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NORTH SYDNEY COUNCIL REPORTS

NSLPP MEETING HELD ON 04/05/2022

Attachments:

1. Site Plan 2. Architectural Plans

ADDRESS/WARD: 108 Hayberry Street, Crows Nest (T)

APPLICATION No: DA 382/21

PROPOSAL: Alterations and additions to existing semi-detached dwelling

PLANS REF: Architectural Plans, prepared by Willoughby Architects, Revisions

C and D, Plan no.'s TP03 to TP38 – A800, dated 29/09/21 (Rev C)

and 04/03/22 (Rev D)

OWNER: A Halloran

APPLICANT: W Farmilo – Wurley Group Pty Ltd

AUTHOR: Miguel Rivera – Senior Assessment Officer

DATE OF REPORT: 20 April 2022

DATE LODGED: 10 November 2021

RECOMMENDATION: Approval

EXECUTIVE SUMMARY

The Applicant seeks development consent from the North Sydney Local Planning Panel (NSLPP) for alterations and additions to an existing semi-detached dwelling on land identified as No. 108 Hayberry Street, Crows Nest, and legally described as Lot 2 in DP 521540.

The application is required to be reported to the NSLPP for determination, as directed by the Minister of Planning, given that the development is considered contentious development, in that, more than ten (10) submissions were received.

Council's notification of the original plans has attracted a total of twenty-four (24) submissions from seventeen (17) individual addresses and the Hayberry Precinct Committee, raising concerns regarding bulk and scale, errors in documentation, party wall consent, amenity impacts and impacts on streetscape and heritage conservation area.

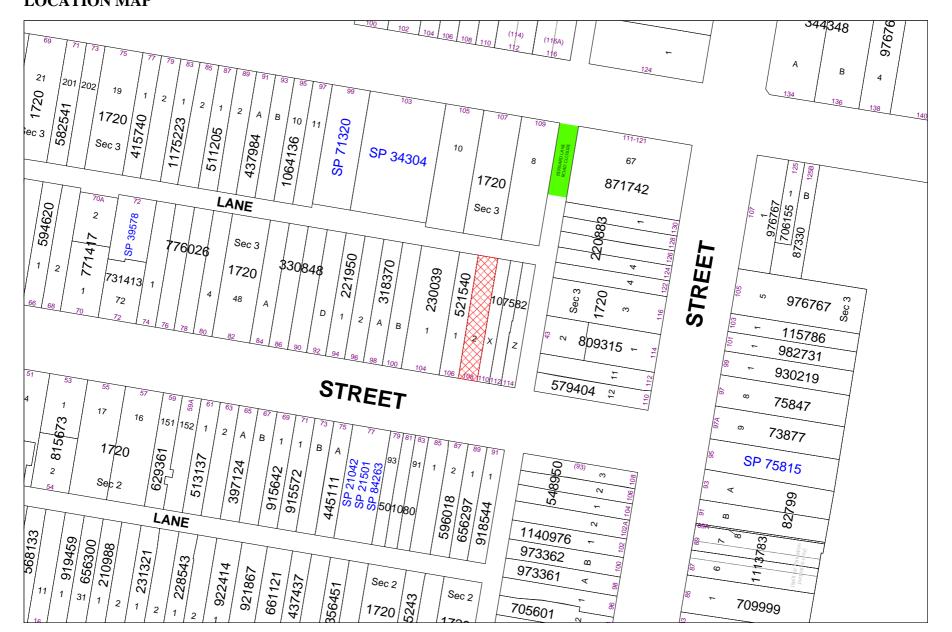
The Applicant provided an amended design and additional information in response to matters and issues raised by Council and in the abovementioned submissions. The amended design was re-notified and the re-notification attracted two (2) additional submissions from two (2) individual properties. The issues raised in these submissions were in relation to the first floor balcony, bulk and scale, visual intrusion, lack of engineering detail and impacts on neighbouring trees.

The development application has been assessed against the North Sydney Local Environmental Plan 2013 (NSLEP 2013), North Sydney Development Control Plan 2013 (NSDCP 2013) and the relevant State Planning Policies and it was generally found to be satisfactory given the site's constraints, context and setting.

The proposed development will result in a built form that is considered to be appropriately responsive to the context of the site and sympathetic to and in keeping with the established character of the immediate locality and the Holtermann Estate C Conservation Area (CA09).

The assessment of the proposed development has considered the concerns raised in the submissions as well as the performance of the application against Council's planning requirements. Following this assessment, and having regard to the provisions of Section 4.15 of the *Environmental Planning and Assessment Act 1979* (as amended), the application is recommended for approval given the proposal's compliance to and consistency with the key objectives and controls within State Planning Policies and under Council policy including NSLEP 2013 and NSDCP 2013, and lack of adverse impacts from the development on adjoining and surrounding properties.

LOCATION MAP



DESCRIPTION OF PROPOSAL

The proposal before the Panel is for alterations and additions to an existing semi-detached dwelling at No. 108 Hayberry Street, Crows Nest.

Specifically, the proposed development involves the following elements:

Demolition:

Removal of existing rear carport structure and upper windows on northern elevation

Construction:

- First floor addition with two (2) bedrooms each with ensuites, and a rear-facing balcony
 off Bedroom 3;
- Installation of a new pergola above an existing deck (to be retained);
- Detached double garage with roller doors;
- Refurbishment of existing bathroom and laundry on ground floor;
- New kitchen cabinetry;
- New internal steps leading to living room on ground floor;
- Repainting of external walls; and
- Replacement of part of the gabled, tiled roof with Colorbond material.

It is noted that the proposed design intends on not relying on the party wall between the premises and No. 106 Hayberry Street. The Applicant provided information including a letter from an engineer supporting this matter. A condition is recommended to be imposed to provide further detail on the construction methodology and techniques implemented to ensure the first floor addition can be reinforced and supported without utilising/impacting the party wall.

A site plan, demolition plans, ground floor and first floor plans, roof plan and elevations are shown in Figures 1 to 10 below.

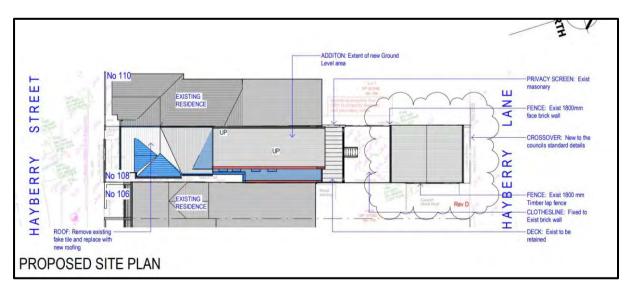


Figure 1: Site plan.

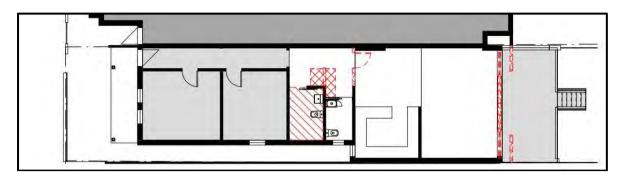


Figure 2: Demolition plan - dwelling.

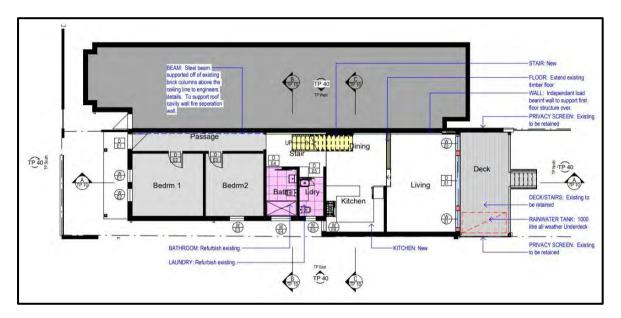


Figure 3: Ground floor plan.

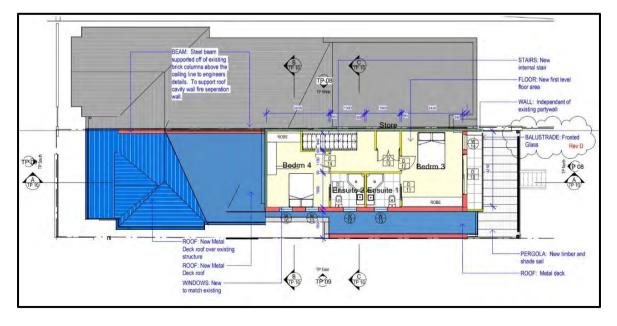


Figure 4: First floor plan.

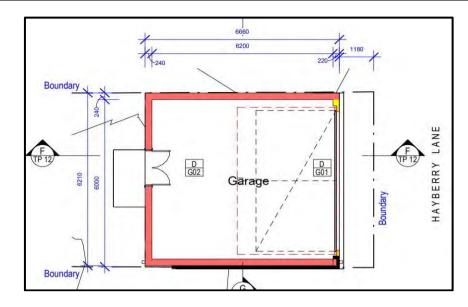


Figure 5: Garage floor plan.

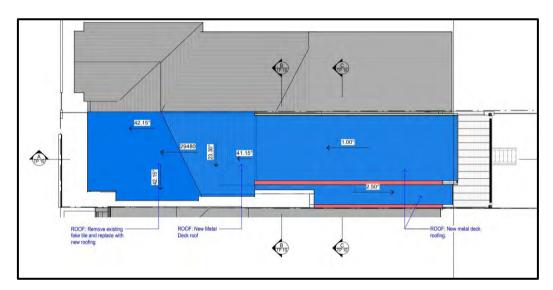


Figure 6: Roof plan - dwelling.



Figure 7: Southern (front) elevation - dwelling.



Figure 8: Northern (rear) elevation - dwelling.

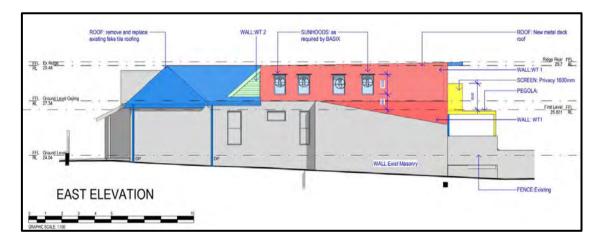


Figure 9: East elevation – dwelling.

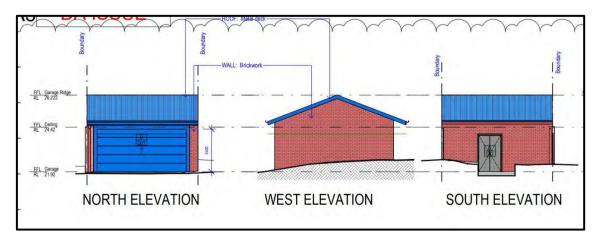


Figure 10: Garage elevations.

STATUTORY CONTROLS

North Sydney Local Environmental Plan 2013 (NSLEP 2013)

- Zoning R2 Low Density Residential
- Item of Heritage No
- In Vicinity of Item of Heritage No
- Conservation Area Yes, Holtermann Estate C (CA09)
- Foreshore Building Line (FSBL) No
- Environmental Planning and Assessment Act 1979 (as amended)
- Environmental Planning and Assessment Regulations 1996
- SREP (Sydney Harbour Catchment) 2005
- SEPP (Biodiversity and Conservation) 2021
- SEPP (Resilience and Hazards) 2021
- SEPP (Building Sustainability Index: BASIX) 2004
- Local Development

POLICY CONTROLS

North Sydney Local Infrastructure Contributions Plan North Sydney Development Control Plan 2013 (NSDCP 2013) Sydney Harbour Foreshores and Waterways Area DCP 2005

DESCRIPTION OF LOCALITY

The subject site is commonly identified as No. 108 Hayberry Street, Crows Nest, and is legally described as Lot2 in DP 521540. It is a long, narrow rectangular shaped allotment, located on the northern side of Hayberry Street and the southern side of Hayberry Lane (refer to Figures 11 and 12). The site has a 6m wide frontage, a maximum depth of 39.63m and a 6.3m wide rear boundary. It comprises a total area of 240.28m² and features a fall of 1.96m to the rear (northern) boundary.

The subject site is currently occupied by a single storey semi-detached dwelling that is attached to a semi-detached dwelling of near identical design and style, situated at No. 106 Hayberry Street. The site is highly modified and built-up with most of it occupied by the dwelling, an attached timber deck and a detached double carport facing Hayberry Lane (refer to Figures 13 to 17). It features a south-north orientation, with the dwelling's current primary living room and private open space having a northerly aspect. The only landscaping within the site comprise of grassed lawn area and garden beds located in the front setback and rear yard (refer to Figures 13 to 17). Vehicular access and off-street parking are via Hayberry Lane.



Figure 11: Location plan showing subject site (outlined in blue) and surrounding properties. (Source: Spatial Information Exchange Maps)

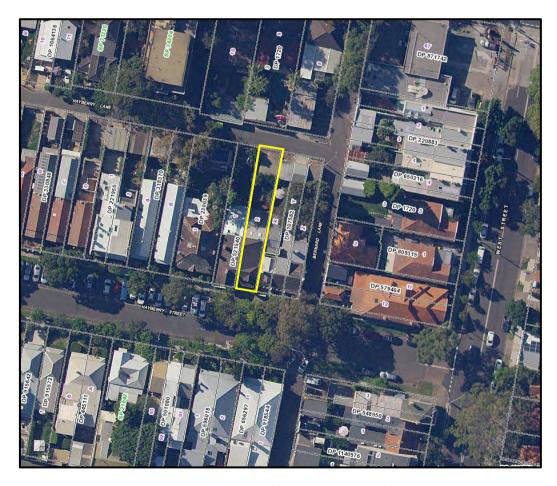


Figure 12: Aerial photo showing subject site (outlined in yellow) and surrounding properties (Source: Spatial Information Exchange Maps)



Figure 13: Front of dwelling within subject site.



Figure 14: Rear of dwelling and attached timber deck.



Figure 15: Rear yard – northerly view from deck.



Figure 16: View of carport (rear).



Figure 17: View of carport from Hayberry Lane.

The immediate locality features a low density residential character that is predominantly made up of semi-detached dwellings and dwelling houses on long, narrow constrained and highly modified/built-up lots with limited landscaped areas (refer to Figures 18 and 19). The surrounding locality has limited iconic, waterfront and scenic views.

The subject site is within the Holtermann Estate C – Conservation Area (CA09). Most of the housing in this area and along Hayberry Street comprise of cottages of modest scale and density and are single storey, feature a traditional late Victorian, Edwardian and early Federation style with a simple pitched, hipped roof with either terracotta tiles or corrugated metal sheeting, red/brown exposed brick façades or rendered brick façades with light colouration (white, beige, grey tones). Architectural roof features such as gables and protruded chimneys frequently occur along the skyline. The front setbacks are dominated by front picket or masonry fencing and some landscaping. It is noted that the semi-detached dwellings in the subject site and within the adjoining lot (No. 106 Hayberry Street) are listed as <u>neutral items</u> under the NSDCP 2013.

The housing along Hayberry Street feature garaging off Hayberry Lane that are generally single storey, have hipped or gabled roofing and are built close to the side and rear boundaries (refer to Figures 20 and 21).

The site is surrounded and adjoined by the following residential properties:

- Front (south): No. 87 Hayberry Street (semi-detached dwelling);
- Rear (north): No. 107 Falcon Street (dwelling house);
- East-adjoining: No. 110 Hayberry Street (attached dwelling) (refer to Figure 22); and
- West-adjoining: No. 106 Hayberry Street (semi-detached dwelling) (refer to Figure 23).



Figure 18: Streetscape along northern side of Hayberry Street – west of the site.



Figure 19: Streetscape along southern side of Hayberry Street – east of the site.



Figure 20: Existing garage/carport structures along Hayberry Lane.



Figure 21: Existing garage/carport structures along Hayberry Lane – west of the site.



Figure 22: Dwelling at No. 110 Hayberry Street.



Figure 23: Dwelling at No. 106 Hayberry Street.

RELEVANT HISTORY

Previous applications

Development Application 213/95
Alterations and additions to dwelling at No. 108 Hayberry Street

Date	Action
14 Jun 1995	The development application was approved under delegated authority.
	The application involved changes to the ground floor layout to create a
	bathroom, laundry, meals room, kitchen and living room, and
	construction of a new deck attached to the rear of the living room.

Current Application

Date	Action
10 Nov 2021	The subject development application was lodged with Council.
26 Nov 2021	The application was notified as per Council's Community Participation Plan. The notification period ended on 10 December 2021. Council received twenty-four (24) submissions from seventeen (17) individual properties and from Hayberry Precinct Committee. Three (3) other submissions were received, which expressed support for the application.
27 Jan 2022	A site inspection was conducted by Council officers.
22 Feb 2022	A Request for Information (RFI) Letter was sent to the Applicant via the Planning Portal. The letter advised the following matters that required addressing: • Laneway development – 2-storey garage not supported; • Overshadowing; • Visual privacy; and • Party wall consent.
11 Mar 2022	The Applicant submitted additional information via the Planning Portal, in response to the RFI letter.
1 Apr 2022	The amended plans was re-notified as per Council's Community Participation Plan. The notification period ended on 19 April 2022. Two submissions were received during this time.

INTERNAL REFERRALS

ENGINEERING

Council's Development Engineer reviewed the application and provided the following commentary with regard to the proposed vehicular access and parking, and stormwater management system.

"In reference to the proposed development, the following matters have been considered.

Traffic Management:

This development proposal would not have any major impacts on the current road network.

No conditions applied.

Stormwater:

Proposed to connect to existing stormwater system and install new 1000L Rainwater Tank

Appropriate conditions shall be imposed in this regard.

Parking and Access:

Proposed addition of double garage with loft over will not impact existing hardstand. New layback matching 112 Hayberry will need to be constructed. No conditions applied.

Sediment and Erosion controls

Appropriate conditions shall be imposed in this regard."

Planning comment: The above comments are noted and concurred with. The recommended conditions will be imposed and included in the development consent.

HERITAGE

Council's Heritage Planner reviewed the application and provided the following advice:

"No. 108 Hayberry Street is:

- Not a scheduled heritage item.
- A <u>neutral item</u> within the Holtermann Estate C Conservation Area (CA09).
- Located within the vicinity of a heritage item at 104 Hayberry Street (No. 10145), a Federation Queen Anne style dwelling. The location of this item is sufficiently far enough away to be unaffected by the proposed works at the subject site.

An assessment of the proposed works has been undertaken in relation to NLEP 2013 Clause 5.10 Heritage conservation and NSDCP 2013 Part B, Section 13 Heritage and Conservation.

It is noted that the proposed studio over the garage has been deleted from the proposal negating the imposing impact from its over scaled form on the single storey character of Hayberry Lane.

It is noted that the existing ground floor layout is to remain. The addition will not be visible from Hayberry Street. Given the setback of the proposed first floor addition and that there is an established precedent for a 2-storey scale to the rear, the proposal is acceptable in principle subject to ensuring its overall height will sit below the ridge line and capping of the existing roof form. However, the established roof form in the rear elevations visible in Hayberry Lane is strongly that of a pitched roof form. Although the topography of the site lends itself to lowering the rear addition, the knock-on impact on the internal layout is problematic. The proposed flat/ shallow skillion form of the upper level is uncharacteristic in this part of the Hayberry Lane. The potential to provide a sloped roof form with a rear facing gable should be investigated to ensure a better fit with its site context and in terms of the setting of the nearby heritage item at No. 104 Hayberry Lane. [13.6.3 Roofs O1 to maintain the characteristic roof profiles and roofing materials within a heritage conservation area and 13.6.4 additional storeys and levels. O1 to ensure that the scale of the streetscape and context of the heritage conservation area are respected.]

Conclusion and Recommendations

With reference to the above, an assessment of the proposal has been undertaken in terms of North Sydney LEP 2013 Clause 5.10 Heritage conservation and North Sydney DCP 2013 Part B: Section 13 Heritage and Conservation namely relating to clause 5.10(5)(c) The proposal is generally acceptable subject to the revision of the roof form to a pitched /gable roof form in response to its site context. The scale and siting of the new work will not create any adverse impacts on the nearby heritage item at No. 104 Hayberry Street."

Planning comment: The above comments are noted and generally concurred with. It is considered that whilst flat roofs and skillion roofs are not common architectural elements within the conservation area, the first floor portion is concentrated towards the rear of the premises, well away from the front setback and will not be prominent nor highly visible when viewed from the street. Further, the proposed development involves alterations and additions to a neutral item, which does not significantly contribute to the quality and significance of the conservation area. Any amendments to change the flat/skillion roof form to a gabled/hipped pitch roof will not likely result in a significantly improved nor beneficial planning and design outcome for the locality. Such changes are also likely to increase the bulk and scale of the extension when viewed from the rear lane and yards of adjoining properties. As such, the proposed roof of the scheme is considered an acceptable treatment and supportable outcome for the subject site.

The conditions recommended by Council's Heritage Planner will be imposed and incorporated into the consent.

EXTERNAL REFERRALS

The application did not require referrals to external agencies for further assessment.

SUBMISSIONS

Original proposal

In accordance with Council's Community Participation Plan, Council notified adjoining properties and the Hayberry Precinct Committee of the proposed development from 26 November to 10 December 2021. Council received twenty-four (24) submissions from seventeen (17) individual properties and from Hayberry Precinct Committee. Three (3) other submissions were received, which expressed support for the proposed development.

The matters raised in these submissions objecting to the proposed development are listed below:

- Bulk, scale and design of garage with first floor studio;
- Bulk and scale of first floor;
- Errors on plans showing incorrect locations of No. 110 Hayberry Street and No. 106 Hayberry Street;
- Errors on Statement of Environmental Effects and Heritage Impact Statement;
- First floor sets precedent;
- Garage should not be used for habitable purposes and should not include bathrooms;
- Impacts on heritage conservation area;
- Loss of landscaped areas and tree canopy;
- Loss of native fauna;
- Out of character with streetscape;
- Overdevelopment;
- Overshadowing impacts;
- Privacy impacts;
- Party wall consent and lack of engineering information; and
- Roof will create drainage issues.

The issues raised in the submissions are summarised below and addressed later in this report. The original submissions may be viewed by way of DA tracking on Council's website https://www.northsydney.nsw.gov.au/Building Development/Current DAs and are available for review by NSLPP members.

Amended Proposal

The applicant submitted amended plans. The nature of the changes within the final scheme results in an improved outcome and a more compliant and acceptable built form; however, in light of the extent of amendments, it was determined that a re-notification of the modified plans was required as per Council's Community Participation Plan. Council notified adjoining properties and the Hayberry Precinct Committee of the amended plans from 1 to 19 April 2022. Two (2) submissions were received during this time.

The matters raised in these submissions were as follows:

- First floor balcony;
- Bulk and scale;
- Visual intrusion;
- · Lack of engineering detail; and
- Impacts on neighbouring trees.

