



16 October 2024

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

11.00AM WEDNESDAY, 23 October 2024

QUORUM: Three Panel members.

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

AGENDA

WLPP-2410.A
Apologies

WLPP-2410.DI
Declarations of Interest

The Chair will call for any declarations of interest.

WLPP-2410.1 **PAGE 5**
35-37 Hall Street BONDI BEACH NSW 2026 – Modification to alter internal layout, increase height of floor levels, landscaping and various other changes. (DA-306/2021/B)

Report 11 October 2023 from the Managers of Development Assessment (MoDA).

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

WLPP-2410.2 **PAGE 106**
14 and 15/232-234 Campbell Parade BONDI BEACH NSW 2026 - Modification to DA-373/2023 for replacement of approved steel roof with concrete and amended Reduced Level to amalgamated units 14 & 15. (DA-373/2023/D)

Report dated 14 October 2024 from MoDA

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

WLPP-2410.3 **PAGE 139**
5/9 Beach Road BONDI BEACH NSW 2026 - Alterations and additions to Unit 5 with an enlarged addition to the third floor, amendments to Strata Subdivision to allow Unit 5 exclusive use of the third floor addition and construction of a new fence. (DA-289/2024)

Report dated 11 October 2024 from MoDA

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

WLPP-2410.4

PAGE 226

28 Watkins Street BONDI NSW 2026 - Alterations and additions to attached two storey terrace dwelling including rear extension at ground and first floors, new attic level with front and rear dormer windows and landscape works. (DA-164/2024)

Report dated 14 October 2024 from MoDA

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

WLPP-2410.5

PAGE 303

93 Hardy Street DOVER HEIGHTS NSW 2030 - Reduce the size of an unauthorised roof terrace and modify its location and seek consent for the use of an unauthorised planter box to the roof of a dwelling house. (DA-425/2024)

Report dated 14 October 2024 from MoDA

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

WLPP-2410.6

PAGE 342

3 and 4/46 Allens Parade BONDI JUNCTION NSW 2022 – Alterations and additions to Units 3 & 4, including the construction of a new attic addition with associated dormer windows. (DA-130/2024)

Report dated 14 October 2024 from MoDA

Council Recommendation: That the development application be REFUSED by the Waverley Local Planning Panel for the reasons contained in Appendix A.

WLPP-2410.7

PAGE 390

9/42 -44 MacPherson Street BRONTE NSW 2024 - Alterations and additions to Unit 9 within an existing shop top housing development. (DA-106/2024)

Report dated 15 October 2024 from MoDA.

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

WLPP-2410.8

PAGE 436

24 and 26 Nancy Street NORTH BONDI NSW 2026 – Demolition of the existing semi-detached dwellings and construction of new two storey semi-detached dwellings with single carports, boundary adjustment of the existing Torrens Title lots and associated works. (DA-431/2024)

Report dated 11 October 2024 from MoDA.

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

WLPP-2410.9

PAGE 513

6/88 Beach Road BONDI BEACH NSW 2026 - Alterations and additions to Unit 6 within existing residential flat building. (DA-325/2024)

Report dated 11 October 2024 from MoDA.

Council Recommendation: That the development application be REFUSED by the Waverley Local Planning Panel for the reasons contained in Appendix A.

WLPP-2410.10

PAGE 552

18/2-4 Notts Avenue BONDI BEACH NSW 2026 - Enclosure of existing rear balcony facing private common courtyard areas. Associated demolition, new windows, internal and external finishes. (DA-295/2024)

Report dated 11 October 2024 from MoDA.

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

WLPP-2410.11

PAGE 589

13/2-4 Notts Avenue BONDI BEACH NSW 2026 - Enclosure of existing rear balcony facing private common courtyard areas including associated demolition, new windows, internal and external finishes. (DA-296/2024)

Report dated 11 October 2024 from MoDA.

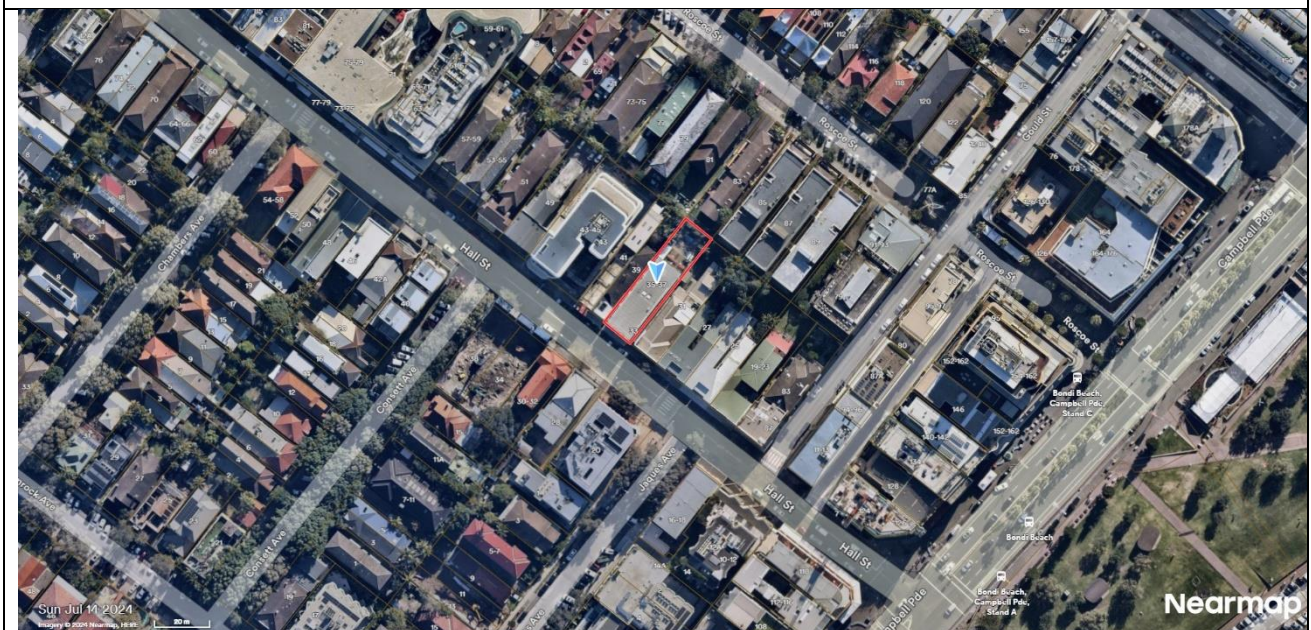
Council Recommendation: That the development application be APPROVED by the Waverley Local Planning Panel subject to the conditions in Appendix A.



Report to the Waverley Local Planning Panel

Application number	DA-306/2021/B
Site address	35-37 Hall Street, Bondi Beach
Proposal	Modification to alter internal layout, increase height of floor levels, landscaping and various other changes.
Description of Approved Development	Demolition of building and construction of a new four storey shop top housing building with basement level services, retail on the ground floor and residential units above.
Date of lodgement	1 May 2024
Owner	Kemhall Pty Limited
Applicant	MHN Design Union Pty Limited
Submissions	One submission
Amended cost of works	\$ 8,980,199.00
Principal Issues	Height of building exceedance and additional excavation.
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-306/2021 for demolition of the building and construction of a new four storey shop top housing building with basement level services, retail on the ground floor and residential units above at the site known as 35-37 Hall Street, Bondi Beach. In summary, the proposed modifications are to raise the height of the rear building to comply with flooding requirements and various other modifications.

The principal issues arising from the assessment of the application are the exceedance to the height of buildings development standard and additional excavation. The assessment finds these issues acceptable because the proposed increase to the height of the rear building would not have additional environmental impacts such as overshadowing or privacy impacts above those assessed and approved under the original application. The other amendments proposed, including additional excavation, modified basement layout and other internal reconfigurations also would not give rise to additional impacts and are acceptable. New conditions of consent are recommended to manage the additional excavation works. General modification conditions imposed under the original application have been satisfied in the modified plans and may therefore be deleted from the consent.

One submission was received, and the issues raised in the submission have been considered and addressed in this report and in the recommendation.

There were no declared conflicts of interest on this application from Council staff.

The application has been assessed against the relevant matters for consideration under section 4.55 (2) the *Environmental Planning and Assessment Act 1979* (the Act) and is recommended for approval subject to conditions of consent.

1.2. Site and Surrounding Locality

A site visit was carried out 21 August 2024.

The site is identified as Lot 15, Section 4 in DP 747, known as 35-37 Hall Street, Bondi Beach.

The site is rectangular in shape with a frontage to Hall Street, measuring 12.19m. It has an area of 583.3m² and falls from the front towards the rear by approximately 1.55m.

The site is located to the northeast side of Hall Street and is occupied by a two storey mixed use building containing two shops at the ground floor level fronting Hall Street and 'Bondi Backpackers' accommodation at the rear and above. No existing vehicle access is provided to the site.

The site is adjoined by a single storey retail premises, Bondi Hardware on the western side and a two-storey commercial premises to the east occupied by Australia Post which is identified as local heritage

item (I114). The locality is characterised by a variety of mixed use and medium-high density residential development and is within the Bondi Beach Town Centre.

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



Figure 1: Site frontage, No. 35-37 Hall Street, facing north.



Figure 2: Rear of the subject site, facing south



Figure 3: Neighbouring property to the west, No. 39 Hall Street, Bondi Beach Hardware.



Figure 4: Setback to the adjoining heritage item at No. 31-33 Hall Street.

1.3. Details of Approved Development

The original development application, known as DA-306/20211 for demolition of the building and construction of a new four storey shop top housing building with basement level services, retail on the ground floor and residential units above, was approved by the Waverley Local Planning Panel on 15 December 2022.

A previous modification application has been determined as follows:

- DA-306/2021/A, application to modify Condition 15 Adaptable Housing, to delete the requirement for a car space to be provided per adaptable unit, as the development does not comprise car parking was approved on 22 May 2023.

1.4. Proposal

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

- Basement level:
 - Lift relocated;
 - Relocation of fire egress and internal redesign;
 - Shoring wall amended and minor extension toward northern boundary;
 - Shoring wall amended and minor extension to western boundary;
- Ground floor level:
 - Lift relocated;
 - Central fire stair relocated and landscaping amended;
 - Rear arcade façade amended and glazing introduced;
 - Landscaping and ramp to side rear courtyard removed and suspended stairs added;
 - Landscaping to northern boundary amended;
 - Air conditioning condenser units removed from the roof and relocated to the underside of the rear building to the north;
 - Northern façade amended and additional glazing introduced;
 - Lift/central service risers relocated;
 - Fire stair to basement relocated to rear of southern building;
 - Southern building ground floor level raised from RL16.030 to RL16.045 and northern building raised from RL14.580 to RL16.045 (to required flood planning level);
 - Window schedule updated;
 - OSD relocated;
- First floor level:
 - Central fire stair relocated and landscaping added;
 - Lift/central service risers relocated;
 - Northern building raised from RL18.050 to RL19.600;
- Second floor level:
 - Central fire stair relocated and landscaping added;
 - Lift/central service risers relocated;
 - Northern building raised from RL21.150 to RL22.700;
- Third floor level:
 - Central fire stair relocated and landscaping added;
 - Lift/central service risers relocated;
 - Laundry relocated and WC reconfigured in Unit 11;
 - WC in Unit 12 reconfigured;
 - Laundry and WC reconfigured in Unit 13;
 - Northern building raised from RL24.250 to RL25.800;
- Roof level:
 - Skylights added to roof;
 - Northern building raised from RL27.350 to RL28.900;

- Window schedule added.

The modification application ALSO seeks to amend Condition 1 to reflect the modified architectural plans and to amend Condition 2 General Modifications, as the required amendments have been satisfied in the modification application plans:

2. GENERAL MODIFICATIONS

The application is approved subject to the following plan amendments;

(a) Landscaped Area:

The landscape plans are to be amended to provide increased opportunities for deep soil landscaping on site. In this regard, the paved areas within the communal open space area at the rear are to be deleted and the entirety of the rear setback area is to be soft landscaped.

(b) Bicycle parking:

(i) The commercial visitor bicycle spaces are to be relocated and provided on the ground level and easily accessible for visitors to use.

(ii) The development requires 2 bicycle parking spaces for the residential visitors. A minimum of two bicycle parking racks in the basement level are to be allocated to residential visitors (ensuring compliance is achieved overall with bicycle parking, set out in conditions of this consent).

The plans have been amended to provide soft landscaped area at the rear of the site in accordance with Condition 2 (a). With respect to Condition 2 (b), the applicant provided justification for the provision of commercial visitor bicycle spaces to be provided in the basement, rather than at ground floor level. Council is satisfied with the justification and agrees that the outdoor arcade provides opportunity for informal areas for café patrons to place bikes. The provision of formalised bicycle racks at this level is likely to impede the circulation space providing less arcade area for commercial uses. A less formal approach would enable commercial operators to manage the space as necessary and whilst still providing the allocated visitor bike spaces at basement level. This approach is considered reasonable in this instance.

29. FLOODING REQUIREMENTS

The development must have a net neutral effect on flood behaviour. This includes increasing flood effects elsewhere, loss of flood storage, changes in flood levels, flows and velocities caused by alterations to the flood conveyance, and the cumulative impact of neighbouring developments. To ensure this has been considered, the submitted architectural plans will need to be updated to reflect the following:

(a) A suitably qualified and practising Engineer must provide a report certifying that development will not increase flood effects elsewhere having regard to loss of flood storage.

(b) The minimum habitable finished floor level of the habitable level of any new building must be set at a minimum level of 16.045 m AHD.

- (c) All new building material must be flood resistant or flood compatible to a height of 16.045 m AHD.*
- (d) All new internal electrical switches, power points or similar utilities liable to flood damage must be set at a minimum level of 16.045 m AHD.*
- (e) A suitably qualified engineer must certify that any new structure can withstand the forces of floodwater, scour debris and buoyancy up to and including 16.045 m AHD.*
- (f) A storage area is to be provided above the RL of 16.045 m AHD for the storage of goods that can be damaged or mobilised by flooding, or goods that have potential to cause pollution during flooding.*
- (g) Any proposed fencing must be built using flood compatible material.*
- (h) There is to be no filling of the land within the property.*

Details and certification must accompany the Construction Certificate and be submitted to Waverley Council's Manager, Infrastructure Services (or delegate) for approval prior to the issue of the relevant Construction Certificate.

The condition requires the finished floor level (FFL) of the ground floor to be constructed at a level no lower than FFL 16.045m Australian Height Datum (AHD). This amendment is reflected on the modification application plans and has therefore been satisfied.

Accordingly, Council is satisfied that Condition 2 has been addressed in the amended plans and may be removed from the consent. Condition 29 has also been addressed but will remain on the consent given the requirement for a registered surveyor to certify the finished ground level at RL 16.045.

1.5. Background

The modification application was lodged on 1 May 2024. On 7 August 2024, Council requested clarification from the applicant regarding a discrepancy across the existing and proposed context shadow diagrams.

On 26 September 2024, the applicant provided a response and amended shadow diagrams, satisfying the request.

2. ASSESSMENT

The following matters are to be considered in the assessment of this modification application under relevant sections of the Act.

2.1. Section 4.55 – Modification of consents – generally

For section 4.55(2) – Other impact

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

The quantitative and qualitative elements and impacts between the approved development and the development, as proposed to be modified, are not considered overly dissimilar as demonstrated in the following sections of this report. In this regard, the proposal is considered to be *substantially the same* as the originally approved development with regard to matters arising from the NSW Land and Environment Court case of *Moto Projects (No 2) Pty Ltd v North Sydney Council (1999) 106 LGERA 298*.

The application was publicly notified, and one submission was received. The issues and matters raised in the submission is discussed in section 2.3.4 of this report.

2.2. Evaluation of Matters for Consideration under Section 4.15

In accordance with section 4.55(3) of the Act the following is an assessment of the proposed modifications of the development consent against the relevant matters for consideration under section 4.15(1) of the Act.

2.2.1. Planning Instruments and Development Control Plans

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

2.2.1.1 State Environmental Planning Policies (SEPPs)

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

- SEPP (Building Sustainability Index - BASIX) 2004
- SEPP (Housing) 2021
- SEPP (Resilience and Hazards) 2021.

The modification application was not referred to the Waverley Design Advisory Excellence Panel (DEAP) given that the architectural design and external appearance from the streetscape remains largely as approved.

A review of the relevant parts of the Apartment Design Guide (ADG) indicates that the key requirements remain unchanged, except for an increase in basement level storage area and an increase in landscaped and deep soil areas. The reduction in hard landscaped area at the rear of the site was in response to Condition 2(a) General Modifications, which required the removal of paving in the rear yard and replacement with soft landscaped area and deep soil area, which has been satisfied by the amended plans.

2.2.1.2 Waverley Local Environmental Plan 2012 (Waverley LEP 2012)

The land use definition of the approved development as a shop-top housing development remains unchanged and continues to be permitted development in the E1 Local Centre zone under Waverley LEP 2012.

The quantities of the approved development have changed as outlined in **Table 1** of this report in relation to principal development standards under Waverley LEP 2012. All other relevant provisions of Waverley LEP 2012 remain compliant.

Table 1: Waverley LEP 2012 Compliance Table

Provision	Approved	Proposed Modified	Compliance
4.3 Height of buildings <ul style="list-style-type: none"> 13m 	13.745m (0.745m or 5.73% breach)	14.39m (1.39m or 10.7% breach)	No
4.4 Floor space ratio and 4.4A Exceptions to floor space ratio <ul style="list-style-type: none"> 2:1 (1166.6m²) 	1.90:1 (1111m ²)	1.92:1 (1123m ²)	Yes

The following is a detailed discussion of the exceedances of the particular development standards under Waverley LEP 2012 as a result of the approved development, as proposed to be modified.

Height of Buildings

The proposed modifications result in a net increase to the building height of 0.645m, resulting in an overall building height of 14.39m. This culminates in an overall exceedance of the height of buildings development standard by 1.39m or 10.7%. The net increase of building height due to the proposed modifications represents 46.4% of the overall exceedance of the standard.

The applicant has provided some written justification for the non-compliance with the height of buildings development standard and has based the justification on the performance of the proposal against the objectives of the development standard. The relevant objectives of the 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 justification provided by the applicant to support the increased exceedance of the height of buildings development standard is summarised as follows:

- The building remains compatible with the height, bulk and scale of the desired future character of the locality (height objective (d)) to a similar extent as originally approved, offering a 4 storey building commensurate in scale to surrounding buildings.
- the building is situated to the north-west of the approved development at 31-33 Hall Street, which is 1 storey higher than the proposed development on this site. It too is required to meet the RL16.045 flood planning levels on the ground floor and rises 5 storeys above this...
- The front of the subject building, as modified, is unchanged from the original approval. This ensures it continues to have an acceptable streetscape and urban design outcome for the Hall Street Local Centre. The original development sought to have a stepped building form, with the rear building being lower than the front by almost 1.5m. This helped the building comply with the height standard at the rear of the site, which was difficult because of extant excavation in the rear yard causing an exaggeration of the measurable height of the building.



Figure 5: Rear yard of subject site, showing extant excavation and ground level of neighbour to the east, *Source: LK Planning.*

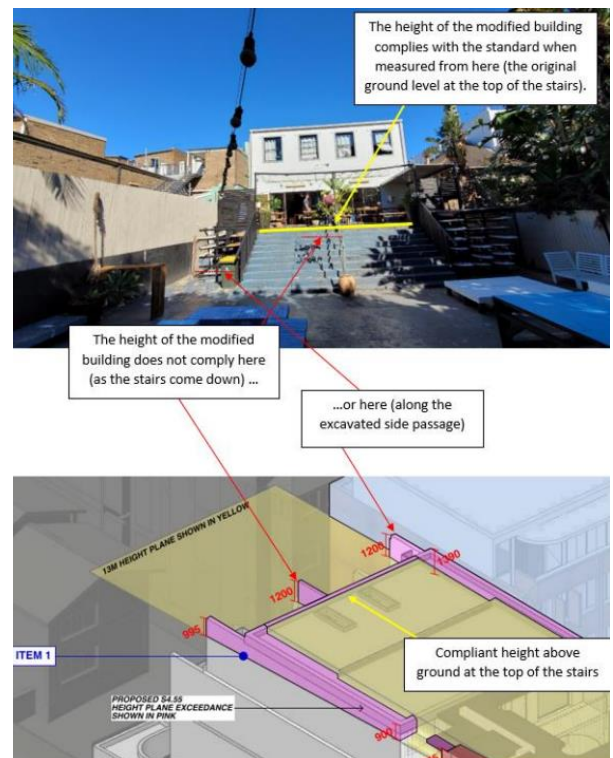


Figure 6: Areas of compliance and non-compliance at the rear of the site, *Source: LK Planning.*

Figures 5 and 6 demonstrate that the rear portion of the subject site comprises a lower existing ground level than the rest of the site. This is a result of previous excavation undertaken at the rear. The existing ground level of land directly adjacent within the neighbouring property at No. 31-33 Hall Street is situated at a higher level than the subject site (see red arrows on **Figure 5**). As noted above, the original development included a stepped built form to enable the building to comply with the height standard. Compliance with the height standard in this part of the site is challenged by the prior excavation 'causing an exaggeration of the measurable height of the building'.

The flooding constraints of the site, which require the ground floor levels to be raised and subsequent raising of the whole of the building, translates to an overall height increase at the rear by 1.55m (parapet increased from RL 27.65 to RL29.20). **Figure 7** shows the originally approved east elevation, with the rear building being within a height compliant envelope. **Figure 8** shows the modification proposed at the rear which are a result of flood engineering requirements. As detailed in **Figure 8**, there is a portion of the building envelope that falls outside of the compliant height envelope, due to the fall of the site at the rear.

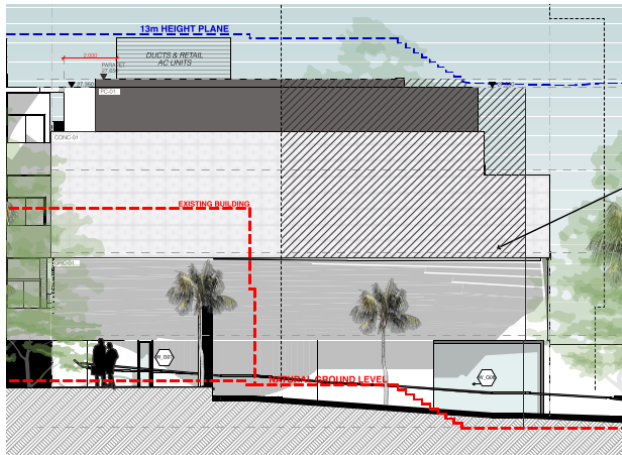


Figure 7: Approved elevation, height compliant, Source: MHNDUnion

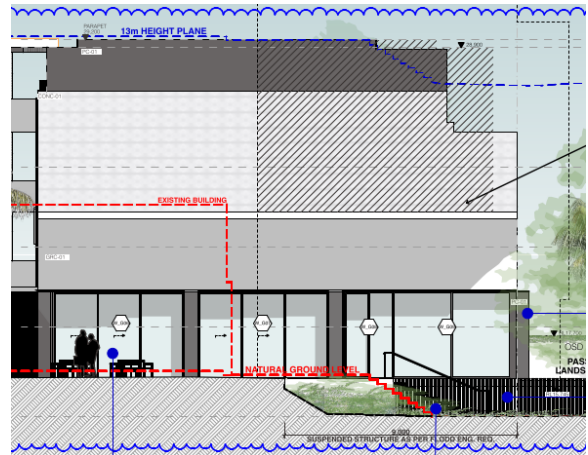


Figure 8: Proposed elevation, height exceedance at the upper level, Source: MHNDUnion

The applicant provided amended shadow diagrams to clarify the extent of change to the shadow profile as a result of the proposed modification. The height increase would not result in additional shadowing of the rear yards of the neighbouring properties to the east or to the western elevation of the direct neighbouring property to the east (at No. 31-33 Hall Street). Any additional shadow would fall on the roofs of neighbouring properties (see **Figures 9** and **10**). It is also noted that the approved development to the rear of No. 31-33 Hall Street would largely block any additional shadow impact resulting from the proposed modification.

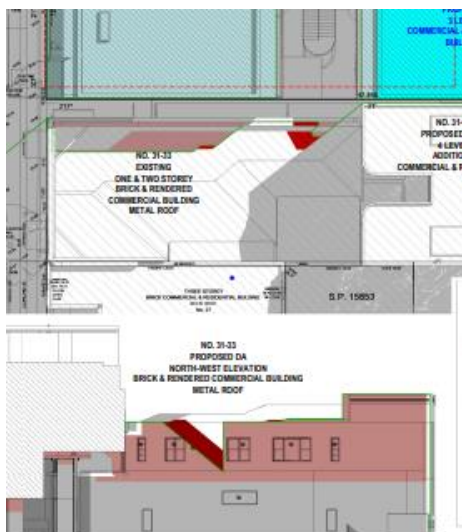


Figure 9: Additional shadow to eastern neighbour in red, 12:00pm, Source: MHNDUnion

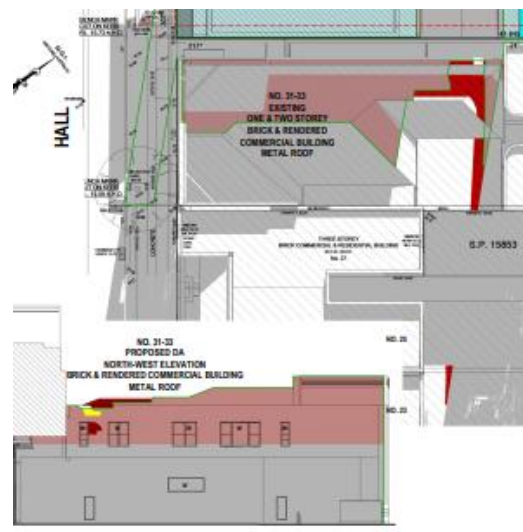


Figure 10: Additional shadow to eastern neighbour in red, 3:00pm, Source: MHNDUnion

The proposed increase in height above the compliant height of buildings development standard is necessary in order for the development to comply with Council’s flood engineering requirements. Council is satisfied that the proposed increase in height of the rear building would not give rise to additional environmental impacts above those assessed and approved under the original application and is therefore acceptable.

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

Floor Space Ratio

The applicant’s Statement of Environmental Effects (SEE) states that application includes an increase in GFA of 5m² as a result of internal reconfigurations across each floor of the development. Council notes that the original application excluded the basement level water closet (WC) which has an area of 7m². The WC is included in the calculation of GFA under this modification to correct the error.

Accordingly, the modification application has a total GFA of 1,123m² (1.92:1) and remains 43m² under the permitted GFA and FSR of 2:1.

2.2.1.3 Waverley Development Control Plan 2022 (Waverley DCP 2022)

The approved development, as proposed to be modified, continues to comply with the relevant parts and sections of Waverley DCP 2022. Only the parts and sections of Waverley DCP 2022 that apply to the proposed modifications are outlined in **Tables 2** and **3** and detailed discussion provided below.

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

Development Control	Compliance	Comment
2. Ecologically Sustainable Development	Yes	An amended BASIX Certificate was submitted with the application setting out the energy and water efficiency targets relating to the proposed modification.
5. Water Management	Yes	The modification is submitted in response to Council’s flood engineering requirements. An amended concept stormwater design has been submitted with the application. Council’s Stormwater Engineer raised no objections to the amended concept plan.
6. Accessibility and Adaptability	Yes	Satisfactory.
8. Heritage	Yes	Council’s Heritage Officer reviewed the application in the context of the site’s proximity to the adjoining heritage item at No. 31-33 Hall Street. No objections were raised to the

Development Control	Compliance	Comment
		proposed modifications relating to heritage matters.
9. Safety	Yes	Satisfactory.
11. Design Excellence	Yes	The modification application seeks to modify the overall height of the building at the rear, with all other changes comprising mostly internal reconfigurations. The design of the building and appearance from the streetscape is unchanged from the approved application and is therefore acceptable. The proposal, as modified, continues to meet the relevant design excellence objectives and achieves design excellence.
13. Excavation	Yes	The application includes additional excavation to remove the recessed area approved along the western side of the basement, resulting in a consistent setback along the western boundary. A Geotechnical Report was submitted with the application and referred to Council's Public Domain Engineer. New conditions of consent have been added to manage potential risks associated with the proposed excavation.

Table 33: Waverley DCP 2022 – Part C2 Other Residential Development Compliance Table

Development Control	Compliance	Comment
2.5 Building design and streetscape		
<ul style="list-style-type: none"> <i>Respond to streetscape</i> <i>Sympathetic external finishes</i> 	N/A	As noted above, the proposal does not seek to amend the appearance of the building as it presents to the streetscape.
2.9 Landscaping		
<ul style="list-style-type: none"> <i>Comply with part B3- Landscaping and Biodiversity</i> <i>Minimum of 30% of site area landscaped: 175m²</i> <i>50% of the above is to be deep soil: 87.5m²</i> 	No, acceptable on merit	The modification application increases the provision of soft landscaped area in the rear yard from 61m ² (12%) to 99m ² (17%). The proposal satisfies the general modification condition by removing the paved area in the rear yard and replacing it with landscaping and deep soil areas. The row of existing trees will be retained. Despite the shortfall, the modification increases the provision of landscaping and deep soil area and is acceptable.
2.13 Solar access and overshadowing		
<ul style="list-style-type: none"> <i>New development should maintain at least 2 hours of sunlight to solar collectors on adjoining properties in mid winter</i> 	Yes	As set out in section 2.2.1.2 of this report, the proposal would shadow a small portion of the roof of the western neighbour, No. 39 Hall Street on 21 June and the roofs of the eastern neighbouring properties (see Figures 9 and 10) at

Development Control	Compliance	Comment
<ul style="list-style-type: none"> • <i>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</i> 	Yes	<p>midday and 3pm on 21 June. The proposal however would not increase shadowing to the rear yards or elevations of the adjoining neighbours on 21 June.</p> <p>As noted above and as shown on the shadow diagrams, the approved development at the rear of No. 31-33 Hall Street, would largely block any additional shadow being cast to eastern side neighbours. The proposal is also not anticipated to reduce sunlight to the north facing windows of adjoining properties.</p>
2.14 Views and view sharing		
<ul style="list-style-type: none"> • <i>Minimise view loss through design</i> • <i>Views from public spaces to be maintained</i> 	Yes	<p>The proposal is not anticipated to impact on views currently obtained from properties in the vicinity of the site.</p> <p>Views from public spaces would not be impacted by the proposal.</p>
2.18 Storage		
<ul style="list-style-type: none"> • <i>In addition to kitchen cupboards and bedroom wardrobes, min storage required is: Studio and 1 bed = 6m³ 2 bed = 8m³ 3 or more bed = 10m³ All to provide bulk storage area in basement or ancillary structure</i> 	Yes	<p>The proposal includes an increased area of basement storage for all units compared to the approved development and includes a storage locker space for personal items and bikes.</p>
2.19 Acoustic privacy		
<ul style="list-style-type: none"> • <i>Internal amenity by locating noisy areas away from quiet areas</i> 	Yes	<p>The modification includes relocation of the commercial air-conditioning units from the roof to the underside of the northern building at ground floor level. The units will be positioned below the raised section of floor created by the raised floor levels at the rear and will be screened and integrated into the building design. No changes are proposed to the location of the residential air conditioning units.</p> <p>The application was referred to Council's Environmental Health officer. The referral requested an additional Acoustic Report be submitted for the relocated air conditioning units. As discussed under section 3.2 (see below), a condition of consent was imposed on the original consent requiring an acoustic assessment report to be prepared. The condition is yet to be</p>

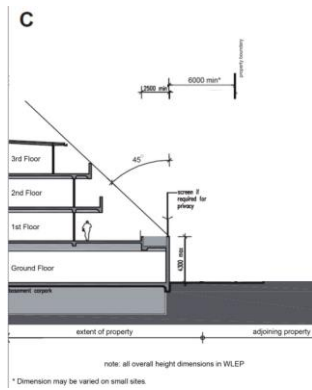


Figure 11: Rear setback diagram, Waverley DCP 2012

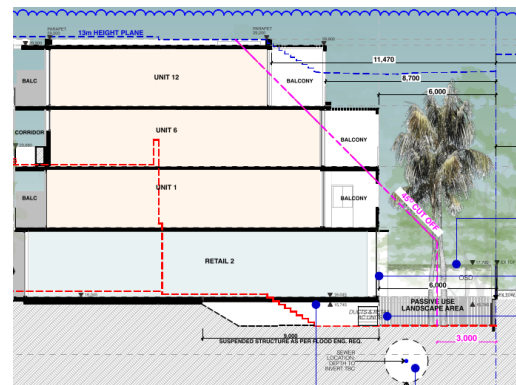


Figure 12: Rear stepped setback and 45°, Source: MHNDUnion

The proposed modification is consistent with other development in the vicinity of the site and is sympathetic to the adjoining heritage item and other approved development. The proposed modification would not detract from the quality of built form elements within the Hall Street streetscape and is acceptable.

2.2.2. Other Impacts of the Development

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

2.2.3. Suitability of the Site for the Development

The site is considered suitable for the proposal.

2.2.4. Any Submissions

The application was notified for 14 days between 17 May 2024 and 5 June 2024 in accordance with the *Community Engagement Strategy 2023*.

One submission was received from No. 2/2 Simpson Street, Bondi Beach. The issue raised is set out below:

Issue: The proposal to modify an approved development should only be allowed if it benefits the community.

Response: The proposal to modify the approved application is permitted under section 4.55(2) of the Act. In this instance, the modification is required to address flood engineering requirements through raising the finished floor levels of the northern building to respond to this requirement. Other more minor amendments are also proposed. The proposal would not give rise to impacts above those assessed and approved in the original application and is considered acceptable.

2.2.5. Public Interest

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

3. REFERRALS

The following internal referral comments were sought:

3.1. Stormwater

The application was referred to Council's Stormwater Engineer. Raising the ground floor of the building to the recommended level of RL16.045 to minimise the risk of inundation during a 1% AEP event is accepted and addresses Council's concerns raised with the applicant previously. No objections were raised subject to the modified stormwater condition of consent.

3.2. Environmental Health

The application was referred to Council's Environmental Health officer. The referral requested an additional Acoustic Report be prepared to address the relocated air conditioning units. An existing condition of consent, imposed on the original consent, requires an acoustic assessment report be prepared to assess the impacts of the development with regard to mechanical plant, refrigeration motors and air conditioning units, and for the report to make recommendations to ensure that the noise from the development will be within the acceptable limits of the relevant legislation. This condition remains on the consent and is yet to be satisfied. Council's Environmental Health Officer's concerns will be address through satisfying this condition.

Council's Environmental Health Officer recommended conditions of consent relating to amenity and noise complaints that may be relevant to any future shop fit out and /or application for use. The modification application does not seek consent for use of the commercial premises therefore these conditions have not been included on the consent. When the owner seeks consent for use of the commercial premises or shop fit out, these conditions will be applied as relevant at that time.

3.3. Public Domain

The application was referred to Council's Public Domain team. No objections were raised in relation to the additional excavation and reconfiguration of the basement level, subject to the recommended conditions to manage potential risks during excavation and construction of the basement level.

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 23 July 2024 and the MODA concurred with the Assessment Planner's recommendation.

MODA members: *A Rossi, B McNamara, B Magistrale, and Jo Zancanaro*

Report prepared by:	Application reviewed and agreed by:	Application reviewed and agreed by:
		
Alana Jelfs	Karis Keenan	Angela Rossi
Senior Development Assessment Planner	Manager, Development Assessment	Executive Manager, Development Assessment
Date: 2 October 2024	Date: 9 October 2024	Date: 11 October 2024

Reason for WLPP referral:

The consent authority for the original development application was the WLPP, this modification is made under section 4.55(2) of the Act and relates to:

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

OFFICE USE ONLY

Planning Portal Data	
Determining Authority (Concurrence Authority)	Local Planning Panel
Were the requirements of the Sustainable Buildings SEPP (effective 1 October 2023) met?	N/A
Have any dwellings been approved for affordable Rental Housing under this approval/consent? <small>*This is a planning portal reporting requirement</small>	No
Secondary Dwelling <small>*This is a planning portal reporting requirement</small>	No
Boarding House <small>*This is a planning portal reporting requirement</small>	No
Group Home <small>*This is a planning portal reporting requirement</small>	No

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

APPENDIX A – CONDITIONS OF CONSENT TO BE MODIFIED

a. Amended/Deleted Conditions

1. APPROVED PLANS AND DOCUMENTATION

The development must be in accordance with:

- (a) Architectural Plans prepared by MHNDUnion of Project No: 20-055 including the following:

Plan Number	Rev	Plan Description	Plan Date	Date received by Council
DA 0000	<i>E</i> D	Cover Page	25/03/2024 02/08/2022	30 April 2024 9 September 2022
DA 1002	<i>E</i> D	Site & Roof Plan	25/03/2024 02/08/2022	30 April 2024 9 September 2022
DA 2000	<i>E</i> D	Basement Plan	25/03/2024 02/08/2022	30 April 2024 9 September 2022
DA 2001	<i>E</i> D	Ground Floor Plan	25/03/2024 02/08/2022	30 April 2024 9 September 2022
DA 2002	<i>E</i> D	Level 1 Floor Plan	25/03/2024 02/08/2022	30 April 2024 9 September 2022
DA 2003	<i>E</i> D	Level 2 Floor Plan	25/03/2024 02/08/2022	30 April 2024 9 September 2022
DA 2004	<i>E</i> D	Level 3 Floor Plan	25/03/2024 02/08/2022	30 April 2024 9 September 2022
DA 2005	<i>E</i> D	Roof Plan	25/03/2024 02/08/2022	30 April 2024 9 September 2022
DA 3000	<i>E</i> D	Elevation East & West	25/03/2024 02/08/2022	30 April 2024 9 September 2022
DA 3001	<i>E</i> D	Elevation North & South	25/03/2024 02/08/2022	30 April 2024 9 September 2022
DA 3100	<i>E</i> D	Section A	25/03/2024 02/08/2022	30 April 2024 9 September 2022
DA 3101	<i>E</i> D	Section B & C	25/03/2024 02/08/2022	30 April 2024 9 September 2022
DA 6000	E	External Finishes	25/03/2024	30 April 2024
DA 9203	<i>E</i> D	Pre & Post Adaptable Apartments – Unit 1	25/03/2024 02/08/2022	30 April 2024 9 September 2022
DA 9204	<i>E</i> D	Pre & Post Adaptable Apartments – Unit 2	25/03/2024 02/08/2022	30 April 2024 9 September 2022
DA 9205	<i>E</i> D	Pre & Post Adaptable Apartments – Unit 3	25/03/2024 02/08/2022	30 April 2024 9 September 2022
DA 9206	<i>E</i> D	Pre & Post Adaptable Apartments – Unit 4	25/03/2024 02/08/2022	30 April 2024 9 September 2022
DA 9301	E	Arcade Study – Floor Plan	25/03/2024	30 April 2024

- (b) BASIX and NatHERs Certificates

- (c) Access Report prepared by Design Confidence dated 17 March 2021, and received by Council on 5 August 2021 **and updated on 27 March 2024, and received by Council on 30 April 2024**
- (d) Acoustic Report prepared by Renzo Tonin & Associates dated 1 December 2021, and received by Council on 6 August 2022
- (e) Adaptable Housing Assessment Report prepared by Design Confidence dated 17 March 2021, and received by Council on 5 August 2021
- (f) Arborist Report prepared by Dr. Treegood dated March 2021, and received by Council on 5 August 2021
- (g) BCA Report prepared by Design Confidence dated 15 March 2021, and received by Council on 5 August 2021
- (h) Geotechnical Report prepared by eiaustralia dated 26 March 2021, and received by Council on 5 August 2021 **and further Geotechnical Report prepared by Grozier Geotechnical Consultants dated 13 March 2024, and received by Council on 1 May 2024**
- (i) Traffic & Transport Management Plan prepared by TEF Consulting dated 10/02/2021, and received by Council on 5 August 2021
- ~~(j) Schedule of external finishes and colours received by Council on 6 August 2022~~
- (k) The Site Waste and Recycling Management Plan (SWRMP) Part 1 **received by Council on 1 May 2024 (05/08/2021)**
- (l) Letter titled 'Proposed Remedial works at 35-37 Hall Street, Bondi, NSE' prepared by EBG Environmental Geoscience and dated 8 December 2022
- (m) Stage 2 Detailed Site Investigation (DSI) (including vapour intrusion assessment) prepared by EBG Environmental Geoscience and dated 23 September 2022
- (n) Flood Impact Assessment dated 10 April 2024 prepared by C&M Consulting Engineers, and received by Council 30 April 2024**
- (o) Liveable Housing Design Guidelines Assessment Report dated 27 March 2024, and received by Council 30 April 2024**
- (p) Stormwater Plans and Details prepared by MHNDUnion dated 25 March 2024 and Stormwater Design Addendum Letter prepared by Greenview Consulting dated 8 April 2024, and received by Council 1 May 2024**

[AMENDED DA-306/2021/B]

Except where amended by the following conditions of consent.

2. GENERAL MODIFICATIONS

The application is approved subject to the following plan amendments;

~~(a) Landscaped Area:~~

~~The landscape plans are to be amended to provide increased opportunities for deep soil landscaping on site. In this regard, the paved areas within the communal open space area at the rear are to be deleted and the entirety of the rear setback area is to be soft landscaped.~~

~~(b) Bicycle parking:~~

- ~~(i) The commercial visitor bicycle spaces are to be relocated and provided on the ground level and easily accessible for visitors to use.~~
- ~~(ii) The development requires 2 bicycle parking spaces for the residential visitors. A minimum of two bicycle parking racks in the basement level are to be allocated to residential visitors (ensuring compliance is achieved overall with bicycle parking, set out in conditions of this consent).~~

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

[SATISFIED DA-306/2021/B]

27. STORMWATER AND PUBLIC INFRASTRUCTURE MANAGEMENT

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

The submitted stormwater management plan prepared by MHNDUnion Pty Ltd, Job No. 20-055, DWG No. 2001, Rev E dated 25/3/2024 are considered concept only.

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

- a) A non-return valve is to be installed at the discharge point the property boundary within the silt arrestor pit so that stormwater cannot surcharge back into the properties private stormwater system.***
- b) A long section of the connection to Council's infrastructure will 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).***
- c) 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.***
- d) Council must be notified prior to any connection being made to Council's network and an inspection must be made by a Council officer prior to public domain restoration and backfill at the point of connection. An inspection fee will apply for each inspection visit required by a Council officer, payable prior to any site inspection. Minimum 48 hour's notice must be provided to Council prior to inspection.***
- e) Any new downpipes are to be located wholly within the property's boundary.***
- f) Provide calculations of the roof guttering system for the 1% or 5% AEP storm event and minimum number of downpipes required.***
- g) Specify any components of the existing system to be retained and certified during construction to be in good condition and of adequate capacity to convey additional runoff and be replaced or upgraded if required.***

- h) Detail the proposed pipe sizes, type, grade, length, invert levels, dimensions and types of drainage pits and inspection openings and their location.***
- i) Pits and inspection openings are to be provided at all junctions, change in gradient, change in direction, and changes in diameter for access and maintenance purposes.***
- j) Provide calculations demonstrating that the proposed stormwater drainage system can cater for the relevant design storm event.***
- k) A stormwater pit must be installed inside the property, adjacent to the boundary, for all stormwater outlets.***
- l) The stormwater management plans are to 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.***
- m) OSD system is to be located as close as possible to the lowest point of the site and is to be designed to collect all piped and surface stormwater runoff from all pervious and impervious areas of the site.***
- n) All OSD systems for multi-unit and commercial developments must be located in common areas (not in private courtyards etc).***
- o) If the OSD system is proposed to be a sealed system or will have inadequate cross ventilation, a vent must be provided to establish and maintain a safe atmosphere, and to prevent the accumulation of noxious odours. The ventilation is to be continued throughout the period of occupancy to comply with the relevant Australian Standards. The location and details of the ventilation system is submitted.***
- p) A certificate from a registered structural engineer certifying the structural adequacy of the OSD tank structure is to be provided. Any below ground OSD tank structure must be a cast in-situ concrete based.***
- q) A minimum of two 600 mm square access grates must be installed over the OSD tank. One grate is to be placed over the OSD outlet pipe and orifice plate.***
- r) The OSD system is to be designed for the 1% AEP storm event.***
- s) Details of any rainwater tank required by BASIX commitments or as nominated are to be shown on the architectural plan, including the overflow connection to the approved stormwater drainage system.***
- t) A Basic Control Plan/ an Erosion and Sediment Control Plan is to be submitted.***
- u) A geotechnical report prepared by a suitably qualified and practising Geotechnical Engineer is submitted to Council for assessment. The hydraulic conductivity is to be tested at a minimum of four locations at the site of the proposed infiltration system, and at the base level of the proposed system (and at a minimum of one metre deep). The infiltration system is to be designed using the infiltration rate of the soil of the site. The geotechnical report is to also determine the depth to rock and the presence and***

depth of the water table. Reference will also be made to Council's Water Management Technical Manual.

- v) The minimum distance from infiltration system to structural footings is to be determined by a registered structural engineer.*
- w) The infiltration system must be installed a minimum of one metre away from any Sydney Water Sewer main.*
- x) Sub soil drainage (seepage) water must not be directly or indirectly discharged to Council's street gutter.*
- y) 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.*
- z) Show sub-soil drainage is restricted from entering the basement areas of the building and the stormwater drainage system by waterproofing and tanking the basement areas of the building in accordance with a Registered Structural Engineer's design.*

General Notes

- i. The stormwater management plans must be updated to be consistent with the architectural/landscape drawings.*
- ii. The submitted stormwater management plan must clearly delineate the property's boundaries, the adjacent street names and provide a north arrow on each drawing.*
- iii. 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 shall be replaced if damaged as per the Waverley Council Public Domain Technical Manual. All associated costs will be borne by the applicant.*
- iv. 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.*
- v. 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.*
- vi. 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.*
- vii. 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.*

- viii. 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.**
- ix. 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.**

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

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

- a) The plans shall provide additional details of the proposed On-Site Stormwater Detention (OSD) system and its details e.g. updated pit dimensions, cross & long sections, significant water invert levels of inlet and outlet pipes, OSD plaque, OSD warning sign and catchment plan. The current design is also considered fully submerged during a 1% AEP storm event, which is not compliant to the current Council standards, consideration shall be made to amend the outlet invert of the OSD system. Council's mandatory OSD checklist as set out in Council's Water Management Technical Manual shall be resubmitted and amended to reflect any changes.
- b) If the design proceeds with a below ground tank, a certificate from a registered structural engineer certifying the structural adequacy of any OSD tank structure is to be provided.
- c) Any proposed OSD system shall be designed to allow for the detention of stormwater runoff resulting from a 1% Annual Exceedance Probability (AEP) storm event.
- d) A minimum of two double opening square access grates shall be installed over any proposed below OSD tank. This is to provide adequate ventilation to prevent the accumulation of noxious odours and to provide convenient access for routine maintenance and inspection of the tank. One grate shall be placed over OSD outlet pipe and orifice plate.
- e) Any proposed OSD system is designed to allow for the system to be free draining with the invert of the orifice higher than the Hydraulic Grade Line (HGL) at the discharge point (to prevent a drowned orifice).
- f) Show an alarm system in the event of the basement pump-out system failing. A warning sign together with a flashing strobe light and siren installed at a clearly visible location at the entrance to the basement. A minimum freeboard of 150 mm from the pump out system to all parking spaces, full hydraulic details and pump manufacturers specification are to be provided.

- ~~g) To protect the underground basement from possible inundation by surface waters from the street gutter and footpath overflows, a crest shall be installed at the boundary.~~
- ~~h) Details of any rainwater tank required by BASIX commitments or as nominated on the architectural plan, including the overflow connection to the approved stormwater drainage system are to be submitted.~~
- ~~i) Seepage water must not be directly or indirectly discharged to Council's street gutter.~~
- ~~j) Pipe sizes, type, grade, length, invert levels, dimensions and types of drainage pits and inspection openings and their location shall be provided. Calculations demonstrating that the proposed stormwater drainage system can cater for the 1% AEP storm event shall be provided.~~
- ~~k) The design must make provision for the natural flow of stormwater runoff from uphill/upstream properties/lands. The design must include the collection of such waters and discharge to the Council drainage system (independent of any OSD system)~~
- ~~l) Where a connection to Council's below ground drainage infrastructure is proposed, a long section of the connection shall be provided and its details must be included (e.g. the location of existing services crossing and the clearances, existing surface levels, obvert and invert of existing pipe and invert level of the outlet pipe).~~
- ~~m) All proposed conduits within the Hall Street road reserve shall be constructed using minimum Class 3 reinforced concrete pipes (RCPs) with a minimum diameter of 375 mm and minimum 1% fall. A pit shall be installed at all junctions, changes of gradient and changes of direction in the pipeline. The proposed stormwater drainage infrastructure within the road reserve shall be designed and constructed to Council's satisfaction. Details are to form part of the Construction Certificate documentation. All associated costs shall be borne by the applicant.~~
- ~~n) The development must 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 Management Manual 2021:~~

~~Required percentage reductions in post development average annual load of pollutants~~

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

~~The applicant must submit plans and specifications for the proposed Stormwater Quality Improvement device (SQID). The submitted plans shall be prepared by a suitably qualified and practising Civil Engineer showing complete and detailed SQID design including with cross sections. The practising Civil Engineer to demonstrate the hydraulics for proposed SQID. MUSIC model to be provided to Council for assessment.~~

- ~~o) Any affected Council's infrastructure as the result of construction activities within the public domain area, inclusive of stormwater, stormwater outlet/s, kerb and gutter, pavement, grass verges and vehicle crossovers within the extent works shall be replaced~~

as per Waverley Council Public Domain Technical Manual. All associated costs shall be borne by the applicant.

Notes:

- ~~The checklist as set out on pages 68-76 on Council's Water Management Technical Manual (Oct 2021) available online shall be completed and submitted with any revision of Construction Certificate Plan Submission.~~
- ~~Since a sewer main runs through the property, plans must also be presented to a Sydney Water Tap in™ for their approval.~~
- ~~The Applicant is advised to consider the finished levels of the public domain, including new or existing footpaths and pavement prior to setting the floor levels for the proposed development.~~
- ~~Waverley Council standard drawings for public domain infrastructure assets are available upon request. Details that are relevant may be replicated in the Engineering design submissions however, Council's title block shall not be replicated.~~
- ~~Council's contact for infrastructure assessment: E-mail: assets@waverley.nsw.gov.au or Phone: 9083 8886 (operational hours between 9.30am to 4pm Monday to Friday)~~

[AMENDED DA-206/2021/B]

b. New Conditions

21A. GEOTECHNICAL RISK MANAGEMENT

The following geotechnical risk management measure must be followed:

- a) The recommendations set out in the Geotechnical Investigation Report prepared by Crozier Geotechnical Consultants (Crozier), Project No.:2024-026, dated 13 March 2024 must be addressed in the detailed design documentation and followed through the construction, and post occupation stages***
- b) 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 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. 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 (V_i, \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.*
- c) *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).*
- d) *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.*
- e) *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.*
- f) *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.*
- g) *During the bulk excavation stages, a qualified supervising engineer will be required to be present on site for the duration of these works. A daily log is to be kept on site and submitted to the Principle Certifying Authority (PCA).*

- h) 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.*
- i) Inspections must be completed or reviewed by a qualified geotechnical engineer/engineering geologist (as defined 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.*

[ADDED DA-306/2021/B]

80A. 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.

[ADDED DA-306/2021/B]

All other conditions are reaffirmed and attached in a modified Notice with all conditions stated (Attachment A).

Note:

1. Works either not identified in the modified plans (ie coloured or hatched) or not specifically requested in your written submission accompanying the above modification are not approved.
2. the development consent lapses on **15 December 2027**.

Attachment A
Conditions of the development consent

DA-306/2021/B

A. APPROVED DEVELOPMENT

1. APPROVED PLANS AND DOCUMENTATION

The development must be in accordance with:

- (a) Architectural Plans prepared by MHNDUnion of Project No: 20-055 including the following:

Plan Number	Rev	Plan Description	Plan Date	Date received by Council
DA 0000	E	Cover Page	25/03/2024	30 April 2024
DA 1002	E	Site & Roof Plan	25/03/2024	30 April 2024
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DA 2003	E	Level 2 Floor Plan	25/03/2024	30 April 2024
DA 2004	E	Level 3 Floor Plan	25/03/2024	30 April 2024
DA 2005	E	Roof Plan	25/03/2024	30 April 2024
DA 3000	E	Elevation East & West	25/03/2024	30 April 2024
DA 3001	E	Elevation North & South	25/03/2024	30 April 2024
DA 3100	E	Section A	25/03/2024	30 April 2024
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DA 9205	E	Pre & Post Adaptable Apartments – Unit 3	25/03/2024	30 April 2024
DA 9206	E	Pre & Post Adaptable Apartments – Unit 4	25/03/2024	30 April 2024
DA 9301	E	Arcade Study – Floor Plan	25/03/2024	30 April 2024

- (b) BASIX and NatHERs Certificates
- (c) Access Report prepared by Design Confidence dated 17 March 2021, and received by Council on 5 August 2021 and updated on 27 March 2024, and received by Council on 30 April 2024
- (d) Acoustic Report prepared by Renzo Tonin & Associates dated 1 December 2021, and received by Council on 6 August 2022
- (e) Adaptable Housing Assessment Report prepared by Design Confidence dated 17 March 2021, and received by Council on 5 August 2021

- (f) Arborist Report prepared by Dr. Treegood dated March 2021, and received by Council on 5 August 2021
- (g) BCA Report prepared by Design Confidence dated 15 March 2021, and received by Council on 5 August 2021
- (h) Geotechnical Report prepared by eiaustralia dated 26 March 2021, and received by Council on 5 August 2021 and further Geotechnical Report prepared by Grozier Geotechnical Consultants dated 13 March 2024, and received by Council on 1 May 2024
- (i) Traffic & Transport Management Plan prepared by TEF Consulting dated 10/02/2021, and received by Council on 5 August 2021
- (j) Deleted by DA-306/2021/B.
- (k) The Site Waste and Recycling Management Plan (SWRMP) Part 1, received by Council on 1 May 2024
- (l) Letter titled 'Proposed Remedial works at 35-37 Hall Street, Bondi, NSE' prepared by EBG Environmental Geoscience and dated 8 December 2022
- (m) Stage 2 Detailed Site Investigation (DSI) (including vapour intrusion assessment) prepared by EBG Environmental Geoscience and dated 23 September 2022
- (n) Flood Impact Assessment dated 10 April 2024 prepared by C&M Consulting Engineers, and received by Council 30 April 2024
- (o) Liveable Housing Design Guidelines Assessment Report dated 27 March 2024, and received by Council 30 April 2024
- (p) Stormwater Plans and Details prepared by MHNDUnion dated 25 March 2024 and Stormwater Design Addendum Letter prepared by Greenview Consulting dated 8 April 2024, and received by Council 1 May 2024

[AMENDED DA-306/2021/B]

Except where amended by the following conditions of consent.

2. GENERAL MODIFICATIONS

The application is approved subject to the following plan amendments;

- (a) [SATISFIED DA-306/2021/B]
- (b) [SATISFIED DA-306/2021/B]

[AMENDED DA-306/2021/B]

3. 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.

B. PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

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

GENERAL REQUIREMENTS

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

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

- (a) a Construction Certificate has been obtained from Council or an Accredited Certifier in accordance with the *Environmental Planning 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 2000*; and
- (c) Council is given at least two days' notice in writing of the intention to commence the building works.

CONTRIBUTIONS, FEES & BONDS

5. SECTION 7.12 CONTRIBUTION

A 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 2006 in accordance with the following:

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

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

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

6. SECURITY DEPOSIT

A deposit (cash or cheque) for the amount of **\$104,211.92** must be provided to Council for any damage caused to any property of the consent authority (ie. public land) as a consequence of the works and completing any public work (such as road work, kerbing and guttering, footway construction, stormwater drainage and environmental controls) required in connection with the consent.

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

7. LONG SERVICE LEVY

A long service levy, as required under section 34 of the *Building and Construction Industry Long Service Payments Act, 1986*, is to be paid in respect 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 0.35% of building work costing \$25,000 or more.

PLAN DETAILS

8. VERIFICATION OF CONSTRUCTION CERTIFICATE DOCUMENTATION (SEPP 65 BUILDINGS)

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 No. 65 - Design Quality of Residential Apartment Development*.

In accordance with the Environmental Planning and Assessment Regulation 2000, 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 No. 65 Design Quality of Residential Apartment Development*.

9. ARCHITECTURAL DETAILING

Further details of the architectural detailing of the building are required to be submitted for review and approval of Council's Manager, Development Assessment (or delegate) which address the following matters:

- (a) A schedule of external materials and finishes and design details of all elements of the building façade, including materials for structure on the roof terrace;

(b) Large-scale detailed sections illustrating the construction of the roof, facades, method of fixing privacy screens, shading devices, balconies, planters and balustrades and major junctions between materials;

(c) Detailed drawings of the shop fronts, entry foyers, awnings, window operation.

This may also require a referral to the Waverley Design Excellence Advisory Panel with a referral fee to be paid at the time of lodgement. Please contact the assessment planner to clarify this prior to lodging documentation to satisfy this condition.

10. PLACEMENT OF AIR CONDITIONING UNITS ON ROOFTOP

The A/C units on the roof must be fitted with an acoustic enclosure and be supported by an Acoustic Report for mechanical plant and equipment.

The amendments and documentation are to be submitted to and approved by Council's **Executive Manager, Compliance (or delegate)** prior to the issue of any Construction Certificate.

11. PROVISION FOR SHAFT FOR FUTURE FOOD PREMISES

Adequate provision shall be made within the confines of the building, for the installation of a mechanical exhaust system for future food/commercial use/s within the building.

12. SEPARATE APPLICATIONS FOR NON-RESIDENTIAL USE

Specific development consent is required for each individual retail tenancy in connection with the initial usage of any retail or commercial areas within the development, prior to the occupation of the premises.

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

Having regard to the close proximity to residential uses, it is recommended the design and materials of future retail/commercial premises fitouts be considered and where possible, integrated into the overall design of the development, to minimize ad hoc additions to mitigate acoustic privacy impacts.

13. VERMIN AND RAT CONTROL

A *Pest and Vermin Control Management Plan* prepared by a suitable qualified person outlining measures to be taken to reduce rat/vermin populations is to be submitted for the approval of **Council's Manager, Health and Compliance (or delegate)** prior to the issue of a Construction Certificate for the demolition of existing buildings.

14. 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 2012 (Amendment 9).

Details to be shown on the architectural plans satisfying this condition, prior to the issue of the relevant Construction Certificate.

15. ADAPTABLE HOUSING

A minimum of 20% of the apartments in the development are to be provided as 'adaptable housing' within the development. Adaptable apartments must be certified as 'adaptable housing units' by an independent suitably qualified person, confirming compliance with the relevant Australian Standards. As there is no parking provided on the site, there is no requirement to provide any adaptable parking spaces as part of this development.

(AMENDED DA-306/2021/A)

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 B7 of the *Waverley Development Control Plan 2012*.

CONSTRUCTION MATTERS

17. HOARDING

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

18. 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.

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

20. 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.

21. GEOTECHNICAL ENGINEERS REPORT

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

21A. GEOTECHNICAL RISK MANAGEMENT

The following geotechnical risk management measure must be followed:

- (a) The recommendations set out in the Geotechnical Investigation Report prepared by Crozier Geotechnical Consultants (Crozier), Project No.:2024-026, dated 13 March 2024 must be addressed in the detailed design documentation and followed through the construction, and post occupation stages
- (b) 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 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. 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 (V_i , 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.
- (c) 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).
- (d) 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.
- (e) 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.
- (f) 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.
- (g) During the bulk excavation stages, a qualified supervising engineer will be required to be present on site for the duration of these works. A daily log is to be kept on site and submitted to the Principle Certifying Authority (PCA).
- (h) 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.

- (i) Inspections must be completed or reviewed by a qualified geotechnical engineer/engineering geologist (as defined 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.

[ADDED BY DA-306/2021/B]

22. 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.

23. NOISE MANAGEMENT PLAN - DEMOLITION EXCAVATION & 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](https://www.waverley.nsw.gov.au/building/development_applications/post_determination/development_applications_-_conditions_of_consent)

TRAFFIC MANAGEMENT

24. CONSTRUCTION TRAFFIC MANAGEMENT PLAN (CTMP)

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

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

25. BICYCLE PARKING

A total of 18 bicycle parking spaces are to be provided within the development, allocated in the following manner:

- (a) 13 residential bicycle spaces
- (b) 2 visitor bicycle spaces

- (c) 1 retail bicycle space
- (d) 2 retail visitor bicycle space
- (e) The two retail visitor spaces are to be located at ground level.

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

The bicycle spaces are to be provided by way of a secure lockable area, individual lockers or suitable bicycle racks and are to be located within the ground floor foyer or adjacent within any forecourt or within the basement car parking area. Signage and line-marking (way finding) is to be provided to guide visitors to the allocated bicycle parking spaces to ensure a safe path of travel to the bicycle spaces (separate to cars). Details of this are to be submitted to Council for the approval of the Executive Manager, Infrastructure Services, or delegate prior to the issue of the relevant Construction Certificate.

STORMWATER & FLOODING

26. ENGINEERING PLANS ASSESSMENT AND WORKS INSPECTION FEES

The applicant is to pay to Council fees for assessment of all Public Infrastructure plans, stormwater inclusive and inspection of the completed works in the public domain, 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 public domain works.

27. STORMWATER MANAGEMENT

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

The submitted stormwater management plan prepared by MHNDUnion Pty Ltd, Job No. 20-055, DWG No. 2001, Rev E dated 25/3/2024 are considered concept only.

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

- (a) A non-return valve is to be installed at the discharge point the property boundary within the silt arrestor pit so that stormwater cannot surcharge back into the properties private stormwater system.
- (b) A long section of the connection to Council's infrastructure will 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).
- (c) 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.

- (d) Council must be notified prior to any connection being made to Council's network and an inspection must be made by a Council officer prior to public domain restoration and backfill at the point of connection. An inspection fee will apply for each inspection visit required by a Council officer, payable prior to any site inspection. Minimum 48 hour's notice must be provided to Council prior to inspection.
- (e) Any new downpipes are to be located wholly within the property's boundary.
- (f) Provide calculations of the roof guttering system for the 1% or 5% AEP storm event and minimum number of downpipes required.
- (g) Specify any components of the existing system to be retained and certified during construction to be in good condition and of adequate capacity to convey additional runoff and be replaced or upgraded if required.
- (h) Detail the proposed pipe sizes, type, grade, length, invert levels, dimensions and types of drainage pits and inspection openings and their location.
- (i) Pits and inspection openings are to be provided at all junctions, change in gradient, change in direction, and changes in diameter for access and maintenance purposes.
- (j) Provide calculations demonstrating that the proposed stormwater drainage system can cater for the relevant design storm event.
- (k) A stormwater pit must be installed inside the property, adjacent to the boundary, for all stormwater outlets.
- (l) The stormwater management plans are to 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.
- (m) OSD system is to be located as close as possible to the lowest point of the site and is to be designed to collect all piped and surface stormwater runoff from all pervious and impervious areas of the site.
- (n) All OSD systems for multi-unit and commercial developments must be located in common areas (not in private courtyards etc).
- (o) If the OSD system is proposed to be a sealed system or will have inadequate cross ventilation, a vent must be provided to establish and maintain a safe atmosphere, and to prevent the accumulation of noxious odours. The ventilation is to be continued throughout the period of occupancy to comply with the relevant Australian Standards. The location and details of the ventilation system is submitted.
- (p) A certificate from a registered structural engineer certifying the structural adequacy of the OSD tank structure is to be provided. Any below ground OSD tank structure must be a cast in-situ concrete based.
- (q) A minimum of two 600 mm square access grates must be installed over the OSD tank. One grate is to be placed over the OSD outlet pipe and orifice plate.

- (r) The OSD system is to be designed for the 1% AEP storm event.
- (s) Details of any rainwater tank required by BASIX commitments or as nominated are to be shown on the architectural plan, including the overflow connection to the approved stormwater drainage system.
- (t) A Basic Control Plan/ an Erosion and Sediment Control Plan is to be submitted.
- (u) A geotechnical report prepared by a suitably qualified and practising Geotechnical Engineer is submitted to Council for assessment. The hydraulic conductivity is to be tested at a minimum of four locations at the site of the proposed infiltration system, and at the base level of the proposed system (and at a minimum of one metre deep). The infiltration system is to be designed using the infiltration rate of the soil of the site. The geotechnical report is to also determine the depth to rock and the presence and depth of the water table. Reference will also be made to Council's Water Management Technical Manual.
- (v) The minimum distance from infiltration system to structural footings is to be determined by a registered structural engineer.
- (w) The infiltration system must be installed a minimum of one metre away from any Sydney Water Sewer main.
- (x) Sub soil drainage (seepage) water must not be directly or indirectly discharged to Council's street gutter.
- (y) 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.
- (z) Show sub-soil drainage is restricted from entering the basement areas of the building and the stormwater drainage system by waterproofing and tanking the basement areas of the building in accordance with a Registered Structural Engineer's design.

General Notes

- i. The stormwater management plans must be updated to be consistent with the architectural/landscape drawings.
- ii. The submitted stormwater management plan must clearly delineate the property's boundaries, the adjacent street names and provide a north arrow on each drawing.
- iii. 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 shall be replaced if damaged as per the Waverley Council Public Domain Technical Manual. All associated costs will be borne by the applicant.
- iv. 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.

- v. 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.
- vi. 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.
- vii. 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.
- viii. 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.
- ix. 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.

[AMENDED DA-306/2021/B]

28. GROUND ANCHORS

Where any ground anchors (ie. rock or sand anchors) are proposed to extend beyond the property boundary beneath roadways and other Council property, details must be submitted to 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 9083 8886. Certification shall be submitted and acknowledged by Council prior to installation and after de-tensioning prior to Occupation Certificate.

29. FLOODING REQUIREMENTS

The development must have a net neutral effect on flood behaviour. This includes increasing flood effects elsewhere, loss of flood storage, changes in flood levels, flows and velocities caused by alterations to the flood conveyance, and the cumulative impact of neighbouring developments. To ensure this has been considered, the submitted architectural plans will need to be updated to reflect the following:

- a) A suitably qualified and practising Engineer must provide a report certifying that development will not increase flood effects elsewhere having regard to loss of flood storage.
- b) The minimum habitable finished floor level of the habitable level of any new building must be set at a minimum level of 16.045 m AHD.
- c) All new building material must be flood resistant or flood compatible to a height of 16.045 m AHD.
- d) All new internal electrical switches, power points or similar utilities liable to flood damage must be set at a minimum level of 16.045 m AHD.

- e) A suitably qualified engineer must certify that any new structure can withstand the forces of floodwater, scour debris and buoyancy up to and including 16.045 m AHD.
- f) A storage area is to be provided above the RL of 16.045 m AHD for the storage of goods that can be damaged or mobilised by flooding, or goods that have potential to cause pollution during flooding.
- g) Any proposed fencing must be built using flood compatible material.
- h) There is to be no filling of the land within the property.

Details and certification must accompany the Construction Certificate and be submitted to Waverley Council's Manager, Infrastructure Services (or delegate) for approval prior to the issue of the relevant Construction Certificate.

PUBLIC DOMAIN

30. PUBLIC DOMAIN IMPROVEMENTS

The public domain is to be upgraded along Hall Street frontage for the development site in accordance with the current Waverley Council Development Control Plan (DCP) Part E3: Local Village Centres, and Public Domain Technical Manual (PDTM) at the time of engineering plan approval. A public domain plan for the following works shall be submitted to, and approved by the Executive Manager, Infrastructure Services prior to the issue of the relevant Construction Certificate.

- Pedestrian footpath
- Vehicular Crossing
- Road pavement
- Kerb and gutter
- Stormwater infrastructure located within the Council Public Domain
- Undergrounded utility connections and street lighting (Electrical, Communications inclusive)

31. PUBLIC INFRASTRUCTURE WORKS

All Public infrastructure works traversing the development frontage must be completed to Council's satisfaction at no cost to Council.

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

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

- (a) Road Pavement: The full renewal and reconstruction of the asphalt pavement for half road width within the Hall Street frontage of the development site. Details of the road pavement treatments and sub-grade details to be liaised with Council prior to CC.
- (b) Footpath, Kerb and Gutter: The existing footpath, kerb and gutter traversing Hall Street frontage 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 footpath paving must maintain a 2.5% cross fall towards the road and maintain the same longitudinal grade of the adjacent road.

- (c) Street Trees: A minimum of one (1) street tree must be planted along the Hall Street frontage. All new trees proposed within the Council verge will require the installation of suitable tree pits and surrounds as per the Waverley Council Public Domain Technical Manual. The chosen tree species and location shall be liaised with Council prior to construction.
- (d) Street lighting: Make provision for a new street light and integrated EV charging station serviced by metered underground power, on a multifunction pole (MFP) on Hall Street. The consultant shall liaise with Council in obtaining Councils requirements and specifications for the street column and components including the appropriate LED luminaires. The column and all components shall be supplied and installed to meet pedestrian compliance standards.

Plans shall be prepared and certified by a suitably qualified Electrical Design Consultant and submitted to Councils Public Domain Engineer for approval prior to lodgement of the scheme with Ausgrid for their approval. This will include both the street lighting requirements and the private meter supply to the lighting system.

- (e) Undergrounded Utility Connections: All mains electrical connections to the development must be routed underground. Council will not accept the erection of any new above ground electricity columns/pillars within the Council's public domain to support the new development. All necessary pillars must be located within the development boundary. If required, an easement on the property shall be organised with the relevant Authority.

32. 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 Engineer for the following hold points:

Kerb and Gutter, Stormwater Infrastructure & Footpath Paving

- After completion of formwork and prior to casting of concrete base slab
- After full completion and restoration

Road Pavement

- Subgrade trim and compacted
- Binder course spread & consolidated
- After Wearing course laid and full completion

Landscape

- After the excavation and installation of root cells
- After full completion and restoration

Street Lighting

- Prior to backfilling all underground conduits
- Installation of concrete light base
- After full completion

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

ENERGY EFFICIENCY & SUSTAINABILITY

33. BASIX

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

34. ENERGY EFFICIENCY

An Energy Assessment Report is to be submitted in accordance with the *Waverley Development Control Plan 2012*, which recommends design solutions to reduce the predicted operational energy demand and greenhouse gas emissions of the proposed development by 30% less than a reference building (i.e. NCC, Section J compliant only). The report is to be submitted and be to the satisfaction of **Council's Executive Manager, Environmental Sustainability (or delegate)** prior to the issue of a Construction Certificate for any works above ground level.

The construction certificate plans are to incorporate the recommendations of the approved Energy Assessment Report.

WASTE

35. 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.

36. WASTE STORAGE AREAS

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

Residential (16 units)

- 6 x 240L Mobile Garbage Bins (MGBs) for general waste (collected weekly)
- 6 x 240L MGBs for paper and cardboard recycling (collected fortnightly)
- 6 x 240L MGBs for container recycling (collected fortnightly)

Commercial: area 1 (135m²) and area 2 (130m²)

- 14 x 240L Mobile Garbage Bins (MGBs) or 5 x 660L MGBs for general waste (based on bins collected weekly)
- 10 x 240L MGBs or 3 x 660L MGBs for comingled recycling (based on bins collected weekly)

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

LANDSCAPING & TREES

37. GREEN ROOF LANDSCAPING DETAILS

The construction certificate landscape plans are to comply with the controls for green roofs in Part B3.1 of the *Waverley Development Control Plan 2012 (Amendment 9)* including;

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

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

NOISE

38. NOISE – ACOUSTIC REPORT

Upon selection of mechanical plant 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

C. COMPLIANCE PRIOR TO WORK COMMENCING AND DURING CONSTRUCTION

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

PRIOR TO ANY WORKS

39. 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.

40. DILAPIDATION REPORT

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

The report is to be dated, submitted to, and accepted by the Principal Certifying Authority, prior to any work commencing on the site.

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

PUBLIC DOMAIN

41. PRE-CONSTRUCTION DILAPIDATION REPORT

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

- Road pavement
- Kerb and gutter
- Footpath
- Drainage pits and lintels
- Traffic signs
- Street Lights
- 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.

42. NOTIFICATION OF ADJOINING OWNERS & OCCUPIERS

The Applicant shall provide the adjoining owners and occupiers' written notice of the proposed public domain works a minimum two weeks prior to commencement of construction. The notice is to include a contact name and number should they have any enquiries in relation to the construction works. The duration of any interference to neighbouring driveways shall be minimised; and driveways shall be returned to the operational condition as they were prior to the commencement of works, at no cost to the owners.

43. PUBLIC DOMAIN PRE-CONSTRUCTION MEETING

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

DEMOLITION & EXCAVATION

44. 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.

45. EXCAVATION AND BACKFILLING

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

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

46. SITE RECTIFICATION WORKS

The vacant site is to be maintained in a safe and secure manner. Fencing is to be erected around the perimeter 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 6 months (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:

- (i) Require certain works including but not limited to:
 - (a) make the building/site safe and of an appearance acceptable to Council.
 - (b) Allow the ground level to be landscaped and of an appearance acceptable to Council from any public vantage point; or
 - (c) For the hole to be covered to allow it to be landscaped and made attractive from any public vantage point.
 - (d) AND to call on such bank guarantee to cover the cost thereof.
- (ii) 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.

47. 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.

48. 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.

48A. DETAILED SITE INVESTIGATION

As per Clause 4.6, *SEPP (Resilience and Hazards) 2021* ('SEPP R&H'), in accordance with the Letter dated 8 December 2022 from EBG Environmental Geoscience and noting the Stage 2 Detailed Site Investigation Report (Report ID: EBG-02994.Stage2.DSI.09.22.R00) any contaminated soil, fill, sand or debris is to be specifically dealt with as below:

- (a) Any contaminated fill sand/soil/debris under the building shall be removed from site.
- (b) This shall be documented in Remedial Action Plan (RAP).
- (c) Validation (sampling) of the remaining soil shall be undertaken prior to further construction activities. If during remediation and/or excavation soil is uncovered that is noticeably stained, has an odour or is suspected to be contaminated outside the known scope (including fragments of fibreboard 'fibro'), then work should cease in that area.
- (d) The soil or material should be assessed by an Environmental Geologist/Engineer and sampled for known or possible contaminants.
- (e) A further report and/or special procedures may have to be undertaken depending on the outcome of 48A(d) above.
- (f) The Detailed Site Investigation, and proposed Remedial Action Plan / Validation Report shall be signed off by a Certified Environmental Practitioner – Site Contamination Specialist (CEnvP-SC).

Any remediation work must ensure that the site is made safe for its intended use and comply with Clause 4.6, *SEPP (Resilience and Hazards) 2021* ('SEPP R&H').

49. REMEDIAL ACTION PLAN

The site is to be remediated in accordance with the RAP (if required), that has been peer reviewed by the NSW DECC accredited site auditor. Prior to the execution of works associated with the built form of the development (excluding building work directly related to remediation) a Site Audit Statement is to be submitted to Council clearly indicating that the site is suitable for the proposed use. Conditions on the Site Audit Statement shall form part of the consent.

NOTE: Where the Site Audit Statement is subject to conditions that require ongoing review by the Auditor or Council these should be discussed with Council before the Site Audit Statement is issued.

Prior to the exportation of waste (including fill or soil) from the site the material should be classified in accordance with the provisions of the *Protection of the Environment Operations Act 1997* and the NSW DECC Environmental Guidelines "Assessment, Classification and Management of Non-Liquid Wastes". The classification of the material is essential to determine where the waste may be legally taken. The Protection of the Environment

Operations Act 1997 provides for the commission of an offence for both the waste owner and the transporter, if the waste is taken to a place that cannot lawfully be used as a waste facility for the particular class of waste. For the transport and disposal of industrial, hazardous or Group A liquid waste advice should be sought from the NSW DECC.

50. SITE CONTAMINATION - REMEDIATION WORKS

- (a) Remediation and validation works shall be carried out in accordance with a specially prepared Remediation Report prepared by a suitably qualified person and current letter/interim advice from a NSW accredited site auditor,
- (b) Any variation to the Remedial Action Plan shall be approved by the Accredited Site Auditor and Council in writing prior to the commencement of any work. The applicant must inform the PCA in writing of any proposed variation to the remediation works. The PCA shall approve these variations in writing prior to commencement of works.
- (c) Prior to the commencement of any work, other than demolition or excavation in association with remediation of the site, a Site Audit Statement is to be submitted to and approved by Council clearly stating that the site is suitable for the proposed use.

51. REMEDIATION REQUIREMENTS

The following requirements apply to the remediation works (where remediation is required) on-site:

- (a) A sign displaying the contact details of the remediation contractor (and site facilitator if different to remediation contractor) shall be displayed on the site adjacent to the site access. This sign shall be displayed throughout the duration of the remediation works. Owners and/or occupants of the premises adjoining the site shall be notified, in writing, at least seven days prior to the commencement of remediation works.
- (b) Remediation work shall not be carried out within 4 metres of the base of a tree, or adversely affect the appearance, health or stability of a tree, where works affecting the tree require Council approval.
- (c) Remediation work shall not be undertaken on land containing an item of environmental heritage where the consent of Council is required.
- (d) A covenant being registered on the title of the land giving notice of the former use and contamination of the site and the existence of the encapsulated cells containing contaminated material.
- (e) A covenant being registered on the title of the land binding the owners and future owners to be responsible for ongoing maintenance and any future rehabilitation works required in terms of the encapsulated materials, including the discharge or prevention of discharge there from any contaminants or for any works required by the NSW Environment Protection Authority (EPA).

52. SITE CONTAMINATION - VALIDATION REPORT

- (a) After completion of the remedial works, a copy of the Validation Report shall be submitted to Council. The Construction Certificate shall not be issued until Council approves this Validation Report. The report shall be prepared with reference to the NSW

Environment Protection Authority (EPA) guidelines, Consultants Reporting on Contaminated Sites and shall include:

- (b) Description and documentation of all works performed;
- (c) Results of validation testing and monitoring;
- (d) Validation results of any fill imported on to the site;
- (e) Details of how all agreed clean-up criteria and relevant regulations have been complied with; and
- (f) Clear justification as to the suitability of the site for the proposed use and the potential for off-site migration of any residual contaminants.

53. REMEDIATION WORKS REQUIRED

All exposed areas shall be progressively stabilised and revegetated on the completion of remediation works. Remediation work must only be undertaken between the hours of 7am and 5pm on Mondays to Fridays and 8am and 1pm on Saturdays with no work to be carried out on Sundays or public holidays.

54. HAZARDOUS MATERIALS

A hazardous materials survey is to be carried out by a suitable qualified consultant/occupational hygienist prior to any demolition works.

Should any hazardous or intractable wastes arising from the above survey be identified on site, it must be handled, removed and disposed of in accordance with the requirements NSW WorkCover Authority and the DECC, and in accordance with the provisions of:

- (a) New South Wales Occupational Health and Safety Act, 2000;
- (b) The Occupational Health and Safety (Hazardous Substances) Regulation 2001;
- (c) The Occupational Health and Safety (Asbestos Removal Work) Regulation 2001;
- (d) Protection of the Environment Operations Act 1997 (NSW) and
- (e) DECC's Environmental Guidelines; Assessment, Classification and Management of Liquid and Non Liquid Wastes (1999).

55. CONTAMINATING MATERIAL REQUIRED TO BE REMOVED

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 (eg: 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. They shall also adopt work practices in accordance with the requirements of Safe Work Australia's National Standard for the Control of Inorganic Lead at Work (NOHSC: 1012 (1994) and NOHSC: 2015(1994).
- (c) All lead-contaminated materials being disposed of in accordance with the NSW Environment Protection Authority (EPA) Waste Classification Guidelines 2009 and the Protection of the Environment Operations Act 1997 (NSW).

56. CLASSIFICATION OF WASTE/ DISPOSAL OF EXCAVATED SOILS

That 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 2009. The classification of the material is essential to determine where the waste may be legally taken. The Protection of the Environment Operations Act 1997 provides for the commission of an offence for both the waste owner and the transporters if the waste is taken to a place that cannot lawfully be used as a waste facility for the particular class of waste. For the transport and disposal of industrial, hazardous or Group A liquid waste advice should be sought from the NSW EPA.

57. USE OF FILL ON SITE

All fill imported on to the site shall be validated to ensure the imported fill is suitable for the proposed land use from a contamination perspective. Fill imported onto the site shall also be compatible with the existing soil characteristics for site drainage purposes.

Council may require details of appropriate validation of imported fill material to be submitted with any application for future development of the site. Hence all fill imported on to the site should be validated by either one or both of the following methods during remediation works;

- (a) Imported fill should be accompanied by documentation from the supplier which certifies that the material is not contaminated based upon analyses of the material for the known past history of the site where the material is obtained; and/or
- (b) Sampling and analysis of the fill material should be conducted in accordance with the DECC Sampling Design Guidelines (1995) to ensure that the material is not contaminated.

58. HAZARDOUS MATERIALS AUDIT

A Hazardous Materials Audit (HMA) must be carried out by a suitably qualified practitioner prior to site demolition (where remediation of the site is required). The HMA must assess the presence of structural and residual building materials that may be of environmental concern. The HMA must also ensure that hazardous materials that may have been used within the structural components of all buildings are adequately addressed to protect site personnel from risk of exposure.

59. SITE HEALTH & SAFETY PLAN

A Site Health & Safety Plan is to be prepared prior to the commencement of remediation works by a person competent to do such Plan. All works are to be carried out in accordance with this Plan. This Plan shall include:

- (a) hazard identification and control
- (b) site security
- (c) personal protective equipment
- (d) work zones and decontamination procedures
- (e) contingency plans and incident reporting environmental monitoring

Any new information which comes to light during remediation, demolition or construction works which has the potential to alter previous conclusions about site contamination shall be notified to the Council and the Principal Certifying Authority immediately.

CONSTRUCTION MATTERS

60. FINISHED FLOOR LEVEL OF ANY NEW BUILDING

The minimum floor level of the habitable levels of the new building must be constructed at a level no lower than 16.045 m AHD. The floor level must be certified by a registered surveyor prior to placing of the concrete floor slab or installation of flooring (where there is no slab).

61. 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*.

62. 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.

63. 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, clause 162A of the *Environmental Planning and Assessment Regulation 2000* and the requirements of any other applicable legislation or instruments.

64. 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.

65. 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.

66. WORK OUTSIDE PROPERTY BOUNDARY

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

67. AWNINGS

- (a) Awnings shall be a minimum of 3.5m above the footpath level and offset a minimum of 600mm behind the kerb.
- (b) Awnings shall provide cut outs for to allow for existing and future tree growth for the street trees.
- (c) Awnings to be provided to the Hall Street frontage for the entire width of the site.

TREE PROTECTION AND REMOVAL

68. 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.

69. STREET TREES TO BE RETAINED/TREE PROTECTION

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.

TPZ – A 1.8m chain link wire fence or the like shall be erected around the above trees to be retained to protect them from damage during construction. Fencing is not to be removed until all building work has been completed. Fencing to be installed to the dimensions outlined in the table above.

Soil levels are not to be changed around any trees.

To prevent compaction within the root zone, excavation undertaken within the specified radius of the trunks of the following trees must be hand dug. Beyond this radius, mechanical excavation is permitted, when root pruning by hand along the perimeter line of such works is completed. Any hand excavation must be carried out in the presence of experienced Arborist/Horticulturist (with a minimum of the Horticulture Certificate or Tree Surgery Certificate).

If any tree roots are exposed during any approved works then roots smaller than 30mm are to be pruned as per the specifications below. Any roots greater than 30mm are to be assessed by a qualified arborist before any pruning is undertaken.

If tree roots are required to be removed for the purposes of constructing the approved works they shall be cut cleanly by hand, by an experienced Arborist/Horticulturist (with a minimum of the Horticulture Certificate or Tree Surgery Certificate).

It is the 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.

If any trees 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.

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

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

CERTIFICATION AND LICENCES

70. 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.

71. CERTIFICATION OF BASIX COMMITMENTS

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

72. CERTIFICATION OF APPROVED DESIGN

In accordance with the Environmental Planning and Assessment Regulations 2000, 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.

73. CERTIFICATION OF BASIX COMMITMENTS

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

74. CERTIFICATION OF LANDSCAPING

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

75. WORKS-AS-EXECUTED DRAWINGS – STORMWATER DRAINAGE SYSTEM

(a) A Works-As-Executed drawing (WAED) of the stormwater drainage system must be prepared, stamped and signed by a Registered Surveyor. This drawing must detail the alignment of all pipelines, pits, the detention facility and other drainage related infrastructure. An original or a colour copy must be submitted to Waverley Council.

Where changes have occurred, the Council approved plans shall be marked-up in red ink and shall include levels and location for the drainage structures and works.

- (b) A suitably qualified and practising Engineer must provide certification of the WAED of the stormwater drainage system that the stormwater drainage works were constructed to their satisfaction and in accordance with the Development Consent, Water Management Technical Manual, all applicable Codes, Policies, Plans, Standards and good engineering practice. A copy of the aforementioned letter of certification must be submitted to Council.

76. CREATION OF POSITIVE COVENANT – OSD AND FLOOD REQUIREMENTS

Prior to the issue of an Occupation Certificate, a “Positive Covenant” and “Restriction on the Use of Land” shall be created for any On-Site Stormwater Detention (OSD) system and also the Flooding Requirements for the site (as detailed in conditions 29, 60 and 93), under Section 88E of the Conveyancing Act 1919. This is to place a restriction on the Title that the OSD system is maintained and kept free of debris/weed to allow unobstructed passage of stormwater through the site and underneath the residence. The property owner/occupant shall not modify or remove the OSD system without consent from Council.

The wording of the Instrument shall be submitted to and approved by Executive Manager, Infrastructure Services (or delegate) of Council, prior to lodgement at NSW Land Registry Services.

Where a Title exists, the Positive Covenant and Restriction on the Use of Land is to be created via an application to the NSW Land Registry Services using forms 13PC and 13RPA. Accompanying this form is the requirement for a plan to scale showing the relative location of the OSD system, including its relationship to the building footprint. Electronic colour photographs of the OSD system shall accompany the application for the Positive Covenant and Restriction on the Use of Land.

The Instrument shall be registered and a registered copy of the document shall be submitted to and approved by the consent authority prior to the issue of an Occupation Certificate or use of the building. All associated costs shall be borne by the applicant.

77. PLANNED PREVENTATIVE MAINTENANCE SCHEDULE FOR PUMP OUT SYSTEM

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

78. CREATION OF SITE FLOOD EMERGENCY RESPONSE PLAN

Before occupation or prior to the issue of any Occupation Certificate, a site flood emergency response plan must be prepared, and any required flood warning system must be installed and fully tested. A copy of this plan must be submitted to the Private Certifier and to Waverley Council.

Certification from a suitably qualified engineer to the effect that this plan has been prepared and where required, the flood warning system has been installed and tested, must be included with the Occupation Certificate.

79. CERTIFICATION OF PUBLIC INFRASTRUCTURE WORKS

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

80. WORK-AS-EXECUTED PLAN – PUBLIC DOMIAN

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

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

80A. 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.

[ADDED DA-306/2021/B]

81. ACOUSTIC REPORT RECOMMENDATIONS

The "recommendations" as outlined in various sections of the acoustic report prepared by Renzo Tonin & Associates **[Reference No. TM461-01F02 Acoustic Assessment for DA (r1) dated 1 December 2021 shall be implemented.**

82. CERTIFICATION OF ACOUSTIC PERFORMANCE

An acoustic report/certificate prepared by a suitably qualified acoustic consultant is to be submitted to the Principal Certifying Authority and the Council, certifying that all acoustic conditions of consent (including the operational conditions) as well as the recommendations made in the acoustic report have been satisfied

83. REFRIGERATION UNITS & MECHANICAL PLANT

Air conditioning units, refrigeration motors/units and other mechanical plant 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.

84. MECHANICAL VENTILATION SYSTEMS

The premises are to be ventilated in accordance with the requirements of the Building Code of Australia & relevant Australia Standards.

85. CERTIFICATION OF ALL MECHANICAL PLANT

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

86. 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.

87. WAVERLEY DIGITAL MODEL

Prior to the issue of an Occupation Certificate an accurate 'as built' digital model of the building must be submitted to Council's Waverley Futures Department for use in the Waverley Digital Model.

- (a) A digital model of the building must be generated at a scale of 1:1 with units of measurement in metres and include the following:
 - (i) a building envelope which includes all elements affecting shadow analysis;
 - (ii) accurate placement of glazing, balconies, roof pitches, terraces, roof services and any other prominent external design features;
 - (iii) a ground level terrain showing accurate RLs extending to site boundaries.
- (b) All models must be generated in accordance with Council's Guidelines: Submitting Digital 3D Models. Further information and technical requirements can be obtained from Council's E-Planning (3D Modelling / Urban Design) Officer.

Notes:

- This model will update previous version/s submitted at Development Application stage.

- Any future modifications (under Section 4.55 of the Environmental Planning and Assessment Act) that affect the external configuration of the building (from the ground level and up), will require the submitted model to be amended.

MANAGEMENT PLANS

88. PLAN OF MANAGEMENT - WASTE AND RECYCLING STORAGE

A Waste Management Plan must be submitted and approved by **Council's Executive Manager, Environmental Sustainability (or delegate)** prior to the issue of an Occupation Certificate and include the following where relevant.

- (a) All arrangements including relevant and current contracts for recyclables and all other waste (collection and disposal)
- (b) The waste storage area and bins must be cleaned and maintained regularly with appropriate lighting.
- (c) The role and responsibility of managing composting facilities (if provided).
- (d) Clear signage identifying the different bin types and storage area for bulky household waste and problem waste must be displayed.
- (e) The recycling bins must be placed alongside the general waste bins for ease of access and to encourage recycling habits.
- (f) 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.
- (g) 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.
- (h) The occupant/body corporate shall be provided with at least one copy of the Waste Management Plan.
- (i) At no times shall bins be stored on the public domain (e.g. footpaths).
- (j) To ensure there is sufficient area on the footpath in front of the property for commercial/retail waste and recycling bins to be presented for the collection, commercial/retail waste and recycling collection must not occur on the same day as Council's scheduled residential waste/recycling collection day.
- (k) Sufficient arrangements must be in place to accommodate alternate days for waste/recycling collection for a mixed-use development where the combined bins from both premises (residential and commercial) exceed a total of 14 x 240Lbins, i.e.:
 - (a) commercial waste bins are collected on a different day to commercial recycling bins
 - (b) all commercial bins are collected on a different day to the residential waste/recycling collection day.

OTHER MATTERS

89. STREET NUMBERS

The redevelopment of the property has led to the following allocation of primary and sub-premises numbering:

- No. 37 Hall Street - primary address site number and location.

The primary premises number for the property shall be a minimum of 75mm high and shall be positioned 600mm-1500mm above ground level and be clearly visible on the site boundary that fronts Hall Street.

- Shop G1 and Shop G2 for the commercial sub-address sites within the building correlating with retail lots 1 and 2 on the floor plans for the building,
- Nos. 3-18 for the residential sub-address site within the building correlating with Nos. 1-16 on the floor plans for the building.

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

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.

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.

E. OPERATIONAL MATTERS

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

GENERAL MATTERS

90. 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.

91. NOISE EMISSIONS

- (a) The use of the premises shall not give rise to the transmission of "Offensive noise" as defined in the Protection of the Environment Operations Act 1997 to any place of different occupancy.
- (b) A sound pressure level at any affected premises that exceeds the background (LA90) noise level in the absence of the noise under consideration by more than 5dB(A). The background noise level must be measured in the absence of noise emitted from the use in accordance with Australian Standard 1055.

92. NOISE - MECHANICAL PLANT (COMMERCIAL PREMISES)

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.

AMENITY & SAFETY

93. ONGOING FLOODING REQUIREMENTS

- (a) Materials which may be damaged by flood waters, materials which may be mobilised during flooding and materials which may cause pollution must be stored above 16.045 m AHD.
- (b) There must be no modifications made to flood compatible fencing.
- (c) The site flood emergency response warning systems and plan are to be regularly maintained, reviewed and/or updated and should be in good working order at all times.

94. WASTE MANAGEMENT PLAN REVIEW

After 5 years of operation under this development consent, the Approved Waste Management Plan is to be reviewed to ensure that the details including contracts, roles and responsibilities, commercial tenants (if relevant) are current. The updated plan is to supersede the previous plan.

PARKING AND ACCESS

95. 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.

96. PARKING PERMITS

Occupants of the building are not to be eligible for resident parking permits under Council's Residents Preferential Parking Permits scheme.

ADVISORY MATTERS

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

AD1. POST CONSENT CONDITIONS REQUIRING COUNCIL INPUT

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

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

AD2. SYDNEY WATER REQUIREMENTS

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

Contact Sydney Water for more information.

AD3. DIAL BEFORE YOU DIG

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

in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial Before You Dig service in advance of any construction or planning activities.

AD4. TELECOMMUNICATIONS ACT 1997 (COMMONWEALTH)

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

AD5. EXCAVATION TO BE LIMITED

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

AD6. BONDI - ROSE BAY SAND BODY

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

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

AD7. SEPARATE APPLICATIONS FOR USE/FIT OUT

Specific development applications are to be lodged for the approval of Council in connection with the initial usage of any retail or commercial areas within the development, prior to the occupation of the premises, unless otherwise permitted under SEPP (Exempt and Complying Development Codes) 2008.

AD8. FOOD PREMISES

The fitout of the any food premise must be in accordance with the *Waverley Council Policy for Fit-out and Construction of Food Premises* available on Council's website, as well as any other relevant legislation.

https://www.waverley.nsw.gov.au/building/compliance_and_regulations/environmental_health_regulations/food_safety

AD9. SEPARATE APPLICATION FOR SIGNAGE

No signage has been proposed in this application, therefore any advertising or signage requires the separate approval from Council, unless deemed Exempt Development under Division 2 of the SEPP (Exempt and Complying Development) 2008.

AD10. 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. .

AD11. PUBLIC UTILITIES AND SERVICE ALTERATIONS

Any utility services and all public infrastructure which require alteration due to works associated with the development, both internally and externally of the development boundary, shall be altered at the Applicant's expense. This includes both temporary and permanent alterations. Upon notifying Council, the Applicant must comply with the requirements (including financial costs) of the relevant utility service provider (e.g. Ausgrid, Sydney Water, Telstra, RMS or similar) in relation to any connections, repairs, relocations, replacements and/or adjustments to public infrastructure or services affected by the proposed works.

Written approval from the applicable Public Authority shall be submitted to Council along with the Public Domain design plans submission.

AD12. SYDNEY WATER ADVISORY

Water Servicing

- Potable water servicing should be available via a 100mm CI/CL watermain (laid in year) on Hall Street.
- Amplifications, adjustments, and/or minor extensions may be required.

Wastewater Servicing

- Wastewater servicing should be available via a 225mm VC wastewater main (laid in 1978) at the rear of the property.
- Adjustments to the 225mm wastewater main may be required. Further details will be provided if or when the application is referred to Sydney Water for a Section 73.

AD13. 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.

AD14. SYDNEY WATER - BUILDING PLAN APPROVAL

The approved plans must be submitted to the Sydney Water Tap in™ online service to determine whether the development will affect any Sydney Water sewer or water main, stormwater drains and/or easement, and if further requirements need to be met.

The Tap in™ service provides 24/7 access to a range of services, including:

- building plan approvals
- connection and disconnection approvals
- diagrams
- trade waste approvals
- pressure information
- water meter installations
- pressure boosting and pump approvals
- changes to an existing service or asset, e.g. relocating or moving an asset.

Sydney Water's Tap in™ online service is available at:

<https://www.sydneywater.com.au/SW/plumbing-building-developing/building/sydney-water-tap-in/index.htm>

Sydney Water recommends developers apply for Building Plan approval early as in some instances the initial assessment will identify that an Out of Scope Building Plan Approval will be required.

AD15. OUTDOOR DINING

Any proposal to utilise an area external of the building for dining will be subject to a separate application to Council and if approved will require the applicant and/or owners to sign a lease agreement.

AD16. 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.

AD17. SITE RECTIFICATION WORKS

The vacant site is to be maintained in a safe and secure manner. Fencing is to be erected around the perimeter 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 6 months (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:

- (iii) Require certain works including but not limited to:
 - (e) make the building/site safe and of an appearance acceptable to Council.
 - (f) Allow the ground level to be landscaped and of an appearance acceptable to Council from any public vantage point; or
 - (g) For the hole to be covered to allow it to be landscaped and made attractive from any public vantage point.
 - (h) AND to call on such bank guarantee to cover the cost thereof.
- (iv) 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.

Dictionary

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

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

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

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

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

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

Council means Waverley Council.

Court means the Land and Environment Court of NSW.

EPA means the NSW Environment Protection Authority.

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

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

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

Local planning panel means Waverley Local Planning Panel.

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

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

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

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

the controlled release of stormwater, and
connections to easements and public stormwater systems.

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

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

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

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

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

PROJECT
 THIRTEEN NEW APARTMENTS, TWO RETAIL TENANCIES AND
 ASSOCIATED LANDSCAPING WORKS
35-37 Hall Street,
BONDI BEACH, NSW 2026

DRAWING LIST

DA 0000	COVERPAGE
DA 1000	SITE CONTEXT
DA 1001	SITE ANALYSIS PLAN
DA 1002	SITE & ROOF PLAN
DA 2000	BASEMENT PLAN
DA 2001	GROUND FLOOR PLAN
DA 2002	LEVEL 1 FLOOR PLAN
DA 2003	LEVEL 2 FLOOR PLAN
DA 2004	LEVEL 3 FLOOR PLAN
DA 2005	ROOF PLAN
DA 3000	ELEVATION EAST & WEST
DA 3001	ELEVATION NORTH & SOUTH
DA 3100	SECTION A
DA 3101	SECTION B & C
DA 6000	EXTERNAL FINISHES
DA 6001	PHOTOMONTAGE - HALL STREET LOOKING NORTH-WEST
DA 9000	GFA CALCULATION
DA 9001	LANDSCAPE AREA CALCULATION
DA 9002	HEIGHT PLANE DIAGRAM
DA 9100	SOLAR ACCESS & CROSS VENTILATION
DA 9101	VIEWS FROM THE SUN 9am-12pm
DA 9102	VIEWS FROM THE SUN 1pm-3pm
DA 9200	WASTE MGT PLAN
DA 9201	NOTIFICATION PLAN
DA 9203	PRE AND POST ADAPTABLE APARTMENTS - UNIT 1
DA 9204	PRE AND POST ADAPTABLE APARTMENTS - UNIT 2
DA 9205	PRE AND POST ADAPTABLE APARTMENTS - UNIT 3
DA 9206	PRE AND POST ADAPTABLE APARTMENTS - UNIT 4
DA 9301	ARCADE STUDY - FLOOR PLAN
DA 9302	ARCADE STUDY - SHEET 1
DA 9303	ARCADE STUDY - SHEET 2
DA 9304	COURTYARD

SCHEDULE OF CHANGES
 RELATIVE TO DA306/2021
 RESPONSE TO COUNCIL REQUESTED CHANGES "TWO WEEKS AGO"

- CORNER OF FACADE TO HALL STREET STEPPED BACK 1.2M.
- APARTMENTS 9 & 10 UPDATED TO SINGLE LEVEL DWELLINGS.
- APARTMENTS 9 & 10 ELEVATIONS UPDATED TO REFLECT AMENITY.
- APARTMENTS 4, 8 & 13 WIDTHS UPDATED.
- LINK PILLAR CABINET ADDED TO GROUND FLOOR - HALL STREET.
- SLIDING DOORS AT GROUND FLOOR FACING HALL STREET AMENDED.
- SKYLIGHTS REMOVED

REV E
SCHEDULE OF CHANGES
 S4.55 APPLICATION
 NO CHANGE TO SHEET



RECEIVED
Waverley Council
 Receipt No: DA-306/2021/B
 Date Received: 30/04/2024



REV	DESCRIPTION	DATE	ALL CONSTRUCTION TO COMPLY AT MINIMUM W/ BCA CLAUSES & AUSTRALIAN STANDARDS	ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART CLAUSES 4 & AS 1680 BALUSTRADE HEIGHTS: TO COMPLY WITH BCA CLAUSE D2.16 DRAINAGE GUTTERS & DOWNPIPES: TO COMPLY WITH AS/NZS 3600 3.2 ENERGY EFFICIENT LIGHTING: TO COMPLY WITH 2.7 OF BCA	BASIX COMMITMENTS (ALL OTHER BASIX COMMITMENTS AS PER BASIX CERTIFICATE AND STAMPED PLANS)	HEATING: 1 Phase, EER 3.0-3.5	NOTES:	ARCHITECT:	DRAWING TITLE:	SCALE:	DRAWN BY:	CHECKED:	
A	DEVELOPMENT APPLICATION	20/07/21	CLAUSE B 1.4 MATERIAL & FORMS CONSTRUCTIONS SPEC C 1.1 FIRE RESISTING CONSTRUCTION SPEC C 1.10 FIRE HAZARD PROPERTIES SPEC C 1.11 PERFORMANCE OF EXTERNAL WALLS IN A FIRE SPEC C 1.2 VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL SPEC C 1.3 SEPARATION OF EQUIPMENT SPEC C 1.4 ELECTRICAL SUPPLY SYSTEM SPEC C 1.5 ACCEPTABLE METHODS OF PROTECTION (OF OPENINGS) SPEC C 1.6 OPENING FOR SERVICE INSTALLATIONS SPEC C 1.7 DISCHARGE FROM EXITS SPEC C 1.8 INSTALLATIONS IN EXITS AND PATHS OF TRAVEL SPEC C 1.9 GOINGS AND RISERS SPEC C 1.10 LANDINGS SPEC C 1.11 THRESHOLDS SPEC C 1.12 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 D3.4 IDENTIFICATION OF ACCESSIBLE FACILITIES/FEATURES CLAUSE D3.5 TACTILE INDICATORS CLAUSE D3.6 WATERPROOFING OF WET AREAS CLAUSE D3.7 DAMP PROOFING CLAUSE D3.8 CONSTRUCTION OF SANITARY COMPARTMENTS PART F4 LIGHTING AND VENTILATION CLAUSE F4.4 SOUND INSULATION OF FLOORS CLAUSE F5.5 SOUND INSULATION OF WALLS CLAUSE F5.8 SOUND INSULATION OF SERVICES CLAUSE F5.7 SOUND INSULATION OF PUMPS	WATER OPTIONS SHOWERHEADS: 4 STAR TOILETS: 3 STAR CLOTHES WASHERS: N/A 5 STAR KITCHEN TAPS: 3 STAR BATHROOM TAPS: 3 STAR DISHWASHERS: 3 STAR RAIN WATER TANK: N/A POOL/SPA: 343 lph COLLECT RAIN OFF AREA LANDSCAPED AREA TO IRRIGATE: 89 lph	VENTILATION: ENERGY EFFICIENT LIGHTING: COOK TOPS: REFRIGERATOR SPACE: CLOTHES DRYING LINES: ALTERNATIVE SUPPLY: POOLS/SPA:	Individual fan ducted to outside or roof 6 Star Gas Instantaneous N/A Gas Cooktop N/A Dryer N/A N/A	EX FLL RL --- ---	MHNDUNION 35 RICHARDS LANE SURRY HILLS SYDNEY NSW 2010 T +61 2 9101 1111 F +61 2 9101 1100 www.mhndu.com	COVERPAGE	25/03/24	MHN	BW
B	RESPONSE TO DEFERRAL LETTER	11/11/21											
C	AMENDED ARCH DRAWINGS	29/03/21											
D	RESPONSE TO COUNCIL CHANGES	02/08/22											
E	S4.55 APPLICATION	25/03/24											



RECEIVED
Waverley Council
Receipt No: DA-306/2021/B
Date Received: 30/04/2024

SITE



REV	DESCRIPTION	DATE
A	DEVELOPMENT APPLICATION	20/07/21
B	RESPONSE TO DEFERRAL LETTER	11/11/21
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ALL CONSTRUCTION TO COMPLY AT MINIMUM W/ BCA CLAUSES & AUSTRALIAN STANDARDS
 CLAUSE B 1.4 MATERIAL & FORMS CONSTRUCTIONS
 SPEC C 1.1 FIRE RESISTING CONSTRUCTION
 SPEC C 1.10 FIRE HAZARD PROPERTIES
 SPEC C 1.11 PERFORMANCE OF EXTERNAL WALLS IN A FIRE
 CLAUSE C 2.6 VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL
 CLAUSE C 2.12 SEPARATION OF EQUIPMENT
 CLAUSE C 2.13 ELECTRICITY SUPPLY SYSTEM
 CLAUSE C 3 ACCEPTABLE METHODS OF PROTECTION (OF OPENINGS)
 CLAUSE C 3.1 OPENING FOR SERVICE INSTALLATIONS
 CLAUSE C 3.16 DISCHARGE FROM EXITS
 CLAUSE C 3.2 INSTALLATIONS IN EXITS AND PATHS OF TRAVEL
 CLAUSE C 2.14 LANDINGS
 CLAUSE C 2.15 THRESHOLDS
 CLAUSE C 2.16 BALUSTRADES
 CLAUSE D 2.17 HANDRAILS
 CLAUSE D 2.21 OPERATION OF LATCH
 CLAUSE D 2.23 SIGNS ON DOORS
 CLAUSE D 3.2 GENERAL BUILDING ACCESS REQUIREMENTS
 CLAUSE D 3.3 PARTS OF BUILDING TO BE ACCESSIBLE
 CLAUSE D 3.4 IDENTIFICATION OF ACCESSIBLE FACILITIES/FEATURES
 CLAUSE D 3.8 TACTILE INDICATORS
 CLAUSE D 3.9 WATERPROOFING OF WET AREAS
 CLAUSE F 1.10 DAMP PROOFING
 CLAUSE F 1.11 CONSTRUCTION OF SANITARY COMPARTMENTS
 PART F 4.1 LIGHTING AND VENTILATION
 CLAUSE F 4.4 SOUND INSULATION OF FLOORS
 CLAUSE F 5.4 SOUND INSULATION OF WALLS
 CLAUSE F 8 SOUND INSULATION OF SERVICES
 CLAUSE F 5.7 SOUND INSULATION OF PUMPS

ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART CLAUSES 4 & AS 1680
 BALUSTRADE HEIGHTS: TO COMPLY WITH BCA CLAUSE D 2.16
 DRAINAGE GUTTERS & DOWNPIPES: TO COMPLY WITH AS/NZS 2600 3.2
 ENERGY EFFICIENT LIGHTING: TO COMPLY WITH 2.2 OF BCA
 FIRE SERVICES: TO COMPLY WITH SECTION E OF BCA
 HOT WATER SYSTEMS: TO COMPLY WITH PART 2 OF BCA
 MASONRY: TO COMPLY WITH AS 3700
 MECHANICAL/ELECTROMECHANICAL: TO COMPLY WITH AS 1568 & AS 1569
 MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH PART 25 OF BCA
 MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH AS 1568 & AS 1569
 SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE & SPEC E 2.2 & AS 1569
 PENETRATIONS THROUGH FIRE RATED CONSTRUCTION FOR MECH/ELECTRICAL PENETRATIONS TO COMPLY WITH BCA CLAUSE C 3.15 & AS 1530 4.2.005
 STAR CONSTRUCTION: TO COMPLY WITH PARTS OF BCA
 WATERPROOFING OF WET AREAS: TO COMPLY WITH AS 3740

BASIX COMMITMENTS (ALL OTHER BASIX COMMITMENTS AS PER BASIX CERTIFICATE AND STAMPED PLANS)
 WATER OPTIONS
 SHOWERHEADS: 4 STAR
 TOILETS: 3 STAR
 NA STAR
 KITCHEN TAPS: 3 STAR
 BATHROOM TAPS: 3 STAR
 DISHWASHERS: 3 STAR
 RAIN WATER TANK: 3000 L
 POOL/SPA: N/A
 COLLECT RAIN OFF AREA: 343 sqm
 LANDSCAPED AREA TO IRRIGATE: 89 sqm
 ENERGY OPTIONS
 COOLING: 1 Phase, EER 2.5-3.0

HEATING: 1 Phase, EER 3.0-3.5
 VENTILATION:
 WATER HEATING: Individual fan ducted to outside or roof
 ENERGY EFFICIENT LIGHTING: 6 Star Gas Instantaneous
 COOK TOPS: N/A
 REFRIGERATOR SPACE: N/A
 CLOTHES DRYING LINES: Dryer
 ALTERNATIVE SUPPLY: N/A
 POOL/SPA: N/A

NOTES:
 EX EXISTING
 FFL RL OF FINISHED FLOOR LEVEL
 RL REDUCED LEVEL
 BOUNDARY EX BUILDING TO BE DEMOLISHED
 COUNCIL CONTROLS
 75

ARCHITECT:
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 MHN Design Union Pty Ltd, ABN 94 003 717 682
 Nominated Architect
 NSW Registration Number 4907

DRAWING TITLE:
SITE CONTEXT
 PROJECT ADDRESS:
35-37 Hall St, BONDI BEACH 2026

SCALE: NTS
 ISSUE DATE: 25/03/24
 PROJECT NUMBER: 20-055
 DRAWN BY: MHN
 CHECKED: BW
 REVISION: E
 DWG NUMBER: DA 1000
 REF: B:\moud\2026 - BM\moud Basic for Arch\2026-055-35-37 Hall St, Bondi Beach - S4.55



REV	DESCRIPTION	DATE
A	DEVELOPMENT APPLICATION	20/07/21
B	RESPONSE TO DEFERRAL LETTER	11/11/21
C	AMENDED ARCH DRAWINGS	29/03/21
D	RESPONSE TO COUNCIL CHANGES	02/08/22
E	S4.55 APPLICATION	25/03/24

ALL CONSTRUCTION TO COMPLY AT MINIMUM W/ BCA CLAUSES & AUSTRALIAN STANDARDS

CLAUSE B 1.4 MATERIAL & FORMS CONSTRUCTIONS
SPEC C 1.1 FIRE RESISTING CONSTRUCTION
SPEC C 1.10 FIRE HAZARD PROPERTIES
CLAUSE C 1.1 PERFORMANCE OF EXTERNAL WALLS IN A FIRE
CLAUSE C 1.2 VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL
CLAUSE C 1.3 SEPARATION OF EQUIPMENT
CLAUSE C 1.3.1 ELECTRICITY SUPPLY SYSTEM
CLAUSE C 1.3.2 ACCEPTABLE METHODS OF PROTECTION (OF OPENINGS)
CLAUSE C 1.3.3 OPENING FOR SERVICE INSTALLATIONS
CLAUSE C 1.3.4 OPENING IN FIRE ISOLATED EXITS
CLAUSE C 1.3.5 INSTALLATIONS IN EXITS AND PATHS OF TRAVEL
CLAUSE C 1.3.6 GOINGS AND RISERS
CLAUSE C 1.4 LANDINGS
CLAUSE C 1.5 THRESHOLDS
CLAUSE C 1.6 BALUSTRADES

CLAUSE D 2.17 HANDRAILS
CLAUSE D 2.21 OPERATION OF LATCH
CLAUSE D 2.23 SIGNS ON DOORS
CLAUSE D 3.2 GENERAL BUILDING ACCESS REQUIREMENTS
CLAUSE D 3.3 PARTS OF BUILDING TO BE ACCESSIBLE
CLAUSE D 3.4 IDENTIFICATION OF ACCESSIBLE FACILITIES/FEATURES
CLAUSE D 3.5 TACTILE INDICATORS
CLAUSE D 3.6 WATERPROOFING OF WET AREAS
CLAUSE F 1.8 F1.10 DAMP PROOFING
CLAUSE F 2.5 CONSTRUCTION OF SANITARY COMPARTMENTS
PART F 4 LIGHTING AND VENTILATION
CLAUSE F 4.4 SOUND INSULATION OF FLOORS
CLAUSE F 5.4 SOUND INSULATION OF WALLS
CLAUSE F 5.8 SOUND INSULATION OF SERVICES
CLAUSE F 5.7 SOUND INSULATION OF PUMPS

ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART CLAUSES 4 & AS 1680
BALUSTRADE HEIGHTS: TO COMPLY WITH BCA CLAUSE D2.16
DRAINAGE GUTTERS & DOWNPIPES: TO COMPLY WITH AS/NZS 2600 3.2
ENERGY EFFICIENT GLAZING: TO COMPLY WITH J2 OF BCA
FIRE SERVICES: TO COMPLY WITH SECTION E OF BCA
HOT WATER SYSTEMS: TO COMPLY WITH PART J1 OF BCA
MASONRY: TO COMPLY WITH AS 3700
MECHANICAL/ELECTROMECHANICAL: BCA CLAUSE C3.16 & AS 1530 4-2005
MECHANICAL AIR CONDITIONING: TO COMPLY WITH PART J5 OF BCA
MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH AS 1969 & AS 1530
SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE & SPEC E2.2 & AS 1530
PENETRATIONS: THROUGH FIRE RATED CONSTRUCTION FOR MECH/ELECTRICAL PENETRATIONS TO COMPLY WITH BCA CLAUSE C3.15 & AS 1530 4-2005
SOUND TRANSMISSION: TO COMPLY WITH PARTS OF BCA
STAR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13
WATERPROOFING OF WET AREAS: TO COMPLY WITH AS 3740

BASIX COMMITMENTS (ALL OTHER BASIX COMMITMENTS AS PER BASIX CERTIFICATE AND STAMPED PLANS)

WATER OPTIONS
SHOWERHEADS: 4 STAR
TOILETS: 3 STAR
CLOTHES WASHERS: N/A STAR
KITCHEN TAPS: 3 STAR
BATHROOM TAPS: 3 STAR
DISHWASHERS: 3 STAR
RAIN WATER TANK: 3000 L
POOL/SPA: N/A
COLLECT RAIN OFF AREA: 343 sqm
LANDSCAPED AREA TO IRRIGATE: 89 sqm

ENERGY OPTIONS
COOLING: 1 Phase, EER 2.5-3.0

HEATING: 1 Phase, EER 3.0-3.5

VENTILATION:
WATER HEATING: Individual fan ducted to outside or roof
ENERGY EFFICIENT LIGHTING: 6 Star Gas Instantaneous
COOK TOPS: Gas Cooktop
REFRIGERATOR SPACE: N/A
CLOTHES DRYING LINES: Dryer
ALTERNATIVE SUPPLY: N/A
POOLS/SPA: N/A

NOTES:
EX EXISTING
FRL RL OF FINISHED FLOOR LEVEL
RL REDUCED LEVEL
BOUNDARY EX BUILDING TO BE DEMOLISHED
COUNCIL CONTROLS

76

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www.mhndu.com

MHN Design Urban Pty Ltd. ABN 94 003 717 682 NSW Registration Number 4907

DRAWING TITLE:
SITE ANALYSIS PLAN

PROJECT ADDRESS:
35-37 Hall St, BONDI BEACH 2026

SCALE: NTS
ISSUE DATE: 25/03/24
PROJECT NUMBER: 20-055

DRAWN BY: MHN
CHECKED: BW
REVISION: E
DWG NUMBER: DA 1001

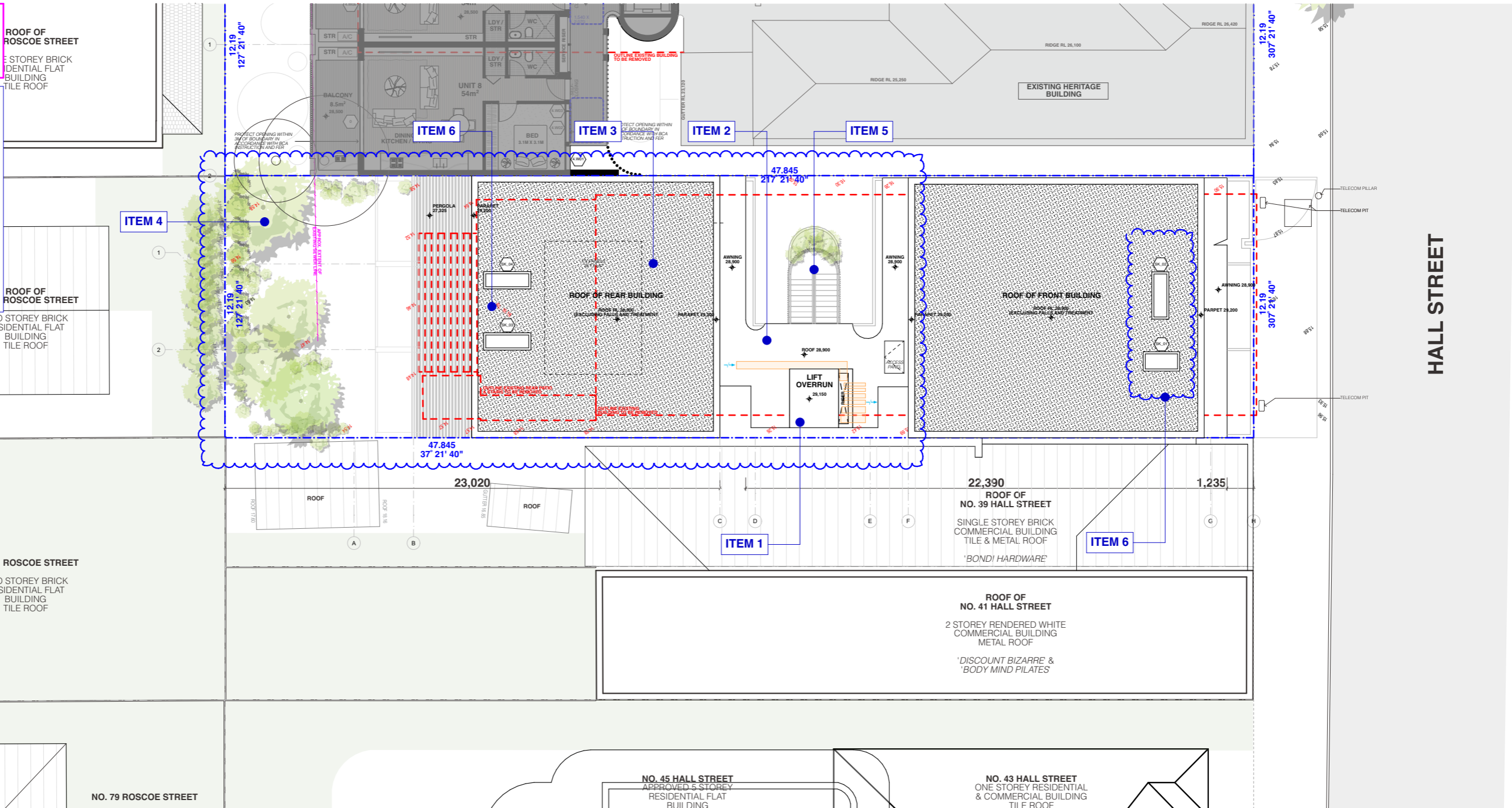


REV D
SCHEDULE OF CHANGES
 DA 306/2021
 RESPONSE TO COUNCIL REQUESTED CHANGES
 "TWO WEEKS AGO"

ITEM 1 SKYLIGHTS REMOVED

REV E
SCHEDULE OF CHANGES
 S4.55 APPLICATION

- ITEM 1** - LIFT RELOCATED
- ITEM 2** - NORTHERN BUILDING RAISED FROM RL27.350 TO RL28.900
- ITEM 3** - AC UNITS REMOVED FROM ROOF AND RELOCATED TO GROUND FLOOR
- ITEM 4** - LANDSCAPING TO NORTHERN BOUNDARY AMENDED
- ITEM 5** - CENTRAL FIRE STAIR RELOCATED + LANDSCAPING ADDED
- ITEM 6** - SKYLIGHTS ADDED TO ROOF



HALL STREET

RECEIVED
Waverley Council
 Receipt No: DA-306/2021/B
 Date Received: 30/04/2024

REV	DESCRIPTION	DATE
A	DEVELOPMENT APPLICATION	20/07/21
B	RESPONSE TO DEFERRAL LETTER	11/11/21
C	AMENDED ARCH DRAWINGS	29/03/21
D	RESPONSE TO COUNCIL CHANGES	02/08/22
E	S4.55 APPLICATION	25/03/24

ALL CONSTRUCTION TO COMPLY AT MINIMUM W/ BCA CLAUSES & AUSTRALIAN STANDARDS

CLAUSE B 1.4 MATERIAL & FORMS CONSTRUCTIONS
 CLAUSE C 1.1 FIRE RESISTING CONSTRUCTION
 SPEC C 1.10 FIRE HAZARD PROPERTIES
 CLAUSE C 1.11 PERFORMANCE OF EXTERNAL WALLS IN A FIRE
 CLAUSE C 1.2 VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL
 CLAUSE C 1.3 SEPARATION OF EQUIPMENT
 CLAUSE C 1.4 ELECTRICITY SUPPLY SYSTEM
 CLAUSE C 1.5 ACCEPTABLE METHODS OF PROTECTION (OF OPENINGS)
 CLAUSE C 1.6 OPENING FOR SERVICE INSTALLATIONS
 CLAUSE C 1.7 DISCHARGE FROM EXITS
 CLAUSE C 1.8 INSTALLATIONS IN EXITS AND PATHS OF TRAVEL
 CLAUSE C 1.9 GOINGS AND RISERS
 CLAUSE C 2.1 LANDINGS
 CLAUSE C 2.2 THRESHOLDS
 CLAUSE C 2.3 BALUSTRADES

CLAUSE D 2.17 HANDRAILS
 CLAUSE D 2.21 OPERATION OF LATCH
 CLAUSE D 2.23 SIGNS ON DOORS
 CLAUSE D 2.3 GENERAL BUILDING ACCESS REQUIREMENTS
 CLAUSE D 3.3 PARTS OF BUILDING TO BE ACCESSIBLE
 CLAUSE D 3.8 TACTILE INDICATORS
 CLAUSE D 3.9 WATERPROOFING OF WET AREAS
 CLAUSE F 1.10 DAMP PROOFING
 CLAUSE F 1.5 CONSTRUCTION OF SANITARY COMPARTMENTS
 PART F 4.1 LIGHTING AND VENTILATION
 CLAUSE F 4.4 SOUND INSULATION OF FLOORS
 CLAUSE F 5.4 SOUND INSULATION OF WALLS
 CLAUSE F 5.8 SOUND INSULATION OF SERVICES
 CLAUSE F 5.7 SOUND INSULATION OF PUMPS

ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART CLAUSES 4.4 & 4.5 1600 BALUSTRADE HEIGHTS: TO COMPLY WITH BCA CLAUSE D2.16
DRAINAGE GUTTERS & DOWNPIPES: TO COMPLY WITH ADNS 2600 3.2
ENERGY EFFICIENT LIGHTING: TO COMPLY WITH 2.2 OF BCA
FIRE SERVICES: TO COMPLY WITH SECTION E OF BCA
NOT WATER SYSTEMS: TO COMPLY WITH PART 21 OF BCA
MASONRY: TO COMPLY WITH AS1370
MECHANICAL/MECHANICAL: BCA CLAUSE C3.15 & AS1530 4-2005
MECHANICAL AIR CONDITIONING: TO COMPLY WITH PART 25 OF BCA
MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH AS1969 & AS162
SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE 8 & SPEC E2.2 & AS3796
SMOKE SERVICES: THROUGH FIRE RATED CONSTRUCTION FOR MECH
PENETRATIONS: THROUGH FIRE RATED CONSTRUCTION TO COMPLY WITH BCA CLAUSE C3.15 & AS1530 4-2005
SOUND TRANSMISSION: TO COMPLY WITH PARTS OF BCA
STAR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13
STAR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13
WATERPROOFING OF WET AREAS: TO COMPLY WITH AS1370

BASIX COMMITMENTS
 (ALL OTHER BASIX COMMITMENTS AS PER BASIX CERTIFICATE AND STAMPED PLANS)

WATER OPTIONS
 SHOWERHEADS: 4 STAR
 TOILETS: 3 STAR
 CLOTHES WASHERS: 3 STAR
 KITCHEN TAPS: 3 STAR
 BATHROOM TAPS: 3 STAR
 DISHWASHERS: 3 STAR
 RAIN WATER TANK: 3000 L
 POOL/SPA: N/A
 COLLECT RAIN OFF AREA: 343 sqm
 LANDSCAPED AREA TO IRRIGATE: 89 sqm

ENERGY OPTIONS
 COOLING: 1 Phase, EER 2.5-3.0

HEATING: 1 Phase, EER 3.0-3.5

VENTILATION:
 Individual fan ducted to outside or roof
 6 Star Gas Instantaneous
 N/A
 Gas Cooktop
 N/A
 Dryer
 N/A
 ALTERNATIVE SUPPLY:
 POOL/SPA: N/A

NOTES:

EX EXISTING
RL RL OF FINISHED FLOOR LEVEL
BL REDUCED LEVEL BOUNDARY
EX EX BUILDING TO BE DEMOLISHED
C COUNCIL CONTROLS

77

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MHN Design Urban Pty Ltd. ABN 04 003 717 682 NSW Registration Number 4907

DRAWING TITLE:
SITE & ROOF PLAN

PROJECT ADDRESS:
35-37 Hall St, BONDI BEACH 2026

SCALE: 1:200@A3
ISSUE DATE: 25/03/24
PROJECT NUMBER: 20-055

DRAWN BY: MHN
CHECKED BY: BW
REVISION: E
DWG NUMBER: DA 1002

REF: Mhndu-35-37-BMhndu Basic for Archical 2020-055-35-37 Hall St, Bondi Beach - S4.55



REV D
SCHEDULE OF CHANGES
 DA 306/2021
 RESPONSE TO COUNCIL REQUESTED
 CHANGES "TWO WEEKS AGO"

ITEM 1 LINK PILLAR CABINET ADDED
ITEM 2 DOORS AMENDED

REV E
SCHEDULE OF CHANGES
 S4.55 APPLICATION

ITEM 1 - CENTRAL FIRE STAIR
 RELOCATED + LANDSCAPING ADDED

ITEM 2 - WESTERN ARCADE FACADE
 AMENDED + GLAZING INTRODUCED

ITEM 3 - LANDSCAPING & RAMP TO
 SOUTHERN COURTYARD REMOVED +
 STAIRS ADDED

ITEM 4 - LANDSCAPING TO NORTHERN
 BOUNDARY AMENDED

ITEM 5 - A/C UNITS RELOCATED FROM
 ROOF TO UNDERSIDE OF REAR BUILDING
 TO THE NORTH

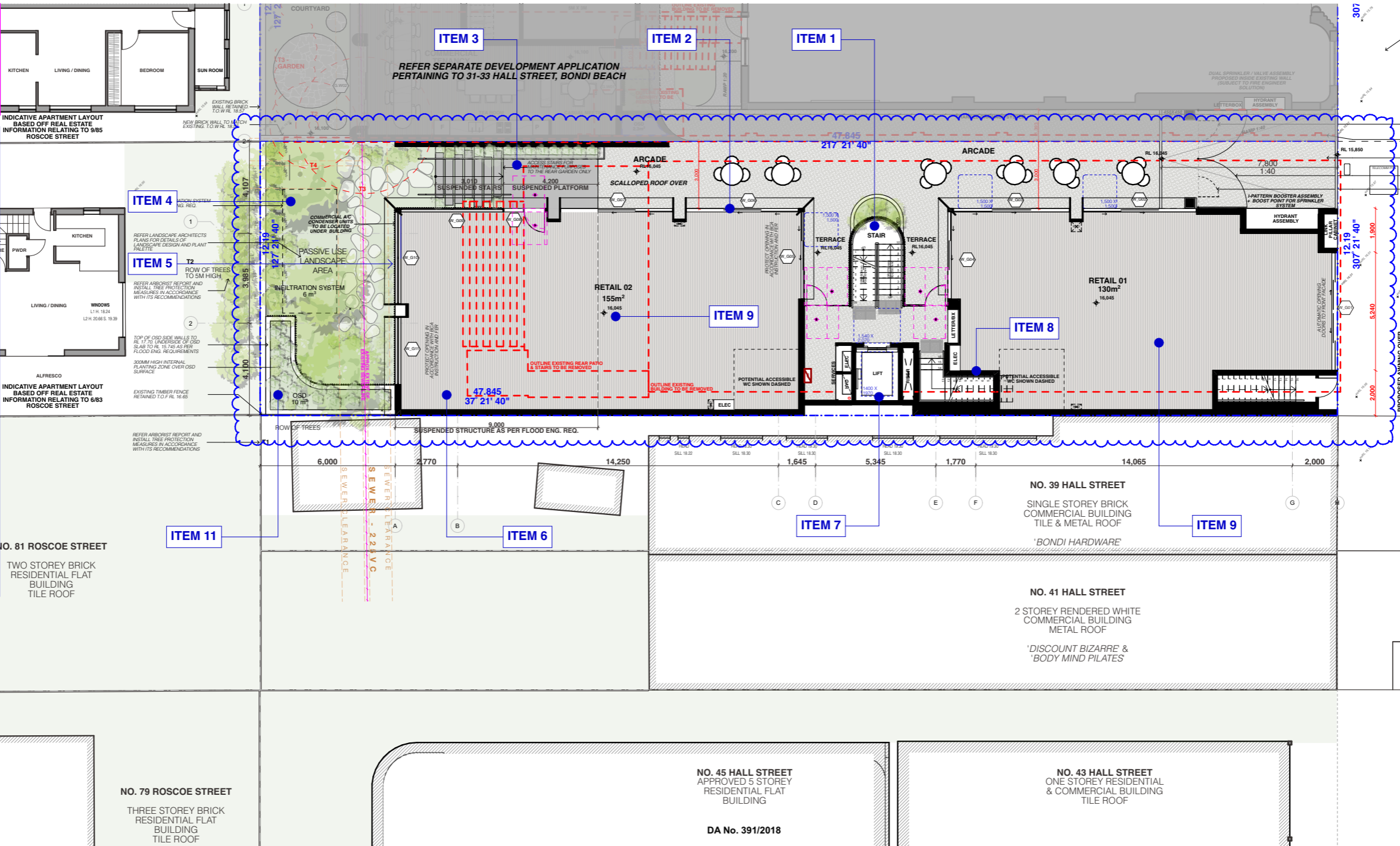
ITEM 6 - NORTHERN FACADE AMENDED +
 ADDITIONAL GLAZING INTRODUCED

ITEM 7 - LIFT / CENTRAL SERVICE RISERS
 RELOCATED

ITEM 8 - FIRE STAIR TO BASEMENT
 RELOCATED

ITEM 9 - SOUTHERN BUILDING GROUND
 FLOOR LEVEL RAISED FROM RL16.030 TO
 RL16.045. GROUND FLOOR OF
 NORTHERN BUILDING RAISED FROM
 RL14.580 TO RL16.045 TO REQUIRED
 FLOOD PLANNING LEVEL

ITEM 10 - WINDOW SCHEDULE UPDATED
ITEM 11 - OSD RE-LOCATED



EXISTING PUBLIC DOMAIN TO BE PROTECTED AND, IF IMPACTED BY THE PROPOSED WORKS, TO BE RELOCATED TO COMPLY WITH SPECIFICATION

RESIDENT EXCLUSIVE USE DOOR DURING LOCKED GATES HOURS

OUTLINE EXISTING BOUNDARY FENCE TO BE REMOVED

REFER TO DRAWING SHEET DASH01 FOR ARCADE DETAILS

GATES TO BE CLOSED AT NIGHT TO THE PUBLIC

RESIDENT EXCLUSIVE USE DOOR DURING LOCKED GATES HOURS

HALL STREET

SEWER CLEARANCE
 SEWER - 225VC
 SEWER CLEARANCE

WATER MAIN
 150MM

PROPOSED AWNING OVER

NO. 39 HALL STREET
 SINGLE STOREY BRICK COMMERCIAL BUILDING
 TILE & METAL ROOF
 'BONDI HARDWARE'

NO. 41 HALL STREET
 2 STOREY RENDERED WHITE COMMERCIAL BUILDING
 METAL ROOF
 'DISCOUNT BIZARRE' &
 'BODY MIND PILATES'

NO. 45 HALL STREET
 APPROVED 5 STOREY RESIDENTIAL FLAT BUILDING
 DA No. 391/2018

NO. 43 HALL STREET
 ONE STOREY RESIDENTIAL & COMMERCIAL BUILDING
 TILE ROOF

NO. 79 ROSCOE STREET
 THREE STOREY BRICK RESIDENTIAL FLAT BUILDING
 TILE ROOF

RECEIVED
Waverley Council

Receipt No: DA-306/2021/B
 Date Received: 30/04/2024

ITEM 10

GLAZING 35-37			
Window Number	Height	Width	Operation
W_G01	3,340	5,242	Sliding Door
W_G02	3,340	5,045	Sliding Door
W_G03	3,340	4,990	Sliding Door
W_G04	3,340	3,900	Sliding Door
W_G05	3,340	3,760	Sliding Door
W_G06	3,270	4,350	Sliding Door
W_G07	3,340	5,000	Sliding Door

GLAZING 35-37			
Window Number	Height	Width	Operation
W_G08	3,355	1,873	Fixed Glass / Hinged Door
W_G09	3,355	4,550	Fixed Glass
W_G10	3,350	4,089	Fixed Glass
W_G11	3,350	3,000	Fixed Glass

REV	DESCRIPTION	DATE
A	DEVELOPMENT APPLICATION	20/07/21
B	RESPONSE TO DEFERRAL LETTER	11/11/21
C	AMENDED ARCH DRAWINGS	29/03/21
D	RESPONSE TO COUNCIL CHANGES	02/08/22
E	S4.55 APPLICATION	25/03/24

ALL CONSTRUCTION TO COMPLY AT MINIMUM WITH BCA CLAUSES & AUSTRALIAN STANDARDS

CLAUSE B 1.4 MATERIAL & FORMS CONSTRUCTIONS
 SPEC. C 1.1 FIRE RESISTING CONSTRUCTION
 SPEC. C 1.10 FIRE HAZARD PROPERTIES
 SPEC. C 1.11 PERFORMANCE OF EXTERNAL WALLS IN A FIRE
 CLAUSE C 2.6 VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL
 CLAUSE C 2.12 SEPARATION OF EQUIPMENT
 CLAUSE C 2.13 ELECTRICITY SUPPLY SYSTEM
 CLAUSE C 3 ACCESSIBLE METHODS OF PROTECTION (OF OPENINGS)
 CLAUSE D 1.8 DISCHARGE FROM EXITS
 CLAUSE D 2.7 INSTALLATIONS IN EXITS AND PATHS OF TRAVEL
 CLAUSE D 2.14 LANDINGS
 CLAUSE D 2.15 THRESHOLDS
 CLAUSE D 2.16 BALUSTRADES

CLAUSE D 2.17 HANDRAILS
 CLAUSE D 2.21 OPERATION OF LATCH
 CLAUSE D 2.23 SIGNS ON DOORS
 CLAUSE D 3 GENERAL BUILDING ACCESS REQUIREMENTS
 CLAUSE D 3.3 PARTS OF BUILDING TO BE ACCESSIBLE
 CLAUSE D 3.8 IDENT. OF ACCESSIBLE FACILITIES/FEATURES
 CLAUSE D 3.9 TACTILE INDICATORS
 CLAUSE F 1.3 WATERPROOFING OF WET AREAS
 CLAUSE F 1.9 DAMP PROOFING
 CLAUSE F 2.5 CONSTRUCTION OF SANITARY COMPARTMENTS
 PART F 4.1 MECHANICAL VENTILATION
 CLAUSE F 5.4 SOUND INSULATION OF FLOORS
 CLAUSE F 5.5 SOUND INSULATION OF WALLS
 CLAUSE F 5.8 SOUND INSULATION OF SERVICES
 CLAUSE F 5.7 SOUND INSULATION OF PUMPS

ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART CLAUSES 4 & A5180
 BALUSTRADE HEIGHTS: TO COMPLY WITH BCA CLAUSE D 2.16
 DRAINAGE GUTTERS & DOWNPIPES: TO COMPLY WITH ADNS 2600 3.2
 ENERGY EFFICIENT GLAZING: TO COMPLY WITH 42 OF BCA
 FIRE SERVICES: TO COMPLY WITH SECTION E OF BCA
 HOT WATER SYSTEMS: TO COMPLY WITH PART 42 OF BCA
 MASONRY: TO COMPLY WITH AS1370
 MECHANICAL/MECHANICAL: BCA CLAUSE C 3.16 & AS1530 4.2025
 MECHANICAL AIR CONDITIONING: TO COMPLY WITH PART 45 OF BCA
 MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH AS1999 &
 AS1672
 SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE & SPEC E2.2 &
 AS1370
 PENETRATIONS THROUGH FIRE RATED CONSTRUCTION FOR MECH
 ELECTRICAL PENETRATIONS TO COMPLY WITH BCA CLAUSE C 3.15 &
 AS1530 4.2025
 SOUND TRANSMISSION: TO COMPLY WITH PARTS OF BCA
 STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D 2.13
 STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D 2.13
 WATERPROOFING OF WET AREAS: TO COMPLY WITH AS1370

BASIX COMMITMENTS (ALL OTHER BASIX COMMITMENTS AS PER BASIX CERTIFICATE AND STAMPED PLANS)

WATER OPTIONS
 SHOWERHEADS: 4 STAR
 TOILETS: 3 STAR
 CLOTHES WASHERS: N/A
 KITCHEN TAPS: 3 STAR
 BATHROOM TAPS: 3 STAR
 DISHWASHERS: 3 STAR
 RAIN WATER TANK: 3000 L
 POOL/SPA: N/A
 COLLECT RAIN OFF AREA: 343 sqm
 LANDSCAPED AREA TO IRRIGATE: 89 sqm

HEATING: 1 Phase, EER 3.0-3.5

VENTILATION: Individual fan ducted to outside or roof
 WATER HEATING: 6 Star Gas Instantaneous
 ENERGY EFFICIENT LIGHTING: N/A
 COOK TOPS: Gas Cooktop
 REFRIGERATOR SPACE: N/A
 CLOTHES DRYING LINES: Dryer
 ALTERNATIVE SUPPLY: N/A
 POOL/SPA: N/A

NOTES:
 EX EXISTING
 FFL RL OF FINISHED FLOOR LEVEL
 RL REDUCED LEVEL
 BOUNDARY EX BUILDING TO BE DEMOLISHED
 COUNCIL CONTROLS

ARCHITECT:
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 F +61 2 9101 1100
 www.mhndu.com

MHN Design Union Pty Ltd. ABN 04 003 717 682 NSW Registration Number 4907

DRAWING TITLE:
GROUND FLOOR PLAN

PROJECT ADDRESS:
35-37 Hall St, BONDI BEACH 2026

SCALE: 1:200@A3
 ISSUE DATE: 25/03/24
 PROJECT NUMBER: 20-055

DRAWN BY: MHN
 CHECKED: BW
 REVISION: E
 DWG NUMBER: DA 2001



REV D SCHEDULE OF CHANGES
 DA 306/2021
 RESPONSE TO COUNCIL REQUESTED CHANGES "TWO WEEKS AGO"

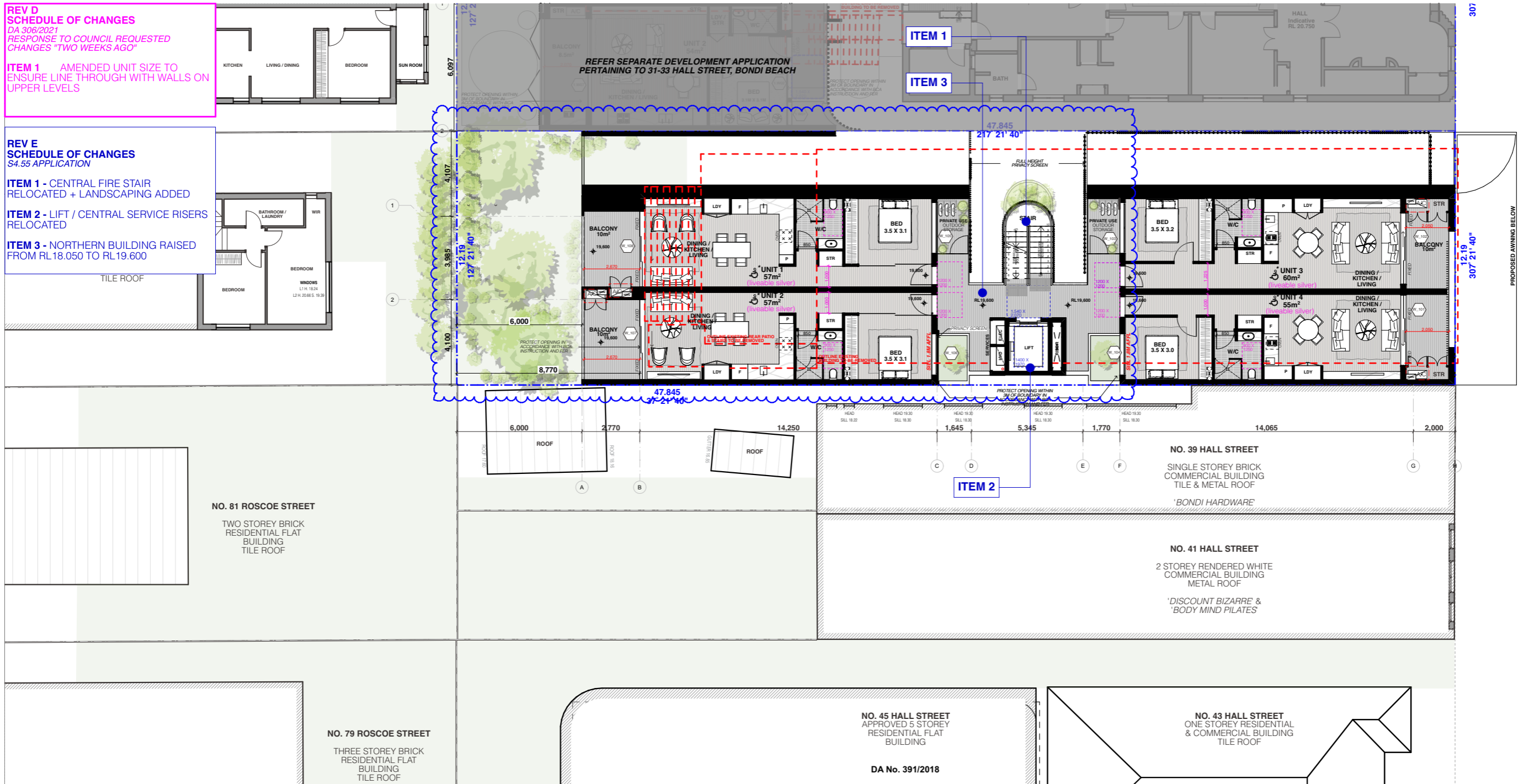
ITEM 1 AMENDED UNIT SIZE TO ENSURE LINE THROUGH WITH WALLS ON UPPER LEVELS

REV E SCHEDULE OF CHANGES
 S4.55 APPLICATION

ITEM 1 - CENTRAL FIRE STAIR RELOCATED + LANDSCAPING ADDED

ITEM 2 - LIFT / CENTRAL SERVICE RISERS RELOCATED

ITEM 3 - NORTHERN BUILDING RAISED FROM RL 18.050 TO RL 19.600



* ALL SILVER LEVEL LIVEABLE HOUSING APARTMENTS TO BE IN ACCORDANCE WITH APPENDIX 2 - SILVER LEVEL SPECIFICATION OF DESIGN CONFIDENCE LIVEABLE HOUSING DESIGN ASSESSMENT REPORT SUBMITTED WITH THIS APPLICATION

RECEIVED
Waverley Council
 Receipt No: DA-306/2021/B
 Date Received: 30/04/2024

GLAZING 35-37			
Window Number	Height	Width	Operation
W_101	2,900	3,400	Sliding Door
W_102	2,900	3,425	Sliding Door
W_103	1,400	2,460	Sliding Window
W_104	1,400	2,460	Sliding Window
W_105	2,841	2,460	Sliding Window
W_106	1,400	2,460	Sliding Window

GLAZING 35-37			
Window Number	Height	Width	Operation
W_107	1,400	2,460	Sliding Door
W_108	2,900	3,650	Sliding Door

REV	DESCRIPTION	DATE
A	DEVELOPMENT APPLICATION	20/07/21
B	RESPONSE TO DEFERRAL LETTER	11/11/21
C	AMENDED ARCH DRAWINGS	29/03/21
D	RESPONSE TO COUNCIL CHANGES	02/08/22
E	S4.55 APPLICATION	25/03/24

ALL CONSTRUCTION TO COMPLY AT MINIMUM WITH BCA CLAUSES & AUSTRALIAN STANDARDS

CLAUSE B 1.4 MATERIAL & FORMS CONSTRUCTIONS
 SPEC C 1.1 FIRE RESISTING CONSTRUCTION
 SPEC C 1.10 FIRE HAZARD PROPERTIES
 SPEC C 1.11 PERFORMANCE OF EXTERNAL WALLS IN A FIRE
 CLAUSE C 2.1 VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL
 CLAUSE C 2.12 SEPARATION OF EQUIPMENT
 CLAUSE C 2.13 ELECTRICITY SUPPLY SYSTEM
 CLAUSE C 3 ACCEPTABLE METHOD OF PROTECTION (OF OPENINGS)
 CLAUSE C 3.9 OPENING FOR SERVICE INSTALLATIONS
 CLAUSE D 1.6 DISCHARGE FROM EXITS
 CLAUSE D 2.7 INSTALLATIONS IN EXITS AND PATHS OF TRAVEL
 CLAUSE D 2.14 LANDINGS
 CLAUSE D 2.15 THRESHOLDS
 CLAUSE D 2.16 BALUSTRADES

CLAUSE D 2.17 HANDRAILS
 CLAUSE D 2.21 OPERATION OF LATCH
 CLAUSE D 2.23 SIGNS ON DOORS
 CLAUSE D 3 GENERAL BUILDING ACCESS REQUIREMENTS
 CLAUSE D 3.3 PARTS OF BUILDING TO BE ACCESSIBLE
 CLAUSE D 3.4 IDENTIFICATION OF ACCESSIBLE FACILITIES/FEATURES
 CLAUSE D 3.8 TACTILE INDICATORS
 CLAUSE D 3.11 WATERPROOFING OF WET AREAS
 CLAUSE F 1.9.1 DAMP PROOFING
 CLAUSE F 2.5 CONSTRUCTION OF SANITARY COMPARTMENTS
 PART F 4 LIGHTING AND VENTILATION
 CLAUSE F 4.4 SOUND INSULATION OF FLOORS
 CLAUSE F 5.1 SOUND INSULATION OF WALLS
 CLAUSE F 5.8 SOUND INSULATION OF SERVICES
 CLAUSE F 5.7 SOUND INSULATION OF PUMPS

ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART CLAUSES 4 & AS 1680
 BALUSTRADE HEIGHTS: TO COMPLY WITH BCA CLAUSE D 2.16
 DRAINAGE GUTTERS & DOWNPIPES: TO COMPLY WITH AS/NZS 3600 3.2
 ENERGY EFFICIENT LIGHTING: TO COMPLY WITH 4.2 OF BCA
 FIRE SERVICES: TO COMPLY WITH SECTION E OF BCA
 HOT WATER SYSTEMS: TO COMPLY WITH PART 4 OF BCA
 MASONRY: TO COMPLY WITH AS 3700
 MECHANICAL/HYDRAULIC: TO COMPLY WITH BCA CLAUSE C 3.15 & AS 1530 4-2005
 MECHANICAL AIRCONDITIONING: TO COMPLY WITH PART 4.5 OF BCA
 MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH AS 1668 & AS 1672
 SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE & SPEC E2.2 & AS 3786
 PENETRATIONS: THROUGH FIRE RATED CONSTRUCTION FOR MECH/ELECTRICAL PENETRATIONS TO COMPLY WITH BCA CLAUSE C 3.15 & AS 1530 4-2005
 SOUND TRANSMISSION: TO COMPLY WITH PARTS OF BCA
 STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D 2.13
 STAR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D 2.13
 WATERPROOFING OF WET AREAS: TO COMPLY WITH AS 3740

BASIX COMMITMENTS (ALL OTHER BASIX COMMITMENTS AS PER BASIX CERTIFICATE AND STAMPED PLANS)

HEATING: 1 Phase, EER 3.0-3.5

WATER OPTIONS
 SHOWERHEADS: 4 STAR
 TOILETS: 3 STAR
 CLOTHES WASHERS: N/A STAR
 KITCHEN TAPS: 3 STAR
 BATHROOM TAPS: 3 STAR
 DISHWASHERS: 3 STAR
 RAIN WATER TANK: -L-
 STORM WATER TANK: 3000 L
 POOL/SPA: N/A
 COLLECT RAIN OFF AREA: 343 sqm
 LANDSCAPED AREA TO IRRIGATE: 89 sqm

VENTILATION:
 WATER HEATING: Individual fan ducted to outside or roof
 5 Star Gas Instantaneous
 N/A
 Gas Cooktop
 REFRIGERATOR SPACE: N/A
 CLOTHES DRYING LINES: Dryer
 ALTERNATIVE SUPPLY: N/A
 POOL/SPA: N/A

ENERGY OPTIONS
 COOLING: 1 Phase, EER 2.5-3.0

NOTES:
 EX FFL EXISTING RL OF FINISHED FLOOR LEVEL
 RL REDUCED LEVEL BOUNDARY EX BUILDING TO BE DEMOLISHED
 COUNCIL CONTROLS

ARCHITECT:
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MHN Design Union Pty Ltd. ABN 94 003 717 682 NSW Registration Number 4907

DRAWING TITLE:
LEVEL 1 FLOOR PLAN

PROJECT ADDRESS:
35-37 Hall St, BONDI BEACH 2026

SCALE: 1:200@A3
 ISSUE DATE: 25/03/24
 PROJECT NUMBER: 20-055

DRAWN BY: MHN
 CHECKED: BW
 REVISION: E
 DWG NUMBER: DA 2002

ARCHITECT:
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HALL STREET

REV D SCHEDULE OF CHANGES
DA 306/2021
RESPONSE TO COUNCIL REQUESTED CHANGES "TWO WEEKS AGO"

ITEM 1 UNIT 9 UPDATED TO SINGLE LEVEL LAYOUT.

ITEM 2 UNIT 8 WIDTH AMENDED TO ACCOMMODATE ADG COMPLIANT BEDROOM.

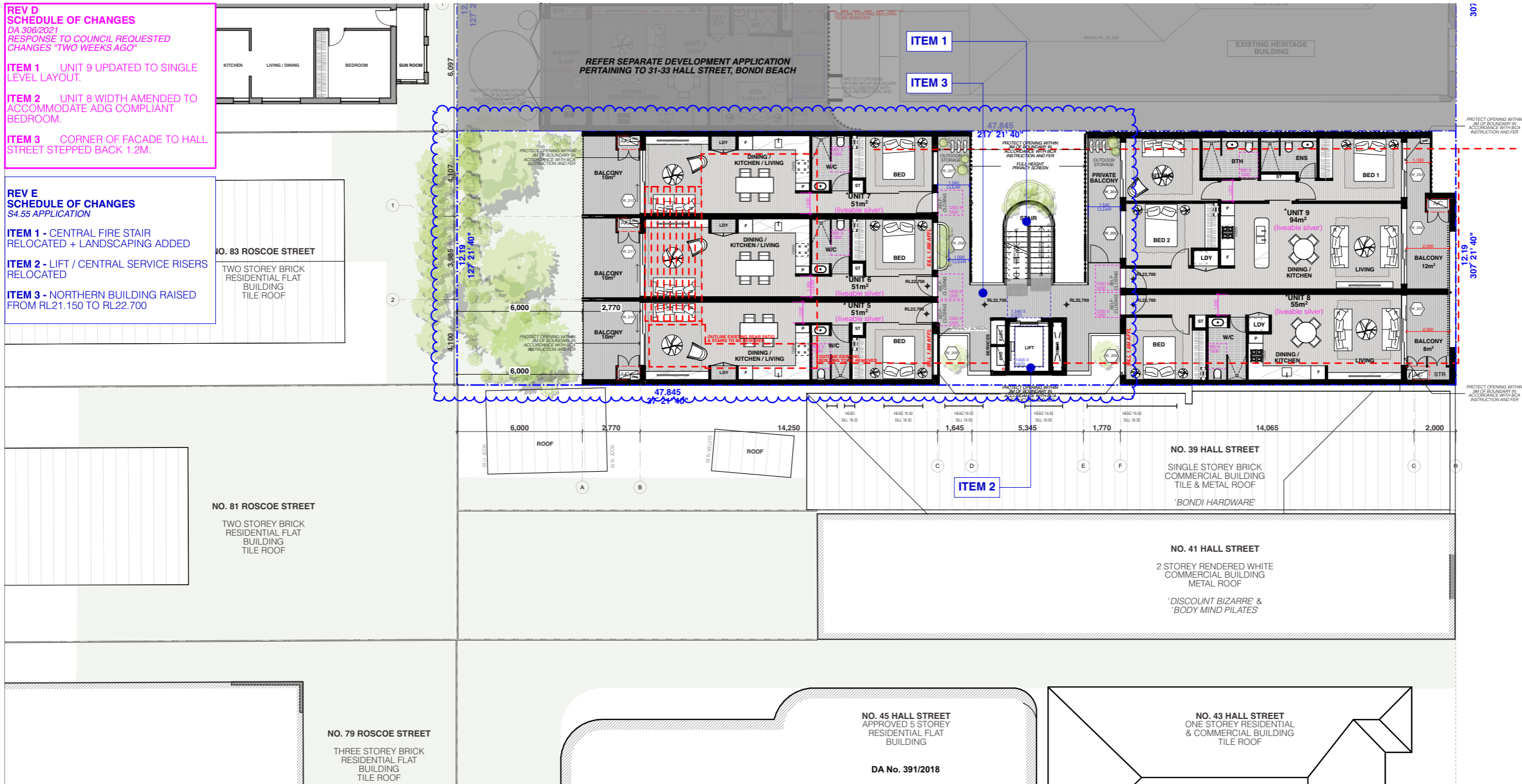
ITEM 3 CORNER OF FACADE TO HALL STREET STEPPED BACK 1.2M.

REV E SCHEDULE OF CHANGES
S4.55 APPLICATION

ITEM 1 - CENTRAL FIRE STAIR RELOCATED + LANDSCAPING ADDED

ITEM 2 - LIFT / CENTRAL SERVICE RISERS RELOCATED

ITEM 3 - NORTHERN BUILDING RAISED FROM RL21.150 TO RL22.700



* ALL SILVER LEVEL LIVEABLE HOUSING APARTMENTS TO BE IN ACCORDANCE WITH APPENDIX 2 - SILVER LEVEL SPECIFICATION OF DESIGN CONFIDENCE LIVEABLE HOUSING DESIGN ASSESSMENT REPORT SUBMITTED WITH THIS APPLICATION

RECEIVED
Waverley Council
Receipt No: DA-306/2021/B
Date Received: 30/04/2024

GLAZING 35-37			
Window Number	Height	Width	Operation
W_201	2,900	3,400	Sliding Door
W_202	2,900	3,650	Sliding Door
W_203	2,900	2,670	Sliding Door
W_204	1,400	2,460	Sliding Door
W_205	1,400	2,460	Sliding Door
W_206	1,400	2,460	Sliding Window

GLAZING 35-37			
Window Number	Height	Width	Operation
W_207	2,000	1,600	Sliding Window
W_208	1,400	2,460	Sliding Window
W_209	1,400	2,000	Sliding Window
W_210	2,900	3,050	Sliding Door
W_211	2,900	3,050	Sliding Door
W_212	2,900	3,050	Sliding Door

<p>REV DESCRIPTION DATE</p> <p>A DEVELOPMENT APPLICATION 20/07/21</p> <p>B RESPONSE TO DEFERRAL LETTER 11/11/21</p> <p>C AMENDED ARCH DRAWINGS 29/03/21</p> <p>D RESPONSE TO COUNCIL CHANGES 02/08/22</p> <p>E S4.55 APPLICATION 25/03/24</p>	<p>ALL CONSTRUCTION TO COMPLY AT MINIMUM W/ BCA CLAUSES & AUSTRALIAN STANDARDS</p> <p>CLAUSE B 1.4 MATERIAL & FORMS CONSTRUCTIONS</p> <p>CLAUSE C 1.1 FIRE RESISTING CONSTRUCTION</p> <p>CLAUSE C 1.10 FIRE HAZARD PROPERTIES</p> <p>CLAUSE C 1.11 PERFORMANCE OF EXTERNAL WALLS IN A FIRE</p> <p>CLAUSE C 1.2 VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL</p> <p>CLAUSE C 2.1 SEPARATION OF EQUIPMENT</p> <p>CLAUSE C 2.1.1 ELECTRICITY SUPPLY SYSTEM</p> <p>CLAUSE C 2.1.2 ACCEPTABLE METHODS OF PROTECTION (OF OPENINGS)</p> <p>CLAUSE C 2.1.3 OPENING FOR SERVICE INSTALLATIONS</p> <p>CLAUSE C 2.1.4 DISCHARGE FROM EXITS</p> <p>CLAUSE C 2.1.5 INSTALLATIONS IN EXITS AND PATHS OF TRAVEL</p> <p>CLAUSE C 2.1.6 LANDINGS</p> <p>CLAUSE C 2.1.7 THRESHOLDS</p> <p>CLAUSE C 2.1.8 BALUSTRADES</p> <p>CLAUSE C 2.2 SIGN ON DOORS</p> <p>CLAUSE C 2.3 GENERAL BUILDING ACCESS REQUIREMENTS</p> <p>CLAUSE C 3.3 PARTS OF BUILDING TO BE ACCESSIBLE</p> <p>CLAUSE C 3.4 IDENT. OF ACCESSIBLE FACIL-SERVICES FEATURES</p> <p>CLAUSE C 3.5 TACTILE INDICATORS</p> <p>CLAUSE C 3.6 WATERPROOFING OF WET AREAS</p> <p>CLAUSE C 3.7 DAMP PROOFING</p> <p>CLAUSE C 3.8 CONSTRUCTION OF SANITARY COMPARTMENTS</p> <p>CLAUSE C 3.9 LIGHTING AND VENTILATION</p> <p>CLAUSE C 4.1 SOUND INSULATION OF FLOORS</p> <p>CLAUSE C 4.2 SOUND INSULATION OF WALLS</p> <p>CLAUSE C 4.3 SOUND INSULATION OF SERVICES</p> <p>CLAUSE C 4.4 SOUND INSULATION OF PUMPS</p>	<p>ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART CLAUSES 4 & AS 1580</p> <p>BALUSTRADE HEIGHTS: TO COMPLY WITH BCA CLAUSE D2.16</p> <p>DRAINAGE GUTTERS & DOWNPIPES: TO COMPLY WITH ADNS 2600 3.2</p> <p>ENERGY EFFICIENT GLAZING: TO COMPLY WITH 2.2 OF BCA</p> <p>FIRE SERVICES: TO COMPLY WITH SECTION E OF BCA</p> <p>NOT WATER SYSTEMS: TO COMPLY WITH PART 2.1 OF BCA</p> <p>MASONRY: TO COMPLY WITH AS 3700</p> <p>MECHANIC/HYDRAULIC: BCA CLAUSE C3.16 & AS 1530 4.205</p> <p>MECHANICAL AIRCONDITIONING: TO COMPLY WITH PART 2.5 OF BCA</p> <p>MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH AS 1999 & AS 152</p> <p>SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE & SPEC E2.2 & AS 3786</p> <p>PENETRATIONS: THROUGH FIRE RATED CONSTRUCTION FOR MECH/ELECTRICAL/PENETRATIONS TO COMPLY WITH BCA CLAUSE C3.15 & AS 1530 4.205</p> <p>SOUND TRANSMISSION: TO COMPLY WITH PARTS OF BCA</p> <p>STAR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13</p> <p>WATERPROOFING OF WET AREAS: TO COMPLY WITH AS 3740</p>	<p>BASIX COMMITMENTS (ALL OTHER BASIX COMMITMENTS AS PER BASIX CERTIFICATE AND STAMPED PLANS)</p> <p>WATER OPTIONS: 4 STAR</p> <p>SHORTSHOWER: 3 STAR</p> <p>TOILETS: N/A STAR</p> <p>CLOTHES WASHERS: N/A STAR</p> <p>KITCHEN TAPS: 3 STAR</p> <p>BATHROOM TAPS: 3 STAR</p> <p>DISHWASHERS: 3 STAR</p> <p>RAIN WATER TANK: 3000 L</p> <p>POOL SPA: N/A</p> <p>COLLECT RAIN OFF AREA: 343 sqm</p> <p>LANDSCAPED AREA TO IRRIGATE: 89 sqm</p> <p>ENERGY OPTIONS: 1 Phase, EER 2.5-3.0</p>	<p>HEATING: 1 Phase, EER 3.0-3.5</p> <p>VENTILATION: Individual fan ducted to outside or roof</p> <p>WATER HEATING: 6 Star Gas Instantaneous</p> <p>ENERGY EFFICIENT LIGHTING: N/A</p> <p>COOK TOPS: Gas Cooktop</p> <p>REFRIGERATOR SPACE: N/A</p> <p>CLOTHES DRYING LINES: Dryer</p> <p>ALTERNATIVE SUPPLY: N/A</p> <p>POOL SPA: N/A</p>	<p>NOTES:</p> <p>EX EXISTING</p> <p>FFL RL OF FINISHED FLOOR LEVEL</p> <p>RL REDUCED LEVEL</p> <p>BOUNDARY EX BUILDING TO BE DEMOLISHED</p> <p>COUNCIL CONTROLS</p>	<p>ARCHITECT: MHNDUNION</p> <p>35 RICHARDS LANE SURRY HILLS SYDNEY NSW 2010 T +61 2 9101 1111 F +61 2 9101 1100 www.mhndu.com</p> <p>MHN Design Union Pty Ltd. ABN 94 003 717 682 NSW Registration Number 4907</p>	<p>DRAWING TITLE: LEVEL 2 FLOOR PLAN</p> <p>PROJECT ADDRESS: 35-37 Hall St, BONDI BEACH 2026</p>	<p>SCALE: 1:200@A3</p> <p>ISSUE DATE: 25/03/24</p> <p>PROJECT NUMBER: 20-055</p>	<p>DRAWN BY: MHN</p> <p>CHECKED: BW</p> <p>REVISION: E</p> <p>DWG NUMBER: DA 2003</p>
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REV D SCHEDULE OF CHANGES
DA 306/2021
RESPONSE TO COUNCIL REQUESTED CHANGES "TWO WEEKS AGO"

ITEM 1 UNIT 9 UPDATED TO SINGLE LEVEL LAYOUT.

ITEM 2 UNIT 8 WIDTH AMENDED TO ACCOMMODATE ADG COMPLIANT BEDROOM.

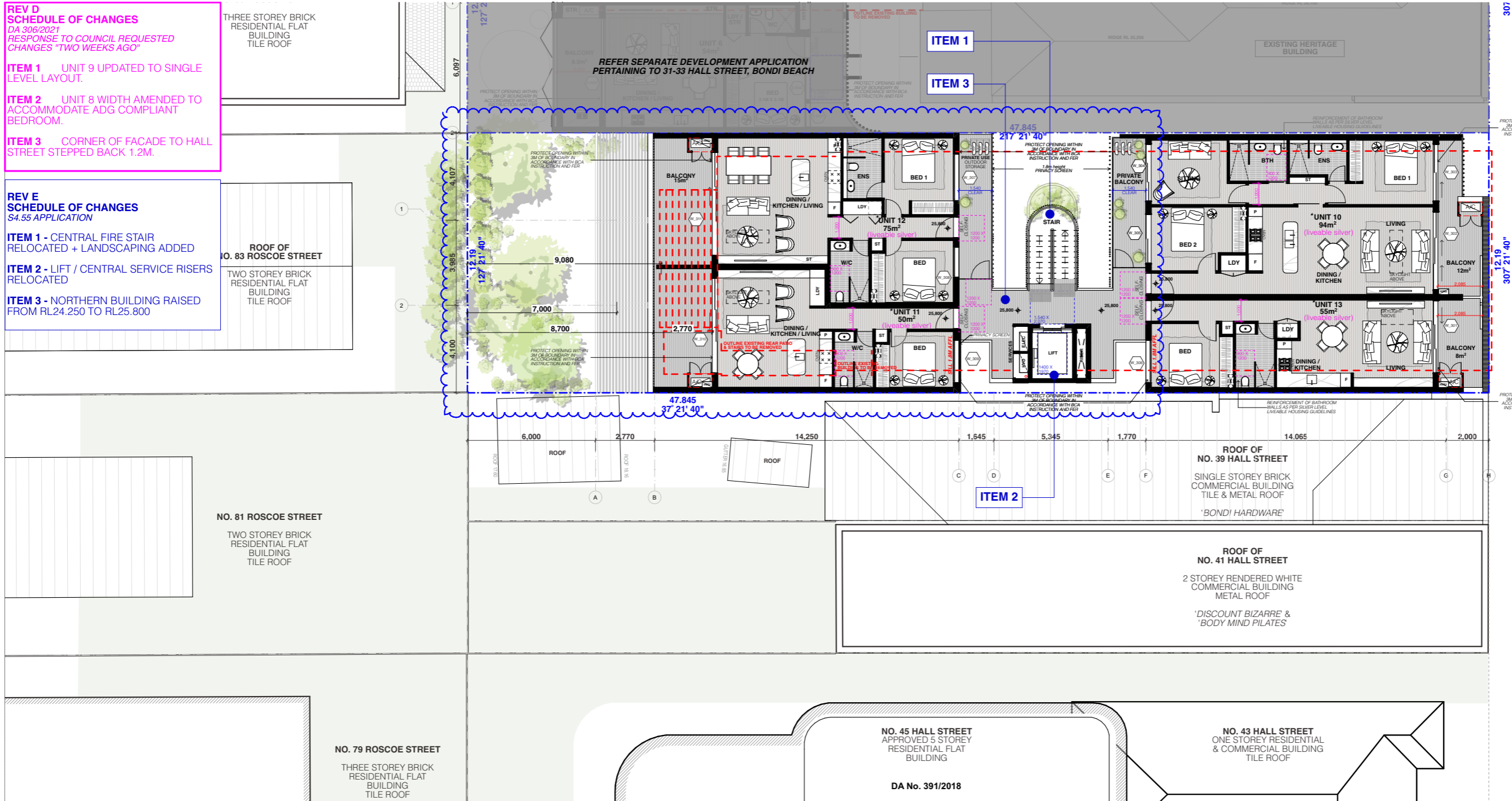
ITEM 3 CORNER OF FACADE TO HALL STREET STEPPED BACK 1.2M.

REV E SCHEDULE OF CHANGES
S4.55 APPLICATION

ITEM 1 - CENTRAL FIRE STAIR RELOCATED + LANDSCAPING ADDED

ITEM 2 - LIFT / CENTRAL SERVICE RISERS RELOCATED

ITEM 3 - NORTHERN BUILDING RAISED FROM RL24.250 TO RL25.800



* ALL SILVER LEVEL LIVEABLE HOUSING APARTMENTS TO BE IN ACCORDANCE WITH APPENDIX 2 - SILVER LEVEL SPECIFICATION OF DESIGN CONFIDENCE LIVEABLE HOUSING DESIGN ASSESSMENT REPORT SUBMITTED WITH THIS APPLICATION

RECEIVED
Waverley Council
Receipt No: DA-306/2021/B
Date Received: 30/04/2024

GLAZING 35-37			
Window Number	Height	Width	Operation
W_301	3,070	3,400	Sliding Door
W_302	3,070	3,650	Sliding Door
W_303	2,470	2,453	Sliding Door
W_304	970	2,460	Sliding Door
W_305	2,470	2,300	Sliding Door
W_306	970	2,000	Sliding Window
W_307	2,900	2,200	Sliding Window

GLAZING 35-37			
Window Number	Height	Width	Operation
W_308	2,900	1,425	Sliding Window
W_309	1,400	2,460	Sliding Window
W_310	1,400	2,460	Sliding Door
W_311	2,900	3,050	Sliding Door

REV	DESCRIPTION	DATE
A	DEVELOPMENT APPLICATION	20/07/21
B	RESPONSE TO DEFERRAL LETTER	11/11/21
C	AMENDED ARCH DRAWINGS	29/03/21
D	RESPONSE TO COUNCIL CHANGES	02/08/22
E	S4.55 APPLICATION	25/03/24

ALL CONSTRUCTION TO COMPLY AT MINIMUM W/ BCA CLAUSES & AUSTRALIAN STANDARDS

CLAUSE B 1.4 MATERIAL & FORMS CONSTRUCTIONS
SPEC. C 1.1 FIRE RESISTING CONSTRUCTION
SPEC. C 1.10 FIRE HAZARD PROPERTIES
CLAUSE C 1.11 PERFORMANCE OF EXTERNAL WALLS IN A FIRE
CLAUSE C 1.2 VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL
CLAUSE C 2.1 SEPARATION OF EQUIPMENT
CLAUSE C 2.15 ELECTRICITY SUPPLY SYSTEM
CLAUSE C 3 ACCESSIBLE METHODS OF PROTECTION (OF OPENINGS)
CLAUSE C 3.9 OPENING FOR SERVICE INSTALLATIONS
CLAUSE C 10 DISCHARGE FROM EXITS
CLAUSE C 12 INSTALLATIONS IN EXITS AND PATHS OF TRAVEL
CLAUSE D 2.14 LANDINGS
CLAUSE D 2.15 THRESHOLDS
CLAUSE D 2.16 BALUSTRADES

CLAUSE D 2.17 HANDRAILS
CLAUSE D 2.21 OPERATION OF LATCH
CLAUSE D 2.23 SIGNS ON DOORS
CLAUSE D 3.2 GENERAL BUILDING ACCESS REQUIREMENTS
CLAUSE D 3.3 PARTS OF BUILDING TO BE ACCESSIBLE
CLAUSE D 3.4 IDENTIFICATION OF ACCESSIBLE FACILITIES/FEATURES
CLAUSE D 3.8 TACTILE INDICATORS
CLAUSE D 3.9 WATERPROOFING OF WET AREAS
CLAUSE F 1.9 F1.10 DAMP PROOFING
CLAUSE F 2.5 CONSTRUCTION OF SANITARY COMPARTMENTS
PART F4 LIGHTING AND VENTILATION
CLAUSE F 4.4 SOUND INSULATION OF FLOORS
CLAUSE F 5.4 SOUND INSULATION OF WALLS
CLAUSE F 5.8 SOUND INSULATION OF SERVICES
CLAUSE F 5.7 SOUND INSULATION OF PUMPS

ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART CLAUSES 4 & AS 1680
BALUSTRADE HEIGHTS: TO COMPLY WITH BCA CLAUSE D 2.16
DRAINAGE GUTTERS & DOWNPIPES: TO COMPLY WITH ADNS 2600 3.2
ENERGY EFFICIENT LIGHTING: TO COMPLY WITH 2.2 OF BCA
FIRE SERVICES: TO COMPLY WITH SECTION E OF BCA
NOT WATER SYSTEMS: TO COMPLY WITH PART 21 OF BCA
MASONRY: TO COMPLY WITH AS 3700
MECHANICAL/ELECTROMECHANICAL: BCA CLAUSE C 1.6 & AS 1530 4-2005
MECHANICAL AIR CONDITIONING: TO COMPLY WITH PART 25 OF BCA
MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH AS 1999 & AS 162
SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE & SPEC E2.2 & AS 2296
PENETRATIONS THROUGH FIRE RATED CONSTRUCTION FOR MECH/ELECTRICAL PENETRATIONS TO COMPLY WITH BCA CLAUSE C 3.15 & AS 1530 4-2005
STAR CONSTRUCTION: TO COMPLY WITH PARTS OF BCA
STAR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D 2.13
WATERPROOFING OF WET AREAS: TO COMPLY WITH AS 3740

BASIX COMMITMENTS (ALL OTHER BASIX COMMITMENTS AS PER BASIX CERTIFICATE AND STAMPED PLANS)

WATER OPTIONS
SHORTSHRADES: 4 STAR
TOILETS: 3 STAR
N/A STAR
CLOTHES WASHERS: N/A STAR
KITCHEN TAPS: 3 STAR
BATHROOM TAPS: 3 STAR
DISHWASHERS: 3 STAR
RAIN WATER TANK: 3000 L
POOL/SPA: N/A
COLLECT RAIN OFF AREA: 343 sqm
LANDSCAPED AREA TO IRRIGATE: 89 sqm

HEATING: 1 Phase, EER 3.0-3.5

VENTILATION:
Individual fan ducted to outside or roof
6 Star Gas Instantaneous
N/A
Gas Cooktop
ENERGY EFFICIENT LIGHTING:
COOK TOPS:
REFRIGERATOR SPACE:
CLOTHES DRYING LINES:
ALTERNATIVE SUPPLY:
POOL/SPA:

ENERGY OPTIONS
COOLING: 1 Phase, EER 2.5-3.0

NOTES:
EX EXISTING
FLL RL OF FINISHED FLOOR LEVEL
RL REDUCED LEVEL
BOUNDARY EX BUILDING TO BE DEMOLISHED
COUNCIL CONTROLS

ARCHITECT:
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MHN Design Union Pty Ltd. ABN 94 003 717 682 NSW Registration Number 4907

DRAWING TITLE:
LEVEL 3 FLOOR PLAN

PROJECT ADDRESS:
35-37 Hall St, BONDI BEACH 2026

SCALE: 1:200@A3
ISSUE DATE: 25/03/24
PROJECT NUMBER: 20-055

DRAWN BY: MHN
CHECKED: BW
REVISION: E
DWG NUMBER: DA 2004



HALL STREET

307

12.19
307 21' 40"

PROTECT OPENING WITHIN 3M OF BOUNDARY IN ACCORDANCE WITH BCA INSTRUCTION AND FEE

REINFORCEMENT OF BATHROOM FLOORS FOR SILVER LEVEL LIVEABLE HOUSING GUIDELINES

PROTECT OPENING WITHIN 3M OF BOUNDARY IN ACCORDANCE WITH BCA INSTRUCTION AND FEE

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REV D
SCHEDULE OF CHANGES
 DA 306/2021
 RESPONSE TO COUNCIL REQUESTED
 CHANGES "TWO WEEKS AGO"

ITEM 1 UNIT 9 UPDATED TO SINGLE
 LEVEL LAYOUT.

ITEM 2 UNIT 8 WIDTH AMENDED TO
 ACCOMMODATE ADG COMPLIANT
 BEDROOM.

ITEM 3 CORNER OF FACADE TO HALL
 STREET STEPPED BACK 1.2M.

REV E
SCHEDULE OF CHANGES
 S4.55 APPLICATION

ITEM 1 - LIFT RELOCATED

ITEM 2 - NORTHERN BUILDING RAISED
 FROM RL27.350 TO RL28.900

ITEM 3 - AC UNITS REMOVED FROM ROOF
 AND RELOCATED TO GROUND FLOOR

ITEM 4 - SKYLIGHTS ADDED TO ROOF

ITEM 5 - WINDOW SCHEDULE ADDED

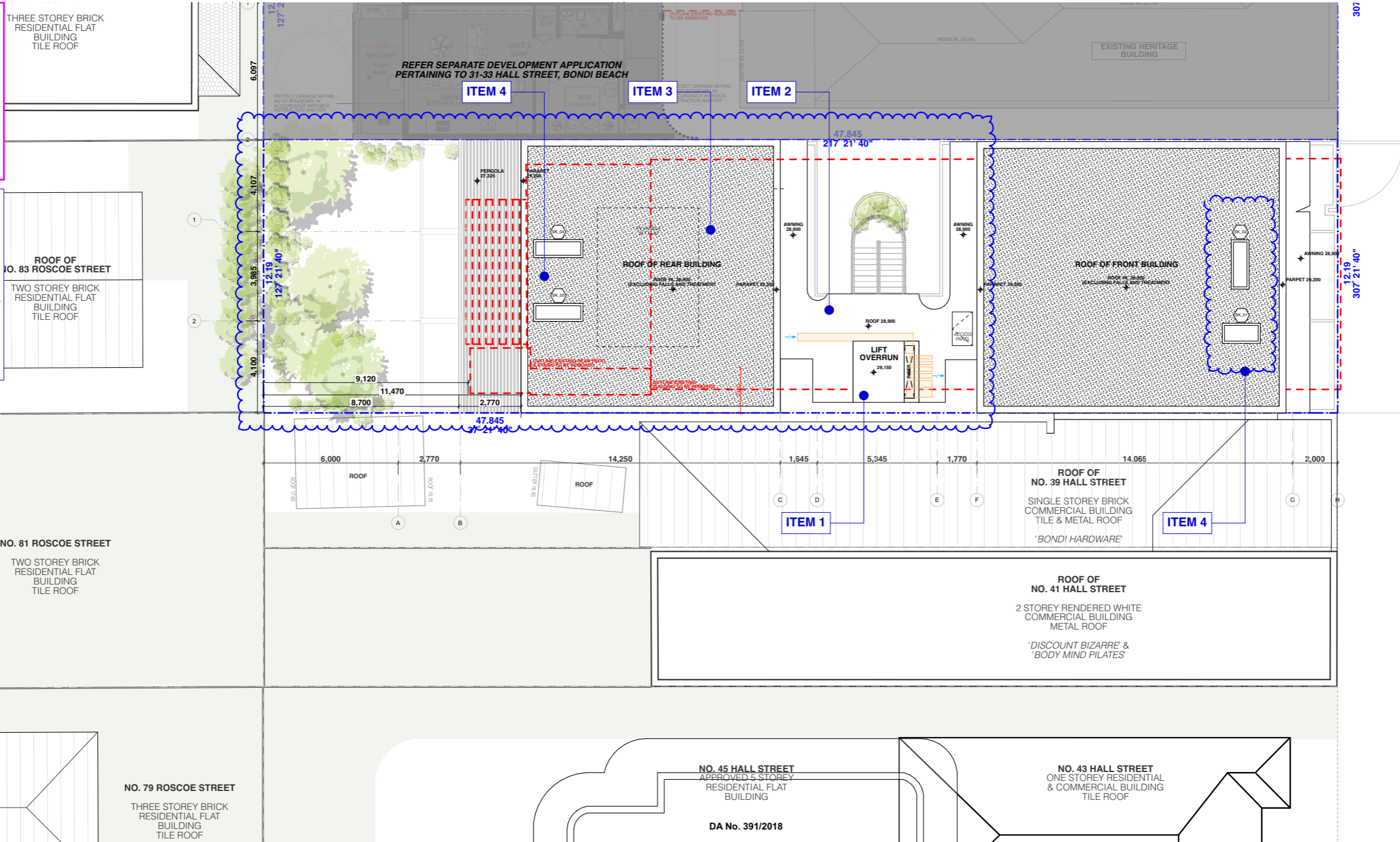
NO. 83 ROSCOE STREET
 TWO STOREY BRICK
 RESIDENTIAL FLAT
 BUILDING
 TILE ROOF

NO. 81 ROSCOE STREET
 TWO STOREY BRICK
 RESIDENTIAL FLAT
 BUILDING
 TILE ROOF

NO. 79 ROSCOE STREET
 THREE STOREY BRICK
 RESIDENTIAL FLAT
 BUILDING
 TILE ROOF

NO. 45 HALL STREET
 APPROVED 5 STOREY
 RESIDENTIAL FLAT
 BUILDING
 DA No. 391/2018

NO. 43 HALL STREET
 ONE STOREY RESIDENTIAL
 & COMMERCIAL BUILDING
 TILE ROOF



RECEIVED
Waverley Council

Receipt No: DA-306/2021/B

Date Received: 30/04/2024

GLAZING 35-37

Window Number	Height	Width	Operation
SK_01	1,700	900	Fixed Glass
SK_02	2,200	800	Fixed Glass
SK_03	2,200	800	Fixed Glass
SK_04	2,200	800	Fixed Glass

REV	DESCRIPTION	DATE
A	DEVELOPMENT APPLICATION	20/07/21
B	RESPONSE TO DEFERRAL LETTER	11/11/21
C	AMENDED ARCH DRAWINGS	29/03/21
D	RESPONSE TO COUNCIL CHANGES	02/08/22
E	S4.55 APPLICATION	25/03/24

ALL CONSTRUCTION TO COMPLY AT MINIMUM W/ BCA CLAUSES & AUSTRALIAN STANDARDS

CLAUSE B 1.4 MATERIAL & FORMS CONSTRUCTIONS
 CLAUSE D2 17 HANDRAILS
 CLAUSE D2 21 OPERATION OF LATCH
 SPEC C 1.1 FIRE RESISTING CONSTRUCTION
 SPEC C 1.10 FIRE HAZARD PROPERTIES
 SPEC C 1.11 PERFORMANCE OF EXTERNAL WALLS IN A FIRE
 CLAUSE C 2.8 SEPARATION OF OPENINGS IN EXTERNAL WALL
 CLAUSE C 12 SEPARATION OF EQUIPMENT
 CLAUSE C 13 ELECTRICITY SUPPLY SYSTEM
 CLAUSE C 3 ACCEPTABLE METHODS OF PROTECTION (OF OPENINGS)
 CLAUSE C 3.8 OPENING IN FIRE ISOLATED EXITS
 CLAUSE C 15 OPENING FOR SERVICE INSTALLATIONS
 CLAUSE D 16 DISCHARGE FROM EXITS
 CLAUSE D 2.7 INSTALLATIONS IN EXITS AND PATHS OF TRAVEL
 CLAUSE D 2.16 GOINGS AND RISERS
 CLAUSE D 2.14 LANDINGS
 CLAUSE D 2.15 THRESHOLDS
 CLAUSE D 16 BALUSTRADES

CLAUSE D2 17 HANDRAILS
 CLAUSE D2 21 OPERATION OF LATCH
 CLAUSE D2 23 SIGNS ON DOORS
 CLAUSE D3 3 GENERAL BUILDING ACCESS REQUIREMENTS
 CLAUSE D3 3 PARTS OF BUILDING TO BE ACCESSIBLE
 CLAUSE D3 8 IDENT. OF ACCESSIBLE FACIL-SERVICES FEATURES
 CLAUSE D3 8 TACTILE INDICATORS
 CLAUSE F1 3 WATERPROOFING OF WET AREAS
 CLAUSE F1 3F 10 DAMP PROOFING
 CLAUSE 2.5 CONSTRUCTION OF SANITARY COMPARTMENTS
 PART F4 LIGHTING AND VENTILATION
 CLAUSE F4 4 SOUND INSULATION OF FLOORS
 CLAUSE F5 5 SOUND INSULATION OF WALLS
 CLAUSE F5 8 SOUND INSULATION OF SERVICES
 CLAUSE F5 7 SOUND INSULATION OF PUMPS

ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART CLAUSES 4 & AS 1680
 BALUSTRADE HEIGHTS: TO COMPLY WITH BCA CLAUSE D2 16
 DRAINAGE GUTTERS & DOWNPIPES: TO COMPLY WITH ADNS 2600 3.2
 ENERGY EFFICIENT GLAZING: TO COMPLY WITH 2.7 OF BCA
 FIRE SERVICES: TO COMPLY WITH SECTION E OF BCA
 HOT WATER SYSTEMS: TO COMPLY WITH PART 2 OF BCA
 MASONRY: TO COMPLY WITH AS 3707
 MECHANICAL/MECHANICAL: TO COMPLY WITH PART 25 OF BCA
 MECHANICAL AIRCONDITIONING: TO COMPLY WITH PART 25 OF BCA
 MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH AS 1688 & AS 1672
 SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE 8 & SPEC E2 2 & AS 2286
 PENETRATIONS: THROUGH FIRE RATED CONSTRUCTION FOR MECH/ELECTRICAL PENETRATIONS TO COMPLY WITH BCA CLAUSE D2 13 & AS 1530 4.2005
 SOUND TRANSMISSION: TO COMPLY WITH PARTS OF BCA
 STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2 13
 STAR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2 13
 WATERPROOFING OF WET AREAS: TO COMPLY WITH AS 3740

BASIX COMMITMENTS (ALL OTHER BASIX COMMITMENTS AS PER BASIX CERTIFICATE AND STAMPED PLANS)

WATER OPTIONS
 SHOWERHEADS: 4 STAR
 TOILETS: 3 STAR
 CLOTHES WASHERS: 3 STAR
 KITCHEN TAPS: 3 STAR
 BATHROOM TAPS: 3 STAR
 DISHWASHERS: 3 STAR
 RAIN WATER TANK: 3000 L
 POOL SPA: N/A
 COLLECT RAIN OFF AREA: 343 sqm
 LANDSCAPED AREA TO IRRIGATE: 89 sqm

HEATING: 1 Phase, EER 3.0-3.5

VENTILATION: Individual fan ducted to outside or roof
 6 Star Gas Instantaneous
 N/A
 Gas Cooktop
 REFRIGERATOR SPACE: N/A
 CLOTHES DRYING LINES: Dryer
 ALTERNATIVE SUPPLY: N/A
 POOL SPA: N/A

ENERGY OPTIONS
 COOLING: 1 Phase, EER 2.5-3.0

NOTES:
 EX EXISTING
 FFL RL OF FINISHED FLOOR LEVEL
 RL REDUCED LEVEL
 BOUNDARY EX BUILDING TO BE DEMOLISHED
 COUNCIL CONTROLS

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 04 003 717 682 NSW Registration Number 4907

DRAWING TITLE:
ROOF PLAN

PROJECT ADDRESS:
35-37 Hall St, BONDI BEACH 2026

SCALE: 1:200@A3
 ISSUE DATE: 25/03/24
 PROJECT NUMBER: 20-055

DRAWN BY: MHN
 CHECKED: BW
 REVISION: E
 DWG NUMBER: DA 2005

REF: Bldcout: bch-26 - BldMoud Basic for Archical 2020-055-35-37 Hall St, Bondi Beach - S4.55

HALL STREET



REV D
SCHEDULE OF CHANGES
 DA 306/2021
 RESPONSE TO COUNCIL REQUESTED
 CHANGES "TWO WEEKS AGO"

ITEM 1 - CORNER FACADE TO HALL ST
 STEPPED BACK 1.2M

REV E
SCHEDULE OF CHANGES
 S4.55 APPLICATION

ITEM 1 - CENTRAL FIRE STAIR
 RELOCATED + LANDSCAPING ADDED

ITEM 2 - WESTERN ARCADE FACADE
 AMENDED + GLAZING INTRODUCED

ITEM 3 - LANDSCAPING & RAMP TO
 SOUTHERN COURTYARD REMOVED +
 STAIRS ADDED

ITEM 4 - LANDSCAPING TO NORTHERN
 BOUNDARY AMENDED + OSD ADDED

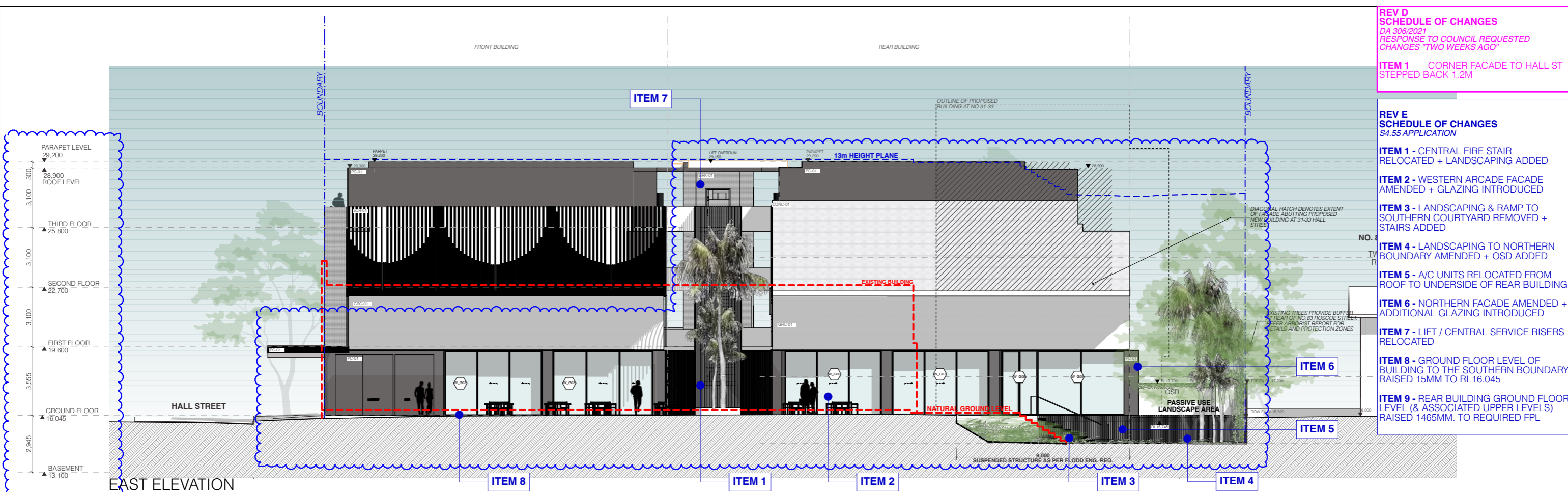
ITEM 5 - A/C UNITS RELOCATED FROM
 ROOF TO UNDERSIDE OF REAR BUILDING

ITEM 6 - NORTHERN FACADE AMENDED +
 ADDITIONAL GLAZING INTRODUCED

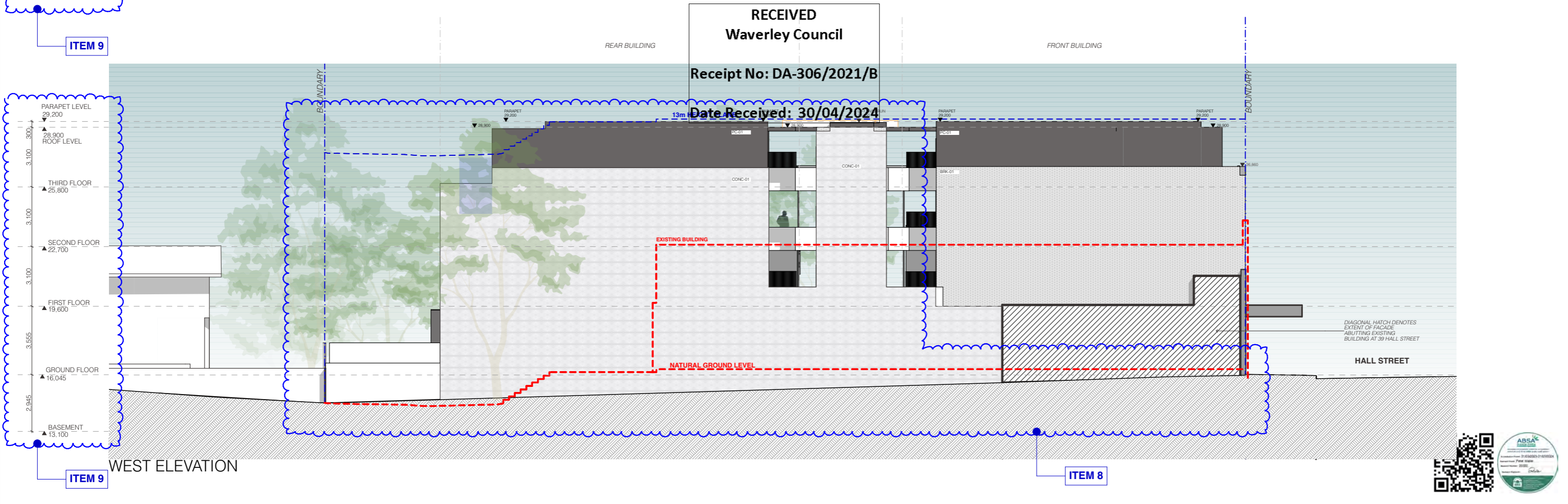
ITEM 7 - LIFT / CENTRAL SERVICE RISERS
 RELOCATED

ITEM 8 - GROUND FLOOR LEVEL OF
 BUILDING TO THE SOUTHERN BOUNDARY
 RAISED 15MM TO RL16.045

ITEM 9 - REAR BUILDING GROUND FLOOR
 LEVEL (& ASSOCIATED UPPER LEVELS)
 RAISED 1465MM. TO REQUIRED FPL



RECEIVED
 Waverley Council
 Receipt No: DA-306/2021/B
 Date Received: 30/04/2024



REV	DESCRIPTION	DATE	ALL CONSTRUCTION TO COMPLY AT MINIMUM W/ BCA CLAUSES & AUSTRALIAN STANDARDS	ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART 4 CLAUSES 4 & AS 1680	BASIX COMMITMENTS (ALL OTHER BASIX COMMITMENTS AS PER BASIX CERTIFICATE AND STAMPED PLANS)	HEATING:	NOTES:
A	DEVELOPMENT APPLICATION	20/07/21	CLAUSE B 1.4 MATERIAL & FORMS CONSTRUCTIONS	CLAUSE D2 17 HANDRAILS	WATER OPTIONS	1 Phase, EER 3.0-3.5	EX EXISTING
B	RESPONSE TO DEFERRAL LETTER	11/11/21	CLAUSE D2 21 OPERATION OF LATCH	CLAUSE D2 23 SIGNS ON DOORS	SHOWER/GRADE: 4 STAR		FLL RL OF FINISHED FLOOR LEVEL
C	AMENDED ARCH DRAWINGS	29/03/21	SPEC C 1.1 FIRE RESISTING CONSTRUCTION	CLAUSE D2 25 SEPARATION OF OPENINGS IN EXTERNAL WALL	TOILETS: 3 STAR	Individual fan ducted to outside or roof	RL BOUNDARY
D	RESPONSE TO COUNCIL CHANGES	02/08/22	SPEC C 1.10 FIRE HAZARD PROPERTIES	CLAUSE D2 26 GENERAL BUILDING ACCESS REQUIREMENTS	LAUNDRY: 4 STAR	6 Star Gas Instantaneous	EX BUILDING TO BE DEMOLISHED
E	S4.55 APPLICATION	25/03/24	SPEC C 1.11 PERFORMANCE OF EXTERNAL WALLS IN A FIRE	CLAUSE D2 27 SOUND INSULATION OF WALLS	CLOTHES WASHERS: N/A	5 Star Gas Instantaneous	COUNCIL CONTROLS



ARCHITECT:
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 F +61 2 9101 1100
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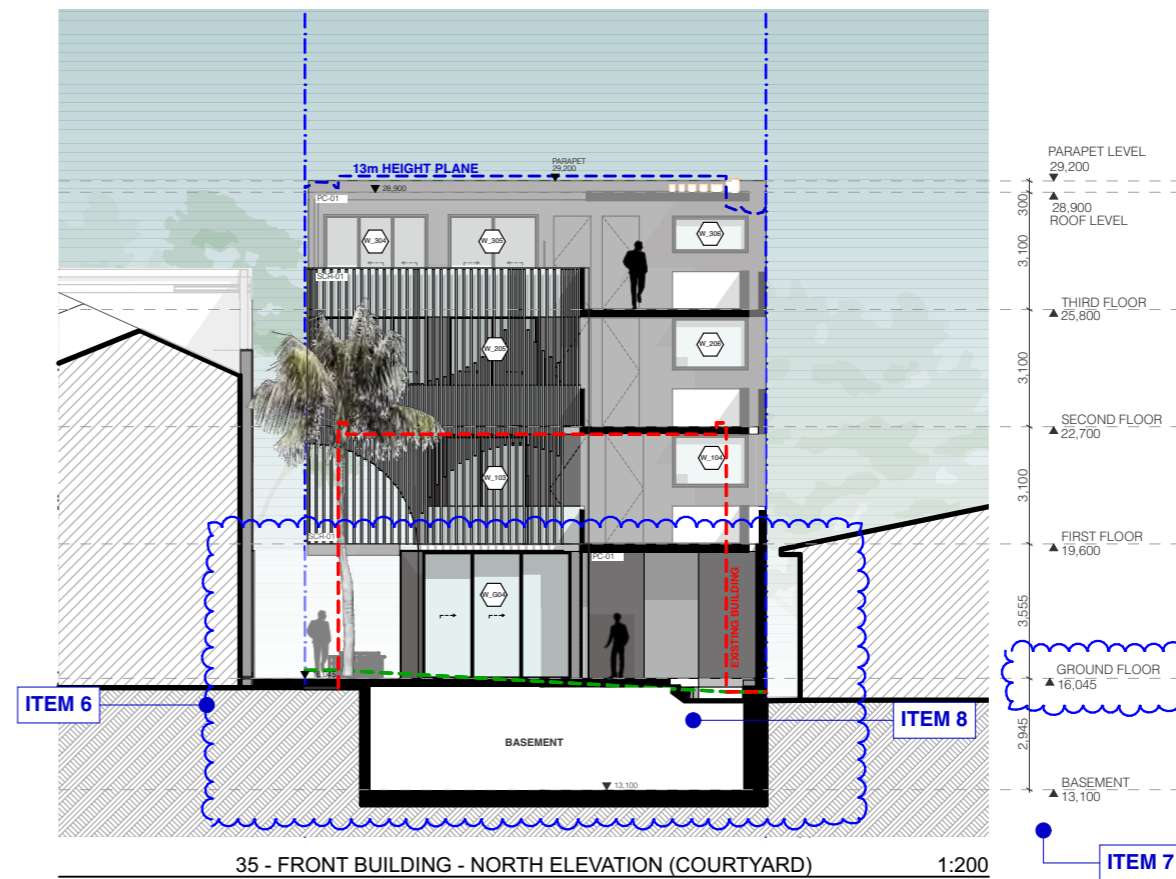
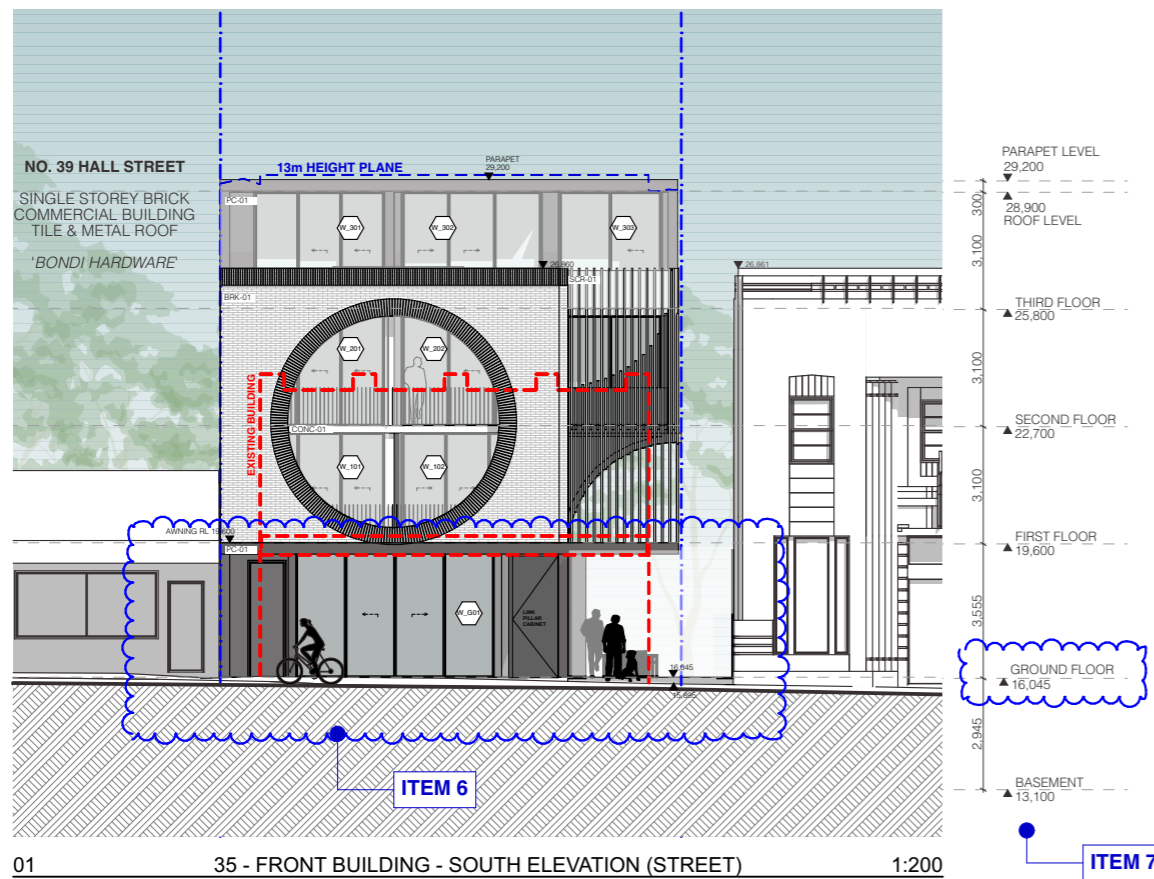
DRAWING TITLE:
ELEVATION EAST & WEST

PROJECT ADDRESS:
35-37 Hall St, BONDI BEACH 2026

SCALE: 1:200@A3
 ISSUE DATE: 25/03/24
 PROJECT NUMBER: 20-055

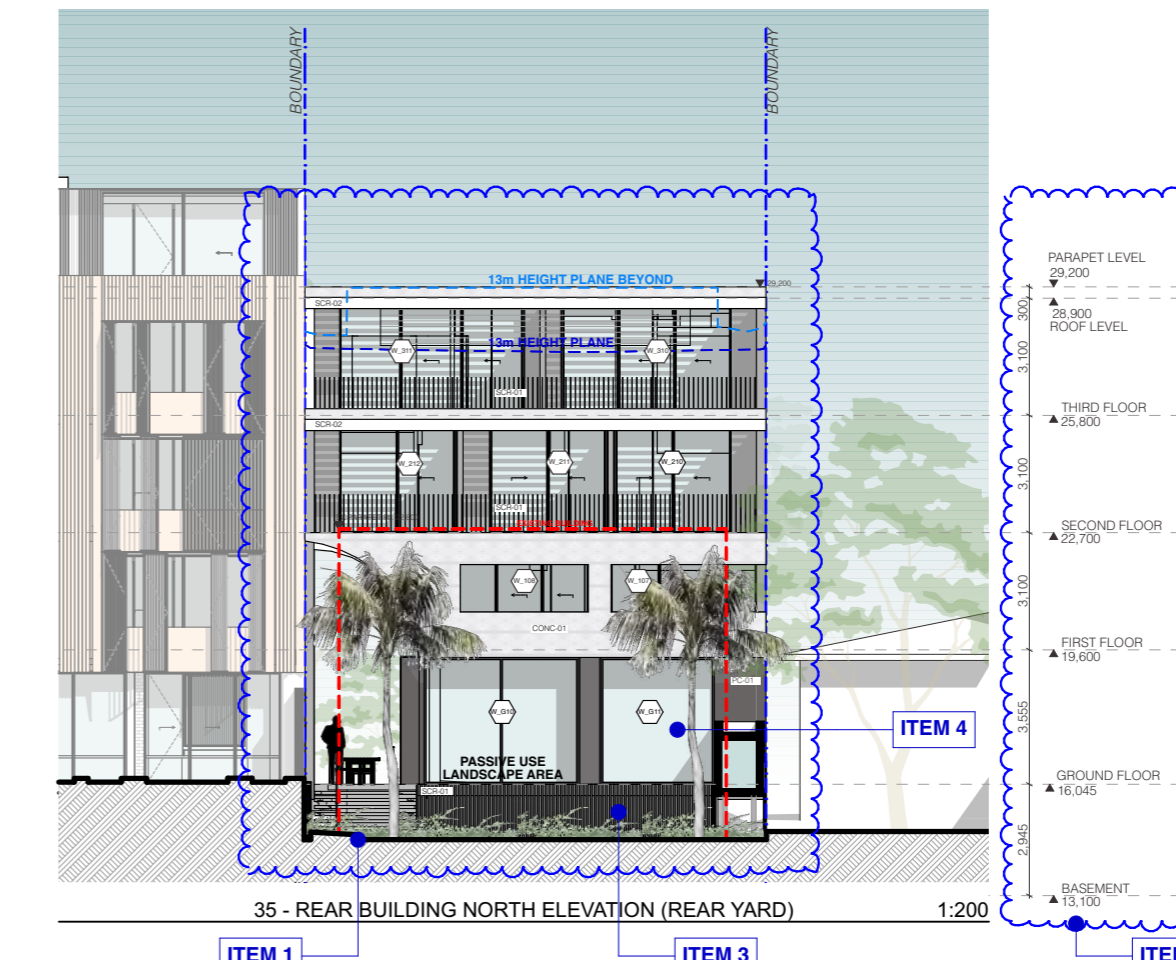
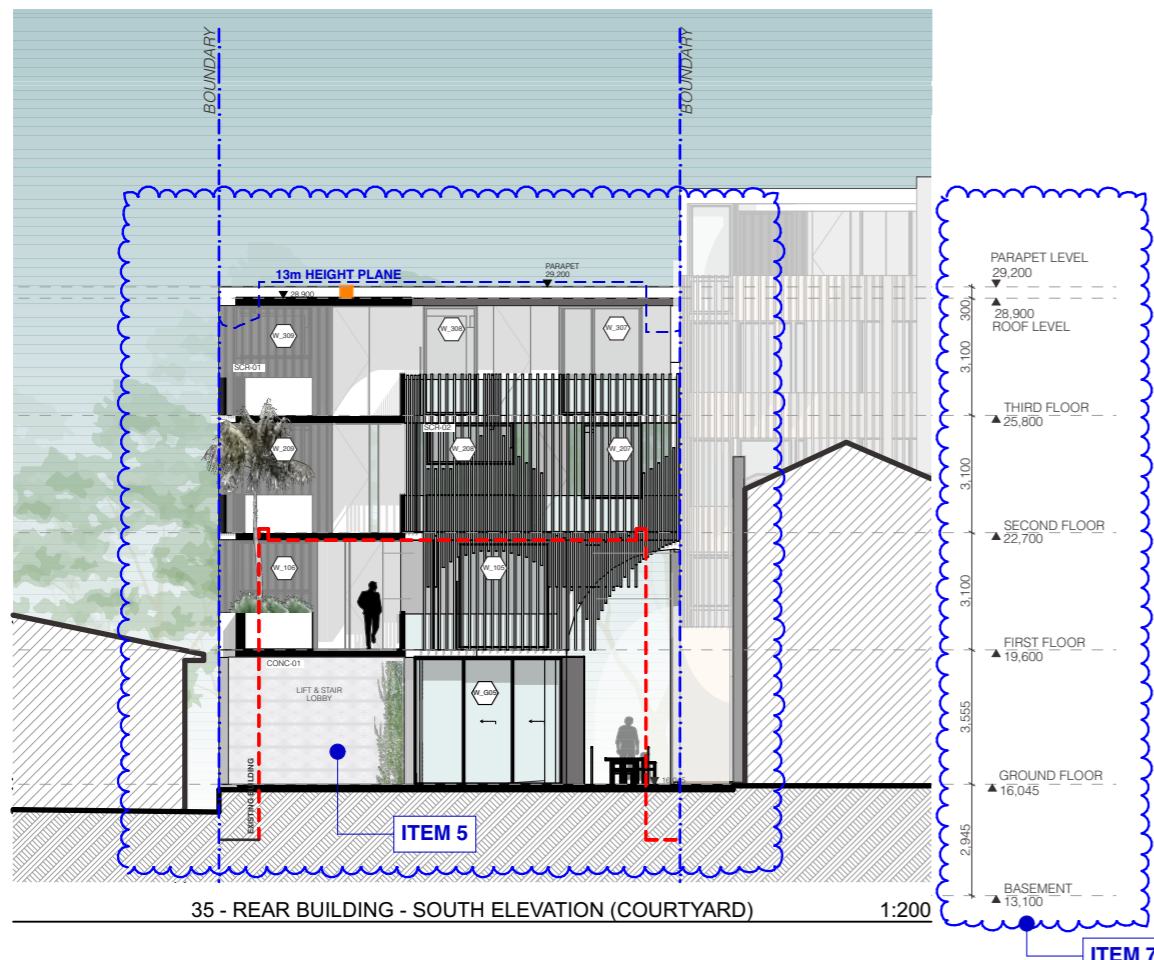
DRAWN BY: MHN
 CHECKED: BW
 REVISION: E
 DWG NUMBER: DA 3000

FRONT BUILDING



- REV D SCHEDULE OF CHANGES**
DA 306/2021
RESPONSE TO COUNCIL REQUESTED CHANGES "TWO WEEKS AGO"
- ITEM 1 CORNER FACADE TO HALL ST STEPPED BACK 1.2M
 - ITEM 2 UNIT 9 & 10 WINDOWS UPDATED.
 - ITEM 3 LINK PILLAR CABINET ADDED.
 - ITEM 4 DOORS AMENDED.
- REV E SCHEDULE OF CHANGES**
S4.55 APPLICATION
- ITEM 1 - LANDSCAPING & RAMP TO SOUTHERN COURTYARD REMOVED + STAIRS ADDED
 - ITEM 2 - LANDSCAPING TO NORTHERN BOUNDARY AMENDED
 - ITEM 3 - A/C UNITS RELOCATED FROM ROOF TO UNDERSIDE OF REAR BUILDING
 - ITEM 4 - NORTHERN FACADE AMENDED + ADDITIONAL GLAZING INTRODUCED
 - ITEM 5 - LIFT OPENING POSITION UPDATED + RISERS RELOCATED
 - ITEM 6 - GROUND FLOOR LEVEL OF BUILDING TO THE SOUTHERN BOUNDARY RAISED 15MM TO RL.16.045
 - ITEM 7 - REAR BUILDING GROUND FLOOR LEVEL (& ASSOCIATED UPPER LEVELS) RAISED 1465MM. TO REQUIRED FFL
 - ITEM 8 - FIRE STAIR TO BASEMENT RELOCATED

REAR BUILDING



RECEIVED
Waverley Council

Receipt No: DA-306/2021/B

Date Received: 30/04/2024



REV	DESCRIPTION	DATE	ALL CONSTRUCTION TO COMPLY AT MINIMUM W/ BCA CLAUSES & AUSTRALIAN STANDARDS	ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART CLAUSES 4 & AS 1680	BASIX COMMITMENTS (ALL OTHER BASIX COMMITMENTS AS PER BASIX CERTIFICATE AND STAMPED PLANS)	HEATING:	NOTES:	ARCHITECT:	DRAWING TITLE:	SCALE:	DRAWN BY:	CHECKED:
A	DEVELOPMENT APPLICATION	20/07/21	CLAUSE B 1.4 MATERIAL & FORMS CONSTRUCTIONS	CLAUSE D2 17 HANDRAILS	WATER SERVICES: TO COMPLY WITH PART 2 OF BCA	1 Phase, EER 3.0-3.5	EX EXISTING	MHNDUNION	ELEVATION NORTH & SOUTH	1:200@A3	MHN	BW
B	RESPONSE TO DEFERRAL LETTER	11/11/21	CLAUSE C 1.1 FIRE RESISTING CONSTRUCTION	CLAUSE D2 21 OPERATION OF LATCH	MOST WATER SYSTEMS TO COMPLY WITH PART 2 OF BCA		FFL RL OF FINISHED FLOOR LEVEL	35 RICHARDS LANE		ISSUE DATE:		
C	AMENDED ARCH DRAWINGS	29/03/21	SPEC C 1.10 FIRE HAZARD PROPERTIES	CLAUSE D2 23 SIGNS ON DOORS	FIRE SERVICES: TO COMPLY WITH SECTION E OF BCA		RL REDUCED LEVEL	SURRY HILLS SYDNEY NSW 2010		25/03/24		
D	RESPONSE TO COUNCIL CHANGES	02/08/22	CLAUSE C 1.1 PERFORMANCE OF EXTERNAL WALLS IN A FIRE	CLAUSE D2 23 GENERAL BUILDING ACCESS REQUIREMENTS	MASONRY: TO COMPLY WITH PART 2 OF BCA		BOUNDARY	T +61 2 9101 1111		PROJECT NUMBER:		
E	S4.55 APPLICATION	25/03/24	CLAUSE C 1.1 VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL	CLAUSE D2 3 PARTS OF BUILDING TO BE ACCESSIBLE	MECHANICAL AIRCONDITIONING: TO COMPLY WITH PART 25 OF BCA		EX BUILDING TO BE DEMOLISHED	F +61 2 9101 1100	ELEVATION NORTH & SOUTH	20-055		
			CLAUSE C 1.2 SEPARATION OF EQUIPMENT	CLAUSE D3 3 IDENTIFICATION OF ACCESSIBLE FACILITY FEATURES	MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH PART 25 OF BCA		BOUNDARY	www.mhndu.com		PROJECT ADDRESS:		
			CLAUSE C 1.2.1 ELECTRICAL SUPPLY SYSTEM	CLAUSE D3 4 TACTILE INDICATORS	SMOKE ALARMS: TO COMPLY WITH BCA PART 2 CLAUSES & SPEC E2.2 & AS3786		BOUNDARY	MHN Design Urban Pty Ltd.		35-37 Hall St, BONDI BEACH 2026		
			CLAUSE C 1.2.2 ACCEPTABLE METHODS OF PROTECTION (OF OPENINGS)	CLAUSE D3 5 CONSTRUCTION OF SANITARY COMPARTMENTS	PENETRATIONS: THROUGH FIRE RATED CONSTRUCTION FOR MECH		BOUNDARY	ABN 94 003 717 682				
			CLAUSE C 1.2.3 OPENING IN FIRE ISOLATED EXITS	CLAUSE D3 6 SOUND INSULATION OF FLOORS	STAR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE C3.15 & AS1530-4:2005		BOUNDARY	NSW Registration Number 4907				
			CLAUSE C 1.2.4 ACCEPTABLE METHODS OF PROTECTION (OF OPENINGS)	CLAUSE D3 7 SOUND INSULATION OF WALLS	STAR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13		BOUNDARY					
			CLAUSE C 1.2.5 OPENING IN FIRE ISOLATED EXITS	CLAUSE D3 8 TACTILE INDICATORS	STAR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13		BOUNDARY					
			CLAUSE C 1.2.6 GOINGS AND RISERS	CLAUSE D3 9 TACTILE INDICATORS	STAR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13		BOUNDARY					
			CLAUSE C 1.2.7 DISCHARGE FROM EXITS	CLAUSE D3 10 TACTILE INDICATORS	STAR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13		BOUNDARY					
			CLAUSE C 1.2.8 GOINGS AND RISERS	CLAUSE D3 11 TACTILE INDICATORS	STAR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13		BOUNDARY					
			CLAUSE C 1.2.9 LANDINGS	CLAUSE D3 12 TACTILE INDICATORS	STAR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13		BOUNDARY					
			CLAUSE C 1.2.10 THRESHOLDS	CLAUSE D3 13 TACTILE INDICATORS	STAR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13		BOUNDARY					
			CLAUSE C 1.2.11 BALUSTRADES	CLAUSE D3 14 TACTILE INDICATORS	STAR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13		BOUNDARY					
				CLAUSE D3 15 TACTILE INDICATORS	STAR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13		BOUNDARY					
				CLAUSE D3 16 TACTILE INDICATORS	STAR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13		BOUNDARY					
				CLAUSE D3 17 TACTILE INDICATORS	STAR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13		BOUNDARY					
				CLAUSE D3 18 TACTILE INDICATORS	STAR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13		BOUNDARY					
				CLAUSE D3 19 TACTILE INDICATORS	STAR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13		BOUNDARY					
				CLAUSE D3 20 TACTILE INDICATORS	STAR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13		BOUNDARY					
				CLAUSE D3 21 TACTILE INDICATORS	STAR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13		BOUNDARY					
				CLAUSE D3 22 TACTILE INDICATORS	STAR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13		BOUNDARY					
				CLAUSE D3 23 TACTILE INDICATORS	STAR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13		BOUNDARY					
				CLAUSE D3 24 TACTILE INDICATORS	STAR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13		BOUNDARY					
				CLAUSE D3 25 TACTILE INDICATORS	STAR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13		BOUNDARY					
				CLAUSE D3 26 TACTILE INDICATORS	STAR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13		BOUNDARY					
				CLAUSE D3 27 TACTILE INDICATORS	STAR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13		BOUNDARY					
				CLAUSE D3 28 TACTILE INDICATORS	STAR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13		BOUNDARY					
				CLAUSE D3 29 TACTILE INDICATORS	STAR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13		BOUNDARY					
				CLAUSE D3 30 TACTILE INDICATORS	STAR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13		BOUNDARY					
				CLAUSE D3 31 TACTILE INDICATORS	STAR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13		BOUNDARY					
				CLAUSE D3 32 TACTILE INDICATORS	STAR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13		BOUNDARY					
				CLAUSE D3 33 TACTILE INDICATORS	STAR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13		BOUNDARY					
				CLAUSE D3 34 TACTILE INDICATORS	STAR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13		BOUNDARY					
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				CLAUSE D3 37 TACTILE INDICATORS	STAR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13		BOUNDARY					
				CLAUSE D3 38 TACTILE INDICATORS	STAR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13		BOUNDARY					
				CLAUSE D3 39 TACTILE INDICATORS	STAR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13		BOUNDARY					
				CLAUSE D3 40 TACTILE INDICATORS	STAR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13		BOUNDARY					
				CLAUSE D3 41 TACTILE INDICATORS	STAR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13		BOUNDARY					
				CLAUSE D3 42 TACTILE INDICATORS	STAR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13		BOUNDARY					
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				CLAUSE D3 64 TACTILE INDICATORS	STAR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13		BOUNDARY					
				CLAUSE D3 65 TACTILE INDICATORS	STAR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13		BOUNDARY					
				CLAUSE D3 66 TACTILE INDICATORS	STAR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13		BOUNDARY					
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				CLAUSE D3 68 TACTILE INDICATORS	STAR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13		BOUNDARY					
				CLAUSE D3 69 TACTILE INDICATORS	STAR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13		BOUNDARY					
				CLAUSE D3 70 TACTILE INDICATORS	STAR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13		BOUNDARY					
				CLAUSE D3 71 TACTILE INDICATORS	STAR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13		BOUNDARY					
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				CLAUSE D3 73 TACTILE INDICATORS	STAR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13		BOUNDARY					
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				CLAUSE D3 77 TACTILE INDICATORS	STAR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13		BOUNDARY					
				CLAUSE D3 78 TACTILE INDICATORS	STAR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13		BOUNDARY					
				CLAUSE D3 79 TACTILE INDICATORS	STAR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13		BOUNDARY					
				CLAUSE D3 80 TACTILE INDICATORS	STAR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13		BOUNDARY					
				CLAUSE D3 81 TACTILE INDICATORS	STAR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13		BOUNDARY					
				CLAUSE D3 82 TACTILE INDICATORS	STAR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13		BOUNDARY					
				CLAUSE D3 83 TACTILE INDICATORS	STAR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13		BOUNDARY					
				CLAUSE D3 84 TACTILE INDICATORS	STAR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13		BOUNDARY					
				CLAUSE D3 85 TACTILE INDICATORS	STAR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13		BOUNDARY					

REF: BMiscout: tab-26 - BMiscout Base for Architect 2020-05-31 Hall St, Bondi Beach - S4.55

REV C
SCHEDULE OF CHANGES
 DA 306/2021
 RESPONSE TO COUNCIL REQUESTED
 CHANGES "TWO WEEKS AGO"

**ITEM 1 - UNIT 9 UPDATED TO SINGLE
 LEVEL LAYOUT.**

**ITEM 2 - UNIT 10 UPDATED TO SINGLE
 LEVEL LAYOUT.**

REV E
SCHEDULE OF CHANGES
 S4.55 APPLICATION

**ITEM 1 - CENTRAL FIRE STAIR
 RELOCATED + LANDSCAPING ADDED**

**ITEM 2 - LANDSCAPING TO NORTHERN
 BOUNDARY AMENDED + OSD ADDED**

**ITEM 3 - A/C UNITS RELOCATED FROM
 ROOF TO UNDERSIDE OF REAR BUILDING**

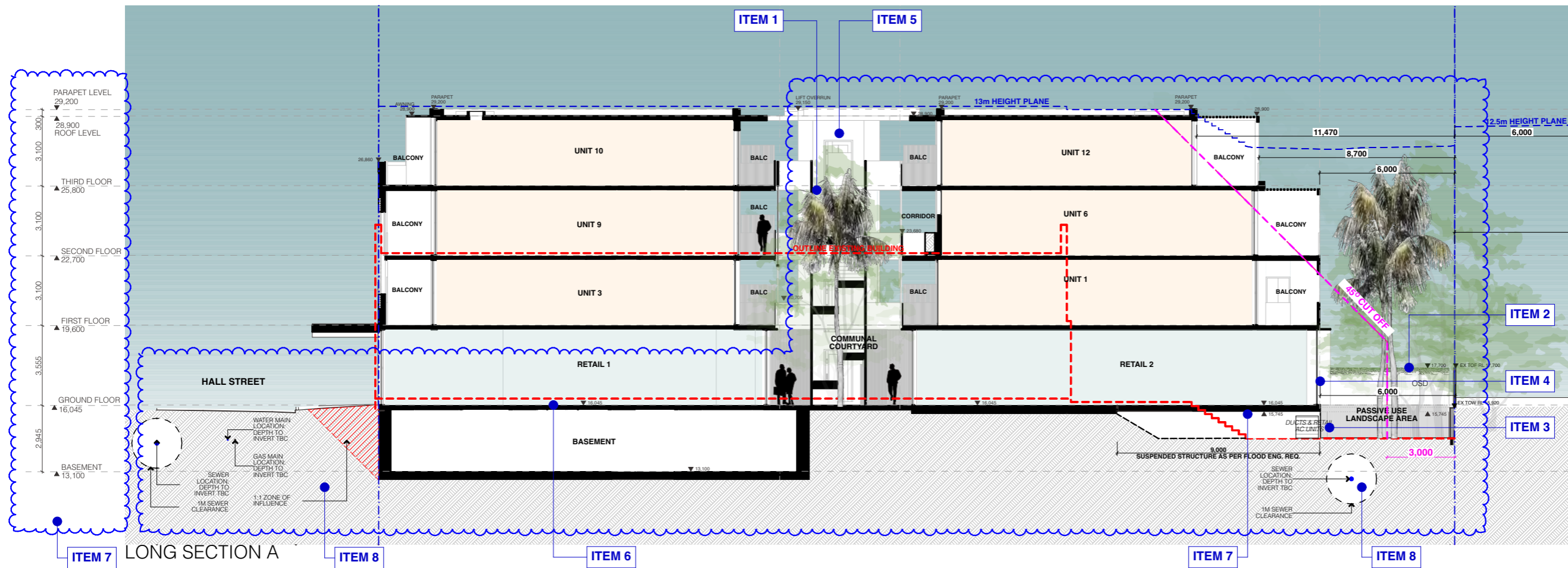
**ITEM 4 - NORTHERN FACADE AMENDED +
 ADDITIONAL GLAZING INTRODUCED**

**ITEM 5 - LIFT OPENING POSITION
 UPDATED + RISERS RELOCATED**

**ITEM 6 - GROUND FLOOR LEVEL OF
 BUILDING TO THE SOUTHERN BOUNDARY
 RAISED 15MM TO RL16.045**

**ITEM 7 - REAR BUILDING GROUND FLOOR
 LEVEL (& ASSOCIATED UPPER LEVELS)
 RAISED 1465MM. TO REQUIRED FFL.
 EXISTING REAR GROUND LEVELS TO BE
 MAINTAINED & REAR GROUND FLOOR
 SLAB TO BE SUSPENDED**

**ITEM 8 - ADDITIONAL INFORMATION FOR
 SEWER / WATER MAINS ADDED**



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 Receipt No: DA-306/2021/B
 Date Received: 30/04/2024

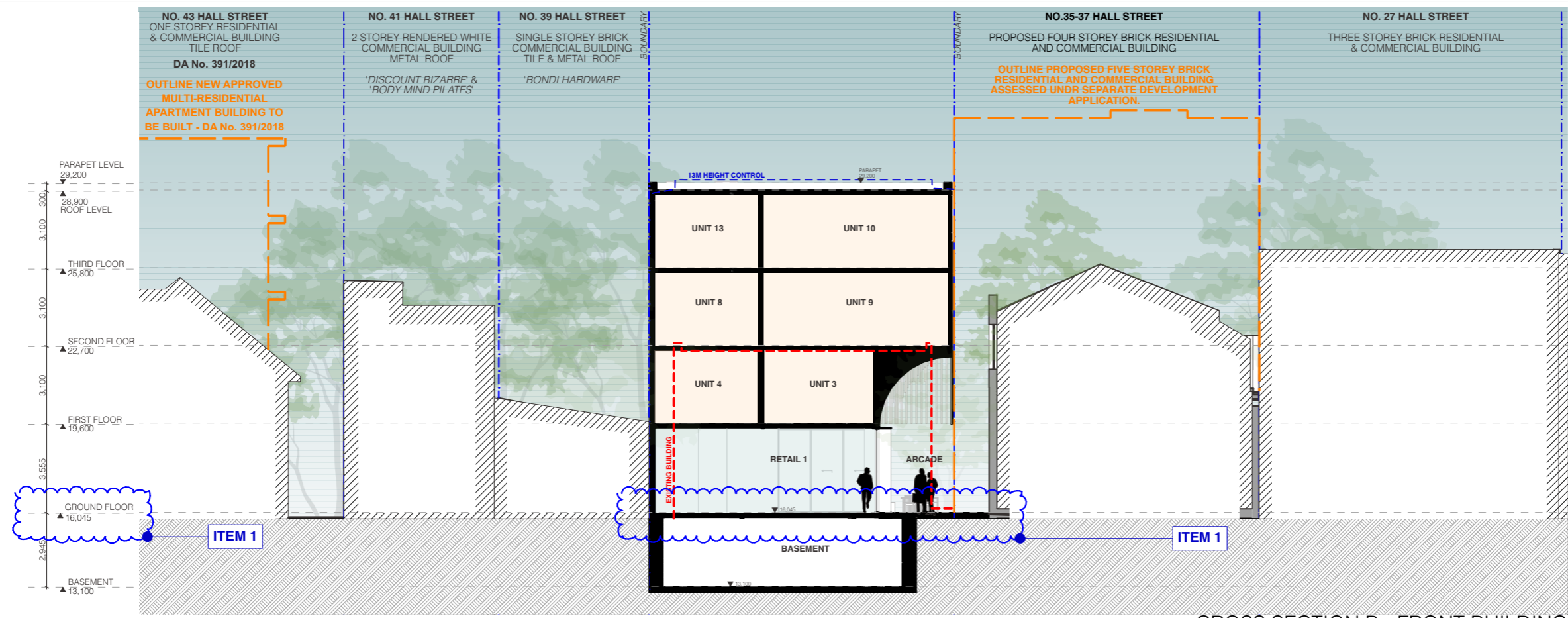


REV	DESCRIPTION	DATE	ALL CONSTRUCTION TO COMPLY AT MINIMUM W/ BCA CLAUSES & AUSTRALIAN STANDARDS CLAUSE B 1.4 MATERIAL & FORMS CONSTRUCTION SPEC C 1.1 FIRE RESISTING CONSTRUCTION SPEC C 1.10 FIRE HAZARD PROPERTIES SPEC C 1.11 PERFORMANCE OF EXTERNAL WALLS IN A FIRE CLAUSE C 1.8 VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL CLAUSE C 1.2 SEPARATION OF EQUIPMENT CLAUSE C 1.3 ELECTRICITY SUPPLY SYSTEM CLAUSE C 1.3 ACCEPTABLE METHODS OF PROTECTION (OF OPENINGS) CLAUSE C 1.8 OPENING IN FIRE ISOLATED EXITS CLAUSE C 1.9 OPENING FOR SERVICE INSTALLATIONS CLAUSE D 1.6 DISCHARGE FROM EXITS CLAUSE D 1.7 INSTALLATIONS IN EXITS AND PATHS OF TRAVEL CLAUSE D 2.14 LANDINGS CLAUSE D 2.15 THRESHOLDS CLAUSE D 2.16 BALUSTRADES CLAUSE D 2.17 HANDRAILS CLAUSE D 2.21 OPERATION OF LATCH CLAUSE D 2.23 SIGNS ON DOORS CLAUSE D 3.2 GENERAL BUILDING ACCESS REQUIREMENTS CLAUSE D 3.3 PARTS OF BUILDING TO BE ACCESSIBLE CLAUSE D 3.8 TACTILE INDICATORS CLAUSE F 1.3 WATERPROOFING OF WET AREAS CLAUSE F 1.8 DAMP PROOFING CLAUSE 2.5 CONSTRUCTION OF SANITARY COMPARTMENTS PART F 4 LIGHTING AND VENTILATION CLAUSE F 4.4 SOUND INSULATION OF FLOORS CLAUSE F 5.3 SOUND INSULATION OF WALLS CLAUSE F 5.8 SOUND INSULATION OF SERVICES CLAUSE F 5.7 SOUND INSULATION OF PUMPS CLAUSE D 2.18 BALUSTRADES	ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART CLAUSES 4 & AS 1680 BALUSTRADE HEIGHTS: TO COMPLY WITH BCA CLAUSE D 2.16 DRAINAGE GUTTERS & DOWNPIPES: TO COMPLY WITH ADNS 2600 3.2 ENERGY EFFICIENT GLAZING: TO COMPLY WITH 2.2 OF BCA FIRE SERVICES: TO COMPLY WITH SECTION E OF BCA HOT WATER SYSTEMS: TO COMPLY WITH PART 21 OF BCA MASONRY: TO COMPLY WITH AS 3700 MECHANICAL VENTILATION: TO COMPLY WITH AS 1569 & AS 162 MECHANICAL AIR CONDITIONING: TO COMPLY WITH PART 25 OF BCA MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH AS 1569 & AS 162 SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE & SPEC E2.2 & AS 3786 PENETRATIONS: THROUGH FIRE RATED CONSTRUCTION FOR MECH/ELECTRICAL PENETRATIONS TO COMPLY WITH BCA CLAUSE C 1.5 & AS 1530 4.2.005 SOUND TRANSMISSION: TO COMPLY WITH PARTS OF BCA STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D 2.13 WATERPROOFING OF WET AREAS: TO COMPLY WITH AS 3740	BASIC COMMITMENTS (ALL OTHER BASIC COMMITMENTS AS PER BASIC CERTIFICATE AND STAMPED PLANS) WATER OPTIONS SHOWERHEADS: 4 STAR TOILETS: 3 STAR NA STAR KITCHEN TAPS: 3 STAR BATHROOM TAPS: 3 STAR DISHWASHERS: 3 STAR RAIN WATER TANK: 3000 L POOL/SPA: 343 lph COLLECT RAIN OFF AREA: 3000 L LANDSCAPED AREA TO IRRIGATE: 89 lph ENERGY OPTIONS COOLING: 1 Phase, EER 2.5-3.0	HEATING: 1 Phase, EER 3.0-3.5 VENTILATION: Individual fan ducted to outside or roof WATER HEATING: 6 Star Gas Instantaneous ENERGY EFFICIENT LIGHTING: N/A COOK TOPS: Gas Cooktop REFRIGERATOR SPACE: N/A CLOTHES DRYING LINES: Dryer ALTERNATIVE SUPPLY: N/A POOL/SPA: N/A	NOTES: EX FFL EXISTING RL OF FINISHED FLOOR LEVEL RL REDUCED LEVEL BOUNDARY EX BUILDING TO BE DEMOLISHED COUNCIL CONTROLS 86	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 NSW Registration Number 4907	DRAWING TITLE: SECTION A PROJECT ADDRESS: 35-37 Hall St, BONDI BEACH 2026	SCALE: 1:200@A3 ISSUE DATE: 25/03/24 PROJECT NUMBER: 20-055	DRAWN BY: MHN CHECKED: BW REVISION: E DWG NUMBER: DA 3100
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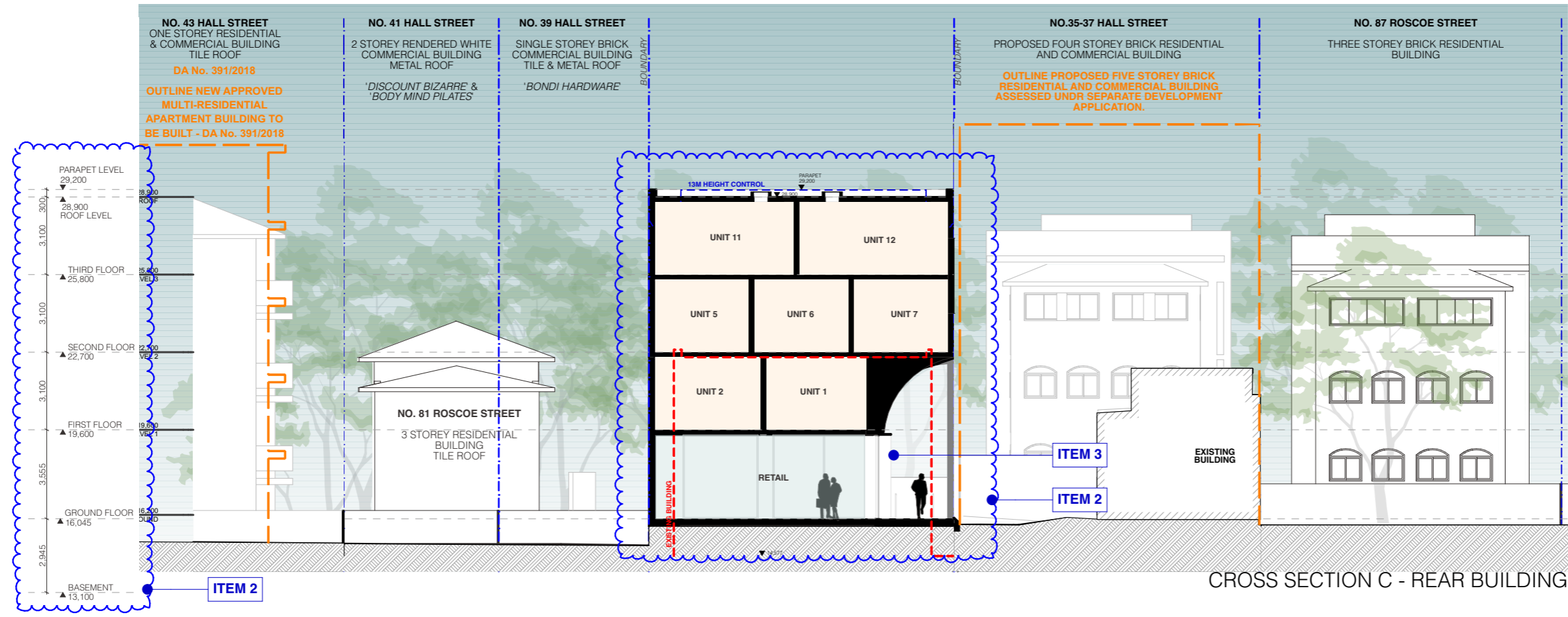
REF: BHMout: bch-26 - BHMout Base for Architect 2020-055-35-37 Hall St, Bondi Beach - S4.55

REV C SCHEDULE OF CHANGES
 DA 306/2021
 RESPONSE TO COUNCIL REQUESTED CHANGES "TWO WEEKS AGO"
ITEM 1 UNIT 9 & 10 UPDATED TO SINGLE LEVEL LAYOUTS.

