
Bayside Planning Panel

24/10/2017

Item No	5.4
Application Type	Development Application
Application Number	DA-2017/227
Lodgement Date	21 December 2016
Property	6-8 Cecil Street, Monterey
Owner	Maxhuge Pty Ltd
Applicant	Design Studio
Proposal	Construction of a four (4) storey residential flat building comprising nine (9) residential units, basement carparking and demolition of existing buildings
No. of Submissions	Seven (7) upon first notification, Five (5) upon second notification
Cost of Development	\$2,388,892
Report by	Eric Alessi, Development Assessment Planner

Officer Recommendation

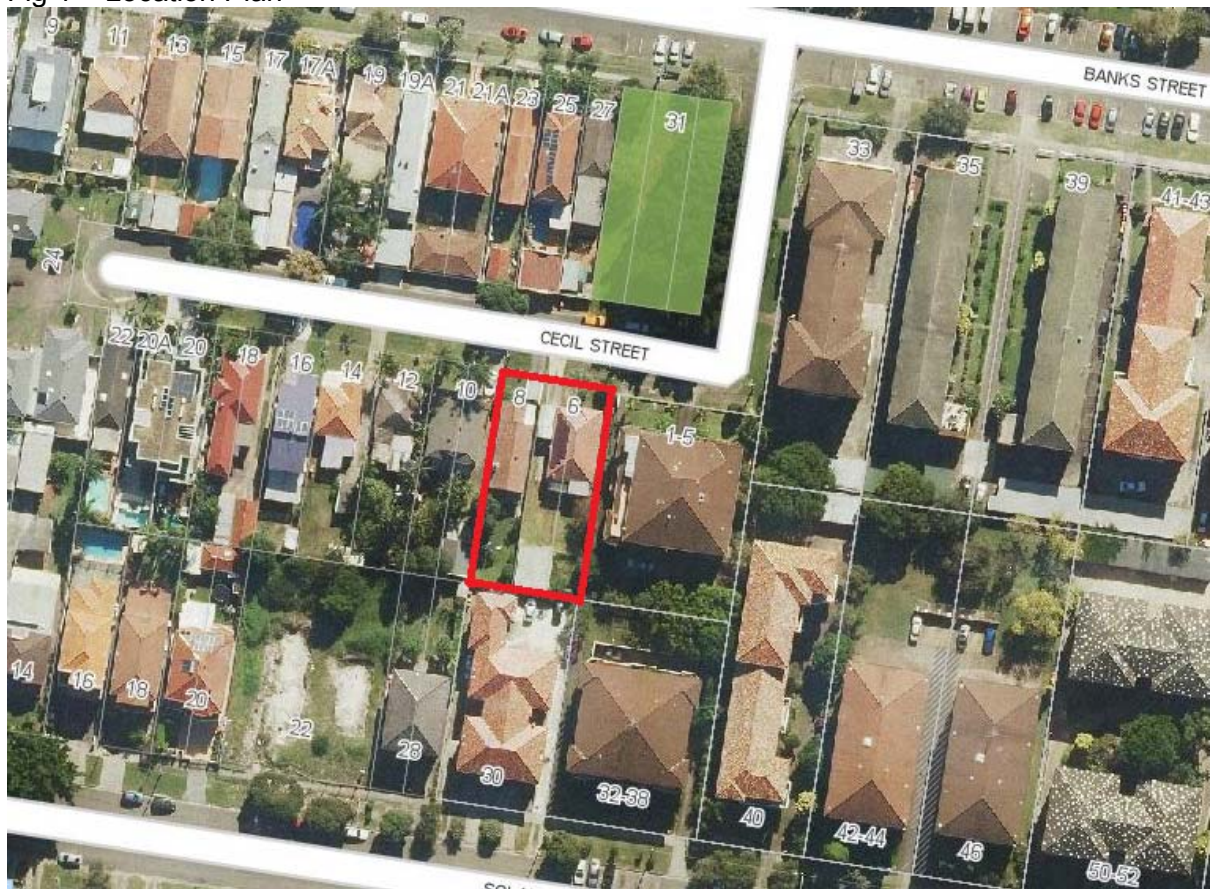
- 1 That Development Application DA-2017/227 for the Construction of a four (4) storey residential flat building comprising nine (9) residential units, basement carparking and demolition of existing buildings at 6 and 8 Cecil Street, Monterey be APPROVED pursuant to Section 80(1)(a) of the Environmental Planning and Assessment Act 1979 and subject to the conditions of consent attached to this report.
 - 2 That the objectors be advised of the Bayside Planning Panel's decision.
-

Attachments

- 1 Planning Assessment Report
 - 2 Proposed site plan
 - 3 Demolition plan
 - 4 East and West elevations
 - 5 North and South elevations
 - 6 Roof plan
 - 7 Landscape plan
 - 8 Survey plan
 - 9 Schedule of finishes
 - 10 Shadow diagrams for mid-winter
 - 11 Statement of Environmental Effects
 - 12 Sweep path analysis
-

Location Plan

Fig 1 – Location Plan



BAYSIDE COUNCIL

Planning Assessment Report

Application Details

Application Number:	DA-2017/227
Date of Receipt:	21 December 2016
Property:	6 Cecil Street, MONTEREY (Lot 31 Sec1 DP 736), (Lot 32 Sec1 DP 736) 8 Cecil Street, MONTEREY (Lot 30 Sec1 DP 736)
Owner(s):	Maxhugo Pty Ltd
Applicant:	Design Studio 407
Proposal:	6 & 8 Cecil Street, Monterey NSW 2217 - Construction of a four (4) storey residential flat building comprising nine (9) residential units, basement carparking and demolition of existing buildings
Recommendation:	Approved
No. of submissions:	Seven (7) upon first notification, Five (5) upon second notification
Author:	Eric Alessi
Date of Report:	11 October 2017

Key Issues

The key issues relating to the application are:

- The site of the proposal is in a transition area being located along the boundary of a R4 - High Density Residential zone and R3 - Medium Density Residential zone.
- A total of twelve (12) submissions have been received.
- The proposal impacts on neighbouring property views.
- The land is an infill site

Recommendation

- That Development Application DA-2017/227 for the Construction of a four (4) storey residential flat building comprising nine (9) residential units, basement carparking and demolition of existing buildings at 6 and 8 Cecil Street, Monterey be **APPROVED** pursuant to Section 80(1)(a) of the Environmental Planning and Assessment Act 1979 and subject to the conditions of consent attached to this report.
- That the objectors be advised of the Bayside Planning Panel's decision.

Background

History

Previous Application Considered on Site

Council's records show that Council has considered the following application on the site:

- DA-2001/703 for colorbond carport, approved on 22 May 2001.
- DA-2002/58 for deletion of condition 28 of DA-2001/703, approved on 23 July 2001.

Pre-development application advice was sought for the proposal (PDA-2017/3) prior to the application being lodged. A complete history is listed below:

History

9 August 2016

Pre-Development Application meeting

6 November 2016

Consideration by Design Review Panel

21 December 2016

Application Lodged

1 February 2017

Notification Period Ends - Six (6) submissions received

3 April 2017

Request for Additional Information

6 July 2017

Revised Plans Received

3 August 2017

Notification to amended application period ends - Five (5) submissions received

Proposal

Council is in receipt of a development application DA-2017/227 at 6-8 Cecil Street Monterey, which seeks consent to carry out the demolition of all existing structures and construction of a four (4) storey residential flat building.

The proposal consists of:

- Nine (9) units over four (4) floors - three (3) units on ground floor (1x studio, 1x1 bed, 1x2 bed), 2 units on second floor (2x2 bed), two (2) units on third floor (2x2 bed), two (2) units on third floor (1x2 bed, 1x3 bed).
- Basement parking for twelve (12) vehicles (including 2 accessible spaces and one visitor and car wash space) and a common bike parking area with a cora bike rack.
- Communal open space on the southern side at ground level.

Site location and context

The subject site is known as Lots 30, 31 and 32 DP 736, 6-8 Cecil Street Monterey. The site is a rectangular shape with front and rear boundary widths of 20.115 metres. The side boundaries are 39.625 metres deep. The total site area is 797sq.m. The topography of the site is such that it is relatively flat.

The subject site contains two one-storey dwellings, and ancillary structures. The site is located on the southern side of Cecil Street. The street is a cul-de-sac which branches off Banks Street. Adjoining development to the sides includes a three (3) storey residential flat building to the east, and a two (2) storey dwelling to the west. A two (2) storey residential flat building is situated on the rear property. There is a mix of one, two and three storey residential buildings within close proximity to the subject property on Cecil Street. The site is situated in a transition area between high density development and low density development with the site being located on the boundary of the R4 - High Density Residential zone and a R3 - Medium Density Residential zone. Land located east of the site is fully developed with residential flat building between three (3) and four (4) storeys in height. Land located directly west of the site is characterised by low density residential development with single and double storey detached dwellings.

One Crepe Myrtle tree is adjacent to the eastern boundary.

Statutory Considerations

Environmental Planning and Assessment Act, 1979

An assessment of the application has been undertaken pursuant to the provisions of the *Environmental Planning and Assessment Act, 1979*.

S.79C(1) - Matters for Consideration - General

S.79C(1)(a)(i) - Provisions of Environmental Planning Instruments

The following Environmental Planning Instruments are relevant to this application:

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

The applicant has submitted a BASIX Certificate for the proposed development. The Certificate number is 785894M

The commitments made result in the following reductions in energy and water consumption:

Reduction in Energy Consumption 40%

Reduction in Water Consumption 30%

Thermal Comfort Pass

A condition has been imposed on the consent to ensure that these requirements are adhered to.

State Environmental Planning Policy (Infrastructure) 2007

The subject land is not on land in or adjacent to the road corridor for a freeway, a tollway or a transitway, nor is the land adjacent to a busy road with an annual average daily traffic (AADT) volume of more than 40,000 vehicles or any other road with an (AADT) volume of more than 20,000 vehicles or high level truck movements or bus traffic. The development does not involve penetration of the ground to a depth of at least 3m below ground floor level.

Further, the subject land is not on land adjacent to a rail corridor.

Accordingly, the proposal is consistent with the provisions of the SEPP and is acceptable in this regard.

State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development

In accordance with clause 28(2) of this policy, the consent authority must take into consideration the following:

a. The advice of the Design Review Panel (DRP)

The proposal was referred to the Design Review Panel on 16 November 2016 prior to the lodgement of the development application. The design review panel made recommendations in relation to site context, site facilities, tree cover, privacy, amenity and site facilities. The DRP requested that plans be amended in order to resolve issues raised. These matters have been discussed below.

b. The design quality of the development when evaluated in accordance with the design quality principles.

The 10 design quality principles have been considered in the assessment of the proposal as follows:

Principle 1 – Context and Neighborhood Character

The panel made the following comments in relation to Context and Neighbourhood Character:

The site is located on the southern side of Cecil Street opposite a reserve and at a location where the street reserve narrows to a laneway. It is located at the boundary of R4 and R3 zones. There are existing apartment buildings on the eastern and southern boundaries and a two storey dwelling on the western boundary. There is a 1.5 metre road widening requirement along Cecil Street which the Panel suspects will never be implemented.

Comment: Due consideration has been given in the assessment to the fact that the proposal is on the boundary of a R3 and an R4 zone. Council development engineer has recommended that the road widening along Cecil Street take place. Appropriate conditions has been placed on the draft notice of determination in relation to road widening.

Principle 2 – Built Form and Scale

The Panel generally support the building footprint and height with the following modifications:

- *Re-configure Unit 2 to reduce courtyard space on the side boundary and relocate to the front. This courtyard could be redesigned into the streetscape frontage.*

- *Reduction of external courtyard space (unit 3) on the side boundary to provide expanded garden and planting interface to the adjoining residential house.*
- *Relocate the bin store into the basement.*
- *Redesign the fence treatment to the street to reduce height (to 1.2 metres) and maximize landscape space.*
- *Redesign of the rooftop balustrade. It would be preferable if this was designed as a raised planter and integrated into the materials palette of the façade.*

Comments:

The proposal has been amended as follows:

- The proposal has been redesigned so that the courtyard of unit two (2) has been relocated to the front of the building and is incorporated into the streetscape frontage.
- The courtyard area of unit three (3) has been reduced and a planter garden 1.7 metres in width and 14.8 square metres in area is included on the southern side of the courtyard.
- The bin storage area has been relocated into the basement.
- The front fence has been removed.
- The rooftop terrace has been removed.

Principle 3 – Density

The panel made the following comment in relation to Density:

Complies

Principle 4 - Sustainability

The panel made the following comments in relation to Sustainability:

- Unit two (2) to be redesigned with the living room to be facing the street and sun.
- Larger trees should be included in the design (greater than 10 metres in height) in order to improve local microclimate.

Comment: Unit two (2) has been redesigned so that the living room is facing the street and sun. The proposal includes four (4) trees with a mature height greater than ten (10) metres in height. The revised landscape plan contains four (4) trees with a mature height greater than ten (10) metres.

Principle 5 – Landscape

The panel made the following comments in relation to Landscaping:

A sketch plan has been provided. The following recommendations are made:

- Reduce paved terrace space for units two (2) and three (3) and increase planting zones on the western boundary. This should prioritise screen planting to adjoining ground level properties. Raised planters could be incorporated over the basement carpark with appropriate screening planting of adequate mature height to minimise privacy issues with the adjacent site.
- Relocation of the proposed barbecue and seating facility to the rear of the lot to minimise impacts on ground level apartments.
- Provision of large native canopy trees (over 12 metre mature height) in deep soil zones in the front and rear of the lot. The proposed Banksia does not fulfil this criteria.

Comments:

- The paved terrace area for unit two (2) and three (3) has been reduced and a planter box 1.7

metres in width has been incorporated along the western boundary.

- The communal barbecue area has been relocated to the rear.
- Revised landscape plan includes Eucalyptus haemostoma (EH) growing to a mature height of twelve (12) metres. Four Eucalyptus haemostomas are to be planted, three along the front of the property and one along the western boundary.

Principle 6 – Amenity

The panel made the following comments in relation to amenity:

The following minor amendments should be addressed:

- Unit two (2) should be re-planned as above and incorporate a more useful kitchen layout.
- Unit one (1) could have a better kitchen layout.
- Unit four (4) and above should re-plan the kitchen to be more generous and take advantage of the window overlooking the street.
- The top floor lobby should incorporate a skylight.
- The bedrooms facing east may need privacy screens. These should be considered in relationship to the adjacent property which is not shown on the drawings.
- The floor plans should include furniture layouts.
- Storage should be provided in accordance with ADG.

Comments:

- The layout of unit two (2) has been changed.
- The kitchen layout of unit one (1) remains the same.
- The layout of the kitchen in unit four (4) has been changed to incorporate an L shaped layout.
- The rooftop incorporates skylights.
- There have been no changes to the eastern elevation.
- Floor plans include furniture layouts.
- Storage has been provided.

Principle 7 - Safety

The panel made the following comment in relation to safety:

The Panel believes that the rooftop terraces assigned to units eight (8) and nine (9) should be securely separated from non-trafficable roof spaces. (Childproof).

Comment: The rooftop terrace has been removed.

Principle 8 - Housing Diversity and Social Interaction

The panel made the following comment in relation to Housing Diversity and Social interaction.

Acceptable.

Principle 9 – Aesthetics

The panel made the following comments in relation to Aesthetics:

The Panel feels that the overly white treatment of the front façade could be a little out of context with the surrounding environment. Some attempt should be made to incorporate some brick elements into the front façade.

Comment: Walls inside balcony areas have been changed to be brick, however the face of the building along the street frontage predominately remains white rendering.

C. The Apartment Design Guide

The proposal has been assessed against the Apartment Design Guide (ADG)

The proposed development is considered to have performed adequately in respect to the objectives and design criteria contained within the ADG. The relevant issues are discussed below:

CLAUSE	DESIGN CRITERIA	COMMENTS	COMPLIES								
3D - Communal and public open space	25% of site area (199.25 sqm) 50% direct sunlight to principal usable part of COS for two (2) hours in midwinter.	Development provides a total of 251 square metres of communal open space Accompanying Shadow Diagrams demonstrate that at least 50% of COS receives sunlight for at least two (2) hours mid-winter	Complies Refer to section 4.3.3 of this report								
3J - Bicycle and car parking	As per Guide to Traffic Generating Developments, or per council requirement, whichever is less. Parking provided off street.	The proposal meets the Development Control Plan parking requirements.	Complies Refer to part 4.6 of this report								
3E - Deep Soil Zones	<table border="1"> <thead> <tr> <th>Site Area</th> <th>Minimum dimensions</th> <th>Deep soil zone (% of site area)</th> </tr> </thead> <tbody> <tr> <td>less than 650m²</td> <td>-</td> <td rowspan="2">7%</td> </tr> <tr> <td>650m² - 1,500m²</td> <td>3m</td> </tr> </tbody> </table>	Site Area	Minimum dimensions	Deep soil zone (% of site area)	less than 650m ²	-	7%	650m ² - 1,500m ²	3m	The proposal provides 110.1 square metres of deep soil area over a site area of 797 square metres. This is 14% of the total site area.	Complies
Site Area	Minimum dimensions	Deep soil zone (% of site area)									
less than 650m ²	-	7%									
650m ² - 1,500m ²	3m										

4D – Apartment size and layout	<p>Minimum internal areas:</p> <table border="1" data-bbox="403 174 919 423"> <thead> <tr> <th>Apartment type</th> <th>Minimum internal area</th> </tr> </thead> <tbody> <tr> <td>Studio</td> <td>35m²</td> </tr> <tr> <td>1 bedroom</td> <td>50M²</td> </tr> <tr> <td>2 bedroom</td> <td>70m²</td> </tr> <tr> <td>3 bedroom</td> <td>90m²</td> </tr> </tbody> </table> <p>Internal areas includes only one bathroom. Additional bathrooms increase area by 5m² each.</p> <p>Further bedrooms increase minimum internal area by 12m² each.</p>	Apartment type	Minimum internal area	Studio	35m ²	1 bedroom	50M ²	2 bedroom	70m ²	3 bedroom	90m ²	All units meet the minimum floor area requirements.	Complies		
Apartment type	Minimum internal area														
Studio	35m ²														
1 bedroom	50M ²														
2 bedroom	70m ²														
3 bedroom	90m ²														
4C – Ceiling heights	<table border="1" data-bbox="424 707 903 1272"> <thead> <tr> <th colspan="2">Minimum ceiling heights:</th> </tr> </thead> <tbody> <tr> <td>Habitable</td> <td>2.7m</td> </tr> <tr> <td>Non-habitable</td> <td>2.4m</td> </tr> <tr> <td>Two storey apartments</td> <td>2.7m main living 2.4m first floor, area < 50% of apartment area</td> </tr> <tr> <td>Attic spaces</td> <td>1.8m at edge 30deg min slope</td> </tr> <tr> <td>Mixed use area</td> <td>3.3m for ground and first floor</td> </tr> </tbody> </table>	Minimum ceiling heights:		Habitable	2.7m	Non-habitable	2.4m	Two storey apartments	2.7m main living 2.4m first floor, area < 50% of apartment area	Attic spaces	1.8m at edge 30deg min slope	Mixed use area	3.3m for ground and first floor	All units have minimum ceiling heights in excess of 2.7 metres..	Complies
Minimum ceiling heights:															
Habitable	2.7m														
Non-habitable	2.4m														
Two storey apartments	2.7m main living 2.4m first floor, area < 50% of apartment area														
Attic spaces	1.8m at edge 30deg min slope														
Mixed use area	3.3m for ground and first floor														
3F Visual Privacy	<p>Min separation - side & rear boundaries:</p> <table border="1" data-bbox="403 1384 919 1832"> <thead> <tr> <th>Building height</th> <th>Habitable rooms and balconies</th> <th>Non habitable rooms</th> </tr> </thead> <tbody> <tr> <td>Up to 12m (4 storeys)</td> <td>6m</td> <td>3m</td> </tr> <tr> <td>Up to 25m (5-8 Storeys)</td> <td>9m</td> <td>4.5m</td> </tr> <tr> <td>Over 25m (9+storeys)</td> <td>12m</td> <td>6m</td> </tr> </tbody> </table> <p>Buildings on the same site combine required building separations. Gallery treated as habitable space</p>	Building height	Habitable rooms and balconies	Non habitable rooms	Up to 12m (4 storeys)	6m	3m	Up to 25m (5-8 Storeys)	9m	4.5m	Over 25m (9+storeys)	12m	6m	The proposal incorporates a six (6) metre setback to 1 - 5 Cecil Street, and a 6.7 metre setback to 10 Cecil Street.	Complies
Building height	Habitable rooms and balconies	Non habitable rooms													
Up to 12m (4 storeys)	6m	3m													
Up to 25m (5-8 Storeys)	9m	4.5m													
Over 25m (9+storeys)	12m	6m													

4A – Solar and daylight access	<p>Living rooms + POS of at least 70% of apartments receive min 2hrs direct sunlight b/w 9am & 3 pm mid-winter</p> <p>Max 15% apartments receive no direct sunlight b/w 9am & 3pm mid-winter</p>	All units receive at least 2 hours of direct sunlight.	Complies															
4F – Common circulation and spaces	<p>Max apartments off a circulation core on a single level is eight.</p> <p>10 storeys and over, max apartments sharing a single lift is 40.</p>		Complies															
4E – Private open space and balconies	<p>Primary balconies as follows:</p> <table border="1" data-bbox="403 636 919 887"> <thead> <tr> <th>Dwelling type</th> <th>Minimum area</th> <th>Minimum depth</th> </tr> </thead> <tbody> <tr> <td>Studio</td> <td>4m²</td> <td>-</td> </tr> <tr> <td>1 bed</td> <td>8m²</td> <td>2m</td> </tr> <tr> <td>2 bed</td> <td>10m²</td> <td>2m</td> </tr> <tr> <td>3+ bed</td> <td>12m²</td> <td>2.4m</td> </tr> </tbody> </table> <p>Min balcony depth contributing to the balcony area is 1m.</p> <p>Ground level, podium or similar -POS provided instead of a balcony: min area 15m² and min depth of 3m.</p>	Dwelling type	Minimum area	Minimum depth	Studio	4m ²	-	1 bed	8m ²	2m	2 bed	10m ²	2m	3+ bed	12m ²	2.4m	<p>The balcony areas area as follows:</p> <p>Ground floor</p> <ul style="list-style-type: none"> • Unit 1 (studio) 9.5 sqm • Unit 2 (1 bedroom) 9.5 sqm • Unit 3 (2 bedrooms) 67.3 sqm • Unit 4 (2 bedrooms) 11.4 sqm • Unit 5 (2 bedrooms) 8.2 sqm • Unit 6 (2 bedrooms) 11.4 sqm • Unit 7 (2 bedrooms) 8.2 sqm • Unit 8 (3 bedrooms) 11.4 sqm • Unit 9 (2 bedrooms) 8.2 sqm 	<p>Partially Complies</p> <p>Refer to clause 4.3.2 of this report</p>
Dwelling type	Minimum area	Minimum depth																
Studio	4m ²	-																
1 bed	8m ²	2m																
2 bed	10m ²	2m																
3+ bed	12m ²	2.4m																

<p>4B – Natural ventilation</p>	<p>Min 60% of apartments are naturally cross ventilated in the first nine storeys of the building.</p> <p>Ten storeys or > are deemed to be cross ventilated only if any enclosure of the balconies at these levels allows adequate natural ventilation and cannot be fully enclosed.</p> <p>Overall depth of a cross-over or cross-through apartment does not exceed 18m, measured glass line to glass line.</p>	<p>All apartments have corner aspects</p>	<p>Complies</p>
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4G – Storage	<p>In addition to storage in kitchens, bathrooms and bedrooms, the following storage is provided:</p> <table border="1" data-bbox="400 264 922 517"> <thead> <tr> <th>Dwelling type</th> <th>Storage size volume</th> </tr> </thead> <tbody> <tr> <td>Studio</td> <td>4m²</td> </tr> <tr> <td>1 bed</td> <td>6M²</td> </tr> <tr> <td>2 bed</td> <td>8m²</td> </tr> <tr> <td>3 bed</td> <td>10m²</td> </tr> </tbody> </table> <p>At least 50% of the required storage is located within apartment</p>	Dwelling type	Storage size volume	Studio	4m ²	1 bed	6M ²	2 bed	8m ²	3 bed	10m ²	<p>Storage is provided at the following rates</p> <ul style="list-style-type: none"> • Unit 1 (Studio) 4.02 sqm • Unit 2 (1 bedroom) 6.02 sqm • Unit 3 (2 bedrooms) 8.04 sqm • Unit 4 (2 bedrooms) 9 sqm • Unit 5 (2 bedrooms) 9.5 sqm • Unit 6 (2 bedrooms) 9 sqm • Unit 7 (2 bedrooms) 9 sqm • Unit 8 (3 bedrooms) 12.94 sqm • Unit 9 (2 bedrooms) 10 sqm <p>4.6 square metres of space is within unit 9 and 5.4 within the basement.</p>	<p>Partially Complies</p> <p>Refer to assessment under part 4.7</p>
Dwelling type	Storage size volume												
Studio	4m ²												
1 bed	6M ²												
2 bed	8m ²												
3 bed	10m ²												

Rockdale Local Environmental Plan 2011

Relevant clauses	Compliance with objectives	Compliance with standard/provision
2.3 Zone R4 High Density Residential	Yes	Yes - see discussion
2.7 Demolition requires consent	Yes	Yes - see discussion
4.3 Height of buildings	Yes	Yes - see discussion
4.4 Floor space ratio - Residential zones	Yes	Yes - see discussion
4.6 Exceptions to development standards	Yes	Yes - see discussion
5.1 R4 High Density Residential	Yes	Yes

Relevant clauses	Compliance with objectives	Compliance with standard/provision
5.1A Development on land intended to be acquired for a public purpose	Yes	Yes - see discussion
5.6 Architectural roof features	Yes	Yes - see discussion
5.9 Preservation of trees or vegetation	Yes	Yes - see discussion
5.9AA Trees or vegetation not prescribed by development control plan	Yes	Yes
6.1 Acid Sulfate Soil - Class 4	Yes	Yes - see discussion
6.2 Earthworks	Yes	Yes - see discussion
6.4 Airspace operations	Yes	Yes
6.7 Stormwater	Yes	Yes - see discussion
6.12 Essential services	Yes	Yes - see discussion

2.3 Zone R4 High Density Residential

The subject site is zoned R4 - High Density Residential under the provisions of Rockdale Local Environmental Plan 2011 (RLEP 2011). The proposal is defined as a residential flat building which constitutes a permissible development only with development consent. The objectives of this zone are:

- To provide for the housing needs of the community within a high density residential environment.
- To provide a variety of housing types within a high density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.

The proposed development is consistent with the objectives of the zone. It provides a mix of units within a high density residential environment.

2.7 Demolition requires consent

The proposed development seeks consent for the demolition of the existing dwellings and associated structures and hence satisfies the provisions of this Clause.

4.3 Height of buildings

The maximum permissible building height under the RLEP 2011 Height of Building Map is 14.5 metres. The height of the building is 13.1 metres and therefore the proposal does not exceed the maximum permissible building height and provides an appropriate height transition to the adjacent R3 - Medium Density Residential Zone.

4.4 Floor space ratio - Residential zones

The Gross Floor Area of the proposed development has been calculated as 710.6 sqm over a site area of 797sqm. In this regard, the proposed floor space ratio (FSR) for the building is 0.9:1 and therefore does not exceed the maximum FSR for the land (1:1) as shown on the Floor Space Ratio Map.

Further, the proposed density is in accordance with the desired future character of Rockdale, will have minimal adverse environmental effects on the use or enjoyment of adjoining properties, and will maintain an appropriate visual relationship between new development and the existing character of area.

Accordingly, the proposed FSR for the development meets the objectives and satisfies the maximum FSR permitted by Clause 4.4 in RLEP 2011.

4.6 Exceptions to development standards

The application does not include a section 4.6 variation.

5.1A Development on land intended to be acquired for a public purpose

The land contains a reservation approximately 1.5 metres in length along the length of Cecil Street identified in the Land Reservation Acquisition Map for Local Road Widening purposes. Council's development engineer has recommended conditions of consent for the reservation to be dedicated to Council. Appropriate conditions will be placed on the draft notice of determination requiring the reservation to be dedicated to Council.

5.6 Architectural roof features

The proposal does not include any architectural roof features. Revised plan do not include the rooftop pergola which was proposed to be an architectural roof feature. In this regard the proposal is consistent with the objectives and requirements of this clause.

5.9 Preservation of trees or vegetation

The site contains trees that are subject to approval by Council under clause 5.9 of RLEP 2011 conferred by:

- (a) development consent, or
- (b) a permit granted by Council.

The application was referred to Council's Tree Management Officer who determined that all trees on site are insignificant with the exception of a mature Crepe Myrtle. Further, the Officer concludes the proposed development provides adequate compensation of replacement planting in the accompanying Landscape Plan. In this regard, the proposed development maintains the amenity of the Monterey area, and accordingly, satisfies the relevant provisions of this Clause.

The proposed development is acceptable in this regard.

6.1 Acid Sulfate Soil - Class 4

Acid Sulfate Soils (ASS) – Class 4 affect the property. Development Consent is required as the proposal involves works below the natural ground level and the works may lower the watertable. In this regard, an Acid Sulfate Soils Assessment prepared by Morrow Geotechnics Pty Ltd was prepared for the proposed development. The assessment included field screening of soil samples collected for Acid Sulfate Soil indicators. The report concluded that *"screening of soil samples from the investigation does not indicate the presence of either actual acid sulfate or potential acid sulfate soils and an Acid Sulfate Soil Management Plan is not required for development at the site"*. As the investigation concluded there are no Acid Sulphate Soils on site, the proposal is consistent with the objectives and requirements of clause 6.1.

6.2 Earthworks

Earthworks including excavation are required on site for the basement car parking. The objectives and requirements of Clause 6.2 of RLEP 2011 have been considered in the assessment of this application. It is considered that the proposed earthworks and excavation will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the

surrounding land. However, notwithstanding, relevant conditions are included in the draft Notice of Determination to ensure that the environmental amenity of surrounding land is maintained, and soil erosion, sedimentation, and drainage impacts are minimised.

6.7 Stormwater

Council's Development Engineer has reviewed the submitted stormwater plan and has recommended amendments be made prior to the issue of the Construction Certificate. The required amendments are as follows:

- Absorption tank to have minimum 1.5m setback from the rear boundary and 2m setback from the side boundary.
- Basement wall adjacent to the absorption tank (southern side) system to be tanked fully upto the ground level. (reason: absorption tank system within 1.5m from the basement wall may cause seepage through the wall)

Design certification, in the form specified in Rockdale Technical Specification Stormwater Management, and drainage design calculations are to be submitted with the plans. Council's Rockdale Technical Specification Stormwater Management sets out the minimum documentation requirements for detailed design plans. Stormwater management requirements for the development site, including the final discharge/end connection point, must comply with Rockdale Technical Specification Stormwater Management.

Appropriate conditions have been placed on the Draft Notice of Determination in relation to the above. Subject to compliance with the conditions of consent, the proposal satisfies this Clause.

6.12 Essential services

Services will generally be available on the site. Additional conditions have been incorporated in the draft Notice of Determination requiring consultation with relevant utility providers in regards to any specific requirements for the provision of services on the site.

S79C(1)(a)(iii) - Provisions of any Development Control Plan

The following Development Control Plan is relevant to this application:

Rockdale Development Control Plan 2011

The application is subject to Rockdale DCP 2011. A compliance table for the proposed development is provided below:

Relevant clauses	Compliance with objectives	Compliance with standard/provision
4.1.1 Views and Vista	Yes	Yes - see discussion
4.1.3 Water Management	Yes	Yes - see discussion
4.1.3 Groundwater Protection	Yes	Yes - see discussion
4.1.4 Soil Management	Yes	Yes - see discussion
4.1.7 Tree Preservation	Yes	Yes - see discussion
4.1.9 Lot size and Site Consolidation - Residential flat buildings	Yes - see discussion	No - see discussion
4.2 Streetscape and Site Context - General	Yes	Yes - see discussion
4.2 Streetscape and Site Context - Fencing	Yes	Yes

Relevant clauses	Compliance with objectives	Compliance with standard/provision
4.3.1 Open Space and Landscape Design - Residential Flat Buildings	Yes	Yes - see discussion
4.3.2 Private Open Space - Residential Flat Building/Shoptop housing	Yes - see discussion	Yes - see discussion
4.3.3 Communal Open Space	Yes	Yes - see discussion
4.4.1 Energy Efficiency - Residential	Yes	Yes - see discussion
4.4.2 Solar Access - Residential Flat Buildings and Shop Top Housing	Yes	Yes - see discussion
4.4.3 Natural Lighting and Ventilation - Residential	Yes	Yes - see discussion
4.4.4 Glazing - General Controls	Yes	Yes - see discussion
4.4.5 Visual privacy	Yes	Yes - see discussion
4.4.5 Acoustic privacy	Yes	Yes - see discussion
4.4.7 Wind Impact	Yes	Yes - see discussion
4.5.1 Social Equity - Housing Diversity and Choice	Yes	Yes - see discussion
4.5.2 Social Equity - Equitable Access	Yes	Yes - see discussion
4.6 Parking Rates Residential Flat Buildings	Yes	Yes - see discussion
4.6 Car Park Location and Design	Yes	Yes - see discussion
4.6 Vehicles Enter and Exit in a Forward Direction	Yes	Yes - see discussion
4.6 Basement Parking - General	Yes	Yes - see discussion
4.6 Driveway Widths	Yes	Yes - see discussion
4.6 Basement Parking - Residential Flat Buildings	Yes	Yes - see discussion
4.6 Access to Parking	Yes	Yes - see discussion
4.6 Design of Loading Facilities	Yes	Yes
4.6 Car Wash Facilities	Yes	Yes - see discussion
4.6 Pedestrian Access and Sustainable Transport	Yes	Yes
4.7 Air Conditioning and Communication Structures	Yes	Yes
4.7 Waste Storage and Recycling Facilities	Yes	Yes - see discussion
4.7 Service Lines/Cables	Yes	Yes
4.7 Laundry Facilities and Drying Areas	Yes	Yes - see discussion
4.7 Letterboxes	Yes	Yes
4.7 Storage Areas	Yes	Yes - see discussion
4.7 Hot Water Systems	Yes	Yes - see discussion
5.2 RFB - Site Coverage	Yes	Yes - see discussion
5.2 RFB Front Setback	Yes	Yes - see discussion
5.2 RFB - Side Setbacks	Yes	Yes - see discussion
5.2 RFB - Rear Setbacks	Yes	Yes - see discussion
5.2 RFB Secondary Street/Laneway Setback	Yes	Yes
5.2 RFB - Apartment Size	Yes - see discussion	Yes - see discussion
5.2 RFB - Building Design	Yes	Yes - see discussion
5.2 RFB - Building Entry	Yes	Yes - see discussion
5.2 RFB - Lift Size and Access	Yes	Yes - see discussion

4.1.1 Views and Vista

The proposal is located in an R4 - High Density Residential Zone. The maximum height of buildings

under the Height of Buildings map is 14.5 metres. The proposal is sighted so that there is to be a three (3) metres setback on the eastern boundary, a seven and a half (7.5) metres setback on the northern boundary to the front, a twelve (12) metres rear setback to the southern boundary and a six (6) metre setback along the western boundary. The only property affected in regards to views is 1-5 Cecil Street, and the impact is discussed below.

