The lower ground*

floor alfresco area and the ground floor rear terrace may extend further towards to the rear, in line with the outdoor areas at 2 Ethel Street.

3. Landscaping

a. The submitted documentation incorrectly states that the proposal complies with Waverley DCP 2022 Part C1 Clause 1.9(h) which requires a minimum of 50% of the open space provided at the front of the site to be landscaped area. Lot 1 provides only 39% landscaped area and Lot 2 provides only 40% landscaped area. The proposal is to be amended to provide at least 50% of the front setback area as landscaped area.

4. Traffic and Parking

a. The application was referred to Council's Traffic Engineers who advised that the proposal is unsatisfactory and recommended refusal based on the following grounds:

i. The proposed driveway access is 6.0m at the layback. This is to be maximum of 3.9m (inclusive of 0.45m laybacks on either side).

ii. The proposed access results in a net loss of one on-street car parking space. The access is to be positioned in a way which allows for one on-street car parking space to be retained along the frontage of 4-6 Ethel Street.

A minimum distance of 5.5m is required between either:

- *The southern layback of the access to 4-6 Ethel Street and the northern layback of the access to 8 Ethel Street; or*
- *The northern layback of the access to 4-6 Ethel Street and the southern layback of the access to 2 Ethel Street.*

It is recommended that the proposal be amended in accordance with the above.

5. Street trees

a. The submitted documentation indicates that there is an Olea europaea (European Olive) on the grass verge which is proposed to be removed to facilitate the proposed development. The proposal includes planting a new Olive tree to the south of the new driveway.

The application was referred to Council's Tree Management Officer who advised that Olea europaea (European Olive) is on Waverley Council's Exempt species list and is classified as a weed under the Biosecurity Act 2015. Planting of declared regional weeds under the Biosecurity Act 2015 will not be supported.

It is recommended that the street tree to be removed is to be replaced with two trees, both being Cupaniopsis anacardioides (Tuckeroo). One tree is to be planted to the south of the driveway (in the location indicated on the landscape plan) and an additional tree is to be planted on the northern side of the driveway. It is noted that the driveway location may change in response to point 4 above. As such, the landscape plans are to be updated to reflect the new driveway location and the recommended two new street trees.

The applicant was given 14 days to submit amended information in accordance with the deferral letter, being 26 February 2026. The applicant requested meetings to discuss the letter. The assessing planner advised that a meeting is of little benefit unless there are meaningful indicative amended plans to discuss. The applicant was invited to submit sketch plans for comment.

On 20 February 2026, the applicant submitted details of the side setback. The additional information included a view assessment demonstrating that a 1.5m side setback on the lower ground floor and ground floor will provide minimal improvement to the view loss. The applicant was advised that in this instance, the side setback control may be varied on the lower ground floor and ground floor only. The first-floor level must be setback 1.5m.

On 26 February 2026 (being the date the amendments were due), the applicant submitted sketch plans. The sketches including the following amendments:

1. **Lower ground floor**
    a. No change to rear building line; and
    b. Increase the extent of excavation.
2. **Ground floor**
    a. No change to rear building line; and
    b. A 288mm increase in the setback at the front building line.
3. **First floor**
    a. A 350mm increase in setback at the front and rear;
    b. Deleted the planter above the ground floor terrace; and
    c. Increase side setback to 1.5m.

The above changes did not adequately resolve the matters outlined in the deferral letter. Given the applicant had taken 14 days to submit the sketch plans, and the issues remained outstanding, an extension of time was not granted. Therefore, this assessment is based on the original proposal.

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

A detailed discussion is provided for relevant SEPPs as follows:

SEPP (Resilience and Hazards) 2021

The site is located within the coastal use area (Clause 2.11) as identified under the SEPP (Resilience and Hazards) 2021. Clause 2.11(1) states that development consent must not be granted for development on land within the coastal use area unless the consent authority;

(a) has considered whether the proposed development is likely to cause an adverse impact on the following:

Matters for consideration	Compliance
(i) existing, safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,	The existing access to the foreshore, beach, headland or rock platform would remain unaffected by the proposal.
(ii) overshadowing, wind funnelling and the loss of views from public places to foreshores,	The proposal does result in the loss of views from Ethel Street to the Pacific Ocean. However, the proposal is recommended for refusal.
(iii) the visual amenity and scenic qualities of the coast, including coastal headlands,	The visual amenity from the coastal use area would not be affected by the proposal.
(iv) Aboriginal cultural heritage, practices and places,	N/A
(v) cultural and built environment heritage, and	N/A

(b) is satisfied that:

Matters for consideration	Compliance
(i) the development is designed, sited and will be managed to avoid an adverse impact referred to in paragraph (a), or	The proposal has not been designed in a way to avoid adverse impacts. The proposal is recommended for refusal.

(c) *has taken into account the surrounding coastal and built environment, and the bulk, scale and size of the proposed development.*

While the proposal would not have a direct impact on the surrounding coastal area, it does impact views from Ethel Street. The proposal does not comply with a number of bulk and scale controls and therefore is not considered commensurate with the surrounding coastal environment.

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 inconsistent with the Aims of the Plan.
Part 2 Permitted or prohibited development		
2.6 Subdivision – consent requirements	Yes	The proposal includes realignment of the boundary, which may be carried out with development consent.
Land Use Table *R2 Low Density Residential Zone*	Yes	The proposal is defined as semi-detached dwellings, which is permitted with consent in the R2 zone.
Part 4 Principal development standards		
4.1 Minimum subdivision lot size • *325m^2*	No	The proposed realignment of the boundary results in each lot having an area of 178.8m^2, which is a variation of 44.98%.
4.3 Height of buildings • *8.5m*	No	The proposed building measures 9.17m in height, resulting in a variation of 0.67m or 7.8%.
4.4 Floor space ratio and 4.4A Exceptions to floor space ratio • *Existing Lot 1 0.9:1 (167.27m^2)* • *Existing Lot 2 0.915:1 (157.44m^2)*	No	The FSR is required to be calculated based on the existing Lot size. Existing Lot 1 (site area of 185.7m^2) permits a maximum FSR of 0.9:1, which is a maximum GFA of 167.27m^2. The proposal has a gross floor area (GFA) of 162.27m^2, or FSR of 0.9:1, which complies. Existing Lot 2 (site area 171.9m^2) permits a maximum FSR of 0.915:1, which is a maximum GFA of 157.44m^2. The proposal has a GFA of 162.27m^2, or FSR of 0.94:1, which does not comply. The variation is 4.83m^2 or 3.1%.

Provision	Compliance	Comment
		It is noted that once the realignment of the boundary occurs, a FSR of 0.908:1 (GFA of 162.4m^2) will apply for both Lot 1 and Lot 2. The proposal has a GFA of 162.27m^2 and FSR of 0.907:1, which complies.
4.6 Exceptions to development standards	See discussion	The application is accompanied by written requests pursuant to clause 4.6 of Waverley LEP 2012 to vary the minimum lot size, height and FSR development standards. A detailed discussion of the variation to the development standards 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

Minimum lot size

The application seeks to vary the minimum subdivision lot size in clause 4.1 under Waverley LEP 2012.

The site is subject to a minimum lot size development standard of 325m^2. The proposed development has a lot size of 178.8m^2 for each lot, exceeding the standard by 146.2m^2 equating to a 44.98% variation. It is noted that the existing lot sizes are 185.7m^2 for Lot 1 (42.9% variation) and 171.9m^2 for Lot 2 (47.1% variation).

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

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

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

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

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

The applicant seeks to justify the contravention of the minimum lot size development standard on the following basis:

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

(i) Despite the existing and proposed minimum lot size variation, the proposal is a considered design that is compatible with the character of the adjoining and surrounding properties and does not cause any significant impacts to the amenity of the site and surrounding area.

(ii) The broad application of the minimum lot size provision does not recognise the response to the built form south in the area.

(iii) Despite the proposed lots being under the minimum lot size, it has been demonstrated that the site can accommodate semi-detached dwellings that are compatible with the desired future character of the area.

(iv) The broad application of the minimum lot size development standard does not exclude the possibility of high-quality built form that is compatible with the surrounding streetscape and does not impact upon the amenity of surrounding properties.

(v) The variation is not perceptible from the street and adjoining properties given the existing site conditions.

(vi) The minimum lot size development standard does not consider the significant slope from the street to the rear which has been managed by the skilful design.

(vii) *Despite the variation, the proposal is able to achieve these outcomes and meet the objectives of the minimum lot size standard and R2 Low Density Residential zone.*

(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 slopes steeply from the front towards the rear.

(ii) There is an existing variation to the lots, and the boundary adjustment creates equal lots. The minor adjustment creates no additional environmental planning impacts.

(iii) The proposed variation to minimum lot size does not result in the removal of any significant trees.

(iv) Due to the orientation of the site, and difference in topography in relation to opposite properties, the more valuable views of the Pacific Ocean are not expected to be impacted. Furthermore, the variation to minimum lot size bears no material impact to existing views.

(v) *The application is supported by detailed shadow diagrams incorporating hourly interviews and 3D sun views. These shadow diagrams demonstrate how the proposal can achieve compliance with solar access objectives in the DCP, despite the minimum lot size variation.*

Consideration of Applicant's Written Request

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

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

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

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

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

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

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

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

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

(a) to ensure that subdivisions reflect and reinforce the predominant subdivision pattern of the area.

The proposal seeks to a boundary realignment to create two equal lots and therefore is consistent with the existing subdivision pattern. The resultant lots are not dissimilar to the predominant subdivision pattern of the area.

(b) to minimise the likely impact of subdivision and development on the amenity of neighbouring properties.

The proposed boundary realignment will not be readily discernible from the surrounding area. The subdivision itself does not have an impact on the amenity of neighbouring properties. Notwithstanding this, as discussed in other areas of this report, the proposed development does have an impact on the amenity of neighbouring properties and is recommended for refusal.

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

The applicant has argued that that there are sufficient environmental planning grounds to justify contravening the minimum lot size development standard. Specifically, the applicant's argument that the lot size non-compliance already exists and the proposal to realign the boundary will not have an impact on neighbouring properties. Notwithstanding this, the proposed built form does have an impact on neighbouring properties and as outlined in other areas of this report, is recommended for refusal.

Conclusion

The written request provided by the applicant to vary the minimum lot size development standard has adequately addressed clause 4.6 of the Waverley LEP 2012 and the justification provided by the applicant is satisfactory. Notwithstanding, the proposal is recommended for refusal for other reasons outlined in this report.

Building Height

The application seeks to vary the height of buildings development standard in clause 4. under Waverley LEP 2012.

The site is subject to a maximum height development standard of 8.5m. The proposed development has a height of 9.17m, exceeding the standard by 0.67m equating to a 7.8% variation. It is noted that the existing building already exceeds the development standard by 2.07m equating to a 24.3% variation.

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

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

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

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

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

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

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

(i) Despite the building height variation, the proposal is a considered design that is compatible with the character of the adjoining and surrounding properties and does not cause any significant impacts to the amenity of the site or surrounding area.

(ii) The broad application of the building height provisions does not recognise the response to the built form sought in the area.

(iii) The broad building height application does not exclude the possibility of high-quality built form that is compatible with the surrounding streetscape and does not impact upon the amenity of surrounding properties.

(iv) The applicable development standard does not take into account that the existing dwelling already exceeds the maximum building height.

(v) The maximum building height does not consider the significant slope from the front to the rear which has been managed by the skilful design.

(vi) Despite the variation to the building height, the proposal is able to achieve these outcomes and meet the objectives of the building height standard and R2 Low Density Residential zone.

(vii) Strict compliance with the building height standard would reduce the opportunity for the orderly and economic development of the subject site.

(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 slopes steeply from the front towards the rear. The front portion of the building is situated well below the height limit as the variation is isolated to the rear.

(ii) The existing building has a height of 10.57m, reflecting a variation of 24.3%. 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.*

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 not adequately addressed that compliance with the standard is unreasonable or unnecessary in the circumstances of the case and has referenced one or more of the following justifications as set out in *Wehbe v Pittwater Council* (2007) 156 LGERA 446:

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

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

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

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

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

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

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

While development does cause additional overshadowing and view loss. The applicant has not adequately argued or demonstrated that the additional overshadowing and view loss is not attributed to the portion of the development which exceeds the height limit. While the height exceedance is at the rear of the development only, the shadow diagrams do not distinguish between the overshadowing caused by compliant built form vs non-compliant built form. As such, the proposed development does not preserve the environmental amenity of neighbouring properties and therefore does not achieve Objective (a).

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

The submitted shadow diagrams are insufficient in that they do not show the solar access impact on the subject site.

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

While the height non-compliance is attributed to the slope of the land, the applicant has not demonstrated that the non-compliance does not have an impact on neighbouring properties. Furthermore, as discussed in other areas of this report, the front and rear building line and side setbacks result in a building that is inconsistent with the surrounding streetscape character. Therefore, the proposed building height is inconsistent 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 applicant has not satisfactorily argued that that there are sufficient environmental planning grounds to justify contravening the development standard.

Conclusion

The written request provided by the applicant to vary the height development standard has not adequately addressed clause 4.6 of the Waverley LEP 2012 as the matters required to be addressed by clause 4.6(3) (a) and (b) are not justified.

Floor Space Ratio

The application seeks to vary the FSR development standard in clause 4.4 under Waverley LEP 2012.

The FSR is required to be calculated based on the existing Lot size. The existing Lot 2 is subject to a maximum FSR development standard of 0.915:1. The proposed development has a FSR of 0.94:1, exceeding the standard by 4.83m^2 equating to a 3.1% variation. It is noted that once the boundary realignment occurs, the proposal will eventually comply, as detailed below:

	Existing Lot 1	***Existing Lot 2***	***Proposed Lot 1***	***Proposed Lot 2***
Site Area	185.7m^2	171.9m^2	178.8m^2	178.8m^2
Permissible FSR	0.9:1	0.915:1	0.908:1	0.908:1
Proposed GFA	162.27m^2	162.27m^2	162.27m^2	162.27m^2
Proposed FSR	0.9:1 (complies)	0.94:1 (non-compliant)	0.907:1 (complies)	0.907:1 (complies)

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

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

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

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

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

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

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

(i) Despite the FSR variation to the existing Lot 2, the proposal is a considered design that is compatible with the character of the adjoining and surrounding properties and does not cause any significant impacts to the amenity of the site or surrounding area.

(ii) The broad application of the FSR does not recognise the response to the built form sought in the area.

(iii) The broad FSR application does not exclude the possibility of high-quality built form that is compatible with the surrounding streetscape and does not impact upon the amenity of surrounding properties.

(iv) The maximum FSR does not consider the significant slope from the front to the rear which has been managed by the skilful design.

(v) Despite the variation to the FSR, the proposal is able to achieve these outcomes and meet the objectives of the FSR standard and R2 Low Density Residential Zone.

(vi) *Strict compliance with the FSR standard would reduce the opportunity for the orderly and economic development of the subject site.*

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

(i) The new semi-detached dwellings have been designed in response to the characteristics and constraints of the site and responds to the topography of the land, which slopes steeply form the front towards the rear.

(ii) *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, as demonstrated in the photograph below. It is also recognised the existing building is already three storeys in height.*

Consideration of Applicant's Written Request

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

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

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

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

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

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

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

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

The applicant specifically relies upon justification (a) of *Wehbe v Pittwater Council* (2007) 156 LGERA 446].

The applicant has provided justification that compliance is unreasonable and unnecessary. Once subdivided as per the proposed boundary realignment, Lot 1 and Lot 2 will have a maximum permissible FSR of 0.908:1. The proposed semi-detached dwellings will comply with the FSR development standard, proposing a FSR of 0.907:1 for each dwelling.

Notwithstanding the numerical compliance once subdivided, the proposed dwelling will not be of an appropriate bulk and scale. The dwellings are inconsistent with the built form controls of the LEP and DCP. The proposal exceeds both the building height development standard in the LEP and the wall height control in the DCP. The proposal is inconsistent with both the front and rear predominant building lines, and has non-compliant side setbacks. These non-compliances with the built form controls, along with

variation of 44.98% to the minimum lot size development standard, represents a development that is not suitable for the site.

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. Notwithstanding this, the proposed built form does have an impact on neighbouring properties and as outlined in other areas of this report, and is recommended for refusal.

Conclusion

The written request provided by the applicant to vary the FSR development standard has adequately addressed clause 4.6 of the Waverley LEP 2012 and the justification provided by the applicant is satisfactory. However, the proposal is recommended for refusal for other reasons outlined in this report.

2.1.3. Waverley Development Control Plan 2022 (Waverley DCP 2022) (Amendment 5)

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

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

Development Control	Compliance	Comment
1. Waste • *Garbage bins are to be stored in an appropriate location.*	Yes	Satisfactory.
2. Ecologically Sustainable Development • *Ceiling or wall mounted fans* • *Gas cooktops, gas ovens or gas internal space heating systems.*	Yes	Satisfactory.
3. Landscaping, Biodiversity and Vegetation Preservation	No	Unsatisfactory. The submitted documentation indicates that there is an *Olea europaea (*European Olive) on the grass verge which is proposed to be removed to facilitate the proposed development. The proposal includes planting a new Olive Tree to the south of the new driveway. The application was referred to Council's Tree Management Officer who advised that *Olea europaea* (European Olive) is on Waverley Council's Exempt species list and is classified as a

Development Control	Compliance	Comment
		weed under the *Biosecurity Act 2015*. Planting of declared regional weeds under the Biosecurity Act 2015 is not supported. This species contributes minimally to local biodiversity, the urban canopy, environmental amenity, and is inconsistent with the Objectives of the Waverley DCP 2022; Part B3 – Landscaping, Biodiversity and Vegetation Preservation, section 3.2 Landscaping, particularly point (c): *"To retain and increase remnant populations of endemic flora and fauna."*
5.Water Management	Yes	Satisfactory.
7. Transport **7.1 Streetscape** **7.2 On-Site Parking** **7.2.1 Vehicle Access** **7.2.2 Parking Rates** *Minimum parking rate:* • *Nil* *Maximum parking rate:* • *2*	No	The off-street parking is unacceptable. The subject site is located within Parking Zone 2. The driveway crossover is unacceptable. The development provides one off-street parking space for each dwelling, which complies.
11. Design Excellence	No	Unsatisfactory.
12. Subdivision	Yes	Satisfactory.
13. Excavation	Yes	Satisfactory.

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

Development Control	Compliance	Comment
1.0 General Objectives		
	No	The proposal contravenes the general objectives of this part of the DCP.
1.1 Height		
Flat roof dwelling house • *Maximum wall height of 7.5m*	No	The wall height measures 9.17m, which exceeds the wall height control by 1.6m.
1.2 Setbacks		

Development Control	Compliance	Comment
1.2.1 Front and rear building lines • *Predominant front building line (adjacent three neighbours on either side)* • *Predominant rear building line at each floor level (adjacent three neighbours or either side)* • *Development at first floor level and above shall be set back from the rear building line of the ground floor level*	No	See discussion below.
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	The proposal is for two x three storey dwellings, which requires a setback of 1.5m. The proposal provides only a 0.9m setback to all levels. Objective (g) seeks to ensure that any view corridors that are available from the public domain and existing properties are considered as part of the local context of any development. Currently, ocean views are enjoyed from the properties opposite the subject site and from the public domain on Ethel Street. The proposed development will have an impact on these views, particularly within the northern side setback between 2 and 4 Ethel Street. During the assessment period, the applicant provided further regarding the side setbacks. It was noted that increasing the side setbacks from 0.9m to 1.5m on the lower two levels does not result in any greater view loss. It was therefore advised that a 0.9m setback could be provided at the lower two levels, however the third floor must be setback 1.5m. As outlined in other areas of this report, amended plans have not been received and the proposal does not comply.

Development Control	Compliance	Comment
1.3 Streetscape and visual impact		
• *New development to be compatible with streetscape context* • *Replacement windows to complement the style and proportions of existing dwelling* • *Significant landscaping to be maintained.*	No	The proposal is not considered to be compatible with the streetscape context. The proposal is inconsistent with the predominant front and rear building lines.
1.4 Fences		
Front: • *Maximum height of 1.2m* • *Solid section no more than 0.6m in height* *Side and Rear:* • *Maximum height of 1.8m*	No	The proposed front fence appears to be solid at a height of 1.2m, which does not comply. The existing side fences are to be retained.
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* • *Maximum size of balconies:* *10m^2 in area* *1.5m deep*	No	The proposed rear balconies at ground floor level are 2.4m in depth, which do not comply.
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*	No Yes	The submitted shadow diagrams do not show the overshadowing impact at the subject site, so a full assessment cannot be made. 3 hours of sunlight is maintained to at least 50% of the private open space area at the adjoining property between 9am and 12 noon on 21 June.

Development Control	Compliance	Comment
adjoining properties on 21 June. • *Avoid unreasonably overshadowing of solar collectors (including habitable windows).*		
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.*	No	Objective (a) seeks to minimise the impact on views and vistas enjoyed from existing residential development and from the public domain. Currently, ocean views are enjoyed from the properties opposite the subject site and from the public domain on Ethel Street. The proposed development will have an impact on these views, particularly within the northern side setback between 2 and 4 Ethel Street. As discussed under Section 1.2 *Setbacks* in this table above, the applicant provided details relating to the lower two levels of the development having minimal impact on views when setback 0.9m. However, it was advised that a 1.5m setback is required on the top floor. Notwithstanding, the proposal is recommended for refusal.
1.8 Car parking		
1.8.1 Design Approach • *Parking only allowed where site conditions permit* • *Designed to complement the building and streetscape* • *Car parking structures to be behind the front building line* • *Driveways are to be located to minimise the loss of on street parking* • *Parking to be provided from secondary streets or lanes where possible.*	No	The proposed car parking is forward of the predominant building line and therefore is considered to dominate the streetscape. The proposed dwellings have been designed to provide more than 50% of the ground floor as the garage opening and the garages are not behind the front building line. The car parking design results in a net loss of one on-street car parking space, which does not compl

Development Control	Compliance	Comment
1.8.2 Parking rates	Yes	The proposal is consistent with the parking rates set out under Part B7 of Waverley DCP 2022.
1.8.3 Location • *Parking to be behind front building line for new dwellings* • *Existing development to be in accordance with the hierarchy of preferred car parking locations*	No	The car parking is not located behind the front building line for new dwellings.
1.8.4 Design • *Complement the style, massing and detail of the dwelling* • *Secondary in area and appearance to the design of the residences* • *No part of the façade is to be demolished to accommodate car parking* • *Gates to have an open design*	No	The ground floor façade of the proposed dwelling is dominated by the garages. The car parking is not secondary in area and appearance to the design of the residences. The front fence elevation drawing (DA2401C) indicates that the gates are solid and therefore not an open design, which does not comply.
1.8.5 Dimensions • *5.4m x 2.4m per vehicle*	Yes	The dimensions comply.
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*	No	The proposed driveway access is 6m at the layback. The control requires a maximum of 3.9m (inclusive of 0.45m laybacks on either side).
1.9 Landscaping and open space		
• *Overall open space: 40% of site area* • *Overall landscaped area: 20% of site area, with at least half deep soil*	Yes	The proposal provides 60.17% and 60.19% of open space for each lot, which complies. The proposal provides approximately 30% of each lot as landscaped area, which complies. The private open space for each lot exceeds 25m^2

Development Control	Compliance	Comment
• *Minimum area of 25m^2 for private open space* • *Front open space: 50% of front building setback area* • *Front landscaped area: 50% of front open space provided*	No	100% of the front building setback is open, which complies At the front of the dwellings, Lot 1 provides 6.32m^2 (39%) of landscaped area and Lot 2 provides 6.79m^2 (40%) of landscaped area. This does not comply with the control which requires 50% of the front open space to be landscaped area.
1.10 Swimming pools and spa pools		
• *Located in the rear of property* • *Pool decks on side boundaries must consider visual privacy* • *All pool equipment to be enclosed within an acoustically treated enclosure*	Yes	The swimming pools are capable of complying with the controls.

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

Front and rear building lines

Waverley DCP 2022 Part C1 Section 1.2 *Setbacks* Control 1.2.1(a) requires new building to extend no further than the front and rear predominant building lines.

As illustrated in **Figure 5** below, Ethel Street has a consistent predominant building line for both front and rear setbacks. The proposed development represents a significant departure from this established pattern and fails to respect the streetscape character. The submitted drawings indicate an arbitrary line labelled 'front setback TBC' and 'rear setback TBC' which do no appear to relate to the subject site or adjoining dwellings.

Waverley DCP 2022 Control 1.2.1(b) requires the predominant rear building line to be determined separately for each floor level. The first floor is not sufficiently setback from the rear building line of the lower levels. As such, the proposal does not minimise bulk and scale impacts or provide visual relief for the open space at adjacent properties.

Figure 5: Aerial image indicating the predominant existing front and rear setbacks (dotted) on Ethel Street. The (solid) yellow line indicates ground floor, red line is first floor and purple line is the terrace line as proposed**.**

2.2. Other Impacts of the Development

The proposal is considered to have significant likely impacts, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality, and is recommended for refusal.

2.3. Suitability of the Site for the Development

The site is not considered suitable for the proposal.

2.4. Any Submissions

The application was notified for 14 days between 19 January and 4 February 2026 in accordance with the *Community Engagement Strategy Amendment 1 (2025).*

A total of one submission was received from 1 Ethel Street, VAUCLUSE.

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

- The proposal results in a loss of ocean views between the buildings at 2 Ethel Street and 4-6 Ethel Street.

2.5. Public Interest

The proposal is considered to have a detrimental effect on the public interest, and is recommended for refusal.

3. REFERRALS

The following internal referral comments were sought:

3.1. Traffic and Development

The application was referred to Council's Traffic Engineers who advised that the proposal is unsatisfactory and recommended for refusal on the following grounds, as was discussed in the section 1.5 Background.

3.2. Stormwater

Council's Stormwater Engineers raised no objection to the proposal and provided conditions of consent should the application be approved.

3.3. Tree Management

See comments below from Council's Biodiversity Team regarding the street tree planting. Conditions of consent were provided, should the application be approved.

3.4. Biodiversity

The application was referred to Council's Biodiversity Team who advised that the proposal is unsatisfactory, as was discussed in the section 1.5 Background.

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 refusal.

5. RECOMMENDATION TO WAVERLEY LOCAL PLANNING PANEL

That the development application be **REFUSED** by the Waverley Local Planning Panel for the reasons contained in Appendix A.

Managers of Development Assessment (MODA) Review

The application was reviewed by the MODA at the meeting on 3 March 2026 and the MODA concurred with the Assessment Planner's recommendation.

MODA members: *B McNamara, B Magistrale, K Johnstone and J Zancanaro*

Report prepared by:	Application reviewed and agreed by:
Emma Finnegan	Bridget McNamara
Senior Development Assessment Planner	**Manager, Development Assessment**
Date: 10 March 2026	**Date: 11 March 2026**

Reason for WLPP referral:

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

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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)	NO REFUSED 44.98% variation to lot size (Clause 4.1)
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)	NO REFUSED 7.8% variation to height (Clause 4.3)
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)	NO REFUSED 3.1% variation to FSR (Clause 4.4)
Excavation Register	N/A
Determining Authority (Concurrence Authority for Clause 4.6 variation)	Local Planning Panel
Were the requirements of the Sustainable Buildings SEPP (effective 1 October 2023) met?	Yes
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 – REASONS FOR REFUSAL

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

1. The application does not satisfy section 4.15 (1)(a)(i) of the Act as it contrary to the following provisions of *Waverley Local Environmental Plan* (WLEP) 2012:

    a. *Clause 4.3 Height of Buildings*
    The application exceeds the maximum allowable height of 8.5m and the applicant's written request under clause 4.6 of WLEP has failed to adequately address the required matters under subclauses 4.6 (3)(a) and (b) of WLEP.

    Details: The proposed height is not considered compatible with the height, bulk and scale of the desired future character of the locality and does not preserve the environmental amenity of neighbouring properties by causing view loss and overshadowing contrary to clause 4.3 (1) (a) and (d) of WLEP.

    b. *Clause 4.4 Floor Space Ratio*
    The application exceeds the maximum allowable Floor Space Ratio (FSR) of 0.915:1 for Lot 2 and the applicant's written request under clause 4.6 of WLEP has failed to adequately address the required matters under subclauses 4.6 (3)(a) and (b) of Waverley LEP

    Details: The proposal is considered an overdevelopment of the site and the proposed development does not preserve the environmental amenity of neighbouring properties and the surrounding locality as required under clause 4.4 (1) (d) of WLEP.

2. The application does not satisfy section 4.15 (1)(a)(iii) of the Act as it is contrary to Waverley Development Control Plan (WDCP) 2012, in respect to the following provisions:

    Part B3 Landscaping, Biodiversity and Vegetation

    a. Objective (c) under this Part, as the proposal does not retain and increase remnant populations of endemic flora and fauna as it proposes the planting of an *Olea europaea (European Olive)* tree, which is on Waverley Council's Exempt species list and is classified as a week under the *Biosecurity Act 2015.*

    Part B8 Transport

    b. Objective (d) under this Part, as the car parking dominates and adversely impacts upon the character of the streetscape, landscape and the development.

    c. Objective (f) under this Part, as the car parking does not ensure on-street car parking supply is protected by minimising impacts of additional vehicular kerb crossings.

    Part C2 Low Density Residential Development

    a. *Section 1.1 Height,* as the proposed development has a wall height of 9.17m, which exceeds the control by 1.6m.

b. *Section 1.2 Setbacks,* specifically control 1.2.1(a) as the proposed development extends further than the front and rear predominant building lines.

c. *Section 1.2 Setbacks,* specifically control 1.2.2(f) as the proposed development is set back 0.9m from the boundary, which falls short of the minimum setback requirement of 1.5m.

d. *Section 1.2 Setbacks,* specifically objective (g) which seeks to ensure that any view corridors that are available from the public domain and existing properties are considered as part of the local context of any development. The ocean views currently enjoyed from the properties opposite and the public domain on Ethel Street will be impacted by the non-compliant northern side setback.

e. *Section 1.3 Streetscape and visual impact,* specifically control (a) as the proposed development is not visually compatible with its streetscape context.

f. *Section 1.4 Fences,* specifically control (b) as the proposed development includes a solid sliding gate to a height of 1.2m, which exceeds the control of solid sections being limited to 600mm.

g. *Section 1.5 Visual and acoustic privacy impact,* specifically control (e) as the proposed development includes rear balcony measuring 2.4m in depth, which exceeds the maximum permissible depth of 1.5m.

h. *Section 1.6 Solar Access,* specifically control (a) as solar access diagrams indicating the impact of the development on the subject site has not been provided so it is not clear whether the subject site receives the minimum requirement of 3hrs direct sunlight to at least 50% of the proposed living areas and private open space areas on 21 June.

i. *Section 1.7 Views,* specifically objective (a) as the proposal will impact the ocean views currently enjoyed from the properties opposite the subject site and from the public domain on Ethel Street.

j. *Section 1.8 Car parking,* specifically objective (d) and control 1.8.1 (c) as the proposed car parking is not located behind the front building line and it has been designed as the dominant feature of the building.

k. *Section 1.8 Car parking,* specifically control 1.8.1 (d) as the proposed driveway will result in the loss of on-street car parking.

l. *Section 1.8 Car parking,* specifically control 1.8.6 (c) as the proposed driveway measures 6m wide, which exceeds the control requiring driveways to be 3m wide.

m. *Section 1.9 Landscaping and open space,* specifically control (h) as the proposed development provides 39% of landscaped area to the front setback of Lot 1 and 40% of landscaped area to the front setback area of Lot 2, which falls short of the required 50% of the front setback area is required to be landscaped.

3. The application does not satisfy section 4.15 (1)(a)(iv) of the Act with respect to the *Environmental Planning and Assessment Regulation 2021* (the Regulations), as insufficient

documentation has been provided to properly assess the application with respect to Part 1 of Schedule 1, including but not limited to:

   a. Shadow diagrams are considered insufficient, as they do not accurately model and show overshadowing impacts of the proposed development upon the subject site.

4. The application does not satisfy section 4.15 (1)(b) of the Act as the proposed development is excessive in terms of its building massing, bulk and scale relative to the site area and dimensions and consequently results in unacceptable amenity and streetscape impacts upon the locality and surrounding built environment.

5. The application is contrary to section 4.15 (1)(c) of the Act due to the site being unsuitable to accommodate the proposed development.

6. The application is contrary to section 4.15 (1)(d) of the Act in relation to matters raised in the public submissions received that object to the proposed development.

7. The application is contrary to section 4.15 (1)(e) of the Act in relation to the public interest as it is not compatible with the existing and desired future character of the locality and the broader Waverley local government area.

Semi-Detached Development
DEVELOPMENT APPLICATION 16/12/2025
4-6 Ethel Street Vaucluse
NSW 2030 Australia

RECEIVED
Waverley Council

Receipt No: DA-628/2025

Date Received: 18/12/2025

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Date Received: 18/12/2025

4-6 Ethel Street Vaucluse NSW 2030 Australia

DRAWING No	DRAWING NAME	SCALE	REV
DA00, COVERPAGE			
DA000	COVER SHEET		C
DA001	DATA SHEET		C
DA10, SITE PLAN			
DA1000	SITE LOCATION PLAN		C
DA1001	SUBDIVISION/ BOUNDARY ADJ...	1:100	C
DA1002	SITE ANALYSIS PLAN	1:300	C
DA1003	SETBACK ANALYSIS		C
DA11, DEMOLITION PLANS			
DA1100	DEMOLITION PLAN	1:200	C
DA20, GENERAL ARRANGEMENT			
DA2000	SITE & ROOF PLAN	1:100	C
DA2001	LOWER GROUND FLOOR PLAN	1:100	C
DA2002	GROUND FLOOR PLAN	1:100	C
DA2003	FIRST FLOOR PLAN	1:100	C
DA2004	VEHICLE CROSSOVER		C
DA23, GENERAL SECTIONS			
DA2300	SECTION A	1:100	C
DA2301	SECTION B	1:100	C
DA24, ELEVATIONS			
DA2400	WEST (STREET) ELEVATION	1:100, 1:...	C
DA2401	ELEVATION EAST	1:100	C
DA2402	NORTH ELEVATION	1:100	C
DA2403	SOUTH ELEVATION	1:100	C
DA2404	SCHEDULE OF EXTERNAL FINI...		C
DA90, AREAS AND SETBACKS			
DA9000	GFA CALCULATIONS	1:250	C
DA9001	OPEN SPACE	1:250	C
DA9002	LANDSCAPED AREA	1:250	C
DA9003	HEIGHT PLANE DIAGRAMS		C
DA9004	DCP WALL HEIGHT DIAGRAM		C
DA9005	BASIX COMMITMENTS		C
DA91, SHADOW DIAGRAMS			
DA9100	WINTER SOLSTICE PLAN SHA...	1:300	C
DA9101	WINTER SOLSTICE PLAN SHA...	1:300	C
DA9102	WINTER SOLSTICE PLAN SHA...	1:300	C
DA9103	WINTER SOLSTICE PLAN SHA...	1:300	C
DA9104	WINTER SOLSTICE PLAN SHA...	1:300	C
DA9105	WINTER SOLSTICE PLAN SHA...	1:300	C
DA9106	WINTER SOLSTICE PLAN SHA...	1:300	C
DA92, SOLAR ACCESS			
DA921	SUN EYE VIEWS 9AM-3PM EXI...		C
DA922	SUN EYE VIEWS 9AM-3PM PR...		C
DA93, PHOTOMONTAGE			
DA9300	PHOTOMONTAGE		C
DA9301	PHOTOMONTAGE (EXISTING ...		C
DA94, NOTIFICATION PLANS			
DA9400	NOTIFICATION PLAN	1:300	C
DA9401	NOTIFICATION PLAN	1:200	C

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A	27/11/2025	ISSUE FOR DA
C	16/12/2025	ADDITIONAL INFORMATION FOR SUBMISSION

PROJECT:
Semi-Detached Development
4-6 Ethel Street
Vaucluse NSW 2030

DRAWING:
DATA SHEET

PROJECT NO: 24010
SCALE: @ A3
DRAWING NO: REV:
PLOTTED: 16/12/2025

DA001 C

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160

Date Received: 18/12/2025

PROJECT:
Semi-Detached Development
4-6 Ethel Street
Vaucluse NSW 2030

DRAWING:
SITE LOCATION PLAN

PROJECT NO: 24010

SCALE: @ A3
DRAWING NO: REV:

PLOTTED: 16/12/2025

DA1000C

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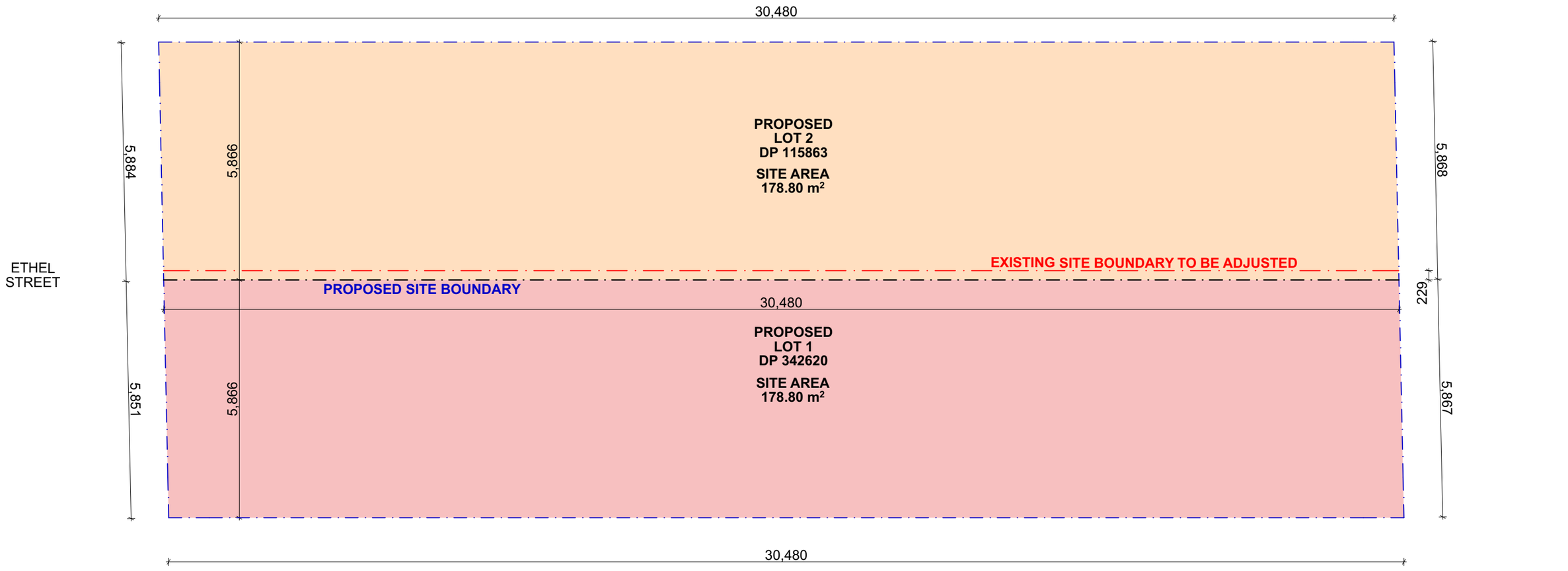
Receipt No: DA-628/2025

Date Received: 18/12/2025



1
-

SUBDIVISION/ BOUNDARY ADJUSTMENT PLAN
1:100

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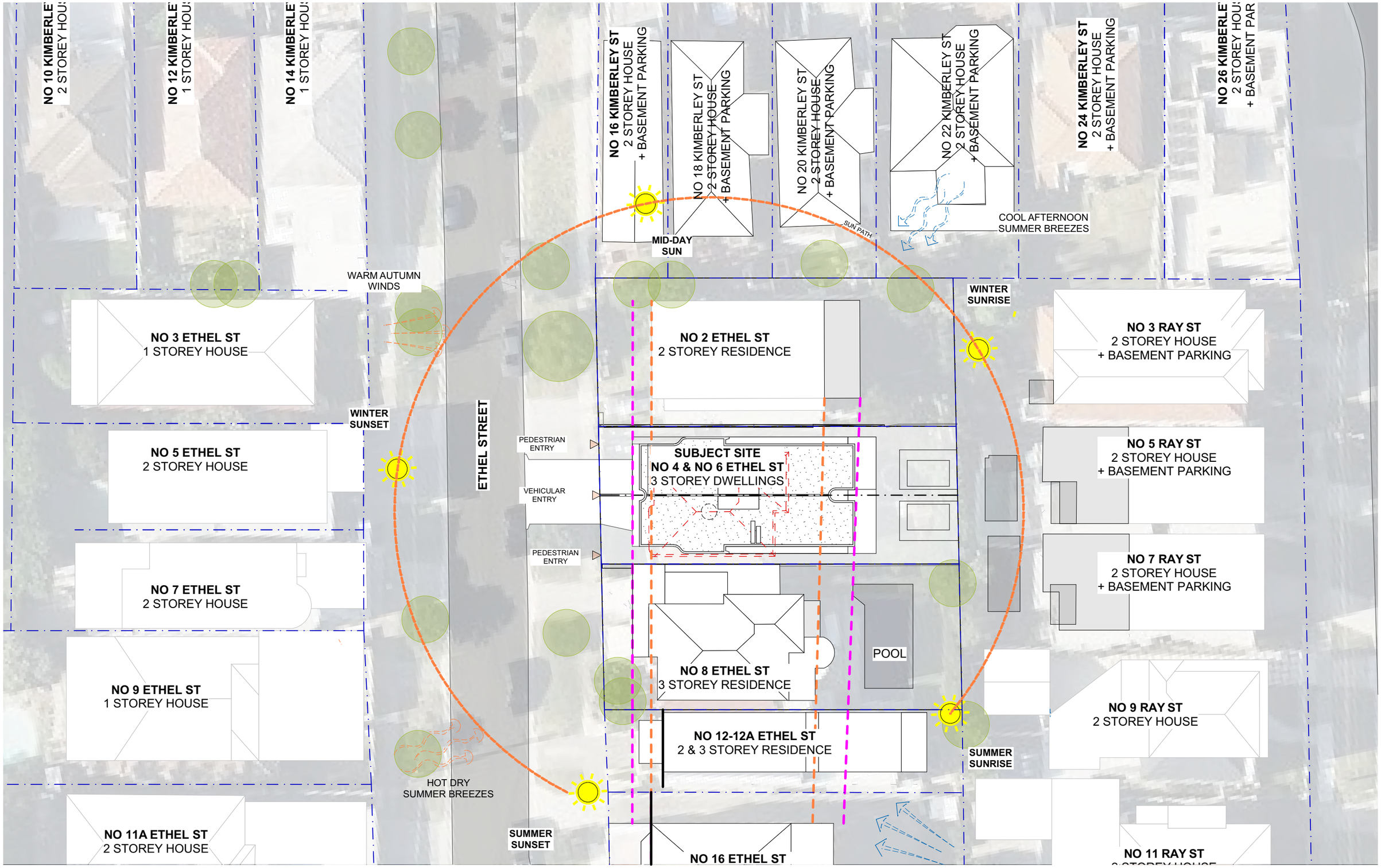
Semi-Detached Development
4-6 Ethel Street
Vaucluse NSW 2030

DRAWING:
SUBDIVISION/ BOUNDARY ADJUSTMENT PLAN

PROJECT NO: 24010
SCALE: 1:100 @ A3
DRAWING NO: REV:
PLOTTED: 16/12/2025

DA1001C



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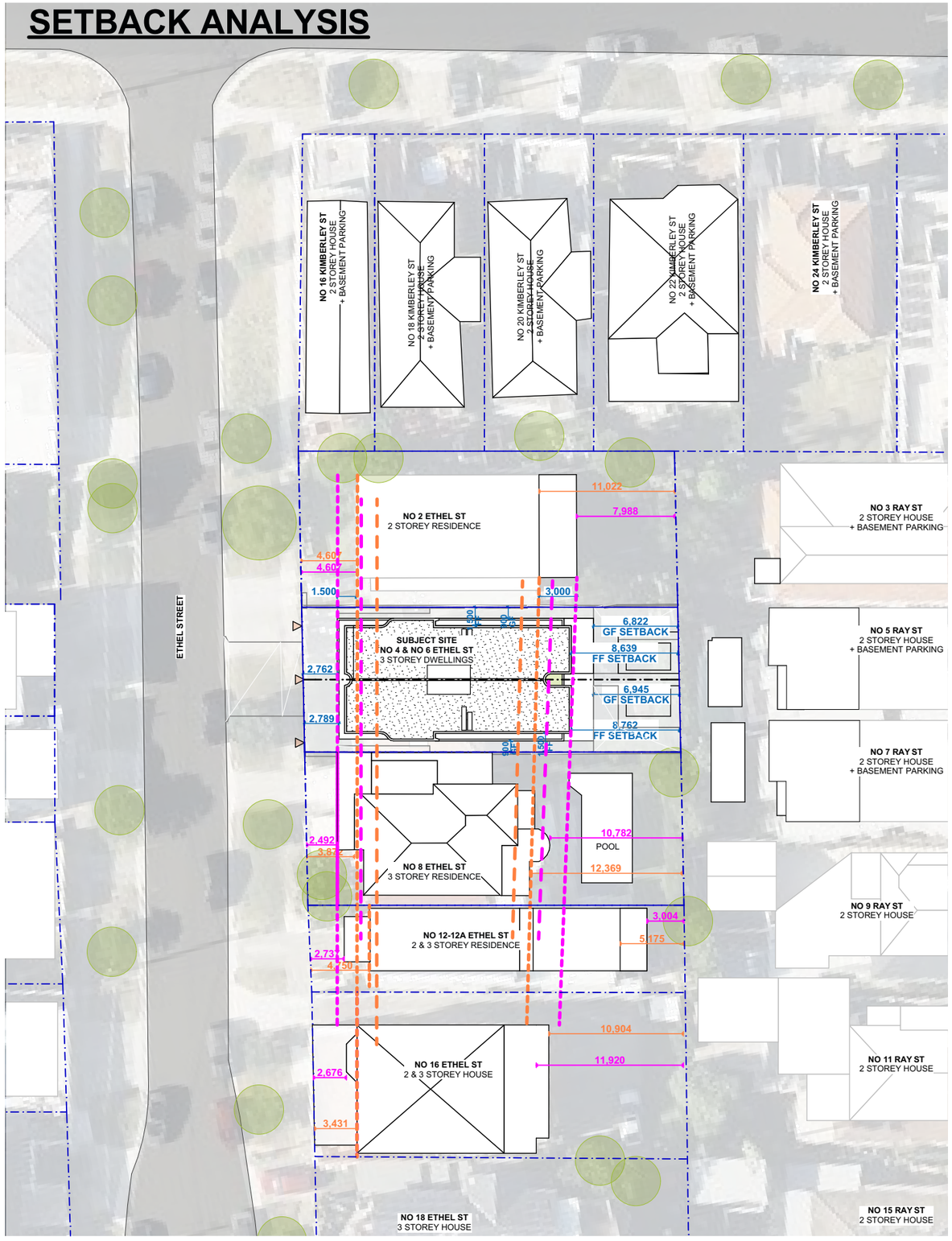
PROJECT:
Semi-Detached Development
4-6 Ethel Street
Vaucluse NSW 2030

DRAWING:
SITE ANALYSIS PLAN

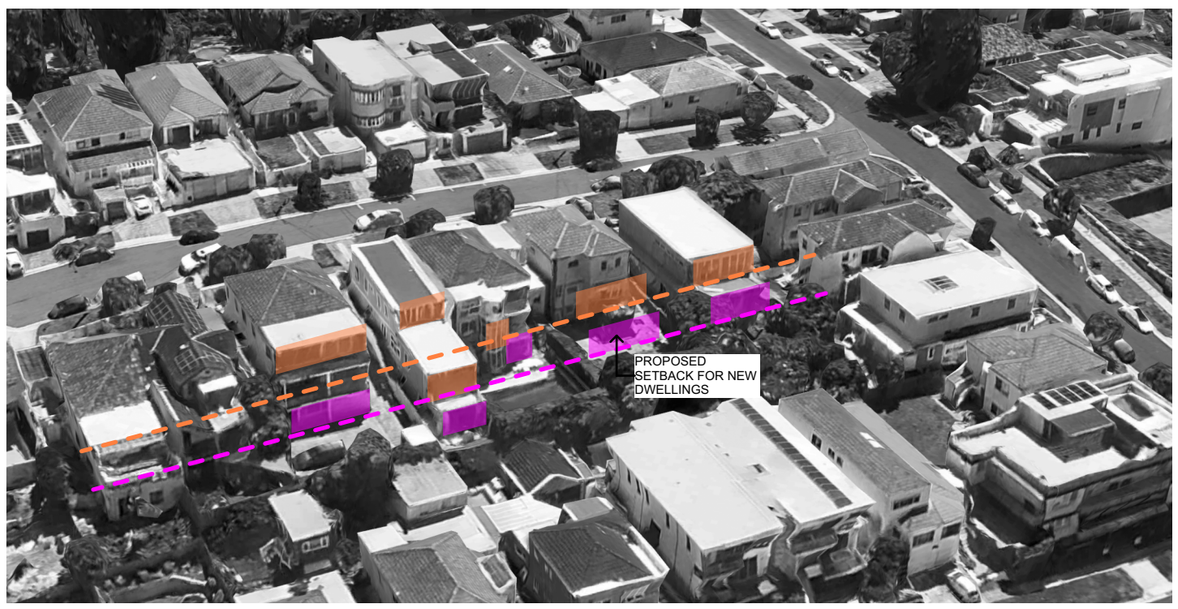
PROJECT NO: 24010
SCALE: 1:300 @ A3
DRAWING NO: REV:
PLOTTED: 16/12/2025

DA1002C

SETBACK ANALYSIS



STREET PERSPECTIVE



REAR PERSPECTIVE

LOWER BUILDING SURFACE

UPPER BUILDING SURFACE

PREDOMINANT LOWER BUILDING LINE

PREDOMINANT UPPER BUILDING LINE

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PROJECT:
Semi-Detached Development
4-6 Ethel Street
Vaucluse NSW 2030

DRAWING:
SETBACK ANALYSIS

PROJECT NO: 24010

SCALE: @ A3
DRAWING NO: REV:
PLOTTED: 16/12/2025

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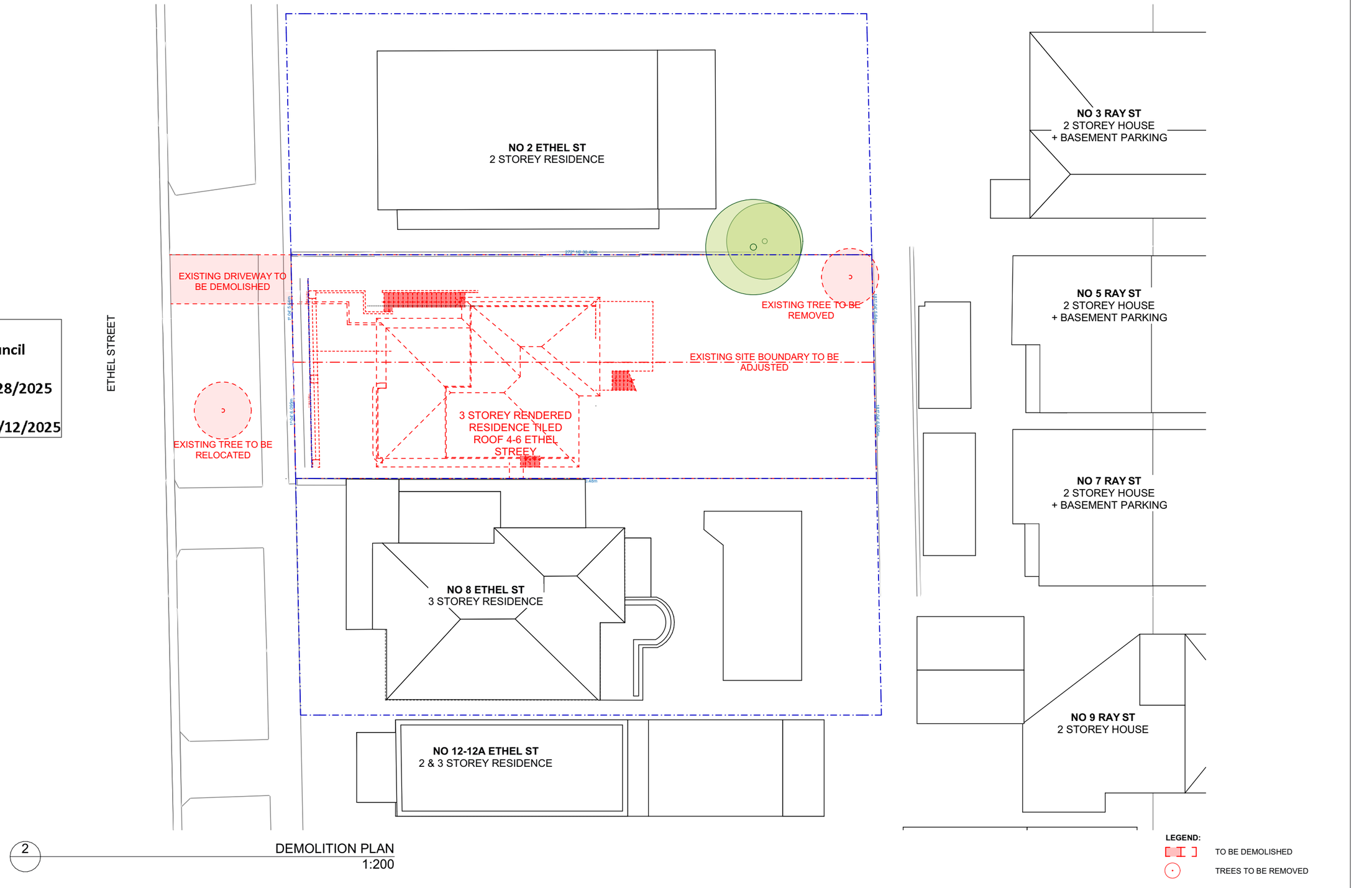

2 DEMOLITION PLAN
1:200

LEGEND:

TO BE DEMOLISHED

TREES TO BE REMOVED

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Semi-Detached Development
4-6 Ethel Street
Vaucluse NSW 2030

DRAWING:
DEMOLITION PLAN

PROJECT NO: 24010

SCALE: 1:200 @ A3
DRAWING NO: REV:
PLOTTED: 16/12/2025

DA1100 C

SITE & ROOF PLAN

RECEIVED
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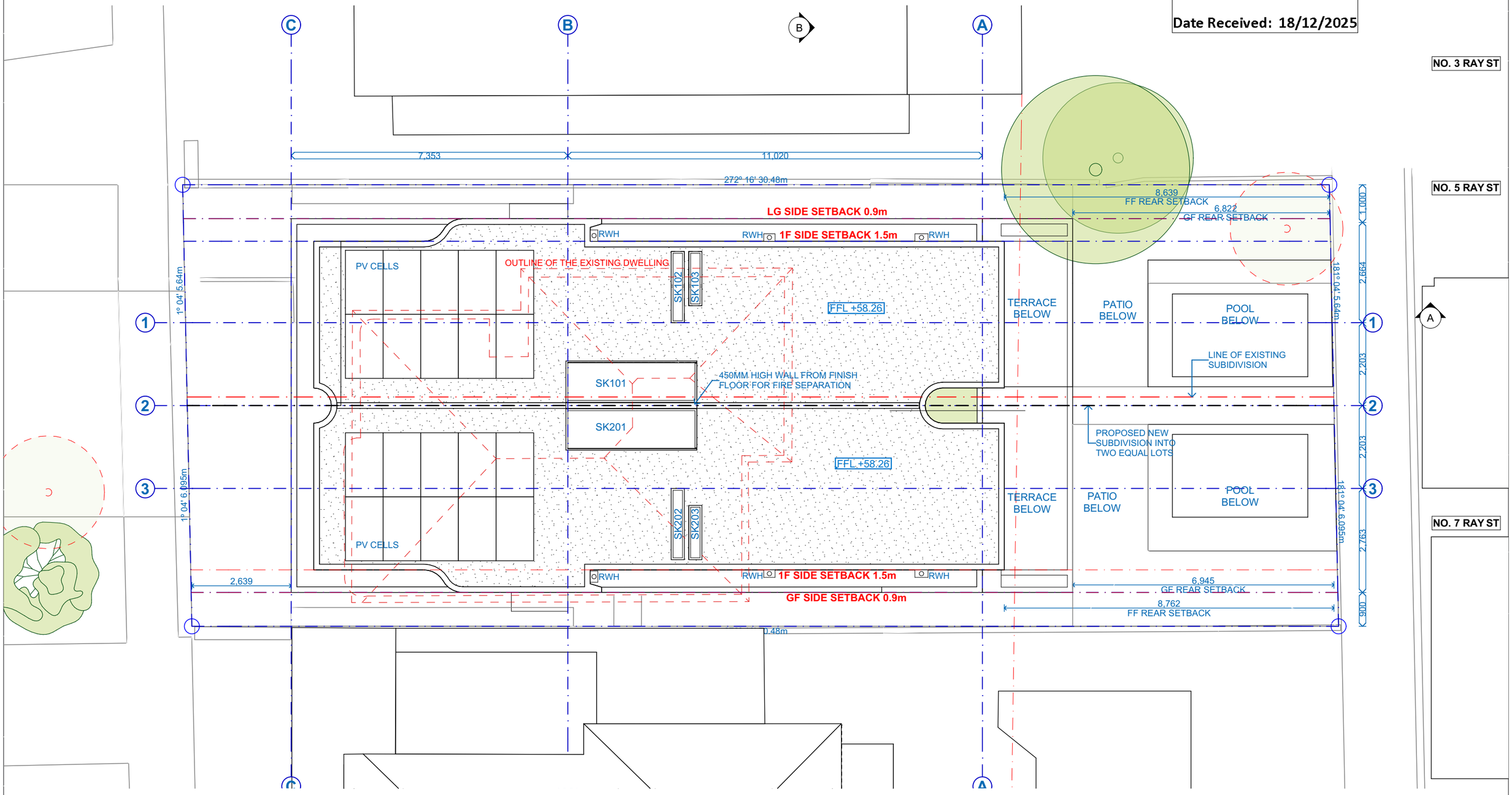
Receipt No: DA-628/2025

Date Received: 18/12/2025



BASIX COMMITMENTS

(ALL OTHER BASIX COMMITMENTS AS PER BASIX CERTIFICATE AND STAMPED PLANS)

WATER OPTIONS		ENERGY OPTIONS	
SHOWERHEADS: MIN	4 STAR 6-7.5 L/MIN	WATER HEATING:	5 STAR
		THERMAL COMFORT OPTIONS	
TOILETS:	4 STAR	R 1.1OR EQUIV	EXTERNAL WALLS(AS SPECIFIED)
KITCHEN TAPS:	4 STAR	R 2.7	GARAGE WALLS
BATHROOM TAPS:	4 STAR	R0.75 INSULATION TO:	SLAB EDGE
RAIN WATER TANK:	2000 L	R 1.1 INSULATION TO:	FLOOR- WHERE OPEN
POOL/SPA:	8 KL	R 4.0 INSULATION TO:	ABOVE GARAGE
COLLECT RUN OFF AREA:	37 sqm	GLAZING SPEC:	Uw = 2.9 SHGC = 0.44-0.51 Uw = 5.4 SHGC = 0.49-0.58
		GLAZING TYPE:	DOUBLE CLEAR GLAZING SINGLE LOW E

GENERAL LEGEND

FW	FLOOR WASTE
DP	DOWN PIPE
RWH	RAIN WATER HEAD
OSD	ONSITE STORMWATER DETENTION
TOW	TOP OF WALL
	CEILING FAN AS PER BASIX

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PROJECT:
Semi-Detached Development
4-6 Ethel Street
Vaucluse NSW 2030

DRAWING:
SITE & ROOF PLAN

PROJECT NO: 24010

SCALE: 1:100 @ A3
DRAWING NO: REV:

PLOTTED: 16/12/2025

DA2000C

LOWER GROUND FLOOR PLAN

RECEIVED
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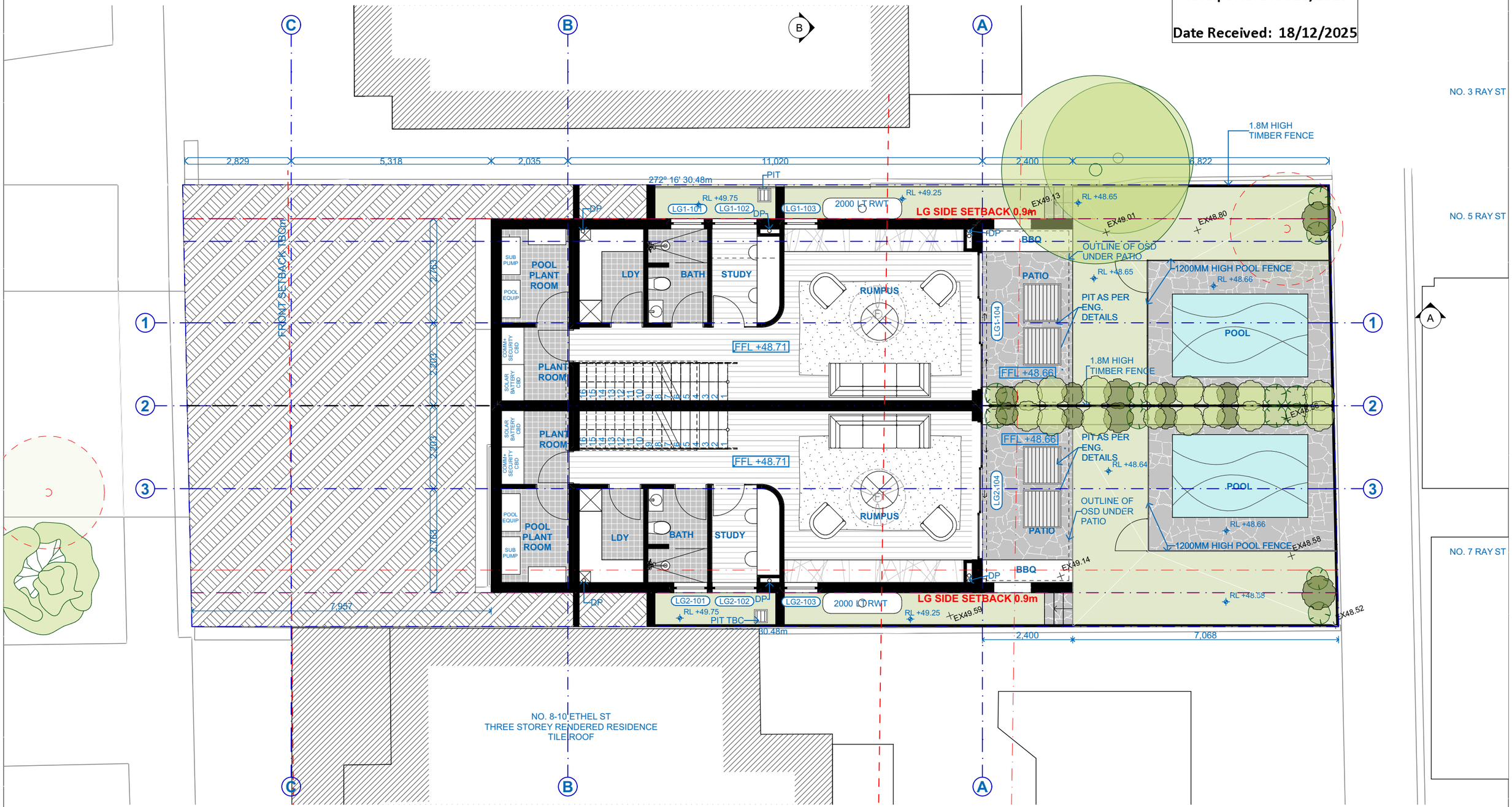
Date Received: 18/12/2025



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BASIX COMMITMENTS

(ALL OTHER BASIX COMMITMENTS AS PER BASIX CERTIFICATE AND STAMPED PLANS)

WATER OPTIONS		ENERGY OPTIONS	
SHOWERHEADS: MIN	4 STAR 6-7.5 L/	WATER HEATING:	5 STAR
		THERMAL COMFORT OPTIONS	
TOILETS:	4 STAR	R 1.10R EQUIV	EXTERNAL WALLS(AS SPECIFIED)
KITCHEN TAPS:	4 STAR	R 2.7	GARAGE WALLS
BATHROOM TAPS:	4 STAR	R0.75 INSULATION TO:	SLAB EDGE
RAIN WATER TANK:	2000 L	R 1.1 INSULATION TO:	FLOOR- WHERE OPEN
POOL/SPA:	8 KL	R 4.0 INSULATION TO:	ABOVE GARAGE
COLLECT RUN OFF AREA:	37 sqm	GLAZING SPEC:	Uw = 2.9 SHGC = 0.44-0.51 Uw = 5.4 SHGC = 0.49-0.58
		GLAZING TYPE:	DOUBLE CLEAR GLAZING SINGLE LOW E

GENERAL LEGEND

FW	FLOOR WASTE
DP	DOWN PIPE
RWH	RAIN WATER HEAD
OSD	ONSITE STORMWATER DETENTION
TOW	TOP OF WALL
	CEILING FAN AS PER BASIX

PROJECT:
Semi-Detached Development
4-6 Ethel Street
Vaucluse NSW 2030

DRAWING:
LOWER GROUND FLOOR PLAN

PROJECT NO: 24010

SCALE: 1:100 @ A3
DRAWING NO: REV:

PLOTTED: 16/12/2025

DA2001C

GROUND FLOOR PLAN

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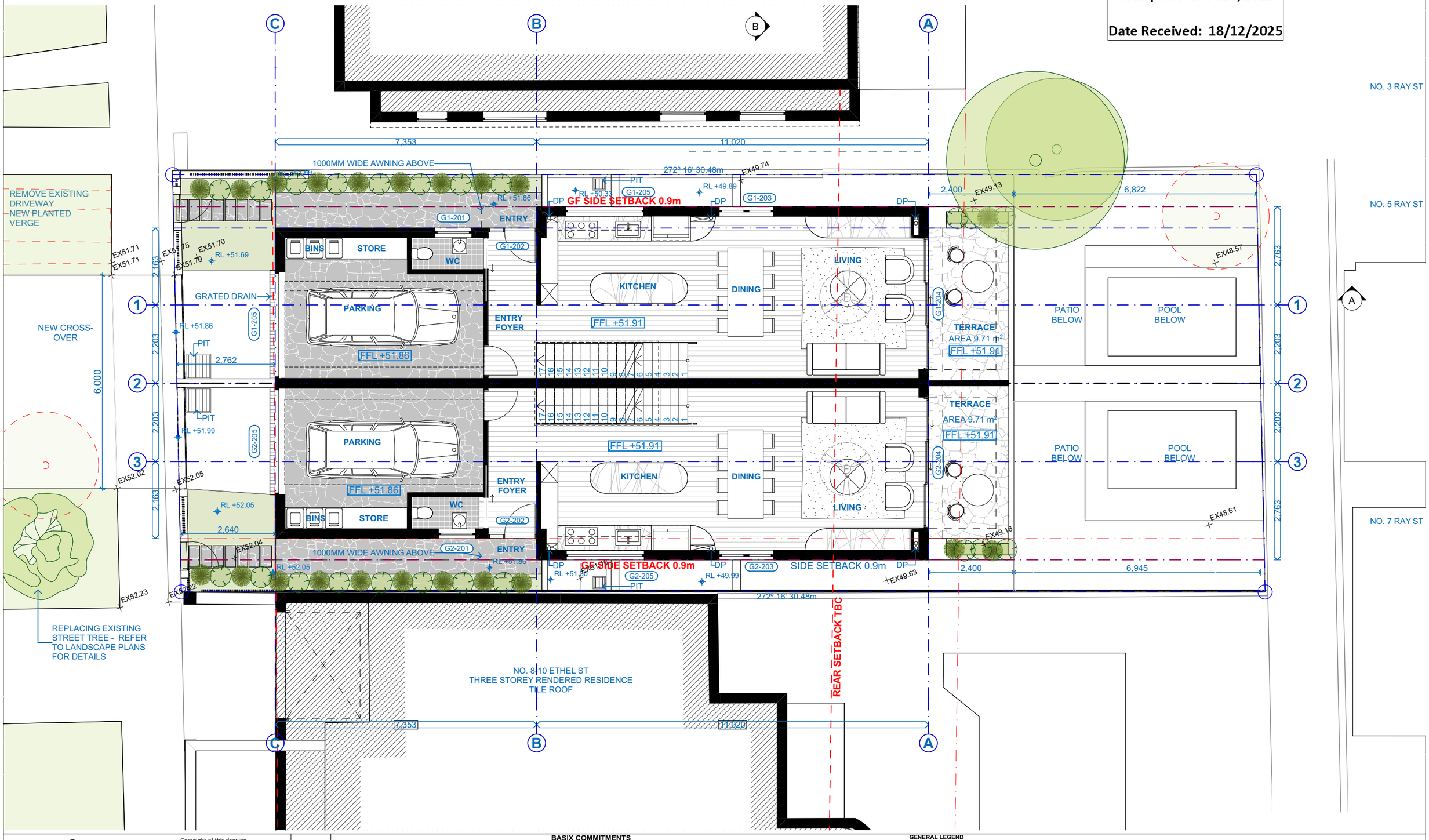

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BASIX COMMITMENTS

(ALL OTHER BASIX COMMITMENTS AS PER BASIX CERTIFICATE AND STAMPED PLANS)

WATER OPTIONS		ENERGY OPTIONS	
SHOWERHEADS:	4 STAR 6-7.5 L/MIN	WATER HEATING:	5 STAR
TOILETS:	4 STAR	THERMAL COMFORT OPTIONS	
KITCHEN TAPS:	4 STAR	R 1.1OR EQUIV	EXTERNAL WALLS(AS SPECIFIED)
BATHROOM TAPS:	4 STAR	R 2.7	GARAGE WALLS
RAIN WATER TANK:	2000 L	R0.75 INSULATION TO:	SLAB EDGE
POOL/SPA:	8 KL	R 1.1 INSULATION TO:	FLOOR- WHERE OPEN
COLLECT RUN OFF AREA:	37 sqm	R 4.0 INSULATION TO:	ABOVE GARAGE
		GLAZING SPEC:	Uw = 2.9 SHGC = 0.44-0.51 Uw = 5.4 SHGC = 0.49-0.58
		GLAZING TYPE:	DOUBLE CLEAR GLAZING SINGLE LOW E

GENERAL LEGEND

FW	FLOOR WASTE
DP	DOWN PIPE
RWH	RAIN WATER HEAD
OSD	ONSITE STORMWATER DETENTION
TOW	TOP OF WALL
	CEILING FAN AS PER BASIX

PROJECT:
Semi-Detached Development
4-6 Ethel Street
Vaucluse NSW 2030

DRAWING:
GROUND FLOOR PLAN

PROJECT NO: 24010

SCALE: 1:100 @ A3
DRAWING NO: REV:

PLOTTED: 16/12/2025

DA2002C

FIRST FLOOR PLAN

RECEIVED
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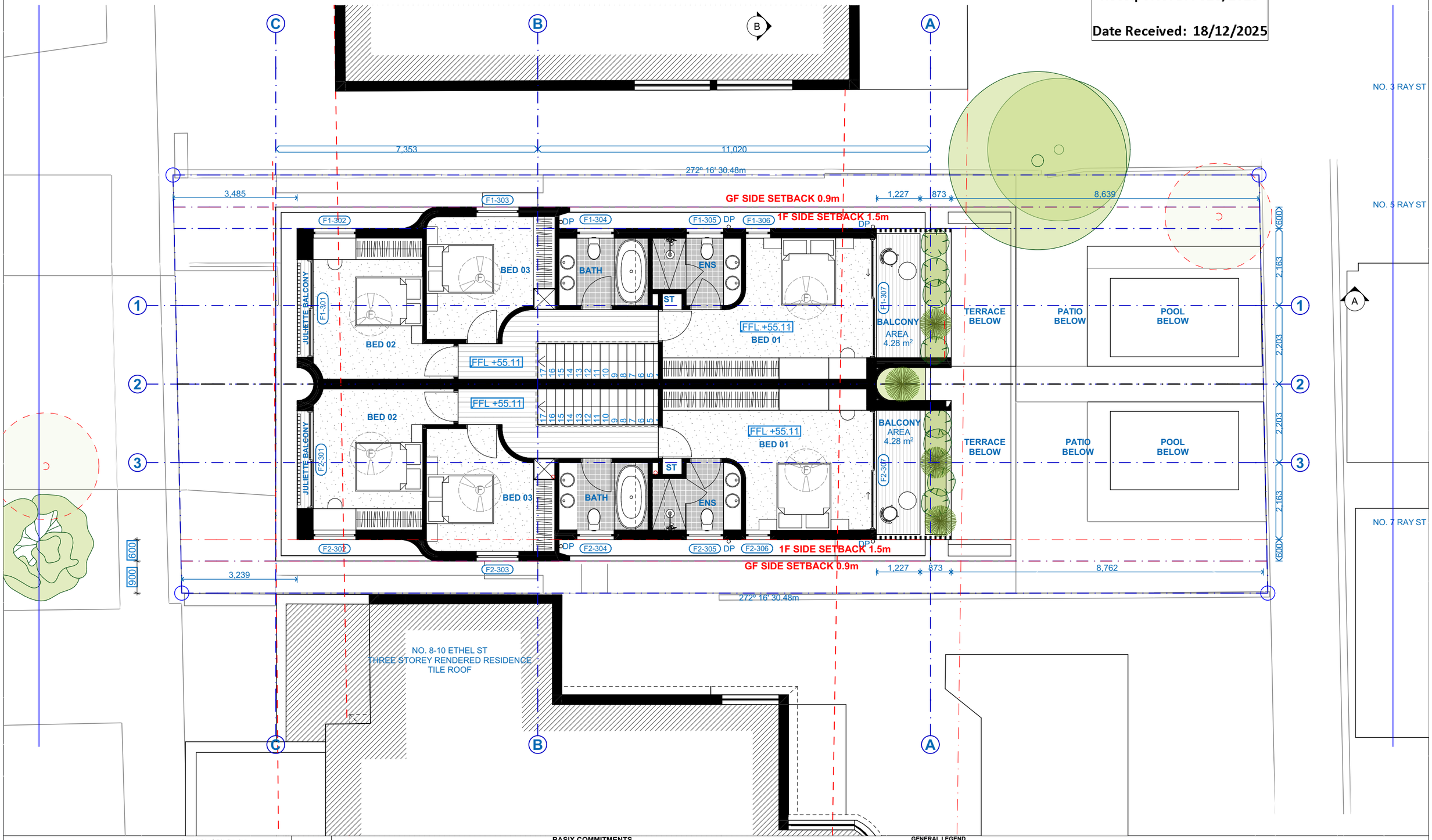
Receipt No: DA-628/2025

Date Received: 18/12/2025



BASIX COMMITMENTS

(ALL OTHER BASIX COMMITMENTS AS PER BASIX CERTIFICATE AND STAMPED PLANS)

WATER OPTIONS		ENERGY OPTIONS	
SHOWERHEADS:	4 STAR 6-7.5 L/MIN	WATER HEATING:	5 STAR
TOILETS:	4 STAR	THERMAL COMFORT OPTIONS	
KITCHEN TAPS:	4 STAR	R 1.10R EQUIV	EXTERNAL WALLS(AS SPECIFIED)
BATHROOM TAPS:	4 STAR	R 2.7	GARAGE WALLS
RAIN WATER TANK:	2000 L	R0.75 INSULATION TO:	SLAB EDGE
POOL/SPA:	8 KL	R 1.1 INSULATION TO:	FLOOR- WHERE OPEN
COLLECT RUN OFF AREA:	37 sqm	R 4.0 INSULATION TO:	ABOVE GARAGE
		GLAZING SPEC:	Uw = 2.9 SHGC = 0.44-0.51 Uw = 5.4 SHGC = 0.49-0.58
		GLAZING TYPE:	DOUBLE CLEAR GLAZING SINGLE LOW E

GENERAL LEGEND

FW	FLOOR WASTE
DP	DOWN PIPE
RWH	RAIN WATER HEAD
OSD	ONSITE STORMWATER DETENTION
TOW	TOP OF WALL
	CEILING FAN AS PER BASIX

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PROJECT:
Semi-Detached Development
4-6 Ethel Street
Vaucluse NSW 2030

DRAWING:
FIRST FLOOR PLAN

PROJECT NO: 24010

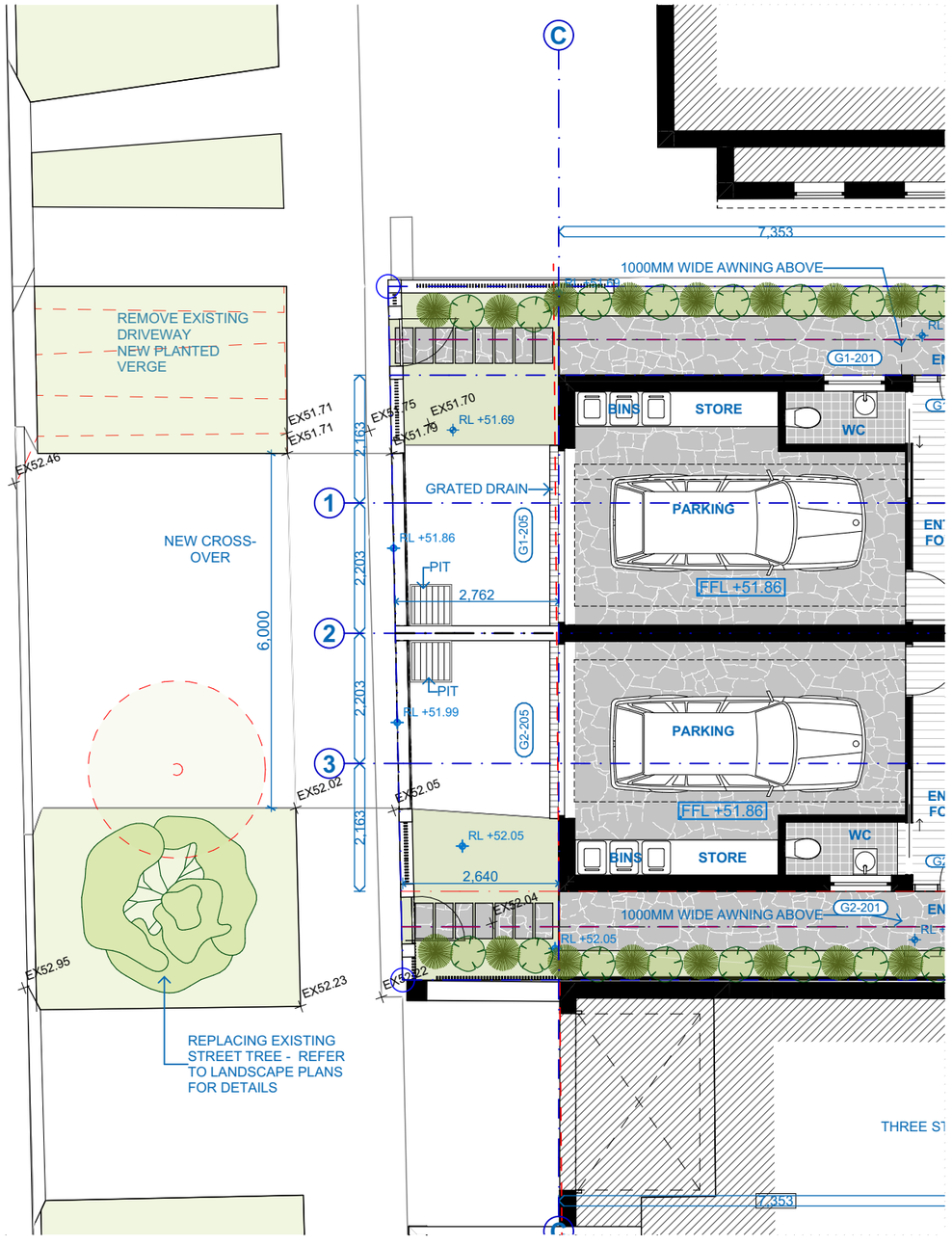
SCALE: 1:100 @ A3
DRAWING NO: REV:

PLOTTED: 16/12/2025

DA2003C

VEHICLE CROSSOVER

ETHEL STREET



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BASIX COMMITMENTS

(ALL OTHER BASIX COMMITMENTS AS PER BASIX CERTIFICATE AND STAMPED PLANS)

WATER OPTIONS		ENERGY OPTIONS	
SHOWERHEADS:	4 STAR 6-7.5 L/MIN	WATER HEATING:	5 STAR
		THERMAL COMFORT OPTIONS	
TOILETS:	4 STAR	R 1.1OR EQUIV	EXTERNAL WALLS(AS SPECIFIED)
KITCHEN TAPS:	4 STAR	R 2.7	GARAGE WALLS
BATHROOM TAPS:	4 STAR	R0.75 INSULATION TO:	SLAB EDGE
RAIN WATER TANK:	2000 L	R 1.1 INSULATION TO:	FLOOR- WHERE OPEN
POOL/SPA:	8 KL	R 4.0 INSULATION TO:	ABOVE GARAGE
COLLECT RUN OFF AREA:	37 sqm	GLAZING SPEC:	Uw = 2.9 SHGC = 0.44-0.51 Uw = 5.4 SHGC = 0.49-0.58
		GLAZING TYPE:	DOUBLE CLEAR GLAZING SINGLE LOW E

GENERAL LEGEND

FW	FLOOR WASTE
DP	DOWN PIPE
RWH	RAIN WATER HEAD
OSD	ONSITE STORMWATER DETENTION
TOW	TOP OF WALL
	CEILING FAN AS PER BASIX

PROJECT:
Semi-Detached Development
4-6 Ethel Street
Vaucluse NSW 2030

DRAWING:
VEHICLE CROSSOVER

PROJECT NO: 24010
SCALE: @ A3
DRAWING NO: REV:
PLOTTED: 16/12/2025

DA2004C

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Waverley Council

Receipt No: DA-628/2025

Date Received: 18/12/2025

SECTION A

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BASIX COMMITMENTS

(ALL OTHER BASIX COMMITMENTS AS PER BASIX CERTIFICATE AND STAMPED PLANS)

WATER OPTIONS

SHOWERHEADS:	4 STAR
6-7.5 L/MIN	
TOILETS:	4 STAR
KITCHEN TAPS:	4 STAR
BATHROOM TAPS:	4 STAR
RAIN WATER TANK:	2000 L
POOL/SPA:	8 KL
COLLECT RUN OFF AREA:	37 sqm

ENERGY OPTIONS

WATER HEATING:	5 STAR

THERMAL COMFORT OPTIONS

R0.75 INSULATION TO:	SLAB EDGE
GLAZING SPEC:	Uw = 2.9 SHGC = 0.44-0.51
GLAZING TYPE:	DOUBLE CLEAR GLAZING

170

PROJECT:
Semi-Detached Development
4-6 Ethel Street
Vaucluse NSW 2030

DRAWING:
SECTION A

PROJECT NO: 24010

SCALE: 1:100 @ A3
DRAWING NO: REV:

PLOTTED: 16/12/2025

DA2300C

SECTION B

RECEIVED
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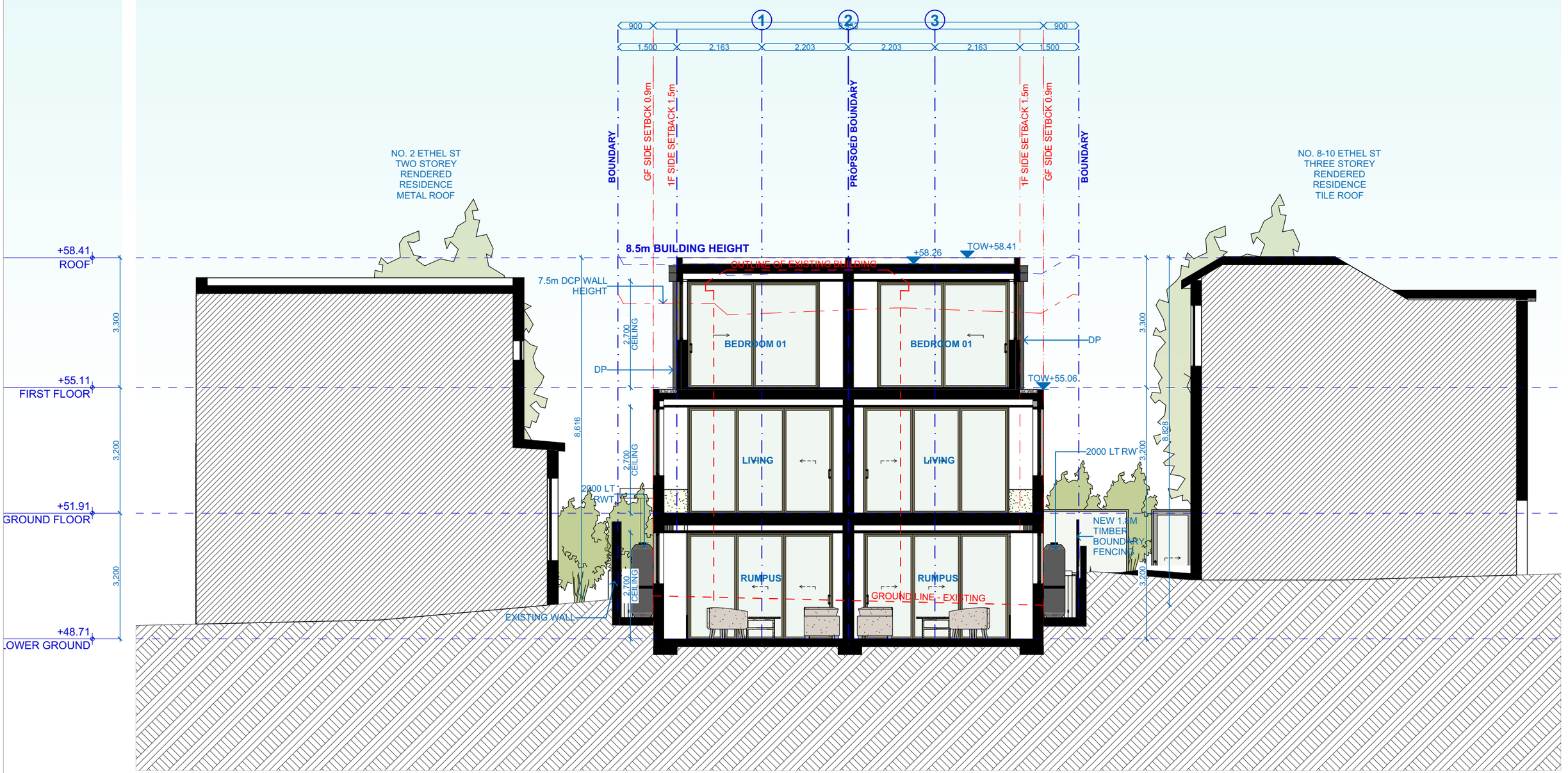
Receipt No: DA-628/2025

Date Received: 18/12/2025



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ISSUE	DATE	REVISION
A	27/11/2025	ISSUE FOR DA
B	12/12/2025	ADDITIONAL INFORMATION FOR SUBMISSION
C	16/12/2025	ADDITIONAL INFORMATION FOR SUBMISSION

BASIX COMMITMENTS

(ALL OTHER BASIX COMMITMENTS AS PER BASIX CERTIFICATE AND STAMPED PLANS)

WATER OPTIONS

SHOWERHEADS: 6-7.5 L/MIN	4 STAR
TOILETS:	4 STAR
KITCHEN TAPS:	4 STAR
BATHROOM TAPS:	4 STAR
RAIN WATER TANK:	2000 L
POOL/SPA:	8 KL
COLLECT RUN OFF AREA:	37 sqm

ENERGY OPTIONS

WATER HEATING:	5 STAR

THERMAL COMFORT OPTIONS

R0.75 INSULATION TO:	SLAB EDGE
GLAZING SPEC:	Uw = 2.9 SHGC = 0.44-0.51
GLAZING TYPE:	DOUBLE CLEAR GLAZING

171

PROJECT:
Semi-Detached Development
4-6 Ethel Street
Vaucluse NSW 2030

DRAWING:
SECTION B

PROJECT NO: 24010

SCALE: 1:100 @ A3
DRAWING NO: REV:

PLOTTED: 16/12/2025

DA2301C

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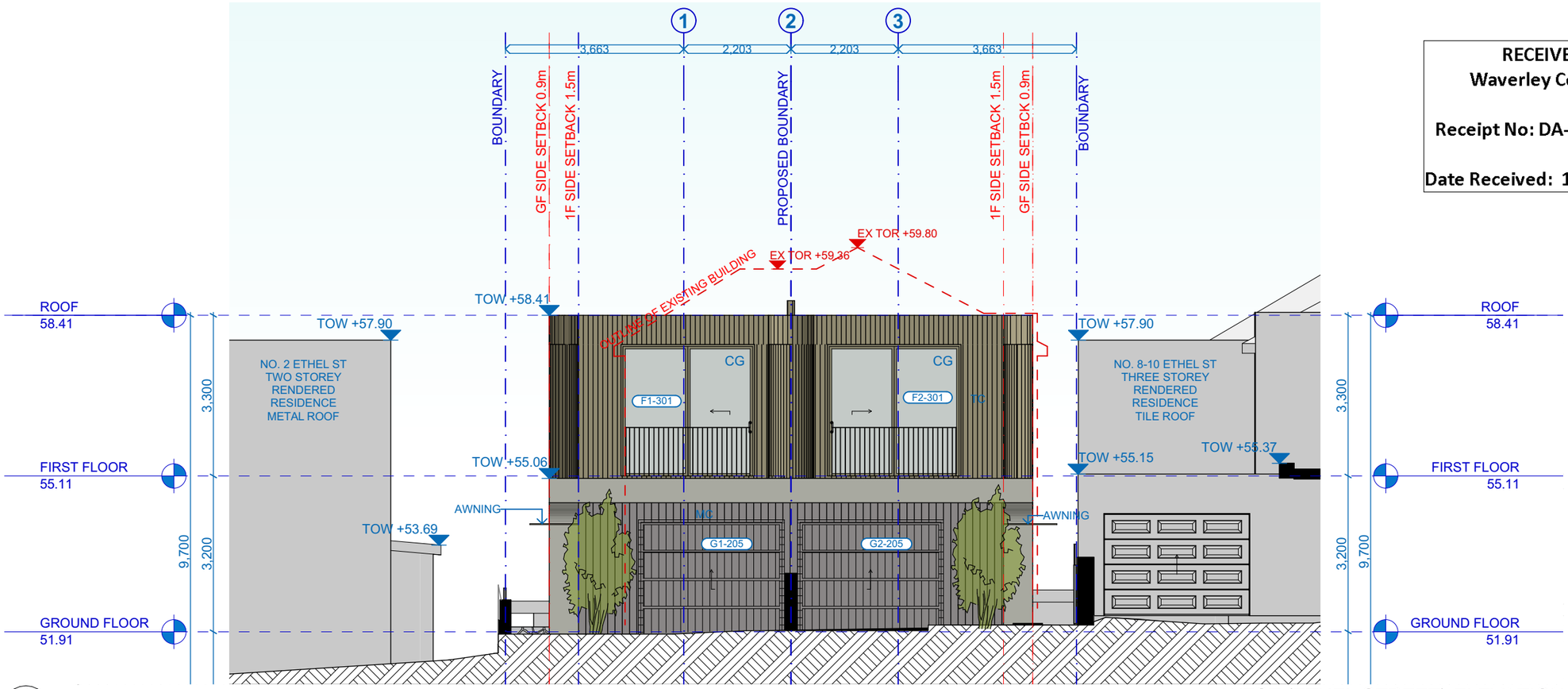
Waverley Council

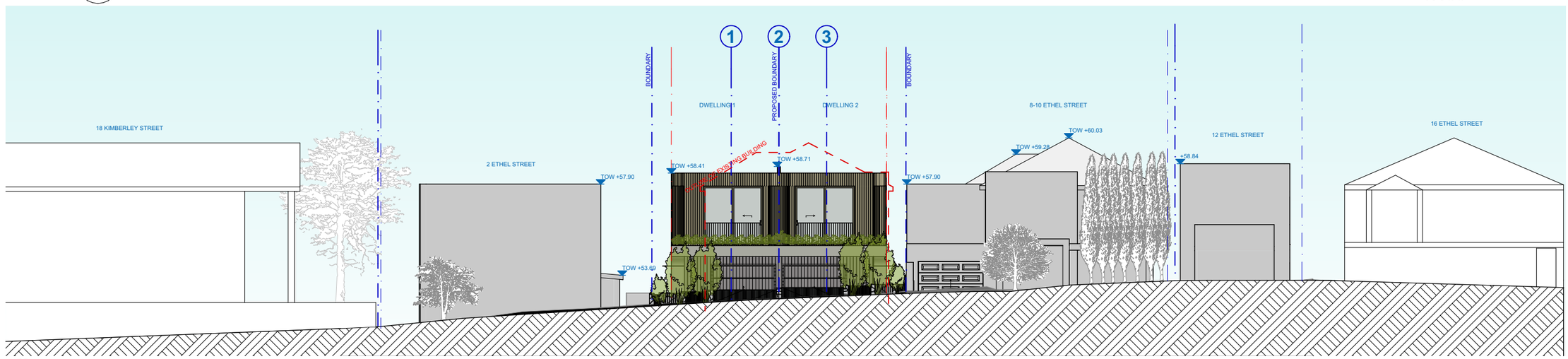
Receipt No: DA-628/2025

Date Received: 18/12/2025



1
-

WEST (ETHEL STREET) ELEVATION
1:100



2
-

STREETSCAPE ELEVATION (ETHEL STREET)
1:200

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BASIX COMMITMENTS

(ALL OTHER BASIX COMMITMENTS AS PER BASIX CERTIFICATE AND STAMPED PLANS)

WATER OPTIONS

SHOWERHEADS:	4 STAR
6-7.5 L/MIN	
TOILETS:	4 STAR
KITCHEN TAPS:	4 STAR
BATHROOM TAPS:	4 STAR
RAIN WATER TANK:	2000 L
POOL/SPA:	8 KL
COLLECT RUN OFF AREA:	37 sqm

ENERGY OPTIONS

WATER HEATING:	5 STAR

THERMAL COMFORT OPTIONS

R0.75 INSULATION TO:	SLAB EDGE
GLAZING SPEC:	Uw = 2.9 SHGC = 0.44-0.51
GLAZING TYPE:	DOUBLE CLEAR GLAZING

172

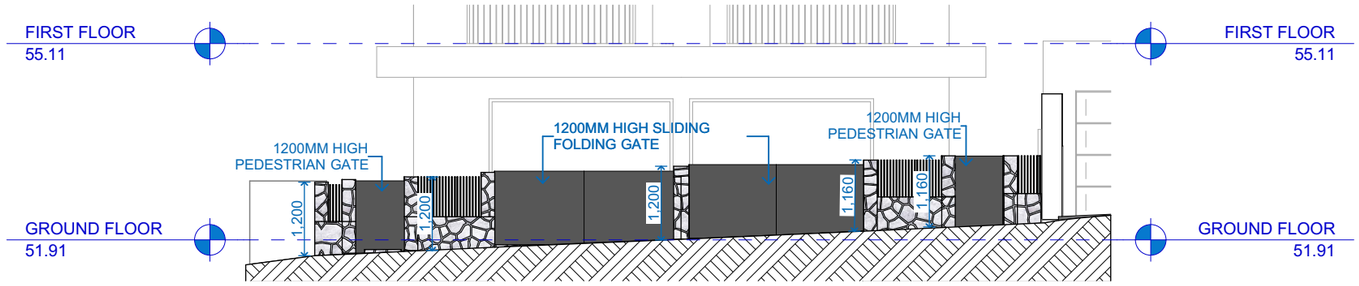
PROJECT:
Semi-Detached Development
4-6 Ethel Street
Vaucluse NSW 2030

DRAWING:
WEST (STREET) ELEVATION

PROJECT NO: 24010

SCALE: 1:100, 1:200 @ A3
DRAWING NO: REV:
PLOTTED: 16/12/2025

DA2400C



2
-

FRONT FENCE ELEVATION
1:100

-

EAST
1:100

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Date Received: 18/12/2025

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BASIX COMMITMENTS

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WATER OPTIONS

SHOWERHEADS: 6-7.5 L/MIN	4 STAR
TOILETS:	4 STAR
KITCHEN TAPS:	4 STAR
BATHROOM TAPS:	4 STAR
RAIN WATER TANK:	2000 L
POOL/SPA:	8 KL
COLLECT RUN OFF AREA:	37 sqm

ENERGY OPTIONS

WATER HEATING:	5 STAR

THERMAL COMFORT OPTIONS

R0.75 INSULATION TO:	SLAB EDGE
GLAZING SPEC:	Uw = 2.9 SHGC = 0.44-0.51
GLAZING TYPE:	DOUBLE CLEAR GLAZING

173

PROJECT:
Semi-Detached Development
4-6 Ethel Street
Vaucluse NSW 2030

DRAWING:
ELEVATION EAST

PROJECT NO: 24010
SCALE: 1:100 @ A3
DRAWING NO: REV:
PLOTTED: 16/12/2025

DA2401C

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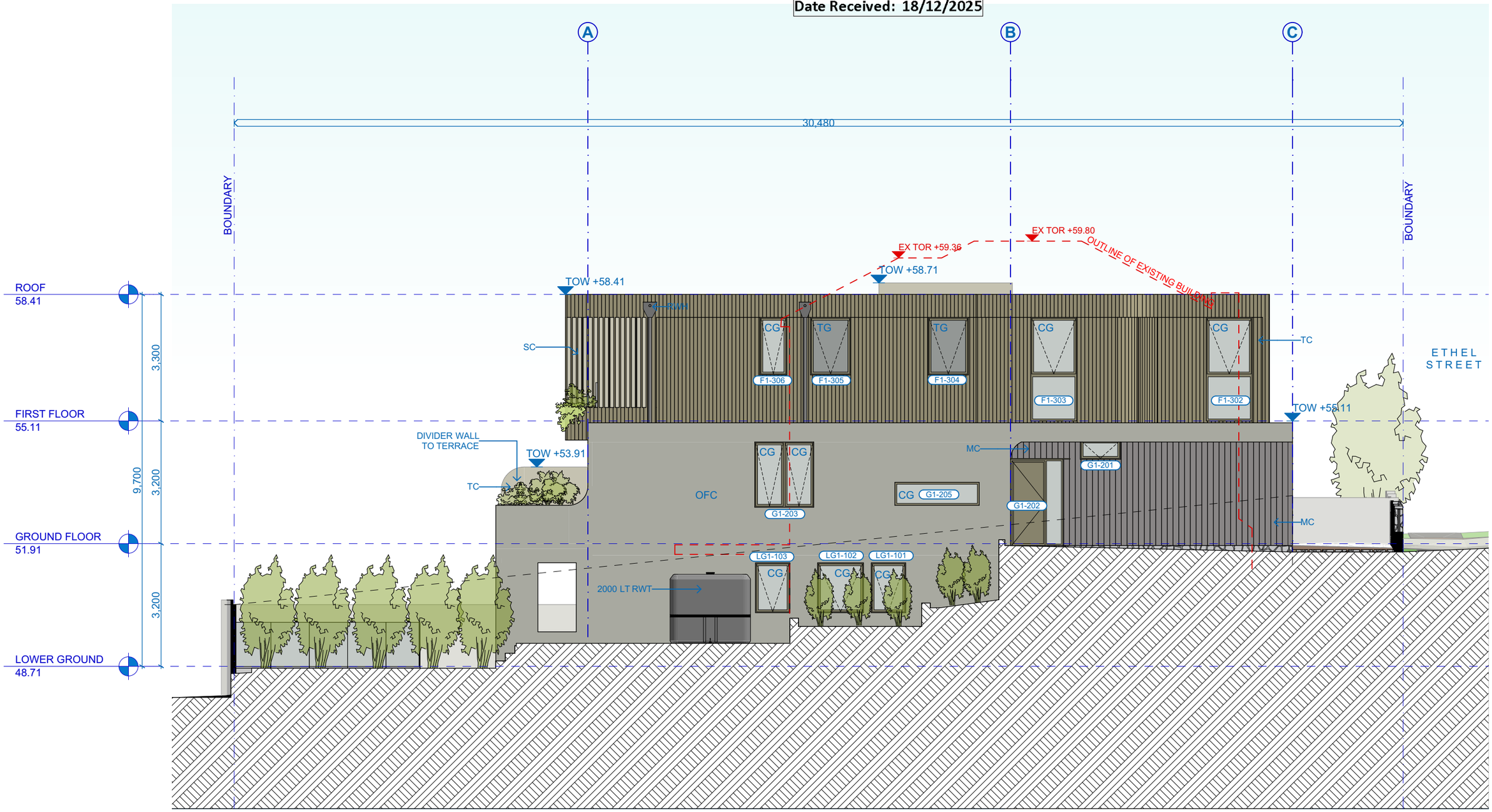
Date Received: 18/12/2025

NORTH ELEVATION



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BASIX COMMITMENTS

(ALL OTHER BASIX COMMITMENTS AS PER BASIX CERTIFICATE AND STAMPED PLANS)

WATER OPTIONS

SHOWERHEADS:	4 STAR
6-7.5 L/MIN	
TOILETS:	4 STAR
KITCHEN TAPS:	4 STAR
BATHROOM TAPS:	4 STAR
RAIN WATER TANK:	2000 L
POOL/SPA:	8 KL
COLLECT RUN OFF AREA:	37 sqm

ENERGY OPTIONS

WATER HEATING:	5 STAR

THERMAL COMFORT OPTIONS

R0.75 INSULATION TO:	SLAB EDGE
GLAZING SPEC:	Uw = 2.9 SHGC = 0.44-0.51
GLAZING TYPE:	DOUBLE CLEAR GLAZING

PROJECT:
Semi-Detached Development
4-6 Ethel Street
Vaucluse NSW 2030

DRAWING:
NORTH ELEVATION

PROJECT NO: 24010

SCALE: 1:100 @ A3
DRAWING NO: REV:

PLOTTED: 16/12/2025

DA2402C

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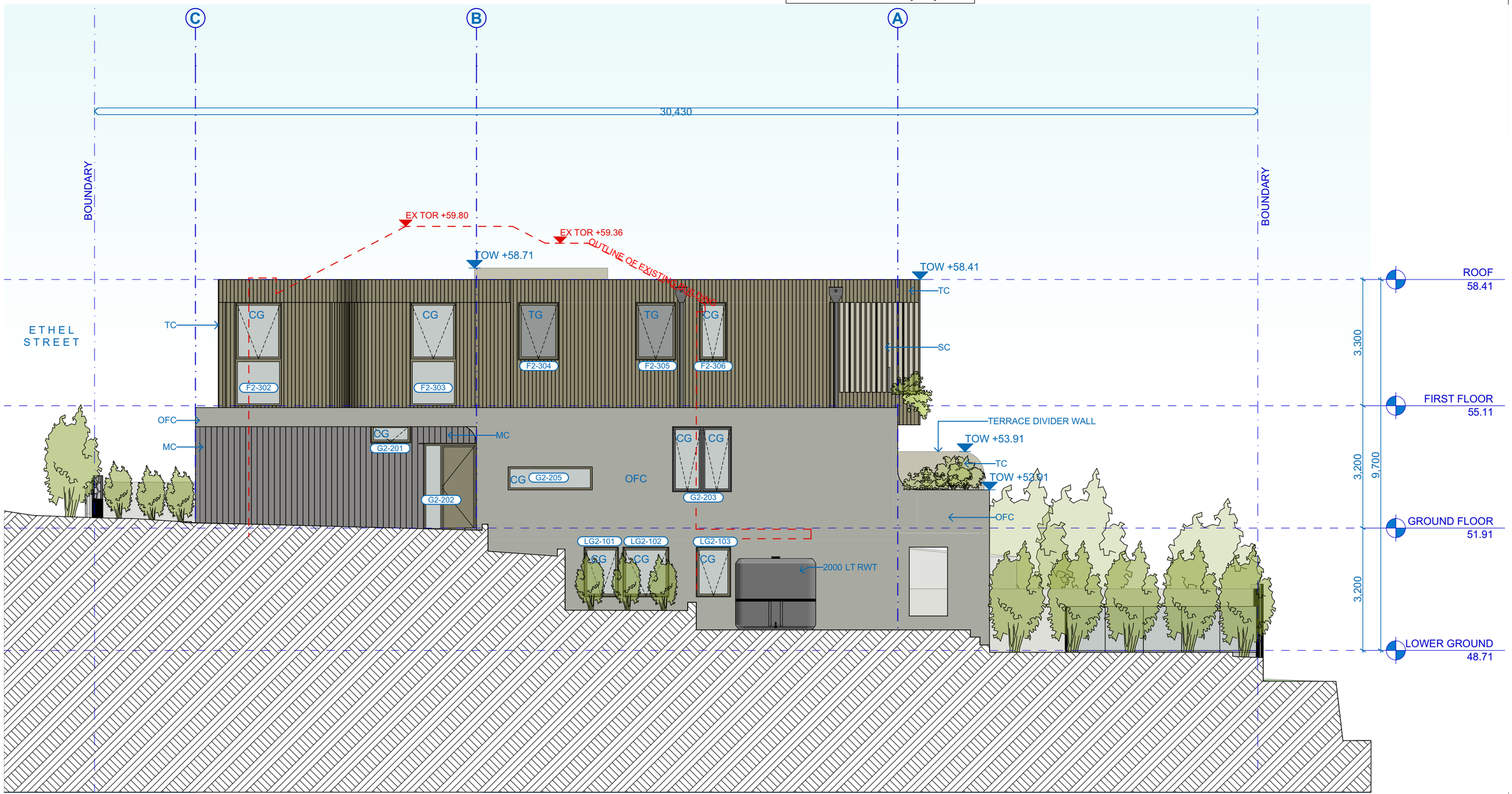
Receipt No: DA-628/2025

Date Received: 18/12/2025

SOUTH ELEVATION



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BASIX COMMITMENTS

(ALL OTHER BASIX COMMITMENTS AS PER BASIX CERTIFICATE AND STAMPED PLANS)

WATER OPTIONS

SHOWERHEADS:	4 STAR
6-7.5 L/MIN	
TOILETS:	4 STAR
KITCHEN TAPS:	4 STAR
BATHROOM TAPS:	4 STAR
RAIN WATER TANK:	2000 L
POOL/SPA:	8 KL
COLLECT RUN OFF AREA:	37 sqm

ENERGY OPTIONS

WATER HEATING:	5 STAR

THERMAL COMFORT OPTIONS

R0.75 INSULATION TO:	SLAB EDGE
GLAZING SPEC:	Uw = 2.9 SHGC = 0.44-0.51
GLAZING TYPE:	DOUBLE CLEAR GLAZING

175

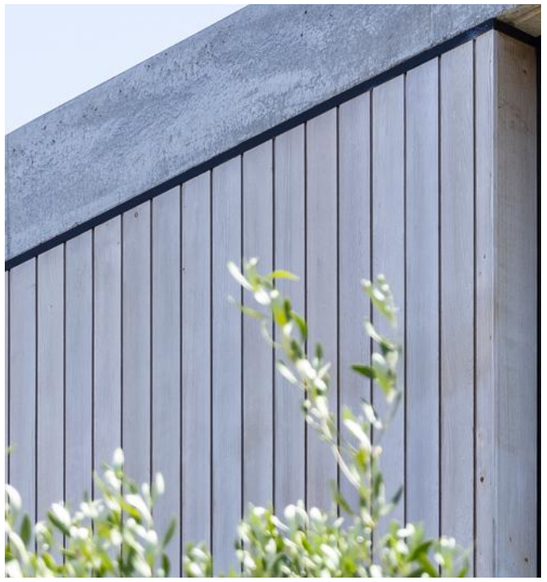
PROJECT:
Semi-Detached Development
4-6 Ethel Street
Vaucluse NSW 2030

DRAWING:
SOUTH ELEVATION

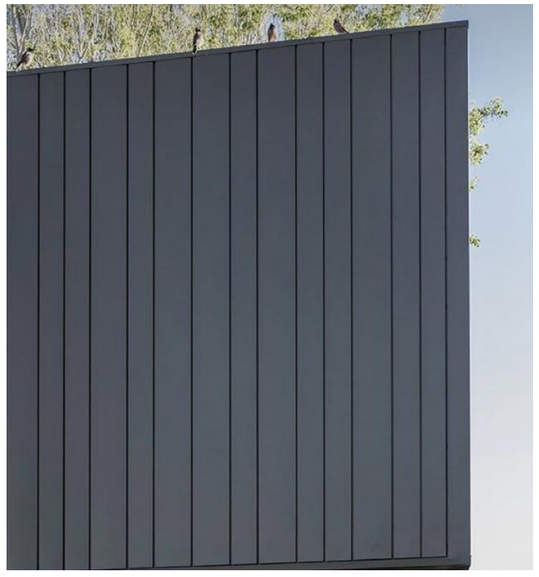
PROJECT NO: 24010

SCALE: 1:100 @ A3
DRAWING NO: REV:
PLOTTED: 16/12/2025

DA2403C



TC - TIMBER LOOK CLADDING



MC - METAL CLADDING

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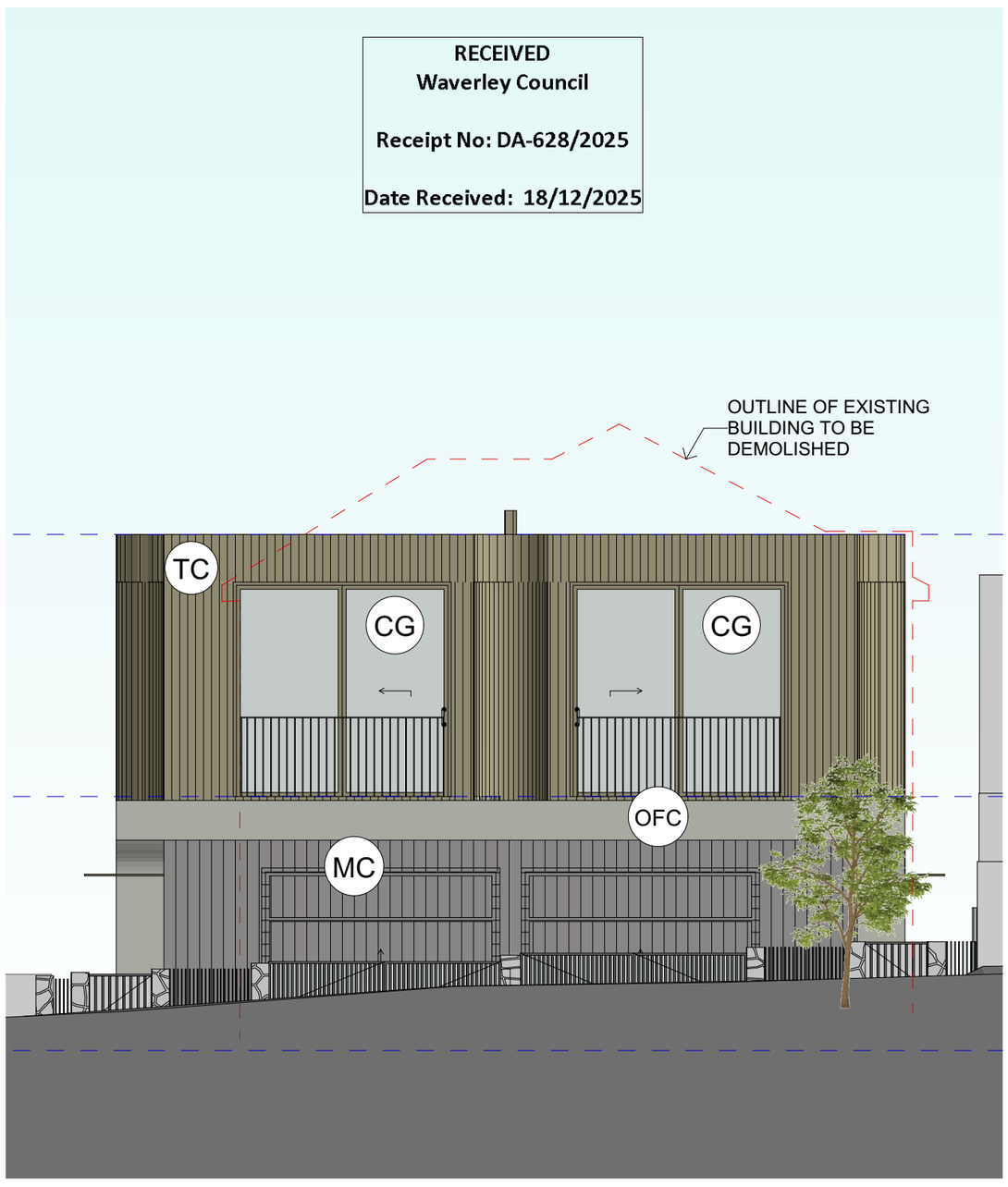
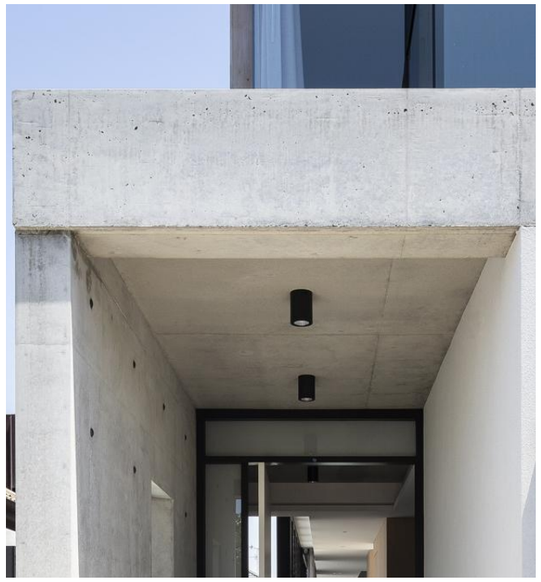
Date Received: 18/12/2025





OFC - OFF FORM CONCRETE

CG - CLEAR GLASS

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PROJECT:
Semi-Detached Development
4-6 Ethel Street
Vaucluse NSW 2030

DRAWING:
SCHEDULE OF EXTERNAL FINISHES

PROJECT NO: 24010
SCALE: @ A3
DRAWING NO: REV:
PLOTTED: 16/12/2025

DA2404C

GFA CALCULATIONS

WAVERLEY LEP 2012
Definition

gross floor area *means the sum of the floor area of each floor of a building measured from the internal face of external walls, or from the internal face of walls separating the building from any other building, measured at a height of 1.4 metres above the floor, and includes—*
(a) the area of a mezzanine, and
(b) habitable rooms in a basement or an attic, and
(c) any shop, auditorium, cinema, and the like, in a basement or attic,
but excludes—
(d) any area for common vertical circulation, such as lifts and stairs, and
(e) any basement—
(i) storage, and
(ii) vehicular access, loading areas, garbage and services, and
(f) plant rooms, lift towers and other areas used exclusively for mechanical services or ducting, and
(g) car parking to meet any requirements of the consent authority (including access to that car parking), and
(h) any space used for the loading or unloading of goods (including access to it), and
(i) terraces and balconies with outer walls less than 1.4 metres high, and
(j) voids above a floor at the level of a storey or storey above.

PROPOSED SITE AREA
SITE AREA FOR LOT 1 - 178.8 m²
SITE AREA FOR LOT 2 - 178.8 m²

ALLOWABLE FSR FORMULA:
LOT 1 & LOT 2

((550 - lot area) x 0.0011 + 0.5):1
((550-178.8) x 0.0011 + 0.5)):1
((371.2) x 0.0011 + 0.5)):1
((0.408) + 0.5):1
0.908:1

ALLOWABLE GFA - LOT 1 = 162.3m²
ALLOWABLE GFA - LOT 2 = 162.3m²

PORPOSED GFA - LOT 1	
FLOOR	**AREA m²**
LOWER GROUND	46.96
GROUND FLOOR	55.81
FIRST FLOOR	59.50
	162.27 m²
PROPSOED FSR LOT 1	**= 0.907:1**

PROPOSED GFA - LOT 2	
FLOOR	**AREA m²**
LOWER GROUND	46.96
GROUND FLOOR	55.81
FIRST FLOOR	59.50
	162.27 m²
PROPSOED FSR LOT 2	**= 0.907:1**

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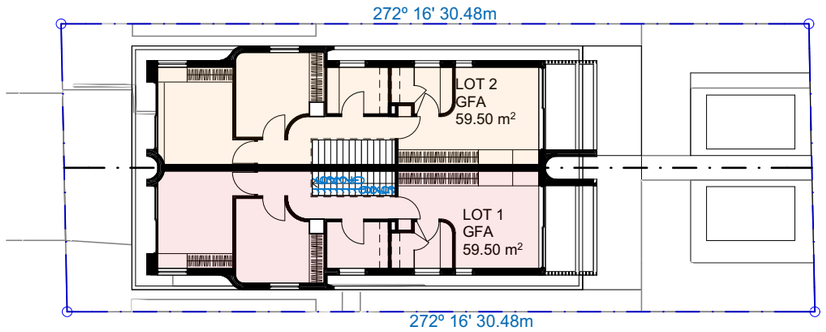
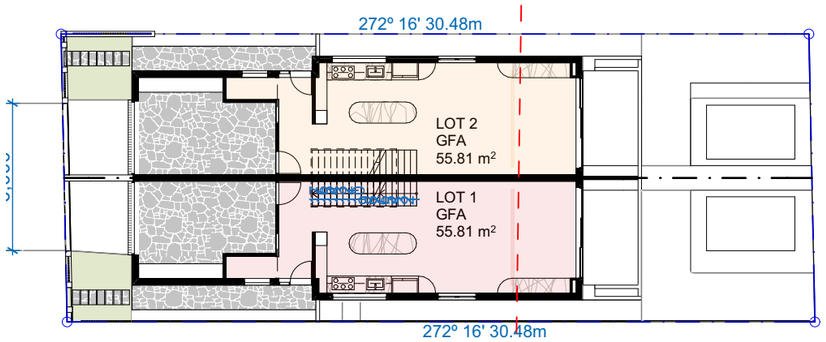
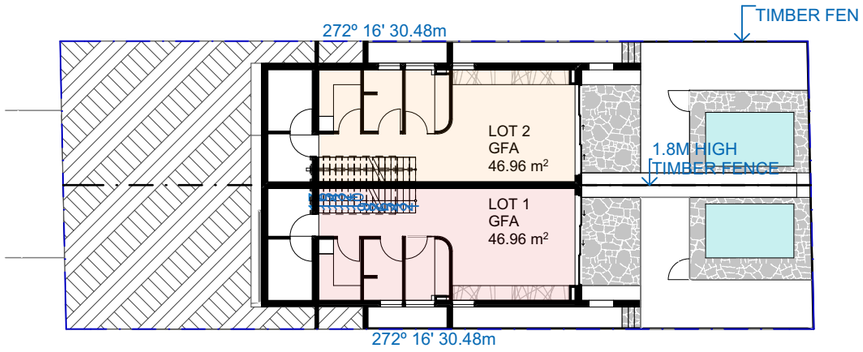


3 - FIRST FLOOR 1:250



2 - GROUND FLOOR 1:250



1 - LOWER GROUND 1:250

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PROJECT:
Semi-Detached Development
4-6 Ethel Street
Vaucluse NSW 2030

DRAWING:
GFA CALCULATIONS

PROJECT NO: 24010
SCALE: 1:250 @ A3
DRAWING NO: REV:
PLOTTED: 16/12/2025

DA9000C

OPEN SPACE

RECEIVED
Waverley Council

Receipt No: DA-628/2025

Date Received: 18/12/2025

WAVERLEY DCP 2022

Definitions

Landscaped Area
A part of a site used for growing plants, grasses and trees, but does not include any building, structure or hard paved area.
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.
Open Space
An area external to the building (including an area of land, terrace, balcony or deck) and includes hard paved areas, areas containing swimming pools as well as landscaped area.

Controls

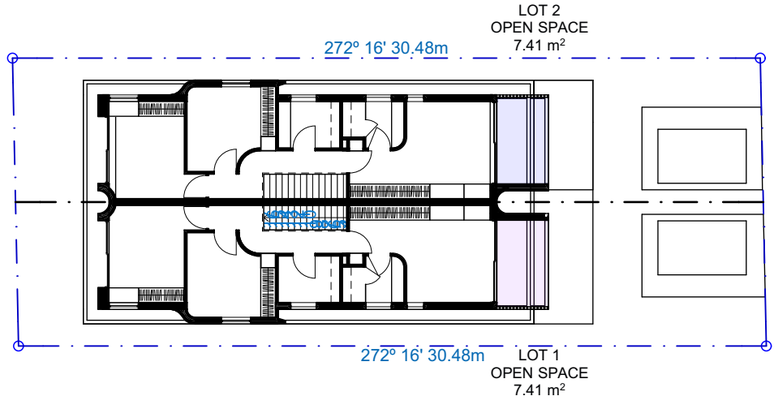
(a) Development is to comply with the provisions of Part B3 Landscaping, Biodiversity and Vegetation Preservation
(b) A minimum of 40% of the total site area is to be provided as open space
(c) A minimum of 20% of the total site area is to be provided as landscaped area
(d) A minimum of 50% of the landscaped area must be deep soil zone
(e) Each dwelling is to have a minimum of 25m² of private open space capable of being used for recreation
(f) Each dwelling in a detached dual occupancy development is to have a minimum open space area of 130m2 including a private open space area having minimum dimensions of 5m x 5m location adjacent to the living area of each dwelling
(g) A minimum of 50% of the area between the front of the primary building and the street alignment is to be open space
(h) A minimum of 50% of the open space provided at the front of the site is to be landscaped area
(i) Each dwelling is to have an outdoor clothes drying area to allow clothes to be dried naturally

LOT 1 - SITE AREA	178.8m²
CONTROL A minimum of 40% of the total site area is to be provided as open space. Required:	71.52m²
CONTROL A minimum of 50% of the area between the front of the primary building and the street alignment is to be open space. Front Site Area - Lot 1 Required:	15.84m² 7.92m²
CONTROL Private open space Required:	25m²
CONTROL A minimum of 50% of the open space provided at the front of the site is to be landscaped area. Required:	3.96m²

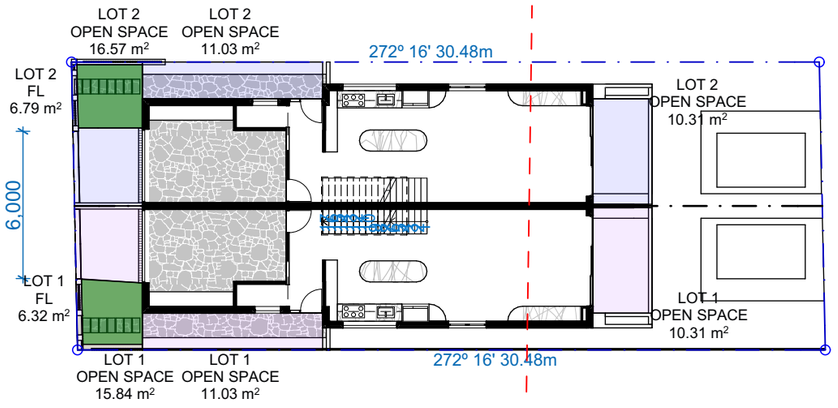
LOT 2 - SITE AREA	178.8m²
CONTROL A minimum of 40% of the total site area is to be provided as open space. Required:	71.52m²
CONTROL A minimum of 50% of the area between the front of the primary building and the street alignment is to be open space. Front Site Area - Lot 2 Required:	16.57m² 8.28m²
CONTROL Private open space Required:	25m²
CONTROL A minimum of 50% of the open space provided at the front of the site is to be landscaped area. Required:	4.14m²

OPEN SPACE - LOT 1		
FLOOR	**AREA m²**	
LOWER GROUND	63.01	
GROUND FLOOR	37.18	
FIRST FLOOR	7.41	
TOTAL PROPOSED OPEN SPACE	**107.60 m²**	**60.17%**
PROPOSED FRONT OPEN SPACE	**15.84**	**100%**
PROPOSED PRIVATE OPEN SPACE	**33.83**	
PROPOSED FRONT LANDSCAPE	**6.32**	**76.3%**

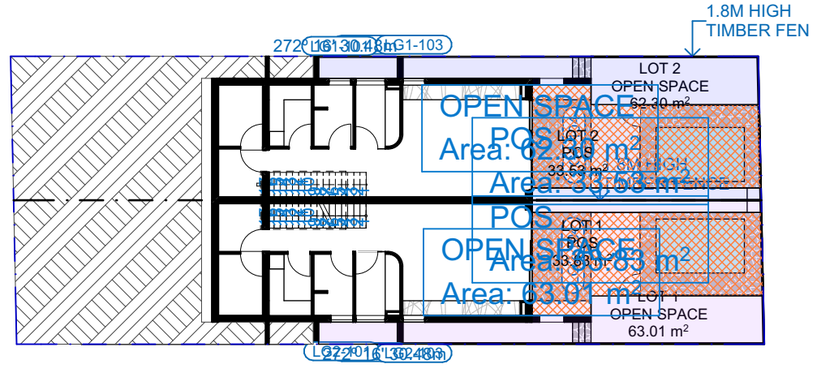
OPEN SPACE - LOT 2		
FLOOR	**AREA m²**	
LOWER GROUND	62.30	
GROUND FLOOR	37.91	
FIRST FLOOR	7.41	
TOTAL PROPOSED OPEN SPACE	**107.62 m²**	**60.19%**
PROPOSED FRONT OPEN SPACE	**16.57**	**100%**
PROPOSED PRIVATE OPEN SPACE	**33.53**	
PROPOSED FRONT LANDSCAPE	**6.79**	**82.00%**



3 - FIRST FLOOR 1:250



2 - GROUND FLOOR 1:250



1 - LOWER GROUND 1:250

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PROJECT:
Semi-Detached Development
4-6 Ethel Street
Vaucluse NSW 2030

DRAWING:
OPEN SPACE

PROJECT NO: 24010
SCALE: 1:250 @ A3
DRAWING NO: REV:
PLOTTED: 16/12/2025

DA9001C

LANDSCAPED AREA

WAVERLEY DCP 2022

Definitions

Landscaped Area
A part of a site used for growing plants, grasses and trees, but does not include any building, structure or hard paved area.
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.
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Controls

(a) Development is to comply with the provisions of Part B3 Landscaping, Biodiversity and Vegetation Preservation
(b) A minimum of 40% of the total site area is to be provided as open space
(c) A minimum of 20% of the total site area is to be provided as landscaped area
(d) A minimum of 50% of the landscaped area must be deep soil zone
(e) Each dwelling is to have a minimum of 25m² of private open space capable of being used for recreation
(f) Each dwelling in a detached dual occupancy development is to have a minimum open space area of 130m2 including a private open space area having minimum dimensions of 5m x 5m location adjacent to the living area of each dwelling
(g) A minimum of 50% of the area between the front of the primary building and the street alignment is to be open space
(h) A minimum of 50% of the open space provided at the front of the site is to be landscaped area
(i) Each dwelling is to have an outdoor clothes drying area to allow clothes to be dried naturally

REQUIREMENT - LOT 1 & LOT 2	
SITE AREA	178.8m²
CONTROL A minimum of 20% of the total site area is to be provided as landscaped area Required:	35.76m²
CONTROL A minimum of 50% of the landscaped area must be deep soil zone Required:	17.88m²

LANDSCAPE AREA - LOT 1		
FLOOR	**AREA m²**	
LOWER GROUND	34.83	
GROUND FLOOR	11.07	
	45.90 m²	**25.67%**

PROPOSED DEEP SOIL AREA - LOT 1	
FLOOR	AREA
Deep Soil (50% GLA)	21.77

LANDSCAPING - LOT 2		
FLOOR	**AREA m²**	
LOWER GROUND	35.07	
GROUND FLOOR	11.41	
	46.48 m²	**26.0%**

PROPOSED DEEP SOIL AREA - LOT 1	
FLOOR	AREA
Deep Soil (50% GLA)	21.42

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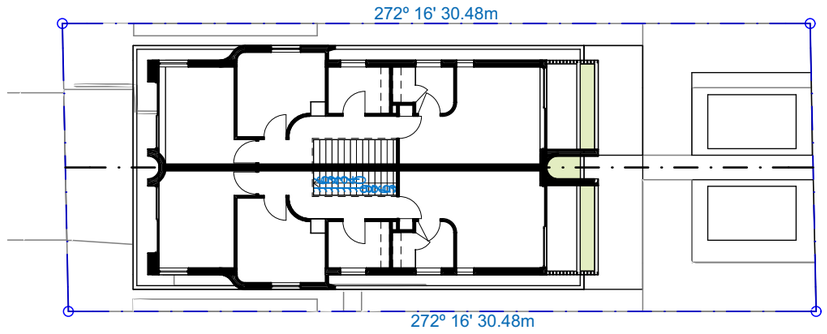
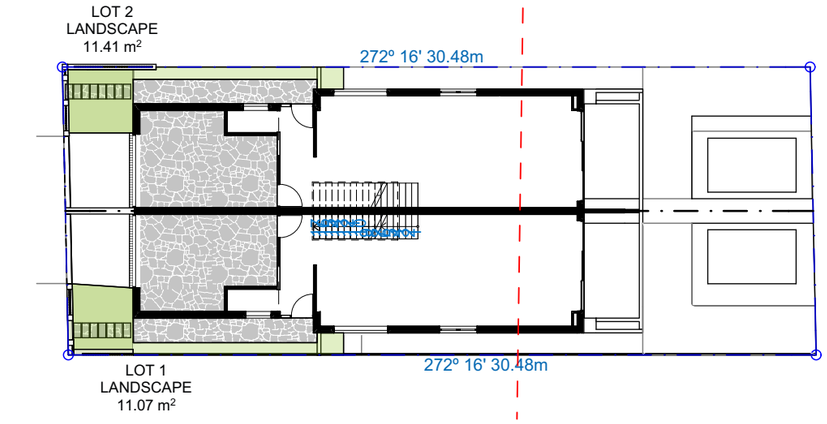
Waverley Council

Receipt No: DA-628/2025

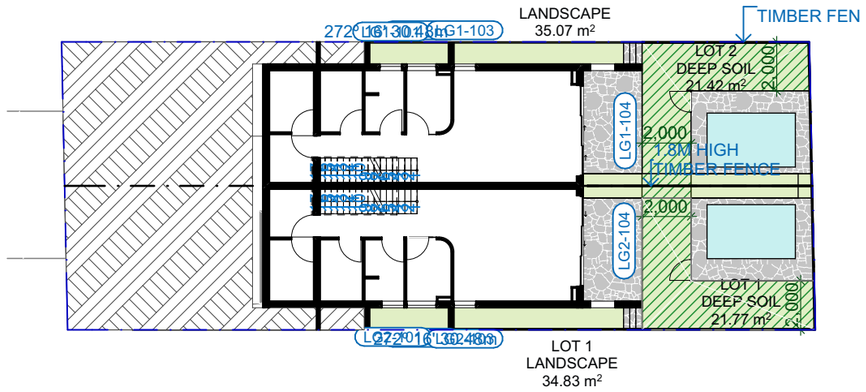
Date Received: 18/12/2025



3 - FIRST FLOOR 1:250



2 - GROUND FLOOR 1:250



1 - LOWER GROUND 1:250

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ISSUE	DATE	REVISION
A	27/11/2025	ISSUE FOR DA
C	16/12/2025	ADDITIONAL INFORMATION FOR SUBMISSION

PROJECT:
Semi-Detached Development
4-6 Ethel Street
Vaucluse NSW 2030

DRAWING:
LANDSCAPED AREA

PROJECT NO: 24010
SCALE: 1:250 @ A3
DRAWING NO: REV:
PLOTTED: 16/12/2025

DA9002C

HEIGHT PLANE DIAGRAMS

Waverley LEP (2012)

Land Zoning	:	R2 (Low Density Residential)
Floor Space Ratio	:	-
Height of Building	:	8.5 m

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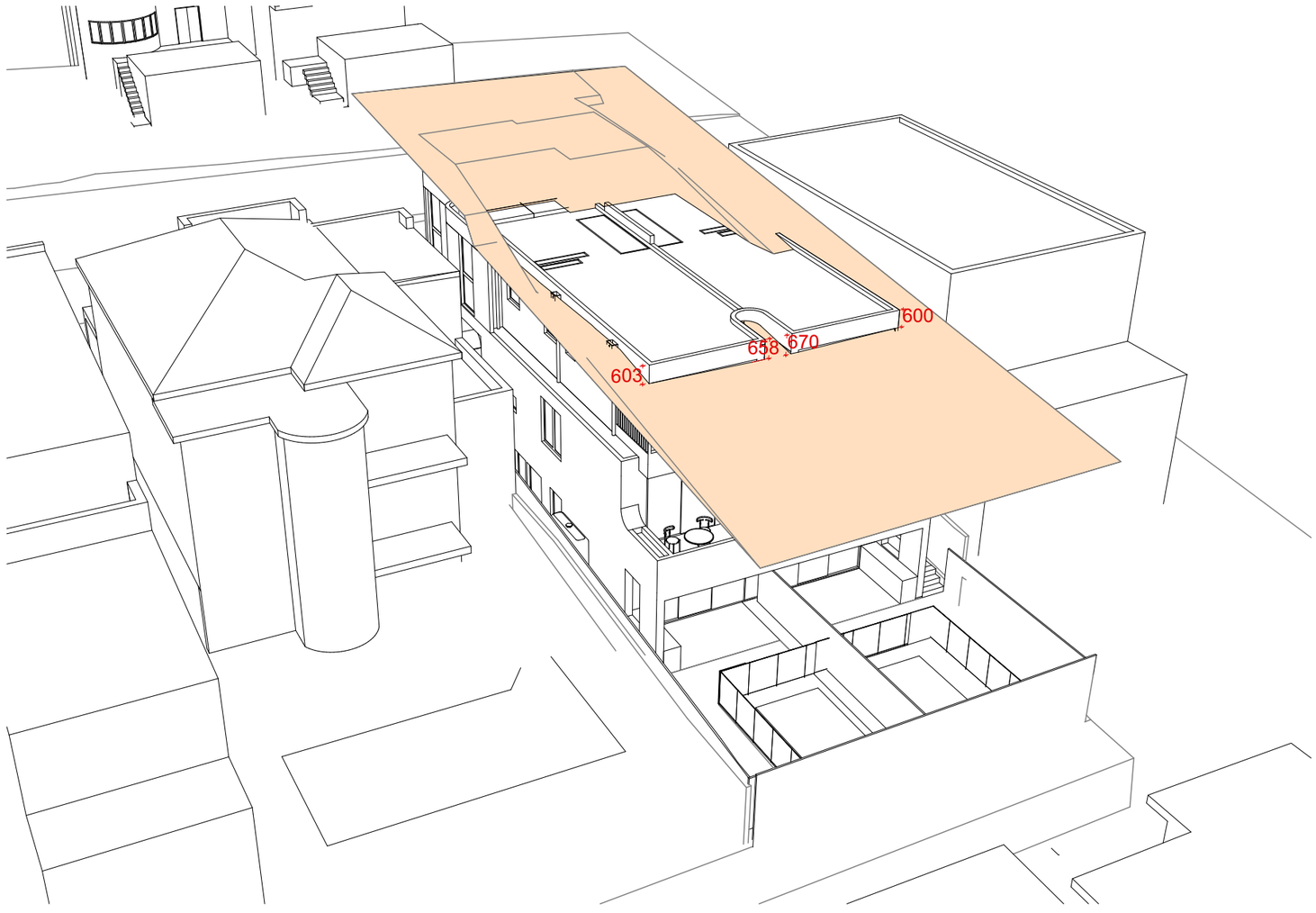
Waverley Council

Receipt No: DA-628/2025

Date Received: 18/12/2025



1 / - HEIGHT PLANE DIAGRAM

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ISSUE	DATE	REVISION
A	27/11/2025	ISSUE FOR DA
C	16/12/2025	ADDITIONAL INFORMATION FOR SUBMISSION

PROJECT:
Semi-Detached Development
4-6 Ethel Street
Vaucluse NSW 2030

DRAWING:
HEIGHT PLANE DIAGRAMS

PROJECT NO: 24010
SCALE: @ A3
DRAWING NO: REV:
PLOTTED: 16/12/2025

DA9003C

DCP WALL HEIGHT DIAGRAM

Waverley DCP (2022)		
Max Wall Height of Building	:	7.5 m

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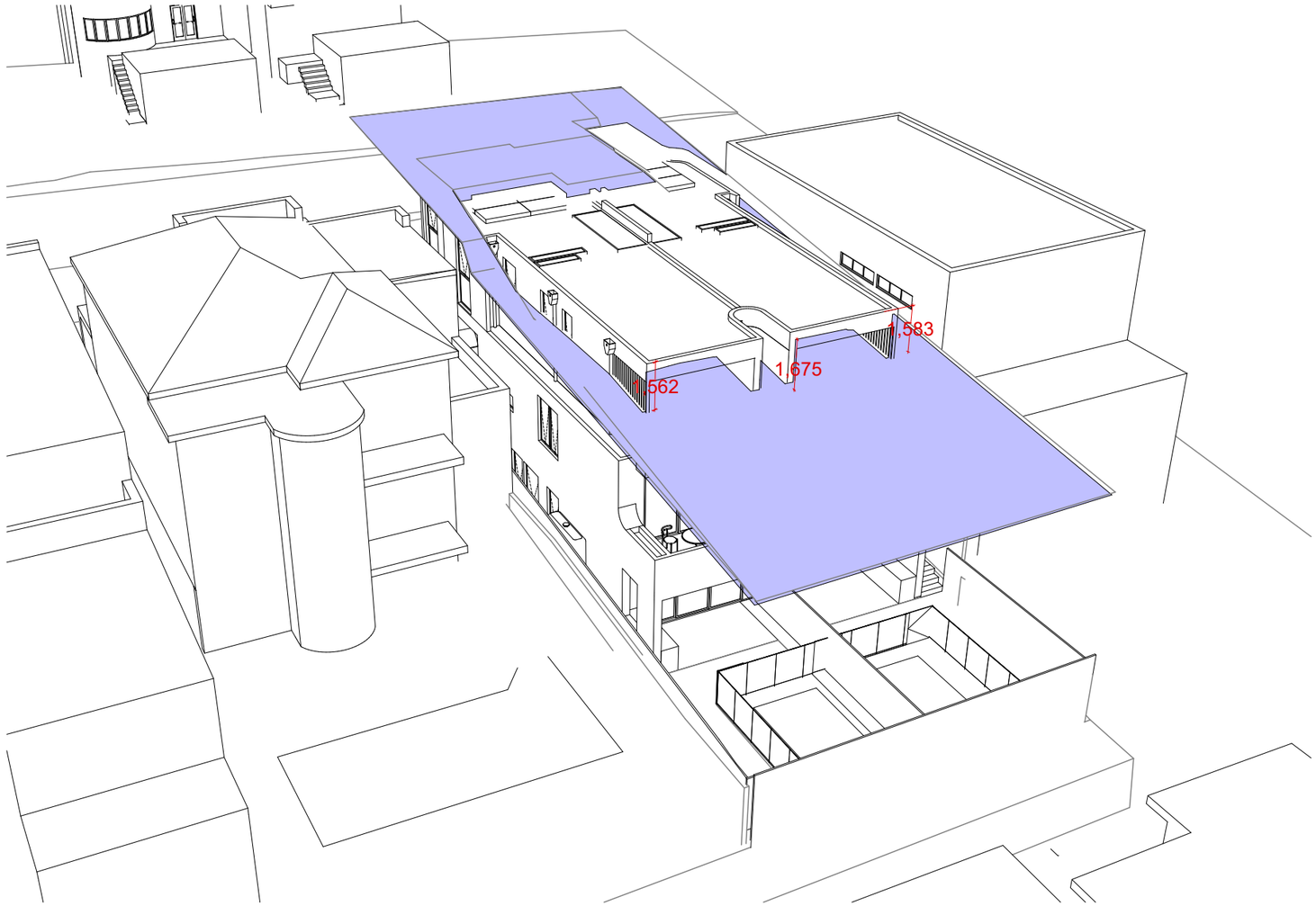
Receipt No: DA-628/2025

Date Received: 18/12/2025



1 - DCP WALL HEIGHT DIAGRAM

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ISSUE	DATE	REVISION
A	27/11/2025	ISSUE FOR DA
C	16/12/2025	ADDITIONAL INFORMATION FOR SUBMISSION

PROJECT:
Semi-Detached Development
4-6 Ethel Street
Vaucluse NSW 2030

DRAWING:
DCP WALL HEIGHT DIAGRAM

PROJECT NO: 24010
SCALE: @ A3
DRAWING NO: REV:
PLOTTED: 16/12/2025

DA9004C

BASIX™ Certificate

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

Single Dwelling

Certificate number: 1819168S

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

Secretary
Date of issue: Tuesday, 28 October 2025
To be valid, this certificate must be submitted with a development application or lodged with a complying development certificate application within 3 months of the date of issue.