CONSIDERATION

The relevant matters for consideration under Section 4.15 of the *Environmental Planning and Assessment Act* 1979 (as amended), are assessed under the following headings:

SREP (Sydney Harbour Catchment) 2005 and Sydney Harbour Foreshores and Waterways Area DCP 2005

Having regard to the SREP (Sydney Harbour Catchment) 2005 and the Sydney Harbour Foreshores and Waterways Area DCP 2005, the proposed development is not considered to be detrimental to the Harbour and will not unduly impose upon the character of the foreshore given the site's location in a highly urbanised area of Crows Nest and is not in close proximity to the Sydney Harbour foreshore. As such, the development is acceptable having regard to the provisions contained within SREP 2005 and the Sydney Harbour Foreshores and Waterways DCP 2005.

SEPP (Biodiversity and Conservation) 2021

The proposed development does not involve the removal of any trees and other vegetation. It is noted that there are several small trees potentially impacted by the proposed works for the garage. Conditions will be imposed to ensure these trees and any affect street trees, are retained and protected. As such, having regard to this SEPP, the respective aims have been satisfied by the proposed development.

SEPP (Resilience and Hazards) 2021

The provisions of Chapter 4 of this SEPP require Council to consider the likelihood that the site has previously been contaminated and to address the methods necessary to remediate the site. The subject site has been used for residential purposes (a semi-detached dwelling) for over 50 years and as such is unlikely to contain any contamination. The nature and location of the proposed development (involving alterations and additions to an existing semi-detached dwelling) are such that any applicable requirements of this SEPP have been satisfactorily addressed.

SEPP (Building Sustainability Index: BASIX) 2004

A valid BASIX Certificate (No. A420324, dated 22 July 2021) for alterations and additions to an existing dwelling has been submitted with the application to satisfy the aims of this SEPP. Conditions are recommended to be imposed to ensure that the measures contained within the BASIX Certificate are undertaken at all stages of the development process.

NORTH SYDNEY LOCAL ENVIRONMENT PLAN (NSLEP 2013)

1. Permissibility

The proposed development can be defined as alterations and additions to a semi-detached dwelling, and are permissible in the R2 – Low Density Residential zone with development consent.

2. Objectives of the zone

The objectives of the R2 – Low Density Residential zone are stated below:

- To provide for the housing needs of the community within a low density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To encourage development of sites for low density housing, including dual occupancies, if such development does not compromise the amenity of the surrounding area or the natural or cultural heritage of the area.
- To ensure that a high level of residential amenity is achieved and maintained.

The proposed alterations and additions to the existing semi-detached dwelling preserves the current use of the site as a semi-detached dwelling and facilitates additional amenity and functionality for future occupants, without unreasonably compromising the amenity of neighbouring properties. Further, the proposed design, bulk and scale are responsive to the streetscape character of the immediate vicinity and are sympathetic to the site's setting within the heritage conservation area. As such, the proposed development achieves the objectives of the R2 – Low Density Residential zone.

Part 4 – Principal Development Standards

Principal Development Standards – North Sydney Local Environmental Plan 2013			
Site Area – 240.28m ²	Proposed	Control	Complies
Clause 4.1 – Subdivision lot size	N/A	230m²	N/A
			No subdivision proposed
Clause 4.3 – Heights of Building	6.87m	8.5m	Yes

3. Height of Building

Clause 4.3 Height of Buildings

The proposed development involves a new roof above the first floor addition that has a maximum height of 6.87m above natural ground. As such, the proposal complies with the maximum height of buildings development standard under Clause 4.3 of NSLEP 2013.

Part 5 - Miscellaneous Provisions

Heritage Conservation

The subject site is within the Holtermann Estate C Conservation Area (CA09), which is listed under Schedule 5 in NSLEP 2013. As such, the following planning objectives apply to the site:

- (a) to conserve the environmental heritage of North Sydney,
- (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,
- (c) to conserve archaeological sites,
- (d) to conserve Aboriginal objects and Aboriginal places of heritage significance.

It is note that the proposed development involves alterations and additions to a neutral item within the conservation area. The proposal features a design that does not disrupt the prominent architectural language and style, aesthetic and development pattern that is unique to the Holtermann Estate C Conservation Area and the immediate streetscape along Hayberry Street and Hayberry Lane. Council's Heritage Planner confirmed that the proposed development (as amended) has been assessed against the provisions of Clause 5.10 and demonstrate merit and are supported on heritage grounds. Given the above, the proposed development is considered acceptable and satisfies the above objectives.

Part 6 - Additional local Provisions

Earthworks

The proposed development involves minor earthworks as most of the constructed elements are contained within the existing footprints of the semi-detached dwelling and carport. In accordance with the provisions of Clause 6.10(3) this assessment has considered the impact of the proposed earthworks within the site and to surrounding properties and found that these are acceptable, subject to the imposition of conditions of development consent. Accordingly, the proposed development is supportable in this regard.

NORTH SYDNEY DEVELOPMENT CONTROL PLAN 2013 (NSDCP 2013)

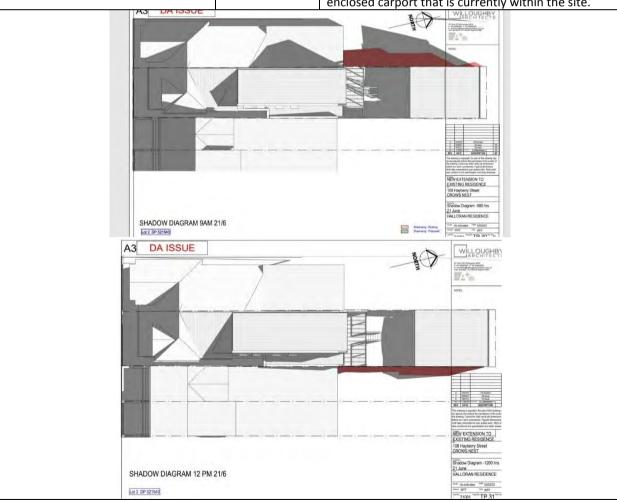
The proposed development has been assessed against the relevant objectives and controls under the NSDCP 2013. An assessment has been carried out below:

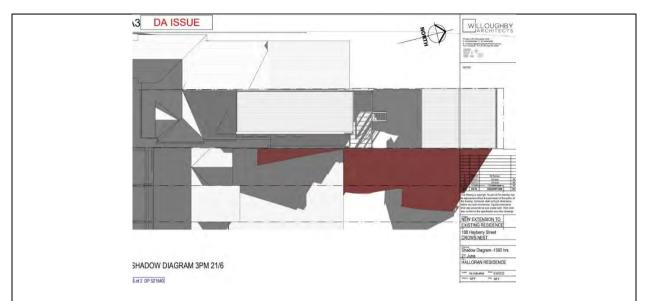
Part B, Section 1: Residential Development

Part B, Section 1: Residential Development			
Control	Compliance	Comments	
1.2 Social amenity			
Maintaining residential	Yes	The proposed development retains the existing semi-	
Accommodation		detached dwelling use and will not reduce the	
		existing residential density on site.	
1.3 Environmental criteria			
Topography	Yes	The proposed development involves additions and	
		alterations that do not affect the topography of the	
		site.	
Views	Yes	The proposed development involves a first floor addition that may impede any views for adjoining neighbours. It is noted; however, that it is unlikely that any significant or important views are impacted	
		given the location and orientation of the subject site and surrounding sites. All building works are contained within the footprint of the existing dwelling and will not involve further encroachments to property boundaries.	
Solar access	Yes	The proposed development results in most habitable spaces receiving solar access via windows/openings facing north/east. The south-facing bedroom on the ground floor will have limited solar access – however, this is an existing situation.	

The proposed development introduces a first floor addition that is generally located at the rear of the site. The proposed 1.5m setback from the eastern boundary, the first floor design and massing, the south-north orientation of the site and the configuration of the existing residence and surrounding residences ensures that the proposed development complies with the minimum three (3) hours of solar access provided to the living room windows and private open spaces of neighbouring properties. Any additional overshadowing created by the first floor addition will only affect the existing roof of the east-adjoining residence and will therefore, have minimal impacts on this neighbour in terms of solar access.

The proposed garage has been amended to delete the entire first floor, ensuring any overshadowing impacts associated with this structure are minimised and considered reasonable. The single storey garage will have a similar overshadowing impact as the semi-enclosed carport that is currently within the site.





Overshadowing impacts

During the winter solstice, the shadows created by the proposed development will primarily impact the front (southern) portion of the dwelling. Solar access will also be restricted for the rear yard of the site due to the garage – however, this circumstance will be similar as the garage replaces a semi-enclosed carport. The adjoining neighbours to the east and west of the subject site will be overshadowed for about three (3) hours in the morning (No. 106 Hayberry Street) or in the afternoon (No. 110 Hayberry Street). These impacts are attributed to the south-north orientation of the site. It is noted that these neighbours also have south-north orientations and have living spaces and private open spaces orientated to the north. The proposed development has been amended to delete the first floor of the garage and accordingly, result in sufficient solar access to these areas. Any additional overshadowing created are considered reasonable and all neighbouring properties will receive at least three (3) hours of solar access to the rear yards and primary living rooms during the winter solstice. Accordingly, while shadowing is clearly increased, the proposed development demonstrates compliance with the relevant controls regarding solar access and passes the test for reasonableness in terms of overshadowing impacts.

regarding solar access and passes the t		less in terms of oversnadowing impacts.
Acoustic privacy	N/A	The subject site is not located near classified roads and railway corridors.
Vibration	N/A	The subject site is not situated on land that is subject
		to vibrations caused by the operation of railways and
		roadways.
Visual privacy	Yes	The proposed development involves a first floor
		addition with windows from two (2) bedrooms and
		two (2) ensuites. These spaces are considered low
		activity rooms. It is further noted that the east-facing
		windows of the first floor overlook the roof of the
		east-adjoining neighbour.
		The first floor balcony features limited internal
		dimensions (0.9m deep by 4.21m wide) that would
		facilitate high usage and entertaining from this space.
		The amended design features frosted glazing to the
		balustrades of the balcony to minimise potential
		views from this space and from Bedroom 3. A 1.6m
		high privacy screen is provided on the eastern
		elevation and a wall is provided on the western elevation of the balcony. These elements will assist
		in minimising overlooking from this space.
		in miniming overlooking from this space.
		The proposed development deletes the previously
		proposed external stairwell and first floor of the
		garage, resulting in negligible privacy impacts in
		relation to the garage.

1.4 Quality built form		
Context	Yes	The proposed development will result in a built form
		that expresses an appropriate aesthetic and presentation that is in context with the surrounding area. The front portion and presentation of the existing dwelling (when viewed from Emmett Street) are largely unchanged.
		The first floor addition is situated at the rear of the site and is lower than the existing roof of the existing dwelling. This ensures any views of this addition from Emmett Street will be obscured. This addition will be visible from Emmett Lane; however, this is considered an acceptable outcome as this lane is a low-order street that relates to the rear portions of housing along Emmett Street and Hayberry Street and is utilised for vehicular access. It does not significantly contribute to the prevailing streetscape character and architecture of the immediate locality and heritage conservation area.
Subdivision pattern	N/A	The proposed development does not involve subdivision.
Streetscape	N/A	The proposed development does not involve any changes to the road reserve including kerb and gutter.
Laneway	Yes	The proposed development has been amended to delete the first floor and external stairs of the garage. The garage has been converted to a single storey, pitched roof structure that wholly contained within the footprint of the current carport. This ensures that proposed garage reflects the bulk, scale and single storey, pitched roof architecture expressed in the outbuildings/garaging along Hayberry Lane. The proposed development demonstrates adequate compatibility and congruence with the streetscape character and will have a positive contribution to the laneway.
Siting	Yes	The proposed development does not change the orientation and siting of the existing semi-detached dwelling and carport. The first floor addition and the new 2-storey garage are contained within the current footprints of these structures.
Setback – front	N/A	The proposed development will retain the same front setback as the existing semi-detached dwelling.
Setback – side	Yes	The existing semi-detached dwelling features a 0m setback to the western side boundary and a 0m setback from the eastern side boundary – which was approved in 1995. The proposed development retains these setbacks on the ground floor. The proposed first floor addition comprises side setbacks of 0m (western side) and 1.5m (eastern side). These setbacks are adequate in providing sufficient building separation and minimising potential bulk, scale, overshadowing and privacy impacts. As such, the proposed side setbacks are

Setbacks – rear	Yes	The current ground floor of semi-detached dwelling has a 7.8m setback from the rear boundary. The existing deck has a setback of 6.8m from the rear boundary. These setbacks are retained by the proposed development. The proposed first floor addition will have a rear setback of 7.8m. This setback generally matches the adjoining residences at No. 106 and No. 110 Hayberry Street. As such, the proposed rear setbacks are acceptable.
Form, massing and scale	Yes	The proposed form, density and scale of the proposed development are comparable to surrounding properties. It is noted that a large number of housing along Hayberry Street feature first floor additions at the rear. The proposed first floor addition will not be visible from Hayberry Street and will therefore, not detract from prevailing architecture and streetscape character of the vicinity and heritage conservation area.
Built form character	Yes	The proposed development will be of a scale and design that is in keeping with the surrounding area and will be predominantly hidden when viewed from Hayberry Street. As such the built form character presented is acceptable and supportable.
Dwelling Entry	N/A	The current pedestrian entrance and vehicular access are retained by the proposal.
Roofs	Yes	The proposed roof of the new addition is flat and will be at the same level or lower than the ridge of the existing pitched roof of the dwelling. The flat roof is not in character with the prevailing roof form along Hayberry Street; however, the roof will not be highly visible from Hayberry Street as the first floor addition is situated at the rear. As such, it will have limited presentation within the streetscape and conservation area.
Materials	Yes	The proposed dwelling alterations/additions comprises face brick and rendered walls, metal roofing, timber pergola and glass and steel wire balustrades with some neutral and bold tones. These materials and colouration provide adequate distinction from the materiality of the existing dwelling whilst being sympathetic to existing character of the locality and heritage conservation area. As mentioned above, any new elements will not be highly visible from the street and will therefore, not detract from the existing streetscape character. The materiality and colouration of the new 2-storey garage are considered appropriate and consistent with existing structures visible along Hayberry Lane.
1.5 Quality urban environment	ı	1 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3
Vehicle Access and Parking	N/A	The semi-detached dwelling benefits from having
(Inclusive of considerations required	,	vehicular access and parking onsite – via Hayberry
under Part B Section 10 Car Parking and Transport of NSDCP 2013)		Lane. This arrangement remains unchanged.

Site Coverage

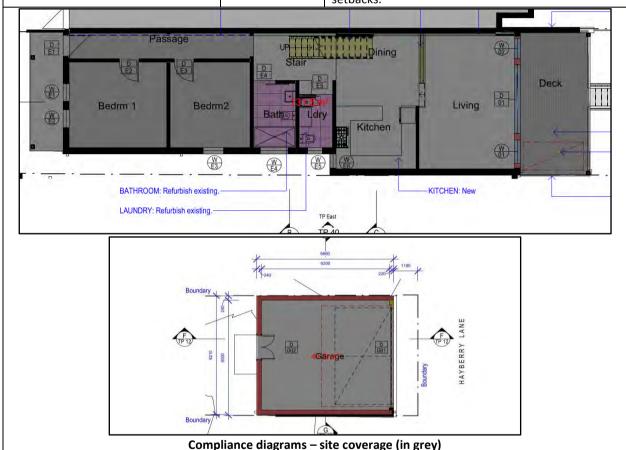
Site area: 240.28m²

Site coverage requirements for detached. attached or semidetached dwellings:

Lot Size (m ²)	Site Coverage	
	(max.)	
0-229	60%	
230-499	50%	
500-749	40%	
750-999	35%	
1000+	30%	

No

A maximum of 60% site coverage (144.17m²) is allowed for attached dwellings on the subject site. The proposed building footprint of the proposal is calculated to be 173m², which is 72% of the site area and therefore does not comply. The variation is considered to have merit given that the footprint of proposal (including the first floor addition) is wholly contained within the existing footprint of the dwelling and carport (as approved in 1995). Given that this is a pre-existing variation – the proposed site coverage is considered reasonable and acceptable. The site coverage is generally in-keeping with the existing semi-detached residential development in the surrounding area, which are contained within similar sized allotments and feature comparable property setbacks.



Landscape Area Site area: 240.28m²

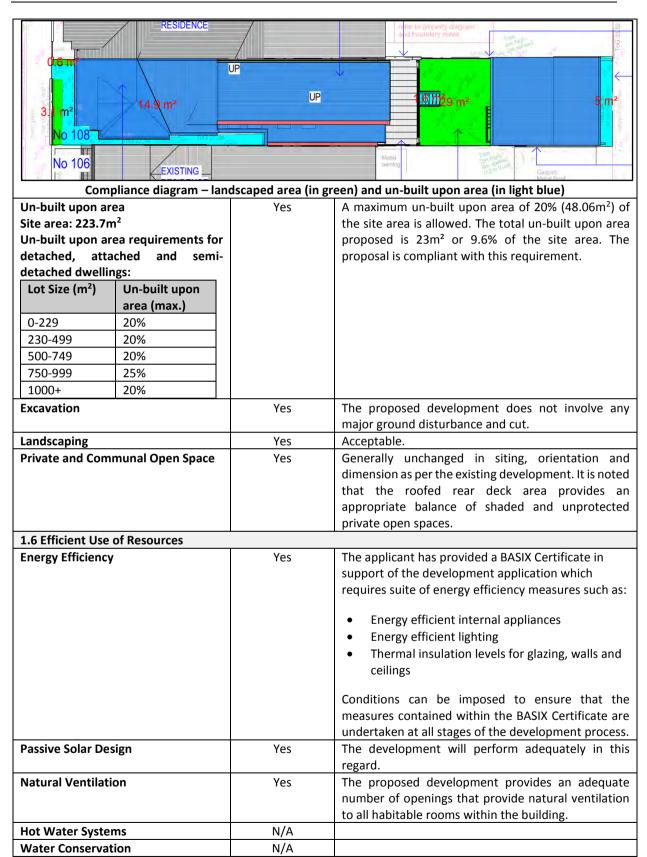
Landscape area requirements for detached, attached semiand

detached dwellings:

Landscaped
area (min.)
20%
30%
40%
45%
50%

No

A minimum landscaped area of 20% (48.06m²) of the site area is required. The total landscaped area proposed is 32.7m² or 13.6% of the site area. The proposal is non-compliant with this requirement. The non-compliance of 15.36m² is considered a reasonable and acceptable outcome given the proposed development does not involve further reduction to landscaped area and the amount of landscaped area is identical to the existing development. The proposed landscaping is generally reflective of the urbanised character and modified streetscape and landscape setting of the immediate locality.



Stormwater Management	Yes	The proposed development has been assessed by Council's Engineer. The proposed stormwater management is acceptable and supportable, subject to recommended conditions of consent.
Waste Management and Minimisation	Yes	A waste management plan is provided, which adequately details the management of waste generated from demolition and construction works.
Green Roofs	N/A	The proposed development does not trigger the relevant controls for green roofs.
Wind Turbines	N/A	Wind turbines are not proposed.

Part B, Section 13: Heritage and Conservation

The following table assesses the proposed development with respect to the relevant objectives and controls under Part B, Section 13 of the NSDCP 2013.

Part B, Section 13: Heritage and Conservation				
Objectives/Controls	Complies	Comments		
O3 Enable neutral items to be	Yes	The proposed development retains the design and		
improved such that they contribute		features of the semi-detached dwelling as presented		
to the character of the heritage		within public domain. The first floor addition and new		
conservation area through the		garage are situated away from Hayberry Street and		
removal of unsympathetic and		will be mostly visible from Hayberry Lane. These built		
inappropriate elements, and		forms, whilst modern in design and aesthetic		
reinstating missing details where		(compared to the existing dwelling), remain as		
appropriate.		subservient elements that will not adversely affect		
		the character of the conservation area.		
13.6.2 Form, massing and scale	Yes	The proposed development is generally consistent		
		with the objectives and provisions for works to		
P1 Development should reflect the		neutral items within heritage conservation areas.		
bulk, mass, scale, orientation,		Council's Heritage Planner confirmed this (see above		
curtilage and setbacks of		commentary).		
surrounding heritage and				
contributory items.		The proposed development retains key architectural		
P2 Development should recognise		elements (including the front façade) to ensure the		
and complement the predominant		primary presentation and expression of the neutral		
architectural scale and form of the		item remains intact within the streetscape and are in-		
area.		context with the heritage conservation area. The		
urcu.		proposed first floor and garage have been sensitively designed to minimise their visibility.		
P3 Do not obstruct existing views in		designed to minimise their visibility.		
the public domain, including slot				
views over and between buildings				
as these provide connection and				
contribute to the context of the				
area's location.				
P5 Achieve a neutral outcome to				
neutral items or improved outcome				
to neutral items which were				
constructed in the core period of				
development by:				
(a) respecting original or				
characteristic building patterns in				
terms of bulk, form,				
scale and height;				

(b) minimising changes to original and characteristic features;		
(c) removing unsympathetic and uncharacteristic changes and/or;		
(d) reinstating characteristic details where there is physical or documentary evidence.		
P7 Respond to characteristic building alignments by not building forward of the established or characteristic front setback.		
P8 Repeat any consistent pattern of side and rear setbacks.		
P9 New work may adopt a		
contemporary character.		The consequence of facilities of the consequence of
13.6.3 Roofs	Yes	The proposed new roof for the first floor addition sits lower than the existing roof of the dwelling – ensuring
P1 Roof form, pitch and materials		the prominence and presentation of the current roof
are to be compatible with heritage		is retained when viewed from public domain. As such
and contributory items in the		the new roofing of the proposed development is
conservation area, as identified in		considered acceptable.
the relevant character area		
statement (refer to Part C of the DCP).		
13.6.4 Additional storeys and levels	Yes	The proposed development involves a new first floor
		above the ground floor of the dwelling that is
O1 To ensure that the streetscape		articulated, recessed and setback from the rear and
and context of the heritage		eastern boundaries. The proposed development is
conservation area are respected.		consistent with the objectives and the provisions and is supported by Council's Heritage Planner (see commentary above).
13.6.5 Internal layouts	Yes	The proposed development involves limited layout
P1 Consideration is given to the		changes to the existing dwelling. Council's Heritage Planner confirmed support for the changed layout. As
internal layouts of buildings.		such, the provisions under this section are met by the
P2 Where interior layouts are		proposed development.
determined to be significant, they		F F - 1 - 3 & & 0 1 -
should be retained.		
13.9.1 Skylights, solar panels and	N/A	No skylights, solar panels and satellite dishes are
satellite dishes		proposed.
13.9.2 Dormer windows	Yes	No dormer windows and fencing are proposed.
13.9.3 Verandahs and balconies		The new rearward addition comprises a small balcony
13.9.6 Fences		off a bedroom. This balcony will not be visible from
		Hayberry Street as this is behind the front façade of the dwelling and faces Hayberry Lane.
13.9.4 Materials, colours and	Yes	As mentioned above, the proposed materiality,
finishes		colouration and finishes of the proposed
		development are acceptable (as confirmed by
		Council's Heritage Planner). The new components are considered to have materials and colours that are consistent and complimentary to the neutral item.
L	L	1 stone and complimentary to the heatful itelli

P8 Ensure materials, finishes and colours are compatible with the characteristic built elements of the heritage conservation area as described in the relevant Area Character Statement (refer to Part C of the DCP).		
13.9.5 Garages and carports O1 To ensure that vehicular accommodation does not detrimentally impact upon the significance of the heritage item or heritage conservation area.	Yes	The proposed garage has been amended to be a single storey structure with a pitched roof to ensure it is consistent and compatible with the existing garaging along Hayberry Lane.
O2 To ensure that off-street car parking does not dominate the streetscape.		