1-5 Cecil Street Monterey

1-5 Cecil Street is located directly to the east of the site. The building is a residential flat building three (3) storeys in height. The third storey of the proposal features a unit (Unit 9) which feature a courtyard which extends along the whole length of the western side of the building. Views from the west are obtained from this apartment.



The proposal will impact on easterly views enjoyed from 1-5 Cecil street and accordingly the principles set out in *Tenacity Consulting v Warringah Council* were used to assess the impact.

The 'planning principle' sets out a four step assessment in regards to what constitutes a 'reasonable sharing of view'. The steps are as follows:

1. *Description and assessment of views to be affected by the proposal and the value of these views.*
2. *Ascertain whether view retention expectations are realistic. Consider what part of the property the views are obtained. (The protection of views across side boundaries is more difficult than the protection of views from front and rear boundaries)*
3. *Assess the extent of the impact for the whole property. The impact should be qualified on a scale of negligible to devastating.*

4. *Assess the reasonableness of the proposal that is causing the impact, taking into account any non-compliance that is causing view loss (A development that complies with all the planning controls would be more reasonable than one that breached them).*

The following comments are offered in respect to the above considerations:

1. The subject sight benefits from district views to the west. The views are not iconic however do offer amenity and value.
2. Views are obtained to the side boundary to the west over rooftops of 6 - 8 Cecil Street and dwelling down Cecil Street.
3. Unit 9, 1-5 Cecil Street will lose most of its westerly views, however some view will be retained at the corners of the courtyard. The view loss has been categorised as severe.
4. The Apartment Design guide contains a number of design considerations relating to building separation and minimum distance provision which the development generally complies. The proposal complies with front and rear setbacks. The side setbacks have been endorsed by the design review panel. The Local Environment Plan stipulates a maximum height of the building under the Height of Buildings map. The maximum permissible height for the land is 14.5 metres, and the proposed height of the building is 13.1 metres. The proposal is generally compliant with planning controls.

The principles require consideration as to whether a more skillful design could reduce impact. *'With a complying proposal, the question should be asked whether a more skillful design could provide the applicant with the same development potential and amenity and reduce the impact on the views of neighbours. If the answer to that question is no, then the view impact of a complying development would probably be considered acceptable and the view sharing reasonable'*. Consideration has been given to whether changes to the design can minimise view impacts. The obstruction of views is caused by the height of the building being greater than the height of the courtyard of 1 - 5 Cecil Street. The rooftop height of the proposal is RL 18.7. The ground floor height of the courtyard of Unit 9, 1 - 5 Cecil Street is RL 13.75. The proposal would have to reduce its height significantly below the maximum permissible height to allow the neighbouring dwelling to retain its westerly views. The proposal would have to be limited to a two (2) storey building to avoid impacting on views. The land has been zoned for higher density development and it is considered that a building higher than two (2) storeys in height is consistent with the zone objectives.

In consideration of the above it is considered that the proposal is consistent with clause 4.1.1 of the DCP2011.

4.1.3 Water Management

The application is accompanied by revised Stormwater Plans prepared by Hydd Consultants, Job No: SY16027. Conditions will be included in the draft Notice of Determination that revised stormwater plans be submitted to comply with the Rockdale Technical Specifications for Stormwater Management prior to the release of the Construction Certificate. Subject to conditions, the provisions of this Clause are satisfied.

4.1.3 Groundwater Protection

The site is affected by Groundwater Protection Zone 3. Accordingly, the application is accompanied by a Geotechnical Report, prepared by Morrow Geotechnics Pty dated 22 November 2016. The report

was referred to Council's Development Engineer for comment and review, who advised that subject to recommended conditions, the proposal is acceptable with regards to this Clause.

4.1.4 Soil Management

The Soil & Water Management Plan has been submitted and general erosion and sediment control strategies are proposed to ensure that the potential for impact on adjoining land and surrounding waterways is minimised. Temporary fencing is to be erected along the boundaries of the site. A builders all weather access is required to be provided onto the site.

4.1.7 Tree Preservation

The proposal was referred to Council's Tree Management Officer who determined that *with the exception of a mature Crepe Myrtle located adjacent to the eastern boundary of the site, all trees on site are insignificant in the landscape. As more than adequate compensation is proposed in the landscape works, all existing site trees may be removed.* The officer concludes the proposed development provides more than adequate compensation of replacement planting in the accompanying Landscape Plan. In this regard, the proposed development maintains the amenity of the Monterey area, and accordingly, satisfies the relevant provisions of this Clause.

The proposed development is acceptable in this regard.

4.1.9 Lot size and Site Consolidation - Residential flat buildings

The lot width at the street frontage is 20.115m, which is less than the minimum width requirement (24m). The Design Review Panel has reviewed the proposal and considered this site suitable for the proposed type of development.

4.2 Streetscape and Site Context - General

The proposal is located in a R4 Zone. The immediate area around the proposal is a transition zone between higher and lower density development. To the east of the proposal are higher density residential flat building between three (3) and four (4) storeys in height. To the west of the site are one (1) and two (2) storey residential flat buildings.

The proposed front setback is consistent with the variable setbacks of surrounding buildings and in this regard the residential streetscape will be retained and complemented. The proposed built form on site complies with the FSR requirements. The proposed development has been designed with appropriate use of articulation & modulation to the facades via the incorporation of balconies, pedestrian entries at ground level, upper level voids and range of materials which adds visual interest to the facades.

The development provides for a balanced approach between horizontal and vertical articulation to the Cecil Street façade. The building also presents well to the adjoining dwellings, incorporating louvers to balconies and screen planting at ground level. A range of materials, colours and finishes is proposed to provide for a modern contemporary building. The proposed development will have front unit living rooms addressing the street, with the building's frontage and entry points being readily apparent from the street

The proposed development has been designed with front balconies that will provide casual surveillance of the street. Further, the proposed fences, landscaping, and other features have been sited so as to provide clearly defined public, semi public and private spaces.

4.3.1 Open Space and Landscape Design - Residential Flat Buildings

The total area of landscaping has been calculated to be 298 square metres over a site area of 797 square metres. 37% of the site area is landscaped. The minimum area required to be landscaped is 15% of the site. The proposal meets the controls and objectives of this section.

4.3.2 Private Open Space - Residential Flat Building/Shoptop housing

Private open space for each unit has been calculated as follows:

Ground floor

- Unit 1 (studio) has a terrace area which is 2.5 X 3.8 metres, and has a total area of 9.5 square metres
- Unit 2 (1 bedroom) has two terraced areas. The terrace at the front is 2.5 X 3.8, and has a total area of 9.5 square metres. The terrace on the western side measures 4.3 X 3.4 and has an area of 14.6 square metres. The total area of private open space is 24 square metres.
- Unit 3 (2 bedrooms) has an L shaped terraced area with a varied depth between of 2.4 and 4.2 metres, with a total area of 67.3 square metres.

All ground floor units have been provided with a terrace area.

First Floor

- Unit 4 (2 bedrooms) has two (2) balconies. One measuring 3.4 X 2.6 with a total area of 8.8 square metres, and a 0.8 X 3.3 balcony with an area of 2.6 square metres. The total area of open space is 11.4 square metres.
- Unit 5 (2 bedrooms) has a balcony measuring 3.4 X 2.4 with a total area of 8.2 square metres.

Second Floor

- Unit 6 (2 bedrooms) has two (2) balconies. One measuring 3.4 X 2.6 with a total area of 8.8 square metres, and a 0.8 X 3.3 balcony with an area of 2.6 square metres. The total area of open space is 11.4 square metres.
- Unit 7 (2 bedrooms) has a balcony measuring 3.4 X 2.4 with a total area of 8.2 square metres.

Third Floor

- Unit 8 (3 bedrooms) has two (2) balconies. One measuring 3.4 X 2.6 with a total area of 8.8 square metres, and a 0.8 X 3.3 balcony with an area of 2.6 square metres. The total area of open space is 11.4 square metres.
- Unit 9 (2 bedrooms) has a balcony measuring 3.4 X 2.4 with a total area of 8.2 square metres.

The apartment design guide requires the following:

All apartments are required to have primary balconies as follows:

Dwelling type Minimum area Minimum depth

Studio apartments 4m² –

1 bedroom apartments 8m² 2m

2 bedroom apartments 10m² 2m

3+ bedroom apartments 12m² 2.4m

The minimum balcony depth to be counted as contributing to the balcony area is 1m

For apartments at ground level or on a podium or similar structure, a private open space is provided instead of a balcony. It must have a minimum area of 15m² and a minimum depth of 3m

All proposed balconies comprise minimum dimensions of 2.4 metres, however a number of units do not all satisfy the minimum external area requirements of the Apartment Design Guide. Some of the two (2) bedrooms units provide 8.2 square metres of balcony space, where the required minimum is 10 square metres. It is proposed a condition of consent be included on the notice of determination requiring a revised architectural plans to be provided which show balcony sizes increased to what is required by the ADG. The revised plans would need to be approved by Council prior to the issue of the OC.

Proposed balconies adjoin main habitable areas, are oriented east or west, which provides appropriate solar access and outlook. Balconies are of suitable dimensions to allow functional use and can accommodate a variety of furnishings. Additionally the development is provided with ground level floor communal open space.

Provided the conditions of consent are met the overall size and design of balconies is satisfactory.

4.3.3 Communal Open Space

The apartment design guide requires the following:

An adequate area of communal open space is provided to enhance residential amenity and to provide opportunities for landscaping Design criteria

1. Communal open space has a minimum area equal to 25% of the site (see figure 3D.3)

The proposal incorporates an area of communal open space at the rear of the property measuring 189 square metres over a site area of 797 square metres. This equates to 24% of the total site area. The proposal does not meet the numerical requirements of the apartment design guide and in this regard a merit assessment has been undertaken. Communal open space is provided at a rate of 20 square metres per unit which is a suitable area to facilitate to provide residents with passive and active recreational opportunities. The communal area is appropriately designed and contributes positively to the amenity of the development, and features suitable facilities includes table bench seating and barbecue facilities.

In this regard the area of communal open space proposed is suitable and is supported by the design review panel.

2. Developments achieve a minimum of 50% direct sunlight to the principal usable part of the communal open space for a minimum of 2 hours between 9 am and 3 pm on 21 June (mid winter)

The shadow diagrams provided with the application shows that communal open space will receive solar access for at least 2 hours to 50% of the site area between 9am and 3pm.

Communal open space should be consolidated into a well designed, easily identified and usable area

Open space is located to the rear of the property. The area is of suitable dimensions and in a location which provides a reasonable level of privacy. Communal open space is considered well designed easily identifiable and usable.

Communal open space should have a minimum dimension of 3m, and larger developments should consider greater dimensions

The proposed communal open space incorporates minimum dimensions of 3 metres.

Communal open space should be co-located with deep soil area

Adjacent to the area of communal open space are deep soil areas.

Direct, equitable access should be provided to communal open space areas from common circulation areas, entries and lobbies

The access report recommended the following to ensure the communal open space is accessible:

Ensure during design and construction that common area pathways and BBQ area comply with AS1428.1-2009 including

- *Abutment of surfaces to be a maximum 3mm vertical rise or 5mm bevelled edge*
- *Design of the step ramps to be reviewed at CC for compliance with AS1428.1-2009 including:*
 - o *Complying gradient (no greater than 1:10), length (no longer than 1900mm) and rise (no greater than 190mm)*
 - o *Complying barriers (ramp extends for full width of pathway and then returns to either a wall or appropriate kerb rail)*
 - o *Slip resistant surface*
 - o *Use of a luminance contrasting slip resistant flooring is strongly recommended to provide visual clues to all building occupants of the change in gradient*
- *Complying landing at side common area access doorway*

A condition of consent will be placed on the draft notice of determination requiring access to the common area to be in accordance with the above recommendations.

Where communal open space cannot be provided at ground level, it should be provided on a podium or roof

Communal open space has been provided at the ground level.

4.4.1 Energy Efficiency - Residential

The applicant has submitted a BASIX Certificate for the proposed development.

The commitments made result in reductions in energy and water consumption, and will achieve the efficiency target set under SEPP BASIX.

4.4.2 Solar Access - Residential Flat Buildings and Shop Top Housing

An assessment of shadow diagrams submitted, indicates that at 9am in midwinter a 41.6 metre shadow will be cast south-west. This shadow overshadows portions of the private open space of 10 Cecil Street, and the rear of 28 Solander Street. In addition the rear of 22-26 Solander Street and 12 Cecil Street will receive some overshadowing. At 12pm a 21 metre shadow will be cast to the south to the rear of 30 Solander Street. This will overshadow the carpark to the rear of this property. At 3pm the shadow would have shifted to be 42 metres in length going to the south-east. This will cause overshadowing to the habitable rooms of 1-5 Cecil Street. All neighbouring dwellings will receive at least 2 hours of direct sunlight to at least 70% of habitable rooms and private open space. All apartments receive at least 3 hours of direct sunlight.

Accordingly the proposed overshadowing is acceptable in this instance.

4.4.3 Natural Lighting and Ventilation - Residential

The proposed development is designed to achieve natural ventilation and lighting, incorporating minimum floor to ceiling levels (FCL) of 3 metres for the ground, first, and second floors. The third floor ceiling height is 2.7 metres. The internal depth of any of the apartments does not exceed 18 metres. The proposal meets the controls and objectives of this section.

4.4.4 Glazing - General Controls

The northern elevation contains a central row of windows, and windows on each edge of the building. The windows within the edge of the buildings are contained within balconies. The central windows are on the face of the buildings. The central windows contain blade louvres on their eastern side. The southern elevation of the property contains highlight windows and windows with a sill height of 1.185 metres. The proposal does not contain extensive areas of glazing that area unprotected. The proposal is consistent with the objectives and requirements of this section.

4.4.5 Visual privacy

Consideration of the impacts of visual privacy has been considered as follows:

10 Cecil Street

10 Cecil Street consists of a two storey detached dwelling which is located along the western boundary of the site. The dwelling features a balcony along most of the length of the side facing into the proposal which incorporates large windows facing directly into living areas. Potential sources of overlooking into the proposal are windows and balconies of the proposal. All windows along the western elevation of the proposal are highlight windows which do not facilitate downward looking into adjoining properties. There are balconies on the western elevation face into the balcony of 10 Cecil Street.

The Apartment Design Guide provides minimum required separation distances to the side and rear boundaries. For buildings up to four (4) storeys in height the minimum separation distance between habitable rooms and balconies is six (6) metres. The proposal incorporates a six (6) metre setback on the western side between the proposal and the boundary of 10 Cecil Street. There is a one (1) metre setback on the 10 Cecil Street side, meaning there will be a seven (7) metre separation distance between balconies.

A 1.7 metre in width planter box has been provided between the courtyards of the ground floor units and 10 Cecil Street incorporating screening vegetation. A condition of consent will require the area of landscaping to be extended partway along the driveway. It is considered that suitable measure have been incorporated into the proposal to minimise the privacy impacts on 10 Cecil Street.

1 - 5 Cecil Street

1-5 Cecil Street is a three (3) storey residential flat building which faces directly into the eastern elevation of the proposal. The top storey of the building contains a unit (unit 9) incorporating a west facing courtyard with windows of habitable rooms. Between level one (1) and two (2) there are three windows. The western elevation of the proposal features six (6) windows. None of these will face directly into the windows of 1-5 Cecil Street, or will face directly into the courtyard of the top floor of 1-5 Cecil Street. The sill height of the top most window has been found to be 1.1 metres higher than the balustrade of the courtyard. Privacy impacts are not considered unreasonable.

30 Solander Street

30 Solander Street is a two (2) storey residential flat building adjoining the site to the rear (southern elevation). The building features balconies and windows to habitable rooms on the northern elevation facing the proposal. The building has a 10.6 metres rear setback. The southern elevation of the proposal features balconies, highlight windows and standard sill height windows. There is a 12 metre rear setback between the proposal and 30 Solander Street. The total setback between balconies is 22.6 metres. Balconies do not directly face each other. The setbacks between balconies is in excess of what is required by the ADG and it is not considered that the proposal will have an adverse impact on

the privacy of 30 Solander Street.

33 Banks Street

33 Banks Street is a four storey residential flat building. The western elevation features balconies and windows to habitable rooms. The western elevation faces into the front of the proposal at an angle. There is a 30 metre separation distance between the proposal and the western elevation of 33 Banks Streets. The separation distance between the buildings is above what is recommended by the Apartment Design Guide and will ensure visual privacy.

4.4.5 Acoustic privacy

The proposal has been accompanied by an acoustic report. The report contains recommendations to achieve the minimum acoustic requirements of Part F5 of the Building Code of Australia (BCA). A condition will be placed on the draft notice of determination requiring the recommendations of the report to be implemented. This will ensure the proposal adequate acoustical insulation. The proposal incorporates appropriate setbacks, window locations and location of site facilities to ensure that acoustic privacy measures are appropriate.

4.4.7 Wind Impact

The scale of the building is such that it is not anticipated that it will contribute to wind tunnelling effects. The height of the building does not exceed 16 metres or five (5) storeys, and therefore wind tunnel testing is not required. The proposal is consistent with the objectives and requirements of this section.

4.5.1 Social Equity - Housing Diversity and Choice

Part 4.5 of RDCP 2011 contains objectives and controls that aim to ensure that apartments in mixed use developments are flexible, maximise housing choice and provide equality of access. The proposal is considered to satisfy the relevant objectives and requirements. Compliance with the key controls are discussed below:

- Provision of 10%-30% 1 bedroom units, 50-75% 2 bedroom units, and 10-20% 3 bedroom units. The proposed unit mix does comply with the requirements of RDCP 2011. In this case, the proposal includes 22% one-bedroom units (2), 77% two-bedroom units (7) and 11% three-bedroom units (1). The proposal provides a mix of units that is consistent with surrounding development and the objectives of the clause.

The proposal is therefore considered to satisfy the requirements of Part 4.5 of RDCP 2011 subject to inclusion of recommended conditions.

4.5.2 Social Equity - Equitable Access

- Minimum 10% of units being adaptable in accordance with AS 4299, and barrier free access to be provided to a minimum of 20% of apartments.

Part 4.5.1 requires that a minimum of one (1) dwelling are to be provided as an adaptable in accordance with AS 4299. The proposal contains two (2) accessible units, including one (1) studio and one (1) single bedroom unit. The proposed residential flat building development was accompanied by an Access Compliance Assessment Report prepared by Visionary Access Consulting (dated 28/06/2017). The report provides recommendations which enable the proposal to comply with the BCA, the Premises Standards and relevant Australian Standards. A condition of consent will be place on the draft notice of determination requiring the proposal to be constructed in accordance with the

recommendations in the Access Compliance Assessment Report.

4.6 Parking Rates Residential Flat Buildings

All parking for the proposal is to be located in an underground car park. There are to be a total of twelve (12) car-parking spaces and a bike parking area. One parking space is to be designated as a visitor / service bay, and one as a visitor/car-wash bay. There are two accessible car-parks.

The required parking rates are as follows:

Dwelling Size	Required	Provided	Compliance
Studio/1 bedroom unit, 2 bedrooms apartments (8)	1 space / unit = 8	8	Yes
3 of more bedroom dwelling (1)	2 spaces/dwelling = 2 spaces	2	Yes
Visitor Parking	1 space/ 5 dwellings = 9/5 = 2 spaces	2	Yes
Total	12 spaces	12	Yes
Adaptable space (2 Adaptable unit)	2 space with shared area	2	Yes
Car wash bay/van space for loading and unloading (Can be shared with visitor spaces)	1 space (3.5m wide x 5.5m long)	1	Yes

As shown above the proposal contains a suitable number of car-parks and meets the requirements and objectives of this section.

4.6 Car Park Location and Design

Access to parking to the site is provided by a single lane driveway leading from Cecil Street into the underground car-park. The driveway is located along the western boundary. Access to the building is provided from the basement level from a lift and stairwell. The proposal is satisfactory in relation to the provisions of this clause.

4.6 Vehicles Enter and Exit in a Forward Direction

The proposal has been accompanied by a vehicle turning path analysis prepared by ICR Design 05.2017. The turning paths demonstrate that internal manoeuvring areas allow for vehicles to enter and exit in a forward direction.

4.6 Basement Parking - General

The proposal includes a basement car-park. The basement parking is:

- located fully within the natural ground level.
- allows for pedestrian movement which is separated from driveways

The basement extends beyond the footprint of the building. In this regards a merit assessment has been undertaken. The proposal provides adequate area for deep soil planting as recommended by the ADG and therefore the proposed variation is supported. The proposal is acceptable is consistent with the controls and requirements of this section.

4.6 Driveway Widths

The proposed driveway width complies with Council's Technical Specifications and hence satisfies the provisions of this Clause.

4.6 Basement Parking - Residential Flat Buildings

All car parking is located within the basement level. No parking is to be located at ground level. The proposal is consistent with the objectives of this clause.

4.6 Access to Parking

Visitor parking is to be clearly define. There is not to be a security shutter. Parking spaces for people with disabilities are located close to lifts and access stairs. The proposal is satisfactory in regards to the provisions of this clause.

4.6 Car Wash Facilities

The car-parking plan shows that the proposal is to incorporate one visitor parking bay with car was facilities. A condition of consent will be placed on the draft notice of determination requiring the car wash bay to be provided with a tap and runoff directed and treated as per Rockdale Technical Specification Stormwater Management.

4.7 Waste Storage and Recycling Facilities

The proposal has been accompanied by a Waste Management Plan (WMP). The WMP has been prepared in accordance with Council's Technical Specifications Waste Minimisation and Management regarding construction waste and in this regard, satisfies the objectives of this Clause. In addition, the development incorporates appropriate waste management facilities located within the ground floor providing direct and convenient access to Cecil Street for waste collection. The development is acceptable in this regard.

4.7 Laundry Facilities and Drying Areas

Each unit has a designated space for laundry facilities. The proposal is consistent with the controls in this clause.

4.7 Storage Areas

Storage is provided at the following rates:

- Unit 1 (Studio) 4.02 sqm
- Unit 2 (1 bedroom) 6.02 sqm
- Unit 3 (2 bedrooms) 8.04 sqm
- Unit 4 (2 bedrooms) 9 sqm
- Unit 5 (2 bedrooms) 9.5 sqm
- Unit 6 (2 bedrooms) 9 sqm
- Unit 7 (2 bedrooms) 9 sqm

- Unit 8 (3 bedrooms) 12.94 sqm
- Unit 9 (2 bedrooms) 10 sqm

4.6 square metres of space is within unit nine (9) and 5.4 within the basement. This does not meet the requirement for 50% of storage space to be located within an apartment.

Not all of the apartments provide the minimum required storage area. In this regard the proposal has been assessed on its merits. Storage space is located in areas directly accessible from a hall or living area. The overall size and design of storage areas is satisfactory and is supported.

4.7 Hot Water Systems

A condition of consent will be placed on the draft notice of determination requiring hot water equipment incorporated into the balconies to be recessed into the built form and designed to blend into the building.

5.2 RFB - Site Coverage

The proposed development has a total building footprint of 227 square metres over a site area of 797 square metres, equating to 28% of the total site area. The maximum building footprint is 35% of the site area and as such the proposal is consistent with the requirements of this clause.

5.2 RFB Front Setback

The street is fully developed and a prevailing setback has been established. The setback for the adjoining dwelling at 10 Cecil Street is 11 metres, and 1-5 Cecil Street has a front setback of 13 metres. The front setback for the proposal is 10.6 metres. The setback is consistent with the prevailing setback along the street and in accordance with the provisions of this Clause.

5.2 RFB - Side Setbacks

The proposal has a setback of three (3) metres from the eastern side boundary and six (6) metres from the western side boundary. As per the requirements of this Clause, a minimum three (3) metre side setback is required for buildings up to three (3) storeys, and a 4.5 metre side setback is required for components of a building over three (3) storeys. Proposed setbacks have been endorsed by the DRP on 9 August 2016 and are acceptable on this basis.

5.2 RFB - Rear Setbacks

The proposal incorporates a rear setback of twelve (12) metres. This minimum required rear setback is twelve (12) metres or 15% of the length of the site. The rear setback meets the requirements of this section.

5.2 RFB - Apartment Size

The proposal provides for a range of unit sizes and types within the development ranging from one (1) to three (3) bedrooms. Unit sizes range from the following:

- Studio 36.74 m²
- One bedroom 50.11 m²
- Two bedrooms 70.05 m² - 81.71 m²
- Three bedrooms 95.12 m²

The configuration, layout and design of units, their overall size and spaces are practical and will allow future users to furnish their homes in a variety of ways. Main habitable areas, bedrooms and balconies

are appropriately oriented and generally provided with sufficient ventilation, solar access and outlook in order to maximise amenity to future occupants. All apartments have minimum internal areas equal or greater than what is required under 4D of the ADG. The overall size and design of the units is satisfactory and is supported by the Design Review Panel.

5.2 RFB - Building Design

The general form of the building is rectangular in shape. The façade contains balconies which are recessed into the building but with slight protrusions. The external materials are to consist of white rendering which covers most of the building façade. The DRP recommended that the frontage should include some brickwork which is predominant on existing buildings in the street. The panel made the following comment, *"the overly white treatment of the front façade could be a little out of context with the surrounding environment"*. Revised plans show that the building material of the wall within the balconies is to be brick. The façade includes features such as glazing, aluminium louvres and articulation around the entrance.

The façade responds to environmental conditions such as orientation noise, breezes, privacy and views through appropriately locating glazing, incorporating sun shading devices and carefully locating balconies. The proposal is consistent with the requirements and controls for Building Design.

5.2 RFB - Building Entry

The proposed residential entry is clearly identifiable from Cecil Street with a secondary pedestrian access provided from the eastern side. The design configuration of circulation spaces and lobbies are of sufficient width to enable movement of bulk items. Pedestrian access is separated from vehicular access. The proposal is consistent with the objectives and controls of this Clause.

5.2 RFB - Lift Size and Access

The proposal includes a lift core which provides access from the basement to the third level. Details of the lift car have been provided which shows that it meets minimum required internal dimension. The proposed development is consistent with the objectives and controls of this section.

S.79C(1)(a)(iv) - Provisions of regulations

Clauses 92-94 of the Regulations outline the matters to be considered in the assessment of a development application. Clause 92 requires the consent authority to consider the provisions of *AS 2601:1991 - Demolition of Structures* when demolition of a building is involved. In this regard a condition of consent is proposed to ensure compliance with the standard. All requirements of the regulations have been considered.

S.79C(1)(b) - Likely Impacts of Development

Potential impacts related to the proposal have been considered in response to SEPPs, LEP and DCP controls. The impacts that have not already been addressed are as follows:

Construction

There are no specific issues relating to the BCA in the proposed design.

Site and safety measures to be implemented in accordance with conditions of consent and Workcover Authority guidelines/requirements.

Building Materials

To ensure all external building material maintain fire safety to the building, a condition is proposed requiring suitable evidence to be provided that construction materials including cladding, synthetic or aluminium composite panels comply with the relevant requirements of the NCC.

S.79C(1)(c) - Suitability of the site

The relevant matters pertaining to the suitability of the site for the proposed development have been considered in the assessment of the proposal. Additional conditions of consent are proposed to further minimise any impacts on neighbouring properties. There are no known major physical constraints, environmental impacts, natural hazards or exceptional circumstances that would hinder the suitability of the site for the proposed development.

S.79C(1)(d) - Public submissions

The development was notified to neighbours on two occasions, in accordance with the provisions of Rockdale DCP 2011. The proposal was put on exhibition from the 17 of January to the 1 February 2017. A total of seven (7) submissions were received. Revised plans were placed on exhibition from the 20 July to the 3 August 2017. A total of five (5) submissions were received with one submission being submitted nine (9) times with different signatures.

The issues raised in the submissions are discussed below:

Issue 1: Parking - not enough on-site parking. Cecil Street and Banks Street already full. Will affect driveway access and waste truck movements. Needs traffic study. Needs 18 on-site spots as most families have two cars. Cecil Street frontage doesn't account for road widening and doesn't provide footpath. Insufficient disabled parking spaces (two units, only one space). Insufficient motorbike and bicycle parking. Poor access to visitor parking spaces. Inadequate driveway width.

Comment: Plans have been amended to incorporate bicycle parking and two disabled parking spaces. The proposal provides adequate on site car parking in accordance with the RTA Guide to Traffic Generating Development. Cecil Street is to be widened along the reserve for road widening.

Issue 2: View loss

Comment: View loss has been considered and a detailed consideration has been outlined in section 4.1.1 Views and Vistas.

Issue 3: Height. Two high next to number 10 which is R3. Rooftop awning adds too much height.

Comment: The rooftop awning has been removed from the proposal. The proposal complies with the height limit in the Height of Buildings Map.

Issue 4: Privacy. Loss of privacy to neighbouring backyards, balconies and living rooms, due to balconies, roof terraces, and windows. Poor screen planting design and basement restricts deep soil planting to soften impact on neighbours.

Comment: The revised plans change windows on the western façade to highlight windows to minimise adverse privacy impacts to neighbouring dwellings to the west. Additional screen planting has been included along the ground floor courtyards along the western boundary. The issue of visual privacy is discussed in detail in section 4.4.5 of this report.

Issue 5: Solar access. Ground floor units unlikely to receive sunlight due to reduced side boundary setback. Overshadowing of 1-5 Cecil Street and 2-4 Cecil Street. Western balconies exposed to

afternoon sun.

Comment: Shadow diagrams show that the ground floor units will receive at least two (2) hours of direct sunlight.

Issue 6: Lot width. Minimum requirements of 24m not met. Affects setbacks.

Comment: The allotments adjoining the development are fully developed and there are no opportunities to consolidate the site with adjoining premises to increase the allotment size. Despite this the allotment width is 20.1 metres, and it is considered that the site is of a reasonable size to allow development.

Issue 7: Stormwater and drainage. Inadequate detail provided. Basement presents stormwater risk.

Comment: Council's Development Engineer has assessed to proposal and has found the proposed stormwater measures to be satisfactory subject to conditions of consent.

Issue 8: Noise. Traffic noise from additional vehicles in proximity to residences. Noise from courtyards, balconies and rooftop terraces.

Comment: The proposal is to only incorporate residential accommodation. The proposal incorporates appropriate separation distances to provide acoustic privacy. Appropriate conditions will be placed on the draft Notice of Determination regarding noise generated by residential air conditioners.

Issue 9: Setbacks. Does not meet minimum standards. Basement footprint significantly larger than building.

Comment: The design review panel has endorsed the proposals layout and setbacks.

Issue 10: Communal Open Space. Poorly designed. Uses front setback. Narrow strips along side boundaries and focus on southern overshadowed area.

Comment: The amended plans incorporate changes that address the above concerns. The location of Communal Open Space has been changed so that it is at the rear of the proposal. Open space is of suitable dimensions and usable. A planter garden 1.7 metres in width has been included along the western boundary.

Issue 11: Basement excavation against lot boundary has potential impact on neighbours.

Comment: Appropriate conditions will be placed on the draft notice of determination requiring site and safety measures to be implemented in accordance with conditions of consent and Workcover Authority guidelines/requirements.

Issue 12: Access to the visitor parking space is tight.

Comment: The application has been accompanied by a Sweep Path Analysis which demonstrates that the visitor parking space can be utilised.

Issue 13: The proposal would be visually dominating.

Comment: The proposal incorporates appropriate setbacks, and landscape screening to reduce the visual impact of the proposal.

Issue 14: The proposal makes no provisions for canopy trees.

Comment: The landscaping plan include four (4) trees with a mature height of twelve (12) metres.

Issue 15: The proximity of the proposed works to the boundary has the potential to cause subsidence.

Comment: A condition of consent will require a construction methodology report to be prepared by a suitably qualified and practising geotechnical engineer to ensure that the proposed construction

methods will have no adverse effects on surrounding properties or infrastructure. A condition of consent will require a dilapidation report to be prepared by a practising structural engineer. Any damage caused to other properties during construction will be required to be rectified.

Issue 16: There is no service bay.

Comment: Conditions of consent will require one (1) visitor parking space to be shared for the use of loading and unloading purposes with a van space.

S.79C(1)(e) - Public interest

The proposal is considered under the heads of consideration of Section 79C of the Environmental Planning and Assessment Act, 1979, which requires amongst other things, an assessment against the provisions contained within the following:

- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004;
- State Environmental Planning Policy No. 65 - Design Quality of Residential Flat Buildings and the considerations of the Apartment Design Guide;
- Rockdale Local Environmental Plan, 2011; and
- Rockdale Development Control Plan, 2001.

The development generally complies with the relevant provision contained within each of the above listed environmental planning instruments and applicable development control plan. The proposal is an infill site situated on the edge of a lower density zone. As demonstrated within the assessment of the application, the proposal will allow the development of the site in accordance with its environmental capacity. The development is considered to be in the public interest and recommended for approval on this basis.

S94 Contribution towards provision or improvement of amenities or services

A Section 94 Contribution Payment of \$45,952.52 is payable in accordance with Council's Policy and accordingly, imposed as a condition on the draft Notice of Determination.

Civil Aviation Act, 1988

The site is within an area that is subject to the Civil Aviation (Building Controls) Regulations 1988 made under the *Civil Aviation Act, 1988*.

Civil Aviation (Building Control) Regulations 1988

The Regulations require a separate approval from the Civil Aviation Safety Authority if a building or structure exceeds a prescribed height limit.

Section 5 Prohibition of the construction of buildings of more than 50 feet in height in specified areas

The proposed development is affected by the 15.23m Building Height Civil Aviation Regulations, however the proposed building height at 13.1m will have minimal impact upon the height requirement in the regulations.

Schedule 1 - Draft Conditions of consent

General Conditions

The following conditions restrict the work to the detail provided in the Development Application and are to ensure that the development is complete.

1. The term of this consent is limited to a period of five (5) years from the date of the original approval. The consent will lapse if the development does not commence within this time.
2. The development must be implemented substantially in accordance with the plans listed below, the application form and on any supporting information received with the application, except as may be amended in red on the attached plans and by the following conditions.