Project summary	
Project name	House B 4-6 Ethel St SD70
Street address	4 ETHEL Street VAUCLUSE 2030
Local Government Area	Waverley Council
Plan type and plan number	Deposited Plan DP342620
Lot no.	2
Section no.	-
Project type	dwelling house (attached)
No. of bedrooms	3

Project score		
Water	✔ 40	Target 40
Thermal Performance	✔ Pass	Target Pass
Energy	✔ 75	Target 72
Materials	✔ -13	Target n/a

Alternative water			
Rainwater tank			
The applicant must install a rainwater tank of at least 2000 litres on the site. This rainwater tank must meet, and be installed in accordance with, the requirements of all applicable regulatory authorities.	✔	✔	✔
The applicant must configure the rainwater tank to collect rain runoff from at least 37 square metres of the roof area of the development (excluding the area of the roof which drains to any stormwater tank or private dam).		✔	✔
The applicant must connect the rainwater tank to: • at least one outdoor tap in the development (Note: NSW Health does not recommend that rainwater be used for human consumption in areas with potable water supply.)		✔	✔
Swimming Pool			
The swimming pool must not have a volume greater than 8 kilolitres.	✔	✔	
The swimming pool must be outdoors.	✔	✔	

Thermal Performance and Materials commitments	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
Simulation Method			
Assessor details and thermal loads			
The applicant must attach the certificate referred to under "Assessor Details" on the front page of this BASIX certificate (the "Assessor Certificate") to the development application and construction certificate application for the proposed development (or, if the applicant is applying for a complying development certificate for the proposed development, to that application). The applicant must also attach the Assessor Certificate to the application for an occupation certificate for the proposed development.			
The Assessor Certificate must have been issued by an Accredited Assessor in accordance with the Thermal Comfort Protocol.			
The details of the proposed development on the Assessor Certificate must be consistent with the details shown in this BASIX certificate, including the Cooling and Heating loads shown on the front page of this certificate and the "Construction" and "Glazing" tables below.			
The applicant must show on the plans accompanying the development application for the proposed development, all matters which the Assessor Certificate requires to be shown on those plans. Those plans must bear a stamp of endorsement from the Accredited Assessor to certify that this is the case. The applicant must show on the plans accompanying the application for a construction certificate (or complying development certificate, if applicable), all thermal performance specifications set out in the Assessor Certificate, and all aspects of the proposed development which were used to calculate those specifications.	✔	✔	✔
The applicant must construct the development in accordance with all thermal performance specifications set out in the Assessor Certificate, and in accordance with those aspects of the development application or application for a complying development certificate which were used to calculate those specifications.		✔	✔
The applicant must show on the plans accompanying the development application for the proposed development, the locations of ceiling fans set out in the Assessor Certificate. The applicant must show on the plans accompanying the application for a construction certificate (or complying development certificate, if applicable), the locations of ceiling fans set out in the Assessor Certificate.	✔	✔	✔

Thermal Performance and Materials commitments	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
Construction			
The applicant must construct the floors, walls, roofs, ceilings and glazing of the dwelling in accordance with the specifications listed in the tables below.	✔	✔	✔
The applicant must show through receipts that the materials purchased for construction are consistent with the specifications listed in the tables below.			✔

Construction	Area - m²	Insulation
floor - concrete slab on ground, conventional slab.	50	not specified
floor - suspended floor above enclosed subfloor, concrete - suspended; frame: no frame.	3	fibreglass batts or roll
floor - suspended floor above open subfloor, concrete - suspended; frame: no frame.	1	fibreglass batts or roll
floor - above habitable rooms or mezzanine, concrete - suspended; frame: no frame..	91	none
floor - suspended floor above garage, concrete - suspended; frame: no frame.	16	fibreglass batts or roll
garage floor - concrete slab on ground.	20	none
external wall: cavity brick; frame: no frame.	all external walls	fibreglass batts or roll
external garage wall: cavity brick; frame: no frame.	15	none
internal wall: plasterboard; frame: timber - untreated softwood.	83	none
ceiling and roof - flat ceiling / flat roof, framed - concrete tiles , timber - untreated softwood.	75	ceiling: fibreglass batts or roll; roof: none.

Thermal Performance and Materials commitments	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
Glazing			
The applicant must install windows, glazed doors and skylights as described in the table below, in accordance with the specifications listed in the table.	✔	✔	✔

Energy Commitments	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
Hot water			
The applicant must install the following hot water system in the development, or a system with a higher energy rating: gas instantaneous with a performance of 5 stars.	✔	✔	✔
Natural lighting			
The applicant must install a window and/or skylight in 4 bathroom(s)/toilet(s) in the development for natural lighting.	✔	✔	✔
Alternative energy			
The applicant must install a photovoltaic system as part of the development. The applicant must connect this system to the development's electrical system.	✔	✔	✔
The photovoltaic system must consist of: • photovoltaic collectors with the capacity to generate at least 1.5 peak kilowatts of electricity, installed at an angle between 0 degrees and 10 degrees to the horizontal facing north	✔	✔	✔
Other			

BASIX™ Certificate

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

Single Dwelling

Certificate number: 1819169S

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

Secretary
Date of issue: Tuesday, 28 October 2025
To be valid, this certificate must be submitted with a development application or lodged with a complying development certificate application within 3 months of the date of issue.

Project summary	
Project name	House A 4-6 Ethel St SD70
Street address	4 ETHEL Street VAUCLUSE 2030
Local Government Area	Waverley Council
Plan type and plan number	Deposited Plan DP115863
Lot no.	1
Section no.	-
Project type	dwelling house (attached)
No. of bedrooms	3

Project score		
Water	✔ 40	Target 40
Thermal Performance	✔ Pass	Target Pass
Energy	✔ 75	Target 72
Materials	✔ -10	Target n/a

Alternative water			
Rainwater tank			
The applicant must install a rainwater tank of at least 2000 litres on the site. This rainwater tank must meet, and be installed in accordance with, the requirements of all applicable regulatory authorities.	✔	✔	✔
The applicant must configure the rainwater tank to collect rain runoff from at least 37 square metres of the roof area of the development (excluding the area of the roof which drains to any stormwater tank or private dam).		✔	✔
The applicant must connect the rainwater tank to: • at least one outdoor tap in the development (Note: NSW Health does not recommend that rainwater be used for human consumption in areas with potable water supply.)		✔	✔
Swimming Pool			
The swimming pool must not have a volume greater than 8 kilolitres.	✔	✔	
The swimming pool must be outdoors.	✔	✔	

Thermal Performance and Materials commitments	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
Simulation Method			
Assessor details and thermal loads			
The applicant must attach the certificate referred to under "Assessor Details" on the front page of this BASIX certificate (the "Assessor Certificate") to the development application and construction certificate application for the proposed development (or, if the applicant is applying for a complying development certificate for the proposed development, to that application). The applicant must also attach the Assessor Certificate to the application for an occupation certificate for the proposed development.			
The Assessor Certificate must have been issued by an Accredited Assessor in accordance with the Thermal Comfort Protocol.			
The details of the proposed development on the Assessor Certificate must be consistent with the details shown in this BASIX certificate, including the Cooling and Heating loads shown on the front page of this certificate and the "Construction" and "Glazing" tables below.			
The applicant must show on the plans accompanying the development application for the proposed development, all matters which the Assessor Certificate requires to be shown on those plans. Those plans must bear a stamp of endorsement from the Accredited Assessor to certify that this is the case. The applicant must show on the plans accompanying the application for a construction certificate (or complying development certificate, if applicable), all thermal performance specifications set out in the Assessor Certificate, and all aspects of the proposed development which were used to calculate those specifications.	✔	✔	✔
The applicant must construct the development in accordance with all thermal performance specifications set out in the Assessor Certificate, and in accordance with those aspects of the development application or application for a complying development certificate which were used to calculate those specifications.		✔	✔
The applicant must show on the plans accompanying the development application for the proposed development, the locations of ceiling fans set out in the Assessor Certificate. The applicant must show on the plans accompanying the application for a construction certificate (or complying development certificate, if applicable), the locations of ceiling fans set out in the Assessor Certificate.	✔	✔	✔

Thermal Performance and Materials commitments	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
Construction			
The applicant must construct the floors, walls, roofs, ceilings and glazing of the dwelling in accordance with the specifications listed in the tables below.	✔	✔	✔
The applicant must show through receipts that the materials purchased for construction are consistent with the specifications listed in the tables below.			✔

Construction	Area - m²	Insulation
floor - concrete slab on ground, conventional slab.	50	not specified
floor - suspended floor above enclosed subfloor, concrete - suspended; frame: no frame.	3	fibreglass batts or roll
floor - suspended floor above open subfloor, concrete - suspended; frame: no frame.	1	fibreglass batts or roll
floor - above habitable rooms or mezzanine, concrete - suspended; frame: no frame..	91	none
floor - suspended floor above garage, concrete - suspended; frame: no frame.	16	fibreglass batts or roll
garage floor - concrete slab on ground.	20	none
external wall: cavity brick; frame: no frame.	all external walls	fibreglass batts or roll
external garage wall: cavity brick; frame: no frame.	15	none
internal wall: plasterboard; frame: timber - untreated softwood.	83	none
ceiling and roof - flat ceiling / flat roof, framed - concrete tiles , timber - untreated softwood.	75	ceiling: fibreglass batts or roll; roof: none.

Thermal Performance and Materials commitments	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
Glazing			
The applicant must install windows, glazed doors and skylights as described in the table below, in accordance with the specifications listed in the table.	✔	✔	✔
Hot water			
The applicant must install the following hot water system in the development, or a system with a higher energy rating: gas instantaneous with a performance of 5 stars.	✔	✔	✔
Natural lighting			
The applicant must install a window and/or skylight in 4 bathroom(s)/toilet(s) in the development for natural lighting.	✔	✔	✔
Alternative energy			
The applicant must install a photovoltaic system as part of the development. The applicant must connect this system to the development's electrical system.	✔	✔	✔
The photovoltaic system must consist of: • photovoltaic collectors with the capacity to generate at least 1.5 peak kilowatts of electricity, installed at an angle between 0 degrees and 10 degrees to the horizontal facing north	✔	✔	✔

Nationwide House Energy Rating Scheme® NatHERS® Certificate No. #HR-O5V914-01

Generated on 28 Oct 2025 using Hero 4.1 (Chenath v3.23)

Property

Address	Lot 2, 4-6 Ethel Street, Vaucluse, NSW, 2030
Lot/DP	2/115863
NCC Class*	1a
Floor/all Floors	1 of 3 floors
Type	New

Plans

Main Plan	24010
Prepared by	MARK SHAPIRO ARCHITECTS

Construction and environment

Assessed floor area (m²)*		**Exposure Type**	
Conditioned*	150.6	Suburban	
Unconditioned*	9.9	**NatHERS climate zone**	
Total	180.1	56 - Mascot AMO	
Garage	19.6		

Accredited assessor

Name	David Gradwell
Business name	Gradwell Consulting
Email	david@gradwellconsulting.com
Phone	+61 408964139
Accreditation No.	DMN/12/1451
Assessor Accrediting Organisation	DMN
Declaration of interest	No Conflict of Interest

NCC Requirements

BCA provisions	Volume 2
State/Territory variation	Yes

National Construction Code (NCC) requirements

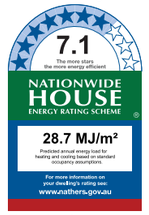
The NCC allows the use of NatHERS accredited software to comply with the energy efficiency requirements for houses (Class 1 buildings) and apartments (Class 2 sole-occupancy units and Class 4 parts of buildings). The applicable requirements for houses are detailed in Specification 42 of NCC Volume Two. For apartments the requirements are detailed in clauses J2D2(2)(a) and (3) of NCC Volume One.

NCC 2022 includes enhanced thermal performance requirements for houses and apartments. It also includes a new whole-of-home annual energy use budget which applies to the major equipment in the home.

The NCC, and associated ABCB Standards and support material, can be accessed at www.abcb.gov.au.

Note, variations and additions to the NCC energy efficiency requirements may apply in some states and territories.

Thermal performance star rating



Thermal performance (MJ/m²)

Limits taken from ABCB Standard 2022

	Heating	Cooling
Modelled	23.4	5.3
Load limits	25	18

Features determining load limits

Floor type (lowest conditioned area)	CSOG
NCC climate zone 1 or 2	N
Outdoor living area	N
Outdoor living area ceiling fan	N

Whole of Home performance rating

No Whole of Home performance rating generated for this certificate.

Verification

To verify this certificate, scan the QR code or visit http://www.hero-software.com.au/pdf/HR-O5V914-01. When using either link, ensure you are visiting http://www.hero-software.com.au

* Refer to glossary.
Generated on 28 Oct 2025 using Hero 4.1 for Lot 2, 4-6 Ethel Street, Vaucluse, NSW, 2030

Nationwide House Energy Rating Scheme® NatHERS® Certificate No. #HR-KP1ZBS-01

Generated on 28 Oct 2025 using Hero 4.1 (Chenath v3.23)

Property

Address	Lot 1, 4-6 Ethel Street, Vaucluse, NSW, 2030
Lot/DP	1/342620
NCC Class*	1a
Floor/all Floors	1 of 3 floors
Type	New

Plans

Main Plan	24010
Prepared by	MARK SHAPIRO ARCHITECTS

Construction and environment

Assessed floor area (m²)*		**Exposure Type**	
Conditioned*	150.6	Suburban	
Unconditioned*	9.9	**NatHERS climate zone**	
Total	180.1	56 - Mascot AMO	
Garage	19.6		

Accredited assessor

Name	David Gradwell
Business name	Gradwell Consulting
Email	david@gradwellconsulting.com
Phone	+61 408964139
Accreditation No.	DMN/12/1451
Assessor Accrediting Organisation	DMN
Declaration of interest	No Conflict of Interest

NCC Requirements

BCA provisions	Volume 2
State/Territory variation	Yes

National Construction Code (NCC) requirements

The NCC allows the use of NatHERS accredited software to comply with the energy efficiency requirements for houses (Class 1 buildings) and apartments (Class 2 sole-occupancy units and Class 4 parts of buildings). The applicable requirements for houses are detailed in Specification 42 of NCC Volume Two. For apartments the requirements are detailed in clauses J2D2(2)(a) and (3) of NCC Volume One.

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The NCC, and associated ABCB Standards and support material, can be accessed at www.abcb.gov.au.

Note, variations and additions to the NCC energy efficiency requirements may apply in some states and territories.

Thermal performance star rating

Thermal performance (MJ/m²)

Limits taken from ABCB Standard 2022

	Heating	Cooling
Modelled	21.4	7.7
Load limits	25	18

Features determining load limits

Floor type (lowest conditioned area)	CSOG
NCC climate zone 1 or 2	N
Outdoor living area	N
Outdoor living area ceiling fan	N

Whole of Home performance rating

No Whole of Home performance rating generated for this certificate.

Verification

To verify this certificate, scan the QR code or visit http://www.hero-software.com.au/pdf/HR-KP1ZBS-01. When using either link, ensure you are visiting http://www.hero-software.com.au

* Refer to glossary.
Generated on 28 Oct 2025 using Hero 4.1 for Lot 1, 4-6 Ethel Street, Vaucluse, NSW, 2030

Assessor Construction Summary

Issued for information only - refer to the NatHERS Certificate(s).

Project:	**Address:**	4-6 Ethel Street Vaucluse NSW 2030		**File Ref:**	SD70
Applicant:	**Name:**	James & Miriam Enoch	**Designer:**	Mark Shapiro Architects	
Assessor:	**Name:**	David Gradwell	**Company:**	Gradwell Consulting	
	Address:	PO Box 819 Bowral NSW 2576	**Number:**	DMN/12/1451 | ACT2011220	
	Contact:	0408 964 139	**Email:**	david@gradwellconsulting.com	

Ext. Walls:	**Construction**	**Insulation**	**Colour**	**Details**
	Cavity Brick	25mm Koolthern K8 or equiv (R1.1)	Varies	As per plans
Int. Walls:	**Construction**	**Insulation**		**Details**
	Cavity Brick	None		Intertenancy
	Plasterboard on Stud	R2.7 added		To garage
Floors:	**Construction**	**Insulation**		**Details**
	Concrete	R0.75 added		To slab edge
	Concrete	R1.1 added		Where open below
	Concrete	R4.0 added		Above garage
Ceilings:	**Construction**	**Insulation**		**Details**
Roof:	**Construction**	**Insulation**	**Colour**	**Details**
	Concrete	80mm PIR or equiv (R4.0)	Medium	As per plans

Windows:	**Product ID**	**Glass**	**Frame**	**Uw/SHGCw**	**Details**
Group A	ATB-005-03 B	Double Clear	Aluminium	2.9/0.44	Awning (Lot 2)
Group B	ATB-006-03 B	Double Clear	Aluminium	2.9/0.51	Sliding, Fixed (Lot 2)
Group A	ALM-001-03 A	Single Low E	Aluminium	5.4/0.49	Awning elsewhere
Group B	ALM-002-03 A	Single Low E	Aluminium	5.4/0.58	Sliding, Fixed elsewhere

Skylights:	**Product ID**	**Glass**	**Type**	**Uw/SHGCw**	**Details**
	VEL-011-01 W	Double Fixed	Roof Light	2.6/0.24	As per plans

Other:	**Orientation**	**Terrain**	**Rangehood**	**Recessed Downlights**	**Software Version**
	348	Suburban	Ducted	Sealed LED - 1 per 5m²	HERO22

Notes: **1x1500mm ceiling fans to living rooms**
1x1200mm ceiling fans to all bedrooms

RECEIVED
Waverley Council

Receipt No: DA-628/2025

Date Received: 18/12/2025

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ISSUE	DATE	REVISION
A	27/11/2025	ISSUE FOR DA
C	16/12/2025	ADDITIONAL INFORMATION FOR SUBMISSION

PROJECT:
Semi-Detached Development
4-6 Ethel Street
Vaucluse NSW 2030

DRAWING:
BASIX COMMITMENTS

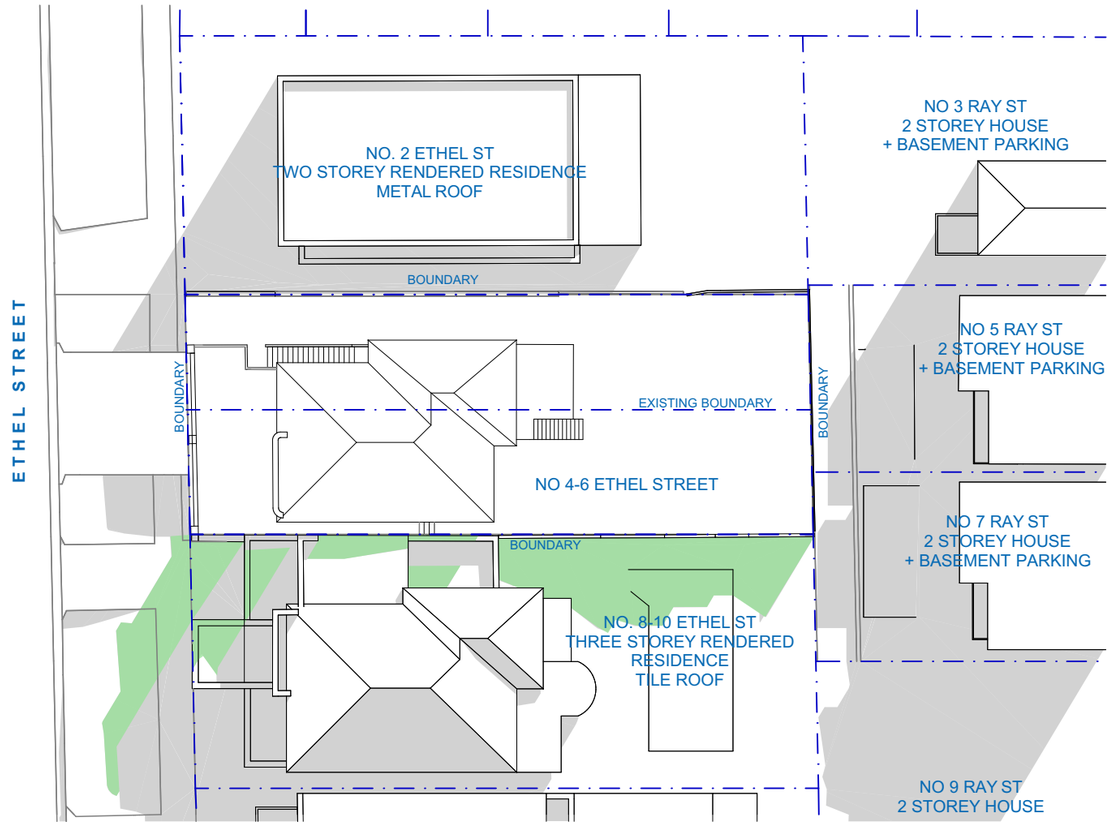
PROJECT NO: 24010
SCALE: @ A3
DRAWING NO: REV:
PLOTTED: 16/12/2025

DA9005C

RECEIVED
Waverley Council

Receipt No: DA-628/2025

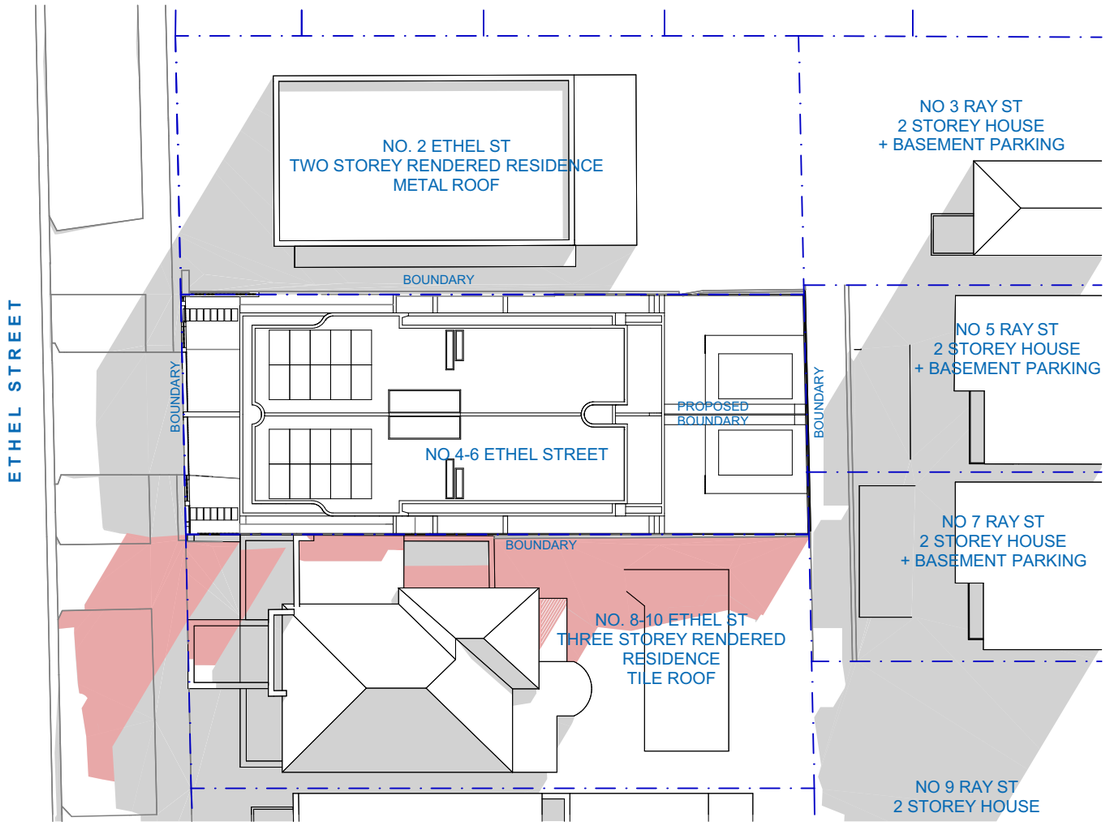
Date Received: 18/12/2025



1 EXISTING SHADOW PLAN VIEW
1:300

JUNE 21 @ 09:00 (EXISTING SHADOW)

JUNE 21 @ 9:00 (SHADOW CAST BY NEIGHBOURING PROPERTIES)



2 PROPOSED SHADOW PLAN VIEW
1:300

JUNE 21 @ 09:00 (PROPOSED SHADOW)

JUNE 21 @ 9:00 (SHADOW CAST BY NEIGHBOURING PROPERTIES)

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ABN 646 2000 7678

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ISSUE	DATE	REVISION
A	27/11/2025	ISSUE FOR DA
B	12/12/2025	ADDITIONAL INFORMATION FOR SUBMISSION
C	16/12/2025	ADDITIONAL INFORMATION FOR SUBMISSION

PROJECT:
Semi-Detached Development
4-6 Ethel Street
Vaucluse NSW 2030

DRAWING:
WINTER SOLSTICE PLAN
SHADOW DIAGRAMS

PROJECT NO: 24010

SCALE: 1:300 @ A3
DRAWING NO: REV:

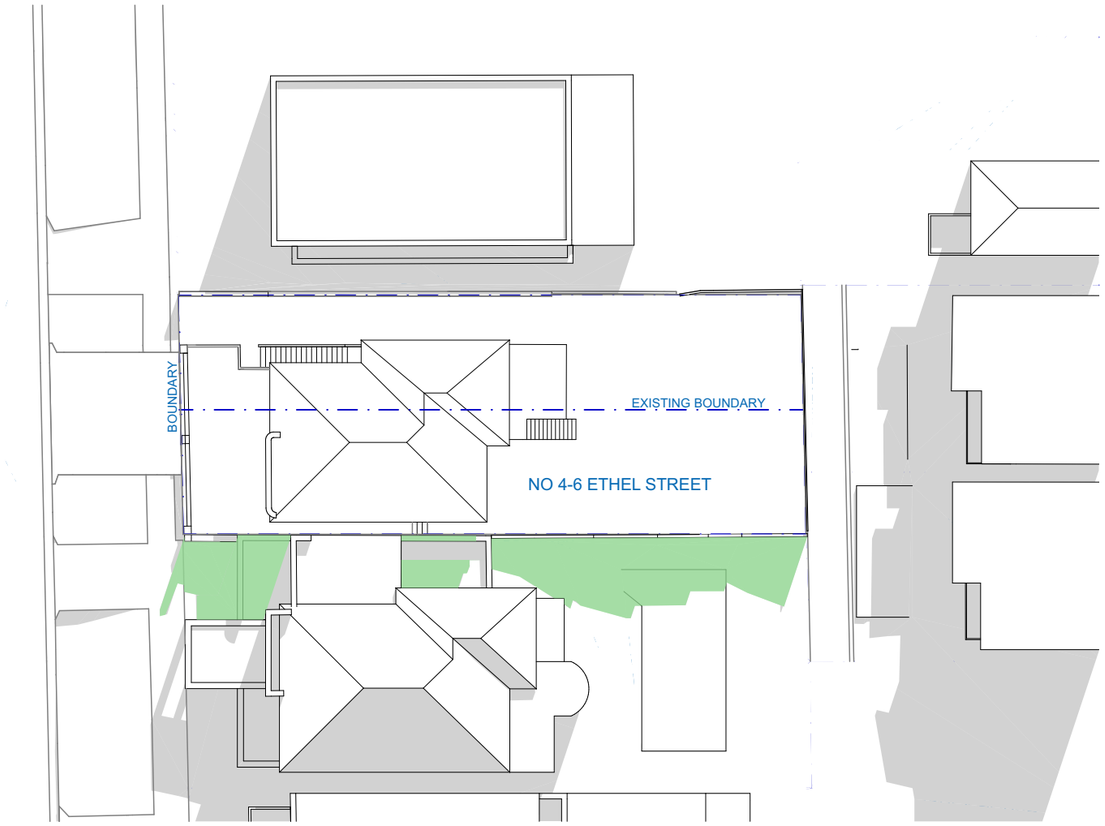
PLOTTED: 16/12/2025

DA9100C

RECEIVED
Waverley Council

Receipt No: DA-628/2025

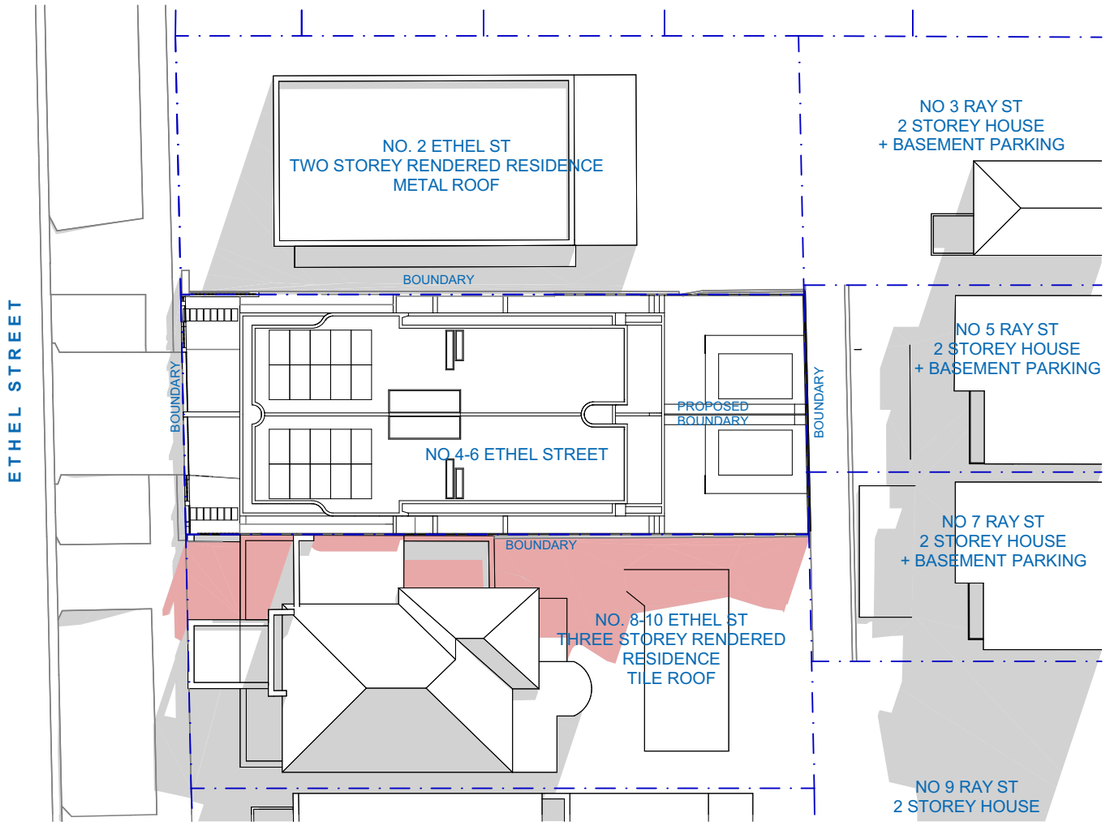
Date Received: 18/12/2025



1 EXISTING SHADOW PLAN VIEW
1:300

JUNE 21 @ 10:00 (EXISTING SHADOW)

JUNE 21 @ 10:00 (SHADOW CAST BY NEIGHBOURING PROPERTIES)



2 PROPOSED SHADOW PLAN VIEW
1:300

JUNE 21 @ 10:00 (PROPOSED SHADOW)

JUNE 21 @ 10:00 (SHADOW CAST BY NEIGHBOURING PROPERTIES)

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Semi-Detached Development
4-6 Ethel Street
Vaucluse NSW 2030

DRAWING:
WINTER SOLSTICE PLAN
SHADOW DIAGRAMS

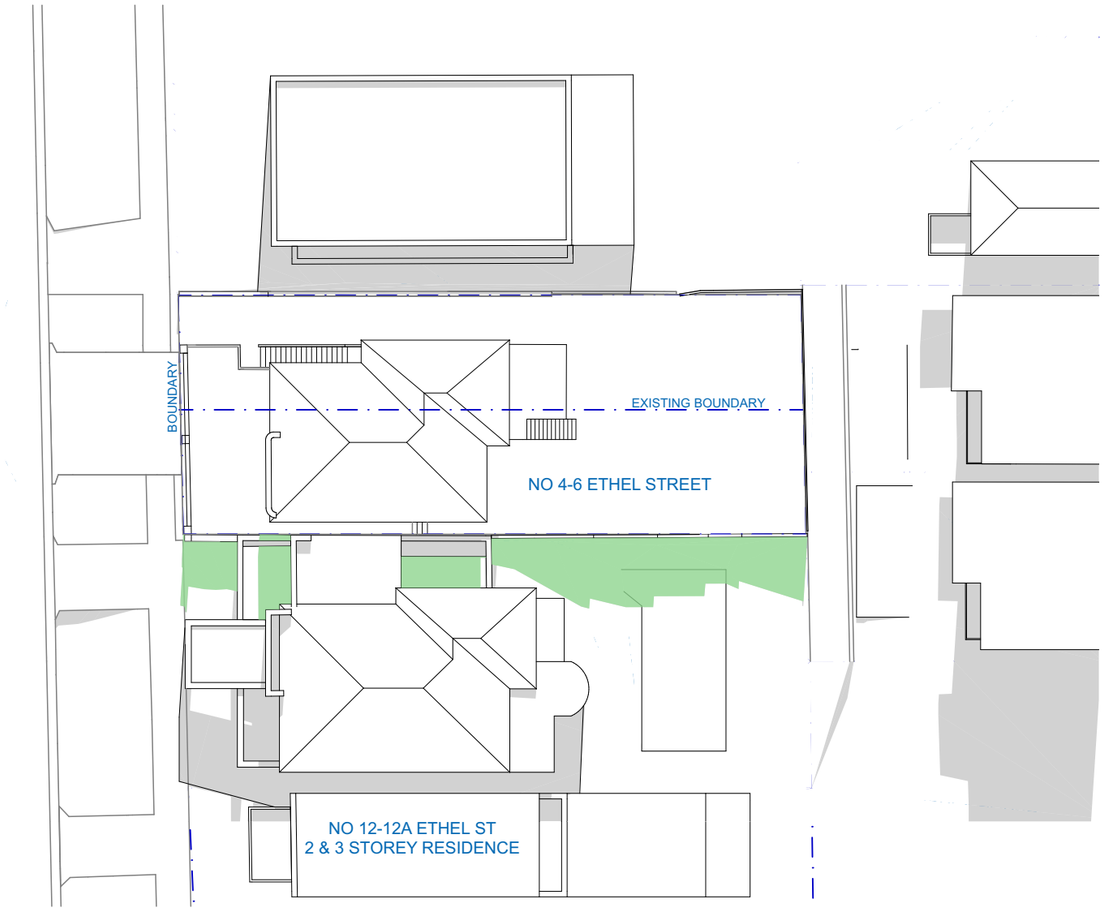
PROJECT NO: 24010
SCALE: 1:300 @ A3
DRAWING NO: REV:
PLOTTED: 16/12/2025

DA9101C

RECEIVED
Waverley Council

Receipt No: DA-628/2025

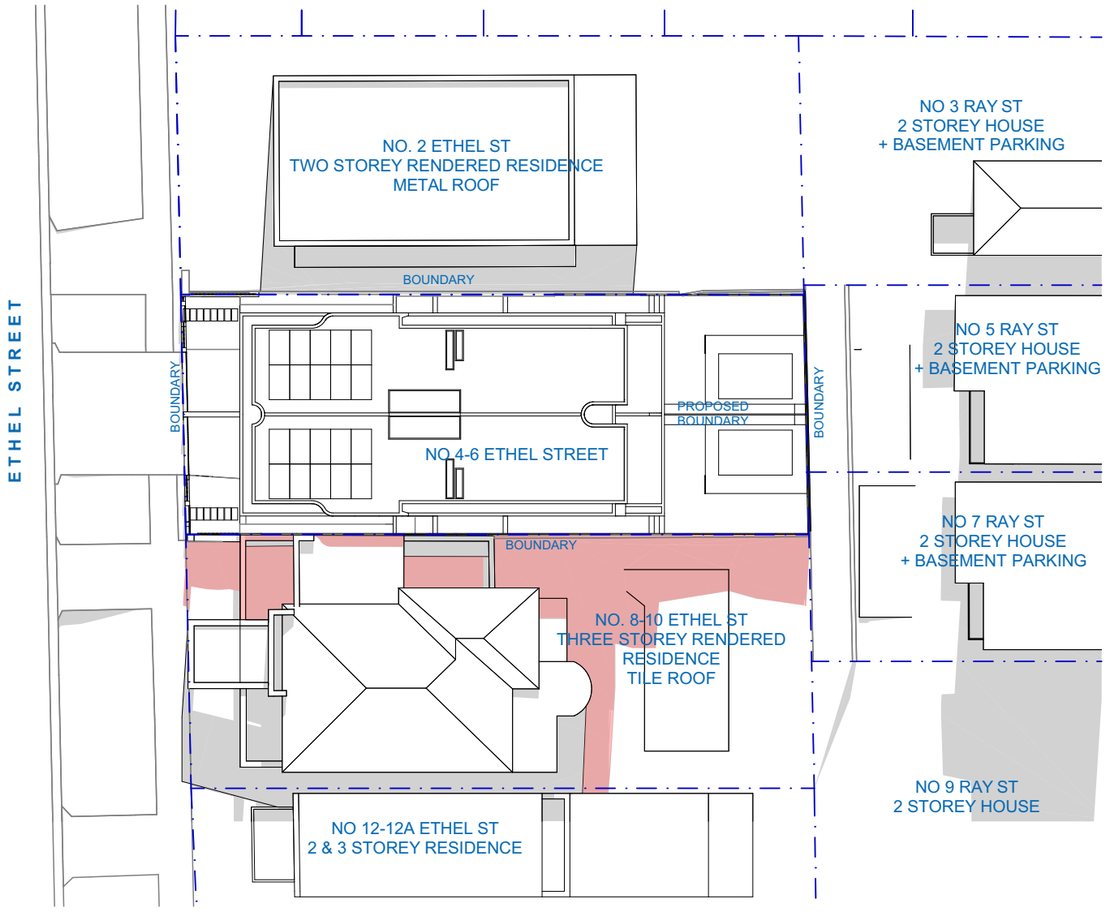
Date Received: 18/12/2025



1 EXISTING SHADOW PLAN VIEW
1:300

JUNE 21 @ 11:00 (EXISTING SHADOW)

JUNE 21 @ 11:00 (SHADOW CAST BY NEIGHBOURING PROPERTIES)



2 PROPOSED SHADOW PLAN VIEW
1:300

JUNE 21 @ 11:00 (PROPOSED SHADOW)

JUNE 21 @ 11:00 (SHADOW CAST BY NEIGHBOURING PROPERTIES)

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PROJECT:
Semi-Detached Development
4-6 Ethel Street
Vaucluse NSW 2030

DRAWING:
WINTER SOLSTICE PLAN SHADOW DIAGRAMS

PROJECT NO: 24010

SCALE: 1:300 @ A3
DRAWING NO: REV:

PLOTTED: 16/12/2025

DA9102C

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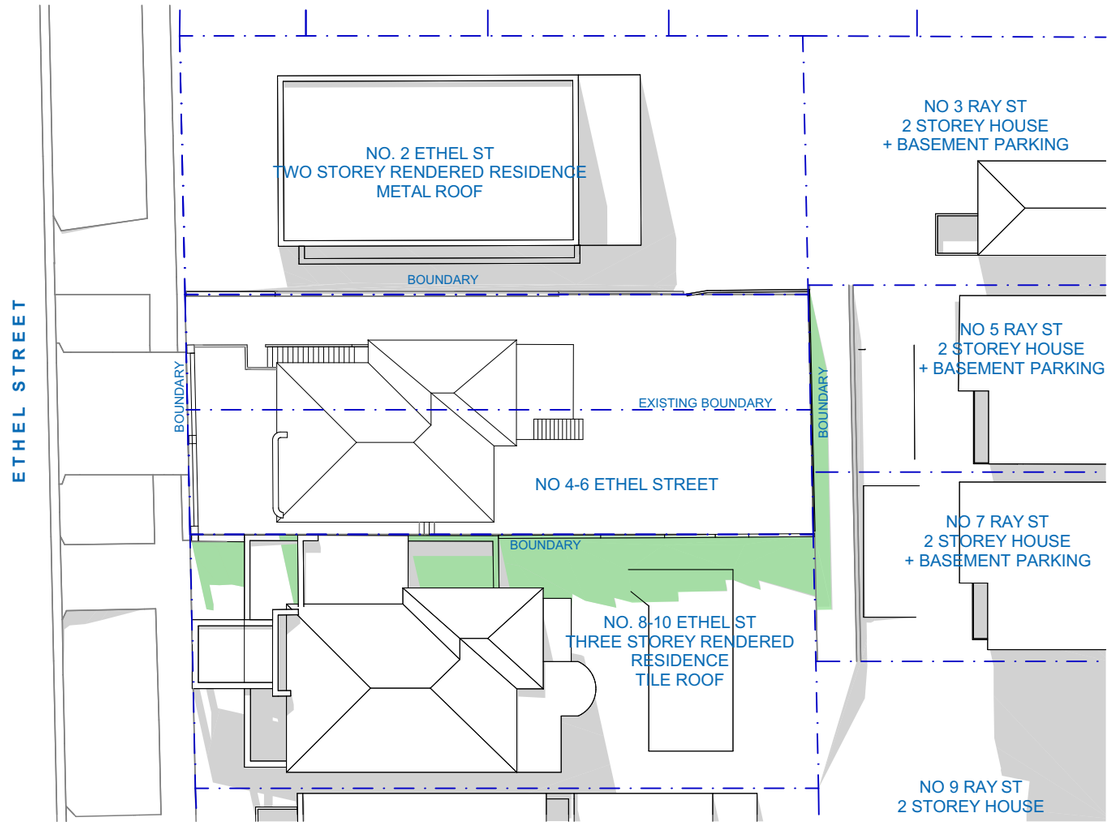
Waverley Council

Receipt No: DA-628/2025

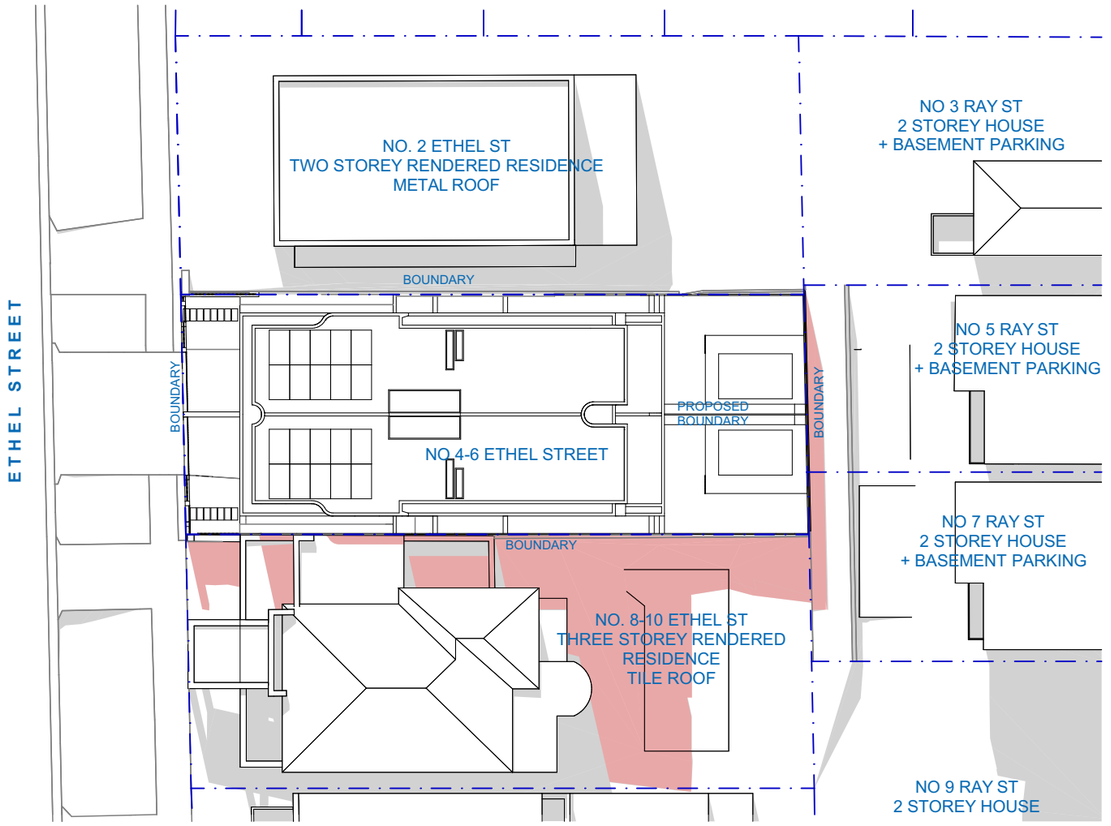
Date Received: 18/12/2025



1 EXISTING SHADOW PLAN VIEW
1:300

JUNE 21 @ 12:00 (EXISTING SHADOW)

JUNE 21 @ 12:00 (SHADOW CAST BY NEIGHBOURING PROPERTIES)



2 PROPOSED SHADOW PLAN VIEW
1:300

JUNE 21 @ 12:00 (PROPOSED SHADOW)

JUNE 21 @ 12:00 (SHADOW CAST BY NEIGHBOURING PROPERTIES)

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4-6 Ethel Street
Vaucluse NSW 2030

DRAWING:
WINTER SOLSTICE PLAN
SHADOW DIAGRAMS

PROJECT NO: 24010
SCALE: 1:300 @ A3
DRAWING NO: REV:
PLOTTED: 16/12/2025

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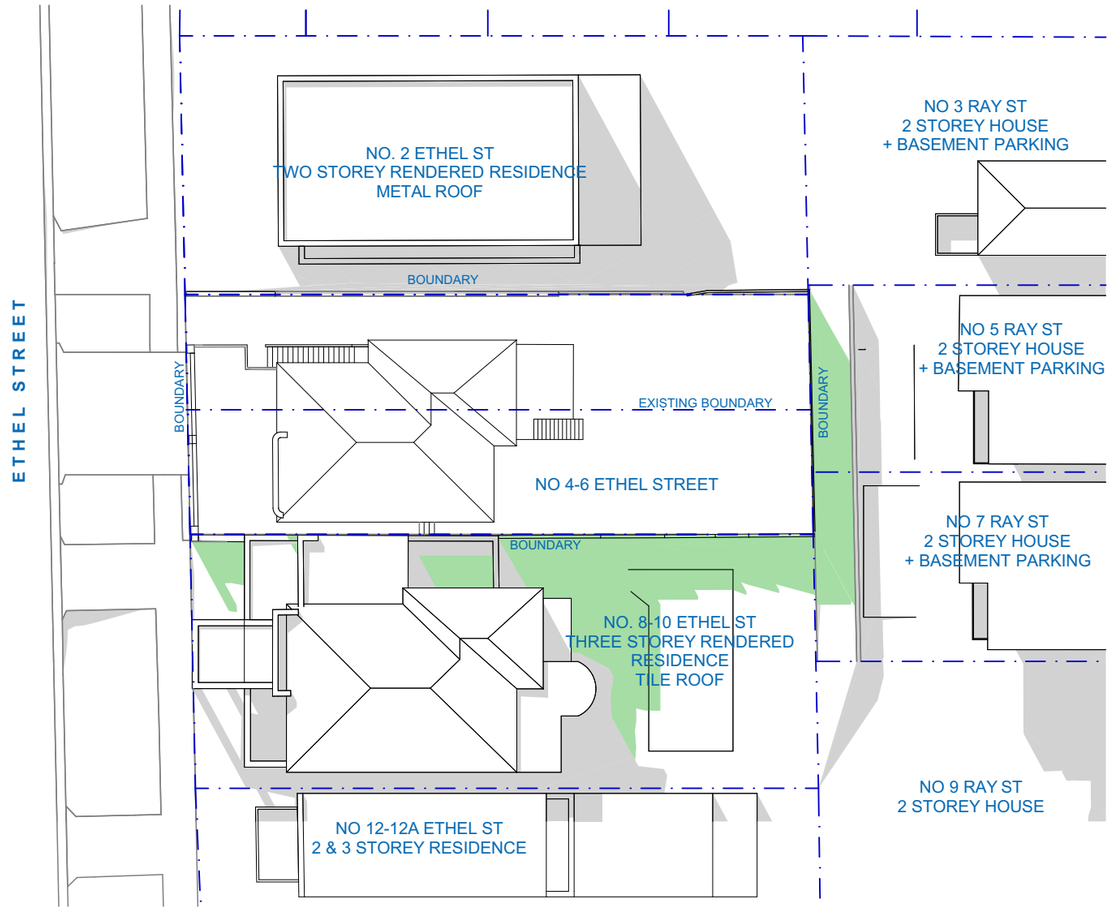
Receipt No: DA-628/2025

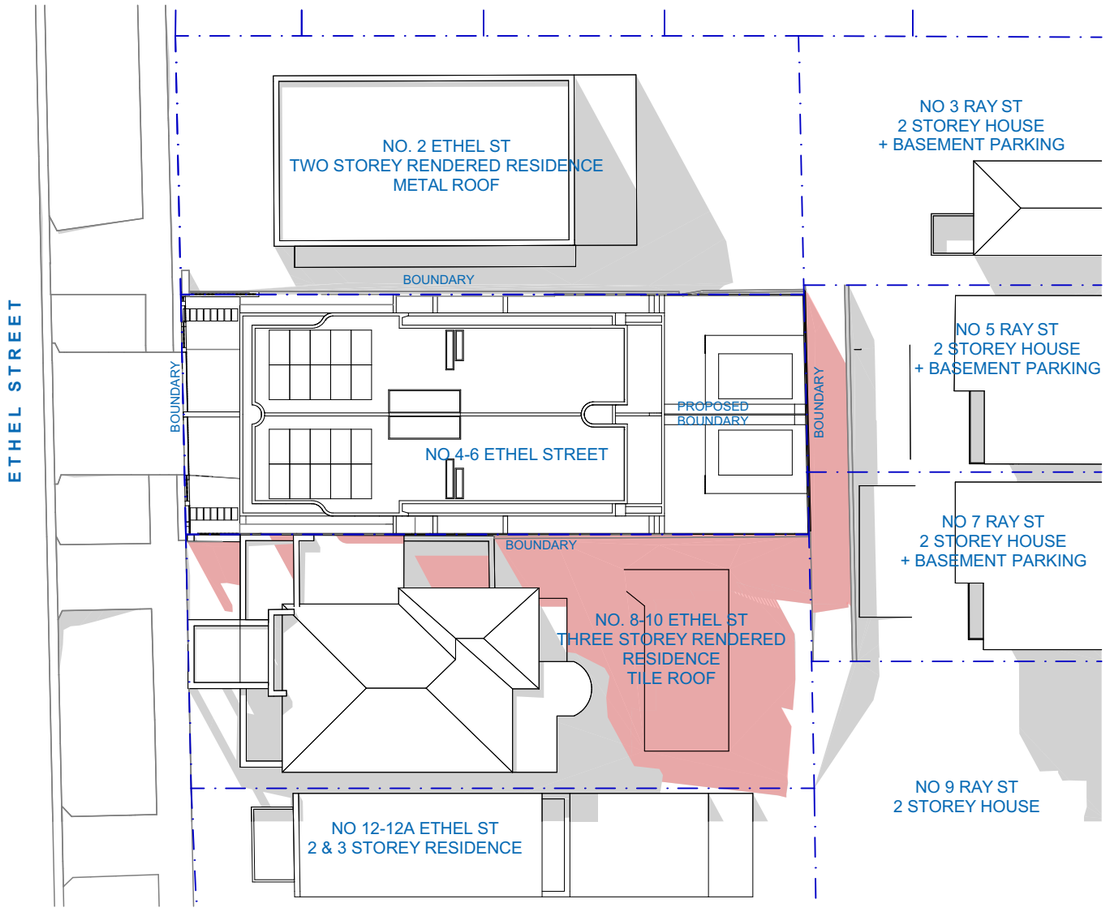
Date Received: 18/12/2025



1 EXISTING SHADOW PLAN VIEW
1:300

JUNE 21 @ 13:00 (EXISTING SHADOW)

JUNE 21 @ 13:00 (SHADOW CAST BY NEIGHBOURING PROPERTIES)



2 PROPOSED SHADOW PLAN VIEW
1:300

JUNE 21 @ 13:00 (PROPOSED SHADOW)

JUNE 21 @ 13:00 (SHADOW CAST BY NEIGHBOURING PROPERTIES)

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Vaucluse NSW 2030

DRAWING:
WINTER SOLSTICE PLAN
SHADOW DIAGRAMS

PROJECT NO: 24010

SCALE: 1:300 @ A3
DRAWING NO: REV:

PLOTTED: 16/12/2025

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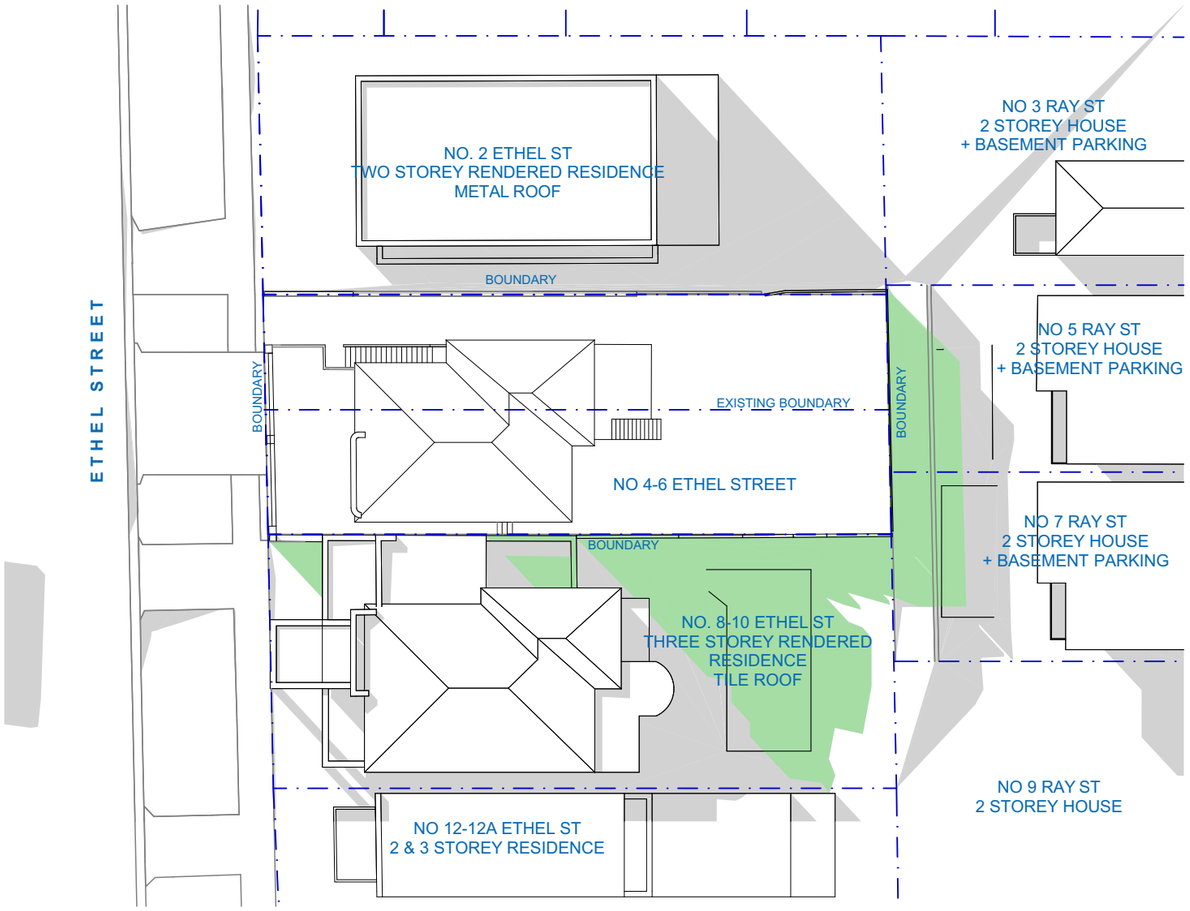
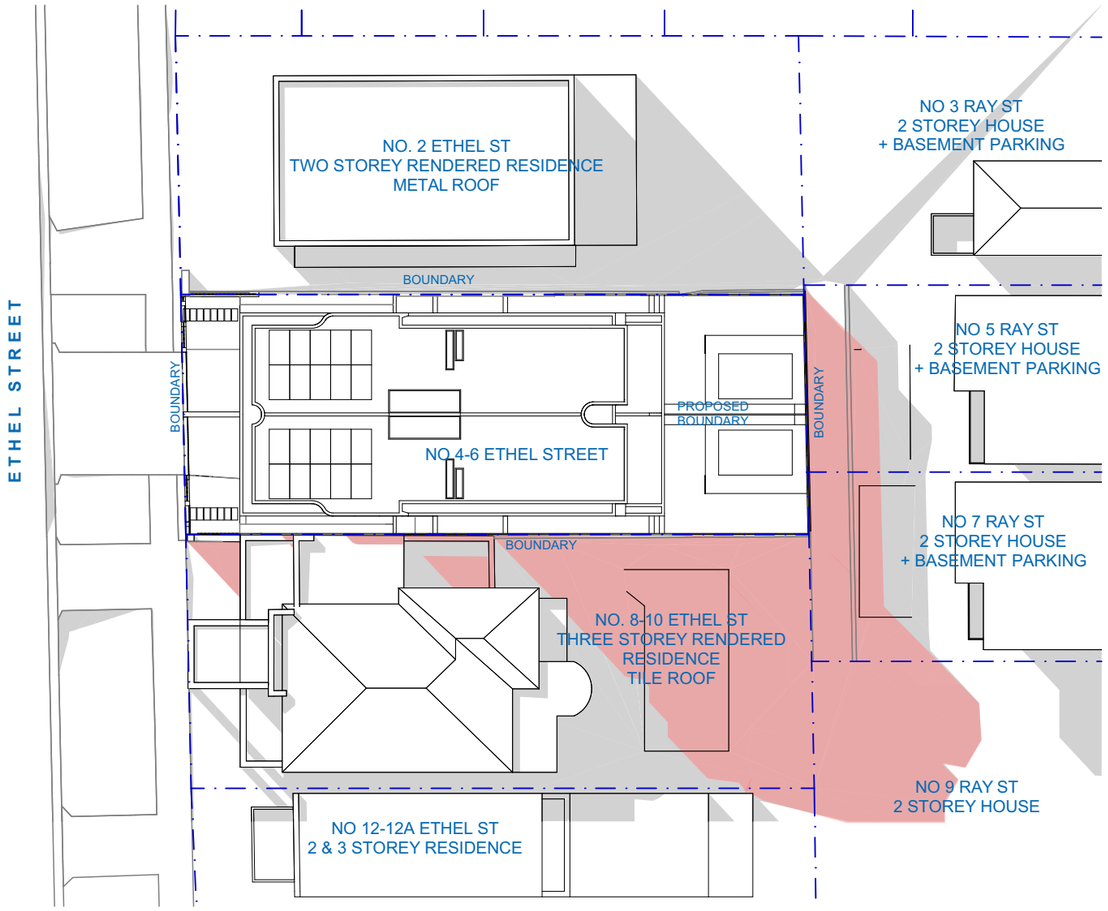


1 EXISTING SHADOW PLAN VIEW
1:300

JUNE 21 @ 14:00 (EXISTING SHADOW)

JUNE 21 @ 14:00 (SHADOW CAST BY NEIGHBOURING PROPERTIES)



2 PROPOSED SHADOW PLAN VIEW
1:300

JUNE 21 @ 14:00 (PROPOSED SHADOW)

JUNE 21 @ 14:00 (SHADOW CAST BY NEIGHBOURING PROPERTIES)

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Vaucluse NSW 2030

DRAWING:
WINTER SOLSTICE PLAN
SHADOW DIAGRAMS

PROJECT NO: 24010

SCALE: 1:300 @ A3
DRAWING NO: REV:
PLOTTED: 16/12/2025

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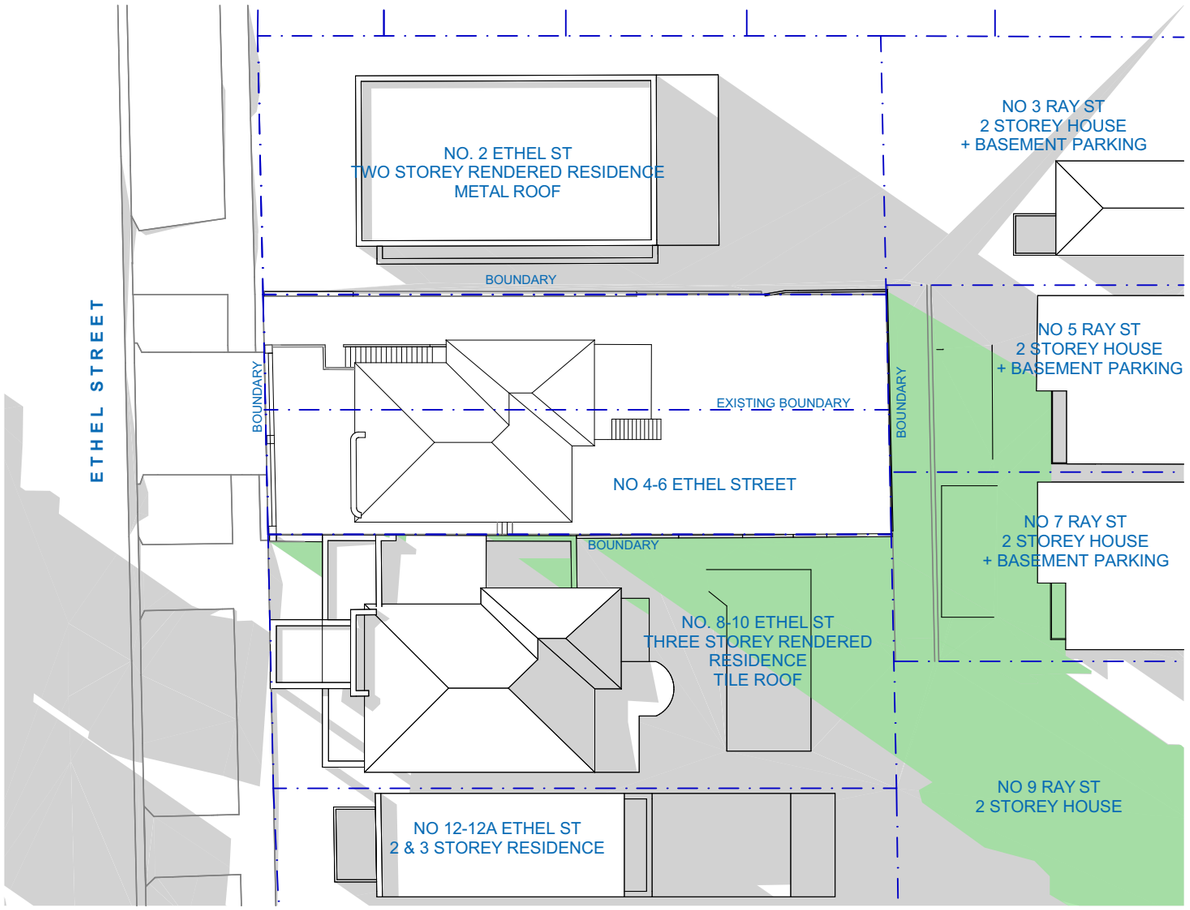
RECEIVED
Waverley Council

Receipt No: DA-628/2025

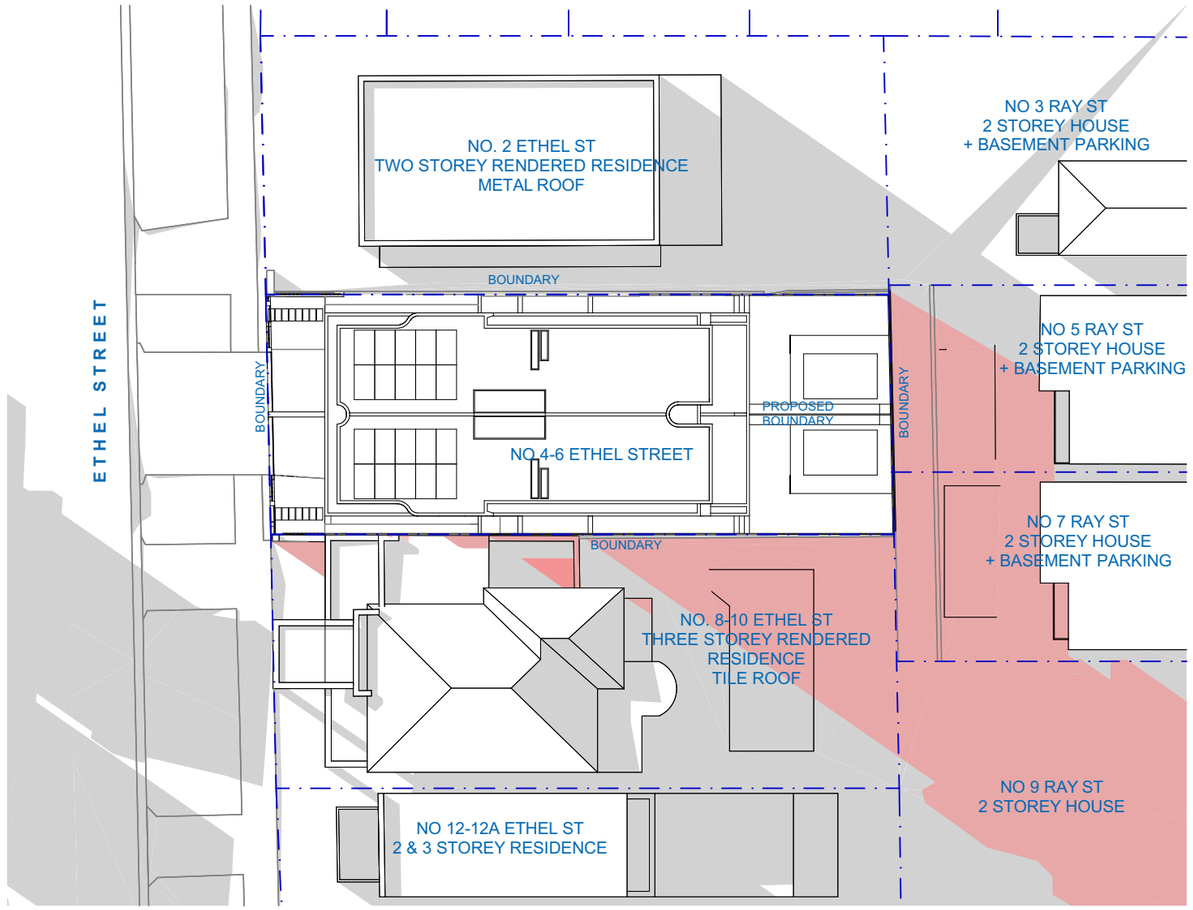
Date Received: 18/12/2025



1 EXISTING SHADOW PLAN VIEW
1:300

JUNE 21 @ 15:00 (EXISTING SHADOW)

JUNE 21 @ 15:00 (SHADOW CAST BY NEIGHBOURING PROPERTIES)



2 PROPOSED SHADOW PLAN VIEW
1:300

JUNE 21 @ 15:00 (PROPOSED SHADOW)

JUNE 21 @ 15:00 (SHADOW CAST BY NEIGHBOURING PROPERTIES)

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4-6 Ethel Street
Vaucluse NSW 2030

DRAWING:
WINTER SOLSTICE PLAN
SHADOW DIAGRAMS

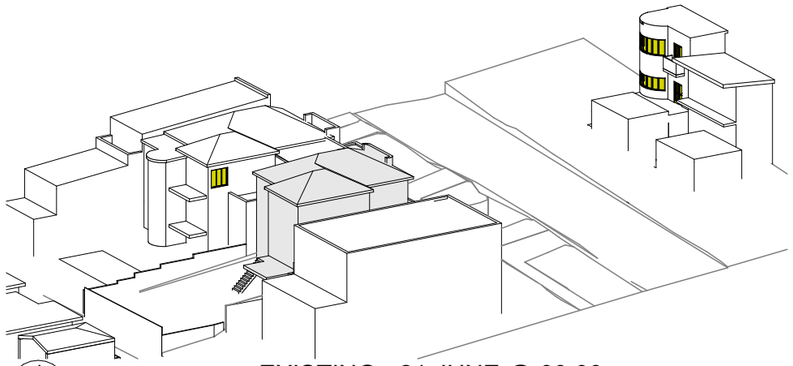
PROJECT NO: 24010

SCALE: 1:300 @ A3
DRAWING NO: REV:

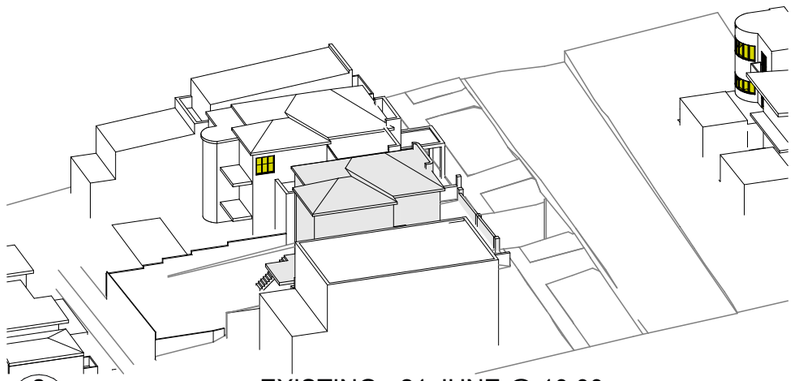
PLOTTED: 16/12/2025

DA9106C

SUN EYE VIEWS 9AM-3PM EXISTING



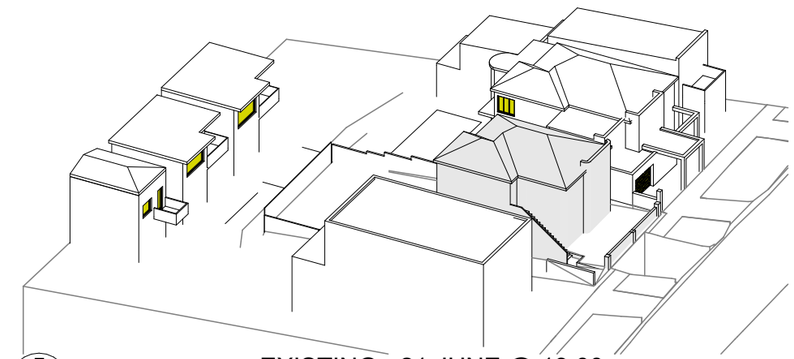
1 - EXISTING - 21 JUNE @ 09:00



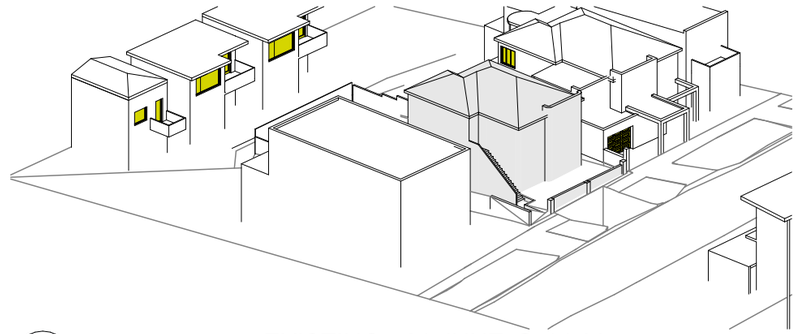
2 - EXISTING - 21 JUNE @ 10:00

3 - EXISTING - 21 JUNE @ 11:00

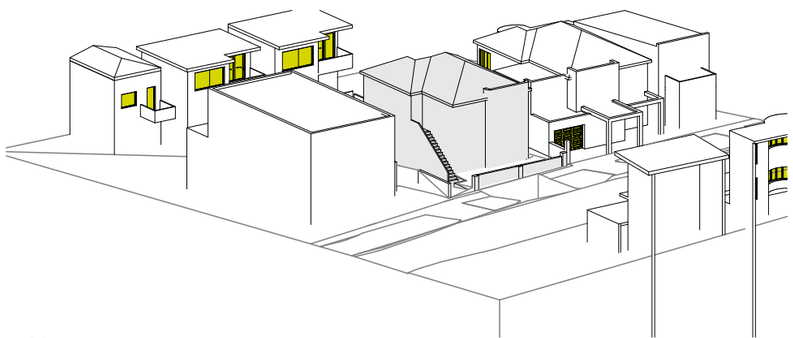
4 - EXISTING - 21 JUNE @ 12:00



5 - EXISTING - 21 JUNE @ 13:00



6 - EXISTING - 21 JUNE @ 14:00



7 - EXISTING - 21 JUNE @ 15:00

RECEIVED
Waverley Council

Receipt No: DA-628/2025

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ISSUE	DATE	REVISION
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GLAZING RECEIVING SOLAR ACCESS

EXISTING BUILDING (SUBJECT SITE)

PROJECT:
Semi-Detached Development
4-6 Ethel Street
Vaucluse NSW 2030

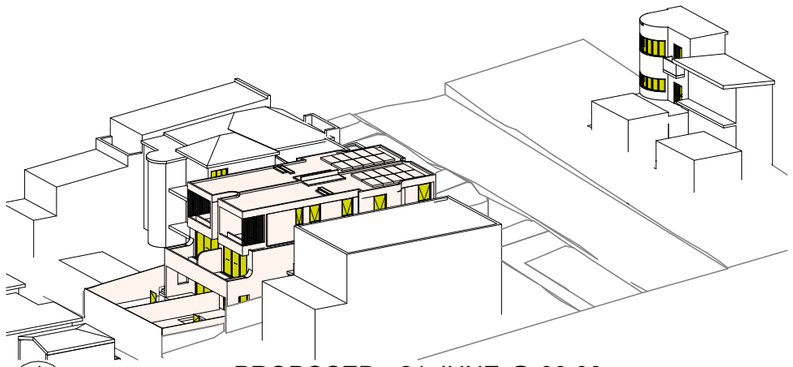
DRAWING:
SUN EYE VIEWS 9AM-3PM EXISTING

PROJECT NO: 24010

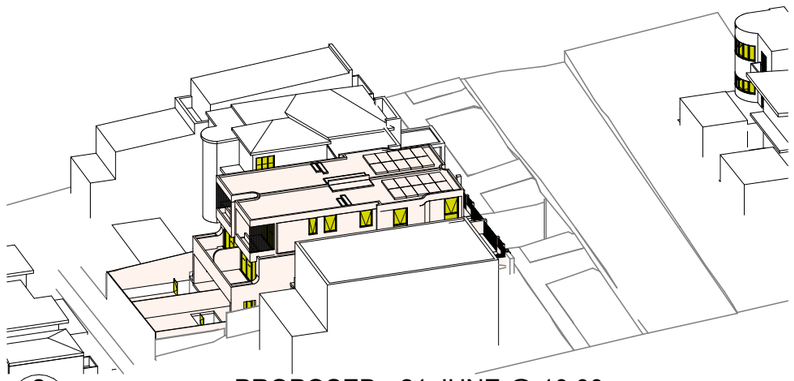
SCALE: @ A3
DRAWING NO: REV:
PLOTTED: 16/12/2025

DA921 C

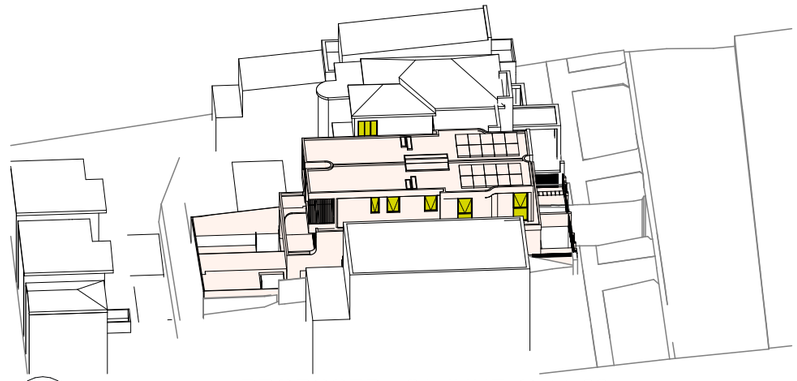
SUN EYE VIEWS 9AM-3PM PROPOSED



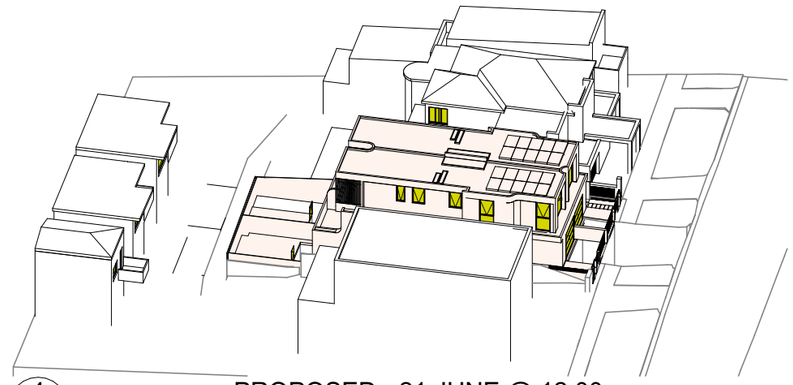
1 - PROPOSED - 21 JUNE @ 09:00



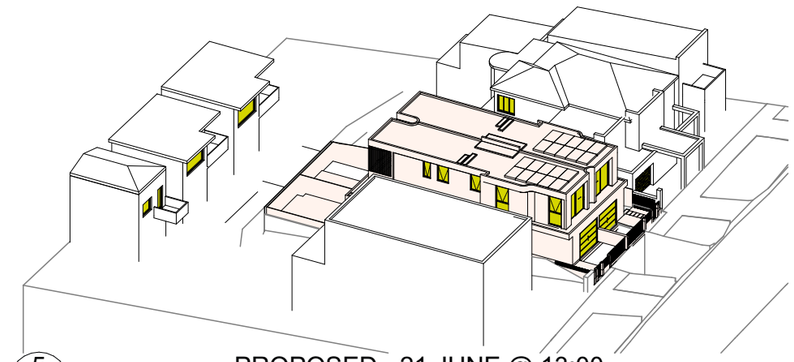
2 - PROPOSED - 21 JUNE @ 10:00



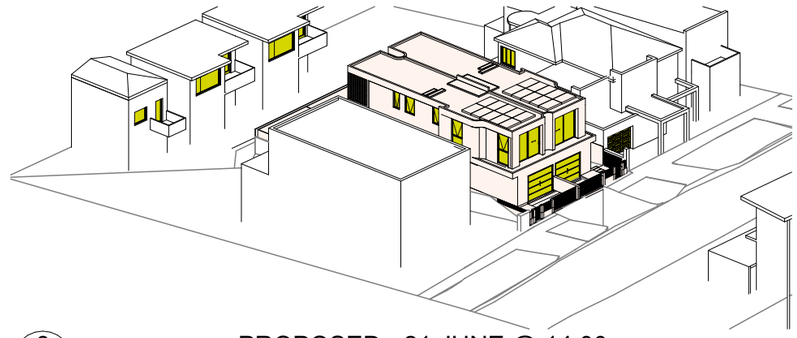
3 - PROPOSED - 21 JUNE @ 11:00



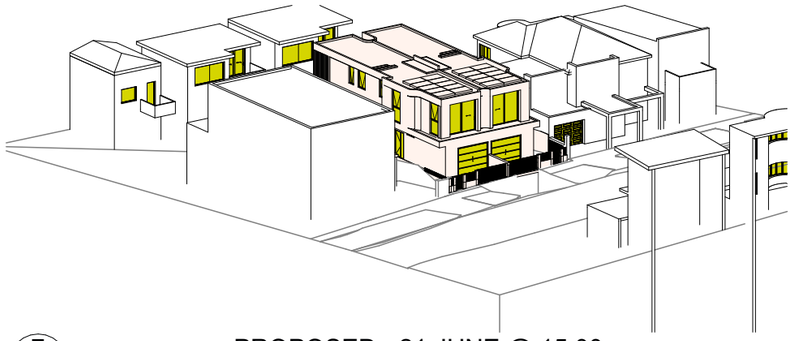
4 - PROPOSED - 21 JUNE @ 12:00



5 - PROPOSED - 21 JUNE @ 13:00



6 - PROPOSED - 21 JUNE @ 14:00



7 - PROPOSED - 21 JUNE @ 15:00

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4-6 Ethel Street
Vaucluse NSW 2030

DRAWING:
SUN EYE VIEWS 9AM-3PM PROPOSED

PROJECT NO: 24010

SCALE: @ A3
DRAWING NO: REV:
PLOTTED: 16/12/2025

DA922 C

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Receipt No: DA-628/2025

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PROJECT:
Semi-Detached Development
4-6 Ethel Street
Vaucluse NSW 2030

DRAWING:
PHOTOMONTAGE

PROJECT NO: 24010

SCALE: @ A3
DRAWING NO: REV:
PLOTTED: 16/12/2025

DA9300C

EXISTING VIEW FROM ETHEL STREET

PROPOSED VIEW FROM ETHEL STREET

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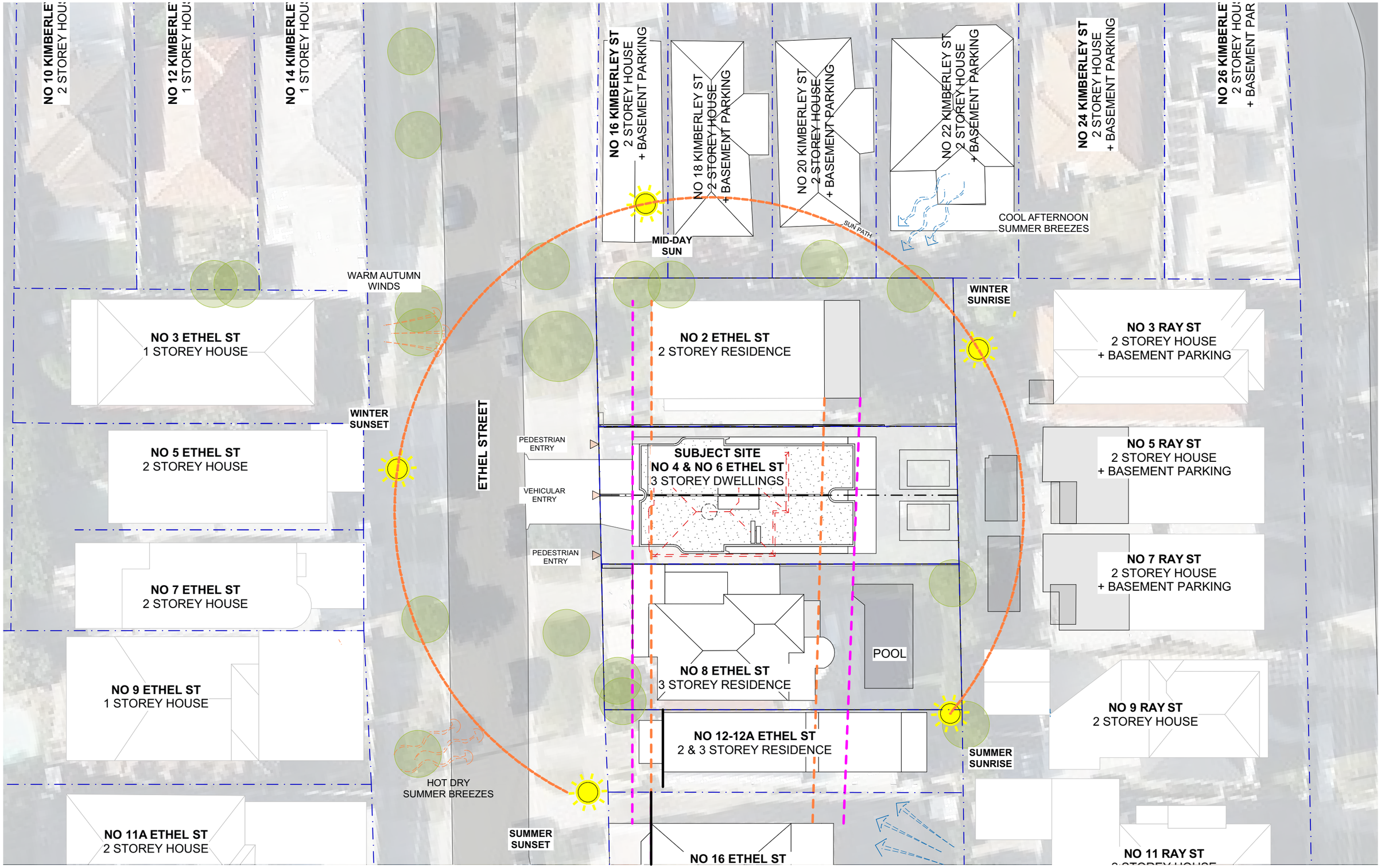
DRAWING:
PHOTOMONTAGE (EXISTING VS PROPOSED)

PROJECT NO: 24010
SCALE: @ A3
DRAWING NO: REV:
PLOTTED: 16/12/2025

DA9301C



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ISSUE	DATE	REVISION
A	27/11/2025	ISSUE FOR DA
C	16/12/2025	ADDITIONAL INFORMATION FOR SUBMISSION

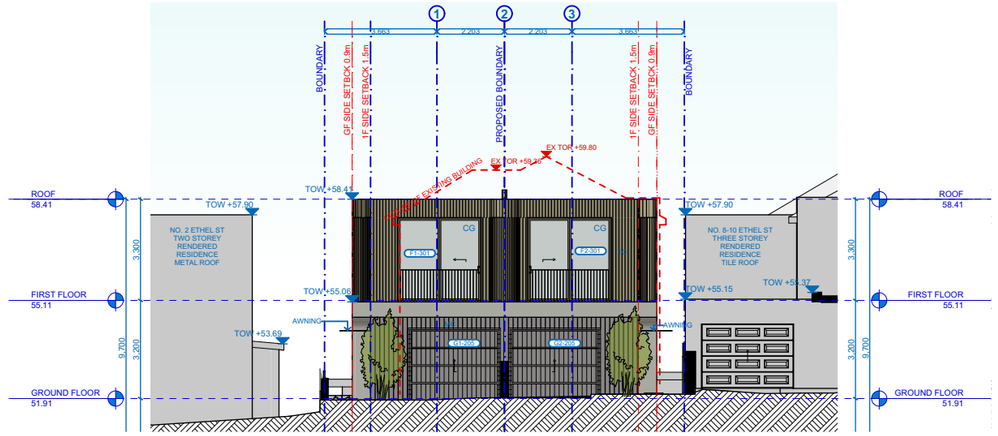
RECEIVED
Waverley Council
Receipt No: DA-628/2025
Date Received: 18/12/2025

PROJECT:
Semi-Detached Development
4-6 Ethel Street
Vaucluse NSW 2030

DRAWING:
NOTIFICATION PLAN

PROJECT NO: 24010
SCALE: 1:300 @ A3
DRAWING NO: REV:
PLOTTED: 16/12/2025

DA9400C



WEST (ETHEL STREET) ELEVATION
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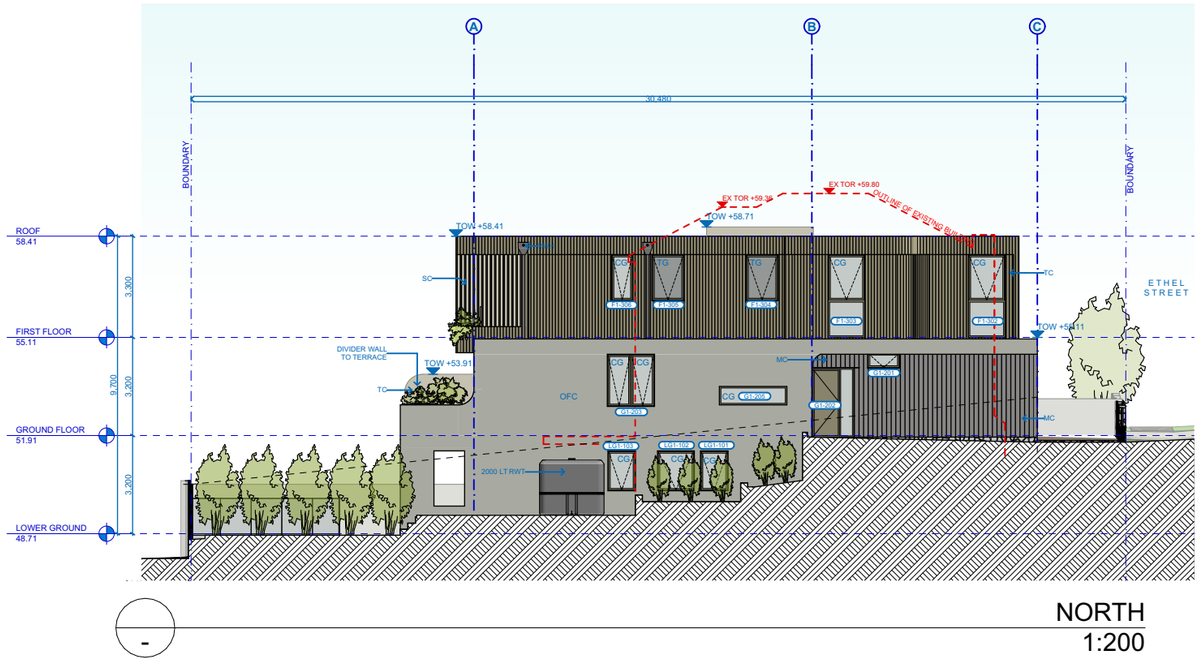

NORTH
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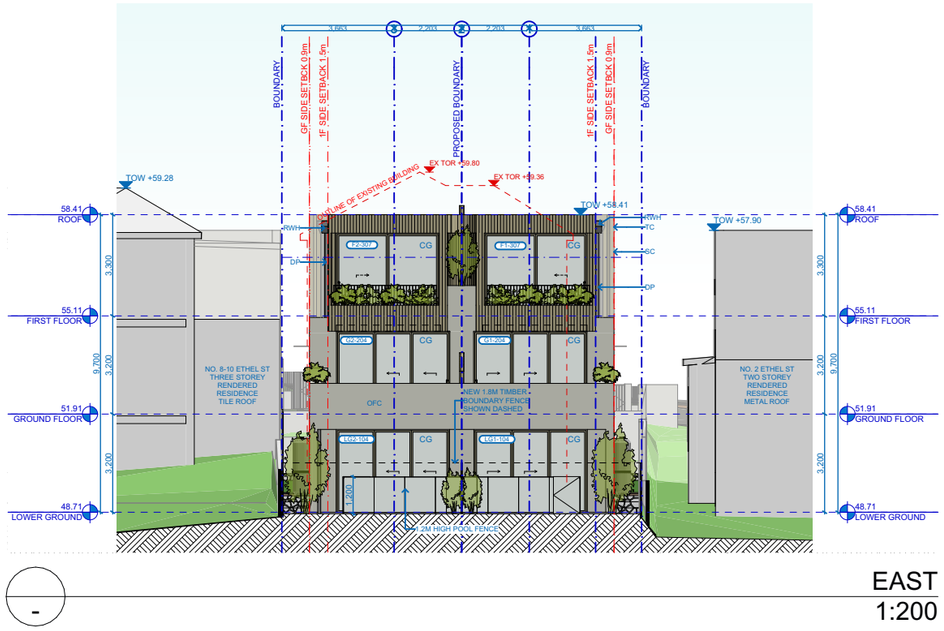
RECEIVED
Waverley Council

Receipt No: DA-628/2025

Date Received: 18/12/2025



EAST
1:200

SOUTH
1:200

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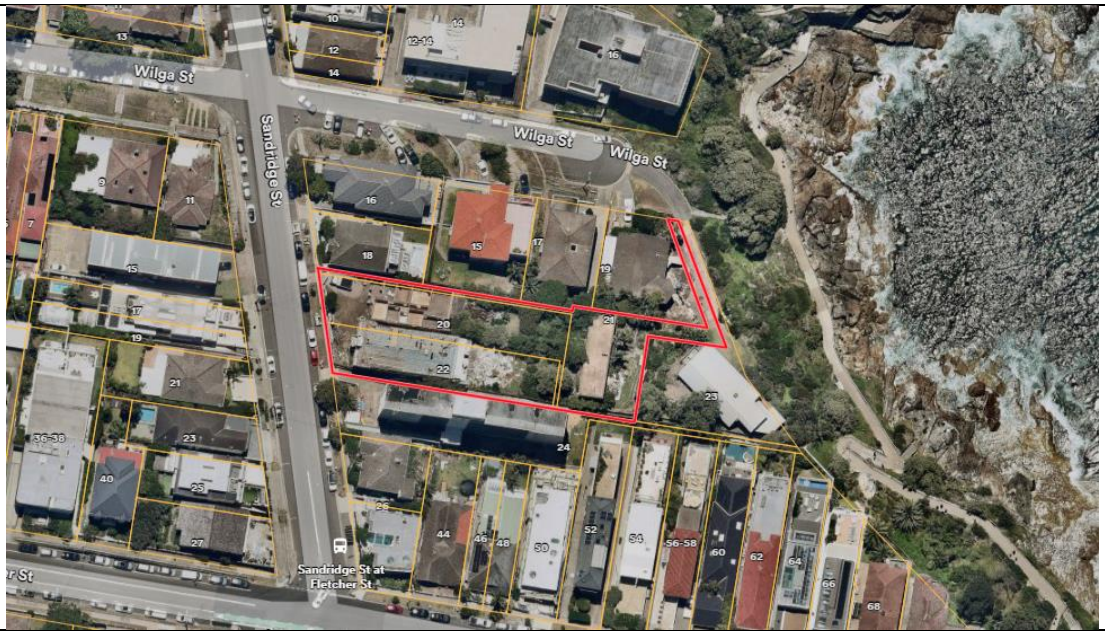
PLOTTED: 16/12/2025

DA9401C

Report to the Waverley Local Planning Panel

Application number	DA-69/2024/B
Site address	20 - 22 Sandridge Street and 21 Wilga Street, Bondi
Proposal	Section 4.56 modification application for internal and external changes, increase in height of residential flat building, additional excavation for levelling and structural shoring wall, changes to facades, landscaping, reconfiguration of private open spaces and various other changes.
Description of Approved Development	Torrens Title subdivision of existing three lots, demolition of existing buildings and construction of a pair of semi-detached dwellings with basement parking at Nos. 20-22 Sandridge Street and a residential flat building at No. 21 Wilga Street
Date of lodgement	28 August 2025
Owner	Mr W Decker, Mrs I Decker, and Proprietors of Strata Plan 11010
Applicant	The Trustee For Ce Bondi Beach Trust
Submissions	20 unique submissions (objections) from 15 properties
Amended cost of works	$ 11,709,533 (an increase of $961,572)
Principal Issues	• Exceedance of floor space ratio development standard, and • View impacts
Recommendation	That the application be **APPROVED** in accordance with the conditions contained in the report.
SITE MAP	



1. PREAMBLE

1.1. Executive Summary

The modification application seeks to modify development consent, known as DA-69/2024 at the site known as 20 - 22 Sandridge Street and 21 Wilga Street, Bondi. In summary, the proposed modifications are for internal and external changes, increase in height of residential flat building, additional excavation for levelling and structural shoring wall, changes to facades, landscaping, reconfiguration of private open spaces.

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

- Exceedance of floor space ratio development standard, and
- View impacts associated with increased height of the residential flat building.

The assessment finds the exceedance of the floor space ratio development standard to be acceptable as it is primarily associated with internal reconfiguration, does not result in an increase in the height, bulk or scale of the buildings and as it does not result in any environmental planning impacts including amenity or streetscape impacts.

The assessment finds the view impacts associated with the height increases to be acceptable as the height and scale of the proposal is lesser than that permitted by the built-form development standards, as the proposal has been skilfully designed to minimise impacts and as the affected views are difficult to retain as they are obtained over side boundaries.

A total number of twenty submissions were received from fifteen properties, and the issues raised in the submissions have been considered and addressed in this report and in the recommendation.

The application has been assessed against the relevant matters for consideration under section 4.56 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 2 May 2024 as part of the assessment of the original application and on 12 March 2026 during the assessment of this modification application.

The site consists of three lots identified as:

a) Lot A in DP 316145, known as 20 Sandridge Street, Bondi,
b) SP 11010, known as 22 Sandridge Street, Bondi, and
c) Lot A in DP 398698, known as 221 Wilga Street, Bondi.

The site is irregular in shape with a total area of 2,047.8m^2. The area of each lot is as follows:

a) 718.5m^2 at 20 Sandridge Street,
b) 653.8m^2 at 22 Sandridge Street, and
c) 675.5m^2 at 21 Wilga Street.

The site is irregular in shape with a frontage of 25.16m to the east side of Sandridge Street and a frontage of 2.06m to the south side of Wilga Street. The site falls steeply from west to east by approximately 19m.

Each of the individual lots are described in detail below. The buildings previously on the site have now been demolished.

- 20 Sandridge Street contained a part single-storey part two-storey boarding house with a single-space garage within the front setback accessed from Sandridge Street. The boarding house had six rooms. The site has a 12.1m frontage to the east side of Sandridge Street.

- 22 Sandridge Street contained a part two- storey part three-storey residential flat building containing four units, with no vehicle access. The site has a 12.1m frontage to the east side of Sandridge Street.

- 21 Wilga Street contained a two storey dwelling house. The site has a 960mm frontage to the east side of Sandridge Street and a 2.06m frontage to the south side of Wilga Street. The narrow frontage to Sandridge Street provides a pedestrian access handle to Sandridge Street from the main part of the site. The frontage to Wilga Street provides a vehicle access handle to Sandridge Street from the main part of the site in combination with right of carriageway over an adjacent access handle at 23 Wilga Street. 23 Wilga Street benefits from a mutual right of carriageway easement over the vehicle access handle at 21 Wilga Street.

The area is generally characterised by a mix of low and medium density residential development.

Figures 1 to **3** are photos of the site and its context.

Figure 1: Site viewed from Sandridge Street, looking east

Figure 2: Site viewed from Wilga Street, looking south. The western (right) side of the driveway is part of the subject site at 21 Wilga Street and the eastern (left) side of the driveway is part of the adjacent site at 23 Wilga Street

Figure 3: View of demolished building at 21 Wilga Street looking west. The neighbouring residential flat building at 24 Sandridge Street is visible at the left of the photo.

1.3. Details of Approved Development

The original development application, known as DA-69/2024 was approved by the Land and Environment Court of NSW (CE Bondi Beach Pty Ltd v Waverley Council LEC No. 2024/00165008) on 23 May 2025.

The application approved the Torrens Title subdivision of existing three lots, demolition of existing buildings and construction of a pair of semi-detached dwellings with basement parking at Nos. 20-22 Sandridge Street and a residential flat building at No. 21 Wilga Street.

Modification applications DA-69/2024/A and DA-69/2024/C were returned to the applicant, and therefore were not determined.

Modification application DA-69/2024/D, for minor changes to the wording of a condition of consent regarding the issuance of a construction certificate prior to demolition works was approved on 9 October 2025.

In addition to the list of approval documents under Condition 1 of the development consent, the following condition of consent is relevant to the current application:

44.	LANDSCAPE PLAN SUBMISSION
	An amended Landscape Plan shall be submitted to Council to reflect the replacement of the three (3) Araucaria columnaris (Cook Pine) with three (3) new trees to address potential view loss issues for residents on the western side of Sandridge Street. The trees shall be selected from Council's Development Control Plan 2022, Annexure B3-1 - Planting List.
	Condition reason: To reflect replacement trees to compensate for canopy loss.

1.4. Proposal

The modification application has been submitted under section 4.56 of the *Environmental Planning and Assessment Act 1979*, and it seeks consent for the following modifications to the approved development:

Modifications to approved semi-detached dwellings

Lower ground floor level 1

- Internal reconfiguration to accommodate plant rooms and laundry rooms,
- Addition of on-site detention water storage tank, and
- Addition of shoring wall to the south of the building.

Ground floor level

- Reduction in setback of glazing line from the rear boundary, deletion of central entrance courtyards and deletion of side boundary setbacks between the rear wings of the approved dwellings, resulting in an increase in gross floor area,
- Relocation of pedestrian entrance of southern dwelling, to front elevation,
- Reduction in size of ground floor front terraces,
- Partial replacement of privacy screens surrounding the ground floor rear terrace of the southern dwelling with blade walls,
- Deletion of stairs and path between approved semi-detached dwellings and approved residential flat building, and
- Replacement of approved spas with proposed swimming pools.

Level 1

- Reduction in setback of glazing line from the rear boundary, deletion of central courtyard voids and deletion of side boundary setbacks between the rear wings of the approved dwellings, resulting in an increase in gross floor area,
- Partial replacement of privacy screens surrounding the first floor rear balcony of the southern dwelling with blade walls,
- Reduction in size of first floor front balconies,
- Alterations to facades and fenestration, and

- Reduction in size of front and rear balconies.

Roof

- Minor modifications to roof including modifications to skylights and roof footprint.

<u>Modifications to approved residential flat building</u>

Modifications affecting multiple levels / external:

- Increase in floor-to-floor heights from 3.1m to 3.415m on the Lower Ground 2 and 1 Levels, from 3.1m to 3.49m on the Ground Floor Level, and from 3.1m to 3.195m on the First Floor Level. The changes to floor-to-floor heights result in an increase in roof height of 285mm and a decrease in the finished floor level of Lower Ground 2 by 830mm. The applicant has provided technical justification for the increase in floor-to-floor heights, relating to increased slab thickness for structural reasons and to enable pipes to be cast within slabs, the need for balcony set downs and waterproofing requirements, and clearances required for the car lift. Detailed section drawings have been provided showing a floor-to-ceiling height of 2.7m will be provided.
- Increase in footprint of car lift.
- Alterations to window locations and façade treatment.
- Replacement of previously proposed Cook Pine Trees with *Livistona australis* (Cabbage Tree Palm) trees in accordance with Condition 44.

Basement level:

- Lowering of finished floor level by 860mm and associated additional excavation,
- Increase in footprint of basement and associated decrease in setback from rear boundary from 8.7m to 6m,
- Addition of on-site detention water storage tank set back 2.4m from rear boundary, and
- Internal reconfiguration including increase in footprint of car lift, additional plant rooms, relocation of bicycle storage from Lower Ground Level 2.

Lower ground floor level 2:

- Lowering of the finished floor level by 830mm,
- Internal reconfiguration resulting in an increase in gross floor area including deletion of plant and bicycle storage and reallocation of space to residential floor space,
- Replacement of full-height privacy screening to rear terraces with solid walls, and
- Relocation of swimming pools within rear setback and associated changes to landscaping.

Lower ground floor level 1

- Lowering of the finished floor level,
- Re-alignment of rear glazing line resulting in an increase in gross floor area,

- Internal reconfiguration resulting in an increase in gross floor area including deletion of plant rooms, and reallocation of space to residential floor space including provision of additional "multi-purpose rooms" and large storage room,
- Deletion of spa on rear balcony, and
- Replacement of full-height privacy screening to rear terraces with solid walls.

Ground floor

- Lowering of the finished floor level by 200mm,
- Increase in rear balcony awning height by 100mm,
- Reconfiguration resulting in an increase in gross floor area including deletion of plant and semi-enclosed communal space and reallocation of space to residential floor space,
- Introduction of fire pump room, and
- Deletion of spa on rear balcony and alterations to the form of the balcony awning.

Level 1

- Increase in finished floor level by 190mm,
- Increase in rear balcony awning height by 200mm,
- Increase in gross floor area associated within deletion of voids,
- Internal reconfiguration,
- Alterations to form of the rear balcony awning, and
- Deletion of planting on structures to the rear of the balcony.

Roof

- Reconfiguration of roof and rooftop plant equipment and skylights, including increase in the height of the lift overrun by 310mm, and
- Increase in the parapet level by 285mm.

<u>Modifications to conditions of consent</u>

- Conditions 95 and 96 regarding approved maximum gross floor area and building height are proposed to be modified to reflect the modified design of the development. Existing condition 95 currently contains a typographical error which incorrectly over-states the approved gross floor area, this error is to be corrected as part of this application.

1.5. Background

The modification application was lodged on 28 August 2025.

Council made a request for amended and additional information to address the following issues on 27 November 2026:

1. The gross floor area and floor space ratio must be correctly calculated based on *Waverley Local Environmental Plan 2012* clause 4.4.
2. The Statement of Environmental Effects refers to an offer to enter into a planning agreement which has not been received.
3. A detailed justification for the proposed floor-to-floor height must be provided, and amendments to reduce floor-to-floor heights must be investigated.
4. Amendments must be made to ensure there are no additional view impacts on neighbours.
5. View impact analysis for all relevant properties previously considered as part of the original application must be provided.
6. The subterranean nature of the lower level rooms must be minimised.
7. Further information regarding the proposed layout and use of plant rooms must be provided.

Amended plans and documentation were received between 28 January and 2 February 2026. A full consolidated set of plans alongside and updated view impact analysis was received on 11 March 2026. The amended plans and documentation form the basis of this assessment.

2. ASSESSMENT

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

2.1. Section 4.56 – Modification by consent authorities of consents granted by the Court

The application is made under section 4.56 of the Act as the original consent was granted by the Court. 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 twenty submissions were received. Reasonable attempts have been made to notify each person who made a submission in respect to the relevant development application of the proposed modification. The issues and matters raised in public submissions are discussed in section 2.3.4 of this report.

The reasons given by the Court 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 4.56(1A) of the Act the following is an assessment of the proposed modifications of the development consent against the relevant matters for consideration under section 4.15(1) of the Act.

2.2.1. Planning Instruments and Development Control Plans

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

2.3.1.1 State Environmental Planning Policies (SEPPs)

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

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

SEPP (Housing) 2021

The approved development, as proposed to be modified, will continue to satisfy the design principles for residential apartment development set out in Schedule 9 of SEPP (Housing) 2021. It will also continue to meet non-discretionary development standards in relation to minimum car parking, internal area for apartments and ceiling height requirements expressed under clause 148(2) of SEPP (Housing) 2021.

Apartment Design Guide

The approved development, as proposed to be modified, is considered against relevant sections of the Apartment Design Guide as discussed in **Table 1** below.

Table 1: Relevant provisions of the Apartment Design Guide

Design Criteria	Compliance	Comment
3F Visual privacy		
• *Min separation distances from buildings to side and rear boundaries:* • *Up to 12m (4 storey) – 6m habitable & 3m non-habitable*	No (no change)	The proposal does not alter the approved separation distances from side and rear boundaries. The proposal continues to provide less than 6m setbacks from side boundaries. The building is set back from the southern side boundary by between 2m and 2.2m at ground floor and lower levels, and by 3.5m at first floor level. The building is set back between 2m and 3.2m from the northern side boundary. The non-compliances with the separation distance criteria continue to be mitigated through the provision of screening to upper level windows and to the northern edges of the proposed balconies.

Design Criteria	Compliance	Comment
4D Apartment size and layout		
The following minimum internal areas apply: • *2 Bed = 70 m^2* • *3 Bed = 90 m^2*	Yes	The proposal continues to provide apartments with internal areas above the minimum requirements.
4E Private open space and balconies		
All apartments provide primary balcony as follows: • *2-bed - 10m^2 & 2m depth* • *3+bed - 12m^2 & 2.4m depth* • *Ground level, min 15m^2 & 3m depth*	Yes	The proposal continues to provide private open space in excess of the minimum requirements.

2.3.1.2 Waverley Local Environmental Plan 2012 (Waverley LEP 2012)

The land use definition of the approved development as semi-detached dwellings and a residential flat building remain unchanged and continues to be permitted development in the R3 Medium Density Residential zone under Waverley LEP 2012.

The quantities of the approved development have changed as outlined in **Table 2** of this report in relation to principal development standards under Waverley LEP 2012. All other relevant provisions of Waverley LEP 2012 remain compliant.

Table 2: Waverley LEP 2012 Compliance Table

Provision	Compliance	Comment
Part 1 Preliminary		
1.2 Aims of plan	Yes	The proposal generally aligns with the aims of the plan.
Part 4 Principal development standards		
4.3 Height of buildings • *9.5m*	Yes	The modification application proposes to increase the maximum height of the development by approximately 100mm, resulting in a maximum height of 9.45m in compliance with the development standard.
4.4 Floor space ratio and • *0.6:1 FSR* • *1,228.68 m² GFA*	No	The modification application proposes to increase the gross floor area (GFA) of the development by 232m² resulting in a floor space ratio (FSR) of 0.71:1 and a GFA of 1,460m², equating to an 18.8% or 231.32 m² exceedance of the development standard. Further discussion is found below this table.
Part 6 Additional local provisions		
6.1 Acid sulfate soils	Yes	The site is located within a Class 5 acid sulfate soil area. The proposed minor additional

Provision	Compliance	Comment
		excavation does not trigger the need for an acid sulfate soil management plan.
6.2 Earthworks	Yes	The approved development included excavation to a maximum depth of approximately 9m below existing ground level. The proposal increases the excavation depth by approximately 860mm and includes additional shoring walls. The scale of excavation is similar to the approved excavation, and the additional depth is unlikely to result in any negative impacts subject to compliance with the approved conditions of consent which requires a construction methodology report to be submitted to Council and requires excavation to be supervised by an engineer.
6.15 Stormwater Management	Yes	The proposal does not include any changes to the approved stormwater system.
6.17 Affordable housing contributions	Yes (subject to condition of consent)	Condition 20, which requiring a financial contribution to be paid in accordance with clause 6.17, will be modified to update the required contribution that reflects the increased GFA of the development (refer to Appendix A of this report.

The following is a detailed discussion of exceedances of particular development standards under Waverley LEP 2012 as a result of the approved development, as proposed to be modified.

Floor Space Ratio (FSR)

Waverley LEP 2012 clause 4.4 sets a maximum FSR of 0.6:1 for the site, equating to a maximum GFA of 1,228.68 m². The approved development has an FSR of 0.6:1.

The proposed modifications increase gross floor area (GFA) by 232m² resulting in a total FSR of 0.71:1 and a total GFA of 1,460m². The proposed modifications result in an 18.8% or 231.32 m² exceedance of the development standard.

The increase in GFA is associated with infilling of voids and alterations to glazing lines within the approved semi-detached dwellings, and with internal reconfiguration and alterations to glazing lines within the approved residential flat building. These modifications do not result in an increase in the overall height, bulk or scale of the approved buildings and therefore the exceedance of the development standard does not have any amenity impacts on neighbours nor any impacts on the streetscape presentation of the development. The proposed increase in the height of the upper floors of the residential flat building is not related to the internal increase in GFA.

The proposed exceedance of the FSR development standard therefore results in a development which continues to achieve the objectives of Waverley LEP 2012 clause 4.4 regarding bulk, scale, amenity and appropriate building heights. The exceedance is therefore supported.

2.3.1.3 Waverley Development Control Plan 2022 (Waverley DCP 2022)

The parts and sections of Waverley DCP 2022 that apply to the proposed modifications are outlined in **Tables 3** to **5** and detailed discussion provided below.

Table 3: Waverley DCP 2022 – Part B General Provisions Compliance Table

Development Control	Compliance	Comment
1. Waste • *Garbage bins are to be stored in an appropriate location.*	Yes	The proposal retains appropriately sized waste rooms.
7. Transport	Yes	The proposed modifications do not alter the number of parking spaces or the access to parking from the street. The proposal remains compliant with the relevant controls.
11. Design Excellence	Yes	The proposal exhibits design excellence. It is appropriate within the streetscape setting of the site and does not result in any unreasonable amenity impacts.
13. Excavation	Yes	The proposal increases the excavation depth by approximately 860mm and includes additional shoring walls. The proposed additional excavation is set back more than 1.5m from side boundaries and is within the footprint of the building, in compliance with the controls.

Table 4: Waverley DCP 2022 – Part C1 Low Density Residential Development Compliance Table (applicable to the proposed semi-detached dwellings)

Development Control	Compliance	Comment
1.1 Height		
Flat roof dwelling house • *Maximum wall height of 7.5m*	No (no change)	There is no change to wall height of the semi-detached dwellings. The dwellings continue to predominantly comply with the wall height control with the exception of minor non-compliances to the rear due to the slope of the land.
1.2 Setbacks		
1.2.1 Front and rear building lines	Yes (no change)	There is no change to the minimum setbacks of the semi-detached dwellings. The proposal continues to comply with the control.
1.2.2 Side setbacks	Yes (no change)	There is no change to the minimum setbacks of the semi-detached dwellings. The proposal

Development Control	Compliance	Comment
• *Minimum of 0.9m for ground floor and first floors.)*		continues to provide setbacks from side boundaries which exceed the minimum setback controls.
1.3 Streetscape and visual impact		
• *New development to be compatible with streetscape context*	Yes	The proposal includes changes to the streetscape façade of the semi-detached dwellings, including the relocation of pedestrian access from the side setback to the front façade for the southern dwelling and reduction in the size of front balconies and terraces. The proposal retains the overall height and scale of the semi-detached dwellings when viewed from the street. The proposal continues to be compatible with the streetscape context of the site.
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*	Yes	The proposal introduces first floor side-facing windows. The windows feature privacy screening to prevent overlooking.
• *Maximum size of balconies:* *10m^2 in area* *1.5m deep*	No	The proposal reduces the size of the first floor rear balconies by approximately 1m², resulting in two 19m² balconies which continue to exceed the maximum 10m² control. The balconies continue to be screened by blade walls and privacy screening. The minor reduction in balcony size reduces the extent of the approved non-compliance with the maximum balcony size control and is therefore supported.
1.6 Solar access		
• *Avoid unreasonably overshadowing of solar collectors (including habitable windows).*	Yes	The proposed changes to the semi-detached dwellings do not have any material solar access impacts on neighbours.
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 changes to the semi-detached dwellings do not result in any view loss impacts for neighbours.

1.8 Car parking		
1.8.1 Design Approach	Yes	The proposal continues to provide appropriate car parking.
1.10 Swimming pools and spa pools		
• *Located in the rear of property* • *Pool decks on side boundaries must consider visual privacy*	Yes	The proposal includes replacement of the approved spa pools with swimming pools within the rear yards of the semi-detached dwellings. The pools are appropriately located and will not result in any unreasonable privacy impacts.

Table 5: Waverley DCP 2022 – Part C2 Other Residential Development Compliance Table (applicable to the proposed residential flat building)

Development Control	Compliance	Comment
2.2 Height		
• *Maximum external wall height: 7m*	No (acceptable on merit)	The residential flat building exceeds the maximum wall height control by the following measurements: • 950mm at the southern elevation at first floor level, • 1.25m at the southern elevation at ground floor level, and • 2.5m at the northern elevation at ground and first floor levels. The proposed exceedances are acceptable on merit as they are a result of the steeply sloping topography of the site, and as the non-compliance is offset by the proposed setbacks from side and rear boundaries which are significantly greater than the minimum required by the DCP (see section 2.3 *Setbacks* below) which ensures there are no unreasonable amenity impacts.
2.3 Setbacks		
2.3.2 Side and rear setbacks • *Minimum side setback: 1.5m* • *Minimum rear setback: 6m or predominant rear building line, whichever is the greater setback*	Yes	The proposal does not alter the approved side and rear setbacks. The building is set back from the southern side boundary by between 2m and 2.2m at ground floor and lower levels, and by 3.5m at first floor level, in compliance with the 1.5m DCP minimum. The rear balcony awnings are set back between 5m and 6.5m from the southern side boundary at ground and first floor levels. The building is set back between 2m and 3.2m from the northern side boundary in compliance with the 1.5m DCP minimum.

Development Control	Compliance	Comment
		There is no predominant rear setback within the locality, therefore the minimum 6m DCP setback applies. The building is set back from the rear boundary by the following measurements at each level, measured from the rear balconies: • 20m at first floor level, • 13m at ground floor level, • 6.6m at lower ground 01 level, and • 6m at lower ground 02 level.
2.10 Communal open space		
• *Minimum 15% communal (R3 zone)* • *Minimum dimensions: 6m x 6m* • *Minimum of 30% of communal area must receive three hours of sunlight*	Yes	The proposal provides 25% of the proposed lot area of the residential flat building as communal open space, in compliance with the control. The dimensions and solar access of the communal open space also comply with the controls.
2.13 Solar access and overshadowing		
• *Sunlight to north facing windows and private open spaces of adjacent dwellings to be not less than 3 hours between 9.00am and 3.00pm on June 21.*	Yes	The proposed increase in building height does not result in any significant increases in overshadowing to neighbouring properties.
2.14 Views and view sharing		
• *Minimise view loss through design*	Yes	The proposal promotes view sharing and has been designed to minimise view loss. See below this table for further discussion.
2.15 Visual privacy and security		
• *Above ground open space must not overlook rooms and private landscaped areas of adjoining properties or be screened* • *Privacy be considered in relation to context density, separation use and design*	Yes	The proposal continues to provide screening to windows, screening to the northern sides of the rear balconies and setbacks of 5.2m to 6.6m between the ground and first floor rear balconies and the southern side boundary to ensure the protection of neighbouring visual privacy.
2.21 Building services		
• *Services on roof not to be seen from street or impact public or private views and be min 2m from the building edge.*	No	The proposed exhaust outlet on the roof does not feature screening. A condition of consent is included at Appendix A requiring screening around the outlet. View impacts are considered in the discussion below this table.

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

View sharing

The proposal results in additional view loss for neighbouring properties compared to the approved development due to the increase in floor-to-floor heights. The applicant has provided technical justification regarding the need for increased floor-to-floor heights. The view impacts are acceptable on merit as the view loss is associated with a proposed building form which is lesser in scale than that permitted by the relevant built-form controls for the site, and in this manner the applicant has minimised view impacts via a skilful design.

Further discussion regarding affected buildings is found under the headings below. An assessment under the planning principle of *Tenacity Consulting v Waringah* [2004] NSWLEC 140 is undertaken for each building where necessary.

24 Sandridge Street

Views from the adjacent residential flat building at 24 Sandridge Street are affected by the proposed increase in the height of the first floor level parapet and balcony, and changes to the height and shape of the first floor level awning.

Under *Tenacity Consulting v Waringah*, the first step of assessing view sharing and view impacts is to consider the views affected. In the case of 24 Sandridge Street, the affected views are highly valued views of the Pacific Ocean and North Bondi headland, and iconic views of Bondi Beach. Units 3, 4, 5, 8, 9, 12, 13 and 17 will be negatively affected to differing extents. The applicant's view impact images of some of the properties worst affected by the proposed modifications, at units 4, 5 and 9 are reproduced below.

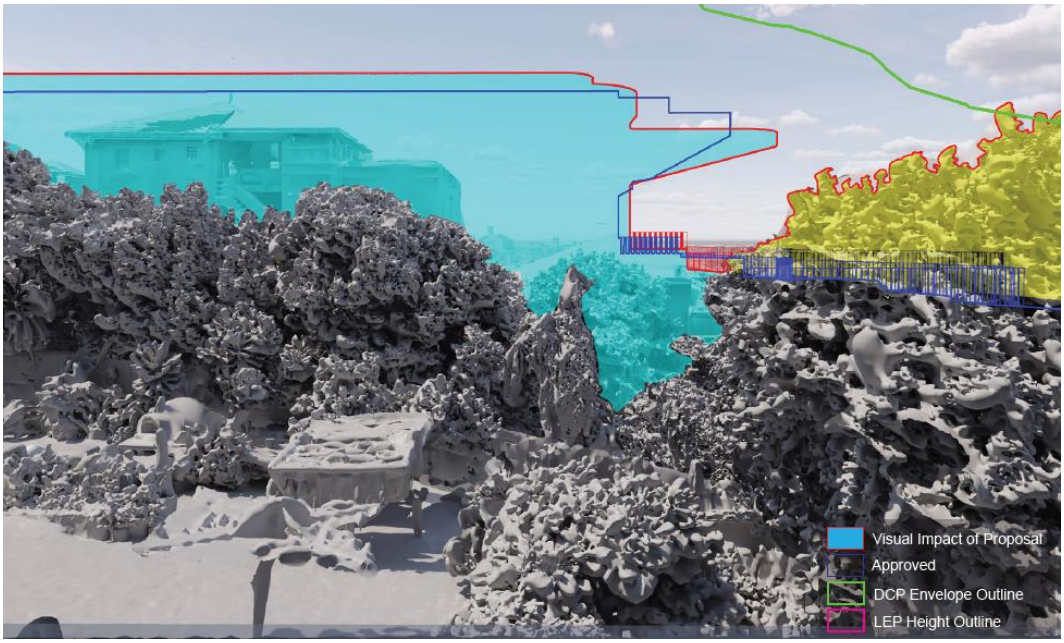


Figure 4 (above): Image depicting view impact on the living room of 4/24 Sandridge Street from a standing position compared to the approved development. The additional impact is depicted by the red/uncoloured outline around cyan or uncoloured areas. The yellow areas are areas of view-gain compared with the existing condition of the site due to demolition of trees and structures, as per the original approval.

Figure 5: Image depicting retained view from the living room of 4/24 Sandridge Street from a standing position. This is the same viewpoint as depicted in figure 4 above.

Figure 6: Image depicting retained view from balcony of 4/24 Sandridge Street from a standing position.

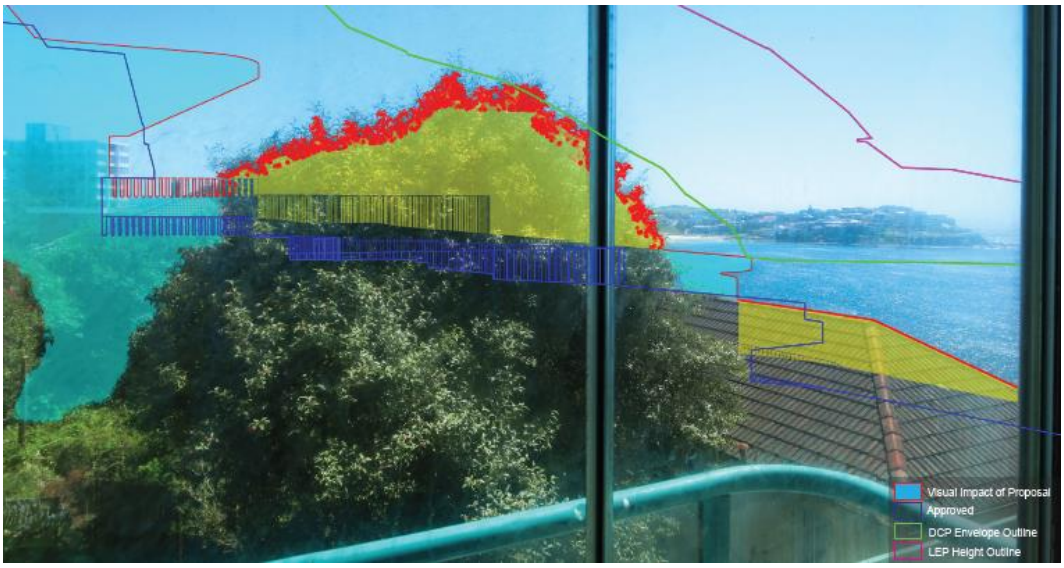


Figure 7: Image depicting view impact on the living room of 5/24 Sandridge Street from a standing position compared to the approved development. The additional impact is depicted by the red/uncoloured outline around cyan or uncoloured areas. The yellow areas are areas of view-gain compared with the existing condition of the site due to demolition of trees and structures, as per the original approval.

Figure 8: Image depicting retained view from the living room of 5/24 Sandridge Street from a standing position. This is the same viewpoint as depicted in figure 7 above.

Figure 9: Image depicting retained view from the balcony of 5/24 Sandridge Street from a standing position.

Figure 10: Image depicting view impact on the bedroom of 8/24 Sandridge Street from a standing position compared to the approved development. The additional impact is depicted by the red/uncoloured outline around cyan or uncoloured areas. The yellow areas are areas of view-gain compared with the existing condition of the site due to demolition of trees and structures, as per the original approval.

Figure 11: Image depicting retained view from the bedroom of 8/24 Sandridge Street from a standing position. This is the same viewpoint as depicted in figure 10 above.

Figure 12: Image depicting retained view from the living room of 8/24 Sandridge Street from a standing position.

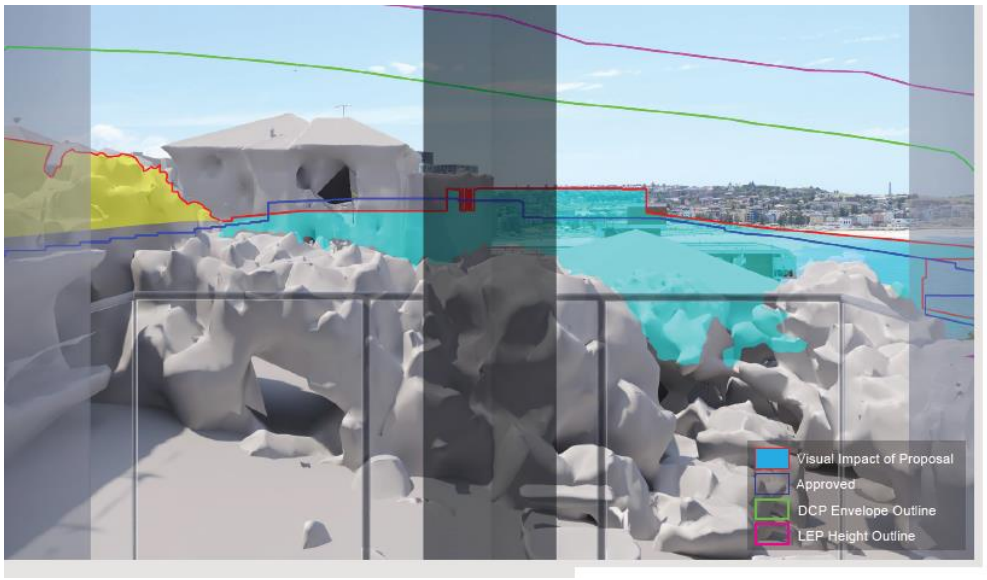


Figure 13: Image depicting view impact from living room of 9/24 Sandridge Street from a standing position compared to the approved development. The additional impact is depicted by the red outline around cyan areas

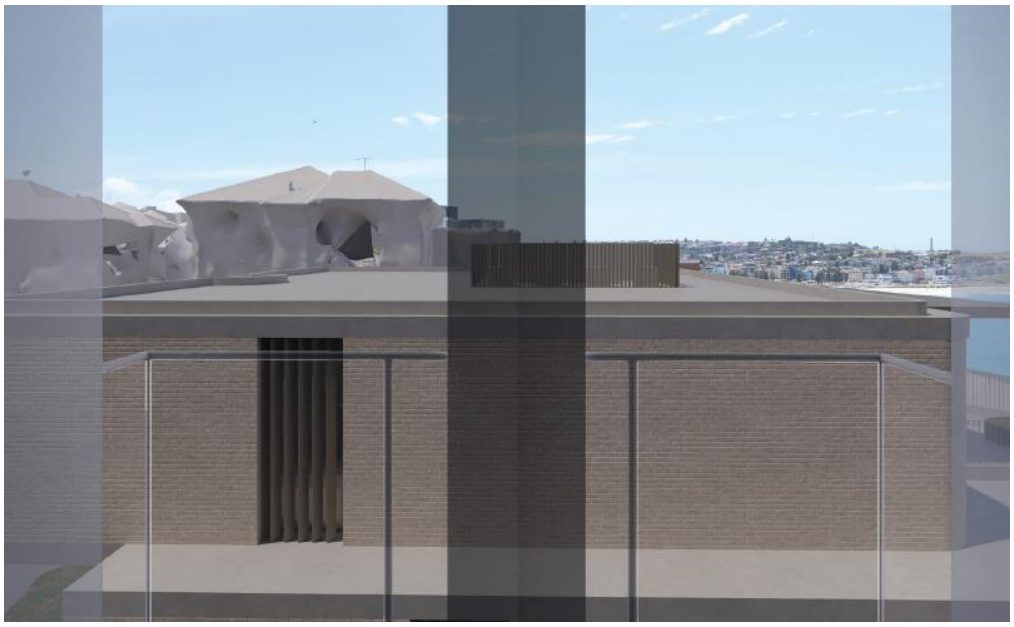


Figure 14: Image depicting retained view from living room of 9/24 Sandridge Street from a standing position. This is the same viewpoint as depicted in figure 14 above.

Figure 15: Image depicting retained view from balcony of 9/24 Sandridge Street from a standing position.

The second step is to consider which part of the property the view is obtained from. In this case the view is obtained across the side boundary of 22 Sandridge Street from a standing or seated position. The judgment provided by *Tenacity Consulting v Waringah* outlines that it is often unrealistic to expect the retention this type of view across a side boundary.

The third step is to assess the extent of impact for the whole property, not just the views affected. For the majority of affected properties at 24 Sandridge Street, most viewpoints at the property are affected to some extent. The additional impacts vary from being minor to moderate for differently affected units, when compared to the approved development.

The fourth step is to assess the reasonableness of the proposal that is causing the impact. The impact is caused by elements of the proposal at ground and first floor levels which have a height and bulk less than that anticipated by the relevant development standards and controls. The proposal is designed with the lower two residential levels sunken down into the excavated parts of the site, which reduces height, bulk and scale at upper levels. This results in the majority of the building being significantly lower than the maximum height of building development standard at the site. Additionally, the proposal provides setbacks from side and rear boundaries which are significantly greater than those required by the relevant DCP controls. The only non-compliances with built form controls are the exceedance of the FSR development standard which does not add any bulk as discussed in this report above, and the exceedance of the maximum wall height DCP control which is mitigated by the generous setbacks from side and rear boundaries. The proposal is therefore reasonable, and has been skilfully designed to minimise view impacts, as it is lesser in scale and impact than as anticipated by the relevant controls for the site.

In summary, the affected views are highly valued views obtained across a side boundary, in circumstances where it is unreasonable to expect views to be retained. The views are significantly impacted in some circumstances. The impact is caused by a generally reasonable proposal which has been skilfully designed to minimise impacts compared to a development of the scale anticipated by the

built-form controls for the site. Based on this assessment, the proposal promotes view sharing with units at 20 Sandridge Street.

18 Sandridge Street

Views from the dwelling house at 18 Sandridge Street are affected by the proposed increase in the height of the first floor parapet, lift overrun and plant equipment.

Under *Tenacity Consulting v Waringah*, the first step of assessing view sharing and view impacts is to consider the views affected. In this case, the affected views are highly valued views of the Pacific Ocean.

Figure 16: Image depicting view impact from living room of 18 Sandridge Street from a standing position compared to the approved development. The additional impact is depicted by the red outline around cyan areas. The yellow areas are areas of view gain compared with the existing condition of the site due to demolition of trees and structures, as per the original approval.

Figure 17: Image depicting retained view from living room of 18 Sandridge Street from a standing position. This is the same viewpoint as depicted in image 16 above.

The second step is to consider which part of the property the view is obtained from. In this case, the view is obtained across the rear boundary of 24 Sandridge Street and across the side boundary of 22 Sandridge Street from a standing or seated position.

The third step is to assess the extent of the impact for the whole property, not just the views affected. In this case, the affected view is the main view of the ocean obtained from the property, from the first floor living area and balcony. The additional view impact caused by the proposed modifications is minor. The property retains good views of the ocean and horizon.

The fourth step is to assess the reasonableness of the proposal that is causing the impact. The proposed additional view loss is predominantly caused by parts of the building which comply with the relevant built-form development standards and controls, with the exception of a small part of the impact which is caused by an exceedance of the maximum wall height control and with the exception of the exceedance of the FSR development standard which does not add any bulk to the building as discussed in this report above. The overall form of the building, and the overall scale of the impact, is significantly less than that anticipated by the development standards and controls for the site and has been skilfully designed to minimise impacts. The proposal is therefore reasonable.

The proposed minor additional impacts on highly valued views are caused by a development which has been skilfully designed to minimise impacts. The proposal therefore promotes view sharing with 18 Sandridge Street.

17 and 19 Sandridge Street

Views of the ocean from the semi-detached dwellings at 17 and 19 Sandridge Street are marginally affected by the proposed increase in the height of the first floor parapet, lift overrun and plant equipment of the proposed residential flat building. The views are affected from second floor level, with no impact at first floor level.

The proposed additional view impact is negligible, expansive views of the ocean remain, and the impact is caused by a reasonable proposal. The proposal therefore promotes view sharing with 17 and 19 Sandridge Street.

Note: the applicant has only provided view impact diagrams from 19 Sandridge Street, however the extent of view retained for 17 Sandridge Street can be confidently predicted as acceptable given that numbers 17 and 19 form a pair of semi-detached dwellings with identical floor levels.

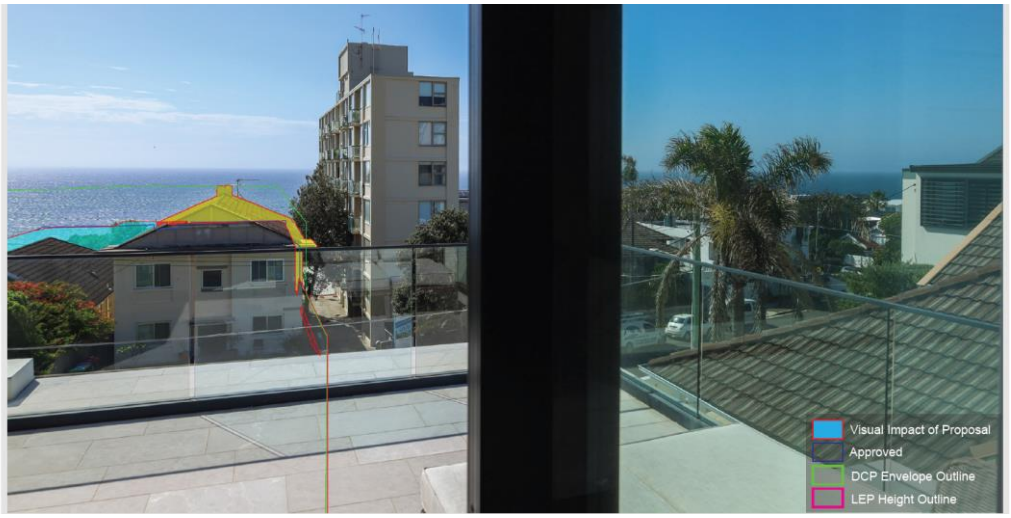


Figure 18: Image depicting view impact from second floor bedroom of 19 Sandridge Street from a standing position compared to approved development. The additional impact is depicted by the red outline around cyan areas. The yellow areas are areas of view-gain compared with the existing condition of the site due to demolition of structures, as per the original approval.

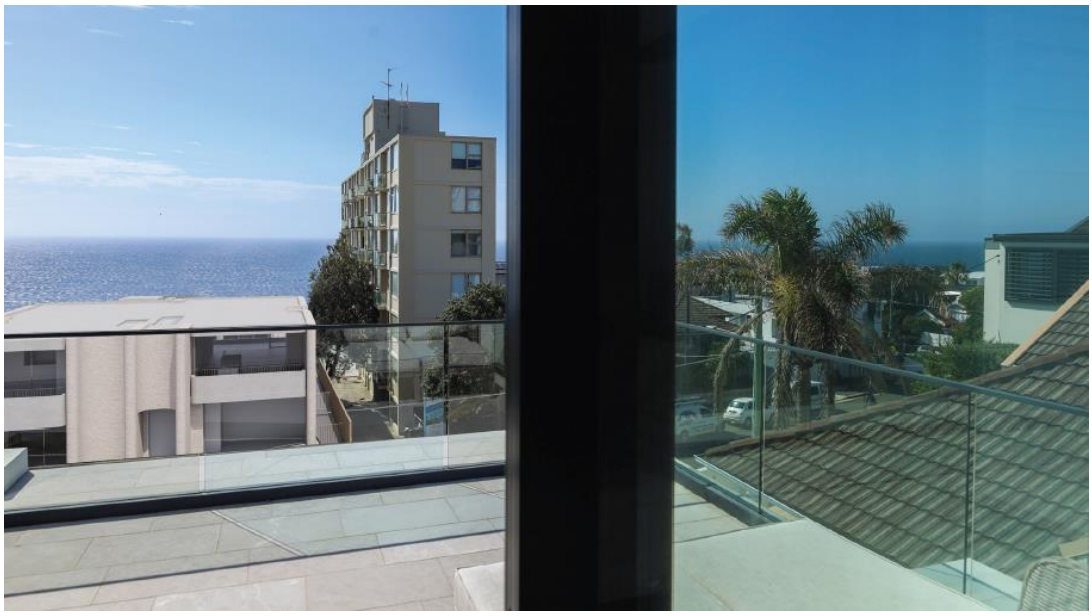


Figure 19: Image depicting retained view from second floor bedroom of 19 Sandridge Street from a standing position. This is the same viewpoint as depicted in image 18 above.

2.2.2. Planning Agreement

The application is accompanied by an offer to enter into a planning agreement (PA) for a monetary contribution of $478,800 relating to the proposed additional 114m² GFA. The offer is associated with GFA within the residential flat building which exceeds the Waverley LEP 2012 FSR development standard of 0.6:1.

The offer is acceptable as it is compliant with *Waverley Council Planning Agreement Policy 2014 (Amendment No. 6)* (the Policy).

The Policy provides a mechanism to address the public benefit offset of additional reasonable impacts from developments exceeding development standards. The offer to enter into a PA addresses the public benefit aspect of maintaining the FSR development standard when Council considers a variation with the standard by way of assessing and determining a development application.

The fundamental principle of the Policy is that any benefit that arises from agreement to vary development standards is shared between developer and the community and must be acceptable on environmental impact grounds. The reasonableness of impacts associated with the additional floor space of the proposed development has been considered against the likely public interest (i.e. public domain improvements in the area), which has been found to be acceptable in this instance. The reasonableness relates to the merits of this case only as discussed in the body of this assessment report.

The proposal is in accordance with other variations which have been permitted in conjunction with public benefits or purpose, such as affordable housing, public domain works or the like. The proposed development is not against the public interest as it complies with the limitations set in the Policy.

A suitable public purpose or benefit is considered to be provided in the form of the forthcoming execution of a PA, which would contribute to public works or a similar public benefit within the catchment of the site. Appropriate conditions are recommended in Appendix A in relation to the PA.

As required by the Policy, the exceedance of the FSR development standard has been separately assessed as being acceptable on environmental planning grounds as discussed under the heading *Floor Space Ratio* earlier in the report.

2.2.3. Other Impacts of the Development

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

2.2.4. Suitability of the Site for the Development

The site is considered suitable for the proposal.

2.2.5. Any Submissions

The application was notified for a minimum of 14 days between 15 September and 1 October 2025 and a site notice erected on the site in accordance with the *Community Engagement Strategy 2025*.

The application was further notified for a minimum of 14 days between 22 October and 7 November 2025 due to a technical issue with the first consultation period which resulted in the architectural plans not being available on the website.

Following receipt of amended plans and additional information, the application was re-notified for a minimum period of 14 days between 11 February and 27 February 2026.

A total of 20 unique submissions were received from the following 15 properties:

Table 4: Submission details.

Property Count	Property Address
1.	4/24 Sandridge Street
2.	5/24 Sandridge Street
3.	8/24 Sandridge Street
4.	9/24 Sandridge Street
5.	12/24 Sandridge Street
6.	13/24 Sandridge St, Bondi
7.	17/24 Sandridge Street
8.	20/24 Sandridge Street, Bondi
9.	24/24 Sandridge Street
10.	25/24 Sandridge Street
11.	31/24 Sandridge Street
12.	24 Sandridge Street (no unit number provided)

13.	17 Sandridge Street
14.	18 Sandridge Street
15.	19 Sandridge Street

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

- Whether the development is substantially the same as the approved development,
- View impacts on Units 3, 4, 5, 8, 9, 12, 13 and 17 of 24 Sandridge Street, 17 Sandridge Street, 18 Sandridge Street and 19 Sandridge Street,
- Shadow impacts,
- Visual privacy impacts,
- Non-compliance with maximum wall height controls,
- Justification for the increase in floor-to-floor heights,
- Height, bulk and scale of development,
- Streetscape impacts of the modifications to the proposed semi-detached dwellings,
- Impacts on neighbouring structures of increased excavation depth and additional shoring walls, and
- Visual appearance of proposed rooftop exhaust outlet.

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

Issue: The submitted view analysis is based on a standing position rather than a seated position, and based on views from the window line rather than from deeper within affected rooms, resulting in an underestimation of the impacts.

Response: The view impacts of the proposal have been considered in this assessment report above. It is acknowledged that greater impacts may be experienced when sitting down or when located further back from the window line. However, ultimately the views are difficult to protect as they are obtained across a side boundary and the proposed height, bulk and scale of the development are reasonable and have been skilfully designed to minimise impacts, and therefore the impacts are acceptable.

Issue: The proposal results in loss of views of the sky and a sense of enclosure.

Response: The proposed modifications result in minor decreases of outlook towards the sky from units within 24 Sandridge Street. The impact is not significant.

Issue: View impact concerns raised by occupants or owners of units 20, 24, 25, 31… of 24 Sandridge Street.

Response: The proposed modifications do not result in additional view impacts on these properties.

Issue: The proposed exhaust outlet will result in noise and air pollution.

Response: Existing conditions of consent remain on the consent requiring the preparation of an acoustic assessment report to ensure the plant equipment does not result in offensive noise. The exhaust outlet

connects to the basement garage which provides parking for four dwellings, and therefore the exhaust outlet will not result in any significant air pollution.

Issue: The documents do not depict streetscape impacts on Sandridge Street, and do not include relevant elevation drawings or photomontages.

Response: A technical error meant that the proposed architectural drawings were not available during the initial public notification period. The application was subsequently renotified including publication of architectural drawings. The proposed modifications do not alter the overall bulk, scale or height of the building facing Sandridge Street and there will be no material streetscape impacts. A photomontage is not required to be submitted by the applicant.

Issue: The proposed building height should be verified as it may appear greater than the maximum permitted height viewed from Sandridge Street.

Response: The proposed Sandridge Street building is substantially lesser in height than that permitted by the Waverley LEP 2012 height of buildings development standard. The same existing ground levels as were used during the assessment of the original application have been used to calculate the height of the proposal.

Issue: The proposal relies on water drainage via 24 Sandridge Street.

Response: No modifications are proposed to the approved stormwater drainage system.

Issue: Potential glare from roof.

Response: The modification application does not propose a change to roofing materials.

Issue: The proposal includes *Syzygium resilience* (Lilly Pilly) planted along the boundary with 18 Sandridge Street, which may block light to the windows of 18 Sandridge Street.

Response: The modification application does not amend this part of the landscape plan. The planting of *Syzygium resilience* (Lilly Pilly) was approved as part of the original consent and therefore Council is not able to modify this aspect of the development.

Issue: The proposed palm trees may impact views on 19 Sandridge Street.

Response: Condition 44 of the existing consent requires the replacement of the previously proposed Cook Pine Trees with an alternative species to avoid potential view loss for residents on the western side of Sandridge Street. The proposed *Livistona australis* (Cabbage Tree Palm) trees are an appropriate species as they feature a narrow trunk with no branches or leaves other than a limited canopy at the crown. The tree species therefore has limited view impacts compared to the originally proposed Cook Pines.

Issue: The proposed increase in balcony heights will result in visual privacy impacts on unit 5 of 24 Sandridge Street.

Response: The proposed first floor balcony has a floor level approximately 600mm above that of unit 5 of 24 Sandridge Street. This has increased by 190mm compared to the approved development. The

balcony is set back 6.6m from the side boundary, which exceeds the minimum required separation distance in the Apartment Design Guide. The proposed minor increase in height combined with the separation distance from the boundary ensures there are no unreasonable privacy impacts.