Part C: Character Statements

Section 3 – St Leonards/Crows Nest Planning Area Section 3.6 – Holtermann Estate C Conservation Area

The application has been assessed against the relevant controls in the Character Statements under Part C in NSDCP 2013 below:

Part C, Section 3.6: Holtermann Estate C Conservation Area			
Control	Complies	Comments	
3.6.4 Significant elements			
Topography	Yes	The proposed development involves nil changes to the site in terms of topography. The finished floor levels of the ground floors remain the same as the existing development.	
Subdivision	N/A	The proposed development does not involve any subdivision or land consolidation.	
Streetscape	Yes	The proposed development retains the front setback and façade of the dwelling and generally preserves it visibility and prominence, when viewed from public domain. The proposed development will result in the streetscape being appropriately maintained.	
3.6.5 Characteristic buildings			
Detached, late Victorian, Federation and Edwardian semi-detached dwelling houses.	Yes	The proposed development generally maintains front façade and the semi-detached nature of the current dwelling. It is noted that this dwelling is identified as a neutral item.	
3.6.6 Characteristic built elements			
Siting	Yes	The proposed development demonstrates sufficient setbacks that are consistent with semi-detached development in the immediate vicinity and along Hayberry Street.	

		T
Form, massing and scale	Yes	The proposed development is an acceptable outcome. Its design, bulk and massing are similar to the existing development within the site, demonstrates general compliance with relevant provisions and controls, are sympathetic to the streetscape and conservation area and any new contemporary components will not be highly visible from Hayberry Street. The form, massing and scale of the proposal has been deemed acceptable by Council's Heritage Planner.
Roofs	Yes	The proposed first floor addition's flat/skillion roof is not commonly occurring within the conservation area; however, the first floor portion is concentrated towards the rear of the premises, well away from the front setback and will not be prominent nor highly visible when viewed from the street. Further, the proposed development involves alterations and additions to a neutral item, which does not significantly contribute to the quality and significance of the conservation area. Any amendments to change the roof form to a gabled/hipped pitch roof will not likely result in a significantly improved nor beneficial planning and design outcome for the locality. As such, the proposed roof of the scheme is considered an acceptable treatment and supportable outcome for the subject site.
Materials Walls: face brick, timber weatherboards or sandstone on sandstone foundations. Roofing materials: unglazed terra	Yes	The proposed development features materials that commonly occur in the built forms (including new additions) within the vicinity and are considered acceptable.
cotta tiles, or slate and corrugated		
metal on Victorian cottages and rear extensions.		
Windows and doors	Yes	The proposed windows and doors are of an acceptable design.
Fences	Yes	Acceptable – see above.
Car accommodation	Yes	Acceptable – see above.
Located off rear lanes.		
3.6.7 Uncharacteristic built elements		
Uncharacteristic elements	Yes	Acceptable – see above and as confirmed by Council's Heritage Planner.
Modern additions; loss of original		
detail, painting and rendering of		
face brickwork; modern infill		
developments removal of original		
detailing, front and side dormers and roof lights.		

LOCAL INFRASTRUCTURE CONTRIBUTIONS PLAN

The subject application has been assessed against the North Sydney Local Infrastructure Contribution Plan 2020 and is subject to the payment of contributions towards the provision of local infrastructure. A Section 7.11 levy is not applicable as the proposed development does not result in an intensification of the current residential use. A Section 7.12 levy is applicable and has been calculated in accordance with the plan. The contribution payment has been calculated as follows:

Contribution amounts payable

Applicable contribution type		
s7.12 contribution details	Development cost:	\$540,000.00
(payment amount subject to	Contribution:	\$5,400.00
indexing at time of payment)		

Conditions requiring the payment of contributions at the appropriate time are included in the attached conditions.

ALL LIKELY IMPACTS OF THE DEVELOPMENT

All likely impacts of the proposed development have been considered within the context of this report.

ENVIR	ENVIRONMENTAL APPRAISAL	
1.	Statutory Controls	Yes
2.	Policy Controls	Yes
3.	Design in relation to existing building and natural environment	Yes
4.	Landscaping/Open Space Provision	Yes
5.	Traffic generation and Carparking provision	Yes
6.	Loading and Servicing facilities	Yes
7.	Physical relationship to and impact upon adjoining development (Views, privacy, overshadowing, etc.)	Yes
8.	Site Management Issues	Yes
9.	All relevant S4.15 considerations of Environmental Planning and Assessment (Amendment) Act 1979	Yes

SUBMITTERS CONCERNS

The application was notified on two (2) occasions to adjoining properties and the Hayberry Precinct Committee.

Following the first notification period, Council received twenty-four (24) submissions from seventeen (17) individual properties and from the Hayberry Precinct Committee. The following issues and matters were raised:

- Bulk, scale and design of garage with first floor studio;
- Bulk and scale of first floor;
- Errors on plans showing incorrect locations of No. 110 Hayberry Street and No. 106 Hayberry Street;
- Errors on Statement of Environmental Effects and Heritage Impact Statement;
- First floor sets precedent;
- Garage should not be used for habitable purposes and should not include bathrooms;
- Impacts on heritage conservation area;
- Impacts on neighbouring trees;
- Loss of landscaped areas and tree canopy;
- Loss of native fauna;
- Out of character with streetscape;
- Overdevelopment;
- Overshadowing impacts;
- Privacy impacts;
- Party wall consent and lack of engineering information; and
- Roof will create drainage issues.

Following the second notification period, Council received two (2) submissions from two (2) individual properties. The following issues and matters were raised:

- First floor balcony;
- Bulk and scale;
- Visual intrusion;
- Lack of engineering detail; and
- Impacts on neighbouring trees.

Council's responses to the above issues and matters are provided below.

• Bulk, scale and design of garage with first floor studio

Response: The proposed garage has been amended to delete the entire first floor. The amended design is now reflective of the garaging presented in Hayberry Lane and is considered an acceptable design outcome

Bulk and scale of first floor and visual intrusion

Response: The Assessment section above provides adequate discussion on the proposed development in terms of bulk and scale. The first floor has been set-in, articulated and recessed compared to the ground floor below (as approved in 1995). The setbacks of the addition tie-in with pattern of development within the streetscape and are consistent with other first floor additions along Hayberry Street. The proposed first floor is fully compliant with the maximum building height development standard for the site.

Errors on plans showing incorrect locations of No. 110 Hayberry Street and No. 106
 Hayberry Street

Response: Council is aware of these incorrect annotations and acknowledges the correct and actual locations of these properties. Any errors on plans can be corrected in the final construction plans.

Errors on Statement of Environmental Effects and Heritage Impact Statement

Response: Council undertakes a detailed and independent assessment of the application including any relevant matters relating to heritage. Any errors identified in the information package are disregarded and have no bearing on Council's assessment.

• First floor sets precedent

Response: As mentioned, there are several examples of first floor additions to semi-detached dwellings along Hayberry Street. It is unlikely that this proposal will create an undesirable precedent as the first floor addition reflects an appropriate design, scale, bulk, presentation and orientation that are compatible with the streetscape and conservation area.

Garage should not be used for habitable purposes and should not include bathrooms

Response: The amended garage is now a single storey structure with parking spaces. The bathroom and studio have been removed from the final scheme.

Impacts on heritage conservation area

Response: The Assessment section above provides a detailed discussion on the proposed development with regard to impacts on the heritage conservation area.

Impacts on neighbouring trees

Response: Conditions are recommended to ensure any affected trees will not be impacted by the proposed works. The proposed development does not involve any major excavation and ground disturbance as most of the development will be contained within the footprint of existing structures.

Loss of landscaped areas and tree canopy

Response: The proposed development does not involve the loss of landscaped areas and trees.

Loss of native fauna

Response: The proposed development does not involve the loss of any important habitat for native fauna.

Out of character with streetscape

Response: The Assessment section above provides a detailed discussion on the proposed development with regard to streetscape compatibility. It is noted that the character issue relates primarily to the originally proposed 2-storey garage. This has been amended and the above issue has been resolved.

Overdevelopment

Response: The Assessment section above includes an evaluation of the bulk and scale of the proposed development as well as the merits for supporting the proposed site coverage and landscaped area. The proposed development is not considered an overdevelopment of the site.

Overshadowing impacts

Response: The Assessment section above provides adequate discussion on the proposed development in terms of overshadowing impacts. The removal of the first floor of the garage greatly improves the performance of the scheme in terms of providing solar access to the neighbouring properties.

Privacy impacts

Response: The Assessment section above provides adequate discussion on the proposed development in terms of privacy. It is noted that the privacy concerns were mostly associated with the first floor and external stairs of the garage (as initially proposed). These elements have been deleted and as such, the amended scheme resolves the above issue. Privacy impacts associated with the first floor balcony were discussed in the Assessment section and are detailed below.

First floor balcony

Concerns were raised with regard to the first floor balcony – specifically, clarification was sought with regard to its dimensions and potential amenity impacts generated from the use of this space. It is noted that the rear-facing balcony on the first floor is off a bedroom (a low activity room) and has been amended to comprise frosted glass balustrades, a privacy screen on the eastern side and a solid wall on the western side. These elements will assist in minimising any overlooking from this space and from the bedroom. In addition, the balcony has limited internal dimensions – 0.9m deep by 4.2m wide – thereby, restricting the use of this space for entertaining purposes (refer to Figure 24 below). In light of the above considerations, any amenity impacts associated with the balcony are considered reasonable and acceptable.

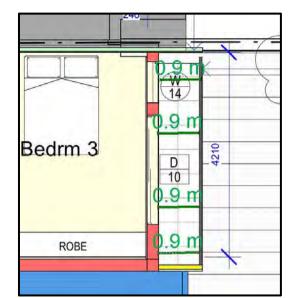


Figure 24: Proposed rear-facing balcony dimensions.

Party wall consent and lack of engineering information

Response: The proposed development does not rely upon the party wall between the premises and No. 106 Hayberry Street. As such, the design does not require party wall consent. The Applicant provided information including a letter from an engineer supporting this matter. A condition is recommended to be imposed to provide further detail on the construction methodology and techniques implemented and to ensure that the first floor addition can be reinforced and supported without utilising/impacting the party wall. Additional conditions are also recommended to ensure that the state/condition and structural stability of immediately adjoining properties are unaffected by the proposed works.

Roof will create drainage issues

Response: Council's Development Engineer confirmed that the stormwater system, as proposed, can appropriately manage stormwater runoff within the site (subject to conditions imposed).

PUBLIC INTEREST

The proposed development is considered to be in the public interest for the reasons stated throughout this report.

SUITABILITY OF THE SITE

The proposed development is located in the R2 – Low Density Residential zone where additions and alterations to dwelling houses are a permissible form of development. Consequently, the proposal is considered to be suitable for the site having regard to the merits of the proposal as described in the above report.

Re: 108 Hayberry Street, Crows Nest

CONCLUSION + REASONS

The proposal was considered under the relevant Environmental Planning Instruments and policies including NSLEP 2013 and NSDCP 2013 and general found to be satisfactory.

The application proposes alterations and additions to an existing semi-detached dwelling, that is permissible development in the R2 – Low Density Residential zone.

With regard to the potential impacts upon the amenity of adjoining properties and the unique context of the site, subject to conditions, the development application is considered to be satisfactory and is recommended for approval.

Council received a total of twenty-six (26) submissions from seventeen (17) individual properties and the Hayberry Precinct Committee, over two (2) separate notification periods, that raised concerns and issues including those regarding bulk and scale, errors in documentation, party wall consent, amenity impacts and impacts on streetscape and heritage conservation area. These concerns and issues have been discussed in this report and are addressed with appropriate conditions of consent.

Having regard to the merits of the proposal, the application is recommended for approval subject to appropriate standard and site specific conditions provided below.

HOW WERE THE COMMUNITY VIEWS TAKEN INTO CONSIDERATION?

The subject application was notified on two (2) separate occasions, to adjoining properties and the Hayberry Precinct Committee for at least fourteen (14) days (per occasion) where a number of issues and concerns were raised. These issues and concerns have been addressed in this report where appropriate conditions of consent have been recommended to maintain the amenity of adjoining properties and the character of the streetscape and Holtermann Estate C Conservation Area.

RECOMMENDATION

PURSUANT TO SECTION 4.16 OF ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 (AS AMENDED)

THAT the North Sydney Local Planning Panel exercising the functions of Council as the consent authority grant consent to Development Application No. 382/21 for alterations and additions to existing semi-detached dwelling on land at No. 108 Hayberry Street, Crows Nest, legally described as Lot 2 in DP 521540, subject to the following site specific condition and the attached recommended conditions:

Re: 108 Hayberry Street, Crows Nest

Engineering Report

C1. An Engineering Report, prepared by a suitably qualified person such as a civil/structural engineer, must be submitted to the Certifying Authority for approval prior to the issue of any Construction Certificate. This report must satisfy the Certifying Authority with regard to providing sufficient detail on the construction methodology and techniques that are to be implemented to ensure that all works for the approved development (including the first floor addition) can be reinforced and supported without utilising/impacting the party wall between No. 106 and No. 108 Hayberry Street, Crows Nest, and the roof structure of No. 106 Hayberry Street, Crows Nest.

(Reason: To ensure the protection and structural integrity of adjoining properties,

and that common law property rights are recognised)

MIGUEL RIVERA
SENIOR ASSESSMENT OFFICER

DAVID HOY TEAM LEADER (ASSESSMENTS)

STEPHEN BEATTIE
MANAGER DEVELOPMENT SERVICES

NORTH SYDNEY COUNCIL CONDITIONS OF DEVELOPMENT APPROVAL 108 HAYBERRY STREET, CROWS NEST DEVELOPMENT APPLICATION NO. 382/21

A. Conditions that Identify Approved Plans

Development in Accordance with Plans/Documentation

A1. The development must be carried out in accordance with the following drawings and documentation and endorsed with Council's approval stamp, except where amended by the following conditions of this consent.

Plan No.	Rev No.	Description	Prepared by	Dated
TP 03	Rev C	Demolition Plan	Willoughby Architects	29/09/21
TP 04	Rev D	Proposed Site and Stormwater Plan	Willoughby Architects	04/03/22
TP 05	Rev C	Ground Floor Plan	Willoughby Architects	29/09/21
TP 06	Rev D	First Floor Plan	Willoughby Architects	04/03/22
TP 07	Rev C	Roof Plan	Willoughby Architects	29/09/21
TP 08	Rev D	North Elevation West Elevation	Willoughby Architects	04/03/22
TP 09	Rev C	South Elevation East Elevation	Willoughby Architects	29/09/21
TP 10	Rev C	Sections	Willoughby Architects	29/09/21
TP 11	Rev D	Garage Plans	Willoughby Architects	04/03/22
TP 12	Rev D	Garage Elevation and Sections	Willoughby Architects	04/03/22
TP 13	Rev C	Finishes	Willoughby Architects	29/09/21
TP 14	Rev C	Schedules	Willoughby Architects	29/09/21

(Reason:

To ensure that the form of the development undertaken is in accordance with the determination of Council, Public Information)

Plans on Site

A2. A copy of all stamped approved plans, specifications and documents (including the plans, specifications and documents submitted and approved with the Construction Certificate) must be kept on site at all times so as to be readily available for perusal by any officer of Council or the Principal Certifying Authority.

All documents kept on site in accordance with this condition must be provided to any officer of the Council or the certifying authority upon their request.

(Reason:

To ensure that the form of the development undertaken is in accordance with the determination of Council, Public Information and to ensure ongoing compliance)

Page **2** of **26**

No Demolition of Extra Fabric

A3. Alterations to, and demolition of the existing building shall be limited to that documented on the approved plans.

(Reason: To ensure compliance with the approved development)

External Finishes and Materials

A4. External finishes and materials must be in accordance with the submitted schedule dated 29/09/21, prepared by Willoughby Architects and received by Council on 10/11/21 unless otherwise modified by Council in writing.

(Reason: To ensure that the form of the development undertaken is in accordance

with the determination of Council, Public Information)

C. Prior to the Issue of a Construction Certificate (and ongoing, where indicated)

Engineering Report

C1. An Engineering Report, prepared by a suitably qualified person such as a civil/structural engineer, must be submitted to the Certifying Authority for approval prior to the issue of any Construction Certificate. This report must satisfy the Certifying Authority with regard to providing sufficient detail on the construction methodology and techniques that are to be implemented to ensure that all works for the approved development (including the first floor addition) can be reinforced and supported without utilising/impacting the party wall between No. 106 and No. 108 Hayberry Street, Crows Nest, and the roof structure of No. 106 Hayberry Street, Crows Nest.

(Reason: To ensure the protection and structural integrity of adjoining properties,

and that common law property rights are recognised)

Dilapidation Report Damage to Public Infrastructure

C2. A dilapidation survey and report (including photographic record) must be prepared by a suitably qualified consultant which details the pre-developed condition of the existing public infrastructure in the vicinity of the development site. Particular attention must be paid to accurately recording any pre-developed damaged areas so that Council is fully informed when assessing any damage to public infrastructure caused as a result of the development. A copy of the dilapidation survey and report is to be submitted to the Certifying Authority for approval prior to the issue of any Construction Certificate.

The developer may be held liable for all damage to public infrastructure in the vicinity of the site, where such damage is not accurately recorded and demonstrated as pre-existing under the requirements of this condition.

The developer shall bear the cost of carrying out works to restore all public infrastructure damaged as a result of the carrying out of the development, and no occupation of the development shall occur until damage caused as a result of the carrying out of the development is rectified.

A copy of the dilapidation survey and report must be lodged with North Sydney Council by the Certifying Authority with submission of the Construction Certificate documentation.

(Reason: To record the condition of public infrastructure prior to the

commencement of construction)

Dilapidation Survey Private Property (Neighbouring Buildings)

C3. A photographic survey and dilapidation report of adjoining properties Nos. 106 and 110 detailing the physical condition of those properties, both internally and externally, including, but not limited to, such items as walls, ceilings, roof, structural members and other similar items, SHALL BE submitted to the Certifying Authority for approval prior to the issue of any Construction Certificate. The survey and report are to be prepared by an appropriately qualified person agreed to by both the applicant and the owner of the adjoining property. A copy of the report is to be provided to Council, if Council is not the Certifying Authority, prior to the issue of any Construction Certificate.

All costs incurred in achieving compliance with this condition shall be borne by the person entitled to act on this Consent.

In the event that access for undertaking the photographic survey and dilapidation report is denied by an adjoining owner, the applicant MUST DEMONSTRATE, in writing, to the satisfaction of Council that all reasonable steps have been taken to obtain access and advise the affected property owner of the reason for the survey and that these steps have failed. Written concurrence must be obtained from Council in such circumstances.

Note: This documentation is for record keeping purposes only and may be used by an applicant or affected property owner to assist in any action required to resolve any dispute over damage to adjoining properties arising from the works. It is in the applicant's and adjoining owner's interest for it to be as full and detailed as possible.

(Reason: Proper management of records)

Structural Adequacy (Semi-detached and Terrace Buildings)

C4. A report from an appropriately qualified and practising structural engineer, certifying the structural adequacy of the adjoining property No. 106 Hayberry Street which certifies their ability to withstand the proposed works and outlines any measures required to be implemented to ensure that no damage will occur to adjoining premises during the course of the works, must be submitted to the Certifying Authority for approval prior to the issue of any Construction Certificate. The measures outlined in the certified report must be complied with at all times.

Under no circumstances shall the party or common wall be extended or altered without the prior written consent of the adjoining owner. Any such extension of the party wall shall be noted on title by way of appropriate easement or Section 88B instrument.

(Reason: To ensure the protection and structural integrity of adjoining properties,

and that common law property rights are recognised)

Structural Adequacy of Existing Building

C5. A report prepared by an appropriately qualified and practising structural engineer, certifying the structural adequacy of the property and its ability to withstand the proposed additional, or altered structural loads during all stages of construction shall be submitted to the Certifying Authority for approval prior to issue of any Construction Certificate. The certified report must also include all details of the methodology to be employed in construction phases to achieve the above requirements. The methodology in the certified report must be complied with at all times.

(Reason: To ensure the structural integrity of the building is maintained)

Geotechnical Report

- C6. A report prepared by an appropriately qualified Geotechnical Engineer certifying that the existing rock formations and substrate on the site is capable of:
 - a) withstanding the proposed loads to be imposed;
 - b) withstanding the extent of the proposed excavation, including any recommendations for shoring works that may be required to ensure the stability of the excavation;
 - c) providing protection and support of adjoining properties; and
 - d) the provision of appropriate subsoil drainage during and upon completion of construction works

must be submitted for approval by the Certifying Authority prior to the issue of any Construction Certificate.

Recommendations made in the certified report must be complied with at all times.

Building plans and specifications submitted for approval with any construction certificate application must comply with (a), (b), (c) and (d) above and the certified report, including any recommendations made in the said certified report.

The Certifying Authority must ensure that the building plans and specifications submitted, referenced on and accompanying the issued Construction Certificate, fully satisfy the requirements of this condition.

(Reason:

To ensure the structural integrity of the subject site and adjoining sites during the excavation process)

Sediment Control

C7. Where construction or excavation activity requires the disturbance of the soil surface or existing vegetation, erosion and sediment control techniques, as a minimum, are to be in accordance with the publication *Managing Urban Stormwater: Soils and Construction* (4th edition, Landcom, 2004) commonly referred to as the "Blue Book" or a suitable and effective alternative method.

A Sediment Control Plan must be prepared and submitted to the Certifying Authority for approval prior to the issue of any Construction Certificate and prior to any works commencing. The Sediment Control Plan must be consistent with the Blue Book and disclose:

- a) All details of drainage to protect and drain the site during the construction processes;
- b) All sediment control devices, barriers and the like;
- c) Sedimentation tanks, ponds or the like;
- d) Covering materials and methods; and
- e) A schedule and programme of the sequence of the sediment and erosion control works or devices to be installed and maintained.
- f) Methods for the temporary and controlled disposal of stormwater during construction.

All works must be undertaken in accordance with the approved Sediment Control plan.

The Certifying Authority must ensure that the building plans and specifications submitted, referenced on and accompanying the issued Construction Certificate, fully satisfy the requirements of this condition.