Plan/Dwg No.	Drawn by	Dated	Received by Council
11, Issue D (Window Schedule, Door Schedule, BASIX Requirements, Schedule of Finishes)	Design Studio	03.07.2017	06.07.2017
10, Issue D (Section AA, Section BB, Driveway Details, Letterbox Details)	Design Studio	03.07.2017	06.07.2017
09, Issue D (East Elevation, West Elevation),	Design Studio	03.07.2017	06.07.2017
08, Issue D (North Elevation, Streetscape Analysis, South Elevation)	Design Studio	03.07.2017	06.07.2017
07, Issue D (Proposed Roof Plan)	Design Studio	03.07.2017	06.07.2017
06, Issue D (Level 3 Floor Plan)	Design Studio	03.07.2017	06.07.2017
05, Issue D (Level 2 Floor Plan)	Design Studio	03.07.2017	06.07.2017
04, Issue D (Level 1 Floor Plan)	Design Studio	03.07.2017	06.07.2017
03, Issue D (Ground Floor Plan)	Design Studio	03.07.2017	06.07.2017
02, Issue D (Basement Floor Plan)	Design Studio	03.07.2017	06.07.2017
01, Issue D (Proposed Site Plan, Existing Site Plan, Construction Management Plan, Area Calculations)	Design Studio	03.07.2017	06.07.2017

Issue C (Demolition Plan/Construction Management Plan)	Design Studio	21.12.2016	21.12.2016
172731-001 (Lift Details)	Sumasa	11.05.2017	06.07.2017

3. All new building work must be carried out in accordance with the provisions of the Building Code of Australia (BCA).
4. **A Construction Certificate must be obtained from Council or an Accredited Certifier prior to any building work commencing.**
5. The development must be implemented and all BASIX commitments thereafter maintained in accordance with BASIX Certificate Number (823147S) other than superseded by any further amended consent and BASIX certificate.
Note: Clause 145(1)(a1) of the Environmental Planning & Assessment Regulation 2000 provides: A certifying authority must not issue a construction certificate for building work unless it is satisfied of the following matters: -
 - (a1) that the plans and specifications for the building include such matters as each relevant BASIX certificate requires.**Note:** Clause 154B(2) of the Environmental Planning & Assessment Regulation 2000 provides: "A certifying authority must not issue a final occupation certificate for a BASIX affected building to which this clause applies unless it is satisfied that each of the commitments whose fulfilment it is required to monitor has been fulfilled."
Note: For further information please see <http://www.basix.nsw.gov.au>.
6. The balconies shall not be enclosed at any future time without prior development consent.
7. This approval is not to be construed as permission to erect any structure on or near a boundary contrary to the provisions of the Dividing Fences Act.
8. Excavation, filling of the site (with the exception of the area immediately under the building envelope), or construction of retaining walls are not permitted unless shown on the approved plans and authorised by a subsequent construction certificate.
9. Mail boxes must be installed along the street frontage of the property boundary in accordance with Australia Post Guidelines. Prominent house numbers are to be displayed, with a minimum number size of 150 mm in height for each number and letter in the alphabet.
10. Parking spaces shall be allocated to residential apartments / non-residential units in the development in the following manner and this shall be reflected in any subsequent strata subdivision of the development:

Allocated Spaces

Studio apartments, 1 bedroom apartments and 2 bedroom apartments 1 space per apartment
3 bedroom apartments 2 spaces per apartment

Non-Allocated Spaces

Residential Visitor Spaces 2 spaces
(incorporating 1 car wash bay)

All residential visitor spaces, car wash bays and loading bays shall be labelled as common property on the final strata plan for the site.

Note: This parking allocation condition applies to any Strata Certificate issued with respect to a Consent issued in accordance with Section 81 (1)(A) of the

Environmental Planning and Assessment Act 1979 or a Complying Development Certificate issued in accordance with Part 6 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

Development specific conditions

The following conditions are specific to the Development Application proposal.

11. Parking spaces shall not be enclosed without further approval of Council. The enclosure of car spaces is not permitted unless the enclosure complies with the design requirements of AS2890.1.
12. The existing and future owners (Registered Proprietor) of the property will be responsible for the operation and maintenance of the retention system. The registered proprietor will:
 - (i) permit stormwater to be retained by the system;
 - (ii) keep the system clean and free of silt, rubbish and debris;
 - (iii) maintain, renew and repair the whole or parts of the system so that it functions in a safe and efficient manner, and in doing so complete the same within the time and in the manner specified in written notice issued by the Council;
 - (iv) carry out the matters referred to in paragraphs (ii) and (iii) at the proprietor's expense;
 - (v) not make any alterations to the system or elements thereof without prior consent in writing of the Council;
 - (vi) permit the Council or its authorised agents from time to time upon giving reasonable notice (but at any time and without notice in the case of emergency) to enter and inspect the land for compliance with the requirements of this clause;
 - (vii) comply with the terms of any written notice issued by the Council in respect to the requirements of this clause within the time stated in the notice.
13. The existing and future owners (Registered Proprietor) of the property will be responsible for the efficient operation and maintenance of the pump system.

The Registered Proprietor will:

- (i) permit stormwater to be temporarily detained and pumped by the system;
- (ii) keep the system clean and free of silt, rubbish and debris;
- (iii) maintain, renew and repair the whole or parts of the system so that it functions in a safe and efficient manner; and in doing so complete the same within the time and in the manner specified in written notice issued by the Council;
- (iv) carry out the matters referred to in paragraphs (ii) and (iii) at the proprietor's expense;
- (v) not make alterations to the system or elements thereof without prior consent in writing of the Council.
- (vi) permit the Council or its authorised agents from time to time upon giving reasonable notice (but at any time and without notice in the case of emergency) to enter and inspect the land for compliance with the requirement of this clause;

- (vii) comply with the terms of any written notice issued by the Council in respect to the requirements of this clause within the time stated in the notice.
14. The rainwater tank shall be routinely de-sludged and all contents from the de-sludging process disposed – solids to the waste disposal and de-sludged liquid to the sewer.
 15. Residential air conditioners shall not cause 'offensive noise' as defined by the Protection of the Environment Operations Act 1997 or contravene provisions of the Protection of the Environment (Noise Control) Regulation 2008 where emitted noise from a residential air conditioner can be heard within a habitable room in any other residential premises at night.
 16. Temporary dewatering of the site to construct the subsurface structure is not permitted without approval from Council with a dewatering permit application.
 17. The visible light reflectivity from building materials used on the façade of the building shall not exceed 20% and shall be designed so as not to result in glare that causes any nuisance or interference to any person or place. A statement demonstrating compliance with these requirements shall be submitted to the satisfaction of the Certifying Authority prior to the issue of a Construction Certificate for the relevant stage of works.
 18. Bicycle parking facilities shall be designed in accordance with AS2890.3:1993.
 19. The off-street parking areas associated with the subject development shall be designed strictly in accordance with AS2890.1 and AS2890.6.
 20. Internal height clearance shall be designed throughout the car park and access driveway in accordance with AS2890.1 and AS2890.6.
 21. All existing and proposed lights shall comply with the Australian Standard AS4282 - 1997 "Control of the Obtrusive Effects of Outdoor Lighting". In this regard, the lighting of the premises shall be directed so as not to cause nuisance to the owners or occupiers of adjacent/adjoining premises or to motorists on adjoining or nearby roads.
 22. Hot and cold water hose cocks shall be installed to the garbage room.
 23. All vertical plumbing, other than roofwater heads and downpipes, shall be concealed within the brickwork of the building. The fire booster valves shall be located parallel to the wall west to the driveway ramp. Utilities shall be softened with landscaping so as not to detract from the overall appearance of the development and amenity of the streetscape. Details demonstrating compliance with this requirement shall be submitted to the Principal Certifying Authority (PCA) prior to the issue of the Construction Certificate.
 24. All hot water systems/units which are located on the balcony of a dwelling/unit must be encased in a recessed box on the balcony with the lid/cover of the box designed to blend in with the building. All associated pipe work is to be concealed.
 25. All pavements shall comply with AS/NZ 4586:1999 standards Class W (low) for slip resistance on both private and Council property.
 26. The approved completed landscape works shall be maintained for a period not less than 12 months.

On completion of the maintenance period, a Landscape Architect shall provide a report to the certifying authority (with a copy provided to Council if Council is not the principal certifying authority) stating the landscape maintenance has been carried out in accordance with approved landscape plans and designated specifications before release of the nominated landscape bond.

Maintenance should encompass:

Planting

All trees over 300mm pot size must be follow council requirements and be inspected prior to planting. Tubestock not permitted, smallest pot size is 140mm.

a) Quality and Size of Plant Material

All trees supplied above a 25L container size must be grown and planted in accordance with Clarke, R 1996 Purchasing Landscape Trees: A guide to assessing tree quality. Natspec Guide No. 2. Certification that trees have been grown to Natspec guidelines is to be provided upon request of Council's Tree Management Officer.

b) Stakes and Ties

Provide 2 Stakes and ties to all plants identified as trees in the plant schedule. Stakes shall be sound, unpainted, straight hardwood, free of knots and pointed at one end. They shall be 2200mm x 50mm x 50mm Hardwood, or approved alternative. Ties shall be 50mm wide hessian webbing material.

c) Fertilisers

Fertilisers shall be approved slow release fertilisers suitable for the proposed planting types. Note that for native plants, specifically Proteaceae family plants including Grevillea species, low phosphorus fertilizers shall be used.

d) Mulch

Mulch should be spread so that a compacted thickness of 75mm is achieved after settlement in all planting beds and around each individual plant. Apply immediately following planting and watering in, ensuring that a 50mm radius is maintained around the trunk of each plant .There shall be no mixing of soil and mulch material.

Planting Maintenance

Protection of works: provide any fencing or barriers necessary to protect the planting from damage throughout the planting establishment period.

Recurrent works: throughout the planting maintenance period, continue to carry out recurrent works of a maintenance nature all to the extent required to ensure that the plants are in the best possible condition at the end of the planting maintenance period. These activities are including but not limited to: weeding, rubbish removal, fertilizing, pest and disease control, adjust / replace stakes and ties topping up mulch, cultivating, pruning, keeping the site neat and tidy.

Replacements: the contractor is responsible for the replacement of failed, damaged or stolen trees, shrubs and groundcovers throughout the planting establishment period.

27. The external walls of the building including attachments must comply with the relevant requirements of the National Construction Code (NCC). Prior to the issue of a Construction Certificate and Occupation Certificate the Certifying Authority and Principal Certifying Authority must:

- a. Be satisfied that suitable evidence is provided to demonstrate that the products and systems proposed for use or used in the construction of external walls, including finishes and claddings such as synthetic or aluminium composite panels, comply with the relevant requirements of the NCC; and
- b. Ensure that the documentation relied upon in the approval processes include an appropriate level of detail to demonstrate compliance with the NCC as proposed and as built.

28. **The following requires amendment or replacement on the Landscape Plan prior to Determination**

Magnolia × soulangeana to be replaced with Syncarpia glommifera
 No of Eucalyptus haemostoma to be updated on Plant Schedule from 6 to 4.
 Viburnum odoratissimum to be replaced with Syzigium 'Winter Lights'
 Pittosporum 'Miss Muffet' to be replaced with Eriostemon myoporoides.
 Nandina 'Gulf Stream' to be replaced with Xanthostemon 'Little Goldie'
 A revised landscape plan is required to provide the 2 Street trees as requested.

A revised landscape plan is to be produced and approved by Council's with the following modifications prior to the issuing of the Construction Certificate:

A landscaped buffer is to be provided along the length of the driveway from the fire booster to the southern wall of the driveway. The buffer is to be a minimum 1.6 metres in width. The Southern portion is maintain a consistent height with the planter garden along the western boundary.

All trees shall be located within mulched landscaped beds except where this may interfere with the performance of an on site detention system.

Turf use

The Zoysia 'Nara' is the preferred variety is to be used in the Communal area as this selection of materials can reduce maintenance requirements and prefers low light levels.

Communal private open space

The Turfed area around the 'Seating Area' should be mass planted with the use of indigenous plants, mulched areas, minimal lawns, grouping plants with similar water needs, garden edging, gravels and groundcover plants instead of grass all reduce future maintenance (TS Landscape) Public domain Paved areas around boundary are required to be porous. The provision of a BBQ and shaded structure would assist in the amenity to the residents, along with a bin. The Landscape Plan requires an update prior to CC.

Details of shade structure should be provided on a Landscape Plan.

Planter boxes constructed on slab

Planter boxes constructed over a concrete slab shall follow DCP and Council Requirements and comply with AS 4419 and AS 3743.

29. Before the Issuing of the Occupation Certificate
Two (2) street trees are required to be planted in Cecil Street - *Eucalyptus ficifolia* (Red Flowering Gum) in minimum 75 litre pots.
- 2 x Street Trees - *Eucalyptus ficifolia* (Red Flowering Gum) minimum height 1.4 metres and pot size 45-75 litre, shall be installed in the Cecil Street nature strip at 7 metre centres by a qualified landscape contractor.
 - A Dial-Before-You-Dig enquiry is required prior to all tree planting.
 - The trees shall be planted in an area measuring 1 metre square, backfilled with imported soil/compost, water holding additive and fertiliser, and mulched with leaf mulch to a depth of 100mm. The trees are to be staked in accordance with Council's Landscape DCP recommendations.
 - Two hold point inspections are required: prior planting trees to ensure plant stock is suitable and post planting.
 - The Applicant is required to obtain a Council inspection of new trees prior to the maintenance period commencing.
 - Verge plantings of low shrubs and groundcovers. Species should consist of Dianellas, Lomandras, native grasses and groundcovers such as *Brachyscome multifida* and *Chrysocephalum apiculatum*.
30. The proposal is to incorporate the recommendation contained within the DA Access Report for 6-8 Cecil Street Monterey prepared by Visionary Access Consulting dated 28.06.2017 (Project Number: DS407-02-16)
31. The proposal is to be constructed in accordance with the recommendations set out in the Acoustic Assessment for no. 6-8 Cecil Street, Monterey prepared by Koikas Acoustics dated 01.12.2016
32. The wall along the western boundary is to be reduced to a maximum height of 1.8 metres (as measured from the existing ground level).

Prior to issue of the construction certificate

The following conditions must be completed prior to the issue of the Construction Certificate.

33. The following fees shall be paid to Council prior to the issue of a Construction Certificate. If payment is made after the end of the financial year, the amount shall be adjusted in accordance with Council's adopted fees and charges.
- i. A Footpath Reserve Restoration Deposit of \$8300.00. This is to cover repair of any damages, or other works to be done by Council. This includes construction, removal, or repair as required to: kerb and guttering, existing or new driveways; paved areas and concrete footpaths. The deposit may be lodged with Council in the form of a Bank Guarantee (Any proposed Bank Guarantee must not have an expiry date). The deposit will not be returned by Council until works are completed and all damage is restored and all specified works are completed by Council.
 - ii. An environmental enforcement fee of 0.25% of the cost of the works.
 - iii. A Soil and Water Management Sign of \$17.50.
34. For work costing \$25,000 or more, a Long Service Leave Levy shall be paid. For further information please contact the Long Service Payments Corporation on their

Helpline 13 1441.

35. An application for Driveway Works (Public Domain Construction – Vehicle Entrance/Driveway Application) and Frontage Works (Public Domain Frontage Works Construction Application) shall be made to Council’s Customer Service Centre prior to issue of the Construction Certificate. All boundary frontage works, egress paths, driveways and fences shall comply with the approval. A fee is payable to Council. If payment is made after the end of the financial year, the amount shall be adjusted in accordance with Council's adopted fees and charges.
36. A Section 94 contribution of \$45,952.52 shall be paid to Council. Such contributions are only used towards the provision or improvement of the amenities and services identified below. The amount to be paid is adjusted at the time of payment, in accordance with the contribution rates contained in Council’s current Adopted Fees and Charges. The contribution is to be paid prior to the issue of any construction certificate for works above the floor level of the ground floor. (Payment of the contribution is not required prior to any separate construction certificates issued only for demolition, site preparation works and the construction of basement levels). The contribution is calculated from Council's adopted Section 94 contributions plan in the following manner:

Child Care	\$187.22
Community Services	\$200.58
Library Services	\$2710.37
Brighton Regional Open Space Fund	\$5021.92
Brighton City Wide Open Space Fund	\$7942.94
Brighton Local Open Space Fund	\$23846.19
Brighton Local TC & Streetscape	\$278.32
Brighton City Wide TC & Streetscape	\$892.72
Brighton Pollution Control Management	\$4594.54
Brighton Admin & Mgt	\$277.72

Copies of Council’s Section 94 Contribution Plans may be inspected at Council’s Customer Service Centre, Administration Building, 444-446 Princes Highway, Rockdale.

37. Prior to the issue of the Construction Certificate a certificate from a practicing Structural Engineer, registered with NPER, shall be submitted to Council stating that the subsurface structural components located on the boundary of the public road, including but not limited to the slabs, walls and columns, have been designed in accordance with all SAA Codes for the design loading from truck and vehicle loads.
38. In the case of residential building work for which the Home Building Act 1989 requires there to be a contract of insurance or owner builder’s permit in force in accordance with Part 6 of that Act, that such a contract or permit is in place.
39. The applicant shall confer with Ausgrid to determine if an electricity distribution substation is required. Written confirmation of Ausgrid's requirements shall be obtained prior to issue Construction Certificate.
40. The applicant shall confer with Ausgrid to determine if satisfactory clearances to any existing overhead High Voltage mains will be affected. Written confirmation of Energy Australia’s requirements shall be obtained prior to issue Construction Certificate.

The relocation of the existing electricity supply pole in the road reserve at Cecil, is required to avoid conflict with the new driveway. The relocation works shall be undertaken in accordance with the requirements of Ausgrid Australia. The applicant shall enter into a contract with Ausgrid for the relocation works prior to the issue of the Construction Certificate, and the works must be completed prior to the commencement of the driveway works and issue of the Occupation Certificate. The applicant is responsible for all relocation costs, including costs associated with other cabling such as telecommunications cables.

41. Prior to the issue of the Construction Certificate, the approved plans must be submitted to 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.

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>

42. Detail civil engineering plans and certification from a professional chartered engineer shall be submitted to Council for assessment and approval pursuant to Section 138 of the Roads Act 1993 in relation to the following:

The following works will be required to be undertaken in the road reserve at the applicant's expense:

- (i). Remove existing kerb and gutter, driveway entry, layback which no longer be required.
 - (ii). Relocate existing power pole.
 - (iii). Construct new kerb and gutter aligning with existing kerb and gutter at 15 Cecil Street, Monterey property.
 - (iv). Construct 1.5m wide concrete footpath along the whole frontage.
 - (v) construction of a new fully constructed concrete vehicular entrance/s;
 - (vi). Widen road pavement from the existing edge of bitumen to new kerb and gutter location including base & subbase courses and appropriate pavement ties.
 - (vii). Make smooth connection between the new and existing pavement.
43. Prior to issue of the Construction Certificate, a longitudinal driveway profile shall be submitted to Principal Certifying Authority for assessment and approval. The profile shall start in the centre of the road and be along the critical edge (worst case) of the driveway. Gradients and transitions shall be in accordance with Council's Code. The profile shall be drawn to a scale of 1 to 25 and shall include all relevant levels, grades (%) and lengths.
44. Any sub-surface structure within the highest known groundwater table / rock + 0.5m shall be designed with a waterproof retention system (i.e. tanking and waterproofing) with adequate provision for future fluctuation of the water table. Basement wall adjacent to the proposed absorption tank system shall be tanked upto the ground level. Subsoil drainage around the subsurface structure must allow free movement of groundwater around the structure, but must not be connected to the internal drainage system. The design of subsurface structure, tanking and waterproofing, and subsoil drainage shall be undertaken by a suitably experienced Chartered Professional Engineer(s). Design details and construction specifications shall be included in the documentation accompanying the Construction Certificate for the relevant stage of works.

45. The low level driveway must be designed to prevent inflow of water from the road reserve. The assessment of flows and design of prevention measures shall be in accordance with the requirements of Rockdale Technical Specification Stormwater Management. Details shall be included in the documentation presented with the Construction Certificate application.
46. Any part of the proposed building within 3m of the proposed absorption tank shall be constructed on a pier and beam foundation with piers extending no less than 300mm below the bottom of the tank base. This requirement shall be reflected on the Construction Certificate plans and supporting documentation.
47. A visitor car space shall also operate as a car wash bay. A tap shall be provided. A sign shall be fixed saying 'Visitor Car Space and Car Wash Bay'. The runoff shall be directed and treated as per Rockdale Technical Specification Stormwater Management. Details shall be provided with the plans accompanying the Construction Certificate.
48. Prior to the issue of the Construction Certificate, amended detailed drainage design plans for the management of stormwater are to be submitted to Principal Certifying Authority for assessment and approval.

Stormwater plan to be amended as following but not limited to:

- Absorption tank to have minimum 1.5m setback from the rear boundary and 2m setback from the side boundary.
- Basement wall adjacent to the absorption tank (southern side) system to be tanked fully upto the ground level. (reason: absorption tank system within 1.5m from the basement wall may cause seepage through the wall)

Design certification, in the form specified in Rockdale Technical Specification Stormwater Management, and drainage design calculations are to be submitted with the plans. Council's Rockdale Technical Specification Stormwater Management sets out the minimum documentation requirements for detailed design plans. Stormwater management requirements for the development site, including the final discharge/end connection point, must comply with Rockdale Technical Specification Stormwater Management.

49. Prior to the issue of the relevant Construction Certificate, a Workzone Traffic Management Plan (WZTMP) prepared by a suitably qualified person shall be submitted to and approved by the Certifying Authority. The Plan shall address, but not be limited to, the following matters:
 - (a) ingress and egress of vehicles to the site;
 - (b) loading and unloading, including construction zones;
 - (c) predicted traffic volumes, types and routes; and
 - (d) pedestrian and traffic management methods.

Copies of the WZTMP shall be submitted to Council

50. A qualified practicing geotechnical engineer must;
 - (a) Implement all recommendations contained in the report prepared by Morrow Geotechnics Pty Ltd , dated 22/11/2016, report ref no. P1178_01.
 - (b) Provide a certificate that the structural design drawings, including the retaining structure design and other relevant construction certificate plans are satisfactory from

a geotechnical perspective.

(c) Prepare a Construction Methodology report demonstrating that the proposed construction methods (including any excavation, and the configuration of the built structures) will have no adverse impact on any surrounding property and infrastructure.

(d) Prepare critical stage inspection schedule, supervise installation of support measures & inspect the works as they progress. The Inspections are to occur at frequencies determined by the geotechnical engineer.

(e) Inspect all new footings and earthworks to confirm compliance to design assumptions with respect to allowable bearing pressure, basal cleanness and stability prior to the placement of steel or concrete,

Where a Private Certifier issues the Construction Certificate a copy of the above documentation must be provided to Council, once the Construction Certificate is issued for the relevant stage of works

51. Architectural plans to be amended to reflect following requirement:
- (i). Swept path analysis (using Autoturn software) shall be provided (for B99 vehicle) for all parking spaces and demonstrate area required to manoeuvre vehicle in and out from the site and parking spaces.
 - (ii). Fence height to be maximum 1.2m adjacent to the driveway access and landscaping area adjacent to the driveway shall not obstruct the sight lines for vehicle entering and existing the site.
 - (iii). 1 visitor space to be shared for the use as a loading and unloading purpose with a VAN spaces. Car wash bay to be shared with visitor space. Signage to be installed in the wall adjacent to these car spaces.

52. Detail civil engineering plans and certification from a professional chartered engineer shall be submitted to Council for assessment and approval pursuant to Section 138 of the Roads Act 1993 in relation to the following:

The following works will be required to be undertaken in the road reserve at the applicant's expense:

- (i). Remove existing kerb and gutter, driveway entry, layback which no longer required;
- (ii). Relocate existing power pole;
- (iii). Construct new kerb and gutter aligning with existing kerb and gutter at 15 Cecil Street, Monterey;
- (iv). Construct 1.5 wide concrete footpath along the whole frontage;
- (v). Construction of a new fully constructed concrete vehicular entrances/s;
- (vi). Widen road pavement from the existing edge of bitumen to new kerb and gutter location including base & subbase courses and appropriate pavement ties.
- (vii). Make smooth connection between the new and existing pavement.

53. Revised architectural plans are to be provided showing the area of all balconies increased to at least the minimum required area by the Apartment Design Guideline. The guideline requires the following:

Dwelling type	Minimum area	Minimum depth
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Studio	4m ²	-
1 bed	8m ²	2m
2 bed	10m ²	2m
3+ bed	12m ²	2.4m

Prior to commencement of works

The following conditions must be completed prior to the commencement of works.

54. Prior to the issue of any Construction Certificate a dilapidation report of the adjoining dwellings (10 Cecil Street, 1-5 Cecil Street), including a photographic survey prepared by a Practising Structural Engineer, must be prepared in respect of the property known 10 Cecil Street, 1-5 Cecil Street, Monterey. A copy of the dilapidation report together with the accompanying photographs shall be provided to the above property owner/s of 10 Cecil Street, 1-5 Cecil Street, Monterey. Any damage caused to other properties during construction shall be rectified. A copy of the dilapidation survey to the Accredited Certifier (AC) or Council prior to commencement of works. The insurance cover shall be a minimum of \$10 million.

55. A Soil and Water Management Plan shall be prepared. The Plan must include details of the proposed erosion and sediment controls to be installed on the building site. A copy of the Soil and Water Management Plan must be kept on-site at all times and made available on request.

Soil and sedimentation controls are to be put in place prior to commencement of any work on site. The controls are to be maintained in effective working order during construction.

Council's warning sign for soil and water management must be displayed on the most prominent point on the building site, visible to both the street and site workers. The sign shall be erected prior to commencement of works and shall be displayed throughout construction.

56. A Construction Management Plan (CMP) shall be prepared in accordance with the requirements of all relevant regulatory approval bodies. Prior to the commencement of works the Certifying Authority shall be satisfied that the Construction Management Plan has obtained all relevant regulatory approvals. The Construction Management Plan shall be implemented during demolition, excavation and construction.

Prior to the issue of the relevant Construction Certificate, a Construction Traffic Management Plan (TMP) prepared by a suitably qualified person shall be submitted to and approved by the Certifying Authority. The Plan shall address, but not be limited to, the following matters:

- (a) ingress and egress of vehicles to the site;
- (b) loading and unloading, including construction zones;
- (c) predicted traffic volumes, types and routes; and
- (d) pedestrian and traffic management methods.

Copies of the CMP and TMP shall be submitted to Council.

57. Vibration monitoring equipment must be installed and maintained, under the supervision of a professional engineer with expertise and experience in geotechnical

engineering, between any potential source of vibration and any building identified by the professional engineer as being potentially at risk of movement or damage from settlement and/or vibration during the excavation and during the removal of any excavated material from the land being developed.

If vibration monitoring equipment detects any vibration at the level of the footings of any adjacent building exceeding the peak particle velocity adopted by the professional engineer as the maximum acceptable peak particle velocity an audible alarm must activate such that the principal contractor and any sub-contractor are easily alerted to the event.

Where any such alarm triggers all excavation works must cease immediately. Prior to the vibration monitoring equipment being reset by the professional engineer and any further work recommencing the event must be recorded and the cause of the event identified and documented by the professional engineer.

Where the event requires, in the opinion of the professional engineer, any change in work practices to ensure that vibration at the level of the footings of any adjacent building does not exceed the peak particle velocity adopted by the professional engineer as the maximum acceptable peak particle velocity these changes in work practices must be documented and a written direction given by the professional engineer to the principal contractor and any sub-contractor clearly setting out required work practice.

The principal contractor and any sub-contractor must comply with all work directions, verbal or written, given by the professional engineer.

A copy of any written direction required by this condition must be provided to the Principal Certifying Authority within 24 hours of any event.

Where there is any movement in foundations such that damaged is occasioned to any adjoining building or such that there is any removal of support to supported land the professional engineer, principal contractor and any sub-contractor responsible for such work must immediately cease all work, inform the owner of that supported land and take immediate action under the direction of the professional engineer to prevent any further damage and restore support to the supported land.

Note: Professional engineer has the same mean as in Clause A1.1 of the BCA.

Note: Building has the same meaning as in section 4 of the Act i.e. "building includes part of a building and any structure or part of a structure".

Note: Supported land has the same meaning as in section 88K of the Conveyancing Act 1919.

58. A sign must be erected at the front boundary of the property clearly indicating the Development Approval Number, description of work, builder's name, licence number and house number before commencement of work. If owner/builder, the Owner/Builder Permit Number must be displayed.
59. A sign must be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out:
- i. stating that unauthorised entry to the work site is prohibited, and
 - ii. showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours.
- Any such sign is to be removed when the work has been completed.
This condition does not apply to:

- iii. building work carried out inside an existing building or
 - iv. building work carried out on premises that are to be occupied continuously (both during and outside working hours) while the work is being carried out.
60. Where it is necessary to import landfill material onto the site to fill the land to levels shown on the plans forming part of the consent, a certificate, prepared by a suitably qualified and experienced Contaminated Land Consultant, shall be submitted to Council being the Regulatory Authority prior to the commencement of works, certifying that the imported fill is suitable for the land use.
61. The site shall be secured by a 1800 mm (minimum) high temporary fence for the duration of the work. Gates shall be provided at the opening points.
62. Where construction/building works require the use of a public place including a road or footpath, approval under Section 68 of the Local Government act 1993 for a Barricade Permit is to be obtained from Council prior to commencement of work. Details of the barricade construction, area of enclosure and period of work are required to be submitted to the satisfaction of Council.
63. Toilet facilities must be available or provided at the work site before works begin and must be maintained until the works are completed at a ratio of one toilet plus one additional toilet for every 20 persons employed at the site.
64. **Vibration monitoring**

Prior to the commencement of works vibration monitoring equipment must be installed and maintained, under the supervision of a professional engineer with expertise and experience in geotechnical engineering, between any potential source of vibration and any building identified by the professional engineer as being potentially at risk of movement or damage from settlement and/or vibration during the excavation and during the removal of any excavated material from the land being developed.

If vibration monitoring equipment detects any vibration at the level of the footings of any adjacent building exceeding the peak particle velocity adopted by the professional engineer as the maximum acceptable peak particle velocity an audible alarm must activate such that the principal contractor and any sub-contractor are easily alerted to the event.

Where any such alarm triggers all excavation works must cease immediately. Prior to the vibration monitoring equipment being reset by the professional engineer and any further work recommencing the event must be recorded and the cause of the event identified and documented by the professional engineer.

Where the event requires, in the opinion of the professional engineer, any change in work practices to ensure that vibration at the level of the footings of any adjacent building does not exceed the peak particle velocity adopted by the professional engineer as the maximum acceptable peak particle velocity these changes in work practices must be documented and a written direction given by the professional engineer to the principal contractor and any sub-contractor clearly setting out required work practice.

The principal contractor and any sub-contractor must comply with all work directions, verbal or written, given by the professional engineer.

A copy of any written direction required by this condition must be provided to the Principal Certifying Authority within 24 hours of any event.

Where there is any movement in foundations such that damaged is occasioned to any adjoining building or such that there is any removal of support to supported land the professional engineer, principal contractor and any sub-contractor responsible for such work must immediately cease all work, inform the owner of that supported land and take immediate action under the direction of the professional engineer to

prevent any further damage and restore support to the supported land.

65. Prior to works commencing, a photographic record of the existing dwellings shall be carried out and lodged with the Local History Librarian at Rockdale City Library. This photographic record shall be submitted in electronic form on a USB, CD or DVD, containing the following:

- i) a layout plan of the existing building, to 1:100 scale, identifying rooms and features shown in the photographs and indicating on the plan where each photo was taken from;
- ii) colour photographs of the interior, exterior and streetscape view of the building. Interior and exterior photographs should include any original features, decorations or fittings. Photographs must be in either TIFF or JPEG format with a minimum resolution of 4 megapixels. Each photograph must be file-named to describe it and indicate its location.

Where an oral history interview is considered appropriate it shall be carried out by the Local History Librarian.

66. Consultation with Ausgrid is essential prior to commencement of work. Failure to notify Ausgrid may involve unnecessary expense in circumstances such as:
- i) where the point of connection and the meter board has been located in positions other than those selected by Ausgrid or
 - ii) where the erection of gates or fences has restricted access to metering equipment.
67. A Construction Management Plan (CMP) shall be prepared in accordance with the requirements of all relevant regulatory approval bodies. Prior to the commencement of works the Certifying Authority shall be satisfied that the construction Management Plan has obtained all relevant regulatory approvals. The Construction Management Plan shall be implemented during demolition, excavation and construction.
Copies of the CMP shall be submitted to Council.

During demolition / excavation / construction

The following conditions must be complied with during demolition, excavation and or construction.

68. A copy of the Construction Certificate and the approved plans and specifications must be kept on the site at all times and be available to Council officers upon request.
69. Hours of construction shall be confined to between 7 am and 6.30 pm Mondays to Fridays, inclusive, and between 8 am and 3.30 pm Saturdays with no work being carried out on Sundays and all public holidays.
70. For Class 2, 3 and 4 structures, the building works are to be inspected during construction, by the principal certifying authority (or other suitably qualified person on behalf of the principal certifying authority) to monitor compliance with Council's approval and the relevant standards of construction encompassing the following stages:
- i. after excavation for, and before the placement of, any footing, and
 - ii. prior to covering waterproofing in any wet areas, for a minimum of 10% of rooms with wet areas within a building, and
 - iii. prior to covering any stormwater drainage connections, and

- iv. after the building work has been completed and prior to any occupation certificate being issued in relation to the building.

Documentary evidence of compliance with Council's approval and relevant standards of construction is to be obtained prior to proceeding to the subsequent stages of construction and copies of the documentary evidence are to be maintained by the principal certifying authority and be made available to Council officers upon request.

71. Upon inspection of each stage of construction, the Principal Certifying Authority (or other suitably qualified person on behalf of the Principal Certifying Authority) is also required to ensure that adequate provisions are made for the following measures (as applicable), to ensure compliance with the terms of Council's approval:
 - Sediment control measures
 - Provision of perimeter fences or hoardings for public safety and restricted access to building sites.
 - Maintenance of the public place free from unauthorised materials, waste containers or other obstructions.

72. Ground water shall only be pumped or drained to Council's stormwater system if the water is clean and unpolluted. The standard used to determine the acceptability of the quality of the water is the 'Australian and New Zealand Environment and Conservation Council - Australian Water Quality Guidelines for Fresh and Marine Waters 1992'.

Note: Prior treatment and/or filtration of the water may be necessary to achieve acceptable quality, including a non-filterable residue not exceeding 50 milligrams/litre or small quantities may be removed by the services of a Licenced Liquid Waste Transporter. It is an offence under the provisions of the Protection of the Environment Operations Act 1997 to pollute the stormwater system.

73. Demolition operations shall not be conducted on the roadway or public footway or any other locations, which could lead to the discharge of materials into the stormwater drainage system.
74. All waste generated on site shall be disposed of in accordance with the submitted Waste Management Plan.
75. All excavation and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with appropriate professional standards and guarded and protected to prevent them from being dangerous to life or property.

When excavation associated with the erection or demolition of a building extends below the level of the base of the footings of a building or an adjoining allotment of land, you shall:

- i. preserve and protect the building from damage and
- ii. underpin and support the building in an approved manner, if necessary and
- iii. give notice of intention to excavate below the level of the base of the footings of a building on an adjoining allotment of land to the owner at least 7 days prior to excavation and furnish particulars of the excavation to the owner of the building being erected or demolished.

Note: The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this clause, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

In this conditions allotment of land includes a public road and any other public place.

Works shall not encroach onto or over adjoining properties, including retaining walls, fill material or other similar works. Soil shall not be lost from adjoining sites due to construction techniques employed on the subject site.