2.2.6. Public Interest

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

3. REFERRALS

The following internal referral comments were sought:

3.1. Traffic and Development

Council's traffic team raised no objections to the proposal.

3.2. Stormwater

Council's stormwater team raised no objections to the proposal.

3.3. Tree Management

Council's Tree Management Officer raised no objections to the proposal.

3.4. Biodiversity

Council's Urban Ecology Officer objected to the proposed landscape plans as the proposal does not provide 50% of each strata of vegetation as native species and as the proposed *Strelitzia nicolai*, Giant Bird of Paradise, is a weed species. The original consent was approved with similar species, including *Strelitzia nicolai*, and therefore in this instance is it not reasonable to impose the ecology officer's recommendations on the modified consent.

3.5. Urban Design

Council's Urban Design Officer commented on the proposed increase of floor to floor heights, noting that the technical reasons for the increase are beyond the scope of urban design considerations. The Officer also considered the impact of the increase of floor to floor heights on views, which have been carefully considered earlier in this report.

3.6 Strategic Planning

Council's strategic planning team reviewed the proposed planning agreement and provided a condition of consent regarding implementation of the agreement, included at Appendix A of this report.

The team also advised that condition 20 that requires the payment of affordable housing contributions in accordance with Waverley LEP 2012 clause 6.17 must be updated to reflect the increased GFA of the development. This recommendation has been adopted in Appendix A of this report.

4. CONCLUSION

The application has been assessed against relevant sections of the Act and is recommended for approval subject to conditions of consent.

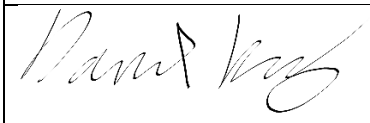
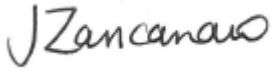
5. RECOMMENDATION TO WAVERLEY LOCAL PLANNING PANEL

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

Managers of Development Assessment (MODA) Review

The application was reviewed by the MODA at the meeting on 3 March 2025 and the MODA concurred with the Assessment Planner's recommendation.

DBU members: *B McNamara, B Magistrale, K Johnstone, and Jo Zancanaro*

Report prepared by:	**Application reviewed and agreed by:**	**Application reviewed and agreed by:**
		
David Knight	Ben Magistrale	Jo Zancanaro
Senior Development Assessment Planner	**Manager, Development Assessment**	**A/Executive Manager, Development Assessment**
Date: 12 March 2026	**Date: 12 March 2026**	**Date: 13 March 2026**

Reason for WLPP referral:

The consent authority for the original development application was the WLPP, this modification is made under section 4.55(2) of the Act and relates to:

1. Contentious development (10 or more objections)
2. Departure from any development standard in an EPI by more than 10%

OFFICE USE ONLY

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

APPENDIX A – CONDITIONS OF CONSENT TO BE MODIFIED DA-69/2024/B

A. Amended/Deleted Conditions

<table>
<tr><th></th><th>Condition</th></tr>
<tr><td>1.</td><td>

APPROVED PLANS AND DOCUMENTATION

The development must be in accordance with:

(a) Architectural Plans prepared by MHNDUNION of Project No. 23-030 including the following:

Plan Number and Revision	Plan description	Plan Date	Date received by Council
DA1004 rev ~~H~~ ***C***	Site + Roof Plan	~~3/4/25~~ ***10/3/26***	~~3/4/25~~ ***11/3/26***
DA1007 rev ~~H~~ ***C***	Demolition Plan	~~3/4/25~~ ***10/3/26***	~~3/4/25~~ ***11/3/26***
DA2000 rev ~~H~~ ***C***	Basement Plan	~~3/4/25~~ ***10/3/26***	~~3/4/25~~ ***11/3/26***
DA2001 rev ~~H~~ ***C***	Lower Ground 02 Floor Plan	~~3/4/25~~ ***10/3/26***	~~3/4/25~~ ***11/3/26***
DA2002 rev H ~~H~~ ***C***	Lower Ground 01 Floor Plan	~~3/4/25~~ ***10/3/26***	~~3/4/25~~ ***11/3/26***
DA2003 rev ~~H~~ ***C***	Ground Floor Plan	~~3/4/25~~ ***10/3/26***	~~3/4/25~~ ***11/3/26***
DA2004 rev ~~H~~ ***C***	Level 1 Floor Plan	~~3/4/25~~ ***10/3/26***	~~3/4/25~~ ***11/3/26***
DA2001 rev ~~H~~ ***C***	Roof Plan	~~3/4/25~~ ***10/3/26***	~~3/4/25~~ ***11/3/26***
DA3000 rev ~~H~~ ***C***	Elevation North & West	~~3/4/25~~ ***10/3/26***	~~3/4/25~~ ***11/3/26***
DA3001 rev ~~H~~ ***C***	Elevation South & East	~~3/4/25~~ ***10/3/26***	~~3/4/25~~ ***11/3/26***
DA3002 rev ~~H~~ ***C***	Detailed Elevation – RFB North	~~3/4/25~~ ***10/3/26***	~~3/4/25~~ ***11/3/26***
DA3003 rev ~~H~~ ***C***	Detailed Elevation – RFB South	~~3/4/25~~ ***10/3/26***	~~3/4/25~~ ***11/3/26***
DA3100 rev ~~H~~ ***C***	Section A	~~3/4/25~~ ***10/3/26***	~~3/4/25~~ ***11/3/26***
DA3101 rev ~~H~~ ***C***	Section B	~~3/4/25~~ ***10/3/26***	~~3/4/25~~ ***11/3/26***
DA6000 rev ~~H~~ ***C***	External Finishes, Materials & Façade	~~3/4/25~~ ***10/3/26***	~~3/4/25~~ ***11/3/26***

(b) Landscape Plan No. ~~DA~~ ***SE***01 to 08-D6423 all rev ~~B~~ ***C*** and documentation prepared by Landscape Design Sydney, dated ~~21/2/25~~ ***18/7/25*** and received by Council on ~~27/2/25~~ ***18/7/25***

(c) BASIX and NatHERs Certificate/s

(d) Arboricultural Impact Assessment prepared by Russell Kingdom Advanced Treescape Consulting. Date: 21/12/2023 and Arborist letter prepared by

</td></tr>
</table>

	Advanced Treescape Consulting dated 5/7/24, and received by Council on 27/2/25 (e) Draft Subdivision Plan prepared by Copland C Lethbridge dated 17/11/23 and received by Council on 5/2/25 (f) Waste Management Plan DA9202 rev F prepared by MHNDUNION and dated 31/1/25 (g) Geotech report by JK Geotechnics (Ref No. 36439YCrpt) dated 15/12/2023 and received by Waverley Council on 06/03/2024 (h) Preliminary Site Investigation prepared by JK Geotechnics E36439BRpt dated 1 December 2023 and received by Council on 6/3/24 (i) Noise Impact Assessment [Ref:230710-20-22SandridgeStBondi-NoiseImpactAssessment-R0] prepared by Pulse White Noise Acoustics dated 20 December 2023. (j) Operational Waste Management Plan prepared by Elephants Foot 5374 rev E dated 20 March 2025 received by Council on 3/4/2025 Except where amended by the following conditions of consent. ***(MODIFIED BY DA-69/2024/B)***
	Condition **r**eason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.
3.	**PLANT ON ROOF**
	(a) No plant equipment is permitted on the roof of the dwellings. (b) No additional plant equipment is permitted on the roof of the RFB other than the AC condensers, solar panels, mechanical plant, ***exhaust outlet and*** lift overrun as shown on the roof plan (Drawing DA 2005 Revision ~~G~~ ***C***, prepared by MHNDUNION and dated ~~21 March 2025~~ ***10 March 2026***). (c) ***Screening with an RL of no more than 41.010 must be provided around all plant equipment, including the exhaust outlet.*** ***(MODIFIED BY DA-69/2024/B)***
	Condition reason: To ensure structures on the roof are restricted to minimise additional building bulk and visual impacts.
20.	**AFFORDABLE HOUSING CONTRIBUTION – PAYMENT IN ACCORDANCE WITH CLAUSE 6.17 OF THE WAVERLEY LOCAL ENVIRONMENTAL PLAN 2012**
	The Affordable Housing Contribution is as follows: (a) Pursuant to Clause 6.17 of the Waverley Local Environmental Plan 2012 and the Waverley Affordable Housing Contribution Scheme 2023, the applicant must provide Council a monetary contribution towards the provision of affordable housing. (b) The contribution of ~~**$229,200**~~ ***$256,560*** payable for the provision of affordable housing shall be paid in one complete payment to Waverley Council prior to the issue of any Occupation Certificate. This contribution amount has been calculated based on a total proposed residential gross floor area of ~~1,233~~ ***1,460***m^2 inclusive of a ~~950~~ ***1,064***m^2 component for the purposes of a new RFB, multi-dwelling, shop top housing or independent living units.

	(MODIFIED BY DA-69/2024/B)
	Condition reason: The proposal requires a contribution in accordance with Cl 6.17 of the WLEP and the Waverley Affordable Housing Contribution Scheme 2023.
44.	~~**LANDSCAPE PLAN SUBMISSION**~~
	~~An amended Landscape Plan shall be submitted to Council to reflect the replacement of the three (3) *Araucaria columnaris* (Cook Pine) with three (3) new trees to address potential view loss issues for residents on the western side of Sandridge Street. The trees shall be selected from Council's Development Control Plan 2022, Annexure B3-1 - Planting List.~~ ***(DELETED BY DA-69/2024/B)***
	~~Condition reason: To reflect replacement trees to compensate for canopy loss.~~
95.	**FLOOR SPACE RATIO**
	The following applies to Floor Space Ratio: (a) The Gross Floor Area of the building shall be limited to ~~2,047.8~~ ***1,460***m^2. (b) Prior to any Occupation Certificate (including Interim) being issued, a Registered Surveyor must provide certification of the total and component Gross Floor Areas (by use) in the development, utilising the definition under the Waverley Local Environmental Plan 2012, applicable at the time of development consent, to the satisfaction of the Principal Certifier. ***(MODIFIED BY DA-69/2024/B)***
	Condition reason: To ensure the constructed development complies with the approved floor space ratio.
96.	**BUILDING HEIGHT**
	(a) The height of the buildings must not exceed the following RLs (AHD): i. Dwellings: Roof RL 42.660 and parapet height RL 42.810 ii. RFB: Roof RL~~39.660~~ ***39,945***; Top of the parapet ~~39.860~~ ***RL40,145***; and Top of the stair and lift overrun RL~~40.700~~ ***41,010*** Prior to an Occupation Certificate being issued, a Registered Surveyor must provide certification that the height of the building accords with (a) (i) and (ii) above, to the satisfaction of the Principal Certifier. ***(MODIFIED BY DA-69/2024/B)***
	Condition reason: To ensure the constructed development complies with the approved height.

B. New Conditions

20A.	**Planning Agreement**
	(a) The owner/applicant is to: (i) Enter into a planning agreement the subject of the offer made by the applicant to Council by letter dated 23 January 2026, in accordance with

	Waverley's Planning Agreement Policy 2014 prior to the issue of any Construction Certificate that relates to any building work, other than demolition, excavation, piling, shoring and ancillary work for construction purposes including site hoardings and temporary site sheds that relates to works contained in DA-69/2024/B. (ii) Pay a monetary contribution amount of $478,800 prior to the issue of any Occupation certificate for the Development (calculated in accordance with Waverley's Planning Agreement Policy 2014 at 114 of GFA exceedance at a rate of $4,200/sqm). (iii) A Planning Agreement will be entered into under Section 7.4 of the Environment Planning and Assessment Act 1979 between the applicant/owner of the land subject of the Development and Council. (b) In accordance with the said offer, the Planning Agreement shall make provision in respect to the following: (i) The Planning Agreement shall be registered upon the title to the land the subject of the Development prior to the issue of any Construction Certificate that relates to any building work, other than demolition, excavation, piling, shoring and ancillary works for construction purposes including site hoardings and temporary site sheds that relates to works contained in DA-69/2024/B. (ii) The owner/applicant shall provide Council with a Bank Guarantee to secure the payment of the Monetary Contribution prior to the issue of any Construction Certificate that relates to any building work, other than demolition, excavation, piling, shoring and ancillary works for construction purposes including site hoardings and temporary sheds that relates to works contained in DA-69/2024/B for the Development which is: • In a form acceptable to Council and from an institution acceptable to Council • Irrevocable • Unconditional • With no end date (c) The payment of the Monetary Contribution to Council is to be made prior to the issue of any Occupation Certificate for the Development and is to be applied towards a public purpose in accordance with the Agreement and Council's Planning Agreement Policy 2014. ***(ADDED BY DA-69/2024/B)***
	Condition reason: The applicant offered to enter into a Planning Agreement and their offer is consistent with our PA Policy 2014 and supported by the Strategic Town Planning Team.

C. New Advisory

16.	**Planning Agreement**
	After a Development Application has been approved with a Planning Agreement, the legal agreement must be drafted by Council, exhibited and endorsed by Council prior to fulfilling the requirements of the DA condition. This process will take a minimum of 4 months, so please contact the Strategic Town Planning team (email strategictownplanning@waverley.nsw.gov.au) at least 4 months before you intend to obtain the relevant Construction Certificate associated with the VPA under this DA to commence the process. ***(ADDED BY DA-69/2024/B)***

APPENDIX B – FULL SET OF CONDITIONS

Terms and Reasons for Conditions

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

GENERAL CONDITIONS

	Condition
1.	**APPROVED PLANS AND DOCUMENTATION** The development must be in accordance with: (a) Architectural Plans prepared by MHNDUNION of Project No. 23-030 including the following:

Plan Number and Revision	Plan description	Plan Date	Date received by Council
DA1004 rev C	Site + Roof Plan	10/3/26	11/3/26
DA1007 rev C	Demolition Plan	10/3/26	11/3/26
DA2000 rev C	Basement Plan	10/3/26	11/3/26
DA2001 rev C	Lower Ground 02 Floor Plan	10/3/26	11/3/26
DA2002 rev C	Lower Ground 01 Floor Plan	10/3/26	11/3/26
DA2003 rev C	Ground Floor Plan	10/3/26	11/3/26
DA2004 rev C	Level 1 Floor Plan	10/3/26	11/3/26
DA2001 rev C	Roof Plan	10/3/26	11/3/26
DA3000 rev C	Elevation North & West	10/3/26	11/3/26
DA3001 rev C	Elevation South & East	10/3/26	11/3/26
DA3002 rev C	Detailed Elevation – RFB North	10/3/26	11/3/26
DA3003 rev C	Detailed Elevation – RFB South	10/3/26	11/3/26
DA3100 rev C	Section A	10/3/26	11/3/26
DA3101 rev C	Section B	10/3/26	11/3/26
DA6000 rev C	External Finishes, Materials & Façade	10/3/26	11/3/26

(b) Landscape Plan No. SE01 to 08-D6423 all rev C and documentation prepared by Landscape Design Sydney, dated 18/7/25 and received by Council on 18/7/25
(c) BASIX and NatHERs Certificate/s
(d) Arboricultural Impact Assessment prepared by Russell Kingdom Advanced Treescape Consulting. Date: 21/12/2023 and Arborist letter prepared by Advanced Treescape Consulting dated 5/7/24, and received by Council on 27/2/25
(e) Draft Subdivision Plan prepared by Copland C Lethbridge dated 17/11/23 and received by Council on 5/2/25
(f) Waste Management Plan DA9202 rev F prepared by MHNDUNION and dated 31/1/25

	(g) Geotech report by JK Geotechnics (Ref No. 36439YCrpt) dated 15/12/2023 and received by Waverley Council on 06/03/2024 (h) Preliminary Site Investigation prepared by JK Geotechnics E36439BRpt dated 1 December 2023 and received by Council on 6/3/24 (i) Noise Impact Assessment [Ref:230710-20-22SandridgeStBondi-NoiseImpactAssessment-R0] prepared by Pulse White Noise Acoustics dated 20 December 2023. (j) Operational Waste Management Plan prepared by Elephants Foot 5374 rev E dated 20 March 2025 received by Council on 3/4/2025 Except where amended by the following conditions of consent. ***(MODIFIED BY DA-69/2024/B)***
	Condition **r**eason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.
2.	**MULTI UNIT HOUSING DEVELOPMENT DESIGN (CH 4 SEPP HOUSING DEVELOPMENT)**
	The approved design (including any element or detail of that design) or materials, finish or colours of the building must not be changed without the written approval of Council.
	Condition reason: To ensure the approved deign remains unchanged.
3.	**PLANT ON ROOF**
	(a) No plant equipment is permitted on the roof of the dwellings. (b) No additional plant equipment is permitted on the roof of the RFB other than the AC condensers, solar panels, mechanical plant, exhaust outlet and lift overrun as shown on the roof plan (Drawing DA 2005 Revision C, prepared by MHNDUNION and dated 10 March 2026). (c) Screening with an RL of no more than 41,010 must be provided around all plant equipment, including the exhaust outlet. ***(MODIFIED BY DA-69/2024/B)***
	Condition reason: To ensure structures on the roof are restricted to minimise additional building bulk and visual impacts.
4.	**BASIX REQUIREMENTS**
	All requirements of the BASIX Certificate and NatHERS documentation are to be shown on the DA plans and documentation. Please ensure that plans are marked with the following: (a) Solar Panel location and area approximately drawn to scale on architectural plans. Currently it is only on the Landscape Plans. The surface area of a 1kWh photovoltaic system is approximately $8m^2$
	Condition reason: Sustainable Building SEPP / BASIX.

6.	**NATIONAL CONSTRUCTION CODE AND WDCP PART 2.1 PASSIVE DESIGN AND THERMAL SAFETY**
	Ceiling or wall mounted fans should be installed in all main living areas and bedrooms. This should be notated on DA and CC plans.
	Condition reason: Condition reason: NCC and WDCP Part 2.1
7.	**DOMESTIC HEATERS**
	The provision of solid fuel heating is prohibited.
	Condition reason: To protect the amenity of the local area.
8.	**PUBLIC DOMAIN IMPROVEMENTS**
	The public domain is to be upgraded along Sandridge Street frontage of the development site in accordance with the current Waverley Council Development Control Plan (DCP) and Public Domain Technical Manual (PDTM) at the time of engineering plan approval. A public domain plan for the following works must be submitted to Council and approved by the Executive Manager, Infrastructure Services (or delegate) prior to the issue of relevant Construction Certificate. a) Road pavement b) Pedestrian footpath c) Kerb and gutter d) Vehicular crossing e) Stormwater infrastructure f) Landscape and street tree plantings
	Condition reason: This is to ensure that the public domain is upgraded along the frontage of the development as required and in accordance with the DCP and PDTM.
9.	**PUBLIC UTILITIES AND SERVICE ALTERATIONS**
	Any utility services and all public infrastructure which require alteration due to works associated with the development, both internally and externally of the development boundary, 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.
10.	**ACOUSTIC REPORT RECOMMENDATIONS**
	The "recommendations" in the Noise Impact Assessment [Ref:230710-20-22SandridgeStBondi-NoiseImpactAssessment-R0] prepared by Pulse White Noise Acoustics dated 20 December 2023 shall be implemented in full.
	Condition reason: To protect the amenity of the local area.

11.	**SITE AUDIT STATEMENT**
	(a) A Site Audit Statement (SAS) prepared by a NSW Environment Protection Authority (EPA) accredited site auditor is to be submitted to Council certifying that the site is suitable for the intended use prior to the issue of a construction certificate for any works associated with the approved building. (b) Conditions on the SAS must form part of the conditions of consent of the Notice of Determination. (c) Where the Site Audit Statement is subject to conditions that require ongoing review by the Auditor or Council these conditions should be discussed with Council before the Site Audit Statement is issued.
	Condition reason: To ensure the site is suitable for the intended use.

BUILDING WORK

BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE

	Condition
12.	**NO BUILDING OR DEMOLITION WORKS PRIOR TO RELEASE OF CONSTRUCTION CERTIFICATE**
	The building work must not be commenced until: (a) a Construction Certificate has been obtained from Council or an Accredited Certifier in accordance with the *Environmental Planning and Assessment Act 1979*; (b) a Principal Certifying Authority has been appointed and Council has been notified of the appointment in accordance with the *Environmental Planning and Assessment Act 1979* and *Environmental Planning and Assessment Regulation 2021*; and (c) Council is given at least two days' notice in writing of the intention to commence the building works. *(MODIFIED DA-69/2024/D)*
	Condition reason: To ensure a Construction Certificate is obtained prior to work commencing.
13.	**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: Where the total development cost is $500,000 or less: 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. Where the total development cost is more than $500,000 but less than $1,000,000: 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. Where the total development cost is $1,000,000 or more: a **Detailed Cost Report** (dated within 12 months) prepared by a registered Quantity Surveyor, **Building Contract,** or similar is to be submitted to and approved by Council's Executive Manager, Urban Planning, Policy and Strategy (or delegate). Please forward documents to info@waverley.nsw.gov.au attentioned to Strategic Planning, and reference the relevant application number, address and condition number to satisfy. 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.

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

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

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

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% of the full cost of the development; or

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

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

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

14. **HOUSING AND PRODUCTIVITY CONTRIBUTION**

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

Housing and productivity contribution	Amount
Housing and productivity contribution (base component)	$53,118.20
Transport project component	Nil
Total housing and productivity contribution	$53,118.20

The HPC must be paid using the NSW planning portal.

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

The HPC may be made wholly or partly as a non-monetary contribution (apart from any transport project component) if the Minister administering the *Environmental Planning and Assessment Act 1979* agrees.

The HPC is not required to be made to the extent that a planning agreement excludes the application of Subdivision 4 of Division 7.1 of the *Environmental Planning and Assessment Act 1979* to the development, or the HPC Order exempts the development from the contribution.

The amount of the contribution may be reduced under the HPC Order, including if payment is made before 1 July 2025.

	Condition reason: To require contributions towards the provision of regional infrastructure.
15.	**SECURITY DEPOSIT**
	A deposit (cash or cheque) for the amount of $214,959 must be provided to Council for any damage caused to any property of the consent authority (ie. public land) as a consequence of the works and completing any public work (such as road work, kerbing and guttering, footway construction, stormwater drainage and environmental controls) required in connection with the consent. This deposit (cash or cheque) must be provided to Council prior to the issue of any Construction Certificate. The full amount of the deposit, minus Council's costs for any repair of damage to Council property or rectification of unauthorised works on Council property, will be refunded after satisfactory completion all of works associated with this consent (including the required public works) to the person who paid the deposit.
	Condition reason: To ensure any damage to public infrastructure is rectified and public works can be completed.
16.	**LONG SERVICE LEVY**
	A long service levy, as required under section 34 of the *Building and Construction Industry Long Service Payments Act, 1986*, is to be paid in respect of this building work. Evidence that the levy has been paid is to be submitted to the Principal Certifying Authority prior to the issue of any Construction Certificate. Note: Council acts as an agent for the Long Service Payment Corporation and the levy may be paid at Council's office. The levy rate is 0.25% of building work costing $250,000 or more.
	Condition reason: To ensure the long service levy is paid.
17.	**ENGINEERING PLANS ASSESSMENT AND WORKS INSPECTION FEES**
	The applicant is to pay to Council fees for assessment of all engineering plans and inspection of the completed works in the public domain inclusive of all stormwater assessment, in accordance with Council's Schedule of Fees & Charges at the time of engineering plan approval, prior to such approval being granted by Council. An invoice will be issued to the applicant for the amount payable, which will be calculated based on the design plans for the subject development.
	Condition reason: To ensure Council assessment fees are paid.
18.	**VERIFICATION OF CONSTRUCTION CERTIFICATE DOCUMENTATION (HOUSING SEPP)**
	The preparation of the construction certificate plans shall be supervised and be to the satisfaction of an architect who is registered in accordance with the *Architects Act 2003* (i.e. a qualified designer) in accordance with the requirements of the Housing SEPP 2021. In accordance with the Environmental Planning and Assessment Regulation 2021, the Principal Certifying Authority must not issue a construction certificate unless it has

	received a design verification statement from a qualified designer which verifies that the construction certificate plans and specifications achieve or improve the design quality of the development for which development consent was granted, having regard to the design quality principles set out in *State Environmental Planning Policy Housing 2021*.
	Condition reason: To maintain the architectural integrity of the approved development.
19.	**BASEMENT STORAGE**
	The basement level/s are to provide separate and secure storage areas (in the form of lockable storage cages or the like), allocated to each apartment in the development for larger bulkier items (surfboards, boxes, camping equipment etc.) which are not suited to be stored within each individual apartment. Storage is to be allocated to individual units in accordance with the requirements of the Waverley Development Control Plan 2022.
	Condition reason: To ensure adequate basement storage is provided.
20.	**AFFORDABLE HOUSING CONTRIBUTION – PAYMENT IN ACCORDANCE WITH CLAUSE 6.17 OF THE WAVERLEY LOCAL ENVIRONMENTAL PLAN 2012**
	The Affordable Housing Contribution is as follows: (a) Pursuant to Clause 6.17 of the Waverley Local Environmental Plan 2012 and the Waverley Affordable Housing Contribution Scheme 2023, the applicant must provide Council a monetary contribution towards the provision of affordable housing. (b) The contribution of $256,560 payable for the provision of affordable housing shall be paid in one complete payment to Waverley Council prior to the issue of any Occupation Certificate. This contribution amount has been calculated based on a total proposed residential gross floor area of 1,460m^2 inclusive of a 1,064m^2 component for the purposes of a new RFB, multi-dwelling, shop top housing or independent living units. ***(MODIFIED BY DA-69/2024/B)***
	Condition reason: The proposal requires a contribution in accordance with Cl 6.17 of the WLEP and the Waverley Affordable Housing Contribution Scheme 2023.
20A.	**Planning Agreement**
	(a) The owner/applicant is to: (i) Enter into a planning agreement the subject of the offer made by the applicant to Council by letter dated 23 January 2026, in accordance with Waverley's Planning Agreement Policy 2014 prior to the issue of any Construction Certificate that relates to any building work, other than demolition, excavation, piling, shoring and ancillary work for construction purposes including site hoardings and temporary site sheds that relates to works contained in DA-69/2024/B; and

	(ii) Pay a monetary contribution amount of $478,800 prior to the issue of any Occupation certificate for the Development (calculated in accordance with Waverley's Planning Agreement Policy 2014 at 114 of GFA exceedance at a rate of $4,200/sqm). (iii) A Planning Agreement will be entered into under Section 7.4 of the Environment Planning and Assessment Act 1979 between the applicant/owner of the land subject of the Development and Council. (b) In accordance with the said offer, the Planning Agreement shall make provision in respect to the following: (iii) The Planning Agreement shall be registered upon the title to the land the subject of the Development prior to the issue of any Construction Certificate that relates to any building work, other than demolition, excavation, piling, shoring and ancillary works for construction purposes including site hoardings and temporary site sheds that relates to works contained in DA-69/2024/B. (iv) The owner/applicant shall provide Council with a Bank Guarantee to secure the payment of the Monetary Contribution prior to the issue of any Construction Certificate that relates to any building work, other than demolition, excavation, piling, shoring and ancillary works for construction purposes including site hoardings and temporary sheds that relates to works contained in DA-69/2024/B for the Development which is: • In a form acceptable to Council and from an institution acceptable to Council • Irrevocable • Unconditional • With no end date • (c) The payment of the Monetary Contribution to Council is to be made prior to the issue of any Occupation Certificate for the Development and is to be applied towards a public purpose in accordance with the Agreement and Council's Planning Agreement Policy 2014. ***(ADDED BY DA-69/2024/B)***
	Condition reason: The applicant offered to enter into a Planning Agreement and their offer is consistent with our PA Policy 2014 and supported by the Strategic Town Planning Team.
21.	**UNIVERSAL HOUSING**
	Apartments in the development are to be provided with universal design features (as outlined in the *Liveable Housing Design Guidelines*) to meet the changing need of occupant's over their lifetimes in accordance with Part B6 of the *Waverley Development Control Plan 2022*.
	Condition reason: To ensure universal design features are provided.

22.	**HOARDING**
	ensure the site is contained during construction, a hoarding is required for the approved works, which is to be designed and constructed in accordance with the requirements of Safe Work NSW. Where the hoarding is to be erected over the footpath or any public place, the approval of Council's Compliance Unit must be obtained and the applicable fees paid, prior to the erection of the hoarding.
	Condition reason: To ensure safety to the general public.
23.	**EROSION & SEDIMENT CONTROL**
	A Soil and Water Management Plan (SWMP), also known as an Erosion and Sediment Control Plan must be prepared in accordance with Waverley Council's Water Management Technical Manual. The SWMP must be approved by the Principal Certifying Authority prior to the issue of a Construction Certificate. A copy of the SWMP must be kept on site at all times and made available to Council officers upon request. The recommendations of the SWMP must be implemented and maintained during all construction activities and until the site is fully stabilised following construction.
	Condition reason: To ensure sediment laden runoff and site debris do not impact local stormwater systems and waterways.
24.	**DETAILS OF EXCAVATION, SHORING OR PILE CONSTRUCTION**
	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. y practices or procedures specified in the Structural Engineer's report in relation to the avoidance or minimisation of structural damage to adjoining properties are to be fully complied with and incorporated into the plans and specifications together with the Construction Certificate.
	Condition reason: To ensure any excavation, shoring or pile construction is carried out in a safe manner.
25.	**ENGINEERING DETAILS**
	uctural details are to be prepared and certified by a practicing Structural Engineer in connection with all structural components of the approved works, prior to the issue of the relevant Construction Certificate.
	Condition reason: To ensure structural stability of work on site.
26.	**GEOTECHNICAL RISK MANAGEMENT**
	The following geotechnical risk management measures must be followed: (a) The Applicant to comply with the *Waverley Council Development Control Plan,* and *Waverley Risks and Hazards Vulnerability Study Part 1 and Part 2, Reference*

No.301015-02526-CS-REP-0001, dated December 2011. Each of these documents are available on Waverley Council's website.

(b) The applicant must comply with all the requirements stipulated within the *Geotechnical Investigation Report* prepared by *JK Geotechnics, Reference No. 36439YCrpt, dated 15 December 2023.*

(c) Prior to issuing the construction certificate a Construction Methodology Report (CMR) must be prepared and submitted for the review and approval of the Executive Manager, Infrastructure Services (or delegate).

i. The CMR must be prepared or reviewed by a senior Geotechnical Engineer/Engineering Geologist and Structural Engineer (CP Eng or equivalent and with at least 10 years relevant experience).

ii. The CMR must include a review of, but not be limited to, the full detailed design including the temporary and permanent excavation, shoring support systems, dewatering (if applicable), footing design, earthworks, drainage, pavements and any other relevant items.

iii. The CMR must include a review of the geotechnical report and advise on the need of any further assessment work such as additional geotechnical investigation, groundwater monitoring, further assessment of the stability of the slope or cliff line. The CMR must be followed in its entirety unless otherwise agreed by the authors of the CMR (or their organisation).

iv. The CMR must include the methodology to be adopted in undertaking excavation, measures to reduce vibrations, shoring works and measures to maintain the stability of the neighbouring structures and the slope.

v. The CMR must include an appropriate monitoring plan to confirm that ground surface movement on the site boundaries (and beyond) including Wilga Street Reserve and deflections of shoring systems fall within acceptable limits and identify hold points and contingency plans for any exceedances.

vi. The CMR must include proposed excavation techniques to be undertaken to reduce vibrations and prepare a Vibration Monitoring Plan which identifies hold points and contingency plans for any exceedances. The vibration monitoring must ensure that the peak vibration velocity (Vi, max) or Maximum Peak Particle Velocity falls within 'safe' limits as defined in the German Standard DIN 4150-3, dated 2016: *Structural vibration – Part 3: Effects of vibration on structures*.

vii. The CMR must include a statement confirming that the proposed development is suitable for the site and will maintain the stability of the site, any slopes or cliff lines and the neighbouring buildings and structures.

viii. The CMR must be submitted to the Principle Certifying Authority and Council for review and approval. The approved CMR is to be submitted to Council's Infrastructure Services Department for records.

(d) Where groundwater is encountered and dewatering is expected to be required, prior to issuing the construction certificate a hydrogeological investigation must be carried out that includes a minimum of three wells to be installed for future groundwater monitoring purposes in accordance with the NSW Department of Planning, Industry and Environments (DPIE) document: 'Minimum Requirements for Building Site Groundwater Investigations and Reporting', dated October 2022 (or the current revised version).

(e) The groundwater investigation, monitoring, inflow (seepage) analysis and reporting must be in accordance with the NSW Department of Planning, Industry and Environments document, Titled 'Minimum Requirements for Building Site Groundwater Investigations and Reporting', dated October 2022, or the most recent version. Groundwater level monitoring must be carried out for a minimum of three months as required by DPIE/WaterNSW requirements.

(f) In accordance with DPIE/WaterNSW requirements, where the seepage analysis demonstrates a seepage volume of less than 3ML/year then only a Water Supply Works approval must be obtained, unless otherwise directed by DPIE/WaterNSW. Where the seepage analysis demonstrates a seepage volume in excess of 3ML/year then a Water Access Licence (WAL) will also need to be obtained from WaterNSW. This is likely to require the purchase of 'water shares' in accordance with DPIE/WaterNSW requirements.

(g) Prior to the issue of any Construction Certificate, if required based on items d and e, an application pursuant to the Water Management Act 2000 shall be made with WaterNSW to obtain Water Supply Works (WSW) approval. A copy of the aforementioned approval must be submitted to Waverley Council or details confirming (by WaterNSW) why a WSW is not required.

(h) During the bulk excavation stages, a qualified supervising engineer will be required to be present on site from time to time. A daily log is to be kept on site and submitted to the Principle Certifying Authority (PCA).

(i) Inspections of any unsupported vertical excavations into bedrock are required by a qualified geotechnical engineer/engineering geologist (tertiary qualified with at least 5 years relevant experience) and must be completed in accordance with the Monitoring Program detailed in the CMR.

Inspections must be completed or reviewed by a qualified geotechnical engineer/engineering geologist (as defined in 'g' above) during shoring works to confirm socket requirements below the bulk excavation level have been achieved for the shoring and during the excavation/drilling of high level footings/pile footings to confirm that the foundation materials are in accordance with the requirements of the structural drawings and/or geotechnical report, as applicable.

Condition reason: This condition imposed is to ensure that the development complies with *Waverley Council Development Control Plan*, *Coastal Risk Management Policy,* and *Waverley Risks and Hazards Vulnerability Study Part 1 and Part 2,* and the

	geotechnical requirements and risk management measures specified by the applicant's engineers/experts.
27.	**TELECOMMUNICATIONS IN NEW RESIDENTIAL FLAT BUILDING AND MIXED USE DEVELOPMENTS**
	Evidence is to be provided to the Principal Certifier that arrangements have been made for; (a) The installation of fibre-ready facilities to all individual lots and/or premises to enable fibre to be readily connected to any premises that is being or may be constructed on those lots. Demonstrate that the carrier has confirmed in writing that they are satisfied that the fibre ready facilities are fit for purpose; and (b) The provision of fixed-line telecommunications infrastructure in the fibre-ready facilities to all individual lots and/or premises demonstrated through an agreement with a carrier.
	Condition reason: To ensure appropriate telecommunication services are provided.
28.	**SYDNEY WATER SECTION 73 COMPLIANCE CERTIFICATE APPLICATION**
	An application to obtain a Section 73 Compliance Certificate under the *Sydney Water Act 1994* must be made prior to the issue of the relevant Construction Certificate. The application must be made through an authorised Water Servicing Coordinator. For more information about making an application to obtain a Section 73 Compliance Certificate, please consult Sydney Water's website. Following this application, a "Notice of Requirements" will be provided by Sydney Water that outlines any requirements of works to be completed prior to the issue of the Section 73 Compliance Certificate. Please make early contact **with the Coordinator**, as building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design. A Section 73 Compliance Certificate must be issued from Sydney Water prior to the issue of an occupation certificate.
	Condition reason: To ensure compliance with Section 73 Compliance Certificate under the *Sydney Water Act 1994.*
29.	**CONSTRUCTION TRAFFIC MANAGEMENT PLAN (CTMP)**
	To minimise possible impacts of construction vehicles, the applicant is to submit a Construction Traffic Management Plan (CTMP) for the approval of Council's Executive Manager, Infrastructure Services, or delegate, prior to the issue of any Construction Certificate. 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 It is recommended that any sites that are significantly large meet with Council prior to the preparation of the CTMP to discuss specifics.

	Note: 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 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.
30.	**STORMWATER AND PUBLIC INFRASTRUCTURE MANAGEMENT**
	To ensure that stormwater runoff from the development is drained in an appropriate manner, without impact on neighbouring properties and downstream systems, a detailed plan and certification of the development's stormwater management system must be submitted and approved by the Executive Manager, Infrastructure Services (or delegate) prior to the issue of the relevant Construction Certificate. The submitted stormwater management plan prepared by Integrated Group Services, Project No. EN-N23_316, Drawing No. SW102, SW103 & SW104 Rev. 04 dated 24/02/2025 are considered <u>concept only.</u> The applicant must submit amended plans and specifications to comply with the current Waverley Council 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 and comply with the following conditions: a) A letter of consent from the owner/occupants of the property No. 24 Sandridge Street, Bondi for the registration/creation of any inter-allotment drainage pipe and easement through the lot must be obtained and submitted to Council. b) The stormwater discharge must be a gravity-fed drainage system discharging as per the requirement of an outlet to watercourses. No pump-out system is permitted. c) An internal CCTV inspection of the existing pipeline within Wilga Reserve to the rear of No. 24 Sandridge Street, Bondi is required to determine its structural and serviceability condition. The CCTV report (track mounted CCTV camera footage) must be prepared by an accredited operator in line with the Council's CCTV Inspection Scope document assessing the condition of the existing drainage lines to the rear of No. 24 Sandridge Street, Bondi. The report must be dated and submitted to the satisfaction of Council's Executive Manager, Infrastructure Services (or delegate). d) A long section of the drainage easement on No. 24 Sandridge Street, Bondi extended up to the discharge point of the existing drainage line within Wilga Reserve to the ocean must be provided and its details included (e.g. existing

surface levels, inverts and obverts of existing and proposed, size of the pipe etc.).

e) Calculations must be provided to demonstrate the proposed 150 mm pipe combined with the existing overland flow path and the existing pipeline within Wilga Reserve, have adequate capacity to accommodate a 1% AEP storm from the development sites, as well as any existing flow currently contributing to this path.

f) The permissible site discharge (PSD) for each lot must be limited to the lower of:
   i. The maximum discharge from the site during the 20% AEP for a 5-minute storm event under undeveloped site conditions (with fraction imperviousness 0.1) as outlined in the Waverley Technical Manual 2021, Section 6.3.; or
   ii. The capacity of the existing drainage line within Wilga Reserve, considering the combined flow from all lots including the existing flow currently contributing to this drainage line.

g) An individual stormwater management system must be provided for each lot to be registered as Torrens title.

h) The stormwater management plans must provide details of any required OSD stormwater 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.

i) No pump out system is permitted to drain the groundwater or seepage flow. If a drained basement is designed subject to approval from WaterNSW, the discharge must be a gravity-fed drainage system discharging to the outlet. Otherwise, the basement must be tanked and waterproofed in accordance with a Registered Structural Engineer's design.

j) Erosion and sediment control plan for the onsite and any offsite work must be provided. Reference must be made to Section 9.2.2 of the WMTM.

k) If utilising any existing infrastructure, specify any components of the existing drainage infrastructure to be retained and certified during construction to be in good condition and of adequate capacity to convey additional runoff and be replaced or upgraded if required. A separate approval shall be obtained for any stormwater pipe upgrade work within the Crown land.

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.

Notes:

i. Any Council infrastructure affected as a result of construction activities within the public domain area, inclusive of stormwater, stormwater outlet/s, kerb and gutter, pavement, grass verges and vehicle crossovers within the extent

	works must be replaced if damaged as per the Waverley Council Public Domain Technical Manual. All associated costs will be borne by the applicant. ii. The checklist as set out on pages 68-76 in Council's Water Management Technical Manual (October 2021) available online must be completed and submitted with any revision of Construction Certificate Plan Submissions. iii. The Applicant is advised to consider the finished levels of the public domain, including new or existing footpaths and pavement prior to setting the floor levels for the proposed development. iv. Waverley Council standard drawings for public domain infrastructure assets are available upon request. Details that are relevant may be replicated in the Engineering design submissions however, Council's title block must not be replicated. v. Prior to commencement of works a security deposit will be made payable to Council to ensure any additional damage or unauthorised works within the Council property, not conditioned above. Council will reserve the right to withhold the cost of restoring the damaged assets from the security deposit should the applicant fail to restore the defects to the satisfaction of Council. vi. Council's contact for infrastructure assessment: E-mail: assets@waverley.nsw.gov.au or Phone: 9083 8655 (operational hours between 9.30am to 4pm Monday to Friday). The expected duration to review and approve the stormwater management plan may take at least 15 working days from the date of submission. Evidence from a suitably qualified and practicing Engineer that the approved design has been adhered to must be submitted to and approved by the Principal Certifying Authority (PCA) prior to the issue of the relevant Construction Certificate application.
	Condition Reason: To ensure that the stormwater system is designed and constructed in accordance with Waverley Council's Water Management Technical Manual and will minimise the likelihood of stormwater related issues to the property owner, occupiers, neighbours and broader community.
31.	**BASIX**
	requirements of the BASIX Certificate and/or NatHERS documentation are to be shown on the Construction Certificate plans and documentation.
	Condition reason: To ensure BASIX and/or NatHERS requirements are met.
32.	**SITE WASTE AND RECYCLING MANAGEMENT PLAN**
	A *Site Waste and Recycling Management Plan (SWRMP) - Part 2* is to be submitted to the Principal Certifying Authority prior to the issue of the relevant Construction Certificate, which outlines materials to be reused and/or recycled as a result of demolition and construction works. At least one copy of the *SWRMP Part 2* is to be available on site at all times during construction. Copies of demolition and construction waste dockets that verify the facility that received the material for recycling or disposal and the quantity of waste received, must be retained on site at all times during construction.
	Condition reason: To ensure resource recovery is promoted and the local amenity is protected during construction.

33.	**GREEN ROOF LANDSCAPING DETAILS**
	The construction certificate landscape plans are to comply with the controls for green roofs in Part B3.2.3 of the *Waverley Development Control Plan 2022* including; (a) Comprise plants that are suitable for the site in relation to the environmental conditions (sun, wind and views) and include indigenous or local native plants to Waverley (see Annexure B3 – 1). (b) Have a minimum soil depth of 300mm and use lightweight soil mixes that are porous, able to drain freely, and suitable for the selected plant species (c) The green roof is to be designed to be a non-trafficable area (with no balustrades) and must be irrigated without requiring frequent maintenance access. Any access to the roof is to be for servicing purposes only. A qualified landscape architect must review the design and verify that it complies with the above requirements.
	Condition reason: To ensure the longevity of the green roof.
34.	**DILAPIDATION REPORT**
	Before any site work commences, a dilapidation report must be prepared by a suitably qualified engineer detailing the structural condition of adjoining buildings, structures or works and public land to the satisfaction of the Principal Certifying Authority. At minimum, the following properties are to be included: (a) 18 Sandridge Street, BONDI (b) 24 Sandridge Street, BONDI (c) 15 Wilga Street, BONDI (d) 17 Wilga Street, BONDI (e) 19 Wilga Street, BONDI (f) 23 Wilga Street, BONDI (g) 52 Fletcher Street, BONDI (h) 54 Fletcher Street, BONDI Where access has not been granted to an adjoining property to prepare the dilapidation report, the report must be based on a survey of what can be observed externally and demonstrate, in writing, to the satisfaction of the Principal Certifying Authority that all reasonable steps were taken to obtain access to the adjoining properties. The report is to be dated, submitted to, and accepted by the Principal Certifying Authority, prior to any work commencing on the site. No less than 14days before any site work commences, adjoining property owner(s) must be provided with a copy of the dilapidation report for their property(ies) and a copy of the report(s) must be provided to council (where council is not the principal certifier) at the same time. Note: Any damage that may be caused is a civil matter. This consent does not allow or authorise any party to cause damage, trespass, or any other unlawful act and Council will not be held responsible for any damage that may be caused to adjoining buildings as a consequence of the development being carried out. Council will not become directly involved in disputes between the builder, owner, developer, its contractors and the owners of neighbouring buildings.

	Condition reason: To establish and document the structural condition of adjoining properties and public land for comparison as site work progresses and is completed and ensure neighbours and council are provided with the dilapidation report.
35.	**RENEWABLE ENERGY AND ENERGY EFFICIENCY**
	To enable all development to contribute to net zero greenhouse emissions by 2035, the following shall apply: (a) An electric hot water system is strongly encouraged in all developments. Recommended systems include electric heat pump, solar thermal with electric boost or electric storage. (b) Recommended swimming pool heating systems to include solar thermal only, solar thermal boosted with electric heat pump or electric heat pump. (c) No gas cooktops, gas ovens and gas heating systems are permitted. Alternate options must be used (such as electric, induction). (d) Recommended lighting systems to include LEDs with controls, such as motion sensors, step-dim controls and daylight sensors. The architectural plans shall be updated to notate the above and submitted to the Principal Certifying Authority for approval, prior to the issue of a Construction Certificate.
	Condition reason: To reduce community greenhouse emissions to net zero by 2035 and ensure all new (or altered) homes have future capacity to be an all-electric building, powered by renewable energy.
38.	**WATER QUALITY**
	The development will at all times maintain the water quality system to achieve the following minimum pollutant removal targets for the entire site in perpetuity as per Council's Water Technical Management Manual 2021.

Pollutant	% post development pollutant reduction targets
Gross Pollutants	90
Total Suspended Solids	80
Total Phosphorous	55
Total Nitrogen	40

	The applicant will submit plans and specifications for the proposed Stormwater Quality Improvement device (SQID), including cross-sections and the hydraulics. These are to be shown on the submitted stormwater management plans and prepared by a suitably qualified and practising Civil Engineer showing complete and detailed SQID design and hydraulics. MUSIC model must be provided to Council for assessment.
	Condition reason: To protect the downstream environment from any contaminants.
39.	**REVEGETATION OF THE PUBLIC RECREATION ZONE**
	If any work is carried out within Wilga Reserve, a vegetation plan for the revegetation of the area disturbed by the work associated with the extension of the drainage line in Wilga Street Reserve must be submitted and approved by the Executive Manager,

	Environmental Sustainability (or delegate) prior to the issue of the relevant Construction Certificate.
	Condition reason: To ensure the area affected by the works is rehabilitated to Council's satisfaction.
40.	**PRE-DEMOLITION DILAPIDATION REPORT**
	To ensure Council's infrastructure is adequately protected, a pre-demolition dilapidation report on the existing public infrastructure in the vicinity of the proposed development and along the travel routes of all construction vehicles is to be submitted to Council. This report should cover both Sandridge Street between Fletcher Street and Wilga Street, Wilga Street east of Sandridge Street. The report shall detail, but not be limited to, the location, description and photographic record (in colour) of any observable defects to the following infrastructure where applicable: (a) Road pavement (b) Kerb and gutter (c) Footpath (d) Drainage pits and lintels (e) Traffic signs (f) Any other relevant infrastructure. The report is to be dated, submitted to, and accepted by Council's Public Domain Engineer, prior to any work commencing on the site. All fees and charges associated with the collation of this report shall be at the cost of the Applicant.
	Condition reason: This condition is imposed to protect Councill's existing infrastructure and assets including the roadways and footpath from the construction activities undertaken by the developments.
41.	**PUBLIC INFRASTRUCTURE WORKS**
	Public infrastructure works must be designed and constructed as outlined in this condition of consent. The approved works must be completed to Council's satisfaction at no cost to Council. Full design engineering drawings must be prepared by a suitably qualified and experienced engineering professional and must be submitted to Council and approved by the Executive Manager, Infrastructure Services (or delegate) prior to the issue of relevant Construction Certificate. The Applicant must submit plans and specifications for the following infrastructure works to Council's Infrastructure Engineer: a) Road Pavement: The full renewal and reconstruction of asphalt pavement for half road width in Sandridge Street frontage of the development site. Details of the road pavement treatments and sub-grade details are to be advised by Council. b) Footpath, Kerb and Gutter: The existing footpath, kerb, and gutter traversing Sandridge Street frontage is to be reconstructed and upgraded in accordance with the current Waverley Council Development Control Plan (DCP) and Public Domain Technical Manual (PDTM) at the time of engineering plan approval. The proposed footpath, kerb, and gutter profiles must include longitudinal and cross sections to ensure proper

connections to the existing Council infrastructure traversing the development site.

c) Street Trees: Two (2) street trees must be planted along the Sandridge Street frontage. Any trees proposed to be planted on Council-owned land must have properly constructed tree pits, surrounds, and root cell barriers, as specified in the Waverley Council Public Domain Technical Manual. The placement of the trees must be such that they do not interfere with the wheel-swept path or obstruct the proposed vehicular crossing. Each tree must have a pot size of 200 litres. The tree species chosen for this site is Agonis flexuosa (Willow Myrtle). The trees must be planted according to the guidelines outlined in Part I.05 of the Waverley Council Public Domain Technical Manual.

Waverley Council is to be contacted at the time of installing the root cells prior to planting the new trees.

d) Replenish and returf the existing Council verge for the full frontage of the development.

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

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

g) The full public domain traversing the street frontage must be protected from the proposed building works. The applicant will be required to replace any damaged footpath, street furniture, pavement, kerb and gutter, and Council's infrastructure at no cost to Council.

h) The detailed design drawings must include the following:
    a. Cross-sections at approved intervals demonstrating a consistent 2.5% grade in the pedestrian pathway falling towards the road at all points across all frontages of the site.
    b. Long sections of the footpath, kerb and gutter, site boundary and road centreline showing the existing and proposed RL's, extending 10m either side of the development.
    c. Levels along the property boundary with the public domain must either match existing OR maintain a longitudinal grade consistent with the neighbouring properties, at the discretion of Council.
    d. The existing and proposed reduced levels (RL's) at each access point into the building.
    e. Details of any transitions required beyond the boundaries of the site.
    f. Details and proposed locations of any street furniture and street trees.

	g. All services and pit locations in the footpath area. Note that if any service lids are in poor condition that they must be replaced. Notes: ○ Depending on the complexity of the proposed public domain works, the Council's review of each submission of the plans may take a minimum of six (6) weeks. ○ The Applicant is advised to consider the finished levels of the public domain, including new or existing footpaths and pavement prior to setting the floor levels for the proposed development. ○ Waverley Council standard drawings for public domain infrastructure assets are available upon request. Details that are relevant may be replicated in the public domain design submissions; however, Council's title block shall not be replicated. ○ Prior to commencement of works a security deposit will be made payable to Council to cover any additional damage or unauthorised works within the Council property, not conditioned above. Council will reserve the right to withhold the cost of restoring the damaged assets from the security deposit should the applicant fail to restore the defects to the satisfaction of Council. Council's contact for the public domain: E-mail: assets@waverley.nsw.gov.au or Phone: 9083 8655 (operational hours between 9.30am to 4.00pm Monday to Friday).
	Condition reason: This condition imposed is to ensure that the public assets within the public domain are upgraded in alignment with the LEP, DCP and/or PDTM.
42.	**GROUND ANCHORS**
	Where any ground anchors (i.e.. rock or sand anchors) are proposed to extend beyond the property boundary beneath roadways and other Council property, details must be submitted and approved by Council's Executive Manager, Infrastructure Services (or delegate) and will be subject to fees. For further information regarding this, please contact assets@waverley.nsw.gov.au on (02) 9083 8886.
	Condition reason: Under the Roads Act 1993, any proposed part of the structure extending beyond the private property must be reviewed and approved by the Roads Authority being Infrastructure Services Team, Waverley Council.
43.	**STREET TREE BOND**
	A bond of $6000 is to be lodged with Council either as cash or by way of an unconditional bank guarantee to ensure the protection and maintenance of (a) Two (2) *Agonis flexuosa* 'After Dark' (Willow Myrtle) on the grass verge adjacent to 18 Sandridge Street (b) One (1) *Banksia serrata* (Saw Tooth Banksia) on the gras verge adjacent to 20 Sandridge Street i. The sum will be forfeited to the Council at its discretion for a breach of these requirements ii. Street trees to be inspected twelve (12) months from the issue of the Occupation Certificate subject to the satisfaction of Council

	iii. The $6000 bond will be refunded twelve (12) months from the issue of the Occupation Certificate subject to the satisfaction of Council. iv. 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 v. The applicant must remove and replace the faulty, damaged, dying, or dead street tree and a new bond will be applied on the replacement street tree. A proof of purchase of the replacement street (if required) must be provided to the Principal Certifying Authority, prior to the issue of a Construction Certificate.
	Condition Reason: To ensure trees are maintained and protected
44.	**[DELETED CONDITION]**
	(DELETED BY DA-69/2024/B)
45.	**NOISE - ACOUSTIC ASSESSMENT**
	An Acoustic Assessment Report prepared by a suitably qualified acoustic consultant shall be prepared to assess the impacts of the development (internal and external areas) including any mechanical plant, refrigeration motors and air conditioning units and make recommendations to ensure that the noise from the development will be within the acceptable limits of the Protection of the Environment Operations Act 1997 and relevant legislation. The plan must be submitted to the satisfaction of Council's Executive Manager, Compliance (or delegate). Note: Any management measures recommended in the acoustic report shall be incorporated into a Plan of Management, which will be required to be submitted to Council for approval prior to the issue of an Occupation Certificate. For further information on the requirements, refer to Council's website: https://www.waverley.nsw.gov.au/building/development_applications/post_determination/development_applications_-_conditions_of_consent
	Condition reason: To control acoustic impacts to surrounding land uses.
46.	**NOISE MANAGENT PLAN – DEMOLITION, EXCAVATION AND CONSTRUCTION**
	A site specific Noise Management Plan, prepared by a suitably qualified acoustic consultant (as defined in the advisory section of this consent) must be submitted to the satisfaction of Council's Executive Manager, Compliance (or delegate) for demolition, excavation and construction works. For further information on the requirements, refer to Council's website: https://www.waverley.nsw.gov.au/building/development_applications/post_determination/development_applications_-_conditions_of_consent
	Condition reason: To protect the amenity of the local area.

BEFORE BUILDING WORK COMMENCES

	Condition
47.	**CONSTRUCTION SIGNS**
	Prior to commencement of any works on the site and during construction a sign shall be erected on the main frontage of the site detailing the name, address and contact details (including a telephone number) of the Principal Certifying Authority and principal contractor (the coordinator of the building works). The sign shall be clearly legible from the adjoining street/public areas and maintained throughout the building works.
	Condition reason: To ensure the general public are afforded the Principal Certifying Authority and principal contractor's (the coordinator of the building works) contact details.
48.	**DEMOLITION – ASBESTOS AND HAZARDOUS MATERIALS**
	The demolition, removal, storage, handling and disposal of products and materials containing asbestos must be carried out in accordance with the relevant requirements of SafeWork NSW and the NSW Environment Protection Authority (EPA), including: • Work Health and Safety Act 2011; • Work Health and Safety Regulation 2017; • SafeWork NSW Code of Practice for the Safe Removal of Asbestos; • Australian Standard 2601 (2001) – Demolition of Structures; • *Protection of the Environment Operations Act 1997.* At least 5 days prior to the demolition, renovation work or alterations and additions to any building, the person acting on the consent shall submit a Work Plan to the Principal Certifying Authority in accordance with Australian Standard AS 2601-2001, Demolition of Structure and a Hazardous Materials Assessment prepared by a person with suitable expertise and experience. The Work Plan and Hazardous Materials Assessment shall: (a) Outline the identification of any hazardous materials, including surfaces coated with lead paint; (b) Confirm that no asbestos products are present on the subject land, or (c) particularise a method of safely disposing of the asbestos in accordance with the Code of Practice on how to safely remove asbestos published by SafeWork NSW (catalogue WC03561); (d) Describe the method of demolition; (e) Describe the precautions to be employed to minimise any dust nuisance; and (f) Describe the disposal methods for hazardous materials.
	Condition reason: To ensure the safety of workers and the general public.

49.	**TREE PROTECTION**
	All trees on site and adjoining properties, including street trees, are to be retained and protected in accordance with AS4970-2009 'Protection of Trees on Construction Sites' and to be certified by an Arborist with AQF level 5 qualification or above, unless approved to be removed in this development consent.
	Condition reason: To protect and retain trees.
50.	**STREET TREES TO BE RETAINED/TREE PROTECTION**
	No existing street trees shall be removed without Council approval. Precautions shall be taken when working near trees to ensure their retention, including the following: (a) Do not store harmful or bulk materials or spoil under or near trees; (b) Prevent damage to bark and root system; (c) Do not use mechanical methods to excavate within root zones; (d) Do not add or remove topsoil from under the drip line; (e) Do not compact ground under the drip line; (f) Do not mix or dispose of liquids within the drip line of the tree; and (g) All trees marked for retention must have a protective fence/guard placed around a nominated perimeter in accordance with AS4970-2009 “Protection of trees on construction sites.
	Condition reason: To protect trees during the carrying out of site work.
51.	**NOTICE OF INTENTION TO COMMENCE PUBLIC DOMAIN WORKS**
	Prior to commencement of the public domain works notice must be submitted to Councils Infrastructure Engineer. This notice must include the name and insurance details of the Contractor who will be responsible for the construction works, and the details of the managing site supervisor/engineer. The applicant is also responsible for obtaining all Road Activity Permits required for the works, from the respective authorities.
	Condition reason: This is to ensure that the development has been granted with relevant CC design approval and obtained relevant permits from Council, along with copies of the current insurances provided to Council.
52.	**APPROVALS FOR WORKING THROUGH/WITHIN THE PUBLIC DOMAIN**
	Road Activity Permits: To carry out work in, on or over a public road, the Consent of Council is required as per the *Roads Act 1993*. Prior to the commencement of the relevant works and considering the lead times required for each application, permits for the following activities, as required and as specified in the form "Road Activity Permits Checklist" (available from Council’s website) are to be obtained and copies submitted to Council with the Notice of Intention to Commence Public Domain Works. i) Road Use Permit - The applicant shall obtain a Road Use Permit where any area of the public road or footpath is to be occupied as construction workspace, other than activities covered by a Road Opening Permit or if a Work Zone Permit is not obtained. The permit does not grant exemption from parking regulations.

	j) Work Zone Permit - The applicant shall obtain a Work Zone Permit where it is proposed to reserve an area of road pavement for the parking of vehicles associated with a construction site. Separate application is required with a Traffic Management Plan for standing of construction vehicles in a trafficable lane. A Roads and Maritime Services Road Occupancy Licence shall be obtained for State Roads. k) Road Opening Permit - The applicant shall apply for a road-opening permit and pay the required fee where a new pipeline is to be constructed within or across the road pavement or footpath. Additional road opening permits and fees are required where there are connections to public utility services (e.g. telephone, telecommunications, electricity, sewer, water or gas) within the road reserve. No opening of the road or footpath surface shall be carried out without this permit being obtained and a copy kept on the site. l) Elevated Tower, Crane or Concrete Pump Permit - The applicant shall obtain an Elevated Tower, Crane or Concrete Pump Permit where any of these items of plant are placed on Council's roads or footpaths. This permit is in addition to either a Road Use Permit or a Work Zone Permit. m) Crane Airspace Permit - The applicant shall obtain a Crane Over Airspace Permit where a crane on private land is operating in the air space of a Council Road or footpath. Approval from the Roads and Maritime Services for works on or near State Roads is required prior to lodgement of an application with Council. A separate application for a Work Zone Permit is required for any construction vehicles or plant on the adjoining road or footpath associated with use of the crane. n) Hoarding Permit - The applicant shall obtain a Hoarding Permit and pay the required fee where erection of protective hoarding along the street frontage of the property is required. The fee payable is for a minimum period of 6 months and should the period is extended an adjustment of the fee will be made on completion of the works. The site must be fenced to a minimum height of 1.8 metres prior to the commencement of construction and throughout demolition and/or excavation and must comply with WorkCover (New South Wales) requirements. o) Skip Bin on Nature Strip - The applicant shall obtain approval and pay the required fee to place a Skip Bin on the nature strip where it is not practical to locate the bin on private property. No permit will be issued to place skips.
	Condition reason: To ensure that works undertaken in the roads, footpaths and verges surrounding the site are undertaken with appropriate planning and approvals in place to maximise safety and limit nuisance to neighbouring properties and members of the public.
53.	**PROTECTIVE FENCING**
	Prior to the issue of any construction certificate: (a) Protective fencing must be erected around each tree nominated for retention and protection.

	(b) The protective fencing shall remain in place for the duration of the works, it must be secured to restrict access, and must not be removed or altered without approval from the on-site arborist. (c) Fencing should be installed in accordance with AS 4687 (d) Protective fencing shall comprise of 1800mm high chain link wire mesh fixed to 50mm galvanised steel posts. (e) Portable chain link fencing may be installed. (f) Chain link portable panels must be securely fixed top and bottom to avoid separation. Coloured plastic tape fencing or plain strained fencing wire fixed to steel droppers is unacceptable.
	Condition Reason: To create an exclusion zone around the tree throughout the construction to ensure all tree parts are protected.
54.	**TRUNK AND BRANCH PROTECTION**
	here protective fencing is not possible, trunk protection is to be installed with the following: (a) the placement of 1.8m or less lengths of 75 mm x 40 mm hardwood or pine spaced at 125 mm centres around the trunk secured in place by metal strap bindings or 10-gauge fencing wire fixed at 300 mm centres. Prior to placing battens install a soft protective padding to ends of timbers to prevent damage to bark and conducting tissue. Trunk protection must remain in place for the duration of all site work.
	Condition Reason: To ensure all tree parts are protected throughout the construction.
55.	**TREE PROTECTION ZONE SIGNAGE**
	Prior to the issue of a Construction Certificate, signs identifying the Tree Protection Zone (TPZ) are to be placed around the edge of the TPZ and be visible from within the development site. Contact telephone numbers for the site arborist/site manager shall be clearly shown on all warning signs.
	Condition Reason: To advise contractors and visitors to the site of the purpose for protecting and preserving the trees.
56.	**TREE PROTECTION CERTIFICATE**
	The onsite arborist is to provide a certificate to Council stating that appropriate tree protection measures have been installed for the trees to be retained and protected.
	Condition reason: To ensure trees are protected prior to work commencing.
57.	**TREES TO BE RETAINED AND PROTECTED**
	This schedule outlines which trees are approved for removal and replacement, or to b retained and protected.

Tree No.	Species	Location	Action

T1	*Cupaniopsis anacardioides* (Tuckeroo)	On site	Retain and protect	
T2	*Lagunaria patersonia* (Norfolk Island Hibiscus)	On site	Remove and replace as per arborist report	
T3	*Ficus rubiginosa* (Port Jackson Fig)	Neighbouring property	Retain and protect	
T4	*Ficus rubiginosa* (Port Jackson Fig)	On site	Remove and replace as per arborist report	
T5	*Ficus benjamina* (Weeping Fig)	On site	Remove and replace as per arborist report	
T6	*Lagunaria patersonia* (Norfolk Island Hibiscus)	On site	Remove and replace as per arborist report	
T7	*Lagunaria patersonia (*Norfolk Island Hibiscus)	Neighbouring property	Retain and protect	
T8	*Banksia integrifolia* (Coast Banksia)	Neighbouring property	Retain and protect	
T9	*Lagunaria patersonia* (Norfolk Island Hibiscus)	Neighbouring property	Retain and protect	
T10	*Agonis flexuosa* 'After Dark' (Willow Myrtle)	Grass verge – 18 Sandridge	Retain and protect	
T11	*Agonis flexuosa* 'After Dark' (Willow Myrtle)	Grass verge – 18 Sandridge	Retain and protect	
T12	*Banksia serrata* (Saw Tooth Banksia)	Grass verge – 20 Sandridge	Retain and protect	

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

58. **PROTECTING TREES ON DEVELOPMENT SITES**

(a) All trees to be retained on site and adjoining properties, including street trees, are to be retained and protected in accordance with AS4970-2009 Protection of Trees on Development Sites, Waverley Council's Development Control Plan 2022, and the tree protection and planting recommendations in the Arboricultural Impact Assessment prepared by Russell Kingdom Advanced Treescape Consulting. Date: 21/12/2023

(b) If any trees identified to be retained and protected are found to be faulty, damaged, dying, or dead, they must be removed and replaced with the same species at the applicant's expense.

All approved tree work must be carried out by minimum AQF Level 3 arborist in accordance with AS 4373-2007 Pruning of amenity trees.

Condition reason: To ensure trees remain unimpacted by construction.

59. **TREE WORK**

(a) If any trees on the site or on neighbouring properties require pruning, then permission must be gained from the owner of the tree(s) and an application to Prune, or Remove Trees on Private Property is then to be presented to Council for processing

	If any trees on Council owned land require pruning, the applicant is to supply a tree pruning report from an Arborist with AQF level 5 qualification or above with photos showing the branches that need to be removed.
	Condition reason: To ensure trees remain unimpacted by construction

DURING BUILDING WORK

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

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

	(a) Reinforcement of the swimming pool/outdoor spa is to be inspected by an Accredited Officer or other suitably qualified person prior to the pouring of concrete (b) The electrical wiring system for any proposed underwater artificial lighting installation to the pool/spa is to be installed in accordance with the requirements of Australian Standard 3000, Part 1 - Wiring Rules (c) The swimming pool/outdoor spa water is to be treated by an approved water treatment and filtration unit (d) To prevent noise nuisance to surrounding properties, the swimming pool/outdoor spa filtration motor and pump unit is to be housed within a ventilated soundproof enclosure (e) Waste waters from the swimming pool/outdoor spa are to be discharged into Sydney Water's sewerage system and in this regard, approved plans MUST be submitted to Sydney Water at least 14 days prior to commencement of building operations.
	Condition reason: To ensure pools are constructed in a correct manner.
70.	**NEW VEHICLE CROSSING**
	A new vehicle crossing is to be provided to access the proposed basement car parks. A separate application is required for the vehicle crossing, with all work to be carried out with the approval of and in accordance with the requirements of Council. The width at the street is to be 3.9 metres inclusive of 0.45 metre splays either side.
	Condition reason: To ensure the development complies with Section 138 of the Roads Act 1993.
71.	**VEHICULAR ACCESS - FINISHED LEVEL**
	The internal finished level shall be constructed to match the longitudinal fall of Council's footpath. In this regard, the finished level at the property boundary on both sides of the vehicle crossing is to match the level of the back edge of the existing concrete footpath. Should the internal slab be poured incorrectly, Council may ask that internal alterations be made and the slab adjusted at the applicant's cost.
	Condition reason: To ensure stormwater falling on Council land drains away from the property boundary.
72.	**EXISTING VEHICLE CROSSING TO BE CLOSED**
	The existing vehicle crossings 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.
	Condition reason: To remove any redundant vehicle crossings from the site frontage.

73.	**HEADROOM CLEARANCE**
	The headroom clearance on the entry and within the car park/garage is to be a minimum of 2.2 metres. The headroom clearance within the accessible parking spaces and adjacent shared zones is to be a minimum of 2.5 metres.
	Condition reason: To ensure minimum headroom set in AS2890.1 are met.
74.	**ELECTRIC VEHICLE CHARGING FACILITIES**
	All resident car spaces must be 'EV Ready' and provided a dedicated circuit with a minimum current of 16A and cable storage for each parking space with power demand management system to enable all circuits to be used simultaneously. Electrical circuit have capacity to deliver a minimum 15 kWh between 11pm-7am. At least one of the resident car spaces is to have a charger installed. At least one dedicated space and charging point is to be provided for electric bicycles and mobility scooters. All visitor car spaces require an EV charger with a 3-phase - 32A connection as a minimum. Electrical circuit have capacity to deliver a minimum 15 kWh between 9am-5pm.
	Condition reason: To ensure EV ready spaces comply with WDCP requirements at time of approval.
75.	**ACTIVITIES EXCLUDED WITHIN TREE PROTECTION ZONE (TPZ)**
	Activities excluded from the TPZ include but are not limited to: (a) Stockpiling of bulk materials, spoil or fill (b) Machine excavation including trenching (c) Excavation for silt fencing (d) Cultivation (e) Preparation or disposal of chemicals, including preparation of cement products (f) Parking of vehicles and plant machinery (g) Refuelling (h) Dumping of waste (i) Wash down and cleaning of equipment (j) Lighting of fires (k) Soil level changes (l) Temporary or permanent installation of utilities and signs (m) Physical damage to the tree (n) Ground compaction
	Condition reason: To ensure precautions are taken when working near trees during construction.
76.	**ENCROACHMENTS**
	a) Works within the TPZ will require the authorisation of the site arborist.

	b) The preferred method of examination and or excavation within the SRZ is the application of non-invasive vacuum or hydro excavation. This practice is now widely adopted in sensitive situations that require root investigation. Tree sensitive construction measures such as pier and beam, suspended slabs, cantilevered building sections, screw piles and contiguous piling may be adopted to minimize the impact of encroachment.
	Condition reason: To ensure precautions are taken when working near trees during construction.
77.	**ROOT PRUNING**
	If any tree roots are exposed during any approved works, then roots smaller than 30mm are to be pruned as per the specifications below: (a) they shall be cut cleanly by hand, by an experienced Arborist/Horticulturist (minimum AQF Level 3 Certificate in Horticulture or Certificate 3 in Arboriculture). It is the on-site arborist's responsibility to determine if such root pruning is suitable. If there are any concerns regarding this process, then Waverley Council's Tree Management Officer is to be contacted to make final determination.
	Condition reason: To ensure precautions are taken when working near trees during construction.
78.	**CROWN PROTECTION**
	(a) Tree crowns may be injured by machinery such as excavators, drilling rigs, cranes, trucks, hoarding installation, and scaffolding. The tree protection zone may need to include additional protection of the above ground parts of the tree. Crown protection may include pruning, tying-back of branches or other measures. If pruning is required, requirements are specified in AS 4373 and should be undertaken before the establishment of the TPZ.
	Condition reason: Precautions shall be taken when working near trees to ensure all tree parts are protected throughout the construction, for trees both on the site and those on adjoining sites.
79.	**GROUND PROTECTION**
	(a) If temporary access for machinery is required within the TPZ, ground protection measures will be required. (b) Measures may include a permeable membrane such as geotextile fabric beneath a layer of mulch or crushed rock below rumble boards These measures may be applied to root zones beyond the TPZ.
	Condition reason: To ensure that the root system and soil is not impacted by the construction works.

80.	**PUBLIC DOMAIN ENGINEERING INSPECTIONS**
	To ensure all public infrastructure engineering works required by Council under this consent will be constructed to Council satisfaction, inspection(s) will be required, and compliance certificates must be obtained from Council's Infrastructure Engineer for the road pavement, kerb and gutter, stormwater, footpath paving, street trees and landscaping hold points. a) <u>Kerb and Gutter & Footpath Paving</u> i. After formwork installation and prior to casting of all drainage structures e.g. pits, lintels and surface grates ii. After preparation of subgrade iii. After completion of formwork and prior to casting of concrete iv. After full completion and restoration b) <u>Road Pavement</u> v. Subgrade trim & compacted vi. Sub-base spread and compacted vii. Base course spread & compacted viii. Intermediate course spread and compacted ix. Binder course spread & consolidated x. Wearing course laid c) <u>Landscape</u> xi. After preparation and clearing of site xii. After completion of plantings xiii. After full completion and restoration All applicable engineering inspection fees in accordance with Council's Management Plan are to be fully paid prior to the issue of the Construction Certificate for the works. A minimum 48 hours' notice will be required when booking for the site inspections.
	Condition reason: The reason for this condition is to ensure the proposed work within public domain area is constructed in accordance with approved design plans and Council's specifications and guidelines.
81.	**BASIX**
	During construction, the certifying authority should be aware of the commitments listed in the BASIX certificate when conducting critical stage inspections. Some BASIX commitments (such as insulation) will be easier to check at this stage, rather than when the dwelling is built and ready for an occupation certificate.
	Condition reason: Sustainable Building SEPP 2022

BEFORE ISSUE OF AN OCCUPATION CERTIFICATE

	Condition
82.	**FINAL OCCUPATION CERTIFICATE**
	Prior to occupation or use of the development, an Occupation Certificate must be obtained. The Principal Certifying Authority must be satisfied that the requirements of the *Environmental Planning & Assessment Act 1979* have been satisfied including all critical stage inspections. Documentary evidence of all required inspections is to be submitted to Council.
	Condition reason: To ensure an Occupation Certificate is issued prior to occupation or use of the development.
83.	**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.
84.	**CERTIFICATION OF BASIX COMMITMENTS**
	The Principal Certifying Authority shall certify that the all the undertakings in the approved BASIX certificate have been completed.
	Condition reason: To ensure all the undertakings in the approved BASIX certificate have been completed.
85.	**CERTIFICATION OF APPROVED DESIGN**
	In accordance with the Environmental Planning and Assessment Regulations 2021, the Principal Certifying Authority must not issue an occupation certificate, to authorise a person to commence occupation or use of the development unless it has received a design verification statement from an architect who is registered in accordance with the Architects Act 2003 (i.e. qualified designer) that verifies that the building achieves the design quality of the development as shown in the plans and specifications in respect of which the construction certificate was issued, having regard to the design quality principles.
	Condition reason: To maintain the architectural integrity of the approved development.
86.	**CERTIFICATION OF LANDSCAPING**
	(a) At the completion of all works a certificate is to be submitted to the Principal Certifying Authority from a qualified Landscape and/or Arboriculture Consultant certifying that the work has been completed in accordance with the approved Landscape Plan and that a maintenance program has been

	established. If relevant, the waterproofing on any green roof is to be tested and evidence of the test is to be provided with the certification; and (b) Once planted, and prior to issuing an Occupation Certificate, the landscape plantings must be inspected by Council's Urban Ecology Co-ordinator to ensure that the landscape plans have been followed, no plant substitutions made, and the plantings comply with the control.
	Condition reason: To ensure the high quality landscape solution is appropriately established and maintained for the life of the development and that the plants identified in the biodiversity habitat corridor are planted.
87.	**TREE PROTECTION MEASURES TO BE REMOVED**
	All tree protection shall be removed prior to the issuing of the Occupation Certificate.
	Condition reason: To ensure that the tree can continue to grow post construction.
88.	**CERTIFICATION OF ACOUSTIC PERFORMANCE**
	An acoustic report/certificate prepared by a suitably qualified acoustic consultant is to be submitted to the Principal Certifying Authority and the Council's Executive Manager Compliance, certifying that all acoustic recommendations (including noise from mechanical plant) and conditions of consent (including the operational conditions) have been incorporated into the development and can be satisfied.
	Condition reason: To protect the amenity of the local area.
89.	**CERTIFICATION OF SWIMMING POOL/OUTDOOR SPA**
	Prior to the pool being used, the following must be provided; (b) Certification that the pool has been constructed in accordance with the consulting engineers design; (c) Evidence that the swimming pool/outdoor spa has been registered on the State Government Swimming Pool Register (http://www.swimmingpoolregister.gov.au); (d) 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; (e) 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.

90.	**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.*
91.	**CAR PARKING**
	A total of 13 car vehicle parking spaces are to be provided within the development, allocated in the following manner: - 11 standard residential parking spaces - 1 accessible residential parking spaces - 1 residential visitor parking spaces - Accessible parking spaces are to be designed in accordance with Australian Standard AS2890.6 - 2009 Off Street Parking for People with Disabilities. - All spaces are to be clearly delineated and numbered. - Car parking spaces are to be allocated with the rates specified in the DCP, with no more than 2 spaces allocated to any residential unit/dwelling. - All car spaces are to be appropriately signposted and marked. - Car parking spaces shall not be independent lots, but rather part lots attached to units in any future Subdivision Plans. As constructed plans demonstrating compliance with the above is to be submitted to Council for the approval of the Executive Manager, Infrastructure Services, or delegate prior to the issuance of an Occupation Certificate.
	Condition reason: To ensure the amount of car parking on site is reflective of the approval.
92.	**BICYCLE PARKING**
	A total of 8 bicycle parking spaces are to be provided within the development, allocated in the following manner: - 7 residential bicycle spaces - 1 visitor bicycle space The bicycle spaces are to be designed in accordance with Australian Standard AS2890.3 - 2015 Parking Facilities - Bicycle Parking. The bicycle spaces are to be provided by way of a secure lockable area, individual lockers or suitable bicycle racks and are to be located within the ground floor foyer or adjacent within any forecourt or within the basement car parking area. Signage and line-marking (way finding) is to be provided to guide visitors to the allocated bicycle parking spaces to ensure a safe path of travel to the bicycle spaces (separate to cars). As constructed plans demonstrating compliance with the above is to be submitted to Council for the approval of the Executive Manager, Infrastructure Services, or delegate prior to the issuance of an Occupation Certificate.

	Condition reason: To ensure the amount of bicycle parking is reflective of the approval.
93.	**STREET NUMBER/S**
	The street number for the property shall be a minimum of 75mm high and shall be positioned 600mm-1500mm above ground level on the site boundary that fronts the street. Should the number be fixed to an awning then it shall be a minimum 150mm high.
	Condition reason: To ensure the property address is clearly identified.
94.	**ALLOCATION OF STREET NUMBER**
	The subdivision of the property has led to the following allocation of primary address numbers for a Torrens title subdivision: – No. 20 Sandridge Street for the northern allotment being Lot 1 – No. 22 Sandridge Street for the southern allotment being Lot 2 – No. 22A Sandridge Street for the southern allotment being Lot 3 The primary address site number for the property shall be a minimum of 75mm high and shall be positioned 600mm-1500mm above ground level, located near the pedestrian entry point and be clearly visible on the site boundary that fronts Sandridge Street. The following sub addressing principles will apply to No. 22A Sandridge Street for the southern allotment being Lot 3 – All sub premises numbers must be unique, – The floor/level number will represent the first number of the sub address and the last two digits in the sub address shall be unique on each level, – For clarity, a zero will be interposed in the number of the first nine sub address levels ie Level 3 unit 7 =307, – Level at ground and below ground shall also be identified by prefixes to distinguish these levels ie Ground =G, Lower Ground = LG, Basement = B etc – Commercial premises will be identified with an address identifier ie Shop 101, Office 102, 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. Sub-address numbers shall be applied in a logical sequence and within a primary address site shall be unique regardless of the type of the address. The primary and sub-address numbers are to be positioned on the site prior to the issue of the Occupation Certificate and Council notified of the corresponding sub-address numbers to lot number prior to the issue of the Occupation Certificate. Any variation to the above premises numbering requires a new application for a Change of street number and/or location to be lodged with Council.

	Condition reason: To ensure the property address is clearly identified.
95.	**FLOOR SPACE RATIO**
	The following applies to Floor Space Ratio: (a) The Gross Floor Area of the building shall be limited to 1,460m^2. (b) Prior to any Occupation Certificate (including Interim) being issued, a Registered Surveyor must provide certification of the total and component Gross Floor Areas (by use) in the development, utilising the definition under the Waverley Local Environmental Plan 2012, applicable at the time of development consent, to the satisfaction of the Principal Certifier. ***(MODIFIED BY DA-69/2024/B)***
	Condition reason: To ensure the constructed development complies with the approved floor space ratio.
96.	**BUILDING HEIGHT**
	(a) The height of the buildings must not exceed the following RLs (AHD): i. Dwellings: Roof RL 42.660 and parapet height RL 42.810 ii. RFB: Roof RL39,945; Top of the parapet RL40,145; and Top of the stair and lift overrun RL41,010 Prior to an Occupation Certificate being issued, a Registered Surveyor must provide certification that the height of the building accords with (a) (i) and (ii) above, to the satisfaction of the Principal Certifier. ***(MODIFIED BY DA-69/2024/B)***
	Condition reason: To ensure the constructed development complies with the approved height.
97.	**ESTABLISHING A DRAINAGE EASEMENT**
	An easement(s) to drain stormwater must be established over the downstream/adjoining property(ies) in order for the development to legally drain via gravity through a gravity fed stormwater network, to the downstream discharge location. A letter of consent from the owner/occupants of the property No. 24 Sandridge Street, Bondi for the registration/creation and stormwater infrastructure work of any inter-allotment drainage pipe and easement through the lot must be obtained and submitted to Council. Documentary evidence of registration of the drainage easement(s) with the Land & Property Information Authority, including the terms of the drainage easement and its location on the burdened lot(s), must be submitted to Council to demonstrate the requirements of this condition have been satisfied.

	Condition reason: To ensure easements are established in an appropriate manner and to ensure the ability to maintain and repair stormwater infrastructure as required.
98.	**DEED FOR FUTURE MAINTENANCE STORMWATER INFRASTRUCTURE WITHIN WILGA RESERVE**
	Prior to the issuance of the Construction Certificate, the applicant must prepare a deed of agreement with the owner of No. 24 Sandridge Street, Bondi to outline the responsibilities for the ongoing maintenance (to ensure the existing stormwater drainage infrastructure operates efficiently) of the stormwater infrastructure within the public reserve. The deed must be prepared by a suitably qualified conveyancing solicitor or alike. Any agreement within the deed must be in accordance with Conveyancing Act 1919 and other NSW legislation. The deed must ensure that any ongoing maintenance and the associated costs are to be borne by the applicant, the owner of 24 Sandridge Street, Bondi, or both. A copy of the deed must be submitted to Council.
	Condition reason: To ensure that the future maintenance and repair of the drainage pipeline within Wilga Reserve are properly outlined and allocated.
99.	**CREATION OF INTERALLOTMENT DRAINAGE EASEMENT WITHIN DEVELOPMENT SITE**
	Plans submitted with the Subdivision Certificate must illustrate the inter-allotment drainage easement being created over No. 21 Wilga Street, Bondi benefitting No. 20 Sandridge Street, Bondi and No. 22 Sandridge Street, Bondi. Reference must be made to Section 5.10 of Waverley Council Water Management Technical Manual for the required drainage easement width for inter-allotment drainage.
	Condition reason: To ensure the ownership of the land is maintained while giving the upstream properties the right to use the land for stormwater discharge.
100.	**CREATION OF POSITIVE COVENANT AND RESTRICTION FOR THE STORMWATER MANAGEMENT SYSTEM WITHIN THE PROPERTY BOUNDARY**
	A “Positive Covenant” and “Restriction on the Use of Land” must be created for the stormwater management system under Section 88E of the Conveyancing Act 1919, to ensure the system is maintained and kept free of debris/weeds. The property owner/occupant must not modify or remove the stormwater management system without consent from Council. The applicant must submit Council’s Legal Document Authorisation Application in line with Council requirements (including the wording of the Instrument) to the Assets team. Approval is required from the Executive Manager, Infrastructure Services (or delegate) prior to lodgement with NSW Land Registry Services. The Instrument must be registered and a copy of the document must be submitted to and approved by the consent authority prior to the issue of an Occupation Certificate or use of the building. All associated costs will be borne by the applicant.

	Condition reason: This is to ensure that the key stormwater management controls are not modified or removed without Council consent and that they are maintained in order to minimise flooding impacts within the downstream catchment.
101.	**CREATION OF POSITIVE COVENANT FOR THE STORMWATER INFRASTRUCTURE WITHIN THE PUBLIC RESERVE**
	A "Positive Covenant" must be created for the stormwater management system under Section 88E of the Conveyancing Act 1919, to ensure the stormwater infrastructure within the public reserve is maintained and kept free of debris/weeds. The property owner/occupant must not modify or remove the stormwater infrastructure without consent from Council. The applicant or the responsible party/s of the deed agreement in Condition 98 (Deed for Future Maintenance Stormwater Infrastructure within Wilga Reserve) must submit Council's Legal Document Authorisation Application in line with Council requirements (including the wording of the Instrument) to the Assets team. Approval is required from the Executive Manager, Infrastructure Services (or delegate) prior to lodgement with NSW Land Registry Services. The Instrument must be registered and a copy of the document must be submitted to and approved by the consent authority prior to the issue of an Occupation Certificate or use of the building. All associated costs will be borne by the applicant.
	Condition reason: To ensure the stormwater infrastructure are not modified, removed or unmaintained, in order to minimise flooding impacts within the catchment.
102.	**PLANNED PREVENTATIVE MAINTENANCE SCHEDULE FOR THE STORMWATER INFRASTRUCTURE WITHIN THE PUBLIC RESERVE**
	The registered proprietor will be required to submit written intent to establish and maintain a Planned Preventative Maintenance (PPM) schedule of the stormwater infrastructure within the public reserve prior to the issue of Occupation Certificate. The schedule should include but not be limited to regular visual inspection and CCTV (track mounted CCTV camera footage) inspection for any signs of soil movement, erosion of the slope, pipe displacement and root intrusion. Council will not be liable for any claims for damages arising from the failure of the stormwater infrastructure. Evidence must be submitted to the Executive Manager, Infrastructure Services or delegate prior to the issue of the Occupation Certificate.
	Condition reason: Ensure the stormwater infrastructure within the public reserve is maintained and continue to operate as intended.
103.	**CREATION OF POSITIVE COVENANT AND RESTRICTION FOR STORMWATER QUALITY IMPROVEMENT SYSTEM**

	A "Positive Covenant" and "Restriction on the Use of Land" must be created for the stormwater quality improvement system under Section 88E of the Conveyancing Act 1919, to ensure the system is maintained and functioning effectively. The property owner/occupant must not modify or remove the system without consent from Council. 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 applicant must submit Council's Legal Document Authorisation Application in line with Council requirements (including the wording of the Instrument) to the Assets team. Approval is required from the Executive Manager, Infrastructure Services (or delegate) prior to lodgement with NSW Land Registry Services. The Instrument must be registered and a copy of the document must be submitted to and approved by the consent authority prior to the issue of an Occupation Certificate or use of the building. All associated costs will be borne by the applicant.
	Condition reason: This is to ensure that the stormwater quality improvement system is not modified or removed without Council consent and that it is maintained in order to minimise pollution entering the catchment from the site.
104.	**SUPERVISING ENGINEER FINAL CERTIFICATE – PUBLIC DOMAIN**
	Prior to the issue of any Occupation Certificate for the works, the Applicant must submit to Council, a Final Certificate from the Supervising Engineer confirming that the public domain works have been constructed in accordance with the Council-approved plans and Waverley Council standards and specifications. The certificate must include commentary to support any variations from the approved drawings.
	Condition reason: This is to ensure that the proposed works constructed within the Council's public domain are as per the approved design plans and certified by the applicant's supervising engineer.
105.	**WORK-AS-EXECUTED PLAN – PUBLIC DOMAIN**
	To ensure public infrastructure works required under the consent are completed in accordance with the approved plans and specifications, a Work-as-Executed plan of the completed works, prepared by a registered surveyor, must be submitted for review to the Principal Certifying Authority and the Council. Any required rectification works must be carried out by the Applicant and approved by must be submitted to Council and approved by the Executive Manager, Infrastructure Services (or delegate) prior to the issue of any Occupation Certificate. The W.A.E plans are to note all departures clearly in red on a copy of the approved Construction Certificate plans and certification from an experienced chartered civil engineer must be submitted to support all variations from the approved plans.
	Condition reason: The reason for this condition is to ensure all the proposed works within the public domain are completed by per design approval granted by Waverley Council, and copies of the 'As-Build' brand new assets are provided to Council.

106.	**CERTIFICATION OF PUBLIC INFRASTRUCTURE WORKS**
	Prior to the issue of any Occupation Certificate, a final Compliance Certificate must be obtained from Council's Executive Manager, Infrastructure Services (or delegate) confirming that all works in the road reserve including all public domain infrastructure and restorations have been completed and constructed to Council's satisfaction, as required under the consent. A final inspection is required to be carried out by Council's Infrastructure Engineer. Notes i. The issue of a final Compliance Certificate from the Council's Infrastructure Engineer will be withheld should there be any outstanding fees and charges applicable to the development. This includes but is not limited to fees applicable for engineering plans assessment and work inspection fees. ii. The refund of any damage and/or security deposits will be subject to the satisfactory restoration and rectification of all civil infrastructure that have dilapidated as a result of the construction activities associated with this development consent, as determined by the Council. To ensure satisfactory performance of the public domain works, a defects liability period of twelve (12) months shall apply to the works in the road reserve following completion of the development. The defects liability period shall commence from the date of issue of the compliance certificate for the public domain works for the Occupation Certificate. The applicant shall be liable for any part of the work which fails to perform in a satisfactory manner as outlined in Council's standard specification, during the twelve (12) months' defects liability period. A bond in the form of a cash deposit or Bank Guarantee of $50,000 shall be lodged with Waverley Council prior to the issue of the OC compliance certificate to guarantee this requirement will be met. The bond will only be refunded when the works are determined to be satisfactory to Council after the expiry of the twelve (12) months defects liability period.
	Condition reason: This is to ensure that all works are completed as per the approved DA and Council's requirements including any restorations works. This includes rectification of any part of the work which fails to perform during the 12 months defects liability period prior to handing over to Council.
107.	**STRUCTURAL AND GEOTECHNICAL CERTIFICATION**
	The project structural and geotechnical engineers must prepare separate certificates confirming that the development was completed in accordance with the CMR and identifying any departures from the CMR that were approved and implemented during construction. The Geotechnical Certificate must also include a statement on the stability of the site and neighbouring properties.
	Condition reason: This is to ensure that all works are completed as per the approved DA and Council's requirements.
108.	**PLAN OF MANAGEMENT – WASTE AND RECYCLING STORAGE**
	The approved Operational Waste Management Plan must be amended and submitted to the Principal Certifying Authority to **include details of the bin**

	carting route between the waste storage area of the RFB and the waste collection point on Sandridge Street. The existing OWMP states that the bins may be transported via the car lift or residential lift of the RFB. This **must be clarified on the updated plan**. The Site Waste Management Plan must also include the following where relevant: (a) Responsibilities for transporting bins from the storage points to the nominated collection area, cleaning of bins, cleaning of storage areas and booking and transporting bulky waste for Council pick up must be outlined in contracts with the building manager, cleaners and tenants. (b) Responsibilities for regular monitoring of bins for contamination and educating residents on how to use the waste and recycling services. (c) Responsibilities to inspect, maintain and repair all waste management equipment, such as bin lifts and other equipment. (d) Responsibilities to liaise with the council or the collection contractor on waste management issues and service requests. (e) All waste and recycling bins must only be placed out on Council footpath for collection no earlier than 5:30 p.m. on the day prior to the designated waste collection day and retrieved from the kerbside as early as possible. (f) The occupant/body corporate shall be provided with at least one copy of the Waste Management Plan. An additional copy of the plan is to be available on site when requested. (g) At no times shall waste and recycling bins from the RFB or semi-detached dwellings be stored on the public domain (e.g. footpaths).
	Condition reason: To ensure waste and recycling storage is correct.
109.	**WASTE STORAGE AREAS**
	The Principal Certifying Authority must be satisfied that the waste storage areas for the RFB and two semi-detached dwellings are built according to the architectural plans and have sufficient space to accommodate the minimum number of bins and bulky waste described in the OWMP, as follows: RFB o 3x 240L Mobile Garbage Bins (MGBs) for general waste o 3x 240L MGBs for paper and cardboard recycling o 3x 240L MGBs for container recycling o 1x 240L MGB for garden organics o Caged area with minimum $4m^2$ dimension for the storage of bulky waste o wastebin tug device(s) as needed

	SEMI-DETACHED DWELLINGS ○ 1x 240L Mobile Garbage Bins (MGBs) for general waste ○ 1x 240L MGBs for paper and cardboard recycling ○ 1x 240L MGBs for container recycling ○ 1x 240L MGB for garden organics A bin tug device may be needed for the residents to move the waste and recycling bins in and out of the dwellings through the vehicular ramp which has steep gradients. The device may be shared by the houses upon agreement and stored in a common/agreed location. Details of shared arrangements must be included to the updated OWMP to be submitted to the Principal Certifying Authority prior to the Occupation Certificate being issued.
	Condition reason: To ensure the appropriate space for storage of waste on site.

OCCUPATION AND ONGOING USE

	Condition
111.	**VEHICLE ACCESS**
	All vehicles including service vehicles entering and exiting the building are to do so in a forward direction.
	Condition reason: To improve safety when entering and exiting the site
112.	**ADJUSTMENTS TO STREET SIGNS**
	Any street signs required to be removed as a result of the works shall be relocated at the applicant and/or owner's expense in accordance with Council's requirements.
	Condition reason: To ensure existing signs are replaced.
113.	**USE OF PLANT ROOMS**
	The "plant/mech." rooms at the lower ground level shall be used exclusively for the housing of plant and mechanical equipment and must not be used for the storage of goods or any other purpose.
	Condition reason: To ensure the plant room is not used for storage purposes.

GENERAL ADVISORY NOTES

	Condition
1.	**DEVELOPMENT IS TO COMPLY WITH LEGISLATION**
	This consent contains the conditions imposed by the consent authority which are to be complied with when carrying out the approved development. However, this consent is not an exhaustive list of all obligations which may relate to the carrying out of the development under the EP&A Act, EP&A Regulation and other legislation.
2.	**DEVELOPMENT MUST MEET CONDITIONS OF CONSENT**
	The approved development must be carried out in accordance with the conditions of this consent. It is an offence under the EP&A Act to carry out development that is not in accordance with this consent.
3.	**POST CONSENT CONDITIONS REQUIRING COUNCIL INPUT**
	Various conditions require further input, review or approval by Council in order to be satisfied following the determination of the application (that is, post consent). In those instances, please adhere to the following process to avoid delays: • Please read your conditions carefully. • Information to be submitted to Council should be either via email to info@waverley.nsw.gov.au , in person (at Council's Customer Service Centre) or via post service. • Attention the documentation to the relevant officer/position of Council (where known/specified in condition) • Include DA reference number • Include condition number/s seeking to be addressed • Where multiple conditions need Council input, please try to group the documentation / email/s into relevant subjects (multiple emails for various officers may be necessary, for example). • Information to be submitted in digital format – refer to 'Electronic lodgement guidelines' on Council's website. Failure to adhere to Council's naming convention may result in documentation being rejected. • Where files are too large for email, the digital files should be sent to Council via CD/USB. Council does not support third party online platforms (data in the cloud) for receipt of information. • Please note in some circumstances, additional fees and/or additional documents (hard copy) may be required. • Council's standard for review (from date the relevant officer receives documentation) is 14days. Times may vary or be delayed if information is not received in this required manner. • Any queries, please contact Council's Duty Planner on duty.planner@waverley.nsw.gov.au
4.	**SYDNEY WATER REQUIREMENTS**
	You are required to submit your plans to the appropriate Sydney Water office to determine whether the development will affect Sydney Water's sewer and water mains, stormwater drains and/or easements. If you are increasing the density of the site, a Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained. The application must be made through an authorised Water Servicing Coordinator, for details see the Sydney Water website.

	Following application a "Notice of Requirements" will be forwarded detailing water and sewer extensions to be built and charges to be paid. Please make early contact **with the Coordinator**, since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design.
5.	**SYDNEY WATER CERTIFICATE**
	A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained. **Application must be made through an authorised Water Servicing Coordinator, for details see the Sydney Water website.** Following application a "Notice of Requirements" will be forwarded detailing water and sewer extensions to be built and charges to be paid. Please make early contact **with the Coordinator**, since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design.
6.	**DIAL BEFORE YOU DIG**
	Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial before you dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial before you dig service in advance of any construction or planning activities.
7.	**TELECOMMUNICATIONS ACT 1997 (COMMONWEALTH)**
	Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for prosecution. Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on Phone Number 1800810443.
8.	**DEVELOPMENT WORKS OCCUPYING PUBLIC ROADS (EXCLUDING STATE ROADS)**
	Any works performed in, on or over a public road reserve pursuant to this consent must be carried out in accordance with this consent and with the Road/Footpath Occupancy Permit issued by Council as required under Sections 138 and 139 of the Roads Act 1993.
9.	**SITE RECTIFICATION WORKS**
	The vacant site is to be maintained in a safe and secure manner. Fencing is to be erected around the permitter of the site once demolition has been completed to secure the site. The site is to be protected from windblown soil loss and stormwater erosion at all times. If the site is commenced to be developed and there is suspension in activity for 6months (or suspensions of activity which in the aggregate exceed 6 months), resulting in a building site which has an appearance not acceptable to Council, then the Council will have the readily enforceable rights to:

	(a) Require certain works to be carried out, including but not limited to: i. Make the building/site safe and of an appearance acceptable to Council; ii. Allow the ground level to be landscaped and of an appearance acceptable to Council from any public vantage point; iii. For the hole to be covered to allow it to be landscaped and made attractive from any public vantage point. iv. Council may call on any bank guarantee to cover the cost thereof. (b) In the event of default, have the right to enter and carry out these works and to call upon security in the nature of a bank guarantee to cover the costs of the works.
10.	**EXCAVATION TO BE LIMITED**
	Excavation shall be limited to that shown in the approved plans. Any further excavation will require Council approval.
11.	**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.
12.	**TREE REMOVAL/PRESERVATION**
	Any trees not identified for removal in this application have not been assessed and separate approval may be required. Any pruning of trees on adjoining properties required for the erection of scaffolding and/or the construction of the building may also require approval.
13.	**SUITABLY QUALIFIED ACOUSTIC CONSULTANT**
	In these conditions, reference to a suitably qualified acoustic consultant means an individual who possesses the qualifications to render them eligible for membership of both the Australian Acoustics Society and Institution of Engineers Australia at the grade of member or an individual who is employed by a member firm of the Association of Australian Acoustic Consultants.
14.	**TREE MANAGEMENT GUIDELINES 2022**
	Details on additional criteria regarding tree on development sites can be found in Waverley Council Tree Management Guidelines 2022, 10. Appendices.
15.	**PARKING PERMITS**
	Occupants of the building are not to be eligible for resident parking permits under Council's Resident Parking Scheme.
16.	**PLANNING AGREEMENT**
	After a Development Application has been approved with a Planning Agreement, the legal agreement must be drafted by Council, exhibited and endorsed by Council prior to fulfilling the requirements of the DA condition. This process will take a minimum of 4 months, so please contact the Strategic Town Planning team (email strategictownplanning@waverley.nsw.gov.au) at least 4 months before you intend to obtain the relevant Construction Certificate associated with the VPA under this DA to commence the process. ***(ADDED BY DA-69/2024/B)***

Dictionary

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

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

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

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

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

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

Council means Waverley Council.

Court means the Land and Environment Court of NSW.

EPA means the NSW Environment Protection Authority.

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

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

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

Local planning panel means Waverley Local Planning Panel.

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

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

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

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

the reuse of stormwater,

the detention of stormwater,

the controlled release of stormwater, and

connections to easements and public stormwater systems.

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

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

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

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

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

PROJECT
ONE RESIDENTIAL FLAT BUILDING AND TWO SEMI-DETACHED DWELLINGS

20-22 SANDRIDGE ST, 21 WILGA ST BONDI NSW 2026

NO.	SHEET NAME	REV	SCALE @A1
DA 0000	COVERPAGE	C	NTS
DA 0001	SCHEDULE OF MODIFICATIONS	C	NTS
DA 0002	SCHEDULE OF MODIFICATIONS	C	NTS
DA 10 ANALYSIS & SITE PLANS			
DA 1000	SITE CONTEXT & SURROUNDS	C	NTS
DA 1001	SITE LOCATION PLAN	C	1:1000
DA 1002	SITE CONTEXT	C	1:100
DA 1003	STREETSCAPE ANALYSIS	C	NTS
DA 1004	SITE & ROOF PLAN	C	1:200
DA 1005	SITE ANALYSIS PLAN	C	1:200
DA 1006	SITE CONTROLS	C	1:200
DA 1007	DEMOLITION PLAN	C	1:200
DA 20 GENERAL ARRANGEMENT PLAN			
DA 2000	BASEMENT PLAN	C	1:100
DA 2001	LOWER GROUND FLOOR 02 PLAN	C	1:100
DA 2002	LOWER GROUND FLOOR 01 PLAN	C	1:100
DA 2003	GROUND FLOOR PLAN	C	1:100
DA 2004	LEVEL 1 FLOOR PLAN	C	1:100
DA 2005	ROOF PLAN	C	1:100
DA 30 ELEVATIONS			
DA 3000	ELEVATION NORTH & WEST	C	1:200
DA 3001	ELEVATION SOUTH & EAST	C	1:200
DA 31 SECTIONS			
DA 3100	SECTION A	C	1:200
DA 3101	SECTION B	C	1:200
DA 60 EXTERNAL FINISHES			
DA 6000	EXTERNAL FINISHES, MATERIALS & FACADE	C	NTS
DA 90 COUNCIL CONTROLS			
DA 9000	GFA DIAGRAMS	C	1:250
DA 9001	LANDSCAPE, DEEP SOIL, C.O.S. CALCULATIONS	C	1:200
DA 9003	STORAGE CALCULATIONS	C	1:250
DA 92 OTHER SUPPORTING DOCUMENTS			
DA 9201	LEP HEIGHT PLANE + DCP ENVELOPE	C	NTS
DA 9202	WASTE MGT PLAN	C	1:200
DA 9204	PHOTOMONTAGE	C	NTS
DA 9205	PRIVACY - 17 WILGA STREET	C	1:50
DA 9206	PRIVACY - 23 WILGA STREET	C	1:50
DA 9207	PRIVACY - 24 SANDRIDGE STREET	C	1:50
DA 9208	PRIVACY - 19 WILGA STREET	C	1:50
DA 9209	PRIVACY - 23 WILGA ST (POOL)	C	1:50
DA 9210	PRIVACY - SEMI-DETACHED DWELLINGS TO SANDRIDGE ST	C	1:50
DA 9211	HEADLIGHT GLARE ASSESSMENT	C	1:50
DA 9212	LIGHT & VENTILATION IN BED 2&3, UNIT 1& 2 (RFB)	C	1:50

S4.56 #1 DEFERRAL RESPONSE

REV	NOTE	DATE
A	S4.56 #1 SUBMISSION	25/08/2025
C	S4.56 #1 - DEFERRAL LETTER RESPONSE	10/03/2026

GENERAL NOTES

1. ALL WORKS TO BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA, AUSTRALIAN STANDARDS, STATUTORY REGULATIONS AND LOCAL AUTHORITY REQUIREMENTS, INCLUDING CONDITIONS OF CONSENT.
2. DO NOT SCALE OFF THIS DRAWING. ONLY USE DIMENSIONS PROVIDED.
3. CONTRACTOR TO VERIFY ALL DIMENSIONS ON SITE PRIOR TO COMMENCING WORK.
4. MHNDU DRAWINGS TO BE READ IN CONJUNCTION WITH ALL CONTRACT DOCUMENTS FROM ALL CONSULTANTS.
5. CONTRACTOR TO NOTIFY MHNDU OF ANY DISCREPENCIES, DIMENSIONAL INCONSISTENCIES, OR THE NEED FOR CLARIFICATION PRIOR TO MANUFACTURING.
6. CONTRACTOR TO ENSURE CONSISTENCY BETWEEN MATERIALS IS MAINTAINED
7. MHNDU TO REVIEW ALL CONTRACTOR'S DETAILED DRAWINGS / SETTING OUT PRIOR TO CONSTRUCTION.
8. PROGRESS WORK TO BE VERIFIED AGAINST DRAWINGS FOLLOWING EXECUTION AND ARCHITECT TO BE NOTIFIED OF ANY DISCREPANCIES PRIOR TO CONTRACTOR PROCEEDING WITH NEXT TRADE.

ALL CONSTRUCTION TO COMPLY AT MINIMUM W/ BCA CLAUSES & AUSTRALIAN STANDARDS

CLAUSE B 1.4 MATERIAL & FORMS CONSTRUCTIONS
SPEC. C1.1 FIRE RESISTING CONSTRUCTION
SPEC. C1.10 FIRE HAZARD PROPERTIES
SPEC. C1.11 PERFORMANCE OF EXTERNAL WALLS IN A FIRE
CLAUSE C2.6 VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL
CLAUSE C2.12 SPEARATION OF EQUIPMENT
CLAUSE C2.13 ELECTRICITY SUPPLY SYSYEM
CLAUSE C.3 ACCEPTABLE METHODS OF PROTECTION (OF OPENINGS)
CLAUSE C3.8 OPENING IN FIRE ISOLATED EXITS
CLAUSE C3.15 OPENING FOR SERVICE INSTALLATIONS
CLAUSE D1.10 DISCHARGE FROM EXITS
CLAUSE D2.7 INSTALLATIONS IN EXITS AND PATHS OF TRAVEL
CLAUSE D2.13 GOINGS AND RISERS
CLAUSE D2.14 LANDINGS
CLAUSE D2.15 THRESHOLDS
CLAUSE D2.16 BALUSTRADES
CLAUSE D2.17 HANDRAILS
CLAUSE D2.21 OPERATION OF LATCH
CLAUSE D2.23 SIGNS ON DOORS
CLAUSE D3.2 GENERAL BUILDING ACCESS REQUIREMENTS
CLAUSE D3.3 PARTS OF BUILDING TO BE ACCESSIBLE
CLAUSE D3.6 IDENT. OF ACCESSIBLE FACIL/SERV/FEATURES
CLAUSE D3.8 TACTILE INDICATORS
CLAUSE F1.7 WATERPROOFING OF WET AREAS
CLAUSE F1.9/F1.10 DAMP PROOFING
CLAUSE 2.5 CONSTRUCTION OF SANITARY COMPARTMENTS
PART F4 LIGHTING AND VENTILATION
CLAUSE F5.4 SOUND INSULATION OF FLOORS
CLAUSE F5.5 SOUND INSULATION OF WALLS
CLAUSE F5.6 SOUND INSULATION OF SERVICES
CLAUSE F5.7 SOUND INSULATION OF PUMPS

ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART CLAUSEF4.4 & AS1680
BALUSTRADE HEIGHTS: TO COMPLY WITH BCA CLAUSE D2.16
DRAINAGE GUTTERS & DOWNPIPES: TO COMPLY WITH AS/NZS 3500 3.2
ENERGY EFFICIENCY/GLAZING: TO COMPLY WITH J2 OF BCA
FIRE SERVICES: TO COMPLY WITH SECTION E OF BCA
HOT WATER: SYSTEMS TO COMPLY WITH PART J7 OF BCA
MASONRY: TO COMPLY WITH AS3700
MECHELECHYDRAULIC: BCA CLAUSE C3.15 & AS1530 4-2005
MECHANICAL AIRCONDITIONING: TO COMPLY WITH PART J5 OF BCA
MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH AS1668 & AS68.2
SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE & SPEC E2.2 & AS3786
PENETRATIONS: THROUGH FIRE RATED CONSTRUCTION FOR MECH/ELEC/ HYDRAULIC PENETRATIONS TO COMPLY WITH BCA CLAUSE C3.15 & AS1530 4-2005
SOUND TRANSMISSION: TO COMPLY WITH PARTS OF BCA
STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13
STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13
WATERPROOFING OF WET AREAS: TO COMPLY WITH AS3740

BASIX COMMITMENTS
(ALL OTHER BASIX COMMITMENTS AS PER BASIX CERTIFICATE AND STAMPED PLANS)

WATER OPTIONS
SHOWERHEADS: 3 STAR (7.5-9L/min)
TOILETS: 4 STAR
CLOTHES WASHERS: 3 STAR
KITCHEN TAPS: 4 STAR
BATHROOM TAPS: 4 STAR
DISHWASHERS: 3 STAR
LANDSCAPED AREA TO IRRIGATE: 687 sqm

ENERGY OPTIONS
HEATING & COOLING: Individual Systems - EER 3.0-3.5
VENTILATION: Individual Fan, Ducted to façade or roof. Interlocked to light
WATER HEATING: Heat Pump - 31 to 35 STCs
ENERGY EFFICIENT LIGHTING: Dedicated LED thoughout
OVEN & COOK TOPS: Electric Oven and Electric Cooktop
REFRIGATOR SPACE: Well Ventilated
CLOTHES DRYER: 2 Star (Vented)
DISH WASHER: 4 Star

THERMAL COMFORT OPTIONS
R2.5 INSULATION TO: External Walls, walls to corridors/lifts/stairs
R2.0 INSULATION TO: Suspended floors to B and plant rooms below
GLAZING SPEC: Refer to BASIX Certificate
GLAZING TYPE: Refer to BASIX Certificate

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NOTES:

EX	EXISTING
FFL	RL OF FINISHED FLOOR LEVEL
RL	REDUCED LEVEL
	BOUNDARY
	EX BUILDING TO BE DEMOLISHED
	COUNCIL CONTROLS
	EX TREE TO REMOVE
	EX TREE TO RETAIN
	EX LANDSCAPE TO RETAIN /NOT ON SURVEY/
	PROPOSED LANDSCAPE

ARCHITECT:
MHNDUNION
35 RICHARDS LANE
SURRY HILLS SYDNEY NSW 2010
T +61 2 9101 1111
F +61 2 9101 1100
www.mhndu.com
MHN Design Union Pty Ltd. ABN 94 003 717 682
Nominated Architect Brain Meyerson NSW Registration Number 4907

PROJECT ADDRESS:
20-22 SANDRIDGE ST, 21 WILGA ST, BONDI 2026 NSW

DRAWING TITLE:
COVERPAGE

DRAWN BY:	CHECKED: AS
SCALE:	NTS@A1 NTS@A3
ISSUE DATE:	REVISION:
10/03/2026	C
PROJECT NUMBER:	DWG NUMBER:
23-030	DA 0000

SCHEDULE OF MODIFICATIONS - APPROVED PLANS & DOCUMENTATION (REV.H) DATED 03 APRIL 2025 VS S4.56 #1 DEFERRAL LETTER RESPONSE (REV.C) DATED 10 MARCH 2026

DWG ID	DWG NAME	Schedule of Modifications post approval (Rev.H)
DA 0000	COVER PAGE	Drawing list updated to reflect proposed amendments
DA 0001 DA 0002	SCHEDULE OF MODIFICATIONS SCHEDULE OF MODIFICATIONS	Schedule of Modifications post approval (Rev.H)
DA 1000	SITE CONTEXT & SURROUNDS	No change
DA 1001	SITE LOCATION PLAN	No change
DA 1002	SITE CONTEXT	No change
DA 1003	STREETSCAPE ANALYSIS	No change
DA 1004	SITE & ROOF PLAN	16. Refinements to the Sandridge St interface of the semi-detached dwellings, including minor adjustments to front terrace extents, relocation of one dwelling's entry from the side to the front, and updates to the front facade design - all within the approved envelope 17. Rationalisation of the semi-detached dwellings' built form via removal of voids & cutouts within the approved building envelope 19. Updates to the design of the semi-detached dwellings' rear facade & terraces (ie. pool location and shape) within the approved envelope 25. Amendments to lift overrun, AC units & mech plants location to suit modified core arrangement. Removal of skylight on RFB roof. Refer to VIA for view impact details 26. Refinement to RFB Roof parapet design to stay under the height plane following adjustment to parapet RL
DA 1005	SITE ANALYSIS PLAN	No change. Minor graphical adjustments.
DA 1006	SITE CONTROLS	No change. Minor graphical adjustments.
DA 1007	DEMOLITION PLAN	No change
DA 2000	BASEMENT	1. Rationalisation of RFB core arrangement to accommodate mechanical requirements. Refer to Mechanical Engineer's statement for details 2. Adjustment to RFB Basement layout & extent to suit modified core arrangement as well as to accommodate mechanical requirements. 3. OSD tank relocated to Ground Floor between the RFB and the semi-detached dwellings. 4. Removal of fan room next to Fire Stairs 02
DA 2001	LOWER GROUND 02 FLOOR PLAN	1. Rationalisation of RFB core arrangement to accommodate mechanical requirements. Refer to Mechanical Engineer's statement for details 5. Adjustment to RFB's Lower Ground 02 - Lower Ground 01 service layout, floor plate extent as well as floor space allocation to suit modified core arrangement 6. Revised apartment units internal arrangement & extent; Location & number of northern & southern windows updated to suit the modified layout; Rationalisation of LG02 eastern glazing extent 7. Adjustment to the pool levels, fence alignment and surrounding landscape for Units 1 & 2, while maintaining close alignment with the existing ground levels
DA 2002	LOWER GROUND 01 FLOOR PLAN	1. Rationalisation of RFB core arrangement to accommodate mechanical requirements. Refer to Mechanical Engineer's statement for details 5. Adjustment to RFB's Lower Ground 02 - Lower Ground 01 service layout, floor plate extent as well as floor space allocation to suit modified core arrangement 6. Revised apartment units internal arrangement & extent; Location & number of northern & southern windows updated to suit the modified layout 8. Refinement to Unit 3 balcony treatment involving a wall in lieu of full height privacy blades to house a structural column, which remains within the approved envelope and doesn't result in additional wall height breach or additional view impact to neighbours. Refer to Structural Engineer's statement and the View Impact Assessment for details. 9. Additional OSD tank between the semi-detached dwellings and RFB required by the Stormwater Engineer (deep soil and landscaped area still achieves compliance). Refer to Stormwater Engineer's statement for details 10. Inclusion of the approved rear terrace wall positions for the semi-detached dwellings as graphically indicated on LG01 11. Shoring wall along the semi-detached dwelling's southern boundary required by the Structural Engineer. Refer to Structural Engineer's statement for details 12. Adjustment to semi-detached dwellings' Lower Ground 01 core arrangement, service layout as well as floor plate extent. Refer to Mechanical Engineer's statement for details 13. Rationalisation of balcony overhang slab edge geometry.
DA 2003	GROUND FLOOR PLAN	1. Rationalisation of RFB core arrangement to accommodate mechanical requirements. Refer to Mechanical Engineer's statement for details 6. Revised apartment units internal arrangement & extent; Location & number of northern & southern windows updated to suit the modified layout 14. Rationalisation of RFB Ground Floor - Level 1 core arrangement to combine the two lifts and to accommodate mechanical requirements. Refer to Mechanical Engineer's statement for details 15. Provision of a fire pump room within the Ground Floor undercroft area at Service Consultant's request, with associated landscape adjustments to maintain overall amenity and usability of the adjacent communal open space 16. Refinements to the Sandridge St interface of the semi-detached dwellings, including minor adjustments to front terrace extents, relocation of one dwelling's entry from the side to the front, and updates to the front facade design - all within the approved envelope 17. Rationalisation of the semi-detached dwellings' built form via removal of voids & cutouts within the approved building envelope; roof skylight location updated 18. Revised semi-detached dwellings' internal arrangement; Location & number of northern & southern windows updated to suit the modified layout 19. Updates to the design of the semi-detached dwellings' rear facade & terraces (ie. pool location and shape) within the approved envelope 20. Balcony concrete overhang straightened. Added awning extension to the straightened slab edge on Level 1 & Roof to provide undercover for the balcony.
DA 2004	LEVEL 1 FLOOR PLAN	6. Revised apartment units internal arrangement & extent; Location & number of northern & southern windows updated to suit the modified layout 14. Rationalisation of RFB Ground Floor - Level 1 core arrangement to combine the two lifts and to accommodate mechanical requirements. Refer to Mechanical Engineer's statement for details 16. Refinements to the Sandridge St interface of the semi-detached dwellings, including minor adjustments to front terrace extents, relocation of one dwelling's entry from the side to the front, and updates to the front facade design - all within the approved envelope 17. Rationalisation of the semi-detached dwellings' built form via removal of voids & cutouts within the approved building envelope; roof skylight location updated 18. Revised semi-detached dwellings' internal arrangement; Location & number of northern & southern windows updated to suit the modified layout 19. Updates to the design of the semi-detached dwellings' rear facade & terraces (ie. pool location and shape) within the approved envelope 20. Balcony concrete overhang to the level below straightened. Added awning extension to the straightened slab edge on Level 1 & Roof to provide undercover for the balcony below. 21. Recessed RFB Level 1 balcony overhang to stay under the height plane following adjustment to parapet RL 22. Updates to the design of RFB's western elevation within the approved envelope 23. Refinement to RFB Level 1 balcony south east corner treatment to reduce wall height breach. Refer to DA9201 for details 24. Perimeter planters removed from Level 1.

S4.56 #1 DEFERRAL RESPONSE

REV	NOTE	DATE
A	S4.56 #1 SUBMISSION	25/08/2025
B	S4.56 #1 - DEFERRAL LETTER RESPONSE	12/1/2026
C	S4.56 #1 - DEFERRAL LETTER RESPONSE	10/03/2026

GENERAL NOTES

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7. MHNDU TO REVIEW ALL CONTRACTOR'S DETAILED DRAWINGS / SETTING OUT PRIOR TO CONSTRUCTION.
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ALL CONSTRUCTION TO COMPLY AT MINIMUM W/ BCA CLAUSES & AUSTRALIAN STANDARDS

CLAUSE B 1.4 MATERIAL & FORMS CONSTRUCTIONS
SPEC. C1.1 FIRE RESISTING CONSTRUCTION
SPEC. C1.10 FIRE HAZARD PROPERTIES
SPEC. C.11 PERFORMANCE OF EXTERNAL WALLS IN A FIRE
CLAUSE C2.6 VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL
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CLAUSE D3.2 GENERAL BUILDING ACCESS REQUIREMENTS
CLAUSE D3.3 PARTS OF BUILDING TO BE ACCESSIBLE
CLAUSE D3.6 IDENT. OF ACCESSIBLE FACIL/SERVI/FEATURES
CLAUSE D3.8 TACTILE INDICATORS
CLAUSE F1.7 WATERPROOFING OF WET AREAS
CLAUSE F1.9/F1.10 DAMP PROOFING
CLAUSE 2.5 CONSTRUCTION OF SANITARY COMPARTMENTS
PART F4 LIGHTING AND VENTILATION
CLAUSE F5.4 SOUND INSULATION OF FLOORS
CLAUSE F5.5 SOUND INSULATION OF WALLS
CLAUSE F5.6 SOUND INSULATION OF SERVICES
CLAUSE F5.7 SOUND INSULATION OF PUMPS

ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART CLAUSEF4.4 & AS1680
BALUSTRADE HEIGHTS: TO COMPLY WITH BCA CLAUSE D2.16
DRAINAGE GUTTERS & DOWNPIPES: TO COMPLY WITH AS/NZS 3500 3.2
ENERGY EFFICIENCYGLAZING: TO COMPLY WITH J2 OF BCA
FIRE SERVICES: TO COMPLY WITH SECTION E OF BCA
HOT WATER: SYSTEMS TO COMPLY WITH PART J7 OF BCA
MASONRY: TO COMPLY WITH AS3700
MECHELECHYDRAULIC: BCA CLAUSE C3.15 & AS1530 4-2005
MECHANICAL AIRCONDITIONING: TO COMPLY WITH PART J5 OF BCA
MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH AS1668 & AS68.2
SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE & SPEC E2.2 & AS3786
PENETRATIONS: THROUGH FIRE-RATED CONSTRUCTION FOR MECH/ELEC/ HYDRAULIC PENETRATIONS TO COMPLY WITH BCA CLAUSE C3.15 & AS1530 4-2005
SOUND TRANSMISSION: TO COMPLY WITH PARTS OF BCA
STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13
STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13
WATERPROOFING OF WET AREAS: TO COMPLY WITH AS3740

BASIX COMMITMENTS
(ALL OTHER BASIX COMMITMENTS AS PER BASIX CERTIFICATE AND STAMPED PLANS)

WATER OPTIONS
SHOWERHEADS: 3 STAR (7.5-9L/min)
TOILETS: 4 STAR
CLOTHES WASHERS: 3 STAR
KITCHEN TAPS: 4 STAR
BATHROOM TAPS: 4 STAR
DISHWASHERS: 3 STAR
LANDSCAPED AREA TO IRRIGATE: 687 sqm

ENERGY OPTIONS
HEATING & COOLING: Individual Systems - EER 3.0-3.5
VENTILATION: Individual Fan, Ducted to façade or roof, Interlocked to light

WATER HEATING: Heat Pump - 31 to 35 STCs
ENERGY EFFICIENT LIGHTING: Dedicated LED thoughout
OVEN & COOK TOPS: Electric Oven and Electric Cooktop
REFRIGATOR SPACE: Well Ventilated
CLOTHES DRYER: 2 Star (Vented)
DISH WASHER: 4 Star

THERMAL COMFORT OPTIONS
R2.5 INSULATION TO: External Walls, walls to corridors/lifts/stairs
R2.0 INSULATION TO: Suspended floors to B and plant rooms below
GLAZING SPEC: Refer to BASIX Certificate
GLAZING TYPE: Refer to BASIX Certificate

NOTES:

EX EXISTING
FFL RL OF FINISHED FLOOR LEVEL
RL REDUCED LEVEL
BOUNDARY
EX BUILDING TO BE DEMOLISHED
COUNCIL CONTROLS

EX TREE TO REMOVE
EX TREE TO RETAIN
EX LANDSCAPE TO RETAIN /NOT ON SURVEY/
PROPOSED LANDSCAPE

ARCHITECT:
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Nominated Architect Brain Meyerson
MHN Design Union Pty Ltd. ABN 94 003 717 682 NSW Registration Number 4907

PROJECT ADDRESS:
20-22 SANDRIDGE ST, 21 WILGA ST, BONDI 2026 NSW

DRAWING TITLE:
SCHEDULE OF MODIFICATIONS

DRAWN BY:
CHECKED: AS
SCALE: @A1
ISSUE DATE: 10/03/2026
REVISION: C
PROJECT NUMBER: 23-030
DWG NUMBER: DA 0001

SCHEDULE OF MODIFICATIONS - APPROVED PLANS & DOCUMENTATION (REV.H) DATED 03 APRIL 2025 VS S4.56 #1 DEFERRAL LETTER RESPONSE (REV.C) DATED 10 MARCH 2026

DWG ID	DWG NAME	Schedule of Modifications post approval (Rev.H)
DA 2005	ROOF PLAN	16. Refinements to the Sandridge St interface of the semi-detached dwellings, including minor adjustments to front terrace extents, relocation of one dwelling's entry from the side to the front, and updates to the front facade design - all within the approved envelope 17. Rationalisation of the semi-detached dwellings' built form via removal of voids & cutouts within the approved building envelope; roof skylight location updated 19. Updates to the design of the semi-detached dwellings' rear facade & terraces (ie. pool location and shape) within the approved envelope 20. Balcony concrete overhang to the level below straightened. Added awning extension to the straightened slab edge on Level 1 & Roof to provide undercover for the balcony below. 25. Amendments to lift overrun, AC units & mech plants location to suit modified core arrangement. Removal of skylight on RFB roof. Refer to VIA for view impact details 26. Refinement to RFB Roof parapet design to stay under the height plane following adjustment to parapet RL
DA 3000	ELEVATION NORTH & WEST	16. Refinements to the Sandridge St interface of the semi-detached dwellings, including minor adjustments to front terrace extents, relocation of one dwelling's entry from the side to the front, and updates to the front facade design - all within the approved envelope 19. Updates to the design of the semi-detached dwellings' rear facade & terraces (ie. pool location and shape) within the approved envelope 20. Balcony concrete overhang to the level below straightened. Added awning extension to the straightened slab edge on Level 1 & Roof to provide undercover for the balcony below. 23. Refinement to RFB Level 1 balcony south east corner treatment to reduce wall height breach. Refer to DA9201 for details 24. Perimeter planters removed from Level 1. 27. Amendments to the RL of RFB Basement, Lower Ground 02, Lower Ground 01, Level 1 and Roof to accommodate service requirements. Refer to Service Consultant's statement for details 28. Updates to the design & materiality of the RFB's facades within the approved envelope 29. Updates to the design of the semi-detached dwellings' northern and southern facades within the approved envelope; introduction of feature brickworks to the facade design
DA 3001	ELEVATION SOUTH & EAST	13. Rationalisation of balcony overhang slab edge geometry. 20. Balcony concrete overhang to the level below straightened. Added awning extension to the straightened slab edge on Level 1 & Roof to provide undercover for the balcony below. 21. Recessed RFB Level 1 balcony overhang to stay under the height plane following adjustment to parapet RL 22. Updates to the design of RFB's western elevation within the approved envelope 23. Refinement to RFB Level 1 balcony south east corner treatment to reduce wall height breach. Refer to DA9201 for details 24. Perimeter planters removed from Level 1. 27. Amendments to the RL of RFB Basement, Lower Ground 02, Lower Ground 01, Level 1 and Roof to accommodate service requirements. Refer to Service Consultant's statement for details 28. Updates to the design & materiality of the RFB's facades within the approved envelope 29. Updates to the design of the semi-detached dwellings' northern and southern facades within the approved envelope; introduction of feature brickworks to the facade design
DA 3100	SECTION A	7. Adjustment to the pool levels, fence alignment and surrounding landscape for Units 1 & 2, while maintaining close alignment with the existing ground levels 16. Refinements to the Sandridge St interface of the semi-detached dwellings, including minor adjustments to front terrace extents, relocation of one dwelling's entry from the side to the front, and updates to the front facade design - all within the approved envelope 17. Rationalisation of the semi-detached dwellings' built form via removal of voids & cutouts within the approved building envelope; roof skylight location updated 20. Balcony concrete overhang to the level below straightened. Added awning extension to the straightened slab edge on Level 1 & Roof to provide undercover for the balcony below. 24. Perimeter planters removed from Level 1. 27. Amendments to the RL of RFB Basement, Lower Ground 02, Lower Ground 01, Level 1 and Roof to accommodate service requirements. Refer to Service Consultant's statement for details
DA 3101	SECTION B	7. Adjustment to the pool levels, fence alignment and surrounding landscape for Units 1 & 2, while maintaining close alignment with the existing ground levels 20. Balcony concrete overhang to the level below straightened. Added awning extension to the straightened slab edge on Level 1 & Roof to provide undercover for the balcony below. 24. Perimeter planters removed from Level 1. 27. Amendments to the RL of RFB Basement, Lower Ground 02, Lower Ground 01, Level 1 and Roof to accommodate service requirements. Refer to Service Consultant's statement for details
DA 6000	EXTERNAL FINISHES, MATERIALS & FACADE	30. External finishes schedule updates to reflect modified building materials. Roof material for the RFB & the semi-detached dwellings specified
DA 9000	GFA DIAGRAMS	31. GFA calculation updates to reflect modified GFA extent
DA 9002	LANDSCAPE, DEEP SOIL, C.O.S CALCULATIONS	32. Landscaped area, deep soil and communal open space calculation updates to reflect landscape modifications
DA 9004	STORAGE CALCULATIONS	33. Storage calculation updates to reflect modified internal layout
DA 9201	LEP HEIGHT PLANE + DCP ENVELOPE	34. Updates to wall height breach to reflect modified building height
DA 9202	WASTE MGT PLAN	35. Updates to path of travel from garbage holding area to the street to reflect modified internal layout
DA 9204	PHOTOMONTAGE	36. Updates to photomontage to reflect modified houses design
DA 9205	PRIVACY - 17 WILGA STREET	37. Privacy diagrams updates to reflect modified window locations and internal layout
DA 9206	PRIVACY - 23 WILGA STREET (POOL)	37. Privacy diagrams updates to reflect modified window locations and internal layout
DA 9207	PRIVACY - 24 SANDRIDGE STREET	37. Privacy diagrams updates to reflect modified window locations and internal layout
DA 9208	PRIVACY - 19 WILGA STREET	37. Privacy diagrams updates to reflect modified window locations and internal layout
DA 9209	PRIVACY - 23 WILGA STREET	37. Privacy diagrams updates to reflect modified window locations and internal layout
DA 9210	PRIVACY - SEMI-DETACHED DWELLINGS TO SANDRIDGE ST	37. Privacy diagrams updates to reflect modified window locations and internal layout
DA 9211	HEADLIGHT GLARE ASSESSMENT	38. Updates to base drawing to reflect modified building design
DA 9212	LIGHT & VENTILATION IN BED 2&3, UNIT 1&2 (RFB)	39. Updates to diagrams and light & ventilation calculation to reflect modified window size and location

S4.56 #1 DEFERRAL RESPONSE

REV	NOTE	DATE
A	S4.56 #1 SUBMISSION	25/08/2025
C	S4.56 #1 - DEFERRAL LETTER RESPONSE	10/03/2026

GENERAL NOTES

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ALL CONSTRUCTION TO COMPLY AT MINIMUM W/ BCA CLAUSES & AUSTRALIAN STANDARDS

CLAUSE B 1.4 MATERIAL & FORMS CONSTRUCTIONS
SPEC C1.1 FIRE RESISTING CONSTRUCTION
SPEC C1.10 FIRE HAZARD PROPERTIES
SPEC C1.11 PERFORMANCE OF EXTERNAL WALLS IN A FIRE
CLAUSE C2.6 VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL
CLAUSE C2.12 SPEARATION OF EQUIPMENT
CLAUSE C2.13 ELECTRICITY SUPPLY SYSYEM
CLAUSE C.3 ACCEPTABLE METHODS OF PROTECTION (OF OPENINGS)
CLAUSE C3.8 OPENING IN FIRE ISOLATED EXITS
CLAUSE C3.15 OPENING FOR SERVICE INSTALLATIONS
CLAUSE D1.10 DISCHARGE FROM EXITS
CLAUSE D2.7 INSTALLATIONS IN EXITS AND PATHS OF TRAVEL
CLAUSE D2.13 GOINGS AND RISERS
CLAUSE D2.14 LANDINGS
CLAUSE D2.15 THRESHOLDS
CLAUSE D2.16 BALUSTRADES
CLAUSE D2.17 HANDRAILS
CLAUSE D2.21 OPERATION OF LATCH
CLAUSE D2.23 SIGNS ON DOORS
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CLAUSE D3.3 PARTS OF BUILDING TO BE ACCESSIBLE
CLAUSE D3.6 IDENT. OF ACCESSIBLE FACIL/SERV/FEATURES
CLAUSE D3.8 TACTILE INDICATORS
CLAUSE F1.7 WATERPROOFING OF WET AREAS
CLAUSE F1.9/F1.10 DAMP PROOFING
CLAUSE 2.5 CONSTRUCTION OF SANITARY COMPARTMENTS
PART F4 LIGHTING AND VENTILATION
CLAUSE F5.4 SOUND INSULATION OF FLOORS
CLAUSE F5.5 SOUND INSULATION OF WALLS
CLAUSE F5.6 SOUND INSULATION OF SERVICES
CLAUSE F5.7 SOUND INSULATION OF PUMPS

ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART CLAUSEF4.4 & AS1680
BALUSTRADE HEIGHTS: TO COMPLY WITH BCA CLAUSE D2.16
DRAINAGE GUTTERS & DOWNPIPES: TO COMPLY WITH AS/NZS 3500.3.2
ENERGY EFFICIENCY/GLAZING: TO COMPLY WITH J2 OF BCA
FIRE SERVICES: TO COMPLY WITH SECTION E OF BCA
HOT WATER: SYSTEMS TO COMPLY WITH PART J7 OF BCA
MASONRY: TO COMPLY WITH AS3700
MECHELEC/HYDRAULIC: BCA CLAUSE C3.15 & AS1530 4-2005
MECHANICAL AIRCONDITIONING: TO COMPLY WITH PART J5 OF BCA
MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH AS1668 & AS68.2
SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE & SPEC E2.2 & AS3786
PENETRATIONS: THROUGH FIRE RATED CONSTRUCTION FOR MECH/ELEC/ HYDRAULIC PENETRATIONS TO COMPLY WITH BCA CLAUSE C3.15 & AS1530 4-2005
SOUND TRANSMISSION: TO COMPLY WITH PARTS OF BCA
STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13
STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13
WATERPROOFING OF WET AREAS: TO COMPLY WITH AS3740

BASIX COMMITMENTS
(ALL OTHER BASIX COMMITMENTS AS PER BASIX CERTIFICATE AND STAMPED PLANS)

WATER OPTIONS

SHOWERHEADS:	3 STAR (7.5-9L/min)
TOILETS:	4 STAR
CLOTHES WASHERS:	3 STAR
KITCHEN TAPS:	4 STAR
BATHROOM TAPS:	4 STAR
DISHWASHERS:	3 STAR
LANDSCAPED AREA TO IRRIGATE:	687 sqm

ENERGY OPTIONS

HEATING & COOLING:	Individual Systems - EER 3.0-3.5
VENTILATION:	Individual Fan, Ducted to façade or roof, Interlocked to light
WATER HEATING:	Heat Pump - 31 to 35 STCs
ENERGY EFFICIENT LIGHTING:	Dedicated LED throughout
OVEN & COOK TOPS:	Electric Oven and Electric Cooktop
REFRIGATOR SPACE:	Well Ventilated
CLOTHES DRYER:	2 Star (Vented)
DISH WASHER:	4 Star

THERMAL COMFORT OPTIONS

R2.5 INSULATION TO:	External Walls, walls to corridors/lifts/stairs
R2.0 INSULATION TO:	Suspended floors to B and plant rooms below
GLAZING SPEC:	Refer to BASIX Certificate
GLAZING TYPE:	Refer to BASIX Certificate

NOTES:

EX EXISTING
FFL RL OF FINISHED FLOOR LEVEL
RL REDUCED LEVEL
BOUNDARY
EX BUILDING TO BE DEMOLISHED
COUNCIL CONTROLS

EX TREE TO REMOVE
EX TREE TO RETAIN
EX LANDSCAPE TO RETAIN /NOT ON SURVEY/
PROPOSED LANDSCAPE

ARCHITECT:
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MHN Design Union Pty Ltd. ABN 94 003 717 682
Nominated Architect Bnán Meyerson NSW Registration Number 4907

PROJECT ADDRESS:
20-22 SANDRIDGE ST, 21 WILGA ST, BONDI 2026 NSW

DRAWING TITLE:
SCHEDULE OF MODIFICATIONS

DRAWN BY:	CHECKED: AS
SCALE: @A1	
ISSUE DATE: 10/03/2026	REVISION: C
PROJECT NUMBER: 23-030	DWG NUMBER: DA 0002

PRIVATE BONDI LIFE

PUBLIC BONDI LIFE

CONNECTED TO:

(Lifestyle + Wellness)

- Coastal Walk
- Bondi Beach / Beaches / Squid Bay
- Parks
- Views + Ocean
- Salt Air
- Hospitality - Shops / Restaurants / Bars

S4.56 #1 DEFERRAL RESPONSE

REV	NOTE	DATE
A	S4.56 #1 SUBMISSION	25/09/2025
C	S4.56 #1 - DEFERRAL LETTER RESPONSE	10/03/2026

GENERAL NOTES

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CLAUSE D2.16 BALUSTRADES
CLAUSE D2.17 HANDRAILS
CLAUSE D2.21 OPERATION OF LATCH
CLAUSE D2.23 SIGNS ON DOORS
CLAUSE D3.2 GENERAL BUILDING ACCESS REQUIREMENTS
CLAUSE D3.3 PARTS OF BUILDING TO BE ACCESSIBLE
CLAUSE D3.6 IDENT OF ACCESSIBLE FACILISERVIFEATURES
CLAUSE D3.8 TACTILE INDICATORS
CLAUSE F1.7 WATERPROOFING OF WET AREAS
CLAUSE F1.9/F1.10 DAMP PROOFING
CLAUSE 2.5 CONSTRUCTION OF SANITARY COMPARTMENTS PART F4 LIGHTING AND VENTILATION
CLAUSE F5.4 SOUND INSULATION OF FLOORS
CLAUSE F5.5 SOUND INSULATION OF WALLS
CLAUSE F5.6 SOUND INSULATION OF SERVICES
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ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART CLAUSEF4.4 & AS1680
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SOUND TRANSMISSION: TO COMPLY WITH PARTS OF BCA
STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13
STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13
WATERPROOFING OF WET AREAS: TO COMPLY WITH AS3740

BASIX COMMITMENTS
(ALL OTHER BASIX COMMITMENTS AS PER BASIX CERTIFICATE AND STAMPED PLANS)

WATER OPTIONS
SHOWERHEADS: 3 STAR (7.5-9L/min)
TOILETS: 4 STAR
CLOTHES WASHERS: 3 STAR
KITCHEN TAPS: 4 STAR
BATHROOM TAPS: 4 STAR
DISHWASHERS: 3 STAR
LANDSCAPED AREA TO IRRIGATE: 687 sqm

ENERGY OPTIONS
HEATING & COOLING: Individual Systems - EER 3.0-3.5
VENTILATION: Individual Fan, Ducted to facade or roof, Interlocked to light

WATER HEATING: Heat Pump - 31 to 35 STCs
ENERGY EFFICIENT LIGHTING: Dedicated LED thoughout
OVEN & COOK TOPS: Electric Oven and Electric Cooktop
REFRIGATOR SPACE: Well Ventilated
CLOTHES DRYER: 2 Star (Vented)
DISH WASHER: 4 Star

THERMAL COMFORT OPTIONS
R2.5 INSULATION TO: External Walls, walls to corridors/lifts/stairs
R2.0 INSULATION TO: Suspended floors to B and plant rooms below
GLAZING SPEC: Refer to BASIX Certificate
GLAZING TYPE: Refer to BASIX Certificate

NOTES:

EX EXISTING
FFL RL OF FINISHED FLOOR LEVEL
RL REDUCED LEVEL
BOUNDARY
EX BUILDING TO BE DEMOLISHED
COUNCIL CONTROLS

EX TREE TO REMOVE
EX TREE TO RETAIN
EX LANDSCAPE TO RETAIN /NOT ON SURVEY/
PROPOSED LANDSCAPE

ARCHITECT:
MHNDUNION
35 RICHARDS LANE
SURRY HILLS SYDNEY NSW 2010
T +61 2 9101 1111
F +61 2 9101 1100
www.mhndu.com
Nominated Architect
Brián Meyerson
MHN Design Union Pty Ltd. ABN 94 003 717 682 NSW Registration Number 4907

PROJECT ADDRESS:
20-22 SANDRIDGE ST, 21 WILGA ST, BONDI 2026 NSW

DRAWING TITLE:
SITE CONTEXT & SURROUNDS

DRAWN BY:
CHECKED: AS
SCALE: NTS@A1 NTS@A3
ISSUE DATE: 10/03/2026
REVISION: C
PROJECT NUMBER: 23-030
DWG NUMBER: DA 1000

S4.56 #1 DEFERRAL RESPONSE

REV	NOTE	DATE
A	S4.56 #1 SUBMISSION	25/08/2025
C	S4.56 #1 - DEFERRAL LETTER RESPONSE	10/03/2026

GENERAL NOTES

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CLAUSE C2.6 VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL
CLAUSE C2.12 SPEARATION OF EQUIPMENT
CLAUSE C2.13 ELECTRICITY SUPPLY SYSYEM
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CLAUSE C3.8 OPENING IN FIRE ISOLATED EXITS
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CLAUSE D2.15 THRESHOLDS
CLAUSE D2.16 BALUSTRADES
CLAUSE D2.17 HANDRAILS
CLAUSE D2.21 OPERATION OF LATCH
CLAUSE D2.23 SIGNS ON DOORS
CLAUSE D3.2 GENERAL BUILDING ACCESS REQUIREMENTS
CLAUSE D3.3 PARTS OF BUILDING TO BE ACCESSIBLE
CLAUSE D3.6 IDENT. OF ACCESSIBLE FACIL/SERV/FEATURES
CLAUSE D3.8 TACTILE INDICATORS
CLAUSE F1.7 WATERPROOFING OF WET AREAS
CLAUSE F1.9/F1.10 DAMP PROOFING
CLAUSE 2.5 CONSTRUCTION OF SANITARY COMPARTMENTS
PART F4 LIGHTING AND VENTILATION
CLAUSE F5.4 SOUND INSULATION OF FLOORS
CLAUSE F5.5 SOUND INSULATION OF WALLS
CLAUSE F5.6 SOUND INSULATION OF SERVICES
CLAUSE F5.7 SOUND INSULATION OF PUMPS

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BALUSTRADE HEIGHTS: TO COMPLY WITH BCA CLAUSE D2.16
DRAINAGE GUTTERS & DOWNPIPES: TO COMPLY WITH AS/NZS 3500 3.2
ENERGY EFFICIENCYGLAZING: TO COMPLY WITH J2 OF BCA
FIRE SERVICES: TO COMPLY WITH SECTION E OF BCA
HOT WATER: SYSTEMS TO COMPLY WITH PART J7 OF BCA
MASONRY: TO COMPLY WITH AS3700
MECH/ELEC/HYDRAULIC: BCA CLAUSE C3.15 & AS1530 4-2005
MECHANICAL AIRCONDITIONING: TO COMPLY WITH PART J5 OF BCA
MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH AS1668 & AS68.2
SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE & SPEC E2.2 & AS3786
PENETRATIONS: THROUGH FIRE RATED CONSTRUCTION FOR MECH/ELEC/ HYDRAULIC PENETRATIONS TO COMPLY WITH BCA CLAUSE C3.15 & AS1530 4-2005
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STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13
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EX LANDSCAPE TO RETAIN /NOT ON SURVEY/
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www.mhndu.com
MHN Design Union Pty Ltd. ABN 94 003 717 682
Nominated Architect Brain Meyerson NSW Registration Number 4907

PROJECT ADDRESS:
20-22 SANDRIDGE ST, 21 WILGA ST, BONDI 2026 NSW

N

DRAWING TITLE:
SITE LOCATION PLAN

DRAWN BY:
CHECKED: AS
SCALE: 1:1000@A1 1:2000@A3
ISSUE DATE: 10/03/2026
REVISION: C
PROJECT NUMBER: 23-030
DWG NUMBER: DA 1001

S4.56 #1 DEFERRAL RESPONSE

REV	NOTE	DATE
A	S4.56 #1 SUBMISSION	25/09/2025
C	S4.56 #1 - DEFERRAL LETTER RESPONSE	10/03/2026

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CLAUSE F5.4 SOUND INSULATION OF FLOORS
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MASONRY: TO COMPLY WITH AS3700
MECHELEC/HYDRAULIC: BCA CLAUSE C3.15 & AS1530 4-2005
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BASIX COMMITMENTS
(ALL OTHER BASIX COMMITMENTS AS PER BASIX CERTIFICATE AND STAMPED PLANS)

WATER OPTIONS
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RL	REDUCED LEVEL
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www.mhndu.com
MHN Design Union Pty Ltd. ABN 94 003 717 682
Nominated Architect Brián Meyerson NSW Registration Number 4907

PROJECT ADDRESS:
20-22 SANDRIDGE ST, 21 WILGA ST, BONDI 2026 NSW

N

DRAWING TITLE:
SITE CONTEXT

DRAWN BY:	CHECKED: AS
SCALE: 1:100@A1 1:200@A3	
ISSUE DATE: 10/03/2026	REVISION: C
PROJECT NUMBER: 23-030	DWG NUMBER: DA 1002

STREETSCAPE - SANDRIDGE STREET

WILGA STREET

No. 16
RFB
2 stories

No. 18
House
2 stories

SITE

No. 24
RFB
6-7 stories

No. 26
House
2 stories

No. 42 Fletcher St
House
2 stories

FLETCHER STREET

SANDRIDGE STREET

STREETSCAPE - SANDRIDGE STREET - OPPOSITE SIDE

FLETCHER STREET

No. 27
House
3 stories

No. 25
House
3 stories

No. 23
House
3 stories

No. 21
House
3 stories

No. 17-19
House
3-4 stories

No. 15
RFB
4 stories

No. 11 Wilga St
House
1 storey

WILGA STREET

SANDRIDGE STREET

S4.56 #1 DEFERRAL RESPONSE

REV	NOTE	DATE
A	S4.56 #1 SUBMISSION	25/08/2025
C	S4.56 #1 - DEFERRAL LETTER RESPONSE	10/03/2026

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CLAUSE F1.7 WATERPROOFING OF WET AREAS
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ALL OTHER BASIX COMMITMENTS AS PER BASIX CERTIFICATE AND STAMPED PLANS)

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289

NOTES:

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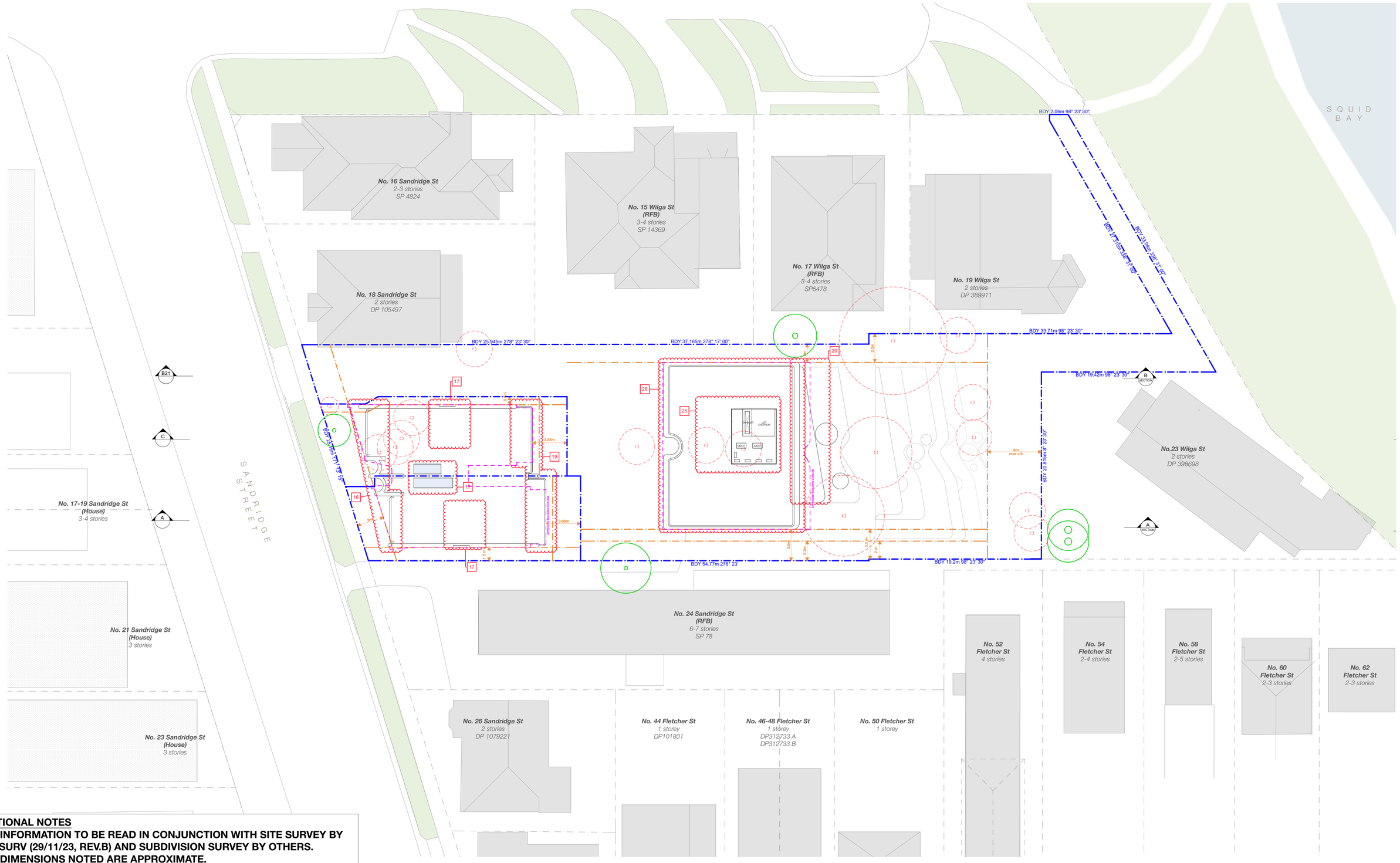
www.mhndu.com
MHN Design Union Pty Ltd. ABN 94 003 717 682
Nominated Architect Brett Meyninson NSW Registration Number 4907

PROJECT ADDRESS:
20-22 SANDRIDGE ST, 21 WILGA ST, BONDI 2026 NSW

DRAWING TITLE:
STREETSCAPE ANALYSIS

DRAWN BY:	CHECKED: AS
SCALE:	NTS@A1 NTS@A3
ISSUE DATE:	REVISION:
10/03/2026	C
PROJECT NUMBER:	DWG NUMBER:
23-030	DA 1003



ADDITIONAL NOTES

- ALL INFORMATION TO BE READ IN CONJUNCTION WITH SITE SURVEY BY GEOSURV (29/11/23, REV.B) AND SUBDIVISION SURVEY BY OTHERS.
- ALL DIMENSIONS NOTED ARE APPROXIMATE.
- REFER TO SURVEY INFORMATION PROVIDED TO VERIFY ALL INFORMATION SUCH AS BOUNDARY DIMENSIONS AND LOT AREAS.