(Reason: To protect the environment from the effects of sedimentation and erosion from development sites)

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Waste Management Plan

- C8. A Waste Management Plan is to be submitted for approval by the Certifying Authority prior to the issue of any Construction Certificate. The plan must include, but not be limited to:
 - a) The estimated volume of waste and method of disposal for the construction and operation phases of the development;
 - b) The design of the on-site waste storage and recycling area; and
 - c) Administrative arrangements for waste and recycling management during the construction process.

The approved Waste Management Plan must be complied with at all times in the carrying out of the development.

(Reason: To encourage the minimisation of waste and recycling of building waste)

Colours, Finishes and Materials (Conservation Areas)

C9. The finishes, materials and exterior colours shall be complementary to the architectural style of the original building and sympathetic to the character of the Conservation Area. A schedule of finishes, materials and external colours shall be submitted to the Certifying Authority for approval prior to the issue of any Construction Certificate. The Certifying Authority must ensure that the building plans and specifications submitted fully satisfy the requirements of this condition prior to the release of the Construction Certificate.

(Reason: To ensure that the completed colours, finishes and materials are complementary to the Conservation Area)

Roofing Materials - Reflectivity

C10. Roofing materials must be factory pre-finished with low glare and reflectivity properties to be compatible with the colours of neighbouring buildings. The selected roofing material must not cause a glare nuisance or excessive reflectivity to adjoining or nearby properties. Plans and specifications which comply with this condition must be submitted to the Certifying Authority for approval prior to the issue of any Construction Certificate. The Certifying Authority must ensure that the building plans and specifications submitted, referenced on and accompanying the issued Construction Certificate, fully satisfy the requirements of this condition.

(Reason: To ensure that excessive glare or reflectivity nuisance from roofing materials does not occur as a result of the development)

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Work Zone

C11. If a Work Zone is proposed, an application must be made to the North Sydney Local Traffic Committee to install the 'Work Zone'. A Work Zone permit is required to be issued by the Council prior to the issue of any Construction Certificate.

Work Zones are provided specifically for the set down and pick up of materials and not for the parking of private vehicles associated with the site. Works Zones will generally not be approved where there is sufficient space on-site for the setting down and picking up of goods being taken to or from a construction site. If the Work Zone is approved by the Committee, the Applicant must obtain a written copy of the related resolution from the North Sydney Local Traffic Committee and submit a copy of this to the Certifying Authority to enable issue of the Construction Certificate.

Where approval of the 'Work Zone' is given by the Committee, the requirements of the Committee, including installation of the necessary 'Work Zone' signage and payment of any fees, must occur prior to commencement of any works on the site. Further, at the expiration of the Work Zone approval, the developer is required to remove the Work Zone signs and reinstate any previous signs, all at the developer's cost. The requirements imposed by the Committee on the Work Zone permit (or permits) must be complied with at all times.

(Reason: Amenity and convenience during construction)

Obtain Driveway Crossing Permit under S.138 Roads Act 1993

C12. A driveway crossing and roads infrastructure works permit to suit the approved off-street parking facilities must be granted by the Council prior to the issue of any Construction Certificate. In order to obtain a permit under S.138 of the Roads Act 1993, an application must be made to Council on the 'Vehicular Access Application' form with payment of the adopted assessment/inspection fees. Council will require civil design construction drawings and certification from the applicant's Civil Engineer to verify design details and enable issue of the permit. The requirements of the permit must be complied with at all times.

The civil design drawings must include the following at a minimum:

- a) the vehicular access way must comply with AS 2890.1 and Council's current Vehicular Access Application Guidelines and Specification (gutter bridges not permitted) to ensure that a B85 vehicle will not scrape/strike the surface of the carriageway, layback, vehicular crossing or parking floor;
- b) the width of the vehicular layback must be for the full property width (including the wings);
- c) the vehicular layback must be set square to the kerb;

- d) the crossing (between the layback and the property boundary) must be placed on a single straight grade of approximately 4.5%, falling to the back of the layback;
- e) the lip of the layback (road side) is to match the existing asphalt levels and shall not be altered.
- f) the layback is to be constructed and placed on the same alignment as the existing crossover servicing 112 Hayberry Street
- g) the works will require reconstruction of the carriageway shoulder extending out 600mm from the gutter lip in AC10 50mm thick, adjacent to all new gutter works, layback, kerb/gutter,
- h) any twisting of driveway access must occur entirely within the subject property,
- i) all inspection openings, utility services must be adjusted to match the proposed driveway levels,
- sections along centreline and extremities are required at a scale of 1:50 to be taken from the centreline of the roadway through to the parking area itself and must include all changes of grade and levels both existing and proposed,
- k) a longitudinal section along the gutter line at a scale of 1:50 showing how it is intended to blend the vehicular crossing with the existing kerb and gutter,
- I) a longitudinal section along the footpath property boundary at a scale of 1:50 is required,

The permit must be granted by Council prior to the issue of any Construction Certificate.

All driveway and infrastructure works on the road reserve must be undertaken in accordance with the terms of the permit issued by Council. Inspections by Council will be required as specified. The Certifying Authority issuing the Construction Certificate must ensure that the permit issued by Council is obtained and referenced on and accompanies the Construction Certificate issued.

(Reason: To facilitate appropriate vehicular access to private sites, without disruption to pedestrian and vehicular traffic)

Stormwater Disposal - Drainage Plan

- C13. Prior to the issue of any Construction Certificate, site drainage plans must be prepared by a licensed plumber or drainage engineer. The site drainage plans must be designed in accordance with the following criteria:
 - a) compliance with BCA drainage requirements and current Australian Standards and guidelines;

- b) stormwater runoff and subsoil drainage generated by the approved development must be conveyed in a controlled manner by gravity to Hayberry Street and Hayberry Lane;
- new pipelines within council land shall be hot dipped galvanised steel hollow section with a minimum wall thickness of 4.0 millimetres and a section height of 100 millimetres;
- d) the design and installation of the Rainwater Tanks shall comply with BASIX and Sydney Water requirements. Overflow from tank shall be connected by gravity to the stormwater disposal system; and
- e) prevent any stormwater egress into adjacent properties by creating physical barriers and surface drainage interception.

Drainage plans and specifications which comply with this condition must be submitted to the Certifying Authority for approval prior to the issue of any Construction Certificate. The Certifying Authority must ensure that the building plans and specifications submitted , referenced on and accompanying the issued Construction Certificate, fully satisfy the requirements of this condition.

(Reason: Proper disposal of stormwater)

Bond for Damage and Completion of Infrastructure Works - Stormwater, Kerb and Gutter, Footpaths, Vehicular Crossing and Road Pavement

- C14. Prior to the issue of any Construction Certificate, security deposit or bank guarantee must be provided to Council to the sum of \$5,000.00 to be held by Council for the payment of cost for any/all of the following:
 - a) making good any damage caused to any property of the Council as a consequence of the doing of anything to which this consent relates,
 - b) completing any public work (such as road work, kerbing and guttering, footway construction, stormwater drainage and environmental controls) required in connection with this consent.
 - c) remedying any defects in any such public work that arise within six months after the work is completed.

The security required by this condition and in the schedule contained later in these conditions must be provided by way of a deposit with the Council; or other such guarantee that is satisfactory to Council (such as a bank guarantee). Any guarantee provided as security must name North Sydney Council as the nominated beneficiary and must not be subject to an expiry date.

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The security will be refundable following the expiration of six months from the issue of any final Occupation Certificate or completion of public work required to be completed (whichever is the latest) but only upon inspection and release by Council's Engineers.

Council shall have full authority to make use of the bond for such restoration works as deemed necessary by Council in circumstances including the following:

- where the damage constitutes a hazard in which case Council may make use of the security immediately;
- the applicant has not repaired or commenced repairing damage within 48 hours of the issue by Council in writing of instructions to undertake such repairs or works:
- works in the public road associated with the development are to an unacceptable quality; and
- the Certifying Authority must ensure that security is provided to North Sydney Council prior to issue of any Construction Certificate.

(Reason: To ensure appropriate security for works on public land and an appropriate quality for new public infrastructure)

Tree Bond for Public Trees

C15. Prior to the issue of any construction certificate, security in the sum of \$3,000.00 must be provided to Council for the protection of trees in public places, including the making good of any damage caused to such trees. The security is to be provided in accordance with the Schedule below.

The security required by this condition and in the schedule contained later in these conditions must be provided by way of a deposit with the Council; or other such guarantee that is satisfactory to Council (such as a bank guarantee). Any guarantee provided as security must name North Sydney Council as the nominated beneficiary and must not be subject to an expiry date.

The security will be refundable following the expiration of 6 months from the issue of any final Occupation Certificate but only upon inspection and release by Council's Landscape Development Officer.

If any tree is removed or damaged Council may deduct from this security the reasonable cost of replacement with a tree of the same species and to a similar stage of growth it would have attained at the completion of the work.

In the case of any tree, which cannot be replaced with a similar specimen, the security for that tree will be forfeited to Council and used to provide replacement street plantings.

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SCHEDULE

Tree bond fee	Amount (\$)	
The total bond fee is	\$3,000.00	

(Reason: Protection of existing environment public infrastructure, community

assets and significant trees)

Tree Protection Measures to be shown on Construction Drawings

C16. No trees are approved to be removed under this consent. All trees within the site and road reserve that are affected by the approved development must be retained and must be protected in accordance with AS4970. All tree protection measures shall be shown clearly on the Construction Certificate drawings.

Plans and specifications showing the said tree protection measures must be submitted to the Certifying Authority for approval prior to the issue of any Construction Certificate. The Certifying Authority must ensure the construction plans and specifications submitted, referenced on and accompanying the issued Construction Certificate, fully satisfy the requirements of this condition.

(Reason: To ensure that appropriate tree protection measures are shown on

construction drawings)

Protection of Trees

C17. No trees are approved to be removed under this consent. All trees within the site and road reserve that are affected by the approved development must be retained and must be protected in accordance with AS 4970-2009 - Protection of trees on development sites.

Plans and specifications complying with this condition must be submitted to the Certifying Authority for approval prior to the issue of any Construction Certificate. The Certifying Authority must ensure that the building plans and specifications submitted, referenced on and accompanying the issued Construction Certificate, fully satisfy the requirements of this condition.

Sensitive construction techniques including hand excavation, pier and beam, flexible location of piers/footings must be used within the TPZ of any protected tree. No roots greater than 40mm shall be cut.

Canopy pruning for any protected tree is not permitted.

Any tree(s) shown as being retained on the approved plans (regardless of whether they are listed in the above schedule or not) must be protected and retained in accordance with this condition.

(Reason: Protection of existing environmental and community assets)

Air Conditioners in Residential Premises

- C18. The use of any air conditioner installed on the premises must comply with the requirements of the Protection of the Environment Operations (Noise Control) Regulations 2008 and State Environmental Planning Policy (Infrastructure) 2007 and must not:
 - (a) emit a noise that is audible within a habitable room in any affected residence (regardless of whether any door or window to that room is open);
 - (i) before 8.00 am and after 10.00 pm on any Saturday, Sunday or Public Holiday; or
 - (ii) before 7.00 am or after 10.00 pm on any other day
 - (b) cause an LAeq(15min) which exceeds the RBL background noise level by more than 5dB when measured at the boundary of any affected residence. The modifying factor adjustments in Section 4 of the EPA Industrial Noise Policy will be applied.

"affected residence" includes residential premises (including any lot in the strata scheme or another strata scheme), premises for short-term accommodation and hospitals.

"boundary" includes any window or elevated window of an affected residence.

Terms in this condition have the same meaning as in the Noise Guide for Local Government and the Industrial Noise Policy published by the NSW Environment Protection Authority.

(Reason: To maintain residential amenity)

Section 7.12 Contributions

C19. A monetary contribution pursuant to the provisions of Section 7.12 of the Environmental Planning and Assessment Act 1979 is to be paid to Council, in accordance with the North Sydney Council's Contribution Plan, to provide for local infrastructure improvements.

Based on the cost of development at the date of determination, the total contribution payable to Council is \$5,400.00

The contribution MUST BE paid prior to issue of any Construction Certificate.

The above amount will be adjusted for inflation by reference to the Consumer Price (All ordinaries) Index applicable at the time of the payment of the contribution.

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A copy of the North Sydney Local Infrastructure Contributions Plan can be viewed at North Sydney Council's Customer Service Centre, 200 Miller Street, North Sydney or downloaded via Council's website at www.northsydney.nsw.gov.au

(Reason:

To retain a level of service for the existing population and to provide the same level of service to the population resulting from new development)

Security Deposit/Guarantee Schedule

C20. All fees and security deposits/guarantees in accordance with the schedule below must be provided to Council prior to the issue of any Construction Certificate:

Security deposit/ guarantee	Amount (\$)
Street Tree Bond (on Council Property)	\$3,000.00
Infrastructure Damage Bond	\$5,000.00
TOTAL BONDS	\$8,000.00

Note: The following fees applicable

Local Infrastructure Contributions	Amount (\$)
Section 7.12 Contributions	\$5,400.00
TOTAL CONTRIBUTION FEES	\$5,400.00

The security required by the above schedule must be provided by way of a deposit with the Council; or other such guarantee that is satisfactory to Council (such as a bank guarantee). Any guarantee provided as security must name North Sydney Council as the nominated beneficiary and must not be subject to an expiry date.

(Reason: Compliance with the development consent)

BASIX Certificate

C21. Under clause 97A(3) of the Environmental Planning and Assessment Regulation 2000, it is a condition of this development consent that all the commitments listed in BASIX Certificate No. A420324 for the development are fulfilled. Plans and specifications complying with this condition must be submitted to the Certifying Authority for approval prior to the issue of any Construction Certificate. The Certifying Authority must ensure that the building plans and specifications submitted, referenced on and accompanying the issued Construction Certificate, fully satisfy the requirements of this condition.

(Reason: To ensure the proposed development will meet the Government's requirements for sustainability and statutory requirements)

D. Prior to the Commencement of any Works (and continuing where indicated)

Protection of Trees

D1. All trees that are specifically nominated to be retained by notation on plans or by condition as a requirement of this consent must be maintained and protected during demolition, excavation and construction on the site in accordance with AS4970-2009 (Protection of trees on development sites). A report containing recommendations, and methods of tree protection prepared by an appropriately qualified person must be provided to the Certifying Authority for approval by an appropriately qualified person prior to commencement of any works on the site. Any recommendations must be undertaken for the duration of works on the site.

(Reason: To ensure compliance with the requirement to retain significant planting on the site)

Temporary Fences and Tree Protection

D2. All protected trees on-site that are specifically nominated to be retained by notation on plans or by condition as a requirement of this consent must be tagged with luminous tape or the like for purposes of identification prior to demolition, excavation or construction works and must remain so for the duration of works on the site. No materials or builders' waste are to be stored in the vicinity of the nominated tree/trees at any time. Appropriate fencing or barricades in accordance with AS4970-2009 (Protection of trees on development sites) must be installed to the satisfaction of the Certifying Authority prior to demolition or commencement of any works and must be maintained for the duration of the works.

(Reason: To protect the trees to be retained on the site during construction works)

Public Liability Insurance - Works on Public Land

D3. Any person or contractor undertaking works on public land must take out Public Risk Insurance with a minimum cover of \$20 million in relation to the occupation of public land and the undertaking of approved works within Council's road reserve or public land, as approved by this consent. The Policy is to note and provide protection/full indemnification for North Sydney Council, as an interested party. A copy of the Policy must be submitted to Council prior to commencement of any works. The Policy must be valid for the entire period that the works are being undertaken.

Note: Applications for hoarding permits, vehicular crossings etc will require evidence of insurance upon lodgement of the application.

(Reason: To ensure the community is protected from the cost of any claim for damages arising from works on public land)

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Commencement of Works' Notice

D4. Building work, demolition or excavation in accordance with this development consent must not be commenced until the developer has given at least two days' notice to North Sydney Council of the person's intention to commence building work, demolition or excavation in accordance with this development consent.

(Reason: To ensure appropriate safeguarding measures are in place prior to the

commencement of any building work, demolition or excavation)

E. During Demolition and Building Work

Parking Restrictions

E1. Existing public parking provisions in the vicinity of the site must be maintained at all times during works. The placement of any barriers, traffic cones, obstructions or other device in the road shoulder or kerbside lane is prohibited without the prior written consent of Council. Changes to existing public parking facilities/restrictions must be approved by the North Sydney Local Traffic Committee. The Developer will be held responsible for any breaches of this condition and will incur any fines associated with enforcement by Council regulatory officers.

(Reason: To ensure that existing kerbside parking provisions are not compromised

during works)

Road Reserve Safety

E2. All public footways and roadways fronting and adjacent to the site must be maintained in a safe condition at all times during the course of the development works, with no obstructions caused to the said footways and roadways. Construction materials and plant must not be stored in the road reserve without approval of Council. A safe pedestrian circulation route and a pavement/route free of trip hazards must be maintained at all times on or adjacent to any public access ways fronting the construction site.

Where public infrastructure is damaged, repair works must be carried out in when and as directed by Council officers (at full Developer cost). Where pedestrian circulation is diverted on to the roadway or verge areas, clear directional signage and protective barricades must be installed in accordance with AS1742-3 (1996) "Traffic Control Devices for Work on Roads". If pedestrian circulation is not satisfactorily maintained across the site frontage, and action is not taken promptly to rectify the defects, Council may undertake proceedings to stop work.

(Reason: Public Safety)

Temporary Disposal of Stormwater Runoff

E3. During construction, stormwater runoff must be disposed in a controlled manner that is compatible with the erosion and sediment controls on the site. Immediately upon completion of any impervious areas on the site (including roofs, driveways, paving) and where the final drainage system is incomplete, the necessary temporary drainage systems must be installed to reasonably manage and control runoff as far as the approved point of stormwater discharge. Such ongoing measures must be to the satisfaction of the Certifying Authority.

(Reason: Stormwater control during construction)

Structures Clear of Drainage Easements

- E4. It is the full responsibility of the Developer and their contractors to:
 - a) Ascertain the exact location of the Council drainage infrastructure traversing the site in the vicinity of the works;
 - b) Take full measures to protect the in-ground Council drainage system; and
 - c) Ensure dedicated overland flow paths are satisfactorily maintained through the site.

Drainage pipes can be damaged through applying excessive loading (such as construction plant, material storage and the like). All proposed structures and construction activities are to be located clear of Council drainage pipes, drainage easements, watercourses and trunk overland flow paths on the site. Trunk or dedicated overland flow paths must not be impeded or diverted by fill or structures unless otherwise approved.

In the event of a Council drainage pipeline being uncovered during construction, all work is to cease and the Certifying Authority and Council (if it is not the Certifying Authority) must be contacted immediately for advice. Any damage caused to a Council drainage system must be immediately repaired in full as directed, and at no cost to Council.

(Reason: Protection of Public Drainage Assets)

Council Inspection of Public Infrastructure Works

E5. During the works on public infrastructure reverting to Council's care and control, Council's development engineer may undertake inspections of the works at the following hold points: During the works on public infrastructure reverting to Council's care and control, Council's development engineer may undertake inspections of the works at the following hold points: -

(Reason: To ensure quality of construction joints and connections in the drainage system)

Removal of Extra Fabric

E6. Should any portion of the existing building, trees, or curtilage of the site which is indicated on the approved plans to be retained be damaged for whatever reason, all the works in the area of the damaged portion are to cease and written notification of the damage is to be given to Council forthwith. No work is to resume until the written approval of Council to do so is obtained. Failure to comply with the provisions of this condition may result in the Council taking further action including legal proceedings if necessary.

(Reason: To ensure compliance with the terms of this development consent)

Dust Emission and Air Quality

- E7. The following must be complied with at all times:
 - (a) Materials must not be burnt on the site.
 - (b) Vehicles entering and leaving the site with soil or fill material must be covered.
 - (c) Dust suppression measures must be carried out to minimise wind-borne emissions in accordance with the NSW Department of Housing's 1998 guidelines Managing Urban Stormwater: Soils and Construction.
 - (d) Odour suppression measures must also be carried out where appropriate so as to prevent nuisance occurring at adjoining properties.

(Reason: To ensure residential amenity is maintained in the immediate vicinity)

Noise and Vibration

E8. The works must be undertaken in accordance with the "Interim Construction Noise Guideline" published by the NSW Environment Protection Authority, to ensure excessive levels of noise and vibration do not occur so as to minimise adverse effects experienced on any adjoining land.

(Reason: To ensure residential amenity is maintained in the immediate vicinity)

Applicant's Cost of Work on Council Property

E9. The applicant must bear the cost of all works associated with the development that occurs on Council's property, including the restoration of damaged areas.

(Reason: To ensure the proper management of public land and funds)

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No Removal of Trees on Public Property

E10. No trees on public property (footpaths, roads, reserves, etc.) unless specifically approved by this consent shall be removed or damaged during construction including for the erection of any fences, hoardings or other temporary works.

(Reason: Protection of existing environmental infrastructure and community

assets)

Protection of Trees

E11. All trees required to be retained, as part of this consent must be protected from any damage during construction works in accordance with AS4970-2009.

In the event that any tree required to be retained is damaged during works on the site, notice of the damage must be given to Council forthwith.

Notes: If the nominated tree is damaged to a significant degree or removed from the site without prior written approval being obtained from Council, the issuing of fines or legal proceedings may be commenced for failure to comply with the conditions of this consent. An application to modify this consent pursuant to Section 4.55 of the Environmental Planning and Assessment Act 1979 will be required to address the non-compliance with any of the conditions of consent relating to the retention of nominated trees, and Council may require tree replenishment.

(Reason: Protection of existing environmental infrastructure and community assets)

Special Permits

E12. Unless otherwise specifically approved in writing by Council, all works, processes, storage of materials, loading and unloading associated with the development must occur entirely on the property.

The developer, owner or builder may apply for specific permits available from Council's Customer Service Centre for the undermentioned activities on Council's property. In the event that a permit is granted by Council for the carrying out of works, processes, storage of materials, loading and unloading associated with the development on Council's property, the development must be carried out in accordance with the requirements of the permit. A minimum of forty-eight (48) hours' notice is required for any permit:

1) On-street mobile plant

E.g., cranes, concrete pumps, cherry-pickers, etc. - restrictions apply to the hours of operation, the area of operation, etc. Separate permits are required for each occasion and each piece of equipment. It is the developer's, owner's and builder's responsibilities to take whatever steps are necessary to ensure that the use of any equipment does not violate adjoining property owner's rights.

(Reason: Proper management of public land)

2) Hoardings

Permits are required to erect Class A and Class B hoardings. If an 'A' Class hoarding is to alienate a section of Council's property, that section will require a permit for the occupation of Council's property.

(Reason: Proper management of public land)

3) Storage of building materials and building waste containers (skips) on Council's property

Permits to utilise Council property for the storage of building materials and building waste containers (skips) are required for each location. Failure to obtain the relevant permits will result in the building materials or building waste containers (skips) being impounded by Council with no additional notice being given. Storage of building materials and waste containers on open space reserves and parks is prohibited.