76. All contractors shall comply with the following during all stages of demolition and construction:
- A Waste Container on Public Road Reserve Permit must be obtained prior to the placement of any waste container or skip bin in the road reserve (i.e. road or footpath or nature strip). Where a waste container or skip bin is placed in the road reserve without first obtaining a permit, the Council's fees and penalties will be deducted from the Footpath Reserve Restoration Deposit. Permits can be obtained from Council's Customer Service Centre.
 - A Road Opening Permit must be obtained prior to any excavation in the road reserve (i.e. road or footpath or nature strip). Where excavation is carried out on the road reserve without first obtaining a permit, the Council's fees and penalties will be deducted from the Footpath Reserve Restoration Deposit. Permits can be obtained from Council's Customer Service Centre.
 - A Hoarding Permit must be obtained prior to the erection of any hoarding (Class A or Class B) in the road reserve (i.e. road or footpath or nature strip). Where a hoarding is erected in the road reserve without first obtaining a permit, the Council's fees and penalties will be deducted from the Footpath Reserve Restoration Deposit. Permits can be obtained from Council's Customer Service Centre.
 - A Crane Permit must be obtained from Council prior to the operation of any activity involving the swinging or hoisting of goods across or over any part of a public road by means of a lift, hoist or tackle projecting over the footway. Permits can be obtained from Council's Customer Service Centre.
 - A current Permit to Dewater or Pump Out a site must be obtained prior to the discharge of pumped water into the road reserve, which includes Council stormwater pits and the kerb and gutter. Permits can be obtained from Council's Customer Service Centre.
77. All demolition work shall be carried out in accordance with AS2601 – 2001: The Demolition of Structures and with the requirements of the WorkCover Authority of NSW.
78. The following conditions are necessary to ensure minimal impacts during construction:
- i. Building, demolition and construction works not to cause stormwater pollution and being carried out in accordance with Section 2.8 of Council's Stormwater Pollution Control Code 1993. Pollutants such as concrete slurry, clay and soil shall not be washed from vehicles onto roadways, footways or into the stormwater system. Drains, gutters, roadways and access ways shall be maintained free of sediment. Where required, gutters and roadways shall be swept regularly to maintain them free from sediment.
 - ii. Stormwater from roof areas shall be linked via a temporary downpipe to an approved stormwater disposal system immediately after completion of the roof area.
 - iii. All disturbed areas shall be stabilised against erosion within 14 days of completion, and prior to removal of sediment controls.
 - iv. Building and demolition operations such as brickcutting, washing tools or paint brushes, and mixing mortar shall not be performed on the roadway or

public footway or any other locations which could lead to the discharge of materials into the stormwater drainage system.

- v. Stockpiles are not permitted to be stored on Council property (including nature strip) unless prior approval has been granted. In addition stockpiles of topsoil, sand, aggregate, soil or other material shall be stored clear of any drainage line or easement, natural watercourse, kerb or road surface.
- vi. Wind blown dust from stockpile and construction activities shall be minimised by one or more of the following methods:
 - a) spraying water in dry windy weather
 - b) cover stockpiles
 - c) fabric fences
- vii. Access to the site shall be restricted to no more than two 3m driveways. Council's footpath shall be protected at all times. Within the site, provision of a minimum of 100mm coarse crushed rock is to be provided for a minimum length of 2 metres to remove mud from the tyres of construction vehicles.

An all weather drive system or a vehicle wheel wash, cattle grid, wheel shaker or other appropriate device, shall be installed prior to commencement of any site works or activities, to prevent mud and dirt leaving the site and being deposited on the street. Vehicular access is to be controlled so as to prevent tracking of sediment onto adjoining roadways, particularly during wet weather or when the site is muddy. Where any sediment is deposited on roadways it is to be removed by means other than washing and disposed of appropriately.

In addition builders / demolishers are required to erect a 1.5m high fence along the whole of the street alignment other than at the two openings. Such protection work, including fences, is to be constructed, positioned and maintained in a safe condition to the satisfaction of the Principal Certifying Authority, prior to the demolition of the existing structures and commencement of building operations.

- viii. Any noise generated during construction of the development shall not exceed limits specified in any relevant noise management policy prepared pursuant to the Protection of the Environment Operations Act, 1997 or exceed approved noise limits for the site.

- 79. Council's warning sign for soil and water management must be displayed on the most prominent point on the building site, visible to both the street and site workers. The sign must be displayed throughout construction. A copy of the sign is available from Council.
- 80. All existing trees located within the site may be removed.

Prior to issue of occupation certificate or commencement of use

The following conditions must be complied with prior to issue of the Occupation Certificate or Commencement of Use.

- 81. An Occupation Certificate shall be obtained in relation to the approved works prior to any use or occupation of the building.
- 82. Appropriate signage and tactile information indicating accessible facilities shall be

provided at the main entrance directory, or wherever directional signage such as lifts or building directories or information is provided to those buildings where access and facilities for people with disabilities has been provided. Such signage shall have regard to the provisions of AS1428.1 and AS1428.2.

83. Tactile differentiation on floor surfaces indicating change of gradient shall be provided to those buildings where access and facilities for people with disabilities has been provided. This includes the external parts of the building, eg. access walkways and ramps. Such differentiation shall have regard to the provisions of AS1428.4.
84. Where Council's park/reserve is damaged as a result of building work or vehicular building traffic, this area shall be restored by Council at the applicant's expense. Repairs shall be completed prior to the issue of the Occupation Certificate.
85. A by-law shall be registered and maintained for the life of the development, which requires that :
 - (a) balconies are not to be used as clothes drying areas, storage of household goods and air-conditioning units that would be visible from the public domain;
 - (b) an owner of a lot must ensure that all floor space within the lot complies with the acoustic conditions for floors specified in this consent;
 - (c) Notwithstanding subclause (b), in the event that a floor covering in the lot is removed, the newly installed floor covering shall have a weighted standardized impact sound pressure level not greater than L'nT,w 45 measured in accordance with AS ISO 140.7 and AS ISO 717.2, A test report from a qualified acoustic engineer employed by a firm eligible to membership of the Association of Australian Acoustical Consultants shall be submitted to the Owners Corporation within 14 days of the installation of the new floor covering demonstrating compliance with that standard. In the event that the standard is not complied with, the floor covering shall be removed and replaced with a floor covering that conforms to that standard in accordance with any directions given by the Owners Corporation.

Proof of registration of the By Law shall be submitted to Council prior to the issue of the Occupation Certificate.

86. Lot 30 Section 1 DP 736, Lot 31 Section 1 DP 736, Lot 32 Section 1 DP 736 shall be consolidated into one allotment. Council requires proof of lodgement of the plan of consolidation with the Land and Property Information Office prior to occupation.
87. All landscape works are to be carried out in accordance with the approved landscape plans prior to the issue of an Occupation Certificate for the approved development. The landscaping is to be maintained to the approved standard at all times.
88. All works within the road reserve, which are subject to approval pursuant to Section 138 of the Roads Act 1993, shall be completed and accepted by council.
89. Where an electricity substation is required by Ausgrid, a final film survey plan shall be endorsed with an area having the required dimensions as agreed with Ausgrid over the location of the proposed electricity distribution substation site. The substation must be located within the boundary of the development site, or within the building, subject to compliance with the BCA. The substation site shall be dedicated to Council as public roadway, or as otherwise agreed with Ausgrid. Ausgrid's requirements shall be met prior to release of the issue of the Occupation Certificate.
90. Vehicles shall enter and exit the site in a forward direction at all times. A plaque with minimum dimensions 300mm x 200mm shall be permanently fixed to the inside skin of the front fence, or where there is no front fence a prominent place approved by the Principal Certifying Authority, stating the following: "Vehicle shall enter and exit the

site in a forward direction at all times”.

91. Prior to completion of the building works, a full width vehicular entry is to be constructed to service the property. Any obsolete vehicular entries are to be removed and reconstructed with kerb and gutter. This work may be done using either a Council quote or a private contractor. There are specific requirements for approval of private contractors.
92. The width of the driveway shall be a minimum of 3.6 metres and a maximum of 4.5 metres at the boundary.
93. A convex mirror is to be installed at the entry to the basement to provide increased sight distance for vehicles entering and exiting the basement.
94. The dedication to Council of a 1.5m for road widening purposes. Council requires proof of lodgement of the signed Subdivision/Strata Certificate and 88B Instrument with the Land Titles Office.
95. 1 bollard to be installed by the Developer at shared area dedicated to the disable car space at the basement.
96. 12 off-street car spaces shall be provided in accordance with the submitted plan and shall be sealed and linemarked to Council's satisfaction. The pavement of all car parking spaces, manoeuvring areas and internal driveways shall comply with Australian Standard AS3727 – Guide to Residential Pavements.
97. Prior to the issue of the Final Occupation Certificate, a Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water.

It is recommended that applicants apply early for the certificate, as there may be water and sewer pipes to be built and this can take some time. This can also impact on other services and building, driveway or landscape design.

Application must be made through an authorised Water Servicing Coordinator. For help either visit www.sydneywater.com.au > Plumbing, building and developing > Developing > Land development or telephone 13 20 92.

98. Prior to occupation, a registered surveyor shall certify that the driveway(s) over the footpath and within the property have been constructed in accordance with the approved driveway profile(s). The certification shall be based on a survey of the completed works. A copy of the certificate and a works-as-executed driveway profile shall be provided to Council if Council is not the Principal Certifying Authority.
99. Where the installation of electricity conduits is required in the footway, the builder shall install the conduits within the footway across the frontage/s of the development site, to Ausgrid's specifications. Ausgrid will supply the conduits at no charge. A Road Opening Permit must be obtained from Council prior to the installation of the conduits. The builder is responsible for compaction of the trench and restoration of the footway in accordance with Council direction. A Compliance Certificate from Ausgrid shall be obtained prior to the issue of the Occupation Certificate.
100. A certificate is to be provided to Council that all wet areas have been effectively waterproofed (prior to tiling) in accordance with AS3740 and the product manufacturer's recommendations.
101. A Landscape Architect shall provide a report to the certifying authority (with a copy provided to Council, if Council is not the principal certifying authority) stating that the landscape works have been carried out in accordance with the approved plans and documentation.
102. Prior to occupation or use of the premises, a qualified mechanical engineer shall certify that the mechanical ventilation/air conditioning system complies in all respects

with the requirements of Australian Standard 1668, Part 1 & 2.

103. Prior to occupation, a chartered professional engineer shall certify that the tanking and waterproofing has been constructed in accordance with the approved design and specification. A copy shall be provided to Council if council is not the Principal Certifying Authority.
104. Prior to occupation a Chartered Professional Engineer shall certify that the stormwater system has been constructed in accordance with the approved plans and as required by Rockdale Technical Specification Stormwater Management. The certificate shall be in the form specified in Rockdale Technical Specification Stormwater Management and include an evaluation of the completed drainage works. A works-as-executed drainage plan shall be prepared by a registered surveyor based on a survey of the completed works. A copy of the certificate and works-as-executed plan(s) shall be supplied to the Principal Certifying Authority. A copy shall be provided to Council if Council is not the Principal Certifying Authority.
105. A positive covenant pursuant to the Conveyancing Act 1919 shall be created on the title of the lots that contain the stormwater retention facility to provide for the maintenance of the retention facility.
106. The pump system, including all associated electrical and control systems, shall be tested and inspected by a suitably qualified and experienced person. Records of testing shall be retained and provided to the certifying hydraulic engineer and/or PCA upon request.
107. The drainage system shall be constructed in accordance with the approved drainage plans and any amendments in red. All stormwater drainage plumbing work shall comply with the NSW Code of Practice: Plumbing and Drainage and Australian Standard AS3500.

Drainage grates shall be provided at the boundary. Width of the drainage grates shall be in accordance with Rockdale Technical Specification Stormwater Management.

A silt/litter arrestor pit as detailed in Rockdale Technical Specification Stormwater Management shall be provided prior to discharge of stormwater from the site.

108. Prior to occupation a Chartered Professional Engineer competent in geotechnics shall certify that the construction works has been constructed in accordance with the approved geotechnical report and include an evaluation of the completed works. All the critical stage inspection certificate/report as was identified by the Geotechnical Engineer at construction stage to be included within this certificate. Geotechnical Engineer to also review completed works and dilapidation report to ensure no impact to adjoining structures have been created by site works and that all required stabilisation and drainage measures are in place.

Above certificate/s & documentation shall be supplied to the Principal Certifying Authority. A copy shall be provided to Council if Council is not the Principal Certifying Authority.

Roads Act

109. Construction related activities must not take place on the roadway without Council approval.

Short-term activities (including operating plant, materials delivery) that reduce parking spaces, affect access to a particular route or prevent or restrict the passage of vehicles along the road must not occur without a valid Temporary Roadside Closure Permit.

Activities involving occupation of the parking lane for durations longer than allowed under a Temporary Roadside Closure Permit require a Construction Zone Permit and must not occur prior to the erection of Works Zone signs by Council's Traffic and Road Safety Section.

Permit application forms should be lodged at Council's Customer Service Centre allowing sufficient time for evaluation. An information package is available on request.

110. The following works will be required to be undertaken in the road reserve at the applicant's expense:
- (i). Remove existing kerb and gutter, driveway entry, layback which no longer be required.
 - (ii). Relocate existing power pole.
 - (iii). Construct new kerb and gutter aligning with existing kerb and gutter at 15 Cecil Street, Monterey property.
 - (iv). Construct 1.5m wide concrete footpath along the whole frontage.
 - (v) construction of a new fully constructed concrete vehicular entrance/s;
 - (vi). Widen road pavement from the existing edge of bitumen to new kerb and gutter location including base & subbase courses and appropriate pavement ties.
 - (vii). Make smooth connection between the new and existing pavement.

Detail civil engineering plans to reflect above requirement and certification from a professional chartered engineer shall be submitted to Council for assessment and approval pursuant to Section 138 of the Roads Act 1993.

111. All footpath, or road and drainage modification and/or improvement works to be undertaken in the road reserve shall be undertaken by Council, or by a Private Licensed Contractor subject to the submission and approval of a Private Contractor Permit, together with payment of all inspection fees. An estimate of the cost to have these works constructed by Council may be obtained by contacting Council. The cost of conducting these works will be deducted from the Footpath Reserve Restoration Deposit, or if this is insufficient the balance of the cost will be due for payment to Council upon completion of the work.
112. All driveway, footpath, or road and drainage modification and/or improvement works to be undertaken in the road reserve shall be undertaken in accordance with Council's Subdivision and Civil Works Construction Specification (AUS-SPEC 1). Amendment to the works specification shall only apply where approved by Council. Where a conflict exists between design documentation or design notes and AUS-SPEC 1, the provisions of AUS-SPEC 1 shall apply unless otherwise approved by Council.
113. This Roads Act approval does not eradicate the need for the Contractor to obtain a Road Opening Permit prior to undertaking excavation in the road or footpath.
114. Any driveway works to be undertaken in the footpath reserve by a private contractor requires an "Application for Consideration by a Private Contractor" to be submitted to Council together with payment of the application fee. Works within the footpath reserve must not start until the application has been approved by Council.

115. Following completion of concrete works in the footpath reserve area, the balance of the area between the fence and the kerb over the full frontage of the proposed development shall be turfed with either buffalo or couch (not kikuyu).

Development consent advice

- a. A street number shall be prominently displayed at the front of the development. The street number shall be a minimum of 120 mm in height to assist emergency services and visitors to locate the property. The numbering shall be erected prior to commencement of operations. Street numbers are to be obtained from Council.
- b. You are advised to consult with your utility providers (i.e. Energy Aust, Telstra etc) in order to fully understand their requirements before commencement of any work.
- c. *Telstra Advice – 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.

- d. *Telstra Advice - 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 (Commonwealth) 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.

- e. Section 88E Instrument contains easements and/or covenants to which Council is a Prescribed Authority, the Council must be provided with all relevant supporting information (such as works-as-executed drainage plans and certification) prior to Council endorsing the Instrument.
- f. All asbestos fibre demolition material and asbestos dust shall be handled, stored and removed in accordance with the relevant legislation and guidelines including:
 - Work Health and Safety Act 2011
 - Work Health and Safety Regulation 2011
 - Code of Practice for the Safe Removal of Asbestos [NOHSC: 2002 (2005)]
 - Code of Practice for the Management and Control of Asbestos in Workplaces [NOHSC: 2018 (2005)]
 - Protection of the Environment Operations (Waste) Regulation 2005

All work procedures shall be devised to minimise the release of dust and fibres. A checklist of safety precautions when working with asbestos is available in Health &

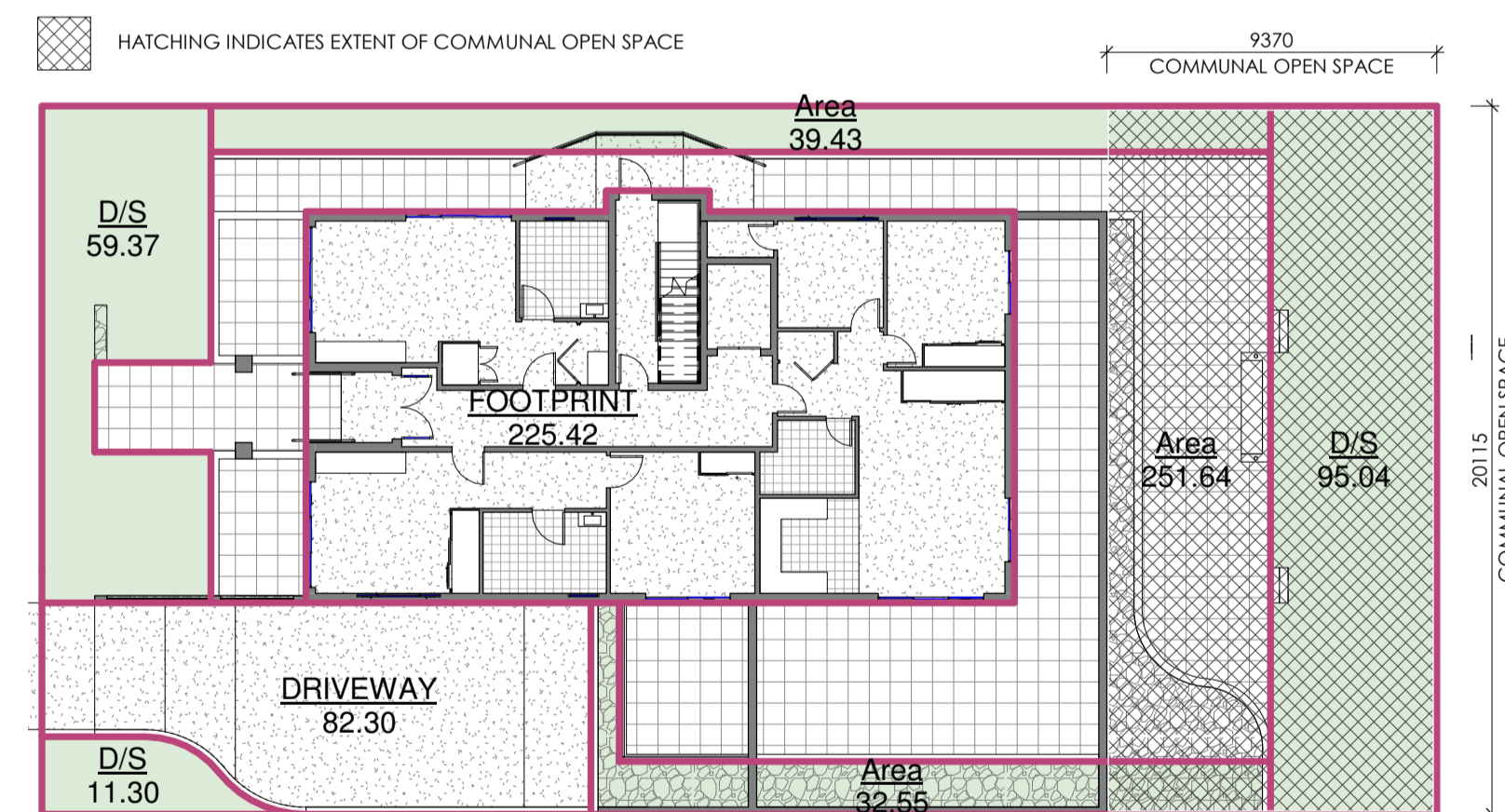
Safety Guidelines prepared by the WorkCover Authority of NSW. Collection, storage and transportation is subject to the Protection of the Environment Operations (Waste) Regulation 2005.

- g. Hazardous and/or intractable wastes arising from the demolition process shall be removed and disposed of in accordance with the requirements of the relevant statutory authorities (NSW WorkCover Authority and the NSW Environment Protection Authority), together with the relevant regulations, including:
- Work Health and Safety Act 2011
 - Work Health and Safety Regulation 2011
 - Protection of the Environment Operations (Waste) Regulation 2005.
- h. Demolition and construction shall minimise the emission of excessive noise and prevent “offensive noise” as defined in the Protection of the Environment Operations Act 1997. Noise reduction measures shall include, but are not limited to the following strategies:
- choosing quiet equipment
 - choosing alternatives to noisy activities
 - relocating noise sources away from affected neighbours
 - educating staff and contractors about quiet work practices
 - informing neighbours of potentially noise activities in advance
 - equipment, such as de-watering pumps, that are needed to operate on any evening or night between the hours of 8 p.m. and 7 a.m. or on any Sunday or Public Holiday, shall not cause a noise nuisance to neighbours of adjoining or nearby residences. Where the emitted noise exceeds 5 dB(A) [LAeq(15m)] above the background sound level [LA90] at the most affected point on the nearest residential boundary at any time previously stated, the equipment shall be acoustically insulated, isolated or otherwise enclosed so as to achieve the sound level objective.
- i. All site works shall comply with the occupational health and safety requirements of the NSW WorkCover Authority.

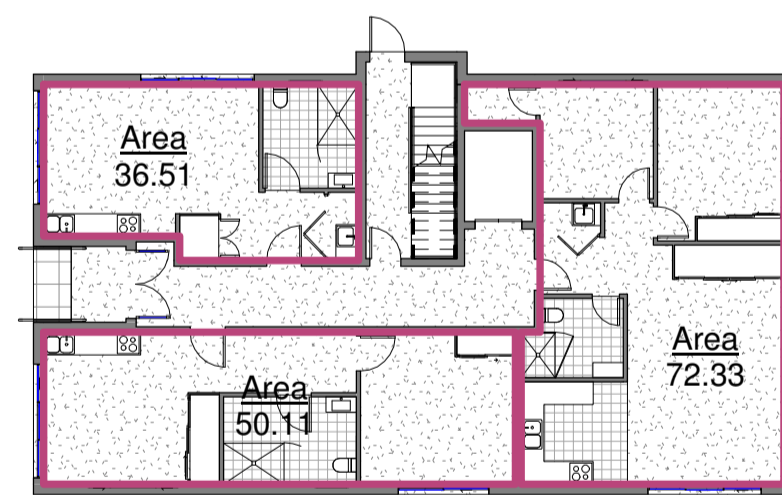
PROPOSED RESIDENTIAL FLAT BUILDING

AT: 6-8 CECIL STREET, MONTEREY

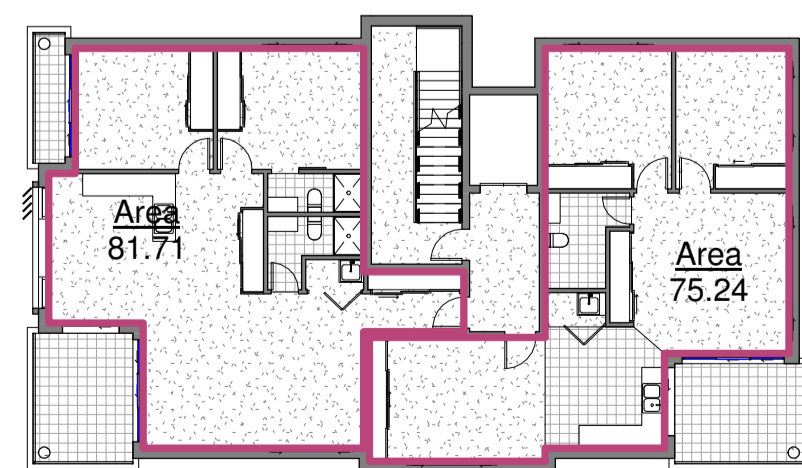
FOR: MR. ERIK TSAI



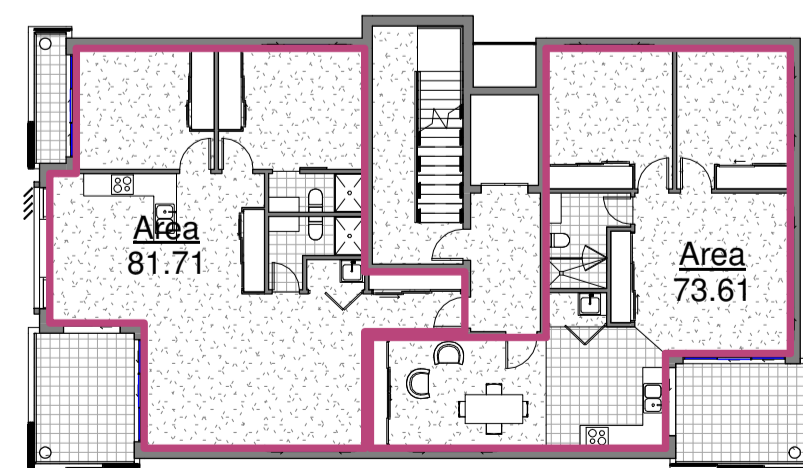
5 02 GROUND FLOOR
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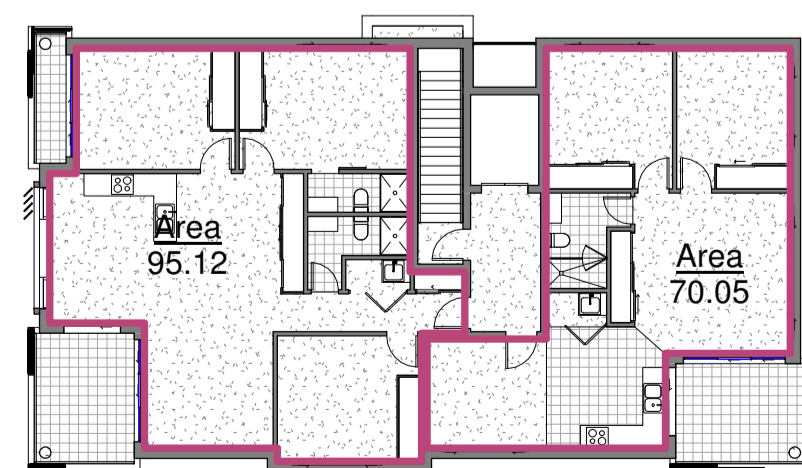
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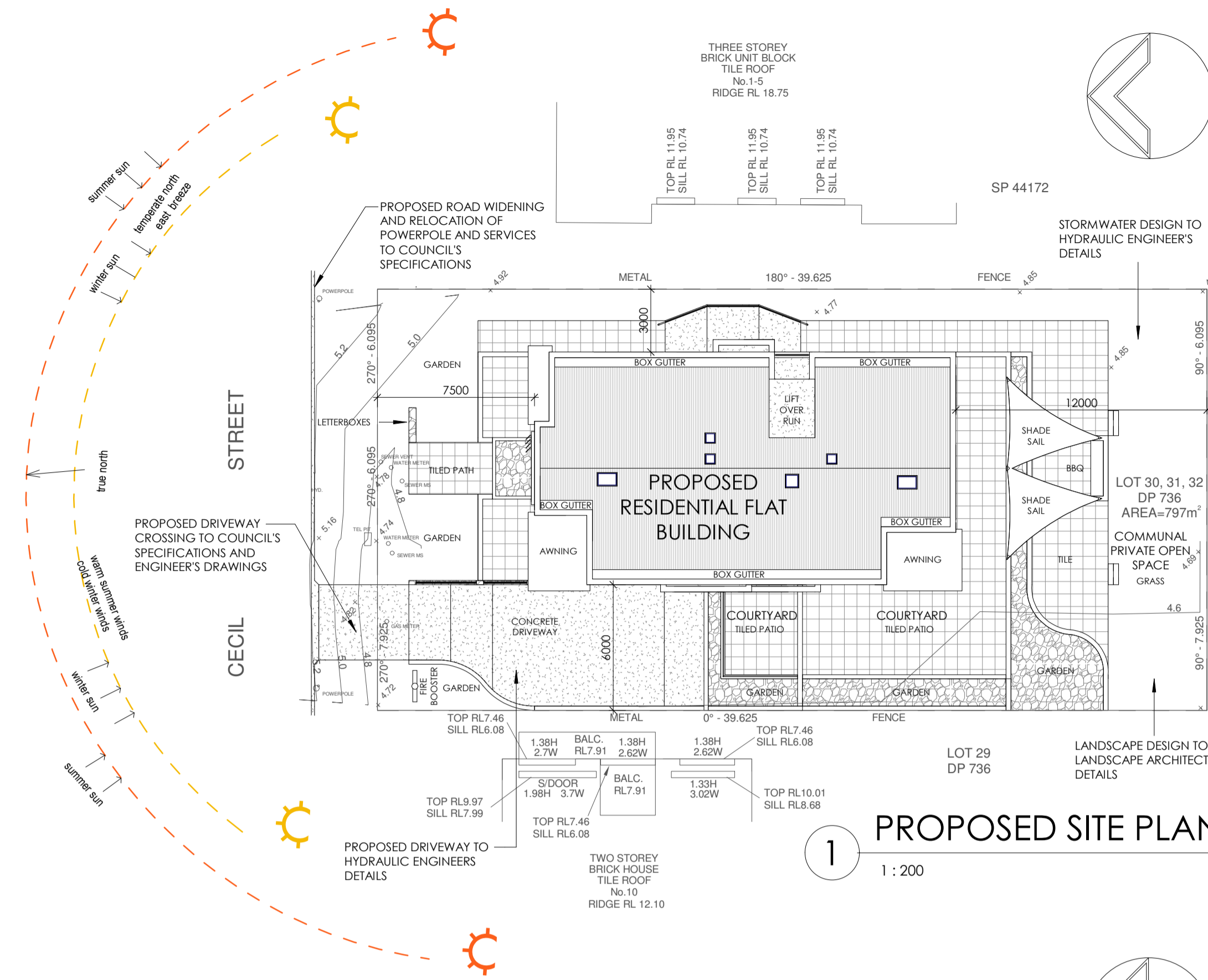
7 03 FIRST FLOOR
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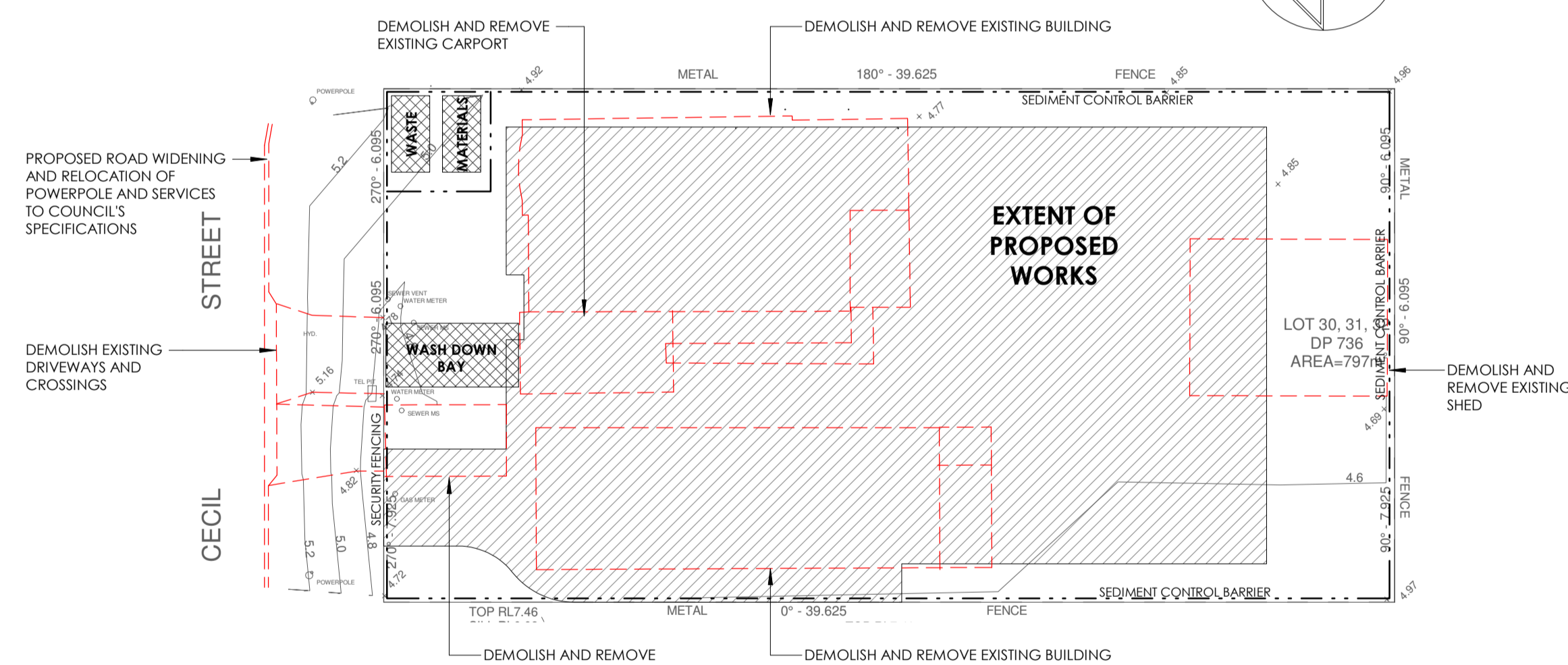
8 04 SECOND FLOOR
1:200



9 05 THIRD FLOOR
1:200



1 PROPOSED SITE PLAN
1:200



3 DEMOLITION PLAN
1:200

4 EROSION AND SEDIMENTATION CONTROL DETAILS

- TYPICAL SHAKEDOWN SECTION**
THIS DEVICE IS TO BE REGULARLY CLEANED OF DEPOSITED MATERIAL SO AS TO MAINTAIN A 50mm DEEP SPACE BETWEEN PLANKS.
150 x 100 TRENCH WITH COMPACTED BACKFILL & ON ROCK. SITE INTO SURFACE CONCRETE.
STAR PICKETS AT 3m MAX. CENTRES.
200 MIN.
- ALTERNATIVE SECTION**
GRID MADE FROM FULLY WELDED 150x75 PFC PERIMETER FRAME WITH 150x75 PFC SPACED AT 100mm. LAD ON 100mm THICK BED OF CRUSHED AGGREGATE.
FILLED GEOTEXTILE FABRIC SOCK WITH CRUSHED AGGREGATE OR SIMILAR.
RUN-OFF WATER WITH FILTERED WATER.
GEOTEXTILE FABRIC SOCK FILLED WITH CRUSHED AGGREGATE OR SIMILAR.
COMPACTED SOIL TO PREVENT PILING.
- TEMP. SEDIMENT CONTROL FENCE**
1. PROVIDE SEDIMENT CONTROL FENCE AT STORMWATER OUTLETS AND DOWNSTREAM BOUNDARIES UNTIL LANDSCAPING, PAVING & TIERING IS COMPLETED.
2. MINIMISE BARE EARTH AND DISTURBED AREAS. ALL BARE SOIL AREAS ARE TO BE PROTECTED FROM EROSION BY TEMPORARY MEASURES AND REVEGETATED AT CESSATION OF CONSTRUCTION.
3. RETURN OR PROTECT AS SOON AS PRACTICABLE.
4. COVER ALL SOIL MOVING.
5. PROVIDE LARGE COARSE AGGREGATE SURFACE (100 MIN. DEEP) TO ENTRY AND EXIT AREAS WITH GEOTEXTILE FILTER UNDERLAY.
6. SATISFACTORILY COMPACT ALL BACKFILL.
7. LOCATE ALL DEBRIS IN CHAIN AREA BEHIND SEDIMENT FENCE.
8. REGULARLY CHECK AND MAINTAIN ALL SEDIMENT FEATURES.
- TEMP. DROP INLET SEDIMENT TRAP**
1. PROVIDE SEDIMENT CONTROL FENCE AT STORMWATER OUTLETS AND DOWNSTREAM BOUNDARIES UNTIL LANDSCAPING, PAVING & TIERING IS COMPLETED.
2. MINIMISE BARE EARTH AND DISTURBED AREAS. ALL BARE SOIL AREAS ARE TO BE PROTECTED FROM EROSION BY TEMPORARY MEASURES AND REVEGETATED AT CESSATION OF CONSTRUCTION.
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6. SATISFACTORILY COMPACT ALL BACKFILL.
7. LOCATE ALL DEBRIS IN CHAIN AREA BEHIND SEDIMENT FENCE.
8. REGULARLY CHECK AND MAINTAIN ALL SEDIMENT FEATURES.
- SEDIMENT CONTROL DEVICES**
FILTER DAMS ARE TO BE CONSTRUCTED AT ALL DRAINAGE OUTLETS WITHIN THE SITE. THESE DAMS SHALL BE CONSTRUCTED AS DETAILED IN THE APPROVED DRAWINGS.
SILT FENCES SHALL BE CONSTRUCTED AS DETAILED IN THE APPROVED DRAWINGS AROUND ALL DISTURBED AREAS, STOCKPILES AND AS DIRECTED BY THE ENGINEER.
- MATERIALS**
MATERIALS AND WORKMANSHIP SHALL BE TO THE ENGINEER'S SATISFACTION AND UNLESS OTHERWISE SPECIFIED SHALL CONFORM TO SUCH STANDARD SPECIFICATIONS ISSUED BY THE STANDARDS ASSOCIATION OF AUSTRALIA AS APPLICABLE.
- TRANSPORTATION OF MATERIALS**
TRANSPORTATION OF MATERIALS AND OF EARTH, SAND, ROAD CONSTRUCTION MATERIAL, LOOSE DEBRIS AND ANY LOOSE MATERIALS TO OR FROM THE SITE WILL BE IN A MANNER THAT WILL PREVENT THE DROPPING OF MATERIAL ON THE SURROUNDING STREETS. LOAD COVERS ARE TO BE USED AT ALL TIMES.
- SURVEY MARKS**
ADEQUATE PRECAUTIONS ARE TO BE TAKEN TO PROTECT AND PRESERVE ANY SURVEY MARK RELATIVE TO OR AFFECTED BY THE DEVELOPMENT.
- EARTHWORKS & CLEARING**
DURING THE CLEARING, CARE SHALL BE TAKEN NOT TO DISTURB ANY BENCHMARK, SURVEY OR LEVEL PEG. TOPSOIL IS TO BE REMOVED FROM THE WORKS AREA, STOCKPILED AND REPLACED UPON THE DISTURBED AREAS AT THE COMPLETION OF CONSTRUCTION.
- VEGETATION PROTECTION**
PRIOR TO AND DURING ANY CONSTRUCTION WORKS THE ROOTS, TRUNKS AND BRANCHES OF ALL VEGETATION TO BE RETAINED SHALL BE PROTECTED FROM POLLUTANTS, MACHINERY, CHEMICAL AND FUEL SPILLAGE, COMPACTION OF SURROUNDING SOILS, LEVEL CHANGES WITHIN THE CRIP LINE, STOCKPILING OF SOIL, AND STOCKPILING OF BUILDING MATERIALS. PROTECTIVE FENCING OF SUCH VEGETATION SHALL BE UNDERTAKEN AS NECESSARY. VEGETATION TO BE LEFT UNDISTURBED OUTSIDE THE APPROVED WORKS AREA.