S4.56 #1 DEFERRAL RESPONSE

REV	NOTE	DATE
A	S4.56 #1 SUBMISSION	25/08/2025
C	S4.56 #1 - DEFERRAL LETTER RESPONSE	10/03/2026

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SPEC. C1.1 FIRE RESISTING CONSTRUCTION
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CLAUSE F1.7 WATERPROOFING OF WET AREAS
CLAUSE F1.9/F1.10 DAMP PROOFING
CLAUSE 2.5 CONSTRUCTION OF SANITARY COMPARTMENTS
PART F4 LIGHTING AND VENTILATION
CLAUSE F5.4 SOUND INSULATION OF FLOORS
CLAUSE F5.5 SOUND INSULATION OF WALLS
CLAUSE F5.6 SOUND INSULATION OF SERVICES
CLAUSE F5.7 SOUND INSULATION OF PUMPS

ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART CLAUSEF4.4 & AS1680
BALUSTRADE HEIGHTS: TO COMPLY WITH BCA CLAUSE D2.16
DRAINAGE GUTTERS & DOWNPIPES: TO COMPLY WITH AS/NZS 3500 3.2
ENERGY EFFICIENCYGLAZING: TO COMPLY WITH J2 OF BCA
FIRE SERVICES: TO COMPLY WITH SECTION E OF BCA
HOT WATER: SYSTEMS TO COMPLY WITH PART J7 OF BCA
MASONRY: TO COMPLY WITH AS3700
MECHELECHYDRAULIC: BCA CLAUSE C3.15 & AS1530 4-2005
MECHANICAL AIRCONDITIONING: TO COMPLY WITH PART J5 OF BCA
MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH AS1668 & AS68.2
SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE & SPEC E2.2 & AS3786
PENETRATIONS: THROUGH FIRE RATED CONSTRUCTION FOR MECH/ELEC/ HYDRAULIC PENETRATIONS TO COMPLY WITH BCA CLAUSE C3.15 & AS1530 4-2005.
SOUND TRANSMISSION: TO COMPLY WITH PARTS OF BCA
STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13
STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13
WATERPROOFING OF WET AREAS: TO COMPLY WITH AS3740

BASIX COMMITMENTS
(ALL OTHER BASIX COMMITMENTS AS PER BASIX CERTIFICATE AND STAMPED PLANS)

WATER OPTIONS
SHOWERHEADS: 3 STAR (7.5-9L/min)
TOILETS: 4 STAR
CLOTHES WASHERS: 3 STAR
KITCHEN TAPS: 4 STAR
BATHROOM TAPS: 4 STAR
DISHWASHERS: 3 STAR
LANDSCAPED AREA TO IRRIGATE: 687 sqm

ENERGY OPTIONS
HEATING & COOLING: Individual Systems - EER 3.0-3.5
VENTILATION: Individual Fan, Ducted to facade or roof. Interlocked to light

WATER HEATING: Heat Pump - 31 to 35 STCs
ENERGY EFFICIENT LIGHTING: Dedicated LED thoughout
OVEN & COOK TOPS: Electric Oven and Electric Cooktop
REFRIGATOR SPACE: Well Ventilated
CLOTHES DRYER: 2 Star (Vented)
DISH WASHER: 4 Star

THERMAL COMFORT OPTIONS
R2.5 INSULATION TO: External Walls, walls to corridors/lifts/stairs
R2.0 INSULATION TO: Suspended floors to B and plant rooms below
GLAZING SPEC: Refer to BASIX Certificate
GLAZING TYPE: Refer to BASIX Certificate

NOTES:

EX EXISTING
FFL RL OF FINISHED FLOOR LEVEL
RL REDUCED LEVEL
BOUNDARY
EX BUILDING TO BE DEMOLISHED
COUNCIL CONTROLS

EX TREE TO REMOVE
EX TREE TO RETAIN
EX LANDSCAPE TO RETAIN /NOT ON SURVEY/
PROPOSED LANDSCAPE

ARCHITECT:
MHNDUNION
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F +61 2 9101 1100
www.mhndu.com
MHN Design Union Pty Ltd. ABN 94 003 717 682
Nominated Architect Brett Meynsson NSW Registration Number 4907

PROJECT ADDRESS:
20-22 SANDRIDGE ST, 21 WILGA ST, BONDI 2026 NSW

DRAWING TITLE:
SITE & ROOF PLAN

DRAWN BY:	CHECKED: AS
SCALE:	1:200@A1 1:400@A3
ISSUE DATE:	10/03/2026
REVISION:	C
PROJECT NUMBER:	23-030
DWG NUMBER:	DA 1004

WILGA STREET

SQUID BAY

SANDRIDGE STREET

NORTH

WINTER SUNSET

SUMMER SUNRISE

WINTER SUNRISE

SUMMER SUNSET

HOT AND DRY SUMMER BREEZES

COOL AFTERNOON SUMMER BREEZES

COLD WINTER WINDS

WARM AUTUMN WINDS

View towards Bondi & Ben Buckler

2.5 m

3.5 m

3.5 m

2.8m

BDY 25.945m 278° 23' 30"

BDY 37.165m 278° 17' 00"

BDY 54.77m 278° 23'

BDY 19.2m 98° 23' 30"

BDY 33.71m 98° 23' 30"

BDY 19.42m 98° 23' 30"

BDY 2.06m 98° 23' 30"

BDY 27.315m 398° 37' 00"

BDY 33.041m 398° 31' 00"

BDY 20.57m 11° 23' 30"

T1 (L)

T3 (L)

T4 (M)

T7 (M)

T9 (M)

T8 (H)

1 House
No. 11 Wilga St (House)
1 storey

4 RFB
No. 15 Sandridge St (RFB)
4 stories

3-4 House
No. 17-19 Sandridge St (House)
3-4 stories

3 House
No. 21 Sandridge St (House)
3 stories

3 House
No. 23 Sandridge St (House)
3 stories

3 House
No. 25 Sandridge St (House)
3 stories

2-3 RFB
No. 16 Sandridge St
Rendered Residence Tiled Roof
2-3 stories
SP 4824

2 House
No. 18 Sandridge St
Rendered Residence Tiled Roof
2 stories
DP 105497

3-4 RFB
No. 15 Wilga St
Brick Flat Tiled Roof
3-4 stories
SP 14369

3-4 RFB
No. 17 Wilga St
Brick Flat Tiled Roof
3-4 stories
SP64784

2 House
No. 19 Wilga St
Brick Residence Tiled Roof
2 stories
DP 389911

No. 20 Sandridge St
Rendered Residence Tiled Roof
2 stories
DP 316145
2 House

No. 22 Sandridge St
Rendered Residence Tiled Roof
2 stories
SP 11010
2 RFB

2 House
No. 21 Wilga St
Rendered Residence Tiled Roof
2 stories
DP 398698

No. 23 Wilga St
Brick Residence Tiled Roof
2 stories
DP 398698
House 2

6-7 RFB
No. 24 Sandridge St
Rendered
6-7 stories
SP 78

No. 26 Sandridge St
2 stories
DP 1079221
House 2

No. 42 Fletcher St
2 stories
DP 306108
2 House

No. 44 Fletcher St
1 storey
DP101801
House 1

No. 46-48 Fletcher St
1 storey
DP312733 A
DP312733 B
House 1

No. 50 Fletcher St
1 storey
House 1

No. 52 Fletcher St
Rendered
4 stories
RFB 4

No. 54 Fletcher St
Rendered
2-4 stories
RFB 2-4

No. 58 Fletcher St
Rendered
2-5 stories
RFB 2-5

No. 60 Fletcher St (House)
4 stories
House 4

No. 62 Fletcher St (RFB)
3 stories
RFB 3

No. 64 F. (R
4 st

S4.56 #1 DEFERRAL RESPONSE

REV	NOTE	DATE
A	S4.56 #1 SUBMISSION	25/08/2025
C	S4.56 #1 - DEFERRAL LETTER RESPONSE	10/03/2026

GENERAL NOTES

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6. CONTRACTOR TO ENSURE CONSISTENCY BETWEEN MATERIALS IS MAINTAINED
7. MHNDU TO REVIEW ALL CONTRACTOR'S DETAILED DRAWINGS / SETTING OUT PRIOR TO CONSTRUCTION.
8. PROGRESS WORK TO BE VERIFIED AGAINST DRAWINGS FOLLOWING EXECUTION AND ARCHITECT TO BE NOTIFIED OF ANY DISCREPANCIES PRIOR TO CONTRACTOR PROCEEDING WITH NEXT TRADE.

ALL CONSTRUCTION TO COMPLY AT MINIMUM W/ BCA CLAUSES & AUSTRALIAN STANDARDS

CLAUSE B 1.4 MATERIAL & FORMS CONSTRUCTIONS
SPEC. C1.1 FIRE RESISTING CONSTRUCTION
SPEC. C1.10 FIRE HAZARD PROPERTIES
SPEC. C1.11 PERFORMANCE OF EXTERNAL WALLS IN A FIRE
CLAUSE C2.6 VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL
CLAUSE C2.12 SPEARATION OF EQUIPMENT
CLAUSE C2.13 ELECTRICITY SUPPLY SYSYEM
CLAUSE C.3 ACCEPTABLE METHODS OF PROTECTION (OF OPENINGS)
CLAUSE C3.8 OPENING IN FIRE ISOLATED EXITS
CLAUSE C3.15 OPENING FOR SERVICE INSTALLATIONS
CLAUSE D1.10 DISCHARGE FROM EXITS
CLAUSE D2.7 INSTALLATIONS IN EXITS AND PATHS OF TRAVEL
CLAUSE D2.13 GOINGS AND RISERS
CLAUSE D2.14 LANDINGS
CLAUSE D2.15 THRESHOLDS
CLAUSE D2.16 BALUSTRADES
CLAUSE D2.17 HANDRAILS
CLAUSE D2.21 OPERATION OF LATCH
CLAUSE D2.23 SIGNS ON DOORS
CLAUSE D3.2 GENERAL BUILDING ACCESS REQUIREMENTS
CLAUSE D3.3 PARTS OF BUILDING TO BE ACCESSIBLE
CLAUSE D3.6 IDENT. OF ACCESSIBLE FACIL/SERV/FEATURES
CLAUSE D3.8 TACTILE INDICATORS
CLAUSE F1.7 WATERPROOFING OF WET AREAS
CLAUSE F1.9/F1.10 DAMP PROOFING
CLAUSE 2.5 CONSTRUCTION OF SANITARY COMPARTMENTS
PART F4 LIGHTING AND VENTILATION
CLAUSE F5.4 SOUND INSULATION OF FLOORS
CLAUSE F5.5 SOUND INSULATION OF WALLS
CLAUSE F5.6 SOUND INSULATION OF SERVICES
CLAUSE F5.7 SOUND INSULATION OF PUMPS

ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART CLAUSEF4.4 & AS1680
BALUSTRADE HEIGHTS: TO COMPLY WITH BCA CLAUSE D2.16
DRAINAGE GUTTERS & DOWNPIPES: TO COMPLY WITH AS/NZS 3500 3.2
ENERGY EFFICIENCY/GLAZING: TO COMPLY WITH J2 OF BCA
FIRE SERVICES: TO COMPLY WITH SECTION E OF BCA
HOT WATER: SYSTEMS TO COMPLY WITH PART J7 OF BCA
MASONRY: TO COMPLY WITH AS3700
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MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH AS1668 & AS68.2
SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE & SPEC E2.2 & AS3786
PENETRATIONS: THROUGH FIRE RATED CONSTRUCTION FOR MECH/ELEC/ HYDRAULIC PENETRATIONS TO COMPLY WITH BCA CLAUSE C3.15 & AS1530 4-2005
SOUND TRANSMISSION: TO COMPLY WITH PARTS OF BCA
STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13
STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13
WATERPROOFING OF WET AREAS: TO COMPLY WITH AS3740

BASIX COMMITMENTS
(ALL OTHER BASIX COMMITMENTS AS PER BASIX CERTIFICATE AND STAMPED PLANS)

WATER OPTIONS
SHOWERHEADS: 3 STAR (7.5-9L/min)
TOILETS: 4 STAR
CLOTHES WASHERS: 3 STAR
KITCHEN TAPS: 4 STAR
BATHROOM TAPS: 4 STAR
DISHWASHERS: 3 STAR
LANDSCAPED AREA TO IRRIGATE: 687 sqm

ENERGY OPTIONS
HEATING & COOLING: Individual Systems - EER 3.0-3.5
VENTILATION: Individual Fan, Ducted to facade or roof, Interlocked to light

WATER HEATING: Heat Pump - 31 to 35 STCs
ENERGY EFFICIENT LIGHTING: Dedicated LED thoughout
OVEN & COOK TOPS: Electric Oven and Electric Cooktop
REFRIGATOR SPACE: Well Ventilated
CLOTHES DRYER: 2 Star (Vented)
DISH WASHER: 4 Star

THERMAL COMFORT OPTIONS
R2.5 INSULATION TO: External Walls, walls to corridors/lifts/stairs
R2.0 INSULATION TO: Suspended floors to B and plant rooms below
GLAZING SPEC: Refer to BASIX Certificate
GLAZING TYPE: Refer to BASIX Certificate

NOTES:

EX EXISTING
FFL RL OF FINISHED FLOOR LEVEL
RL REDUCED LEVEL
BOUNDARY
EX BUILDING TO BE DEMOLISHED
COUNCIL CONTROLS

EX TREE TO REMOVE
EX TREE TO RETAIN
EX LANDSCAPE TO RETAIN /NOT ON SURVEY/
PROPOSED LANDSCAPE

ARCHITECT:
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www.mhndu.com
MHN Design Union Pty Ltd. ABN 94 003 717 682
Nominated Architect Brain Meyerson NSW Registration Number 4907

PROJECT ADDRESS:
20-22 SANDRIDGE ST, 21 WILGA ST, BONDI 2026 NSW

N

DRAWING TITLE:
SITE ANALYSIS PLAN

DRAWN BY:
CHECKED: AS
SCALE: 1:200@A1 1:400@A3
ISSUE DATE: 10/03/2026
REVISION: C
PROJECT NUMBER: 23-030
DWG NUMBER: DA 1005

WILGA STREET

SQUID BAY

SANDRIDGE STREET

House
No. 11 Wilga St
(House)
1 storey

RFB
No. 15 Sandridge St
(RFB)
4 stories

House
No. 17-19 Sandridge St
(House)
3-4 stories

House
No. 21 Sandridge St
(House)
3 stories

House
No. 23 Sandridge St
(House)
3 stories

RFB
No. 16 Sandridge St
Rendered Residence Tiled Roof
2-3 stories
SP 4824

House
No. 18 Sandridge St
Rendered Residence Tiled Roof
2 stories
DP 105497

RFB
No. 15 Wilga St
Brick Flat Tiled Roof
3-4 stories
SP 14369

RFB
No. 17 Wilga St
Brick Flat Tiled Roof
3-4 stories
SP6478

House
No. 19 Wilga St
Brick Residence Tiled Roof
2 stories
DP 389911

No. 23 Wilga St
Brick Residence Tiled Roof
2 stories
DP 398698
House

No. 24 Sandridge St
Rendered
6-7 stories
SP 78
RFB

No. 26 Sandridge St
2 stories
DP 1079221
House

No. 42 Fletcher St
2 stories
DP 306108
House

No. 44 Fletcher St
1 storey
DP101801
House

No. 46-48 Fletcher St
1 storey
DP312733 A
DP312733 B
House

No. 50 Fletcher St
1 storey
House

No. 52 Fletcher St
Rendered
4 stories
RFB

No. 54 Fletcher St
Rendered
2-4 stories
RFB

No. 58 Fletcher St
Rendered
2-5 stories
RFB

No. 60 Fletcher St
(House)
4 stories
House

No. 62 Fletcher St
(RFB)
3 stories
RFB

No. 64 F
(R
4 st

RFB
Lot 1
232 m²
House

Lot 2
232.2 m²
House

RFB
Lot 3
1583.6 m²

BDY 2.06m 98° 23' 30"
BDY 27.315m 358° 37' 00"
BDY 33.041m 338° 31' 00"
BDY 33.71m 98° 23' 30"
BDY 37.165m 278° 17' 00"
BDY 25.945m 278° 23' 30"
BDY 19.42m 98° 23' 30"
BDY 20.875m 98° 23' 30"
BDY 25.15m 171° 13' 15"
BDY 54.77m 278° 23'
BDY 19.2m 98° 23' 30"

2.5 m A
3.0 m A
3.5 m B
8.0 m B (excluded)
0.9m
3.1 m
A + B + C + D / 4 = 3 m FRONT SETBACK APPROX.
A + C + D / 3 = 3.1 m REAR SETBACK APPROX.
PREDOMINANT BUILDING LINE
3.1 m
12 m AUG building separation
min 3.5m
min 12m
REAR SETBACK 6m
3.5 m C
4.8 m C
2.8m D
1.6 D

ADDITIONAL NOTES

- ALL INFORMATION TO BE READ IN CONJUNCTION WITH SITE SURVEY BY GEOSURV (29/11/23, REV.B) AND SUBDIVISION SURVEY BY OTHERS.
- ALL DIMENSIONS NOTED ARE APPROXIMATE.
- REFER TO SURVEY INFORMATION PROVIDED TO VERIFY ALL INFORMATION SUCH AS BOUNDARY DIMENSIONS AND LOT AREAS.

S4.56 #1 DEFERRAL RESPONSE

REV	NOTE	DATE
A	S4.56 #1 SUBMISSION	25/08/2025
C	S4.56 #1 - DEFERRAL LETTER RESPONSE	10/03/2026

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ALL CONSTRUCTION TO COMPLY AT MINIMUM W/ BCA CLAUSES & AUSTRALIAN STANDARDS

CLAUSE B 1.4 MATERIAL & FORMS CONSTRUCTIONS
SPEC. C1.1 FIRE RESISTING CONSTRUCTION
SPEC. C1.10 FIRE HAZARD PROPERTIES
SPEC. C1.11 PERFORMANCE OF EXTERNAL WALLS IN A FIRE
CLAUSE C2.6 VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL
CLAUSE C2.12 SPEARATION OF EQUIPMENT
CLAUSE C2.13 ELECTRICITY SUPPLY SYSYEM
CLAUSE C.3 ACCEPTABLE METHODS OF PROTECTION (OF OPENINGS)
CLAUSE C3.8 OPENING IN FIRE ISOLATED EXITS
CLAUSE C3.15 OPENING FOR SERVICE INSTALLATIONS
CLAUSE D1.10 DISCHARGE FROM EXITS
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CLAUSE D2.13 GOINGS AND RISERS
CLAUSE D2.14 LANDINGS
CLAUSE D2.15 THRESHOLDS
CLAUSE D2.16 BALUSTRADES
CLAUSE D2.17 HANDRAILS
CLAUSE D2.21 OPERATION OF LATCH
CLAUSE D2.23 SIGNS ON DOORS
CLAUSE D3.2 GENERAL BUILDING ACCESS REQUIREMENTS
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ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART CLAUSEF4.4 & AS1680
BALUSTRADE HEIGHTS: TO COMPLY WITH BCA CLAUSE D2.16
DRAINAGE GUTTERS & DOWNPIPES: TO COMPLY WITH AS/NZS 3500.3.2
ENERGY EFFICIENCY/GLAZING: TO COMPLY WITH J2 OF BCA
FIRE SERVICES: TO COMPLY WITH SECTION E OF BCA
HOT WATER: SYSTEMS TO COMPLY WITH PART J7 OF BCA
MASONRY: TO COMPLY WITH AS3700
MECHELECHYDRAULIC: BCA CLAUSE C3.15 & AS1530.4-2005
MECHANICAL AIRCONDITIONING: TO COMPLY WITH PART J5 OF BCA
MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH AS1668 & AS68.2
SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE & SPEC E2.2 & AS3786
PENETRATIONS: THROUGH FIRE RATED CONSTRUCTION FOR MECH/ELEC/ HYDRAULIC PENETRATIONS TO COMPLY WITH BCA CLAUSE C3.15 & AS1530 4-2005
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BASIX COMMITMENTS
ALL OTHER BASIX COMMITMENTS AS PER BASIX CERTIFICATE AND STAMPED PLANS)

WATER OPTIONS

SHOWERHEADS:	3 STAR (7.5-9L/min)
TOILETS:	4 STAR
CLOTHES WASHERS:	3 STAR
KITCHEN TAPS:	4 STAR
BATHROOM TAPS:	4 STAR
DISHWASHERS:	3 STAR
LANDSCAPED AREA TO IRRIGATE:	687 sqm

ENERGY OPTIONS

HEATING & COOLING:	Individual Systems - EER 3.0-3.5
VENTILATION:	Individual Fan, Ducted to roof or roof. Interlocked to light
WATER HEATING:	Heat Pump - 31 to 35 STCs
ENERGY EFFICIENT LIGHTING:	Dedicated LED throughout
OVEN & COOK TOPS:	Electric Oven and Electric Cooktop
REFRIGATOR SPACE:	Well Ventilated
CLOTHES DRYER:	2 Star (Vented)
DISH WASHER:	4 Star

THERMAL COMFORT OPTIONS

R2.5 INSULATION TO:	External Walls, walls to corridors/lifts/stairs
R2.0 INSULATION TO:	Suspended floors to B and plant rooms below
GLAZING SPEC:	Refer to BASIX Certificate
GLAZING TYPE:	Refer to BASIX Certificate

202

NOTES:

EX	EXISTING
FFL	RL OF FINISHED FLOOR LEVEL
RL	REDUCED LEVEL
	BOUNDARY
	EX BUILDING TO BE DEMOLISHED
	COUNCIL CONTROLS
	EX TREE TO REMOVE
	EX TREE TO RETAIN
	EX LANDSCAPE TO RETAIN /NOT ON SURVEY/
	PROPOSED LANDSCAPE

ARCHITECT:
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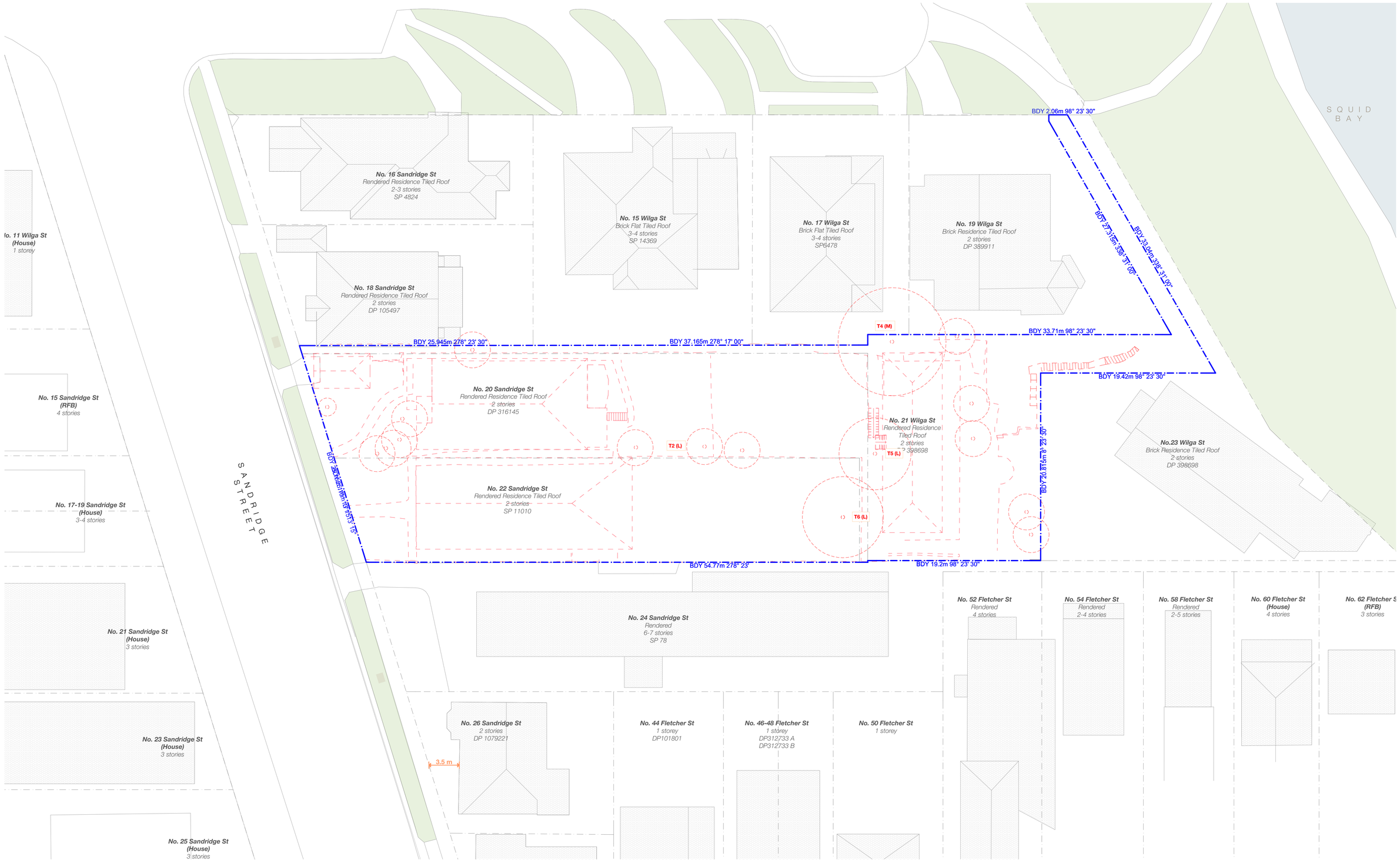
www.mhndu.com
MHN Design Union Pty Ltd. ABN 94 003 717 682
Nominated Architect Brsin Meyerson NSW Registration Number 4907

PROJECT ADDRESS:
20-22 SANDRIDGE ST, 21 WILGA ST, BONDI 2026 NSW

DRAWING TITLE:
SITE CONTROLS

DRAWN BY:	CHECKED: AS
SCALE:	1:200@A1 1:400@A3
ISSUE DATE:	10/03/2026
REVISION:	C
PROJECT NUMBER:	23-030
DWG NUMBER:	DA 1006



TO BE DEMOLISHED

S4.56 #1 DEFERRAL RESPONSE

REV	NOTE	DATE
A	S4.56 #1 SUBMISSION	25/08/2025
C	S4.56 #1 - DEFERRAL LETTER RESPONSE	10/03/2026

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CLAUSE C2.6 VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL
CLAUSE C2.12 SPEARATION OF EQUIPMENT
CLAUSE C2.13 ELECTRICITY SUPPLY SYSTEM
CLAUSE C.3 ACCEPTABLE METHODS OF PROTECTION (OF OPENINGS)
CLAUSE C3.8 OPENING IN FIRE ISOLATED EXITS
CLAUSE C3.15 OPENING FOR SERVICE INSTALLATIONS
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CLAUSE D2.7 INSTALLATIONS IN EXITS AND PATHS OF TRAVEL
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CLAUSE D2.14 LANDINGS
CLAUSE D2.15 THRESHOLDS
CLAUSE D2.16 BALUSTRADES
CLAUSE D2.17 HANDRAILS
CLAUSE D2.21 OPERATION OF LATCH
CLAUSE D2.23 SIGNS ON DOORS
CLAUSE D3.2 GENERAL BUILDING ACCESS REQUIREMENTS
CLAUSE D3.3 PARTS OF BUILDING TO BE ACCESSIBLE
CLAUSE D3.6 IDENT OF ACCESSIBLE FACILISERVI/FEATURES
CLAUSE D3.8 TACTILE INDICATORS
CLAUSE F1.7 WATERPROOFING OF WET AREAS
CLAUSE F1.9/F1.10 DAMP PROOFING
CLAUSE 2.5 CONSTRUCTION OF SANITARY COMPARTMENTS
PART F4 LIGHTING AND VENTILATION
CLAUSE F5.4 SOUND INSULATION OF FLOORS
CLAUSE F5.5 SOUND INSULATION OF WALLS
CLAUSE F5.6 SOUND INSULATION OF SERVICES
CLAUSE F5.7 SOUND INSULATION OF PUMPS

ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART CLAUSEF4.4 & AS1680
BALUSTRADE HEIGHTS: TO COMPLY WITH BCA CLAUSE D2.16
DRAINAGE GUTTERS & DOWNPIPES: TO COMPLY WITH AS/NZS 3500 3.2
ENERGY EFFICIENCY/GLAZING: TO COMPLY WITH J2 OF BCA
FIRE SERVICES: TO COMPLY WITH SECTION E OF BCA
HOT WATER: SYSTEMS TO COMPLY WITH PART J7 OF BCA
MASONRY: TO COMPLY WITH AS3700
MECHELECHYDRAULIC: BCA CLAUSE C3.15 & AS1530 4-2005
MECHANICAL AIRCONDITIONING: TO COMPLY WITH PART J5 OF BCA
MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH AS1668 & AS68.2
SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE & SPEC E2.2 & AS3786
PENETRATIONS: THROUGH FIRE RATED CONSTRUCTION FOR MECH/ELEC/ HYDRAULIC PENETRATIONS TO COMPLY WITH BCA CLAUSE C3.15 & AS1530 4-2005
SOUND TRANSMISSION: TO COMPLY WITH PARTS OF BCA
STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13
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BASIX COMMITMENTS
ALL OTHER BASIX COMMITMENTS AS PER BASIX CERTIFICATE AND STAMPED PLANS)

WATER OPTIONS
SHOWERHEADS: 3 STAR (7.5-9L/min)
TOILETS: 4 STAR
CLOTHES WASHERS: 3 STAR
KITCHEN TAPS: 4 STAR
BATHROOM TAPS: 4 STAR
DISHWASHERS: 3 STAR
LANDSCAPED AREA TO IRRIGATE: 687 sqm

ENERGY OPTIONS
HEATING & COOLING: Individual Systems - EER 3.0-3.5
VENTILATION: Individual Fan, Ducted to facade or roof, Interlocked to light

WATER HEATING: Heat Pump - 31 to 35 STCs
ENERGY EFFICIENT LIGHTING: Dedicated LED thoughout
OVEN & COOK TOPS: Electric Oven and Electric Cooktop
REFRIGATOR SPACE: Well Ventilated
CLOTHES DRYER: 2 Star (Vented)
DISH WASHER: 4 Star

THERMAL COMFORT OPTIONS
R2.5 INSULATION TO: External Walls, walls to corridors/lifts/stairs
R2.0 INSULATION TO: Suspended floors to B and plant rooms below
GLAZING SPEC: Refer to BASIX Certificate
GLAZING TYPE: Refer to BASIX Certificate

NOTES:

EX EXISTING
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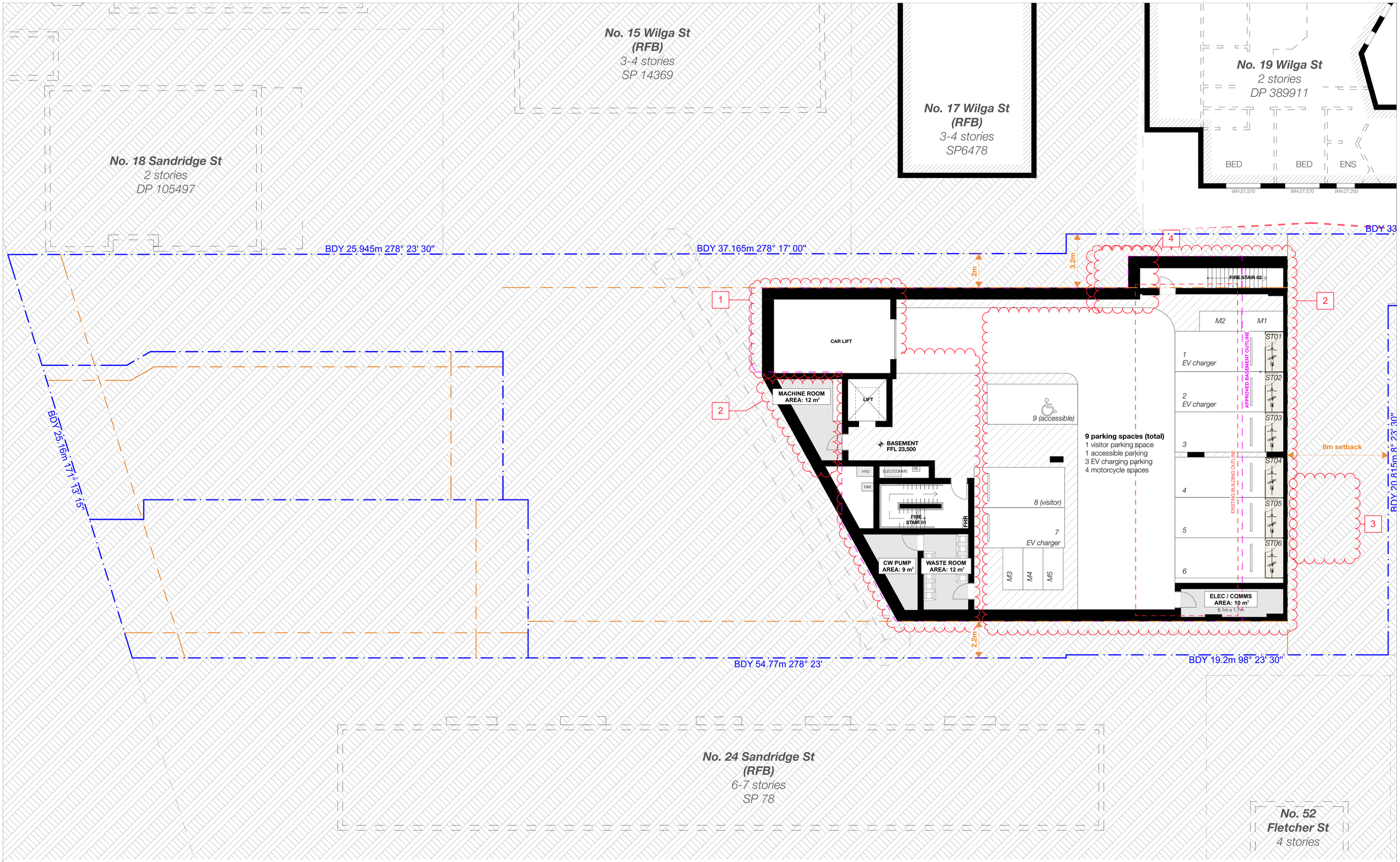
www.mhndu.com
MHN Design Union Pty Ltd. ABN 94 003 717 682
Nominated Architect Bridn Meyerson NSW Registration Number 4907

PROJECT ADDRESS:
20-22 SANDRIDGE ST, 21 WILGA ST, BONDI 2026 NSW

DRAWING TITLE:
DEMOLITION PLAN

DRAWN BY:
CHECKED: AS
SCALE: 1:200@A1 1:400@A3
ISSUE DATE: 10/03/2026
REVISION: C
PROJECT NUMBER: 23-030
DWG NUMBER: DA 1007



S4.56 #1 DEFERRAL RESPONSE

REV	NOTE	DATE
A	S4.56 #1 SUBMISSION	25/08/2025
B	S4.56 #1 - DEFERRAL LETTER RESPONSE	12/1/2026
C	S4.56 #1 - DEFERRAL LETTER RESPONSE	10/03/2026

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CLAUSE C2.13 ELECTRICITY SUPPLY SYSYEM
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BASIX COMMITMENTS
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BATHROOM TAPS: 4 STAR
DISHWASHERS: 3 STAR
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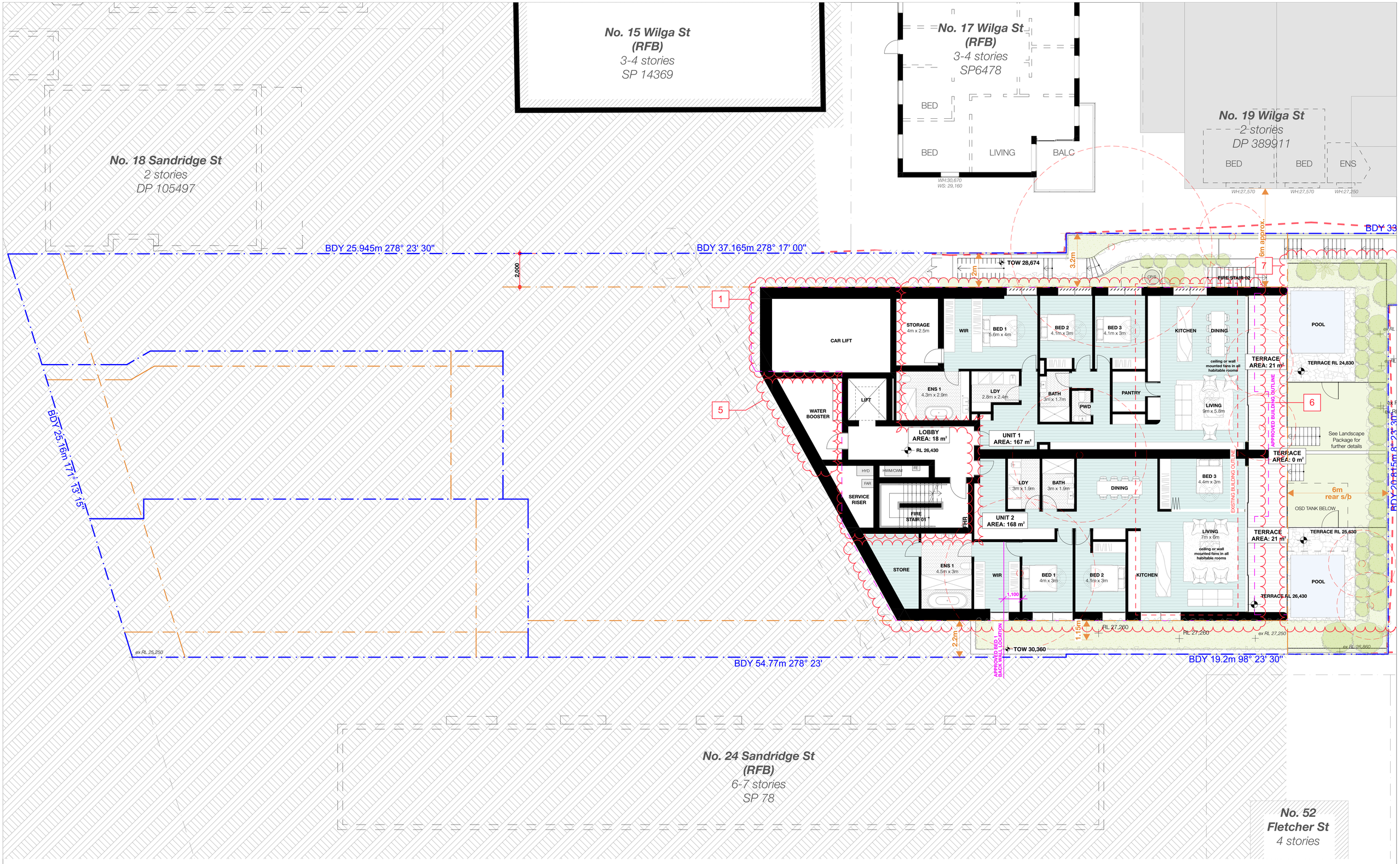
MHN Design Union Pty Ltd. ABN 94 003 717 682
Nominated Architect Brsiln Meyerson NSW Registration Number 4907

PROJECT ADDRESS:
20-22 SANDRIDGE ST, 21 WILGA ST, BONDI 2026 NSW

DRAWING TITLE:
BASEMENT PLAN

DRAWN BY:
CHECKED: AS
SCALE: 1:100@A1 1:200@A3
ISSUE DATE: 10/03/2026
REVISION: C
PROJECT NUMBER: 23-030
DWG NUMBER: DA 2000



S4.56 #1 DEFERRAL RESPONSE

REV	NOTE	DATE
A	S4.56 #1 SUBMISSION	25/08/2025
A1	S4.56 #1 - COUNCIL RESPONSE	05/11/2025
B	S4.56 #1 - DEFERRAL LETTER RESPONSE	12/1/2026
C	S4.56 #1 - DEFERRAL LETTER RESPONSE	10/03/2026

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BASIX COMMITMENTS
(ALL OTHER BASIX COMMITMENTS AS PER BASIX CERTIFICATE AND STAMPED PLANS)

WATER OPTIONS
SHOWERHEADS: 3 STAR (7.5-9L/min)
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CLOTHES WASHERS: 3 STAR
KITCHEN TAPS: 4 STAR
BATHROOM TAPS: 4 STAR
DISHWASHERS: 3 STAR
LANDSCAPED AREA TO IRRIGATE: 687 sqm

ENERGY OPTIONS
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VENTILATION: Individual Fan, Ducted to façade or roof, Interlocked to light

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NOTES:

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BOUNDARY
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COUNCIL CONTROLS

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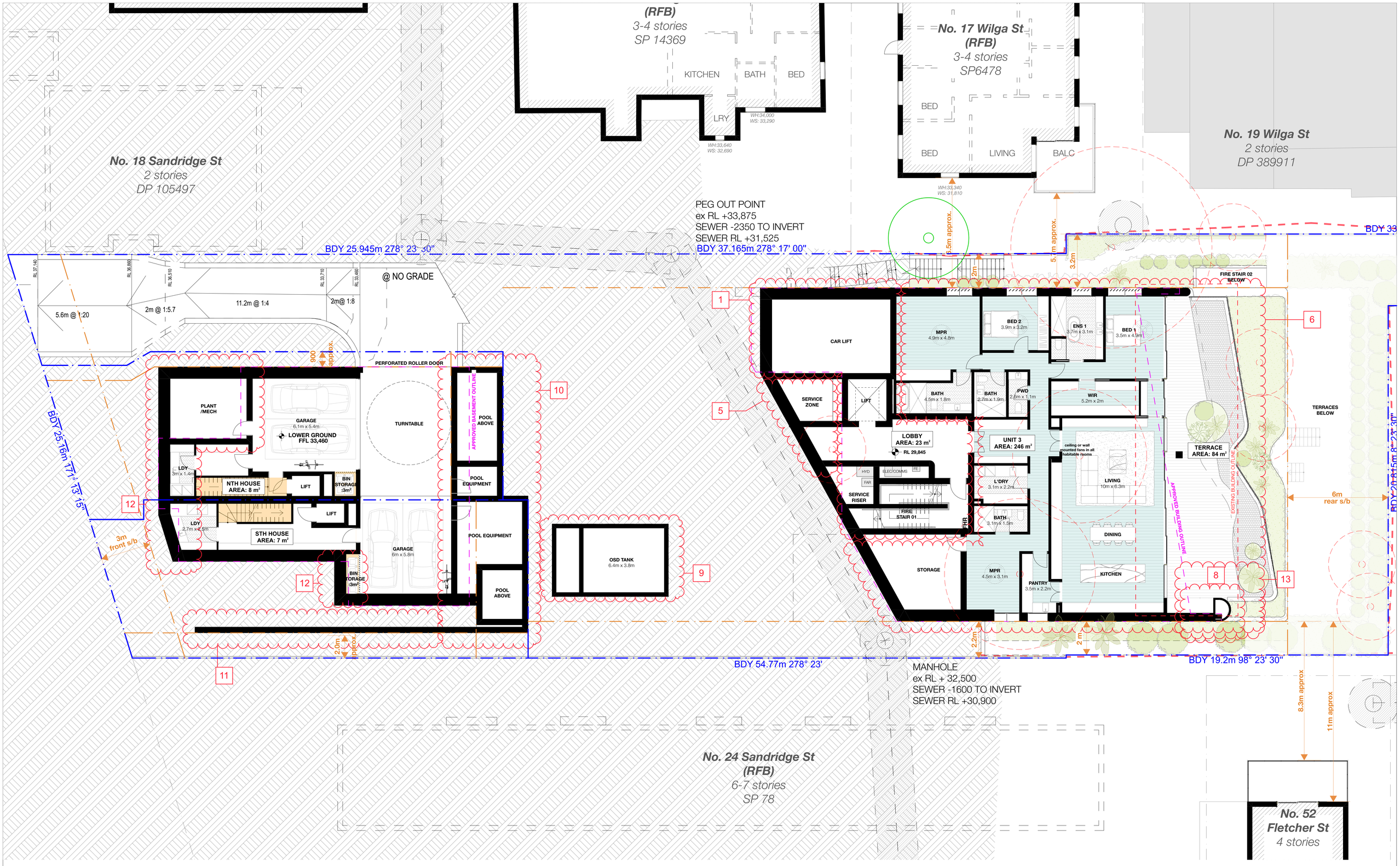
www.mhndu.com
MHN Design Union Pty Ltd. ABN 94 003 717 682
Nominated Architect Brian Meyerson NSW Registration Number 4907

PROJECT ADDRESS:
20-22 SANDRIDGE ST, 21 WILGA ST, BONDI 2026 NSW

DRAWING TITLE:
LOWER GROUND FLOOR 02 PLAN

DRAWN BY:
CHECKED: AS
SCALE: 1:100@A1 1:200@A3
ISSUE DATE: 10/03/2026
REVISION: C
PROJECT NUMBER: 23-030
DWG NUMBER: DA 2001



S4.56 #1 DEFERRAL RESPONSE

REV	NOTE	DATE
A	S4.56 #1 SUBMISSION	25/08/2025
B	S4.56 #1 - DEFERRAL LETTER RESPONSE	12/1/2026
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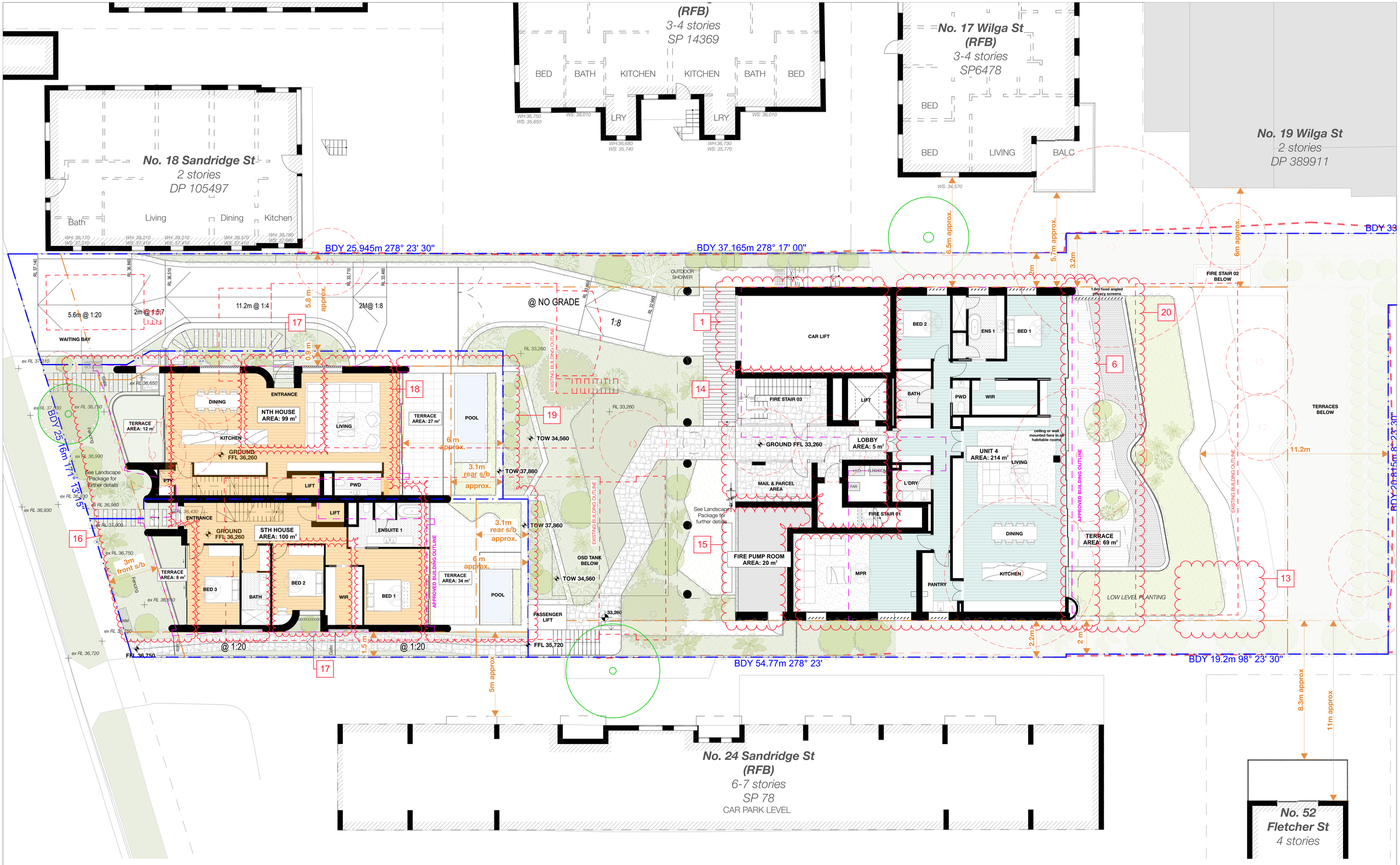
PROJECT ADDRESS:
20-22 SANDRIDGE ST, 21 WILGA ST, BONDI 2026 NSW

DRAWING TITLE:
LOWER GROUND FLOOR 01 PLAN

DRAWN BY:
CHECKED: AS
SCALE: 1:100@A1 1:200@A3
ISSUE DATE: 10/03/2026
REVISION: C
PROJECT NUMBER: 23-030
DWG NUMBER: DA 2002



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B	S4.56 #1 - DEFERRAL LETTER RESPONSE	12/1/2026
C	S4.56 #1 - DEFERRAL LETTER RESPONSE	10/03/2026

GENERAL NOTES

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ALL CONSTRUCTION TO COMPLY AT MINIMUM W/ BCA CLAUSES & AUSTRALIAN STANDARDS

CLAUSE B 1.4 MATERIAL & FORMS CONSTRUCTIONS
SPEC. C1.1 FIRE RESISTING CONSTRUCTION
SPEC. C1.10 FIRE HAZARD PROPERTIES
SPEC. C1.11 PERFORMANCE OF EXTERNAL WALLS IN A FIRE
CLAUSE C2.6 VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL
CLAUSE C2.12 SPEARATION OF EQUIPMENT
CLAUSE C2.13 ELECTRICITY SUPPLY SYSYEM
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CLAUSE F1.9/F1.10 DAMP PROOFING
CLAUSE 2.5 CONSTRUCTION OF SANITARY COMPARTMENTS
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CLAUSE F5.4 SOUND INSULATION OF FLOORS
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CLAUSE F5.6 SOUND INSULATION OF SERVICES
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ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART CLAUSEF4.4 & AS1680
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DRAINAGE GUTTERS & DOWNPIPES: TO COMPLY WITH AS/NZS 3500.3.2
ENERGY EFFICIENCYGLAZING: TO COMPLY WITH J2 OF BCA
FIRE SERVICES: TO COMPLY WITH SECTION E OF BCA
HOT WATER: SYSTEMS TO COMPLY WITH PART J7 OF BCA
MASONRY: TO COMPLY WITH AS3700
MECH/ELEC/HYDRAULIC: BCA CLAUSE C3.15 & AS1530 4-2005
MECHANICAL AIRCONDITIONING: TO COMPLY WITH PART J5 OF BCA
MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH AS1668 & AS68.2
SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE & SPEC E2.2 & AS3786
PENETRATIONS: THROUGH FIRE RATED CONSTRUCTION FOR MECH/ELEC/ HYDRAULIC PENETRATIONS TO COMPLY WITH BCA CLAUSE C3.15 & AS1530 4-2005
SOUND TRANSMISSION: TO COMPLY WITH PARTS OF BCA
STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13
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WATERPROOFING OF WET AREAS: TO COMPLY WITH AS3740

BASIX COMMITMENTS
(ALL OTHER BASIX COMMITMENTS AS PER BASIX CERTIFICATE AND STAMPED PLANS)

WATER OPTIONS
SHOWERHEADS: 3 STAR (7.5-9L/min)
TOILETS: 4 STAR
CLOTHES WASHERS: 3 STAR
KITCHEN TAPS: 4 STAR
BATHROOM TAPS: 4 STAR
DISHWASHERS: 3 STAR
LANDSCAPED AREA TO IRRIGATE: 687 sqm

ENERGY OPTIONS
HEATING & COOLING: Individual Systems - EER 3.0-3.5
VENTILATION: Individual Fan, Ducted to façade or roof, Interlocked to light
WATER HEATING: Heat Pump - 31 to 35 STCs
ENERGY EFFICIENT LIGHTING: Dedicated LED thoughout
OVEN & COOK TOPS: Electric Oven and Electric Cooktop
REFRIGATOR SPACE: Well Ventilated
CLOTHES DRYER: 2 Star (Vented)
DISH WASHER: 4 Star

THERMAL COMFORT OPTIONS
R2.5 INSULATION TO: External Walls, walls to corridors/lifts/stairs
R2.0 INSULATION TO: Suspended floors to B and plant rooms below
GLAZING SPEC: Refer to BASIX Certificate
GLAZING TYPE: Refer to BASIX Certificate

NOTES:

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ARCHITECT:
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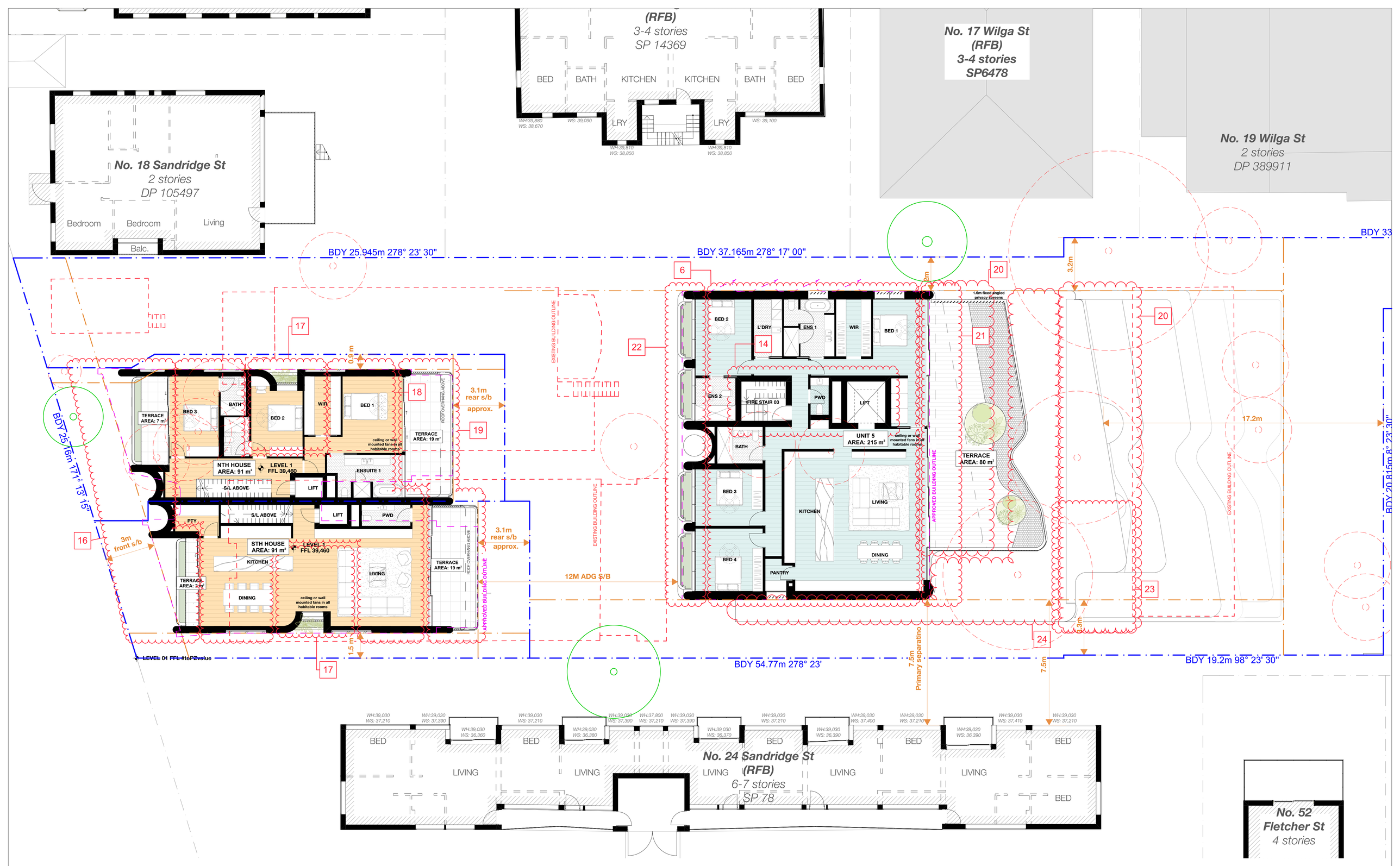
www.mhndu.com
MHN Design Union Pty Ltd. ABN 94 003 717 682
Nominated Architect Brain Meyerson NSW Registration Number 4907

PROJECT ADDRESS:
20-22 SANDRIDGE ST, 21 WILGA ST, BONDI 2026 NSW

DRAWING TITLE:
GROUND FLOOR PLAN

DRAWN BY:
CHECKED: AS
SCALE: 1:100@A1 1:200@A3
ISSUE DATE: 10/03/2026
REVISION: **C**
PROJECT NUMBER: **23-030**
DWG NUMBER: **DA 2003**



S4.56 #1 DEFERRAL RESPONSE

REV	NOTE	DATE
A	S4.56 #1 SUBMISSION	25/08/2025
B	S4.56 #1 - DEFERRAL LETTER RESPONSE	12/1/2026
C	S4.56 #1 - DEFERRAL LETTER RESPONSE	10/03/2026

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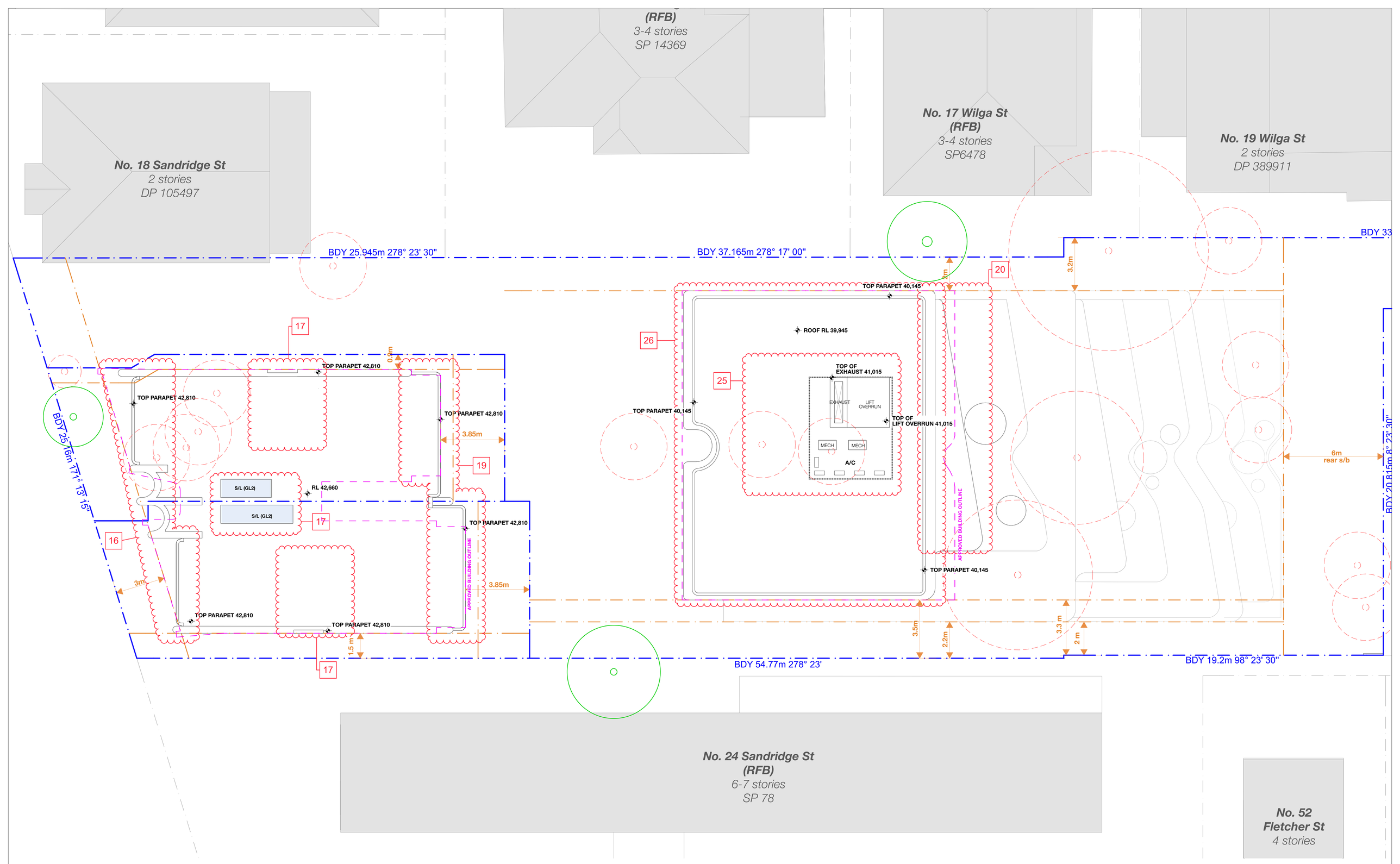
Nominated Architect Bruin Meyerson NSW Registration Number 4907

PROJECT ADDRESS:
20-22 SANDRIDGE ST, 21 WILGA ST, BONDI 2026 NSW

DRAWING TITLE:
LEVEL 1 FLOOR PLAN

DRAWN BY:	CHECKED: AS
SCALE:	1:100@A1 1:100@A3
ISSUE DATE:	10/03/2026
REVISION:	C
PROJECT NUMBER:	23-030
DWG NUMBER:	DA 2004



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MASONRY: TO COMPLY WITH AS3700
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BASIX COMMITMENTS
(ALL OTHER BASIX COMMITMENTS AS PER BASIX CERTIFICATE AND STAMPED PLANS)

WATER OPTIONS

SHOWERHEADS:	3 STAR (7.5-9L/min)
TOILETS:	4 STAR
CLOTHES WASHERS:	3 STAR
KITCHEN TAPS:	4 STAR
BATHROOM TAPS:	4 STAR
DISHWASHERS:	3 STAR
LANDSCAPED AREA TO IRRIGATE:	687 sqm

ENERGY OPTIONS

HEATING & COOLING:	Individual Systems - EER 3.0-3.5
VENTILATION:	Individual Fan, Ducted to roof, Interlocked to light
WATER HEATING:	Heat Pump - 31 to 35 STCs
ENERGY EFFICIENT LIGHTING:	Dedicated LED throughout
OVEN & COOK TOPS:	Electric Oven and Electric Cooktop
REFRIGATOR SPACE:	Well Ventilated
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DISH WASHER:	4 Star

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R2.0 INSULATION TO:	Suspended floors to B and plant rooms below
GLAZING SPEC:	Refer to BASIX Certificate
GLAZING TYPE:	Refer to BASIX Certificate

299

NOTES:

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BOUNDARY
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Nominated Architect Brian Meyerson NSW Registration Number 4907

PROJECT ADDRESS:
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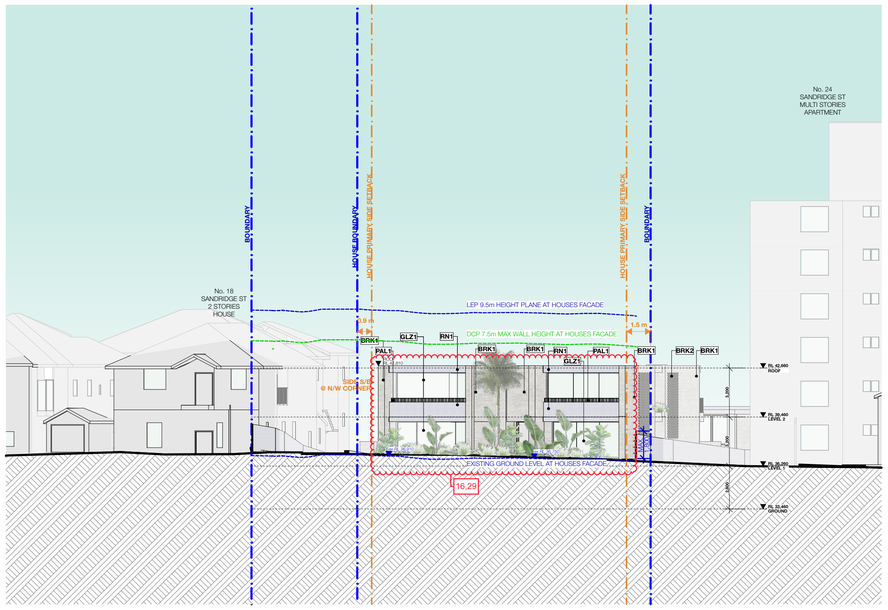
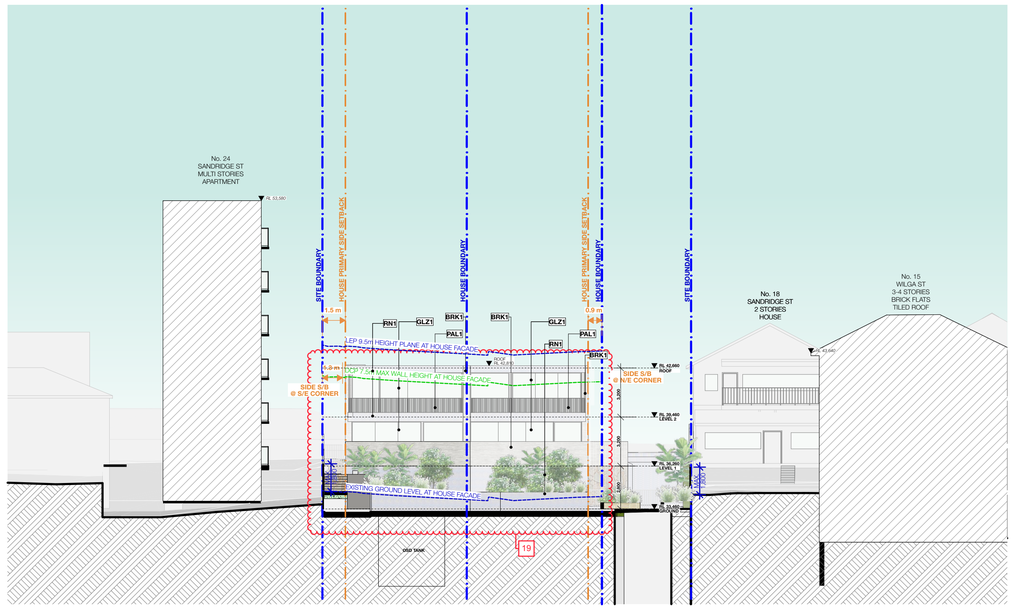
DRAWING TITLE:
ROOF PLAN

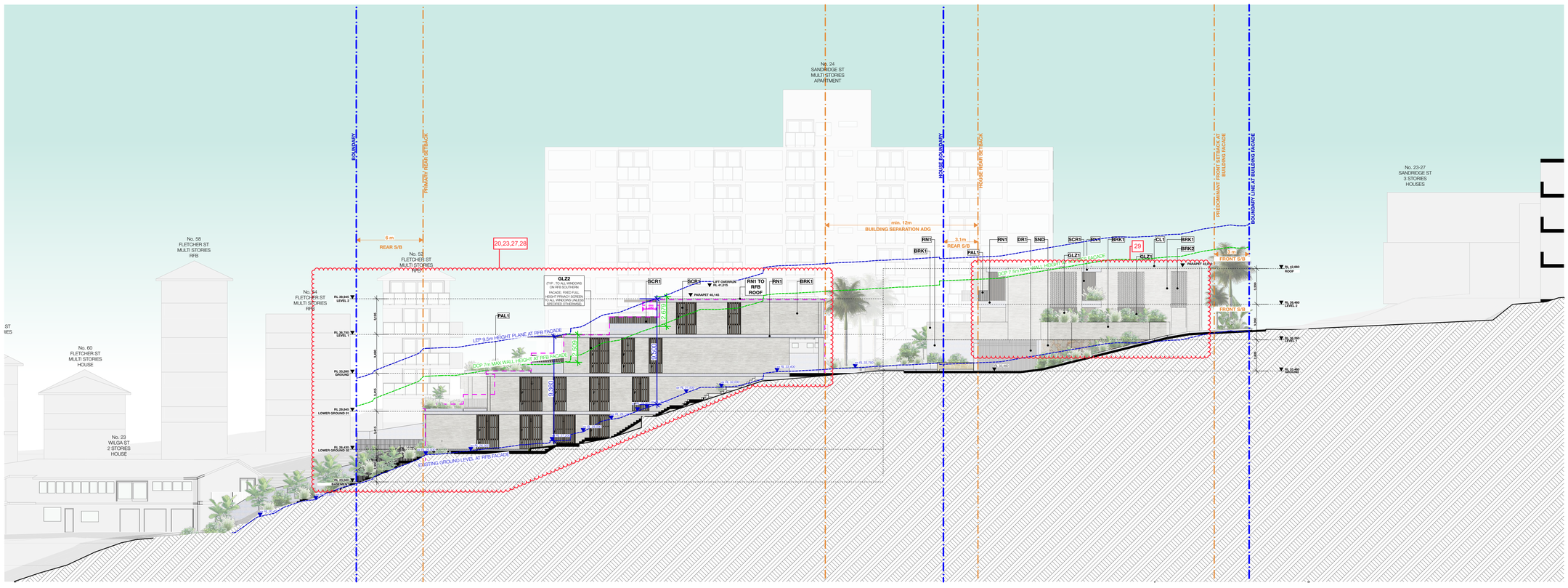
DRAWN BY:	CHECKED: AS
SCALE:	1:100@A1 1:200@A3
ISSUE DATE:	10/03/2026
REVISION:	C
PROJECT NUMBER:	23-030
DWG NUMBER:	DA 2005



WEST ELEVATION - STREETSCAPE 1:200



EAST ELEVATION - HOUSE 1:200



NORTH ELEVATION 1:200

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PENETRATIONS: THROUGH FIRE RATED CONSTRUCTION FOR MECH/ELEC/ HYDRAULIC PENETRATIONS TO COMPLY WITH BCA CLAUSE C3.15 & AS1530 4-2005
SOUND TRANSMISSION: TO COMPLY WITH PARTS OF BCA
STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13
STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13
WATERPROOFING OF WET AREAS: TO COMPLY WITH AS3740

BASIX COMMITMENTS
ALL OTHER BASIX COMMITMENTS AS PER BASIX CERTIFICATE AND STAMPED PLANS)

WATER OPTIONS

SHOWERHEADS:	3 STAR (7.5-9L/min)
TOILETS:	4 STAR
CLOTHES WASHERS:	3 STAR
KITCHEN TAPS:	4 STAR
BATHROOM TAPS:	4 STAR
DISHWASHERS:	3 STAR
LANDSCAPED AREA TO IRRIGATE:	687 sqm

ENERGY OPTIONS

HEATING & COOLING:	Individual Systems - EER 3.0-3.5
VENTILATION:	Individual Fan, Ducted to 300 or roof, Interlocked to light
WATER HEATING:	Heat Pump - 31 to 35 STCs
ENERGY EFFICIENT LIGHTING:	Dedicated LED throughout
OVEN & COOK TOPS:	Electric Oven and Electric Cooktop
REFRIGATOR SPACE:	Well Ventilated
CLOTHES DRYER:	2 Star (Vented)
DISH WASHER:	4 Star

THERMAL COMFORT OPTIONS

R2.5 INSULATION TO:	External Walls, walls to corridors/lifts/stairs
R2.0 INSULATION TO:	Suspended floors to B and plant rooms below
GLAZING SPEC:	Refer to BASIX Certificate
GLAZING TYPE:	Refer to BASIX Certificate

NOTES:

EX EXISTING
FFL RL OF FINISHED FLOOR LEVEL
RL REDUCED LEVEL
EX BUILDING TO BE DEMOLISHED
COUNCIL CONTROLS

EX TREE TO REMOVE
EX TREE TO RETAIN
EX LANDSCAPE TO RETAIN /NOT ON SURVEY/
PROPOSED LANDSCAPE

ARCHITECT:
MHNDUNION
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SURRY HILLS SYDNEY NSW 2010
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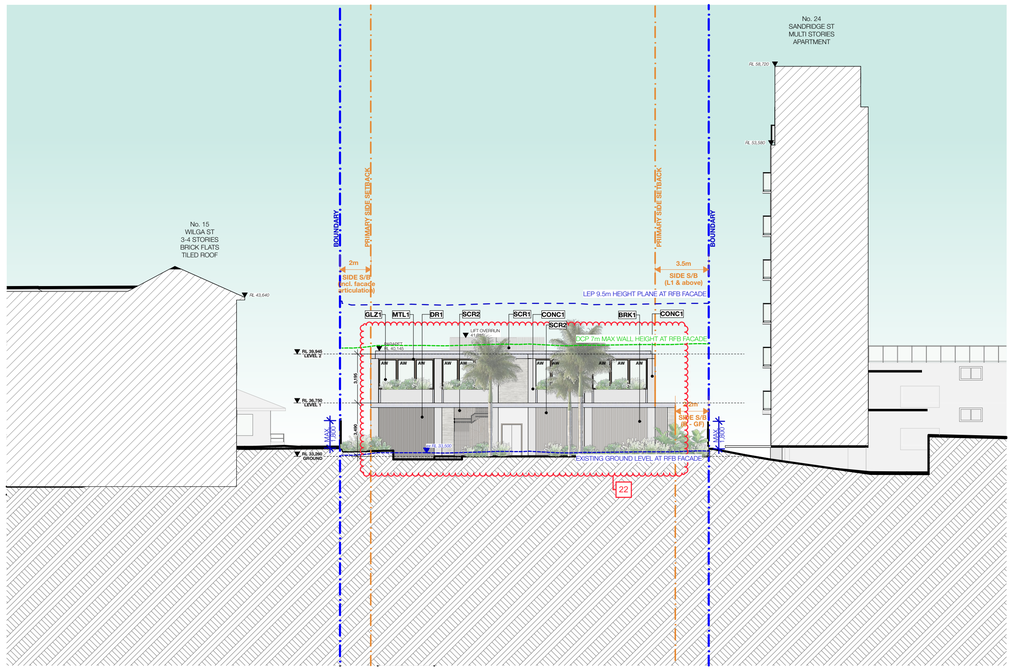
F +61 2 9101 1100
www.mhndu.com
MHN Design Union Pty Ltd. ABN 94 003 717 682
Nominated Architect Bnán Meyerson NSW Registration Number 4907

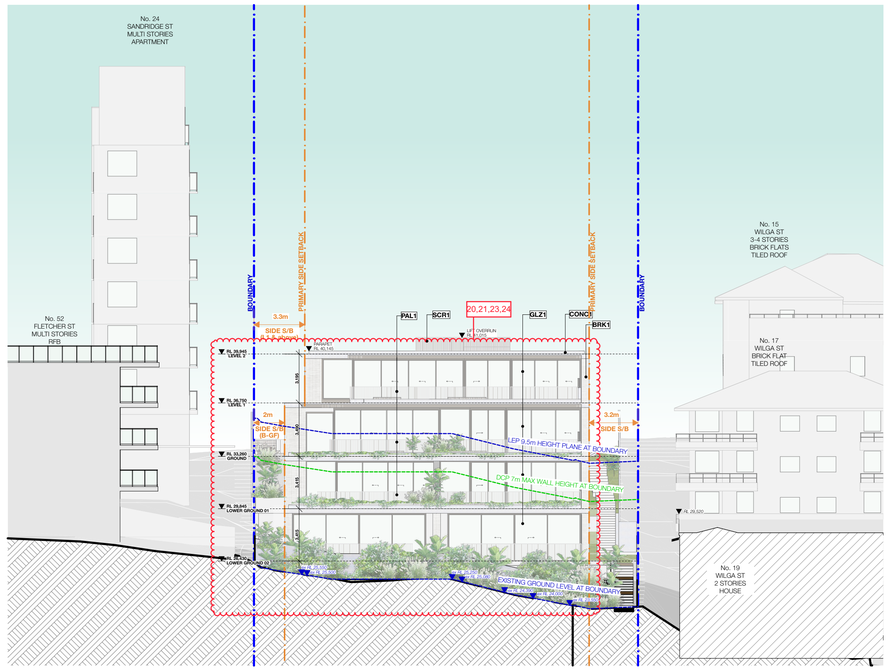
PROJECT ADDRESS:
20-22 SANDRIDGE ST, 21 WILGA ST, BONDI 2026 NSW

DRAWING TITLE:
ELEVATION NORTH & WEST

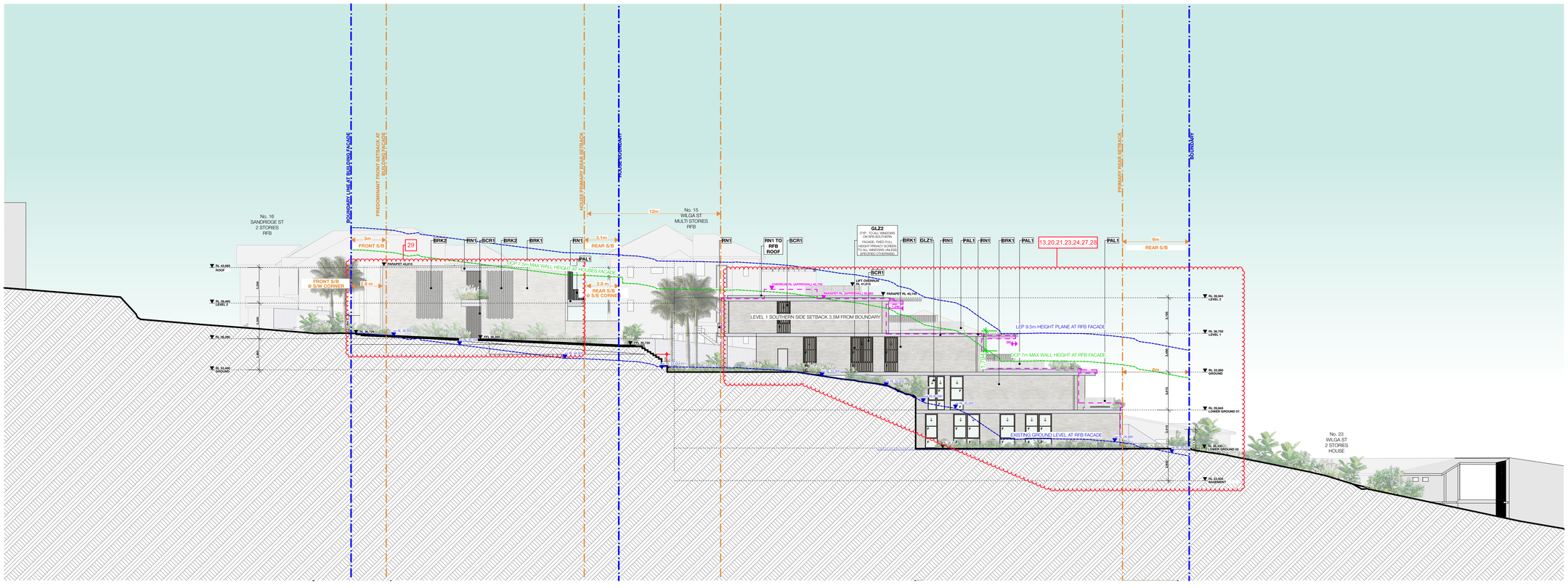
DRAWN BY:
CHECKED: AS
SCALE: 1:200@A1 1:400@A3
ISSUE DATE: 10/03/2026
REVISION: **C**
PROJECT NUMBER: **23-030**
DWG NUMBER: **DA 3000**



WEST ELEVATION - RFB 1:200



EAST ELEVATION 1:200


No. 16
SANDRIDGE ST
2 STORIES
RFB
PRIMARY SIDE SETBACK
PREDOMINANT FRONT SETBACK AT
HOUSE / PRIMARY SIDE SETBACK
HOUSE BOUNDARY
12m
No. 15
WILGA ST
MULTI STORIES
RFB
PRIMARY SIDE SETBACK
BOUNDARY
3m
FRONT S/B
29
3.1m
REAR S/B
6m
REAR S/B
FRONT S/B
@ S/W CORNER
2.8 m
2.8 m
REAR S/B
@ S/E CORNER
DCP 7m MAX WALL HEIGHT AT HOUSE FACADE
LEVEL 1 SOUTHERN SIDE SETBACK 3.5M FROM BOUNDARY
LEP 9.5m HEIGHT PLANE AT RFB FACADE
DCP 7m MAX WALL HEIGHT AT RFB FACADE
EXISTING GROUND LEVEL AT RFB FACADE
GLZ2
(NB - TO ALL WINDOWS ON RFB SOUTHERN FACADE, FIXED FULL HEIGHT OBSCURE GLASS TO ALL WINDOWS UNLESS SPECIFIED OTHERWISE)
BRK2
RN1
SCR1
BRK2
BRK1
RN1
RN1
RN1 TO RFB ROOF
SCR1
BRK1
GLZ1
RN1
PAL1
RN1
BRK1
PAL1
13,20,21,23,24,27,28
PAL1
LIFT OVERRUN
PARAPET RL 45.100
PARAPET RL 42.600
PARAPET RL 39.500
PARAPET RL 36.400
PARAPET RL 33.300
PARAPET RL 30.200
PARAPET RL 27.100
PARAPET RL 24.000
PARAPET RL 20.900
PARAPET RL 17.800
PARAPET RL 14.700
PARAPET RL 11.600
PARAPET RL 8.500
PARAPET RL 5.400
PARAPET RL 2.300
PARAPET RL -0.800
PARAPET RL -3.900
PARAPET RL -7.000
PARAPET RL -10.100
PARAPET RL -13.200
PARAPET RL -16.300
PARAPET RL -19.400
PARAPET RL -22.500
PARAPET RL -25.600
PARAPET RL -28.700
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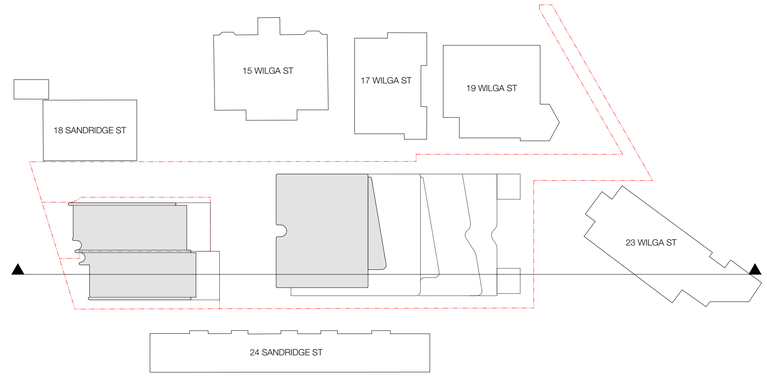
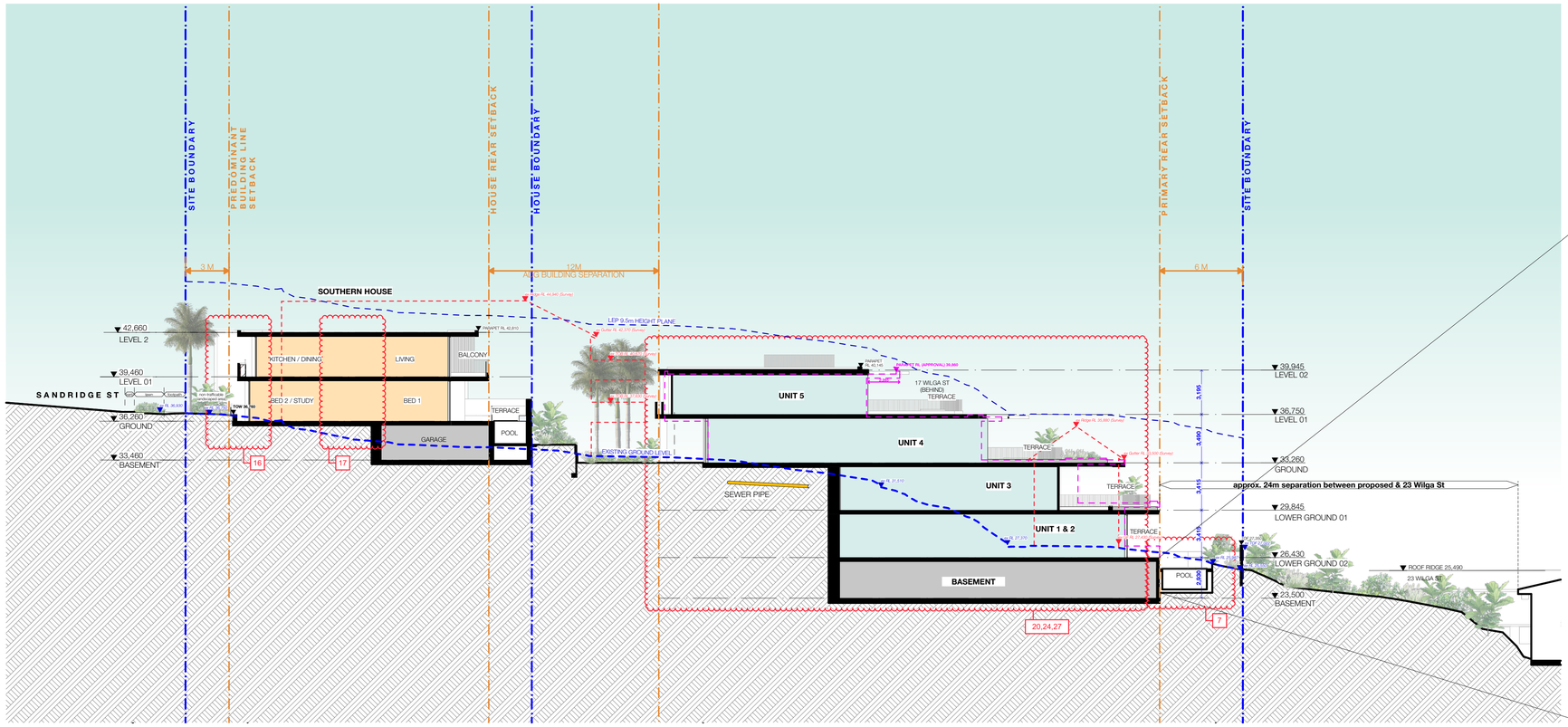
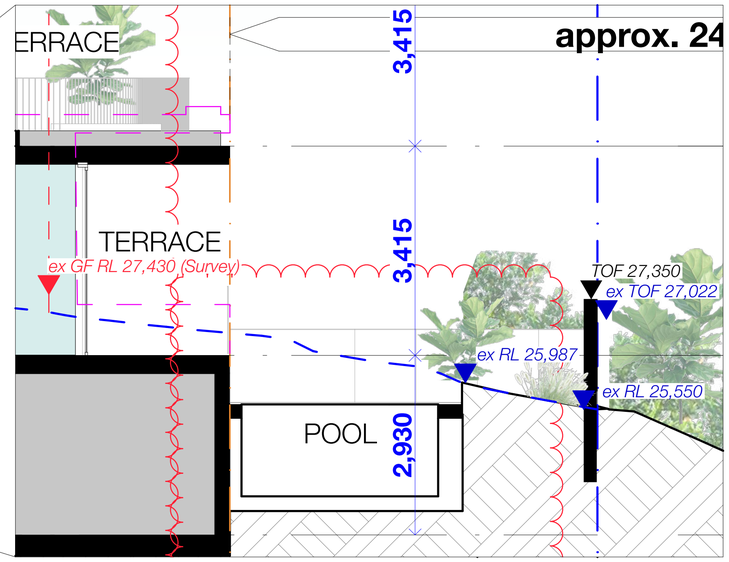
PARAPET RL -38.000
PARAPET RL



SITE PLAN 1:500



A 1:200



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S4.56 #1 DEFERRAL RESPONSE

REV	NOTE	DATE
A	S4.56 #1 SUBMISSION	25/08/2025
B	S4.56 #1 - DEFERRAL LETTER RESPONSE	12/1/2026
C	S4.56 #1 - DEFERRAL LETTER RESPONSE	10/03/2026

GENERAL NOTES

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ALL CONSTRUCTION TO COMPLY AT MINIMUM W/ BCA CLAUSES & AUSTRALIAN STANDARDS

CLAUSE B 1.4 MATERIAL & FORMS CONSTRUCTIONS
SPEC. C1.1 FIRE RESISTING CONSTRUCTION
SPEC. C1.10 FIRE HAZARD PROPERTIES
SPEC. C1.11 PERFORMANCE OF EXTERNAL WALLS IN A FIRE
CLAUSE C2.6 VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL
CLAUSE C2.12 SPEARATION OF EQUIPMENT
CLAUSE C2.13 ELECTRICITY SUPPLY SYSYEM
CLAUSE C.3 ACCEPTABLE METHODS OF PROTECTION (OF OPENINGS)
CLAUSE C3.8 OPENING IN FIRE ISOLATED EXITS
CLAUSE C3.15 OPENING FOR SERVICE INSTALLATIONS
CLAUSE D1.10 DISCHARGE FROM EXITS
CLAUSE D2.7 INSTALLATIONS IN EXITS AND PATHS OF TRAVEL
CLAUSE D2.13 GOINGS AND RISERS
CLAUSE D2.14 LANDINGS
CLAUSE D2.15 THRESHOLDS
CLAUSE D2.16 BALUSTRADES
CLAUSE D2.17 HANDRAILS
CLAUSE D2.21 OPERATION OF LATCH
CLAUSE D2.23 SIGNS ON DOORS
CLAUSE D3.2 GENERAL BUILDING ACCESS REQUIREMENTS
CLAUSE D3.3 PARTS OF BUILDING TO BE ACCESSIBLE
CLAUSE D3.6 IDENT. OF ACCESSIBLE FACIL/SERV/FEATURES
CLAUSE D3.8 TACTILE INDICATORS
CLAUSE F1.7 WATERPROOFING OF WET AREAS
CLAUSE F1.9/F1.10 DAMP PROOFING
CLAUSE 2.5 CONSTRUCTION OF SANITARY COMPARTMENTS
PART F4 LIGHTING AND VENTILATION
CLAUSE F5.4 SOUND INSULATION OF FLOORS
CLAUSE F5.5 SOUND INSULATION OF WALLS
CLAUSE F5.6 SOUND INSULATION OF SERVICES
CLAUSE F5.7 SOUND INSULATION OF PUMPS

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DRAINAGE GUTTERS & DOWNPIPES: TO COMPLY WITH AS/NZS 3500 3.2
ENERGY EFFICIENCY/GLAZING: TO COMPLY WITH J2 OF BCA
FIRE SERVICES: TO COMPLY WITH SECTION E OF BCA
HOT WATER: SYSTEMS TO COMPLY WITH PART J7 OF BCA
MASONRY: TO COMPLY WITH AS3700
MECHELECHYDRAULIC: BCA CLAUSE C3.15 & AS1530 4-2005
MECHANICAL AIRCONDITIONING: TO COMPLY WITH PART J5 OF BCA
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BASIX COMMITMENTS
(ALL OTHER BASIX COMMITMENTS AS PER BASIX CERTIFICATE AND STAMPED PLANS)

WATER OPTIONS

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HEATING & COOLING:	Individual Systems - EER 3.0-3.5
VENTILATION:	Individual Fan, Ducted to roof, Interlocked to light, 302
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OVEN & COOK TOPS:	Electric Oven and Electric Cooktop
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NOTES:

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RL REDUCED LEVEL
BOUNDARY
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ARCHITECT:
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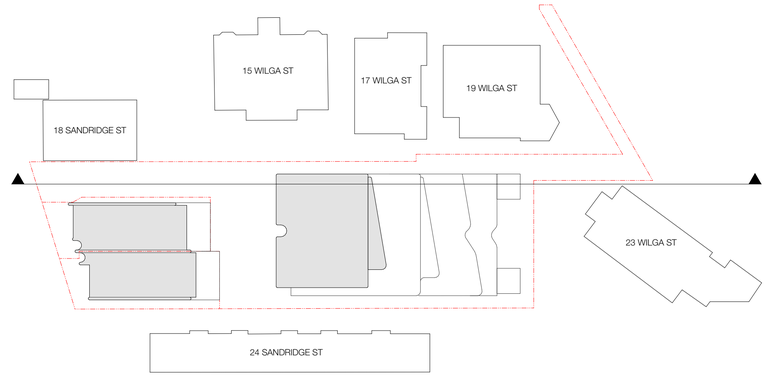
www.mhndu.com
MHN Design Union Pty Ltd. ABN 94 003 717 682 NSW Registration Number 4907
Nominated Architect Brain Meyerson

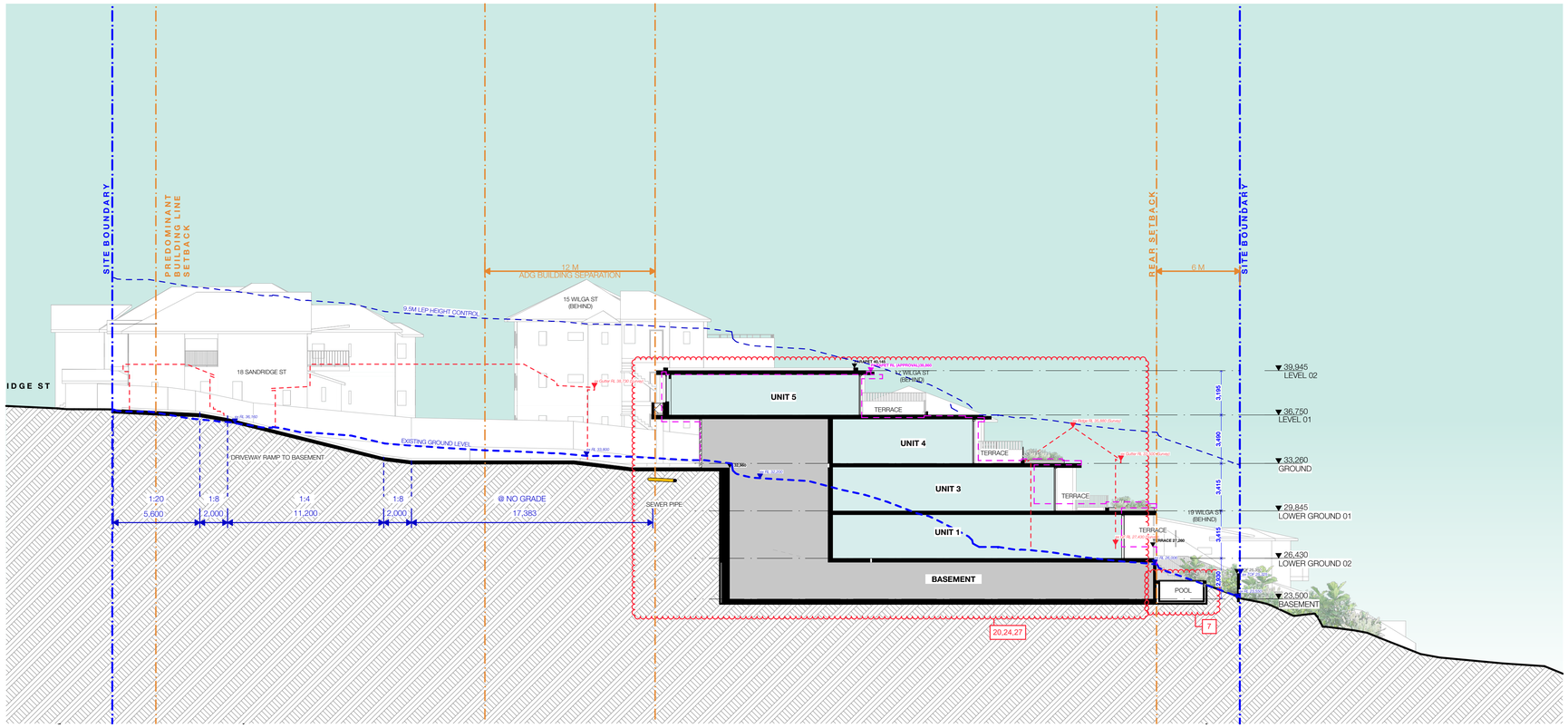
PROJECT ADDRESS:
20-22 SANDRIDGE ST, 21 WILGA ST, BONDI 2026 NSW

DRAWING TITLE:
SECTION A

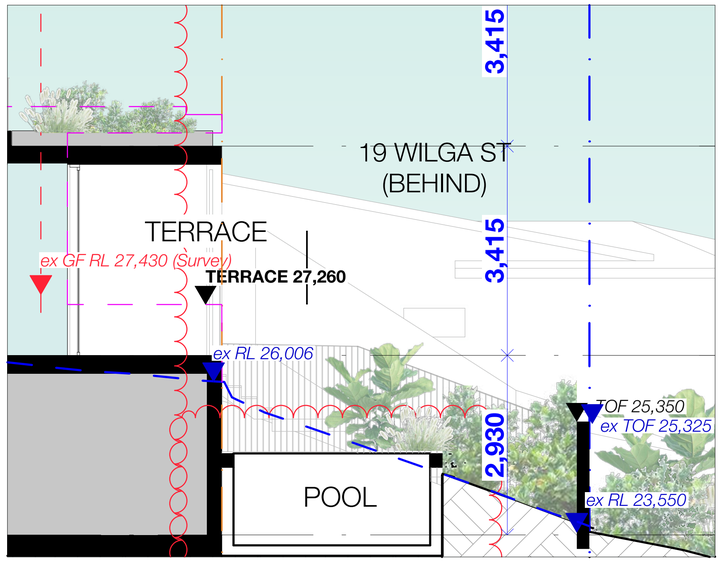
DRAWN BY:
CHECKED: AS
SCALE: 1:200@A1 1:400@A3
ISSUE DATE: 10/03/2026
REVISION: **C**
PROJECT NUMBER: **23-030**
DWG NUMBER: **DA 3100**



SITE PLAN 1:500



B 1:200



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S4.56 #1 DEFERRAL RESPONSE

REV	NOTE	DATE
A	S4.56 #1 SUBMISSION	25/08/2025
B	S4.56 #1 - DEFERRAL LETTER RESPONSE	12/1/2026
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CLAUSE F1.9/F1.10 DAMP PROOFING
CLAUSE 2.5 CONSTRUCTION OF SANITARY COMPARTMENTS
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R2.5 INSULATION TO: External Walls, walls to corridors/lifts/stairs
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GLAZING TYPE: Refer to BASIX Certificate

NOTES:
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FFL RL OF FINISHED FLOOR LEVEL
RL REDUCED LEVEL
BOUNDARY
EX BUILDING TO BE DEMOLISHED
COUNCIL CONTROLS
EX TREE TO REMOVE
EX TREE TO RETAIN
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MHN Design Union Pty Ltd. ABN 94 003 717 682
Nominated Architect Bnáin Meyerson NSW Registration Number 4907

PROJECT ADDRESS:
20-22 SANDRIDGE ST, 21 WILGA ST, BONDI 2026 NSW

DRAWING TITLE:
SECTION B

DRAWN BY:
CHECKED: AS
SCALE: 1:200@A1 1:400@A3
ISSUE DATE: 10/03/2026
REVISION: **C**
PROJECT NUMBER: **23-030**
DWG NUMBER: **DA 3101**

EXTERNAL FINISHES, MATERIALS & FACADE

BRK1 - BRICKWORK, SAND COLOUR

BRK2 - BRICKWORK, HIT & MISS PATTERN

CONC1 - SMOOTH LIGHT-GREY-COLOURED CONCRETE

MTL1 - BRUSHED NICKEL FINISH

SCR1 - METAL SCREEN IN BRUSHED NICKEL

SCR2 - METAL SCREEN WITH TIMBER - LOOK FINISH

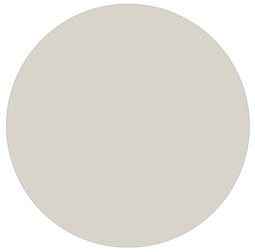
PAL1 - METAL PALISADE

DR1 - GARAGE DOORS

GLZ1 - GLAZING, CLEAR

GLZ2 - GLAZING, TRANSLUCENT

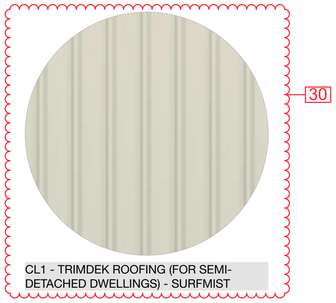
SND - SANDSTONE



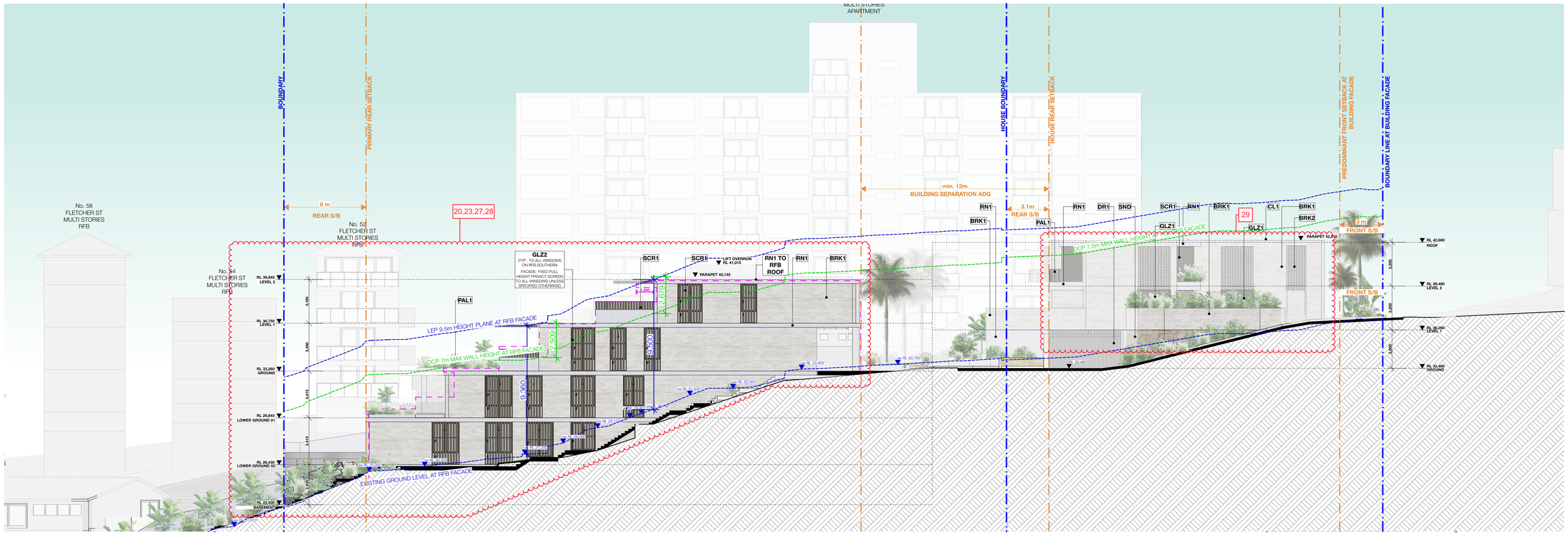
RN1 - RENDER - PALE OAK

FL01 - CRAZY PAVE - KESI

FL02 - TRAVERTINE AVORIO - LIVING TILES - EXTERNAL TERRACE TILE



CL1 - TRIMDEK ROOFING (FOR SEMI-DETACHED DWELLINGS) - SURFMIST



NORTH ELEVATION

1:150

S4.56 #1 DEFERRAL RESPONSE

REV	NOTE	DATE
A	S4.56 #1 SUBMISSION	25/08/2025
C	S4.56 #1 - DEFERRAL LETTER RESPONSE	10/03/2026

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SPEC. C1.10 FIRE HAZARD PROPERTIES
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ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART CLAUSE F4.4 & AS1680
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SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE & SPEC E2.2 & AS3786
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SOUND TRANSMISSION: TO COMPLY WITH PARTS OF BCA
STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13
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WATERPROOFING OF WET AREAS: TO COMPLY WITH AS3740

BASIX COMMITMENTS
ALL OTHER BASIX COMMITMENTS AS PER BASIX CERTIFICATE AND STAMPED PLANS)

WATER OPTIONS
SHOWERHEADS: 3 STAR (7.5-9L/min)
TOILETS: 4 STAR
CLOTHES WASHERS: 3 STAR
KITCHEN TAPS: 4 STAR
BATHROOM TAPS: 4 STAR
DISHWASHERS: 3 STAR
LANDSCAPED AREA TO IRRIGATE: 687 sqm

ENERGY OPTIONS
HEATING & COOLING: Individual Systems - EER 3.0-3.5
VENTILATION: Individual Fan, Ducted to façade or roof, Interlocked to light, 304

WATER HEATING: Heat Pump - 31 to 35 STCs
ENERGY EFFICIENT LIGHTING: Dedicated LED thoughout
OVEN & COOK TOPS: Electric Oven and Electric Cooktop
REFRIGATOR SPACE: Well Ventilated
CLOTHES DRYER: 2 Star (Vented)
DISH WASHER: 4 Star

THERMAL COMFORT OPTIONS
R2.5 INSULATION TO: External Walls, walls to corridors/lifts/stairs
R2.0 INSULATION TO: Suspended floors to B and plant rooms below
GLAZING SPEC: Refer to BASIX Certificate
GLAZING TYPE: Refer to BASIX Certificate

NOTES:

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F +61 2 9101 1100
www.mhndu.com
MHN Design Union Pty Ltd. ABN 94 003 717 682
Nominated Architect Bridn Meyerson NSW Registration Number 4907

PROJECT ADDRESS:
20-22 SANDRIDGE ST, 21 WILGA ST, BONDI 2026 NSW

DRAWING TITLE:
EXTERNAL FINISHES, MATERIALS & FACADE

DRAWN BY:
CHECKED: AS
SCALE: NTS@A1 NTS@A3
ISSUE DATE: 10/03/2026
REVISION: C
PROJECT NUMBER: 23-030
DWG NUMBER: DA 6000

GFA DIAGRAMS - SINGLE LIFT CORE OPTION

C O N T R O L S	
SITE AREA	
LOT 1	- 232 m²
LOT 2	- 232.2 m²
RFB	- 1583.6 m²
TOTAL SITE AREA	**- 2047.8 m²**
FSR	
HOUSES (COMBINED)	
SITE AREA	- 464.2 m²
CONTROL (HOUSE)	- 0.85:1 (appox.278m²)
RFB	
SITE AREA	- 1583.6 m²
CONTROL (RFB)	- 0.6:1
TOTAL GFA CONTROL (HOUSE+RFB): - 1228 m²	
TOTAL FSR CONTROL (HOUSE+RFB): - 0.6:1	

H O U S E S		
NTH HOUSE		
	LOWER GROUND 01	8
	GROUND	99
	LEVEL 1	91
		198 m²
STH HOUSE		
	LOWER GROUND 01	7
	GROUND	100
	LEVEL 1	91
		198 m²
NTH HOUSE + STH HOUSE		
TOTAL GFA		**396 m²**
SITE AREA		
TOTAL		**464.2 m²**
TOTAL FSR		**0.85:1**
LOT 1		0.85:1
LOT 2		0.85:1

31 31

GFA HOUSES

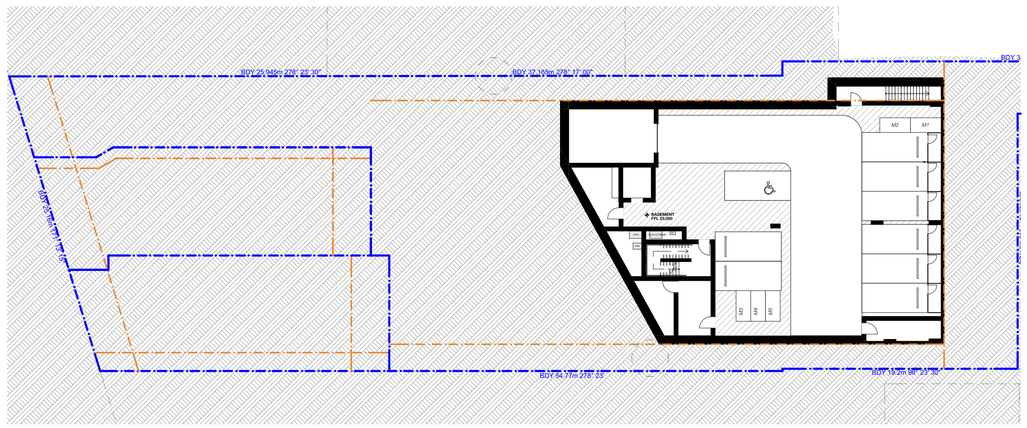
R F B		
	LOWER GROUND 02	360
	LOWER GROUND 01	270
	GROUND	219
	LEVEL 1	215
		1,064 m²
RESIDENTIAL FLAT BUILDING		
TOTAL GFA		**1,064 m²**
SITE AREA		
RFB		**1583.6m²**
TOTAL FSR		**0.67:1**

31 31

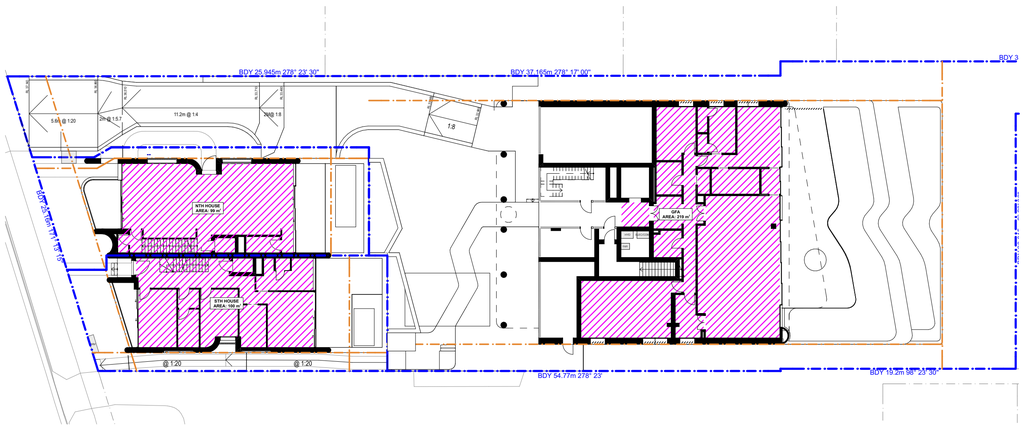
GFA RFB

H O U S E S + R F B	
NTH HOUSE + STH HOUSE + RFB	**- 1460m²**
TOTAL SITE AREA	**- 2047.8m²**
TOTAL FSR	**0.71:1**

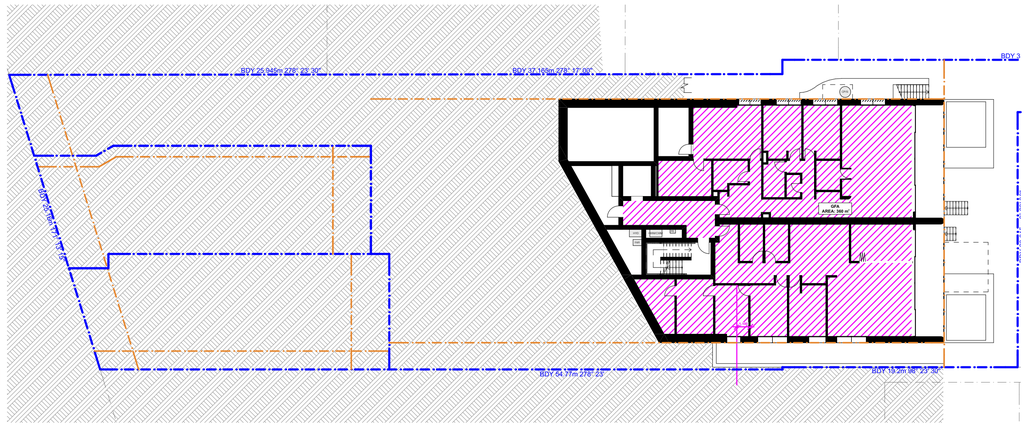
31 31



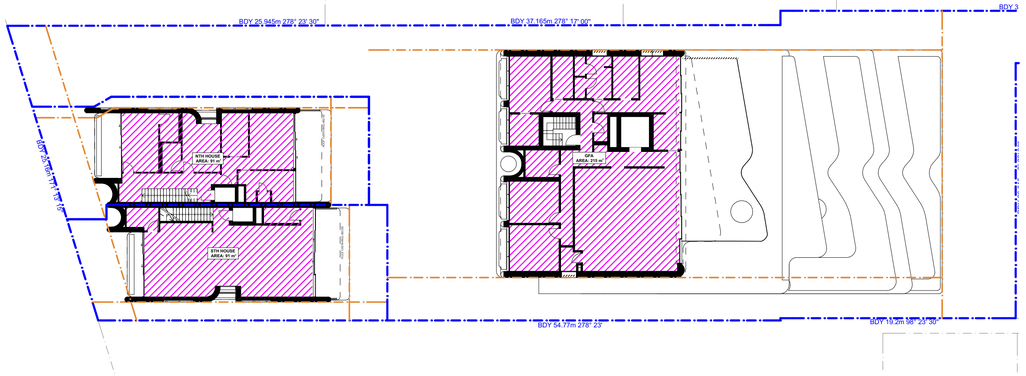
BASEMENT 1:250



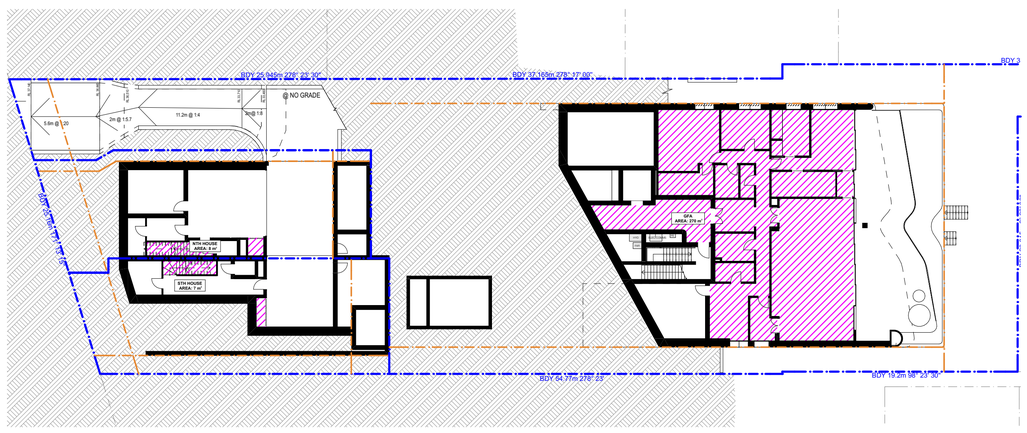
GROUND 1:250



LOWER GROUND 02 1:250



LEVEL 1 1:250



LOWER GROUND 01 1:250

S4.56 #1 DEFERRAL RESPONSE

REV	NOTE	DATE
A	S4.56 #1 SUBMISSION	25/08/2025
C	S4.56 #1 - DEFERRAL LETTER RESPONSE	10/03/2026

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MHN Design Union Pty Ltd. ABN 94 003 717 682
Nominated Architect Bnán Meyerson NSW Registration Number 4907

PROJECT ADDRESS:
20-22 SANDRIDGE ST, 21 WILGA ST, BONDI 2026 NSW

DRAWING TITLE:
GFA DIAGRAMS

DRAWN BY:
CHECKED: AS
SCALE: 1:250@A1 1:500@A3
ISSUE DATE: 10/03/2026
REVISION: **C**
PROJECT NUMBER: **23-030**
DWG NUMBER: **DA 9000**

LANDSCAPE, DEEP SOIL, C.O.S. CALCULATIONS

LANDSCAPING HOUSES

HOUSES
SITE AREA (COMBINED) - 464.2 m²

	PROPOSED	REQUIRED
TOTAL:	93 (32)	92.8 m²
	20%	20%
		COMPLIES

FRONT SETBACK AREA
FRONT SETBACK AREA (HOUSES) - 91m²

	PROPOSED	REQUIRED
TOTAL:	58	45m²
	64%	50% FRONT
		COMPLIES

SOFT LANDSCAPING HOUSES

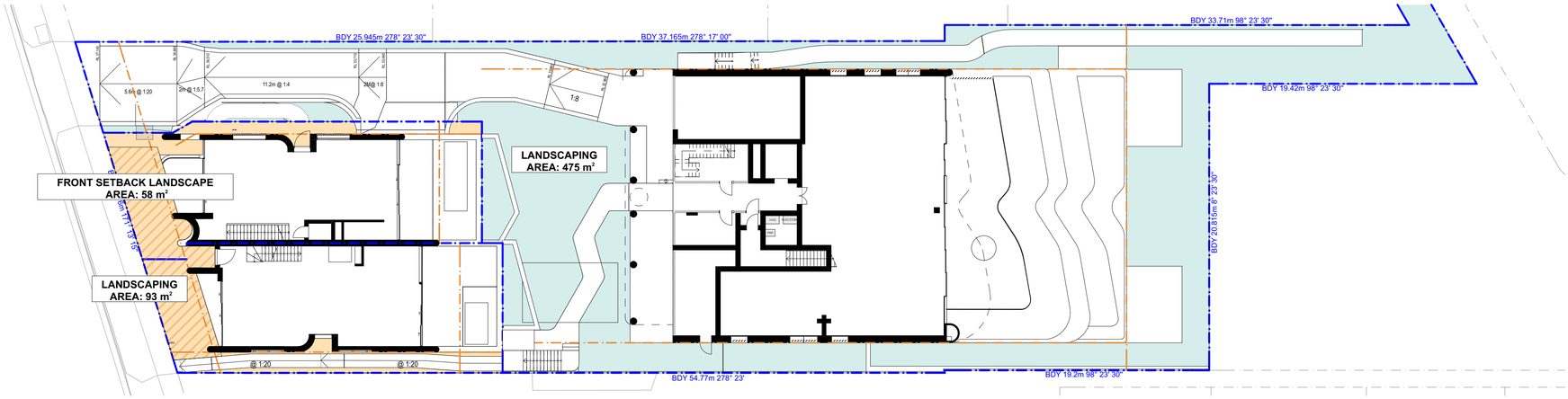
FRONT SETBACK OPEN SPACE, LANDSCAPED

LANDSCAPING RFB

RFB
SITE AREA - 1583.6 m²

	PROPOSED	REQUIRED
TOTAL:	475 (32)	475.1 m²
	30%	30%
		COMPLIES

SOFT LANDSCAPING RFB



LANDSCAPE GROUND 1:200

DEEP SOIL HOUSES

HOUSES
SITE AREA (COMBINED) - 464.2 m²

	PROPOSED	REQUIRED
TOTAL:	47 (32)	46.4 m²
	10%	10%
		COMPLIES

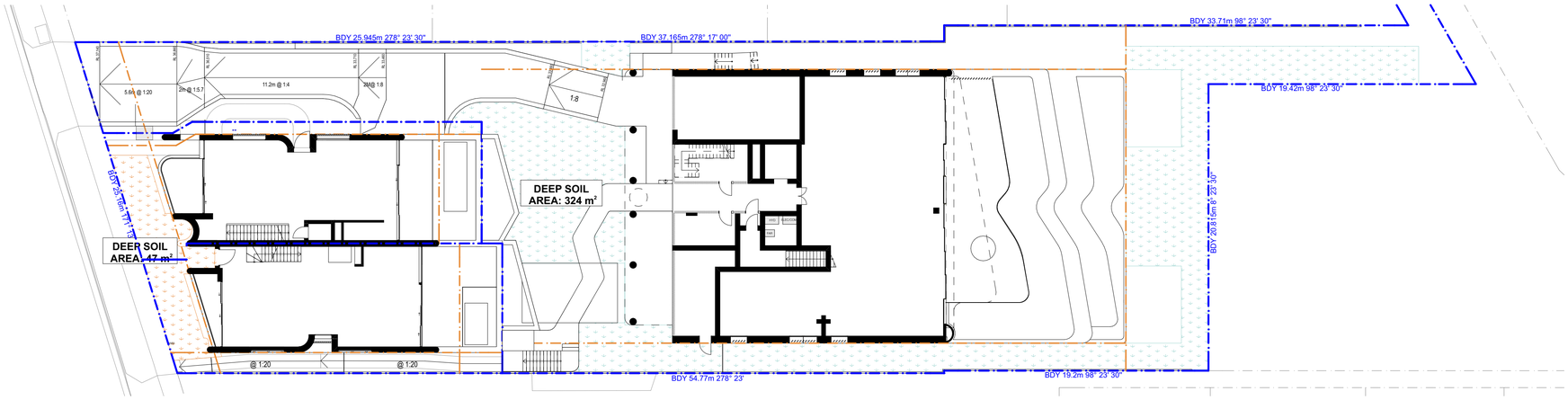
DEEP SOIL HOUSES

DEEP SOIL RFB

RFB
SITE AREA - 1583.6 m²

	PROPOSED	REQUIRED
TOTAL:	324 (32)	237.5 m²
	18%	15%
		COMPLIES

DEEP SOIL RFB



DEEP SOIL 1:200

OPEN SPACE HOUSES

HOUSES
SITE AREA (COMBINED) - 464.2 m²

	PROPOSED	REQUIRED
TOTAL:	190 (32)	185.7 m²
	41%	40%
		COMPLIES

FRONT SETBACK OPEN SPACE
FRONT SETBACK AREA (HOUSES) - 91m²

	PROPOSED	REQUIRED
TOTAL:	55m² (32)	45m²
	61%	50% FRONT
		COMPLIES

COMMUNAL OPEN SPACE RFB

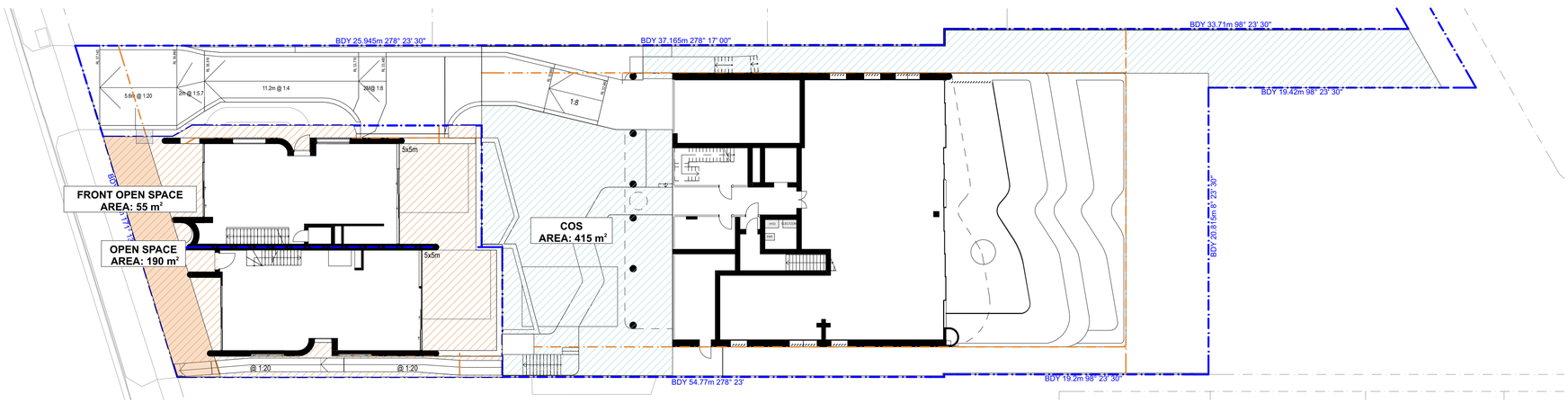
COMMUNAL OPEN SPACE RFB

COMMUNAL OPEN SPACE

RFB
SITE AREA - 1583.6 m²

	PROPOSED	REQUIRED
TOTAL:	415 (32)	396 m²
	26%	25%
		COMPLIES

COMMUNAL OPEN SPACE RFB



COMMUNAL OPEN SPACE 1:200

S4.56 #1 DEFERRAL RESPONSE

REV	NOTE	DATE
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C	S4.56 #1 - DEFERRAL LETTER RESPONSE	10/03/2026

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20-22 SANDRIDGE ST, 21 WILGA ST, BONDI 2026 NSW

DRAWING TITLE:
LANDSCAPE, DEEP SOIL, C.O.S. CALCULATIONS

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SCALE:	1:200@A1 1:400@A3
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REVISION:	**C**
PROJECT NUMBER:	**23-030**
DWG NUMBER:	**DA 9001**

STORAGE CALCULATIONS

S T O R A G E H O U S E S

UNIT	LOCATION	VOLUME	REQUIRED
HOUSE N			
	INT	10.14	
		10.14 m³	8m³
HOUSE S			
	INT	13.20	
		13.20 m³	8m³

COMPLIES

HOUSES STORAGE

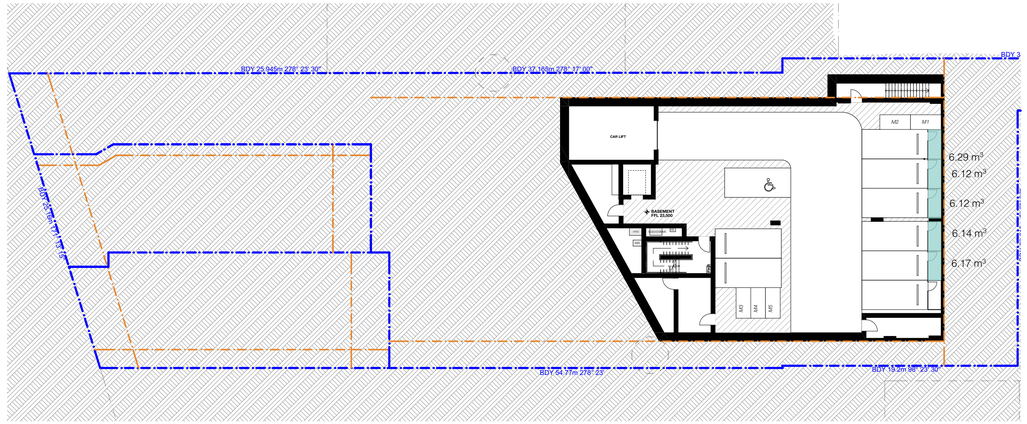
S T O R A G E R F B

UNIT	LOCATION	VOLUME	REQUIRED
UNIT 1			
	EXT	6.29	
	INT	18.19	5m³
		24.48 m³	10m³
UNIT 2			
	EXT	6.12	
	INT	12.91	5m³
		19.03 m³	10m³
UNIT 3			
	EXT	6.12	
	INT	30.40	5m³
		36.52 m³	10m³
UNIT 4			
	EXT	6.14	
	INT	25.34	5m³
		31.48 m³	10m³
UNIT 5			
	EXT	6.17	
	INT	18.05	5m³
		24.22 m³	10m³

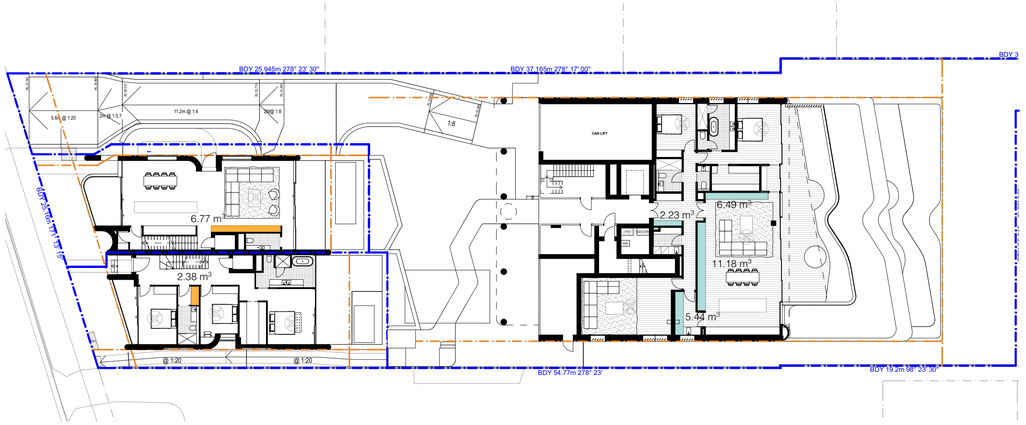
COMPLIES

RFB STORAGE

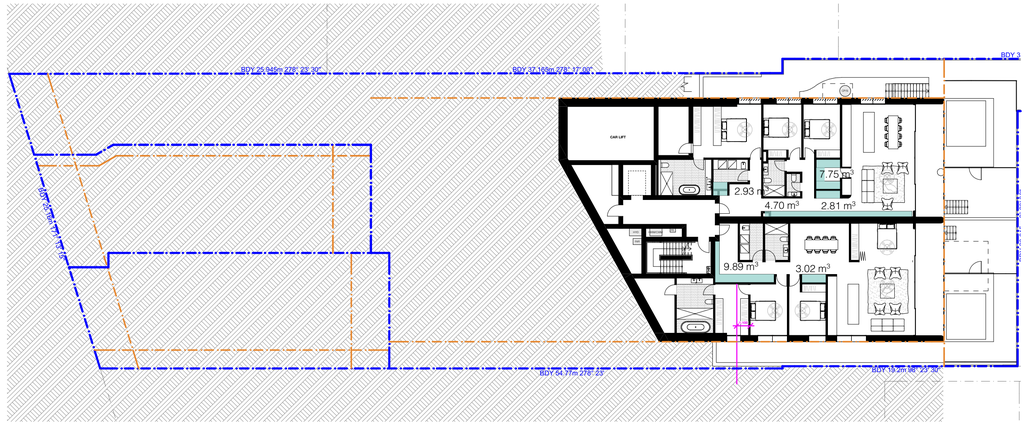
33



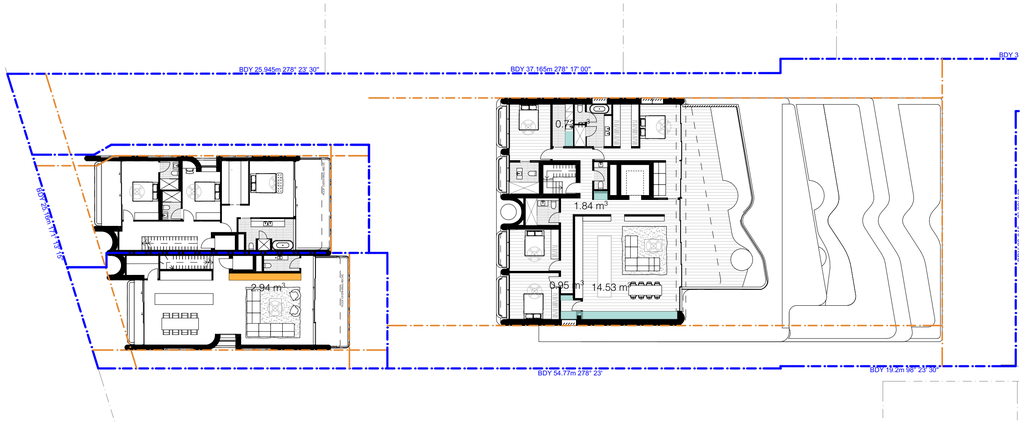
BASEMENT 1:250



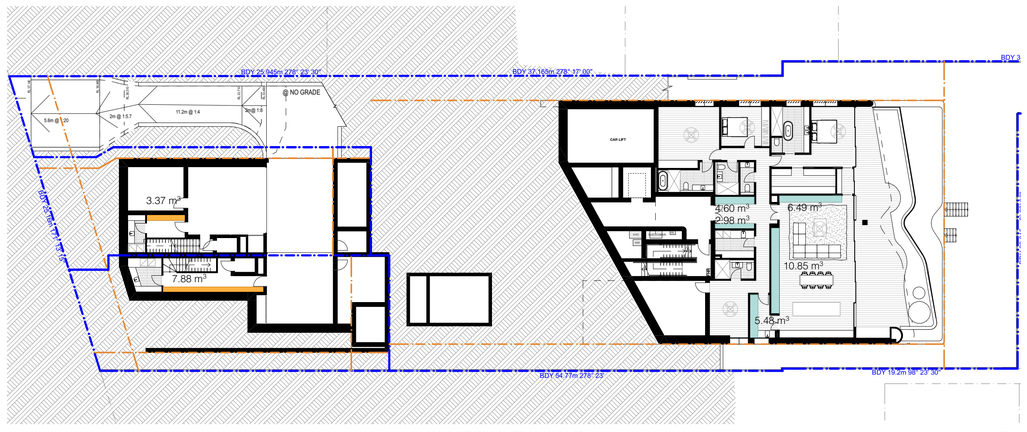
GROUND 1:250



LOWER GROUND 02 1:250



LEVEL 1 1:250



LOWER GROUND 01 1:250

S4.56 #1 DEFERRAL RESPONSE

REV	NOTE	DATE
A	S4.56 #1 SUBMISSION	25/08/2025
C	S4.56 #1 - DEFERRAL LETTER RESPONSE	10/03/2026

GENERAL NOTES

1. ALL WORKS TO BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA, AUSTRALIAN STANDARDS, STATUTORY REGULATIONS AND LOCAL AUTHORITY REQUIREMENTS, INCLUDING CONDITIONS OF CONSENT.
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SPEC. C1.11 PERFORMANCE OF EXTERNAL WALLS IN A FIRE
CLAUSE C2.6 VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL
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CLAUSE D2.23 SIGNS ON DOORS
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MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH AS1668 & AS68.2
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BASIX COMMITMENTS
ALL OTHER BASIX COMMITMENTS AS PER BASIX CERTIFICATE AND STAMPED PLANS)

WATER OPTIONS
SHOWERHEADS: 3 STAR (7.5-9L/min)
TOILETS: 4 STAR
CLOTHES WASHERS: 3 STAR
KITCHEN TAPS: 4 STAR
BATHROOM TAPS: 4 STAR
DISHWASHERS: 3 STAR
LANDSCAPED AREA TO IRRIGATE: 687 sqm

ENERGY OPTIONS
HEATING & COOLING: Individual Systems - EER 3.0-3.5
VENTILATION: Individual Fan, Ducted to facade or roof, Interlocked to light

WATER HEATING: Heat Pump - 31 to 35 STCs
ENERGY EFFICIENT LIGHTING: Dedicated LED throughout
OVEN & COOK TOPS: Electric Oven and Electric Cooktop
REFRIGATOR SPACE: Well Ventilated
CLOTHES DRYER: 2 Star (Vented)
DISH WASHER: 4 Star

THERMAL COMFORT OPTIONS
R2.5 INSULATION TO: External Walls, walls to corridors/lifts/stairs
R2.0 INSULATION TO: Suspended floors to B and plant rooms below
GLAZING SPEC: Refer to BASIX Certificate
GLAZING TYPE: Refer to BASIX Certificate

NOTES:

EX EXISTING
FFL RL OF FINISHED FLOOR LEVEL
RL REDUCED LEVEL
BOUNDARY
EX BUILDING TO BE DEMOLISHED
COUNCIL CONTROLS

EX TREE TO REMOVE
EX TREE TO RETAIN
EX LANDSCAPE TO RETAIN /NOT ON SURVEY
PROPOSED LANDSCAPE

ARCHITECT:
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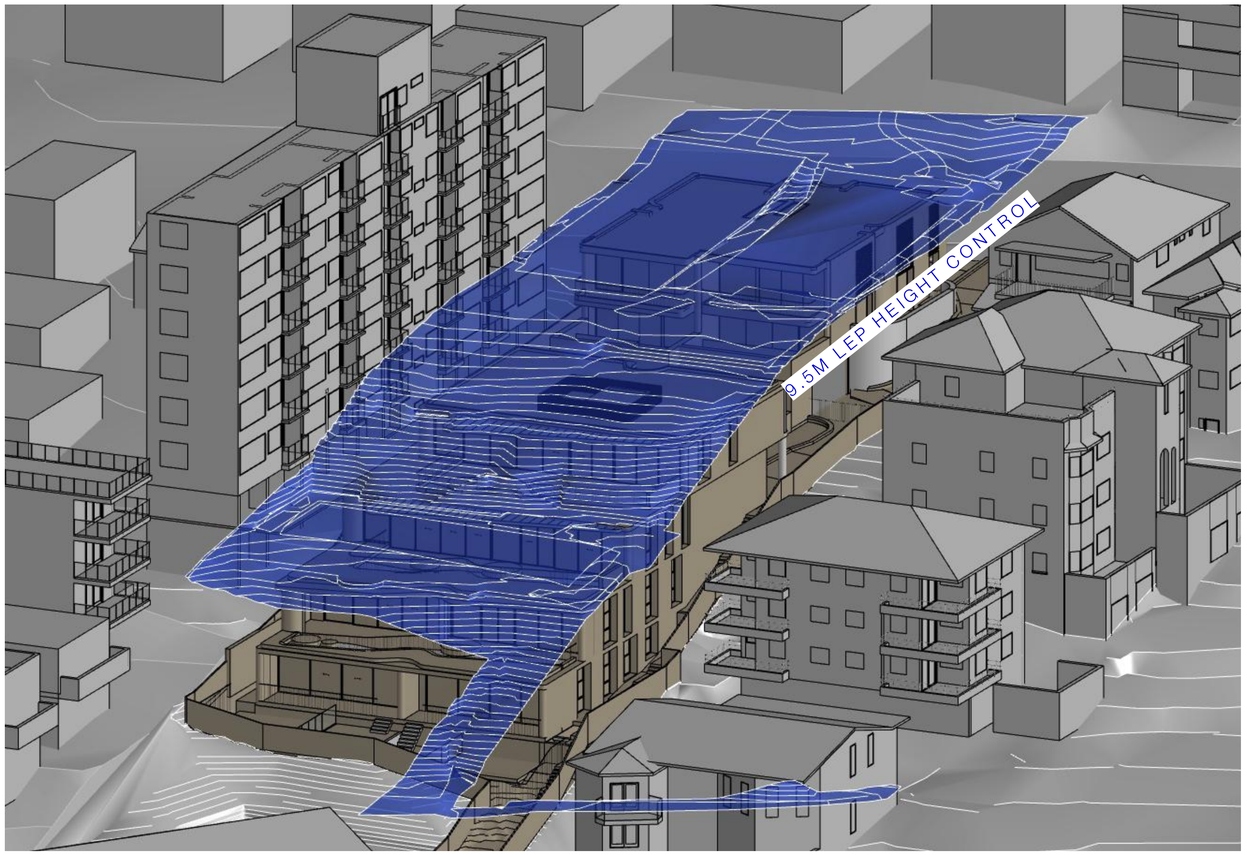
T +61 2 9101 1111
F +61 2 9101 1100
www.mhndu.com
MHN Design Union Pty Ltd. ABN 94 003 717 682
Nominated Architect Brián Meyerson NSW Registration Number 4907

PROJECT ADDRESS:
20-22 SANDRIDGE ST, 21 WILGA ST, BONDI 2026 NSW

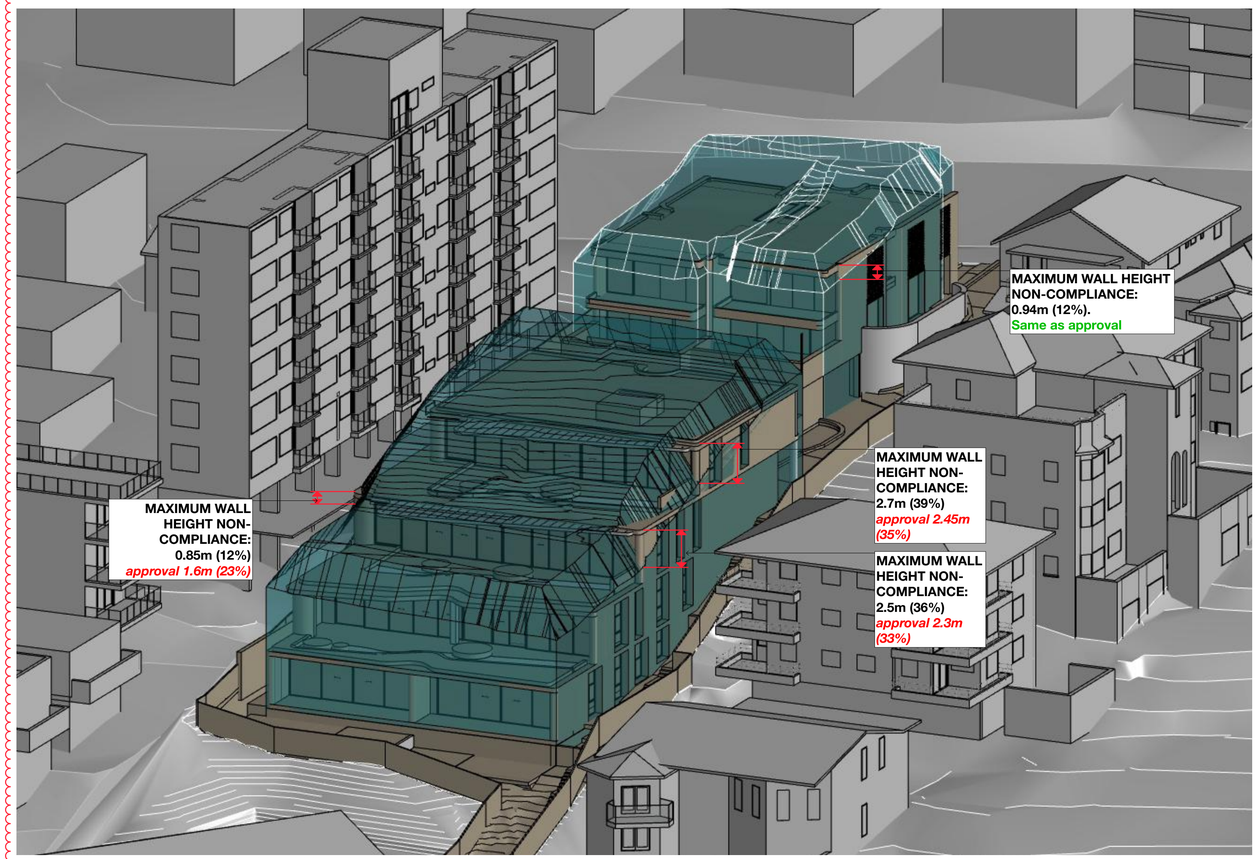
DRAWING TITLE:
STORAGE CALCULATIONS

DRAWN BY:
CHECKED: AS
SCALE: 1:250@A1 1:500@A3
ISSUE DATE: 10/03/2026
REVISION: C
PROJECT NUMBER: 23-030
DWG NUMBER: DA 9003



9.5M LEP HEIGHT CONTROL - **COMPLIANT**

34



DCP ENVELOPE

CONTROLS

SEMI-DETACHED DWELLINGS	
FRONT SETBACK	3m
REAR SETBACK	3.1m
SIDE SETBACK	0.9m
WALL HEIGHT	7m (cyan envelope)
BUILDING HEIGHT	9.5m (navy envelope)

RFB	
FRONT SETBACK	3m
REAR SETBACK	6m
SIDE SETBACK	1.5m & 2m
WALL HEIGHT	7m (cyan envelope)
BUILDING HEIGHT	9.5m (navy envelope)
BUILDING SEPARATION	12m (from semi-detached)

S4.56 #1 DEFERRAL RESPONSE

REV	NOTE	DATE
A	S4.56 #1 SUBMISSION	25/08/2025
B	S4.56 #1 - DEFERRAL LETTER RESPONSE	12/1/2026
C	S4.56 #1 - DEFERRAL LETTER RESPONSE	10/03/2026

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BASIX COMMITMENTS
(ALL OTHER BASIX COMMITMENTS AS PER BASIX CERTIFICATE AND STAMPED PLANS)

WATER OPTIONS
SHOWERHEADS: 3 STAR (7.5-9L/min)
TOILETS: 4 STAR
CLOTHES WASHERS: 3 STAR
KITCHEN TAPS: 4 STAR
BATHROOM TAPS: 4 STAR
DISHWASHERS: 3 STAR
LANDSCAPED AREA TO IRRIGATE: 687 sqm

ENERGY OPTIONS
HEATING & COOLING: Individual Systems - EER 3.0-3.5
VENTILATION: Individual Fan, Ducted to façade or roof, Interlocked to light

WATER HEATING: Heat Pump - 31 to 35 STCs
ENERGY EFFICIENT LIGHTING: Dedicated LED thoughout
OVEN & COOK TOPS: Electric Oven and Electric Cooktop
REFRIGATOR SPACE: Well Ventilated
CLOTHES DRYER: 2 Star (Vented)
DISH WASHER: 4 Star

THERMAL COMFORT OPTIONS
R2.5 INSULATION TO: External Walls, walls to corridors/lifts/stairs
R2.0 INSULATION TO: Suspended floors to B and plant rooms below
GLAZING SPEC: Refer to BASIX Certificate
GLAZING TYPE: Refer to BASIX Certificate

NOTES:

EX	EXISTING
FFL	RL OF FINISHED FLOOR LEVEL
RL	REDUCED LEVEL
	BOUNDARY
	EX BUILDING TO BE DEMOLISHED
	COUNCIL CONTROLS

EX TREE TO REMOVE
EX TREE TO RETAIN
EX LANDSCAPE TO RETAIN /NOT ON SURVEY/
PROPOSED LANDSCAPE

ARCHITECT:
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F +61 2 9101 1100
www.mhndu.com
MHN Design Union Pty Ltd. ABN 94 003 717 682 NSW Registration Number 4907
Nominated Architect Brain Meyerson

PROJECT ADDRESS:
20-22 SANDRIDGE ST, 21 WILGA ST, BONDI 2026 NSW

DRAWING TITLE:
LEP HEIGHT PLANE + DCP ENVELOPE

DRAWN BY:	CHECKED: AS
SCALE:	NTS@A1 NTS@A3
ISSUE DATE:	10/03/2026
REVISION:	C
PROJECT NUMBER:	23-030
DWG NUMBER:	DA 9201

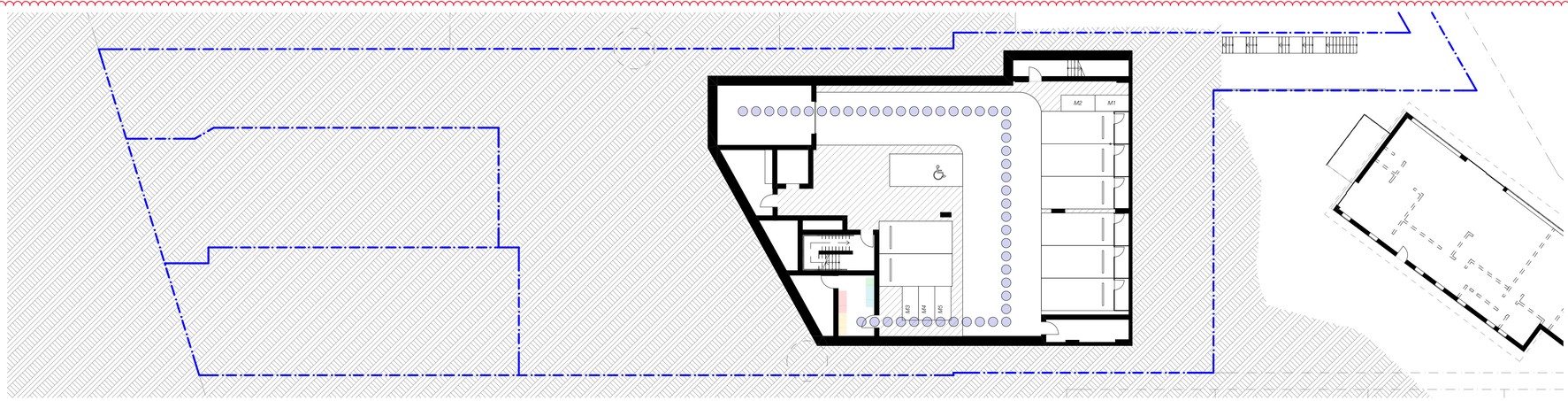
WASTE MGT PLAN

LEGEND

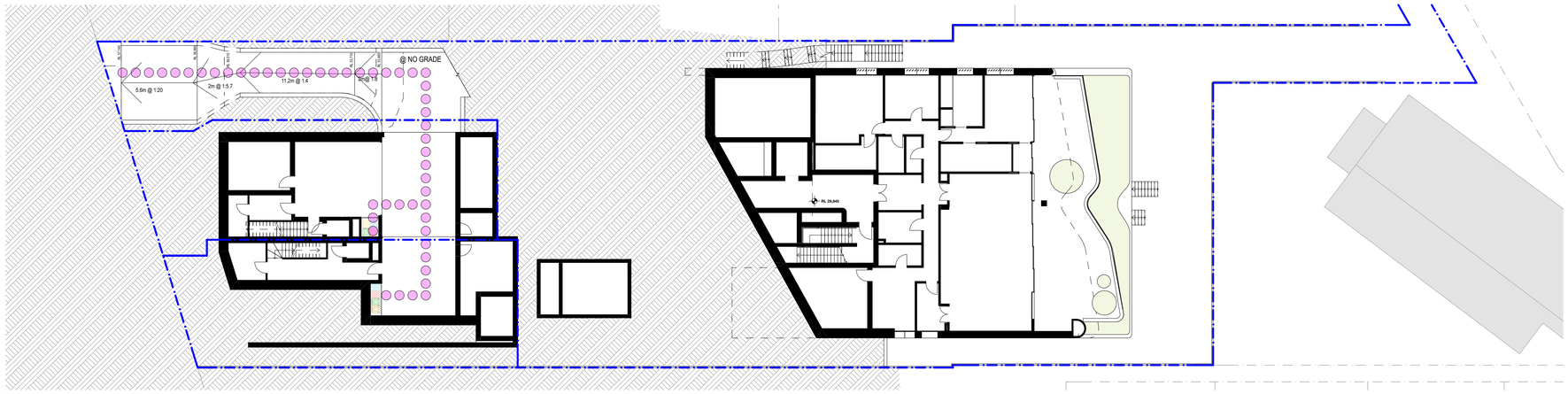
- Residential container recycling - fortnightly as per council requirement
- Residential general waste - weekly
- Residential paper & cardboard - fortnightly as per council requirement
- Residential garden waste - fortnightly as per council requirement
- Path of travel for building manager / caretaker from RFB garbage holding area to kerbside (bins are brought to kerbside via car lift and vehicular ramp by building manager / caretaker using the bin tug)
- Path of travel for residents from Houses garbage holding area to kerbside (bins are brought to kerbside via vehicular ramp by residents)

TOTAL: 13 BINS (ON STREET) REQUIRED

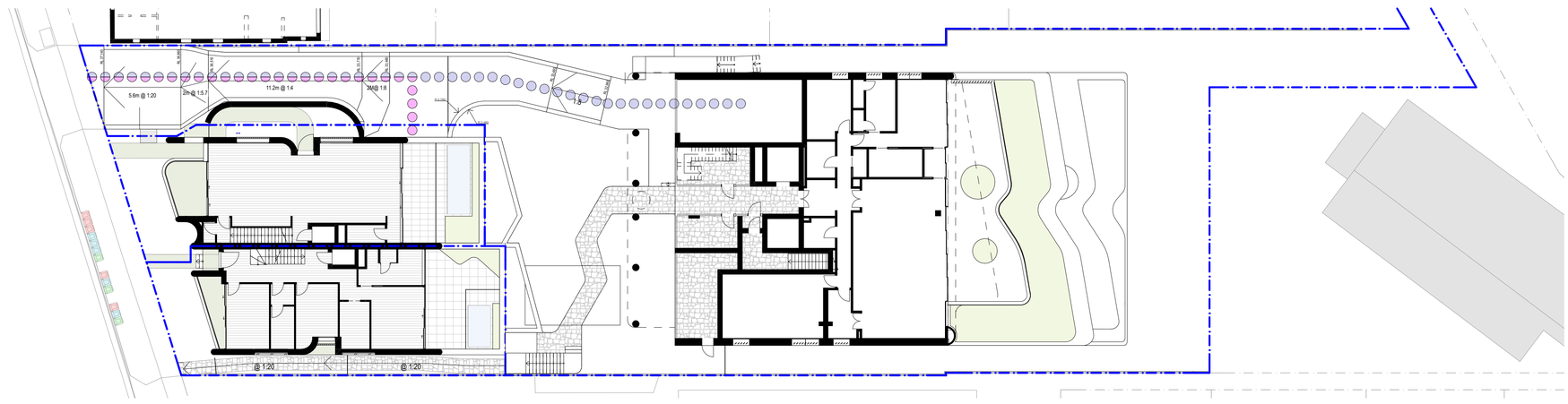
35



BASEMENT 1:200



LOWER GROUND 01 1:200



GROUND 1:200

ADDITIONAL NOTES

- BIN TRANSFER FROM THE RFB BASEMENT IS INTENDED TO BE VIA THE CAR LIFT IN THE FIRST INSTANCE (PENDING MANUFACTURER'S RECOMMENDATIONS). OTHERWISE WILL BE CARRIED OUT VIA THE RESIDENTIAL LIFTS.