REV E SCHEDULE OF CHANGES
 S4.55 APPLICATION
ITEM 1 - GROUND FLOOR LEVEL OF BUILDING TO THE SOUTHERN BOUNDARY RAISED 15MM TO RL 16.045
ITEM 2 - REAR BUILDING GROUND FLOOR LEVEL (& ASSOCIATED UPPER LEVELS) RAISED 1465MM. TO REQUIRED FPL. EXISTING REAR GROUND LEVELS TO BE MAINTAINED & REAR GROUND FLOOR SLAB TO BE SUSPENDED
ITEM 3 - WESTERN ARCADE FACADE AMENDED + GLAZING INTRODUCED



CROSS SECTION B - FRONT BUILDING



CROSS SECTION C - REAR BUILDING

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 Date Received: 30/04/2024



REV	DESCRIPTION	DATE
A	DEVELOPMENT APPLICATION	20/07/21
B	RESPONSE TO DEFERRAL LETTER	11/11/21
C	AMENDED ARCH DRAWINGS	29/03/21
D	RESPONSE TO COUNCIL CHANGES	02/08/22
E	S4.55 APPLICATION	25/03/24

ALL CONSTRUCTION TO COMPLY AT MINIMUM WITH BCA CLAUSES & AUSTRALIAN STANDARDS

CLAUSE B 1.4 MATERIAL & FORM CONSTRUCTIONS
 SPEC C 1.1 FIRE RESISTING CONSTRUCTION
 SPEC C 1.10 FIRE HAZARD PROTECTION
 SPEC C 1.11 PERFORMANCE OF EXTERNAL WALLS IN A FIRE
 CLAUSE C 2.1 VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL
 CLAUSE C 2.2 SEPARATION OF EQUIPMENT
 CLAUSE C 2.3 ELECTRICITY SUPPLY SYSTEM
 CLAUSE C 3.1 ACCESSIBLE METHOD OF PROTECTION (OF OPENINGS)
 CLAUSE C 3.2 OPENING FOR SERVICE INSTALLATIONS
 CLAUSE C 3.3 OPENING IN FIRE ISOLATED EXITS
 CLAUSE C 3.4 DISCHARGE FROM EXITS
 CLAUSE C 3.5 INSTALLATIONS IN EXITS AND PATHS OF TRAVEL
 CLAUSE C 3.6 GOINGS AND RISERS
 CLAUSE C 3.7 LANDINGS
 CLAUSE C 3.8 THRESHOLDS
 CLAUSE C 3.9 BALUSTRADES

CLAUSE D 2.1 HANDRAILS
 CLAUSE D 2.2 OPERATION OF LATCH
 CLAUSE D 2.3 SIGNS ON DOORS
 CLAUSE D 2.4 GENERAL BUILDING ACCESS REQUIREMENTS
 CLAUSE D 3.1 PARTS OF BUILDING TO BE ACCESSIBLE
 CLAUSE D 3.2 IDENTIFICATION OF ACCESSIBLE FACILITY FEATURES
 CLAUSE D 3.3 IDENTIFICATION OF ACCESSIBLE FACILITY FEATURES
 CLAUSE F 1.1 WATERPROOFING OF WET AREAS
 CLAUSE F 1.2 DAMP PROOFING
 CLAUSE F 1.3 CONSTRUCTION OF SANITARY COMPARTMENTS
 CLAUSE F 1.4 LIGHTING AND VENTILATION
 CLAUSE F 4.1 SOUND INSULATION OF FLOORS
 CLAUSE F 4.2 SOUND INSULATION OF WALLS
 CLAUSE F 5.1 SOUND INSULATION OF SERVICES
 CLAUSE F 5.2 SOUND INSULATION OF PUMPS

ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART CLAUSES 4 & AS 1680
 BALUSTRADE HEIGHTS: TO COMPLY WITH BCA CLAUSE D 2.16
 DRAINAGE GUTTERS & DOWNPIPES: TO COMPLY WITH AS/NZS 3600 3.2
 ENERGY EFFICIENT LIGHTING: TO COMPLY WITH 2.2 OF BCA
 FIRE SERVICES: TO COMPLY WITH SECTION E OF BCA
 HOT WATER SYSTEMS: TO COMPLY WITH 2.2 OF BCA
 MASONRY: TO COMPLY WITH AS 3700
 MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH PART 25 OF BCA
 MECHANICAL AIR CONDITIONING: TO COMPLY WITH PART 25 OF BCA
 MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH AS 1969 & AS 1972
 SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE & SPEC E2.2 & AS 3700
 PENETRATIONS: THROUGH FIRE RATED CONSTRUCTION FOR MECH/ELECTRICAL PENETRATIONS TO COMPLY WITH BCA CLAUSE C 3.15 & AS 1530 4.2005
 SOUND TRANSMISSION: TO COMPLY WITH PARTS OF BCA
 STAR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D 2.13
 WATERPROOFING OF WET AREAS: TO COMPLY WITH AS 3700

BASIX COMMITMENTS (ALL OTHER BASIX COMMITMENTS AS PER BASIX CERTIFICATE AND STAMPED PLANS)

WATER OPTIONS
 SHOWERHEADS: 4 STAR
 TOILETS: 3 STAR
 NA STAR
 KITCHEN TAPS: 3 STAR
 BATHROOM TAPS: 3 STAR
 DISHWASHERS: 3 STAR
 RAIN WATER TANK: 3000 L
 POOL/SPA: 3000 L
 COLLECT RAIN OFF AREA: 300 sqm
 LANDSCAPED AREA TO IRRIGATE: 80 sqm

HEATING: 1 Phase, EER 3.0-3.5

VENTILATION:
 WATER HEATING: Individual fan ducted to outside or roof
 ENERGY EFFICIENT LIGHTING: 6 Star Gas Instantaneous
 COOK TOPS: N/A
 Gas Cooktop
 REFRIGERATOR SPACE: N/A
 CLOTHES DRYING LINES: Dryer
 ALTERNATIVE SUPPLY: N/A
 POOL/SPA: N/A

NOTES:
 EX FFL EXISTING RL OF FINISHED FLOOR LEVEL
 RL REDUCED LEVEL BOUNDARY
 EX BUILDING TO BE DEMOLISHED
 COUNCIL CONTROLS

87

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 04 003 717 682 NSW Registration Number 4907

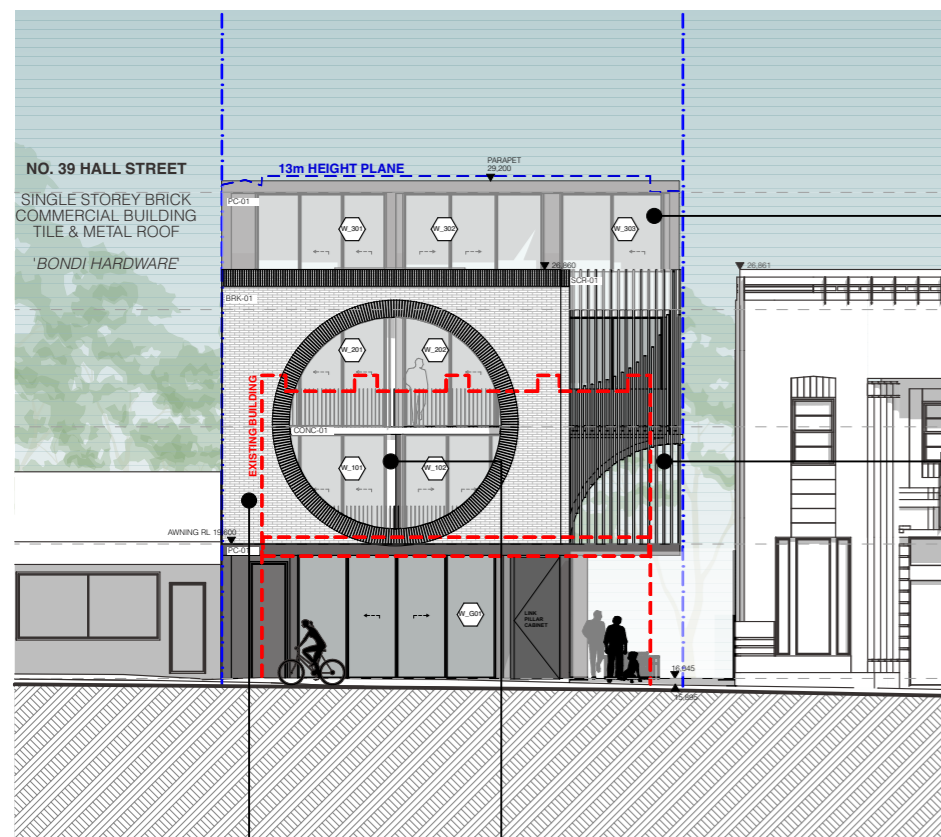
DRAWING TITLE:
SECTION B & C
 PROJECT ADDRESS:
35-37 Hall St, BONDI BEACH 2026

SCALE: 1:200@A3
 ISSUE DATE: 25/03/24
 PROJECT NUMBER: 20-055

DRAWN BY: MHN
 CHECKED: BW
 REVISION: E
 DWG NUMBER: DA 3101

REF: Mhndu: bch-26 - Mhndu: Basic for Architect 2020-055-35-37 Hall St, Bondi Beach - S4.55

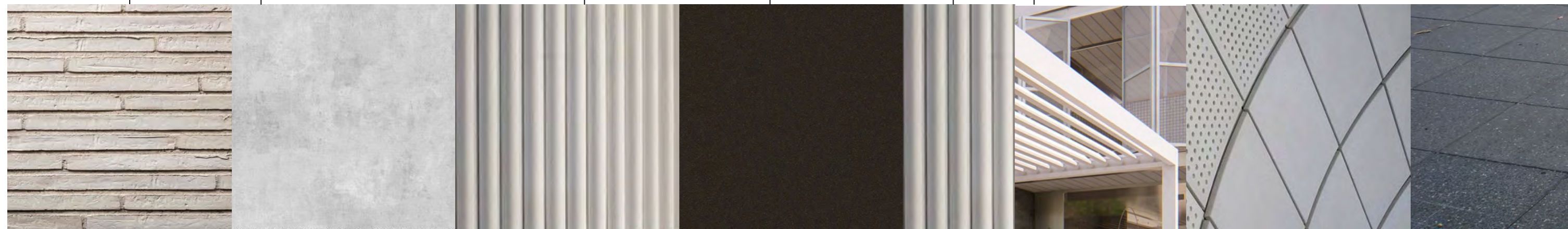
REV E
SCHEDULE OF CHANGES
 S4.55 APPLICATION
 NO CHANGE TO SHEET
 REFER TO PLANS DA2000 - DA2005 &
 ELEVATIONS DA3000 - DA3001 FOR SCHEDULE
 OF CHANGES



01 35 - FRONT BUILDING - SOUTH ELEVATION (STREET) 1:200



35 - REAR BUILDING NORTH ELEVATION (REAR YARD) 1:200



BRK-01 PETERSEN K11 KOLUMBA WHITE BRICK TO EXTERNAL WALLS
CONC-01 OFF-WHITE CONCRETE TO EXTERNAL WALLS, BALUSTRADES
SCR-01 OFF-WHITE TERRACOTTA BAGUETTE
PC-01 DULUX ELECTRO DARK BRONZE POWDERCOAT TO WINDOW & DOOR FRAMES, AWNING, PALISADE BALUSTRADES
SCR-01 OFF-WHITE TERRACOTTA BAGUETTE
SCR-02 OFF-WHITE LIGHTWEIGHT PERGOLA
GRC-01 OFF-WHITE GRC CURVED PANELS TO ARCADE SOFFIT
PAVING TO ARCADE FOOTPATH

RECEIVED
Waverley Council
 Receipt No: DA-306/2021/B
 Date Received: 30/04/2024



REV	DESCRIPTION	DATE	ALL CONSTRUCTION TO COMPLY AT MINIMUM W/ BCA CLAUSES & AUSTRALIAN STANDARDS	ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART CLAUSES 4 & AS1680 BALUSTRADE HEIGHTS: TO COMPLY WITH BCA CLAUSE 02.16 DRAINAGE GUTTERS & DOWNPIPES: TO COMPLY WITH ADNS 2600 3.2 ENERGY EFFICIENT LIGHTING: TO COMPLY WITH 2.7 OF BCA	BASIX COMMITMENTS (ALL OTHER BASIX COMMITMENTS AS PER BASIX CERTIFICATE AND STAMPED PLANS)	HEATING: 1 Phase, EER 3.0-3.5	NOTES:	
A	DEVELOPMENT APPLICATION	20/07/21	CLAUSE B 1.4 MATERIAL & FORMS CONSTRUCTIONS SPEC C 1.1 FIRE RESISTING CONSTRUCTION SPEC C 1.10 FIRE HAZARD PROPERTIES SPEC C 1.11 PERFORMANCE OF EXTERNAL WALLS IN A FIRE CLAUSE C 2.8 VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL CLAUSE C 2.12 SEPARATION OF EQUIPMENT CLAUSE C 2.13 ELECTRICITY SUPPLY SYSTEM CLAUSE C 3 ACCEPTABLE METHODS OF PROTECTION (OF OPENINGS) CLAUSE C 3.8 OPENING IN FIRE ISOLATED EXITS CLAUSE C 3.9 OPENING FOR SERVICE INSTALLATIONS CLAUSE D 1.6 DISCHARGE FROM EXITS CLAUSE D 2.7 INSTALLATIONS IN EXITS AND PATHS OF TRAVEL CLAUSE D 2.14 LANDINGS CLAUSE D 2.15 THRESHOLDS CLAUSE D 2.16 BALUSTRADES	CLAUSE 02.17 HANDRAILS CLAUSE 02.21 OPERATION OF LATCH CLAUSE 02.23 SIGNS ON DOORS CLAUSE 03.2 GENERAL BUILDING ACCESS REQUIREMENTS CLAUSE 03.3 PARTS OF BUILDING TO BE ACCESSIBLE CLAUSE 03.8 TACTILE INDICATORS CLAUSE F 1.3 WATERPROOFING OF WET AREAS CLAUSE F 1.8 F 1.9 DAMP PROOFING CLAUSE 2.5 CONSTRUCTION OF SANITARY COMPARTMENTS PART F 4 LIGHTING AND VENTILATION CLAUSE F 4.4 SOUND INSULATION OF FLOORS CLAUSE F 5.4 SOUND INSULATION OF WALLS CLAUSE F 5.8 SOUND INSULATION OF SERVICES CLAUSE F 5.7 SOUND INSULATION OF PUMPS	WATER OPTIONS SHOWERHEADS: 4 STAR TOILETS: 3 STAR CLOTHES WASHERS: NA STAR KITCHEN TAPS: 3 STAR BATHROOM TAPS: 3 STAR DISHWASHERS: 3 STAR RAIN WATER TANK: 3000 L POOL/SPA: NA COLLECT RAIN OFF AREA LANDSCAPED AREA TO IRRIGATE: 89 sqm	VENTILATION: ENERGY EFFICIENT LIGHTING: COOK TOPS: REFRIGERATOR SPACE: CLOTHES DRYING LINES: ALTERNATIVE SUPPLY: POOLS/SPA:	Individual fan ducted to outside or roof 6 Star Gas Instantaneous NA Gas Cooktop NA Dryer NA NA	EX FLL RL EXISTING RL OF FINISHED FLOOR LEVEL REDUCED LEVEL BOUNDARY EX BUILDING TO BE DEMOLISHED COUNCIL CONTROLS
B	RESPONSE TO DEFERRAL LETTER	11/11/21						
C	AMENDED ARCH DRAWINGS	29/03/21						
D	RESPONSE TO COUNCIL CHANGES	02/08/22						
E	S4.55 APPLICATION	25/03/24						

ARCHITECT:
MHNDUNION
 35 RICHARDS LANE
 SURRY HILLS SYDNEY NSW 2010
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 F +61 2 9101 1100
 www.mhndu.com

DRAWING TITLE:
EXTERNAL FINISHES
PROJECT ADDRESS:
35-37 Hall St, BONDI BEACH 2026

SCALE: 1:200, 1:1, 1:1.27@A1/H1
ISSUE DATE: 25/03/24
PROJECT NUMBER: 20-055
DRAWN BY: BW
CHECKED BY: BW
REVISION: E
DWG NUMBER: DA 6000



RECEIVED
Waverley Council
Receipt No: DA-306/2021/B
Date Received: 30/04/2024



REV	DESCRIPTION	DATE
A	DEVELOPMENT APPLICATION	20/07/21
B	RESPONSE TO DEFERRAL LETTER	11/11/21
C	AMENDED ARCH DRAWINGS	29/03/21
D	RESPONSE TO COUNCIL CHANGES	02/08/22
E	S4.55 APPLICATION	25/03/24

ALL CONSTRUCTION TO COMPLY AT MINIMUM WITH BCA CLAUSES & AUSTRALIAN STANDARDS
CLAUSE B 1.4 MATERIAL & FORMS CONSTRUCTIONS SPEC C 1.1 FIRE RESISTING CONSTRUCTION SPEC C 1.10 FIRE HAZARD PROPERTIES SPEC C 1.11 PERFORMANCE OF EXTERNAL WALLS IN A FIRE CLAUSE C 2.8 VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL CLAUSE C 2.12 SEPARATION OF EQUIPMENT CLAUSE C 1.15 ELECTRICITY SUPPLY SYSTEM CLAUSE C 3 ACCEPTABLE METHODS OF PROTECTION (OF OPENINGS) CLAUSE C 1.16 OPENING FOR SERVICE INSTALLATIONS CLAUSE D 1.16 DISCHARGE FROM EXITS CLAUSE D 2.7 INSTALLATIONS IN EXITS AND PATHS OF TRAVEL CLAUSE D 2.16 GOINGS AND RISERS CLAUSE D 2.14 LANDINGS CLAUSE D 2.15 THRESHOLDS CLAUSE D 2.16 BALUSTRADES

CLAUSE D 2 17 HANDRAILS CLAUSE D 2 21 OPERATION OF LATCH CLAUSE D 2 23 SIGNS ON DOORS CLAUSE D 3 GENERAL BUILDING ACCESS REQUIREMENTS CLAUSE D 3 3 PARTS OF BUILDING TO BE ACCESSIBLE CLAUSE D 3 8 TACTILE INDICATORS CLAUSE D 3 9 TACTILE INDICATORS CLAUSE F 1 10 DAMP PROOFING CLAUSE 2.5 CONSTRUCTION OF SANITARY COMPARTMENTS PART F 4 LIGHTING AND VENTILATION CLAUSE F 4 4 SOUND INSULATION OF FLOORS CLAUSE F 5 SOUND INSULATION OF WALLS CLAUSE F 8 SOUND INSULATION OF SERVICES CLAUSE F 5 7 SOUND INSULATION OF PUMPS

ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART CLAUSES 4 & AS 1680 BALUSTRADE HEIGHTS: TO COMPLY WITH BCA CLAUSE D 2 16 DRAINAGE GUTTERS & DOWNPIPES: TO COMPLY WITH AS/NZS 2600 3.2 ENERGY EFFICIENT LIGHTING: TO COMPLY WITH 2.2 OF BCA FIRE SERVICES: TO COMPLY WITH SECTION E OF BCA NOT WATER SYSTEMS: TO COMPLY WITH PART 2 OF BCA MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH AS 1566 & AS 1572 SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE & SPEC E2.2 & AS 1596 PENETRATIONS: THROUGH FIRE RATED CONSTRUCTION FOR MECH ELECTRICAL PENETRATIONS TO COMPLY WITH BCA CLAUSE C 1.15 & AS 1530 4.2.005 SOUND TRANSMISSION: TO COMPLY WITH PARTS OF BCA STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D 2 13 WATERPROOFING OF WET AREAS: TO COMPLY WITH AS 3740
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BASIC COMMITMENTS (ALL OTHER BASIC COMMITMENTS AS PER BASIC (CERTIFICATE AND STAMPED PLANS)) WATER OPTIONS SHOWERS/HEADS: 4 STAR TOILETS: 3 STAR CLOTHES WASHERS: N/A STAR KITCHEN TAPS: 3 STAR BATHROOM TAPS: 3 STAR DISHWASHERS: 3 STAR RAIN WATER TANK: 3000 L POOL/SPA: N/A COLLECT RAIN OFF AREA: 343 sqm LANDSCAPED AREA TO IRRIGATE: 89 sqm ENERGY OPTIONS COOLING: 1 Phase, EER 2.5-3.0
--

HEATING: 1 Phase, EER 3.0-3.5 VENTILATION: WATER HEATING: Individual fan ducted to outside or roof ENERGY EFFICIENT LIGHTING: 6 Star Gas Instantaneous COOK TOPS: N/A Gas Cooktop REFRIGERATOR SPACE: N/A CLOTHES DRYING LINES: Dryer ALTERNATIVE SUPPLY: N/A POOL/SPA: N/A NOTES: EX FFL EXISTING RL FLOOR LEVEL REDUCED LEVEL BOUNDARY EX BUILDING TO BE DEMOLISHED COUNCIL CONTROLS

ARCHITECT:
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www.mhndu.com
MHN Design Union Pty Ltd, ABN 94 003 717 682 NSW Registration Number 4907

DRAWING TITLE:
**PHOTOMONTAGE - HALL STREET
LOOKING NORTH-WEST**
PROJECT ADDRESS:
35-37 Hall St, BONDI BEACH 2026

SCALE: @A3	DRAWN BY: MHN	CHECKED: BW
ISSUE DATE: 25/03/24	PROJECT NUMBER: 20-055	REVISION: E
		DWG NUMBER: DA 6001

LANDSCAPE AREA CALCULATION

REV D NO CHANGE

REV E
SCHEDULE OF CHANGES
S4.55 APPLICATION

ITEM 1 - LANDSCAPE CALCULATIONS
UPDATED

ITEM 2 - LANDSCAPE DIAGRAM UPDATED

WAVERLEY COUNCIL
LEP 2012 Landscaped Area Definition:

landscaped area is a part of a site used for growing plants, grasses and trees, but does not include any building, structure or hard paved area.

Objectives

- (a) To preserve and enhance native wildlife populations and habitat through appropriate planting of indigenous vegetation.
- (b) To encourage mature and substantial tree planting to improve the amenity of developments.
- (c) To allow for landscaping to provide screening between buildings.
- (d) To ensure landscaped areas are useable and maintainable spaces that contribute to the existing landscape character of the street.
- (e) To minimise the extent of impervious areas and facilitate rainwater infiltration.
- (f) To influence the microclimate of open space within the development.

DCP Controls

- (a) Development is to comply with the provisions of Part B3 Landscaping and Biodiversity.
- (b) 30% of the site area is to be provided as landscaped area.
- (c) 50% of the landscaped area must be deep soil zone.
- (d) Where site conditions allow, the deep soil zone is to be consolidated as one area to assist the ease of drainage and to allow for effective deep soil planting.
- (e) Landscaping must relate to the building scale and assist integration of the development with the existing street character.
- (f) All development proposals are to be designed to eliminate the impact upon significant trees on site, street trees and trees on adjoining land including public open space and bushland.
- (g) For developments with podium landscaping, compliance with Section B3 Landscaping and Biodiversity is required.

APPROVED DA 306/2021 - REV C CALCULATIONS

LANDSCAPE AREA			
SITE AREA	DCP CONTROL	PROPOSED	COMPLIES
583.3m ²	30% = 175m ²	61m ² (12%)	NO

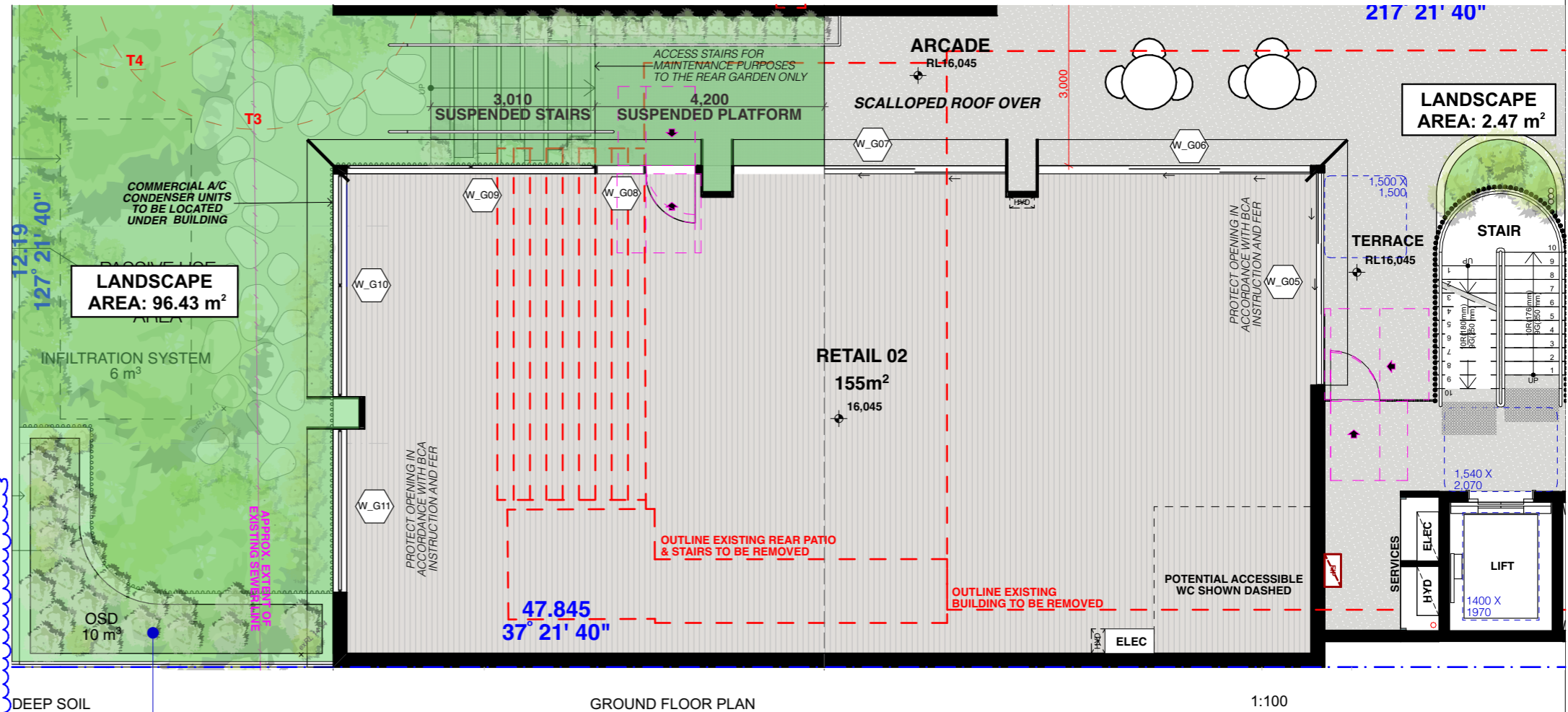
DEEP SOIL			
SITE AREA	CONTROL REQUIRED	PROPOSED	COMPLIES
583.3m ²	50% of Landscape area 50% x 175m ² = 87.5m ²	61m ²	NO

PROPOSED S4.55 APPLICATION - REV E CALCULATIONS

LANDSCAPE AREA			
SITE AREA	DCP CONTROL	PROPOSED	COMPLIES
583.3m ²	30% = 175m ²	99m ² (17%)	NO

DEEP SOIL			
SITE AREA	CONTROL REQUIRED	PROPOSED	COMPLIES
583.3m ²	50% of Landscape area 50% x 175m ² = 87.5m ²	99m ²	YES

RECEIVED
Waverley Council
Receipt No: DA-306/2021/B
Date Received: 30/04/2024



ITEM 1

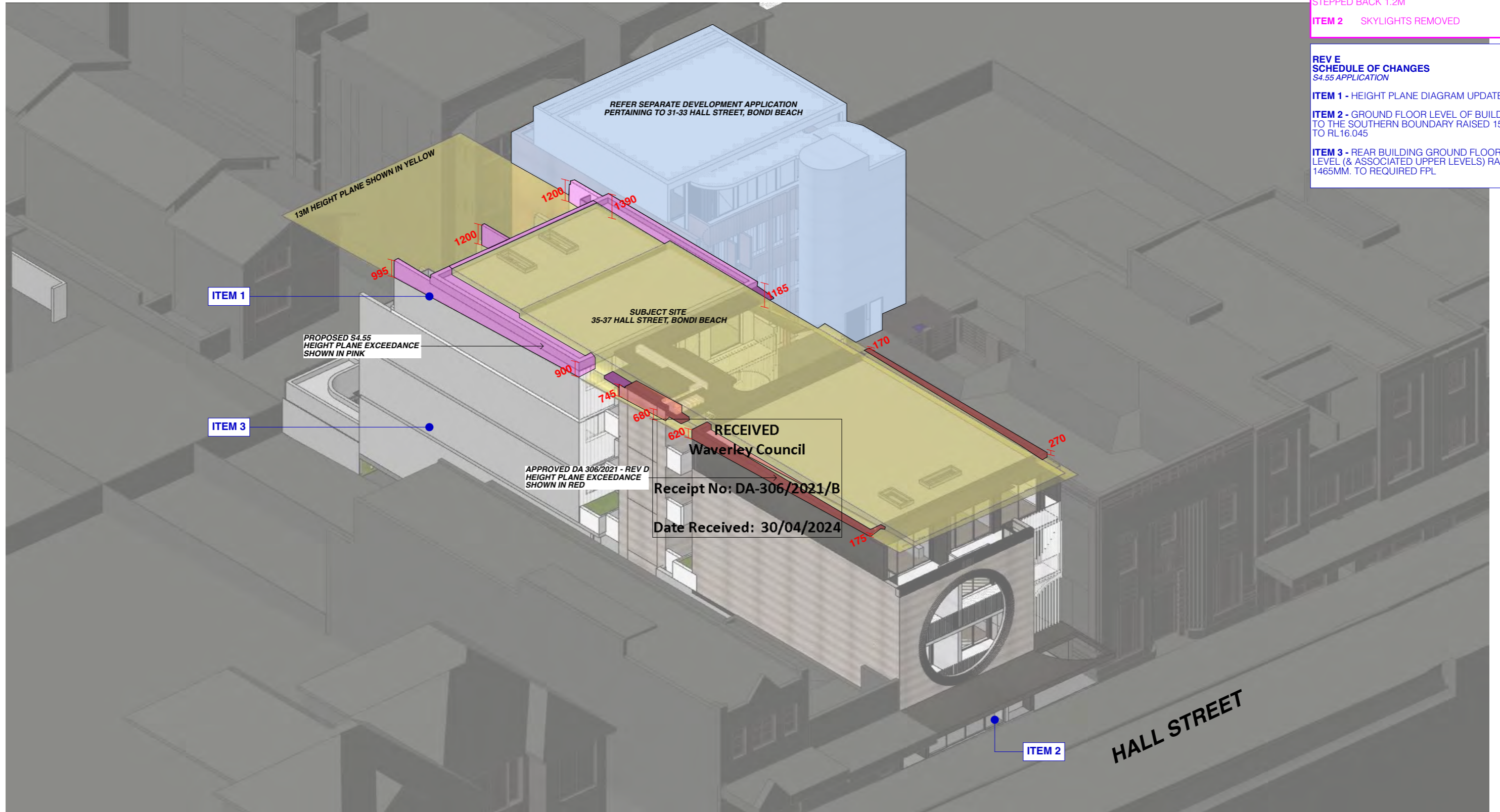
ITEM 2

REV	DESCRIPTION	DATE	ALL CONSTRUCTION TO COMPLY AT MINIMUM WITH BCA CLAUSES & AUSTRALIAN STANDARDS CLAUSE B 1.4 MATERIAL & FORMS CONSTRUCTIONS SPEC C 1.1 FIRE RESISTING CONSTRUCTION SPEC C 1.10 FIRE HAZARD PROPERTIES SPEC C 1.11 PERFORMANCE OF EXTERNAL WALLS IN A FIRE CLAUSE C 2.6 VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL CLAUSE C 2.12 SEPARATION OF EQUIPMENT CLAUSE C 2.13 ELECTRICITY SUPPLY SYSTEM CLAUSE C 3.3 ACCEPTABLE METHODS OF PROTECTION (OF OPENINGS) CLAUSE C 3.15 OPENING FOR SERVICE INSTALLATIONS CLAUSE C 18 DISCHARGE FROM EXITS CLAUSE D 2.7 INSTALLATIONS IN EXITS AND PATHS OF TRAVEL CLAUSE D 2.14 LANDINGS CLAUSE D 2.15 THRESHOLDS CLAUSE D 2.16 BALUSTRADES	ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART CLAUSES 4 & AS 1680 BALUSTRADE HEIGHTS: TO COMPLY WITH BCA CLAUSE D 2.16 DRAINAGE GUTTERS & DOWNPIPES: TO COMPLY WITH AS/NZS 3600 3.2 ENERGY EFFICIENT LIGHTING: TO COMPLY WITH 4.2 OF BCA FIRE SERVICES: TO COMPLY WITH SECTION E OF BCA HOT WATER SYSTEMS: TO COMPLY WITH PART 3 OF BCA MASONRY: TO COMPLY WITH AS 3700 MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH AS 1569 & AS 162 MECHANICAL AIR CONDITIONING: TO COMPLY WITH AS 1569 & AS 162 SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE & SPEC E 2.2 & AS 3786 PENETRATIONS THROUGH FIRE RATED CONSTRUCTION FOR MECH/ELECTRICAL PENETRATIONS TO COMPLY WITH BCA CLAUSE C 3.15 & AS 1539 & 2005 SOUND TRANSMISSION: TO COMPLY WITH PARTS OF BCA STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D 2.13 WATERPROOFING OF WET AREAS: TO COMPLY WITH AS 3740	BASIX COMMITMENTS (ALL OTHER BASIX COMMITMENTS AS PER BASIX CERTIFICATE AND STAMPED PLANS) WATER OPTIONS: 4 STAR SHOWERHEADS: 3 STAR TOILETS: N/A STAR CLOTHES WASHERS: N/A STAR KITCHEN TAPS: 3 STAR BATHROOM TAPS: 3 STAR DISHWASHERS: 3 STAR RAIN WATER TANK: 3000 L STORM WATER TANK: N/A POOL SPA: 343 kpl COLLECT RAIN OFF AREA: 343 kpl LANDSCAPED AREA TO IRRIGATE: 89 kpl ENERGY OPTIONS: 1 Phase, EER 2.5-3.0	HEATING: 1 Phase, EER 3.0-3.5 VENTILATION: Individual fan ducted to outside or roof 6 Star Gas Instantaneous N/A Gas Cooktop REFRIGERATOR SPACE: N/A CLOTHES DRYING LINES: Dryer ALTERNATIVE SUPPLY: N/A POOLS/SPA: N/A	NOTES: EX EXISTING RFL RL OF FINISHED FLOOR LEVEL RL REDUCED LEVEL BOUNDARY EX EX BUILDING TO BE DEMOLISHED COUNCIL CONTROLS	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 NSW Registration Number 4907	DRAWING TITLE: LANDSCAPE AREA CALCULATION	SCALE: 1:100@A3 ISSUE DATE: 25/03/24 PROJECT NUMBER: 20-055	DRAWN BY: MHN CHECKED: BW REVISION: E DWG NUMBER: DA 9001
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REF: BMSout: bch-26 - BMSout Basis for Architect 2020-05-35-37 Hall St, Bondi Beach - S4.55

HEIGHT PLANE DIAGRAM



REV D
SCHEDULE OF CHANGES
 DA 306/2021
 RESPONSE TO COUNCIL REQUESTED CHANGES
 "TWO WEEKS AGO"

ITEM 1 CORNER FACADE TO HALL ST
 STEPPED BACK 1.2M

ITEM 2 SKYLIGHTS REMOVED

REV E
SCHEDULE OF CHANGES
 S4.55 APPLICATION

ITEM 1 - HEIGHT PLANE DIAGRAM UPDATED

ITEM 2 - GROUND FLOOR LEVEL OF BUILDING TO THE SOUTHERN BOUNDARY RAISED 15MM TO RL 16.045

ITEM 3 - REAR BUILDING GROUND FLOOR LEVEL (& ASSOCIATED UPPER LEVELS) RAISED 1465MM. TO REQUIRED FPL

01 HEIGHT PLANE AXONOMETRIC



REV	DESCRIPTION	DATE	ALL CONSTRUCTION TO COMPLY AT MINIMUM W/ BCA CLAUSES & AUSTRALIAN STANDARDS	ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART 4 & AS 1680	BASIX COMMITMENTS (ALL OTHER BASIX COMMITMENTS AS PER BASIX CERTIFICATE AND STAMPED PLANS)	HEATING:	NOTES:	ARCHITECT:	DRAWING TITLE:	SCALE:	DRAWN BY:	CHECKED:	
A	DEVELOPMENT APPLICATION	20/07/21	CLAUSE B 1.4 MATERIAL & FORMS CONSTRUCTIONS CLAUSE C 1.1 FIRE RESISTING CONSTRUCTION SPEC C 1.10 FIRE HAZARD PROPERTIES CLAUSE C 1.11 PERFORMANCE OF EXTERNAL WALLS IN A FIRE CLAUSE C 1.8 VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL CLAUSE C 2.12 SEPARATION OF EQUIPMENT CLAUSE C 2.13 ELECTRICITY SUPPLY SYSTEM CLAUSE C 3 ACCEPTABLE METHODS OF PROTECTION (OF OPENINGS) CLAUSE C 3.9 OPENING IN FIRE ISOLATED EXITS CLAUSE C 3.15 OPENING FOR SERVICE INSTALLATIONS CLAUSE D 1.16 DISCHARGE FROM EXITS CLAUSE D 2.7 INSTALLATIONS IN EXITS AND PATHS OF TRAVEL CLAUSE D 2.14 LANDINGS CLAUSE D 2.15 THRESHOLDS CLAUSE D 2.16 BALUSTRADES	CLAUSE D 2.17 HANDRAILS CLAUSE D 2.21 OPERATION OF LATCH CLAUSE D 2.23 SIGNS ON DOORS CLAUSE D 3.2 GENERAL BUILDING ACCESS REQUIREMENTS CLAUSE D 3.3 PARTS OF BUILDING TO BE ACCESSIBLE CLAUSE D 3.8 TACTILE INDICATORS CLAUSE D 3.9 IDENT. OF ACCESSIBLE FACIL. SERV. FEATURES CLAUSE F 1.10 DAMP PROOFING CLAUSE F 1.11 CONSTRUCTION OF SANITARY COMPARTMENTS PART F 4 LIGHTING AND VENTILATION CLAUSE F 5.4 SOUND INSULATION OF FLOORS CLAUSE F 5.5 SOUND INSULATION OF WALLS CLAUSE F 5.8 SOUND INSULATION OF SERVICES CLAUSE F 5.7 SOUND INSULATION OF PUMPS	WATER OPTIONS SHOWERHEADS: 4 STAR TOILETS: 3 STAR CLOTHES WASHERS: N/A KITCHEN TAPS: 3 STAR BATHROOM TAPS: 3 STAR DISHWASHERS: 3 STAR RAIN WATER TANK: 3000 L POOL/SPA: N/A COLLECT RAIN OFF AREA: 343 sqm LANDSCAPED AREA TO IRRIGATE: 89 sqm	WATER HEATING: 1 Phase, EER 3.0-3.5 VENTILATION: Individual fan ducted to outside or roof ENERGY EFFICIENT LIGHTING: 6 Star Gas Instantaneous COOK TOPS: N/A REFRIGERATOR SPACE: N/A CLOTHES DRYING LINES: N/A ALTERNATIVE SUPPLY: N/A POOL/SPA: N/A	EX EXISTING FFL RL OF FINISHED FLOOR LEVEL RL REDUCED LEVEL BOUNDARY EX BUILDING TO BE DEMOLISHED COUNCIL CONTROLS	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 NSW Registration Number 4907	HEIGHT PLANE DIAGRAM	@A3	MHN	BW	
B	RESPONSE TO DEFERRAL LETTER	11/11/21											
C	AMENDED ARCH DRAWINGS	29/03/21											
D	RESPONSE TO COUNCIL CHANGES	02/08/22											
E	S4.55 APPLICATION	25/03/24											
PROJECT ADDRESS: 35-37 Hall St, BONDI BEACH 2026										25/03/24	PROJECT NUMBER: 20-055	REVISION: E	DWG NUMBER: DA 9002

RECEIVED
Waverley Council
 Receipt No: DA-306/2021/B
 Date Received: 30/04/2024



1 9am



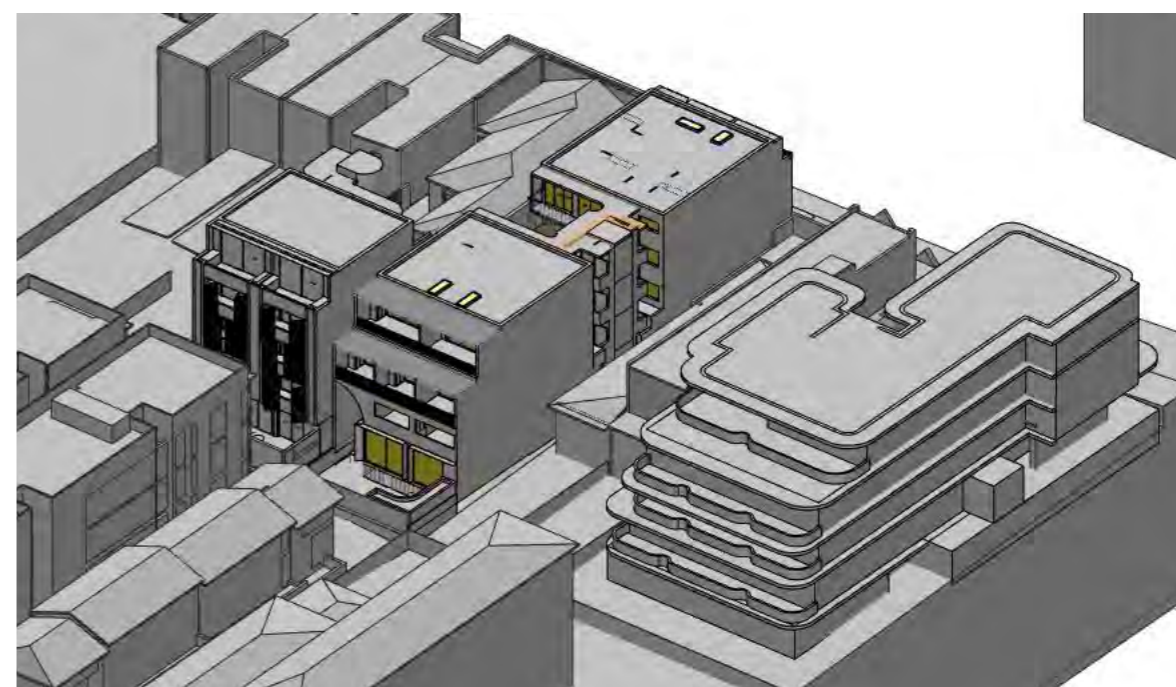
2 10am

REV D
SCHEDULE OF CHANGES
 DA 306/2021
 RESPONSE TO COUNCIL REQUESTED CHANGES
 "TWO WEEKS AGO"
 UPDATED VIEWS

REV E
SCHEDULE OF CHANGES
 S4.55 APPLICATION
 NO CHANGE TO SHEET
 REFER TO PLANS DA2000 - DA2005 &
 ELEVATIONS DA3000 - DA3001 FOR SCHEDULE
 OF CHANGES



3 11am



4 12pm



REV	DESCRIPTION	DATE
A	DEVELOPMENT APPLICATION	20/07/21
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ALL CONSTRUCTION TO COMPLY AT MINIMUM W/ BCA CLAUSES & AUSTRALIAN STANDARDS

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 SPEC C 1.10 FIRE HAZARD PROPERTIES
 SPEC C 1.11 PERFORMANCE OF EXTERNAL WALLS IN A FIRE
 SPEC C 1.12 VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL
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 SPEC C 1.14 ELECTRICITY SUPPLY SYSTEM
 SPEC C 1.15 ACCEPTABLE METHODS OF PROTECTION (OF OPENINGS)
 SPEC C 1.16 OPENING FOR SERVICE INSTALLATIONS
 SPEC C 1.17 DISCHARGE FROM EXITS
 SPEC C 1.18 INSTALLATIONS IN EXITS AND PATHS OF TRAVEL
 SPEC C 1.19 LANDINGS
 SPEC C 1.20 THRESHOLDS
 SPEC C 1.21 BALUSTRADES

CLAUSE D 2.17 HANDRAILS
 CLAUSE D 2.21 OPERATION OF LATCH
 CLAUSE D 2.23 SIGNS ON DOORS
 CLAUSE D 2.24 GENERAL BUILDING ACCESS REQUIREMENTS
 CLAUSE D 3.3 PARTS OF BUILDING TO BE ACCESSIBLE
 CLAUSE D 3.8 TACTILE INDICATORS
 CLAUSE D 3.9 IDENTIFICATION OF ACCESSIBLE FACILITY FEATURES
 CLAUSE D 3.10 WATERPROOFING OF WET AREAS
 CLAUSE F 1.8.1.10 DAMP PROOFING
 CLAUSE 2.5.5 CONSTRUCTION OF SANITARY COMPARTMENTS
 CLAUSE F 4.1 LIGHTING AND VENTILATION
 CLAUSE F 5.4 SOUND INSULATION OF FLOORS
 CLAUSE F 5.5 SOUND INSULATION OF WALLS
 CLAUSE F 5.6 SOUND INSULATION OF WALLS
 CLAUSE F 5.7 SOUND INSULATION OF PUMPS

ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART CLAUSES 4 & AS 1680
 BALUSTRADE HEIGHTS: TO COMPLY WITH BCA CLAUSE D 2.16
 DRAINAGE GUTTERS & DOWNPIPES: TO COMPLY WITH ADNS 2600 3.2
 ENERGY EFFICIENT GLAZING: TO COMPLY WITH 21 OF BCA
 FIRE SERVICES: TO COMPLY WITH SECTION E OF BCA
 HOT WATER SYSTEMS: TO COMPLY WITH PART 21 OF BCA
 MASONRY: TO COMPLY WITH AS 3700
 MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH AS 1969 & AS 1972
 SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE & SPEC E2.2 & AS 2296
 PENETRATIONS THROUGH FIRE RATED CONSTRUCTION FOR MECH/ELECTRICAL PENETRATIONS TO COMPLY WITH BCA CLAUSE C3.15 & AS 1530.4-2005
 SOUND TRANSMISSION: TO COMPLY WITH PARTS OF BCA
 STAR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D 2.13
 WATERPROOFING OF WET AREAS: TO COMPLY WITH AS 3740

BASIX COMMITMENTS
 (ALL OTHER BASIX COMMITMENTS AS PER BASIX CERTIFICATE AND STAMPED PLANS)

WATER OPTIONS
 SHOWERHEADS: 4 STAR
 TOILETS: 3 STAR
 CLOTHES WASHERS: N/A STAR
 KITCHEN TAPS: 3 STAR
 BATHROOM TAPS: 3 STAR
 DISHWASHERS: 3 STAR
 RAIN WATER TANK: 3000 L
 POOL/SPA: N/A
 COLLECT RAIN OFF AREA: 343 sqm
 LANDSCAPED AREA TO IRRIGATE: 89 sqm

HEATING: 1 Phase, EER 3.0-3.5

VENTILATION:
 Individual fan ducted to outside or roof
 6 Star Gas Instantaneous
 N/A Gas Cooktop
 N/A Gas
 N/A Chiller
 N/A Alternative Supply
 POOL/SPA

ENERGY OPTIONS
 COOLING: 1 Phase, EER 2.5-3.0

NOTES:

EX EXISTING
 FFL FLOOR LEVEL
 RL REDUCED LEVEL
 BOUNDARY EX BUILDING TO BE DEMOLISHED
 COUNCIL CONTROLS

ARCHITECT:
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 www.mhndu.com

MHN Design Union Pty Ltd. ABN 94 003 717 682
 Registered Architect
 NSW Registration Number 4907

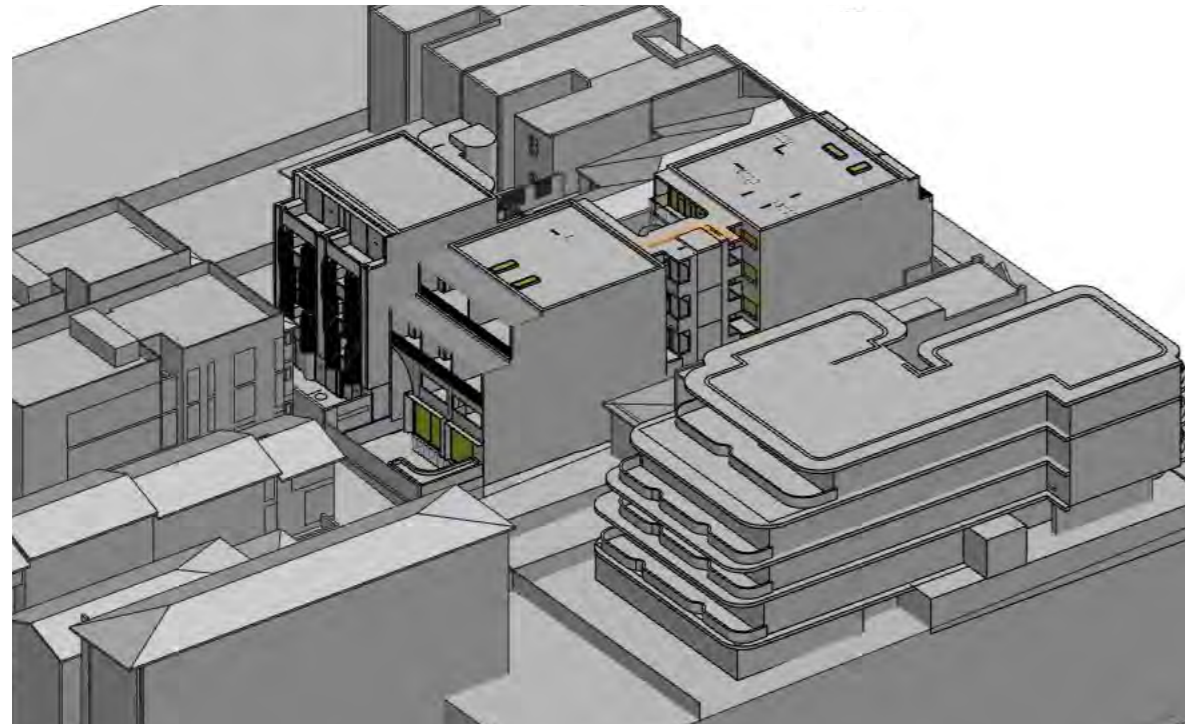
DRAWING TITLE:
VIEWS FROM THE SUN 9am-12pm

PROJECT ADDRESS:
35-37 Hall St, BONDI BEACH 2026

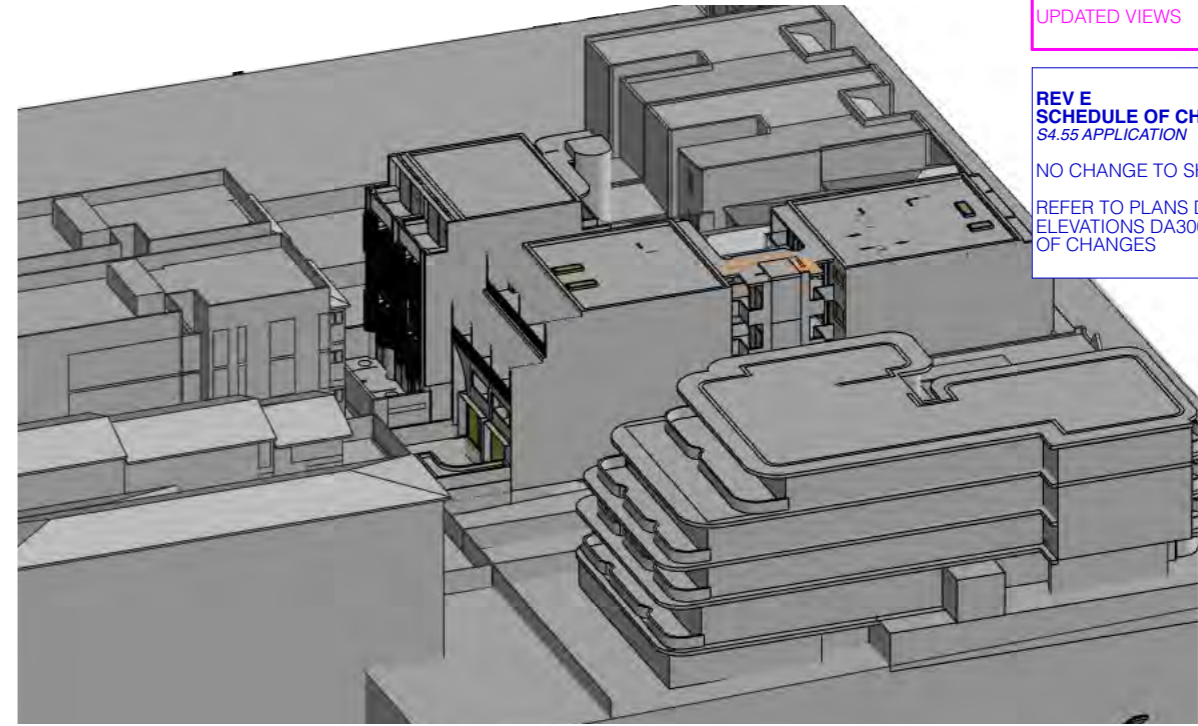
SCALE: 1:200@A3
 ISSUE DATE: 25/03/24
 PROJECT NUMBER: 20-055

DRAWN BY: MHN
 CHECKED: BW
 REVISION: E
 DWG NUMBER: DA 9101

REF: BMDout: bch-26 - BMDout Base for Archival 2020-055-35-37 Hall St, Bondi Beach - S4.55



1 1pm



2 2pm

REV D
SCHEDULE OF CHANGES
 DA 306/2021
 RESPONSE TO COUNCIL REQUESTED CHANGES
 "TWO WEEKS AGO"
 UPDATED VIEWS

REV E
SCHEDULE OF CHANGES
 S4.55 APPLICATION
 NO CHANGE TO SHEET
 REFER TO PLANS DA2000 - DA2005 &
 ELEVATIONS DA3000 - DA3001 FOR SCHEDULE
 OF CHANGES



3 3pm

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 SPEC C 1.10 FIRE HAZARD PROPERTIES
 SPEC C 1.11 PERFORMANCE OF EXTERNAL WALLS IN A FIRE
 CLAUSE C 2.8 VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL
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 CLAUSE D 2.14 LANDINGS
 CLAUSE D 2.15 THRESHOLDS
 CLAUSE D 2.16 BALUSTRADES

CLAUSE D 2.17 HANDRAILS
 CLAUSE D 2.21 OPERATION OF LATCH
 CLAUSE D 2.23 SIGNS ON DOORS
 CLAUSE D 3.2 GENERAL BUILDING ACCESS REQUIREMENTS
 CLAUSE D 3.3 PARTS OF BUILDING TO BE ACCESSIBLE
 CLAUSE D 3.8 TACTILE INDICATORS
 CLAUSE D 3.9 WATERPROOFING OF WET AREAS
 CLAUSE F 1.8 F 1.10 DAMP PROOFING
 CLAUSE 2.5 CONSTRUCTION OF SANITARY COMPARTMENTS
 PART F 4 LIGHTING AND VENTILATION
 CLAUSE F 4.4 SOUND INSULATION OF FLOORS
 CLAUSE F 5.5 SOUND INSULATION OF WALLS
 CLAUSE F 5.8 SOUND INSULATION OF SERVICES
 CLAUSE F 5.7 SOUND INSULATION OF PUMPS

ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART 4 CLAUSES 4.4 & 4.5 1680
BALUSTRADE HEIGHTS: TO COMPLY WITH BCA CLAUSE D 2.16
DRAINAGE GUTTERS & DOWNPIPES: TO COMPLY WITH ADNS 2600 3.2
ENERGY EFFICIENT LIGHTING: TO COMPLY WITH 2.2 OF BCA
FIRE SERVICES: TO COMPLY WITH SECTION E OF BCA
NOT WATER SYSTEMS: TO COMPLY WITH PART 21 OF BCA
MASONRY: TO COMPLY WITH AS 3700
MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH PART 25 OF BCA
MECHANICAL AIR CONDITIONING: TO COMPLY WITH PART 25 OF BCA
SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE & SPEC E 2.2 & AS 3786
PENETRATIONS THROUGH FIRE RATED CONSTRUCTION FOR MECH/ELECTRICAL: TO COMPLY WITH BCA CLAUSE C 3.15 & AS 1530 4.2.005
SOUND TRANSMISSION: TO COMPLY WITH PARTS OF BCA
STAR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D 2.13
WATERPROOFING OF WET AREAS: TO COMPLY WITH AS 3740

BASIX COMMITMENTS
 (ALL OTHER BASIX COMMITMENTS AS PER BASIX CERTIFICATE AND STAMPED PLANS)

WATER OPTIONS

SHOWERHEADS:	4 STAR
TOILETS:	3 STAR
CLOTHES WASHERS:	NA STAR
KITCHEN TAPS:	3 STAR
BATHROOM TAPS:	3 STAR
DISHWASHERS:	3 STAR
RAIN WATER TANK:	3000 L
POOL/SPA:	NA
COLLECT RAIN OFF AREA:	343 sqm
LANDSCAPED AREA TO IRRIGATE:	89 sqm

ENERGY OPTIONS

COOLING: 1 Phase, EER 2.5-3.0

HEATING: 1 Phase, EER 3.0-3.5

VENTILATION: Individual fan ducted to outside or roof
 6 Star Gas Instantaneous
 NA Gas Cooktop
 NA Chiller
 NA
 NA
 POOL/SPA:

NOTES:

EX EXISTING
FLL RL OF FINISHED FLOOR LEVEL
RL REDUCED LEVEL BOUNDARY
 EX BUILDING TO BE DEMOLISHED
 COUNCIL CONTROLS

95

ARCHITECT:
MHNDUNION
 35 RICHARDS LANE
 SURRY HILLS SYDNEY NSW 2010
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 F +61 2 9101 1100
 www.mhndu.com

MHN Design Urban Pty Ltd, ABN 04 003 717 682 NSW Registration Number 4907

DRAWING TITLE:
VIEWS FROM THE SUN 1pm-3pm

PROJECT ADDRESS:
35-37 Hall St, BONDI BEACH 2026

SCALE: 1:200@A3
ISSUE DATE: 25/03/24
PROJECT NUMBER: 20-055

DRAWN BY: MHN
CHECKED: BW
REVISION: E
DWG NUMBER: DA 9102

REF: Bldcont: bch-26 - Bldcont Base for Archical 2020-055 35-37 Hall St, Bondi Beach - S4.55



WASTE MGT PLAN

WAVERLEY COUNCIL
DCP 2012

Annexure B1-2 Waste and Recycling Generation Rates

Residential Generation Rates
Based on a survey of waste and recycling generation rates used across Sydney and Melbourne Councils in 2018, the approximate waste and recycling generation rates for residential dwellings are as follows:

Generation Rates	Generation rate rubbish (L/dwelling/week)	Generation rate recycling containers (L/dwelling/week)	Generation rate Recycling cardboard (L/dwelling/week)	Generation rate paper (L/dwelling/week)
Single Unit Dwelling (House)	120L	60	60	60
1 bedroom or studio	80L	40	40	40
2 bedroom unit	120L	60	60	60

The above generation rates are based upon rates sourced from Randwick City Council's Waste Management Plan Guidelines, City of Melbourne Council's Waste Generation Rates (2015) and Sutherland Shire Council's Waste Collection Specification for new Multi-Unit Dwellings and Residential Flat Buildings (2017).

Use the figures above to estimate total waste generation over a week and recycling generation over a fortnight. This will assist you to calculate the number of bins and hence the storage space required.

WASTE CALCULATION - MULTI RESIDENTIAL

MULTI-RESIDENTIAL BUILDINGS COUNCIL BIN ALLOCATION

80 L RED garbage per dwelling	=	6 x 240 L WASTE BINS
40 L YELLOW recycling per dwelling	=	6 x 240 L RECYCLING BINS
40 L BLUE paper recycling per dwelling	=	6 x 240 L PAPER BINS

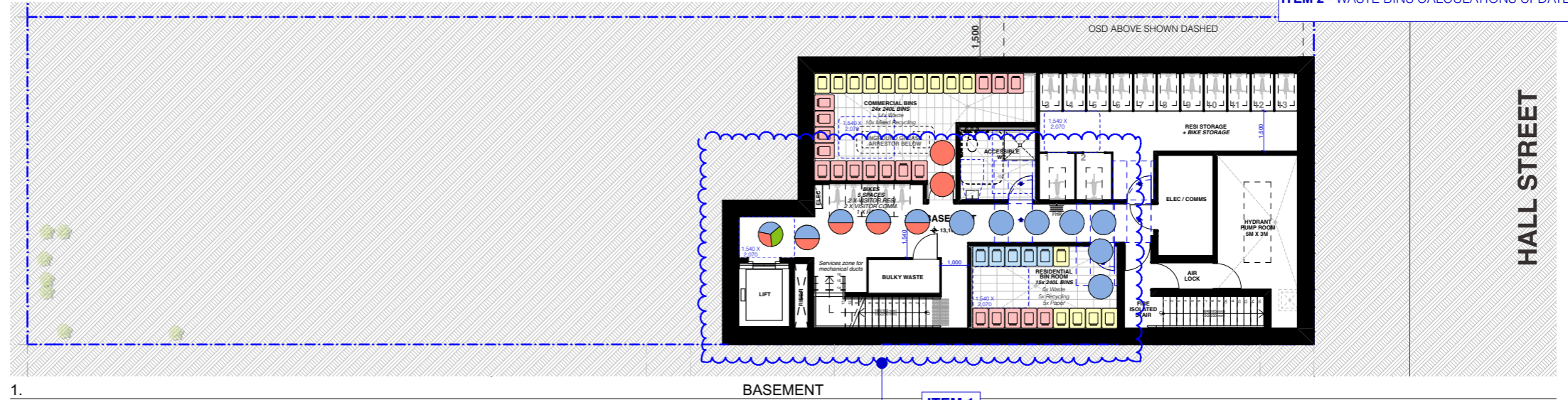
WASTE CALCULATION - COMMERCIAL

Café	300 L/100m ² floor area/day	200 L/100m ² floor area/day
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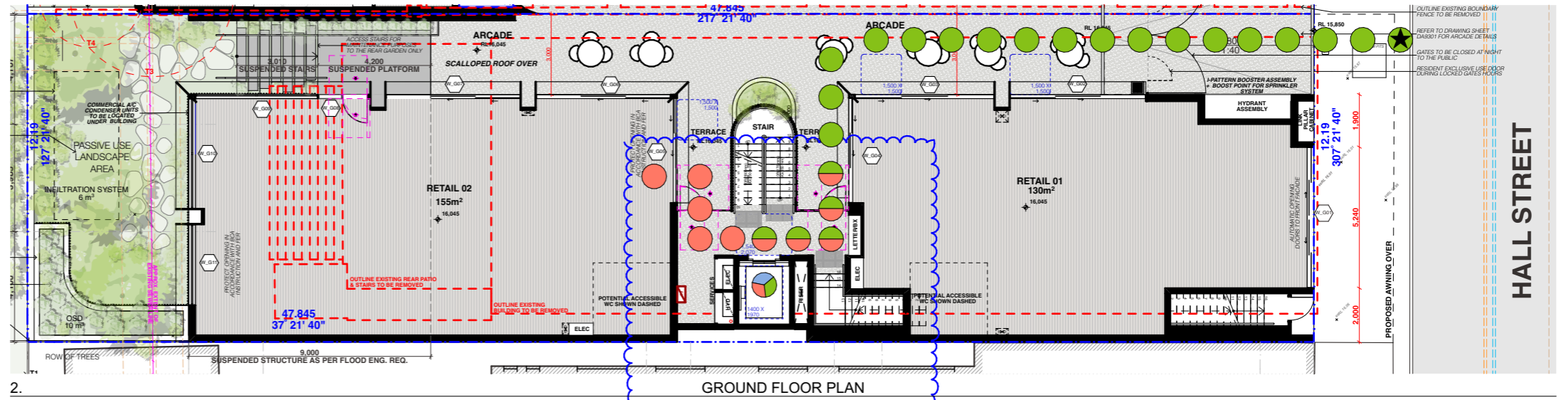
COMMERCIAL BUILDINGS - COUNCIL BIN ALLOCATION

RETAIL 01 130m ² x 0.5L WASTE / m ² 65L x 7 Days	=	65 L / Day 455 L / Week
130m ² x 0.5L RECYCLING / m ² 65L x 7 Days	=	65 L / Day 455 L / Week
RETAIL 02 155m ² x 3L WASTE / m ² 465L x 7 Days	=	465 L / Day 3255 L / Week
155m ² x 2L RECYCLING / m ² 310L x 7 Days	=	310 L / Day 2170 L / Week

TOTALS 3255 L / week for WASTE 2170 L / week for RECYCLING	=	14 x 240L WASTE Bins 10 x 240L WASTE Bins
---	---	--



1. BASEMENT ITEM 1



2. GROUND FLOOR PLAN ITEM 1

- LEGEND**
- ★ COLLECTION POINT
 - PATH OF TRAVEL FROM LIFT TO KERB SIDE COLLECTION POINT
 - PATH OF TRAVEL FROM LIFT TO GARBAGE BIN ROOM
 - PATH OF TRAVEL FROM COMMERCIAL STORE TO COMMERCIAL GARBAGE BIN ROOM

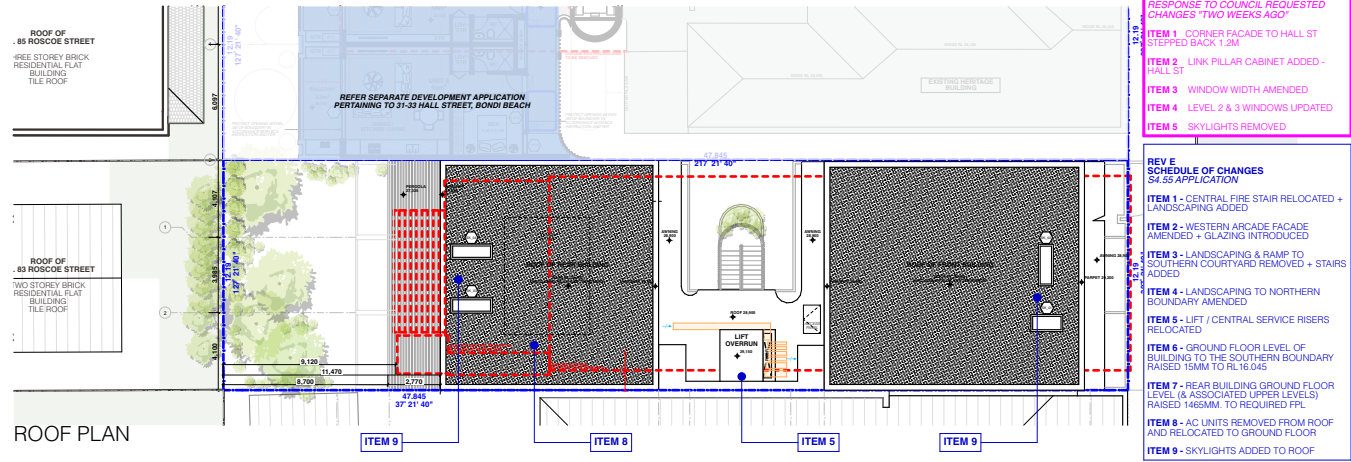
RECEIVED
Waverley Council
Receipt No: DA-306/2021/B
Date Received: 30/04/2024



REV	DESCRIPTION	DATE	ALL CONSTRUCTION TO COMPLY AT MINIMUM W/ BCA CLAUSES & AUSTRALIAN STANDARDS	ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART 4.4 & AS1680 BALUSTRADE HEIGHTS: TO COMPLY WITH BCA CLAUSE D2.16 DRAINAGE GUTTERS & DOWNPIPES: TO COMPLY WITH AS/NZS 3600 3.2 ENERGY EFFICIENT LIGHTING: TO COMPLY WITH 2.2 OF BCA	BASIX COMMITMENTS (ALL OTHER BASIX COMMITMENTS AS PER BASIX CERTIFICATE AND STAMPED PLANS)	HEATING: 1 Phase, EER 3.0-3.5	NOTES:	ARCHITECT:	DRAWING TITLE:	SCALE:	DRAWN BY:	CHECKED:	
A	DEVELOPMENT APPLICATION	20/07/21	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 C2.8 VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL CLAUSE C2.12 SEPARATION OF EQUIPMENT CLAUSE C2.13 ELECTRICITY SUPPLY SYSTEM CLAUSE C.3 ACCEPTABLE METHOD OF PROTECTION (OF OPENINGS) CLAUSE C3.8 OPENING IN FIRE ISOLATED EXITS CLAUSE C3.15 OPENING FOR SERVICE INSTALLATIONS CLAUSE D1.16 DISCHARGE FROM EXITS CLAUSE D2.7 INSTALLATIONS IN EXITS AND PATHS OF TRAVEL CLAUSE D2.16 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 D3.8 IDENT. OF ACCESSIBLE FACILITY FEATURES CLAUSE D3.8 TACTILE INDICATORS CLAUSE F1.3 WATERPROOFING OF WET AREAS CLAUSE F1.3F.10 DAMP PROOFING CLAUSE 2.5 CONSTRUCTION OF SANITARY COMPARTMENTS PART F4 LIGHTING AND VENTILATION CLAUSE F4.4 SOUND INSULATION OF FLOORS CLAUSE F5.5 SOUND INSULATION OF WALLS CLAUSE F5.8 SOUND INSULATION OF SERVICES CLAUSE F5.7 SOUND INSULATION OF PUMPS	Mechanical Exhaust Ventilation: TO COMPLY WITH PART 2.5 OF BCA MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH PART 2.5 OF BCA SMOKE ALARMS: TO COMPLY WITH BCA PART 4.4 & SPEC E2.2 & AS3786 PENETRATIONS: THROUGH FIRE RATED CONSTRUCTION FOR MECH STAR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE C3.15 & AS1530-4.2005 WATERPROOFING OF WET AREAS: TO COMPLY WITH AS3740	WATER OPTIONS SHOWERHEADS: 4 STAR TOILETS: 3 STAR CLOTHES WASHERS: N/A KITCHEN TAPS: 3 STAR BATHROOM TAPS: 3 STAR DISHWASHERS: 3 STAR RAIN WATER TANK: 3000 L STORM WATER TANK: 343 LPH LANDSCAPED AREA TO IRRIGATE: 89 sqm	VENTILATION: WATER HEATING: Individual fan ducted to outside or roof ENERGY EFFICIENT LIGHTING: 6 Star Gas Instantaneous N/A Gas Cooktop REFRIGERATOR SPACE: N/A CLOTHES DRYING LINES: Dryer ALTERNATIVE SUPPLY: N/A POOLS/SPA: N/A	EX EXISTING RFL RL OF FINISHED FLOOR LEVEL RL REDUCED LEVEL BOUNDARY EX BUILDING TO BE DEMOLISHED COUNCIL CONTROLS	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 NSW Registration Number 4907	WASTE MGT PLAN	1:200@A3	MHN	BW
B	RESPONSE TO DEFERRAL LETTER	11/11/21											
C	AMENDED ARCH DRAWINGS	29/03/21											
D	RESPONSE TO COUNCIL CHANGES	02/08/22											
E	S4.55 APPLICATION	25/03/24											

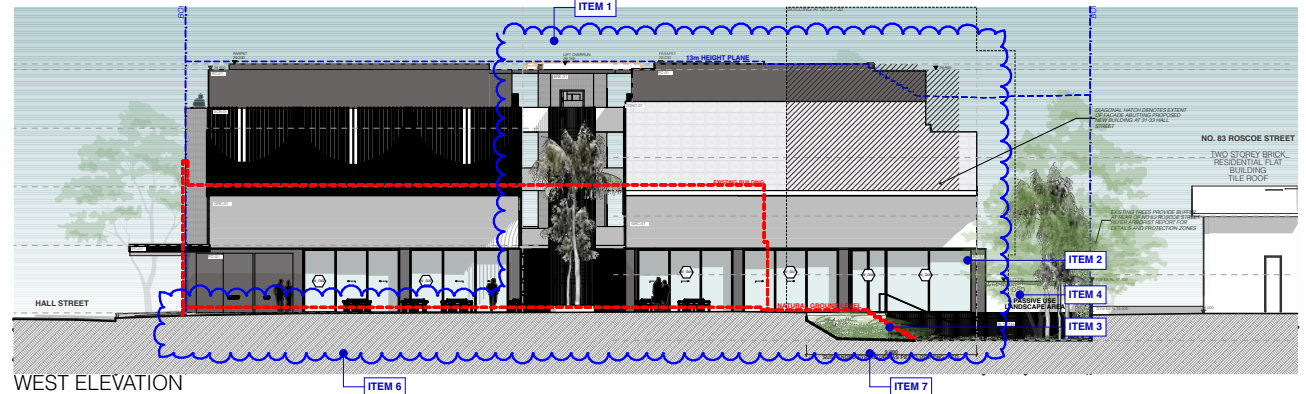
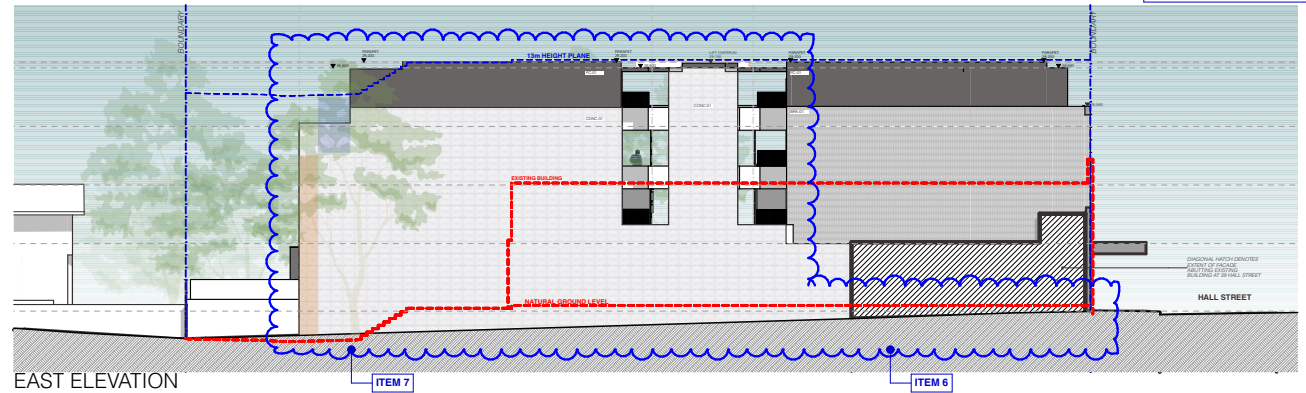
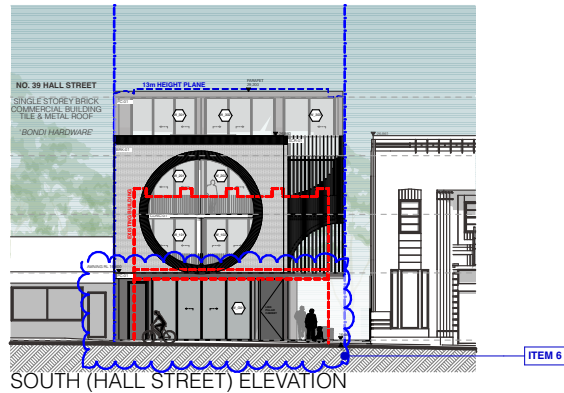
NOTIFICATION PLAN

RECEIVED
Waverley Council
 Receipt No: DA-306/2021/B
 Date Received: 30/04/2024



REV D
 SCHEDULE OF CHANGES
 DA 306/21
 RESPONSE TO COUNCIL REQUESTED
 CHANGES "TWO WEEKS AGO"
ITEM 1 - CORNER FACADE TO HALL ST
 STEPPED BACK 1.2M
ITEM 2 - LINK PILLAR CABINET ADDED -
 HALL ST
ITEM 3 - WINDOW WIDTH AMENDED
ITEM 4 - LEVEL 2 & 3 WINDOWS UPDATED
ITEM 5 - SKYLIGHTS REMOVED

REV E
 SCHEDULE OF CHANGES
 S4.55 APPLICATION
ITEM 1 - CENTRAL FIRE STAIR RELOCATED +
 LANDSCAPING ADDED
ITEM 2 - WESTERN ARCADE FACADE
 AMENDED + GLAZING INTRODUCED
ITEM 3 - LANDSCAPING & RAMP TO
 SOUTHERN COURTYARD REMOVED + STAIRS
 ADDED
ITEM 4 - LANDSCAPING TO NORTHERN
 BOUNDARY AMENDED
ITEM 5 - LIFT / CENTRAL SERVICE RISERS
 RELOCATED
ITEM 6 - GROUND FLOOR LEVEL OF
 BUILDING TO THE SOUTHERN BOUNDARY
 RAISED 15MM TO RL 16.045
ITEM 7 - REAR BUILDING GROUND FLOOR
 LEVEL (& ASSOCIATED UPPER LEVELS)
 RAISED 145MM TO REQUIRED FFL
ITEM 8 - AC UNITS REMOVED FROM ROOF
 AND RELOCATED TO GROUND FLOOR
ITEM 9 - SKYLIGHTS ADDED TO ROOF



REV	DESCRIPTION	DATE	GENERAL NOTES
A	DEVELOPMENT APPLICATION	20/07/21	1. ALL WORKS TO BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA, AUSTRALIAN STANDARDS, TERRITORY 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 DISCREPANCIES, DIMENSIONAL INCONSISTENCIES, OR THE NEED FOR CLARIFICATION PRIOR TO MANUFACTURING. 6. CONTRACTOR TO ENSURE CONSISTENCY BETWEEN MATERIALS IS MAINTAINED. 7. MHNDU TO REVIEW ALL CONTRACTORS DETAILED DRAWINGS / SETTING OUT PRIOR TO CONSTRUCTION. 8. PROGRESS WORK TO BE VERIFIED AGAINST DRAWINGS FOLLOWING EXECUTION AND ARCHITECT TO BE NOTIFIED OF ANY DISCREPANCIES PRIOR TO CONTRACTOR PROCEEDING WITH NEXT TRADE.
B	S4.55 APPLICATION	25/03/24	



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 F +61 2 9101 1100
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NonRegistered Architect
 Brian Meyerson
 NSW Registration Number 4907

DRAWING TITLE:
NOTIFICATION PLAN
 PROJECT ADDRESS:
35-37 Hall St, BONDI BEACH 2026
REF: BIM/out-bbb-26 - BIM/out Basic for Arch/cad 26/20-055 35-37 Hall St, Bond Beach - S4.55

SCALE: 1:400@A4
 ISSUE DATE: 25/03/2024
 PROJECT NUMBER: 20-055
 DRAWN BY:
 CHECKED:
 REVISION:
 DWG NUMBER: DA 9201

* ALL SILVER LEVEL LIVEABLE HOUSING APARTMENTS TO BE IN ACCORDANCE WITH APPENDIX 2 - SILVER LEVEL SPECIFICATION OF DESIGN CONFIDENCE LIVEABLE HOUSING DESIGN ASSESSMENT REPORT SUBMITTED WITH THIS APPLICATION

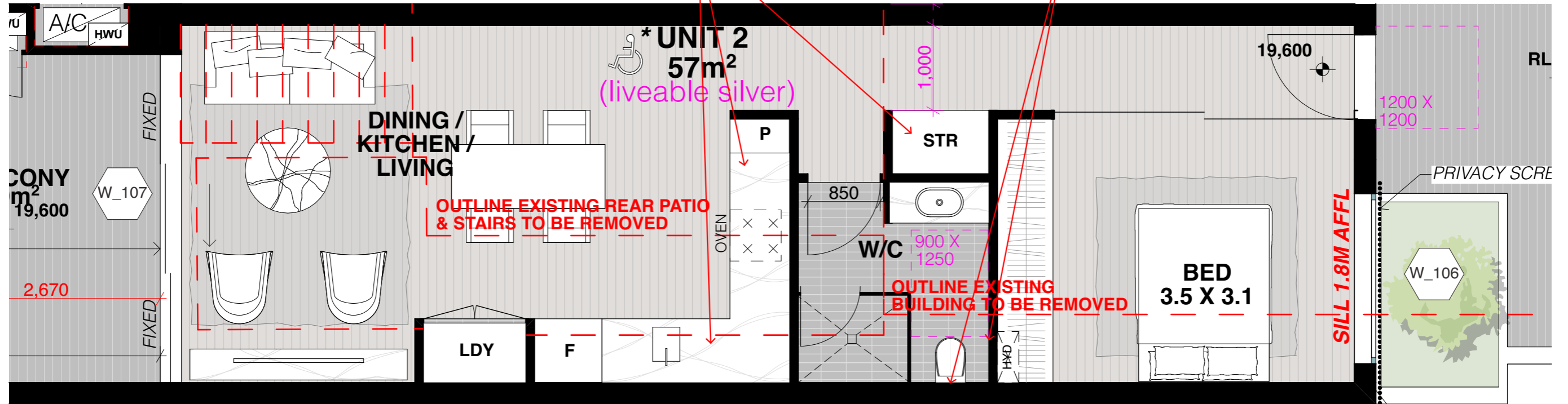
CONTINUOUS FLOORING UNDER BASE OF JOINERY AT PRE-ADAPTATION STAGE FOR EASE OF FUTURE MODIFICATION

WALLS REQUIRED TO BE REINFORCED AT PRE-ADAPTATION STAGE TO ENSURE GRABRAILS CAN BE INSTALLED IN FUTURE

REV D NO CHANGE

REV E SCHEDULE OF CHANGES S4.55 APPLICATION

ITEM 1 - NO CHANGE

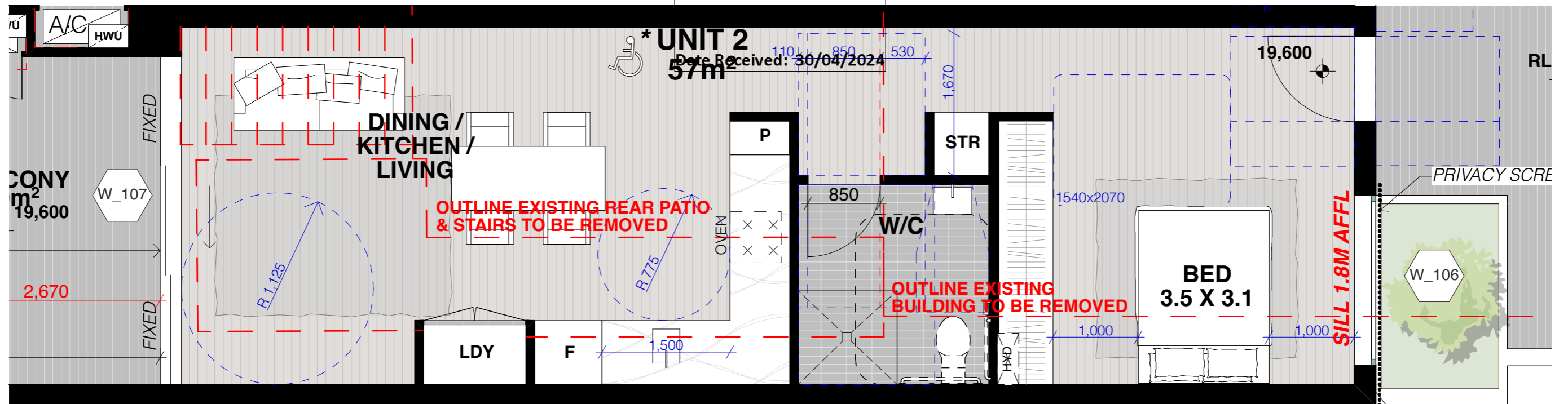


01

UNIT 2 - PRE ADAPTABLE PLAN

1:50

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Waverley Council



02

UNIT 2 - POST ADAPTABLE PLAN



REV	DESCRIPTION	DATE
A	DEVELOPMENT APPLICATION	20/07/21
B	RESPONSE TO DEFERRAL LETTER	11/11/21
C	AMENDED ARCH DRAWINGS	29/03/21
D	RESPONSE TO COUNCIL CHANGES	02/08/22
E	S4.55 APPLICATION	25/03/24

ALL CONSTRUCTION TO COMPLY AT MINIMUM WITH BCA CLAUSES & AUSTRALIAN STANDARDS

CLAUSE B 1.4 MATERIALS & FORMS CONSTRUCTIONS
SPEC C 1.1 FIRE RESISTING CONSTRUCTION
SPEC C 1.10 FIRE HAZARD PROPERTIES
SPEC C 1.11 PERFORMANCE OF EXTERNAL WALLS IN A FIRE
CLAUSE C 2.1 VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL
CLAUSE C 2.12 SEPARATION OF EQUIPMENT
CLAUSE C 2.13 ELECTRICITY SUPPLY SYSTEM
CLAUSE C 3 ACCEPTABLE METHOD OF PROTECTION (OF OPENINGS)
CLAUSE C 3.8 OPENING IN FIRE ISOLATED EXITS
CLAUSE C 3.15 OPENING FOR SERVICE INSTALLATIONS
CLAUSE D 1.16 DISCHARGE FROM EXITS
CLAUSE D 2.7 INSTALLATIONS IN EXITS AND PATHS OF TRAVEL
CLAUSE D 2.14 LANDINGS
CLAUSE D 2.15 THRESHOLDS
CLAUSE D 2.16 BALUSTRADES

CLAUSE D 2.23 SIGNS ON DOORS
CLAUSE D 3 GENERAL BUILDING ACCESS REQUIREMENTS
CLAUSE D 3.3 PARTS OF BUILDING TO BE ACCESSIBLE
CLAUSE D 3.8 TACTILE INDICATORS
CLAUSE D 3.9 WATERPROOFING OF WET AREAS
CLAUSE F 1.10 DAMP PROOFING
CLAUSE F 4.2 CONSTRUCTION OF SANITARY COMPARTMENTS
CLAUSE F 4.3 SOUND INSULATION OF WALLS
CLAUSE F 4.4 SOUND INSULATION OF FLOORS
CLAUSE F 5.5 SOUND INSULATION OF WALLS
CLAUSE F 5.6 SOUND INSULATION OF SERVICES
CLAUSE F 5.7 SOUND INSULATION OF PUMPS

ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART CLAUSES 4 & AS 1680
BALUSTRADE HEIGHTS: TO COMPLY WITH BCA CLAUSE D 2.16
DRAINAGE GUTTERS & DOWNPIPES: TO COMPLY WITH AS/NZS 3600 3.2
ENERGY EFFICIENT LIGHTING: TO COMPLY WITH 2.2 OF BCA
FIRE SERVICES: TO COMPLY WITH SECTION E OF BCA
HOT WATER SYSTEMS: TO COMPLY WITH PART 2 OF BCA
MASONRY: TO COMPLY WITH AS 3700
MECHANICAL/ELECTROMECHANICAL: BCA CLAUSE C 3.16 & AS 1530 4-2005
MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH PART 25 OF BCA
MECHANICAL AIR CONDITIONING: TO COMPLY WITH PART 25 OF BCA
MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH AS 1569 & AS 1572
SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE & SPEC E 2.2 & AS 3786
PENETRATIONS: THROUGH FIRE RATED CONSTRUCTION FOR MECH/ELECTRICAL PENETRATIONS TO COMPLY WITH BCA CLAUSE C 3.15 & AS 1530 4-2005
STAR CONSTRUCTION: TO COMPLY WITH PARTS OF BCA
STAR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D 2.13
WATERPROOFING OF WET AREAS: TO COMPLY WITH AS 3740

BASIX COMMITMENTS (ALL OTHER BASIX COMMITMENTS AS PER BASIX CERTIFICATE AND STAMPED PLANS)

HEATING: 1 Phase, EER 3.0-3.5

COOLING: 1 Phase, EER 2.5-3.0

WATER OPTIONS
SHOWERHEADS: 4 STAR
TOILETS: 3 STAR
CLOTHES WASHERS: NA STAR
KITCHEN TAPS: 3 STAR
BATHROOM TAPS: 3 STAR
DISHWASHERS: 3 STAR
RAIN WATER TANK: NA
POOL/SPA: 3000 L
COLLECT RAIN OFF AREA: 343 sqm
LANDSCAPED AREA TO IRRIGATE: 89 sqm

ENERGY OPTIONS
COOLING: 1 Phase, EER 2.5-3.0

VENTILATION:
WATER HEATING: Individual fan ducted to outside or roof
ENERGY EFFICIENT LIGHTING: 6 Star Gas Instantaneous
COOK TOPS: N/A
REFRIGERATOR SPACE: N/A
CLOTHES DRYING LINES: Dryer
ALTERNATIVE SUPPLY: N/A
POOL/SPA: N/A

NOTES:
EX EXISTING
RFL RL OF FINISHED FLOOR LEVEL
RL REDUCED LEVEL
BOUNDARY EX BUILDING TO BE DEMOLISHED
COUNCIL CONTROLS

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MHN Design Union Pty Ltd. ABN 94 003 717 682 NSW Registration Number 4907

DRAWING TITLE:
PRE AND POST ADAPTABLE APARTMENTS - UNIT 2
PROJECT ADDRESS:
35-37 Hall St, BONDI BEACH 2026

SCALE: 1:50@A3
ISSUE DATE: 25/03/24
PROJECT NUMBER: 20-055

DRAWN BY: MHN
CHECKED: BW
REVISION: E
DWG NUMBER: DA 9204

REF: Bldcont: bch-26 - Bldcont Base for Architect 2020-2025-35-37 Hall St, Bondi Beach - S4.55

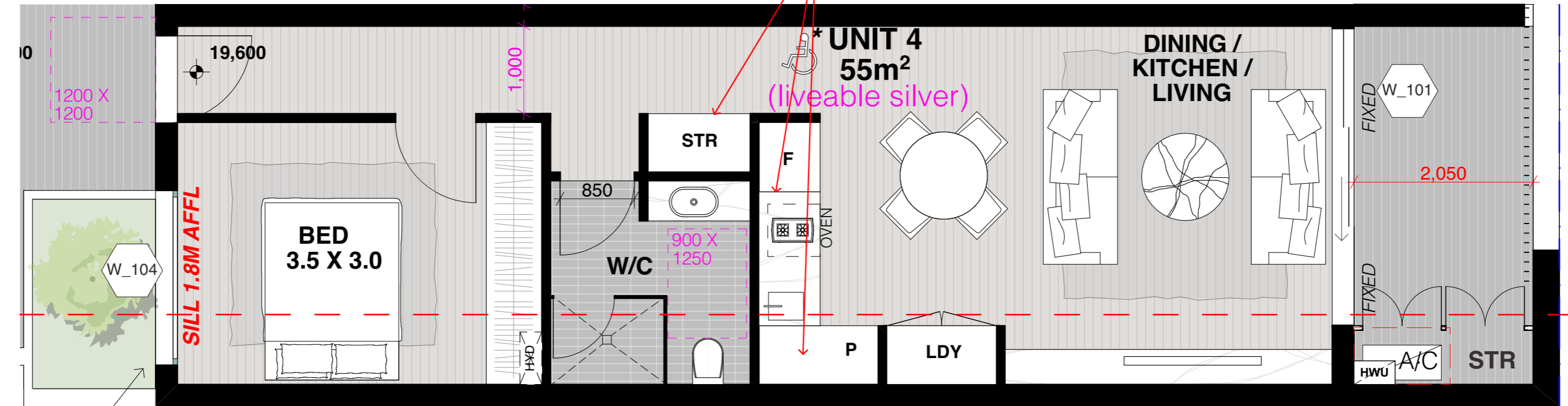
* ALL SILVER LEVEL LIVEABLE HOUSING APARTMENTS TO BE IN ACCORDANCE WITH APPENDIX 2 - SILVER LEVEL SPECIFICATION OF DESIGN CONFIDENCE LIVEABLE HOUSING DESIGN ASSESSMENT REPORT SUBMITTED WITH THIS APPLICATION

REV D NO CHANGE

REV E SCHEDULE OF CHANGES S4.55 APPLICATION

ITEM 1 - NO CHANGE

CONTINUOUS FLOORING UNDER BASE OF JOINERY AT PRE-ADAPTATION STAGE FOR EASE OF FUTURE MODIFICATION



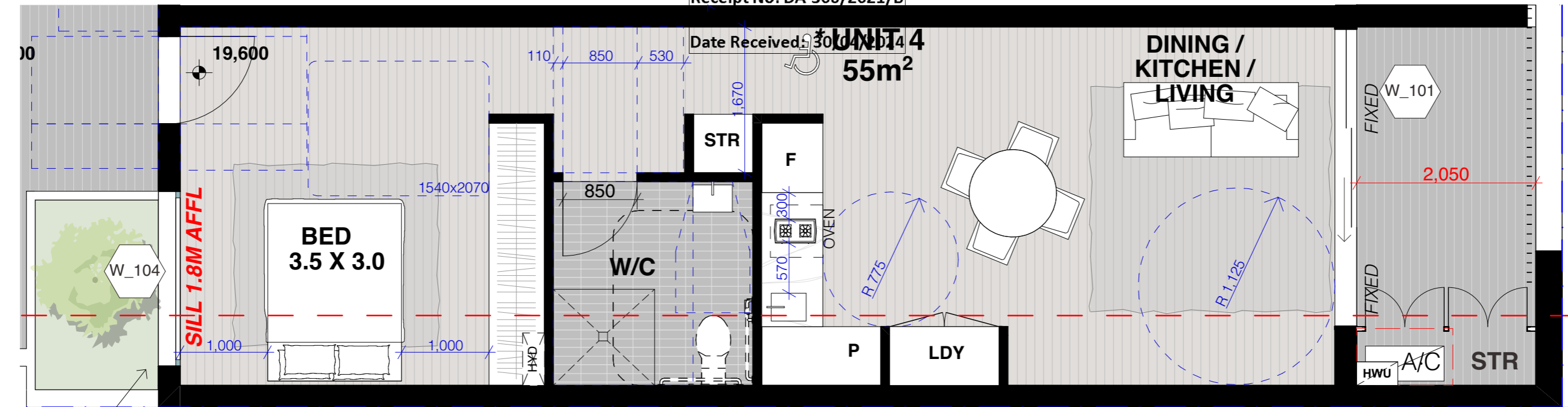
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UNIT 4 - PRE-ADAPTABLE PLAN

1:50

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Waverley Council
Receipt No: DA-306/2021/B

Date Received: 30/03/2024



02

UNIT 4 - POST ADAPTABLE PLAN



REV	DESCRIPTION	DATE	ALL CONSTRUCTION TO COMPLY WITH MINIMUM W/ BCA CLAUSES & AUSTRALIAN STANDARDS	ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART 4 CLAUSES 4.4 & 4.5 (1600 BALUSTRADE HEIGHTS: TO COMPLY WITH BCA CLAUSE 02.16 DRAINAGE GUTTERS & DOWNPIPES: TO COMPLY WITH ADGNS 2600 3.2 ENERGY EFFICIENT LIGHTING: TO COMPLY WITH 2.2 OF BCA	BASIX COMMITMENTS (ALL OTHER BASIX COMMITMENTS AS PER BASIX CERTIFICATE AND STAMPED PLANS)	HEATING: 1 Phase, EER 3.0-3.5	NOTES:	ARCHITECT:	DRAWING TITLE:	SCALE:	DRAWN BY:	CHECKED:		
A	DEVELOPMENT APPLICATION	20/07/21	CLAUSE B 1.4 MATERIAL & FORMS CONSTRUCTIONS SPEC C 1.1 FIRE RESISTING CONSTRUCTION SPEC C 1.10 FIRE HAZARD PROPERTIES SPEC C 1.11 PERFORMANCE OF EXTERNAL WALLS IN A FIRE CLAUSE C 2.1 VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL CLAUSE C 2.12 SEPARATION OF EQUIPMENT CLAUSE C 2.13 ELECTRICITY SUPPLY SYSTEM CLAUSE C 3.1 ACCESSIBLE METHOD OF PROTECTION (OF OPENINGS) CLAUSE C 3.8 OPENING IN FIRE ISOLATED EXITS CLAUSE C 3.15 OPENING FOR SERVICE INSTALLATIONS CLAUSE D 1.16 DISCHARGE FROM EXITS CLAUSE D 2.7 INSTALLATIONS IN EXITS AND PATHS OF TRAVEL CLAUSE D 2.14 LANDINGS CLAUSE D 2.15 THRESHOLDS CLAUSE D 2.16 BALUSTRADES	CLAUSE 02.17 HANDRAILS CLAUSE 02.21 OPERATION OF LATCH CLAUSE 02.23 SIGNS ON DOORS CLAUSE 03.2 GENERAL BUILDING ACCESS REQUIREMENTS CLAUSE 03.3 PARTS OF BUILDING TO BE ACCESSIBLE CLAUSE 03.8 IDENT. OF ACCESSIBLE FACIL-SERVICES FEATURES CLAUSE 03.9 TACTILE INDICATORS CLAUSE F 1.1 WATERPROOFING OF WET AREAS CLAUSE F 1.9 F 1.10 DAMP PROOFING CLAUSE 2.5 CONSTRUCTION OF SANITARY COMPARTMENTS PART 4.1 LIGHTING AND VENTILATION CLAUSE F 4.4 SOUND INSULATION OF FLOORS CLAUSE F 5.4 SOUND INSULATION OF WALLS CLAUSE F 5.8 SOUND INSULATION OF SERVICES CLAUSE F 5.7 SOUND INSULATION OF PUMPS	WATER OPTIONS SHOWERHEADS: 4 STAR TOILETS: 3 STAR CLOTHES WASHERS: N/A KITCHEN TAPS: 3 STAR BATHROOM TAPS: 3 STAR DISHWASHERS: 3 STAR RAIN WATER TANK: 3000 L POOL/SPA: 343 lph COLLECT RAIN OFF AREA: 343 lph LANDSCAPED AREA TO IRRIGATE: 89 lph	VENTILATION: WATER HEATING: Individual fan ducted to outside or roof ENERGY EFFICIENT LIGHTING: N/A COOK TOPS: Gas Cooktop REFRIGERATOR SPACE: N/A CLOTHES DRYING LINES: Chf ALTERNATIVE SUPPLY: N/A POOLS/SPA: N/A	EX FLL RL	EXISTING RL OF FINISHED FLOOR LEVEL REDUCED LEVEL BOUNDARY EX BUILDING TO BE DEMOLISHED COUNCIL CONTROLS	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, ABSN 04 003 717 682 NSW Registration Number 4907	PRE AND POST ADAPTABLE APARTMENTS - UNIT 4 PROJECT ADDRESS: 35-37 Hall St, BONDI BEACH 2026	1:50@A3 ISSUE DATE: 25/03/24 PROJECT NUMBER: 20-055	MHN	BW	E
B	RESPONSE TO DEFERRAL LETTER	11/11/21												
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D	RESPONSE TO COUNCIL CHANGES	02/08/22												
E	S4.55 APPLICATION	25/03/24												

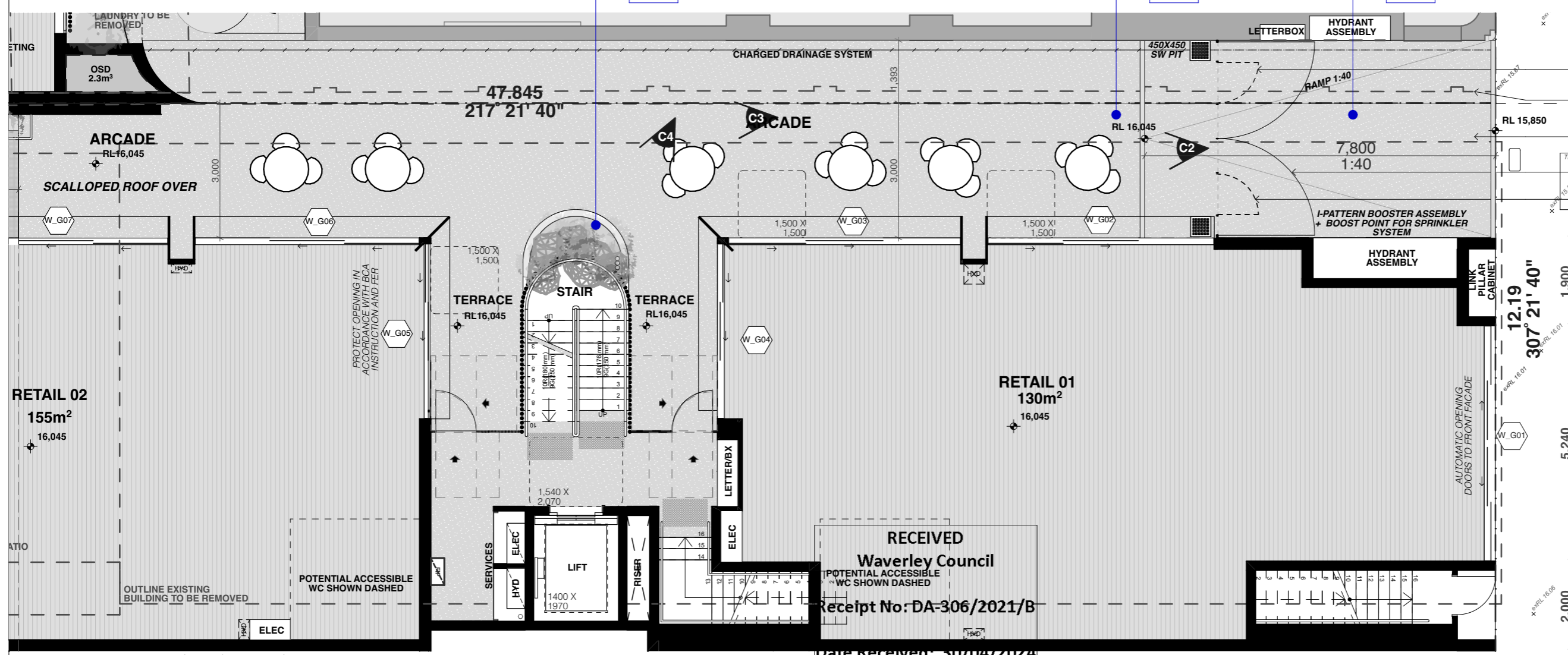
ARCADE STUDY

REV E SCHEDULE OF CHANGES
S4.55 APPLICATION

ITEM 1 - CENTRAL FIRE STAIR RELOCATED + LANDSCAPING ADDED

ITEM 2 - ARCADE FLOOR LEVEL RAISED FROM RL 16.030 TO RL 16.045 TO REQUIRED FLOOD PLANNING LEVEL

ITEM 3 - FRONT ENTRANCE RAMP AMENDED



OUTLINE EXISTING BOUNDARY FENCE TO BE REMOVED

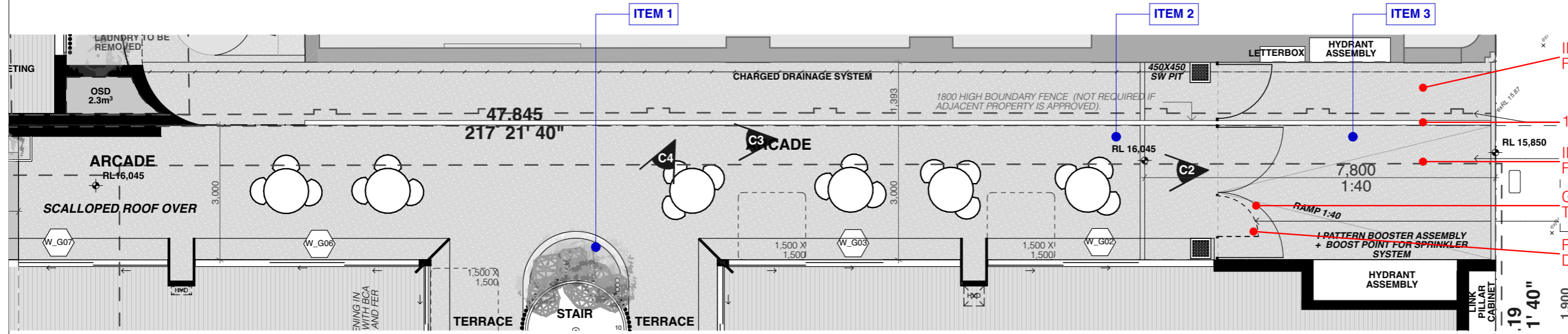
REFER TO DRAWING SHEET DA9301 FOR ARCADE DETAILS

GATES TO BE CLOSED AT NIGHT TO THE PUBLIC

RESIDENT EXCLUSIVE USE DOOR DURING LOCKED GATES HOURS

PROPOSED AWNING OVER

GROUND FLOOR - Combined Sites Scheme 1:100



INDEPENDANT ACCESS FOR EACH SITE

1.8m FENCE

INDEPENDANT ACCESS FOR EACH SITE

GATES CLOSED AT NIGHT TO THE PUBLIC

RESIDENT EXCLUSIVE USE DOOR DURING LOCKED GATES HOURS

GROUND FLOOR - Independent Sites Scheme 1:100

REV	DESCRIPTION	DATE	ALL CONSTRUCTION TO COMPLY AT MINIMUM W/ BCA CLAUSES & AUSTRALIAN STANDARDS	ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART 4 CLAUSES 4 & AS 1680	BASIX COMMITMENTS (ALL OTHER BASIX COMMITMENTS AS PER BASIX CERTIFICATE AND STAMPED PLANS)	HEATING:	NOTES:	ARCHITECT:	DRAWING TITLE:	SCALE:	DRAWN BY:	CHECKED:
A	DEVELOPMENT APPLICATION	20/07/21	CLAUSE B 1.4 MATERIAL & FORMS CONSTRUCTIONS	CLAUSE 11.10 FIRE HAZARD PROPERTIES	WATER HEATING: Individual fan ducted to outside or wall	1 Phase, EER 3.0-3.5	EX EXISTING FL RL OF FINISHED FLOOR LEVEL RL REDUCED LEVEL	MHNDUNION	ARCADE STUDY - FLOOR PLAN	1:100@A3	MHN	BW
B	RESPONSE TO DEFERRAL LETTER	11/11/21	CLAUSE C 1.1 FIRE RESISTING CONSTRUCTION	CLAUSE 12.11 PERFORMANCE OF EXTERNAL WALLS IN A FIRE	ENERGY EFFICIENT LIGHTING: TO COMPLY WITH 22 OF BCA		BOUNDARY EX BUILDING TO BE DEMOLISHED COUNCIL CONTROLS	35 RICHARDS LANE SURRY HILLS SYDNEY NSW 2010	ARCADE STUDY - FLOOR PLAN	25/03/24		
C	AMENDED ARCH DRAWINGS	29/03/21	CLAUSE C 1.2 VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL	CLAUSE 12.12 SEPARATION OF EQUIPMENT	Mechanical Exhaust Ventilation: TO COMPLY WITH PART 25 OF BCA		PROJECT ADDRESS:	35-37 Hall St, BONDI BEACH 2026		20-055		
D	RESPONSE TO COUNCIL CHANGES	02/08/22	CLAUSE C 1.3 ACCEPTABLE METHODS OF PROTECTION OF OPENINGS	CLAUSE 12.13 ELECTRICAL SUPPLY SYSTEM	MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH PART 25 OF BCA		PROJECT NUMBER:					
E	S4.55 APPLICATION	25/03/24	CLAUSE C 1.4 OPENING IN FIRE ISOLATED EXITS	CLAUSE 12.14 LANDINGS	SMOKE ALARMS: TO COMPLY WITH BCA PART 4 CLAUSE 4 & SPEC E2.2 & AS3796		DWG NUMBER:					



ARCADE STUDY - Cam 1

REV E
SCHEDULE OF CHANGES
S4.55 APPLICATION
ITEM 1 - IMAGE UPDATED



DAY - Combined Sites Scheme



NIGHT - Combined Sites Scheme

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Waverley Council
Receipt No: DA-306/2021/B
Date Received: 30/04/2024



DAY - Independent Sites Scheme



NIGHT - Independent Sites Scheme

REV	DESCRIPTION	DATE	ALL CONSTRUCTION TO COMPLY AT MINIMUM W/ BCA CLAUSES & AUSTRALIAN STANDARDS	ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART 4 & AS 1680	BASIX COMMITMENTS (ALL OTHER BASIX COMMITMENTS AS PER BASIX CERTIFICATE AND STAMPED PLANS)	HEATING:	VENTILATION:	NOTES:	ARCHITECT:	DRAWING TITLE:	SCALE:	DRAWN BY:	CHECKED:	
A	DEVELOPMENT APPLICATION	20/07/21	CLAUSE B 1.4 MATERIAL & FORMS CONSTRUCTIONS SPEC C 1.1 FIRE RESISTING CONSTRUCTION SPEC C 1.10 FIRE HAZARD PROPERTIES SPEC C 1.11 PERFORMANCE OF EXTERNAL WALLS IN A FIRE CLAUSE C 2.8 VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL CLAUSE C 12 SEPARATION OF EQUIPMENT CLAUSE C 13 ELECTRICITY SUPPLY SYSTEM CLAUSE C 3 ACCEPTABLE METHODS OF PROTECTION (OF OPENINGS) CLAUSE C 3.8 OPENING IN FIRE ISOLATED EXITS CLAUSE C 15 OPENING FOR SERVICE INSTALLATIONS CLAUSE D 1.6 DISCHARGE FROM EXITS CLAUSE D 2.7 INSTALLATIONS IN EXITS AND PATHS OF TRAVEL CLAUSE D 2.14 LANDINGS CLAUSE D 2.15 THRESHOLDS CLAUSE D 2.16 BALUSTRADES	CLAUSE D 2.17 HANDRAILS CLAUSE D 2.21 OPERATION OF LATCH CLAUSE D 2.23 SIGNS ON DOORS CLAUSE D 3.2 GENERAL BUILDING ACCESS REQUIREMENTS CLAUSE D 3.3 PARTS OF BUILDING TO BE ACCESSIBLE CLAUSE D 3.8 TACTILE INDICATORS CLAUSE F 1.3 WATERPROOFING OF WET AREAS CLAUSE F 1.8 DAMP PROOFING CLAUSE F 2.5 CONSTRUCTION OF SANITARY COMPARTMENTS PART F 4 LIGHTING AND VENTILATION CLAUSE F 4.4 SOUND INSULATION OF FLOORS CLAUSE F 5.5 SOUND INSULATION OF WALLS CLAUSE F 8.4 SOUND INSULATION OF SERVICES CLAUSE F 8.5 SOUND INSULATION OF WALLS CLAUSE F 8.7 SOUND INSULATION OF PUMPS	WATER SERVICES: TO COMPLY WITH SECTION E OF BCA MECHANICAL AIR CONDITIONING: TO COMPLY WITH PART 25 OF BCA MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH AS 1966 & AS 1976 SMOKE ALARMS: TO COMPLY WITH BCA PART 4 & SPEC E 2.2 & AS 1976 PENETRATIONS THROUGH FIRE RATED CONSTRUCTION FOR MECH/ELECTRICAL PENETRATIONS TO COMPLY WITH BCA CLAUSE C 3.15 & AS 1939.4-2005 SOUND TRANSMISSION: TO COMPLY WITH PARTS OF BCA STAR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D 2.13 WATERPROOFING OF WET AREAS: TO COMPLY WITH AS 3740	WATER OPTIONS SHOWERHEADS: 4 STAR TOILETS: 3 STAR CLOTHES WASHERS: N/A STAR KITCHEN TAPS: 3 STAR BATHROOM TAPS: 3 STAR DISHWASHERS: 3 STAR RAIN WATER TANK: 3 STAR STORM WATER TANK: 3000 L POOL/SPA: N/A COLLECT RAIN OFF AREA: 343 sqm LANDSCAPED AREA TO IRRIGATE: 89 sqm	WATER HEATING: Individual fan ducted to outside or roof ENERGY EFFICIENT LIGHTING: 6 Star Gas Instantaneous COOK TOPS: N/A REFRIGERATOR SPACE: Gas Cooktop CLOTHES DRYING LINES: N/A ALTERNATIVE SUPPLY: N/A POOLS/SPA: N/A	EX EXISTING FRL RL OF FINISHED FLOOR LEVEL RL REDUCED LEVEL BOUNDARY EX BUILDING TO BE DEMOLISHED COUNCIL CONTROLS	MHN Design Union Pty Ltd. 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 NSW Registration Number 4907	ARCADIE STUDY - SHEET 1	1:3.89@A3	MHN	BW	E
B	RESPONSE TO DEFERRAL LETTER	11/11/21												
C	AMENDED ARCH DRAWINGS	29/03/21												
D	RESPONSE TO COUNCIL CHANGES	02/08/22												
E	S4.55 APPLICATION	25/03/24												



PROJECT ADDRESS:
35-37 Hall St, BONDI BEACH 2026

PROJECT NUMBER:
20-055

ISSUE DATE:
25/03/24

DWG NUMBER:
DA 9302

ARCADE STUDY

REV E
SCHEDULE OF CHANGES
S4.55 APPLICATION
ITEM 1 - IMAGE UPDATED



CAM 2 - Independent Sites Scheme

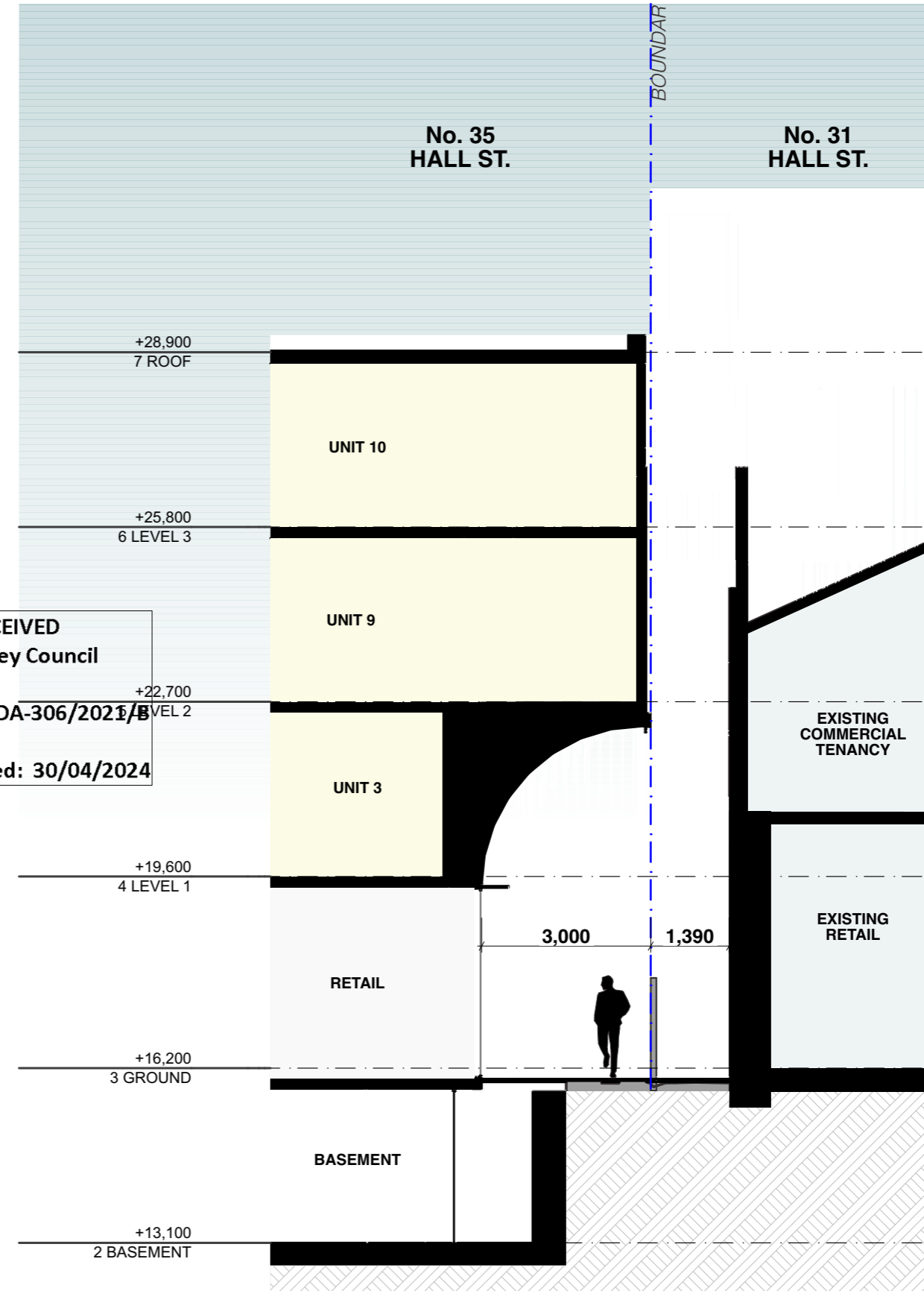


CAM 3 - Independent Sites Scheme

ITEM 1

ITEM 1

RECEIVED
Waverley Council
Receipt No: DA-306/2021/B
Date Received: 30/04/2024

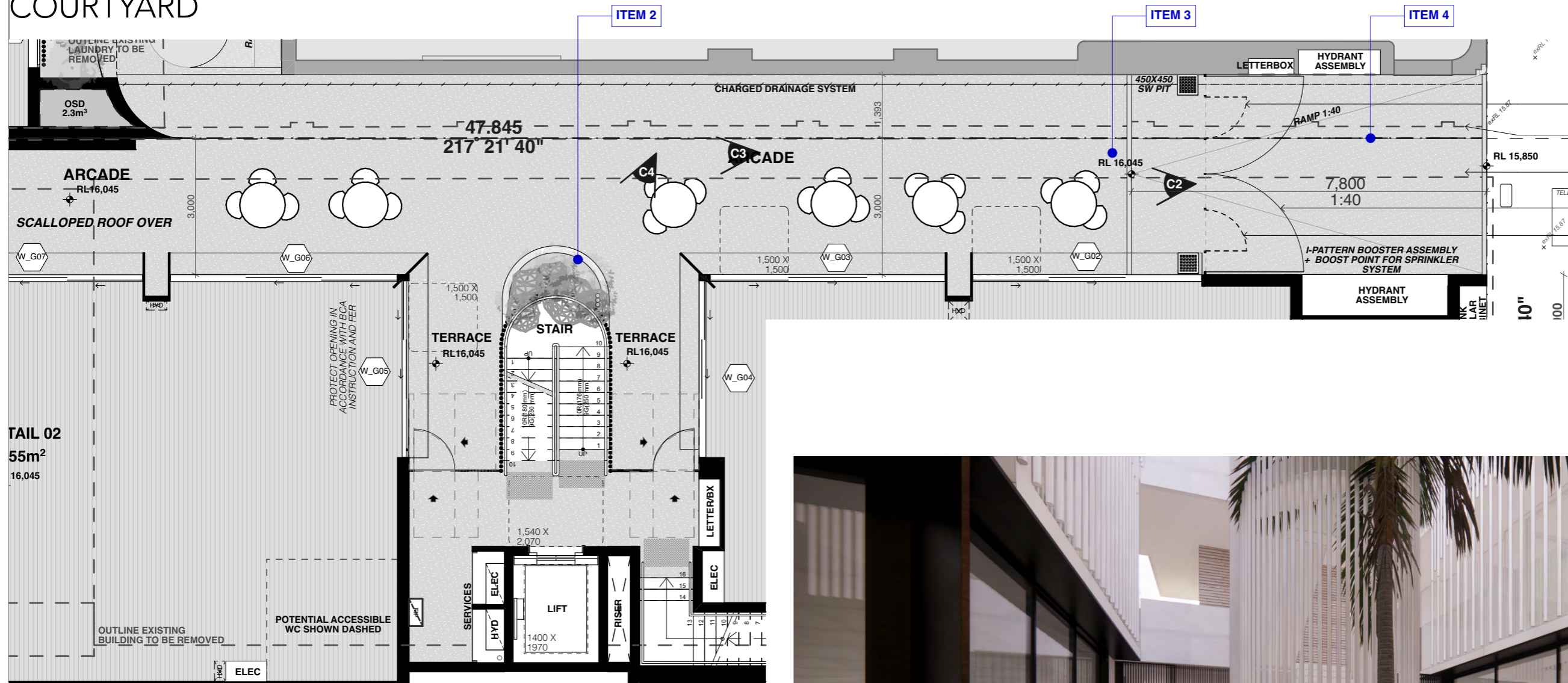


ARCADE ELEVATION - Independent Sites Scheme

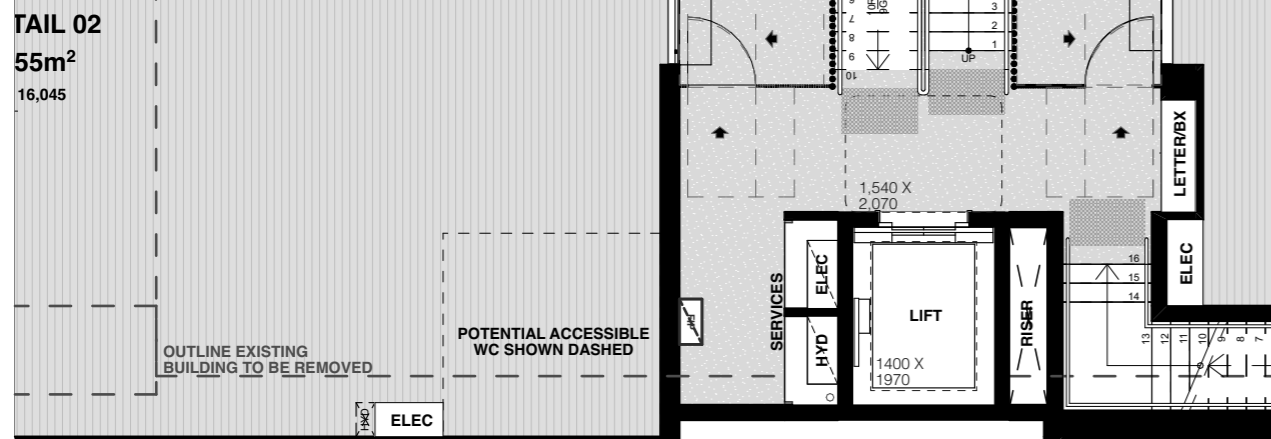
REV	DESCRIPTION	DATE	ALL CONSTRUCTION TO COMPLY AT MINIMUM W/ BCA CLAUSES & AUSTRALIAN STANDARDS	ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART 4 & AS 1680 BALUSTRADE HEIGHTS: TO COMPLY WITH BCA CLAUSE D2.16 DRAINAGE GUTTERS & DOWNPIPES: TO COMPLY WITH ADNS 2600 3.2 ENERGY EFFICIENT LIGHTING: TO COMPLY WITH 2.2 OF BCA NOT WATER SYSTEMS: TO COMPLY WITH PART 7.1 OF BCA FIRE SERVICES: TO COMPLY WITH SECTION E OF BCA MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH AS 1966 & AS 1972 SMOKE ALARMS: TO COMPLY WITH BCA PART 4 & SPEC E2.2 & AS 1976 PENETRATIONS THROUGH FIRE RATED CONSTRUCTION FOR MECH: TO COMPLY WITH BCA CLAUSE C3.15 & AS 1530 4.2.005 SOUND TRANSMISSION: TO COMPLY WITH PARTS OF BCA STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13 WATERPROOFING OF WET AREAS: TO COMPLY WITH AS 3740	BASIX COMMITMENTS (ALL OTHER BASIX COMMITMENTS AS PER BASIX CERTIFICATE AND STAMPED PLANS)	HEATING: 1 Phase, EER 3.0-3.5	NOTES:	ARCHITECT:	DRAWING TITLE:	SCALE:	DRAWN BY:	CHECKED:
A	DEVELOPMENT APPLICATION	20/07/21	CLAUSE B 1.4 MATERIAL & FORMS CONSTRUCTIONS CLAUSE D2.21 OPERATION OF LATCH CLAUSE D2.23 SIGNS ON DOORS CLAUSE D3.3 GENERAL BUILDING ACCESS REQUIREMENTS CLAUSE D3.3 PARTS OF BUILDING TO BE ACCESSIBLE CLAUSE D3.8 TACTILE INDICATORS CLAUSE F1.3 WATERPROOFING OF WET AREAS CLAUSE F1.3.1 DAMP PROOFING CLAUSE 2.5 CONSTRUCTION OF SANITARY COMPARTMENTS PART F4 LIGHTING AND VENTILATION CLAUSE F4.4 SOUND INSULATION OF FLOORS CLAUSE F5.4 SOUND INSULATION OF WALLS CLAUSE F5.8 SOUND INSULATION OF SERVICES CLAUSE D2.16 BALUSTRADES	CLAUSE D2.17 HANDRAILS CLAUSE D2.21 OPERATION OF LATCH CLAUSE D2.23 SIGNS ON DOORS CLAUSE D3.3 GENERAL BUILDING ACCESS REQUIREMENTS CLAUSE D3.3 PARTS OF BUILDING TO BE ACCESSIBLE CLAUSE D3.8 TACTILE INDICATORS CLAUSE F1.3 WATERPROOFING OF WET AREAS CLAUSE F1.3.1 DAMP PROOFING CLAUSE 2.5 CONSTRUCTION OF SANITARY COMPARTMENTS PART F4 LIGHTING AND VENTILATION CLAUSE F4.4 SOUND INSULATION OF FLOORS CLAUSE F5.4 SOUND INSULATION OF WALLS CLAUSE F5.8 SOUND INSULATION OF SERVICES CLAUSE D2.16 BALUSTRADES	WATER OPTIONS SHOWERHEADS: 4 STAR TOILETS: 3 STAR CLOTHES WASHERS: N/A STAR KITCHEN TAPS: 3 STAR BATHROOM TAPS: 3 STAR DISHWASHERS: 3 STAR RAIN WATER TANK: 3000 L POOL/SPA: 343 lph COLLECT RAIN OFF AREA: 343 lph LANDSCAPED AREA TO IRRIGATE: 89 lph ENERGY OPTIONS COOLING: 1 Phase, EER 2.5-3.0	VENTILATION: Individual fan ducted to outside or roof 6 Star Gas Instantaneous N/A Gas Cooktop N/A Chiller N/A N/A	EX EXISTING RFL RL OF FINISHED FLOOR LEVEL RL REDUCED LEVEL BOUNDARY EX BUILDING TO BE DEMOLISHED COUNCIL CONTROLS	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 04 003 717 682	ARCADY STUDY - SHEET 2	1:100@A3 ISSUE DATE: 25/03/24 PROJECT NUMBER: 20-055	MHN	BW REVISION: E DWG NUMBER: DA 9303



COURTYARD



- REV D**
SCHEDULE OF CHANGES
DA 306/2021
RESPONSE TO COUNCIL REQUESTED CHANGES
"TWO WEEKS AGO"
- ITEM 1** LINK PILLAR CABINET ADDED
- REV E**
SCHEDULE OF CHANGES
S4.55 APPLICATION
- ITEM 1** - IMAGE UPDATED
- ITEM 2** - CENTRAL FIRE STAIR RELOCATED + LANDSCAPING ADDED
- ITEM 3** - ARCADE FLOOR LEVEL RAISED FROM RL 16.030 TO RL 16.045 TO REQUIRED FLOOD PLANNING LEVEL
- ITEM 4** - FRONT ENTRANCE RAMP AMENDED DURING LOCKED GATES HOURS



CAM 4

RECEIVED
Waverley Council
Receipt No: DA-306/2021/B
Date Received: 30/04/2024

REV A B C D E	DESCRIPTION DEVELOPMENT APPLICATION RESPONSE TO DEFERRAL LETTER AMENDED ARCH DRAWINGS RESPONSE TO COUNCIL CHANGES S4.55 APPLICATION	DATE 20/07/21 11/11/21 29/03/21 02/08/22 25/03/24	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 C2.1 VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL CLAUSE C2.12 SEPARATION OF EQUIPMENT CLAUSE C2.13 ELECTRICITY SUPPLY SYSTEM CLAUSE C2.3 ACCESSIBLE METHODS OF PROTECTION (OF OPENINGS) CLAUSE C2.8 OPENING IN FIRE ISOLATED EXITS CLAUSE C2.11 OPENING FOR SERVICE INSTALLATIONS CLAUSE C2.16 DISCHARGE FROM EXITS CLAUSE C2.17 INSTALLATIONS IN EXITS AND PATHS OF TRAVEL CLAUSE C2.18 LANDINGS CLAUSE C2.19 THRESHOLDS CLAUSE C2.16 BALUSTRADES	ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART CLAUSES 4 & AS 1680 BALUSTRADE HEIGHTS: TO COMPLY WITH BCA CLAUSE D2.16 DRAINAGE GUTTERS & DOWNPIPES: TO COMPLY WITH ADNS 2600 3.2 ENERGY EFFICIENT LIGHTING: TO COMPLY WITH 2.2 OF BCA FIRE SERVICES: TO COMPLY WITH SECTION E OF BCA HOT WATER: SYSTEMS TO COMPLY WITH PART 2 OF BCA MASONRY: TO COMPLY WITH AS3700 MECHANICAL/MECHANICAL: TO COMPLY WITH PART 2.5 OF BCA MECHANICAL AIR CONDITIONING: TO COMPLY WITH PART 2.5 OF BCA MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH AS1566 & AS1572 SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE & SPEC E2.2 & AS3786 PENETRATIONS: THROUGH FIRE RATED CONSTRUCTION FOR MECH/ELECTRICAL PENETRATIONS TO COMPLY WITH BCA CLAUSE C3.15 & AS1530 4.2.005 SOUND TRANSMISSION: TO COMPLY WITH PARTS OF BCA STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13 WATERPROOFING OF WET AREAS: TO COMPLY WITH AS3740	BASIC COMMITMENTS (ALL OTHER BASIC COMMITMENTS AS PER BASIX CERTIFICATE AND STAMPED PLANS) WATER OPTIONS SHOWERHEADS: 4 STAR TOILETS: 3 STAR NIA STAR KITCHEN TAPS: 3 STAR BATHROOM TAPS: 3 STAR DISHWASHERS: 3 STAR RAIN WATER TANK: -L STORM WATER TANK: 3000 L POOL/SPA: N/A COLLECT RAIN OFF AREA: 343 sqm LANDSCAPED AREA TO IRRIGATE: 89 sqm ENERGY OPTIONS COOLING: 1 Phase, EER 2.5-3.0	HEATING: 1 Phase, EER 3.0-3.5 VENTILATION: Individual fan ducted to outside or roof WATER HEATING: 6 Star Gas Instantaneous N/A ENERGY EFFICIENT LIGHTING: N/A COOK TOPS: Gas Cooktop REFRIGERATOR SPACE: N/A CLOTHES DRYING LINES: Dryer ALTERNATIVE SUPPLY: N/A POOL/SPA: N/A	NOTES: EX FFL EXISTING RL OF FINISHED FLOOR LEVEL REDUCED LEVEL BOUNDARY EX BUILDING TO BE DEMOLISHED COUNCIL CONTROLS	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 04 003 717 682 NSW Registration Number 4907	DRAWING TITLE: COURTYARD PROJECT ADDRESS: 35-37 Hall St, BONDI BEACH 2026	SCALE: 1:100@A3 ISSUE DATE: 25/03/24 PROJECT NUMBER: 20-055	DRAWN BY: MHN CHECKED BY: BW REVISION: E DWG NUMBER: DA 9304
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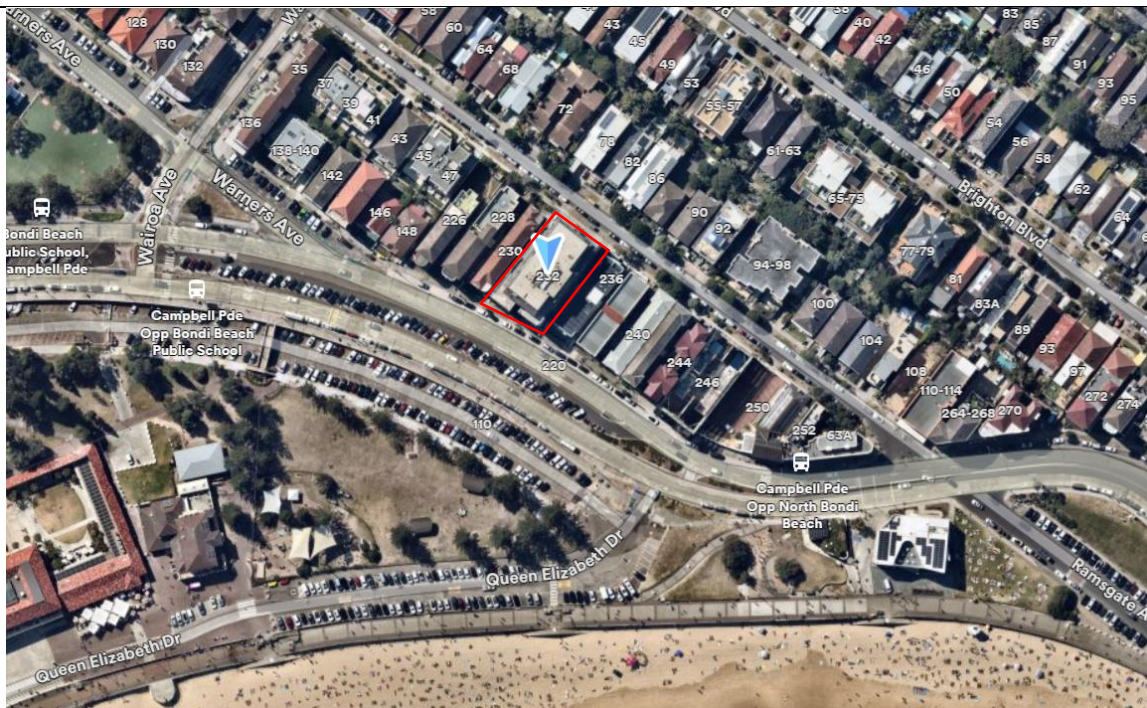




Report to the Waverley Local Planning Panel

Application number	DA-373/2023/D
Site address	232-234 Campbell Parade, Bondi Beach
Proposal	Modification to DA-373/2023 for replacement of approved steel roof with concrete and amended Reduced Level to amalgamated units 14 & 15.
Description of Approved Development	Extending south-east wall on Level 4 to enlarge bedrooms by 8.9m ² of Unit 14 and an associated Planning Agreement.
Date of lodgement	29 August 2024
Owner	Spinite Pty Ltd / Owners of Strata Plan 74232
Applicant	Spinite Pty Ltd
Submissions	One
Amended cost of works	\$129,000
Principal Issues	<ul style="list-style-type: none"> Breach of the building height development standard
Recommendation	That the application be APPROVED in accordance with the conditions contained in the report.

SITE MAP



Source - Nearmap

1. PREAMBLE

1.1 Executive Summary

The development application (DA) seeks consent to replace a steel roof over a previously approved extension with a concrete roof to Unit 14/15 on Level 4 of the site known as 232-234 Campbell Parade, Bondi Beach.

The principal issue arising from the assessment of the application is as follows:

- Breach of the building height development standard

The assessment finds the issue acceptable as it will have no impact on the amenity of the neighbouring properties and will fit in with the context of the site.

One submission was received, and the issues raised in the submission have been considered and addressed in this report and in the recommendation. No Councillor submissions were received and there were no declared conflicts of interest on this application from Council staff.

The application has been assessed against the relevant matters for consideration under section 4.15(2) 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 during the assessment of the original development. A further site visit was carried out on 24 September 2024.

The site is identified as Lot 1 SP 74232, known as 232-234 Campbell Parade, Bondi Beach.

The site is located on the northern side of Campbell Parade between the intersections of Wairoa Avenue and Ramsgate Avenue. The site is rectangular in shape with a frontage to Campbell Parade, measuring 14.915m and the rear frontage to Ramsgate Avenue measuring 24.385m. It has an area of 1,067.8m² and falls from the southern front boundary towards the rear by approximately 2.8m.

The site is occupied by a part four and part five storey residential flat building with vehicular access provided from Ramsgate Avenue on the northern (rear) elevation of the building.

The site is adjoined by four storey residential flat buildings on either side, and the locality is characterised by a variety of low and medium density residential developments.

The site is not a listed heritage item however it is located within the Bondi Beach Conservation Area under *Waverley Local Planning Panel 2012* (Waverley LEP 2012). The site is located in the Bondi Beachfront Area and the North Bondi Character Area under *Waverley Development Control Plan 2022* (Waverley DCP 2022). The site is also located within the vicinity of the Bondi Beach and Park Landscape Conservation Area.

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



Figure 1: Subject site viewed from Campbell Parade looking north.



Figure 2: Subject site, viewed from Ramsgate Avenue looking north-west. Proposed location of works is outlined in yellow.



Figure 3: Existing Level 4 balcony showing the location of the relocated eastern external wall approved under DA-373/2023. See figures 5 & 6 for the approved and proposed section details.

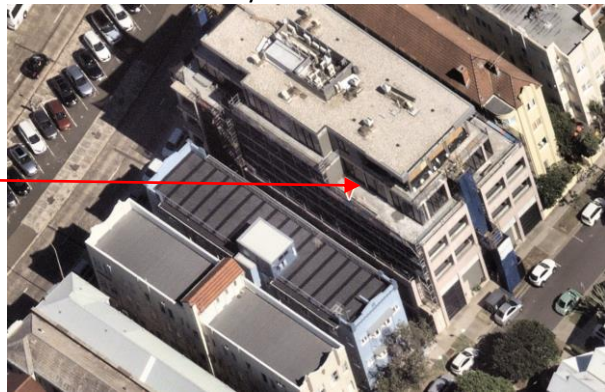


Figure 4: Aerial view of the eastern side elevation of the subject site and the location of the proposed works.

1.3 Details of Approved Development

The original development application, known as DA-373/2023 for the extension of Unit 14 along southeast side of Level 4, including an offer of a Planning Agreement, was approved on 28 February 2024 by the Waverley Local Planning Panel (WLPP).

Modification applications A, B and C were either returned due to being incorrectly lodged or withdrawn.

1.4 Proposal

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

- Replacing the approved steel framed roof with a concrete roof at 2.9m above the finished floor level (FFL) on Level 4. The proposal comprises a material and style consistent with the existing building to ensure a seamless integration.

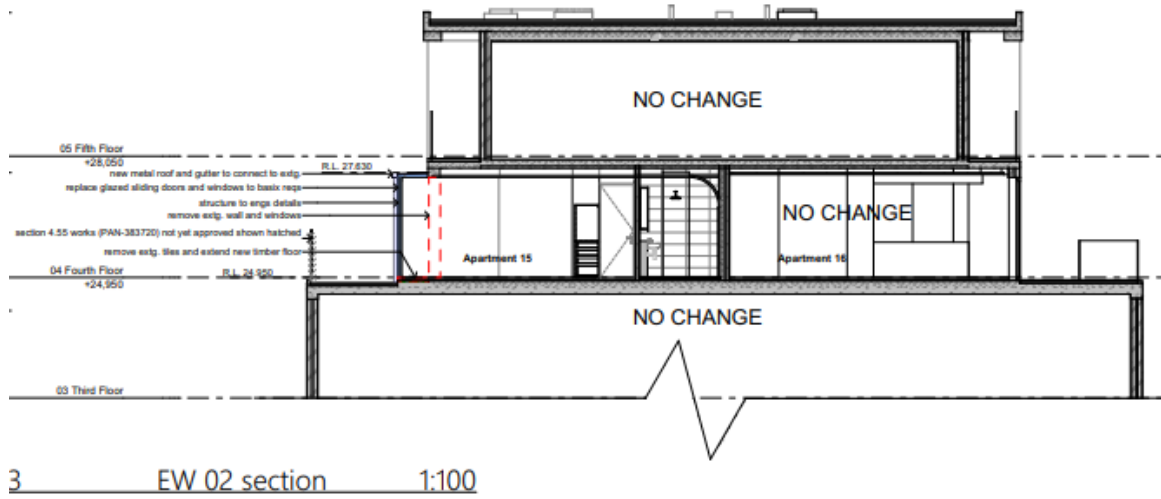


Figure 5: Approved (DA-373/2023) section detail with metal roof **RL 27.630**. (Source – RAA Architects)

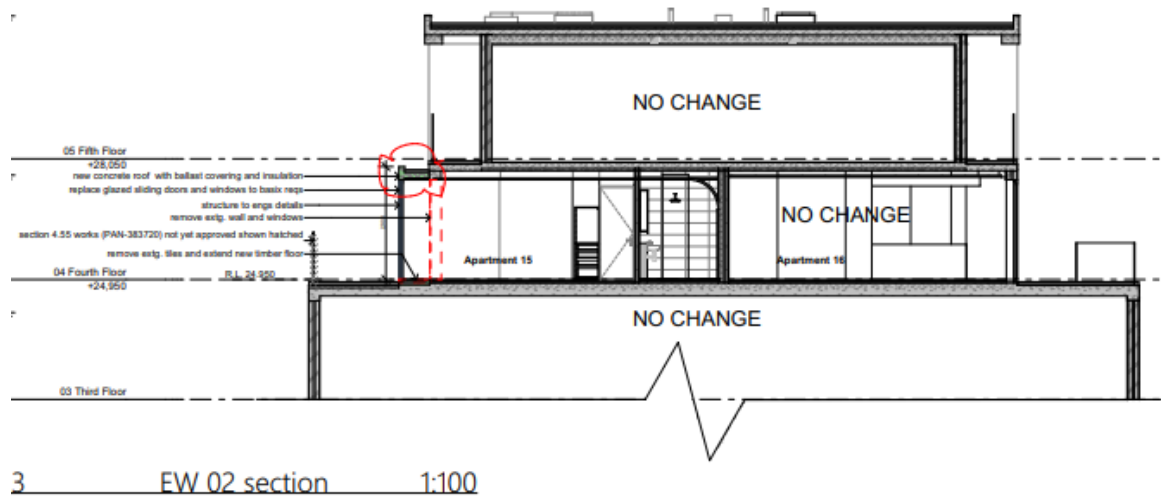


Figure 6: Proposed (DA-373/2023/D) section detail with concrete roof **RL 27.850** (Level 4 FFL 24.950 + 2.9). Increase in height of 220mm over the approved height. (Source – RAA Architects)

1.5 Background

The background of the site is as follows:

- **DA-133/1998:** Refurbishment of the existing club premises and change of use to accommodate 14 apartments and associated carparking, approved on 10 October 1998.
- **DA-523/2004:** Strata subdivision of a new five storey residential flat building into 18 lots, approved on 24 September 2004.
- **DA-704/2010:** Installation of bi-fold shutters to Unit 8 on the Level 2 balcony on the western side of building, approved on 23 December 2010.
- **DA-703/2010:** Installation of bi-fold aluminium shutters to Unit 5 on the Level 2 balcony on the western side of building, approved on 23 December 2010.
- **DA-389/2020:** Installation of a new fire-rated window to an existing bedroom on the ground floor of the apartment building, approved on 1 February 2021.
- **DA-323/2022:** Minor alterations and additions to a residential flat building, approved on 20 September 2022.
- **DA-323/2022/A:** Modifications to remove a decorative structure on Level 5 and replace tiles with ACP Cladding, approved on 12 July 2023.
- **DA-132/2023:** Alterations and additions to a residential flat building including enclosure of terraces and increasing floor space on the eastern side of Level 2, approved on 26 July 2023.
- **DA-165/2023:** Alterations and amalgamation of Units 14 and 15, approved on 27 September 2023.
- **DA-165/2023/A:** Alterations and additions to Unit 14 and 15, including replacement of glass balustrades and windows across the two units to meet BASIX requirements.

In addition to the above, a modified Fire Safety and Combustible Cladding Rectification Order Ref. No-3939 was issued on 24 May 2021 in accordance with a Land and Environment Court Order requiring the removal and replacement of the existing combustible cladding to the building with non-combustible and NCC BCA compliant external cladding.

2. ASSESSMENT

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

2.1 Section 4.55 – Modification of consents – generally

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

The quantitative and qualitative elements and impacts between the approved development and the development, as proposed to be modified, are not considered overly dissimilar as demonstrated in the

following sections of this report. In this regard, the proposal is considered to be *substantially the same* as the originally approved development with regard to matters arising from the NSW Land and Environment Court case of *Moto Projects (No 2) Pty Ltd v North Sydney Council (1999) 106 LGERA 298*.

The application was publicly notified, and one submission was received. The issues and matters raised in public submission are discussed in section 2.2.4 of this report.

2.2 Evaluation of Matters for Consideration under Section 4.15

In accordance with section 4.55(3) of the Act the following is an assessment of the proposed modifications of the development consent against the relevant matters for consideration under section 4.15(1) of the Act.

2.2.1 Planning Instruments and Development Control Plans

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

2.2.1.1 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 (Resilience and Hazards) 2021

2.2.1.2 Waverley Local Environmental Plan 2012 (Waverley LEP 2012)

The land use definition of the approved development as a residential flat building remains unchanged and continues to be permitted development in the R3 Medium Residential zone under Waverley LEP 2012.

The quantities of the approved development have changed as outlined in **Table 1** of this report in relation to principal development standards under Waverley LEP 2012. All other relevant provisions of Waverley LEP 2012 remain compliant.

Table 1: Waverley LEP 2012 Compliance Table

Provision	Approved	Proposed Modified	Compliance
4.3 Height of buildings <ul style="list-style-type: none"> • 12.5m 	The approved development comprised a maximum overall height of 16.03m, exceeding the development standard by 3.53m or 28.24%.	The proposal comprises a maximum overall height of 16.223m, exceeding the development standard by 3.75m or 30%.	No

Provision	Approved	Proposed Modified	Compliance
4.4 Floor space ratio and 4.4A Exceptions to floor space ratio <ul style="list-style-type: none"> • .9:1 	The approved development comprises an FSR of 2.86:1 or 3,051.7m ² , exceeding the development standard by 2,090.6m ² or 216.68%.	No change	No

The following is a detailed discussion of the exceedances of the particular development standards under Waverley LEP 2012 as a result of the approved development, as proposed to be modified.

Height of Buildings

The site is subject to a maximum height of buildings development standard of 12.5m. The existing development has an overall height of 21.62m and the works approved under DA-373/2024 comprise an overall height of 16.03m, exceeding the development standard by 3.53m, equating to a 28.24% variation.

The proposed modifications result in a net increase of building height of 220mm. Therefore, the proposed works will have an overall height of 16.223m, exceeding the development standard by 3.75m, equating to a 30% variation.

The applicant has provided some written justification for the non-compliance with the height of buildings development standard and has based the justification on the performance of the proposal against the objectives of the development standard. The relevant objectives of the 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 justification provided by the applicant to support the increased exceedance of the height of buildings development standard is summarised as follows:

- (i) *The proposal does not change the existing buildings compatibility with the desired future character and amenity of the surrounding neighbourhood.*
- (ii) *The proposed works exceed the specified maximum height (12.5m) by 3.75m but are 3.87m below the current maximum building height of 21.62m. The fourth floor is situated two stories above the neighbouring properties and therefore will not adversely affect surrounding views. The proposed extension is intentionally modest and slender, strategically set down from the terrace slab above, to avoid extending the bulk and scale of the existing building.*

(iii) *As evident in the shadow diagrams, there is no change to the existing shadows. The proposal does not pose any additional overshadowing to the existing wall or fenestrations of the neighbouring properties.*

The approved development, as proposed to be modified, will achieve and be consistent with the relevant objectives of the height of buildings development standard as it will not result in any adverse or additional impacts with regard to solar access and visual bulk and scale and will continue to be compatible with the desired future character of the locality. Therefore, the net exceedance is deemed acceptable and is supported.

The following is a detailed discussion on any other provision of Waverley LEP 2012.

Heritage Conservation

The site is not a listed heritage item, however it is located within the Bondi Beach Conservation Area. Council’s Heritage advisor reviewed the parent proposal and raised no objections to the design as it was not visible from Campbell Prade and would not impact on the overall character of the existing building. It is considered that the concrete roof proposed over the addition would provide a seamless extension to the existing building and would not result in any impacts on the conservation area.

2.2.1.3 Waverley Development Control Plan 2022 (Waverley DCP 2022)

The approved development, as proposed to be modified, continues to comply with the relevant parts and sections of Waverley DCP 2022. Only the parts and sections of Waverley DCP 2022 that apply to the proposed modifications are outlined in **Table 2** and detailed discussion provided below.

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

Development Control	Compliance	Comment
11. Design Excellence	Yes	Satisfactory. The scope of external modifications to the roof form do not result in any significant change to the approved architectural style or building bulk and will complement the character of the streetscape and the locality. The applicant has demonstrated that the modifications will not result in any additional amenity impacts on surrounding properties and therefore it is acceptable.

2.2.2 Other Impacts of the Development

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

2.2.3 Suitability of the Site for the Development

The site is considered suitable for the proposal.

2.2.4 Any Submissions

The application was notified for 16 days between 4 and 20 September 2024 in accordance with the *Community Engagement Strategy 2023*.

One unique submission was received from the following property:

- 10/236 Campbell Parade

Issue: Inadequate notification response period.

Response: The proposal was notified in accordance with the *Community Engagement Strategy 2023*.

Issue: Increased bulk to the side of the building.

Response: The proposal will be compatible with the design of the existing building and will demonstrate a seamless integration. The proposal will not result in any adverse impacts with regard to visual bulk and scale and no additional floorspace is proposed.

Issue: Overshadowing

Response: Shadow diagrams were submitted with the application demonstrating that there will be no change to existing shadowing of adjoining premises.

2.2.5 Public Interest

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

3. REFERRALS

No internal referral comments were sought.

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 conditions in Appendices A and B.

Managers of Development Assessment (MODA) Review

The application was reviewed by the MODA at the meeting on 24 September 2024 and the MODA concurred with the Assessment Planner's recommendation.

MODA members: A Rossi, B McNamara, B Magistrale, and Jo Zancanaro

Report prepared by:	Application reviewed and agreed by:	Application reviewed and agreed by:
		
Paul Yachmennikov	Karis Keenan	Angela Rossi
Senior Development Assessment Planner	Acting Manager, Development Assessment	Executive Manager, Development Assessment
Date: 1 October 2024	Date: 4 October 2024	Date: 14 October 2024

Reason for WLPP referral:

The consent authority for the original development application was the WLPP, and this modification is made under section 4.55(2) of the Act and relates to:

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

OFFICE USE ONLY

Planning Portal Data	
Excavation Register	N/A
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? <small>*This is a planning portal reporting requirement</small>	No
Secondary Dwelling <small>*This is a planning portal reporting requirement</small>	No
Boarding House <small>*This is a planning portal reporting requirement</small>	No
Group Home <small>*This is a planning portal reporting requirement</small>	No
Is the development subject to the Special Infrastructure Contribution (SIC)?	No

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

APPENDIX A – CONDITIONS OF CONSENT TO BE MODIFIED

A. Amended/Deleted Conditions

1.	<p>APPROVED PLANS AND DOCUMENTATION</p> <p>The development must be in accordance with:</p> <p>(a) Architectural Plans prepared by RAA Architects including the following:</p> <table border="1" style="width: 100%; border-collapse: collapse; margin: 10px 0;"> <thead> <tr> <th style="text-align: left;">Plan Number and Revision</th> <th style="text-align: left;">Plan description</th> <th style="text-align: left;">Plan Date</th> <th style="text-align: left;">Date received by Council</th> </tr> </thead> <tbody> <tr> <td>2221-100 Rev. 05</td> <td>Location and Site Analysis Plan</td> <td>23/11/2023</td> <td>7/12/2023</td> </tr> <tr> <td>2221-101 Rev. 04</td> <td>Fourth Floor Plan</td> <td>23/11/2023</td> <td>7/12/2023</td> </tr> <tr> <td>2221-102 Rev. 03</td> <td>Fifth Floor</td> <td>23/11/2023</td> <td>7/12/2023</td> </tr> <tr> <td>2221-103 Rev. 04</td> <td>East and West Elevations</td> <td>23/11/2023</td> <td>7/12/2023</td> </tr> <tr> <td>2221-104 Rev. 05</td> <td>North and South Elevations</td> <td>23/11/2023</td> <td>7/12/2023</td> </tr> </tbody> </table> <p>As amended by the following.</p> <table border="1" style="width: 100%; border-collapse: collapse; margin: 10px 0;"> <thead> <tr> <th style="text-align: left;">Plan Number and Revision</th> <th style="text-align: left;">Plan description</th> <th style="text-align: left;">Plan Date</th> <th style="text-align: left;">Date received by Council</th> </tr> </thead> <tbody> <tr> <td>2221-102 Rev. 04</td> <td>Fifth Floor</td> <td>15/08/2024</td> <td>29/08/2024</td> </tr> <tr> <td>2221-103 Rev. 05</td> <td>East and West Elevations</td> <td>15/08/2024</td> <td>29/08/2024</td> </tr> <tr> <td>2221-104 Rev. 06</td> <td>North and South Elevations</td> <td>15/08/2024</td> <td>29/08/2024</td> </tr> </tbody> </table> <p>(b) BASIX Certificate (c) The Site Waste and Recycling Management Plan (SWRMP) Part received by Council on 7 December 2023</p> <p>Except where amended by the following conditions of consent.</p> <p>Condition reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.</p>	Plan Number and Revision	Plan description	Plan Date	Date received by Council	2221-100 Rev. 05	Location and Site Analysis Plan	23/11/2023	7/12/2023	2221-101 Rev. 04	Fourth Floor Plan	23/11/2023	7/12/2023	2221-102 Rev. 03	Fifth Floor	23/11/2023	7/12/2023	2221-103 Rev. 04	East and West Elevations	23/11/2023	7/12/2023	2221-104 Rev. 05	North and South Elevations	23/11/2023	7/12/2023	Plan Number and Revision	Plan description	Plan Date	Date received by Council	2221-102 Rev. 04	Fifth Floor	15/08/2024	29/08/2024	2221-103 Rev. 05	East and West Elevations	15/08/2024	29/08/2024	2221-104 Rev. 06	North and South Elevations	15/08/2024	29/08/2024
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(Amended by DA-373/2023/D)

B. New Conditions

Nil.

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.	<p>APPROVED PLANS AND DOCUMENTATION</p> <p>The development must be in accordance with:</p> <p>(a) Architectural Plans prepared by RAA Architects including the following:</p> <table border="1" style="margin-left: 40px;"> <thead> <tr> <th>Plan Number and Revision</th> <th>Plan description</th> <th>Plan Date</th> <th>Date received by Council</th> </tr> </thead> <tbody> <tr> <td>2221-100 Rev. 05</td> <td>Location and Site Analysis Plan</td> <td>23/11/2023</td> <td>7/12/2023</td> </tr> <tr> <td>2221-101 Rev. 04</td> <td>Fourth Floor Plan</td> <td>23/11/2023</td> <td>7/12/2023</td> </tr> <tr> <td>2221-102 Rev. 04</td> <td>Fifth Floor</td> <td>15/08/2024</td> <td>29/08/2024</td> </tr> <tr> <td>2221-103 Rev. 05</td> <td>East and West Elevations</td> <td>15/08/2024</td> <td>29/08/2024</td> </tr> <tr> <td>2221-104 Rev. 06</td> <td>North and South Elevations</td> <td>15/08/2024</td> <td>29/08/2024</td> </tr> </tbody> </table> <p>(b) BASIX Certificate</p> <p>(c) The Site Waste and Recycling Management Plan (SWRMP) Part received by Council on 7 December 2023</p> <p>Except where amended by the following conditions of consent.</p> <p>Condition reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.</p>	Plan Number and Revision	Plan description	Plan Date	Date received by Council	2221-100 Rev. 05	Location and Site Analysis Plan	23/11/2023	7/12/2023	2221-101 Rev. 04	Fourth Floor Plan	23/11/2023	7/12/2023	2221-102 Rev. 04	Fifth Floor	15/08/2024	29/08/2024	2221-103 Rev. 05	East and West Elevations	15/08/2024	29/08/2024	2221-104 Rev. 06	North and South Elevations	15/08/2024	29/08/2024
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(Amended by DA-373/2023/D)

BUILDING WORK

BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE

	Condition
2.	<p>NO BUILDING OR DEMOLITION WORKS PRIOR TO RELEASE OF CONSTRUCTION CERTIFICATE</p> <p>The building work, or demolition work, must not be commenced until:</p> <p>(a) a Construction Certificate has been obtained from Council or an Accredited Certifier in accordance with the <i>Environmental Planning and Assessment Act 1979</i>;</p> <p>(b) a Principal Certifying Authority has been appointed and Council has been notified of the appointment in accordance with the <i>Environmental Planning and Assessment Act 1979</i> and <i>Environmental Planning and Assessment Regulation 2021</i>; and</p> <p>(c) Council is given at least two days' notice in writing of the intention to commence the building works.</p> <p>Condition reason: To ensure a Construction Certificate is obtained prior to work commencing.</p>
3.	<p>SECTION 7.12 CONTRIBUTION</p> <p>A monetary development contribution is payable to Waverley Council pursuant to section 7.12 of the <i>Environmental Planning and Assessment Act 1979</i> and the Waverley Council Development Contributions Plan in accordance with the following:</p> <p>(a) Where the total development cost is \$500,000 or less:</p> <p style="padding-left: 20px;">(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.</p> <p>(b) Where the total development cost is more than \$500,000 but less than \$1,000,000:</p> <p style="padding-left: 20px;">(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.</p> <p>(c) Where the total development cost is \$1,000,000 or more:</p> <p style="padding-left: 20px;">(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).</p>

	<ul style="list-style-type: none"> - 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. <ul style="list-style-type: none"> (ii) Upon confirmation of the contribution amount by Council’s Executive Manager, Urban Planning, Policy and Strategy (or delegate), payment is to be processed via the Customer Service Centre. (iii) Should there be a discrepancy between the cost of works approved in subclause (b)(i) and the DA fee nominated in the original DA, then additional DA Fees may be payable prior to the issue of a Construction Certificate. <p>A copy of the required format for the cost reports are provided in the Waverley Council Contributions Plan, available on Council’s website.</p> <ul style="list-style-type: none"> (d) As legislated in section 209 of the Environmental Planning and Assessment Regulation 2021, the levy must be paid in accordance with the following; <ul style="list-style-type: none"> (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 <u>full</u> cost of the development; or (iii) A development valued at more than \$200,000 will attract a levy of 1% of the <u>full</u> cost of the development. <p>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.</p> <p>Condition reason: To ensure the Section 7.12 Contributions are paid.</p>
<p>4.</p>	<p>SECURITY DEPOSIT</p> <p>A deposit (cash or cheque) for the amount of \$4,240.00 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.</p> <p>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.</p> <p>Condition reason: To ensure any damage to public infrastructure is rectified and public works can be completed.</p>

<p>5.</p>	<p>LONG SERVICE LEVY</p> <p>A long service levy, as required under section 34 of the <i>Building and Construction Industry Long Service Payments Act, 1986</i>, 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.</p> <p><u>Note:</u> 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.</p> <p>Condition reason: To ensure the long service levy is paid.</p>
<p>6.</p>	<p>PLANNING AGREEMENT</p> <p>The owner/applicant is to:</p> <p>(i) Enter into an Agreement 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-373/2023; and</p> <p>(ii) Pay a monetary contribution amount of \$38,270 prior to the issue of any Occupation certificate for the Development (calculated in accordance with Waverley's Planning Agreement Policy 2014 at 8.9sqm of GFA exceedance at a rate of \$4,300/sqm).</p> <p>(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.</p> <p>In accordance with the said offer, the Planning Agreement shall make provision in respect to the following:</p> <p>(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-373/2023.</p> <p>(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-373/2023 for the Development which is:</p> <ul style="list-style-type: none"> • In a form acceptable to Council and from an institution acceptable to Council • Irrevocable • Unconditional

	<ul style="list-style-type: none"> • With no end date <p>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.</p> <p>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.</p>
<p>7.</p>	<p>ENGINEERING PLANS ASSESSMENT AND WORKS INSPECTION FEES</p> <p>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.</p> <p>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.</p> <p>Condition reason: To ensure Council assessment fees are paid.</p>
<p>8.</p>	<p>HOARDING</p> <p>To ensure the site is contained during construction, a hoarding is required for the approved works, which is to be designed and constructed in accordance with the requirements of Safe Work NSW. Where the hoarding is to be erected over the footpath or any public place, the approval of Council's Compliance Unit must be obtained and the applicable fees paid, prior to the erection of the hoarding.</p> <p>Condition reason: To ensure safety to the general public.</p>
<p>9.</p>	<p>EROSION & SEDIMENT CONTROL</p> <p>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.</p> <p>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.</p> <p>The recommendations of the SWMP must be implemented and maintained during all construction activities and until the site is fully stabilised following construction.</p>

	<p>Condition reason: To ensure sediment laden runoff and site debris do not impact local stormwater systems and waterways.</p>
10.	<p>ENGINEERING DETAILS</p> <p>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.</p>
	<p>Condition reason: To ensure structural stability of work on site.</p>
11.	<p>TELECOMMUNICATIONS IN NEW RESIDENTIAL FLAT BUILDING AND MIXED USE DEVELOPMENTS</p> <p>Evidence is to be provided to the Principal Certifier that arrangements have been made for;</p> <p>(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</p> <p>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.</p>
	<p>Condition reason: To ensure appropriate telecommunication services are provided.</p>
12.	<p>CONSTRUCTION TRAFFIC MANAGEMENT PLAN (CTMP)</p> <p>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:</p> <p>https://www.waverley.nsw.gov.au/building/development_applications/post_determination/development_applications_-_conditions_of_consent</p>
	<p>Condition reason: To minimise disruption to local traffic.</p>
13.	<p>BASIX</p> <p>All requirements of the BASIX Certificate and/or NatHERS documentation are to be shown on the Construction Certificate plans and documentation.</p>
	<p>Condition reason: To ensure BASIX and/or NatHERS requirements are met.</p>

14.	SITE WASTE AND RECYCLING MANAGEMENT PLAN
	<p>A <i>Site Waste and Recycling Management Plan (SWRMP) - Part 2</i> 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 <i>SWRMP Part 2</i> is to be available on site at all times during construction. Copies of demolition and construction waste docket 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.</p>
	<p>Condition reason: To ensure resource recovery is promoted and the local amenity is protected during construction.</p>

BEFORE BUILDING WORK COMMENCES

	Condition
15.	<p>CONSTRUCTION SIGNS</p> <p>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.</p> <hr/> <p>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.</p>
16.	<p>DEMOLITION – ASBESTOS AND HAZARDOUS MATERIALS</p> <p>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:</p> <ul style="list-style-type: none"> • 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; • <i>Protection of the Environment Operations Act 1997.</i> <p>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:</p> <p>(a) Outline the identification of any hazardous materials, including surfaces coated with lead paint;</p> <p>(b) Confirm that no asbestos products are present on the subject land, or</p> <p>(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);</p> <p>(d) Describe the method of demolition;</p> <p>(e) Describe the precautions to be employed to minimise any dust nuisance; and</p> <p>(f) Describe the disposal methods for hazardous materials.</p>

	Condition reason: To ensure the safety of workers and the general public.
17.	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.
18.	ENGINEERING DETAILS
	Structural details prepared and certified by a practicing Structural Engineer being furnished to Council or Accredited Certifier in connection with all structural components prior to the issue of a Construction Certificate.
	Condition reason: To ensure works comply with the BCA.
19.	ENGINEERING DETAILS – CERTIFICATE OF ADEQUACY
	The existing building which will not be affected from the building works will need to achieve the required FRL and structural adequacy along with the proposed new works. A Certificate of Adequacy prepared by a practicing Structural Engineer, certifying the adequacy of the existing building structure is to be provided to Council or the Accredited Certifier prior to the issue of a Construction Certificate.
	Condition reason: To ensure works comply with the BCA.

DURING BUILDING WORK

	Condition
20.	<p>CONTROL OF DUST ON CONSTRUCTION SITES</p> <p>The following requirements apply to demolition and construction works on site:</p> <p>(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.</p> <p>(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.</p> <p>Condition reason: To ensure the safety of workers and the general public.</p>
21.	<p>CONSTRUCTION HOURS</p> <p>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.</p> <p>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.</p> <p>Noise from construction activities shall comply with the <i>Protection of the Environmental Operations (Noise Control) Regulation 2017</i>.</p> <p>Condition reason: To protect the amenity of the surrounding area.</p>
22.	<p>STOCKPILES, STORAGE OF MATERIALS AND LOCATION OF BUILDING OPERATIONS</p> <p>The building works are to be inspected during construction by the Principal Certifying Authority (PCA) in accordance with the Building Legislation Amendment (Quality of Construction) Act 2002 and 162A Critical stage inspections for building work of the Environmental Planning and Assessment Regulation 2021.</p> <p>Condition reason: To ensure the building works are constructed in accordance with the relevant legislation.</p>

23.	CONSTRUCTION INSPECTIONS
	The building works are to be inspected during construction by the Principal Certifying Authority (PCA) in accordance with the <i>Building Legislation Amendment (Quality of Construction) Act 2002</i> , clause 162A of the <i>Environmental Planning and Assessment Regulation 2021</i> and the requirements of any other applicable legislation or instruments.
	Condition reason: To ensure regular inspections occur throughout the construction process.
24.	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.
25.	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.
26.	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.
27.	FIRE SAFETY SCHEDULE
	Details of the currently implemented and proposed essential fire safety measures shall be submitted to Council, with the Construction Certificate, in the form of a Fire Safety Schedule. This Schedule shall be prepared by a person competent to do so and shall specify the minimum standard of performance for each essential fire safety measure included in the Schedule.

	<p>At the completion of the installation, a Final Fire Safety Certificate shall be attached to the Occupation Certificate, certifying that each essential fire safety measure specified within the current Fire Safety Schedule:</p> <p>(a) has been assessed by a properly qualified person; and (b) found to be capable of performing to at least the standard required by the current Fire Safety Schedule for the building for which the Certificate is issued.</p> <p>Condition reason: To ensure buildings are compliant with the BCA.</p>
<p>28.</p>	<p>BUILDING CODE OF AUSTRALIA</p> <p>All building work must be carried out in accordance with the requirements of the Building Code of Australia and BCA Compliance report prepared by Paul O'Shannassy of absolute BCA Consultant, dated 31/01/2024, Ref No A24_172_BCA.</p> <p>Condition reason: To ensure buildings are compliant with the BCA.</p>

BEFORE ISSUE OF AN OCCUPATION CERTIFICATE

	Condition
29.	<p>FINAL OCCUPATION CERTIFICATE</p> <p>Prior to occupation or use of the development, an Occupation Certificate must be obtained.</p> <p>The Principal Certifying Authority must be satisfied that the requirements of the <i>Environmental Planning & Assessment Act 1979</i> have been satisfied including all critical stage inspections. Documentary evidence of all required inspections is to be submitted to Council.</p> <hr/> <p>Condition reason: To ensure an Occupation Certificate is issued prior to occupation or use of the development.</p>
30.	<p>FLOOR SPACE RATIO</p> <p>The following applies to Floor Space Ratio:</p> <p>(a) The Gross Floor Area of the building shall be limited to 3.051.7m².</p> <p>(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 <i>Waverley Local Environmental Plan 2012</i>, applicable at the time of development consent, to the satisfaction of the Principal Certifier.</p> <hr/> <p>Condition reason: To ensure the constructed development complies with the approved floor space ratio.</p>

GENERAL ADVISORY NOTES

	Condition
1.	<p>DEVELOPMENT IS TO COMPLY WITH LEGISLATION</p> <p>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.</p>
2.	<p>DEVELOPMENT MUST MEET CONDITIONS OF CONSENT</p> <p>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.</p>
3.	<p>POST CONSENT CONDITIONS REQUIRING COUNCIL INPUT</p> <p>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:</p> <ul style="list-style-type: none"> • 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.	<p>SYDNEY WATER REQUIREMENTS</p> <p>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.</p> <p>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</p>

	<p>through an authorised Water Servicing Coordinator, for details see the Sydney Water website.</p> <p>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.</p>
5.	<p>SYDNEY WATER CERTIFICATE</p> <p>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.</p> <p>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.</p>
6.	<p>DIAL BEFORE YOU DIG</p> <p>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.</p>
7.	<p>TELECOMMUNICATIONS ACT 1997 (COMMONWEALTH)</p> <p>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.</p>
8.	<p>ALTERATIONS AND ADDITIONS ONLY</p> <p>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.</p>

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

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.

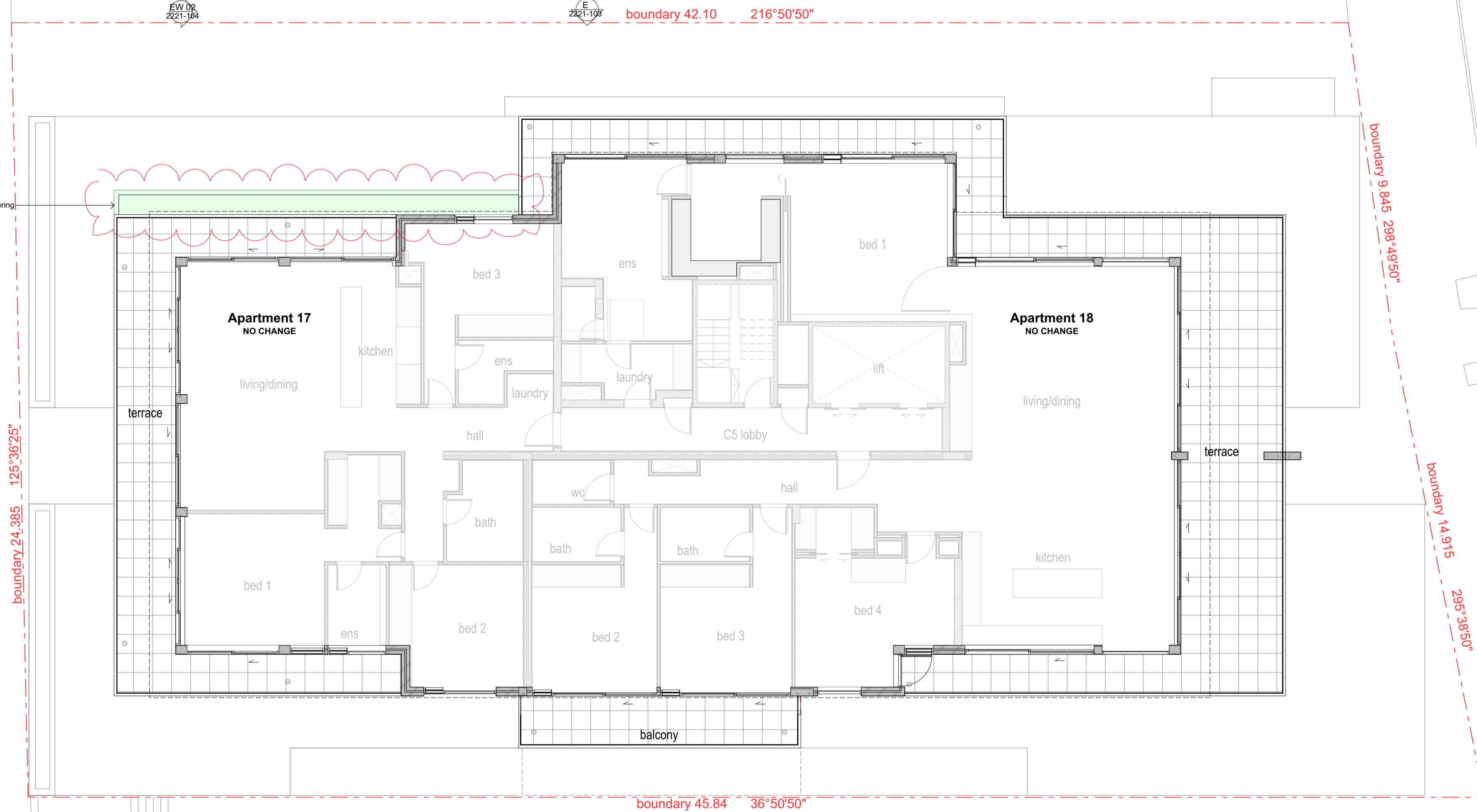
Suitably qualified acoustic consultant means a suitably qualified acoustic consultant means an individual who possesses the qualifications to render them eligible for membership of both the Australian Acoustics Society and Institution of Engineers Australia at the grade of member or an individual who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

RAMSGATE AVENUE

CAMPBELL PARADE

BRICK BUILDING
No.236

4 STOREY
RENDERED APARTMENTS
(TILE ROOF)
No.230



1 05 Fifth Floor 1:100

RECEIVED
Waverley Council
Receipt No: DA-373/2023/D
Date Received: 29/08/2024

NOT FOR CONSTRUCTION

Rev	Revision Name	Change	Change Name	Date
04	Section 4.55			2024-08-15
03	Issue for DA			2023-11-23
02	DA revision			2023-09-21
01	for DA			2023-06-08

Alterations and Additions to
14-15 / 232-234 Campbell
Parade
Bondi Beach NSW 2026
for
Lance and Julie Rosenberg

Fifth Floor

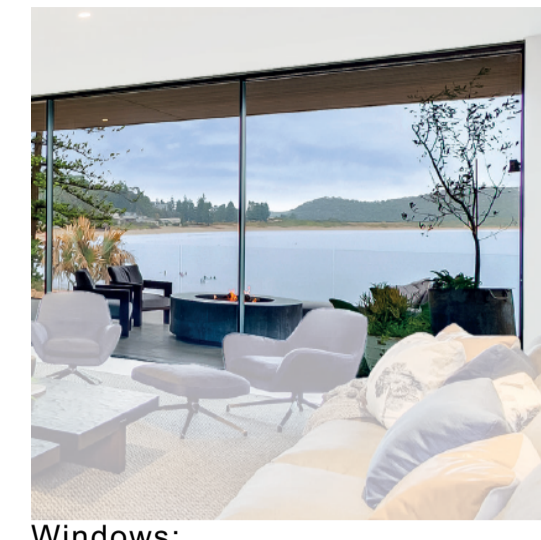
DWG NO. 2221-102 ISSUE 04
DATE 2024-08-15 SCALE 1:100
STATUS CHECKED BY
PROJECT NAME Campbell Parade

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RAA architects
Aa
Nominated Architect Joseph Alliker
Abn 13 618 494 429 Reg no. 10793
02 9331 1489 info@raa.au
253 Oxford Street Darlinghurst NSW 2010

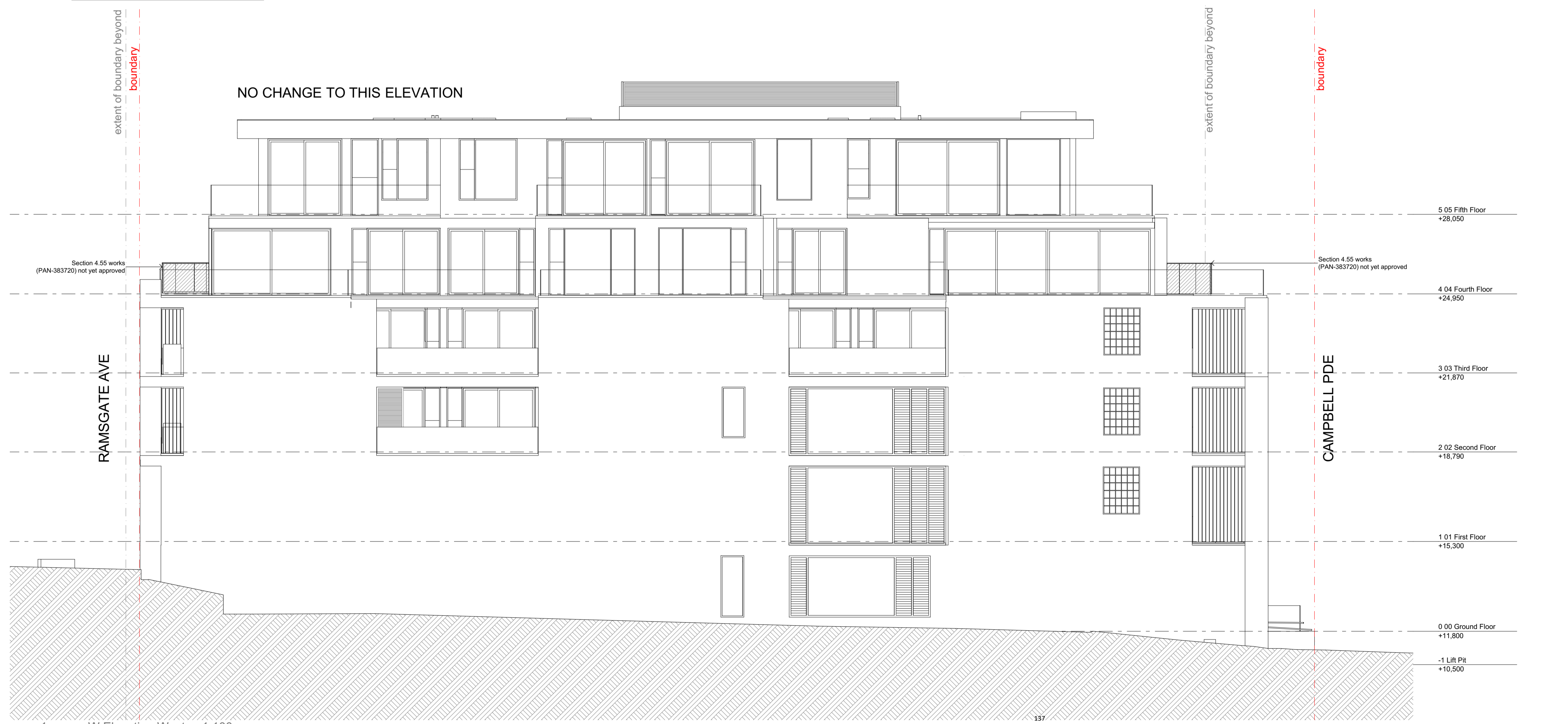


MATERIALS LEGEND



Windows:
colour anodized aluminium framed (dark colour TBC)

RECEIVED
Waverley Council
Receipt No: DA-373/2023/D
Date Received: 29/08/2024



NOT FOR CONSTRUCTION

Rev	Revision Name	Change	Change Name	Date
05	Section 4.55			2024-08-15
04	Issue for DA			2023-11-23
03	Section 4.55			2023-10-31
02	DA revision			2023-09-21
01	for DA			2023-06-08

Alterations and Additions to
14-15 / 232-234 Campbell
Parade
Bondi Beach NSW 2026
for
Lance and Julie Rosenberg

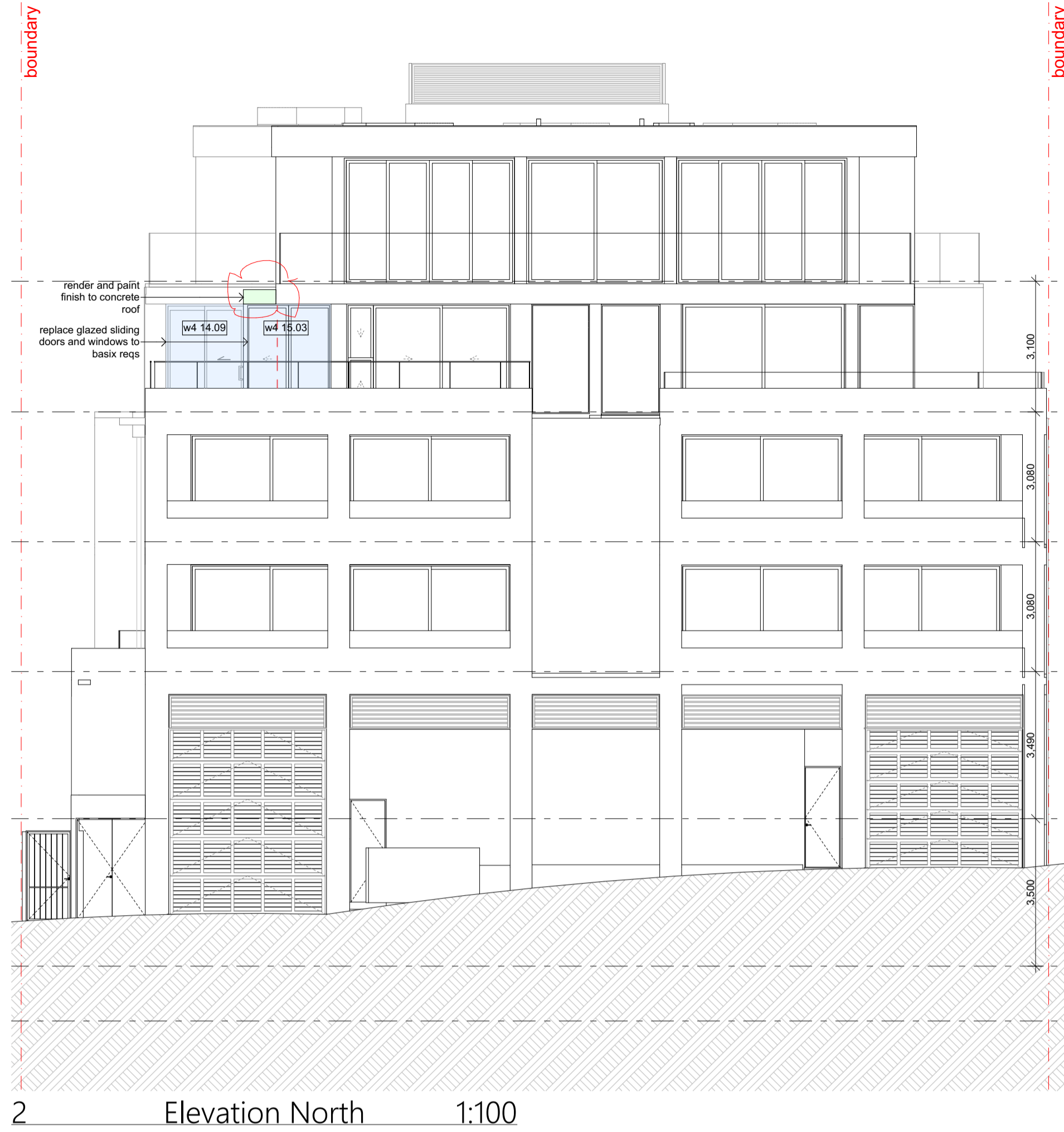
Elevations

DWG NO. 2221-103 ISSUE 05
DATE 2024-08-15 SCALE 1:100
STATUS CHECKED BY
PROJECT NAME Campbell Parade
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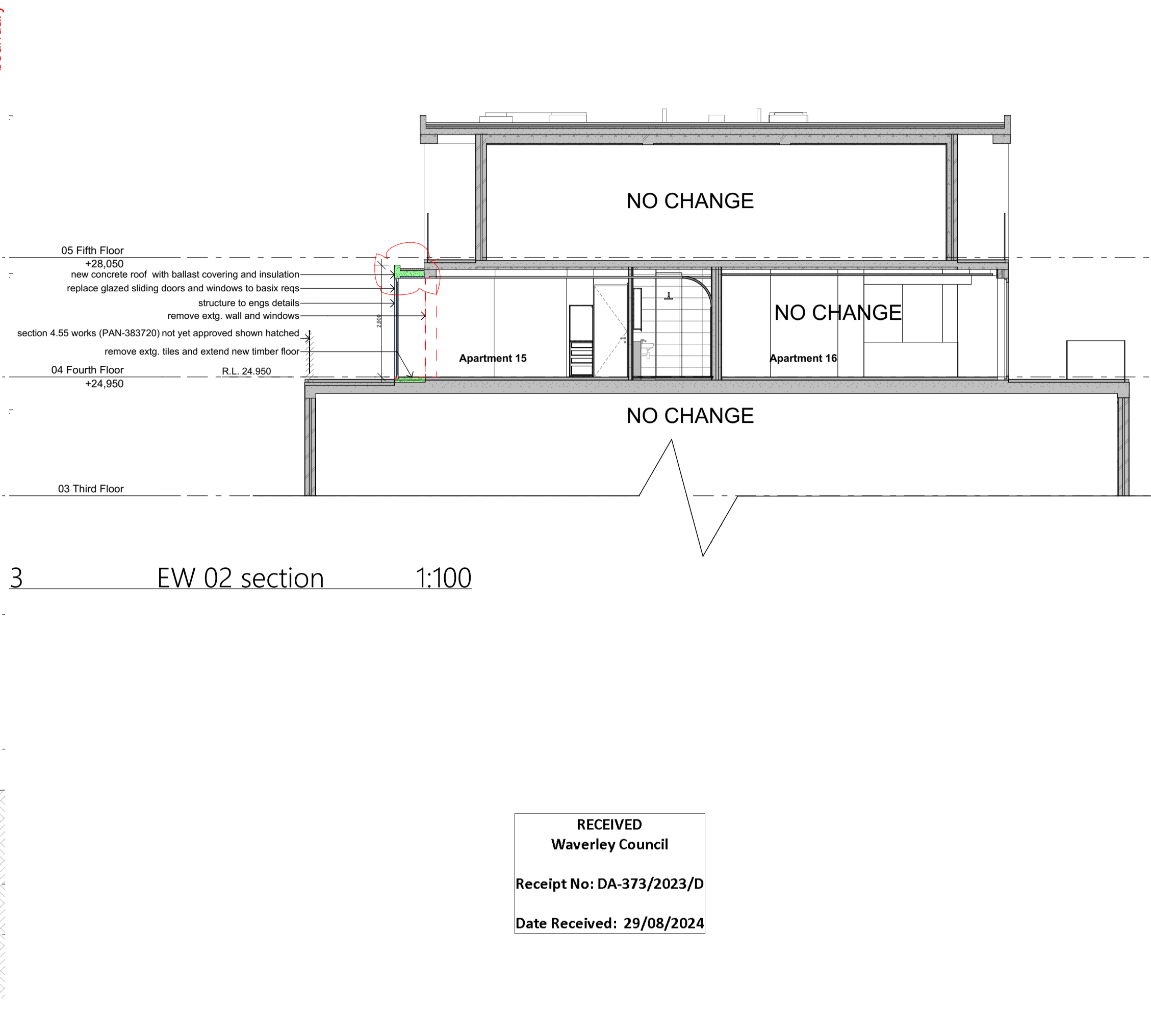
RAA architects
Aa
Nominated Architect Joseph Alliker
abn 13 618 494 429 Reg no. 10793
02 9331 1489 info@raa.au
253 Oxford Street Darlinghurst NSW 2010



1 Elevation South 1:100



2 Elevation North 1:100



3 EW 02 section 1:100

RECEIVED
Waverley Council
Receipt No: DA-373/2023/D
Date Received: 29/08/2024

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

Alterations and Additions

Certificate number: A486191_08

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.basix.nsw.gov.au

Secretary
Date of issue: Thursday, 15 August 2024
To be valid, this certificate must be lodged within 3 months of the date of issue.



Project address	
Project name	2221- Apt 14 & 15 - Cargill, G2, B8
Street address	232-234 CAMPBELL OTHERS, - BONDI BEACH 2026
Local Government Area	Waverley Council
Plan type and number	State Plan 74232
Lot number	14.15
Section number	-
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 (insert company name before submitting to Council or PCA)	
Name / Company Name	RAArchitects Pty Ltd
ABN (if applicable)	1361849429

page 18

BASIX Certificate number A486191_07

page 28

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

Planning Industry And Environment

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

BASIX Certificate number A486191_06

page 38

Construction	Show on DA Plans	Show on CCDC Plans & specs	Certifier Check
Insulation requirements The applicant must construct the new or altered construction (floors, walls, and ceilings/roofs) in accordance with the specifications listed in the table below, except that a) additional insulation is not required where the area of new construction is less than 2m ² , b) insulation specified is not required for parts of altered construction where insulation already exists.	✓	✓	✓
Construction			
1 st floor above existing dwelling or building	NI	NI	NI
Flat ceiling, flat roof, concrete/ plasterboard internal	ceiling: R2.50 (top), roof: none	light (solar absorbance < 0.475)	

Planning Industry And Environment

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

BASIX Certificate number A486191_07

page 68

Glazing requirements	Show on DA Plans	Show on CCDC Plans & specs	Certifier Check					
Windows and glazed doors glazing requirements								
Window/floor number	Orientation	Area of glass including frame (m ²)	Overhanging height (m)	Overhanging distance (m)	Shading device	Frame and glass type		
W414.01	SW	14.04	0	0	none	standard aluminum, single clear, (or U-value: 7.63, SHGC: 0.75)		
W414.03	SE	24.3	0	0	none	standard aluminum, single clear, (or U-value: 7.63, SHGC: 0.75)		
W414.04	SW	6.92	0	0	none	standard aluminum, single clear, (or U-value: 7.63, SHGC: 0.75)		
W414.05	SE	9.13	0	0	none	standard aluminum, single clear, (or U-value: 7.63, SHGC: 0.75)		
W414.06	SE	10.2	0	0	none	standard aluminum, single clear, (or U-value: 7.63, SHGC: 0.75)		

Planning Industry And Environment

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

BASIX Certificate number A486191_07

page 68

Glazing requirements	Show on DA Plans	Show on CCDC Plans & specs	Certifier Check					
Windows and glazed doors glazing requirements								
Window/floor number	Orientation	Area of glass including frame (m ²)	Overhanging height (m)	Overhanging distance (m)	Shading device	Frame and glass type		
W414.07	SE	9.74	0	0	none	standard aluminum, single clear, (or U-value: 7.63, SHGC: 0.75)		
W414.08	SW	3.55	0	0	none	standard aluminum, single clear, (or U-value: 7.63, SHGC: 0.75)		
W414.09	NE	4.86	0	0	external louvre/blind (adjustable)	standard aluminum, single clear, (or U-value: 7.63, SHGC: 0.75)		
W415.01	NE	3.64	0	0	external louvre/blind (adjustable)	standard aluminum, single clear, (or U-value: 7.63, SHGC: 0.75)		
W415.02	NE	10.2	0	0	external louvre/blind (adjustable)	standard aluminum, single clear, (or U-value: 7.63, SHGC: 0.75)		

Planning Industry And Environment

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

BASIX Certificate number A486191_07

page 68

Glazing requirements	Show on DA Plans	Show on CCDC 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 aluminum or timber frames and single clear or tinted 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. External louvers and blinds must fully shade the window or glazed door beside which they are situated when fully drawn or closed.	✓	✓	✓

Planning Industry And Environment

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

BASIX Certificate number A486191_07

page 68

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

Planning Industry And Environment

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

NOT FOR CONSTRUCTION

Rev	Revision Name	Change	Change Name	Date
06	Section 4.55			2024-08-15
05	Issue for DA			2023-11-23
04	Section 4.55			2023-10-31
03	DA revision			2023-09-21
02	for DA			2023-06-08
01	Transmittal Set			2023-01-23

Alterations and Additions to
14-15 / 232-234 Campbell
Parade
Bondi Beach NSW 2026
for
Lance and Julie Rosenberg

Elevations and Section

DWG NO. 2221-104 ISSUE 06
DATE 2024-08-15 SCALE: 00, 1:167, 1:165
STATUS CHECKED BY
PROJECT NAME Campbell Parade
DO NOT SCALE FROM DRAWINGS. VERIFY ALL DIMENSIONS AND LEVELS ON SITE.
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ALL WORK TO COMPLY WITH NCC AND RELEVANT AUSTRALIAN STANDARDS.

RAA architects
Aa
Nominated Architect Joseph Attkin
abh 13 618 494 429 Reg no. 10793
02 9331 1489 info@raa.asn.au
253 Oxford Street Darlinghurst NSW 2010



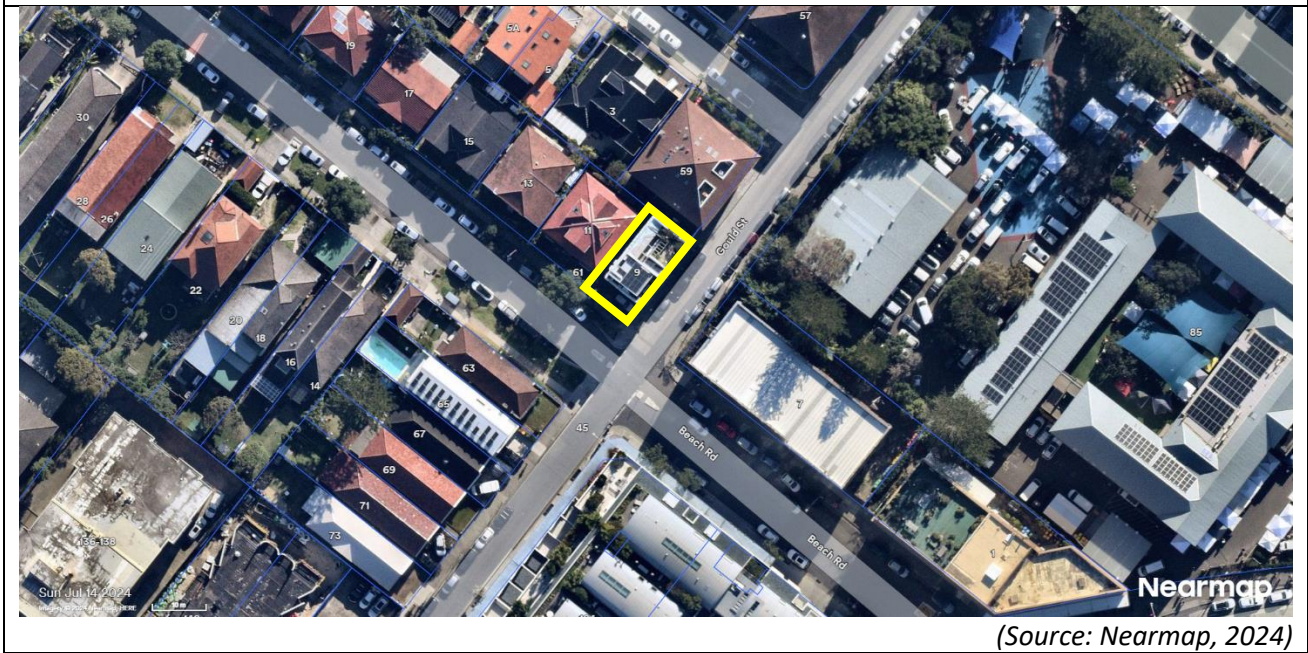
Other Residential Development



Report to the Waverley Local Planning Panel

Application number	DA-289/2024
Site address	9 Beach Road, Bondi Beach
Proposal	Alterations and additions to Unit 5 with an enlarged addition to the third floor, amendments to Strata Subdivision to allow Unit 5 exclusive use of the third floor addition and construction of a new fence.
Date of lodgement	2 July 2024
Owner	Proprietors of Strata Plan 31762 Unit 5: BC Neal & SJ Barnett
Applicant	DBLF Pty Ltd
Submissions	One
Cost of works	\$397,100
Principal Issues	<ul style="list-style-type: none"> • Breach to Height of buildings and Floor Space Ratio development standards • Existing Use Rights.
Recommendation	That the application be APPROVED in accordance with the conditions contained in the report.

SITE MAP



(Source: Nearmap, 2024)

1. PREAMBLE

Executive Summary

The Development Application (DA) seeks consent for alterations and additions to Unit 5 with an enlarged addition to the third floor, amendments to Strata Subdivision to allow Unit 5 exclusive use of the third floor addition and construction of a new fence at the site known as 9 Beach Road, Bondi Beach.

1.1.

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

- Breach to Height of buildings and Floor Space Ratio (FSR) development standards; and
- Existing Use Rights

The assessment finds these issues acceptable, as it is evident that the breach to the development standard arises from the RFB being located in a low density residential 'R2' zone (relying on Existing Use Rights). Despite this, the proposed development meets the relevant objectives of the development standard by preserving the environmental amenity of neighbouring properties.

One submission was received and the issues raised in the submission have been considered and addressed in this report and in the recommendation. No Councillor submission have been received. There were no declared conflicts of interest on this application from Council staff.

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

1.2.

Site and Surrounding Locality

A site visit was carried out on 13 August 2024.

The site is identified as Lot SP31762, known as 9 Beach Road, Bondi Beach.

The site is rectangular in shape with a primary south-western frontage to Beach Road of 9.805m and a secondary south-eastern frontage to Gould Street of 18.95m. It has an area of 184.6m² and is Uenerally flat.

The site is occupied by a four storey RFB with one on-site parking space. The RFB consists of five residential units. Units 1 and 2 are located at ground level, Units 3 and 4 are located at first floor and Unit 5 (subject unit) is located at second and third floor.

Unit 5 is currently a two storey unit which consists of two bedrooms, a bathroom, a powder room and open plan living and kitchen area to the lower level. Under DA-75/2010 a contemporary addition was approved to the third floor. This addition forms part of unit 5 and is currently used as a second living area.

Under DA-134/2002 four roof top laundries were constructed for the use of Units 1-4. The laundries are accessed via the communal stairs.

The site is adjoined by a four storey RFB to the north-east and a two storey with attic RFB to the north-west. The locality is characterised by a variety of low to high density residential developments.

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



Figure 1. Subject unit and surrounding urban context, looking west. (Source: Google Maps, 2024)



Figure 2. Subject unit as viewed from the corner of Beach Road and Gould Street, looking north.



Figure 3. Existing rooftop garden proposed to form part of the addition to Unit 5, looking south-west.



Figure 4. Existing rooftop garden proposed to form part of the addition to Unit 5, looking south-west.

1.3.

Relevant Development History

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

- **DA-134/2002** - Alterations and additions including internal changes and new roof top laundry. Approved: 11 April 2002
- **DA-134/2002/A** - Information not located.
- **DA-102/2003** - Internal alterations to Unit 4. Approved: 26 August 2003
- **DA-75/2010** - Sunroom addition to rooftop level (forming part of Unit 5) and associated internal alterations to RFB. Approved 26 May 2010

1.4.

Proposal

The DA seeks consent for alterations and additions to a RFB, including Strata subdivision, and specifically includes the following:

- Amend the layout of the lower level of Unit 5 for a study, bedroom 3 and bathroom;
- Increase the size of the upper level to Unit 5 to provide a bathroom, open plan living, kitchen and dining area and new timber deck;

- Removal of four individual laundries for the proposed upper level addition and communal stair access to the third floor;
- Construct a new side boundary fence to Beach Road; and
- Amend current strata subdivision to ensure the proposed addition is exclusive used by Unit 5.

Background

The DA was deferred on **21 August 2024** for the following reasons:

- 1.5.
1. A Building Code of Australia (BCA) report was required.
 2. The numerical figures were to be updated to both clause 4.6 variations for Heigh and FSR.
 3. Storage facilities were to be provided to comply with Part 4G of the Apartment Design Guide (ADG).
 4. Ceiling fans and electric cooking facilities were to be provided to comply with Part B2 of the Waverley Development Control Plan 2022 (Waverley DCP 2022).
 5. Hourly shadow and view from sun diagrams were required.
 6. Clarification was sought on what would happen to other units in terms of being afforded laundry facilities, given these laundry facilities would be demolished.
 7. An elevation of the entire building was required.
 8. The fence details were to be updated.

Amended plans and documentation were received on **9 September 2024**, which resulted in the following amendments:

1. Ceiling fans were provided to all habitable rooms.

Council emailed the applicant on **19 September 2024** requesting to further amend the numerical figure to the clause 4.6 variation to Height and for the height line on the architectural plans to be amended to 8.5m.

The amended plans and documentation were provided to Council on **19 September 2024** these form the basis of the assessment.

2.1.2. ASSESSMENT

The following matters are to be considered in the assessment of this DA under section 4.15 of the the Act.

Planning Instruments and Development Control Plans

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

2.1.1. State Environmental Planning Policies (SEPPs)

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

- SEPP (Sustainable Buildings) 2022
- SEPP (Housing) 2021
- SEPP (Resilience and Hazards) 2021

A detailed discussion is provided for relevant SEPPs as follows:

SEPP (Housing) 2021

The application was not referred to the Waverley Design Advisory Excellence Panel (DEAP) given the nature of the works only applying to one unit. Notwithstanding, an assessment against the nine design principles under Schedule 9 of SEPP (Housing) 2021 has been undertaken as set out in Table 1.

Table 1: Assessment against the Nine Design Quality Principles

Principle	Planning Comment
1. Context and Neighbourhood	The amended proposal is considered to respond to and contribute to the site context and neighbourhood character. The proposed addition to Unit 5 will complement the existing contemporary addition, resulting in a cohesive design.
2. Built form and Scale	The overall scale of the works will be similar to the surrounding RFBs as identified at 55 and 59 Gould Street, 2 Glasgow Avenue and 7 Beach Road. 59 Gould Street and 2 Glasgow Avenue have a wall height of four stories with a hipped roof providing additional height. The contemporary addition will be at a similar height to these hipped roofs. However, as it is setback from the streetscape it will be concealed when viewed from street level.
3. Density	The proposal seeks to increase the density of the development on the site by providing an additional bedroom within the existing Unit 5, enabling the existing owner/occupiers to remain in the building. This provides for the needs of the community, whilst retaining an inter-war building with a cohesive addition that will complement the existing contemporary addition to the third floor.
4. Sustainability	The proposed design includes ceiling fans reducing the need for air conditioning.
5. Landscape	The proposal does not include landscaping.
6. Amenity	The amended proposal will maximise amenity for the occupants and enable the family that currently resides in the unit to remain, contributing to a positive living environment and resident well-being.
7. Safety	Satisfactory.
8. Housing Diversity and Social Interaction	Satisfactory. The proposal involves alterations to Unit 5 within the existing RFB and responds to the social context by providing housing and facilities to suit the existing and future social mix.

Principle	Planning Comment
9. Aesthetics	The proposed addition to Unit 5 will complement the existing contemporary addition to Unit 5, resulting in a balanced and well thought out design.

Apartment Design Guide (ADG)

Clause 149 of SEPP (Housing) 2021 requires that development control plans (DCPs) cannot be inconsistent with the 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: ADG Assessment Table

Design Criteria	Compliance	Comment
3F Visual privacy		
<ul style="list-style-type: none"> • <i>Min separation distances from buildings to side and rear boundaries:</i> • <i>Up to 12m (4 storey) – 6m habitable & 3m non-habitable</i> • <i>Increased separation of 3m where adjoins a lower density zone</i> 	N/A	Due to this DA relating to alterations and additions to an older RFB on a site with a historical lot size, it is not deemed appropriate to provide the setbacks guided by the ADG. Notwithstanding, the proposed windows and balconies do not create unreasonable amenity impacts to neighbouring properties in terms of loss of visual privacy.
4A Solar and daylight access		
<ul style="list-style-type: none"> • <i>Living rooms and private open spaces of at least 70% of units receive minimum of 2 hours direct sunlight between 9am-3pm mid-winter</i> • <i>A maximum of 15% receive no direct sunlight between 9am-3pm mid-winter.</i> 	Yes	The proposed extension to the living/dining/kitchen will receive adequate solar access given its orientation of windows will capture solar access throughout the day.

Design Criteria	Compliance	Comment
4B Natural ventilation		
<ul style="list-style-type: none"> All habitable rooms are naturally ventilated Number of units with natural cross ventilation is maximised: <ul style="list-style-type: none"> At least 60% of units naturally ventilated 	Yes	The proposed upper level addition and bedroom 3 will receive adequate cross ventilation via existing and proposed windows.
4C Ceiling heights		
<ul style="list-style-type: none"> Habitable rooms – 2.7m Non-habitable rooms – 2.4m 2 storey units – 2.7m main level (living) & 2.4m upper floor where its area does not exceed 50% of the unit area 	No (merit)	The floor to ceiling height of the proposed addition is 2.4m. This is compliant with the National Construction Code (NCC) and results in a balanced design with the existing contemporary addition.
4D Apartment size and layout		
<p>The following minimum internal areas apply:</p> <ul style="list-style-type: none"> 3 Bed = 90 m² Add 5m² for each additional bathroom (above 1) <p>In open plan layouts (where the living, dining and kitchen are combined) the maximum habitable room depth is 8m from a window</p> <p>Master bedrooms have a minimum area of 10m² and other bedrooms 9m² (excluding wardrobe space)</p> <p>Living rooms or combined living/dining rooms have a minimum width of:</p> <ul style="list-style-type: none"> 4m for 2 and 3 bedroom apartments 	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>	<p>The 3 bedroom, 3 bathroom unit is required to have a minimum internal area of 100m². The internal area of the apartment is 156.8m².</p> <p>The proposed living room addition does not exceed a depth of 8m from a window.</p> <p>The additional secondary bedroom exceeds 9m².</p> <p>The proposed width of the living room exceeds 4m.</p>
4E Private open space and balconies		
<p>All apartments provide primary balcony as follows:</p> <ul style="list-style-type: none"> 3+bed - 12m² & 2.4m depth 	No (merit)	The proposed balcony extending from the living/dining/kitchen has a depth of 2.2m and an area of 17.6m ² . Despite the depth of the balcony being undersized, it is acceptable given the area of the balcony exceeds 12m ² , which is sufficient enough for usability. In addition, the unit already has a large wrap around balcony accessed off the

Design Criteria	Compliance	Comment
		southern end of the existing contemporary addition.
4G Storage		
<i>In addition to kitchens, bathrooms and bedrooms, the following is provided:</i> <ul style="list-style-type: none"> • 3+bed – 10m³ 	No (merit)	As this apartment is located within an older apartment block and the proposed design is for the current owners of the unit, the amount of storage provided is acceptable.

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

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

Table 2: Waverley LEP 2012 Compliance Table

Provision	Compliance	Comment
Part 1 Preliminary		
1.2 Aims of plan	Yes	The proposal meets the aims of the Waverley LEP 2012.
Part 2 Permitted or prohibited development		
2.6 Subdivision – consent requirements	N/A	This clause does not apply to Strata subdivision.
Land Use Table <i>Low Density Residential 'R2' Zone</i>	No. Existing Use Rights apply	The proposal is defined as a RFB, which is prohibited in the R2 zone. The land use of the existing building is defined as an RFB, which was approved and constructed prior to the LEP prohibiting the use within the zone and as such is considered to be an Existing Use under Division 4.11 of the Act. This is discussed further below.
Part 4 Principal development standards		
4.3 Height of buildings <ul style="list-style-type: none"> • 8.5m 	No	The proposed development has a height of 14.9m, breaching the development standard by 6.4m or 75.3%. It is noted that the existing building already exceeds the development standard, with an overall height of 15m, breaching the development standard by 6.5m or 76.5%.
4.4 FSR <ul style="list-style-type: none"> • Max FSR: 0.5:1 • Max GFA: 92.3m² • Lot Size: 184.6m² 	No	<u>Gross Floor Area (GFA) Calculations:</u> Ground Floor: 100m ² First Floor: 100m ² Second Floor: 100m ² Third Floor: 60.3m ² TOTAL GFA: 360.3m²

Provision	Compliance	Comment
		<p>TOTAL FSR: 1.95:1</p> <p>The development breaches the development standard by 268m² or 290.4%.</p> <p>It is noted that the existing building already exceeds the development standard, with an FSR of 1.81:1, breaching the development standard by 241.1m² or 261.2%.</p>
4.6 Exceptions to development standards	See discussion	The application is accompanied by a written request pursuant to clause 4.6 of Waverley LEP 2012 to vary the height of buildings and FSR development standards. A detailed discussion of the variation to the development standards is presented below this table.
Part 6 Additional local provisions		
6.1 Acid sulfate soils	Yes	The subject site is located within an acid sulfate soils class 5 overlay. However, the proposed works will not impact the water table given they are located majority above ground level.

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

Clause 4.6 Exceptions to Development Standards - 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 Height of buildings development standard of 8.5m. The proposed development has a height of 14.9m, exceeding the standard by 6.4m equating to a 75.3% variation. It is noted that the existing building already exceeds the development standard, with an overall height of 15m, breaching the development standard by 6.5m or 76.5%.

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

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

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

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

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

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

(i) The proposed development meets the relevant objectives of the development standards.

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

The supporting solar analysis by DBCF Pty Ltd confirms that the area above the height standard will not impact on adjoining development to the south or any other nearby property. The area of work above the height standard maintains the existing building alignment, providing sufficient building separation in turn minimising impact on the amenity of surrounding properties. In addition to the wall on the eastern elevation, the additional internal living area, including new roof area maintain a setback and separation to the south-east boundary.

The variation will not give rise to any adverse impact to adjoining properties, while preserving the environmental amenity of neighbouring properties and public place. The area of non-compliance is minimal and will not result in the loss of any views.

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

Not applicable. The site is not located in the E2 Commercial Centre zone in the Bondi Junction Centre.

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

As demonstrated by the supporting plans, including shadow diagrams, the proposed building height will not result in overshadowing of nearby buildings and public areas.

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

The proposed building height of 14.9m is consistent with the height of the existing building with the works not exceeding the building height, while the majority of works are located below this height.

The desired future character of the locality, including the immediately nearby areas comprise residential flat buildings and mixed-use development that of a similar, if not greater building height. The proposed height will remain below the height of 59 Gould Street to the north-east (34.9m AHD). Recent approvals have been granted in the nearby area, including along Gould Street, some of which exceed the maximum building height by 100%. Therefore, the proposed building height is found to be consistent with the future character of the Bondi Beach area.

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

(i) *Desired future character*

- a. *The contemporary upgraded internal living space positively contributes to the local housing stock and character and is of a similar scale to both existing and desired future developments in the area. The proposal maintains the appearance of the existing development when viewed from Beach Road and Gould Street.*
- b. *While the development has a breach in the maximum floor space ratio development standard, the encroachment is in large part due to the existing development and the relatively small lot size. The proposal maintains consistency with the existing building height, despite the proposed works.*
- c. *The proposed design of the development achieves an appropriate built form in that it enhances the public domain, maintains the character of the streetscape, along with providing good internal amenity and outlook.*
- d. *The non-compliant elements of the proposal are located within the existing footprint with the new works at the roof level maintaining the existing setbacks. The non-compliance will be imperceptible from the public domain and does not result in any adverse impacts upon neighbouring properties with regard to solar access, visual privacy or view loss.*

(ii) *Lack of impact*

- a. *Consistent with the findings of Commissioner Walsh in *Eather v Randwick City Council* [2021] NSWLEC 1075 and Commissioner Grey in *Petrovic v Randwick City Council* [2021] NSWLEC 1242, the absence of impacts consequential of the departure constitute environmental planning grounds, as it promotes the good design and amenity of the development in accordance with the objects of the EP&A Act.*

Consideration of Applicant's Written Request

The proposed development satisfactory demonstrates that despite the breach to the height of buildings development standard it still preserves the environmental amenity of neighbouring properties. It is evident from the submitted hourly plan form shadow diagrams that the additional shadowing created from the proposed development start at 11am by falling on the road at Beach Road. Throughout the day, the shadowing moves across the public domain and from 1pm it falls on the roof at 7 Beach Road. Additionally, the 3D shadow diagrams demonstrate that the shadowing that falls on 7 Beach Road from 1pm onwards will not impact north-western facing windows to this RFB.

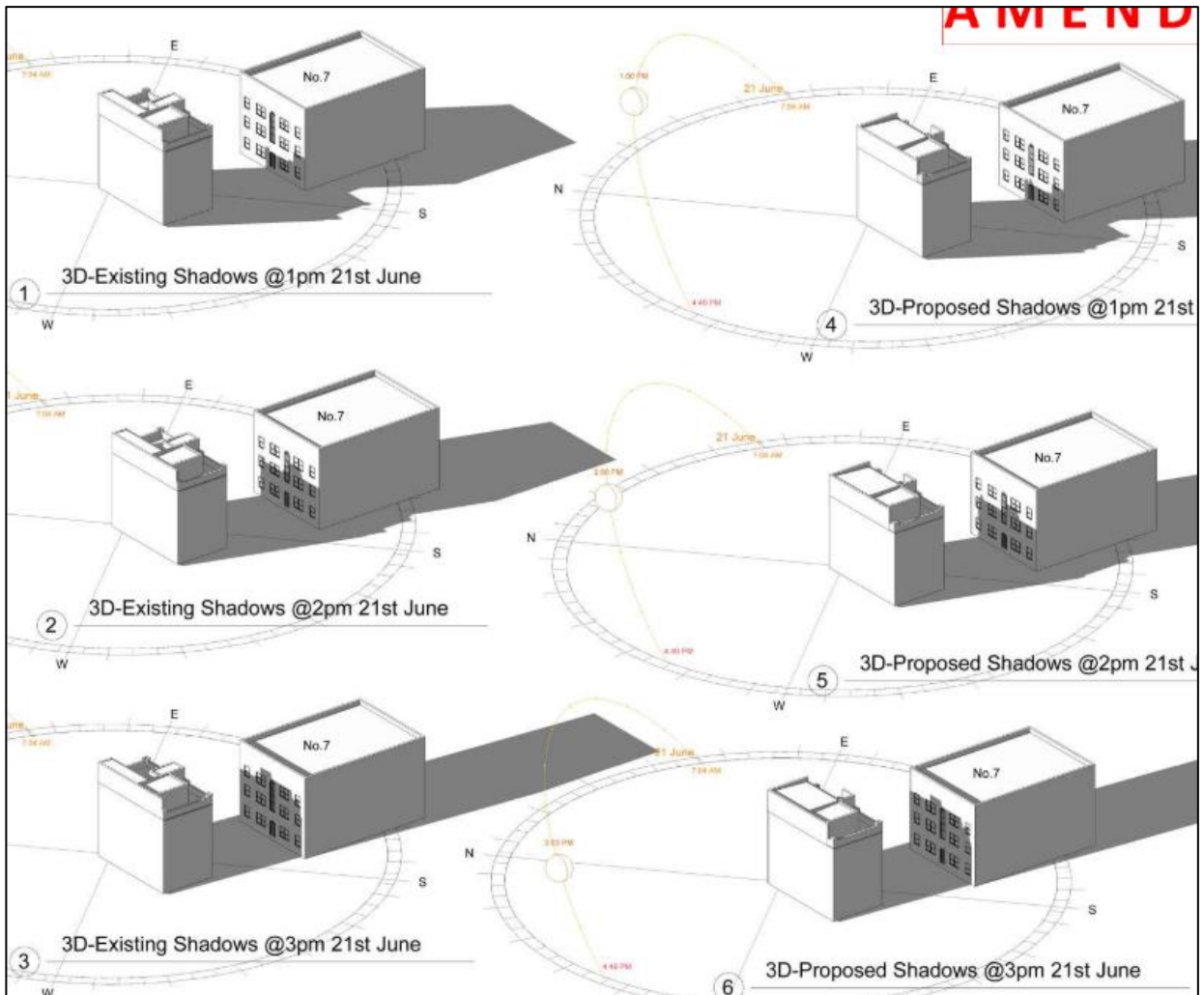


Figure 5. 3D shadow diagrams demonstrate no additional shadowing to northwestern facing windows to 7 Beach Road. (Source: DBCF Pty Ltd, 2024)

The proposed addition establishes building heights that are consistent with the desired future character of the locality. The proposed addition will match the scale of the existing contemporary addition to this level, resulting in a well-considered balanced and cohesive design.

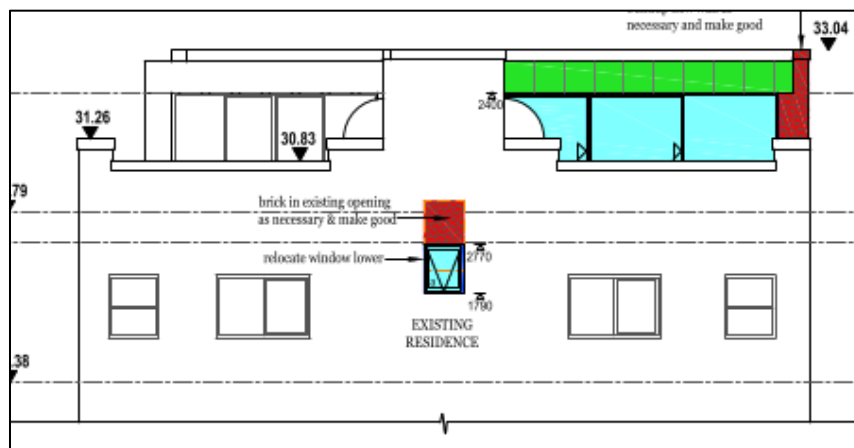


Figure 6. Southern elevation showing proposed addition will match the scale of the existing contemporary addition to this level. (Source: DBCF Pty Ltd, 2024)

Additionally, the overall scale of the works will be similar to the surrounding RFBs as identified at 55 and 59 Gould Street, 2 Glasgow Avenue and 7 Beach Road. 59 Gould Street and 2 Glasgow Avenue have a wall height of four stories with a hipped roof providing additional height. The contemporary addition will be at a similar height to these hipped roofs. However, as it is setback from the streetscape it will be concealed when viewed from street level.



Figure 6. Surrounding built form similar in scale to the proposed works. (Source: Google Maps, 2024)

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], raising sound justification that despite the development breaching the height of buildings development standard, the proposal meets the relevant objectives.

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

The applicant has provided sound justification in that the proposal the development meets the desired future character of the locality whilst avoiding environmental amenity impacts to neighbouring properties. The applicant has satisfactorily argued that that there are sufficient environmental planning grounds to justify contravening the development standard.

Conclusion

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

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 0.5:1. The proposed development has a FSR of 1.95:1, exceeding the standard by 268m² equating to a 290.4% variation. It is noted that the existing building already exceeds the development standard, with an FSR of 1.81:1, breaching the development standard by 241.1m² or 261.2%.

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

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

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

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

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

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

(i) The proposed development meets the relevant objectives of the development standards.

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

The site is not located within the Bondi Junction Centre.

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

While the development has a sizeable breach in the maximum floor space ratio development standard, this is not the result of the building height. The breach of floor space ratio control is in part due to the notably small size of the site relative to the size of the existing building. In this regard, it is noted that the existing building is non-compliant with the control.

The additional floor space will not be visible from the Gould Street or Beach Road frontage due to the location of the additional floor space at the roof level.

The proposed building envelope and additional GFA is consistent with the existing building envelope of the adjoining residential flat buildings to the north, which also have substantial variations to the FSR control, some of which are in excess of 300%. The setback controls have not been exploited to their maximum, with the setbacks remaining consistent with the existing building. The proposal is consistent with this style of residential building which is common in the surrounding area.

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

The proposal, relative to surrounding development, including the residential flat buildings to the north are of a commensurate bulk and scale.

The proposed bulk, scale and massing is contextually compatible with the envelope of neighbouring low density developments recently approved and constructed on Gould Street.

On this basis, the proposed bulk and scale is consistent with the desired future character of the locality. The height and envelope are compatible with these buildings and the area's desired future character.

The proposal will remain contextually compatible within the streetscape. As desired by objective c the building is compatible with the bulk, scale streetscape and existing character of this specific section of Gould Street.

The proposed development is consistent with the existing character of the area as it remains similar in massing to the adjacent building envelope of 59 Gould Street at the street frontage.

Strict compliance with the development standard is unreasonable and unnecessary as Gould Street comprises large, historical residential flat buildings on small sites and the overall building height of the proposed development is compatible with the prevalent built form and scale quality of the streetscape.

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

The development is not considered to significantly impact on the amenity of adjoining dwellings. The

design remains consistent with the existing building and adjacent buildings to the north. While the building height is consistent with the existing height, and setbacks remain compliant with a high level of articulation.

Potential privacy impacts have been minimised by orientating habitable rooms away from neighbouring properties. Existing and proposed landscaping will also provide natural screening. The window in the new stairwell is sufficiently distanced from side boundaries and will reduce the potential for overlooking.

Shadow diagrams accompany the DA and indicate there are no unreasonable impacts in respect of solar access. In addition, there are not likely to be any views that are impeded as a result of the proposal.

The proposed design of the development achieves an appropriate built form in that it enhances the public domain, maintains the character of the streetscape, along with providing good internal amenity and outlook.

There are no adverse impacts on the amenity of the locality, as the proposal introduces improved urban planning outcomes, greater activation and casual surveillance over the street and a contemporary design reflective of the desired future character of the area.

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

(i) Desired future character

- a. *The contemporary upgraded internal living space positively contributes to the local housing stock and character and is of a similar scale to both existing and desired future developments in the area. The proposal maintains the appearance of the existing development when viewed from Beach Road and Gould Street.*
- b. *While the development has a breach in the maximum floor space ratio development standard, the encroachment is in large part due to the existing development and the relatively small lot size. The proposal maintains consistency with the existing building height, despite the proposed works.*

- c. *The proposed design of the development achieves an appropriate built form in that it enhances the public domain, maintains the character of the streetscape, along with providing good internal amenity and outlook.*
- d. *The non-compliant elements of the proposal are located within the existing footprint with the new works at the roof level maintaining the existing setbacks. The non-compliance will be imperceptible from the public domain and does not result in any adverse impacts upon neighbouring properties with regard to solar access, visual privacy or view loss.*

(ii) *Lack of impact*

- a. *Consistent with the findings of Commissioner Walsh in Eather v Randwick City Council [2021] NSWLEC 1075 and Commissioner Grey in Petrovic v Randwick City Council [2021] NSWLEC 1242, the absence of impacts consequential of the departure constitute environmental planning grounds, as it promotes the good design and amenity of the development in accordance with the objects of the EP&A Act.*

Consideration of Applicant's Written Request

The proposed development satisfactorily demonstrated that despite the breach to the FSR development standard it still preserves the environmental amenity of neighbouring properties. It is evident from the submitted hourly plan form shadow diagrams that the additional shadowing created from the proposed development starts at 11am by falling on the road at Beach Road. Throughout the day the shadowing moves across the public domain and from 1pm it falls on the roof at 7 Beach Road.

Additionally as proven in **Figure 5** above, the 3D shadow diagrams demonstrate that the shadowing that falls on 7 Beach Road from 1pm onwards will not impact north-western facing windows to this RFB.

In terms of the proposed addition acknowledging the correlation between maximum building heights and density controls, the proposed addition will match the scale of the existing contemporary addition to this level, as evident in **Figure 6** above.

Additionally, the overall scale of the works will be similar to the surrounding RFBs as identified at 55 and 59 Gould Street, 2 Glasgow Avenue and 7 Beach Road, as evident in **Figure 7** above. Majority of these buildings have a wall height of four stories with a hipped roof providing additional height (hipped roof only at 59 Gould Street and 2 Glasgow Avenue). The contemporary addition will be at a similar height to these hipped roofs. However, as it is setback from the streetscape it will be concealed when viewed from street level.

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], raising sound justification that despite the development breaching the height of buildings development standard, the proposal meets the relevant objectives.

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

The applicant has provided sound justification in that the proposal the development meets the desired future character of the locality whilst avoiding environmental amenity impacts to neighbouring properties. 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 has adequately addressed clause 4.6 of the Waverley LEP 2012 and the justification provided by the applicant is satisfactory.

Existing Use Rights

The proposal provides for alterations and additions to an existing RFB which is a prohibited use in the R2 Low Density Residential zone under the Waverley LEP 2012.

The site has operated as a RFB before the LEP 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 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, extended or rebuilt subject to development consent.

Clause 163 in Part 7 of the EPA Regulation allows an existing use to be altered, extended or rebuilt.

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).

Clauses 165 and 166 in Part 7 of the EPA Regulation allow an existing use to be altered or rebuilt subject to development consent.

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.

166 Rebuilding of buildings and works

(1) *Development consent is required for any rebuilding of a building or work used for an existing use.*

(2) *The rebuilding must be—*

(a) for the existing use of the building or work and for no other use, and

(b) carried out only on the land on which the building or work was erected or carried out immediately before the relevant day.

The proposal provides for alterations and additions to the existing residential flat building. The subject site benefits from an existing use as a residential flat building and the proposal is permitted with development consent.

2.1.3. Waverley DCP 2022

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

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

Development Control	Compliance	Comment
1. Waste <ul style="list-style-type: none"> <i>Garbage bins are to be stored in an appropriate location.</i> 	Yes	Council’s Waste Officer reviewed the application and raised no objection.
2. Ecologically Sustainable Development <ul style="list-style-type: none"> <i>Ceiling or wall mounted fans</i> <i>Gas cooktops, gas ovens or gas internal space heating systems.</i> 	Yes No (conditional)	Ceiling fans are provided within all habitable rooms. A condition is recommended that electric cooking facilities be provided within the kitchen.
5. Water Management	Yes (conditional)	Council’s Stormwater Officer reviewed the application and raised no objection.
11. Design Excellence	Yes	The proposed addition will be of a similar scale to the existing contemporary addition. The development upon completion will result in a balanced design, providing greater internal amenity for the residents and preserving the environmental amenity of neighbouring properties.

Table 53: Waverley DCP 2022 – Part C2 Other Residential Development Compliance Table

Development Control	Compliance	Comment
2.3 Setbacks		
2.3.1 Street setbacks <ul style="list-style-type: none"> <i>Consistent street setback</i> 	Yes	The proposed south-eastern glazing line will align with the existing south-eastern glazing line to the top floor.
2.3.2 Side and rear setbacks <ul style="list-style-type: none"> <i>Minimum side setback: 1.5-2.5m</i> 	No (merit)	The proposed wall to the north-eastern elevation is setback 1.4m from the side boundary, this will align with the existing north eastern external wall.