(Reason: Proper management of public land)

4) Kerbside restrictions, construction zones

Attention is drawn to the existing kerbside restrictions adjacent to the development. Should alteration of existing kerbside restrictions be required, or the provision of a construction zone, the appropriate application must be made and the fee paid to Council. Alternatives to such restrictions may require referral to Council's Traffic Committee and may take considerable time to be resolved. An earlier application is suggested to avoid delays in construction programs.

(Reason: Proper management of public land)

Construction Hours

E13. Construction activities and works approved under this consent must be carried out only within the hours stipulated in the following table:

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Standard Construction Hours				
Location	Day	Hours		
	Monday - Friday	7.00 am - 5.00 pm		
All Other Zones	Saturday	8.00 am - 1.00 pm		
	Sunday, Public holiday	No work permitted		

Construction activities for development approved under this consent must be carried out in accordance with the standard construction hours above and any Construction Noise Management Plan required under this consent.

In the event of breach to the approved hours of construction Council take may take enforcement action under Part 9 of the EP&A Act 1979 and in accordance with Council's adopted Compliance and Enforcement Policy.

(Reason:

To ensure that works do not interfere with reasonable amenity expectations of residents and the community)

Installation and Maintenance of Sediment Control

E14. Erosion and sediment controls must be installed and maintained at all times in accordance with the Sediment and erosion control plan submitted and approved with the Construction Certificate.

Erosion and sediment measures must be maintained in accordance with the publication Managing Urban Stormwater: Soils and Construction (4th edition, Landcom, 2004), commonly referred to as the "Blue Book" and can only be removed when development activities have been completed and the site fully stabilised.

(Reason:

To protect the environment from the effects of sedimentation and erosion from development sites)

Sediment and Erosion Control Signage

E15. A durable sign must be erected during building works in a prominent location on site, warning of penalties should appropriate erosion and sedimentation control devices not be maintained. A sign of the type referred to in this condition is available from Council.

(Reason:

To protect the environment from the effects of sedimentation and erosion from development sites)

Prohibition on Use of Pavements

E16. Building materials must not be placed on Council's footpaths, roadways, parks or grass verges, (unless a permit is obtained from Council beforehand). A suitable sign to this effect must be erected adjacent to the street alignment.

(Reason: To ensure public safety and amenity on public land)

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Plant and Equipment Kept Within Site

E17. All plant and equipment used in the undertaking of the development/ works, including concrete pumps, wagons, lifts, mobile cranes, hoardings etc, must be situated within the boundaries of the site (unless a permit is obtained from Council beforehand) and so placed that all concrete slurry, water, debris and the like must be discharged onto the building site, and is to be contained within the site boundaries.

Details of Council requirements for permits on public land for standing plant, hoardings, storage of materials and construction zones and the like are available on Council's website at www.northsydney.nsw.gov.au.

(Reason: To ensure public safety and amenity on public land)

Waste Disposal

E18. All records demonstrating the lawful disposal of waste must be retained and kept readily accessible for inspection by regulatory authorities such as North Sydney Council and the Environmental Protection Authority.

(Reason: To ensure the lawful disposal of construction and demolition waste)

Asbestos Removal

E19. All demolition works involving the removal and disposal of asbestos cement must only be undertaken by contractors who hold a current WorkCover Asbestos or "Demolition Licence" and a current WorkCover "Class 2 (Restricted) Asbestos Licence and removal must be carried out in accordance with National Occupational Health and Safety Commission.

(Reason: To ensure works are carried out in accordance with relevant WorkCover requirements)

F. Prescribed Conditions imposed under EP&A Act and Regulations and other relevant Legislation

National Construction Code

F1. All building work must be carried out in accordance with the provisions of the National Construction Code.

(Reason: Prescribed - Statutory)

Home Building Act

- F2. 1) Building work that involves residential building work (within the meaning and exemptions provided in the Home Building Act 1989) for which the *Home Building Act* 1989 requires there to be a contract of insurance under Part 6 of that Act must not be carried out unless the Principal Certifying Authority for the development to which the work relates has given North Sydney Council written notice of the contract of insurance being issued and of the following:
 - a) in the case of work for which a principal contractor is required to be appointed:
 - i) the name and licence number of the principal contractor, and
 - ii) the name of the insurer by which the work is insured under Part 6 of that Act, or
 - (b) in the case of work to be done by an owner-builder:
 - (i) the name of the owner-builder, and
 - (ii) if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.
 - If arrangements for doing residential building work are changed while the work is in progress such that the information submitted to Council in accordance with this conditions is out of date, work must cease and no further work may be carried out unless the Principal Certifying Authority for the development to which the work relates (not being the Council), has given the Council written notice of the updated information.

Note: A certificate purporting to be issued by an approved insurer under Part 6 of the Home Building Act 1989 that states that a person is the holder of an insurance policy issued for the purposes of that Part is, for the purposes of this clause, sufficient evidence that the person has complied with the requirements of that Part.

(Reason: Prescribed - Statutory)

Appointment of a Principal Certifying Authority (PCA)

F3. Building work, demolition or excavation in accordance with the development consent must not be commenced until the developer has appointed a Principal Certifying Authority for the building work in accordance with the provisions of the EP&A Act and its Regulations.

(Reason: Statutory: To ensure appropriate safeguarding measures are in place prior to the commencement of any building work, demolition or excavation)

Page **23** of **26**

Construction Certificate

F4. Building work, demolition or excavation in accordance with the development consent must not be commenced until a Construction Certificate for the relevant part of the building work has been issued in accordance with the provisions of the EP&A Act and its Regulations.

(Reason:

Statutory: To ensure appropriate safeguarding measures are in place prior to the commencement of any building work, demolition or excavation)

Occupation Certificate

F5. A person must not commence occupation or use of the whole or any part of a new building (new building includes an altered portion of, or an extension to, an existing building) unless an Occupation Certificate has been issued in relation to the building or part. Only the Principal Certifying Authority appointed for the building work can issue an Occupation Certificate.

(Reason:

Statutory)

Critical Stage Inspections

F6. Building work must be inspected by the Principal Certifying Authority on the critical stage occasions prescribed by the EP&A Act and its Regulations, and as directed by the appointed Principal Certifying Authority.

(Reason:

Statutory)

Commencement of Works

F7. Building work, demolition or excavation in accordance with this development consent must not be commenced until the developer has given at least two (2) days' notice to North Sydney Council of the person's intention to commence the erection of the building.

(Reason:

Statutory: To ensure appropriate safeguarding measures are in place prior to the commencement of any building work, demolition or excavation)

Excavation/Demolition

- F8. 1) All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with appropriate professional standards.
 - 2) All excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them from being dangerous to life or property.

Page **24** of **26**

3) Demolition work must be undertaken in accordance with the provisions of AS2601- Demolition of Structures.

(Reason:

To ensure that work is undertaken in a professional and responsible manner and protect adjoining property and persons from potential damage)

Protection of Public Places

- F9. 1) A hoarding and site fencing must be erected between the work site and adjoining public place.
 - 2) If necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.
 - 3) The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.
 - 4) Any such hoarding, fence or awning is to be removed when the work has been completed.
 - 5) No access across public reserves or parks is permitted.

Note: Prior to the erection of any temporary fence or hoarding over property owned or managed by Council, written approval must be obtained. Any application needs to be accompanied by plans indicating the type of hoarding and its layout. Fees are assessed and will form part of any approval given. These fees must be paid prior to the approval being given. Approval for hoardings will generally only be given in association with approved building works, maintenance or to ensure protection of the public. An application form for a Hoarding Permit can be downloaded from Council's website.

(Reason: To ensure public safety and the proper management of public land)

Site Sign

- F10. 1) A sign must be erected in a prominent position on the site
 - a) stating that unauthorised entry to the work site is prohibited;
 - b) showing the name of the principal contractor (or person in charge of the work site), and a telephone number at which that person may be contacted at any time for business purposes and outside working hours; and
 - c) showing the name, address and telephone number of the Principal Certifying Authority for the work.

Page **25** of **26**

2) Any such sign must be maintained while to building work or demolition work is being carried out but must be removed when the work has been completed.

(Reason: Prescribed - Statutory)

G. Prior to the Issue of an Occupation Certificate

Infrastructure Repair and Completion of Works

- G1. Prior to the issue of any Occupation Certificate any and all works relating to the development:
 - a. in the road reserve must be fully completed; and
 - b. to repair and make good any damaged public infrastructure caused as a result of any works relating to the development (including damage caused by, but not limited to, delivery vehicles, waste collection, contractors, sub-contractors, concrete vehicles) must be fully repaired;

to the satisfaction of Council Engineers at no cost to Council.

(Reason: Maintain quality of public assets)

Damage to Adjoining Properties

G2. All precautions must be taken to prevent any damage likely to be sustained to adjoining properties. Adjoining owner property rights and the need for owner's permission must be observed at all times, including the entering onto land for the purpose of undertaking works.

(Reason: To ensure adjoining owner's property rights are protected)

Utility Services

G3. All utility services shall be adjusted to the correct levels and/or location/s required by this consent, prior to issue of an occupation certificate. This shall be at no cost to Council.

(Reason: To ensure compliance with the terms of this consent)

BASIX Completion Certificate

G4. In accordance with Clause 154C of the Environmental Planning and Assessment Regulation 2000, prior to issuing a final occupation certificate the Certifying Authority must apply to the Director-General for a BASIX completion receipt.

(Reason: To ensure compliance with the specified BASIX Certificate)

Page **26** of **26**

Damage to Adjoining Properties

- G5. On completion of the development the subject of this consent and prior to the issue of the Occupation Certificate, a report is to be prepared by an appropriately qualified consultant and is to be provided to the Certifying Authority (and a copy to Council if it is not the Certifying Authority) certifying:
 - a) whether any damage to adjoining properties has occurred as a result of the development;
 - b) the nature and extent of any damage caused to the adjoining property as a result of the development;
 - c) the nature and extent of works required to rectify any damage caused to the adjoining property as a result of the proposed development;
 - d) the nature and extent of works carried out to rectify any damage caused to the adjoining property as a result of the development; and
 - e) the nature and extent of any agreements entered into for rectification of any damage caused to the adjoining property as a result of the development.

The report and certification must reference the dilapidation survey and reports required to be provided to the Certifying Authority in accordance with this consent.

Where works required to rectify any damage caused to adjoining property as a result of the development identified in the report and certification have not been carried out, a satisfactory agreement for rectification of the damage is to be made with the affected person/s as soon as possible prior to the issue of an Occupation Certificate.

All costs incurred in achieving compliance with this condition shall be borne by the developer.

(Reason: To ensure adjoining owner's property rights are protected in so far as

possible)

I. Ongoing/Operational Conditions

Single Occupancy

11. Nothing in this consent authorises the use of the premises other than for a single occupancy.

(Reason: To ensure compliance with the terms of this consent)

1A

STREET





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Further details can be obtained by calling (02) 9936 8100 or e-mail mapping@northsydney.nsw.gov.au.



DA ISSUE

TP SHEET LIST					
Sheet	Name	Rev	Description	Date	
TP 01	Design Response	С	DA Issue	29/09/21	
TP 02	Streetscape Photos	С	DA Issue	29/09/21	
TP 03	Demolition Ground Floor Plan	С	DA Issue	29/09/21	
TP 04	Proposed Site & Stormwater Plan	D	DA Revision	04/03/22	
TP 05	Proposed Ground Floor Plan	С	DA Issue	29/09/21	
TP 06	Proposed First Floor Plan	D	DA Revision	04/03/22	
TP 07	Proposed Roof Plan	С	DA Issue	29/09/21	
TP 08	Elevations 1	D	DA Revision	04/03/22	
TP 09	Elevations 2	С	DA Issue	29/09/21	
TP 10	Sections	С	DA Issue	29/09/21	
TP 11	Garage plans	D	DA Revision	04/03/22	
TP 12	Garage Elevation & Sections	D	DA Revision	04/03/22	
TP 13	Finishes	С	DA Issue	29/09/21	
TP 14	Schedules	С	DA Issue	29/09/21	
TP 18	Area Analysis	С	DA Issue	29/09/21	
TP 21	Perspectives	D	DA Revision	04/03/22	
TP 30	Shadow Diagram -900 hrs 21 June	D	DA Revision	04/03/22	
TP 31	Shadow Diagram -1200 hrs 21 June	D	DA Revision	04/03/22	
TP 32	Shadow Diagram -1500 hrs 21 June	D	DA Revision	04/03/22	
TP 33	Shadow Diagram -900 hrs 21 May	D	DA Revision	04/03/22	
TP 34	Shadow Diagram -1200 hrs 21 May	D	DA Revision	04/03/22	
TP 35	Shadow Diagram -1500 hrs 21 May	D	DA Revision	04/03/22	
TP 36	Shadow Diagram -900 hrs 21 Sept	D	DA Revision	04/03/22	
TP 37	Shadow Diagram -1200 hrs 21 Sept	D	DA Revision	04/03/22	
TP 38	Shadow Diagram -1500 hrs 21 Sept	D	DA Revision	04/03/22	
TP 40	Notification set	D	DA Revision	04/03/22	



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NOTES:

D	04/03/22	DA Revision	WF
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NEW EXTENSION TO EXISTING RESIDENCE

108 Hayberry Street
CROWS NEST

Cover Sheet

HALLORAN RESIDENCE

Scale:

Date: 03/03/22

Drawn: WFF

Chk: WFF

TP 00 Rev No.

Lot 2 DP 521540



A3

DA ISSUE





No 82-88 Hayberry Street

No 92 - 98 Hayberry Street



No 100 & 104 Hayberry Street

No 106 & 108 Hayberry Street

No 110 - 114 Hayberry Street



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NEW EXTENSION TO EXISTING RESIDENCE

108 Hayberry Street CROWS NEST

Streetscape Photos

HALLORAN RESIDENCE

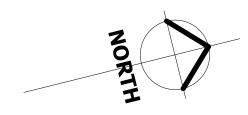
Date: 03/03/22

Drawn: WFF

Lot 2 DP 521540

A3

DA ISSUE





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NOTES:

DEMOLITION LEGEND

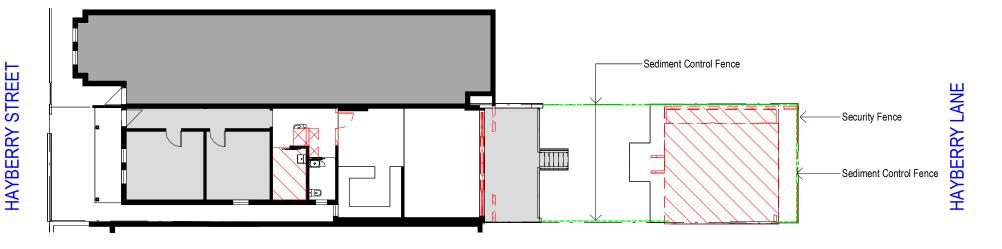


REMOVED ELEMENTS DEMOLISHED WALLS/ELEMENTS

DEMOLISH/ EXCAVATE AREA

SECURITY FENCE

SEDIMENT CONTROL FENCE



DEMOLITION & SEDIMENT CONTROL FLOOR PLAN

SEDIMENT FENCE SCP02 1.5 m star pickets at max. 3m centres Self-supporting geotextile Direction of Flow 1. CONSTRUCT SEDIMENT FENCE AS CLOSE AS POSSIBLE TO 909 PARALLEL TO THE CONTOURS OF THE SITE. 2. DRIVE 1.5 METRE LONG STAR PICKETS INTO GROUND, 2.5 METRES On soil, 150 mm x 100mm trench with compacted backfill and on rock, set into 3. DIG A 150MM DEEP TRENCH ALONG THE UPSLOPE LINE OF THE FENCE FOR THE BOTTOM OF THE FABRIC TO BE ENTRENCHED. 4. FIX SELF SUPPORTING GEOTEXTILE TO UPSLOPE SIDE OF POSTS WITH WIRE TIES OR AS RECOMMENDED BY GEOTEXTILE MANUFACTURER. **Section Detail** 5. JOIN SECTIONS OF FABRIC AT A SUPPORT POST WITH A 150 MM 6. BACKFILL THE TRENCHOVER THE BASE OF THE FABRIC AND COMPACT IT THOROUGHLY OVER THE GEOTEXTILE

Lot 2 DP 521540

Demolition Notes

- 1. Sediment and Erosion Controls must be in place before works are commencenced on site
- 2. Material from site is not to be tracked onto the road by vehicles entering or leaving the site. At the end of each working day all Dust /Dirt or other Sediment shall be swept off the road and contained within the site.
- 3. Sediment and erosion controls must be inspected daily and defects repaired.
- 4. Provide Sediment and erosion controls at the stormwater outlet.
- 5. ALTERNATE OPTIONS: The use of other forms of sediment control are allowable, other than the detail of this page, with the approval of the certifying authority.
- 6. Separate out all materials into stockpiles as indicated on the plan. Not these locations are to be managed throughout the project to allow for the optimum work area.
- 7. Asbestos Materials (or suspected aesbestos materials) must be demolished and removed from site by a Specialist Contractor in accordance with Workcovers "Code of practice"

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NEW EXTENSION TO **EXISTING RESIDENCE**

108 Hayberry Street **CROWS NEST**

Demolition Ground Floor Plan

HALLORAN RESIDENCE

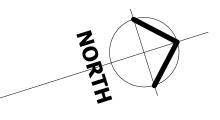
Scale: As indicated

Date: 03/03/22

Drawn: WFF

Dwg No. TP 03 Rev No. C

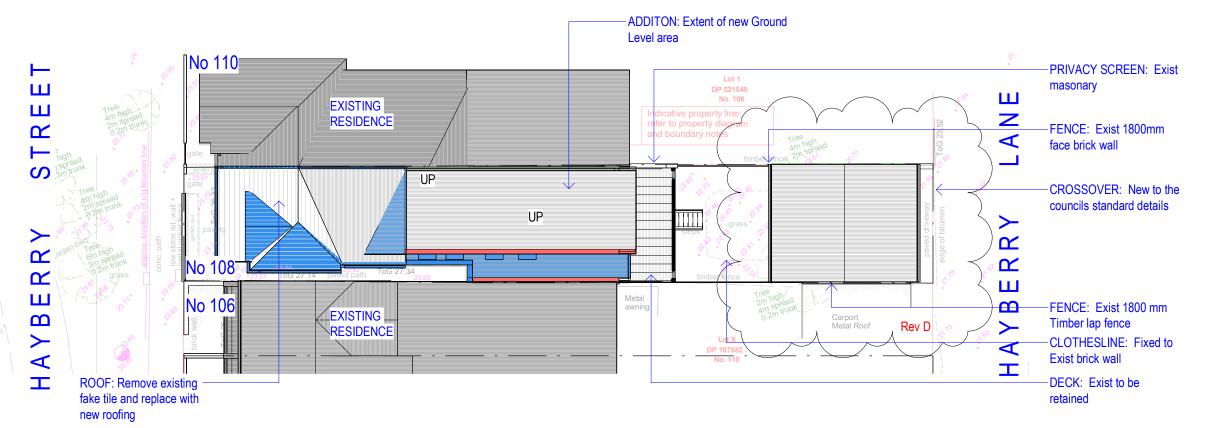
A3 DA ISSUE



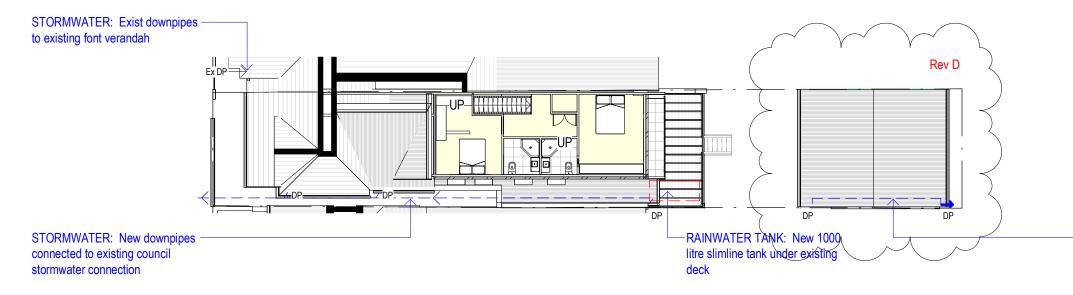
STORMWATER: New downpipes

connected to existing council

stormwater connection



PROPOSED SITE PLAN



PROPOSED STORMWATER PLAN



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NEW EXTENSION TO EXISTING RESIDENCE

108 Hayberry Street CROWS NEST

Proposed Site & Stormwater Plan

HALLORAN RESIDENCE

Scale: 1:200 Date: 03/03/22

Drawn: WFF Chk: WFF

Job No. Dwg No. — D

21001 Dwg No. TP 04 Rev No.

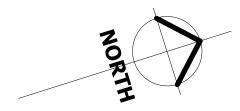
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A3

DA ISSUE

NOTE

SUPPORT FOR BOTH THE FIRW SEPERATION WALL AND THE FIRST FLOOR STRUCTURE OVER WILL BE INDEPENDANT OF THE PARTY WALL





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NOTES:

TP 40 C 29/09/21 DA Issue 16/07/21 DA Issue A 11/06/21 DA Client Issue REV DATE DESCRIPTION

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NEW EXTENSION TO **EXISTING RESIDENCE**

108 Hayberry Street **CROWS NEST**

Proposed Ground Floor Plan

HALLORAN RESIDENCE

Scale: 1:100 Date: 03/03/22

Drawn: WFF Chk: WFF

TP 05 Rev No. C

STAIR: New BEAM: Steel beam upported off of existing FLOOR: Extend existing TP 40
TP West brick columns above the timber floor ceiling line to engineers WALL: Independent load details. To support roof bearinf wall to support first cavity wall fire seperation floor structure over. PRIVACY SCREEN: Existing to be retained Passage UP Dining Stair D E1 TP 40 gas E3 Deck $\frac{\mathbb{W}}{\mathbb{E}1}$ A TP 10 D 01 Living Bedrm 1 Bedrm2 W E2 Bath Ldry DECK/STAIRS: Existing to Kitchen be retained RAINWATER TANK: 1000 W E3 W E4 W E5 W E6 litre all weather Underdeck PRIVACY SCREEN: Existing BATHROOM: Refurbish existing KITCHEN: New to be retained LAUNDRY: Refurbish existing. TP 09

PROPOSED GROUND FLOOR PLAN



Lot 2 DP 521540

WF

WF

BY

1900

Ensuite 2 Ensuite 1 11 11

W 13

Store

3430

Bedrm 3

ROBE

D 10

TP 08

TP West

TP East

TP 09

Bedrm 4

A3

DA ISSUE

NOTE

BEAM: Steel beam

upported off of existing

brick columns above the

ceiling line to engineers

details. To support roof

cavity wall fire seperation

ROOF: New Metal

ROOF: New Metal

WINDOWS: New

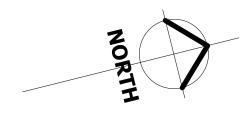
to match existing

structure

Deck roof

Deck roof over existing

SUPPORT FOR BOTH THE FIRW SEPERATION WALL AND THE FIRST FLOOR STRUCTURE OVER WILL BE INDEPENDANT OF THE PARTY WALL



-STAIRS: New

internal stair

floor area

Glass

BALUSTRADE: Frosted

PERGOLA: New timber and

ROOF: Metal deck

≥ **(**P) 08

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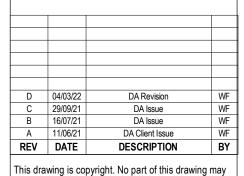
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NOTES:

ARCHITECTURAL DRAWINGS SHALL BE READ IN CONJUNCTION WITH RELEVANT ENGINEERS DESIGN AND DETAILS.