- REFER TO OPERATIONAL WASTE MANAGEMENT PLAN PREPARED BY THE WASTE CONSULTANT (REV. B 12/12/23) TO VERIFY ALL INFORMATION SUCH AS NUMBER OF BINS REQUIRED.

S4.56 #1 DEFERRAL RESPONSE

REV	NOTE	DATE
A	S4.56 #1 SUBMISSION	25/08/2025
C	S4.56 #1 - DEFERRAL LETTER RESPONSE	10/03/2026

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RL REDUCED LEVEL
BOUNDARY
EX BUILDING TO BE DEMOLISHED
COUNCIL CONTROLS

EX TREE TO REMOVE
EX TREE TO RETAIN
EX LANDSCAPE TO RETAIN /NOT ON SURVEY/
PROPOSED LANDSCAPE

ARCHITECT:
MHNDUNION
35 RICHARDS LANE
SURRY HILLS SYDNEY NSW 2010
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F +61 2 9101 1100
www.mhndu.com
MHN Design Union Pty Ltd. ABN 94 003 717 682
Nominated Architect Brain Meyerson NSW Registration Number 4907

PROJECT ADDRESS:
20-22 SANDRIDGE ST, 21 WILGA ST, BONDI 2026 NSW

DRAWING TITLE:
WASTE MGT PLAN

DRAWN BY:
CHECKED: AS
SCALE: 1:200@A1 1:400@A3
ISSUE DATE: 10/03/2026
REVISION: C
PROJECT NUMBER: 23-030
DWG NUMBER: DA 9202

S4.56 #1 DEFERRAL RESPONSE

IMAGE AS PER DA SUBMISSION - REVISION A

REV	NOTE	DATE
A	S4.56 #1 SUBMISSION	25/09/2025
C	S4.56 #1 - DEFERRAL LETTER RESPONSE	10/03/2026

GENERAL NOTES

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ALL CONSTRUCTION TO COMPLY AT MINIMUM W/ BCA CLAUSES & AUSTRALIAN STANDARDS

CLAUSE B 1.4 MATERIAL & FORMS CONSTRUCTIONS
SPEC. C1.1 FIRE RESISTING CONSTRUCTION
SPEC. C1.10 FIRE HAZARD PROPERTIES
SPEC. C.11 PERFORMANCE OF EXTERNAL WALLS IN A FIRE
CLAUSE C2.6 VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL
CLAUSE C2.12 SPEARATION OF EQUIPMENT
CLAUSE C2.13 ELECTRICITY SUPPLY SYSTEM
CLAUSE C.3 ACCEPTABLE METHODS OF PROTECTION (OF OPENINGS)
CLAUSE C3.8 OPENING IN FIRE ISOLATED EXITS
CLAUSE C3.15 OPENING FOR SERVICE INSTALLATIONS
CLAUSE D1.10 DISCHARGE FROM EXITS
CLAUSE D2.7 INSTALLATIONS IN EXITS AND PATHS OF TRAVEL
CLAUSE D2.13 GOINGS AND RISERS
CLAUSE D2.14 LANDINGS
CLAUSE D2.15 THRESHOLDS
CLAUSE D2.16 BALUSTRADES
CLAUSE D2.17 HANDRAILS
CLAUSE D2.21 OPERATION OF LATCH
CLAUSE D2.23 SIGNS ON DOORS
CLAUSE D3.2 GENERAL BUILDING ACCESS REQUIREMENTS
CLAUSE D3.3 PARTS OF BUILDING TO BE ACCESSIBLE
CLAUSE D3.6 IDENT OF ACCESSIBLE FACIL/SERVI/FEATURES
CLAUSE D3.8 TACTILE INDICATORS
CLAUSE F1.7 WATERPROOFING OF WET AREAS
CLAUSE F1.9/F1.10 DAMP PROOFING
CLAUSE 2.5 CONSTRUCTION OF SANITARY COMPARTMENTS
PART F4 LIGHTING AND VENTILATION
CLAUSE F5.4 SOUND INSULATION OF FLOORS
CLAUSE F5.5 SOUND INSULATION OF WALLS
CLAUSE F5.6 SOUND INSULATION OF SERVICES
CLAUSE F5.7 SOUND INSULATION OF PUMPS

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BALUSTRADE HEIGHTS: TO COMPLY WITH BCA CLAUSE D2.16
DRAINAGE GUTTERS & DOWNPIPES: TO COMPLY WITH AS/NZS 3500.3.2
ENERGY EFFICIENCY/GLAZING: TO COMPLY WITH J2 OF BCA
FIRE SERVICES: TO COMPLY WITH SECTION E OF BCA
HOT WATER: SYSTEMS TO COMPLY WITH PART J7 OF BCA
MASONRY: TO COMPLY WITH AS3700
MECHELEC/HYDRAULIC: BCA CLAUSE C3.15 & AS1530 4-2005
MECHANICAL AIRCONDITIONING: TO COMPLY WITH PART J5 OF BCA
MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH AS1668 & AS68.2
SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE & SPEC E2.2 & AS3786
PENETRATIONS: THROUGH FIRE RATED CONSTRUCTION FOR MECH/ELEC/ HYDRAULIC PENETRATIONS TO COMPLY WITH BCA CLAUSE C3.15 & AS1530 4-2005
SOUND TRANSMISSION: TO COMPLY WITH PARTS OF BCA
STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13
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WATERPROOFING OF WET AREAS: TO COMPLY WITH AS3740

BASIX COMMITMENTS
(ALL OTHER BASIX COMMITMENTS AS PER BASIX CERTIFICATE AND STAMPED PLANS)

WATER OPTIONS

SHOWERHEADS:	3 STAR (7.5-9L/min)
TOILETS:	4 STAR
CLOTHES WASHERS:	3 STAR
KITCHEN TAPS:	4 STAR
BATHROOM TAPS:	4 STAR
DISHWASHERS:	3 STAR
LANDSCAPED AREA TO IRRIGATE:	687 sqm

ENERGY OPTIONS

HEATING & COOLING:	Individual Systems - EER 3.0-3.5
VENTILATION:	Individual Fan, Ducted to facade or roof, Interlocked to light
WATER HEATING:	Heat Pump - 31 to 35 STCs
ENERGY EFFICIENT LIGHTING:	Dedicated LED thoughout
OVEN & COOK TOPS:	Electric Oven and Electric Cooktop
REFRIGATOR SPACE:	Well Ventilated
CLOTHES DRYER:	2 Star (Vented)
DISH WASHER:	4 Star

THERMAL COMFORT OPTIONS

R2.5 INSULATION TO:	External Walls, walls to corridors/lifts/stairs
R2.0 INSULATION TO:	Suspended floors to B and plant rooms below
GLAZING SPEC:	Refer to BASIX Certificate
GLAZING TYPE:	Refer to BASIX Certificate

NOTES:

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FFL	RL OF FINISHED FLOOR LEVEL
RL	REDUCED LEVEL
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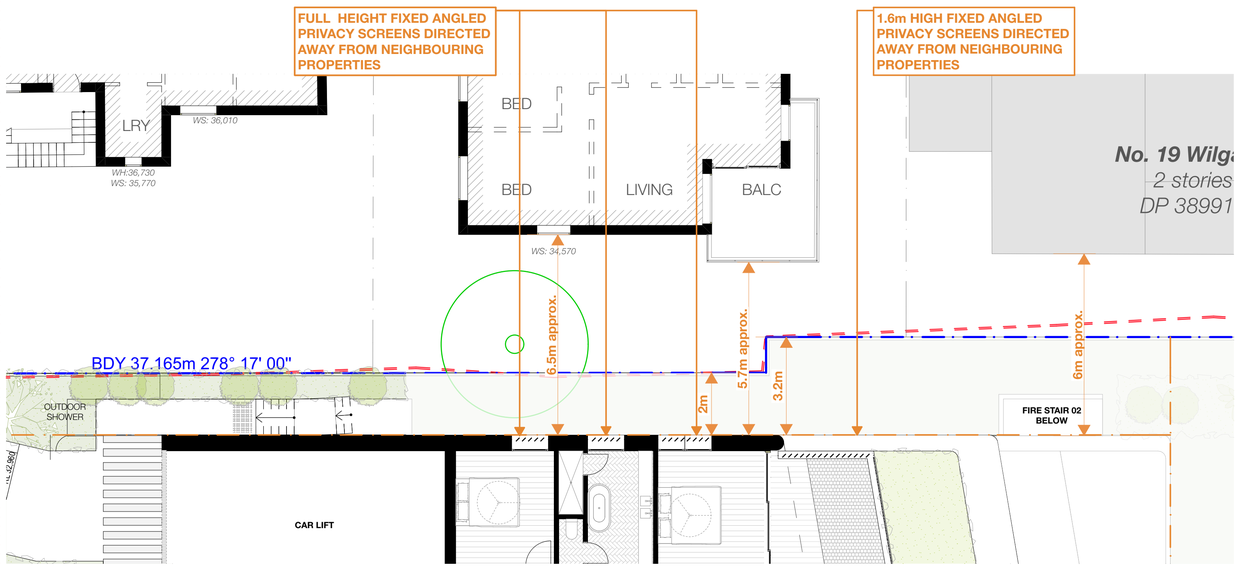
Nominated Architect Brián Meyerson NSW Registration Number 4907

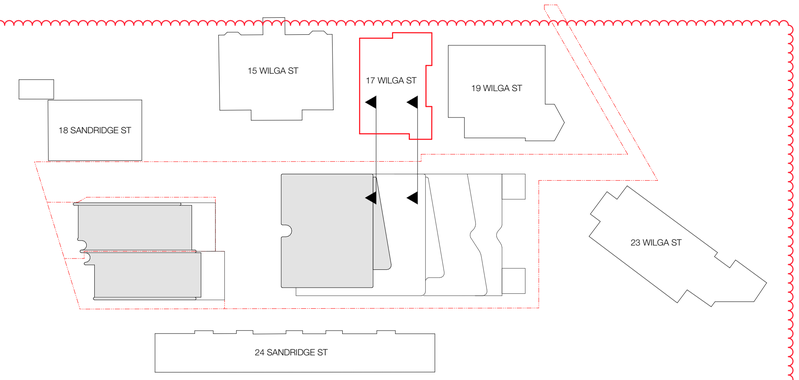
PROJECT ADDRESS:
20-22 SANDRIDGE ST, 21 WILGA ST, BONDI 2026 NSW

DRAWING TITLE:
PHOTOMONTAGE

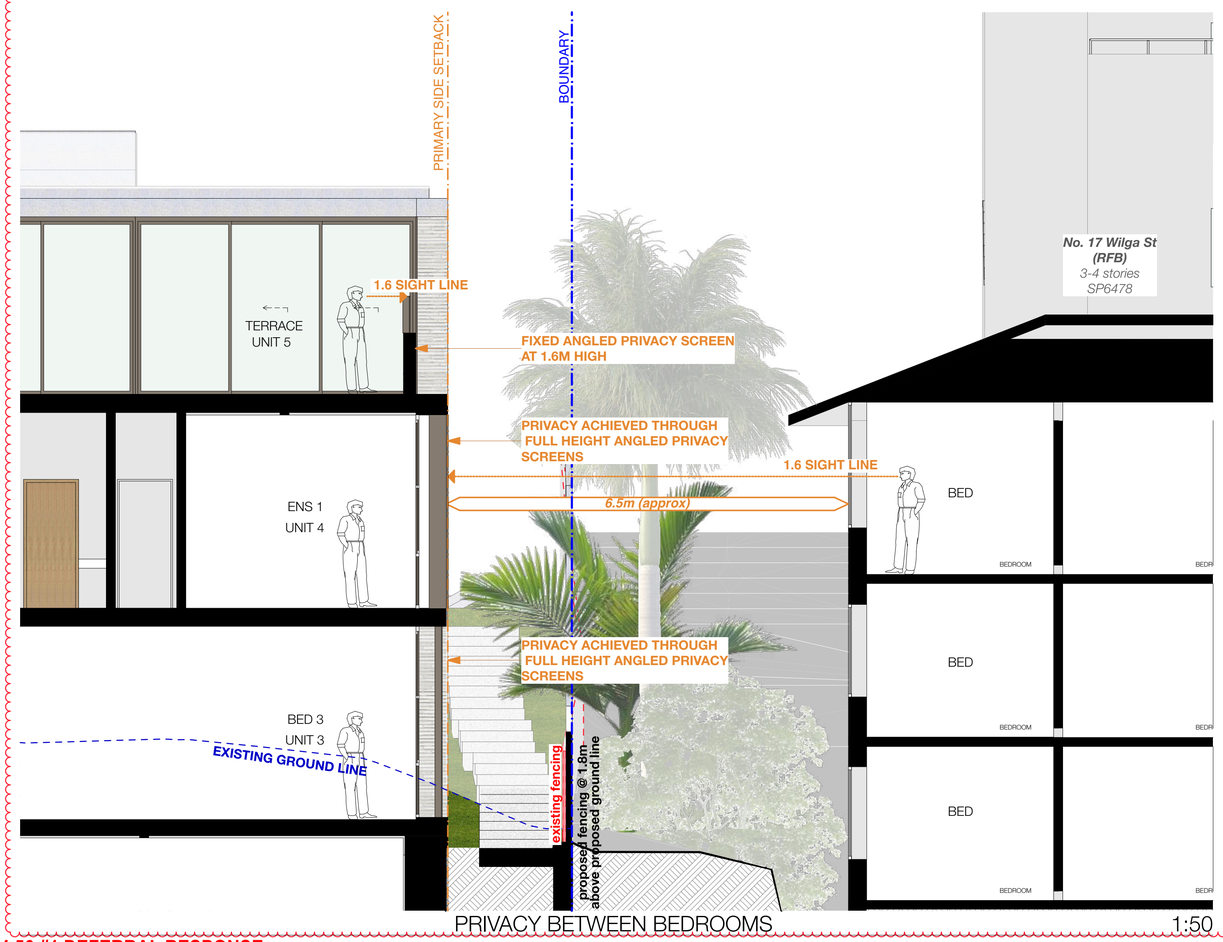
DRAWN BY:
CHECKED: AS
SCALE: NTS@A1 NTS@A3
ISSUE DATE: 10/03/2026
REVISION: C
PROJECT NUMBER: 23-030
DWG NUMBER: DA 9204



GROUND - PRIVACY 1:100



KEY PLAN 1:500



PRIVACY BETWEEN BEDROOMS 1:50

PRIVACY BETWEEN BALCONIES 1:50

S4.56 #1 DEFERRAL RESPONSE

REV	NOTE	DATE
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C	S4.56 #1 - DEFERRAL LETTER RESPONSE	10/03/2026

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WATER OPTIONS

SHOWERHEADS:	3 STAR (7.5-9L/min)
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CLOTHES WASHERS:	3 STAR
KITCHEN TAPS:	4 STAR
BATHROOM TAPS:	4 STAR
DISHWASHERS:	3 STAR
LANDSCAPED AREA TO IRRIGATE:	687 sqm

ENERGY OPTIONS

HEATING & COOLING:	Individual Systems - EER 3.0-3.5
VENTILATION:	Individual Fan, Ducted to roof, Individual Fan, Ducted to roof, Interlocked to light
WATER HEATING:	Heat Pump - 31 to 35 STCs
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	BOUNDARY
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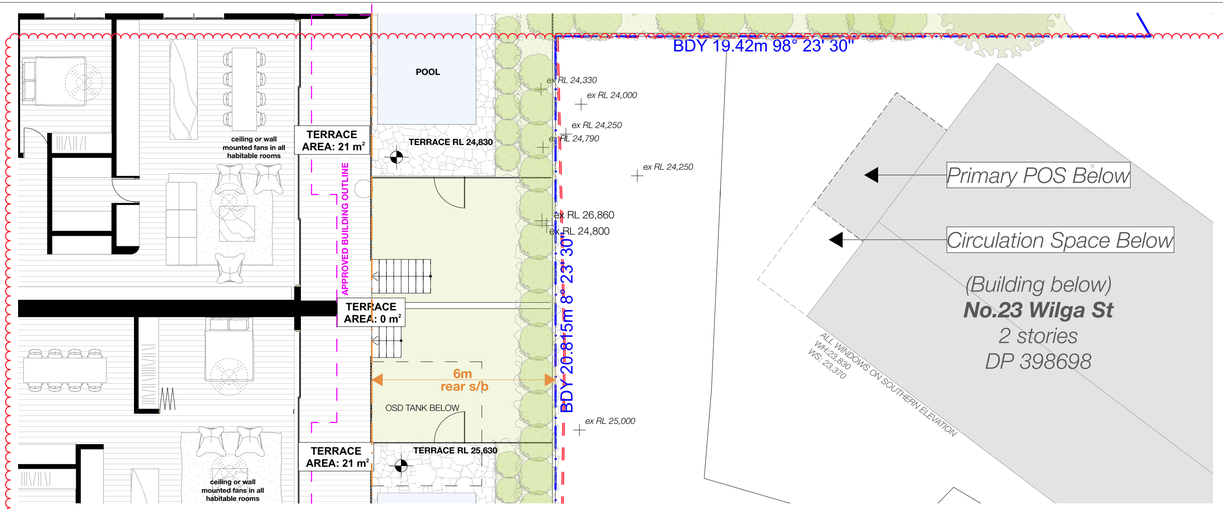
MHN Design Union Pty Ltd. ABN 94 003 717 682
Nominated Architect Brian Meyerson NSW Registration Number 4907

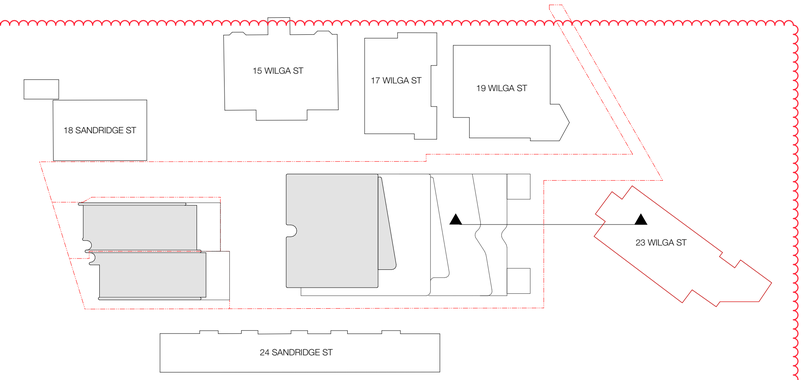
PROJECT ADDRESS:
20-22 SANDRIDGE ST, 21 WILGA ST, BONDI 2026 NSW

DRAWING TITLE:
PRIVACY - 17 WILGA STREET

DRAWN BY:	CHECKED: AS
SCALE:	1:50@A1 1:100@A3
ISSUE DATE:	10/03/2026
REVISION:	C
PROJECT NUMBER:	23-030
DWG NUMBER:	DA 9205

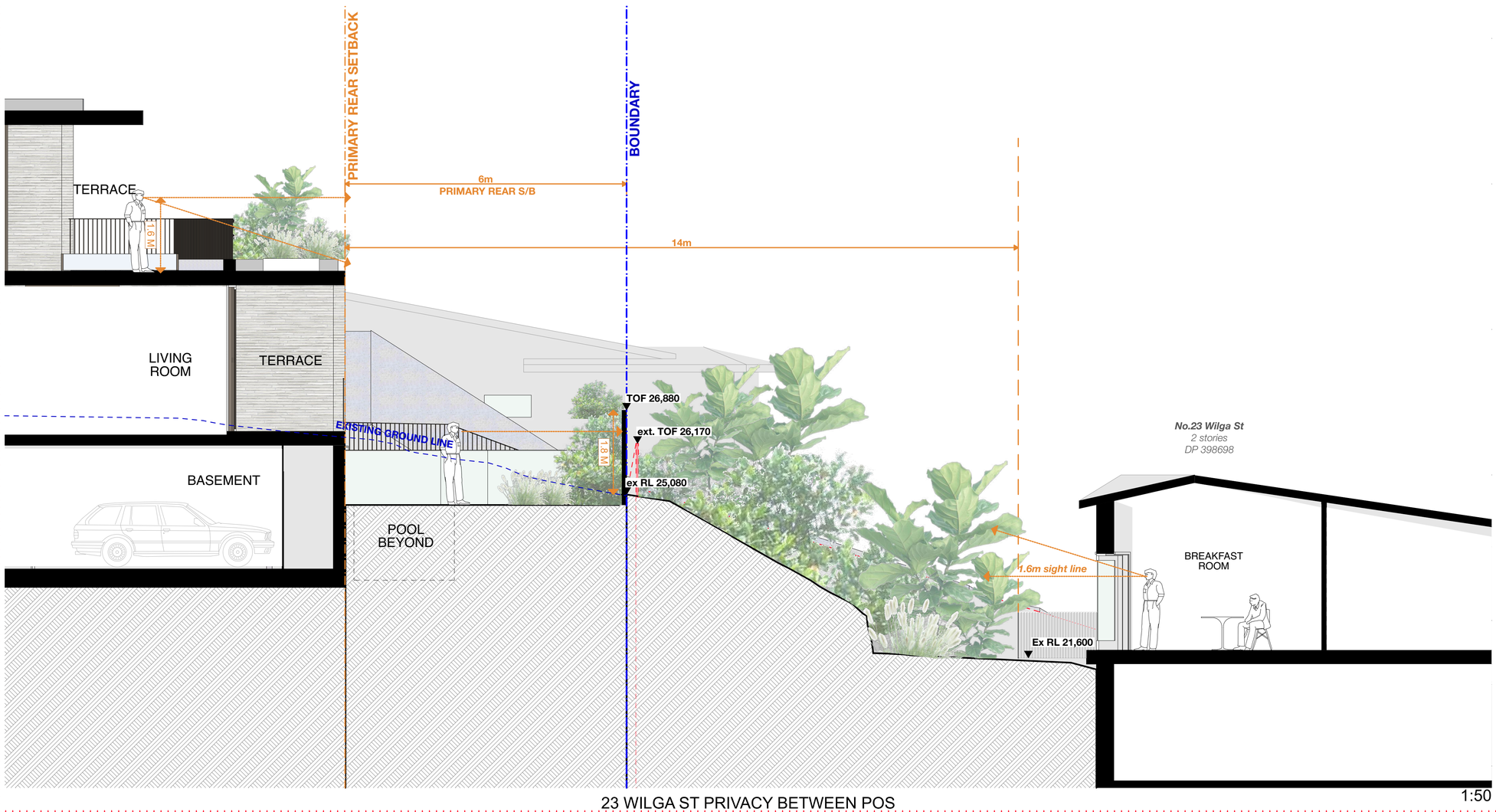


LOWER GROUND 02 - PRIVACY 1:100



KEY PLAN 1:500

37



23 WILGA ST PRIVACY BETWEEN POS 1:50

S4.56 #1 DEFERRAL RESPONSE

REV	NOTE	DATE
A	S4.56 #1 SUBMISSION	25/09/2025
C	S4.56 #1 - DEFERRAL LETTER RESPONSE	10/03/2026

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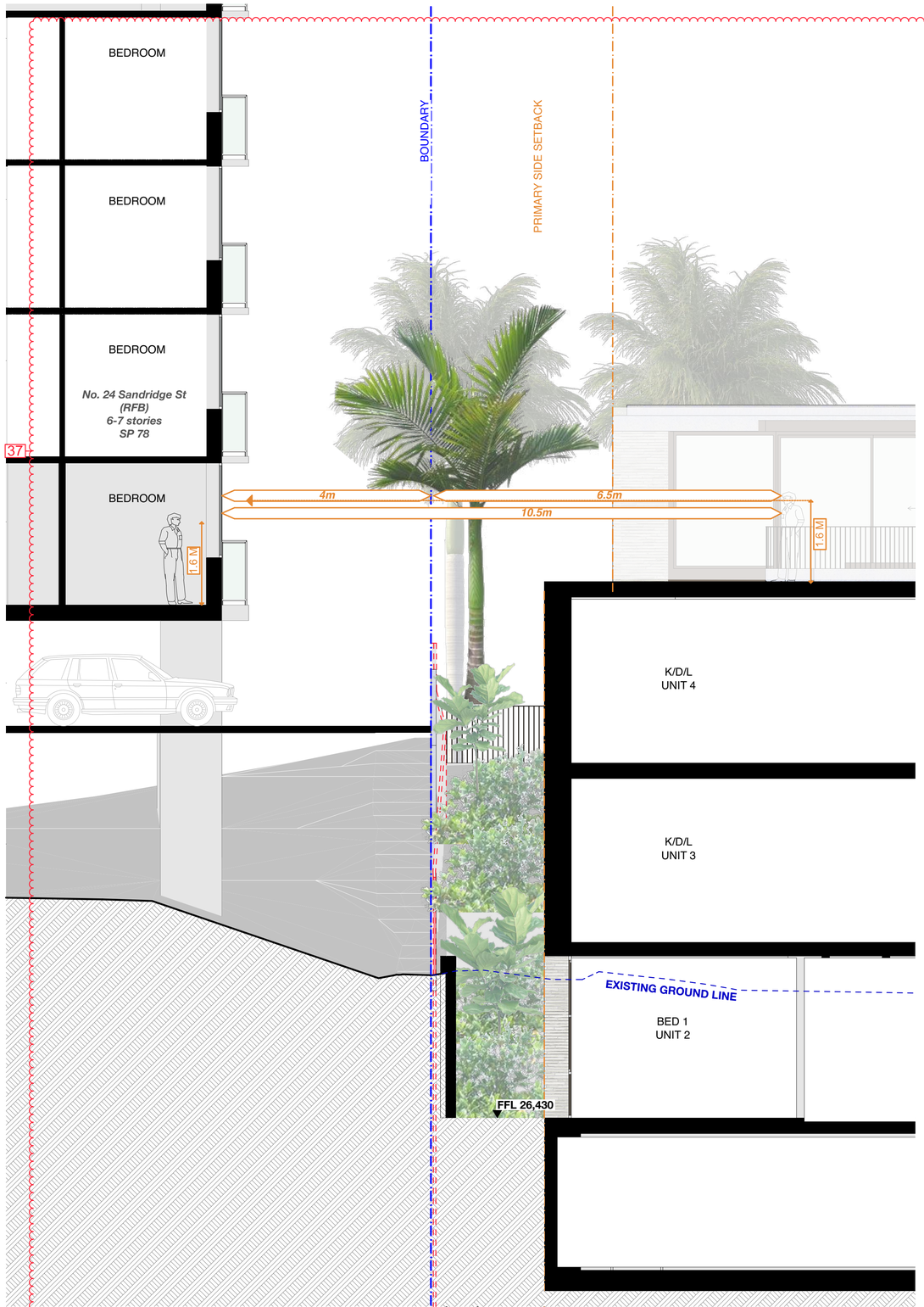
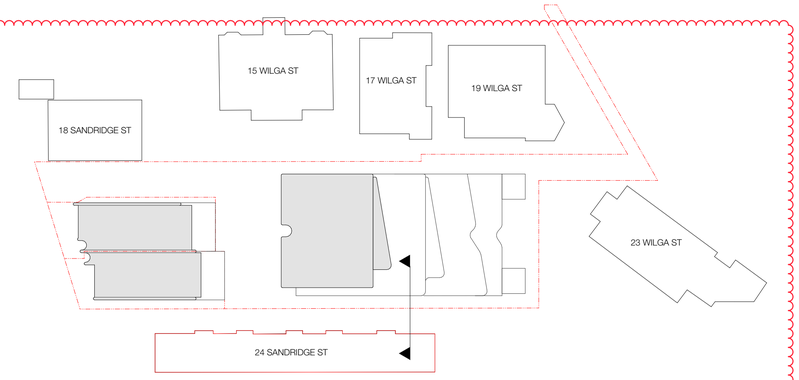
DRAWING TITLE:
PRIVACY - 23 WILGA STREET

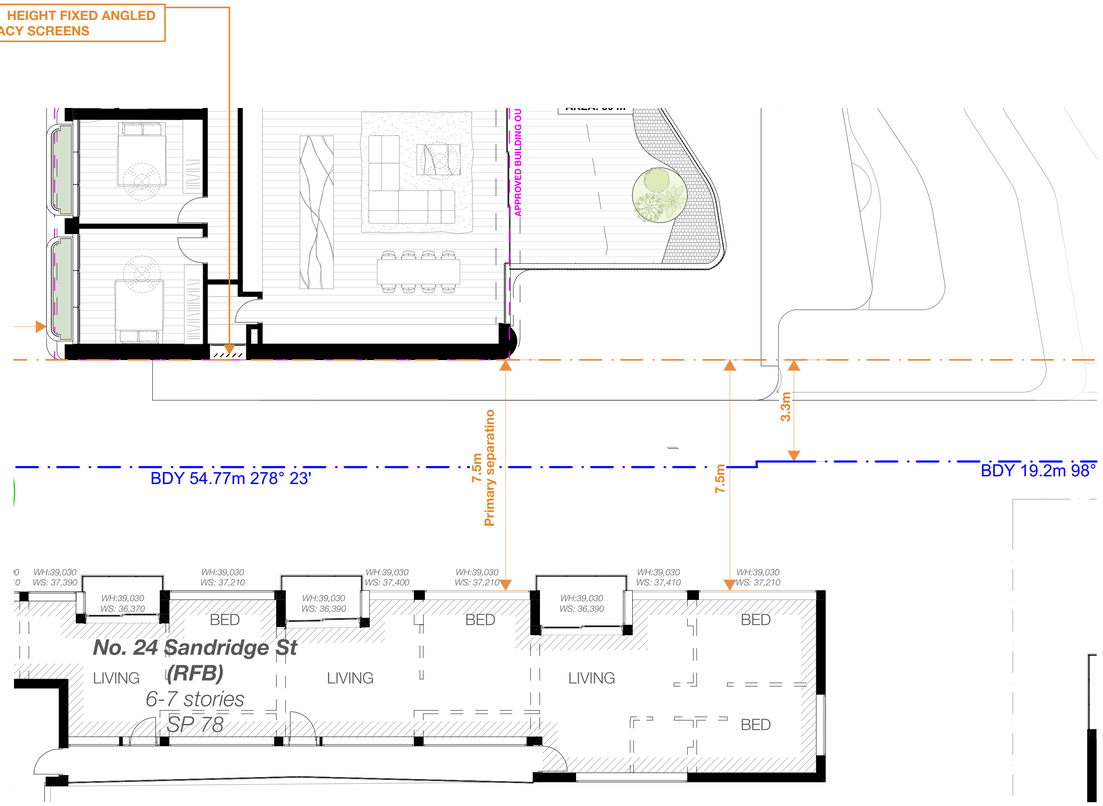
DRAWN BY:
CHECKED: AS
SCALE: 1:50@A1 1:100@A3
ISSUE DATE: 10/03/2026
REVISION: C
PROJECT NUMBER: 23-030
DWG NUMBER: DA 9206



PRIVACY BETWEEN RFB & 24 SANDRIDGE ST 1:50



KEY PLAN 1:500



LEVEL 1 - PRIVACY 1:100

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REV	NOTE	DATE
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MASONRY: TO COMPLY WITH AS3700
MECHELECHYDRAULIC: BCA CLAUSE C3.15 & AS1530 4-2005
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SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE & SPEC E2.2 & AS3786
PENETRATIONS: THROUGH FIRE RATED CONSTRUCTION FOR MECH/ELEC/ HYDRAULIC PENETRATIONS TO COMPLY WITH BCA CLAUSE C3.15 & AS1530 4-2005
SOUND TRANSMISSION: TO COMPLY WITH PARTS OF BCA
STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13
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WATERPROOFING OF WET AREAS: TO COMPLY WITH AS3740

BASIX COMMITMENTS
(ALL OTHER BASIX COMMITMENTS AS PER BASIX CERTIFICATE AND STAMPED PLANS)

WATER OPTIONS
SHOWERHEADS: 3 STAR (7.5-9L/min)
TOILETS: 4 STAR
CLOTHES WASHERS: 3 STAR
KITCHEN TAPS: 4 STAR
BATHROOM TAPS: 4 STAR
DISHWASHERS: 3 STAR
LANDSCAPED AREA TO IRRIGATE: 687 sqm

ENERGY OPTIONS
HEATING & COOLING: Individual Systems - EER 3.0-3.5
VENTILATION: Individual Fan, Ducted to façade or roof, Interlocked to light
WATER HEATING: Heat Pump - 31 to 35 STCs
ENERGY EFFICIENT LIGHTING: Dedicated LED thoughout
OVEN & COOK TOPS: Electric Oven and Electric Cooktop
REFRIGATOR SPACE: Well Ventilated
CLOTHES DRYER: 2 Star (Vented)
DISH WASHER: 4 Star

THERMAL COMFORT OPTIONS
R2.5 INSULATION TO: External Walls, walls to corridors/lifts/stairs
R2.0 INSULATION TO: Suspended floors to B and plant rooms below
GLAZING SPEC: Refer to BASIX Certificate
GLAZING TYPE: Refer to BASIX Certificate

NOTES:

EX	EXISTING
FFL	RL OF FINISHED FLOOR LEVEL
RL	REDUCED LEVEL
	BOUNDARY
	EX BUILDING TO BE DEMOLISHED
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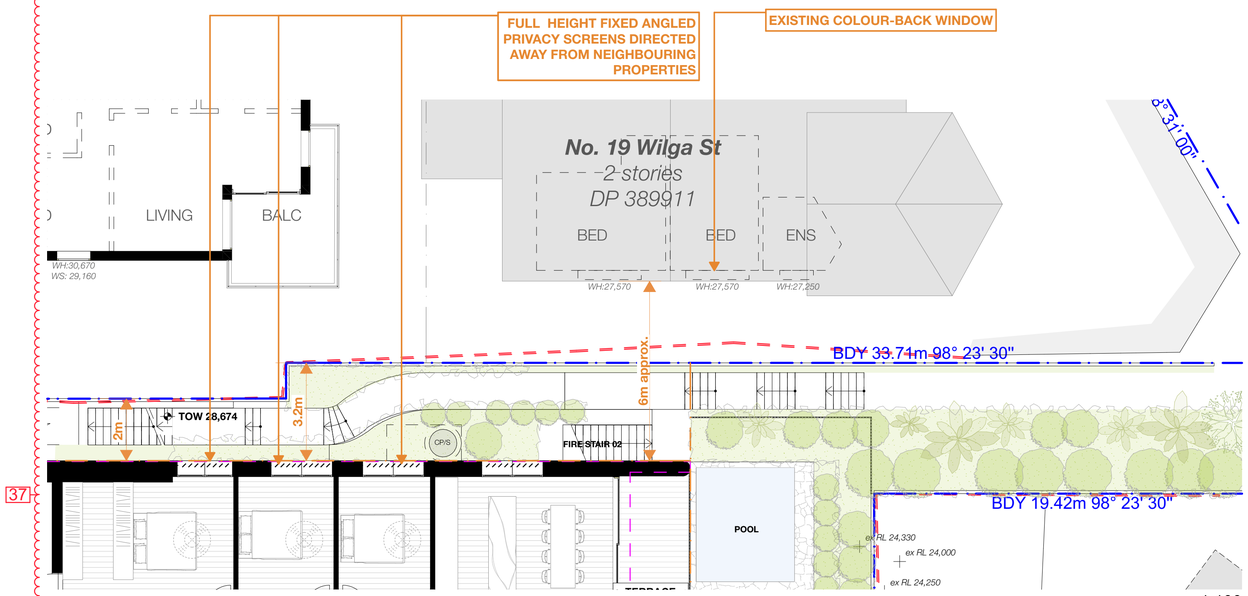
www.mhndu.com
MHN Design Union Pty Ltd. ABN 94 003 717 682
Nominated Architect Brain Meyerson NSW Registration Number 4907

PROJECT ADDRESS:
20-22 SANDRIDGE ST, 21 WILGA ST, BONDI 2026 NSW

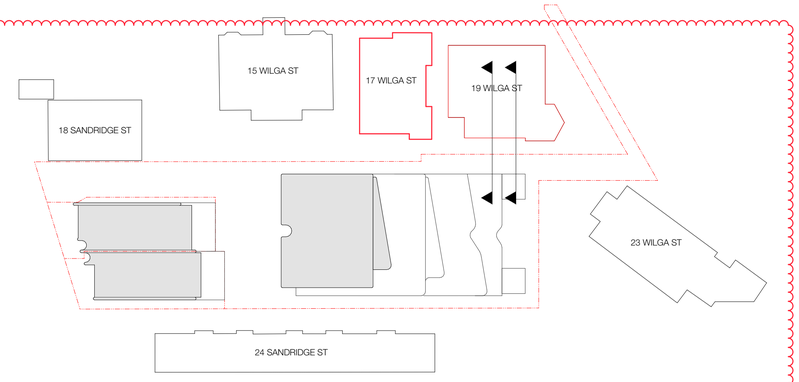
DRAWING TITLE:
PRIVACY - 24 SANDRIDGE STREET

DRAWN BY:	CHECKED: AS
SCALE:	1:50@A1 1:100@A3
ISSUE DATE:	10/03/2026
REVISION:	C
PROJECT NUMBER:	23-030
DWG NUMBER:	DA 9207



LOWER GROUND 02 - PRIVACY 1:100

SITE PHOTO FOR 19 WILGA ST - COLOUR BACK WINDOW ON SOUTHERN FACADE



KEY PLAN 1:500

19 WILGA ST TO LIVING ROOM PRIVACY SECTION 1:50

19 WILGA ST TO BALCONY PRIVACY SECTION 1:50

S4.56 #1 DEFERRAL RESPONSE

REV	NOTE	DATE
A	S4.56 #1 SUBMISSION	25/08/2025
C	S4.56 #1 - DEFERRAL LETTER RESPONSE	10/03/2026

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BASIX COMMITMENTS
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WATER OPTIONS

SHOWERHEADS:	3 STAR (7.5-9L/min)
TOILETS:	4 STAR
CLOTHES WASHERS:	3 STAR
KITCHEN TAPS:	4 STAR
BATHROOM TAPS:	4 STAR
DISHWASHERS:	3 STAR
LANDSCAPED AREA TO IRRIGATE:	687 sqm

ENERGY OPTIONS

HEATING & COOLING:	Individual Systems - EER 3.0-3.5
VENTILATION:	Individual Fan, Ducted to façade or roof. Interlocked to light
WATER HEATING:	Heat Pump - 31 to 35 STCs
ENERGY EFFICIENT LIGHTING:	Dedicated LED thoughout
OVEN & COOK TOPS:	Electric Oven and Electric Cooktop
REFRIGATOR SPACE:	Well Ventilated
CLOTHES DRYER:	2 Star (Vented)
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THERMAL COMFORT OPTIONS

R2.5 INSULATION TO:	External Walls, walls to corridors/lifts/stairs
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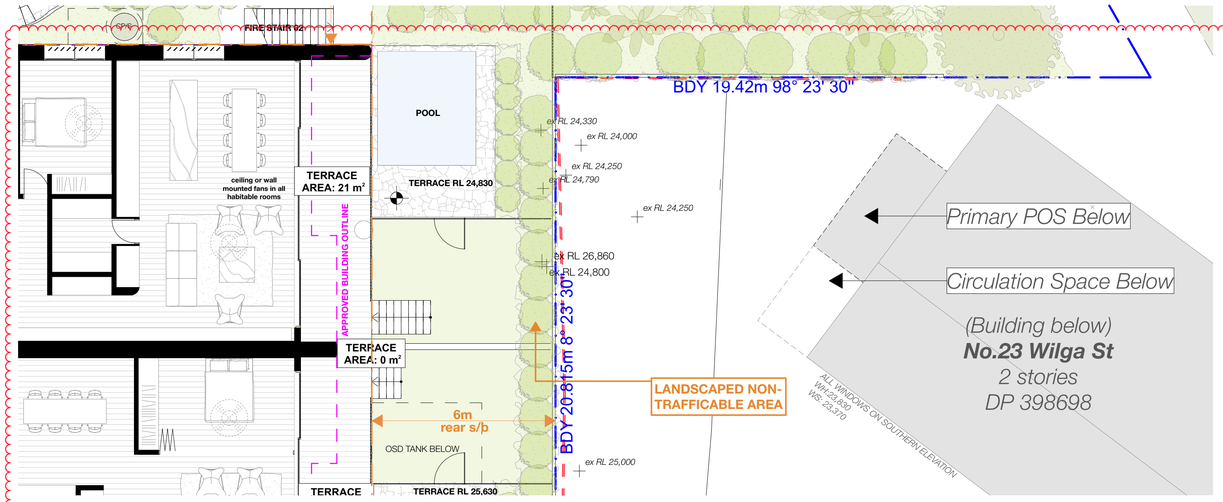
Nominated Architect Brain Meyerson NSW Registration Number 4907

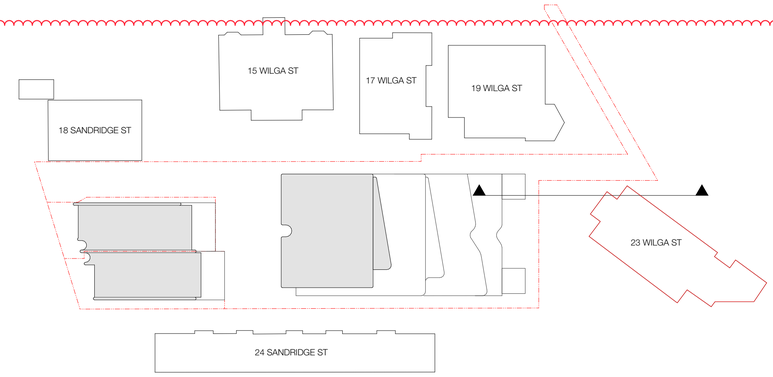
PROJECT ADDRESS:
20-22 SANDRIDGE ST, 21 WILGA ST, BONDI 2026 NSW

DRAWING TITLE:
PRIVACY - 19 WILGA STREET

DRAWN BY:	CHECKED: AS
SCALE:	1:50@A1 1:100@A3
ISSUE DATE:	10/03/2026
REVISION:	C
PROJECT NUMBER:	23-030
DWG NUMBER:	DA 9208

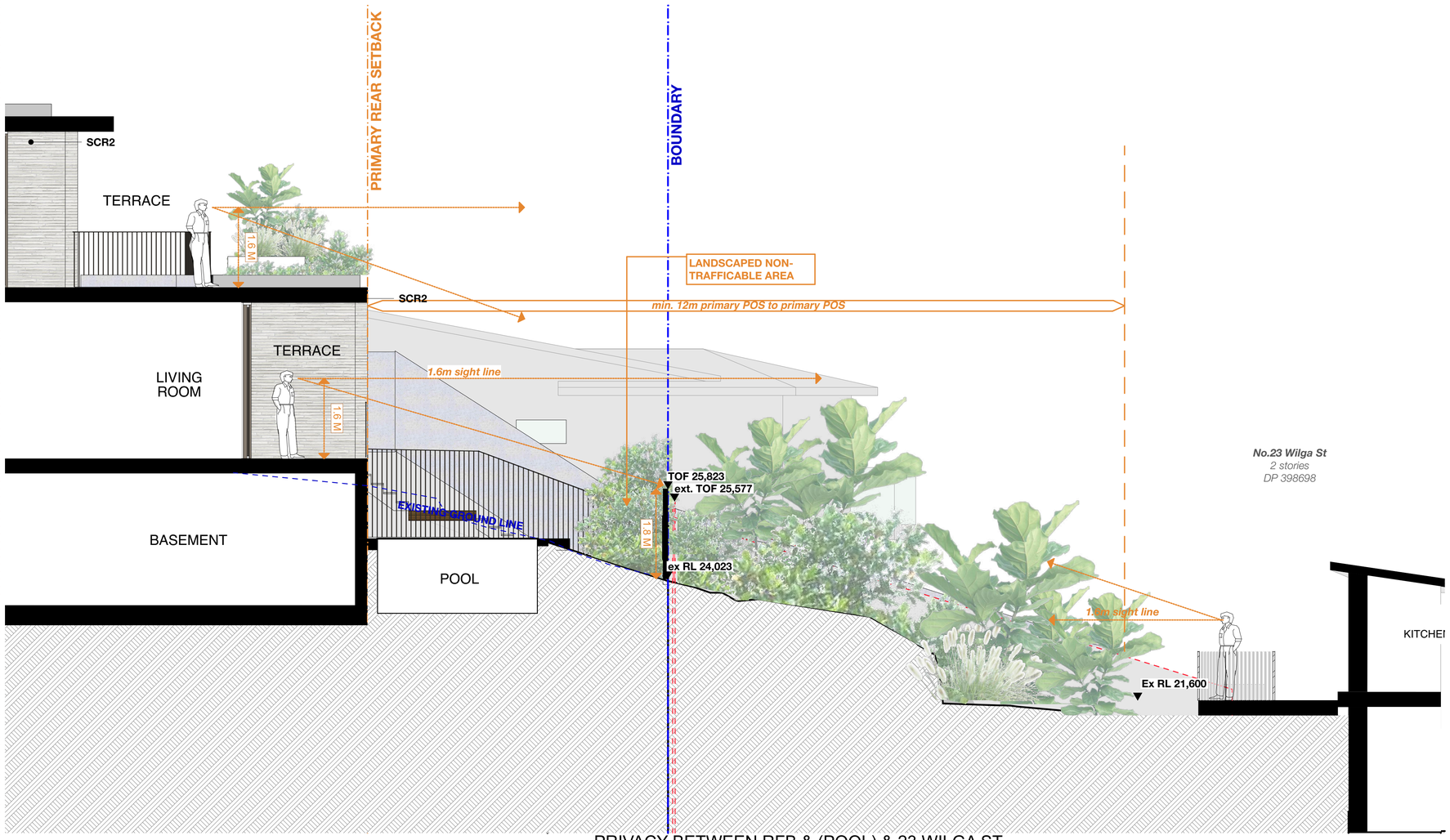


LOWER GROUND 02 - PRIVACY 1:100



KEY PLAN 1:500

37



PRIVACY BETWEEN RFB & (POOL) & 23 WILGA ST 1:50

S4.56 #1 DEFERRAL RESPONSE

REV	NOTE	DATE
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PROJECT ADDRESS:
20-22 SANDRIDGE ST, 21 WILGA ST, BONDI 2026 NSW

DRAWING TITLE:
PRIVACY - 23 WILGA ST (POOL)

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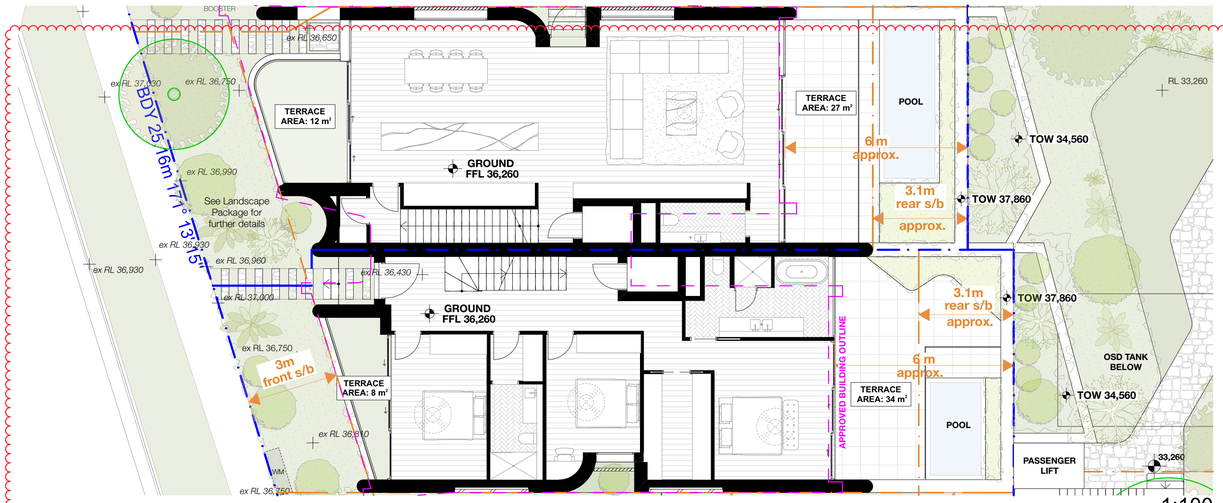
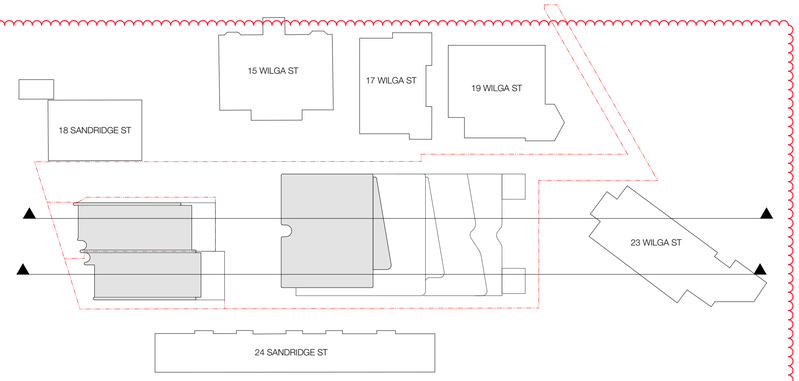
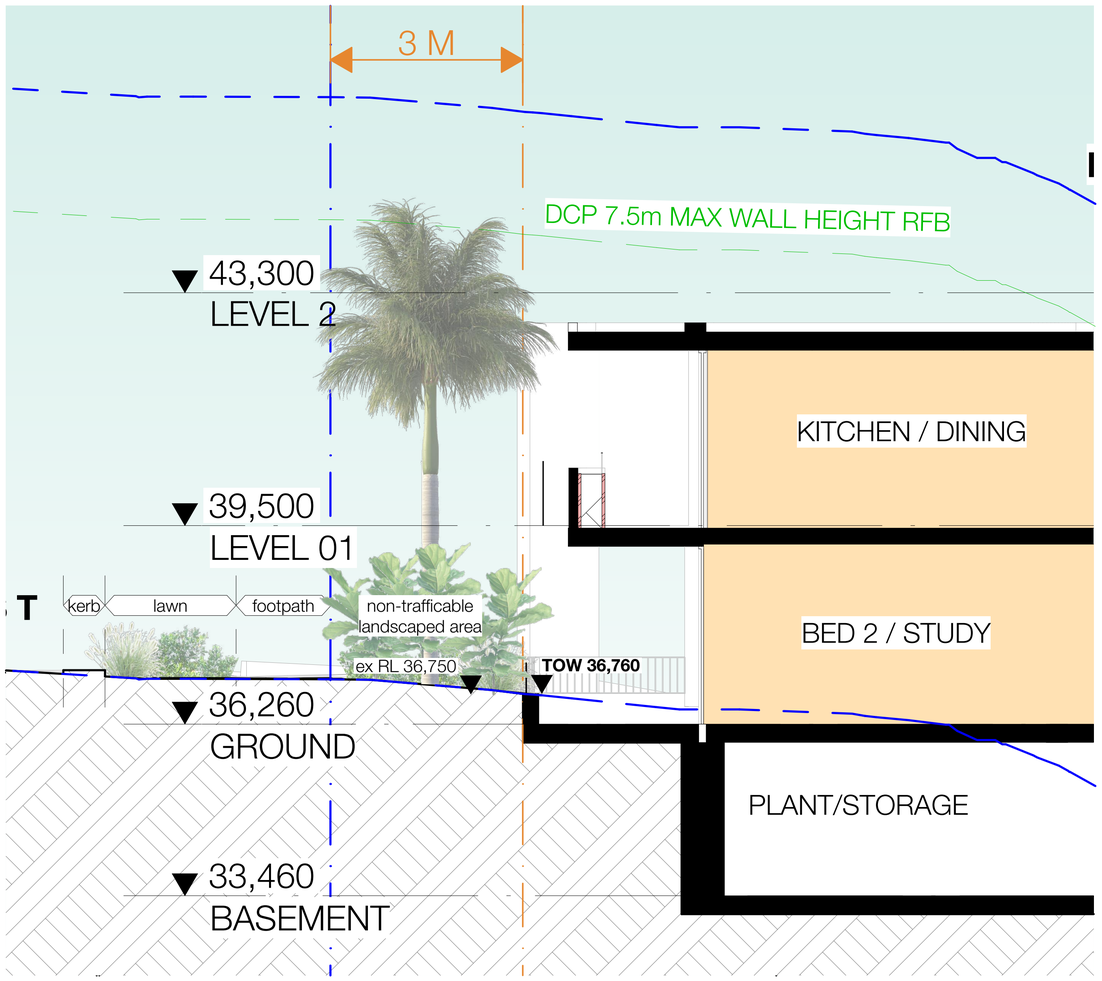


GROUND FLOOR 1:100

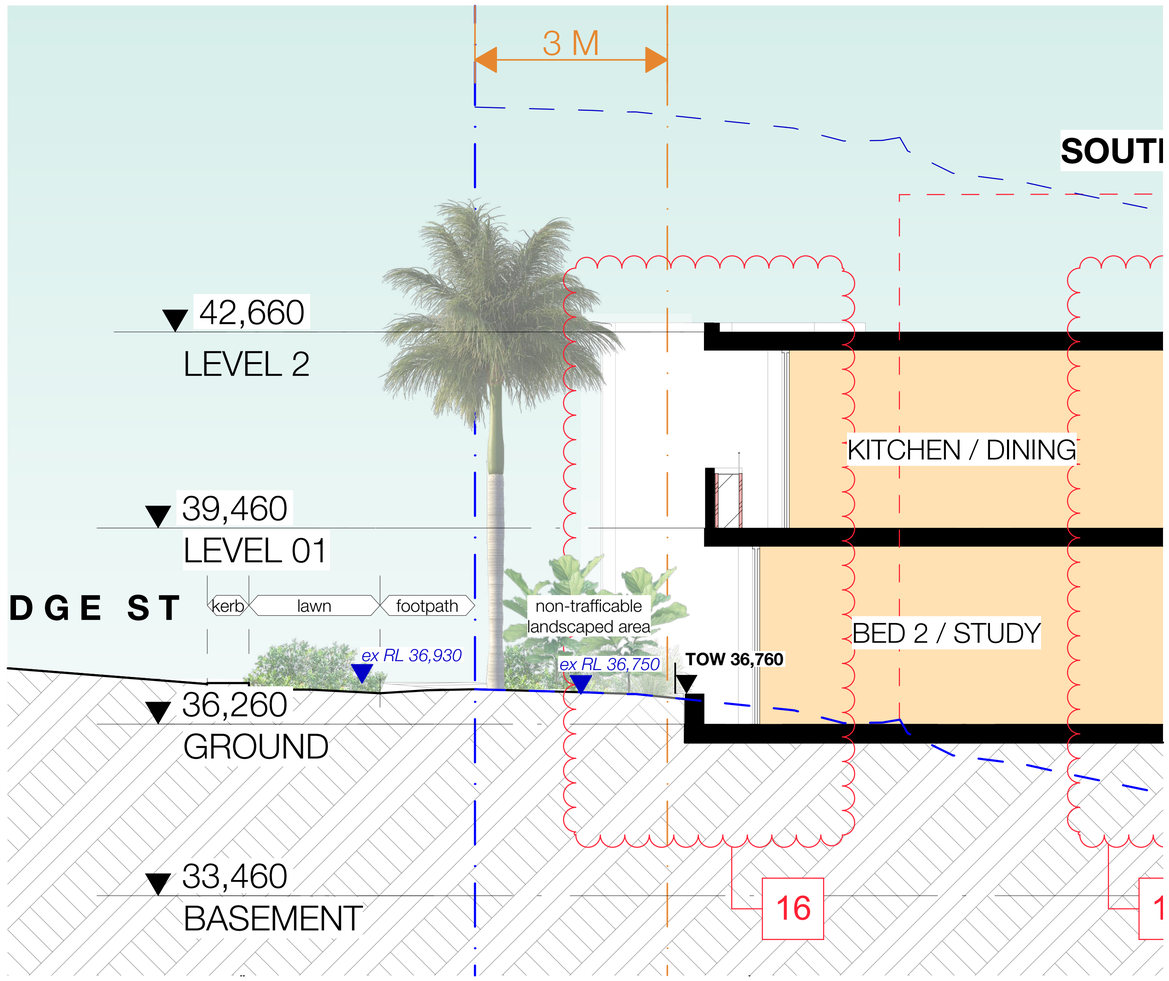


KEY PLAN 1:500

37



C NORTHERN SEMI-DETACHED DWELLING 1:50



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CLAUSE F1.7 WATERPROOFING OF WET AREAS
CLAUSE F1.9/F1.10 DAMP PROOFING
CLAUSE 2.5 CONSTRUCTION OF SANITARY COMPARTMENTS
PART F4 LIGHTING AND VENTILATION
CLAUSE F5.4 SOUND INSULATION OF FLOORS
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CLAUSE F5.7 SOUND INSULATION OF PUMPS

ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART CLAUSEF4.4 & AS1680
BALUSTRADE HEIGHTS: TO COMPLY WITH BCA CLAUSE D2.16
DRAINAGE GUTTERS & DOWNPIPES: TO COMPLY WITH AS/NZS 3500 3.2
ENERGY EFFICIENCY/GLAZING: TO COMPLY WITH J2 OF BCA
FIRE SERVICES: TO COMPLY WITH SECTION E OF BCA
HOT WATER: SYSTEMS TO COMPLY WITH PART J7 OF BCA
MASONRY: TO COMPLY WITH AS3700
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WATERPROOFING OF WET AREAS: TO COMPLY WITH AS3740

BASIX COMMITMENTS
(ALL OTHER BASIX COMMITMENTS AS PER BASIX CERTIFICATE AND STAMPED PLANS)

WATER OPTIONS
SHOWERHEADS: 3 STAR (7.5-9L/min)
TOILETS: 4 STAR
CLOTHES WASHERS: 3 STAR
KITCHEN TAPS: 4 STAR
BATHROOM TAPS: 4 STAR
DISHWASHERS: 3 STAR
LANDSCAPED AREA TO IRRIGATE: 687 sqm

ENERGY OPTIONS
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VENTILATION: Individual Fan, Ducted to façade or roof, Interlocked to light

WATER HEATING: Heat Pump - 31 to 35 STCs
ENERGY EFFICIENT LIGHTING: Dedicated LED thoughout
OVEN & COOK TOPS: Electric Oven and Electric Cooktop
REFRIGATOR SPACE: Well Ventilated
CLOTHES DRYER: 2 Star (Vented)
DISH WASHER: 4 Star

THERMAL COMFORT OPTIONS
R2.5 INSULATION TO: External Walls, walls to corridors/lifts/stairs
R2.0 INSULATION TO: Suspended floors to B and plant rooms below
GLAZING SPEC: Refer to BASIX Certificate
GLAZING TYPE: Refer to BASIX Certificate

NOTES:

EX	EXISTING
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RL	REDUCED LEVEL
	BOUNDARY
	EX BUILDING TO BE DEMOLISHED
	COUNCIL CONTROLS
	EX TREE TO REMOVE
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	EX LANDSCAPE TO RETAIN /NOT ON SURVEY/
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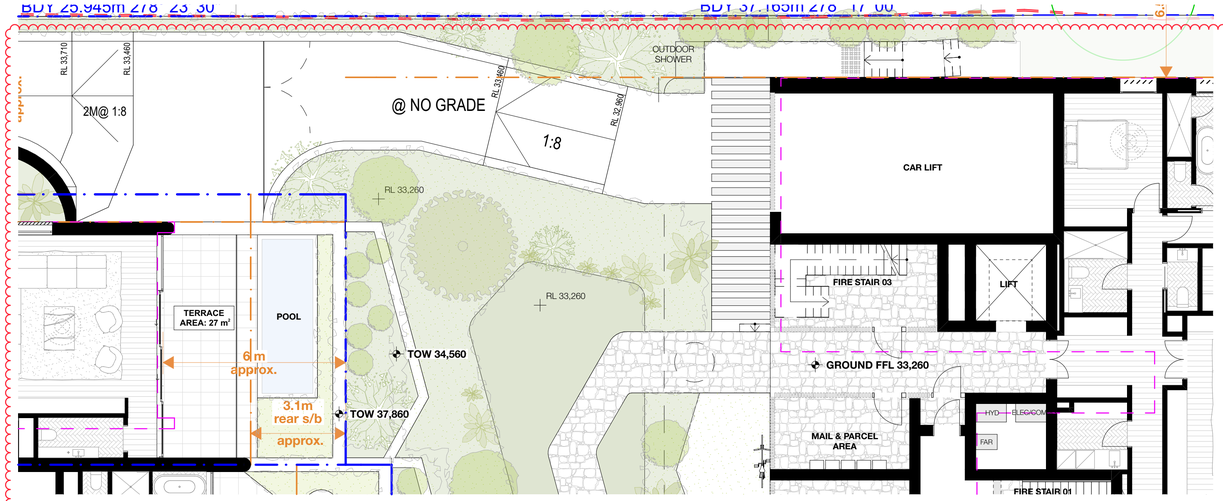
F +61 2 9101 1100
www.mhndu.com
MHN Design Union Pty Ltd. ABN 94 003 717 682
Nominated Architect Brain Meyerson NSW Registration Number 4907

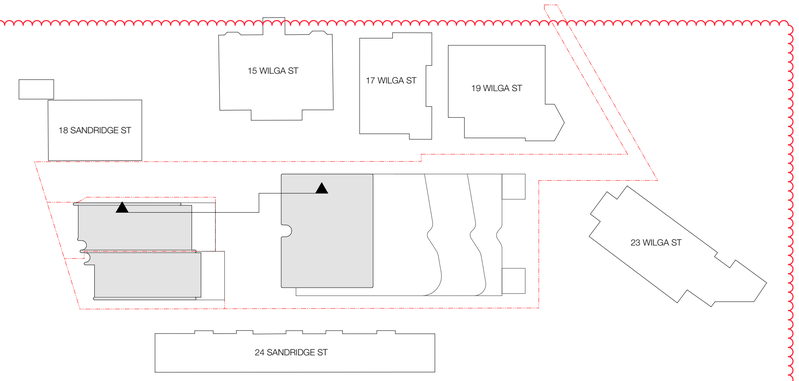
PROJECT ADDRESS:
20-22 SANDRIDGE ST, 21 WILGA ST, BONDI 2026 NSW

DRAWING TITLE:
PRIVACY - SEMI-DETACHED DWELLINGS TO SANDRIDGE ST

DRAWN BY:	CHECKED: AS
SCALE:	1:50@A1 1:100@A3
ISSUE DATE:	10/03/2026
REVISION:	C
PROJECT NUMBER:	23-030
DWG NUMBER:	DA 9210



7. GROUND - PRIVACY 1:100



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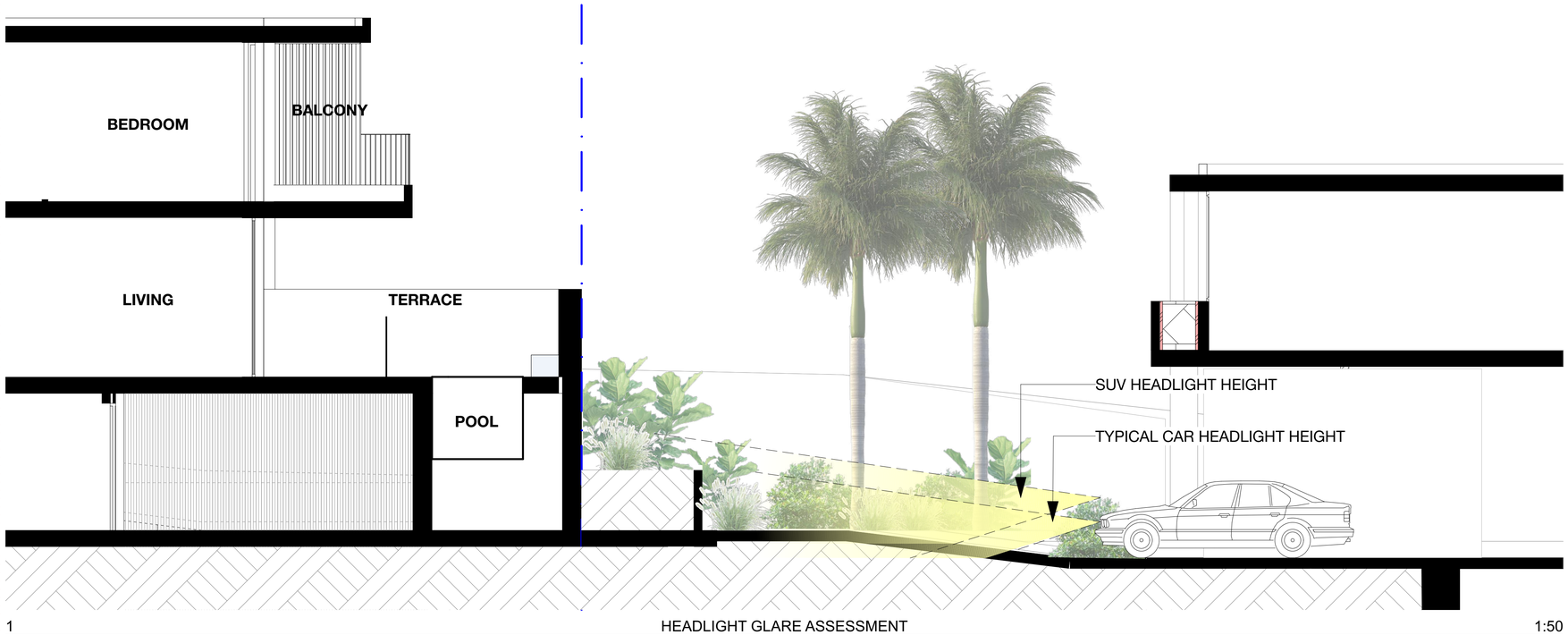

1 HEADLIGHT GLARE ASSESSMENT 1:50

NOTE: HEADLIGHT GLARE PARAMETER TO BE CONFIRMED BY TRAFFIC CONSULTANT

S4.56 #1 DEFERRAL RESPONSE

REV	NOTE	DATE
A	S4.56 #1 SUBMISSION	25/09/2025
C	S4.56 #1 - DEFERRAL LETTER RESPONSE	10/03/2026

GENERAL NOTES

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CLAUSE C2.12 SPEARATION OF EQUIPMENT
CLAUSE C2.13 ELECTRICITY SUPPLY SYSTEM
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CLAUSE D2.14 LANDINGS
CLAUSE D2.15 THRESHOLDS
CLAUSE D2.16 BALUSTRADES
CLAUSE D2.17 HANDRAILS
CLAUSE D2.21 OPERATION OF LATCH
CLAUSE D2.23 SIGNS ON DOORS
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GLAZING SPEC: Refer to BASIX Certificate
GLAZING TYPE: Refer to BASIX Certificate

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RL REDUCED LEVEL
BOUNDARY
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EX TREE TO REMOVE
EX TREE TO RETAIN
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ARCHITECT:
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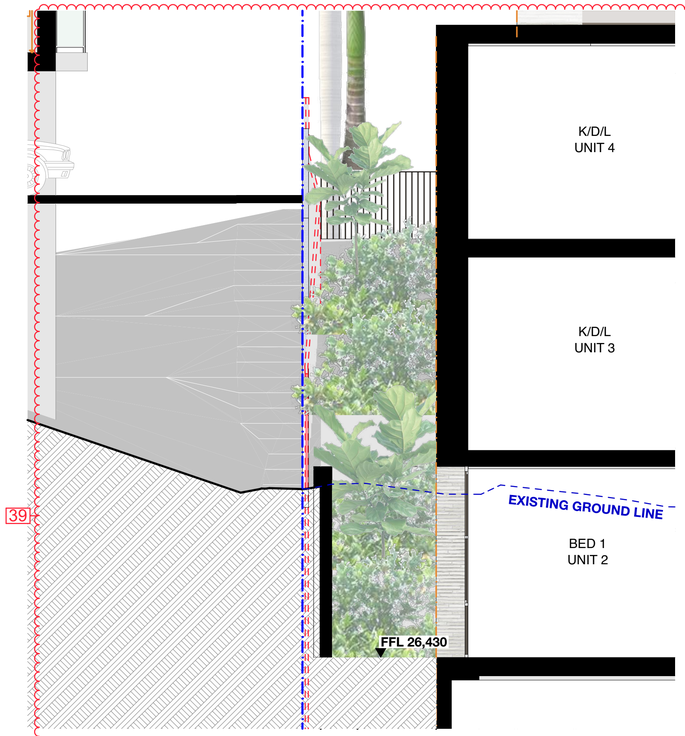
F +61 2 9101 1100
www.mhndu.com
MHN Design Union Pty Ltd. ABN 94 003 717 682
Nominated Architect Brian Meyerson NSW Registration Number 4907

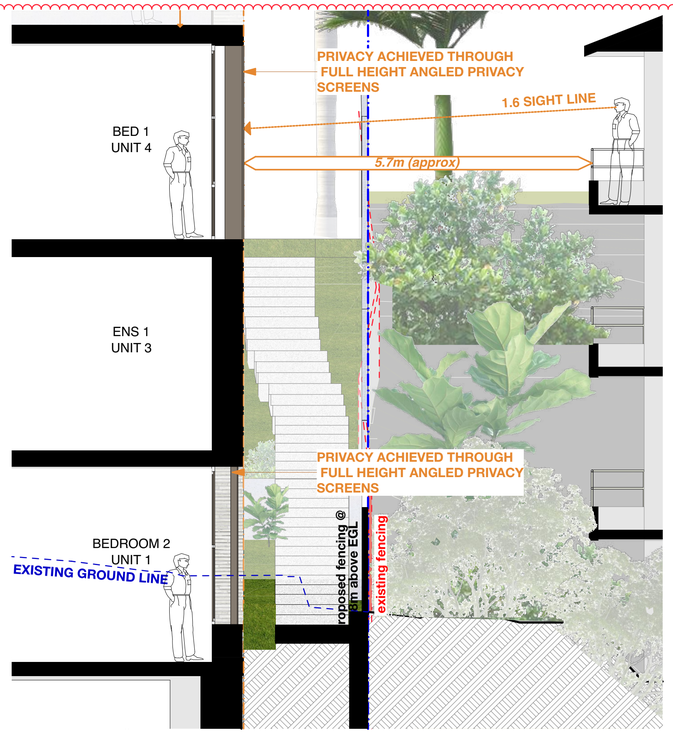
PROJECT ADDRESS:
20-22 SANDRIDGE ST, 21 WILGA ST, BONDI 2026 NSW

DRAWING TITLE:
HEADLIGHT GLARE ASSESSMENT

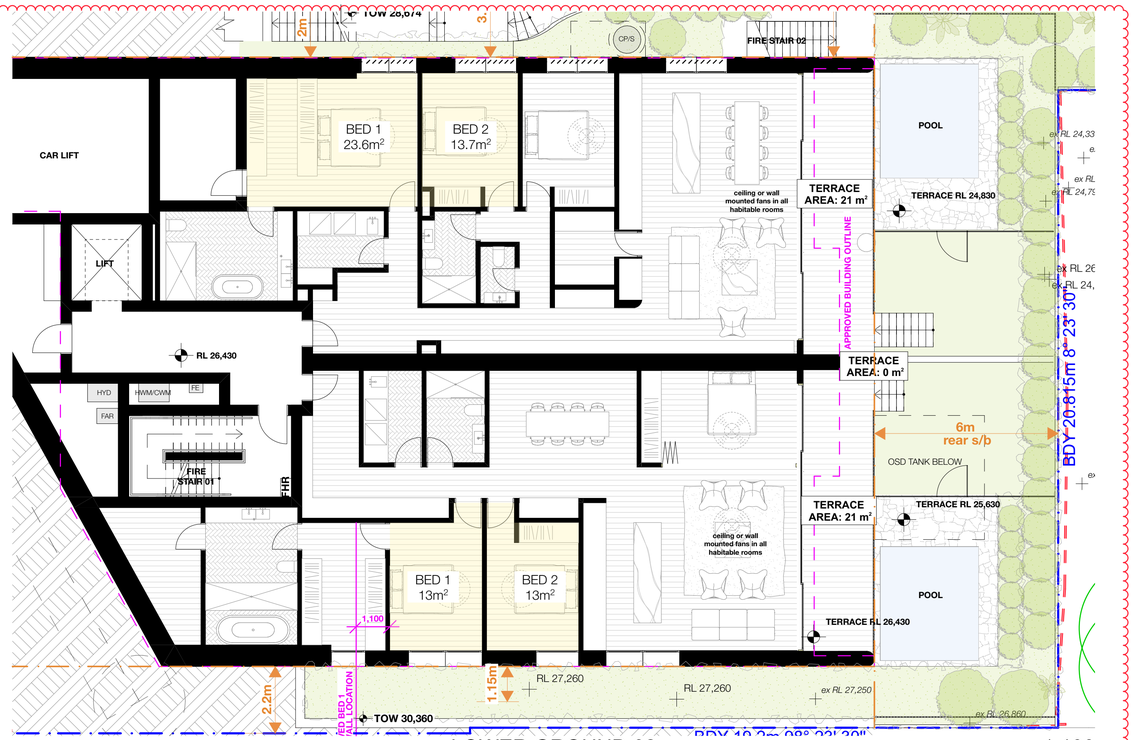
DRAWN BY:
CHECKED: AS
SCALE: 1:50@A1 1:100 @A3
ISSUE DATE: 10/03/2026
REVISION: **C**
PROJECT NUMBER: **23-030**
DWG NUMBER: **DA 9211**



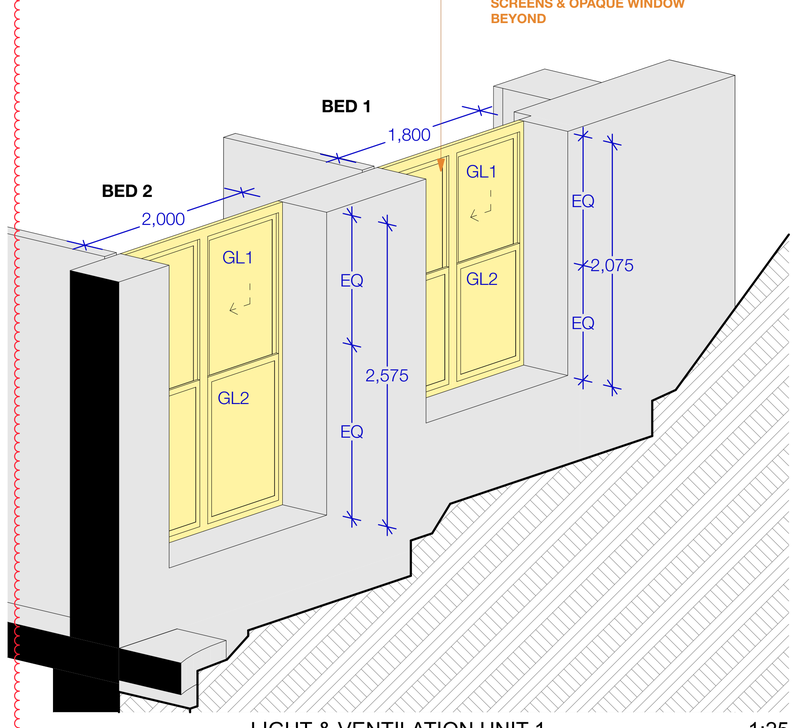
SUBTERRANEAN BEDROOM IN UNIT 2 1:50



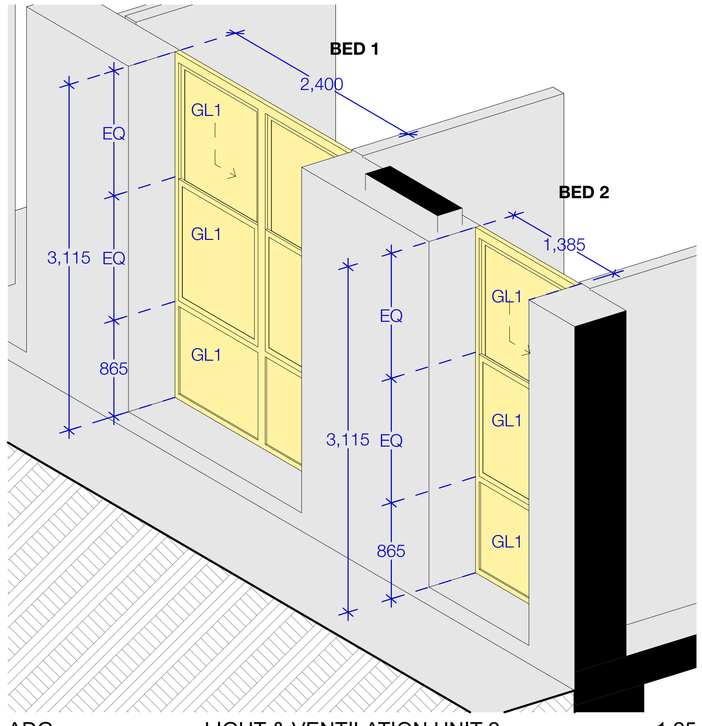
SUBTERRANEAN BEDROOM IN UNIT 1 1:50



LOWER GROUND 02 1:100



LIGHT & VENTILATION UNIT 1 1:25



LIGHT & VENTILATION UNIT 2 1:25

ADG

NATURAL LIGHT

ROOM NAME	UNIT	HABITABLE AREA	COMBINED WINDOW AREA	NL%
BEDROOM 1	UNIT 1	23.6 m²	2.6 m²	11%
BEDROOM 2	UNIT 1	13.7 m²	3.6 m²	26%
BEDROOM 1	UNIT 2	13 m²	5.8 m²	45%
BEDROOM 2	UNIT 2	13 m²	3.4m²	26%

COMPLIES

NOTE: WINDOW FRAMING EXCLUDED FROM GLASS AREA CALCULATIONS

NATURAL VENTILATION

ROOM NAME	UNIT	HABITABLE AREA	OPEN WINDOW AREA	VA%
BEDROOM 1	UNIT 1	23.6 m²	1.3 m²	6%
BEDROOM 2	UNIT 1	13.7 m²	2.1 m²	13%
BEDROOM 1	UNIT 2	13 m²	1.9 m²	15%
BEDROOM 2	UNIT 2	13 m²	1.2 m²	9%

COMPLIES

NOTE: WINDOW FRAMING EXCLUDED FROM GLASS AREA CALCULATIONS

S4.56 #1 DEFERRAL RESPONSE

REV	NOTE	DATE
A	S4.56 #1 SUBMISSION	25/08/2025
A1	S4.56 #1 - COUNCIL RESPONSE	05/11/2025
C	S4.56 #1 - DEFERRAL LETTER RESPONSE	10/03/2026

GENERAL NOTES

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ARCHITECT:
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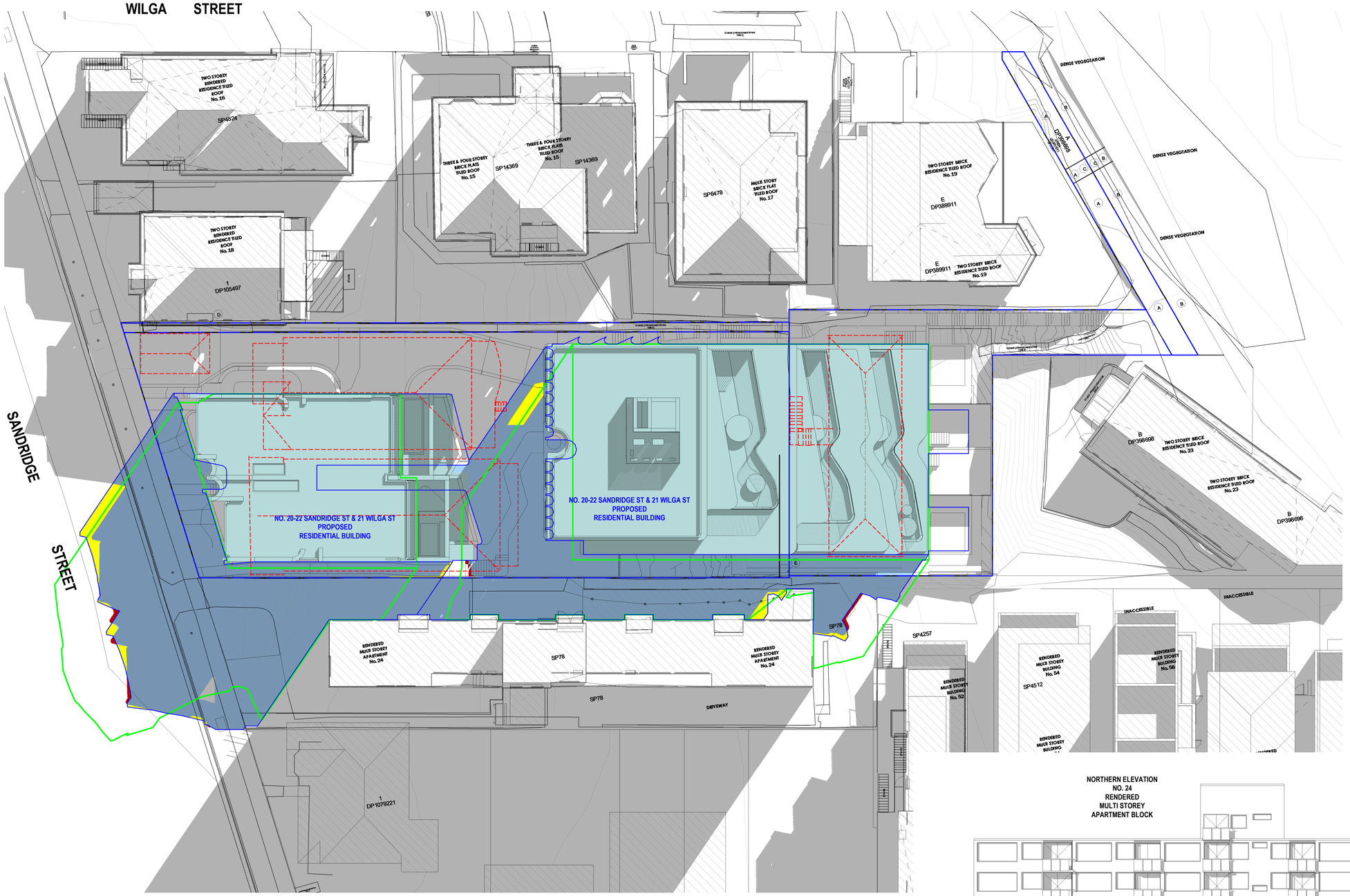
MHN Design Union Pty Ltd. ABN 94 003 717 682
Nominated Architect Brain Meyerson NSW Registration Number 4907

PROJECT ADDRESS:
20-22 SANDRIDGE ST, 21 WILGA ST, BONDI 2026 NSW

DRAWING TITLE:
LIGHT & VENTILATION IN BED 2&3, UNIT 1& 2 (RFB)

DRAWN BY:
CHECKED: AS
SCALE: 1:50@A1 1:100@A3
ISSUE DATE: 10/03/2026
REVISION: **C**
PROJECT NUMBER: **23-030**
DWG NUMBER: **DA 9212**



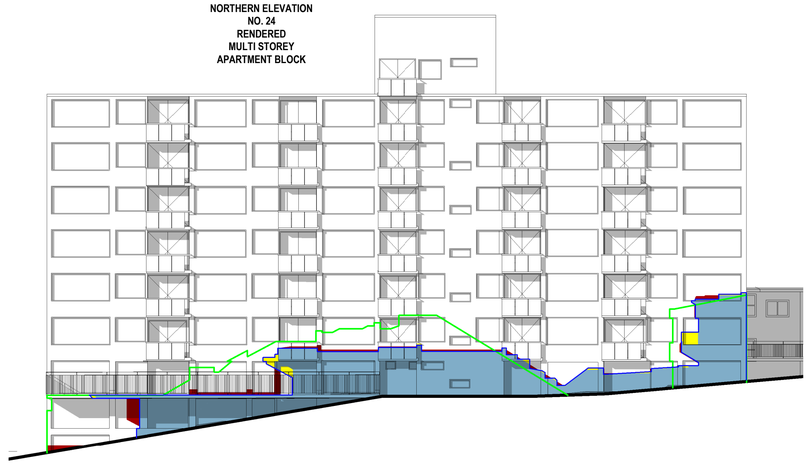
TN

LEGEND:

- DENOTES OUTLINE OF EXISTING STRUCTURES TO BE DEMOLISHED
- DENOTES AREA OF SURROUNDING BUILDING SHADOW
- DENOTES OUTLINE OF APPROVED REV.H RESIDENTIAL BUILDINGS & APPROVED SHADOW OUTLINE
- DENOTES AREA OF APPROVED REV. H BUILDING SHADOW
- DENOTES AREA OF PROPOSED S.4.56 BUILDINGS
- DENOTES AREA OF PROPOSED ADDITIONAL BUILDING SHADOW (AS COMPARED TO APPROVED)
- DENOTES AREA OF PROPOSED REDUCED SHADOW AS COMPARED TO APPROVED SHADOW
- DENOTES OUTLINE OF DCP WALL HEIGHT COMPLIANT ENVELOPE & SHADOW

NOTE:
SHADOWS SHOWN HAVE BEEN COMPILED FROM INFORMATION FROM DETAIL & LEVEL SURVEY BY GEOSURV SURVEYORS REF NO. ASP230291-01[B] DATED 02/11/2023 & ARCHITECTURAL PLANS & MODELS PROJECT NO. 23-030 REV. A SUPPLIED BY MHNDU DATED 19/12/2023 & S.4.56 DEFERRAL LETTER RESPONSE DATED 12/1/2026

NORTHERN ELEVATION
NO. 24
RENDERED
MULTI STOREY
APARTMENT BLOCK



Issue	Amendment	Date
B	SECTION 4.56 (12/1/26) COMPARISON	09-03-26

Shadowing June 21st 9.00am

1 : 200

SHADOW ANALYSIS

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Use figured dimensions in preference to scaling of drawings, notify architect of any discrepancies prior to commencement of work.

Cad Draft P/L

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SUITE 1, 505 BALMAIN ROAD,
LILYFIELD, NSW
P.O BOX 446 GLADESVILLE 2111

MOBILE: 0410 699919
info@caddraftnsw.com.au

Project:
SHADOW ANALYSIS: S.4.56
NO. 20-22 SANDRIDGE STREET & 21 WILGA STREET
BONDI NSW

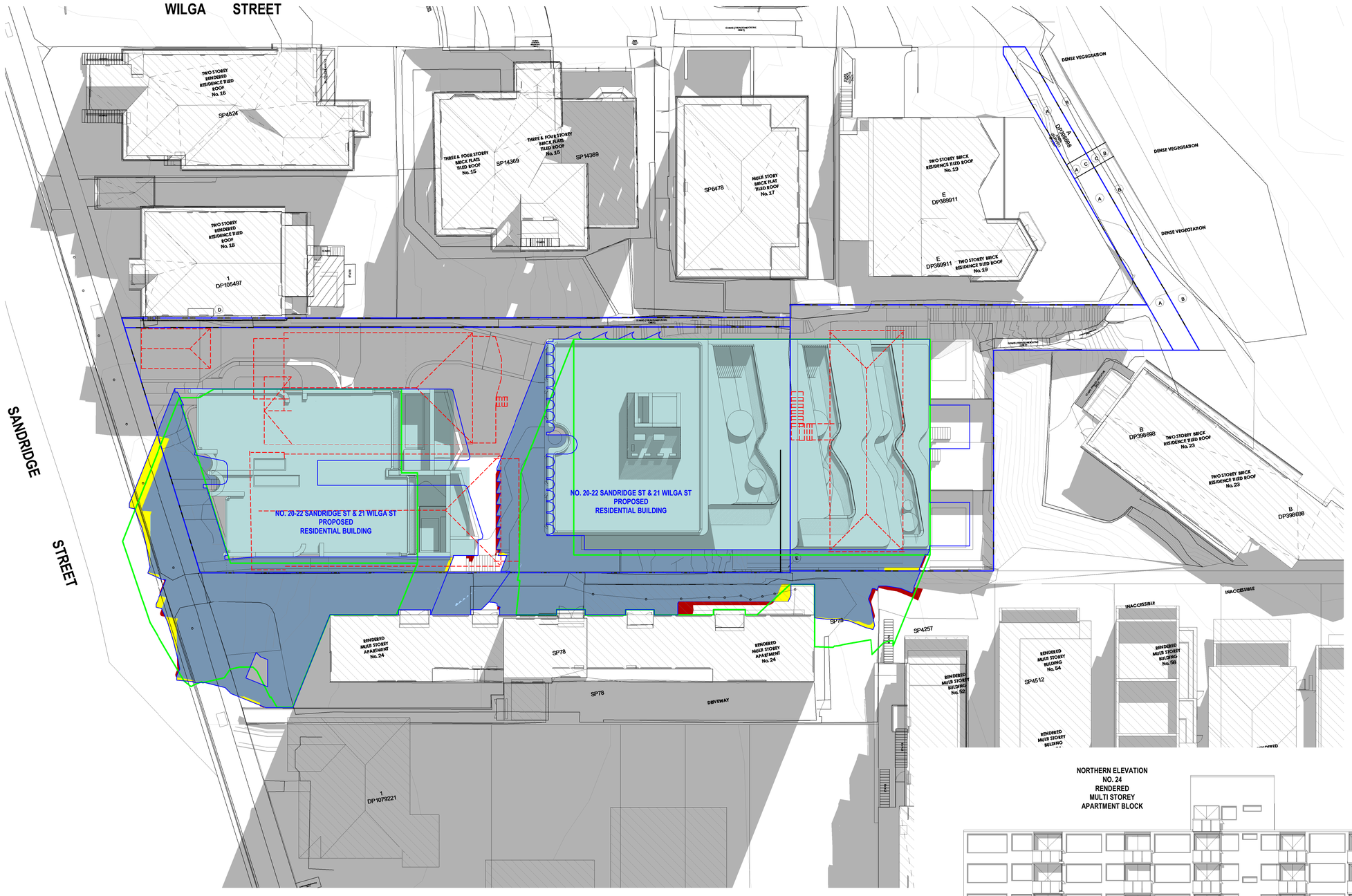
CLIENT: CENTRAL ELEMENT

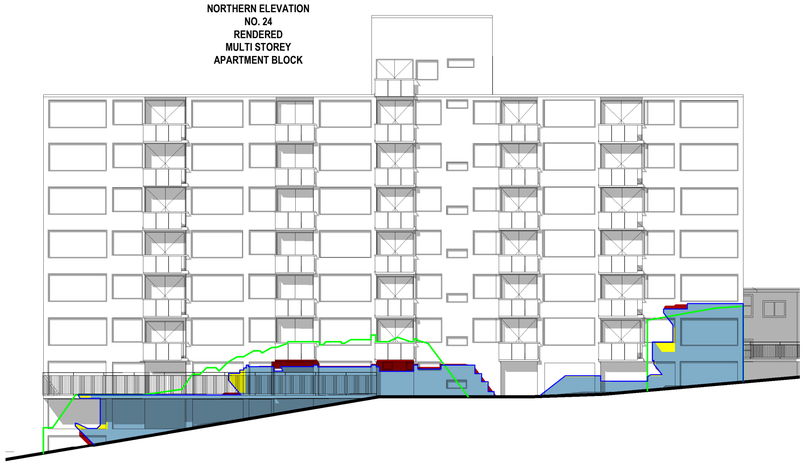
Drawing title:
Shadowing June 21st 9.00am

Date: 10-03-26
Scale: 1 : 200
Drawn by: KP
Checked by: JD

Project number **23-185** **A100**

10/03/2026 12:48:23





TN

LEGEND:

- DENOTES OUTLINE OF EXISTING STRUCTURES TO BE DEMOLISHED
- DENOTES AREA OF SURROUNDING BUILDING SHADOW
- DENOTES OUTLINE OF APPROVED REV.H RESIDENTIAL BUILDINGS & APPROVED SHADOW OUTLINE
- DENOTES AREA OF APPROVED REV. H BUILDING SHADOW
- DENOTES AREA OF PROPOSED S.4.56 BUILDINGS
- DENOTES AREA OF PROPOSED ADDITIONAL BUILDING SHADOW (AS COMPARED TO APPROVED)
- DENOTES AREA OF PROPOSED REDUCED SHADOW AS COMPARED TO APPROVED SHADOW
- DENOTES OUTLINE OF DCP WALL HEIGHT COMPLIANT ENVELOPE & SHADOW

NOTE:
SHADOWS SHOWN HAVE BEEN COMPILED FROM INFORMATION FROM DETAIL & LEVEL SURVEY BY GEOSURV SURVEYORS REF NO. ASP230291-01[B] DATED 02/11/2023 & ARCHITECTURAL PLANS & MODELS PROJECT NO. 23-030 REV. A SUPPLIED BY MHNDU DATED 19/12/2023 & S.4.56 DEFERRAL LETTER RESPONSE DATED 12/1/2026

Issue	Amendment	Date
B	SECTION 4.56 (12/1/26) COMPARISON	09-03-26

Shadowing June 21st 10.00am

1 : 200

SHADOW ANALYSIS

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Project:
SHADOW ANALYSIS: S.4.56
NO. 20-22 SANDRIDGE STREET & 21 WILGA STREET
BONDI NSW

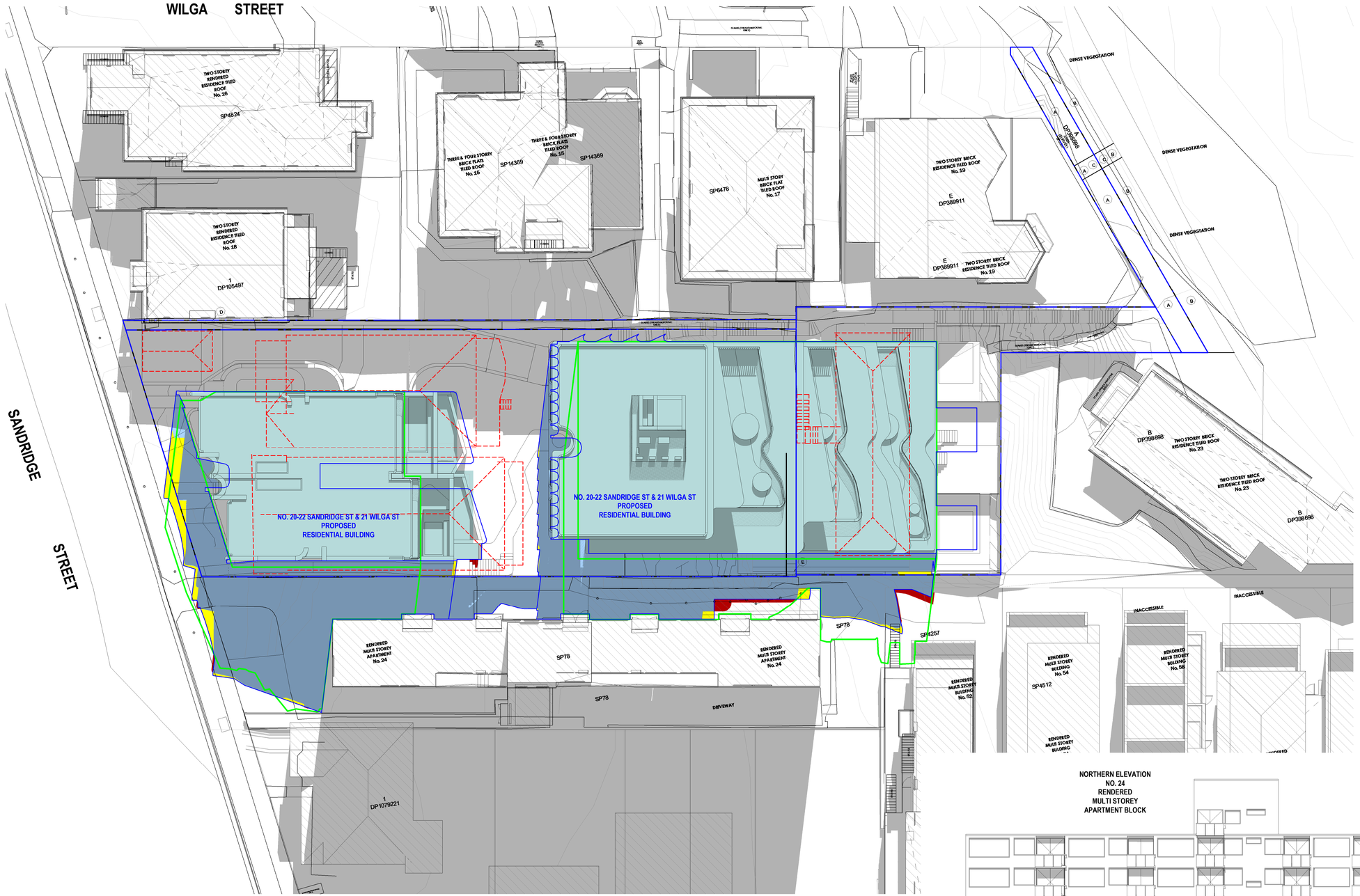
CLIENT: CENTRAL ELEMENT

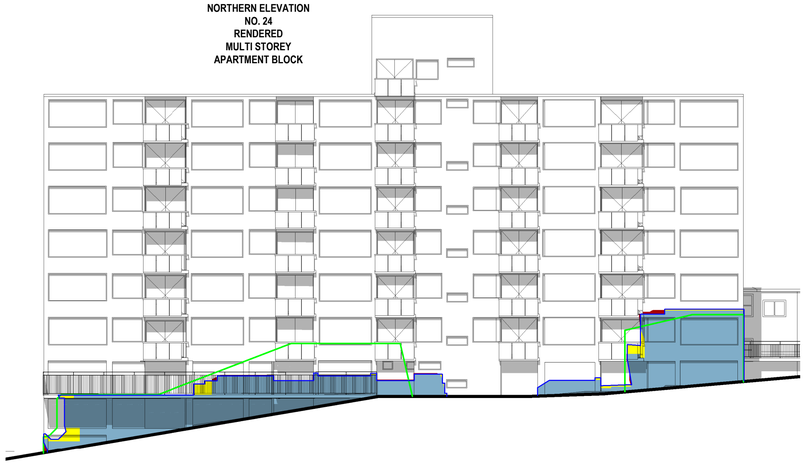
Drawing title:
Shadowing June 21st 10.00am

Date: 10-03-26
Scale: 1 : 200
Drawn by: KP
Checked by: JD

Project number **23-185** **A101**

10/03/2026 12:49:36





Shadowing June 21st 11.00am

1 : 200

TN

LEGEND:

- DENOTES OUTLINE OF EXISTING STRUCTURES TO BE DEMOLISHED
- DENOTES AREA OF SURROUNDING BUILDING SHADOW
- DENOTES OUTLINE OF APPROVED REV.H RESIDENTIAL BUILDINGS & APPROVED SHADOW OUTLINE
- DENOTES AREA OF APPROVED REV. H BUILDING SHADOW
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- DENOTES AREA OF PROPOSED REDUCED SHADOW AS COMPARED TO APPROVED SHADOW
- DENOTES OUTLINE OF DCP WALL HEIGHT COMPLIANT ENVELOPE & SHADOW

NOTE:
SHADOWS SHOWN HAVE BEEN COMPILED FROM INFORMATION FROM DETAIL & LEVEL SURVEY BY GEOSURV SURVEYORS REF NO. ASP230291-01[B] DATED 02/11/2023 & ARCHITECTURAL PLANS & MODELS PROJECT NO. 23-030 REV. A SUPPLIED BY MHNDU DATED 19/12/2023 & S.4.56 DEFERRAL LETTER RESPONSE DATED 12/1/2026

Issue	Amendment	Date
B	SECTION 4.56 (12/1/26) COMPARISON	09-03-26

SHADOW ANALYSIS

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Project:
SHADOW ANALYSIS: S.4.56
NO. 20-22 SANDRIDGE STREET & 21 WILGA STREET
BONDI NSW

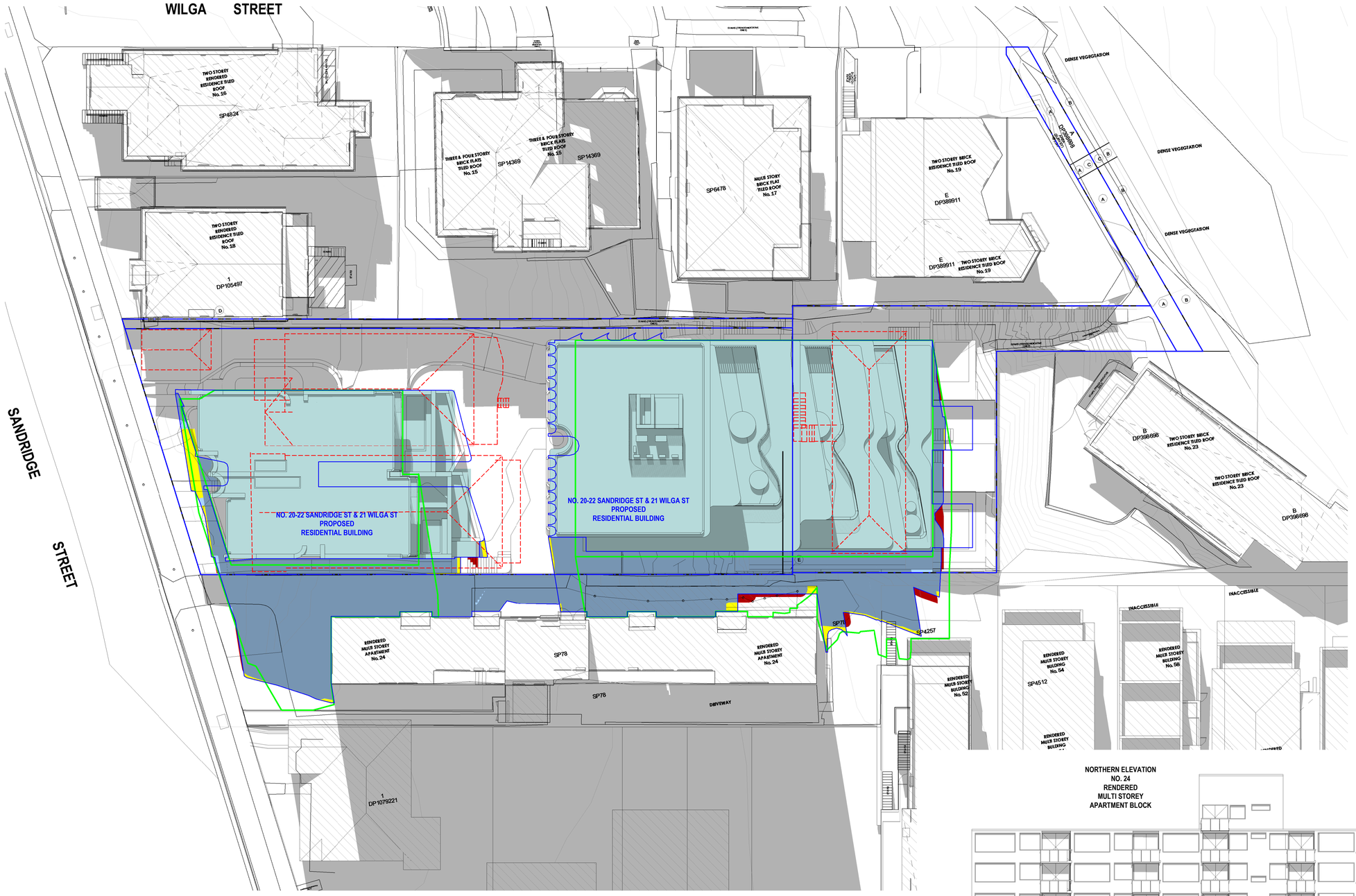
CLIENT: CENTRAL ELEMENT

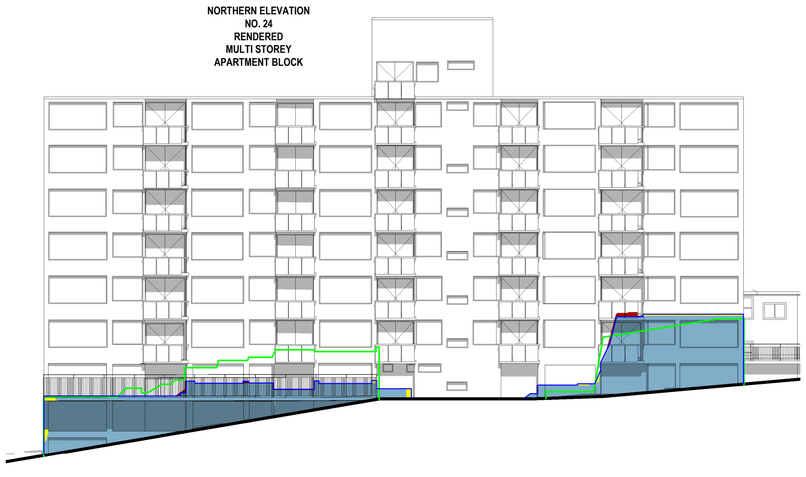
Drawing title:
Shadowing June 21st 11.00am

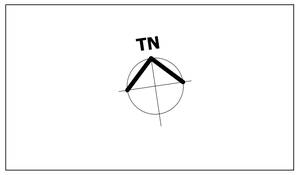
Date: 10-03-26
Scale: 1 : 200
Drawn by: KP
Checked by: JD

Project number **23-185** **A102**

10/03/2026 12:50:54







LEGEND:

- DENOTES OUTLINE OF EXISTING STRUCTURES TO BE DEMOLISHED
- DENOTES AREA OF SURROUNDING BUILDING SHADOW
- DENOTES OUTLINE OF APPROVED REV.H RESIDENTIAL BUILDINGS & APPROVED SHADOW OUTLINE
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- DENOTES OUTLINE OF DCP WALL HEIGHT COMPLIANT ENVELOPE & SHADOW

NOTE:
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Issue	Amendment	Date
B	SECTION 4.56 (12/1/26) COMPARISON	09-03-26

Shadowing June 21st 12.00pm

1 : 200

SHADOW ANALYSIS

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Project:
SHADOW ANALYSIS: S.4.56
NO. 20-22 SANDRIDGE STREET & 21 WILGA STREET
BONDI NSW

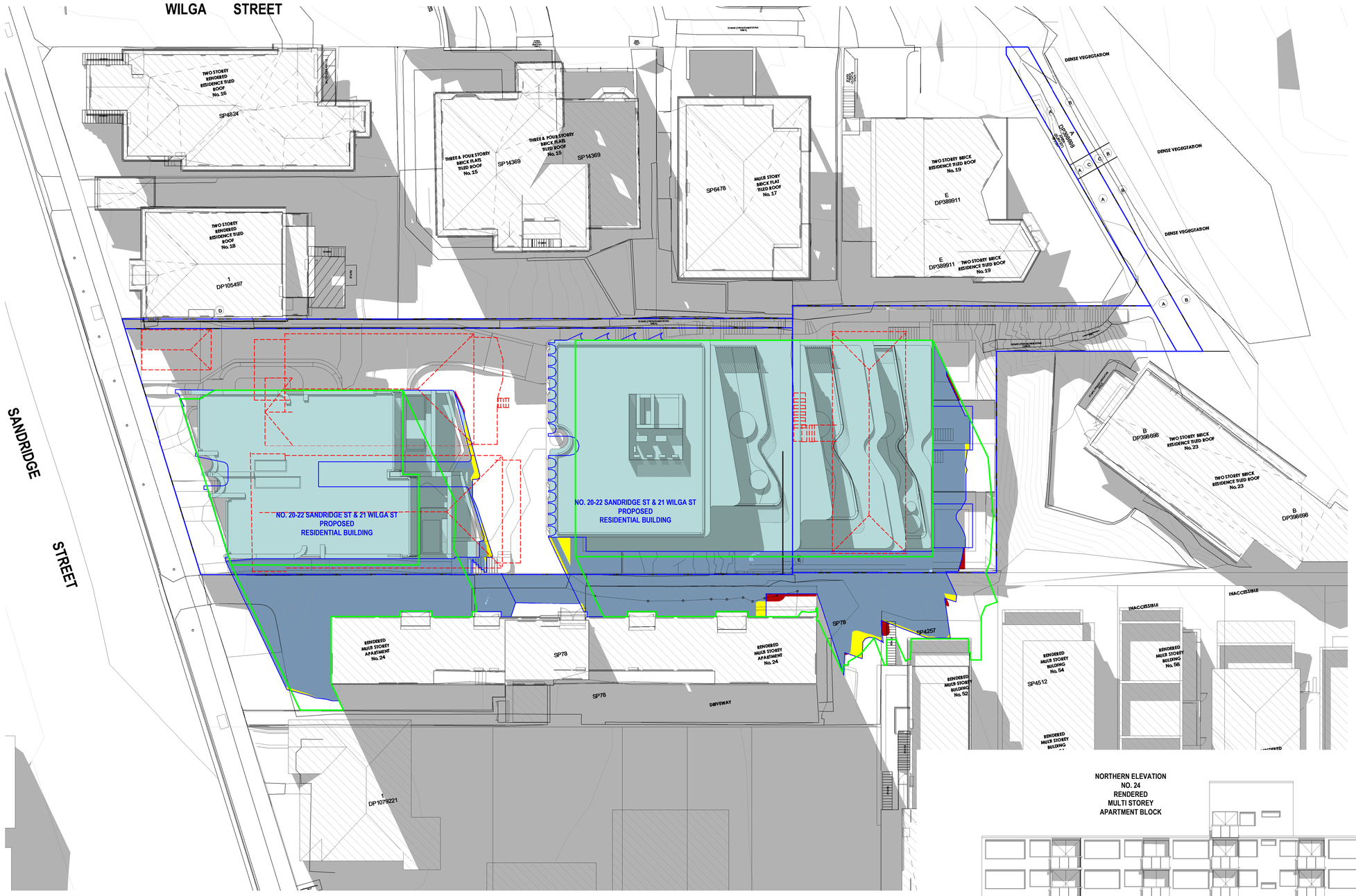
CLIENT: CENTRAL ELEMENT

Drawing title:
Shadowing June 21st 12.00pm

Date: 10-03-26
Scale: 1 : 200
Drawn by: KP
Checked by: JD

Project number **23-185** **A103**

10/03/2026 12:52:19



TN

LEGEND:

- DENOTES OUTLINE OF EXISTING STRUCTURES TO BE DEMOLISHED
- DENOTES AREA OF SURROUNDING BUILDING SHADOW
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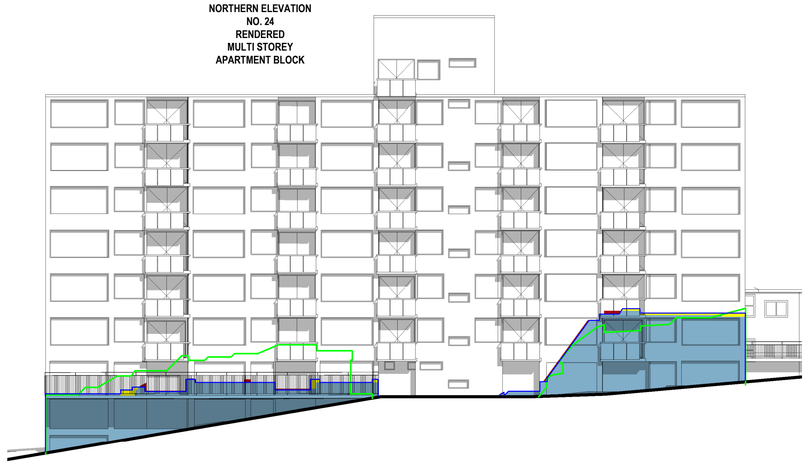
NORTHERN ELEVATION
NO. 24
RENDERED
MULTI STOREY
APARTMENT BLOCK



Issue	Amendment	Date
B	SECTION 4.56 (12/1/26) COMPARISON	09-03-26

Shadowing June 21st 1.00pm

1 : 200

SHADOW ANALYSIS

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Project:
SHADOW ANALYSIS: S.4.56
NO. 20-22 SANDRIDGE STREET & 21 WILGA STREET
BONDI NSW

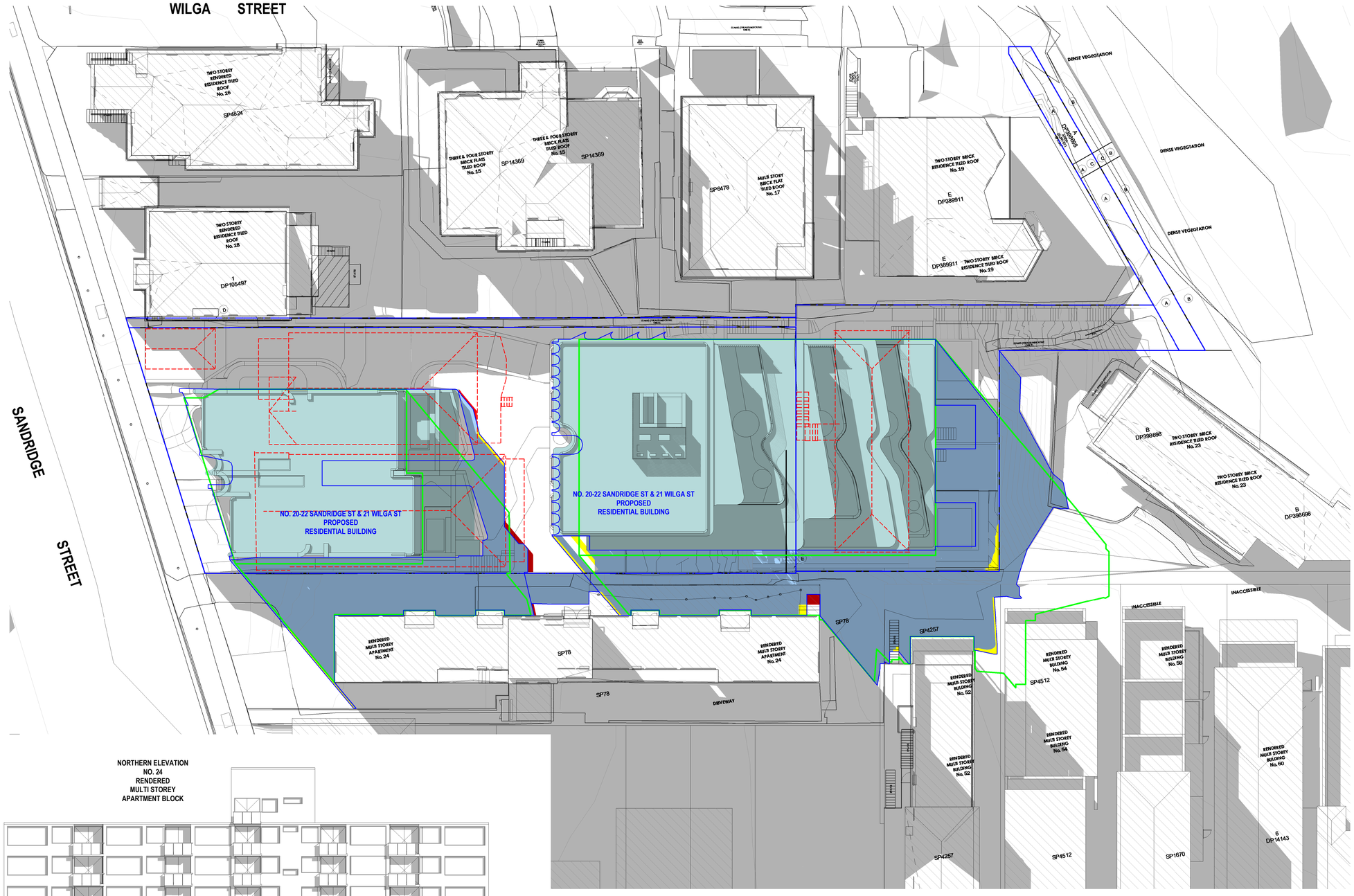
CLIENT: CENTRAL ELEMENT

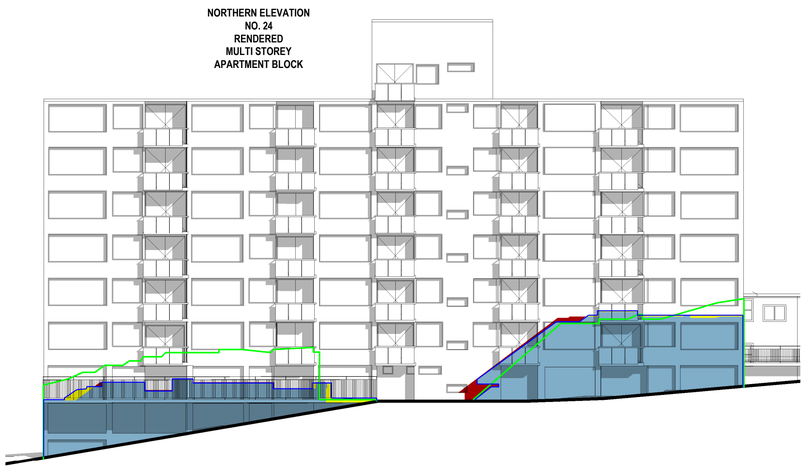
Drawing title:
Shadowing June 21st 1.00pm

Date: 10-03-26
Scale: 1 : 200
Drawn by: KP
Checked by: JD

Project number **23-185** **A104**

10/03/2026 12:53:55





TN

LEGEND:

- DENOTES OUTLINE OF EXISTING STRUCTURES TO BE DEMOLISHED
- DENOTES AREA OF SURROUNDING BUILDING SHADOW
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Issue	Amendment	Date
B	SECTION 4.56 (12/1/26) COMPARISON	09-03-26

Shadowing June 21st 2.00pm

1 : 200

SHADOW ANALYSIS

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Project:
SHADOW ANALYSIS: S.4.56
NO. 20-22 SANDRIDGE STREET & 21 WILGA STREET
BONDI NSW

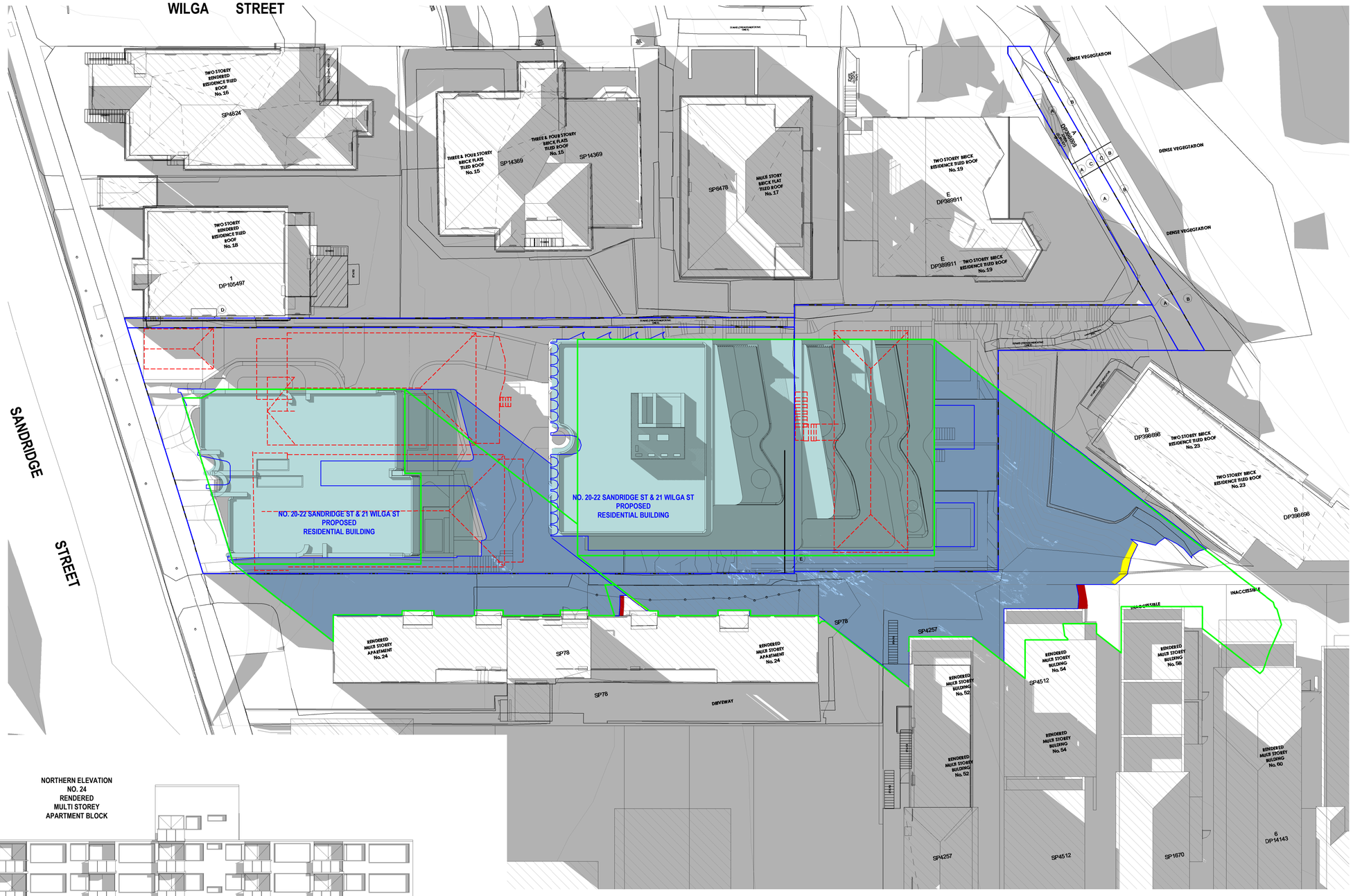
CLIENT: CENTRAL ELEMENT

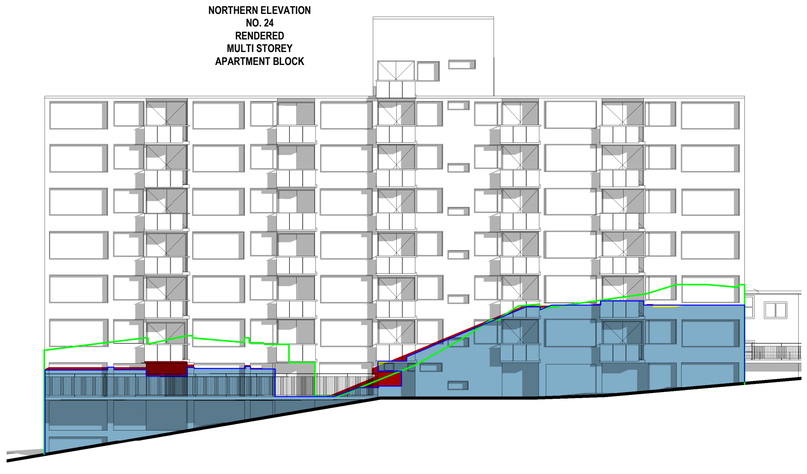
Drawing title:
Shadowing June 21st 2.00pm

Date: 10-03-26
Scale: 1 : 200
Drawn by: KP
Checked by: JD

Project number **23-185** **A105**

10/03/2026 12:55:36





TN

LEGEND:

- DENOTES OUTLINE OF EXISTING STRUCTURES TO BE DEMOLISHED
- DENOTES AREA OF SURROUNDING BUILDING SHADOW
- DENOTES OUTLINE OF APPROVED REV.H RESIDENTIAL BUILDINGS & APPROVED SHADOW OUTLINE
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Issue	Amendment	Date
B	SECTION 4.56 (12/1/26) COMPARISON	09-03-26