Development Control	Compliance	Comment
2.5 Building design and streetscape		
<ul style="list-style-type: none"> Respond to streetscape Sympathetic external finishes Corner sites to address both streets as primary frontages Removal of original architectural features not supported 	Yes	The proposed addition will match the existing contemporary addition to the top floor, resulting in a balanced design. Regardless, the proposed addition is provided a greater setback from the built form at lower levels, concealing this addition from the streetscape.
2.7 Fences and walls		
<p><u>Side fence:</u></p> <ul style="list-style-type: none"> Maximum height: 1.8m 	Yes	The existing side boundary fence to Beach Road is proposed to be demolished and reconstructed. The fence will have a height of 1.8m measured from the existing ground level inside the subject site. The fence height on the outside of the lot will not exceed 1.2m.
2.13 Solar access and overshadowing		
<ul style="list-style-type: none"> 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 will not create additional shadowing to private open space or habitable windows. This has been examined in detail in the clause 4.6 discussion below Table 3 .
2.15 Visual privacy and security		
<ul style="list-style-type: none"> Above ground open space must not overlook rooms and private landscaped areas of adjoining properties or be screened 	Yes	<p>The proposed addition proposes glass brick to its north-eastern elevation. Glass bricks utilise transparent glazing which will increase visual privacy to neighbouring units and allow light in to the subject unit.</p> <p>The large window to the south-eastern elevation will overlook the public domain and will not look directly into neighbouring windows. The proposed balcony, despite being smaller than the recommended area guided by the ADG is acceptable. It is not expected to create unreasonable visual privacy to neighbouring properties as it is orientated to overlook the street.</p>
2.19 Acoustic privacy		
<ul style="list-style-type: none"> Internal amenity by locating noisy areas away from quiet areas 	Yes	The application shifts the living room and kitchen from the lower level of Unit 5 to the upper level, this will provide greater acoustic privacy to units below Unit 5, as a bedroom will be introduced to the lower level of unit 5. These rooms are frequented less often than living rooms.

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





Removed Laundry Facilities

Currently the laundry facilities to other units (all owned by the same persons) are located to the roof of the subject building. The application proposes to remove these laundries.

Council sought clarification on how laundry facilities will be provided to other units. The applicant advised:

'The apartment block of 9 Beach Road Bondi Beach has installed individual laundry facilities into the units 1,2 and 3 with in the kitchen area. When the DA is approved, unit 4 will have their laundry relocated into their kitchen as well and Unit 5 will have their new laundry facility. Therefore each unit will be complying with the NCC (Volume One, Section F2 - Sanitary and Other Facilities). As per requirements that the owners provide suitable facilities for personal hygiene such as toilets, urinals, hand basins, baths or shower areas, laundry facilities, kitchen sinks or such other provisions as are necessary. Attached are photos of each laundry area in each unit to allow tenants access to affordable laundry areas.'

Table 64: Current laundry facilities to units 1 - 4

Unit	Location	Image
Unit 1	In Kitchen area	
Unit 2	In Kitchen area	
Unit 3	Cupboard in Kitchen	
Unit 4	Current laundry in roof top to relocate into kitchen area	

Based on the imagery provided by the applicant, there appears to be no separate sinks/tubs in the 'laundry' areas of each unit. Accordingly, a condition shall be imposed that independent laundry facilities are to be provided in each unit, that meet the requirements of the BCA/NCC.

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.

Suitability of the Site for the Development

2.2.

The site is considered suitable for the proposal.

Any Submissions

2.3.

The application was notified for 14 days between 26 July and 9 August 2024 in accordance with the *Community Engagement Strategy 2023*.

2.4.

Following receipt of amended plans and additional information, the application was not re-notified as the amended form of the proposal did not result in a greater impact to neighbouring properties.

1. Ceiling fans were provided to all habitable rooms.

A total of one unique submission was received from the following property:

Table 7: Submission details

Count	Property Address
1.	5-59 Gould Street, Bondi Beach

The issues are summarised as:

Issue: *'My only request is that for privacy reasons I seek reassurance that the glass blocks proposed in the plans Drawing 105A for the rooftop level do not get changed at a later date. If this were to be changed to clear glass it would look straight down into one bedroom and the kitchen area.'*

2.5.

Response: Given the proximity to the boundary and required fire safety measures, glass blocks are reasonable here. Should a variation to this treatment be sought in future, further development consent would be necessary to be obtained.

Public Interest

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

3.1.

3. REFERRALS

The following internal referral comments were sought:

Fire Safety

An internal referral was sought from Council's Fire Safety Officer who recommended conditions of consent, relating compliance with the Building Code of Australia, Fire Safety measures have been met and certificate of adequacy relating to structural engineering.

Urban Design

An internal referral was sought from Council's Urban Design team who recommended:

- A height plane be added to the plans.

3.2. *Assessment Planner Response: The architectural plans have been updated to show the 8.5m height plane.*

- Hourly and 3D shadow analysis be provided.

Assessment Planner Response: Hourly plan form shadow diagrams and 3D shadow diagrams between 1pm and 3pm have been provided.

- Architectural plans should provide details of neighbouring buildings.

Assessment Planner Response: This was not required to assist with the assessment of the application.

- Clarification is sought on relocation of existing laundry facilities.

Assessment Planner Response: This has been discussed above.

- Visual privacy concerns.

Assessment Planner Response: This has been discussed above.

- Loss of communal open space

Assessment Planner Response: The existing strata plan demonstrates that the existing roof garden was not common property, but was exclusive under unit 6 (no longer exists). The assessment report under DA-75/2010 confirmed that units 5 and 6 were combined into a single unit.

3.3.

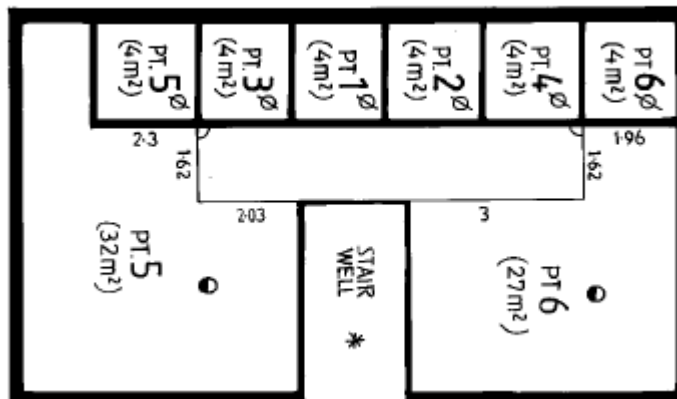


Figure 7. Historic subdivision plan showing that the roof terrace area is not communal.

Waste Management

An internal referral was sought from Council's Waste Officer who recommended conditions of consent, relating to handling of hazardous material, control of dust and the submission of a Site Waste Recycling Management Plan part 2.

GIS

An internal referral was sought from Council’s GIS Officer who recommended conditions of consent, relating to appropriate unit numbering for the amended Strata plan

Traffic

- 3.4. An internal referral was sought from Council’s Traffic Engineer who recommended conditions of consent, relating to the submission of a construction traffic management plan and ensuring building material is stored on site

3.5. **Stormwater**

- 3.6. An internal referral was sought from Council’s Stormwater Engineer who recommended conditions of consent relating to certification of the constructed stormwater plans.

Tree Management

- 3.7. An internal referral was sought from Council’s Tree Officer who raised no object to the proposed development.

4. CONCLUSION

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




Managers of Development Assessment (MODA) Review

The application was reviewed by the MODA at the meeting on 20 August 2024 and the MODA concurred with the Assessment Planner's recommendation.

DBU members: A Rossi, B McNamara, B Magistrale and Jo Zancanaro

5. RECOMMENDATION TO WAVERLEY LOCAL PLANNING PANEL

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

Report prepared by:	Application reviewed and agreed by:	Application reviewed and agreed by:
		
Joseph Somerville Senior Development Assessment Planner	Bridget McNamara Manager, Development Assessment	Angela Rossi Executive Manager, Development Assessment

Date: 27 September 2024	Date: 30 September 2024	Date: 11 October 2024
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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

OFFICE USE ONLY

Planning Portal Data															
<p>Clause 4.6 register entry required</p> <p>(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)</p>	<p style="text-align: center;">75.3% variation to height (Clause 4.3)</p> <table border="1"> <tr><td style="text-align: center;">X</td><td>Pre-existing non-compliance</td></tr> <tr><td></td><td>No change to overall building height</td></tr> <tr><td></td><td>No change to overall building envelope</td></tr> <tr><td></td><td>Variation limited to the [lift/plant/parapet/attic] only</td></tr> <tr><td style="text-align: center;">X</td><td>No unreasonable impacts on the amenity of adjoining properties or streetscape</td></tr> <tr><td style="text-align: center;">X</td><td>Sufficient environmental planning grounds</td></tr> <tr><td style="text-align: center;">X</td><td>Consistent with the objectives of the standard</td></tr> </table>	X	Pre-existing non-compliance		No change to overall building height		No change to overall building envelope		Variation limited to the [lift/plant/parapet/attic] only	X	No unreasonable impacts on the amenity of adjoining properties or streetscape	X	Sufficient environmental planning grounds	X	Consistent with the objectives of the standard
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<p>Determining Authority</p> <p>(Concurrence Authority for Clause 4.6 variation)</p>	<p style="text-align: center;">Local Planning Panel</p>														
<p>Were the requirements of the Sustainable Buildings SEPP (effective 1 October 2023) met?</p>	<p style="text-align: center;">Yes</p>														

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

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APPENDIX A – CONDITIONS OF CONSENT

Terms and Reasons for Conditions

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

GENERAL CONDITIONS

Condition																																																									
1.	<p>APPROVED PLANS AND DOCUMENTATION</p> <p>The development must be in accordance with:</p> <p>(a) Architectural Plans prepared by DBCF Pty Ltd of Project No: 823 including the following:</p> <table border="1"> <thead> <tr> <th>Plan Number and Revision</th> <th>Plan description</th> <th>Plan Date</th> <th>Date received by Council</th> </tr> </thead> <tbody> <tr> <td>104B</td> <td>Proposed Floor Plan</td> <td>19/09/2024</td> <td>19/09/2024</td> </tr> <tr> <td>105B</td> <td>Proposed Rooftop Plan</td> <td>19/09/2024</td> <td>19/09/2024</td> </tr> <tr> <td>106A</td> <td>Proposed Roof Plan</td> <td>19/09/2024</td> <td>19/09/2024</td> </tr> <tr> <td>107A</td> <td>Exterior Parking Area</td> <td>19/09/2024</td> <td>19/09/2024</td> </tr> <tr> <td>108A</td> <td>Elevation North and South</td> <td>19/09/2024</td> <td>19/09/2024</td> </tr> <tr> <td>109B</td> <td>Elevation East and West</td> <td>19/09/2024</td> <td>19/09/2024</td> </tr> <tr> <td>110A</td> <td>Section AA</td> <td>19/09/2024</td> <td>19/09/2024</td> </tr> <tr> <td>111A</td> <td>Section BB and CC</td> <td>19/09/2024</td> <td>19/09/2024</td> </tr> <tr> <td>121A</td> <td>Section DD</td> <td>19/09/2024</td> <td>19/09/2024</td> </tr> <tr> <td>126</td> <td>Elevation North</td> <td>19/09/2024</td> <td>19/09/2024</td> </tr> <tr> <td>127</td> <td>Elevation South</td> <td>19/09/2024</td> <td>19/09/2024</td> </tr> <tr> <td>128</td> <td>Elevation East</td> <td>19/09/2024</td> <td>19/09/2024</td> </tr> <tr> <td>129</td> <td>Elevation West</td> <td>19/09/2024</td> <td>19/09/2024</td> </tr> </tbody> </table> <p>(b) BASIX Certificate</p> <p>(c) Regulatory Compliance Report prepared by Certatude dated 17/09/2024, and received by Council on 19/09/2024.</p> <p>(d) Draft Strata Subdivision Plan prepared by C&A Surveyors dated 06/03/2024 and received by Council on 03/07/2024.</p> <p>(e) Schedule of external finishes and colours received by Council on 03/07/2024.</p> <p>(f) The Site Waste and Recycling Management Plan (SWRMP) Part 1 (received by Council on 03/07/2024).</p> <p>Except where amended by the following conditions of consent.</p> <p>Condition reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.</p>	Plan Number and Revision	Plan description	Plan Date	Date received by Council	104B	Proposed Floor Plan	19/09/2024	19/09/2024	105B	Proposed Rooftop Plan	19/09/2024	19/09/2024	106A	Proposed Roof Plan	19/09/2024	19/09/2024	107A	Exterior Parking Area	19/09/2024	19/09/2024	108A	Elevation North and South	19/09/2024	19/09/2024	109B	Elevation East and West	19/09/2024	19/09/2024	110A	Section AA	19/09/2024	19/09/2024	111A	Section BB and CC	19/09/2024	19/09/2024	121A	Section DD	19/09/2024	19/09/2024	126	Elevation North	19/09/2024	19/09/2024	127	Elevation South	19/09/2024	19/09/2024	128	Elevation East	19/09/2024	19/09/2024	129	Elevation West	19/09/2024	19/09/2024
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<p>2.</p>	<p>GENERAL MODIFICATIONS</p> <p>The application is approved subject to the following plan amendments:</p> <p>(a) Each unit shall be provided with an independent laundry that achieves compliance with the Building Code of Australia / National Construction Code.</p> <p>The amendments are to be approved by the Principal Certifying Authority prior to the issue of any Construction Certificate.</p> <p>Condition reason: ensure adequate laundry facilities are provided for all units.</p>
<p>3.</p>	<p>MULTI UNIT HOUSING DEVELOPMENT DESIGN (SEPP 65 DEVELOPMENT)</p> <p>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.</p> <p>Condition reason: To ensure the approved design remains unchanged.</p>
<p>4.</p>	<p>STRATA SUBDIVISION</p> <p>This consent includes approval for 5 lot Strata subdivision of the development.</p> <p>A Strata Certificate must be obtained from either Council or a Registered Certifier in accordance with either Section 54(1) or Section 58(1) of the <i>Strata Schemes Development Act 2015</i>.</p> <p>The allocated car parking and storage spaces, are not permitted to be subdivided as individual allotments and are to be part lots allocated to individual residential allotments or identified as common property as shown on the approved plans. Part allotments are to be generally allocated in accordance with the parking and storage requirements of Waverley Development Control Plan 2022. No exclusive use of common property shall occur without the prior consent of Council.</p> <p>Condition reason: To ensure the approved development complies with the <i>Strata Schemes Development Act 2015</i>.</p>

BUILDING WORK

BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE

	Condition
5.	<p>NO BUILDING OR DEMOLITION WORKS PRIOR TO RELEASE OF CONSTRUCTION CERTIFICATE</p> <p>The building work, or demolition work, must not be commenced until:</p> <ul style="list-style-type: none"> (a) a Construction Certificate has been obtained from Council or an Accredited Certifier in accordance with the <i>Environmental Planning and Assessment Act 1979</i>; (b) a Principal Certifying Authority has been appointed and Council has been notified of the appointment in accordance with the <i>Environmental Planning and Assessment Act 1979</i> and <i>Environmental Planning and Assessment Regulation 2021</i>; and (c) Council is given at least two days' notice in writing of the intention to commence the building works. <p>Condition reason: To ensure a Construction Certificate is obtained prior to work commencing.</p>
6.	<p>SECTION 7.12 CONTRIBUTION</p> <p>A monetary development contribution is payable to Waverley Council pursuant to section 7.12 of the <i>Environmental Planning and Assessment Act 1979</i> and the Waverley Council Development Contributions Plan in accordance with the following:</p> <ul style="list-style-type: none"> (a) Where the total development cost is \$500,000 or less: <ul style="list-style-type: none"> (i) a Cost Summary Report or Building Contract (dated within 12 months) or similar is to be submitted to Council's Customer Service Centre to process payment. (b) Where the total development cost is more than \$500,000 but less than \$1,000,000: <ul style="list-style-type: none"> (i) a Detailed Cost Report (dated within 12 months) prepared by a registered Quantity Surveyor, Building Contract, or similar is to be submitted to Council's Customer Service Centre to process payment. (c) Where the total development cost is \$1,000,000 or more: <ul style="list-style-type: none"> (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). <p>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.</p>

	<ul style="list-style-type: none"> (ii) Upon confirmation of the contribution amount by Council’s Executive Manager, Urban Planning, Policy and Strategy (or delegate), payment is to be processed via the Customer Service Centre. (iii) Should there be a discrepancy between the cost of works approved in subclause (b)(i) and the DA fee nominated in the original DA, then additional DA Fees may be payable prior to the issue of a Construction Certificate. <p>A copy of the required format for the cost reports are provided in the Waverley Council Contributions Plan, available on Council’s website.</p> <ul style="list-style-type: none"> (d) As legislated in section 209 of the Environmental Planning and Assessment Regulation 2021, the levy must be paid in accordance with the following; <ul style="list-style-type: none"> (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 <u>full</u> cost of the development; or (iii) A development valued at more than \$200,000 will attract a levy of 1% of the <u>full</u> cost of the development. <p>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.</p> <p>Condition reason: To ensure the Section 7.12 Contributions are paid.</p>
<p>7.</p>	<p>SECURITY DEPOSIT</p> <p>A deposit (cash or cheque) for the amount of \$10,980 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.</p> <p>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.</p> <p>Condition reason: To ensure any damage to public infrastructure is rectified and public works can be completed.</p>
<p>8.</p>	<p>LONG SERVICE LEVY</p> <p>A long service levy, as required under section 34 of the <i>Building and Construction Industry Long Service Payments Act, 1986</i>, 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.</p>

	<p><u>Note:</u> 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.</p>
	<p>Condition reason: To ensure the long service levy is paid.</p>
9.	<p>ENGINEERING PLANS ASSESSMENT AND WORKS INSPECTION FEES</p> <p>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.</p> <p>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.</p>
	<p>Condition reason: To ensure Council assessment fees are paid.</p>
10.	<p>VERIFICATION OF CONSTRUCTION CERTIFICATE DOCUMENTATION (SEPP 65 BUILDINGS)</p> <p>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 <i>Architects Act 2003</i> (i.e. a qualified designer) in accordance with the requirements of the <i>State Environmental Planning Policy No. 65 - Design Quality of Residential Apartment Development</i>.</p> <p>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 <i>State Environmental Planning Policy No. 65 Design Quality of Residential Apartment Development</i>.</p>
	<p>Condition reason: To maintain the architectural integrity of the approved development.</p>
11.	<p>HOARDING</p> <p>To ensure the site is contained during construction, a hoarding is required for the approved works, which is to be designed and constructed in accordance with the requirements of Safe Work NSW. Where the hoarding is to be erected over the footpath or any public place, the approval of Council's Compliance Unit must be obtained and the applicable fees paid, prior to the erection of the hoarding.</p>
	<p>Condition reason: To ensure safety to the general public.</p>
12.	<p>ENGINEERING DETAILS</p> <p>Pursuant to Section 57(2) of the Strata Schemes Development Act 2015, a Structural Engineers Report and Certificate of Adequacy must be submitted for the subject areas with the Development Application certifying the structural strength, adequacy and load-bearing capacity of the existing building and any recommended structural upgrade works required to the building.</p>

	<p>Structural details prepared and certified by a practicing Structural Engineer being furnished to Council or Accredited Certifier in connection with all structural components prior to the issue of a Construction Certificate.</p> <p>Condition reason: To ensure structural stability of work on site.</p>
<p>13.</p>	<p>BUILDING CODE OF AUSTRALIA</p> <p>All building work must be carried out in accordance with the requirements of the NCC Building Code of Australia and BCA Assessment Report prepared by Vijay Perumal of Certatude Pty Ltd, rev no 3.0, dated 17 September 2024.</p> <ul style="list-style-type: none"> a) If compliance with the deemed-to-satisfy provisions of the NCC BCA cannot be achieved, a performance solution in accordance with Part A2 of the NCC BCA must be prepared by a suitably qualified and accredited person and be submitted to the Certifying Authority illustrating how the relevant performance requirements of the NCC BCA are to be satisfied. Prior to a Construction Certificate being issued, the Certifying Authority must ensure that the building complies with the NCC Building Code of Australia. b) Any design amendments required to achieve compliance with the NCC BCA may require an application under Section 4.55 of the Act to be lodged with Council to amend this consent. c) Details demonstrating compliance with the NCC BCA must be submitted and approved by the Certifying Authority prior to the issue of a Construction Certificate. <p>Condition reason: To ensure the work is in accordance with the approved BCA report.</p>
<p>14.</p>	<p>ESSENTIAL SERVICES - EXISTING BUILDING</p> <p>Details of the currently implemented and proposed essential fire safety measures shall be submitted with the Construction Certificate, in the form of a Fire Safety Schedule. This Schedule shall be prepared by a person competent to do so and shall specify the minimum standard of performance for each essential fire safety measure included in the Schedule.</p> <p>At the completion of the installation, a Final Fire Safety Certificate shall be attached to the Occupation Certificate, certifying that each essential fire safety measure specified within the current Fire Safety Schedule:</p> <ul style="list-style-type: none"> (a) has been assessed by a properly qualified person; and (b) found to be capable of performing to at least the standard required by the current Fire Safety Schedule for the building for which the Certificate is issued. <p>Condition reason: To ensure adequate essential services are provided.</p>

15.	<p>CONSTRUCTION TRAFFIC MANAGEMENT PLAN (CTMP)</p> <p>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:</p> <p>https://www.waverley.nsw.gov.au/building/development_applications/post_determination/development_applications - conditions of consent</p> <p>Condition reason: To minimise disruption to local traffic.</p>
16.	<p>STORMWATER MANAGEMENT</p> <p>The submitted stormwater plan prepared by GNG Design, Drawing No. 23.G44-SMP, Revision 0, dated 24/01/2024 is considered <u>satisfactory</u>.</p> <p>Evidence from a suitably qualified and practising Engineer that the approved design 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).</p> <p>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.</p> <p>Condition reason: To ensure the approved design has been adhered to.</p>
17.	<p>BASIX</p> <p>All requirements of the BASIX Certificate and/or NatHERS documentation are to be shown on the Construction Certificate plans and documentation.</p> <p>Condition reason: To ensure BASIX and/or NatHERS requirements are met.</p>
18.	<p>SITE WASTE AND RECYCLING MANAGEMENT PLAN</p> <p><i>A Site Waste and Recycling Management Plan (SWRMP) - Part 2</i> 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 <i>SWRMP Part 2</i> 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.</p> <p>Condition reason: To ensure resource recovery is promoted and the local amenity is protected during construction.</p>
19.	<p>DILAPIDATION REPORT</p> <p>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:</p> <p>(a) 1/9 Beach Road, Bondi Beach</p>

	<p>(b) 2/9 Beach Road, Bondi Beach (c) 3/9 Beach Road, Bondi Beach (d) 4/9 Beach Road, Bondi Beach</p> <p>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.</p> <p>The report is to be dated, submitted to, and accepted by the Principal Certifying Authority, prior to any work commencing on the site.</p> <p>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.</p> <p>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.</p> <p>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.</p>
<p>20.</p>	<p>RENEWABLE ENERGY AND ENERGY EFFICIENCY</p> <p>To enable all development to contribute to net zero greenhouse emissions by 2035, the following shall apply:</p> <ul style="list-style-type: none"> (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. <p>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.</p> <p>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.</p>

BEFORE BUILDING WORK COMMENCES

	Condition
21.	<p>CONSTRUCTION SIGNS</p> <p>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.</p> <p>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.</p>
22.	<p>DEMOLITION – ASBESTOS AND HAZARDOUS MATERIALS</p> <p>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:</p> <ul style="list-style-type: none"> • 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; • <i>Protection of the Environment Operations Act 1997.</i> <p>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:</p> <ol style="list-style-type: none"> (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. <p>Condition reason: To ensure the safety of workers and the general public.</p>

<p>23.</p>	<p>TREE PROTECTION</p> <p>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.</p> <hr/> <p>Condition reason: To protect and retain trees.</p>
<p>24.</p>	<p>STREET TREES TO BE RETAINED/TREE PROTECTION</p> <p>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:</p> <ul style="list-style-type: none"> (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. <hr/> <p>Condition reason: To protect trees during the carrying out of site work.</p>

DURING BUILDING WORK

	Condition
33.	<p>CONTROL OF DUST ON CONSTRUCTION SITES</p> <p>The following requirements apply to demolition and construction works on site:</p> <p>(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.</p> <p>(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.</p> <p>Condition reason: To ensure the safety of workers and the general public.</p>
34.	<p>CLASSIFICATION OF WASTE/ DISPOSAL OF EXCAVATED SOILS</p> <p>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.</p> <p>Condition reason: To ensure compliance with the Protection of the Environment Operations Act 1997 and the NSW EPA Waste Classification Guidelines 2014.</p>
35.	<p>CONSTRUCTION HOURS</p> <p>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.</p> <p>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.</p> <p>Noise from construction activities shall comply with the <i>Protection of the Environmental Operations (Noise Control) Regulation 2017</i>.</p> <p>Condition reason: To protect the amenity of the surrounding area.</p>
36.	<p>STOCKPILES, STORAGE OF MATERIALS AND LOCATION OF BUILDING OPERATIONS</p> <p>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.</p> <p>Condition reason: To ensure building material is stored in an appropriate location.</p>

37.	CONSTRUCTION INSPECTIONS
	<p>The building works are to be inspected during construction by the Principal Certifying Authority (PCA) in accordance with the <i>Building Legislation Amendment (Quality of Construction) Act 2002, Part 8 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021</i> and the requirements of any other applicable legislation or instruments.</p> <p>Condition reason: To ensure regular inspections occur throughout the construction process.</p>
38.	CERTIFICATE OF SURVEY - LEVELS
	<p>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.</p> <p>Condition reason: To ensure buildings are sited and positioned in the approved location.</p>
39.	CERTIFICATE OF SURVEY - BOUNDARIES AND LOCATION OF BUILDING
	<p>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.</p> <p>Condition reason: To ensure buildings are sited and positioned in the approved location.</p>
40.	WORK OUTSIDE PROPERTY BOUNDARY
	<p>This consent does not authorise any work outside the property boundary.</p> <p>Condition reason: To ensure buildings are sited and positioned in the approved location.</p>

BEFORE ISSUE OF AN OCCUPATION CERTIFICATE

	Condition
43.	<p>FINAL OCCUPATION CERTIFICATE</p> <p>Prior to occupation or use of the development, an Occupation Certificate must be obtained.</p> <p>The Principal Certifying Authority must be satisfied that the requirements of the <i>Environmental Planning & Assessment Act 1979</i> have been satisfied including all critical stage inspections. Documentary evidence of all required inspections is to be submitted to Council.</p> <p>Condition reason: To ensure an Occupation Certificate is issued prior to occupation or use of the development.</p>
44.	<p>SUBDIVISION CERTIFICATE</p> <p>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.</p> <p>Condition reason: To ensure a Subdivision Certificate is issued prior to occupation or use of the development.</p>
45.	<p>CERTIFICATION OF BASIX COMMITMENTS</p> <p>The Principal Certifying Authority shall certify that the all the undertakings in the approved BASIX certificate have been completed.</p> <p>Condition reason: To ensure all the undertakings in the approved BASIX certificate have been completed.</p>
46.	<p>CERTIFICATION OF APPROVED DESIGN</p> <p>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.</p> <p>Condition reason: To maintain the architectural integrity of the approved development.</p>
47.	<p>CERTIFICATION OF NEWLY CONSTRUCTED STORMWATER DRAINAGE SYSTEM</p> <p>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, relevant Water Management Technical Manual, all applicable Codes, Policies, Plans, Standards, and good engineering practice.</p>

	<p>A copy of the certification must be submitted to the PCA and the assessing stormwater engineer within Infrastructure Services to be retained on file.</p> <p>Condition reason: To ensure that the new stormwater drainage system has been constructed as per the approved stormwater management plans and best practice.</p>
<p>48.</p>	<p>CERTIFICATION OF RETAINED STORMWATER DRAINAGE SYSTEM</p> <p>Certification must be provided from a suitably qualified and practicing Engineer or Plumber, that any retained stormwater drainage system is unblocked, in good working order, and has been repaired or replaced in accordance with Council’s relevant Water Management Technical Manual and Development Control Plan and all applicable Codes, Policies, Plans, Standards and good engineering practice.</p> <p>A copy of the certification must be submitted to the PCA and the assessing stormwater engineer within Infrastructure Services to be retained on file.</p> <p>Condition reason: To ensure the stormwater drainage system retained has been checked and will not result in any stormwater related issues for the occupiers or neighbours.</p>
<p>49.</p>	<p>ALLOCATION OF STREET NUMBER</p> <p>The redevelopment of the property has led to the following allocation of primary and sub-premises (unit) numbering:</p> <ul style="list-style-type: none"> ▪ No. 9 - primary address site number ▪ Beach Road primary address location. <p>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 Beach Road.</p> <p>The following sub-addressing will apply:</p> <ul style="list-style-type: none"> ▪ Nos. 1 - 2 for the residential sub-address sites within the building correlating with Lot 7 - 8 on the ground-floor plans for the building. ▪ Nos. 3 - 4 for the residential sub-address sites within the building correlating with Lot 9 - 10 on the first-floor plans for the building. ▪ No. 5 for the residential sub-address sites within the building correlating with Lot 11 on the Second-floor plans for the building. <p>The address number for a sub-address site shall not consist of the primary address number on its own.</p> <p>The address number for a sub-address site shall not consist of the primary address number with an alpha suffix.</p> <p>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.</p> <p>The primary and sub-address site numbers are to be positioned on the site prior to the issue of the Occupation/Subdivision Certificate and Council notified of the</p>

	<p>corresponding sub-address numbers to lot number prior to the issue of the Occupation Certificate.</p> <p>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.</p> <p>Condition reason: To ensure the property address is clearly identified.</p>
<p>50.</p>	<p>BUILDING HEIGHT</p>
	<p>(a) The height of the buildings must not exceed the following RLs (AHD) to the top of the buildings and (where relevant) to the top of building parapets:</p> <p style="padding-left: 40px;">i. Ridge/parapet height: RL 33.04</p> <p>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.</p>
	<p>Condition reason: To ensure the constructed development complies with the approved height.</p>

GENERAL ADVISORY NOTES

	Condition
1.	<p>DEVELOPMENT IS TO COMPLY WITH LEGISLATION</p> <p>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.</p>
2.	<p>DEVELOPMENT MUST MEET CONDITIONS OF CONSENT</p> <p>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.</p>
3.	<p>POST CONSENT CONDITIONS REQUIRING COUNCIL INPUT</p> <p>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:</p> <ul style="list-style-type: none"> • 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.	<p>SYDNEY WATER REQUIREMENTS</p> <p>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.</p> <p>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.</p>

	<p>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.</p>
5.	<p>SYDNEY WATER CERTIFICATE</p> <p>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.</p> <p>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.</p>
6.	<p>DIAL BEFORE YOU DIG</p> <p>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.</p>
7.	<p>TELECOMMUNICATIONS ACT 1997 (COMMONWEALTH)</p> <p>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.</p>
8.	<p>ALTERATIONS AND ADDITIONS ONLY</p> <p>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.</p>
9.	<p>BONDI - ROSE BAY SAND BODY</p> <p>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.</p> <p>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.</p>

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

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

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

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

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

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

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

Council means Waverley Council.

Court means the Land and Environment Court of NSW.

EPA means the NSW Environment Protection Authority.

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

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

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

Local planning panel means Waverley Local Planning Panel.

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

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

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

Stormwater drainage system means all works and facilities relating to:

the collection of stormwater,

the reuse of stormwater,

the detention of stormwater,

the controlled release of stormwater, and

connections to easements and public stormwater systems.

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

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

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

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

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

AMENDED PLANS

APPROVAL DRAWINGS FOR UNIT 5 - 9 BEACH ROAD BONDI BEACH NSW 2026 FOR MS S BARNETT AND MR B NEAL ARCHITECTURAL DRAWINGS

RECEIVED
Waverley Council

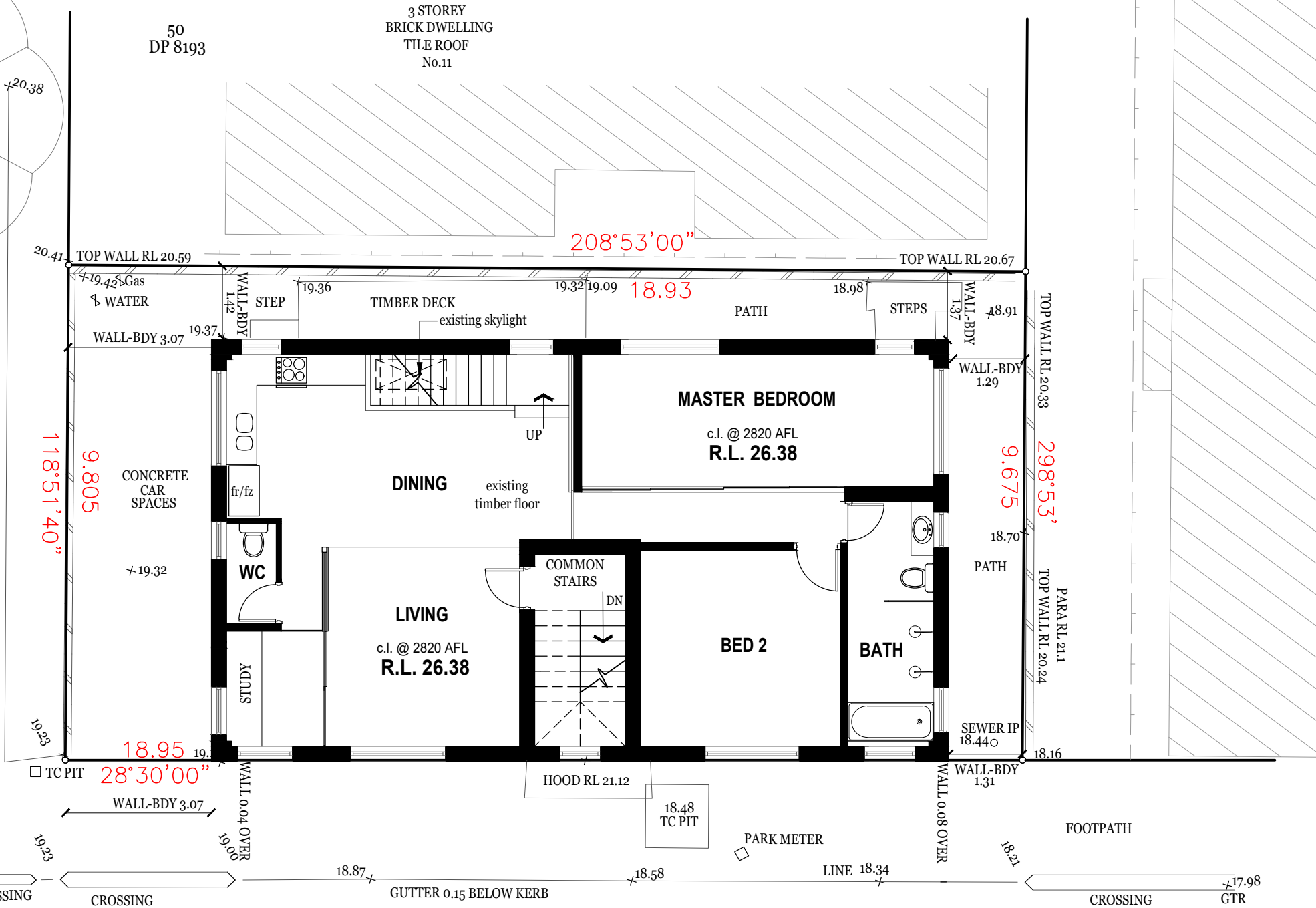
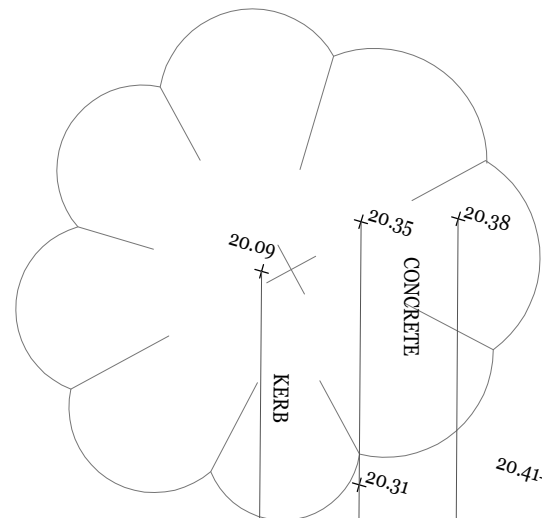
Application No: DA-289/2024

Date Received: 19/09/2024

100A	TITLE PAGE
101A	EXISTING FLOOR PLAN
102A	EXISTING ROOFTOP TERRACE PLAN
103A	EXISTING ROOF PLAN
104B	PROPOSED FLOOR PLAN
105B	PROPOSED ROOFTOP TERRACE PLAN
106A	PROPOSED ROOF PLAN
107A	EXTERIOR PARKING AREA PLAN
108A	ELEVATION NORTH & SOUTH
109A	ELEVATION EAST & WEST
110A	SECTION A-A
111A	SECTION B-B/C-C
112A	SHADOW 9AM
113A	SHADOW 12 NOON
114A	SHADOW 3PM
115A	WINDOW & DOOR SCHEDULE
116A	SITE ANALYSIS PLAN
117A	ESMP & WMP
118A	SURVEY
119A	GFA SECOND FLOOR AND ROOFTOP PLAN
120A	GFA GROUND AND FIRST FLOOR PLAN
121A	SECTION D-D GFL/ROOFTOP
122A	SHADOW ELEVATION ON NO 59
123A	3D SHADOW IMPACT ON NO 59
124A	SHADOW ELEVATION ON NO 7
125A	3D SHADOW IMPACT ON NO 7
126	ELEVATION NORTH
127	ELEVATION SOUTH
128	ELEVATION EAST
129	ELEVATION WEST
130	SHADOW 10AM
131	SHADOW 11AM
132	SHADOW 1PM
133	SHADOW 2PM

AMENDMENTS	ISSUE A 09.07.2024 - COUNCIL REQUEST FOR ADDITIONAL INFORMATION	<p>NOTES</p> <p>All work to be carried out in accordance with BCA,SAA Codes and conditions of council.</p> <p>Do not scale drawings.</p> <p>Use figured dimensions.</p> <p>Site measure before starting work.</p>	<p>DBCF PTY LTD</p> <p>DESIGNED BY CATHERINE FINLAY</p> <p>DIRECTOR</p> <p>M: 0422 200 833</p>	PROJECT	STAGE	DRAWING				
	ALTERATION & ADDITION			APPROVAL	TITLE PAGE					
				AT	JOB NO	823	SCALE	1:100	DWG NO	100A
				UNIT 5-9 BEACH ROAD						
				BONDI BEACH NSW 2026						
				FOR	DRAWN	CF	DATE	19.09.2024		A3
				BARNETT & NEAL						
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BEACH ROAD



3 STOREY
BRICK UNITS
TILE ROOF
No.59
GOULD ST.

AMENDED PLANS

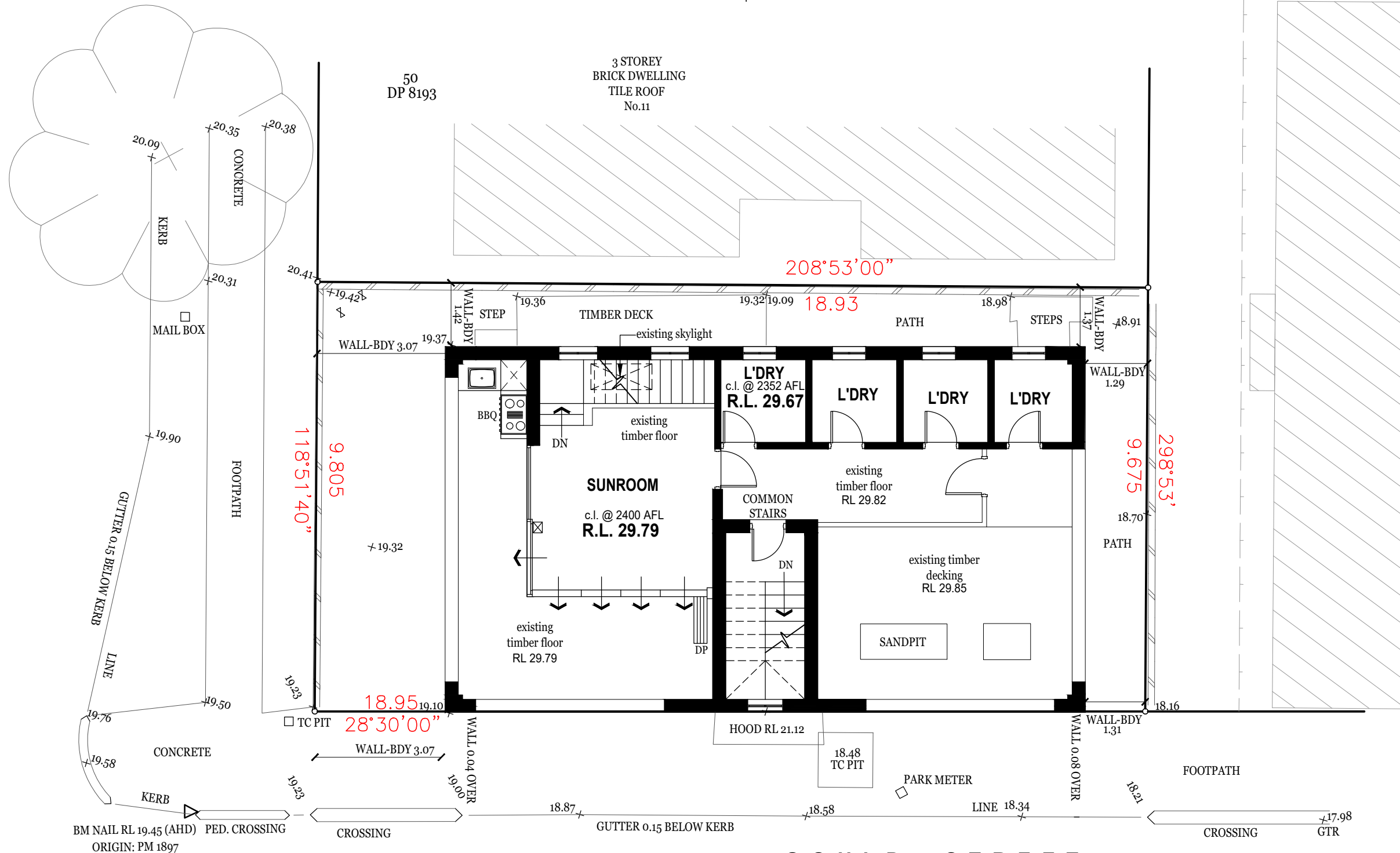
EXISTING FLOOR PLAN
Scale 1 : 100

RECEIVED
Waverley Council
Application No: DA-289/2024
Date Received: 19/09/2024

UNIT 5
S.P.957280
AREA: 697.6sqm
BUILT-UPON AREA: 120.7sqm
LANDSCAPED AREA: 63.9sqm

AMENDMENTS	ISSUE A 09.07.2024 - COUNCIL REQUEST FOR ADDITIONAL INFORMATION	<p>NOTES</p> <p>All work to be carried out in accordance with BCA,SAA Codes and conditions of council.</p> <p>Do not scale drawings.</p> <p>Use figured dimensions.</p> <p>Site measure before starting work.</p>	<p>DBCF PTY LTD</p> <p>DESIGNED BY CATHERINE FINLAY</p> <p>DIRECTOR</p> <p>M: 0422 200 833</p>	PROJECT ALTERATION & ADDITION	STAGE APPROVAL	DRAWING EXISTING FLOOR PLAN	
	AT UNIT 5-9 BEACH ROAD BONDI BEACH NSW 2026			JOB NO 823 SCALE 1:100 DWG NO 101A			
			COPYRIGHT STRICTLY RESERVED. This design + drawing may not be disclosed/ reproduced/ copied without written permission from the DBCF PTY LTD	FOR BARNETT & NEAL	DRAWN CF DATE 19.09.2024	A3	

BEACH ROAD



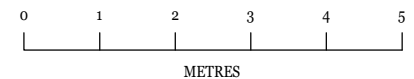
3 STOREY
BRICK UNITS
TILE ROOF
No.59
GOULD ST.

AMENDED PLANS

GOULD STREET

RECEIVED
Waverley Council
Application No: DA-289/2024
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UNIT 5
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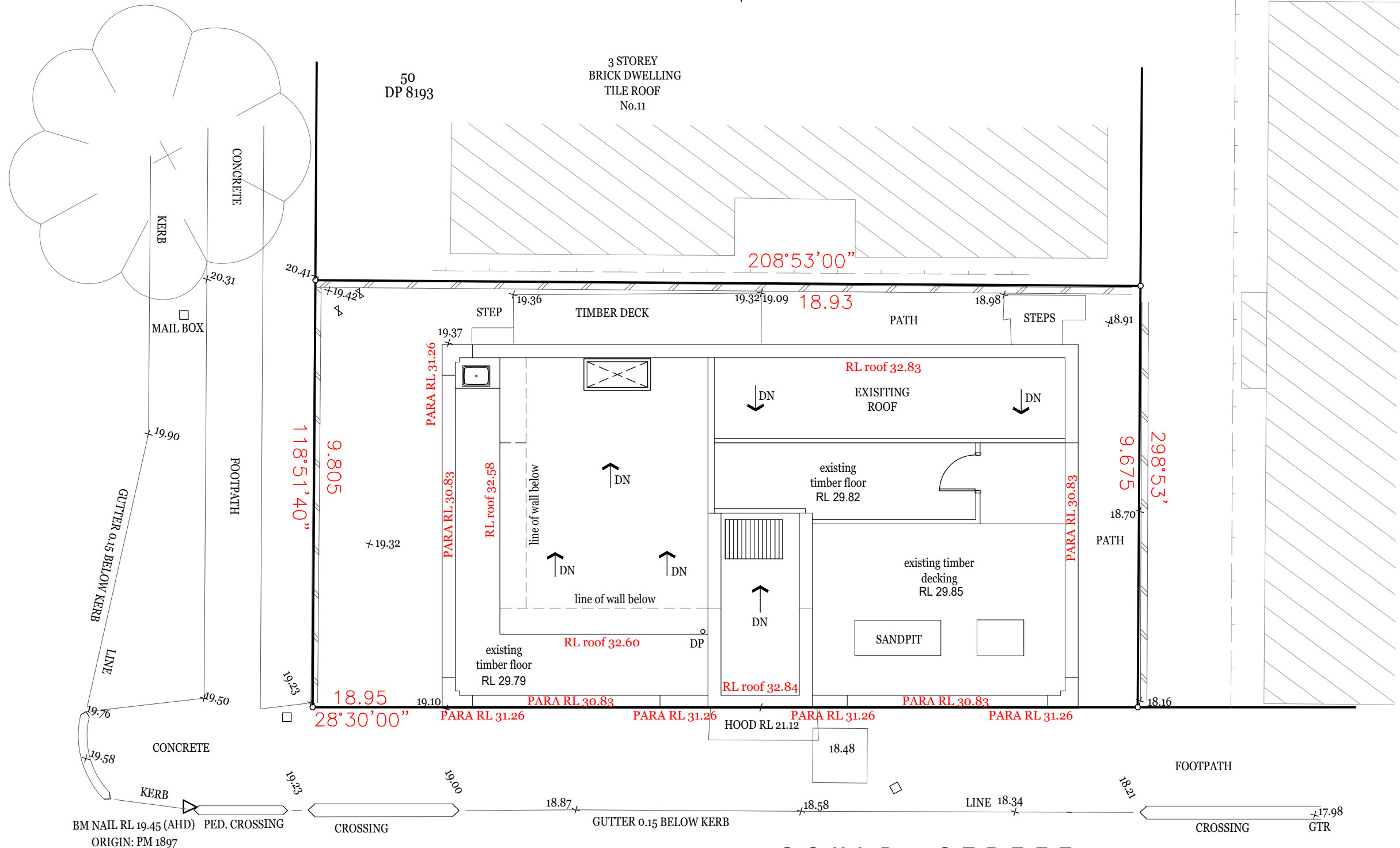


EXISTING ROOFTOP TERRACE PLAN
Scale 1 : 100

AMENDMENTS	ISSUE A 09.07.2024 - COUNCIL REQUEST FOR ADDITIONAL INFORMATION	<p>NOTES</p> <p>All work to be carried out in accordance with BCA,SAA Codes and conditions of council.</p> <p>Do not scale drawings.</p> <p>Use figured dimensions.</p> <p>Site measure before starting work.</p>	<p>DBCF PTY LTD</p> <p>DESIGNED BY CATHERINE FINLAY</p> <p>DIRECTOR</p> <p>M: 0422 200 833</p>	PROJECT ALTERATION & ADDITION	STAGE APPROVAL	DRAWING EXISTING ROOFTOP PLAN		
				AT UNIT 5-9 BEACH ROAD BONDI BEACH NSW 2026	JOB NO 823	SCALE 1:100	DWG NO 102A	
				FOR BARNETT & NEAL	DRAWN CF	DATE 19.09.2024	A3	

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BEACH ROAD



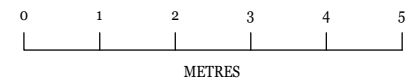
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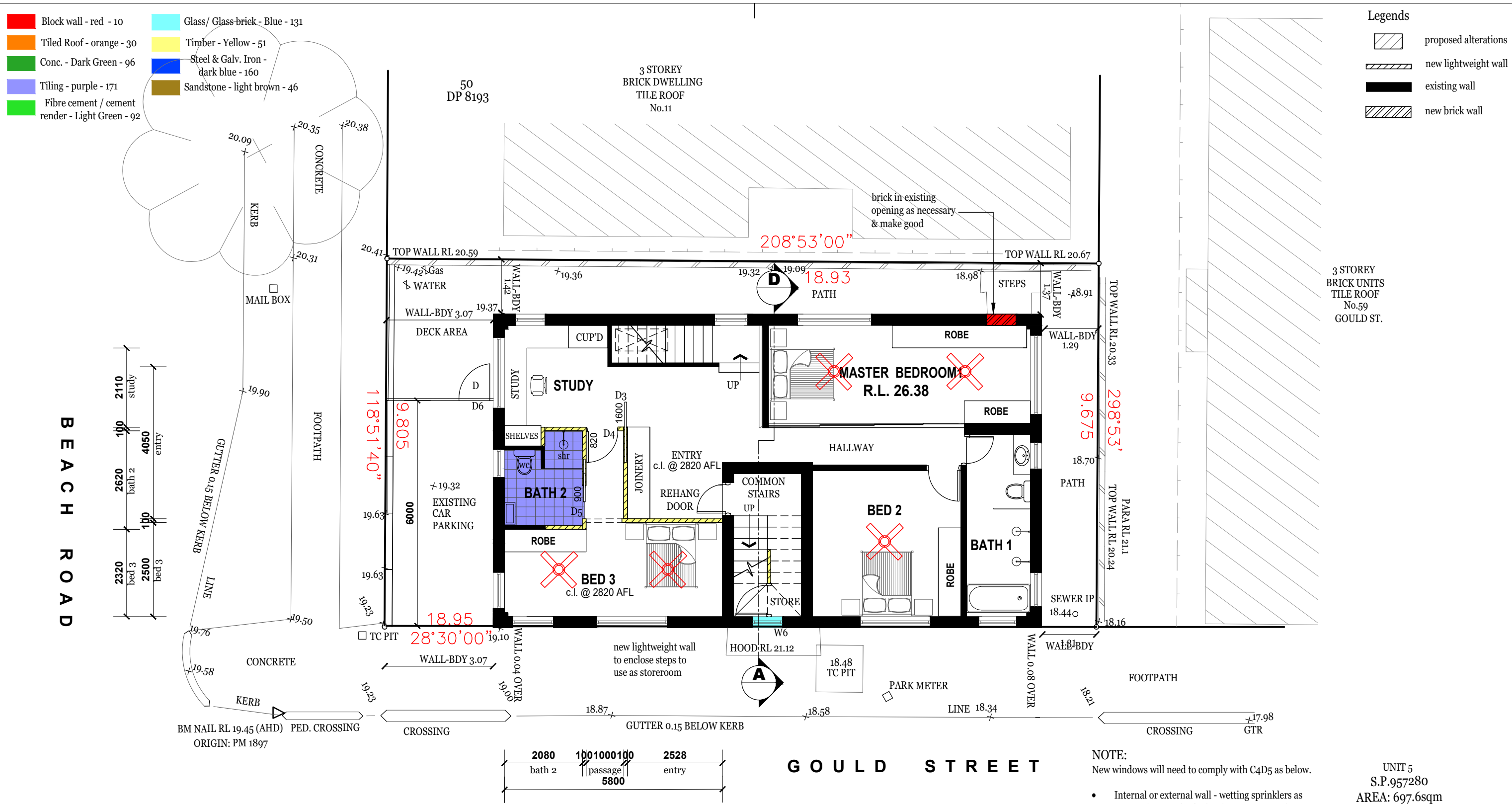
EXISTING ROOF PLAN
Scale 1 : 100



AMENDMENTS	ISSUE A 09.07.2024 - COUNCIL REQUEST FOR ADDITIONAL INFORMATION	<p>NOTES</p> <p>All work to be carried out in accordance with BCA,SAA Codes and conditions of council.</p> <p>Do not scale drawings.</p> <p>Use figured dimensions.</p> <p>Site measure before starting work.</p>	<p>DBCF PTY LTD</p> <p>DESIGNED BY CATHERINE FINLAY</p> <p>DIRECTOR</p> <p>M: 0422 200 833</p>	PROJECT ALTERATION & ADDITION	STAGE APPROVAL	DRAWING EXISTING ROOF PLAN	
				<p>AT</p> <p>UNIT 5-9 BEACH ROAD</p> <p>BONDI BEACH NSW 2026</p>	<p>JOB NO 823</p> <p>SCALE 1:100</p> <p>DWG NO 103A</p>		
			<p>COPYRIGHT STRICTLY RESERVED. This design + drawing may not be disclosed/ reproduced/ copied without written permission from the DBCF PTY LTD</p>	FOR BARNETT & NEAL	<p>DRAWN CF</p> <p>DATE 19.09.2024</p>	A3	

- Block wall - red - 10
- Tiled Roof - orange - 30
- Conc. - Dark Green - 96
- Tiling - purple - 171
- Fibre cement / cement render - Light Green - 92
- Glass/ Glass-brick - Blue - 131
- Timber - Yellow - 51
- Steel & Galv. Iron - dark blue - 160
- Sandstone - light brown - 46

- Legends**
- proposed alterations
 - new lightweight wall
 - existing wall
 - new brick wall



AMENDED PLANS

PROPOSED FLOOR PLAN
Scale 1 : 100

NOTE:
New windows will need to comply with C4D5 as below.

- Internal or external wall - wetting sprinklers as appropriate used w/-win. that are automatic closing or permanently fixed in the closed position or,
- /60/- fire win. that are automatic closing or permanently fixed in the closed position or,
- /60/- automatic closing fire shutters.

UNIT 5
S.P.957280
AREA: 697.6sqm
BUILT-UPON AREA: 120.7sqm
LANDSCAPED AREA: 63.9sqm

0 1 2 3 4 5
METRES

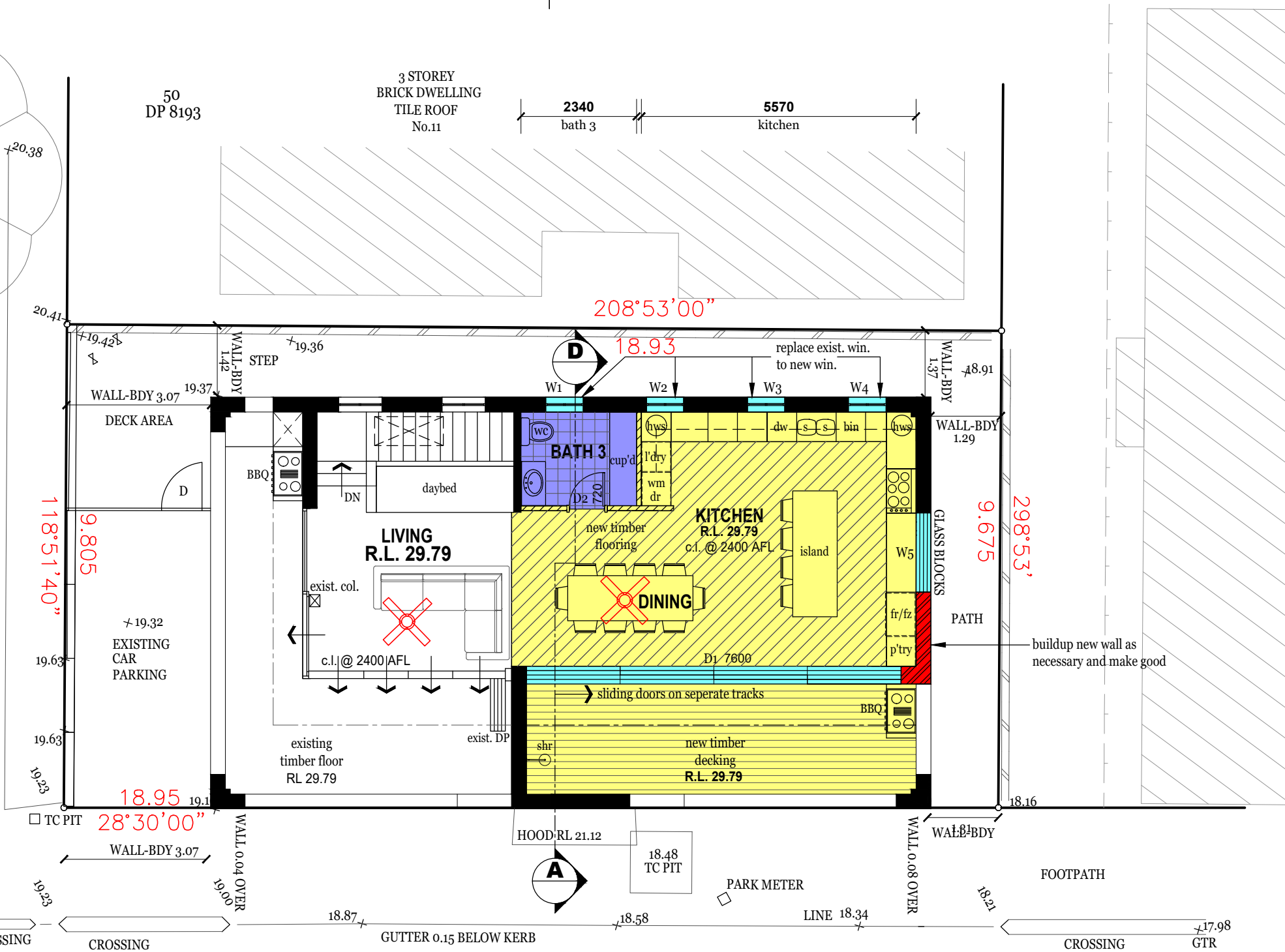
NOTE:
10m3 storage as per 4G apartment design guide

AMENDMENTS	ISSUE B 22.08.2024 - COUNCIL REQUEST FOR ADDITIONAL INFORMATION <div style="border: 1px solid black; padding: 5px; text-align: center;"> RECEIVED Waverley Council Application No: DA-289/2024 Date Received: 19/09/2024 </div>	NOTES All work to be carried out in accordance with BCA,SAA Codes and conditions of council. Do not scale drawings. Use figured dimensions. Site measure before starting work.	DBC F PTY LTD DESIGNED BY CATHERINE FINLAY DIRECTOR M: 0422 200 833	PROJECT ALTERATION & ADDITION AT UNIT 5-9 BEACH ROAD BONDI BEACH NSW 2026	STAGE APPROVAL JOB NO 823 SCALE 1:100 DWG NO 104B	DRAWING PROPOSED FLOOR PLAN
	COPYRIGHT STRICTLY RESERVED. This design + drawing may not be disclosed/ reproduced/ copied without written permission from the DBC F PTY LTD	FOR BARNETT & NEAL	DRAWN CF DATE 19.09.2024	A3		

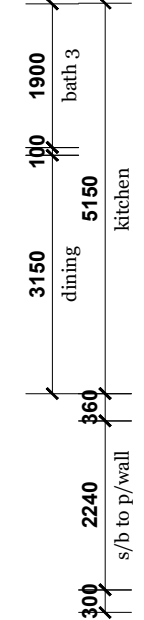
- Block wall - red - 10
- Tiled Roof - orange - 30
- Conc. - Dark Green - 96
- Tiling - purple - 171
- Fibre cement / cement render - Light Green - 92
- Glass/ Glass-brick - Blue - 131
- Timber - Yellow - 51
- Steel & Galv. Iron - dark blue - 160
- Sandstone - light brown - 46

- Legends**
- new timber decking
 - new timber floor
 - new lightweight wall
 - new brick wall
 - existing wall
 - exist roofline
 - new roofline

BEACH ROAD



3 STOREY BRICK UNITS TILE ROOF No.59 GOULD ST.



AMENDED PLANS

PROPOSED ROOFTOP TERRACE PLAN
Scale 1 : 100

RECEIVED
Waverley Council
Application No: DA-289/2024
Date Received: 19/09/2024

NOTE:
New windows will need to comply with C4D5 as below.

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UNIT 5
S.P.957280
AREA: 697.6sqm
BUILT-UPON AREA: 120.7sqm
LANDSCAPED AREA: 63.9sqm

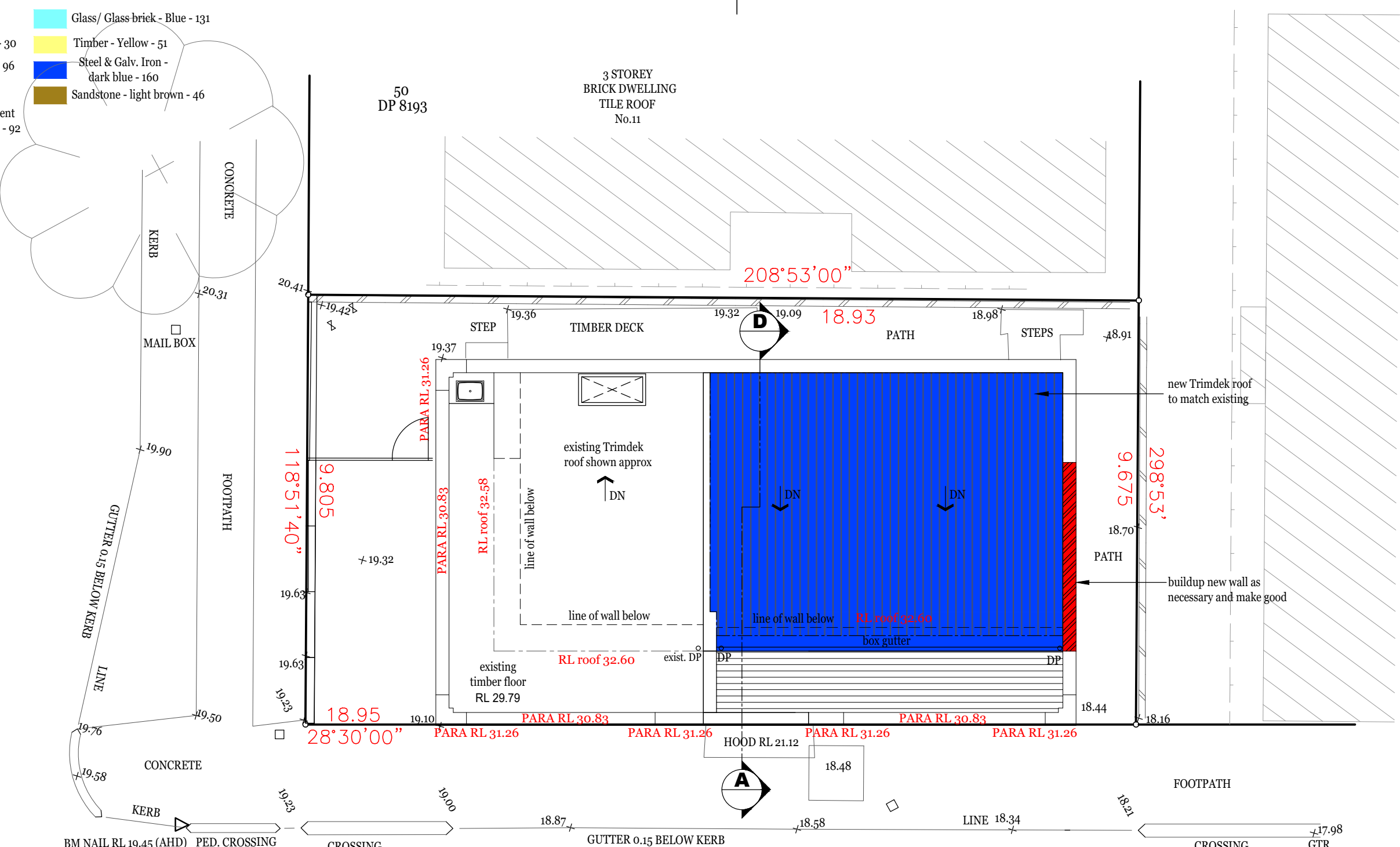
NOTE:
electric cooking facilities

AMENDMENTS	ISSUE B 22.08.2024 - COUNCIL REQUEST FOR ADDITIONAL INFORMATION	NOTES All work to be carried out in accordance with BCA,SAA Codes and conditions of council. Do not scale drawings. Use figured dimensions. Site measure before starting work.	DBC F PTY LTD DESIGNED BY CATHERINE FINLAY DIRECTOR M: 0422 200 833	PROJECT ALTERATION & ADDITION	STAGE APPROVAL	DRAWING PROPOSED ROOFTOP PLAN
			COPYRIGHT STRICTLY RESERVED. This design + drawing may not be disclosed/ reproduced/ copied without written permission from the DBC F PTY LTD	AT UNIT 5-9 BEACH ROAD BONDI BEACH NSW 2026	JOB NO 823 SCALE 1:100 DWG NO 105B	
				FOR BARNETT & NEAL	DRAWN CF DATE 19.09.2024	A3

- Block wall - red - 10
- Tiled Roof - orange - 30
- Conc. - Dark Green - 96
- Tiling - purple - 171
- Fibre cement / cement render - Light Green - 92
- Glass/ Glass-brick - Blue - 131
- Timber - Yellow - 51
- Steel & Galv. Iron - dark blue - 160
- Sandstone - light brown - 46

- Legends**
- new timber decking
 - New Trimdek roof
 - exist roofline
 - new roofline

BEACH ROAD



3 STOREY
BRICK UNITS
TILE ROOF
No.59
GOULD ST.

AMENDED PLANS

GOULD STREET

PROPOSED ROOF PLAN
Scale 1 : 100

RECEIVED
Waverley Council

Application No: DA-289/2024

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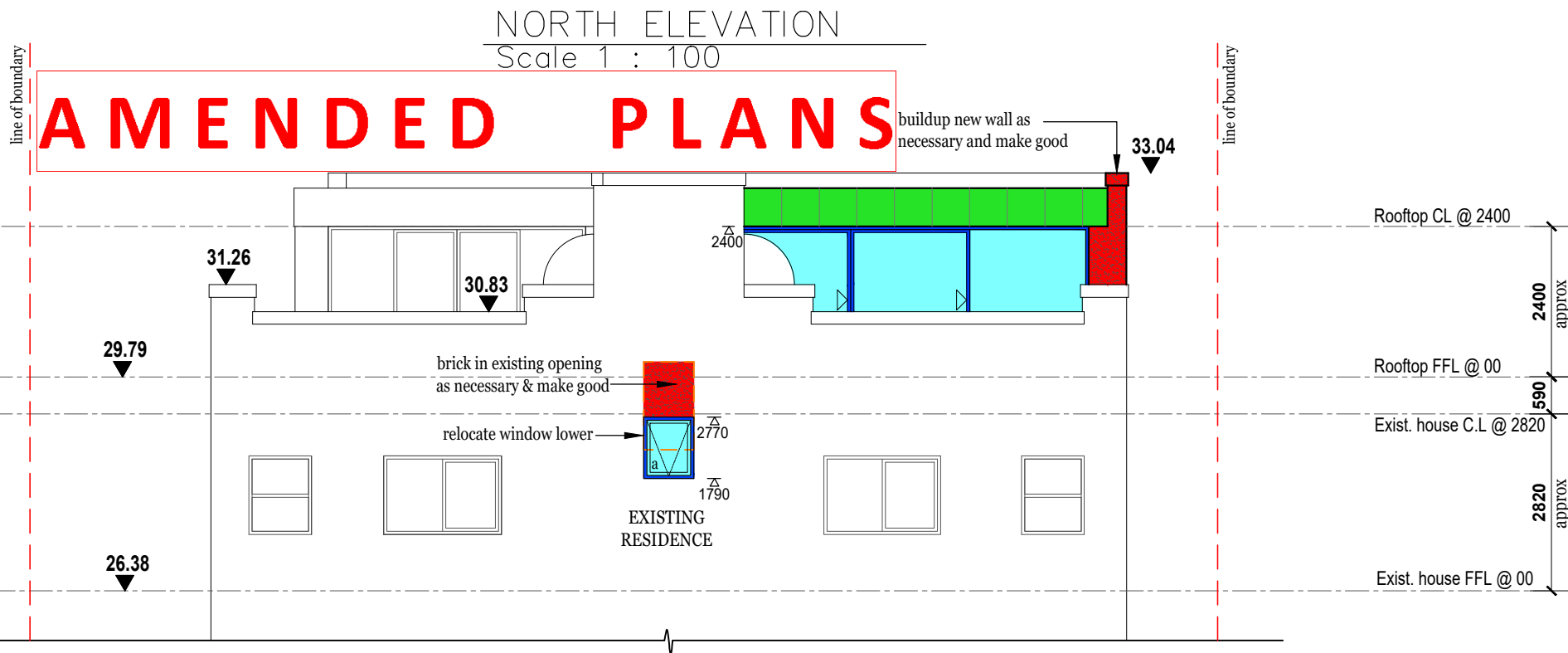
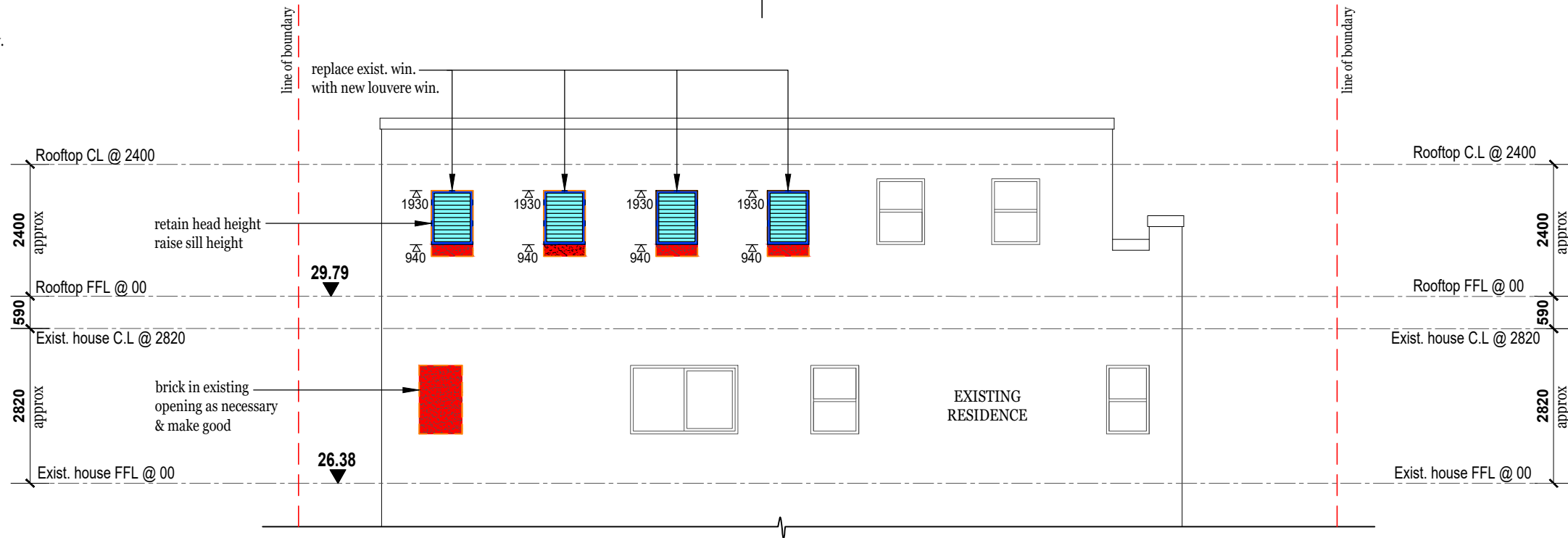
UNIT 5
S.P.957280
AREA: 697.6sqm
BUILT-UPON AREA: 120.7sqm
LANDSCAPED AREA: 63.9sqm

0 1 2 3 4 5
METRES

AMENDMENTS	ISSUE A 09.07.2024 - COUNCIL REQUEST FOR ADDITIONAL INFORMATION	NOTES All work to be carried out in accordance with BCA,SAA Codes and conditions of council. Do not scale drawings. Use figured dimensions. Site measure before starting work.	DBCF PTY LTD	PROJECT ALTERATION & ADDITION	STAGE APPROVAL	DRAWING PROPOSED ROOF PLAN
			DESIGNED BY CATHERINE FINLAY DIRECTOR M: 0422 200 833	AT UNIT 5-9 BEACH ROAD BONDI BEACH NSW 2026	JOB NO 823 SCALE 1:100 DWG NO 106A	
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NOTE:
New windows will need to comply with C4D5 as below.

- Internal or external wall - wetting sprinklers as appropriate used w/-win. that are automatic closing or permanently fixed in the closed position or,
- -/60/- fire win. that are automatic closing or permanently fixed in the closed position or,
- -/60/- automatic closing fire shutters.



AMENDED PLANS

NORTH ELEVATION
Scale 1 : 100

SOUTH ELEVATION
Scale 1 : 100

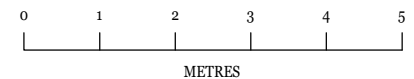
RECEIVED
Waverley Council

Application No: DA-289/2024

Date Received: 19/09/2024

- | | | | |
|--|---|--|--------------------------------------|
| | Block wall - red - 10 | | Glass/ Glass brick - Blue - 131 |
| | Tiled Roof - orange - 30 | | Timber - Yellow - 51 |
| | Conc. - Dark Green - 96 | | Steel & Galv. Iron - dark blue - 160 |
| | Tiling - purple - 171 | | Sandstone - light brown - 46 |
| | Fibre cement / cement render - Light Green - 92 | | |

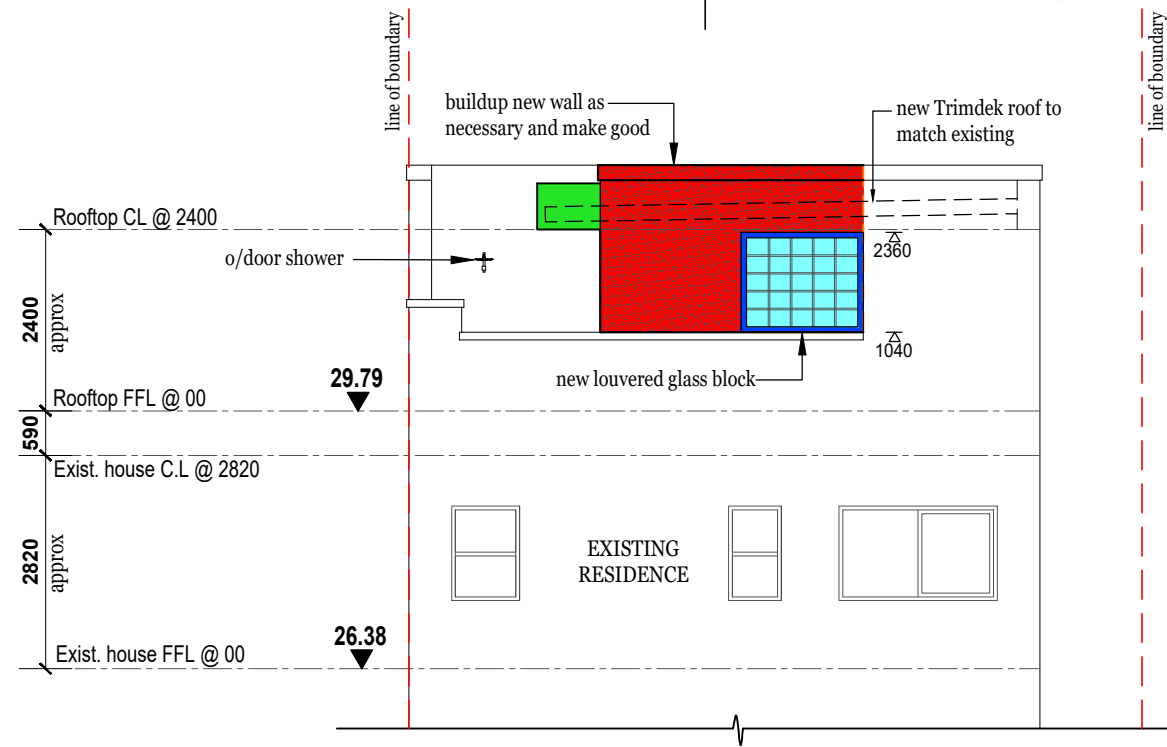
UNIT 5
S.P.957280
AREA: 697.6sqm
BUILT-UPON AREA: 120.7sqm
LANDSCAPED AREA: 63.9sqm



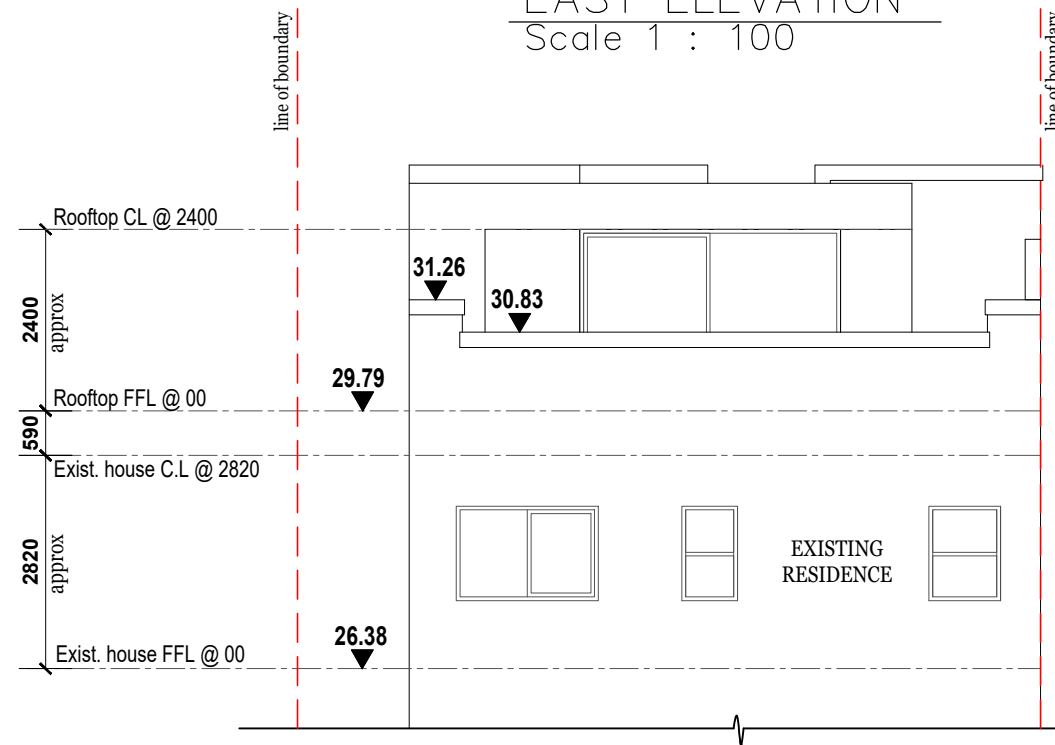
AMENDMENTS		<p>NOTES All work to be carried out in accordance with BCA,SAA Codes and conditions of council. Do not scale drawings. Use figured dimensions. Site measure before starting work.</p>	<p>DBCF PTY LTD DESIGNED BY CATHERINE FINLAY DIRECTOR M: 0422 200 833</p>	<p>PROJECT ALTERATION & ADDITION</p>	<p>STAGE APPROVAL</p>	<p>DRAWING ELEVATION NORTH & SOUTH</p>
			<p>COPYRIGHT STRICTLY RESERVED. This design + drawing may not be disclosed/ reproduced/ copied without written permission from the DBCF PTY LTD</p>	<p>AT UNIT 5-9 BEACH ROAD BONDI BEACH NSW 2026</p>	<p>JOB NO 823 SCALE 1:100 DWG NO 108A</p>	
				<p>FOR BARNETT & NEAL</p>	<p>DRAWN CF DATE 19.09.2024</p>	A3

NOTE:
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- -/60/- fire win. that are automatic closing or permanently fixed in the closed position or,
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EAST ELEVATION
Scale 1 : 100



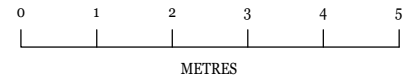
WEST ELEVATION
Scale 1 : 100

RECEIVED
Waverley Council
Application No: DA-289/2024
Date Received: 19/09/2024

AMENDED PLANS

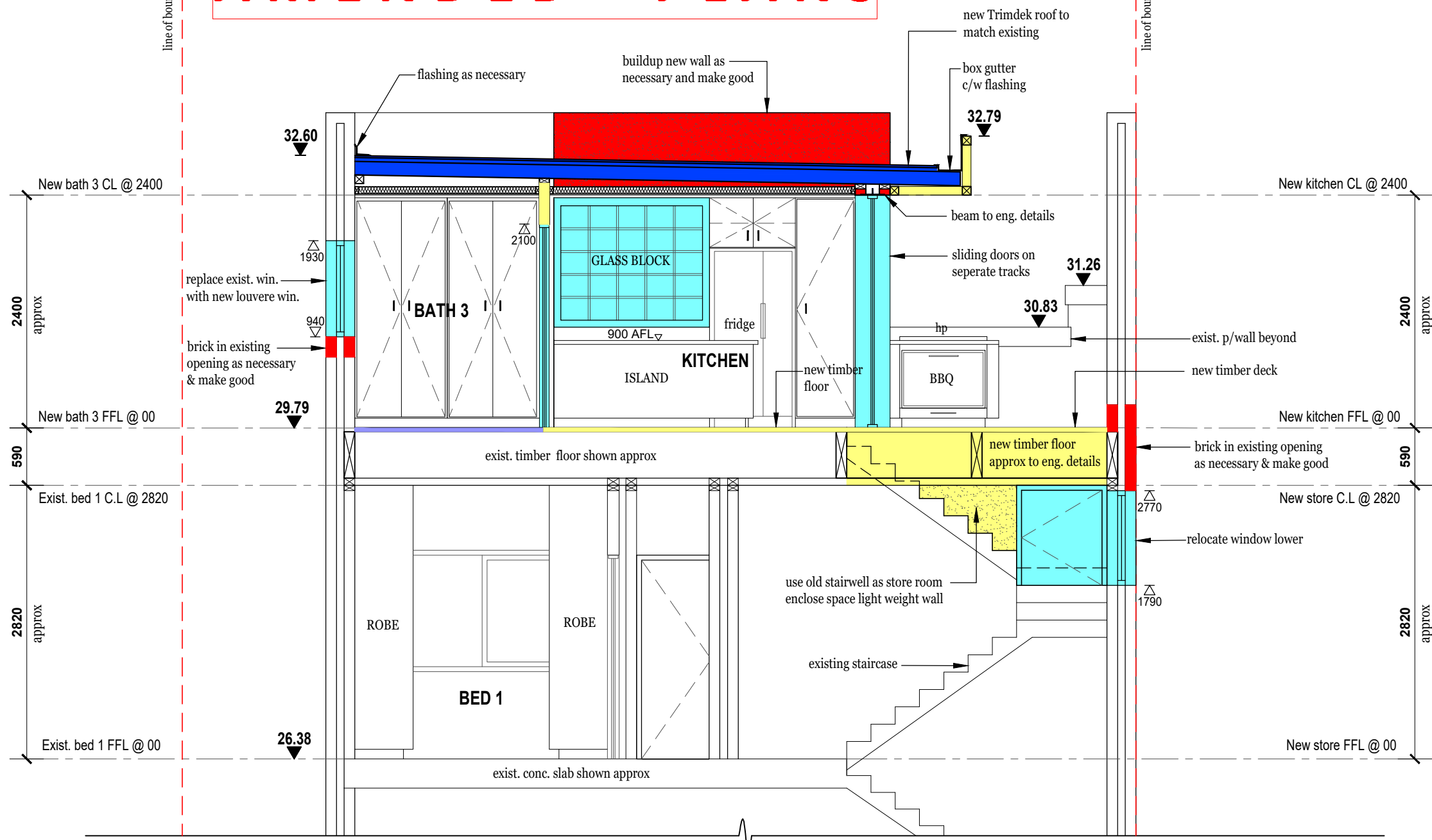
- Block wall - red - 10
- Glass/ Glass brick - Blue - 131
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UNIT 5
S.P.957280
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AMENDMENTS	ISSUE A 09.07.2024 - COUNCIL REQUEST FOR ADDITIONAL INFORMATION	NOTES All work to be carried out in accordance with BCA,SAA Codes and conditions of council. Do not scale drawings. Use figured dimensions. Site measure before starting work.	DBCF PTY LTD DESIGNED BY CATHERINE FINLAY DIRECTOR M: 0422 200 833	PROJECT ALTERATION & ADDITION	STAGE APPROVAL	DRAWING ELEVATION EAST & WEST	
			COPYRIGHT STRICTLY RESERVED. This design + drawing may not be disclosed/ reproduced/ copied without written permission from the DBCF PTY LTD	AT UNIT 5-9 BEACH ROAD BONDI BEACH NSW 2026	JOB NO 823 SCALE 1:100 DWG NO 109A		
				FOR BARNETT & NEAL	DRAWN CF DATE 19.09.2024	A3	

AMENDED PLANS



RECEIVED
Waverley Council
Application No: DA-289/2024
Date Received: 19/09/2024

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- Conc. - Dark Green - 96
- Steel & Galv. Iron - dark blue - 160
- Tiling - purple - 171
- Sandstone - light brown - 46
- Fibre cement / cement render - Light Green - 92

SECTION A-A
Scale 1 : 50

NOTE:
New windows will need to comply with C4D5 as below.

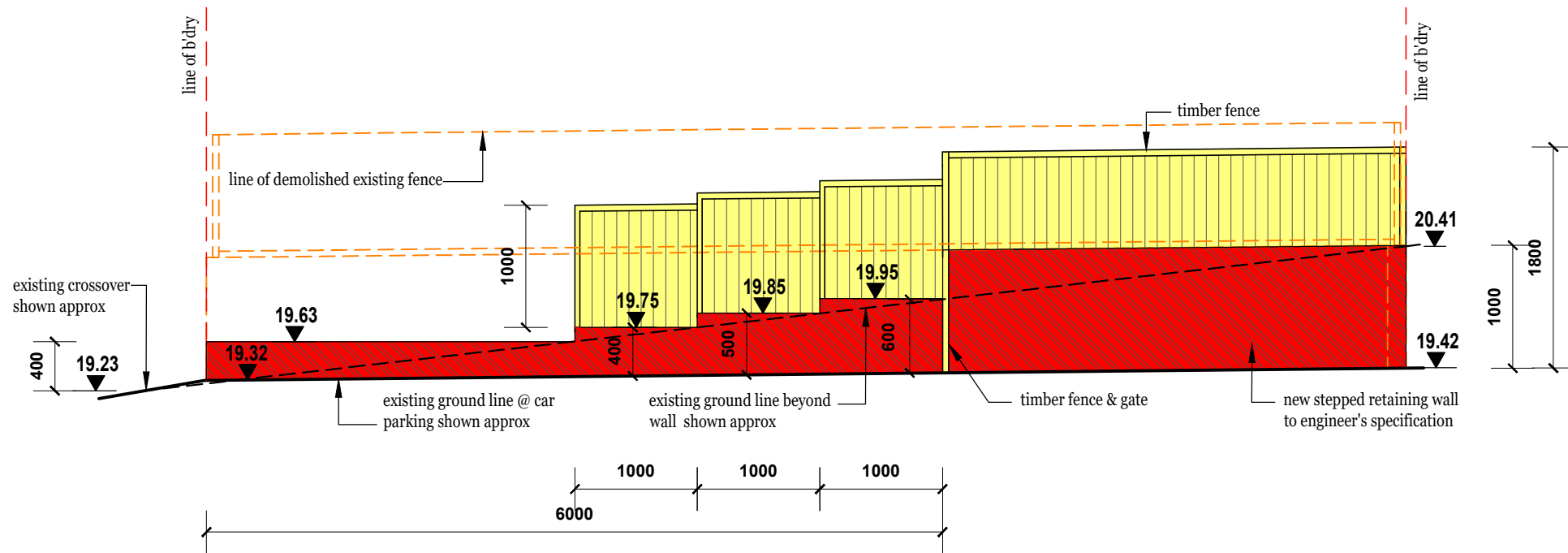
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0 1 2 3 4 5
METRES

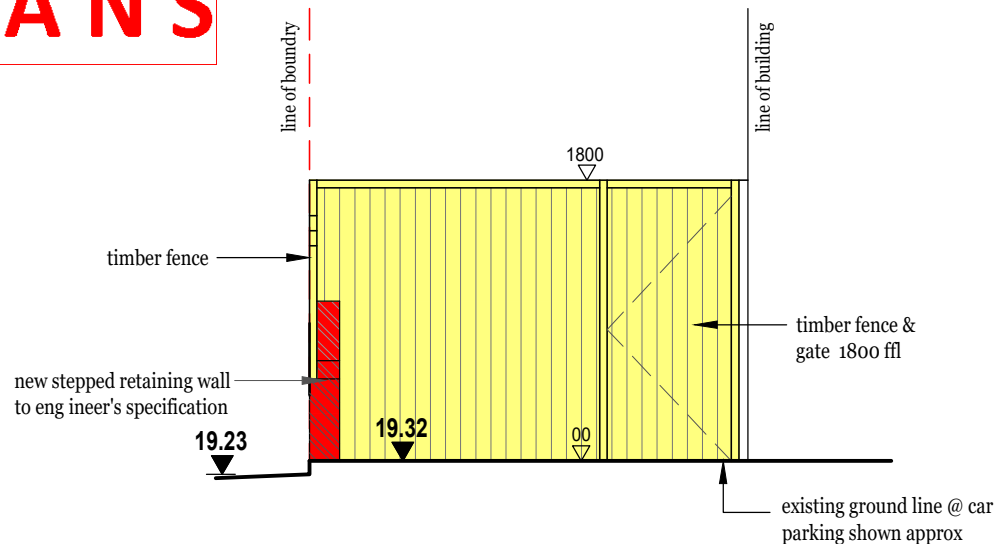
AMENDMENTS	ISSUE A 09.07.2024 - COUNCIL REQUEST FOR ADDITIONAL INFORMATION	<p>NOTES All work to be carried out in accordance with BCA,SAA Codes and conditions of council. Do not scale drawings. Use figured dimensions. Site measure before starting work.</p>	<p>DBCF PTY LTD DESIGNED BY CATHERINE FINLAY DIRECTOR M: 0422 200 833</p>	PROJECT ALTERATION & ADDITION	STAGE APPROVAL	DRAWING SECTION A-A	
				AT UNIT 5-9 BEACH ROAD BONDI BEACH NSW 2026	JOB NO 823 SCALE 1:50 DWG NO 110A		
				FOR BARNETT & NEAL	DRAWN CF DATE 19.09.2024	A3	

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SECTION B-B
Scale 1 : 50

AMENDED PLANS



SECTION C-C
Scale 1 : 50

- Block wall - red - 10
- Glass/ Glass brick - Blue - 131
- Tiled Roof - orange - 30
- Timber - Yellow - 51
- Conc. - Dark Green - 96
- Steel & Galv. Iron - dark blue - 160
- Tiling - purple - 171
- Sandstone - light brown - 46
- Fibre cement / cement render - Light Green - 92

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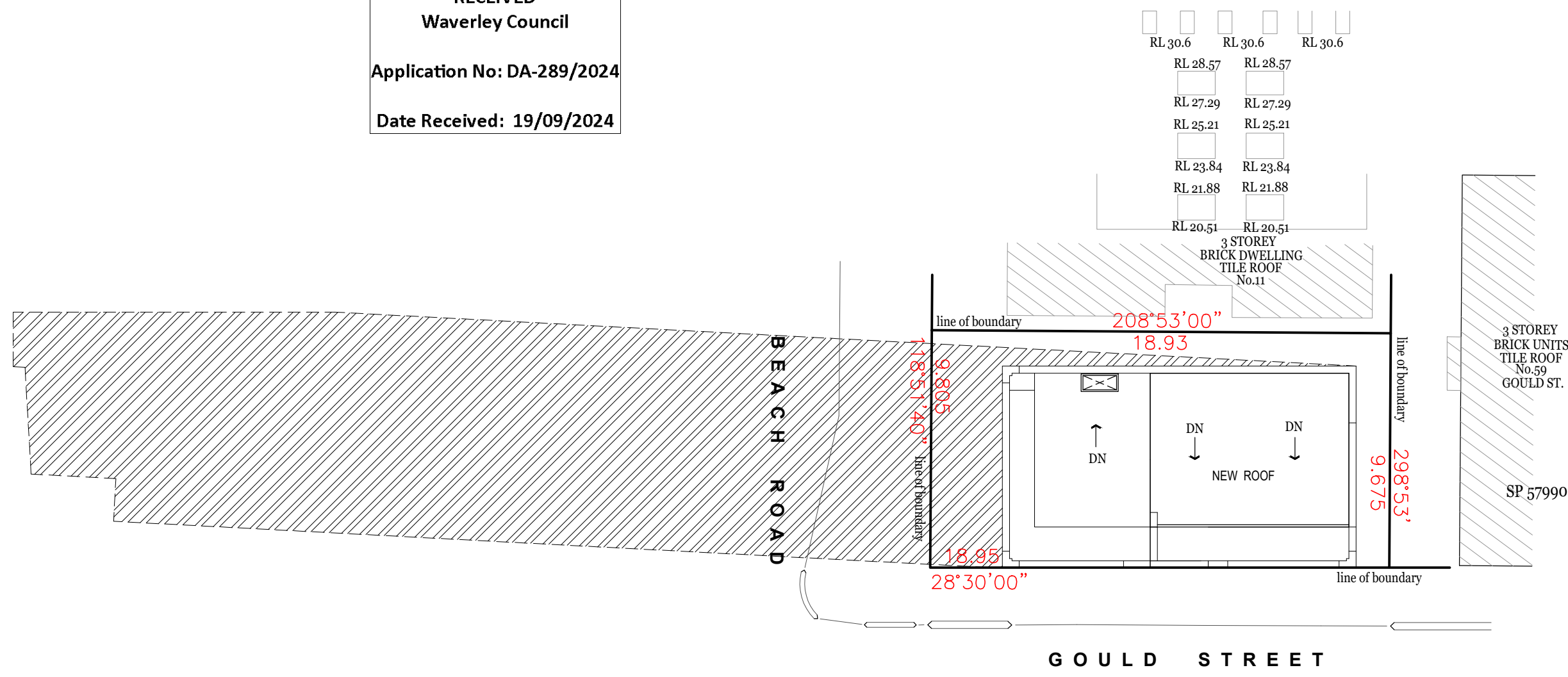
- NOTE:**
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UNIT 5
S.P.957280
AREA: 697.6sqm
BUILT-UPON AREA: 120.7sqm
LANDSCAPED AREA: 63.9sqm

0 1 2 3 4 5
METRES

AMENDMENTS	ISSUE A 09.07.2024 - COUNCIL REQUEST FOR ADDITIONAL INFORMATION	NOTES All work to be carried out in accordance with BCA,SAA Codes and conditions of council. Do not scale drawings. Use figured dimensions. Site measure before starting work.	DBCF PTY LTD DESIGNED BY CATHERINE FINLAY DIRECTOR M: 0422 200 833	PROJECT ALTERATION & ADDITION	STAGE APPROVAL	DRAWING SECTION B-B/C-C
			COPYRIGHT STRICTLY RESERVED. This design + drawing may not be disclosed/ reproduced/ copied without written permission from the DBCF PTY LTD	AT UNIT 5-9 BEACH ROAD BONDI BEACH NSW 2026	JOB NO 823 SCALE 1:50 DWG NO 111A	
			BARNETT & NEAL	FOR BARNETT & NEAL	DRAWN CF DATE 19.09.2024	A3

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Application No: DA-289/2024
Date Received: 19/09/2024



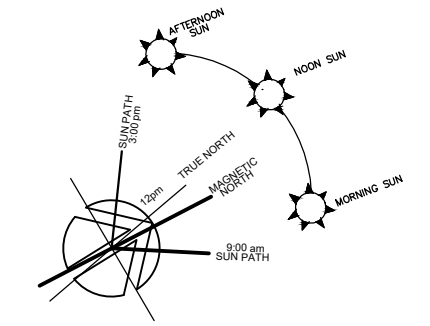
NEW SHADOWS FROM PROPOSED ALTERATIONS

EXISTING SHADOWS

SYDNEY
LATITUDE 33.86 SOUTH -
LONGITUDE 151.2 EAST
REFERENCE LONGITUDE

FOR STANDARD TIME
150.0 EAST

JUNE 22ND
9AM 18 DEGREES
10AM 22.67 DEGREES
11AM 27.33 DEGREES
NOON 32 DEGREES
1PM 27.33 DEGREES
2PM 22.67 DEGREES
3PM 18 DEGREES



AMENDED PLANS

SHADOWS 9AM
Scale 1 : 200

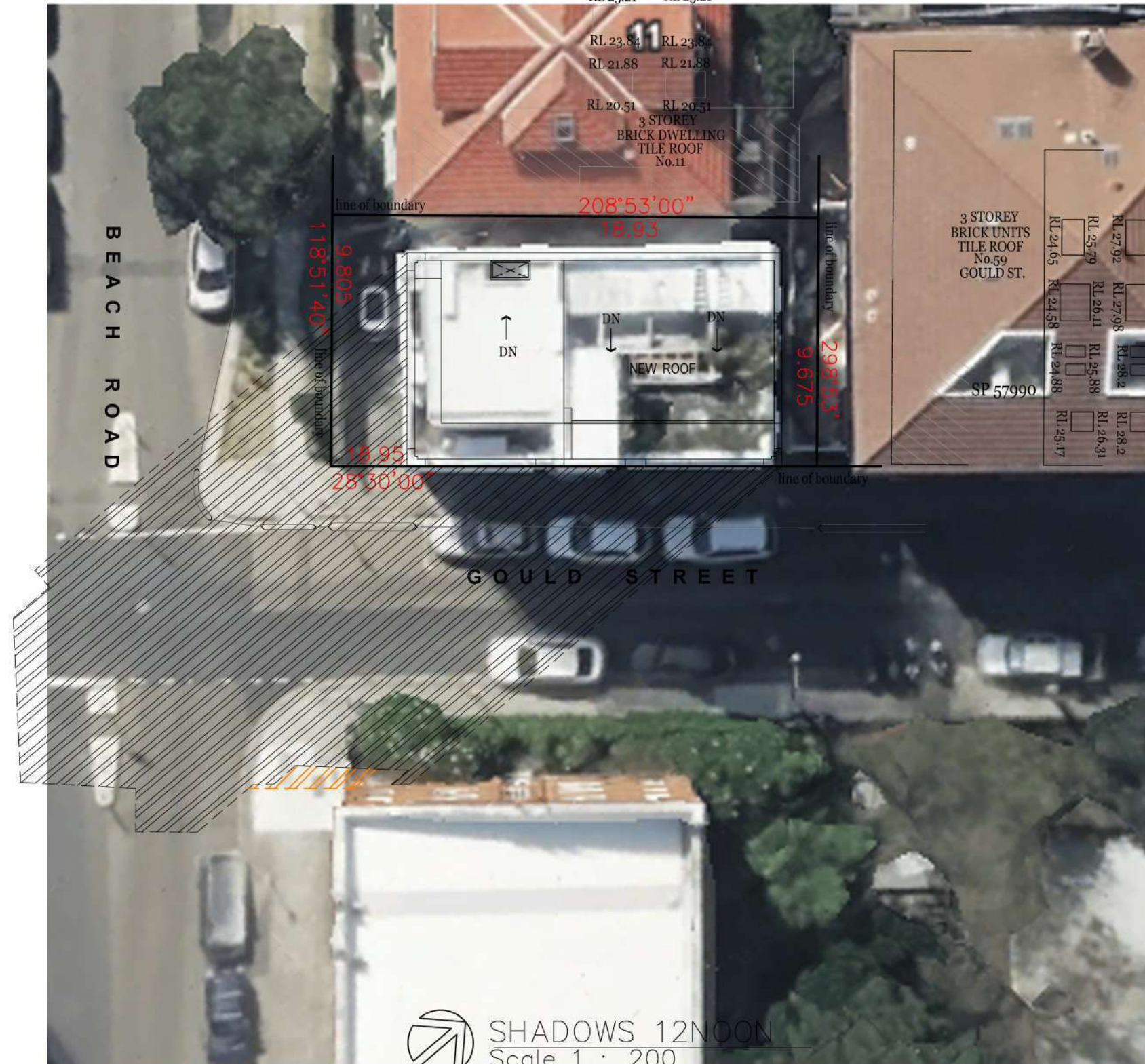
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	ALTERATIONS & ADDITIONS			APPROVAL	SHADOW DIA. 9AM		
				AT	JOB NO	SCALE	DWG NO
				UNIT 5-9 BEACH ROAD	823	1:200	112A
				BONDI BEACH NSW 2026			
				FOR	DRAWN	DATE	
				BARNETT & NEAL	CF	19.09.2024	A3

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AMENDED PLANS

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Date Received: 19/09/2024



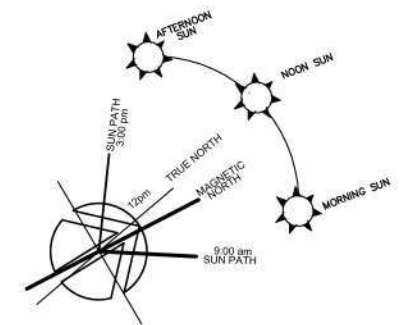
NEW SHADOWS FROM PROPOSED ALTERATIONS

EXISTING SHADOWS

SYDNEY
LATITUDE 33.86 SOUTH -
LONGITUDE 151.2 EAST
REFERENCE LONGITUDE

FOR STANDARD TIME
150.0 EAST

JUNE 22ND
9AM 18 DEGREES
10AM 22.67 DEGREES
11AM 27.33 DEGREES
NOON 32 DEGREES
1PM 27.33 DEGREES
2PM 22.67 DEGREES
3PM 18 DEGREES



UNIT 5
S.P.957280
AREA: 697.6sqm
BUILT-UPON AREA: 120.7sqm
LANDSCAPED AREA: 63.9sqm

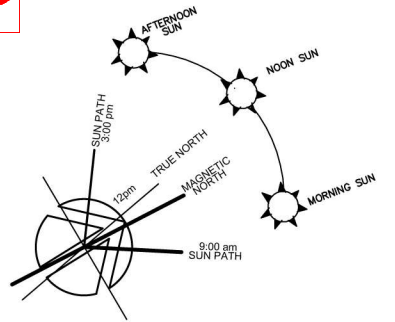


AMENDMENTS	ISSUE A 09.07.2024 - COUNCIL REQUEST FOR ADDITIONAL INFORMATION	NOTES All work to be carried out in accordance with BCA,SAA Codes and conditions of council. Do not scale drawings. Use figured dimensions. Site measure before starting work.	DBCF PTY LTD DESIGNED BY CATHERINE FINLAY DIRECTOR M: 0422 200 833	PROJECT ALTERATIONS & ADDITIONS	STAGE APPROVAL	DRAWING SHADOW DIA. 12NOON
			COPYRIGHT STRICTLY RESERVED. This design + drawing may not be disclosed/ reproduced/ copied without written permission from the DBCF PTY LTD	AT UNIT 5-9 BEACH ROAD BONDI BEACH NSW 2026	JOB NO 823 SCALE 1:200 DWG NO 113A	
				FOR BARNETT & NEAL	DRAWN CF DATE 19.09.2024	A3



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Application No: DA-289/2024
Date Received: 19/09/2024

AMENDED PLANS



UNIT 5
S.P.957280
AREA: 697.6sqm
BUILT-UPON AREA: 120.7sqm
LANDSCAPED AREA: 63.9sqm



SHADOWS 3PM
Scale 1 : 200

AMENDMENTS

ISSUED 19/09/2024 FOR RECORDING AND REQUEST FOR ADDITIONAL INFORMATION

NOTES
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Do not scale drawings.
Use figured dimensions.
Site measure before starting work.

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DESIGNED BY CATHERINE FINLAY
DIRECTOR
M: 0422 200 833

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PROJECT
ALTERATIONS & ADDITIONS

AT
UNIT 5-9 BEACH ROAD
BONDI BEACH NSW 2026

FOR
BARNETT & NEAL

STAGE
APPROVAL

JOB NO 823 SCALE 1:200 DWG NO 114A

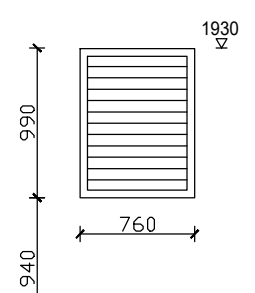
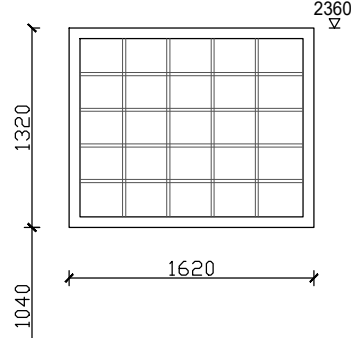
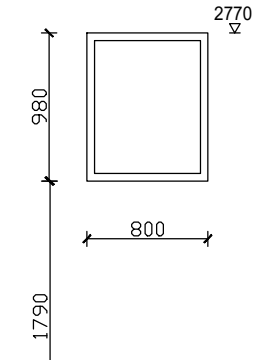
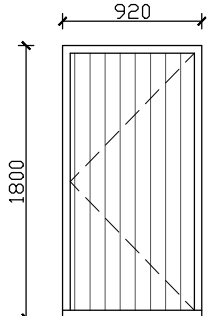
DRAWN CF DATE 19.09.2024

DRAWING
SHADOW DIA. 3PM

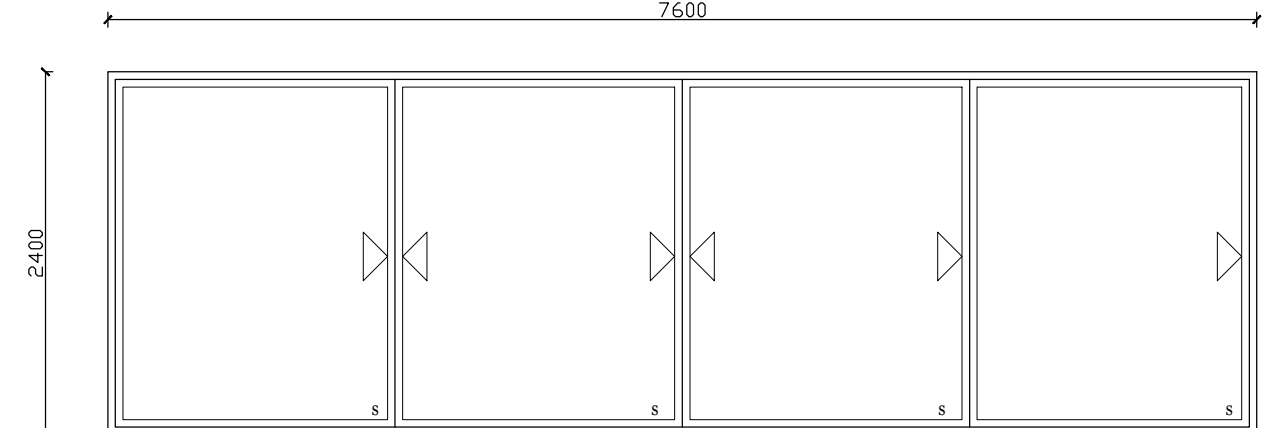
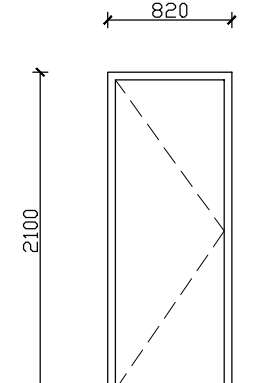
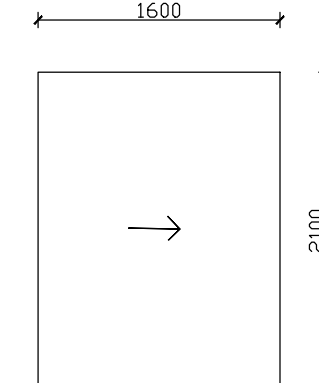
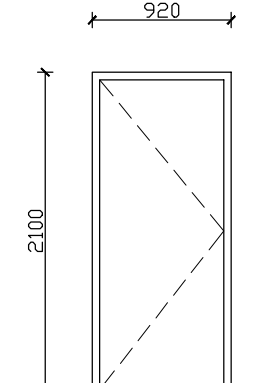
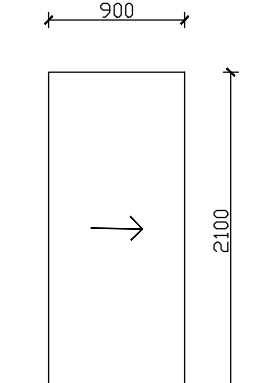
A3

WINDOW SCHEDULE

DOOR SCHEDULE

TYPE:				<p>RECEIVED Waverley Council</p> <p>Application No: DA-289/2024</p> <p>Date Received: 19/09/2024</p> <p>NOTE: New windows will need to comply with C4D5 as below.</p> <ul style="list-style-type: none"> Internal or external wall - wetting sprinklers as appropriate used w/-win. that are automatic closing or permanently fixed in the closed position or, -/60/- fire win. that are automatic closing or permanently fixed in the closed position or, -/60/- automatic closing fire shutters. 	
FFL	00	00	00		00
ID:	W 1 ,W 2 , W 3 , W 4 - EXTERNAL	W 5 - EXTERNAL	W 6 - EXTERNAL		D 6 - EXTERNAL
LOCATION:	ROOF TOP TERRACE FLOOR - BATH 3 , KITCHEN	ROOF TOP TERRACE FLOOR - KITCHEN	FLOOR PLAN - COMMON STAIRS	EXISTING CAR PARKING	
TYPE:	LOUVERED WINDOW	LOUVERED GLASS BLOCK WINDOW	FIXED WINDOW	TIMBER GATE	

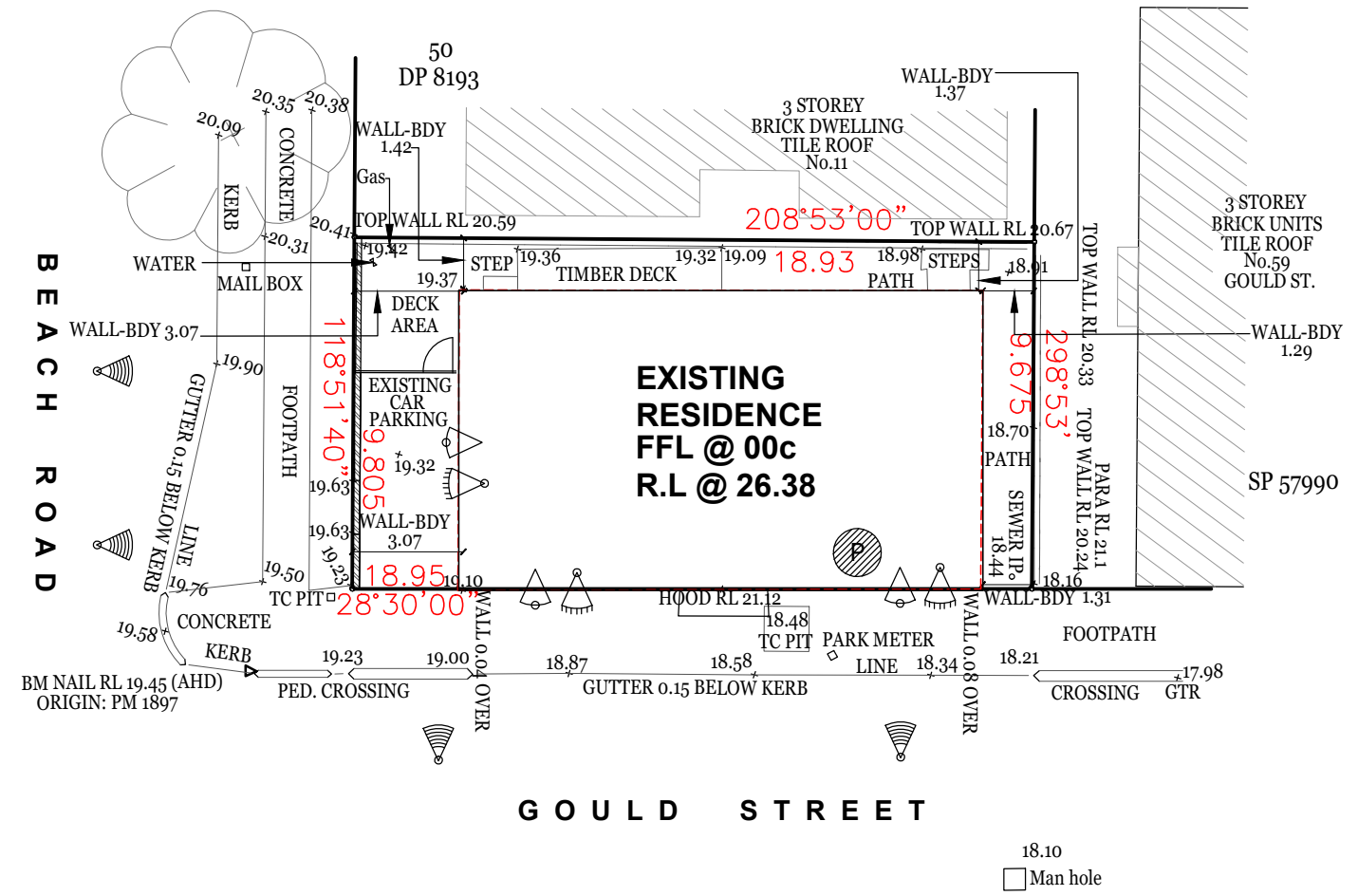
DOOR SCHEDULE

AMENDED PLANS					
TYPE:					
FFL	00	00	00	00	
ID:	D 1 - EXTERNAL	D 2 - INTERNAL	D 3 - INTERNAL	D 4 - INTERNAL	D 5 - INTERNAL
LOCATION:	ROOF TOP TERRACE FLOOR - KITCHEN	ROOF TOP TERRACE FLOOR - BATH 3	FLOOR PLAN - STUDY	FLOOR PLAN - BED 3	FLOOR PLAN - BATH 2
TYPE:	SLIDING DOOR ON SEPARATE TRACK	HINGED DOOR	SLIDING DOOR	HINGED DOOR	SLIDING DOOR

AMENDMENTS	ISSUE A 09.07.2024 - COUNCIL REQUEST FOR ADDITIONAL INFORMATION	<p>NOTES</p> <p>All work to be carried out in accordance with BCA,SAA Codes and conditions of council.</p> <p>Do not scale drawings.</p> <p>Use figured dimensions.</p> <p>Site measure before starting work.</p>	<p>DBCF PTY LTD</p> <p>DESIGNED BY CATHERINE FINLAY</p> <p>DIRECTOR</p> <p>M: 0422 200 833</p>	PROJECT	STAGE	DRAWING	
	ALTERATION & ADDITION			APPROVAL	WINDOW & DOOR SCHEDULE		
	AT			JOB NO	SCALE	DWG NO	
	UNIT 5-9 BEACH ROAD	823	1:50	115A			
	BONDI BEACH NSW 2026						
	FOR	DRAWN	DATE				
	BARNETT & NEAL	CF	19.09.2024	A3			
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INDICATES:
 11.98 Existing Ground Levels (maintained)

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 Date Received: 19/09/2024



AMENDED PLANS

BASIX CERTIFICATE A1730855

LIGHTING:
 40% OF NEW OR ALTERED LIGHT FIXTURES ARE FITTED WITH FLUORESCENT, LED

FIXTURES:
 FIXTURES - ALL FIXTURE TO HAVE 3 STAR WATER RATING

CONSTRUCTION:
 EXTERNAL WALL : FRAMED R1.30 (OR R1.70 INCLUDING CONSTRUCTION)
 EXTERNAL WALL : CONCRETE BLOCK / PLASTER BOARD R1.18
 FLAT CEILING, PITCHED ROOF : CEILING R1.75 (UP), ROOF : FOIL/SARKING LEIGHT (SOLAR ABSORPTANCE < 0.475)
 FLAT CEILING, FLAT ROOF: FRAMED CEILING: R1.82 (UP), ROOF : FOIL/SARKING LEIGHT (SOLAR ABSORPTANCE < 0.475)

WINDOWS AND GLAZED DOORS
 W1, W2, W3, W4 IMPROVED ALUMINIUM, SINGLE TONED, (U-VALUE: 6.39, SHGC: 0.56)
 W5, W6, D1 STANDARD ALUMINIUM, SINGLE PYROLYTIC LOW-E (OR U-VALUE: 7.63, SHGC: 0.75)

SITE AREA	697.6M2
EXISTING:	
LEVEL 3	100M2
ROOF LIVING	17M2
ROOF LAUNDRY	15M2
PROPOSED:	
LEVEL 3	100M2
ROOF LIVING	17M2
ROOF ADDITION	42M2
TOTAL	159M2

SITE ANALYSIS KEY

OVER LOOKING (triangle symbol)
 VIEWS (triangle symbol)
 NOISE SOURCE (triangle symbol)
 PRIVATE OPEN SPACES (circle with 'P' symbol)

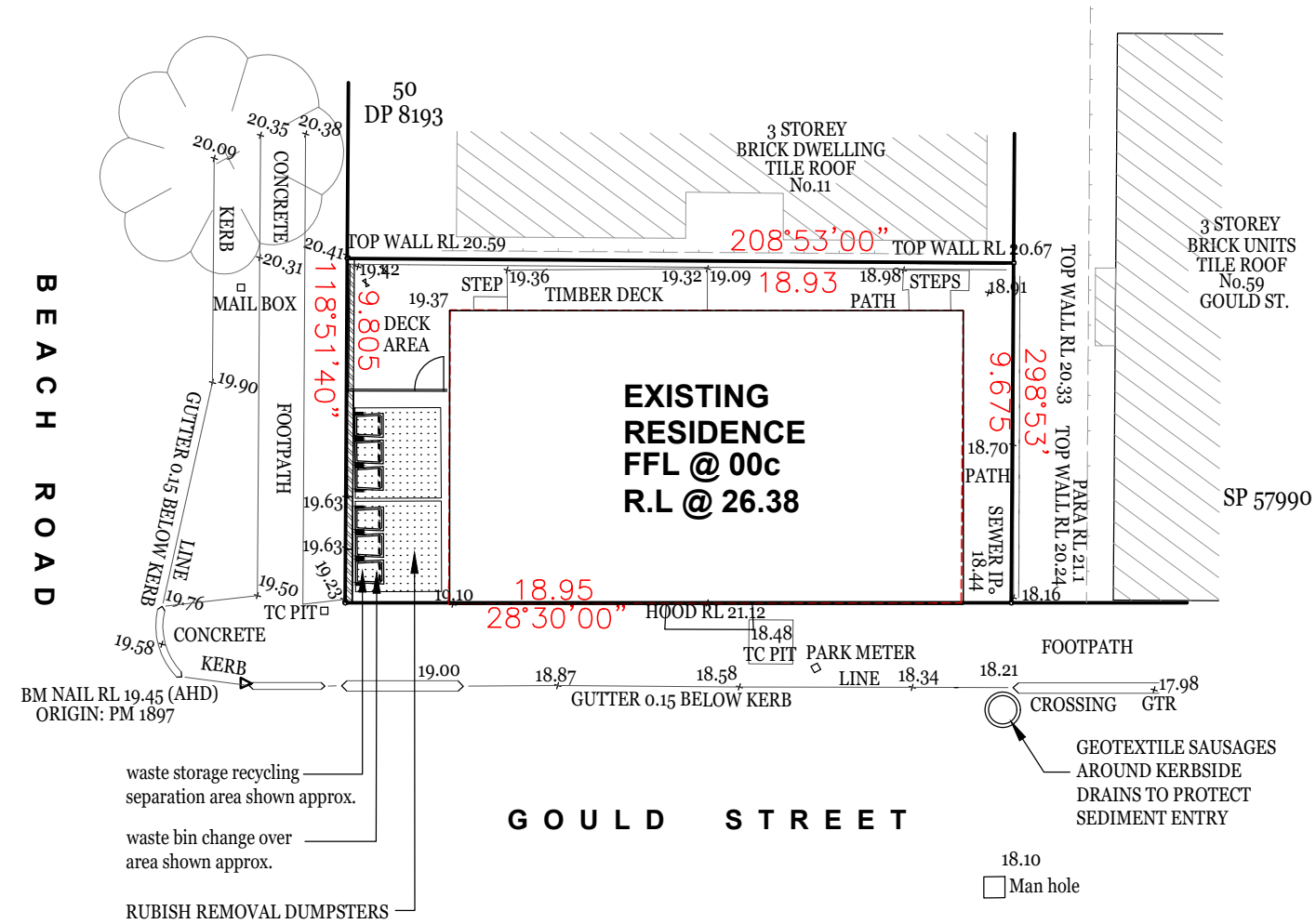
UNIT 5
 S.P.957280
 AREA: 697.6sqm
 BUILT-UPON AREA: 120.7sqm
 LANDSCAPED AREA: 63.9sqm

0 1 2 3 4 5 METRES

SITE ANALYSIS PLAN
 Scale 1:200

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			COPYRIGHT STRICTLY RESERVED. This design + drawing may not be disclosed/ reproduced/ copied without written permission from the DBCF PTY LTD	AT UNIT 5-9 BEACH ROAD BONDI BEACH NSW 2026	JOB NO 823 SCALE 1:200 DWG NO 116	
				FOR BARNETT & NEAL	DRAWN CF DATE 19.09.2024	A3

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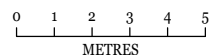
Date Received: 19/09/2024

- 1.Existing building :-4 level building with metal and concrete roof
- 2.Proposal :- Roof top addition and Internal work
- 3.Waste generated :- Approximately 36m3 of general building waste
- 4.Building waste removed by waste bin/truck to recycling depot and land fill site.
- 5.Future waste :-Domestic by Council contractor as existing
- 6.Future recycling :-Domestic by Council Contractor as existing
- 7.Dust control to Australian Standard.
- 8.Work hours to council DA conditions

SITE AREA	697.6M2
EXISTING:	
LEVEL 3	100M2
ROOF LIVING	17M2
ROOF LAUNDRY	15M2
PROPOSED:	
LEVEL 3	100M2
ROOF	42M2
TOTAL	142M2

UNIT 5
S.P.957280
AREA: 697.6sqm
BUILT-UPON AREA: 120.7sqm
LANDSCAPED AREA: 63.9sqm

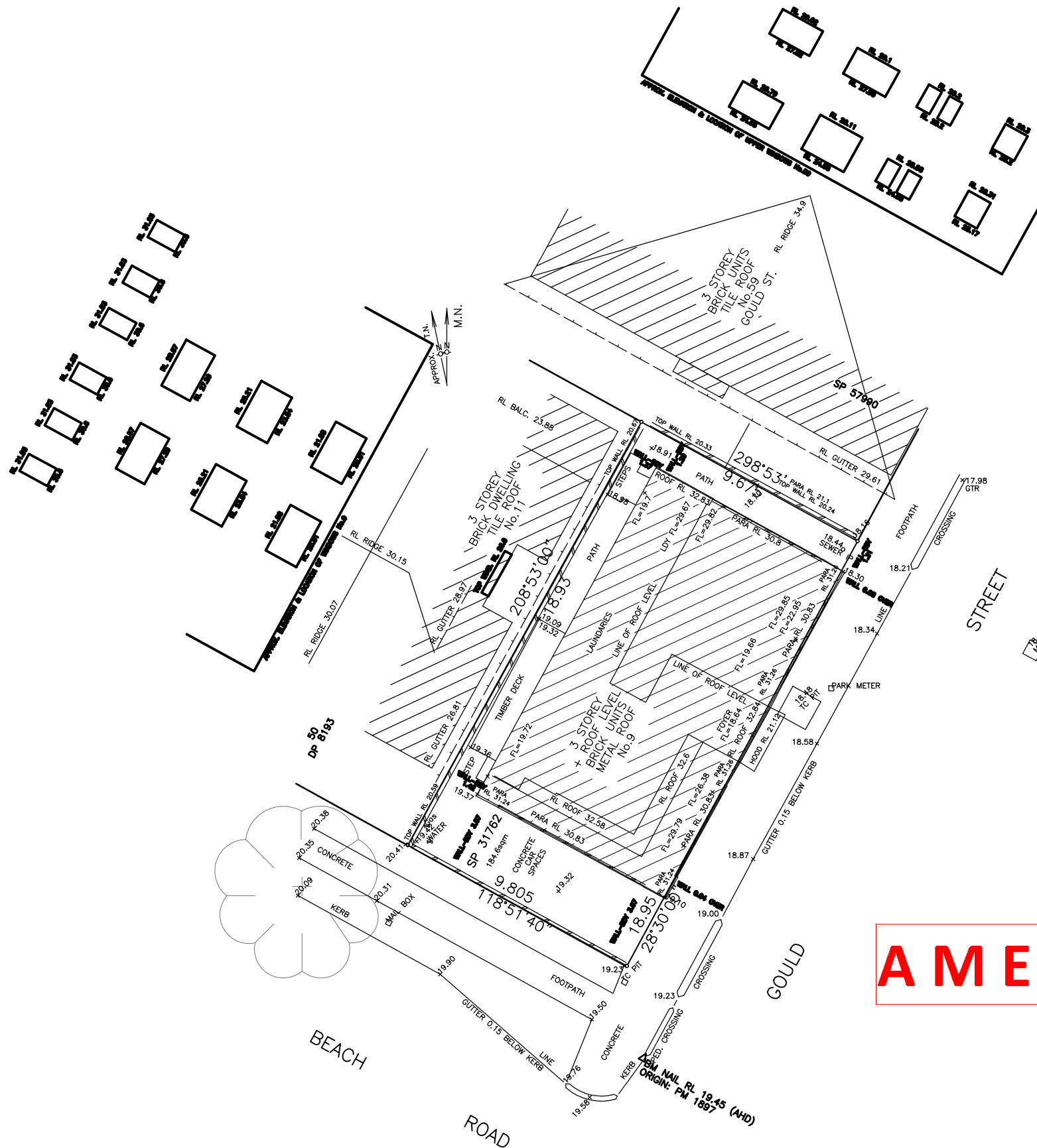
INDICATES:
11.98 Existing Ground Levels (maintained)



ENVIRONMENTAL SITE MANAGEMENT & WASTE MANAGEMENT PLAN

Scale 1:200

AMENDMENTS	ISSUE A 09.07.2024 - COUNCIL REQUEST FOR ADDITIONAL INFORMATION	<p>NOTES</p> <p>All work to be carried out in accordance with BCA,SAA Codes and conditions of council.</p> <p>Do not scale drawings.</p> <p>Use figured dimensions.</p> <p>Site measure before starting work.</p>	<p>DBCF PTY LTD</p> <p>DESIGNED BY CATHERINE FINLAY</p> <p>DIRECTOR</p> <p>M: 0422 200 833</p>	<p>PROJECT</p> <p>ALTERATIONS & ADDITIONS</p>	<p>STAGE</p> <p>APPROVAL</p>	<p>DRAWING</p> <p>ESMP & WMP</p>
	COPYRIGHT STRICTLY RESERVED. This design + drawing may not be disclosed/ reproduced/ copied without written permission from the DBCF PTY LTD	<p>AT</p> <p>UNIT 5-9 BEACH ROAD</p> <p>BONDI BEACH NSW 2026</p>	<p>JOB NO 823</p> <p>SCALE 1:200</p> <p>DWG NO 117</p>	<p>FOR</p> <p>BARNETT & NEAL</p>	<p>DRAWN CF</p> <p>DATE 19.09.2024</p>	A3



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 Application No: DA-289/2024
 Date Received: 19/09/2024

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NOTES 1. ONLY VISIBLE UTILITY SERVICES HAVE BEEN LOCATED. RELEVANT AUTHORITIES SHOULD BE NOTIFIED PRIOR TO EXCAVATION ON OR NEAR THE SITE.
 2. BOUNDARIES HAVE BEEN DEFINED BY SURVEY TO IDENTIFICATION STANDARD. HOWEVER, IF ANY CONSTRUCTION IS PROPOSED IN PROXIMITY OF BOUNDARIES, IT IS RECOMMENDED THAT A FURTHER SURVEY BE REQUESTED FOR MARKING OF RELEVANT BOUNDARIES.
 3. COVENANTS, RESTRICTIONS ON LAND USE (IF ANY) NOT INVESTIGATED.
 4. ROOF LINES SHOWN ARE APPROXIMATE. SIGNIFICANT TREES GREATER THAN 0.4 DIAM. SHOWN
 5. APPROX. SEWER LINE MUST BE VERIFIED BY SYDNEY WATER.

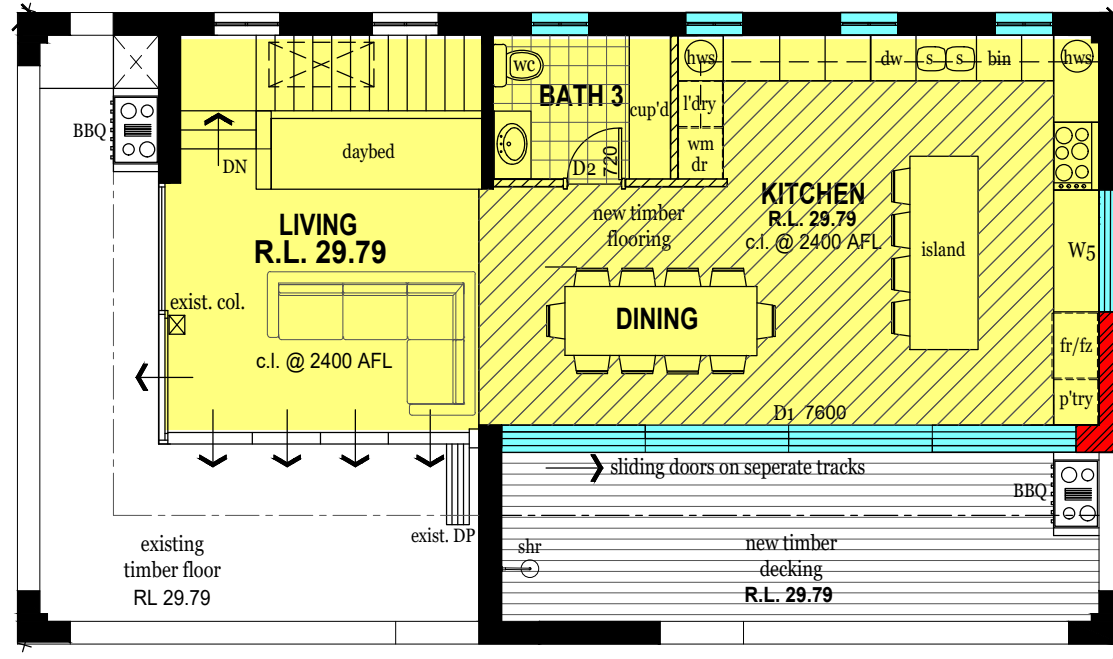
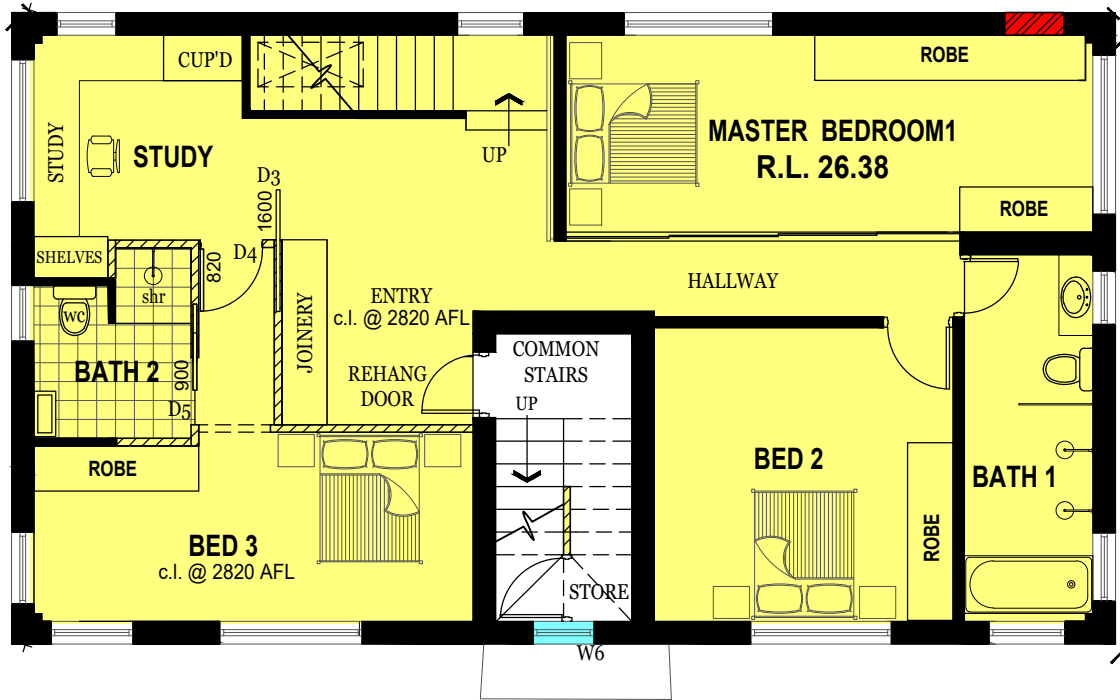
9 BEACH ROAD BONDI BEACH

DETAILED SURVEYS
 (A.B.N. 36 233 529 164)
 CONSULTING SURVEYORS
 87 ELANORA ROAD, ELANORA HEIGHTS, 2101
 PHONE: 9913-9525
 Email: jsurveyor@live.com.au

J. McCURE
 SURVEYOR REGISTERED UNDER
 THE SURVEYING AND SPATIAL
 INFORMATION ACT, 2002
 Registration No. 3861
 J. McCure

DR B. NEAL		DRAWING No.	
SP 31762 BOUNDARY DEFINITION & LEVELS		1	
A1 REDUCTION RATIO: 1:100	13 SEP 2023		
SURVEY	J.McC		
DRAWN	A1 J.McC		
REFERENCE	041/23		

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Application No: DA-289/2024
Date Received: 19/09/2024



SITE AREA	697.6M2
EXISTING:	
GF LEVEL	100M2
FF LEVEL	100M2
LEVEL 3	100M2
ROOF LIVING	17M2
ROOF LAUNDRY	15M2
TOTAL	332m2
PROPOSED:	
GF LEVEL	100M2
FF LEVEL	100M2
LEVEL 3	100M2
ROOF LIVING	17M2
ROOF LAUNDRY	42M2
TOTAL	359M2

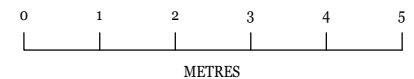
 PROPOSED GROSS FLOOR AREA SECOND
Scale 1:100

 PROPOSED ROOFTOP GROSS FLOOR AREA
Scale 1 : 100

AMENDED PLANS

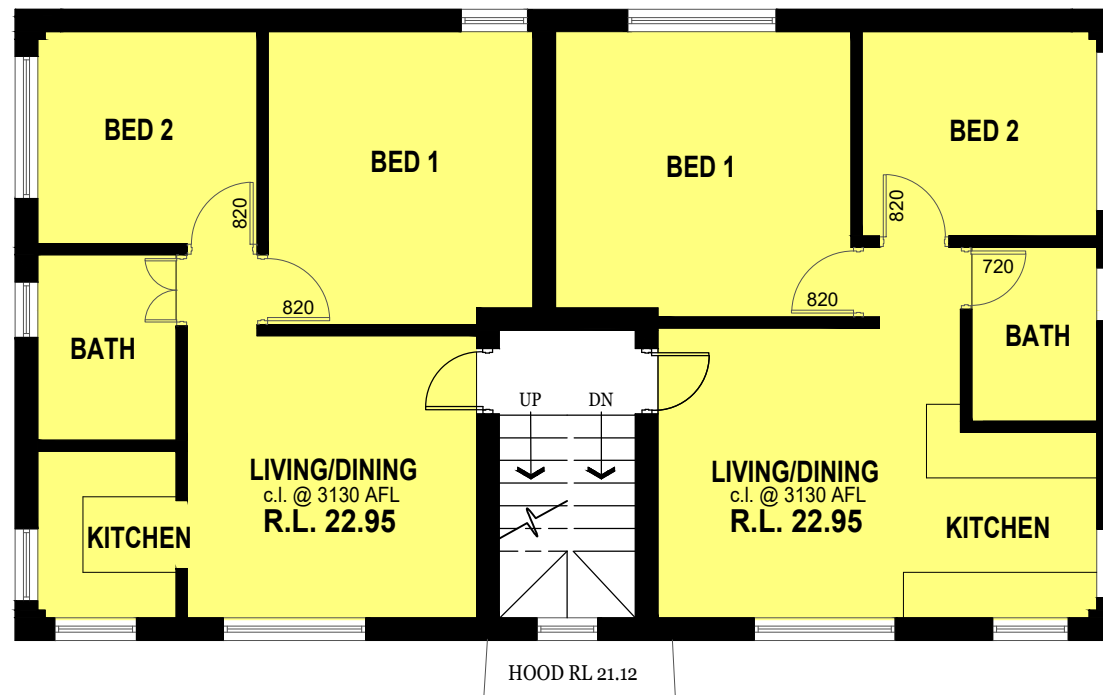
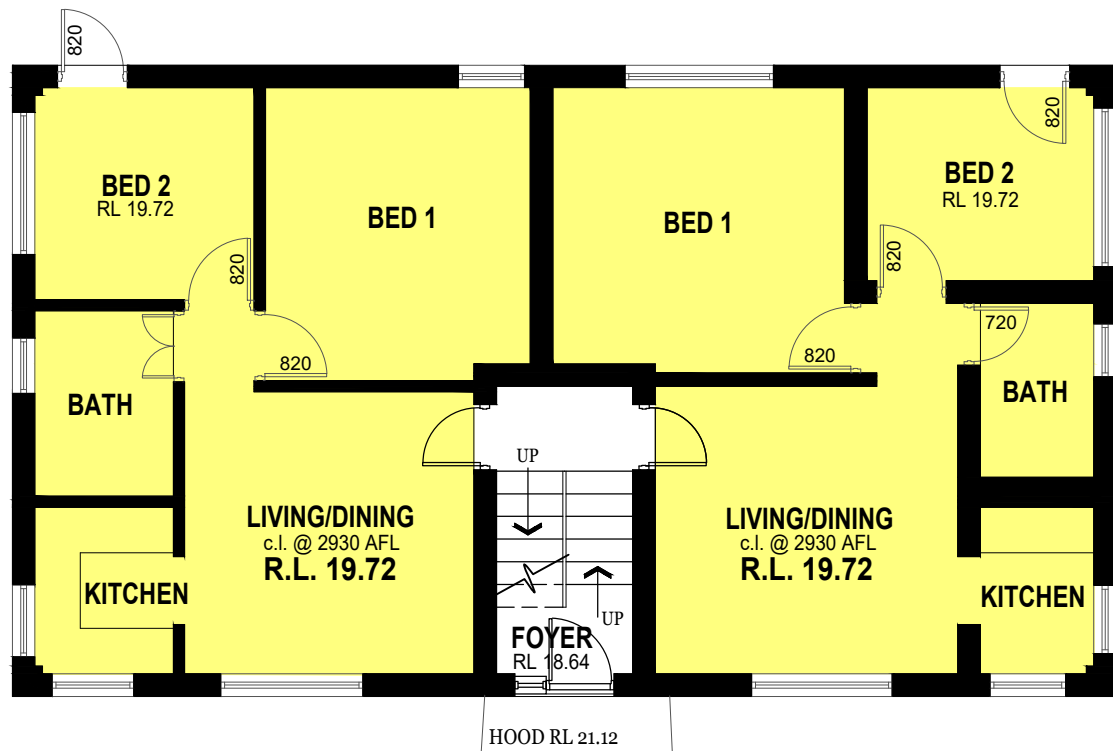
 GFA AREA INCLUDED IN THE CALCULATIONS

UNIT 5
S.P.957280
AREA: 697.6sqm
BUILT-UPON AREA: 120.7sqm
LANDSCAPED AREA: 63.9sqm



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	AT UNIT 5-9 BEACH ROAD BONDI BEACH NSW 2026			JOB NO 823 SCALE 1:100 DWG NO 119A			
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Date Received: 19/09/2024



 PROPOSED GF GROSS FLOOR AREA
Scale 1:100

 PROPOSED FF GROSS FLOOR AREA
Scale 1 : 100

SITE AREA	697.6M2
EXISTING:	
GF LEVEL	100M2
FF LEVEL	100M2
LEVEL 3	100M2
ROOF LIVING	17M2
ROOF LAUNDRY	15M2
TOTAL	332m2
PROPOSED:	
GF LEVEL	100M2
FF LEVEL	100M2
LEVEL 3	100M2
ROOF LIVING	17M2
ROOF LAUNDRY	42M2
TOTAL	359M2

 GFA AREA INCLUDED IN THE CALCULATIONS

UNIT 5
S.P.957280
AREA: 697.6sqm
BUILT-UPON AREA: 120.7sqm
LANDSCAPED AREA: 63.9sqm

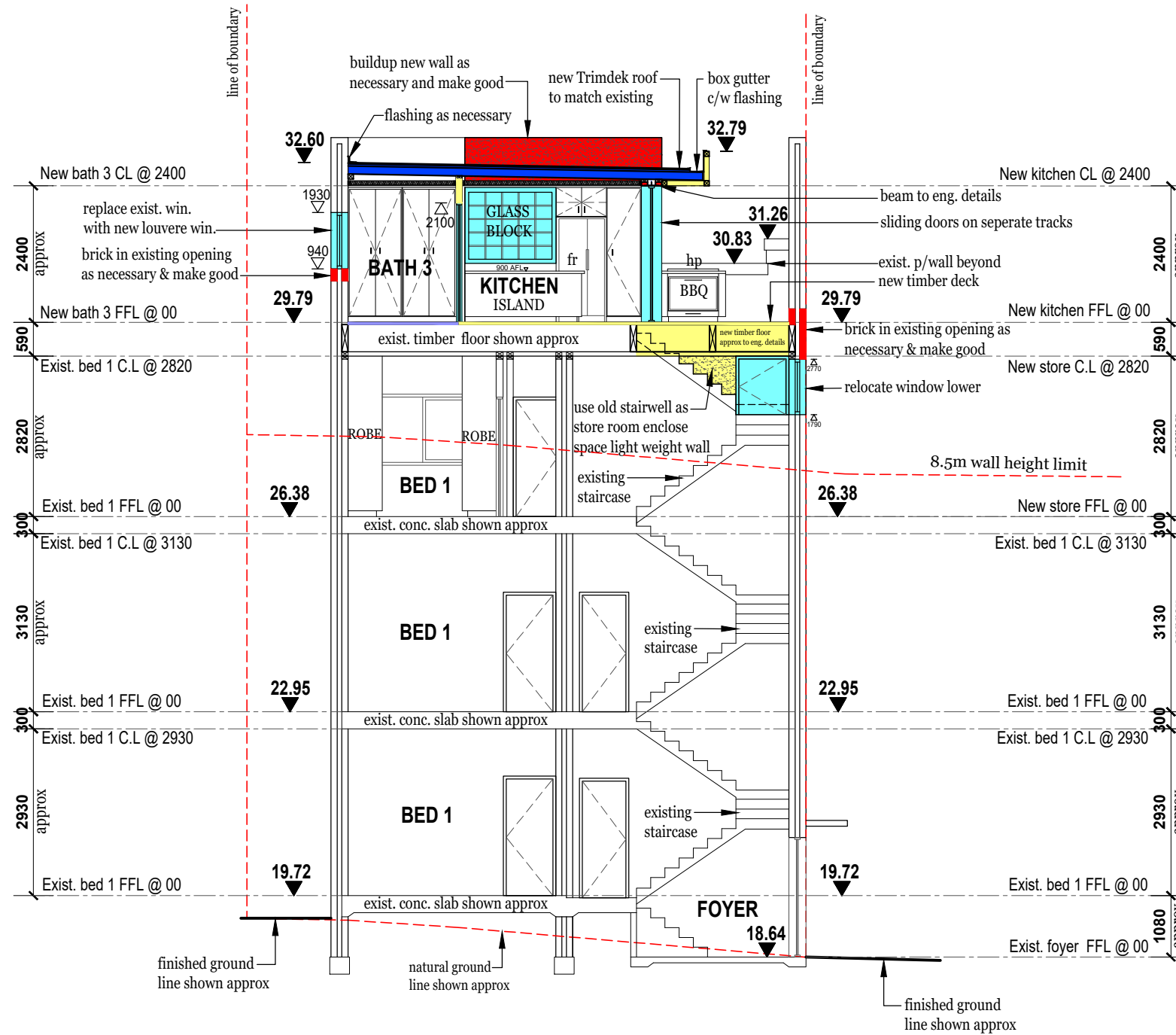
0 1 2 3 4 5
METRES

AMENDED PLANS

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	ALTERATION & ADDITION			APPROVAL	GFA GROUND & FIRST F.PLN					
				AT	JOB NO	823	SCALE	1:100	DWG NO	120A
				UNIT 1-4 BEACH ROAD						
				BONDI BEACH NSW 2026						
				FOR	DRAWN	CF	DATE	19.09.2024		A3
				BARNETT & NEAL						

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SECTION D-D
Scale 1 : 50

AMENDED PLANS

UNIT 5
S.P.957280
AREA: 697.6sqm
BUILT-UPON AREA: 120.7sqm
LANDSCAPED AREA: 63.9sqm

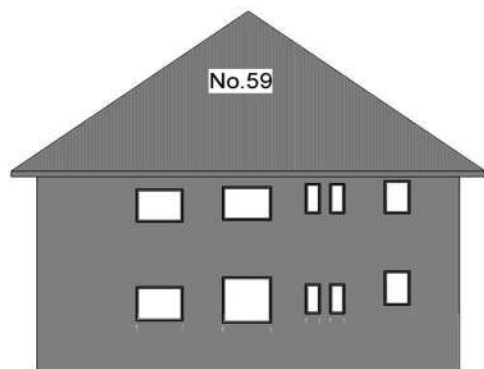
0 1 2 3 4 5
METRES

AMENDMENTS	ISSUE A 09.07.2024 - COUNCIL REQUEST FOR ADDITIONAL INFORMATION	<p>NOTES</p> <p>All work to be carried out in accordance with BCA,SAA Codes and conditions of council.</p> <p>Do not scale drawings.</p> <p>Use figured dimensions.</p> <p>Site measure before starting work.</p>	<p>DBC F PTY LTD</p> <p>DESIGNED BY CATHERINE FINLAY</p> <p>DIRECTOR</p> <p>M: 0422 200 833</p>	PROJECT	STAGE	DRAWING	
	ALTERATION & ADDITION			APPROVAL	SECTION D-D GFL/ROOFTOP		
	AT			JOB NO	SCALE	DWG NO	
	UNIT 5-9 BEACH ROAD BONDI BEACH NSW 2026	823	1:100	121A			
	FOR	DRAWN	DATE				
	BARNETT & NEAL	CF	19.09.2024	A3			

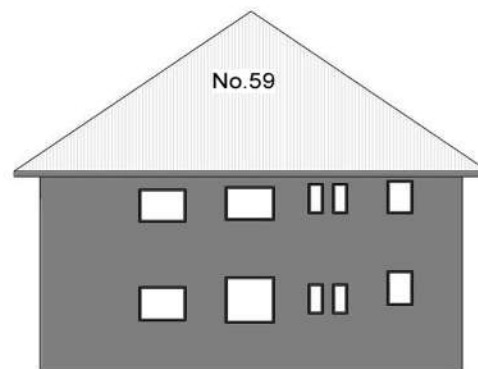
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Elevations - 9 Beach Road Bondi Beach Shadows impact on No.59

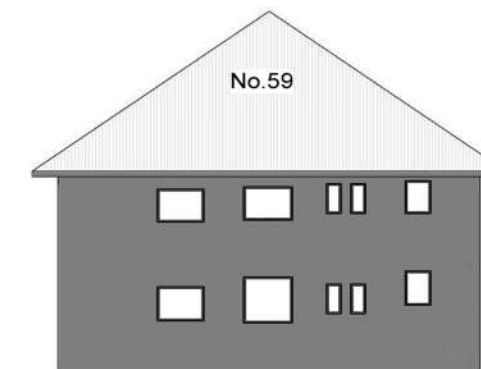
AMENDED PLANS



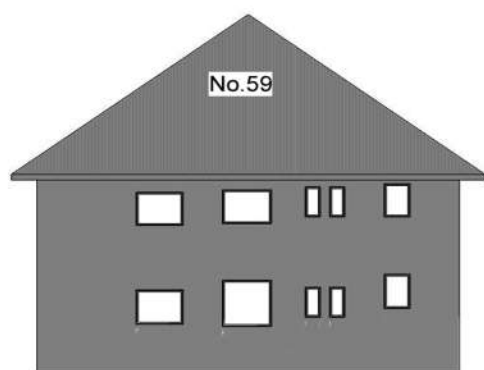
① Existing Shadows @9am 21st June



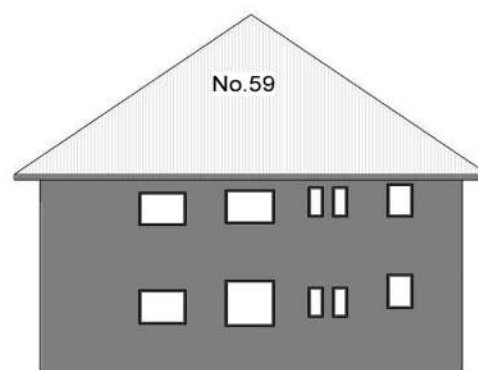
② Existing Shadows @12pm 21st June



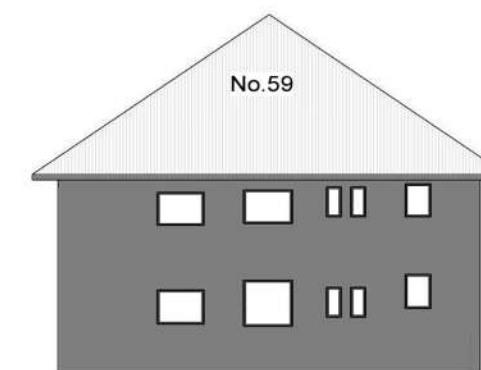
③ Existing Shadows @3pm 21st June



④ Proposed Shadows @9am 21st June



⑤ Proposed Shadows @12pm 21st June



⑥ Proposed Shadows @3pm 21st June

Note: No shadow cast by new works

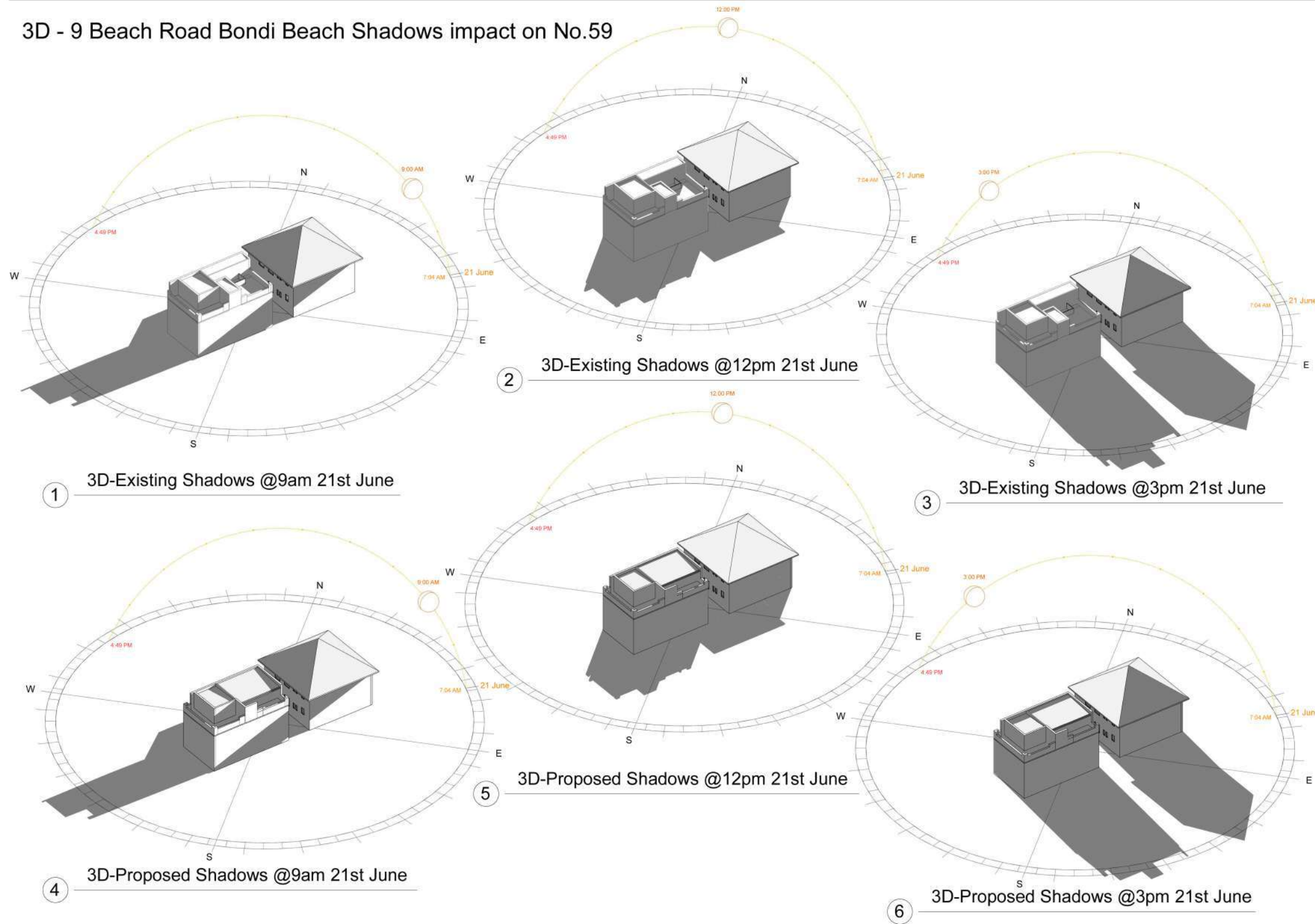
 SHADOWS ELEVATION
Scale 1 : 200

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3D - 9 Beach Road Bondi Beach Shadows impact on No.59

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Date Received: 19/09/2024



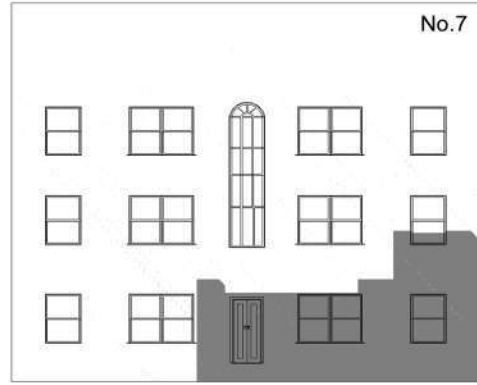
 3D SHADOWS IMPACT
Scale 1 : 200

AMENDED PLANS

AMENDMENTS	<p>NOTES All work to be carried out in accordance with BCA,SAA Codes and conditions of council. Do not scale drawings. Use figured dimensions. Site measure before starting work.</p>	<p>DBCF PTY LTD DESIGNED BY CATHERINE FINLAY DIRECTOR M: 0422 200 833</p>	<p>PROJECT ALTERATIONS & ADDITIONS</p>	<p>STAGE APPROVAL</p>	<p>DRAWING 3D SHADOW IMPACT/NO.59</p>
		<p>COPYRIGHT STRICTLY RESERVED. This design + drawing may not be disclosed/ reproduced/ copied without written permission from the DBCF PTY LTD</p>	<p>AT UNIT 5-9 BEACH ROAD BONDI BEACH NSW 2026</p>	<p>JOB NO 823 SCALE 1:200 DWG NO 123A</p>	<p>DRAWN CF DATE 19.09.2024</p>

Elevations - No.9 Beach Road Bondi Beach Shadows impact on No.7

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Date Received: 19/09/2024



① Existing Shadows @1pm 21st June

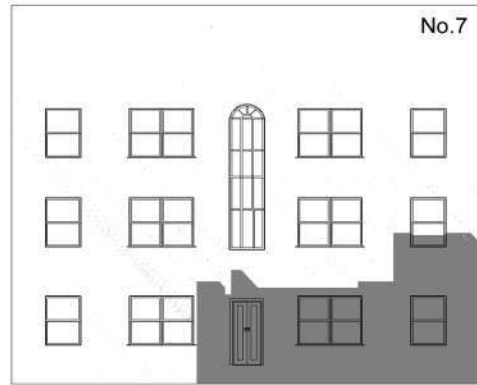


② Existing Shadows @2pm 21st June



③ Existing Shadows @3pm 21st June

AMENDED PLANS



④ Proposed Shadows @1pm 21st June



⑤ Proposed Shadows @2pm 21st June



⑥ Proposed Shadows @3pm 21st June

 SHADOWS ELEVATION
Scale 1 : 200

AMENDMENTS

NOTES
All work to be carried out in accordance with BCA,SAA Codes and conditions of council.
Do not scale drawings.
Use figured dimensions.
Site measure before starting work.

DBCF PTY LTD

DESIGNED BY CATHERINE FINLAY
DIRECTOR
M: 0422 200 833

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PROJECT
ALTERATIONS & ADDITIONS

AT
UNIT 5-9 BEACH ROAD
BONDI BEACH NSW 2026

FOR
BARNETT & NEAL

STAGE
APPROVAL

JOB NO 823 SCALE 1:200 DWG NO 124A

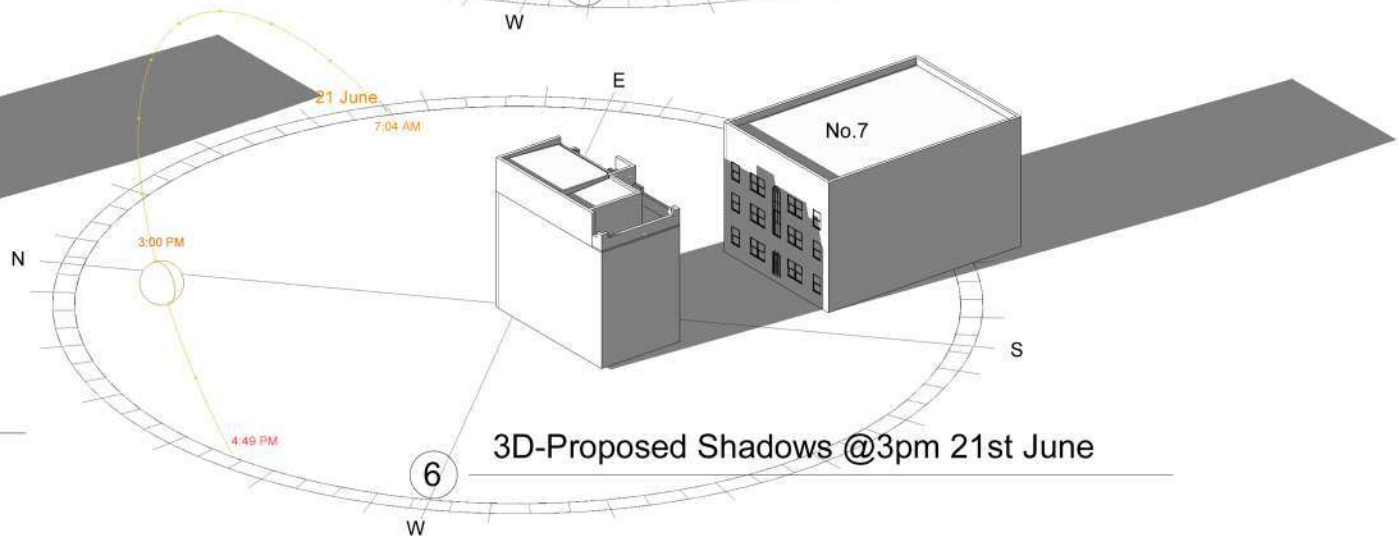
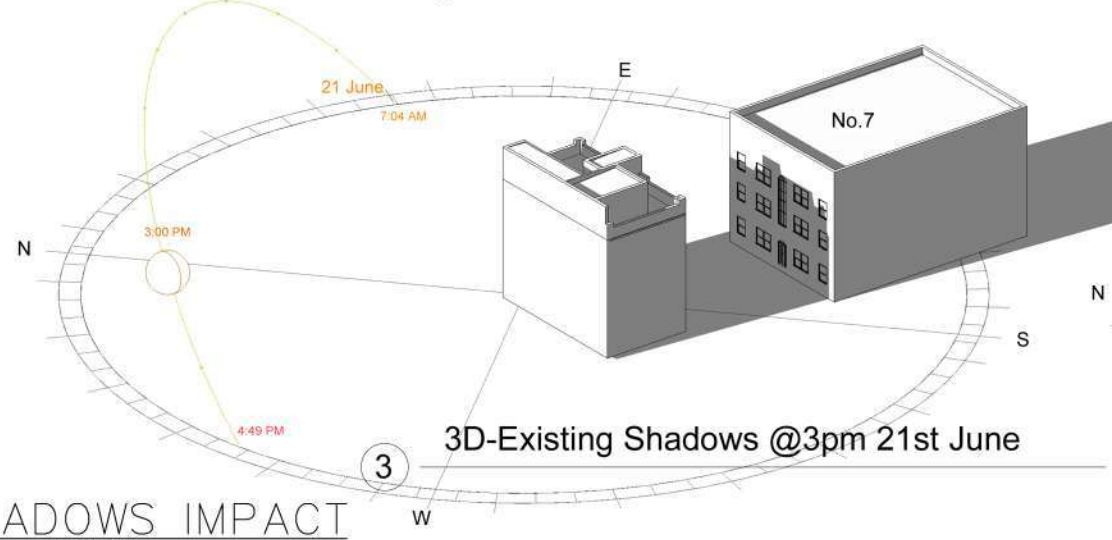
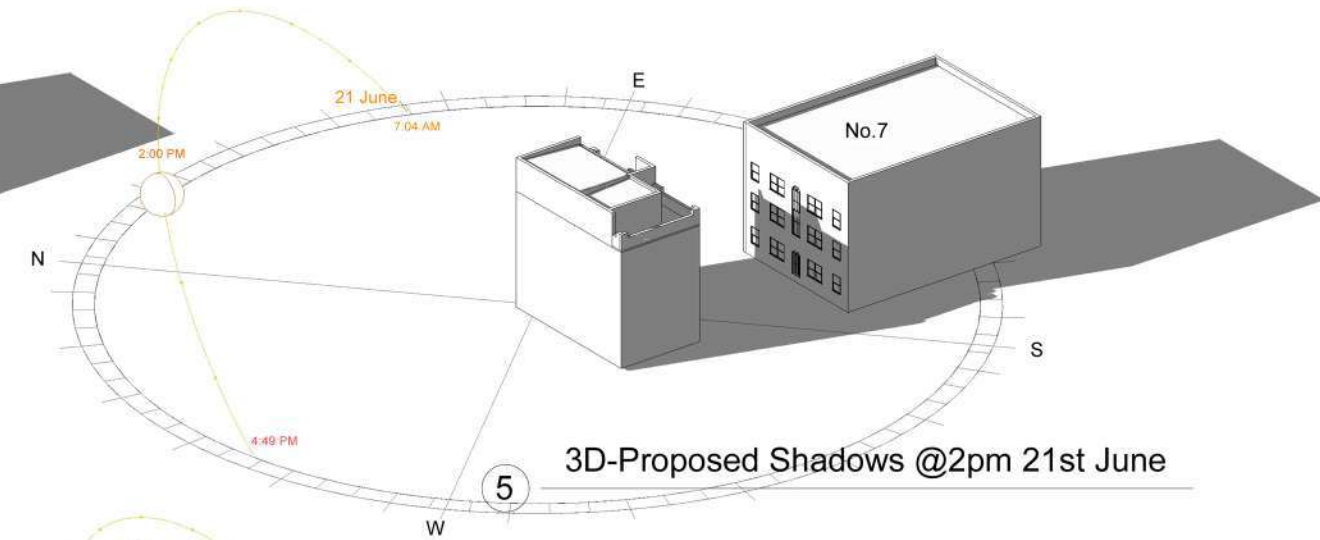
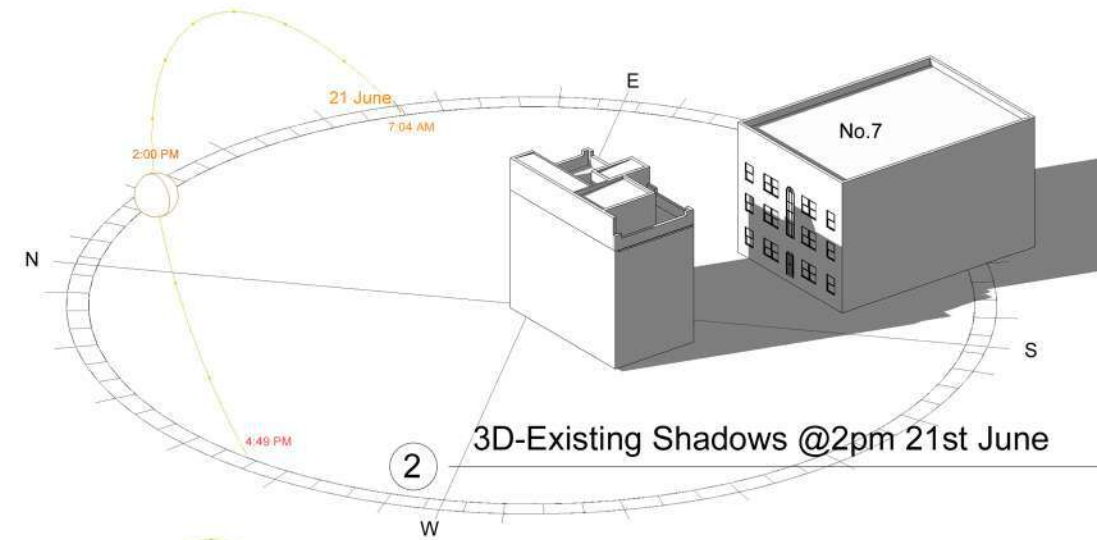
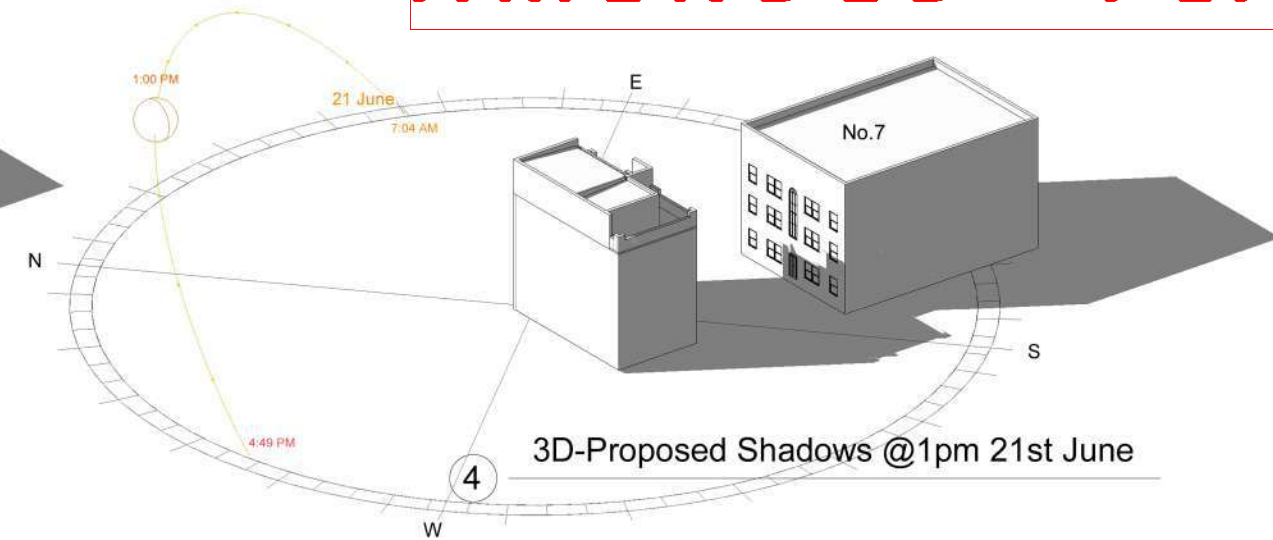
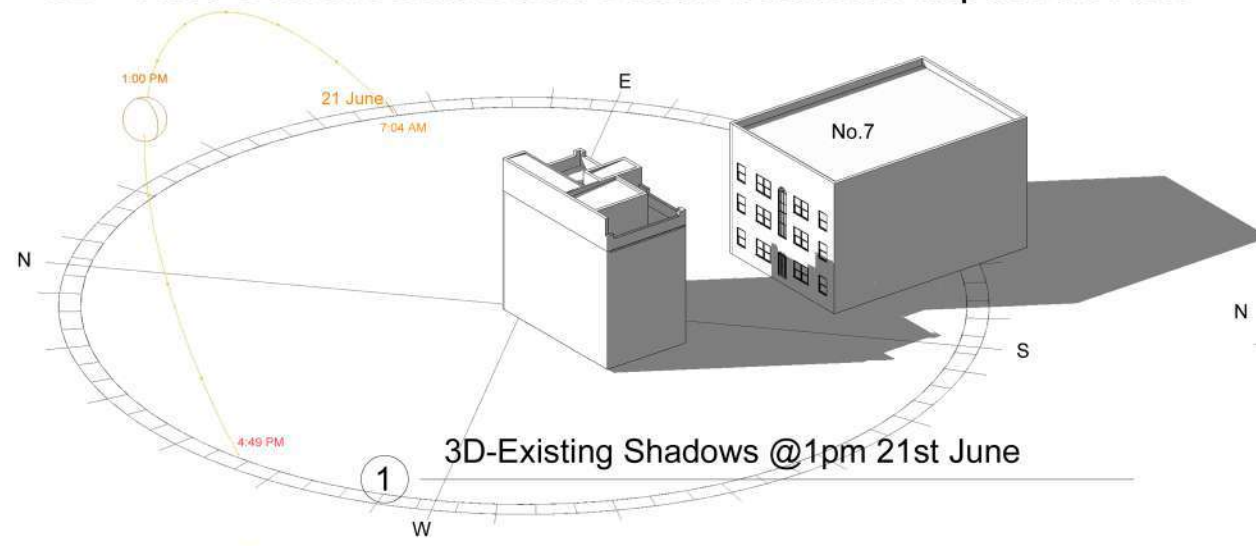
DRAWN CF DATE 19.09.2024

DRAWING
SHADOW ELEVATION/NO.7

A3

3D - No.9 Beach Road Bondi Beach Shadows impact on No.7

AMENDED PLANS

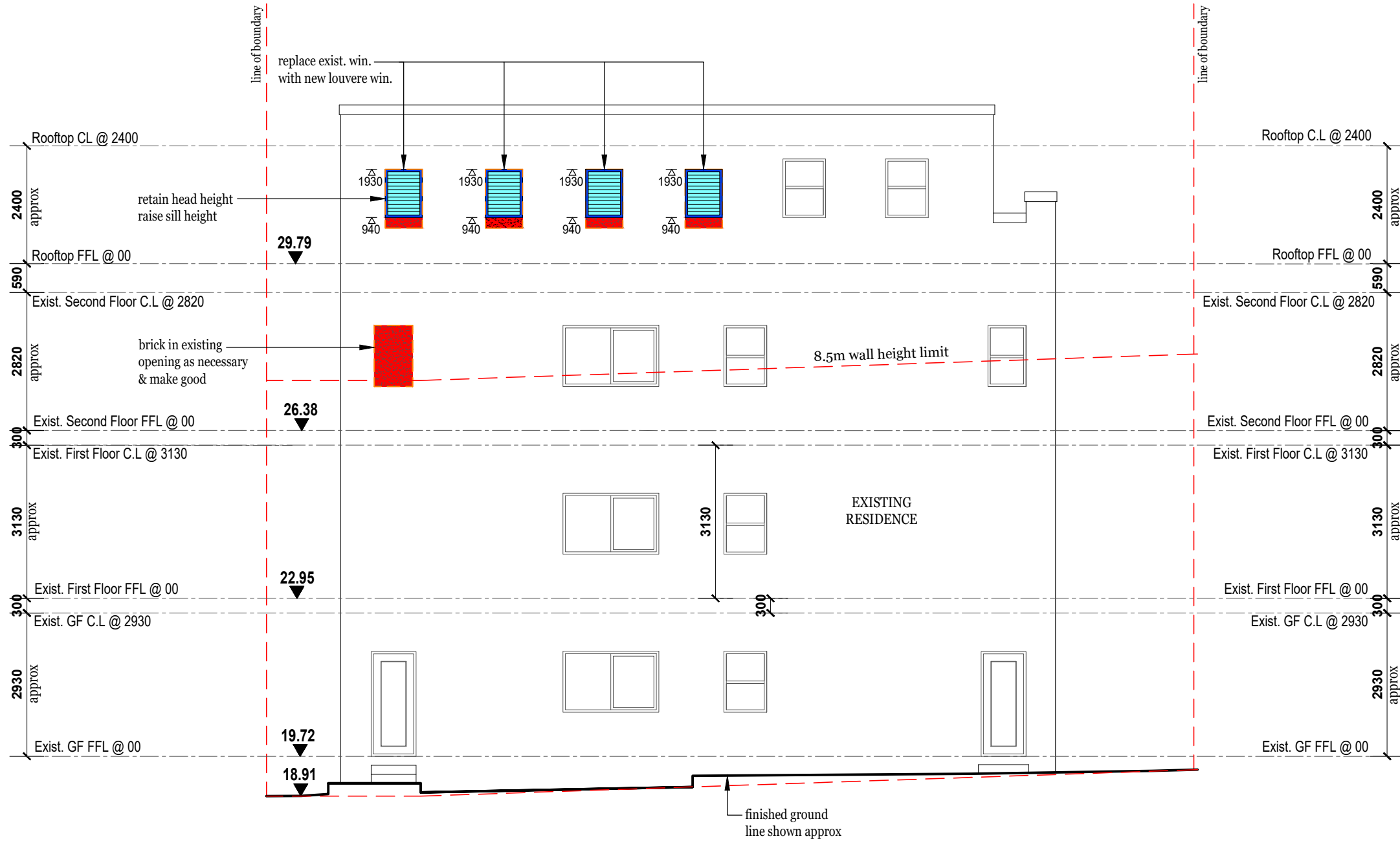


 3D SHADOWS IMPACT
Scale 1 : 200

AMENDMENTS	<p style="text-align: center;">RECEIVED Waverley Council</p> <p>Application No: DA-289/2024</p> <p>Date Received: 19/09/2024</p>	<p>NOTES All work to be carried out in accordance with BCA,SAA Codes and conditions of council. Do not scale drawings. Use figured dimensions. Site measure before starting work.</p>	<p>DBCF PTY LTD DESIGNED BY CATHERINE FINLAY DIRECTOR M: 0422 200 833</p>	PROJECT ALTERATIONS & ADDITIONS	STAGE APPROVAL	DRAWING 3D SHADOW IMPACT/NO.7	
	AT UNIT 5-9 BEACH ROAD BONDI BEACH NSW 2026			JOB NO 823	SCALE 1:200	DWG NO 125A	
	FOR BARNETT & NEAL			DRAWN CF	DATE 19.09.2024	A3	
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NOTE:
New windows will need to comply with C4D5 as below.

- Internal or external wall - wetting sprinklers as appropriate used w/-win. that are automatic closing or permanently fixed in the closed position or,
- -/60/- fire win. that are automatic closing or permanently fixed in the closed position or,
- -/60/- automatic closing fire shutters.



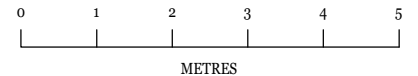
RECEIVED
Waverley Council
Application No: DA-289/2024
Date Received: 19/09/2024

- Block wall - red - 10
- Glass/ Glass brick - Blue - 131
- Tiled Roof - orange - 30
- Timber - Yellow - 51
- Conc. - Dark Green - 96
- Steel & Galv. Iron - dark blue - 160
- Tiling - purple - 171
- Sandstone - light brown - 46
- Fibre cement / cement render - Light Green - 92

AMENDED PLANS

NORTH ELEVATION
Scale 1 : 100

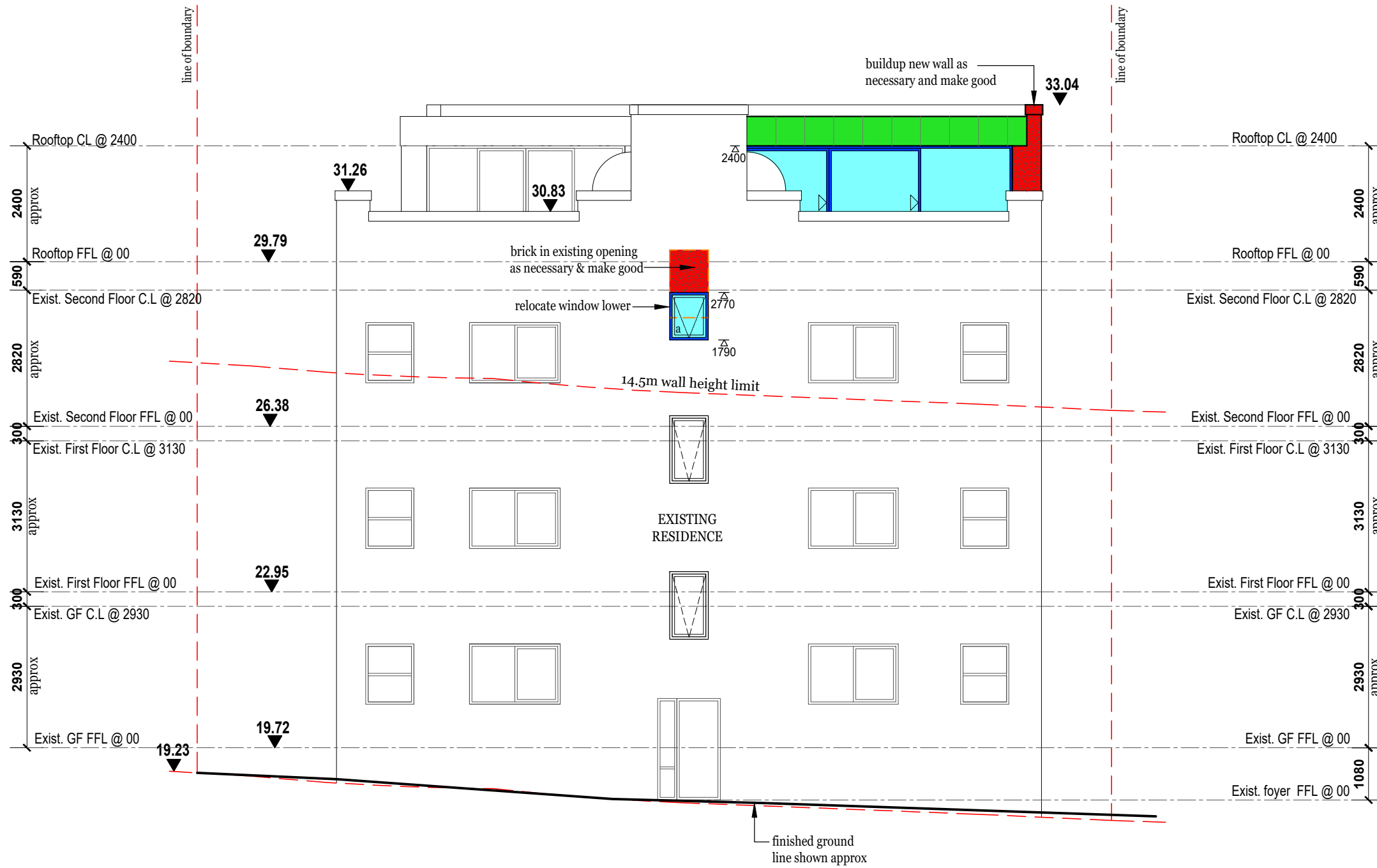
UNIT 5
S.P.957280
AREA: 697.6sqm
BUILT-UPON AREA: 120.7sqm
LANDSCAPED AREA: 63.9sqm



AMENDMENTS		<p>NOTES All work to be carried out in accordance with BCA,SAA Codes and conditions of council. Do not scale drawings. Use figured dimensions. Site measure before starting work.</p>	<p>DBCF PTY LTD DESIGNED BY CATHERINE FINLAY DIRECTOR M: 0422 200 833</p>	<p>PROJECT ALTERATION & ADDITION</p>	<p>STAGE APPROVAL</p>	<p>DRAWING ELEVATION NORTH</p>
			<p><small>COPYRIGHT STRICTLY RESERVED. This design + drawing may not be disclosed/ reproduced/ copied without written permission from the DBCF PTY LTD</small></p>	<p>AT UNIT 5-9 BEACH ROAD BONDI BEACH NSW 2026</p>	<p>JOB NO 823 SCALE 1:100 DWG NO 126</p>	
				<p>FOR BARNETT & NEAL</p>	<p>DRAWN CF DATE 19.09.2024</p>	A3

NOTE:
New windows will need to comply with C4D5 as below.

- Internal or external wall - wetting sprinklers as appropriate used w/-win. that are automatic closing or permanently fixed in the closed position or,
- -/60/- fire win. that are automatic closing or permanently fixed in the closed position or,
- -/60/- automatic closing fire shutters.



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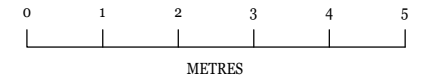
- Block wall - red - 10
- Tiled Roof - orange - 30
- Conc. - Dark Green - 96
- Tiling - purple - 171
- Fibre cement / cement render - Light Green - 92
- Glass/ Glass brick - Blue - 131
- Timber - Yellow - 51
- Steel & Galv. Iron - dark blue - 160
- Sandstone - light brown - 46

AMENDED PLANS

SOUTH ELEVATION

Scale 1 : 100

UNIT 5
S.P.957280
AREA: 697.6sqm
BUILT-UPON AREA: 120.7sqm
LANDSCAPED AREA: 63.9sqm

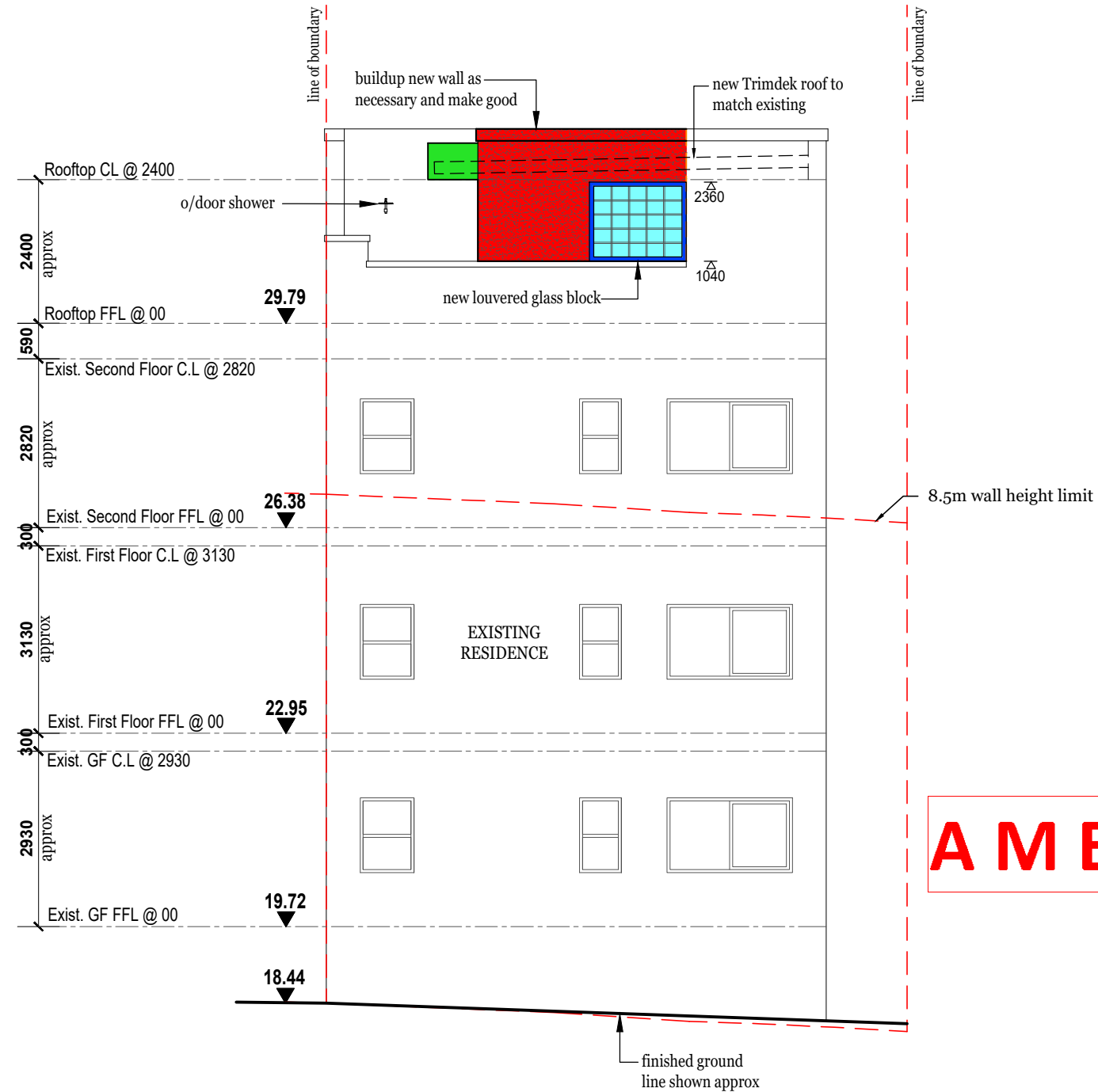


AMENDMENTS	<p>NOTES</p> <p>All work to be carried out in accordance with BCA,SAA Codes and conditions of council.</p> <p>Do not scale drawings.</p> <p>Use figured dimensions.</p> <p>Site measure before starting work.</p>	<p>DBCF PTY LTD</p> <p>DESIGNED BY CATHERINE FINLAY</p> <p>DIRECTOR</p> <p>M: 0422 200 833</p>	PROJECT	STAGE	DRAWING	
			ALTERATION & ADDITION	APPROVAL	ELEVATION SOUTH	
			AT	JOB NO	SCALE	DWG NO
			UNIT 5-9 BEACH ROAD	823	1:100	127
			BONDI BEACH NSW 2026			
			FOR	DRAWN	DATE	
			BARNETT & NEAL	CF	19.09.2024	A3
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NOTE:

New windows will need to comply with C4D5 as below.

- Internal or external wall - wetting sprinklers as appropriate used w/-win. that are automatic closing or permanently fixed in the closed position or,
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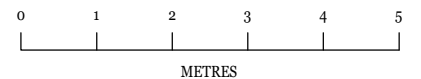
AMENDED PLANS

- | | |
|--|---|
| Block wall - red - 10 | Glass/ Glass brick - Blue - 131 |
| Tiled Roof - orange - 30 | Timber - Yellow - 51 |
| Conc. - Dark Green - 96 | Steel & Galv. Iron - dark blue - 160 |
| Tiling - purple - 171 | Sandstone - light brown - 46 |
| Fibre cement / cement render - Light Green - 92 | |

EAST ELEVATION

Scale 1 : 100

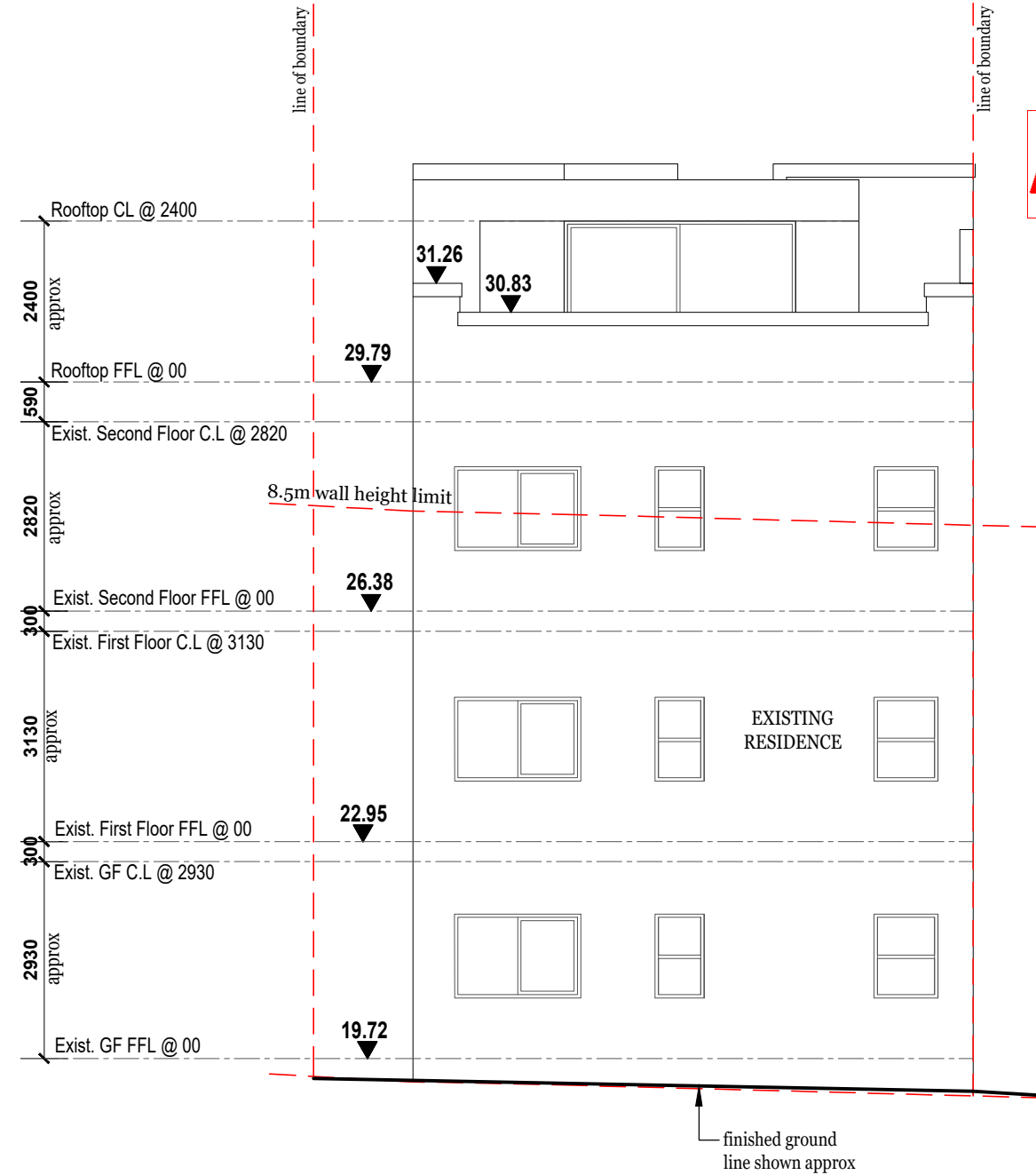
UNIT 5
 S.P.957280
 AREA: 697.6sqm
 BUILT-UPON AREA: 120.7sqm
 LANDSCAPED AREA: 63.9sqm



AMENDMENTS	ISSUE A 09.07.2024 - COUNCIL REQUEST FOR ADDITIONAL INFORMATION	NOTES All work to be carried out in accordance with BCA,SAA Codes and conditions of council. Do not scale drawings. Use figured dimensions. Site measure before starting work.	DBCF PTY LTD DESIGNED BY CATHERINE FINLAY DIRECTOR M: 0422 200 833	PROJECT ALTERATION & ADDITION	STAGE APPROVAL	DRAWING ELEVATION EAST
			COPYRIGHT STRICTLY RESERVED. This design + drawing may not be disclosed/ reproduced/ copied without written permission from the DBCF PTY LTD	AT UNIT 5-9 BEACH ROAD BONDI BEACH NSW 2026	JOB NO 823 SCALE 1:100 DWG NO 128	
			BARNETT & NEAL	FOR BARNETT & NEAL	DRAWN CF DATE 19.09.2024	A3

NOTE:
New windows will need to comply with C4D5 as below.

- Internal or external wall - wetting sprinklers as appropriate used w/-win. that are automatic closing or permanently fixed in the closed position or,
- -/60/- fire win. that are automatic closing or permanently fixed in the closed position or,
- -/60/- automatic closing fire shutters.



AMENDED PLANS

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Waverley Council
Application No: DA-289/2024
Date Received: 19/09/2024

- Block wall - red - 10
- Glass/ Glass brick - Blue - 131
- Tiled Roof - orange - 30
- Timber - Yellow - 51
- Conc. - Dark Green - 96
- Steel & Galv. Iron - dark blue - 160
- Tiling - purple - 171
- Sandstone - light brown - 46
- Fibre cement / cement render - Light Green - 92

WEST ELEVATION
Scale 1 : 100

UNIT 5
S.P.957280
AREA: 697.6sqm
BUILT-UPON AREA: 120.7sqm
LANDSCAPED AREA: 63.9sqm

AMENDMENTS	ISSUE A 09.07.2024 - COUNCIL REQUEST FOR ADDITIONAL INFORMATION	<p>NOTES</p> <p>All work to be carried out in accordance with BCA,SAA Codes and conditions of council.</p> <p>Do not scale drawings.</p> <p>Use figured dimensions.</p> <p>Site measure before starting work.</p>	<p>DBCF PTY LTD</p> <p>DESIGNED BY CATHERINE FINLAY</p> <p>DIRECTOR</p> <p>M: 0422 200 833</p>	<p>PROJECT</p> <p>ALTERATION & ADDITION</p>	<p>STAGE</p> <p>APPROVAL</p>	<p>DRAWING</p> <p>ELEVATION WEST</p>
			<p>COPYRIGHT STRICTLY RESERVED. This design + drawing may not be disclosed/ reproduced/ copied without written permission from the DBCF PTY LTD</p>	<p>AT</p> <p>UNIT 5-9 BEACH ROAD</p> <p>BONDI BEACH NSW 2026</p>	<p>JOB NO 823</p> <p>SCALE 1:100</p> <p>DWG NO 129</p>	
				<p>FOR</p> <p>BARNETT & NEAL</p>	<p>DRAWN CF</p> <p>DATE 19.09.2024</p>	A3

AMENDED PLANS

RECEIVED
Waverley Council
Application No: DA-289/2024
Date Received: 19/09/2024



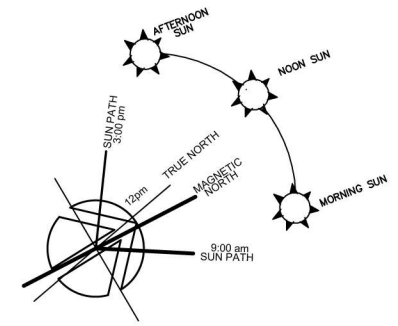
 NEW SHADOWS FROM PROPOSED ALTERATIONS

 EXISTING SHADOWS

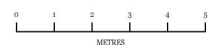
SYDNEY
LATITUDE 33.86 SOUTH -
LONGITUDE 151.2 EAST
REFERENCE LONGITUDE

FOR STANDARD TIME
150.0 EAST

JUNE 22ND
9AM 18 DEGREES
10AM 22.67 DEGREES
11AM 27.33 DEGREES
NOON 32 DEGREES
1PM 27.33 DEGREES
2PM 22.67 DEGREES
3PM 18 DEGREES



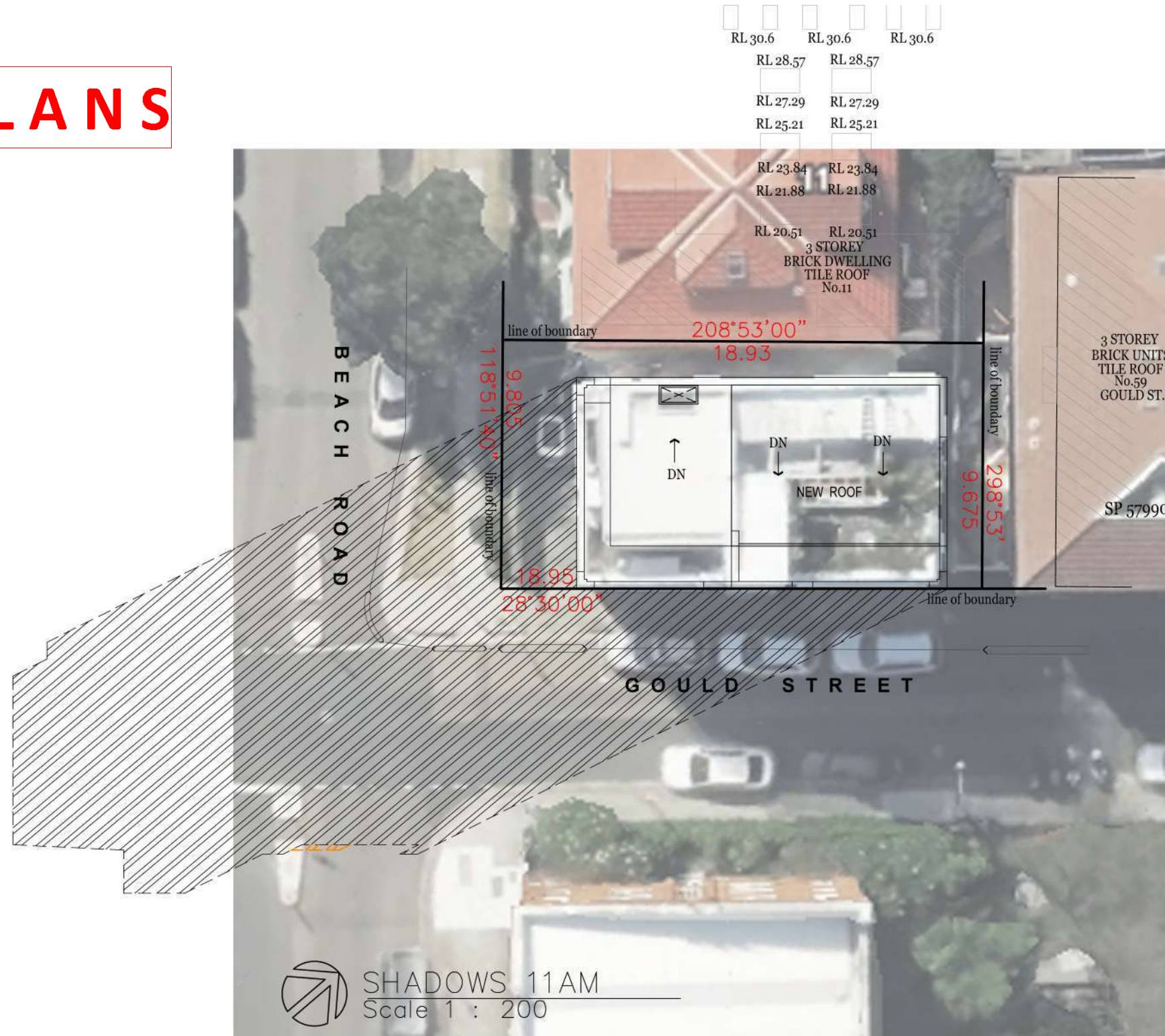
UNIT 5
S.P.957280
AREA: 697.6sqm
BUILT-UPON AREA: 120.7sqm
LANDSCAPED AREA: 63.9sqm



AMENDMENTS	<p>NOTES</p> <p>All work to be carried out in accordance with BCA,SAA Codes and conditions of council.</p> <p>Do not scale drawings.</p> <p>Use figured dimensions.</p> <p>Site measure before starting work.</p>	<p>DBCF PTY LTD</p> <p>DESIGNED BY CATHERINE FINLAY</p> <p>DIRECTOR</p> <p>M: 0422 200 833</p>	<p>PROJECT</p> <p>ALTERATIONS & ADDITIONS</p>	<p>STAGE</p> <p>APPROVAL</p>	<p>DRAWING</p> <p>SHADOW DIA. 10 AM</p>
		<p>COPYRIGHT STRICTLY RESERVED. This design + drawing may not be disclosed/ reproduced/ copied without written permission from the DBCF PTY LTD</p>	<p>AT</p> <p>UNIT 5-9 BEACH ROAD</p> <p>BONDI BEACH NSW 2026</p>	<p>JOB NO 823</p> <p>SCALE 1:200</p> <p>DWG NO 130</p>	
		<p>FOR</p> <p>BARNETT & NEAL</p>	<p>DRAWN CF</p> <p>DATE 19.09.2024</p>	<p>A3</p>	

AMENDED PLANS

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Application No: DA-289/2024
Date Received: 19/09/2024



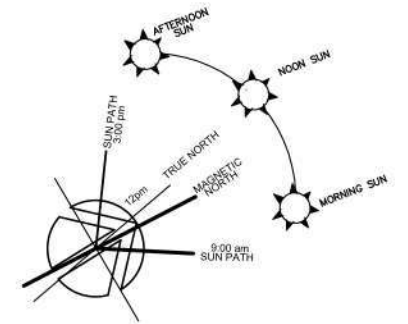
NEW SHADOWS FROM PROPOSED ALTERATIONS

EXISTING SHADOWS

SYDNEY
LATITUDE 33.86 SOUTH -
LONGITUDE 151.2 EAST
REFERENCE LONGITUDE

FOR STANDARD TIME
150.0 EAST

JUNE 22ND
9AM 18 DEGREES
NOON 32 DEGREES
1PM 27.33 DEGREES
2PM 22.67 DEGREES
3PM 18 DEGREES



UNIT 5
S.P.957280
AREA: 697.6sqm
BUILT-UPON AREA: 120.7sqm
LANDSCAPED AREA: 63.9sqm



AMENDMENTS	<p>NOTES All work to be carried out in accordance with BCA,SAA Codes and conditions of council. Do not scale drawings. Use figured dimensions. Site measure before starting work.</p>	<p>DBCF PTY LTD DESIGNED BY CATHERINE FINLAY DIRECTOR M: 0422 200 833</p>	<p>PROJECT ALTERATIONS & ADDITIONS</p>	<p>STAGE APPROVAL</p>	<p>DRAWING SHADOW DIA. 11 AM</p>
		<p>COPYRIGHT STRICTLY RESERVED. This design + drawing may not be disclosed/ reproduced/ copied without written permission from the DBCF PTY LTD</p>	<p>AT UNIT 5-9 BEACH ROAD BONDI BEACH NSW 2026</p>	<p>JOB NO 823 SCALE 1:200 DWG NO 131</p>	
		<p>FOR BARNETT & NEAL</p>	<p>DRAWN CF DATE 19.09.2024</p>	<p>A3</p>	

AMENDED PLANS

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Application No: DA-289/2024
Date Received: 19/09/2024



SHADOWS 1 PM
Scale 1 : 200

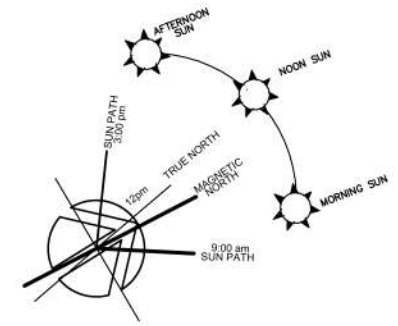
NEW SHADOWS FROM PROPOSED ALTERATIONS

EXISTING SHADOWS

SYDNEY
LATITUDE 33.86 SOUTH -
LONGITUDE 151.2 EAST
REFERENCE LONGITUDE

FOR STANDARD TIME
150.0 EAST

JUNE 22ND
9AM 18 DEGREES
NOON 32 DEGREES
1PM 27.33 DEGREES
2PM 22.67 DEGREES
3PM 18 DEGREES



UNIT 5
S.P.957280
AREA: 697.6sqm
BUILT-UPON AREA: 120.7sqm
LANDSCAPED AREA: 63.9sqm

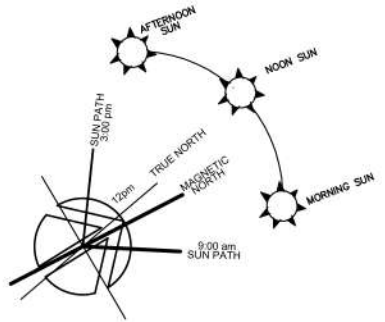


AMENDMENTS	<p>NOTES All work to be carried out in accordance with BCA,SAA Codes and conditions of council. Do not scale drawings. Use figured dimensions. Site measure before starting work.</p>	<p>DBCF PTY LTD DESIGNED BY CATHERINE FINLAY DIRECTOR M: 0422 200 833</p>	<p>PROJECT ALTERATIONS & ADDITIONS</p>	<p>STAGE APPROVAL</p>	<p>DRAWING SHADOW DIA. 1 PM</p>
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AMENDED PLANS

SHADOWS 2PM
Scale 1 : 200



UNIT 5
S.P.957280
AREA: 697.6sqm
BUILT-UPON AREA: 120.7sqm
LANDSCAPED AREA: 63.9sqm



NEW SHADOWS FROM PROPOSED ALTERATIONS

EXISTING SHADOWS

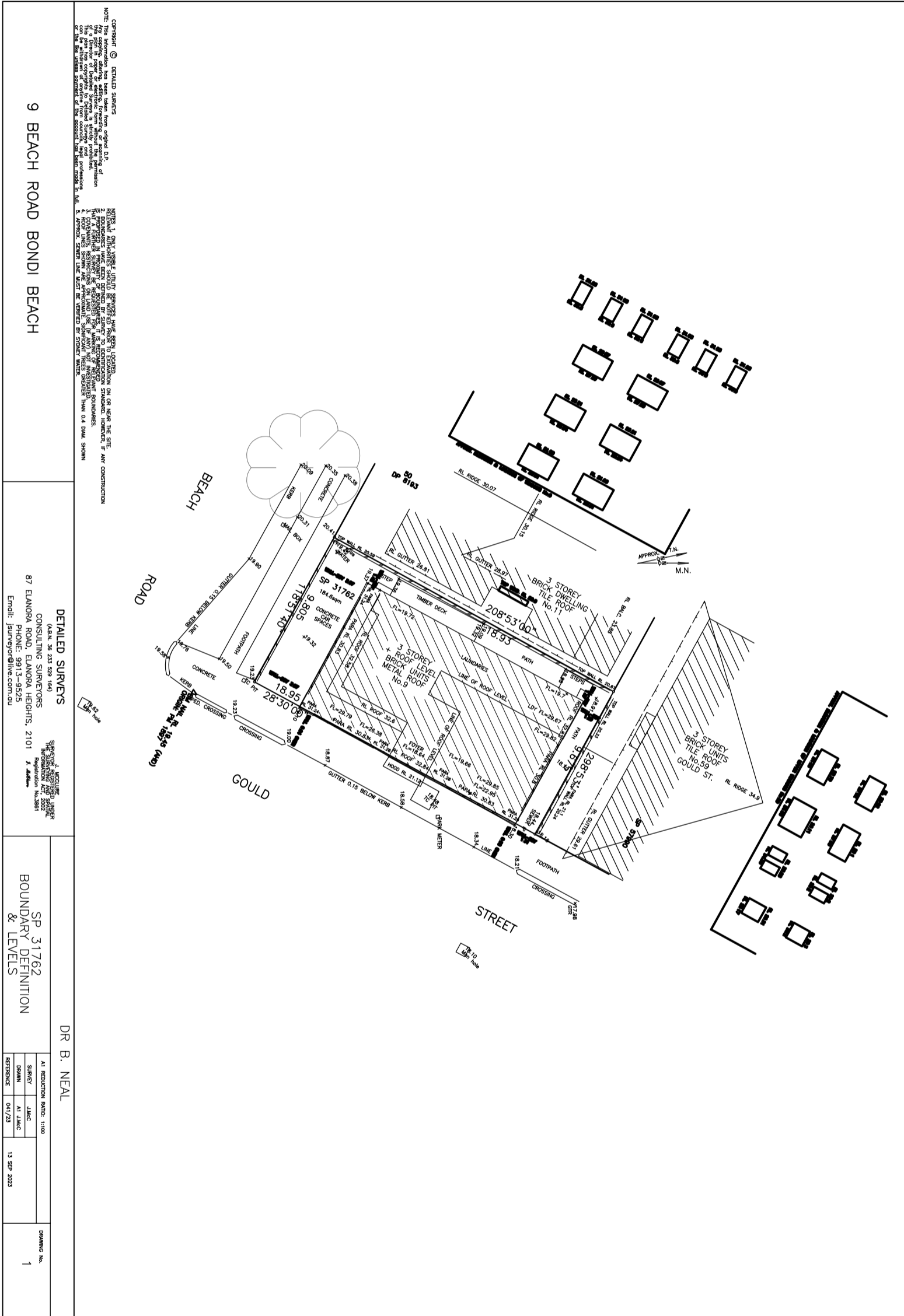
SYDNEY
LATITUDE 33.86 SOUTH -
LONGITUDE 151.2 EAST
REFERENCE LONGITUDE

FOR STANDARD TIME
150.0 EAST

JUNE 22ND
9AM 18 DEGREES
NOON 32 DEGREES
1PM 27.33 DEGREES
2PM 22.67 DEGREES
3PM 18 DEGREES

RECEIVED
Waverley Council
Application No: DA-289/2024
Date Received: 19/09/2024

AMENDMENTS	<p>NOTES</p> <p>All work to be carried out in accordance with BCA,SAA Codes and conditions of council.</p> <p>Do not scale drawings.</p> <p>Use figured dimensions.</p> <p>Site measure before starting work.</p>	<p>DBCF PTY LTD</p> <p>DESIGNED BY CATHERINE FINLAY</p> <p>DIRECTOR</p> <p>M: 0422 200 833</p>	PROJECT	STAGE	DRAWING				
			ALTERATIONS & ADDITIONS	APPROVAL	SHADOW DIA. 2 PM				
			AT	JOB NO	823	SCALE	1:200	DWG NO	133
			UNIT 5-9 BEACH ROAD						
			BONDI BEACH NSW 2026						
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			BARNETT & NEAL						



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9 BEACH ROAD BONDI BEACH

DETAILED SURVEYS
CONSULTING SURVEYORS
87 ELANORA ROAD, ELANORA HEIGHTS, 2101
PHONE: 9913-9525
Email: jsurvey@live.com.au

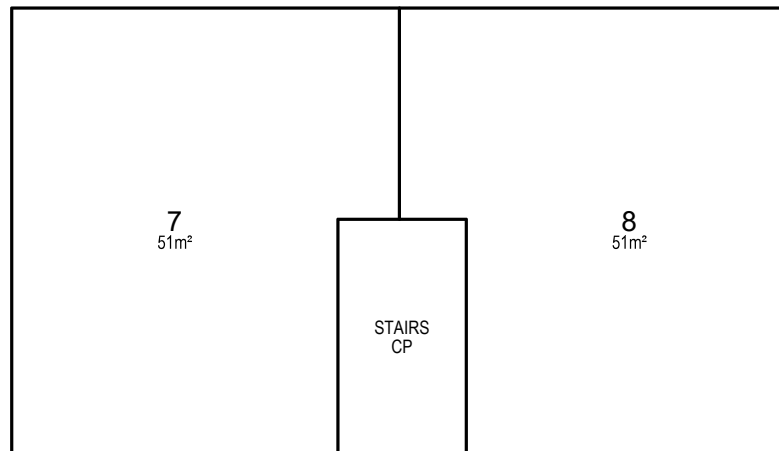
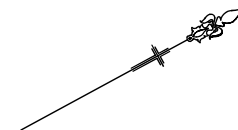
SP 31762
BOUNDARY DEFINITION
& LEVELS

DR B. NEAL

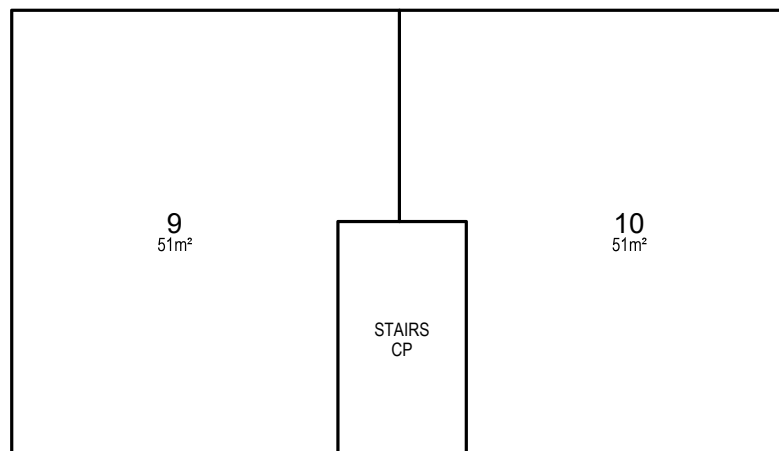
AI REDUCTION RATIO: 1:100	DATE: 13 SEP 2023
DRAWN: AI J.M.C.	
CHECKED: AI J.M.C.	
DATE: 04/1/23	

DRAWING No. 1

- AREAS AND FLOOR PLAN SHOULD BE CHECKED AND VERIFIED BY ARCHITECT/OWNER PRIOR TO OFFICIAL USE.
- ALL AREAS SHOWN ARE FOR THE PURPOSE OF THE STRATA SCHEMES DEVELOPMENT ACT 2015 AND ARE APPROXIMATE ONLY.
- ANY SERVICE SERVING ONE LOT WITHIN ANOTHER LOT IS COMMON PROPERTY.
- DUCTS AND COLUMNS FORM PART OF COMMON PROPERTY AND ARE NOT NECESSARILY SHOWN.



GROUND LEVEL FLOOR PLAN



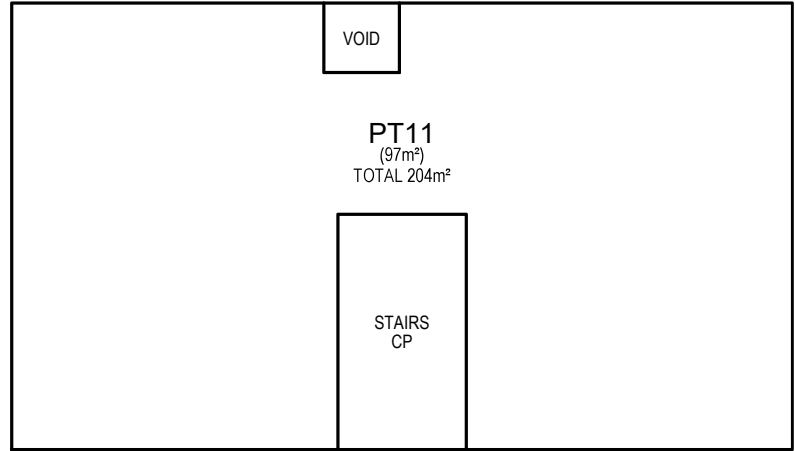
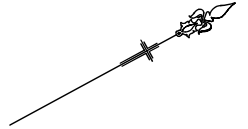
LEVEL 1 FLOOR PLAN

RECEIVED
Waverley Council
Receipt No: DA-289/2024
Date Received: 03/07/2024

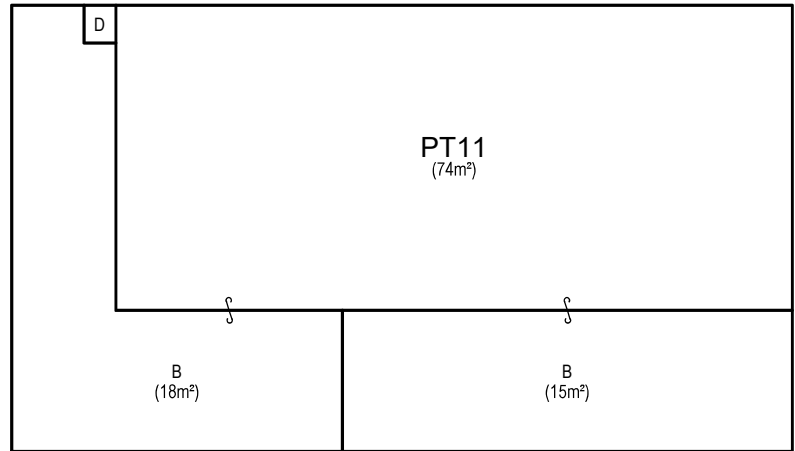
CP COMMON PROPERTY

<p>SURVEYOR Name: C & A SURVEYORS Date: 6-03-2024 Reference: 31510-24 SP DRAFT V1</p>	<p style="text-align: center;">STRATA PLAN OF SUBDIVISION OF COMMON PROPERTY & LOTS 1-6 IN SP 31762</p>	<p>LGA: WAVERLEY Locality: BONDI BEACH Reduction Ratio: 1:100 22.5 length are in metres</p>	<p>Registered</p>	<p style="text-align: center; font-size: 24pt;">SP DRAFT</p>
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- AREAS AND FLOOR PLAN SHOULD BE CHECKED AND VERIFIED BY ARCHITECT/OWNER PRIOR TO OFFICIAL USE.
- ALL AREAS SHOWN ARE FOR THE PURPOSE OF THE STRATA SCHEMES DEVELOPMENT ACT 2015 AND ARE APPROXIMATE ONLY.
- ANY SERVICE SERVING ONE LOT WITHIN ANOTHER LOT IS COMMON PROPERTY.
- DUCTS AND COLUMNS FORM PART OF COMMON PROPERTY AND ARE NOT NECESSARILY SHOWN.
- THE STRATUM OF THE BALCONIES ARE LIMITED IN HEIGHT TO 3 ABOVE THE UPPER SURFACE OF THEIR TIMBER/TILED FLOORS EXCEPT WHERE COVERED WITHIN THESE LIMITS AND IN DEPTH TO THE ABOVEMENTIONED SURFACE.



LEVEL 2 FLOOR PLAN



ROOF LEVEL FLOOR PLAN






RECEIVED
Waverley Council
Receipt No: DA-289/2024
Date Received: 03/07/2024

B BALCONY
 CP COMMON PROPERTY
 D DUCTING (CP)

SURVEYOR Name: C & A SURVEYORS Date: 6-03-2024 Reference: 31510-24 SP DRAFT V1	STRATA PLAN OF SUBDIVISION OF COMMON PROPERTY & LOTS 1-6 IN SP 31762	LGA: WAVERLEY Locality: BONDI BEACH Reduction Ratio: 1:100 Length are in metres	Registered	<h1 style="margin: 0;">SP DRAFT</h1>
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Material Schedule **Issue A**
Proposed: **Materials, Colours and Details**
Site Address: **Unit 5- 9 Beach road Bondi Beach**
Client: **Barnett & Neal**
Applicant: **DBCF PTY LTD Ms C. Finlay M: 0422 200 833**

Attached is a materials board and details of the colour scheme and finishes

	Materials, Colours & Details	Product	Image
1	Roof material	Kliplock 700 hi -strength As per image	
2	All Roofs and Gutters	Metal colour Colorbond Southerly	 <p style="text-align: center;">SOUTHERLY</p>
3	Windows and Doors Aluminium	Brushed Aluminium	
4	Wall	Brick and render to match existing Paint colour to match existing	
5	Glass Bricks	Window as required	



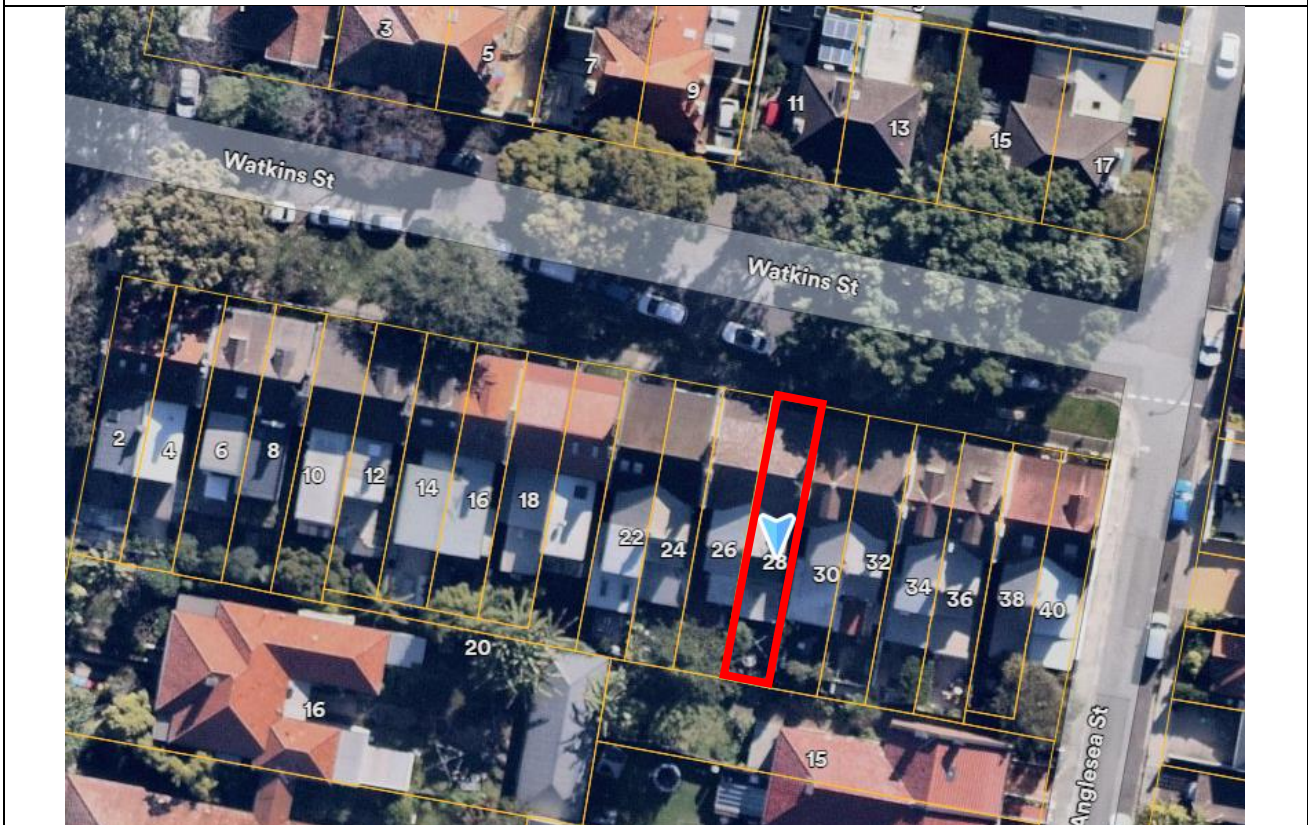
Low Density Residential Development



Report to the Waverley Local Planning Panel

Application number	DA-164/2024
Site address	28 Watkins Street, Bondi
Proposal	Alterations and additions to attached two storey terrace dwelling including rear extension at ground and first floors, new attic level with front and rear dormer windows and landscape works.
Date of lodgement	2 April 2024
Owner	Mr W and Mrs L Morrison
Applicant	Newton Teale Consulting Pty Ltd
Submissions	Two submissions received
Cost of works	\$429,550
Principal Issues	<ul style="list-style-type: none"> • Exceedance of Floor Space Ratio • Rear building line
Recommendation	That the application be APPROVED.

SITE MAP



1. PREAMBLE

1.1. Executive Summary

The development application seeks consent for alterations and additions to the attached terrace dwelling, including additions on the ground and first floors and a new attic level at the site known as 28 Watkins Street, Bondi.

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

- Exceedance of the Height of buildings development standard
- Exceedance of the floor space ratio (FSR) development standard; and
- Rear building line.

The assessment finds these issues acceptable as the proposal does not result in excessive building bulk or scale that will detract from the character of the streetscape or significance of the conservation area and will not result in any adverse environmental impacts on adjoining properties or the public domain.

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 submission have been received. There were no declared conflicts of interest on this application from Council staff.

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

1.2. Site and Surrounding Locality

A site visit was carried out on 27 June 2024.

The site is identified as Lot D in DP 442633, known as 28 Watkins Street, Bondi.

The site is located on the southern side of Watkins Street, is rectangular in shape with a northern of 4.425m and measures 25.605m in depth. It has an area of 107.5m² and has a minor fall of 500mm from the south (rear) to the north (front) boundary.

The site is occupied by a two-storey attached dwelling with a part one and part two storey rear extension built to the western side boundary with a setback along the eastern side boundary. The site does not have vehicular access or on-site car parking. The site does not contain any trees.

The attached dwelling is part of a group of 20 heritage listed early twentieth century terraces that occupy the block bounded by Anglesea Street to the east and Flood Street to the west, and are known as 2-40 Watkins Street. The site is also located within the Watkin Street Conservation Area under the *Waverley Local Environmental Plan 2012* (Waverley LEP 2012).

The site is adjoined by a matching attached dwelling to the west at 26 Watkins Street and an attached dwelling at 30 Watkin Street which is a pair with 32 Watkin Street. No. 30 Watkins Street comprises front

and rear dormer windows, a first floor at the rear and a ground floor extension built to the side boundary adjoining the subject site. On the northern side of Watkins Street are two storey semi-detached dwellings with vehicular access to hardstand car parking spaces and garages fronting Watkins Street. To the rear of the site is 15 Anglesea Street which is occupied by a two-storey semi-detached dwelling.

Within the immediate vicinity of the site existing developments comprises of low density residential developments. The locality is characterised by a mix of low density residential developments and residential flat buildings that are located to the east, south and west of the site.

Figures 1 to 5 are photos of the site and its context.

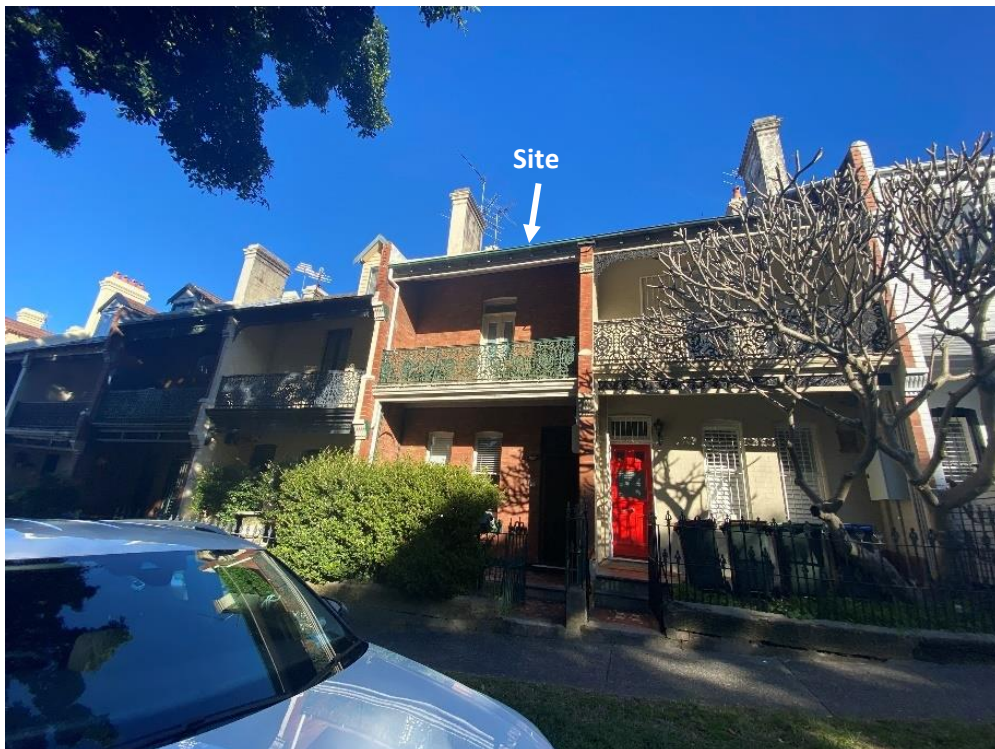


Figure 1: View of site and adjoining properties, looking north from Watkins Street



Figure 2: Looking north from subject rear yard.



Figure 3: View of existing rear building line of properties to the west.



Figure 4: Existing eastern side setback.



Figure 5: Existing rear yard, looking south from eastern side setback.

1.3. Relevant Development History

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

1.4. Proposal

The development application seeks consent for alterations and additions to the attached two storey terrace dwelling including new attic level with front and rear dormer windows and landscape works, and specifically includes the following:

Ground Floor

- Demolition of eastern and southern external walls at the rear to extend part of the ground floor footprint to the eastern boundary with new bi-fold doors opening to the rear yard;
- Internal reconfiguration of the rear portion of the dwelling for a new WC, laundry and open plan living area at the rear;
- New full height sliding glazed doors from dining area to eastern side setback; and
- Remove and replace hard paving in rear yard with new landscape planting.

First Floor

- Extension of first floor comprising a new bedroom and ensuite with glass balustrade to sliding glass doors on the south elevation;
- Internal reconfiguration to provide a new bathroom and new joinery to existing bedrooms; and
- New colourbond roof to rear extension.

Attic Level

- New pull-down stairs to provide access to attic storage area; and
- Two new dormer windows on the north and south elevations.

1.5. Background

The development application was lodged on 6 May 2024 and deferred on 10 May 2024 for the following reasons:

1. Clarification of existing ground level and measurement of height of buildings development standard to be shown on architectural plans in accordance with the definition under the Waverley LEP 2012.
2. Incorrect consideration of FSR development standard under Clause 4.4A of the Waverley LEP 2012 at the time of lodgement as the clause specifically applies only to dwelling houses and dual occupancies. As such, a revised Statement of Environmental Effects and Clause 4.6 written justification seeking variation to the FSR development standard is required to assess the proposal under Clause 4.4 of the Waverley LEP 2012. *(Note the LEP has now been amended and Cl 4.4A now applies).*
3. Proposed first floor rear building line is inconsistent with the predominant rear building line of three adjoining properties on either side of the site and contributes to exceedance of the FSR

development standard. Amended plans providing a rear building line that better responds to the rear building line of adjoining properties is recommended.