SITE CALCULATIONS	
ZONE	R3
SITE AREA	797.00m ²
FLOOR AREA	
UNIT 1 (STUDIO)	36.51m ²
UNIT 2 (1 BEDROOM)	50.11m ²
UNIT 3 (2 BEDROOM)	72.33m ²
UNIT 4 (2 BEDROOM)	81.71m ²
UNIT 5 (2 BEDROOM)	75.24m ²
UNIT 6 (2 BEDROOM)	81.71m ²
UNIT 7 (2 BEDROOM)	73.61m ²
UNIT 8 (3 BEDROOM)	95.12m ²
UNIT 9 (2 BEDROOM)	70.05m ²
TOTAL FLOOR AREA	636.39m ²
FLOOR SPACE RATIO	0.80:1
*MAX. ALLOWABLE FSR	1:1
LANDSCAPING	
BUILDING FOOTPRINT (SITE COVERAGE)	225.42m ²
*MAX. PERMISSIBLE	35%
TOTAL DEEP SOIL AREA (PERCENTAGE)	165.71m ²
*MIN. REQUIRED	20%
ADDITIONAL LANDSCAPING (LESS THAN 3m DIMENSION)	71.98m ²
COMMUNAL OPEN SPACE (PERCENTAGE)	188.48m ²
*MIN. REQUIRED	23.65%
*PERMISSIBLE	25%

D 03.07.2017 DA - CHANGES AS PER COUNCIL LETTER DATED 3/5/17
 C 21.12.2016 DEVELOPMENT APPLICATION
 B 26.10.2016 DESIGN REVIEW PANEL APPLICATION
 A 07.07.2016 PRE DEVELOPMENT APPLICATION
 AMENDMENTS
 DRAWING TITLE
PROPOSED SITE PLAN, EXISTING SITE PLAN, CONSTRUCTION MANAGEMENT PLAN, AREA CALCULATIONS
 PROJECT STATUS
DEVELOPMENT APPLICATION

PROJECT
PROPOSED RESIDENTIAL FLAT BUILDING

ADDRESS
6-8 CECIL STREET, MONTEREY

CLIENT
MR. ERIK TSAI

ISSUE: **D** JOB NO: 888-1420
 SHEET NO: 01

DATE: 03.07.2017 DRAWN: JF

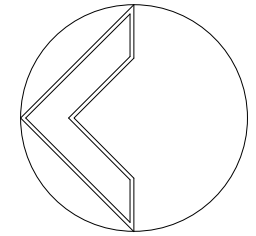
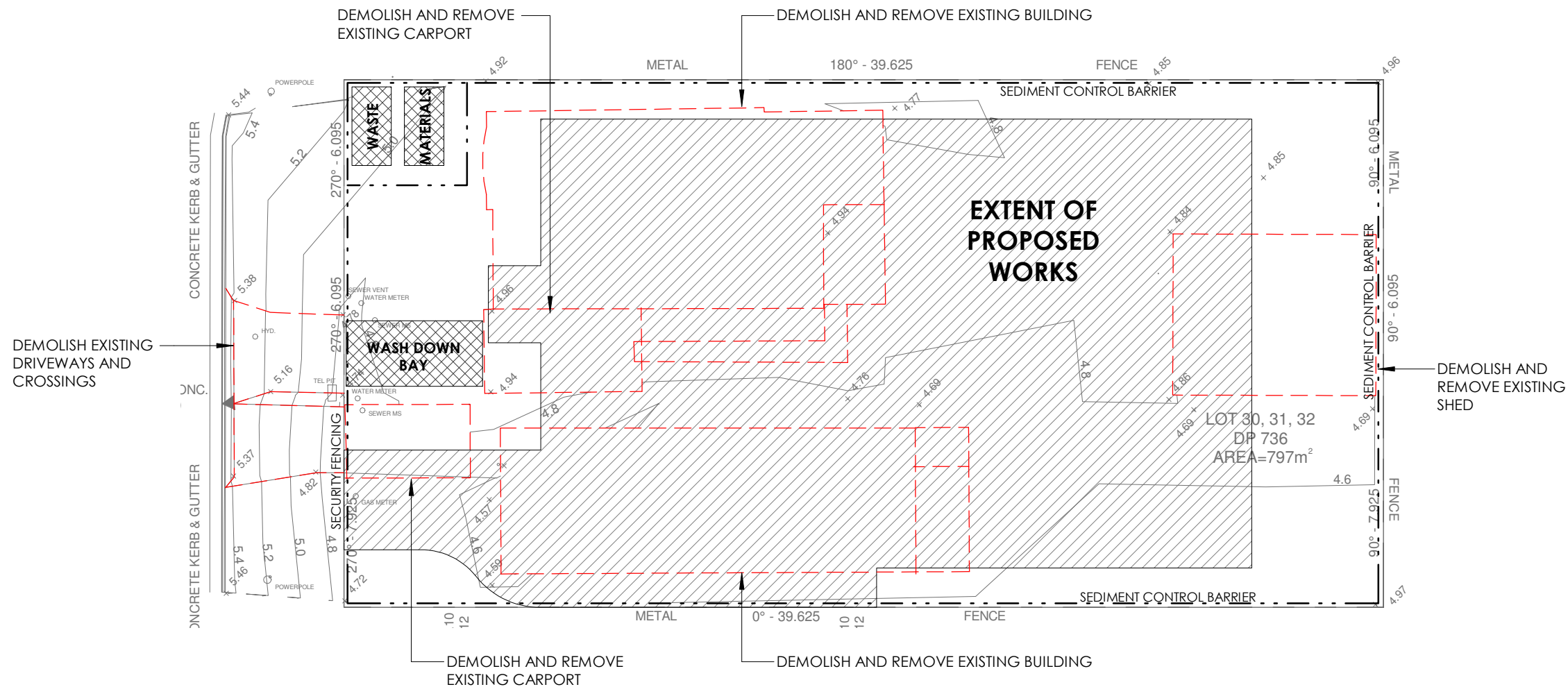
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C 21.12.2016 DEVELOPMENT APPLICATION
 B 26.10.2016 DESIGN REVIEW PANEL APPLICATION
 A 07.07.2016 PRE DEVELOPMENT APPLICATION AMENDMENTS
 DRAWING TITLE
DEMOLITION PLAN / CONSTRUCTION MANAGEMENT PLAN

PROJECT STATUS
DEVELOPMENT APPLICATION

PROJECT
PROPOSED RESIDENTIAL FLAT BUILDING

ADDRESS
6-8 CECIL STREET, MONTEREY

CLIENT
MR. ERIK TSAI

ISSUE:	SHEET NO:	03
	SCALE:	1 : 200
DATE:	DRAWN:	JF
JOB NO:	CHECKED:	EJS

1 DEMOLITION PLAN

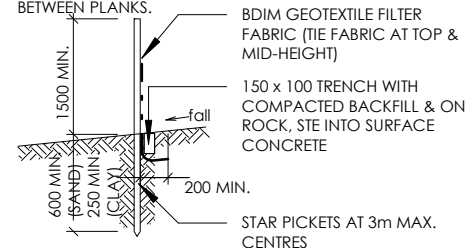
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2 EROSION AND SEDIMENTATION CONTROL DETAILS

1 : 200

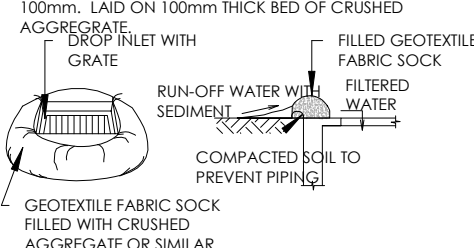
TYPICAL SHAKEDOWN SECTION

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ALTERNATIVE SECTION

GRID MADE FROM FULLY WELDED 150x75 PFC PERIMETER FRAME WITH 150x75 PFC SPACED AT 100mm. LAID ON 100mm THICK BED OF CRUSHED AGGREGATE.



SEDIMENT CONTROL DEVICES

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ADEQUATE PRECAUTIONS ARE TO BE TAKEN TO PROTECT AND PRESERVE ANY SURVEY MARK RELATIVE TO OR AFFECTED BY THE DEVELOPMENT.

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3. RETURN OR PROTECT AS SOON AS PRACTICABLE.
4. COVER ALL SOIL MOUNDS.
5. PROVIDE LARGE COARSE AGGREGATE SURFACE (100 MIN. DEEP) TO ENTRY AND EXIT AREAS WITH GEOTEXTILE FILTER UNDERLAY.
6. SATISFACTORILY COMPACT ALL BACKFILL.
7. LOCATE ALL DEBRIS IN CATCH AREA BEHIND SEDIMENT FENCE.
8. REGULARLY CHECK AND MAINTAIN ALL SEDIMENT FEATURES.

TEMP. DROP INLET SEDIMENT TRAP

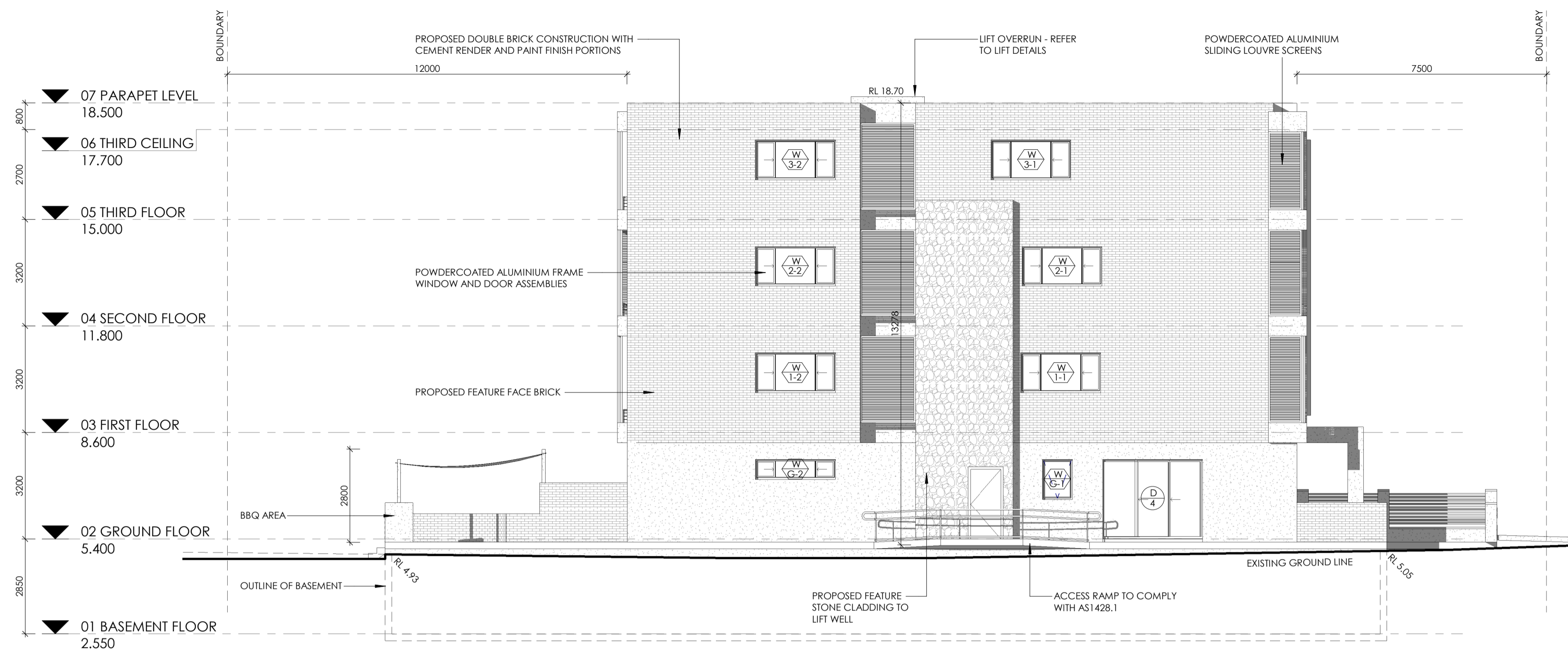
ALL EROSION PROTECTION MEASURES TO MEET THE REQUIREMENTS OF COUNCIL & DEPT. OF CONSERVATION AND LAND MANAGEMENT.



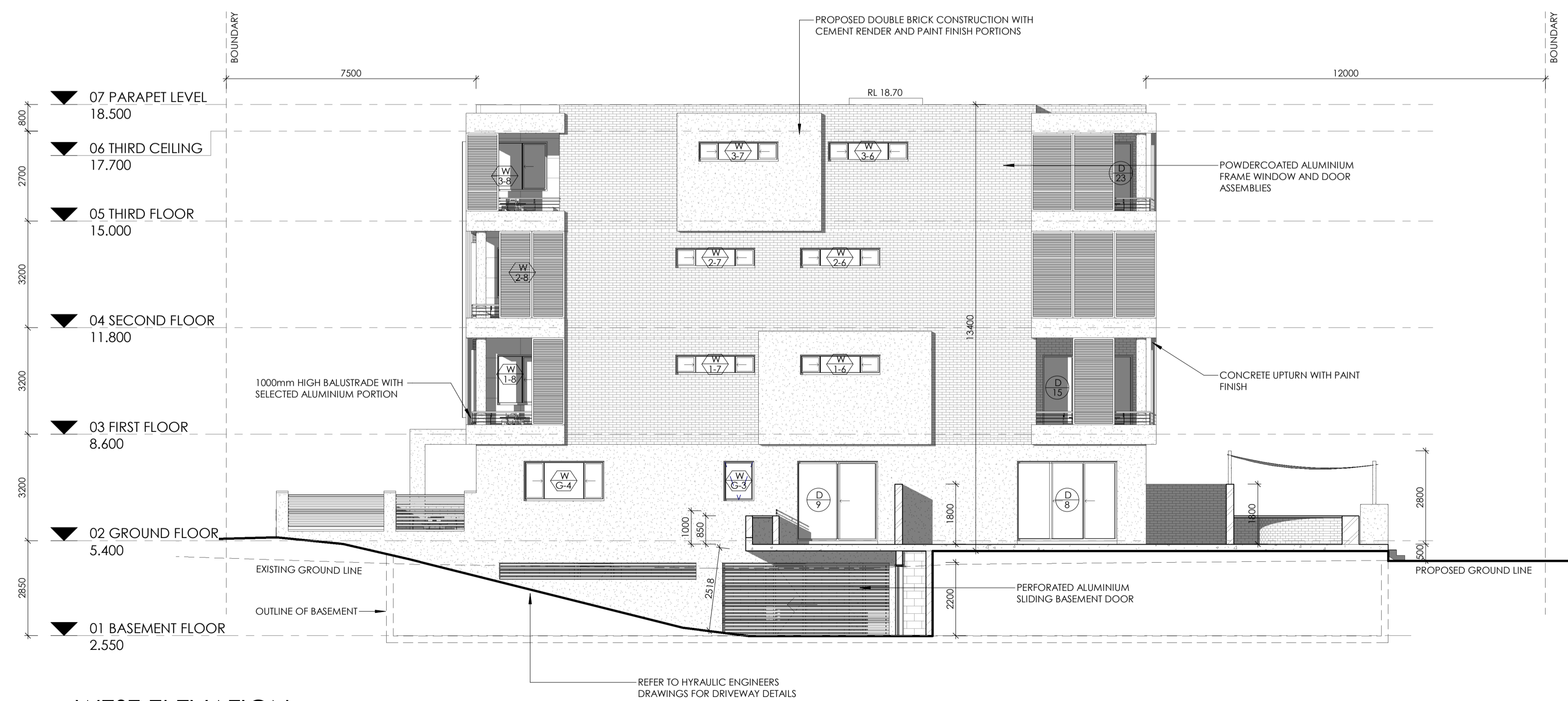
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1 EAST ELEVATION
1 : 100



2 WEST ELEVATION
1 : 100

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 A 07.07.2016 PRE DEVELOPMENT APPLICATION
 AMENDMENTS
 DRAWING TITLE
**EAST ELEVATION, WEST
 ELEVATION**

PROJECT STATUS
DEVELOPMENT APPLICATION

PROJECT
**PROPOSED RESIDENTIAL FLAT
 BUILDING**

ADDRESS
6-8 CECIL STREET, MONTEREY

CLIENT
MR. ERIK TSAI

ISSUE: **D** JOB NO: **888-1420**
 SHEET NO: **09**
 DATE: **03.07.2017** DRAWN: **JF**
 SCALE: **1 : 100** CHECKED: **EJS**



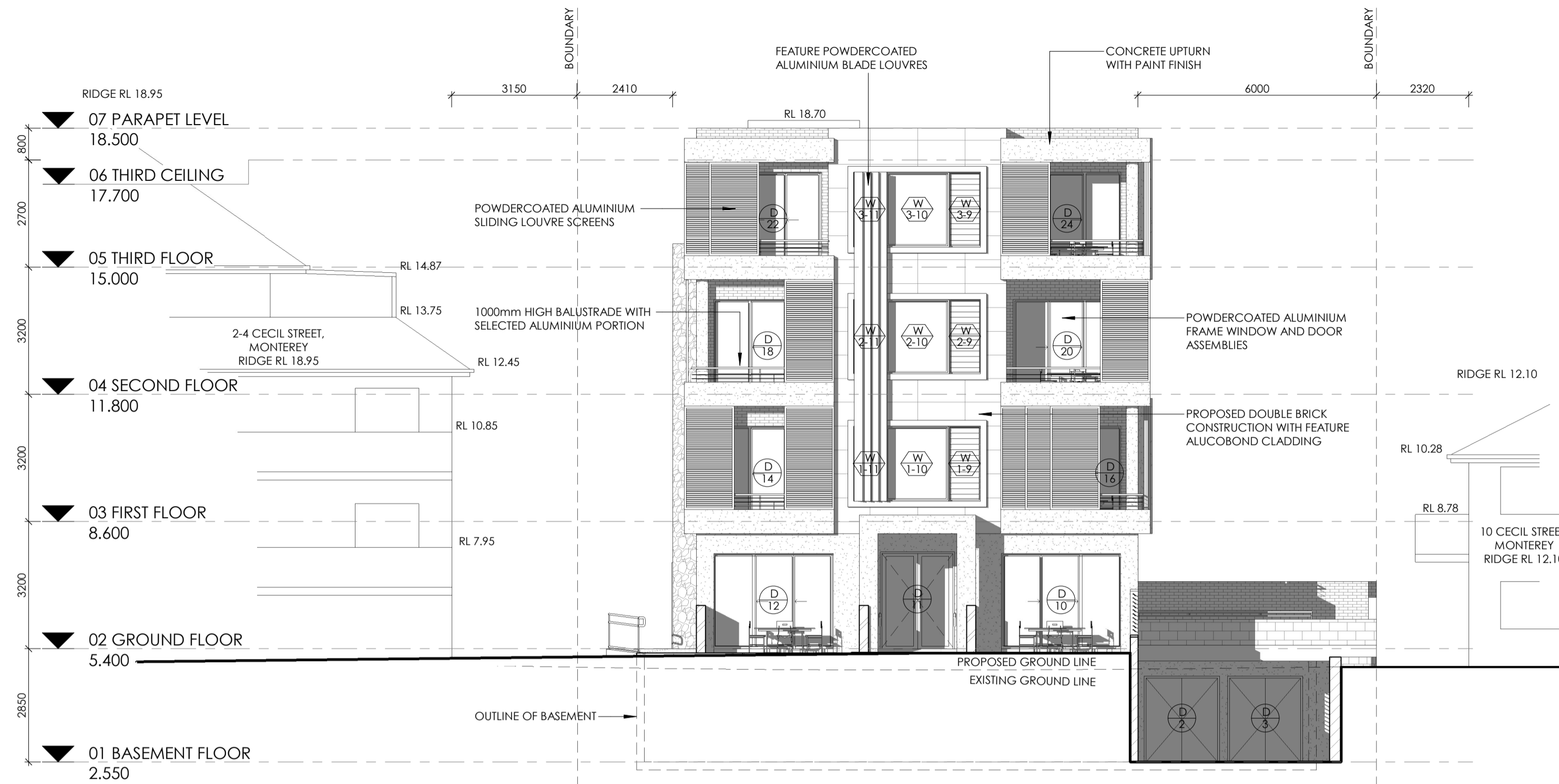
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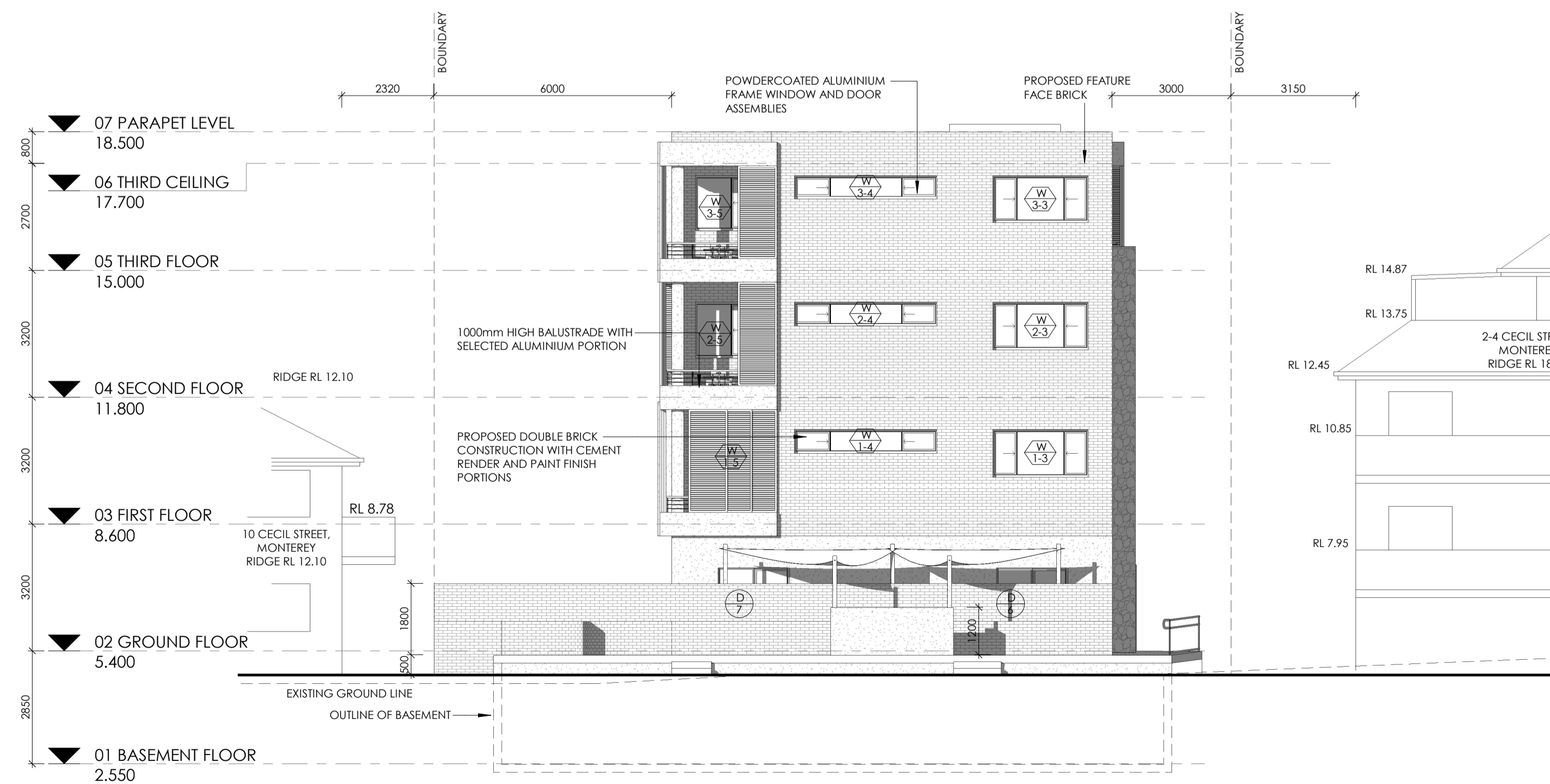
No. 2-4 CECIL STREET, MONTEREY



1 NORTH ELEVATION
1 : 100



No. 10 CECIL STREET, MONTEREY



2 SOUTH ELEVATION
1 : 100

D 03.07.2017 DA - CHANGES AS PER COUNCIL LETTER DATED 3/5/17
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DRAWING TITLE
 NORTH ELEVATION,
 STREETSCAPE ANALYSIS,
 SOUTH ELEVATION

PROJECT STATUS
 DEVELOPMENT APPLICATION

PROJECT
 PROPOSED RESIDENTIAL FLAT
 BUILDING

ADDRESS
 6-8 CECIL STREET, MONTEREY

CLIENT
 MR. ERIK TSAI

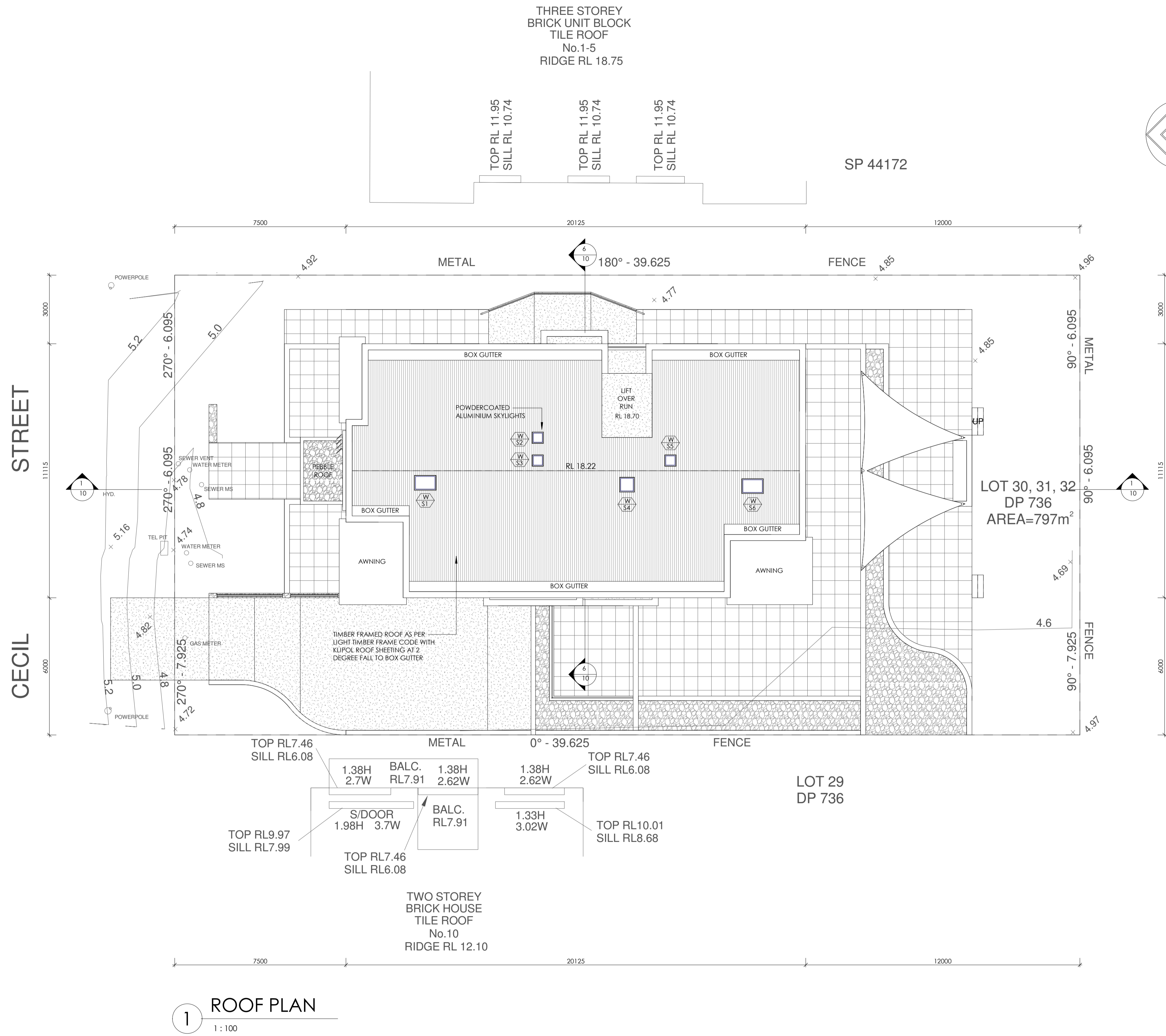
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1 ROOF PLAN
1:100

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 DRAWING TITLE
PROPOSED ROOF PLAN

PROJECT STATUS
DEVELOPMENT APPLICATION

PROJECT
PROPOSED RESIDENTIAL FLAT BUILDING

ADDRESS
6-8 CECIL STREET, MONTEREY

CLIENT
MR. ERIK TSAI

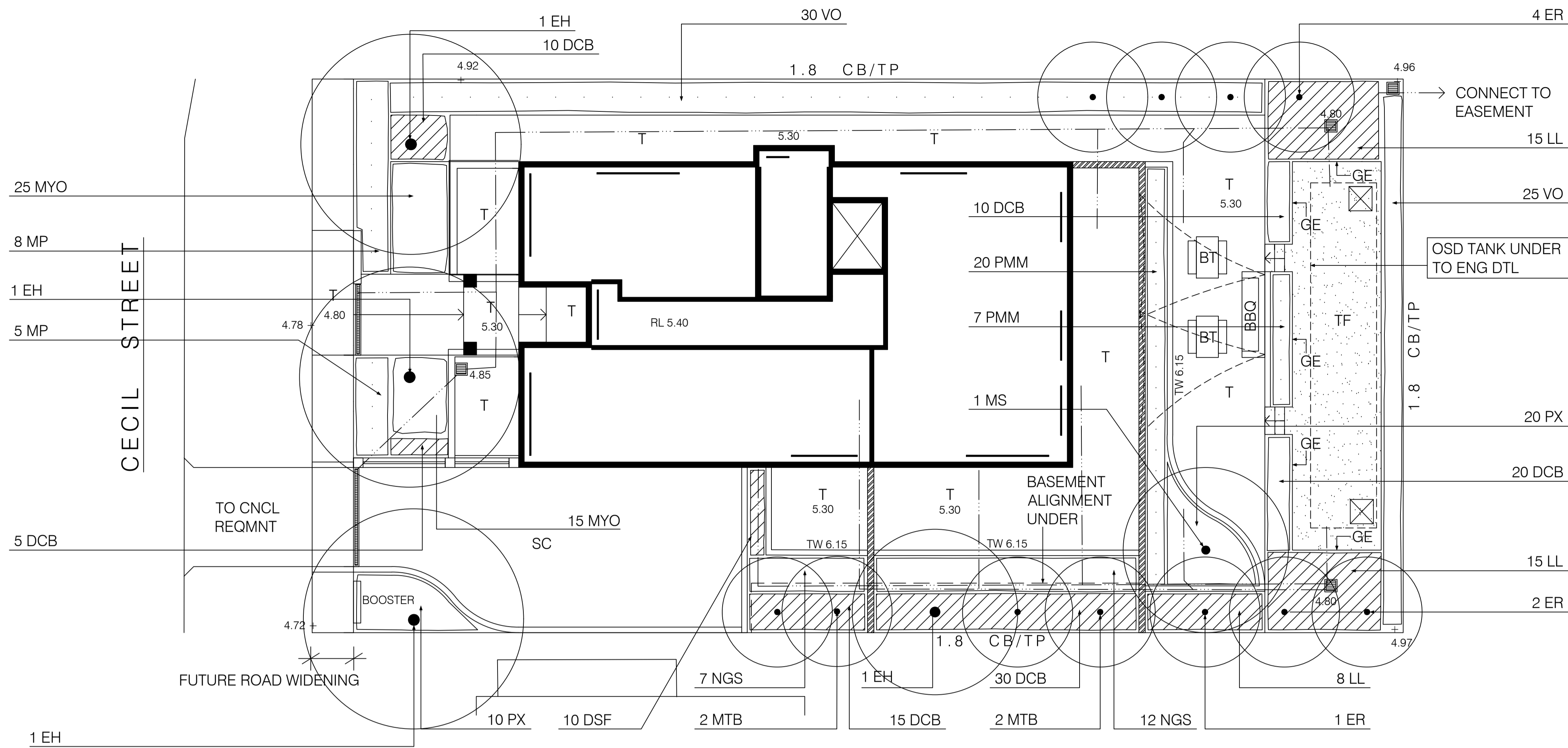
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 SHEET NO: **07**
 DATE: **03.07.2017** DRAWN: **JF**
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1 GROUND FLOOR PLAN 1:100 @ A1

PLANT SCHEDULE

Code	Plant Name	Pot Size	Mature Size	Qty
DCB	Dianella caerulea breeze	100mm	0.5m	100No.
DSF	Dichondra 'Silver Falls'	150mm	Ground Cover	10No.
EH	Eucalyptus haemostoma	75Litre	12.0m*	6No.
ER	Eleocharis reticulata	75Litre	6.0m	7No.
LL	Lomandra longifolia	100mm	1.2m	38No.
MP	Murraya paniculata	300mm	Trim to 2.0m	13No.
MS	Magnolia x soulangiana	75Litre	6.0m	1No.
MTB	Magnolia 'Teddy Bear'	75Litre	6.0m	4No.
MYO	Myoporum parvifolium	100mm	0.2m	40No.
NGS	Nandina 'Gulf Stream'	200mm	0.6m	19No.
PMM	Pittosporum 'Miss Muffet'	200mm	Trim to 0.8m	27No.
PX	Philodendron 'Xanadu'	200mm	0.5m	30No.
VO	Viburnum odoratissimum	300mm	Trim to 2.5m	55No.