Shadowing June 21st 3.00pm

1 : 200

SHADOW ANALYSIS

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info@caddraftnsw.com.au

Project:
SHADOW ANALYSIS: S.4.56
NO. 20-22 SANDRIDGE STREET & 21 WILGA STREET
BONDI NSW

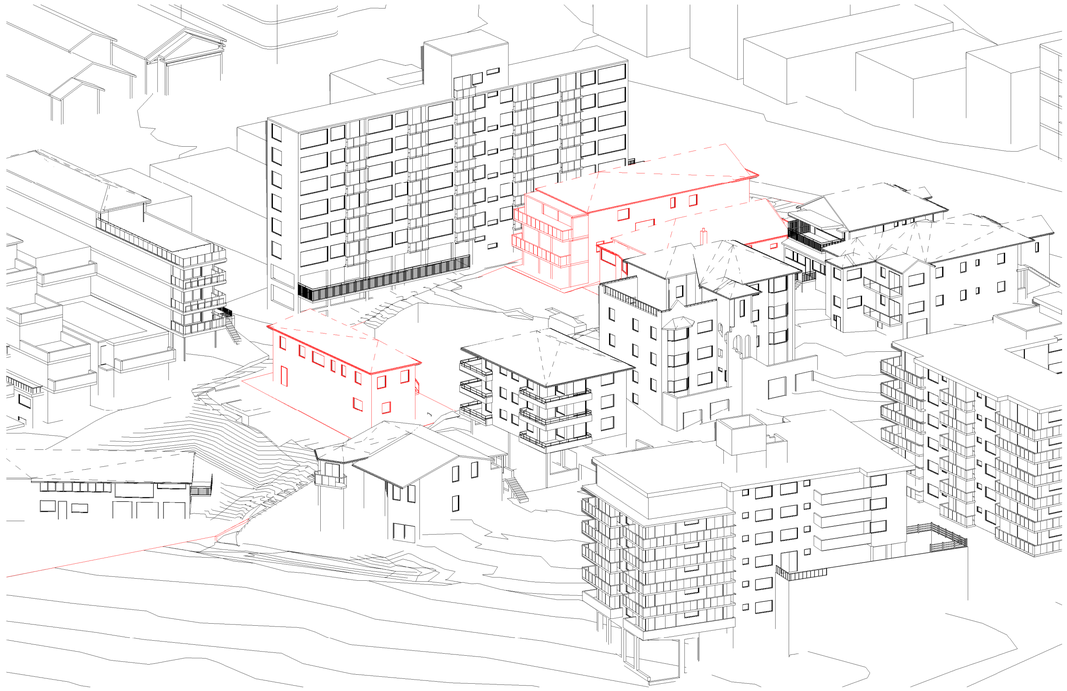
CLIENT: CENTRAL ELEMENT

Drawing title:
Shadowing June 21st 3.00pm

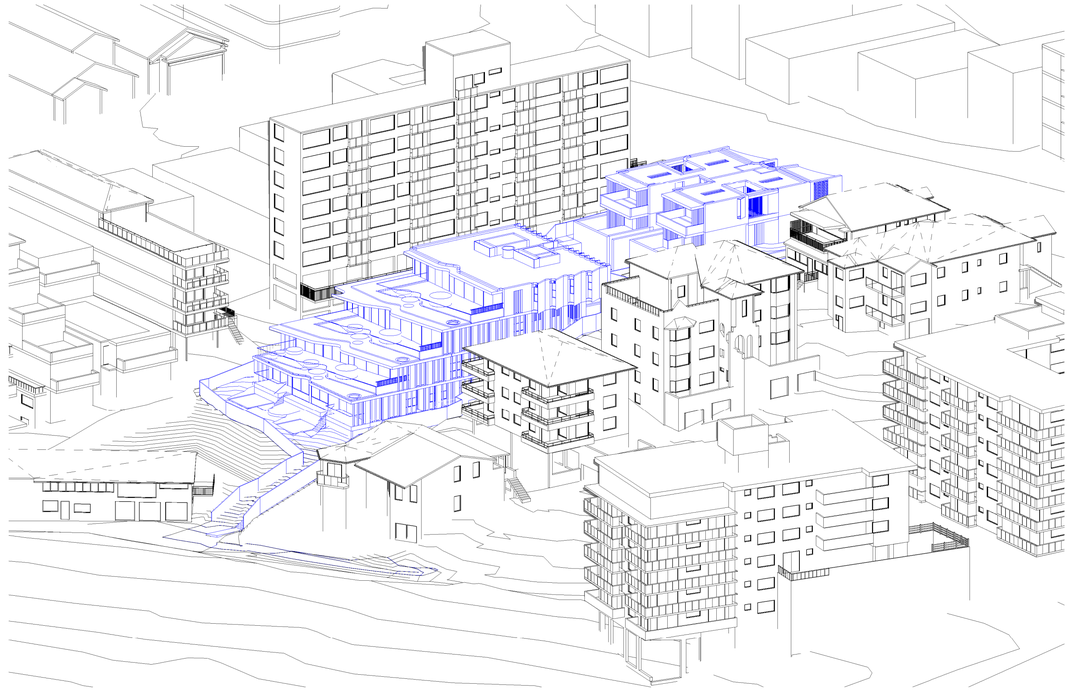
Date: 10-03-26
Scale: 1 : 200
Drawn by: KP
Checked by: JD

Project number **23-185** **A106**

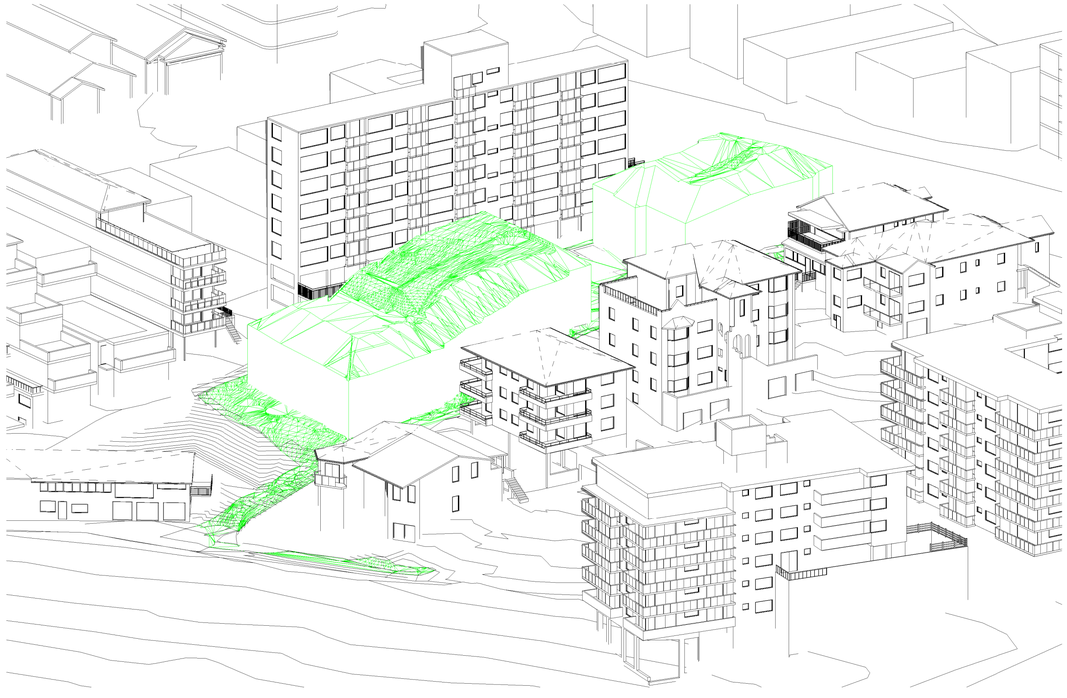
10/03/2026 12:57:34



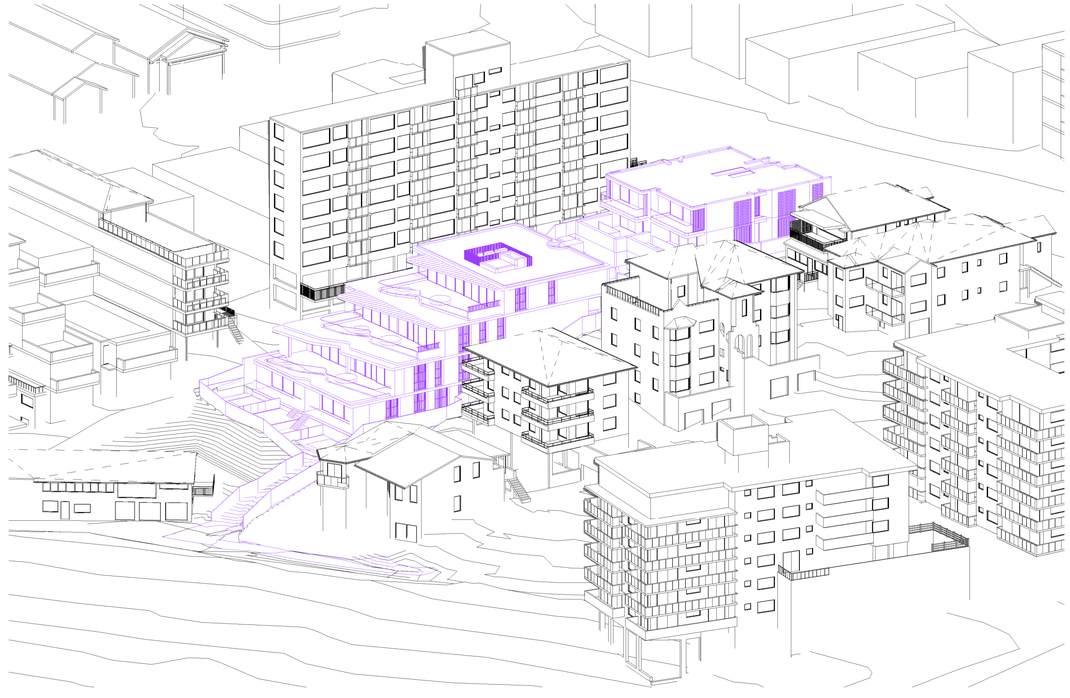
June 21st 9.00am Existing



June 21st 9.00am Proposed



June 21st 9.00am Compliant



June 21st 9.00am S.4.56

LEGEND:

- DENOTES EXISTING STRUCTURES TO BE DEMOLISHED
- DENOTES APPROVED REV.H RESIDENTIAL BUILDING
- DENOTES PROPOSED S.4.56 RESIDENTIAL BUILDING
- DENOTES COMPLIANT ENVELOPE

Issue	Amendment	Date
B	SECTION 4.56 (12/1/26) COMPARISON	09-03-26

SHADOW ANALYSIS

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Project:
SHADOW ANALYSIS: S.4.56
NO. 20-22 SANDRIDGE STREET & 21 WILGA STREET
BONDI NSW

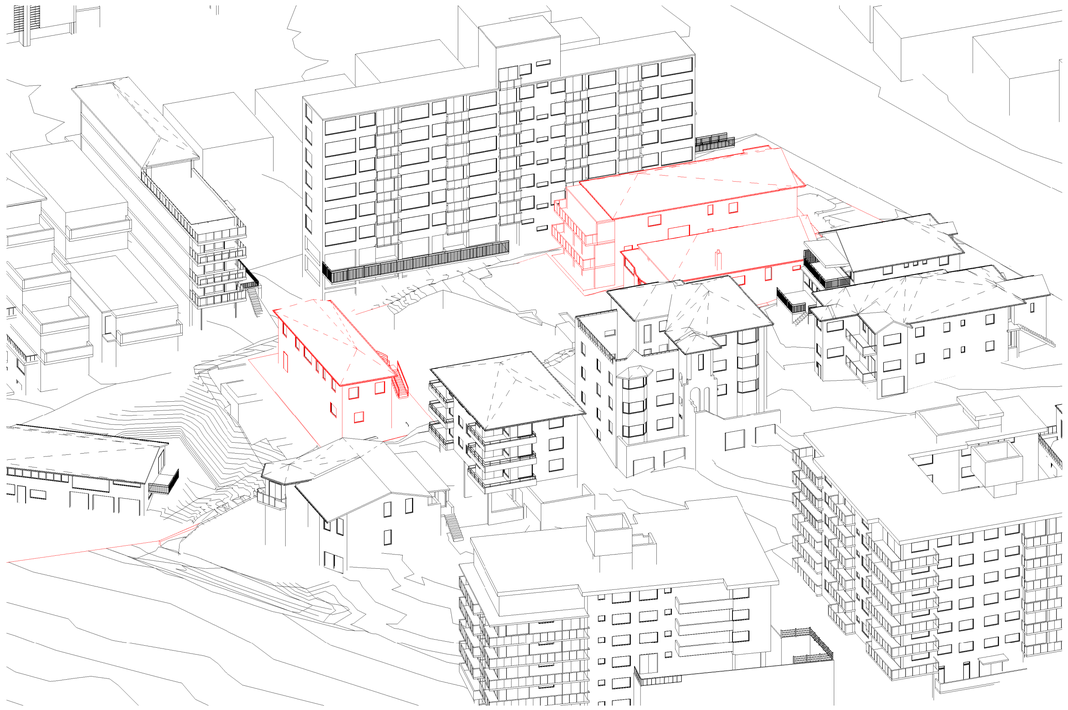
CLIENT: CENTRAL ELEMENT

Drawing title:
3D Sun Views June 21st 9.00am

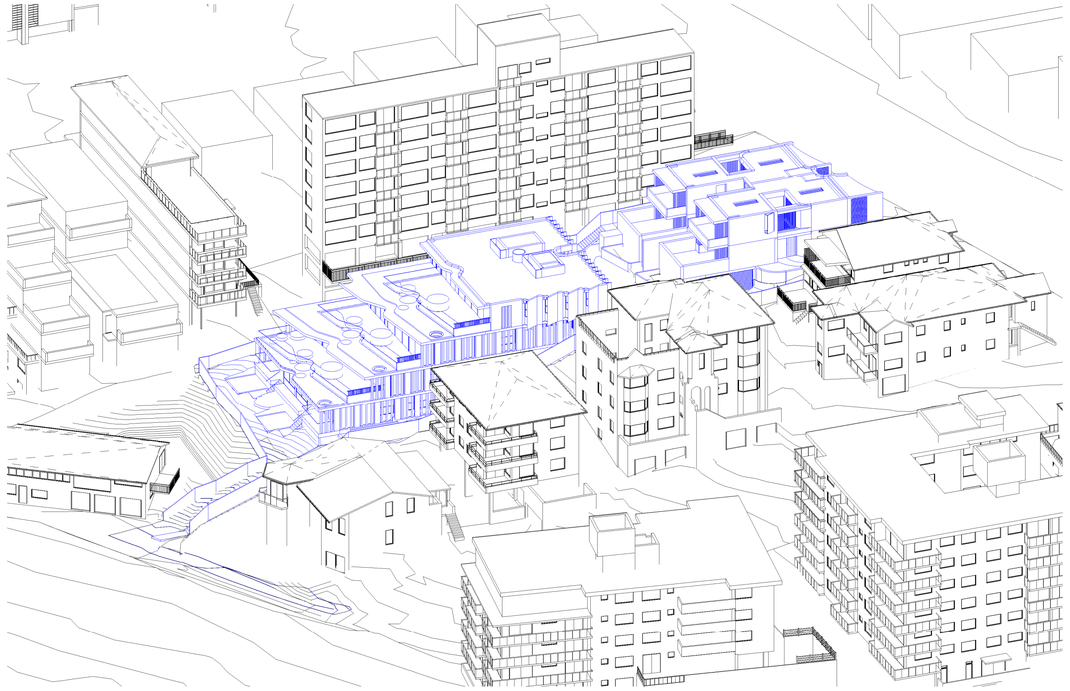
Date: 10-03-26
Scale: 1 : 200
Drawn by: KP
Checked by: JD

Project number **23-185** **A107**

10/03/2026 12:58:40



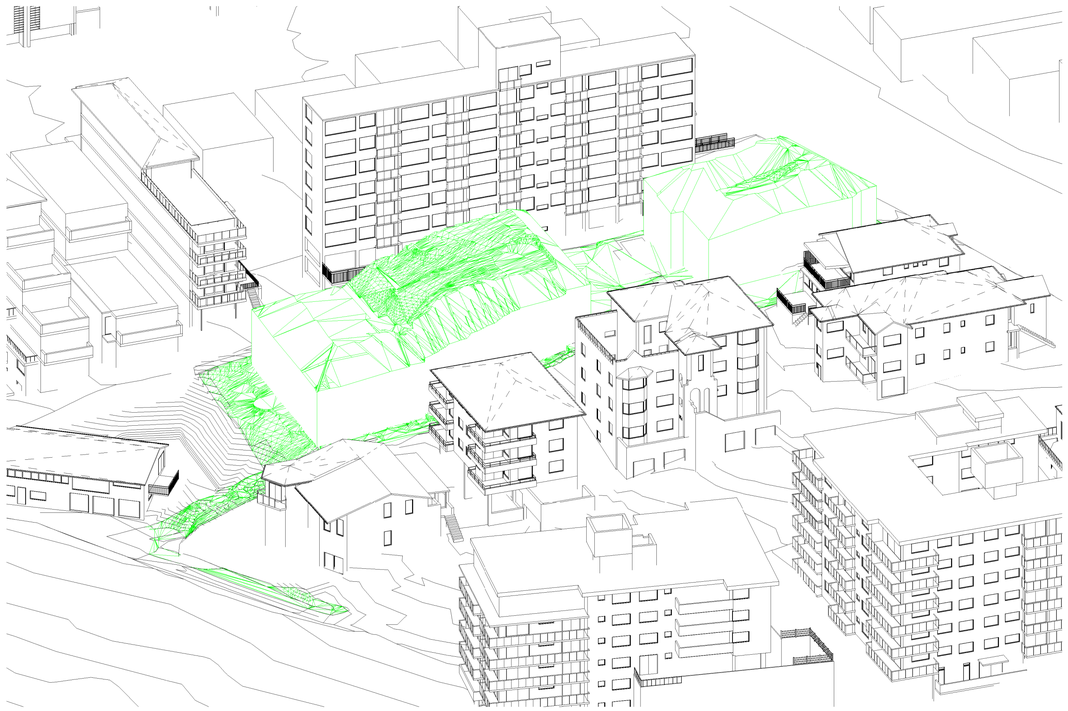
June 21st 10.00am Existing



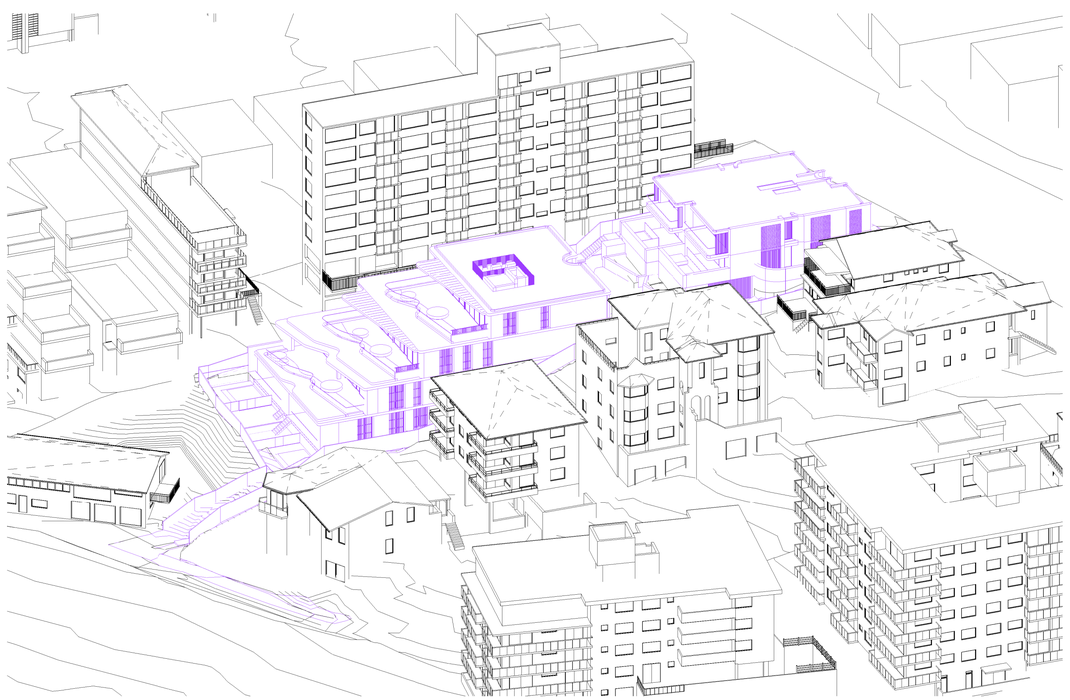
June 21st 10.00am Proposed

LEGEND:

- DENOTES EXISTING STRUCTURES TO BE DEMOLISHED
- DENOTES APPROVED REV.H RESIDENTIAL BUILDING
- DENOTES PROPOSED S.4.56 RESIDENTIAL BUILDING
- DENOTES COMPLIANT ENVELOPE



June 21st 10.00am Compliant



June 21st 10.00am S.4.56

Issue	Amendment	Date
B	SECTION 4.56 (12/1/26) COMPARISON	09-03-26

SHADOW ANALYSIS

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Project:
SHADOW ANALYSIS: S.4.56
NO. 20-22 SANDRIDGE STREET & 21 WILGA STREET
BONDI NSW

CLIENT: CENTRAL ELEMENT

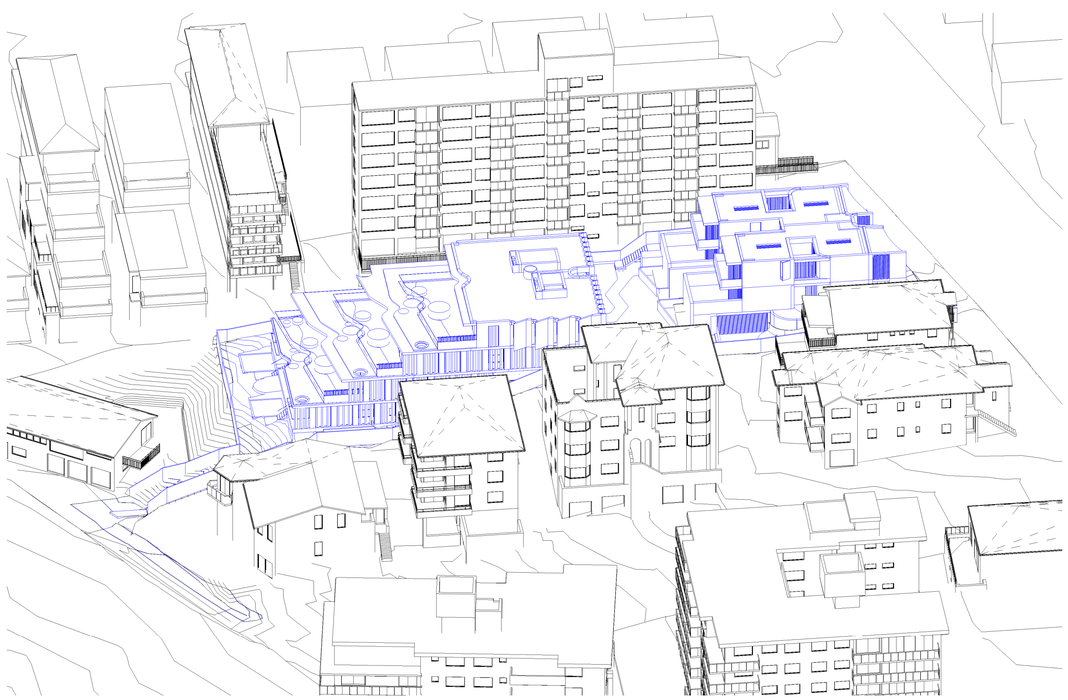
Drawing title:
3D Sun Views June 21st 10.00am

Date: 10-03-26
Scale: 1 : 200
Drawn by: KP
Checked by: JD

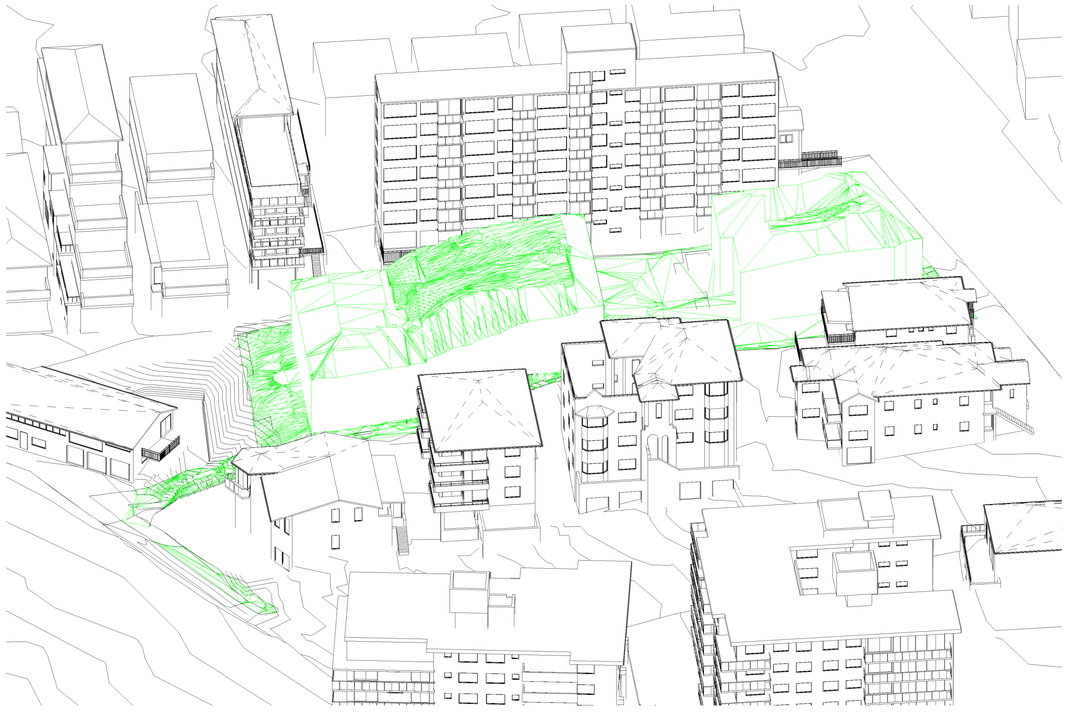
Project number **23-185** **A108**

10/03/2026 12:59:35

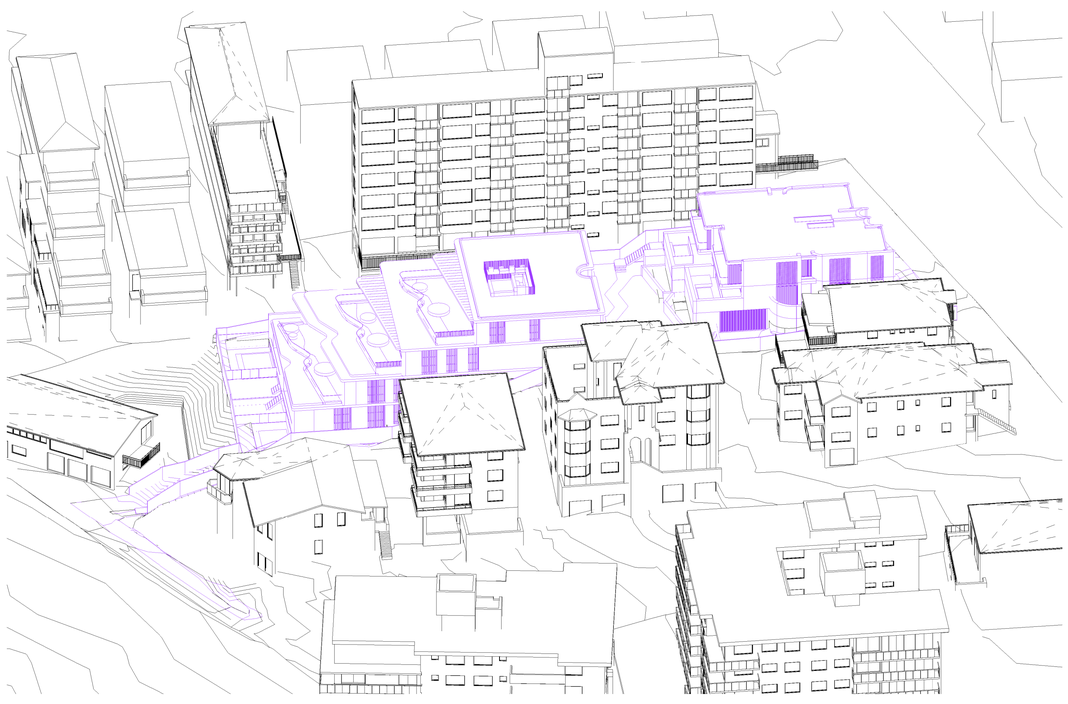
June 21st 11.00am Existing



June 21st 11.00am Proposed



June 21st 11.00am Compliant



June 21st 11.00am S.4.56

LEGEND:

- DENOTES EXISTING STRUCTURES TO BE DEMOLISHED
- DENOTES APPROVED REV.H RESIDENTIAL BUILDING
- DENOTES PROPOSED S.4.56 RESIDENTIAL BUILDING
- DENOTES COMPLIANT ENVELOPE

Issue	Amendment	Date
B	SECTION 4.56 (12/1/26) COMPARISON	09-03-26

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Project:
SHADOW ANALYSIS: S.4.56
NO. 20-22 SANDRIDGE STREET & 21 WILGA STREET
BONDI NSW

CLIENT: CENTRAL ELEMENT

Drawing title:
3D Sun Views June 21st 11.00am

Date: 10-03-26
Scale: 1 : 200
Drawn by: KP
Checked by: JD

Project number **23-185** **A109**

10/03/2026 13:00:15

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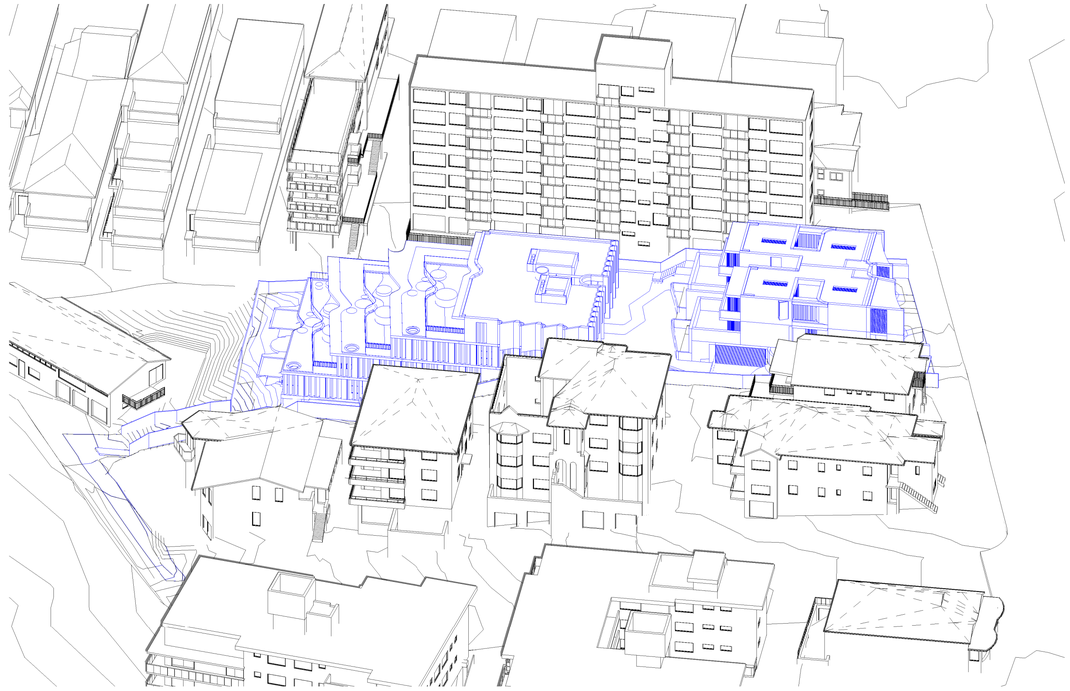

June 21st 12.00pm Proposed

LEGEND:

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- DENOTES APPROVED REV.H RESIDENTIAL BUILDING
- DENOTES PROPOSED S.4.56 RESIDENTIAL BUILDING
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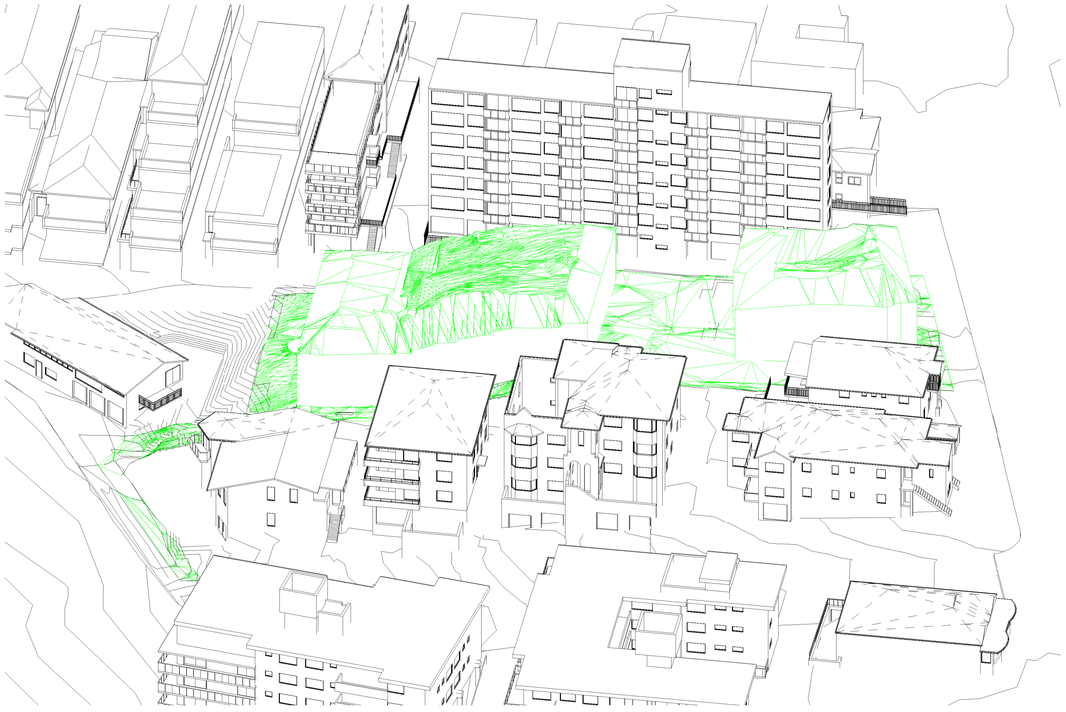

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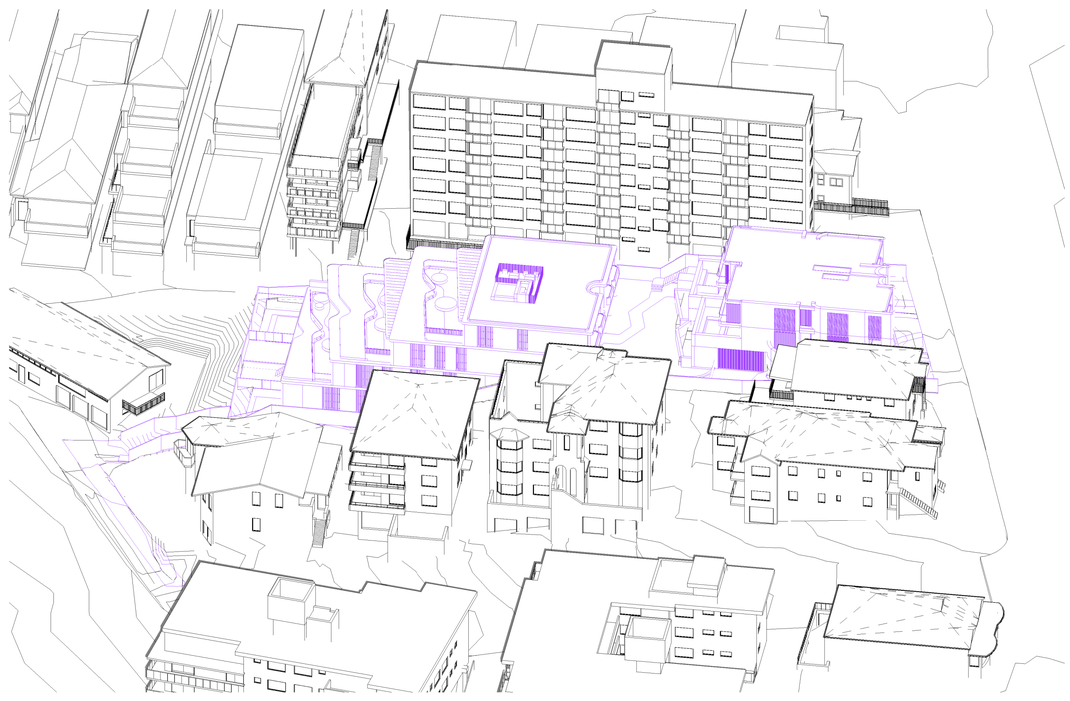

June 21st 12.00pm S.4.56

Issue	Amendment	Date
B	SECTION 4.56 (12/1/26) COMPARISON	09-03-26

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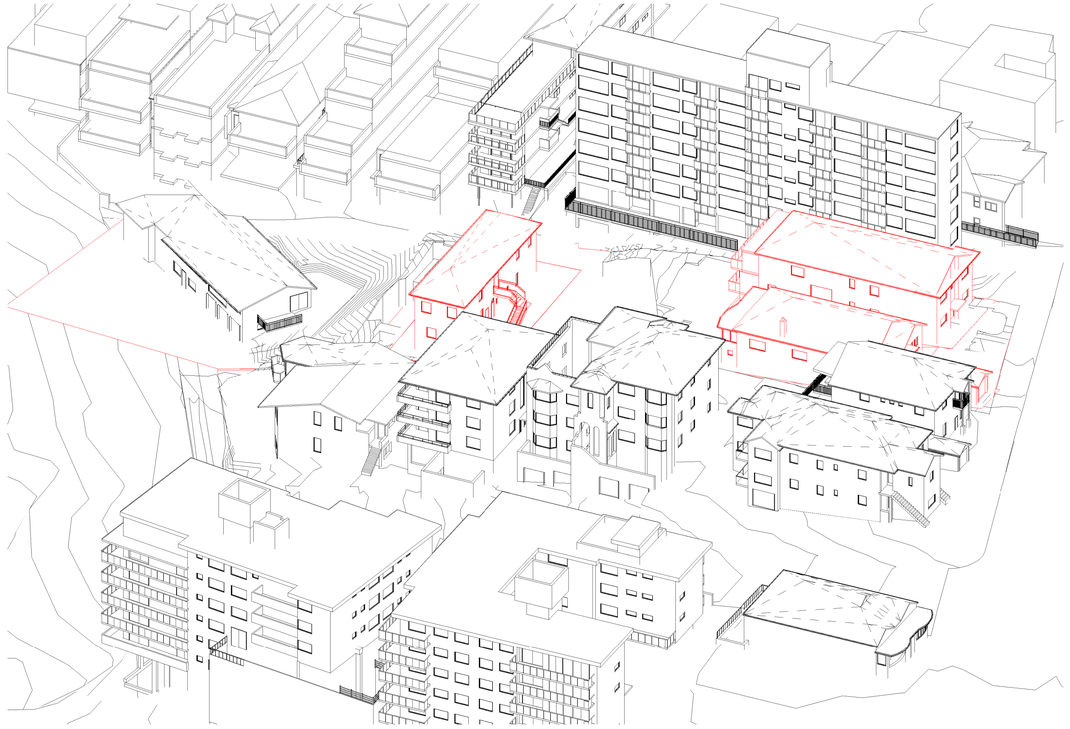
Drawing title:
3D Sun Views June 21st 12.00pm

Date: 10-03-26
Scale: 1 : 200
Drawn by: KP
Checked by: JD

Project number **23-185** **A110**

10/03/2026 13:00:56



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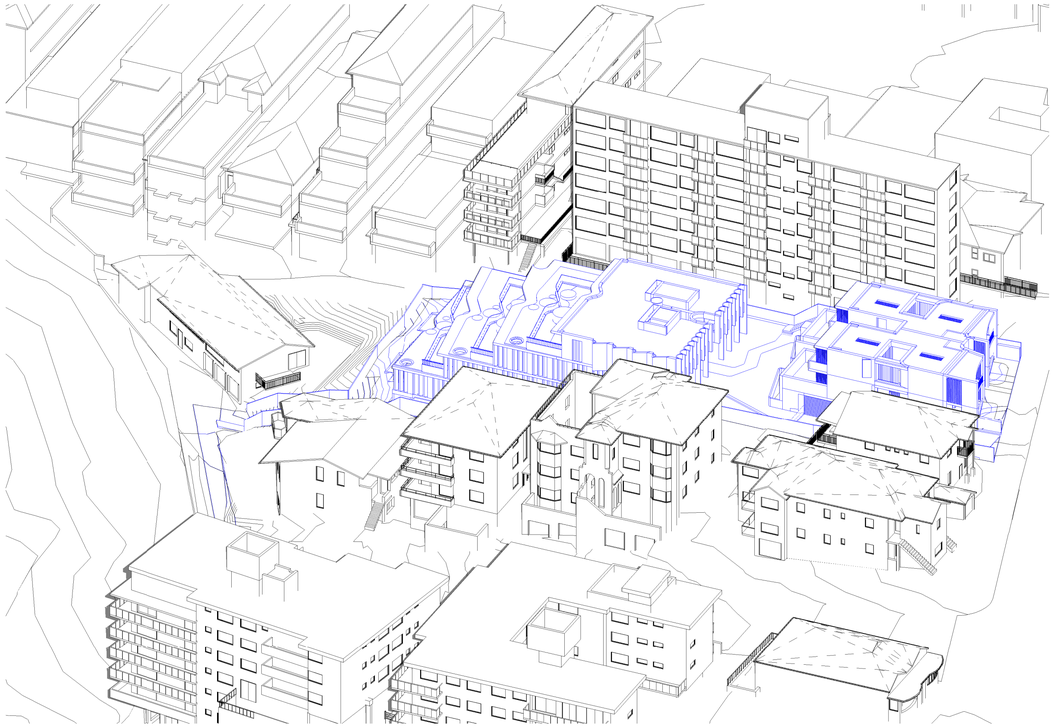

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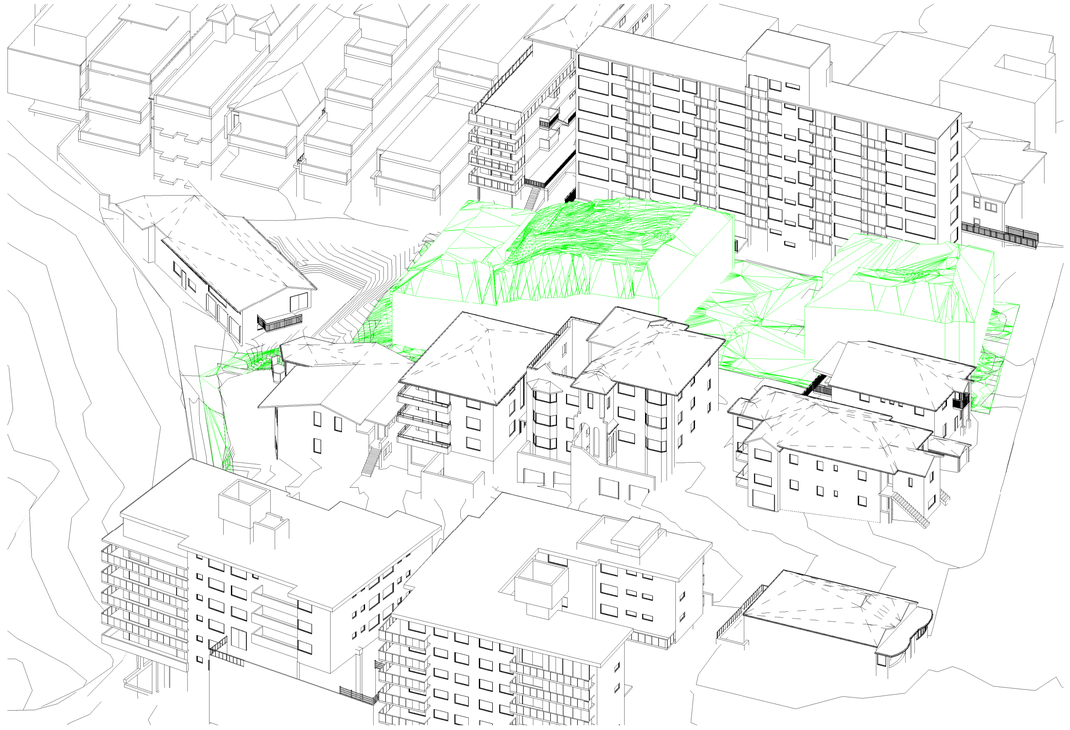

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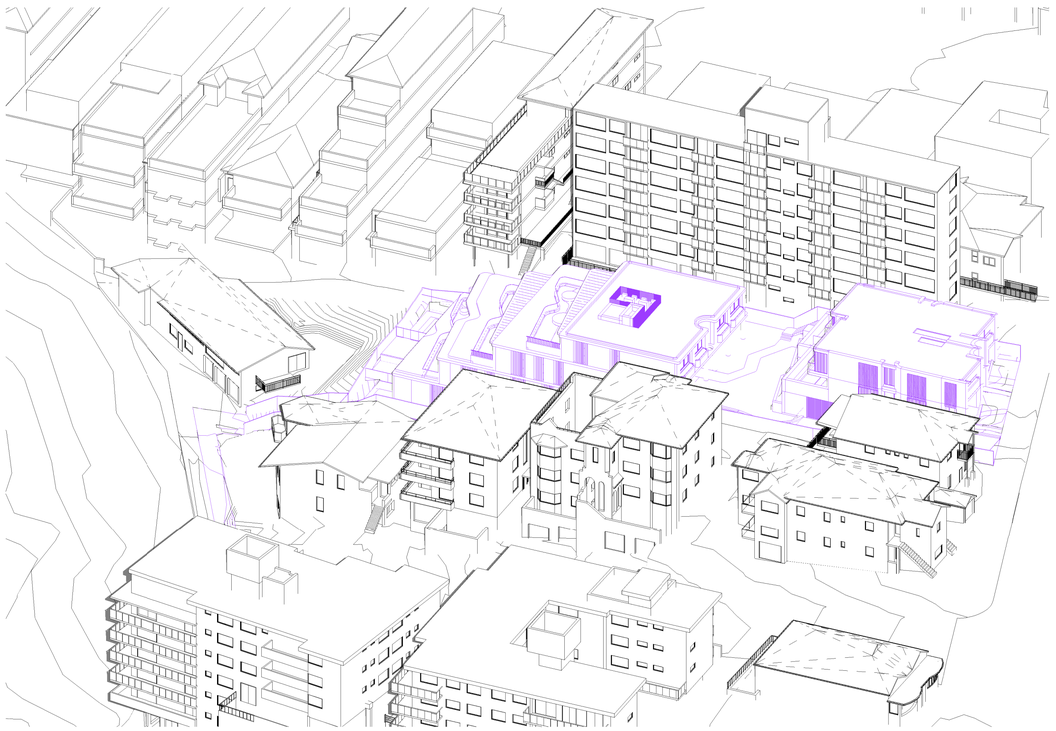

June 21st 1.00pm S.4.56

LEGEND:

- DENOTES EXISTING STRUCTURES TO BE DEMOLISHED
- DENOTES APPROVED REV.H RESIDENTIAL BUILDING
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Issue	Amendment	Date
B	SECTION 4.56 (12/1/26) COMPARISON	09-03-26

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Project:
SHADOW ANALYSIS: S.4.56
NO. 20-22 SANDRIDGE STREET & 21 WILGA STREET
BONDI NSW

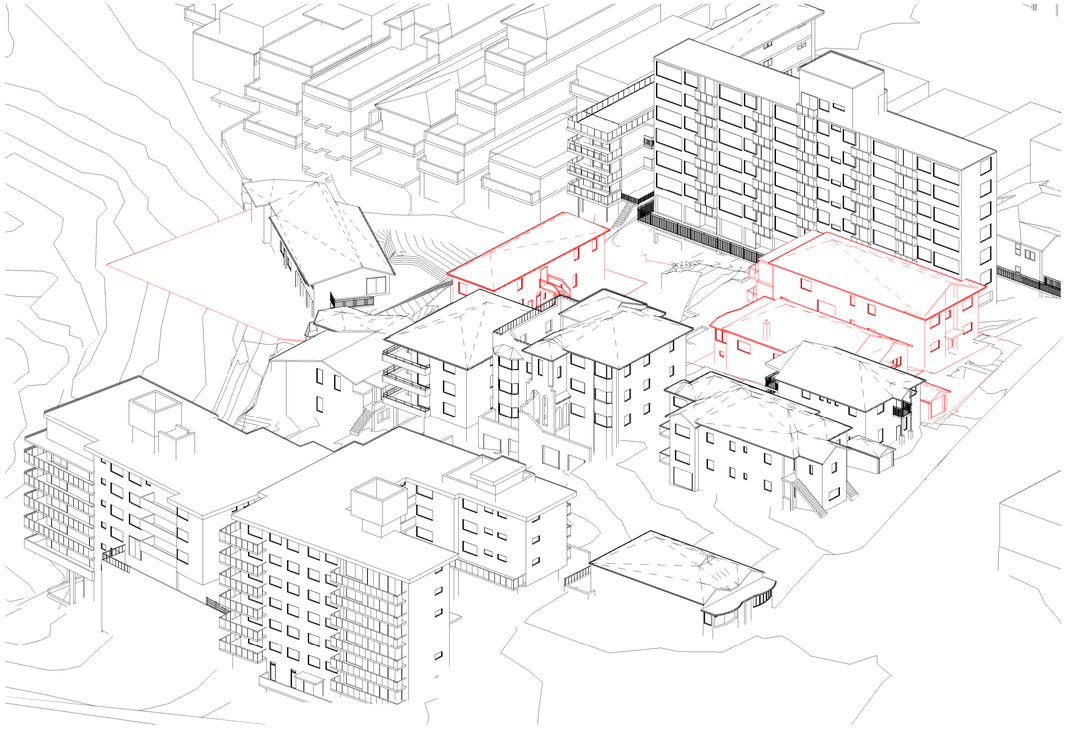
CLIENT: CENTRAL ELEMENT

Drawing title:
3D Sun Views June 21st 1.00pm

Date: 10-03-26
Scale: 1 : 200
Drawn by: KP
Checked by: JD

Project number **23-185** **A111**

10/03/2026 13:01:50



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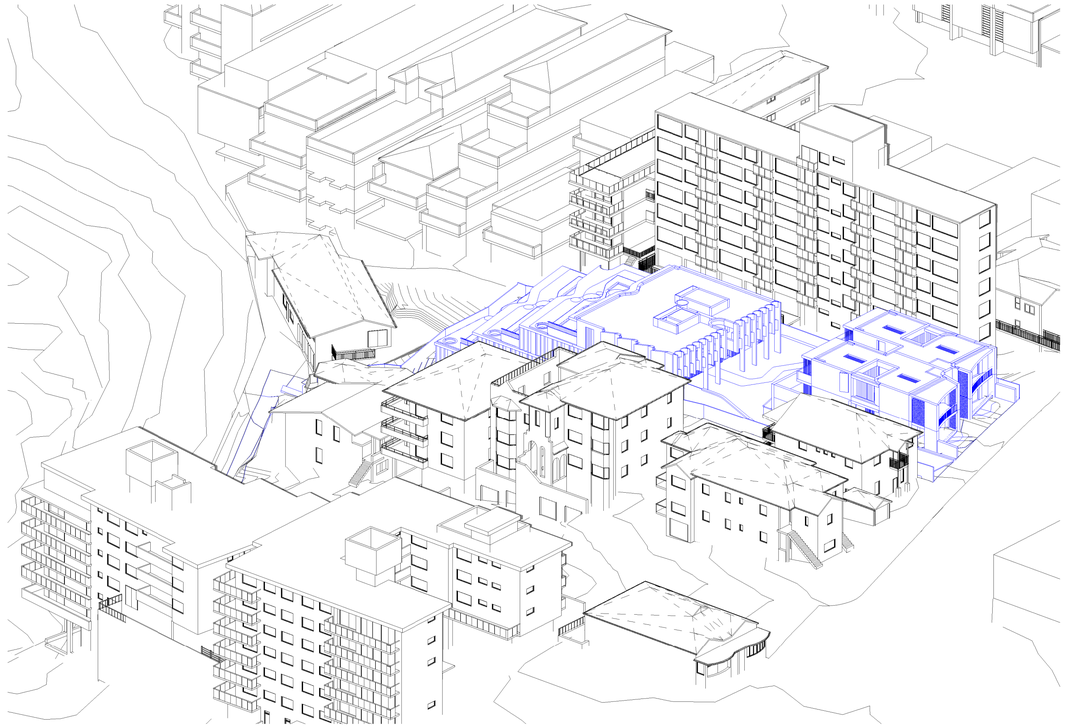

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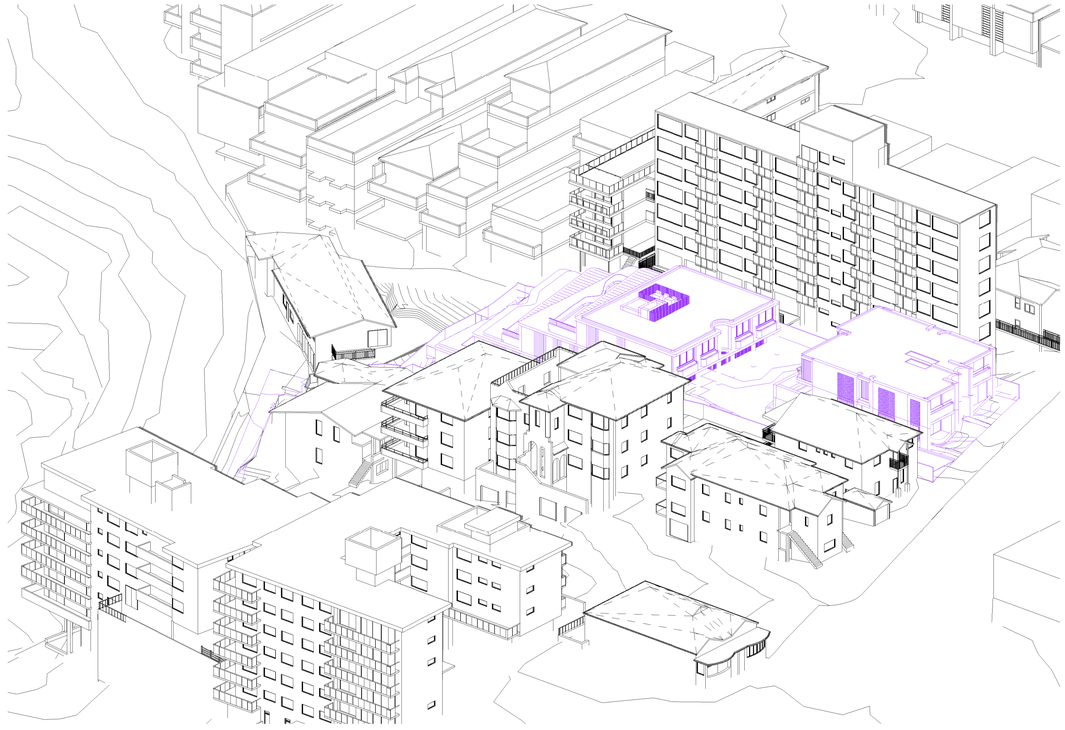
June 21st 2.00pm Compliant



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Issue	Amendment	Date
B	SECTION 4.56 (12/1/26) COMPARISON	09-03-26

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BONDI NSW

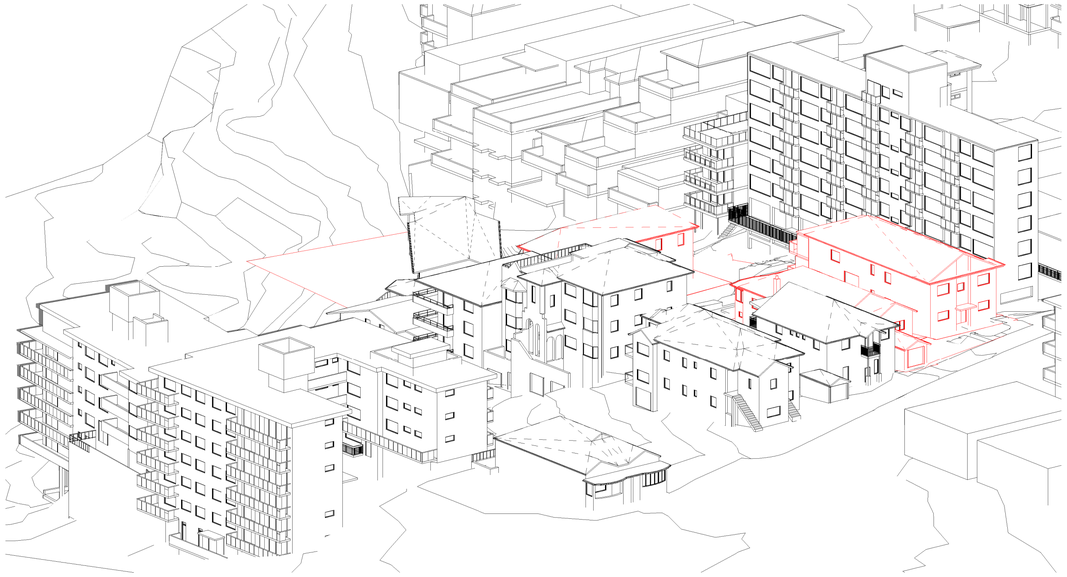
CLIENT: CENTRAL ELEMENT

Drawing title:
3D Sun Views June 21st 2.00pm

Date: 10-03-26
Scale: 1 : 200
Drawn by: KP
Checked by: JD

Project number **23-185** **A112**

10/03/2026 13:02:52



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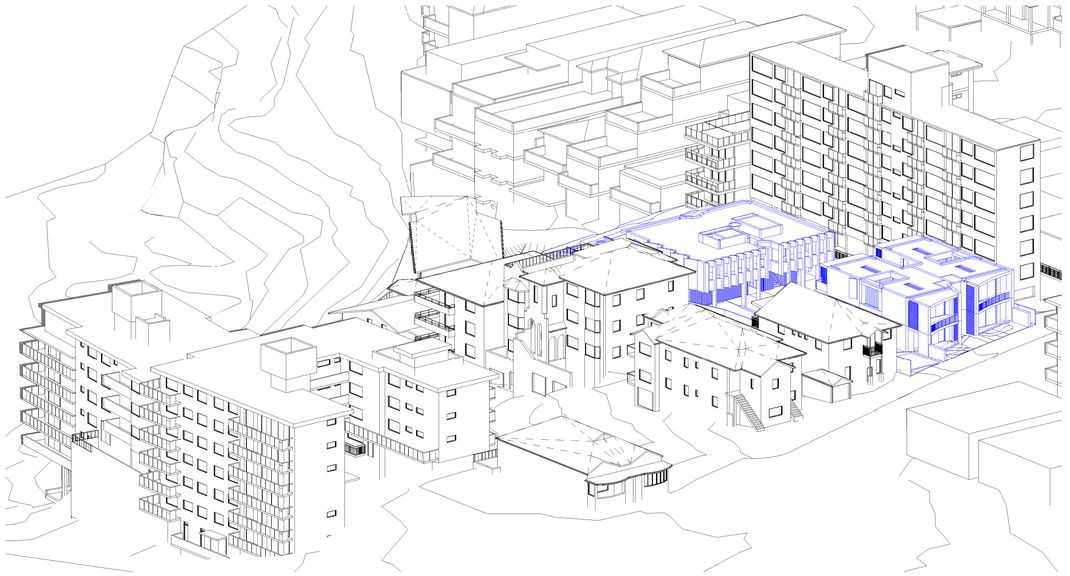

June 21st 3.00pm Proposed

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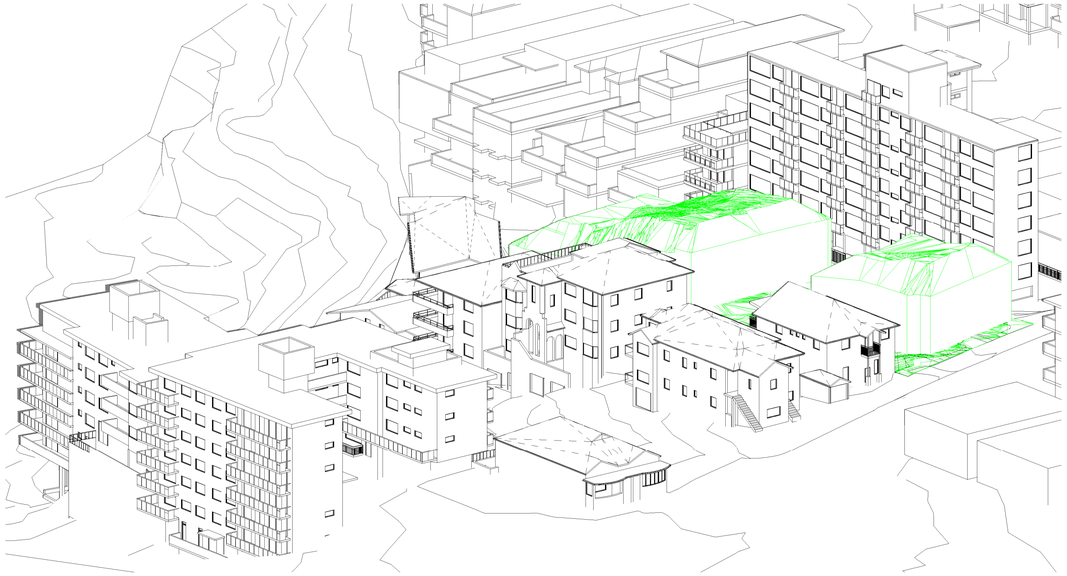

June 21st 3.00pm Compliant

June 21st 3.00pm S.4.56

Issue	Amendment	Date
B	SECTION 4.56 (12/1/26) COMPARISON	09-03-26

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CLIENT: CENTRAL ELEMENT

Drawing title:
3D Sun Views June 21st 3.00pm

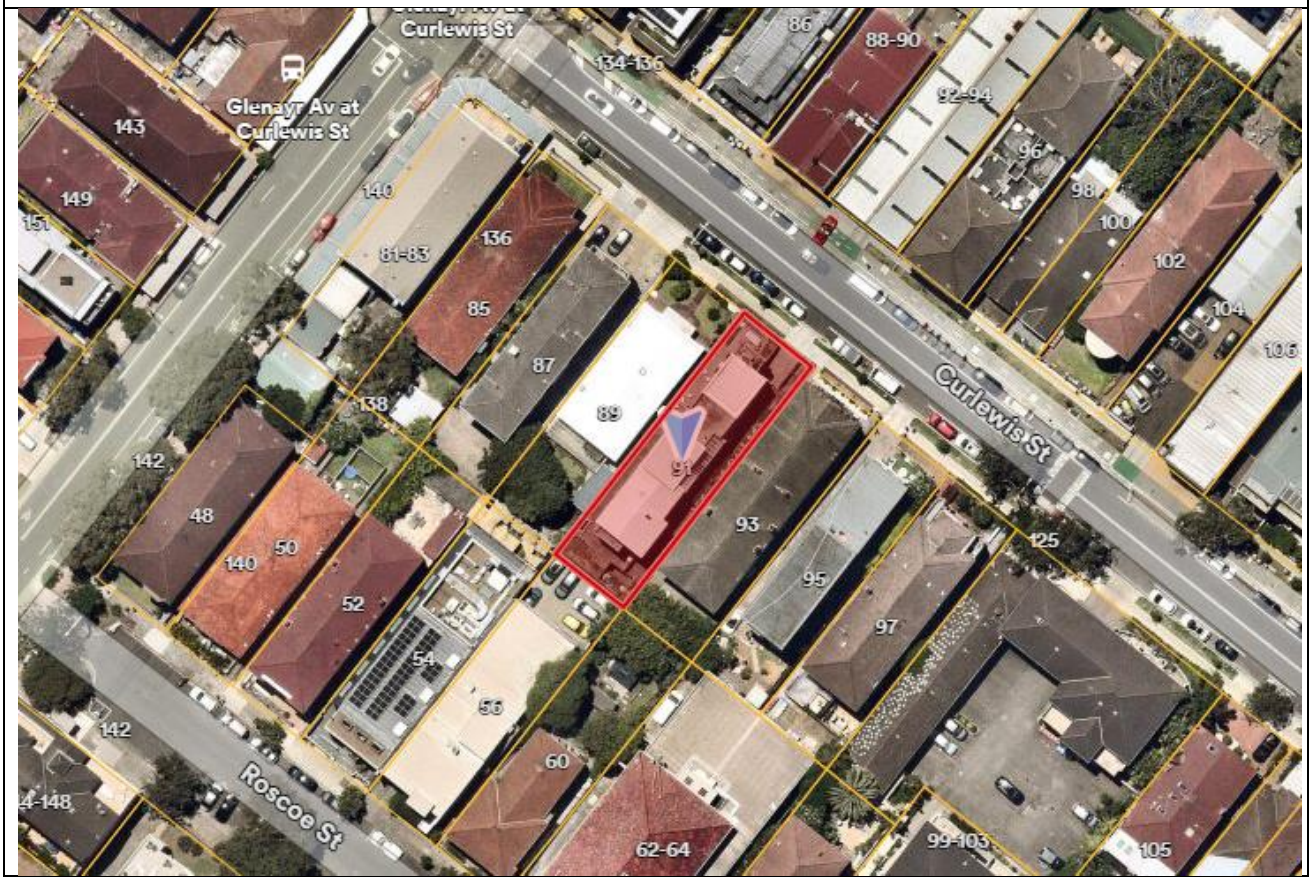
Date: 10-03-26
Scale: 1 : 200
Drawn by: KP
Checked by: JD

Project number **23-185** **A113**

10/03/2026 13:03:51

Report to the Waverley Local Planning Panel

Application number	DA-664/2025 (PAN-601184)
Site address	91 Curlewis Street, BONDI BEACH
Proposal	Amalgamation of unit 5 and unit 6 into one and associated works.
Date of lodgement	23 January 2026
Owner	Sydney East Investments Pty Limited
Applicant	Diverse Properties Pty Ltd
Submissions	Two submissions
Cost of works	$147,950
Principal Issues	• Exceedance to the maximum Floor Space Ratio development standard.
Recommendation	That the application be APPROVED in accordance with the conditions contained in the report.
SITE MAP	



1. PREAMBLE

1.1. Executive Summary

The development application seeks consent for the amalgamation of unit 5 and unit 6 into one unit and associated works at the site known as 91 Curlewis Street, Bondi Beach.

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

- Exceedance to the maximum Floor Space Ratio development standard.

The assessment finds this issue acceptable as the proposed bulk and scale will preserve the neighbouring amenity to the same extent as to what is existing.

Two submissions were received and the issues raised in the submissions have been considered and addressed in this report and in the recommendation. No Councillor submissions were received and there are no conflicts of interest from Council staff.

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

1.2. Site and Surrounding Locality

A site visit was carried out on 9 March 2026.

The site is identified as Lot 21 DP 10090, known as 91 Curlewis Street, Bondi Beach.

The site is rectangular in shape with a frontage of 12.19m to Curlewis Street. It has an area of 520.14m^2. The site is occupied by a three storey residential flat building with basement car parking access to which is gained via Curlewis Street.

The site is adjoined by residential flat buildings on either side. The locality is characterised by a variety of commercial and medium density residential developments and is within proximity to the Seven Ways local centre.

Figures 1 to **3** are photos of the site and its context.

Figure 1: North-east elevation viewed from Curlewis Street

Figure 2: North elevation viewed from Curlewis Street

Figure 3: North-west elevation viewed from Curlewis Street

1.3. Relevant Development History

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

- **L-325/1999**: Demolition of an existing dwelling and the erection of a residential building comprising six units and associated basement parking was approved by delegated authority on 29/10/1999.

- **DA-325/1999/C**: Roof deck and other alterations to approved residential flat building was refused by delegated authority on 12/07/2002.

- **DA-325/1999/A**: Section 96 Modify consent and carry out alterations and additions including balcony and window modifications, planter box changes and increase roof and carpark entry heights was approved by delegated authority on 20/09/2007. A Final Occupation Certificate was issued on 17/06/2014.

- **DA-408/2024:** Strata subdivision of existing residential flat building into six (6) allotments was approved by delegated authority on 28/10/2024.

The applicant has confirmed that the strata subdivision plan which included unit 6 was approved under DA-408/2024 has not been registered. The proposal seeks the amalgamation of unit 5 and unit 6 and therefore strata subdivision of the proposed development may require a separate application for consent to update configuration changes in the strata subdivision plan prior to registration with the NSW LRS.

1.4. Proposal

The development application seeks consent for the amalgamation of unit 5 and unit 6 into one and associated works to the existing residential flat building, and specifically includes the following:

- Amalgamate unit 6 on the third floor with unit 5 on the second floor to comprise the following configuration:
    - Second floor (see **Figure 4**):
        - Alterations to the entry foyer to enclose the circulation space to only be accessed from unit 5.
        - Master bedroom with WIR and ensuite, separate bathroom, open plan kitchen and dining with direct access to balcony.
    - Third floor (see **Figure 5**):
        - Foyer to internal stairs, 3 bedrooms and 1 with direct access to balcony, 1 living area, 2 bathrooms, terrace with outdoor kitchen.
- There is no change to the number of existing car parking spaces and the existing spaces.
- The proposal allocates the existing car parking spaces as follows:
    - Unit 1 and 2 – 2 x spaces for each unit
    - Unit 3 and 4 – 1 x space for each unit
    - Unit 5 – 3 x spaces
    - Visitor – 1 x space

Figure 4: Existing and proposed second floor plan.

Figure 5: Existing and proposed third floor plan.

1.5. Background

The development application was lodged on 23 January 2026 and a 'Stop the Clock' letter was sent on 29 January 2026 for the following reasons:

1. The proposal involves amalgamation of unit 5 and 6 and therefore the allocation of parking would change and clarity was requested regarding the allocation of car parking spaces to each unit and to visitor parking.
2. Confirmation on whether the associated strata subdivision has been registered and to what extent the amalgamation will impact the strata subdivision because unit 6 has been amalgamated with unit 5.
3. An updated BASIX certificate was requested to reflect the proposed unit 5.

The amended plans received on 11 February 2026 form the basis of the assessment. The application was subsequently notified for 14 days between 13 February 2026 and 3 March 2026.

2. ASSESSMENT

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

2.1. Planning Instruments and Development Control Plans

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

2.1.1. State Environmental Planning Policies (SEPPs)

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

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

SEPP (Housing) 2021

Chapter 2 – Part 3 Retention of affordable rental housing

The application was referred to Council's Strategic Planner who undertook an assessment of the application against Chapter 2 Part 3 of the Housing SEPP and advised that the loss of low rental housing contribution does not apply to the development. Refer to section 3 of this report for the strategic planning referral commentary.

Chapter 4 – Design of residential apartment development

The proposal involves alterations and additions to an existing residential flat building. The extent of alteration and additions are not considered to be substantial and therefore Chapter 4 of the Housing SEPP does not apply to the proposed development.

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 meets the aims of the plan, particularly as it meets the aims expressed under clause 1.2(2)(c) and (ca) that encourage a range of housing types to meet the changing housing needs of the community.
Part 2 Permitted or prohibited development		
Land Use Table *E1 Local Centre Zone*	No. Relies on Existing Use Rights	The use of the site as a residential flat building (residential accommodation) is prohibited in the E1 zone. The site benefits from existing use rights. Refer to detailed discussion below this table.

Provision	Compliance	Comment
Part 4 Principal development standards		
4.3 Height of buildings • *12.5m*	Yes	The existing building has a height of 13.8m and the proposal does not alter the maximum building height. The proposed works will have a maximum height of 12.08m measured above existing ground level.
4.4 Floor space ratio and 4.4A Exceptions to floor space ratio • *0.9:1 (468.126m^2)*	No	The existing development has a FSR of 0.925:1 (481.7m^2), exceeding the standard by 13.57m^2 equating to a 2.89% variation. The proposed development has a FSR of 0.994:1 (517.3m^2), exceeding the standard by 49.03m^2 equating to a 10.479% variation.
4.6 Exceptions to development standards	See discussion	The application is accompanied by a written request pursuant to clause 4.6 of Waverley LEP 2012 to vary the Floor Space Ratio (FSR) development standard. A detailed discussion of the variation to the development standard is presented below this table.
Part 6 Additional local provisions		
6.16 Development in Zone E1	Yes	The proposal is consistent with the objectives of clause 6.16 and will not impact upon the amenity of surrounding residential areas or the desired future character of the area. The proposal is consistent with the hierarchy of centres.

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

1. Existing Use Rights

The proposal seeks consent to amalgamate unit 5 and unit 6 into one with associated works to the existing residential flat building which is a prohibited use in the E1 Local Centre zone under the Waverley LEP 2012.

In DA-408/2024, the applicant detailed evidence to demonstrate the site has operated as a residential flat building immediately before the Waverley LEP 2012 had the effect of prohibiting that use. The present use of the premises on the site is an existing use within the meaning of Section 4.65 of the *Environmental Planning and Assessment Act 1979 (the Act).*

The continuance of that use is permitted by operation of Section 4.66(1) of the *Act.* There is no evidence to suggest that the use has been abandoned.

Any entitlement to carry out alterations or extensions to or the rebuilding of a building or work being used for an existing use is found at Part 7 of the *Environmental Planning and Assessment Regulation 2021* (EPA Regulation), made under Section 4.67 of the Act, which permits certain regulations to be made for an existing use to be altered or extended subject to development consent.

Clause 163 in Part 7 of the *Environmental Planning & Assessment Regulation 2021* allows an existing use to be altered or extended.

Clause 163 Certain development allowed

(1) An existing use may, subject to this Part—
(a) be enlarged, expanded or intensified, or
(b) be altered or extended, or
(c) be rebuilt, or
(d) be changed to another use, but only if that other use is a use that may be carried out with or without development consent under the Act, or
(e) if it is a commercial use—be changed to another commercial use (including a commercial use that would otherwise be prohibited under the Act), or
(f) if it is a light industrial use—be changed to another light industrial use or a commercial use (including a light industrial use or commercial use that would otherwise be prohibited under the Act).

Clause 165 in Part 7 of the *Environmental Planning & Assessment Regulation 2021* allows an existing use to be altered subject to development consent.

Clause 165 Alteration of buildings and works

(1) Development consent is required for an alteration of a building or work used for an existing use.

(2) The alteration must be—
(a) for the existing use of the building or work and for no other use, and
(b) erected or carried out only on the land on which the building or work was erected or carried out immediately before the relevant day.

As the site benefits from existing use rights and the use is a lawful by way of a relevant development consent (i.e. Development Consent No. L-325/1999), the proposal is permitted with development consent.

2. Clause 4.6 Exceptions to Development Standards

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 0.9:1 (468.126m^2). The proposed development has a FSR of 0.994:1 (517.3m^2), exceeding the standard by 49.03m^2 equating to a 10.479% variation.

It is noted that the existing building already exceeds the development standard by 13.57m^2 equating to a 2.89% variation.

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

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

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

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

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

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

(a) That compliance with the development standard is unreasonable or unnecessary in the circumstances of the case:
    (i) The proposed works will not alter the existing overall height and density.
    (ii) The proposed bulk and scale are compatible the existing character of the locality. The additional GFA does not alter the building envelope because the proposed calculation is due to the re-characterisation of common vertical circulation space as GFA and the excess car parking spaces which are required to be included in the GFA calculation.
    (iii) Amenity for neighbouring properties will be preserved in relation to solar access, view sharing and acoustic privacy.
    (iv) Strict numerical compliance is considered to be unreasonable or unnecessary, given the proposed variation is consistent with the objectives of the FSR development standard.

(b) That there are sufficient environmental planning grounds to justify contravening the standard:
    (i) The proposed FSR exceedance is a technical breach as the proposal maintains the existing building envelope and the additional GFA is due to the re-characterisation of the common vertical circulation space and the inclusion of the excess car parking spaces. The additional GFA which exceeds the FSR development standard is not

perceived from the street and therefore the bulk and scale remains contextually compatible with the existing and emerging character of the locality.

(ii) The proposal is consistent with the objectives of the zone and the FSR development standard in that the proposed GFA does not result in additional amenity impacts compared to the existing situation, in relation to solar access, view sharing and acoustic privacy.

(iii) The proposal represents the orderly and economic use and development of land.

(iv) Strict compliance with the floor space ratio would be unreasonable and unnecessary as the proposal would be consistent with the objectives of the zone and development standard.

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 written request 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 FSR for the application meets the objectives and aligns in bulk and scale with the desired character of the locality. Additionally, the proposal preserves the amenity of nearby properties to the same extent as existing.

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 proposal and the subsequent non-compliance is technical in nature and the excess GFA would contribute to housing that preserves the amenity of neighbouring dwellings to the same extent as to what is existing and will retain the existing context and character of the locality. Further, the proposed amalgamation results in excess car parking spaces due to the technical definition of GFA. The excess does not result in greater impacts on the surrounding road network compared to that of the existing unit configuration of the residential flat building.

Conclusion

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

2.1.3. Waverley Development Control Plan 2022 (Waverley DCP 2022) (Amendment 5)

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
7. Transport **7.2.2 Parking Rates** *Minimum parking rate:* • *0* *Maximum parking rates:* • *Studio – 0* • *1 bed – 1.0* • *2 bed – 1.2* • *3 bed – 2.5* *Visitor:* • *3-4 units – 0* • *5+ units – 1 space per 5 units*	No (acceptable on merit)	The site is within parking Zone 2. The existing off-street parking and access is maintained and no works are proposed to the existing car parking spaces. It is noted that the existing development exceeds the maximum number of car parking spaces by 2 spaces. However, because the proposal seeks to amalgamate unit 5 and unit 6 into one unit, this will mean that the proposal will now exceed the maximum car parking rate by 3 spaces. The 1 additional excess car parking space is acceptable on merit as the overall car parking spaces are existing. Further, it would not result in a better amenity outcome for residents and surrounding properties to require the removal of the excess car parking spaces given the proposal does not give rise to additional impacts on the surrounding road network.
11. Design Excellence	Yes	Satisfactory. The proposed works are within the existing building envelope which does not raise

Development Control	Compliance	Comment
		adverse amenity impacts and would maintain the existing presentation to Curlewis Street. In this regard, the proposal would not impact the streetscape character and the design is acceptable.

Table 53: Waverley DCP 2022 – Part C2 Other Residential Development Compliance Table

Development Control	Compliance	Comment
2.3 Setbacks		
2.3.2 Side setbacks • *Minimum side setback: 0.9m or 1.5m or 1.5-2.5m*	Yes	The enclosure of the common vertical circulation space will result in a 2.5m side setback at second and third floor which is greater than the existing 2.3m side setbacks and is acceptable.
2.12 Vehicular access and parking		
• *Car parking to be integrated into the design of the development* • *Max 1 x 2 way vehicle access point* • *Provided from secondary street or lane* • *Pedestrian safety considered* • *Basement parking should not contravene deep soil zone controls*	Yes	The proposal maintains the existing car parking and access. The proposed amalgamation of unit 5 and unit 6 will mean that the proposal will exceed the maximum permitted car parking rate by an additional 1 space and is acceptable on merit as discussed in Part B7 in Table 4 above.
2.13 Solar access and overshadowing		
• *Minimum of 3 hours of sunlight to a minimum of 70% of units in the development on 21 June (ONLY FOR NON-SEPP 65 buildings)* • *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 proposed works are within the existing building envelope and do not result in additional overshadowing.

Development Control	Compliance	Comment
2.15 Visual privacy and security		
• *Dwellings to be orientated to the street with entrances and street numbering visible* • *Development over 50 dwellings must be designed with CPTED principles – See B9 Safety* • *Above ground open space must not overlook rooms and private landscaped areas of adjoining properties or be screened* • *Privacy be considered in relation to context density, separation use and design* • *Prevent overlooking of more than 50% of private open space of lower-level dwellings in same development* • *Roof tops a may be used to meet communal open space requirements*	Yes	The proposal does not result in additional visual privacy impacts from what is existing. The enclosure of the circulation space would result in more of a privacy impact as the number of people passing through this space is reduced and accessibility to this space is now limited to one dwelling.
2.16 Dwelling size and layout		
• *Max habitable room depth for single aspect dwelling is 8m from a window*	Yes	The proposed configuration changes to unit 5 result in 4 bedrooms for unit 5 which will achieve a minimum unit size of 100m^3 of storage.
• *Max with of dwelling over 15m deep is min 4m*	Yes	All habitable rooms in unit 5 will have a window.
• *All habitable rooms to have a window*		The maximum dwelling depth for each level is as follows:
• *Provide a range of dwelling types and sizes*	Yes	- Second floor: 14.4m No change from existing and complies.
• *Min sizes* *Studio = 35m^2* *1 bedroom = 50m^2* *2 bedroom = 80m^2* *3 bedroom = 100m^2*	No (acceptable on merit)	- Third floor: Predominantly 15.6m which is acceptable as there is no change from the existing dwelling depth. There is technical addition to the dwelling depth up to 19.2m at this level and this relates to the inclusion of the foyer spaces which was formerly common vertical circulation space. This is acceptable on merit as it is within the existing bulk and does not raise adverse amenity impacts.
• *Accessible and Adaptable*		

Development Control	Compliance	Comment
2.18 Storage		
• *In addition to kitchen cupboards and bedroom wardrobes, min storage required is:* *Studio and 1 bed = 6m^3* *2 bed = 8m^3* *3 or more bed = 10m^3* *All to provide bulk storage area in basement or ancillary structure*	Yes	The proposed configuration changes to unit 5 result in 4 bedrooms for unit 5 which will achieve more than 10m^3 of storage.
2.19 Acoustic privacy		
• *Internal amenity by locating noisy areas away from quiet areas*	Yes	The proposed internal configuration changes ensure that bedrooms and living areas are separate.
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	Existing natural ventilation is maintained.

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.

2.3. Suitability of the Site for the Development

The site is considered suitable for the proposal.

2.4. Any Submissions

The application was notified for 14 days between 13 February 2026 and 3 March 2026 in accordance with the *Community Engagement Strategy Amendment 1 (2025).*

Two unique submissions were received.

Table 4: Submission details

Count	Property Address
1.	87 Curlewis Street, Bondi Beach
2.	96 Curlewis Street, Bondi Beach

Issues raised in the submissions are summarised and discussed below.

Issue: *Impacts from ongoing construction work and concerns regarding the proposed reconfiguration work and structural integrity.*

Response: Council's standard construction conditions have been applied in Appendix A which ensure that the construction work is managed and completed in accordance with the relevant standard to the relevant authority specified in the conditions. In this regard, the proposed alterations and additions are not considered to result in adverse construction impacts and the proposed works are acceptable.

2.5. Public Interest

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

3. REFERRALS

No external referral comments were sought.

The following internal referral comments were sought:

3.1. Fire Safety

No objection, subject to the Building Code of Australia condition applied in Appendix A.

3.2. Strategic Planning

The application was referred to Council's Strategic Planner pursuant to Chapter 2, Part 3 of the Housing SEPP and it was confirmed that the loss of low rental housing contribution does not apply to buildings which have been approved for strata subdivision. As DA-408/2024 approved strata subdivision, the site at 91 Curlewis Street is therefore not eligible for a contribution.

The planning assessment has considered that the original strata subdivision plan approved under DA-408/2024 has not been registered and would need to be updated to ensure that the strata subdivision plan is consistent with the proposed plans under this DA. To ensure that the proposal is genuinely not eligible for a contribution post consent under the subject DA-664/2025, it is recommended that a condition of consent be imposed to ensure that the associated strata subdivision plan is modified and registered prior to the issue of an occupation certificate.

4. CONCLUSION

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

5. RECOMMENDATION TO WAVERLEY LOCAL PLANNING PANEL

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

Managers of Development Assessment (MODA) Review

The application was reviewed by the MODA at the meeting on 17 February 2026 and the MODA concurred with the Assessment Planner's recommendation.

DBU members: *J Zancanaro, D Knight, K Johnstone and K Lucas*

Report prepared by:	**Application reviewed and agreed by:**
Olivia Navratil	Ben Magistrale
Senior Development Assessment Planner	**Manager, Development Assessment**
Date: 11 March 2026	**Date: 11 March 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)	10.479% variation to FSR (Clause 4.4) ☐ No change to overall building envelope ☐ No unreasonable impacts on the amenity of adjoining properties or streetscape ☐ Sufficient environmental planning grounds ☐ 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
Does the proposal trigger a Housing & Productivity Contribution ? If so, please ensure you have calculated the contribution in the CON case in the Planning Portal.	No
Have any dwellings been approved for affordable Rental Housing under this approval/consent? *This is a planning portal reporting requirement	No
Secondary Dwelling *This is a planning portal reporting requirement	No
Boarding House *This is a planning portal reporting requirement	No
Group Home *This is a planning portal reporting requirement	No
Is the development subject to the Special Infrastructure Contribution (SIC)?	No
Is the development located within an Urban Release area?	No
Waverley Council Data	
Trial Period database entry required	No
VPA submitted – follow up actions required	No
Refer to compliance for investigation	No
Commercial/liquor operational conditions	No
Was there a 'Conflict of Interest' declared	No

GENERAL CONDITIONS

1. APPROVED PLANS AND DOCUMENTATION

The development must be in accordance with:

(a) Architectural Plans prepared by Archi Spectrum including the following:

Plan Number and Revision	Plan description	Plan Date	Date received by Council
DA01.02, Rev D	Site analysis	11/02/2026	11/02/2026
DA02.01, Rev D	Existing basement floor plan	11/02/2026	11/02/2026
DA02.03, Rev D	Existing and demolition second and third floor plan	11/02/2026	11/02/2026
DA03.01, Rev D	Proposed second and third floor plan	11/02/2026	11/02/2026
DA03.02, Rev D	Site and roof plan	11/02/2026	11/02/2026
DA04.01, Rev D	Northeast and southwest elevation	11/02/2026	11/02/2026
DA04.02, Rev D	Southeast elevation	11/02/2026	11/02/2026
DA04.03, Rev D	Northwest elevation	11/02/2026	11/02/2026
DA05.01, Rev D	Section A-A	11/02/2026	11/02/2026

(b) The BASIX and NatHERs Certificate/s;

(c) Schedule of external finishes and colours received by Council on 27/01/2026;

(d) The Site Waste and Recycling Management Plan (SWRMP) Part 1 and received by Council on 27/01/2026;

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. COMPLIANCE WITH NATIONAL CONSTRUCTION CODE

All proposed work must comply with the *National Construction Code* (previously known as the *Building Code of Australia*). All proposed building work must be carried out in accordance with the requirements of the National Construction Code and the Building Code of Australia, BCA Volume 1 of 2022 Amendment 2 (July 2025). This may include DtS provisions or alternative solutions compliance.

Condition reason: Prescribed condition pursuant to the *Environmental Planning and Assessment Regulation 2021* and to ensure building work is carried out in accordance with the National Construction Code and the Building Code of Australia.

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

3. 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.

CONTRIBUTIONS, FEES & BONDS

4. SECTION 7.12 CONTRIBUTION

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

(a) Where the total development cost is $500,000 or less:

  (i) a Cost Summary Report or Building Contract (dated within 12 months) or similar is to be submitted to Council's Customer Service Centre to process payment.

(b) Where the total development cost is more than $500,001 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.

5. SECURITY DEPOSIT

(a) Payment to the amount of $**4,815.00** 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

6. 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.

7. 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.

8. 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.

ENERGY EFFICIENCY & SUSTAINABILITY

9. 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*.

10. 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.

WASTE

11. 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

12. 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.

DEMOLITION & EXCAVATION

13. 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.

14. 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

15. 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.

16. 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.

17. 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)*

18. 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.

19. 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.

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

20. 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.

21. SUBDIVISION CERTIFICATE

Prior to the issue of a subdivision certificate, the strata subdivision plan approved under DA-408/2024 is to be modified to reflect the approved plans in this Development Consent No.DA-662/2025 and be registered with the NSW Land and Registry Services.

Condition reason: To ensure that the strata Subdivision Certificate is issued and registered prior to occupation of the development to ensure the genuine exclusion of the loss of low rental housing contribution.

22. 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*).

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. 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:

(k) Footpath/s,

(l) Kerb and Gutter,

(m) Nature strip, turf and any trees,

(n) Stormwater assets,

(o) Driveway crossings,

(p) Roadway/s, &;

(q) 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.

8. FIRE SAFETY SCHEDULE

Attached is a fire safety schedule as required under section 78 of the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*.

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.

BASIX CERTIFICATE COMPLIANCE :

The works shall comply with the following requirements of Basix Certificate (Cert. No. A1827239_02)

Project address	
Project name	U5 - 91 Curlewis St, Bondi Beach_02
Street address	91 CURLEWIS Street BONDI BEACH 2026
Local Government Area	Waverley Council
Plan type and number	Deposited Plan DP747
Lot number	22
Section number	2
Project type	
Dwelling type	Dwelling above existing building
Type of alteration and addition	The estimated development cost for my renovation work is $50,000 or more.
N/A	N/A

Certificate Prepared by (please complete before submitting to Council or PCA)

Name / Company Name: Greenworld Architectural Drafting

ABN (if applicable): 70203970543

Fixtures and systems

Lighting

The applicant must ensure a minimum of 40% of new or altered light fixtures are fitted with fluorescent, compact fluorescent, or light-emitting-diode (LED) lamps.

Fixtures

The applicant must ensure new or altered showerheads have a flow rate no greater than 9 litres per minute or a 3 star water rating.

The applicant must ensure new or altered toilets have a flow rate no greater than 4 litres per average flush or a minimum 3 star water rating.

The applicant must ensure new or altered taps have a flow rate no greater than 9 litres per minute or minimum 3 star water rating.

Glazing requirements

Windows and glazed doors

The applicant must install the windows, glazed doors and shading devices, in accordance with the specifications listed in the table below. Relevant overshadowing specifications must be satisfied for each window and glazed door.

The following requirements must also be satisfied in relation to each window and glazed door:

Each window or glazed door with improved frames, or pyrolytic low-e glass, or clear/air gap/clear glazing, or toned/air gap/clear glazing must have a U-value and a Solar Heat Gain Coefficient (SHGC) no greater than that listed in the table below. Total system U-values and SHGCs must be calculated in accordance with National Fenestration Rating Council (NFRC) conditions. The description is provided for information only. Alternative systems with complying U-value and SHGC may be substituted.

Overshadowing buildings or vegetation must be of the height and distance from the centre and the base of the window and glazed door, as specified in the 'overshadowing' column in the table below.

Windows and glazed doors glazing requirements

Window/door number	Orientation	Area of glass including frame (m2)	Overshadowing height (m)	Overshadowing distance (m)	Shading device	Frame and glass type
Foyer	NE	10.3	3	3	none	aluminium, single Lo-Tsol low-e, (U-value: 5.6, SHGC: 0.36)
Foyer	NE	5.6	3	3	none	aluminium, single Lo-Tsol low-e, (U-value: 5.6, SHGC: 0.36)
Bed 4	NW	1.4	0	0	none	aluminium, double Lo-Tsol/air gap/ clear, (U-value: 4.9, SHGC: 0.33)

RECEIVED
Waverley Council

Application No: DA-664/2025

Date Received: 11/02/2026

ARCHISPECTRUM
Nominated Architect: Martin Bednarczyk | NSW ARB #8912
Suite C5, 8 Allen St, Waterloo NSW 2017 | A.B.N. 68 662 638 413
m: 0419 670 108 | ph: (02) 8399 2807 | e: office@archispectrum.com.au

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D	11.02.2026	DA issue to council

PROJECT:
Alterations & Additions to Existing Unit Block
91 Curlewis St, Bondi Beach

CLIENT:
Tony Sukar
91 Curlewis St, Bondi Beach

SHEET TITLE:
Notes & BASIX

SCALE: 1:1.27 @ A3
DRAWN: JOSH. L
SHEET SIZE: A2
DWG NO: DA01.01
REVISION: d

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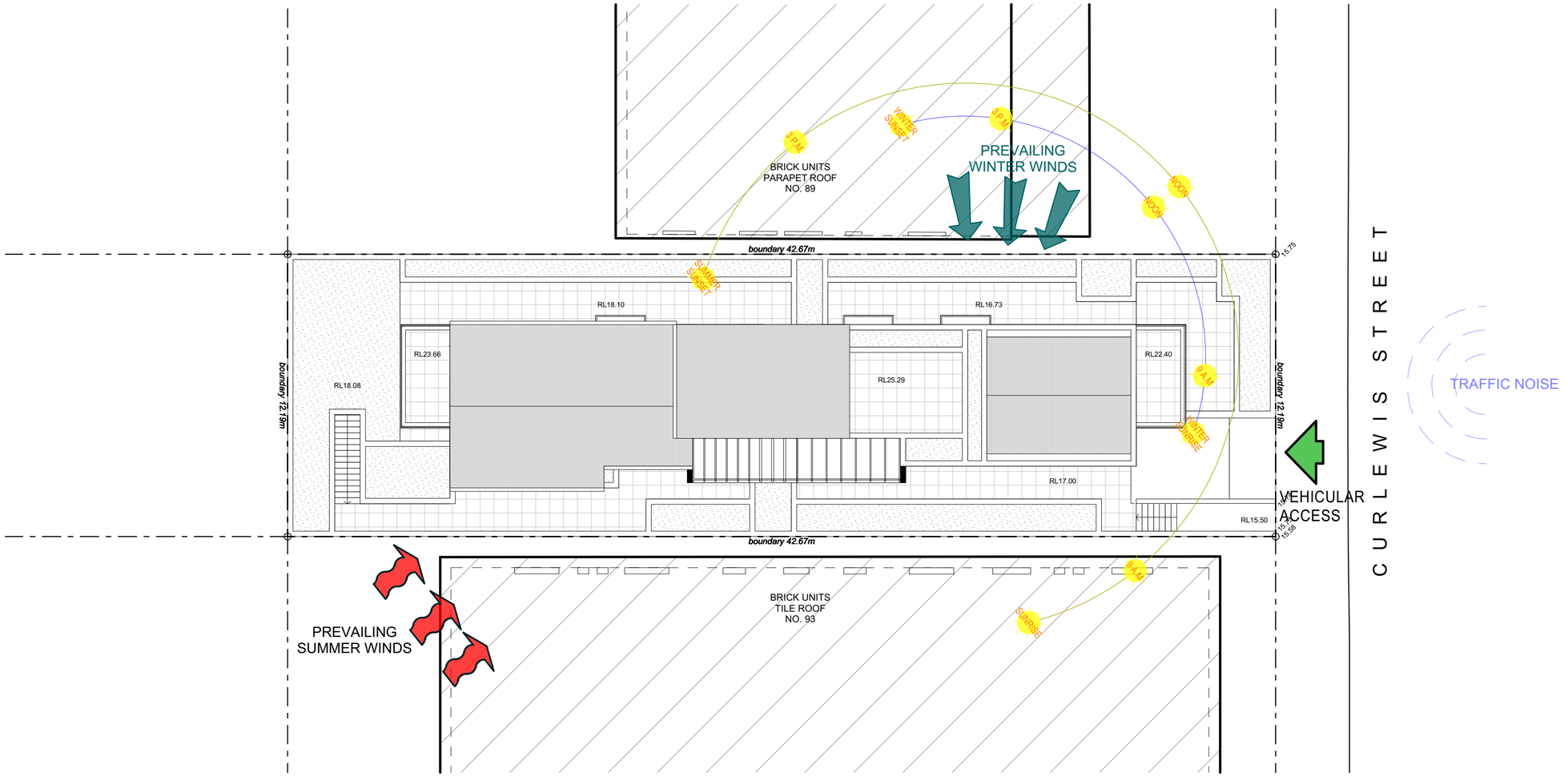
Date Received: 11/02/2026



SITE ANALYSIS

SCALE 1:150

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TN MN NORTH

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PROJECT:
Alterations & Additions to Existing Unit Block
91 Curlewis St, Bondi Beach

CLIENT:
Tony Sukar
91 Curlewis St, Bondi Beach

SHEET TITLE:
Site Analysis

SCALE: 1:150 @ A3
DRAWN: JOSH. L
SHEET SIZE: A2
DWG NO: DA01.02
REVISION: d

Legend:

Existing wall

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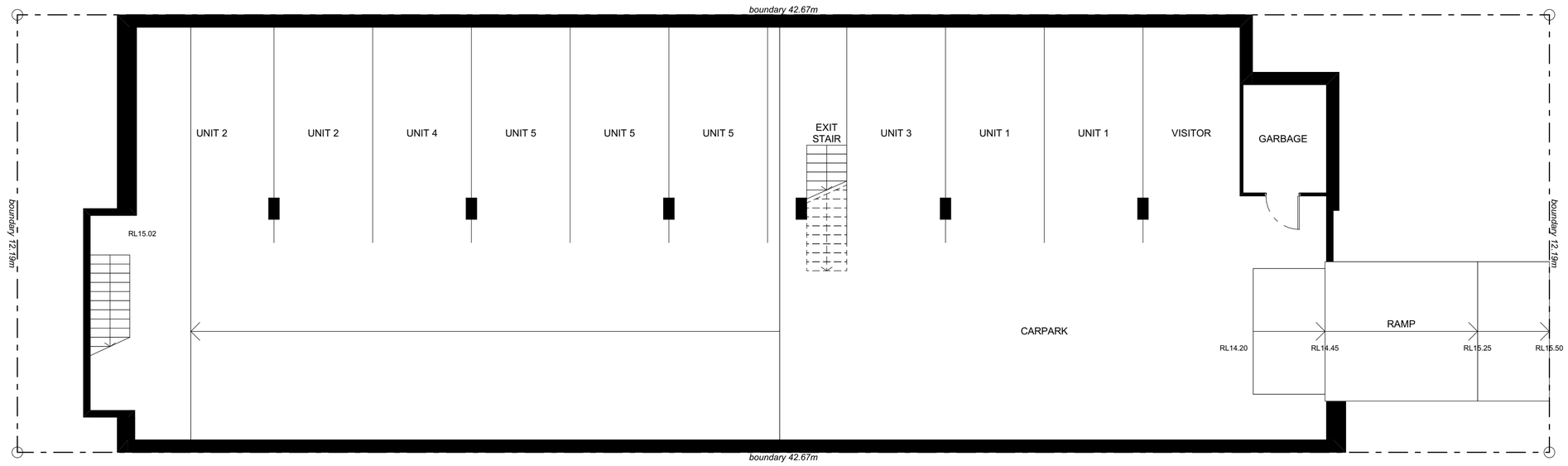

EXISTING BASEMENT FLOOR PLAN

SCALE 1:100

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TRUE NORTH

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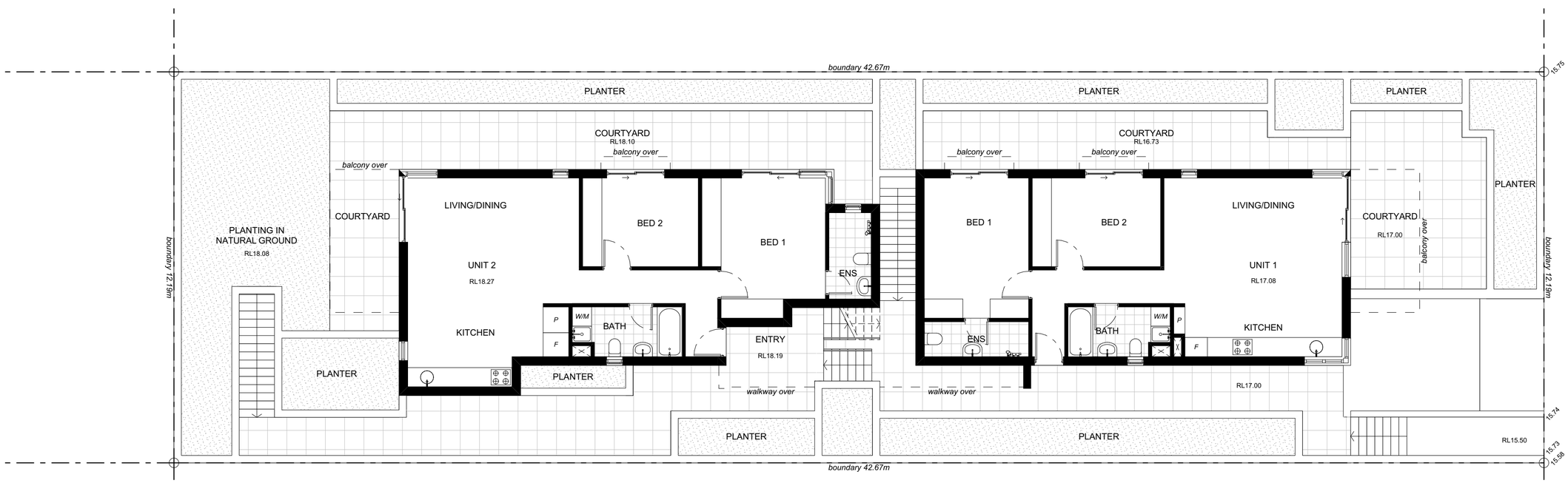
PROJECT:
Alterations & Additions to Existing Unit Block
91 Curlewis St, Bondi Beach

CLIENT:
Tony Sukar
91 Curlewis St, Bondi Beach

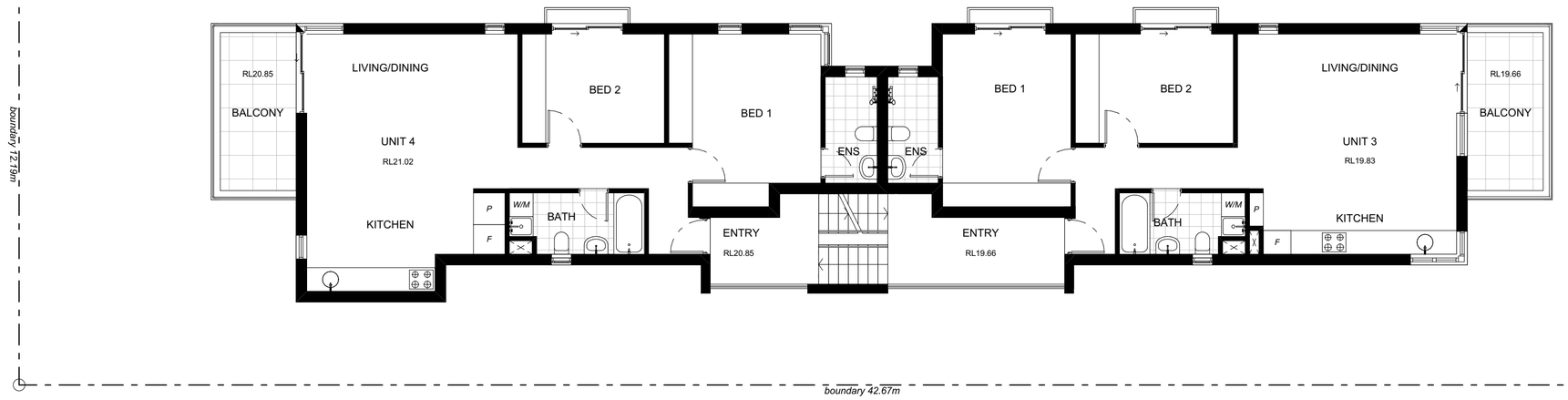
SHEET TITLE:
Existing Basement Floor Plan

SCALE: 1:100 @ A3
DRAWN: JOSH. L
SHEET SIZE: A2
DWG NO: DA02.01
REVISION: d



EXISTING GROUND FLOOR PLAN

SCALE 1:100



EXISTING FIRST FLOOR PLAN

SCALE 1:100

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Application No: DA-664/2025

Date Received: 11/02/2026

Legend:

Existing wall

CURLEWIS STREET

ARCHISPECTRUM
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PROJECT:
Alterations & Additions to Existing Unit Block
91 Curlewis St, Bondi Beach

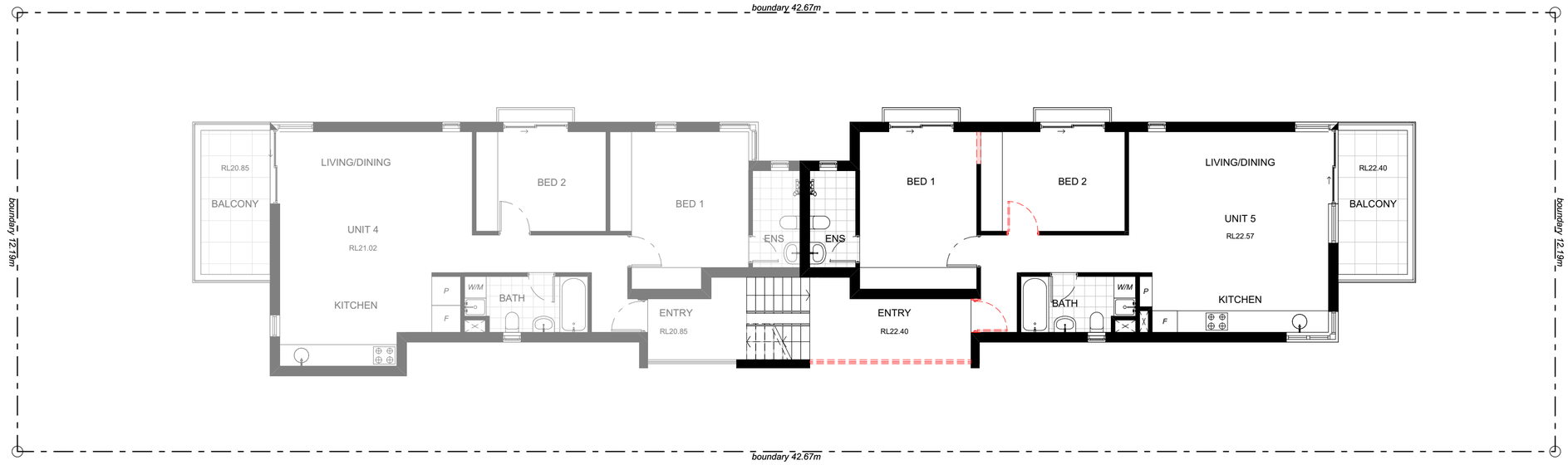
CLIENT:
Tony Sukar
91 Curlewis St, Bondi Beach

SHEET TITLE:
Existing Ground & First Floor Plan

SCALE: 1:100 @ A3
DRAWN: JOSH. L
SHEET SIZE: A2
DWG NO: DA02.02
REVISION: d

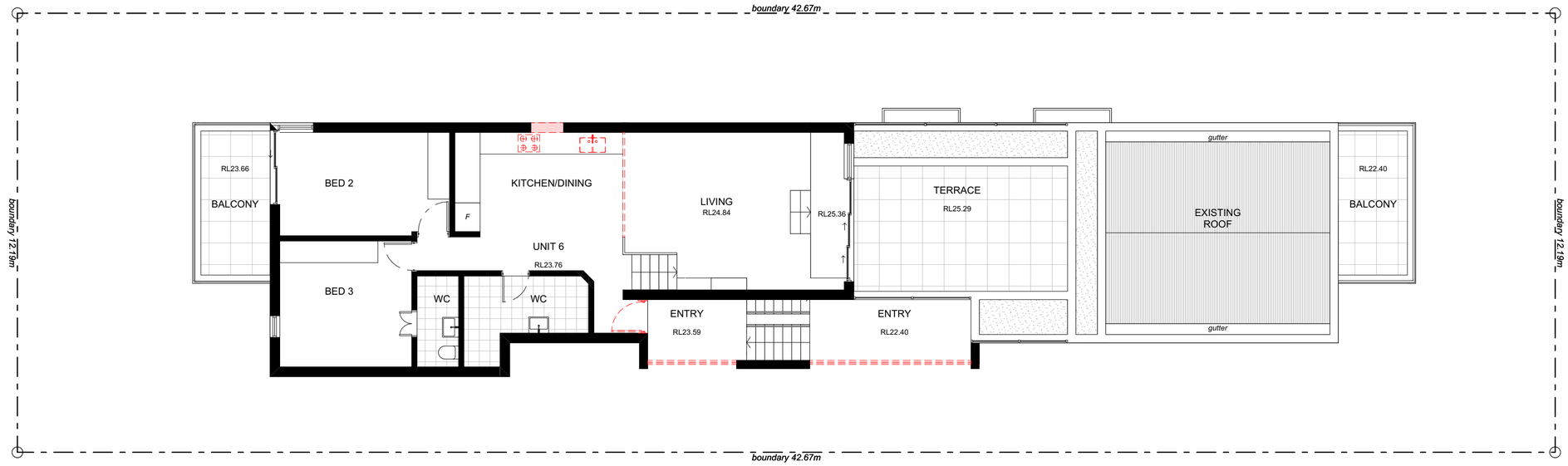
Legend:

- Existing wall
- Existing wall to be demolished



EXISTING & DEMOLITION SECOND FLOOR PLAN

SCALE 1:100



EXISTING & DEMOLITION THIRD FLOOR PLAN

SCALE 1:100

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Alterations & Additions to Existing Unit Block
91 Curlewis St, Bondi Beach

CLIENT:
Tony Sukar
91 Curlewis St, Bondi Beach

SHEET TITLE:
Existing & Demolition Second & Third Floor Plan

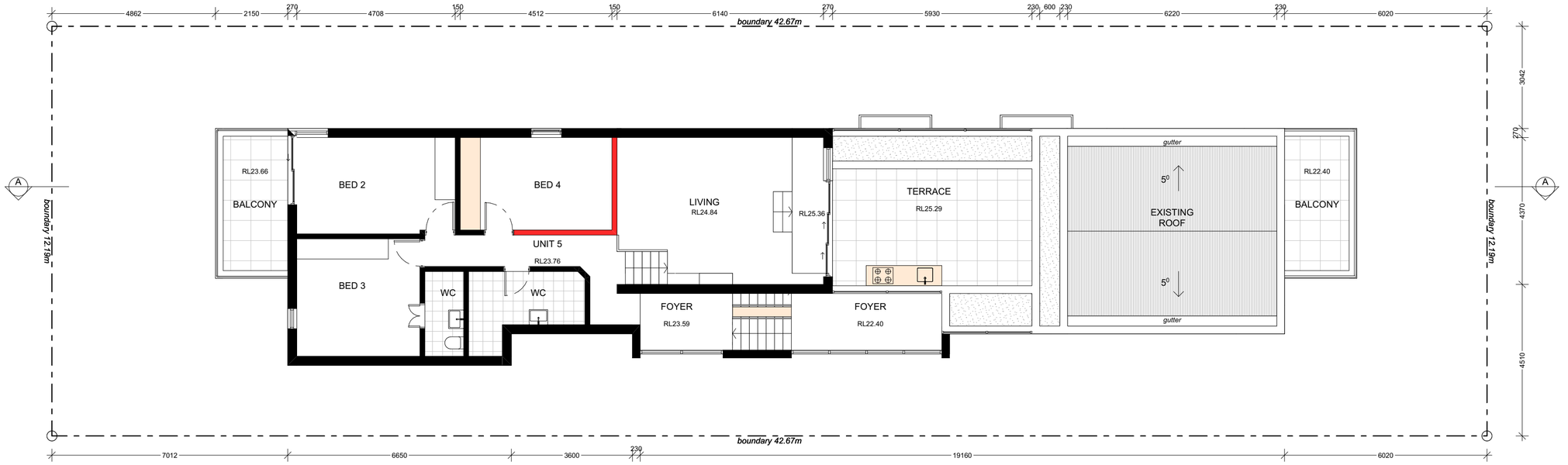
SCALE: 1:100 @ A3
DRAWN: JOSH. L
SHEET SIZE: A2
DWG NO: DA02.03
REVISION: d

Legend:

- Existing wall
- New wall
- New element

PROPOSED SECOND FLOOR PLAN

SCALE 1:100



PROPOSED THIRD FLOOR PLAN

SCALE 1:100

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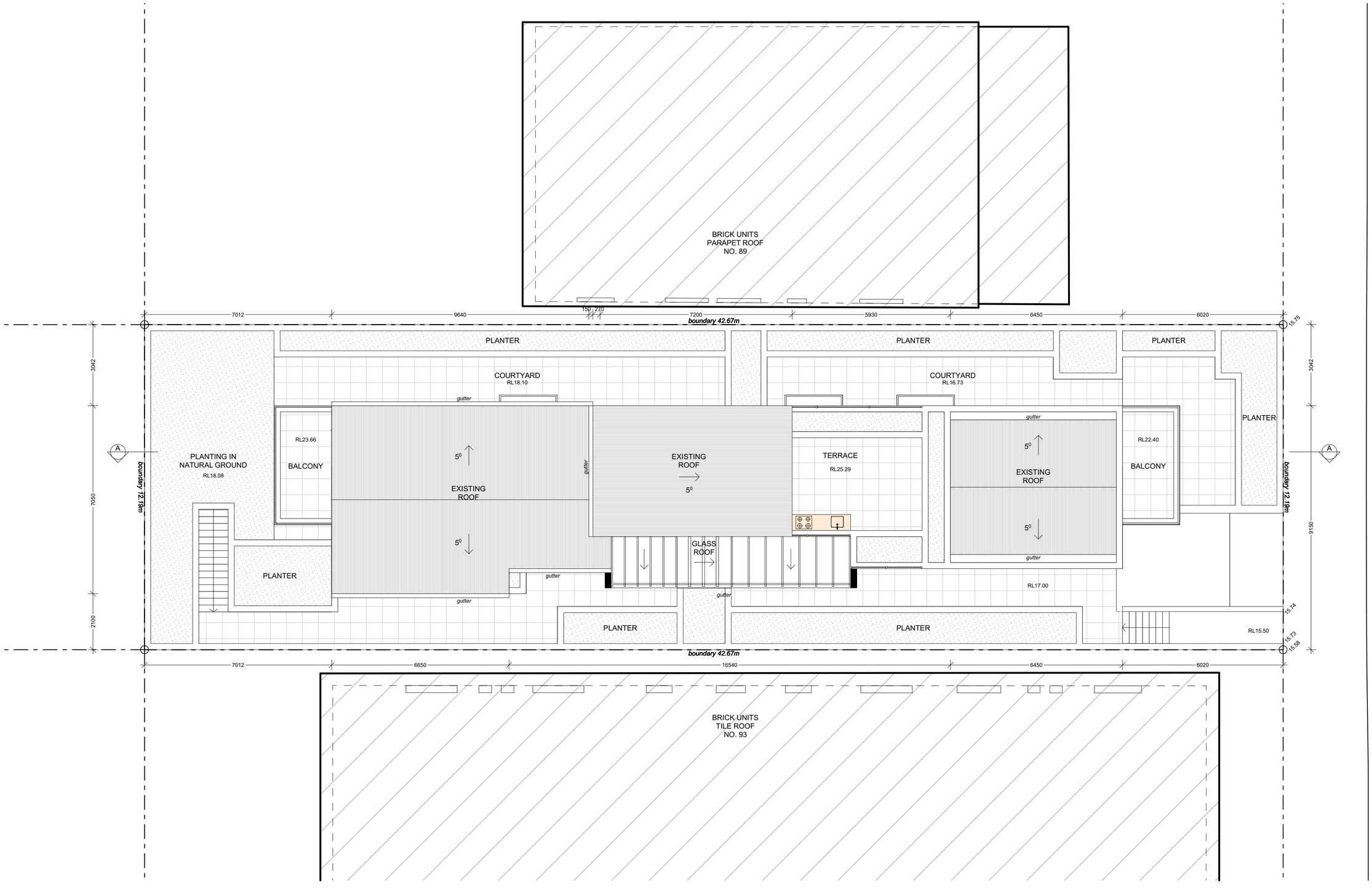
Alterations & Additions to Existing Unit Block
91 Curlewis St, Bondi Beach

CLIENT:
Tony Sukar
91 Curlewis St, Bondi Beach

SHEET TITLE:
Proposed Second & Third Floor Plan

SCALE: 1:100 @ A3
DRAWN: JOSH. L
SHEET SIZE: A2
DWG NO: DA03.01
REVISION: d



SITE & ROOF PLAN

SCALE 1:100

Legend:

- Existing wall
- New wall
- New element

CURLEWIS STREET

RECEIVED
Waverley Council

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Alterations & Additions to Existing Unit Block
91 Curlewis St, Bondi Beach

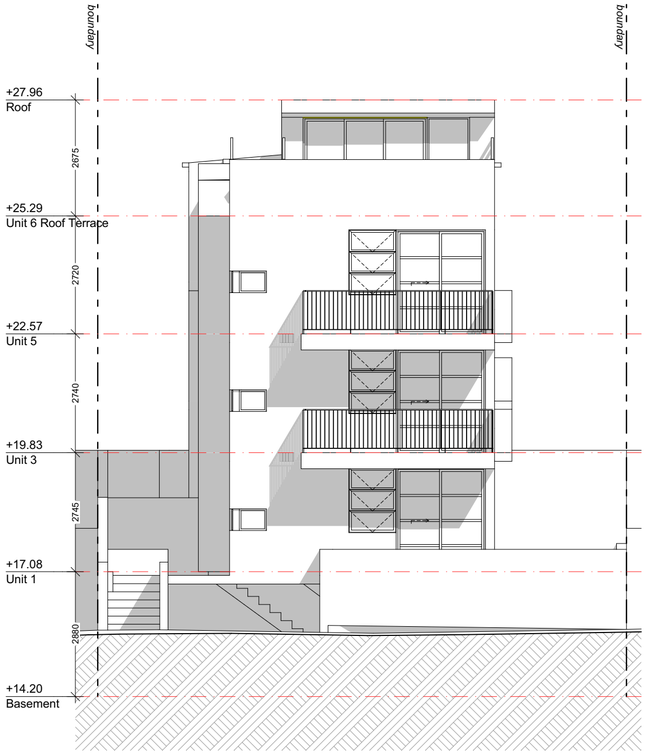
CLIENT:
Tony Sukar
91 Curlewis St, Bondi Beach

SHEET TITLE:
Site & Roof Plan

SCALE: 1:100 @ A3
DRAWN: JOSH. L
SHEET SIZE: A2
DWG NO: DA03.02
REVISION: d

Legend:

New element



NORTHEAST ELEVATION (CURLEWIS STREET)
SCALE 1:100

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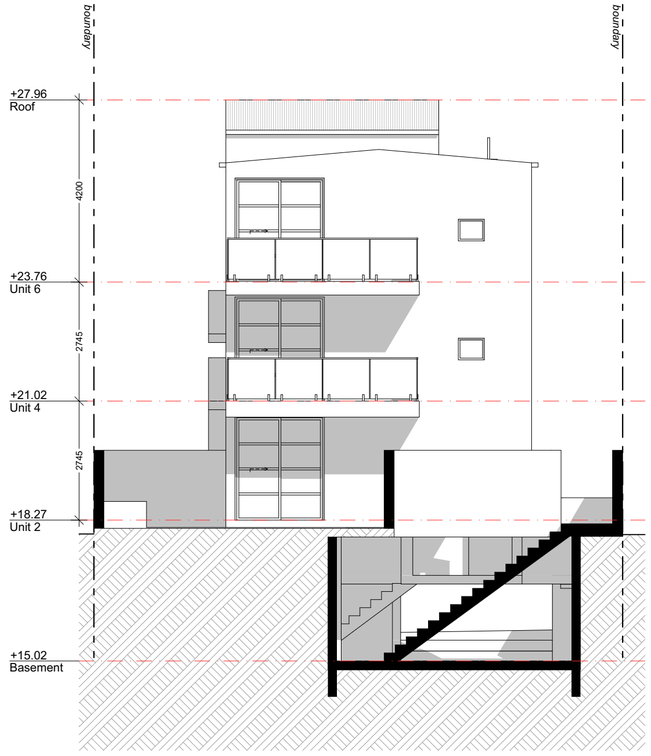
Application No: DA-664/2025

Date Received: 11/02/2026



SOUTHWEST ELEVATION
SCALE 1:100

ARCHISPECTRUM
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Alterations & Additions to Existing Unit Block
91 Curlewis St, Bondi Beach

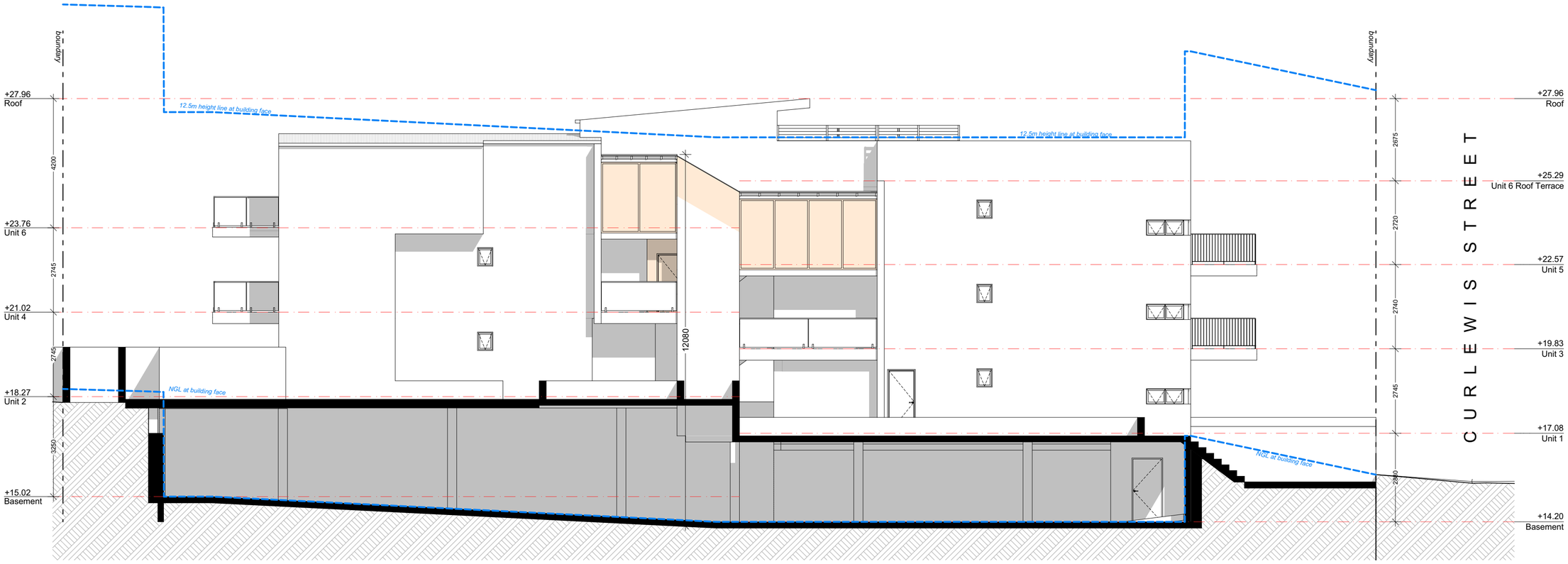
CLIENT:
Tony Sukar
91 Curlewis St, Bondi Beach

SHEET TITLE:
Northeast & Southwest Elevation

SCALE: 1:100 @ A3
DRAWN: JOSH. L
SHEET SIZE: A2
DWG NO: DA04.01
REVISION: d

Legend:

New element



SOUTHEAST ELEVATION

SCALE 1:100

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D	11.02.2026	DA issue to council

PROJECT:
Alterations & Additions to Existing Unit Block
91 Curlewis St, Bondi Beach

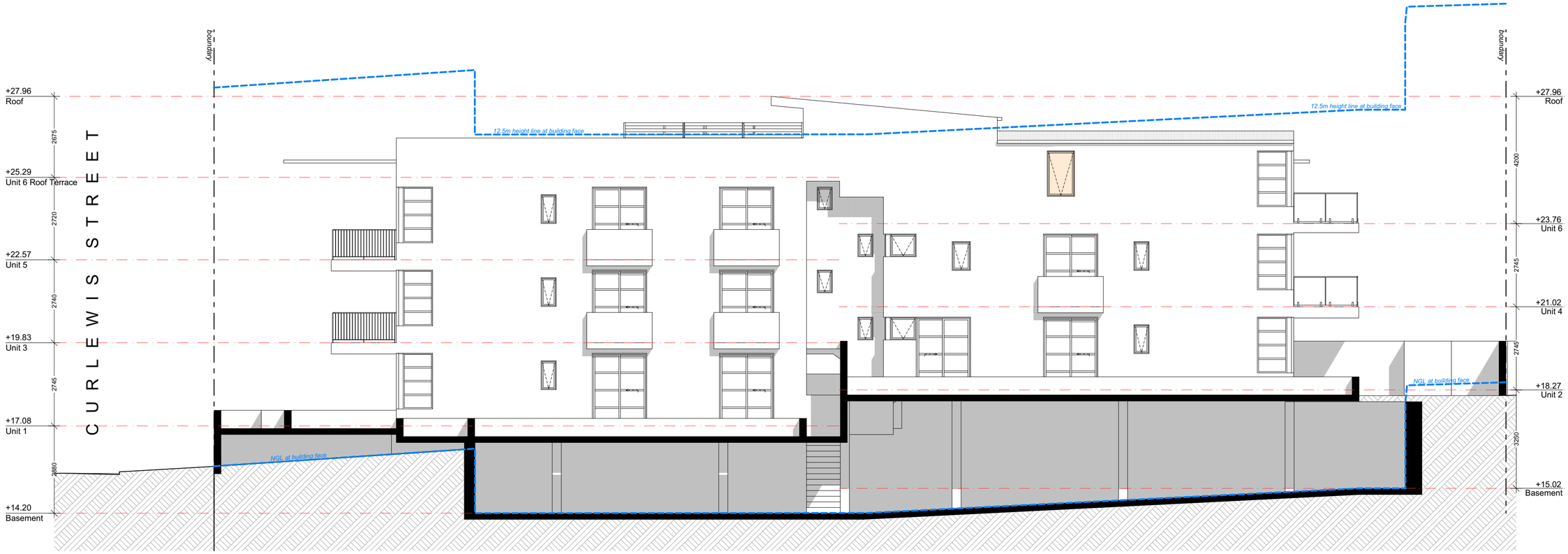
CLIENT:
Tony Sukar
91 Curlewis St, Bondi Beach

SHEET TITLE:
Southeast Elevation

SCALE: 1:100 @ A3
DRAWN: JOSH. L
SHEET SIZE: A2
DWG NO: DA04.02
REVISION: d

Legend:

New element



NORTHWEST ELEVATION

SCALE 1:100

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Waverley Council

Application No: DA-664/2025

Date Received: 11/02/2026

ARCHISPECTRUM

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PROJECT:
Alterations & Additions to Existing Unit Block
91 Curlewis St, Bondi Beach

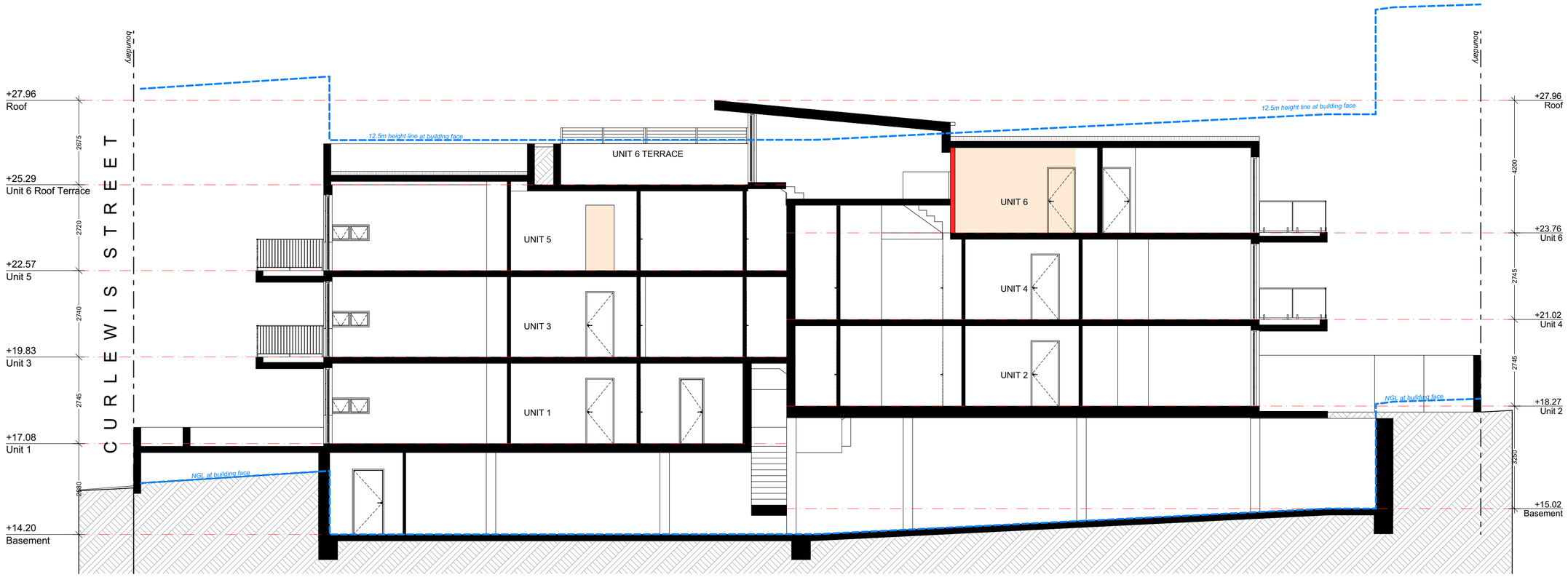
CLIENT:
Tony Sukar
91 Curlewis St, Bondi Beach

SHEET TITLE:
Northwest Elevation

SCALE: 1:100 @ A3
DRAWN: JOSH. L
SHEET SIZE: A2
DWG NO: DA04.03
REVISION: d

Legend:

- Existing wall
- New wall



SECTION A-A

SCALE 1:100

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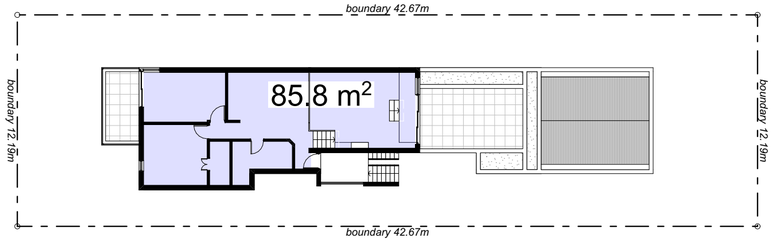
Alterations & Additions to Existing Unit Block
91 Curlewis St, Bondi Beach

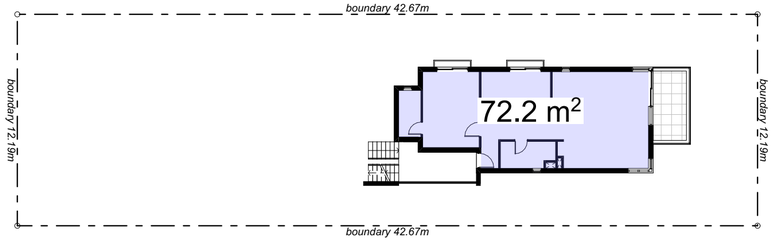
CLIENT:
Tony Sukar
91 Curlewis St, Bondi Beach

SHEET TITLE:
Section A-A

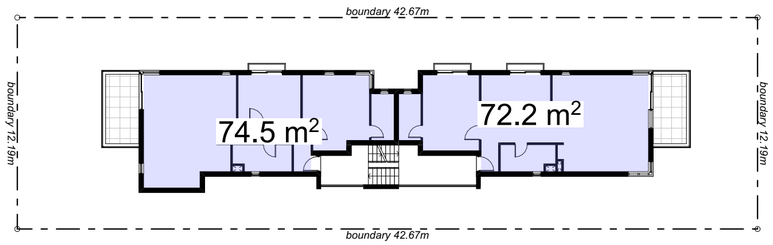
SCALE: 1:100 @ A3
DRAWN: JOSH. L
SHEET SIZE: A2
DWG NO: DA05.01
REVISION: d



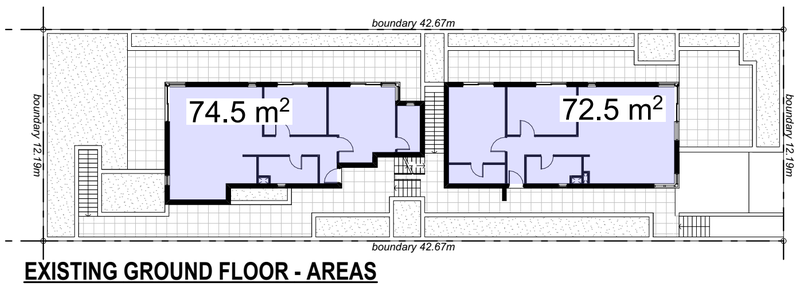
EXISTING THIRD FLOOR - AREAS
SCALE 1:250



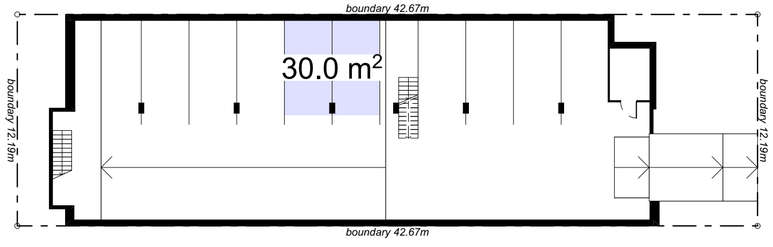
EXISTING SECOND FLOOR - AREAS
SCALE 1:250



EXISTING FIRST FLOOR - AREAS
SCALE 1:250

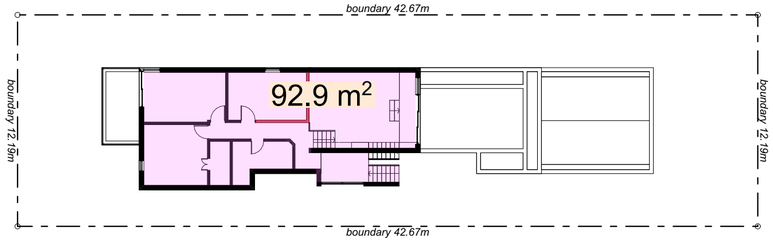


EXISTING GROUND FLOOR - AREAS
SCALE 1:250

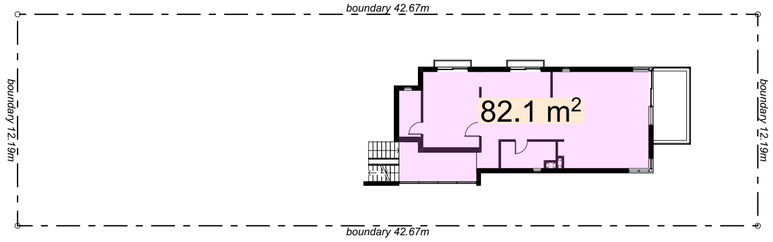


EXISTING BASEMENT FLOOR - AREAS
SCALE 1:250

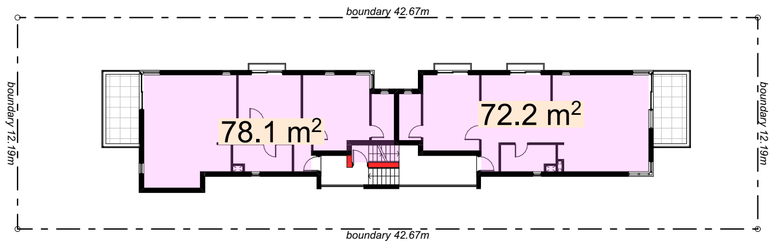
PROPOSED THIRD FLOOR - AREAS
SCALE 1:250



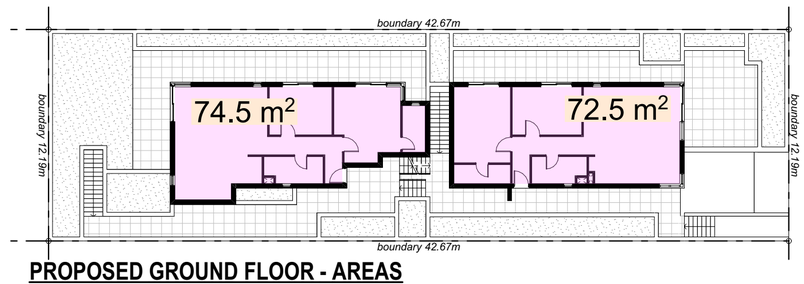
PROPOSED SECOND FLOOR - AREAS
SCALE 1:250



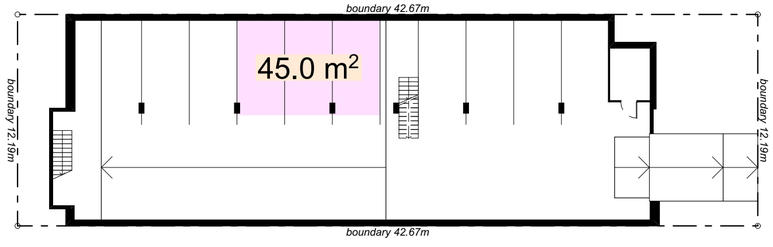
PROPOSED FIRST FLOOR - AREAS
SCALE 1:250



PROPOSED GROUND FLOOR - AREAS
SCALE 1:250



PROPOSED BASEMENT FLOOR - AREAS
SCALE 1:250



Legend:

Existing Gross Floor Area (GFA)

EXISTING AREA CALCULATIONS

Site Area	**520.3**m²
Allowable FSR	0.9:1
Allowable GFA	468.27m²
Existing GFA	
Basement Floor	30m²
Ground Floor	147m²
First Floor	146.7m²
Second Floor	72.2m²
Third Floor	85.8m²
Total	481.7m²
Existing FSR	0.93:1

Legend:

Proposed Gross Floor Area (GFA)

PROPOSED AREA CALCULATIONS

Site Area	**520.3**m²
Allowable FSR	0.9:1
Allowable GFA	468.27m²
Proposed GFA	
Basement Floor	45m²
Ground Floor	147m²
First Floor	150.3m²
Second Floor	82.1m²
Third Floor	92.9m²
Total	517.3m²
Proposed FSR	0.99:1

RECEIVED
Waverley Council

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TOWN NORTH

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PROJECT:
Alterations & Additions to Existing Unit Block
91 Curlewis St, Bondi Beach

CLIENT:
Tony Sukar
91 Curlewis St, Bondi Beach

SHEET TITLE:
Existing & Proposed Area Calculations

SCALE: 1:250 @ A3
DRAWN: JOSH. L
SHEET SIZE: A2
DWG NO: DA06.01
REVISION: d

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Application No: DA-664/2025

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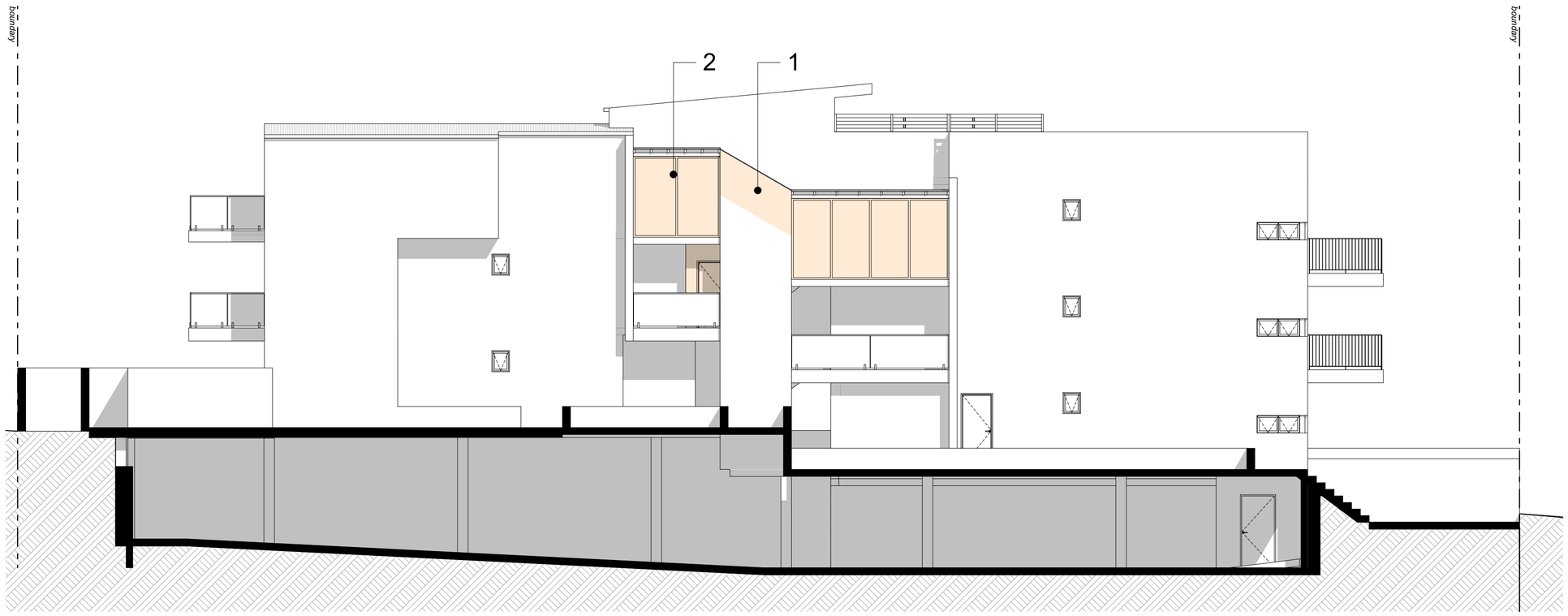
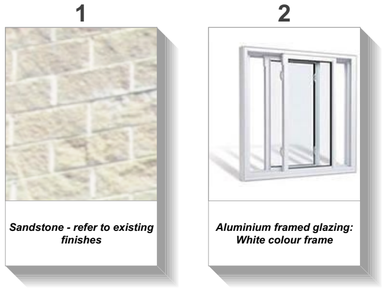


SOUTHEAST ELEVATION
SCALE 1:100



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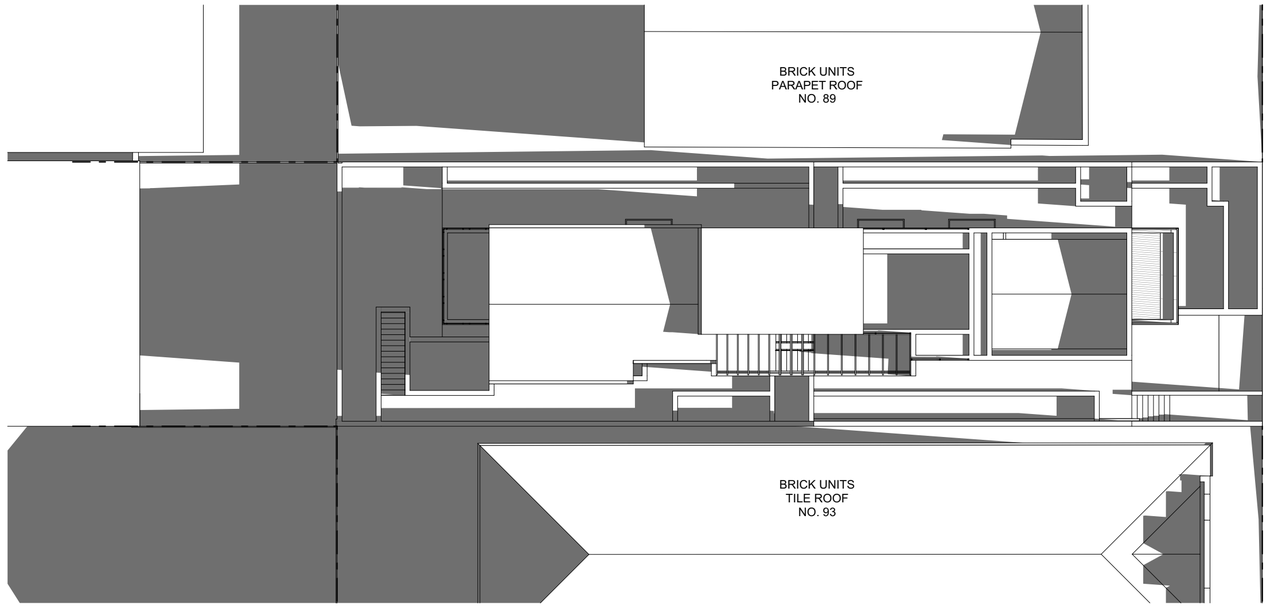
PROJECT:
Alterations & Additions to Existing Unit Block
91 Curlewis St, Bondi Beach