4. Amended shadow diagrams clearly distinguishing existing and proposed shadows, to the full extent of the shadows cast across adjoining properties are required to be prepared and submitted to enable a proper assessment of proposed overshadowing impacts on adjoining properties.
5. Additional details to clearly show contextual details of adjoining properties and spot levels on the subject site corresponding to the survey plan is required to be incorporated into the architectural plans.

On 31 May 2024, the applicant submitted amended architectural plans, Statement of Environmental Effects and Clause 4.6 written justification for the variation to the FSR development standard as requested by Council's letter.

During the assessment process, an amendment to the Waverley LEP 2012 (Amendment No. 27) amended the wording of Clause 4.4A to include attached dwelling which is applicable to the subject application as the amendment was not subject to savings provisions. As such, the originally submitted Clause 4.6 written justification was able to be used for the preliminary assessment of the application.

On 7 August 2024, the application was deferred as Council's Assessment Planner identified that the exceedance of the FSR development standard resulted in additional overshadowing impacts on adjoining properties and did not achieve the objective of the development standard to preserve the environmental amenity of adjoining properties. The applicant was required to amend the proposal to demonstrate compliance with the objectives of the development standard, in particular, not resulting in any additional overshadowing, loss of privacy or amenity impacts on adjoining properties.

On 29 August 2024 and 23 September 2024, the applicant submitted amended architectural plans and additional information including an increase in the eastern side setback of the first floor rear addition, correctly showing the measurement of the height of buildings development standard in accordance with the definition of the Waverley LEP 2012, amended Clause 4.6 written justifications for variations to the FSR and height of buildings development standards.

The amended plans and supporting information received on 23 September 2024 form the basis of this 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 (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 <i>R3 Medium Density Residential Zone</i>	Yes	The proposal is defined as alterations and additions to an attached dwelling and is permissible with consent. The proposal to retain the existing use as an attached dwelling and does not change the residential density of the site and is acceptable.
Part 4 Principal development standards		
4.3 Height of buildings • 9.5m	No	The existing attached dwelling has a building height of 10m (RL 88.995) and exceeds the development standard by 500mm or a variation of 5.26%. The proposed front and rear dormer windows have a ridge height of 9.7m and exceed the development standard by 200mm or 2.1%. However, the variation does not exceed the height of the existing roof and does not result in a further overall height non-compliance. The proposed ground and first floor rear extensions do not exceed the development standard.
4.4 Floor space ratio and 4.4A Exceptions to floor space ratio • 0.99:1 (106.43m ²)	No	The proposed FSR of 1.25:1 (133.91m ²), is a result of an additional 27.51m ² of GFA. The proposal exceeds the FSR development standard by 27.48m ² or a variation of 25.6%.
4.6 Exceptions to development standards	See discussion	The application is accompanied by a written request pursuant to clause 4.6 of Waverley LEP 2012 to vary the height of buildings and FSR development standards. A detailed discussion

Provision	Compliance	Comment
		of the variation to the development standards is presented below this table.
Part 5 Miscellaneous provisions		
5.10 Heritage conservation	Yes – subject to conditions	The site is identified as a heritage item (I66) comprising a row of early twentieth century terraces (2-40 Watkins Street) and is also located within the Watkins Street conservation area under Schedule 5 of the Waverley LEP 2012. Council’s Heritage Advisor has reviewed the proposal and provided recommendations discussed in Section 3.1 of this report.
Part 6 Additional local provisions		
6.15 Stormwater management	Yes	Council’s Stormwater Engineer has reviewed the proposal and is satisfied that the proposal will not adversely impact the environment subject to stormwater management conditions that have been included in the recommendation.

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 of buildings development standard of 9.5m. The proposed development has a building height of 9.7m measured to the ridge of the front and rear dormer windows, exceeding the standard by 200mm equating to a 2.1% variation. It is noted that the existing building already exceeds the development standard by 500mm (10m) or a variation of 5.26% and the proposal, whilst exceeding the development standard, does not extend beyond the existing building height measured to the roof ridge.

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

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

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

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

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

- (a) That compliance with the development standard is unreasonable or unnecessary in the circumstances of the case:
 - (i) The proposal is consistent with the objectives of the development standard and the land use zone
 - (ii) The extent of the variation to the development standard is limited to the top of the new dormer windows and does not have adverse amenity impacts on adjoining properties such excessive building bulk, overshadowing, noise, visual privacy or loss of views.
 - (iii) The proposal does not result in any adverse impacts on the streetscape or amenity of the public domain.
 - (iv) The proposed scale and proportions of the dormer windows complement existing dormer windows in the row of terrace dwellings on the southern side Watkin Street and is consistent with the desired future character of the locality.

- (b) That there are sufficient environmental planning grounds to justify contravening the standard:
 - (i) The proposal achieves the requirements of BASIX for ecologically sustainable development and will not adversely impact on the amenity of surrounding properties or the public domain with no additional overshadowing, loss of privacy, view loss or excessive building bulk.
 - (ii) The proposal does not result in any loss of existing trees or tree canopy and has no additional environmental impacts on the local fauna or flora. The proposed landscaping within the rear private open space is suitable for the site.
 - (iii) The proposal is consistent with the form, scale and character of existing terrace dwellings within the row and does not detract from the significance of the conservation area.
 - (iv) The proposal provides for the orderly and economical use of land in accordance with the objects of the Act.

Consideration of Applicant's Written Request

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

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

The applicant has adequately addressed that compliance with the 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 proposal has adequately demonstrated that notwithstanding the extent of variation to the height of buildings development standard, the proposal achieves the relevant objectives of the development standard as the variation does not exceed the existing building height of the terrace dwelling or adjoining terraces in the row and will preserve the environmental amenity of neighbouring properties with no additional impacts on privacy, overshadowing or view loss. The proposal maintains a building height and form that is consistent with adjoining properties and will not detract from the character of the streetscape or conservation 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 there are sufficient environmental planning grounds to justify contravening the development standard. Specifically, the applicant has adequately demonstrated that the extent of the variation to the development standard is contextually appropriate for the site, streetscape and conservation area as it results in a built form that is consistent with adjoining properties, particularly when viewed from the public domain and will not result in any additional amenity impacts on adjoining properties. In this circumstance, the justifications provided by the applicant are considered well founded and the variation to the height of buildings development standard is supported.

Conclusion

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

Clause 4.6 Exceptions to Development Standards - FSR

The application seeks to vary the FSR development standard in clause 4.4A under Waverley LEP 2012.

The site is subject to a maximum FSR development standard of 0.99:1 (106.4m²). The proposed development has a FSR of 1.25:1 (133.91m²), exceeding the standard by 27.48m² equating to a 25.6% variation.

The existing attached dwelling has a FSR of 0.92:1 (98.92m²) which is compliant with the FSR development standard.

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

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

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

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

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

- (a) That compliance with the development standard is unreasonable or unnecessary in the circumstances of the case:
 - (i) The proposal achieves the objectives of the development standard and is consistent with the bulk and scale of adjoining properties when viewed from the public domain and the character of the locality; and
 - (ii) The proposal preserves the environmental amenity of neighbouring properties as it does not result in any additional overshadowing or loss of acoustic or visual privacy impacts to habitable windows or private open spaces.
- (b) That there are sufficient environmental planning grounds to justify contravening the standard:
 - (i) The proposal demonstrates compliance with the relevant objects in section 1.3 of the Environmental Planning and Assessment Act 1979, particularly as the proposal achieves ecologically sustainable development, does not result in any loss of trees or impacts on ecological communities and habitats, and promotes the orderly and economic use of the land by enhancing the amenity for occupants.
 - (ii) The proposal will not detract from the character of the heritage conservation area or the significance of the row of heritage items which the site is part of.
 - (iii) The proposal demonstrates good design through appropriate built form and landscape areas and will comply with requirements under the BCA.
 - (iv) The proposal achieves the objectives of the development standard and will preserve the environmental amenity of neighbouring properties and will complement the character of the streetscape and locality.

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]. As detailed above, the applicant has adequately demonstrated that notwithstanding the variation to the FSR development standard, the proposal satisfactorily achieves the objectives of the development standard as the proposal does not result in any adverse impacts on the character of the locality, significance of the heritage conservation area or amenity of adjoining 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 there are sufficient environmental planning grounds to justify contravening the development standard. The proposal does not result in excessive building bulk or scale that will detract from the established form and scale of the row of terrace dwellings or the character of the locality when viewed from the public domain. The proposal will not adversely affect the environmental amenity of surrounding properties as the extent of the variation will not result in additional overshadowing, view loss or privacy impacts on adjoining properties.

Conclusion

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

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

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

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

Development Control	Compliance	Comment
1. Waste <ul style="list-style-type: none"> <i>Garbage bins are to be stored in an appropriate location.</i> 	Yes	Satisfactory.
2. Ecologically Sustainable Development <ul style="list-style-type: none"> <i>Ceiling or wall mounted fans</i> <i>Gas cooktops, gas ovens or gas internal space heating systems.</i> 	Yes – subject to conditions	A BASIX Certificate has been submitted demonstrating compliance with the minimum requirements for the attached dwelling. The installation of ceiling fans and electric cooktop, oven or heating have not been specifically identified. A condition requiring the development to use renewable energy and achieve energy efficiency to contribute to net zero greenhouse emissions has been included in the recommendation.
3. Landscaping, Biodiversity and Vegetation Preservation	Yes	<p>The site is not located within a Biodiversity Habitat Corridor.</p> <p>There are no existing trees on the site.</p> <p>The proposal seeks to provide new landscaping with the rear yard which will contribute positively to the landscaped character of the locality and is acceptable.</p>
5. Water Management	Yes	Satisfactory. Refer to section 3 of this report on referral commentary in relation to stormwater.
8. Heritage	Yes	The proposal will not detract from the character of the row of terrace dwellings, streetscape or character of the conservation area and is acceptable. Council's Heritage Advisor has reviewed the proposal and raised no objection, subject to design modification conditions that have been included in the recommendation.
11. Design Excellence	Yes	The proposal demonstrates design excellence as the alterations and additions do not detract from the existing terrace dwelling or the streetscape, and is compatible with the emerging built form and scale of surrounding properties. The proposal

Development Control	Compliance	Comment
		does not result in any adverse amenity impacts on neighbouring properties and is acceptable.

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

Development Control	Compliance	Comment
1.0 General Objectives		
	Yes	The proposal does not contravene the general objectives of this part of the DCP.
1.1 Height		
Pitched roof dwelling house <ul style="list-style-type: none"> <i>Maximum external wall height of 7m</i> 	No – acceptable on merit	<p>The external wall built to the western side boundary has a height of 7.4m, measured to the roof which exceeds the external wall height by 400mm. The variation is acceptable in this instance as it provides adequate floor to ceiling heights with a minimum height of 2.45m along the eastern side of the bedroom. The proposed external wall height enables the proposed roof form to match the slope of the existing first floor rear wing and the adjoining property at 26 Watkins Street.</p> <p>The variation to the external wall height does not result in excessive bulk or scale and does not have any additional overshadowing impacts on adjoining properties and is acceptable.</p>
1.2 Setbacks		
1.2.1 Front and rear building lines <ul style="list-style-type: none"> <i>Predominant front building line (adjacent three neighbours on either side)</i> <i>Predominant rear building line at each floor level (adjacent three neighbours or either side)</i> <i>Development at first floor level and above shall be set back from the rear building line of the ground floor level</i> 	<p>Yes</p> <p>No – acceptable on merit</p> <p>Yes</p>	<p>No change to front building line at ground and first floor levels.</p> <p>No change is proposed to the ground floor rear building line.</p> <p>The proposed first floor rear extension is setback 7m from the rear boundary and setback from the ground floor rear building providing a stepped built form to reduce visual bulk. Notwithstanding this, the first floor projects beyond the existing rear first floor building line of 5 of the 6 adjoining properties. See discussion below this table.</p>
1.2.2 Side setbacks	Yes	The proposal maintains the existing nil western side setback to the adjoining property at 26 Watkins Street.

Development Control	Compliance	Comment
<ul style="list-style-type: none"> Minimum of 0.9m for ground floor and first floors. 		<p>The proposed nil ground floor setback to the eastern side boundary is acceptable having regard to the nil side setback of the adjoining structure at 30 Watkins Street. The proposal will provide a ground floor setback adjacent to the eastern boundary matching the side setback of 30 Watkins Street and is acceptable.</p> <p>The proposed first floor rear addition is built to the western side boundary and is contextually appropriate as it will enable any future alterations and additions at 26 Watkins Street to be built to the shared side boundary and match the proposed built form.</p> <p>The proposed first floor is setback 1.3m from the eastern side boundary, does not extend beyond the existing first floor side setback measuring 1m and complies with the minimum side setback control.</p>
1.3 Streetscape and visual impact		
<ul style="list-style-type: none"> New development to be compatible with streetscape context Replacement windows to complement the style and proportions of existing dwelling Significant landscaping to be maintained. 	<p>Yes</p> <p>Yes</p> <p>Yes</p>	<p>The proposal does not change the existing front façade of the terrace dwelling with the exception of a new dormer window which matches the dimensions and form of existing dormer windows in the row and will not detract from the character of the streetscape.</p> <p>The new windows at the rear will not detract from the existing architectural character of the dwelling and is acceptable.</p> <p>The site currently has limited soft landscaping within the front setback and a paved rear private open space with no landscaping. The proposal seeks to introduce a new tree and shrubs within the rear private open space and will improve the amenity and landscaped character of the site.</p>
1.4 Fences		
<p><u>Front:</u></p> <ul style="list-style-type: none"> Maximum height of 1.2m Solid section no more than 0.6m in height <p><u>Side and Rear:</u></p> <ul style="list-style-type: none"> Maximum height of 1.8m 	<p>Yes</p> <p>No – acceptable on merit</p>	<p>No change is proposed to the existing front fence.</p> <p>No change is proposed to the existing western side boundary fence, rear boundary fence and eastern side boundary fence within the rear private open space.</p> <p>Part of the existing side boundary fence along the eastern boundary will be removed and replaced with the external wall of the ground floor addition, measuring a height of 2.185m at the boundary. The outer wall on the eastern boundary results in a variation of 85mm and is acceptable as it is</p>

Development Control	Compliance	Comment
		<p>adjacent to the rear ground floor structure at 30 Watkins Street that is built to the side boundary.</p> <p>The proposal is acceptable in this circumstance as the external wall of the ground floor does not result in excessive building bulk.</p>
1.5 Visual and acoustic privacy		
<ul style="list-style-type: none"> • <i>Habitable windows are not to directly face habitable windows or open space of neighbouring dwellings unless direct views are screened or other appropriate measures are incorporated into the design</i> • <i>Roof tops to be non-trafficable unless predominant in the immediate vicinity</i> 	<p>No – acceptable subject to design modification conditions</p> <p>Yes – subject to condition</p>	<p>The proposed new ground floor windows will not result in any direct overlooking of adjoining habitable windows or private open spaces as sightlines are obstructed by existing boundary fences.</p> <p>The proposed new first floor ensuite window (W05) on the east elevation is offset from the alignment of the first floor windows at 30 Watkins Street and will not result in any unreasonable loss of privacy or amenity of the adjoining property, subject to the window comprising privacy treatments. A condition requiring privacy treatment to the ensuite window has been included in the recommendation.</p> <p>The proposed bedroom window (W04) on the first floor east elevation has a sill height of 1.8m and will not result in any direct overlooking of adjoining properties.</p> <p>The proposed glazed sliding doors (W03) on the first floor south elevation with a glazed balustrade provides a habitable window opening closer to the rear private open spaces of adjoining properties. To minimise privacy impacts on adjoining properties it is recommended that the glazed balustrade comprise of opaque glazing and privacy blades projecting from the external wall be installed adjacent to the eastern and western sides of Window W03 to minimise direct sightlines to adjoining private open spaces.</p> <p>The proposed roof immediately to the south of the first floor window opening is not shown as a trafficable roof however, a parapet with a varying height between 500mm to 900mm is proposed which could facilitate future conversion of the roof to a balcony. A rear first floor balcony in this location will result in additional privacy impacts on adjoining properties and is not supported, therefore conditions to delete the parapet or reduce the height of the parapet to a maximum of 300mm above the proposed roof slope and</p>

Development Control	Compliance	Comment
		restriction for a non-trafficable roof have been included in the recommendation.
1.6 Solar access		
<ul style="list-style-type: none"> • <i>Minimum of 3 hours of sunlight to 50% of living areas and principal open space areas on 21 June to subject site</i> • <i>Minimum of 3 hours of sunlight maintained to at least 50% of principal open space areas of adjoining properties on 21 June.</i> • <i>Avoid unreasonably overshadowing of solar collectors (including habitable windows).</i> 	<p>No – as existing</p> <p>No – as existing</p> <p>Yes</p>	<p>The site and adjoining properties are substantially overshadowed by existing built forms between 9am and 3pm on 21 June.</p> <p>As demonstrated by the amended shadow diagrams, the proposal does not result in any additional overshadowing of adjoining habitable windows or private open spaces.</p> <p>There are no skylights or solar collectors at adjoining properties that will be impacted by the proposal.</p>
1.7 Views		
<ul style="list-style-type: none"> • <i>Views from the public domain are to be maintained</i> • <i>Development to be designed and sited so as to enable a sharing of views with surrounding dwellings particularly from habitable rooms and decks.</i> 	Yes	There are no views from the public domain or adjoining properties that will be impacted by the proposal.
1.9 Landscaping and open space		
<ul style="list-style-type: none"> • <i>Overall open space: 40% of site area (43m²)</i> • <i>Overall landscaped area: 20% (21.5m²) of site area, with at least half deep soil (10.75m²)</i> • <i>Minimum area of 25m² for private open space</i> • <i>Front open space: 50% of front building setback area</i> • <i>Front landscaped area: 50% of front open space provided</i> 	<p>No – acceptable on merit</p> <p>Yes</p> <p>No – as existing</p> <p>Yes</p> <p>Yes</p>	<p>The existing site as 40.12m² of open space (37.3%) and does not achieve the minimum open space requirement.</p> <p>The proposal provides a total of 34.19m² of open space equating to 31.8% of the site area. Whilst the proposal does not achieve the minimum open space control, the retention of the existing front setback and private open space at the rear is consistent with the built form of the row of terrace dwellings and provides adequate open space for occupants.</p> <p>The proposal provides 26.07m² equating to 24.25% of the site area and complies with the landscaped area control.</p> <p>No change is proposed to the existing 24.29m² of principle private open space at the rear of the site</p>

Development Control	Compliance	Comment
<ul style="list-style-type: none"> <i>Outdoor clothes drying area to be provided</i> 	Not shown	<p>immediately adjacent to the internal open plan living area. The existing open space area will be maintained for the use of occupants and is acceptable.</p> <p>No change is proposed to the existing open space and landscaped area within the front setback. The proposal will not have any additional impacts on the landscaped character of the site as viewed from Watkins Street and is acceptable.</p> <p>The site currently has an outdoor clothes line in the rear private open space. No clothes line is shown in the proposed architectural or landscape plans however, there is sufficient space within the rear yard to accommodate clothes drying for occupants if and when required.</p>
1.11 Dormer windows		
<ul style="list-style-type: none"> <i>If <2.5m from gutter to ridge, flush to the roof and maximum of one per single fronted dwelling or one pair on a double fronted dwelling</i> <i>Minimum 0.3m below main roof ridge</i> <i>Total width of dormers should be no greater than 25% of the width of the roof</i> 	<p>Yes</p> <p>Yes</p> <p>No</p>	<p>The proposed front and rear dormer windows on the main roof of the attached dwelling is set down more than 0.3m from the roof ridge however the width of the front dormer measures 1.54m and is greater than 1.1m or 25% of the width of the roof and presents a dormer with proportions that are inconsistent with the style and form of existing dormers within the row of terraces in the streetscape.</p> <p>In accordance with the recommendations by Council's Heritage Advisor, design amendments requiring the front dormer window to match the proportions and style of the existing front dormer window at 30 Watkins Street to ensure unity within the row of terraces when viewed from the public domain as been included as a condition in the recommendation.</p>
1.13 Semi-detached dwellings and terrace style development		
1.13.1 Built form		
<ul style="list-style-type: none"> <i>Additions to match the style of the original semi-detached dwelling</i> <i>Existing roof form maintained forward of principal ridgeline</i> <i>Use of roof as an attic permitted provided</i> <i>Front verandahs to be maintained</i> 	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>	<p>The proposal is compatible with the built form of the row of terraces immediately adjoining the site and is acceptable.</p> <p>No change is proposed to the existing roof pitch and form of the original terrace dwelling. The proposed dormer windows are compatible with the existing roof form of the site and adjoining properties and is acceptable.</p> <p>No change is proposed to the existing front verandah.</p>

Development Control	Compliance	Comment
<p>1.13.2 First floor additions to semi-detached dwellings</p> <ul style="list-style-type: none"> • <i>First floor additions are to be complementary to the overall building size and style</i> • <i>Bulk of any first floor addition is to be located to the rear</i> • <i>Roof forms which contribute to excessive visual bulk not permitted</i> • <i>Limit the rise of the interface with adjoining semi-detached dwelling to 600mm</i> 	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>	<p>The proposal does not seek to alter the presentation of the existing first floor on the north (front) elevation.</p> <p>The proposed first floor addition is located to the rear of the dwelling and will not be visible from the public domain. The height of the external wall and roof slope of the first floor rear addition is consistent with the wall height and roof slope of the first floor at 26 Watkin Street. The proposed built form complements the scale of the existing dwelling and maintains the character of rear additions within the row of the terraces.</p>
<p>1.13.3 Material finishes and detail for semi-detached dwellings</p> <ul style="list-style-type: none"> • <i>Finishes and detailing are to be cohesive with the existing dwelling</i> • <i>Historic features of the roofscape are to be incorporated into the addition</i> • <i>Dormer roof forms are to match the style of the original dwelling</i> • <i>New windows to have a similar proportion to the existing</i> • <i>Upper wall finishes to reflect the style and character of the original building</i> 	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>	<p>The proposed external materials and finishes as specified on the external materials and finishes schedule will not detract from the character of the existing dwelling and is acceptable. A condition has been imposed requiring the notation of external materials and finishes on the architectural plans to be consistent with the external materials and finishes schedule.</p> <p>The proportions of the front and rear dormer windows compliment the character of the existing terrace and the row of terraces immediately adjoining the site.</p> <p>The new window openings to the rear ground and first floor additions are vertically proportioned and will not detract from the existing windows of the dwelling, except for the new bedroom window (W04) on the east elevation which is horizontally proportioned and is a highlight window. In this instance, the proposed style of the window on the new first floor rear addition is acceptable as it is adjacent to the side boundary, will not be visible from the public domain and will provide better visual privacy between the site and adjoining properties than vertically proportioned windows.</p> <p>The external walls of the first floor addition will be rendered with a white finish providing a modern appearance that distinguishes it from the heritage characteristics of the original dwelling and is acceptable.</p>

Development Control	Compliance	Comment
<p>1.13.4 Side setback and courtyard design controls for terraces</p> <ul style="list-style-type: none"> • Nil setback permitted where abuts an existing wall with nil setback • Walls on boundaries should not be more than 2.1m high • Internal courtyards to be 1.5m wide. • No openings are permitted for walls built to the side boundary 	<p>Yes</p> <p>Yes</p> <p>No – acceptable on merit</p> <p>Yes</p>	<p>The existing rear portion of the ground floor and first floor are built to the western side boundary with a 1.05m setback to the eastern side boundary.</p> <p>The proposed nil setback to the western side boundary for the ground and first floor additions is consistent with the existing built form of the terrace and will not obstruct any future redevelopment of the adjoining terrace.</p> <p>The proposed extension of the ground floor rear addition to part of the eastern side boundary will replace an existing timber paling fence abutting the blank external wall of the ground floor at 30 Watkins Street. The height of the external wall on built to the eastern side boundary measures 2.1m and is acceptable as it will not result in any unreasonable or excessive visual bulk.</p> <p>The courtyard adjacent to the eastern side boundary will measure 1.05m x 3.42m and does not have a minimum depth of 1.5m as required by the DCP. However, the proposed courtyard dimensions match the existing side courtyard at 30 Watkins Street and is considered acceptable.</p>
<p>1.13.5 Streetscape and visual impact controls for terraces</p> <ul style="list-style-type: none"> • Additional storey reflects character of terrace • Extensions no higher than the existing ridge • Attic conversions maintain existing roof envelope with only dormers 	<p>Yes</p> <p>Yes</p> <p>Yes</p>	<p>The proposal retains the two storey form of the terrace dwelling with dormer windows that are appropriately positioned and proportioned to complement the scale of the dwelling and terraces within the row.</p> <p>No building works are proposed beyond the existing roof ridge and will not contribute to excessive building bulk or scale when viewed from the public domain.</p>
<p>1.13.6 Common or shared party walls</p>	<p>Yes</p>	<p>All proposed works are contained within the boundaries of the subject site and will not impact on party walls.</p>

Table 4: Waverley DCP 2022 – Part E4 – Special Character Areas

Development Control	Compliance	Comment
4.1 Bondi Heights		
<p>Desired Future Character Objectives</p>		<p>No change is proposed to the front setback. The proposed front dormer window does not</p>

when viewed from surrounding properties. Notwithstanding the projection of the first floor rear building line beyond the rear building line at 22 and 34 Watkins Street, the proposed first floor rear building line will not result in excessive building bulk and is generally consistent with the scale of emerging developments within the row of terraces.

The proposal will not create additional overshadowing impacts to habitable windows or private open spaces of adjoining properties and will not result in unreasonable privacy impacts, subject to conditions requiring privacy treatments to the first floor opening on the south (rear) elevation to obscure direct sightlines to adjoining rear yards and is considered acceptable.

2.2. Other Impacts of the Development

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

2.3. Suitability of the Site for the Development

The site is considered suitable for the proposal.

2.4. Any Submissions

The application was notified for 14 days between 5 and 19 June 2024 in accordance with the *Community Engagement Strategy 2023*.

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

- 26 Watkins Street, Bondi
- 30 Watkins Street, Bondi

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

- Rear ground and first floor building lines extending beyond adjoining property
- Loss of solar access and light
- Loss of privacy
- View loss

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

Issue: Existing side boundary fence to be removed for construction of ground floor extension is located on adjoining property.

Response: Part of the existing side boundary fence between the site and 30 Watkins Street is proposed to be replaced by the external wall of the ground floor extension. The submitted survey plan and architectural plans show the location of the proposed external wall will be constructed along the shared boundary, wholly within the subject site and is permitted with consent. A condition has been imposed restricting all works to be contained within the property boundaries of the site.

Issue: Stormwater drainage for the site should have an independent connection separate from the adjoining property which it is currently connected to.

Response: Council's Stormwater Engineer has reviewed the proposal and raised no objection, subject to conditions requiring stormwater management plans and certification demonstrating compliance with the requirements of Council's Water Management Technical Manual, Development Control Plan and all applicable Codes.

Issue: Any damage caused to existing party wall between the site and 30 Watkins Street should be repaired at the cost of the owner of 28 Watkins Street.

Response: A condition requiring the preparation of a dilapidation report of adjoining properties prior to the commencement of works has been included in the recommendation. Any damage caused to adjoining properties by the development is a civil matter to be resolved between property owners and is not a matter for consideration as part of this application.

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. Heritage Advisor

Council's Heritage Advisor has reviewed the proposal and raises no objection subject to design amendments to maintain the significance of the heritage listed dwelling and its contribution to the heritage conservation area. In particular, design amendments are recommended as follows:

- *The proposed dormer to the front roof slope is to closely match in form, dimensions, windows, eaves detailing and external cladding, that to the adjacent dormer at 30 Watkins Street.*

Assessment Officer comment: The amended architectural plans provide dormer windows that are consistent with the style and proportions of adjoining dormer windows and is acceptable.

- *A vertically emphasized window suite with sill raised above floor level [potentially as a window seat] should be provided in lieu of the proposed Juliet balcony to the rear first floor bedroom.*

Assessment Officer comment: The proposed glass sliding doors and balustrade to the first floor bedroom will optimise natural light and ventilation, and enhance the internal amenity of occupants. As a bedroom is not a high traffic or principle living area, the proposed opening is unlikely to result in unreasonable amenity impacts for adjoining properties, subject to privacy treatments to the balustrade to minimise direct overlooking of adjoining properties which has been included in the recommendation.

- *Where colours/finishes are proposed to external surfaces, these should be specific and not including the expression 'or similar'.*

Assessment Officer comment: A condition requiring the submission of a revised schedule of external materials and finishes to the satisfaction of Council's Heritage Advisor has been included in the recommendation.

- *No paint, render, or other coating is to be applied to existing face brick exteriors.*

Assessment Officer comment: A condition to ensure no paint, render or other coating on existing external brickwork of the dwelling has been included in the recommendation.

- *The following recommendations provided in the applicant's heritage report should be included in conditions of consent namely:*
 - *It is recommended that fixings required into existing original perimeter walls be reduced to the minimum amount required and be fixed into existing mortar joints rather than directly into brickwork (where structurally sound). New fixings into early walls should be of marine grade stainless steel.*
 - *It is recommended that the proposed horizontally oriented window on the eastern façade of the first-floor rear wing extension be replaced by two vertically oriented windows of a consistent scale, spacing and profile to the proposed new window into the rear wing structure.*

Assessment Officer comment: Whilst the horizontally proportioned window (W04) on the east elevation is not consistent with existing vertically proportioned windows, the window is located within the new rear addition and on the side elevation. The horizontally proportioned window is acceptable on the balance of providing better privacy between the site and adjoining property and having minimal impact on original style of the terrace as it is not visible from the public domain. In this instance, adoption of the recommendation to replace the horizontal highlight window with two vertically proportioned windows to the rear bedroom will not provide better amenity for occupants of the site or adjoining properties.

3.2. Stormwater

Council's Stormwater Engineer has reviewed the proposal and advised that no objection is raised subject to appropriate stormwater management conditions being included in the recommendation.

3.3. Tree Management

Council's Tree Management Officer has confirmed that there are no trees on the site or significant trees that will be affected by the proposal. Standard tree protection conditions relating to street trees and trees on adjoining properties have been included in the recommendation.

4. CONCLUSION

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


Managers of Development Assessment (MODA) Review

The application was reviewed by the MODA at the meeting on 24 September 2024 and the MODA concurred with the Assessment Planner's recommendation.

MODA members: A Rossi, B McNamara, B Magistrale and Jo Zancanaro

5. RECOMMENDATION TO WAVERLEY LOCAL PLANNING PANEL

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

Report prepared by:	Application reviewed and agreed by:	Application reviewed and agreed by:
		
Peggy Wong	Bridget McNamara	Angela Rossi
Senior Development Assessment Planner	Manager, Development Assessment	Executive Manager, Development Assessment
Date: 30 September 2024	Date: 30 September 2024	Date: 14 October 2024

Reason for WLPP referral:

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

OFFICE USE ONLY

Planning Portal Data															
<p>Clause 4.6 register entry required</p> <p>(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)</p>	<p>2.1% variation to height (Clause 4.3)</p> <table border="1"> <tr> <td>X</td> <td>Pre-existing non-compliance</td> </tr> <tr> <td>X</td> <td>No change to overall building height</td> </tr> <tr> <td></td> <td>No change to overall building envelope</td> </tr> <tr> <td>X</td> <td>Variation limited to the 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>	X	Pre-existing non-compliance	X	No change to overall building height		No change to overall building envelope	X	Variation limited to the attic only	X	No unreasonable impacts on the amenity of adjoining properties or streetscape	X	Sufficient environmental planning grounds	X	Consistent with the objectives of the standard
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	X	Consistent with the objectives of the standard
Determining Authority (Concurrence Authority for Clause 4.6 variation)	Local Planning Panel	
Were the requirements of the Sustainable Buildings SEPP (effective 1 October 2023) met?	Yes	
Have any dwellings been approved for affordable Rental Housing under this approval/consent? *This is a planning portal reporting requirement	No	
Secondary Dwelling *This is a planning portal reporting requirement	No	
Boarding House *This is a planning portal reporting requirement	No	
Group Home *This is a planning portal reporting requirement	No	
Is the development subject to the Special Infrastructure Contribution (SIC)?	No	
Is the development located within an Urban Release area?	No	
Waverley Council Data		
Trial Period database entry required	No	
VPA submitted – follow up actions required	No	
Refer to compliance for investigation	No	
Commercial/liquor operational conditions	No	
Was there a 'Conflict of Interest' declared	No	

APPENDIX A – CONDITIONS OF CONSENT

Terms and Reasons for Conditions

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

GENERAL CONDITIONS

	Condition																																				
1.	<p>APPROVED PLANS AND DOCUMENTATION</p> <p>The development must be in accordance with:</p> <p>(a) Architectural Plans prepared by PlanLand including the following:</p> <table border="1" data-bbox="443 792 1385 1164"> <thead> <tr> <th>Plan Number and Revision</th> <th>Plan description</th> <th>Plan Date</th> <th>Date received by Council</th> </tr> </thead> <tbody> <tr> <td>DA2.1, Rev D</td> <td>Ground Floor Plan</td> <td>June 2023</td> <td>23.09.2024</td> </tr> <tr> <td>DA2.2, Rev D</td> <td>First Floor Plan</td> <td>June 2023</td> <td>23.09.2024</td> </tr> <tr> <td>DA2.3, Rev D</td> <td>Attic Floor Plan</td> <td>June 2023</td> <td>23.09.2024</td> </tr> <tr> <td>DA2.4, Rev D</td> <td>Roof Plan</td> <td>June 2023</td> <td>23.09.2024</td> </tr> <tr> <td>DA3.1, Rev D</td> <td>Elevations</td> <td>June 2023</td> <td>23.09.2024</td> </tr> <tr> <td>DA3.2, Rev D</td> <td>Elevations</td> <td>June 2023</td> <td>23.09.2024</td> </tr> <tr> <td>DA3.3, Rev D</td> <td>Sections</td> <td>June 2023</td> <td>23.09.2024</td> </tr> <tr> <td>DA8.1, Rev D</td> <td>Window & Door Schedules</td> <td>June 2023</td> <td>23.09.2024</td> </tr> </tbody> </table> <p>(b) Landscape Plan No. DA7.3 to DA7.6 (Inclusive) all Revision D, and documentation prepared by PlanLand, dated June 2023 and received by Council on 23 September 2024</p> <p>(c) BASIX Certificate</p> <p>(d) Schedule of external finishes and colours Drawing No. DA9.1, Revision D dated June 2023 and received by Council on 23 September 2024</p> <p>(e) The Site Waste and Recycling Management Plan (SWRMP) Part 1 received by Council on 7 May 2024</p> <p>(f) Statement of Heritage Impact prepared by Three+One Heritage dated 21 February 2024 and received by Council on 7 May 2024</p> <p>Except where amended by the following conditions of consent.</p> <p>Condition reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.</p>	Plan Number and Revision	Plan description	Plan Date	Date received by Council	DA2.1, Rev D	Ground Floor Plan	June 2023	23.09.2024	DA2.2, Rev D	First Floor Plan	June 2023	23.09.2024	DA2.3, Rev D	Attic Floor Plan	June 2023	23.09.2024	DA2.4, Rev D	Roof Plan	June 2023	23.09.2024	DA3.1, Rev D	Elevations	June 2023	23.09.2024	DA3.2, Rev D	Elevations	June 2023	23.09.2024	DA3.3, Rev D	Sections	June 2023	23.09.2024	DA8.1, Rev D	Window & Door Schedules	June 2023	23.09.2024
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2.	<p>GENERAL MODIFICATIONS</p> <p>The application is approved subject to the following plan amendments;</p>																																				

	<p>(a) Obscure glazing is to be installed to the first floor ensuite window (Window W05) on the east elevation.</p> <p>Condition reason: To minimise direct overlooking to adjacent windows and maintain privacy of adjoining properties.</p>
	<p>(b) The glazed balustrade on the first floor of the south elevation is to comprise of obscure glazing.</p> <p>Condition reason: To minimise direct overlooking and loss of privacy between the site and adjoining private open spaces.</p>
	<p>(c) Privacy screens projecting perpendicular to the southern external wall are to be installed immediately to the east and west sides of Window (W03). The privacy screens are to be of a lightweight material (such as timber or obscure glazing) and be a minimum of 1.6m high when measured from the finished floor level of the first floor and extend a maximum 500mm from the southern external wall.</p> <p>Condition reason: To minimise direct overlooking of adjoining properties.</p>
	<p>(d) The parapet around the perimeter of the rear ground floor roof is to be deleted or reduced to a maximum height of no greater than 300mm above the ground floor roof slope. The roof must be non-trafficable and access is only permitted for maintenance purposes.</p> <p>Condition reason: To ensure the rear ground floor roof is non-trafficable and reduce the building bulk of the ground floor addition when viewed from adjoining properties.</p>
	<p>(e) The external materials and finishes notated on the architectural plans must be consistent with the schedule of external materials and finishes in Drawing No. DA9.1, Revision D dated June 2023 and prepared by PlanLand.</p> <p>Condition reason: To ensure the external materials and finishes complement the character of the existing dwelling and row of terraces.</p> <p>The amendments are to be approved by the Executive Manager, Development Assessment or delegate prior to the issue of any Construction Certificate. An electronic copy of the amended plans or additional information (see website for electronic document requirements) addressing this condition, including a covering letter shall be provided to Council for review.</p>
3.	<p>RETAIN BRICKWORK TO DWELLING</p> <p>No paint, render or other coating is to be applied to existing face brick exteriors. Those elevations of the dwelling that provide brickwork shall be retained as brickwork.</p> <p>Condition reason: To ensure the external materials and finishes complement the character of the existing dwelling and row of terraces.</p>

BUILDING WORK

BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE

	Condition
4.	<p>NO BUILDING OR DEMOLITION WORKS PRIOR TO RELEASE OF CONSTRUCTION CERTIFICATE</p> <p>The building work, or demolition work, must not be commenced until:</p> <p>(a) a Construction Certificate has been obtained from Council or an Accredited Certifier in accordance with the <i>Environmental Planning and Assessment Act 1979</i>;</p> <p>(b) a Principal Certifying Authority has been appointed and Council has been notified of the appointment in accordance with the <i>Environmental Planning and Assessment Act 1979</i> and <i>Environmental Planning and Assessment Regulation 2021</i>; and</p> <p>(c) Council is given at least two days' notice in writing of the intention to commence the building works.</p> <p>Condition reason: To ensure a Construction Certificate is obtained prior to work commencing.</p>
5.	<p>HOME BUILDING ACT</p> <p>The builder or person who does the residential building work shall comply with the applicable requirements of Part 6 of the <i>Home and Building Act 1989</i>. In this regard a person must not contract to do any residential building work unless a contract of insurance that complies with this Act is in force in relation to the proposed work. It is the responsibility of the builder or person who is to do the work to satisfy the Principal Certifying Authority that they have complied with the applicable requirements of Part 6, before any work commences.</p> <p>Condition reason: To ensure the builder or person who does the residential building work, complies with the applicable requirements of Part 6 of the <i>Home and Building Act 1989</i>.</p>
6.	<p>SECTION 7.12 CONTRIBUTION</p> <p>A monetary development contribution is payable to Waverley Council pursuant to section 7.12 of the <i>Environmental Planning and Assessment Act 1979</i> and the Waverley Council Development Contributions Plan in accordance with the following:</p> <p>(a) Where the total development cost is \$500,000 or less:</p> <p style="padding-left: 40px;">(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.</p>

	<p>(b) Where the total development cost is more than \$500,000 but less than \$1,000,000:</p> <p>(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.</p> <p>(c) Where the total development cost is \$1,000,000 or more:</p> <p>(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).</p> <p>- 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.</p> <p>(ii) Upon confirmation of the contribution amount by Council’s Executive Manager, Urban Planning, Policy and Strategy (or delegate), payment is to be processed via the Customer Service Centre.</p> <p>(iii) Should there be a discrepancy between the cost of works approved in subclause (b)(i) and the DA fee nominated in the original DA, then additional DA Fees may be payable prior to the issue of a Construction Certificate.</p> <p>A copy of the required format for the cost reports are provided in the Waverley Council Contributions Plan, available on Council’s website.</p> <p>(d) As legislated in section 209 of the Environmental Planning and Assessment Regulation 2021, the levy must be paid in accordance with the following;</p> <p>(i) A development valued at \$100,000 or less will be exempt from the levy;</p> <p>(ii) A development valued at \$100,001 - \$200,000 will attract a levy of 0.5% of the <u>full</u> cost of the development; or</p> <p>(iii) A development valued at more than \$200,000 will attract a levy of 1% of the <u>full</u> cost of the development.</p> <p>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.</p> <p>Condition reason: To ensure the Section 7.12 Contributions are paid.</p>
7.	<p>SECURITY DEPOSIT</p> <p>A deposit (cash or cheque) for the amount of \$13,785.00 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</p>

	<p>work, kerbing and guttering, footway construction, stormwater drainage and environmental controls) required in connection with the consent.</p> <p>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.</p>
	<p>Condition reason: To ensure any damage to public infrastructure is rectified and public works can be completed.</p>
8.	<p>LONG SERVICE LEVY</p> <p>A long service levy, as required under section 34 of the <i>Building and Construction Industry Long Service Payments Act, 1986</i>, 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.</p> <p><u>Note:</u> 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.</p>
	<p>Condition reason: To ensure the long service levy is paid.</p>
9.	<p>ENGINEERING PLANS ASSESSMENT AND WORKS INSPECTION FEES</p> <p>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.</p> <p>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.</p>
	<p>Condition reason: To ensure Council assessment fees are paid.</p>
10.	<p>HOARDING</p> <p>To ensure the site is contained during construction, a hoarding is required for the approved works, which is to be designed and constructed in accordance with the requirements of Safe Work NSW. Where the hoarding is to be erected over the footpath or any public place, the approval of Council's Compliance Unit must be obtained and the applicable fees paid, prior to the erection of the hoarding.</p>
	<p>Condition reason: To ensure safety to the general public.</p>
11.	<p>EROSION & SEDIMENT CONTROL</p> <p>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.</p>

	<p>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.</p> <p>The recommendations of the SWMP must be implemented and maintained during all construction activities and until the site is fully stabilised following construction.</p> <p>Condition reason: To ensure sediment laden runoff and site debris do not impact local stormwater systems and waterways.</p>
12.	<p>DETAILS OF EXCAVATION, SHORING OR PILE CONSTRUCTION</p> <p>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.</p> <p>Any practices or procedures specified in the Structural Engineer's report in relation to the avoidance or minimisation of structural damage to adjoining properties are to be fully complied with and incorporated into the plans and specifications together with the Construction Certificate.</p> <p>Condition reason: To ensure any excavation, shoring or pile construction is carried out in a safe manner.</p>
13.	<p>ENGINEERING DETAILS</p> <p>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.</p> <p>Condition reason: To ensure structural stability of work on site.</p>
14.	<p>ENGINEERING CERTIFICATE OF ADEQUACY</p> <p>A Certificate of Adequacy prepared by a practicing Structural Engineer is to be provided certifying the adequacy of the existing building structure to carry the extra load of the proposed additions, prior to the issue of the relevant Construction Certificate.</p> <p>Condition reason: To ensure structural stability of work on site.</p>
15.	<p>STRUCTURAL INTEGRITY OF RETAINED BUILDING ELEMENTS</p> <p>Prior to the issue of a Construction Certificate, a report or certification from a practicing structural engineer must be submitted to the Principal Certifying Authority to explain how the retained building elements, such as building facades and chimneys are to be retained, supported and not undermined by the proposed development and give details of any intervention or retrofitting needed.</p> <p>Condition reason: To ensure structural stability of retained building elements.</p>

<p>16.</p>	<p>STORMWATER MANAGEMENT</p> <p>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.</p> <p>The submitted stormwater management plan prepared by Plan Land, Drawing No. 23009 DA 7.1, dated 06/2023 are considered concept only.</p> <p>The applicant must submit amended plans and specifications to comply with the current Waverley Council Water Management Technical Manual and Development Control Plan (DCP) at the time of engineering plan approval. The submitted plans must be prepared by a suitably qualified and practising Civil Engineer and comply with the following conditions:</p> <ol style="list-style-type: none"> a) Specify any components of the existing system to be retained and certified during construction to be in good condition and of adequate capacity to convey additional runoff and be replaced or upgraded if required. b) Detail the proposed pipe sizes, type, grade, length, invert levels, dimensions and types of drainage pits and inspection openings and their location. c) Provide calculations demonstrating that the proposed stormwater drainage system can cater for the relevant design storm event. <p>Notes:</p> <ol style="list-style-type: none"> i. The submitted stormwater management plan must clearly delineate the property’s boundaries, the adjacent street names and provide a north arrow on each drawing. ii. 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. iii. 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. 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 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.
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	<p>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.</p> <p>viii. 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.</p>
	<p>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</p>
17.	<p>BASIX</p> <p>All requirements of the BASIX Certificate and/or NatHERS documentation are to be shown on the Construction Certificate plans and documentation.</p>
	<p>Condition reason: To ensure BASIX and/or NatHERS requirements are met.</p>
18.	<p>SITE WASTE AND RECYCLING MANAGEMENT PLAN</p> <p>A <i>Site Waste and Recycling Management Plan (SWRMP) - Part 2</i> 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 <i>SWRMP Part 2</i> 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.</p>
	<p>Condition reason: To ensure resource recovery is promoted and the local amenity is protected during construction.</p>
19.	<p>CONSTRUCTION TRAFFIC MANAGEMENT PLAN (CTMP)</p> <p>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:</p> <p>https://www.waverley.nsw.gov.au/building/development_applications/post_determination/development_applications_-_conditions_of_consent</p>
	<p>Condition reason: To require details of measures that will protect the public, and the surrounding environment, during site works and construction.</p>
20.	<p>DILAPIDATION REPORT</p> <p>Before any site work commences, a dilapidation report must be prepared by a suitably qualified engineer detailing the structural condition of adjoining buildings,</p>

	<p>structures or works and public land to the satisfaction of the Principal Certifying Authority. At minimum, the following properties are to be included:</p> <ul style="list-style-type: none"> (a) 26 Watkins Street, Bondi (b) 30 Watkins Street, Bondi <p>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.</p> <p>The report is to be dated, submitted to, and accepted by the Principal Certifying Authority, prior to any work commencing on the site.</p> <p>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.</p> <p>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.</p> <p>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.</p>
<p>21.</p>	<p>RENEWABLE ENERGY AND ENERGY EFFICIENCY</p> <p>To enable all development to contribute to net zero greenhouse emissions by 2035, the following shall apply:</p> <ul style="list-style-type: none"> (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. <p>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.</p> <p>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.</p>

BEFORE BUILDING WORK COMMENCES

Condition	
22.	<p>CONSTRUCTION SIGNS</p> <p>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.</p> <p>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.</p>
23.	<p>DEMOLITION – ASBESTOS AND HAZARDOUS MATERIALS</p> <p>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:</p> <ul style="list-style-type: none"> • 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; • <i>Protection of the Environment Operations Act 1997.</i> <p>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:</p> <ol style="list-style-type: none"> (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. <p>Condition reason: To ensure the safety of workers and the general public.</p>
24.	<p>TREE PROTECTION</p>

	<p>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.</p>
	<p>Condition reason: To protect and retain trees.</p>

DURING BUILDING WORK

Condition	
25.	<p>CONTROL OF DUST ON CONSTRUCTION SITES</p> <p>The following requirements apply to demolition and construction works on site:</p> <p>(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.</p> <p>(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.</p> <p>Condition reason: To ensure the safety of workers and the general public.</p>
26.	<p>CONSTRUCTION HOURS</p> <p>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.</p> <p>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.</p> <p>Noise from construction activities shall comply with the <i>Protection of the Environmental Operations (Noise Control) Regulation 2017</i>.</p> <p>Condition reason: To protect the amenity of the surrounding area.</p>
27.	<p>STOCKPILES, STORAGE OF MATERIALS AND LOCATION OF BUILDING OPERATIONS</p> <p>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.</p> <p>Condition reason: To ensure building material is stored in an appropriate location.</p>
28.	<p>CONSTRUCTION INSPECTIONS</p> <p>The building works are to be inspected during construction by the Principal Certifying Authority (PCA) in accordance with the <i>Building Legislation Amendment (Quality of Construction) Act 2002, Part 8 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021</i> and the requirements of any other applicable legislation or instruments.</p>

	Condition reason: To ensure regular inspections occur throughout the construction process.
29.	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.
30.	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.
31.	WORK OUTSIDE PROPERTY BOUNDARY
	This consent does not authorise any work outside the property boundary.
	Condition reason: To ensure all works are located within the property boundary.
32.	STRUCTURAL STABILITY OF ADJOINING ATTACHED DWELLING'S ROOF
	Adequate measures are to be undertaken to ensure structural stability and water proofing of the existing roof over the adjoining attached dwellings having particular regard to the following: (a) Adequate measures are undertaken to secure the existing rafters and ridge to the brickwork of the party wall; and (b) Adequate measures are undertaken to ensure that the roof where it abuts the extended party wall is water proofed.
	Condition reason: To ensure the structural stability of the adjoining semi-detached dwelling's roof.
33.	TREATMENT OF BOUNDARY WALLS
	The walls approved on the east and west boundaries with the neighbouring properties at 26 and 30 Watkins Street 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 consistent visual appearance of the addition from the eastern and western neighbouring properties.
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BEFORE ISSUE OF AN OCCUPATION CERTIFICATE

Condition	
34.	<p>FINAL OCCUPATION CERTIFICATE</p> <p>Prior to occupation or use of the development, an Occupation Certificate must be obtained.</p> <p>The Principal Certifying Authority must be satisfied that the requirements of the <i>Environmental Planning & Assessment Act 1979</i> have been satisfied including all critical stage inspections. Documentary evidence of all required inspections is to be submitted to Council.</p> <p>Condition reason: To ensure an Occupation Certificate is issued prior to occupation or use of the development.</p>
35.	<p>CERTIFICATION OF BASIX COMMITMENTS</p> <p>The Principal Certifying Authority shall certify that the all the undertakings in the approved BASIX certificate have been completed.</p> <p>Condition reason: To ensure all the undertakings in the approved BASIX certificate have been completed.</p>
36.	<p>CERTIFICATION OF NEWLY CONSTRUCTED STORMWATER DRAINAGE SYSTEM</p> <p>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, relevant Water Management Technical Manual, all applicable Codes, Policies, Plans, Standards, and good engineering practice.</p> <p>A copy of the certification must be submitted to the PCA and the assessing stormwater engineer within Infrastructure Services to be retained on file.</p> <p>Condition reason: To ensure that the new stormwater drainage system has been constructed as per the approved stormwater management plans and best practice.</p>
37.	<p>CERTIFICATION OF RETAINED STORMWATER DRAINAGE SYSTEM</p> <p>Certification must be provided from a suitably qualified and practicing Engineer or Plumber, that any retained stormwater drainage system is unblocked, in good working order, and has been repaired or replaced in accordance with Council's relevant Water Management Technical Manual and Development Control Plan and all applicable Codes, Policies, Plans, Standards and good engineering practice.</p> <p>A copy of the certification must be submitted to the PCA and the assessing stormwater engineer within Infrastructure Services to be retained on file.</p> <p>Condition reason: To ensure the stormwater drainage system retained has been checked and will not result in any stormwater related issues for the occupiers or neighbours.</p>

GENERAL ADVISORY NOTES

	Condition
1.	<p>DEVELOPMENT IS TO COMPLY WITH LEGISLATION</p> <p>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.</p>
2.	<p>DEVELOPMENT MUST MEET CONDITIONS OF CONSENT</p> <p>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.</p>
3.	<p>POST CONSENT CONDITIONS REQUIRING COUNCIL INPUT</p> <p>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:</p> <ul style="list-style-type: none"> • 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.	<p>SYDNEY WATER REQUIREMENTS</p> <p>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.</p> <p>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.</p>

	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.	<p>SYDNEY WATER CERTIFICATE</p> <p>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.</p> <p>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.</p>
6.	<p>DIAL BEFORE YOU DIG</p> <p>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.</p>
7.	<p>TELECOMMUNICATIONS ACT 1997 (COMMONWEALTH)</p> <p>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.</p>
8.	<p>ALTERATIONS AND ADDITIONS ONLY</p> <p>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.</p>
9.	<p>TREE REMOVAL/PRESERVATION</p> <p>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.</p>

Dictionary

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

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

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

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

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

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

Council means Waverley Council.

Court means the Land and Environment Court of NSW.

EPA means the NSW Environment Protection Authority.

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

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

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

Local planning panel means Waverley Local Planning Panel.

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

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

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

Stormwater drainage system means all works and facilities relating to:
the collection of stormwater,
the reuse of stormwater,
the detention of stormwater,
the controlled release of stormwater, and
connections to easements and public stormwater systems.

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

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

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

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

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

PROPOSED ALTERATIONS & ADDITIONS

28 Watkins Street, Bondi NSW 2026

AMENDED PLANS

RECEIVED
Waverley Council

Application No: DA-164/2024

Date Received: 23/09/2024



Drawing Register DA	
Sheet Number	Sheet Name
DA 0.1	Cover Sheet
DA 0.2	Basix Certificate
DA 0.3	Spec. & Notes
DA 0.4	Spec. & Notes
DA 0.5	Survey
DA 1.0	Site Analysis
DA 1.1	Site Plan
DA 1.1.2	Dominant Rear Setbacks
DA 1.2	GFA & LSA Calculations
DA 2.1	Ground Floor Plan
DA 2.2	First Floor Plan
DA 2.3	Attic Floor Plan
DA 2.4	Roof Plan
DA 3.1	Elevations
DA 3.2	Elevations
DA 3.3	Sections
DA 5.4	EXISTING & NEW SHADOW DIAGRAMS - 22 JUN / 9AM
DA 5.5	EXISTING & NEW SHADOW DIAGRAMS - 22 JUN / 12PM
DA 5.6	EXISTING & NEW SHADOW DIAGRAMS - 22 JUN / 3PM
DA 7.1	Concept Drainage Plan
DA 7.2	Construction Mgmt. Plan
DA 7.3	Proposed Landscape Plan
DA 7.4	Landscape Specifications
DA 7.5	Landscape Specifications
DA 7.6	Landscape Details
DA 8.1	Window & Door Schedules
DA 9.1	External Materials & Finishes
DA 10.1	Perspective
DA 10.2	Perspective
DA 10.3	Perspective
DA 10.4	Perspective
DA 10.5	Perspective

SITE & BUILDING CALCULATIONS			
PLANING INSTRUMENTS		Waverley Local Environmental Plan 2012	
		Waverley Development Control Plan 2022	
SITE IDENTIFICATION	LOT D	DP 442633	
ZONE	R3 - Medium Density Residential		
SITE AREA	107.5 m ²		
EXISTING FLOOR AREA	98.82 m ²		
SITE CONTROLS		REQUIRED	PROPOSED
FSR		max. 0.6:1	1.25:1
GROSS FLOOR AREA		max. 64.5 m ²	133.91 m ²
SETBACKS	FRONT	established street setback	EXISTING
	SIDE	min. 0.9 m	EXISTING
	REAR	predominant	COMPLIES
BUILDING HEIGHT		max. 9.5 m	COMPLIES
WALL HEIGHT		max. 7 m	COMPLIES
LANDSCAPED AREAS	OVERALL	min. 30 % (32.25 m ²)	24.25% (26.07 m ²)

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LOCATION OF SMOKE ALARMS IN ACCORDANCE WITH THE NCC.

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NOTE:
METHOD OF VENTILATING THE LAUNDRY AND WC AND CONTROLLING CONDENSATION IN ACCORDANCE WITH THE NCC.

Project:
28 Watkins St., Bondi NSW 2026

Client:
Li Morrison & William Morrison

Drawing:
Cover Sheet

newton teale consulting pty ltd ABN: 62 128 716 334
trading as **plan land**

PO BOX 495 Gymer NSW
Phone: 0403 993 876
Email: info@planland.com.au

Drawn: **LT** Approved: **LT** Date: **JUN/2023**

Scale: Drawing No.: Sheet No.: **23009 DA 0.1** Rev.: **D**

@A3

AMENDED PLANS

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

Alterations and Additions

Certificate number: A1740211

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.basix.nsw.gov.au

Secretary
Date of issue: Monday, 18 March 2024
To be valid, this certificate must be lodged within 3 months of the date of issue.



Project address	
Project name	28 watkins street bondi
Street address	28 WATKINS Street BONDI 2026
Local Government Area	Waverley Council
Plan type and number	Deposited Plan DP42633
Lot number	D
Section number	N/A
Project type	
Dwelling type	Separate dwelling house
Type of alteration and addition	My renovation work is valued at \$50,000 or more, and does not include a pool (and/or spa)
N/A	N/A
Certificate Prepared by	
Name / Company Name	BONNEFIN CONSULTING PTY LTD
ABN (if applicable)	95164564210

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BASIX Certificate number A1740211

page 2/8

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

Planning Industry And Environment

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

BASIX Certificate number A1740211

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Construction			
Construction	Show on DA Plans	Show on CC/CDC Plans & specs	Certifier Check
Insulation requirements			
The applicant must construct the new or altered construction (floors, walls, and ceilings/roofs) in accordance with the specifications listed in the table below, except that a) additional insulation is not required where the area of new construction is less than 2m ² , b) insulation specified is not required for parts of altered construction where insulation already exists.	✓	✓	✓
Construction	Additional insulation required (R-value)	Other specifications	
suspended floor with enclosed subfloor: framed (R0.7)	R0.60 (down) (or R1.30 including construction)	N/A	
floor above existing dwelling or building	nil	N/A	
external wall: framed (weatherboard, fibro, metal clad)	R1.30 (or R1.70 including construction)		
railed ceiling, pitched/skillion roof	ceiling: R0.24 (up), roof: fib backad blanket (55 mm)	medium (solar absorptance 0.475 - 0.70)	

Planning Industry And Environment

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RECEIVED
Waverley Council

Application No: DA-164/2024

Date Received: 23/09/2024

BASIX Certificate number A1740211

page 4/8

Glazing requirements			
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 tinted 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/polar glazing, or toned/gap/polar 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.	✓	✓	✓

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

BASIX Certificate number A1740211

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Glazing requirements						
Windows and glazed doors glazing requirements	Show on DA Plans	Show on CC/CDC Plans & specs	Certifier Check			
Window/door number	Orientation	Area of glass including frame (m²)	Overshadowing height (m)	Overshadowing distance (m)	Shading device	Frame and glass type
W1	S	6.32	0	0	none	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
W2	E	7.5	3	1.07	none	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
W3	S	6.55	0	0	none	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
W4	E	1.63	1	1.07	none	standard aluminium, single pyrolytic low-e, (U-value: 5.7, SHGC: 0.47)
W5	E	0.97	1	1.07	none	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)

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

BASIX Certificate number A1740211

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Glazing requirements						
Windows and glazed doors glazing requirements	Show on DA Plans	Show on CC/CDC Plans & specs	Certifier Check			
Window/door number	Orientation	Area of glass including frame (m²)	Overshadowing height (m)	Overshadowing distance (m)	Shading device	Frame and glass type
W6	N	1.06	0	0	none	standard aluminium, single pyrolytic low-e, (U-value: 5.7, SHGC: 0.47)
W7	S	1.45	0	0	none	standard aluminium, single pyrolytic low-e, (U-value: 5.7, SHGC: 0.47)

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BASIX Certificate number A1740211

page 7/8

Glazing requirements			
Glazing requirements	Show on DA Plans	Show on CC/CDC Plans & specs	Certifier Check
Skylights			
The applicant must install the skylights in accordance with the specifications listed in the table below.	✓	✓	✓
The following requirements must also be satisfied in relation to each skylight:		✓	✓
Each skylight may either match the description, or, have a U-value and a Solar Heat Gain Coefficient (SHGC) no greater than that listed in the table below.		✓	✓
Skylights glazing requirements			
Skylight number	Area of glazing inc. frame (m²)	Shading device	Frame and glass type
S1	1.74	no shading	timber, double clear/air 6L (or U-value: 4.3, SHGC: 0.5)

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BASIX Certificate number A1740211

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

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Client:
Li Morrison & William Morrison
Drawing:
Basix Certificate

newton teale consulting pty ltd
trading as **plan land**
PO BOX 495 Gympie NSW
Phone: 0403 993 876
Email: info@planland.com.au
ABN: 62 128 716 334

Drawn: **LT** Approved: **LT** Date: **JUN/2023**
Scale: Drawing No.: Sheet No.: **23009 DA 0.2** Rev.: **D**
@A3



1. FALLS, SLIPS, TRIPS

a) WORKING AT HEIGHTS

DURING CONSTRUCTION

WHEREVER POSSIBLE, COMPONENTS FOR THIS BUILDING SHOULD BE PREFABRICATED OFF-SITE OR AT GROUND LEVEL TO MINIMIZE THE RISK OF WORKERS FALLING MORE THAN TWO METERS. HOWEVER, CONSTRUCTION OF THIS BUILDING WILL REQUIRE WORKERS TO BE WORKING AT HEIGHTS WHERE A FALL IN EXCESS OF TWO METERS IS POSSIBLE AND INJURY IS LIKELY TO RESULT FROM SUCH A FALL. THE BUILDER SHOULD PROVIDE A SUITABLE BARRIER WHEREVER A PERSON IS REQUIRED TO WORK IN A SITUATION WHERE FALLING MORE THAN TWO METERS IS A POSSIBILITY.

DURING OPERATION OR MAINTENANCE

FOR HOUSES OR OTHER LOW-RISE BUILDINGS WHERE SCAFFOLDING IS APPROPRIATE: CLEANING AND MAINTENANCE OF WINDOWS, WALLS, ROOF OR OTHER COMPONENTS OF THIS BUILDING WILL REQUIRE PERSONS TO BE SITUATED WHERE A FALL FROM A HEIGHT IN EXCESS OF TWO METERS IS POSSIBLE. WHERE THIS TYPE OF ACTIVITY IS REQUIRED, SCAFFOLDING, LADDERS OR TRESTLES SHOULD BE USED IN ACCORDANCE WITH RELEVANT CODES OF PRACTICE, REGULATIONS OR LEGISLATION. FOR BUILDINGS WHERE SCAFFOLD, LADDERS, TRESTLES ARE NOT APPROPRIATE: CLEANING AND MAINTENANCE OF WINDOWS, WALLS, ROOF OR OTHER COMPONENTS OF THIS BUILDING WILL REQUIRE PERSONS TO BE SITUATED WHERE A FALL FROM A HEIGHT IN EXCESS OF TWO METERS IS POSSIBLE. WHERE THIS TYPE OF ACTIVITY IS REQUIRED, SCAFFOLDING, FALL BARRIERS OR PERSONAL PROTECTIVE EQUIPMENT (PPE) SHOULD BE USED IN ACCORDANCE WITH RELEVANT CODES OF PRACTICE, REGULATIONS OR LEGISLATION.

ANCHORAGE POINTS

ANCHORAGE POINTS FOR PORTABLE SCAFFOLD OR FALL ARREST DEVICES HAVE BEEN INCLUDED IN THE DESIGN FOR USE BY MAINTENANCE WORKERS. ANY PERSONS ENGAGED TO WORK ON THE BUILDING AFTER COMPLETION OF CONSTRUCTION WORK SHOULD BE INFORMED ABOUT THE ANCHORAGE POINTS.

b) SLIPPERY OR UNEVEN SURFACES

FLOOR FINISHES SPECIFIED

IF FINISHES HAVE BEEN SPECIFIED BY DESIGNER, THESE HAVE BEEN SELECTED TO MINIMIZE THE RISK OF FLOORS AND PAVED AREAS BECOMING SLIPPERY WHEN WET OR WHEN WALKED ON WITH WET SHOES/FEET. ANY CHANGES TO THE SPECIFIED FINISH SHOULD BE MADE IN CONSULTATION WITH THE DESIGNER OR, IF THIS IS NOT PRACTICAL, SURFACES WITH AN EQUIVALENT OR BETTER SLIP RESISTANCE SHOULD BE CHOSEN.

FLOOR FINISHES BY OWNER

IF DESIGNER HAS NOT NOT BEEN INVOLVED IN THE SELECTION OF SURFACE FINISHES, THE OWNER IS RESPONSIBLE FOR THE SELECTION OF SURFACE FINISHES IN THE PEDESTRIAN TRAFFICABLE AREAS OF THIS BUILDING. SURFACES SHOULD BE SELECTED IN ACCORDANCE WITH AS HB 197:1999 AND AS/NZ 4586:2004.

STEPS, LOOSE OBJECTS AND UNEVEN SURFACES

DUE TO DESIGN RESTRICTIONS FOR THIS BUILDING, STEPS AND/OR RAMPS ARE INCLUDED IN THE BUILDING WHICH MAY BE A HAZARD TO WORKERS CARRYING OBJECTS OR OTHERWISE OCCUPIED. STEPS SHOULD BE CLEARLY MARKED WITH BOTH VISUAL AND TACTILE WARNING DURING CONSTRUCTION, MAINTENANCE, DEMOLITION AND AT ALL TIMES WHEN THE BUILDING OPERATES AS A WORKPLACE. BUILDING OWNERS AND OCCUPIERS SHOULD MONITOR THE PEDESTRIAN ACCESS WAYS AND IN PARTICULAR ACCESS TO AREAS WHERE MAINTENANCE IS ROUTINELY CARRIED OUT TO ENSURE THAT SURFACES HAVE NOT MOVED OR CRACKED SO THAT THEY BECOME UNEVEN AND PRESENT A TRIP HAZARD. SPILLS, LOOSE MATERIAL, STRAY OBJECTS OR ANY OTHER MATTER THAT MAY CAUSE A SLIP OR TRIP HAZARD SHOULD BE CLEANED OR REMOVED FROM ACCESS WAYS. CONTRACTORS SHOULD BE REQUIRED TO MAINTAIN A TIDY WORK SITE DURING CONSTRUCTION, MAINTENANCE OR DEMOLITION TO REDUCE THE RISK OF TRIPS AND FALLS IN THE WORKPLACE. MATERIALS FOR CONSTRUCTION OR MAINTENANCE SHOULD BE STORED IN DESIGNATED AREAS AWAY FROM ACCESS WAYS AND WORK AREAS.

THESE NOTES MUST BE READ AND UNDERSTOOD BY ALL INVOLVED IN THE PROJECT.

THIS INCLUDES (BUT IS NOT EXCLUDED TO): OWNER, BUILDER, SUB-CONTRACTORS, CONSULTANTS, RENOVATORS, OPERATORS, MAINTENORS, DEMOLISHERS.

**[PLAN]
[LAND]**

2. FALLING OBJECTS

LOOSE MATERIALS OR SMALL OBJECTS

CONSTRUCTION, MAINTENANCE OR DEMOLITION WORK ON OR AROUND THIS BUILDING IS LIKELY TO INVOLVE PERSONS WORKING ABOVE GROUND LEVEL OR ABOVE FLOOR LEVELS. WHERE THIS OCCURS ONE OR MORE OF THE FOLLOWING MEASURES SHOULD BE TAKEN TO AVOID OBJECTS FALLING FROM THE AREA WHERE THE WORK IS BEING CARRIED OUT ONTO PERSONS BELOW.

1. PREVENT OR RESTRICT ACCESS TO AREAS BELOW WHERE THE WORK IS BEING CARRIED OUT.
2. PROVIDE TOEBOARDS TO SCAFFOLDING OR WORK PLATFORMS.
3. PROVIDE PROTECTIVE STRUCTURE BELOW THE WORK AREA.
4. ENSURE THAT ALL PERSONS BELOW THE WORK AREA HAVE PERSONAL PROTECTIVE EQUIPMENT (PPE).

BUILDING COMPONENTS

DURING CONSTRUCTION, RENOVATION OR DEMOLITION OF THIS BUILDING, PARTS OF THE STRUCTURE INCLUDING FABRICATED STEELWORK, HEAVY PANELS AND MANY OTHER COMPONENTS WILL REMAIN STANDING PRIOR TO OR AFTER SUPPORTING PARTS ARE IN PLACE. CONTRACTORS SHOULD ENSURE THAT TEMPORARY BRACING OR OTHER REQUIRED SUPPORT IS IN PLACE AT ALL TIMES WHEN COLLAPSE WHICH MAY INJURE PERSONS IN THE AREA IS A POSSIBILITY. MECHANICAL LIFTING OF MATERIALS AND COMPONENTS DURING CONSTRUCTION, MAINTENANCE OR DEMOLITION PRESENTS A RISK OF FALLING OBJECTS. CONTRACTORS SHOULD ENSURE THAT APPROPRIATE LIFTING DEVICES ARE USED, THAT LOADS ARE PROPERLY SECURED AND THAT CCESS TO AREAS BELOW THE LOAD IS PREVENTED OR RESTRICTED.

3. TRAFFIC MANAGEMENT

FOR BUILDING ON A MAJOR ROAD, NARROW ROAD OR STEEPLY SLOPING ROAD: PARKING OF VEHICLES OR LOADING/UNLOADING OF VEHICLES ON THIS ROADWAY MAY CAUSE A TRAFFIC HAZARD. DURING CONSTRUCTION, MAINTENANCE OR DEMOLITION OF THIS BUILDING DESIGNATED PARKING FOR WORKERS AND LOADING AREAS SHOULD BE PROVIDED. TRAINED TRAFFIC MANAGEMENT PERSONNEL SHOULD BE RESPONSIBLE FOR THE SUPERVISION OF THESE AREAS. FOR BUILDING WHERE ON-SITE LOADING/UNLOADING IS RESTRICTED: CONSTRUCTION OF THIS BUILDING WILL REQUIRE LOADING AND UNLOADING OF MATERIALS ON THE ROADWAY. DELIVERIES SHOULD BE WELL PLANNED TO AVOID CONGESTION OF LOADING AREAS AND TRAINED TRAFFIC MANAGEMENT PERSONNEL SHOULD BE USED TO SUPERVISE LOADING/UNLOADING AREAS. FOR ALL BUILDINGS: BUSY CONSTRUCTION AND DEMOLITION SITES PRESENT A RISK OF COLLISION WHERE DELIVERIES AND OTHER TRAFFIC ARE MOVING WITHIN THE SITE. A TRAFFIC MANAGEMENT PLAN SUPERVISED BY TRAINED TRAFFIC MANAGEMENT PERSONNEL SHOULD BE ADOPTED FOR THE WORK SITE.

4. SERVICES

GENERAL

RUPTURE OF SERVICES DURING EXCAVATION OR OTHER ACTIVITY CREATES A VARIETY OF RISKS INCLUDING RELEASE OF HAZARDOUS MATERIAL. EXISTING SERVICES ARE LOCATED ON OR AROUND THIS SITE. WHERE KNOWN, THESE ARE IDENTIFIED ON THE PLANS BUT THE EXACT LOCATION AND EXTENT OF SERVICES MAY VARY FROM THAT INDICATED. SERVICES SHOULD BE LOCATED USING AN APPROPRIATE SERVICE (SUCH AS DIAL BEFORE YOU DIG), APPROPRIATE EXCAVATION PRACTICE SHOULD BE USED AND, WHERE NECESSARY, SPECIALIST CONTRACTORS SHOULD BE USED.

LOCATIONS WITH UNDERGROUND POWER:

UNDERGROUND POWER LINES MAY BE LOCATED IN OR AROUND THIS SITE. ALL UNDERGROUND POWER LINES MUST BE DISCONNECTED OR CAREFULLY LOCATED AND ADEQUATE WARNING SIGNS USED PRIOR TO ANY CONSTRUCTION, MAINTENANCE OR DEMOLITION COMMENCING.

LOCATIONS WITH OVERHEAD POWER LINES:

OVERHEAD POWER LINES MAY BE NEAR OR ON THIS SITE. THESE POSE A RISK OF ELECTROCUTION IF STRUCK OR APPROACHED BY LIFTING DEVICES OR OTHER PLANT AND PERSONS WORKING ABOVE GROUND LEVEL. WHERE THERE IS A DANGER OF THIS OCCURRING, POWER LINES SHOULD BE, WHERE PRACTICAL, DISCONNECTED OR RELOCATED. WHERE THIS IS NOT PRACTICAL ADEQUATE WARNING IN THE FORM OF BRIGHT COLOURED TAPE OR SIGNAGE SHOULD BE USED OR A PROTECTIVE BARRIER PROVIDED.

5. MANUAL TASKS

COMPONENTS WITHIN THIS DESIGN WITH A MASS IN EXCESS OF 25KG SHOULD BE LIFTED BY TWO OR MORE WORKERS OR BY MECHANICAL LIFTING DEVICE. WHERE THIS IS NOT PRACTICAL, SUPPLIERS OR FABRICATORS SHOULD BE REQUIRED TO LIMIT THE COMPONENT MASS. ALL MATERIAL PACKAGING, BUILDING AND MAINTENANCE COMPONENTS SHOULD CLEARLY SHOW THE TOTAL MASS OF PACKAGES AND WHERE PRACTICAL ALL ITEMS SHOULD BE STORED ON SITE IN A WAY WHICH MINIMISES BENDING BEFORE LIFTING. ADVICE SHOULD BE PROVIDED ON SAFE LIFTING METHODS IN ALL AREAS WHERE LIFTING MAY OCCUR. CONSTRUCTION, MAINTENANCE AND DEMOLITION OF THIS BUILDING WILL REQUIRE THE USE OF PORTABLE TOOLS AND EQUIPMENT. THESE SHOULD BE FULLY MAINTAINED IN ACCORDANCE WITH MANUFACTURER'S SPECIFICATIONS AND NOT USED WHERE FAULTY OR (IN THE CASE OF ELECTRICAL EQUIPMENT) NOT CARRYING A CURRENT ELECTRICAL SAFETY TAG. ALL SAFETY GUARDS OR DEVICES SHOULD BE REGULARLY CHECKED AND PERSONAL PROTECTIVE EQUIPMENT SHOULD BE USED IN ACCORDANCE WITH MANUFACTURER'S SPECIFICATION.

6. HAZARDOUS SUBSTANCES

ASBESTOS

FOR ALTERATIONS TO A BUILDING CONSTRUCTED PRIOR TO 1990: IF THIS EXISTING BUILDING WAS CONSTRUCTED PRIOR TO: 1990 - IT THEREFORE MAY CONTAIN ASBESTOS 1986 - IT THEREFORE IS LIKELY TO CONTAIN ASBESTOS EITHER IN CLADDING MATERIAL OR IN FIRE RETARDANT INSULATION MATERIAL. IN EITHER CASE, THE BUILDER SHOULD CHECK AND, IF NECESSARY, TAKE APPROPRIATE ACTION BEFORE DEMOLISHING, CUTTING, SANDING, DRILLING OR OTHERWISE DISTURBING THE EXISTING STRUCTURE.

POWDERED MATERIALS

MANY MATERIALS USED IN THE CONSTRUCTION OF THIS BUILDING CAN CAUSE HARM IF INHALED IN POWDERED FORM. PERSONS WORKING ON OR IN THE BUILDING DURING CONSTRUCTION, OPERATIONAL MAINTENANCE OR DEMOLITION SHOULD ENSURE GOOD VENTILATION AND WEAR PERSONAL PROTECTIVE EQUIPMENT INCLUDING PROTECTION AGAINST INHALATION WHILE USING POWDERED MATERIAL OR WHEN SANDING, DRILLING, CUTTING OR OTHERWISE DISTURBING OR CREATING POWDERED MATERIAL.

TREATED TIMBER

THE DESIGN OF THIS BUILDING MAY INCLUDE PROVISION FOR THE INCLUSION OF TREATED TIMBER WITHIN THE STRUCTURE. DUST OR FUMES FROM THIS MATERIAL CAN BE HARMFUL. PERSONS WORKING ON OR IN THE BUILDING DURING CONSTRUCTION, OPERATIONAL MAINTENANCE OR DEMOLITION SHOULD ENSURE GOOD VENTILATION AND WEAR PERSONAL PROTECTIVE EQUIPMENT INCLUDING PROTECTION AGAINST INHALATION OF HARMFUL MATERIAL WHEN SANDING, DRILLING, CUTTING OR USING TREATED TIMBER IN ANY WAY THAT MAY CAUSE HARMFUL MATERIAL TO BE RELEASED. DO NOT BURN TREATED TIMBER.

VOLATILE ORGANIC COMPOUNDS

MANY TYPES OF GLUE, SOLVENTS, SPRAY PACKS, PAINTS, VARNISHES AND SOME CLEANING MATERIALS AND DISINFECTANTS HAVE DANGEROUS EMISSIONS. AREAS WHERE THESE ARE USED SHOULD BE KEPT WELL VENTILATED WHILE THE MATERIAL IS BEING USED AND FOR A PERIOD AFTER INSTALLATION. PERSONAL PROTECTIVE EQUIPMENT MAY ALSO BE REQUIRED. THE MANUFACTURER'S RECOMMENDATIONS FOR USE MUST BE CAREFULLY CONSIDERED AT ALL TIMES.

SYNTHETIC MINERAL FIBRE

FIBREGLASS, ROCKWOOL, CERAMIC AND OTHER MATERIAL USED FOR THERMAL OR SOUND INSULATION MAY CONTAIN SYNTHETIC MINERAL FIBRE WHICH MAY BE HARMFUL IF INHALED OR IF IT COMES IN CONTACT WITH THE SKIN, EYES OR OTHER SENSITIVE PARTS OR THE BODY. PERSONAL PROTECTIVE EQUIPMENT INCLUDING PROTECTION AGAINST INHALATION OF HARMFUL MATERIAL SHOULD BE USED WHEN INSTALLING, REMOVING OR WORKING NEAR BULK INSULATION MATERIAL.

TIMBER FLOORS

THIS BUILDING MAY CONTAIN TIMBER FLOORS WHICH HAVE AN APPLIED FINISH. AREAS WHERE FINISHES ARE APPLIED SHOULD BE KEPT WELL VENTILATED DURING SANDING AND APPLICATION AND FOR A PERIOD AFTER INSTALLATION. PERSONAL PROTECTIVE EQUIPMENT MAY ALSO BE REQUIRED. THE MANUFACTURER'S RECOMMENDATIONS FOR USE MUST BE CAREFULLY CONSIDERED AT ALL TIMES.

7. CONFINED SPACES

EXCAVATION

CONSTRUCTION OF THIS BUILDING AND SOME MAINTENANCE ON THE BUILDING WILL REQUIRE EXCAVATION AND INSTALLATION OF ITEMS WITHIN EXCAVATIONS. WHERE PRACTICAL, INSTALLATION SHOULD BE CARRIED OUT USING METHODS WHICH DO NOT REQUIRE WORKERS TO ENTER THE EXCAVATION. WHERE THIS IS NOT PRACTICAL, ADEQUATE SUPPORT FOR THE EXCAVATED AREA SHOULD BE PROVIDED TO PREVENT COLLAPSE. WARNING SIGNS AND BARRIERS TO PREVENT ACCIDENTAL OR UNAUTHORISED ACCESS TO ALL EXCAVATIONS SHOULD BE PROVIDED.

ENCLOSED SPACES

FOR BUILDINGS WITH ENCLOSED SPACES WHERE MAINTENANCE OR OTHER ACCESS MAY BE REQUIRED: ENCLOSED SPACES WITHIN THIS BUILDING MAY PRESENT A RISK TO PERSONS ENTERING FOR CONSTRUCTION, MAINTENANCE OR ANY OTHER PURPOSE. THE DESIGN DOCUMENTATION CALLS FOR WARNING SIGNS AND BARRIERS TO UNAUTHORISED ACCESS. THESE SHOULD BE MAINTAINED THROUGHOUT THE LIFE OF THE BUILDING. WHERE WORKERS ARE REQUIRED TO ENTER ENCLOSEDSPACES, AIR TESTING EQUIPMENT AND PERSONAL PROTECTIVE EQUIPMENT SHOULD BE PROVIDED.

SMALL SPACES

FOR BUILDINGS WITH SMALL SPACES WHERE MAINTENANCE OR OTHER ACCESS MAY BE REQUIRED: SOME SMALL SPACES WITHIN THIS BUILDING WILL REQUIRE ACCESS BY CONSTRUCTION OR MAINTENANCE WORKERS. THE DESIGN DOCUMENTATION CALLS FOR WARNING SIGNS AND BARRIERS TO UNAUTHORISED ACCESS. THESE SHOULD BE MAINTAINED THROUGHOUT THE LIFE OF THE BUILDING. WHERE WORKERS ARE REQUIRED TO ENTER SMALL SPACES THEY SHOULD BE SCHEDULED SO THAT ACCESS IS FOR SHORT PERIODS. MANUAL LIFTING AND OTHER MANUAL ACTIVITY SHOULD BE RESTRICTED IN SMALL SPACES.

8. PUBLIC ACCESS

PUBLIC ACCESS TO CONSTRUCTION AND DEMOLITION SITES AND TO AREAS UNDER MAINTENANCE CAUSES RISK TO WORKERS AND PUBLIC. WARNING SIGNS AND SECURE BARRIERS TO UNAUTHORISED ACCESS SHOULD BE PROVIDED. WHERE ELECTRICAL INSTALLATIONS, EXCAVATIONS, PLANT OR LOOSE MATERIALS ARE PRESENT THEY SHOULD BE SECURED WHEN NOT FULLY SUPERVISED.

9. OPERATIONAL USE OF BUILDING

RESIDENTIAL BUILDINGS

THIS BUILDING HAS BEEN DESIGNED AS A RESIDENTIAL BUILDING. IF IT, AT A LATER DATE, IT IS USED OR INTENDED TO BE USED AS A WORKPLACE, THE PROVISIONS OF THE WORK HEALTH AND SAFETY ACT 2011 OR SUBSEQUENT REPLACEMENT ACT SHOULD BE APPLIED TO THE NEW USE.

10. OTHER HIGH RISK ACTIVITY

ALL ELECTRICAL WORK SHOULD BE CARRIED OUT IN ACCORDANCE WITH CODE OF PRACTICE: MANAGING ELECTRICAL RISKS AT THE WORKPLACE, AS/NZ 3012 AND ALL LICENSING REQUIREMENTS. ALL WORK USING PLANT SHOULD BE CARRIED OUT IN ACCORDANCE WITH CODE OF PRACTICE: MANAGING RISKS OF PLANT AT THE WORKPLACE. ALL WORK SHOULD BE CARRIED OUT IN ACCORDANCE WITH CODE OF PRACTICE: MANAGING NOISE AND PREVENTING HEARING LOSS AT WORK. DUE TO THE HISTORY OF SERIOUS INCIDENTS IT IS RECOMMENDED THAT PARTICULAR CARE BE EXERCISED WHEN UNDERTAKING WORK INVOLVING STEEL CONSTRUCTION AND CONCRETE PLACEMENT. ALL THE ABOVE APPLIES.

COPYRIGHT:
ALL WORK IS TO COMPLY WITH THE NATIONAL CONSTRUCTION CODE, RELEVANT AUSTRALIAN STANDARDS & LOCAL AUTHORITY REQUIREMENTS. BUILDING CONTRACTOR & ALL RELEVANT SUB TRADES TO CHECK & VERIFY ALL DIMENSIONS & ASSOCIATED DRAWING PARTS PRIOR TO MANUFACTURE, CONSTRUCTION & INSTALLATION ON SITE. DO NOT SCALE OFF DRAWINGS - WRITTEN DIMENSIONS TAKE PRECEDENCE. PLAN LAND ACCEPTS NO LIABILITY OR RESPONSIBILITY RESULTING FROM BUILDERS NEGLIGENCE OR PREFERRED METHOD OF CONSTRUCTION FOR ANY BUILDING DEFECT. THESE DRAWINGS ARE THE PROPERTY OF PLAN LAND. DRAWINGS ARE NOT TO BE REPRODUCED IN PART OR IN WHOLE ON ANY MEDIUM WITHOUT THE WRITTEN PERMISSION OF PLAN LAND.
NOTE:
ALL EXISTING & OVERALL DIMENSIONS ARE NOMINAL & SUBJECT TO VERIFICATION ON SITE. WHERE ANY DISCREPANCY OCCURS BETWEEN NEW WORK & EXISTING BETWEEN NEW WORK & EXISTING DIMENSIONS - EXISTING DIMENSIONS/WORK SHOULD TAKE PREFERENCE WHERE NECESSARY - OTHERWISE NOTIFY PLAN LAND
NOTE:
SELECTED TERMITE PROTECTION TO BE USED ON SITE IN ACCORDANCE WITH LOCAL COUNCIL'S REQUIREMENTS, N.C.C AND ALL RELEVANT AUSTRALIAN STANDARDS
NOTE:
SMOKE DETECTORS TO COMPLY WITH REQUIREMENTS N.C.C AND ALL RELEVANT AUSTRALIAN STANDARDS TO BE CONNECTED TO THE MAIN POWER SUPPLY.
NOTE:
LOCATION OF SMOKE ALARMS IN ACCORDANCE WITH THE NCC.
NOTE:
STAIRWAY TO HAVE A NON-SLIP FINISH OR NOSING STRIP IN ACCORDANCE WITH THE NCC.
NOTE:
METHOD OF VENTILATING THE LAUNDRY AND WC AND CONTROLLING CONDENSATION IN ACCORDANCE WITH THE NCC.

Project:

**28 Watkins St., Bondi
NSW 2026**

Client:

**Li Morrison &
William Morrison**

Drawing:

Spec. & Notes

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Scale: @A3	Drawing No.: 23009	Sheet No.: DA 0.3	Rev.: D

RECEIVED
Waverley Council
Application No: DA-164/2024
Date Received: 23/09/2024

NCC NATIONAL CONSTRUCTION CODE 2022 ABCB HOUSING PROVISIONS - REFERENCED DOCUMENTS

AS/NZS 1170.2	The 2021 edition of AS/NZS 1170 Part 2 'Structural design actions — Wind actions' has been referenced.
AS 1288	The 2021 edition of AS 1288 'Glass in buildings — Selection and installation' has been referenced.
AS 1397	The 2021 edition of AS 1397 'Continuous hot-dip metallic coated steel sheet and strip — Coatings of zinc and zinc alloyed with aluminium and magnesium' has been referenced. A note has been included to outline transitional arrangements.
AS 1530 Parts 1	The notes to AS 1530 Parts 1 to 4 have been deleted.
AS 1530.8.1	The 2018 edition of AS 1530 Part 8.1 'Methods for fire tests on building materials, components and structures — Tests on elements of construction for buildings exposed to simulated bushfire attack — Radiant heat and small flaming sources' has been referenced.
AS/NZS 1546.1	The 2008 edition of AS/NZS 1546 Part 1 'On-site domestic wastewater treatment units — Septic tanks' has been referenced.
AS/NZS 1546.2	The 2008 edition of AS/NZS 1546 Part 2 'On-site domestic wastewater treatment units — Waterless composting toilets' has been referenced.
AS 1546.3	Amdt 1 of the 2017 edition of AS 1546 Part 3 'On-site domestic wastewater treatment units — Secondary treatment systems (incorporating amendment 1)' has been referenced.
AS 1546.4	The 2016 edition of AS 1546 Part 4 'On-site domestic wastewater treatment units — Domestic greywater treatment systems' has been referenced.
AS/NZS 1547	The 2012 edition of AS/NZS 1547 'On-site domestic wastewater management' has been referenced.
AS/NZS 1562.2	The 1999 edition of AS/NZS 1562 Part 2 'Design and installation of sheet roof and wall cladding — Corrugated fibre-reinforced cement' has been deleted.
AS 1562.3	The 2006 edition of AS 1562 Part 3 'Design and installation of sheet roof and wall cladding — Plastic' has been referenced.
AS 1670.1	Amdt 1 of the 2018 edition AS 1670 Part 1 'Fire detection, warning, control and intercom systems — System design, installation and commissioning — Fire (incorporating amendment 1)' has been referenced. Notes to AS 1670 have been amended to outline transitional arrangements.
AS 1670.3	Amdt 1 of the 2018 edition AS 1670 Part 3 'Fire detection, warning, control and intercom systems — System design, installation and commissioning — Fire monitoring (incorporating amendment 1)' has been referenced. Notes to AS 1670 have been amended to outline transitional arrangements.
alarm	Amdt 1 of the 2018 edition AS 1670 Part 4 'Fire detection, warning, control and intercom systems — System design, installation and commissioning— warning and intercom systems (incorporating amendment 1)' has been referenced. Notes to AS 1670 have been amended to outline transitional arrangements.
AS 1670.4	The 2021 edition of AS 1684 Part 2 'Residential timber-framed construction — Non-cyclonic areas' has been referenced.
Emergency	The 2021 edition of AS 1684 Part 3 'Residential timber-framed construction —Cyclonic areas' has been referenced.
AS 1684.2	The 2019 edition of AS/NZS 1720 Part 4 'Timber structures — Fire resistance of timber elements' has been referenced.
AS 1684.3	Amdt 1 of the 2015 edition of AS 1720 Part 5 'Timber structures —Nailplated timber roof trusses (incorporating amendment 1)' has been referenced.
AS/NZS 1720.4	The note to AS/NZS 1859 Part 4 has been deleted.
AS 1720.5	Amdt 2 of the 2017 edition of AS 2118 Part 1 'Automatic fire sprinkler systems — General systems (incorporating amendments 1 and 2)' has been referenced.
AS/NZS 1859.4	The 2021 edition of AS 2118 Part 4 'Automatic fire sprinkler systems — Sprinkler protection for accommodation buildings not exceeding four storeys in height'.
AS 2118.1	The 2008 edition of AS 2118 Part 5 'Automatic fire sprinkler systems — Home fire sprinkler systems' has been referenced.
AS 2118.4	The 2012 edition of AS 2118 Part 6 'Automatic fire sprinkler systems — Combined sprinkler and hydrant systems in multistorey buildings.'
AS 2118.5	Amdt 1 of the 2018 edition of AS/NZS 2293 Part 1 'Emergency lighting and exit signs for buildings — System design, installation and operation (incorporating amendment 1)' has been referenced.
AS 2118.6	The 2014 edition of AS 2312 Part 1 'Guide to the protection of structural steel against atmospheric corrosion by the use of protective coatings — Paint coatings' has been referenced.
AS/NZS 2293.1	The 2014 edition of AS 2312/NZS Part 2 'Guide to the protection of structural steel against atmospheric corrosion by the use of protective coatings — Hot dip galvanizing' has been referenced.
AS 2312.1	Amdt 1 of the 2017 edition of AS/NZS 2327 'Composite structures — composite steel-concrete construction in buildings (incorporating amendment 1)' has been referenced.
coatings'	The 2021 edition of AS 2419 Part 1 'Fire hydrant installations — System design, installation and commissioning' has been referenced. AS 2699.1
AS/NZS 2312.2	The 2020 edition of AS 2699 Part 1 'Built-in components for masonry construction — Wall ties' has been referenced. A note has been included to transitional arrangements.
AS/NZS 2327	The 2020 edition of AS 2699 Part 3 'Built-in components for masonry construction — Lintels and shelf angles (durability requirements)' has been referenced. A note has been included to outline transitional arrangements.
been	The 2021 edition of AS 3500 Part 0 'Plumbing and drainage — Glossary of terms' has been referenced.
AS 2419.1	The 2021 edition of AS 3500 Part 1 'Plumbing and drainage — Water services' has been referenced.
outline	Amdt 1 of the 2021 edition of AS 3500 Part 2 'Plumbing and drainage — Sanitary plumbing and drainage (incorporating amendment 1)' has been referenced.
AS 2699.3	The 2021 edition of AS 3500 Part 3 'Plumbing and drainage — Stormwater drainage' has been referenced. A note has been included to outline transitional arrangements.
AS/NZS 3500.0	The 2021 edition of AS 3500 Part 4 'Plumbing and drainage — Heated water services' has been referenced.
AS/NZS 3500.1	Amdt 2 of the 2018 edition of AS 3600 'Concrete structures (incorporating amendments 1 and 2)' has been referenced.
AS/NZS 3500.2	The 2021 edition of AS 3740 'Waterproofing of domestic wet areas' has been referenced.
AS/NZS 3500.3	Amdts 1 and 2 of the 2018 edition of AS 3959 'Construction of buildings in bushfire-prone areas (incorporating amendments 1 and 2)' has been referenced.
AS/NZS 3500.4	The 2021 edition of AS 4055 'Wind loads for housing' has been referenced.
AS 3600	The note to AS 4072 Part 1 has been deleted.
AS 3740	The 2020 edition of AS 4100 'Steel structures' has been referenced.
AS 3959	Amdt 1 of the 2017 edition of AS 4200 Part 1 'Pliable building membranes and underlays — Materials (incorporating amendment 1)' has been referenced.
AS 4055	Amdts 1 and 2 of the 2017 edition of AS 4200 Part 2 'Pliable building membranes and underlays — Installation (incorporating amendments 1 and 2)' has been referenced.
AS 4072.1	The 2021 edition of AS/NZS 4234 'Heated water systems — Calculation of energy consumption' has been referenced.
AS 4100	The 2021 edition of AS 4254 Part 1 'Ductwork for air-handling systems in buildings — Flexible duct' has been referenced.
AS 4200.1	The 1994 edition of AS/NZS 4256 Part 1 'Plastic roof and wall cladding materials — General requirements' has been deleted.
AS 4200.2	The 1994 edition of AS/NZS 4256 Part 2 'Plastic roof and wall cladding materials — Unplasticized polyvinyl chloride (uPVC) building sheets' has been deleted.
AS/NZS 4234	The 1994 edition of AS/NZS 4256 Part 3 'Plastic roof and wall cladding materials — Glass fibre reinforced polyester (GRP)' has been deleted.
AS 4254.1	The 1996 edition of AS/NZS 4256 Part 5 'Plastic roof and wall cladding materials — Polycarbonate' has been deleted.
AS/NZS 4256.1	Amdt 1 of the 2015 edition of AS 4773 Part 2 'Masonry in small buildings — Construction' has been referenced.
AS/NZS 4256.2	The 2004 edition of AS/NZS 4858 'Wet area membranes' has been referenced.
AS/NZS 4256.3	The 2018 edition of AS 5146 Part 3 'Reinforced Autoclaved Aerated Concrete — Construction' has been referenced.
AS/NZS 4256.5	The 2021 edition of AS 5216 'Design of post-installed and cast-in fastenings in concrete' has been referenced.
AS 4773.2	The 2013 edition of AS/NZS 5601 Part 1 'Gas installations — General installations' has been referenced.
AS/NZS 4858	The 2021 edition of AIRAH-DA07 'Criteria for moisture control design analysis in buildings' has been referenced.
AS 5146.3	ASTM E903 The 2012 edition of ASTM E903 'Standard Test Method for Solar Absorptance, Reflectance, and Transmittance of Materials Using Integrating Spheres' has been deleted.
AS 5216	The 2016 edition of ASTM E96 'Standard Test Methods for Water Vapor Transmission of Materials' has been referenced.
AS/NZS 5601.1	The 2022 version of the ABCB 'Fire Safety Verification Method' Standard has been referenced. As a consequence, the FSVM is deleted as a standalone schedule.
AIRAH-DA07	The 2022 version of the ABCB 'Housing Provisions' Standard has been referenced.
ASTM E903	The 2022 version of the ABCB 'Standard for NatHERS Heating and Cooling Load Limits' has been referenced.
The 2012 edition of ASTM E903	The 2022 version of the ABCB 'Standard for Whole-of-home Efficiency Factors' has been referenced.
'Standard Test Method for Solar Absorptance, Reflectance, and Transmittance of Materials Using Integrating Spheres' has been deleted.	The 2021 edition of FPAA101D 'Automatic Fire Sprinkler System Design and Installation — Drinking Water Supply' has been referenced.
ASTM E96	Amdt 1 of the 2018 edition of FPAA101H 'Automatic Fire Sprinkler System Design and Installation — Hydrant Water Supply (incorporating amendment 1)' has been referenced.
ABCB	The 2021 edition of NASH Standard 'Steel Framed Construction in Bushfire Areas' has been referenced.
ABCB	The 2020 edition of NSF/ANS/CAN 372 'Drinking Water System Components — Lead Content' has been referenced.
ABCB	
ABCB	
ABCB	
FPAA101D	
FPAA101H	
NASH Standard	
NSF/ANSI/CAN 372	

Construction Certificate Notes / General Notes

Sanitary facilities connected to the sewer, septic or portable chemical toilet are to be provided at or in the vicinity of the work site in accordance with work cover authority of NSW, code of practice amenities for construction prior to commencement of work

Demolition must be carried out in accordance with Australian Standard AS2601-2001 'the demolition of structures' and the occupational health and safety act and regulation. Where demolition involves the removal of asbestos, it must be removed in accordance with the requirements of the workcover authority of NSW and disposed of in accordance with the requirements of the department of environment, climate change and water. A site security fence must enclose the site prior to work commencing. Where this involves the erection of fencing or hoarding on council's footpath or road reserve, a hoarding application must be obtained from council prior to commencement of works. Signage identifying the name, address and telephone number of the PCA, the telephone number of the principal contractor and a statement advising 'unauthorised entry to worksite is prohibited' must be displayed on site prior to work commencing. A soil and water management plan with a design certificate confirming the plan complies with landcom soils and construction, volume 1, managing urban stormwater is to be submitted to the PCA prior to work commencing. A dilapidation report on the adjoining properties and prepared by a suitably qualified person and to be submitted to the PCA prior to work commencing. Precautions shall be taken when working near trees to ensure their retention. Refer to landscape plans for further details including all trees marked for retention must have a protective fence/guard placed around a nominated perimeter.

The builder /subcontractor shall verify all dimensions, levels, setbacks and specs prior to commencing any works or ordering materials and shall be responsible for ensuring that all building works conform to the Building Code Of Australia, A.S. Codes (current editions) building regulations, locally-laws and development consent requirements. Report all discrepancies to Plan Land for clarification. These plans shall be read in conjunction with any structural or civil engineering computations and drawings. All timber frame members to be in accordance with as1684. Window sizes are nominal only actual sizes will vary according to manufacturer. Windows to be flashed all around. All window openings are to be measured on site prior to manufacture. Ensure that all steel work, brick cavity ties and steel lintels etc. That are imbedded or fixed into masonry be protected in accordance with as1650 or as3700-1988 table 202, hot dipped galv. S/steel or cadmium coated.

Footings not to encroach title boundaries and easement lines. All wet areas to comply with NCC 3.8.1.2 (of vol 2) or as3740-1994 wall finishes shall be impervious to a min. Height of 1800mm above floor level to shower enclosures and 150mm above baths, basins sinks and troughs if within 75mm of the wall unless noted otherwise sewer shall be in accordance with the relevant authorities' requirements. Stormwater shall be taken to legal point of discharge to the satisfaction of the relevant authority provide thermal insulation as follows: external walls being min r1.16 ceilings provided with min r3.0 see BASIX certificate for further details

2022 - Building Code of Australia requirements:

all new works are to be constructed to comply with the following NCC code requirements:

Section H Class 1 and 10 buildings - <https://ncc.abcb.gov.au/system/files/ncc/ncc2022-volume-two-20230501b.pdf>
Part H1 Structure

H1D1 Deemed-to-Satisfy Provisions
H1D2 Structural provisions
H1D3 Site preparation
H1D4 Footings and slabs
H1D5 Masonry
H1D6 Framing
H1D7 Roof and wall cladding
H1D8 Glazing
H1D9 Earthquake areas
H1D10 Flood hazard areas
H1D11 Attachment of framed decks and balconies to external walls of buildings using a waling plate
H1D12 Piled footings

Part H2 Damp and weatherproofing

H2D1 Deemed-to-Satisfy Provisions
H2D2 Drainage
H2D3 Footings and slabs
H2D4 Masonry
H2D5 Subfloor ventilation
H2D6 Roof and wall cladding
H2D7 Glazing
H2D8 External waterproofing

Part H3 Fire safety

H3D1 Deemed-to-Satisfy Provisions
H3D2 Fire hazard properties and non-combustible building elements
H3D3 Fire separation of external walls
H3D4 Fire protection of separating walls and floors
H3D5 Fire separation of garage-top-dwellings
H3D6 Smoke alarms and evacuation lighting

Part H4 Health and amenity

H4D1 Deemed-to-Satisfy Provisions
H4D2 Wet areas
H4D3 Materials and installation of wet area components and systems
H4D4 Room heights
H4D5 Facilities
H4D6 Light
H4D7 Ventilation
H4D8 Sound insulation
H4D9 Condensation management

Part H5 Safe movement and access

H5D1 Deemed-to-Satisfy Provisions
H5D2 Stairway and ramp construction
H5D3 Barriers and handrails

Part H6 Energy efficiency

H6D1 Deemed-to-Satisfy Provisions
H6D2 Application of Part H6

Part H7 Ancillary provisions and additional construction requirements

H7D1 Deemed-to-Satisfy provisions
H7D2 Swimming pools
H7D3 Construction in alpine areas
H7D4 Construction in bushfire prone areas
H7D5 Heating appliances, fireplaces, chimneys and flues

Part H8 Livable housing design

H8D1 Deemed-to-Satisfy Provisions
H8D2 Livable housing design

NOTE:

a durable notice is required to be installed prior to completion of works indicating the type of termite treatment that has been used

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ALL WORKS TO COMPLY WITH THE NATIONAL CONSTRUCTION CODE, RELEVANT AUSTRALIAN STANDARDS & LOCAL AUTHORITY REQUIREMENTS. BUILDING CONTRACTOR & ALL RELEVANT SUB TRADES TO CHECK & VERIFY ALL DIMENSIONS & ASSOCIATED DRAWING PARTS PRIOR TO MANUFACTURE, CONSTRUCTION & INSTALLATION ON SITE. DO NOT SCALE OFF DRAWINGS - WRITTEN DIMENSIONS TAKE PRECEDENCE. PLAN LAND ACCEPTS NO LIABILITY OR RESPONSIBILITY RESULTING FROM BUILDERS NEGLIGENCE OR PREFERRED METHOD OF CONSTRUCTION FOR ANY BUILDING DEFECT. THESE DRAWINGS ARE THE PROPERTY OF PLAN LAND. DRAWINGS ARE NOT TO BE REPRODUCED IN PART OR IN WHOLE ON ANY MEDIUM WITHOUT THE WRITTEN PERMISSION OF PLAN LAND.

NOTE:
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NOTE:
SELECTED TERMITE PROTECTION TO BE USED ON SITE IN ACCORDANCE WITH LOCAL COUNCIL'S REQUIREMENTS, N.C.C AND ALL RELEVANT AUSTRALIAN STANDARDS

NOTE:
SMOKE DETECTORS TO COMPLY WITH REQUIREMENTS N.C.C AND ALL RELEVANT AUSTRALIAN STANDARDS TO BE CONNECTED TO THE MAIN POWER SUPPLY.

NOTE:
LOCATION OF SMOKE ALARMS IN ACCORDANCE WITH THE NCC.

NOTE:
STAIRWAY TO HAVE A NON-SLIP FINISH OR NOSING STRIP IN ACCORDANCE WITH THE NCC.

NOTE:
METHOD OF VENTILATING THE LAUNDRY AND WC AND CONTROLLING CONDENSATION IN ACCORDANCE WITH THE NCC.

Project:
28 Watkins St., Bondi NSW 2026
Client:
Li Morrison & William Morrison
Drawing:
Spec. & Notes

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Scale: LT	Date: JUN/2023
Scale: @A3	Drawing No.: 23009
	Sheet No.: DA 0.4
	Rev.: D

THESE NOTES MUST BE READ AND UNDERSTOOD BY ALL INVOLVED IN THE PROJECT. THIS INCLUDES (BUT IS NOT EXCLUDED TO): OWNER, BUILDER, SUB-CONTRACTORS, CONSULTANTS, RENOVATORS, OPERATORS, MAINTENORS, DEMOLISHERS.

[PLAN LAND]

A M E N D E D P L A N S

RECEIVED
Waverley Council

Application No: DA-164/2024

Date Received: 23/09/2024

TRUE NORTH (OP: 442633)

BM, NAIL IN TOP OF KERB RL: 79.22 (AHD)

LOT 1 DP 206590

LOT C DP 442633

LOT D DP 442633 (STATED BY DP 442633) 112.8m² (BY CALCULATION)

LOT E DP 442633

SINGLE & TWO STOREY BRICK SEMI DETACHED TILE & METAL ROOF No. 26

SINGLE & TWO STOREY BRICK SEMI DETACHED TILE & METAL ROOF No. 28

SINGLE & TWO STOREY BRICK SEMI DETACHED TILE & METAL ROOF No. 30

WATKINS STREET

- LEGEND:
- AHDA AUSTRALIAN HEIGHT DATUM
 - AWNAWNING
 - BMBENCH MARK
 - BOW BOTTOM OF WALL
 - BWBOTTOM OF RETAINING WALL
 - CLCENTRE LINE
 - CONCRETE
 - CS CONCRETE SURFACE
 - D/H/S DIAMETER/HEIGHT/SPREAD
 - DDOOR
 - ECEdge OF CONCRETE
 - EGEAVE & GUTTER
 - EPELECTRICAL BOX
 - FLFLOOR LEVEL
 - GDN GARDEN
 - HYDRANT
 - ICINSPECTION COVER
 - ININVERT LEVEL
 - KOKERB OUTLET
 - LHLAMP HOLE
 - LILIP OF KERB
 - NS NATURAL SURFACE
 - PAVPAVERS
 - PPPOWER POLE
 - PRPLANTER
 - RLREDUCED LEVEL
 - RTKRROLLING TOP OF KERB
 - SSTEPS
 - SLSURFACE LEVEL
 - SILLWINDOW SILL
 - SIPSEWER INSPECTION POINT
 - SMHSEWER MAN HOLE
 - SVSTOP VALE
 - TB TOP OF BANK
 - TELTELSTRA PIT
 - TKTOP OF KERB
 - TOW/TWTOP OF WALL
 - TRW TOP OF RETAINING WALL
 - UCUNDER SIDE OF EAVES
 - VCVEHICLE CROSSING
 - WBWALL TO BOUNDARY
 - WMWATER METER
 - WTOPTOP OF WINDOW

AMENDED PLANS

RECEIVED
Waverley Council
Application No: DA-164/2024
Date Received: 23/09/2024

- (A) RIGHT OF WAY 1.22 WIDE (VIDE DP 442633).
- (B) CROSS EASEMENT CENTRE OF 0.115 WIDE BRICK PARTY WALL (VIDE DP 442633).
- (C) CROSS EASEMENT CENTRE OF 0.23 WIDE BRICK PARTY WALL (VIDE DP 442633).

- THE SUBJECT TITLE NOTES : AS AT 19/05/2023
- 1) RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
 - 2) B142120 & B142121 RIGHTS OF WAY APPURTENANT TO THE LAND ABOVE DESCRIBED AFFECTING THE LAND SHOWN SO BURDENED IN VOL 7533 FOL 22
 - 3) B142120 & B142121 RIGHT OF WAY AFFECTING THE PART OF THE LAND ABOVE DESCRIBED SHOWN SO BURDENED IN VOL 7533 FOL 22
 - 4) G860136 RIGHT OF FOOTWAY APPURTENANT TO THE LAND ABOVE DESCRIBED AFFECTING THE PART(S) SHOWN SO BURDENED IN THE TITLE DIAGRAM
 - 5) G860136 RIGHT OF FOOTWAY AFFECTING THE PART(S) SHOWN SO BURDENED IN THE TITLE DIAGRAM
 - 6) G860136 CROSS EASEMENTS (S181 B CONVEYANCING ACT, 1919) AFFECTING THE PARTY WALL(S) SHOWN ON THE COMMON BOUNDARY OF LOTS C AND D & D & E IN DP442633
 - 7) AJ922874 MORTGAGE TO NATIONAL AUSTRALIA BANK LIMITED

- NOTES:
- A) BOUNDARIES OF THE SITE HAVE BEEN IDENTIFIED BY SURVEY
 - B) SERVICES SHOWN HAVE BEEN DERIVED FROM VISUAL EVIDENCE APPARENT AT THE TIME OF SURVEY. SERVICES MAY EXIST WHICH ARE NOT SHOWN. THE RELEVANT SERVICE AUTHORITY SHOULD BE CONTACTED TO VERIFY THE EXISTENCE AND POSITION OF SERVICES PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION OR EXCAVATION.
 - C) DIAMETER, HEIGHT & SPREAD OF TREES ARE APPROXIMATE ONLY.
 - D) LEVELS SHOWN ARE OF AUSTRALIAN HEIGHT DATUM.
 - E) ORIGIN OF LEVELS : PM 51303, RL 82.701 (AHD), CLASS LB.
 - F) USE STATED DIMENSIONS. DO NOT SCALE.
 - G) THESE NOTES FORM PART OF THIS PLAN AND CANNOT BE REMOVED.
 - H) NO COVENANTS AND/OR RESTRICTIONS HAVE BEEN INVESTIGATED BY C & A SURVEYORS PTY LTD.

REVISION No	DESCRIPTION	DATE
V1	PLAN ISSUED	24/5/23
V2
V3
V4

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C&A SURVEYORS
30 Grose Street, Parramatta, NSW 2150
Ph: 96309299 email: Operations@candasurveyors.com.au
www.candasurveyors.com.au

DETAIL & BOUNDARY IDENTIFICATION SURVEY OF
LOT D IN DP 442633, LOCATED AT
No.28, WATKINS STREET, BONDI. 275

APPROXIMATE LOCATION OF BURIED SEWER MAIN BY SYDNEY WATER DBYO RECORDS
APPROXIMATE LOCATION OF BURIED WATER MAIN (WM) BY SYDNEY WATER DBYO RECORDS
ELECTRIC LINE

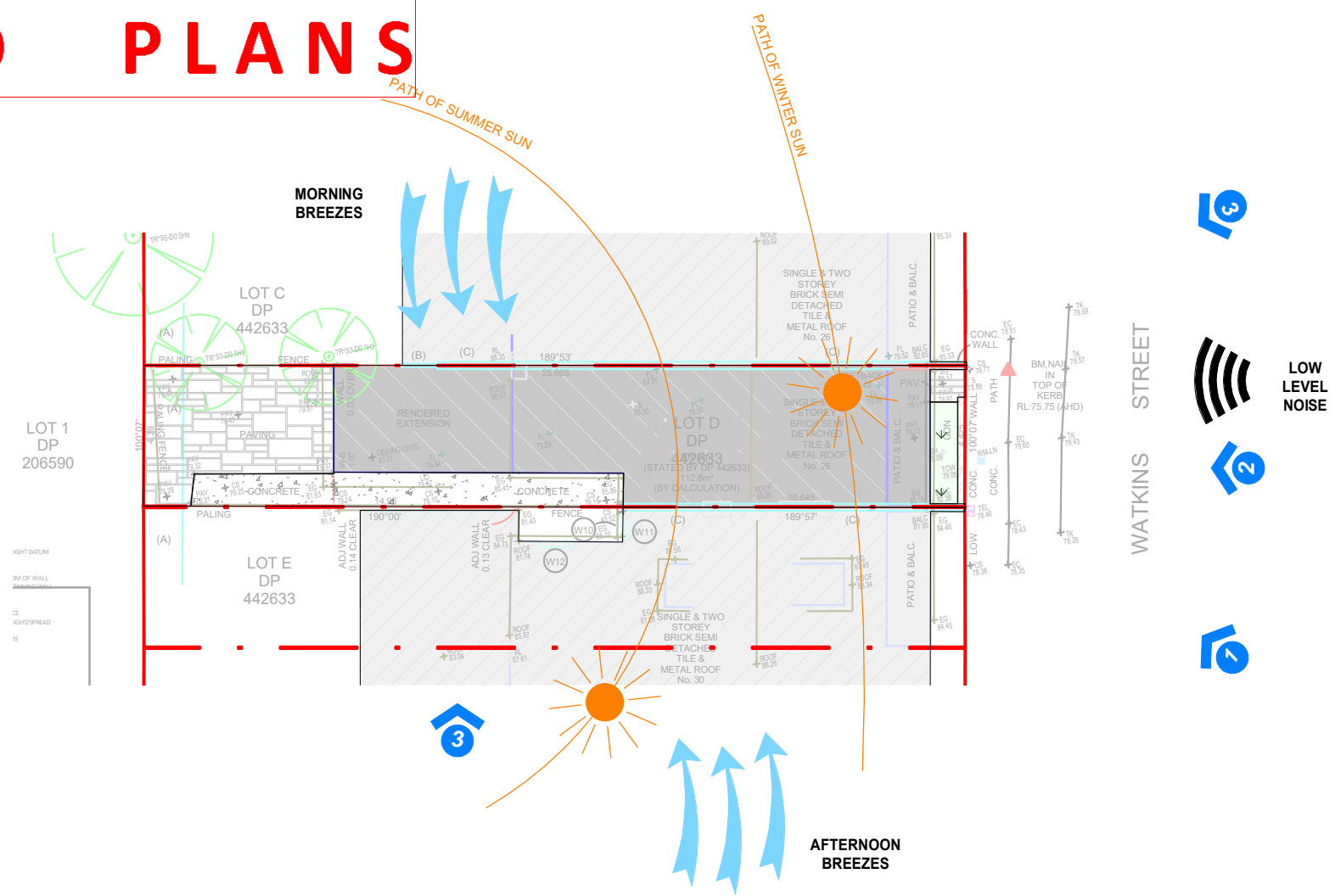
TELSTRA PIT STOP VALVE POWER POLE
WATER METER HYDRANT

TREE
D/H/S DIAMETER/HEIGHT/SPREAD



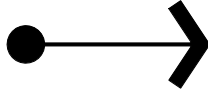
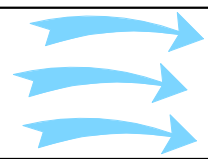

INSTRUCTING PARTY:		LI MORRISON		SURVEYED BY: HH		DATUM: AHD	
LGa:	WAVERLEY	AREA BDY DP:	107.5 m ²	DRAWN BY:	SU	CHECKED BY:	KU
SURVEY DATE:	22/05/2023	AREA BY CALC:	112.8 m ²	SCALE:	1:100@A3	REF NO:	25115-23 DET/D
DATE DRAWN:	23/05/2023	CONTOUR INTERVAL:	- m	REV No:	V1	SHEET:	1 of 1

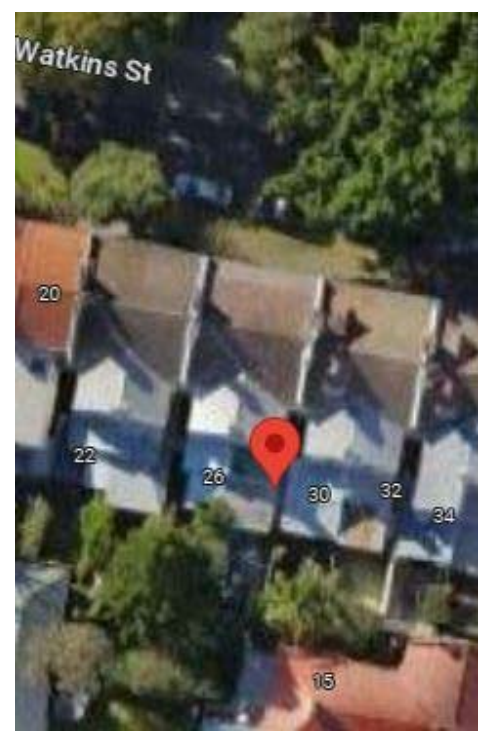
AMENDED PLANS

RECEIVED
Waverley Council
Application No: DA-164/2024
Date Received: 23/09/2024



LEGEND:

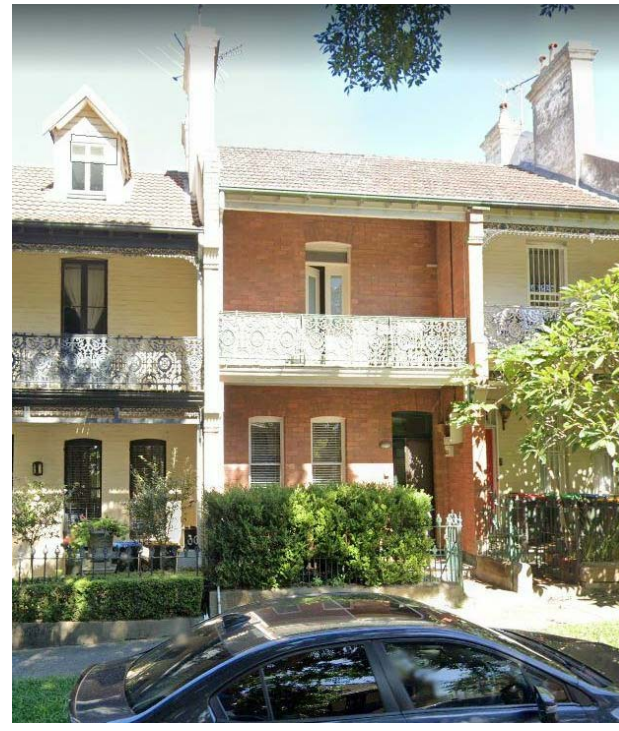
-  SITE PHOTO VIEWS
-  VIEW CORRIDORS
-  VIEWS FROM SUBJECT SITE
-  PREVAILING WINDS
-  NOISE LEVEL



Aerial View



View 1



View 2



View 3

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NOTE:
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NOTE:
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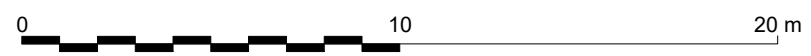
NOTE:
SMOKE DETECTORS TO COMPLY WITH REQUIREMENTS N.C.C AND ALL RELEVANT AUSTRALIAN STANDARDS TO BE CONNECTED TO THE MAIN POWER SUPPLY.

NOTE:
LOCATION OF SMOKE ALARMS IN ACCORDANCE WITH THE NCC.

NOTE:
STARWAY TO HAVE A NON-SLIP FINISH OR NOSING STRIP IN ACCORDANCE WITH THE NCC.

NOTE:
METHOD OF VENTILATING THE LAUNDRY AND WC AND CONTROLLING CONDENSATION IN ACCORDANCE WITH THE NCC.

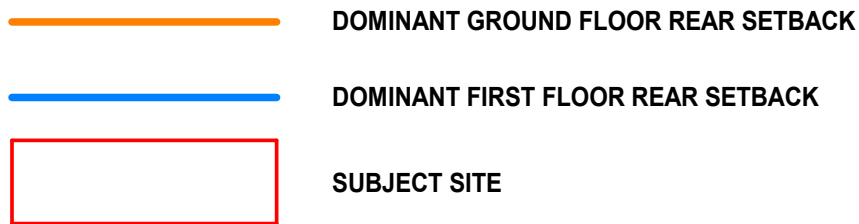
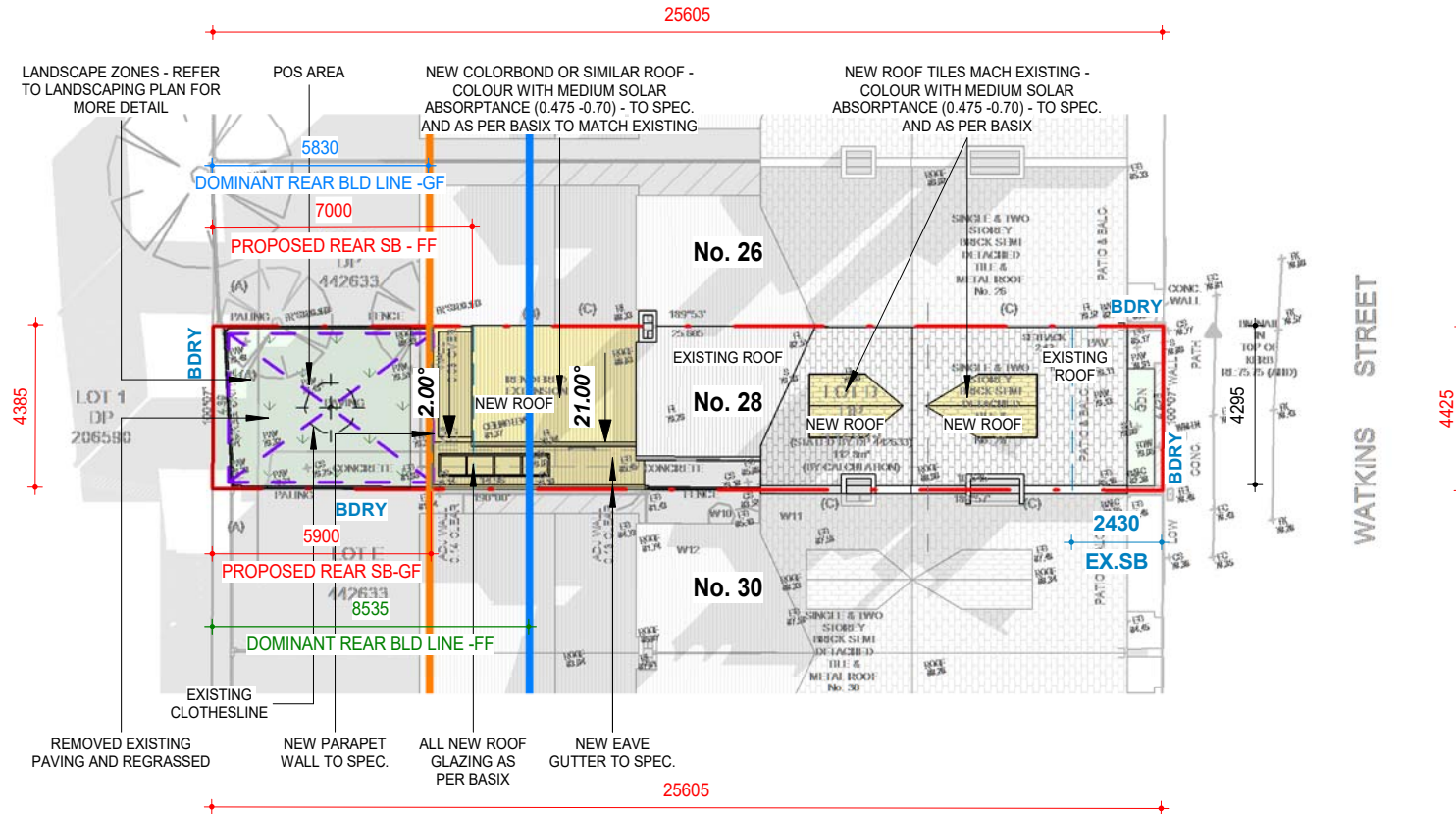
Project:
28 Watkins St., Bondi NSW 2026
Client:
Li Morrison & William Morrison
Drawing:
Site Analysis



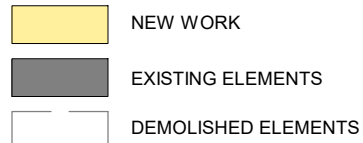
newton teal consulting pty ltd
trading as **plan land**
PO BOX 495 Gympie NSW
Phone: 0403 993 876
Email: info@planland.com.au
Drawn: **LT** Approved: **LT** Date: **JUN/2023**
Scale: 1:200@A3 Drawing No.: 23009 DA 1.0 Sheet No.: Rev.: **D**

AMENDED PLANS

RECEIVED
Waverley Council
Application No: DA-164/2024
Date Received: 23/09/2024



PHASING LEGEND:
(Note: legend applies to building elements, not finishes)



NET AREAS		
No.	NAME	AREA
2. Ground FFL		
1	EX. ENTRY	3.80 m ²
2	EX. BED	10.39 m ²
3	EX. LIVING	16.01 m ²
5	NEW KITCHEN	7.95 m ²
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LOT AREA	GFA	FSR
107.50 m ²	133.91 m ²	1.25

NET AREAS		
No.	NAME	AREA
3. First FFL		
7	EX. STAIRS	1.44 m ²
8	EX. CORRIDOR	6.81 m ²
9	EX. BED 1	14.64 m ²
10	NEW BED 2	9.60 m ²
11	NEW BATH	3.95 m ²
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13	NEW MASTER BED	12.90 m ²
Attic FFL		
18	NEW STORE	17.12 m ²
Grand total: 16		131.39 m ²

LOT AREA	LSA	LSA COVERAGE
107.50 m ²	26.07 m ²	24.25%

BASIS NOTES:

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SELECTED TERMITE PROTECTION TO BE USED ON SITE IN ACCORDANCE WITH LOCAL COUNCIL'S REQUIREMENTS, N.C.C AND ALL RELEVANT AUSTRALIAN STANDARDS.

NOTE:
SMOKE DETECTORS TO COMPLY WITH REQUIREMENTS, N.C.C AND ALL RELEVANT AUSTRALIAN STANDARDS TO BE CONNECTED TO THE MAIN POWER SUPPLY.

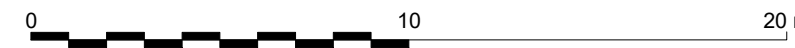
NOTE:
LOCATION OF SMOKE ALARMS IN ACCORDANCE WITH THE NCC.

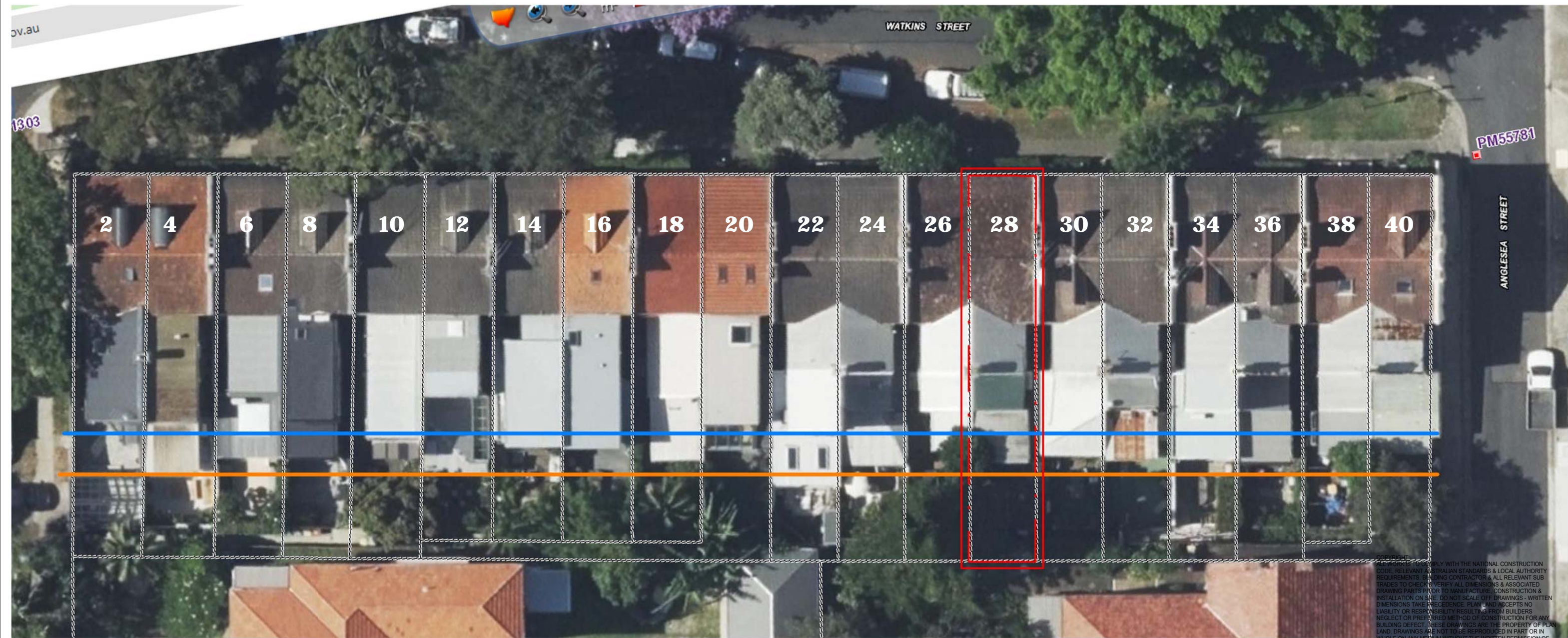
NOTE:
STAIRWAY TO HAVE A NON-SLIP FINISH OR NOSING STRIP IN ACCORDANCE WITH THE NCC.

NOTE:
METHOD OF VENTILATING THE LAUNDRY AND WC AND CONTROLLING CONDENSATION IN ACCORDANCE WITH THE NCC.

Project:
28 Watkins St., Bondi NSW 2026
Client:
Li Morrison & William Morrison
Drawing:
Site Plan

newton teale consulting pty ltd ABN: 62 128 716 334
trading as **plan land**
PO BOX 495 Gymer NSW
Phone: 0403 993 876
Email: info@planland.com.au
Drawn: **LT** Approved: **LT** Date: **JUN/2023**
Scale: 1:200@A3 Drawing No.: 23009 DA 1.1 Sheet No.: **D** Rev.: **D**





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NOTE:
METHOD OF VENTILATING THE LAUNDRY AND WC AND CONTROLLING CONDENSATION IN ACCORDANCE WITH THE NCC.

-  DOMINANT GROUND FLOOR REAR SETBACK
-  DOMINANT FIRST FLOOR REAR SETBACK
-  SUBJECT SITE

AMENDED PLANS

RECEIVED
Waverley Council

Application No: DA-164/2024

Date Received: 23/09/2024

Project:
28 Watkins St., Bondi NSW 2026

Client:
Li Morrison & William Morrison

Drawing:
Dominant Rear Setbacks



1 Dominant Rear Setbacks
1 : 250

newton teale consulting pty ltd trading as **plan land** PO BOX 495 Gymer NSW Phone: 0403 993 876 Email: info@planland.com.au

ABN: 62 128 716 334

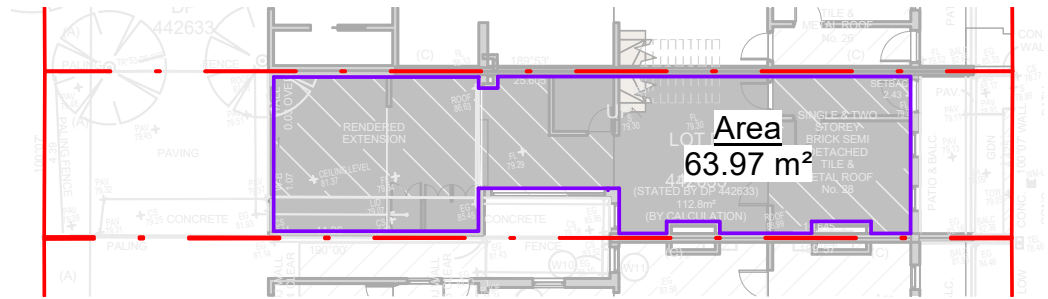
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Scale: 1 : 250@A3	Drawing No.: 23009	Sheet No.: DA 1.1.2

Rev.: **D**

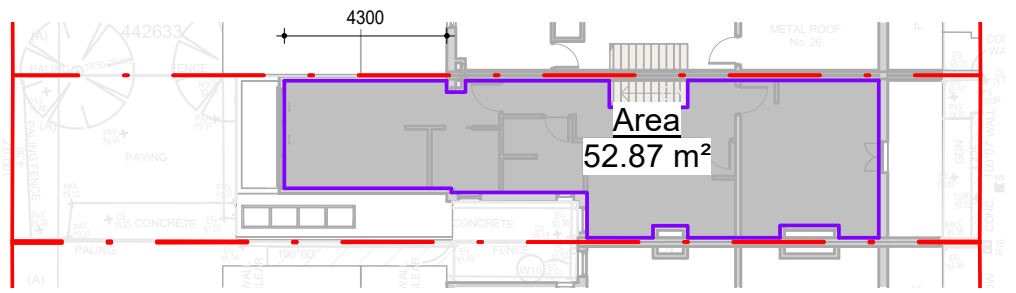
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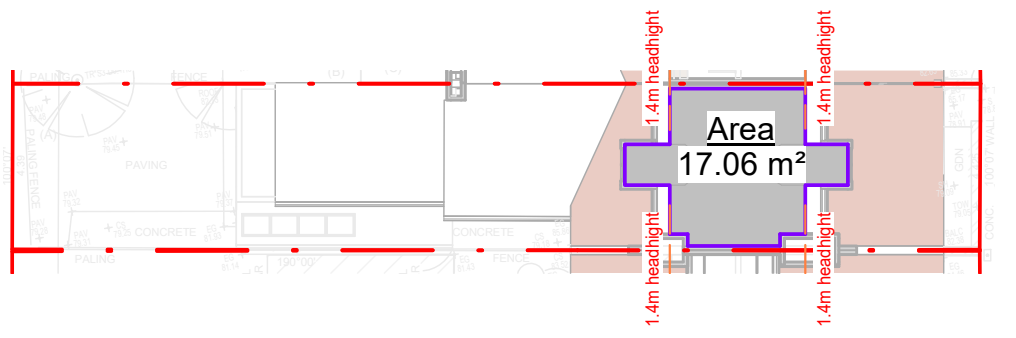
1 Ground Floor GFA
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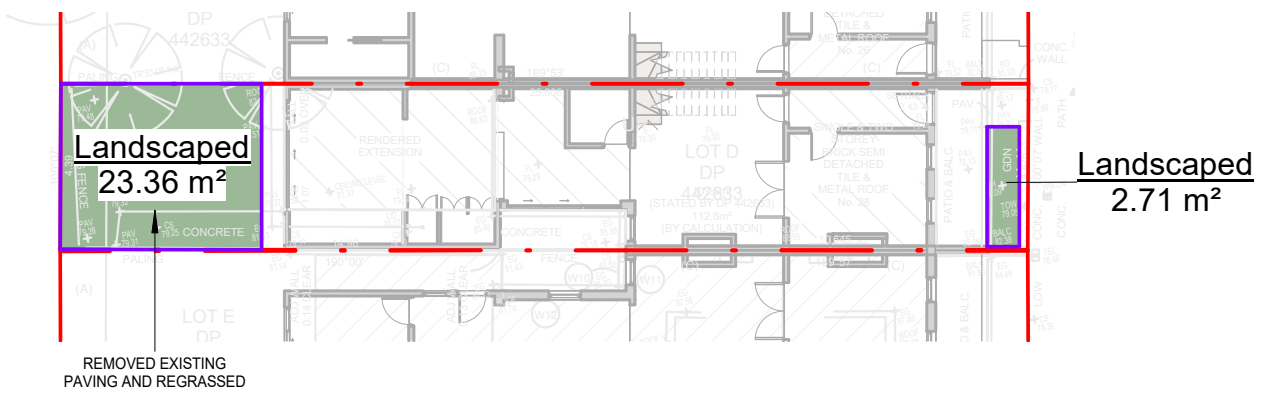
3 First Floor GFA
 1 : 200



4 Attic Floor GFA
 1 : 200



2 Landscaped
 1 : 200



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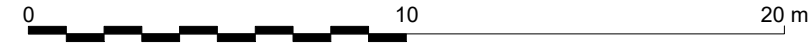
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28 Watkins St., Bondi NSW 2026
 Client:
Li Morrison & William Morrison
 Drawing:
GFA & LSA Calculations

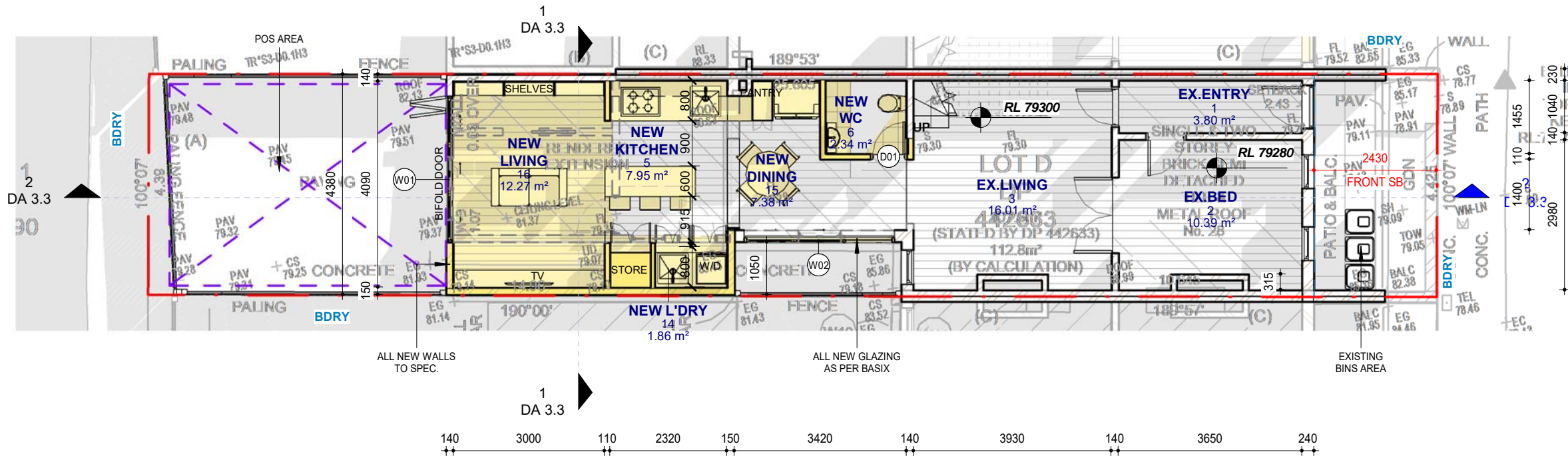
LOT AREA	GFA	FSR
107.50 m ²	133.91 m ²	1.25

LOT AREA	LSA	LSA COVERAGE
107.50 m ²	26.07 m ²	24.25%



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PHASING LEGEND:
(Note: legend applies to building elements, not finishes)

- NEW WORK
- EXISTING ELEMENTS
- DEMOLISHED ELEMENTS

NET AREAS		
No.	NAME	AREA
2.Ground FFL		
1	EX.ENTRY	3.80 m ²
2	EX.BED	10.39 m ²
3	EX.LIVING	16.01 m ²
5	NEW KITCHEN	7.95 m ²
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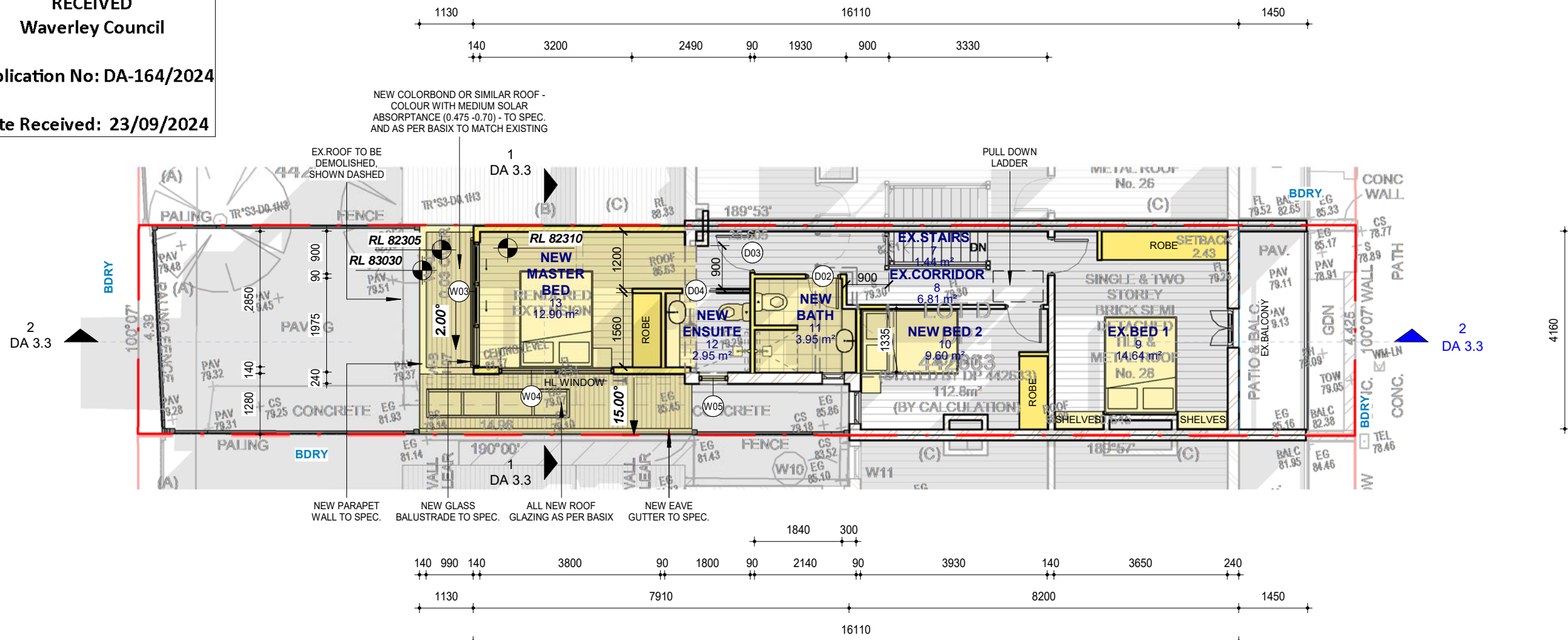
Project:
28 Watkins St., Bondi NSW 2026
Client:
Li Morrison & William Morrison
Drawing:
Ground Floor Plan

newton teale consulting pty ltd ABN: 62 128 716 334
trading as **plan land**
PO BOX 495 Gymer NSW
Phone: 0403 993 876
Email: info@planland.com.au

Drawn: **LT** Approved: **LT** Date: **JUN/2023**
Scale: 1:100@A3 Drawing No.: 23009 DA 2.1 Sheet No.: Rev.: **D**

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LOCATION OF SMOKE ALARMS IN ACCORDANCE WITH THE NCC.

NOTE:
STAIRWAY TO HAVE A NON-SLIP FINISH OR NOSING STRIP IN ACCORDANCE WITH THE NCC.

NOTE:
METHOD OF VENTILATING THE LAUNDRY AND WC AND CONTROLLING CONDENSATION IN ACCORDANCE WITH THE NCC.

Project:
28 Watkins St., Bondi NSW 2026
Client:
Li Morrison & William Morrison
Drawing:
First Floor Plan

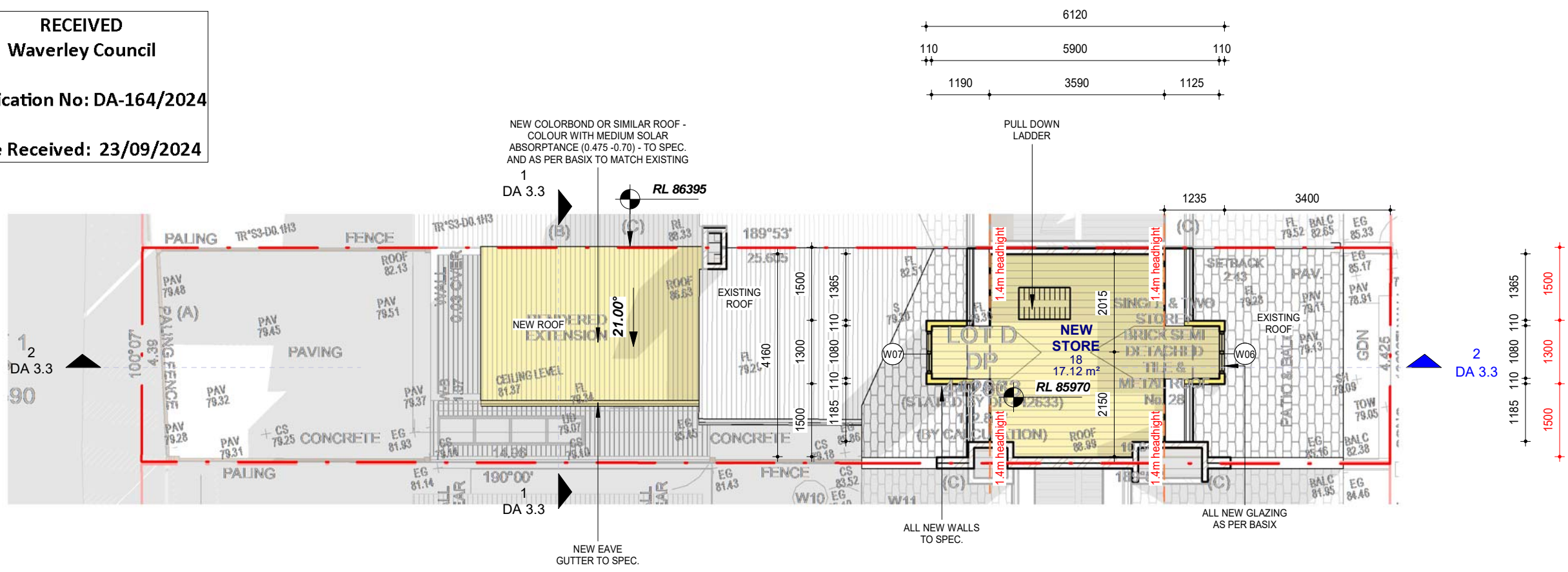
newton teale consulting pty ltd
trading as **plan land**
PO BOX 495 Gynea NSW
Phone: 0403 993 876
Email: info@planland.com.au
ABN: 62 128 716 334

Drawn: **LT** Approved: **LT** Date: **JUN/2023**
Scale: 1:100@A3 Drawing No.: 23009 DA 2.2 Sheet No.: **Rev.: D**



AMENDED PLANS

RECEIVED
Waverley Council
Application No: DA-164/2024
Date Received: 23/09/2024



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PHASING LEGEND:
(Note: legend applies to building elements, not finishes)
NEW WORK
EXISTING ELEMENTS
DEMOLISHED ELEMENTS

NET AREAS		
No.	NAME	AREA
2.Ground FFL		
1	EX.ENTRY	3.80 m ²
2	EX.BED	10.39 m ²
3	EX.LIVING	16.01 m ²
5	NEW KITCHEN	7.95 m ²
6	NEW WC	2.34 m ²
14	NEW L'DRY	1.86 m ²
15	NEW DINING	7.38 m ²
16	NEW LIVING	12.27 m ²

NET AREAS		
No.	NAME	AREA
3.First FFL		
7	EX.STAIRS	1.44 m ²
8	EX.CORRIDOR	6.81 m ²
9	EX.BED 1	14.64 m ²
10	NEW BED 2	9.60 m ²
11	NEW BATH	3.95 m ²
12	NEW ENSUITE	2.95 m ²
13	NEW MASTER BED	12.90 m ²
Attic FFL		
18	NEW STORE	17.12 m ²
Grand total: 16		131.39 m ²

LOT AREA	GFA	FSR
107.50 m ²	133.91 m ²	1.25

LOT AREA	LSA	LSA COVERAGE
107.50 m ²	26.07 m ²	24.25%

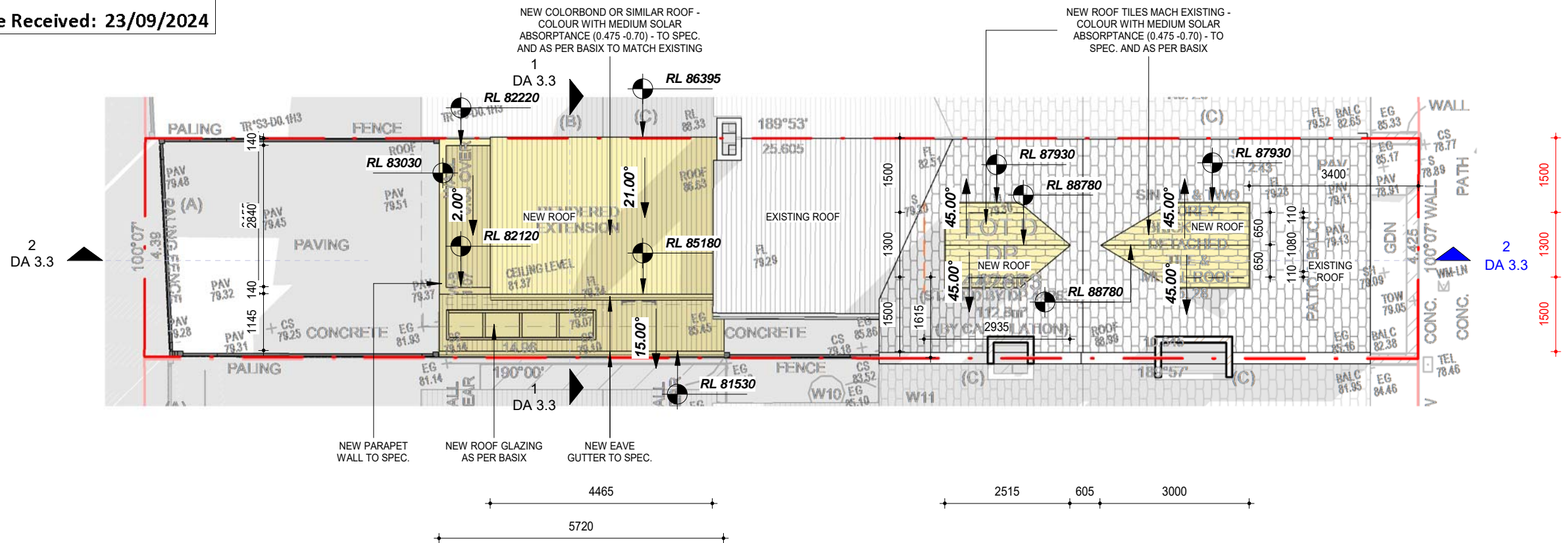


Project:
28 Watkins St., Bondi NSW 2026
Client:
Li Morrison & William Morrison
Drawing:
Attic Floor Plan

newton teale consulting pty ltd
trading as **plan land**
PO BOX 495 Gymer NSW
Phone: 0403 993 876
Email: info@planland.com.au
ABN: 62 128 716 334

AMENDED PLANS

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Waverley Council
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(Note: legend applies to building elements, not finishes)
NEW WORK
EXISTING ELEMENTS
DEMOLISHED ELEMENTS



LOT AREA	GFA	FSR	LOT AREA	LSA	LSA COVERAGE
107.50 m ²	133.91 m ²	1.25	107.50 m ²	26.07 m ²	24.25%



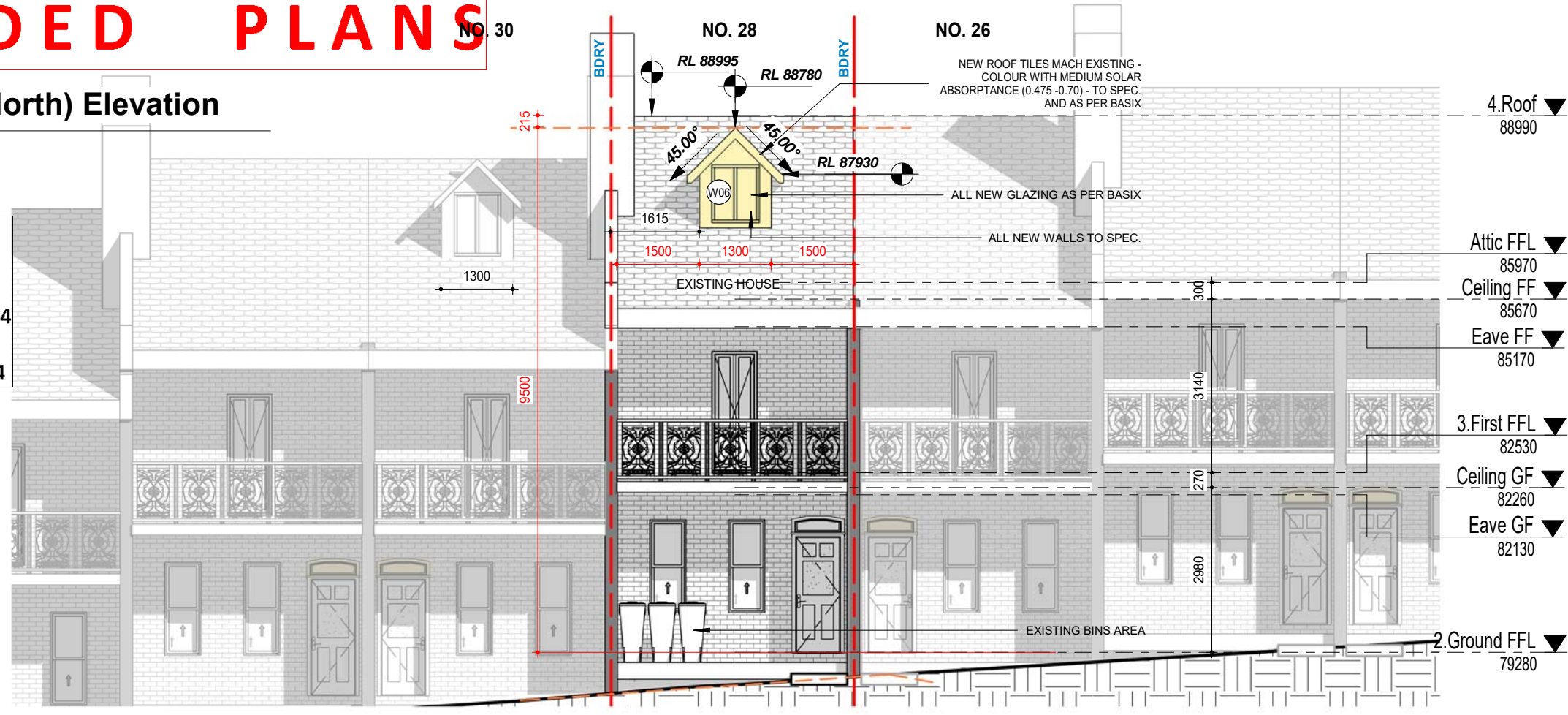
Project:
28 Watkins St., Bondi NSW 2026
Client:
Li Morrison & William Morrison
Drawing:
Roof Plan

newton teale consulting pty ltd
trading as **plan land**
PO BOX 495 Gymer NSW
Phone: 0403 993 876
Email: info@planland.com.au
ABN: 62 128 716 334
Drawn: **LT** Approved: **LT** Date: **JUN/2023**
Scale: 1:100@A3 Drawing No.: 23009 DA 2.4 Sheet No.: Rev.: **D**

AMENDED PLANS

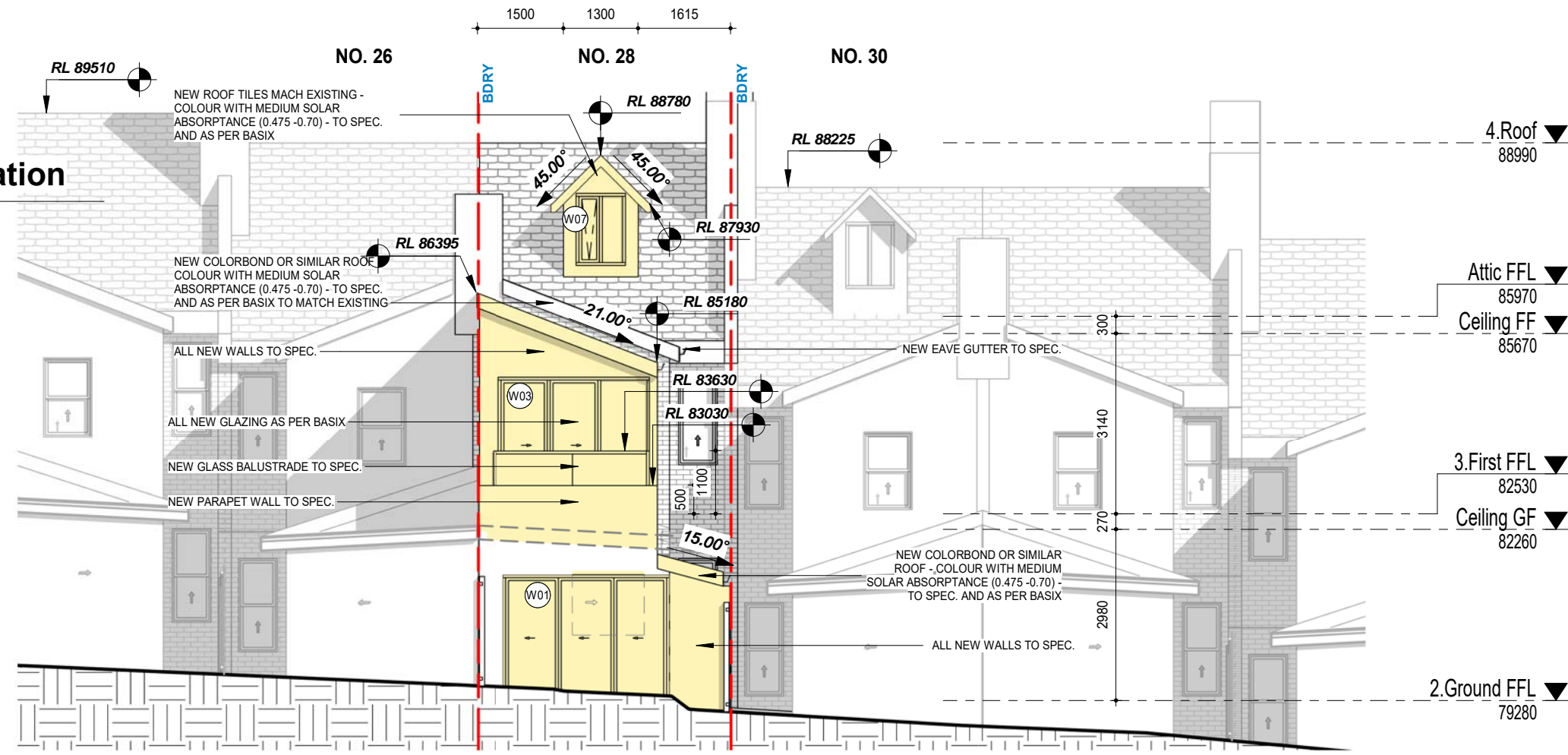
1 Front(North) Elevation
1 : 100

RECEIVED
Waverley Council
Application No: DA-164/2024
Date Received: 23/09/2024



2 Rear(South) Elevation
1 : 100

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EXISTING ELEMENTS
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Project:
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Client:
Li Morrison & William Morrison
Drawing:
Elevations

newton teale consulting pty ltd
trading as **plan land**
PO BOX 495 Gymer NSW
Phone: 0403 993 876
Email: info@planland.com.au
Drawn: **LT** Approved: **LT** Date: **JUN/2023**
Scale: 1:100@A3 Drawing No.: 23009 DA 3.1 Sheet No.: **D** Rev.: **D**

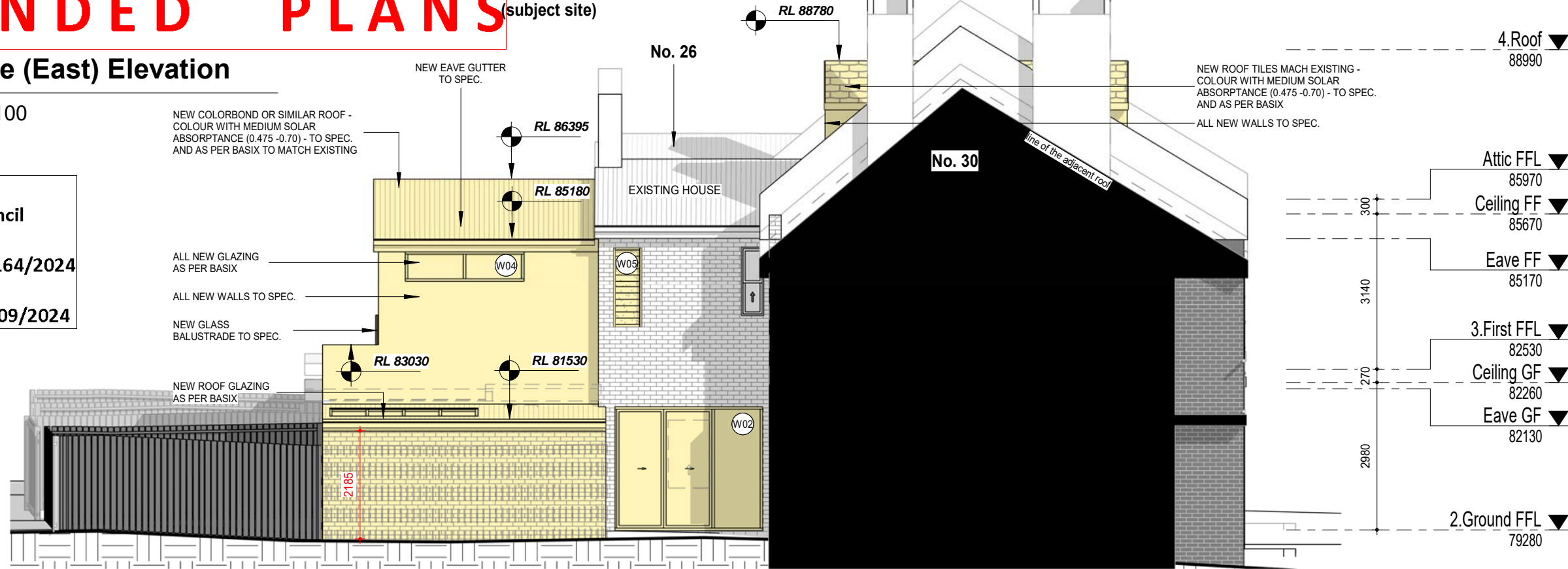


AMENDED PLANS

No. 28
(subject site)

2 Side (East) Elevation

1 : 100

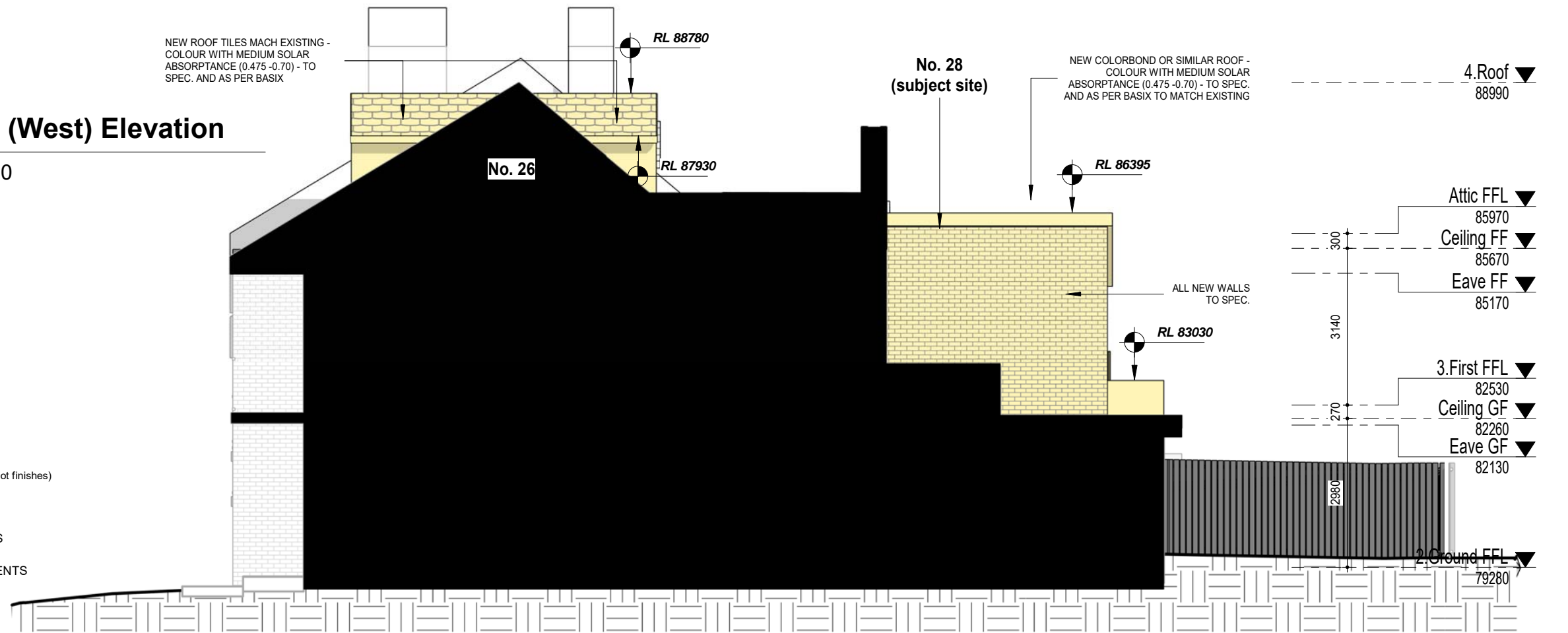


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1 Side (West) Elevation

1 : 100



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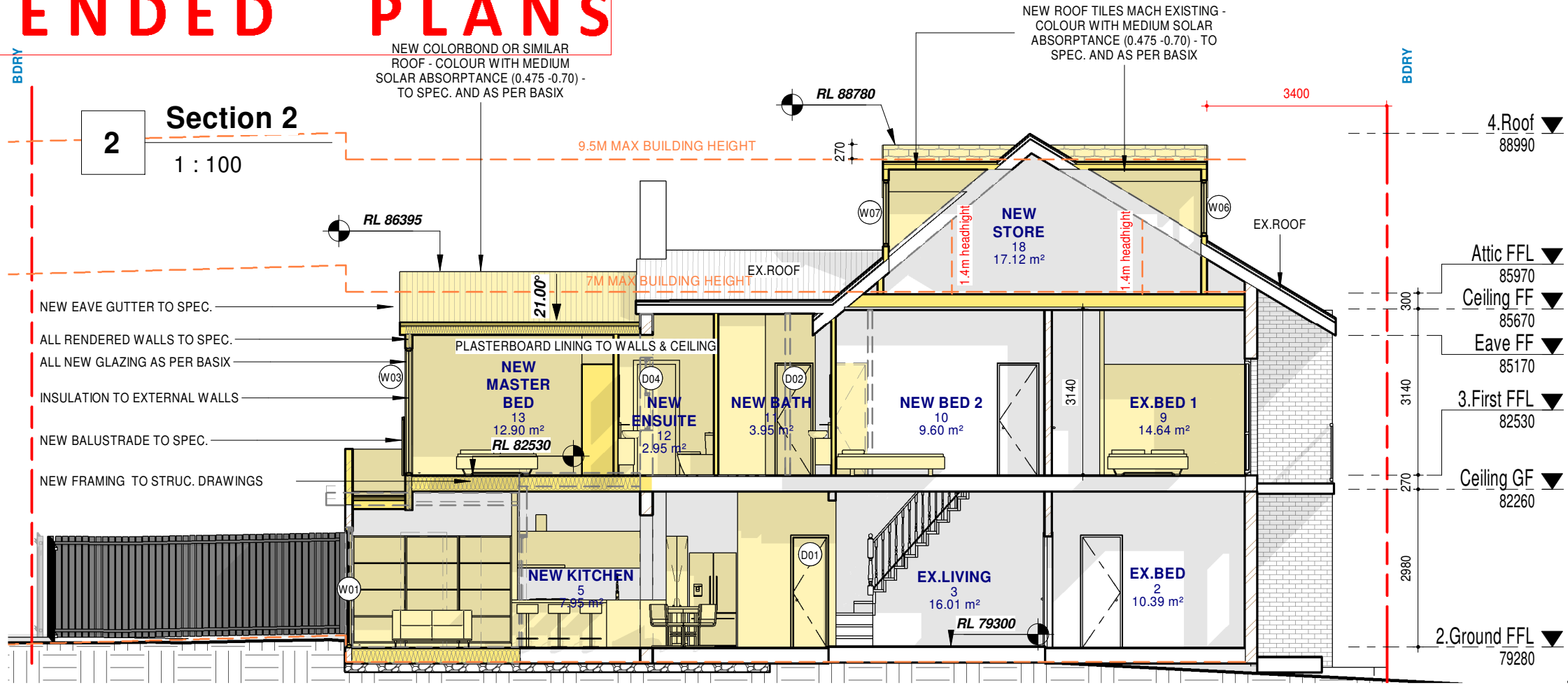
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- EXISTING ELEMENTS
- DEMOLISHED ELEMENTS

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newton teale consulting pty ltd ABN: 62 128 716 334
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AMENDED PLANS



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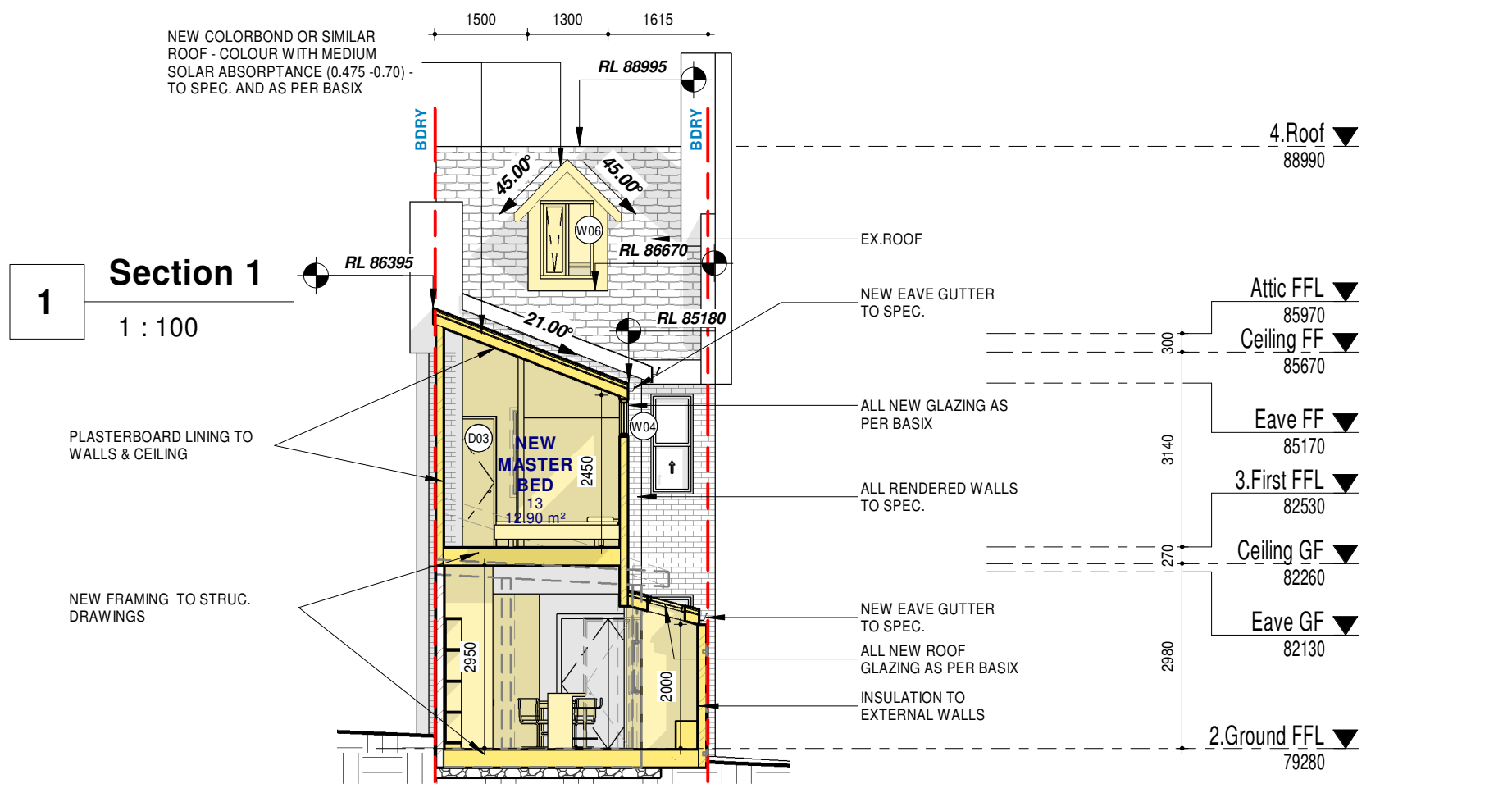
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(Note: legend applies to building elements, not finishes)

NEW WORK

EXISTING ELEMENTS

DEMOLISHED ELEMENTS

Project:
28 Watkins St., Bondi NSW 2026

Client:
Li Morrison & William Morrison

Drawing:
Sections



newton teale consulting pty ltd
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ABN: 62 128 716 334

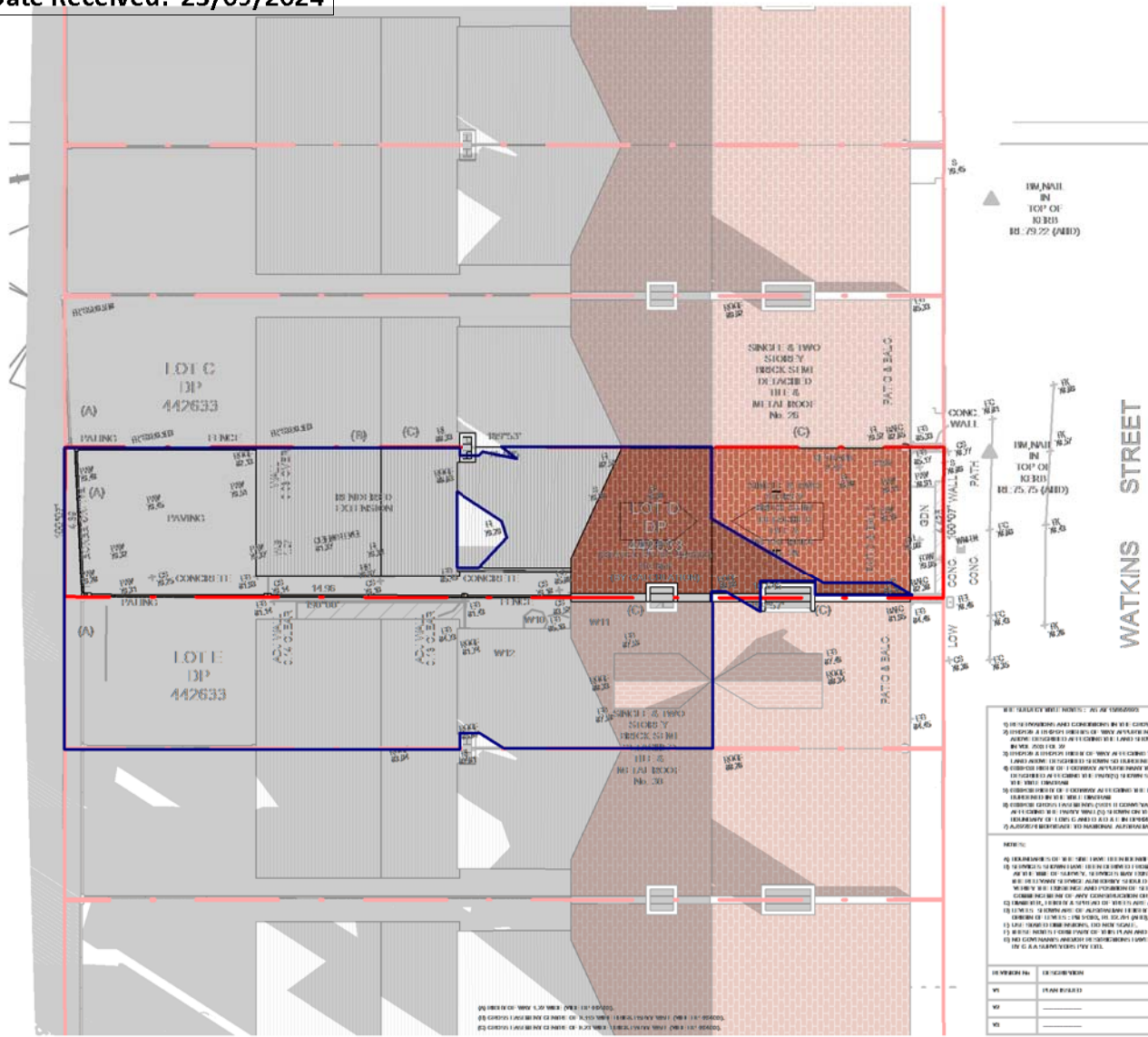
Drawn: **LT** Approved: **LT** Date: **JUN/2023**

Scale: 1 : 100@A3 Drawing No.: 23009 DA 3.3 Sheet No.: Rev.: **D**

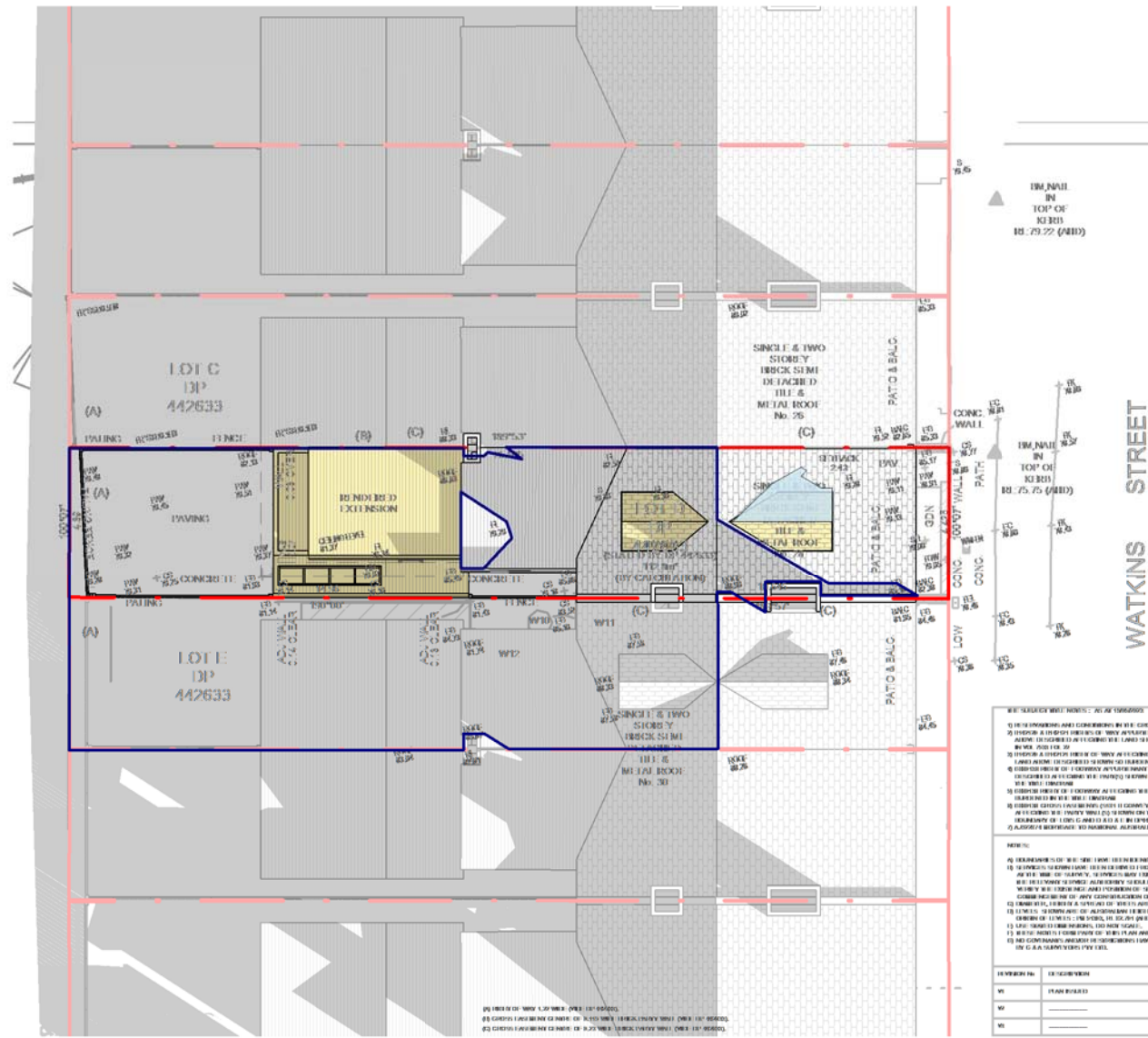


AMENDED PLANS

RECEIVED
Waverley Council
Application No: DA-164/2024
Date Received: 23/09/2024





1 22 JUN - 9AM - EXISTING
1 : 200



2 22 JUN - 9AM - NEW
1 : 200

LEGEND

 EXISTING SHADOW

 PROPOSED SHADOW

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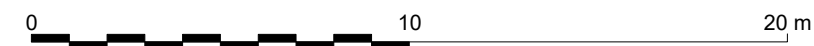
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Project:
28 Watkins St., Bondi NSW 2026
Client:
Li Morrison & William Morrison
Drawing:
EXISTING & NEW SHADOW DIAGRAMS - 22 JUN / 9AM

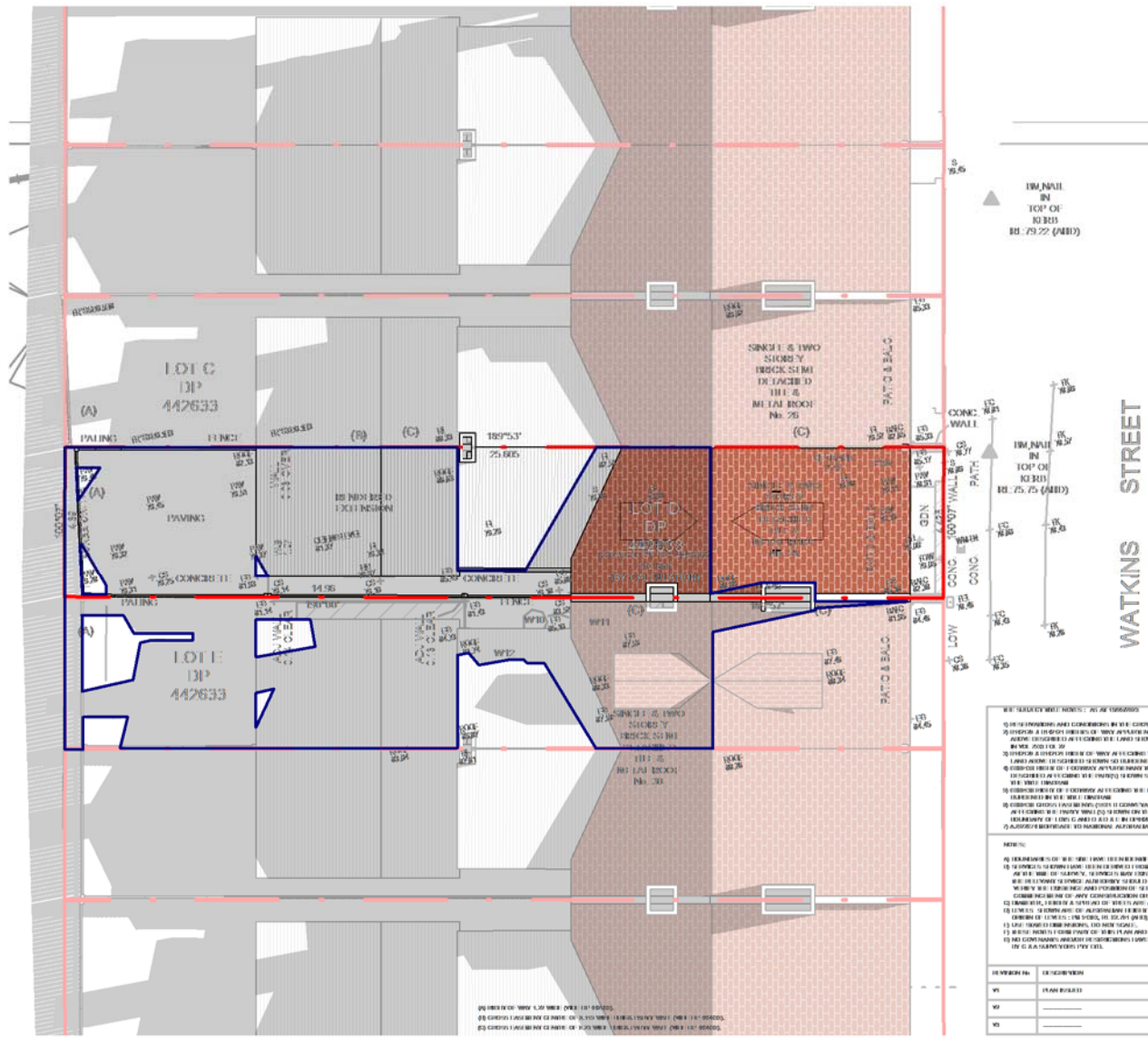
newton teale consulting pty ltd
trading as **plan land**
PO BOX 495 Gymea NSW
Phone: 0403 993 876
Email: info@planland.com.au
ABN: 62 128 716 334

Drawn: **LT** Approved: **LT** Date: **JUN/2023**
Scale: Drawing No.: Sheet No.:
As indicated@A23009 DA 5.4 Rev.: **D**

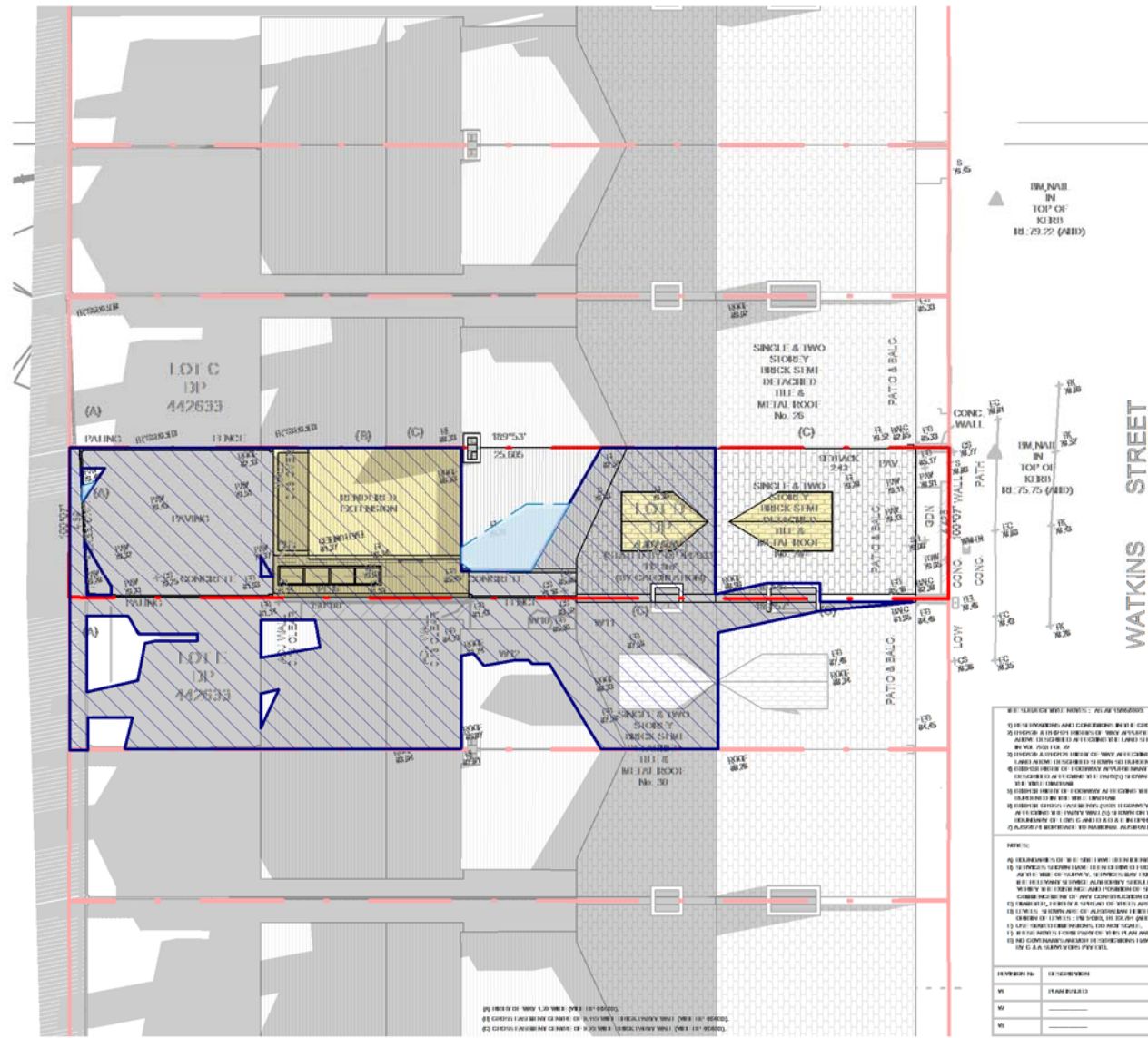


AMENDED PLANS

RECEIVED
Waverley Council
Application No: DA-164/2024
Date Received: 23/09/2024





1 22 JUN - 12PM - EXISTING
1 : 200



2 22 JUN - 12PM - NEW
1 : 200

LEGEND

 EXISTING SHADOW

 PROPOSED SHADOW

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NOTE:
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NOTE:
SMOKE DETECTORS TO COMPLY WITH REQUIREMENTS N.C.C AND ALL RELEVANT AUSTRALIAN STANDARDS TO BE CONNECTED TO THE MAIN POWER SUPPLY.

NOTE:
LOCATION OF SMOKE ALARMS IN ACCORDANCE WITH THE NCC.

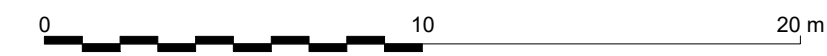
NOTE:
STAIRWAY TO HAVE A NON-SLIP FINISH OR NOSING STRIP IN ACCORDANCE WITH THE NCC.

NOTE:
METHOD OF VENTILATING THE LAUNDRY AND WC AND CONTROLLING CONDENSATION IN ACCORDANCE WITH THE NCC.

Project:
28 Watkins St., Bondi NSW 2026
Client:
Li Morrison & William Morrison
Drawing:
EXISTING & NEW SHADOW DIAGRAMS - 22 JUN / 12PM

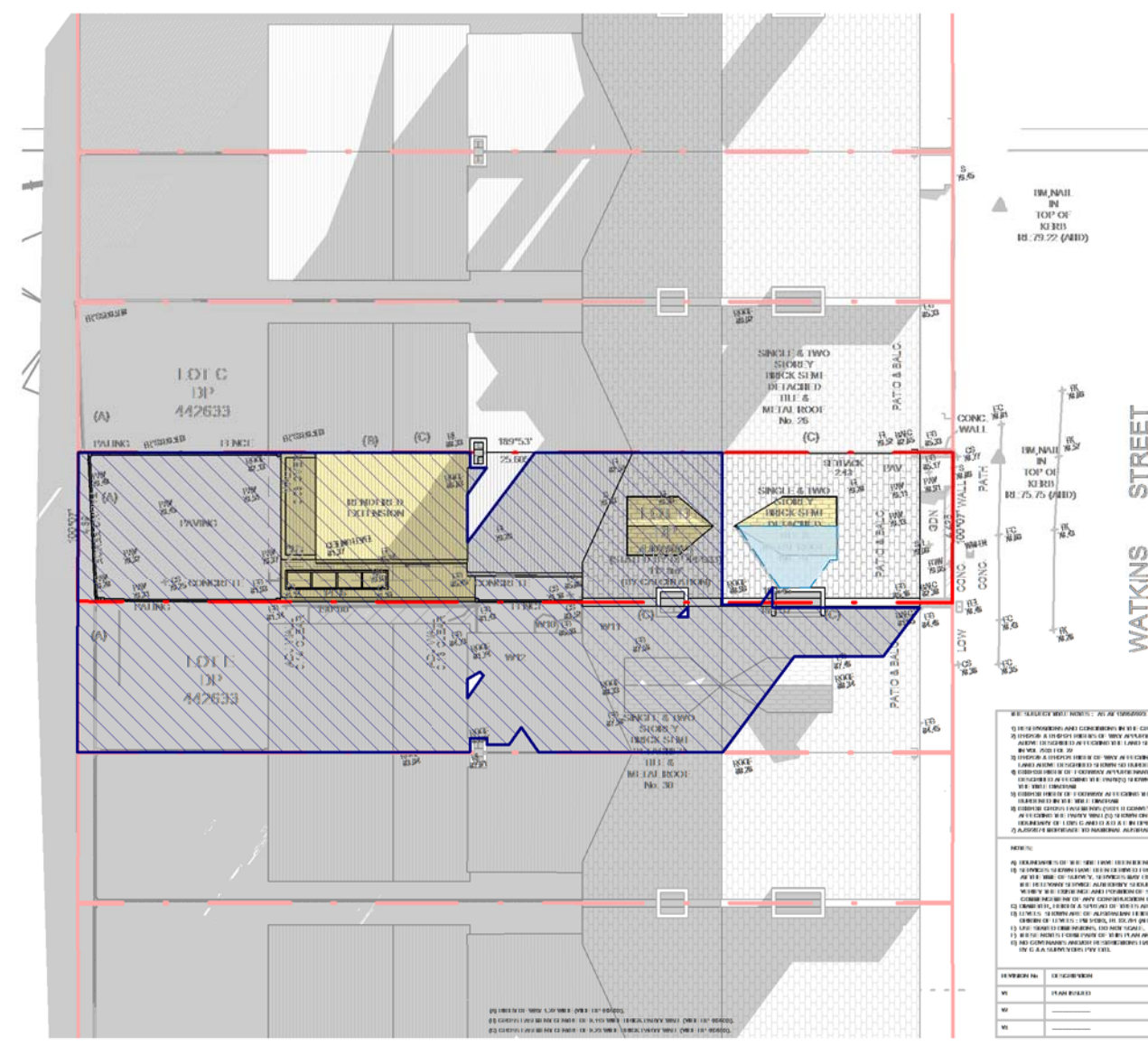
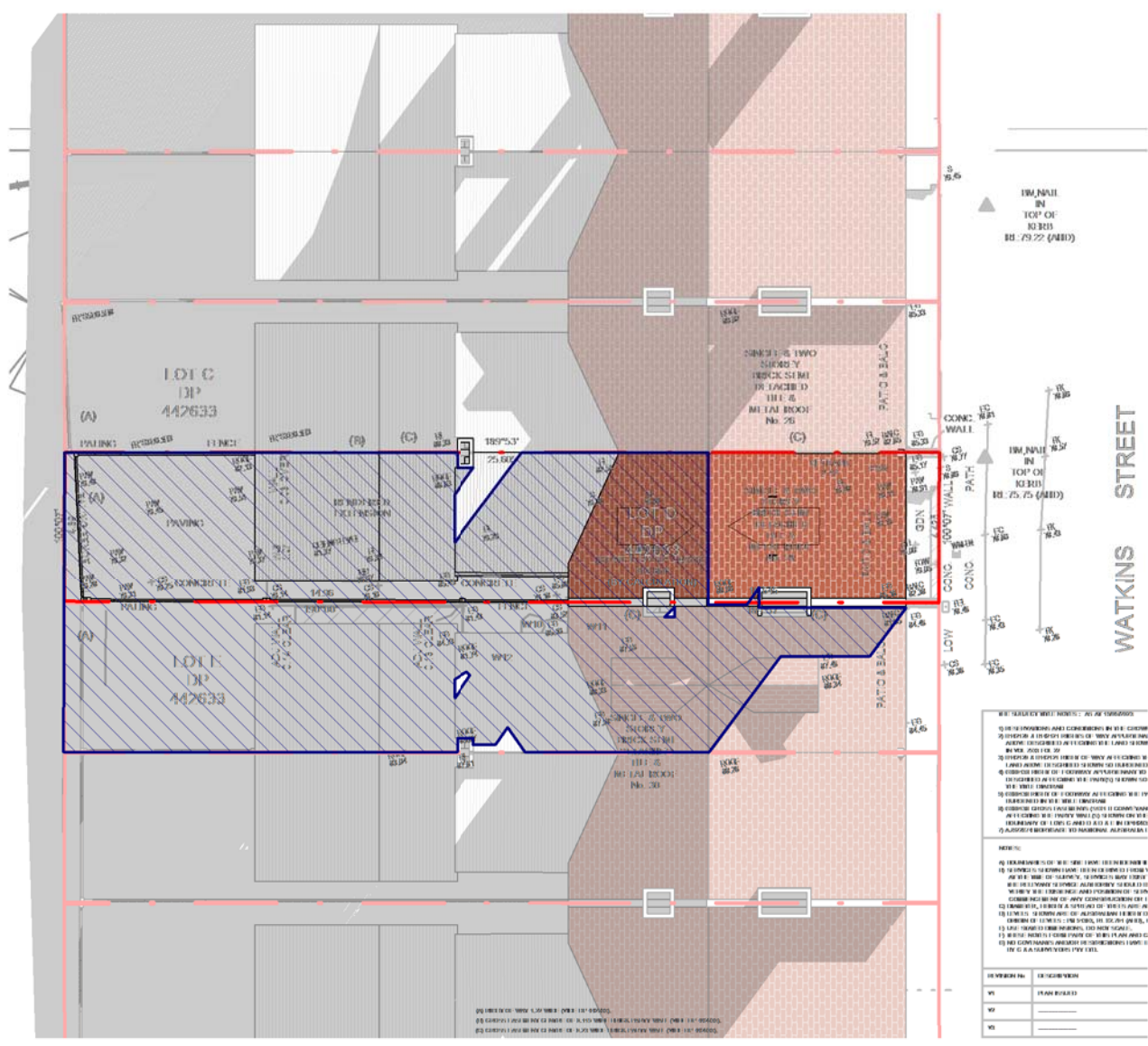
newton teale consulting pty ltd
trading as **plan land**
PO BOX 495 Gymer NSW
Phone: 0403 993 876
Email: info@planland.com.au
ABN: 62 128 716 334

Drawn: **LT** Date: **JUN/2023**
Approved: **LT**
Scale: **As Indicated** Drawing No.: **A23009** Sheet No.: **DA 5.5** Rev.: **D**



AMENDED PLANS

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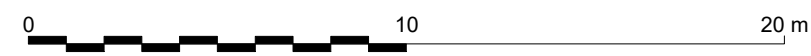


1 22 JUN - 3PM - EXISTING
1 : 200

2 22 JUN - 3PM - NEW
1 : 200

LEGEND

- EXISTING SHADOW
- PROPOSED SHADOW



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METHOD OF VENTILATING THE LAUNDRY AND WC AND CONTROLLING CONDENSATION IN ACCORDANCE WITH THE NCC.

Project:
28 Watkins St., Bondi NSW 2026
Client:
Li Morrison & William Morrison
Drawing:
EXISTING & NEW SHADOW DIAGRAMS - 22 JUN / 3PM

newton teale consulting pty ltd
trading as **plan land**
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Phone: 0403 993 876
Email: info@planland.com.au
ABN: 62 128 716 334

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Scale: **LT** Drawing No.: **Sheet No. 23009 DA 5.6** Rev.: **D**



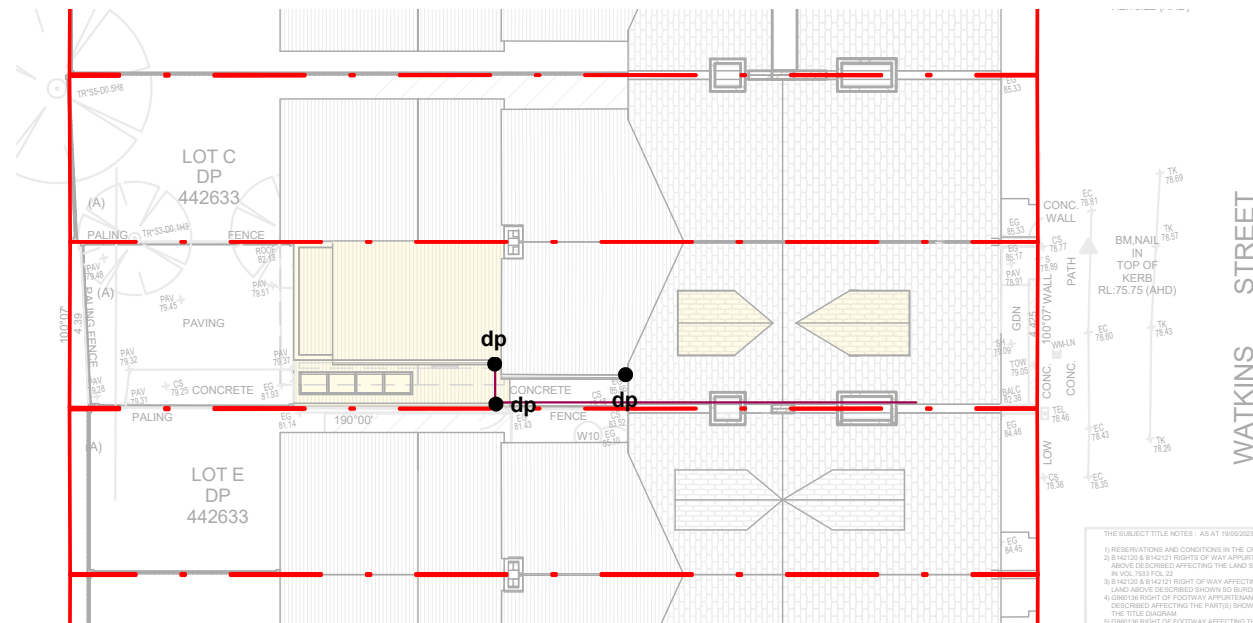
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PROPOSED STORMWATER PIPES TO BE CONNECTED TO EXISTING DRAINAGE SYSTEM



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PHASING LEGEND:
(Note: legend applies to building elements, not finishes)

- NEW WORK
- EXISTING ELEMENTS
- DEMOLISHED ELEMENTS



Project:
28 Watkins St., Bondi NSW 2026

Client:
Li Morrison & William Morrison

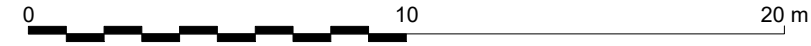
Drawing:
Concept Drainage Plan

newton teale consulting pty ltd
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Email: info@planland.com.au

ABN:
62 128 716 334

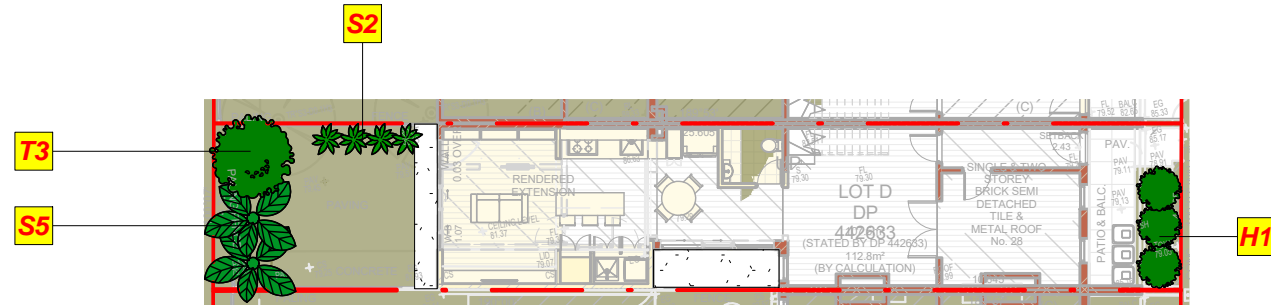
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Scale: **1:200@A3** Drawing No.: **23009** Sheet No.: **DA 7.1** Rev.: **D**



AMENDED PLANS

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Waverley Council
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PLANT LIST							
	ID	BOTANICAL NAME	COMMON NAME	SCHEDULED SIZE	MATURE HEIGHT	MATURE SPREAD	QUANTITY
TREES	T1	<i>Eucalyptus eugenoides</i>	Thin-leaved Stringybark	140 mm	20 - 30m	6 - 8m	0
	T2	<i>Ficus rubiginosa</i>	Port Jackson Fig	140 mm	10 - 20m	15 - 20m	0
	T3	<i>Tristaniopsis laurina</i>	Kanooka, Water Gum	140 mm	5 - 10m	3.5 - 6m	1
SHRUBS	S1	<i>Hakea dactyloides</i>	Finger Hakea	140 mm	2.5 - 4.5m	2 - 3m	0
	S2	<i>Leptospermum laevigatum</i>	Coast Tea Tree	140 mm	1.5 - 2m	2 - 3m	2
	S3	<i>Melaleuca hypericifolia</i>	Hillock Bush	140 mm	4 - 6m	2.5 - 4m	0
	S4	<i>Telopea speciosissima</i>	New South Wales Waratah	140 mm	3 - 4m	2.5 - 4m	0
	S5	<i>Westringia fruticosa</i>	Coastal Rosemary	140 mm	0.5m	0.5m	5
GROUND COVER	G1	<i>Hibbertia scandens</i>	Climbing Guinea Flower	140 mm	0.4 - 0.6m	0.6m	0
	G2	<i>Viola hederacea</i>	Australian Violet	Tubes	0.1 - 0.2m	0.3 - 1m	0
	G3	<i>Pandorea pandorana</i>	Wonga Wonga Vine	Tubes	3 - 8m	3 - 5m	0
	G4	<i>Eustrephus latifolius</i>	Wombat Berry	Tubes	3 - 6m	2 - 6m	0
	G5	<i>Dampiera stricta</i>	Blue Dampiera	Tubes	0.2 - 0.4m	0.3m	0
GRASSES	GR1	<i>Tetragonia tetragonoides</i>	Warrigal Greens	140 mm	0.3 - 0.5m	0.5 - 2m	0
	GR2	<i>Themeda triandra</i>	Kangaroo Grass	Tubes	1.5 - 2m	0.5m	0
	GR3	<i>Suaeda australis</i>	Tucker Bush	Tubes	0.1 - 0.9m	0.5m	0
HEDGE	H1	<i>Acmena smithii</i>	'Alynn Magic' Lilly Pilly		0.4 - 0.6m (Hedged)	1m(Hedged)	1



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Project:
28 Watkins St., Bondi NSW 2026
Client:
Li Morrison & William Morrison
Drawing:
Proposed Landscape Plan

newton teale consulting pty ltd
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PO BOX 495 Gynea NSW
Phone: 0403 993 876
Email: info@planland.com.au

ABN:
62 128 716 334

Drawn: **LT** Approved: **LT** Date: **JUN/2023**
Scale: Drawing No.: Sheet No.: **23009 DA 7.3** Rev.: **D**
As indicated@A

1 LANDSCAPE PRELIMINARIES

1 GENERAL

1.1 GENERAL
This preliminary Specification is not for Tender or construction.
The Specification Generally
This Landscape Specification is to be read with the Architectural Specification. Any Specification detail not in this Landscape Specification is to be taken from the Architectural Specification, then taken from other *documents* as appropriate. This Landscape Specification must be read with the Architectural Specification including common *SECTIONS* 1 Preliminaries, 2 Fixing & Sealing, & 3 Metalwork.
Maintenance & Establishment
Refer to the Soft Landscaping *SECTION* of this Landscape Specification for detail of soft landscaping maintenance & establishment. Maintain & establish all *Work* after Practical Completion for 12 months at 1 *Month* intervals. Immediately make good to any *Work* of which quality has become less than that *documented*.
SUBMIT inspection log immediately after each inspection.

2 GROUND WORKS

1 GENERAL

1.1 GENERAL
Provide Work as per this *SECTION* & as *doc* elsewhere.

1.2 REFERENCED DOCUMENTS
Cross References
Read with Architectural Specification SECTIONS 1 Preliminaries, 2 Fixing & Sealing, 3 Metalwork & all related *SECTIONS* & other *documents*.
For detail in this specification of the following, refer:
-Fertilizer – Soft Landscaping *SECTION*.
-Mulch – Soft Landscaping *SECTION*.
Standards
Provide to documented A/O Standards including associated Parts, if those Parts are *Work* related. Refer also the Architectural Specification Preliminaries *SECTION*, Sub-*SECTION* 1, Clause 'Referenced Documents (RD)'.
1.3 INTERPRETATION
Refer Architectural Specification Preliminaries *SECTION*, Sub-*SECTION* 1, for definition of other *italicized* text.
-*Bad ground*: Includes ground contaminated, soft, liable to subside, containing cavities/faults/fissures.
-*Base*: One or more layers of material on which surface pavement may be placed, composed of either, fine crushed *rock*, natural gravel, broken stone, stabilised material, asphalt or concrete.
-*Formation*: Surface of the finished earthworks, excluding batters & *subbase/Base*.
-*Line of influence*: A line extending down & out approx 45 *deg* from footing/slab bottom outside edge, defining the extent of foundation material supporting the footing or slab. To be confirmed by a Geotechnical *Engineer*.
-*Rock*: Monolithic material, pre-excavation (in-ground) volume more than 1.5m³, which can't be removed until broken up by percussion tools.
-*Subbase*: The material laid on the *subgrade* below the *Base* to make up additional thickness, to prevent *subgrade* intrusion into the *Base* & to transfer load to the *subgrade*.
-*Subgrade*: The prepared portion of the *formation* on which the *subbase* then *Base*, is constructed.

1.4 INSPECTION & TESTING
Refer Architectural Specification Preliminaries *SECTION*, Sub-*SECTION* 4 'Inspection & Testing'. Refer also Specification text. **SUBMIT** results of tests & inspections. **NOTIFY** for inspection of:
-Initial set-out of paving, garden beds, features, structures.
-Services laid in trenches, ready for backfilling.
-Completed excavation, ready for laying of subsequent materials.
-Completed proof roll of *subgrade* before filling.
-Fill completion.
-Cultivated ground ready for topsoil.

1.5 SUBMISSIONS
Refer items written **SUBMIT**, in text. Refer Architectural Specification Preliminaries *SECTION*, Sub-*SECTION* 5.
SUBMIT also:
-Erosion & Sediment Control Plan.

2 MATERIALS

2.1 MATERIAL COMMON DETAIL
Read with Architectural Specification SECTIONS 1 Preliminaries, 2 Fixing & Sealing, 3 Metalwork.
Pedestrian/vehicle surfaces & their edges (nosing) to be slip-resistant. *Provide* anti-tamper fixings as per Architectural Specification Fixing & Sealing *SECTION*.
Refer Architectural Specification Preliminaries SECTION, Sub-SECTION 3 'Materials' for more materials detail.

2.2 RELATED SPECIFICATION DETAIL
***** Refer to this page header note*****

2.3 MISCELLANEOUS MATERIALS
Refer to the applicable Specification *SECTIONS* for description of *external* products & materials.

2.4 TOPSOIL
General
Topsoil to comply with AS 4419 'Soils for Landscaping' & ASTM D5268-07 'Standard Spec for Topsoil'. Potting Mix to comply with AS 3743. Soil conditioner to AS 4454 'Composts, Soil Conditioners & Mulches'.
Podium/Building Planter Soils: **NOTIFY** if type & composition not *doc*. Allow to *provide* high performance lightweight soil mix.
Test both imported & *Site* obtained topsoil & potting mixes to AS 1289 (Methods of Testing Soil) & AS 3743. *Provide* 1 test per 10 m³. *Provide* Soil Supplier Test Compliance Certificate.
Topsoil to contain organic matter 6-8% by mass & have sandy loam texture to AS 4419.
Soil organic matter to be 6-8% by mass.
Imported topsoil mix to comply with the following:
-Contain organic matter which supports plant life.
-Components to be evenly distributed throughout the mix.
-Mixes to be mechanically screened prior to despatch using screen size: <25mm.
-The mix is to be moist but still free flowing & of such moisture content that water cannot be squeezed from it by hand.
-Material to be void of ingredients which display high shrinkage tendencies.
-Free of acrid odours (*including* those caused by excessive ammonia or organic acids), chemicals & toxins detrimental to plants & human touch contact.
-Free of stones, clay lumps, weeds and weed propagules *including* Cyperus Rotundus (nut-grass tubers), tree roots, sticks, rubbish, sharp items & other foreign matter.
-Free of pests and diseases such as pathogenic organisms e.g. Phytophthora spp and the larval stage of insect pests.
SUBMIT 1 kg sample of imported of test-passed topsoil & 1 kg of test-passed potting mix with the Soil Supplier Test Compliance Certificate.
SUBMIT detail of soil additives.
Topsoil Spreading
Topsoil to grassed and turfed areas: 100mm (*min*) thick.
Topsoil to planting areas: 300mm (*min*) thick (add 75mm to this *min* thickness for planting area crown).
Crown topsoil in planting areas.
Lightly consolidate topsoil to a smooth surface, free from lumps of soil and roots, ready for planting.
Progressively layer (max 100mm compacted thickness) & tamp topsoil to prevent voids & subsidence. Prevent excess compaction.
Add topsoil (*including* during the Defects Liability Period) to bring subsided topsoil back up to *doc* levels.

1.1 CULTIVATION
Cultivate to loosen the existing ground to receive topsoil.
Cultivation depth for grassed areas: 150mm deep.
Cultivation depth for plants & planting areas: 300mm deep.
Break-up cultivated earth so that pieces are less than 50mm. Remove stones exceeding 50mm, and any other deleterious material from cultivated earth *including* roots, sticks, weeds.

1.2 BULK FILL
Bulk fill may be imported or obtained from *Site*.
Material Records: **SUBMIT** Supplier name, material detail & source. **SUBMIT** NATA Registered Laboratory Certificate, *including* test results, certifying material compliance with intended use as determined by the NATA Certifier. *Min* 1 test per 50m³, *min* 2 tests.
Remove materials that will prevent satisfactory filling. Do not *provide* fill with sulphur content exceeding 0.5%. *Max rock* & lump size: 2/3 compacted layer thickness.
Do not fill with: **a)** organic soils, top soil, silt or silt-like materials, **b)** soluble/leachable substances, or materials which change volume or weaken when worked or wet, **c)** fill containing contaminants, wood, metal, plastic or other deleterious, organic or perishable material.
Spray water to obtain moisture content, uniformly in controlled quantities over uniform lane widths.
Do not place material or equipment on surfaces weakened by moisture. Commence compacting close to structures & compact away from structures.
Batter Faces: Compact separately or overfill & cut back. Form roughened surfaces.
Test completed fill: 1 test per layer per 200m². Refer 'Geotechnical Testing' below.
Lay in 200mm finished layers. Mix fill uniformly. Place fill in near-horizontal layers of uniform thickness, systematically deposited. Do not feather edges at junctions of fill & existing surfaces.

1.3 PAVEMENT BASE & SUBBASE
Extent: *Provide* under pavements.
Material Records: **SUBMIT** Supplier name, material detail & source. **SUBMIT** NATA Registered Laboratory Certificate, *including* test results, certifying material compliance with intended use as determined by the NATA Certifier. *Min* 1 test per 50m³, *min* 2 tests.
Base & Subbase: Crushed *rock* or natural gravel. **SUBMIT** NATA Registered

Laboratory Certificate, *including* test results, certifying material compliance with intended use as determined by the NATA Certifier.
Test completed *base & subbase*: *Min* 1 test per layer per 200m². Refer 'Geotechnical Testing' below.
Lay in 75-150mm finished layers, with equal layers in multilayer courses.

1.4 SITE STORMWATER
Comply with the following Standards:
Joining: Up-stream pipes socket into down-stream pipes. Cap in-complete, open pipe ends.
Anchor Blocks: In-situ concrete, to pipe junctions & changes of grade or direction. Before backfilling or concealing, conduct air or water pressure tests to AS 3500. Test each run or line, *UDO*. Clean & flush the stormwater system.
Subsoil Slotted Pipe/Cell Drainage: *Provide if required* for drainage. *Min* area = to a 100mm *dia* pipe to AS 2439, geotextile fabric (to AS 3706) wrapped (no soil to enter the system), laid to fall, run in free draining granular fill (eg 5-10mm gravel) which is also geotextile fabric wrapped, connected to the stormwater system. *Provide* drains behind all retaining walls at wall base. *Min* depth 250mm below finished surface.
Prevent erosion, contamination & sedimentation of *Site/adjacent* areas/stockpiles/drainage systems.
Keep *Works* free of ponding water. Maintain surfaces/excavations/drains to allow drainage. Do not place materials, *including* fill, on water logged ground. Prevent water flow over new *Work*. Obtain relevant Statutory Authority approvals.

2 EXECUTION

2.1 EXECUTION COMMON DETAIL
General
Read with Architectural Specification SECTIONS 1 Preliminaries, 2 Fixing & Sealing, 3 Metalwork. Refer Sub-*SECTION* 2 'Materials' (above), for specific material execution detail.
Control weeds by non-chemical means. Mow grassed areas to height *min* 75mm & *max* 200mm.
NOTIFY upon un-*doc* or un-expected ground work discoveries *including* cavities, water, rock, contaminated or hazardous materials, land-fill, archaeological materials.
External surfaces to fall away from buildings & structures. **NOTIFY** to confirm falls if they are not *doc*.
NOTIFY on finding a hazardous material which *include*:
Refer Architectural Specification Preliminaries SECTION, Sub-SECTION 4 'Building Work' for more execution detail.

2.2 GEOTECHNICAL TESTING
Test (as *doc*, *min* 2 tests) excavations, fill, *subbases* & *Bases* to AS 3798 by a NATA registered Geotechnical Test Authority. Test against requirements for intended use as determined by the NATA Certifier.
SUBMIT Geotechnical *Engineer* certification of completed *formation* & ground bearing capacity (both natural & fill) is as *doc* or adequate to support building loads.
Proof roll all excavations (except trenching), fill, *subbases* & *Bases*, to determine extent of *bad ground* as *advised* by NATA registered Geotechnical Test Authority. Remove & reinstate *bad ground*.

2.3 SITE CLEARING & EXCAVATION
Site clear as *doc*, as *min* for *Work*. Dispose of off-*Site*, excess excavations, rubbish, grass, vegetable/organic debris, stumps, rocks/rubble & disused built elements, *including* slabs, footings, paving, *UDO*.
In areas to be cleared & where *doc* to remove trees/plants, remove stumps & remove roots over 15mm *dia* within 200mm below ground surface. Backfill grubbing holes with sandy loam, compacted to the relative density of the adjacent ground.
Temporarily stockpile on-*Site* topsoil excavated from the *Work* area, *UDO*.
Remove excess excavations from *Site*.
Do not use explosives.
Excavation Tolerance: +0 -20mm. Finish self-draining, no ponding, scraper blade finish to even plane.
Record excavation & fill quantities, *including rock* quantities by Licensed Surveyor.
Pre-excavation (in-ground) volume applies for excavation measurement.
Rock Excavation: No Contract variation given for *rock* excavation.
Compact excavations/*formations*. Test finished excavations: *Min* 1 test per 200m². Refer 'Geotechnical Testing' above.
If excavation exceeds required depth, deteriorates or has *bad ground* removed, reinstate to *doc* depth & bearing capacity. Prevent void formation. Fill & compact voids to match surrounding material.
Provide temporary excavation support & remove when not required.
Provide temporary then permanent excavation support below *line of influence* as *doc*. If not *doc*, allow this support as *advised* by the Geotechnical *Engineer* & **NOTIFY**.

2.4 TRENCHING
General
Excavate trenches: **a)** to uniform grades, **b)** in straight lines between pits/inspection points/junctions, **c)** sides stable & supported, **d)** widths *min* & consistent, **e)** clean, no projections, no obstructions, no water, **f)** with a firm base. Cut tree roots within 600mm of services. No access over open trenches.
Over-excavation: Reinstate to correct depth & bearing value using compacted bedding material or sand stabilised with 1 part of cement to 20 parts of sand by weight.
Trenches open for *min* time. Backfill as soon as possible after service laid & bedded, if possible, same day. Place backfill in layers *max* 150mm compacted thickness.

If boring under pavements is required, *provide* a tight fit of service pipes. Pressure grout fill voids.
Trench Backfill
Services Marking: *Min* 350mm above services, lay underground marking tape (to AS/NZS 2648.1).
Bedding Material: For bed & haunch zones to be granular material, grading as per AS 1141.
Fill (General): Well graded, inorganic, non-perishable material, *max* size 75mm, plasticity index to be under 55%. No stones more than 25mm size within 150mm of services.
Fill under roads & paved areas & within 4000mm of structures to be coarse sand, controlled low strength material or 'B' grade fine crushed *rock*. Compact to achieve 95% solidified compaction test as per AS 1289 at optimum moisture content.
Fill In Topsoil Areas: Compact to *min* equal to that of adjacent

3 SOFT LANDSCAPING

1 GENERAL
1.1 GENERAL
Provide Work as per this *SECTION* & as *doc* elsewhere.

1.2 REFERENCED DOCUMENTS
Cross References
Read with Architectural Specification SECTIONS 1 Preliminaries, 2 Fixing & Sealing, 3 Metalwork & all related *SECTIONS* & other *documents*.
For detail in this specification of the following, refer:
-Excavation – Ground Works *SECTION*.
-Topsoil – Ground Works *SECTION*.

Standards
Provide to documented A/O Standards including associated Parts, if those Parts are *Work* related. Refer also the Architectural Specification Preliminaries *SECTION*, Sub-*SECTION* 1, Clause 'Referenced Documents (RD)'.
1.3 INTERPRETATION
Refer Architectural Specification Preliminaries *SECTION*, Sub-*SECTION* 1, for definition of *italicized* text.

1.4 INSPECTION & TESTING
Refer Architectural Specification Preliminaries *SECTION*, Sub-*SECTION* 4 'Inspection & Testing'. Refer also Specification text. **SUBMIT** results of tests & inspections. **NOTIFY** for inspection of:
-Plants at Nursery ready for delivery to *Site*.
-Plant materials delivered to the *Site*.
-Grassing bed prepared prior to turfing or seeding.
-Garden bed/grassed area edge set-out.
-Planting set out before planting.
-Planting start.
-Staking and tying completed.
-End of establishment period.

1.5 SUBMISSIONS
Refer items written **SUBMIT**, in text. Refer Architectural Specification Preliminaries *SECTION*, Sub-*SECTION* 5.

2 MATERIALS

2.1 MATERIAL COMMON DETAIL
Read with Architectural Specification SECTIONS 1 Preliminaries, 2 Fixing & Sealing, 3 Metalwork.
Provide plant life in healthy condition, without scarring or deformations. Establish plant life for optimum growth for the environmental conditions. Continuously *Work* to keep plant life free of disease, and free of plant (weeds) & animal pests. Immediately replace failed planting.
Refer Architectural Specification Preliminaries SECTION, Sub-SECTION 3 'Materials' for more materials detail.

2.2 RELATED SPECIFICATION DETAIL
***** Refer to this page header note*****

2.3 MULCH
Provide mulch to AS 4454 'Composts, Soil Conditioners & Mulches'. Mulch to be free of deleterious and extraneous matter *including* soil, weeds, sticks, roots. Mulch to be sieved to size to prevent accumulation of mulch fines.
SUBMIT 1 kg samples of each mulch type.
Spread mulches evenly to a *min* depth of 100mm, *UDO*. Grade the finished surface evenly. Do not place mulch in contact with stems of plants.

2.4 CHEMICALS
SUBMIT a Schedule of proposed chemicals to be used in landscape construction & maintenance including additives, pesticides, herbicides, un-*doc* fertilizer, disease treatments.

2.5 FERTILIZER
Deliver fertilizer to *Site* in sealed bags, branded with the fertilizer type & Manufacturer name.

2.6 TURFING
Turf to be comprised of consistently thick grass & root (fully soiled) parts. Grass part to be 20mm thick, root part to be 25mm thick.
Evenly mix fertilizer into the topsoil before placing the turf.
Lay turf within 24 hours of cutting. Prevent turf from drying out between cutting

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newton teale consulting pty ltd ABN: 62 128 716 334
trading as **plan land**
PO BOX 495 Gynea NSW
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Scale:	Drawing No.:	Sheet No.:
1: 1@A3	23009	DA 7.4

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AMENDED PLANS

and laying.
Lay turf along land contours with staggered, butt joints. Immediately after laying, roll turf with a 90 kg/m roller. Fill joints & depressions with topsoil. On slopes too steep for rolling, evenly tamp the turf.
Immediately after rolling, irrigate with a fine spray so that the soil is moist to a depth of 100mm.
Lay turf flush with adjacent surfaces. Grade falls evenly. Turf surface to be smooth & consistent.
When turf is established, mow at 25mm above soil level, remove cuttings & top dress *max* 10mm deep with topsoil to fill joints and correct surface unevenness. 21 days after turfing, broadcast evenly a minimum of 10 g/m² of sulphate of ammonia fertiliser over the whole of the area of turfing.
When the turf is established, mow at regular intervals to maintain an average height of 30mm.
Manually extract weeds that emerge in the turfed areas. Where necessary spray with a selective broad leaf weed herbicide.
Tolerance: *Max* 15mm under a 3000mm straight edge any direction.

2.7 GRASS SEEDING
Site deliver seeds in sealed bags labelled with product & Supplier name. Seeds to be *max* 2 years old, of *min* 98% purity, of *min* 85% germination viability. **SUBMIT** Supplier Compliance Certificate of these seed characteristics. Sow seeds for even spread by mechanical means. Lightly rake seeds into soil to cover seeds.
Less than 90% seed germination at 3 weeks after sowing will be deemed seeding failure. Less than 90% seeded grass coverage at 12 weeks after sowing will be deemed seeding failure. Replace failed seeded grass with *Site* delivered turf.
Regularly mow seeded grass to be nominally 50mm high, *max* 30% off grass height in a 2 week period.
Tolerance: *Max* 15mm under a 3000mm straight edge any direction.

2.8 PLANTING
Plant Quality
Plants to have well-balanced branching foliage typical of their species for the season.
Plants to be free from pests, diseases, physiological disorder & nutritional deficiency, and be substantially free from evidence of any previous disorder.
Plants shall have been grown in their final containers in environmental conditions similar to that expected for where they will be planted, for *min* 42 days before *Site* delivery.
Plants to be planted in the sun are to be previously 'sun grown' or 'sun hardened', for *min* 42 days before *Site* delivery.
Site deliver plants in pathogen free, weed free medium.
Plant roots to be undamaged, unrestricted, well-proportioned in relation to the size of the plant & suitable for transplantation.
Label (durable weather-proof tag) each plant by botanical name, common name & characteristics.
Tree Stock: To be single trunk. To have crown foliage symmetry. **SUBMIT** certification by independent Horticulturalist (at Contractors expense) that plant stock *provided* is compliant with that *documented*.

Plant Containers
Provide plants in new or sterilised recycled polypropylene containers or polythene bags of potting media volumes, sized as follows, *UDO*:

Height (mm)	Pot Diameter (mm)	Potting Media Volume (litres dry)
150	140	2
200	200	4
300	300	13
400	400	45
450	400	76
500	500	104

Planting
Excavate planting holes to a size that allows the following *min* amount of topsoil backfill beneath & around the plant root system, *UDO*:

Plant Height at time of planting (excluding the root ball – mm)	Thickness/depth of topsoil around the root ball
0-300	100
300-500	150
500-1000	200
1000-2000	250
2000-2500	350
2500-3000	450
Over 3000	550

Thoroughly water plants immediately before planting. Thoroughly water the planting hole immediately before planting.
Remove plants from containers with *min* soil loss & root disturbance. Lightly brush the root ball surface to loosen root ends.
Position plants in the centre of planting holes. Set plants plumb & at a level for natural relationship of the plant with the ground surface.
Backfill with topsoil to be firm around the plant without air pockets. Dish the soil around plants for water capture (dish diameter to match pot diameter or root ball). Place slow release prolonged release type fertilizer around plants at the time of planting.
For plants to be over 2000mm tall at maturity, vertically embed in the backfill, a 75mm *dia*, 300mm length of black colour, slotted agricultural drain pipe behind the plant (protruding above the mulch 20mm) as a deep watering mechanism. Place mulch to 50mm deep in the base of the pipe.
Commence planting immediately after *Site* delivery.
If unforeseen planting delay occurs, transplant plants into larger pots.
Do not plant in unsuitable weather conditions *including* extreme heat, cold, wind, rain.

Arrange sufficient off-*Site* plant quantities to allow for on-*Site* plant failures to avoid delay.
Replace dead or dying plants up to the end of the Defects Liability Period.
Replace damaged plants up to Practical Completion.
Transplanting
SUBMIT a Transplanting Plan *including* operational detail, timings, ball diameter & depth, extraction methods, lifting methods, watering program, plant health monitoring. **NOTIFY** of intention to transplant.
Use only nylon endless slings or canvas slings for lifting.
Transplanting is to be done as quickly as possible with holes and other materials & equipment required to carry out the planting procedure, ready & prepared at time of extraction.
Stakes & Ties
Plants with stems or trunks to be staked to give plant support. Stakes to be straight, undamaged, have flat top ends & pointed driving ends.
Stakes & components (ties, caps) to be of a neutral & natural colour (ie grey, black, brown) which can be achieved by *painting*.
Cap all stakes after their placement, with a neutral & natural coloured wired-on plastic safety caps.
Single stakes to be positioned behind the plant (ie opposite the likely pedestrian traffic side), double stakes to be positioned evenly apart & parallel to the likely pedestrian traffic side, triple stakes to be positioned evenly apart with 2 stakes positioned behind the plant (ie opposite the likely pedestrian traffic side).
Position stakes outside of the topsoil zone part of the planting hole.
Tie plant to each stake at the top 10% of the *exposed to view* stake. Tie also as required to straighten the stem or trunk.
Remove stakes & ties no longer required to support the plant, at the end of the Defects Liability Period.
Stakes to comply with the following table, *UDO*:

Plant Height (at time of planting - mm)	Stake Number	Stake Size (mm) & Type	Stake In-ground Depth/ Exposed Height (mm)	Ties
0-300	1	25x25 <i>HWD</i>	150/200	Plastic
300-600	1	25x25 <i>HWD</i>	200/400	Plastic
600-900	2	25x25 <i>HWD</i>	250/700	Plastic
900-1500	2	38x38 <i>HWD</i>	300/1000	Plastic
1500-1800	3	50x50 <i>HWD</i>	400/1200	Plastic
1800-2400	3	Steel star picket	600/1800	Steel rope
2400-3600	3	Steel 65x 65 RHS in concrete footing	600/1800	Steel rope
Over 3600	3	<i>To Engineer advice</i>	<i>To Engineer advice</i>	<i>To Engineer advice</i>

Plastic ties: Proprietary ties.
Steel rope ties: 3mm dia galv steel wire rope, cut ends steel clamped, turnbuckle tension adjustment, plastic guards against trunk, the loop *dia* around trunk to be 3 times the *dia* of the trunk at that tie point.

1.1 MAINTENANCE & ESTABLISHMENT
[TBC Spec Writer – If an Owner Maintenance Document is to be part of the Contract, this can be referred to here & the following text edited or deleted as applicable. Note: Maintenance or establishment is different from the Defects Liability Period]
Refer also to the Sub-Clause 'Maintenance & Establishment' in the Preliminaries *SECTION* of this Landscape Specification.
Provide maintenance and establishment to all soft landscaping which *includes*:

- Watering, fertilizing, pest & disease control.
- Mowing, weeding, aerating, removal of cuttings
- Pruning (to AS 4373), the intention of pruning being to maintain healthy foliage or remove damaged growth.
- Maintaining stakes & ties.
- Replacing damaged or failed planting.
- Top dressing & soil replacement/ re-topping, mulch maintenance.

SUBMIT detail of proposed:

- Pruning & plant replacement.
- Tree surgery Work.
- Chemicals to be used.