6-8 Cecil Street Monterey * As per DRP comments 7 June 2017

NOTES AND SPECIFICATIONS

EXCAVATIONS
Prior to carrying out any excavations, the contractor is to confirm the locations of all services. Service pits and lids are not to be covered by any materials. Trim and grade area to form a smooth even finish.

GARDEN BED / MULCH
The topsoil to all garden bed areas shall be four (4) parts site topsoil to one (1) part organic compost thoroughly blended together prior to placing into position. Where the site topsoil is considered not suitable, an imported topsoil blend meeting the requirements of AS4419-1998 shall be used. Garden bed subgrades are to be cultivated to a depth of 150mm. Topsoil depths to all garden bed areas in deep soil to be 300mm (min). At the completion of all planting operations apply a 75mm layer of mulch over entire garden bed taking care not to smother plants. Reduce depth of mulch around base of plants to form "watering dish". Mulch used shall be Pine Bark Nuggets as supplied by ANL or similar. All proposed planting is subject to suitable topsoil depths on site. Where there is insufficient depth due to presence of bedrock or other structures, the proposed planting is to be modified to suit in accordance with instructions from landscape architect.

TURF / GARDEN EDGING
Turf used for this site shall be Sir Walter Buffalo or similar soft leaf variety. Unless specified otherwise, turf shall be laid over 150mm topsoil and finished flush with adjacent surfaces. Water turfed areas immediately after turfing operations. Topdress any excessively undulating areas to form a smooth level surface with a coarse grade washed river sand. All garden edging as denoted by 'GE' on the plan is to be constructed as per detail.

PLANT MATERIAL
The plants are to be healthy nursery stock, free from disease, injury, insects all weed or roots of weeds. All plants are to be thoroughly soaked 1hour prior to planting. All plants delivered for use on site shall be fully acclimatized to prevailing local Sydney conditions.

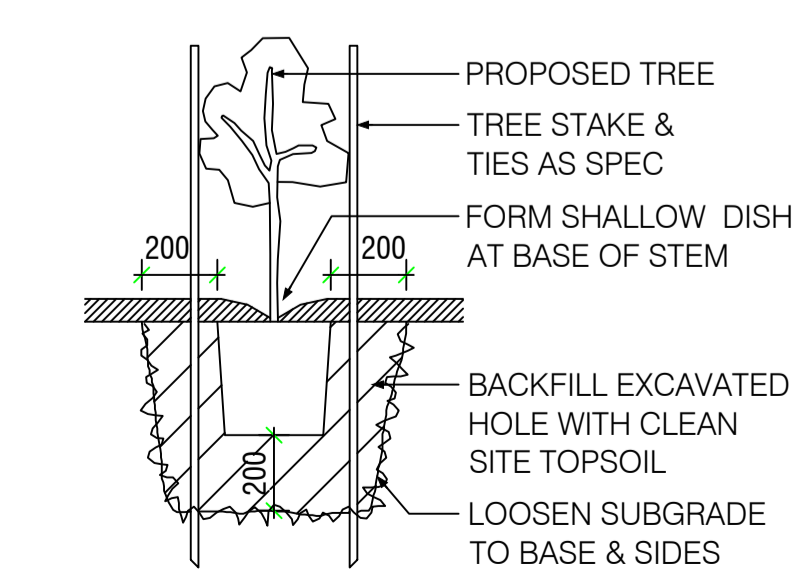
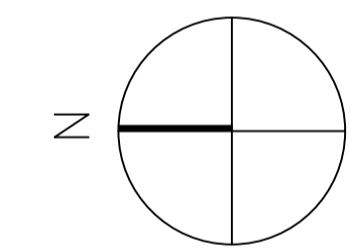
EXISTING TREES TO BE RETAINED
The existing trees indicated for retention shall be protected for the duration of the construction period. Install a 1.8m high temporary protective fence (TPF) to the locations as indicated on the plan. Do not store or otherwise place bulk or harmful materials under or near a tree which is to be retained. Do not attach stays, guys and the like to a tree which is to be retained. Where it is absolutely necessary to prune tree roots / limbs contractor to ensure all Council approvals have been obtained. All tree work is to be carried out by a qualified and insured arborist. Where an arborist report has been prepared for the existing tree on site; The landscape plan shall be read in conjunction with this report. All trees identified for retention shall be protected and managed in accordance recommendations of this report. These recommendations will take precedence over any measures outline in the landscape plan.

MAINTENANCE / ON GOING CARE
Maintain all landscape areas to ensure plant health and occupant safety for period of 12 months beginning from date of practical completion to the satisfaction of Council. Maintenance will include but is not limited to the following activities: Mowing and edging lawn areas, fertilizing all plant material, pruning, watering, replacing failed planting, treating for pests and diseases, topping up of mulch areas and weeding garden beds as required. On completion of the initial 12 month period, all maintenance responsibilities shall be handed over to building management / property owner for on-going care. Note: All trees will require ongoing annual observation and maintenance by qualified arborist to ensure occupant safety, tree health and to avoid damage to surrounding structures and property.

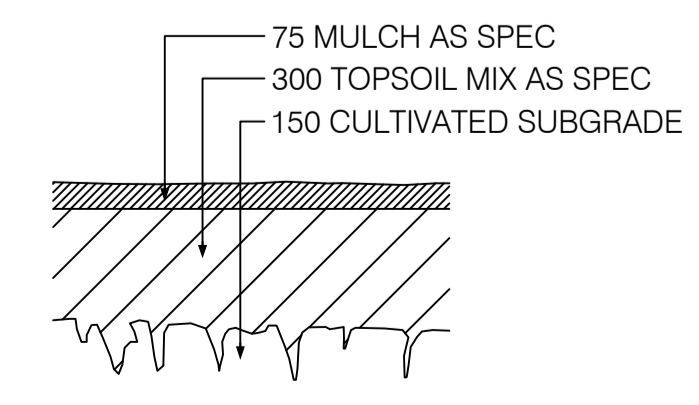
DISCREPANCIES
Should there be any discrepancies on the drawings with existing site conditions; contractor is to notify the landscape architect prior to proceeding with the works

SURFACE TREATMENT LEGEND

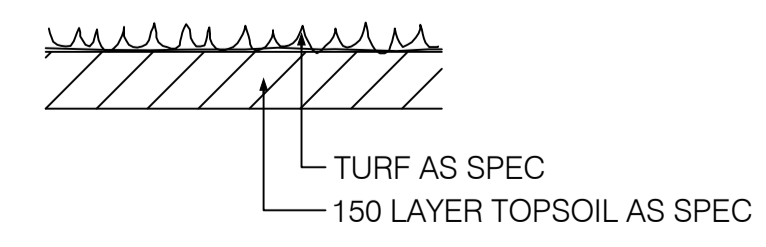
- STF Synthetic Turf
- TF Turf
- GE Garden Edge (to detail)
- CL Clothes Lines (to client requirements)
- CB/TP Colorbond / Timber Paling (1.8 high)
- T Tile (to client requirements)
- RWT Rainwater Tank (to Engineers Specifications)
- PV Pavers
- PP Water Permeable Unit Paver
- SC Stenciled Concrete (Charcoal/gunmetal)
- DGR Decomposed Granite finish
- TPF Temporary Protection Fence (1.8m chainmesh)
- GVL Gravel Surface / Path (Nepean River Pebble)
- TD Timber Deck
- PLTR Planter (to detail)
- CP Concrete Path
- B Bench Seat
- BT Table Bench Seating



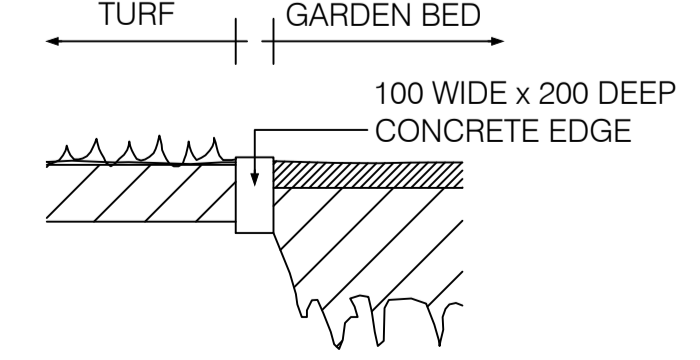
A TREE PLANTING DETAIL NTS



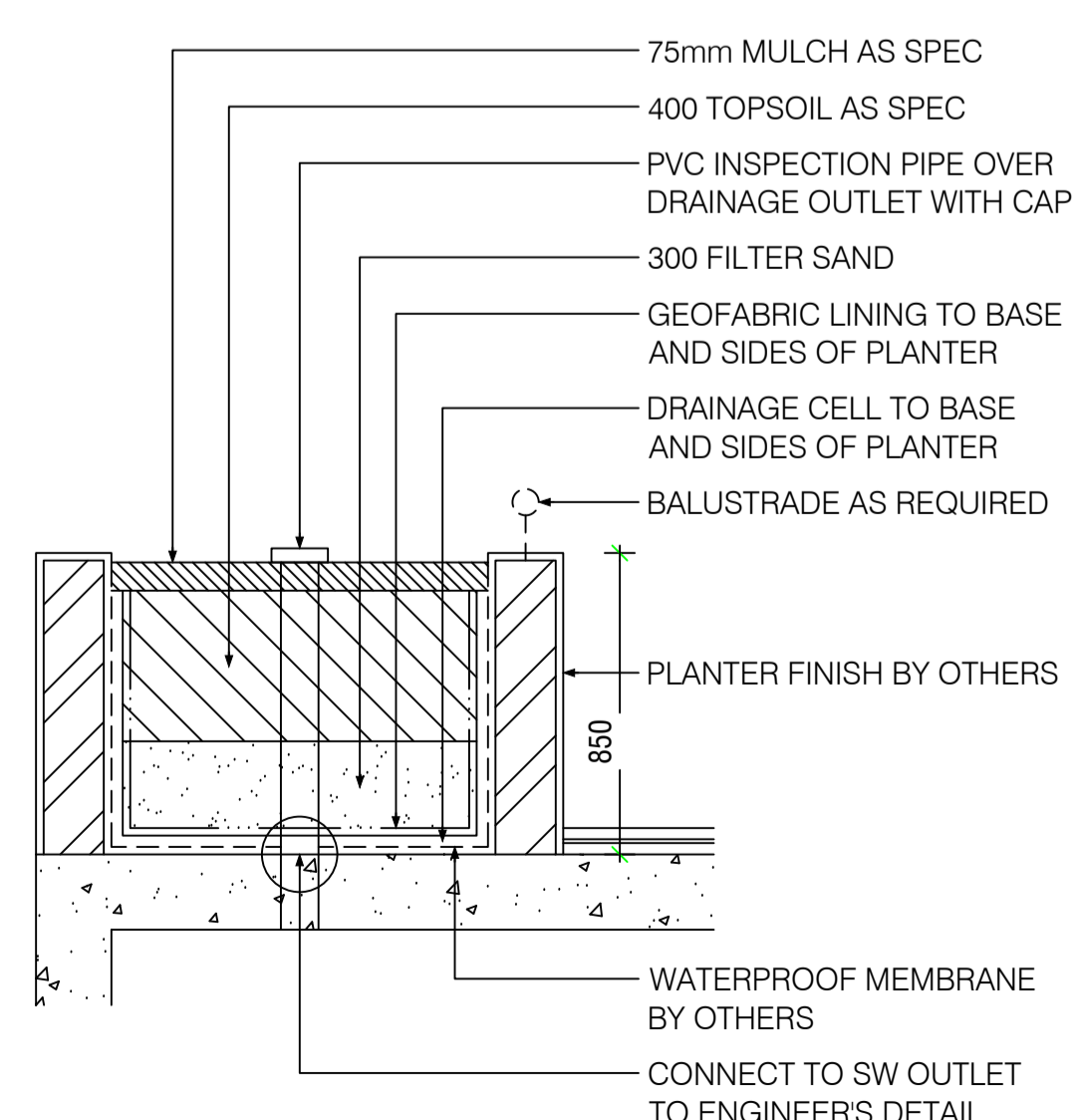
B GARDEN BED NTS



C TURFING DETAIL NTS



D GARDEN EDGE NTS

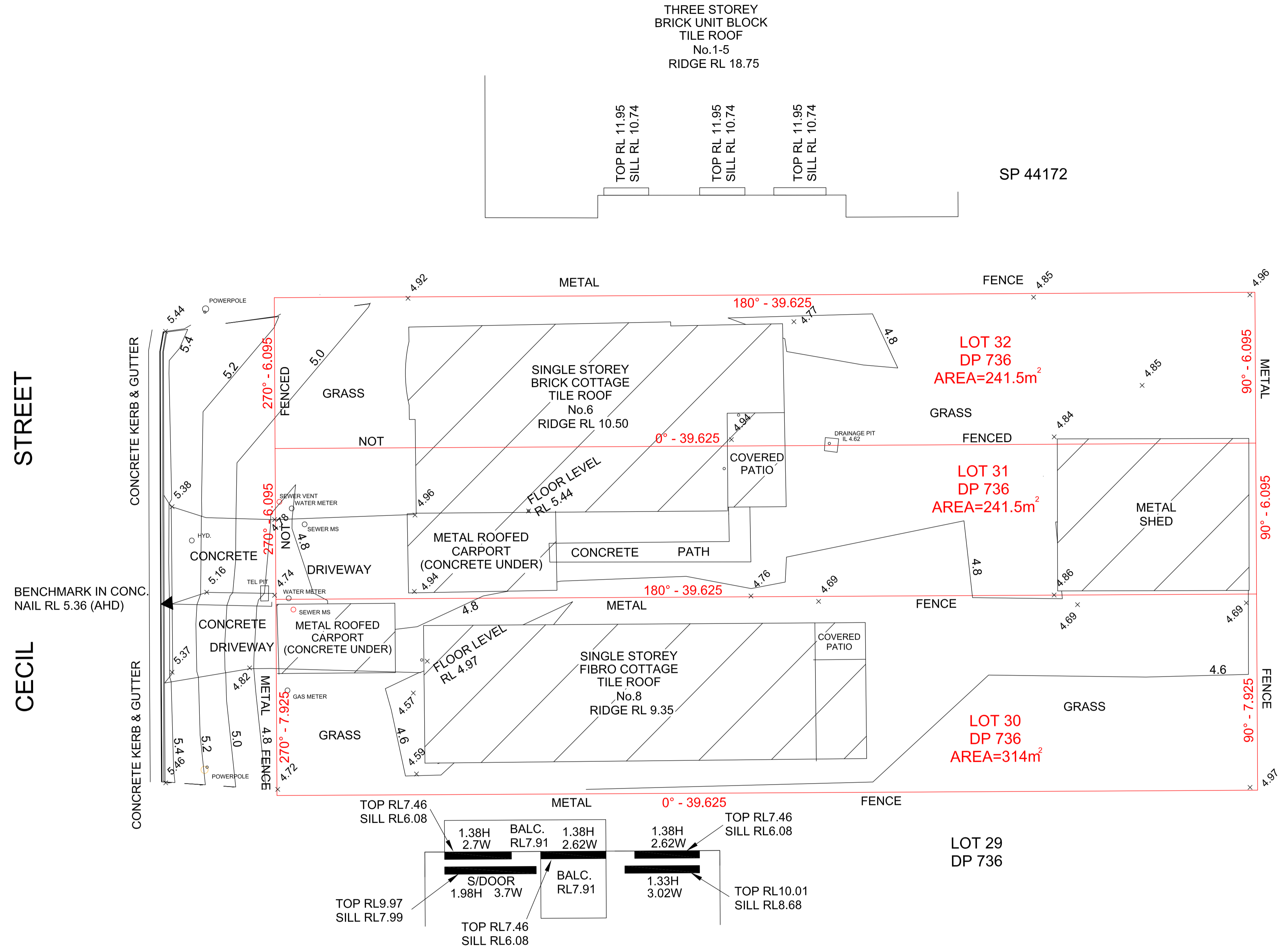
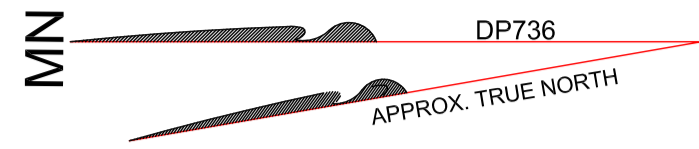


E TYPICAL PLANTER BOX DETAIL NTS

Michael Siu
Landscape Architects
PO Box 550 Hurstville NSW 1481
landscapearchitects@bigpond.com
02 9557 9833 | 0417 280 249

Landscape Planting Plan

Proposed Residential Development
6-8 Cecil Street Monterey



- NOTES**
1. Bearings and distances of boundaries are by Title and/or Deed only. No boundary survey has been made.
 2. Relationship of improvements to boundaries is diagrammatic only. DO NOT SCALE OFF THIS PLAN. They should be confirmed by a further survey.
 3. Services shown hereon have been determined from visual evidence only. Prior to any demolition, excavation or construction on the site, the relevant authority should be contacted to establish detailed location and depth.
 4. The bearings on these plan boundaries are from Land & Property Information Plans. They are on magnetic meridian, if accurate True North is required a further study would be necessary.
 5. Contours shown depict topography. Except at spot levels shown they do not represent the exact level at any particular spot.
 6. Australian Height Datum was obtained from SSM 131773 AHD 5.133 (Acc Class LB Order L2) as determined by Land & Property Information NSW

MAP&SURVEY
LAND AND ENGINEERING SURVEYORS

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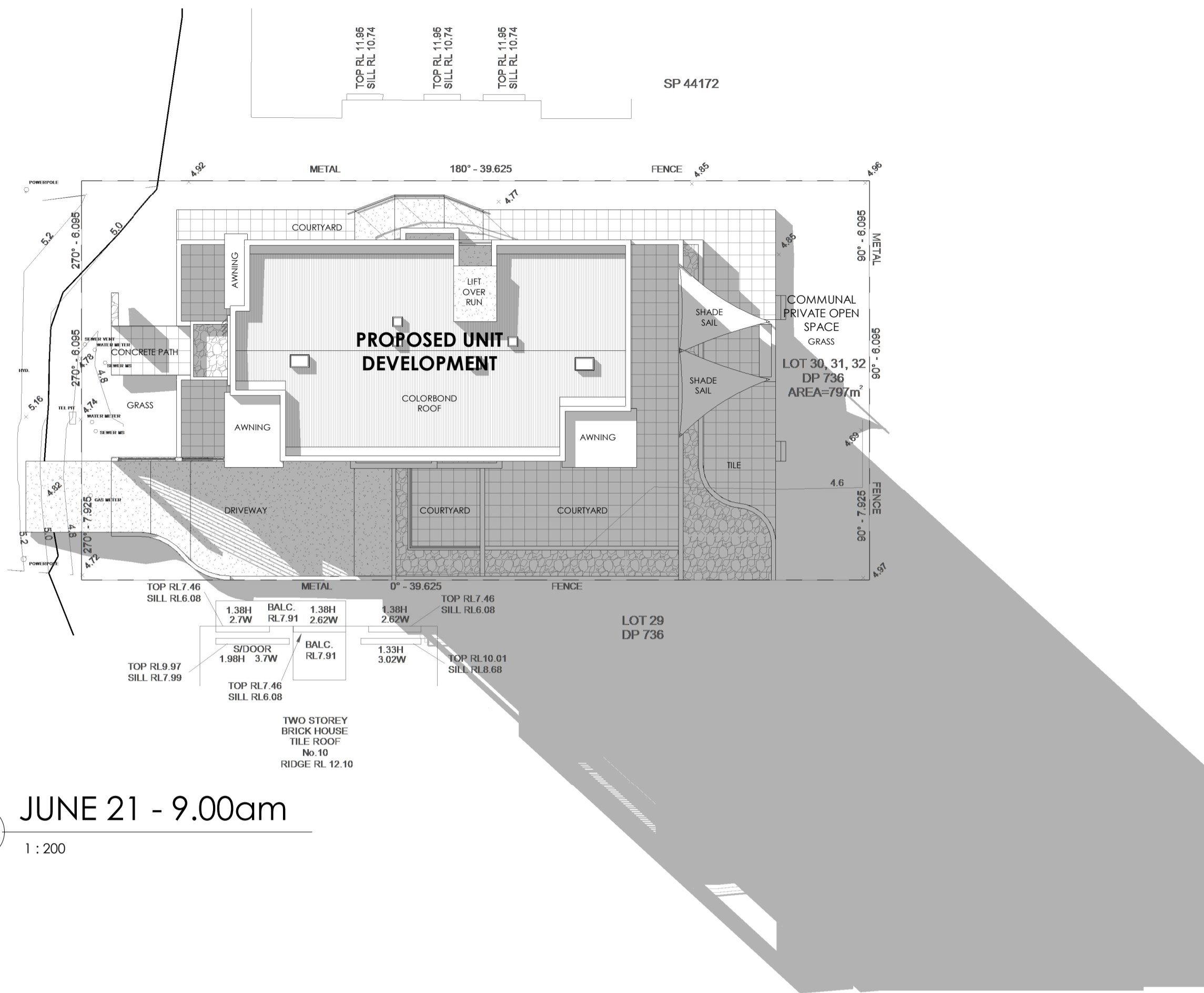
SITE LOCATION
6-8 Cecil Street
Monterey
Lots 30,31 and 32, Sect. 1 in DP736
LGA: Rockdale

DRAWING TITLE
Site Feature and Level Survey

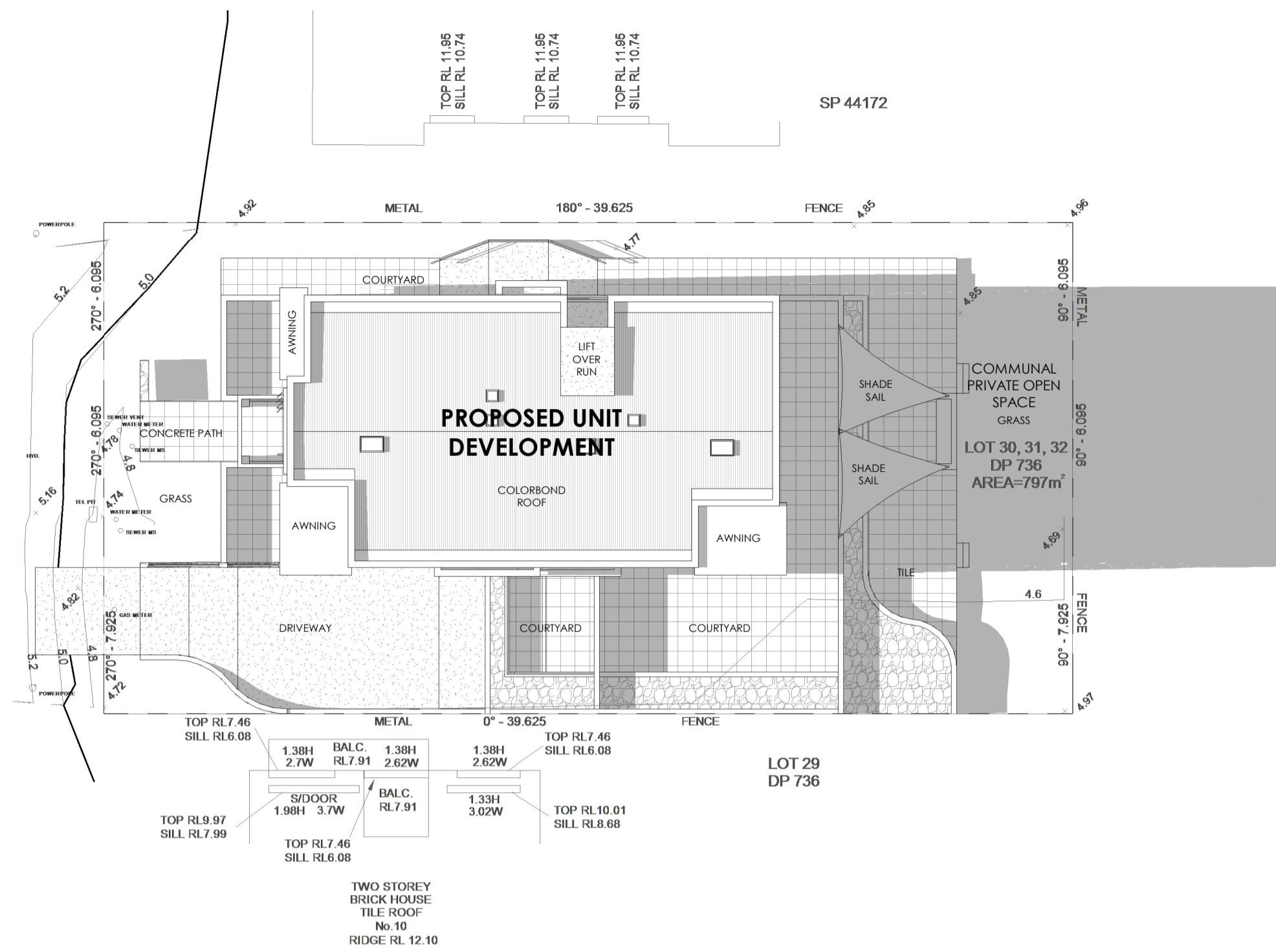
CLIENT
Design Studio 407

REDUCTION RATIO 1:100 (A1)	SURVEYED/DRAWN BL/BL
DATUM AHD	CHECKED MS
DATE 1/03/2016	REFERENCE 4523

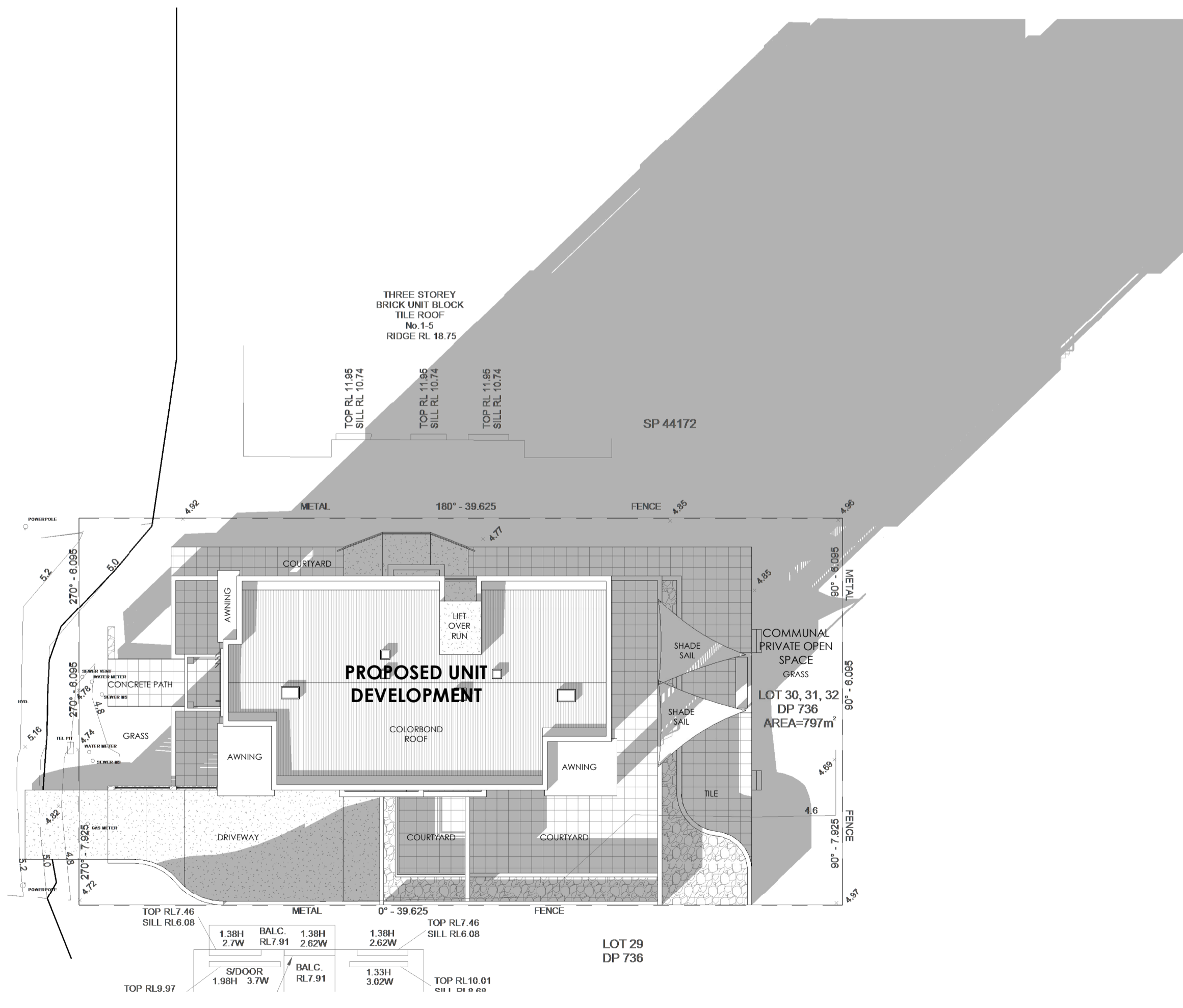
AMENDMENT 25/5/2017 - Adjoining details amended



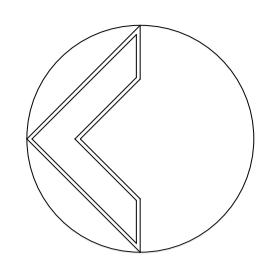
1 JUNE 21 - 9.00am
1 : 200



2 JUNE 21 - 12.00noon
1 : 200



3 JUNE 21 - 3.00pm
1 : 200



D 03.07.2017 DA - CHANGES AS PER COUNCIL LETTER DATED 3/5/17
 C 21.12.2016 DEVELOPMENT APPLICATION
 B 26.10.2016 DESIGN REVIEW PANEL APPLICATION
 A 07.07.2016 PRE DEVELOPMENT APPLICATION
 AMENDMENTS
 DRAWING TITLE
SHADOW DIAGRAMS - JUNE 21 9.00am, 12.00pm, 3.00pm

PROJECT STATUS
DEVELOPMENT APPLICATION

PROJECT
PROPOSED RESIDENTIAL FLAT BUILDING

ADDRESS
6-8 CECIL STREET, MONTEREY

CLIENT
MR. ERIK TSAI

ISSUE: **D** JOB NO: **888-1420**
 SHEET NO: **12**
 DATE: **03.07.2017** DRAWN: **JF**
 SCALE: **1 : 200** CHECKED: **EJS**



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 W www.designstudio407.com.au



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 Authority is required for any reproduction.
 Contractor(s) to verify all dimensions on site before commencing work.
 Figure dimensions given are to be taken in preference to scaling.
 Rod O'Leary: Nominated Architect NSW A.R.B. 6520.
 06/07/17 3:50:34 PM

GPL Planning

Statement of Environmental Effects

6-8 Cecil Street, Monterey

Demolition and construction of a residential flat building.



Submitted to:
Bayside Council

p 0423 128 131

e georgelloydplanning@gmail.com

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1. INTRODUCTION

'GPL Planning' in association with 'Design Studio 407' have been engaged to assist the development application process by the preparation of development plans and this Statement of Environmental Effects for demolition and construction of a multi-storey residential flat building at Nos.6-8 Cecil Street, Monterey.

A formal Pre-DA meeting took place between Rockdale City Council officers, Design Studio 407 and the owners of the site on 9 August 2016, following which a written response was received from Rockdale City Council. In accordance with that advice, numerous amendments were undertaken to the architectural plans and design.

The revised proposal was considered by the St George Design Review Panel at their meeting on 16 November 2016. Minutes of that meeting show that the proposal was considered against the nine design quality principles of SEPP 65. A comment was provided against each design principle and suggested amendments have been incorporated into the plans accompanying this statement.

This Statement describes the site and surrounding area, the nature of the proposed development and sets out the statutory and policy context. It also undertakes an assessment of the proposed development under the heads of consideration in Section 79C(1) of the *Environmental Planning and Assessment Act, 1979*.

The conclusion is reached that the proposal is acceptable with respect to all relevant planning matters and seeks Council's concurrence in support of this proposal.

2. THE SITE AND ITS SURROUNDS

2.1 The Site

The site is located on the southern side of Cecil Street, Monterey and is directly opposite Cecil Street Reserve.

The site generally has a north-south aspect and comprises 3 allotments of land with a legal description of Lots 30, 31 and 32 in DP736.

A locality plan is provided below and the site is outlined in red.



Locality Plan (source: sixmaps.nsw.gov.au)

The sites comprise regular shaped allotments and are improved with 2 single-storey detached residences. Both buildings contrast each other in terms of architectural styles and materials of construction and neither are particularly unique or have any heritage values worthy of retention (see image below).

The topography of the site is best described as being reasonably flat with a small fall towards Cecil Street and almost no cross fall.

The site has a combined front northern boundary to Cecil Street of 20.115m and identical rear boundary. The eastern and western side boundaries are both 39.625m and the site a total area of 797m².

The site is immediately adjoined at its southern and eastern boundaries by 3-4 storey residential flats which are also in the R4 High Density Residential Zone (see image below).



To the west of the site are single-storey detached residences on similar allotments of land to the subject sites, except that these properties are zoned R3 Medium Density Residential (see image below).



2.2 Character of the Locality and Surrounds

As seen in the images above, the area around the subject site is characterised by a mixture of single-storey dwelling houses and multi-storey residential flat buildings.

2.3 Access and Public Transport

The subject site is located approximately equal distance from The Grand Parade and O'Connell Street which are well serviced by public transport providing access to multiple bus routes (947, 303 (X03) and 478).

These buses provide direct and frequent services to Hurstville, Kogarah, Sans Souci, the city, Rockdale Station, Ramsgate and Miranda.

3. THE PROPOSAL

It is proposed to demolish and redevelop the site by the construction of a 4-storey residential flat building comprising 9 apartments with underground parking for a total of 12 spaces.

The proposal is detailed in the accompanying plans prepared by 'Design Studio 407' which includes the following works:

- **A basement** with 12 spaces including 2 disabled spaces and a shared visitor/car wash bay; a lift and adjoining staircase on the eastern side and plant room in the north-eastern corner of the basement.