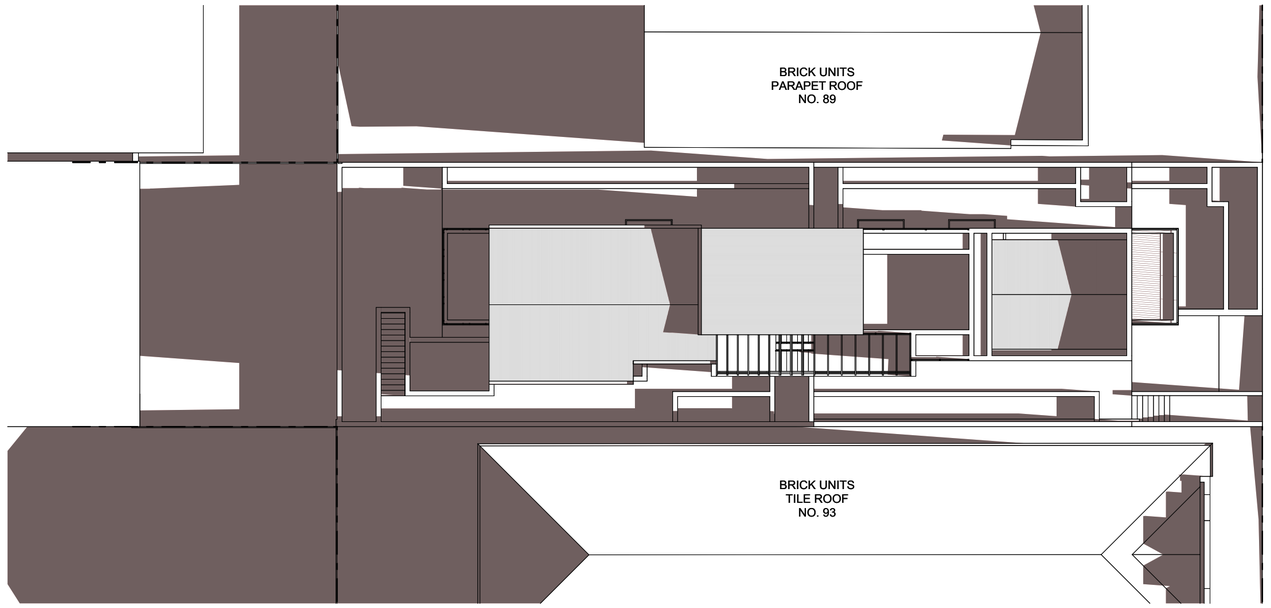
CLIENT:
Tony Sukar
91 Curlewis St, Bondi Beach

SHEET TITLE:
External Finishes Schedule

SCALE: 1:100 @ A3
DRAWN: JOSH. L
SHEET SIZE: A2
DWG NO: DA07.01
REVISION: d



EXISTING 9am WINTER SOLSTICE
SCALE 1:200



PROPOSED 9am WINTER SOLSTICE
SCALE 1:200

Legend:

- Existing shadow impact
- Proposed additional shadow impact

RECEIVED
Waverley Council

Application No: DA-664/2025

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TRUE NORTH / NORTH

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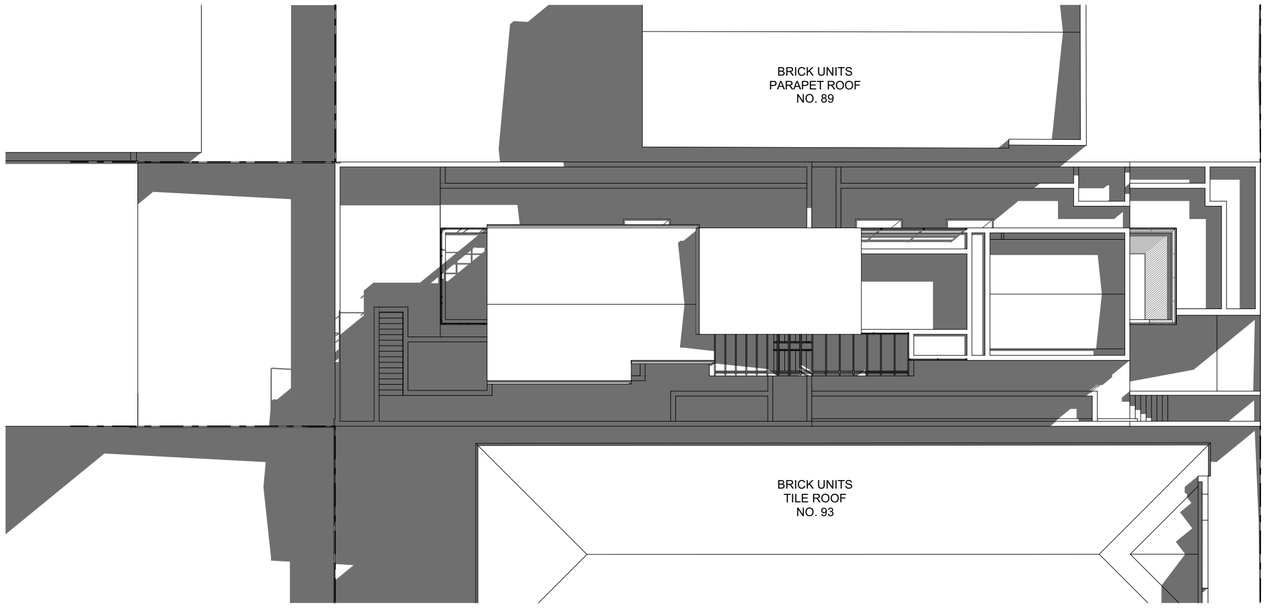
PROJECT:
Alterations & Additions to Existing Unit Block
91 Curlewis St, Bondi Beach

CLIENT:
Tony Sukar
91 Curlewis St, Bondi Beach

SHEET TITLE:
Shadow Diagram - 9am Winter Solstice

SCALE: 1:200 @ A3
DRAWN: JOSH. L
SHEET SIZE: A2
DWG NO: DA08.01
REVISION: d

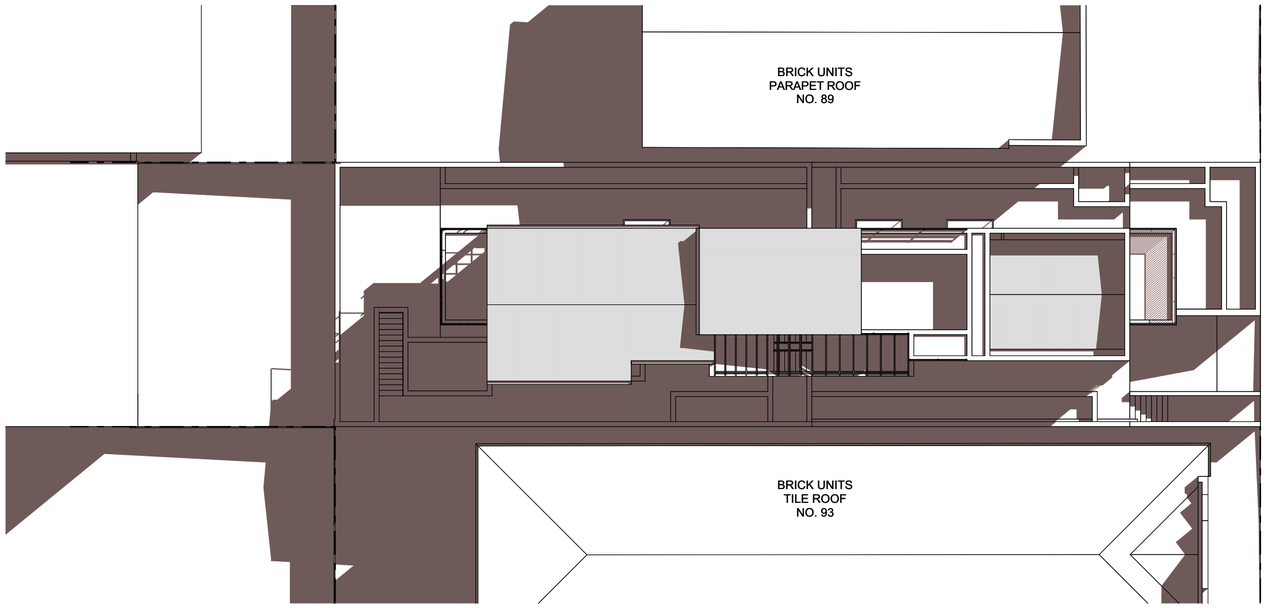


Legend:

- Existing shadow impact
- Proposed additional shadow impact

EXISTING 12pm WINTER SOLSTICE

SCALE 1:200



PROPOSED 12pm WINTER SOLSTICE

SCALE 1:200

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TN NN NORTH

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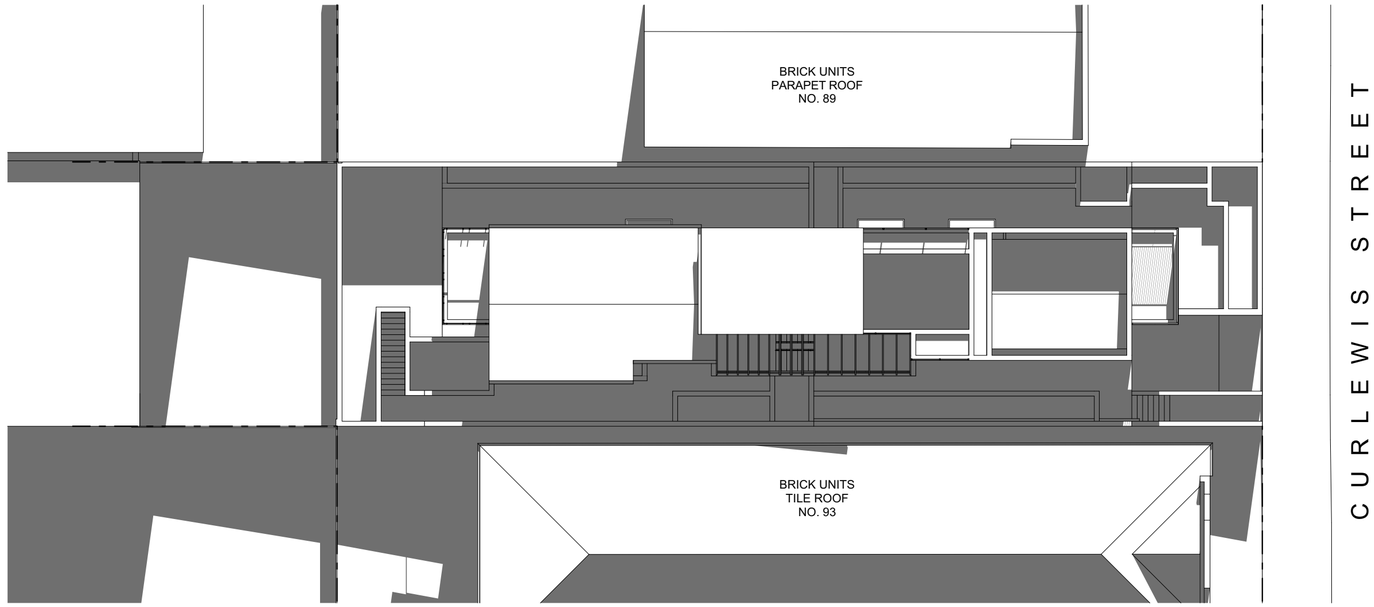
91 Curlewis St, Bondi Beach

CLIENT:
Tony Sukar
91 Curlewis St, Bondi Beach

SHEET TITLE:
Shadow Diagram - 12pm Winter Solstice

SCALE: 1:200 @ A3
DRAWN: JOSH. L
SHEET SIZE: A2
DWG NO: DA08.02
REVISION: d

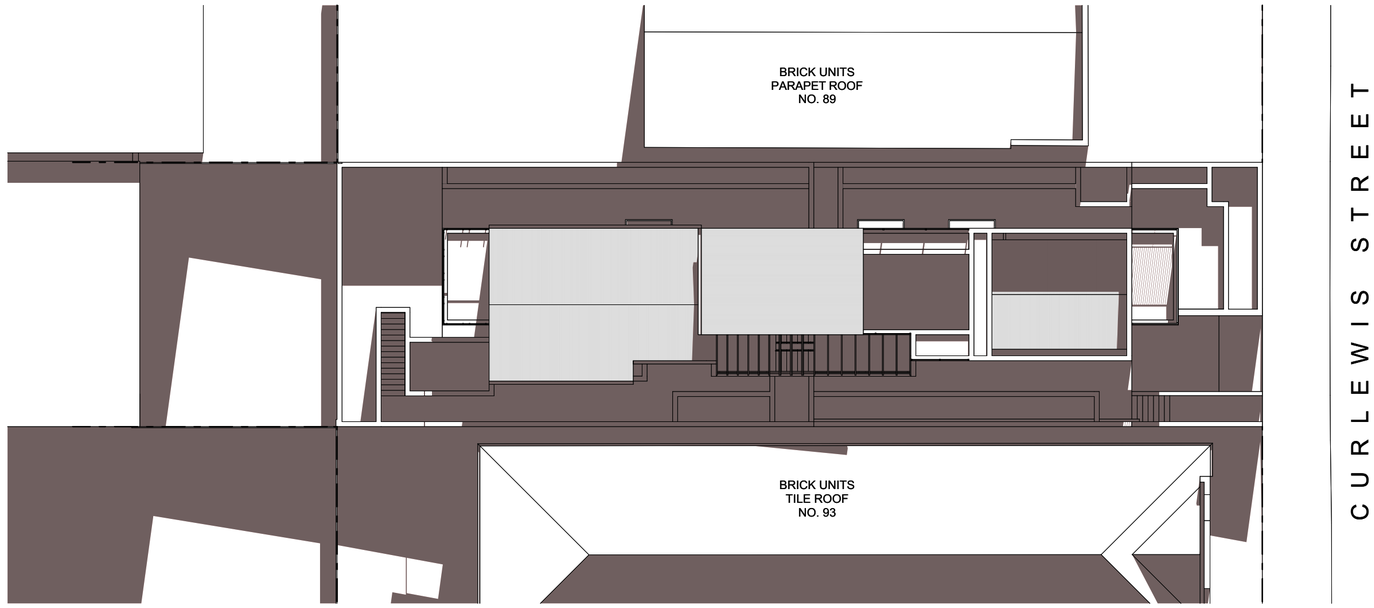


Legend:

- Existing shadow impact
- Proposed additional shadow impact

EXISTING 3pm WINTER SOLSTICE

SCALE 1:200



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Application No: DA-664/2025

Date Received: 11/02/2026

PROPOSED 3pm WINTER SOLSTICE

SCALE 1:200

ARCHISPECTRUM
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TN NN NORTH

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91 Curlewis St, Bondi Beach

CLIENT:
Tony Sukar
91 Curlewis St, Bondi Beach

SHEET TITLE:
Shadow Diagram - 3pm Winter Solstice

SCALE: 1:200 @ A3
DRAWN: JOSH. L
SHEET SIZE: A2
DWG NO: DA08.03
REVISION: d

9am EXISTING

10am EXISTING

11am EXISTING

RECEIVED
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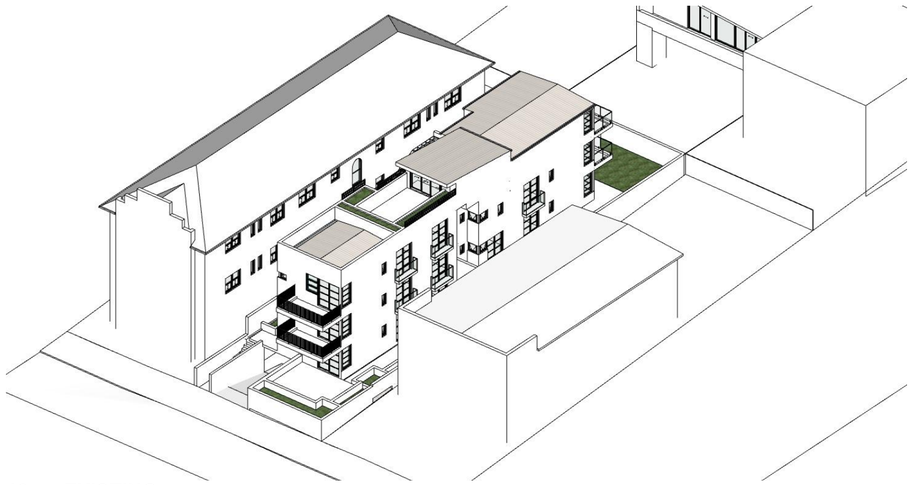

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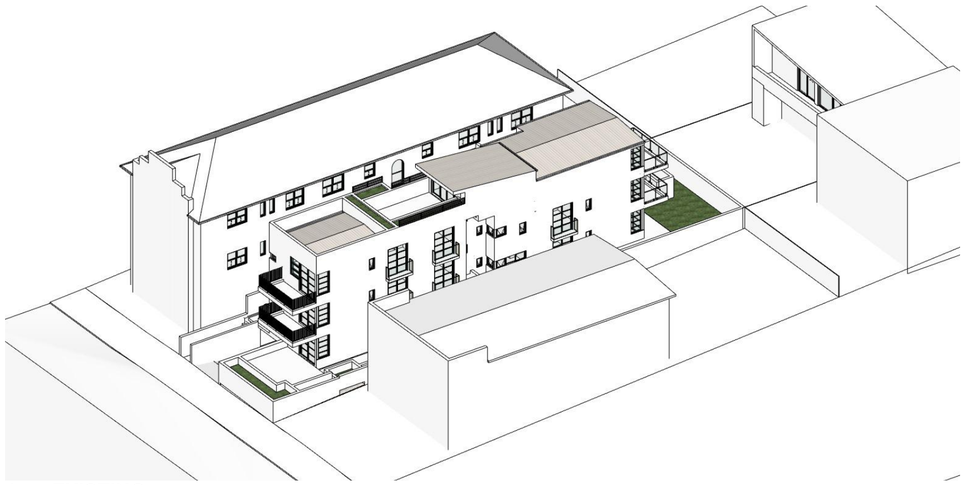
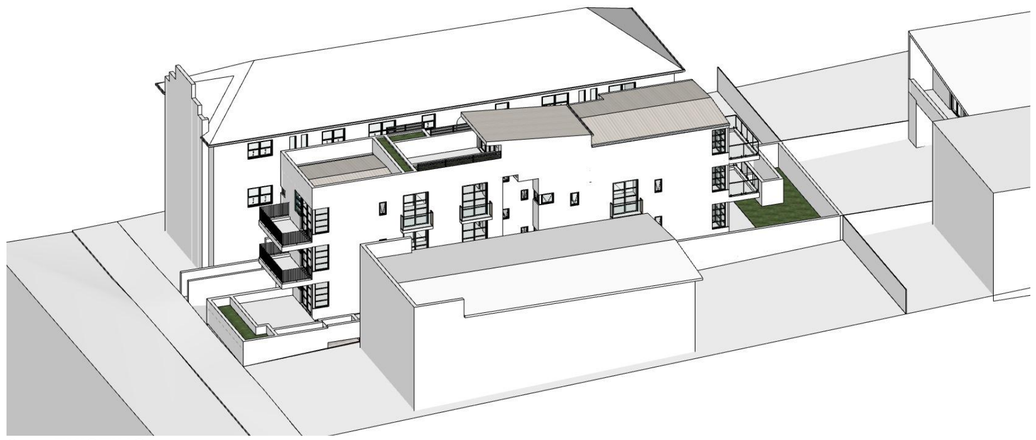


1pm EXISTING



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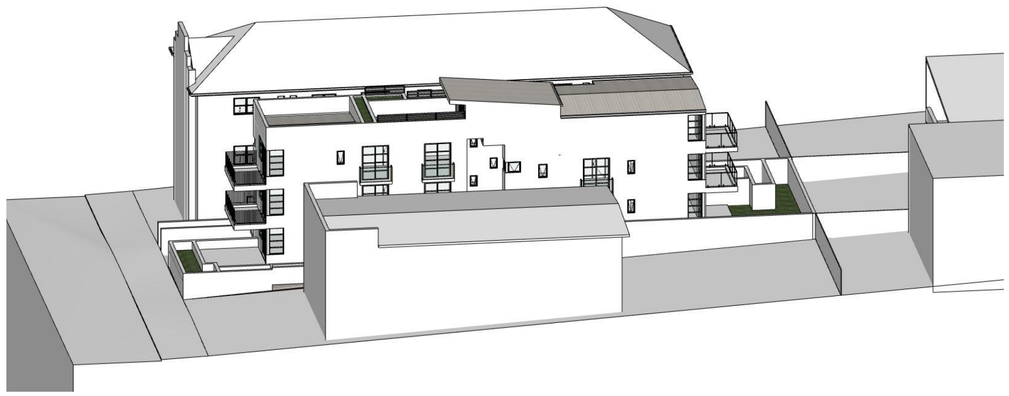

3pm EXISTING

ARCHISPECTRUM

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91 Curlewis St, Bondi Beach

CLIENT:
Tony Sukar
91 Curlewis St, Bondi Beach

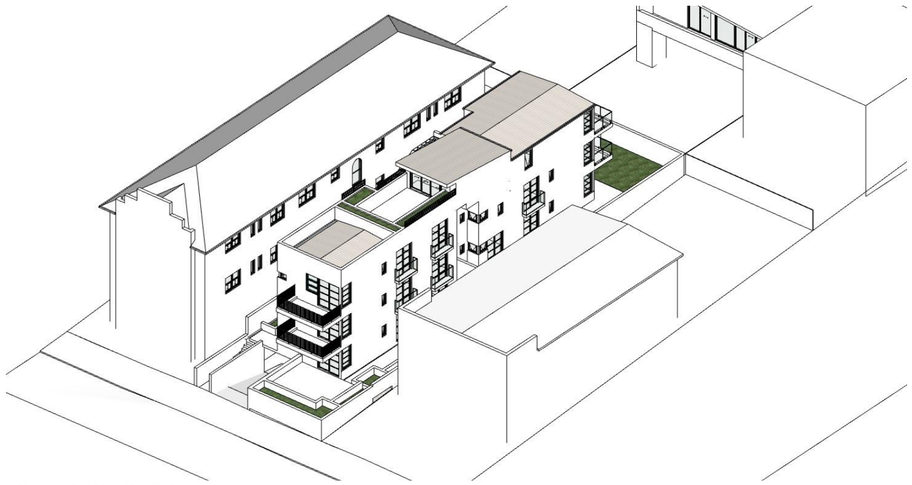
SHEET TITLE:
Sun Eye Diagrams - Existing Winter Solstice

SCALE: @ A3
DRAWN: JOSH. L
SHEET SIZE: A2
DWG NO: DA08.04
REVISION: d

9am PROPOSED

10am PROPOSED

11am PROPOSED



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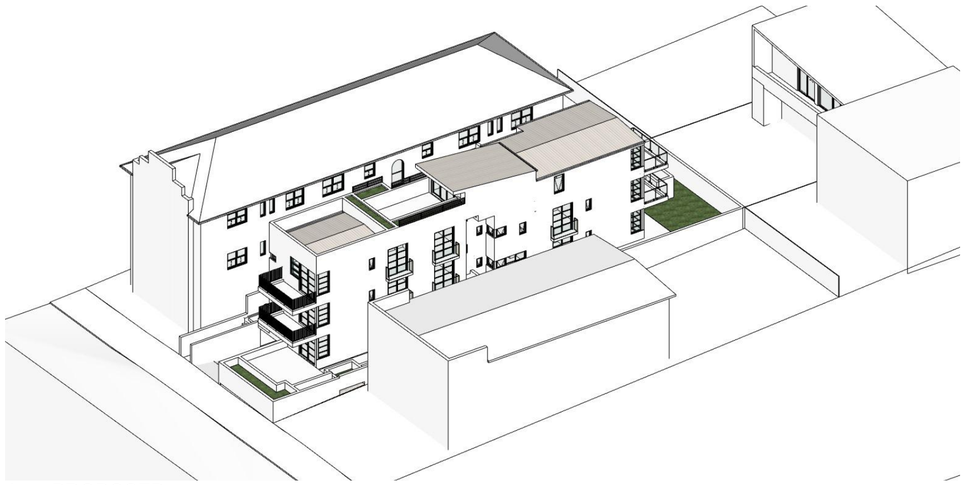

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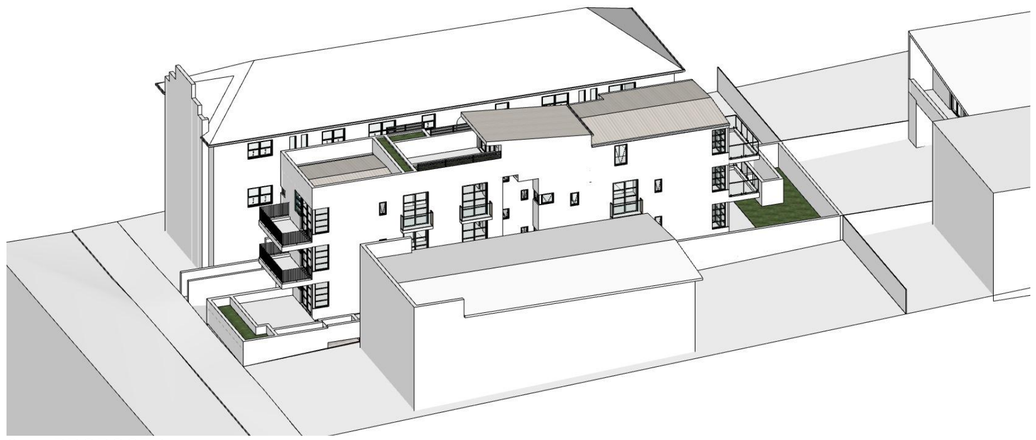

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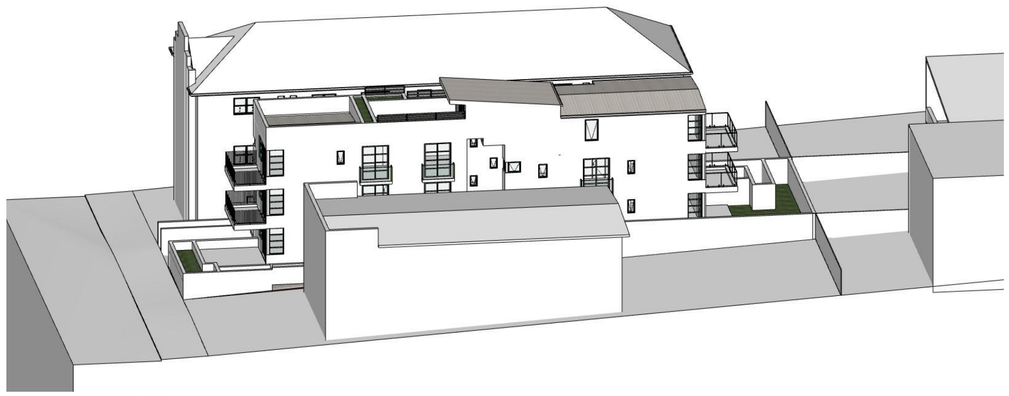

3pm PROPOSED

RECEIVED
Waverley Council

Application No: DA-664/2025

Date Received: 11/02/2026

ARCHISPECTRUM

Nominated Architect: Martin Bednarczyk | NSW ARB #8912
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ISSUE	DATE	DESCRIPTION
A	05.12.2025	DA issue to council
B	02.02.2026	DA issue to council
C	03.02.2026	DA issue to council
D	11.02.2026	DA issue to council

PROJECT:
Alterations & Additions to Existing Unit Block
91 Curlewis St, Bondi Beach

CLIENT:
Tony Sukar
91 Curlewis St, Bondi Beach

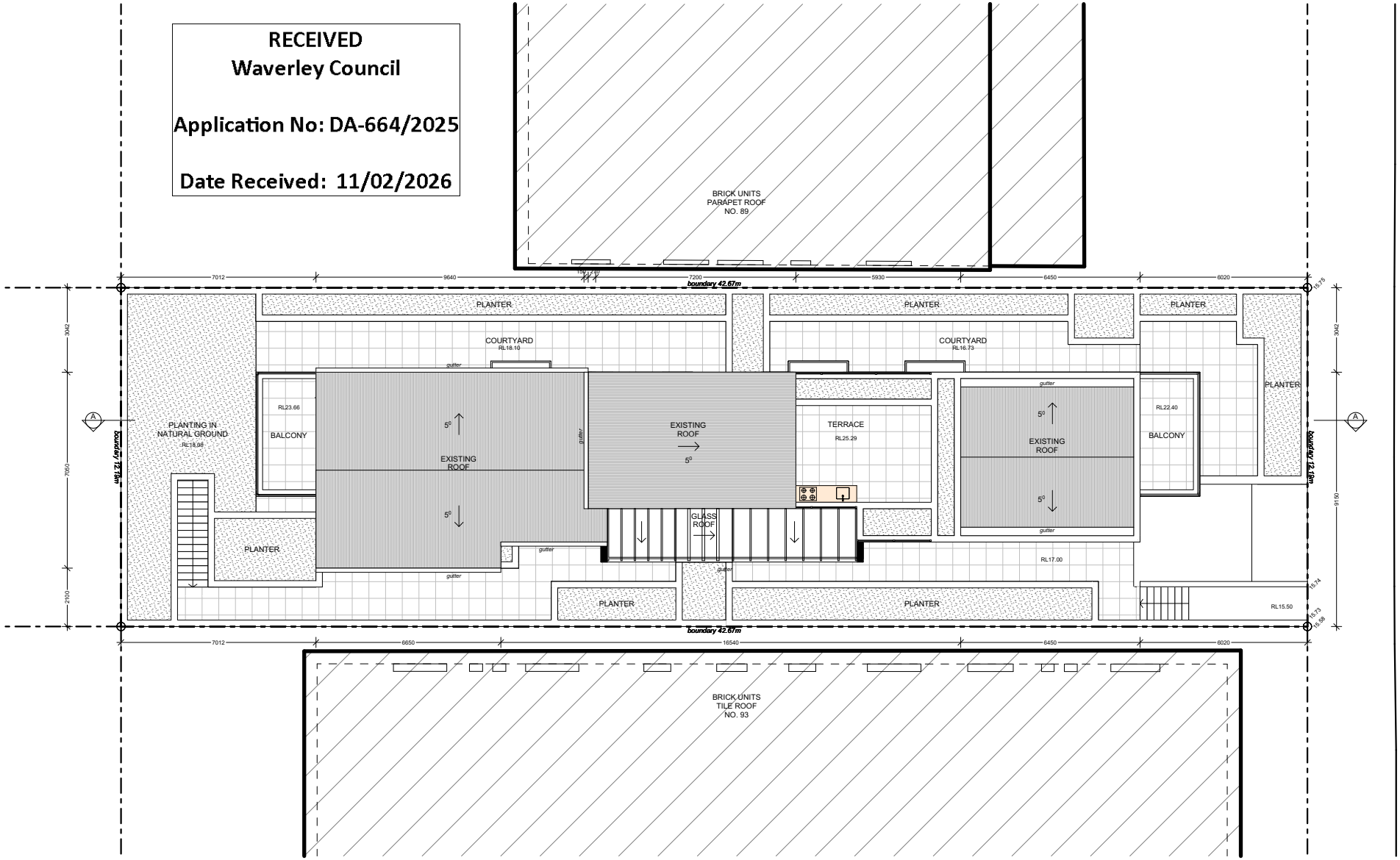
SHEET TITLE:
Sun Eye Diagrams - Proposed Winter Solstice

SCALE: @ A3
DRAWN: JOSH. L
SHEET SIZE: A2
DWG NO: DA08.05
REVISION: d

RECEIVED
Waverley Council

Application No: DA-664/2025

Date Received: 11/02/2026



SITE PLAN

SCALE 1:200

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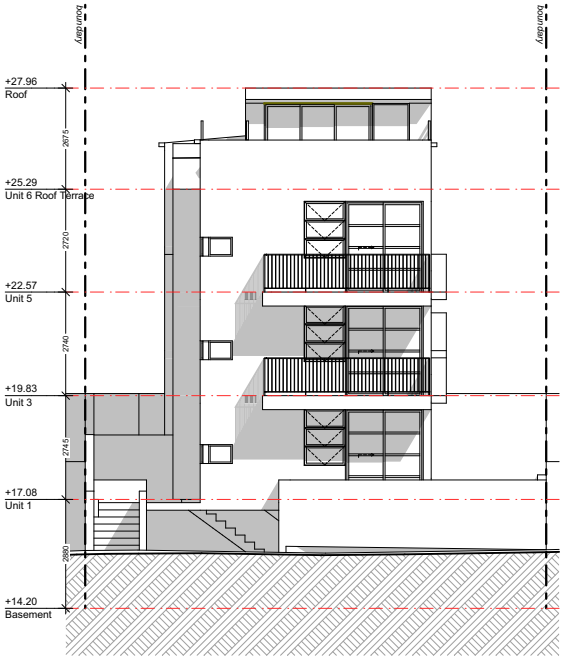
PROJECT:
Alterations & Additions to Existing Unit Block
91 Curlewis St, Bondi Beach

SHEET TITLE:
Notification Drawings - Site Plan

SCALE: 1:200 @ A3
DRAWN: JOSH. L

SHEET SIZE:
A4



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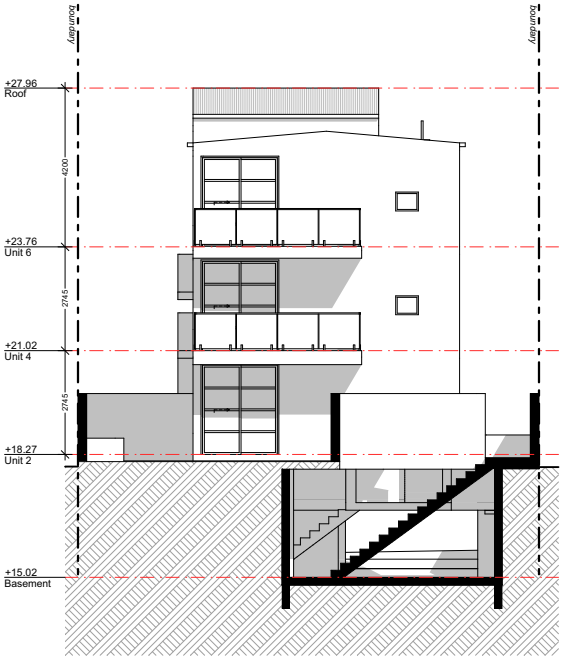
Waverley Council

Application No: DA-664/2025

Date Received: 11/02/2026

NORTHEAST ELEVATION (CURLEWIS STREET)

SCALE 1:200



SOUTHWEST ELEVATION

SCALE 1:200

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PROJECT:
Alterations & Additions to Existing Unit Block
91 Curlewis St, Bondi Beach

SHEET TITLE:
Notification Drawings - Northeast & Southwest Elevation

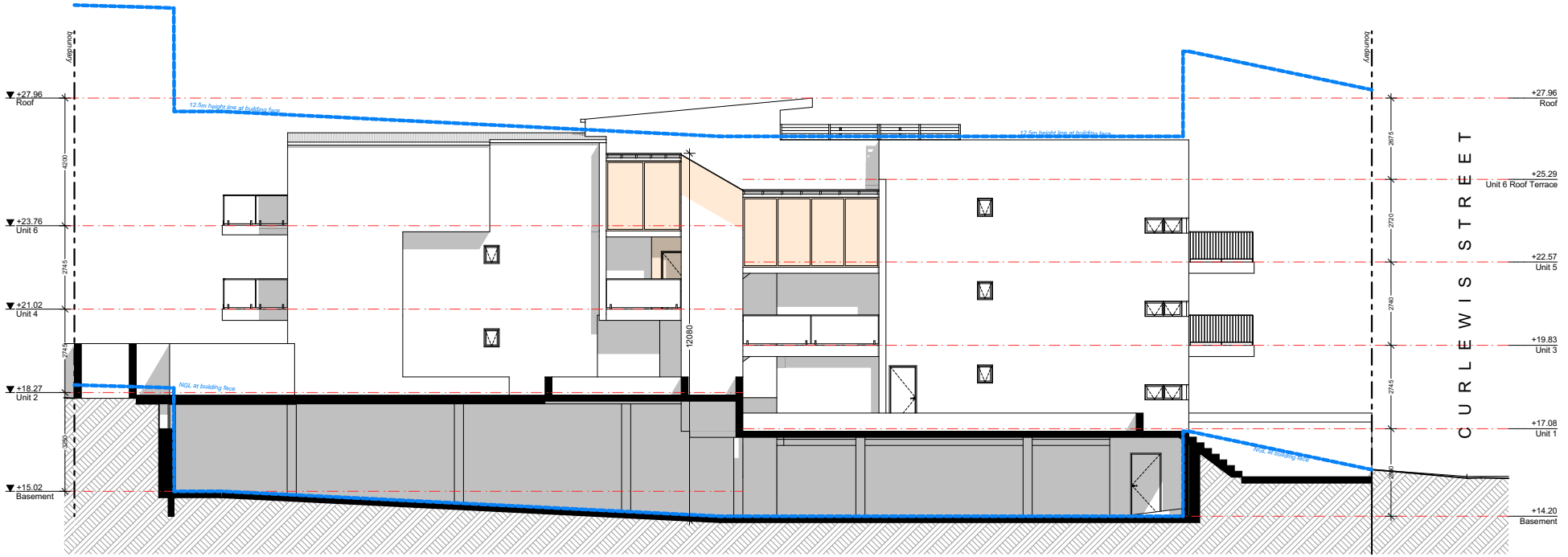
SCALE: 1:200 @ A3
DRAWN: JOSH. L

SHEET SIZE:
A4

RECEIVED
Waverley Council

Application No: DA-664/2025

Date Received: 11/02/2026



SOUTHEAST ELEVATION

SCALE 1:200

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PROJECT:
Alterations & Additions to Existing Unit Block
91 Curlewis St, Bondi Beach

SHEET TITLE:
Notification Drawings - Southeast Elevation

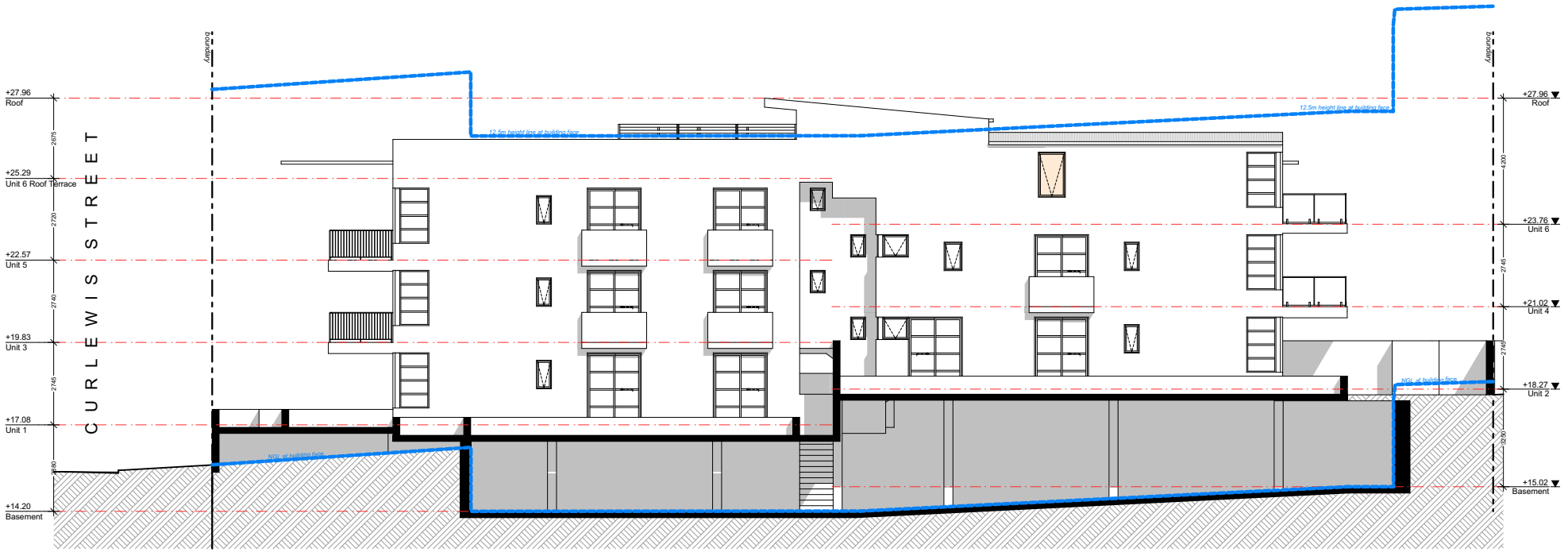
SCALE: 1:200 @ A3
DRAWN: JOSH. L

SHEET SIZE:
A4

RECEIVED
Waverley Council

Application No: DA-664/2025

Date Received: 11/02/2026



NORTHWEST ELEVATION

SCALE 1:200

ARCHISPECTRUM

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A.B.N. 68 662 638 413

PROJECT:
Alterations & Additions to Existing Unit Block
91 Curlewis St, Bondi Beach

SHEET TITLE:
Notification Drawings - Northwest Elevation

SCALE: 1:200 @ A3
DRAWN: JOSH. L

SHEET SIZE:
A4

Report to the Waverley Local Planning Panel

Application number	DA-631/2025
Site address	St Catherine's School, 26 Albion Street, WAVERLEY
Proposal	Alterations and additions to three existing buildings at St Catherine's School, including the Jane Barker Hall, J Floor (Level 02) and the roof of the TAS Building to create a library and senior study centre.
Date of lodgement	15 December 2025
Owner	Council of St Catherine's School Waverley
Applicant	Council of St Catherine's School Waverley
Submissions	Nil
Cost of works	$4,468,200
Principal Issues	• Non-compliance with floor space ratio development standard • Non-compliance with Height development standard • Heritage
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 three buildings within St Catherine's School at the site known as 26 Albion Street, WAVERLEY.

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

- Non-compliance with the floor space ratio development standard
- Non-compliance with the Height development standard
- Heritage significance.

The assessment finds these issues acceptable.

No submissions were received.

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

1.2. Site and Surrounding Locality

A site visit was carried out on 17 February 2026.

The site is identified as Lot 560 in DP 1138118 and Lot 1 in DP 80046, known as 26 Albion Street, WAVERLEY.

The site is irregular in shape and located on the corner of Albion Street and Macpherson Street. It also has frontages to Bronte Road, Leichhardt Street and Leichhardt Lane. The site has an area of 22,290m^2 and it falls from the north towards the south by approximately 10m.

The site is occupied by an educational establishment known as St Catherine's School with vehicular access provided from Albion Street.

The proposal relates to Jane Barker Hall and J Floor (AKA Faith Patterson Research Centre) which are located at the western end of the site, along the site frontage to Albion Street.

The site contains two heritage items, being the *St Catherine's School and Grounds, Macpherson Street* (Item #521) and *Georgian style stone building, St John's, St Catherine's School* (Item #444). The site is located within the Charing Cross Conservation Area (C7).

The locality is characterised by a variety of low and medium residential developments.

Figures 1 to **6** are photos of the site and its context. It is noted that the J floor library, under croft area and TAS building were also inspected by the assessing officer, however as students were present, photographs could not be taken.

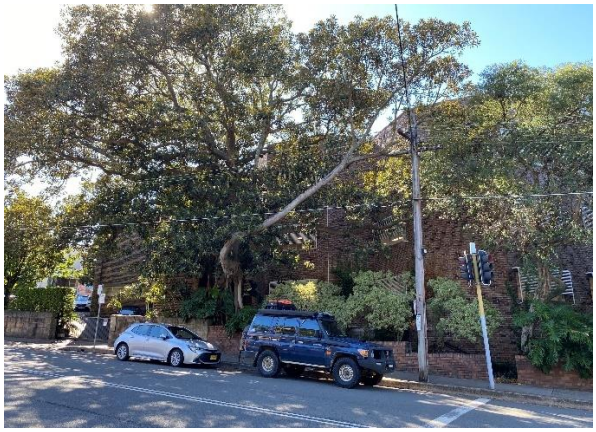


Figure 1: Jane Barker Hall and J floor buildings viewed from Albion Street

Figure 2: External view to Jane Barker Hall, no change proposed

Figure 3: Internal area of the Jane Barker Hall showing stage, mezzanine, stairs and ceiling

Figure 4: Existing timber ceiling in the Jane Barker Hall, proposed to be retained

Figure 5: Existing Jane Barker Hall entry doors proposed to be replaced

Figure 6: Existing store room to be demolished to provide a new opening into Jane Barker Hall

1.3. Relevant Development History

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

- SSD 6339 was approved by the Minister for Planning on 6 April 2016. It approved staged redevelopment of St Catherine's School over 15 years to support up to 1,200 students, comprising demolition works, new buildings, alterations and additions, revised access arrangements and additional car parking. Subsequent modifications were approved on 31 July 2018, 1 September 2019 and 7 June 2021.

1.4. Proposal

The development application seeks consent for alterations and additions to the Jane Barker Hall, J Floor (Level 02) and the TAS Building roof, and specifically includes the following:

- Jane Barker Hall
    - Demolition of the main entrance stairs and doors, staircase to the mezzanine level and various other elements;
    - Change of use of the hall to a library; and
    - Alterations including new doors and windows on the western, eastern and southern facades, construction of a new library, office and store, new staircase to the mezzanine level, new lift and new study spaces at mezzanine level.

- J Floor (Level 02)
    - Demolition of the ground floor entrance on the eastern side of the building, kitchen and bag storage area, library study space and ICT store fit out;
    - Change of use from library to classrooms and study spaces; and
    - New opening between the J floor and Jane Barker Hall, new walls within the existing under croft/foyer and new walls to create general learning study, study spaces, staff room, kitchenette and book stacks.

- TAS building (roof)
    - New mechanical plant.

The proposal does not seek to alter the existing school operations including student/staff population, hours of operation, transport and parking arrangements.

The proposal does not seek any changes to the development approved by State Significant Development SSD 6339.

2. ASSESSMENT

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

2.1. Planning Instruments and Development Control Plans

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

2.1.1. State Environmental Planning Policies (SEPPs)

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

- SEPP (Sustainable Buildings) 2022
- SEPP (Transport and Infrastructure) 2021
- SEPP (Biodiversity and Conservation) 2021
- SEPP (Resilience and Hazards) 2021
- SEPP (Planning Systems) 2021.

A detailed discussion is provided for relevant SEPPs as follows:

SEPP (Transport and Infrastructure) 2021
The proposal relates to an educational establishment, and as such Chapter 3 applies. Part 3.4 of SEPP (Transport and Infrastructure) 2021 relates to Schools, specifically Clause 3.36, which outlines development permitted with consent.

Section 3.36(6) of SEPP (Transport and Infrastructure) 2021 is relevant to the subject DA and states:

> *(6) Before determining a development application for development of a kind referred to in subsection (1), (3) or (5), the consent authority must take into consideration—*
>
> *(a) the design quality of the development when evaluated in accordance with the design quality principles set out in Schedule 8, and*
>
> *(b) whether the development enables the use of school facilities (including recreational facilities) to be shared with the community.*

The relevant matters to be considered under the SEPP (Transport and Infrastructure) 2021 Schedule 8 Design Quality Principles in Schools referred to in Chapter 3 is outlined below:

Table 1: Schedule 8 – Design Quality Principles in Schools

Schedule 8 - Design quality principles in schools	Comment
1 Responsive to context *Schools should be designed to respond to and enhance the positive qualities of their surroundings.* *In designing built forms and landscapes, consideration should be given to a Country-centred approach and respond to site conditions such as orientation,*	The proposed alterations retain the existing design and placement of buildings. The work is predominantly internal and will not be visible from the public domain.

Schedule 8 - Design quality principles in schools	Comment
topography, natural systems, Aboriginal and European cultural heritage and the impacts of climate change. *Landscapes should be integrated into the overall design to improve amenity and to help mitigate negative impacts on the streetscape and neighbouring sites.*	
2 Sustainable, efficient and resilient *Good school design combines positive environmental, social and economic outcomes and should align with the principles of caring for Country.* *Schools should be designed to be durable and resilient in an evolving climate.* *Schools and their grounds should be designed to minimise the consumption of energy, water and other natural resources and reduce waste.*	Suitable and durable materials are proposed to be used.
3 Accessible and inclusive *School buildings and grounds should be welcoming, easy to navigate and accessible and inclusive for people with differing needs and abilities.* *Schools should be designed to respond to the needs of children of different ages and developmental stages, foster a sense of belonging and seek to reflect the cultural diversity of the student body and community.* *Schools should be designed to enable sharing of facilities with the community and to cater for activities outside of school hours.*	The proposal has been designed to meet the requirements of St Catherine's students and staff. The proposed installation of a lift will improve access for people with differing needs and abilities. There are other buildings within the school which accommodate community activities outside of school hours.
4 Healthy and safe *Good school design should support wellbeing by creating healthy internal and external environments.* *The design should ensure safety and security within the school boundaries, while maintaining a welcoming address and accessible environment.* *In designing schools, consideration should be given to connections, transport networks and safe routes for travel to and from school.*	The proposal has been designed to meet the health and safety needs of St Catherine's students and staff.
5 Functional and comfortable *Schools should have comfortable and engaging spaces that are accessible for a wide range of formal and informal educational and community activities.* *In designing schools, consideration should be given to the amenity of adjacent development, access to sunlight, natural ventilation, proximity to vegetation and landscape, outlook and visual and acoustic privacy.*	The proposal will meet the functional needs and provide comfortable spaces for the St Catherine's students and staff.

Schedule 8 - Design quality principles in schools	Comment
Schools should include appropriate indoor and outdoor learning and play spaces, access to services and adequate storage.	
6 Flexible and adaptable *In designing schools, consideration should be given to future needs and take a long-term approach that is informed by site-wide strategic and spatial planning.* *Good design for schools should deliver high environmental performance and ease of adaptation, and maximise multi-use facilities.* *Schools should be adaptable to evolving teaching methods, future growth and changes in climate, and should minimise the environmental impact of the school across its life cycle.*	The proposal will meet the ongoing needs of St Catherine's students and staff.
7 Visually appealing *School buildings and their landscape settings should be aesthetically pleasing by achieving good proportions and a balanced composition of built and natural elements.* *Schools should be designed to respond to and have a positive impact on streetscape amenity and the quality and character of the neighbourhood.* *The identity and street presence of schools should respond to the existing or desired future character of their locations.* *The design of schools should reflect the school's civic role and community significance.*	The proposed works are not visible from the public domain or neighbouring properties. Notwithstanding this, appropriate and durable materials are proposed.

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

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

Table 2: Waverley LEP 2012 Compliance Table

Provision	Compliance	Comment
Part 1 Preliminary		
1.2 Aims of plan	Yes	The proposal is consistent with the Aims of the Plan
Part 2 Permitted or prohibited development		
Land Use Table *SP2 Infrastructure (Educational Establishment) Zone*	Yes	The proposal is defined as alterations and additions to a 'school', which is a type of 'educational establishment' permitted with consent in the SP2 zone.

Provision	Compliance	Comment
Part 4 Principal development standards		
4.3 Height of buildings • *9.5m*	No	The proposed mechanical plant enclosure has a building height of 10.935m. This is an exceedance of 1.435m or 15.1% variation.
4.4 Floor space ratio and • *0.6:1 (13,374m^2)*	No	The existing FSR is 0.98:1 (21,992m^2 GFA). The proposal comprises an additional 80m^2 of GFA, which equates to a total FSR of 0.99:1 (22,072m^2 GFA). This is an exceedance of 8,698m^2 or 65% variation.
4.6 Exceptions to development standards	See discussion	The application is accompanied by a written request pursuant to clause 4.6 of Waverley LEP 2012 to vary the FSR and Height 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 accommodates the following Local Heritage Items: - *St Catherine's School and Grounds, Macpherson Street* (Item #521); and - *Georgian style stone building, St John's, St Catherine's School* (Item #444). The site is also located within the Charing Cross Conservation Area (C7). A Heritage Impact Statement was provided with the development application which concludes that the heritage listing primarily relates to the significance of the earliest buildings on site and not the Jane Barker Hall and the J Floor. The application was referred to Council's Heritage Advisor who notes that the heritage significance of the Jane Barker Hall should not be overlooked as the triangulated roof form and clinker brick cladding provide a rare example of the 'Sydney School' style applied to academic and institutional buildings of the late 1950s and early 1960s. Council's Heritage Advisor agreed that the proposed works will have minimal impact on the visual qualities of the Jane Barker Hall as viewed from the public domain (Albion Street), however awareness of the building's significance should not be progressively

Provision	Compliance	Comment
		deleted by successive alterations. Therefore, a condition has been recommended requiring an archival photographic record of the Jane Barker Hall be prepared in accordance with the guidelines of the NSW Branch Department of Planning. The archival record is recommended to be stored at the school with a copy at Waverley Library. The proposal is considered to be consistent with the relevant objectives and controls of Clause 5.10 Heritage Conservation.

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

Clause 4.6 Exceptions to Development Standards – Height of Buildings

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

The site is subject to a maximum building height development standard of 9.5m. The proposed development has a height of 10.935m, exceeding the standard by 1.435m equating to a 15.1% variation. It is noted that the existing building already exceeds the development standard by 1.015m or a 10.68% variation.

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

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

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

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

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

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

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

(i) Most of the proposed work is within the existing building envelope of the Jane Barker Hall and J Floor, therefore there is generally no increase in Building Height. The exception is the

proposed new roof mounted mechanical plant enclose on the TAS Building roof which will have a maximum building height of 10.935m.

(ii) The objectives of the height of buildings development standards are satisfied notwithstanding the non-compliance.

(iii) Given most of the proposed work is within the existing building envelope, the external appearance of the building remains. The proposed roof mounted plant enclosure will not be visible from the public domain or external private properties as it is setback approximately 20m from the Albion Street boundary and sites below/behind taller existing structures, including the parapet to the J Floor.

(iv) An Acoustic Report has been submitted with the application which concludes there are no adverse acoustic impacts as a result of the development.

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

(i) The proposed internal work with a height greater than 9.5m will not alter the existing building envelope of Jane Barker Hall and will have no adverse environmental impacts

(ii) The proposed roof mounted mechanical plant enclosure will not be visible from the public domain or external private properties as it is setback 20m from the Albion Street boundary and it sites below/behind taller existing structures (including the parapet).

(iii) The proposal will have no impacts on solar access to neighbouring properties or the public domain.

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 existing ground level. The document also addressed those matters required in Clause 4.6(3)(a) and (b).

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

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

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

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

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

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

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

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

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

The development is not visible from neighbouring properties, nor does it cause additional overshadowing or have view loss impacts. It is considered to preserve the environmental amenity of neighbouring properties.

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

Not applicable.

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

The existing solar access is maintained to existing buildings and public areas.

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

The proposed rooftop plant and enclosure are not visible from the public domain or neighbouring properties. Therefore, the character of the locality is not impacted by the proposal.

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

The applicant has satisfactorily argued that that there are sufficient environmental planning grounds to justify contravening the development standard. Specifically, the applicant's argument that the external height breach relates to mechanical plant enclosures only. The existing height of the building is a particular environmental planning ground that drives the non-compliance. The portion of the development which breaches the height development standard does not result in any adverse environmental planning impacts.

<u>Conclusion</u>

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

Clause 4.6 Exceptions to Development Standards – Floor Space Ratio

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

The site is subject to a maximum FSR development standard of 0.6:1. The proposed development has a FSR of 0.99:1, exceeding the standard by 8,698m^2 equating to a 65% variation. It is noted that the existing building already exceeds the development standard by 8,618 m^2 equating to a 64% variation. The proposal comprises an additional 80m^2 of gross floor area.

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

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

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

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

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

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

(c) That compliance with the development standard is unreasonable or unnecessary in the circumstances of the case:
   (i) The objectives of the FSR development standard are achieved notwithstanding non-compliance with the standard.
   (ii) The proposed increase in GFA/FSR arises from the infilling existing under crofts/void spaces or changing non-GFA areas to GFA areas. As such, the additional GFA is within the existing building envelope.
   (iii) As the proposed works are within the existing building envelope, there will no alterations to the external appearance of the buildings as viewed from Albion Street or neighbouring properties.
   (iv) The approved state significant development application (SSD 6339) has approved a FSR of 1:1. The subject development application proposes a FSR of 0.99:1, which is consistent with the SSD approval.

(d) That there are sufficient environmental planning grounds to justify contravening the standard:
   (i) The increase in GFA is relatively small in the context of the site (80m^2) and arises from internal alterations, infilling voids and changing non-GFA areas to GFA areas.
   (ii) The proposed increase in GFA is within the existing building envelope and will have no adverse environmental impacts.

Consideration of Applicant's Written Request

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

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

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

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

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

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

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

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

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

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

Not applicable.

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

The proposed increase in GFA/FSR arises from infilling existing under crofts/void spaces or changing non-GFA areas to GFA areas. As the additional GFA/FSR is within the existing building envelope, the additions do not increase the height of the buildings on site.

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

The additional GFA/FSR is within the existing building envelope and therefore does not impact the 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 development not visible from neighbouring properties, nor does it cause additional overshadowing or have view loss impacts. It is considered to preserve the environmental amenity of neighbouring properties.

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

The applicant has satisfactorily argued that that there are sufficient environmental planning grounds to justify contravening the development standard. Specifically, the applicant's argument that the additional GFA/FSR is a result of infilling voids and turning non-GFA areas into GFA area. The existing GFA/FSR of the building is a particular environmental planning ground that drives the non-compliance. The additional GFA/FSR does not result in any adverse environmental planning impacts.

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

2.1.3. Waverley Development Control Plan 2022 (Waverley DCP 2022) – Amendment 5

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

Table 3: Waverley DCP 2022 – Part B General Provisions Compliance Table

Development Control	Compliance	Comment
1. Waste	Yes	Satisfactory.
6. Accessibility and Adaptability	Yes	Satisfactory. A new lift is proposed to improve accessibility.
8. Heritage	Yes	Satisfactory.
9. Safety	Yes	Satisfactory.
11. Design Excellence	Yes	Satisfactory.

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.

2.3. Suitability of the Site for the Development

The site is considered suitable for the proposal.

2.4. Any Submissions

The application was notified for 21 days between 12 January 2026 and 4 February 2026 and a site notice erected on the site in accordance with the *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.

3. REFERRALS

The following internal referral comments were sought:

3.1. Environmental Health

Council's Senior Environmental Health Officer raised concerns about the noise impacts as a result of the air conditioning condensers proposed to be located on the rooftop. It was recommended that these be relocated in an acoustically treated plant room. Notwithstanding this, it was noted in the referral that the submitted Acoustic Assessment Report prepared by Pule White Noise Acoustics dated 21 November 2025 concludes that acoustic screening of the plant may be required and a detailed assessment of mechanical noise emissions is required in later design stages. Therefore, a condition has been recommended requiring an additional acoustic report prior to the issue of a construction certificate.

3.2. Fire Safety

Council's Senior Building Surveyor advised the proposal is supportable, subject to a condition requiring all proposed building work to be carried out in accordance with the requirements of the NCC/Building Code of Australia, Volume 1 of 2022 Amendment 2 (July 2025). This may include Deemed to Satisfy provisions of alternative solutions compliance.

3.3. Heritage

As discussed in Table 2 (Waverley LEP Compliance Table) above, Council's Heritage Advisor notes the heritage significance of the Jane Barker Hall should not be overlooked. The works are noted as having minimal impact on the visual qualities of the Jane Barker Hall when viewed from the public domain (Albion Street). A condition has been recommended requiring an archival photographic record of the Jane Barker Hall be prepared in accordance with the guidelines of the NSW Brand Department of Planning. The archival record is recommended to be stored at the school with a copy at Waverley Library.

4. CONCLUSION

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

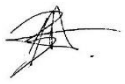
5. RECOMMENDATION TO WAVERLEY LOCAL PLANNING PANEL

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

Managers of Development Assessment (MODA) Review

The application was reviewed by the MODA at the meeting on 24 February 2026 and the MODA concurred with the Assessment Planner's recommendation.

MODA members: *J Zancanaro, B McNamara, B Magistrale and K Johnstone.*

Report prepared by:	**Application reviewed and agreed by:**
	
Emma Finnegan	Ben Magistrale
Senior Development Assessment Planner	**Manager, Development Assessment**
Date: 05 March 2026	**Date: 10 March 2026**

Reason for WLPP referral:

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

OFFICE USE ONLY

<table>
<tr><td colspan="2">Planning Portal Data</td></tr>
<tr><td>Clause 4.6 register entry required</td><td></td></tr>
<tr><td>Clause 4.6 register entry required

(For the purposes of reporting to the planning portal, if the % approved is different to the % proposed in the original submission, please state what the variation initially proposed was – Planning Portal Requirement)</td><td>15.1% variation to height (Clause 4.3)
<table><tr><td>X</td><td>Pre-existing non-compliance</td></tr><tr><td></td><td>No change to overall building height</td></tr><tr><td>X</td><td>No change to overall building envelope</td></tr><tr><td>X</td><td>Variation limited to the [lift/plant/parapet/attic] only</td></tr><tr><td>X</td><td>No unreasonable impacts on the amenity of adjoining properties or streetscape</td></tr><tr><td>X</td><td>Sufficient environmental planning grounds</td></tr><tr><td>X</td><td>Consistent with the objectives of the standard</td></tr><tr><td></td><td>[insert another reason here if required]</td></tr></table></td></tr>
<tr><td>Clause 4.6 register entry required

(For the purposes of reporting to the planning portal, if the % approved is different to the % proposed in the original submission, please state what the variation initially proposed was – Planning Portal Requirement)</td><td>65% variation to FSR (Clause 4.4)
<table><tr><td>X</td><td>Pre-existing non-compliance</td></tr><tr><td></td><td>No change to overall building height</td></tr><tr><td>X</td><td>No change to overall building envelope</td></tr><tr><td></td><td>Variation limited to the [lift/plant/parapet/attic] only</td></tr><tr><td>X</td><td>No unreasonable impacts on the amenity of adjoining properties or streetscape</td></tr><tr><td>X</td><td>Sufficient environmental planning grounds</td></tr><tr><td>X</td><td>Consistent with the objectives of the standard</td></tr><tr><td></td><td>[insert another reason here if required]</td></tr></table></td></tr>
<tr><td>Excavation Register</td><td>N/A</td></tr>
<tr><td>Determining Authority

(Concurrence Authority for Clause 4.6 variation)</td><td>Local Planning Panel</td></tr>
<tr><td>Were the requirements of the Sustainable Buildings SEPP (effective 1 October 2023) met?</td><td>Yes</td></tr>
<tr><td>Have any dwellings been approved for affordable Rental Housing under this approval/consent?
*This is a planning portal reporting requirement</td><td>No</td></tr>
</table>

Secondary Dwelling *This is a planning portal reporting requirement	No
Boarding House *This is a planning portal reporting requirement	No
Group Home *This is a planning portal reporting requirement	No
Is the development subject to the Special Infrastructure Contribution (SIC)?	No
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 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

GENERAL CONDITIONS

1. APPROVED PLANS AND DOCUMENTATION

The development must be in accordance with:

(a) Architectural Plans prepared by TKD Architects of Project No: 250065 including the following:

Plan Number and Revision	Plan description	Plan Date	Date received by Council
AR DA 0000 Rev C	Cover Sheet	27/11/2025	15/12/2025
DA-AR-0400 Rev C	Site Analysis	27/11/2025	15/12/2025
DA-AR-1000 Rev C	Site Context Plan	27/11/2025	15/12/2025
DA-AR-1001 Rev C	Existing Site Plan	27/11/2025	15/12/2025
DA-AR-1300 Rev A	Existing Plan Level 01	24/11/2025	15/12/2025
DA-AR-1301 Rev A	Existing Plan Level 02	24/11/2025	15/12/2025
DA-AR-1302 Rev A	Existing Plan Level 03	24/11/2025	15/12/2025
DA-AR-1400 Rev A	Demolition Plan Level 01	24/11/2025	15/12/2025
DA-AR-1401 Rev A	Demolition Plan Level 02	24/11/2025	15/12/2025
DA-AR-1402 Rev A	Demolition Plan Level 03	24/11/2025	15/12/2025
DA-AR-1403 Rev A	Demolition Plan Roof	24/11/2025	15/12/2025
DA-AR-1500 Rev A	Existing Elevations North	24/11/2025	15/12/2025
DA-AR-1501 Rev A	Existing Elevations East	24/11/2025	15/12/2025
DA-AR-1502 Rev A	Existing Elevations South	24/11/2025	15/12/2025
DA-AR-1503 Rev A	Existing Elevations West	24/11/2025	15/12/2025
DA-AR-1700 Rev A	Demolition Elevations North	24/11/2025	15/12/2025
DA-AR-1701 Rev A	Demolition Elevations East	24/11/2025	15/12/2025
DA-AR-1702 Rev A	Demolition Elevations South	24/11/2025	15/12/2025
DA-AR-1703 Rev A	Demolition Elevations West	24/11/2025	15/12/2025
DA-AR-2100 Rev A	General arrangement plan Level 01	24/11/2025	15/12/2025
DA-AR-2101 Rev A	General arrangement plan Level 02	24/11/2025	15/12/2025
DA-AR-2102 Rev A	General arrangement plan Level 03	24/11/2025	15/12/2025
DA-AR-2103 Rev A	General arrangement plan roof plan	24/11/2025	15/12/2025
DA-AR-3100 Rev B	Building Elevation North	25/11/2025	15/12/2025
DA-AR-3101 Rev B	Building Elevation East	25/11/2025	15/12/2025
DA-AR-3102 Rev B	Building Elevation South	25/11/2025	15/12/2025

DA-AR-3103 Rev B	Building Elevation West	25/11/2025	15/12/2025
DA-AR-3400 Rev B	Building Section A	25/11/2025	15/12/2025
DA-AR-3401 Rev B	Building Section B	25/11/2025	15/12/2025
DA-AR-3402 Rev B	Building Section C	25/11/2025	15/12/2025
DA-AR-3403 Rev B	Building Section D	25/11/2025	15/12/2025
DA-AR-3404 Rev B	Building Section E	25/11/2025	15/12/2025
DA-AR-8500 Rev A	Proposed External Finishes	24/11/2025	15/12/2025

(b) Heritage Impact Statement prepared by NBRS & Partners Pty Ltd, dated November 2025 and received by Council on 15/12/2025;

(c) BCA Assessment Report prepared by BM+G dated 26 November 2025, and received by Council on 15/12/2025;

(d) Acoustic Report prepared by Pulse White Noise Acoustics dated 21 November 2025, and received by Council on 15/12/2025; and

(e) The Site Waste and Recycling Management Plan (SWRMP) Part 1 and received by Council on 15/12/2025.

Except where amended by the following conditions of consent.

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

2. COMPLIANCE WITH NATIONAL CONSTRUCTION CODE

All proposed work must comply with the *National Construction Code* (previously known as the *Building Code of Australia*). This may include Deemed to Satisfy provisions or alternative solutions compliance.

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

3. 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.

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

4. 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.

CONTRIBUTIONS, FEES & BONDS

5. SECTION 7.12 CONTRIBUTION

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

(a) Where the total development cost is $500,000 or less:

  (i) a Cost Summary Report or Building Contract (dated within 12 months) or similar is to be submitted to Council's Customer Service Centre to process payment.

(b) Where the total development cost is more than $500,001 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.

6. LONG SERVICE LEVY

A long service levy, as required under section 34 of the *Building and Construction Industry Long Service Payments Act, 1986*, is to be paid in respect of this building work. Evidence that the levy has been paid is to be submitted to the Principal 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.

7. SECURITY DEPOSIT

(a) Payment to the amount of $89,364 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.

HERITAGE MATTERS

8. ARCHIVAL RECORDING OF EXISTING HERITAGE BUILDING

An archival record shall be prepared of the existing building for deposit in Waverley Council's Archive. This record must be carried out prior to the removal of any significant building fabric or furnishings from the site and must be submitted to Council 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.

CONSTRUCTION AND SITE MATTERS

9. HOARDING FOR CONSTURCTION 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.

10. ENGINEERING DETAILS

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

Condition reason: To ensure the structural stability of work on site.

WASTE

11. 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.

NOISE

12. NOISE – ACOUSTIC REPORT

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

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

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

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

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

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

13. 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.

DEMOLITION & EXCAVATION

14. DEMOLITION – ASBESTOS AND HAZARDOUS MATERIALS

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

(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.

15. 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

16. 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.

17. 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.

18. 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.

19. 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.

20. 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.

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

21. 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.

22. CERTIFICATION OF ACOUSTIC PERFORMANCE

An acoustic report/certificate prepared by a suitably qualified acoustic consultant is to be submitted to the Principal Certifier and the Council's Executive Manager, Compliance (or delegate), certifying that all acoustic recommendations (including noise from mechanical plant) and conditions of consent (including the operational conditions) have been incorporated into the development and can be satisfied.

Condition reason: To ensure acoustic amenity is achieved.

23. CERTIFICATION OF ALL MECHANICAL PLANT

All mechanical plant is to be tested. A 'Certificate of Testing', accompanied with a copy of the final test figures, certifying that the system/s complies with the conditions of this consent, National Construction Code (NCC) and relevant Australian Standards is to be submitted to the Principal Certifier. The testing, Certificate and figures referred to in this condition, are to be undertaken by a suitably qualified person.

Condition reason: To ensure the proper installation and testing of the mechanical plant has been undertaken.

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

24. NOISE EMISSIONS

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

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

25. AIR EMISSIONS

The use of the premises shall not give rise to air impurities in contravention of the *Protection of the Environment Operations Act, 1997.*

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

26. NOISE - MECHANICAL PLANT

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

(a) Transmission of "offensive noise" as defined in the *Protection of the Environment Operations Act 1997* to any place of different occupancy.

(b) A sound pressure level at any affected property that exceeds the background (LA90, 15 minute) noise level by more than 5dB(A). The background noise level must be measured in the absence of noise emitted from the use. The source noise level must be assessed as a LAeq, 15 minute.

(c) Notwithstanding compliance with (a) and (b) above, the noise from mechanical plant associated with the premises must not be audible in any habitable room in any residential premises between the hours of 12:00 midnight and 7:00am.

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

27. REFRIGERATION UNITS AND MECHANICAL PLANT

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

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

28. BIN STORAGE

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.

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.

Please refer to operational matters and restrictions applying to the school in the State Significant Development Consent No. SSD 6339.

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. SUITABLY QUALIFIED ACOUSTIC CONSULTANT

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

7. NOISE COMPLAINTS

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

(k) The identification of sensitive noise receivers potentially impacted by the proposal;

(l) The quantification of the existing acoustic environment at the receiver locations (measurement techniques and assessment period should be fully justified and accordance with relevant Australian Standards and NSW Environment Protection Authority (EPA) requirements);

(m) The formation of a suitable assessment criteria having regard to the guidelines contained in the NSW EPA Noise Policy for Industry (2017);

(n) The identification of operational noise producing facets of the use and the subsequent predictions of resultant noise at the identified sensitive receiver locations from the operation of the use. Where appropriate the predication procedures must be justified and include an evaluation of prevailing atmospheric conditions that may promote noise propagation;

(o) A statement indicating that the operation of the premises complies with the relevant criteria together with details of acoustic control measures that will be incorporated into the development/use, will not create adverse noise impacts to surrounding development.

8. 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:

(p) Footpath/s,

(q) Kerb and Gutter,

(r) Nature strip, turf and any trees,

(s) Stormwater assets,

(t) Driveway crossings,

(u) Roadway/s, &;

(v) 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.

ST CATHERINE'S-SENIOR SCHOOL LIBRARY

ST CATHERINE'S SCHOOL SYDNEY

26 ALBION STREET, WAVERLEY NSW 2024

Drawing Register

Drawing Number	Sheet Name	Sheet Scale	Rev
AR DA 0000	COVER SHEET	NTS	C
AR DA 0400	SITE ANALYSIS	1:200	C
AR DA 1000	SITE CONTEXT PLAN	NTS	B
AR DA 1001	EXISTING SITE PLAN	1:200	C
AR DA 1300	EXISTING PLANS - LEVEL 01	1:100	A
AR DA 1301	EXISTING PLANS - LEVEL 02	1:100	A
AR DA 1302	EXISTING PLANS - LEVEL 03	1:100	A
AR DA 1303	EXISTING PLANS - ROOF	1:100	A
AR DA 1400	DEMOLITION PLAN - LEVEL 01	1:100	A
AR DA 1401	DEMOLITION PLAN - LEVEL 02	1:100	A
AR DA 1402	DEMOLITION PLAN - LEVEL 03	1:100	A
AR DA 1403	DEMOLITION PLAN - ROOF	1:100	A
AR DA 1500	EXISTING ELEVATIONS - NORTH	1:100	A
AR DA 1501	EXISTING ELEVATIONS - EAST	1:50	A
AR DA 1502	EXISTING ELEVATIONS - SOUTH	1:50	A
AR DA 1503	EXISTING ELEVATIONS - WEST	1:100	A
AR DA 1700	DEMOLITION ELEVATIONS - NORTH	1:100	A
AR DA 1701	DEMOLITION ELEVATIONS - EAST	1:50	A
AR DA 1702	DEMOLITION ELEVATIONS - SOUTH	1:50	A
AR DA 1703	DEMOLITION ELEVATIONS - WEST	1:100	A
AR DA 2100	GENERAL ARRANGEMENT PLANS - LEVEL 01	1:100	A
AR DA 2101	GENERAL ARRANGEMENT PLANS - LEVEL 02	1:100	A
AR DA 2102	GENERAL ARRANGEMENT PLANS - LEVEL 03	1:100	A
AR DA 2103	GENERAL ARRANGEMENT PLANS - ROOF	1:100	A
AR DA 3100	BUILDING ELEVATION - NORTH	1:100	B
AR DA 3101	BUILDING ELEVATION - EAST	1:50	B
AR DA 3102	BUILDING ELEVATION - SOUTH	1:50	B
AR DA 3103	BUILDING ELEVATION - WEST	1:100	B
AR DA 3400	BUILDING SECTION A	1:50	B
AR DA 3401	BUILDING SECTION B	1:50	B
AR DA 3402	BUILDING SECTION C	1:50	B
AR DA 3403	BUILDING SECTION D	1:50	B
AR DA 3404	BUILDING SECTION E	1:100	B
AR DA 8500	PROPOSED EXTERNAL FINISHES	NTS	A
AR DA 8510	PROPOSED GFA & FSR	NTS	B

Grand total: 35

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Do not scale drawings. Verify all dimensions on site. Notify architect of all discrepancies

Rev	Date	Description	Chkd	Auth
A	24/11/25	Issued for DA Submission	LR	MM
B	25/11/25	Issued for DA Submission	LR	MM
C	27/11/25	Issued for DA Submission	LR	MM

530

Project
ST CATHERINE'S-SENIOR SCHOOL LIBRARY
26 ALBION STREET, WAVERLEY
NSW 2024

Drawing Title
COVER SHEET

Proj. Dir	Proj. Int Des	Drawn	Sheet
MM	LR	JT	A1
Job No.	Date	Scale	
250065	27/11/25	NTS	

Drawing No. AR DA 0000
Revision C

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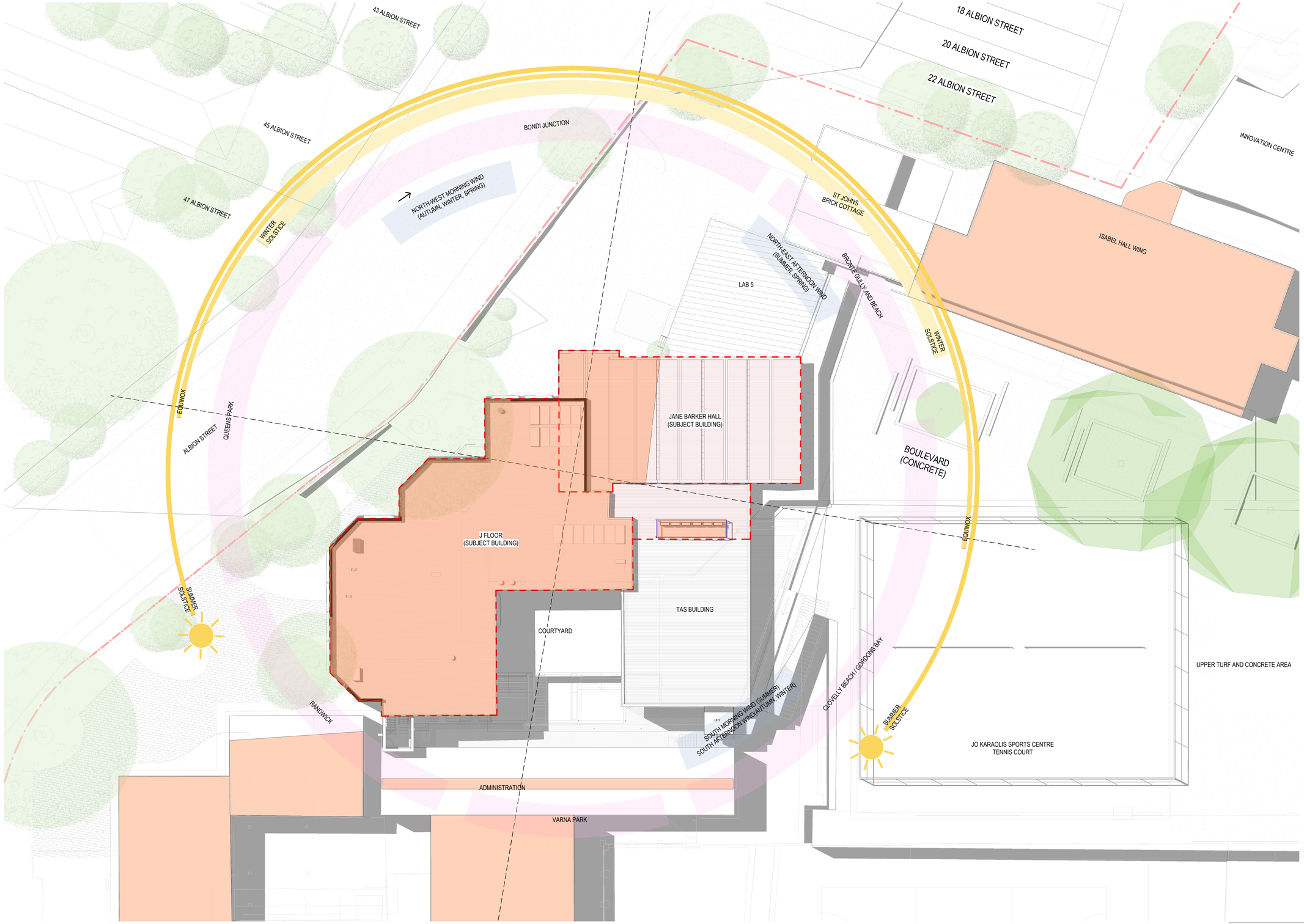

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LEGEND

BUILDING OVER 9.5 ABOVE APPROX. NATURAL GROUND LEVEL

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C	27/11/25	Issued for DA Submission	LR	MM

Project
ST CATHERINE'S-SENIOR SCHOOL LIBRARY
26 ALBION STREET, WAVERLEY
NSW 2024

Drawing Title
SITE ANALYSIS

Proj. Dir	Proj. Int Des	Drawn	Sheet
MM	LR	JT	A1

Job No.	Phase	Date	Scale	Revision
250065	DA	27/11/25	1 : 200	C

Drawing No.
TKD-DA-AR-0400

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Project
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Drawing Title
SITE CONTEXT PLAN

Proj. Dir	Proj. Arch	Drawn	Sheet
MM	LR	JT	A1
Job No.	Phase	Date	Scale
250065	DA	27/11/25	NTS

Revision B

Drawing No.
TKD-DA-AR-1000

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LEGEND

BUILDING OVER 9.5 ABOVE APPROX. NATURAL GROUND LEVEL

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A	24/11/25	Issued for DA Submission	LR	MM
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533

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Drawing Title
EXISTING SITE PLAN

Proj. Dir	Proj. Int Des	Drawn	Sheet
MM	LR	JT	A1

Job No.	Phase	Date	Scale	Revision
250065	DA	27/11/25	1 : 200	C

Drawing No.
TKD-DA-AR-1001

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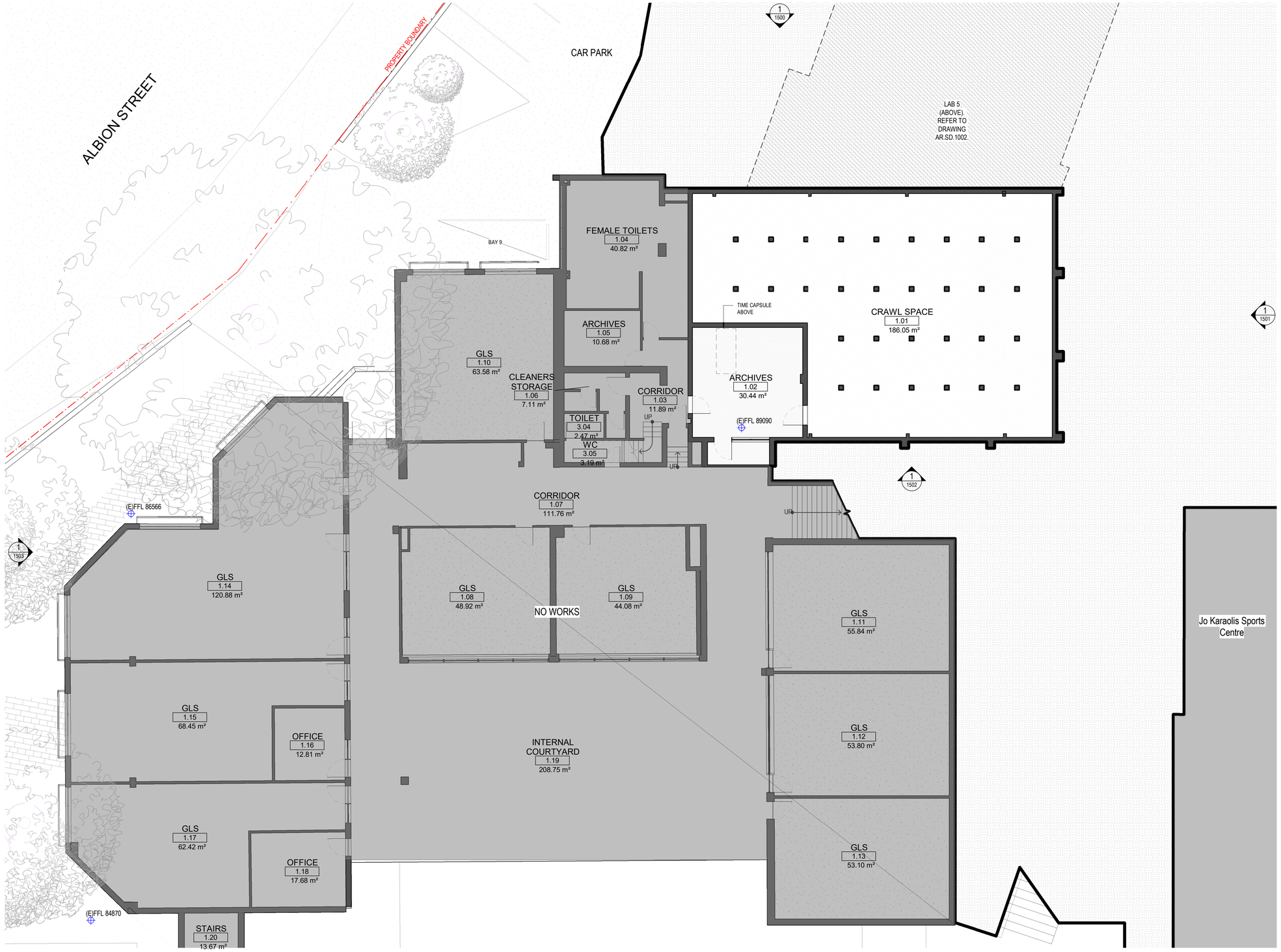

LEGEND

- TO BE DEMOLISHED.
- PROPOSED.
- (E) EXISTING.
- 9.5M HEIGHT STANDARD.
- (E) GROUND LEVEL.

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Drawing Title
EXISTING PLANS - LEVEL 01

Proj. Dir	Proj. Int Des	Drawn	Sheet
MM	LR	JT	A1

Job No.	Phase	Date	Scale	Revision
250065	DA	24/11/25	1 : 100	A

Drawing No.
TKD-DA-AR-1300

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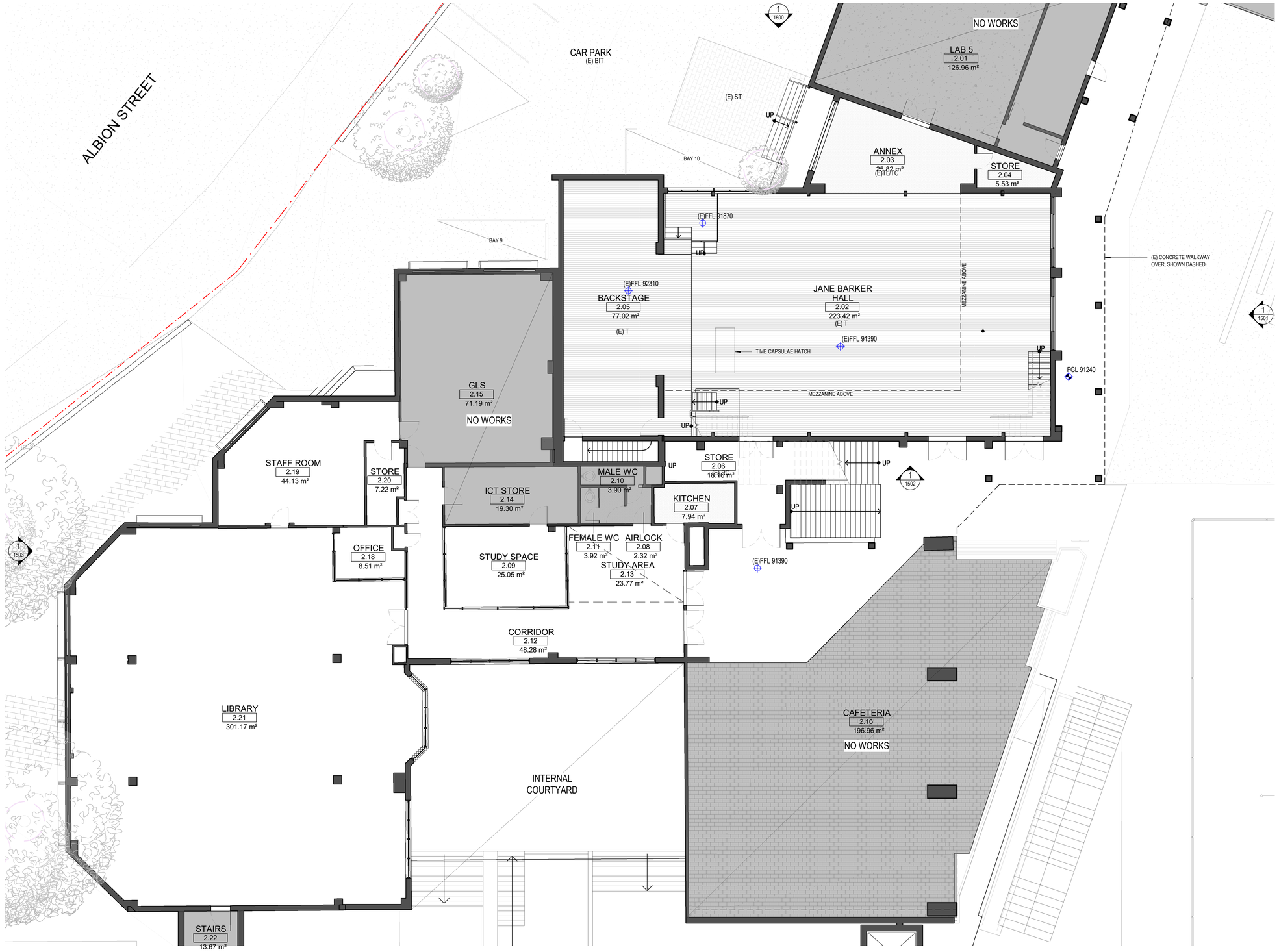

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LEGEND

- TO BE DEMOLISHED.
- PROPOSED.
- (E) EXISTING.
- 9.5M HEIGHT STANDARD.
- (E) GROUND LEVEL.

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NSW 2024

Drawing Title
EXISTING PLANS - LEVEL 02

Proj. Dir	Proj. Int Des	Drawn	Sheet	Revision
MM	LR	JT	A1	A

Job No.	Phase	Date	Scale
250065	DA	24/11/25	1 : 100

Drawing No.
TKD-DA-AR-1301

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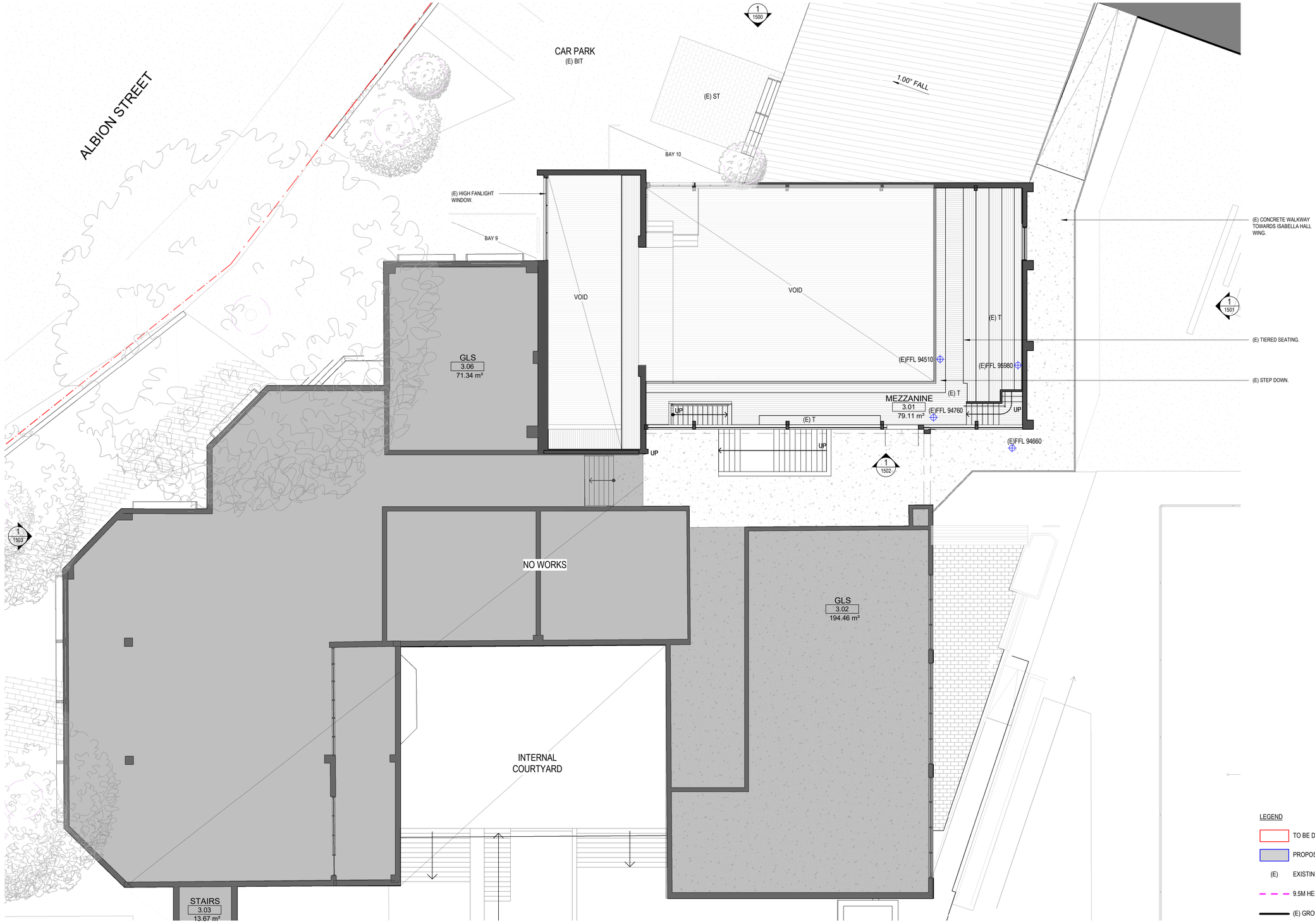

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LEGEND

- TO BE DEMOLISHED.
- PROPOSED.
- (E) EXISTING.
- 9.5M HEIGHT STANDARD.
- (E) GROUND LEVEL.

FOR INFORMATION

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NSW Nominated Architects: Robert Denton Reg. No. 5782, Alex Kibble Reg. No. 6015
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Project
ST CATHERINE'S-SENIOR SCHOOL LIBRARY
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Drawing Title
EXISTING PLANS - LEVEL 03

Proj. Dir	Proj. Int Des	Drawn	Sheet
MM	LR	JT	A1

Job No.	Phase	Date	Scale	Revision
250065	DA	24/11/25	1 : 100	A

Drawing No.
TKD-DA-AR-1302

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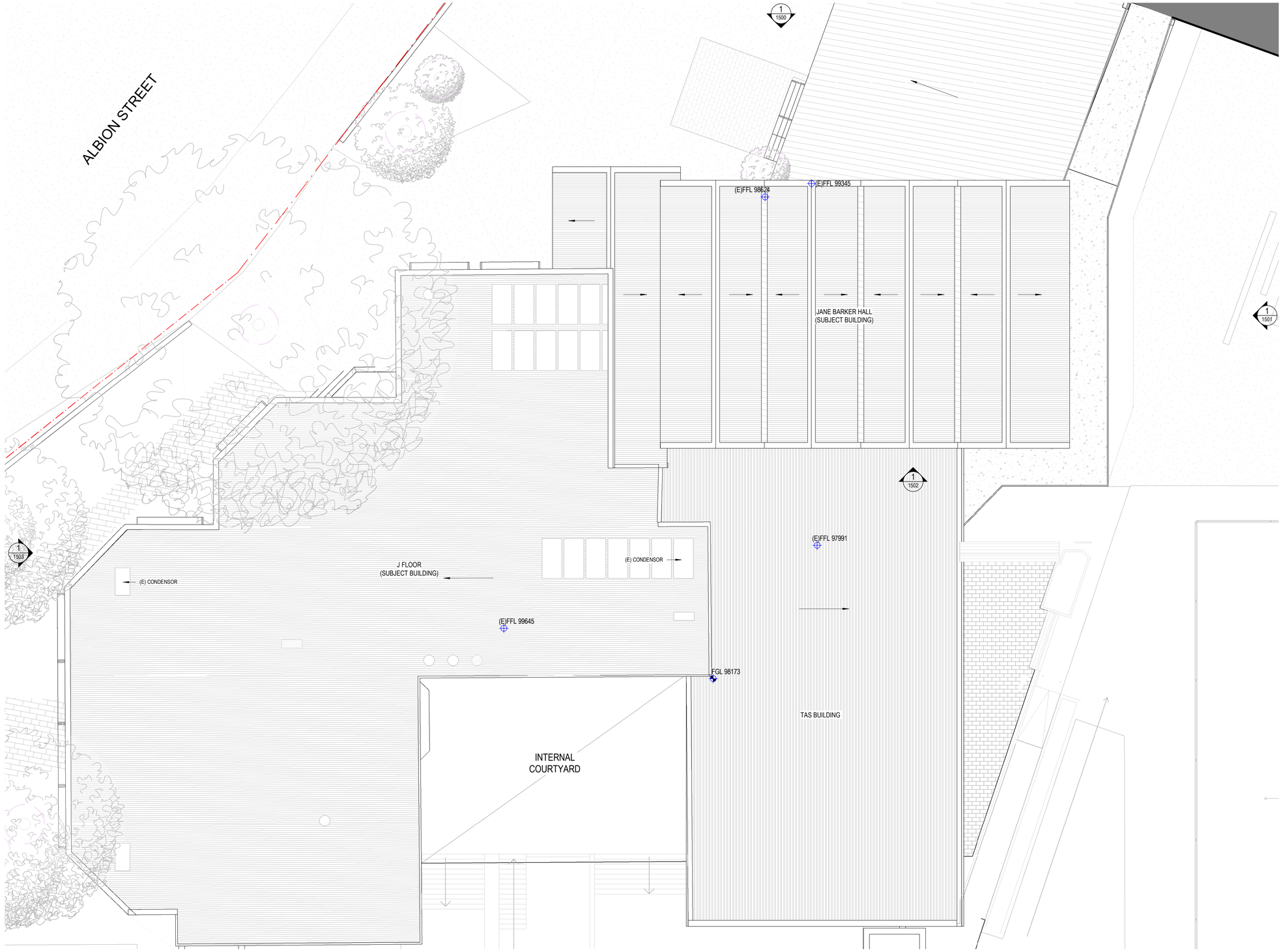

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Drawing Title
EXISTING PLANS - ROOF

Proj. Dir	Proj. Int Des	Drawn	Sheet
MM	LR	JT	A1

Job No.	Phase	Date	Scale	Revision
250065	DA	24/11/25	1 : 100	A

Drawing No.
TKD-DA-AR-1303

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GENERAL NOTES

1. ALL TIMBER FLOORING TO MEZZANINE AND TIERED SEATING TO BE CAREFULLY REMOVED AND SALVAGED FOR RE-USE.
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Drawing Title
DEMOLITION PLAN - LEVEL 01

Proj. Dir	Proj. Int Des	Drawn	Sheet
MM	LR	JT	A1

Job No.	Phase	Date	Scale	Revision
250065	DA	24/11/25	1 : 100	A

Drawing No.
TKD-DA-AR-1400

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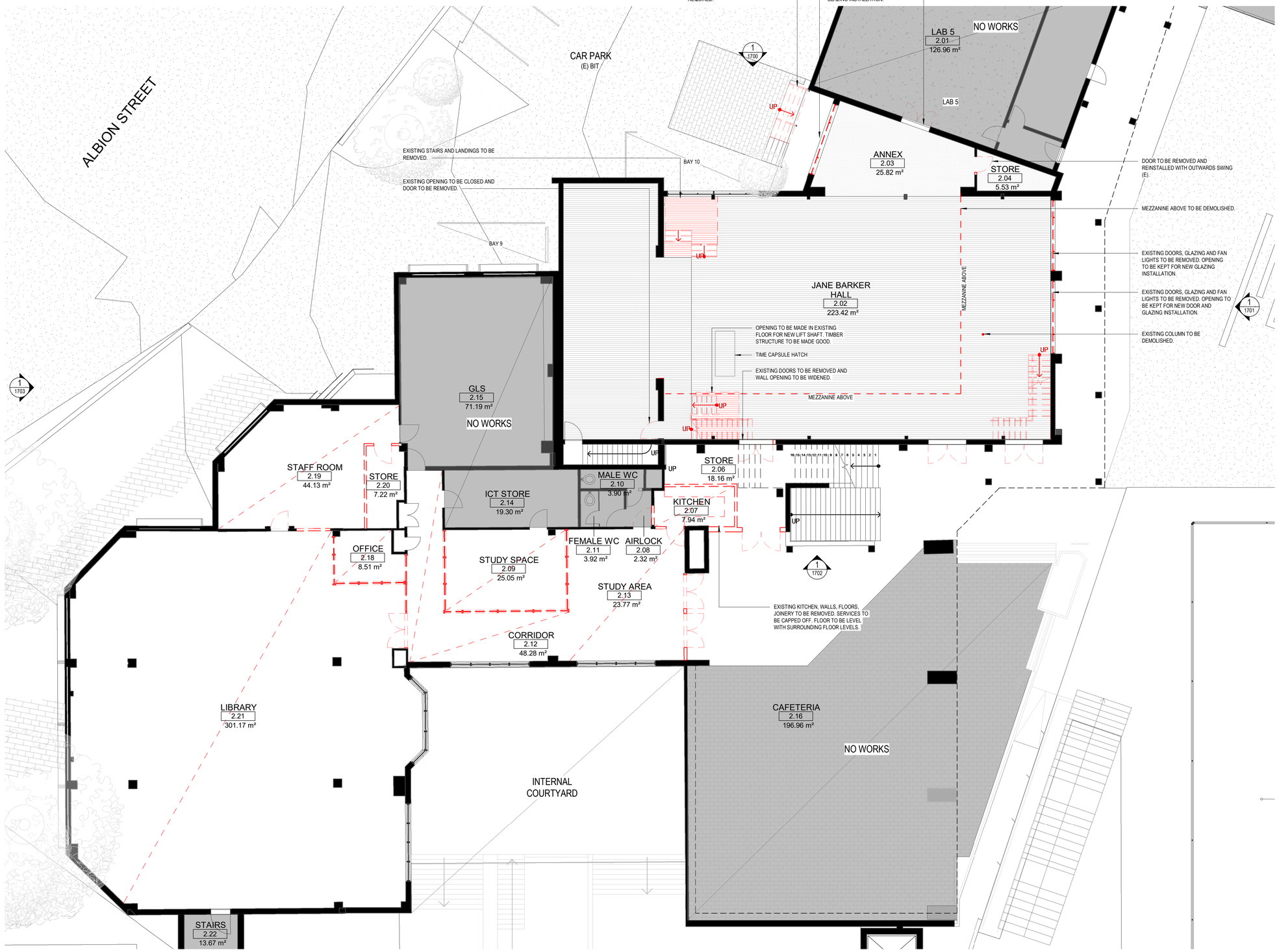

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A	24/11/25	Issued for DA Submission	LR	MM

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Drawing Title
DEMOLITION PLAN - LEVEL 02

Proj. Dir	Proj. Int Des	Drawn	Sheet
MM	LR	JT	A1

Job No.	Phase	Date	Scale	Revision
250065	DA	24/11/25	1 : 100	A

Drawing No.
TKD-DA-AR-1401

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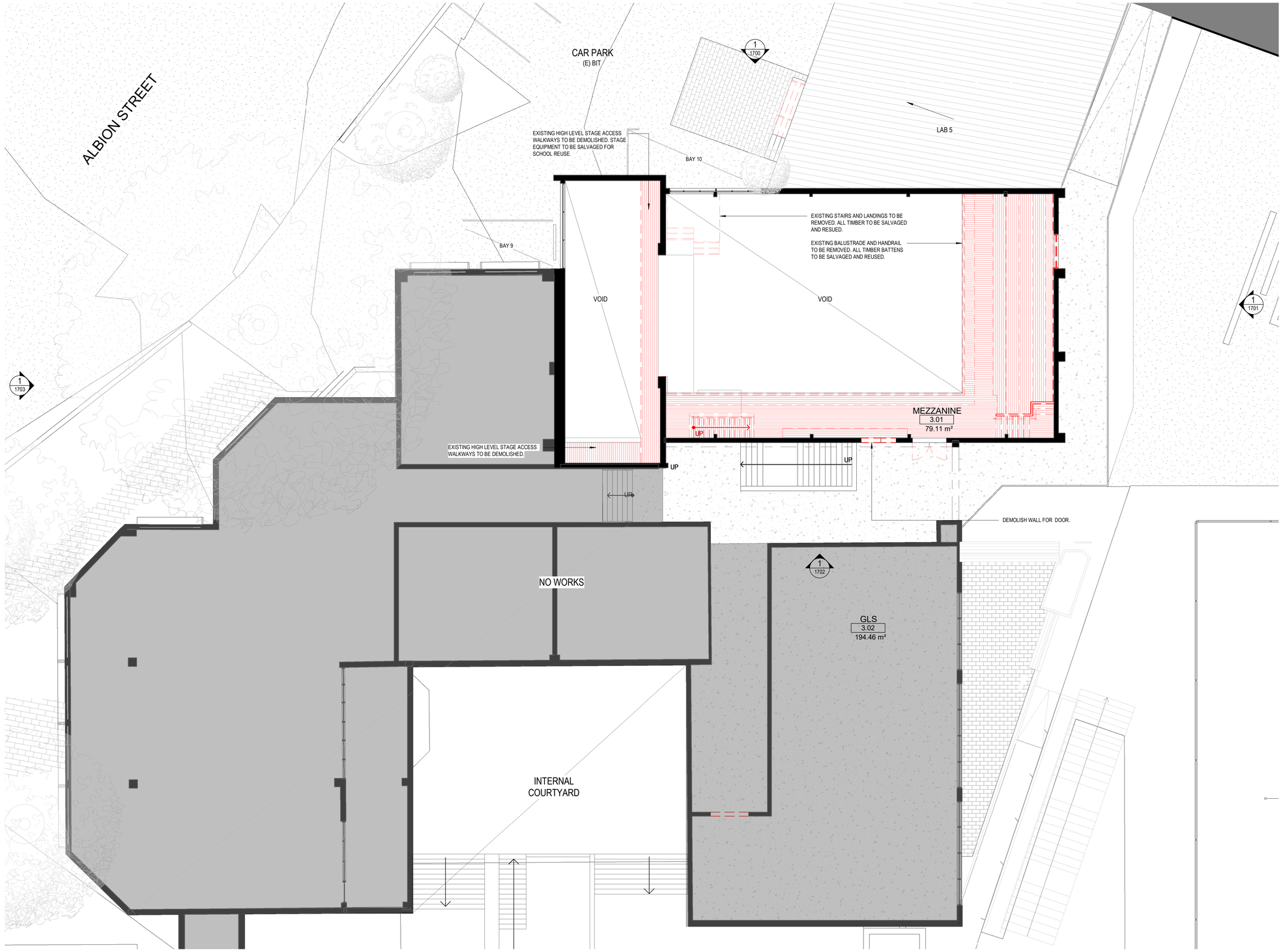

LEGEND

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Drawing Title
DEMOLITION PLAN - LEVEL 03

Proj. Dir	Proj. Int Des	Drawn	Sheet	Revision
MM	LR	JT	A1	A

Job No.	Phase	Date	Scale
250065	DA	24/11/25	1 : 100

Drawing No.
TKD-DA-AR-1402

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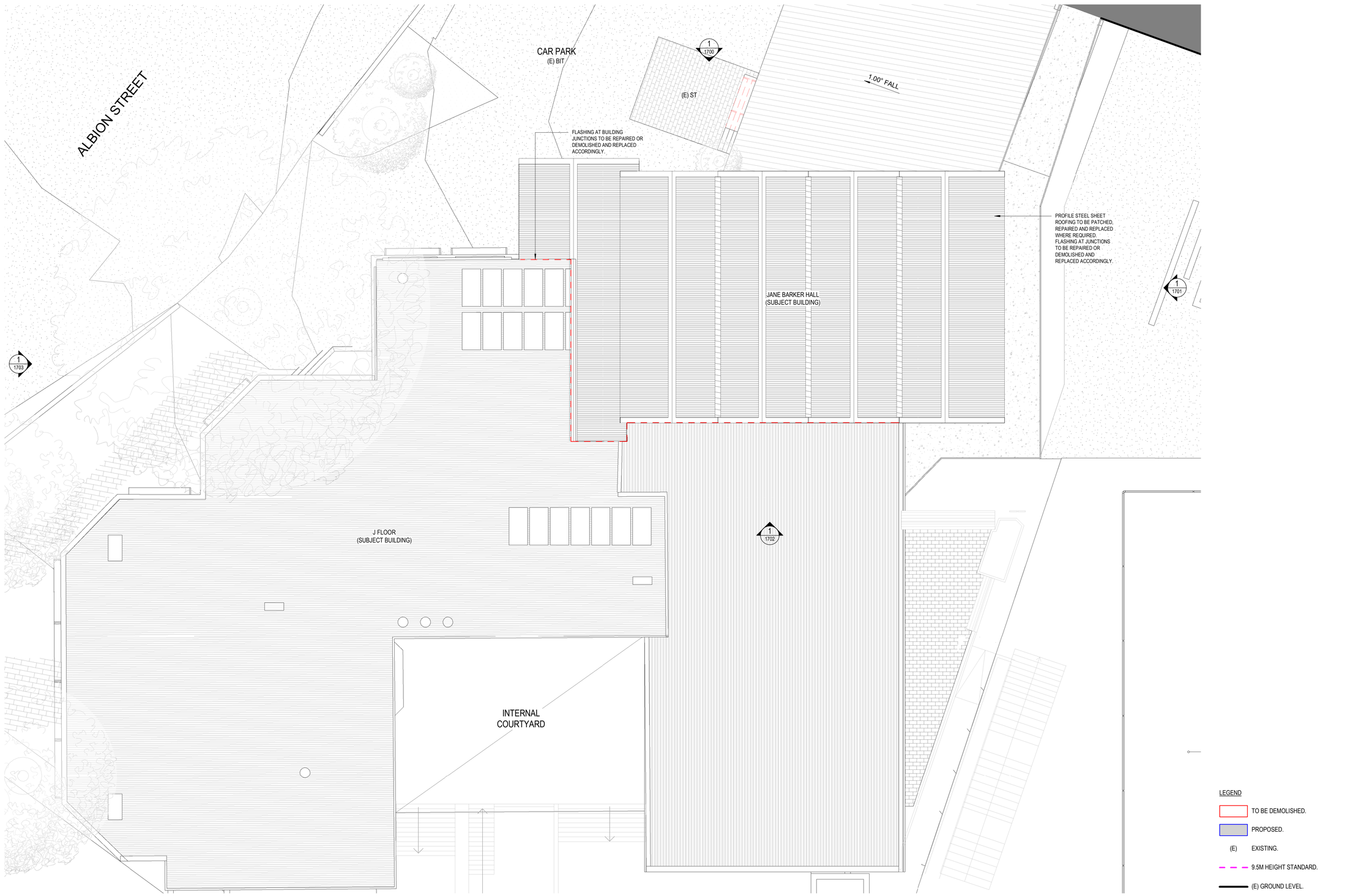

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Project
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26 ALBION STREET, WAVERLEY
NSW 2024

Drawing Title
DEMOLITION PLAN - ROOF

Proj. Dir	Proj. Int Des	Drawn	Sheet
MM	LR	JT	A1

Job No.	Phase	Date	Scale	Revision
250065	DA	24/11/25	1 : 100	A

Drawing No.
TKD-DA-AR-1403

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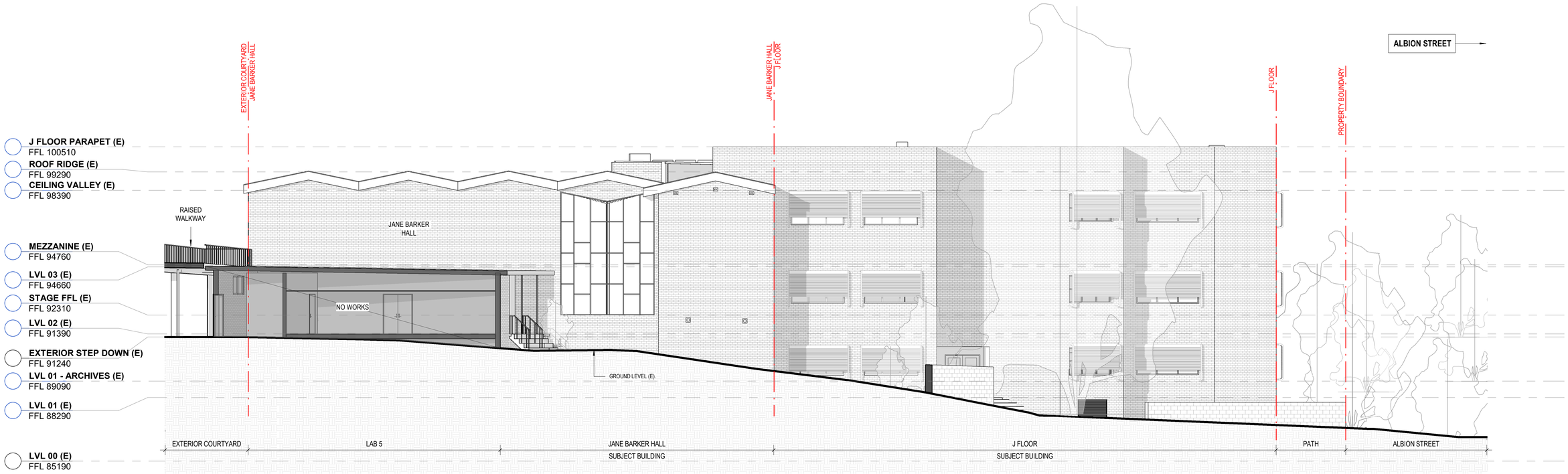

SCHOOL / ALBION STREET FACING

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Project
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26 ALBION STREET, WAVERLEY
NSW 2024

Drawing Title
EXISTING ELEVATIONS - NORTH

Proj. Dir	Proj. Int Des	Drawn	Sheet
MM	LR	JT	A1

Job No.	Phase	Date	Scale	Revision
250065	DA	24/11/25	1 : 100	A

Drawing No.
TKD-DA-AR-1500

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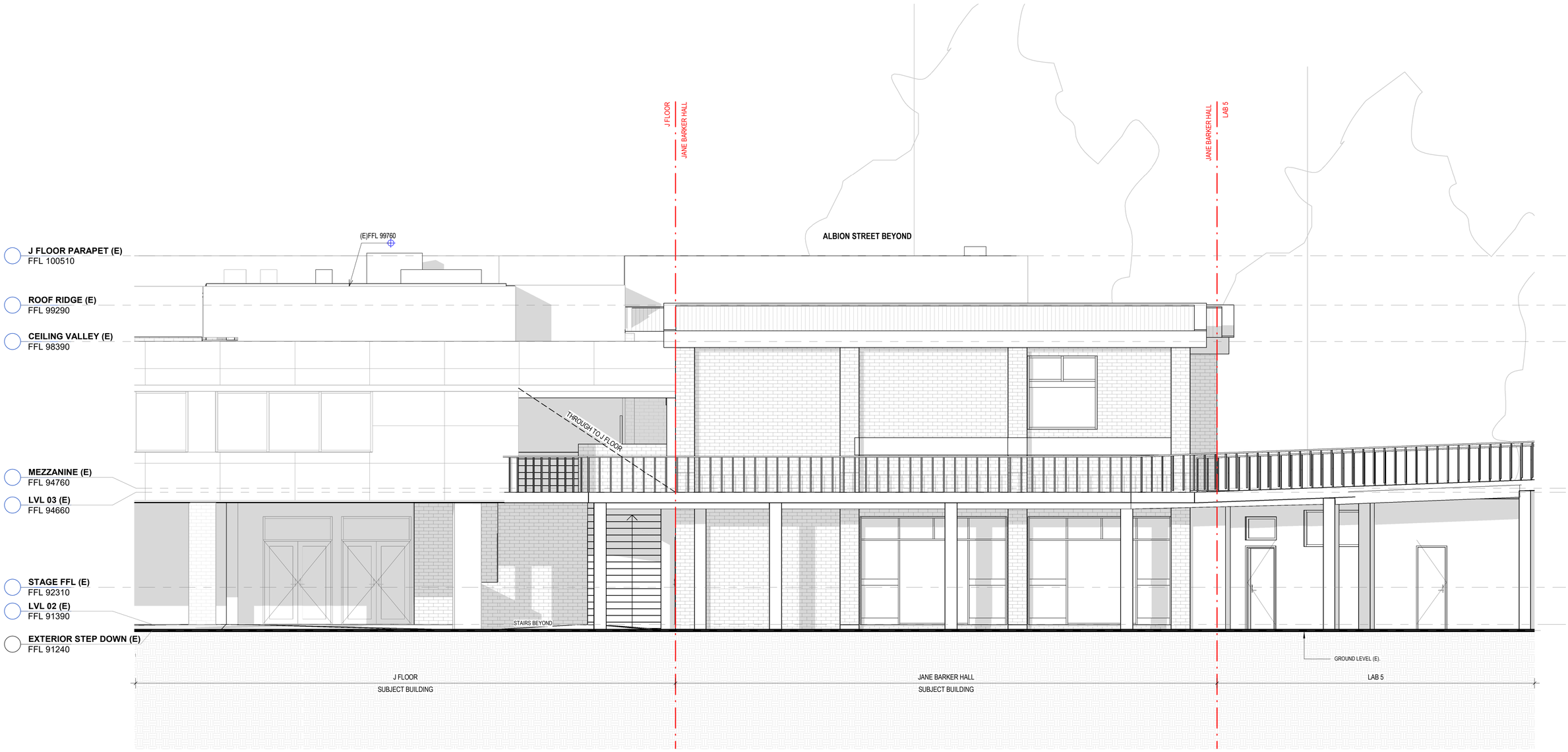

SCHOOL FACING

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Project
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NSW 2024

Drawing Title
EXISTING ELEVATIONS - EAST

Proj. Dir	Proj. Int Des	Drawn	Sheet
MM	LR	JT	A1

Job No.	Phase	Date	Scale	Revision
250065	DA	24/11/25	1 : 50	A

Drawing No.
TKD-DA-AR-1501

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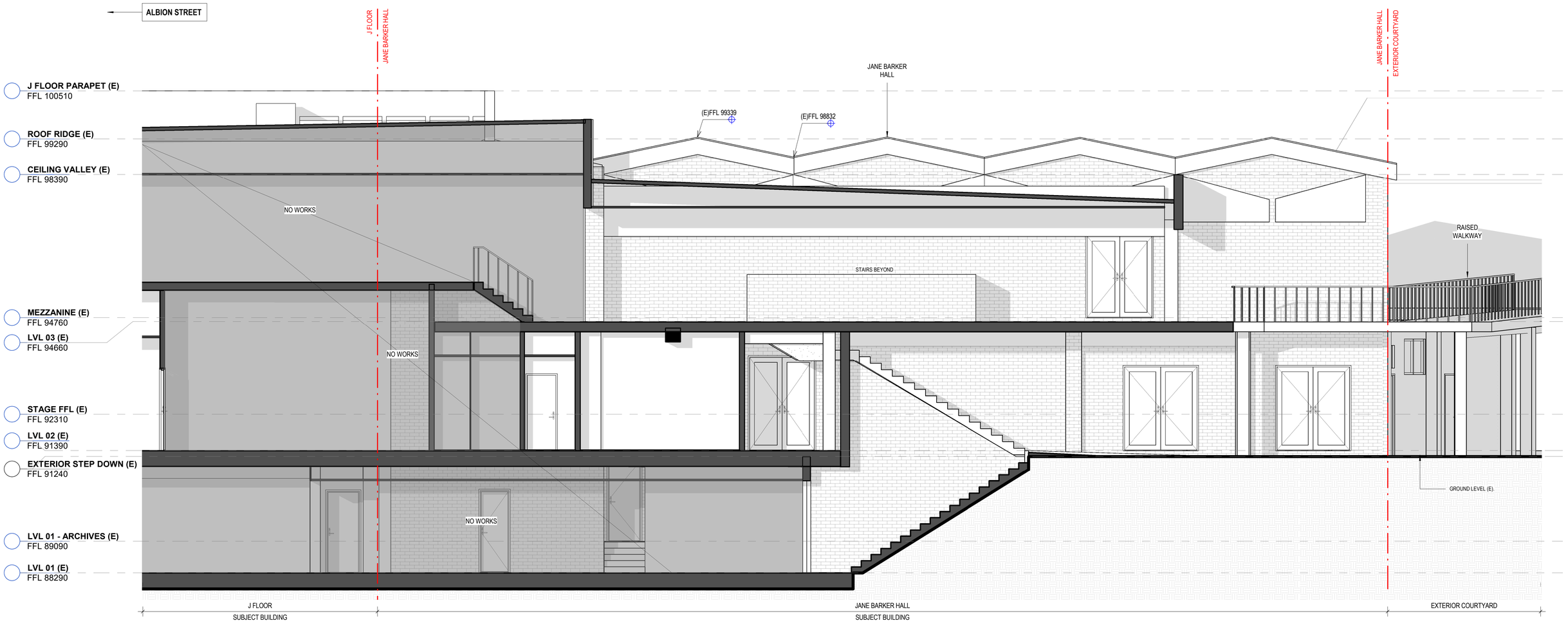

SCHOOL FACING

LEGEND

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Drawing Title
EXISTING ELEVATIONS - SOUTH

Proj. Dir	Proj. Int Des	Drawn	Sheet
MM	LR	JT	A1

Job No.	Phase	Date	Scale	Revision
250065	DA	24/11/25	1 : 50	A

Drawing No.
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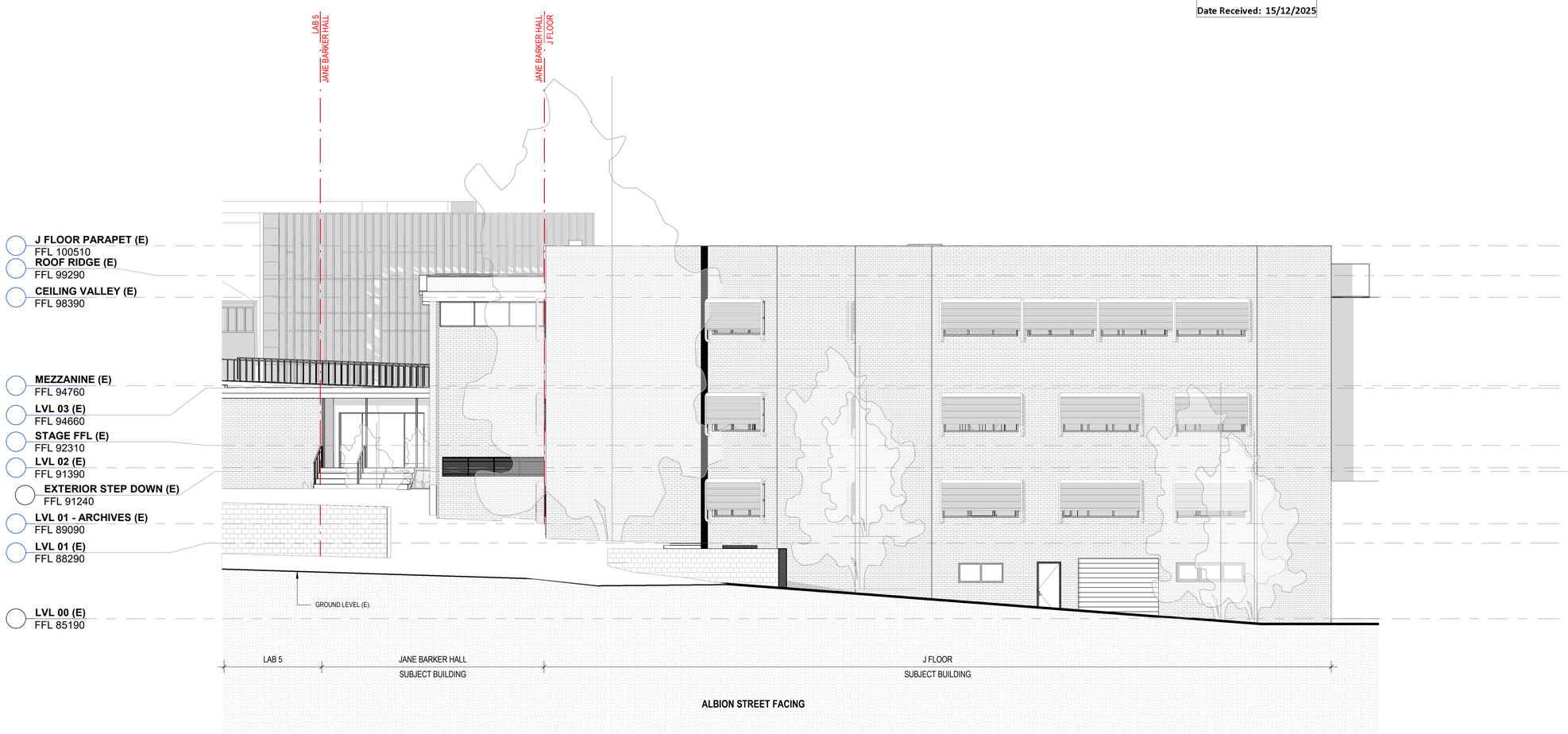

ALBION STREET FACING

LEGEND

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NSW 2024

Drawing Title
EXISTING ELEVATIONS - WEST

Proj. Dir	Proj. Int Des	Drawn	Sheet
MM	LR	JT	A1

Job No.	Phase	Date	Scale	Revision
250065	DA	24/11/25	1 : 100	A

Drawing No.
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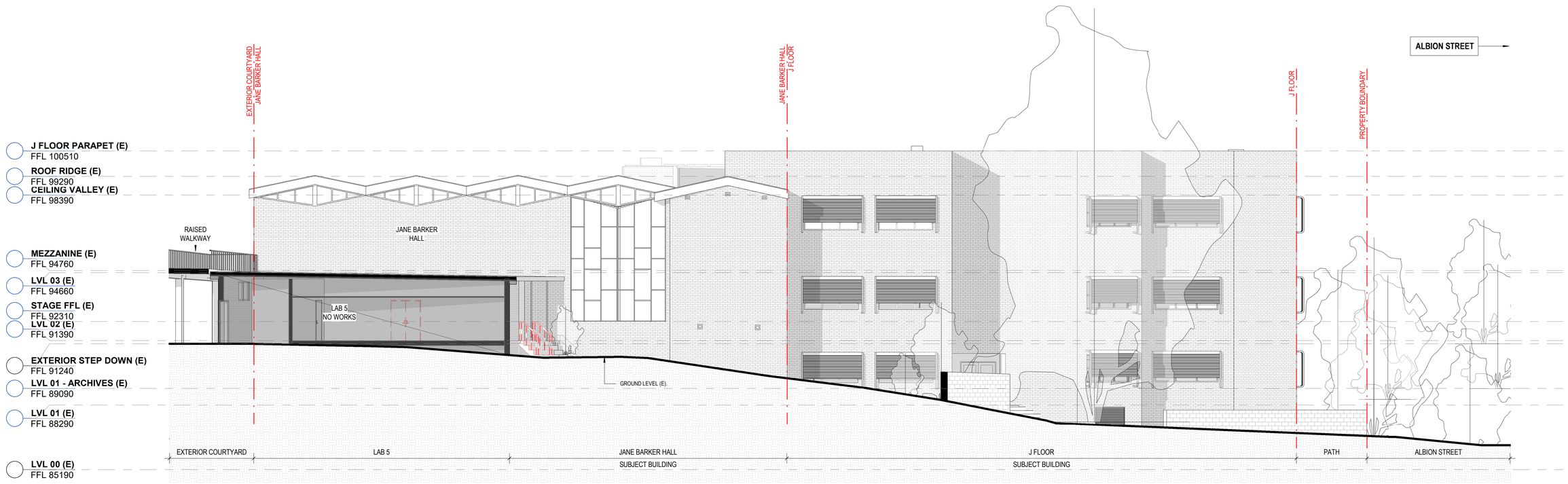

SCHOOL / ALBION STREET FACING

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Waverley Council

Receipt No: DA-631/2025

Date Received: 15/12/2025

LEGEND

- TO BE DEMOLISHED.
- PROPOSED.
- (E) EXISTING.
- 9.5M HEIGHT STANDARD.
- (E) GROUND LEVEL.

FOR INFORMATION

0M 1.0 2.0 3.0 4.0 5.0

CLIENT
ST CATHERINE'S SCHOOL SYDNEY
T+ +6191 606 375
26 ALBION STREET
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NSW 2024

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NSW Nominated Architects: Robert Denton Reg. No. 5782, Alex Kibble Reg. No. 6015
Do not scale drawings. Verify all dimensions on site. Notify architect of all discrepancies

Rev	Date	Description	Chkd	Auth
A	24/11/25	Issued for DA Submission	LR	MM

Project
ST CATHERINE'S-SENIOR SCHOOL LIBRARY
26 ALBION STREET, WAVERLEY
NSW 2024

Drawing Title
DEMOLITION ELEVATIONS - NORTH

Proj. Dir	Proj. Int Des	Drawn	Sheet
MM	LR	JT	A1

Job No.	Phase	Date	Scale	Revision
250065	DA	24/11/25	1 : 100	A

Drawing No.
TKD-DA-AR-1700

Tanner Kibble Denton Architects Pty Ltd
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TKDArchitects
Tanner Kibble Denton

GENERAL NOTES

1. ALL TIMBER WORK - FLOORING, TIERED SEATING, DECORATIVE BALUSTRADING AND CEILING TO BE CAREFULLY REMOVED AND SALVAGED FOR RE USE.
2. DOORS INDICATED FOR REMOVAL TO BE RETAINED FOR REUSE.
3. WHERE WALLS ARE DEMOLISHED CEILINGS TO BE DEMOLISHED IN ADDITION.

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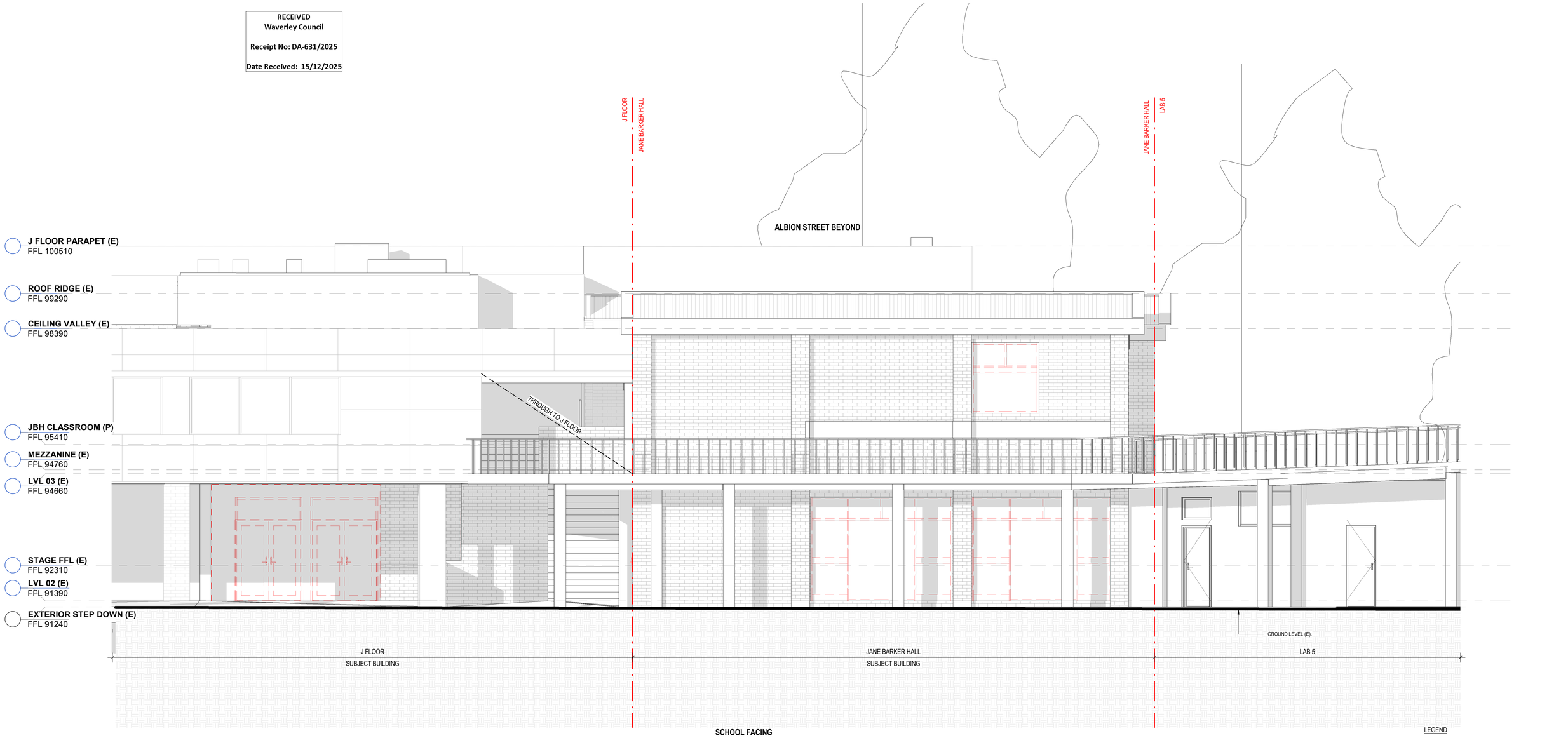
Waverley Council

Receipt No: DA-631/2025

Date Received: 15/12/2025



LEGEND

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- (E) GROUND LEVEL.

FOR INFORMATION

0M 1.0 2.0 3.0 4.0 5.0

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Rev	Date	Description	Chkd	Auth
A	24/11/25	Issued for DA Submission	LR	MM

Project
ST CATHERINE'S-SENIOR SCHOOL LIBRARY
26 ALBION STREET, WAVERLEY
NSW 2024

Drawing Title
DEMOLITION ELEVATIONS - EAST

Proj. Dir	Proj. Int Des	Drawn	Sheet
MM	LR	JT	A1

Job No.	Phase	Date	Scale	Revision
250065	DA	24/11/25	1 : 50	A

Drawing No.
TKD-DA-AR-1701

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GENERAL NOTES
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3. WHERE WALLS ARE DEMOLISHED CEILINGS TO BE DEMOLISHED IN ADDITION.

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Waverley Council

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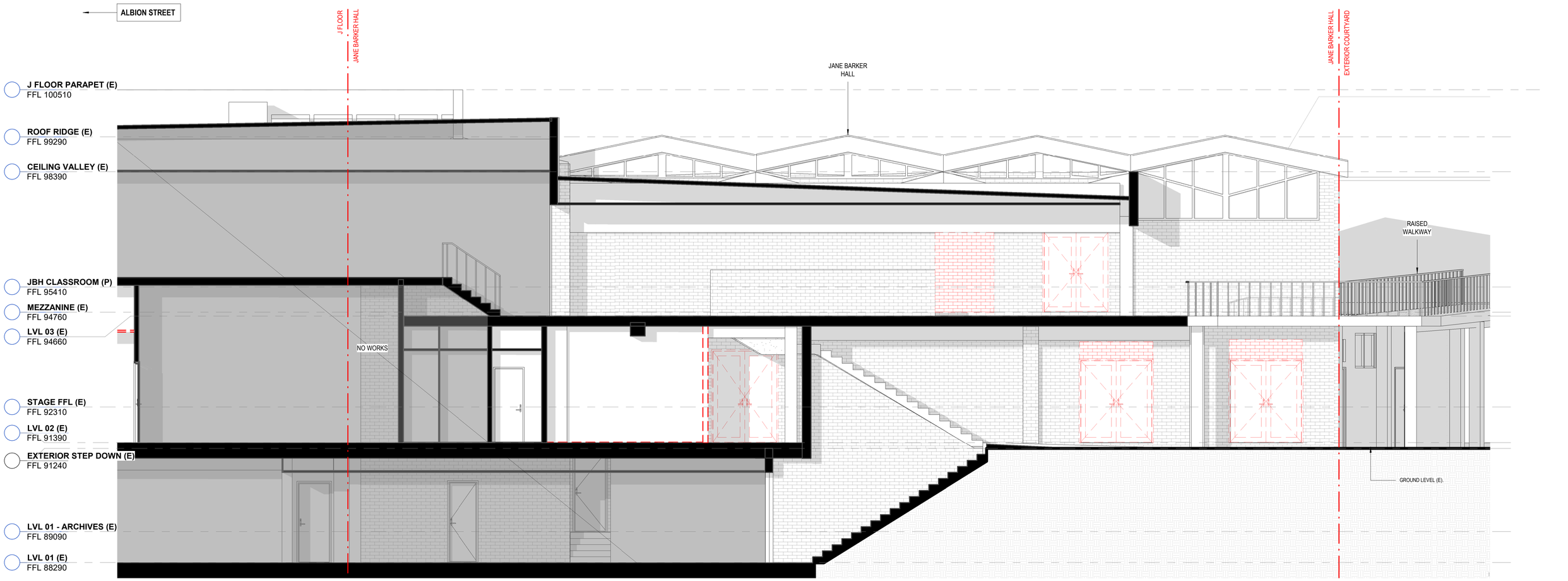
Date Received: 15/12/2025



SCHOOL FACING

LEGEND
- TO BE DEMOLISHED.
- PROPOSED.
- (E) EXISTING.
- 9.5M HEIGHT STANDARD.
- (E) GROUND LEVEL.

FOR INFORMATION

0M 1.0 2.0 3.0 4.0 5.0

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Rev	Date	Description	Chkd	Auth
A	24/11/25	Issued for DA Submission	LR	MM

Project
ST CATHERINE'S-SENIOR SCHOOL LIBRARY
26 ALBION STREET, WAVERLEY
NSW 2024

Drawing Title
DEMOLITION ELEVATIONS - SOUTH

Proj. Dir	Proj. Int Des	Drawn	Sheet
MM	LR	JT	A1

Job No.	Phase	Date	Scale	Revision
250065	DA	24/11/25	1 : 50	A

Drawing No.
TKD-DA-AR-1702

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Tanner Kibble Denton

GENERAL NOTES

1. ALL TIMBER FLOORING TO MEZZANINE AND TIERED SEATING TO BE CAREFULLY REMOVED AND SALVAGED FOR RE-USE.
2. ALL TIMBER SLATS TO MEZZANINE BALUSTRADING TO BE CAREFULLY REMOVED AND SALVAGED FOR REUSE.
3. ALL TIMBER TREADS TO STAIRS TO BE CAREFULLY REMOVED AND SALVAGED FOR RE-USE.
4. DOORS INDICATED FOR REMOVAL TO BE SALVAGED FOR REUSE.

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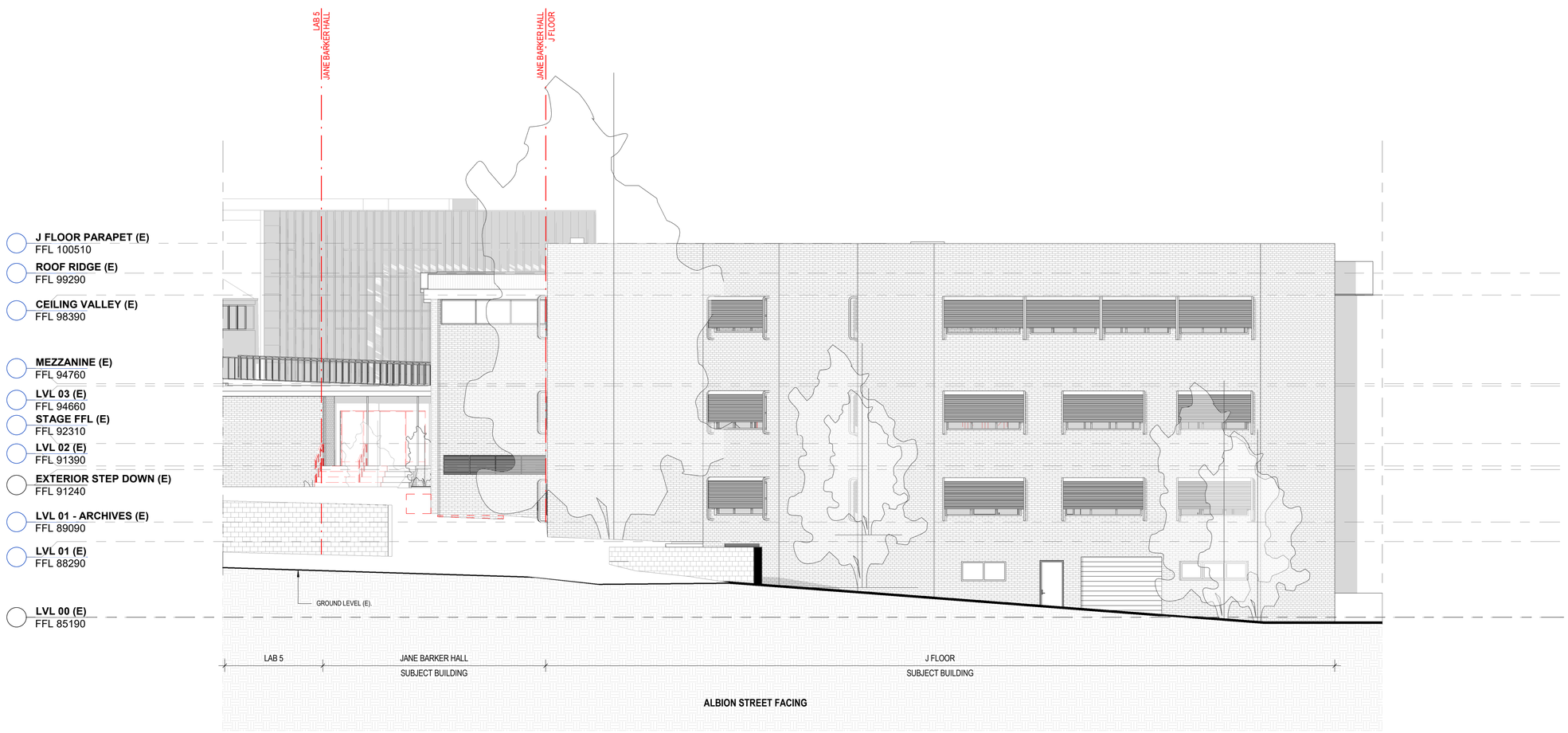
Waverley Council

Receipt No: DA-631/2025

Date Received: 15/12/2025



ALBION STREET FACING

LEGEND

- TO BE DEMOLISHED.
- PROPOSED.
- (E) EXISTING.
- 9.5M HEIGHT STANDARD.
- (E) GROUND LEVEL.