ALL DIMENSIONS ARE TO FACE OF STUD WALL AND EXCLUDE CLADDINGS



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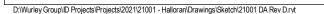
EXISTING RESIDENCE

108 Hayberry Street **CROWS NEST**

Proposed First Floor Plan

HALLORAN RESIDENCE

Date: 03/03/22



GRAPHIC SCALE: 1:100

Lot 2 DP 521540

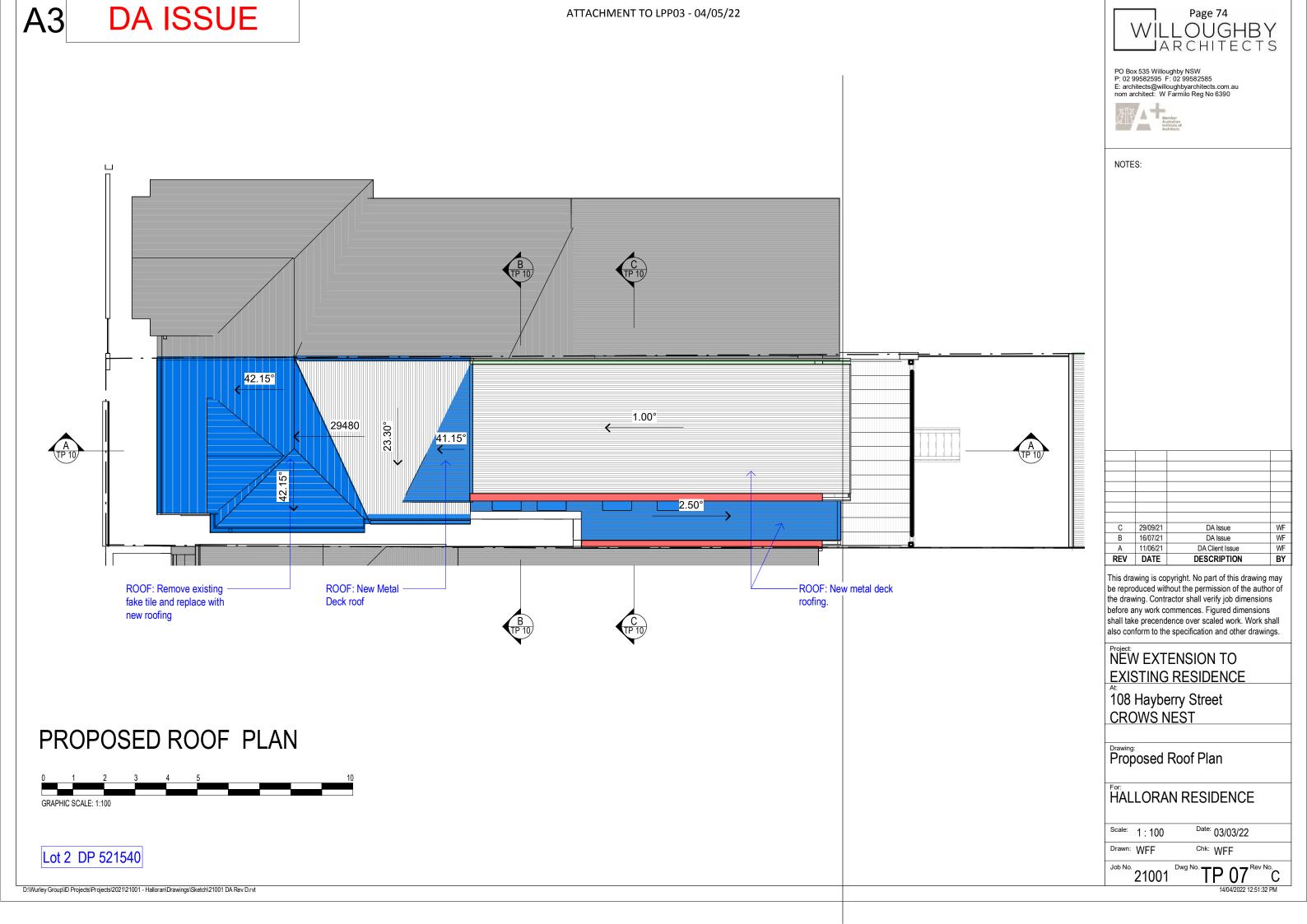
PROPOSED FIRST FLOOR PLAN

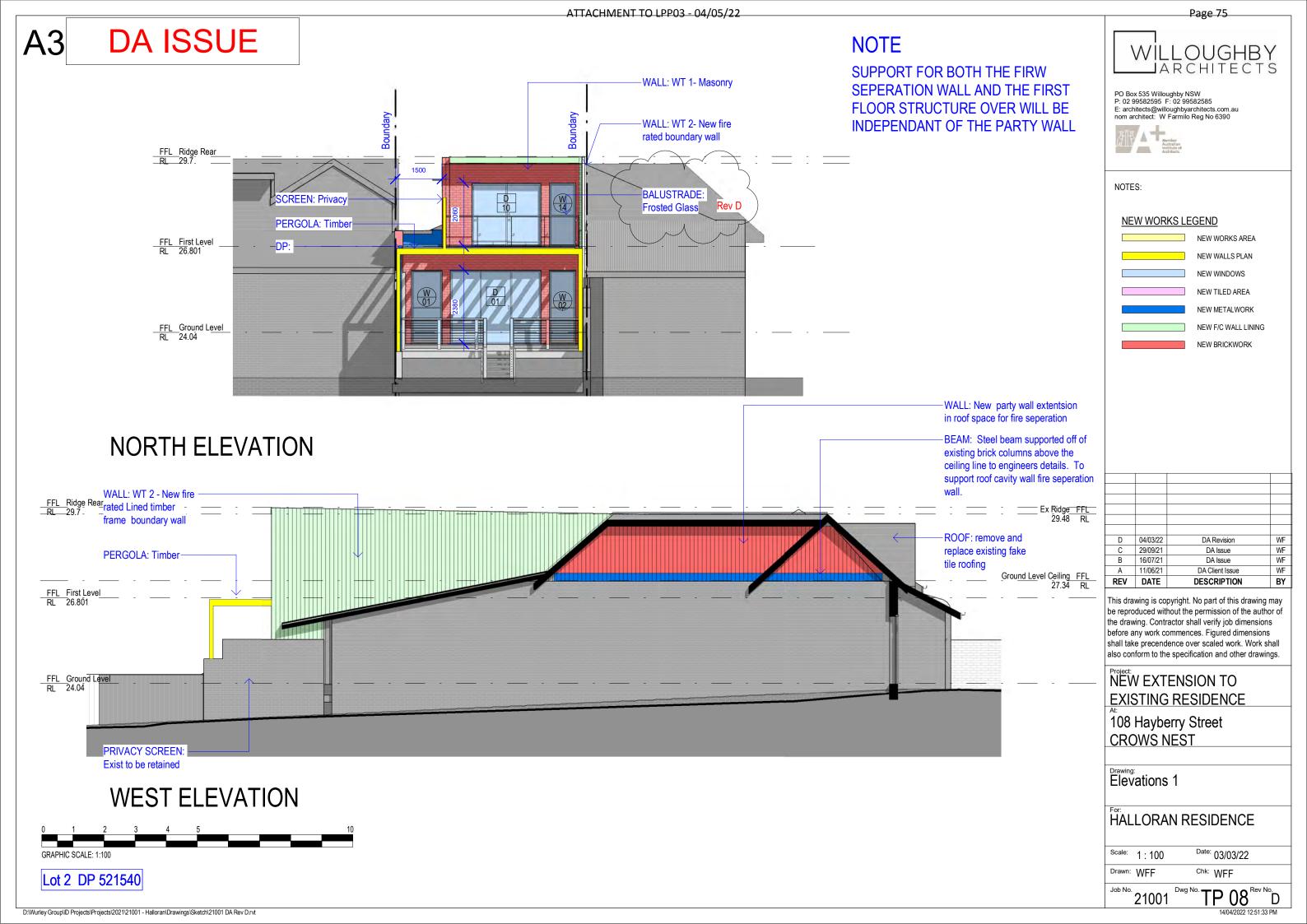
FLOOR: New first level WALL: Independant of existing partywall

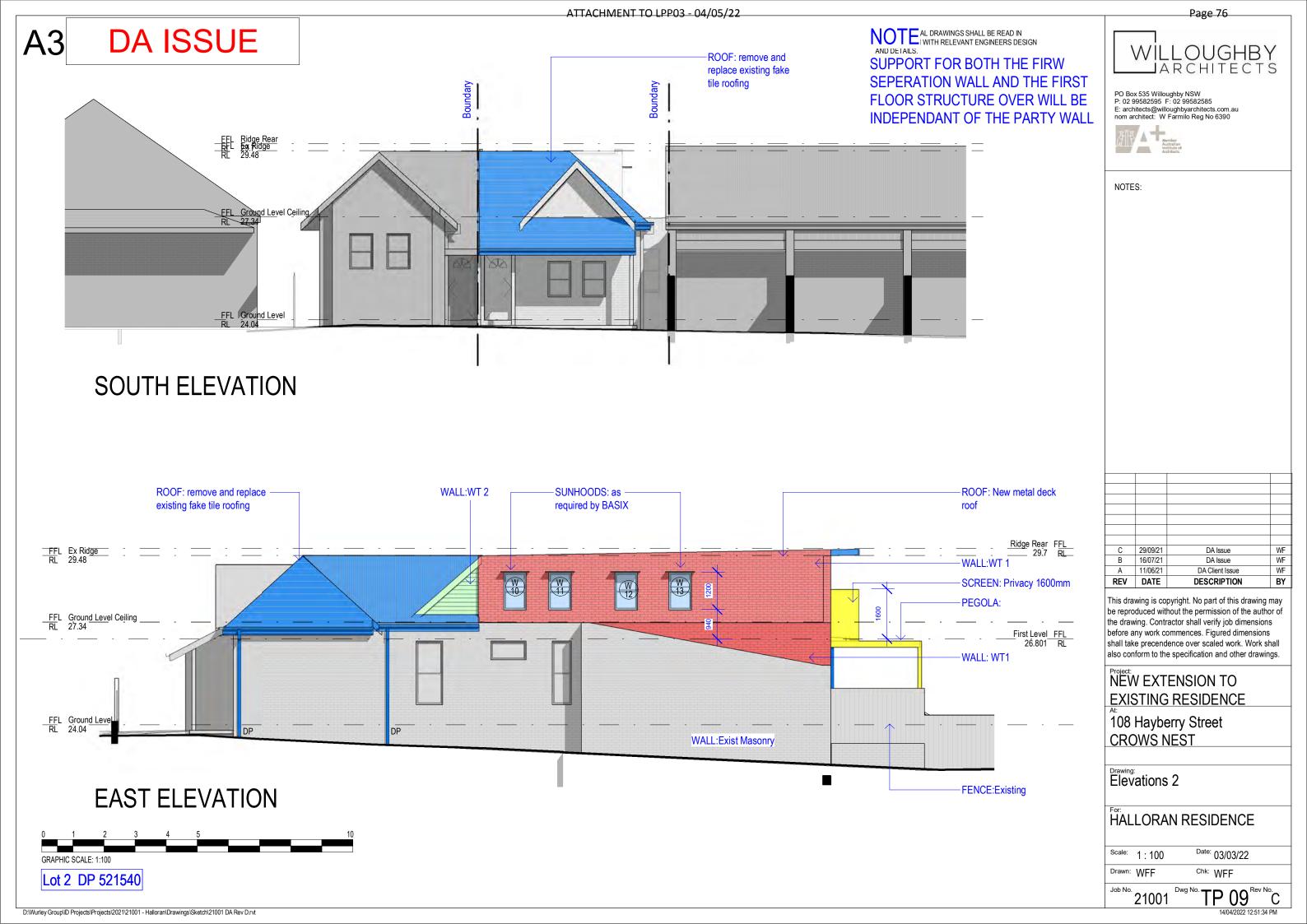
NEW EXTENSION TO

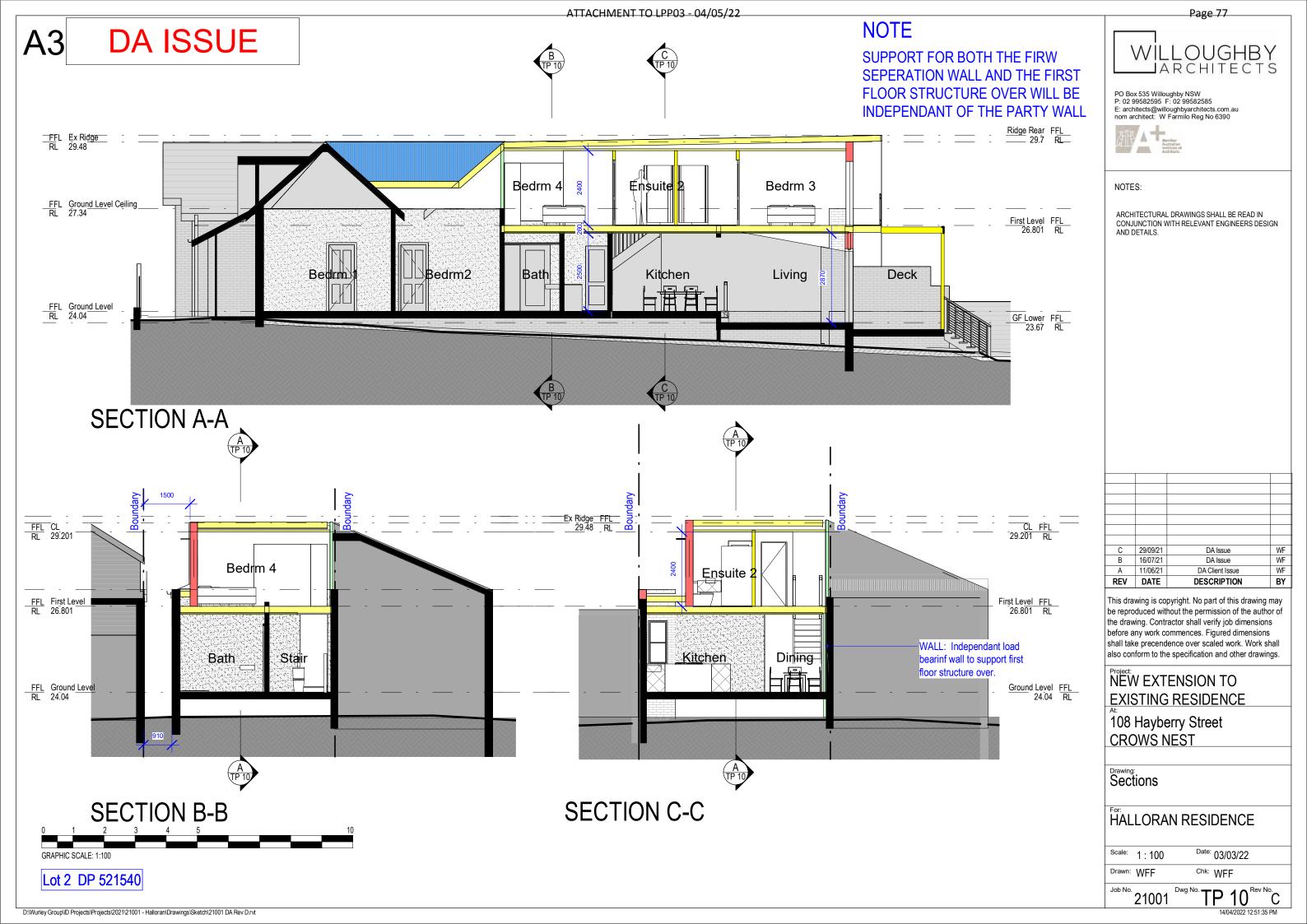
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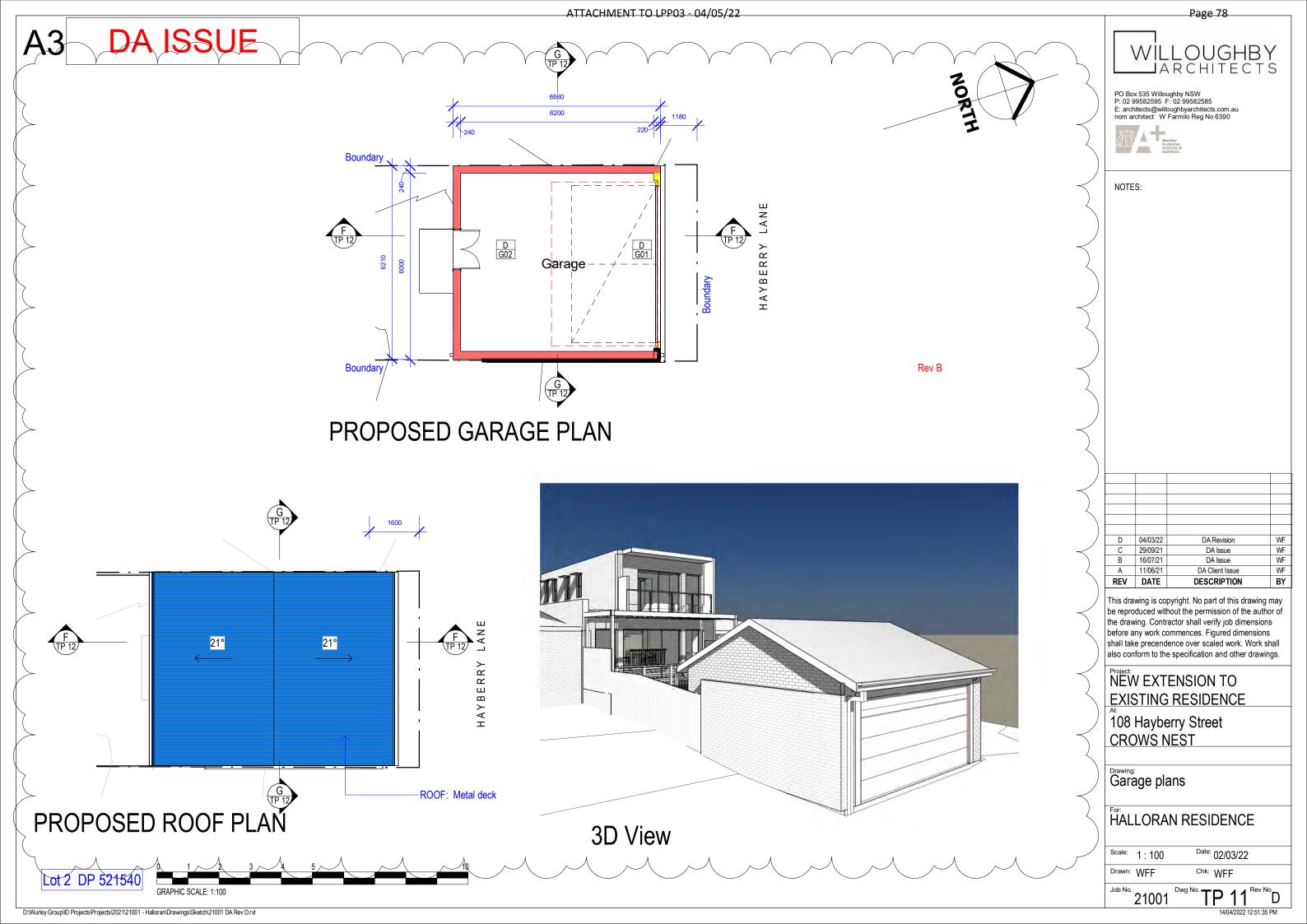
Drawn: WFF

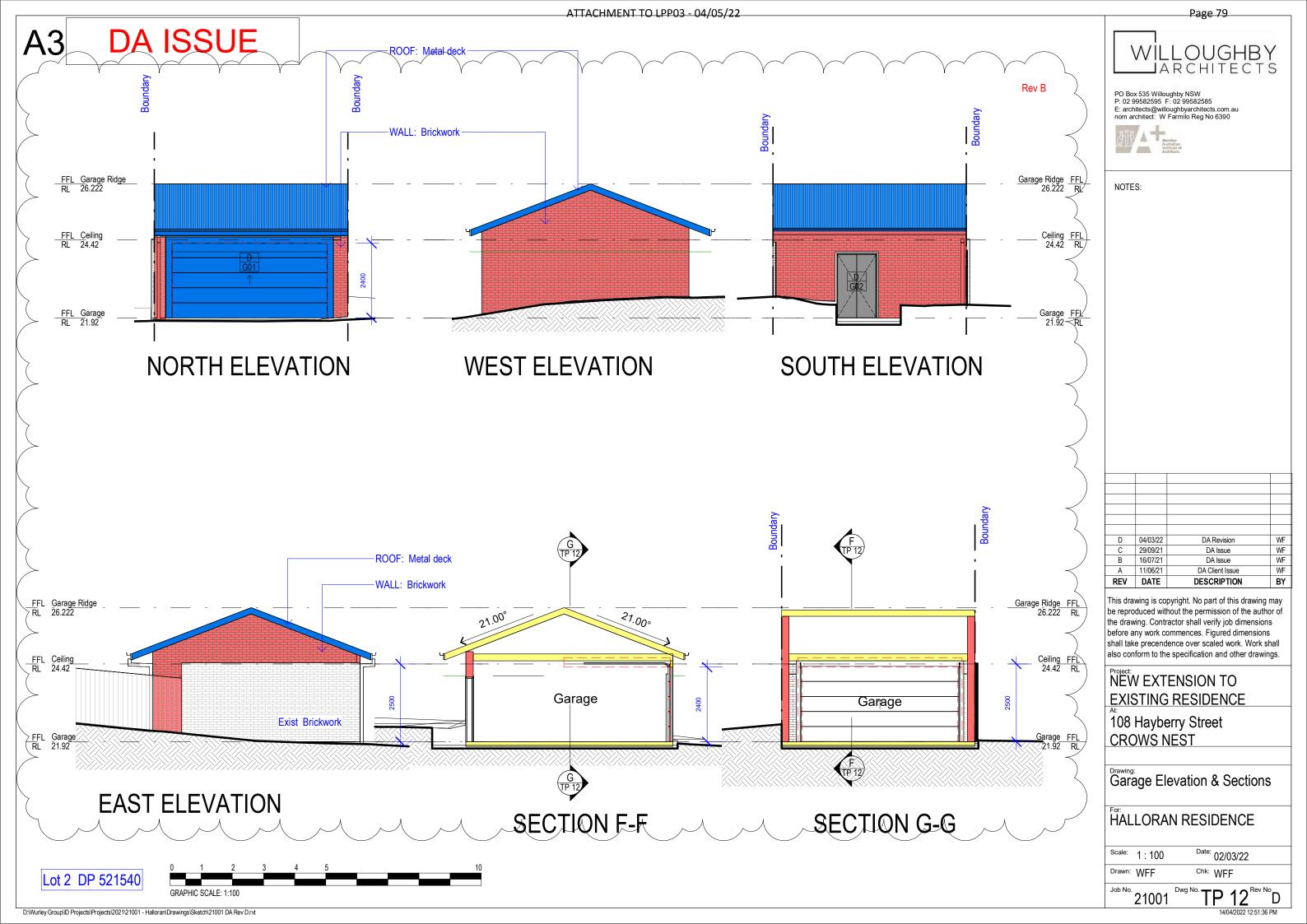












DA ISSUE







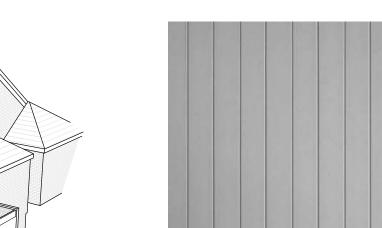
Roof Rear

-Type:Klip Lok

- Colour: Basalt



Wall Colour - Basalt



Boundary WALL (WT2) - Range: Scyon Axon - Colour : Basalt



-Window/Doors Type: Aluminium Colour :Black



Roof colour-

Basalt



Face Brick (WT 1) - Range: Nubrik Artisan - Colour : Aurora

Roof Front

- Type: Custom Orb

- Colour: Basalt

Garage Structure

Wall - Face brick (as above) Roof - Kliplok sheeting (as above) Window - Cedar Timber (as above) Roller door - Panel lift - Colourbond Basalt