The basement also contains a bin enclosure.

- **The ground floor** consists of 3 units and comprising 1 x 2 bedroom unit, 1 x 1 bedroom adaptable unit and an adaptable studio unit, each with a bathroom, kitchen and extensive balconies.

The ground floor also provides for an area of communal open space within the front boundary .

- **The first and second floors** have identical unit layouts and comprise 2 x 2 bedroom units (one with an ensuite), each with a bathroom, kitchen and balcony.
- **The third floor** comprises 1 x 3 bedroom unit (with an ensuite) and 1 x 2 bedroom unit. Each unit has a bathroom, kitchen and balcony. Significantly, each unit will also have private access to individual roof top terraces from their respective balconies.

4. STATUTORY AND POLICY CONTEXT

This section undertakes a preliminary assessment of the proposal in the context of the heads of consideration set out in Section 79C(1) of the *Environmental Planning and Assessment Act, 1979*. The relevant matters for consideration under Section 79C(1)(a) are identified in the table below:

EP & A Act, 1979.	Matters for Consideration	Compliance
S.79C(1)(a)(i)	SEPP 55 Remediation of Land	Yes (see comments below)
"	SEPP (BASIX) 2004	Yes (see comments below)
"	SEPP 65 - Design Quality of Residential Apartment Development	Yes (see comments below)
"	Rockdale LEP 2011	Yes (see comments below)
S.79C(1)(a)(iii)	Rockdale DCP 2011	Yes (see comments below)

Integrated Development: In accordance with Section 91A of the *Environmental Planning and Assessment Act, 1979*, the development proposal may constitute 'Integrated Development' given the potential for the basement parking level to intercept the water table during its construction.

A geotechnical report has been prepared by Morrow Geotechnics which has made the following observations regarding groundwater"

"For excavations at the site it should be expected that minor seepage water will be encountered from the soils in response to rainfall infiltration.

Groundwater was observed within BH1 at 3.75 mBGL. Given the high permeability of the soil encountered within the excavation, groundwater fluctuations of up to ± 1 m may be expected over the design life of the building."

and,

*"The bases of all foundation excavations must be cleaned of loose debris and water and inspected by a suitably qualified Geotechnical Engineer prior to pile construction to verify that ground conditions meet design assumptions. Side adhesion values provided in **Table 4** assume there is intimate contact between the pile and foundation material as specified in Pells (2004). Design engineer to check both 'piston' pull-out and 'cone' pull-out mechanics in accordance with AS4678:2002 Earth Retaining Structures."*

Based on the accompanying geotechnical report, that the extent of excavations will be 2.7m below NGL a permit under the *Water Management Act* is not required and the proposal does not constitute 'integrated development'.

Those other matters in the table above requiring specific comments are discussed below.

4.1 SEPP No.55 - Remediation of Land

This State Environmental Planning Policy (SEPP) introduces planning controls for the remediation of contaminated land and requires an investigation to be made if land contamination is suspected.

The site has been continuously used for residential purposes since its construction. It is not known to be subject to any likely sources of contamination and the proposed development is unlikely to raise any issue of contamination or require remediation.

4.2 SEPP Building Sustainability Index: BASIX 2004

A BASIX Certificate has been prepared and is submitted with the DA which confirms compliance with the water, thermal comfort and energy efficiency requirements of the policy.

In addition, a Section J Report in accordance with the Building Code of Australia also accompanies this DA for the basement car park area.

4.3 SEPP 65 - Design Quality of Residential Apartment Development

Part 4 of this Policy sets out 'Application of Design Principles' and Clause 30(2) requires that the consent authority in determining a development application, to take into consideration the design quality principles of the residential flat development and the objectives specified in the Apartment Design Guide in the assessment process.

A Design Verification Statement of the proposal's compliance with the SEPP No.65 Design Principles is provided separately by the project architect. In addition, the proposal was considered by the St George Design Review Panel at its meeting held on 16 November 2016 where the following recommendation was made:

*The Panel supports the application subject to the changes described above.
The application satisfies the design quality principles contained in SEPP 65.*

The suggested amendments to the proposal have been incorporated into the submitted DA plans.

Below is an Apartment Design Guidelines (ADG) Compliance Table demonstrating that the proposal is generally consistent with the applicable objectives and design guidance criteria. The Panel should note that where the relevant criteria have been duplicated in the assessment of the proposal against the Rockdale DCP, those provisions have been considered at the DCP assessment.

SEPP NO. 65 APARTMENT DESIGN GUIDE (DESIGN CRITERIA) COMPLIANCE TABLE				
DESIGN CRITERIA			PROPOSAL	COMPLIANCE
<u>Communal and Public Open Space</u>				
Communal open space has a minimum area equal to 25% of the site (or 199.25m ²)			The proposal provides a minimum of 252m ² or 31% of the site area as common open space.	Yes
Developments achieve a minimum of 50% direct sunlight to the principal usable part of the communal open space for a minimum of 2 hours between 9 am and 3 pm on 21 June (mid-winter)			The principle area of open space (on the rooftop) receives adequate sunlight due to its northerly aspect, which exceeds the minimum requirements.	Yes
<u>Deep Soil Zones</u>				
Deep soil zones are to meet the following minimum requirements:			165.41m ² or 20.75% deep soil area, with a minimum dimension of 4.6m.	Yes
Site Area	Minimum Dimension	Deep Soil Zone (% of site area)		
650m ² to 1,500m ²	3m	7% (55.8m ²)		
<u>Visual Privacy</u>				
Separation between windows and balconies is provided to ensure visual privacy is achieved. Minimum required separation distances from buildings to the side and rear boundaries are as follows:			Building has a height from Ground to roof of 13.4m (4 storeys)	<p>No (complies with DCP) Yes Yes</p>
Building Height	Habitable Rooms and Balconies	Non-habitable rooms	Ground to 2nd floor (3 storeys):	
Up to 12m (4 storeys)	6m	3m	<ul style="list-style-type: none"> • Side (east): 3m • Side (west): 6m • Rear (south): 12m 	
Apartment buildings should have an				

**SEPP NO. 65 APARTMENT DESIGN GUIDE (DESIGN CRITERIA)
COMPLIANCE TABLE**

DESIGN CRITERIA	PROPOSAL	COMPLIANCE
<p>increased separation distance of 3m (in addition to the requirements set out in design criteria 1) when adjacent to a different zone that permits lower density residential development to provide for a transition in scale and increased landscaping.</p>	<p>4th storey:</p> <ul style="list-style-type: none"> • Side (east): 3m • Side (west): 6m • Rear (south): 12m <p>Min 3m setback complies with Council's DCP requirements.</p>	<p align="center">No (complies with DCP) Yes Yes</p> <p align="center">Considered suitable based on merit</p>
<p><u><i>Bicycle and Car Parking</i></u></p> <p>For development in the following locations:</p> <ul style="list-style-type: none"> • on sites that are within 800 metres of a railway station or light rail stop in the Sydney Metropolitan Area; or • on land zoned, and sites within 400 metres of land zoned, B3 Commercial Core, B4 Mixed Use or equivalent in a nominated regional centre the minimum car parking requirement for residents and visitors is set out in the Guide to Traffic Generating Developments, or the car parking requirement prescribed by the relevant council, whichever is less. <p>The RMS Guide to Traffic Generating Development best describes the proposed development as a <i>medium density residential flat building</i>. This refers to a building containing less than 20 dwellings. The parking requirements are as follows:</p> <ul style="list-style-type: none"> • 1 space per unit + 1 space per 5 x 2 bedroom units (or part thereof) • visitor spaces must be clearly designated <p>Total Required spaces – 11 spaces</p> <p>The car parking needs for a development must be provided off street.</p>	<p>The site is located within 360m to The Grand Pde which provides access to the 303 and 478 bus routes (City, Sans Souci and Rockdale). It is also situated 400m walk to O'Connell St providing access to the 947 bus route (Kogarah to Hurstville).</p> <p>A total of 12 spaces are provided within the basement level.</p> <p>All parking is provided within the basement on the site.</p>	<p align="center">Yes</p> <p align="center">Yes</p> <p align="center">Yes</p>

**SEPP NO. 65 APARTMENT DESIGN GUIDE (DESIGN CRITERIA)
COMPLIANCE TABLE**

DESIGN CRITERIA	PROPOSAL	COMPLIANCE
<p><u>Solar Access and Daylight</u></p> <p>Living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 2 hours direct sunlight between 9 am and 3 pm at mid-winter in the Sydney Metropolitan Area.</p>	<p>100% of the units (including their POS) receive at least 2hrs of direct sunlight in mid-winter.</p>	<p>Yes</p>
<p><u>Natural Ventilation</u></p> <p>At least 60% of apartments are naturally cross ventilated in the first nine storeys of the building. Apartments at ten storeys or greater are deemed to be cross ventilated only if any enclosure of the balconies at these levels allows adequate natural ventilation and cannot be fully enclosed</p> <p>Overall depth of a cross-over or cross-through apartment does not exceed 18m, measured glass line to glass line</p>	<p>All of the apartments are naturally cross ventilated.</p> <p>The apartments depth does not exceed 18m.</p>	<p>Yes</p> <p>Yes</p>
<p><u>Ceiling Height</u></p> <p>Measured from finished floor level to finished ceiling level, minimum ceiling heights are:</p> <ul style="list-style-type: none"> • Habitable Rooms – 2.7m • Non-habitable rooms – 2.4m 	<p>All habitable rooms have 2.7m ceiling heights.</p> <p>Non-habitable rooms contain ceiling heights that are at least 2.4m.</p>	<p>Yes</p> <p>Yes</p>
<p><u>Apartment Layout</u></p> <p>Apartments are required to have the following minimum internal areas:</p> <ul style="list-style-type: none"> • Studio - 35m² • 1 Bedroom - 50m² • 2 Bedroom - 70m² • 3 Bedroom - 90m² <p>The minimum internal areas include only one bathroom. Additional bathrooms increase the minimum internal area by 5m² each.</p> <p>Every habitable room must have a</p>	<p>Studio >35m² 1 bed: > 50m² 2 bed's: 72 to 80.7m² 3 bed: 95m²</p> <p>All 3 units (4, 6 and 8) with ensuites have increased internal areas >5m² each.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>

**SEPP NO. 65 APARTMENT DESIGN GUIDE (DESIGN CRITERIA)
COMPLIANCE TABLE**

DESIGN CRITERIA	PROPOSAL	COMPLIANCE
<p>window in an external wall with a total minimum glass area of not less than 10% of the floor area of the room. Daylight and air may not be borrowed from other rooms.</p>	<p>All windows meet the requirements of the BCA.</p>	
<p>Master bedrooms have a minimum area of 10m² and other bedrooms 9m² (excluding wardrobe space)</p> <p>Bedrooms have a minimum dimension of 3m (excluding wardrobe space)</p> <p>Living rooms or combined living/dining rooms have a minimum width of:</p> <ul style="list-style-type: none"> • 3.6m for studio and 1 bedroom apartments • 4m for 2 and 3 bedroom apartments <p>The width of cross-over or cross-through apartments are at least 4m internally to avoid deep narrow apartment layouts</p>	<p>Proposed room areas comply with the relevant requirements.</p> <p>Refer to the plans for compliance.</p> <p>Refer to the plans for compliance.</p> <p>Refer to the plans for compliance.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
<p><u><i>Environmental Performance</i></u></p>		
<p>Habitable room depths are limited to a maximum of 2.5 x the ceiling height</p> <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>Refer to plans for compliance.</p>	<p>Yes</p>
<p><u><i>Open Space</i></u></p>		
<p>All apartments are required to have primary balconies as follows:</p> <ul style="list-style-type: none"> • Studio - 4m² • 2 Bedroom - 10m² (Min depth of 2m) • 3 Bedroom - 12m² (Min depth of 2.4m) <p>The minimum balcony depth to be counted as contributing to the balcony area is 1m</p>	<p>Studio = 8m² (min)</p> <p>All 2 beds >2m in depth and 10m²</p> <p>3 bed > 2.4m in depth and 12m²</p> <p>Noted.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>
<p><u><i>Common Circulation Space</i></u></p>		
<p>The maximum number of apartments off a circulation core on a single level is 8. For buildings of 10 storeys and over, the</p>	<p>The proposal provides 1 lift that service up to 3 dwellings per level.</p>	<p>Yes</p>

SEPP NO. 65 APARTMENT DESIGN GUIDE (DESIGN CRITERIA) COMPLIANCE TABLE		
DESIGN CRITERIA	PROPOSAL	COMPLIANCE
maximum number of apartments sharing a single lift is 40.		
<p><u>Storage</u></p> <p>In addition to storage in kitchens, bathrooms and bedrooms, the following storage is provided:</p> <ul style="list-style-type: none"> • Studio - 4m² • 2 Bedroom - 8m² • 3 Bedroom - 10m² <p>At least 50% of the required storage is to be located within the apartment</p>	<p>Required storage is provided within the basement and within each garage as indicated on the submitted plans.</p>	<p>Yes</p>

4.4 Rockdale Local Environmental Plan 2011 (The LEP)

Rockdale LEP 2011 (the LEP) is the principal planning instrument applicable to the subject site.

Zoning

The site is zoned *R4 High Density Residential* under the provisions of the LEP. The objectives of the R4 zone are:

- *To provide for the housing needs of the community within a high density residential environment.*
- *To provide a variety of housing types within a high density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

The proposal is considered to be entirely consistent with the above stated objectives and will provide for the housing needs of the community in a high-density residential environment. It will ensure the consolidation and renewal of the site for high-density residential purposes and will provide for suitable accommodation for the residents involved with the proposed building.

The proposal has been purposefully designed to have limited impact upon the amenity of surrounding residents.

Building height

The site is affected by a maximum building height of 14.5m under clause 4.3 of the LEP. The objectives of clause 4.3 are:

- (a) to establish the maximum limit within which buildings can be designed and floor space can be achieved,*
- (b) to permit building heights that encourage high quality urban form,*
- (c) to provide building heights that maintain satisfactory sky exposure and daylight to buildings, key areas and the public domain,*
- (d) to nominate heights that will provide an appropriate transition in built form and land use intensity.*

The proposal is entirely consistent with the above stated objectives and prescriptive controls of the LEP. As provided in the architectural plans, the maximum proposed building height will be less than 13.5m to its proposed ridge at the front of the site to natural ground level below.

The finished scale of development will be consistent with the existing surrounding high-density development and as demonstrated in the design of the building, attention has been paid to ensure the existing residential amenity of adjoining properties to the west is maintained by the use of raised sill heights for bedroom windows and suitable screening for accompanying balconies which ensures the amenity of the adjoining residences and their privacy when using their areas of private open space.

The proposal is considered to provide for an appropriate transition in built form especially from the immediately adjoining high-density residential environment and adjoining medium-density land.

Floor space ratio

In accordance with cl.4.4, the site is subject to a maximum FSR of 1:1 (or 797m² of gross floor area).

The proposal will result in a maximum floor space ratio of 0.8:1 (or 636.39m²) which more than suitably complies with Council's requirements.

The floor space ratio objectives of the LEP are:

- (a) to establish the maximum development density and intensity of land use, accounting for the availability of infrastructure and generation of vehicular and pedestrian traffic, in order to achieve the desired future character of Rockdale,*
- (b) to minimise adverse environmental effects on the use or enjoyment of adjoining properties,*

(c) to maintain an appropriate visual relationship between new development and the existing character of areas or locations that are not undergoing or likely to undergo a substantial transformation.

The proposal fulfils the above objectives as it provides for a development form which is compatible with the future character of the locality. Also, it is compliant with the maximum FSR controls, thereby resulting in a consistency with the density and bulk of the building in relation to its site area and will not result in any adverse impacts upon the amenity of adjoining properties or upon the public domain.

Other matters

There are no other matters in the LEP that are relevant to the subject proposal.

4.5 Rockdale Development Control Plan 2011

Those aspects of the Rockdale DCP that are relevant to the development proposal are considered and addressed in the table below.

RELEVANT PROVISIONS OF ROCKDALE DCP 2011	
CONTROL	PROPOSAL
4.1.9 Min lot width - 24m	20m - non-compliant but deemed appropriate following Pre-DA advice.
4.3 Landscape Planning and Design <ul style="list-style-type: none"> • 15% (RFBs) min landscaped area • Balconies as per ADG + 2m min depth • 5m² Communal Open Space/dwg = 45m² 	21.25% (min) DSA provided Complies Complies
4.4 Sustainable Building Design <ul style="list-style-type: none"> • BASIX Certificate • Solar access - 3hrs to habitable rooms + 50% POS (9am-3pm mid winter) • Visual & acoustic privacy. Insulation between floors to ensure 5 Star acoustical rating <u>with DA & post construction</u> 	BASIX Certificate & Section J Report provided - Demonstrates compliance Can be conditioned by Council
4.5 Social equity <ul style="list-style-type: none"> • 3 bed: 10-20% • 2bed: 50-75% • 1bed/studio: 10-30% • Access Report may be required 	Complies <ul style="list-style-type: none"> • 3 bed: 22% • 2bed: 55% • 1bed/studio: 22% • Access Report to be submitted with DA
4.6 Car parking <ul style="list-style-type: none"> • 1 space/1 & 2 bed 	12 spaces - Complies.

RELEVANT PROVISIONS OF ROCKDALE DCP 2011	
CONTROL	PROPOSAL
<ul style="list-style-type: none"> • 2 spaces/3 bed • 1 visitor space/5 dwgs Total: (8 x 1)+(1 x 2)+2 visitor = 12 spaces	
4.7 Site Facilities	Demonstrated compliance shown on submitted plans
5.2 RFBs Front Setback: <ul style="list-style-type: none"> • Consistent with existing Side Setbacks: <ul style="list-style-type: none"> • 3m (up to 3 storeys) • 4.5m (more than 3 storeys) Rear Setbacks: <ul style="list-style-type: none"> • 12m or 15% of site length (5.9m) (whichever is the greater). Apartment size to be consistent with ADG. Building Design Building Entry Lift Size & Access	Complies (Consistent with existing) All floors = 3m to east (high-density) and 6m to west (lower density) * Minor protrusion of eastern stairwell (see below) 12m (min) rear setback - Complies Previously addressed Building design, entry and lift size & access to be suitably addressed in the SoEE.

Eastern side setback: Adjoining the basement and through each level of the building is a stairwell, which protrudes into the eastern side boundary setback by less than 600mm.

The purpose of this minor setback breach is required in order to achieve the minimum required head heights within the stair well and which was unavoidable as the basement stairs could not be relocated.

4.6 Any Planning Agreement or Draft Planning Agreement

Not applicable.

4.7 The Regulations

All relevant matters prescribed by the Regulations would be expected to be included in the consent for the works.

4.8 The Likely Impacts

All likely or potential impacts associated with the proposed development are considered to have been adequately dealt with through the assessment of the application against the applicable plans and policies. It is concluded that there would be no significant adverse impact to the site or surrounding area as a result of the proposal.

4.9 The Suitability of the Site for Development

The size, shape and location of the site is considered suitable for the proposed development which has been specifically designed to maximise the amenity of residents and to minimise any adverse impacts upon surrounding and adjoining properties. Also, the site is currently served by utility services which are adequate for the proposal.

4.10 Any Submissions Made

Is a matter for the consent authority to consider should any submissions be received during the notification period.

5. CONCLUSION

The impact of the proposed development has been assessed in accordance with the provisions of Section 79C of the EP&A Act, 1979, and found to be satisfactory. The proposal is permissible with consent in the R4 Zone and meets the relevant objectives and controls of the LEP.

The material in this Statement of Environmental Effects demonstrates that there will be no unacceptable adverse impact on the amenity or environment of the locality as a consequence of the proposed development. The proposed development meets the underlying intent of the controls applicable to the subject development proposal.

The proposal is not likely to result in any significant loss of privacy to any adjoining or nearby residents and will offer high levels of amenity for the buildings occupants. The completed development will have acceptable impacts in relation to solar access to adjoining residential uses, the topography, micro-climate, air or water quality of the locality.

Having regard to the circumstances of the case, the proposal is considered to be in the public interest and is worthy of Council's support.

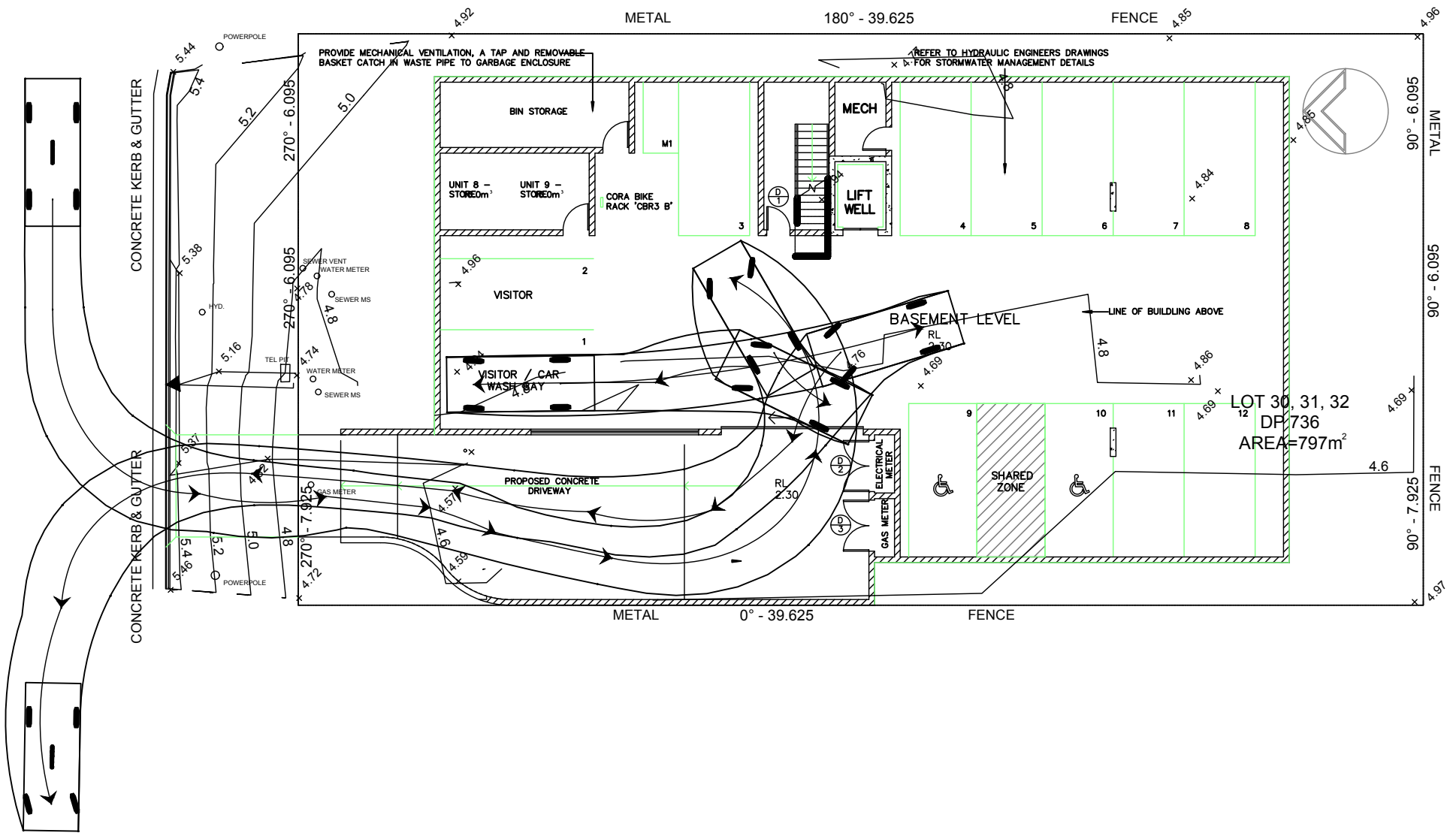
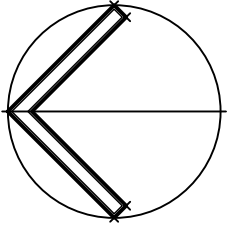
If you require any additional information or clarification of any matters raised in this response, please contact George Lloyd at GPL Planning on tel. 0423 128 131.



George Lloyd (BTP – UNSW)

GPL Planning

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Project
**PROPOSED UNITS
6-8 CECIL STREET
MONTEREY**

Drawing Title
**VEHICLE TURNING PATH
ANALYSIS - CAR SPACE 1**

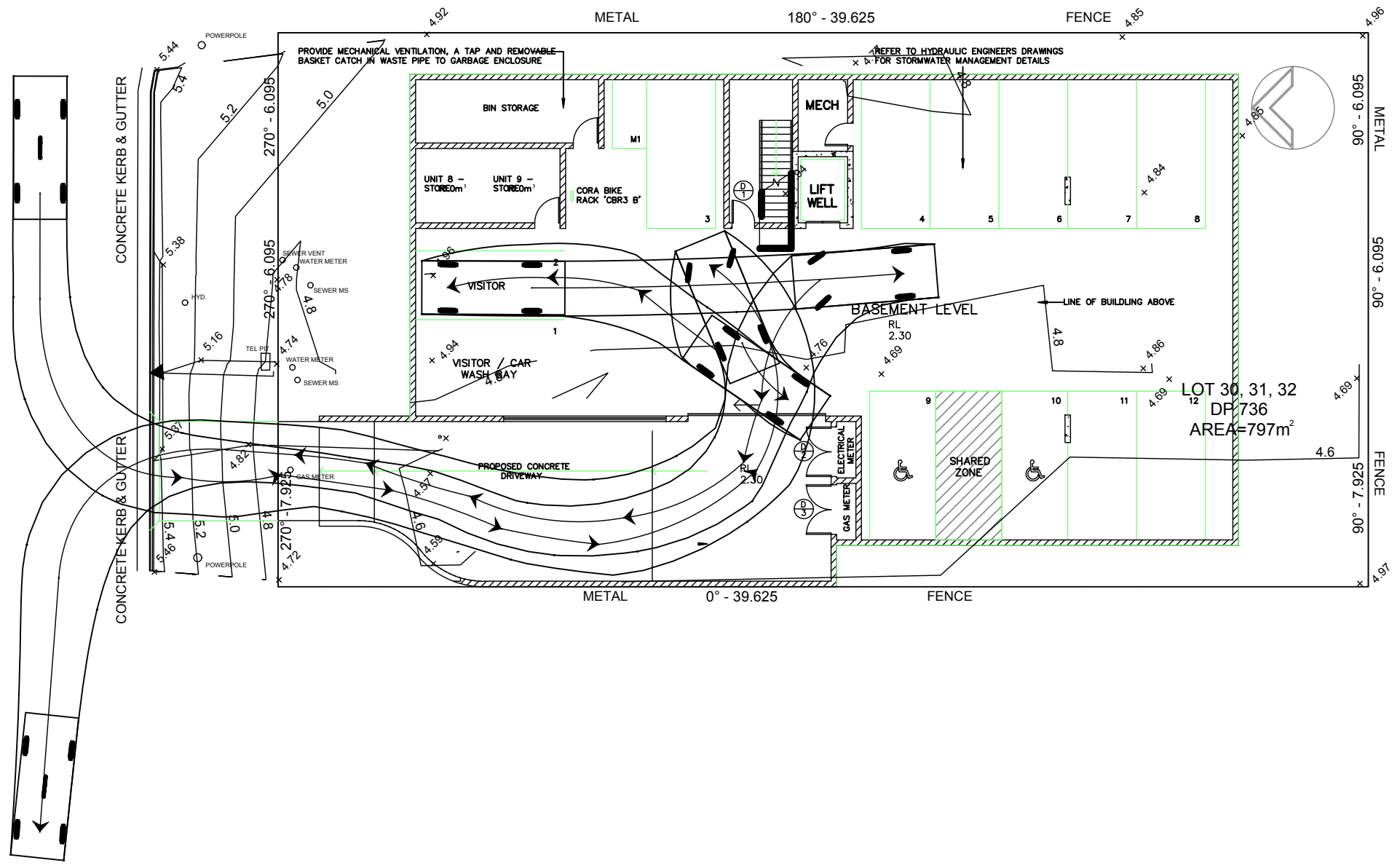
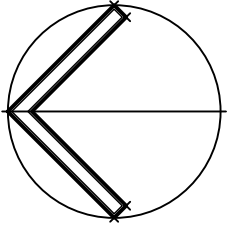
Rev.	Date	Revision Description
A	24.05.17	ISSUED FOR COUNCIL APPROVAL

Drawing status
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Job Number 17039	Drawing Number SK01	Revision A

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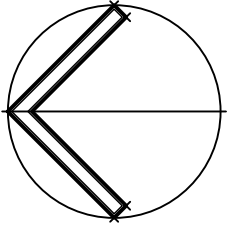
Project
**PROPOSED UNITS
 6-8 CECIL STREET
 MONTEREY**

Drawing Title
**VEHICLE TURNING PATH
 ANALYSIS - CAR SPACE 2**

Drawing status
DA SUBMISSION

Drawn mike	Date 05/2017	Scale 1:200 @ A3
Job Number 17039	Drawing Number SK02	Revision A

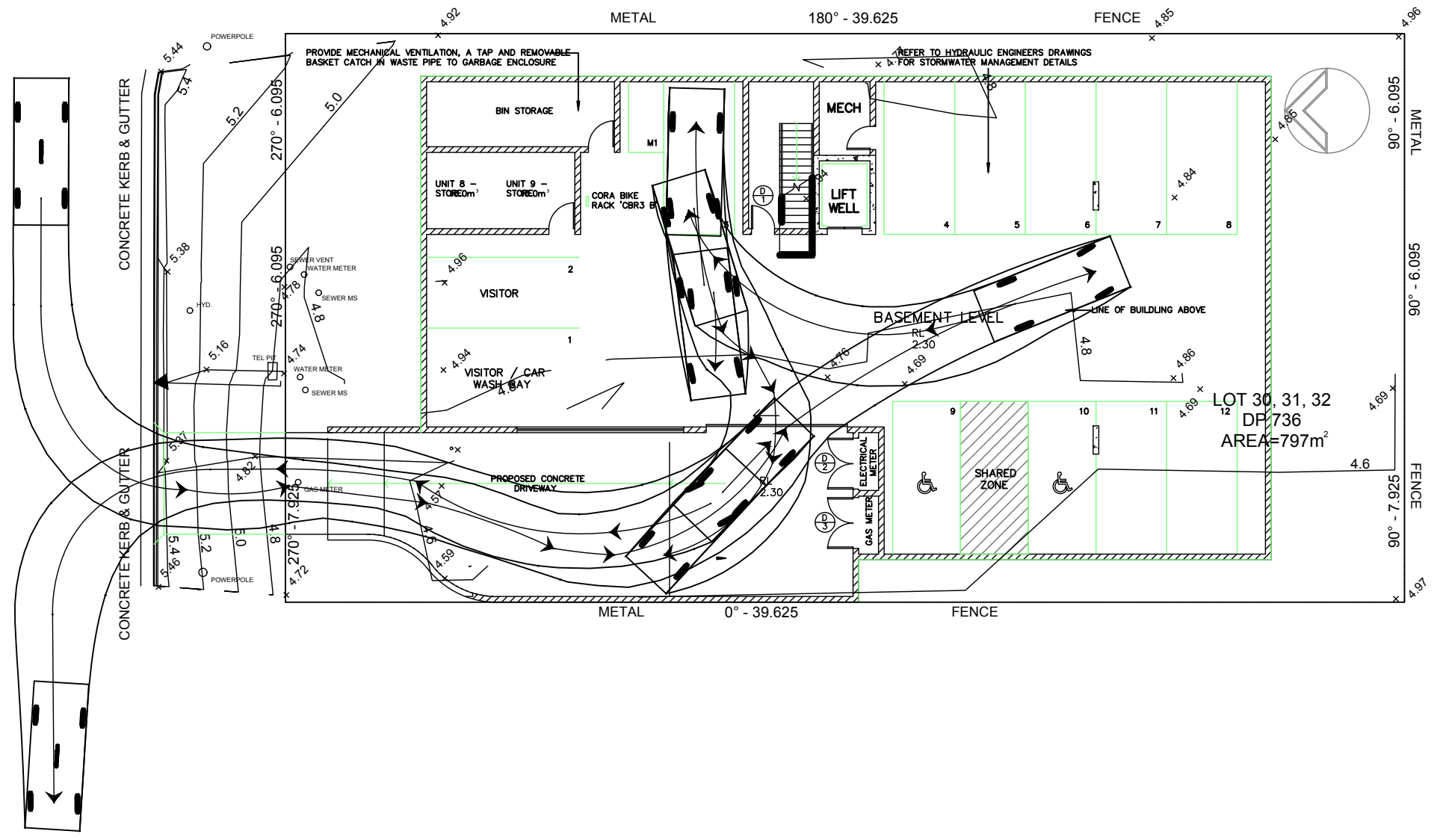
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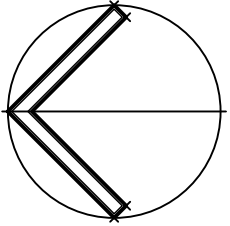
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**PROPOSED UNITS
6-8 CECIL STREET
MONTEREY**

Drawing Title
**VEHICLE TURNING PATH
ANALYSIS - CAR SPACE 3**

Drawing status
DA SUBMISSION

Drawn mike	Date 05/2017	Scale 1:200 @ A3
Job Number 17039	Drawing Number SK03	Revision A