FOR INFORMATION

0M 1.0 2.0 3.0 4.0 5.0

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A	24/11/25	Issued for DA Submission	LR	MM

Project
ST CATHERINE'S-SENIOR SCHOOL LIBRARY
26 ALBION STREET, WAVERLEY
NSW 2024

Drawing Title
DEMOLITION ELEVATIONS - WEST

Proj. Dir	Proj. Int Des	Drawn	Sheet
MM	LR	JT	A1

Job No.	Phase	Date	Scale	Revision
250065	DA	24/11/25	1 : 100	A

Drawing No.
TKD-DA-AR-1703

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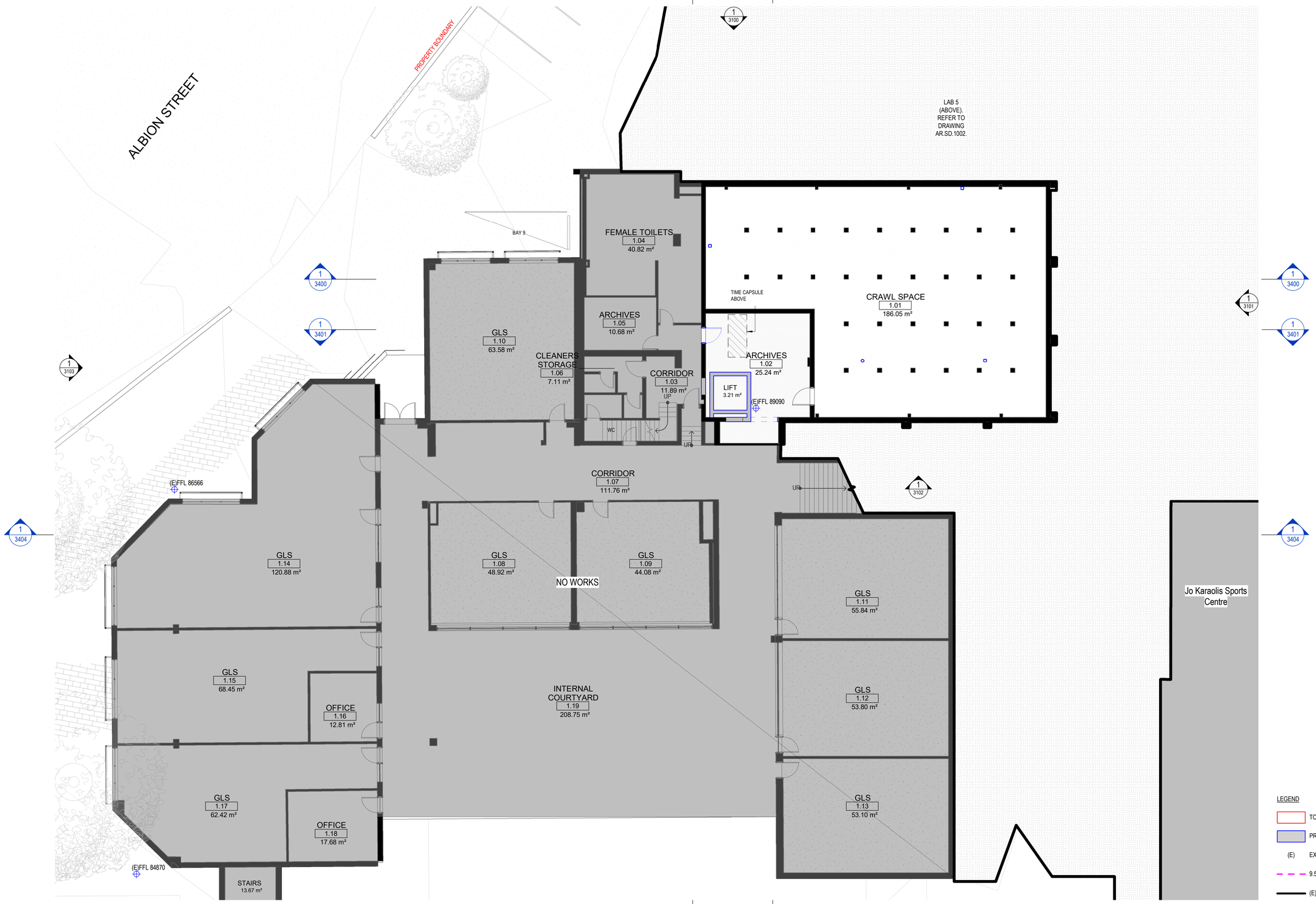

LEGEND

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- 9.5M HEIGHT STANDARD.
- (E) GROUND LEVEL.

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Receipt No: DA-631/2025

Date Received: 15/12/2025

FOR INFORMATION

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Project
ST CATHERINE'S-SENIOR SCHOOL LIBRARY
26 ALBION STREET, WAVERLEY
NSW 2024

Drawing Title
GENERAL ARRANGEMENT PLANS - LEVEL 01

Proj. Dir	Proj. Int Des	Drawn	Sheet
MM	LR	JT	A1

Job No.	Phase	Date	Scale	Revision
250065	DA	24/11/25	1 : 100	A

Drawing No.
TKD-DA-AR-2100

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Receipt No: DA-631/2025

Date Received: 15/12/2025

PLANTER BOX TO BE 1000MM ABOVE LANDING HEIGHT TO ACT AS BALUSTRADE .

UPGRADE TO BALUSTRADING TO EXTERNAL STAIR FOR BCA AND ACCESS COMPLIANCE .

ALBION STREET

CAR PARK

NO WORKS

LAB 5
2.01
126.96 m²

ANNEX
2.03
16.08 m²

OFFICE
2.04
8.93 m²

STORE
2.05
5.53 m²

ELEC.

BAY 10

BAY 9

PLATFORM
2.06
21.25 m²

FFL 91957

FGL 91240

1:21

CLASSROOM ABOVE

BOOK STACKS
2.09
75.82 m²

FFL 92325

LIBRARY
2.02
172.38 m²

TIME CAPSULE HATCH

MEZZANINE ABOVE

2400MM HIGH BULKHEAD

1:19

AIRLOCK
2.07
7.89 m²

FGL 91405

FGL 91390

STUDY SPACE
2.08
13.30 m²

NO WORKS

LIFT
3.21 m²

3813

MECH.

FHR

GLS
2.21
52.00 m²

MALE WC
2.10
3.90 m²

ICT STORE
2.14
19.30 m²

KITCHENETTE
2.12
9.05 m²

BOOK STACKS
2.17
31.68 m²

FEMALE WC
2.11
3.92 m²

AIRLOCK
2.18
2.32 m²

IT GENIUS BAR
2.20
22.57 m²

STAFF ROOM
2.13
25.02 m²

COMMS

(E)FFL 91330

STUDY SPACE
2.23
13.05 m²

GLS
2.22
66.66 m²

CORRIDOR
2.19
113.07 m²

GLS
2.24
64.64 m²

2100

STUDY SPACE
2.25
24.82 m²

CAFETERIA
2.16
196.96 m²
NO WORKS

INTERNAL COURTYARD

GLS
2.26
55.98 m²

STUDY SPACE
2.27
22.05 m²

STAIRS
13.67 m²

LEGEND

- TO BE DEMOLISHED.
- PROPOSED.
- (E) EXISTING.
- 9.5M HEIGHT STANDARD.
- (E) GROUND LEVEL.

FOR INFORMATION

0M 2 4 6 8 10

CLIENT
ST CATHERINE'S SCHOOL SYDNEY
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WAVERLY
NSW 2024

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Project
ST CATHERINE'S-SENIOR SCHOOL LIBRARY
26 ALBION STREET, WAVERLEY
NSW 2024

Drawing Title
GENERAL ARRANGEMENT PLANS - LEVEL 02

Proj. Dir	Proj. Int Des	Drawn	Sheet
MM	LR	JT	A1

Job No.	Phase	Date	Scale	Revision
250065	DA	24/11/25	1 : 100	A

Drawing No.
TKD-DA-AR-2101

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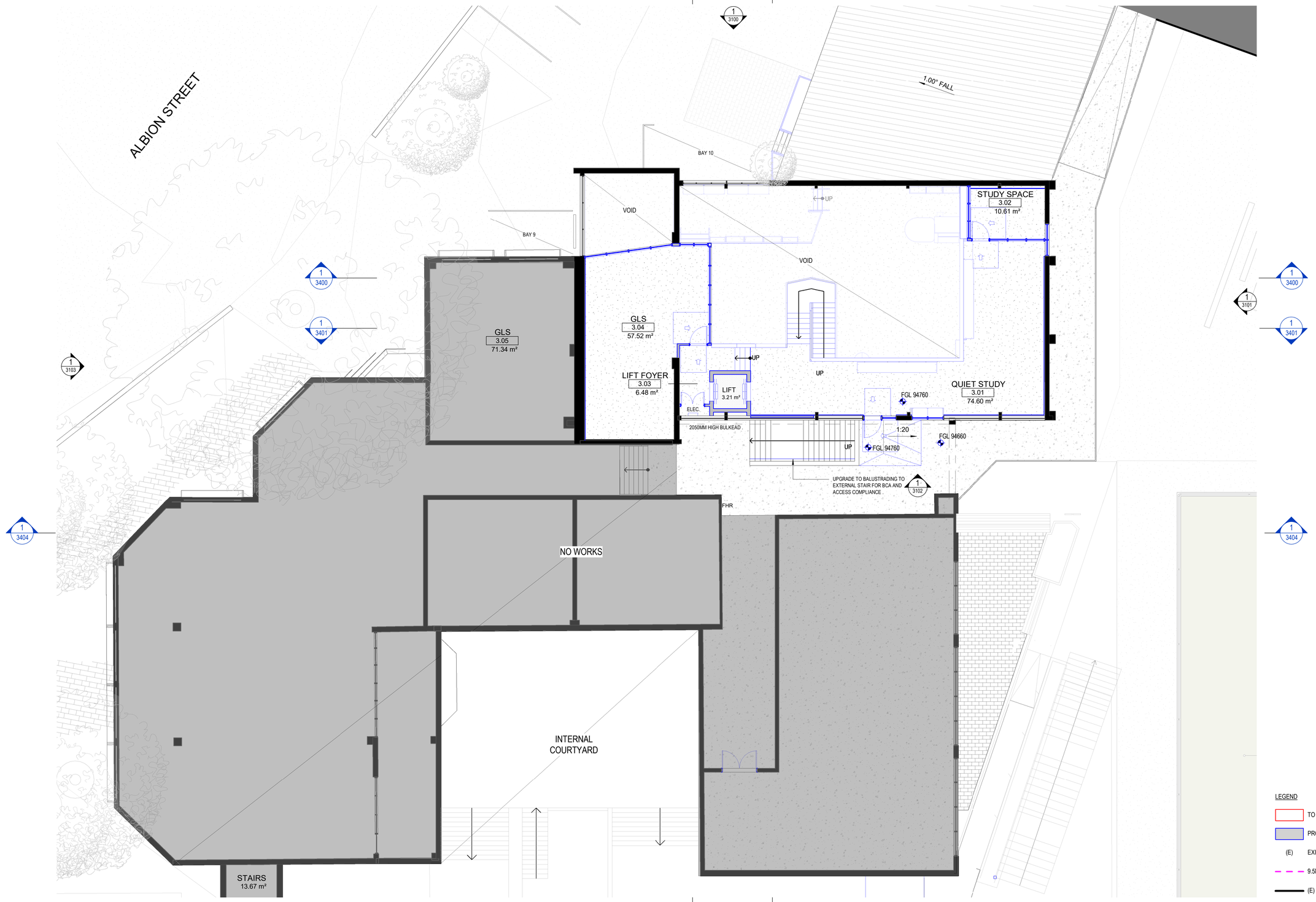
551



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A	24/11/25	Issued for DA Submission	LR	MM

552

Project
ST CATHERINE'S-SENIOR SCHOOL LIBRARY
26 ALBION STREET, WAVERLEY
NSW 2024

Drawing Title
GENERAL ARRANGEMENT PLANS - LEVEL 03

Proj. Dir	Proj. Int Des	Drawn	Sheet
MM	LR	JT	A1

Job No.	Phase	Date	Scale	Revision
250065	DA	24/11/25	1 : 100	A

Drawing No.
TKD-DA-AR-2102

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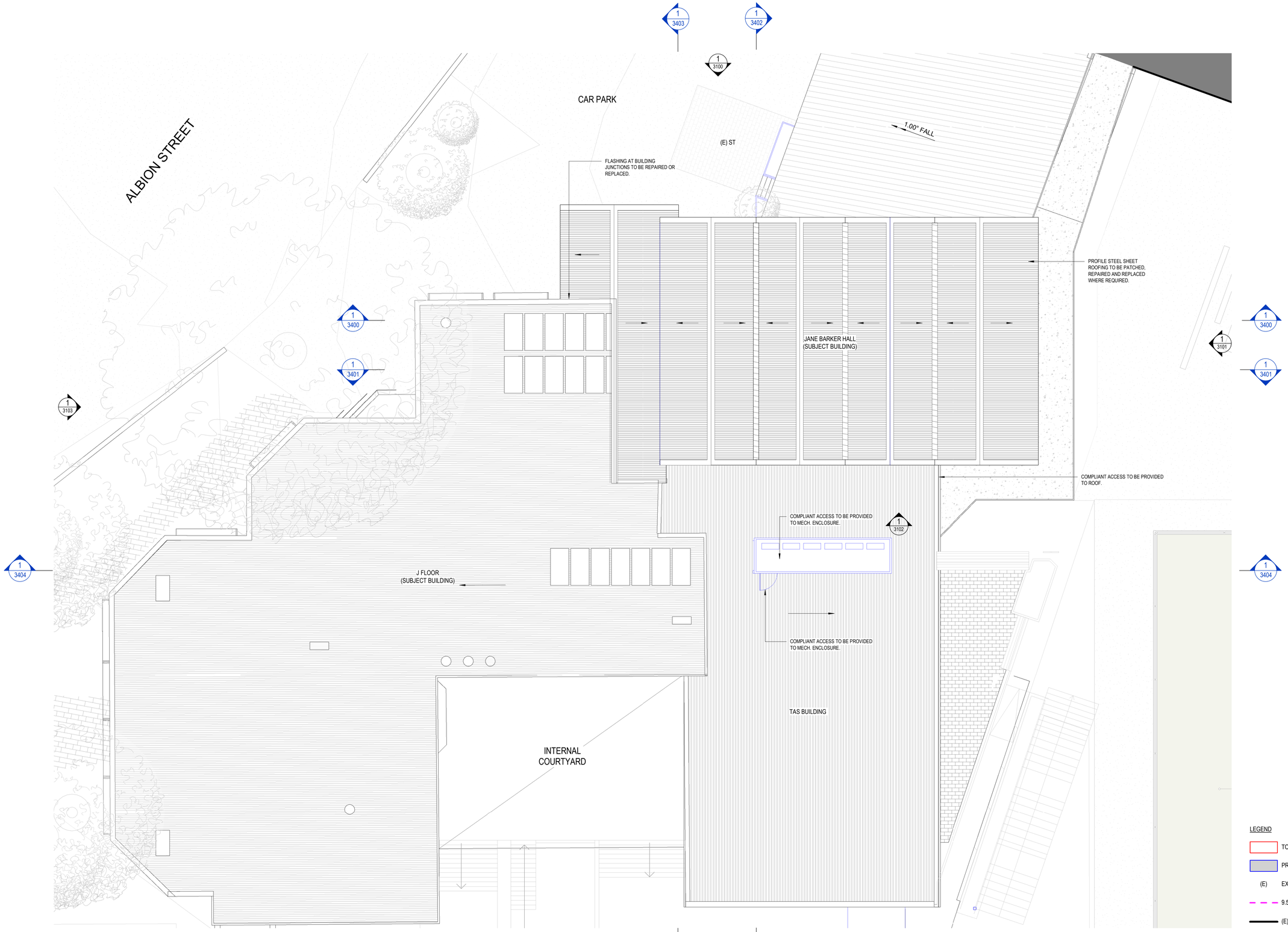

LEGEND

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Rev	Date	Description	Chkd	Auth
A	24/11/25	Issued for DA Submission	LR	MM

553

Project
ST CATHERINE'S-SENIOR SCHOOL LIBRARY
26 ALBION STREET, WAVERLEY
NSW 2024

Drawing Title
GENERAL ARRANGEMENT PLANS - ROOF

Proj. Dir	Proj. Int Des	Drawn	Sheet
MM	LR	JT	A1

Job No.	Phase	Date	Scale	Revision
250065	DA	24/11/25	1 : 100	A

Drawing No.
TKD-DA-AR-2103

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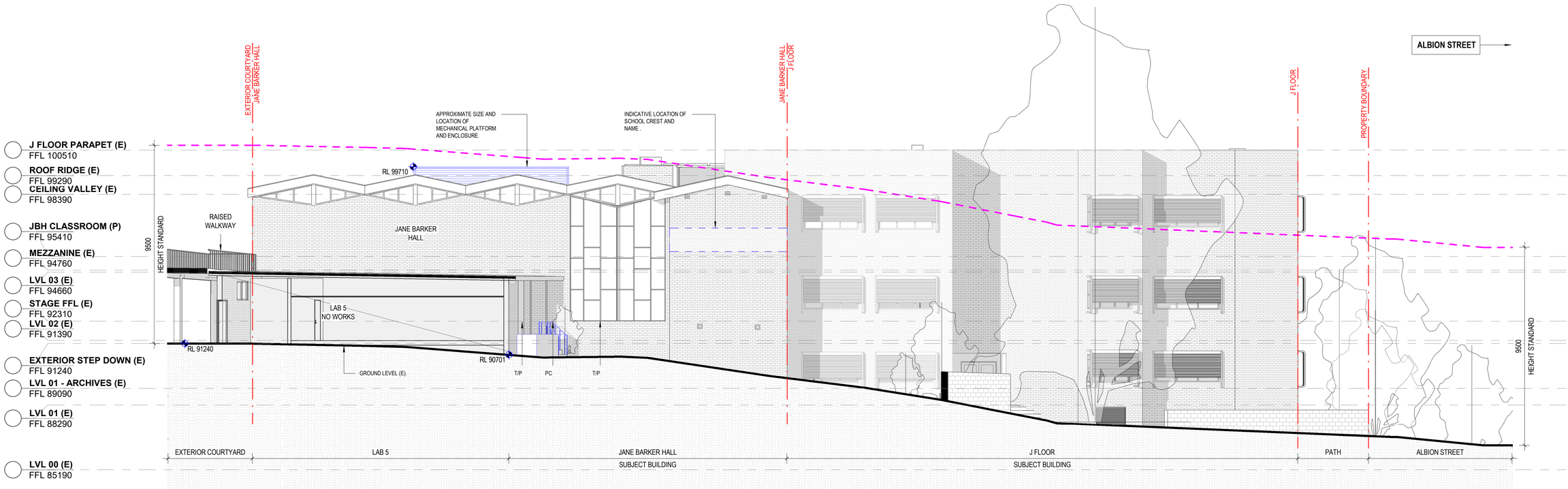
Tanner Kibble Denton



SCHOOL / ALBION STREET FACING

RECEIVED
Waverley Council

Receipt No: DA-631/2025

Date Received: 15/12/2025

MATERIALS LEGEND

CFC	COMPRESSED FIBRE CEMENT.
T/P	TIMBER PAINT FINISH.
PC	POWDER COAT FINISH.
LVR	LOUVRE GRILLE.

LEGEND

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Rev	Date	Description	Chkd	Auth
A	24/11/25	Issued for DA Submission	LR	MM
B	25/11/25	Issued for DA Submission	LR	MM

Project
ST CATHERINE'S-SENIOR SCHOOL LIBRARY
26 ALBION STREET, WAVERLEY
NSW 2024

Drawing Title
BUILDING ELEVATION - NORTH

Proj. Dir	Proj. Int Des	Drawn	Sheet
MM	LR	JT	A1

Job No.	Phase	Date	Scale	Revision
250065	DA	25/11/25	1 : 100	B

Drawing No.
TKD-DA-AR-3100

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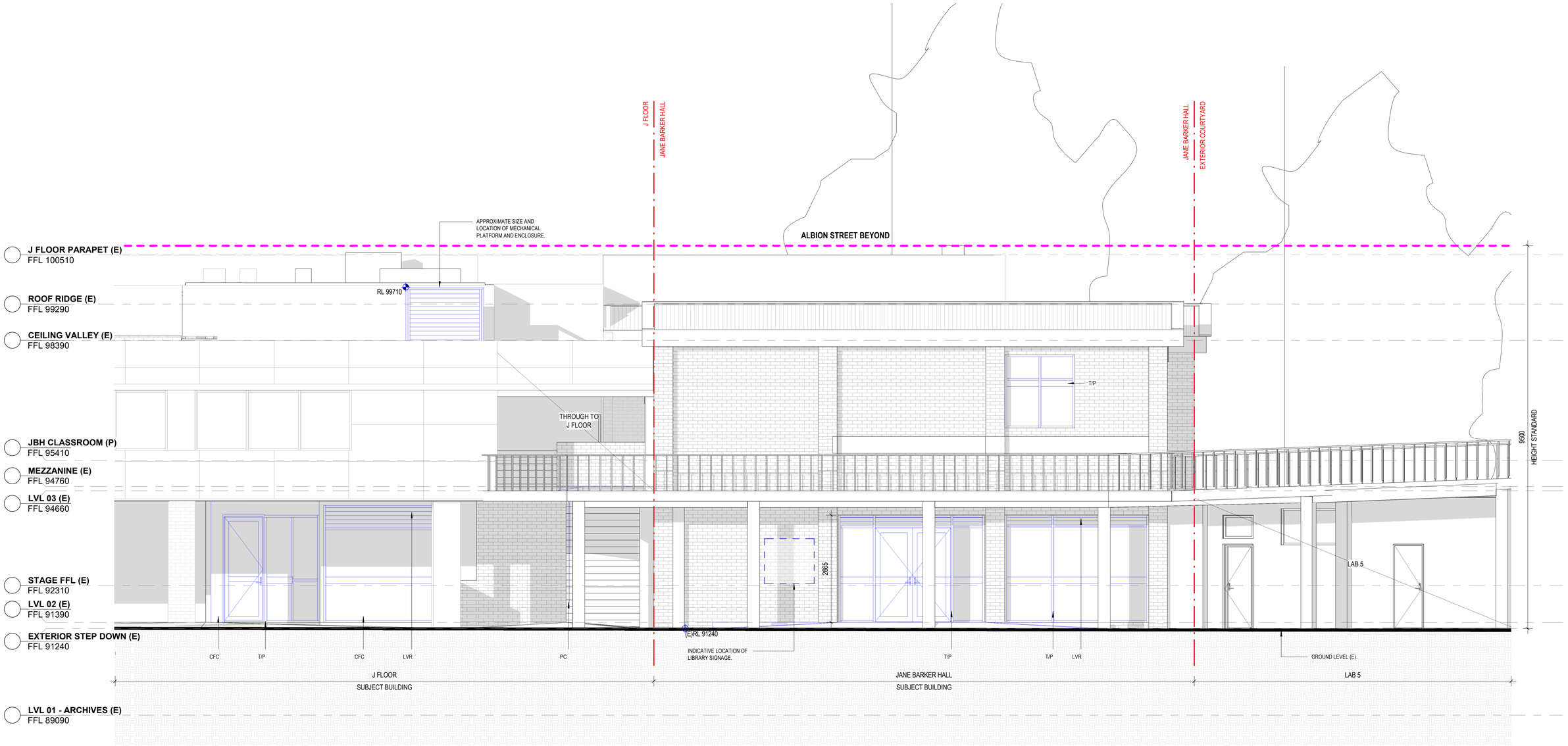

SCHOOL FACING

MATERIALS LEGEND

CFC	COMPRESSED FIBRE CEMENT.
T/P	TIMBER PAINT FINISH.
PC	POWDER COAT FINISH.
LVR	LOUVRE GRILLE.

LEGEND

- TO BE DEMOLISHED.
- PROPOSED.
- (E) EXISTING.
- 9.5M HEIGHT STANDARD.
- (E) GROUND LEVEL.

FOR INFORMATION

0M 1.0 2.0 3.0 4.0 5.0

CLIENT
ST CATHERINE'S SCHOOL SYDNEY
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26 ALBION STREET
WAVERLY
NSW 2024

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NSW Nominated Architects: Robert Denton Reg. No. 5782, Alex Kibble Reg. No. 6015
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Rev	Date	Description	Chkd	Auth
A	24/11/25	Issued for DA Submission	LR	MM
B	25/11/25	Issued for DA Submission	LR	MM

555

Project
ST CATHERINE'S-SENIOR SCHOOL LIBRARY
26 ALBION STREET, WAVERLEY
NSW 2024

Drawing Title
BUILDING ELEVATION - EAST

Proj. Dir	Proj. Int Des	Drawn	Sheet
MM	LR	JT	A1

Job No.	Phase	Date	Scale	Revision
250065	DA	25/11/25	1:50	B

Drawing No.
TKD-DA-AR-3101

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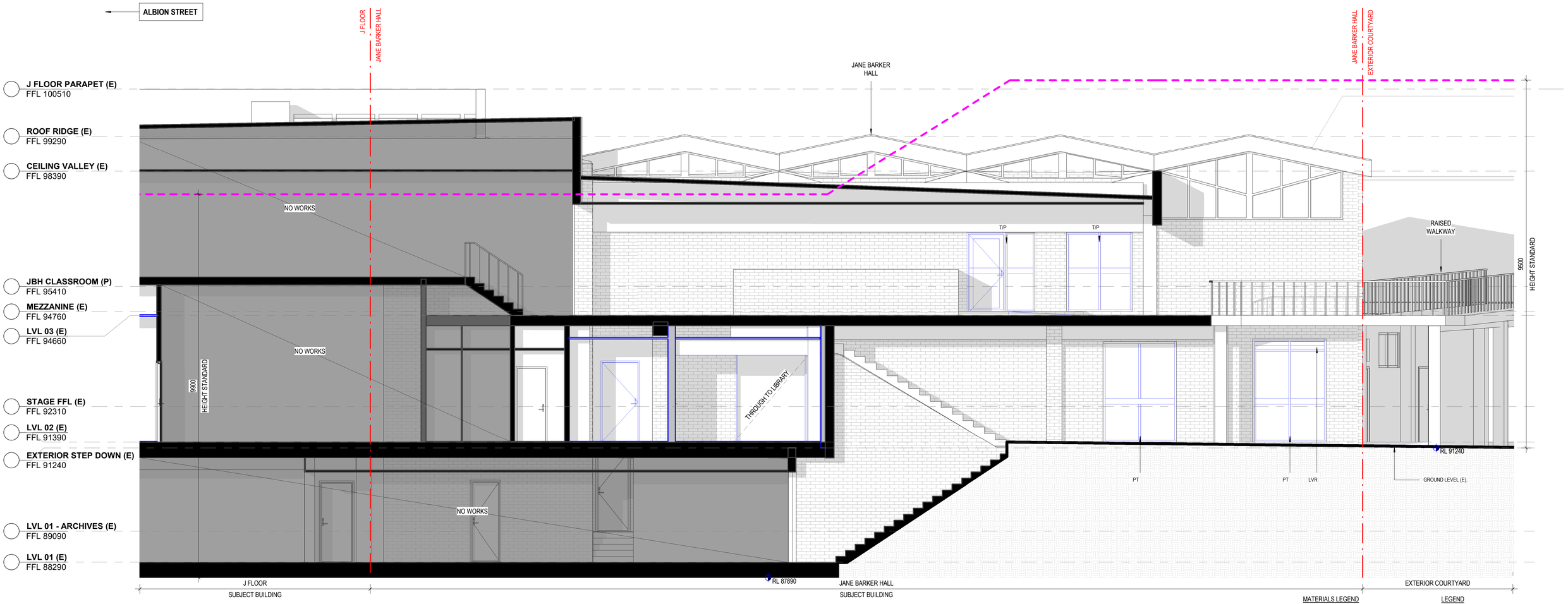

SCHOOL FACING

MATERIALS LEGEND

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T/P	TIMBER PAINT FINISH.
PC	POWDER COAT FINISH.
LVR	LOUVRE GRILLE.

LEGEND

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- 9.5M HEIGHT STANDARD.
- (E) GROUND LEVEL.

FOR INFORMATION

0M 1.0 2.0 3.0 4.0 5.0

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B	25/11/25	Issued for DA Submission	LR	MM

Project
ST CATHERINE'S-SENIOR SCHOOL LIBRARY
26 ALBION STREET, WAVERLEY
NSW 2024

Drawing Title
BUILDING ELEVATION - SOUTH

Proj. Dir	Proj. Int Des	Drawn	Sheet
MM	LR	JT	A1

Job No.	Phase	Date	Scale
250065	DA	25/11/25	1:50

Revision B

Drawing No.
TKD-DA-AR-3102

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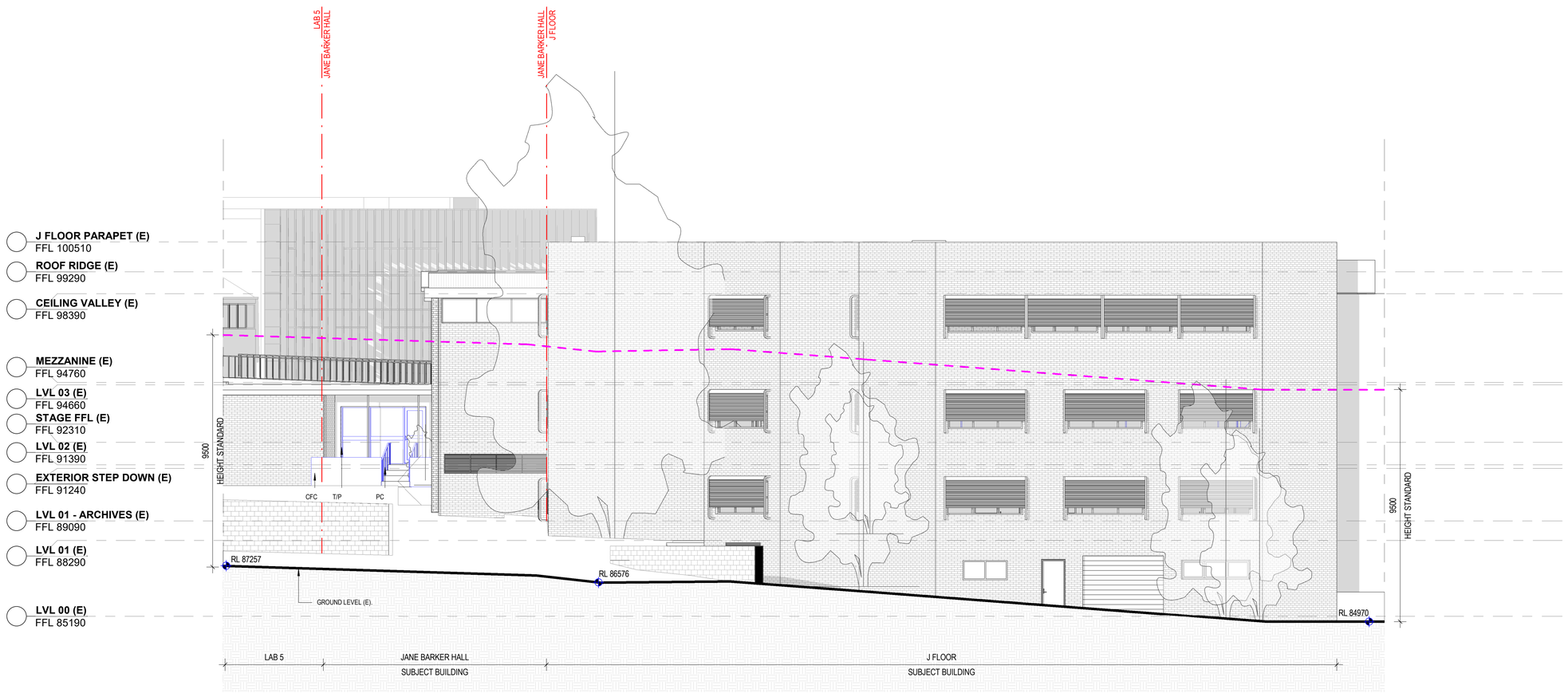

ALBION STREET FACING

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Receipt No: DA-631/2025

Date Received: 15/12/2025

MATERIALS LEGEND

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T/P	TIMBER PAINT FINISH.
PC	POWDER COAT FINISH.
LVR	LOUVRE GRILLE.

LEGEND

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- 9.5M HEIGHT STANDARD.
- (E) GROUND LEVEL.

FOR INFORMATION

0M 1.0 2.0 3.0 4.0 5.0

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A	24/11/25	Issued for DA Submission	LR	MM
B	25/11/25	Issued for DA Submission	LR	MM

Project
ST CATHERINE'S-SENIOR SCHOOL LIBRARY
26 ALBION STREET, WAVERLEY
NSW 2024

Drawing Title
BUILDING ELEVATION - WEST

Proj. Dir	Proj. Int Des	Drawn	Sheet
MM	LR	JT	A1

Job No.	Phase	Date	Scale	Revision
250065	DA	25/11/25	1 : 100	B

Drawing No.
TKD-DA-AR-3103

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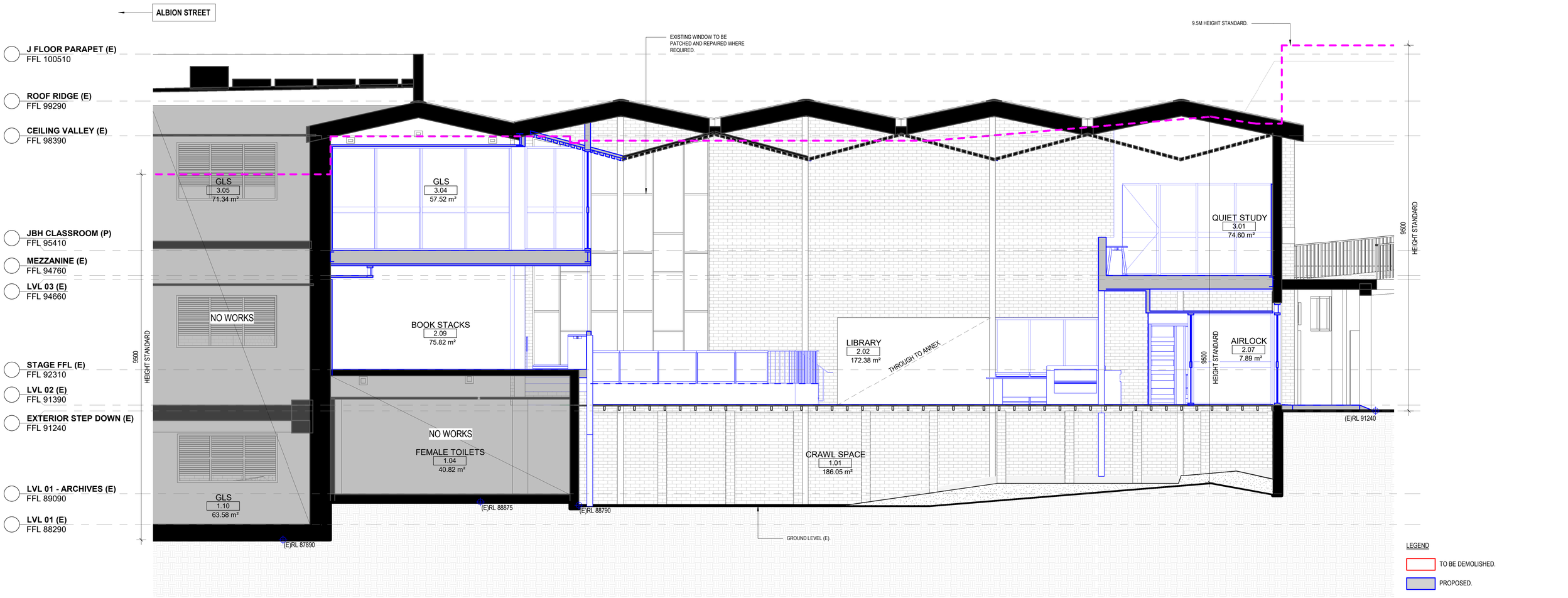

SCHOOL FACING

LEGEND

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- (E) EXISTING.
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- (E) GROUND LEVEL.

FOR INFORMATION

0M 1.0 2.0 3.0 4.0 5.0

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B	25/11/25	Issued for DA Submission	LR	MM

Project
ST CATHERINE'S-SENIOR SCHOOL LIBRARY
26 ALBION STREET, WAVERLEY
NSW 2024

Drawing Title
BUILDING SECTION A

Proj. Dir	Proj. Int Des	Drawn	Sheet
MM	LR	JT	A1

Job No.	Phase	Date	Scale	Revision
250065	DA	25/11/25	1 : 50	B

Drawing No.
TKD-DA-AR-3400

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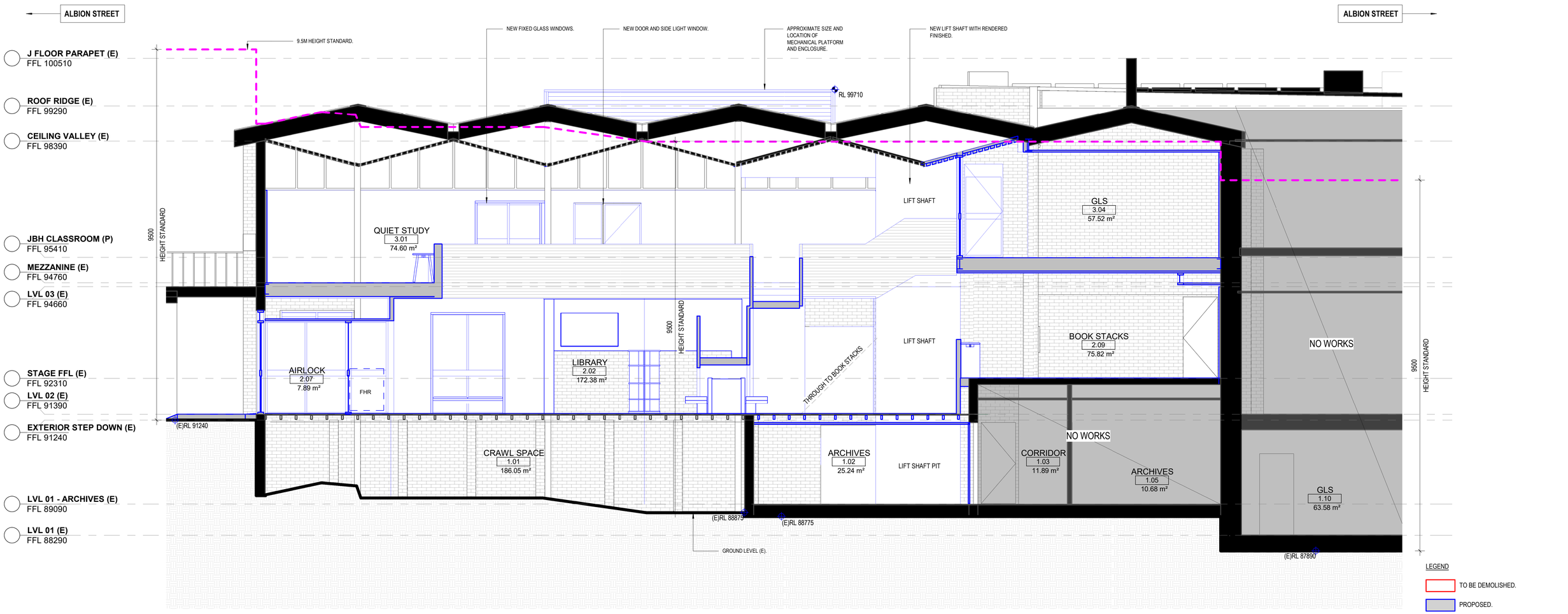

SCHOOL FACING

LEGEND

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- (E) GROUND LEVEL.

FOR INFORMATION

0M 1.0 2.0 3.0 4.0 5.0

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Project
ST CATHERINE'S-SENIOR SCHOOL LIBRARY
26 ALBION STREET, WAVERLEY
NSW 2024

Drawing Title
BUILDING SECTION B

Proj. Dir	Proj. Int Des	Drawn	Sheet
MM	LR	JT	A1

Job No.	Phase	Date	Scale	Revision
250065	DA	25/11/25	1 : 50	B

Drawing No.
TKD-DA-AR-3401

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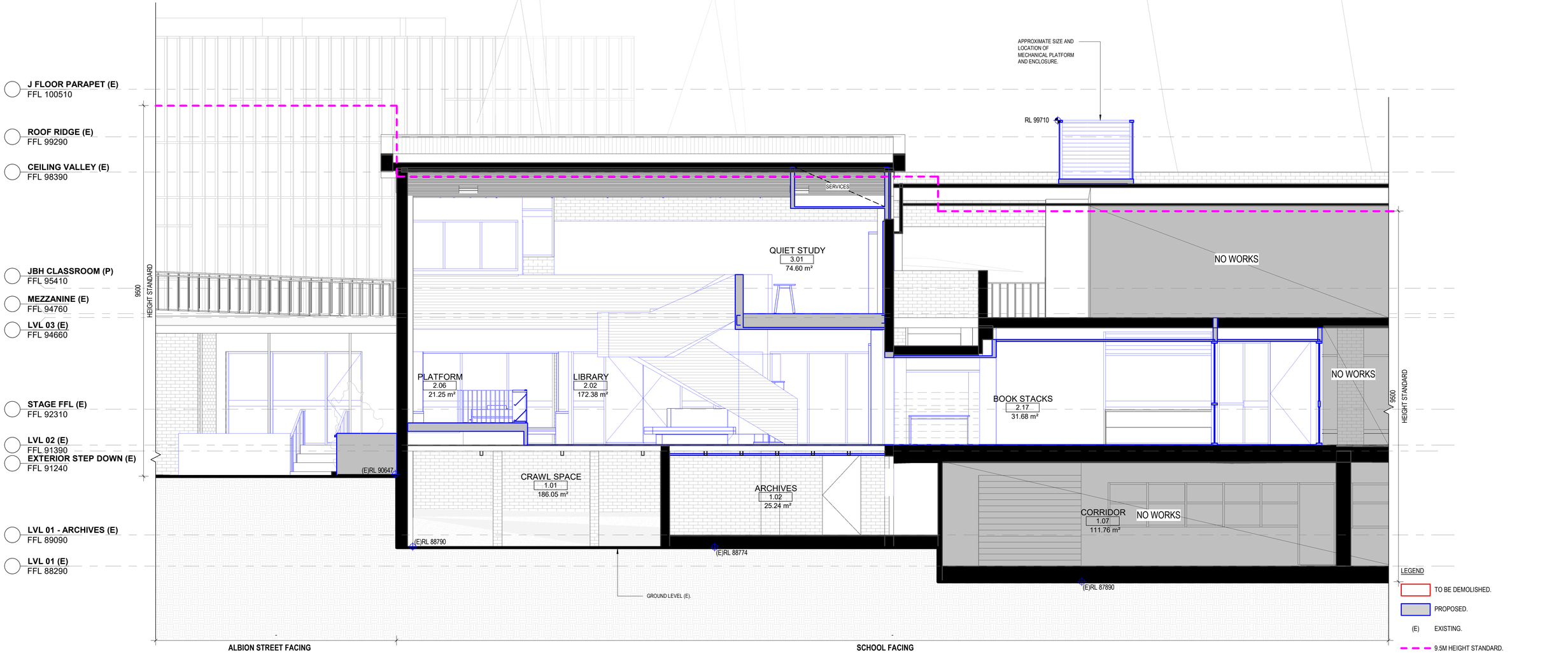

FOR INFORMATION

0M 1.0 2.0 3.0 4.0 5.0

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A	24/11/25	Issued for DA Submission	LR	MM
B	25/11/25	Issued for DA Submission	LR	MM

Project
ST CATHERINE'S-SENIOR SCHOOL LIBRARY
26 ALBION STREET, WAVERLEY
NSW 2024

Drawing Title
BUILDING SECTION C

Proj. Dir	Proj. Int Des	Drawn	Sheet
MM	LR	JT	A1

Job No.	Phase	Date	Scale	Revision
250065	DA	25/11/25	1 : 50	B

Drawing No.
TKD-DA-AR-3402

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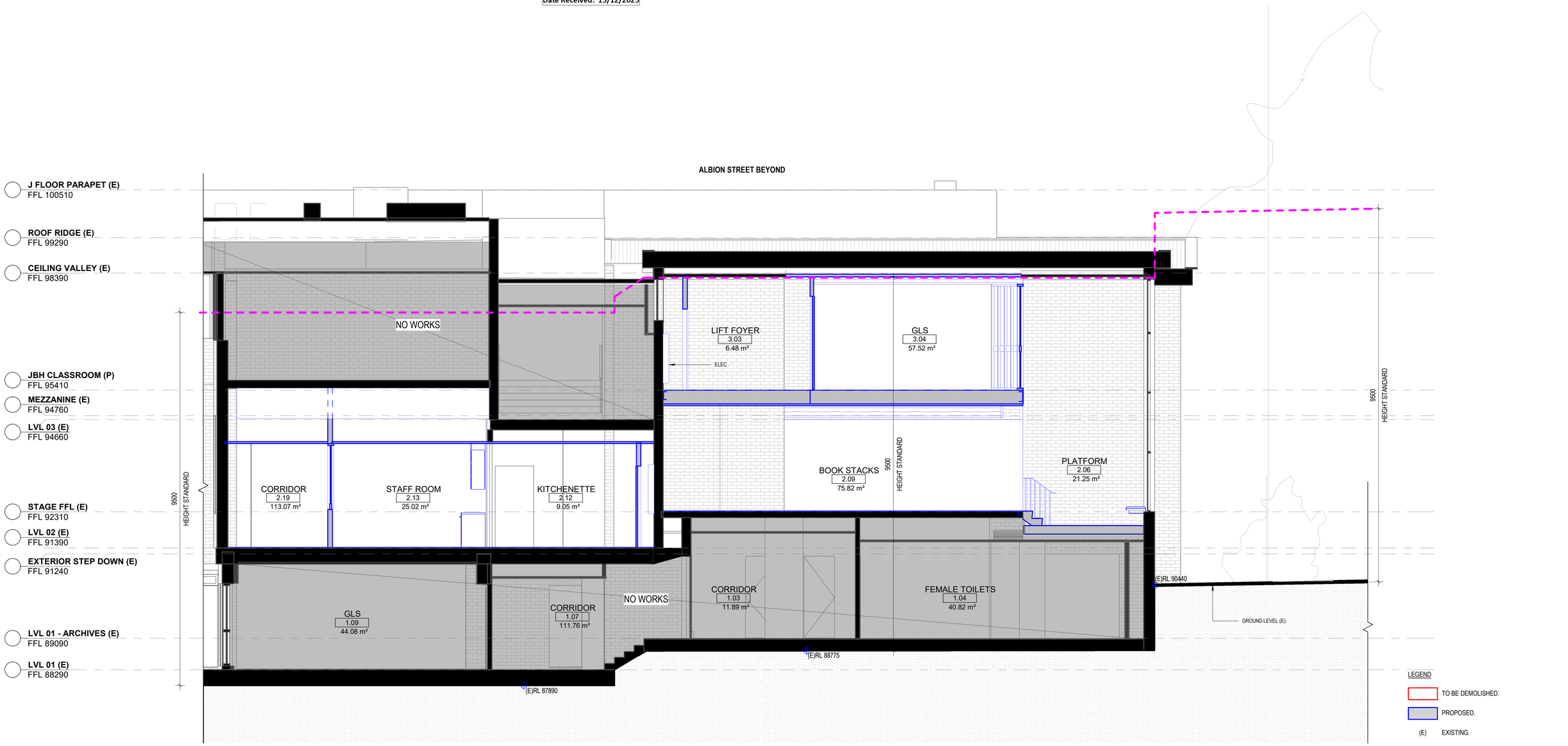

LEGEND

- TO BE DEMOLISHED.
- PROPOSED.
- (E) EXISTING.
- 9.5M HEIGHT STANDARD.
- (E) GROUND LEVEL.

FOR INFORMATION

0M 1.0 2.0 3.0 4.0 5.0

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Project
ST CATHERINE'S-SENIOR SCHOOL LIBRARY
26 ALBION STREET, WAVERLEY
NSW 2024

Drawing Title
BUILDING SECTION D

Proj. Dir	Proj. Int Des	Drawn	Sheet
MM	LR	JT	A1

Job No.	Phase	Date	Scale	Revision
250065	DA	25/11/25	1 : 50	B

Drawing No.
TKD-DA-AR-3403

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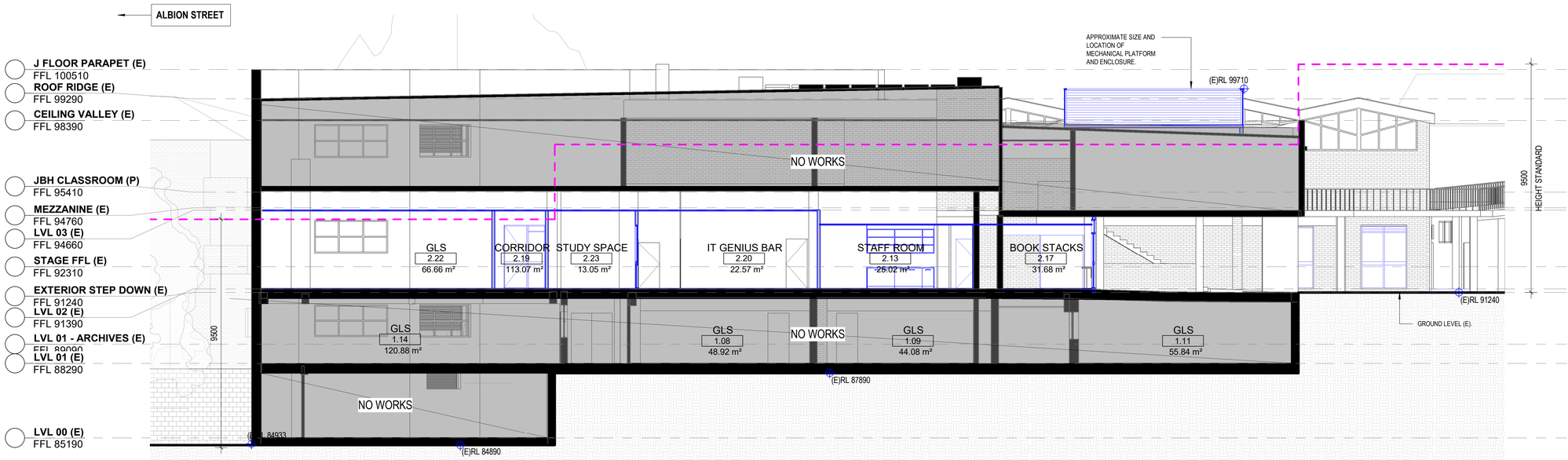

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LEGEND

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B	25/11/25	Issued for DA Submission	LR	MM

Project
ST CATHERINE'S-SENIOR SCHOOL LIBRARY
26 ALBION STREET, WAVERLEY
NSW 2024

Drawing Title
BUILDING SECTION E

Proj. Dir	Proj. Int Des	Drawn	Sheet
MM	LR	JT	A1

Job No.	Phase	Date	Scale	Revision
250065	DA	25/11/25	1 : 100	B

Drawing No.
TKD-DA-AR-3404

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CFC: COMPRESSED FIBRE CEMENT.
PRE-FINISHED CLADDING.

T/P: TIMBER PAINT FINISH .
PAINT FINISH FOR TIMBER FRAMED WINDOWS AND DOORS.

PC: POWDER COAT FINISH.
POWDER COAT FINISH FOR EXTERNAL BALUSTRADES AND HANDRAILS.

LVR: LOUVRE GRILLE TYPE 01.
METAL LOUVRE GRILLE.

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A	24/11/25	Issued for DA Submission	LR	MM

Project
ST CATHERINE'S-SENIOR SCHOOL LIBRARY
26 ALBION STREET, WAVERLEY
NSW 2024

Drawing Title
PROPOSED EXTERNAL FINISHES

Proj. Dir	Proj. Int Des	Drawn	Sheet
MM	LR	JT	A1

Job No.	Phase	Date	Scale	Revision
250065	DA	24/11/25	NTS	A

Drawing No.
TKD-DA-AR-8500

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GFA SUMMARY

LVL.	BUILDING	GFA (SQM) EXISTING.	GFA (SQM) EXISTING + PROPOSED DA.
1	DJSC	0	0
	RPAC (POOL PLANT)	-	-
	SPORTS COMPLEX	-	-
	SUBTOTAL	0	0
2	DJSC	348	348
	POOL CHANGE ROOM	-	-
	RPAC (AQUATIC CENTRE)	1972	1972
	SPORTS COMPLEX	-	-
	SUBTOTAL	1986	1986
3	DJSC	785	785
	JO KARAOLIS SPORTS CENTRE	1737	1737
	JUNIOR SCHOOL	330	330
	TAS WORKSHOP	-	-
	RPAC (THEATRE BACK OF HOUSE)	471	471
	SPORTS COMPLEX	-	-
	SUBTOTAL	2886	2886
4	DJSC	933	933
	JO KARAOLIS SPORTS CENTRE	538	538
	LENTHALL BUILDING	459	459
	MUSEUM	44	44
	ADMINISTRATION BUILDING	530	530
	J FLOOR	327	327
	UNIFORM SHOP	159	159
	RPAC (THEATRE/HALL)	1384	1384
	EXTENSION TO NAN HIND CENTRE	8	8
	SPORTS COMPLEX	-	-
	SUBTOTAL	4382	4382
5	DJSC	705	705
	LENTHALL BUILDING	646	646
	ADMINISTRATION BUILDING	464	464
	J FLOOR	620	620
	UNIFORM SHOP	63	63
	JUNIOR SCHOOL	1282	1282
	NO.319A BRONTE ROAD	-	-
	NO.319 BRONTE ROAD	-	-
	NAN HIND CENTRE	138	138
	JANE BARKER HALL	85	83
	RPAC (BOARD ROOM)	351	351
	EXTENSION TO NAN HIND CENTRE	241	241
	SPORTS COMPLEX	-	-
	SUBTOTAL	4847	4847
6	LENTHALL BUILDING	638	638
	ADMINISTRATION BUILDING	235	235
	J FLOOR	598	601
	JANE BARKER HALL	345	354
	GREEN HALL	-	-
	ISABEL HALL WING / ST JOHNS	723	723
	NAN HIND CENTRE	295	295
	NO.317 BRONTE ROAD	-	-
	JUNIOR SCHOOL	1337	1337
	RPAC (RESEARCH CENTRE)	844	844
	EXTENSION TO NAN HIND CENTRE	224	224
	SUBTOTAL	5078	5090

LVL.	BUILDING	GFA (SQM) EXISTING.	GFA (SQM) EXISTING + PROPOSED DA.
7	J FLOOR	458	458
	JANE BARKER HALL	79	149
	ISABEL HALL WING / ST JOHNS	875	875
	NAN HIND CENTRE	318	318
	RPAC (RESEARCH CENTRE MEZZANINE)	257	257
	EXTENSION TO NAN HIND CENTRE	124	124
	SUBTOTAL	2348	2418
8	ISABEL HALL WING / ST JOHNS	649	649
	SUBTOTAL	649	649
	GFA TOTAL	21992	22072
	FSR TOTAL (X:1)	0.98	0.99

PROPERTY BOUNDARY AREA (SQM)	22290

LEGEND

PROPOSED

EXISTING

EXISTING ROOM GFA

Number	Name	Area
LVL 01 - ARCHIVES (E)		
1.01	CRAWL SPACE	186.05 m²
1.02	ARCHIVES	30.44 m²
		216.49 m²
LVL 02 (E)		
2.02	JANE BARKER HALL	223.42 m²
2.03	ANNEX	25.82 m²
2.04	STORE	5.53 m²
2.06	STORE	18.16 m²
2.07	KITCHEN	7.94 m²
2.08	AIRLOCK	2.32 m²
2.09	STUDY SPACE	25.05 m²
2.12	CORRIDOR	48.28 m²
2.13	STUDY AREA	23.77 m²
2.18	OFFICE	8.51 m²
2.19	STAFF ROOM	44.13 m²
2.20	STORE	7.22 m²
2.21	LIBRARY	301.17 m²
		741.32 m²
STAGE FFL (E)		
2.05	BACKSTAGE	77.02 m²
		77.02 m²
MEZZANINE (E)		
3.01	MEZZANINE	79.11 m²
		79.11 m²
Grand total: 17		1113.94 m²

PROPOSED ROOM GFA

Number	Name	Area
LVL 01 - ARCHIVES (E)		
1.01	CRAWL SPACE	186.05 m²
1.02	ARCHIVES	25.24 m²
-	LIFT	3.21 m²
		214.50 m²
LVL 02 (E)		
2.08	STUDY SPACE	13.30 m²
2.07	AIRLOCK	7.89 m²
2.03	ANNEX	16.08 m²
2.04	OFFICE	8.93 m²
2.05	STORE	5.53 m²
2.17	BOOK STACKS	31.68 m²
2.02	LIBRARY	172.38 m²
2.06	PLATFORM	21.25 m²
2.25	STUDY SPACE	24.82 m²
2.27	STUDY SPACE	22.05 m²
2.26	GLS	55.98 m²
2.24	GLS	64.64 m²
2.22	GLS	66.66 m²
2.21	GLS	52.00 m²
2.19	CORRIDOR	113.07 m²
2.23	STUDY SPACE	13.05 m²
2.20	IT GENIUS BAR	22.57 m²
2.13	STAFF ROOM	25.02 m²
2.12	KITCHENETTE	9.05 m²
2.18	AIRLOCK	2.32 m²
		748.26 m²
STAGE FFL (E)		
2.09	BOOK STACKS	75.82 m²
		75.82 m²
MEZZANINE (E)		
3.02	STUDY SPACE	10.61 m²
3.01	QUIET STUDY	74.60 m²
		85.21 m²
JBH CLASSROOM (P)		
3.04	GLS	57.52 m²
3.03	LIFT FOYER	6.48 m²
		64.01 m²
Grand total: 28		1187.81 m²

RECEIVED
Waverley Council

Receipt No: DA-631/2025

Date Received: 15/12/2025

FOR INFORMATION

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NSW Nominated Architects: Robert Denton Reg. No. 5782, Alex Kibble Reg. No. 6015
Do not scale drawings. Verify all dimensions on site. Notify architect of all discrepancies

Rev	Date	Description	Chkd	Auth
A	24/11/25	Issued for DA Submission	LR	MM
B	26/11/25	Issued for DA Submission	LR	MM

Project
ST CATHERINE'S-SENIOR SCHOOL LIBRARY
26 ALBION STREET, WAVERLEY
NSW 2024

Drawing Title
PROPOSED GFA & FSR

Proj. Dir	Proj. Int Des	Drawn	Sheet
MM	LR	JT	A1

Job No.	Phase	Date	Scale	Revision
250065	DA	26/11/25	NTS	B

Drawing No.
TKD-DA-AR-8510

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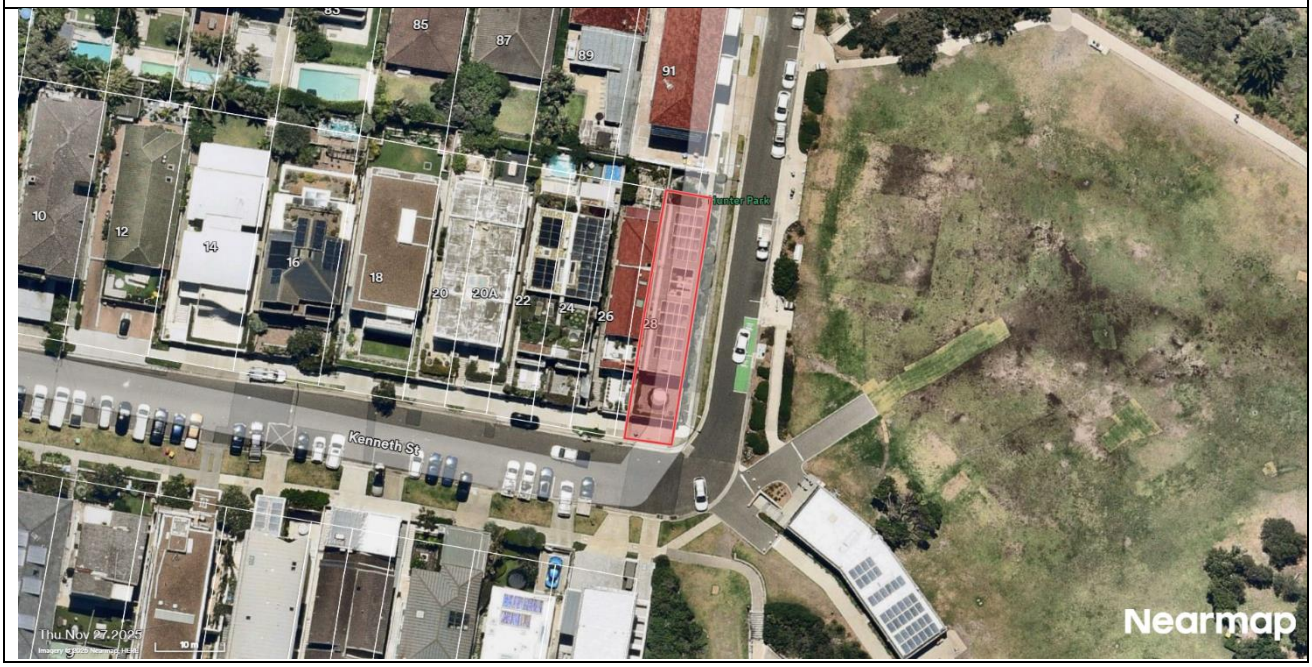
Tanner Kibble Denton

Report to the Waverley Local Planning Panel

Application number	DA-629/2025
Site address	28 Kenneth Street, Tamarama
Proposal	Alterations and additions to semi-detached dwelling including relocation of the stairwell to accommodate a new dining area and study, new first floor balcony, and rear pergola.
Date of lodgement	5 January 2026
Owner	S J Binder M B Binder
Applicant	CSA Architects
Submissions	Two (2) submissions
Cost of works	$956,304.80
Principal Issues	• Breach of the maximum building height development standard • Breach of the maximum floor space ratio development standard
Recommendation	That the application be **APPROVED** in accordance with the conditions contained in the report.
SITE MAP	



1. PREAMBLE

1.1. Executive Summary

The development application seeks consent for alterations and additions to semi-detached dwelling at the site known as 28 Kenneth Street, Tamarama.

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

- Breach of the maximum building height development standard
- Breach of the maximum floor space ratio development standard.

The assessment finds these issues acceptable and consistent with the provisions and objectives of the development standards for the reasons outlined in the report.

A total number of 2 submissions were received and the issues raised in the submissions have been considered and addressed in this report and in the recommendation.

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

1.2. Site and Surrounding Locality

A site visit was carried out on 18 February 2026.

The site is identified as Lot B in DP 419355, known as 28 Kenneth Street, Tamarama. The site is rectangular in shape with a north (rear) boundary measuring 6.71m, east (side) boundary measuring 36.575m, south (front) boundary measuring 6.995m and west (side) boundary measuring 36.573m. The site has an approximate area of 254.4m² and falls from the north towards the south by approximately 2.8m. The property is a corner allotment with a secondary street frontage to Marks Lane.

The site is occupied by a two-storey semi-detached dwelling with vehicular access provided from Kenneth Street.

The subject site is adjoined by a semi-detached dwelling to the west at No. 26 Kenneth Street. The Locality is characterised by a variety of residential developments including semi-detached dwellings, detached dwellings and residential flat buildings.

The property is not listed as an item of environmental heritage and is not located within a heritage conservation area. However, the property is across from Marks Park which is a heritage item and is part of the Bondi Beach Conservation Area and Landscape Conservation Area.

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

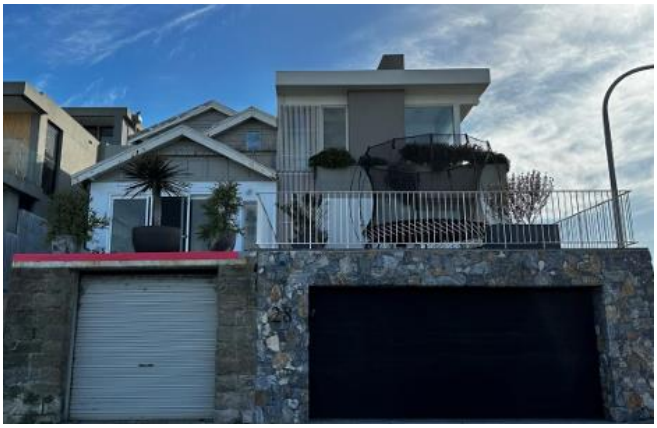


Figure 1. View of subject site looking north from Kenneth Street.

Figure 2. View of subject site rear yard and adjoining residential flat building at No.91 Fletcher Street.

Figure 3. View of subject site looking west from Marks Lane.

Figure 4. View of subject site looking northwest from Marks Park.

1.3. Relevant Development History

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

- DA-622/2008 - Demolition & construction of three storey semi-detached dwelling, was approved on 31.03.2009 by the Land and Environment Court.
- DA-450/2015 - Demolition of existing semi-detached dwelling and construction of new two storey semi-detached dwelling with double garage, was approved on 26.04.2016 by delegated authority.
- DA-450/2015/A – Modification to extend lower ground floor of approved dwelling, was approved on 29.07.2016 by delegated authority.
- DA-450/2015/B – Modification to front entry fence and courtyard wall height, was approved on 16.04.2018 by delegated authority.
- DA-263/2024 - Construction of a hot tub, plant room and minor alterations to courtyard, was approved on 25 July 2024 by delegated authority.

1.4. Proposal

The development application seeks consent for alterations and additions to semi-detached dwelling and specifically includes the following:

Lower Ground Floor

- New lightwell in slab over, along eastern wall.
- Modify existing internal walls.

Ground Floor Plan

- New sliding doors to the master bedroom for access to the front terrace.
- Demolish existing internal entrance to master bedroom to create one entrance and remove existing bathroom and convert into storage area.
- Reconfiguration to internal layout to accommodate for new ensuite, separate WC, WIR to bedroom 3 and new stairs to first floor level.
- New window seats into master bedroom, bed 2 and bed 3 .
- Remove existing internal curved stairwell by side entrance and install new staircase to first floor level with storage cupboard and dog suite underneath.
- Provide a new entry from Marks Lane.
- New side windows to eastern elevation.

First Floor

- New first floor front balcony off living room.
- New powder room with bifold glass door off hallway.
- New study to the rear.
- New flooring to the outdoor dining area.

Roof

- New glass roof over outdoor dining room on first floor level.

Ancillary Works

- New rear pergola over existing pool and outdoor area.
- Replace existing external side door with sliding gate.

1.5. Background

The application was lodged on 5 January 2026.

Due to a minor discrepancy in the gross floor area calculations, Council required an amended clause 4.6 and statement of environmental effects to reflect the correct percentage variation from the floor space ratio development standard. The documentation received by Council on 16 February 2026 form the basis of the assessment and clause 4.6 assessment.

Additionally, visual privacy concerns in relation to the rear first floor study was discussed with the applicant on 20 February 2026. To address this, Council required amended plans to outline the privacy measure to the northern elevation, to ensure any mutual overlooking was effectively mitigated. The amended plans received on 23 February 2026 addressed this request and form the basis of the assessment.

2. ASSESSMENT

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

2.1. Planning Instruments and Development Control Plans

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

2.1.1. State Environmental Planning Policies (SEPPs)

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

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

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

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

Table 1: Waverley LEP 2012 Compliance Table

Provision	Compliance	Comment
Part 1 Preliminary		
1.2 Aims of plan	Yes	The proposal is consistent with the aims of the plan.
Part 2 Permitted or prohibited development		
Land Use Table *R3 Medium Density Residential Zone*	Yes	The proposal is defined as alterations and additions to semi-detached dwelling, which is permitted with consent in the R3 Medium Density Residential zone.
Part 4 Principal development standards		
4.3 Height of buildings	No	The height of the new operable glass roof over the existing outdoor dining room is

Provision	Compliance	Comment
• *9.5m*		approximately 9.713m measured above the existing ground level. This results in a proposed variation of 2.27% or 0.216m above the maximum building height development standard. .
4.4 Floor space ratio and 4.4A Exceptions to floor space ratio • *0.828:1 (208.38m^2)*	No	The proposed FSR of 1.098:1 is non-compliant. This results in a total gross floor area of 276.22m^2, resulting in a breach of 32.6% (67.9m^2) of the floor space ratio development standard.
4.6 Exceptions to development standards	See discussion	The application is accompanied by a written request pursuant to clause 4.6 of Waverley LEP 2012 to vary the FSR and Building Height development standards. A detailed discussion of the variation to the development standards is presented below this table.
Part 6 Additional local provisions		
6.1 Acid sulfate soils	Yes	The subject site is classified as class 5 acid sulfate soils. The proposed works are unlikely to impact the water table on class 1, 2, 3, or 4 land.

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 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 0.828.1. The proposed development has an FSR of 1.098:1, exceeding the standard by 67.9m^2 equating to a 32.6% variation. It is noted that the existing building has a GFA of 251.73m^2 exceeding the development standard by 43.5m^2 or 20.8%.

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:

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

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

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

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

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

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

Objective (b) "To provide an appropriate correlation between maximum building heights and density controls".

(i) The additional GFA does not result in any perceived bulk and scale of the building as it is contained within the existing building envelope. Therefore, when perceived from the street and public domain, the building remains the same as originally approved.

(ii) The proposal presents an appropriate development density, ensuring a modern 3-bedroom dwelling with domestically scaled living areas, consistent with the scale of development within the locality.

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

(i) The bulk and scale of the building remains compatible with the desired future character of the locality as its envelope is unchanged and was considered acceptable as part of the original approval for this site.

(ii) Views to and from public spaces are unaffected by the proposal. The built form was specifically modelled to correspond to the form of the immediately adjoining building.

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

(i) There is no adverse view loss attributed to the building generally and none related to the areas of additional floor space as the built form height and scale remains unchanged.

(ii) In terms of the amenity of the locality, the proposal positively contributes to the streetscape and the desired future character of the area through retention of the of the existing built form.

(iii) There are no direct adverse impacts on the amenity of the locality arising from the proposal, nor the areas of additional floor space as these areas are internal within the building. As such, the environmental amenity of the locality is also preserved.

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

(i) The scale of the building is appropriately 3 storeys when viewed from the street, being assessed as being acceptable by Council as part of its original development approval.

(ii) The variation facilitates a semi-detached dwelling typology with no central setback between the two buildings. Strict compliance with the standard would diminish the internal amenity of the dwelling; and is unnecessary as it would not result in a better planning outcome for or from the development.

(iii) The design, form and scale of the building is complementary to, and compatible with, the prevailing design of new dwellings in this locality

(iv) The design allows for the attainment of the Object in the EP&A Act 1979 which seeks to promote good design and amenity of the built environment. The additional floor area allows the dwellings to have improved internal amenity and a high-quality design outcome.

Consideration of Applicant's Written Request

The applicant's written request has correctly identified the development standard to be varied, relevant legislation and has correctly calculated the FSR and variation to the development standard 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]. This is sound justification as the applicant has demonstrated that despite the breach of the Floor Space Ratio development standard, the proposal meets the objectives of the development standard, as follows:

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

(i) The perceived building envelope of the development remains largely unchanged by the proposed additional floor space which will result in negligible visual impact to the bulk and scale of development. The proposal does not increase the maximum building height of the approved development, remaining consistent with the bulk and scale of surrounding development.

(ii) The proposal presents an appropriate development density, whereby Council is satisfied that the proposal and subsequent non-compliance is of a bulk and scale that reflects a 3-bedroom dwelling consistent with the desired medium density residential character in the area.

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

(i) The additional floor space is contained within the existing footprint of the approved development, where the existing envelope remains unchanged and maintains compatibility with the desired future character of the area.

(ii) The building form continues to respond to the existing character of the built environment, by maintaining compliant setbacks, that ensure adequate building separation and consistency with the established streetscape.

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

(i) It is considered that the proposed variation to the FSR development standard seeks to preserve the environmental amenity of surrounding properties and the public domain. Specifically, the proposal does not introduce adverse material overshadowing or view impacts on neighbouring properties beyond a compliant scheme and will contribute positively to the desired future character.

(ii) The additional floor space remains solely internal and within the existing built fabric and envelope and does not result in adverse amenity impacts on the locality and surrounding streetscape. The retention of the existing built form positively contributes to the streetscape and desired future character of the area.

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

The applicant has satisfactorily argued that that there are sufficient environmental planning grounds to justify contravening the development standard. The proposal will continue to facilitate residential development in a compatible built form of a semi-detached dwelling typology. Council is satisfied that the proposal and the subsequent non-compliance is of a bulk and scale that preserves the amenity of neighbouring dwellings and is complementary to, and compatible with, the prevailing design of new dwellings in this locality. The additional FSR ensures a more efficient and functional layout for the occupants by improving internal amenity and ensuring a better planning outcome from the development.

Conclusion

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

Clause 4.6 Exceptions to Development Standards – Building Height.

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

The site is subject to a maximum building height development standard of 9.5m. The proposed operable glass skylight exceeds the standard by 0.216m equating to a 2.27% variation. It is noted that all other building elements pertaining to the existing overall building height of the development remain unchanged from the approved development associated with DA-450/2015. The existing chimney exceeds the building height standard at 10.416m towards the front of the building equating to a total variation of 9.6% or 0.916m.

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 maximum building height development standard on the following basis:

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

Objective (a) – "to ensure building heights preserve the environmental amenity of neighbouring properties and public spaces and if appropriate the sharing of views".

(i) *The area of non-compliance is limited toward the centre along the eastern side of the building. The area of breach is limited and is attributed to the extant excavated areas for the existing lower ground level of the building.*

(ii) *The area of non-compliance has no impact given that it is limited to the eastern side of the building with no direct adjoining neighbours to the east and/or separation to Marks Park and therefore has no adverse impact on the public space.*

(iii) *There are also no views that are adversely impacted upon by the area of non-compliance or the building generally, as the area of non-compliance sits lower than the adjoining semi-detached dwelling to the west.*

Objective (c) – "to maintain satisfactory solar access to existing building and public area"

(i) The development provides an acceptable level of impact to adjoining and neighbouring land. Solar access is maintained to neighbouring buildings and the public domain, with no additional overshadowing impact on Marks park or Marks Lane.

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

(i) The proposal maintains the desired future character of the locality ensuring a consistent building setback and street alignment. The dwelling presents as 2 storeys to Marks Lane and 3 Storeys to the front at Kenneth Street, despite the non compliance to the roof.

(ii) While this application seeks a minor breach in height of 0.216m, the breach in height is attributed to the extant excavation for the existing lower ground level. Strict compliance with the standard would require an infill of the fixed flat roof form over the proposed first floor dining room, and at the expense of the skylight's solar access benefits to the home and internal amenity.

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

(i) The variation in height optimises amenity for the occupants of the building providing solar access and ventilation to the first floor dining room. Apart from this small section of the roof, the remaining existing building is generally under the maximum height standard.

(ii) The variation in height is indiscernible from the public domain, maintaining the existing 2-3 storeys building height consistent and compatible with recent development in locality.

(iii) The variation in height is limited toward the centre of the building along the eastern side of the building and with no neighbouring properties to the east does not result in any overshadowing or privacy impacts.

Consideration of Applicant's Written Request

The applicant's written request has correctly identified the development standard to be varied, relevant legislation and has measured building height correctly using the correct existing 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]. This is sound justification as the applicant has demonstrated that despite the breach of the Height of Buildings development standard, the proposal meets the objectives of the development standard, as follows:

(a) To ensure building heights preserve environmental amenity of neighbouring properties and public space and, if appropriate view sharing.

(i) The perceived building envelope of the development remains largely unchanged resulting in negligible visual impact to the bulk and scale of development. The proposal does not increase the maximum building height of the approved development under (DA-450/2015) ensuring the amenity of adjoining properties and the public space is maintained. The area of non-

compliance is limited to a portion of the existing roof and will not result in adverse impacts on views to neighbouring properties, as the area is minimal in scale, located towards the eastern side of the building, and is positioned lower than the adjoining semi-detached dwelling to the west.

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

(i) The area of non-compliance does not result in any adverse overshadowing impacts to neighbouring properties or the public domain. The separation distance provided from Marks Lane, ensures there are no additional overshadowing impact to Marks Park.

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

(i) Despite the non-compliance, the proposal maintains an appropriate building height that is consistent with the surrounding development density. Council is satisfied that the proposal preserves the desired future character including consistent streetscape appearance and building alignment.

(ii) It is noted that strict compliance with the development standard will not achieve a better planning outcome. The proposed skylight is a purposeful design which seeks to improve solar access and natural ventilation into the building. By improving the internal amenity for occupants and aligning with the desired future character of the area, the proposal delivers an enhanced architectural result than a strictly compliant scheme.

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

The applicant has satisfactorily argued that that there are sufficient environmental planning grounds to justify contravening the development standard. The variation in height is not readily discernible from the public domain. The development will continue to facilitate a compatible built form of a semi-detached dwelling typology, maintaining the existing 2-3 storeys in building height that is consistent with the locality. Council is satisfied that the proposal and the subsequent non-compliance is of scale that preserves the amenity of neighbouring dwellings and does not result in any adverse overshadowing or view loss impacts. The minor variation in height is purposeful design, achieving a more functional layout for the occupants by improving internal amenity and ensuring a better planning outcome for the development.

Conclusion

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

2.1.3. Waverley Development Control Plan 2022 (Amendment 5)

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

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

Development Control	Compliance	Comment
1. Waste • *Garbage bins are to be stored in an appropriate location.*	Yes	Satisfactory. A site waste management plan has been submitted with the proposal. There are no proposed changes to the existing waste management on site.
2. Ecologically Sustainable Development	Yes	Satisfactory. A BASIX Certificate has been submitted with the development application. The proposal meets the requirements and objectives of Part B2 of the DCP.
11. Design Excellence	Yes	Satisfactory. The proposal is carefully designed to ensure the development does not result in adverse bulk and scale impacts when viewed from the public domain or neighbouring properties.

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

Development Control	Compliance	Comment
1.0 General Objectives		
	Yes	The proposal does not contravene the general objectives of this part of the DCP.
1.1 Height		
Flat roof dwelling house • *Maximum wall height of 7.5m*	Yes	Satisfactory. The proposal does not alter the existing wall heights of the building. The operable skylight is located within an open niche of an existing flat roof at the same level.
1.2 Setbacks		
1.2.1 Front and rear building lines • *Predominant front building line (adjacent three neighbours on either side)*	Yes	Satisfactory. There are no proposed changes to the existing front building line at ground floor level. The proposal includes a balcony at first floor level which extends approximately 1m beyond the roof line of the adjoining neighbour to the west at No.26 Kenneth Street. Despite the extension, the proposal aligns with the predominant front building line of dwellings along Kenneth Street and is consistent with adjacent first floor balconies at Nos. 22 and 24 Kenneth Street. In this regard, the proposal is compatible with the development in the surrounding area and does not result in adverse amenity impacts to the adjoining properties.

Development Control	Compliance	Comment
• *Predominant rear building line at each floor level (adjacent three neighbours or either side)*	Yes	Satisfactory. There are no proposed changes to the predominant rear building line at each floor level. It is noted that the pergola above the rear yard is proposed at a length of 5.4m to the rear boundary. The pergola is considered appropriate to the site's context, designed to improve privacy to the ground floor rear yard, from the adjacent three storey residential flat building immediately north of the subject site. The pergola is retractable and generally consistent with the height of the rear boundary fence ensuring no adverse material impacts to adjacent properties.
1.3 Streetscape and visual impact		
• *New development to be compatible with streetscape context*	Yes	Satisfactory. The perceived building envelope of the development remains relatively unchanged resulting in negligible visual impact to the bulk and scale of development. The variation to the GFA and maximum building heights remains within the existing building fabric and does not result in adverse amenity impacts. Additionally, the proposed first floor balcony is consistent with adjacent first floor balconies at Nos. 22 and 24 Kenneth Street and remains contributory in from and style to the existing dwelling.
• *Significant landscaping to be maintained.*	Yes	Satisfactory.
1.4 Fences		
Side and Rear: • *Maximum height of 1.8m*	Yes	There are no proposed changes to the height of the side boundary fence. The proposed sliding gate fronting Marks Lane remains consistent with the existing development.
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 (acceptable on merit)	The proposed windows on the ground floor along the eastern elevation will be screened by the existing side boundary fence and will not be visually perceptible from the public domain. The proposed study at the rear of the first-floor level is not expected to cause adverse visual privacy impacts to the adjacent neighbours to the north at No.91 Fletcher Street. Whilst the proposal seeks to increase the FSR of the subject site by removing the existing void and stairs to accommodate a new study space, the rear external wall and existing outlook remains unchanged from the approved development.

Development Control	Compliance	Comment
		Accordingly, the proposal does not introduce new opportunities for overlooking. The proposal also includes privacy screening to the height of the first-floor windows to the northern façade in addition to the retention of existing planter boxers along the buildings edge, effectively mitigating any potential for overlooking.
• *Maximum size of balconies:* *10m^2 in area* *1.5m deep*	No (acceptable on merit)	The proposed first floor balcony has an area of approximately 10.9m^2 with a maximum depth of 2.2m. Despite being non-compliant with the development control the proposal is considered acceptable on merit. The proposed balcony is considered appropriate to the site's context, aligning with the pre-existing pattern of first floor balconies along the western side of Kenneth St at Nos. 20,22 and 24. See figure below. It is considered that the proposed balcony will not further reduce the amenity of the adjoining semi-detached dwelling. There are no direct sightlines into private internal spaces or habitable windows along the western boundary. Any outlook towards the existing front terrace, is already visible from the public domain. Due to the site context, these areas already have low level of visual privacy and any mutual overlooking is not considered unreasonable.
1.6 Solar access		
• *Minimum of 3 hours of sunlight to 50% of living areas and principal open space areas on 21 June to subject site*	Yes Yes	Satisfactory. The proposal will maintain a minimum of 3 hours of sunlight to 50% of living spaces and principle open spaces.

Development Control	Compliance	Comment
• *Minimum of 3 hours of sunlight maintained to at least 50% of principal open space areas of adjoining properties on 21 June.*		Satisfactory. The proposal does not result in any adverse overshadowing impacts to adjoining properties and ensures a minimum of 3 hours of direct sunlight is maintained to the principal open spaces areas.
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	Satisfactory. No submissions were received that raises an issue with view loss. It is noted the subject site and adjacent properties share iconic views towards Tamarama beach. The proposed height of the operable skylight is not expected to result in any additional view loss. The overall building envelope remains consistent with the existing development, ensuring there is no increase in perceived visual bulk that could negatively impact view sharing.

In addition to the above, the proposal does not change the provision of landscaped area and open space area of the site and the design, dimensions and location of the swimming pool. Therefore, these are not required to be assessed against the relevant controls under Part C1 of Waverley DCP 2022.

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.

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 13 and 29 January 2026 in accordance with the *Community Engagement Strategy Amendment 1 (2025).*

A total of 2 unique submissions were received from the following properties:

Table 4: Submission details

Count	Property Address
1.	91 Fletcher Street, Tamarama (Apartment Nos. 2,3 and 6)
2.	26 Kenneth Street, Tamarama

Issues raised in the submissions regarding floor space ratio non-compliance and visual privacy concerns have already been discussed and addressed in Table 1 in section 4.4 and Table 3 in section 1.5 of this report.

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

Issue: Ground floor entry reconfiguration.

Response: The reconfiguration of the ground floor and the new side entry to the eastern elevation will not cause adverse visual privacy impacts. Designed as a secondary circulatory space, the new entry and internal floor space maintains low visual impact. Additionally, the proposal does not introduce any new windows to the northern external wall. As such, the proposal will not increase the extent of overlooking. To further address any visual privacy impact, the proposed pergola above the existing courtyard will help provide visual screening and improve mutual amenity between the two properties.

Issue: Front balcony visual privacy concerns.

Response: A submission was received regarding the proposed front balcony. The applicant did not object to the proposal on the basis that the balcony does not extend beyond the roofline of the property. However, upon assessment it has been noted that there is a minor extension beyond the roofline of the subject property. Despite this, it is considered that the proposal will not cause adverse visual privacy impacts and this is further addressed in Table 3 in section 1.5 of this report.

2.5. Public Interest

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

3. REFERRALS

3.1. Tree Management

The proposed pergola would require removal of existing tree; the application was referred internally to Councils Tree Management Officer who raised no objections. No conditions were recommended.

4. CONCLUSION

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

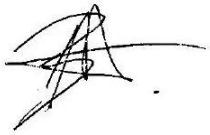
5. RECOMMENDATION TO WAVERLEY LOCAL PLANNING PANEL

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

Managers of Development Assessment (MODA) Review

The application was reviewed by the MODA at the meeting on 3 March 2026 and the MODA concurred with the Assessment Planner's recommendation.

MODA members: *B McNamara and B Magistrale*

Report prepared by:	**Application reviewed and agreed by:**
	
Kyle Goulding **Development Assessment Planner**	**Ben Magistrale** **Manager, Development Assessment**
Date: 23 February 2026	**Date: 10 March 2026**

Reason for WLPP referral:

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

OFFICE USE ONLY

<table>
<tr><td>Planning Portal Data</td><td></td></tr>
<tr><td>Clause 4.6 register entry required</td><td>2.27% variation to Height (Clause 4.4)
Reason (place a X next to <u>all</u> that apply):
<table><tr><td>X</td><td>Pre-existing non-compliance</td></tr><tr><td>X</td><td>No change to overall building height</td></tr><tr><td>X</td><td>No change to overall building envelope</td></tr><tr><td></td><td>Variation limited to the [lift/plant/parapet/attic] only</td></tr><tr><td>X</td><td>No unreasonable impacts on the amenity of adjoining properties or streetscape</td></tr><tr><td>X</td><td>Sufficient environmental planning grounds</td></tr><tr><td>X</td><td>Consistent with the objectives of the standard</td></tr></table></td></tr>
<tr><td>Clause 4.6 Register entry required</td><td>32.6% variation to floor space ratio
(Clause 4.4)
Reason (place a X next to <u>all</u> that apply):
<table><tr><td>X</td><td>Pre-existing non-compliance</td></tr><tr><td>X</td><td>No change to overall building height</td></tr></table></td></tr>
</table>

	X	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
Excavation Register	N/A	
Determining Authority (Concurrence Authority for Clause 4.6 variation)	Local Planning Panel	
Were the requirements of the Sustainable Buildings SEPP (effective 1 October 2023) met?	Yes	
Have any dwellings been approved for affordable Rental Housing under this approval/consent?	No	
Secondary Dwelling	No	
Boarding House	No	
Group Home	No	
Is the development subject to the Special Infrastructure Contribution (SIC)?	No	
Is the development located within an Urban Release area?	No	
Waverley Council Data		
Trial Period database entry required	No	
VPA submitted – follow up actions required	No	
Refer to compliance for investigation	No	
Commercial/liquor operational conditions	No	
Was there a 'Conflict of Interest' declared	No	

GENERAL CONDITIONS

1. APPROVED PLANS AND DOCUMENTATION

(a) The development must be in accordance with:

Architectural Plans prepared by CSA Architects including the following:

Plan Number and Revision	Plan description	Plan Date	Date received by Council
BIN-02, Rev 01	Site Plan	10/11/2025	23/02/2026
BIN-03, Rev 01	Lower Ground Floor Plan	10/11/2025	23/02/2026
BIN-04, Rev 01	Ground Floor Plan	10/11/2025	23/02/2026
BIN-05, Rev 01	First Floor Plan	10/11/2025	23/02/2026
BIN-07, Rev 01	North & South Elevation	10/11/2025	23/02/2026
BIN-08, Rev 01	East & West Elevation	10/11/2025	23/02/2026
BIN-09, Rev 01	Section A & B	10/11/2025	23/02/2026
BIN-12, Rev 01	Window and Glazed Door Schedule	10/11/2025	23/02/2026

(b) The BASIX certificate

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.

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

2. 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.

3. HOME BUILDING ACT

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

4. SECTION 7.12 CONTRIBUTION

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

(a) Where the total development cost is $500,000 or less:

  (i) a Cost Summary Report or Building Contract (dated within 12 months) or similar is to be submitted to Council's Customer Service Centre to process payment.

(b) Where the total development cost is more than $500,001 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 are provided in the Waverley Council Contributions Plan, available on Council's website.

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

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

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

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

(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.

5. 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.

6. SECURITY DEPOSIT

(a) Payment to the amount of **$29,790.00** must be provided to Council for any damage caused to any property of the consent authority (ie. public land) as a consequence of the works and

completing any public work (such as road work, kerbing and guttering, footway construction, stormwater drainage and environmental controls) required in connection with the consent. This 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

7. HOARDING FOR CONSTURCTION 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.

8. 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.

ENERGY EFFICIENCY & SUSTAINABILITY

9. 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*.

10. 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.

WASTE

11. 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 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

12. 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.

13. 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) 26 Kenneth Street, Tamarama.

(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.

14. PRE-CONSTRUCTION DILAPIDATION REPORT

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

(f) Road pavement

(g) Kerb and gutter

(h) Footpath

(i) Drainage pits and lintels

(j) Traffic signs

(k) Any other relevant infrastructure

The report is to be dated, submitted to Council's Infrastructure Services, Executive Manager (or delegate), prior to any work commencing on the site. All fees and charges associated with the collation of this report must be borne by the Applicant.

Condition reason: To establish and document the structural condition of public assets prior to works commencing.

DEMOLITION & EXCAVATION

15. 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.

16. CONTROL OF DUST ON CONSTRUCTION SITES

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

(a) Hazardous dust is not to be allowed to escape from the site. The use of fine mesh dust proof screens or other measures are recommended. Any existing accumulations of dust (e.g. ceiling voids and wall cavities) must be removed by the use of an industrial vacuum fitted with a high efficiency particle air (HEPA) filter. All dusty surfaces and dust created from work are to be suppressed by a fine water spray.

(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

17. 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.

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

All building materials and any other items associated with the development are to be stored within the property 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.

19. 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)*

20. 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.

21. 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.

22. 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.

23. TREATMENT OF BOUNDARY WALLS

Any new wall and/or screens and built elements approved on the western boundary with the neighbouring property at 26 Kenneth Street, Tamarama are to be finished to the same standard as the remaining building and not left unfinished to ensure a consistent visual appearance.

Condition reason: To ensure a consist visual appearance of the addition from the western neighbouring property.

24. 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.

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

25. 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.

26. 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*).

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 during the course of construction a significant amount of the remaining fabric of the building be required to be removed, works must cease immediately and a new development application will be required to be submitted for assessment.

7. 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.

8. 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.

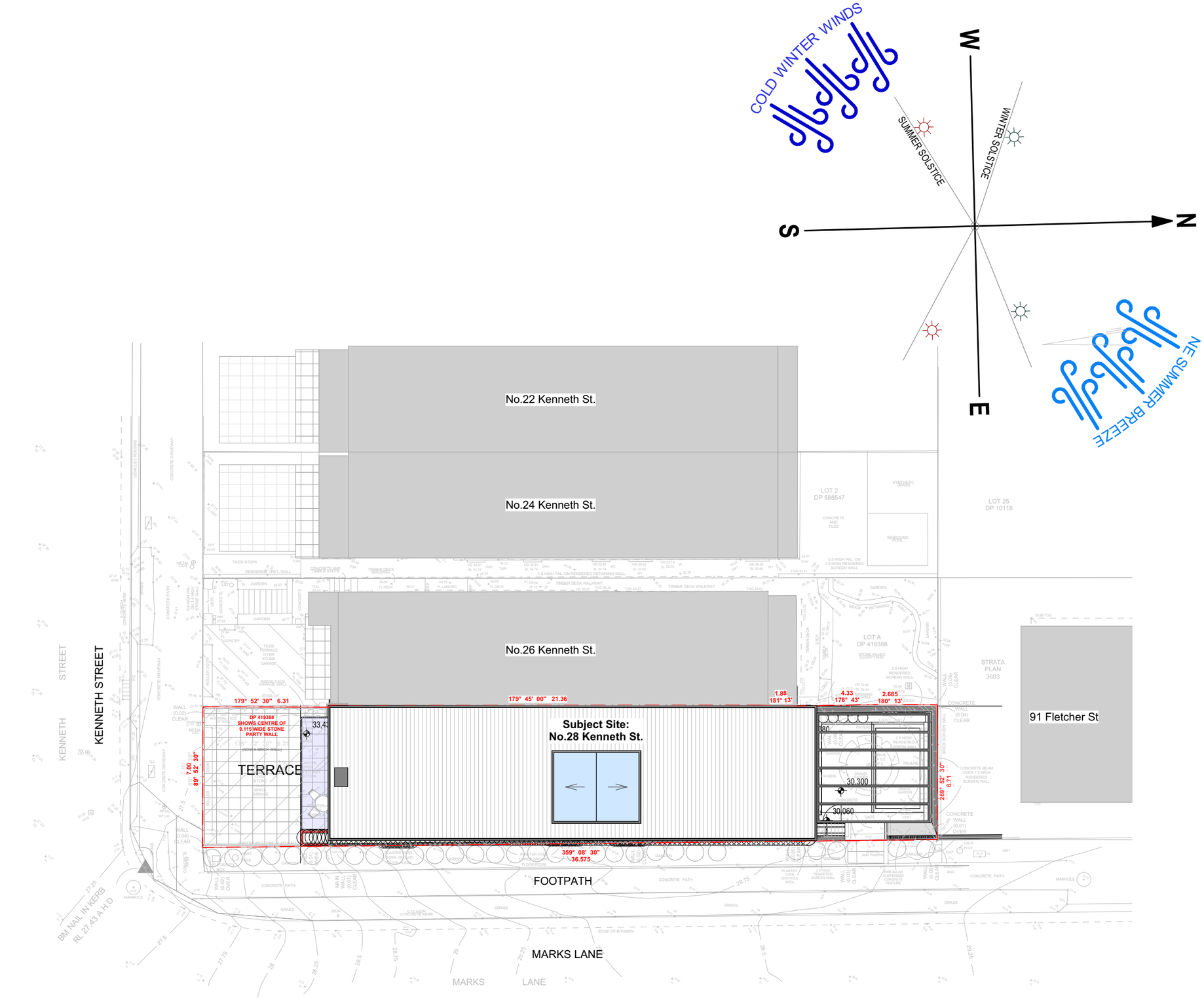
Strata certificate means a certificate in the approved form issued under Part 4 of the *Strata Schemes Development Act 2015* that authorises the registration of a strata plan, strata plan of subdivision or notice of conversion.

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.*

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

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



1 SITE PLAN 1:200

CSA ARCHITECTS

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alex@csa-arch.com.au

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

Rev	Description	Date
01	DEVELOPMENT APPLICATION	10/11/2025

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Client

BINDER

Project

ALTERATIONS & ADDITIONS
28 KENNETH STREET TAMARAMA NSW

Status

DEVELOPMENT APPLICATION

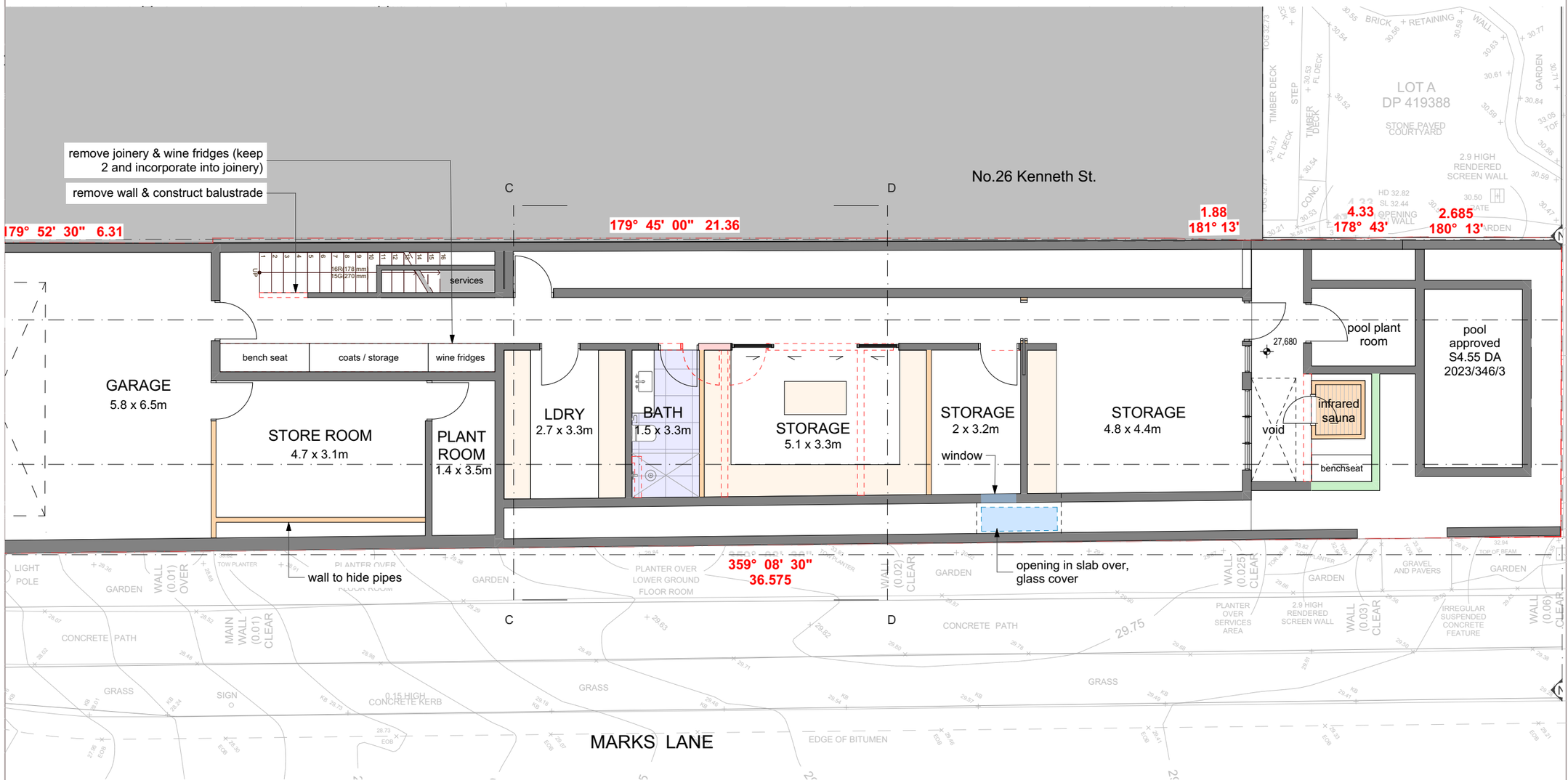
Drawing Title:
SITE PLAN

Sheet No.
BIN-02

Drawn:	Checked:	Scale:	Rev.
PH	AS	1 :100 U.N.O	01

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

Plot Date: Monday, 23 February 2026



1 LOWER GROUND PLAN 1:100

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Rev	Description	Date
01	DEVELOPMENT APPLICATION	10/11/2025

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BINDER

Project

ALTERATIONS & ADDITIONS
28 KENNETH STREET TAMARAMA NSW

Status

DEVELOPMENT APPLICATION

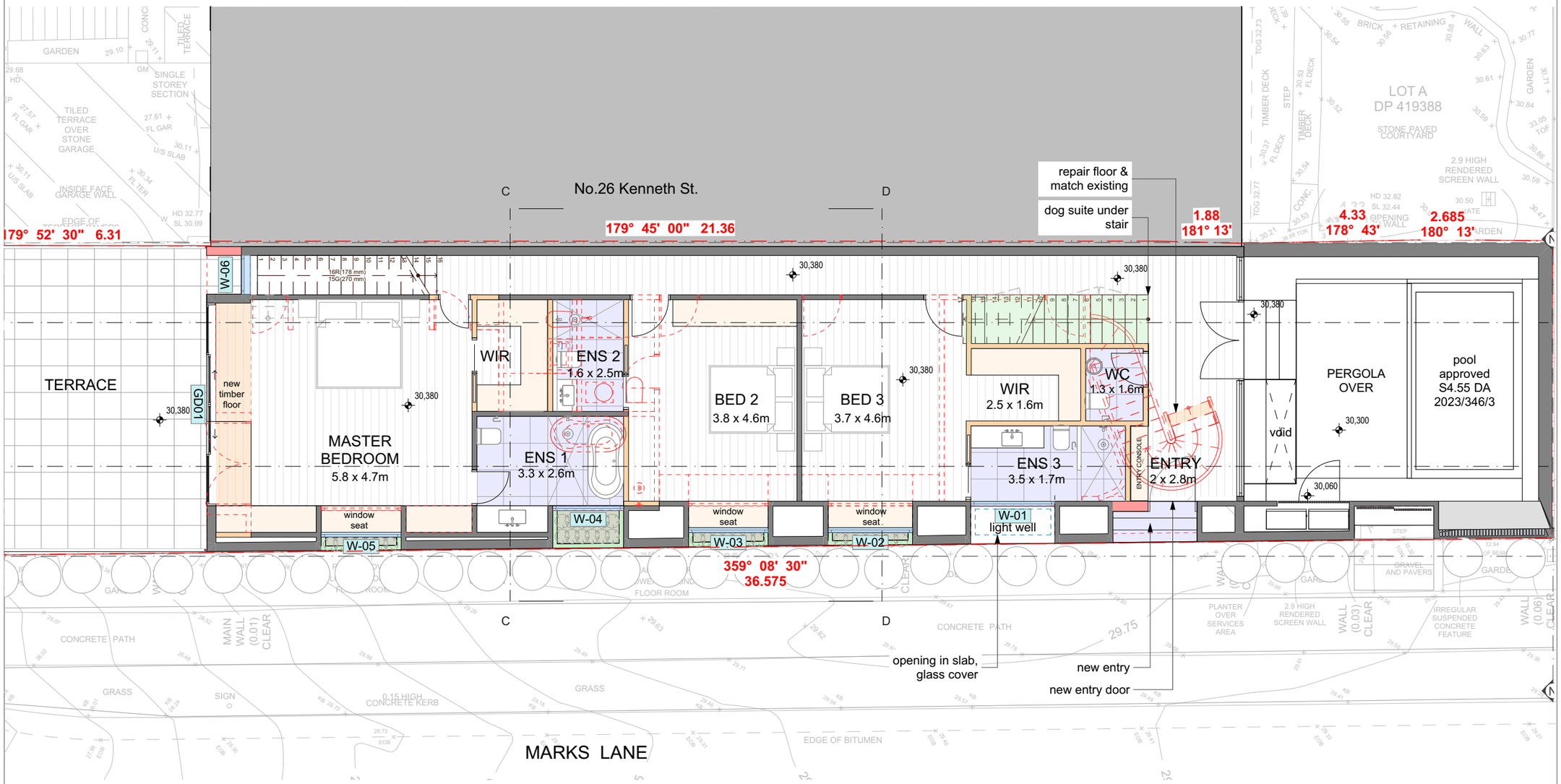
Drawing Title:
LOWER GROUND FLOOR

Sheet No.
BIN-03

Drawn:	Checked:	Scale:	Rev.
PH	AS	1 :100 U.N.O	01

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

Plot Date: Monday, 23 February 2026



1 GROUND FLOOR PLAN 1:100

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Rev	Description	Date
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ALTERATIONS & ADDITIONS
28 KENNETH STREET TAMARAMA NSW

Status

DEVELOPMENT APPLICATION

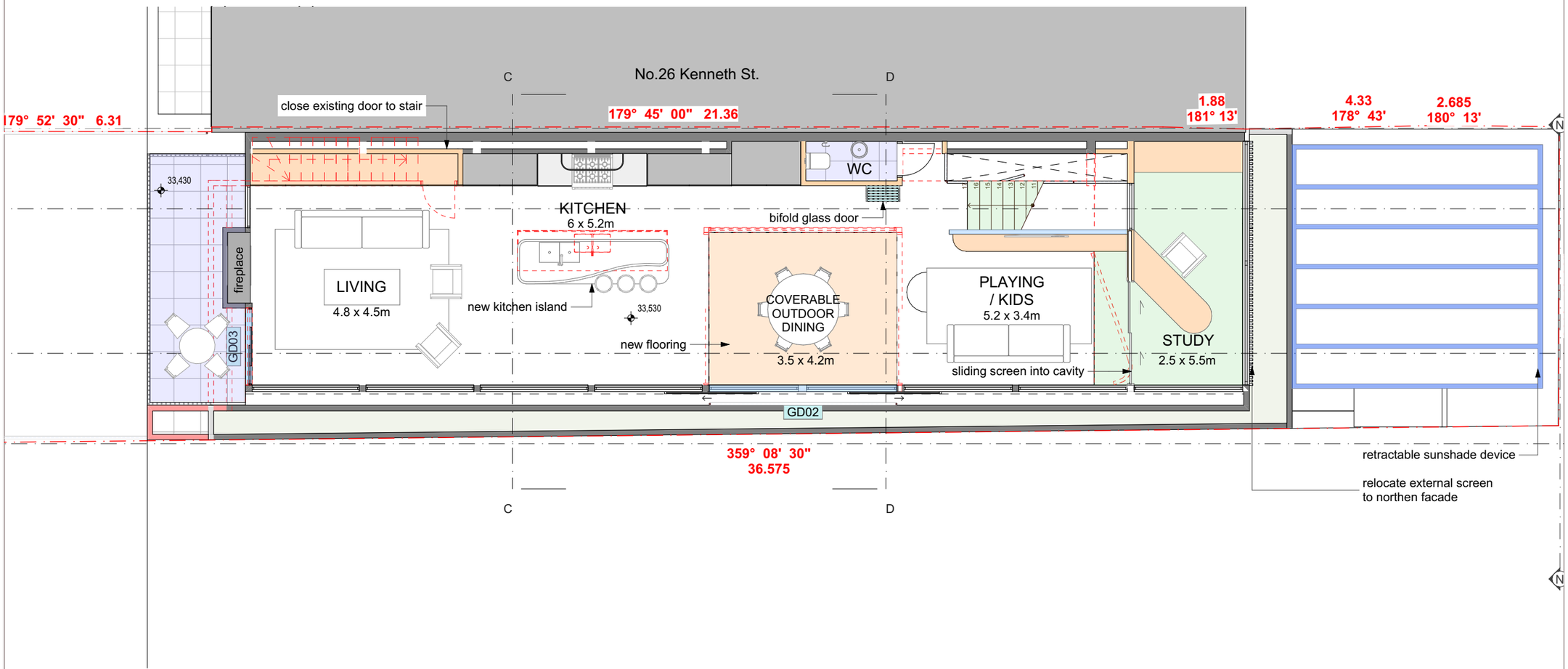
Drawing Title:
GROUND FLOOR PLAN

Sheet No.
BIN-04

Drawn:	Checked:	Scale:	Rev.
PH	AS	1 :100 U.N.O	01

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

Plot Date: Monday, 23 February 2026



1 FIRST FLOOR PLAN 1:100

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Rev	Description	Date
01	DEVELOPMENT APPLICATION	10/11/2025

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ALTERATIONS & ADDITIONS

28 KENNETH STREET TAMARAMA NSW

Status

DEVELOPMENT APPLICATION

Drawing Title:
FIRST FLOOR PLAN

Sheet No.
BIN-05

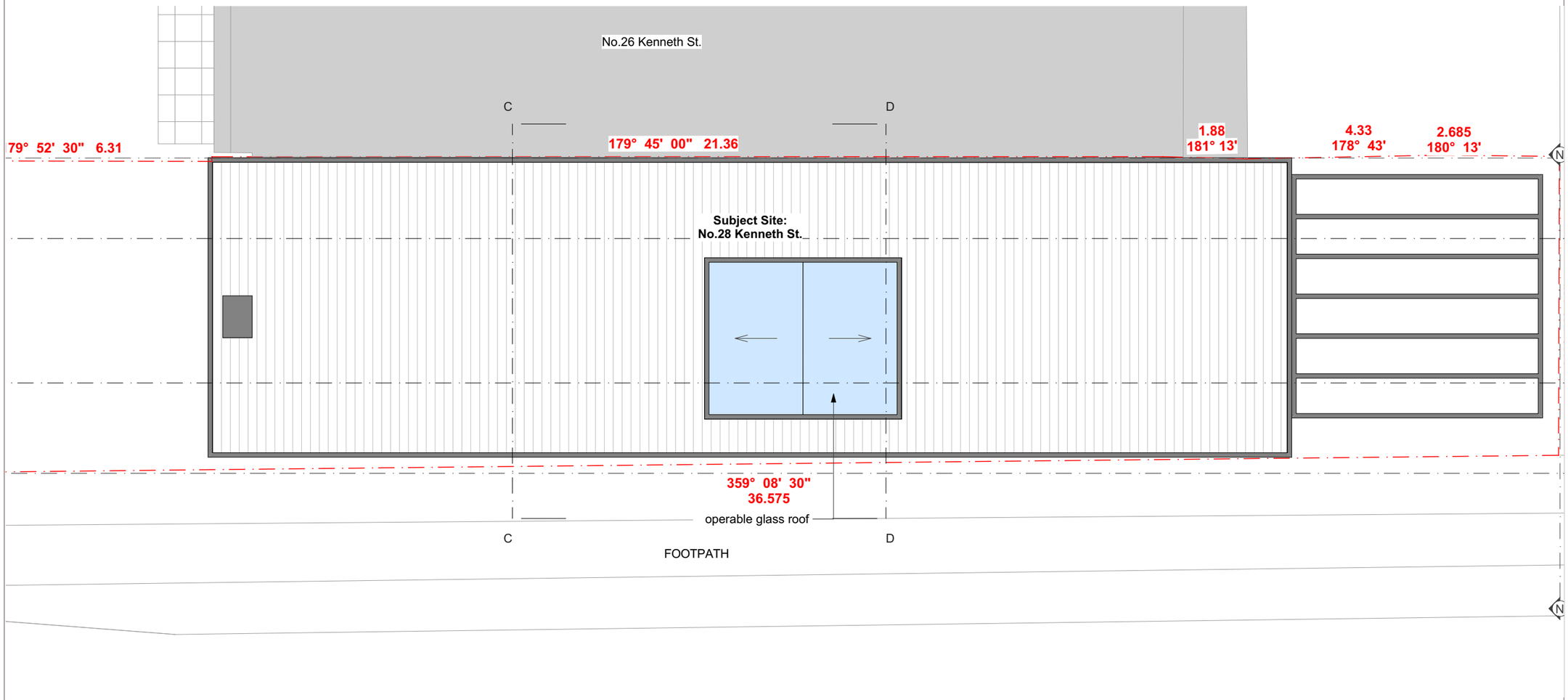
Drawn:	Checked:	Scale:	Rev.
PH	AS	1 :100 U.N.O	01

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

Plot Date: Monday, 23 February 2026

STORMWATER

Connect to existing stormwater



1 ROOF PLAN 1:100

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Rev	Description	Date
01	DEVELOPMENT APPLICATION	10/11/2025

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ALTERATIONS & ADDITIONS
28 KENNETH STREET TAMARAMA NSW

Status

DEVELOPMENT APPLICATION

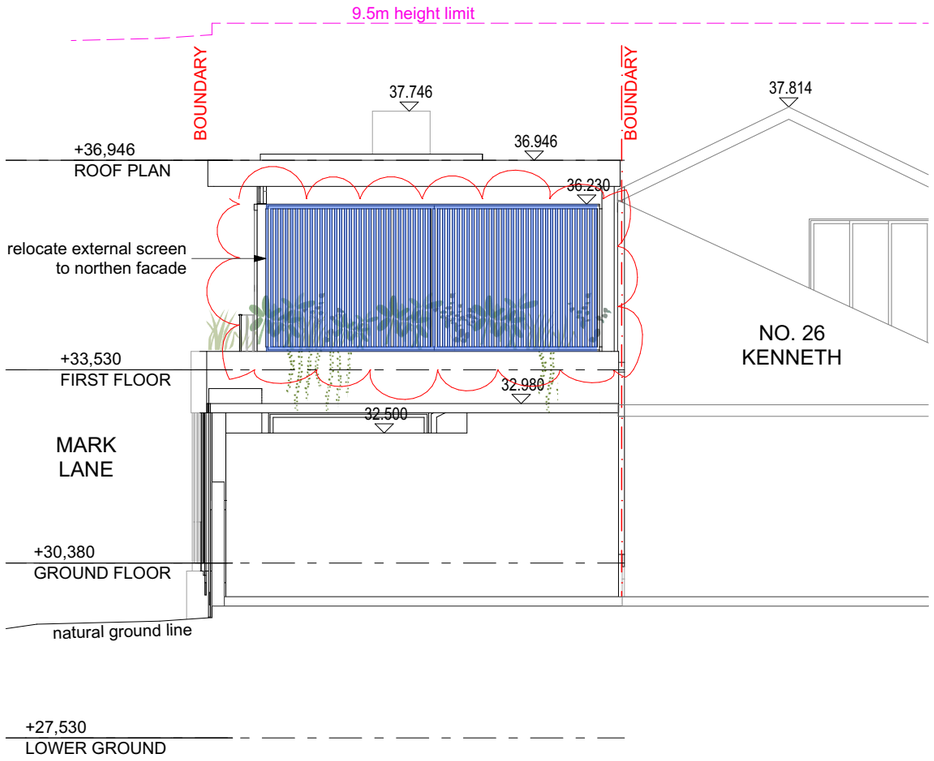
Drawing Title:
ROOF PLAN

Sheet No.
BIN-06

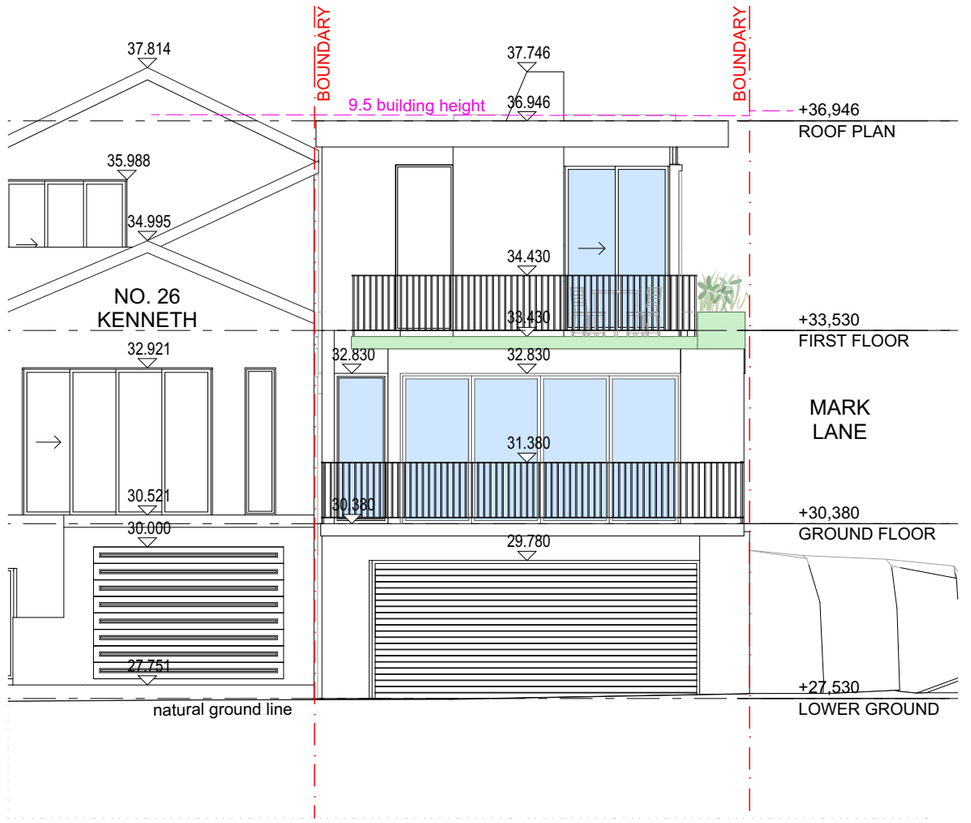
Drawn:	Checked:	Scale:	Rev.
PH	AS	1 :100 U.N.O	01

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

Plot Date: Monday, 23 February 2026



1 NORTH ELEVATION 1:100



2 SOUTH ELEVATION 1:100

CSA ARCHITECTS

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Rev	Description	Date
01	DEVELOPMENT APPLICATION	10/11/2025
02	DEVELOPMENT APPLICATION - Amended	23/02/2026

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Project

ALTERATIONS & ADDITIONS
28 KENNETH STREET TAMARAMA NSW

Status

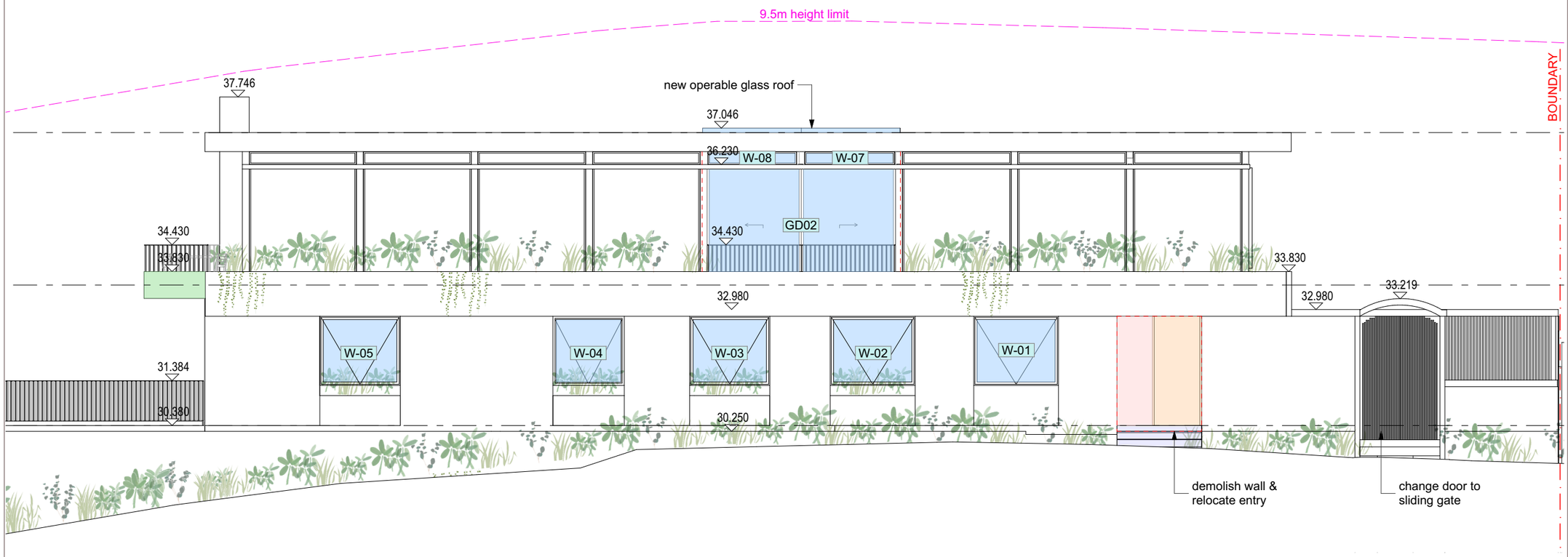
DEVELOPMENT APPLICATION

Drawing Title:
NORTH & SOUTH ELEVATION
Sheet No.
BIN-07

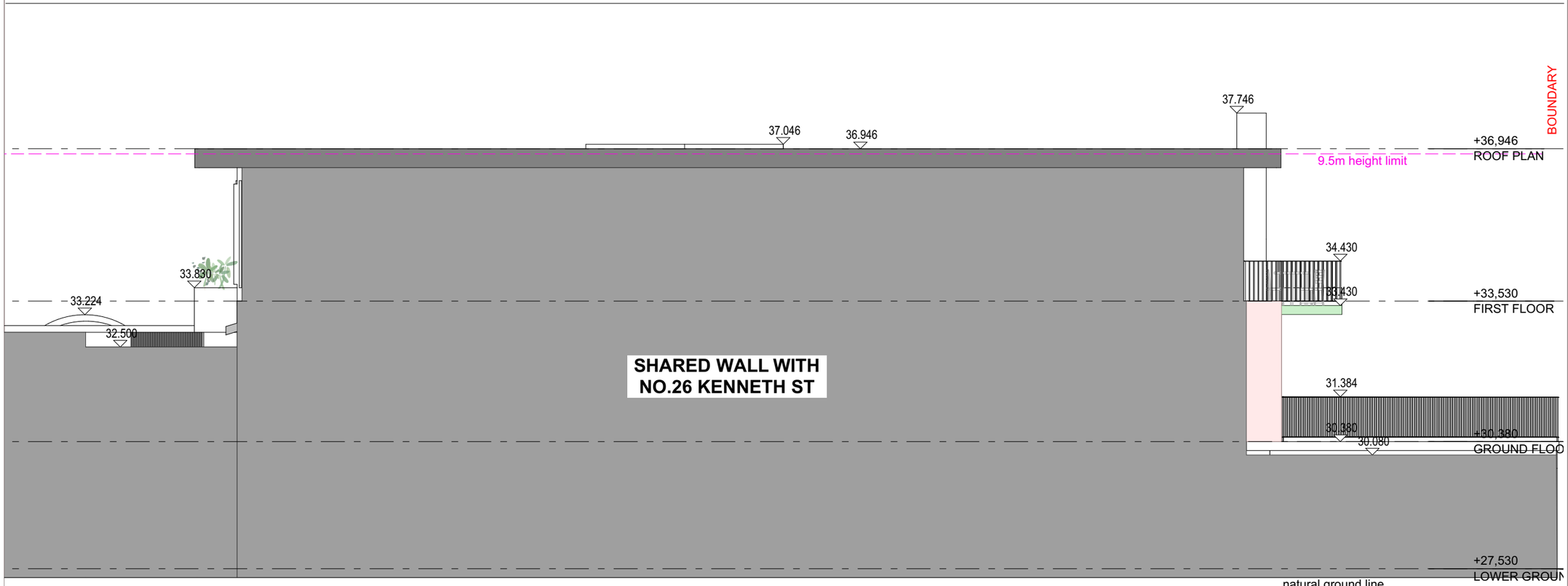
Drawn:	Checked:	Scale:	Rev.
PH	AS	1 :100 U.N.O	02

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

Plot Date: Monday, 23 February 2026



1 EAST ELEVATION 1:100



2 WEST ELEVATION 1:100

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Rev	Description	Date
01	DEVELOPMENT APPLICATION	10/11/2025

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BINDER

Project

ALTERATIONS & ADDITIONS
28 KENNETH STREET TAMARAMA NSW

Status

DEVELOPMENT APPLICATION

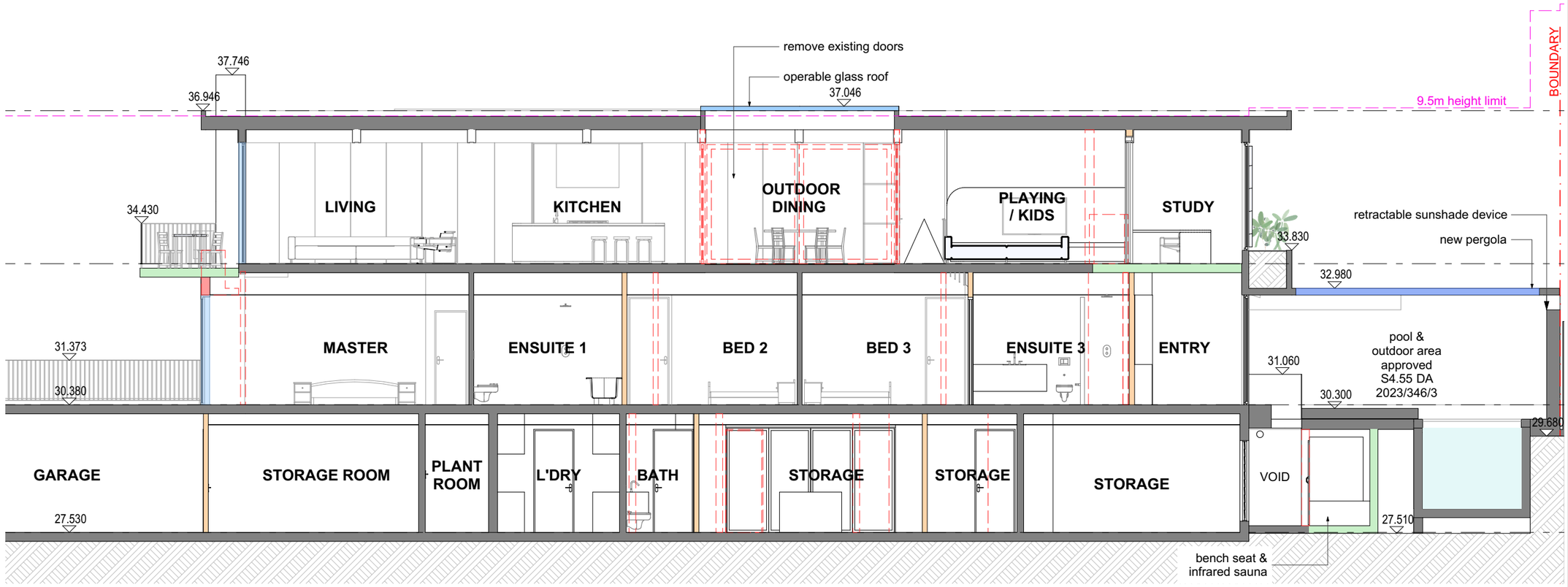
Drawing Title:
EAST & WEST ELEVATION

Sheet No.
BIN-08

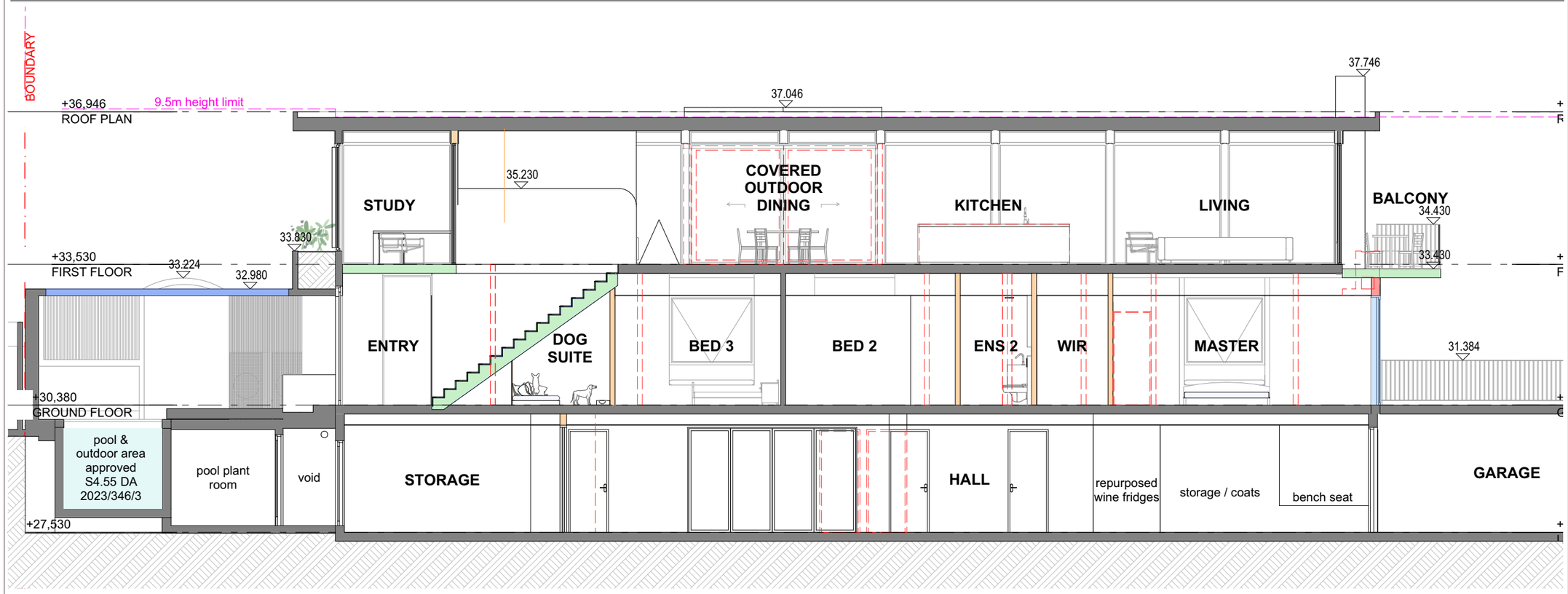
Drawn:	Checked:	Scale:	Rev.
PH	AS	1 :100 U.N.O	01

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

Plot Date: Monday, 23 February 2026



1 SECTION A 1:100



2 SECTION B 1:100

608

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a.c.n. 087 234 053

Rev	Description	Date
01	DEVELOPMENT APPLICATION	10/11/2025

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Client

BINDER

Project

ALTERATIONS & ADDITIONS
28 KENNETH STREET TAMARAMA NSW

Status

DEVELOPMENT APPLICATION

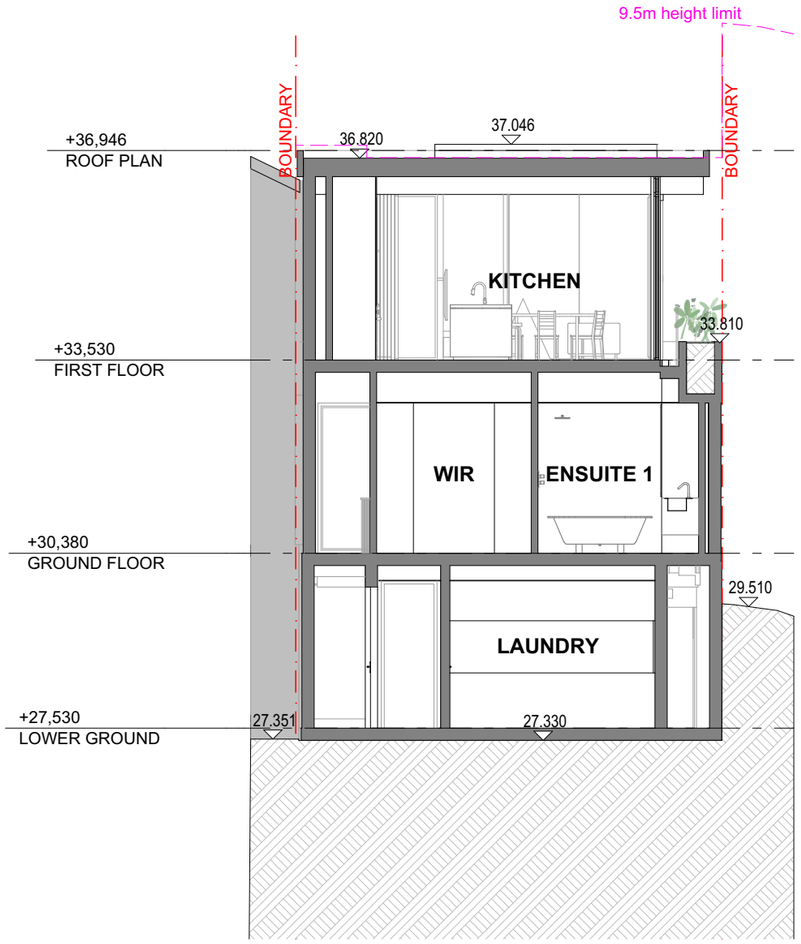
Drawing Title:
SECTION A & B

Sheet No.
BIN-09

Drawn:	Checked:	Scale:	Rev.
PH	AS	1 :100 U.N.O	01

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

Plot Date: Monday, 23 February 2026



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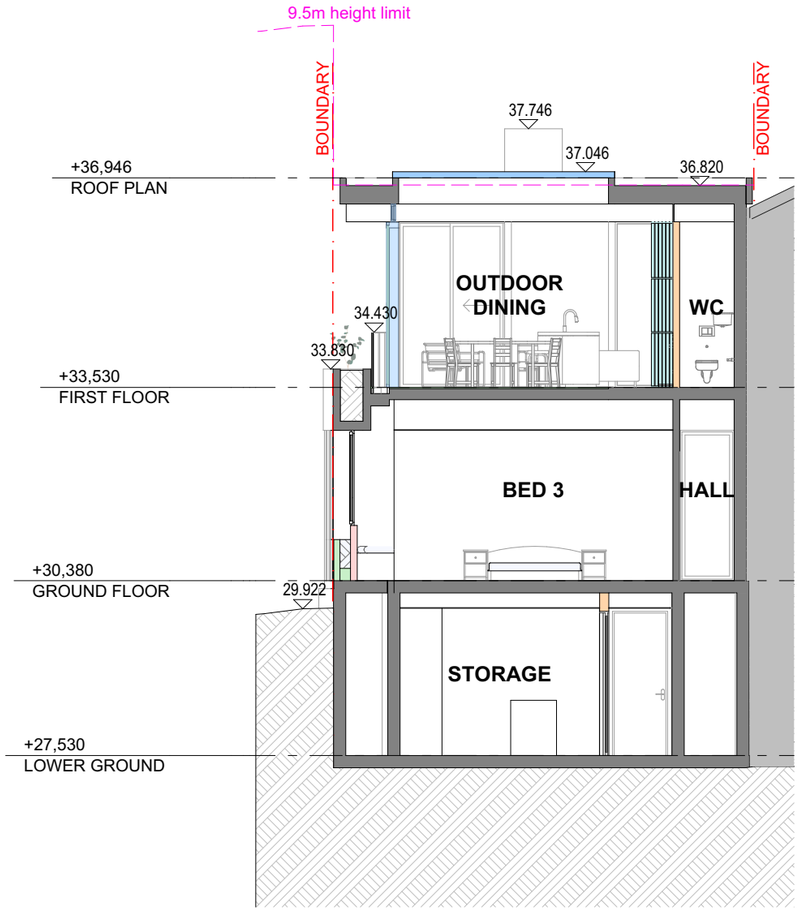

2 SECTION D 1:100

CSA ARCHITECTS

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

Rev	Description	Date
01	DEVELOPMENT APPLICATION	10/11/2025

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BINDER

Project

ALTERATIONS & ADDITIONS

28 KENNETH STREET TAMARAMA NSW

Status

DEVELOPMENT APPLICATION

Drawing Title:

SECTION C & D

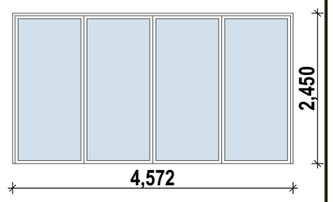
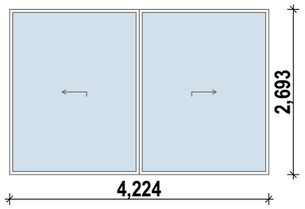
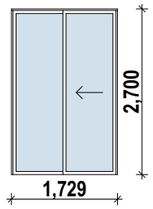
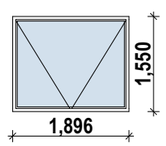
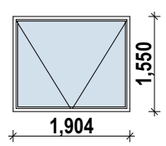
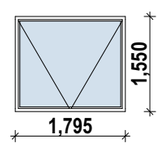
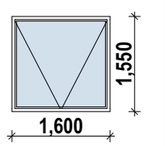
Sheet No.

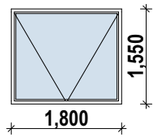
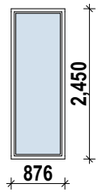
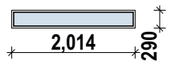
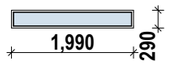
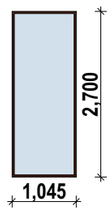
BIN-10

Drawn:	Checked:	Scale:	Rev.
PH	AS	1 :100 U.N.O	01

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

Plot Date: Monday, 23 February 2026

ID	GD01	GD02	GD03	W-01	W-02	W-03	W-04
Height X Width	4,572×2,450	4,224×2,693	1,729×2,700	1,896×1,550	1,904×1,550	1,795×1,550	1,600×1,550
Elevation							
Orientation	South	East	South	East	East	East	East

ID	W-05	W-06	W-07	W-08	WF-22
Height X Width	1,800×1,550	876×2,450	2,014×290	1,990×290	1,045×2,700
Elevation					
Orientation	East	South	East	East	

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

Glazing requirements	Show on DA Plans	Show on CC/CDC Plans & specs	Certifier Check
Windows and glazed doors glazing requirements			

Window/door number	Orientation	Area of glass including frame (m2)	Overshadowing height (m)	Overshadowing distance (m)	Shading device	Frame and glass type
W01	E	2.95	0	0	eave/ verandah/ pergola/balcony >=600 mm	standard aluminium, single pyrolytic low-e, (U-value: 5.7, SHGC: 0.47)
W02	E	2.95	0	0	none	timber or uPVC, double Lo-Tsol/air gap/clear, (U-value: 2.3, SHGC: 0.19)
W03	E	2.78	0	0	none	timber or uPVC, double Lo-Tsol/air gap/clear, (U-value: 2.3, SHGC: 0.19)
W04	E	2.48	0	0	eave/ verandah/ pergola/balcony >=600 mm	standard aluminium, single pyrolytic low-e, (U-value: 5.7, SHGC: 0.47)
W05	E	2.79	0	0	none	timber or uPVC, double Lo-Tsol/air gap/clear, (U-value: 2.3, SHGC: 0.19)

Glazing requirements	Show on DA Plans	Show on CC/CDC Plans & specs	Certifier Check
Windows and glazed doors glazing requirements			

Window/door number	Orientation	Area of glass including frame (m2)	Overshadowing height (m)	Overshadowing distance (m)	Shading device	Frame and glass type
W07	E	0.58	0	0	eave/ verandah/ pergola/balcony >=750 mm	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
W08	E	0.58	0	0	eave/ verandah/ pergola/balcony >=750 mm	standard aluminium, single pyrolytic low-e, (U-value: 5.7, SHGC: 0.47)
GD01	S	11.2	0	0	eave/ verandah/ pergola/balcony >=900 mm	standard aluminium, single pyrolytic low-e, (U-value: 5.7, SHGC: 0.47)
GD02	E	11	0	0	eave/ verandah/ pergola/balcony >=750 mm	standard aluminium, single pyrolytic low-e, (U-value: 5.7, SHGC: 0.47)
GD03	S	4.5	0	0	eave/ verandah/ pergola/balcony >=750 mm	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)

Glazing requirements	Show on DA Plans	Show on CC/CDC Plans & specs	Certifier Check
Glazed roofs			
The applicant must install the glazed roofs described in the table below, in accordance with the specifications listed in the table.	✔	✔	✔
The following requirements must also be satisfied in relation to each glazed roof:		✔	✔
Glazed roofs glazing requirements			

Glazed roof number	Area of glazing (m2)	Shading device	Glass type
G1	14.45	no shading	improved aluminium, single pyrolytic low-e, (U-value: 4.48, SHGC: 0.46)

CSA ARCHITECTS

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

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

Rev	Description	Date
01	DEVELOPMENT APPLICATION	10/11/2025

Contractors are responsible for all site levels and dimensions and must verify these at the job before the commencement of any work, the preparation of shop drawings or the fabrication of components.Do not scale drawings use figured dimensions only.

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Client

BINDER

Project

ALTERATIONS & ADDITIONS

28 KENNETH STREET TAMARAMA NSW

Status

DEVELOPMENT APPLICATION

Drawing Title:

WINDOW & GLAZED DOOR SCHEDULE

Sheet No.

BIN-12

Drawn:	Checked:	Scale:	Rev.
PH	AS	1 :100 U.N.O	01

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

Plot Date: Monday, 23 February 2026

RECEIVED
Waverley Council

Receipt No: DA-629/2025

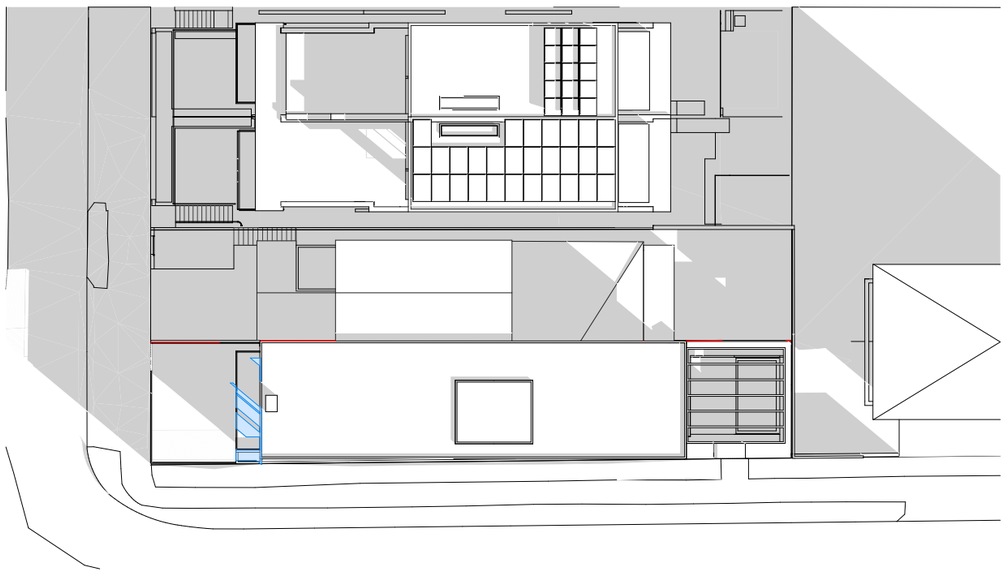
Date Received: 05/01/2025

EXISTING SHADOWS

ADDITIONAL PROPOSED SHADOWS

REDUCED SHADOWS

1 SHADOW DIAGRAM - 9AM - EXISTING 1:350



2 SHADOW DIAGRAM - 9AM - PROPOSED 1:350

3 SHADOW DIAGRAM - 12PM - EXISTING 1:350

NO NEW SHADOWS GENERATED

4 SHADOW DIAGRAM - 12PM - PROPOSED 1:350

CSA ARCHITECTS

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

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

Rev	Description	Date
01	DEVELOPMENT APPLICATION	10/11/2025

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Client

BINDER

Project

ALTERATIONS & ADDITIONS

28 KENNETH STREET TAMARAMA NSW

Status

DEVELOPMENT APPLICATION

Drawing Title:

SHADOW DIAGRAMS 1/2

Sheet No.

BIN-13

Drawn:	Checked:	Scale:	Rev.
PH	AS	1 :100 U.N.O	01

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

Plot Date: Monday, 10 November 2025

RECEIVED
Waverley Council

Receipt No: DA-629/2025

Date Received: 05/01/2025

EXISTING SHADOWS

ADDITIONAL PROPOSED SHADOWS

REDUCED SHADOWS

1 SHADOW DIAGRAM - 3PM - EXISTING 1:350

NO NEW SHADOWS GENERATED

2 SHADOW DIAGRAM - 3PM - PROPOSED 1:350

CSA ARCHITECTS

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185 Old South Head Rd., Bondi Junction NSW 2022
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Rev	Description	Date
01	DEVELOPMENT APPLICATION	10/11/2025

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Client

BINDER

Project

ALTERATIONS & ADDITIONS

28 KENNETH STREET TAMARAMA NSW

Status

DEVELOPMENT APPLICATION

Drawing Title:

SHADOW DIAGRAMS 2/2

Sheet No.

BIN-14

Drawn:	Checked:	Scale:	Rev.
PH	AS	1 :100 U.N.O	01

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

Plot Date: Monday, 10 November 2025