Lot 2 DP 521540



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NEW EXTENSION TO **EXISTING RESIDENCE**

108 Hayberry Street **CROWS NEST**

Drawing: Finishes

HALLORAN RESIDENCE

Date: 03/03/22

Drawn: WFF



DA ISSUE

WINDOW SCHEDULE

No	Location	Frame Material	Туре	Height	Width	SHGC	U- Value	Glazing Treatment	Comments
01	Living	Aluminium	Double Hung	2380	990	0.75	7.6300	Clear	
02	Living	Aluminium	Double Hung	2380	850	0.75	7.6300	Clear	
10	Bedroom 4	Aluminium	Double Hung	1200	730	0.57	5.7000	Low e	Sunhood
11	Bedroom 4	Aluminium	Double Hung	1200	730	0.57	5.7000	Low e	Sunhood
12	Ensuite 1	Aluminium	Double Hung	1200	730	0.57	5.7000	Low e	Sunhood
13	Ensuite 2	Aluminium	Double Hung	1200	730	0.57	5.7000	Low e	Sunhood
14	Bathroom 2	Aluminium	Double Hung	2060	850	0.75	7.6300	Clear	

DOOR SCHEDULE

No	Location	Construction	Type	Height	Width	Comments
01	Living	Aluminium	Sliding	2380	2930	U-Value 7.63, SHGC:0.75
10	Bedroom 3	Aluminium	Sliding	2060	2240	U-Value 7.63, SHGC:0.75
11	Ensuite 1	Internal Hollow Core	Cavity Slider	2100	750	
12	Bedroom 3	Internal Hollow Core	Swing	2040	770	
13	Store	Internal Hollow Core	DoubleDoorSingleSwing	2040	620	
14	Bedroom 4	Internal Hollow Core	Swing	2040	770	
15	Ensuite 2	Internal Hollow Core	Cavity Slider	2100	750	

BASIX REQUIREMENTS

Fixtures and systems

Hot water

The applicant must install the following hot water system in the development: gas instantaneous.

Lighting

The applicant must ensure a minimum of 40% of new or altered light fixtures are fitted with fluorescent, compact fluorescent, or light-emitting-diode (LED) lamps.

Fixtures

The applicant must ensure new or altered showerheads have a flow rate no greater than 9 litres per minute or a 3 star water rating.

The applicant must ensure new or altered toilets have a flow rate no greater than 4 litres per average flush or a minimum 3 star water rating.

The applicant must ensure new or altered taps have a flow rate no greater than 9 litres per minute or minimum 3 star water rating.

Construction

Insulation requirements

The applicant must construct the new or altered construction (floor(s), walls, and ceilings/roofs) in accordance with the specifications listed in the table below, except that a) additional insulation is not required where the area of new construction is less than 2m2, b) insulation specified is not required for parts of altered construction where insulation already exists.

Construction	Additional insulation required (R-value)	Other specifications
floor above existing dwelling or building.	nit	
external wall: brick veneer	R1.16 (or R1.70 including construction)	
raked ceiling, pitched/skillion roof: framed	ceiling: R1.74 (up), roof: foil backed blanket (55 mm)	dark (solar absorptance > 0.70)

Glazing requirements

Windows and glazed doors

The applicant must install the windows, glazed doors and shading devices, in accordance with the specifications listed in the table below. Relevant overshadowing specifications must be satisfied for each window and glazed door.

The following requirements must also be satisfied in relation to each window and glazed door:

Each window or glazed door with standard aluminium or timber frames and single clear or toned glass may either match the description, or, have a U-value and a Solar Heat Gain Coefficient (SHGC) no greater than that listed in the table below. Total system U-values and SHGCs must be calculated in accordance with National Fenestration Rating Council (NFRC) conditions.

Each window or glazed door with improved frames, or pyrolytic low-e glass, or clear/air gap/clear glazing, or toned/air gap/clear glazing must have a U-value and a Solar Heat Gain Coefficient (SHGC) no greater than that listed in the table below. Total system U-values and SHGCs must be calculated in accordance with National Fenestration Rating Council (NFRC) conditions. The description is provided for information only. Alternative systems with complying U-value and SHGC may be substituted.

For projections described in millimetres, the leading edge of each eave, pergola, verandah, balcony or awning must be no more than 500 mm above the head of the window or glazed door and no more than 2400 mm above the sill.

For projections described as a ratio, the ratio of the projection from the wall to the height above the window or glazed door sill must be at least that shown in the table below

Pergolas with polycarbonate roof or similar translucent material must have a shading coefficient of less than 0.35.

Pergolas with fixed battens must have battens parallel to the window or glazed door above which they are situated, unless the pergola also shades a perpendicular window. The spacing between battens must not be more than 50 mm.

Pergolas with adjustable shading may have adjustable blades or removable shade cloth (not less than 80% shading ratio). Adjustable blades must overlap in plan view.

Windows and glazed doors glazing requirements

Window / door no.	Orientation	Area of glass inc. frame (m2)	of Overshadowing		Shading device	Frame and glass type
			Height (m)	Distance (m)		
W1	N	2.4	0	0	pergola (adjustable shade) >=900 mm	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
W2	N	2.1	0	0	pergola (adjustable shade) >=900 mm	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
W10	E	0.91	0	0	projection/height above sill ratio >=0.23	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
W11	E	0.91	0	0	projection/height above sill ratio >=0.23	standard aluminium, single pyrolytic low-e, (U-value: 5.7, SHGC: 0.47)
W12	E	0.91	0	0	projection/height above sill ratio >=0.23	standard aluminium, single pyrolytic low-e, (U-value: 5.7, SHGC: 0.47)
W13	E	0.91	0	0	projection/height above sill ratio >=0.23	standard aluminium, single pyrolytic low-e, (U-value: 5.7, SHGC: 0.47)
W14	N	1.8	0	0	eave/verandah/pergola/balcony >=900 mm	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
D10	N	4.7	0	0	eave/verandah/pergola/balcony >=900 mm	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
D1	N	7	0	0	eave/verandah/pergola/balcony >=900 mm	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)



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NOTES:

C 29/09/21 DA Issue WF
B 16/07/21 DA Issue WF
A 11/06/21 DA Client Issue WF
REV DATE DESCRIPTION BY

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NEW EXTENSION TO EXISTING RESIDENCE

108 Hayberry Street CROWS NEST

Schedules

HALLORAN RESIDENCE

Scale:

Date: 03/03/22

Drawn: WFF

Chk: WFF

ob No. 21001 Dw

Dwg No. TD 1/ Rev I

Lot 2 DP 521540

Non residential 36.01 m² NON PERMEABLE

2 NON RESIDENTIAL BUILDING

Path 7.46 m²

NON PERMEABLE

UNBUILT UPON

Garden

40.55 m² NON PERMEABLE

LANDSCAPING

A3

Open Patio

19.23 m² NON PERMEABLE

UNBUILT UPON

Garden 3.67 m² PERMEABLE

LANDSCAPING

DA ISSUE

9.89 m²

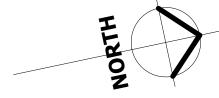
NON PERMEABLE

LANDSCAPING

AREA ANALYSIS - EXISTING

107.58 m²

NON PERMEABLE 1 RESIDENTIAL BUILDING





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NOTES:

AREA LEGEND

1 RESIDENTIAL BUILDING

2 NON RESIDENTIAL BUILDING

LANDSCAPING

UNBUILT UPON

= 143.6 m² (59 %) EXISTING SITE COVERAGE = 46.6 m² (19 %) $= 54.1 \,\mathrm{m}^2 \,(22.0 \,\%)$

= 149.4 m² 61 % = 51.1 m² 21%

AREA ANALYSIS:

SITE AREA = 240.28 m² (244.71m2 by calculation)

EXISTING UNBUILD UPON EXISTING LANDSCAPE

PROPOSED SITE COVERAGE PROPOSED UNBUILT UPON PROPOSED LANDSCAPE = 43.8 m² 18 %

Open Patio 19.23 m² NON PERMEABLE UNBUILT UPON	Residence 107.58 m² NON PERMEABLE 1 RESIDENTIAL BUILDING	<u>Garden</u> 30.20 m² PERMEABLE LANDSCAPING	Path 4.55 m² NON PERMEABLE UNBUILT UPON UNBUILT UPON
	m²	Open Patio 19.87 m² NON PERMEABLE UNBUILT UPON	 <u>Non residential</u> 41.81 m² NON PERMEABLE 2 NON RESIDENTIAL BUILDING

Open Patio 19.87 m²

NON PERMEABLE

UNBUILT UPON

AREA ANALYSIS - NEW

Lot 2 DP 521540

GRAPHIC SCALE: 1:200

C 29/09/21 DA Issue 16/07/21 DA Issue WF A 11/06/21 DA Client Issue REV DATE DESCRIPTION BY

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NEW EXTENSION TO **EXISTING RESIDENCE**

108 Hayberry Street **CROWS NEST**

Area Analysis

HALLORAN RESIDENCE

Scale: As indicated Date: 03/03/22

A3

3D View 2

DA ISSUE





3D View 3





Lot 2 DP 521540



3D View 6



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NOTES:

REV	DATE	DESCRIPTION	BY
Α	11/06/21	DA Client Issue	WF
В	16/07/21	DA Issue	WF
С	29/09/21	DA Issue	WF
D	04/03/22	DA Revision	WF

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NEW EXTENSION TO EXISTING RESIDENCE

108 Hayberry Street CROWS NEST

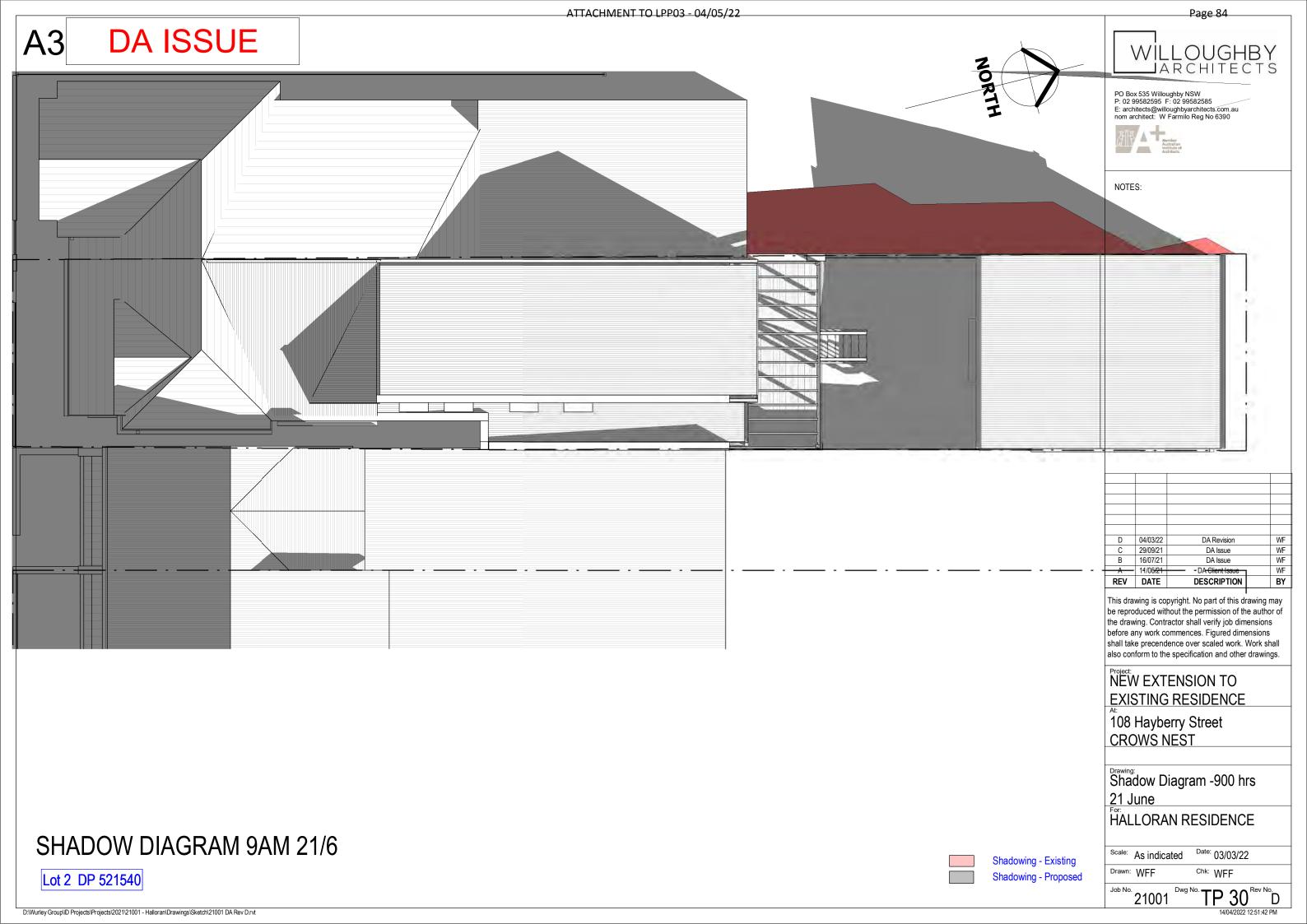
Perspectives

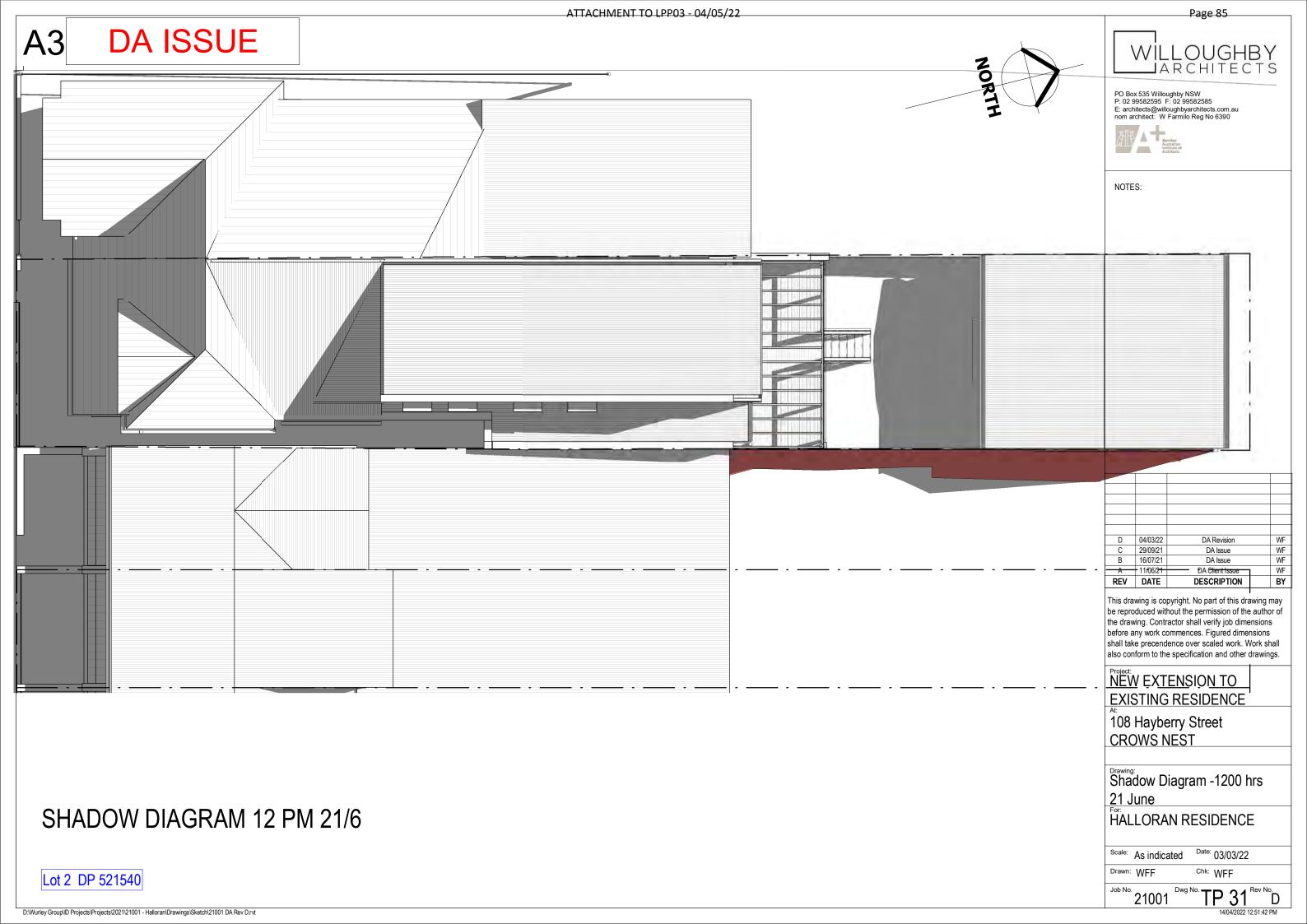
HALLORAN RESIDENCE

Scale:

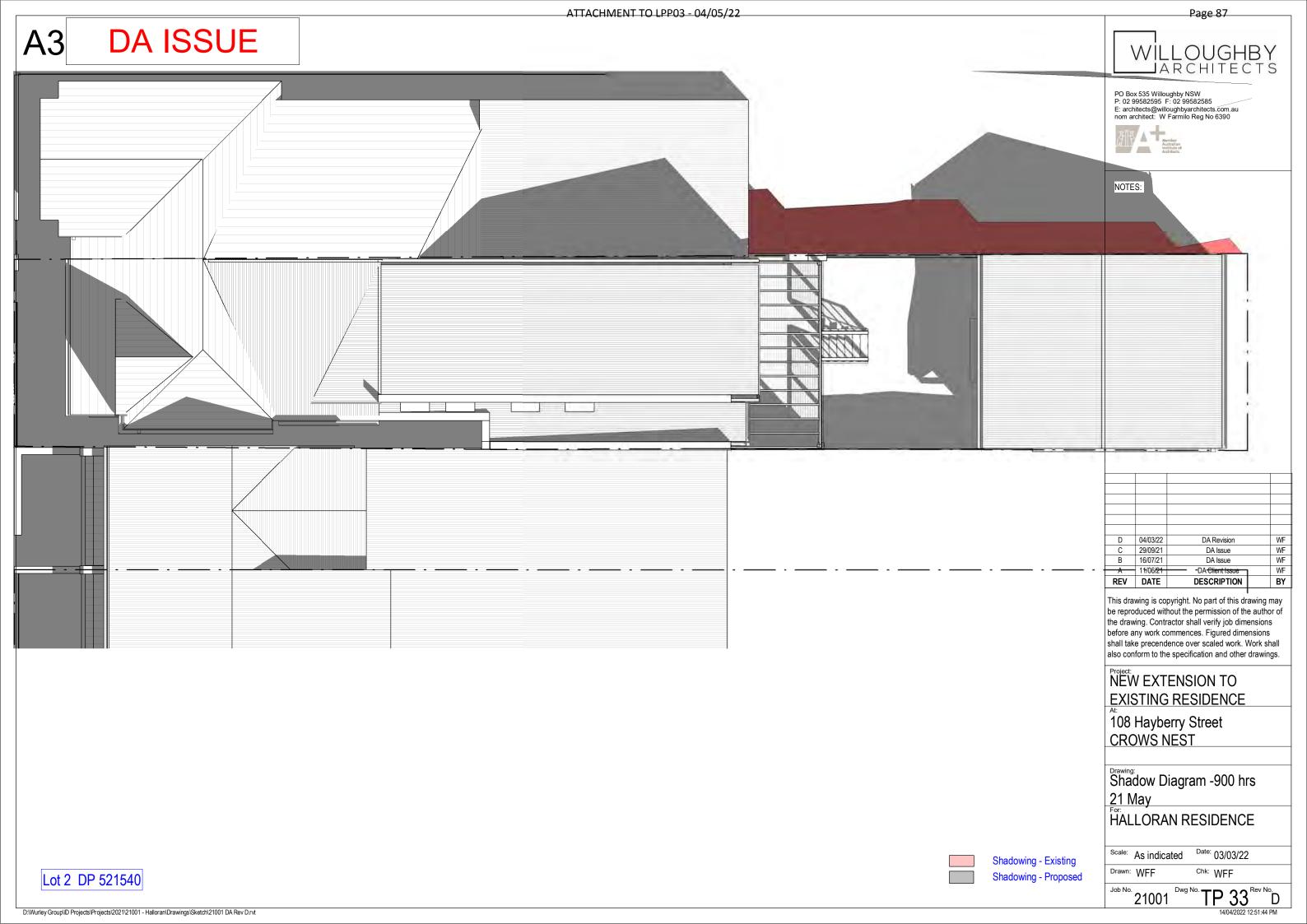
Date: 03/03/22

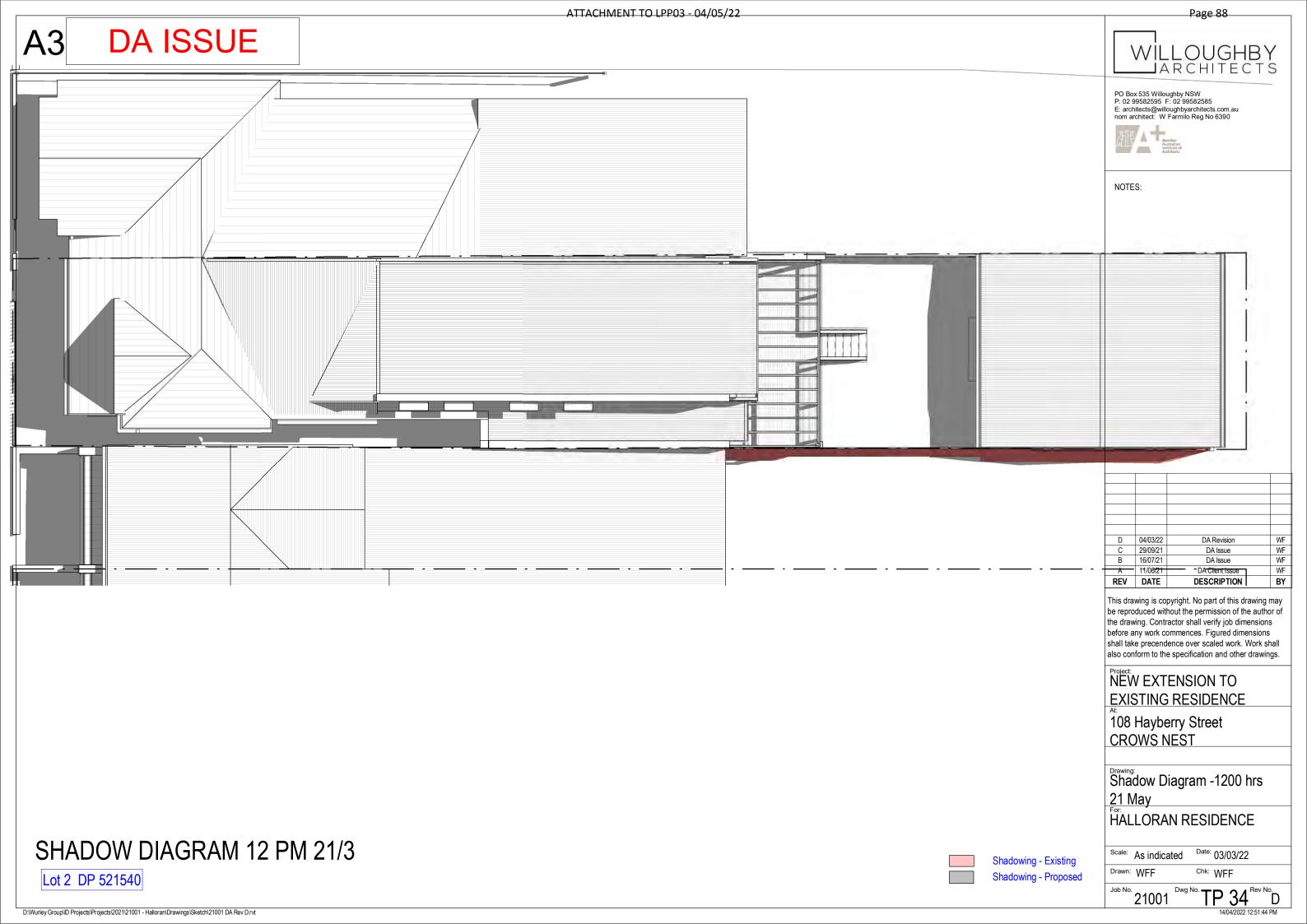
Drawn: WFF

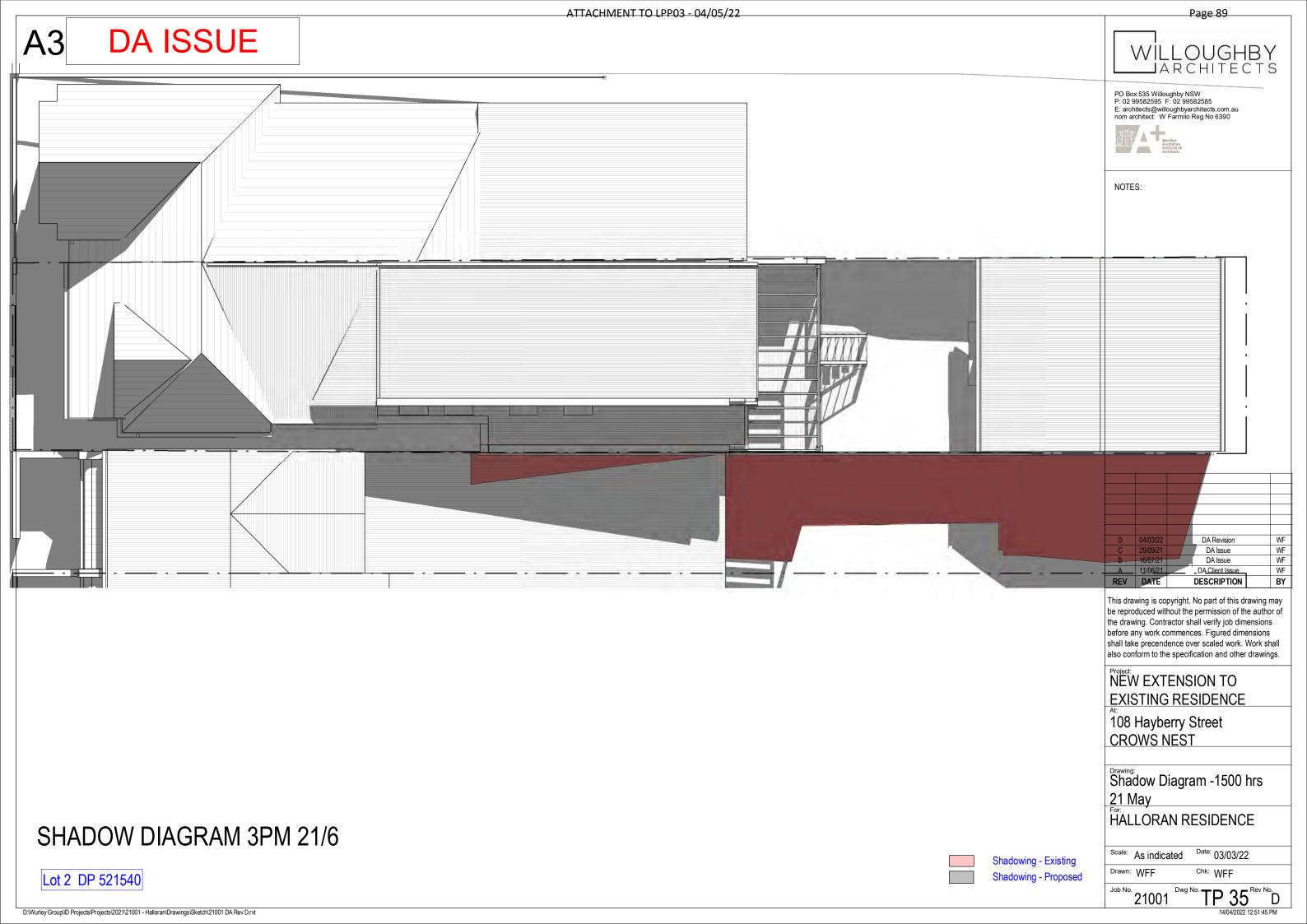


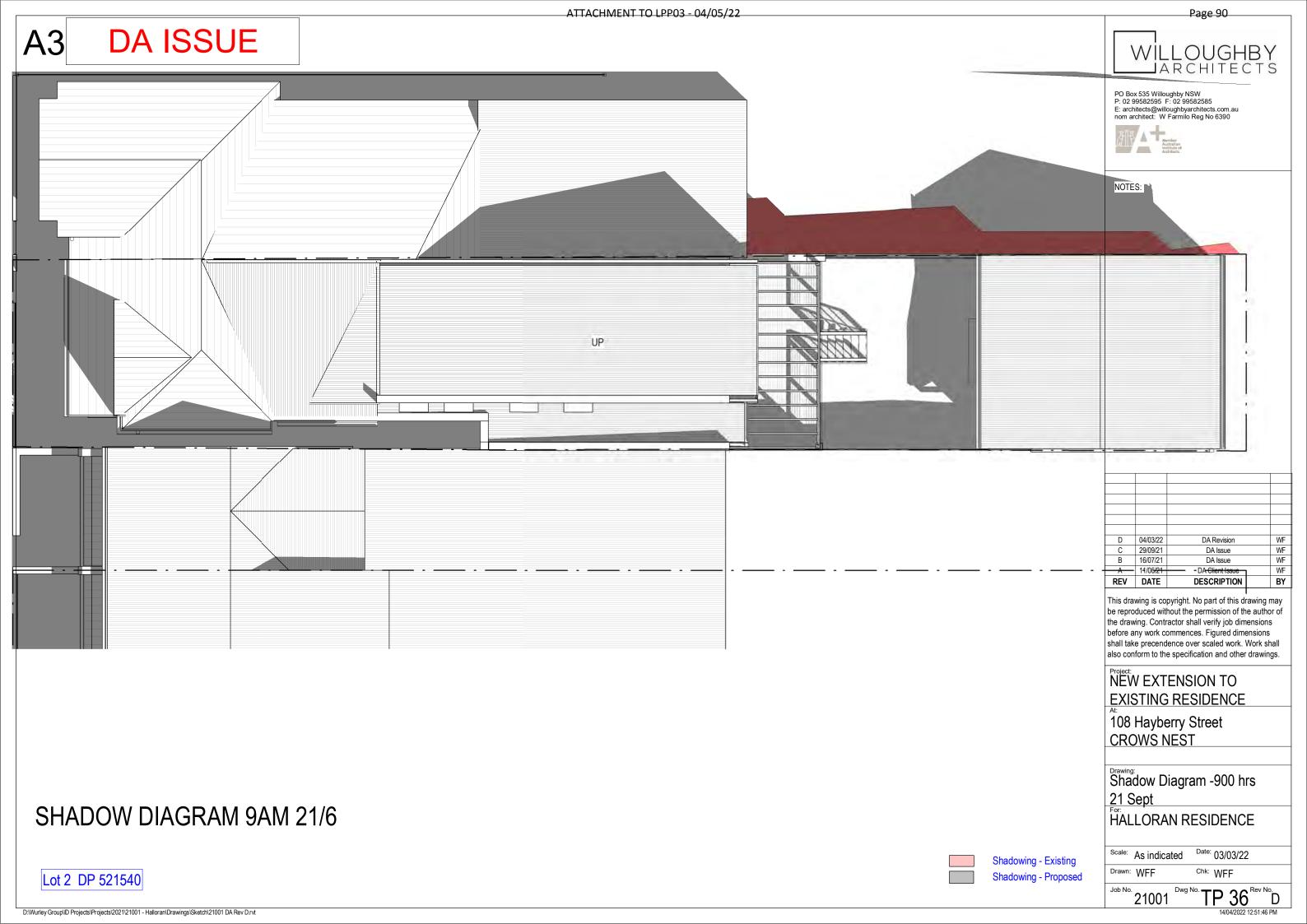


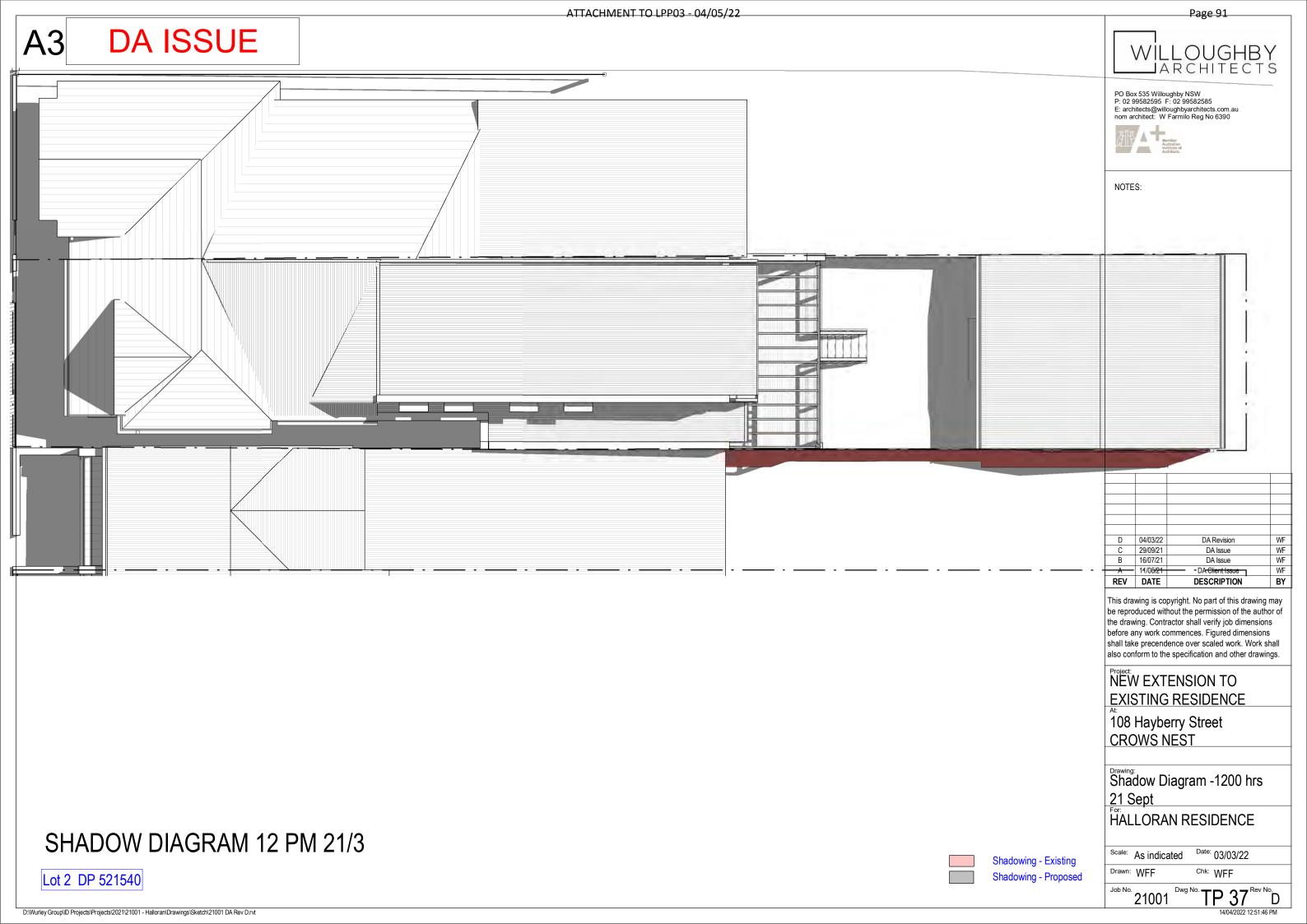


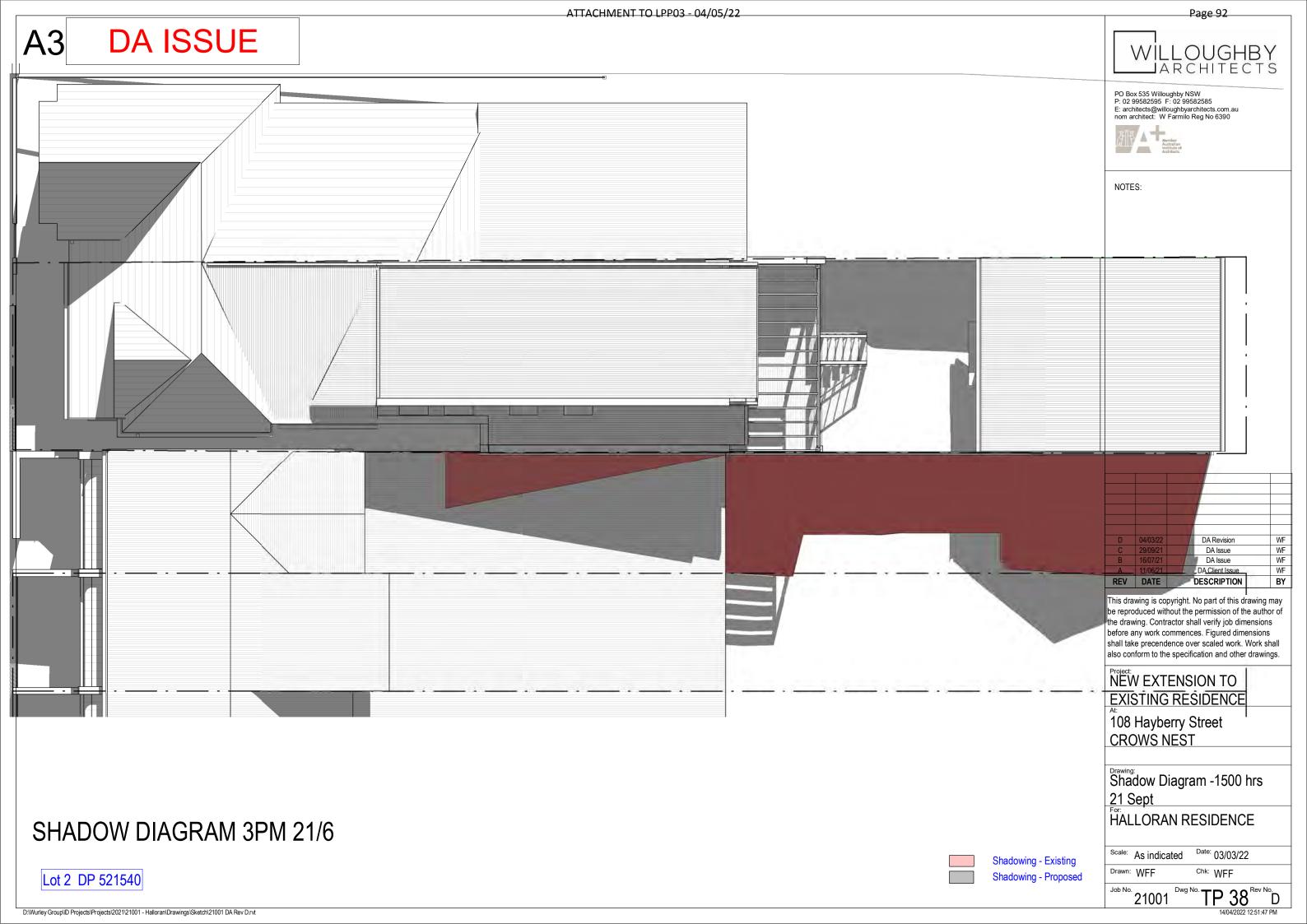


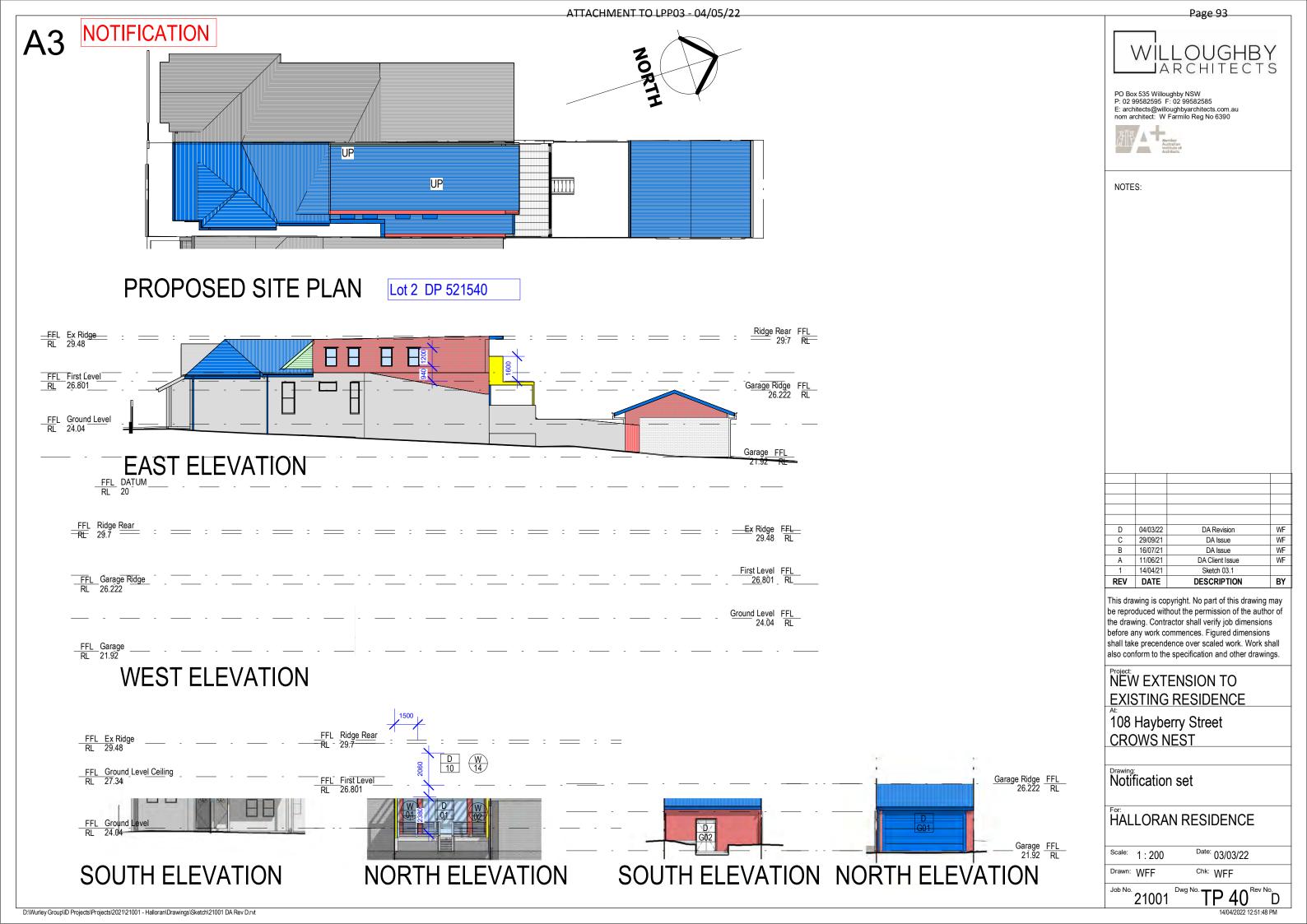












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Michael Gergich Consulting Engineer

Structural, Hydraulic and Civil Engineer

October 25 2021

The General Manager North Sydney Council 200 Miller Street NORTH SYDNEY 2060

Dear Sir

Re Proposed Extension at 108 Hayberry Street, Crows Nest for Mr Halloran

Following a recent site visit made by this office at the above address, I certify that the existing structure is capable of supporting additional first floor and roof loads as shown on Architectural Drawing Job No 21001, Drawing Nos TP05 (rev C) to TP10 (rev C), dated 29.9.21 and prepared by Willoughby Architects.

The first floor structure will be supported independently of the party wall as shown on the architectural drawing.

Should you require any further information, please do not hesitate to contact me.

Yours faithfully

Mulcul Gerquel BEMIE Aust.