3 EXECUTION
3.1 EXECUTION COMMON DETAIL
Read with Architectural Specification SECTIONS 1 Preliminaries, 2 Fixing & Sealing, 3 Metalwork. Refer Sub-*SECTION* 2 'Materials' (above), for specific material execution detail.
Refer Architectural Specification Preliminaries SECTION, Sub-SECTION 4 'Building Work' for more execution detail.

4 IRRIGATION

1 GENERAL
1.1 GENERAL
1.2 REFERENCED DOCUMENTS
Cross References
Read with Architectural Specification Standards
Provide to documented A/O Standards including associated Parts, if those Parts are *Work* related. Refer also the Architectural Specification Preliminaries *SECTION*, Sub-*SECTION* 1, Clause 'Referenced Documents (RD)'.

1.3 INTERPRETATION
Refer Architectural Specification Preliminaries *SECTION*, Sub-*SECTION* 1, for definition of *italicized* text.

1.4 INSPECTION & TESTING
Refer Architectural Specification Preliminaries *SECTION*, Sub-*SECTION* 4 'Inspection & Testing'. Refer also Specification text. **SUBMIT** results of tests & inspections. **NOTIFY** for inspection of:

- Irrigation system set-out.
- Trenching.
- Fully test the completed system over a 7 day period *including* a pressure testing.
- Completed system to be inspected by an Hydraulic *Engineer* & an Electrical *Engineer*.

1.5 SUBMISSIONS
Refer items written **SUBMIT**, in text. Refer Architectural Specification Preliminaries *SECTION*, Sub-*SECTION* 5. **SUBMIT** also:

- Shop drawings as described in 'Materials' below.
- Work as Executed drawings.
- Operation & Maintenance Manual.

2 MATERIALS
2.1 MATERIAL COMMON DETAIL
Read with Architectural Specification SECTIONS 1 Preliminaries, 2 Fixing & Sealing, 3 Metalwork.
The irrigation system is to be a fully automatic system, either a *proprietary* system, or an Electrical & Hydraulic *Engineer* Certified system made up of *proprietary* components. It is to supply water to all plant life which is part of the *Work*, at a rate & consistency to promote that plant life health.
The irrigation system is to be designed & installed by a specialist Irrigation Subcontractor. **SUBMIT** proposed Irrigation Subcontractor details of experience & capability.
Refer Architectural Specification Preliminaries *SECTION* 'Hardware & Operational Components' and 'Motorized Components'.
Provide anti-tamper fixings as per Architectural Specification Fixing & Sealing *SECTION*.

Refer Architectural Specification Preliminaries SECTION, Sub-SECTION 3 'Materials' for more materials detail.

2.2 RELATED SPECIFICATION DETAIL
*** Refer to this page header note***

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1.1 THE IRRIGATION SYSTEM
General
The system will be comprised of:

- Water piping & connection to a primary or central supply (as *doc* or *instructed*), pressure rating of *min* 1033 Kpa.
- Electrical cabling (in conduits) & connection to the electrical mains supply.
- Controllers.
- Valves (including RPZ, isolating, control & back-flow (to AS/NZS 2845) prevention) & valve boxes.
- Water delivery outlet devices (sprinklers, drippers, sprayers).
- Automatic rain switching (sensors positioned free of overhead rainfall obstructions).
- Separate programmable stations & programmable to the different irrigation zones.
- Cabinets, access/valve/housing boxes & panels to be lockable, 3 tagged keys per lock.
- Access/valve/housing boxes to be *min* heavy duty suitable for the anticipated traffic loads.

The system is to be:

- Weather resistant & components are to be highly corrosion resistant.
- Concealed except for valve box lids, controllers, water delivery outlet devices, access panels to components requiring maintenance access. Concealment is under-ground or within structures.
- Underground piping location to be identified using underground marker tape installed *min* 150mm above pipes.

Exposed to view components to be in garden beds where possible & be flush with the surrounding land profiles (except for garden bed raised water delivery outlet devices).
SUBMIT Irrigation *Works* shop drawings close to the start of the Head Contract to resolve coordination issues as early as possible. Shop drawings to *include*:

- Component Manufacturer *advice* & specifications.
- List of local spare parts Suppliers & availability of spare parts.
- Proposed watering flow rates for the 4 seasons.
- Cabinet & box details (and ratings for traffic loads if applicable).
- Irrigation zones.
- Diagrams of water coverage of each water delivery outlet device.
- Electrical & Hydraulic *Engineer* Design Certification.
- Australian & New Zealand Standards complied with.
- Local Authority Regulations, Codes & Guidelines complied with.
- Warranty details.

Controllers
Controllers positioned at nominally 1600mm above *FFL*. Controllers to *include*:

- 1 to 4 start times per day.
- Timer settings to cover a 24 hour day, 7 days a week, settings to minute timings.
- Program to cater for changes in setting for the 4 yearly seasons.
- Ability to separately program each irrigation zone.
- Pump/master valve circuit.
- Battery back-up support for power failure (solid state).
- Manual or semi-manual over-ride provision.

2 EXECUTION
2.1 EXECUTION COMMON DETAIL
Read with Architectural Specification SECTIONS 1 Preliminaries, 2 Fixing & Sealing, 3 Metalwork. Refer Sub-*SECTION* 2 'Materials' (above), for specific material execution detail.
Provide comprehensive personal instruction to the *Owner* on the operation of the irrigation system by an experienced Irrigation Installation Technician.
Instruction to *include* physical on-*Site* demonstration of the system in conjunction with referring to the Operation & Maintenance Manual. **SUBMIT** proposed instructional program details.
Water delivered by the irrigation system is not to create run-off or erosion, and is not to fall on non-soft landscaping areas & not to fall on non-soft landscaping elements outside of the area of planting.

Refer Architectural Specification Preliminaries SECTION, Sub-SECTION 4 'Building Work' for more execution detail.

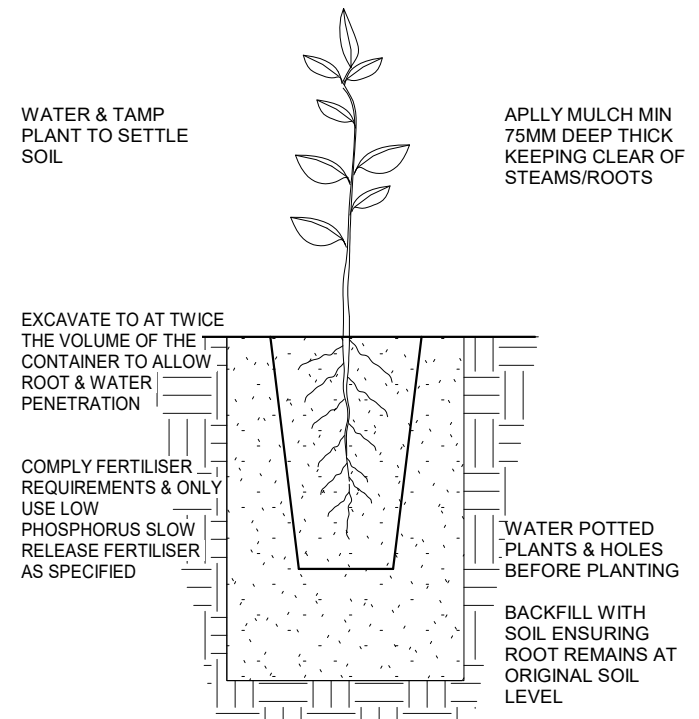
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Landscape Specifications

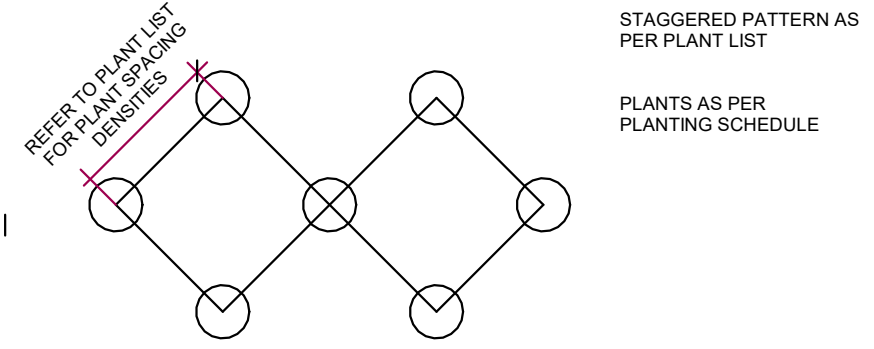
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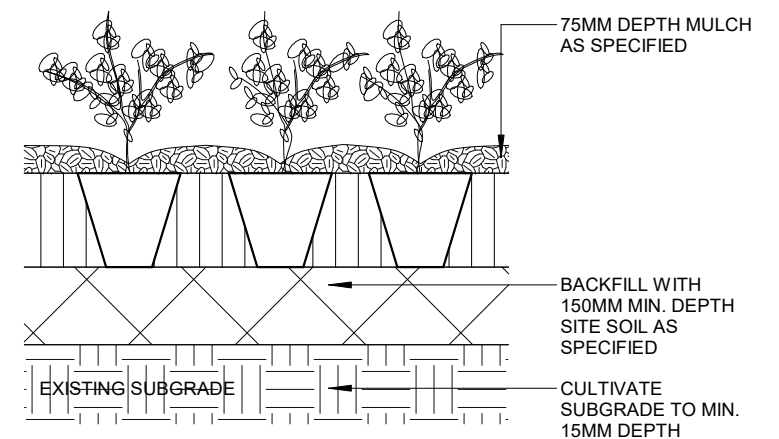
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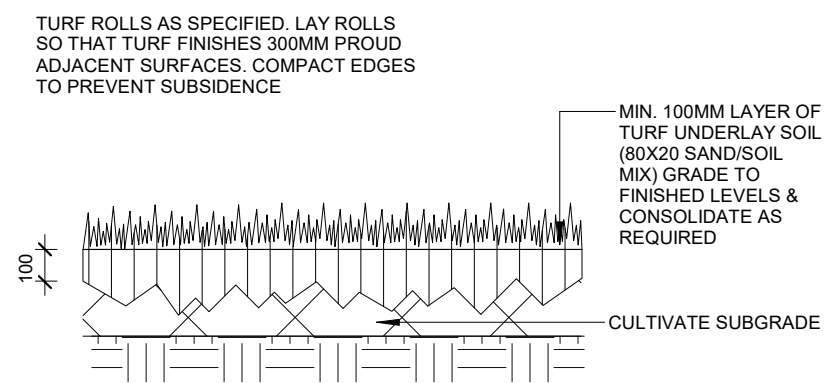
GENERAL PLANTING SPECIFICATION



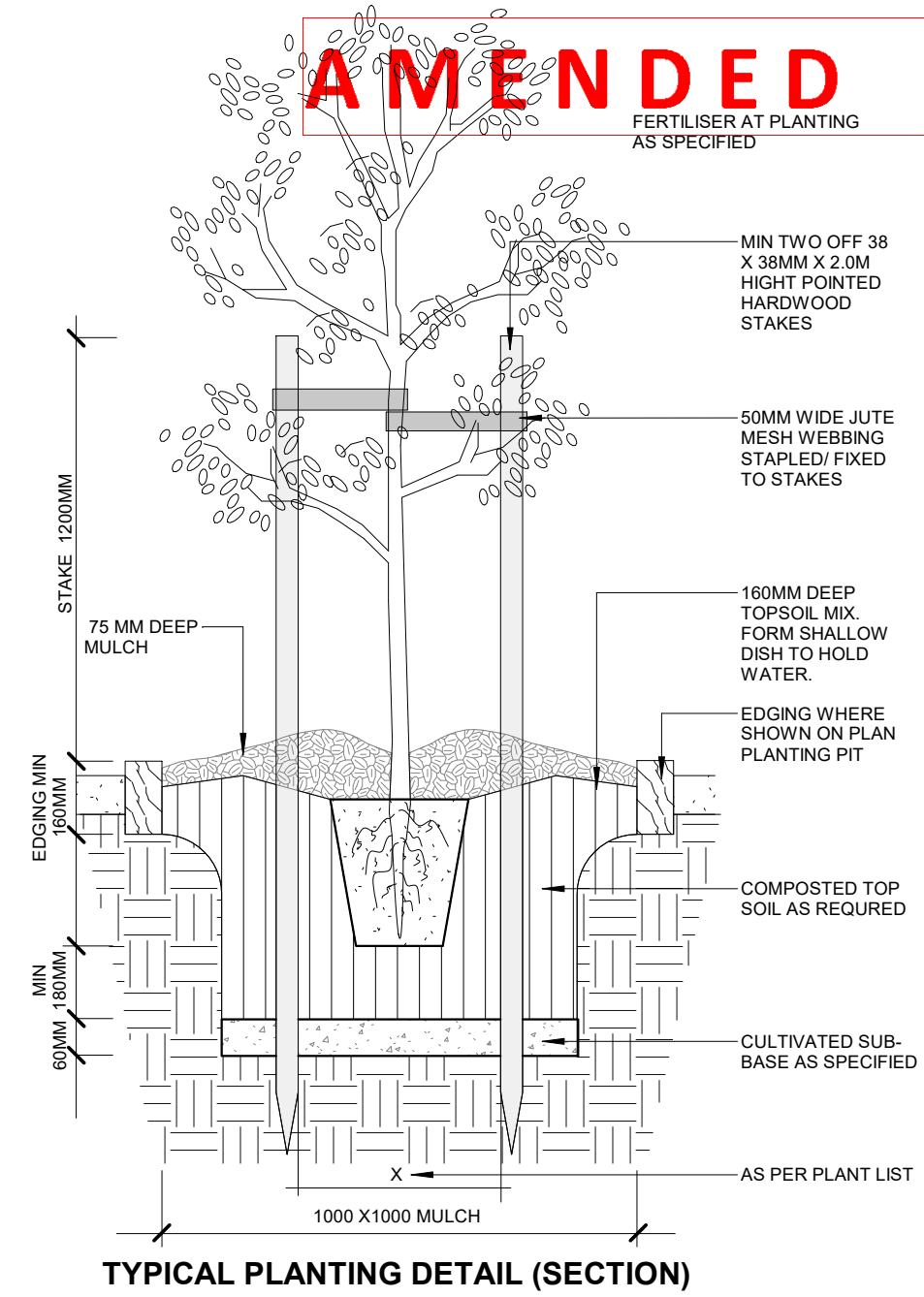
TYPICAL PLANT STAGGERING DETAIL



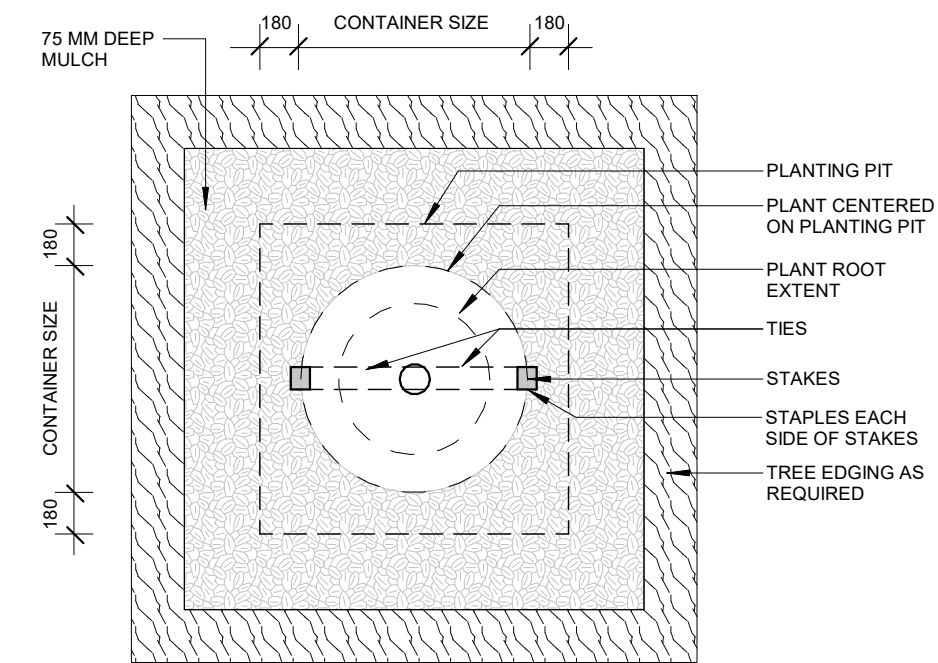
TYPICAL SHRUB PLANTING



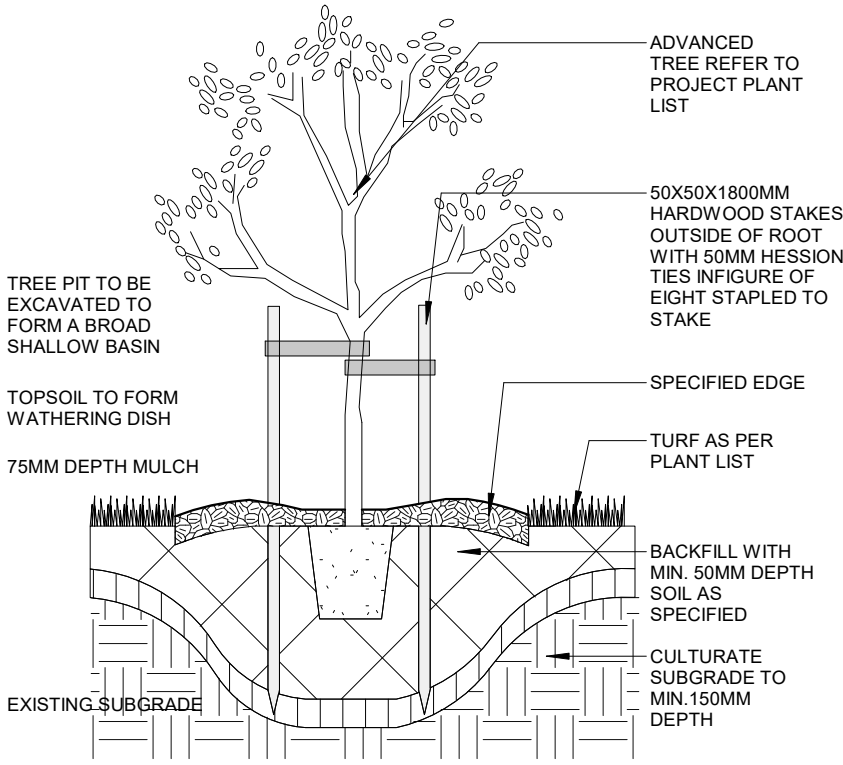
TURF DETAIL



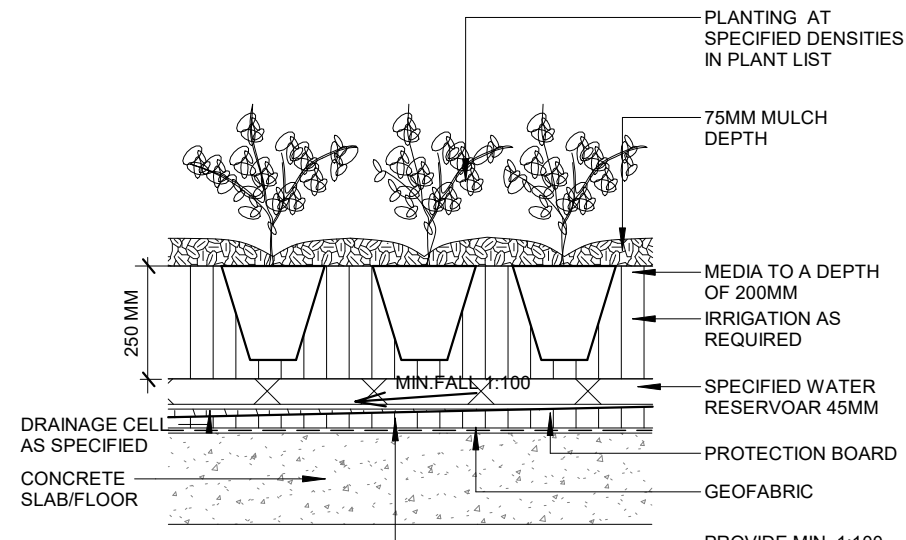
TYPICAL PLANTING DETAIL (SECTION)



TYPICAL PLANTING DETAIL (PLAN)



TYPICAL EDGING, TURF & PLANTING BED DETAIL



TYPICAL PLANTING/PODIUM DETAIL

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 Email: info@planland.com.au
 Drawn: **LT** Approved: **LT** Date: **JUN/2023**
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AMENDED PLANS

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DOOR SCHEDULE

MARK	WIDTH	HEIGHT	LEVEL	FROM ROOM: NAME	TO ROOM: NAME	DESCRIPTION
D01	720	2125	2.Ground FFL	NEW WC	NEW DINING	INTERIOR SINGLE HINGED DOOR
D02	720	2125	3.First FFL	EX.CORRIDOR	NEW BATH	INTERIOR SINGLE HINGED DOOR
D03	820	2125	3.First FFL	EX.CORRIDOR	NEW MASTER BED	INTERIOR SINGLE HINGED DOOR
D04	720	2100	3.First FFL	NEW MASTER BED	NEW ENSUITE	INTERIOR SINGLE CAVITY SLIDING DOOR

4

GLAZING BASIX

MARK	ASPECT	SILL	WIDTH	HEIGHT	AREA	EXTERIOR GLAZING DESCRIPTION
W01	S	0	2900	2200	6.38 m ²	BIFOLD DOOR
W02	E	0	3000	2500	7.50 m ²	STACKER DOOR
W03	S	0	2640	2400	6.34 m ²	STACKER DOOR
W04	E	1800	2400	600	1.44 m ²	FIXED WINDOW
W05	E	860	600	1620	0.97 m ²	GLASS LOUVRE FROSTED WINDOW
W06	N	1100	860	1050	0.90 m ²	FIXED WINDOW
W07	S	900	860	1250	1.08 m ²	FIXED WINDOW
Grand total: 7						

BASIX NOTES:

The applicant must construct the new or altered construction (floor(s), walls, and ceilings/roofs) in accordance with the specifications listed in the table below, except that a) additional insulation is not required where the area of new construction is less than 2m², b) insulation specified is not required for parts of altered construction where insulation already exists.
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.
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.
The applicant must install the skylights in accordance with the specifications listed in the table below.

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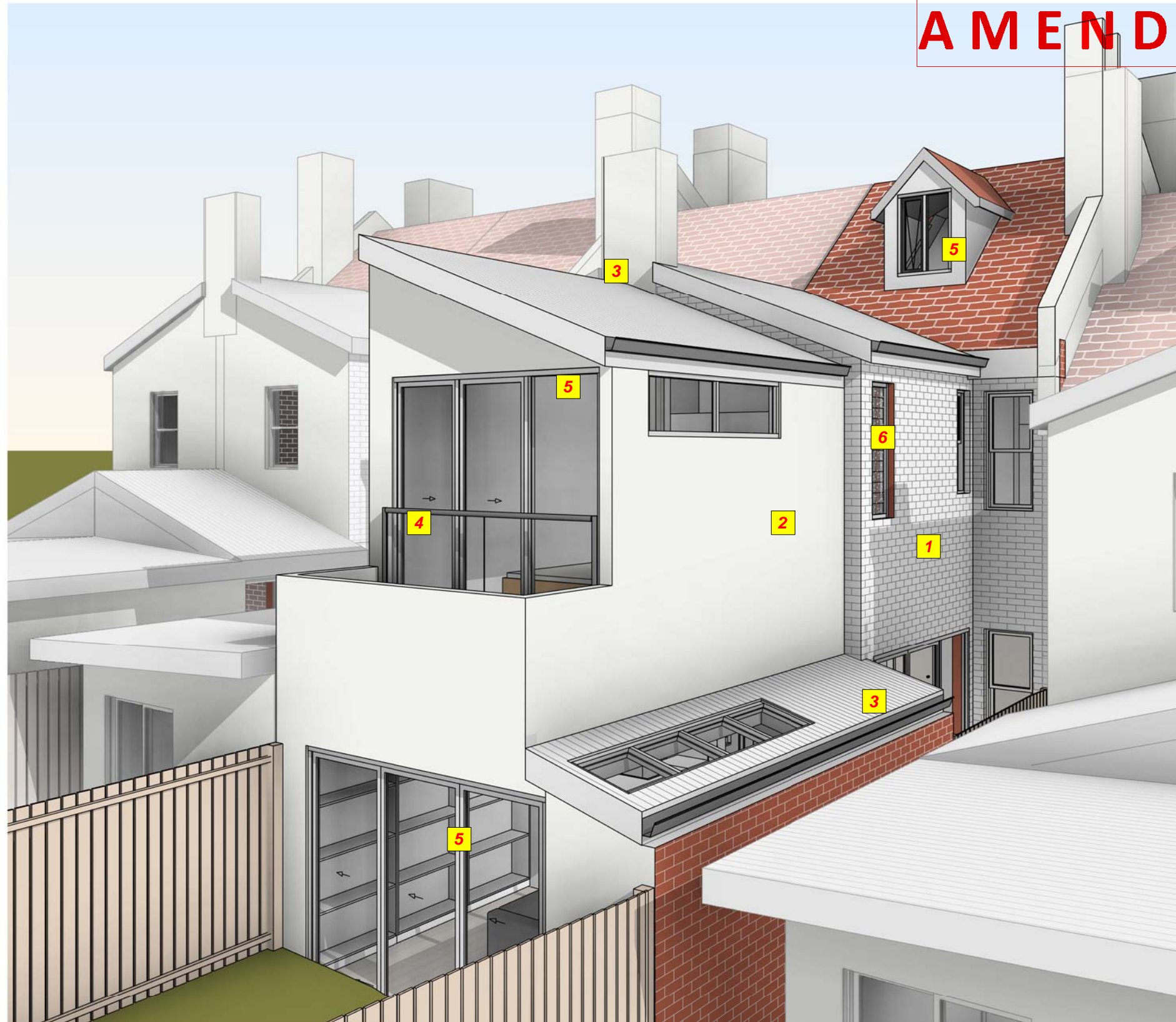
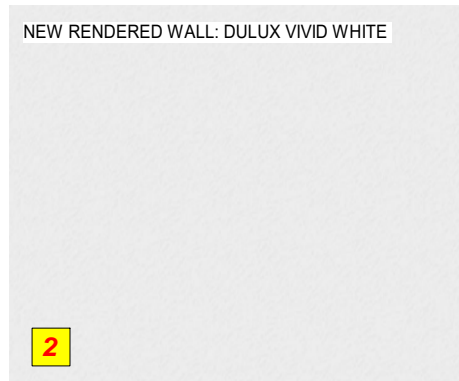
NOTE:
METHOD OF VENTILATING THE LAUNDRY AND WC AND CONTROLLING CONDENSATION IN ACCORDANCE WITH THE NCC.

Project:
28 Watkins St., Bondi NSW 2026
Client:
Li Morrison & William Morrison
Drawing:
Window & Door Schedules

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Drawn: **LT** Approved: **LT** Date: **JUN/2023**
Scale: Drawing No.: Sheet No.: **23009 DA 8.1** Rev.: **D**
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Project:
28 Watkins St., Bondi NSW 2026
Client:
Li Morrison & William Morrison
Drawing:
External Materials & Finishes

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Project:
28 Watkins St., Bondi NSW 2026
 Client:
Li Morrison & William Morrison
 Drawing:
Perspective

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Project:
**28 Watkins St., Bondi
NSW 2026**

Client:
**Li Morrison &
William Morrison**

Drawing:
Perspective

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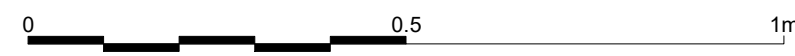
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NSW 2026**
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Drawing:
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Project:

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NSW 2026**

Client:
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William Morrison**

Drawing:
Perspective

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Application No: DA-164/2024

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KITCHEN & DINING 2



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@A3 23009 DA 10.5 **D**



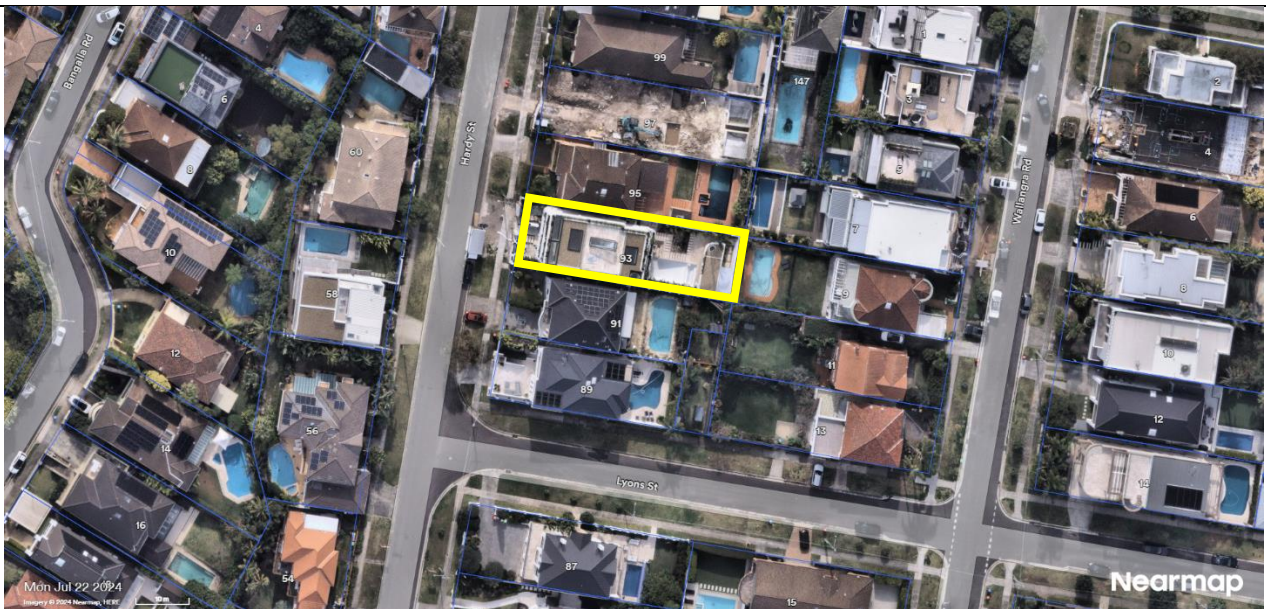
Low Density Residential Development



Report to the Waverley Local Planning Panel

Application number	DA-425/2024
Site address	93 Hardy Street, Dover Heights
Proposal	Reduce the size of an unauthorised roof terrace and modify its location and seek consent for the use of an unauthorised planter box to the roof of a dwelling house.
Date of lodgement	28 August 2024
Owner	Ms Ashley Agostino
Applicant	Benito Pty Ltd
Submissions	One
Cost of works	\$49,500
Principal Issues	<ul style="list-style-type: none"> • Non-compliance with the height of building development standard
Recommendation	That the application be APPROVED in accordance with the conditions contained in the report.

SITE MAP



(Source: Nearmap, 2024)

1. PREAMBLE

1.1. Executive Summary

The Development Application (DA) seeks consent to reduce the size of an unauthorised roof terrace and modify its location and seek consent for the use of an unauthorised planter box to the roof of a dwelling house at the site known as 93 Hardy Street, Dover Heights.

The principal issues arising from the assessment of the application relates to a breach to the height of building development standard, created from the balustrading to the roof terrace. However, the assessment finds this issue acceptable as a well founded clause 4.6 variation was submitted which justified that despite the breach to the development standard, the proposal meets the objectives of the height of building development standards.

One submission was received and the issues raised in the submission have been considered and addressed in this report and in the recommendation.

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

1.2. Site and Surrounding Locality

A site visit was completed on 26 September 2024.

The site is identified as Lot 5 in DP 11822, known as 93 Hardy Street, Dover Heights.

The site is rectangular in shape with an eastern frontage of 12.8m to Hardy Street. It has an area of 536.6m².

The site is occupied by a part two, part three storey dwelling with roof terrace and swimming pool.

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

Figures 1 to 3 are images of the site and its current unauthorised works.



Figure 1. Front of the subject site as viewed from Hardy Street, looking east.



Figure 2. Satellite imagery taken on 18 June 2024 showing the unauthorised enlarged roof terrace and planter boxes (Source: Nearmap, 2024).

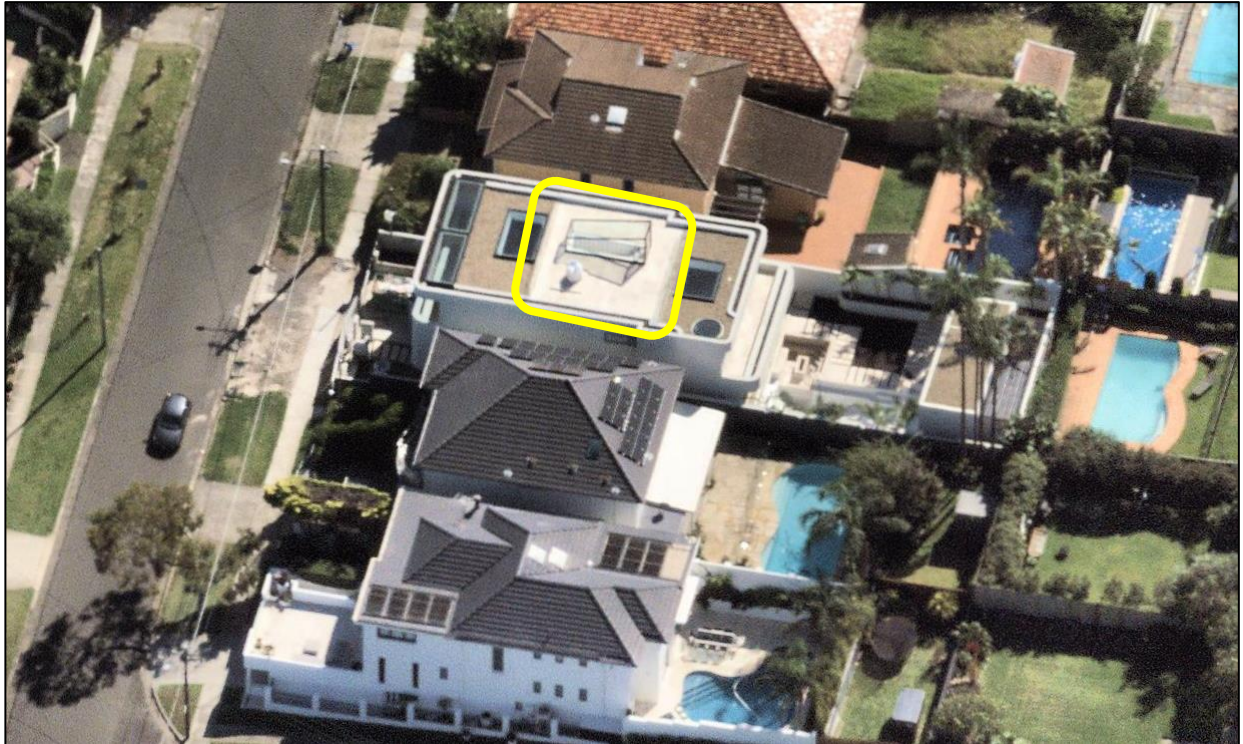


Figure 3. Satellite imagery taken on 7 April 2024 showing the unauthorised enlarged roof terrace and roof access hood (Source: Nearmap, 2024).

1.3. Relevant Development History

A search of Council’s records revealed the following recent and relevant development history of the site, including relevant conditions of consent:

- **DA-442/2017**
Demolition of existing building, construction of a part two, part three storey dwelling with roof terrace and swimming pool.
Approved: 18 April 2018

Condition 2 – General Modifications

(a) The enclosed access stair roof structure shall be deleted and access to the roof top deck is to be provided via an operable skylight (or the like) and is to be no greater in height than the glass balustrade around the roof top deck, in order to better address Council’s policy in relation to access hoods and height controls under the Waverley LEP and DCP 2012.

- **DA-442/2017/A**
Modification to delete condition 2(c) of the consent relating to requirements for the rear setback of an approved dwelling house.
Approved: 26 June 2019
- **DA-442/2017/B**

1.4. Proposal

The development application seeks consent for the following:

- Reduce the size of the unauthorised enlargement of the roof terrace;
- Relocate the location of the roof terrace from the approved location under DA-422/2017/C.
- Amend unauthorised access hood to a retractable skylight; and
- Seek consent for the use of the unauthorised planter boxes to the roof.

1.5. Background

The Council Assessment Planner has advised Council's Compliance Department (reviewing the Building Information Certificate) that DA-425/2024 will be determined by the Waverley Local Planning Panel. Therefore BC-14/2024 will be finalised once DA-425/2024 has been determined.

It is also recommended that Council's Compliance Department further investigates what appears to be other unauthorised works which may include, but not limited to:

- Skylight to the southeastern corner of roof;
- Paving (landscaping) and size of sunken lounge;
- Size of cabana; and
- Awning to the southeastern corner of the lot.

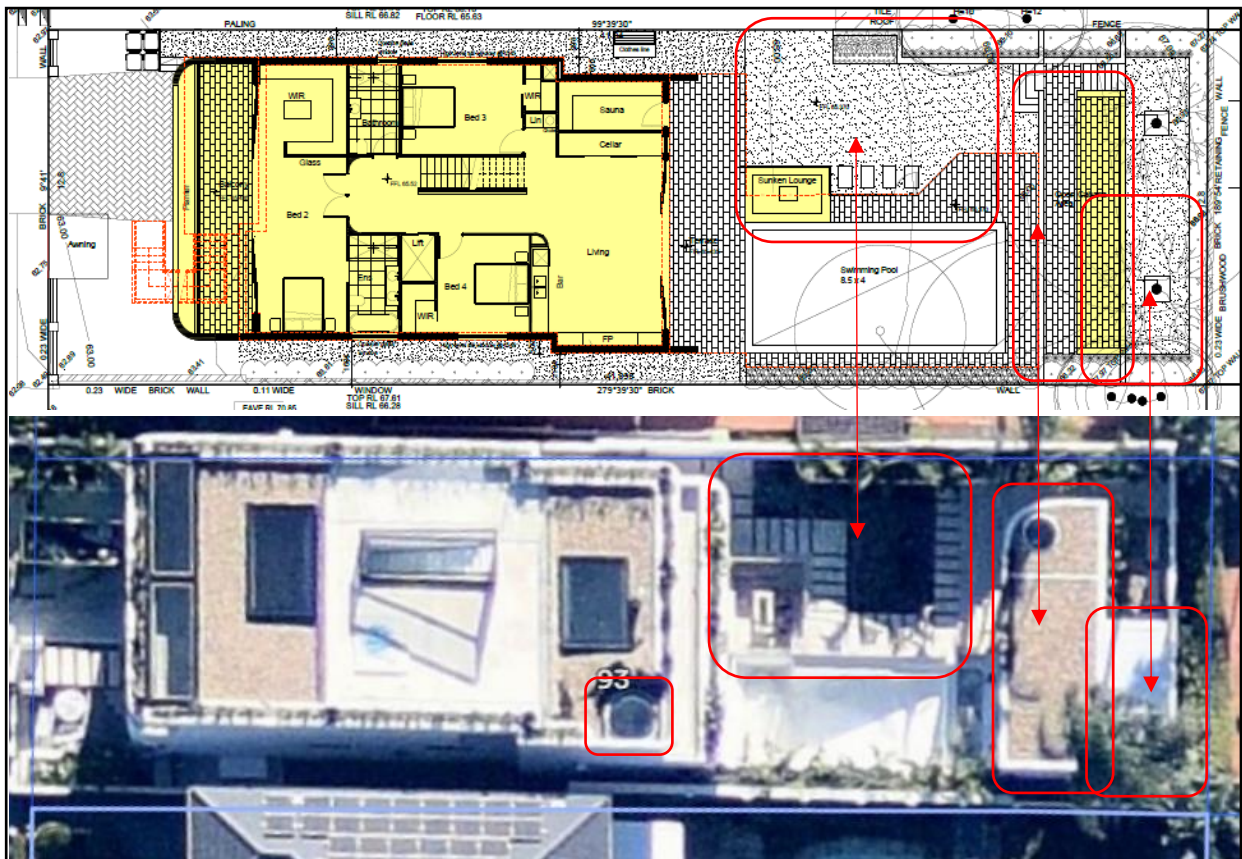


Figure 6. Location of other suspected unauthorised works (Source: Arch+Co, 2022 and Nearmap, 2024)

Amended architectural plans and a clause 4.6 variation was provided to Council on **1 October 2024** to reflect the existing ground level being measured below the slab of the lower ground finished floor level.

An email was sent to the applicant on **8 October 2024**, requesting shadow diagrams.

Shadow diagrams were submitted to Council on **8 October 2024**, which showed additional overshadowing. Council advised that no additional overshadowing would be accepted from portions of the development which breached the height of buildings development standard.

On the **9 October 2024**, the applicant advised:

I can confirm there will not be any additional shadow impact as a result of the amended balustrade.

*The shadow diagrams provided (on **8 October 2024**) illustrate the additional shadow impact of the approved roof form. However, the proposal does not seek to amend the height or form of the roof. The proposed planters sit within the height of the approved parapet height. Apologies this was a mistake from our end.*

The glass balustrade location is slightly altered. However, this will be a frameless and transparent glass balustrade and therefore results in no change in shadow impact (below is an example of a shadow impact from a frameless glass balustrade)



Figure 7. Type of glass balustrading proposed for the roof terrace and its associated shadow impacts.

Amended shadow diagrams showing no overshadowing and an amended clause 4.6 variation addressing shadowing in more detail was provided to Council on **9 October 2024**.

Council advised the applicant on **9 October 2024** that frameless glass would not meet the National Construction Code and that glass (with a railing now required atop of glass balustrading) would still form some shadowing.

The Architect provided confirmation on **9 October 2024** that the glass balustrading would not create additional shadowing, as the shadowing created from the balustrading falls within the existing shadow created by the dwelling.

2. ASSESSMENT

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

2.1. Planning Instruments and Development Control Plans

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

2.1.1. State Environmental Planning Policies (SEPPs)

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

- 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 2 Permitted or prohibited development		
Land Use Table <i>Low Density Residential 'R2' Zone</i>	Yes	The works are defined as alterations and additions to a <i>dwelling house</i> to provide an amended roof terrace, which is permitted with consent in the R2 zone.
Part 4 Principal development standards		
4.3 Height of buildings <ul style="list-style-type: none"> • 8.5m 	No	<p>The proposed balustrading* has a height of 10.1m above existing ground level. This exceeds the height limit by 1.6m or 18.8%.</p> <p>It is noted that as the development is constructed, existing ground level is now measured from below the slab of the lower ground floor.</p> <p><i>*Height is measured from the location of the proposed balustrading (excludes unauthorised constructed balustrading).</i></p>

Provision	Compliance	Comment
4.6 Exceptions to development standards	Yes	The application is accompanied by a written request pursuant to clause 4.6 of Waverley LEP 2012 to vary the height of buildings development standard.

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

Clause 4.6 Exceptions to Development Standards - 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 height of buildings development standard of 8.5m. The proposed development has a height of 10.1m, exceeding the standard by 1.6m equating to a 18.8% variation. It is noted that the existing building already exceeds the development standard by 1.6m, as the roof terrace and associated balustrading was approved under a previous consent (see development history above).

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

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

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

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

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

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

Objectives of the Height of Buildings Development Standard

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

The height standard variation relates to the altered balustrade and planter within the roof structure. The glass balustrade structure occupies a small footprint within the roof and does not result in any adverse environmental amenity impacts to neighbouring properties.

Solar Access

The height standard non-compliance does not result in any additional overshadowing impact to the living room windows or private open space of the adjoining dwelling to the south at 91 Hardy Street.

As illustrated in the shadow diagrams provided with the DA, there will not be any additional overshadowing as a result of the modified proposal. The proposed planters sit within the height of the approved parapets. The altered location of the glass balustrade will not result in additional overshadowing as the glass is frameless and clear.

Visual and Acoustic Privacy Impacts

The minor alteration to the approved roof terrace location is not considered to result in any increase in visual privacy or acoustic impacts and its central location minimises overlooking.

View Loss

The works comprise a minor alteration to the approved roof terrace area and balustrade location. The balustrade comprises a framed glass construction and is located centrally on the roof, it is not expected to adversely impact views from the public domain or surrounding dwellings. A comprehensive view assessment has been undertaken and it is considered that the proposed works to the terrace balustrade do not generate additional view impacts compared to that of the approved DA No DA 442-2017. A tenacity view loss assessment can be provided upon request. The planter sits within the height of the approved roof structure and includes a creeper species which is minimal in height and will cascade over the roof.

The height breach does not generate view loss of the Sydney Harbour or result in any significant view loss. Whilst the dwellings to the east of the site are able to see the glass balustrade, they maintain expansive views towards the Sydney Harbour which are uninterrupted and the extent of loss of district views is considered minor. The impact on view loss is further minimised by the glass construction of the structure ensuring it does not display as visually offensive. Further, the height breach does not generate adverse impacts on the amenity of public spaces.

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

This objective is not applicable as the site is not located within the E2 Commercial Centre.

- c. Objective (c) To maintain satisfactory solar access to existing buildings and public areas.*

The height standard non-compliance does not result in any additional overshadowing impact to the living room windows or private open space of the adjoining dwelling to the south at 91 Hardy Street.

As illustrated in the shadow diagrams provided with the DA there will not be any additional overshadowing as a result of the modified proposal. The proposed planters sit within the height of the approved parapets. The altered location of the glass balustrade will not result in additional overshadowing as the glass is frameless and clear.

- d. *Objective (d) To establish building heights that are consistent with the desired future character of the locality.*

The site is not identified within a special character area or include any specific desired future character objectives within the Waverley DCP. In the absence of any specific desired future character objectives for the locality consideration has been given to compliance with the key planning controls which guide the built form character of and existing character of the streetscape.

The proposed height standard non-compliance is considered to be consistent with the desired future character of the locality for the following reasons;

- i. The variation to the height standard relates to predominantly a glass roof terrace. The proposal does not seek to increase the height of the approved glass balustrade or building and include a reconfiguration of the approved glass balustrade.*
- ii. The height variation is a result of a technicality of the building height being measured from beneath the recently constructed basement slab rather than the ground level (existing) which existed prior to the recently constructed dwelling house.*
- iii. Page 187 of the Waverley DCP illustrates that the maximum overall height is calculated from 'the basement floor for sites with an existing basement'. Therefore, based on the DCP building height should be measured from the basement floor level. Notwithstanding this, for abundant caution the building height has been measured from the estimated ground level beneath the basement slab which results in the roof including a height standard breach which would otherwise be compliant.*
- iv. The variation to the height standard on Council's literal method of measurement, is the result of there being an existing and approved basement level below the finished ground levels. Where the extrapolation method is applies, based on the ground level existing outside the basement footprint (i.e. as the building is viewed from within and surrounding the property) the proposal complies with the height standard.*

- v. *The approved FSR and building setbacks are not altered by the proposal which ensures setback pattern, bulk and scale of the development remains as approved.*
- vi. *The glass balustrade is centralised within the roof ensuring the structure is not visually prominent within the streetscape.*
- vii. *The structure includes a glass construction ensuring minimal additional bulk on the roof and consistently with the character of the existing development.*
- viii. *The glass balustrade structure does not generate adverse amenity impacts for adjoining sites or public spaces.*

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

- a. *The variation to the height standard relates to predominantly a roof terrace glass balustrade. The proposal does not seek to increase the height of the approved glass balustrade or building and include a reconfiguration of the approved glass balustrade.*
- b. *The height variation is a result of a technicality of the building height being measured from beneath the recently constructed basement slab rather than the ground level (existing) which existed prior to the recently constructed dwelling house.*
- c. *Page 187 of the Waverley DCP illustrates that the maximum overall height is calculated from 'the basement floor for sites with an existing basement'. Therefore, based on the DCP building height should be measured from the basement floor level. Notwithstanding this, for abundant caution the building height has been measured from the estimated ground level beneath the basement slab which results in the roof including a height standard breach which would otherwise be compliant.*
- d. *The variation to the height standard on Council's literal method of measurement, is the result of there being an existing and approved basement level below the finished ground levels. Where the extrapolation method is applied, based on the ground level existing outside the basement footprint (i.e. as the building is viewed from within and surrounding the property) the proposal complies with the height standard.*
- e. *The glass balustrade does not result in any adverse amenity impacts to the neighbouring properties including overshadowing of habitable room windows or private open space area, increased sense of enclosure, overlooking or increased acoustic impacts.*
- f. *The height breach will not result in any view loss towards the Sydney Harbour and minor potential district view impacts, whilst the glass balustrade is visible from dwellings east of the site, these dwellings maintain expansive views towards the Harbour. As such, the extent of view loss caused by the technical non-compliant element is considered to be minor.*
- g. *The altered glass balustrade comprises a well-designed building component that has been located towards the centre of the roof. The minimal footprint, glass construction and location of the structure ensures the non-compliant element is not visually obtrusive within the streetscape.*
- h. *The planter sits within the height of the approved roof structure and includes a creeper species which is minimal in height and will cascade over the roof.*

- i. The proposed non compliance does not generate an unreasonable bulk and scale and the proposal is not out of context with regards to the existing and the desired future character of the locality.*
- j. Notwithstanding the numerical deviation from the development standard, the proposal remains consistent with the objectives of Clause 4.3 of the Waverley LEP 2012. It also meets the objectives of the R2 – Low Density Residential Zone (as detailed above and in the accompanying Statement of Environmental Effects and achieves the objects in Section 1.3 of the EPA Act specifically;*
 - i. The development promotes the orderly and economic use and development of land (1.3(c)).*
 - ii. The development promotes a good design and amenity of the built environment (1.3(g) through a well-considered design.*

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).

It is evident that the proposed roof terrace will preserve the environmental amenity of neighbouring properties in relation to views, overshadowing and visual and acoustic privacy.

Views

Figure 9 below demonstrates the views accessed from 9 Wallangra Road will not be impacted from the proposed relocated roof terrace and associated unauthorised planter box. The application proposes to remove the unauthorised access hood and replace it with a retractable skylight.

It is evident in **Figure 9** below that the unauthorised access hood currently blocks view of the city skyline obtained from 9 Wallangra Road. The removal of this access hood will improve views from 9 Wallangra Road.

Although, the planting of the proposed unauthorised planter boxes will be *Casuarina glauca* 'Cousin It' (Groundcover Casuarina), which have a mature height of 15-30cm. It may be possible, however that the planting may be changed to a taller species, which will erode the views overtime. Whilst a condition may be imposed to limit the height of plant species, this is difficult to enforce by Council’s Compliance Team into the future. Therefore, it is recommended a condition is imposed to remove the vegetation from the roof to avoid this occurring over time.



Figure 8. Context of 9 Wallangra Road from the subject site. (Source: Nearmap, 2024)

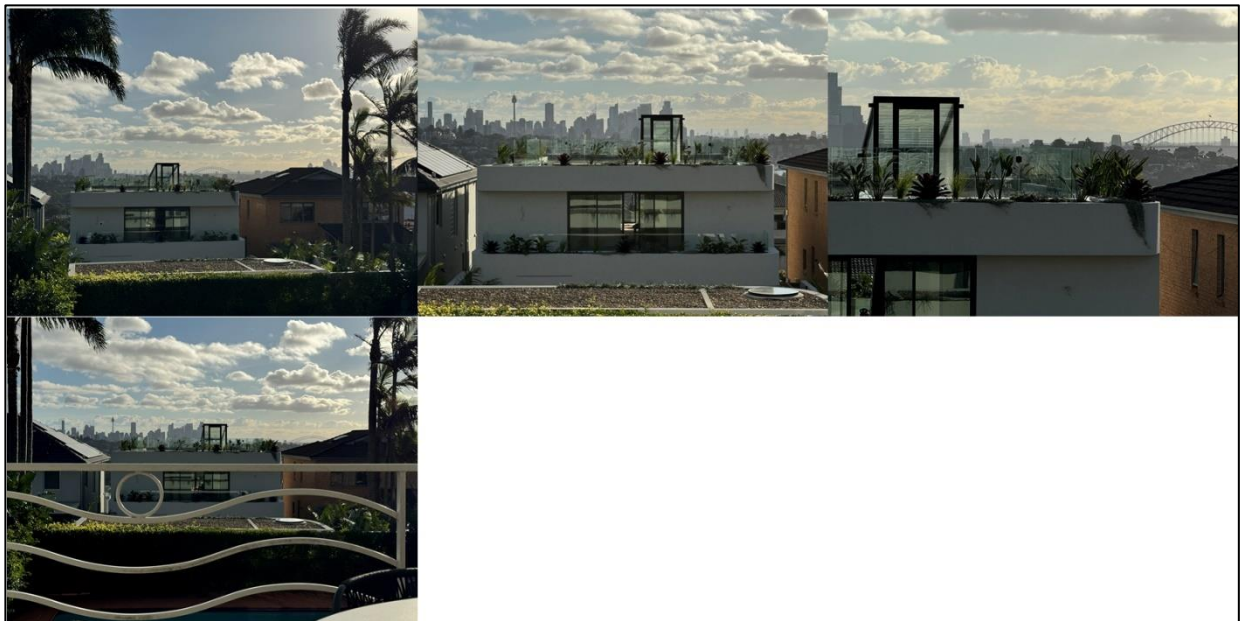


Figure 9. Views from 9 Wallangra Road, looking west towards the city and harbour bridge, currently obstructed by the unauthorised roof access hood.

Under the previously withdrawn application (DA-240/2024), an objection was received from 7 Wallangra Road in relation to the ‘unapproved glass structure built, blocking the iconic Sydney harbour and city views’. However, no objection was received from this property under the subject DA. It is assumed that given the subject DA has removed the unauthorised access hood, they no longer object to the loss of views.

It is evident in **Figure 9** above that the unauthorised access hood creates the view impacts with the glass balustrading allowing view sharing. Therefore, it is deemed that the proposed development adequately

meets step four of the principles of Tenacity, as a skilful design of removing the unauthorised access hood and glass balustrading aids in promoting view sharing.

Overshadowing

The proposed modified roof terrace will also not create additional shadowing impacts as it is setback 1m from the southern roof edge and 2.8m from the northern roof edge. In addition, as the shadowing from the balustrading falls within the existing shadow cast from the dwelling house, it will not create any additional shadow impacts.

No overshadowing is cast from the planter boxes as these are located at the same height as the existing parapet. Regardless, as discussed above, the planting is expected to erode views overtime. Therefore, it is recommended to be removed via condition of consent.

Visual and Acoustic Privacy

The amended location of the roof terrace is setback from the edge of the roof, which will aid in obstructing sightlines into neighbouring private open space and windows. Additionally, reducing the roof terrace to a compliant 15m² will aid in reducing the amount of people that can access it, increasing visual and acoustic privacy.

The roof terrace will maintain a similar scale to that previously approved under DA-442/2017 and the subsequent modifications. This will result in the roof terrace providing a height that is consistent with the surrounding locality, with roof terraces atop of larger dwellings a common feature in Dover Heights due to the views that can be obtained from this locality.

The development will also maintain the same height as previously approved with the application proposing to relocate the approved balustrading.

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 it has been demonstrated that despite the breach to the development standard the proposal meets the objectives of the height of buildings development standard.

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

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

Conclusion

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

2.1.3. Waverley Development Control Plan (DCP) 2022

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

Table 2: Waverley DCP 2022 – Part C1 Low Density Residential Development Compliance Table

Development Control	Compliance	Comment
1.0 General Objectives		
	Yes	The works meet the relevant objectives of the Waverley DCP 2022.
1.2 Setbacks		
1.2.1 Front and rear building lines	Yes	No changes to the front or rear setbacks are proposed.
1.2.2 Side setbacks <ul style="list-style-type: none"> 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. 	Yes	The relocated roof terrace is located 2.1m from the southern side boundary and 4.4m from the northern side boundary.
1.3 Streetscape and visual impact		
<ul style="list-style-type: none"> New development to be compatible with streetscape context 	Yes	The roof terrace is not visible from Hardy Street as it is setback from the front roof edge.
1.5 Visual and acoustic privacy		

Development Control	Compliance	Comment
<ul style="list-style-type: none"> • <i>Roof tops are to be non-trafficable and not capable of being used as roof terraces or as entertainment areas, except in the following circumstances:</i> • <i>There is a predominance of roof terraces in the immediate vicinity of the site;</i> • <i>They will not result in unreasonable amenity impacts such as overlooking and loss of privacy and acceptable noise;</i> • <i>They are not to exceed 15m² in area;</i> • <i>They are provided for casual and infrequent activity and not as an extension of private open space or entertaining areas; and</i> • <i>Any access must be provided within the envelope of the main building and there are to be no access hoods or lift overruns proposed above the main roof level. Operable skylights and hydraulic lifts are acceptable where they finish generally flush with the roof level.</i> 	<p style="text-align: center;">N/A</p> <p style="text-align: center;">Yes</p> <p style="text-align: center;">Yes</p> <p style="text-align: center;">N/A</p> <p style="text-align: center;">Yes</p>	<p>The roof terrace is already approved (in another location). This application seeks consent for the roof terrace to be located in another position on the roof.</p> <p>As the relocated roof terrace is setback from the roof edge to either side and rear of the dwelling, it will not result in overlooking into neighbouring properties.</p> <p>The relocated roof terrace is limited to 15m²</p> <p>The roof terrace is already approved (in another location). This application seeks consent for the roof terrace to be located in another position on the roof.</p> <p>The access to the roof terrace is via a retractable skylight. The unauthorised roof access hood is proposed to be removed.</p>
1.6 Solar access		
<ul style="list-style-type: none"> • <i>Minimum of 3 hours of sunlight to 50% of living areas and principal open space areas on 21 June to subject site</i> • <i>Minimum of 3 hours of sunlight maintained to at least 50% of principal open space areas of</i> 	Yes	<p>The proposed modified roof terrace will not create additional shadowing impacts, as it is setback 1m from the southern roof edge and 2.8m from the northern roof edge. Further, the Architect provided confirmation on 9 October 2024 that the glass balustrading would not create additional shadowing, as the shadow created from the balustrading falls within the existing shadowing cast by the dwelling.</p>

Development Control	Compliance	Comment
<i>adjoining properties on 21 June.</i> <ul style="list-style-type: none"> <i>Avoid unreasonably overshadowing of solar collectors (including habitable windows).</i> 		
1.7 Views		
<ul style="list-style-type: none"> <i>Views from the public domain are to be maintained</i> <i>Development to be designed and sited so as to enable a sharing of views with surrounding dwellings particularly from habitable rooms and decks.</i> 	<p>Yes</p> <p>No (conditional)</p>	<p>View impacts have been discussed above in the 4.6 variation discussion.</p> <p>In relation to the vegetation to the roof, this is recommended to be deleted as it may further erode views to neighbouring properties over time.</p>

2.2. Other Impacts of the Development

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

2.3. Suitability of the Site for the Development

The site is considered suitable for the proposal.

2.4. Any Submissions

The application was notified for 14 days between 17 September – 1 October 2024 in accordance with the *Community Engagement Strategy 2023*.

A total of one unique submission was received from the following property:

Table 3: Submission details

Count	Property Address
1.	9 Wallangra Road, Dover Heights

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

- Loss of views

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

Issue: Unauthorised access hood is still present.

Response: The roof terrace access hood will be removed. The applicant will be required to revert the roof terrace and associated structures to what has been approved under this subject application.

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. Building Compliance

Council's Compliance Department were made aware of the subject application and acknowledge that the Building Certificate will be finalised following determination of the DA.

3.2. Stormwater

An internal referral was sought from Council's Stormwater Engineer who recommended the below:

To ensure that stormwater runoff from the development is drained in an appropriate manner, without impact on neighbouring properties and downstream systems, a certification by a suitably qualified and practising Civil Engineer reflecting the changes to the roof plan stating that it would not impact the existing approved stormwater plan of DA-422/2017 at 93 Hardy Street, Dover Heights which was approved (Ref #D23/59945) on 01/06/2023.

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

A fee of Issuance of Compliance Certificate as per Waverley Fees and Charges will be requested.

3.3. Tree Management

An internal referral was sought from Council's Tree Management Officer who did not object to the proposal.

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.


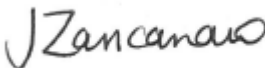

5. RECOMMENDATION TO WAVERLEY LOCAL PLANNING PANEL

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 24 September 2024 and the MODA concurred with the Assessment Planner's recommendation.

MODA members: *A Rossi, B McNamara, B Magistrale and Jo Zancanaro*

Report prepared by:	Application reviewed and agreed by:	Application reviewed and agreed by:
		
Joseph Somerville	Jo Zancanaro	Angela Rossi
Senior Development Assessment Planner	A/Manager, Development Assessment	Executive Manager, Development Assessment
Date: 9 October 2024	Date: 9 October 2024	Date: 14 October 2024

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	18.8% variation to height (Clause 4.3)
	X Pre-existing non-compliance
	No change to overall building height
	No change to overall building envelope
	Variation limited to the [lift/plant/parapet/attic] only
	X No unreasonable impacts on the amenity of adjoining properties or streetscape
	X Sufficient environmental planning grounds
X Consistent with the objectives of the standard	
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?	N/A
Have any dwellings been approved for affordable Rental Housing under this approval/consent? <small>*This is a planning portal reporting requirement</small>	No
Secondary Dwelling <small>*This is a planning portal reporting requirement</small>	No
Boarding House <small>*This is a planning portal reporting requirement</small>	No
Group Home <small>*This is a planning portal reporting requirement</small>	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

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APPENDIX A – CONDITIONS OF CONSENT

Terms and Reasons for Conditions

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

GENERAL CONDITIONS

Condition																	
1.	<p>APPROVED PLANS AND DOCUMENTATION</p> <p>The development must be in accordance with:</p> <p>(a) Architectural Plans prepared by Arch & Co of Project No: 09222 including the following:</p> <table border="1" data-bbox="443 831 1385 1124"> <thead> <tr> <th>Plan Number and Revision</th> <th>Plan description</th> <th>Plan Date</th> <th>Date received by Council</th> </tr> </thead> <tbody> <tr> <td>S4.55-103 / Rev 4</td> <td>Site Plan</td> <td>10/07/2024</td> <td>01/10/2024</td> </tr> <tr> <td>S4.55-108 / Rev 5</td> <td>Elevations</td> <td>12/08/2024</td> <td>01/10/2024</td> </tr> <tr> <td>S4.55-109 / Rev 4</td> <td>Sections</td> <td>12/08/2024</td> <td>01/10/2024</td> </tr> </tbody> </table> <p>Except where amended by the following conditions of consent.</p> <p>Condition reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.</p>	Plan Number and Revision	Plan description	Plan Date	Date received by Council	S4.55-103 / Rev 4	Site Plan	10/07/2024	01/10/2024	S4.55-108 / Rev 5	Elevations	12/08/2024	01/10/2024	S4.55-109 / Rev 4	Sections	12/08/2024	01/10/2024
Plan Number and Revision	Plan description	Plan Date	Date received by Council														
S4.55-103 / Rev 4	Site Plan	10/07/2024	01/10/2024														
S4.55-108 / Rev 5	Elevations	12/08/2024	01/10/2024														
S4.55-109 / Rev 4	Sections	12/08/2024	01/10/2024														
2.	<p>GENERAL MODIFICATIONS</p> <p>The application is approved subject to the following plan amendments:</p> <p>(a) The retractable skylight to access the roof terrace must not exceed 0.1m in height, measured from the finished floor level of the roof terrace.</p> <p>(b) No approval is granted or implied for landscaping/planting to the roof. In this regard, the landscaping/planting is to be deleted from the plan and all areas beyond the roof terrace area are to be marked 'non trafficable'.</p> <p>(c) The building height (as measured to the top of balustrade) is limited to RL 72.47. No structures or items shall exceed this height.</p> <p>Condition reason: To preserve views to neighbouring properties.</p> <p>The amendments are to be approved by the Principal Certifying Authority prior to the issue of any Construction Certificate.</p>																
3.	MODIFICATION OF DEVELOPMENT CONSENT DA-442/2017																

	<p>Pursuant to section 4.17(1)(b) and (5) of the <i>Environmental Planning and Assessment Act 1979</i>, Development Consent DA-442/2017 granted on 18 April 2018 is modified as necessary so that there is consistency between Development Consent No.425/2024 and this development consent. In this regard, Condition 1 of Development Consent No. 442/2017 is modified to include the approved architectural plans referred to in condition 1 of this development consent.</p>
	<p>Condition reason: To ensure inconsistencies do not arise due to differing architectural plans.</p>
<p>4.</p>	<p>RELATIONSHIP TO DEVELOPMENT CONSENT NO. 442/2017</p> <p>This development consent shall operate concurrently with Development Consent DA-442/2017. All conditions of consent imposed on Development Consent DA-442/2017 are to be read and complied with in conjunction with this development consent.</p> <p>Condition reason: To ensure inconsistencies do not arise between the development consents.</p>

BUILDING WORK

BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE

	Condition
5.	<p>NO BUILDING OR DEMOLITION WORKS PRIOR TO RELEASE OF CONSTRUCTION CERTIFICATE</p> <p>The building work, or demolition work, must not be commenced until:</p> <p>(a) a Construction Certificate has been obtained from Council or an Accredited Certifier in accordance with the <i>Environmental Planning and Assessment Act 1979</i>;</p> <p>(b) a Principal Certifying Authority has been appointed and Council has been notified of the appointment in accordance with the <i>Environmental Planning and Assessment Act 1979</i> and <i>Environmental Planning and Assessment Regulation 2021</i>; and</p> <p>(c) Council is given at least two days' notice in writing of the intention to commence the building works.</p> <p>Condition reason: To ensure a Construction Certificate is obtained prior to work commencing.</p>
6.	<p>HOME BUILDING ACT</p> <p>The builder or person who does the residential building work shall comply with the applicable requirements of Part 6 of the <i>Home and Building Act 1989</i>. In this regard a person must not contract to do any residential building work unless a contract of insurance that complies with this Act is in force in relation to the proposed work. It is the responsibility of the builder or person who is to do the work to satisfy the Principal Certifying Authority that they have complied with the applicable requirements of Part 6, before any work commences.</p> <p>Condition reason: To ensure the builder or person who does the residential building work, complies with the applicable requirements of Part 6 of the <i>Home and Building Act 1989</i>.</p>
7.	<p>SECTION 7.12 CONTRIBUTION</p> <p>A monetary development contribution is payable to Waverley Council pursuant to section 7.12 of the <i>Environmental Planning and Assessment Act 1979</i> and the Waverley Council Development Contributions Plan in accordance with the following:</p> <p>(a) Where the total development cost is \$500,000 or less:</p> <p style="padding-left: 20px;">(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.</p>

	<p>(b) Where the total development cost is more than \$500,000 but less than \$1,000,000:</p> <p>(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.</p> <p>(c) Where the total development cost is \$1,000,000 or more:</p> <p>(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).</p> <p>- 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.</p> <p>(ii) Upon confirmation of the contribution amount by Council’s Executive Manager, Urban Planning, Policy and Strategy (or delegate), payment is to be processed via the Customer Service Centre.</p> <p>(iii) Should there be a discrepancy between the cost of works approved in subclause (b)(i) and the DA fee nominated in the original DA, then additional DA Fees may be payable prior to the issue of a Construction Certificate.</p> <p>A copy of the required format for the cost reports are provided in the Waverley Council Contributions Plan, available on Council’s website.</p> <p>(d) As legislated in section 209 of the Environmental Planning and Assessment Regulation 2021, the levy must be paid in accordance with the following;</p> <p>(i) A development valued at \$100,000 or less will be exempt from the levy;</p> <p>(ii) A development valued at \$100,001 - \$200,000 will attract a levy of 0.5% of the <u>full</u> cost of the development; or</p> <p>(iii) A development valued at more than \$200,000 will attract a levy of 1% of the <u>full</u> cost of the development.</p> <p>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.</p> <p>Condition reason: To ensure the Section 7.12 Contributions are paid.</p>
8.	<p>SECURITY DEPOSIT</p> <p>A deposit (cash or cheque) for the amount of \$2,810 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,</p>

	<p>kerbing and guttering, footway construction, stormwater drainage and environmental controls) required in connection with the consent.</p> <p>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.</p>
	<p>Condition reason: To ensure any damage to public infrastructure is rectified and public works can be completed.</p>
9.	<p>LONG SERVICE LEVY</p> <p>A long service levy, as required under section 34 of the <i>Building and Construction Industry Long Service Payments Act, 1986</i>, 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.</p> <p><u>Note</u>: 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.</p>
	<p>Condition reason: To ensure the long service levy is paid.</p>
10.	<p>HOARDING</p> <p>To ensure the site is contained during construction, a hoarding is required for the approved works, which is to be designed and constructed in accordance with the requirements of Safe Work NSW. Where the hoarding is to be erected over the footpath or any public place, the approval of Council's Compliance Unit must be obtained and the applicable fees paid, prior to the erection of the hoarding.</p>
	<p>Condition reason: To ensure safety to the general public.</p>
11.	<p>ENGINEERING DETAILS</p> <p>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.</p>
	<p>Condition reason: To ensure structural stability of work on site.</p>
12.	<p>ENGINEERING CERTIFICATE OF ADEQUACY</p> <p>A Certificate of Adequacy prepared by a practicing Structural Engineer is to be provided certifying the adequacy of the existing building structure to carry the extra load of the proposed additions, prior to the issue of the relevant Construction Certificate.</p>
	<p>Condition reason: To ensure structural stability of work on site.</p>
13.	<p>STORMWATER MANAGEMENT</p>

	<p>To ensure that stormwater runoff from the development is drained in an appropriate manner, without impact on neighbouring properties and downstream systems, a certification by a suitably qualified and practising Civil Engineer reflecting the changes to the roof plan stating that it would not impact the existing approved stormwater plan of DA-422/2017 at 93 Hardy Street, Dover Heights which was approved on 01/06/2023.</p> <p>The certificate must be submitted and approved by the Executive Manager, Infrastructure Services (or delegate) prior to the issue of the relevant Construction Certificate.</p> <p>A fee of Issuance of Compliance Certificate as per Waverley Fees and Charges will be requested.</p>
	<p>Condition reason: To ensure the proper management of stormwater runoff.</p>
<p>14.</p>	<p>SITE WASTE AND RECYCLING MANAGEMENT PLAN</p> <p><i>A Site Waste and Recycling Management Plan (SWRMP) - Part 2</i> 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 <i>SWRMP Part 2</i> 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.</p>
	<p>Condition reason: To ensure resource recovery is promoted and the local amenity is protected during construction.</p>

BEFORE BUILDING WORK COMMENCES

	Condition
15.	<p>CONSTRUCTION SIGNS</p> <p>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.</p> <p>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.</p>
16.	<p>DEMOLITION – ASBESTOS AND HAZARDOUS MATERIALS</p> <p>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:</p> <ul style="list-style-type: none"> • 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; • <i>Protection of the Environment Operations Act 1997.</i> <p>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:</p> <ol style="list-style-type: none"> (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. <p>Condition reason: To ensure the safety of workers and the general public.</p>
17.	<p>TREE PROTECTION</p>

	<p>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.</p>
	<p>Condition reason: To protect and retain trees.</p>
<p>18.</p>	<p>STREET TREES TO BE RETAINED/TREE PROTECTION</p> <p>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:</p> <ul style="list-style-type: none"> (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. <p>Condition reason: To protect trees during the carrying out of site work.</p>

DURING BUILDING WORK

	Condition
19.	<p>CONTROL OF DUST ON CONSTRUCTION SITES</p> <p>The following requirements apply to demolition and construction works on site:</p> <p>(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.</p> <p>(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.</p> <p>Condition reason: To ensure the safety of workers and the general public.</p>
20.	<p>CLASSIFICATION OF WASTE/ DISPOSAL OF EXCAVATED SOILS</p> <p>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.</p> <p>Condition reason: To ensure compliance with the Protection of the Environment Operations Act 1997 and the NSW EPA Waste Classification Guidelines 2014.</p>
21.	<p>CONSTRUCTION HOURS</p> <p>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.</p> <p>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.</p> <p>Noise from construction activities shall comply with the <i>Protection of the Environmental Operations (Noise Control) Regulation 2017</i>.</p> <p>Condition reason: To protect the amenity of the surrounding area.</p>
22.	<p>STOCKPILES, STORAGE OF MATERIALS AND LOCATION OF BUILDING OPERATIONS</p> <p>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.</p> <p>Condition reason: To ensure building material is stored in an appropriate location.</p>

23.	CONSTRUCTION INSPECTIONS
	The building works are to be inspected during construction by the Principal Certifying Authority (PCA) in accordance with the <i>Building Legislation Amendment (Quality of Construction) Act 2002, Part 8 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021</i> and the requirements of any other applicable legislation or instruments.
	Condition reason: To ensure regular inspections occur throughout the construction process.
24.	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.
25.	WORK OUTSIDE PROPERTY BOUNDARY
	This consent does not authorise any work outside the property boundary.
	Condition reason: To ensure all works are located within the property boundary.

BEFORE ISSUE OF AN OCCUPATION CERTIFICATE

	Condition
26.	<p data-bbox="395 306 799 336">FINAL OCCUPATION CERTIFICATE</p> <p data-bbox="395 342 1393 409">Prior to occupation or use of the development, an Occupation Certificate must be obtained.</p> <p data-bbox="395 450 1393 589">The Principal Certifying Authority must be satisfied that the requirements of the <i>Environmental Planning & Assessment Act 1979</i> have been satisfied including all critical stage inspections. Documentary evidence of all required inspections is to be submitted to Council.</p> <p data-bbox="395 629 1393 696">Condition reason: To ensure an Occupation Certificate is issued prior to occupation or use of the development.</p>

GENERAL ADVISORY NOTES

	Condition
1.	<p>DEVELOPMENT IS TO COMPLY WITH LEGISLATION</p> <p>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.</p>
2.	<p>DEVELOPMENT MUST MEET CONDITIONS OF CONSENT</p> <p>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.</p>
3.	<p>POST CONSENT CONDITIONS REQUIRING COUNCIL INPUT</p> <p>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:</p> <ul style="list-style-type: none"> • 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.	<p>DIAL BEFORE YOU DIG</p> <p>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</p>

	nominal location of plant or assets on the relevant property via contacting the Dial before you dig service in advance of any construction or planning activities.
5.	TELECOMMUNICATIONS ACT 1997 (COMMONWEALTH) Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for prosecution. Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on Phone Number 1800810443.
6.	ALTERATIONS AND ADDITIONS ONLY This consent is for alterations and additions to the existing building only and should during the course of construction a significant amount of the remaining fabric of the building be required to be removed, works must cease immediately and a new development application will be required to be submitted for assessment.
7.	BONDI - ROSE BAY SAND BODY This site may be located within the Bondi - Rose Bay Sand Body as identified in Council's Aboriginal Cultural Heritage Study 2009. Should an object of potential Aboriginal or archaeological significance be discovered during the demolition, excavation or construction period associated with this development, works are to immediately cease and the NSW National Parks and Wildlife Service must be contacted. Waverley Council must be notified of any referral to the NSW National Parks and Wildlife Service and be provided with a copy of any subsequent response.
8.	TREE REMOVAL/PRESERVATION Any trees not identified for removal in this application have not been assessed and separate approval may be required. Any pruning of trees on adjoining properties required for the erection of scaffolding and/or the construction of the building may also require approval.
9.	SUITABLY QUALIFIED ACOUSTIC CONSULTANT In these conditions, reference to a suitably qualified acoustic consultant means an individual who possesses the qualifications to render them eligible for membership of both the Australian Acoustics Society and Institution of Engineers Australia at the grade of member or an individual who is employed by a member firm of the Association of Australian Acoustic Consultants.

Dictionary

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

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

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

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

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

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

Council means Waverley Council.

Court means the Land and Environment Court of NSW.

EPA means the NSW Environment Protection Authority.

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

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

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

Local planning panel means Waverley Local Planning Panel.

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

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

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

Stormwater drainage system means all works and facilities relating to:

the collection of stormwater,

the reuse of stormwater,

the detention of stormwater,

the controlled release of stormwater, and

connections to easements and public stormwater systems.

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

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

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

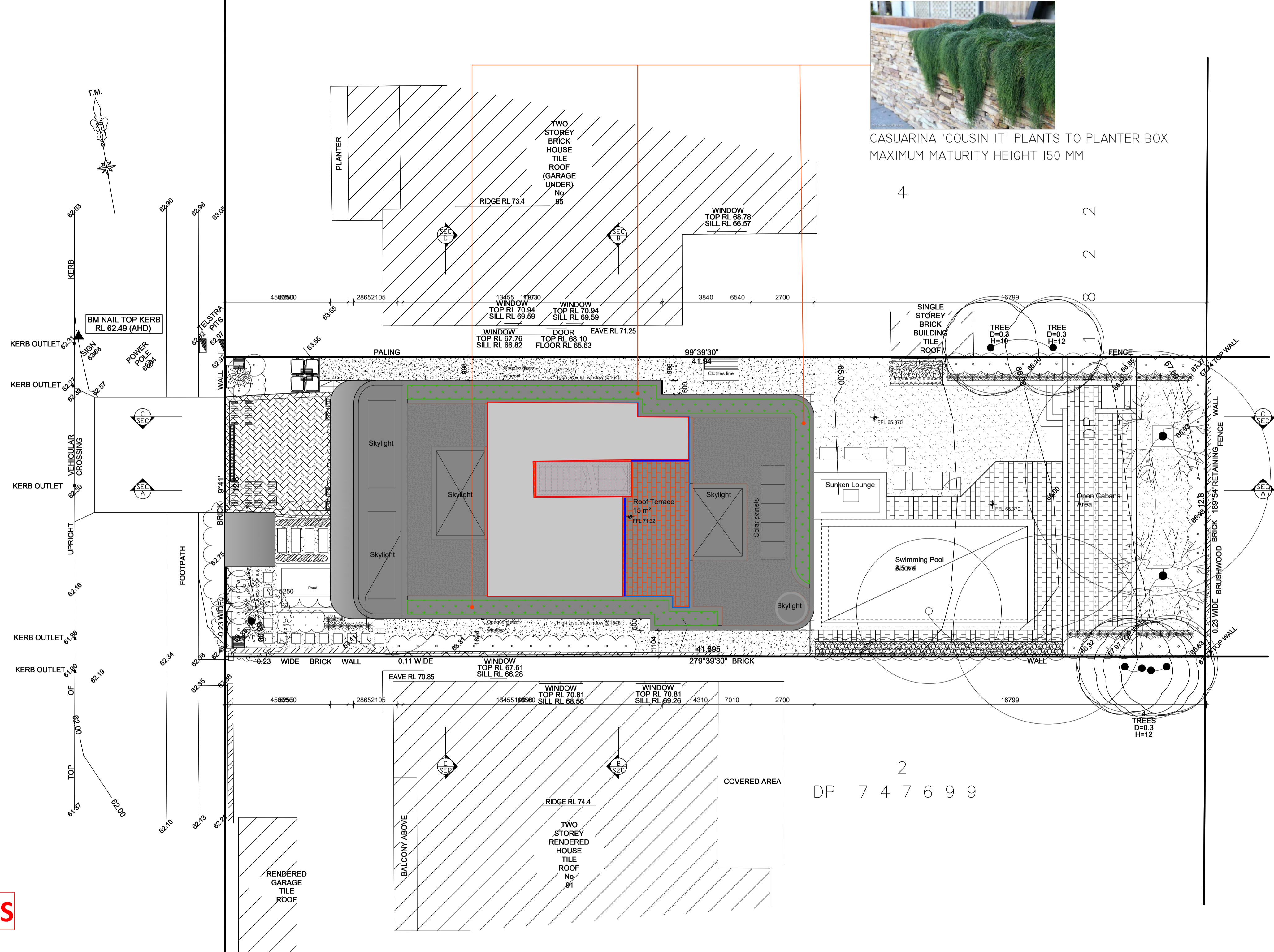
Sydney district or regional planning panel means Sydney Eastern City Planning Panel.

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

AMENDED PLANS





HARDY STREET

SREET



CASUARINA 'COUSIN IT' PLANTS TO PLANTER BOX
MAXIMUM MATURITY HEIGHT 150 MM

RECEIVED
Waverley Council
Application No: DA-425/2024
Date Received: 01/10/2024

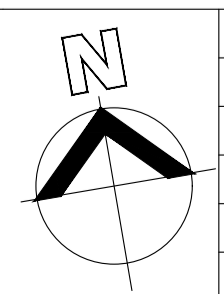
- LEGEND:
-  UNAUTHORIZED PAVING 15 M2
 -  UNAUTHORIZED PLANTER BOXES 23 M2
 -  UNAUTHORIZED GLASS BALUSTRADE 1 M HIGH
 -  CASUARINA 'COUSIN IT' PLANTS TO PLANTER BOX
MAXIMUM MATURITY HEIGHT 150 MM

Amendments:		
issue	description	date

Notes:
WORK TO COMPLY WITH BUILDING CODE OF AUSTRALIA RELEVANT AUSTRALIAN BUILDING STANDARDS AND STATUTORY AUTHORITIES & LOCAL GOVERNMENT REQUIREMENT. BUILDER TO ENSURE COMPLIANCE WITH ALL WORK COVER REQUIREMENTS. CHECK ALL TIMBER, STEEL AND CONCRETE WORK WITH A STRUCTURAL ENGINEER AND HAVE ALL STRUCTURAL STEEL WORK AND CONCRETE WORK DESIGNED BY A STRUCTURAL ENGINEER WHEN A PROPRIETARY PRODUCTS ARE REFERRED TO. ALL DIMENSIONS TO BE CHECKED ON SITE PRIOR TO CONSTRUCTION. ALL DISCREPANCY AND OMISSIONS TO BE REPORTED TO ARCHITECT. INSTALL IN ACCORDANCE WITH THE MANUFACTURERS WRITTEN INSTRUCTIONS.

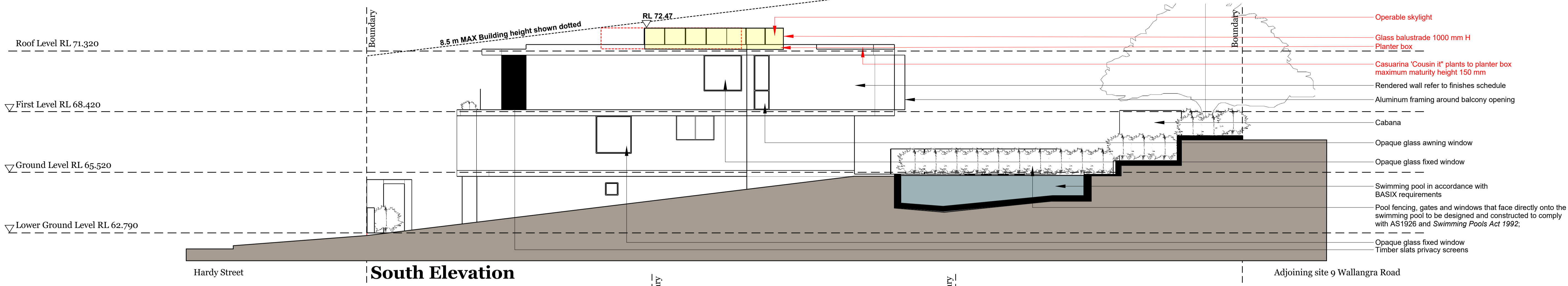
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PROPOSED NEW RESIDENTIAL DWELLING AT 93 HARDY STREET DOVER HEIGHTS, NSW 2030 LOT 5 IN D.P. 11822

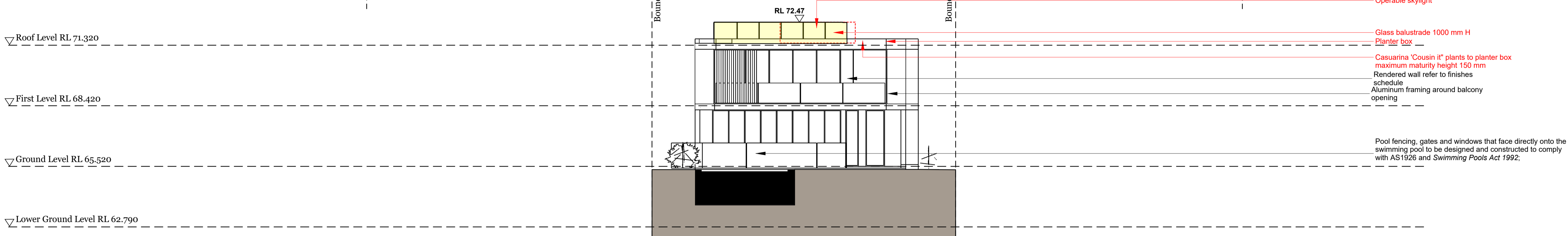


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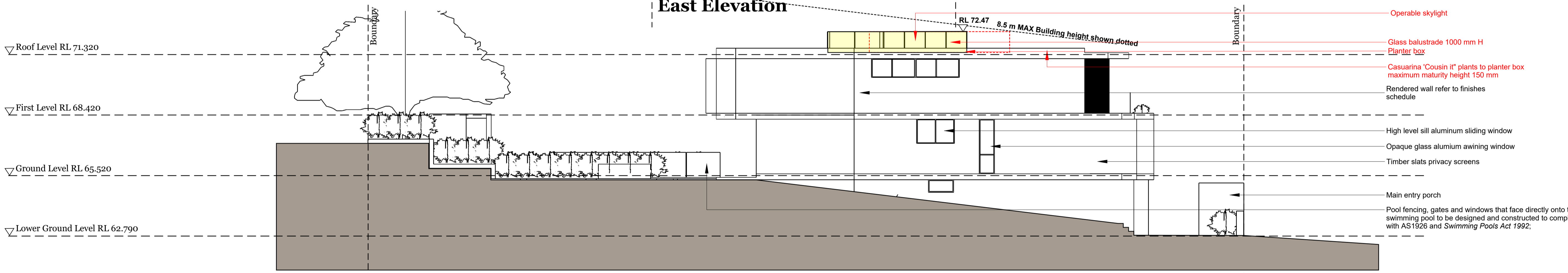
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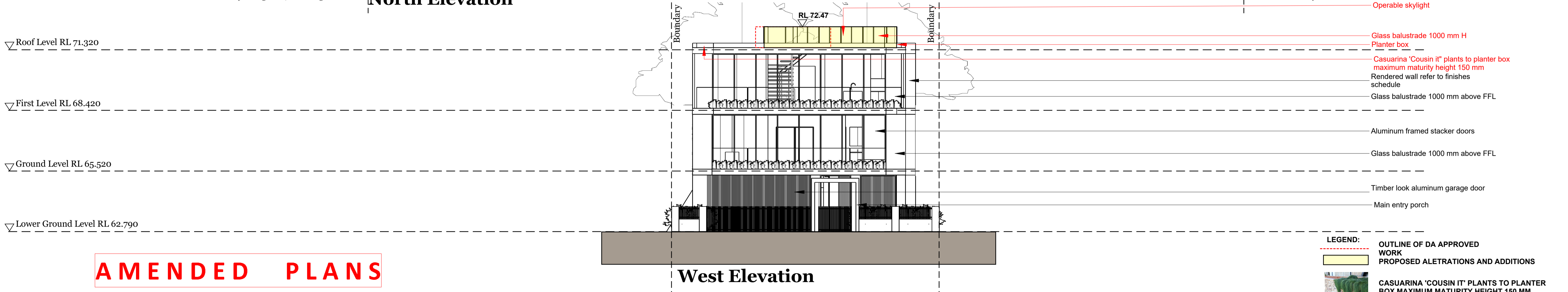
South Elevation



East Elevation



North Elevation



West Elevation

RECEIVED
Waverley Council
Application No: DA-425/2024
Date Received: 01/10/2024

AMENDED PLANS

LEGEND:
 - Dotted line: OUTLINE OF DA APPROVED WORK
 - Yellow box: PROPOSED ALTERATIONS AND ADDITIONS
 - Plant image: CASUARINA 'COUSIN IT' PLANTS TO PLANTER BOX MAXIMUM MATURITY HEIGHT 150 MM



Nominated Architect:
Dany Chalabi
ABR NSW # 10451
m0441 845 945
p 02 8712 4991
e: info@archandco.net.au
w: www.archandco.net.au
173 Bellevue Parade
Carlton, NSW 2218

Client:
SYDNEY BUILDERS GROUP

Amendments:		
issue	description	date

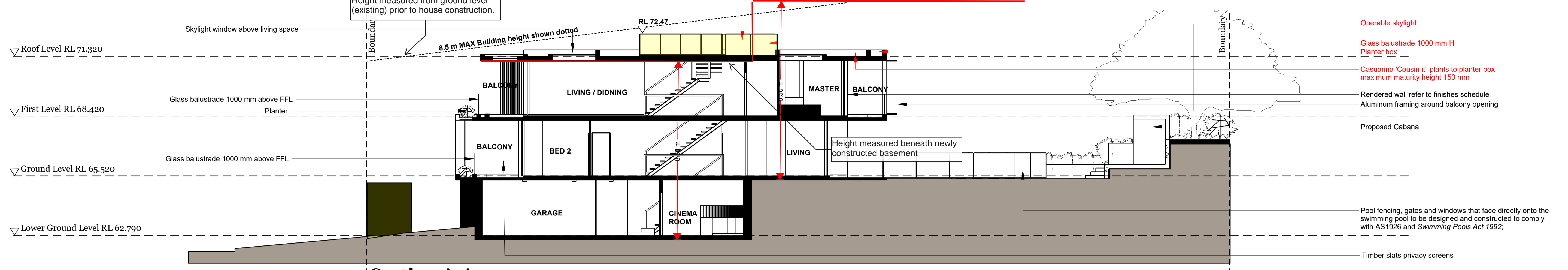
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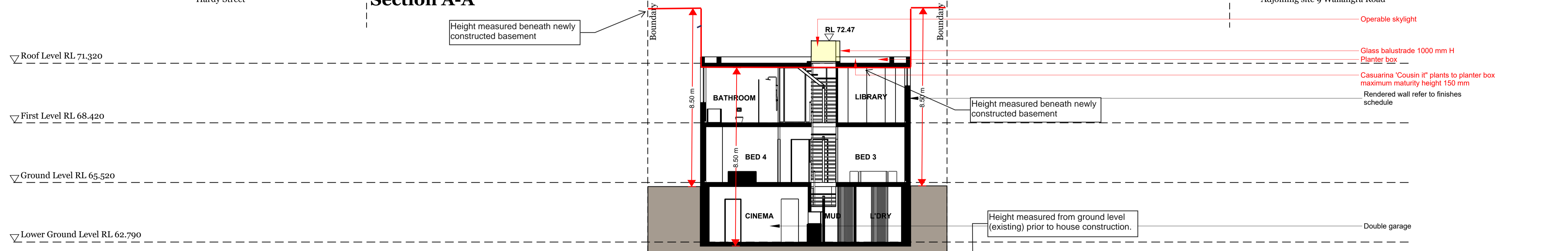
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PROPOSED NEW RESIDENTIAL DWELLING AT 93 HARDY STREET DOVER HEIGHTS, NSW 2030 LOT 5 IN D.P 11822

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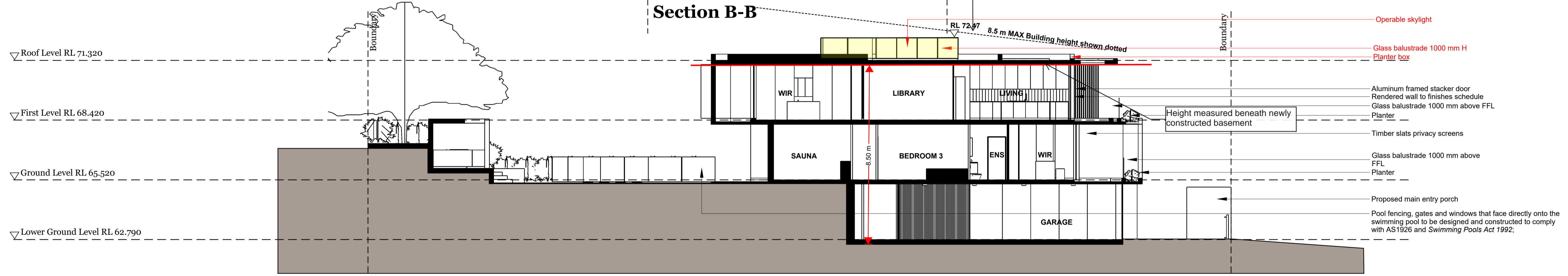
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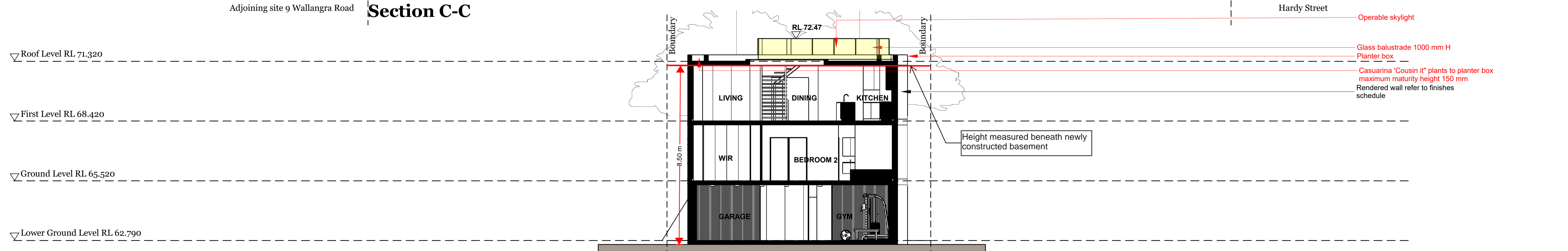
Section A-A



Section B-B



Section C-C



Section D-D

RECEIVED
Waverley Council
Application No: DA-425/2024
Date Received: 01/10/2024

AMENDED PLANS



Casuarina 'Cousin it' plants to planter box maximum maturity height 150 mm

LEGEND:
 - - - - - OUTLINE OF DA APPROVED WINDOWS TO BE REMOVED
 ■ PROPOSED ALETATIONS AND ADDITIONS

Client:		
SYDNEY BUILDERS GROUP		

Amendments:		
issue	description	date

Notes:
 WORK TO COMPLY WITH BUILDING CODE OF AUSTRALIA, RELEVANT AUSTRALIAN BUILDING STANDARDS AND STATUTORY AUTHORITIES & LOCAL GOVERNMENT REQUIREMENT. BUILDER TO ENSURE COMPLIANCE WITH ALL WORK COVER REQUIREMENTS. CHECK ALL TIMBER, STEEL AND CONCRETE WORK WITH A STRUCTURAL ENGINEER AND HAVE ALL STRUCTURAL STEEL WORK AND CONCRETE WORK DESIGNED BY A STRUCTURAL ENGINEER WHEN A PROPRIETARY PRODUCTS ARE REFERRED TO. ALL DIMENSIONS TO BE CHECKED ON SITE PRIOR TO CONSTRUCTION. ALL DISCREPANCY AND OMISSIONS TO BE REPORTED TO ARCHITECT. INSTALL IN ACCORDANCE WITH THE MANUFACTURERS WRITTEN INSTRUCTIONS.

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 PROPOSED NEW RESIDENTIAL DWELLING AT 93 HARDY STREET DOVER HEIGHTS, NSW 2030 LOT 5 IN D.P 11822

Drawing No:	S4.55-109
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SECTIONS



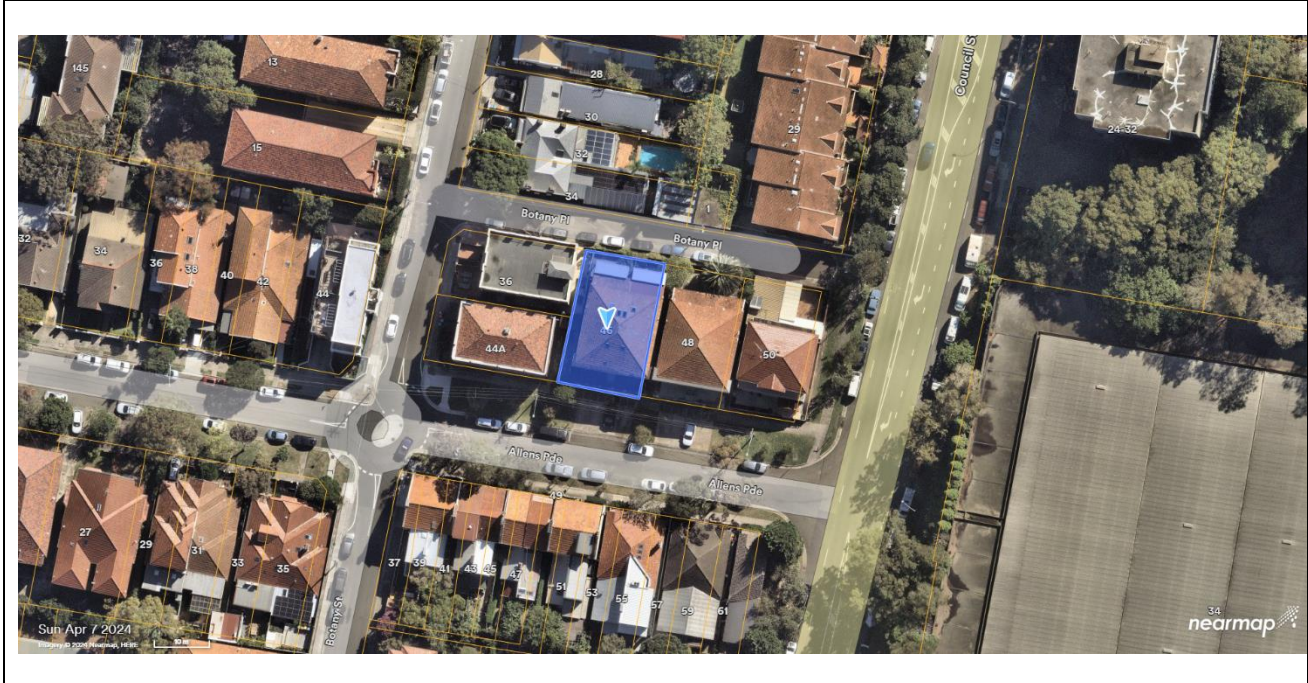
Other Residential Development



Report to the Waverley Local Planning Panel

Application number	DA-130/2024
Site address	3 and 4/46 Allens Parade, BONDI JUNCTION NSW 2022
Proposal	Alterations and additions to Units 3 & 4, including the construction of a new attic addition with associated dormer windows.
Date of lodgement	03 April 2024
Owner	Proprietors of Strata Plan 11118
Applicant	Russell Dunn
Submissions	Nil
Cost of works	\$150,00.00
Principal Issues	<ul style="list-style-type: none"> • Exceedance of Floor Space Ratio Development Standard • Overshadowing
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 alterations and additions to Units 3 and 4, including the construction of a new attic addition with associated dormer windows and Strata subdivision changes to a residential flat building at 46 Allens Parade, Bondi Junction.

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

- Exceedance of the Floor Space Ratio (FSR) development standard; and
- Overshadowing.

The assessment finds these issues unacceptable. The proposed exceedance in FSR results in additional and unacceptable overshadowing of the neighbouring dwellings and is considered an overdevelopment of the subject site.

No submissions were received.

No Councillor submissions were received.

There were no declared conflicts of interest on this application from Council staff.

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

1.2. Site and Surrounding Locality

A site visit was carried out on 6 June 2024.

The site is identified as SP 11118, known as 46 Allens Parade, Bondi Junction.

The site is rectangular in shape, with a primary frontage of 14.745m to Allens Parade and a secondary frontage of 14.745m to Botany Place. It has an area of 360.1m² and falls from the northeast to the southwest by approximately 2m.

The site is occupied by an Inter-War three-storey manor house or residential flat building, including four separate units with vehicular access provided from Allens Parade.

The site is adjoined by a two-storey manor house/residential flat building to the east, three to four-storey residential flat buildings to the west and two-storey terrace houses to the north and south. The locality is characterised by a variety of medium-density residential developments and is within the Botany Street Heritage Conservation Area.

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



Figure 1: Streetview of the subject site along Allens Parade



Figure 2: Streetview opposite the subject site along Allens Parade



Figure 3: Streetview of the subject site along Botany Place



Figure 4: Streetview opposite the subject site along Botany Place

1.3. Relevant Development History

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

- **DA-644/2002**, Approved 09 October 2002. Alterations and additions.
- **DA-132/2003**, Approved 07 April 2024. Alterations and additions, including replacing rear stairs.
- **DA-684/2007**, Approved 24 January 2008. New external glazing to the front and rear of the unit in residential flat building and internal works.
- **DA-417/2013**, Approved 24 October 2013. First-floor deck.
- **DA-417/2013/A**, Approved 09 May 2014. Addition of a vergola above the deck.
- **DA-418/2013**, Approved 24 October 2013. First-floor deck
- **DA-418/2013/A**, Approved 09 May 2014. Addition of a vergola above the deck.
- **DA-380/2015**, Approved 08 December 2015. Modification to existing strata plan.
- **DA-434/2015**, Without Council Approval 01 December 2015. Retrospective works for the attic space in Unit 4
 - Retrospective approval was not granted, however, Council issued a letter confirming no further action would be taken for the unauthorised conversion of the attic provided that

the attic remained for non-habitable purposes and a building information certificate was sought.

- **DA-435/2015**, Without Council Approval 01 December 2015. Retrospective works for attic space in Unit 3.
 - Retrospective approval was not granted, however Council issued a letter confirming no further action would be taken for the unauthorised conversion of the attic provided that the attic remained for non-habitable purposes and a building information certificate was sought.
- **DA-319/2019**, Withdrawn 11 November 2019. Alterations and additions to the residential flat building, including the installation of dormer windows to the existing attic.

1.4. Proposal

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

- Dormer windows to the attic space of Units 3 and 4 including the following:
 - Increasing the GFA of the non-habitable attic rooms referenced within DA-434/2015 and DA-435/2015.
 - New internal ceilings, fire separation works and joinery.

1.5. Background

The development application was lodged on 03 April 2024, and a request for additional information was issued on 05 April 2024 for amendments to the FSR and GFA calculation, architectural drawings and additional overshadowing diagrams. The additional and amended information was received on 10 April 2024.

The correspondence history with the applicant is as follows:

Date	Correspondence	Topic/Summary
5 April 2024	Letter from: Council	Request for additional information.
8 April 2024	Documents received from the applicant on the planning portal	Documents received partially satisfied the request for additional information letter issued from Council.
9 April 2024	Letter from: Council	Request for additional information.
10 April 2024	Documents received from the applicant on	All requested information received by Council.

- SEPP (Sustainable Buildings) 2022
- SEPP (Housing) 2021, noting that this SEPP does not apply to the assessment of this proposal as the proposal does not consist of substantial refurbishment of an existing residential flat building as per section 144(3)(a)(i) of the SEPP
- 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 considered consistent with the aims of the plan.																												
Part 2 Permitted or prohibited development																														
Land Use Table <i>R3 Medium Density Residential Zone</i>	Yes	The proposal is defined as a manor home, which is permitted with consent in the R3 medium-density residential zone.																												
Part 4 Principal development standards																														
4.3 Height of buildings <ul style="list-style-type: none"> • 12.5m 	Yes	The proposal maintains the overall building height of 12.4m, measured to the roof ridge at RL113.04 above the existing ground level. The proposed dormers themselves have a maximum building height of 11.8m, to the dormer windows abutment of RL112.4m above the existing ground level.																												
4.4 Floor space ratio and <ul style="list-style-type: none"> • Site Area: 360.1m² • FSR: 0.75:1 • GFA: 271.56m² 	No	<table border="1"> <thead> <tr> <th></th> <th>Approved</th> <th>Built</th> <th>Proposed</th> </tr> </thead> <tbody> <tr> <td><i>Ground</i></td> <td>181.1m²</td> <td>181.1m²</td> <td>181.1m²</td> </tr> <tr> <td><i>First</i></td> <td>183.8m²</td> <td>183.8m²</td> <td>183.8m²</td> </tr> <tr> <td><i>Attic</i></td> <td>0m²</td> <td>48.2m²</td> <td>55.3m²</td> </tr> <tr> <td>GFA</td> <td>364.9m²</td> <td>413.1m²</td> <td>420.2m²</td> </tr> <tr> <td>FSR</td> <td>1.013:1</td> <td>1.147:1</td> <td>1.167:1</td> </tr> <tr> <td>Variation</td> <td>34%</td> <td>52%</td> <td>55%</td> </tr> </tbody> </table> <p>The proposal increases the measurable overall GFA and FSR of the residential flat building, which results in an overall exceedance of the FSR development standard by 148.64m² or 55%.</p>		Approved	Built	Proposed	<i>Ground</i>	181.1m ²	181.1m ²	181.1m ²	<i>First</i>	183.8m ²	183.8m ²	183.8m ²	<i>Attic</i>	0m ²	48.2m ²	55.3m ²	GFA	364.9m²	413.1m²	420.2m²	FSR	1.013:1	1.147:1	1.167:1	Variation	34%	52%	55%
	Approved	Built	Proposed																											
<i>Ground</i>	181.1m ²	181.1m ²	181.1m ²																											
<i>First</i>	183.8m ²	183.8m ²	183.8m ²																											
<i>Attic</i>	0m ²	48.2m ²	55.3m ²																											
GFA	364.9m²	413.1m²	420.2m²																											
FSR	1.013:1	1.147:1	1.167:1																											
Variation	34%	52%	55%																											
4.6 Exceptions to development standards	See discussion	The application is accompanied by a written request pursuant to clause 4.6 of Waverley LEP 2012 to vary the FSR development standard. A detailed discussion of the variation to the development standard is presented below this table.																												

Provision	Compliance	Comment
Part 5 Miscellaneous provisions		
5.10 Heritage conservation <ul style="list-style-type: none"> <i>Heritage Conservation Area Botany Street C3</i> 	Yes	Satisfactory. Council's Heritage Architect did not object to the proposal.
Part 6 Additional local provisions		
6.14 Waste minimisation and recycling	Yes	Satisfactory. No proposed changes to the waste storage and collection facilities.
6.17 Affordable housing contributions	N/A	This clause does not apply to alterations and additions to development defined in clause 6.17(1) of Waverley LEP 2012

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

Clause 4.6 Exceptions to Development Standards

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

The site is subject to a maximum FSR development standard of 0.75:1. The proposal results in the residential flat building achieving an overall of 1.167:1, exceeding the standard by 148.64m², equating to a 55% variation. It is noted that the existing building comprises approved or authorised GFA that already exceeds the FSR development standard by 93.34m², equating to a 34% variation. Having regard to including the measurable GFA in the existing attics in Units 3 and 4 that were carried out without Council approval, which resulted in no further action being taken by Council following the determination of DA-434/2015 and DA-435/2015, the proposal would encounter an overall exceedance of the FSR development standard by 141.54m², equating to a 52% 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 subject site is not within the Bondi Junction Centre.

- (ii) The proposed additional non-compliance of 1.6% is minor. The non-compliance is marginally less than the 53% exceedance approved at 21 Botany Street nearby (DA-770/2010). At 18-20 Allens Parade (DA258/2017), Council approved 22% and 7% exceedances at lots 3 and 4. Consent for DA-243/2016 at 162 Ebley Street included an FSR exceedance of 9%. All of these properties are within the same Heritage Conservation Area.
 - (iii) The proposed increase could not imperil the balance between building height and density controls.
 - (iv) Due to this elevated location, the additional floor space would not result in any readily perceptible increase in volume as viewed from any part of the public domain.
 - (v) The proposal will not cause any loss of amenity due to overshadowing.
 - (vi) It will not cause any loss of amenity to neighbouring properties and the locality due to loss of visual and acoustic privacy and view loss.
- (b) That there are sufficient environmental planning grounds to justify contravening the standard:
- (i) The variation will not result in a scale of development which would be inconsistent with the surrounding developments
 - (ii) Strict compliance would not improve the amenity of surrounding developments or the nearby public areas as the extent of the non-compliant floorspace is not sufficient to have that effect in these circumstances.

Consideration of Applicant's Written Request

The applicant's written request has correctly identified the development standard to be varied, relevant legislation and has calculated the FSR of the development, including increases to it caused by the proposal, that is consistent with the GFA definition in Waverley LEP 2012. The written request also attempts to address those matters required in Clause 4.6(3)(a) and (b). An assessment or evaluation of the substance of the written request is provided below.

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 relies explicitly upon justification (a) of *Wehbe v Pittwater Council* (2007) 156 LGERA 446. The applicant has not adequately demonstrated that all relevant objectives of the development standard are achieved for non-compliance with the FSR development standard under clause 4.4(1), which are as follows:

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

Although the applicant successfully argues that the proposal breaches the maximum FSR, it complies with the maximum building height. It would be in line with the density controls of the subject site in accordance with objective (b). Additionally, the applicant has shown that based on the dormer window locations, they would not be readily perceptible from the streetscape and would maintain a relatively similar visual bulk and scale from the public domain, which is consistent with objective (c) and WDCP control regrading streetscape and bulk. However, crucially, the proposal does not preserve the amenity of the neighbouring dwellings, specifically solar access.. According to **Figure 5**, the proposal would provide additional overshadowing to the windows of Unit 3 of No. 48 Allens Parade, which would be directly attributed to the variation to the FSR development standard. For this reason, the proposal has not adequately achieved the objective (d) of clause 4.4(1) of Waverley LEP 2012 and therefore cannot be supported due to the failure of the proposal to preserve the environmental amenity of neighbouring properties.

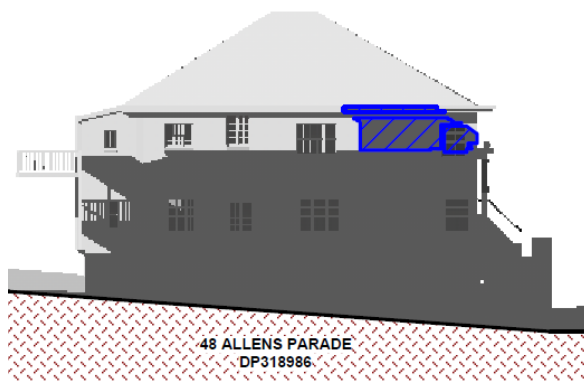


Figure 5: Shadow Diagram 2 pm

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

The proposal has an overshadowing impact on the windows of Unit 3 of No 48 Allen Parade. The overshadowing is from the addition of the dormer windows and is directly attributed to the breach of the FSR development standard. This overshadowing impact demonstrates that the proposal fails to preserve the solar amenity of the neighbouring dwellings. Hence, the applicant has not satisfactorily argued that sufficient environmental planning grounds exist to justify contravening the development standard.

Conclusion

The written request provided by the applicant to vary the FSR 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.

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

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

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

Development Control	Compliance	Comment
1. Waste <ul style="list-style-type: none"> <i>Garbage bins are to be stored in an appropriate location.</i> 	Yes	Satisfactory, a Site Waste and Recycling Plan was submitted. No proposed changes to the existing bin storage area.
2. Ecologically Sustainable Development <ul style="list-style-type: none"> <i>Ceiling or wall-mounted fans</i> <i>Gas cooktops, gas ovens or gas internal space heating systems.</i> 	Yes	Satisfactory, a BASIX certificate was submitted.
3. Landscaping, Biodiversity and Vegetation Preservation <ul style="list-style-type: none"> <i>Biodiversity</i> 	Yes	Satisfactory. The proposal is not located within a Habitat Corridor.
<ul style="list-style-type: none"> <i>Trees</i> 	N/A	N/A
5. Water Management	Yes	Satisfactory. Council's Engineers advised that they raised no objections to the proposal.
8. Heritage	Yes	Satisfactory. Council's Heritage Architects do not object to the proposal.
11. Design Excellence	No	Unsatisfactory. The proposed dormer window addition does not preserve the environmental amenity of No. 48 Allens Parade by overshadowing the top floor unit from the

Development Control	Compliance	Comment
		additional floor space, which exceeds the FSR development standard.
16. Inter-War Buildings	Yes	The proposal aims to preserve the original building structure. The new additions will complement the existing design. The guidelines specify that small dormer windows may be allowed if they are proportionate to the current roof and will not significantly impact the visual appearance or views. The proposed dormer windows will not be easily seen from the street and will not obstruct any known views. The proposed dormer addition will allow the building to maintain much of its current appearance.

Table 53: Waverley DCP 2022 – Part C2 Other Residential Development Compliance Table

Development Control	Compliance	Comment
2.3 Setbacks		
2.3.1 Street setbacks <ul style="list-style-type: none"> <i>Consistent street setback</i> 	Yes	The proposed dormer windows are proposed to have a front setback of 11.7m, which is considered consistent with the existing street setbacks.
2.3.2 Side and rear setbacks <ul style="list-style-type: none"> <i>Minimum side setback: 1.5m</i> <i>Minimum rear setback: 6m or predominant rear building line, whichever is the greater setback</i> 	Yes	The subject manor house and the proposed dormer windows are separated by 2.68m from the western boundary and 2.69m from the eastern boundary. And a rear setback of 8.3m is proposed.
2.5 Building design and streetscape		
<ul style="list-style-type: none"> <i>Respond to streetscape</i> <i>Sympathetic external finishes</i> <i>Corner sites to address both streets as primary frontages</i> <i>Removal of original architectural features not supported</i> 	Yes Yes N/A Yes	The amended proposal has been designed to respond to the streetscape context, reducing its visual bulk. No architectural features are proposed to be removed under the proposal.
2.6 Attic and roof design		
<ul style="list-style-type: none"> <i>Attic must be wholly within the pitched roof form</i> <i>Not exceed 50% of the floor of area of the floor below</i> 	Yes Yes	The proposed attic addition is wholly within the pitched roof form, except for the proposed dormers. Satisfactory. Regarding Unit 3, the floor area is 90.3m ² , and the attic area is proposed to be 27.2m ² , 30.1% of the total. Unit 4's floor area is

Development Control	Compliance	Comment
<ul style="list-style-type: none"> • <i>Not contain independent dwellings and must be accessed via internal stairs</i> • <i>Be naturally ventilated</i> • <i>Minimum room width: 3m</i> • <i>Minimum floor-to-ceiling height for at least 2/3 of the floor area: 2.4m</i> • <i>Dormer windows and skylights to be less than 50% of roof elevation</i> • <i>Must not have one single expansive dormer window</i> • <i>Dormers to be set down 300mm from the main ridge</i> 	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>	<p>93.5m², and the proposed attic area is 28.1m², equating to 30%.</p> <p>Satisfactory. The proposed attics do not contain independent dwellings and are accessed through the existing internal staircase within each unit.</p> <p>Satisfactory. Each dormer window introduces windows for natural ventilation.</p> <p>Satisfactory.</p> <p>Satisfactory.</p> <p>Satisfactory. The proposed dormer windows are proposed to equate to 22.5% of the roof elevation.</p> <p>Satisfactory. Two separate dormer windows are proposed.</p> <p>Satisfactory. The proposed dormer windows are set down 0.7m from the existing roof ridgeline.</p>
2.13 Solar access and overshadowing		
<ul style="list-style-type: none"> • <i>Minimum of 3 hours of sunlight to a minimum of 70% of units in the development on 21 June</i> • <i>New development should maintain at least 2 hours of sunlight to solar collectors on adjoining properties in mid-winter</i> • <i>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</i> 	<p>Yes</p> <p>Yes</p> <p>No</p>	<p>At the attic level, Units 3 and 4 will receive satisfactory solar access, either in the morning or afternoon.</p> <p>As the proposal exceeds the maximum FSR development standard and as discussed in section 2.1.2 of this report, the proposed dormer windows is noted in Figure 5 to overshadow Unit 3 of No 48 Allens Parade, resulting in a failure to preserve the environmental amenity of this neighbouring property. Therefore, the overshadowing impact caused by the proposal is deemed unreasonable.</p>
2.14 Views and view sharing		
<ul style="list-style-type: none"> • <i>Minimise view loss through design</i> • <i>Landscaping on sites adjacent to a Council Park or reserve should be sympathetic to soften the public/private interface</i> 	<p>Yes</p>	<p>Satisfactory. No impacts on known views have been identified upon the site visit, and no submissions have been received that raise an issue with view loss.</p>

Development Control	Compliance	Comment
<ul style="list-style-type: none"> Views from public spaces to be maintained 		
2.15 Visual privacy and security		
<ul style="list-style-type: none"> 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 the same development 	<p>Yes</p> <p>Yes</p>	<p>Overlooking would be the same as the dormers, given that the windows sit above the first-floor level windows of the adjoining residential flat buildings. Any potential overlooking would be marginal.</p> <p>The subject residential flat building does not comprise private open space at lower levels; therefore, no overlooking is possible.</p>
2.16 Dwelling size and layout		
<ul style="list-style-type: none"> Max habitable room depth for single aspect dwelling is 8m from a window Max width of dwelling over 15m deep is min 4m All habitable rooms to have a window Provide a range of dwelling types and sizes Min sizes <ul style="list-style-type: none"> 2 bedroom = 80m² Accessible and Adaptable 	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>	<p>The total area of the Units is proposed to increase to 117.2m² for Unit 3 and 121.6m² for Unit 4. In this regard, the proposed unit sizes and layout are acceptable.</p>
2.17 Ceiling Heights		
<ul style="list-style-type: none"> Min 2.7m floor-to-ceiling height residential floors Min 2.4m floor-to-ceiling height attic levels 	<p>N/A</p> <p>Yes</p>	<p>The ceiling heights within the proposed attics floor of Units 3 and 4 provide 2.4m ceiling height to 71 and 76% of the floor areas. These rooms are shown as non-habitable attic rooms and comply with the minimum requirements.</p>
2.18 Storage		
<ul style="list-style-type: none"> In addition to kitchen cupboards and bedroom wardrobes, min storage required is: <ul style="list-style-type: none"> 2 bed = 8m³ 	<p>Yes</p>	<p>Whilst the control relates to new development, the proposal will enable increased storage space in the attics for both units.</p>
2.20 Natural Ventilation		
<ul style="list-style-type: none"> All dwellings to be naturally cross-ventilated Building to be orientated to maximise breezes Ceiling fans are to be provided in all habitable rooms 	<p>Yes</p>	<p>Satisfactory. The upper attic dormer addition comprises window openings for natural ventilation.</p>

2.2. Other Impacts of the Development

The proposal is considered to have a significant detrimental effect relating to environmental, social or economic impacts on 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 a minimum of 14 days between 3 and 19 September 2024 in accordance with the *Community Engagement Strategy 2023*.

No submissions were received.

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. Stormwater

Council's Stormwater Engineers advised that they raised no objections to the proposal.

3.2. Heritage

Council's Heritage Architect advised that they raised no objections to the proposal.

3.3. Fire

Council Fire Engineers advised that the existing building may have a number of non-compliances with the BCA, including but not limited to the following:

- a) *access and egress issues pertaining to escape, and construction of exits from residential areas;*
- b) *provision of firefighting services and equipment.*

It was recommended that the existing building be brought into total or partial conformity with the Building Code of Australia. Should the application be recommended approval, this recommendation would have been implemented by way of conditions of consent.

3.4. GIS

Council’s GIS Officer advised that they raised no objections to the proposal.

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.

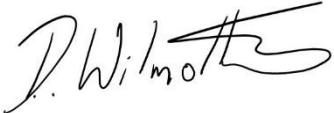


Managers of Development Assessment (MODA) Review

The application was reviewed by the MODA at the meeting on 18 June 2024 and 20 August 2024 and the MODA concurred with the Assessment Planner's recommendation.

MODA members: *A Rossi, B McNamara, B Magistrale and J Zancanaro*

5. RECOMMENDATION TO WAVERLEY LOCAL PLANNING PANEL

That the development application be REFUSED by the Waverley Local Planning Panel the reasons contained in Appendix A.

Report prepared by:	Application reviewed and agreed by:	Application reviewed and agreed by:
		
Damien Wilmotte	Ben Magistrale	Angela Rossi
Development Assessment Planner	Manager, Development Assessment	Executive Manager, Development Assessment
Date: 02 October 2024	Date: 11 October 2024	Date: 14 October 2024

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)	N/A – recommended for refusal
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
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 4.4 Floor Space Ratio*

The application exceeds the maximum allowable Floor Space Ratio (FSR) of 0.75:1 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 due to the overshadowing of neighbouring windows caused by the proposed dormers.

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 B11 Design Excellence

- a. Objective (a) - (d) and Controls (a), (e) under this Part as the proposed dormers fail to preserve the environmental amenity of neighbouring dwellings, specifically in terms of overshadowing caused by the additional bulk of the proposal.

Part C3 Other Residential Development

- b. *Section 2.13 Solar Access and Overshadowing*, specifically objective (d), as the proposed development reduces solar access of neighbouring windows.

3. The application does not satisfy section 4.15 (1)(b) of the Act as the proposal results in unacceptable amenity impacts upon the locality and surrounding built environment.
4. 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.

RECEIVED
Waverley Council

Application No: DA-130/2024

Date Received: 10/04/2024

SOUTH WESTERN PERSPECTIVE
View from the south west, on the southern
footpath, near the boundary between 43 and
45 Allens Parade.
Estimated RL 99.5 on footpath



SOUTHERN PERSPECTIVE
View from the south, on the southern
footpath, near the boundary between 49 and
51 Allens Parade.
Estimated RL 99.9 on footpath



SOUTH EASTERN PERSPECTIVE
View from the south east, on the southern
footpath, near the boundary between 57 and
59 Allens Parade.
Estimated RL 100.6 on footpath



Development Application Drawings

DRAWING LIST

9 APRIL 2024

Drawing	Dwg. No.	Issue
Cover Sheet	DA00	C
Site Analysis Plan	DA01	A
Area Diagrams	DA02	B
Site/Roof Plan	DA03	A
Attic Floor Plan	DA04	B
North Elevation	DA05	A
South Elevation	DA06	A
East Elevation	DA07	A
West Elevation	DA08	A
Streetscape North & South	DA09	A
Exterior Finishes	DA10	A
Longitudinal Section West	DA11	A
Longitudinal Section East	DA12	A
Cross Section South	DA13	A
Cross Section North	DA14	A
Shadow Diagram 9AM	DA15	B
Shadow Diagram 12PM	DA16	B
Shadow Diagram 3PM	DA17	B
Shadow Elevations West 1	DA18	B
Shadow Elevations East 1	DA19	B
Erosion & Sediment Control Plan	DA20	A
Draft Strata Site Plan	DA21	A
Draft Strata Floor Plans	DA22	A
Shadow Diagram 10AM	DA23	A
Shadow Diagram 11AM	DA24	A
Shadow Diagram 1PM	DA25	A
Shadow Diagram 2PM	DA26	A
Shadow Elevations West 2	DA27	A
Shadow Elevations West 3	DA28	A
Shadow Elevations East 2	DA29	A
Shadow Elevations East 3	DA30	A
Survey Plan	Det/ID	A

Alterations and Additions

Bondi Junction

Apartments 3 and 4, 46 Allens Parade, BONDI JUNCTION NSW 2022

The development is to be constructed in accordance with the requirements of BASIX Certificates A1731871 and A1731869, which form part of this application.

BASIX



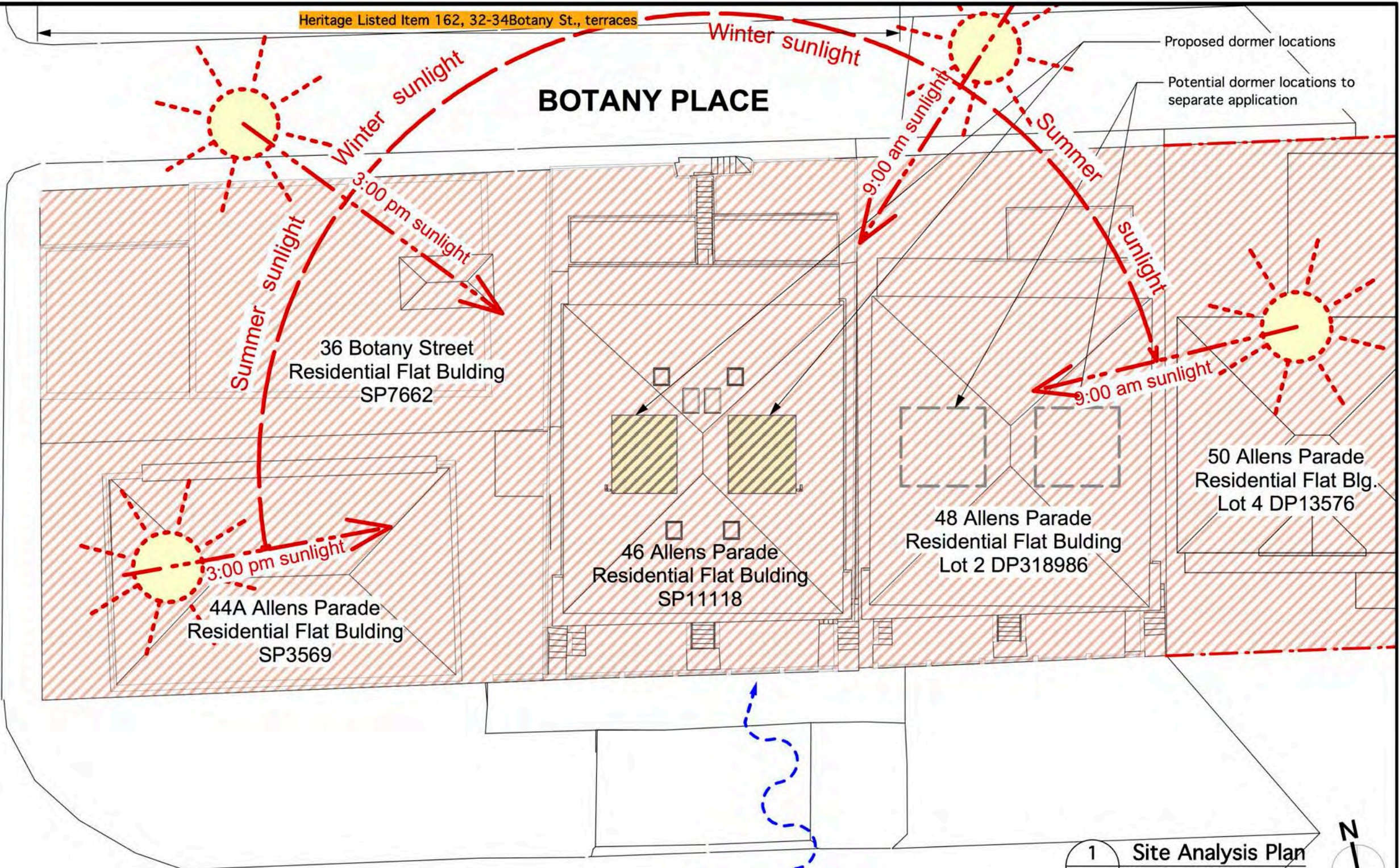
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BOTANY STREET



ALLENS PARADE

1 Site Analysis Plan
DA01 Scale: 1:200

0 5 10 m

NOTES:
Check all dimensions on site.

- Heritage Listed Items
- Heritage Conservation Area
- Proposed works

Menczel & Lazarou
3/46 & 4/46 Allens Parade
BONDI JUNCTION

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ABN 94 101 271 124
NSW Architects Registration No. 6736

Drawing: **Site Analysis Plan**

Scale: 1:100 For: APPROVAL

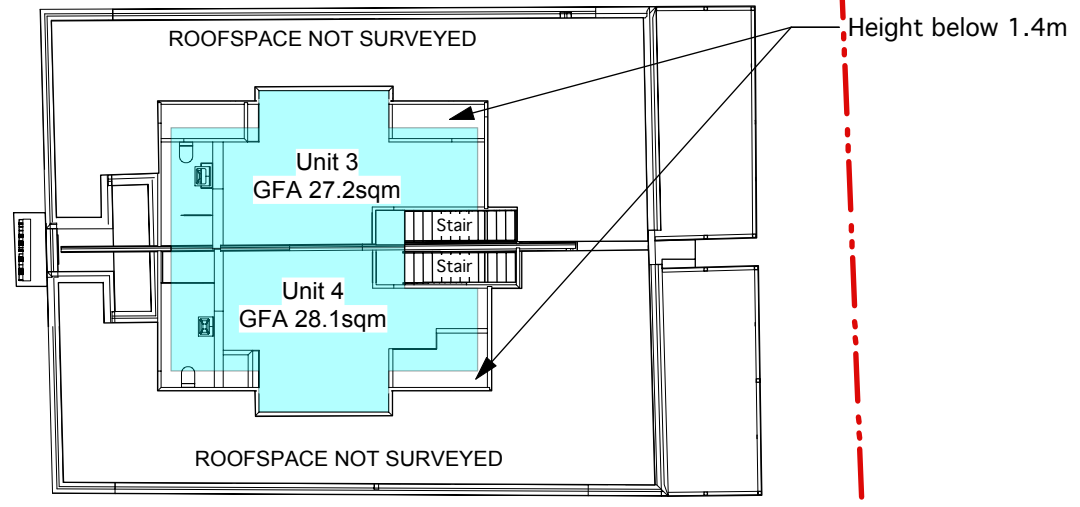
Date: 10 Oct'23

Drawn: RD

Dwg. No.: **DA01** Revision: **A**

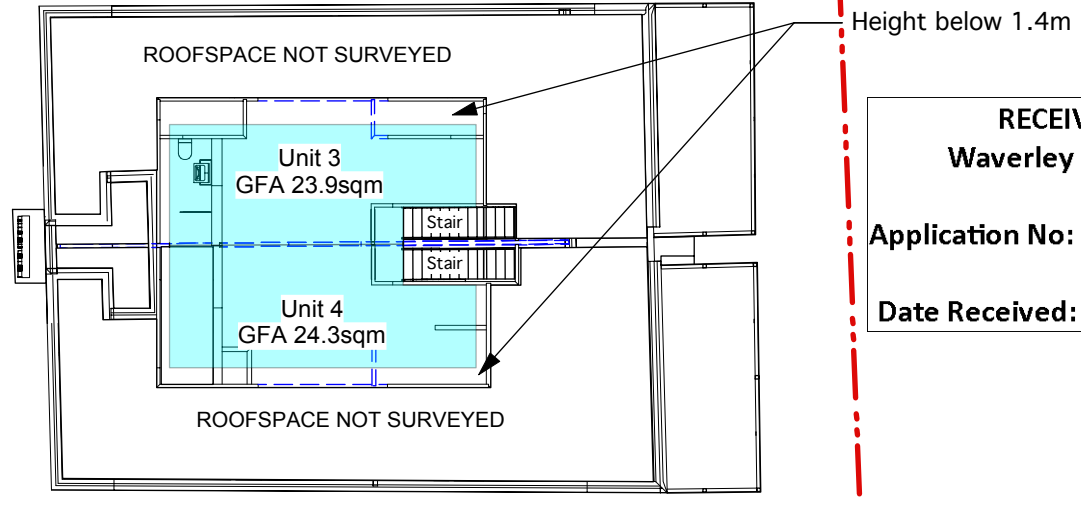
REV	DESCRIPTION	DATE	APPROVED
A	First Issue	10/10/23	RD
REVISION HISTORY			

ALLENS PARADE



1 Proposed Attic Floor Plan
DA02 Scale: 1:200

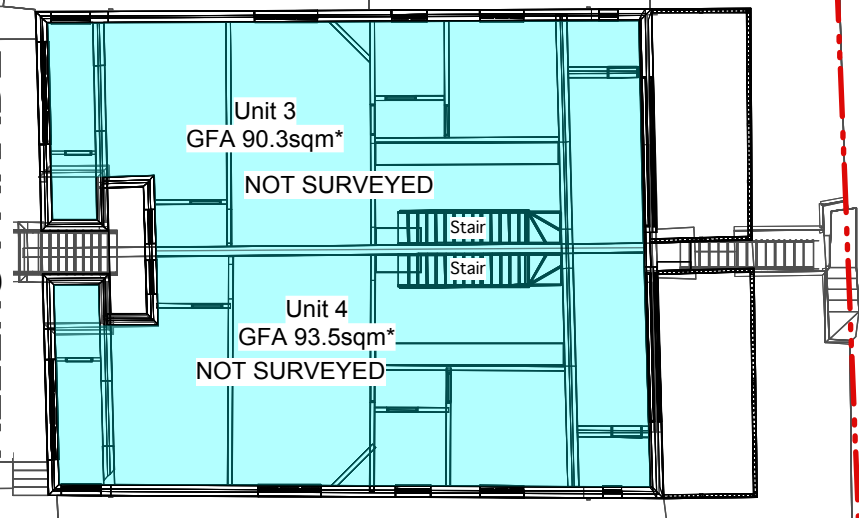
ALLENS PARADE



2 Existing Attic Floor Plan
DA02 Scale: 1:200

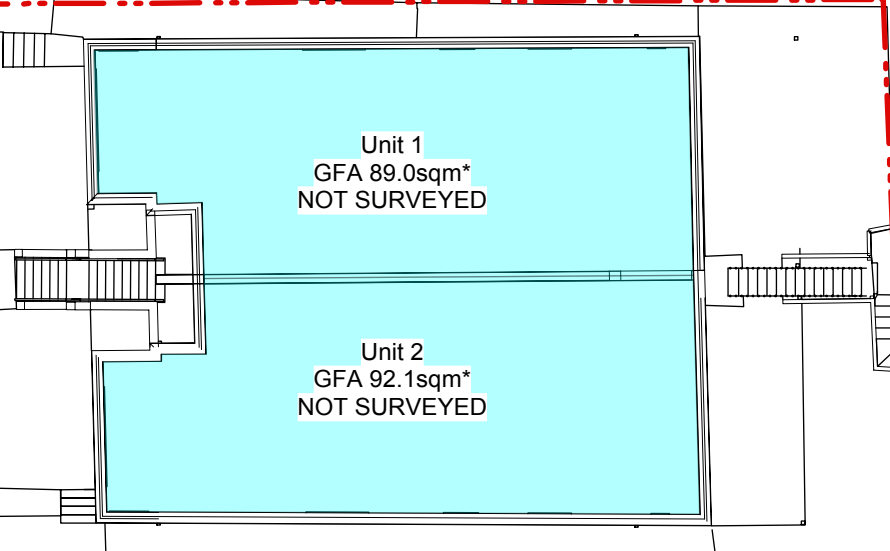
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Waverley Council
Application No: DA-130/2024
Date Received: 10/04/2024

ALLENS PARADE



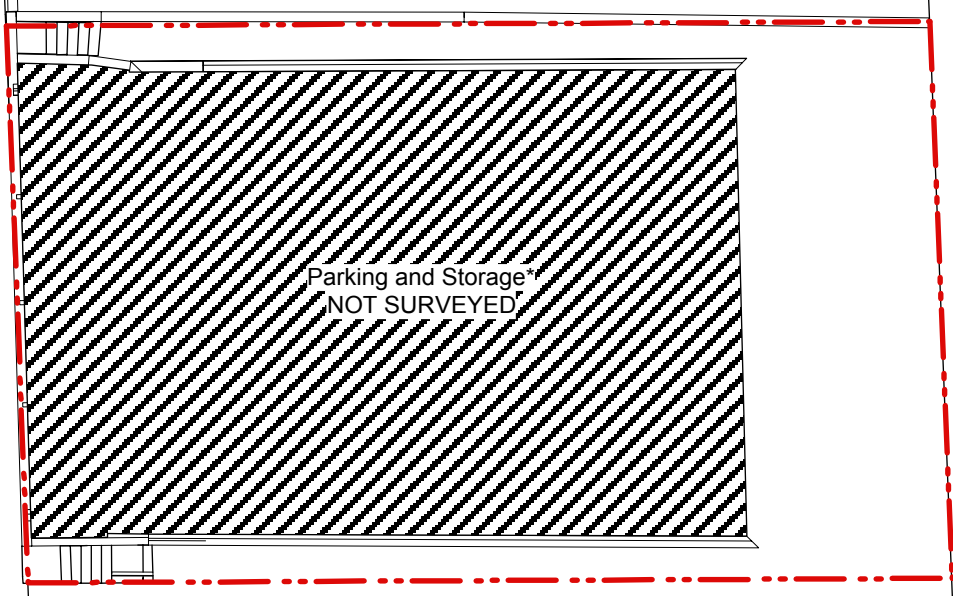
3 Existing Level 1 Floor Plan
DA02 Scale: 1:200

ALLENS PARADE

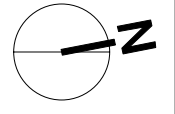
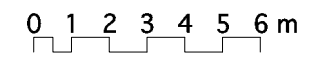


4 Existing Ground Floor Plan
DA02 Scale: 1:200

ALLENS PARADE



5 Existing Lower Ground Floor Plan
DA02 Scale: 1:200



Site Area: 360.4sqm

	FSR	Change in FSR	GFA	Change in GFA					
Permitted Building FSR:	0.75:1	-	Permitted Building GFA:	270.3sqm	-	Existing Total GFA Unit 3:	114.2sqm	Proposed Total GFA Unit 3:	117.5sqm
Existing Building FSR:	1.15:1	0.40:1 (52.8%)	Existing Building GFA:	413.1sqm	142.8sqm (52.8%)	Existing Total GFA Unit 4:	117.8sqm	Proposed Total GFA Unit 4:	121.3sqm
Proposed Building FSR:	1.17:1	0.02:1 (1.6%)	Proposed Building GFA:	419.9sqm	6.8sqm (1.6%)	Existing Total GFA U3/U4:	232.0sqm	Proposed Total GFA U3/U4:	238.8sqm

REV	DESCRIPTION	DATE	APPROVED
B	GFA's to include party wall	05/04/24	RD
A	First Issue	10/10/23	RD
REVISION HISTORY			

NOTES:
Check all dimensions on site.

Gross Floor Area

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Drawing: Area Diagrams	
Scale: 1:200	For: APPROVAL
Date: 10 Oct'23	
Drawn: RD	
Dwg. No.: DA02	Revision: B

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Application No: DA-130/2024
Date Received: 10/04/2024

44A ALLENS PARADE
SP3569

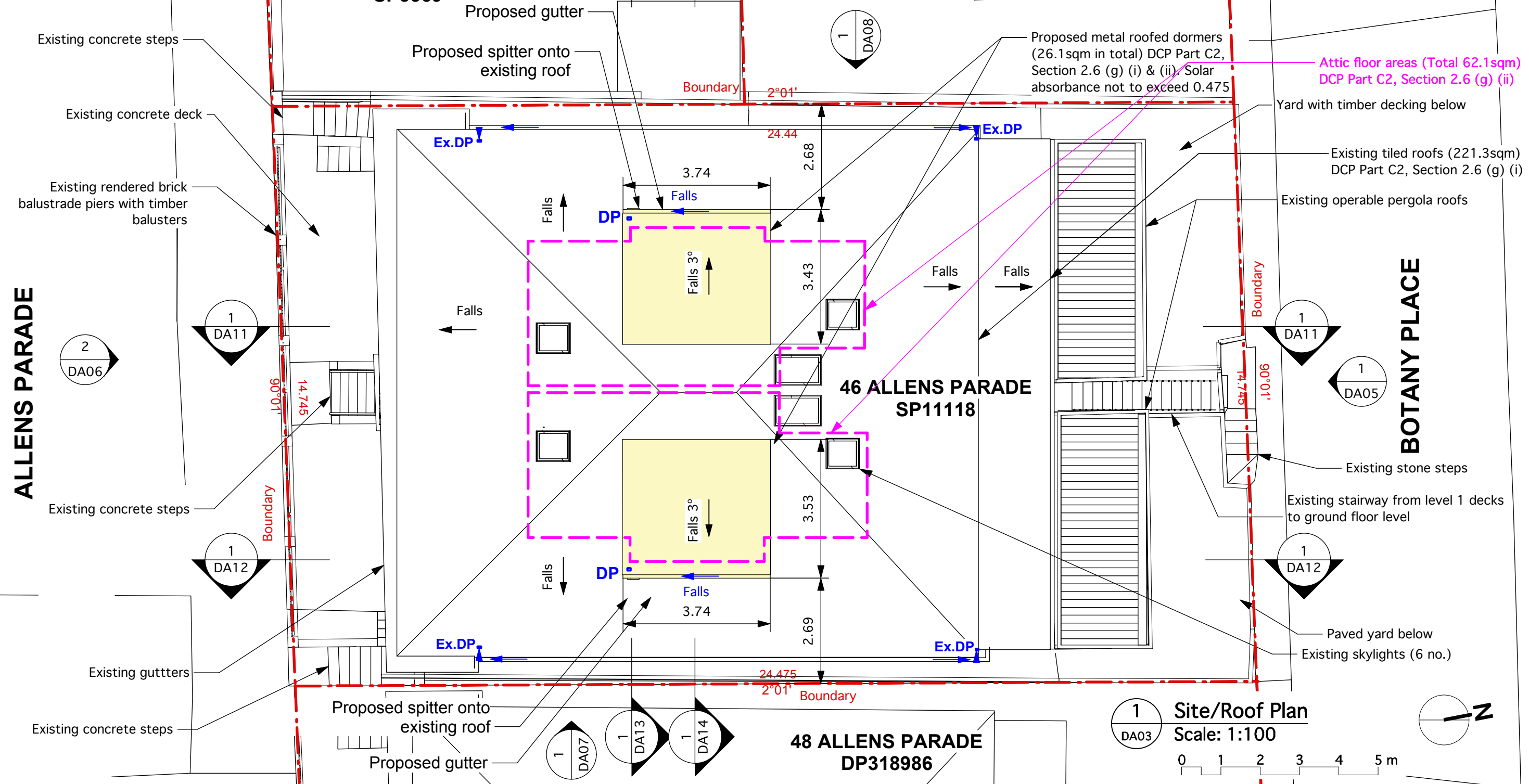
36 BOTANY STREET
SP7662

46 ALLENS PARADE
SP11118

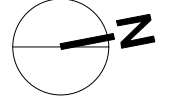
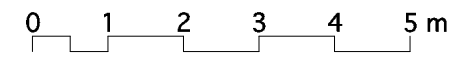
48 ALLENS PARADE
DP318986

ALLENS PARADE

BOTANY PLACE



1 Site/Roof Plan
Scale: 1:100



NOTES:
Check all dimensions on site.

Proposed alterations and additions

REV	DESCRIPTION	DATE	APPROVED
A	First Issue	10/10/23	RD
REVISION HISTORY			

Menczel & Lazarou
3/46 & 4/46 Allems Parade
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Drawing: Site/Roof Plan	
Scale: 1:100	For: APPROVAL
Date: 10 Oct'23	
Drawn: RD	
Dwg. No.: DA03	Revision: A

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Application No: DA-130/2024
Date Received: 10/04/2024

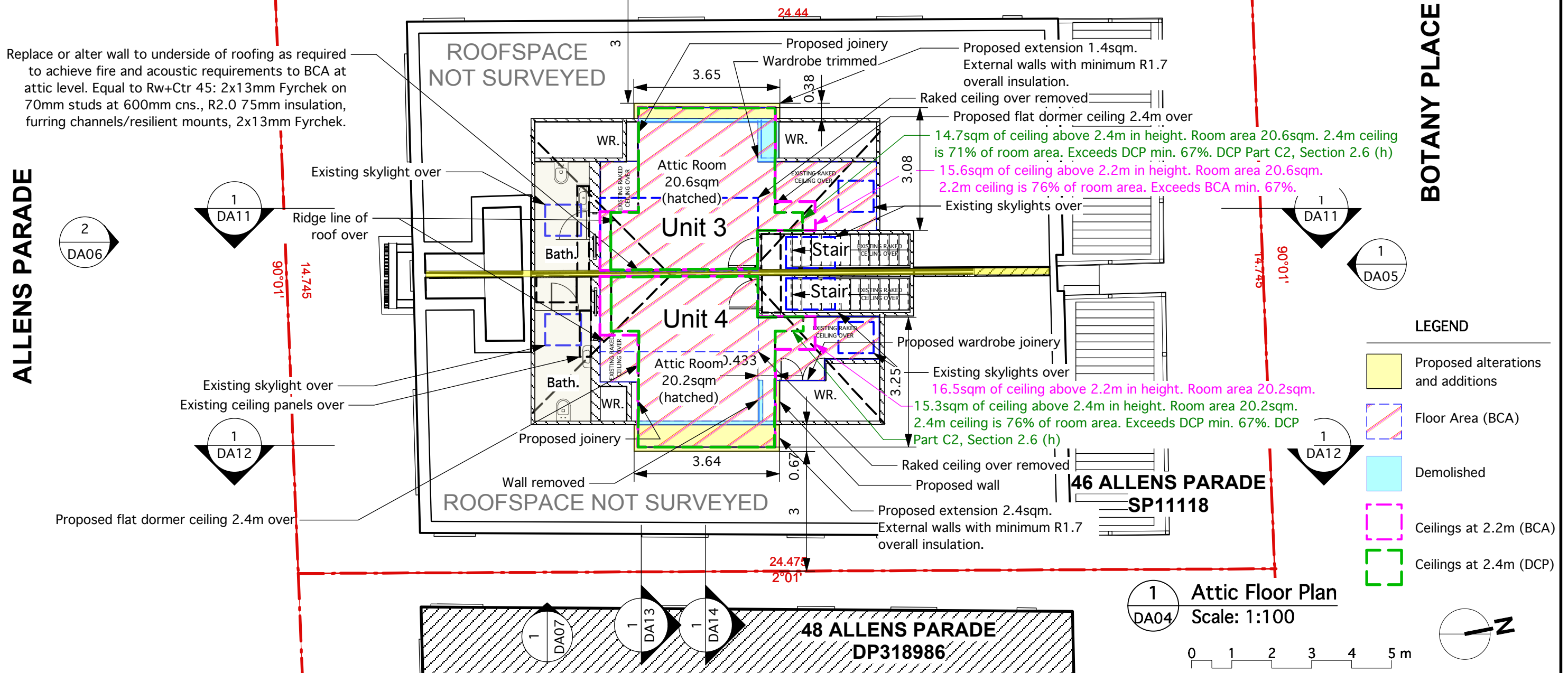
44A ALLENS PARADE
SP3569

36 BOTANY STREET
SP7662

ALLENS PARADE

BOTANY PLACE

Replace or alter wall to underside of roofing as required to achieve fire and acoustic requirements to BCA at attic level. Equal to Rw+Ctr 45: 2x13mm Fyrchek on 70mm studs at 600mm cns., R2.0 75mm insulation, furring channels/resilient mounts, 2x13mm Fyrchek.

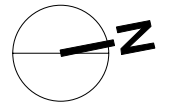


LEGEND

- Proposed alterations and additions
- Floor Area (BCA)
- Demolished
- Ceilings at 2.2m (BCA)
- Ceilings at 2.4m (DCP)

1 DA04 Attic Floor Plan
Scale: 1:100

0 1 2 3 4 5 m



NOTES:
Check all dimensions on site.
New light fittings all LED

Menczel & Lazarou
3/46 & 4/46 Allens Parade
BONDI JUNCTION

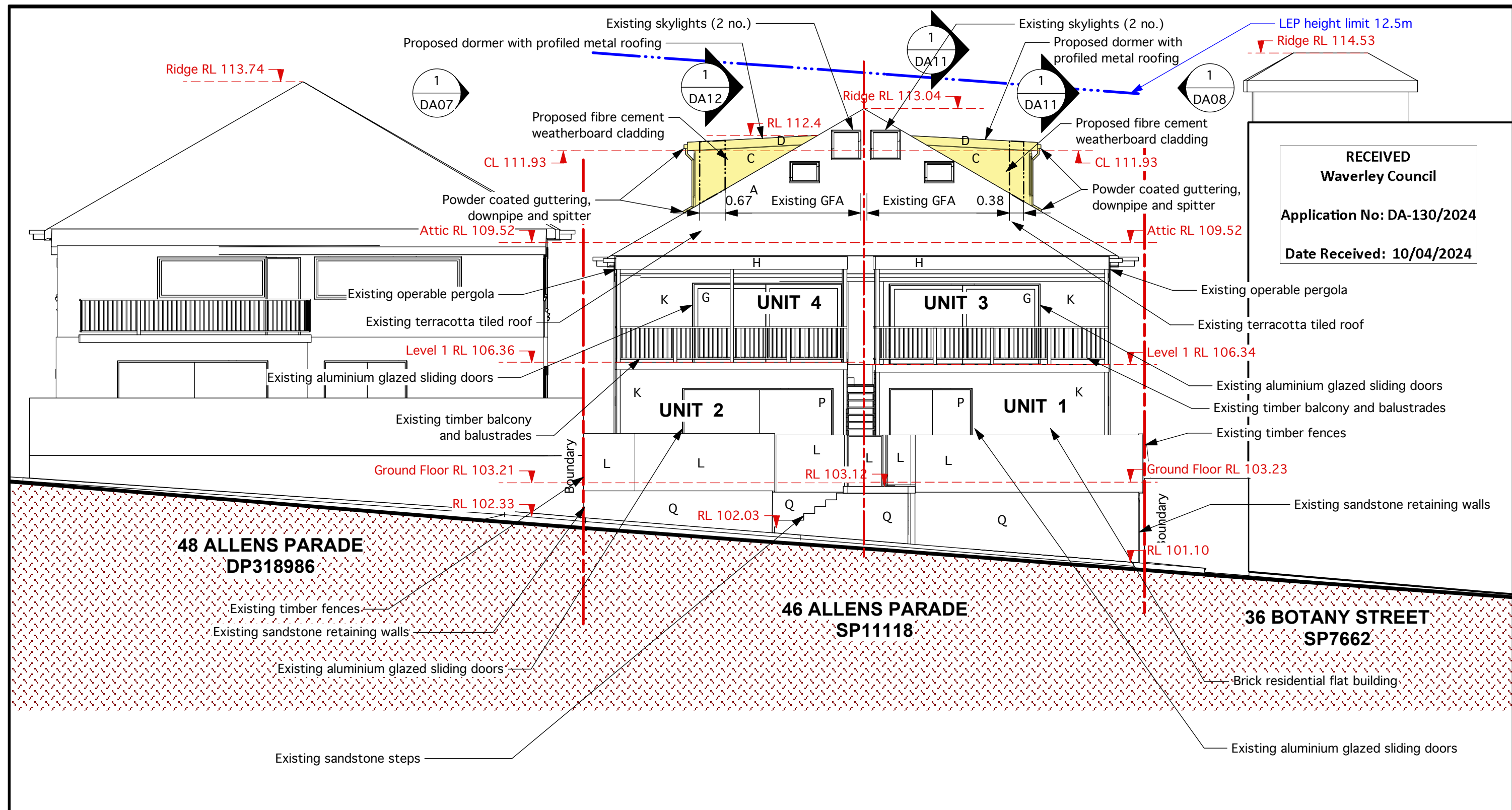
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Drawing: **Attic Floor Plan**
Scale: 1:100 For: APPROVAL
Date: 10 Oct'23
Drawn: RD
Dwg. No.: **DA04** Revision: **B**

REV	DESCRIPTION	DATE	APPROVED
B	Wall insulation note added	25/3/24	RD
A	First Issue	10/10/23	RD
REVISION HISTORY			



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Date Received: 10/04/2024

1 North Elevation
Scale: 1:100
0 1 2 3 4 5 m

REV	DESCRIPTION	DATE	APPROVED
A	First Issue	10/10/23	RD
REVISION HISTORY			

NOTES:
Check all dimensions on site
DISCLAIMER:
Elevations are hypothetical views which are NOT attainable from any nearby land. Refer to perspective views for more accurate representations
Refer to Finishes Schedule DA10 for legend

Proposed alterations and additions

Menczel & Lazarou
3/46 & 4/46 Al lens Parade
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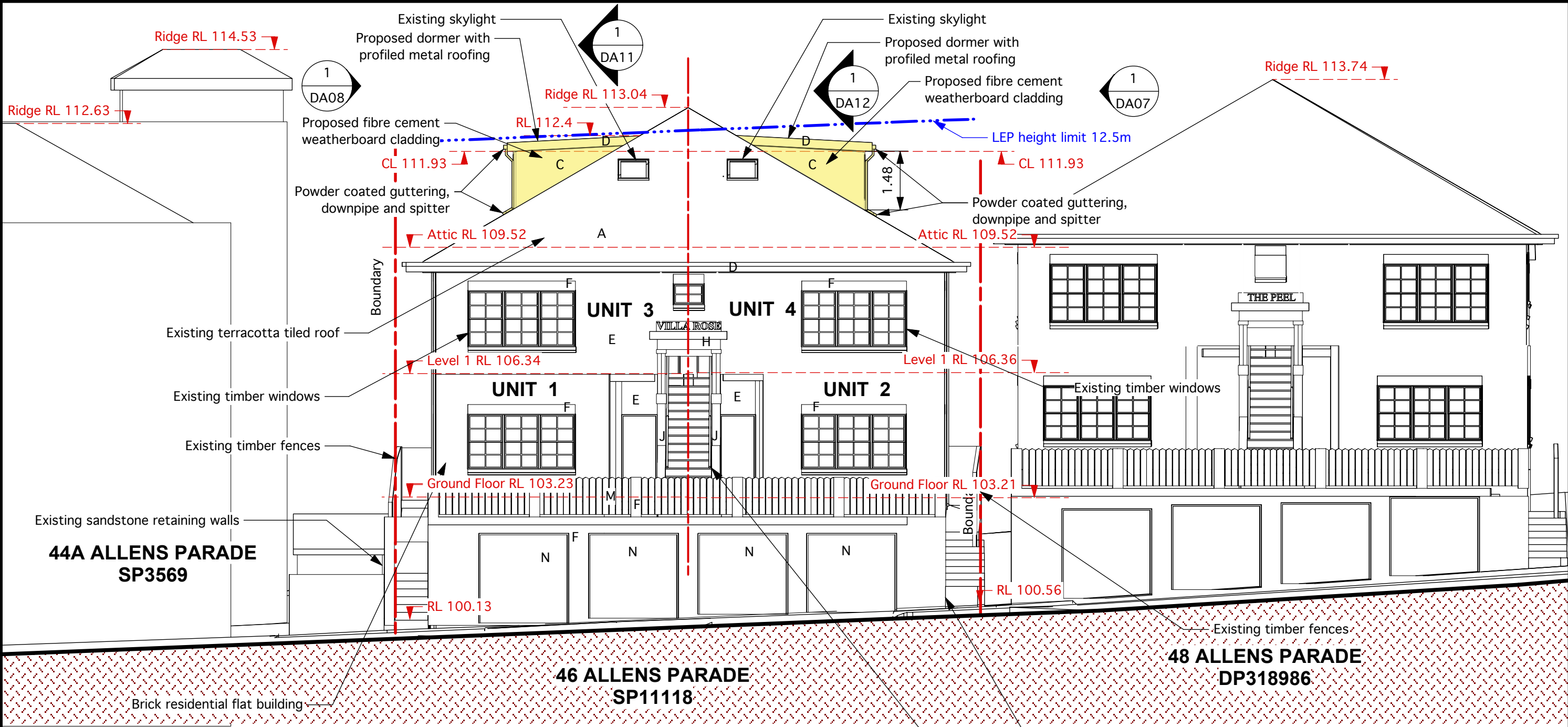
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Drawing: North Elevation	
Scale: 1:100	For: APPROVAL
Date: 10 Oct'23	
Drawn: RD	
Dwg. No.: DA05	Revision: A



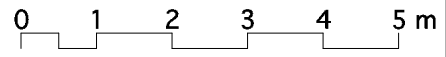
**44A ALLENS PARADE
SP3569**

**46 ALLENS PARADE
SP11118**

**48 ALLENS PARADE
DP318986**

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1 South Elevation
DA06 Scale: 1:100



REV	DESCRIPTION	DATE	APPROVED
A	First Issue	10/10/23	RD
REVISION HISTORY			

NOTES:
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DISCLAIMER:
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Refer to Finishes Schedule DA10 for legend

Proposed alterations and additions

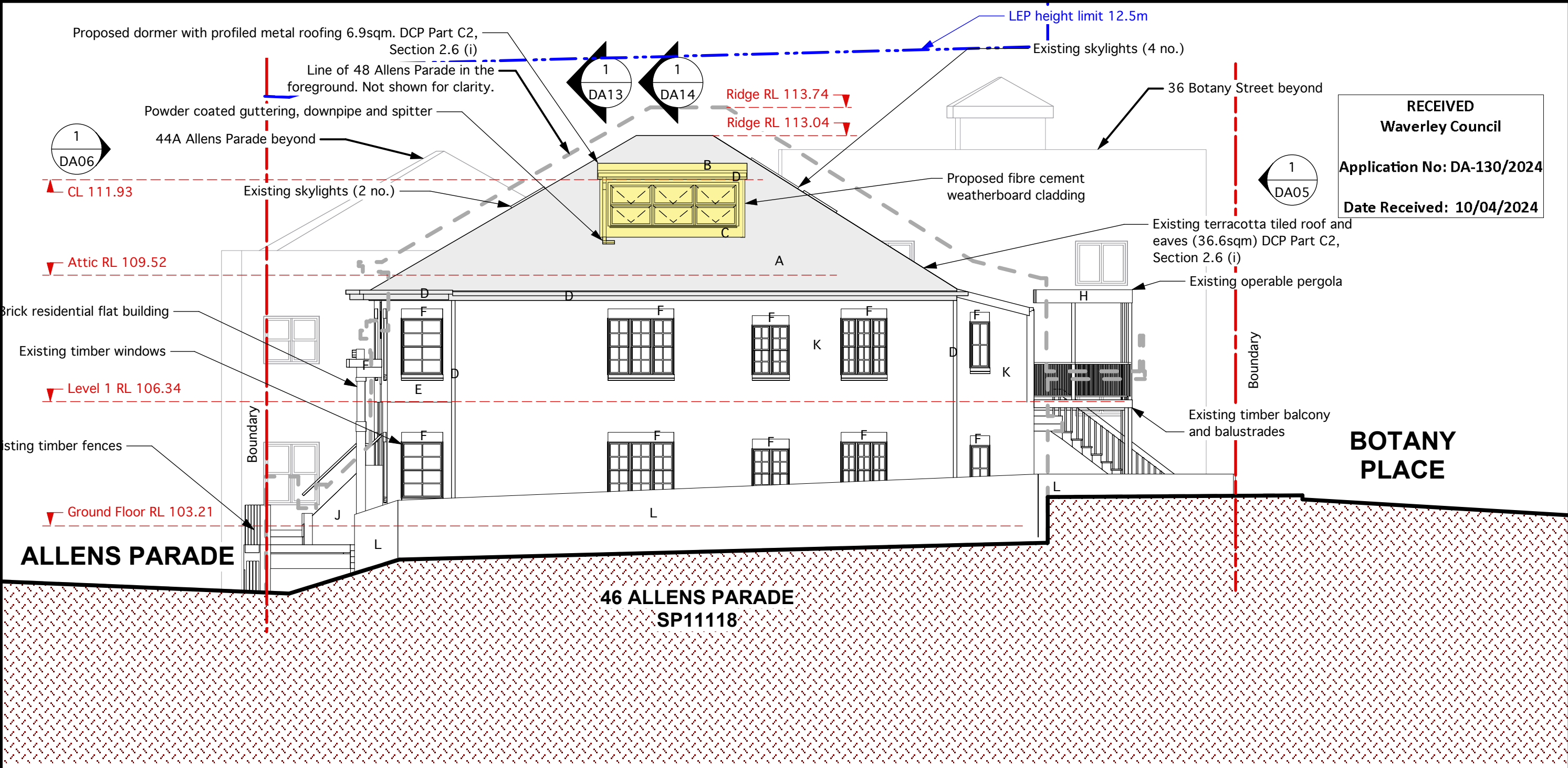
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3/46 & 4/46 Allens Parade
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Drawing: **South Elevation**
Scale: 1:100 For: APPROVAL
Date: 10 Oct'23
Drawn: RD
Dwg. No.: **DA06** Revision: **A**



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BOTANY PLACE

ALLENS PARADE

**46 ALLENS PARADE
 SP11118**

1 East Elevation
 DA07 Scale: 1:100
 0 1 2 3 4 5 m

REV	DESCRIPTION	DATE	APPROVED
A	First Issue	10/10/23	RD
REVISION HISTORY			

NOTES:
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 DISCLAIMER:
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 Refer to Finishes Schedule DA10 for legend

Proposed alterations and additions

Menczel & Lazarou
 3/46 & 4/46 Allens Parade
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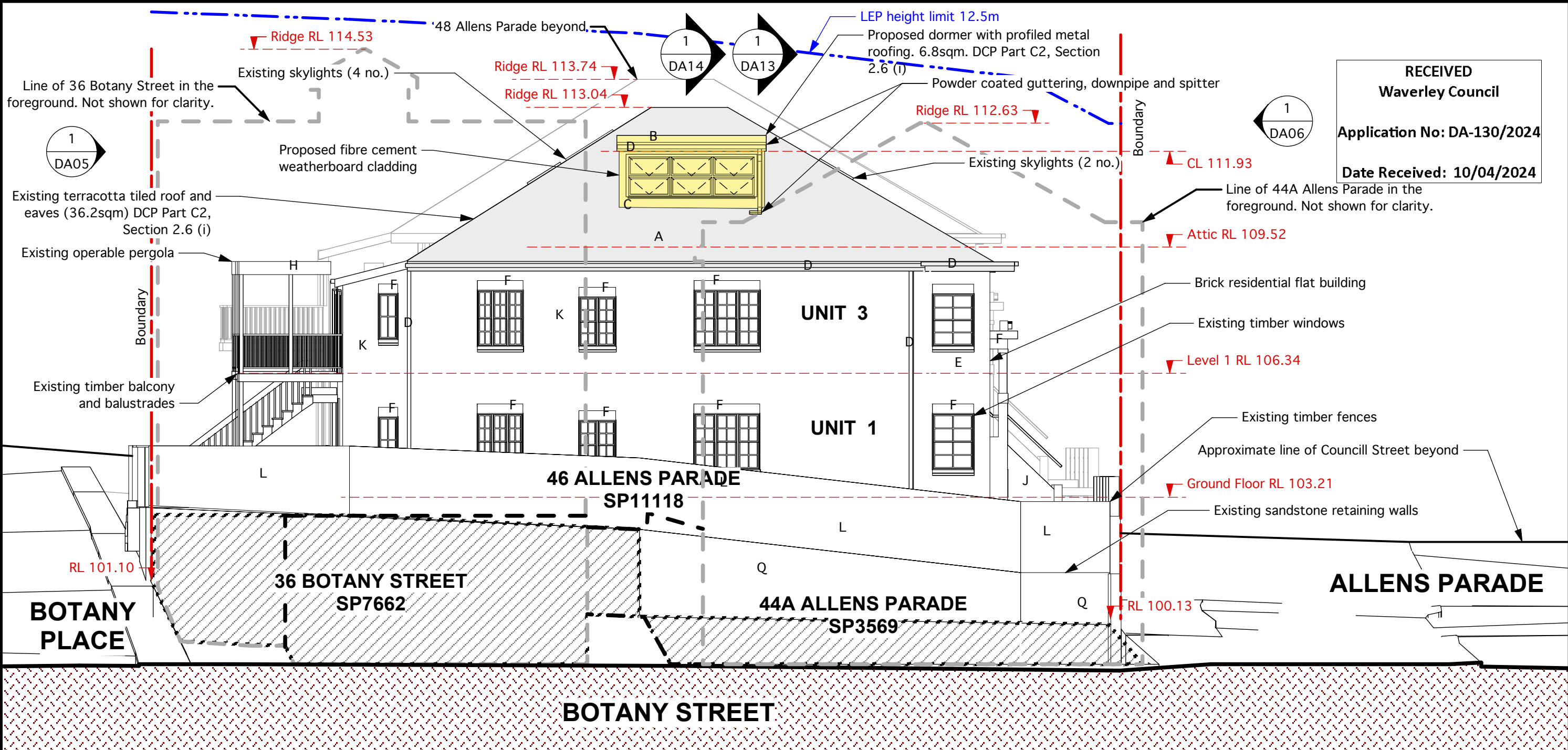
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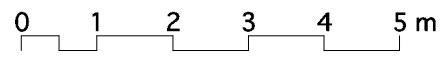
ABN 34 101 271 124
 NSW Architects Registration No. 6736

Drawing: **East Elevation**
 Scale: 1:100 For:
 Date: 10 Oct'23 APPROVAL
 Drawn: RD
 Dwg. No.: **DA07** Revision: **A**



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 Date Received: 10/04/2024

1 West Elevation
 DA08 Scale: 1:100



REV	DESCRIPTION	DATE	APPROVED
A	First Issue	10/10/23	RD
REVISION HISTORY			

NOTES:
 Check all dimensions on site
 DISCLAIMER:
 Elevations are hypothetical view which are NOT attainable from any nearby land. Refer to perspective views for more accurate representations
 Refer to Finishes Schedule DA10 for legend

Proposed alterations and additions

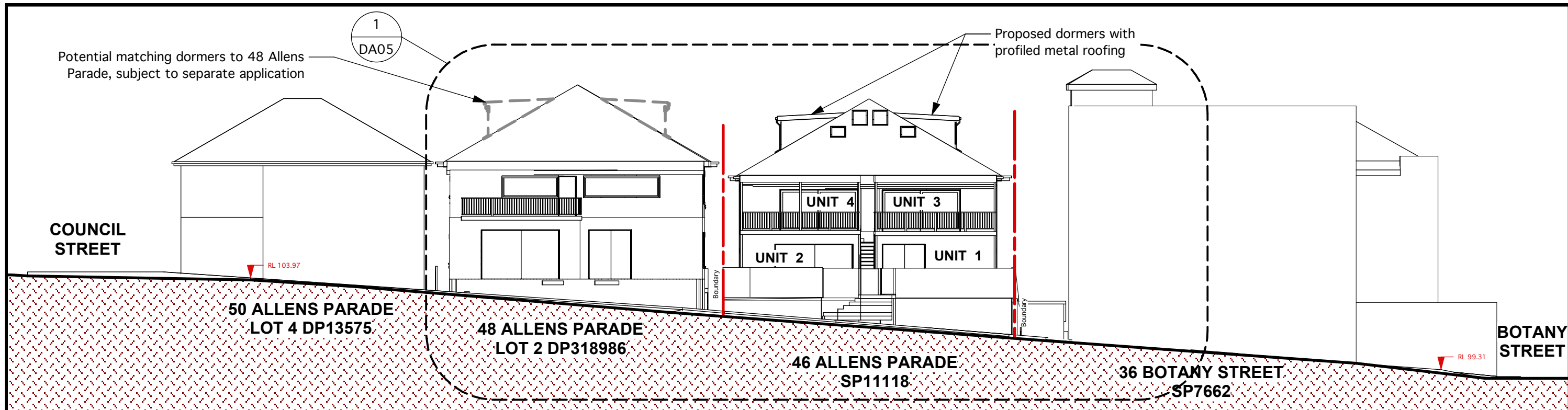
Menczel & Lazarou
 3/46 & 4/46 Allens Parade
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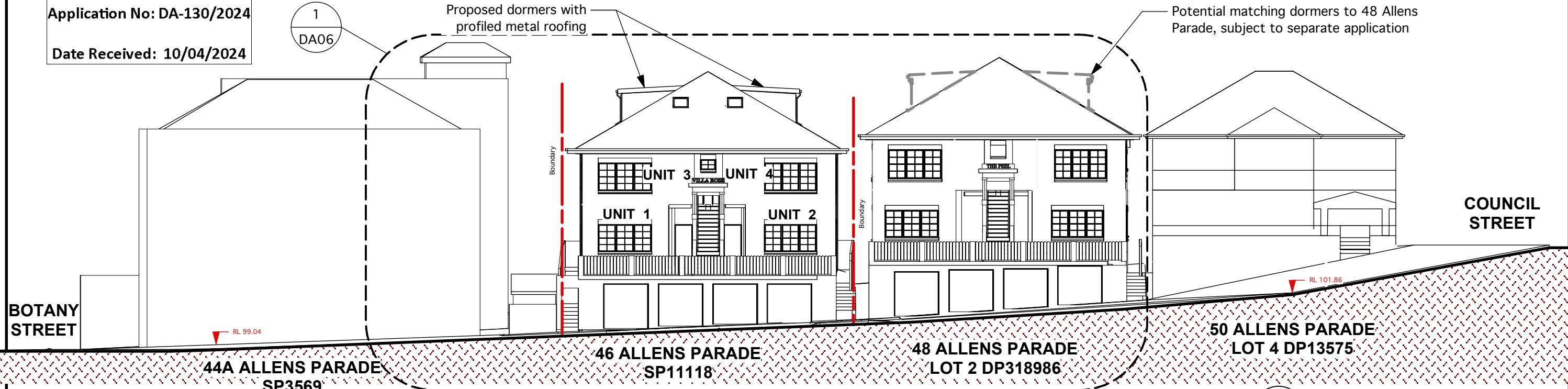
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 E-mail: mail@dunnarchitects.com.au
 ABN 34 101 271 124
 NSW Architects Registration No. 6736

Drawing: West Elevation	
Scale: 1:100	For: APPROVAL
Date: 10 Oct'23	
Drawn: RD	
Dwg. No.: DA08	Revision: A



1 Streetscape South
Scale: 1:200

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2 North Elevation
Scale: 1:200

REV	DESCRIPTION	DATE	APPROVED
A	First Issue	10/10/23	RD
REVISION HISTORY			

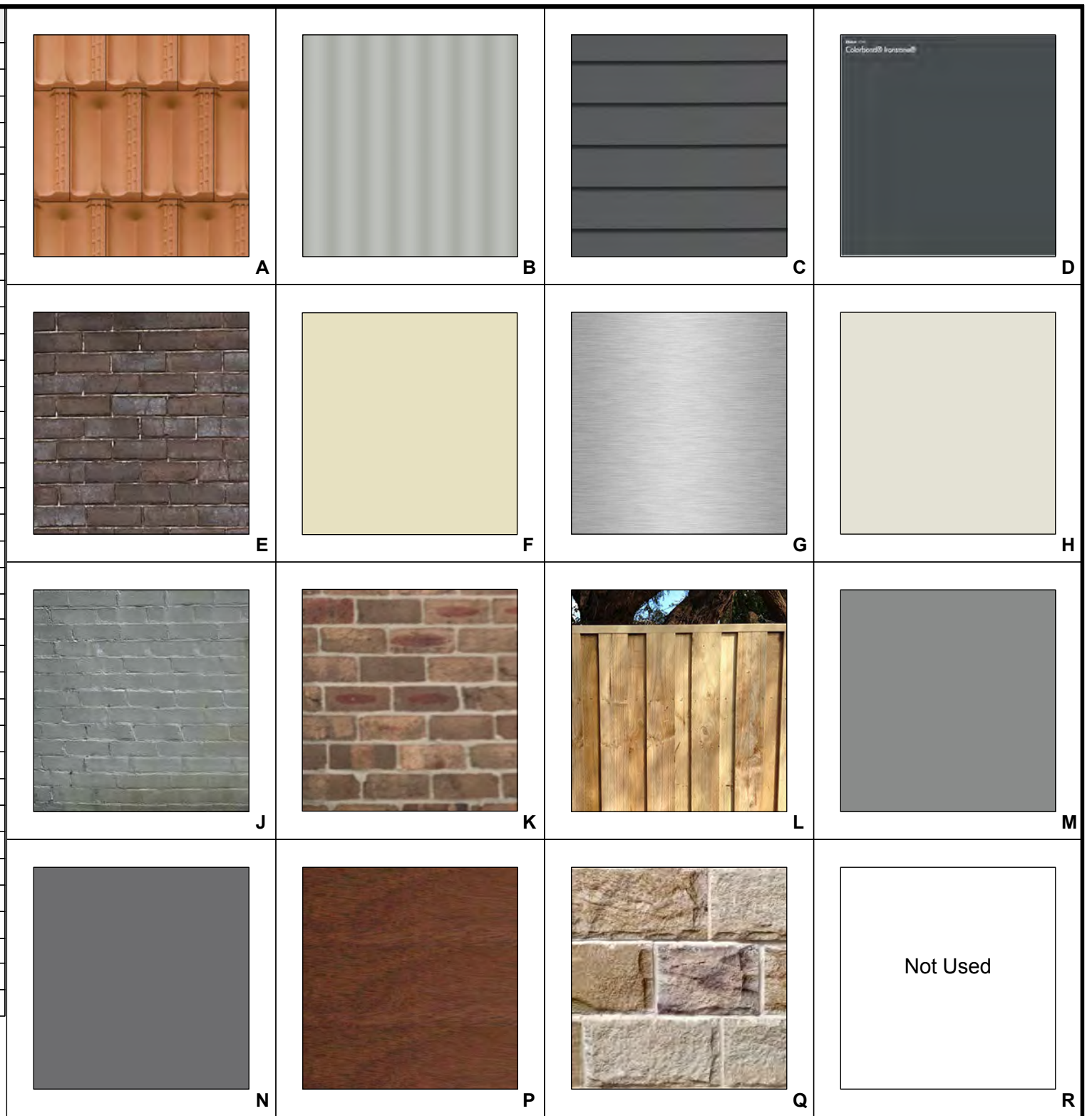
NOTES:
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DISCLAIMER:
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Refer to Finishes Schedule DA10 for legend

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Drawing: Streetscape North & South	
Scale: 1:200	For: APPROVAL
Date: 10 Oct'23	
Drawn: RD	
Dwg. No.: DA09	Revision: A

LOCATION	STATUS	MATERIAL	COLOUR	CODE
ATTIC/ROOF				
Roof	Existing	Terracotta French tile	Marseille Red	A
Dormer roof	Proposed	Zincalume (Colorbond) steel	Colorbond Shale Grey	B
Dormer walls	Proposed	Fibre Cement weatherboard	Charcoal grey	C
Dormer gutters, downpipes and spitters	Proposed	Zincalume (Colorbond) steel	Colorbond Ironstone	D
Dormer windows	Proposed	Painted timber	Colorbond Ironstone	D
Gutters, fascia and downpipes	Existing	Zincalume (Colorbond) steel	Colorbond Ironstone	D
LEVEL 1				
Walls south and southern returns	Existing	Brick	Red/blue	E
Walls east, north and west	Existing	Brick	Sydney Brown	K
Rendered lintels	Existing	Concrete	Cream/Beige	F
Windows	Existing	Painted timber	Colorbond Ironstone	D
Northern doors to balconies	Existing	Aluminium	Clear anodised	G
Balcony Pergola, columns & balustrades	Existing	Steel and painted timber	Colorbond Surfmist	H
GROUND FLOOR				
Walls south and southern returns	Existing	Brick	Red/blue	E
Walls east, north and west	Existing	Brick	Sydney Brown	K
Rendered lintels	Existing	Concrete	Cream/Beige	F
Windows	Existing	Painted timber	Colorbond Ironstone	D
Northern doors to decks	Existing	Stained timber	Merbau	P
Entry columns at open stairway to Level 1	Existing	Painted concrete	Cream/Beige	F
Walls to open stairway to Level 1	Existing	Brick	Mid grey	J
Piers to balustrade at terrace edge	Existing	Rendered painted brick	Cream/Beige	F
Balusters to edge of terrace	Existing	Painted timber	Colorbond Windspray	M
LOWER GROUND FLOOR				
Walls, columns and lintels	Existing	Rendered painted brick/conc	Cream/Beige	F
Garage doorsr	Existing	Zincalume (Colorbond) steel	Colorbond Basalt	N
Fences	Existing	Timber	Pine	L
Walls	Existing	Sandstone	Natural	Q



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Date Received: 10/04/2024

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A	First Issue	10/10/23	RD
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NOTES:
All colours subject to change without notice

Menczel & Lazarou

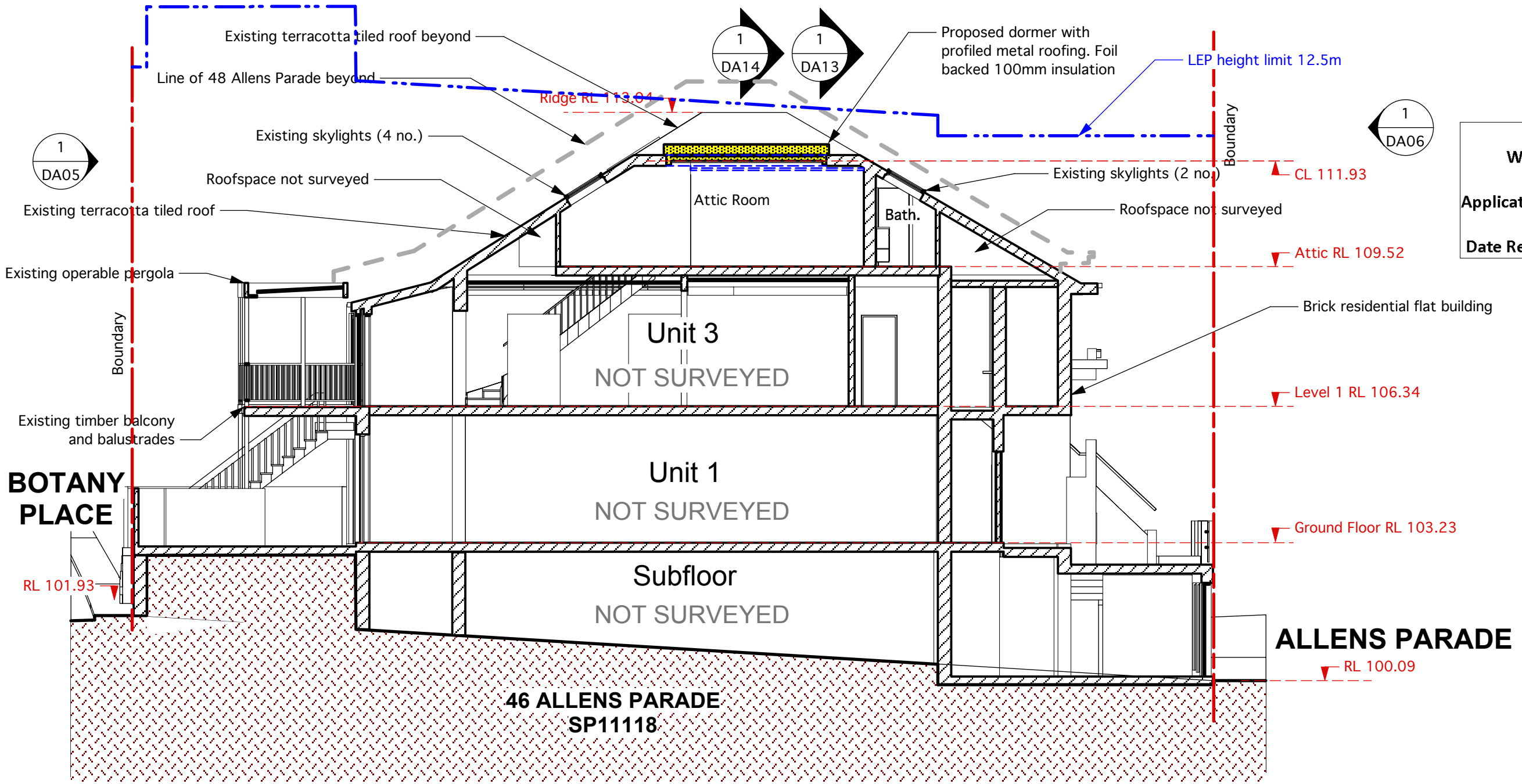
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
Drawing: Exterior Finishes	
Scale: N.T.S.	For: APPROVAL
Date: 10 Oct'23	
Drawn: RD	
Dwg. No.: DA10	Revision: A



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1 Long Section West
 Scale: 1:100
 0 1 2 3 4 5 m

REV	DESCRIPTION	DATE	APPROVED
A	First Issue	10/10/23	RD
REVISION HISTORY			

NOTES:
 Check all dimensions on site
 Proposed alterations and additions

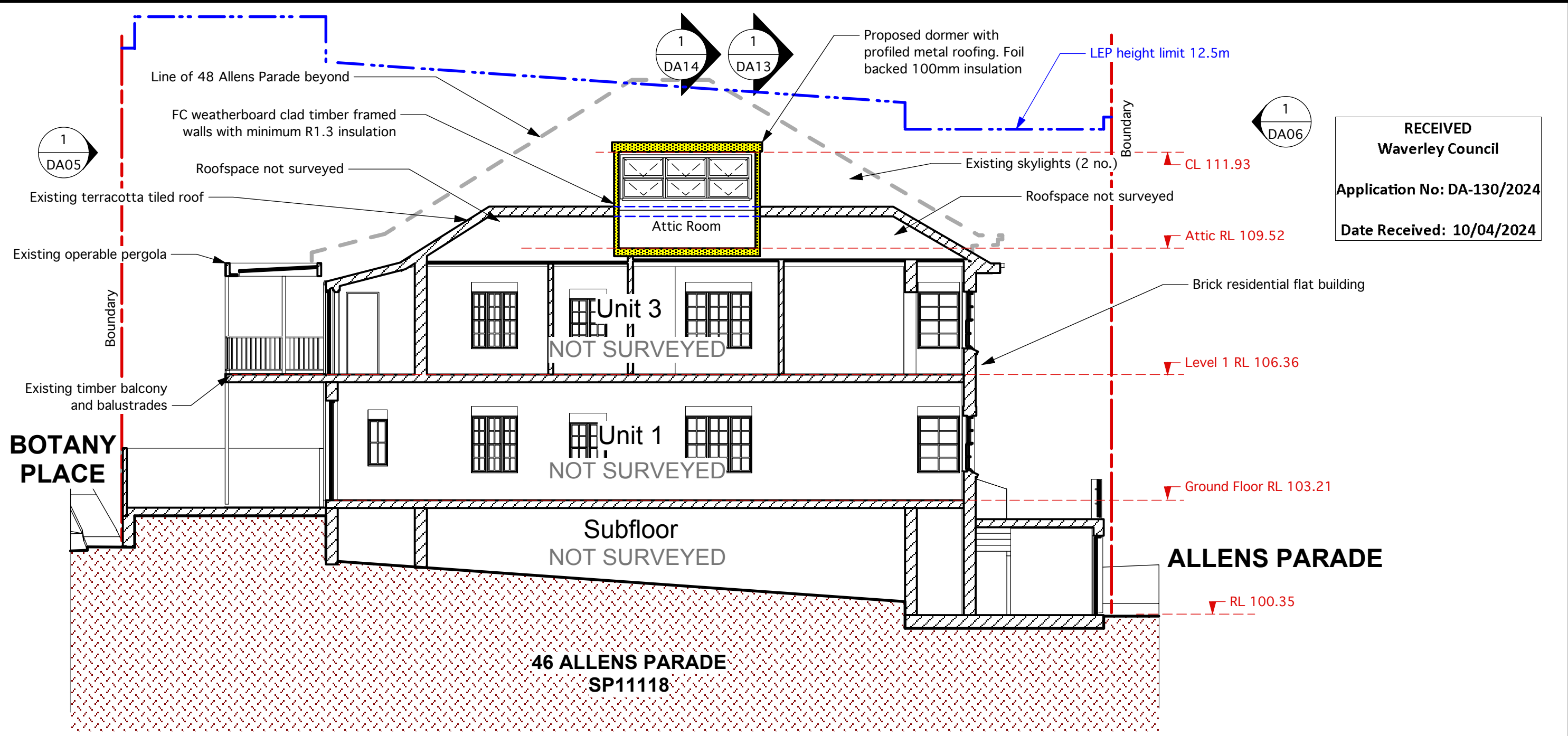
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 NSW Architects Registration No. 6736


Drawing: **Longitudinal Section West**
 Scale: 1:100 For: APPROVAL
 Date: 10 Oct'23
 Drawn: RD
 Dwg. No.: **DA11** Revision: **A**



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Application No: DA-130/2024
Date Received: 10/04/2024

1 Long Section East
DA12 Scale: 1:100
0 1 2 3 4 5 m

REV	DESCRIPTION	DATE	APPROVED
A	First Issue	10/10/23	RD
REVISION HISTORY			

NOTES:
Check all dimensions on site
 Proposed alterations and additions

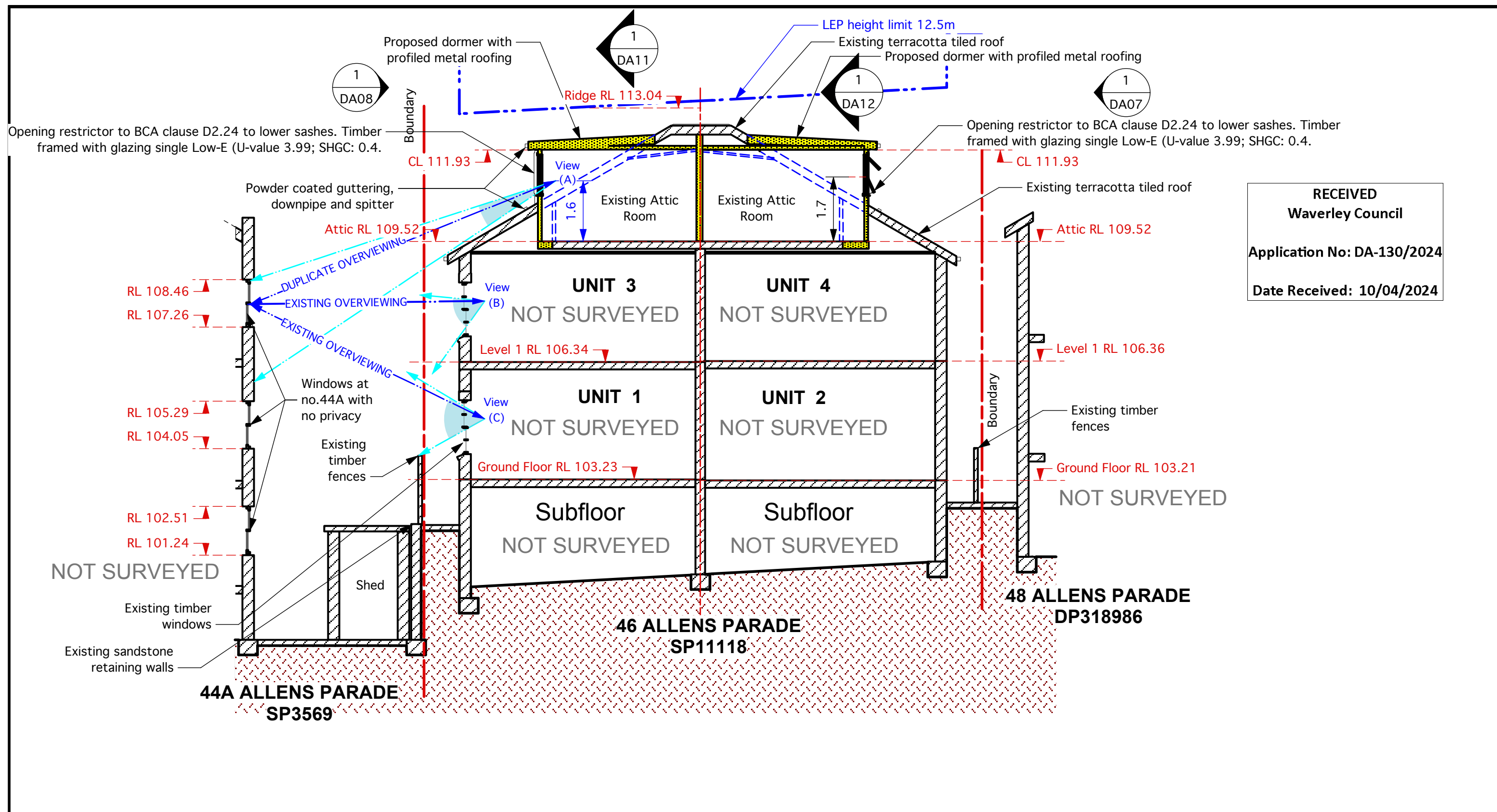
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3/46 & 4/46 Allens Parade
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ABN 34 101 271 124
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Drawing: Longitudinal Section East	
Scale: 1:100	For: APPROVAL
Date: 10 Oct'23	
Drawn: RD	
Dwg. No.: DA12	Revision: A



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Application No: DA-130/2024
Date Received: 10/04/2024

1 Cross Section
DA13 Scale: 1:100



REV	DESCRIPTION	DATE	APPROVED
A	First Issue	10/10/23	RD
REVISION HISTORY			

NOTES:
Check all dimensions on site
 Proposed alterations and additions

Menczel & Lazarou
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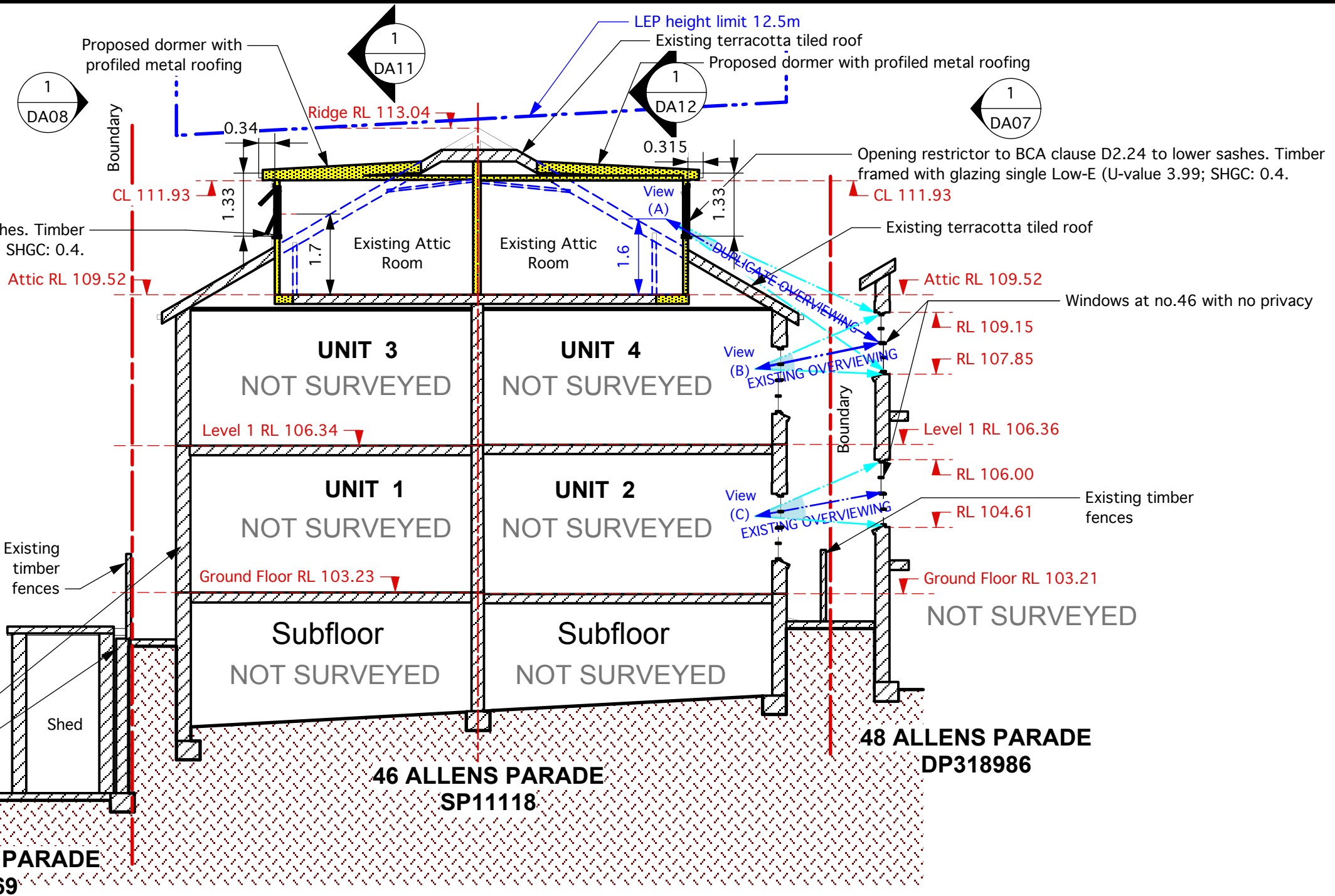
Drawing: Cross Section South	
Scale: 1:100	For: APPROVAL
Date: 10 Oct'23	
Drawn: RD	
Dwg. No.: DA13	Revision: A

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Date Received: 10/04/2024

Opening restrictor to BCA clause D2.24 to lower sashes. Timber framed with glazing single Low-E (U-value 3.99; SHGC: 0.4).



1 Cross Section North
DA14 Scale: 1:100



REV	DESCRIPTION	DATE	APPROVED
A	First Issue	10/10/23	RD
REVISION HISTORY			

NOTES:
Check all dimensions on site

Proposed alterations and additions

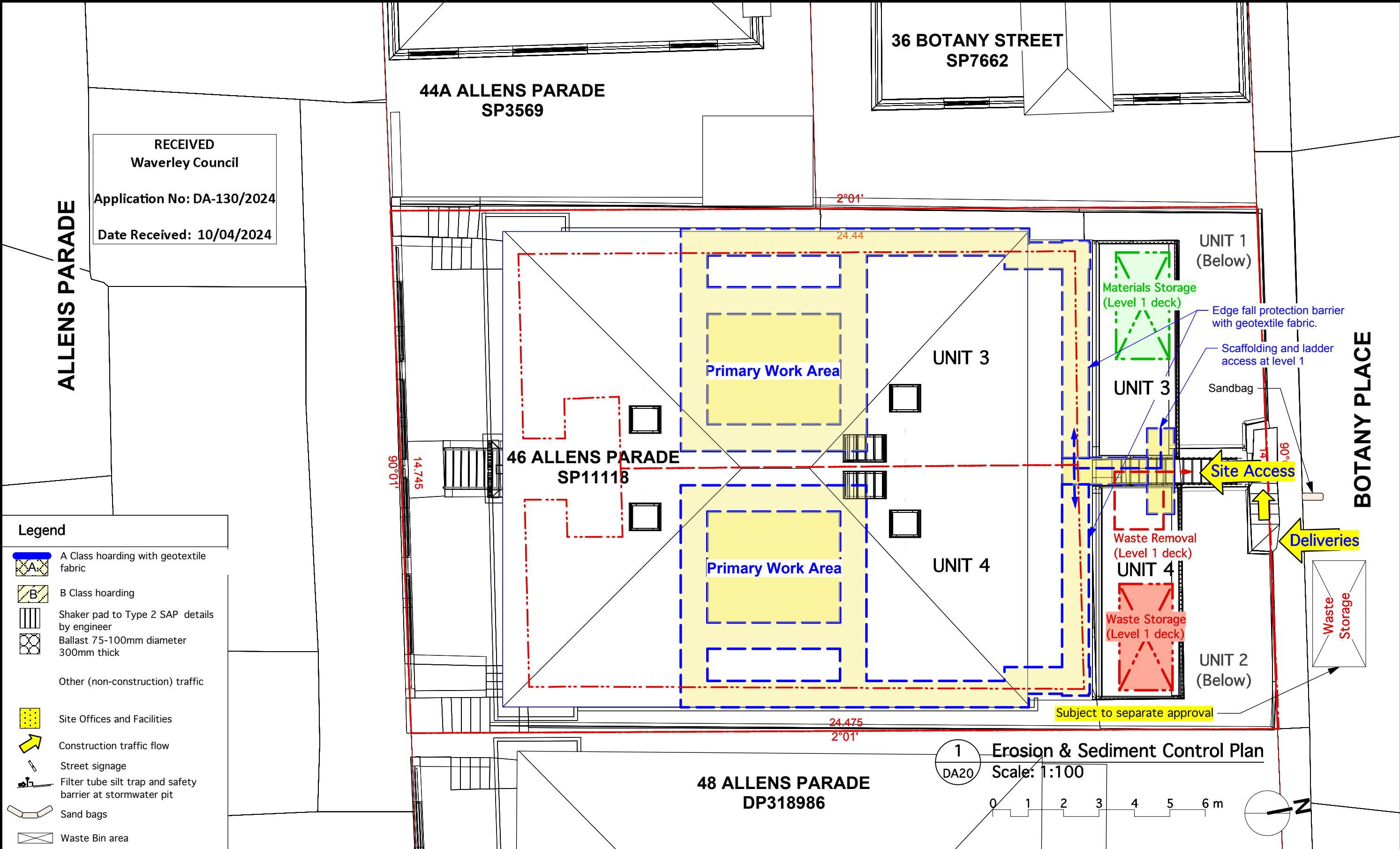
Menczel & Lazarou
3/46 & 4/46 Allens Parade
BONDI JUNCTION

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ABN 34 101 271 124
NSW Architects Registration No. 6736

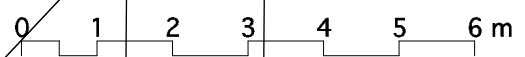
Drawing: Cross Section North	
Scale: 1:100	For: APPROVAL
Date: 10 Oct'23	
Drawn: RD	
Dwg. No.: DA14	Revision: A



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Application No: DA-130/2024
Date Received: 10/04/2024

- Legend**
- A Class hoarding with geotextile fabric
 - B Class hoarding
 - Shaker pad to Type 2 SAP details by engineer
 - Ballast 75-100mm diameter 300mm thick
 - Other (non-construction) traffic
 - Site Offices and Facilities
 - Construction traffic flow
 - Street signage
 - Filter tube silt trap and safety barrier at stormwater pit
 - Sand bags
 - Waste Bin area

1 Erosion & Sediment Control Plan
DA20 Scale: 1:100



NOTES:
Check all dimensions on site

A	First Issue	10 Feb'20	RD
REV	DESCRIPTION	DATE	APPROVED
REVISION HISTORY			

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3/46 & 4/46 Allens Parade
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Drawing: Erosion & Sediment Control	
Scale: 1:100	For: APPROVAL
Date: 10 Oct'23	
Drawn: RD	
Dwg. No.: DA20	Revision: A

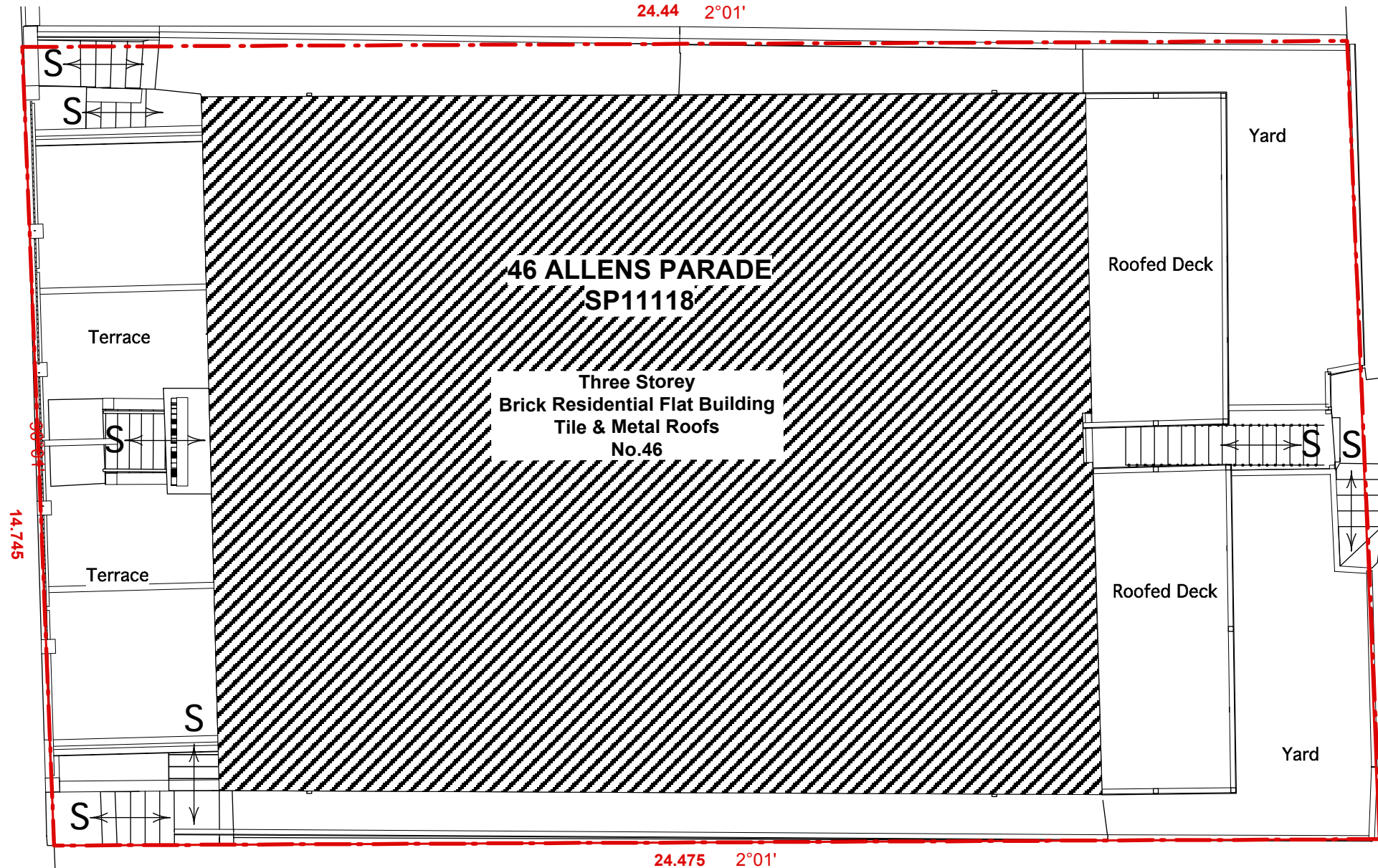
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Waverley Council
Application No: DA-130/2024
Date Received: 10/04/2024

44A ALLENS PARADE
SP3569

36 BOTANY STREET
SP7662

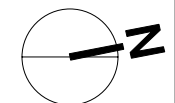
Alleys Parade

Botany Place



This is a draft strata plan, prepared from conceptual architectural plans submitted for Development Approval. This plan is not suitable for the purposes of title creation.

Final lot areas and dimensions may vary and are subject to survey upon completion of construction



48 ALLENS PARADE
DP318986

1 Draft Strata Site Plan
DA 21 Scale: 1:100
0 1 2 3 4 m

REV	DESCRIPTION	DATE	APPROVED
A	First Issue	10/10/23	RD
REVISION HISTORY			

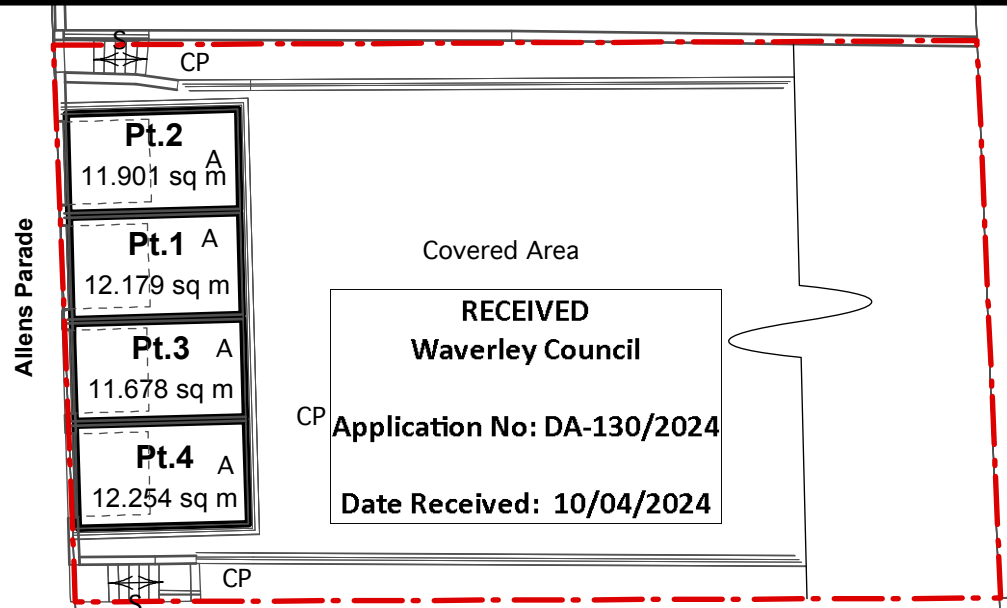
NOTES:
LEGEND
CS: Car Space
CP: Common Property
S" Stairs
St.: Storage Space
Y: Yard

Menczel & Lazarou
3/46 & 4/46 Allens Parade
BONDI JUNCTION

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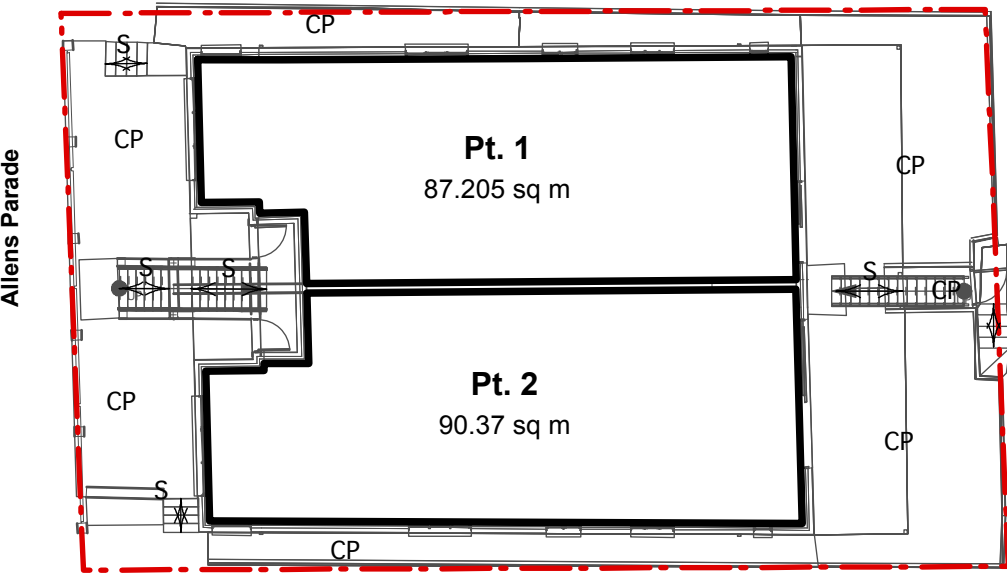
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Drawing: Draft Strata Site Plan
Scale: 1:100 For: APPROVAL
Date: 10 Oct'23
Drawn: RD
Dwg. No.: DA21 Revision: A



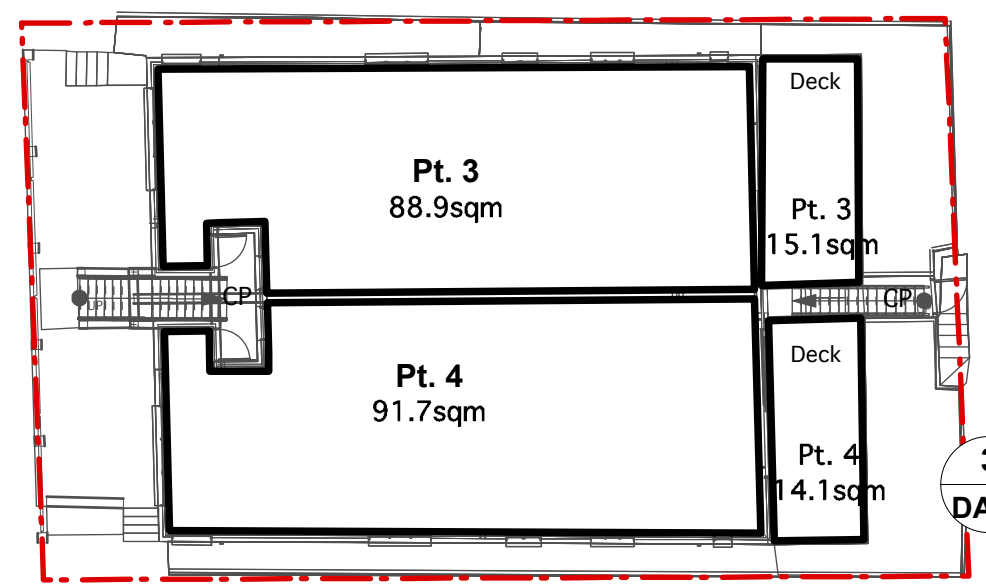
"A" identifies the lower stratum of the covered area is limited in depth to 3.5m below the top of the covering ground floor structure.

1 Lower Ground Floor Plan
Scale: 1:200
DA22

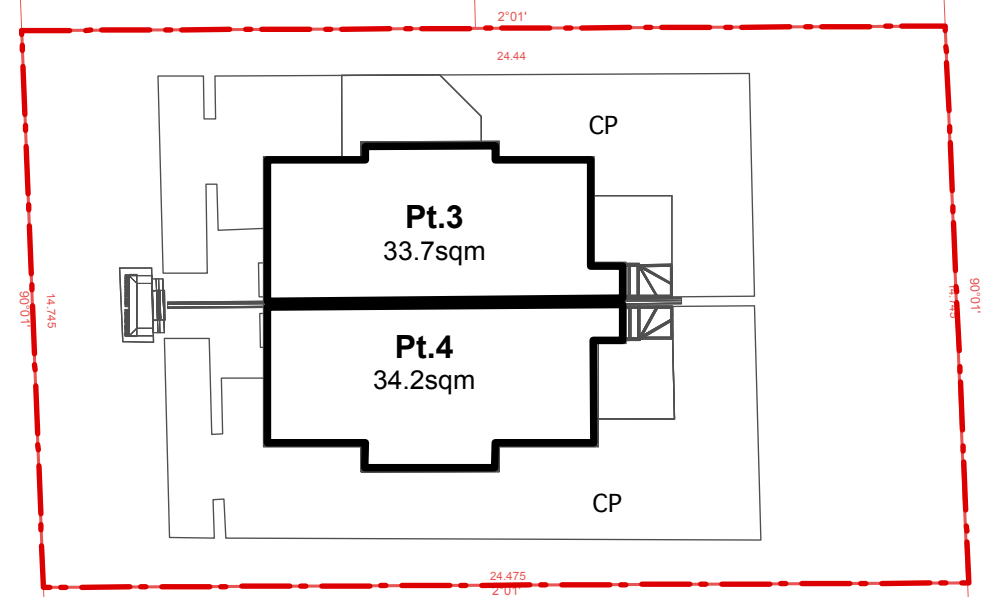


2 Ground Floor Plan
Scale: 1:200
DA22

Schedule of Unit Entitlements	
Lot	Unit Entitlement
1	25
2	25
3	25
4	25
Aggregate	100



3 Level 1 Floor Plan
Scale: 1:200
DA22



4 Attic Floor Plan
Scale: 1:200
DA22

NOTES:

This is a draft strata plan, prepared from conceptual architectural plans submitted for Development Approval . This plan is not suitable for the purposes of title creation.

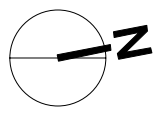
Final lot areas and dimensions may vary and are subject to survey upon completion of construction.

The upper stratum of each deck and stairs and planterbox is limited in height to 3 metres above the top of its floor except where covered.

The upper stratum of the yards is limited in height to 3 metres above the top of the the highest point of the yard slab at the front alignment (the Reference Level), except where covered. The lower stratum is limited in depth to 5 metres below the same afore mentioned Reference Level.

The structure of all pergolas is common property

The structure of al retaining walls, stairs, paths, and boundary fencing is common property.