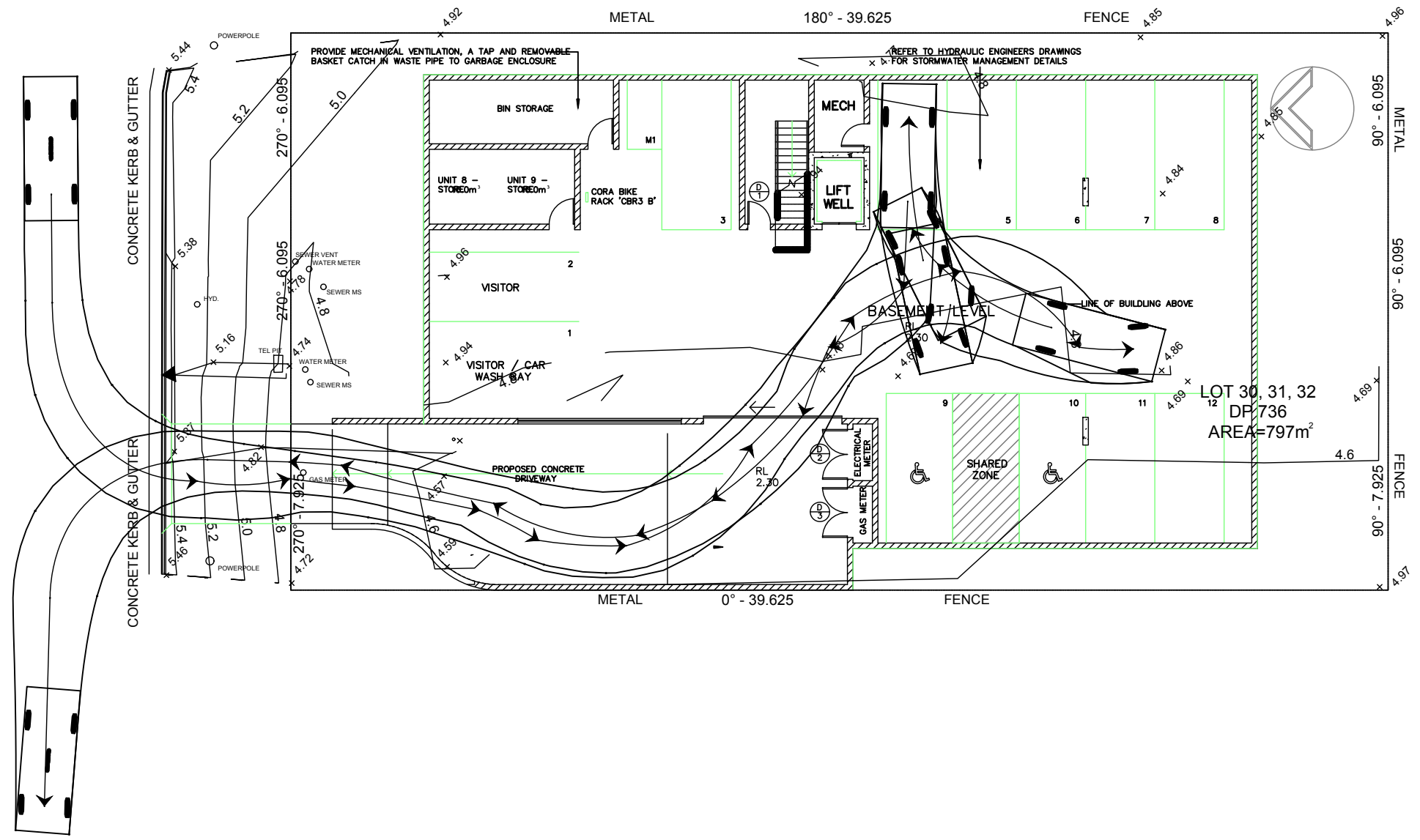
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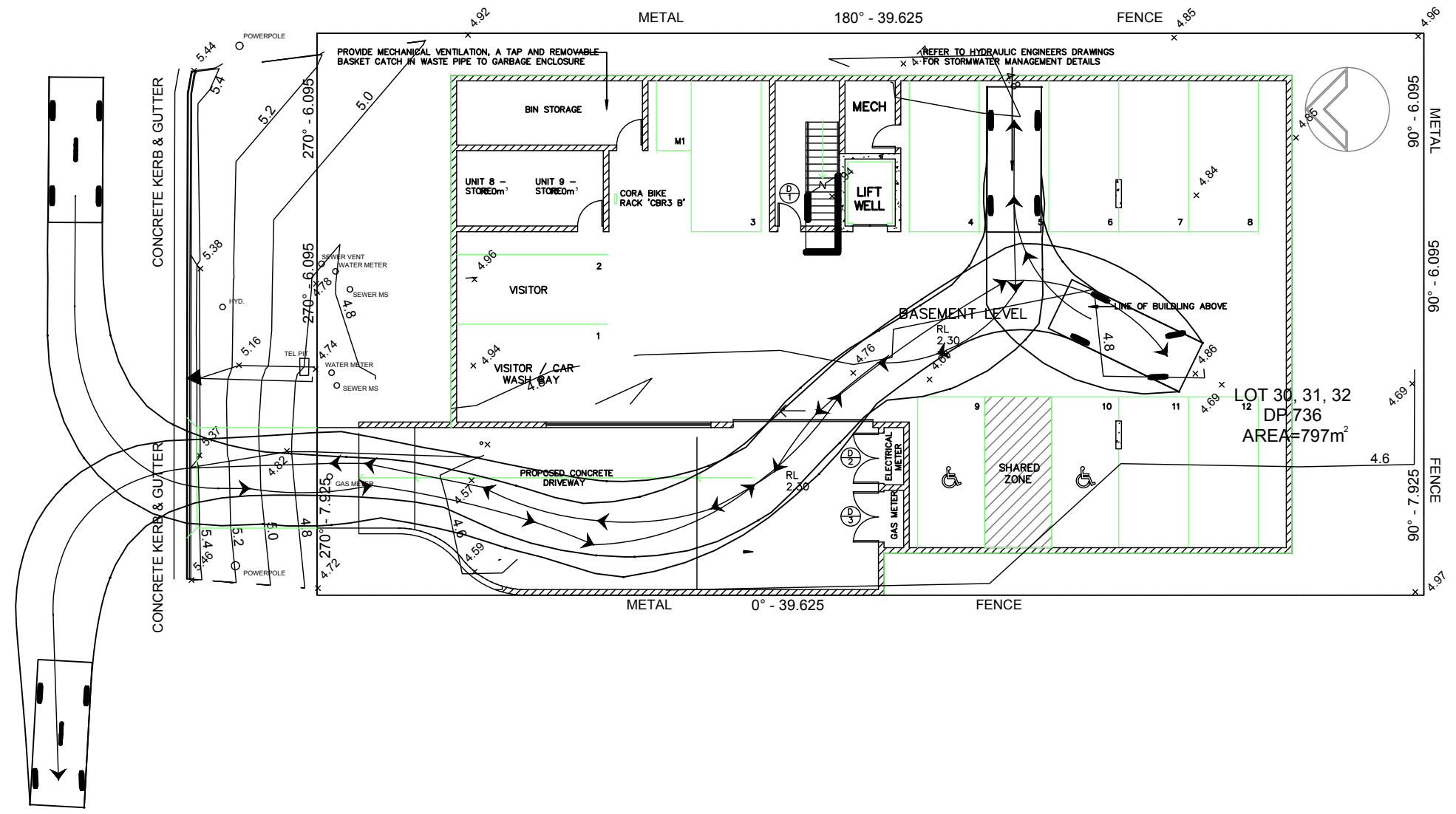
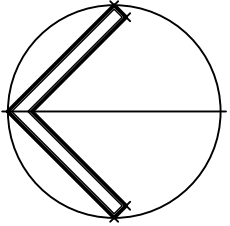
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**PROPOSED UNITS
6-8 CECIL STREET
MONTEREY**

Drawing Title
**VEHICLE TURNING PATH
ANALYSIS - CAR SPACE 4**

Drawing status
DA SUBMISSION

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6-8 CECIL STREET
MONTEREY**

Drawing Title
**VEHICLE TURNING PATH
ANALYSIS - CAR SPACE 5**

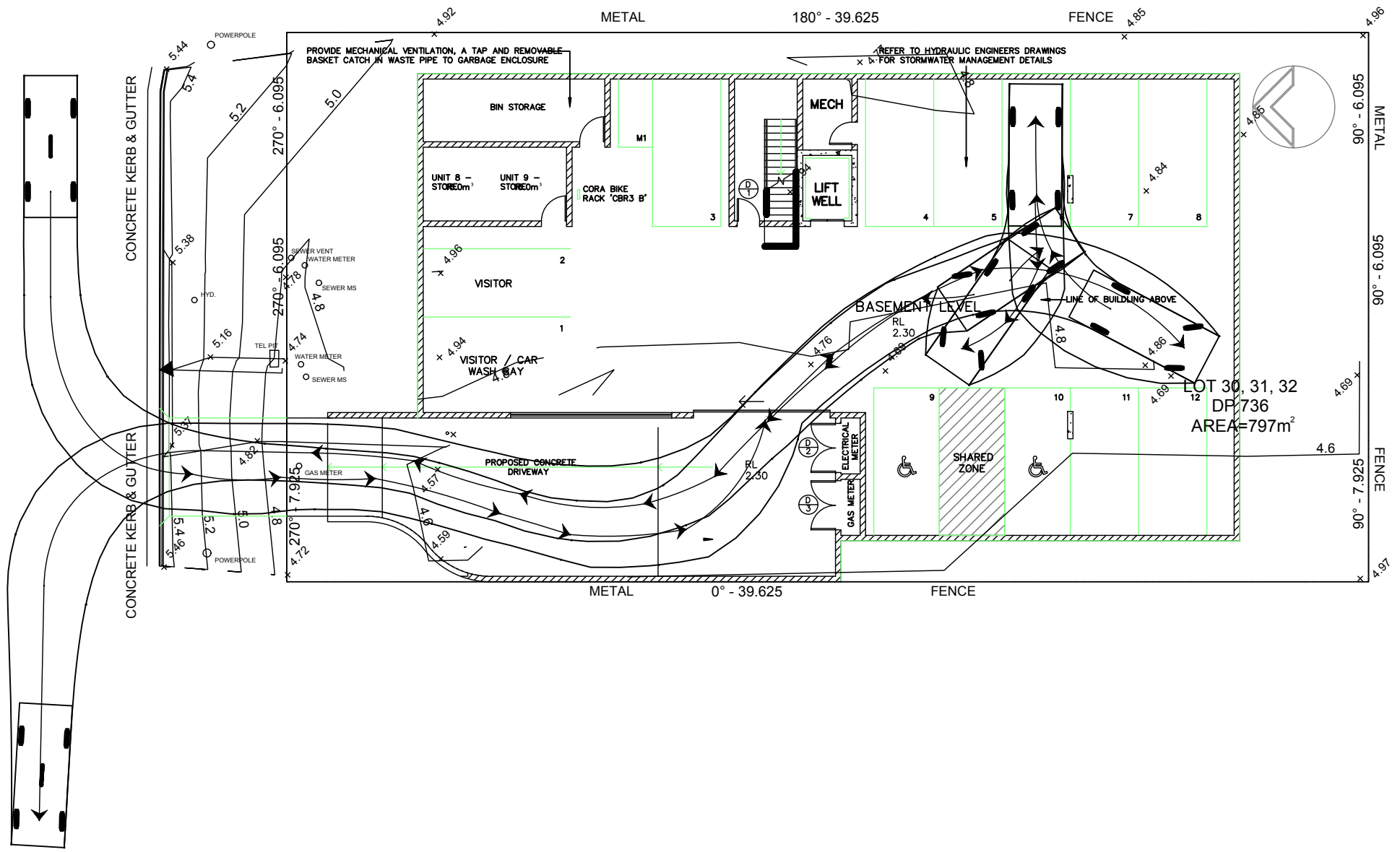
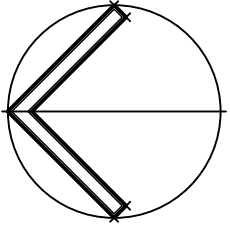
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Job Number 17039	Drawing Number SK05	Revision A

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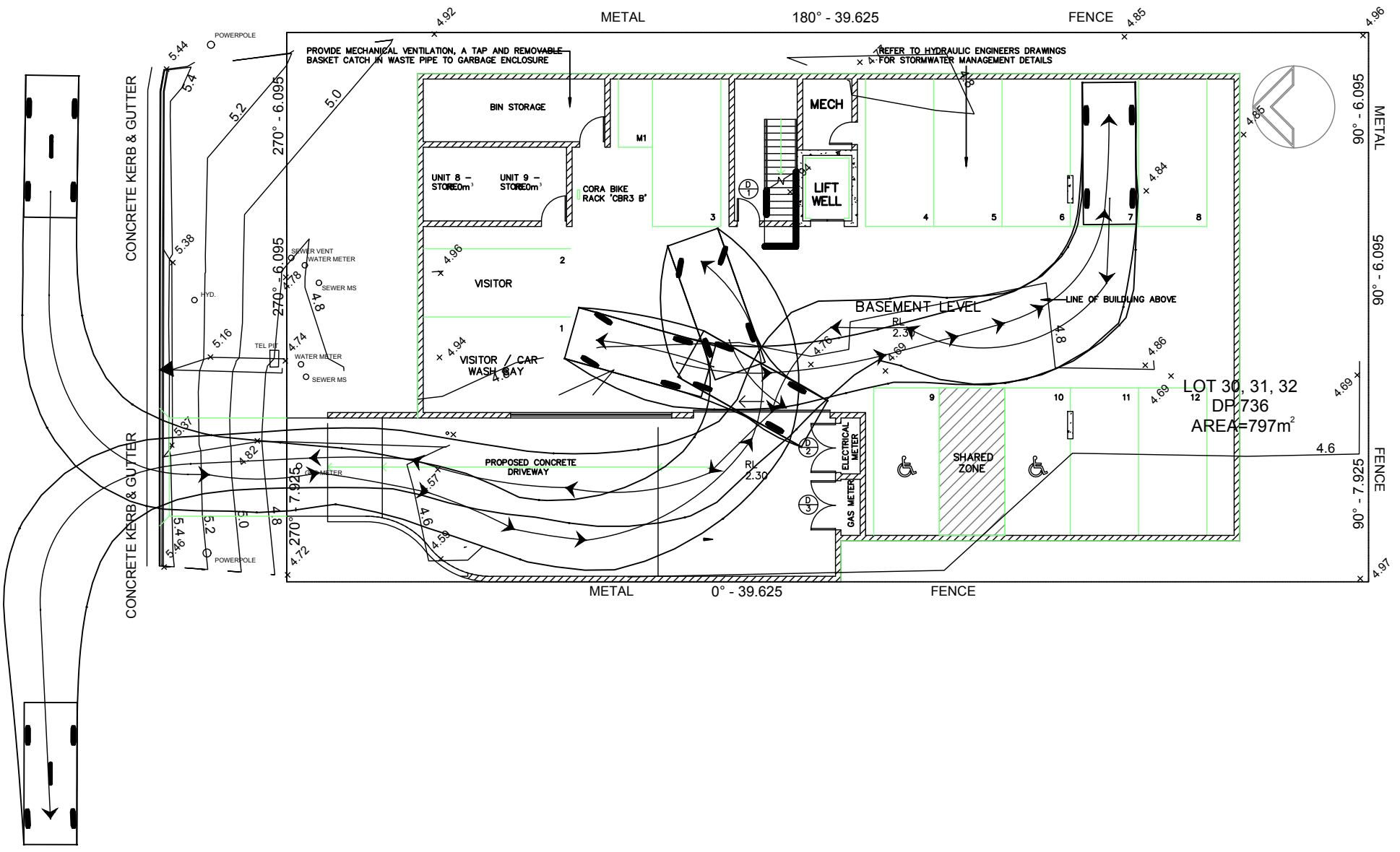
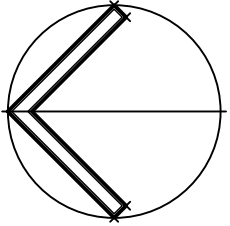
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**PROPOSED UNITS
 6-8 CECIL STREET
 MONTEREY**

Drawing Title
**VEHICLE TURNING PATH
 ANALYSIS - CAR SPACE 6**

Drawing status DA SUBMISSION		
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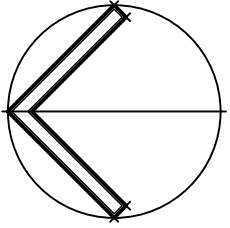
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ANALYSIS - CAR SPACE 7**

Drawing status
DA SUBMISSION

Drawn mike	Date 05/2017	Scale 1:200 @ A3
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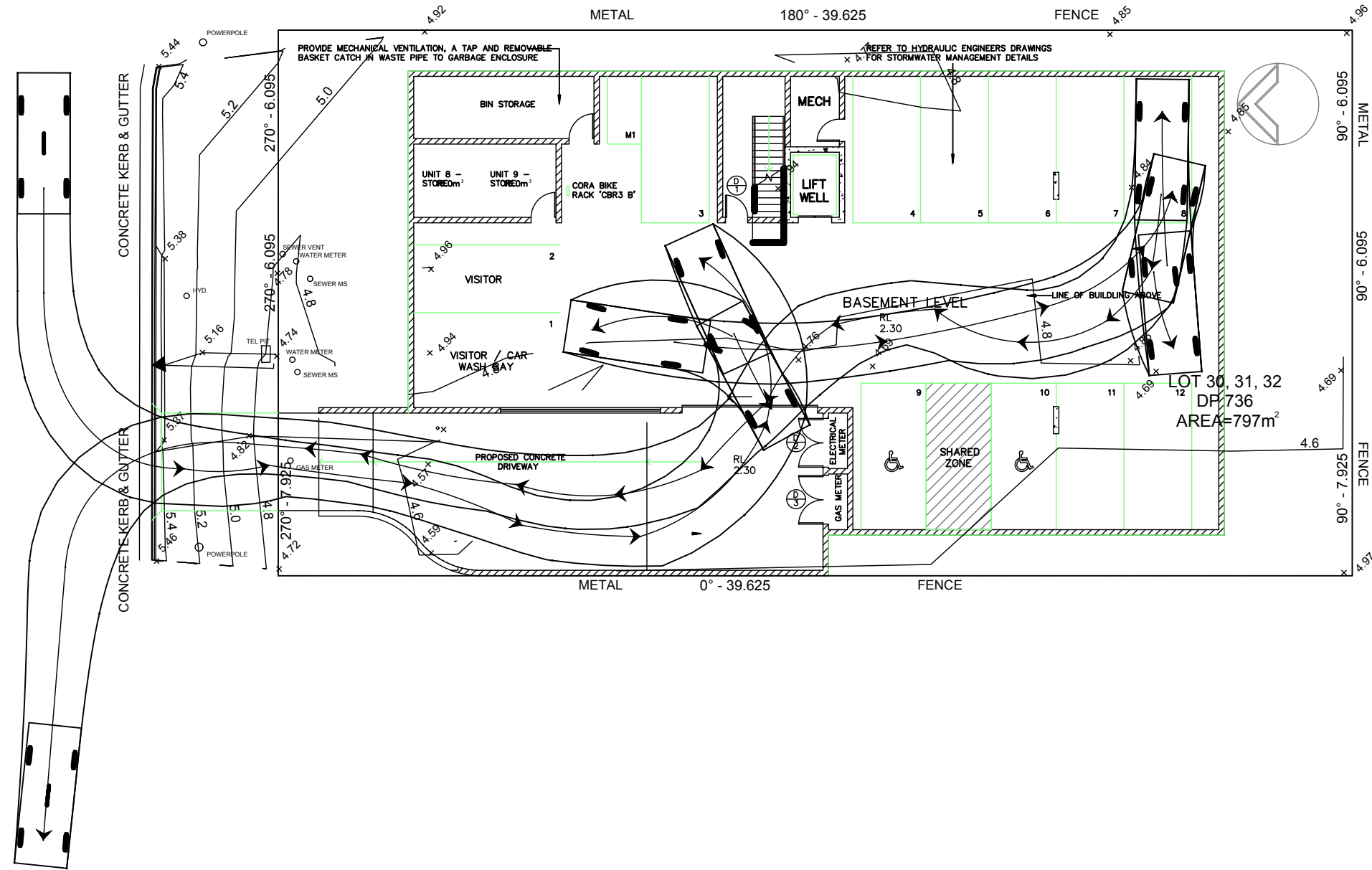
Job Number 17039	Drawing Number SK07	Revision A
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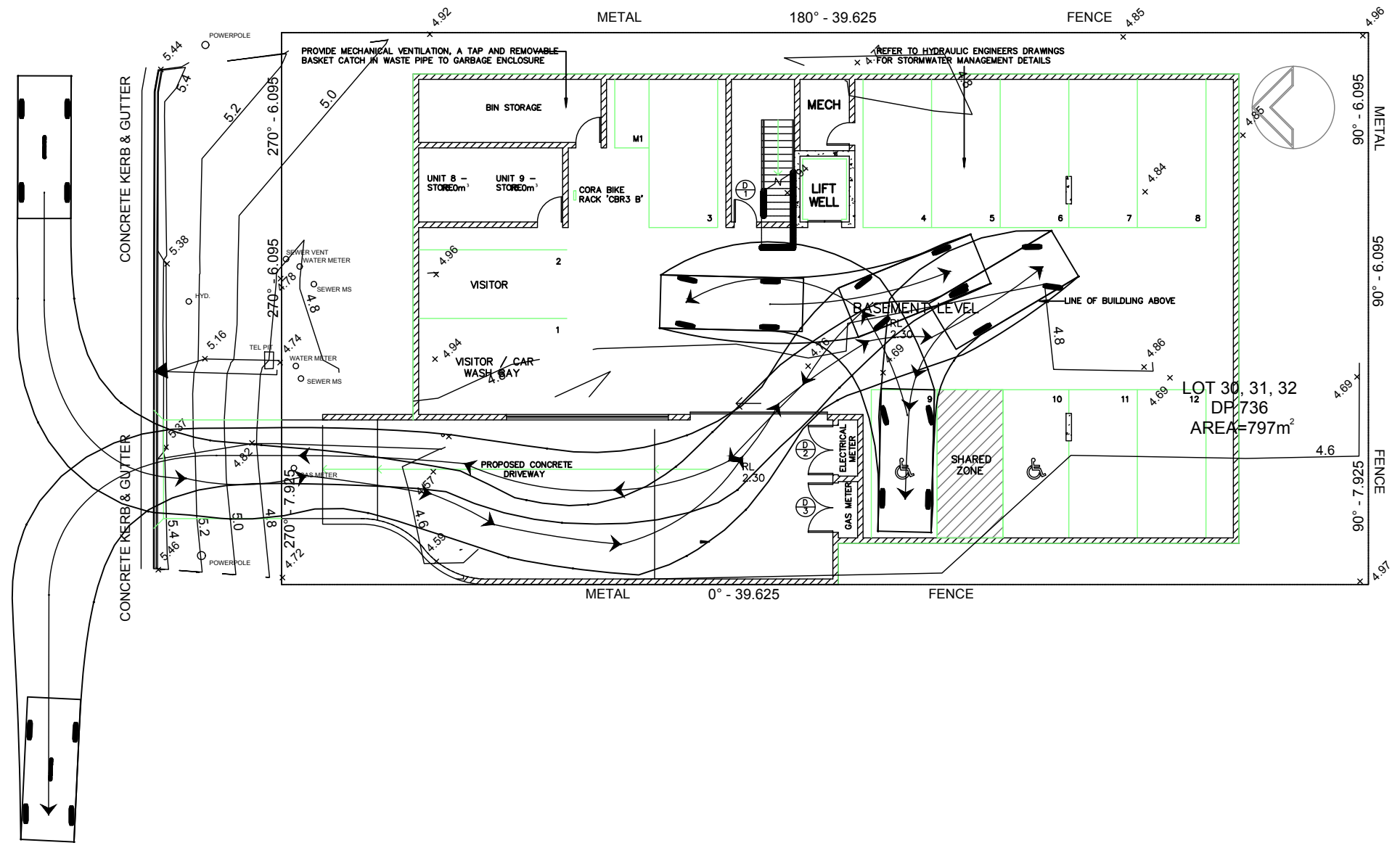
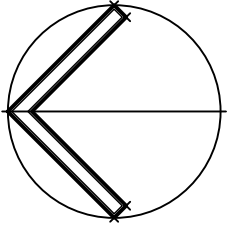
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**VEHICLE TURNING PATH
 ANALYSIS - CAR SPACE 8**

Drawing status
DA SUBMISSION

Drawn: mike Date: 05/2017 Scale: 1:200 @ A3

Job Number: 17039 Drawing Number: SK08 Revision: A

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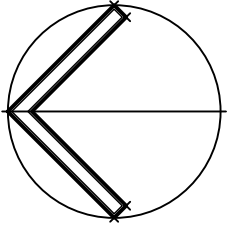
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 ANALYSIS - CAR SPACE 9**

Rev.	Date	Revision Description
A	24.05.17	ISSUED FOR COUNCIL APPROVAL

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Drawn mike	Date 05/2017	Scale 1:200 @ A3
Job Number 17039	Drawing Number SK09	Revision A

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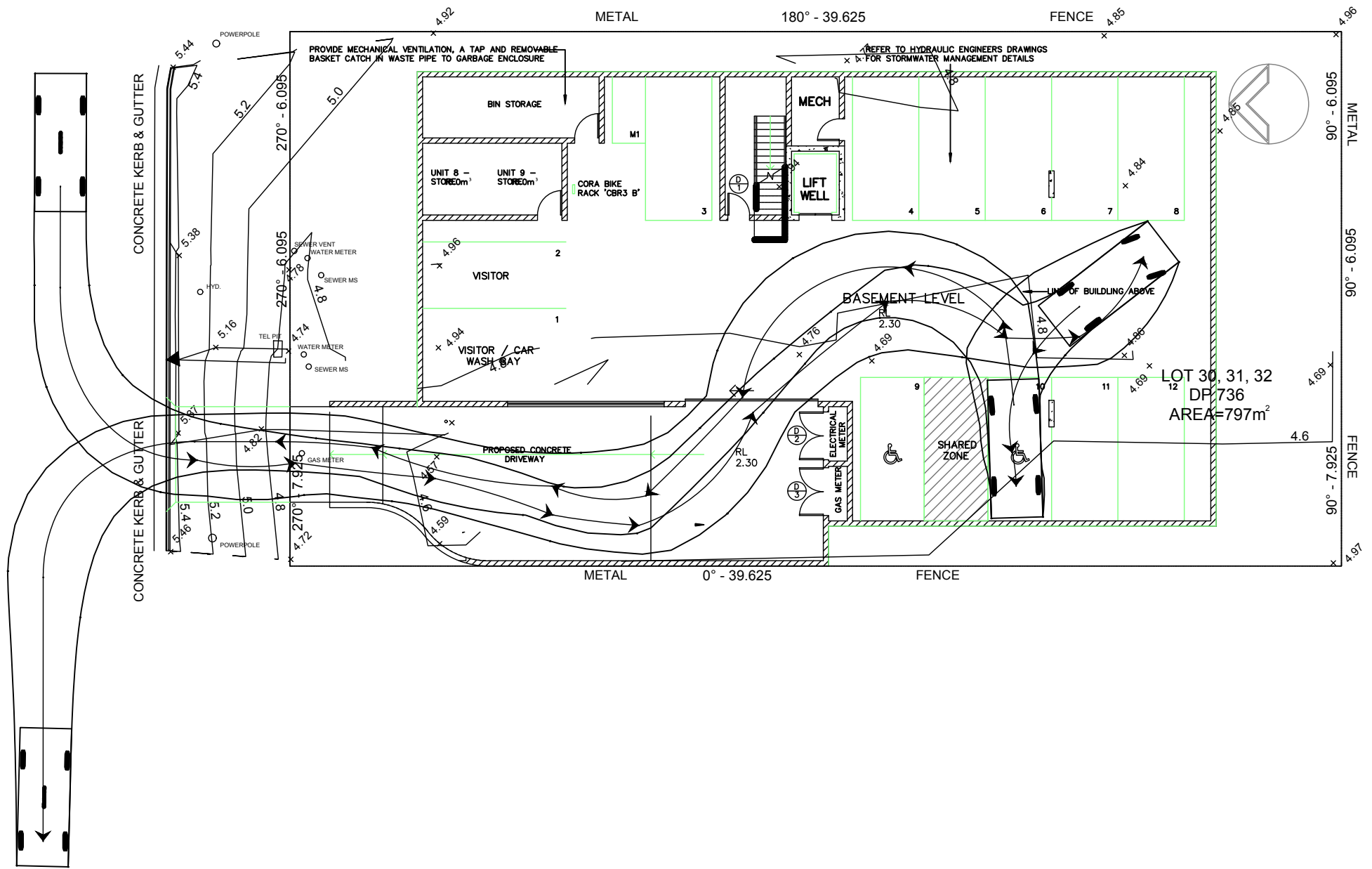
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MONTEREY**

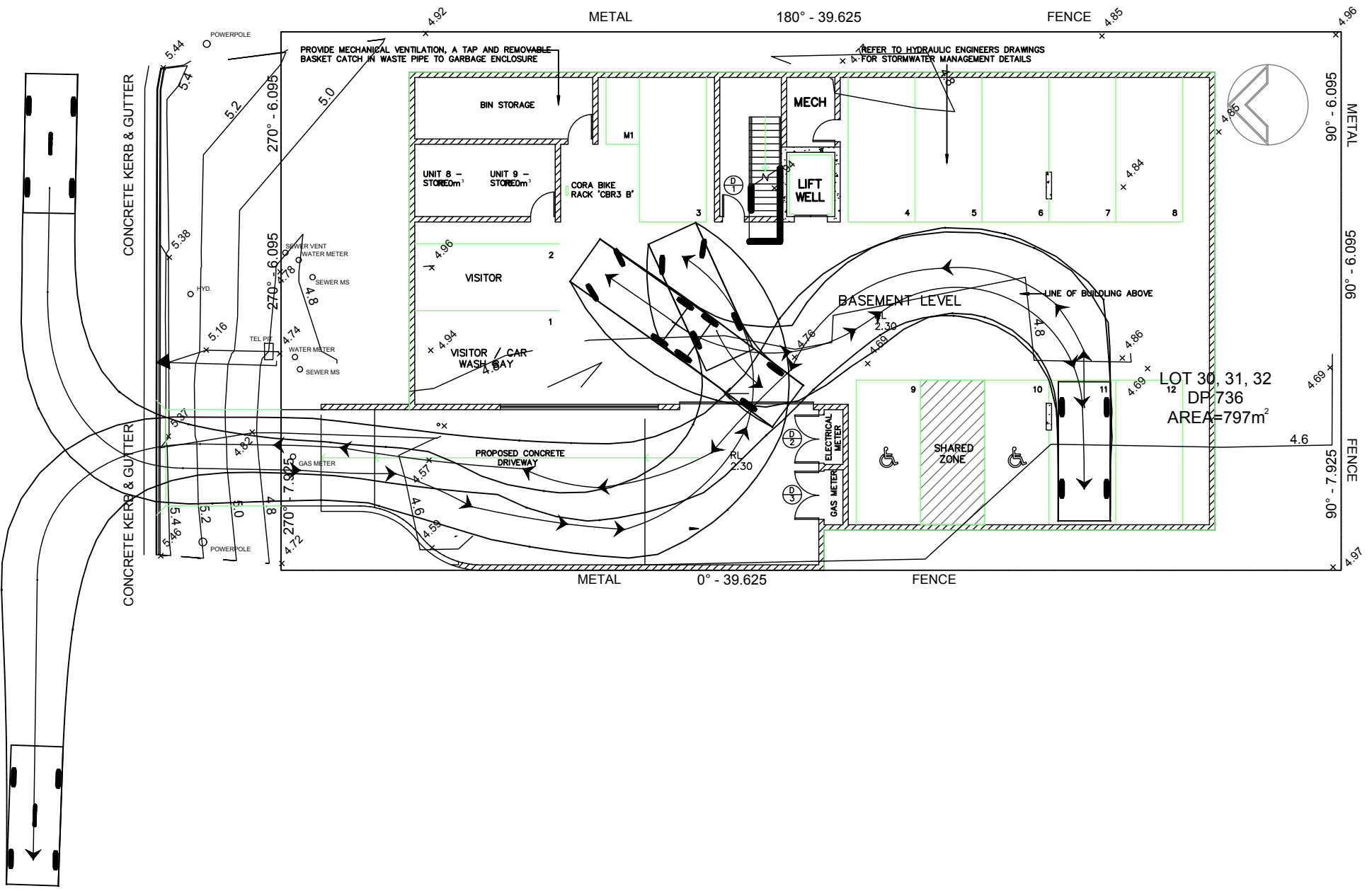
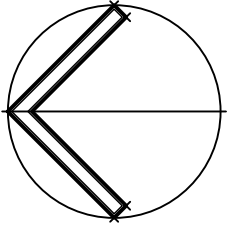
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ANALYSIS - CAR SPACE 10**

Drawing status
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Drawn mike	Date 05/2017	Scale 1:200 @ A3
Job Number 17039	Drawing Number SK10	Revision A

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MONTEREY**

Drawing Title
**VEHICLE TURNING PATH
ANALYSIS - CAR SPACE 11**

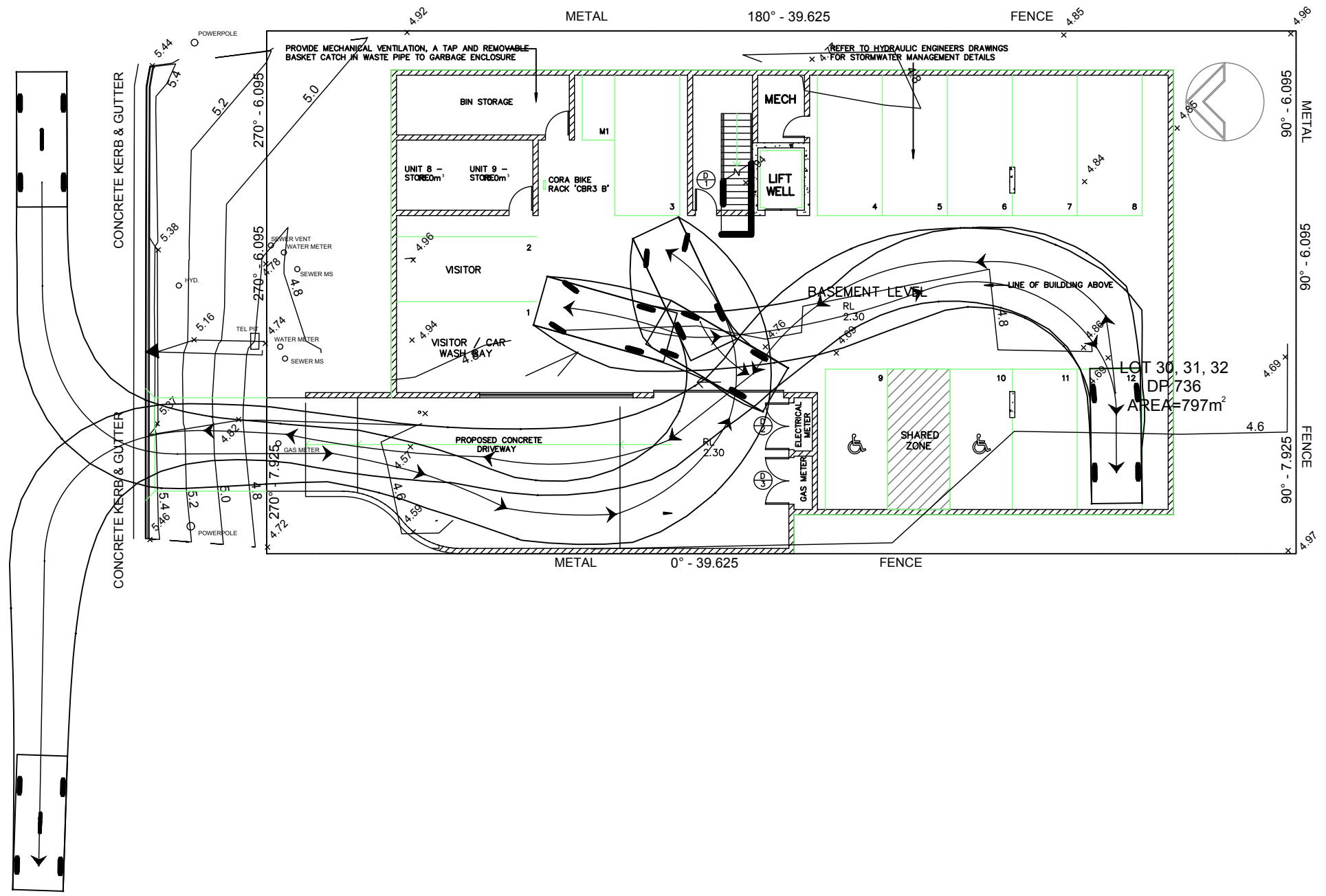
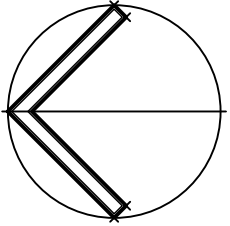
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Drawing Title
**VEHICLE TURNING PATH
ANALYSIS - CAR SPACE 12**

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