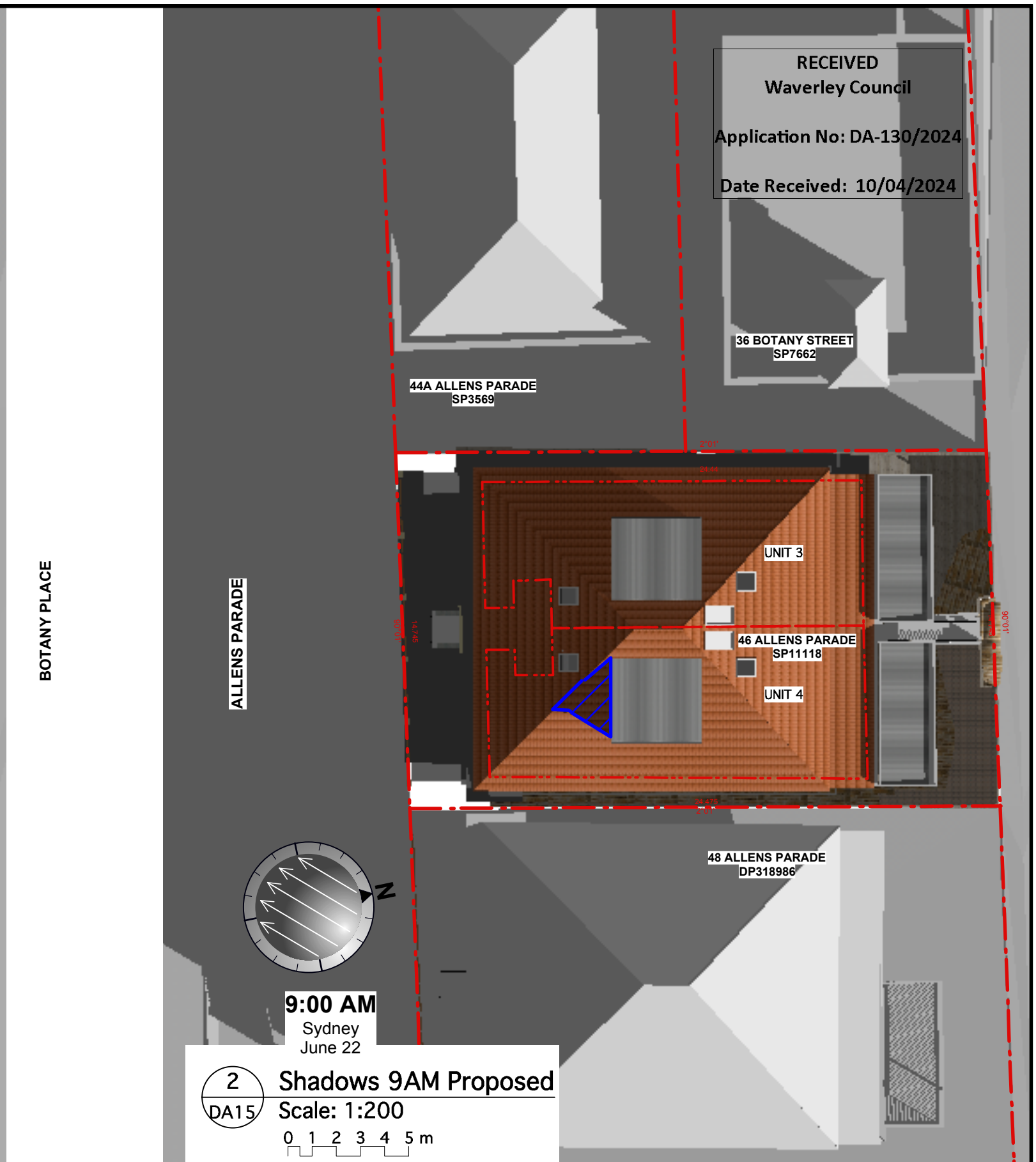
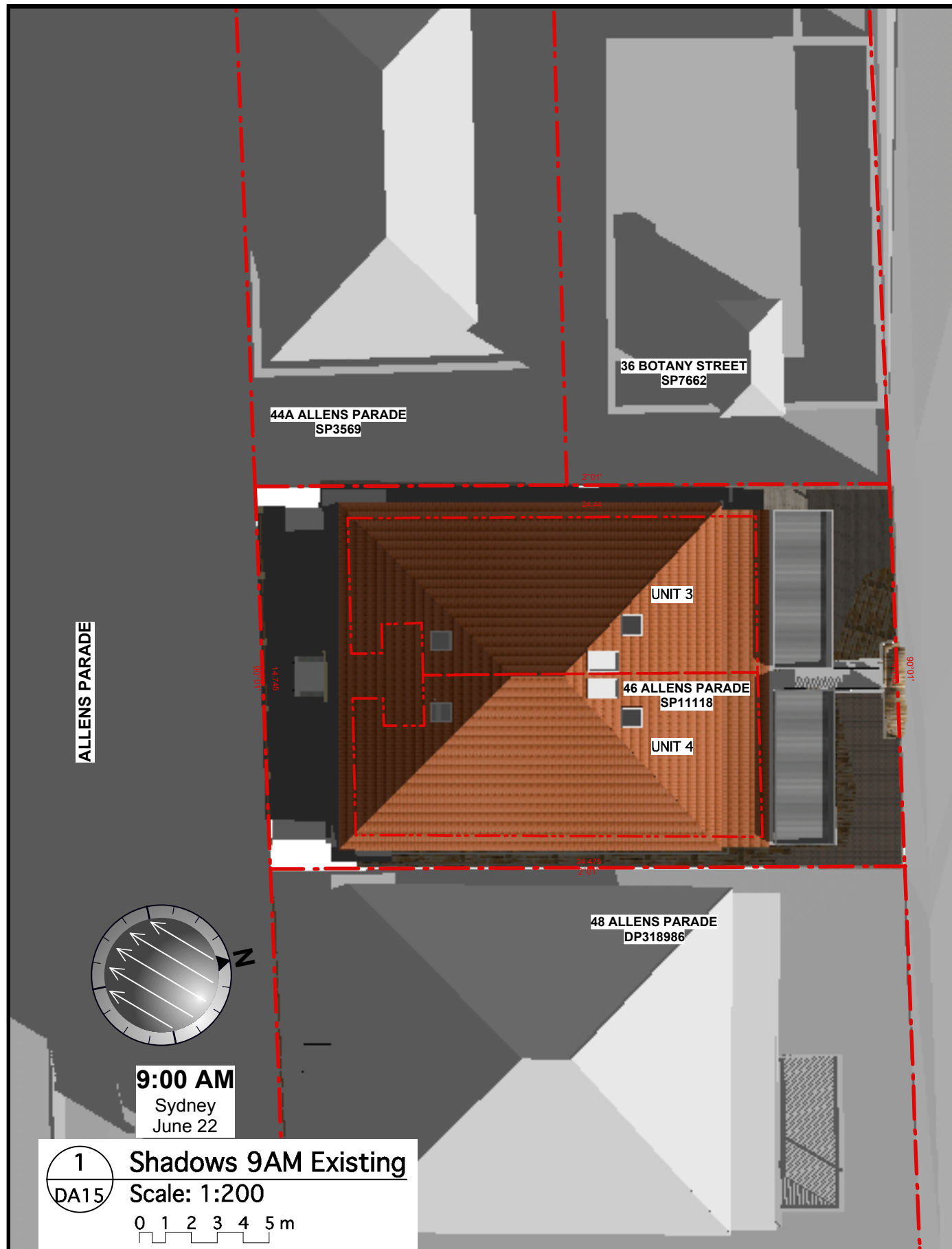
REV	DESCRIPTION	DATE	APPROVED
A	First Issue	10/10/23	RD
REVISION HISTORY			

NOTES:
LEGEND
CS: Car space
CP: Common Property
S: Stairs
St.: Storage Space
Y: Yard

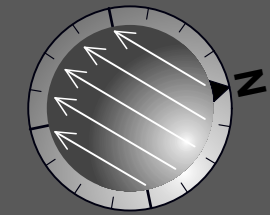
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3/46 & 4/46 Allens Parade
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Drawing: Draft Strata Floor Plans	
Scale: 1:100	For: APPROVAL
Date: 10 Oct'23	
Drawn: RD	
Dwg. No.: DA22	Revision: A

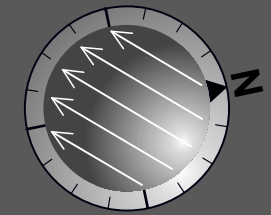


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Date Received: 10/04/2024



9:00 AM
Sydney
June 22

1 Shadows 9AM Existing
DA15 Scale: 1:200
0 1 2 3 4 5 m





9:00 AM
Sydney
June 22

2 Shadows 9AM Proposed
DA15 Scale: 1:200
0 1 2 3 4 5 m

REV	DESCRIPTION	DATE	APPROVED
B	Proposed shading highlighted	05/04/24	RD
A	First Issue	10/10/23	RD
REVISION HISTORY			

NOTES:
Check all dimensions on site

 Proposed additional shading

 Existing shading removed

Menczel & Lazarou

3/46 & 4/46 Allens Parade
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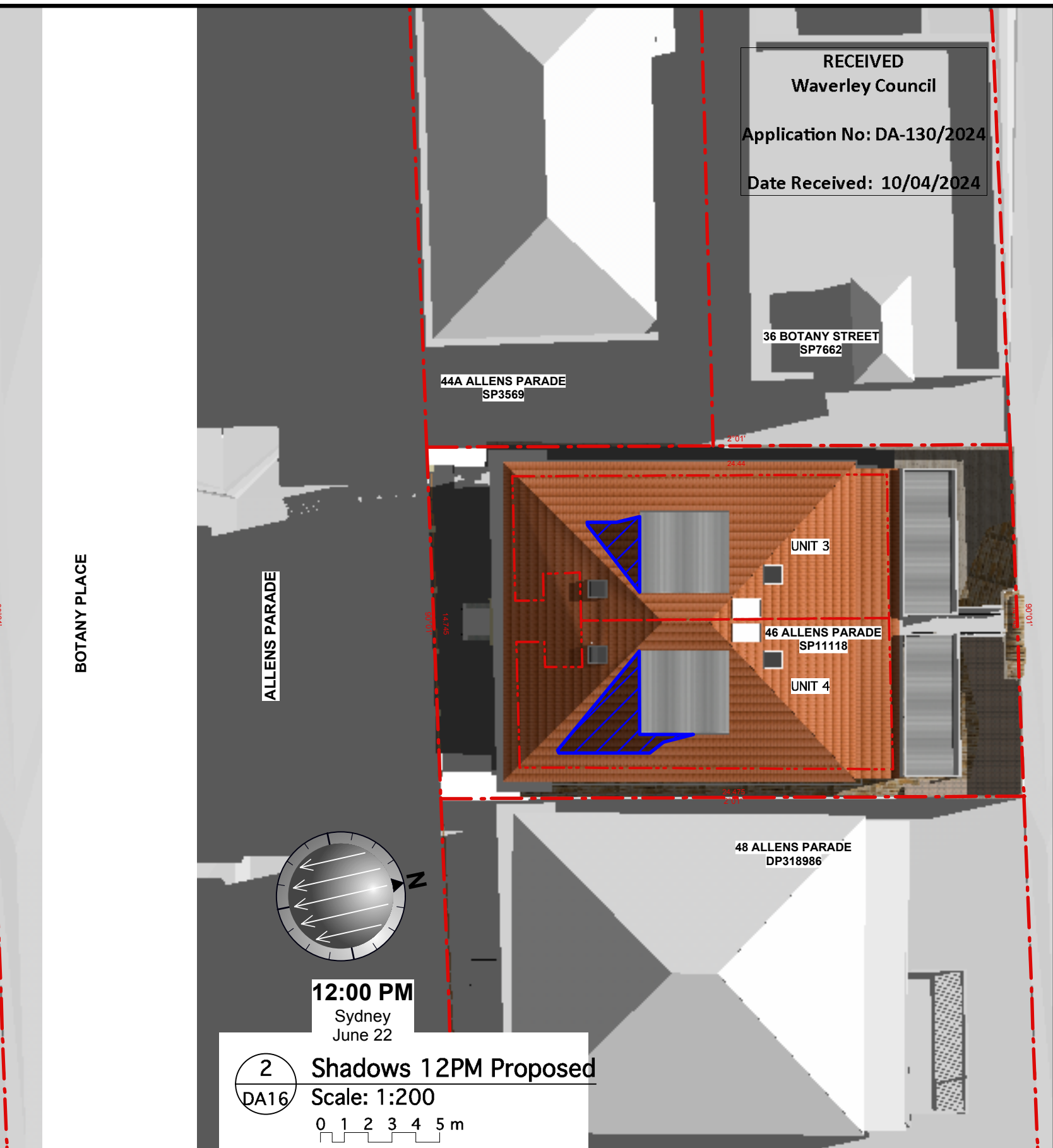
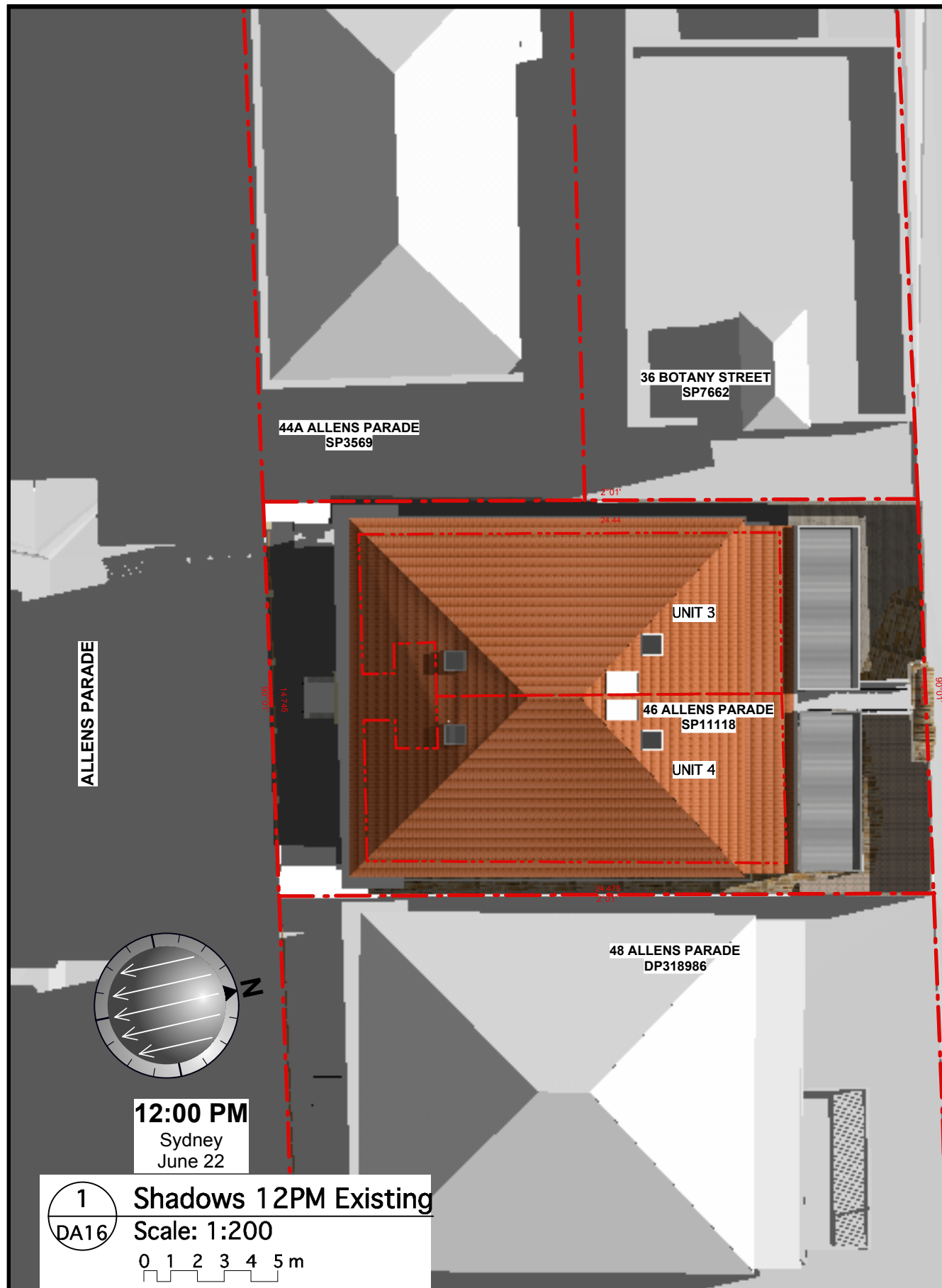
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Drawing: Shadow Diagram 9AM	
Scale: 1:100	For: APPROVAL
Date: 10 Oct'23	
Drawn: RD	
Dwg. No.: DA15	Revision: B



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Date Received: 10/04/2024


BOTANY PLACE


1 Shadows 12PM Existing
DA16 Scale: 1:200
0 1 2 3 4 5 m

2 Shadows 12PM Proposed
DA16 Scale: 1:200
0 1 2 3 4 5 m

REV	DESCRIPTION	DATE	APPROVED
B	Proposd.shade hight./correct.	05/04/24	RD
A	First Issue	10/10/23	RD
REVISION HISTORY			

NOTES:
Check all dimensions on site

 Proposed additional shading

 Existing shading removed

Menczel & Lazarou

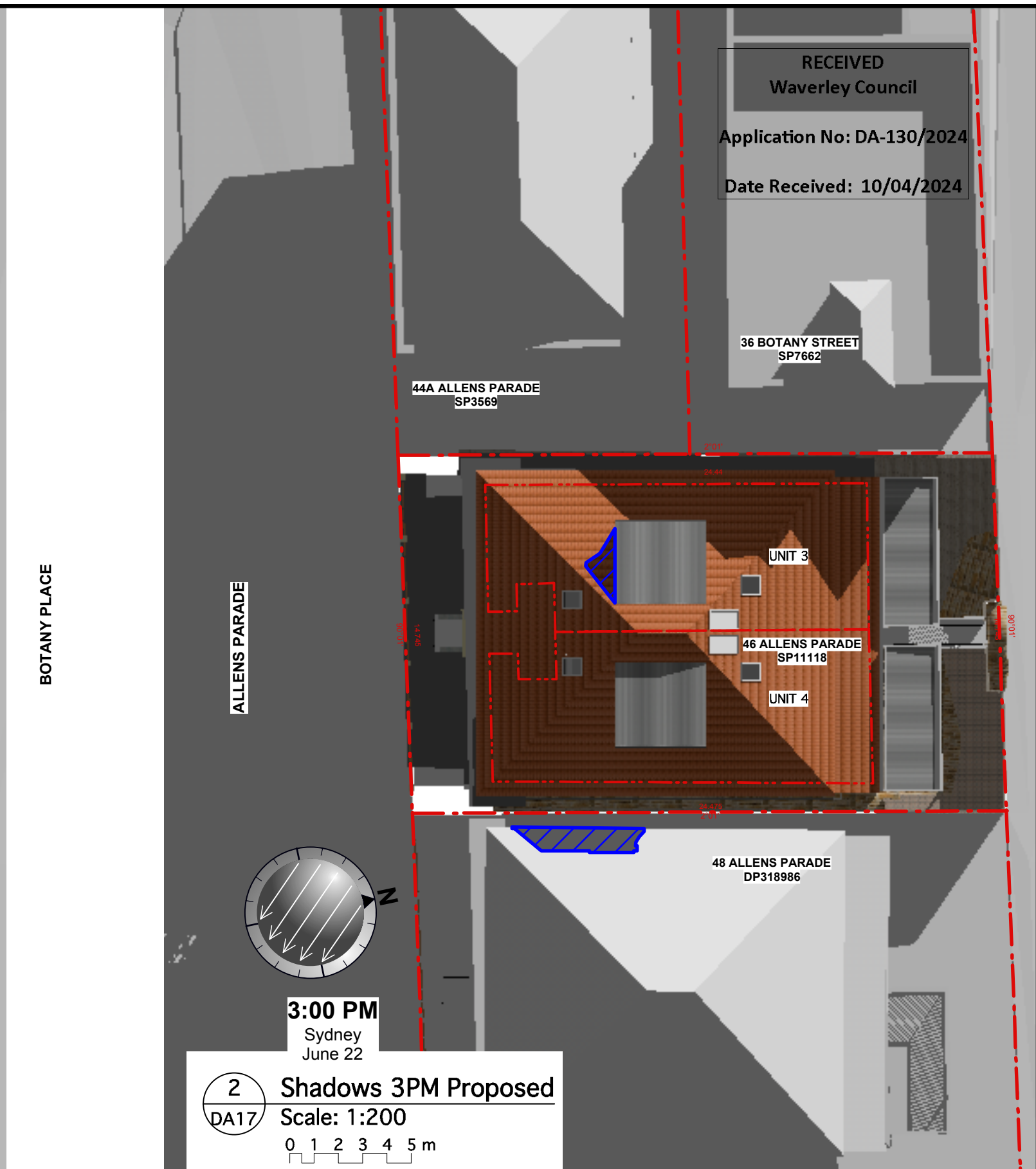
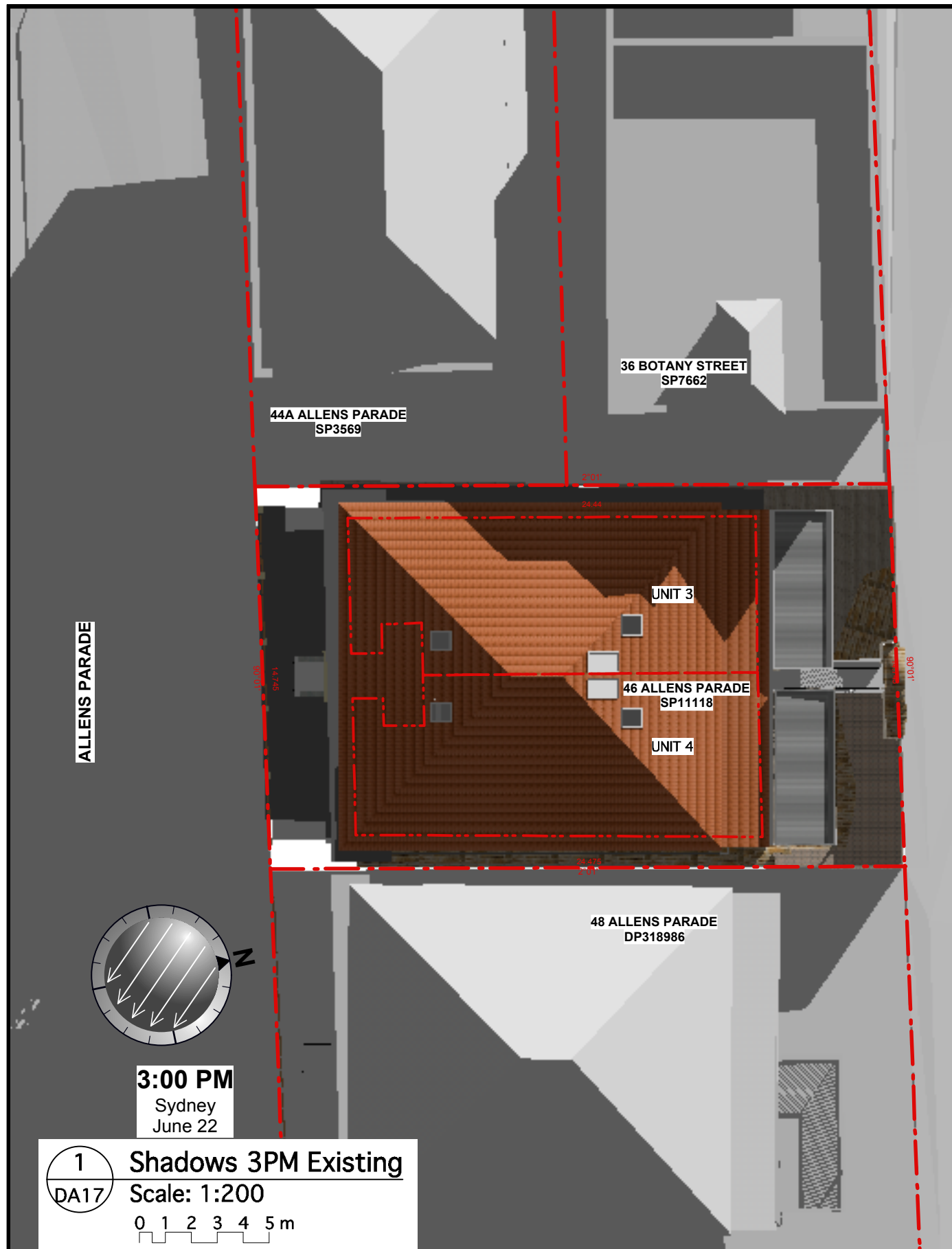
3/46 & 4/46 Allens Parade
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Drawing: Shadow Diagram 12PM	
Scale: 1:100	For: APPROVAL
Date: 10 Oct'23	
Drawn: RD	
Dwg. No.: DA16	Revision: B




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Date Received: 10/04/2024


1 Shadows 3PM Existing
DA17 Scale: 1:200
0 1 2 3 4 5 m

2 Shadows 3PM Proposed
DA17 Scale: 1:200
0 1 2 3 4 5 m

REV	DESCRIPTION	DATE	APPROVED
B	Proposed shading highlighted	05/04/24	RD
A	First Issue	10/10/23	RD
REVISION HISTORY			

NOTES:
Check all dimensions on site

 Proposed additional shading

 Existing shading removed

Menczel & Lazarou

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Drawing: Shadow Diagram 3PM	
Scale: 1:100	For: APPROVAL
Date: 10 Oct'23	
Drawn: RD	
Dwg. No.: DA17	Revision: B



1 Shadows West 9AM Existing
DA 18 Scale: 1:200

2 Shadows West 12PM Existing
DA 18 Scale: 1:200

3 Shadows West 3PM Existing
DA 18 Scale: 1:200

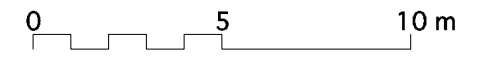
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Application No: DA-130/2024
Date Received: 10/04/2024



4 Shadows West 9AM Proposed
DA 18 Scale: 1:200


5 Shadows West 12PM Proposed
DA 18 Scale: 1:200


6 Shadows West 3PM Proposed
DA 18 Scale: 1:200



REV	DESCRIPTION	DATE	APPROVED
B	Proposed shading highlighted	05/04/24	RD
A	First Issue	10/10/23	RD
REVISION HISTORY			

NOTES:
Check all dimensions on site

 Proposed additional shading

 Existing shading removed

Menczel & Lazarou

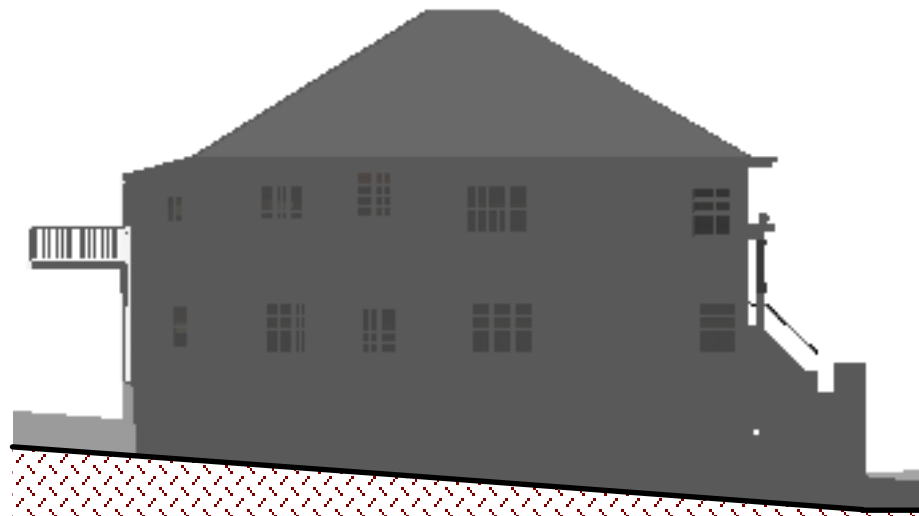
3/46 & 4/46 Allens Parade
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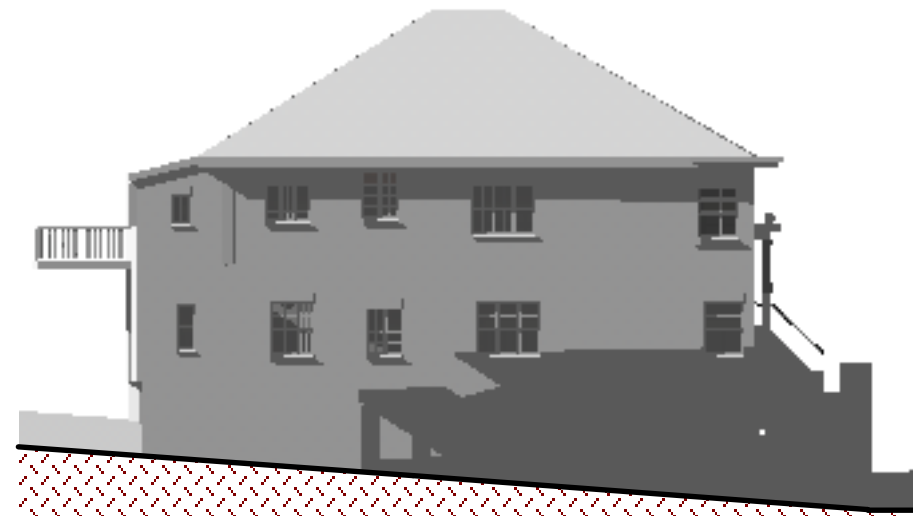
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Drawing: Shadow Elevations West 1	
Scale: 1:100	For: APPROVAL
Date: 10 Oct'23	
Drawn: RD	
Dwg. No.: DA18	Revision: B



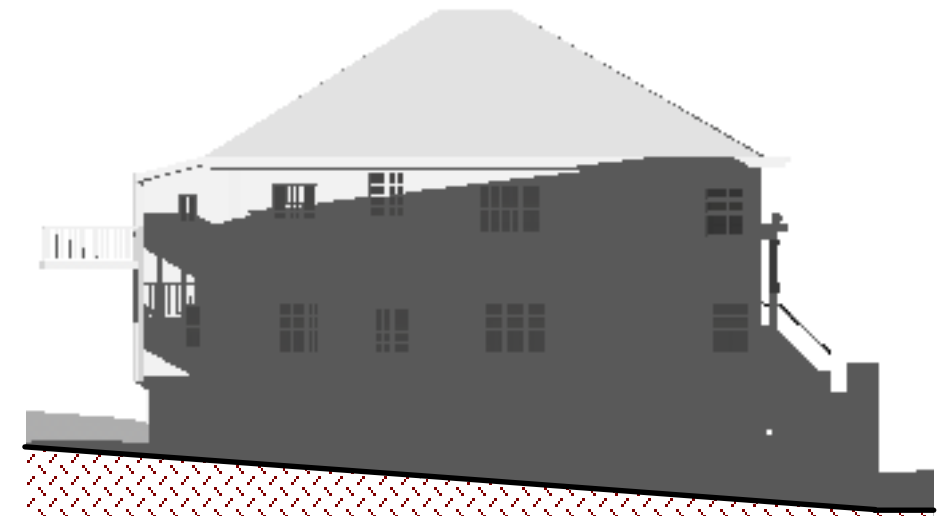
48 ALLENS PARADE
DP318986

1 Shadows East 9AM Existing
DA19 Scale: 1:200



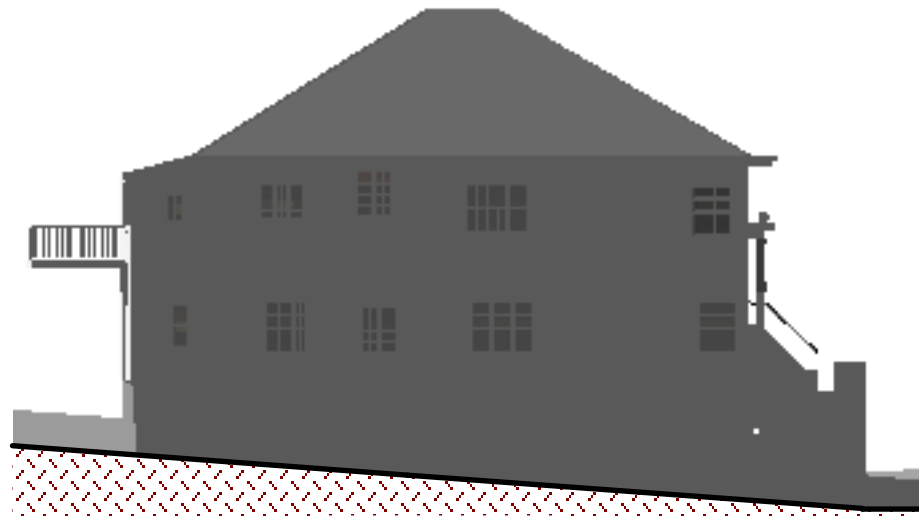
48 ALLENS PARADE
DP318986

2 Shadows East 12PM Existing
DA19 Scale: 1:200



48 ALLENS PARADE
DP318986

3 Shadows East 3PM Existing
DA19 Scale: 1:200



48 ALLENS PARADE
DP318986

4 Shadows East 9AM Proposed
DA19 Scale: 1:200



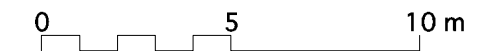
48 ALLENS PARADE
DP318986

5 Shadows East 12PM Proposed
DA19 Scale: 1:200



48 ALLENS PARADE
DP318986


6 Shadows East 3PM Proposed
DA19 Scale: 1:200




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B	Proposed shading highlighted	05/04/24	RD
A	First Issue	10/10/23	RD
REVISION HISTORY			

NOTES:
Check all dimensions on site

 Proposed additional shading

 Existing shading removed

Menczel & Lazarou

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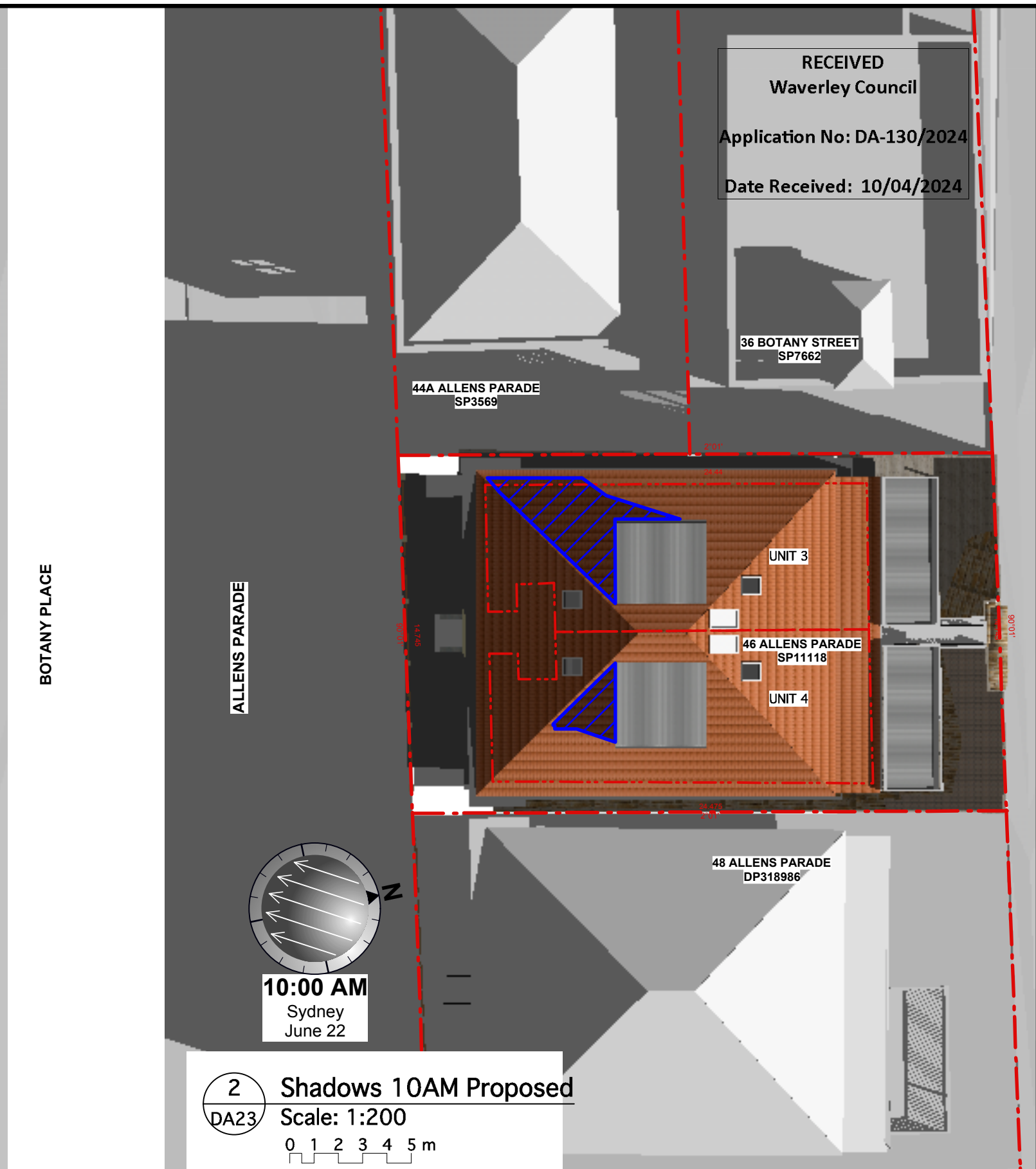
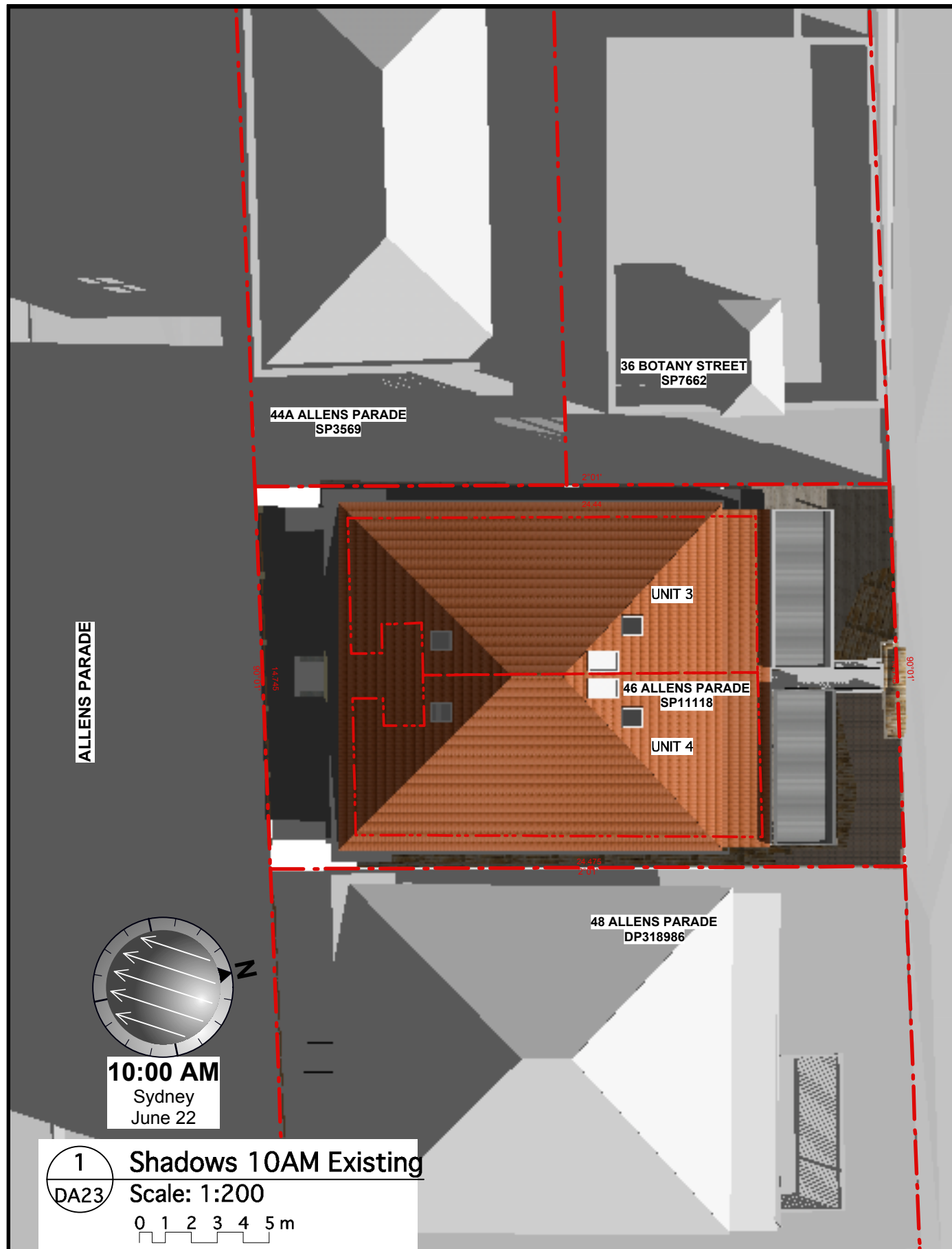
Drawing: **Shadow Elevations East 1**

Scale: 1:100 For: APPROVAL

Date: 10 Oct'23

Drawn: RD

Dwg. No.: **DA19** Revision: **B**



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Date Received: 10/04/2024

10:00 AM
Sydney
June 22


10:00 AM
Sydney
June 22


1 Shadows 10AM Existing
DA23 Scale: 1:200
0 1 2 3 4 5 m

2 Shadows 10AM Proposed
DA23 Scale: 1:200
0 1 2 3 4 5 m

REV	DESCRIPTION	DATE	APPROVED
A	First Issue	05/14/24	RD
REVISION HISTORY			

NOTES:
Check all dimensions on site

 Proposed additional shading

 Existing shading removed

Menczel & Lazarou

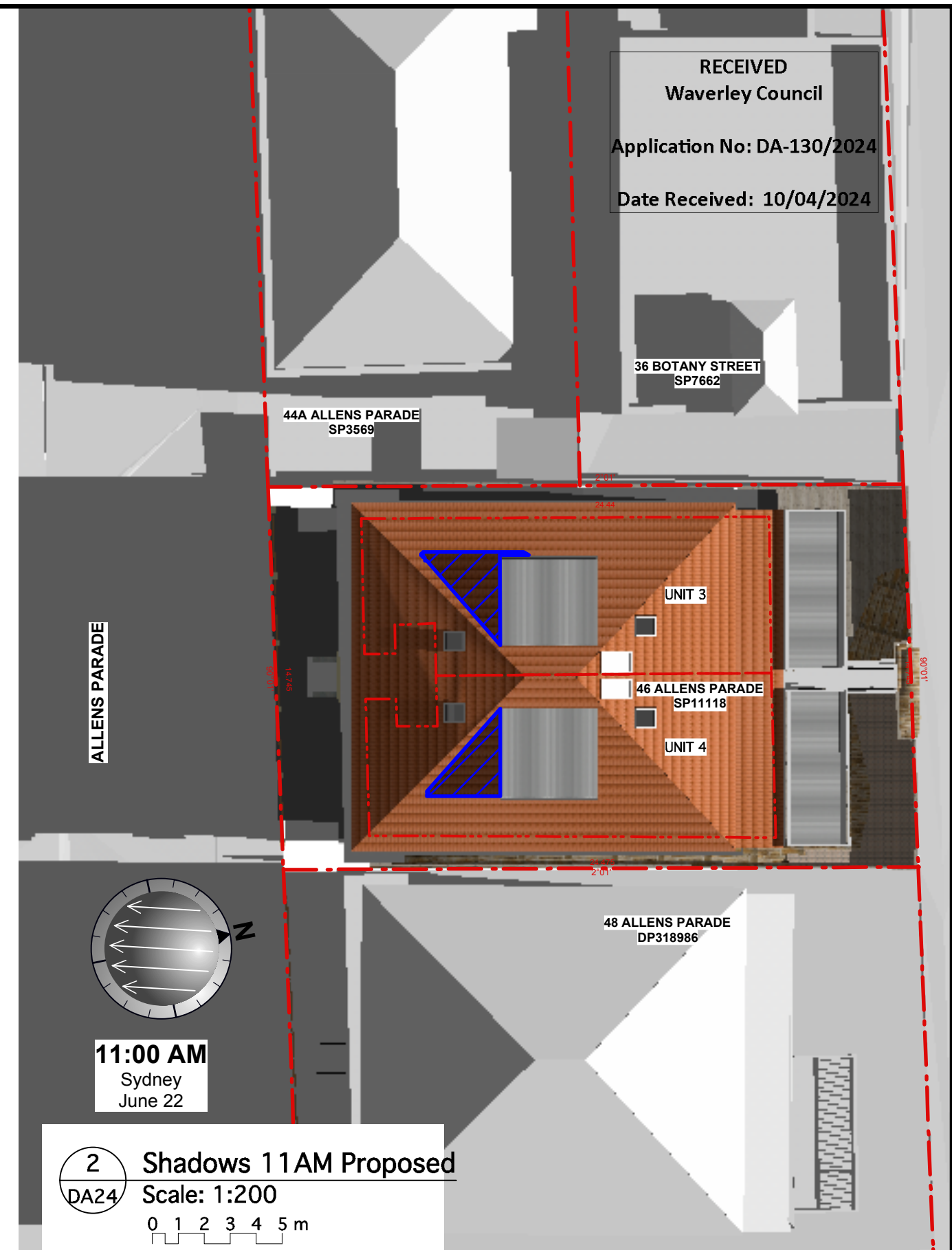
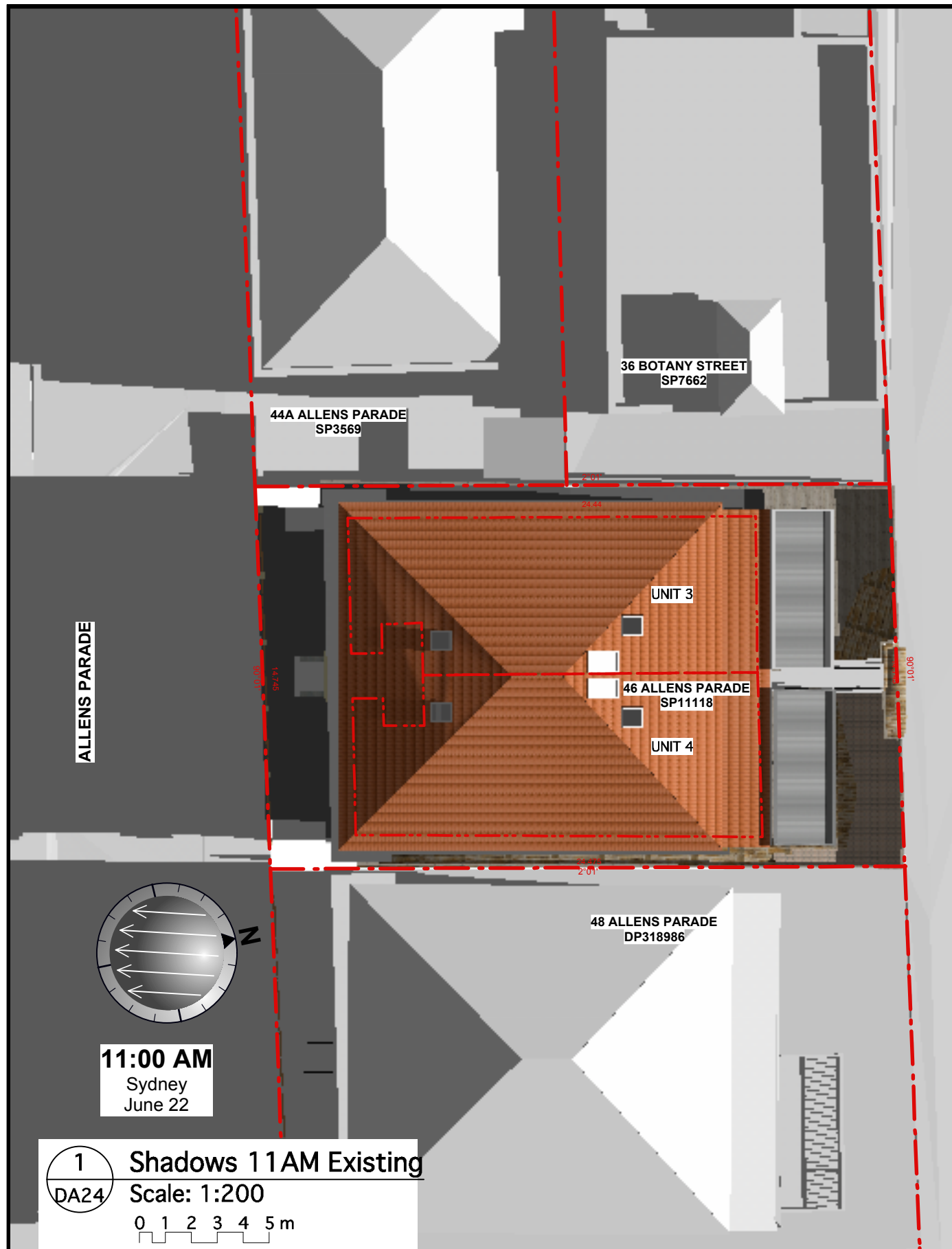
3/46 & 4/46 Allens Parade
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Drawing: Shadow Diagram 10AM	
Scale: 1:100	For: APPROVAL
Date: 5 Apr'24	
Drawn: RD	
Dwg. No.: DA23	Revision: A



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Application No: DA-130/2024
Date Received: 10/04/2024

BOTANY PLACE

11:00 AM
Sydney
June 22


11:00 AM
Sydney
June 22


1 Shadows 11AM Existing
DA24 Scale: 1:200
0 1 2 3 4 5 m

2 Shadows 11AM Proposed
DA24 Scale: 1:200
0 1 2 3 4 5 m

REV	DESCRIPTION	DATE	APPROVED
A	First Issue	05/14/24	RD
REVISION HISTORY			

NOTES:
Check all dimensions on site

 Proposed additional shading

 Existing shading removed

Menczel & Lazarou

3/46 & 4/46 Allens Parade
BONDI JUNCTION

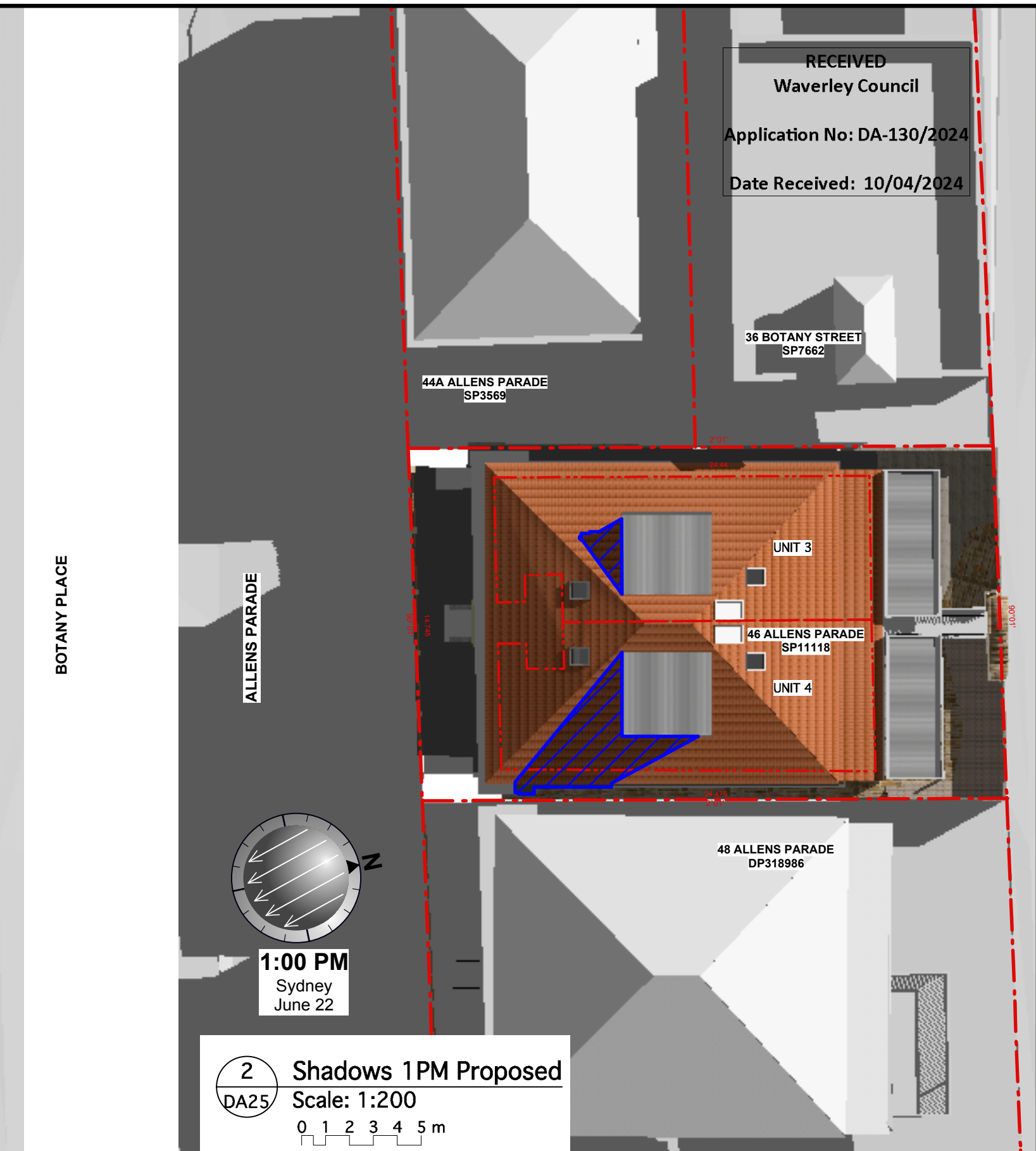
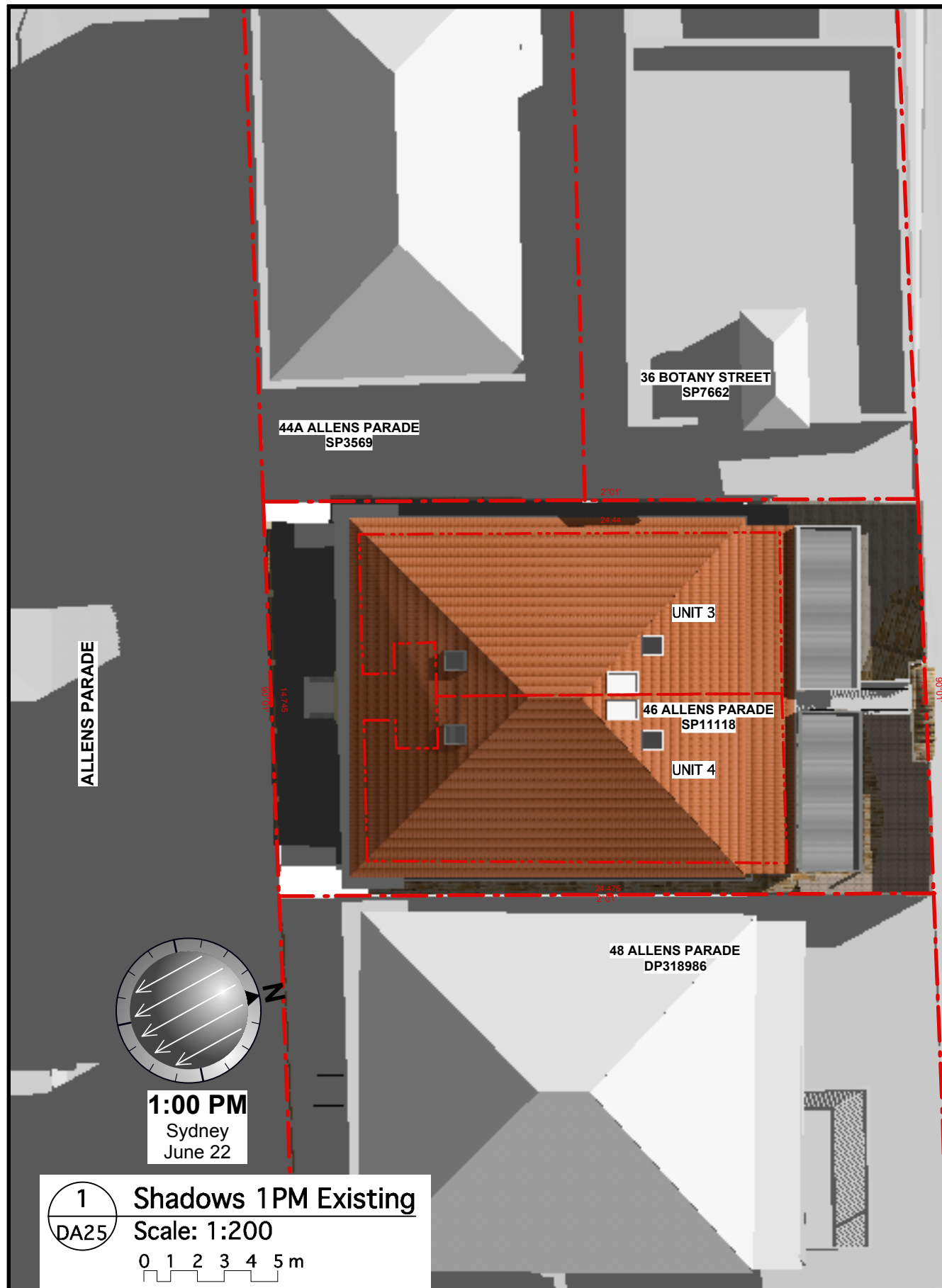
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NSW Architects Registration No. 6736

Drawing: Shadow Diagram 11AM	
Scale: 1:100	For: APPROVAL
Date: 5 Apr'24	
Drawn: RD	
Dwg. No.: DA24	Revision: A




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Waverley Council
Application No: DA-130/2024
Date Received: 10/04/2024


1 Shadows 1PM Existing
DA25 Scale: 1:200
0 1 2 3 4 5 m

2 Shadows 1PM Proposed
DA25 Scale: 1:200
0 1 2 3 4 5 m

REV	DESCRIPTION	DATE	APPROVED
A	First Issue	05/14/24	RD
REVISION HISTORY			

NOTES:
Check all dimensions on site

 Proposed additional shading

 Existing shading removed

Menczel & Lazarou

3/46 & 4/46 Allens Parade
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NSW Architects Registration No. 6736

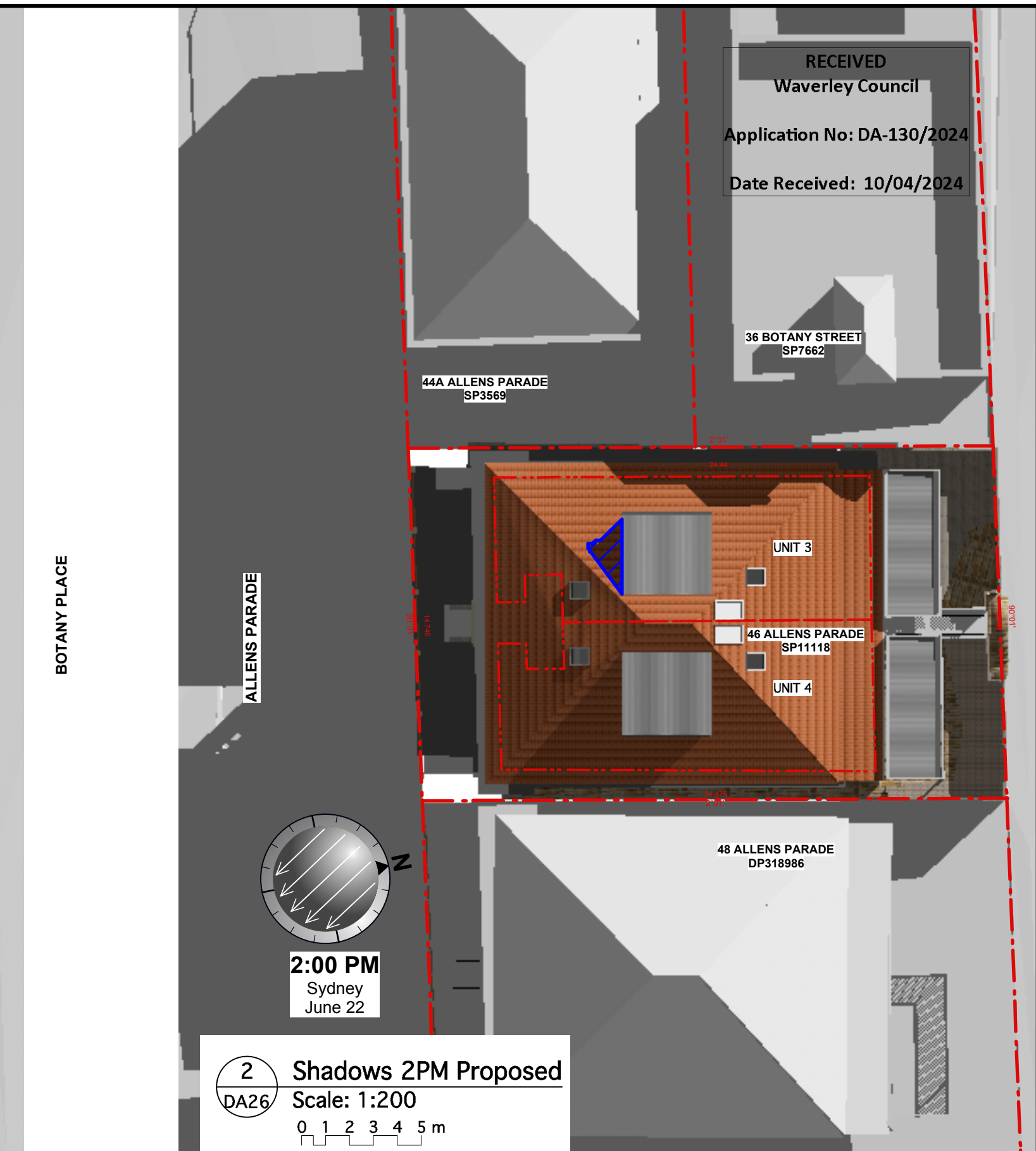
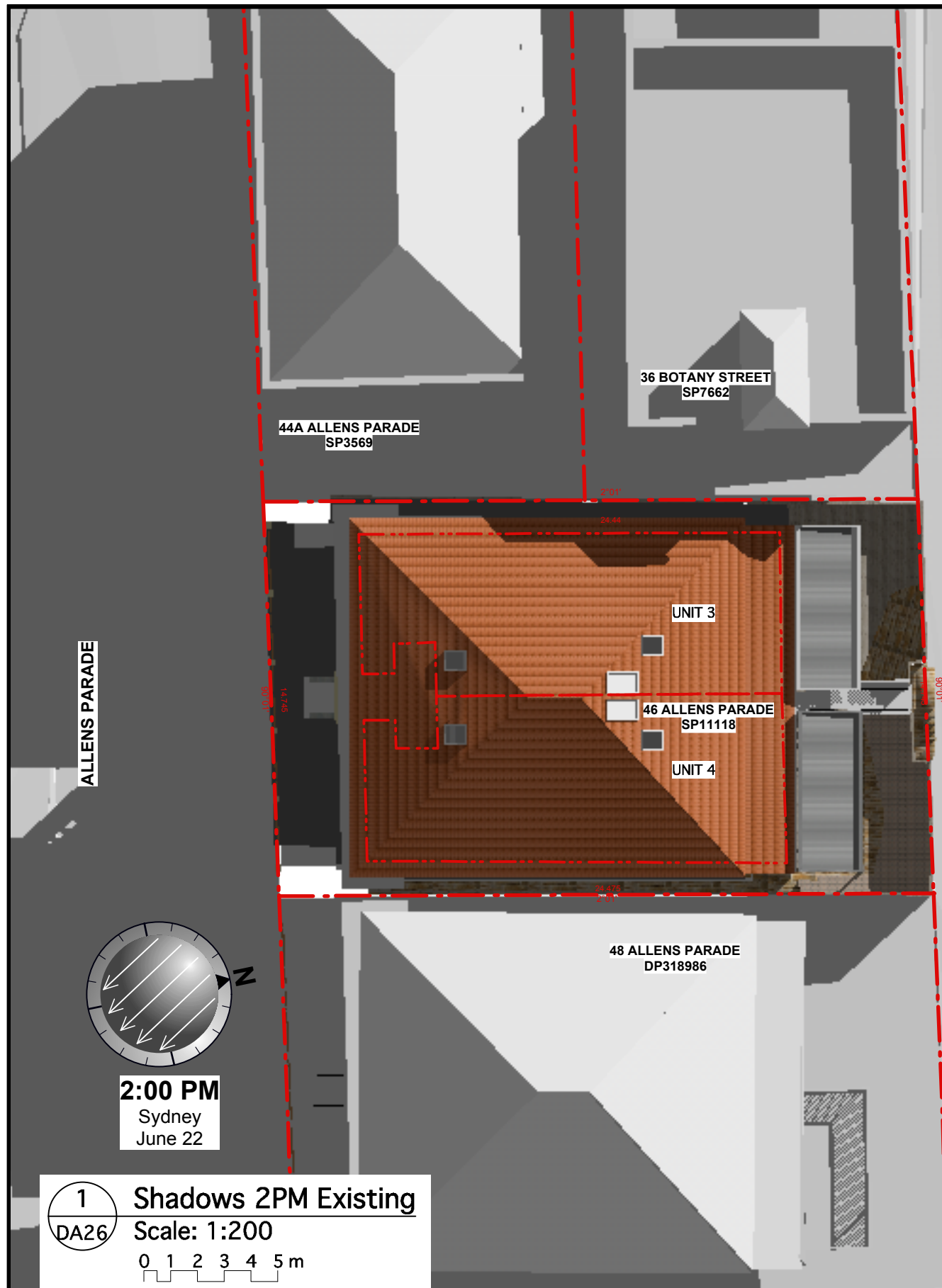
Drawing: **Shadow Diagram 1PM**

Scale: 1:100 For: **APPROVAL**

Date: 5 Apr'24

Drawn: RD

Dwg. No.: **DA25** Revision: **A**




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Application No: DA-130/2024
Date Received: 10/04/2024


1 Shadows 2PM Existing
DA26 Scale: 1:200
0 1 2 3 4 5 m

2 Shadows 2PM Proposed
DA26 Scale: 1:200
0 1 2 3 4 5 m

REV	DESCRIPTION	DATE	APPROVED
A	First Issue	05/14/24	RD
REVISION HISTORY			

NOTES:
Check all dimensions on site

 Proposed additional shading

 Existing shading removed

Menczel & Lazarou

3/46 & 4/46 Allens Parade
BONDI JUNCTION

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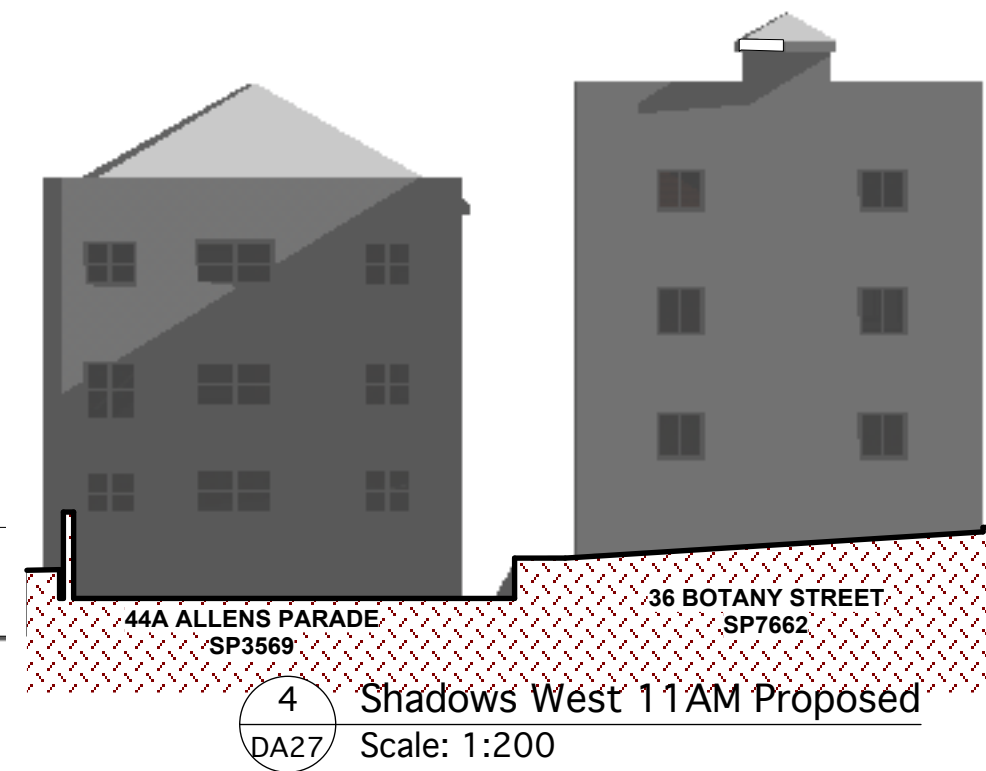
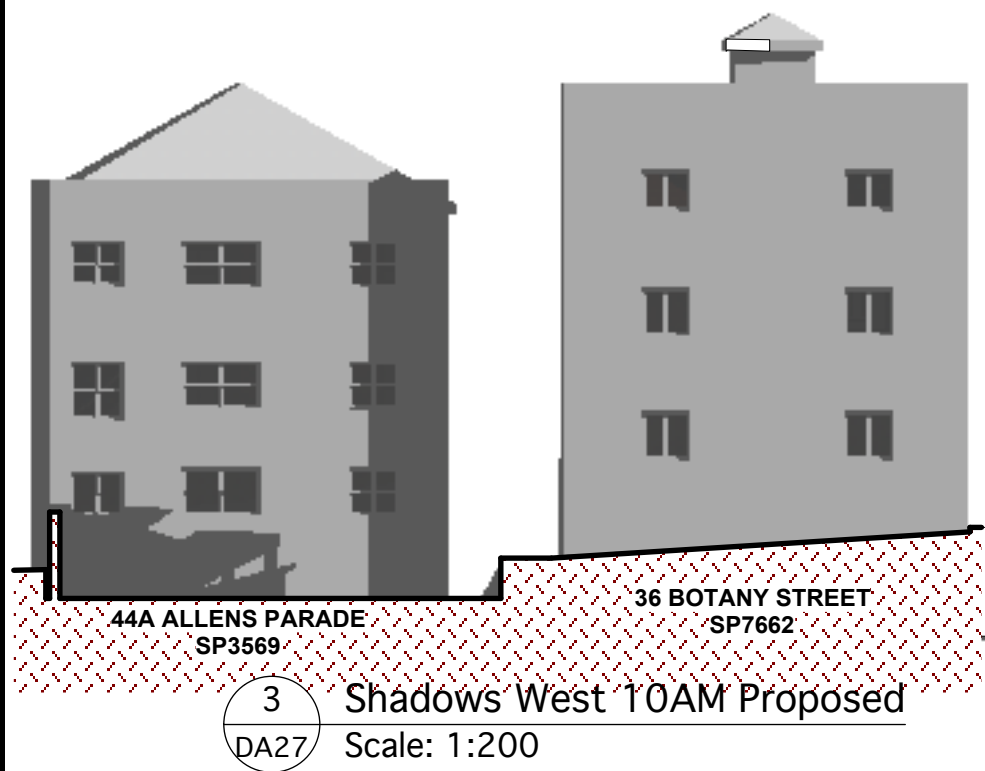
Suite 2, Level 1, 54 Bronte Road
BONDI JUNCTION NSW 2022
Tel: 9369 1515 Fax: 8030 9140
E-mail: mail@dunnarchitects.com.au
ABN 34 101 271 124
NSW Architects Registration No. 6736

Drawing: Shadow Diagram 2PM	
Scale: 1:100	For: APPROVAL
Date: 5 Apr'24	
Drawn: RD	
Dwg. No.: DA26	Revision: A

RECEIVED
Waverley Council


Application No: DA-130/2024


Date Received: 10/04/2024



REV	DESCRIPTION	DATE	APPROVED
A	First Issue	09/04/24	RD
REVISION HISTORY			

NOTES:
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Drawing: Shadow Elevations West 2	
Scale: 1:100	For: APPROVAL
Date: 9 Apr'24	
Drawn: RD	
Dwg. No.: DA27	Revision: A

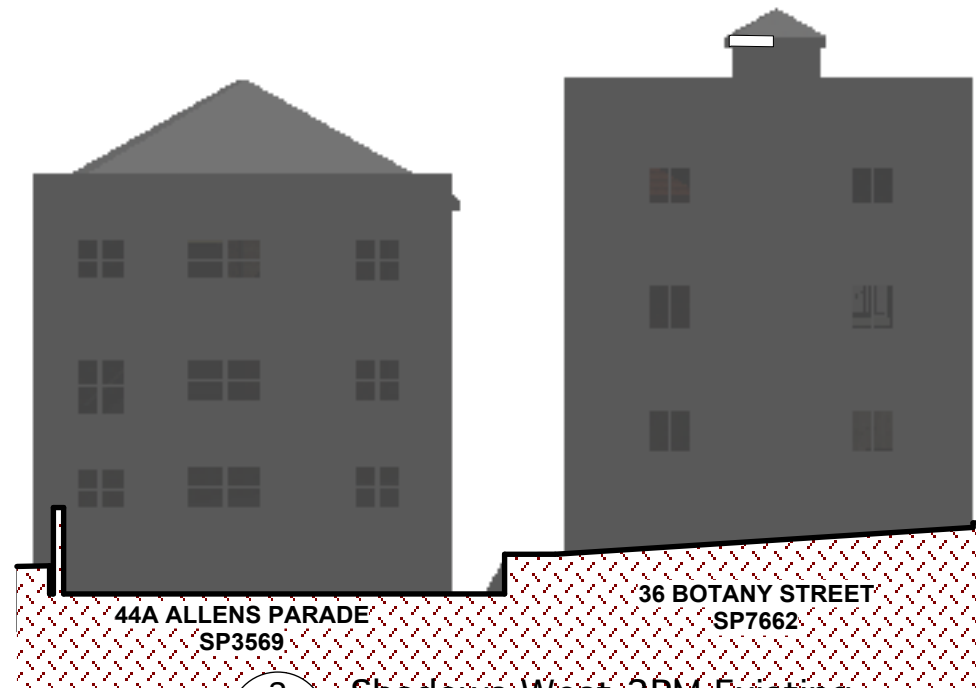
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Waverley Council

Application No: DA-130/2024

Date Received: 10/04/2024



1 Shadows West 1PM Existing
DA28 Scale: 1:200



2 Shadows West 2PM Existing
DA28 Scale: 1:200



3 Shadows West 1PM Proposed
DA28 Scale: 1:200



4 Shadows West 2PM Proposed
DA28 Scale: 1:200

REV	DESCRIPTION	DATE	APPROVED
A	First Issue	09/04/24	RD
REVISION HISTORY			

NOTES:

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Proposed additional shading



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ABN 34 101 271 124
NSW Architects Registration No. 6736

Drawing: **Shadow Elevations West 3**

Scale: 1:100

Date: 9 Apr'24

Drawn: RD

Dwg. No.: **DA28**

For:

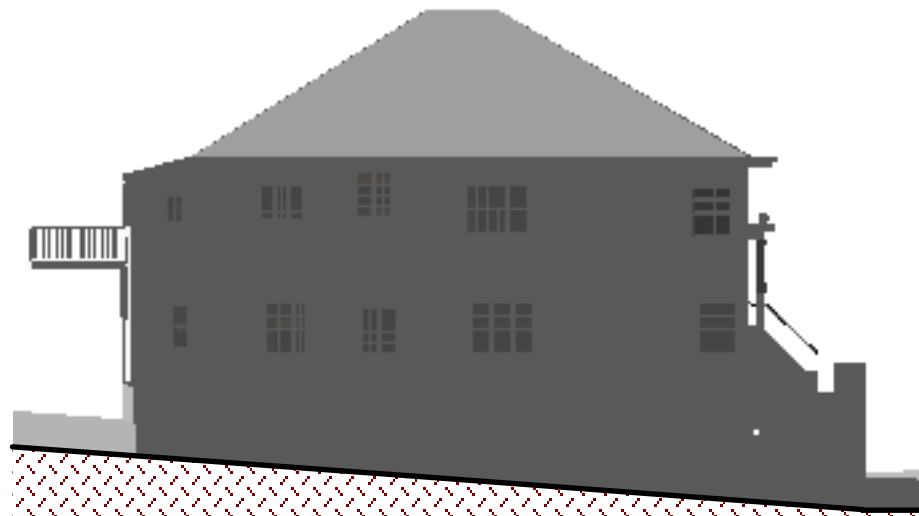
APPROVAL

Revision: **A**

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Waverley Council

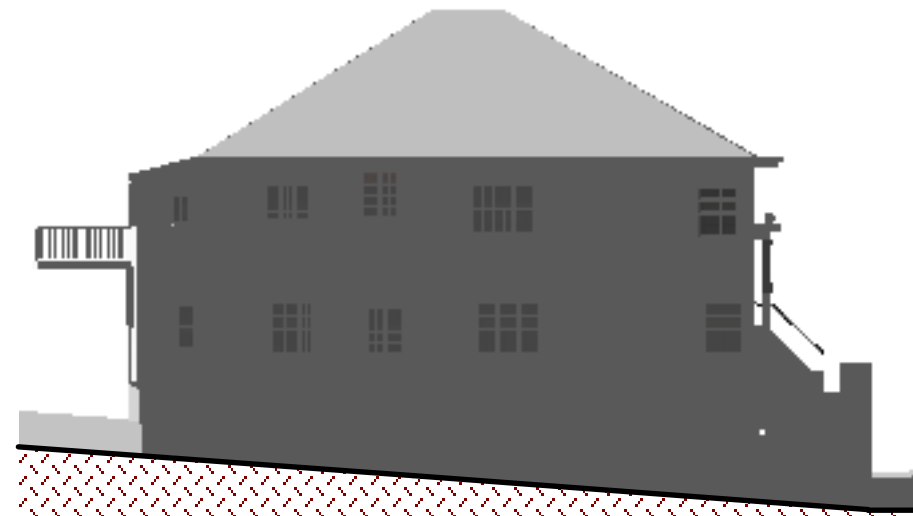
Application No: DA-130/2024

Date Received: 10/04/2024



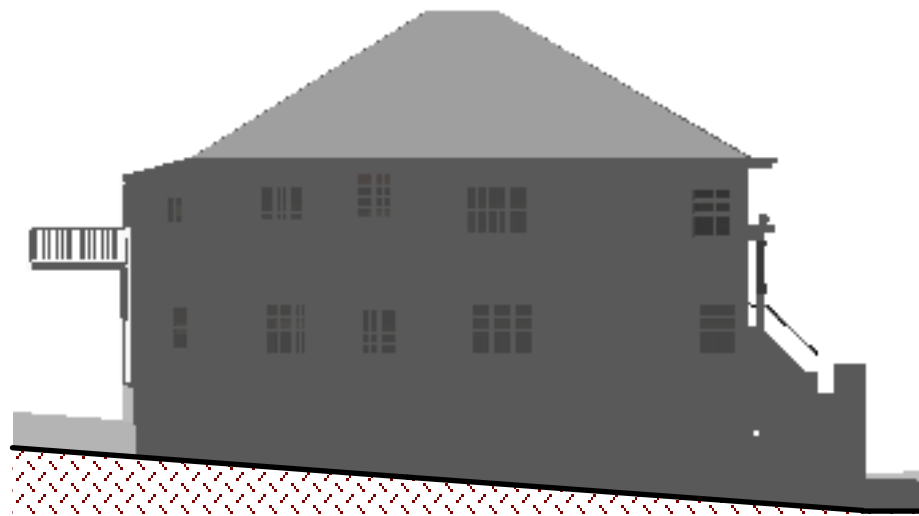
48 ALLENS PARADE
DP318986

1 Shadows East 10AM Existing
DA29 Scale: 1:200



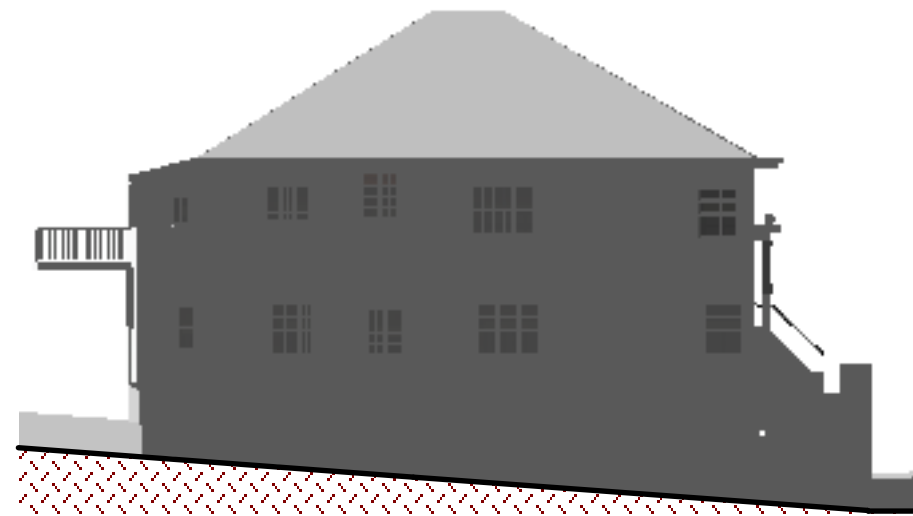
48 ALLENS PARADE
DP318986

2 Shadows East 11AM Existing
DA29 Scale: 1:200



48 ALLENS PARADE
DP318986

3 Shadows East 10AM Proposed
DA29 Scale: 1:200



48 ALLENS PARADE
DP318986

4 Shadows East 11AM Proposed
DA29 Scale: 1:200

REV	DESCRIPTION	DATE	APPROVED
A	First Issue	09/04/24	RD
REVISION HISTORY			

NOTES:

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Proposed additional shading



Existing shading removed

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E-mail: mail@dunnarchitects.com.au
ABN 34 101 271 124
NSW Architects Registration No. 6736

Drawing: **Shadow Elevations East 2**

Scale: 1:100

Date: 9 Apr'24

Drawn: RD

Dwg. No.: **DA29**

For:

APPROVAL

Revision: **A**

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Waverley Council
Application No: DA-130/2024
Date Received: 10/04/2024



48 ALLENS PARADE
DP318986

1 Shadows East 1PM Existing
DA30 Scale: 1:200



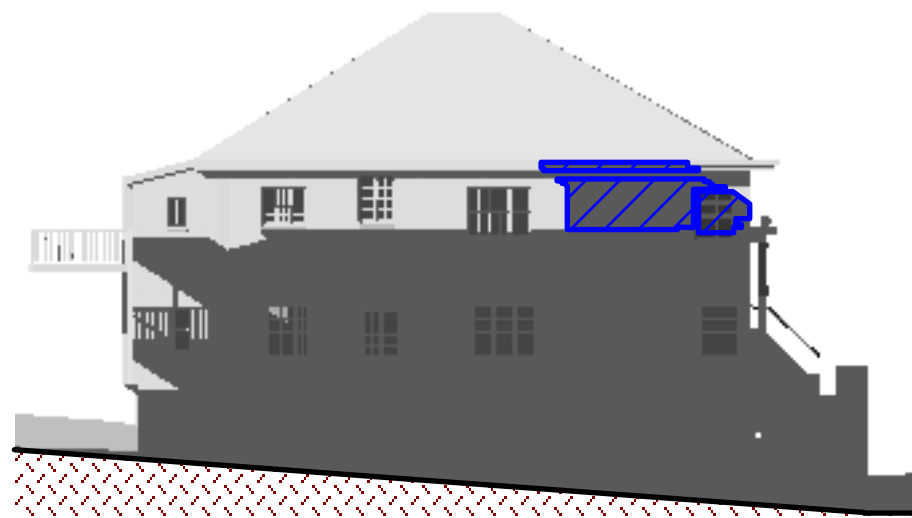
48 ALLENS PARADE
DP318986

2 Shadows East 2PM Existing
DA30 Scale: 1:200



48 ALLENS PARADE
DP318986

3 Shadows East 1PM Proposed
DA30 Scale: 1:200





48 ALLENS PARADE
DP318986

4 Shadows East 2PM Proposed
DA30 Scale: 1:200

REV	DESCRIPTION	DATE	APPROVED
A	First Issue	09/04/24	RD
REVISION HISTORY			

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NSW Architects Registration No. 6736

Drawing: Shadow Elevations East 3	
Scale: 1:100	For: APPROVAL
Date: 9 Apr'24	
Drawn: RD	
Dwg. No.: DA30	Revision: A



Other Residential Development



Report to the Waverley Local Planning Panel

Application number	DA-106/2024
Site address	9/42-44 MacPherson Street, BRONTE NSW 2024
Proposal	Alterations and additions to Unit 9 within an existing shop top housing development.
Date of lodgement	20 March 2024 (amended on 23 August 2024)
Owner	Proprietors of Strata Plan 32422 Unit 9: Mr AJR Humphreys
Applicant	B Baloghova
Submissions	One submission received
Cost of works	\$ 166,372.00
Principal Issues	<ul style="list-style-type: none"> • Exceedance of Height of Buildings Development Standard • Exceedance of Floor Space Ratio Development Standard
Recommendation	That the application be APPROVED in accordance with the conditions contained in the report.

SITE MAP



1. PREAMBLE

1.1. Executive Summary

The development application seeks consent for alterations to Unit 9. at the site known as 42-44 MacPherson Street, Bronte.

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

- Exceedance of building height and floor space ratio development standards.

The assessment finds these issues acceptable. While the proposal exceeds height and FSR development standards, it preserves the amenity of neighbouring properties in terms of solar access, privacy and views.

One submission was received, and the issues raised in the submissions have been considered and addressed in this report and the recommendation.

No Councillor 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 20 March 2024.

The site is identified as SP 32422, known as Unit 9/42-44 MacPherson Street, Bronte.

The site is rectangular in shape with a frontage of 12.105m to MacPherson Street. It has an area of 515.1m² and is generally flat.

The site is occupied by a four-storey shop top housing development with vehicular access provided from MacPherson Street.

The site is adjoined by two to four-storey shop top housing developments to the east and west and a two-storey semi-detached dwelling to the north. The locality is characterised by various medium-density residential developments and the Bronte MacPherson Street Neighbourhood Centre.

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



Figure 1: Streetview of the subject site along MacPherson Street



Figure 2: Streetview opposite the subject site along MacPherson Street



Figure 3: Streetview of the subject site along Lugar Street

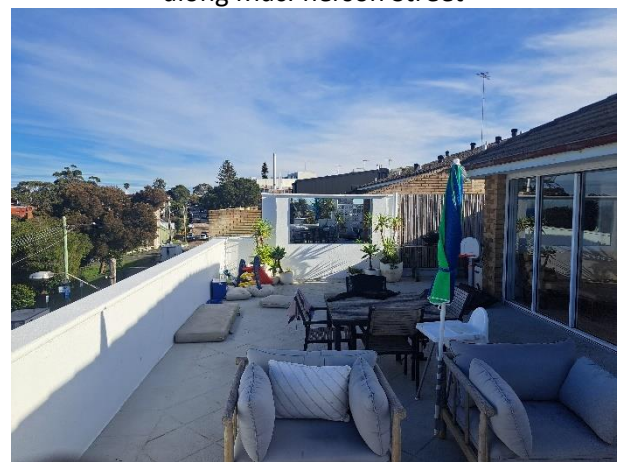


Figure 4: Courtyard view looking west.

1.3. Relevant Development History

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

- DA-599/2003, approved 09 October 2003. Internal partitioning of shop.
- DA-660/2010, approved 22 February 2011. Alterations and additions to a unit in mixed development.
- DA-660/2010/A, approved 07 October 2011. Modification, including window changes to approved alterations to unit 9
 - The approved design of this development application matched the proposal before the deferral stage.
 - The consent elapsed on 7 October 2016.
- DA-25/2024, rejected 24 January 2024. Alterations and additions to Unit 9

1.4. Proposal

The development application seeks consent for alterations and additions to the shop-top housing development and specifically includes the following:

Unit 9 on third-floor level:

- Removal of sunroom and
- partial enclosure of the front terrace to create a living and dining room

1.5. Background

The development application was lodged on 20 March 2024, and additional information was requested on 26 March 2024 for amendments to the floor space ratio calculation and clause 4.6. Amended documents were received on 7 May 2024.

The application was deferred on 25 July 2024 for the following reasons:

1. Exceedance of Building Height and Floor Space Ratio with additional overshadowing

The applicant was informed that the proposed exceedance of the maximum height of the building's development standard of 8.5m and maximum floor space ratio development standard of 1:1, resulting in the overshadowing of neighbouring solar collectors, was not supported.

It was requested that the proposal be amended so that it does not result in any overshadowing of the solar panels on the roof of the adjoining property to the east of the site, No 48 MacPherson Street.

Note: The applicant submitted amended documents showing that the amended proposal does not result in additional overshadowing of the solar panels on the roof of the adjoining property.

The amended plans and documents that were received on 23 August 2024 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 (Housing) 2021, noting that this SEPP does not apply to the assessment of this proposal as the proposal does not consist of substantial refurbishment of an existing shop top housing development as per section 144(3)(a)(i) of the SEPP

- 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	Satisfactory.												
Part 2 Permitted or prohibited development.														
Land Use Table <i>E1 Local Centre Zone</i>	Yes	The proposal is defined as alterations and additions to 'shop top housing', which is permitted with consent in the E1 local centre zone.												
Part 4 Principal development standards														
4.3 Height of buildings (HOB) <ul style="list-style-type: none"> • 9m 	No	The proposed addition matches the existing maximum building height of 13.835m (measured to the roof ridge at RL 86.190 above existing ground level). The building height of the addition is 4.835m above the HOB development standard, representing a 54% variation.												
4.4 Floor space ratio (FSR) <ul style="list-style-type: none"> • Site: 515.1m² • FSR: 1:1 • GFA: 515.1m² 	No	<table border="1"> <thead> <tr> <th></th> <th>Existing</th> <th>Proposed</th> </tr> </thead> <tbody> <tr> <td>Total GFA</td> <td>502.5 m²</td> <td>529.4 m²</td> </tr> <tr> <td>FSR</td> <td>0.976:1</td> <td>1.03:1</td> </tr> <tr> <td>Variation</td> <td>N/A</td> <td>3%</td> </tr> </tbody> </table>		Existing	Proposed	Total GFA	502.5 m²	529.4 m²	FSR	0.976:1	1.03:1	Variation	N/A	3%
	Existing	Proposed												
Total GFA	502.5 m²	529.4 m²												
FSR	0.976:1	1.03:1												
Variation	N/A	3%												
4.6 Exceptions to development standards	See discussion	The application is accompanied by a written request pursuant to clause 4.6 of Waverley LEP 2012 to vary the HOB and FSR development standards. A detailed discussion of the variation to the development standards is presented below this table.												
Part 5 Miscellaneous provisions														
5.10 Heritage conservation	N/A	<p>While the site is adjacent to heritage item I319 at No 46-48 MacPherson Street, it is not within an HCA; heritage impact assessment is not required.</p> <p>The proposed addition aligns with the existing development in terms of materiality, bulk, and streetscape character, thereby ensuring minimal adverse impact on the heritage item.</p>												
Part 6 Additional local provisions														

Provision	Compliance	Comment
6.14 Waste minimisation and recycling	Yes	Satisfactory. No changes are proposed to the waste storage and collection facilities.
6.15 Stormwater management	Yes	Satisfactory. No proposed changes to the existing permeable surfaces or stormwater management measures that exist for the site and development..
6.16 Development in Zone E1	Yes	While the proposal exceeds the FSR, it results in reasonable impacts as it preserves the amenity of the surrounding areas and is compatible with the desired future character of the area. The proposal has no effect on business activity of the MacPherson Street Neighbourhood Centre as it merely relates to a single unit within a shop top housing development.

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

Clause 4.6 Exceptions to Development Standards – Height of Building (HOB)

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

The site is subject to a maximum HOB development standard of 9m. The proposed development has a building height of 13.835m, exceeding the standard by 4.835m equating to a 54% variation. It is noted that the existing building already exceeds the development standard by 4.835m.

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 HOB 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 does not have any amenity impacts on neighbours.
 - (ii) The proposal will not overshadow the park opposite except at a limited time in the morning, reasonably preserving its amenity.

- (iii) The proposal does not impact on the solar access to the solar panels on the building to the east.
 - (iv) This is consistent with numerous developments immediately to the west of the site, which also attain four levels.
 - (v) The proposed addition comes closer to the street; however, the appearance will generally still be of a 3-storey building in most views as the existing brick parapet is to be retained and will mostly obscure the additions.
 - (vi) Will maintain the integrity of the character of the area.
- (b) That there are sufficient environmental planning grounds to justify contravening the standard:
- (i) The proposal does not have any amenity impacts on neighbours.
 - (ii) The proposal will not overshadow the park opposite except at a limited time in the morning, reasonably preserving its amenity.
 - (iii) The proposal does not impact on the solar access to the solar panels on the building to the east.
 - (iv) This is consistent with numerous developments immediately to the west of the site, which also attain four levels.
 - (v) The proposed addition comes closer to the street; however, the appearance will generally still be of a 3-storey building in most views as the existing brick parapet is to be retained and will mostly obscure the additions.
 - (vi) Will maintain the integrity of the character of the area.

Consideration of Applicant's Written Request

The applicant's written request has correctly identified the development standard to be varied, relevant legislation and measured the building height of the proposal using the correct existing ground level as the basis for the measurement. 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 adequately demonstrated that the objectives of the development standard are achieved despite the non-compliance with the development standard. The applicant references the objectives of Clause 4.6, which include appropriate flexibility in applying development standards to achieve better planning outcomes, both for the development and from the development.

The applicant has convincingly demonstrated that the proposed variation to the HOB development standard is acceptable. The recessed design of the new addition aligns with the objectives of preserving the environmental amenity of surrounding properties and the public domain. Specifically, the proposal does not introduce additional privacy or overshadowing impacts on neighbouring properties including the solar collectors of No 48 MacPherson Street and maintains existing known views from both adjoining properties and the public domain areas of MacPherson Street.

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

The applicant has effectively argued that there are valid environmental planning reasons to justify deviating from the development standard. Although the proposal exceeds the HOB development standard, it is well-designed considering the site's specific circumstances as outlined in the applicant's written request. The proposed development has an appropriate visual appearance and scale that aligns with the area's existing and desired future character. It also does not create significant or unreasonable impacts on surrounding sites and the public domain regarding view obstruction, visual privacy, and overshadowing. The proposal does not introduce additional overshadowing impacts on neighbouring properties' habitable windows or private open space compared to the existing development. Any additional overshadowing falls on the roof of No. 48 MacPherson Street and MacPherson Street. The overshadowing on the street will not substantially impact the public domain or neighbouring amenity between 9 am and 3 pm on June 21 and is deemed acceptable.

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

Conclusion

The written request provided by the applicant to vary the HOB 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 (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 1:1. The proposed development has an FSR of 1.03:1, exceeding the standard by 14.3 m², equating to a 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 increase in FSR is more closely correlated to a four-storey building, which already exceeds the height control.
 - (ii) The proposal does not alter the overall height of the existing flat building, and it is lower than the existing roof ridge level.
 - (iii) The existing building forms part of the existing character and is broadly consistent with the controls that encourage mid-rise (three-storey) development; therefore, it is consistent with the desired future character.
 - (iv) The proposal does not impact the solar access to the solar panels on the building to the east.
 - (v) The building already has four-storeys, and the extensions are set back from the levels below to ensure that the visual impact remains comparable to the existing building. The proposed bulk and scale of the building have no other adverse amenity impacts on neighbours or the locality.
- (b) That there are sufficient environmental planning grounds to justify contravening the standard:
 - (i) Consistent with numerous other developments immediately to the west of the site, which also attain four levels.
 - (ii) The proposed addition comes closer to the street; however, the appearance will generally still be of a three-storey building in most views as the existing brick parapet is to be retained and will mostly obscure the additions.
 - (iii) The proposal has no unreasonable adverse amenity impacts on surrounding development concerning overshadowing, loss of privacy, loss of views or visual impacts.

- (iv) The additions are not highly visible from the public domain and will maintain the integrity of the character of the area.

Consideration of Applicant's Written Request

The applicant's written request has correctly identified the development standard to be varied and relevant legislation and calculated the overall FSR using the definition of GFA in Waverley LEP 2012. 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 adequately demonstrated that the objectives of the development standard are achieved despite the non-compliance with the development standard. The applicant references the objectives of Clause 4.6, which include appropriate flexibility in applying development standards to achieve better planning outcomes, both for the development and from the development.

The applicant has convincingly demonstrated that the proposed variation to the FSR development standard is acceptable. The recessed design of the new addition aligns with the objectives of preserving the environmental amenity of surrounding properties and the public domain. Specifically, the proposal does not introduce additional privacy or overshadowing impacts on neighbouring properties including the solar collectors of No 48 MacPherson Street and maintains existing views from both adjoining properties and the public domain of MacPherson Street.

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

The applicant has effectively argued that there are valid environmental planning reasons to justify deviating from the development standard. Although the proposal exceeds the HOB development standard, it is well-designed considering the site's specific circumstances as outlined in the applicant's written request. The proposed development has an appropriate visual appearance and scale that aligns with the area's existing and desired future character. It also does not create significant or unreasonable impacts on surrounding sites and the public domain regarding view obstruction, visual privacy, and overshadowing. The proposal does not introduce additional overshadowing impacts on neighbouring properties' habitable windows or private open space. Any additional overshadowing falls on the roof of No. 48 MacPherson Street and MacPherson Street. The overshadowing on the street will not substantially impact the public domain's and neighbouring amenity between 9 am and 3 pm on June 21 and is deemed acceptable.

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

Conclusion

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

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

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

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

Development Control	Compliance	Comment
1. Waste <ul style="list-style-type: none"><i>Garbage bins are to be stored in an appropriate location.</i>	Yes	Satisfactory. A Site Waste and Recycling Plan was submitted. No proposed changes to the bin storage area.
2. Ecologically Sustainable Development	Yes	Satisfactory. A BASIX Certificate was submitted with the application setting out the window, glazing and insulation requirements as required by the SEPP.
3. Landscaping, Biodiversity and Vegetation Preservation	Yes	Satisfactory. The proposal is not located within a Habitat Corridor.
5. Water Management	Yes	Satisfactory. Council's Stormwater Design Engineers do not object to the proposal, subject to conditions.
8. Heritage	N/A	While the site is adjacent to heritage item I319 at No 46-48 MacPherson Street, it is not within an HCA; heritage impact assessment is not required.

Development Control	Compliance	Comment
		The proposed addition aligns with the existing development in terms of materiality, bulk, and streetscape character, thereby ensuring minimal adverse impact on the heritage item.
11. Design Excellence	Yes	Satisfactory. The proposed development achieves a high standard of architectural design, materials, and detailing that is appropriate to the building type and location. Furthermore the amended proposal is considered to strike an effective balance between preserving environmental amenity and solar access to the neighbouring dwellings.

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

Development Control	Compliance	Comment
2.2 Height		
<i>Maximum external wall height</i> <i>No numeric control for sites within the E1 Zone</i>	On merit	Satisfactory. The amended proposal's maximum external wall height is 12.2m. While the proposal exceeds FSR and height development standards, it is of an acceptable visual bulk and scale recessed from the street frontage, responding to the area's character that minimises its visual impact on the streetscape and preserves the neighbouring amenity.
2.3 Setbacks		
2.3.1 Street setbacks • <i>Consistent street setback</i>	No (acceptable on merit)	The following is an analysis of the front setback of the neighbouring dwelling on the third-floor level: <ul style="list-style-type: none"> • 22-28 MacPherson Street: 3.99m • 30-32 MacPherson Street: 9.61 m • 38 MacPherson Street: 8.54 m <p>The proposed addition to unit 9 on the third floor will be set back 3.9m from the front boundary. While the proposal is slightly less than the front setback found at 22-28 MacPherson Street, it is still considered acceptable on merit as it is recessed from the front building line of the floors below, providing visual relief and reducing perceived bulk while maintaining the character of the streetscape.</p>
2.3.2 Side and rear setbacks • <i>Minimum side setback:</i> <ul style="list-style-type: none"> ○ 1.5-2.5m 	No (Acceptable on merit)	Along the western boundary, a side setback of 2.445m is proposed, which matches the existing western side setback. Along the eastern side boundary, a nil side setback is proposed. This is considered

Development Control	Compliance	Comment
		acceptable considering the nil side setback on the lower levels and that found at No 22-28 MacPherson Street.
2.4 Length and depth of buildings		
<ul style="list-style-type: none"> • <i>Maximum building length: 24m</i> • <i>Façade to be articulated</i> • <i>Maximum RFB depth: 18m</i> 	No (Acceptable on merit)	Although the overall building depth of 24.5m will remain unchanged, the depth of the top floor is set to increase to 20.6m. Since the overall depth and width are not proposed to change, this is considered acceptable.
2.5 Building design and streetscape		
<ul style="list-style-type: none"> • <i>Respond to streetscape</i> • <i>Sympathetic external finishes</i> 	Yes	<p>The amended proposal to Unit 9 recessed front setback responds to the existing streetscape character, providing a visual relief that reduces the perceived visual bulk from the streetscape.</p> <p>The proposed additions to the roof extension match the massing and detailing of the existing roof.</p>
2.11 Private Open Space		
<p>2.11.2 – Balconies/decks</p> <ul style="list-style-type: none"> • <i>Balcony additions to match the character of the building</i> • <i>Should not dominate the façade</i> • <i>No wrap around balconies</i> • <i>Located to maximise solar access and privacy</i> • <i>Balustrades to allow views and casual surveillance of the street & privacy</i> 		<p>The modified unit 9 retains its south-facing balcony, only in a slightly reduced size. The proposal improves its accessibility from the living and dining room and has an area of 41.76 m² and a depth of 2.785 m and 2.445 m.</p> <p>The design of the modified balcony remains integrated into and contributes to the architectural form and detail of the building. The finishes of the balcony is consistent with the palette of materials in the building overall. Screens or solid side walls are already existing to enhance privacy.</p>
2.13 Solar access and overshadowing		
<ul style="list-style-type: none"> • <i>Minimum of 3 hours of sunlight to a minimum of 70% of units in the development on 21 June</i> • <i>New development should maintain at least 2 hours of sunlight to solar collectors on adjoining properties in mid-winter</i> • <i>Direct sunlight to north-facing windows of habitable rooms on all private open space areas of adjacent dwellings to</i> 	<p>Yes</p> <p>Yes</p> <p>Yes</p>	<p>The modified unit 9 retains its aspect on all four sides, and, as such, all receive some direct sunlight mid-winter.</p> <p>The amended proposal is noted to cause additional overshadowing on the roof of No. 48 MacPherson Street and on MacPherson Street. The overshadowing on the street will not adversely impact the public domain and the proposal will preserve solar access to neighbouring properties between 9 am and 3 pm on June 21 .</p>

Development Control	Compliance	Comment
<i>less than 3 hours of sunlight on 21 June</i>		
2.14 Views and View Sharing		
<ul style="list-style-type: none"> • <i>Minimise view loss through design</i> • <i>Landscaping on sites adjacent to a Council Park or reserve should be sympathetic to soften the public/private interface</i> • <i>Views from public spaces to be maintained</i> 	Yes	Satisfactory. No impacts on views were identified during the site visit, and no submissions were received that raised an issue with view loss. As such, the proposal is not expected to impact any known views enjoyed by surrounding properties.
2.15 Visual privacy and security		
<ul style="list-style-type: none"> • <i>Above-ground open space must not overlook rooms and private landscaped areas of adjoining properties or be screened</i> • <i>Privacy should be considered in relation to context density, separation use and design</i> • <i>Prevent overlooking of more than 50% of private open space of lower-level dwellings in the same development</i> 	Yes	<p>Satisfactory. The retained front balcony does not overlook rooms and private open spaces of adjoining properties.</p> <p>The windows of the additions are designed and located to prevent overlooking other dwellings, both on the subject site and neighbouring dwellings.</p>
2.16 Dwelling size and layout		
<ul style="list-style-type: none"> • <i>Max habitable room depth for single aspect dwelling is 8m from a window</i> • <i>Dwelling over 15m deep is min 4m in width</i> • <i>All habitable rooms to have a window</i> • <i>Provide a range of dwelling types and sizes</i> • <i>Min sizes</i> <ul style="list-style-type: none"> ○ <i>3 bedroom = 100m²</i> • <i>Accessible and Adaptable</i> 	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>N/A</p> <p>Yes</p> <p>Yes</p>	<p>Unit 9 is increased to approximate 120m², which exceeds the minimum depth and area requirements. In this regard, the proposal and layout are acceptable.</p> <p>The Applicant states the proposal achieves compliance with the minimum glazed area to each habitable room.</p> <p>No change to the existing dwelling types.</p>
2.17 Ceiling Heights		
<ul style="list-style-type: none"> • <i>Min 2.7m floor to ceiling height residential floors</i> 	Yes	The ceiling heights within the modified unit 9 comply with the minimum requirement.
2.18 Storage		
<ul style="list-style-type: none"> • <i>In addition to kitchen cupboards and bedroom wardrobes, min storage required is:</i> 	Yes	Whilst the control relates to new development, the proposal will enable increased storage space in unit 9.

Development Control	Compliance	Comment
<p>3 or more bed = 10m³</p> <ul style="list-style-type: none"> All to provide bulk storage area in basement or ancillary structure 		
2.20 Natural Ventilation		
<ul style="list-style-type: none"> All dwellings to be naturally cross-ventilated Building to be orientated to maximise breezes Ceiling fans are to be provided in all habitable rooms 	All habitable rooms are provided with at least one window for natural ventilation.	<p>All habitable rooms are provided with at least one window for natural ventilation.</p> <p>The modified Unit 9 retains its aspects on all four sides. In this regard, 100% of the unit can be naturally cross-ventilated.</p> <p>The proposal uses a combination of full-height openable doors and windows to achieve appropriate cross-ventilation within the building.</p>

Table 4: Waverley DCP 2022 – Part E3 Site Specific Development Compliance Table

Development Control	Compliance	Comment
3.1.3 MacPherson Street		
<p><i>Desired Future Character Objectives:</i></p> <ul style="list-style-type: none"> To create and maintain a cohesive and vibrant streetscape To maintain a physical and visual connection to the coast. To maintain low-rise (human-scale) built form of varying styles. To ensure new buildings are of human scale and provide a high quality of living. 	Yes	<p>Satisfactory. The amended proposed addition to Unit 9 maintains the cohesion and vibrancy of the streetscape. The addition improves the visual connection to the Coast as the unit's internal floor layout capitalises on views of the adjacent coastline .</p> <p>Furthermore, the addition responds to the existing streetscape character, providing a visual relief that reduces the perceived visual bulk from the streetscape, maintaining a low-rise appearance.</p>
3.2 Generic Controls		
3.2.1 Land Uses	Yes	Satisfactory. The proposal does not alter the existing commercial ground floor land use or car parking.
3.2.2 Public Domain Interface	Yes	Satisfactory. The front building setback of the proposal reduces its visual impact on the streetscape and achieves a reasonable standard of architectural design, materials, and detailing that are appropriate to the building type and location. The existing horizontal datum points are retained as the proposal extends the existing roof lines forward over the addition.
3.2.3 Built Form	Yes	No proposed changes to the existing building's front wall.

Development Control	Compliance	Comment
3.2.4 Building Façade Articulation		Satisfactory: The proposed addition is set back from the front building facade, reducing its visual impact on the existing building facade and the heritage item at No. 46-48 MacPherson Street.

2.2. Other Impacts of the Development

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

2.3. Suitability of the Site for the Development

The site is considered suitable for the proposal.

2.4. Any Submissions

The application was notified for a minimum 14 days between 10 May 2024 and 24 May 2024 in accordance with the *Community Engagement Strategy 2023*.

Following receipt of amended plans and additional information, the application was re-notified for 14 days between 30 September 2024 and 14 October 2024 for the following reasons:

- There was an increase of overall bulk and building height due to the proposed change from a flat roof to a pitched roof.

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

- Units 5 and 6, 42-44 MacPherson Street

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

- Fire safety concerns.

2.5. Public Interest

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

3. REFERRALS

The following internal referral comments were sought:

3.1. Fire

Council’s Fire Safety Engineer reviewed the application and advised that they have no objections to the proposal and provided conditions of approval.

3.2. Stormwater

Council’s Engineers advised that the proposal would have negligible impact on the stormwater, subject to a condition requiring certification that new stormwater works are consistent with relevant stormwater policies prior to the issue of an occupation certificate. A condition is recommended to this effect.

4. CONCLUSION

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

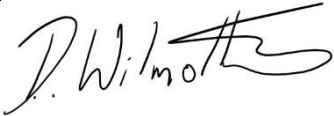


Managers of Development Assessment (MODA) Review

The application was reviewed by MODA at the meeting on 23 July 2024, and MODA concurred with the Assessment Planner's recommendation if deferral concerns were resolved.

MODA members: *A Rossi, B McNamara, B Magistrale, and J Zancanaro*

5. RECOMMENDATION TO WAVERLEY LOCAL PLANNING PANEL

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

Report prepared by:	Application reviewed and agreed by:	Application reviewed and agreed by:
		
Damien Wilmotte	Ben Magistrale	Angela Rossi
Development Assessment Planner	Manager, Development Assessment	Executive Manager, Development Assessment
Date: 15 October 2024	Date: 15 October 2024	Date: 15 October 2024

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	54% variation to height (Clause 4.3)	
	x	Pre-existing non-compliance
		No change to overall building height

<p>submission, please state what the variation initially proposed was – Planning Portal Requirement)</p>		No change to overall building envelope																
		Variation limited to the [lift/plant/parapet/attic] only																
	x	No unreasonable impacts on the amenity of adjoining properties or streetscape																
	x	Sufficient environmental planning grounds																
	x	Consistent with the objectives of the standard																
		[insert another reason here if required]																
<p>Clause 4.6 register entry required</p> <p>(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)</p>	<p>3% variation to FSR (Clause 4.4)</p> <table border="1"> <tr> <td></td> <td>Pre-existing non-compliance</td> </tr> <tr> <td></td> <td>No change to overall building height</td> </tr> <tr> <td></td> <td>No change to overall building envelope</td> </tr> <tr> <td></td> <td>Variation limited to the [lift/plant/parapet/attic] only</td> </tr> <tr> <td>x</td> <td>No unreasonable impacts on the amenity of adjoining properties or streetscape</td> </tr> <tr> <td>x</td> <td>Sufficient environmental planning grounds</td> </tr> <tr> <td>x</td> <td>Consistent with the objectives of the standard</td> </tr> <tr> <td></td> <td>[insert another reason here if required]</td> </tr> </table>			Pre-existing non-compliance		No change to overall building height		No change to overall building envelope		Variation limited to the [lift/plant/parapet/attic] only	x	No unreasonable impacts on the amenity of adjoining properties or streetscape	x	Sufficient environmental planning grounds	x	Consistent with the objectives of the standard		[insert another reason here if required]
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	[insert another reason here if required]																	
<p>Determining Authority</p> <p>(Concurrence Authority for Clause 4.6 variation)</p>	<p>Local Planning Panel</p>																	
<p>Were the requirements of the Sustainable Buildings SEPP (effective 1 October 2023) met?</p>	<p>Yes</p>																	
<p>Have any dwellings been approved for affordable Rental Housing under this approval/consent?</p> <p>*This is a planning portal reporting requirement</p>	<p>No</p>																	
<p>Secondary Dwelling</p> <p>*This is a planning portal reporting requirement</p>	<p>No</p>																	
<p>Boarding House</p> <p>*This is a planning portal reporting requirement</p>	<p>No</p>																	
<p>Group Home</p> <p>*This is a planning portal reporting requirement</p>	<p>No</p>																	
<p>Is the development subject to the Special Infrastructure Contribution (SIC)?</p>	<p>No</p>																	
<p>Is the development located within an Urban Release area?</p>	<p>No</p>																	

Waverley Council Data	
Trial Period database entry required	No
VPA submitted – follow up actions required	No
Refer to compliance for investigation	No
Commercial/liquor operational conditions	No
Was there a 'Conflict of Interest' declared	No

APPENDIX A – CONDITIONS OF CONSENT

Terms and Reasons for Conditions

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

GENERAL CONDITIONS

1.	CONDITION																																												
	<p>APPROVED PLANS AND DOCUMENTATION</p> <p>The development must be in accordance with:</p> <p>(a) Architectural Plans prepared by Synthesis Studio of Project No: 21.04, including the following:</p> <table border="1"> <thead> <tr> <th>Plan Number and Revision</th> <th>Plan description</th> <th>Plan Date</th> <th>Date received by Council</th> </tr> </thead> <tbody> <tr> <td>01-03 Rev 1</td> <td>Demolition Plan</td> <td>29/02/2024</td> <td>20/08/2024</td> </tr> <tr> <td>01-04 Rev 2</td> <td>GFA Calculations</td> <td>20/08/2024</td> <td>20/08/2024</td> </tr> <tr> <td>01-05 Rev 1</td> <td>BASIX Commitments</td> <td>29/02/2024</td> <td>20/08/2024</td> </tr> <tr> <td>02-01 Rev 2</td> <td>Proposed Site Plan</td> <td>20/08/2024</td> <td>20/08/2024</td> </tr> <tr> <td>02-02 Rev 2</td> <td>Proposed Site Elevations</td> <td>20/08/2024</td> <td>20/08/2024</td> </tr> <tr> <td>02-03 Rev 2</td> <td>Proposed Site Elevations</td> <td>20/08/2024</td> <td>20/08/2024</td> </tr> <tr> <td>02-04 Rev 2</td> <td>Proposed Floor Plan</td> <td>20/08/2024</td> <td>20/08/2024</td> </tr> <tr> <td>02-05 Rev 2</td> <td>Proposed Section A</td> <td>20/08/2024</td> <td>20/08/2024</td> </tr> <tr> <td>02-06 Rev 2</td> <td>Proposed Section B</td> <td>20/08/2024</td> <td>20/08/2024</td> </tr> <tr> <td>05-01 Rev 1</td> <td>Waste Management Plan</td> <td>29/02/2024</td> <td>20/08/2024</td> </tr> </tbody> </table> <p>(b) BASIX and NatHERs Certificate/s</p> <p>(c) Schedule of external finishes and colours received by Council on 20/03/2024</p> <p>(d) The Site Waste and Recycling Management Plan (SWRMP) Part 1 20/03/2024</p> <p>Except where amended by the following conditions of consent.</p> <p>Condition reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.</p>	Plan Number and Revision	Plan description	Plan Date	Date received by Council	01-03 Rev 1	Demolition Plan	29/02/2024	20/08/2024	01-04 Rev 2	GFA Calculations	20/08/2024	20/08/2024	01-05 Rev 1	BASIX Commitments	29/02/2024	20/08/2024	02-01 Rev 2	Proposed Site Plan	20/08/2024	20/08/2024	02-02 Rev 2	Proposed Site Elevations	20/08/2024	20/08/2024	02-03 Rev 2	Proposed Site Elevations	20/08/2024	20/08/2024	02-04 Rev 2	Proposed Floor Plan	20/08/2024	20/08/2024	02-05 Rev 2	Proposed Section A	20/08/2024	20/08/2024	02-06 Rev 2	Proposed Section B	20/08/2024	20/08/2024	05-01 Rev 1	Waste Management Plan	29/02/2024	20/08/2024
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BUILDING WORK

BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE

	CONDITION
2.	<p>NO BUILDING OR DEMOLITION WORKS PRIOR TO RELEASE OF CONSTRUCTION CERTIFICATE</p> <p>The building work, or demolition work, must not be commenced until:</p> <ul style="list-style-type: none"> (a) A Construction Certificate has been obtained from Council or an Accredited Certifier in accordance with the <i>Environmental Planning and Assessment Act 1979</i>; (b) A Principal Certifying Authority has been appointed and Council has been notified of the appointment in accordance with the <i>Environmental Planning and Assessment Act 1979</i> and <i>Environmental Planning and Assessment Regulation 2021</i>; and (c) Council is given at least two days' notice in writing of the intention to commence the building works. <p>Condition reason: To ensure a Construction Certificate is obtained prior to work commencing.</p>
3.	<p>SECTION 7.12 CONTRIBUTION</p> <p>A monetary development contribution is payable to Waverley Council pursuant to section 7.12 of the <i>Environmental Planning and Assessment Act 1979</i> and the Waverley Council Development Contributions Plan in accordance with the following:</p> <ul style="list-style-type: none"> (a) Where the total development cost is \$500,000 or less: <ul style="list-style-type: none"> (i) A Cost Summary Report or Building Contract (dated within 12 months) or similar is to be submitted to Council's Customer Service Centre to process payment. (b) Where the total development cost is more than \$500,000 but less than \$1,000,000: <ul style="list-style-type: none"> (i) A Detailed Cost Report (dated within 12 months) prepared by a registered Quantity Surveyor, Building Contract, or similar is to be submitted to Council's Customer Service Centre to process payment. (c) Where the total development cost is \$1,000,000 or more: <ul style="list-style-type: none"> (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). <ul style="list-style-type: none"> a. 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.

	<p>(ii) Upon confirmation of the contribution amount by Council’s Executive Manager, Urban Planning, Policy and Strategy (or delegate), payment is to be processed via the Customer Service Centre.</p> <p>(iii) Should there be a discrepancy between the cost of works approved in subclause (b)(i) and the DA fee nominated in the original DA, then additional DA Fees may be payable prior to the issue of a Construction Certificate.</p> <p>A copy of the required format for the cost reports are provided in the Waverley Council Contributions Plan, available on Council’s website.</p> <p>(d) As legislated in section 209 of the Environmental Planning and Assessment Regulation 2021, the levy must be paid in accordance with the following;</p> <p>(i) A development valued at \$100,000 or less will be exempt from the levy;</p> <p>(ii) A development valued at \$100,001 - \$200,000 will attract a levy of 0.5% of the <u>full</u> cost of the development; or</p> <p>(iii) A development valued at more than \$200,000 will attract a levy of 1% of the <u>full</u> cost of the development.</p> <p>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.</p>
	<p>Condition reason: To ensure the Section 7.12 Contributions are paid.</p>
<p>4.</p>	<p>SECURITY DEPOSIT</p> <p>A deposit (cash or cheque) for the amount of \$ 6,965.00 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.</p> <p>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.</p> <p>Condition reason: To ensure any damage to public infrastructure is rectified and public works can be completed.</p>
<p>5.</p>	<p>LONG SERVICE LEVY</p> <p>A long service levy, as required under section 34 of the <i>Building and Construction Industry Long Service Payments Act, 1986</i>, 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.</p> <p><u>Note:</u> 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.</p> <p>Condition reason: To ensure the long service levy is paid.</p>

6.	ARCHITECTURAL DETAILING
	<p>Further details of the architectural detailing of the building are required to be submitted for review and the satisfaction of Council's Executive Manager, Development Assessment (or delegate) which address the following matters:</p> <p>(a) A schedule of external materials and finishes and design details of all elements of the building façade, including materials for structure on the roof terrace.</p>
	Condition reason: To maintain the architectural integrity of the approved development.
7.	HOARDING
	<p>To ensure the site is contained during construction, a hoarding is required for the approved works, which is to be designed and constructed in accordance with the requirements of Safe Work NSW. Where the hoarding is to be erected over the footpath or any public place, the approval of Council's Compliance Unit must be obtained and the applicable fees paid, prior to the erection of the hoarding.</p>
	Condition reason: To ensure safety to the general public.
8.	EROSION & SEDIMENT CONTROL
	<p>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.</p> <p>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.</p> <p>The recommendations of the SWMP must be implemented and maintained during all construction activities and until the site is fully stabilised following construction.</p>
	Condition reason: To ensure sediment laden runoff and site debris do not impact local stormwater systems and waterways.
	Condition reason: To ensure any excavation, shoring or pile construction is carried out in a safe manner.
9.	ENGINEERING DETAILS
	<p>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.</p>
	Condition reason: To ensure structural stability of work on site.
10.	BASIX
	<p>All requirements of the BASIX Certificate and/or NatHERS documentation are to be shown on the Construction Certificate plans and documentation.</p>
	Condition reason: To ensure BASIX and/or NatHERS requirements are met.
11.	SITE WASTE AND RECYCLING MANAGEMENT PLAN

	<p>A <i>Site Waste and Recycling Management Plan (SWRMP) - Part 2</i> 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 <i>SWRMP Part 2</i> 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.</p>
	<p>Condition reason: To ensure resource recovery is promoted and the local amenity is protected during construction.</p>
<p>12.</p>	<p>ESSENTIAL SERVICES - EXISTING BUILDING</p> <p>Details of the currently implemented and proposed essential fire safety measures shall be submitted with the Construction Certificate, in the form of a Fire Safety Schedule. This Schedule shall be prepared by a person competent to do so and shall specify the minimum standard of performance for each essential fire safety measure included in the Schedule.</p> <p>At the completion of the installation, a Final Fire Safety Certificate shall be attached to the Occupation Certificate, certifying that each essential fire safety measure specified within the current Fire Safety Schedule:</p> <p>(a) has been assessed by a properly qualified person; and</p> <p>(b) found to be capable of performing to at least the standard required by the current Fire Safety Schedule for the building for which the Certificate is issued.</p> <p>Condition reason: to ensure that essential fire safety measures are designed, installed, and certified by qualified professionals to meet regulatory standards, ensuring proper performance and safety.</p>
<p>13.</p>	<p>BUILDING CODE OF AUSTRALIA</p> <p>All building work must be carried out in accordance with the requirements of the current NCC Building Code of Australia. The window openings to the proposed sunroom are located on or within 3m of the property boundary on the east side of the building.</p> <p>These window openings within the external walls of the building are less than 3m from the property boundary to not comply with C4D3 of BCA2022. These windows need to be protected in accordance with C4D5 of BCA2022, or alternatively, a performance solution by a fire engineer is required at the CC stage.</p> <p>Condition reason: To ensure all building works comply with the NCC Building Code of Australia.</p>

BEFORE BUILDING WORK COMMENCES

CONDITION	
14.	<p>CONSTRUCTION SIGNS</p> <p>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.</p> <p>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.</p>
15.	<p>DEMOLITION – ASBESTOS AND HAZARDOUS MATERIALS</p> <p>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:</p> <ul style="list-style-type: none"> (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) <i>Protection of the Environment Operations Act 1997</i>. <p>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:</p> <ul style="list-style-type: none"> (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. <p>Condition reason: To ensure the safety of workers and the general public.</p>

DURING BUILDING WORK

	Condition
16.	<p>CONTROL OF DUST ON CONSTRUCTION SITES</p> <p>The following requirements apply to demolition and construction works on site:</p> <p>(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.</p> <p>(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.</p> <p>Condition reason: To ensure the safety of workers and the general public.</p>
17.	<p>CONSTRUCTION HOURS</p> <p>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.</p> <p>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.</p> <p>Noise from construction activities shall comply with the Protection of the Environmental Operations (Noise Control) Regulation 2017.</p> <p>Condition reason: To protect the amenity of the surrounding area.</p>
18.	<p>STOCKPILES, STORAGE OF MATERIALS AND LOCATION OF BUILDING OPERATIONS</p> <p>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.</p> <p>Condition reason: To ensure building material is stored in an appropriate location.</p>
19.	<p>CONSTRUCTION INSPECTIONS</p> <p>The building works are to be inspected during construction by the Principal Certifying Authority (PCA) in accordance with the <i>Building Legislation Amendment (Quality of Construction) Act 2002, Part 8 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021</i> and the requirements of any other applicable legislation or instruments.</p> <p>Condition reason: To ensure regular inspections occur throughout the construction process.</p>

20.	CERTIFICATE OF SURVEY - LEVELS
	All construction works are to be in accordance with the Reduced Levels (RLs) as shown on the approved plans. Certification from a Registered Surveyor certifying ground, upper floor/s and finished ridge levels is to be submitted to the Principal Certifying Authority during construction and prior to continuing to a higher level of the building.
	Condition reason: To ensure buildings are sited and positioned in the approved location.
21.	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.
22.	WORK OUTSIDE PROPERTY BOUNDARY
	This consent does not authorise any work outside the property boundary.
	Condition reason: To ensure buildings are sited and positioned in the approved location.

BEFORE ISSUE OF AN OCCUPATION CERTIFICATE

CONDITION	
23.	<p>FINAL OCCUPATION CERTIFICATE</p> <p>Prior to occupation or use of the development, an Occupation Certificate must be obtained.</p> <p>The Principal Certifying Authority must be satisfied that the requirements of the <i>Environmental Planning & Assessment Act 1979</i> have been satisfied including all critical stage inspections. Documentary evidence of all required inspections is to be submitted to Council.</p> <p>Condition reason: To ensure an Occupation Certificate is issued prior to occupation or use of the development.</p>
24.	<p>CERTIFICATION OF BASIX COMMITMENTS</p> <p>The Principal Certifying Authority shall certify that the all the undertakings in the approved BASIX certificate have been completed.</p> <p>Condition reason: To ensure all the undertakings in the approved BASIX certificate have been completed.</p>
25.	<p>CERTIFICATION OF NEWLY CONSTRUCTED AND RETAINED STORMWATER DRAINAGE SYSTEM</p> <p>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.</p> <p>Certification must be provided from a suitably qualified and practicing Engineer or Plumber, that any retained stormwater drainage system is unblocked, in good working order, and has been repaired or replaced in accordance with Council's Water Management Technical Manual and Development Control Plan and all applicable Codes, Policies, Plans, Standards and good engineering practice.</p> <p>A copy of the certifications must be submitted to the Principal Certifying Authority for approval prior to the issue of an occupation certificate.</p> <p>Condition reason: Ensure stormwater drainage system has been constructed in accordance with relevant Council stormwater management policies.</p>
26.	<p>CERTIFICATE OF ADEQUACY</p> <p>The existing building which will not be affected from the building works will need to achieve the required FRL and structural adequacy along with the proposed new works. A Certificate of Adequacy prepared by a practicing Structural Engineer, certifying the adequacy of the existing building structure is to be provided to Council or the Accredited Certifier prior to the issue of a Construction Certificate.</p> <p>Condition reason: To ensure structural stability of work on site.</p>

GENERAL ADVISORY NOTES

	Condition
1.	<p>DEVELOPMENT IS TO COMPLY WITH LEGISLATION</p> <p>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.</p>
2.	<p>DEVELOPMENT MUST MEET CONDITIONS OF CONSENT</p> <p>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.</p>
3.	<p>POST CONSENT CONDITIONS REQUIRING COUNCIL INPUT</p> <p>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:</p> <ul style="list-style-type: none"> (a) Please read your conditions carefully. (b) 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. (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 14days. Times may vary or be delayed if information is not received in this required manner. (k) Any queries, please contact Council’s Duty Planner on duty.planner@waverley.nsw.gov.au

4.	<p>SYDNEY WATER REQUIREMENTS</p> <p>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.</p> <p>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.</p> <p>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.</p>
5.	<p>DIAL BEFORE YOU DIG</p> <p>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.</p>
6.	<p>TELECOMMUNICATIONS ACT 1997 (COMMONWEALTH)</p> <p>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.</p>
7.	<p>ALTERATIONS AND ADDITIONS ONLY</p> <p>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.</p>

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:

- (a) the collection of stormwater,
- (b) the reuse of stormwater,
- (c) the detention of stormwater,
- (d) the controlled release of stormwater, and
- (e) 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.

DA PLANS

RECEIVED
Waverley Council

Application No: DA-106/2024

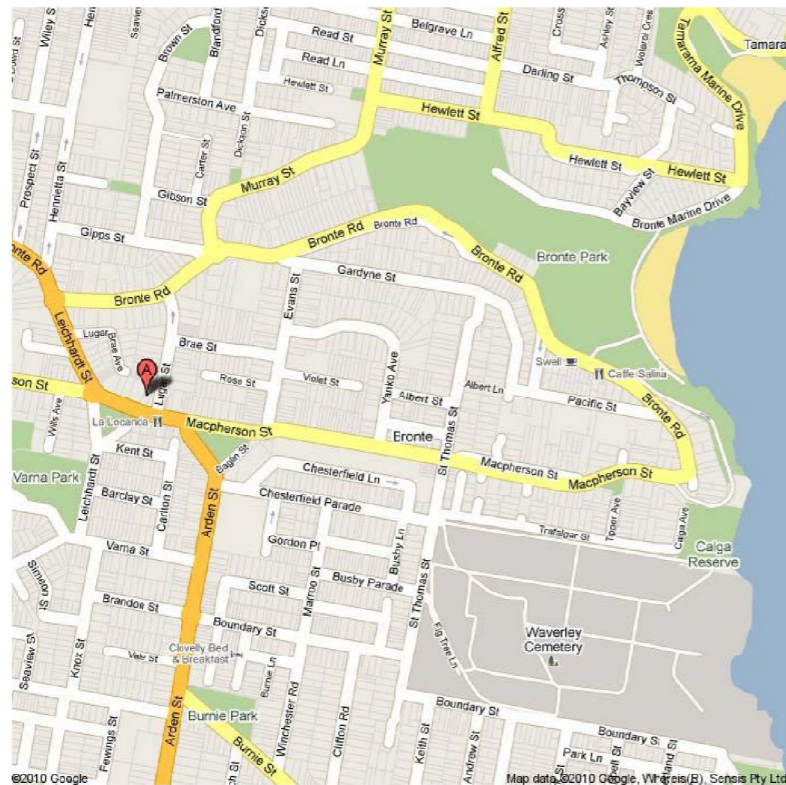
Date Received: 20/08/2024

FOR:
UNIT ALTERATIONS

AT:
9/42 MACPHERSON ST, BRONTE

FOR:
JOHN HUMPHREYS

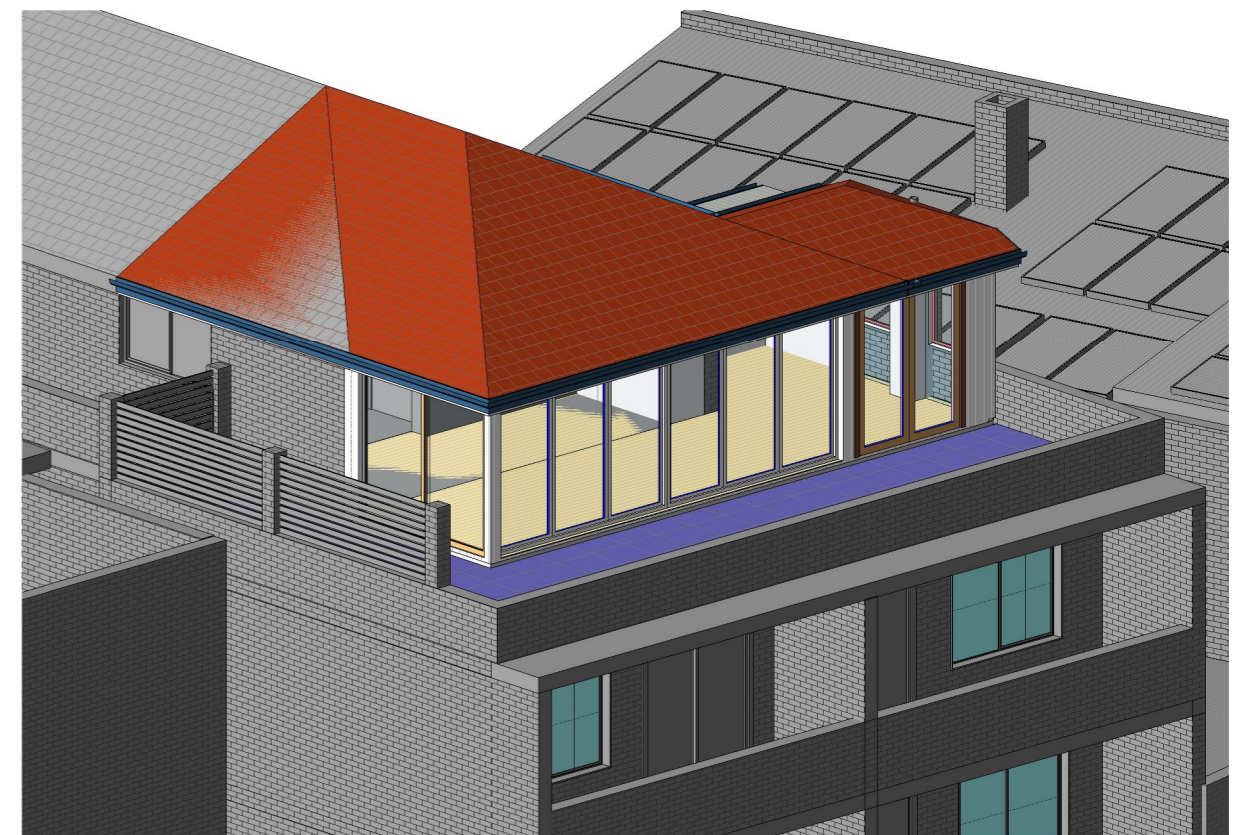
LOCATION MAP:



DRAWING SCHEDULE:

ARCHITECTURAL DRAWINGS:

DRAWING LIST			
Sheet Number	Sheet Name	Current Revision	Current Revision Date
01-01	EXISTING SITE PLAN & ELEVATION	1	29.2.2024
01-02	EXISTING FLOOR PLAN	1	29.2.2024
01-03	DEMOLITION PLAN	1	29.2.2024
01-04	GFA CALCULATIONS	2	20.8.2024
01-05	BASIX COMMITMENTS	1	29.2.2024
02-01	PROPOSED SITE PLAN	2	20.8.2024
02-02	PROPOSED SITE ELEVATIONS	2	20.8.2024
02-03	PROPOSED SITE ELEVATIONS	2	20.8.2024
02-04	PROPOSED FLOOR PLAN	2	20.8.2024
02-05	PROPOSED SECTION A	2	20.8.2024
02-06	PROPOSED SECTION B	2	20.8.2024
05-01	WASTE MANAGEMENT PLAN	1	29.2.2024

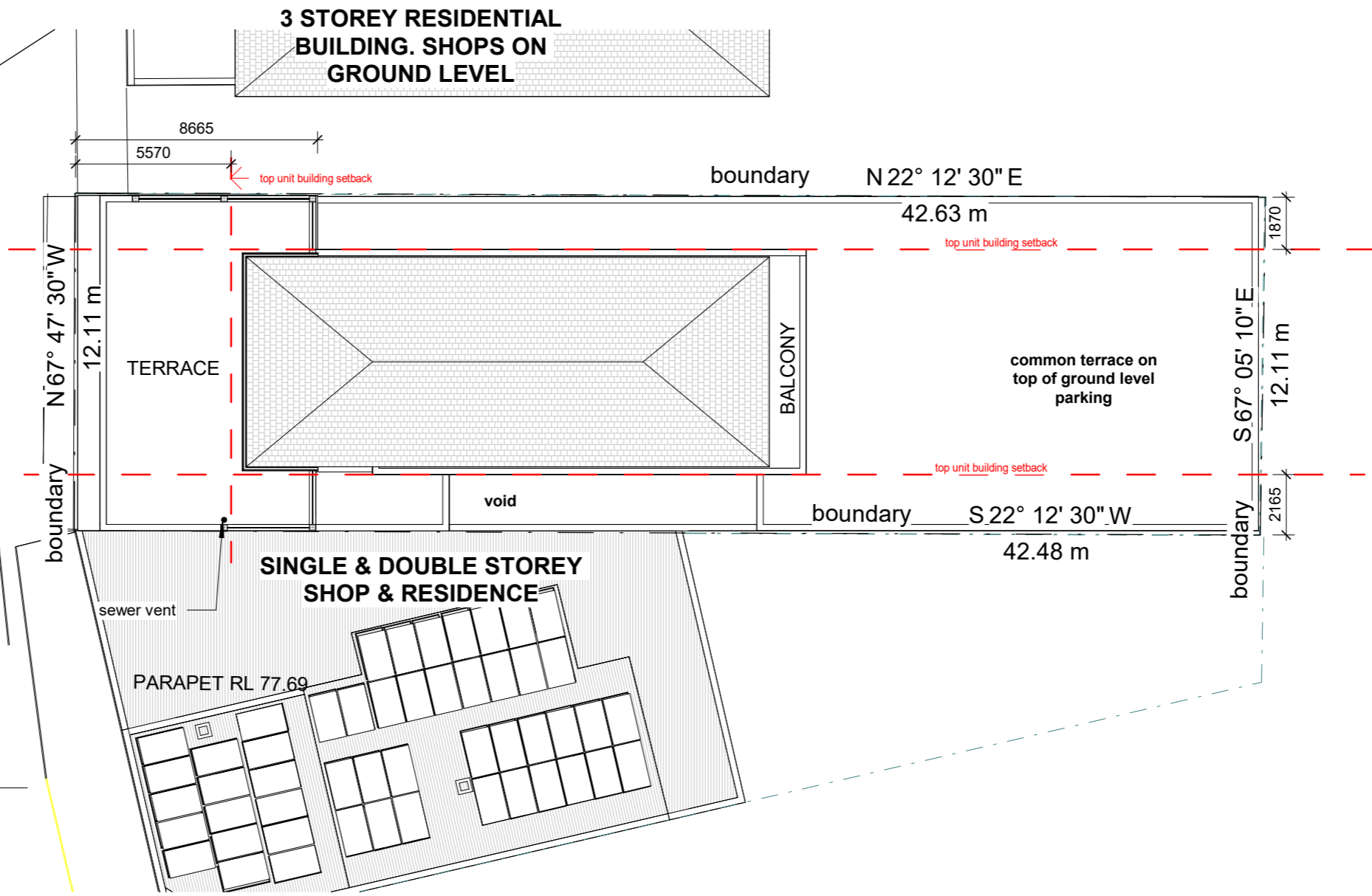


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m: 0425 218 605 | e: info@synthesisstudio.org
abn: 814 974 380 69

ISSUE	DESCRIPTION	DATE	NOTE
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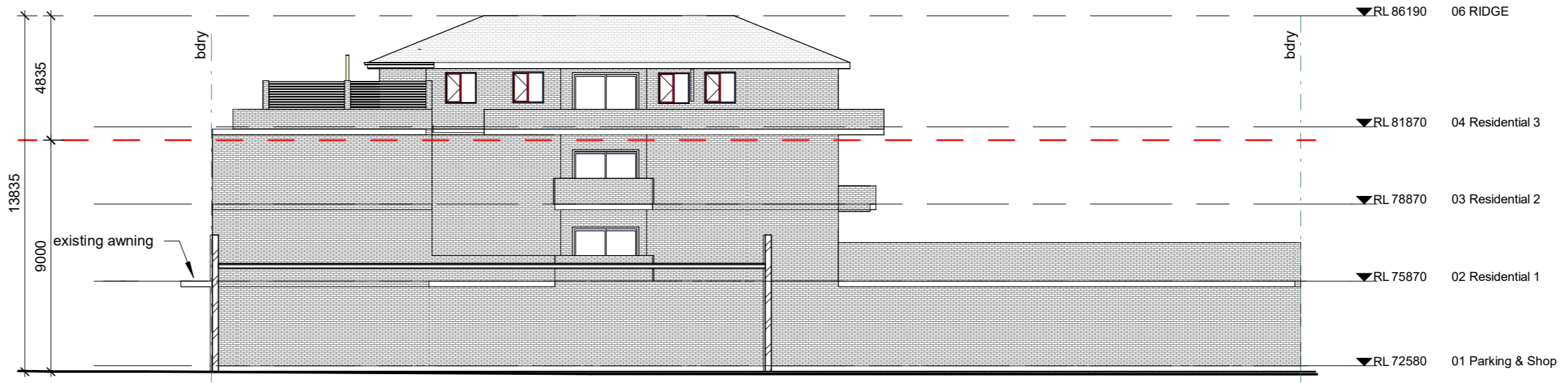
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MACPHERSON STREET



NOTE:
EXISTING BUILDING HAS ZERO BOUNDARY SETBACK ON GROUND FLOOR
STREET BOUNDARY SETBACK IS ZERO AS BALCONIES ARE BUILT TO THE BOUNDARY
BOTH SIDE BOUNDARIES HAVE ZERO SETBACK FOR THE FIRST 8.66m FROM THE STREET FRONTAGE, THEN SHOWN SIDE SETBACKS APPLY

1 EXISTING SITE PLAN
1 : 200

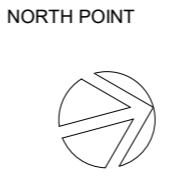


2 EXISTING EAST ELEVATION
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No	DESCRIPTION	DATE
1	DA SUBMISSION	29.2.2024

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DWG NAME: **EXISTING SITE PLAN & ELEVATION**
PROJECT: **UNIT ALTERATIONS**
9/42 MACPHERSON ST, BRONTE
JOHN HUMPHREYS
DWG No: **01-01**

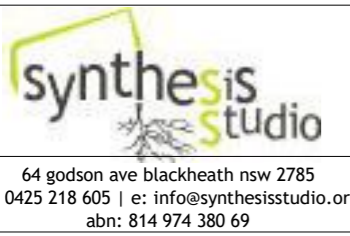
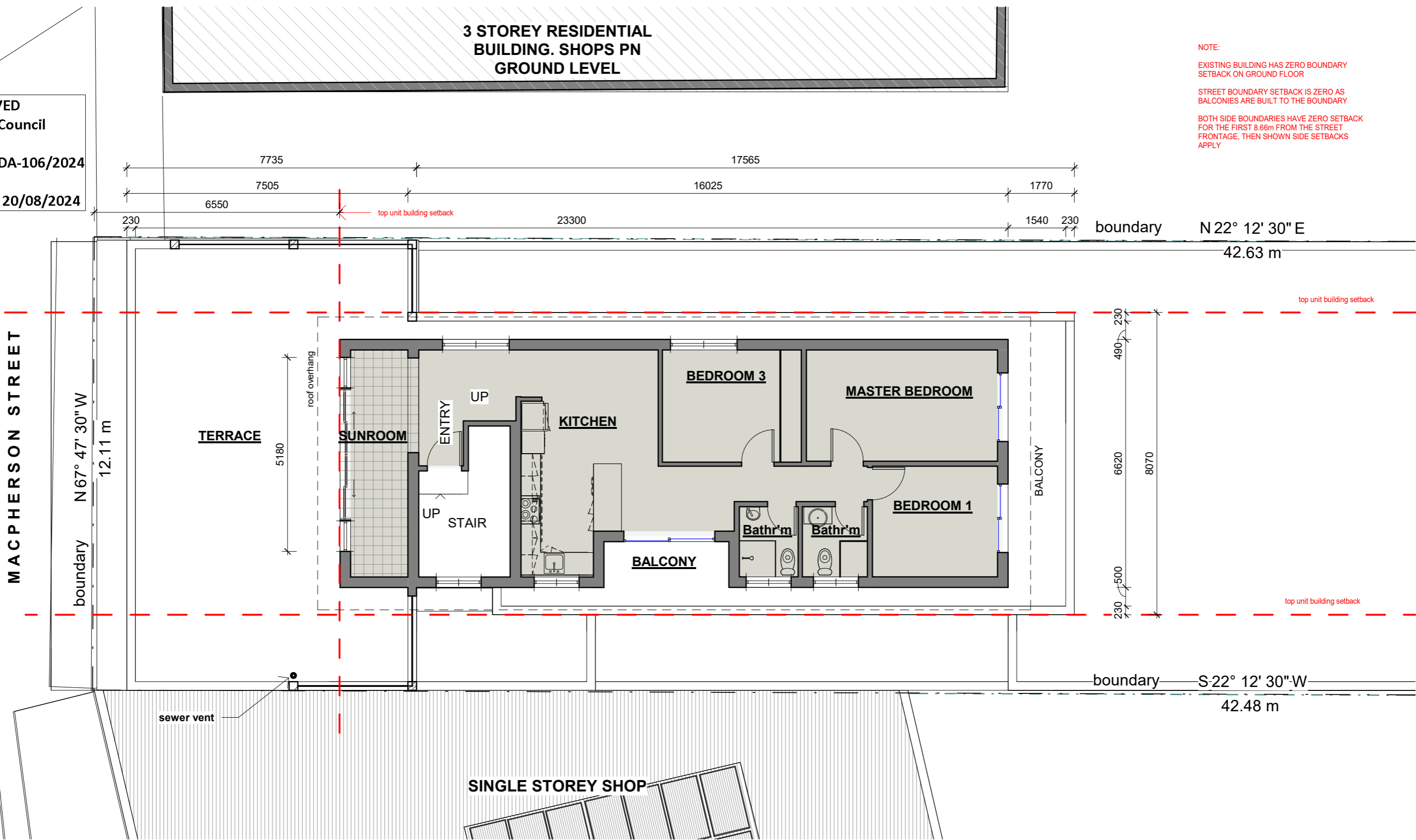
PROJECT STATUS: **DA**

PROJECT No:	21.04
SCALE:	1 : 200
START DATE:	JUN 2021

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Waverley Council
Application No: DA-106/2024
Date Received: 20/08/2024

3 STOREY RESIDENTIAL
BUILDING. SHOPS PN
GROUND LEVEL

NOTE:
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SETBACK ON GROUND FLOOR
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BOTH SIDE BOUNDARIES HAVE ZERO SETBACK
FOR THE FIRST 8.66m FROM THE STREET
FRONTAGE, THEN SHOWN SIDE SETBACKS
APPLY



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1	DA SUBMISSION	29.2.2024

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424 (C)

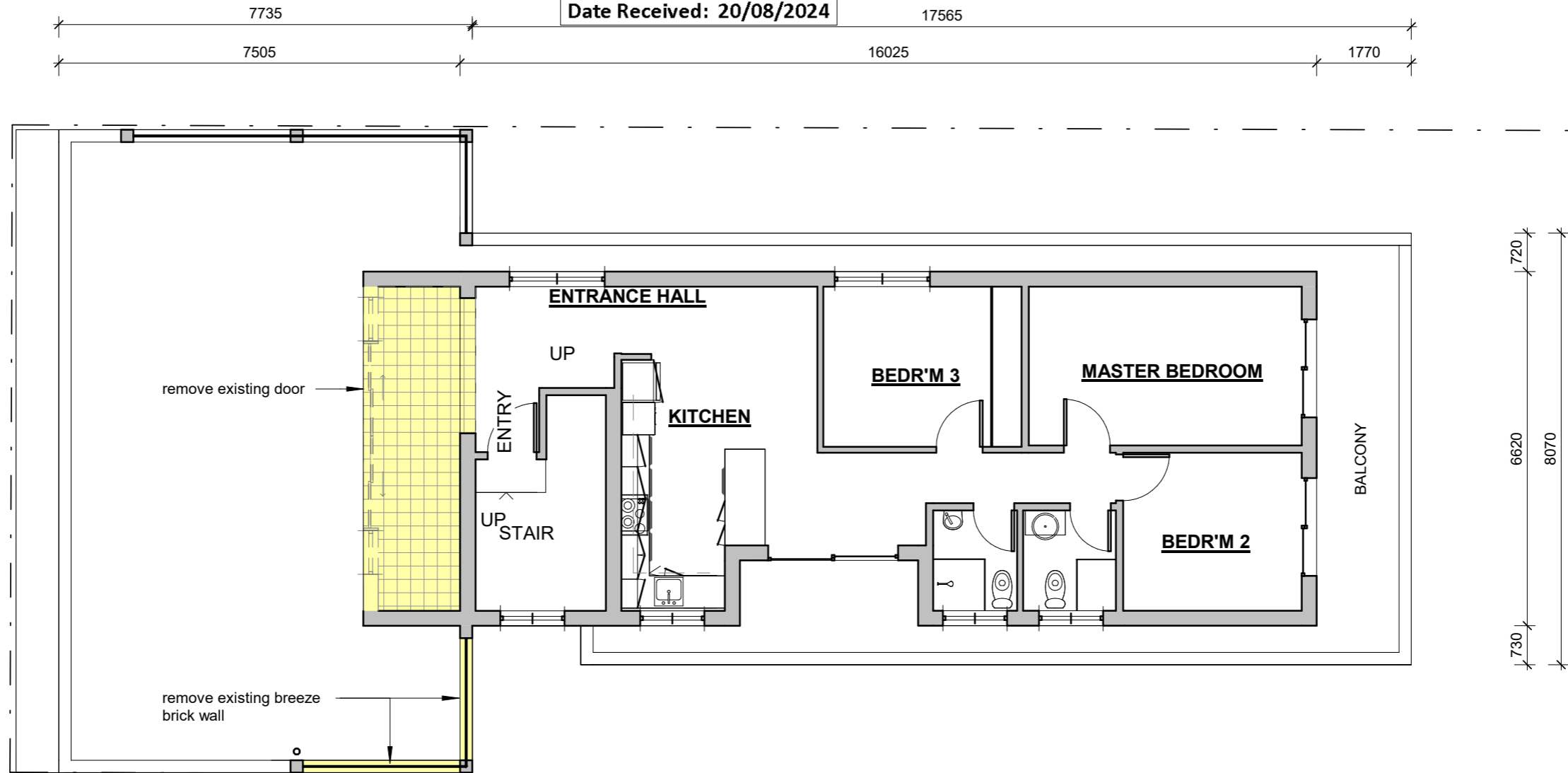


DWG NAME: **EXISTING FLOOR PLAN**
PROJECT: **UNIT ALTERATIONS**
9/42 MACPHERSON ST, BRONTE
JOHN HUMPHREYS
DWG No: **01-02**

PROJECT STATUS: **DA**

PROJECT No:	21.04
SCALE:	1 : 100
START DATE:	JUN 2021

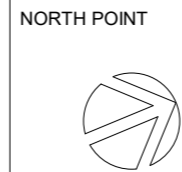
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Application No: DA-106/2024
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No	DESCRIPTION	DATE
1	DA SUBMISSION	29.2.2024

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 425 (C)

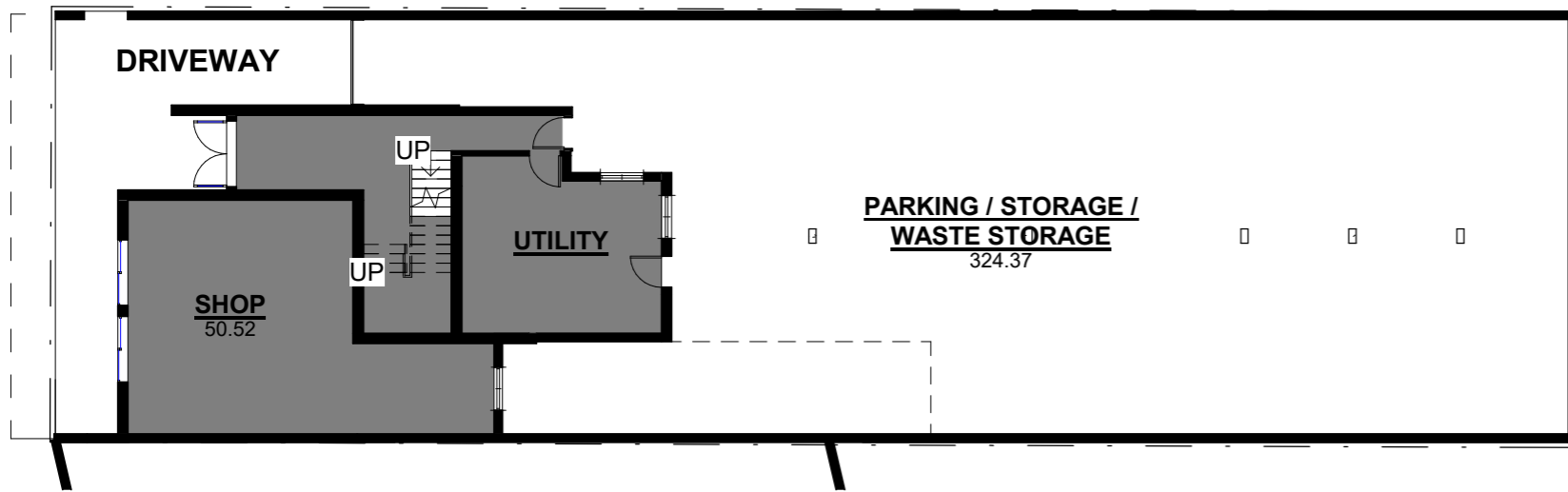


DWG NAME **DEMOLITION PLAN**
 PROJECT **UNIT ALTERATIONS**
9/42 MACPHERSON ST, BRONTE
 JOHN HUMPHREYS

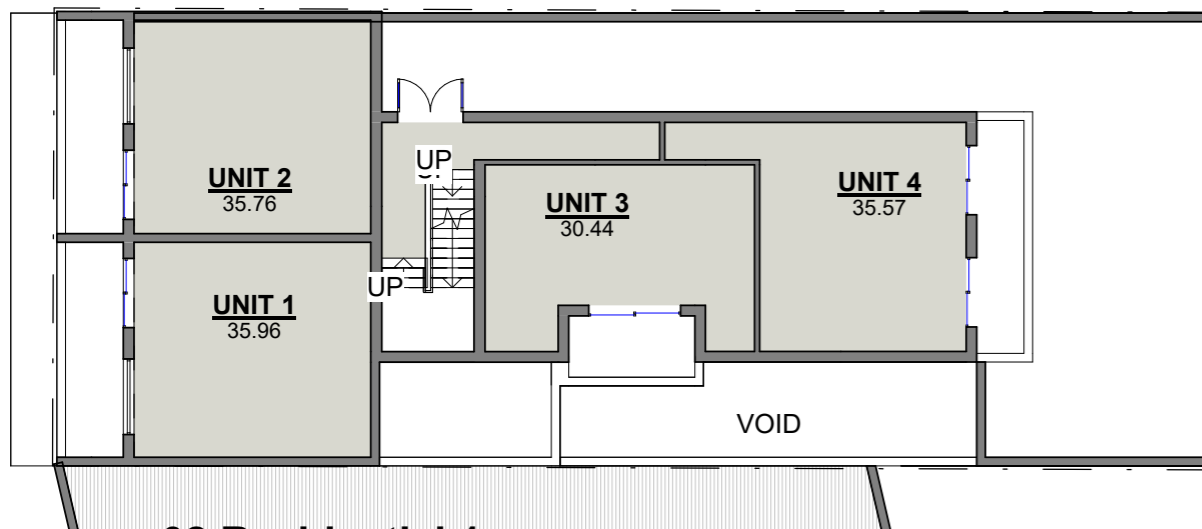
DWG No :
01-03

PROJECT STATUS : **DA**

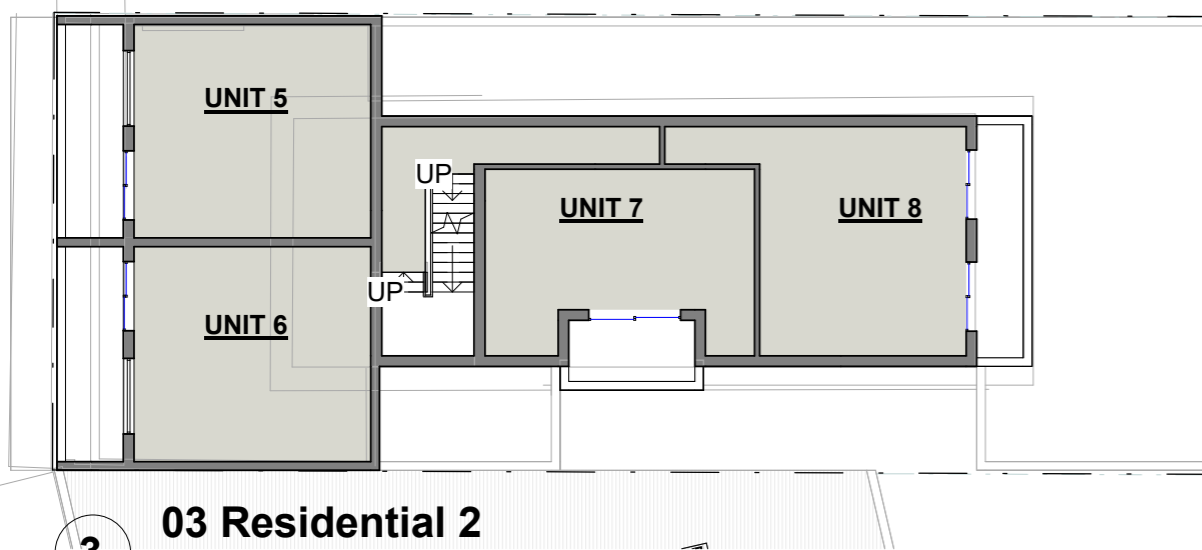
PROJECT No :	21.04
SCALE:	1 : 100
START DATE:	JUN 2021



1 01 Parking & Shop
1 : 200



2 02 Residential 1
1 : 200






3 03 Residential 2
1 : 200

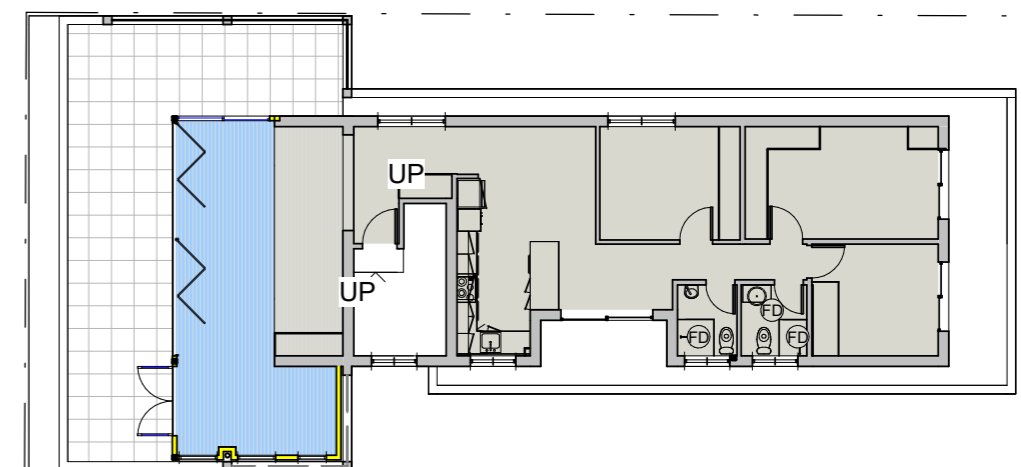
GROSS FLOOR AREA CALCULATION:

SITE AREA: 515.1sqm
 EXISTING GFA: 502.5sqm
 EXISTING FSR: 1 : 0.976
 PROPOSED GFA: 529.4sqm
 PROPOSED FSR: 1 : 1.03

LEGEND:

-  EXISTING COMMERCIAL FLOOR AREA
-  EXISTING RESIDENTIAL FLOOR AREA
-  PROPOSED FLOOR AREA

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 Waverley Council
 Application No: DA-106/2024
 Date Received: 20/08/2024

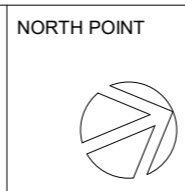


4 UNIT 9 FLOOR PLAN
1 : 200



No	DESCRIPTION	DATE
1	DA SUBMISSION	29.2.2024
2	DA REVISIONS	20.8.2024

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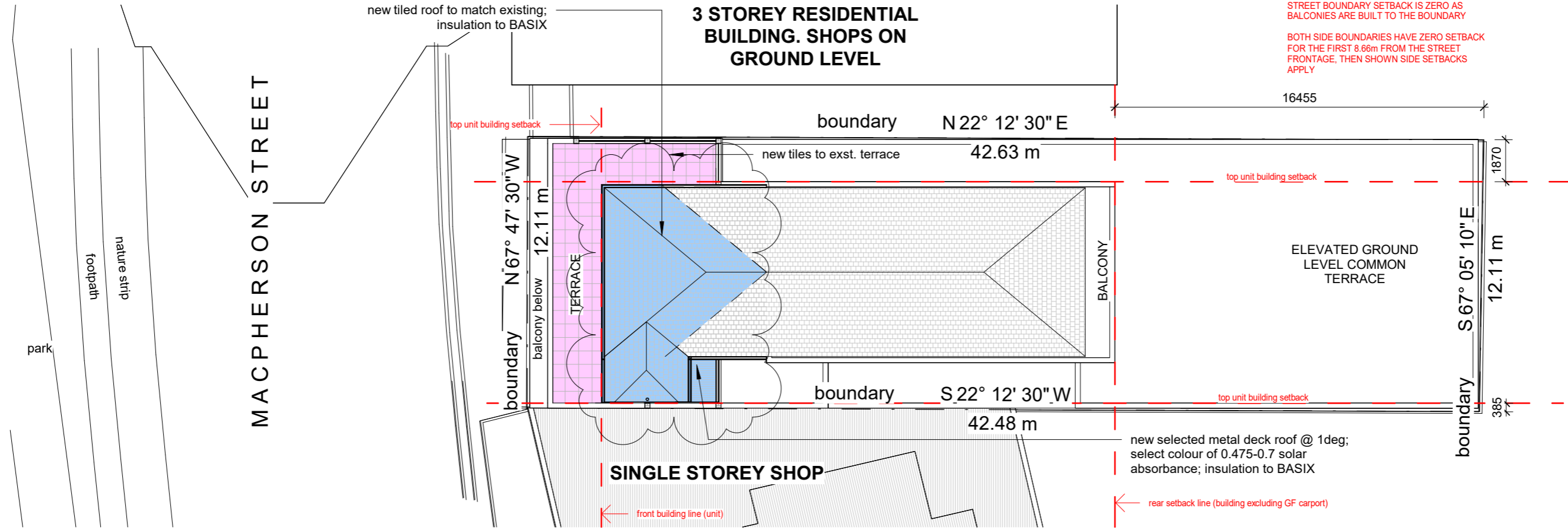


DWG NAME	GFA CALCULATIONS	
PROJECT	UNIT ALTERATIONS 9/42 MACPHERSON ST, BRONTE JOHN HUMPHREYS	
DWG No :	01-04	



PROJECT STATUS :	DA
PROJECT No :	21.04
SCALE:	As indicated
START DATE:	JUN 2021

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 Application No: DA-106/2024
 Date Received: 20/08/2024

NOTE:
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 BOTH SIDE BOUNDARIES HAVE ZERO SETBACK FOR THE FIRST 8.66m FROM THE STREET FRONTAGE, THEN SHOWN SIDE SETBACKS APPLY



1 PROPOSED SITE PLAN
 1 : 200

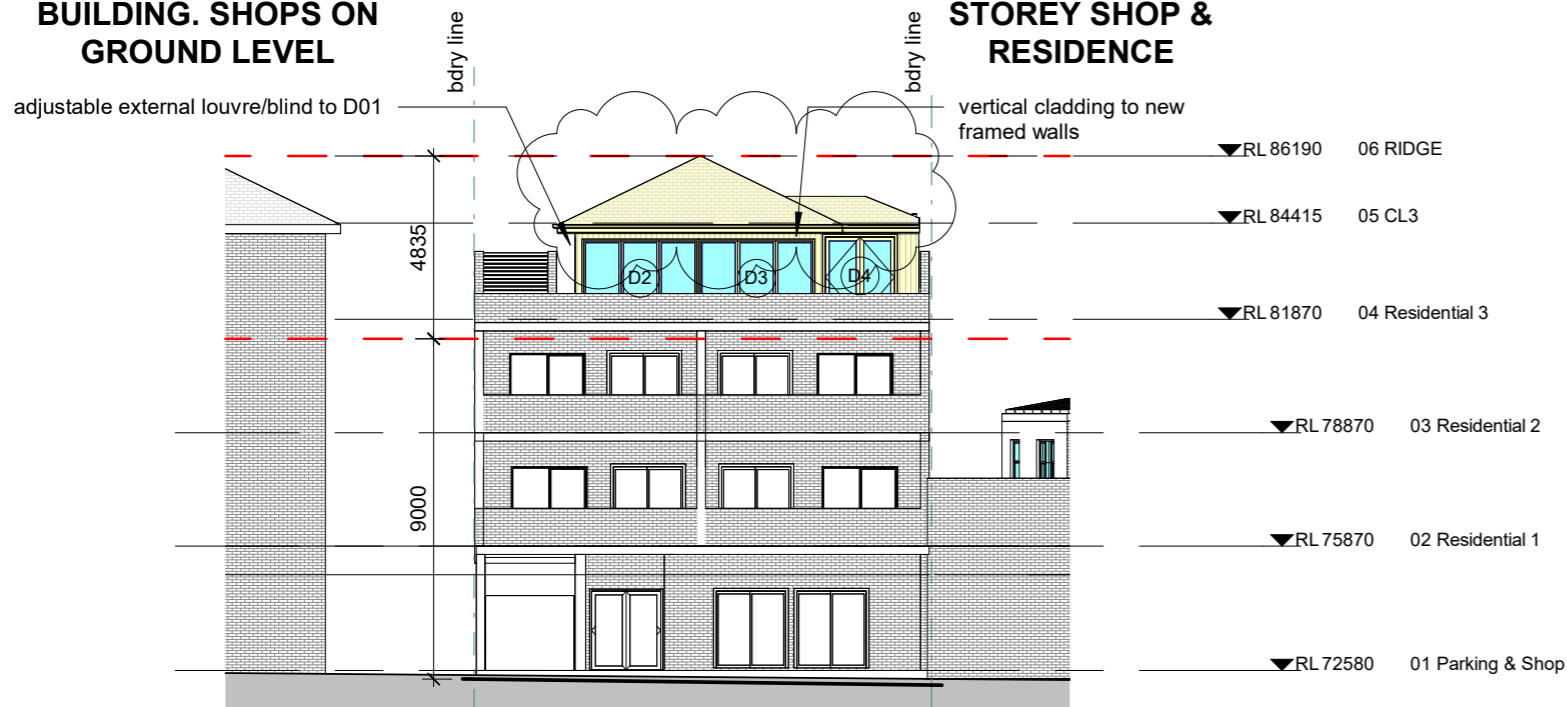
 64 godson ave blackheath nsw 2785 m: 0425 218 605 e: info@synthesisstudio.org abn: 814 974 380 69	<table border="1"> <thead> <tr> <th>No</th> <th>DESCRIPTION</th> <th>DATE</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>DA SUBMISSION</td> <td>29.2.2024</td> </tr> <tr> <td>2</td> <td>DA REVISIONS</td> <td>20.8.2024</td> </tr> </tbody> </table>	No	DESCRIPTION	DATE	1	DA SUBMISSION	29.2.2024	2	DA REVISIONS	20.8.2024	NOTE THIS DRAWING IS NOT FOR CONSTRUCTION. LARGER SCALE DRAWINGS TAKE PRECEDENCE OVER SMALLER. ALL DIMENSIONS TO BE CONFIRMED ON SITE. CONTACT ARCHITECT IF ANY DOUBT OR DISCREPANCY ARISES. READ FIGURED DIMENSIONS ONLY, DO NOT SCALE. 427 (C)	NORTH POINT 	DWG NAME PROPOSED SITE PLAN	PROJECT STATUS : DA
	No	DESCRIPTION	DATE											
	1	DA SUBMISSION	29.2.2024											
2	DA REVISIONS	20.8.2024												
		PROJECT UNIT ALTERATIONS 9/42 MACPHERSON ST, BRONTE JOHN HUMPHREYS	DWG No : 02-01	PROJECT No : 21.04										
				SCALE: 1 : 200	START DATE: JUN 2021									

No 40
3 STOREY RESIDENTIAL
BUILDING. SHOPS ON
GROUND LEVEL

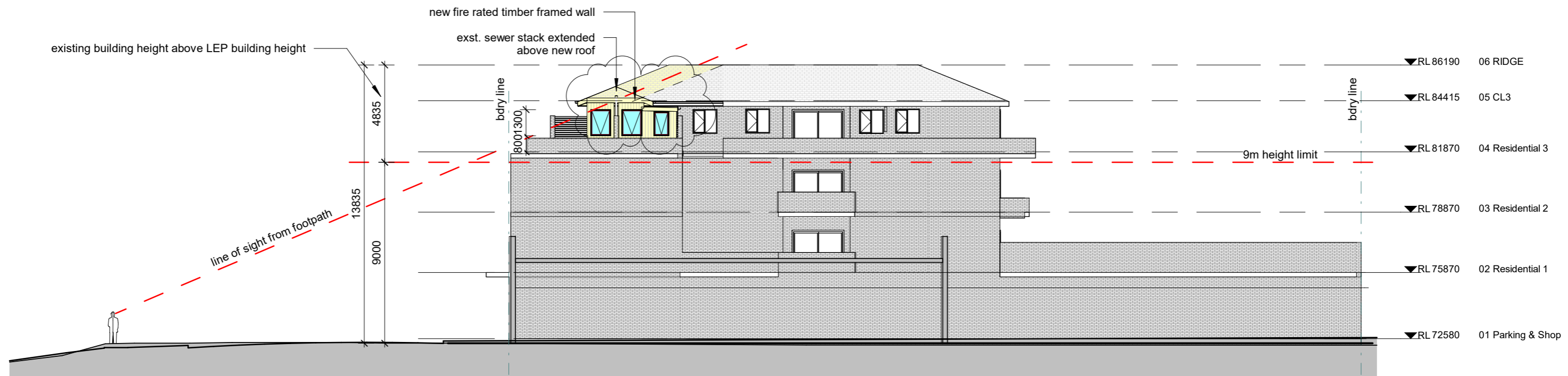
42-44
MACPHERSON ST

No 46-48
SINGLE & DOUBLE
STOREY SHOP &
RESIDENCE

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1 STREET ELEVATION
1 : 200



2 EAST ELEVATION
1 : 200



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428 (C)

NORTH POINT

DWG NAME

PROPOSED SITE ELEVATIONS

PROJECT

UNIT ALTERATIONS
9/42 MACPHERSON ST, BRONTE

JOHN HUMPHREYS

DWG No :

02-02

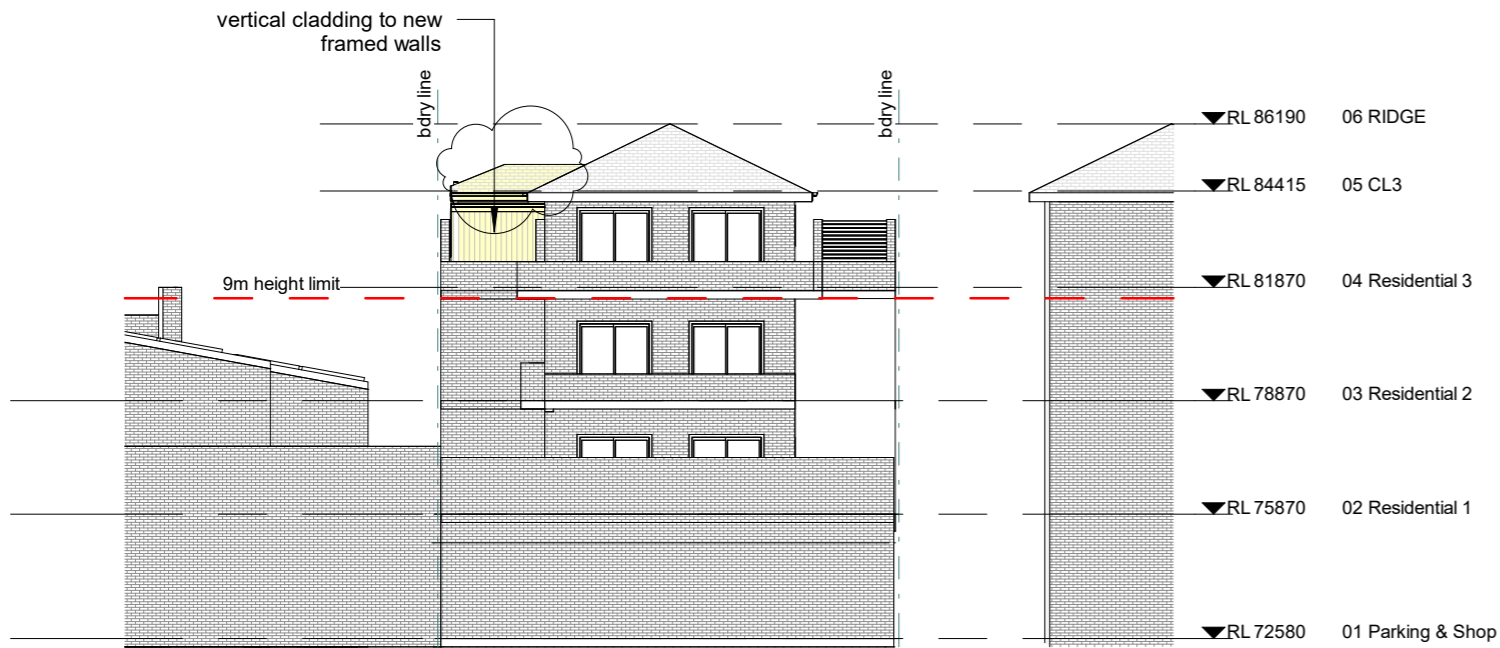
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DA

PROJECT No : 21.04

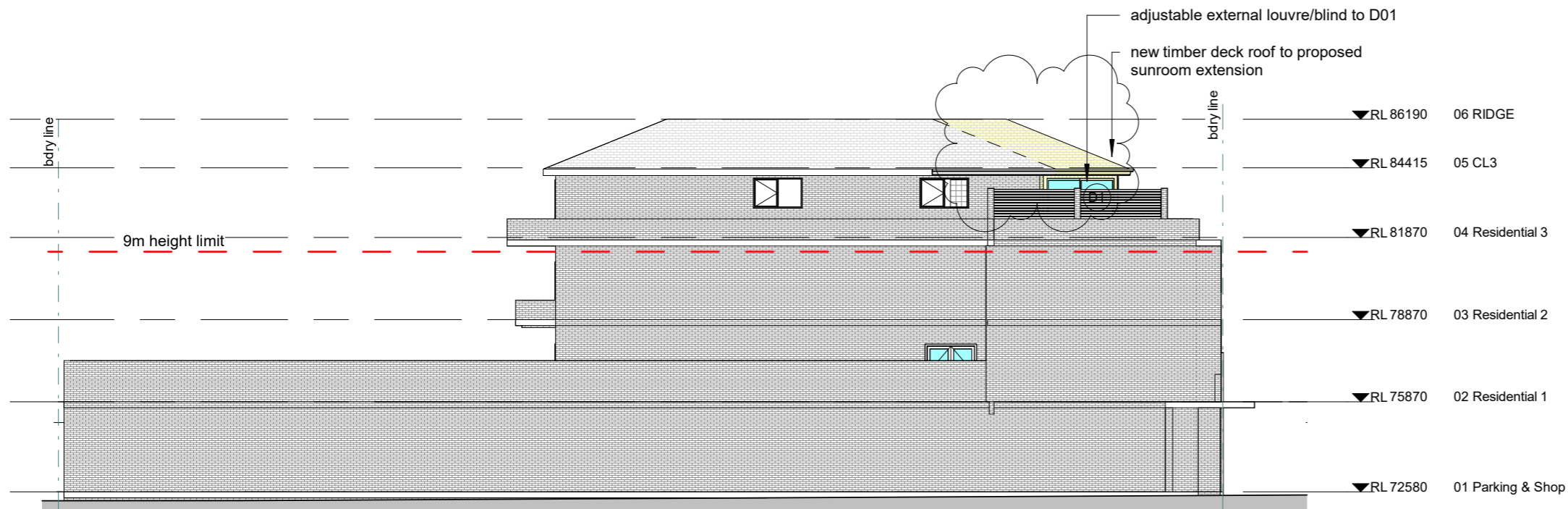
SCALE: 1 : 200

START DATE: JUN 2021



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1 NORTH ELEVATION
 1 : 200



2 WEST ELEVATION
 1 : 200



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 429 (C)

NORTH POINT

DWG NAME: **PROPOSED SITE ELEVATIONS**
 PROJECT: **UNIT ALTERATIONS**
9/42 MACPHERSON ST, BRONTE
 JOHN HUMPHREYS

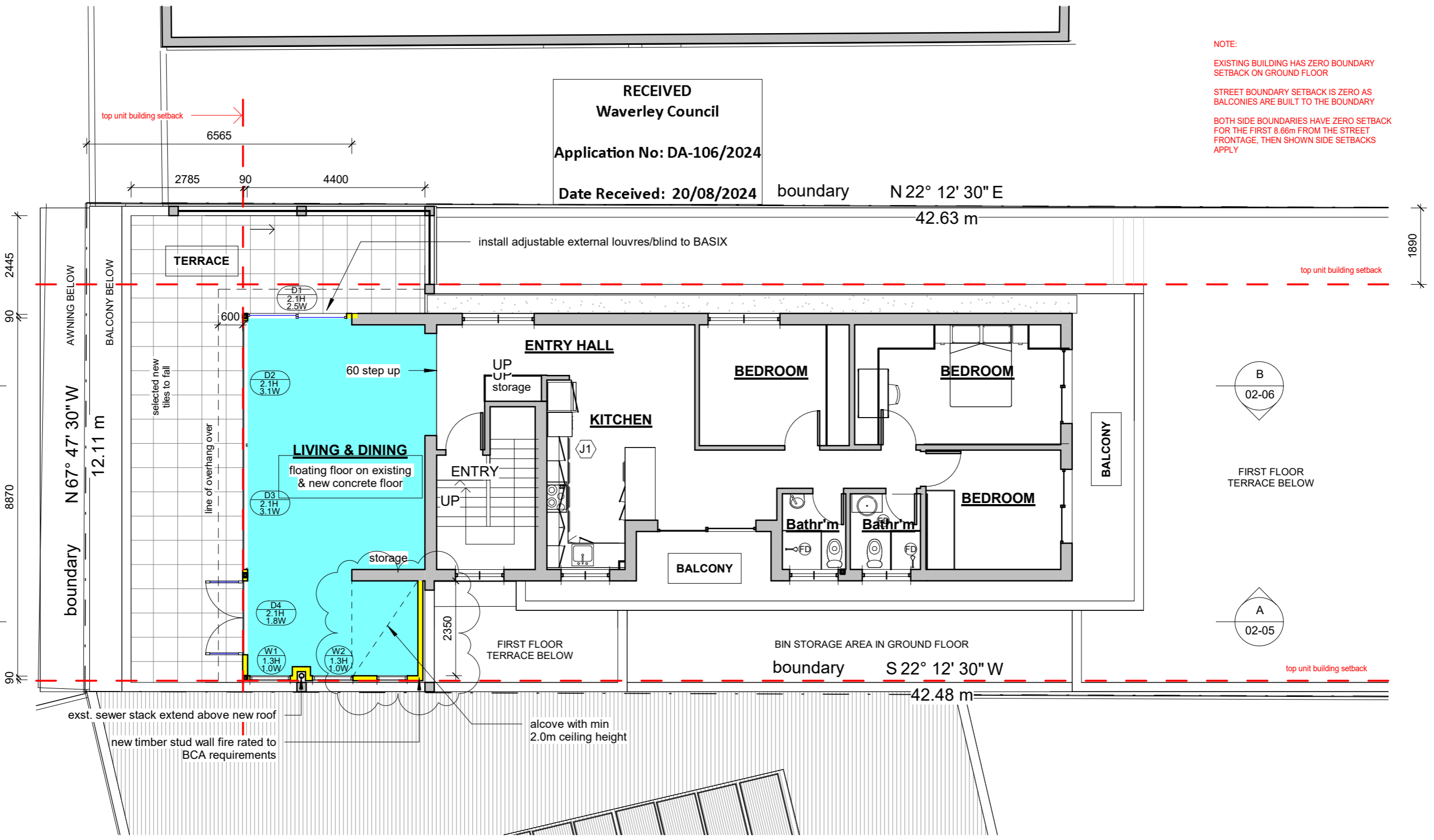
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PROJECT STATUS : **DA**

PROJECT No :	21.04
SCALE:	1 : 200
START DATE:	JUN 2021

NOTE:
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 STREET BOUNDARY SETBACK IS ZERO AS BALCONIES ARE BUILT TO THE BOUNDARY
 BOTH SIDE BOUNDARIES HAVE ZERO SETBACK FOR THE FIRST 8.66m FROM THE STREET FRONTAGE, THEN SHOWN SIDE SETBACKS APPLY

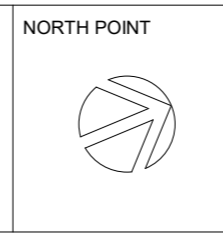
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 430 (C)



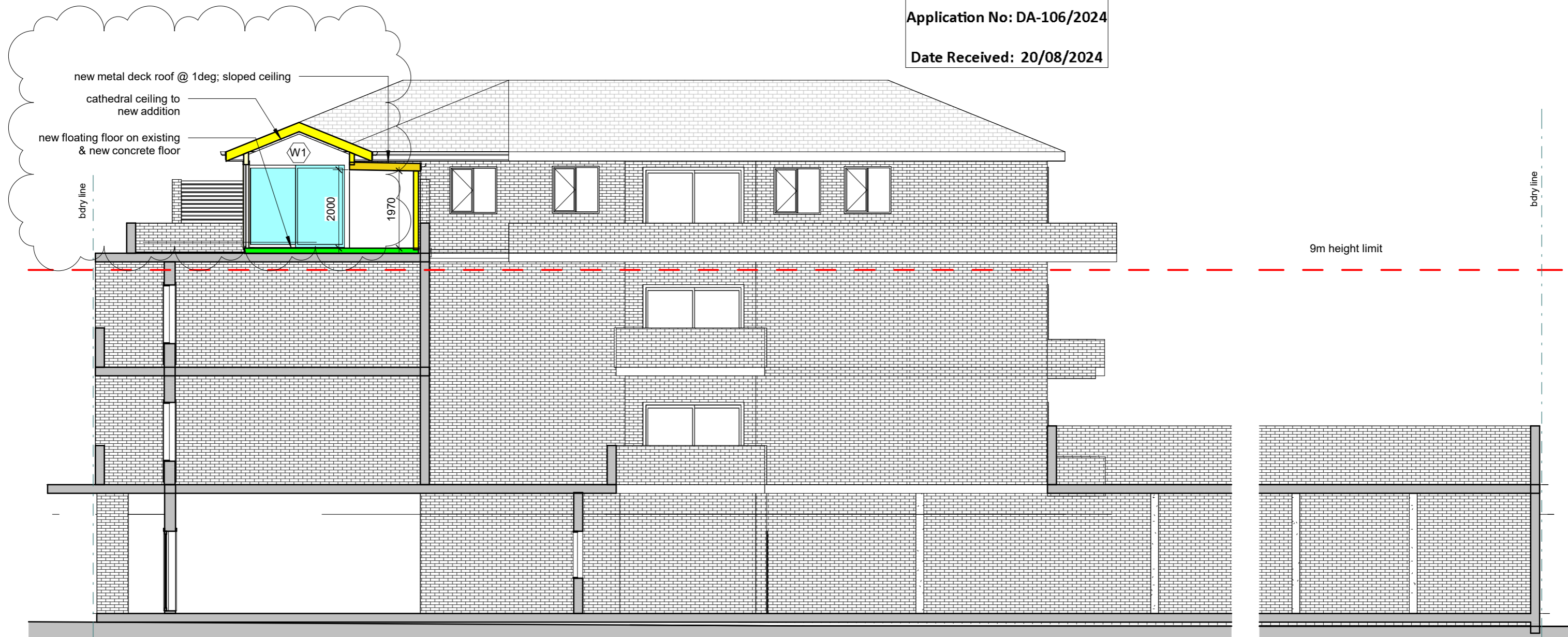
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 PROJECT: **UNIT ALTERATIONS**
9/42 MACPHERSON ST, BRONTE
 JOHN HUMPHREYS

DWG No: **02-04**

PROJECT STATUS: **DA**

PROJECT No:	21.04
SCALE:	1 : 100
START DATE:	JUN 2021

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A SECTION A-A
1 : 100



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431

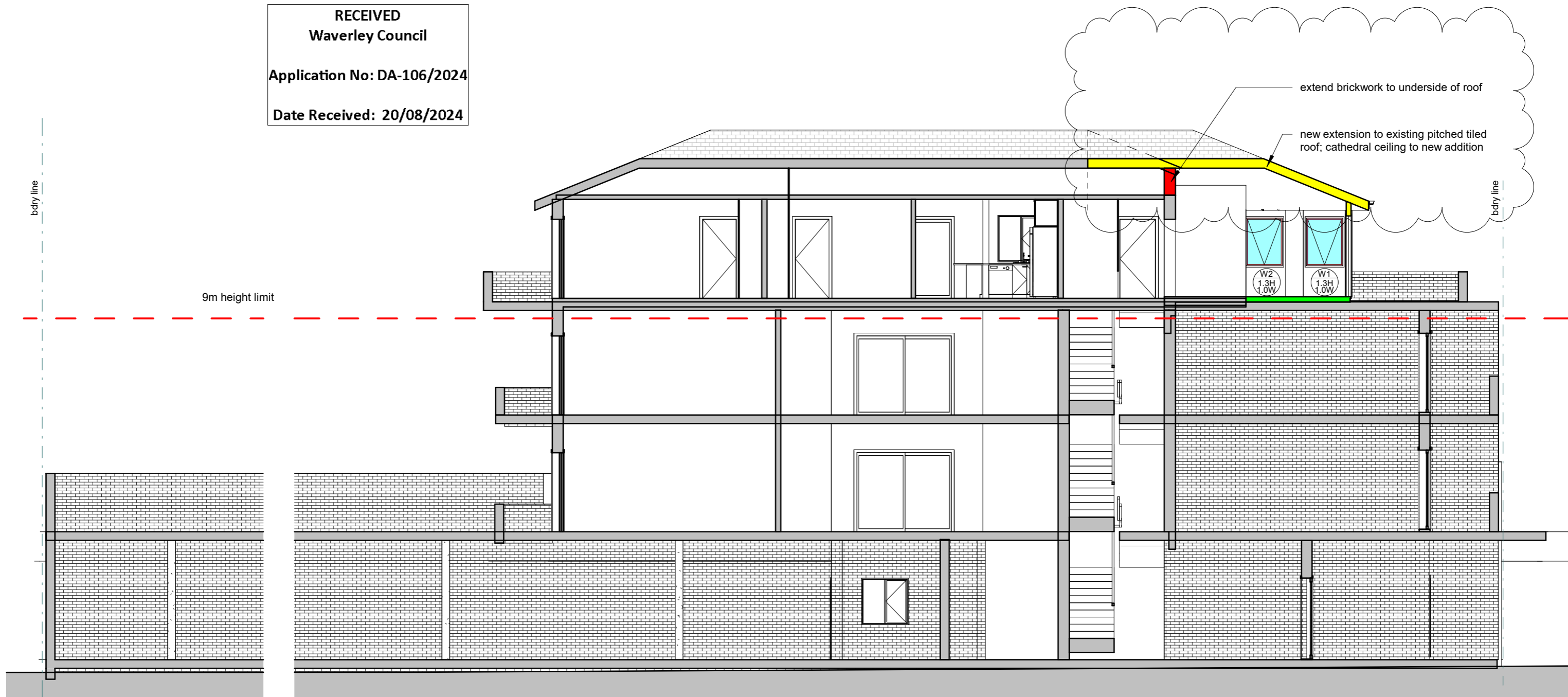
NORTH POINT

DWG NAME
PROPOSED SECTION A
PROJECT
UNIT ALTERATIONS
9/42 MACPHERSON ST, BRONTE
JOHN HUMPHREYS

DWG No :
02-05

PROJECT STATUS :
DA
PROJECT No : 21.04
SCALE: 1 : 100
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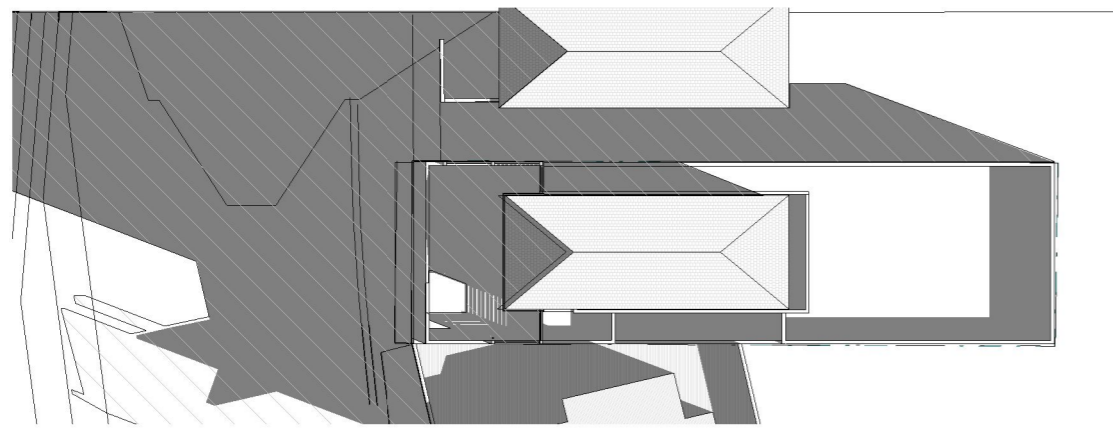
NORTH POINT

DWG NAME **PROPOSED SECTION B**
PROJECT **UNIT ALTERATIONS**
9/42 MACPHERSON ST, BRONTE
JOHN HUMPHREYS

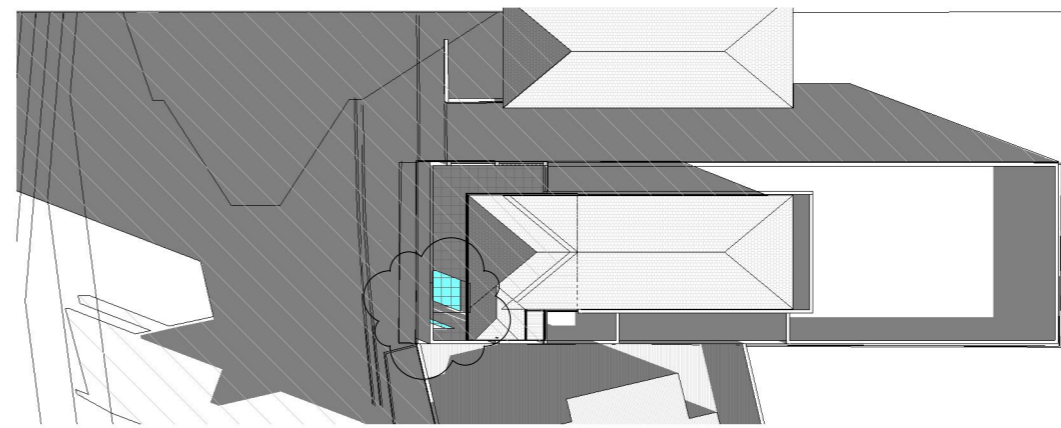
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02-06

PROJECT STATUS : **DA**
PROJECT No : 21.04
SCALE: 1 : 100
START DATE: JUN 2021

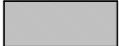
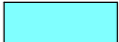
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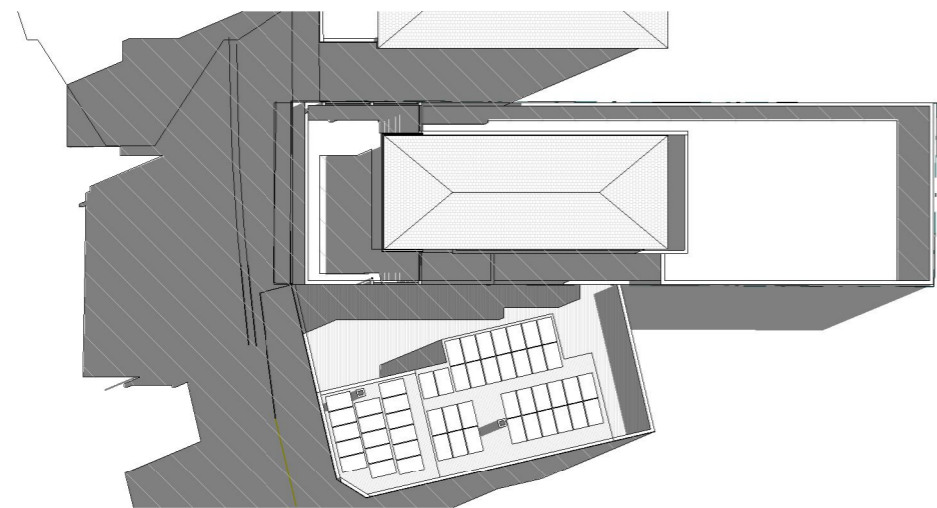


1 EXISTING SHADOWS 9am WINTER
1 : 500

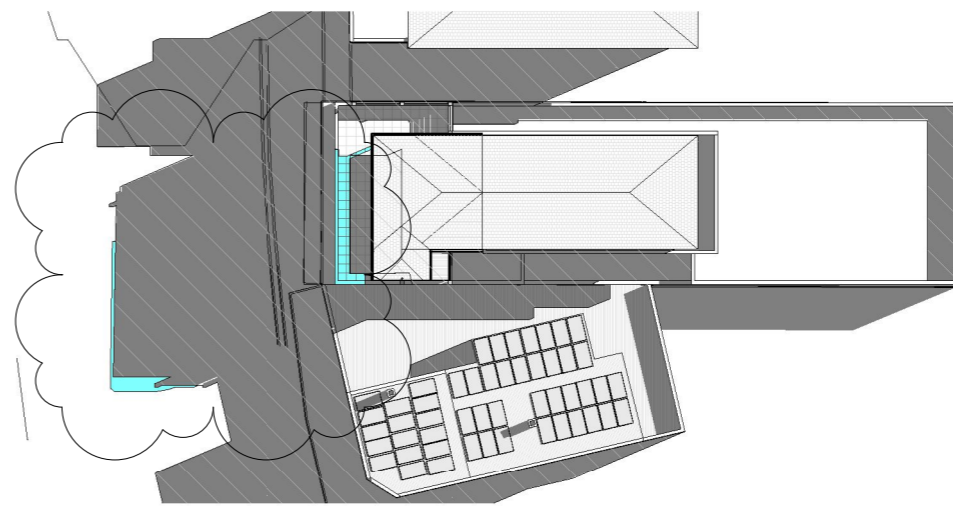


2 PROPOSED SHADOWS 9am WINTER
1 : 500

LEGEND:
 EXISTING SHADOWS
 ADDITIONAL SHADOWS



3 EXISTING SHADOWS 12pm WINTER
1 : 500



4 PROPOSED SHADOWS 12pm WINTER
1 : 500

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5 EXISTING SHADOWS 12pm WINTER



6 PROPOSED SHADOWS 12pm WINTER



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NORTH POINT

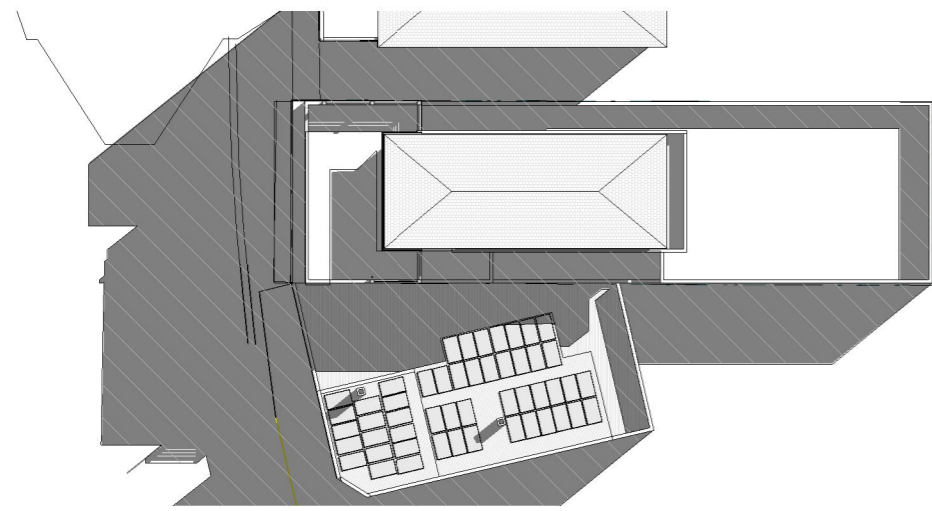


DWG NAME: WINTER SHADOW DIAGRAMS

PROJECT: UNIT ALTERATIONS
 9/42 MACPHERSON ST, BRONTE
 JOHN HUMPHREYS

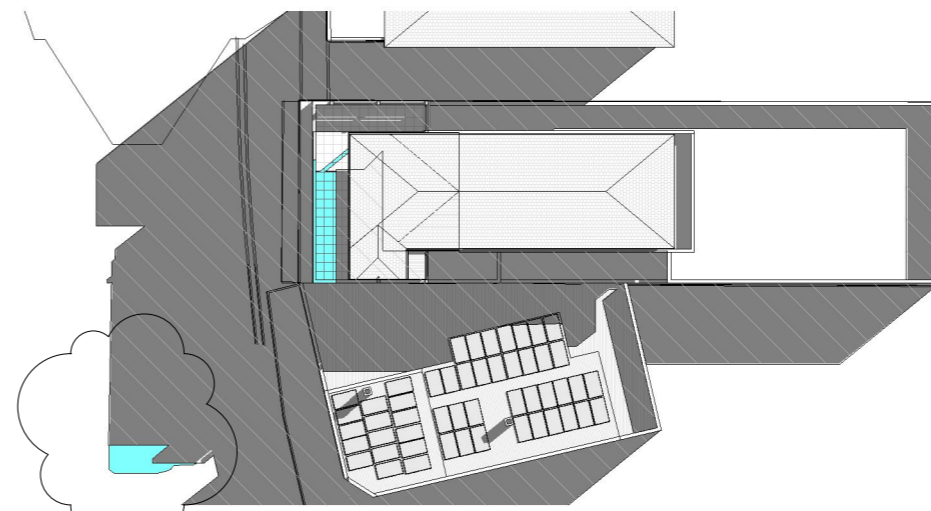
DWG No: 01-06

PROJECT STATUS:	DA
PROJECT No:	21.04
SCALE:	As indicated
START DATE:	JUN 2021



1 EXISTING SHADOWS 1pm WINTER

1 : 500



2 PROPOSED SHADOWS 1pm WINTER

1 : 500

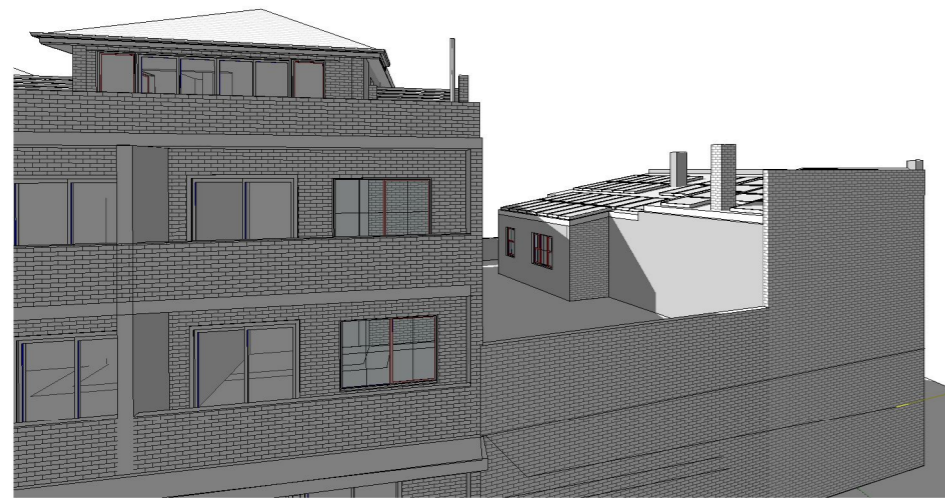
LEGEND:

- EXISTING SHADOWS
- ADDITIONAL SHADOWS

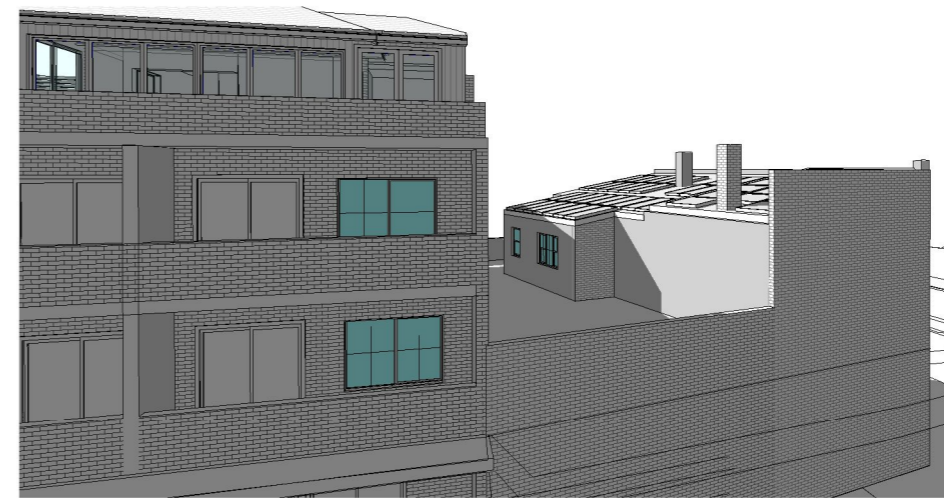
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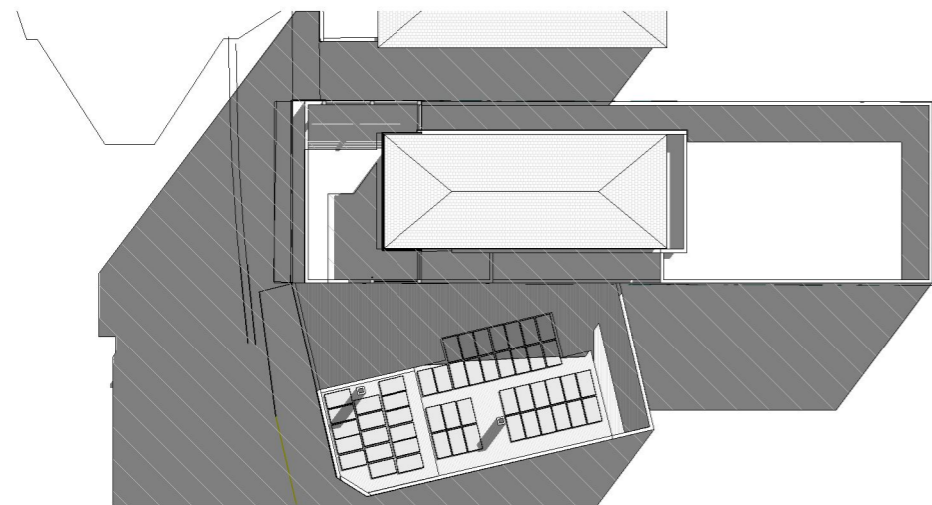
Date Received: 14/10/2024



3 EXISTING SHADOWS 1pm WINTER

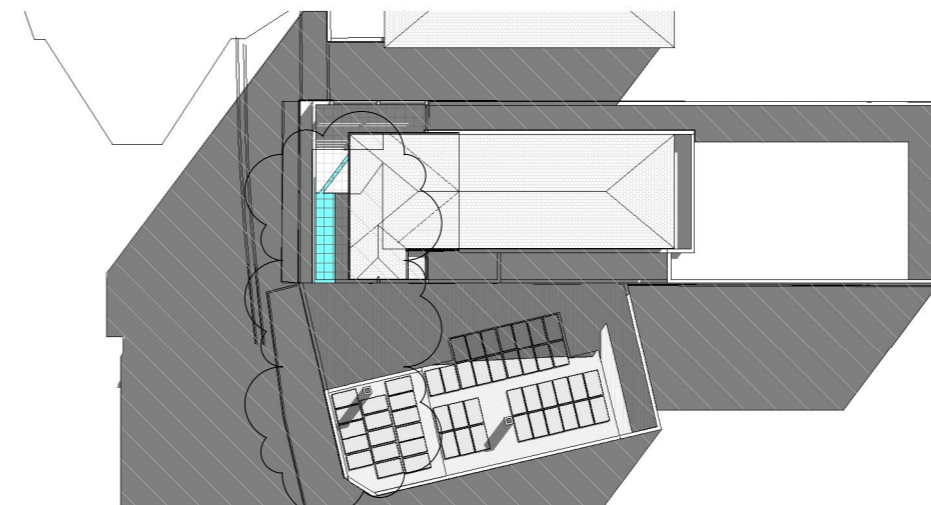


4 PROPOSED SHADOWS 1pm WINTER



5 EXISTING SHADOWS 2pm WINTER

1 : 500



6 PROPOSED SHADOWS 2pm WINTER

1 : 500

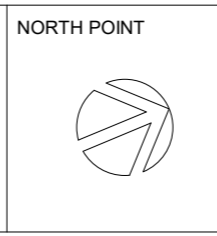


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434 (C)



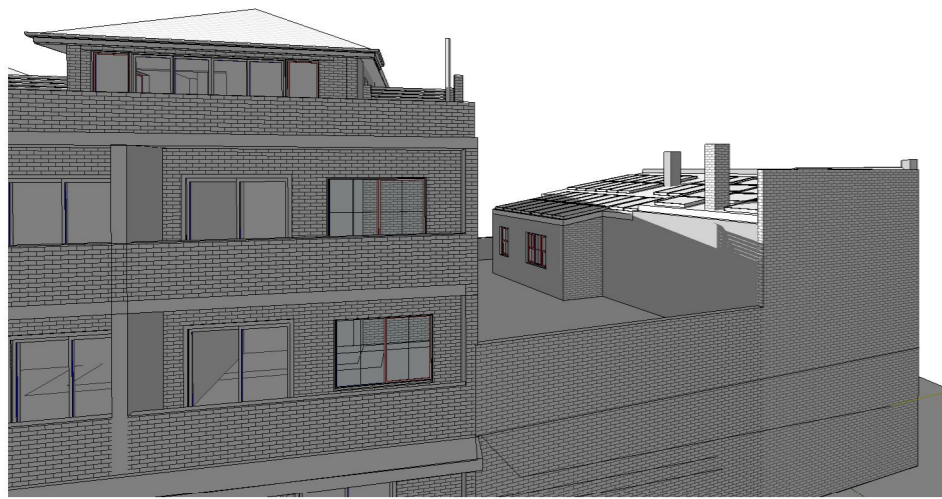
DWG NAME: **WINTER SHADOW DIAGRAMS**

PROJECT: **UNIT ALTERATIONS**
9/42 MACPHERSON ST, BRONTE
JOHN HUMPHREYS

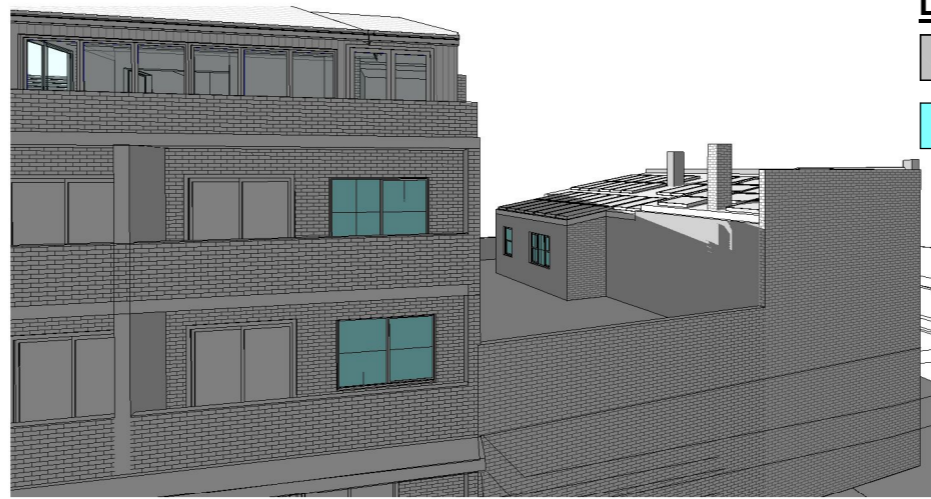
DWG No: **01-07**

PROJECT STATUS: **DA**

PROJECT No:	21.04
SCALE:	As indicated
START DATE:	JUN 2021



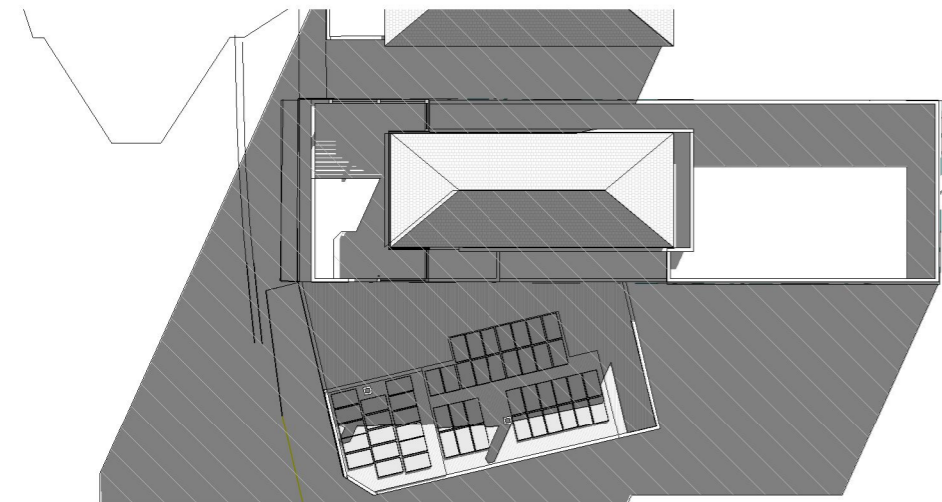
1 EXISTING SHADOWS 2pm WINTER



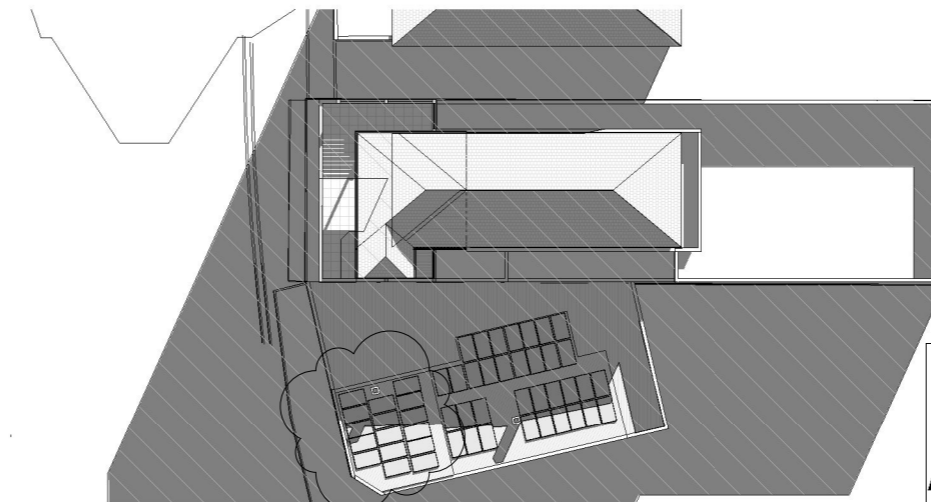
2 PROPOSED SHADOWS 2pm WINTER

LEGEND:

- EXISTING SHADOWS
- ADDITIONAL SHADOWS

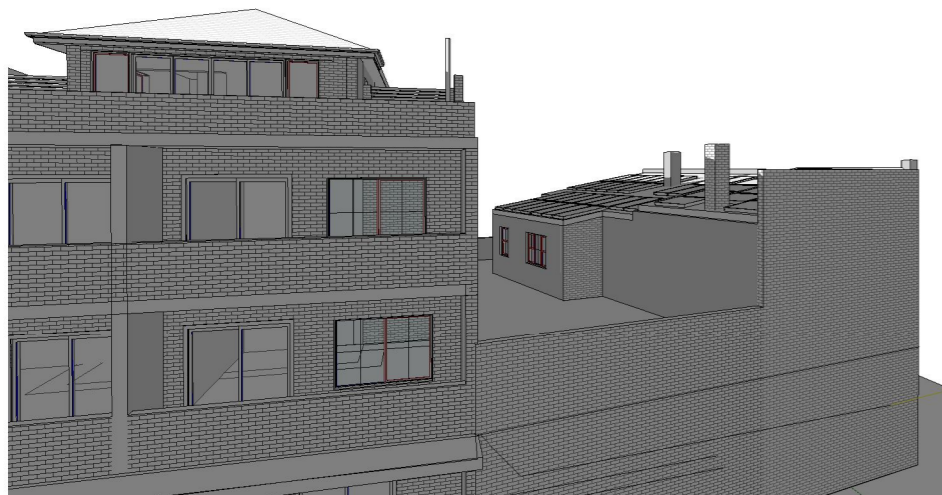


3 EXISTING SHADOWS 3pm WINTER
1 : 500

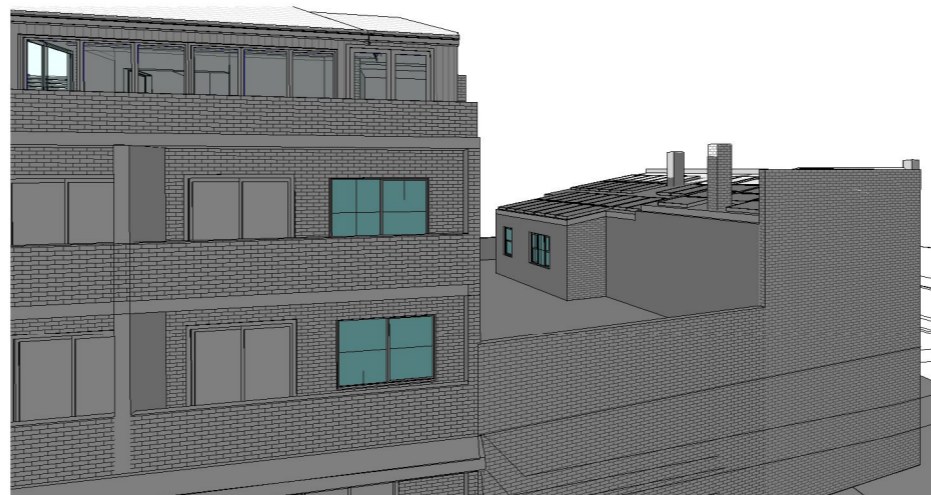


4 PROPOSED SHADOWS 3pm WINTER
1 : 500

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Application No: DA-106/2024
Date Received: 14/10/2024



5 EXISTING SHADOWS 3pm WINTER



6 PROPOSED SHADOWS 3pm WINTER



IMAGES SHOWING SIDE WALL OF No 46-48 MacPherson St FACING SUBJECT PROPERTY



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abn: 814 974 380 69

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435

NORTH POINT



DWG NAME

WINTER SHADOW DIAGRAMS

PROJECT

UNIT ALTERATIONS
9/42 MACPHERSON ST, BRONTE
JOHN HUMPHREYS

DWG No :

01-08

PROJECT STATUS :

DA

PROJECT No :

21.04

SCALE:

As indicated

START DATE:

JUN 2021



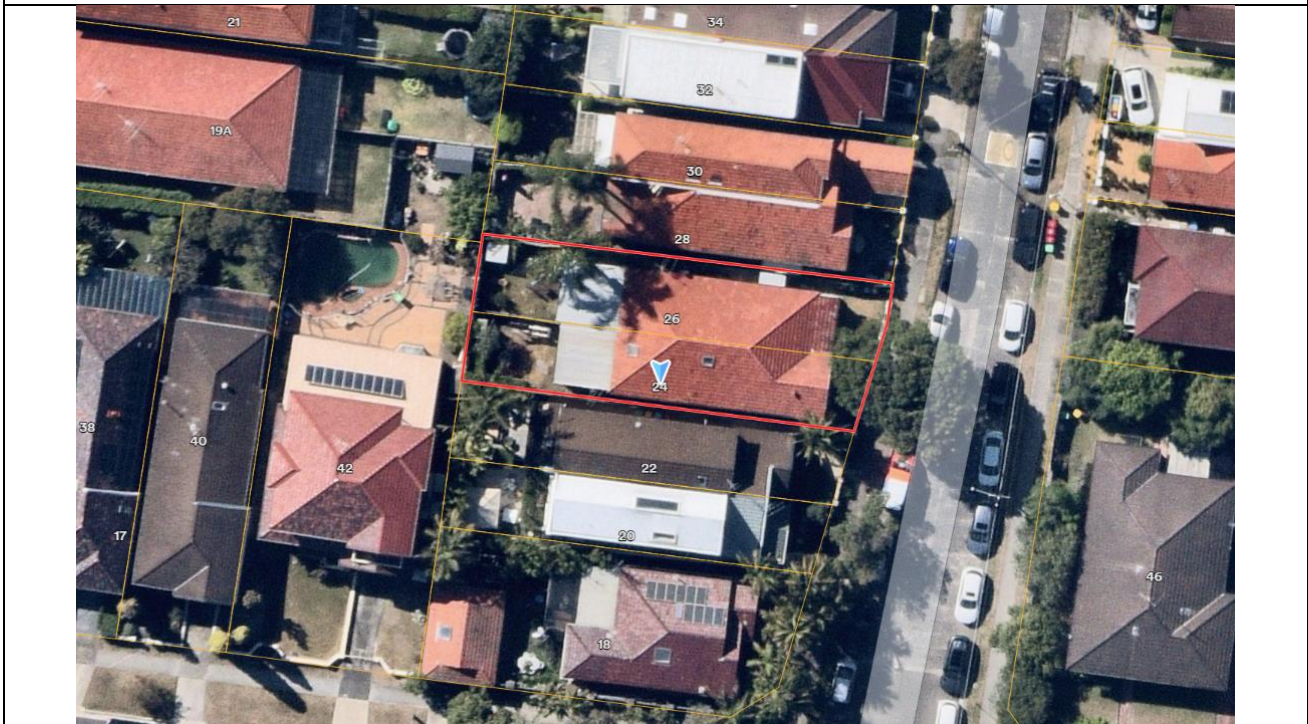
Low Density Residential Development



Report to the Waverley Local Planning Panel

Application number	DA-431/2024
Site address	24 and 26 Nancy Street, North Bondi
Proposal	Demolition of the existing semi-detached dwellings and construction of new two storey semi-detached dwellings with single carports, boundary adjustment of the existing Torrens Title lots and associated works.
Date of lodgement	27 August 2024
Owner	K N Kramer, S S Kramer, S L Kramer, T D Kramer, A E Pfirsch and T D Grasa
Applicant	Logico Homes Pty Ltd
Submissions	Nil
Cost of works	\$1,627,550.73
Principal Issues	<ul style="list-style-type: none"> • Non-compliance with the minimum lot size; • Exceedance to the Floor Space Ratio (FSR) development standard; • Rear building line • Overshadowing.
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 semi-detached dwellings and construction of new two storey semi-detached dwellings with single carports, boundary adjustment of the existing Torrens Title lots and associated works at the site known as 24 and 26 Nancy Street, North Bondi.

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

- Non-compliance with the minimum lot size;
- Exceedance to the Floor Space Ratio (FSR) development standard;
- Rear building line
- Overshadowing.

The assessment finds these issues acceptable. The proposal is for a minor boundary adjustment and new semi-detached dwellings of a similar bulk and scale to surrounding development which significantly upgrades the residential amenity and appearance of the site. The proposal has been designed to reduce the overall visual bulk and scale and increase solar access to surrounding properties to ensure no additional unreasonable amenity impacts result.

No submissions were received during the notification or assessment of this application.

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 September 2024.

The two sites are identified as Lots 1 and 2 in DP 524025, known as 24 and 26 Nancy Street, North Bondi.

The lots are irregular in shape with a splay along the front eastern boundary. Lot 1 has a frontage of 6.37m and Lot 2 has a frontage of 5.93m (a combined frontage of 12.3m) to Nancy Street. Lot 1 (No. 26) has an area of 210.8m² and Lot 2 (No. 24) has an area of 195.7m². The site falls from the north western corner towards the south eastern corner by approximately 1m. The sites are occupied by two single storey semi-detached dwelling houses with no vehicular access provided. The front setback is grassed and the rear yard is largely paved.

The site is adjoined by a two storey semi-detached dwelling to the south and a single storey semi-detached dwelling to the north. The locality is characterised by a variety of low density residential developments.

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



Figure 1: Westerly view of the front façade of the subject sites from Nancy Street.



Figure 2: Eastern view of the yard at 26 Nancy Street.



Figure 3: Western view of the yard at 26 Nancy Street.



Figure 4: Eastern view of the yard at 24 Nancy Street.



Figure 5: Western view of the yard at 24 Nancy Street.



Figure 6: Eastern view of a recent semi-detached dwelling construction at 48 and 50 Nancy Street.

1.3. Relevant Development History

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

- DA-886/2004: Development Application for the alterations and additions including additional storey and carport at 24 Nancy Street, deferred commencement was gained 26 April 2005; and
- DA-333/2023: Development Application for the demolition and construction of new two-storey semi-detached dwellings, including integrated parking and Torrens title boundary adjustment, was withdrawn on 14 March 2024 due to FSR exceedance to clause 4.4 because the wording of clause 4.4(a) did not include semi-detached dwellings in the definition.

1.4. Proposal

The development application seeks consent for demolition of the existing structures on site and the construction of two new semi-detached dwellings and a boundary adjustment to straighten the shared boundary between the two lots. Specifically each dwelling is similar in appearance and includes the following:

Ground floor:

- Guest bedroom and bathroom;
- Open plan kitchen, living, dining room and staircase to upper floor;

First Floor:

- Two bedrooms and a bathroom;
- Master bedroom with ensuite;

External:

- New driveway and single carport;
- Alfresco area off the living space at rear;
- No. 26 has a balcony off the rear first floor master bedroom and No. 24 has a Juliet balcony.

The boundary adjustment results in the following site areas:

- Lot 1 (no 26): 195.98m²
- Lot 2 (no 24): 210.52m²

1.5. Background

The development application was lodged on 27 August 2024 and deferred on 30 September 2024 for the following reasons:

1. Reflect the proposed lot size outlined in the Clause 4.6 report and remove the easement.

The amended plans received on 2 October 2024 form the basis of the assessment. Note that the easement to drain water is still proposed over Lot 2 (frontage) for the benefit of Lot 1.

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 (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 meets the aims of the Waverley LEP 2012.
Part 2 Permitted or prohibited development		
2.6 Subdivision – consent requirements	Yes	The proposal seeks a minor lot adjustment to the semi-detached dwelling pair
Land Use Table <i>R2 Low Density Residential Zone</i>	Yes	The proposal is defined as <i>semi-detached dwellings</i> , which is permitted with consent in the R2 zone.
Part 4 Principal development standards		
4.1 Minimum subdivision lot size <ul style="list-style-type: none"> • 325m² Lot 1 (existing): 210.8m ² Lot 2 (existing): 195.7m ²	No	The proposal includes a minor boundary adjustment in the rear yard to result in a proposed lot size of: <ul style="list-style-type: none"> • Lot 1 (26 Nancy): 210.52m² (0.28m² change) resulting in a 60.301% variance of a minimum lot size; and

Provision	Compliance	Comment
		<ul style="list-style-type: none"> Lot 2 (24 Nancy): 195.98m² (0.28m² change) resulting in a 64.775% variance of a minimum lot size.
4.3 Height of buildings <ul style="list-style-type: none"> 8.5m 	Yes	The development results in a compliant maximum building height of 7.62m.
4.4 Floor space ratio and 4.4A Exceptions to floor space ratio <ul style="list-style-type: none"> Parent lot area: 406.5m² = 0.658:1 (267.42m²) or 133.7m² per semi-detached dwelling 	No	<p>The proposed FSR is non-compliant seeking a total FSR of 0.799:1 (324.98m²), being 161.21m² for No. 24 and 163.77m² for No. 26. This provides a non-compliance of 57.56m² and a percentage variation of 21.5% when calculating against the parent lot in accordance with Clause 4.5 of the LEP.</p> <p>Given that the proposed semi-detached dwellings are already subdivided with a minor boundary adjustment, the new lot sizes will generate the following FSR development standard (if lodged as separate/independent DAs):</p> <ul style="list-style-type: none"> Lot 1 (26 Nancy): Site Area: 210.52m² FSR Permitted 0.873:1 (183.87m² maximum) Lot 2 (24 Nancy): Site Area: 195.98m² FSR Permitted 0.889:1 (174.3m² maximum) <p>The proposed FSR for each allotment (if separate DAs) will be compliant based off their new lots:</p> <ul style="list-style-type: none"> Lot 1 (26 Nancy): 0.773:1 (163.77m²) Lot 2 (24 Nancy): 0.822:1 (161.21m²) <p>The variation sought is a technical one over the parent lot due to the manner for considering site area with respect to cl 4.5 of the LEP.</p>
4.5 Calculation of Floor Space Ratio and site area <i>(3) In determining the site area of proposed development for the purpose of applying a floor space ratio, the site area is taken to be....</i> <i>(b) if the proposed development is to be carried out on 2 or more lots, the area of any</i>	Yes	<p>The two (2) lots have a combined total site area of 406.5m², resulting in a maximum FSR development standard of 0.658:1 (267.42m²). However, the proposal is compliant with the FSR if calculated over the individual lots.</p> <p>If two development applications were lodged separately for each dwelling, they would comply with the FSR development standard for the site and not require a request for a</p>

Provision	Compliance	Comment
<i>lot on which the development is proposed to be carried out that has at least one common boundary with another lot on which the development is being carried out.</i>		variation to the FSR development standard in accordance with Clause 4.6.
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 minimum lot size and maximum FSR development standards. A detailed discussion of the variation to the development standards are presented below this table.

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

Clause 4.6 Exceptions to Minimum Lot Size Development Standard:

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 325m². The proposed development includes a minor boundary readjustment to the lot sizes which propose areas of the following:

- Lot 1(26 Nancy): 210.52m² (0.28m² reduction) resulting in a 60.301% variance of the minimum lot size; and
- Lot 2 (24 Nancy): 195.98m² (0.28m² increase) resulting in a 64.775% variance of the minimum lot size.

It is noted that the existing lot sizes already do not comply with the minimum lot sizes development standard.

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) *The proposal utilises the existing lots. Only a boundary adjustment is proposed in order to straighten the common boundary between the two lots, to allow for more orderly and modern developments.*
 - (ii) *No increase in density occurs due to the boundary adjustment, as the new semi-detached dwellings replace the existing pair of semi-detached dwellings already on the lots.*
 - (iii) *The boundary adjustment will facilitate a proposal that is similar to other semis & dwellings in Nancy Street and that will sit comfortably within the wider visual context.*
 - (iv) *The boundary adjustment between the existing lots will not result in unreasonable amenity impacts to neighbouring and nearby properties and the surrounding public domain (including solar access and overshadowing; access to natural daylight and ventilation; aural and visual privacy; views and vistas; and visual impact).*
 - (v) *The boundary adjustment has nil or positive impacts on historical, social, ecological, scientific or aesthetic values, bushland or natural drainage patterns, when compared with existing.*
 - (vi) *To ensure the size of the subject Lots is reasonable and appropriate for the proposed development, an analysis of the immediately surrounding lot sizes was undertaken:*

Address	Lot size (approx.)
18 Nancy Street North Bondi	Approx. 370m ²
20 Nancy Street North Bondi	Approx. 180m ²
22 Nancy Street North Bondi	Approx. 201m ²
24 Nancy Street North Bondi	195.7m ² (existing) 195.98m ² (after boundary adjustment)
26 Nancy Street North Bondi	210.8m ² (existing) 210.52m ² (after boundary adjustment)
28 Nancy Street North Bondi	Approx. 215m ²
30 Nancy Street North Bondi	Approx. 207m ²
32 Nancy Street North Bondi	Approx. 209 m ²

- (vii) *The analysis undertaken reveals that the subdivision pattern is consistent along Nancy Street. It is concluded that the subject lots are similar in size with other lots in the vicinity, and so, adequate in size for the development proposed.*

- (b) That there are sufficient environmental planning grounds to justify contravening the standard:
- (i) *The proposal does not seek to modify the current residential land use of the subject sites.*
 - (ii) *Only a boundary adjustment is proposed in-between the two (2) existing lots, to allow for more orderly and modern developments.*
 - (iii) *The subject lots (before and after boundary adjustment) remain similar in size with other lots in the vicinity - the subdivision pattern remains consistent along Nancy Street.*
 - (iv) *No increase in density occurs due to the boundary adjustment, as the new semi-detached dwellings only replace the existing pair of semi-detached dwellings already on the lots.*
 - (v) *The boundary adjustment will facilitate a set of semi-detached dwellings similar to other semis in Nancy Street, that will sit comfortably within the wider visual context.*
 - (vi) *The boundary adjustment between the existing lots will not result in amenity impacts to neighbouring and nearby properties and to the surrounding public domain (including solar access and overshadowing; access to natural daylight and ventilation; aural and visual privacy; views and vistas; and visual impact).*
 - (vii) *When compared with existing, the boundary adjustment has nil or positive impacts on historical, social, ecological, scientific or aesthetic values, bushland and natural drainage patterns.*

Consideration of Applicant's Written Request

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

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

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

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

applied to that land” and that “compliance with the standard in that case would also be unreasonable or unnecessary.

The applicant specifically relies upon justification (a) and (c) of *Wehbe v Pittwater Council* (2007) 156 LGERA 446]. The applicant has provided sound justification establishing that the proposal is consistent with the objectives of the FSR development standard and the zoning. The proposed development is considered appropriate within the locality as the existing lots are already undersized and requiring the proposal to comply with the development standard would not achieve the objectives as the minor boundary adjustment reflects the surrounding subdivision pattern.

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

The applicant has satisfactorily argued that there are sufficient environmental planning grounds to justify contravening the development standard. The applicant has undertaken an analysis which showed that the subdivision pattern is consistent along Nancy Street and the subject lots are similar in size with other lots in the vicinity, and so, adequate in size for the development proposed. The boundary adjustment is a minor change to straighten the shared boundary, resulting in a minor non-compliance with the lot size by 0.28m². This will improve the subdivision pattern and allow for a more orderly development to be constructed on site.

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.

Clause 4.6 Exceptions to Floor Space Ratio Development Standards

The application seeks to vary the floor space ratio (FSR) development standard in clause 4.4 under Waverley LEP 2012. In accordance with Clause 4.5(3) in determining the site area of proposed development for the purpose of applying a floor space ratio, the site area is taken to be....(3)(b) *if the proposed development is to be carried out on 2 or more lots, the area of any lot on which the development is proposed to be carried out that has at least one common boundary with another lot on which the development is being carried out.* Given the proposed development application has been lodged over the two lots, the site area for the purposes of calculating the FSR is calculated over the parent lot.

Accordingly, the site is subject to a maximum FSR development standard over the parent lot of 0.658:1 (267.42m²) or gross floor area (GFA) of 133.7m² per semi-detached dwelling. The proposed development has a FSR of 0.799:1 (324.98m²), exceeding the standard by 57.56m² equating to a 21.5% variation. No.24 Nancy Street proposes a GFA being 161.21m² and 163.77m² for No. 26 Nancy Street on the larger lot.

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

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

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

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

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

- (a) That compliance with the development standard is unreasonable or unnecessary in the circumstances of the case:
 - (i) *The proposal is for new 'semi-detached dwelling houses' on 2 lots, and the area of each lot on which the development is proposed to be carried out has one common boundary with the other lot on which the development is being carried out. Accordingly, Clause 4.5 Calculation of floor space ratio and site area applies to the proposed development, and the combined site area is 406.5m².*
 - (ii) *Pursuant to Clause 4.4A of Waverley Local Environmental Plan 2012, the maximum Floor space ratio (FSR) that applies to the combined site area is 0.65785:1, or max 267.416m² across the two lots.*
 - (iii) *The proposed variation of 21.526% to the FSR development standard (or 57.564m² above FSR control on both lots) is considered to be reasonable and acceptable, given the skilled architecture, lack of amenity impacts and the established precedents approved by Waverley Local Planning Panel in Nancy Street.*
 - (iv) *DA-385/2018 at 5 Nancy Street, NORTH BONDI NSW 2026 for "Demolition of existing dwelling and construction of two new semi-detached dwellings including strata subdivision, new carport and associated landscaping works": Lot 1 (5 Nancy Street) - with site area of 229.85m² and FSR of Dwelling 0.685:1, and Lot 2 (5A Nancy Street) - with site area of 229.85m² and FSR of Dwelling 0.685:1. (DA-385/2018 at 5 Nancy Street, NORTH BONDI NSW 2026 was approved by Waverley Local Planning Panel on 26/06/2019).*
 - (v) *It is concluded that the bulk and scale of the proposal sits comfortably within the wider visual context in Nancy Street.*
 - (vi) *Compliance with the stated objectives of the Floor space ratio (FSR) standard would be thwarted, for no sound planning reason, if strict compliance was required in the circumstances, as re-development of the combined site would not provide for a sufficient internal area to deliver reasonable residential amenity, given the cost of re-development.*
 - (vii) *A re-development of the combined subject site that strictly complies with the maximum Floor space ratio (FSR) standard in Clause 4.4A of Waverley Local Environmental Plan 2012 is unreasonable and unnecessary, given the following presented circumstances:*

- a. *When seen from Nancy Street, the proposal is designed to have the appearance of a more substantial single dwelling and be consistent in appearance with other dwellings in the locality.*
 - b. *Adjoining dwellings on similar-sized lots, dual occupancies and semi-detached dwelling houses in Nancy Street and in the locality provide for a similar bulk and scale as the proposed development.*
 - c. *When seen from Nancy Street, the proposal sits comfortably within the wider visual context.*
 - d. *The proposed architecture, materials and finishes are of high quality.*
 - e. *The proposal is designed to minimise environmental impacts on neighbouring properties and on the streetscape.*
 - f. *If Clause 4.4A would apply to each of the sites, separately, instead of applying to the combined site area, a maximum floor space ratio of 0.8734:1 on Lot 1 and of 0.8894:1 on Lot 2 would be allowed. Calculated in this manner, the proposed dwelling houses fully comply with maximum FSR for each site area.*
- (b) That there are sufficient environmental planning grounds to justify contravening the standard:
- (i) *The objectives of the standard are achieved notwithstanding the noncompliance with the standard, and in this specific case, the non-compliance better achieves the objectives by allowing a reasonable re-development, which improves the occupant's amenity whilst maintaining the amenity of neighbouring properties.*
 - (ii) *When seen from Nancy Street, the proposal is designed to have the appearance of a more substantial single dwelling and be consistent in appearance with other dwellings in the locality.*
 - (iii) *Adjoining dwellings on similar-sized lots, dual occupancies and semi-detached dwelling houses in Nancy Street and in the locality provide for a similar bulk and scale.*
 - (iv) *When seen from Nancy Street, the proposal sits comfortably within the wider visual context.*
 - (v) *The proposed architecture, colour palette and finishes are of high quality.*
 - (vi) *The proposal is designed to minimise environmental impacts on neighbouring properties and on streetscape.*
 - (vii) *If Clause 4.4A would apply to each of the subject lots, instead of applying to the combined site area, a maximum FSR of 0.8734:1 on Lot 1 and of 0.8894:1 on Lot 2 would be allowed. Calculated in this manner, the proposed dwelling houses comply with maximum FSR for each site area.*

Consideration of Applicant's Written Request

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

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

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

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

The applicant specifically relies upon justification (a) of *Wehbe v Pittwater Council* (2007) 156 LGERA 446]. The applicant has provided sound justification establishing that the proposal is consistent with the objectives of the FSR development standard and the zoning. The proposed development is considered appropriate within the locality providing a building which fits within the context of surrounding built forms, residential uses and the desired future character of the locality, satisfying objective (c) of the FSR development standard. The proposed building is consistent with development along Nancy Street and contextually appropriate having regard to the neighbouring two storey semi-detached dwellings to the south and single storey semi-detached dwelling to the north of the site.

It is noted that this variation only arises due to the fact that the proposal was lodged as a single development application over two separate allotments whereby triggering the application of Clause 4.5(3) of the LEP in the calculation of the site area. The two lots have been subdivided since the original subdivisions in the area and if the FSR was calculated based off the individual lot and not the parent lot, the semi-detached dwellings comply with the FSR. Therefore, compliance with the parent lot is unreasonable because if each semi-detached dwelling were separately applied for under individual development applications, the same compliance would be reached as demonstrated below.

	Size	Maximum FSR	Proposed FSR
Parent lot (combined lots)	406.5m ²	0.658:1 – 267.416m ² (133.7sqm per lot)	Total = 0.799:1 (324.98m ²)
Lot 1 (No.26)	210.52m ²	0.873:1 (183.87m ²)	0.773:1 (163.77m ²)
Lot 2 (No. 24)	195.98m ²	0.889:1 (174.3m ²)	0.822:1 (161.21m ²)

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

The applicant has satisfactorily argued that there are sufficient environmental planning grounds to justify contravening the development standard. Despite proposing to breach the FSR development standard, the proposal is of appropriate design with regard to the specific circumstances of the site as explained in their written request. Aside from presenting a suitable appearance in visual bulk and scale that is compatible with the existing and desired future character of the area, the proposed development promotes the orderly and economic use and development of land, without causing any significant or unreasonable impacts on surrounding sites and the public domain, in terms of visual privacy and overshadowing.

The design of the semi-detached dwellings achieve compliance with setbacks and wall heights, however any two storey dwelling on site is expected to result in additional shadowing to the south given the orientation of the allotments. The rear yards of the properties to the south at Nos. 20 and 22 Nancy Street are mostly affected in the morning period, while 18 Nancy Street and 42 Clyde Street are partly shadowed in the rear yard and side setback at 9am. The most overshadowing to neighbouring properties to the south occurs during the morning period due to the orientation of the allotments, but the proposal allows more than three hours of full solar access from 11am to their rear private open spaces.

The proposed two storey building will overshadow all of the north facing windows of No.22 Nancy Street up until approximately 1pm. Solar access into the ground and first floor windows at the rear of No.22 Nancy Street will not be impacted during the afternoon period.

The additional shadows proposed are as a result of a compliant building envelope in terms of height, setbacks and the FSR when individually assessed against their smaller lot size. The proposed development will have an appropriate bulk, scale and height within the streetscape, providing a building proportionate with surrounding properties.

Conclusion

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

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

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

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

Development Control	Compliance	Comment
1. Waste <ul style="list-style-type: none"> <i>Garbage bins are to be stored in an appropriate location.</i> 	Yes	A Site Waste and Recycling Management plan has been submitted with the application to address waste disposal during construction. The waste and recycling storage area on site is appropriate and convenient for occupiers.
2. Ecologically Sustainable Development <ul style="list-style-type: none"> <i>Ceiling or wall mounted fans</i> <i>No gas cooktops, gas ovens or gas internal space heating systems.</i> 	No	The BASIX Certificate identified that the hot water system and cooktop is identified as using gas and a recommended condition to use electric has been included.
3. Landscaping, Biodiversity and Vegetation Preservation	Yes	<p>No trees are proposed for removal across the two lots.</p> <p>The new driveway is designed to protect the existing street tree and the Arborist Report outlines the protection of this tree which is supported by the Tree Management Officer.</p>
5. Water Management	Conditioned	The Stormwater Plan is not satisfactory and has been conditioned.
7. Transport <p>7.1 Streetscape</p> <p>7.2 On-Site Parking</p> <p>7.2.1 Vehicle Access</p> <p>7.2.2 Parking Rates</p> <p><i>Minimum parking rate: Nil</i> <i>Maximum parking rate: Two (2)</i></p>	Yes	<p>The off-street parking is acceptable.</p> <p>The subject site is located within Parking Zone 2.</p> <p>The driveway crossover is acceptable and has been designed to protect and maintain the existing street tree.</p> <p>The development provides for two off-street parking spaces (one per semi-detached dwelling) which complies with the development control.</p>
11. Design Excellence	Yes	The proposal presents to Nancy Street as a modern pair of semi-detached dwellings similar to recently constructed dwellings in the street. The materials and finishes are of high quality and the height and scale of the proposed works are compatible and consistent with surrounding development.
12. Subdivision	Yes	The boundary adjustment ensures that subdivision reflects the predominant development pattern of the locality.

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 <ul style="list-style-type: none"> • <i>Maximum wall height of 7.5m</i> 	No	The semi-detached dwelling at 26 Nancy Street has a compliant maximum wall height of 7.15m but the semi-detached dwelling at 24 Nancy Street exceeds the wall height of 0.125m, measuring 7.63m to the parapet. This minor non-compliance is due to the slope of the site and matches the height of the adjoining pair.
1.2 Setbacks		
1.2.1 Front and rear building lines <ul style="list-style-type: none"> • <i>Predominant front building line (adjacent three neighbours on either side)</i> • <i>Predominant rear building line at each floor level (adjacent three neighbours or either side)</i> • <i>Development at first floor level and above shall be set back from the rear building line of the ground floor level</i> 	<p>Yes</p> <p>No (Acceptable on merit)</p> <p>Yes</p>	<p>The proposed ground floor front setback is compliant with the predominant building line and is level with the northern dwelling at 28 Nancy Street. The front first floor building line is forward of the predominant building line as the neighbouring semi-detached dwelling's first floor has been predominantly set behind the principal ridge line. The new semis' first floor is inline with the ground floor which is acceptable and not inconsistent with the newly constructed semi-detached pair at Nos.48 - 50 Nancy Street and dual occupancies at Nos.5A - 5B and 11A - 11B Nancy Street.</p> <p>The rear ground floor building line from the alfresco area to the western boundary is 5.54m and extends 0.3m further than the predominant rear building line. This minor noncompliance is considered acceptable as it does not result in unreasonable overshadowing or visual bulk and scale impacts to adjoining properties.</p> <p>The first floor rear building line at No. 24 Nancy Street complies with the predominant building line. However, the first floor balcony at No.26 Nancy St extends past the predominant rear building line, proposing a rear setback of 6.42m from the rear boundary. As noted below under Part 1.5 <i>Visual and Acoustic Privacy</i>, the depth of this balcony is 2m which results in a non-compliance with the DCP. It is recommended that the depth of this balcony be reduced to 1.5m which will increase the rear building line at the first floor level which is considered to be more acceptable in the context of the neighbouring underdeveloped site to the north. The approval recommendation is conditioned accordingly.</p>

Development Control	Compliance	Comment
1.2.2 Side setbacks <ul style="list-style-type: none"> Minimum of 0.9m for ground floor and first floors.) 	Yes	The semi-detached dwelling at 24 Nancy Street proposes a 0.913m to the southern boundary and a 1.255m setback is proposed to the northern boundary at 26 Nancy Street.
1.3 Streetscape and visual impact		
<ul style="list-style-type: none"> New development to be compatible with streetscape context Replacement windows to complement the style and proportions of existing dwelling Significant landscaping to be maintained. 	<p>Yes</p> <p>Yes</p> <p>Yes</p>	<p>The proposed dwellings are in keeping with the overall character of the streetscape and are designed to minimise amenity impacts on adjoining properties.</p> <p>The proposed external finishes are sympathetic to the street and will contribute to the overall appearance of the dwellings.</p> <p>The development was supported by an Arborist Report protecting the front street tree and neighbouring palm and pine trees.</p>
1.4 Fences		
<p><u>Front:</u></p> <ul style="list-style-type: none"> Maximum height of 1.2m <p><u>Side and Rear:</u></p> <ul style="list-style-type: none"> Maximum height of 1.8m 	<p>N/A</p> <p>Conditioned</p>	<p>No front fence is proposed.</p> <p>The side and rear boundary fences are preserved and the shared boundary fence between the pair is conditioned to a height of 1.8m.</p>
1.5 Visual and acoustic privacy		
<ul style="list-style-type: none"> 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: 10m² in area 1.5m deep 	<p>Yes</p> <p>Yes</p>	<p>The ground floor windows are located below the fence line and achieve an appropriate level of privacy. Windows off the first floor of No. 24 Nancy Street proposed an appropriate level of privacy between properties as the bathroom window (W7/2) faces south to a high sill window on No. 22 Nancy Street and the window off bedroom 2 (W8/2) propose a 1.5m sill height which is acceptable.</p> <p>Windows have been appropriately positioned to not directly face existing windows on neighbouring properties or have high sill heights.</p> <p>The first floor balcony at the rear of No. 26 Nancy Street complies with the maximum size of 9m² however it is proposed at 2m in depth which is non-compliant with the DCP control. As noted above, it is recommended that the depth of the balcony to No.26 Nancy Street be reduced in depth to 1.5m to comply with the control for balconies and to also increase the rear building line to the first floor level.</p> <p>The balcony has screening either side which mediates the privacy between properties. There</p>

Development Control	Compliance	Comment
<ul style="list-style-type: none"> <i>Parking only allowed where site conditions permit</i> <i>Designed to complement the building and streetscape</i> <i>Car parking structures to be behind the front building line</i> <i>Driveways are to be located to minimise the loss of on street parking</i> 	<p>Yes</p> <p>No</p> <p>Yes</p>	<p>driveway is proposed to Nancy Street and has been located to preserve the street tree.</p> <p>The design of the single carports and driveways are cohesive with the streetscape and are similar to the recently constructed semi-detached dwellings at Nos.48 and 50 Nancy Street.</p> <p>Parking structures are in front of the building line which is characteristic within the streetscape.</p> <p>The loss of one on-street car space is considered acceptable as the new dwellings provide for two on-site parking spaces.</p>
<p>1.8.2 Parking rates</p>	<p>Yes</p>	<p>The proposal is consistent with the parking rates set out under Part B7 of Waverley DCP 2022.</p>
<p>1.8.4 Design</p> <ul style="list-style-type: none"> <i>Complement the style, massing and detail of the dwelling</i> <i>Secondary in area and appearance to the design of the residences</i> 	<p>Yes</p>	<p>The proposed car parking is appropriately designed, with the carport proposed at 3.4m in height and is secondary in area and appearance to the dwellings.</p>
<p>1.8.5 Dimensions</p> <ul style="list-style-type: none"> <i>5.4m x 2.4m per vehicle</i> 	<p>Yes</p>	<p>Satisfactory.</p>
<p>1.8.6 Driveways</p> <ul style="list-style-type: none"> <i>Maximum of one per property</i> <i>Maximum width of 3m at the gutter (excluding splay)</i> <i>Crossings not permitted where 2 on street spaces are lost</i> 	<p>Yes</p> <p>Conditioned</p> <p>Yes</p>	<p>One shared driveway is proposed with a width of 3.2m which is recommended to be conditioned to 3m.</p> <p>The new driveway results in the loss of one on-street car space but will allow two cars to be parked on site.</p>
<p>1.9 Landscaping and open space</p>		
<ul style="list-style-type: none"> <i>Overall open space: 40% of site area</i> <i>Overall landscaped area: 20% of site area, with at least half deep soil</i> <i>Minimum area of 25m² for private open space</i> <i>Front open space: 50% of front building setback area</i> <i>Front landscaped area: 50% of front open space provided</i> <i>Outdoor clothes drying area to be provided</i> 	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>No (Acceptable on merit)</p> <p>Yes</p>	<p>No. 24 – 51% (101m²), No. 26 - 48% (101m²)</p> <p>No. 24 – 23% (49.9m²), No. 26 - 22% (44.73m²) deep soil area.</p> <p>Satisfactory.</p> <p>All of the front setback is open space.</p> <p>Due to the paved carport and pedestrian pathway, 40% of the front setback is landscaped. This minor non-compliance is considered acceptable as many properties in the street with parking do not have landscaped front setbacks.</p>

Development Control	Compliance	Comment
		Outdoor clothes line is provided.
1.13 Semi-detached dwellings and terrace style development		
1.13.1 Built form <ul style="list-style-type: none"> • <i>Demolition of one semi-detached dwelling to a pair is not supported</i> • <i>Additions to match the style of the original semi-detached dwelling</i> • <i>Existing roof form maintained forward of principal ridgeline</i> 	Yes	These controls primarily apply to alterations and additions to semi-detached dwellings and focus on maintaining the design integrity and consistency between pairs of dwellings (i.e. semis and terraces). The proposed development is defined as a new semi-detached dwelling pair and achieves design unity and cohesion between the pair of semis, which meets the intent and objectives of this section of the DCP.

2.2. Other Impacts of the Development

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

2.3. Suitability of the Site for the Development

The site is considered suitable for the proposal.

2.4. Any Submissions

The application was notified for 14 days between 5 September 2024 and 23 September 2024 in accordance with the *Community Engagement Strategy 2023*.

No submissions were received.

2.5. Public Interest

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

3. REFERRALS

The following internal referral comments were sought:

3.1. Traffic and Development

The application was referred to Council's Traffic Engineers who did not raise any issues with the new carports and conditioned the driveway width to comply with Council's requirements.

3.2. Stormwater

The application was referred to Council's Stormwater Engineer who has stated that the Stormwater Management Plans are satisfactory and conditioned accordingly.

3.3. Land Information/GIS

The application was referred to Council's GIS Analyst who has stated that the Subdivision Plan is satisfactory and conditioned accordingly.

3.4. Tree Management

The application was referred to Council's Tree Management Officer as there is one street tree located close to the new driveway. The submitted Root Mapping Report prepared by NSW Trees is supported. Tree protection conditions have been recommended for the preservation of the street tree and neighbouring trees. Protective fencing and a tree bond is conditioned for the street tree.

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.

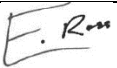
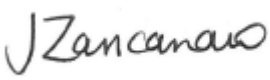

5. RECOMMENDATION TO WAVERLEY LOCAL PLANNING PANEL

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 24 September 2024 and the MODA concurred with the Assessment Planner's recommendation.

MODA members: *A Rossi, B McNamara, B Magistrale,*

Report prepared by:	Application reviewed and agreed by:	Application reviewed and agreed by:
		
Edwina Ross	Jo Zancanaro	Angela Rossi
Development Assessment Planner	A/Manager, Development Assessment	Executive Manager, Development Assessment
Date: 3 October 2024	Date: 8 October 2024	Date: 11 October 2024

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	<p>Lot 1(26 Nancy): 60.301% and Lot 2 (24 Nancy): 64.775% variation to lot size (Clause 4.1)</p> <table border="1"> <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></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>	X	Pre-existing non-compliance		No change to overall building height		No change to overall building envelope		Variation limited to the [lift/plant/parapet/attic] only	X	No unreasonable impacts on the amenity of adjoining properties or streetscape	X	Sufficient environmental planning grounds	X	Consistent with the objectives of the standard
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Clause 4.6 register entry required	<p>21.5% variation to FSR (Clause 4.4)</p> <table border="1"> <tr> <td></td> <td>Pre-existing non-compliance</td> </tr> <tr> <td></td> <td>No change to overall building height</td> </tr> <tr> <td></td> <td>No change to overall building envelope</td> </tr> <tr> <td></td> <td>Variation limited to the [lift/plant/parapet/attic] only</td> </tr> <tr> <td>X</td> <td>No unreasonable impacts on the amenity of adjoining properties or streetscape</td> </tr> <tr> <td>X</td> <td>Sufficient environmental planning grounds</td> </tr> <tr> <td>X</td> <td>Consistent with the objectives of the standard</td> </tr> </table>		Pre-existing non-compliance		No change to overall building height		No change to overall building envelope		Variation limited to the [lift/plant/parapet/attic] only	X	No unreasonable impacts on the amenity of adjoining properties or streetscape	X	Sufficient environmental planning grounds	X	Consistent with the objectives of the standard
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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
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

O:\Building Waverley\Development Assessment\DA Assessment Team Reports\Nancy St, 24-26\DA-431.2024 - New Semis - Boundary Alignment\WLPP Development Report - 24-26 Nancy Street North Bondi.Docx

APPENDIX A – CONDITIONS OF CONSENT

Terms and Reasons for Conditions

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

GENERAL CONDITIONS

Condition																																																
<p>1. APPROVED PLANS AND DOCUMENTATION</p> <p>The development must be in accordance with:</p> <p>(a) Architectural Plans prepared by Logico Homes of Project No: 22.015 including the following:</p> <table border="1"> <thead> <tr> <th>Plan Number and Revision</th> <th>Plan description</th> <th>Plan Date</th> <th>Date received by Council</th> </tr> </thead> <tbody> <tr> <td>DWG 003, DA_11</td> <td>Subdivision Plan (proposed)</td> <td>2/10/2024</td> <td>2/10/2024</td> </tr> <tr> <td>DWG 004, DA_11</td> <td>Site Plan</td> <td>20/08/2024</td> <td>27/08/2024</td> </tr> <tr> <td>DWG 005, DA_11</td> <td>Hydraulic Plan</td> <td>20/08/2024</td> <td>27/08/2024</td> </tr> <tr> <td>DWG 007, DA_11</td> <td>Site Analysis and Waste Management Plan</td> <td>20/08/2024</td> <td>27/08/2024</td> </tr> <tr> <td>DWG 008, DA_11</td> <td>Landscape Concept Plan</td> <td>20/08/2024</td> <td>27/08/2024</td> </tr> <tr> <td>DWG 009, DA_11</td> <td>Ground Floor Plan</td> <td>20/08/2024</td> <td>27/08/2024</td> </tr> <tr> <td>DWG 010, DA_11</td> <td>First Floor Plan</td> <td>20/08/2024</td> <td>27/08/2024</td> </tr> <tr> <td>DWG 011, DA_11</td> <td>Side/North Elevation (Dwelling 1)</td> <td>20/08/2024</td> <td>27/08/2024</td> </tr> <tr> <td>DWG 012, DA_11</td> <td>Side/South Elevation (Dwelling 2)</td> <td>20/08/2024</td> <td>27/08/2024</td> </tr> <tr> <td>DWG 016, DA_11</td> <td>Window/Door Schedule</td> <td>20/08/2024</td> <td>27/08/2024</td> </tr> <tr> <td>DWG 017, DA_11</td> <td>Roof Plan</td> <td>20/08/2024</td> <td>27/08/2024</td> </tr> </tbody> </table> <p>(b) BASIX and NatHERs Certificate/s</p> <p>(c) Stormwater Details and documentation prepared by Raffeletos Zanuttini Consulting Engineers, Project. 99532M, Sheet No 1 to 2, Revision G, dated 11/06/2024, and received by Council on 27/08/2024;</p>	Plan Number and Revision	Plan description	Plan Date	Date received by Council	DWG 003, DA_11	Subdivision Plan (proposed)	2/10/2024	2/10/2024	DWG 004, DA_11	Site Plan	20/08/2024	27/08/2024	DWG 005, DA_11	Hydraulic Plan	20/08/2024	27/08/2024	DWG 007, DA_11	Site Analysis and Waste Management Plan	20/08/2024	27/08/2024	DWG 008, DA_11	Landscape Concept Plan	20/08/2024	27/08/2024	DWG 009, DA_11	Ground Floor Plan	20/08/2024	27/08/2024	DWG 010, DA_11	First Floor Plan	20/08/2024	27/08/2024	DWG 011, DA_11	Side/North Elevation (Dwelling 1)	20/08/2024	27/08/2024	DWG 012, DA_11	Side/South Elevation (Dwelling 2)	20/08/2024	27/08/2024	DWG 016, DA_11	Window/Door Schedule	20/08/2024	27/08/2024	DWG 017, DA_11	Roof Plan	20/08/2024	27/08/2024
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	<p>(d) Roof Mapping Report prepared by NSW Trees dated 3/07/2023, and received by Council on 27/08/2024;</p> <p>(e) Schedule of external finishes and colours received by Council on 27/08/2024;</p> <p>(f) The Site Waste and Recycling Management Plan (SWRMP) Part 1 received by Council on 27/08/2024;</p> <p>Except where amended by the following conditions of consent.</p> <p>Condition reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.</p>
<p>2.</p>	<p>GENERAL MODIFICATIONS</p> <p>The application is approved subject to the following plan amendments:</p> <p>(a) The rear first floor level balcony to Dwelling 1 (no 24) is to be reduced to 1.5m in depth when measured from the rear first floor level external wall of Dwelling 1 to the outer most edge of the balcony.</p> <p>(b) The common dividing wall separating the dwellings at the rear is to be reduced in overall height to 1.8m (measured above finished floor level at first floor level) and depth to 1.5m (measured from external rear wall).</p> <p>Condition reason: To reduce the overall scale and bulk and improve solar access.</p> <p>(c) The proposed rear dividing fence between the semi-detached dwellings is to have a maximum height of 1.8m.</p> <p>Condition reason: To comply with the boundary fence height control of Waverley Development Control Plan 2022.</p> <p>The amendments are to be approved by the Principal Certifying Authority prior to the issue of any Construction Certificate.</p>

BUILDING WORK

BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE

	Condition
3.	<p>NO BUILDING OR DEMOLITION WORKS PRIOR TO RELEASE OF CONSTRUCTION CERTIFICATE</p> <p>The building work, or demolition work, must not be commenced until:</p> <p>(a) a Construction Certificate has been obtained from Council or an Accredited Certifier in accordance with the <i>Environmental Planning and Assessment Act 1979</i>;</p> <p>(b) a Principal Certifying Authority has been appointed and Council has been notified of the appointment in accordance with the <i>Environmental Planning and Assessment Act 1979</i> and <i>Environmental Planning and Assessment Regulation 2021</i>; and</p> <p>(c) Council is given at least two days' notice in writing of the intention to commence the building works.</p> <p>Condition reason: To ensure a Construction Certificate is obtained prior to work commencing.</p>
4.	<p>HOME BUILDING ACT</p> <p>The builder or person who does the residential building work shall comply with the applicable requirements of Part 6 of the <i>Home and Building Act 1989</i>. In this regard a person must not contract to do any residential building work unless a contract of insurance that complies with this Act is in force in relation to the proposed work. It is the responsibility of the builder or person who is to do the work to satisfy the Principal Certifying Authority that they have complied with the applicable requirements of Part 6, before any work commences.</p> <p>Condition reason: To ensure the builder or person who does the residential building work, complies with the applicable requirements of Part 6 of the <i>Home and Building Act 1989</i>.</p>
5.	<p>SECTION 7.12 CONTRIBUTION</p> <p>A monetary development contribution is payable to Waverley Council pursuant to section 7.12 of the <i>Environmental Planning and Assessment Act 1979</i> and the Waverley Council Development Contributions Plan in accordance with the following:</p> <p>(a) Where the total development cost is \$500,000 or less:</p> <p style="padding-left: 40px;">(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.</p>

	<p>(b) Where the total development cost is more than \$500,000 but less than \$1,000,000:</p> <p>(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.</p> <p>(c) Where the total development cost is \$1,000,000 or more:</p> <p>(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).</p> <p>- 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.</p> <p>(ii) Upon confirmation of the contribution amount by Council’s Executive Manager, Urban Planning, Policy and Strategy (or delegate), payment is to be processed via the Customer Service Centre.</p> <p>(iii) Should there be a discrepancy between the cost of works approved in subclause (b)(i) and the DA fee nominated in the original DA, then additional DA Fees may be payable prior to the issue of a Construction Certificate.</p> <p>A copy of the required format for the cost reports are provided in the Waverley Council Contributions Plan, available on Council’s website.</p> <p>(d) As legislated in section 209 of the Environmental Planning and Assessment Regulation 2021, the levy must be paid in accordance with the following;</p> <p>(i) A development valued at \$100,000 or less will be exempt from the levy;</p> <p>(ii) A development valued at \$100,001 - \$200,000 will attract a levy of 0.5% of the <u>full</u> cost of the development; or</p> <p>(iii) A development valued at more than \$200,000 will attract a levy of 1% of the <u>full</u> cost of the development.</p> <p>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.</p> <p>Condition reason: To ensure the Section 7.12 Contributions are paid.</p>
6.	<p>SECURITY DEPOSIT</p> <p>A deposit (cash or cheque) for the amount of \$32,551.01 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</p>

	<p>work, kerbing and guttering, footway construction, stormwater drainage and environmental controls) required in connection with the consent.</p> <p>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.</p>
	<p>Condition reason: To ensure any damage to public infrastructure is rectified and public works can be completed.</p>
7.	<p>LONG SERVICE LEVY</p> <p>A long service levy, as required under section 34 of the <i>Building and Construction Industry Long Service Payments Act, 1986</i>, 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.</p> <p><u>Note:</u> 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.</p>
	<p>Condition reason: To ensure the long service levy is paid.</p>
8.	<p>ADDITIONAL DA FEE REQUIRED</p> <p>A review of the DA fees paid has occurred, and the Subdivision (DA Boundary adjustment) fee of \$525 remains payable.</p> <p>Therefore, an additional DA assessment fee (Subdivision – DA Boundary adjustment) must be paid to Council and the receipt of payment provided to the Principal Certifying Authority prior to the issue of any Construction Certificate.</p>
	<p>Condition reason: Ensure correct fees are paid to Council.</p>
9.	<p>ENGINEERING PLANS ASSESSMENT AND WORKS INSPECTION FEES</p> <p>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.</p> <p>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.</p>
	<p>Condition reason: To ensure Council assessment fees are paid.</p>
10.	<p>TREE BOND</p> <p>A bond of \$10,000 is to be lodged with Council either as cash or by way of an unconditional bank guarantee to ensure the protection and maintenance of the</p>

	<p>one (1) <i>Waterhousea floribunda</i> (Weeping Lilly Pilly) on the naturestrip at the front of the property in Nancy Street. The bond is to be lodged prior to the issue of a Construction Certificate.</p> <p>The sum will be forfeited to the Council at its discretion for a breach of these requirements and will be refunded twelve (12) months from the issue of the Occupation Certificate subject to the satisfaction of Council.</p>
	<p>Condition reason: To ensure Council's street tree is protected assessment fees are paid.</p>
11.	<p>HOARDING</p> <p>To ensure the site is contained during construction, a hoarding is required for the approved works, which is to be designed and constructed in accordance with the requirements of Safe Work NSW. Where the hoarding is to be erected over the footpath or any public place, the approval of Council's Compliance Unit must be obtained and the applicable fees paid, prior to the erection of the hoarding.</p>
	<p>Condition reason: To ensure safety to the general public.</p>
12.	<p>EROSION & SEDIMENT CONTROL</p> <p>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.</p> <p>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.</p> <p>The recommendations of the SWMP must be implemented and maintained during all construction activities and until the site is fully stabilised following construction.</p>
	<p>Condition reason: To ensure sediment laden runoff and site debris do not impact local stormwater systems and waterways.</p>
13.	<p>DETAILS OF EXCAVATION, SHORING OR PILE CONSTRUCTION</p> <p>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.</p> <p>Any practices or procedures specified in the Structural Engineer's report in relation to the avoidance or minimisation of structural damage to adjoining properties are to be fully complied with and incorporated into the plans and specifications together with the Construction Certificate.</p>
	<p>Condition reason: To ensure any excavation, shoring or pile construction is carried out in a safe manner.</p>

14.	ENGINEERING DETAILS
	Structural details are to be prepared and certified by a practicing Structural Engineer in connection with all structural components of the approved works, prior to the issue of the relevant Construction Certificate.
	Condition reason: To ensure structural stability of work on site.
15.	STORMWATER AND PUBLIC INFRASTRUCTURE MANAGEMENT
	To ensure that stormwater runoff from the development is drained in an appropriate manner, without impact to neighbouring properties and downstream systems, a detailed plan and certification of the development's stormwater management system must be submitted and approved by the Executive Manager, Infrastructure Services (or delegate) prior to the issue of the relevant Construction Certificate.
	The submitted stormwater management plan prepared by Raffeletos Zanuttini Consulting Engineers, Project. 99532M, Sheet No 1 to 2, Revision G, dated 11/06/2024 are considered concept only.
	The applicant must submit amended plans and specifications to comply with the current Waverley Council Water Management Technical Manual and Development Control Plan (DCP) at the time of engineering plan approval. The submitted plans must be prepared by a suitably qualified and practising Civil Engineer and comply with the following conditions:
	<ul style="list-style-type: none"> a) 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. b) 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, Section 6.3. c) The summation of the discharge rate from the OSD system and the rate of runoff from the bypass area during a 1% AEP storm event must not exceed the PSD. d) The minimum distance from 'Enviromodule' system to the structural footings must be determined by a registered structural engineer. e) The device is to be kept clear of large trees and stormwater flow paths. f) Sediment traps, vegetated filter strips or similar treatment systems are to be installed upstream to reduce sediment inputs and minimise likelihood of clogging. g) Details of the rainwater tank configuration and connection are to be depicted on the stormwater management plane. Details of the roof area draining to the rainwater tank are to be provided. h) The rainwater tank must be provided for each dwelling and have a minimum capacity of 2,000 litres and be connected to at least 200 m² of roof area.

- i) 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.
- j) Seepage water must not be directly or indirectly discharged to Council's street gutter.
- k) Any proposed pipeline within the footpath verge must be hot dipped galvanised steel hollow section with the size of 125mm x 75mm x 4mm (w x h x t). Note a minimum width of 1m of concrete kerb and gutter is to be replaced surrounding this connection with 10mm thick mastic expansion joints installed on both sides (full depth) and with a 600mm asphalt adjustment and liquid crack sealing if the asphalt is damaged as part of the works or in a deteriorated state).
- l) Discharge to the street gutter is limited to two outlet points, to be located directly in the front of the site. Where two outlets are proposed, a minimum clear separation of 200 mm must be provided at the kerb.
- m) 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 shall be replaced if damaged as per the Waverley Council Public Domain Technical Manual. All associated costs will be borne by the applicant.
- n) 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.

NOTES

- o) 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.
- p) 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.
- q) 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.
- r) 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.
- s) 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: Ensure design is in accordance with the Waverley Water Management Technical Manual (2021) and appropriate for the proposed works and site layout.

<p>16.</p>	<p>SWEPT WHEEL PATH DRAWINGS</p> <p>Prior to the issue of a Construction Certificate, swept wheel path drawings, prepared by a suitably qualified and experienced traffic engineering consultant, showing the swept wheel path of a vehicle entering and exiting both sides of the carport from Nancy Street shall be submitted to Council for the approval of the Executive Manager, Infrastructure Services.</p> <p>The swept wheel path drawings shall:</p> <ol style="list-style-type: none"> 1. Be drawn for the B85, standard design vehicle as described in AS/NZS 2890.1: 2004 Part 1 Off Street Car Parking. 2. Accurately show the kerb and gutter, driveways and vehicles parked kerbside on Nancy Street both opposite and to the immediate North and South of the proposed driveway. 3. Show the minimum length of driveway layback considered necessary to gain satisfactory access to and from the proposed hardstand. 4. Show the minimum length of opening and clearances required at the property boundary to cater for the design vehicle swept wheel path. 5. Accurately show the length of the Council’s kerb and gutter remaining between the northern side wing of the existing driveway at No.22 Nancy St and the southern side wing of the proposed driveway. 6. Accurately show the length of the Council’s kerb and gutter remaining between the southern side wing of the existing driveway at No.30 Nancy St and the northern side wing of the proposed driveway. <p>Condition reason: To minimise the loss of on street parking and the overall driveway width on Council land. Confirmation vehicles can enter and exit the properties whilst vehicles parked on both sides of the road.</p>
<p>17.</p>	<p>BASIX</p> <p>All requirements of the BASIX Certificate and/or NatHERS documentation are to be shown on the Construction Certificate plans and documentation.</p> <p>Condition reason: To ensure BASIX and/or NatHERS requirements are met.</p>
<p>18.</p>	<p>SITE WASTE AND RECYCLING MANAGEMENT PLAN</p> <p>A <i>Site Waste and Recycling Management Plan (SWRMP) - Part 2</i> 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 <i>SWRMP Part 2</i> 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.</p> <p>Condition reason: To ensure resource recovery is promoted and the local amenity is protected during construction.</p>
<p>19.</p>	<p>CONSTRUCTION TRAFFIC MANAGEMENT PLAN (CTMP)</p>

	<p>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:</p> <p>https://www.waverley.nsw.gov.au/building/development_applications/post_determination/development_applications - conditions of consent</p> <p>Condition reason: To require details of measures that will protect the public, and the surrounding environment, during site works and construction.</p>
<p>20.</p>	<p>DILAPIDATION REPORT</p> <p>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:</p> <ul style="list-style-type: none"> (a) 22 Nancy Street, North Bondi; (b) 28 Nancy Street, North Bondi; (c) 42 Clyde Street, North Bondi. <p>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.</p> <p>The report is to be dated, submitted to, and accepted by the Principal Certifying Authority, prior to any work commencing on the site.</p> <p>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.</p> <p>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.</p> <p>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.</p>
<p>21.</p>	<p>RENEWABLE ENERGY AND ENERGY EFFICIENCY</p> <p>To enable all development to contribute to net zero greenhouse emissions by 2035, the following shall apply:</p>

	<ul style="list-style-type: none"> (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. <p>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.</p>
	<p>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.</p>

BEFORE BUILDING WORK COMMENCES

	Condition
22.	<p>CONSTRUCTION SIGNS</p> <p>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.</p> <p>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.</p>
23.	<p>DEMOLITION – ASBESTOS AND HAZARDOUS MATERIALS</p> <p>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:</p> <ul style="list-style-type: none"> • 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; • <i>Protection of the Environment Operations Act 1997.</i> <p>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:</p> <p>(a) Outline the identification of any hazardous materials, including surfaces coated with lead paint;</p> <p>(b) Confirm that no asbestos products are present on the subject land, or</p> <p>(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);</p> <p>(d) Describe the method of demolition;</p> <p>(e) Describe the precautions to be employed to minimise any dust nuisance; and</p> <p>(f) Describe the disposal methods for hazardous materials.</p> <p>Condition reason: To ensure the safety of workers and the general public.</p>
24.	<p>TREE PROTECTION</p>

	<p>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.</p> <p>Condition reason: To protect and retain trees.</p>
<p>25.</p>	<p>STREET TREES TO BE RETAINED/TREE PROTECTION</p> <p>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:</p> <p>(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.</p> <p>Protective fencing.</p> <ul style="list-style-type: none"> • Protective fencing must be erected around each tree nominated for preservation before site clearing and establishment and before any materials are brought on site and prior to the commencement of civil and construction works. The protective fencing shall remain in place for the duration of the works and must not be removed or altered without approval on an arborist. AS 4687 specifies applicable fencing requirements. • Protective fencing shall comprise 1800mm.high chain link wire mesh fixed to 50 mm. galvanised steel posts. Portable chain link fencing may be installed. Coloured plastic tape fencing or plain strained fencing wire fixed to steel droppers is unacceptable. Chain link portable panels must be securely fixed top and bottom to avoid separation. • No storage of building materials, tools, paint, fuel or contaminants and the like shall be placed within the fenced area. Ropes, ties or signs must not be attached to any part of a tree (s) to be preserved. <p>Trunk Protection.</p> <ul style="list-style-type: none"> • Where space does not permit the erection of protective fencing install trunk protection. Trunk protection shall comprise the placement of 1.8m or less lengths of 75 mm x 40 mm hardwood or pine spaced at 125 mm centers 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. • Trunk protection to be removed at the issue of the Occupation Certificate subject to the satisfaction of Council.

Warning Signs.

- Advise contractors and visitors to the site of the purpose for protecting and preserving the tree (s) by the placement of suitable warning signs fixed to all tree protection fences and trunk protection throughout the site. Contact telephone numbers shall be clearly shown on all warning signs.

Ground Protection.

- For trees installed with Trunk Protection timbers an area not less than a 2.5 m radius shall have the entire ground surface mulched to a depth of 100 mm with composted Eucalyptus leaf and woodchip or similar cushioning mulch to reduce compaction of the surround soil and to help retain soil moisture and reduce erosion.

Crown protection.

- 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.
- If any trees 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.

Encroachments.

- Minor encroachments within Structural Root Zones are acceptable.
- The preferred method of examination and or excavation within the SRZ is the application of noninvasive 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.
- If any tree roots are exposed during any approved works then roots smaller than 30mm are to be pruned as per the specifications below. Any roots greater than 30mm are to be assessed by a qualified arborist before any pruning is undertaken.
- If tree roots are required to be removed for the purposes of constructing the approved works, they shall be cut cleanly by hand, by an experienced Arborist/Horticulturist (with a minimum of the Horticulture Certificate or Tree Surgery Certificate).
- It is the arborist's responsibility to determine if such root pruning is suitable. If there are any concerns regarding this process, then Waverley

	<p>Council's Tree Management Officer is to be contacted to make final determination.</p> <ul style="list-style-type: none"> • If any trees 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 an tree pruning report from an Arborist with AQF level 5 qualification or above with photos showing the branches that need to be removed. • If approval is granted the applicant may prune the tree at their expense, by an experienced Arborist/Horticulturist (with a minimum of the Horticulture Certificate or Tree Surgery Certificate).
	<p>Condition reason: To protect trees during the carrying out of site work.</p>

DURING BUILDING WORK

	Condition
26.	<p>CONTROL OF DUST ON CONSTRUCTION SITES</p> <p>The following requirements apply to demolition and construction works on site:</p> <p>(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.</p> <p>(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.</p> <p>Condition reason: To ensure the safety of workers and the general public.</p>
27.	<p>CLASSIFICATION OF WASTE/ DISPOSAL OF EXCAVATED SOILS</p> <p>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.</p> <p>Condition reason: To ensure compliance with the Protection of the Environment Operations Act 1997 and the NSW EPA Waste Classification Guidelines 2014.</p>
28.	<p>EXCAVATION AND BACKFILLING</p> <p>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.</p> <p>If an excavation associated with the erection or demolition of a building extends below the level of the footings of a building on an adjoining allotment of land, the excavation is to be managed by a practising structural engineer.</p> <p>Condition reason: To ensure structural stability of work on site and general safety.</p>
29.	<p>CONSTRUCTION HOURS</p> <p>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.</p> <p>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.</p>

	<p>Noise from construction activities shall comply with the <i>Protection of the Environmental Operations (Noise Control) Regulation 2017</i>.</p> <p>Condition reason: To protect the amenity of the surrounding area.</p>
30.	<p>STOCKPILES, STORAGE OF MATERIALS AND LOCATION OF BUILDING OPERATIONS</p> <p>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.</p> <p>Condition reason: To ensure building material is stored in an appropriate location.</p>
31.	<p>CONSTRUCTION INSPECTIONS</p> <p>The building works are to be inspected during construction by the Principal Certifying Authority (PCA) in accordance with the <i>Building Legislation Amendment (Quality of Construction) Act 2002, Part 8 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021</i> and the requirements of any other applicable legislation or instruments.</p> <p>Condition reason: To ensure regular inspections occur throughout the construction process.</p>
32.	<p>CERTIFICATE OF SURVEY - LEVELS</p> <p>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.</p> <p>Condition reason: To ensure buildings are sited and positioned in the approved location.</p>
33.	<p>CERTIFICATE OF SURVEY - BOUNDARIES AND LOCATION OF BUILDING</p> <p>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.</p> <p>Condition reason: To ensure buildings are sited and positioned in the approved location.</p>
34.	<p>WORK OUTSIDE PROPERTY BOUNDARY</p> <p>This consent does not authorise any work outside the property boundary.</p> <p>Condition reason: To ensure all works are located within the property boundary.</p>
35.	<p>NEW VEHICLE CROSSING</p>

	<p>A new vehicle crossing is to be provided to access the proposed carport. 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.</p> <p>Condition reason: To ensure the development complies with Section 138 of the Roads Act 1993.</p>
36.	<p>VEHICULAR ACCESS - FINISHED LEVEL</p> <p>The internal finished level shall be construction to match the longitudinal fall of Councils footpath.</p> <p>In this regard, the finished level at the property boundary on both sides of the vehicle crossing is to be 50mm above the level of the back edge of existing concrete footpath.</p> <p>Should the internal slab be poured incorrectly Council may ask that internal alterations be made and the slab adjusted.</p> <p>Condition reason: To ensure stormwater falling on Council land drains away from the property boundary.</p>
37.	<p>HEADROOM CLEARANCE</p> <p>The headroom clearance on the entry and within the carport is to be a minimum of 2.2 metres.</p> <p>Condition reason: To ensure minimum headroom set in AS2890.1 are met.</p>

BEFORE ISSUE OF AN OCCUPATION CERTIFICATE

Condition	
38.	<p>FINAL OCCUPATION CERTIFICATE</p> <p>Prior to occupation or use of the development, an Occupation Certificate must be obtained.</p> <p>The Principal Certifying Authority must be satisfied that the requirements of the <i>Environmental Planning & Assessment Act 1979</i> have been satisfied including all critical stage inspections. Documentary evidence of all required inspections is to be submitted to Council.</p> <p>Condition reason: To ensure an Occupation Certificate is issued prior to occupation or use of the development.</p>
39.	<p>CERTIFICATION OF BASIX COMMITMENTS</p> <p>The Principal Certifying Authority shall certify that the all the undertakings in the approved BASIX certificate have been completed.</p> <p>Condition reason: To ensure all the undertakings in the approved BASIX certificate have been completed.</p>
40.	<p>CERTIFICATION OF NEWLY CONSTRUCTED STORMWATER DRAINAGE SYSTEM</p> <p>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.</p> <p>A copy of the certifications must be submitted to the assessing stormwater engineer within Infrastructure Services for approval.</p> <p>Condition reason: Ensure stormwater drainage system has been constructed as per the approved stormwater management plans.</p>
41.	<p>WORKS-AS-EXECUTED DRAWINGS – STORMWATER DRAINAGE SYSTEM</p> <p>A Works-As-Executed drawing (WAED) of the stormwater drainage system must be prepared, stamped, and signed by a Registered Surveyor. This drawing must detail the alignment of all pipelines, pits, detention facility, rainwater harvesting facility, and other drainage-related infrastructure.</p> <p>An original or a colour copy must be submitted to Waverley Council. Where changes have occurred, the Council-approved plans must be marked-up in red ink and must include levels and locations for the drainage structures and works.</p> <p>A suitably qualified and practicing Engineer must provide certification of the WAED of the stormwater drainage system that the stormwater drainage works were constructed to their satisfaction and in accordance with the Development Consent, Water Management Technical Manual, all applicable Codes, Policies, Plans, Standards, and good engineering practice.</p>

	<p>A copy of the aforementioned letter of certification must be submitted to Council.</p> <p>Condition reason: Ensure council are aware of the stormwater drainage systems on site and able to provide advice for any future or remedial works.</p>
<p>42.</p>	<p>ESTABLISHING A DRAINAGE EASEMENT</p> <p>An easement (1.0 metre wide) to drain stormwater must be established over the adjoining property No. 24 Nancy Street, North Bondi in order for the development to legally drain via gravity, as either overland flow or through a gravity fed stormwater network, to the downstream public drainage infrastructure.</p> <p>A letter of consent from the owner/occupants of the property No. 24 Nancy Street, North Bondi for creation of the new interallotment drainage pipe and easement through the lot must be obtained and submitted to Council.</p> <p>Section 88K of the Conveyancing Act 1919 allows for the compulsory acquisition of an easement over land if the easement is reasonably necessary for the effective use or development of other land that will have the benefit of the easement. There are several criteria outlined in the Act that must first be satisfied. If the property owner is unable to attain any written response from the adjacent downstream property owner, a Statutory Declaration stating the above must be submitted.</p> <p>Documentary evidence of registration of the drainage easement 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.</p> <p>Condition reason: Ensure easements are established in an appropriate manner and to ensure the ability to maintain and repair stormwater infrastructure as required.</p>
<p>43.</p>	<p>CREATION OF POSITIVE COVENANT AND RESTRICTION FOR OSD SYSTEM</p> <p>A “Positive Covenant” and “Restriction on the Use of Land” must be created for any required On-Site Stormwater Detention (OSD) system under Section 88E of the Conveyancing Act 1919.</p> <p>This is to place a restriction on the Title that the OSD system is maintained and kept free of debris/weed to allow unobstructed passage of stormwater through the site and underneath the residence. The property owner/occupant must not modify or remove the OSD system without consent from Council.</p> <p>The wording of the Instrument must be submitted to and approved by Executive Manager, Infrastructure Services (or delegate) prior to lodgement at NSW Land Registry Services.</p> <p>Where a Title exists, the Positive Covenant and Restriction on the Use of Land must be created via an application to the NSW Land Registry Services using forms 13PC and 13RPA. Accompanying this form is the requirement for a plan to scale showing the relative location of the OSD system, including its relationship to the building footprint. Electronic colour photographs of the OSD system must accompany the application for the Positive Covenant and Restriction on the Use of Land.</p>

	<p>The Instrument must be registered and a registered copy of the document must be submitted to and approved by the consent authority prior to the issue of an Occupation Certificate or use of the building.</p> <p>The property owner/occupant must not modify or remove the OSD system without consent from Council.</p> <p>All associated costs will be borne by the applicant.</p> <p>Condition reason: This is to ensure these stormwater management controls are not modified, removed or unmaintained, in order to minimise flooding impacts within the downstream catchment.</p>
<p>44.</p>	<p>SUBDIVISION CERTIFICATE</p> <p>A Subdivision Certificate must be obtained from Council in accordance with of the <i>Environmental Planning and Assessment Act 1979</i> prior to the registration of the subdivision plans.</p> <p>Condition reason: To formalise the boundary adjustment, a Subdivision Certificate must be obtained.</p>

OCCUPATION AND ONGOING USE

	Condition
45.	<p>ONGOING MAINTENANCE – RAINWATER HARVESTING AND REUSE</p> <p>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.</p> <p>Condition reason: Ensure the rainwater harvesting and reuse systems are maintained and continue to operate as intended.</p>
46.	<p>ONGOING MAINTENANCE – STORMWATER DRAINAGE SYSTEM</p> <p>Council will need to be provided with an OSD system management plan. This must be submitted and approved by the Executive Manager, Infrastructure Services (or delegate) prior to the issue of the relevant Occupation Certificate.</p> <p>At a minimum, the detention facility must be:</p> <ul style="list-style-type: none"> a) Kept clean and free from silt, rubbish and debris. b) Be maintained so that it functions in a safe and efficient manner. <p>Not be altered without prior consent in writing of the Council.</p> <p>Condition reason: Ensure the stormwater drainage systems are maintained and continue to operate as intended.</p>
47.	<p>ALLOCATION OF STREET NUMBER</p> <p>The subdivision of the property has led to the following allocation of primary address numbers for a dual occupancy Torrens title subdivision:</p> <ul style="list-style-type: none"> – No. 24 Nancy Street for the fill in - south allotment - Lot 2 adjoining 22 Nancy Street. – No. 26 Nancy Street for the fill in - north allotment - Lot 1 adjoining 28 Nancy Street. <p>The primary address site numbers for the properties shall be a minimum of 75mm high, shall be positioned 600mm-1500mm above ground level on the site boundaries, located near the entry points and clearly visible from Nancy Street.</p> <p>The primary address site numbers are to be positioned on the site prior to the issue of the Occupation Certificate.</p> <p>Any variation to the above premises numbering requires a new application for a Change of street number and/or address to be lodged with Council.</p> <p>Condition reason: To ensure the property address is clearly identified.</p>
48.	<p>SIZE OF VEHICLE TO BE PARKED WITHIN THE SITE</p> <p>Any vehicle utilising the car space is to be parked fully within the confines of the site and is not to park over the public footway at any time.</p>

	Condition reason: To ensure vehicles do not encroach upon Council land and pose a risk to users of the Public Domain
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GENERAL ADVISORY NOTES

	Condition
1.	<p>DEVELOPMENT IS TO COMPLY WITH LEGISLATION</p> <p>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.</p>
2.	<p>DEVELOPMENT MUST MEET CONDITIONS OF CONSENT</p> <p>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.</p>
3.	<p>POST CONSENT CONDITIONS REQUIRING COUNCIL INPUT</p> <p>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:</p> <ul style="list-style-type: none"> • 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.	<p>SYDNEY WATER REQUIREMENTS</p> <p>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.</p> <p>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.</p>

	<p>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.</p>
5.	<p>SYDNEY WATER CERTIFICATE</p> <p>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.</p> <p>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.</p>
6.	<p>DIAL BEFORE YOU DIG</p> <p>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.</p>
7.	<p>TELECOMMUNICATIONS ACT 1997 (COMMONWEALTH)</p> <p>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.</p>
8.	<p>SITE RECTIFICATION WORKS</p> <p>The vacant site is to be maintained in a safe and secure manner. Fencing is to be erected around the perimeter 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.</p> <p>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:</p> <p>(a) Require certain works to be carried out, including but not limited to:</p> <ol style="list-style-type: none"> 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;

	<p>iii. For the hole to be covered to allow it to be landscaped and made attractive from any public vantage point.</p> <p>iv. Council may call on any bank guarantee to cover the cost thereof.</p> <p>(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.</p>
9.	<p>EXCAVATION TO BE LIMITED</p> <p>Excavation shall be limited to that shown in the approved plans. Any further excavation will require Council approval.</p>
10.	<p>BONDI - ROSE BAY SAND BODY</p> <p>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.</p> <p>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.</p>
11.	<p>TREE REMOVAL/PRESERVATION</p> <p>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.</p>

Dictionary

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

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

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

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

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

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

Council means Waverley Council.

Court means the Land and Environment Court of NSW.

EPA means the NSW Environment Protection Authority.

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

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

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

Local planning panel means Waverley Local Planning Panel.

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

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

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

Stormwater drainage system means all works and facilities relating to:

the collection of stormwater,

the reuse of stormwater,

the detention of stormwater,

the controlled release of stormwater, and

connections to easements and public stormwater systems.

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

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

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

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

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

version:	description:	drawn:	date:
S_1	sketch plans	SDC	02/09/2022
S_2	sketch plans	SDC	12/10/2022
S_3	sketch plans	SDC	16/01/2023
S_4	sketch plans	SDC	18/01/2023
S_5	sketch plans	SDC	27/02/2023
S_6	sketch plans	SDC	28/02/2023
DA_1	DA plans	SDC	15/06/2023
DA_2	DA plans	SDC	16/06/2023
DA_3	DA plans	SDC	30/06/2023
DA_4	DA plans	SDC	18/08/2023
DA_5	DA plans	SDC	22/08/2023
DA_6	DA plans	SDC	07/09/2023
DA_7	DA plans	SDC	08/09/2023
DA_8	DA plans	SDC	01/12/2023
DA_9	DA plans	SDC	14/02/2024
DA_10	DA plans	SDC	30/05/2024
DA_11	DA plans	SDC	20/08/2024
page	plans		
001	title page		
002	subdivision plan (existing)		
003	subdivision plan (proposed)		
004	site plan		
005	hydraulic plan		
006	benching plan		
007	site analysis and waste management plan		
008	landscape concept plan		
009	ground floor plan		
010	first floor plan		
011	elevations		
012	elevations		
013	sections/details		
014	electrical plan ground floor		
015	electrical plan first floor		
016	window/door schedule/s		
017	roof plan		
018	areas ground floor		
019	areas first floor		
020	safety design sheet		
021	specification		

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Date Received: 27/08/2024



basix commitments

water

- rainwater tank of at least 2,000l to be installed to each dwelling
- rainwater tank to meet and be installed in accordance with applicable regulatory authorities
- rainwater tank to collect rain runoff from roof area depicted in basix certificate
- rainwater tank supply to be connected to all toilets in dwelling
- rainwater tank to be connected to at least one outdoor tap in the dwelling

tap fittings

kitchen	5A star
shower head	3A star
toilet rating (dual flush)	4A star
vanity and bath	6A star

thermal comfort

external walls	brick veneer (w/- wall wrap)
frame	timber
external wall insulation	r2.7
internal wall insulation	r2.0
external wall colour	medium
roofing material	colorbond
roof insulation	anticon blanket
roof colour	dark
ceiling insulation	r5.0
floor insulation	r3.1 (between joists)

energy

- gas 6 star instantaneous hot water system/s
- gas cooktop to kitchen/s
- electric oven to kitchen/s
- refrigerator spaces to be well ventilated
- compact fluorescent energy saving light bulbs to all light points
- outdoor clothes line/s



S-DC BUILDING DESIGN

bdaa ACCREDITED BUILDING DESIGNER

19/3 Brown Street
 Kiama NSW 2533
 P 0412 477 240
 0405 126 018
 E info@sdcbuildingdesign.com.au
 W www.sdcbuildingdesign.com.au

General notes:

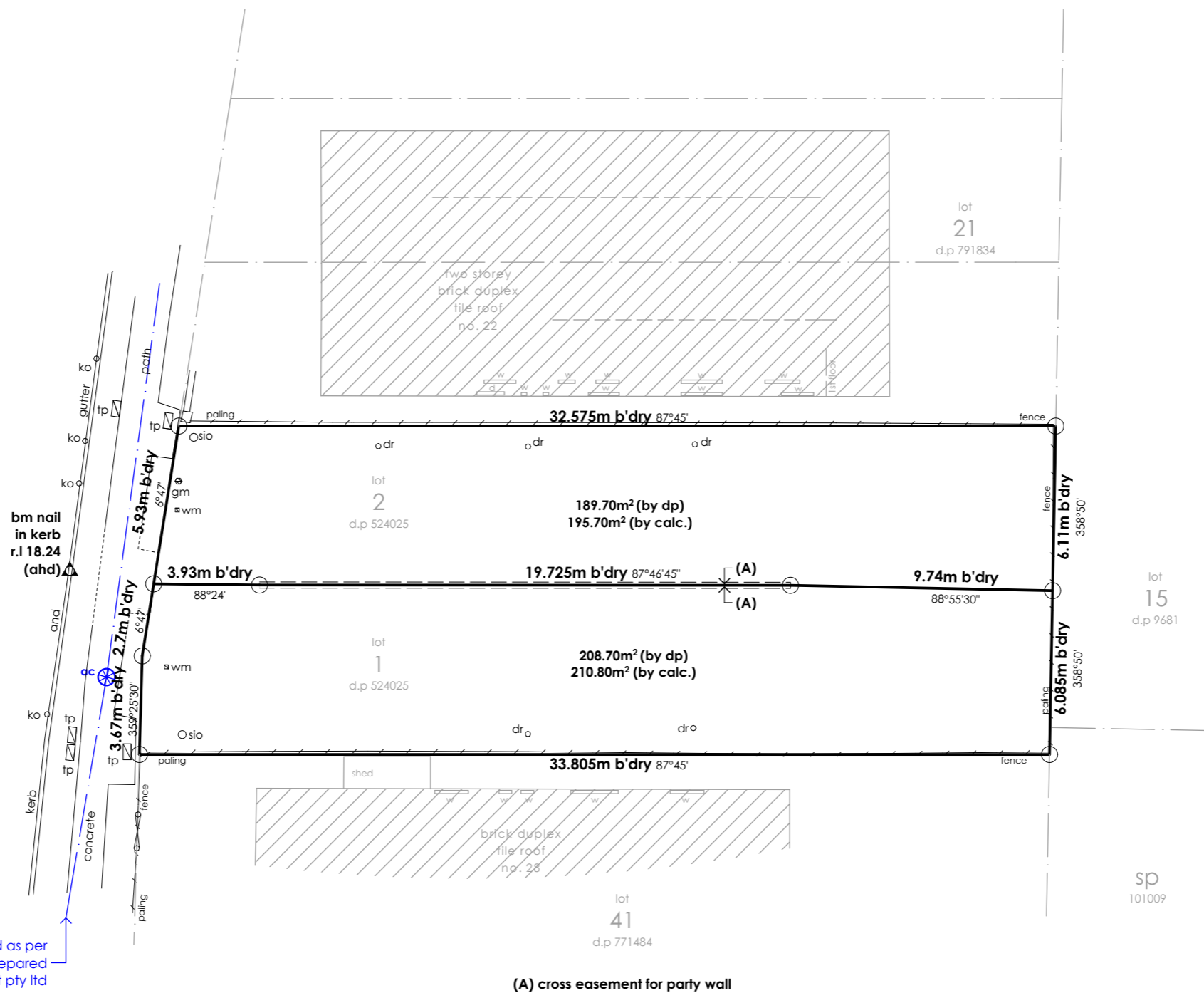
1. Do not scale from drawing
2. All dimensions to be checked on site
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4. Boundaries to be verified by surveyor
5. Other consultants drawings take precedence
6. Drainage to council requirements and AS3500
7. Copyright of plans and documentation remain the exclusive property of Logico Homes Pty Ltd Builders Licence No. 249513C

Site address:
Lot 1-2 No. 24-26
Nancy Street
North Bondi
 Client name:
Kramer, Pfirsch & Grasa

Job No:
22.015
 DWG No:
001
 Version No:
DA_11
 Date:
20/08/2024

nancy street

sewerline location plotted as per service protection report prepared by opal water management pty ltd



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(A) cross easement for party wall

subdivision plan (existing)
scale 1:200



S-DC BUILDING DESIGN

bdca ACCREDITED BUILDING DESIGNER

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Site classification:	'H1' class
LGA:	Waverley Council
Lodgement:	DA
Lot No:	24-26
DP No:	524025

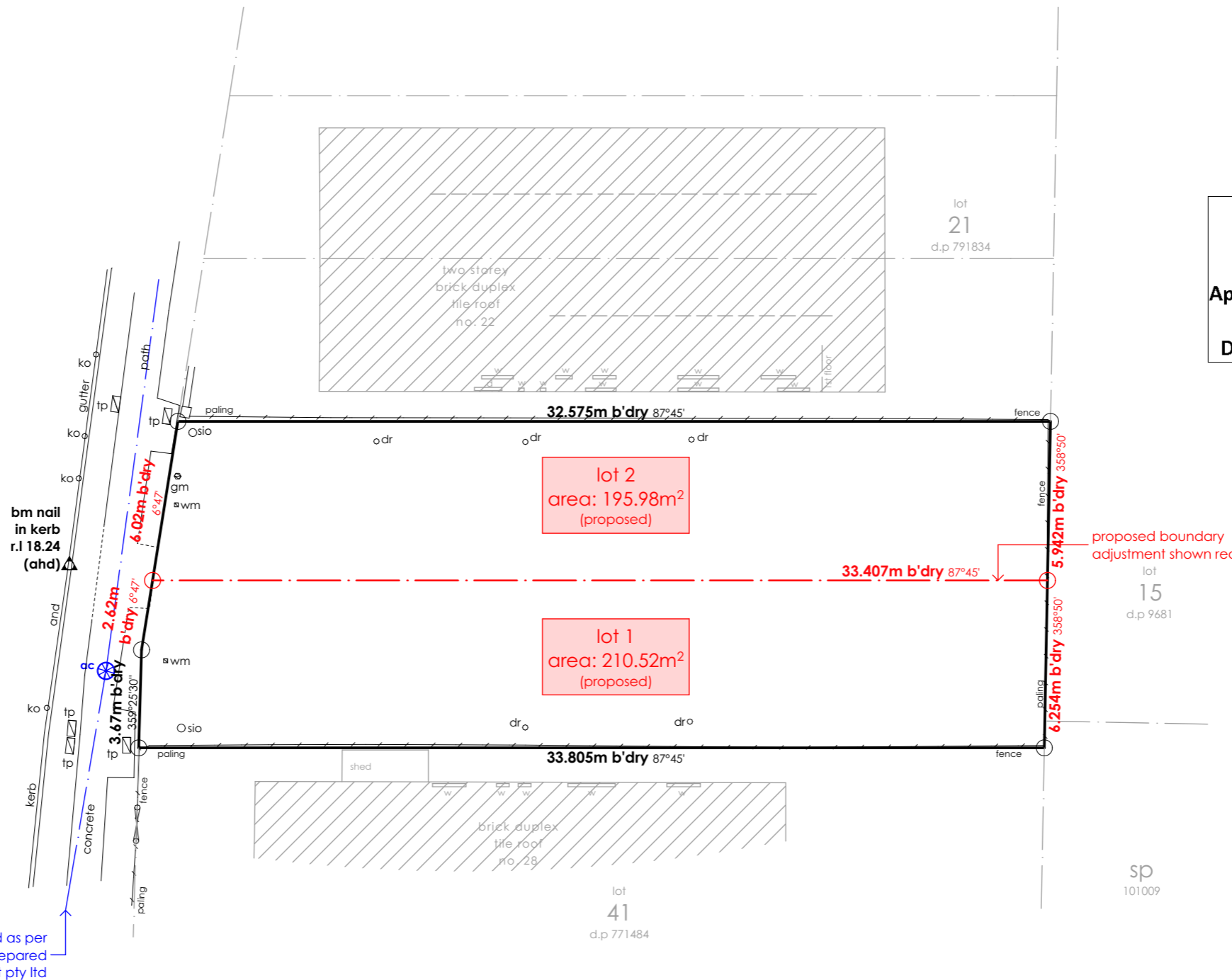


Design:	custom
Facade:	custom
Inclusions:	

Site address:
Lot 1-2 No. 24-26
Nancy Street
North Bondi
Client names:
- Kramer, Pfirsch & Grasa

Job No:	22.015
DWG No:	002
Version No:	DA_11
Date:	20/08/2024

nancy street



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Application No: DA-431/2024
Date Received: 2/10/2024

subdivision plan (proposed)
scale 1:200



S-DC BUILDING DESIGN

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Kiama NSW 2533
P 0412 477 240
0405 126 018

bdca ACCREDITED BUILDING DESIGNER

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www.sdcbuildingdesign.com.au

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Site classification:	'H1' class
LGA:	Waverley Council
Lodgement:	DA
Lot No:	24-26
DP No:	524025



Design:	custom
Facade:	custom
Inclusions:	

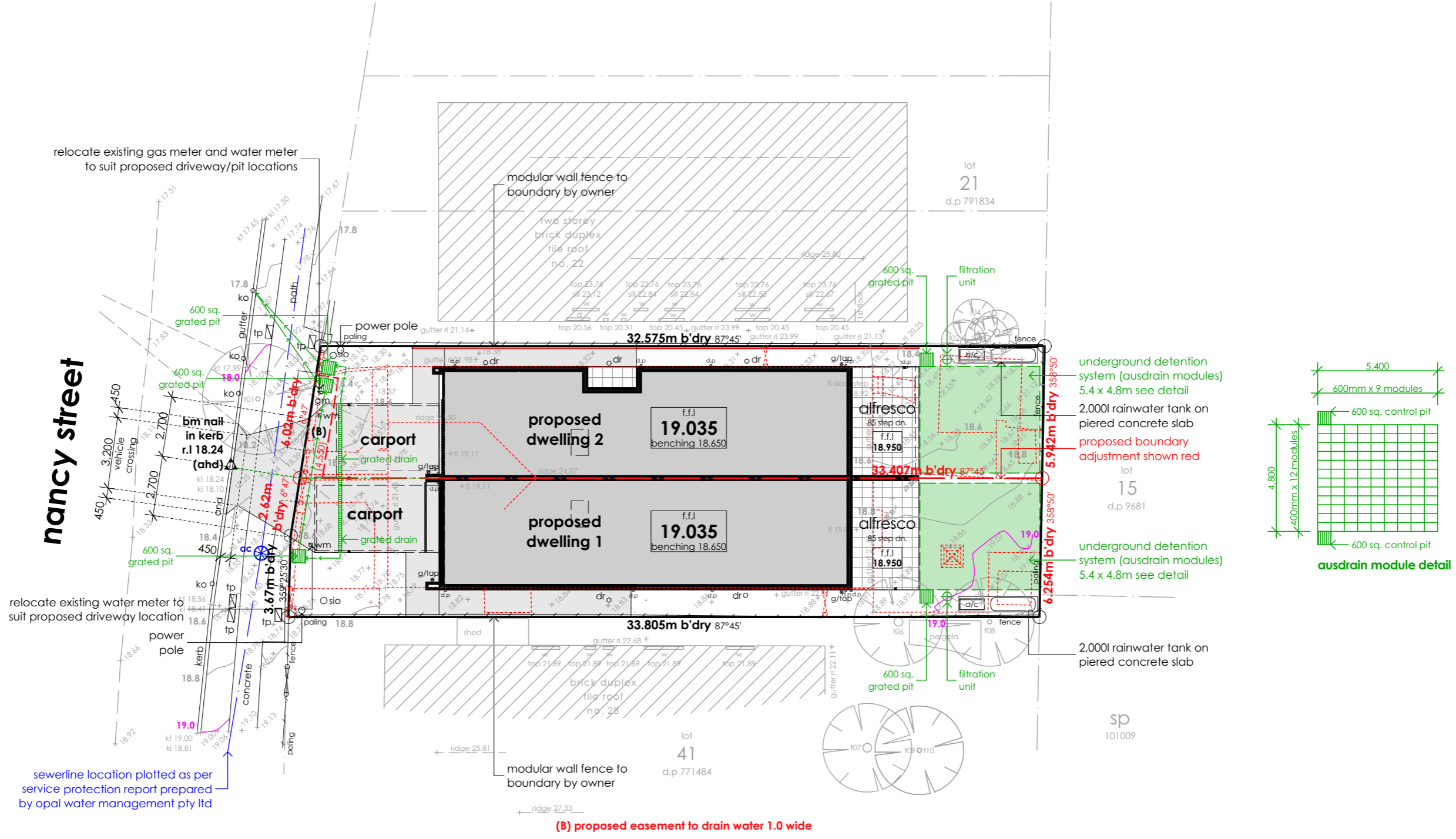
Site address:
Lot 1-2 No. 24-26
Nancy Street
North Bondi

Client names:
- Kramer, Pfirsch & Grasa

Job No:	22.015
DWG No:	003
Version No:	DA_11
Date:	2/10/2024

abbreviations	
d	door
dr	drain
eb	elec. box
fl	floor level
ft	fence top
gdn	garden
gm	gas meter
h	hydrant
kt	kerb top
kl	kerb lip
ki	kerb invert
ko	kerb outlet
lp	light pole
mh	manhole
pp	power pole
por	porch
rl	reduced level
por	porch
rl	reduced level
smh	sewer manhole
sio	sewer inspect. opening
svp	sewer vent pipe
swp	stormwater pit
t	tree
tp	telecomms pit
ver	verandah
w	window
wm	water meter
wt	wall top
w/c	water closet

schedule of trees			
	diameter	height	spread
t01	0.2	4	5
t02	0.3	5	2
t03	0.3	5	2
t04	0.3	5	2
t05	0.3	5	2
t06	0.4	5	4
t07	0.4	5	4
t08	0.2	5	4
t09	0.2	5	4
t10	0.2	5	4



existing and proposed fencing notes:
 - all existing fencing is to be replaced
 - no fence proposed to the front boundary
 - side fencing maximum 1.8m high above natural ground at any point
 - side fencing forward of the building line maximum 1.2m high above natural ground at any point

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hydraulic plan
 scale 1:200



S-DC BUILDING DESIGN
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 0405 126 018
 ACCREDITED BUILDING DESIGNER

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Site classification:	'H1' class
LGA:	Waverley Council
Lodgement:	DA
Lot No:	24-26
DP No:	524025



Design:	custom
Facade:	custom
Inclusions:	

Site address:
 Lot 1-2 No. 24-26
 Nancy Street
 North Bondi
 Client names:
 - Kramer, Pfirsch & Grasa

Job No:	22.015
DWG No:	005
Version No:	DA_11
Date:	20/08/2024

abbreviations	
d	door
dr	drain
eb	elec. box
fl	floor level
ft	fence top
gdn	garden
gm	gas meter
h	hydrant
kt	kerb top
kl	kerb lip
ki	kerb invert
ko	kerb outlet
lp	light pole
mh	manhole
pp	power pole
por	porch
rl	reduced level
por	porch
rl	reduced level
smh	sewer manhole
sio	sewer inspect. opening
svp	sewer vent pipe
swp	stormwater pit
t	tree
tp	telecomms pit
ver	verandah
w	window
wm	water meter
wt	wall top
w/c	water closet

schedule of trees			
	diameter	height	spread
t01	0.2	4	5
t02	0.3	5	2
t03	0.3	5	2
t04	0.3	5	2
t05	0.3	5	2
t06	0.4	5	4
t07	0.4	5	4
t08	0.2	5	4
t09	0.2	5	4
t10	0.2	5	4

earthworks	
house dw1:	ffi: 19.035 benching: 18.650
house dw2:	ffi: 19.035 benching: 18.650
'H1' class	

stormwater drainage as per hydraulic report

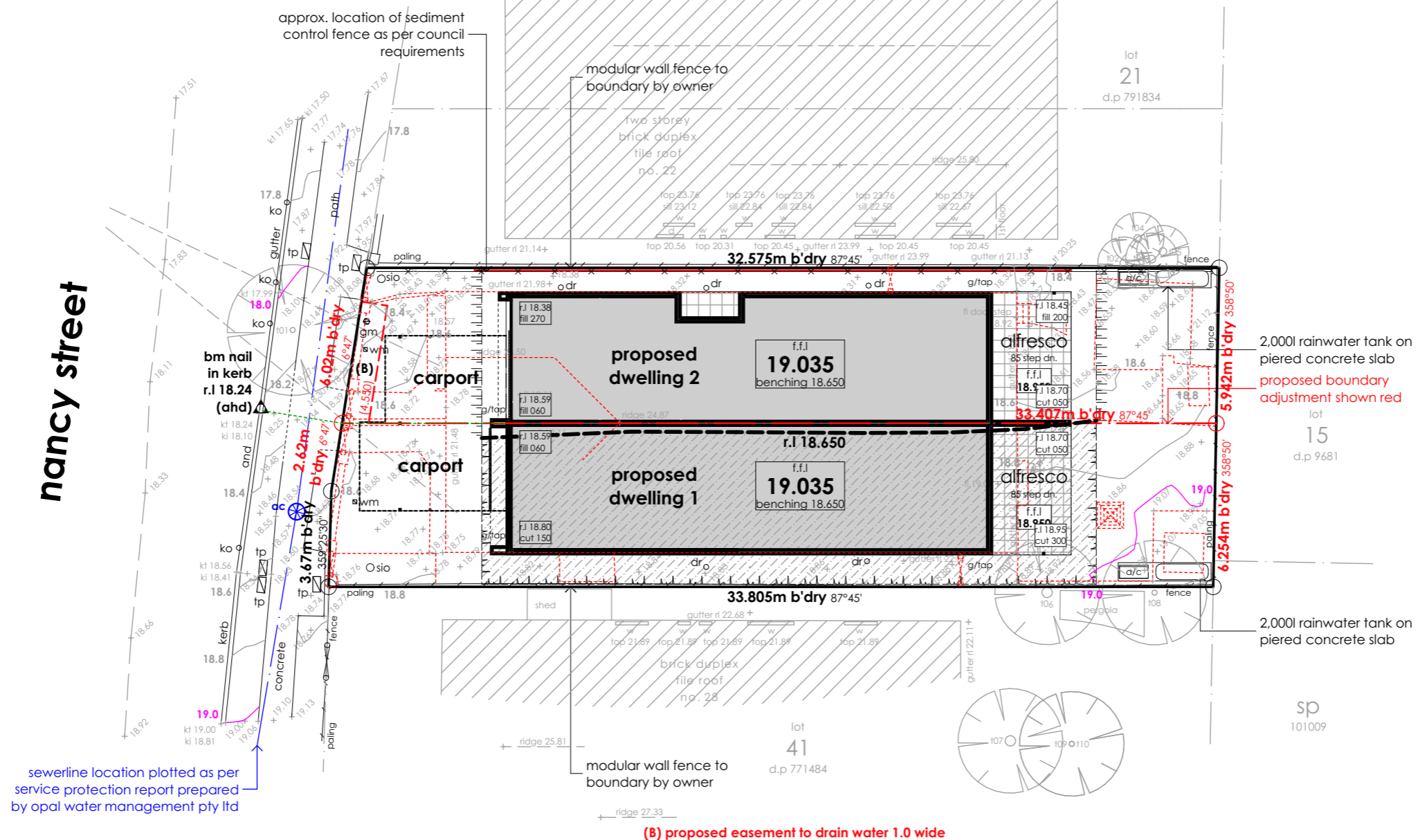
excavate site approx. **300mm** to form job datum r.l. **18.650** over building area. datum point 385mm below finished floor level. extent of batters and excavation to be determined on site.

any retaining walls required to be completed by owners to manufacturers specifications.

provide 1.80m high security fence to perimeter of site as per council requirements.

provide temporary stabilised vehicle access driveway (gravel/rock aggregate)

provide sediment control fence as per council requirements



existing and proposed fencing notes:

- all existing fencing is to be replaced
- no fence proposed to the front boundary
- side fencing maximum 1.8m high above natural ground at any point
- side fencing forward of the building line maximum 1.2m high above natural ground at any point

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Date Received: 27/08/2024

benching plan
scale 1:200



S-DC BUILDING DESIGN

19/3 Brown Street
Kiama NSW 2533
P 0412 477 240
0405 126 018

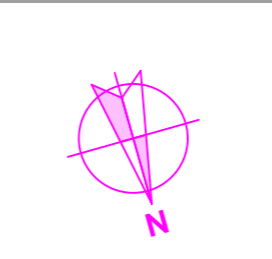
bdca ACCREDITED BUILDING DESIGNER

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Site classification:	'H1' class
LGA:	Waverley Council
Lodgement:	DA
Lot No:	24-26
DP No:	524025



Design:	custom
Facade:	custom
Inclusions:	

Site address:
Lot 1-2 No. 24-26
Nancy Street
North Bondi

Client names:
- Kramer, Pfirsch & Grasa

Job No:	22.015
DWG No:	006
Version No:	DA_11
Date:	20/08/2024

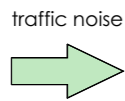
abbreviations

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W	ground floor windows
W	first floor windows

schedule of trees

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t09	0.2	5	4
t10	0.2	5	4

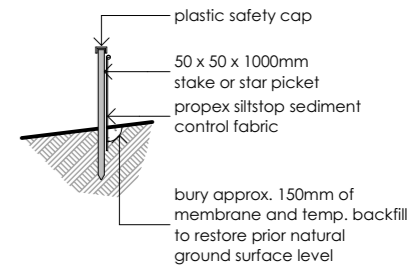
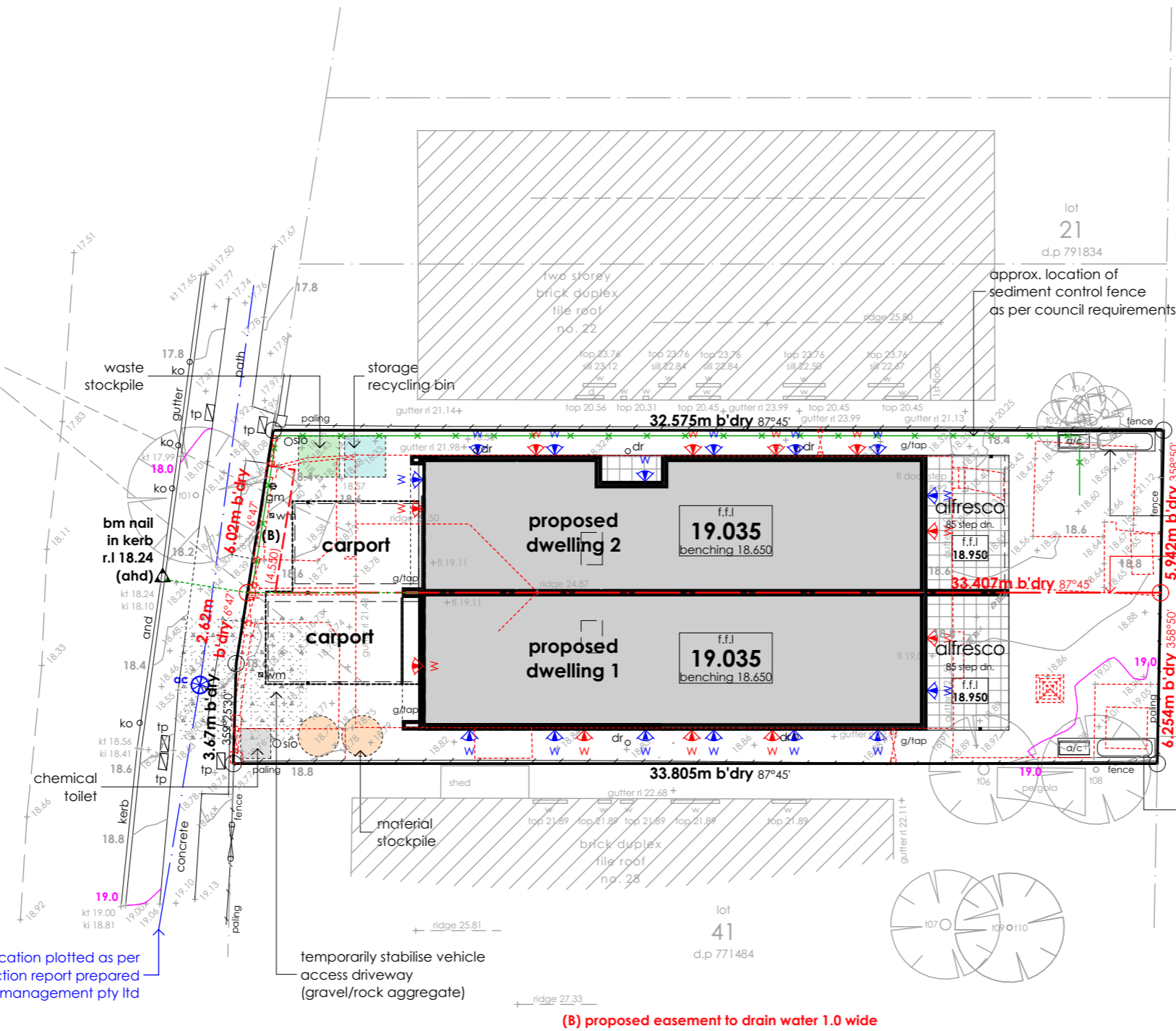
nancy street



sewerline location plotted as per service protection report prepared by opal water management pty ltd

existing and proposed fencing notes:
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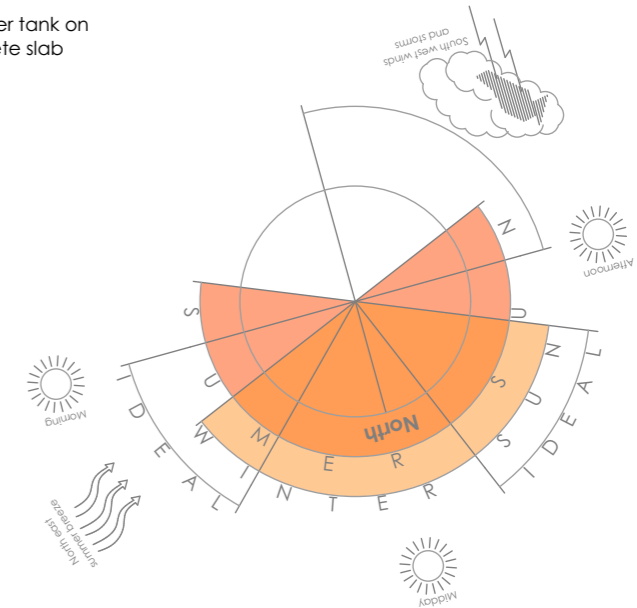
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 Receipt No: DA-431/2024
 Date Received: 27/08/2024



silt fence detail (typical section)

notes:
dust control measures
 - if the site becomes dusty during hotter months, builder will sprinkle water on the dust.
 - any area of road base will be positioned for heavy vehicles to reduce and provide an area to wash trucks (as required).
noise and vibration measures
 - all excavation will be carried out between the time setout in the council conditions.
 - machinery size will be kept to a minimum required for the job.

stormwater drainage as per hydraulic report
 any retaining walls required to be completed by owner to manufacturers specifications
 provide 1.8m high security fence to perimeter of site as per council requirements
 provide temporary stabilised vehicle access driveway (gravel/rock aggregate)
 provide sediment control fence as per council requirements



site analysis and waste management plan
 scale 1:200



General notes:
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Site classification:	'H1' class
LGA:	Waverley Council
Lodgement:	DA
Lot No:	24-26
SP No:	524025



Design:	custom
Facade:	custom
Inclusions:	

Site address:
 Lot 1-2 No. 24-26
 Nancy Street
 North Bondi
 Client names:
 - Kramer, Pfirsch & Grasa

Job No:	22.015
DWG No:	007
Version No:	DA_11
Date:	20/08/2024

abbreviations	
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dr	drain
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t09	0.2	5	4
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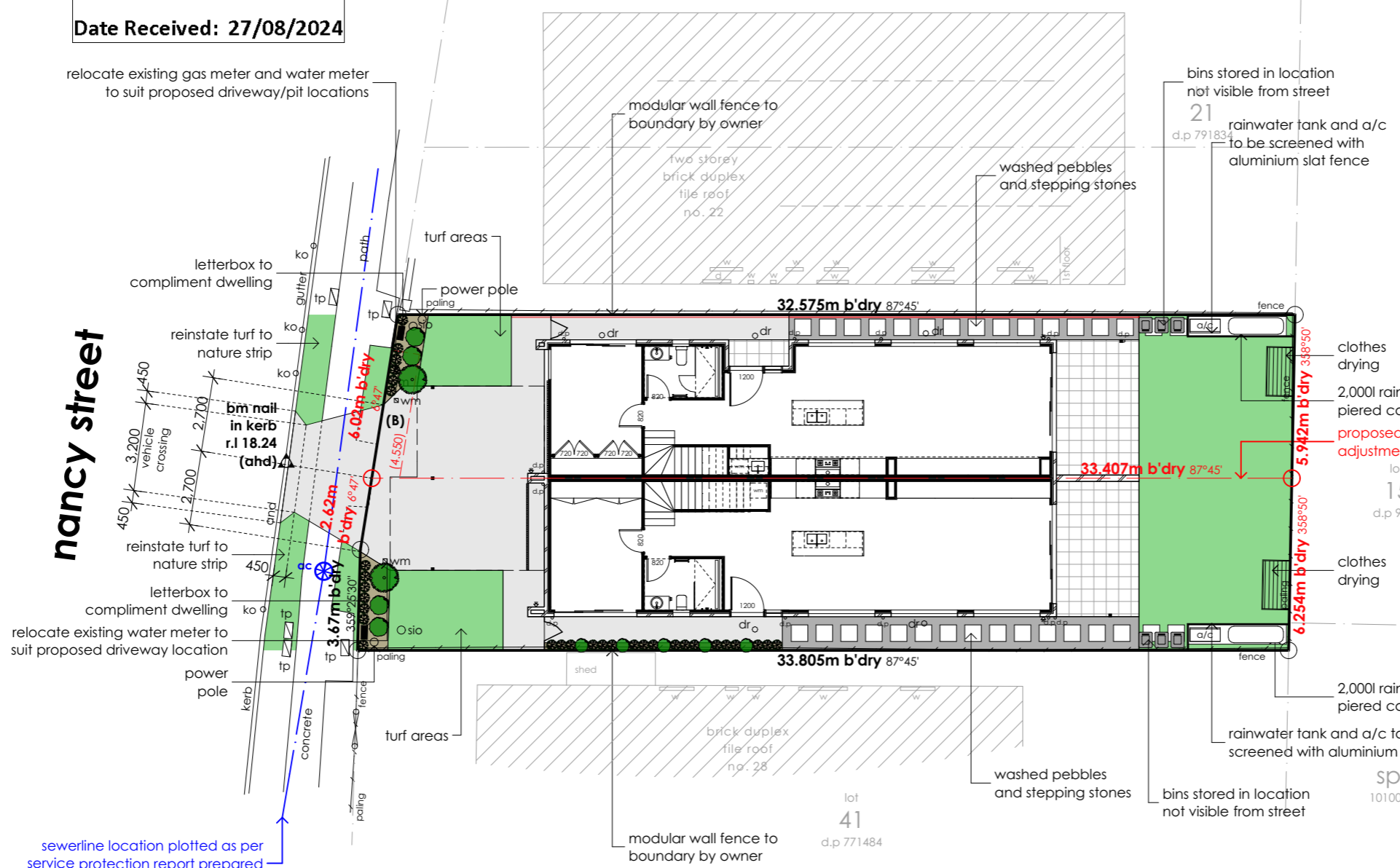
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Waverley Council
Receipt No: DA-431/2024
Date Received: 27/08/2024

relocate existing gas meter and water meter to suit proposed driveway/pit locations

relocate existing water meter to suit proposed driveway location

sewerline location plotted as per service protection report prepared by opal water management pty ltd

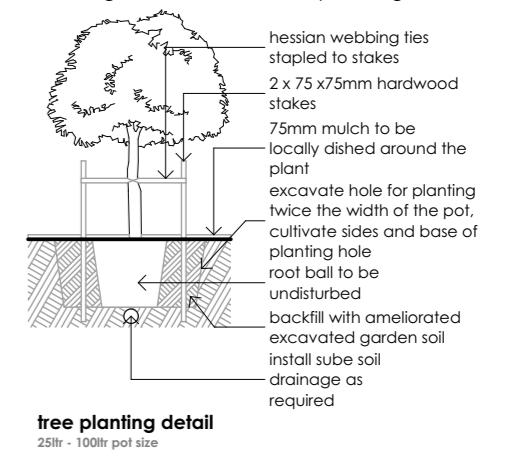
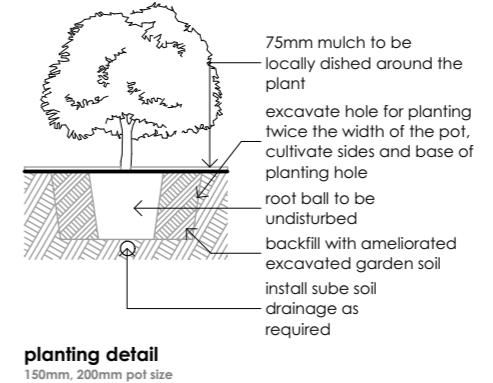
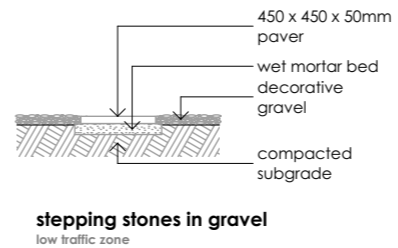
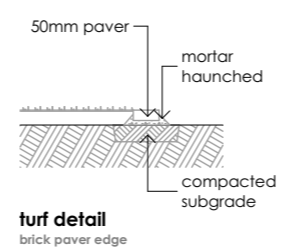
nancy street



existing and proposed fencing notes:

- all existing fencing is to be replaced
- no fence proposed to the front boundary
- side fencing maximum 1.8m high above natural ground at any point
- side fencing forward of the building line maximum 1.2m high above natural ground at any point

(B) proposed easement to drain water 1.0 wide



plant list					
symbol	type	botanic name	common name	qty	pot size
	shrubs 1-4m	acacia floribunda lomaria myricoides pittosporum revolutum pomaderis ferruginea	sally wattle river lomaria hairy pittosporum rusty pomaderis	2	45ltr
	shrubs 1m	correa reflexa hypericum gramineum senecio hispidulus wahlenbergia gracilis	native fuchsia small st. johns wort rough groundsel blue bells	2	200mm
	groundcovers	billiardiera scandens cayratia clematidea commelina cyanea veronica plebia	appleberry slender grape scurvy weed speedwell	13	150mm
	grasses	imperata cylindrica juncus usitatus lomandra longifolia	blady grass common rush spiny mat rush	14	150mm
	large tree	tristaniaopsis laurina	water gum	2	45ltr
	large tree	acacia decurrens	green wattle	2	45ltr

lawn

- excavate all areas to be turfed to 100mm below required finished levels
- do not excavate within 1500mm of the trunk of any existing tree to be retained
- ensure that all surface water runoff is directed towards the inlet pits, kerbs etc. and away from buildings
- ensure that no pooling or ponding will occur
- rip the subgrade to 150mm
- install 80mm depth of imported topsoil
- lay turf rolls closely butted, fill any small gaps with topsoil
- water thoroughly

planting areas

- ensure that mass planting areas have been excavated to 250mm below finished levels
- rip to a further depth of 100mm
- supply and install 250mm of premium garden mix
- topsoil to be either imported topsoil or stockpiled site topsoil (if suitable ie, no clay)
- install 75mm depth of mulch

fencing

1.8m high colorbond boundary fencing

landscape concept plan
scale 1:200



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General notes:
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Site classification:	'H1' class
LGA:	Waverley Council
Lodgement:	DA
Lot No:	24-26
DP No:	524025

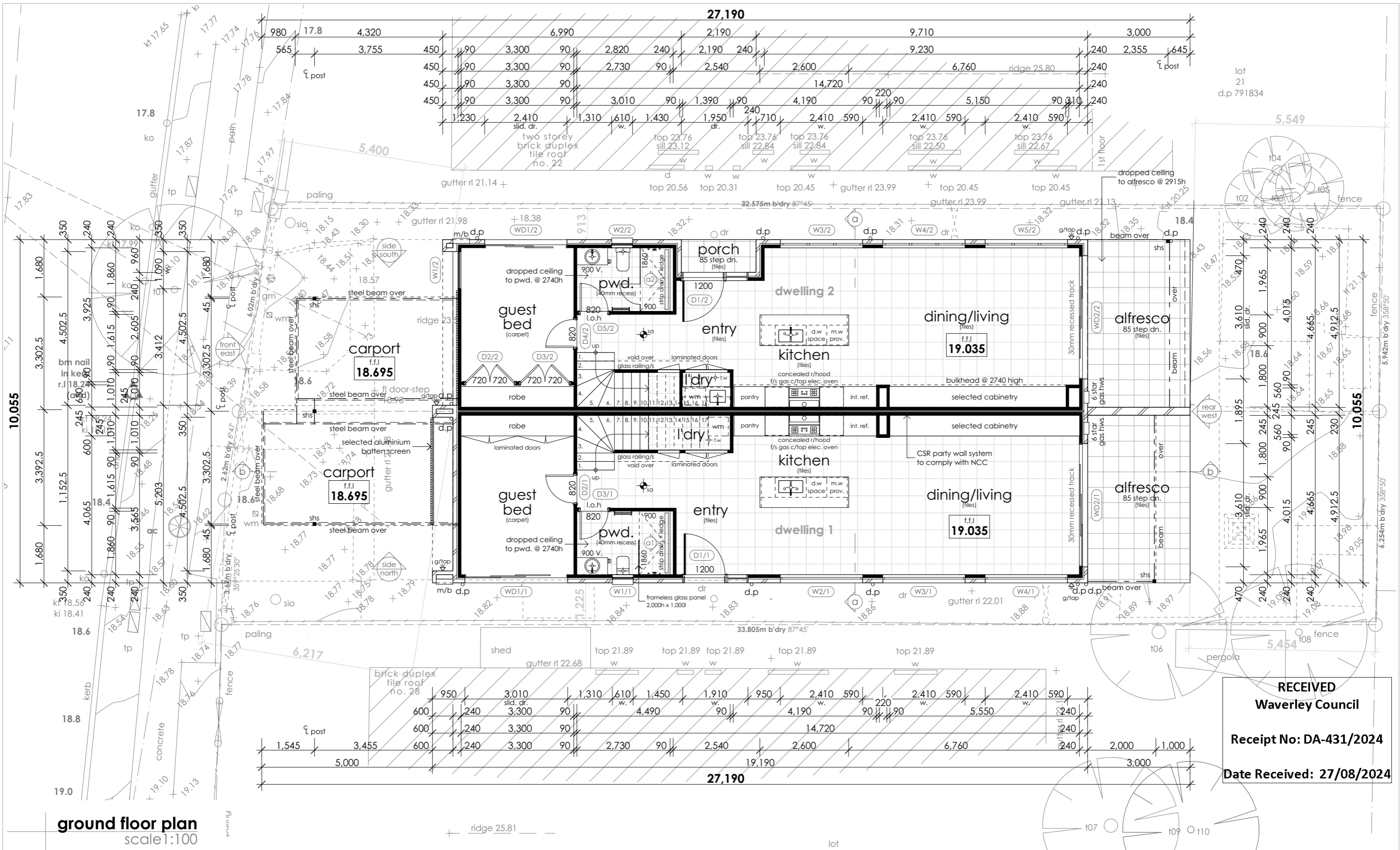


Design:	custom
Facade:	custom
Inclusions:	

Site address:
Lot 1-2 No. 24-26
Nancy Street
North Bondi

Client names:
- Kramer, Pfirsch & Grasa

Job No:	22.015
DWG No:	008
Version No:	DA_11
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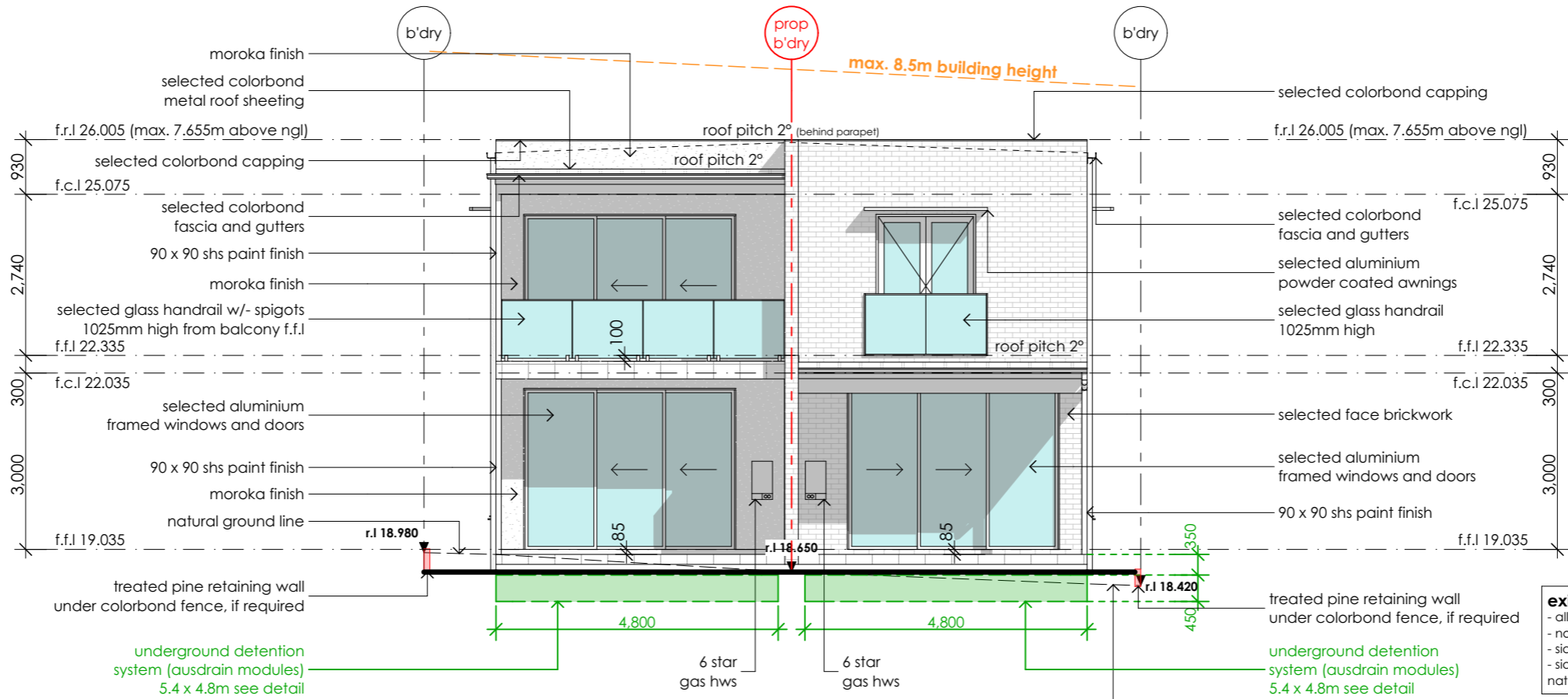
Design: custom
Facade: custom
Inclusions:

Site address:
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Nancy Street
North Bondi

Client names:
Kramer, Pfrsch & Grasa

Job No: 22.015
DWG No: 009
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rear | west elevation
 scale 1:100

existing and proposed fencing notes:
 - all existing fencing is to be replaced
 - no fence proposed to the front boundary
 - side fencing maximum 1.8m high above natural ground at any point
 - side fencing forward of the building line maximum 1.2m high above natural ground at any point



side | south elevation (dwelling 2)
 scale 1:100



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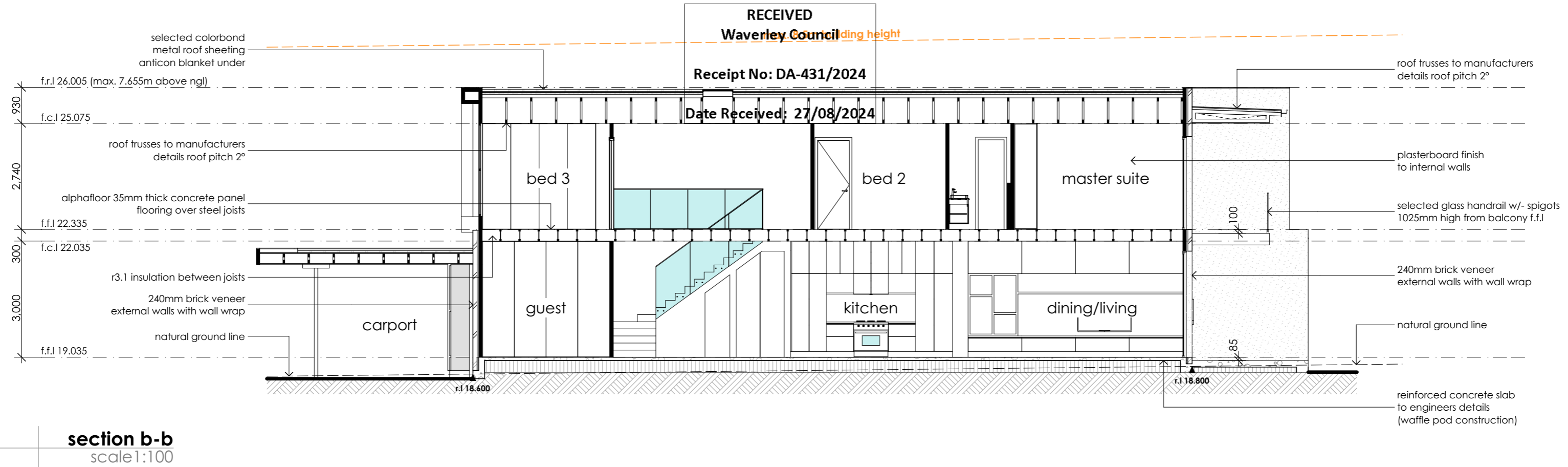
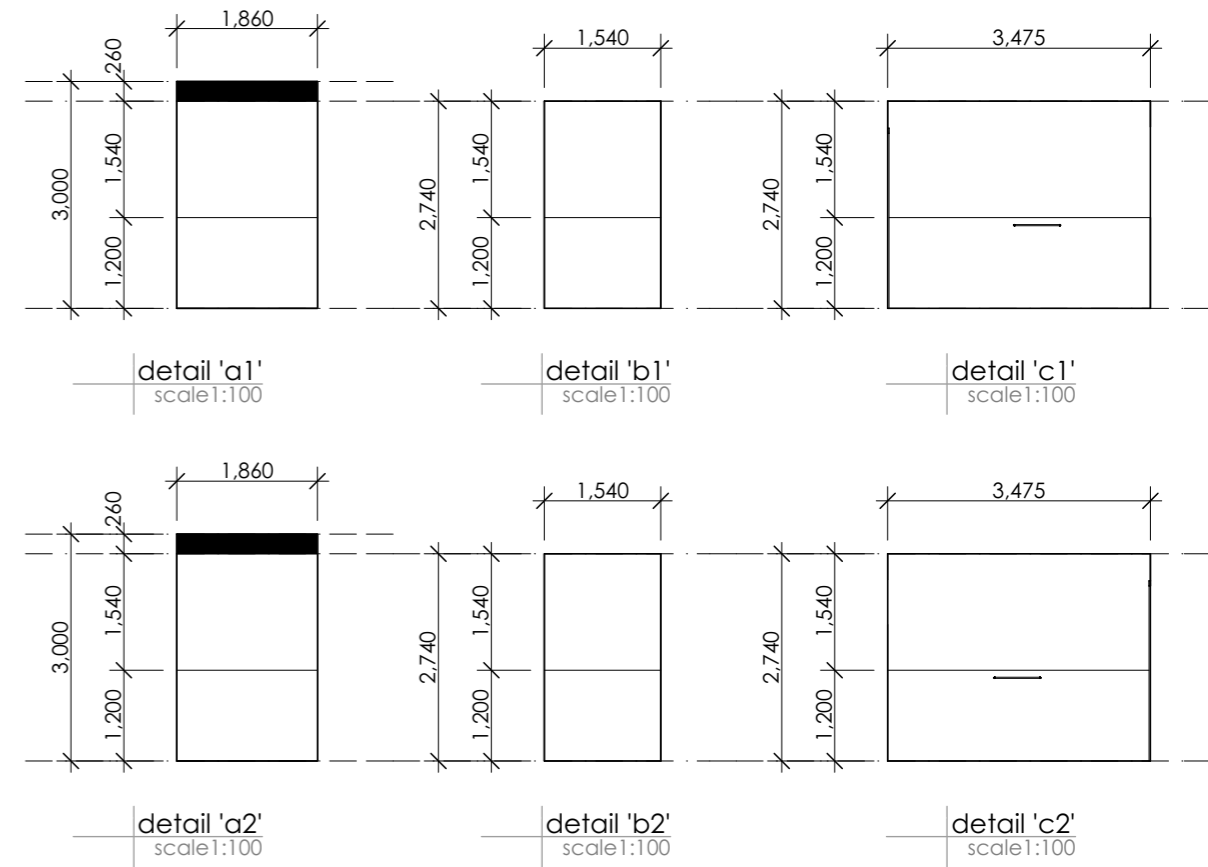
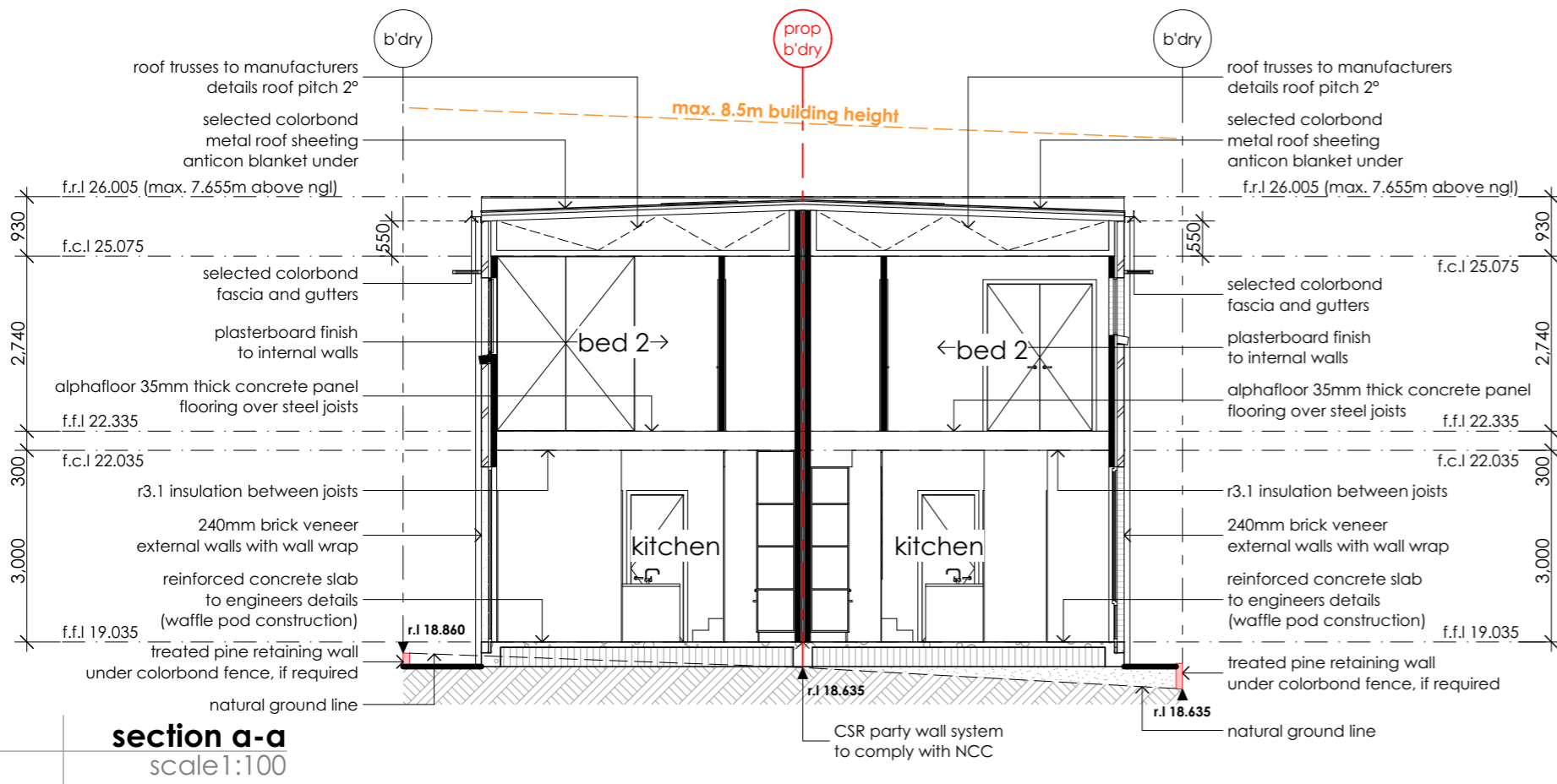
Site classification:	'H1' class
LGA:	Waverley Council
Lodgement:	DA
Lot No:	24-26
DP No:	524025



Design:	custom
Facade:	custom
Inclusions:	

Site address:
Lot 1-2 No. 24-26
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North Bondi
 Client names:
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DWG No:	012
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Lot No:	24-26
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Design:	custom
Facade:	custom
Inclusions:	

Site address:
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 North Bondi

Client names:
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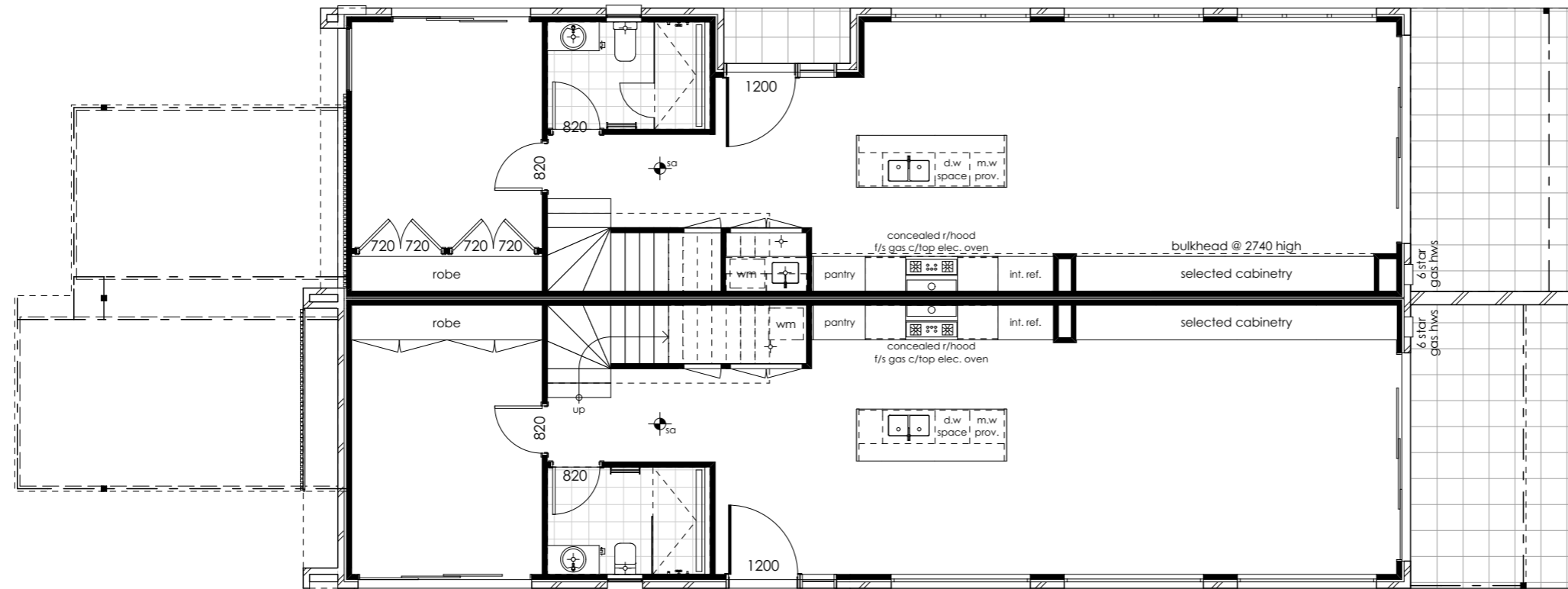
Job No:	22.015
DWG No:	013
Version No:	DA_11
Date:	20/08/2024

general electrical notes

all electrical points (power points, light switches etc) positioning are approximate only and are subject to confirmation by electrician and builder

legend

symbol	description
	single gpo
	single waterproof gpo
	double gpo
	double waterproof gpo
	ceiling light fitting
	led downlight
	flourescent light to garage
	wall light point
	external wall light point
	sensor to light
	exhaust fan
	2-way exhaust fan/light/heat
	4-way exhaust fan/light/heat
	ceiling fan
	smoke alarm
	tv point
	gas point
	light switch
	2 way light switch
	telephone point
	data point



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electrical plan ground floor
 scale 1:100



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Site classification:	'H1' class
LGA:	Waverley Council
Lodgement:	DA
Lot No:	24-26
500 ^{OP} No:	524025



Design:	custom
Facade:	custom
Inclusions:	

Site address:
Lot 1-2 No. 24-26
Nancy Street
North Bondi
 Client names:
- Kramer, Pfirsch & Grasa

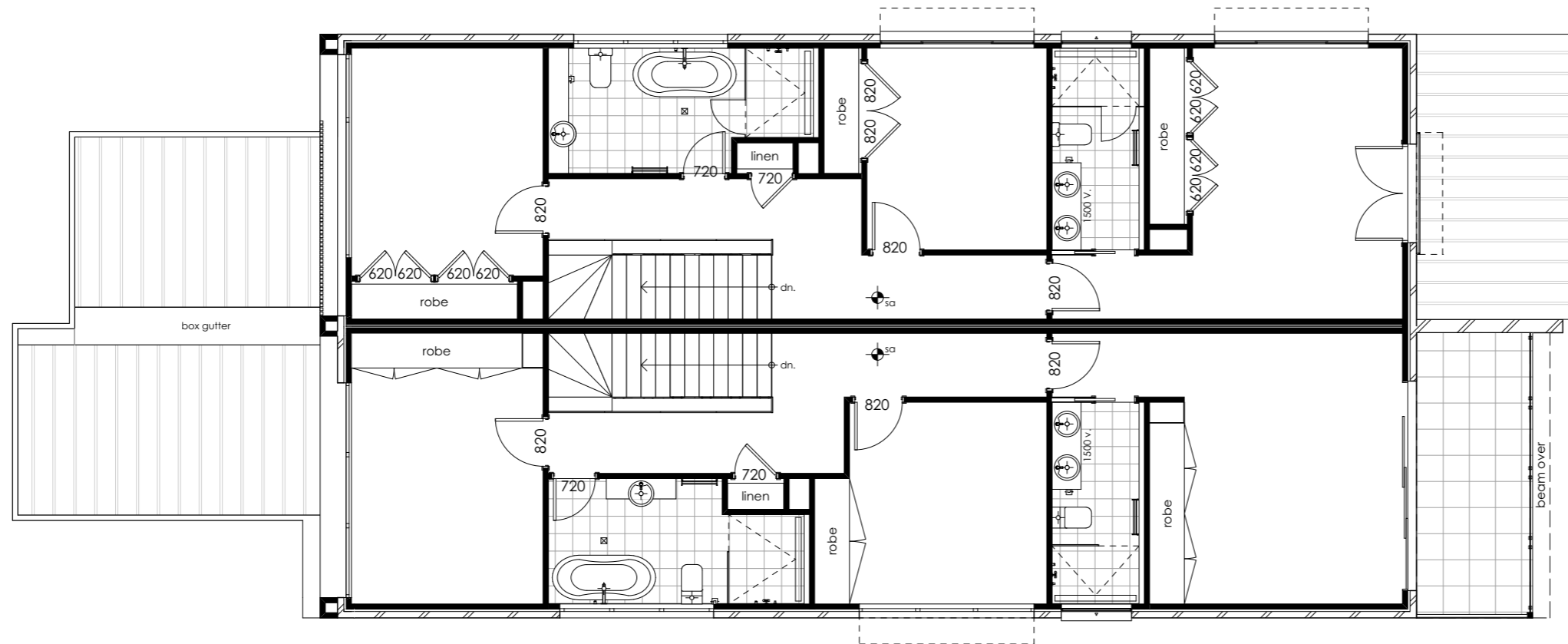
Job No:	22.015
DWG No:	014
Version No:	DA_11
Date:	20/08/2024

general electrical notes

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legend

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	single waterproof gpo
	double gpo
	double waterproof gpo
	ceiling light fitting
	led downlight
	flourescent light to garage
	wall light point
	external wall light point
	sensor to light
	exhaust fan
	2-way exhaust fan/light/heat
	4-way exhaust fan/light/heat
	ceiling fan
	smoke alarm
	tv point
	gas point
	light switch
	2 way light switch
	telephone point
	data point



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electrical plan first floor
 scale 1:100



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Lot No:	24-26
DP No:	524025



Design:	custom
Facade:	custom
Inclusions:	

Site address:
Lot 1-2 No. 24-26
Nancy Street
North Bondi
 Client names:
- Kramer, Pfrisch & Grasa

Job No:	22.015
DWG No:	015
Version No:	DA_11
Date:	20/08/2024

window / door schedule dwelling 1							
window no.	type	window size		plan view	elev. view	glazing	others
		height	width				
W1/1	awning	1,200	610			6.38 trans. lam.	
W2/1	fixed	2,740	2,410			10mm low e toughened	
W3/1	fixed	2,740	2,410			10mm low e toughened	
W4/1	fixed	2,740	2,410			10mm low e toughened	
W5/1	awning	2,400	3,700			double clear	
W6/1	awning	1,200	2,650			6.38 trans. lam.	
W7/1	awning	1,200	3,010			double clear	
W8/1	awning	1,200	1,210			6.38 trans. lam.	tilled reveal
WD1/1	sliding door	2,740	3,010			double clear	
WD2/1	sliding door	2,740	3,610			double clear	
WD3/1	sliding door	2,400	3,610			double clear	

door schedule dwelling 1						
door no.	type	door size		plan view	elev. view	others
		height	width			
D1/1	selected entry door	2,340	1,200			sidelight double glazed
D2/1	820 hung door	2,340	820			
D3/1	820 hung door	2,340	820			lift-off hinges
D4/1	820 hung door	2,340	820			
D5/1	720 hung door	2,340	720			lift-off hinges
D6/1	720 hung door	2,340	720			
D7/1	820 hung door	2,340	820			
D8/1	820 hung door	2,340	820			
D9/1	720 csd	2,340	720			

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window / door schedule dwelling 2							
window no.	type	window size		plan view	elev. view	glazing	others
		height	width				
W1/2	awning	2,400	1,090			double clear	
W2/2	awning	1,200	610			6.38 trans. lam.	
W3/2	awning	2,740	2,410			double clear	
W4/2	awning	2,740	2,410			double clear	
W5/2	awning	2,740	2,410			double clear	
W6/2	awning	2,400	3,500			double clear	
W7/2	awning	1,200	2,650			6.38 trans. lam.	
W8/2	sliding	900	2,650			double clear	
W9/2	awning	600	1,210			6.38 trans. lam.	tilled reveal
W10/2	sliding	600	2,650			double clear	
WD1/2	sliding door	2,740	2,410			double clear	
WD2/2	sliding door	2,740	3,610			double clear	
WD3/2	hung doors	2,400	1,700			double clear	

door schedule dwelling 2						
door no.	type	door size		plan view	elev. view	others
		height	width			
D1/2	selected entry door	2,340	1,200			sidelight double glazed
D2/2	2 x 520 hung doors	2,340	1,440			
D3/2	2 x 520 hung doors	2,340	1,440			
D4/2	820 hung door	2,340	820			
D5/2	820 hung door	2,340	820			
D6/2	2 x 520 hung doors	2,340	1,240			
D7/2	2 x 520 hung doors	2,340	1,240			
D8/2	820 hung door	2,340	820			
D9/2	820 hung door	2,340	720			
D10/2	820 hung door	2,340	720			
D11/2	820 hung door	2,340	820			
D12/2	820 hung door	2,340	820			
D13/2	820 csd	2,340	720			
D14/2	2 x 520 hung doors	2,340	1,240			
D15/2	2 x 520 hung doors	2,340	1,240			



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Site classification: 'H1' class
LGA: Waverley Council
Lodgement: DA
Lot No: 24-26 DP No: 524025



Design: custom
Facade: custom
Inclusions:

Site address: Lot 1-2 No. 24-26 Nancy Street North Bondi
Client names: Kramer, Pfirsch & Grasa

Job No: 22.015
DWG No: 016
Version No: DA_11
Date: 20/08/2024



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roof plan
 scale 1:100



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LGA:	Waverley Council
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Lot No:	24-26
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Design:	custom
Facade:	custom
Inclusions:	

Site address:
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Nancy Street
North Bondi

Client names:
- Kramer, Pfirsch & Grasa

Job No:	22.015
DWG No:	017
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gfa ground floor
 scale 1:100



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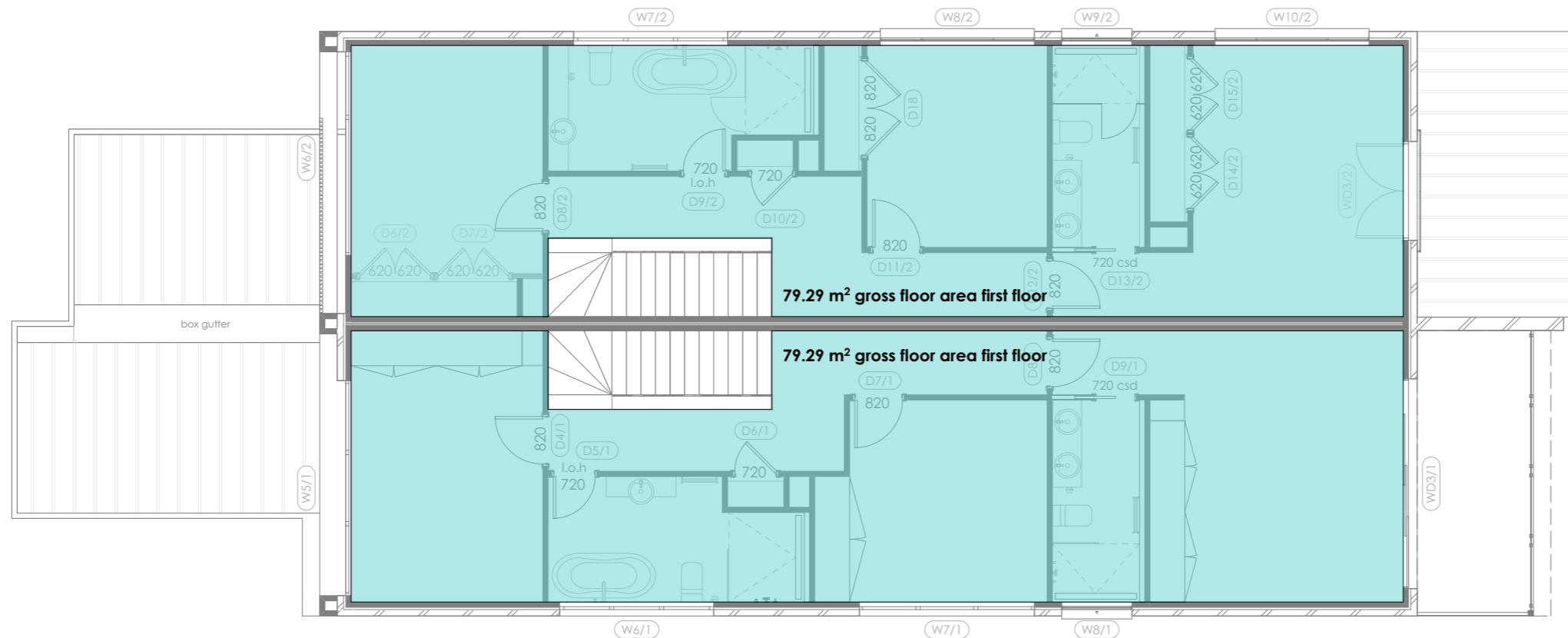


Design:	custom
Facade:	custom
Inclusions:	

Site address:
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 Nancy Street
 North Bondi

Client names:
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Job No:	22.015
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gfa first floor
scale 1:100



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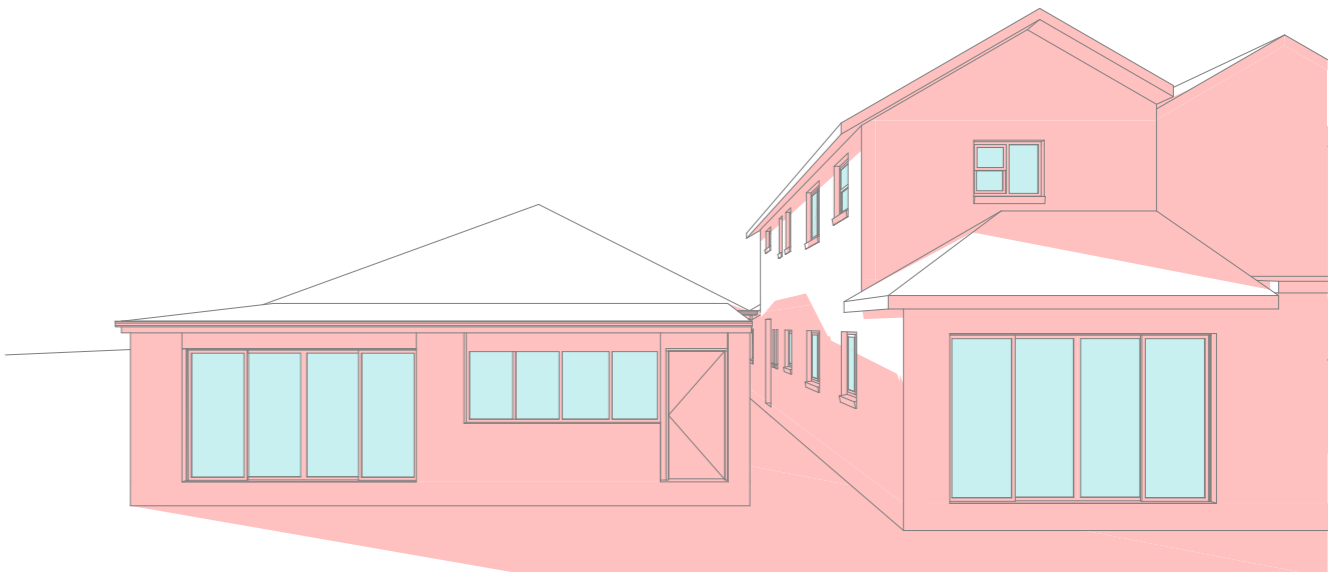
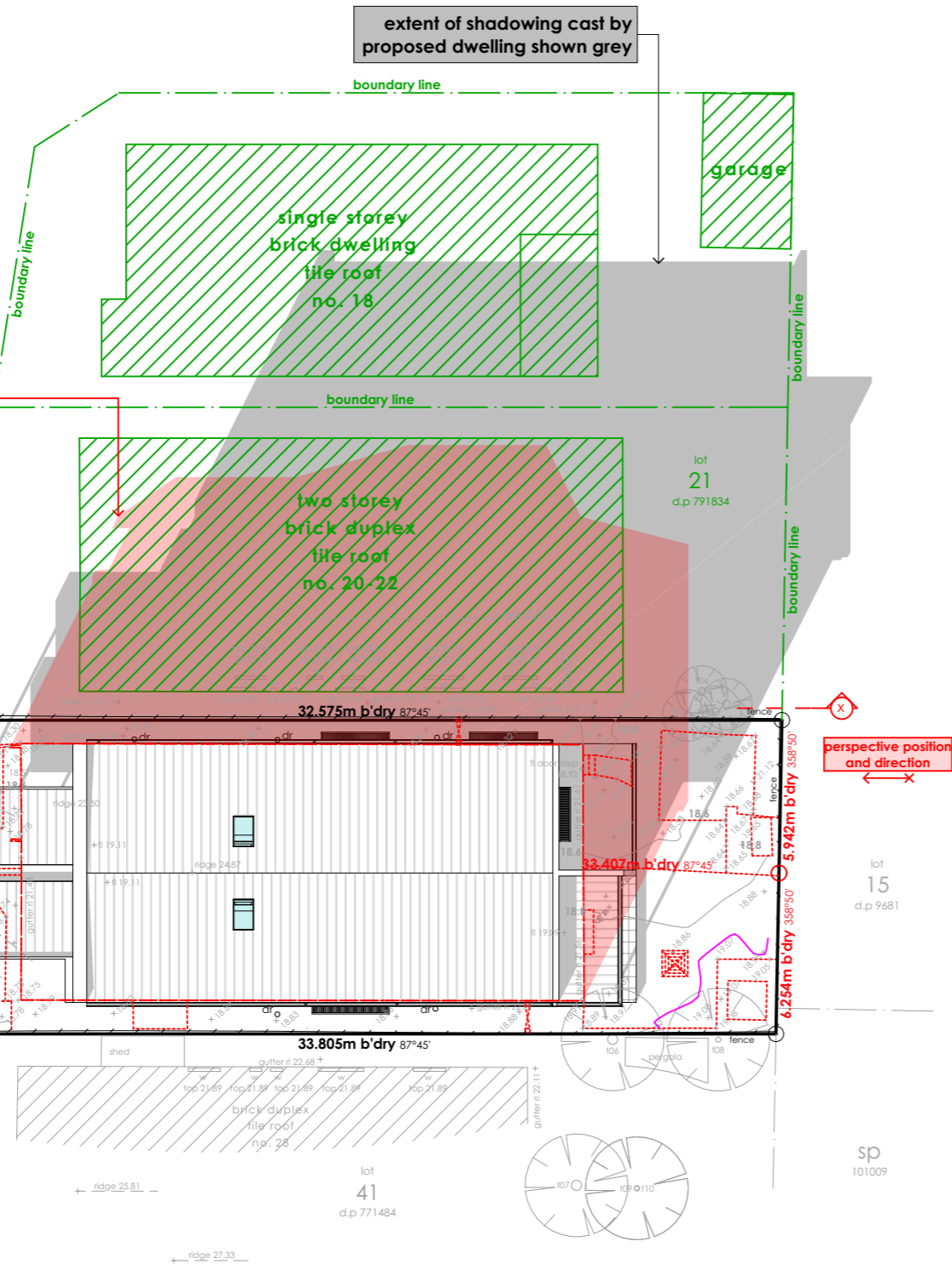
extent of shadowing cast by proposed dwelling shown grey

extent of shadowing cast by existing dwelling shown red

nancy street

sewerline location plotted as per service protection report prepared by opal water management ply ltd

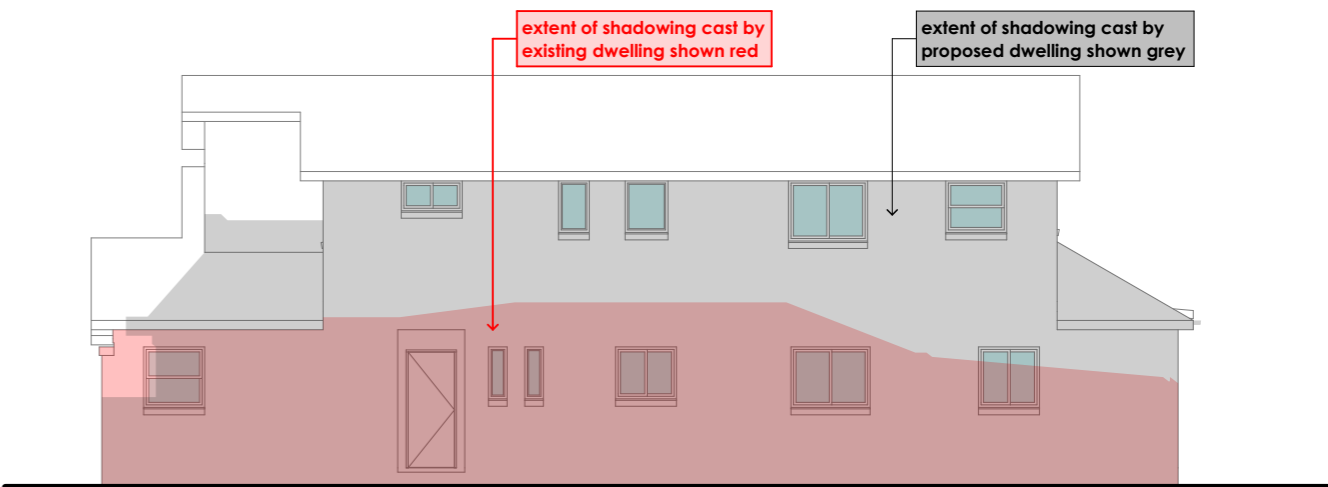
shadow diagrams june 21 0900



existing perspective 0900



proposed perspective 0900



elevation x 0900



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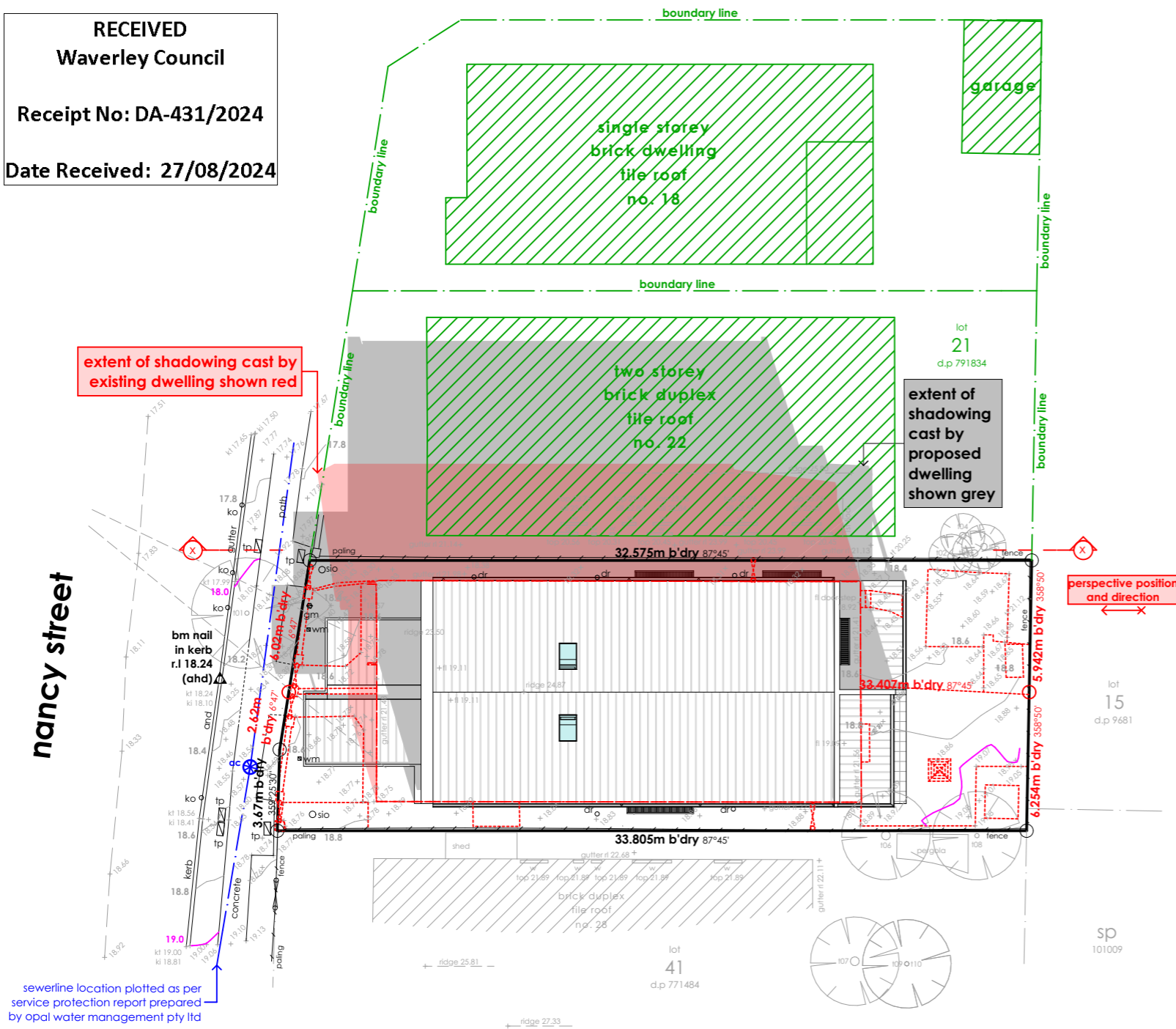


Design:	custom
Facade:	custom
Inclusions:	

Site address:
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safety design sheet / risk management report

1. falls, slips and trips

working at heights

during construction

- where possible, components for this building should be prefabricated off-site or at ground level to minimise the risk of workers falling more than two metres
 - construction of this building will require workers to be working at heights where a fall in excess of two metres is possible and injury is likely to result from such a fall, the builder should provide a suitable barrier wherever a two metre fall is a possibility

during operation or maintenance

- for houses or other low-rise buildings where scaffolding is appropriate:

* cleaning and maintenance of windows, walls, roof or other components of this building will require persons to be situated where a fall from height in excess of two metres is possible, where this type of activity is required, scaffolding, ladders or trestles should be used in accordance with relevant codes of practice, regulations or legislation

- for buildings where scaffold, ladders, trestles are not appropriate:

* cleaning and maintenance of windows, walls, roof or other components of this building will require persons to be situated where a fall from a height in excess of two metres is possible, where this type of activity is required, scaffolding, fall barriers or personal protective equipments (ppe) should be used in accordance with relevant codes of practice, regulations or legislation

floor finishes

- if the designer has not been involved in the selection of surface finishes, the owner is responsible for the selection of surface finishes in the pedestrian trafficable areas of this building, surfaces should be selected in accordance with as hb 197:1999 and as/nz 4586:2004

steps, loose objects and uneven surfaces

- due to design restrictions for this building, steps or ramps are included in the building which may be a hazard to workers carrying objects or otherwise occupied, steps should be clearly marked with both visual and tactile warning during construction, maintenance, demolition and at all times when the building operates as a workplace

- building owners and occupiers should monitor the pedestrian access ways and in particular access to areas where maintenance is routinely carried out to ensure that surfaces have not moved or cracked so that they become uneven and present a trip hazard
 - spills, loose material, stray objects or any other matter that may cause a slip or trip hazard should be cleaned or removed from access ways
 - constructors should be required to maintain a tidy work site during construction, maintenance or demolition to reduce the risk of trips and falls in the workplace
 - materials for construction or maintenance should be stored in designated areas away from access ways and work areas

2. falling objects

loose materials or small objects

- construction, maintenance or demolition work on or around this building is likely to involve persons working above ground level or above floor levels. Where this occurs one or more measures should be taken to avoid objects falling from the area of the following where the work is being carried out onto persons below
 * prevent or restrict access to areas below where the work is being carried out
 * provide toeboards to scaffolding or work platforms
 * provide protective structure below the work area
 * ensure that all persons below the work area have person protective equipment (ppe)

building components

- during construction, renovation or demolition of this building, parts of the structure including fabricated steelwork, heavy panels and many other components will remain standing prior to or after supporting parts are in place, contractors should ensure that temporary bracing or other required support is in place at all times when collapse which may injure persons in the area is a possibility
 - mechanical lifting of materials and components during construction, maintenance or demolition presents a risk of falling objects, contractors should ensure that appropriate lifting devices are used, that loads are properly secured and that access to areas below the load is prevented or restricted

3. traffic management

building on a major road, narrow road or steeply sloping road

- parking of vehicles or loading/unloading of vehicles on this roadway may cause a traffic hazard, during construction, maintenance or demolition of this building designated parking for workers and loading areas should be provided
 - trained traffic management personnel should be responsible for their supervision of these areas

building where on-site loading/unloading is restricted

- construction of this building will require loading and unloading of congestion of loading areas and trained traffic management personnel should be used to supervise loading/unloading areas

all buildings

- busy construction and demolition sites present a risk of collision where deliveries and other traffic are moving within the site, a traffic management plan supervised by trained traffic management personnel should be adopted for the work site

4. services

general

- rupture of services during excavation or other activity creates a variety of risks including release of hazardous material, existing services are located on or around this site, where known, these are identified on the plans but the exact location and extent of services may vary from that indicated
 - services should be located using an appropriate service (such as dial before you dig), appropriate excavation practice should be used and, where necessary, specialist contractors should be used

locations with underground power

- underground power lines must be disconnected or carefully located and adequate warning signs used prior to any construction, maintenance or demolition commencing

locations with overhead power lines

- overhead power lines may be near or on this site, these pose a risk of electrocution if struck or approached by lifting devices or other plant and persons working above ground level
 - where there is a danger of this occurring, power lines should be where practical, disconnected or relocated
 - where this is not practical adequate warning in the form of bright coloured tape or sign should be implemented

5. manual tasks

- components within this design with a mass in excess of 25kg should be lifted by two or more workers or by mechanical lifting device
 - where this is not practical, suppliers or fabricators should be required to limit the component mass
 - all material packaging, building and maintenance components should clearly show the total mass of packages and where practical all items should be stored on site in a way which minimises bending before lifting
 - advice should be sought from DA-431/2024 in all areas where lifting may occur
 - construction, maintenance and demolition of this building will require lifting of materials or components, these should be fully maintained in accordance with manufacturer's specifications and not used where faulty or (in the case of electrical equipment) not carrying a current electrical safety tag
 - all safety guards or devices should be regularly checked and personal protective equipment (ppe) should be used in accordance with manufacturer's specification

6. hazardous substances

asbestos

- for alterations to a building
 * if this existing building was constructed prior to 1990 - it may contain asbestos
 1986 - it is likely to contain asbestos either in cladding material or in fire retardant insulation material, in either case the builder should check and if necessary take appropriate action before demolishing, cutting, sanding, drilling or otherwise disturbing the existing structure

powdered materials

- many materials used in the construction of this building can cause harm if inhaled in powdered form, persons working on or in the building during construction, operational maintenance or demolition should ensure good ventilation and wear personal protective equipment (ppe) including protection against inhalation while using powdered material or when sanding, drilling, cutting or otherwise disturbing or creating powdered material

treated timber

- the design of this building may include provision for the inclusion of treated timber with the structure, dust or fumes from this material can be harmful, persons working on or in the building during construction, operational maintenance or demolition should ensure good ventilation and wear personal protective equipment (ppe) including protection against inhalation of harmful material when sanding, drilling, cutting or using treated timber in any way that may cause harmful material to be released, do not burn treated timber

volatile organic compounds

- many types of glue, solvents, spray packs, paints, varnishes and some cleaning materials and disinfectants have dangerous emissions, areas where these are used should be kept well ventilated while the material is being used and for a period after installation, personal protective equipment (ppe) may also be required, the manufacturer's recommendations for use must be carefully considered at all times

synthetic mineral fibre

- fibreglass, rockwool, ceramic and other material used for thermal or sound insulation may contain synthetic mineral fibre which may be harmful if inhaled or if it comes in contact with the skin, eyes or other sensitive parts of the body, personal protective equipment (ppe) including protection against inhalation of harmful material should be used when installing, removing or working near bulk insulation material

timber floors

- this building may contain timber floors which have an applied finish, areas where finishes are applied should be kept well ventilated during sanding and application and for a period after installation, personal protective equipment may also be required, manufacturer's recommendations for use must be carefully considered at all times

7. confined spaces

excavation

- construction of this building and some maintenance on the building will require excavation and installation of items within excavations, where practical, installation should be carried out using methods which do not require workers to enter the excavation, where this is not practical, adequate support for the excavated area should be provided to prevent collapse
 - warning signs and barriers to prevent accidental or unauthorised access to all excavations should be provided

enclosed spaces

- for buildings with enclosed spaces where maintenance or other access may be required
 * enclosed spaces within this building may present a risk to persons entering for construction, maintenance or any other purpose, the design documentation calls for warning signs and barriers to unauthorised access
 * these should be maintained throughout the life of the building
 * where workers are required to enter enclosed spaces, air testing equipment and personal protective equipment (ppe) should be provided

small spaces

- for buildings with small spaces where maintenance or other access may be required
 * some small spaces within this building will require access by construction or maintenance workers, the design documentation calls for warning signs and barriers to unauthorised access
 * these should be maintained throughout the life of the building
 * where workers are required to enter small spaces they should be scheduled so that access is for short periods
 * manual lifting and other manual activity should be restricted in small spaces

8. public access

- public access to construction and demolition sites and to areas under maintenance causes risk to workers and public, warning signs and secure barriers to unauthorised access should be provided
 - where electrical installations, excavations, plant or loose materials are present they should be secured when not fully supervised

9. operational use of building

residential buildings





- this building has been designed as a residential building, if at a later date, it is used or intended to be used as a workplace, the provisions of the work health and safety act 2011 or subsequent replacement act should be applied to the new use

10. other high risk activity

- all electrical work should be carried out in accordance with code of practice: managing electrical risks at the workplace, as/nz 3012 and all licensing requirements
 - all work using paint should be carried out in accordance with code of practice: managing noise and preventing hearing loss at work
 - due to the history of serious incidents it is recommended that particular care be exercised when undertaking work involving steel construction and concrete placement

safety design sheet must be read and understood by all involved in this project including (but not limited to) owner, builder, sub-contractors, consultants, renovators, operators, maintenance and demolition

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 Receipt No: DA-431/2024
 Date Received: 27/08/2024

	  19/3 Brown Street Kiama NSW 2533 P 0412 477 240 0405 126 018 info@sdcbuildingdesign.com.au www.sdcbuildingdesign.com.au	General notes: 1. Do not scale from drawing 2. All dimensions to be checked on site 3. Any discrepancies to be report to designer 4. Boundaries to be verified by surveyor 5. Other consultants drawings take precedence 6. Drainage to council requirements and AS3500 7. Copyright of plans and documentation remain the exclusive property of Logico Homes Pty Ltd Builders Licence No. 249513C	Site classification: 'H1' class		Design: custom	Site address: Lot 1-2 No. 24-26 Nancy Street North Bondi Client names: - Kramer, Pfirsch & Grasa	Job No: 22.015
			LGA: Waverley Council		Facade: custom		DWG No: 020
			Lodgement: DA			Version No: DA_11	
			Lot No: 24-26	SP No: 524025			Date: 20/08/2024

specification

general

- all dimensions shall be checked on site prior to commencement of any work
- all materials shall comply with relevant current Australian standards and unless otherwise stated on the plans shall be new and the best of their respective kind and suitable for the intended purposes
- all workmanship shall comply with relevant current Australian standards and to good trade practices
- all work shall be in accordance with requirements of the respective authority having jurisdiction over the works
- architectural drawings should be read in conjunction with specifications, schedules and consultants drawings that form part of the construction documents referred to in the building contract
- do not scale from the drawings
- notify of any errors or omissions before proceeding with any works
- ensure that substrates are suitable for the intended subsequent finishes, commencement of work on the substrate implies acceptance by the subcontractor of the substrates on which finishes are applied
- contractor is to supply all equipment necessary for the completion of the respective works
- contractor is responsible for the progressive clean up during and after the completion of respective works

excavation

- unless otherwise stated, remove topsoil including all roots, and other matter, required by the soil contractor and/or builder, provide suitable clean fill and compact in layers
- do not excavate services trenches within an angle of 45 degrees down from the bottom edge of the footings

demolition

- demolition notes dashed in red, existing House to be demolished

concrete

- all concrete reinforcement and framework shall be to structural engineers details, relevant building codes and standards
- footings and slab construction is to comply with as 2870

blockwork

- materials, construction and detailing to comply with as 3700. - 2001
- accessories for masonry construction to comply with as 2975
- reinforcement to be galvanised
- review work with other trades, piping, ducts etc before starting
- clean base before laying masonry
- set doors & windows plumb and brace
- install dpc, wall ties, reinforcement, flashing to as 3700
- install ties to anchor masonry to structure, doors, windows etc.
- construction joints @ max. 6000mm centres
- ensure weep holes installed where necessary

driveway

- selected finishes to driveway to be installed to manufacturers specifications

carpentry

- roof and ceiling framing should comply with as 1684 light timber framing code
- draw strap firmly over wall plates and securely fix to top plate by galv. clout/strap
- refer to as 1684 for roof framing sizes unless specified on drawings
- supply and fix all bulkheads and false ceilings as shown on the drawings

roof

- selected roofing material shall be installed and fixed in accordance with manufacturers specification and relevant building codes

floor coverings

- coverings shall be free of defects
- floors shall be a combination of concrete, ceramic tile, carpet and timber

joinery

- pab or mdf to kitchen, bathroom and laundry shall have high moisture resistance

dry walls

- fix villaboard and plasterboard strictly to manufacturer's specifications
- sheet and set internal walls strictly to manufacturer's specifications
- provide plastic external angles and stop beads to all corners and edges

windows

- all glazing to comply with as 2208/1996 and as 2208:1996/amd 1:1999
- windows to be timber framed clear glass unless otherwise notified
- glass shall be free of defects
- double glazing where Basix document specifies

termite

- termite protection to comply with all relevant codes and standards, as 3660/1
- slab on ground will be used as a termite barrier in accordance with the requirements of as 2870
- where timber decking areas are used construction will be of termite resistant timbers

plumbing

- install 3 star rated water efficient shower heads, toilets, dishwashers and washing machines
- install 4 star toilet flushing cisterns on all toilets
- install 6 star kitchen and bathroom taps
- install aerators on bathroom basins and kitchen sinks
- install a gas instantaneous HWS

drainage

- connect all stormwater to rainwater tanks and then overflow system (see drainage plan)
- guttering and downpipes shall comply with as 3500.3.2 and gutters and flashings are to be manufactured in accordance with as 2179.1 for metal and AS 1273 for UPVC see drainage plan for location of tanks, downpipes and overflow/drainage.

ventilation

- mechanical ventilation provided to bathrooms, sanitary compartment or laundry areas (where applicable) have been discharged to the external wall or roof space that is ventilated in compliance with part 10.6.2 of the Australian housing provisions

sewer

- connect all fixtures to existing system

electrical

- work shall be carried out by a licensed electrician and in accordance with saa wiring rules as 3000 as amended
- photovoltaic cells located on dwelling (area shown on roof plan)
- smoke alarms shall comply with as 3786
- install a minimum of 40% energy efficient lamps/fittings, see basix certificate
- appliances are to have a minimum 3 star rating

painting

- for surfaces to receive paint clean down, remove all foreign matter including grease, dust and dirt, fill cracks and holes and sand smooth
- apply paint strictly to manufacturer's specifications
- allow for surface preparation one coat minimum undercoat and two coats minimum final colour

balustrades

- balustrades shall be built in accordance with ncc housing provisions standard part 11.3, barriers and handrails

external cladding

- external cladding shall comply with the following
 - * as 1530.1 non combustible
 - * as 1530.2 and as 1530.3
 - * as 1530.4 frl 60/60/60
 - * ncc v2.2.1
 - * as/nzs 4284 testing of building facades and structural certification

slip resistance:

- slip resistance to the staircase (if applicable) will be installed as per 11.2.4 of the Australian housing provisions

wet areas

- wet areas detail to comply with as 3740 and 10.2.12 of the Australian housing provisions

condensation management

- where applicable, condensation management will comply with part 10.8.2 of the Australian housing provisions, including
 - * part 10.8.1 - external wall construction
 - * part 10.8.2 - exhaust systems
 - * part 10.8.3 - ventilation of roof spaces

building sealing

- where applicable, building sealing will comply with part 13.4 of the Australian housing provisions including
 - * part 13.4.2 - chimneys and flues
 - * part 13.4.3 - roof lights
 - * part 13.4.4 - external windows and doors
 - * part 13.4.5 - exhaust fans
 - * part 13.4.6 - construction of ceilings, walls and floors
 - * part 13.4.7 - evaporative coolers

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Receipt No: DA-431/2024
Date Received: 27/08/2024

note: construction to be compliant with ncc 2022 / Australian housing provisions standard (effective 1 October 2023)

note: some clauses in this specification may not be relevant to this project



General notes:
1. Do not scale from drawing
2. All dimensions to be checked on site
3. Any discrepancies to be report to designer
4. Boundaries to be verified by surveyor
5. Other consultants drawings take precedence
6. Drainage to council requirements and AS3500
7. Copyright of plans and documentation remain the exclusive property of Logico Homes Pty Ltd Builders Licence No. 249513C

Site classification:	'H1' class
LGA:	Waverley Council
Lodgement:	DA
Lot No:	24-26
OP No:	524025



Design:	custom
Facade:	custom
Inclusions:	

Site address:
Lot 1-2 No. 24-26
Nancy Street
North Bondi
Client names:
- Kramer, Pfirsch & Grasa

Job No:	22.015
DWG No:	021
Version No:	DA_11
Date:	20/08/2024

CLIENT NAME	TOM KRAMER			JOB NUMBER	0002_KRAMER
JOB ADDRESS	24 NANCY STREET, NORTH BONDI NSW			PACKAGE	SERENE
HOUSE NAME	CUSTOM	TYPE	DOUBLE STORY	FAÇADE	ULTRA MODERN
CEILING HEIGHT	AS PER PLAN	FF	2740MM	CONSULTANT	MICHELLE

EXTERNAL COLOUR SELECTION SCHEDULE

METAL ROOFING

COLORBOND ROOF	YES	COLOUR	SURFMIST - L	CERTIFIED	YES
CAPPING	YES	COLOUR	SURFMIST	SARKING	YES
WHIRLY BIRD		TYPE		COLOUR	

GUTTER/FASCIA

GUTTER	COLORBOND	COLOUR	SURFMIST
FASCIA	COLORBOND	COLOUR	SURFMIST

BRICKS

BUILDERS RANGE	UPGRADE	SUPPLIER	AUSTRAL	EXP	L
RANGE	HAMPTONS	COLOUR	WHITEHAVEN		
SLURRY FACE	YES	MORTAR	OFF WHITE IRONED JOINT		

EXTERNAL CLADDING - N/A

SUPPLIER	JAMES HARDIE	TYPE	
LOCATION	AS PER PLANS		

EXTERNAL FINISHES

TYPE	RENDER	LOCATION	AS PER PLANS
COLOUR	TAUBMANS INTUITIVE WHITE T22 1.27		

EXTERNAL FEATURE - N/A

TYPE		COLOUR	
LOCATION			

WINDOWS & SCREENS

RANGE	STANDARD	COLOUR	CUSTOM BLACK MATT *
HANDLE	STANDARD	COLOUR	BLACK

WINDOW AWNINGS

COLOUR	SURFMIST
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DRIVEWAY

TYPE	DESIGNER CONCRETE - COLOUR ON TOP	FINISH	PLAIN
COLOUR	LIGHT GREY		

EXTERNAL HANDRAIL - N/A

TYPE		LOCATION	BALCONY
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PRIVACY SCREEN - N/A

TYPE	ALUMINIUM	LOCATION	
COLOUR		FINISH	POWDERCOATED

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KNOTWOOD BATTENS

TYPE	ALUMINIUM	LOCATION	AS PER PLANS
COLOUR	WHITE ASH		

EXTERNAL PAINT SCHEDULE

LOCATION	SUPPLIER	FINISH	COLOUR	TYPE
RENDER	TAUBMANS	LOW SHEEN	INTUITIVE WHITE T22 1.27	ACRATX
EAVES	TAUBMANS	MATT	CRISP WHITE T15 3.1	ALL WEATHER
PORCH	TAUBMANS	MATT	CRISP WHITE T15 3.1	ALL WEATHER
ALFRESCO	TAUBMANS	MATT	CRISP WHITE T15 3.1	ALL WEATHER
CLADDING	TAUBMANS	LOW SHEEN		ALL WEATHER
GABLE INFILL	TAUBMANS	LOW SHEEN		ALL WEATHER
METERBOX	TAUBMANS	LOW SHEEN	INTUITIVE WHITE T22 1.27	ALL WEATHER
DOWNPIPES	TAUBMANS	LOW SHEEN	INTUITIVE WHITE T22 1.27	ALL WEATHER
POSTS	TAUBMANS	LOW SHEEN	INTUITIVE WHITE T22 1.27	ALL WEATHER
FRONT DOOR	JOHNSTONES	SEMI - GLOSS	1 COAT CLEAR, 2 COATS INT/EXT GLOSS	JOHNSTONES
DOOR FRAME	TAUBMANS	SEMI - GLOSS	INTUITIVE WHITE T22 1.27	ALL WEATHER

EXTERNAL DOOR SCHEDULE
ENTRY DOOR

BUILDER RANGE	STANDARD	TYPE	SAVOY XS24
GLAZING	TRANSLUCENT	MATERIAL	SLICED PACIFIC MAPLE
DOOR HEIGHT	2340MM	WIDTH	1200MM

EXTERNAL DOOR FURNITURE
FRONT DOOR

BUILDERS RANGE	STANDARD	TYPE	TRILOCK ANGULAR 8951ANGSC
FINISH	SATIN CHROME		

LAUNDRY DOOR

BUILDERS RANGE	STANDARD	TYPE		FINISH	
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SLIDING DOOR/S

BUILDERS RANGE	STANDARD	TYPE	SINGLE POINT	FINISH	BLACK
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EXTERNAL TILES

BUILDERS RANGE	STANDARD	LOCATION	ENTRY PORCH, ALFRESCO		
SIZE	600 X 600	TYPE	PORCELAIN	SUPPLIER	DI LORENZO



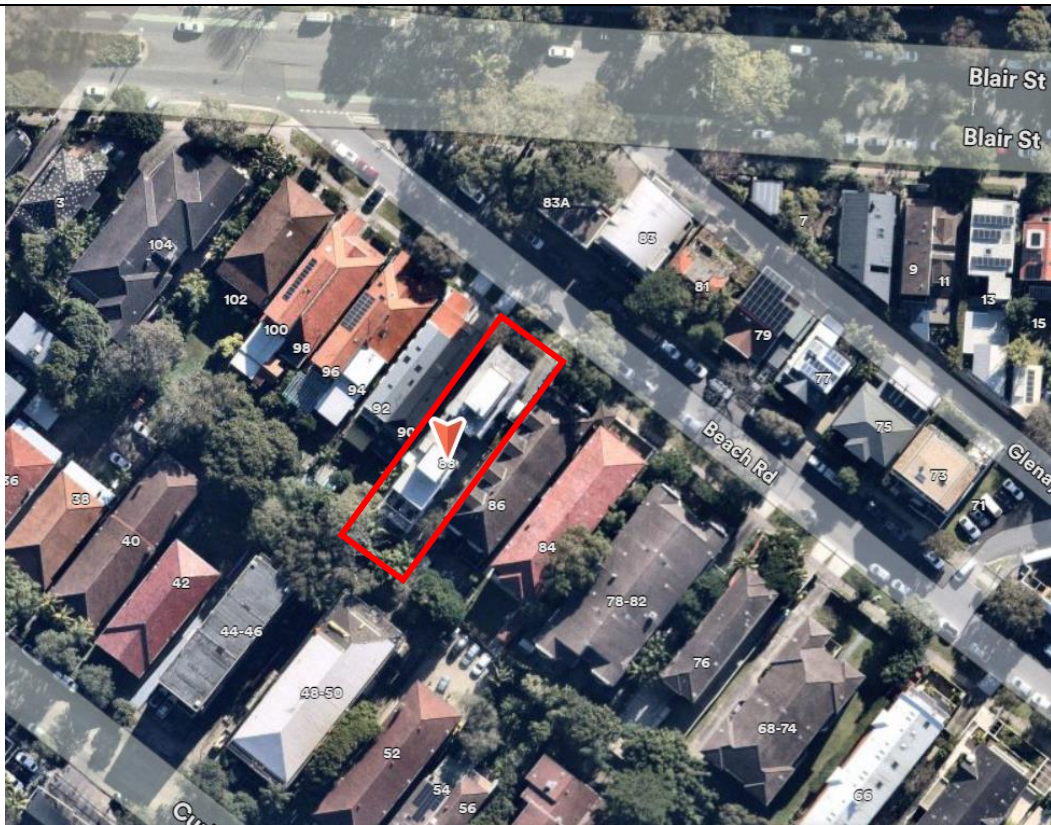
Other Residential Development



Report to the Waverley Local Planning Panel

Application number	DA-325/2024
Site address	6/88 Beach Road, Bondi Beach
Proposal	Alterations and additions to Unit 6 within existing residential flat building.
Date of lodgement	11 July 2024
Owner	Ms S K O'Toole and Mr M Q Kwantes and SP95100
Applicant	Ms S K O'Toole
Submissions	Nil
Cost of works	\$180,000.00
Principal Issues	<ul style="list-style-type: none"> • Breach of the building height development standard • Overshadowing • Privacy
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 alterations and additions to Unit 6 at the site known as 88 Beach Road, Bondi Beach.

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

- Breach of the building height development standard
- Overshadowing
- Privacy

The assessment finds these issues unacceptable as they would result in adverse impacts that fail to preserve the amenity of the neighbouring properties.

No public or Councillor submissions were received and there were no conflicts of interest raised by Council staff.

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

1.2. Site and Surrounding Locality

A site visit was carried out on 5 September 2024.

The site is identified as SP 95100, known as 6/88 Beach Road, Bondi Beach.

The site is rectangular in shape with a frontage of 12.19m to Beach Road. It has an area of 587.8m² and is generally flat.

The site is occupied by a four storey residential flat building comprising six units over a basement car park. Two by two-bedroom units are provided on the ground and first floor (units 1 to 4) and two three bedrooms units (units 5 and 6) are provided at the second floor and attic level. Vehicular access to the basement carport is provided from Beach Road.

The subject site is adjoined by two storey semi-detached dwellings to the north-west and a two storey with attic residential flat building to the south-east. The rear of the site adjoins residential flat buildings of two to four storeys in height.

This section of Beach Road between Blair Street and Glenayr Avenue is characterised by a mix of dwelling houses and residential flat buildings with commercial development at the intersection with Glenayr Avenue, including the Beach Road Hotel at the corner of Beach Road and Glenayr Avenue.

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



Figure 1: Front of the site facing southwest.



Figure 2: Streetscape context facing southeast.



Figure 3: South facing aerial view of the building. Image obtained from applicant's SEE.



Figure 4: Northeast facing aerial view of the building. Image obtained from applicant's SEE.



Figure 5: West facing aerial view of the building. Image obtained from applicant's SEE.



Figure 6: Rear setbacks of the properties neighbouring to the northwest. Image obtained from the DA-366/2022 Assessment Report.



Figure 7: View from the attic level bathroom window of the subject unit looking south where the works are proposed.



Figure 8: View from the attic level bathroom window of the subject unit looking southwest where the works are proposed.



Figure 9: View from the attic level bathroom window of the subject unit looking west where the works are proposed.



Figure 10: Rear of level 2 facing north.

1.3. Relevant Development History

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

- On 11 December 2014, pre-DA advice **PD-36/2014** was provided on a proposal comprising demolition of the existing dwelling and outbuildings, and construction of a four-storey residential flat building with 9 units and basement car parking.
- On 26 August 2015, deferred commencement consent **DA-618/2014** was issued by the Waverley Development Assessment Panel (WDAP) for demolition and construction of a four-storey residential flat building, basement car parking, landscaping and strata subdivision.
- On 7 June 2016, modification application **DA-618/2014/A** was granted consent for modifications including extension of the ground floor to the north and south, minor internal changes and deletion of windows.
- On 23 June 2017, modification application **DA-618/2014/B** was granted consent for modifications to change a privacy screen to a masonry wall.

- On 8 August 2017, modification application **DA-618/2014/C** was granted consent for modifications to the approved residential flat building including wall type construction changes, lowering of basement level and addition of car park exhaust ventilation.
- On 22 February 2023, development application **DA-366/2022** for alterations and additions to the upper level of Unit 6 to extend the existing top floor and provide solar panels on the roof was refused by the Waverley Local Planning Panel (WLPP) for the following reasons:

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 (LEP) 2012:*

a. Clause 4.3 Height

The application exceeds the maximum allowable height of 12.5m and the applicant's written request under clause 4.6 of Waverley LEP 2012 has failed to adequately address the required matters under subclauses 4.6 (3)(a) and (b) of Waverley LEP 2012.

Details: The proposed development does not preserve the environmental amenity of neighbouring properties as required under clause 4.3 (1) (a) of Waverley LEP 2012.

b. Clause 4.4 Floor Space Ratio

The application exceeds the maximum allowable Floor Space Ratio (FSR) of 0.9:1 and the applicant's written request under clause 4.6 of Waverley LEP 2012 has failed to adequately address the required matters under subclauses 4.6 (3)(a) and (b) of Waverley LEP 2012.

Details: 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 Waverley LEP 2012.

2. *The application does not satisfy section 4.15 (1)(a)(iii) of the Act as it is contrary to Waverley Development Control Plan (WDGP) 2012, in respect to the following provisions:*

Part B12 – Design Excellence

- a. *12.1 Design, specifically objectives (a) and (d) controls (a) and (e), and 12.2 Context Analysis, specifically objectives (a), (b), (c) and (d) as the proposal has failed to consider the suitability of the land for development, the relationship of the development to other development (existing or proposed) on the same site or on neighbouring sites in terms of amenity and urban form, the overall bulk and massing of the development and environmental impacts such as overshadowing. The development does not demonstrate an understanding of an appropriate response to the specific conditions of the site nor*

ensure that the opportunities and constraints of a site are fully considered and incorporated into the design proposal.

Part C3 – Other Residential Development

b. Section 3.13 Solar Access and Overshadowing, specifically objective (d) and control (c) as the proposed development results in unreasonable overshadowing to the neighbouring properties.

- 3. 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 impacts upon the locality and surrounding built environment.*
- 4. The application is contrary to section 4.15 (1)(c) of the Act due to the site being unsuitable to accommodate the proposed development.*
- 5. 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.*
- 6. 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.*

1.4. Proposal

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

Level 2

- Replace window hoods on the south and west elevations.
- Reconfigure the existing laundry so that it is accessed from inside the bathroom. Note: At the site inspection it however appeared that these works may have already been undertaken.

Attic Level

- Southwest extension for an office with a Juliet balcony and balustrade on the southwest elevation.
- Tiling to the roof to the southwest of the extension.
- New window on the northwest elevation of Bedroom 1.
- New southwestern façade and window to the bathroom.
- Raise landing at the Bedroom 1 doorway.
- Roof mounted solar panels.

1.5. Background

The background of the application is as follows:

- On 11 July 2024, development application DA-325/2024 was lodged with Council.
- On 22 July 2024, a Stop the Clock letter was issued to the applicant requesting an updated Statement of Environmental Effects (SEE), a Survey Plan and additional information throughout the architectural plans.
- On 7 August 2024, the applicant submitted an updated SEE and amended architectural plans.
- On 23 August 2024, the applicant submitted a Survey Plan.
- On 5 September 2024, Council undertook the site inspection.

The amended plans received on 7 and 23 August 2024 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 (Housing) 2021
- SEPP (Resilience and Hazards) 2021

A detailed discussion is provided for relevant SEPPs as follows:

SEPP (Housing) 2021

In accordance with Clause (3)(ii) under Chapter 4 *Design of Residential Apartment Development* of SEPP (Housing), as the proposal does not constitute substantial redevelopment or refurbishment of an existing building, a further assessment against SEPP (Housing) and the Apartment Design Guide (ADG) is not required.

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 <i>(m) to enhance the amenity and quality of life of local communities, including through the provision of adequate social infrastructure, services and public art.</i>	No	The proposal would result in impacts on amenity as a result of non-compliance and therefore would not satisfy objective (m) under section 1.2 <i>Aims of Plan</i> of Waverley LEP 2012.
Part 2 Permitted or prohibited development		
Land Use Table <i>R3 Medium Density Residential Zone</i> <i>To provide development that is compatible with the desired future character and amenity of the surrounding neighbourhood.</i>	No	<p>The proposal is defined as alterations and additions to a <i>residential flat building</i>, which is permitted with consent in the R3 zone.</p> <p>The proposal would result in adverse impacts on the amenity of the neighbouring properties and would not be compatible with the desired character or amenity of the locality. The proposal therefore would not satisfy the objectives of the R3 zone.</p>
Part 4 Principal development standards		
4.3 Height of buildings <ul style="list-style-type: none"> • 12.5m 	No	The proposal comprises a building height of 15.16m (as measured from RL9.10 below the basement slab to the top of the solar panels at RL24.26) and exceeds the building height development standard by 2.66m or 21.28%.
4.4 Floor space ratio and <ul style="list-style-type: none"> • 0.9:1 (529.02m²) 	Yes	The proposal comprises a GFA of 527.2m ² which equates to an FSR of 0.8969:1 and complies with the FSR 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 building height development standard. A detailed discussion of the variation to the development standard is presented below this table.
Part 5 Miscellaneous provisions		
5.21 Flood Planning	Yes	<p>The site is identified as being flood affected and is within a 1% Annual Exceedance Probability (AEP) low risk precinct.</p> <p>The proposal includes works at the uppermost level of the building which would not impact</p>

Provision	Compliance	Comment
		flood behaviour within the locality. A detailed flooding assessment is therefore not required.
Part 6 Additional local provisions		
6.1 Acid sulfate soils	Yes	The site is identified as a Class 5 class of land on the Waverley LEP 2012 Acid Sulfate Soils Map. The proposal does not include any works which would impact on any potential acid sulfate soils or which result in any impacts on the watertable and therefore a detailed acid sulfate soils assessment is not required.

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

Clause 4.6 Exceptions to Development Standards - 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 12.5m. The proposed development has a building height of 15.16m, exceeding the standard by 2.66m equating to a 21.28% variation. It is noted that the existing building comprises a height of 15.06m and therefore already exceeds the development standard by 2.56m (20.48%). The existing development was however approved with a compliant building height under DA-618/2014 given the existing ground levels at the time of the assessment.

In accordance with the details on the Survey Plan, the parapet to the existing attic to Unit 6 has an RL of 24.16. The works are proposed to be consistent with the height of the existing attic roof/parapet and therefore the proposed roof height has been taken from the Survey Plan, with an additional 100mm for the proposed solar panels.

The architectural plans detail the roof of the existing and proposed development to comprise an RL of 23.95, being 210mm lower than what is detailed on the Survey Plan. The details on the Survey Plan have been relied on for the purpose of the assessment in accordance with standard procedure and therefore the details on the architectural plans are not considered to be accurate.

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 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:*
- (i) *The building height development standard does not take into account the site is subject to an existing variation due to the basement garage. The proposal simply follows the existing building height and does not protrude above this height.*
 - (ii) *Despite the variation, the proposal comprises a considered design that is compatible with the established character of the site and surrounding properties and does not cause any significant impacts to the amenity of the site or surrounding area.*
 - (iii) *The building height does not take into account that the proposal complies with FSR and therefore does not result in any unreasonable building or environmental impacts.*
 - (iv) *The broad application of building height does not exclude the possibility of a high quality built form without compromising the amenity of surrounding properties. Despite the variation, the proposal is able to achieve these outcomes.*
 - (v) *The proposal continues to be consistent with the objectives of the building height standard and R3 Medium Density Residential objectives of the WLEP 2012. The applicant's assessment against the building height objectives is summarised as follows:*
 - The proposal has been carefully designed to ensure the environmental amenity of neighbouring properties is preserved.
 - The proposal would not result in increased privacy impacts on the neighbouring properties.
 - The proposal would not result in any impact on public or private views.
 - Solar access to the properties to the rear is generally maintained and the additional overshadowing resulting from the proposal is limited.
 - The proposal incorporates substantial setbacks which will assist in preserving amenity.
 - The proposal would not impact on the existing landscape character of the streetscape.
 - The proposal would not lead to any additional amenity impacts to private open space for other residents within the existing building, and for the residents in surrounding buildings.
 - The proposal would maintain a suitable level of solar access to other buildings and would not create any additional shadowing impacts over public areas.
 - The proposal would not be highly visible from the street and is of a high quality design that is compatible with the mix of housing in the area.
- (b) *That there are sufficient environmental planning grounds to justify contravening the standard:*
- (i) *The proposed extension is of an appropriate form and scale that is compatible with the existing residential flat building, surrounding development and streetscape.*
 - (ii) *The skilful design maintains appropriate privacy between the existing building and adjoining buildings. The new sliding doors to the rear elevation will be obscure glazing to 1500mm in height to avoid overlooking and only one highlight window is proposed to the north-west side elevation.*
 - (iii) *The proposal is located towards the rear of the building and due to the location of the building, there will not be impacts to any views.*

- (iv) The extension will be designed to match the existing building in terms of height, roof design, materials and finishes.*
- (v) The proposed variation does not create any unreasonable overshadowing to the site or adjoining properties. It is recognised that any additional shadowing is very minor and is generated by only 8.2sqm and a compliant FSR. For example, at 9am the shadowing is limited to part of the driveway of 44-46 and 50 Curlewis Street, at 10am there is minor shadowing over the carpark at 50 Curlewis Street, at 11am there is a very small area of shadowing over the carpark of 50 Curlewis Street and at 12pm and 1pm, it is restricted to a small sliver at the rear of 86 Beach Road. Some minor shadowing is also at 86 Beach Road and at 84 Beach Road. Shadowing over the roof of 86 Beach Road is shown at 3pm.*
- (vi) In relation elevational shadow diagrams, there is no additional shadowing over 86 Beach Road except a very minor portion to the roof at 3pm. Please refer to the submitted shadow diagrams for further details.*

Consideration of Applicant's Written Request

The Clause 4.6 written request includes references to the out of date Clause 4.6 requirements (e.g. the requirements of clause 4.6(4) have changed and building height objectives (e.g. the objectives detailed on page 5 of the written request are out of date and inconsistent with the objectives detailed on page 8 to 10 of the written request), does not accurately state the proposed building height or the extent of the variation and does not reference an accurate building height calculation method (existing ground level is to be taken from the bottom of the slab instead of the top of the slab).

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

One of the justifications relied upon by the applicant to demonstrate that compliance with the development standard is unreasonable and unnecessary in the circumstances of the case is that the proposal is consistent with the objectives of the building height development standard as per point (a) below 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.

As detailed in **Figure 11** below, the breach of the building height development standard would result in additional overshadowing of the private open space of the neighbouring properties located to the southeast at Nos. 84 and 86 Beach Road between 12pm and 2pm and therefore would not demonstrate that the amenity of the neighbouring properties would be preserved in accordance with objective (a) under Clause 4.3 Height of Buildings of Waverley LEP 2012.

The proposal would not be compatible with the bulk and scale of the neighbouring properties and would result in adverse impacts with regard to visual bulk and scale. As discussed later in this report, the proposal would also result in adverse impacts with regard to privacy.

The proposal’s compliance with the FSR development standard is not a means for justifying a breach of the building height development standard. The justification must specifically relate to the element of the proposal which is non-compliant and the impacts resulting from the non-compliance and not the development as a whole.

The applicant has not adequately demonstrated that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case and the proposal would not satisfy the objectives of the building height development standard.

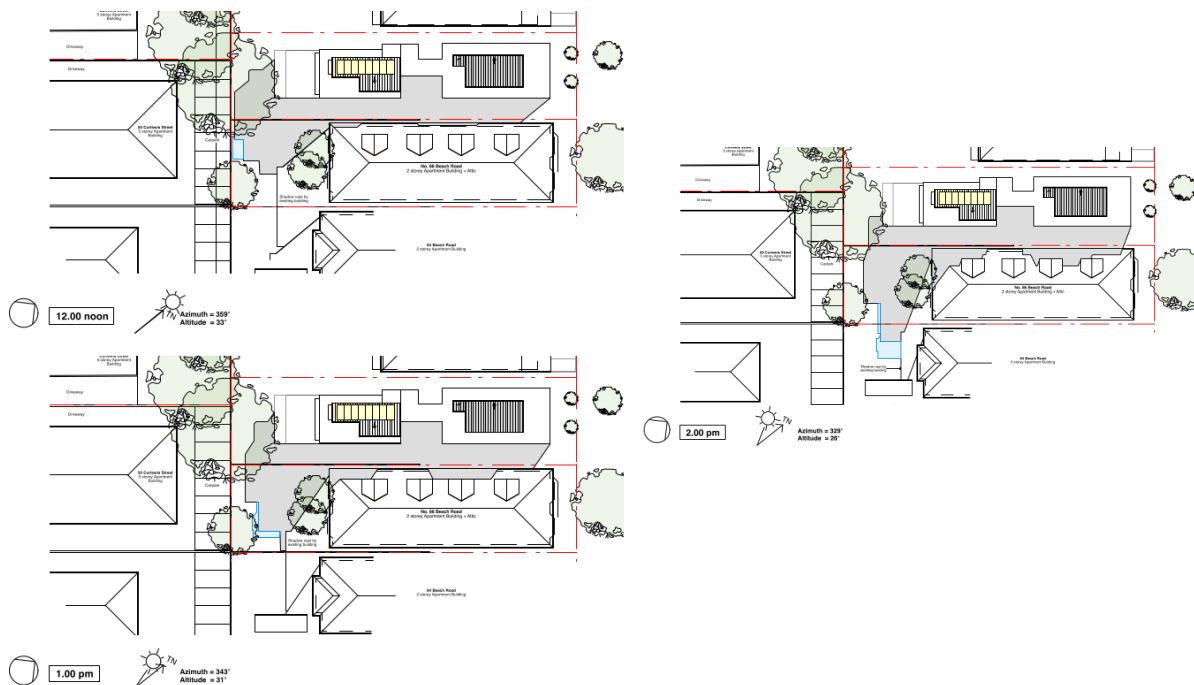


Figure 11. 12pm to 2pm shadow diagrams.

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

The proposal would not be of a scale which is compatible with the neighbouring properties, and would not preserve amenity with regard to visual bulk and scale, privacy and overshadowing.

The applicant has not satisfactorily demonstrated that there are sufficient environmental planning grounds to justify contravening the development standard.

Conclusion

The written request provided by the applicant to vary the building height development standard has not adequately addressed clause 4.6 of the Waverley LEP 2012 and is not supported.

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

The development application was submitted to Council on 11 July 2024. At the time of lodgement, Waverley DCP 2022 (Amendment 3) applied. The assessment has therefore been undertaken against the provisions of Amendment 3 which was effective between 14 May and 29 July 2024.

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 <ul style="list-style-type: none"> Garbage bins are to be stored in an appropriate location. 	Yes	Satisfactory
2. Ecologically Sustainable Development <ul style="list-style-type: none"> Ceiling or wall mounted fans Gas cooktops, gas ovens or gas internal space heating systems. 	No	<p>No details have been provided in relation to whether a ceiling fan would be provided. The proposal therefore would not satisfy control (c)(ii) under section 2.1 <i>Passive Design and Thermal Safety</i> of Part B2 <i>Ecologically Sustainable Development</i> of Waverley DCP 2022.</p> <p>Notwithstanding as the proposal would include an extension to an existing development and would not result in any significant impacts, the non-compliance with this requirement has not been included as a reason for refusal.</p>
5. Water Management	Yes	Satisfactory.
6. Accessibility and Adaptability	Yes	Satisfactory.
11. Design Excellence	No	The proposal would result in impacts on the amenity of the neighbouring properties as a result

Development Control	Compliance	Comment
		of non-compliance with the building height development standard and therefore would not demonstrate that adequate consideration has been given to the relationship with neighbouring properties or the amenity impacts. The proposal therefore would not satisfy control (e)(iv) and (vii) under section 11.1 <i>Design</i> of part B11 <i>Design Excellence</i> of Waverley DCP 2022.

Table 31: Waverley DCP 2022 – Part C2 Other Residential Development Compliance Table

Development Control	Compliance	Comment
2.2 Height		
<ul style="list-style-type: none"> Maximum external wall height: R3/12.5m – 9.5m 	No change	The proposal would be consistent with the wall height of the existing development.
2.3 Setbacks		
2.3.1 Street setbacks	NA	The proposal does not include any changes to the existing front setbacks.
<ul style="list-style-type: none"> Consistent street setback 		
2.3.2 Side and rear setbacks	No	When considering the immediate context of the site, the proposed rear setback would be highly incompatible with the rear setbacks of the properties neighbouring to the northwest. Given the difference in scale between the proposed development (four storeys) and the properties neighbouring (one and two storey semi-detached dwellings), in conjunction with the breach of the building height development standard, the proposal would result in an adverse outcome with regard to visual bulk and scale, would not provide visual relief or reduce perceived bulk. The proposal therefore would not satisfy objectives (a) and (b) under section 2.3.2 <i>Side and Rear Setbacks</i> of Part C2 <i>Other Residential Development</i> of Waverley DCP 2022 and would not be acceptable on merit.
<ul style="list-style-type: none"> Minimum side setback: 1.5m-2.5m Minimum rear setback: 6m or predominant rear building line, whichever is the greater setback 		The proposal complies with the minimum side setback requirements.
2.4 Length and depth of buildings		
<ul style="list-style-type: none"> Maximum building length: 24m Facade to be articulated Maximum RFB depth: 18m 	Yes	The proposal does not include any changes to the overall length of the building and the works proposed at the attic level do not exceed the maximum length controls.
2.5 Building design and streetscape		
<ul style="list-style-type: none"> Respond to streetscape Sympathetic external finishes 	Yes	Satisfactory.

Development Control	Compliance	Comment
2.11 Private Open Space		
2.11.2 – Balconies/decks <ul style="list-style-type: none"> • <i>Balcony additions to match the character of the building</i> • <i>Should not dominate the façade</i> • <i>Located to maximise solar access and privacy</i> • <i>Balustrades to allow views and casual surveillance of the street & privacy</i> 	No	The inclusion of a new Juliet balcony at the rear of the fourth floor would increase privacy impacts, and introduce new privacy impacts on the properties neighbouring either side and to the rear of the subject site. The design of the balcony balustrade would not minimise privacy impacts as the proposed balustrade is of an open design and no privacy screens or the like have been proposed to prevent overlooking. The proposal therefore would not satisfy objective (f) under section 2.11 <i>Private Open Space</i> or control (f) under section 2.11.2 <i>Balconies/Decks</i> of Part C2 <i>Other Residential Development</i> of Waverley DCP 2022 which stipulate that privacy is to be protected for residents around the development and that balcony balustrades are to maintain visual privacy.
2.13 Solar access and overshadowing		
<ul style="list-style-type: none"> • <i>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</i> 	No	Please refer to the detailed assessment provided below this table.
2.14 Views and view sharing		
<ul style="list-style-type: none"> • <i>Minimise view loss through design</i> • <i>Landscaping on sites adjacent to a Council Park or reserve should be sympathetic to soften the public/private interface</i> • <i>Views from public spaces to be maintained</i> 	Yes	The proposal would not result in any impact on public or private views.
2.15 Visual privacy and security		
<ul style="list-style-type: none"> • <i>Above ground open space must not overlook rooms and private landscaped areas of adjoining properties or be screened</i> • <i>Privacy be considered in relation to context density, separation use and design</i> • <i>Prevent overlooking of more than 50% of private open space of lower-level</i> 	No	Please refer to the detailed assessment provided below this table.

Development Control	Compliance	Comment
<p><i> dwellings in same development</i></p> <ul style="list-style-type: none"> • <i> Roof tops a may be used to meet communal open space requirements</i> 		
2.16 Dwelling size and layout		
<ul style="list-style-type: none"> • <i> Max habitable room depth for single aspect dwelling is 8m from a window</i> • <i> Max with of dwelling over 15m deep is min 4m</i> • <i> All habitable rooms to have a window</i> • <i> Provide a range of dwelling types and sizes</i> • <i> Min sizes</i> <i> Studio = 35m²</i> <i> 1 bedroom = 50m²</i> <i> 2 bedroom = 80m²</i> <i> 3 bedroom = 100m²</i> • <i> Accessible and Adaptable</i> 	Yes	Satisfactory. The proposal complies with the stipulated requirements.
2.17 Ceiling Heights		
<ul style="list-style-type: none"> • <i> Min 2.7m floor to ceiling height residential floors</i> • <i> Min 2.4m floor to ceiling height attic levels</i> 	Yes	A minimum floor to ceiling height of 2.4m is proposed which is consistent with the existing development and is satisfactory.
2.18 Storage		
<ul style="list-style-type: none"> • <i> In addition to kitchen cupboards and bedroom wardrobes, min storage required is:</i> <i> Studio and 1 bed = 6m³</i> <i> 2 bed = 8m³</i> <i> 3 or more bed = 10m³</i> <i> All to provide bulk storage area in basement or ancillary structure</i> 	NA	No changes are proposed to the existing provision of storage.
2.19 Acoustic privacy		
<ul style="list-style-type: none"> • <i> Internal amenity by locating noisy areas away from quiet areas</i> 	Yes	Satisfactory.
2.20 Natural Ventilation		
<ul style="list-style-type: none"> • <i> All dwellings to be naturally cross-ventilated</i> • <i> Building to be orientated to maximise breezes</i> 	Yes	Adequate cross ventilation would be maintained.

Development Control	Compliance	Comment
<ul style="list-style-type: none"> • <i>Ceiling fans are to be provided in all habitable rooms</i> 	No	The architectural plans and BASIX Certificate do not detail that a ceiling fan would be provided and therefore would not satisfy control (f) under section 2.20 <i>Natural Ventilation</i> of Waverley DCP 2022.
2.21 Building services		
<ul style="list-style-type: none"> • <i>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</i> • <i>Services on roof not to be seen from street or impact public or private views and be min 2m from the building edge.</i> 	Yes	The proposal includes roof mounted solar panels laid flat on the roof. The solar panels would not result in any adverse visual impacts on the surrounding environment.

Solar Access and Overshadowing

As detailed in blue in **Figure 12** to **Figure 18** below, the proposal would result in additional overshadowing of the neighbouring properties.

As shown in **Figure 12** and **Figure 14**, the proposal would result in additional overshadowing of Nos.44 to 46 and No.50 Curlewis Street at 9am and 11am. It is noted that the additional shadow falls on hard surfaces used for driveways and car parking and therefore would not result in significant amenity impacts to occupants within these buildings.

As an elevational shadow diagram has not been provided, it is unclear where the additional shadow falls on the façade of No.50 Curlewis Street at 10am (**Figure 13**). The impacts on amenity at that time of day are therefore undetermined due to insufficient information.

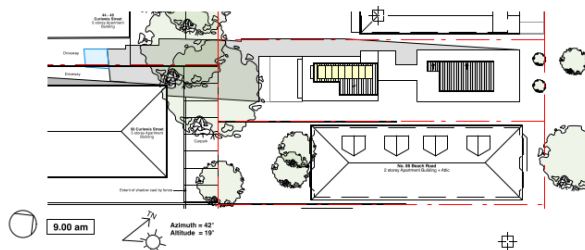


Figure 12. Shadow diagram for 9am on 21 June.

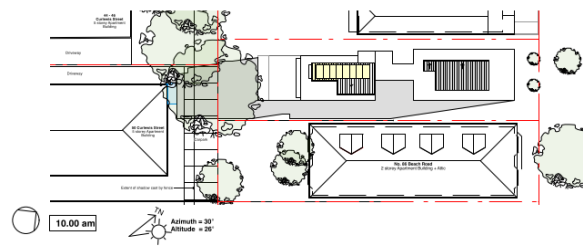


Figure 13. Shadow diagram for 10am on 21 June.

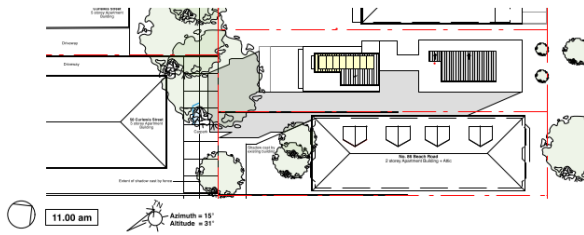


Figure 14. Shadow diagram for 11am on 21 June.

As detailed in **Figure 15** to **Figure 16**, the proposal would result in additional overshadowing of the properties neighbouring to the southeast at Nos. 84 and 86 Beach Road between 12pm and 2pm. The shadow falls on areas of communal open space and therefore would impact on amenity.

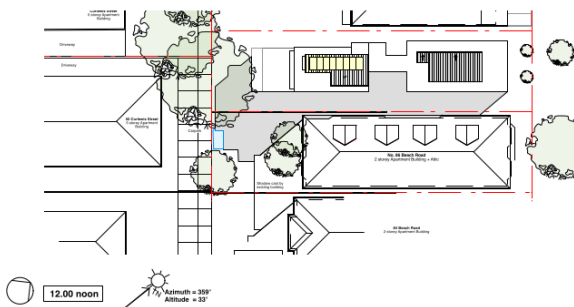


Figure 15. Shadow diagram for 12pm on 21 June.

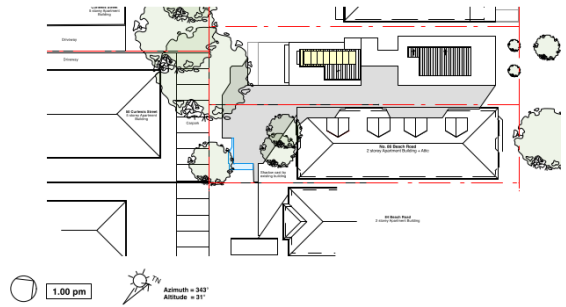


Figure 16. Shadow diagram for 1pm on 21 June.

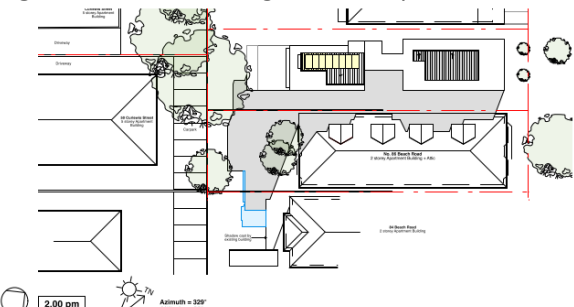


Figure 17. Shadow diagram at 2pm on 21 June.

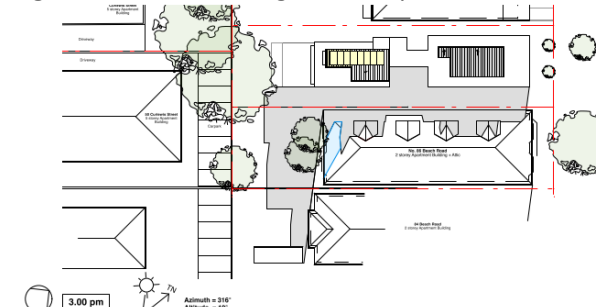


Figure 18. Shadow diagram at 3pm on 21 June.

As the additional overshadowing impacts are as a result of a non-compliance with the building height development standard, the assessment has found the proposal to be unreasonable as it would not minimise impacts on the surrounding properties in accordance with objective (d) under section 2.13 *Solar Access and Overshadowing* of Part C2 *Other Residential Development* of Waverley DCP 2022.

The neighbouring properties would maintain solar access for a minimum of 3 hours between 9am and 3pm on 21 June (winter solstice) in accordance with control (c).

As raised in the Assessment Report for DA-366/2022, the shadow diagrams appear to be inconsistent with the shadow diagrams submitted for the existing development approved under DA-618/2024. As detailed in the examples provided in **Figure 19** to **Figure 26**, the extent of overshadowing and shadow angle and length are inconsistent. There is therefore uncertainty regarding the accuracy of the shadow diagrams.

Visual Privacy and Security

The proposal includes a set of glass sliding doors with obscure glazing detailed up to 1.5m above the finished floor level and a Juliet balcony on the southern elevation. The proposed privacy treatment would only provide partial privacy, when the doors are closed, and the occupants are in a seated position. Use of the balcony and the sliding doors (e.g. when in an open position) would however remove that level of privacy and introduce new privacy impacts and reduce the existing levels of privacy for neighbouring properties.

As can be seen in the comparisons provided between Level 2 and the attic level in **Figure 27** to **Figure 33** below, introducing a new window and balcony at the attic level would enable new sightlines towards the properties neighbouring on either side, as well as No.52 Curlew Street to the south and would also increase the privacy impacts on the properties neighbouring further to the south at No.50 Curlew Street.

An open style balustrade and no privacy screens are proposed to the Juliet balcony. The proposed privacy treatment is therefore not considered to be sufficient to demonstrate that the proposal would not result in adverse impacts on the amenity of the neighbouring properties. The proposal therefore would not satisfy objectives (a) and (b), and control (d) under section 2.15 *Visual Privacy and Security* of Part C2 *Other Residential Development* of Waverley DCP 2022.



Figure 27. Outlook to the southwest towards 50 Curlew Street from the Level 2 balcony.



Figure 28. Outlook to the southwest towards 50 Curlew Street from the attic level.



Figure 29. Level 2 balcony facing southeast.



Figure 30. Outlook to the southeast from the attic level.



Figure 31. Level 2 balcony facing northwest.



Figure 32. Outlook to the northwest from the attic level.



Figure 33. Properties neighbouring to the northwest. Image obtained from the DA-366/2022 Assessment Report.

2.2. Other Impacts of the Development

The proposal is considered to have a detrimental effect relating to environmental, social or economic impacts on 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 12 and 26 August 2024 in accordance with the *Community Engagement Strategy 2023*.

Following receipt of amended plans and additional information, the application was not re-notified as the amended plans did not include any new or additional impacts on the streetscape or neighbouring properties.

No submissions were received.

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. Stormwater

Council's Stormwater Management Department raised no objection subject to standard stormwater conditions being imposed in the event of an approval.

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.


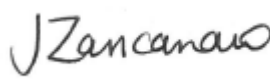

5. RECOMMENDATION TO WAVERLEY LOCAL PLANNING PANEL

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 24 September 2024 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:	Application reviewed and agreed by:
		
Karis Keenan	Jo Zancanaro	Angela Rossi
Senior Development Assessment Planner	A/Manager, Development Assessment	Executive Manager, Development Assessment
Date: 30 September 2024	Date: 4 October 2024	Date: 11 October 2024

Reason for WLPP referral:

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

OFFICE USE ONLY

Planning Portal Data	
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
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

Under section 4.18(1)(a) of the EP&A Act, notice is given that the above development application has been determined by refusing consent using the power in section 4.16(1)(b) of the EP&A Act, for the reasons specified below:

REASONS FOR REFUSAL:

1. The application does not satisfy section 4.15 (1)(a)(i) of the Act as it is contrary to the following provisions of *Waverley Local Environmental Plan 2012* (Waverley LEP 2012):

- a. *Clause 4.3 – Height of Buildings*

The proposal exceeds the building height development standard of 12.5m and the applicant's written request under clause 4.6 of Waverley LEP 2012 includes inaccurate and inconsistent information, has failed to adequately detail the method of calculating height, the height of the proposal and the extent of the variation. The written request also fails to adequately address matters under subclause 4.6 (3)(a) and (b) of Waverley LEP 2012.

The proposal furthermore would not satisfy objective (a) under clause 4.3 of Waverley LEP 2012 as it would not preserve the environmental amenity of neighbouring properties.

2. The application does not satisfy section 4.15 (1)(a)(i) of the Act as it is contrary to the following provisions of Waverley LEP 2012:

- b. *Clause 1.2 Aims of Plan*

The proposal would not satisfy aim (m) of Waverley LEP 2012 as it would result in adverse impacts on the amenity of the neighbouring properties and therefore would not enhance amenity.

- c. *Land Use Table – R3 Medium Density Residential Zone*

The proposal would not satisfy the objectives of the R3 zone as it would result in adverse impacts on the amenity of the neighbouring properties and would not be compatible with the desired character or amenity of the locality.

3. The application does not satisfy section 4.15 (1)(a)(iii) of the Act as it is contrary to Waverley Development Control Plan 2022 (Waverley DCP 2022), in respect to the following provisions:

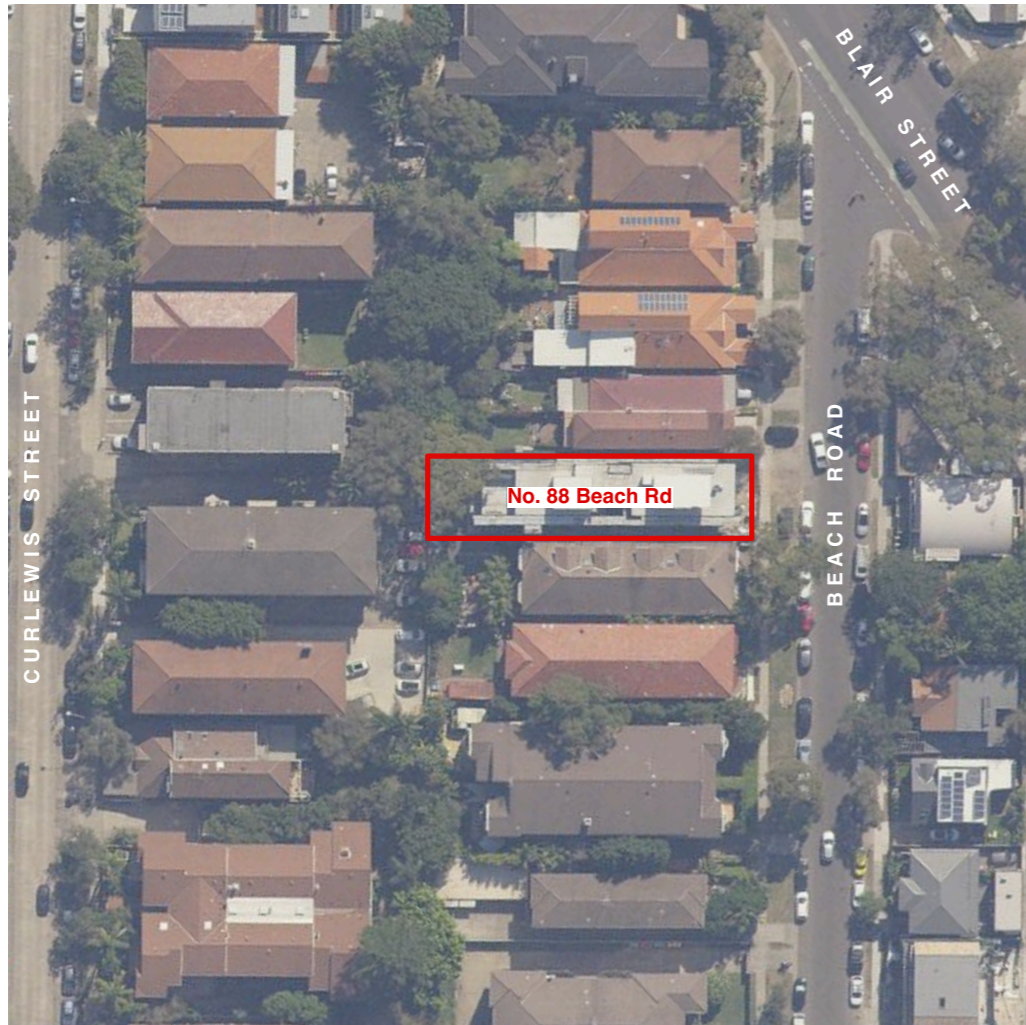
B11 Design Excellence

- a. Controls (e)(iv) and (vii) under section 11.1 *Design* of part B11 *Design Excellence* are not satisfied as the proposal does not demonstrate that adequate regard has been given to the relationship with surrounding developments and impacts on amenity.

C2 Other Residential Development

- b. *Section 2.3 Setbacks* - Objectives (a) and (b) under section 2.3.2 *Side and Rear Setbacks* are not satisfied as the proposal would not provide visual relief or reduce perceived bulk.

- c. *Section 2.11 Private Open Space* - Objective (f) under section 2.11 *Private Open Space* and control (f) under section 2.11.2 *Balconies/Decks* are not satisfied as the proposed Juliet balcony proposed at the attic level would result in increased and additional privacy impacts on the neighbouring properties and has not been designed to minimise impacts on amenity.
 - d. *Section 2.13 Solar Access and Overshadowing* – Objective (d) are not satisfied as the proposal would result in additional overshadowing of the neighbouring properties as a result of the height non-compliance and therefore would not minimise impacts on surrounding properties.
 - e. *Section 2.15 Visual Privacy and Security* - Objectives (a) and (d), and control (d) are not satisfied as the proposal would not adequately minimise privacy impacts from above ground/rooftop areas of private open space and would not maintain an adequate level of amenity of the neighbouring properties.
4. The application does not satisfy section 4.15 (1)(b) of the Act as the proposed development is excessive in terms of its bulk and scale and consequently results in unacceptable amenity 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 for proposed development.
 6. The application is contrary to section 4.15 (1)(e) of the Act as it would result in unreasonable impacts on the amenity of neighbouring and nearby properties and the locality as a result of the non-compliance with the building height development standard which is not in keeping with the desired future character of the locality or the public interest.



ALTERATIONS + ADDITIONS
**UNIT 6, 88 BEACH ROAD,
BONDI BEACH**

DEVELOPMENT APPLICATION

DWG LIST:

Dwg No.	Title
DA.01	Cover Page + BASIX Notes
DA.02	Site Plan + Site Analysis
DA.03	Existing Plans - Ground Floor + Level 1
DA.04	Existing Plans - Level 2 + Level 3 + Roof
DA.05	Existing Elevations
DA.06	Demolition Plan - Level 2 + Level 3
DA.07	New Plans - Level 2 + Level 3
DA.08	New Plan - Roof
DA.09	Sections AA + BB
DA.10	New Elevations
DA.11	GFA Calculations
DA.12	Shadow Diagrams June 21 - 9:00am, 10:00am + 11:00am
DA.13	Shadow Diagrams June 21 - 12:00pm + 1:00pm
DA.14	Shadow Diagrams June 21 - 2:00pm + 3:00pm

NOTES

General	Confirm all dimensions & setout on site before commencing work All work to be completed in accordance with all statutory requirements and the requirements of the Council and other relevant authorities
Sewer	No change to existing
Stormwater	Connect new downpipes to extg downpipes
Concrete	To be in accordance with Struct Eng details
Structural Steel	To be in accordance with Struct Eng details
Exteranal walls	External wall to match existing + be in accordance with Clause F3D5 of NCC 2022 Vol 1
Roof	Colorbond metal roof sheet in accordance with Clause F3D2 of NCC 2022 Vol 1
Windows/doors	Alum framed windows in accordance with BASIX Certificate Glazing to be in accordance with Clause F3D4 of NCC 2022 Vol 1
Lighting	To be in accordance with BASIX Certificate

BASIX REQUIREMENTS

Lighting	Minimum 40% of new or altered light fixtures are fitted with fluorescent, compact fluorescent or LED lamps
Insulation	External concrete panel (150mm)/plasterboard wall: R1.39 (or R1.70 Including construction) Raked ceiling, pitched/skillion roof: framed <ul style="list-style-type: none"> • Ceiling: R1.00 (up) • Roof: foil backed blanket (55mm) • Roof: Solar absorptance light < 0.475
Windows	To be installed in accordance with BASIX Certificate.

B	DWG List Amended	23.07.2024
A	Development Application	27.06.2024
Revision	Amendment	Date



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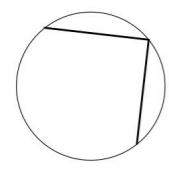
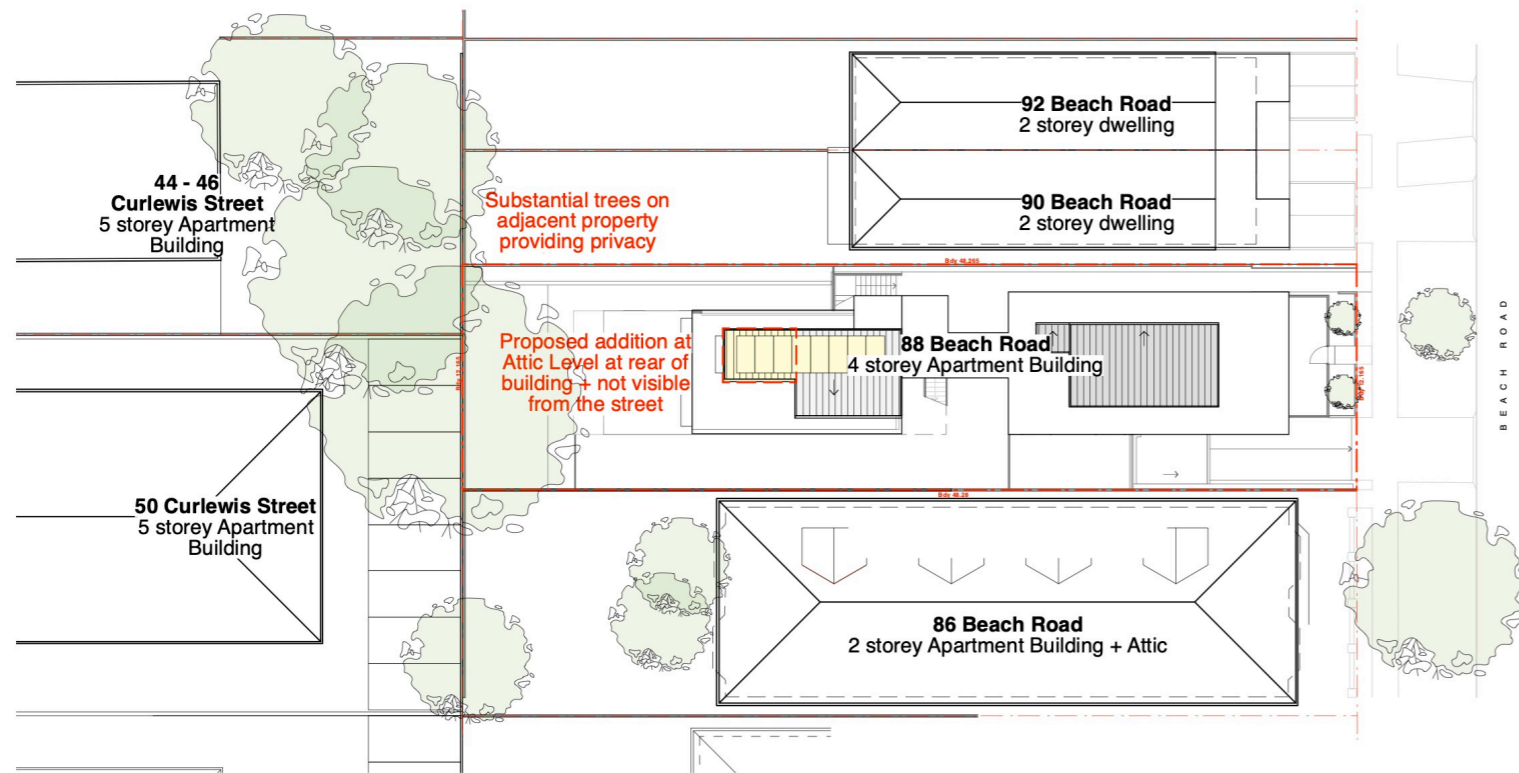
Project	Alterations + Additions to Unit 6, 88 Beach Rd Bondi Beach SP95100
Dwg Title	Coverpage + BASIX Notes
Scale	NTS
Date	June 2024
Dwg No	2126 / DA.01 Rev B



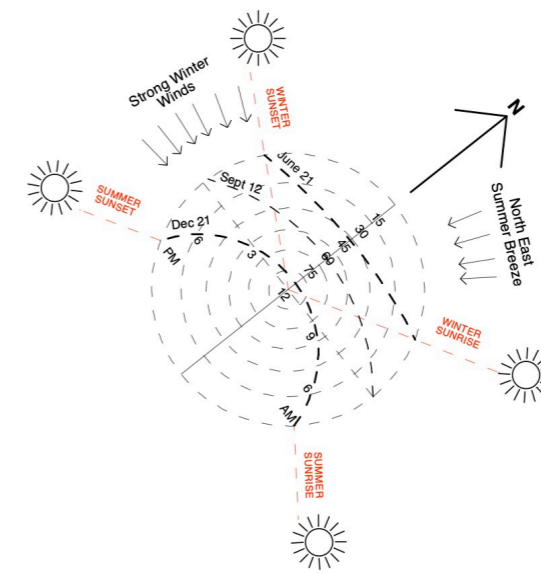
View 1



View 2



SITE + SITE ANALYSIS PLAN



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 Date Received: 07/08/2024

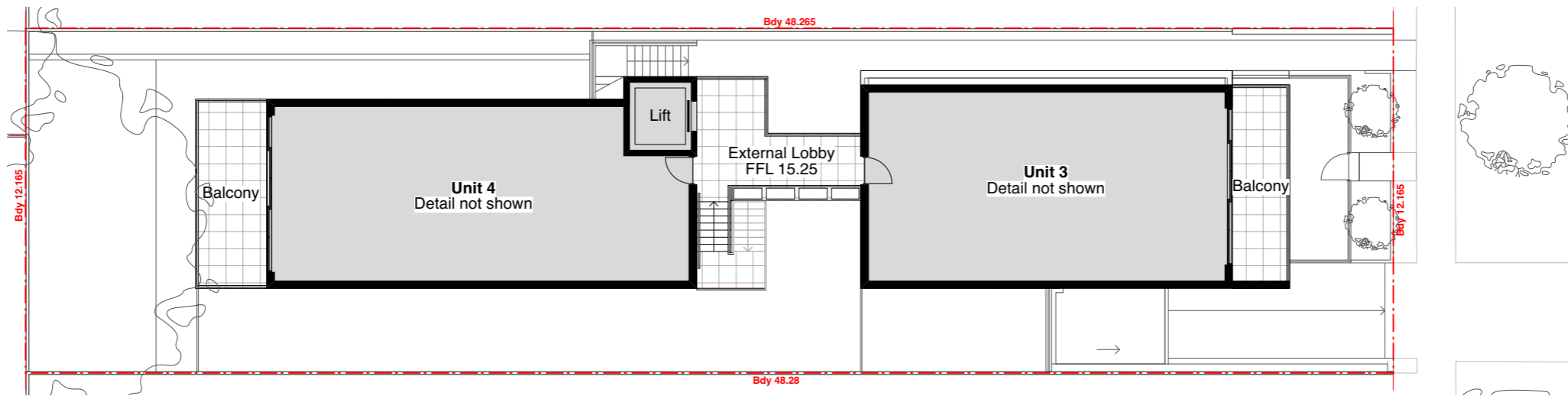
B	Reply to Council Letter	23.07.2024
A	Development Application	27.06.2024
Revision	Amendment	Date



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Project **Alterations + Additions to Unit 6, 88 Beach Rd Bondi Beach SP95100**
 Dwg Title **Site Plan + Site Analysis**
 Scale 1:400 (A3)
 Date June 2024
 Dwg No 2126 / **DA.02** Rev **B**

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EXISTING PLAN - LEVEL 1

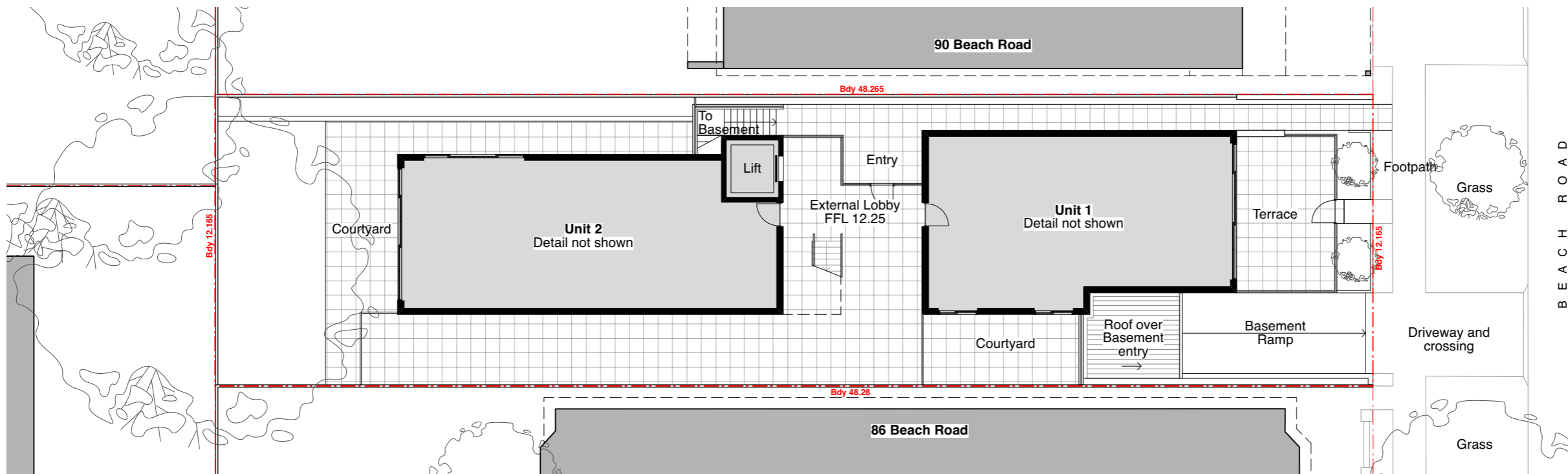
NOTES
 Dimensions and Floor levels from Construction Drawings prepared by Raymond Panetta Architect. All dimensions and setouts to be confirmed on site prior to commencement.

- LEGEND**
- New alterations + additions
 - Existing Unit 6 - No Change
 - Existing Building - No Change
 - Existing wall to remain
 - Existing wall to be demolished

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EXISTING PLAN - GROUND FLOOR

B	Reply to Council Letter	23.07.2024
A	Development Application	27.06.2024
Revision	Amendment	Date



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Project **Alterations + Additions to Unit 6, 88 Beach Rd Bondi Beach SP95100**

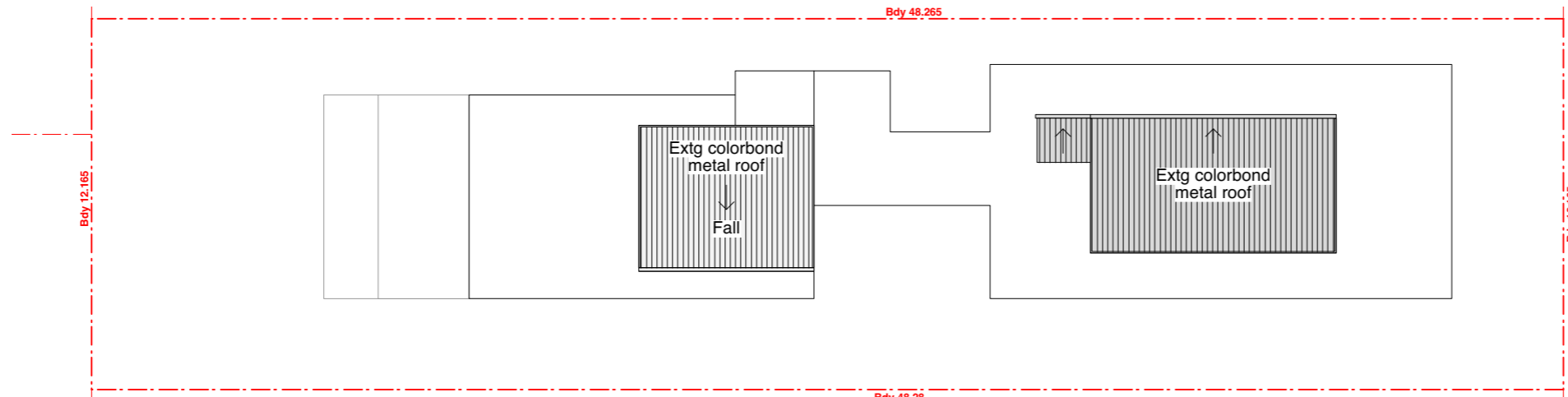
Dwg Title **Existing Plans Ground Floor + Level 1**

Scale 1:200 (A3)

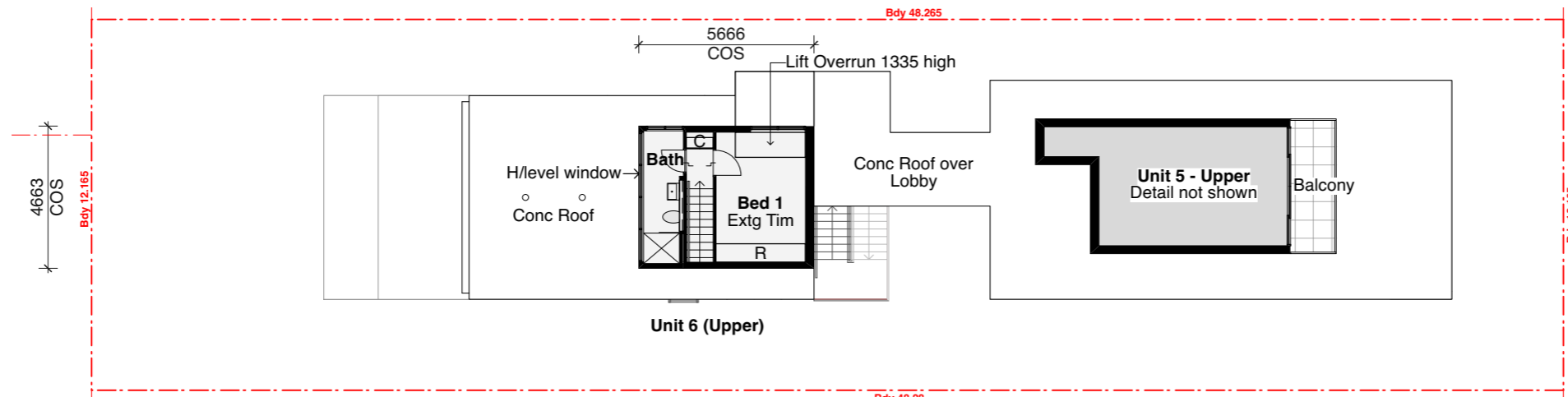
Date June 2024

Dwg No 2126 / **DA.03** Rev **B**

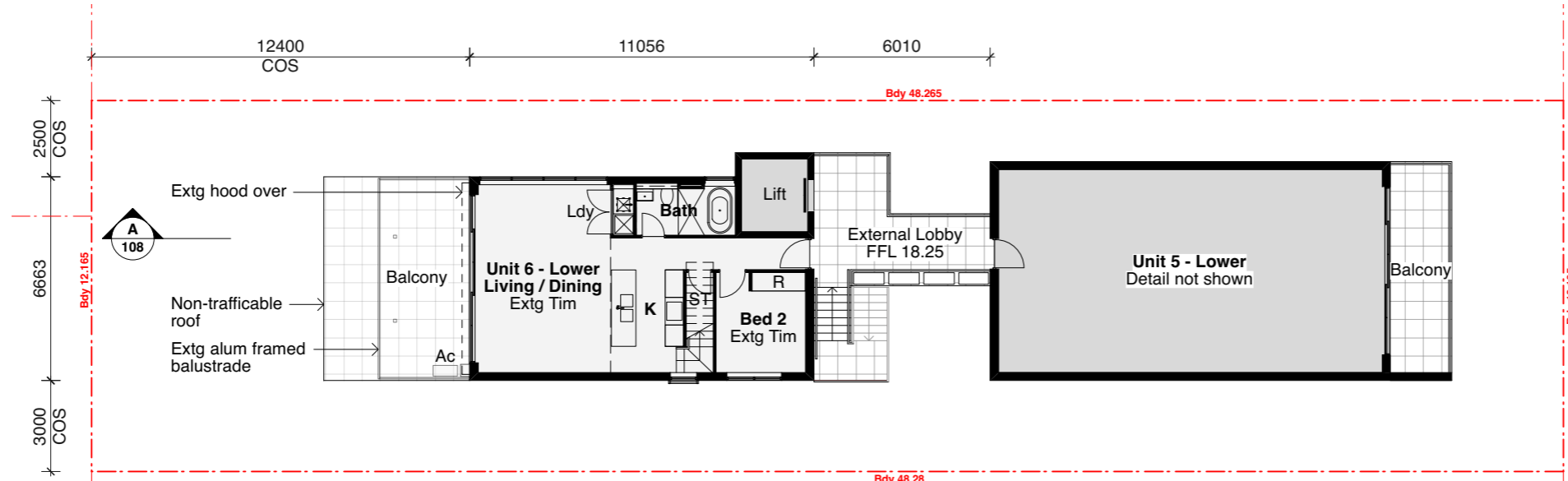
NO CHANGE TO THIS DRAWING



EXISTING PLAN - ROOF



EXISTING PLAN - LEVEL 3



EXISTING PLAN - LEVEL 2

NOTES
 Dimensions and Floor levels from Construction Drawings prepared by Raymond Panetta Architect. All dimensions and setouts to be confirmed on site prior to commencement.

LEGEND

- New alterations + additions
- Existing Unit 6 - No Change
- Existing Building - No Change
- Existing wall to remain
- Existing wall to be demolished

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Waverley Council

Application No: DA-325/2024

Date Received: 07/08/2024

Revision	Amendment	Date
B	Amended re Council Letter - Roof Plan Added	23.07.2024
A	Development Application	27.06.2024



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Project **Alterations + Additions to Unit 6, 88 Beach Rd Bondi Beach SP95100**

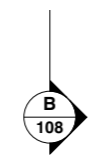
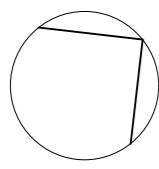
Dwg Title **Existing Plans Level 2 + Level 3 + Roof**

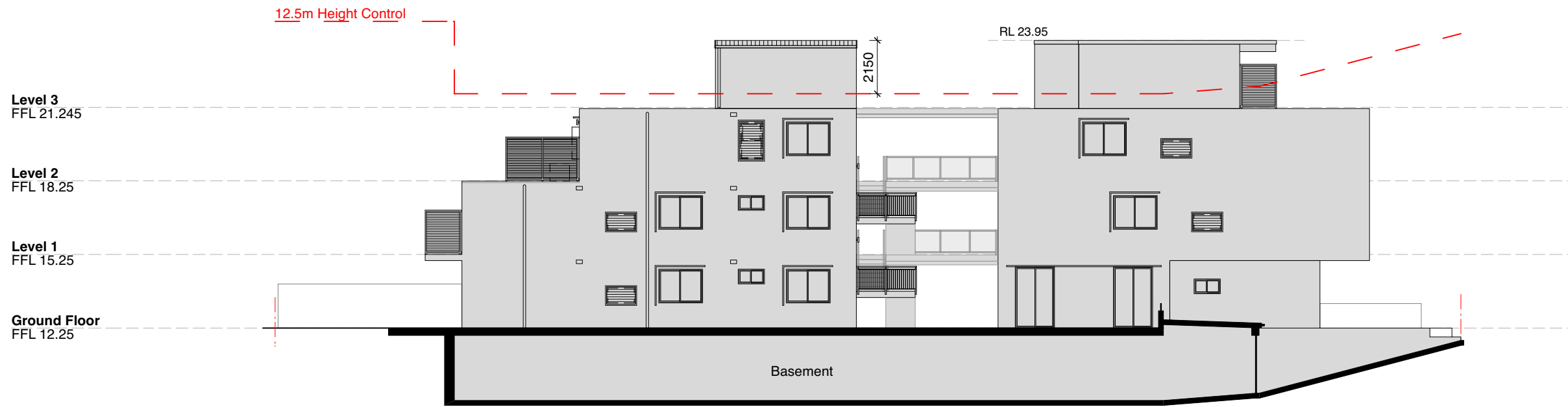
Scale 1:200 (A3)

Date June 2024

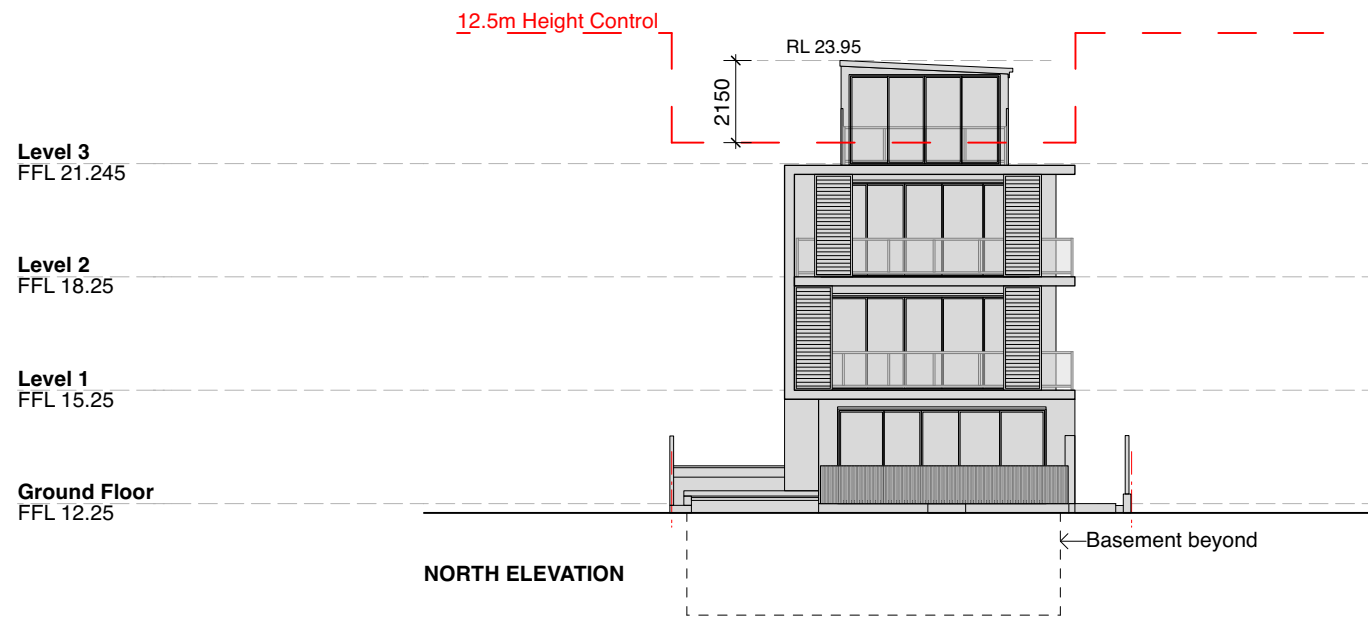
Dwg No 2126 / **DA.04** Rev **B**

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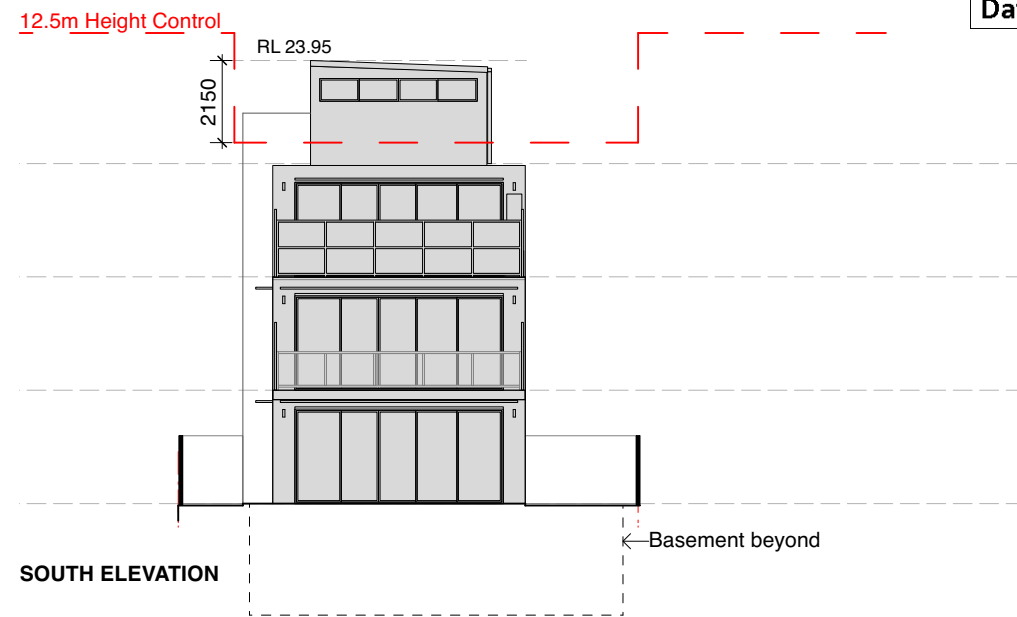




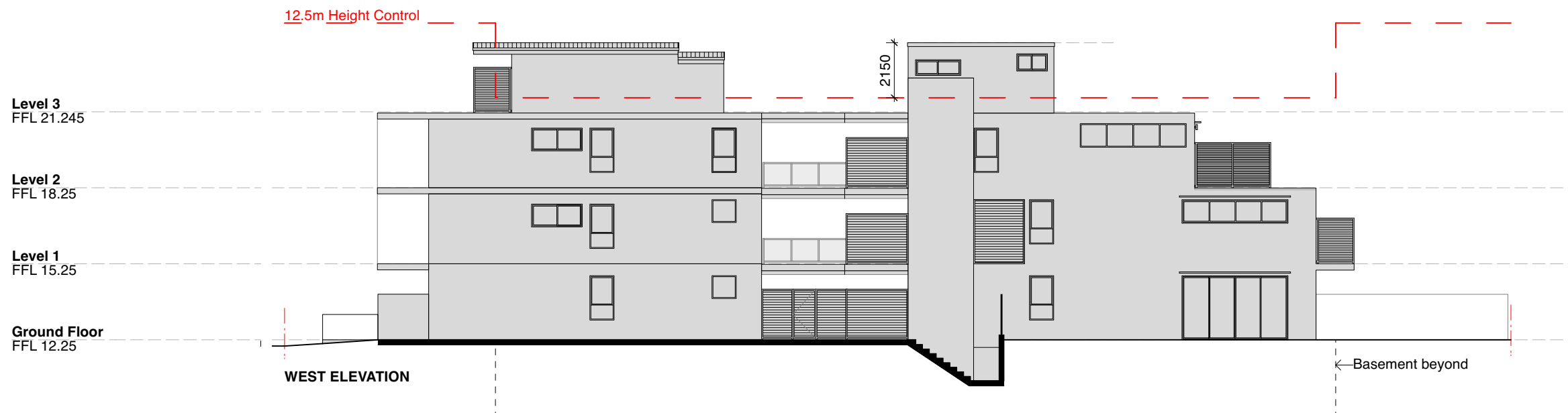
EAST ELEVATION



NORTH ELEVATION



SOUTH ELEVATION



WEST ELEVATION

NOTES
 Dimensions and Floor levels from Construction Drawings prepared by Raymond Panetta Architect. All dimensions and setbacks to be confirmed on site prior to commencement.

- LEGEND**
- New alterations + additions
 - Existing Unit 6 - No Change
 - Existing Building - No Change
 - Existing wall to remain
 - Existing wall to be demolished

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Application No: DA-325/2024

Date Received: 07/08/2024

B	Amended re Council Letter	23.07.2024
A	Development Application	27.06.2024
Revision	Amendment	Date



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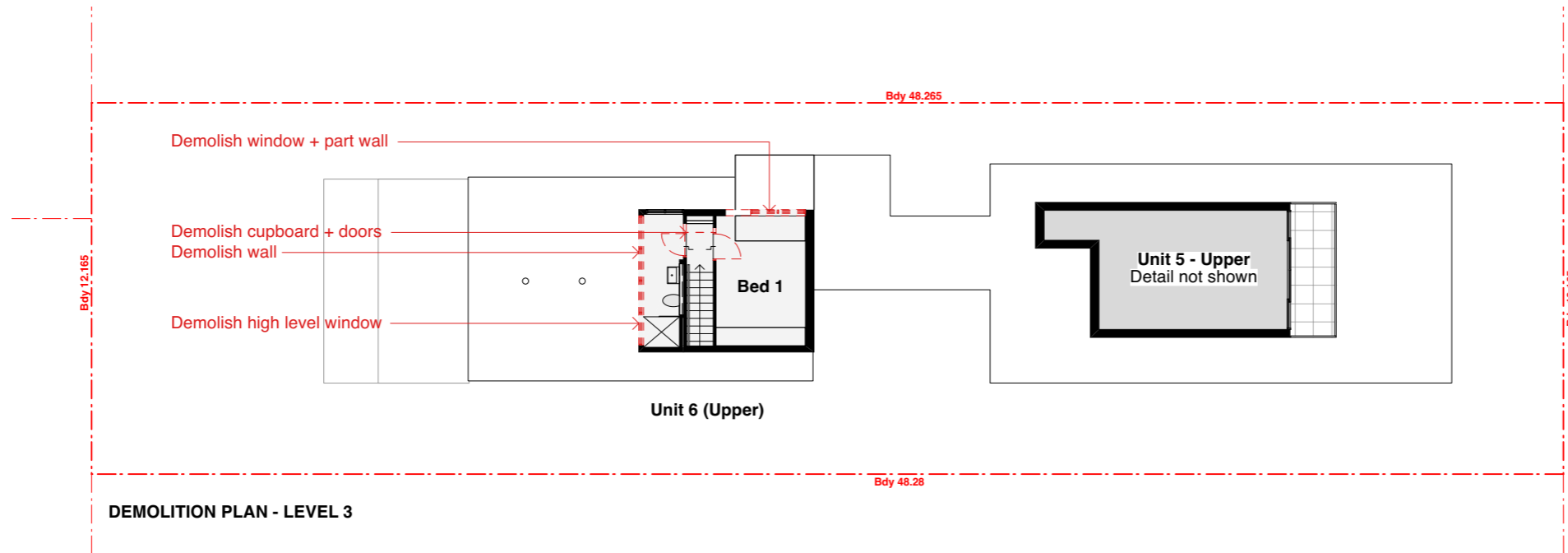
Dwg Title **Existing Elevations**

Scale 1:200 (A3)

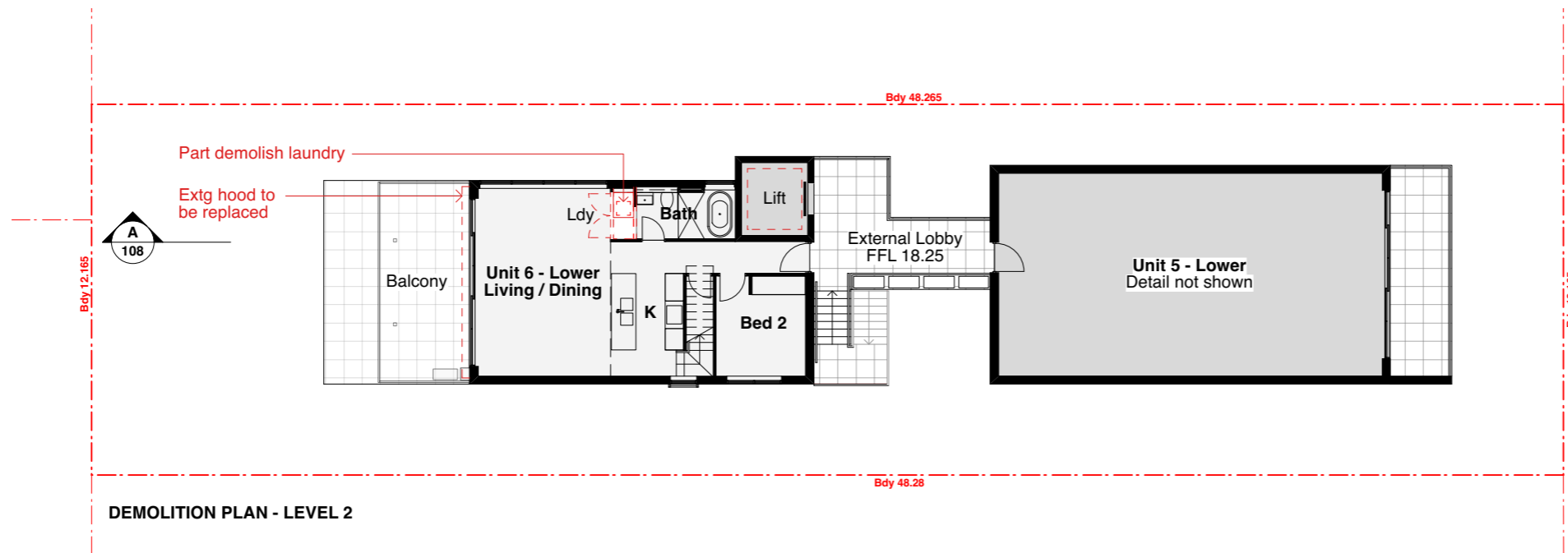
Date June 2024

Dwg No 2126 / **DA.05** Rev **B**

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DEMOLITION PLAN - LEVEL 3



DEMOLITION PLAN - LEVEL 2

NOTES
 Dimensions and Floor levels from Construction Drawings prepared by Raymond Panetta Architect. All dimensions and setouts to be confirmed on site prior to commencement.

- LEGEND**
- New alterations + additions
 - Existing Unit 6 - No Change
 - Existing Building - No Change
 - Existing wall to remain
 - Existing wall to be demolished

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B	Amended re Council Letter	23.07.2024
A	Development Application	27.06.2024
Revision	Amendment	Date



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Project **Alterations + Additions to Unit 6, 88 Beach Rd Bondi Beach SP95100**

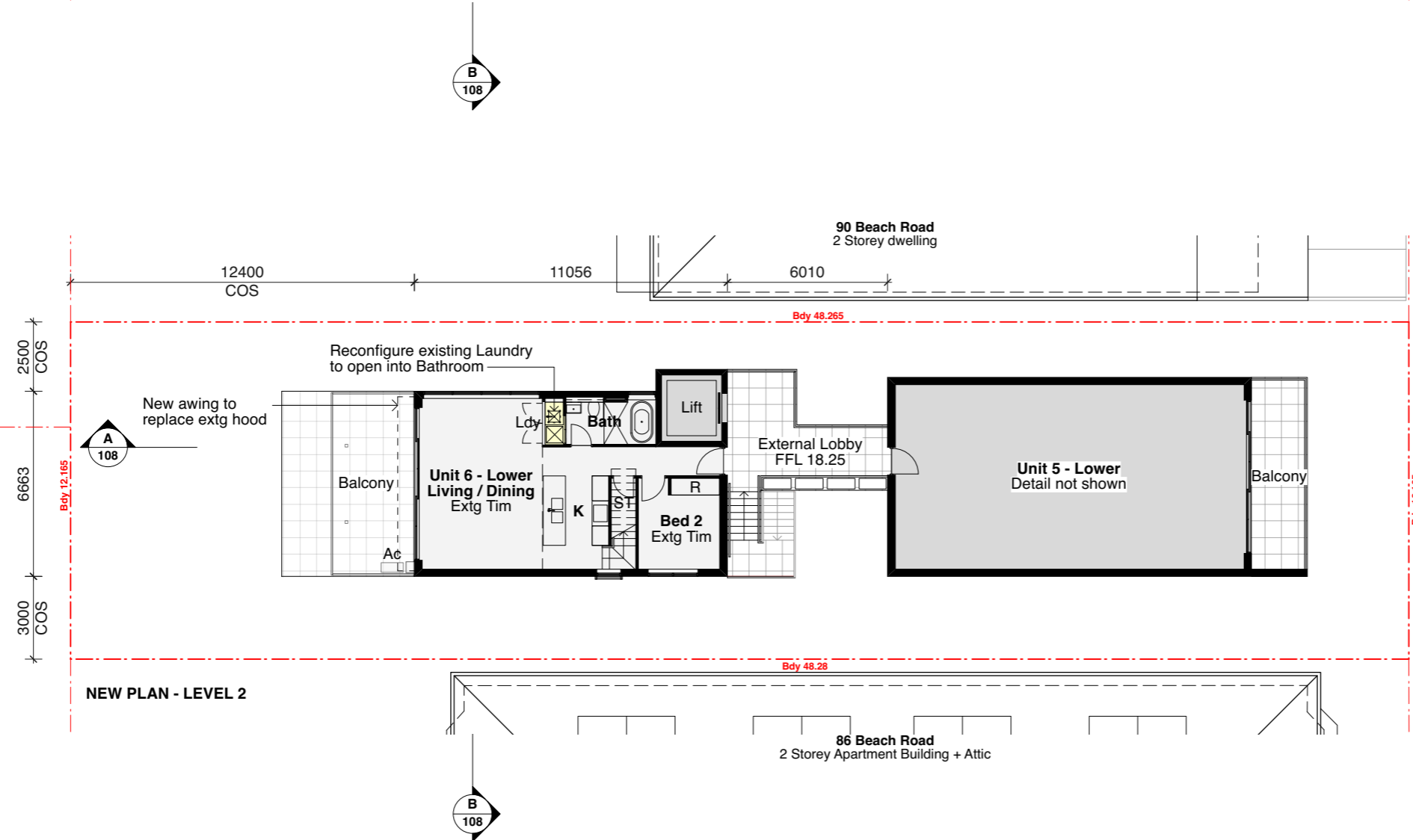
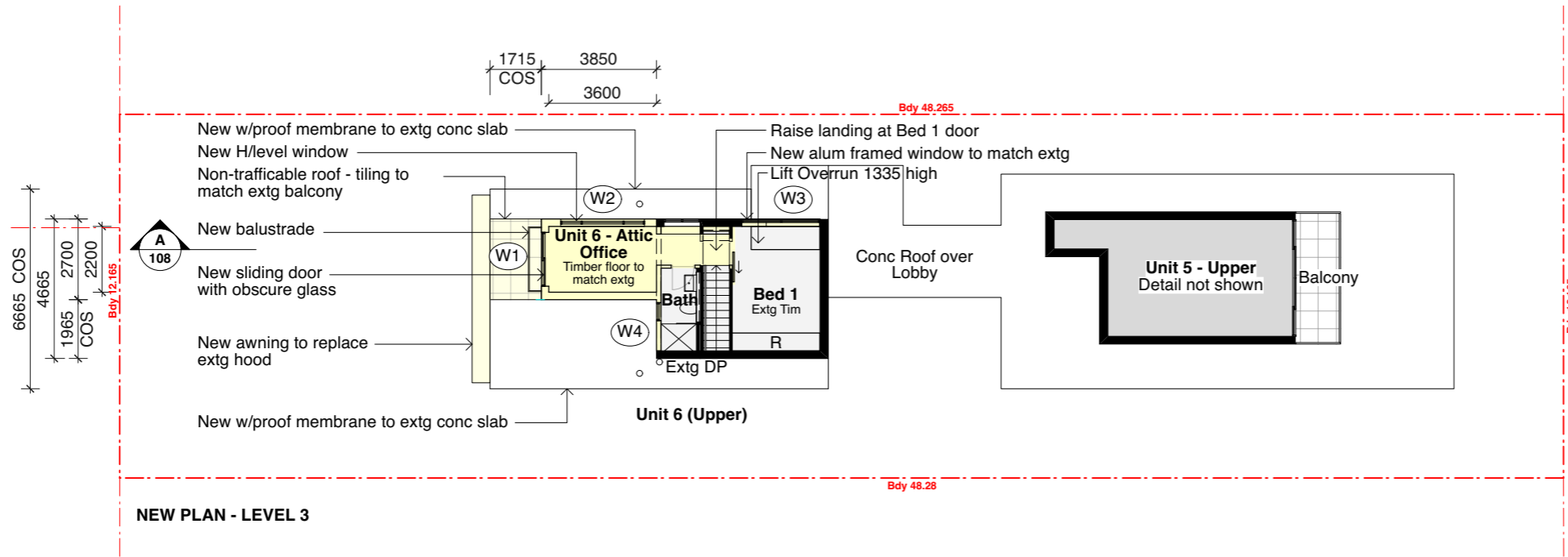
Dwg Title **Demolition Plans Level 2 + Level 3**

Scale 1:200 (A3)

Date June 2024

Dwg No 2126 / **DA.06** Rev **B**

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NOTES
 Dimensions and Floor levels from Construction Drawings prepared by Raymond Panetta Architect. All dimensions and setouts to be confirmed on site prior to commencement.

LEGEND

- New alterations + additions
- Existing Unit 6 - No Change
- Existing Building - No Change
- Existing wall to remain
- Existing wall to be demolished

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Application No: DA-325/2024

Date Received: 07/08/2024

B	Amended re Council Letter	23.07.2024
A	Development Application	27.06.2024
Revision	Amendment	Date



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Project **Alterations + Additions to Unit 6, 88 Beach Rd Bondi Beach SP95100**

Dwg Title **New Plans Level 2 + Level 3**

Scale 1:200 (A3)

Date June 2024

Dwg No 2126 / **DA.07** Rev **B**

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NOTES

Dimensions and Floor levels from Construction Drawings prepared by Raymond Panetta Architect. All dimensions and setouts to be confirmed on site prior to commencement.

LEGEND

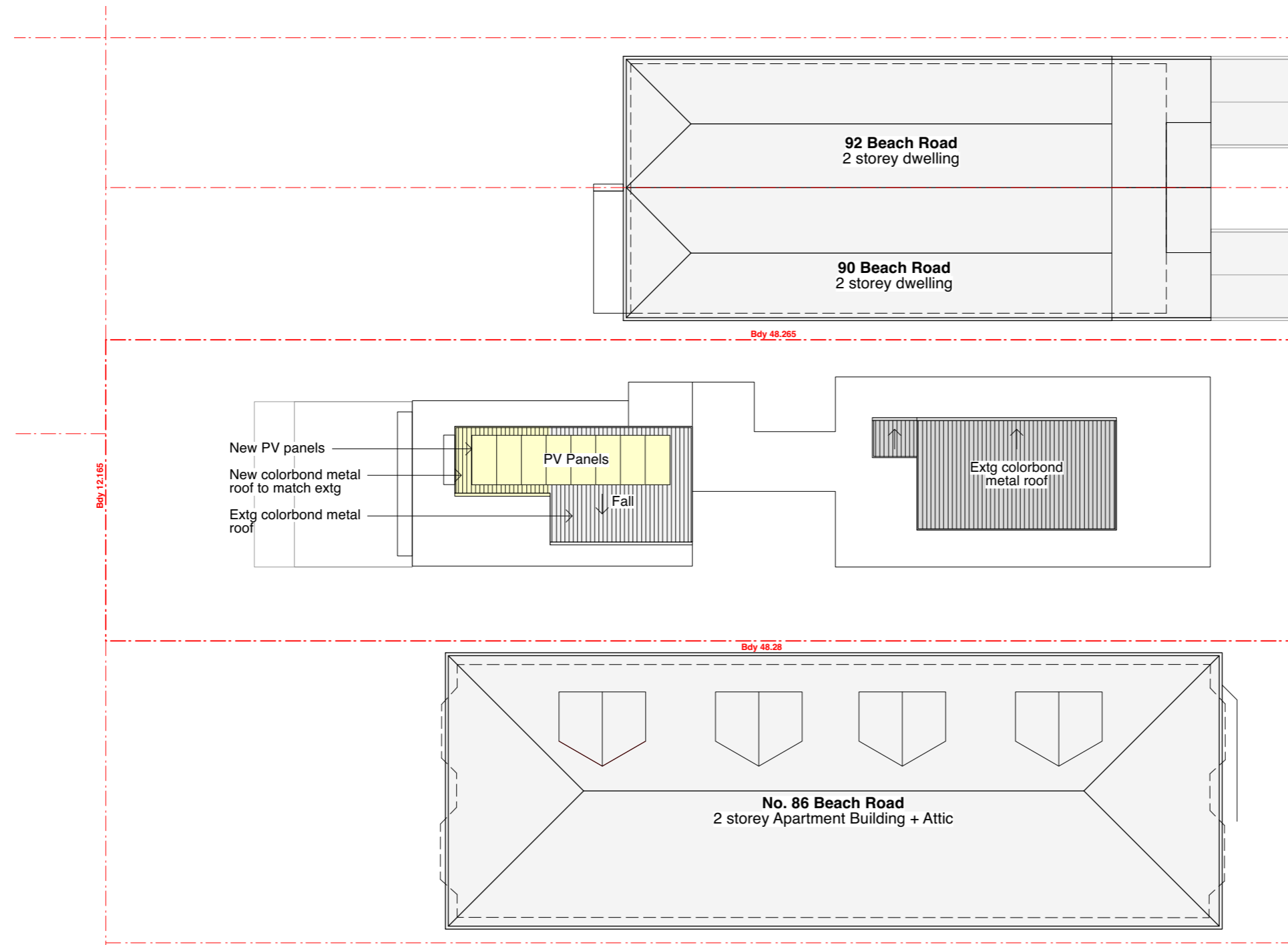
- New alterations + additions
- Existing Unit 6 - No Change
- Existing Building - No Change
- Existing wall to remain
- Existing wall to be demolished

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Date Received: 07/08/2024



NEW PLAN - ROOF

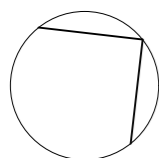
B	Amended re Council Letter	23.07.2024
A	Development Application	27.06.2024
Revision	Amendment	Date



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Project **Alterations + Additions to Unit 6, 88 Beach Rd Bondi Beach SP95100**
 Dwg Title **New Plans Roof**
 Scale 1:200 (A3)
 Date June 2024
 Dwg No 2126 / **DA.08** Rev **B**

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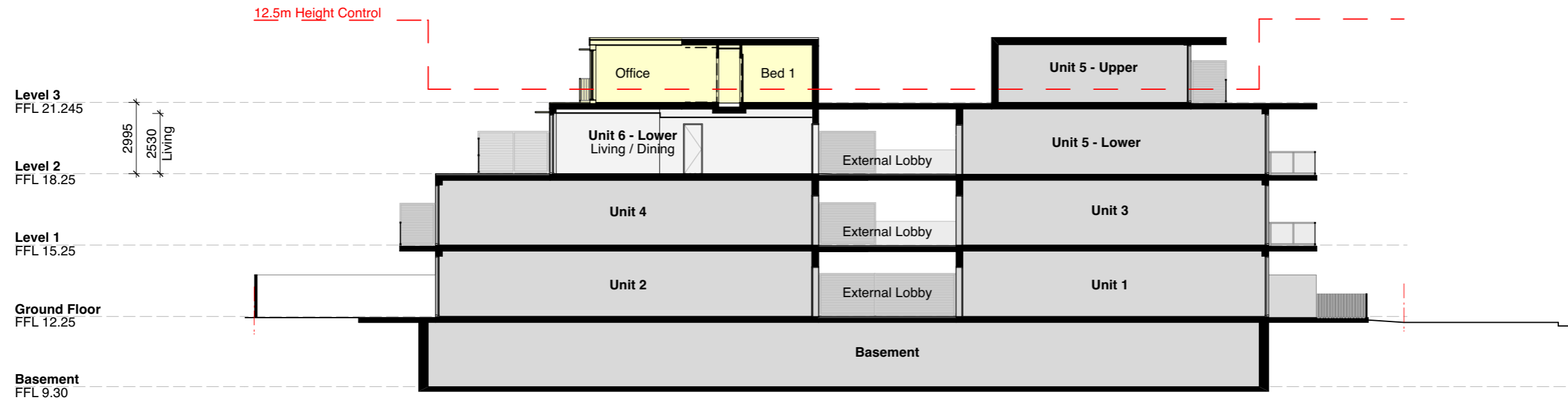
NOTES
 Dimensions and Floor levels from Construction Drawings prepared by Raymond Panetta Architect.
 All dimensions and setouts to be confirmed on site prior to commencement.

- LEGEND**
- New alterations + additions
 - Existing Unit 6 - No Change
 - Existing Building - No Change
 - Existing wall to remain
 - Existing wall to be demolished

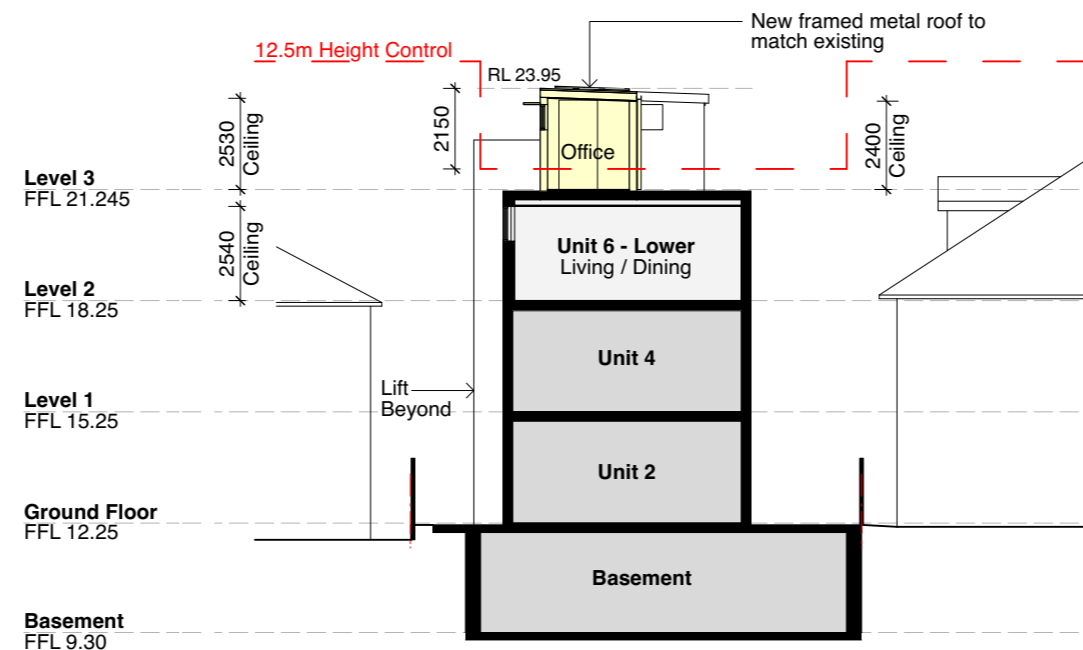
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Date Received: 07/08/2024



SECTION AA



SECTION BB

B	Amended re Council Letter	23.07.2024
A	Development Application	27.06.2024
Revision	Amendment	Date



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Project **Alterations + Additions to Unit 6, 88 Beach Rd Bondi Beach SP95100**

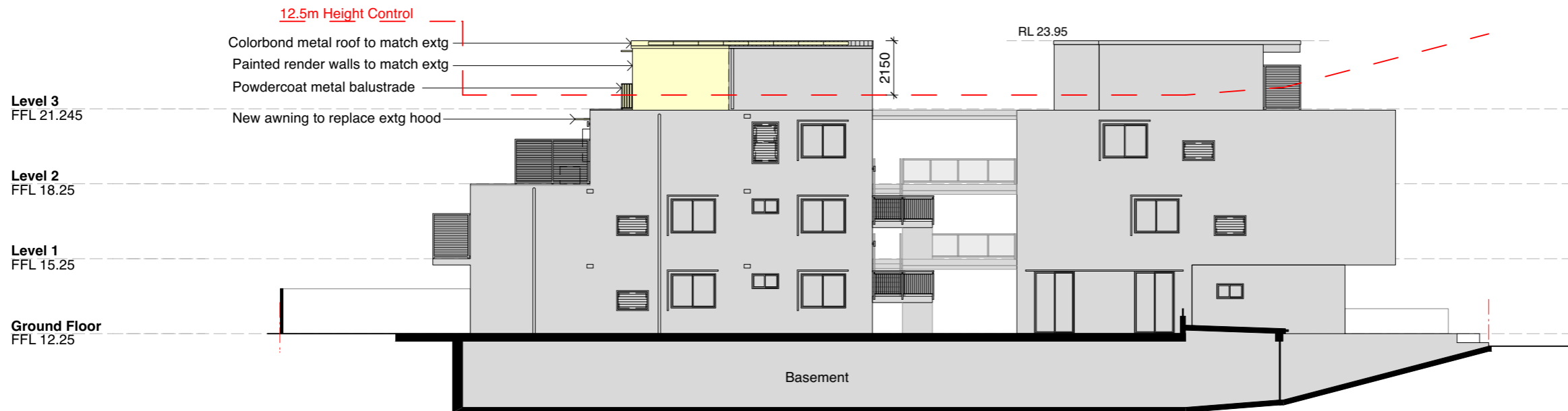
Dwg Title **New Sections**

Scale 1:200 (A3)

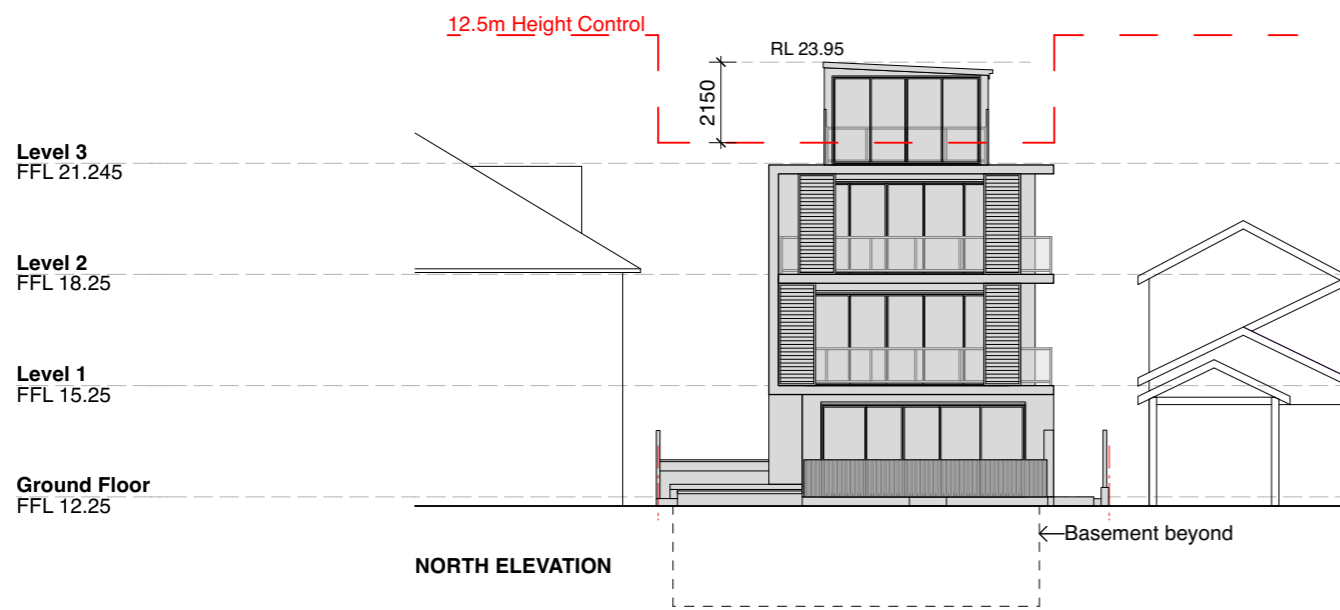
Date June 2024

Dwg No 2126 / **DA.09** Rev **B**

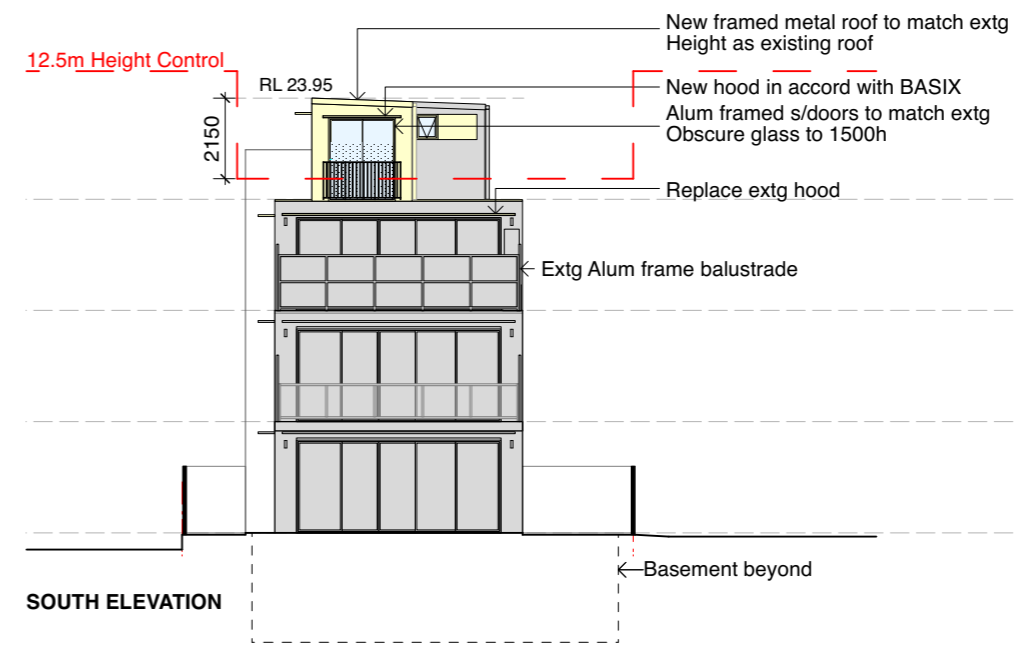
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EAST ELEVATION



NORTH ELEVATION



SOUTH ELEVATION



WEST ELEVATION

NOTES
 Dimensions and Floor levels from Construction Drawings prepared by Raymond Panetta Architect. All dimensions and setbacks to be confirmed on site prior to commencement.

LEGEND

- New alterations + additions
- Existing Unit 6 - No Change
- Existing Building - No Change
- Existing wall to remain
- Existing wall to be demolished

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Waverley Council

Application No: DA-325/2024

Date Received: 07/08/2024

Revision	Amendment	Date
B	Amended re Council Letter	23.07.2024
A	Development Application	27.06.2024



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Project **Alterations + Additions to Unit 6, 88 Beach Rd Bondi Beach SP95100**

Dwg Title **New Elevations**

Scale 1:200 (A3)

Date June 2024

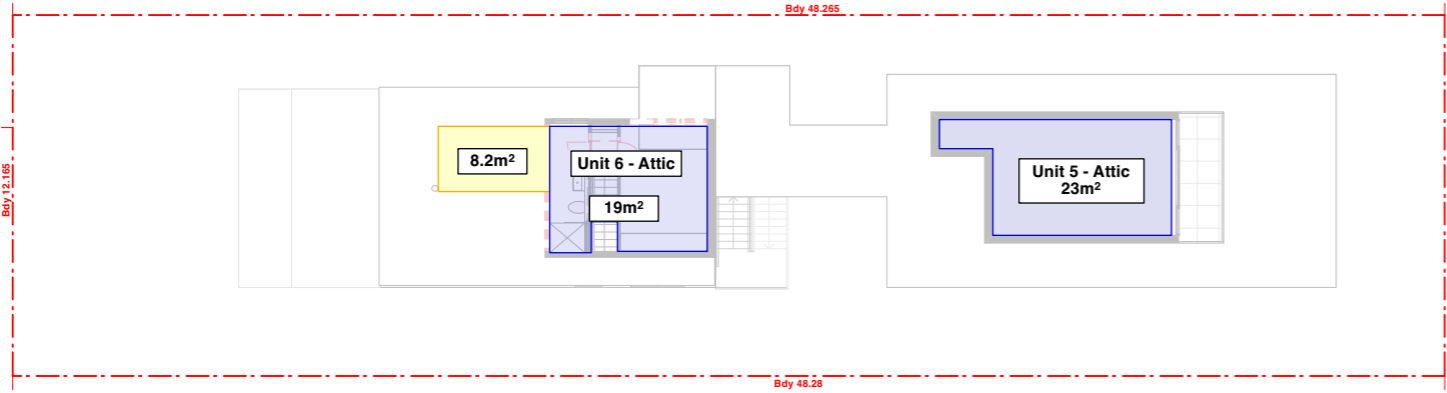
Dwg No 2126 / **DA.10** Rev **B**

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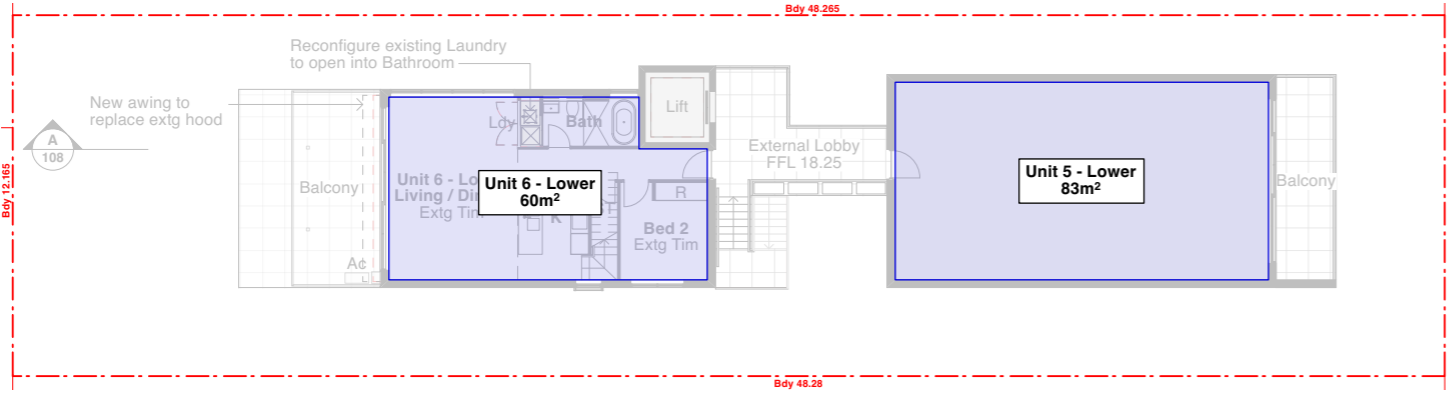
GFA CALCULATIONS

Note: Areas from approved DA drawings prepared by Raymond Panetta Architect.

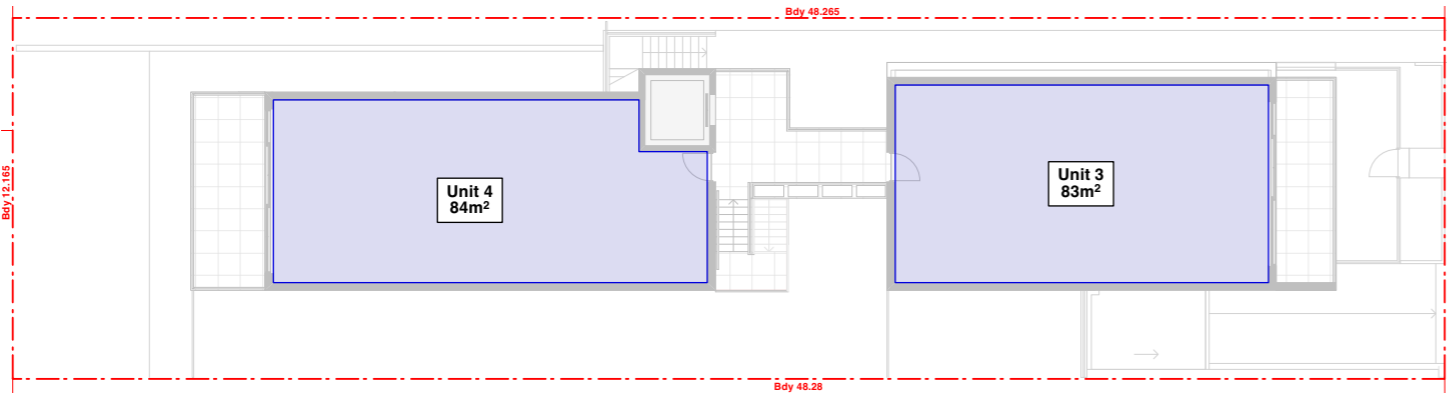
Site Area	587.15m ²	
GFA Calculation	Existing (See Note 1)	Proposed
Ground Floor	167m ²	No Change
Level 1	167m ²	
Level 2	143m ²	
Level 3	42m ²	50.2m ²
	519m²	527.2m²
FSR (Permissible 0.9:1)	0.886:1	0.898:1



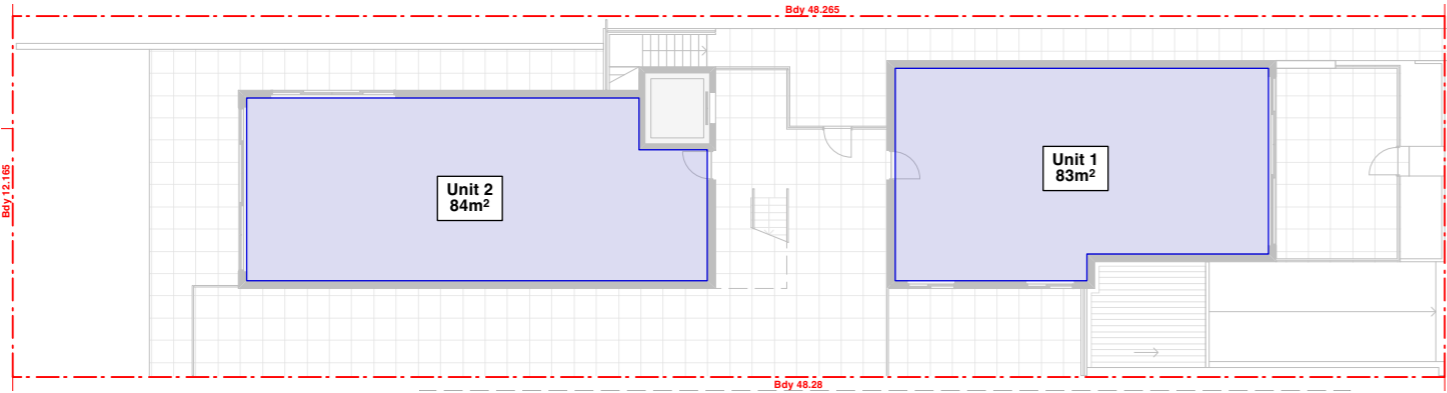
LEVEL 3



LEVEL 2



LEVEL 1



GROUND FLOOR

B	Amended re Council Letter	23.07.2024
A	Development Application	27.06.2024
Revision	Amendment	Date



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Project **Alterations + Additions to Unit 6, 88 Beach Rd Bondi Beach SP95100**

Dwg Title **GFA Calculations**

Scale 1:250 (A3)



Date June 2024

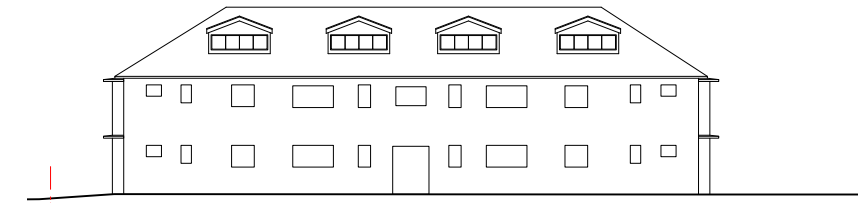
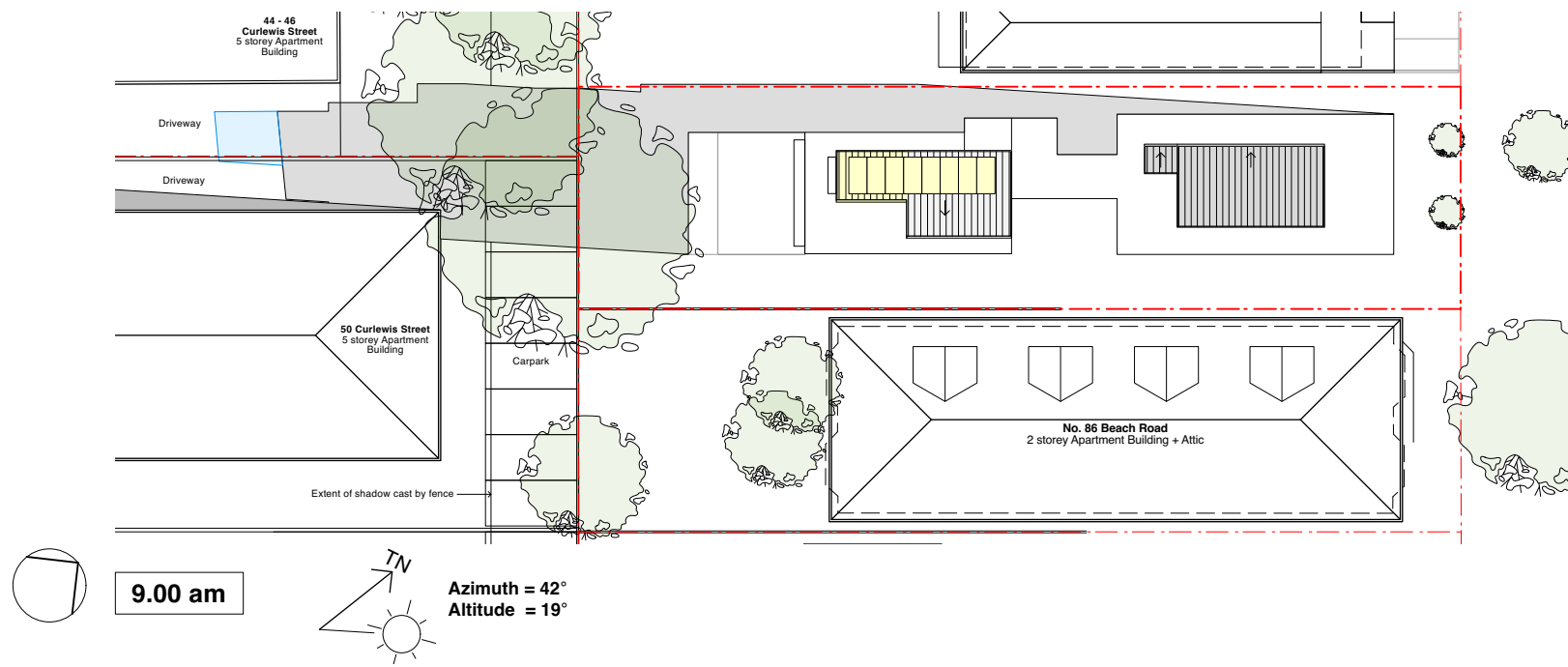
Dwg No 2126 / DA.11 Rev **B**

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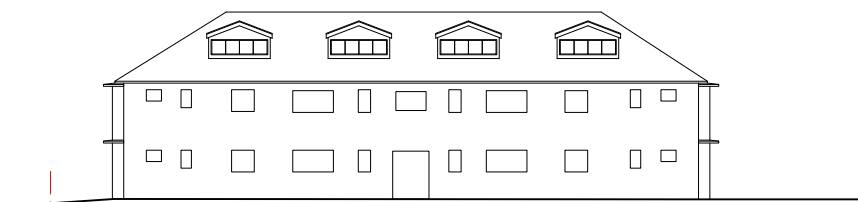
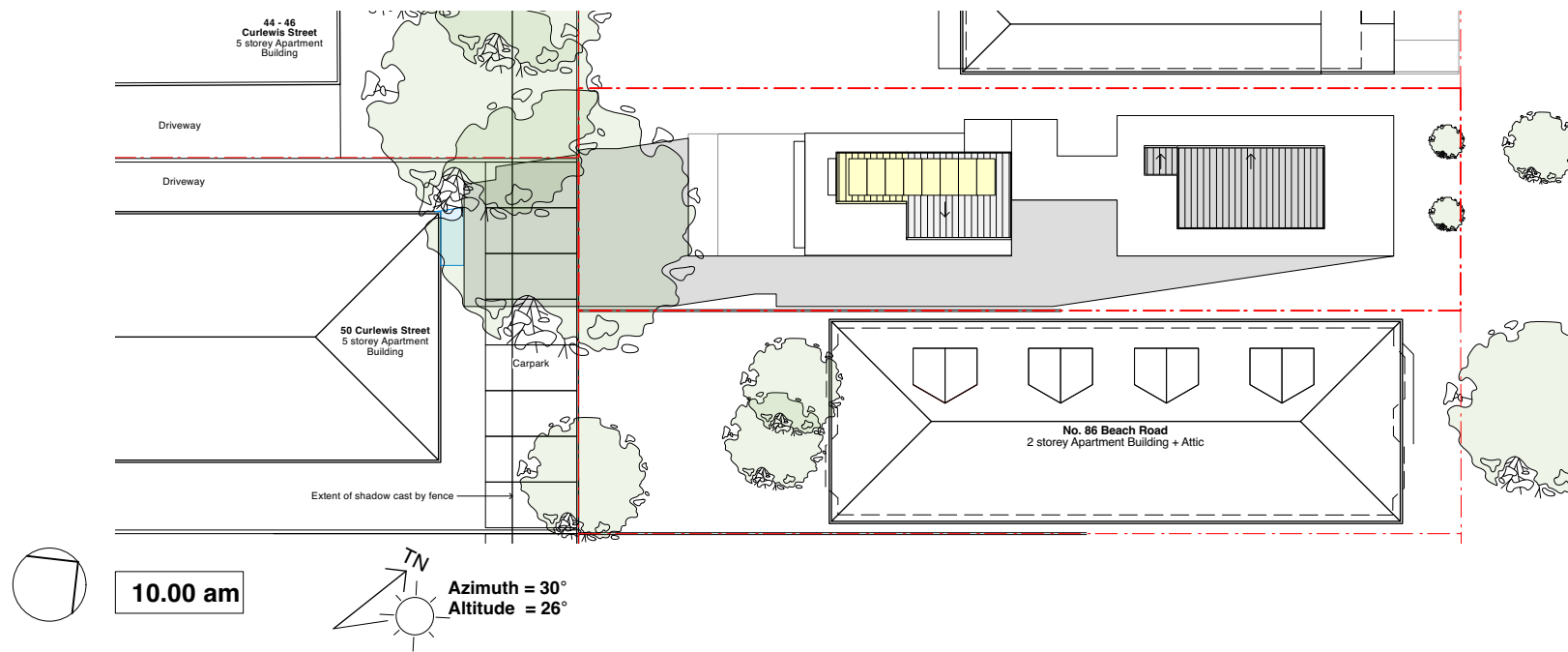
SHADOW DIAGRAMS - JUNE 21 (MID-WINTER)

LEGEND

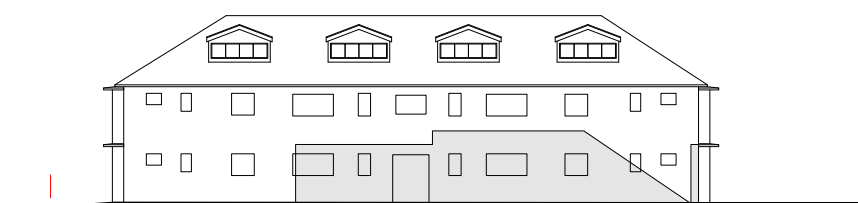
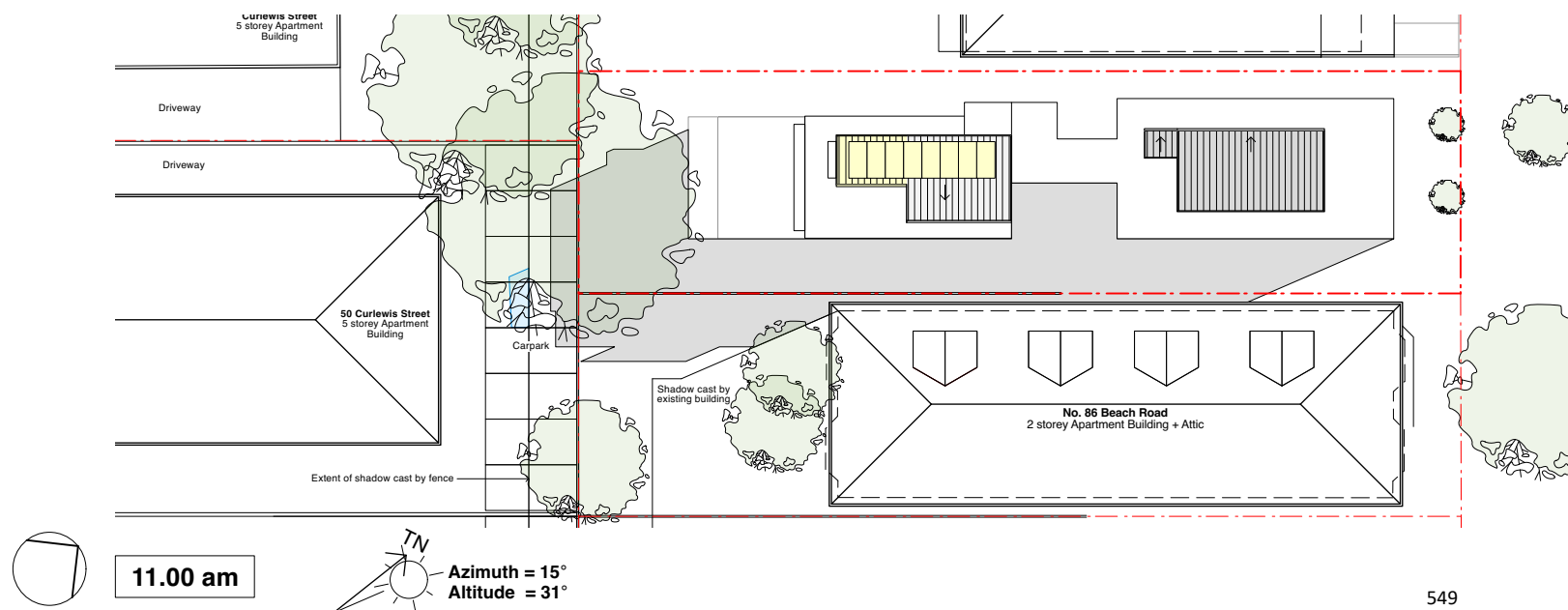
-  Existing shadows cast by existing building
-  Additional shadows cast by proposed addition



No shadow cast onto No. 86 at 9:00am
NORTH WEST ELEVATION OF No. 86 SHOWING SHADOW CAST BY No. 88



No shadow cast onto No. 86 at 10:00am
NORTH WEST ELEVATION OF No. 86 SHOWING SHADOW CAST BY No. 88



NORTH WEST ELEVATION OF No. 86 SHOWING SHADOW CAST BY No. 88

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Waverley Council
Application No: DA-325/2024
Date Received: 07/08/2024

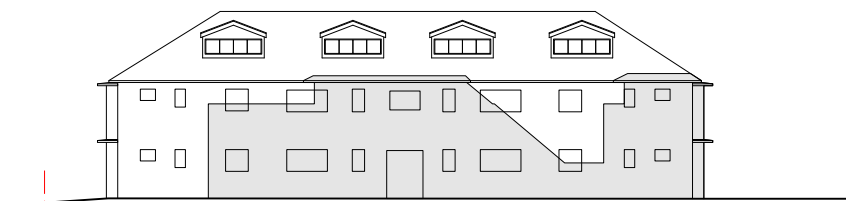
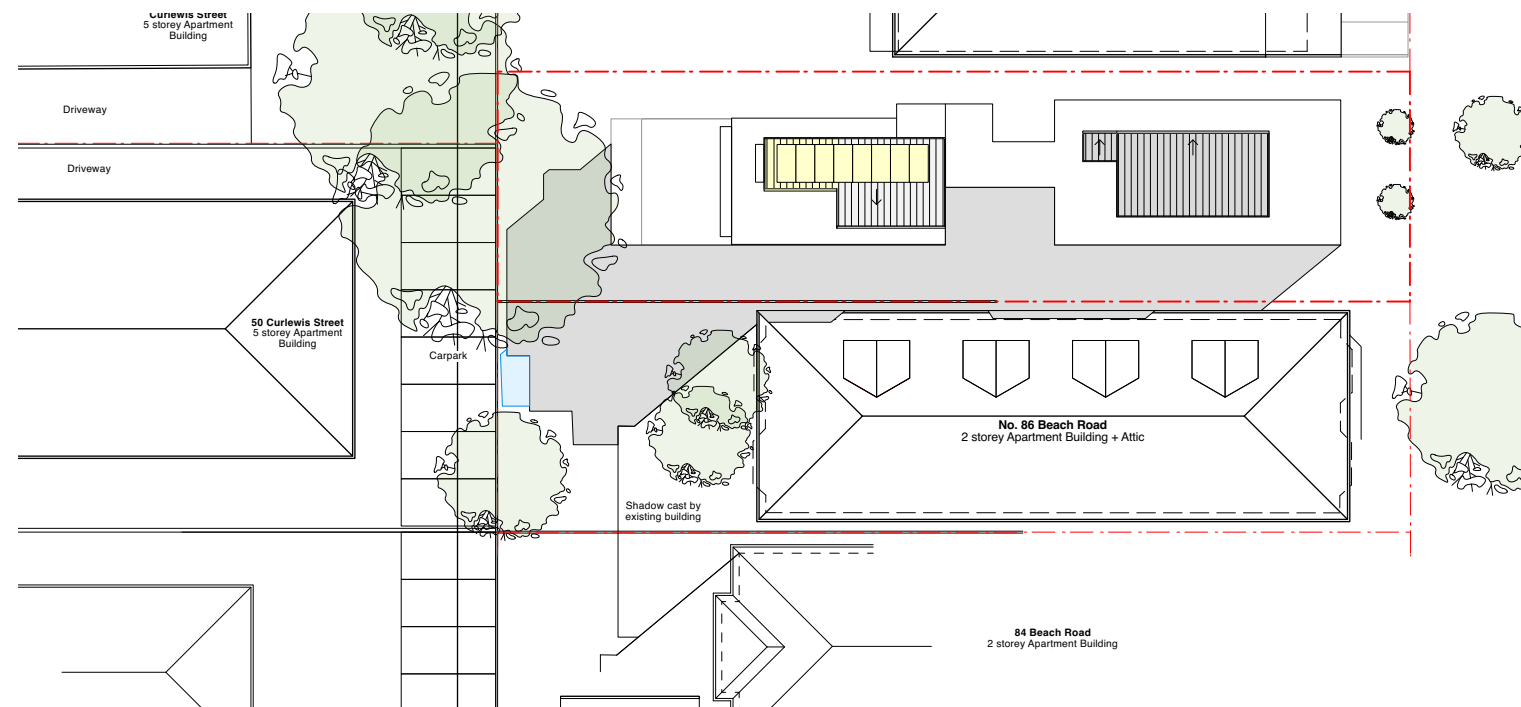
B	Reply to Council Letter	23.07.2024
A	Development Application	27.06.2024
Revision	Amendment	Date



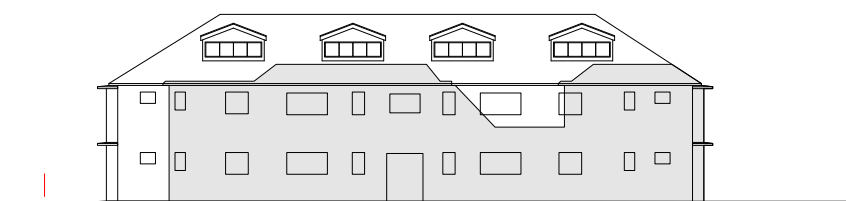
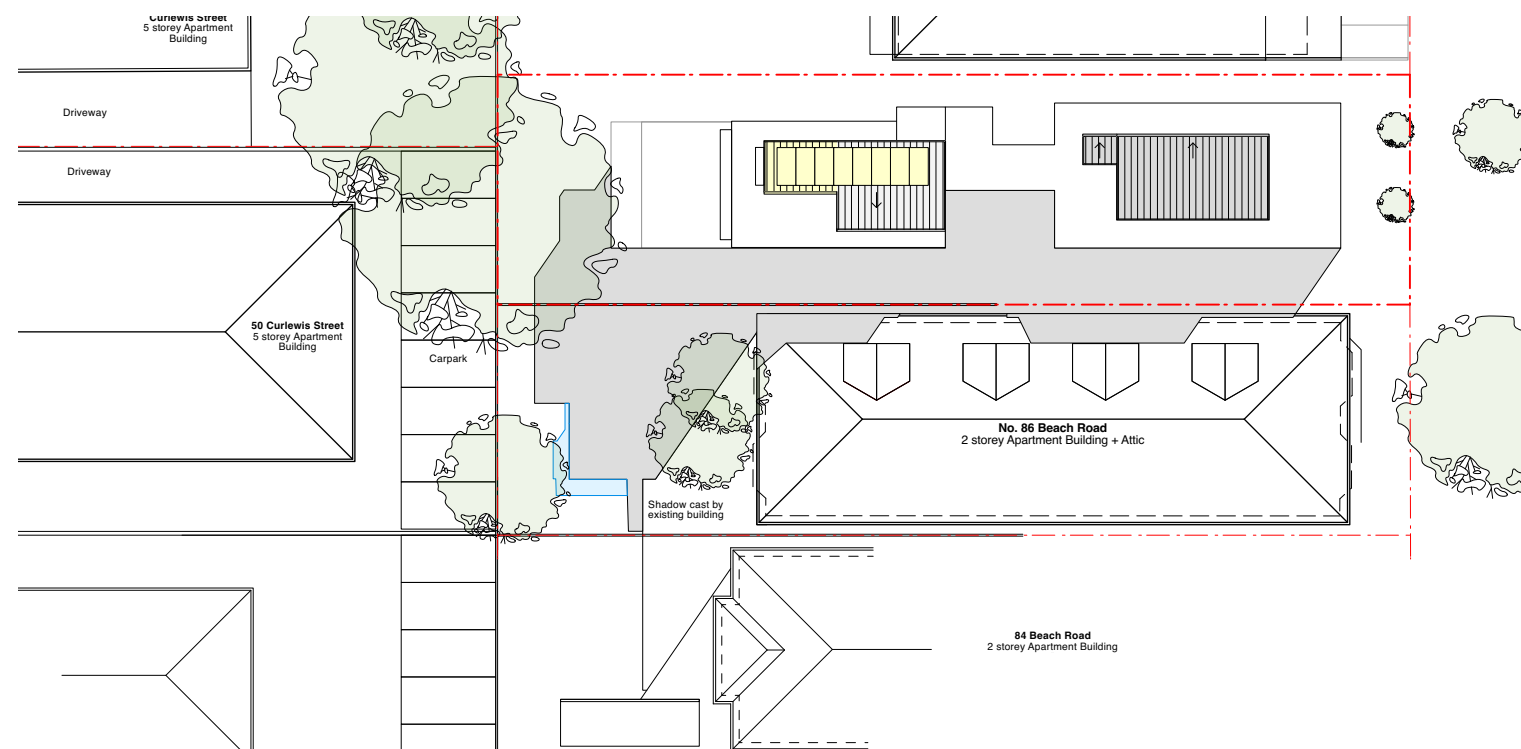
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www.kparchitect.com.au abn 72 736 284 667

Project	Alterations + Additions to Unit 6, 88 Beach Rd Bondi Beach SP95100		
Dwg Title	Shadow Diagrams June 21		
Scale	1:400 (A3)		
Date	June 2024		
Dwg No	2126 / DA.12	Rev	B

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NORTH WEST ELEVATION OF No. 86 SHOWING SHADOW CAST BY No. 88



NORTH WEST ELEVATION OF No. 86 SHOWING SHADOW CAST BY No. 88



SHADOW DIAGRAMS - JUNE 21 (MID-WINTER)

LEGEND

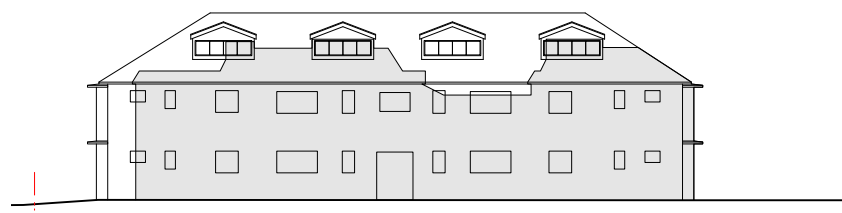
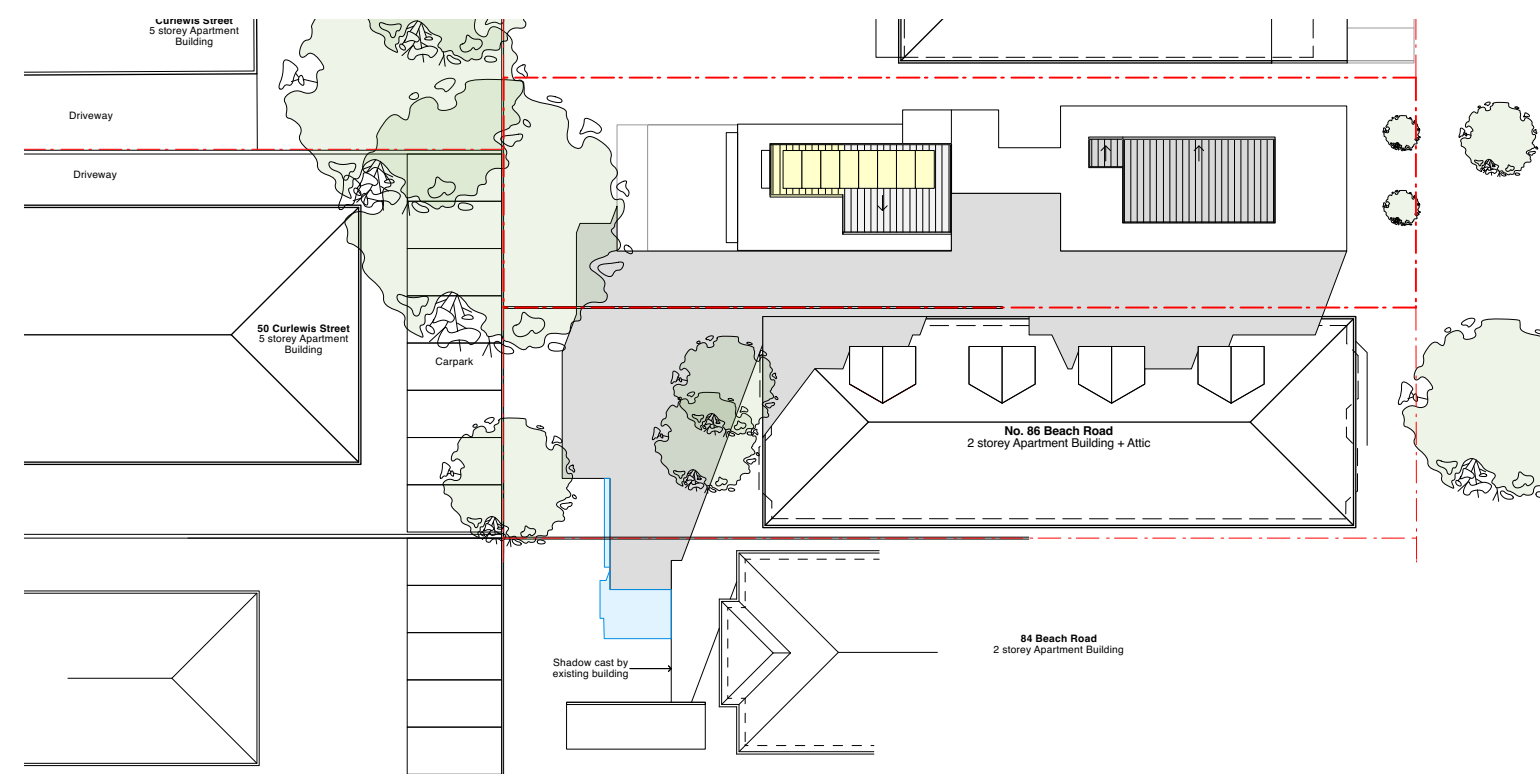
- Existing shadows cast by existing building
- Additional shadows cast by proposed addition

B	Reply to Council Letter	23.07.2024
A	Development Application	27.06.2024
Revision	Amendment	Date



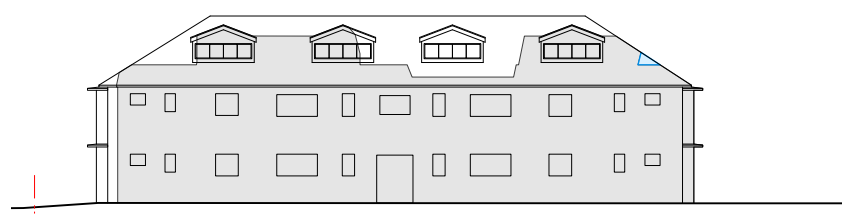
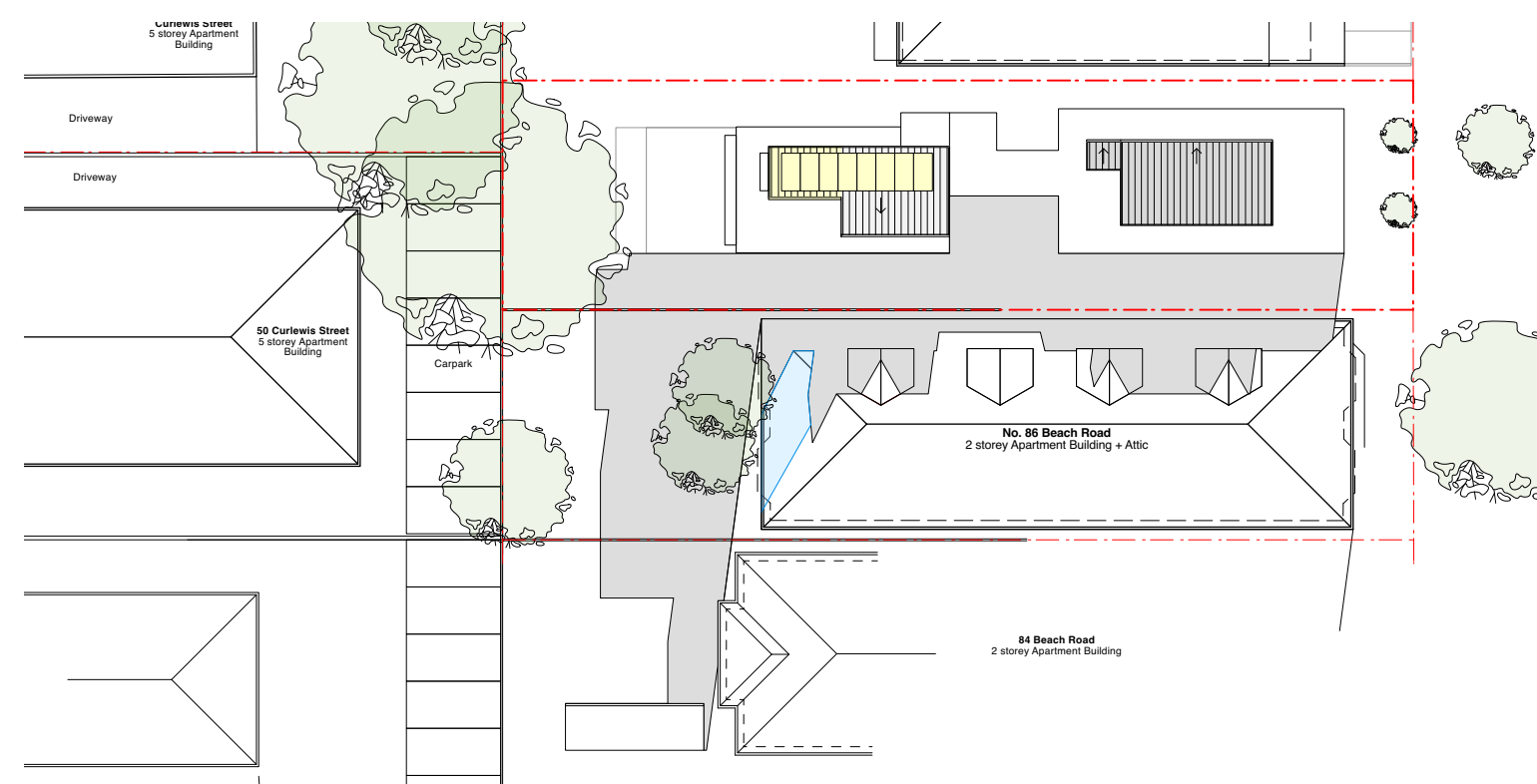
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Project	Alterations + Additions to Unit 6, 88 Beach Rd Bondi Beach SP95100
Dwg Title	Shadow Diagrams June 21
Scale	1:400 (A3)
Date	June 2024
Dwg No	2126 / DA.13 Rev B



NORTH WEST ELEVATION OF No. 86 SHOWING SHADOW CAST BY No. 88

2.00 pm
Azimuth = 329°
Altitude = 26°



NORTH WEST ELEVATION OF No. 86 SHOWING SHADOW CAST BY No. 88

3.00 pm
Azimuth = 316°
Altitude = 19°

SHADOW DIAGRAMS - JUNE 21 (MID-WINTER)

- LEGEND**
- Existing shadows cast by existing building
 - Additional shadows cast by proposed addition

B	Reply to Council Letter	23.07.2024
A	Development Application	27.06.2024
Revision	Amendment	Date



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Project	Alterations + Additions to Unit 6, 88 Beach Rd Bondi Beach SP95100		
Dwg Title	Shadow Diagrams June 21		
Scale	1:400 (A3)		
Date	June 2024		
Dwg No	2126 / DA.14	Rev	B

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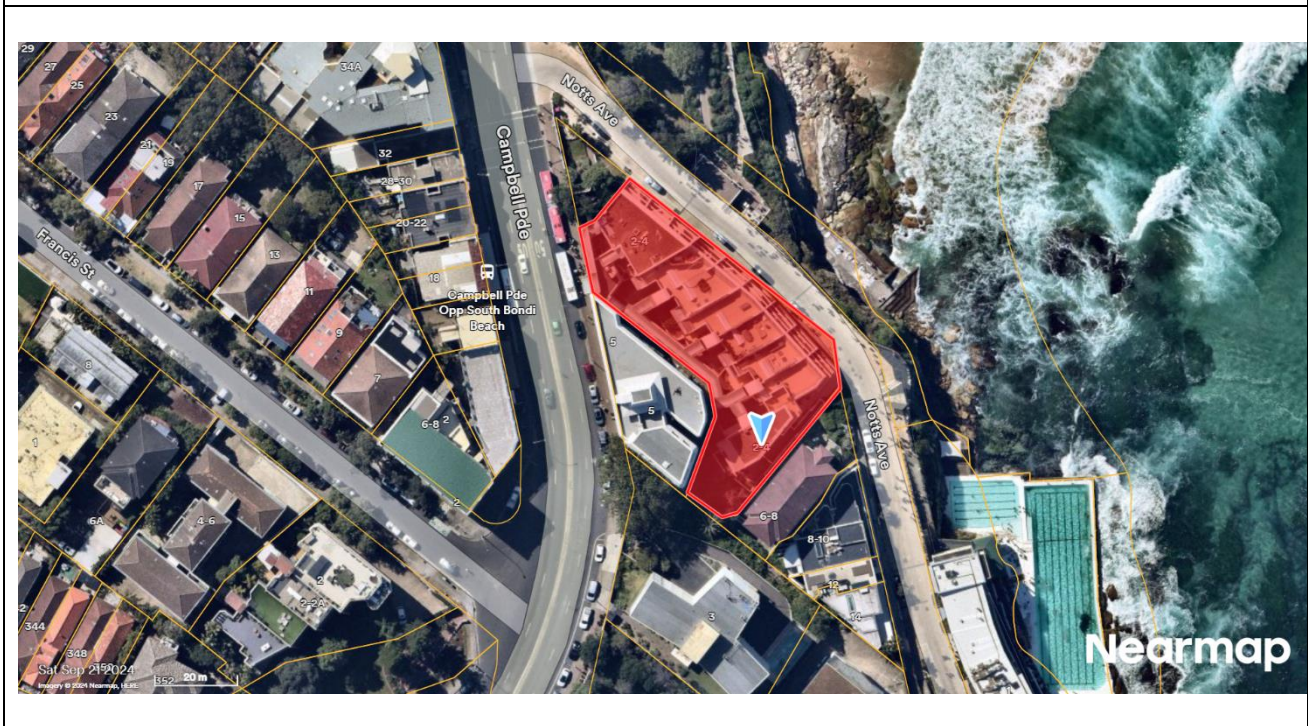
Other Residential Development



Report to the Waverley Local Planning Panel

Application number	DA-295/2024
Site address	18/2-4 Notts Avenue, Bondi Beach
Proposal	Enclosure of existing rear balcony facing private common courtyard areas. Associated demolition, new windows, internal and external finishes.
Date of lodgement	5 July 2024
Owner	Proprietors of Strata Plan 20572, I R Ritossa and M Ritossa
Applicant	I A M Ritossa
Submissions	Nil
Cost of works	\$80,300.00
Principal Issues	Exceedance of the Floor Space Ratio (FSR) 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 to enclose a rear balcony facing private common courtyard areas and includes associated demolition, new windows, and internal and external finishes at the site known as 18/2-4 Notts Avenue, Bondi Beach.

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

- Exceedance of the Floor Space Ratio (FSR) development standard.

The assessment finds these issues acceptable. The proposed balcony enclosure would not be visible from the public domain and would not add to the overall bulk and scale of the residential flat building. The proposed addition will also preserve neighbouring amenity with regard to solar access, privacy, and view loss.

No public or Councillor submissions were received, and there were no declared conflicts of interest on this application from Council staff.

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

1.2. Site and Surrounding Locality

A site visit was carried out on 5 September 2024.

The site is identified as SP 20572, known as 18/2-4 Notts Avenue, Bondi Beach.

The site is located on the south-western side of Notts Avenue in the suburb of Bondi Beach. The site has an area of approximately 2,212m² and has frontages to Campbell Parade and Notts Avenue. It is irregular in shape and has a steep downward slope from the western and southern boundary lines of the site to the north.

The site is occupied by a three to four-storey residential flat building containing 30 units with basement car parking.

The site is located in a mixed-use area comprising residential flat buildings, commercial and retail premises, and recreation areas. Bondi Beach is located directly opposite the site on the other side of Notts Avenue.

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



Figure 1: Streetscape view of the subject site along Notts Avenue.



Figure 2: Streetscape view of the subject site along Notts Avenue.

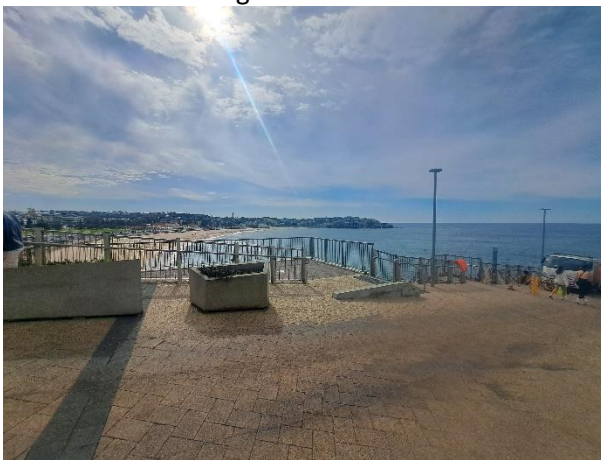


Figure 3: Streetscape view opposite the subject site along Notts Avenue.



Figure 4: Rear view terraces of Unit 13 and Unit 18.

1.3. Relevant Development History

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

- **DA-120/2012:** Alterations and additions to Unit 9, including internal reconfiguration, rear balcony enclosure and a retractable awning was approved on 15 August 2012.
- **DA-244/2012:** Alterations to Unit 24 including internal reconfiguration, partial enclosure of front balcony and full closure of rear balcony was approved on 25 July 2012.
- **DA-445/2011:** New entry door and enclosure of an existing lobby to a residential flat building was approved on 17 November 2011 (application made by Proprietors of Strata Plan 20572).
- **DA-445/2011/A:** Modify proposal to delete conditions 2(a) regarding glazing and 2(b) regarding entry doors was approved on 20 November 2011 (application made by Proprietors of Strata Plan 20572).
- **DA-245/2012:** Alterations to Unit 25 in a residential flat building, including internal reconfiguration and partial enclosure of the front and rear balconies was approved on 25 July 2012.

- **DA-290/2019:** Alterations and additions to Unit 1, including internal reconfiguration, balcony enclosures and front boundary fence modifications was approved 15 January 2020.
- **CD-218/2021:** Alterations to existing Unit 26, reconfiguration of the internal layout and the addition of WC powder room was approved on 3 November 2021.
- **DA-406/2021:** Alterations and additions to Unit 26 to include the enclosure of the existing rear balcony to provide for an enlarged master bedroom, internal reconfiguration and works to the existing roof terrace was approved on 21 January 2022.
- **DA-231/2022:** Alterations including the enclosure of a balcony to Unit 7 at the southern (rear) portion was approved on 3 August 2022.
- **DA-296/2024:** Enclosure of the existing rear balcony to Unit 13 which faces private common courtyard areas and includes associated demolition and construction of window, internal and external finishes was submitted to Council on 5 July 2024. The application has been assessed concurrently with this application.

1.4. Proposal

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

- Demolition of the existing balcony wall and door;
- Enclosing the existing balcony with windows to match adjacent units with regard to materiality and proportions.
- New external window awnings.

1.5. Background

The development application was lodged on 5 July 2024, and the following additional information was requested on 23 July 2024:

- An updated set of architectural plans, as well as an amended Statement of Environmental Effects (SEE) and Clause 4.6 which accurately detailed and took into consideration the GFA/FSR most recently approved for the site under **DA-231/2022**, as well as the GFA/FSR resulting from the works proposed under **DA-296/2024** for Unit 13 which was being assessed concurrently by Council.

The amended plans and documents received on 25 July 2024 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 and 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 (Biodiversity and Conservation) 2021
- SEPP (Resilience and Hazards) 2021

A detailed discussion is provided for relevant SEPP as follows:

SEPP (Housing) 2021

In accordance with Clause (3)(ii) under Chapter 4 *Design of Residential Apartment Development* of SEPP Housing, as the proposal does not constitute substantial redevelopment or refurbishment of an existing building, a further assessment against SEPP Housing and the and Apartment Design Guide (ADG), and referral to the Waverley Design Advisory Excellence Panel (DEAP) was not required.

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 considered consistent with the aims of the plan.
Part 2 Permitted or prohibited development		
Land Use Table <i>R3 Medium Density Residential Zone</i>	Yes	The proposal is defined as a residential flat building, which is permitted with consent in the R3 medium-density residential zone.

Provision	Compliance	Comment																																
Part 4 Principal development standards																																		
4.3 Height of buildings <ul style="list-style-type: none"> 12.5m 	Yes	Satisfactory. The addition is proposed to have a maximum height of 8.2m and complies with the 12.5m building height development standard.																																
4.4 Floor space ratio and <ul style="list-style-type: none"> Site: 2212 m² FSR: 0.9:1 GFA: 1990.8 m² 	No	<p>The proposal comprises a GFA of 3,552.67m², which equates to an FSR of 1.606:1 and exceeds the 0.9:1 FSR development standard by 78.5% as detailed in the table below.</p> <table border="1"> <thead> <tr> <th></th> <th>Existing</th> <th>Proposed</th> <th>Combined with DA-296/2024 (under assessment)</th> </tr> </thead> <tbody> <tr> <td>L1</td> <td>1163.54m²</td> <td>1163.54m²</td> <td>1163.54m²</td> </tr> <tr> <td>L2</td> <td>1079.06m²</td> <td>1,083.45m² (4.39m²)</td> <td>1,087.84m² (8.78m²)</td> </tr> <tr> <td>L3</td> <td>1000.03m²</td> <td>1000.03m²</td> <td>1000.03m²</td> </tr> <tr> <td>L4</td> <td>305.65m²</td> <td>305.65m²</td> <td>305.65m²</td> </tr> <tr> <td>Net GFA</td> <td>3548.25m²</td> <td>3,552.67m²</td> <td>3,557.06m²</td> </tr> <tr> <td>FSR</td> <td>1.604:1</td> <td>1.606:1</td> <td>1.608:1</td> </tr> <tr> <td>%</td> <td>78.2%</td> <td>78.5%</td> <td>78.7%</td> </tr> </tbody> </table>		Existing	Proposed	Combined with DA-296/2024 (under assessment)	L1	1163.54m ²	1163.54m ²	1163.54m ²	L2	1079.06m ²	1,083.45m ² (4.39m ²)	1,087.84m ² (8.78m ²)	L3	1000.03m ²	1000.03m ²	1000.03m ²	L4	305.65m ²	305.65m ²	305.65m ²	Net GFA	3548.25m²	3,552.67m²	3,557.06m²	FSR	1.604:1	1.606:1	1.608:1	%	78.2%	78.5%	78.7%
	Existing	Proposed	Combined with DA-296/2024 (under assessment)																															
L1	1163.54m ²	1163.54m ²	1163.54m ²																															
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L4	305.65m ²	305.65m ²	305.65m ²																															
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FSR	1.604:1	1.606:1	1.608:1																															
%	78.2%	78.5%	78.7%																															
4.6 Exceptions to development standards	See discussion	The application is accompanied by a written request pursuant to clause 4.6 of Waverley LEP 2012 to vary the FSR development standard. A detailed discussion of the variation to the development standard is presented below this table.																																
Part 5 Miscellaneous provisions																																		
5.10 Heritage conservation	Yes	The subject site does not contain a heritage item and is not within a heritage conservation area. However, the site adjoins the Bondi Beach Conservation Area and the Bondi Beach and Park Landscape Conservation Area. The works would not be visible from the public domain, and therefore, the proposal will not result in any impacts on the heritage values of the conservation areas.																																
Part 6 Additional local provisions																																		
6.14 Waste minimisation and recycling	Yes	Satisfactory. No changes are proposed to the waste storage and collection facilities.																																
6.17 Affordable housing contributions	N/A	Does not apply to alterations and additions.																																

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

Clause 4.6 Exceptions to Development Standards

The application seeks to vary the Floor Space Ratio (FSR) development standard in clause 4.4 under Waverley LEP 2012.

The site is subject to a maximum FSR development standard of 0.9:1. The proposed development on its own has an FSR of 1.606:1, exceeding the standard by 1,561.87 m², equating to a 78.5% variation. In conjunction with DA-296/2024, the proposal has an FSR of 1.608:1, exceeding the standard by 1,566.26 m², equating to a 78.7% variation. It is noted that the existing building already exceeds the development standard by 1,557.45 m², equating to a variation of 78.2%.

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

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

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

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

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

- (a) That compliance with the development standard is unreasonable or unnecessary in the circumstances of the case:
 - (i) The proposal achieves the desired medium-density character of the area.
 - (ii) The proposal maintains the existing building's permissible height, bulk, and scale relative to the streetscape and neighbouring properties.
 - (iii) The works are restricted to the rear of the subject site and will not alter the maximum building height.
 - (iv) The proposal retains the existing number of bedrooms. As such, the density will not be altered.
 - (v) The proposed extension does not alter the profile of the existing building.
 - (vi) there will be no visible increase in the bulk or scale of the building.
 - (vii) The proposed works are consistent with several other similar approvals for units in the subject building.
 - (viii) The proposed rear extension will match the neighbouring units.

- (ix) The extension's design demonstrates architectural compatibility with the existing building, and the colour and external finishes are sympathetic to the existing built form and do not detract from the overall appearance of the building.
 - (x) The proposed balcony enclosure will effectively infill the rear portion of the building and will be consistent with the dimensions of the neighbouring unit extensions.
 - (xi) The proposal will not result in any additional overshadowing impact, and removing the balcony at the rear of the building may even provide a slight benefit to other units in the development regarding aural and visual privacy.
 - (xii) The proposal will preserve the amenity of neighbouring properties.
- (b) That there are sufficient environmental planning grounds to justify contravening the standard:
- (i) The proposal does not significantly alter the profile of the existing building, as the variation is located on the rear.
 - (ii) It will not visually increase the bulk or scale of the residential flat building when viewed from the streetscape or neighbouring properties.
 - (iii) The extension's design demonstrates architectural compatibility with the existing building, and the colour and external finishes are sympathetic to the existing built form and do not detract from the overall appearance of the building.
 - (iv) The proposal encloses the existing rear balcony to accommodate a larger bedroom for the occupants of the dwelling. This significantly improves the internal amenity.
 - (v) The proposal has been designed to maintain the amenity of the surrounding residences.
 - (vi) The proposal is considered appropriate in maintaining amenity to residents of the dwelling and neighbours.

Consideration of Applicant's Written Request

The applicant's written request has correctly identified the development standard to be varied and the relevant legislation and has calculated the FSR using the definition in the LEP. The document also addressed the 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 adequately demonstrated that the objectives of the development standard are achieved despite the non-compliance with the development standard. The applicant references the objectives of Clause 4.6, which include appropriate flexibility in applying development standards to achieve better planning outcomes, both for the development and from the development.

The applicant has convincingly demonstrated that the proposed variation to the FSR development standard is acceptable. The proposed enclosure of the southern-facing balcony of Unit 18 aligns with the objectives of preserving the environmental amenity of surrounding properties and the public domain. Specifically, the proposal does not introduce additional privacy or overshadowing impacts on neighbouring properties and maintains existing views from both adjoining properties and the public domain.

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

The applicant has satisfactorily argued that there are sufficient environmental planning grounds to justify contravening the development standard. Although the proposal exceeds the maximum FSR development standard, it is well-designed considering the site's specific circumstances. The proposal aims to improve the amenity of Unit 18 as outlined in their written request. The proposal follows other similar balcony enclosures on the subject site and it is also proposed to match the existing materials and proportion of the existing development. Furthermore, the proposal preserves the amenity of neighbouring dwellings and the public domain with regard to view impacts, visual privacy, and overshadowing.

Conclusion

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

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

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

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

Development Control	Compliance	Comment
1. Waste <ul style="list-style-type: none"> <i>Garbage bins are to be stored in an appropriate location.</i> 	Yes	Satisfactory, a Site Waste and Recycling Plan was submitted. No changes are proposed to the existing bin storage facilities.
2. Ecologically Sustainable Development	Yes	Satisfactory, a BASIX certificate was submitted.
5. Water Management	Yes	Satisfactory.
6. Accessibility and Adaptability	Yes	Satisfactory.
8. Heritage	Yes	Satisfactory. Discussed above.
11. Design Excellence	Yes	Satisfactory. The proposed development achieves a high standard of architectural design, materials, and detailing that is appropriate to the building type and location. Furthermore the amended proposal is considered to strike an effective balance between preserving environmental amenity and solar access to the neighbouring dwellings.

Table 31: Waverley DCP 2022 – Part C2 Other Residential Development Compliance Table

Development Control	Compliance	Comment
2.2 Height		
<ul style="list-style-type: none"> <i>Maximum external wall height: R3/12.5m – 9.5m</i> 	Yes	Satisfactory. The location of the proposed balcony infill is such that it will not alter the existing maximum external wall heights.
2.3.1 Street setbacks		
<ul style="list-style-type: none"> <i>Consistent street setback</i> 	Yes	No proposed changes to the front existing front setback.
2.3.2 Side and rear setbacks		
<ul style="list-style-type: none"> <i>Minimum side setback: 0.9m or 1.5m or 1.5-2.5m</i> <i>Minimum rear setback: 6m or predominant rear building line, whichever is the greater setback</i> 	Yes	The proposal retains the existing building separations and setbacks.
2.5 Building design and streetscape		
<ul style="list-style-type: none"> <i>Respond to streetscape</i> 	Yes	Satisfactory. The balcony enclosure will have no streetscape impact.

Development Control	Compliance	Comment
<ul style="list-style-type: none"> <i>Sympathetic external finishes</i> <i>Removal of original architectural features not supported</i> 	<p>Yes</p> <p>Yes</p>	<p>Satisfactory. The proposed addition demonstrates architectural compatibility with the existing building, and the colour and external finishes are sympathetic to the existing built form and do not detract from the overall appearance of the building.</p> <p>Satisfactory. The proposal retains the original architectural features of the existing development.</p>
2.11 Private Open Space		
<p>2.11.2 – Balconies/decks</p> <ul style="list-style-type: none"> <i>Balcony additions to match the character of the building</i> <i>Should not dominate the façade</i> <i>No wrap around balconies</i> <i>Located to maximise solar access and privacy</i> <i>Balustrades to allow views and casual surveillance of the street & privacy</i> 	<p>Yes</p>	<p>While the proposal removes one balcony, a northern-facing balcony which is accessed from bedroom 1, and the living room and has an area of 14.88m² with a maximum depth of 2.8m will be maintained which is satisfactory.</p>
2.13 Solar access and overshadowing		
<ul style="list-style-type: none"> <i>Minimum of 3 hours of sunlight to a minimum of 70% of units in the development on 21 June</i> <i>New development should maintain at least 2 hours of sunlight to solar collectors on adjoining properties in mid-winter</i> <i>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</i> 	<p>Yes</p> <p>Yes</p> <p>Yes</p>	<p>The proposal would not reduce the extent of solar access received within the subject unit or the site as a whole.</p> <p>There would be no net increase in overshadowing to solar collectors, habitable windows, or the private open space areas of the adjoining properties as a result of the proposal.</p>
2.14 Views and View Sharing		
<ul style="list-style-type: none"> <i>Minimise view loss through design</i> <i>Views from public spaces to be maintained</i> 	<p>Yes</p> <p>Yes</p>	<p>Satisfactory. No impacts on views have been identified while on site, and no submissions have been received that raise an issue with view loss. As such, the proposal is not expected to impact</p>

Development Control	Compliance	Comment
		any known views enjoyed by surrounding properties.
2.15 Visual privacy and security		
<ul style="list-style-type: none"> <i>Dwellings to be orientated to the street with entrances and street numbering visible</i> <i>Privacy should be considered in relation to context density, separation use and design</i> <i>Prevent overlooking of more than 50% of private open space of lower-level dwellings in the same development</i> 	<p>Yes</p> <p>Yes</p> <p>Yes</p>	<p>Whilst the enclosure of balconies to residential flat buildings is generally discouraged, as the proposal will integrate with the existing development and be consistent with other balcony enclosure works undertaken at the site, it is acceptable on merit.</p>
2.16 Dwelling size and layout		
<ul style="list-style-type: none"> <i>Max habitable room depth for single aspect dwelling is 8m from a window</i> <i>Max width of dwelling over 15m deep is min 4m</i> <i>All habitable rooms to have a window</i> <i>Provide a range of dwelling types and sizes</i> <i>Min sizes</i> <ul style="list-style-type: none"> <i>2 bedroom = 80m²</i> <i>Accessible and Adaptable</i> 	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>N/A</p> <p>Yes</p> <p>N/A</p>	<p>The internal area of Unit 18 is proposed to be increased to 100.97 m², exceeding the minimum requirements. In this regard, the proposed unit's size and layout are acceptable.</p> <p>The proposed alterations provide windows to all habitable spaces.</p> <p>All bedrooms meet the minimum requirements in terms of dimensions and area.</p>
2.17 Ceiling Heights		
<ul style="list-style-type: none"> <i>Min 2.7m floor to ceiling height residential floors</i> 	<p>Yes</p>	<p>The ceiling heights within Unit 18 comply with the minimum requirement.</p>
2.18 Storage		
<ul style="list-style-type: none"> <i>In addition to kitchen cupboards and bedroom wardrobes, min storage required is: 2 bed = 8m³</i> <i>All to provide bulk storage area in basement or ancillary structure</i> 	<p>Yes</p>	<p>Satisfactory. The storage for Unit 18 is not proposed to be altered.</p>
2.19 Acoustic privacy		
<ul style="list-style-type: none"> <i>Internal amenity by locating noisy areas away from quiet areas</i> 	<p>Yes</p>	<p>The enclosure of the rear south-facing balcony will likely improve aural privacy for neighbouring units by removing an additional outdoor balcony space. The proposal is not anticipated to give rise to additional acoustic privacy concerns.</p>
2.20 Natural Ventilation		

Development Control	Compliance	Comment
<ul style="list-style-type: none"> All dwellings to be naturally cross-ventilated Building to be orientated to maximise breezes 	<p>Yes</p> <p>Yes</p>	<p>The altered bedroom of Unit 18 is provided with at least one window for natural ventilation. Unit 18 has dual aspect. In this regard, 100% of the unit can be naturally cross-ventilated.</p> <p>The proposal uses a combination of full-height openable doors and slot windows to achieve appropriate cross-ventilation within the building.</p>

Table 24: Waverley DCP 2022 – Part E2 – Bondi Beachfront Areas

Development Control	Compliance	Comment
2.1 General Controls		
2.1.3 Built Form		
<ul style="list-style-type: none"> new and refurbished buildings are sympathetic to the scale and height of existing buildings. 	Yes	Satisfactory. The proposed addition demonstrates architectural compatibility with the existing building, matching the existing development's detailing and proportion.
<ul style="list-style-type: none"> built form does not negatively impact the access to sunlight in public open spaces. 	Yes	Satisfactory. There is no additional overshadowing.
<ul style="list-style-type: none"> provide high-quality internal environments for occupants 	Yes	Satisfactory. The proposal accommodates a larger bedroom for the occupants of the dwelling, which will significantly improve the internal amenity.
<ul style="list-style-type: none"> External sun shading must be consistent with the style and articulation of the building. Sun shading must not project beyond the principal façade. 	Yes	Satisfactory. The proposed external sun shading attached to the balcony enclosure will match the style of the existing building.
2.1.5 Views		
<ul style="list-style-type: none"> Proposed development should avoid impacting existing views where possible. 	Yes	Satisfactory. As discussed in section 2.14, the proposal is not expected to impact any known views enjoyed by surrounding properties.
2.2 Character Areas		
2.2.1 Notts Avenue		
<p>Objectives:</p> <ul style="list-style-type: none"> To maintain a residential character and support a diversity of residential accommodation in the area. 	Yes	Satisfactory. The proposed balcony enclosure maintains the residential character and diversity of residential accommodation in the area. There are no proposed changes to its land use, the maximum external wall height or the number of storeys.

<p><i>Controls:</i></p> <ul style="list-style-type: none"> • <i>Land Use to remain residential</i> • <i>A maximum of 3 storeys with a maximum external wall height of 10m.</i> • <i>Façade materials and finishes</i> 	<p>Yes</p> <p>Yes</p> <p>Yes</p>	<p>The proposed materials, finishes and window proportions will also match the existing development.</p>
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2.2. Other Impacts of the Development

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

2.3. Suitability of the Site for the Development

The site is considered suitable for the proposal.

2.4. Any Submissions

The application was notified for 14 days between 7 August 2024 and 21 August 2024 in accordance with the *Community Engagement Strategy 2023*.

No submissions were received.

2.5. Public Interest

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

3. REFERRALS

The following internal referral comments were sought:

3.1. Fire Safety

Council's Fire Safety Engineer reviewed the application and advised that a fire safety upgrade order for the subject property has been issued, however is still outstanding. Additionally, there are potential fire separation issues with the proposal. The engineer provided conditions of approval to address these concerns.

4. CONCLUSION

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

Managers of Development Assessment (MODA) Review

The application was reviewed by the MODA at the meeting on 1 October 2024, and the MODA concurred with the Assessment Planner's recommendation.

MODA members: *A Rossi, B McNamara, B Magistrale and Jo Zancanaro*

5. RECOMMENDATION TO WAVERLEY LOCAL PLANNING PANEL

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

Report prepared by:	Application reviewed and agreed by:	Application reviewed and agreed by:
		
Damien Wilmotte	Karis Keenan	Angela Rossi
Development Assessment Planner	Acting Manager, Development Assessment	Executive Manager, Development Assessment
Date: 27 September 2024	Date: 9 October 2024	Date: 11 October 2024

Reason for WLPP referral:

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

OFFICE USE ONLY

Planning Portal Data	
<p>Clause 4.6 register entry required</p> <p>(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)</p>	78.5% variation to FSR (Clause 4.4)
	<input checked="" type="checkbox"/> Pre-existing non-compliance
	<input checked="" type="checkbox"/> No change to overall building height
	<input checked="" type="checkbox"/> No change to overall building envelope
	Variation limited to the [lift/plant/parapet/attic] only
	<input checked="" type="checkbox"/> No unreasonable impacts on the amenity of adjoining properties or streetscape
	<input checked="" type="checkbox"/> Sufficient environmental planning grounds
	<input checked="" type="checkbox"/> Consistent with the objectives of the standard

		[insert another reason here if required]
Determining Authority (Concurrence Authority for Clause 4.6 variation)	Local Planning Panel	
Were the requirements of the Sustainable Buildings SEPP (effective 1 October 2023) met?	Yes	
Have any dwellings been approved for affordable Rental Housing under this approval/consent? *This is a planning portal reporting requirement	No	
Secondary Dwelling *This is a planning portal reporting requirement	No	
Boarding House *This is a planning portal reporting requirement	No	
Group Home *This is a planning portal reporting requirement	No	
Is the development subject to the Special Infrastructure Contribution (SIC)?	No	
Is the development located within an Urban Release area?	No	
Waverley Council Data		
Trial Period database entry required	No	
VPA submitted – follow up actions required	No	
Refer to compliance for investigation	No	
Commercial/liquor operational conditions	No	
Was there a 'Conflict of Interest' declared	No	

APPENDIX A: CONDITIONS OF CONSENT

Terms and Reasons for Conditions

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

GENERAL CONDITIONS

CONDITION																													
1.	<p>APPROVED PLANS AND DOCUMENTATION</p> <p>The development must be in accordance with:</p> <p>(a) Architectural Plans prepared by Tzannes of Project No: 95023 including the following:</p> <table border="1"> <thead> <tr> <th>Plan Number and Revision</th> <th>Plan description</th> <th>Plan Date</th> <th>Date received by Council</th> </tr> </thead> <tbody> <tr> <td>000 Rev B</td> <td>Cover Sheet</td> <td>28/08/2023</td> <td>30/09/2024</td> </tr> <tr> <td>001 Rev B</td> <td>Site / Analysis Plan</td> <td>28/08/2023</td> <td>30/09/2024</td> </tr> <tr> <td>100 Rev B</td> <td>Floor Plan</td> <td>28/08/2023</td> <td>30/09/2024</td> </tr> <tr> <td>200 Rev B</td> <td>Elevations</td> <td>28/08/2023</td> <td>30/09/2024</td> </tr> <tr> <td>300 Rev B</td> <td>Sections</td> <td>28/08/2023</td> <td>30/09/2024</td> </tr> <tr> <td>500 Rev B</td> <td>Unit Floor Plan GFA</td> <td>28/08/2023</td> <td>30/09/2024</td> </tr> </tbody> </table> <p>(b) BASIX Certificate</p> <p>(c) The Site Waste and Recycling Management Plan (SWRMP) Part 1 05/07/2024</p> <p>Except where amended by the following conditions of consent.</p> <p>Condition reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.</p>	Plan Number and Revision	Plan description	Plan Date	Date received by Council	000 Rev B	Cover Sheet	28/08/2023	30/09/2024	001 Rev B	Site / Analysis Plan	28/08/2023	30/09/2024	100 Rev B	Floor Plan	28/08/2023	30/09/2024	200 Rev B	Elevations	28/08/2023	30/09/2024	300 Rev B	Sections	28/08/2023	30/09/2024	500 Rev B	Unit Floor Plan GFA	28/08/2023	30/09/2024
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BUILDING WORK

BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE

	CONDITION
2.	<p>NO BUILDING OR DEMOLITION WORKS PRIOR TO RELEASE OF CONSTRUCTION CERTIFICATE</p> <p>The building work, or demolition work, must not be commenced until:</p> <ul style="list-style-type: none"> (a) a Construction Certificate has been obtained from Council or an Accredited Certifier in accordance with the <i>Environmental Planning and Assessment Act 1979</i>; (b) a Principal Certifying Authority has been appointed and Council has been notified of the appointment in accordance with the <i>Environmental Planning and Assessment Act 1979</i> and <i>Environmental Planning and Assessment Regulation 2021</i>; and (c) Council is given at least two days' notice in writing of the intention to commence the building works. <p>Condition reason: To ensure a Construction Certificate is obtained prior to work commencing.</p>
3.	<p>SECTION 7.12 CONTRIBUTION</p> <p>A monetary development contribution is payable to Waverley Council pursuant to section 7.12 of the <i>Environmental Planning and Assessment Act 1979</i> and the Waverley Council Development Contributions Plan in accordance with the following:</p> <ul style="list-style-type: none"> (a) Where the total development cost is \$500,000 or less: <ul style="list-style-type: none"> (i) a Cost Summary Report or Building Contract (dated within 12 months) or similar is to be submitted to Council's Customer Service Centre to process payment. (b) Where the total development cost is more than \$500,000 but less than \$1,000,000: <ul style="list-style-type: none"> (i) a Detailed Cost Report (dated within 12 months) prepared by a registered Quantity Surveyor, Building Contract, or similar is to be submitted to Council's Customer Service Centre to process payment. (c) Where the total development cost is \$1,000,000 or more: <ul style="list-style-type: none"> (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). <ul style="list-style-type: none"> a. 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.

	<p>(ii) Upon confirmation of the contribution amount by Council’s Executive Manager, Urban Planning, Policy and Strategy (or delegate), payment is to be processed via the Customer Service Centre.</p> <p>(iii) Should there be a discrepancy between the cost of works approved in subclause (b)(i) and the DA fee nominated in the original DA, then additional DA Fees may be payable prior to the issue of a Construction Certificate.</p> <p>A copy of the required format for the cost reports are provided in the Waverley Council Contributions Plan, available on Council’s website.</p> <p>(d) As legislated in section 209 of the Environmental Planning and Assessment Regulation 2021, the levy must be paid in accordance with the following;</p> <p>(i) A development valued at \$100,000 or less will be exempt from the levy;</p> <p>(ii) A development valued at \$100,001 - \$200,000 will attract a levy of 0.5% of the <u>full</u> cost of the development; or</p> <p>(iii) A development valued at more than \$200,000 will attract a levy of 1% of the <u>full</u> cost of the development.</p> <p>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.</p>
	<p>Condition reason: To ensure the Section 7.12 Contributions are paid.</p>
<p>4.</p>	<p>SECURITY DEPOSIT</p> <p>A deposit (cash or cheque) for the amount of \$3,465.00 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.</p> <p>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.</p> <p>Condition reason: To ensure any damage to public infrastructure is rectified and public works can be completed.</p>
<p>5.</p>	<p>LONG SERVICE LEVY</p> <p>A long service levy, as required under section 34 of the <i>Building and Construction Industry Long Service Payments Act, 1986</i>, 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.</p> <p><u>Note:</u> 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.</p> <p>Condition reason: To ensure the long service levy is paid.</p>

6.	<p>HOARDING</p> <p>To ensure the site is contained during construction, a hoarding is required for the approved works, which is to be designed and constructed in accordance with the requirements of Safe Work NSW. Where the hoarding is to be erected over the footpath or any public place, the approval of Council's Compliance Unit must be obtained and the applicable fees paid, prior to the erection of the hoarding.</p> <p>Condition reason: To ensure safety to the general public.</p>
7.	<p>EROSION & SEDIMENT CONTROL</p> <p>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.</p> <p>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.</p> <p>The recommendations of the SWMP must be implemented and maintained during all construction activities and until the site is fully stabilised following construction.</p> <p>Condition reason: To ensure sediment laden runoff and site debris do not impact local stormwater systems and waterways.</p>
8.	<p>BUILDING CODE OF AUSTRALIA</p> <p>All building work must be carried out in accordance with the requirements of the NCC Building Code of Australia. At the time of the issue of the Construction Certificate (CC). The proposed external wall cladding to be non-combustible to comply with Clause C2D10 of the NCC.</p> <p>Note:</p> <p>If compliance with the deemed-to-satisfy provisions of the NCC BCA cannot be achieved, a performance based alternative solution in accordance with Part A2 of the NCC BCA must be prepared by a suitably qualified and accredited fire engineer and be submitted to the Certifying Authority illustrating how the relevant performance requirements of the NCC BCA are to be satisfied.</p> <p>Condition reason: To ensure building fire safety and compliance with the Building Code of Australia.</p>
9.	<p>ENGINEERING DETAILS</p> <p>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.</p> <p>Condition reason: To ensure structural stability of work on site.</p>
10.	<p>BASIX</p> <p>All requirements of the BASIX Certificate documentation is to be shown on the Construction Certificate plans and documentation.</p> <p>Condition reason: To ensure BASIX requirements are met.</p>

11.	SITE WASTE AND RECYCLING MANAGEMENT PLAN
	<p>A <i>Site Waste and Recycling Management Plan (SWRMP) - Part 2</i> 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 <i>SWRMP Part 2</i> 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.</p>
	<p>Condition reason: To ensure resource recovery is promoted and the local amenity is protected during construction.</p>

BEFORE BUILDING WORK COMMENCES

	CONDITION
12.	<p>CONSTRUCTION SIGNS</p> <p>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.</p> <p>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.</p>
13.	<p>DEMOLITION – ASBESTOS AND HAZARDOUS MATERIALS</p> <p>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:</p> <ul style="list-style-type: none"> (i) Work Health and Safety Act 2011; (ii) Work Health and Safety Regulation 2017; (iii) SafeWork NSW Code of Practice for the Safe Removal of Asbestos; (iv) Australian Standard 2601 (2001) – Demolition of Structures; (v) <i>Protection of the Environment Operations Act 1997</i>. <p>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:</p> <ul style="list-style-type: none"> (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. <p>Condition reason: To ensure the safety of workers and the general public.</p>

14.	<p data-bbox="395 194 911 226">ESSENTIAL SERVICES - EXISTING BUILDING</p> <p data-bbox="395 248 1394 421">Details of the currently implemented and proposed essential fire safety measures shall be submitted with the Construction Certificate, in the form of a Fire Safety Schedule. This Schedule shall be prepared by a person competent to do so and shall specify the minimum standard of performance for each essential fire safety measure included in the Schedule.</p> <p data-bbox="395 443 1394 544">At the completion of the installation, a Final Fire Safety Certificate shall be attached to the Occupation Certificate, certifying that each essential fire safety measure specified within the current Fire Safety Schedule:</p> <ul style="list-style-type: none"> <li data-bbox="395 562 1086 593">(a) has been assessed by a properly qualified person; and <li data-bbox="395 611 1394 685">(b) found to be capable of performing to at least the standard required by the current Fire Safety Schedule for the building for which the Certificate is issued. <p data-bbox="395 719 1394 790">Condition reason: To ensure compliance with the Building Code of Australia in relation to fire safety.</p>
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DURING BUILDING WORK

CONDITION	
15.	<p>CONTROL OF DUST ON CONSTRUCTION SITES</p> <p>The following requirements apply to demolition and construction works on site:</p> <p>(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.</p> <p>(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.</p> <p>Condition reason: To ensure the safety of workers and the general public.</p>
16.	<p>CONSTRUCTION HOURS</p> <p>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.</p> <p>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.</p> <p>Noise from construction activities shall comply with the <i>Protection of the Environmental Operations (Noise Control) Regulation 2017</i>.</p> <p>Condition reason: To protect the amenity of the surrounding area.</p>
17.	<p>STOCKPILES, STORAGE OF MATERIALS AND LOCATION OF BUILDING OPERATIONS</p> <p>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.</p> <p>Condition reason: To ensure building material is stored in an appropriate location.</p>
18.	<p>CONSTRUCTION INSPECTIONS</p> <p>The building works are to be inspected during construction by the Principal Certifying Authority (PCA) in accordance with the <i>Building Legislation Amendment (Quality of Construction) Act 2002, Part 8 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021</i> and the requirements of any other applicable legislation or instruments.</p> <p>Condition reason: To ensure regular inspections occur throughout the construction process.</p>

19.	WORK OUTSIDE PROPERTY BOUNDARY
	This consent does not authorise any work outside the property boundary.
	Condition reason: To ensure buildings are sited and positioned in the approved location.

BEFORE ISSUE OF AN OCCUPATION CERTIFICATE

	CONDITION
20.	<p>FINAL OCCUPATION CERTIFICATE</p> <p>Prior to occupation or use of the development, an Occupation Certificate must be obtained.</p> <p>The Principal Certifying Authority must be satisfied that the requirements of the <i>Environmental Planning & Assessment Act 1979</i> have been satisfied including all critical stage inspections. Documentary evidence of all required inspections is to be submitted to Council.</p> <p>Condition reason: To ensure an Occupation Certificate is issued prior to occupation or use of the development.</p>
21.	<p>CERTIFICATION OF BASIX COMMITMENTS</p> <p>The Principal Certifying Authority shall certify that the all the undertakings in the approved BASIX certificate have been completed.</p> <p>Condition reason: To ensure all the undertakings in the approved BASIX certificate have been completed.</p>

GENERAL ADVISORY NOTES

CONDITION	
1.	<p>DEVELOPMENT IS TO COMPLY WITH LEGISLATION</p> <p>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.</p>
2.	<p>DEVELOPMENT MUST MEET CONDITIONS OF CONSENT</p> <p>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.</p>
3.	<p>POST CONSENT CONDITIONS REQUIRING COUNCIL INPUT</p> <p>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:</p> <ul style="list-style-type: none"> (a) Please read your conditions carefully. (b) 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. (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 14days. Times may vary or be delayed if information is not received in this required manner. (k) Any queries, please contact Council’s Duty Planner on duty.planner@waverley.nsw.gov.au

4.	<p>DIAL BEFORE YOU DIG</p> <p>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.</p>
5.	<p>TELECOMMUNICATIONS ACT 1997 (COMMONWEALTH)</p> <p>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.</p>
6.	<p>ALTERATIONS AND ADDITIONS ONLY</p> <p>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.</p>

Dictionary

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

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

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

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

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

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

Council means Waverley Council.

Court means the Land and Environment Court of NSW.

EPA means the NSW Environment Protection Authority.

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

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

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

Local planning panel means Waverley Local Planning Panel.

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

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

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

Stormwater drainage system means all works and facilities relating to:

- the collection of stormwater,
- the reuse of stormwater,
- the detention of stormwater,
- the controlled release of stormwater, and
- connections to easements and public stormwater systems.

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

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

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

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

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

DRAWING LIST

Drawing No.	Drawing Title	Revision
000	COVER SHEET	B
001	SITE / ANALYSIS PLAN	B
002	GFA CALCULATIONS	A
100	FLOOR PLAN	B
200	ELEVATIONS	B
300	SECTIONS	B
500	UNIT FLOOR PLAN GFA	B

Project address	
Project name	2-4 Notts Ave_Unit 18
Street address	2-4 Notts Avenue Bondi Beach 2026
Local Government Area	Waverley Council
Plan type and number	Strata Plan 20572
Lot number	18
Section number	
Project type	
Dwelling type	Unit
Type of alteration and addition	My renovation work is valued at \$50,000 or more.

Construction	Show on DA Plans	Show on CC/CDC Plans & specs	Certifier Check						
Insulation requirements The applicant must construct the new or altered construction (floor(s), walls, and ceilings/roofs) in accordance with the specifications listed in the table below, except that a) additional insulation is not required where the area of new construction is less than 2m2, b) insulation specified is not required for parts of altered construction where insulation already exists.	✓	✓	✓						
<table border="1"> <thead> <tr> <th>Construction</th> <th>Additional insulation required (R-value)</th> <th>Other specifications</th> </tr> </thead> <tbody> <tr> <td>external wall: other/undecided</td> <td>R1.70 (including construction)</td> <td></td> </tr> </tbody> </table>	Construction	Additional insulation required (R-value)	Other specifications	external wall: other/undecided	R1.70 (including construction)				
Construction	Additional insulation required (R-value)	Other specifications							
external wall: other/undecided	R1.70 (including construction)								

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 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.	✓	✓	✓														
Windows and glazed doors glazing requirements																	
<table border="1"> <thead> <tr> <th>Window / door no.</th> <th>Orientation</th> <th>Area of glass inc. frame (m2)</th> <th>Overshadowing Height (m)</th> <th>Distance (m)</th> <th>Shading device</th> <th>Frame and glass type</th> </tr> </thead> <tbody> <tr> <td>W1</td> <td>SW</td> <td>7.6</td> <td>0</td> <td>0</td> <td>eave/verandah/pergola/balcony >=450 mm</td> <td>aluminium, single Lo-Tsol low-e, (U-value: 5.6, SHGC: 0.36)</td> </tr> </tbody> </table>	Window / door no.	Orientation	Area of glass inc. frame (m2)	Overshadowing Height (m)	Distance (m)	Shading device	Frame and glass type	W1	SW	7.6	0	0	eave/verandah/pergola/balcony >=450 mm	aluminium, single Lo-Tsol low-e, (U-value: 5.6, SHGC: 0.36)	✓	✓	✓
Window / door no.	Orientation	Area of glass inc. frame (m2)	Overshadowing Height (m)	Distance (m)	Shading device	Frame and glass type											
W1	SW	7.6	0	0	eave/verandah/pergola/balcony >=450 mm	aluminium, single Lo-Tsol low-e, (U-value: 5.6, SHGC: 0.36)											

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



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Rev	Date	For
A	29.05.23	DRAFT
B	28.08.23	DEVELOPMENT APPLICATION

Client

Client Name
RITOSSA

Legend

Scale North

@ A1

Project

Unit 18 / 2-4 Notts Ave

Address

Unit 18 / 2-4 Notts Ave
Bondi Beach NSW 2026

Status

NOT FOR CONSTRUCTION

Drawing

COVER SHEET

Date Created	Drawn	Checked
20/04/23	BC	BC

Project No.	Drawing No.	Revision
95023	000	B

RECEIVED
Waverley Council
Application No: DA-295/2024
Date Received: 30/09/2024

Rev	Date	For
A	29.05.23	DRAFT
B	28.08.23	DEVELOPMENT APPLICATION

Client
 Client Name
 RITOSSA

Legend

Tzannes

Scale North

1 : 200 @ A1

Project
 Unit 18 / 2-4 Notts Ave

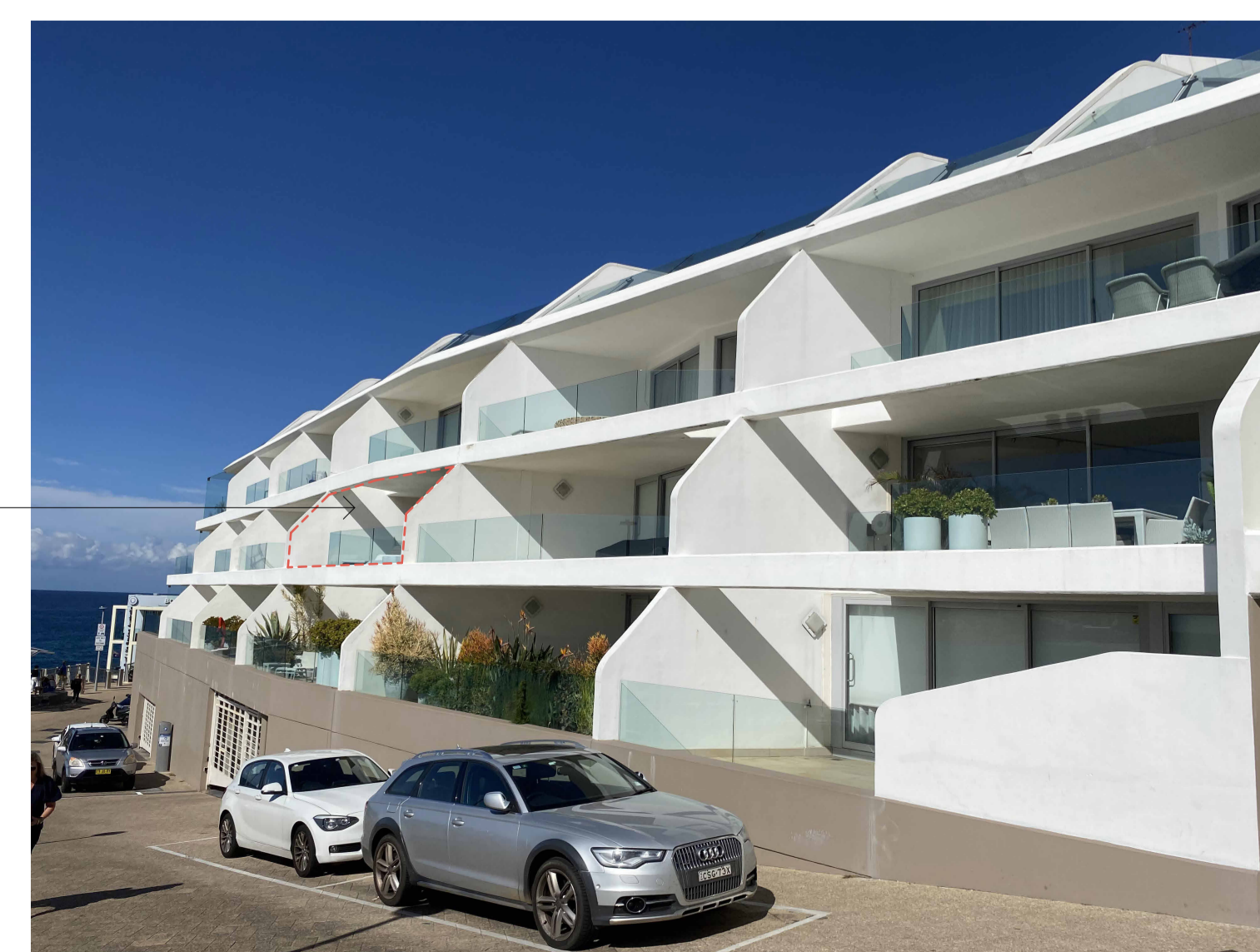
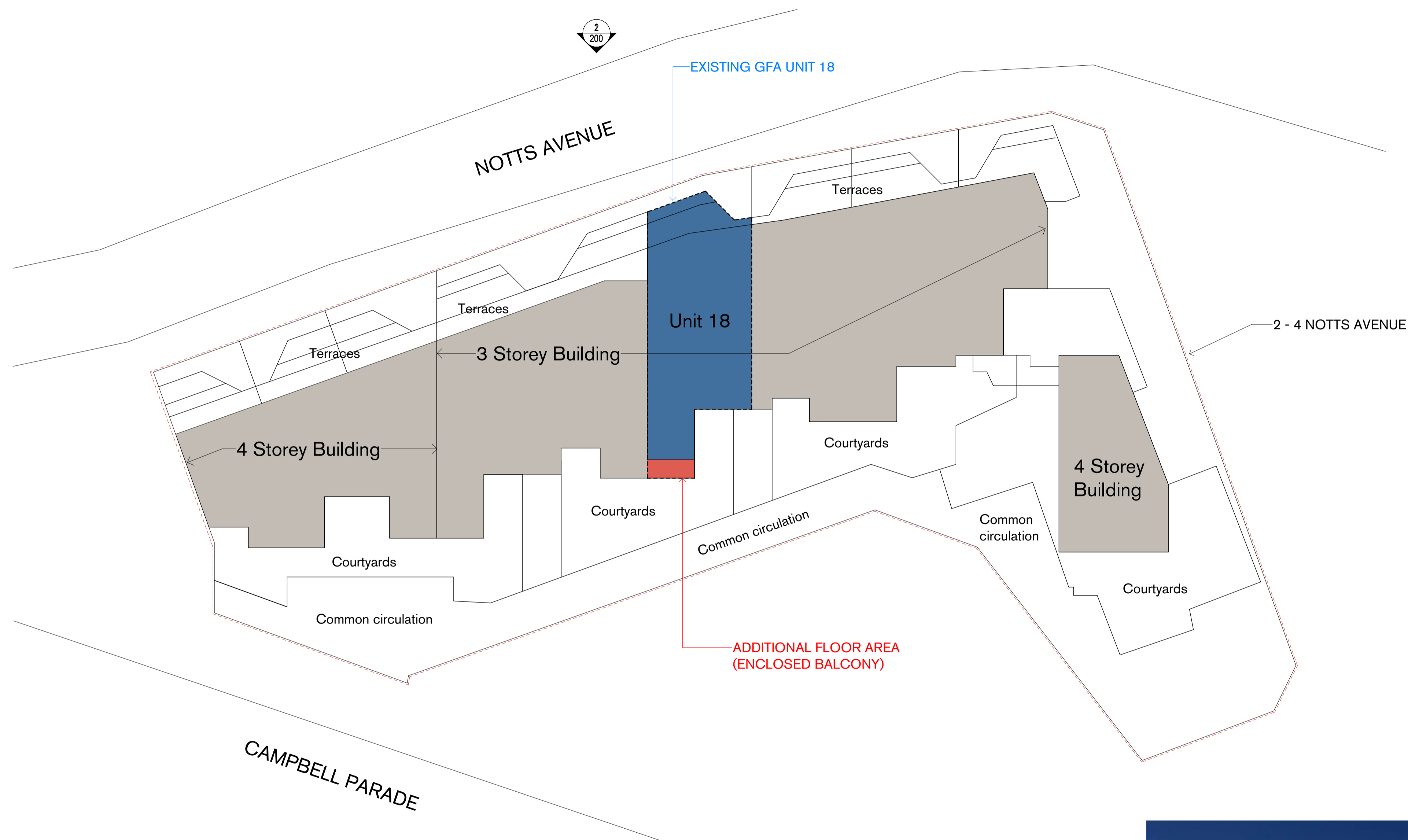
Address
 Unit 18 / 2-4 Notts Ave
 Bondi Beach NSW 2026

Status
 NOT FOR CONSTRUCTION

Drawing
 SITE / ANALYSIS PLAN

Date Created	Drawn	Checked
20/04/23	BC	BC

Project No.	Drawing No.	Revision
95023	001	B



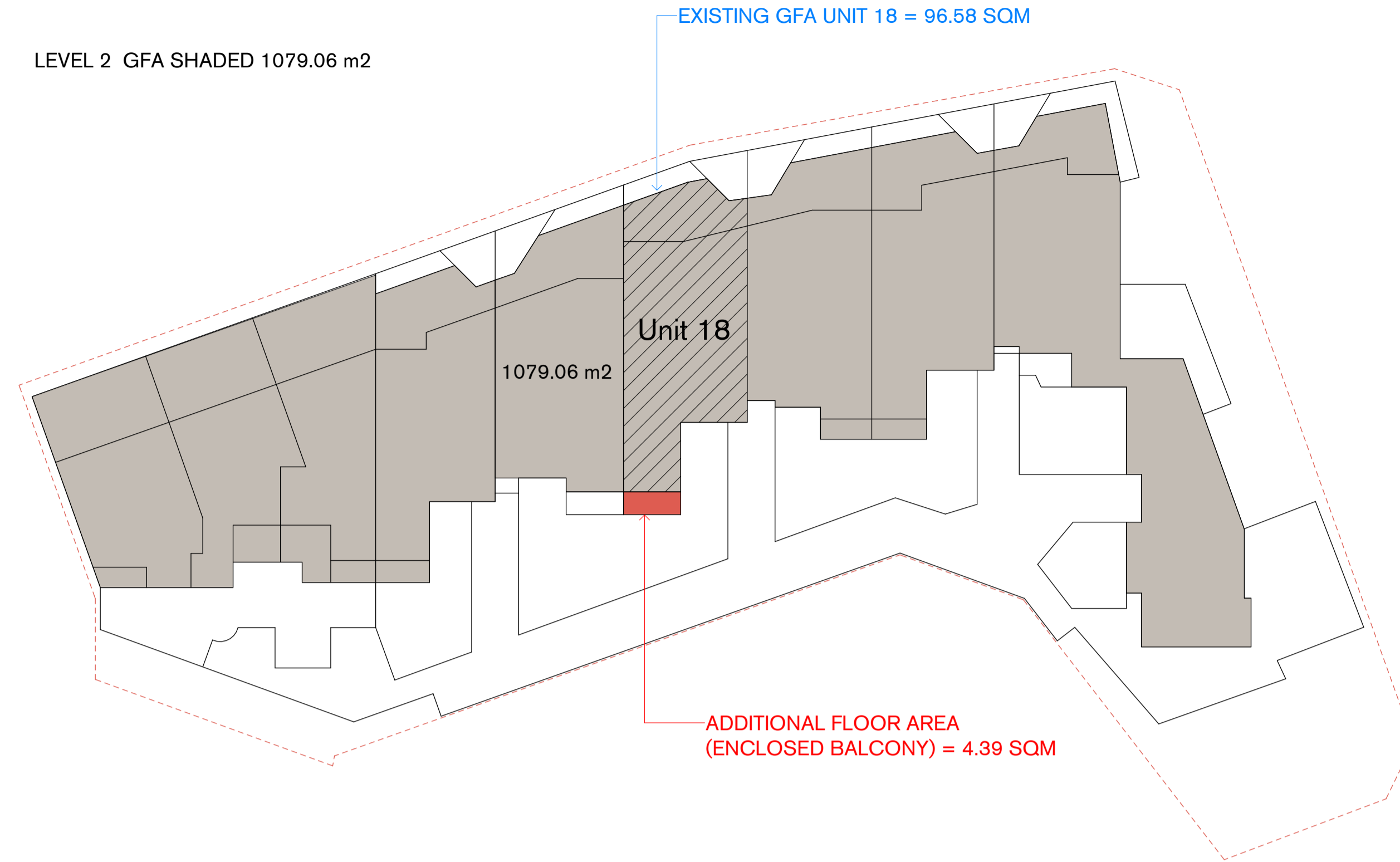
UNIT 18

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 Application No: DA-295/2024
 Date Received: 30/09/2024

LEVEL 1 GFA SHADED
1089.63 + 73.91 = 1163.54 m²



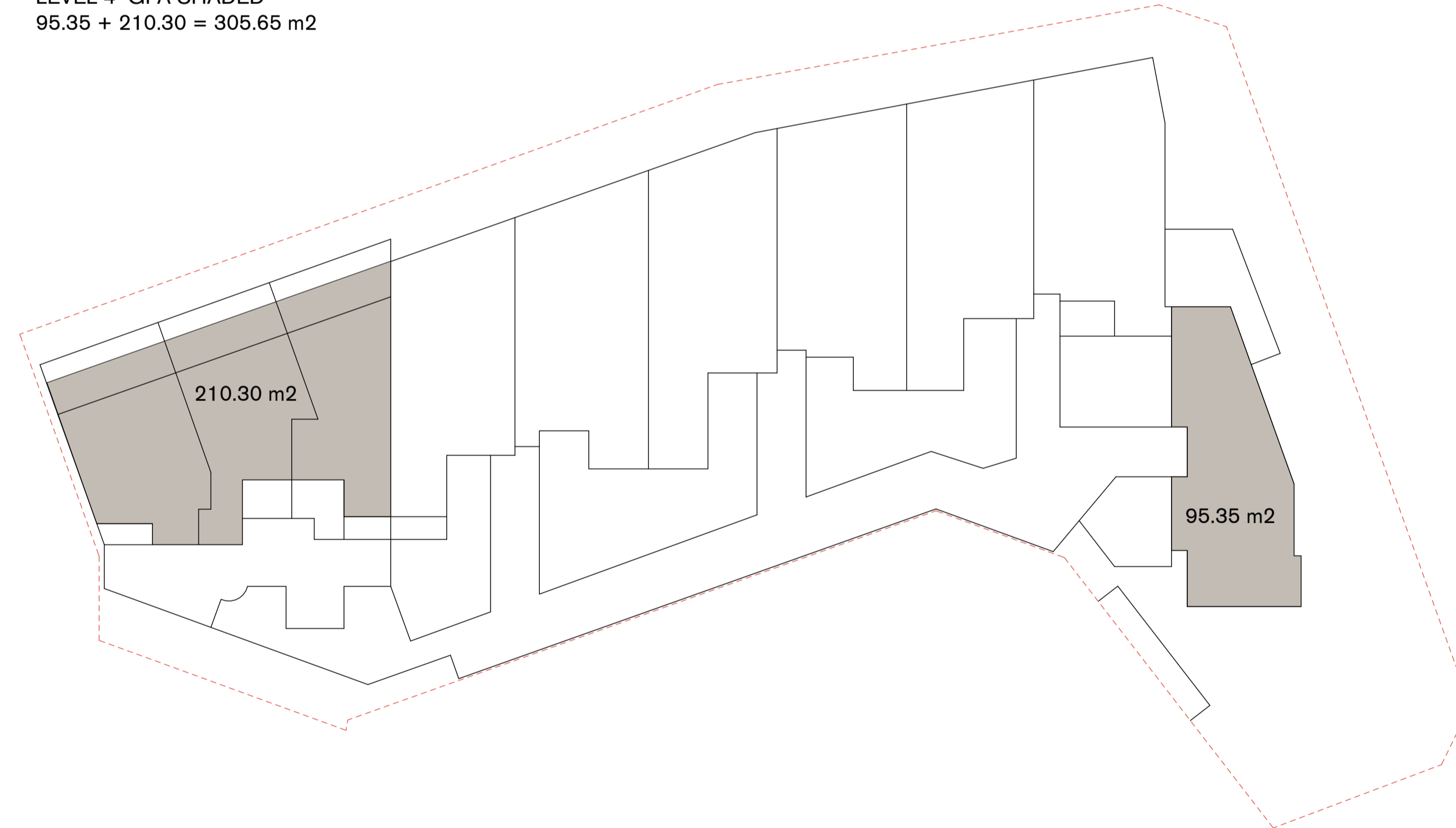
LEVEL 2 GFA SHADED 1079.06 m²



LEVEL 3 GFA SHADED
995.75 m²



LEVEL 4 GFA SHADED
95.35 + 210.30 = 305.65 m²



EXISTING GFA:

LEVEL 1 - 1163.54 m²
LEVEL 2 - 1079.06 m²
LEVEL 3 - 1000.03 m²
LEVEL 4 - 305.65

TOTAL EXISTING GFA = 3548.28 m²

FSR CALCULATIONS:

EXISTING LOT AREA - 2212 SQM EXISTING
BUILDING GFA - 3548.28 SQM EXISTING
BUILDING FSR = 1.604:1

EXISTING UNIT 18 GFA - 87.15 SQM PROPOSED
UNIT 18 GFA - 100.97 SQM PROPOSED
ADDITIONAL AREA - 4.39 SQM

PROPOSED BUILDING GFA - 3552.67 SQM
PROPOSED BUILDING FSR - 1.606:1

NOTE: CONCURRENT APPLICATION FOR
ADJACENT UNIT 13.
COMBINED APPLICATION AREA CALCULATIONS:
COMBINED ADDITIONAL GFA: 8.78 SQM
COMBINED PROPOSED GFA: 3557.06 SQM
COMBINED PROPOSED FSR: 1.608:1

NOTES:

GFA OF EXISTING BUILDING IS BASED ON
COUNCILS HISTORICAL DATA OF APPROVALS
WITHIN THE DEVELOPMENT. MOST RECENTLY
DATA OBTAINED FROM THE APPROVAL OF
UNIT 7/2-4 NOTTS AVE (DA 231/2022).
APPROVED 03/08/2022

REFER CLAUSE 4.6 'EXCEPTION TO THE DEVELOPMENT
STANDARDS - FSR' SUBMITTED WITH APPLICATION

BASEMENTS INCLUDE CAR PARKING, PLANT AND CIRCULATION
AREAS - NO ADDITIONAL GFA

RECEIVED
Waverley Council
Application No: DA-295/2024
Date Received: 30/09/2024



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Rev	Date	For
A	28.08.23	DEVELOPMENT APPLICATION
B	23.07.24	REVISED GFA / FSR INFO
C	30.09.24	REVISED GFA / FSR INFO

Client

Client Name
RITOSSA

Legend

Scale

1 : 250 @ A1

North



Project

Unit 18 / 2-4 Notts Ave

Address

Unit 18 / 2-4 Notts Ave
Bondi Beach NSW 2026

Status

NOT FOR CONSTRUCTION

Drawing

GFA CALCULATIONS

Date Created	Drawn	Checked
20/04/23	BC	BC
Project No.	Drawing No.	Revision
95023	002	C

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Rev	Date	For
A	29.05.23	DRAFT
B	28.08.23	DEVELOPMENT APPLICATION

Client
 Client Name
 RITOSSA

Legend

Tzannes

Scale
 1 : 50 @ A1

North



Project
 Unit 18 / 2-4 Notts Ave

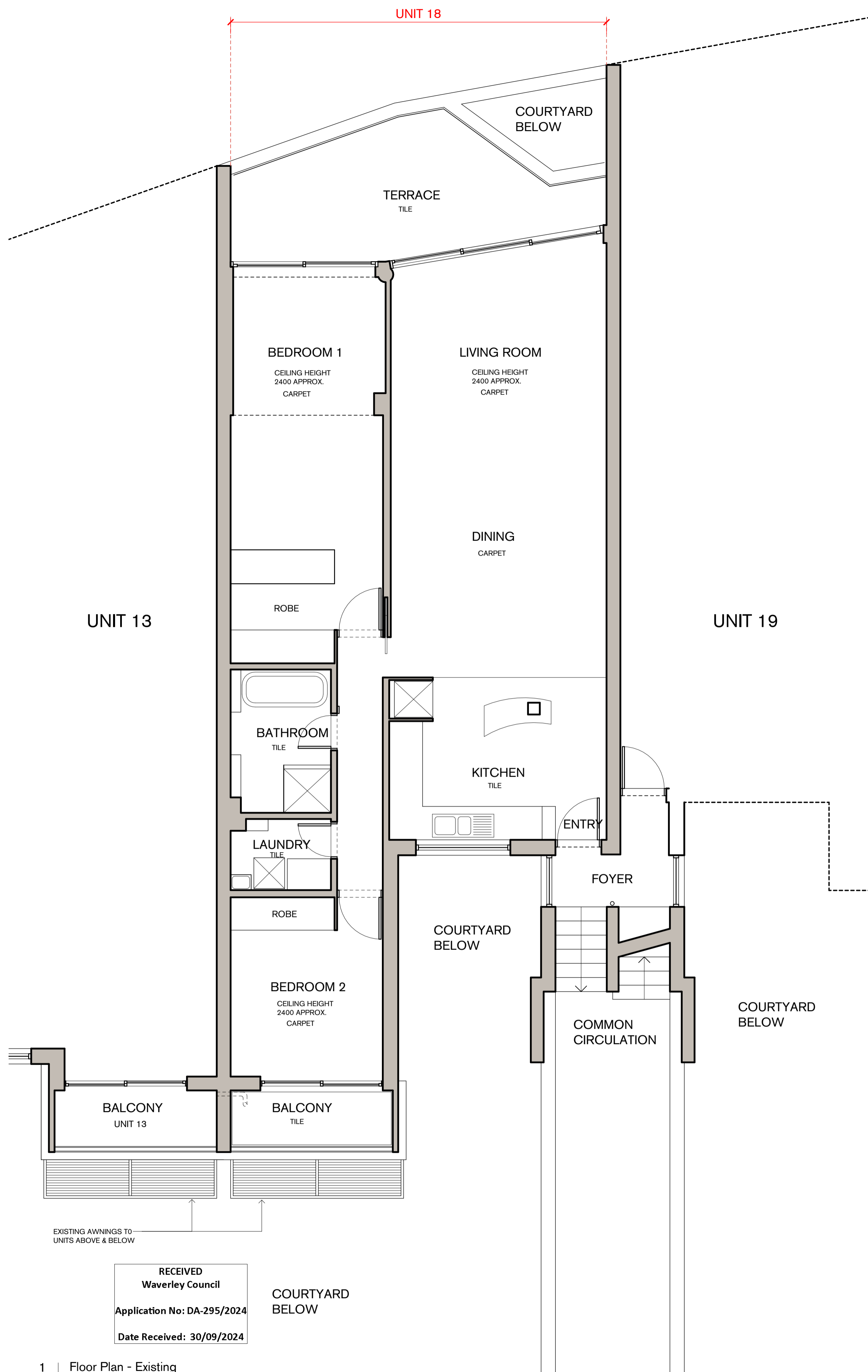
Address
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 Bondi Beach NSW 2026

Status
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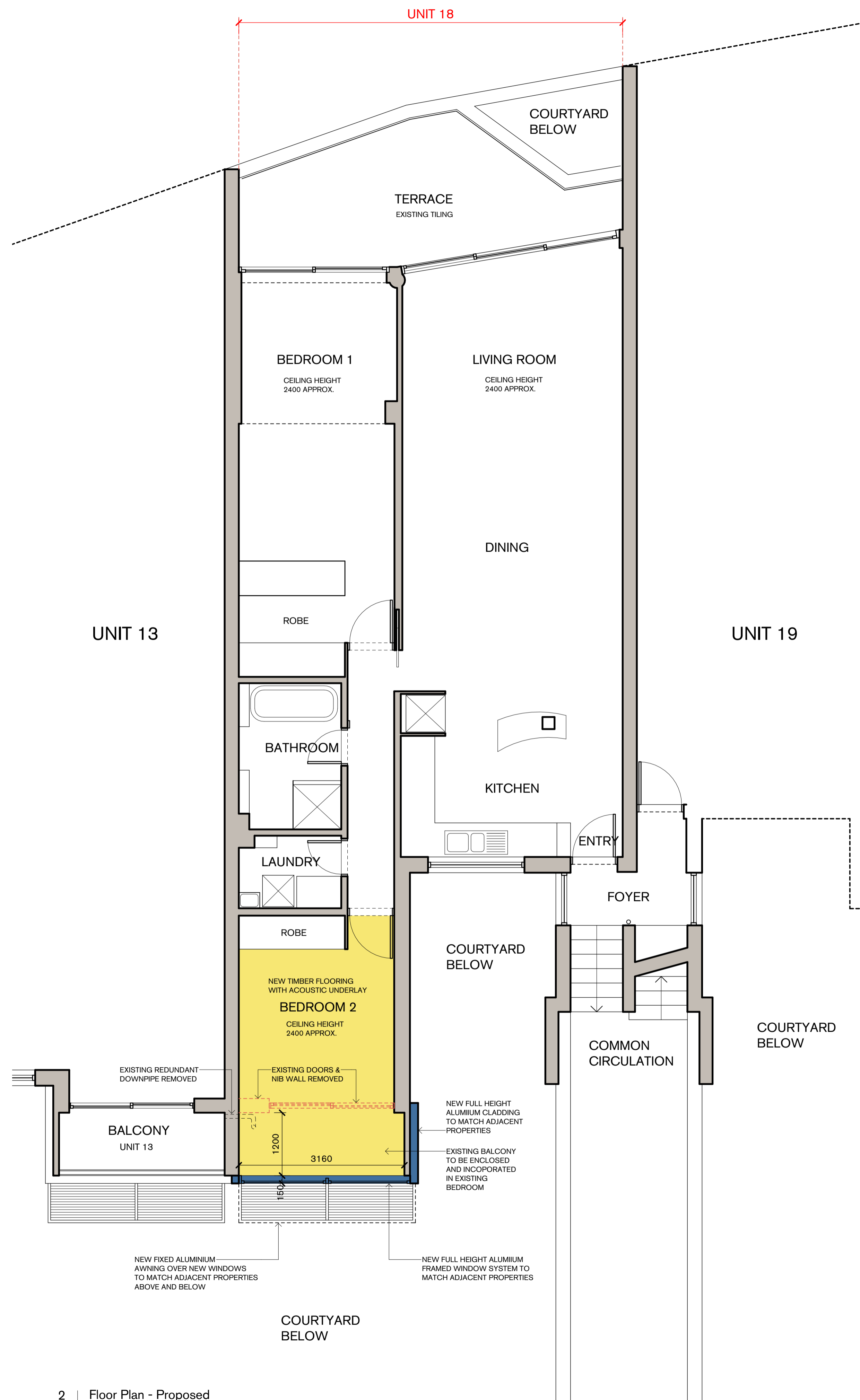
Drawing
 FLOOR PLAN

Date Created 20/04/23
Drawn BC
Checked BC

Project No. 95023
Drawing No. 100
Revision B



1 | Floor Plan - Existing
 1 : 50



2 | Floor Plan - Proposed
 1 : 50



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Rev	Date	For
A	29.05.23	DRAFT
B	28.08.23	DEVELOPMENT APPLICATION
C	02.07.24	MATERIALS / FINISHES ADDED

Client

Client Name
 RITOSSA

Legend

Tzannes

Scale North

1 : 50 @ A1

Project

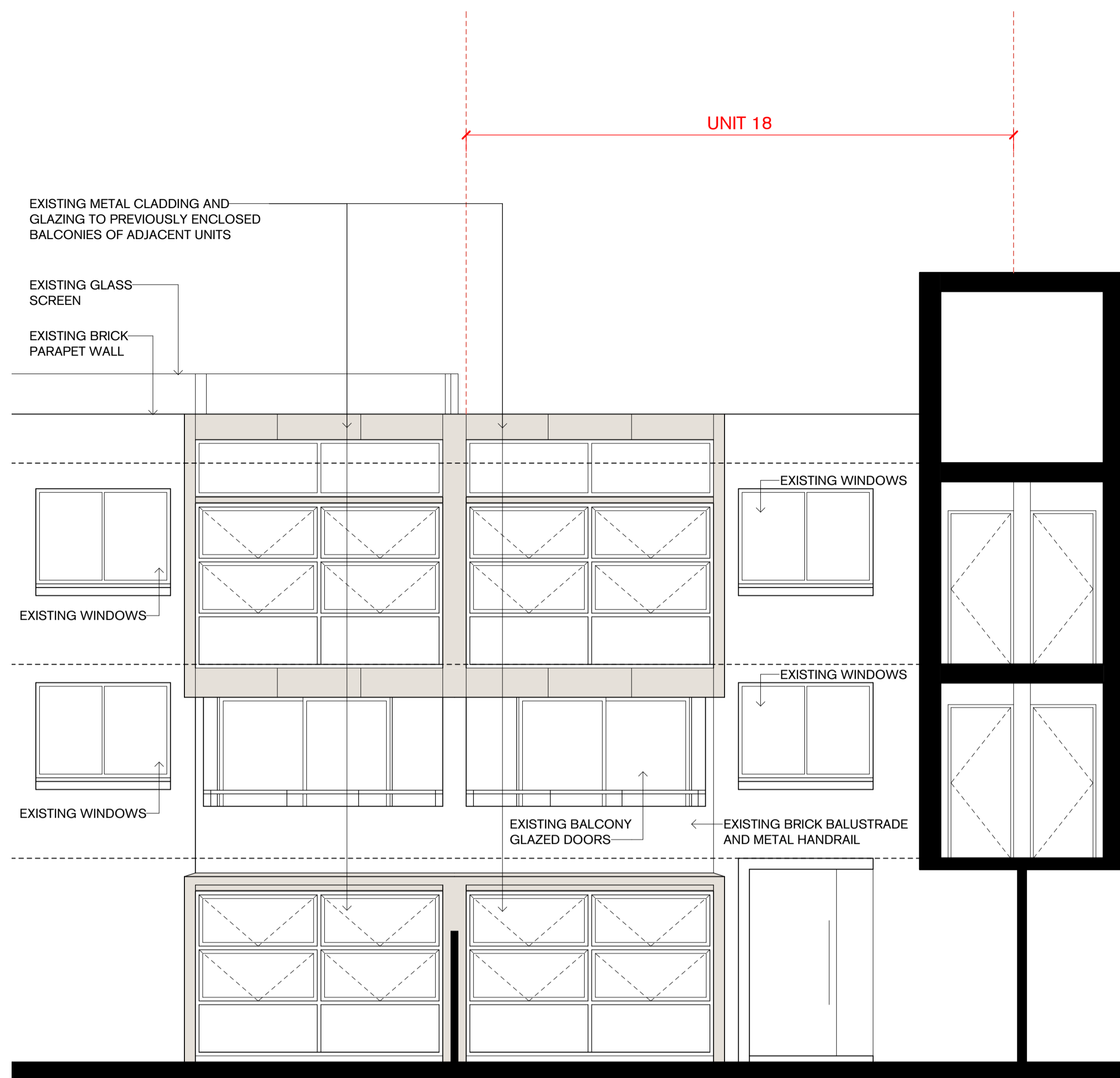
Unit 18 / 2-4 Notts Ave

Address
 Unit 18 / 2-4 Notts Ave
 Bondi Beach NSW 2026

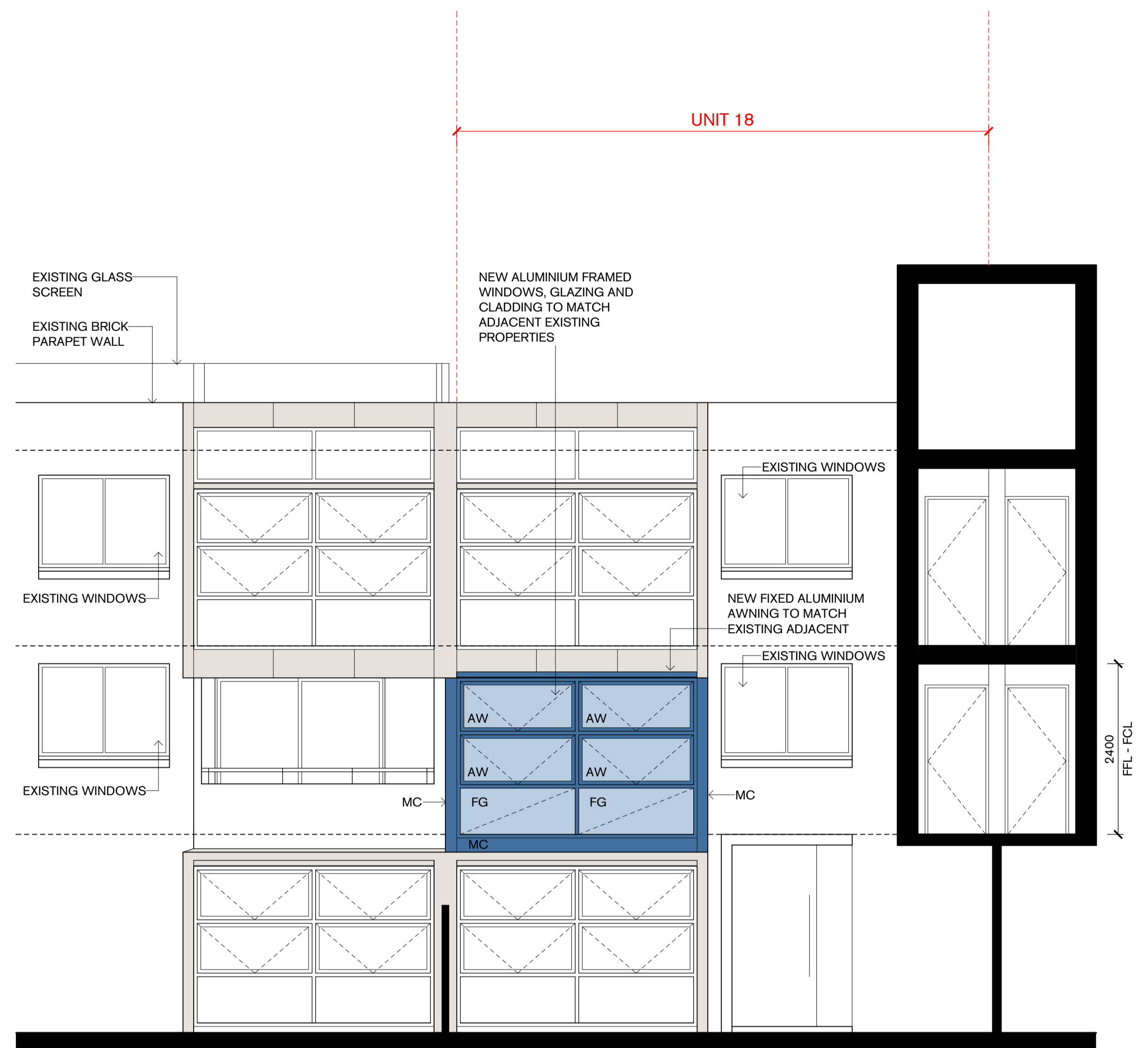
Status
 NOT FOR CONSTRUCTION

Drawing
 ELEVATIONS

Date Created	Drawn	Checked
08/24/22	BC	BC
Project No.	Drawing No.	Revision
95023	200	C



1 | Elevation - Existing
 1:50



2 | Elevation - Proposed
 1:50

ALUMINIUM LOUVRE:
 LIGHT GREY-TO MATCH EXISTING TO
 ADJACENT UNITS

ALUMINIUM FRAMED CLEAR GLAZING:
 TO MATCH EXISTING TO ADJACENT
 UNITS

ALUMINIUM EXTERNAL CLADDING:
 LIGHT GREY-TO MATCH EXISTING
 TO ADJACENT UNITS

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 Application No: DA-295/2024
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PROPOSED MATERIALS & FINISHES





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B	28.08.23	DEVELOPMENT APPLICATION

Client
 Client Name
 RITOSSA

Legend

Tzannes

Scale North

1 : 50 @ A1

Project
 Unit 18 / 2-4 Notts Ave

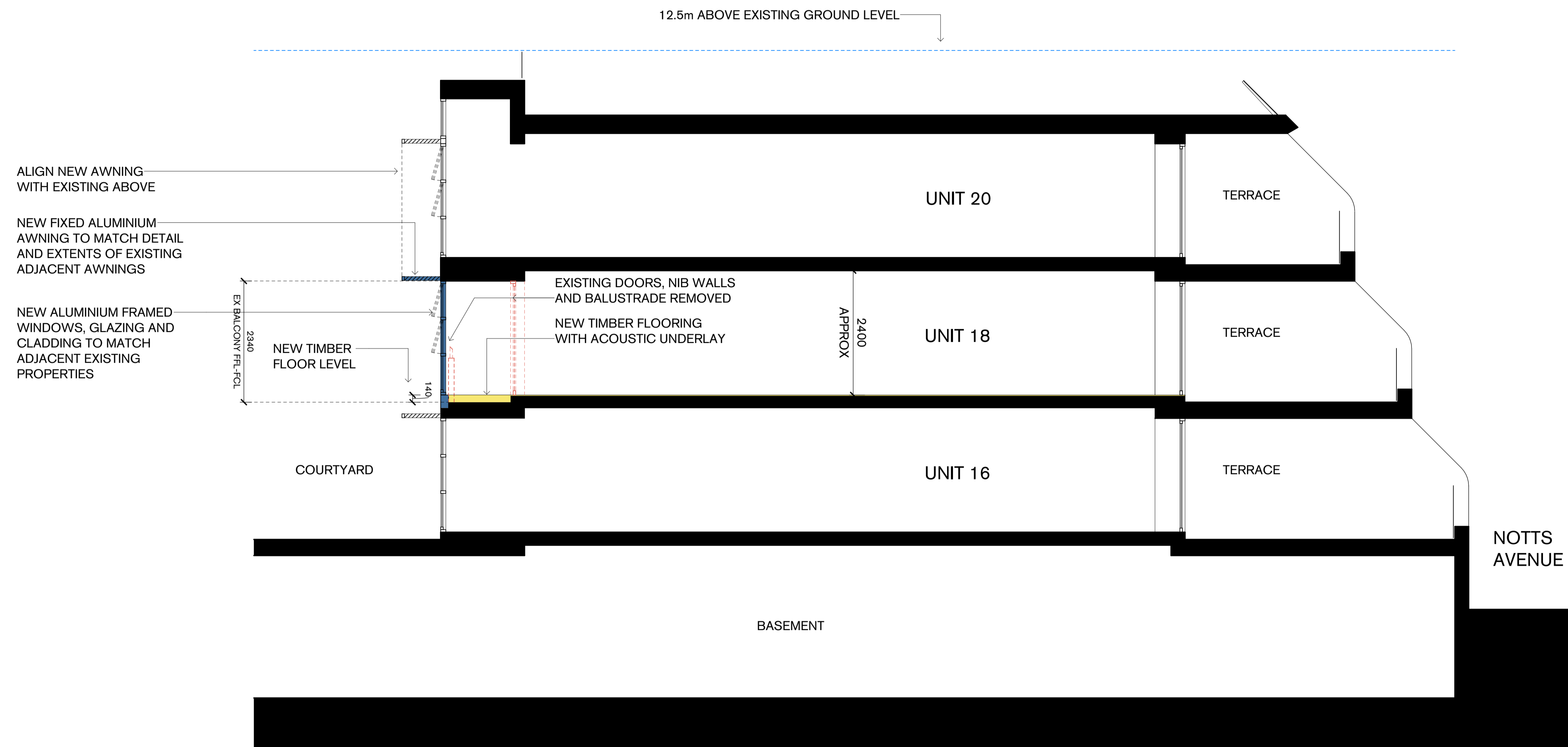
Address
 Unit 18 / 2-4 Notts Ave
 Bondi Beach NSW 2026

Status
 NOT FOR CONSTRUCTION

Drawing
 SECTIONS

Date Created 20/04/23
Drawn BC
Checked BC

Project No. 95023
Drawing No. 300
Revision B



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 Application No: DA-295/2024
 Date Received: 30/09/2024



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Rev	Date	For
A	29.05.23	DRAFT
B	28.08.23	DEVELOPMENT APPLICATION

Client
 Client Name
 RITOSSA

Legend

Tzannes

Scale 1 : 50 @ A1
 North

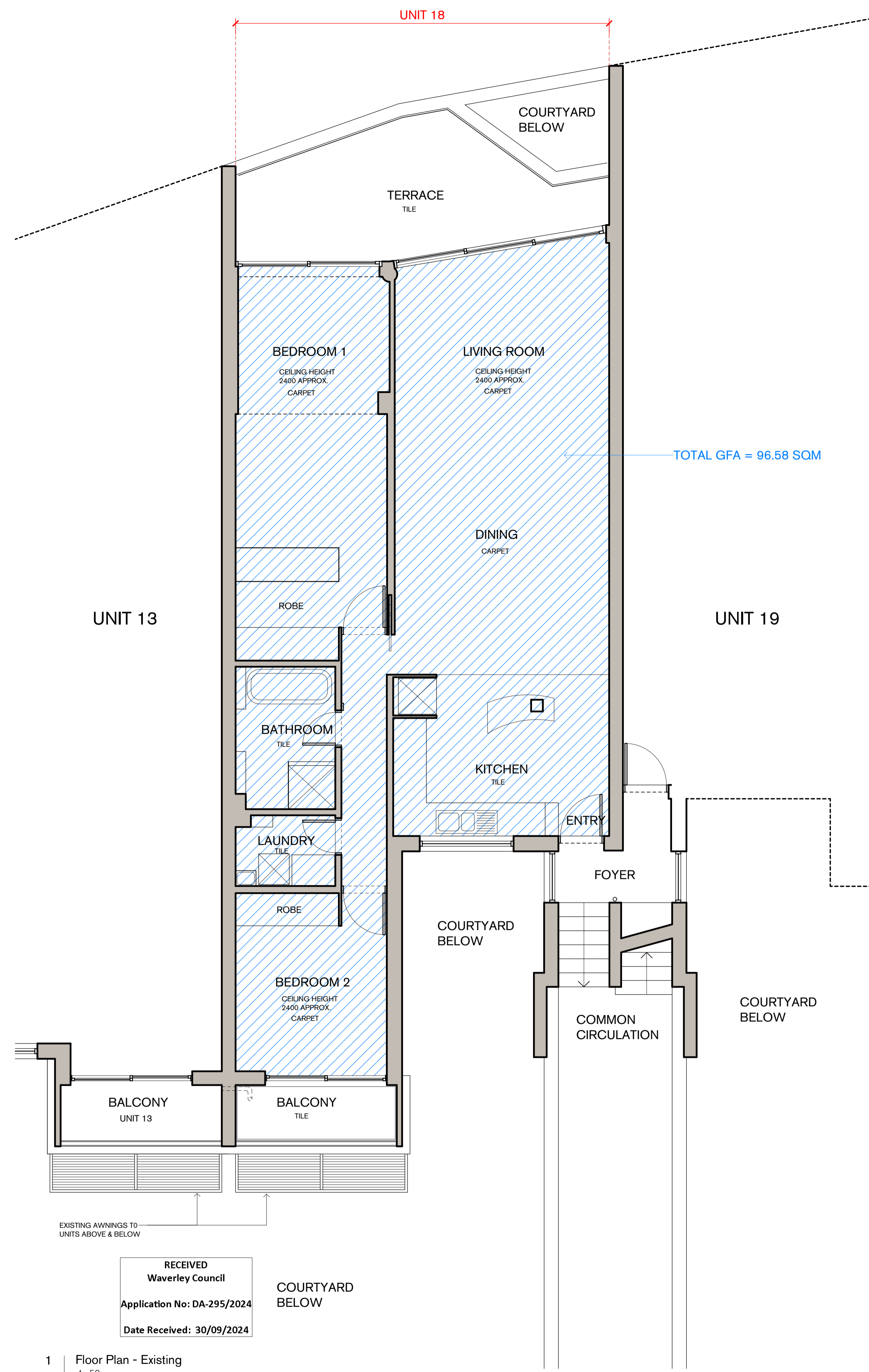
Project
 Unit 18 / 2-4 Notts Ave
Address
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 Bondi Beach NSW 2026

Status
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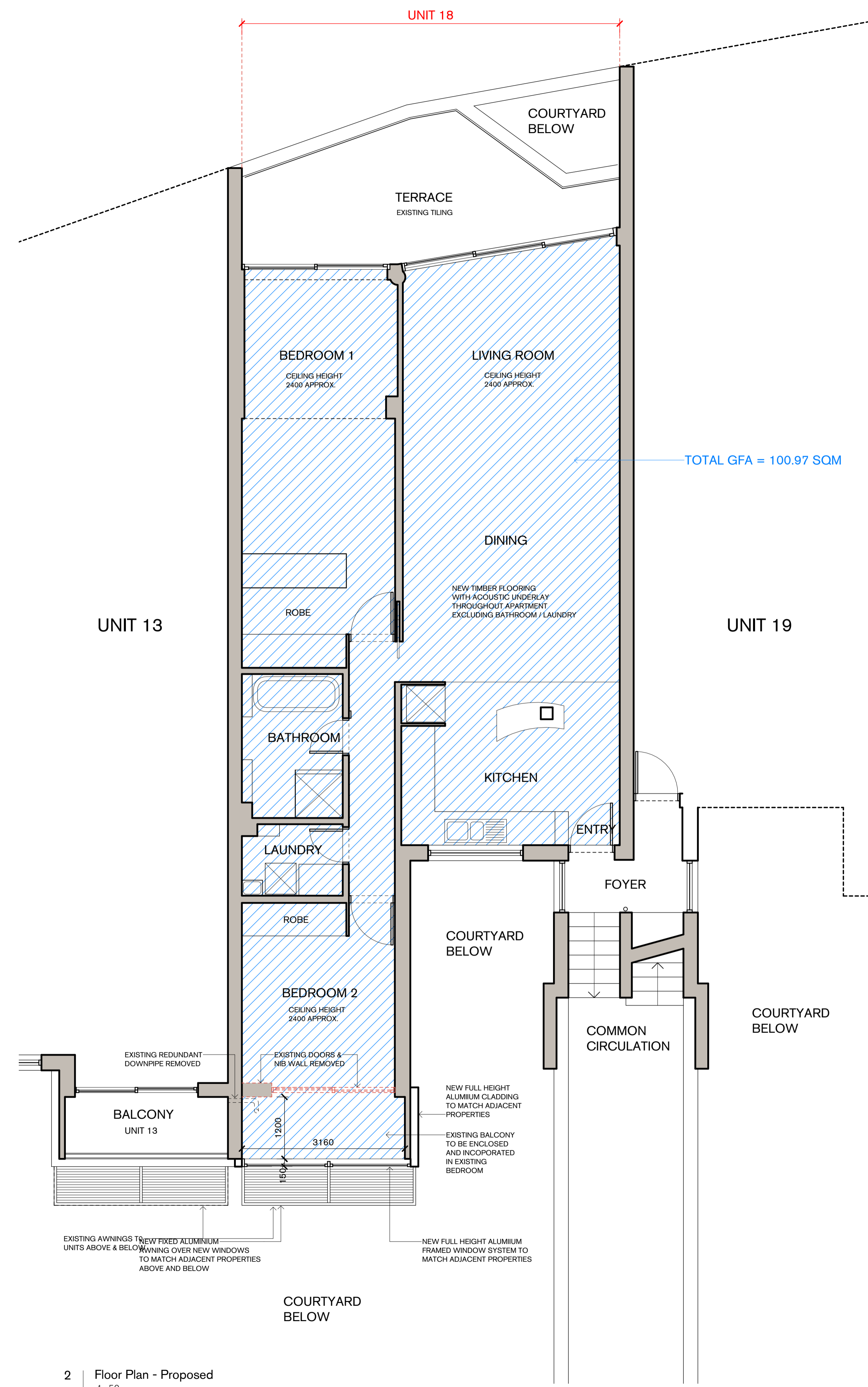
Drawing
 UNIT FLOOR PLAN GFA

Date Created 20/04/23
Drawn BC
Checked BC

Project No. 95023
Drawing No. 500
Revision B



1 | Floor Plan - Existing
 1 : 50



2 | Floor Plan - Proposed
 1 : 50



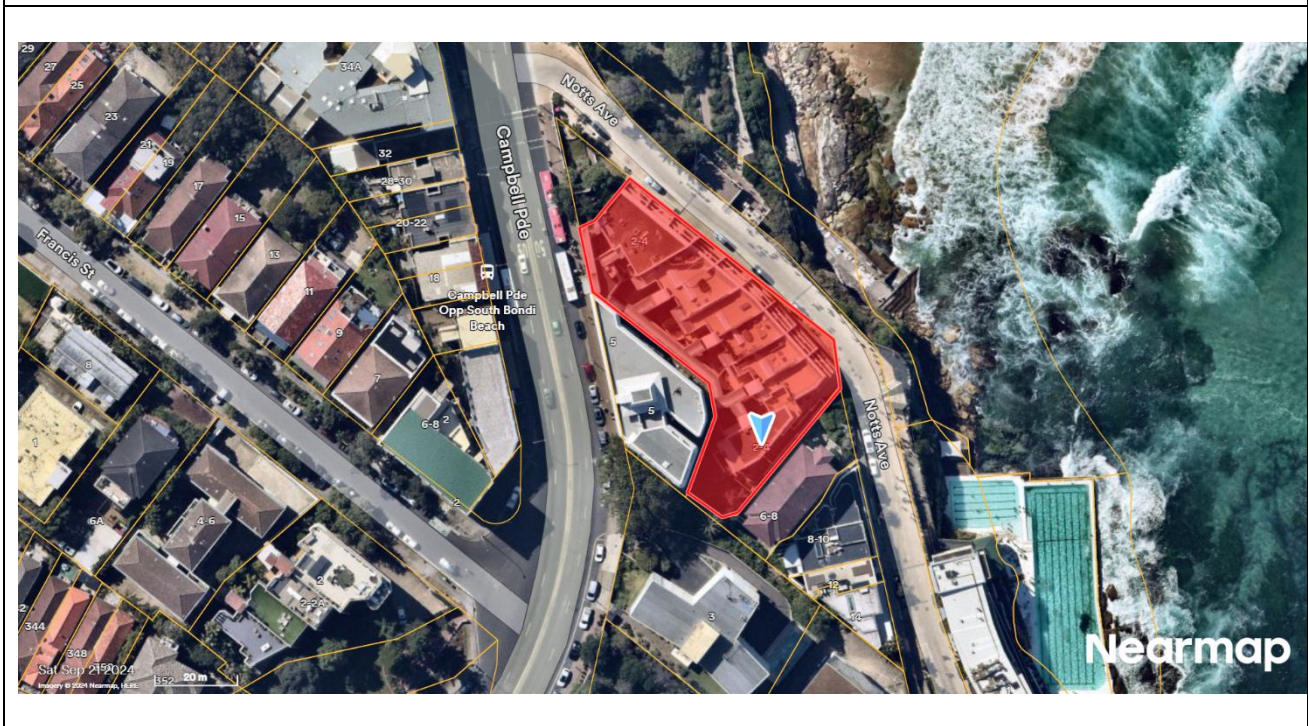
Other Residential Development



Report to the Waverley Local Planning Panel

Application number	DA-296/2024
Site address	13/2-4 Notts Avenue, Bondi Beach
Proposal	Enclosure of existing rear balcony facing private common courtyard areas including associated demolition, new windows, internal and external finishes.
Date of lodgement	5 July 2024
Owner	Proprietors of Strata Plan 20572, I R Ritossa and M Ritossa
Applicant	I A M Ritossa
Submissions	Nil
Cost of works	\$80,300.00
Principal Issues	Exceedance of the Floor Space Ratio (FSR) development standard
Recommendation	That the application be APPROVED in accordance with the conditions contained in the report.

SITE MAP



1. PREAMBLE

Executive Summary

The development application seeks consent to enclose a rear balcony facing private common courtyard areas and includes associated demolition, new windows, and internal and external finishes at the site known as 13/2-4 Notts Avenue, Bondi Beach.

1.1.

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

- Exceedance of the Floor Space Ratio (FSR) development standard.

The assessment finds these issues acceptable. The proposed balcony enclosure would not be visible from the public domain and would not add to the overall bulk and scale of the residential flat building. The proposed addition will also preserve neighbouring amenity with regard to solar access, privacy, and view loss.

No public or Councillor submissions were received, and there were no declared conflicts of interest on this application from Council staff.

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

1.2.

Site and Surrounding Locality

A site visit was carried out on 5 September 2024.

The site is identified as SP 20572, known as 13/2-4 Notts Avenue, Bondi Beach.

The site is located on the south-western side of Notts Avenue in the suburb of Bondi Beach. The site has an area of approximately 2,212m² and has frontages to Campbell Parade and Notts Avenue. It is irregular in shape and has a steep downward slope from the western and southern boundary lines of the site to the north.

The site is occupied by a three to four-storey residential flat building containing 30 units with basement car parking.

The site is located in a mixed-use area comprising residential flat buildings, commercial and retail premises, and recreation areas. Bondi Beach is located directly opposite the site on the other side of Notts Avenue.

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



Figure 1: Streetscape view of the subject site along Notts Avenue



Figure 2: Streetscape view of the subject site along Notts Avenue



Figure 3: Streetscape view opposite the subject site along Notts Avenue



Figure 4: Rear view terraces of Unit 13 and Unit 18

1.3.

Relevant Development History

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

- **DA-120/2012:** Alterations and additions to Unit 9, including internal reconfiguration, rear balcony enclosure and a retractable awning was approved on 15 August 2012.
- **DA-244/2012:** Alterations to Unit 24 including internal reconfiguration, partial enclosure of the front balcony and full closure of the rear balcony was approved on 25 July 2012.
- **DA-445/2011:** New entry door and enclosure of an existing lobby to a residential flat building was approved on 17 November 2011 (application made by Proprietors of Strata Plan 20572).
- **DA-445/2011/A:** Modify proposal to delete conditions 2(a) regarding glazing and 2(b) regarding entry doors was approved on 20 November 2011 (application made by Proprietors of Strata Plan 20572).
- **DA-245/2012:** Alterations to Unit 25 in a residential flat building, including internal reconfiguration and partial enclosure of front and rear balconies was approved on 25 July 2012.
- **DA-290/2019:** Alterations and additions to Unit 1, including internal reconfiguration, balcony enclosures and front boundary fence modifications was approved on 15 January 2020.

- **CD-218/2021:** Alterations to existing Unit 26, reconfiguration of the internal layout and the addition of WC powder room was approved on 3 November 2021.
- **DA-406/2021:** Alterations and additions to Unit 26 to include the enclosure of the existing rear balcony to provide for an enlarged master bedroom, internal reconfiguration and works to the existing roof terrace was approved on 21 January 2022.
- **DA-231/2022:** Alterations including the enclosure of a balcony to Unit 7 at the southern (rear) portion was approved on 3 August 2022.
- **DA-295/2024:** Enclosure of the existing rear balcony to Unit 18 which faces private common courtyard areas and includes associated demolition and construction of window, internal and external finishes was submitted to Council on 5 July 2024. The application has been assessed concurrently with this application.

Proposal

- 1.4. The development application seeks consent for alterations and additions to the residential flat building and specifically includes the following:
- Demolition of the existing balcony wall and door;
 - Enclosing the existing balcony with windows to match the adjacent units with regard to materiality and proportions; and
 - New external window awnings.

1.5. Background

The development application was lodged on 5 July 2024, and the following additional information was requested on 23 July 2024:

- An updated set of architectural plans, as well as an amended Statement of Environmental Effects (SEE) and Clause 4.6 which accurately detailed and took into consideration the GFA/FSR most recently approved for the site under **DA-231/2022**, as well as the GFA/FSR resulting from the works proposed under **DA-295/2024** for Unit 18 which was being assessed by Council concurrently.

The amended plans and documents received on 25 July 2024 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).

Planning Instruments and Development Control Plans

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

2.1.

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

A detailed discussion is provided for relevant SEPP as follows:

SEPP (Housing) 2021

In accordance with Clause (3)(ii) under Chapter 4 *Design of Residential Apartment Development* of SEPP Housing, as the proposal does not constitute substantial redevelopment or refurbishment of an existing building, a further assessment against SEPP Housing and the and Apartment Design Guide (ADG), and referral to the Waverley Design Advisory Excellence Panel (DEAP) was not required.

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 considered consistent with the aims of the plan.
Part 2 Permitted or prohibited development		
Land Use Table <i>R3 Medium Density Residential Zone</i>	Yes	The proposal is defined as a residential flat building, which is permitted with consent in the R3 medium-density residential zone.
Part 4 Principal development standards		

Provision	Compliance	Comment																																
4.3 Height of buildings <ul style="list-style-type: none"> 12.5m 	Yes	<p>Satisfactory. The addition is proposed to have a maximum height of 8.2m and complies with the 12.5m building height development standard.</p> <p>The existing building's maximum building height is not proposed to be altered.</p>																																
4.4 Floor space ratio and <ul style="list-style-type: none"> Site: 2212 m² FSR: 0.9:1 GFA: 1990.8 m² 	No	<p>The proposal comprises a GFA of 3,552.67m², which equates to an FSR of 1.606:1 and exceeds the 0.9:1 FSR development standard by 78.5% as detailed in the table below.</p> <table border="1"> <thead> <tr> <th></th> <th>Existing</th> <th>Proposed</th> <th>Combined with DA-295/2024 (under assessment)</th> </tr> </thead> <tbody> <tr> <td>L1</td> <td>1163.54m²</td> <td>1163.54m²</td> <td>1163.54m²</td> </tr> <tr> <td>L2</td> <td>1079.06m²</td> <td>1,083.45m² (4.39m²)</td> <td>1,087.84m² (8.78m²)</td> </tr> <tr> <td>L3</td> <td>1000.03m²</td> <td>1000.03m²</td> <td>1000.03m²</td> </tr> <tr> <td>L4</td> <td>305.65m²</td> <td>305.65m²</td> <td>305.65m²</td> </tr> <tr> <td>Net GFA</td> <td>3548.25m²</td> <td>3,552.67m²</td> <td>3,557.06m²</td> </tr> <tr> <td>FSR</td> <td>1.604:1</td> <td>1.606:1</td> <td>1.608:1</td> </tr> <tr> <td>%</td> <td>78.2%</td> <td>78.5%</td> <td>78.7%</td> </tr> </tbody> </table>		Existing	Proposed	Combined with DA-295/2024 (under assessment)	L1	1163.54m ²	1163.54m ²	1163.54m ²	L2	1079.06m ²	1,083.45m ² (4.39m ²)	1,087.84m ² (8.78m ²)	L3	1000.03m ²	1000.03m ²	1000.03m ²	L4	305.65m ²	305.65m ²	305.65m ²	Net GFA	3548.25m²	3,552.67m²	3,557.06m²	FSR	1.604:1	1.606:1	1.608:1	%	78.2%	78.5%	78.7%
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4.6 Exceptions to development standards	See discussion	The application is accompanied by a written request pursuant to clause 4.6 of Waverley LEP 2012 to vary the FSR development standard. A detailed discussion of the variation to the development standard is presented below this table.																																
Part 5 Miscellaneous provisions																																		
5.10 Heritage conservation	Yes	The subject site does not contain a heritage item and is not within a heritage conservation area. However, the site adjoins the Bondi Beach Conservation Area and the Bondi Beach and Park Landscape Conservation Area. The works would not be visible from the public domain, and therefore, proposal will not result in any impacts on the heritage values of the conservation areas.																																
Part 6 Additional local provisions																																		
6.14 Waste minimisation and recycling	Yes	Satisfactory. No changes are proposed to the waste storage and collection facilities.																																
6.17 Affordable housing contributions	N/A	Does not apply to alterations and additions.																																

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

Clause 4.6 Exceptions to Development Standards

The application seeks to vary the Floor Space Ratio (FSR) development standard in clause 4.4 under Waverley LEP 2012.

The site is subject to a maximum FSR development standard of 0.9:1. The proposed development on its own has an FSR of 1.606:1, exceeding the standard by 1,561.87 m², equating to a 78.5% variation. In conjunction with DA-295/2024, the proposal has an FSR of 1.608:1, exceeding the standard by 1,566.26 m², equating to a 78.7% variation. It is noted that the existing building already exceeds the development standard by 1,557.45 m², equating to a variation of 78.2%.

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

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

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

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

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

- (a) That compliance with the development standard is unreasonable or unnecessary in the circumstances of the case:
 - (i) The proposal achieves the desired medium-density character of the area.
 - (ii) The proposal maintains the existing building's permissible height, bulk, and scale relative to the streetscape and neighbouring properties.
 - (iii) The works are restricted to the rear of the subject site and will not alter the maximum building height.
 - (iv) The proposal retains the existing number of bedrooms. As such, the density will not be altered.
 - (v) The proposed extension does not alter the profile of the existing building.
 - (vi) There will be no visible increase in the bulk or scale of the building.
 - (vii) The proposed works are consistent with several other similar approvals for units in the subject building.
 - (viii) The proposed rear extension will match the neighbouring units.
 - (ix) The extension's design demonstrates architectural compatibility with the existing building, and the colour and external finishes are sympathetic to the existing built form and do not detract from the overall appearance of the building.

- (x) The proposed balcony enclosure will effectively infill the rear portion of the building and will be consistent with the dimensions of the neighbouring unit extensions.
 - (xi) The proposal will not result in any additional overshadowing impact, and removing the balcony at the rear of the building may even provide a slight benefit to other units in the development regarding aural and visual privacy.
 - (xii) The proposal will preserve the amenity of neighbouring properties.
- (b) That there are sufficient environmental planning grounds to justify contravening the standard:
- (i) The proposal does not significantly alter the profile of the existing building, as the variation is located on the rear.
 - (ii) It will not visually increase the bulk or scale of the residential flat building when viewed from the streetscape or neighbouring properties.
 - (iii) The extension's design demonstrates architectural compatibility with the existing building, and the colour and external finishes are sympathetic to the existing built form and do not detract from the overall appearance of the building.
 - (iv) The proposal encloses the existing rear balcony to accommodate a larger bedroom for the occupants of the dwelling. This significantly improves the internal amenity.
 - (v) The proposal has been designed to maintain the amenity of the surrounding residences.
 - (vi) The proposal is considered appropriate in maintaining amenity to residents of the dwelling and neighbours.

Consideration of Applicant's Written Request

The applicant's written request has correctly identified the development standard to be varied and the relevant legislation and has calculated the FSR using the definition in the LEP. The document also addressed the 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 adequately demonstrated that the objectives of the development standard are achieved despite the non-compliance with the development standard. The applicant references the objectives of Clause 4.6, which include appropriate flexibility in applying development standards to achieve better planning outcomes, both for the development and from the development.

The applicant has convincingly demonstrated that the proposed variation to the FSR development standard is acceptable. The proposed enclosure of the southern-facing balcony of Unit 13 aligns with the objectives of preserving the environmental amenity of surrounding properties and the public domain. Specifically, the proposal does not introduce additional privacy or overshadowing impacts on neighbouring properties and maintains existing views from both adjoining properties and the public domain.

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

The applicant has satisfactorily argued that there are sufficient environmental planning grounds to justify contravening the development standard. Although the proposal exceeds the maximum FSR development standard, it is well-designed considering the site’s specific circumstances. The proposal aims to improve the amenity of Unit 13 as outlined in their written request. The proposal follows other similar balcony enclosures on the subject site and is also proposed to match the existing materials and proportion of the existing development. Furthermore, the proposal preserves the amenity of neighbouring dwellings and the public domain with regard to view impacts, visual privacy, and overshadowing.

Conclusion

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

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

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

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

Development Control	Compliance	Comment
1. Waste <ul style="list-style-type: none"> <i>Garbage bins are to be stored in an appropriate location.</i> 	Yes	Satisfactory, a Site Waste and Recycling Plan was submitted. No changes are proposed to the existing bin storage facilities.
2. Ecologically Sustainable Development	Yes	Satisfactory, a BASIX certificate was submitted.
5. Water Management	Yes	Satisfactory.
6. Accessibility and Adaptability	Yes	Satisfactory.
8. Heritage	Yes	Satisfactory. Discussed above.
11. Design Excellence	Yes	Satisfactory. The proposed development achieves a high standard of architectural design, materials, and detailing that is appropriate to the building type and location. Furthermore the amended proposal is considered to strike an effective balance between preserving environmental amenity and solar access to the neighbouring dwellings.

Table 31: Waverley DCP 2022 – Part C2 Other Residential Development Compliance Table

Development Control	Compliance	Comment
2.2 Height		
<ul style="list-style-type: none"> <i>Maximum external wall height: R3/12.5m – 9.5m</i> 	Yes	Satisfactory. The location of the proposed balcony infill is such that it will not alter the existing maximum external wall heights.
2.3 Setbacks		
2.3.1 Street setbacks <ul style="list-style-type: none"> <i>Consistent street setback</i> 	Yes	No changes are proposed to the existing front setback.
2.3.2 Side and rear setbacks <ul style="list-style-type: none"> <i>Minimum side setback: 0.9m or 1.5m or 1.5-2.5m</i> <i>Minimum rear setback: 6m or predominant rear building line, whichever is the greater setback</i> 	Yes	The proposal retains the existing building separations and setbacks.
2.5 Building design and streetscape		
<ul style="list-style-type: none"> <i>Respond to streetscape</i> 	Yes	Satisfactory. The balcony enclosure will have no streetscape impact.
<ul style="list-style-type: none"> <i>Sympathetic external finishes</i> 	Yes	

Development Control	Compliance	Comment
<ul style="list-style-type: none"> <i>Removal of original architectural features not supported</i> 	Yes	<p>Satisfactory. The proposed addition demonstrates architectural compatibility with the existing building, and the colour and external finishes are sympathetic to the existing built form and do not detract from the overall appearance of the building.</p> <p>Satisfactory. The proposal retains the original architectural features of the existing development.</p>
2.11 Private Open Space		
<p>2.11.2 – Balconies/decks</p> <ul style="list-style-type: none"> <i>Balcony additions to match the character of the building</i> <i>Should not dominate the façade</i> <i>No wrap around balconies</i> <i>Located to maximise solar access and privacy</i> <i>Balustrades to allow views and casual surveillance of the street & privacy</i> 	Yes	While the proposal removes one balcony, a northern-facing balcony which is accessed from bedroom 1, and the living room and has an area of 21.93 m ² with a maximum depth of 4.7m will be maintained which is satisfactory.
2.13 Solar access and overshadowing		
<ul style="list-style-type: none"> <i>Minimum of 3 hours of sunlight to a minimum of 70% of units in the development on 21 June</i> <i>New development should maintain at least 2 hours of sunlight to solar collectors on adjoining properties in mid-winter</i> <i>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</i> 	<p>Yes</p> <p>Yes</p> <p>Yes</p>	<p>The proposal would not reduce the extent of solar access received within the subject unit or the site as a whole</p> <p>There would be no net increase in overshadowing to solar collectors, habitable windows, or the private open space areas of the adjoining properties as a result of the proposal.</p>
2.14 Views and View Sharing		
<ul style="list-style-type: none"> <i>Minimise view loss through design</i> <i>Views from public spaces to be maintained</i> 	<p>Yes</p> <p>Yes</p>	<p>Satisfactory. No impacts on views have been identified while on site, and no submissions have been received that raise an issue with view loss. As such, the proposal is not expected to impact any known views enjoyed by surrounding properties.</p>

Development Control	Compliance	Comment
2.15 Visual privacy and security		
<ul style="list-style-type: none"> <i>Dwellings to be orientated to the street with entrances and street numbering visible</i> <i>Privacy should be considered in relation to context density, separation use and design</i> <i>Prevent overlooking of more than 50% of private open space of lower-level dwellings in the same development</i> 	<p>Yes</p> <p>Yes</p> <p>Yes</p>	<p>Whilst the enclosure of balconies to residential flat buildings is generally discouraged, as the proposal will integrate with the existing development and be consistent with other balcony enclosure works undertaken at the site, it is acceptable on merit.</p>
2.16 Dwelling size and layout		
<ul style="list-style-type: none"> <i>Max habitable room depth for single aspect dwelling is 8m from a window</i> <i>Max width of dwelling over 15m deep is min 4m</i> <i>All habitable rooms to have a window</i> <i>Provide a range of dwelling types and sizes</i> <i>Min sizes</i> <ul style="list-style-type: none"> <i>2 bedroom = 80m²</i> <i>Accessible and Adaptable</i> 	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>N/A</p> <p>Yes</p> <p>N/A</p>	<p>The internal area of Unit 13 is proposed to be increased to 91.54 m², exceeding the minimum requirements. In this regard, the proposed unit's size and layout are acceptable.</p> <p>The proposed alterations provide windows to all habitable spaces.</p> <p>All bedrooms meet the minimum requirements in terms of dimensions and area.</p>
2.17 Ceiling Heights		
<ul style="list-style-type: none"> <i>Min 2.7m floor to ceiling height residential floors</i> 	<p>Yes</p>	<p>The ceiling heights within Unit 13 comply with the minimum requirement.</p>
2.18 Storage		
<ul style="list-style-type: none"> <i>In addition to kitchen cupboards and bedroom wardrobes, min storage required is: 2 bed = 8m³</i> <i>All to provide bulk storage area in basement or ancillary structure</i> 	<p>Yes</p>	<p>Satisfactory. The storage for Unit 13 is not proposed to be altered.</p>
2.19 Acoustic privacy		
<ul style="list-style-type: none"> <i>Internal amenity by locating noisy areas away from quiet areas</i> 	<p>Yes</p>	<p>The enclosure of the rear south-facing balcony will likely improve aural privacy for neighbouring units by removing an additional outdoor balcony space. The proposal is not anticipated to give rise to additional acoustic privacy concerns.</p>
2.20 Natural Ventilation		
<ul style="list-style-type: none"> <i>All dwellings to be naturally cross-ventilated</i> 	<p>Yes</p>	<p>The altered bedroom of Unit 13 is provided with at least one window for natural ventilation.</p>

Development Control	Compliance	Comment
<ul style="list-style-type: none"> <i>Building to be orientated to maximise breezes</i> 	Yes	<p>Unit 13 has dual aspect. In this regard, 100% of the units can be naturally cross-ventilated.</p> <p>The proposal uses a combination of full-height openable doors and slot windows to achieve appropriate cross-ventilation within the building</p>

Table 24: Waverley DCP 2022 – Part E2 – Bondi Beachfront Areas

Development Control	Compliance	Comment
2.1 General Controls		
2.1.3 Built Form		
<ul style="list-style-type: none"> <i>new and refurbished buildings are sympathetic to the scale and height of existing buildings.</i> 	Yes	Satisfactory. The proposed addition demonstrates architectural compatibility with the existing building, matching the existing development's detailing and proportion.
<ul style="list-style-type: none"> <i>built form does not negatively impact the access to sunlight in public open spaces.</i> 	Yes	Satisfactory. There is no additional overshadowing.
<ul style="list-style-type: none"> <i>provide high-quality internal environments for occupants</i> 	Yes	Satisfactory. The proposal accommodates a larger bedroom for the occupants of the dwelling which will significantly improve the internal amenity.
<ul style="list-style-type: none"> <i>External sun shading must be consistent with the style and articulation of the building. Sun shading must not project beyond the principal façade.</i> 	Yes	Satisfactory. The proposed external sun shading attached to the balcony enclosure will match the style of the existing building.
2.1.5 Views		
<ul style="list-style-type: none"> <i>Proposed development should avoid impacting existing views where possible.</i> 	Yes	Satisfactory. As discussed in section 2.14, the proposal is not expected to impact any known views enjoyed by surrounding properties.
2.2 Character Areas		
2.2.1 Notts Avenue Objectives:		
<ul style="list-style-type: none"> <i>To maintain a residential character and support a diversity of residential accommodation in the area.</i> 	Yes	Satisfactory. The proposed balcony enclosure maintains the residential character and diversity of residential accommodation in the area. There are no proposed changes to its land use, the maximum external wall height or the number of storeys.

<p><i>Controls:</i></p> <ul style="list-style-type: none"> • <i>Land Use to remain residential</i> • <i>A maximum of 3 storeys with a maximum external wall height of 10m.</i> • <i>Façade materials and finishes</i> 	<p>Yes</p> <p>Yes</p> <p>Yes</p>	<p>The proposed materials, finishes and window proportions will also match the existing development.</p>
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Other Impacts of the Development

2.2. 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.

Suitability of the Site for the Development

2.3. The site is considered suitable for the proposal.

Any Submissions

2.4. The application was notified for 14 days between 7 August 2024 and 21 August 2024 in accordance with the *Community Engagement Strategy 2023*.

No submissions were received.

2.5. **Public Interest**

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

3. REFERRALS

3.1. The following internal referral comments were sought:

Fire Safety

Council’s Fire Safety Engineer reviewed the application and advised that a fire safety upgrade order for the subject property has been issued, however is still outstanding. Additionally, there are potential fire separation issues with the proposal. The engineer provided conditions of approval to address these concerns.

4. CONCLUSION

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

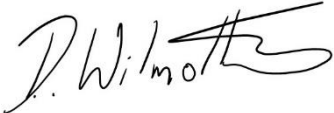

Managers of Development Assessment (MODA) Review

The application was reviewed by the MODA at the meeting on 1 October 2024, and the MODA concurred with the Assessment Planner's recommendation.

DBU members: *A Rossi, B McNamara, B Magistrale and Jo Zancanaro*

5. RECOMMENDATION TO WAVERLEY LOCAL PLANNING PANEL

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

Report prepared by:	Application reviewed and agreed by:	Application reviewed and agreed by:
		
Damien Wilmotte	Karis Keenan	Angela Rossi
Development Assessment Planner	Acting Manager, Development Assessment	Executive Manager, Development Assessment
Date: 27 September 2024	Date: 9 October 2024	Date: 11 October 2024

Reason for WLPP referral:

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

OFFICE USE ONLY

Planning Portal Data	
<p>Clause 4.6 register entry required</p> <p>(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)</p>	78.7% variation to FSR (Clause 4.4)
	<input checked="" type="checkbox"/> Pre-existing non-compliance
	<input checked="" type="checkbox"/> No change to overall building height
	<input checked="" type="checkbox"/> No change to overall building envelope
	Variation limited to the [lift/plant/parapet/attic] only
	<input checked="" type="checkbox"/> No unreasonable impacts on the amenity of adjoining properties or streetscape
	<input checked="" type="checkbox"/> Sufficient environmental planning grounds
	<input checked="" type="checkbox"/> Consistent with the objectives of the standard

		[insert another reason here if required]
Determining Authority (Concurrence Authority for Clause 4.6 variation)	Local Planning Panel	
Were the requirements of the Sustainable Buildings SEPP (effective 1 October 2023) met?	Yes	
Have any dwellings been approved for affordable Rental Housing under this approval/consent? *This is a planning portal reporting requirement	No	
Secondary Dwelling *This is a planning portal reporting requirement	No	
Boarding House *This is a planning portal reporting requirement	No	
Group Home *This is a planning portal reporting requirement	No	
Is the development subject to the Special Infrastructure Contribution (SIC)?	No	
Is the development located within an Urban Release area?	No	
Waverley Council Data		
Trial Period database entry required	No	
VPA submitted – follow up actions required	No	
Refer to compliance for investigation	No	
Commercial/liquor operational conditions	No	
Was there a 'Conflict of Interest' declared	No	

APPENDIX A: CONDITIONS OF CONSENT

Terms and Reasons for Conditions

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

GENERAL CONDITIONS

CONDITION																													
1.	<p>APPROVED PLANS AND DOCUMENTATION</p> <p>The development must be in accordance with:</p> <p>(a) Architectural Plans prepared by Tzannes of Project No: 95023 including the following:</p> <table border="1"> <thead> <tr> <th>Plan Number and Revision</th> <th>Plan description</th> <th>Plan Date</th> <th>Date received by Council</th> </tr> </thead> <tbody> <tr> <td>000 Rev B</td> <td>Cover Sheet</td> <td>28/08/2023</td> <td>25/07/2024</td> </tr> <tr> <td>001 Rev B</td> <td>Site / Analysis Plan</td> <td>28/08/2023</td> <td>25/07/2024</td> </tr> <tr> <td>100 Rev B</td> <td>Floor Plan</td> <td>28/08/2023</td> <td>25/07/2024</td> </tr> <tr> <td>200 Rev B</td> <td>Elevations</td> <td>28/08/2023</td> <td>25/07/2024</td> </tr> <tr> <td>300 Rev B</td> <td>Sections</td> <td>28/08/2023</td> <td>25/07/2024</td> </tr> <tr> <td>500 Rev B</td> <td>Unit Floor Plan GFA</td> <td>28/08/2023</td> <td>25/07/2024</td> </tr> </tbody> </table> <p>(b) BASIX Certificate</p> <p>(c) The Site Waste and Recycling Management Plan (SWRMP) Part 1 05/07/2024</p> <p>Except where amended by the following conditions of consent.</p> <p>Condition reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.</p>	Plan Number and Revision	Plan description	Plan Date	Date received by Council	000 Rev B	Cover Sheet	28/08/2023	25/07/2024	001 Rev B	Site / Analysis Plan	28/08/2023	25/07/2024	100 Rev B	Floor Plan	28/08/2023	25/07/2024	200 Rev B	Elevations	28/08/2023	25/07/2024	300 Rev B	Sections	28/08/2023	25/07/2024	500 Rev B	Unit Floor Plan GFA	28/08/2023	25/07/2024
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500 Rev B	Unit Floor Plan GFA	28/08/2023	25/07/2024																										

BUILDING WORK

BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE

CONDITION	
2.	<p>NO BUILDING OR DEMOLITION WORKS PRIOR TO RELEASE OF CONSTRUCTION CERTIFICATE</p> <p>The building work, or demolition work, must not be commenced until:</p> <ul style="list-style-type: none"> (a) a Construction Certificate has been obtained from Council or an Accredited Certifier in accordance with the <i>Environmental Planning and Assessment Act 1979</i>; (b) a Principal Certifying Authority has been appointed and Council has been notified of the appointment in accordance with the <i>Environmental Planning and Assessment Act 1979</i> and <i>Environmental Planning and Assessment Regulation 2021</i>; and (c) Council is given at least two days' notice in writing of the intention to commence the building works. <p>Condition reason: To ensure a Construction Certificate is obtained prior to work commencing.</p>
3.	<p>SECTION 7.12 CONTRIBUTION</p> <p>A monetary development contribution is payable to Waverley Council pursuant to section 7.12 of the <i>Environmental Planning and Assessment Act 1979</i> and the Waverley Council Development Contributions Plan in accordance with the following:</p> <ul style="list-style-type: none"> (a) Where the total development cost is \$500,000 or less: <ul style="list-style-type: none"> (i) a Cost Summary Report or Building Contract (dated within 12 months) or similar is to be submitted to Council's Customer Service Centre to process payment. (b) Where the total development cost is more than \$500,000 but less than \$1,000,000: <ul style="list-style-type: none"> (i) a Detailed Cost Report (dated within 12 months) prepared by a registered Quantity Surveyor, Building Contract, or similar is to be submitted to Council's Customer Service Centre to process payment. (c) Where the total development cost is \$1,000,000 or more: <ul style="list-style-type: none"> (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). <ul style="list-style-type: none"> a. 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.

	<p>(ii) Upon confirmation of the contribution amount by Council’s Executive Manager, Urban Planning, Policy and Strategy (or delegate), payment is to be processed via the Customer Service Centre.</p> <p>(iii) Should there be a discrepancy between the cost of works approved in subclause (b)(i) and the DA fee nominated in the original DA, then additional DA Fees may be payable prior to the issue of a Construction Certificate.</p> <p>A copy of the required format for the cost reports are provided in the Waverley Council Contributions Plan, available on Council’s website.</p> <p>(d) As legislated in section 209 of the Environmental Planning and Assessment Regulation 2021, the levy must be paid in accordance with the following;</p> <p>(i) A development valued at \$100,000 or less will be exempt from the levy;</p> <p>(ii) A development valued at \$100,001 - \$200,000 will attract a levy of 0.5% of the <u>full</u> cost of the development; or</p> <p>(iii) A development valued at more than \$200,000 will attract a levy of 1% of the <u>full</u> cost of the development.</p> <p>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.</p>
	<p>Condition reason: To ensure the Section 7.12 Contributions are paid.</p>
<p>4.</p>	<p>SECURITY DEPOSIT</p> <p>A deposit (cash or cheque) for the amount of \$3,465.00 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.</p> <p>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.</p> <p>Condition reason: To ensure any damage to public infrastructure is rectified and public works can be completed.</p>
<p>5.</p>	<p>LONG SERVICE LEVY</p> <p>A long service levy, as required under section 34 of the <i>Building and Construction Industry Long Service Payments Act, 1986</i>, 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.</p> <p><u>Note:</u> 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.</p> <p>Condition reason: To ensure the long service levy is paid.</p>

6.	HOARDING
	<p>To ensure the site is contained during construction, a hoarding is required for the approved works, which is to be designed and constructed in accordance with the requirements of Safe Work NSW. Where the hoarding is to be erected over the footpath or any public place, the approval of Council's Compliance Unit must be obtained and the applicable fees paid, prior to the erection of the hoarding.</p> <p>Condition reason: To ensure safety to the general public.</p>
7.	EROSION & SEDIMENT CONTROL
	<p>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.</p> <p>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.</p> <p>The recommendations of the SWMP must be implemented and maintained during all construction activities and until the site is fully stabilised following construction.</p>
	<p>Condition reason: To ensure sediment laden runoff and site debris do not impact local stormwater systems and waterways.</p>
8.	BUILDING CODE OF AUSTRALIA
	<p>All building work must be carried out in accordance with the requirements of the NCC Building Code of Australia. At the time of the issue of the Construction Certificate (CC). The proposed external wall cladding to be non-combustible to comply with Clause C2D10 of the NCC.</p> <p>Note:</p> <p>If compliance with the deemed-to-satisfy provisions of the NCC BCA cannot be achieved, a performance based alternative solution in accordance with Part A2 of the NCC BCA must be prepared by a suitably qualified and accredited fire engineer and be submitted to the Certifying Authority illustrating how the relevant performance requirements of the NCC BCA are to be satisfied.</p> <p>Condition reason: To ensure building fire safety and compliance with the Building Code of Australia.</p>
9.	ENGINEERING DETAILS
	<p>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.</p> <p>Condition reason: To ensure structural stability of work on site.</p>
10.	BASIX
	<p>All requirements of the BASIX Certificate documentation is to be shown on the Construction Certificate plans and documentation.</p> <p>Condition reason: To ensure BASIX requirements are met.</p>

11.	SITE WASTE AND RECYCLING MANAGEMENT PLAN
	<p>A <i>Site Waste and Recycling Management Plan (SWRMP) - Part 2</i> 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 <i>SWRMP Part 2</i> 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.</p>
	<p>Condition reason: To ensure resource recovery is promoted and the local amenity is protected during construction.</p>

BEFORE BUILDING WORK COMMENCES

	CONDITION
12.	<p>CONSTRUCTION SIGNS</p> <p>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.</p> <p>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.</p>
13.	<p>DEMOLITION – ASBESTOS AND HAZARDOUS MATERIALS</p> <p>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:</p> <ul style="list-style-type: none"> (i) Work Health and Safety Act 2011; (ii) Work Health and Safety Regulation 2017; (iii) SafeWork NSW Code of Practice for the Safe Removal of Asbestos; (iv) Australian Standard 2601 (2001) – Demolition of Structures; (v) <i>Protection of the Environment Operations Act 1997</i>. <p>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:</p> <ul style="list-style-type: none"> (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. <p>Condition reason: To ensure the safety of workers and the general public.</p>

14.	<p data-bbox="395 194 911 226">ESSENTIAL SERVICES - EXISTING BUILDING</p> <p data-bbox="395 248 1394 421">Details of the currently implemented and proposed essential fire safety measures shall be submitted with the Construction Certificate, in the form of a Fire Safety Schedule. This Schedule shall be prepared by a person competent to do so and shall specify the minimum standard of performance for each essential fire safety measure included in the Schedule.</p> <p data-bbox="395 443 1394 544">At the completion of the installation, a Final Fire Safety Certificate shall be attached to the Occupation Certificate, certifying that each essential fire safety measure specified within the current Fire Safety Schedule:</p> <ul style="list-style-type: none"> <li data-bbox="395 566 1086 598">(a) has been assessed by a properly qualified person; and <li data-bbox="395 620 1394 687">(b) found to be capable of performing to at least the standard required by the current Fire Safety Schedule for the building for which the Certificate is issued. <p data-bbox="395 721 1394 788">Condition reason: To ensure compliance with the Building Code of Australia in relation to fire safety.</p>
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DURING BUILDING WORK

CONDITION	
15.	<p>CONTROL OF DUST ON CONSTRUCTION SITES</p> <p>The following requirements apply to demolition and construction works on site:</p> <p>(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.</p> <p>(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.</p> <p>Condition reason: To ensure the safety of workers and the general public.</p>
16.	<p>CONSTRUCTION HOURS</p> <p>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.</p> <p>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.</p> <p>Noise from construction activities shall comply with the <i>Protection of the Environmental Operations (Noise Control) Regulation 2017</i>.</p> <p>Condition reason: To protect the amenity of the surrounding area.</p>
17.	<p>STOCKPILES, STORAGE OF MATERIALS AND LOCATION OF BUILDING OPERATIONS</p> <p>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.</p> <p>Condition reason: To ensure building material is stored in an appropriate location.</p>
18.	<p>CONSTRUCTION INSPECTIONS</p> <p>The building works are to be inspected during construction by the Principal Certifying Authority (PCA) in accordance with the <i>Building Legislation Amendment (Quality of Construction) Act 2002, Part 8 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021</i> and the requirements of any other applicable legislation or instruments.</p> <p>Condition reason: To ensure regular inspections occur throughout the construction process.</p>

19.	WORK OUTSIDE PROPERTY BOUNDARY
	This consent does not authorise any work outside the property boundary.
	Condition reason: To ensure buildings are sited and positioned in the approved location.

BEFORE ISSUE OF AN OCCUPATION CERTIFICATE

	CONDITION
20.	<p>FINAL OCCUPATION CERTIFICATE</p> <p>Prior to occupation or use of the development, an Occupation Certificate must be obtained.</p> <p>The Principal Certifying Authority must be satisfied that the requirements of the <i>Environmental Planning & Assessment Act 1979</i> have been satisfied including all critical stage inspections. Documentary evidence of all required inspections is to be submitted to Council.</p> <p>Condition reason: To ensure an Occupation Certificate is issued prior to occupation or use of the development.</p>
21.	<p>CERTIFICATION OF BASIX COMMITMENTS</p> <p>The Principal Certifying Authority shall certify that the all the undertakings in the approved BASIX certificate have been completed.</p> <p>Condition reason: To ensure all the undertakings in the approved BASIX certificate have been completed.</p>

GENERAL ADVISORY NOTES

CONDITION	
1.	<p>DEVELOPMENT IS TO COMPLY WITH LEGISLATION</p> <p>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.</p>
2.	<p>DEVELOPMENT MUST MEET CONDITIONS OF CONSENT</p> <p>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.</p>
3.	<p>POST CONSENT CONDITIONS REQUIRING COUNCIL INPUT</p> <p>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:</p> <ul style="list-style-type: none"> (a) Please read your conditions carefully. (b) 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. (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 14days. Times may vary or be delayed if information is not received in this required manner. (k) Any queries, please contact Council’s Duty Planner on duty.planner@waverley.nsw.gov.au

4.	<p>DIAL BEFORE YOU DIG</p> <p>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.</p>
5.	<p>TELECOMMUNICATIONS ACT 1997 (COMMONWEALTH)</p> <p>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.</p>
6.	<p>ALTERATIONS AND ADDITIONS ONLY</p> <p>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.</p>

Dictionary

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

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

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

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

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

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

Council means Waverley Council.

Court means the Land and Environment Court of NSW.

EPA means the NSW Environment Protection Authority.

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

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

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

Local planning panel means Waverley Local Planning Panel.

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

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

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

Stormwater drainage system means all works and facilities relating to:

- the collection of stormwater,
- the reuse of stormwater,
- the detention of stormwater,
- the controlled release of stormwater, and
- connections to easements and public stormwater systems.

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

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

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

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

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

DRAWING LIST

Drawing No.	Drawing Title	Revision
000	COVER SHEET	B
001	SITE / ANALYSIS PLAN	B
002	GFA CALCULATIONS	A
100	FLOOR PLAN	B
200	ELEVATIONS	B
300	SECTION	B
500	UNIT FLOOR PLAN GFA	B

RECEIVED
Waverley Council

Application No: DA-296/2024

Date Received: 25/07/2024

Project address	
Project name	2-4 Notts Ave_Unit 13
Street address	2-4 Notts Avenue Bondi Beach 2026
Local Government Area	Waverley Council
Plan type and number	Strata Plan SP20572
Lot number	13
Section number	
Project type	
Dwelling type	Unit
Type of alteration and addition	My renovation work is valued at \$50,000 or more.

Construction	Show on DA Plans	Show on CC/CDC Plans & specs	Certifier Check
Insulation requirements			
The applicant must construct the new or altered construction (floor(s), walls, and ceilings/roofs) in accordance with the specifications listed in the table below, except that a) additional insulation is not required where the area of new construction is less than 2m2, b) insulation specified is not required for parts of altered construction where insulation already exists.			
	✓	✓	✓
Construction	Additional insulation required (R-value)	Other specifications	
external wall: other/undecided	R1.70 (including construction)		

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 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.								
Windows and glazed doors glazing requirements								
Window / door no.	Orientation	Area of glass inc. frame (m2)	Overshadowing Height (m) Distance (m)	Shading device	Frame and glass type			
W1	SW	7.6	0 0	eave/verandah/pergola/balcony >=450 mm	aluminium, single Lo-Tsol low-e, (U-value: 5.6, SHGC: 0.36)	✓	✓	✓

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

Tzannes

W. tzannes.com.au
T. 61 2 9319 3744
E. tzannes@tzannes.com.au
Suite 5, L5, 2-12 Foveaux St
Surry Hills NSW 2010
Sydney, Australia

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Nominated Architects
Alec Tzannes 4174
Amy Dowse 8926

General Notes
Verify dimensions on site prior to commencement of work. Check existing RL's on site. Advise Architect of any discrepancies before commencement. Allow for adjustments to suit discrepancies. Comply with relevant authorities requirements. Comply with Building Code of Australia requirements. Comply with relevant Australian Standards for materials and construction practice. Comply with Basix Certificate. Do not scale from drawings.

Notes Regarding "For Construction Documents"
Tzannes Associates (TZ) believes that the information shown on this drawing (when read with the applicable specification) is sufficient for a reasonably competent and experienced builder to understand the design intent; understand the process of construction required to achieve a finished product conforming with the design intent and understand what building materials, techniques and methods are required to achieve that finished product.

Rev	Date	For
A	17.05.23	DRAFT
B	28.08.23	DEVELOPMENT APPLICATION

Client
Client Name
RITOSSA

Legend

Tzannes

Scale North

@ A1

Project
Unit 13 / 2-4 Notts Ave

Address
Unit 13 / 2-4 Notts Ave
Bondi Beach NSW 2026

Status
NOT FOR CONSTRUCTION

Drawing
COVER SHEET

Date Created **Drawn** **Checked**

20/04/23 BC BC

Project No. **Drawing No.** **Revision**

95023 000 B

Rev	Date	For
A	17.05.23	DRAFT
B	28.08.23	DEVELOPMENT APPLICATION

Client
 Client Name
 RITOSSA

Legend

Tzannes

Scale North

1 : 200 @ A1



Project
 Unit 13 / 2-4 Notts Ave

Address
 Unit 13 / 2-4 Notts Ave
 Bondi Beach NSW 2026

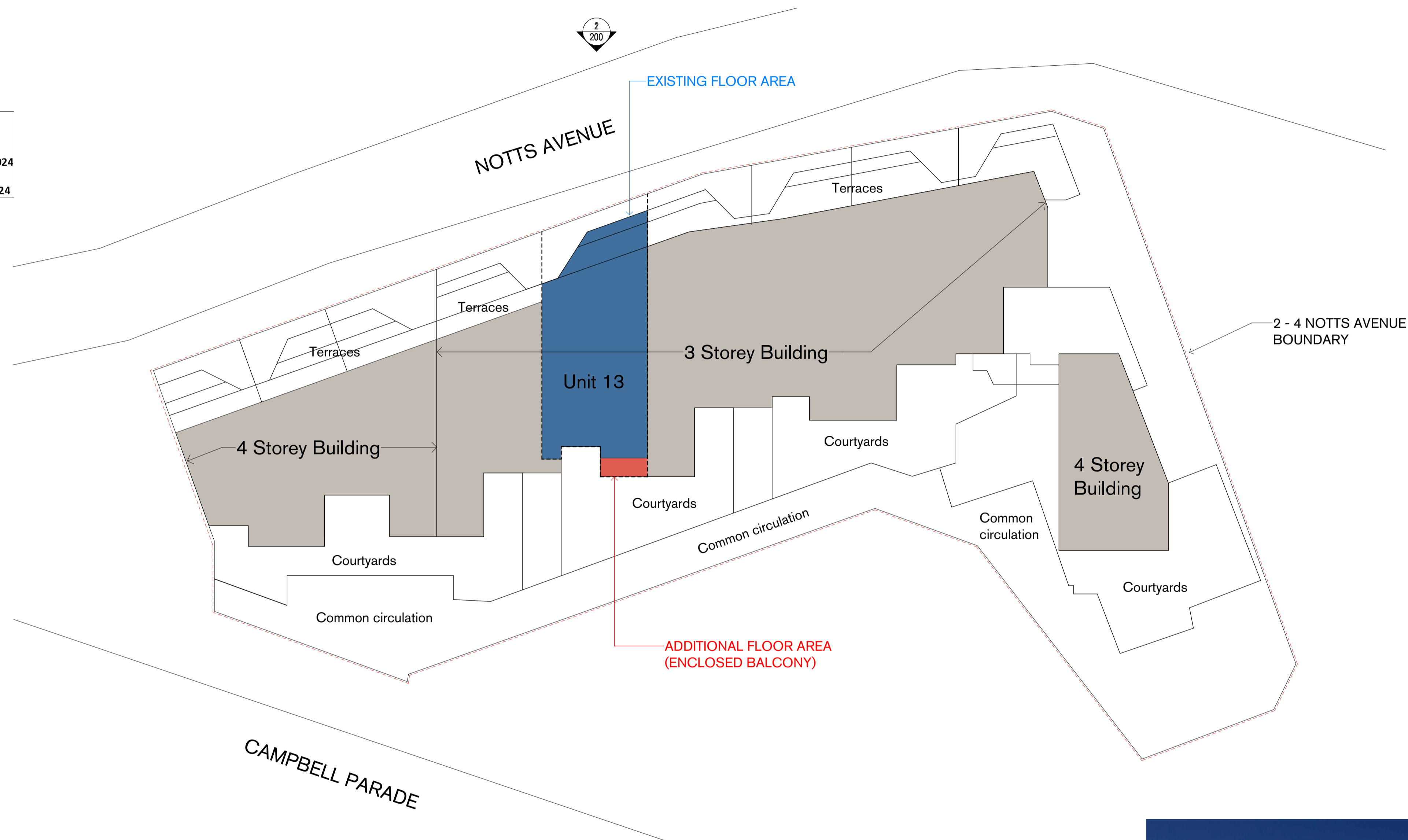
Status
 NOT FOR CONSTRUCTION

Drawing
 SITE / ANALYSIS PLAN

Date Created	Drawn	Checked
20/04/23	BC	BC

Project No.	Drawing No.	Revision
95023	001	B

RECEIVED
 Waverley Council
 Application No: DA-296/2024
 Date Received: 25/07/2024



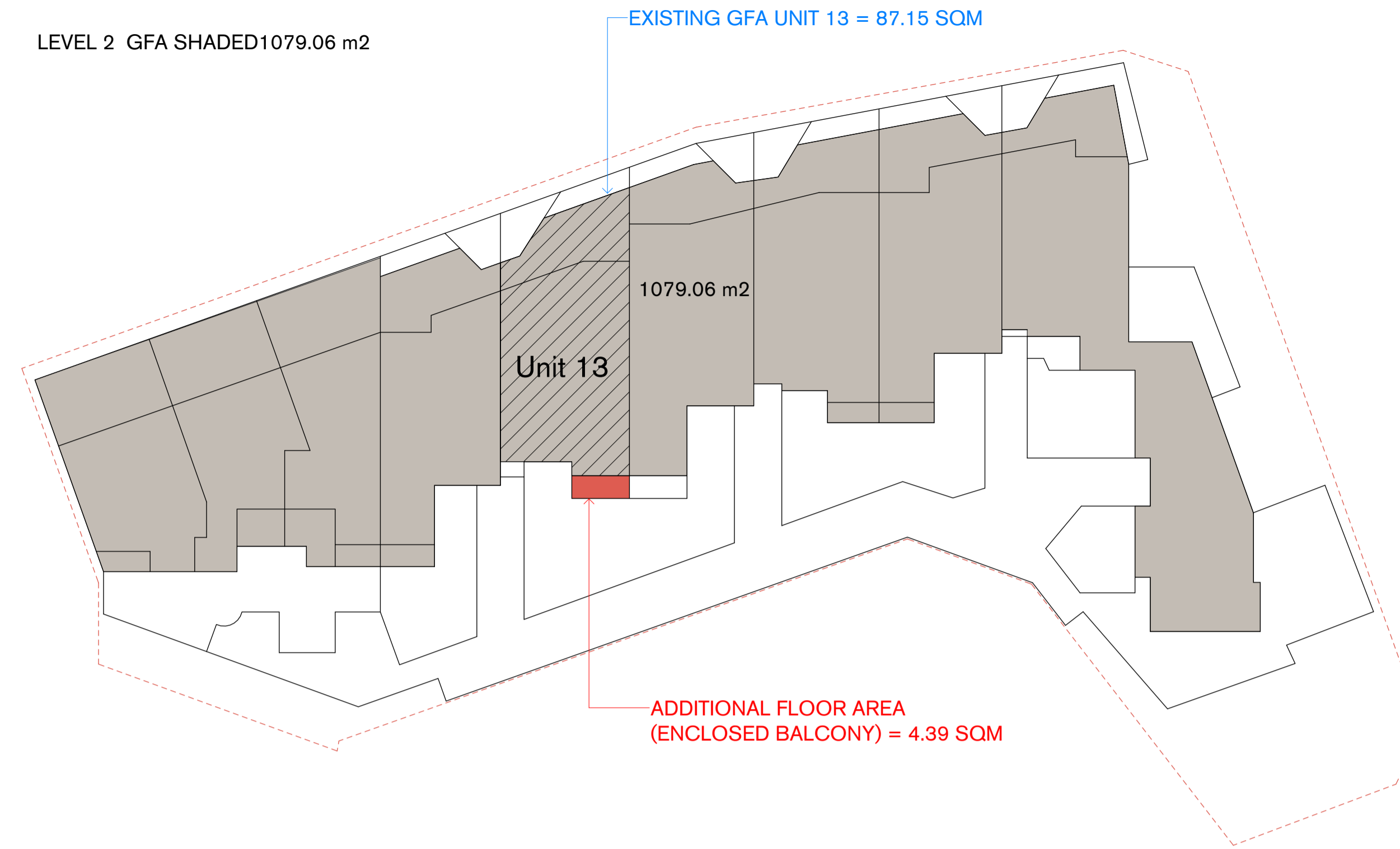
UNIT 13



LEVEL 1 GFA SHADED
1089.63 + 73.91 = 1163.54 m²



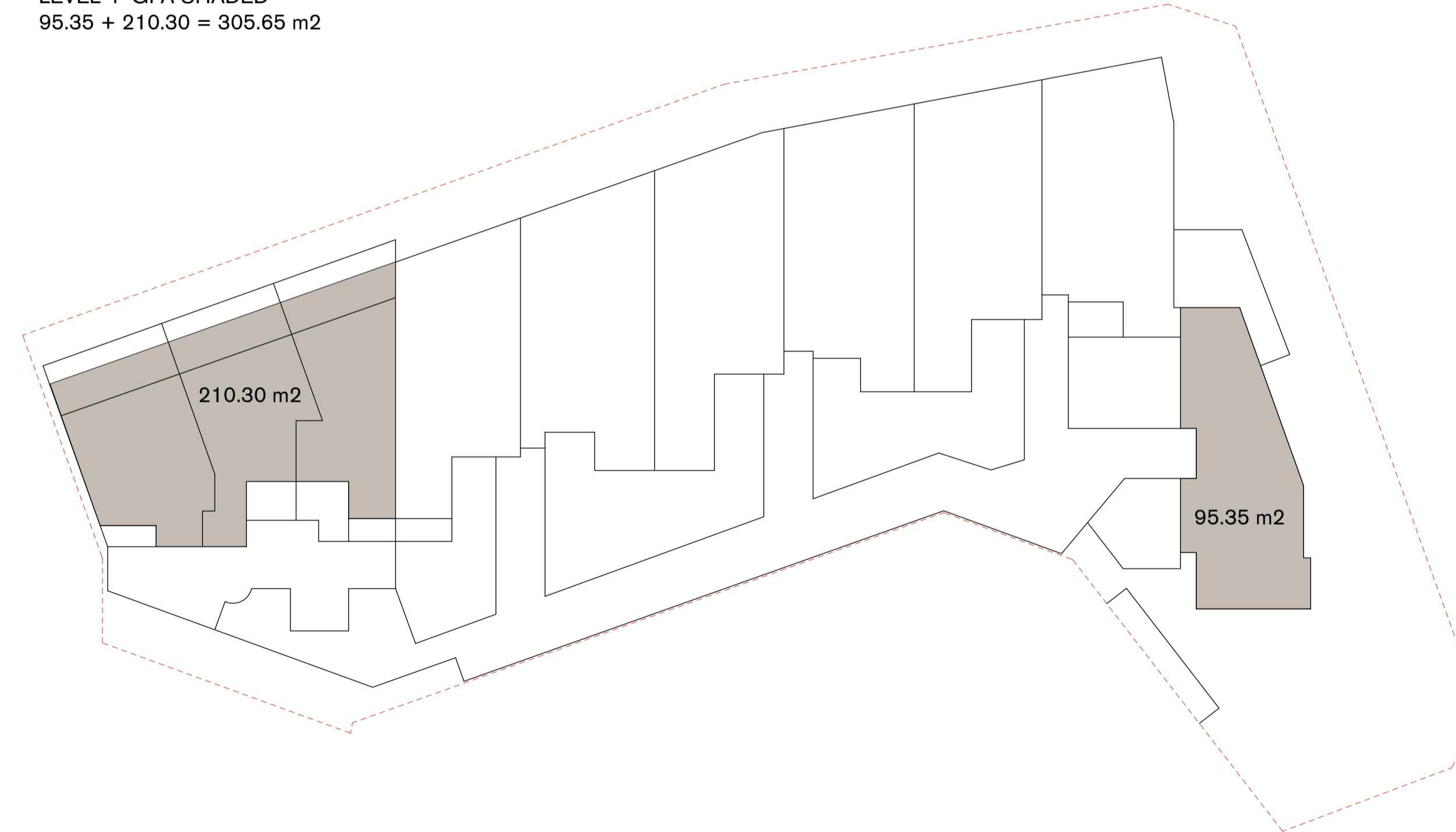
LEVEL 2 GFA SHADED 1079.06 m²



LEVEL 3 GFA SHADED
995.75 m²



LEVEL 4 GFA SHADED
95.35 + 210.30 = 305.65 m²



EXISTING GFA:
LEVEL 1 - 1163.54 m²
LEVEL 2 - 1079.06 m²
LEVEL 3 - 1000.03 m²
LEVEL 4 - 305.65

TOTAL EXISTING GFA = 3548.28 m²

FSR CALCULATIONS:
EXISTING LOT AREA - 2212 SQM
EXISTING BUILDING GFA - 3548.28 SQM
EXISTING BUILDING FSR = 1.604:1

EXISTING UNIT 13 GFA - 87.15 SQM
PROPOSED UNIT 13 GFA - 91.54 SQM
PROPOSED ADDITIONAL AREA - 4.39 SQM

PROPOSED BUILDING GFA - 3552.28 SQM
PROPOSED BUILDING FSR - 1.606:1

NOTE: CONCURRENT APPLICATION FOR ADJACENT UNIT 18. COMBINED APPLICATION AREA CALCULATIONS:
COMBINED ADDITIONAL GFA: 8.78 SQM
COMBINED PROPOSED GFA: 3557.06 SQM
COMBINED PROPOSED FSR: 1.608:1

NOTES:
GFA OF EXISTING BUILDING IS BASED ON COUNCILS HISTORICAL DATA OF APPROVALS WITHIN THE DEVELOPMENT. MOST RECENTLY DATA OBTAINED FROM THE APPROVAL OF UNIT 7/2-4 NOTTS AVE (DA 231/2022). APPROVED 03/08/2022

REFER CLAUSE 4.6 'EXCEPTION TO THE DEVELOPMENT STANDARDS - FSR' SUBMITTED WITH APPLICATION

BASEMENTS INCLUDE CAR PARKING, PLANT AND CIRCULATION AREAS - NO ADDITIONAL GFA

Rev	Date	For
A	28.08.23	DEVELOPMENT APPLICATION
B	23.07.24	REVISED GFA / FSR INFO

Client
Client Name
RITOSSA

Legend

Tzannes

Scale
1 : 250 @ A1

North

Project
Unit 13 / 2-4 Notts Ave

Address
Unit 13 / 2-4 Notts Ave
Bondi Beach NSW 2026

Status
NOT FOR CONSTRUCTION

Drawing
GFA CALCULATIONS

Date Created	Drawn	Checked
20/04/23	BC	BC
Project No.	Drawing No.	Revision
95023	002	B

RECEIVED
Waverley Council
Application No: DA-296/2024
Date Received: 25/07/2024



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Nominated Architects
 Alec Tzannes 4174
 Amy Dowse 8926

General Notes
 Verify dimensions on site prior to commencement of work. Check existing RL's on site. Advise Architect of any discrepancies before commencement. Allow for adjustments to suit discrepancies. Comply with relevant authorities requirements. Comply with Building Code of Australia requirements. Comply with relevant Australian Standards for materials and construction practice. Comply with Basix Certificate. Do not scale from drawings.

Notes Regarding "For Construction Documents"
 Tzannes Associates (TZ) believes that the information shown on this drawing (when read with the applicable specification) is sufficient for a reasonably competent and experienced builder to understand the design intent; understand the process of construction required to achieve a finished product conforming with the design intent and understand what building materials, techniques and methods are required to achieve that finished product.

Rev	Date	For
A	17.05.23	DRAFT
B	28.08.23	DEVELOPMENT APPLICATION

Client
 Client Name
 RITOSSA

Legend

Tzannes

Scale North

1 : 50 @ A1

Project
 Unit 13 / 2-4 Notts Ave

Address
 Unit 13 / 2-4 Notts Ave
 Bondi Beach NSW 2026

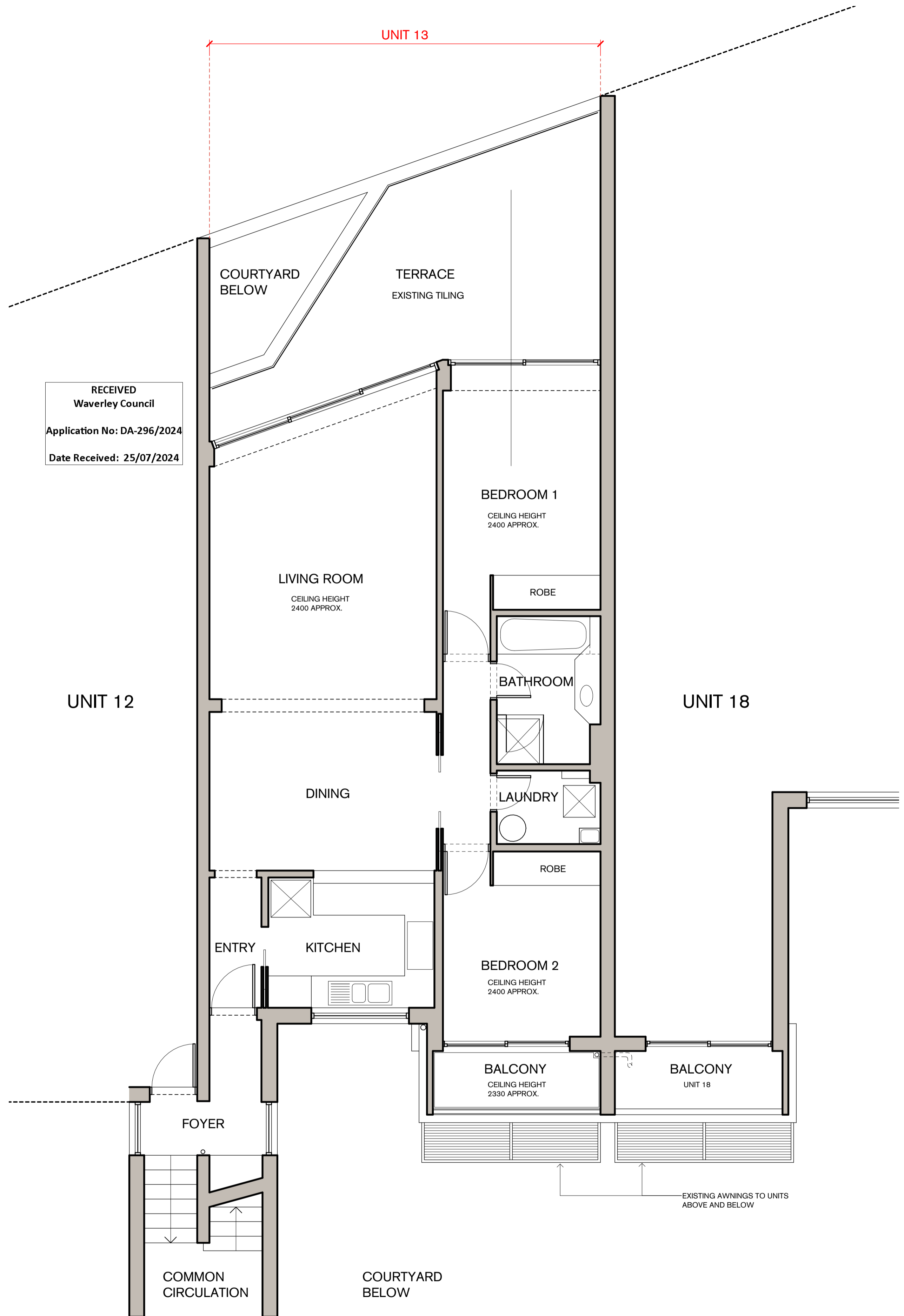
Status
 NOT FOR CONSTRUCTION

Drawing
 FLOOR PLAN

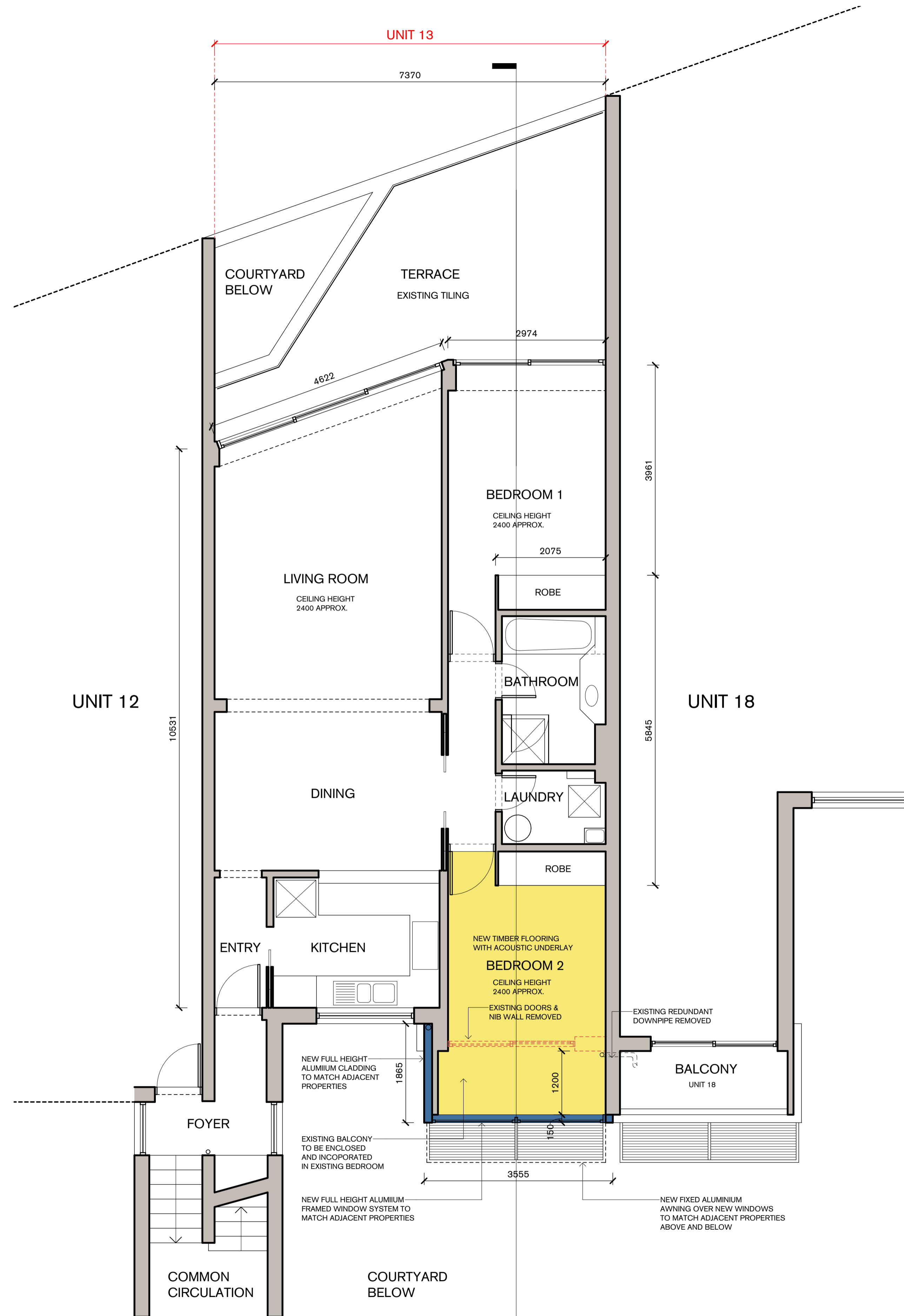
Date Created 20/04/23
Drawn BC
Checked BC

Project No. 95023
Drawing No. 100
Revision B

RECEIVED
 Waverley Council
 Application No: DA-296/2024
 Date Received: 25/07/2024



1 | Floor Plan - Existing
 1:50



2 | Floor Plan - Proposed
 1:50

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Rev	Date	For
A	17.05.23	DRAFT
B	28.08.23	DEVELOPMENT APPLICATION
C	02.07.24	MATERIALS / FINISHES ADDED

Client
Client Name
RITOSSA

Legend

Tzannes

Scale North

1 : 50 @ A1

Project
Unit 13 / 2-4 Notts Ave

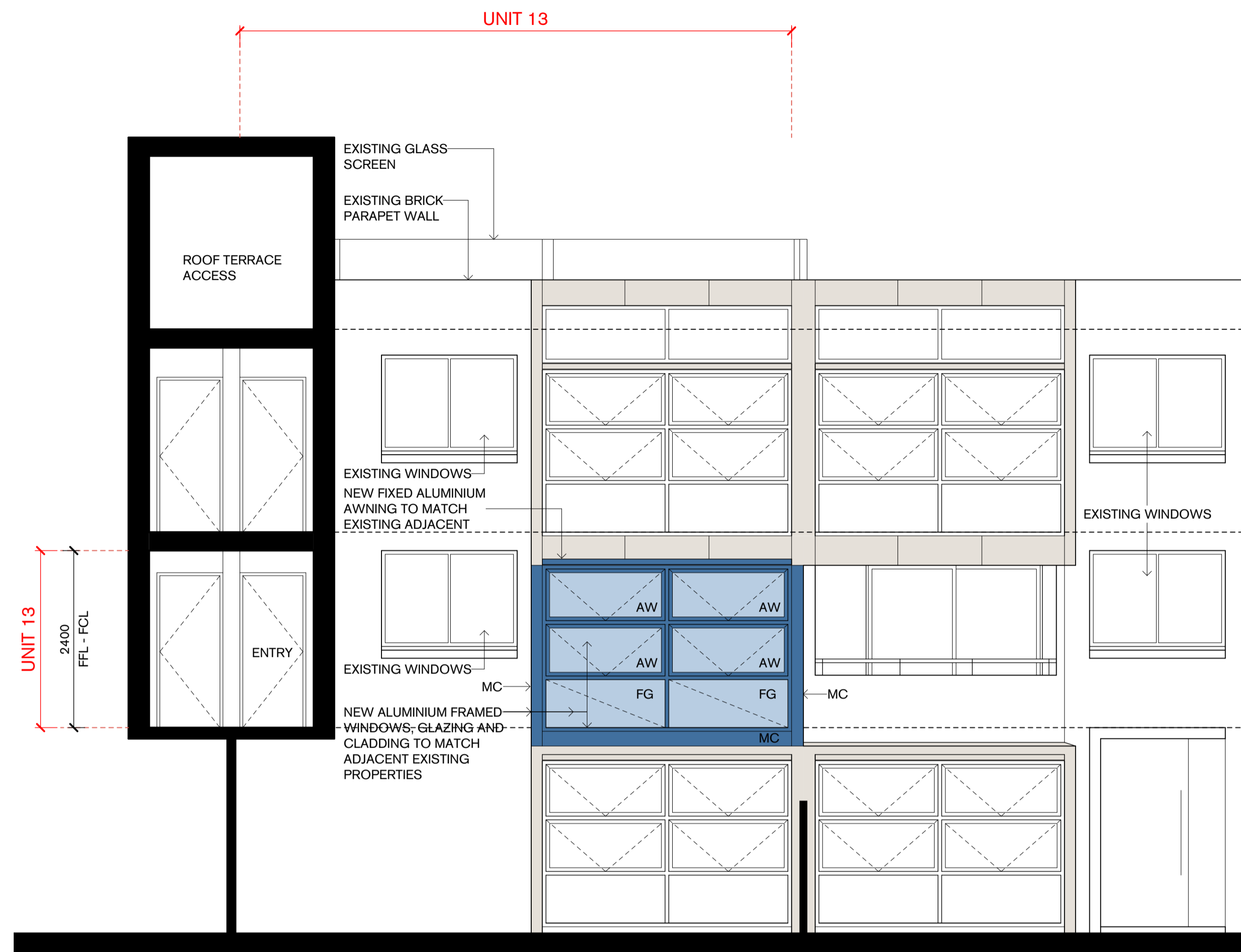
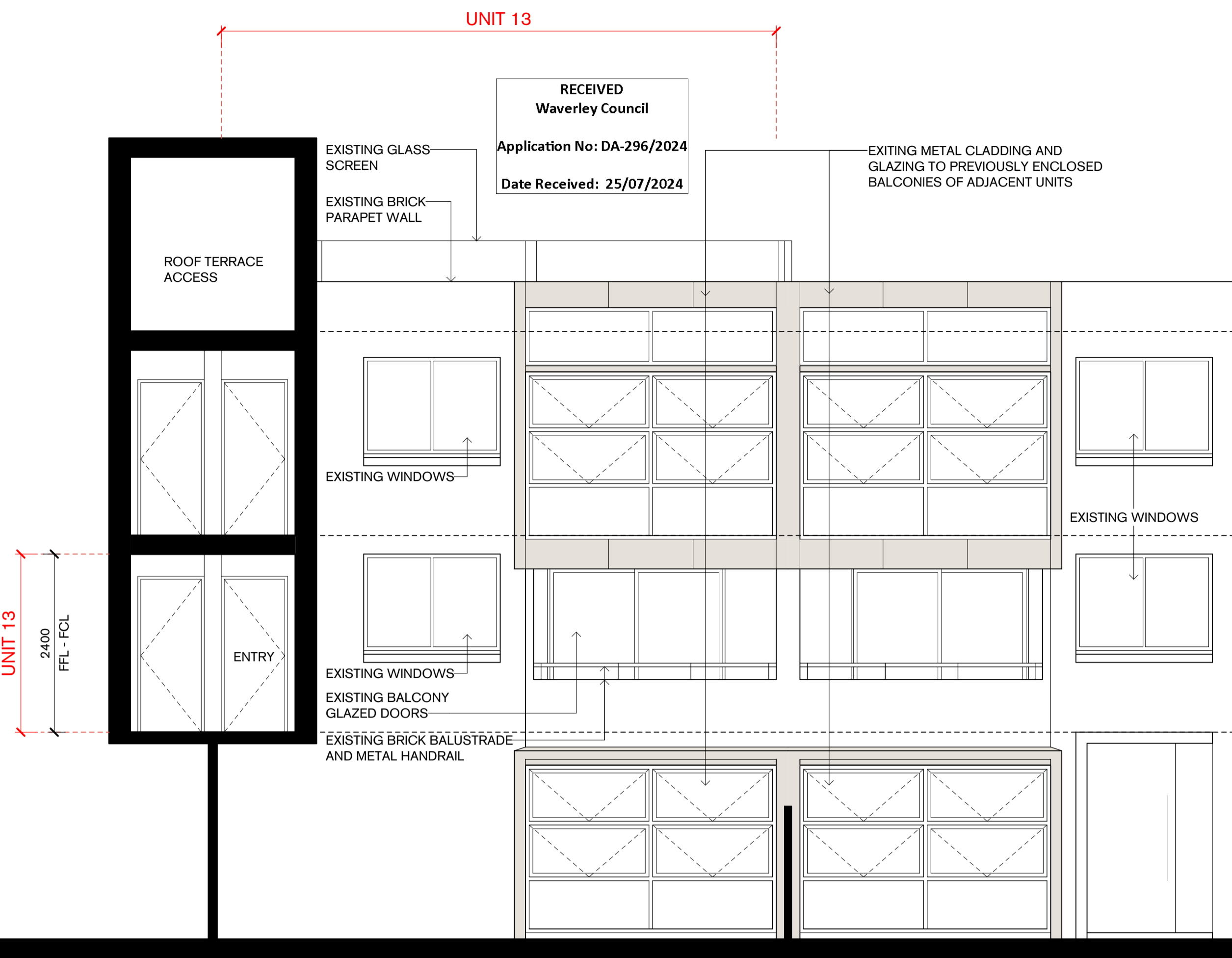
Address
Unit 13 / 2-4 Notts Ave
Bondi Beach NSW 2026

Status
NOT FOR CONSTRUCTION

Drawing
ELEVATIONS

Date Created	Drawn	Checked
08/24/22	BC	BC

Project No.	Drawing No.	Revision
95023	200	C



1 | Elevation - Existing
1:50

2 | Elevation - Proposed
1:50



PROPOSED MATERIALS & FINISHES



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Client
 Client Name
 RITOSSA

Legend

Tzannes

Scale North

1 : 50 @ A1

Project
 Unit 13 / 2-4 Notts Ave

Address
 Unit 13 / 2-4 Notts Ave
 Bondi Beach NSW 2026

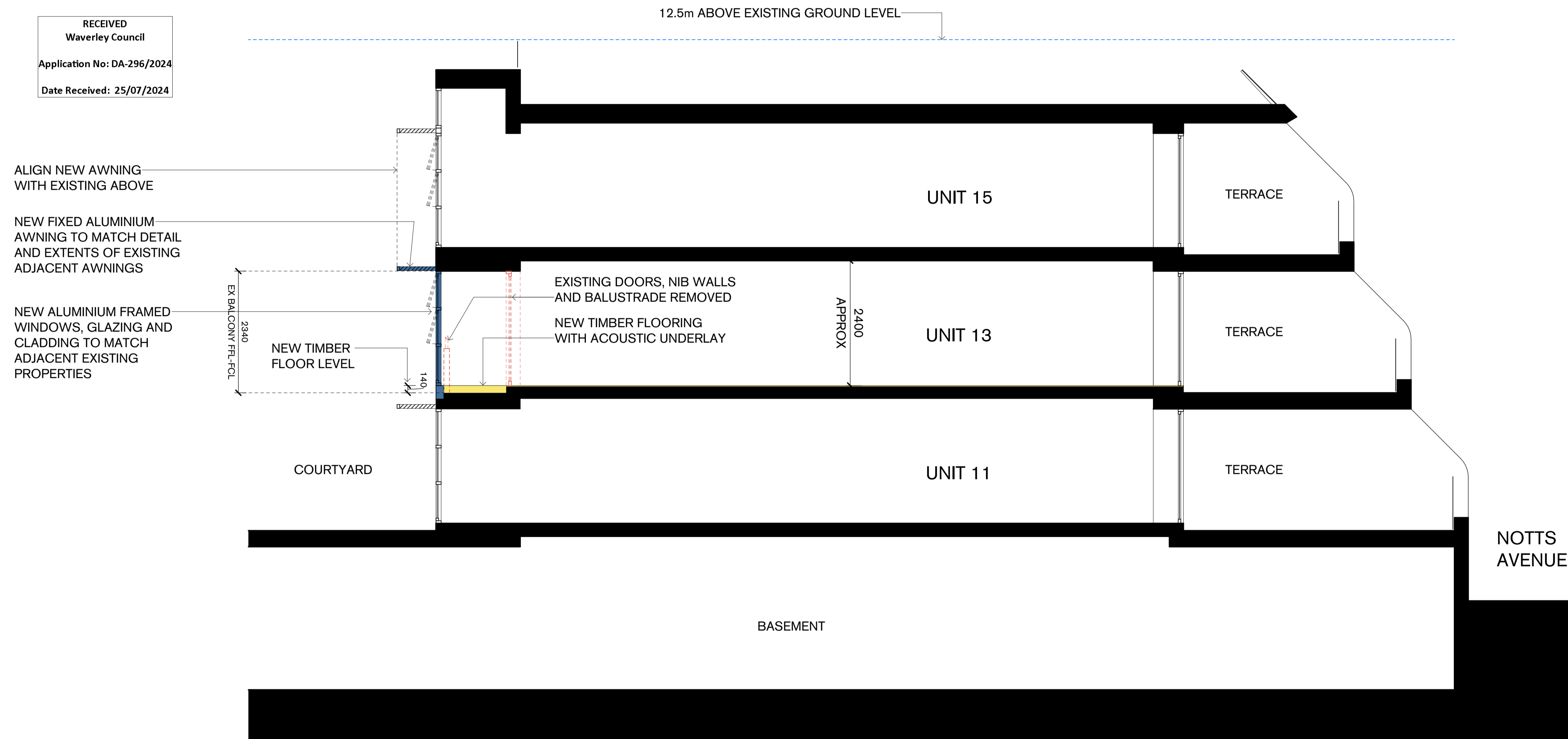
Status
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Drawing
 SECTION

Date Created	Drawn	Checked
20/04/23	BC	BC

Project No.	Drawing No.	Revision
95023	300	B

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Legend

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Scale North

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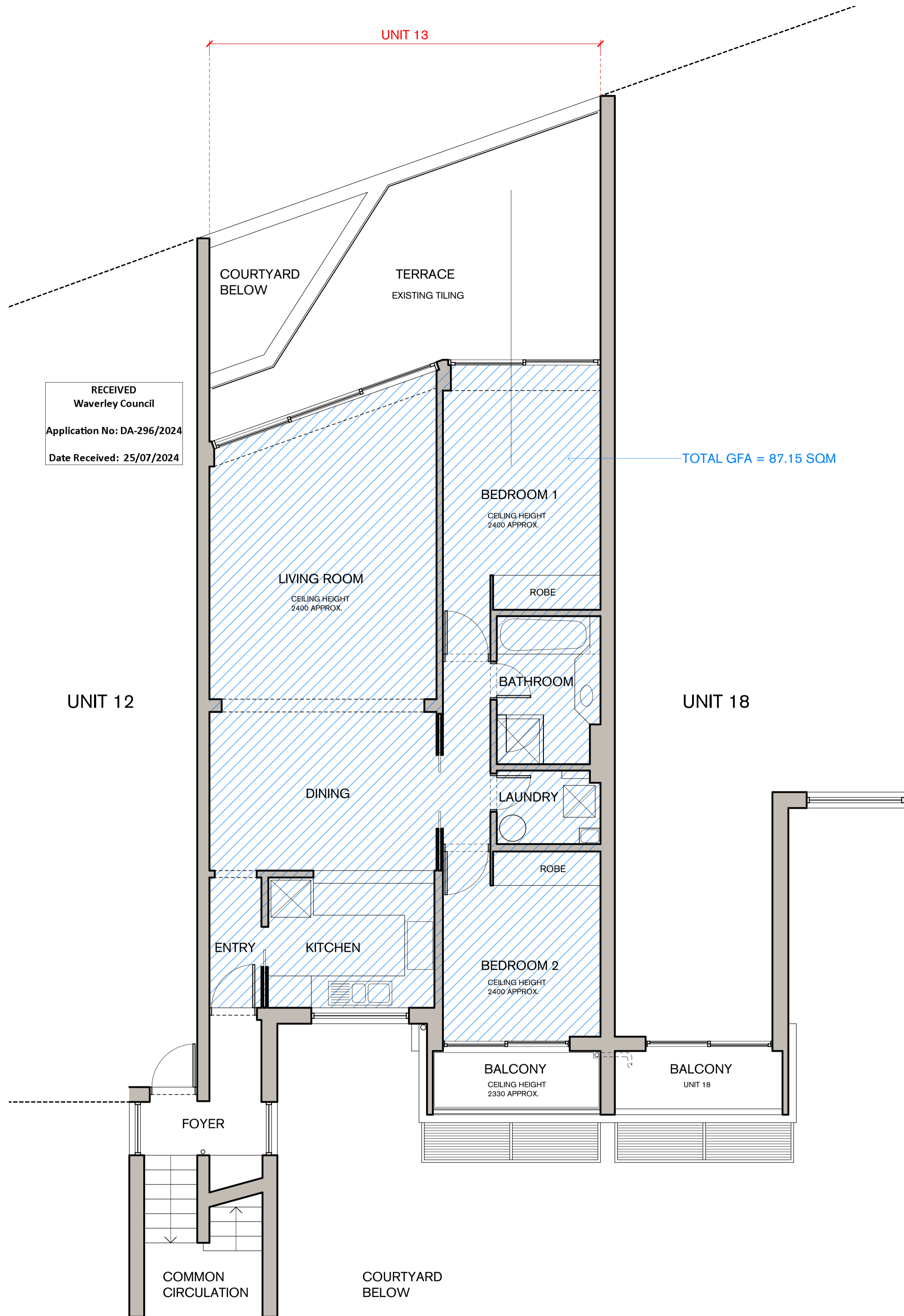
Status
 NOT FOR CONSTRUCTION

Drawing
 UNIT FLOOR PLAN GFA

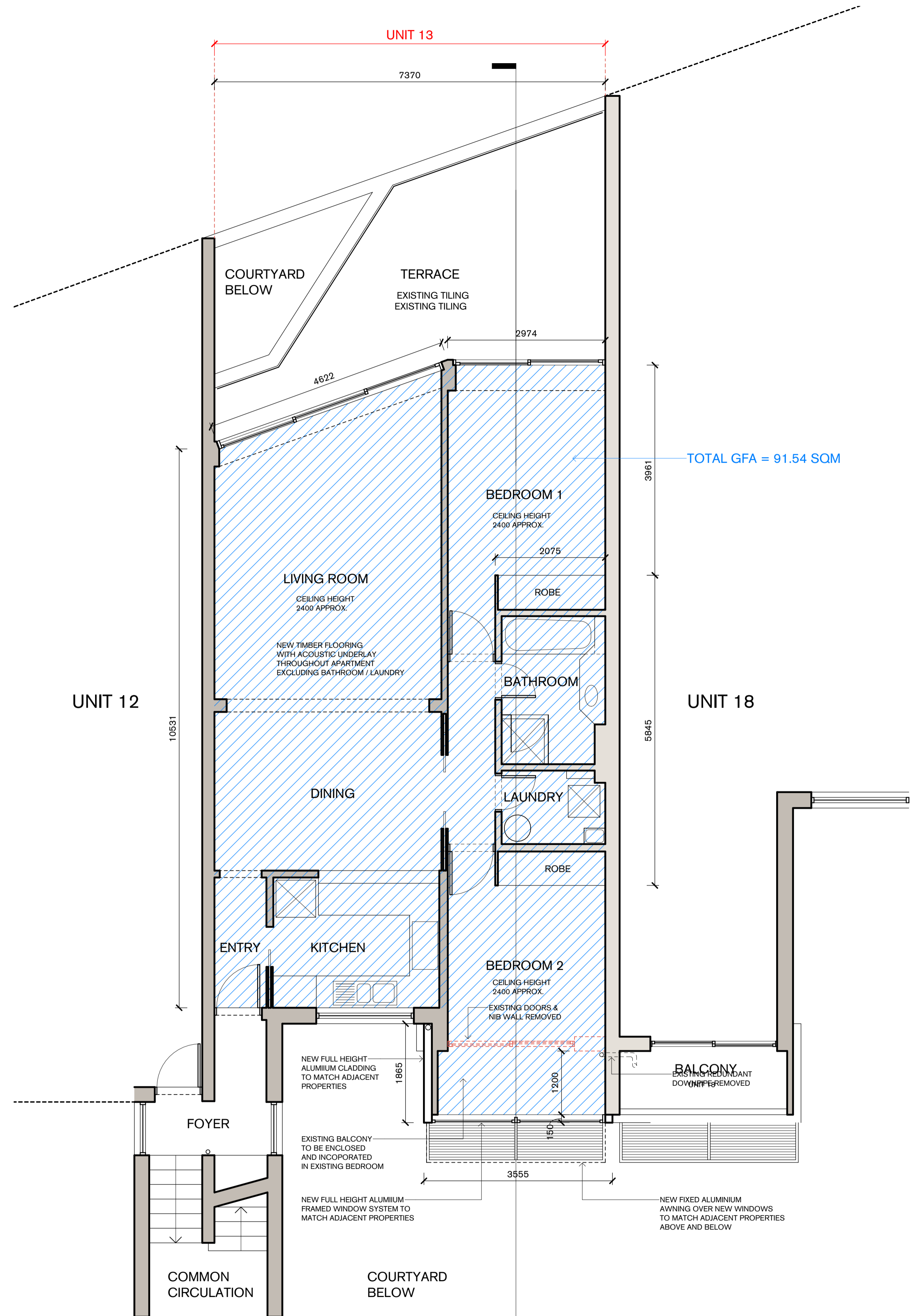
Date Created 20/04/23
Drawn BC
Checked BC

Project No. 95023
Drawing No. 500
Revision B

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1 | Floor Plan - Existing
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2 | Floor Plan - Proposed
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