

**NSLPP MEETING HELD ON 07/08/2024****Attachments:**

1. Site Plan
2. Architectural Plans

ADDRESS: 10 Colin Street, Cammeray**APPLICATION NO:** DA311/23**PROPOSAL:** Alterations and additions to a detached dwelling and a secondary dwelling including demolition, construction of a first floor addition, a garage building and a swimming pool**PLANS REF:**

Plan No. Rev	Description	Prepared by	Dated
DA_A001 Rev -	Site and Roof Plan	INTO Architecture	22 March 2024
DA_A101 Rev -	Ground Floor Plan New	INTO Architecture	22 March 2024
DA_A102 Rev -	First Floor Plan	INTO Architecture	22 March 2024
DA_A201 Rev -	Sections	INTO Architecture	22 March 2024
DA_A202 Rev -	Pool Sections	INTO Architecture	22 March 2024
DA_A301 Rev -	Elevations North & South	INTO Architecture	22 March 2024
DA_A302 Rev -	Elevations East & West	INTO Architecture	22 March 2024

OWNER: Alexandra Margaret van Schalkwyk**APPLICANT:** Ken Demlakian**AUTHOR:** Report of Robin Tse, Senior Assessment Officer**DATE OF REPORT:** 22 July 2024**DATE LODGED:** 27 October 2023**DATE AMENDED:** 25 March 2024**RECOMMENDATION:** Deferred Commencement

EXECUTIVE SUMMARY

This development application seeks consent for alterations and additions to a detached dwelling and a secondary dwelling including demolition, construction of a first floor addition, a garage building and a swimming pool at No.10 Colin Street, Cammeray.

The application is reported to the North Sydney Local Planning Panel for determination as the application has attracted more than 10 submission by way of objection.

The notification of the application, including amended plans, has attracted a total of 11 (eleven) submissions raising concerns about excessive bulk and scale, heritage impacts and adverse amenity impacts for the neighbouring properties.

The proposal has been considered under the relevant Environmental Planning Instruments and policies including NSLEP 2013 and NSDCP 2013 and was generally found to be satisfactory subject to the imposition of deferred commencement conditions requiring design modifications to the roof addition.

The proposal for alterations and additions to an existing detached dwelling is a permissible form of development on land within an R2 Zone (Low Density Residential) with consent from Council. The proposed dwelling complies with LEP's maximum building height limit.

The subject site is located within the Plateau Conservation Area and the imposition of the deferred commencement conditions relating to the roof addition would result in a dwelling design that would be more compatible with the character of the conservation area. Furthermore, a deferred commencement condition is recommended to further improve the level of compliance with site coverage and landscape area requirements. These amendments would not require further assessment as they have been considered herein.

The proposed development would not cause unreasonable impacts on the amenity of the adjoining properties in terms of the loss of significant views, privacy and solar access subject to the imposition of appropriate conditions in order to ensure reasonable amenity of the adjoining properties.

The issues raised in the submissions have been discussed in this report and/or addressed with appropriate conditions of consent.

It is considered to be reasonable in the circumstances and is recommended for a deferred commencement **approval** subject to conditions of consent.

DESCRIPTION OF PROPOSAL

The applicant seeks approval for alterations and addition to an existing detached dwelling and a secondary dwelling at No.10 Colin Street for use as a single dwelling, Cammeray.

The proposed works are summarised as follows:

Ground Floor:

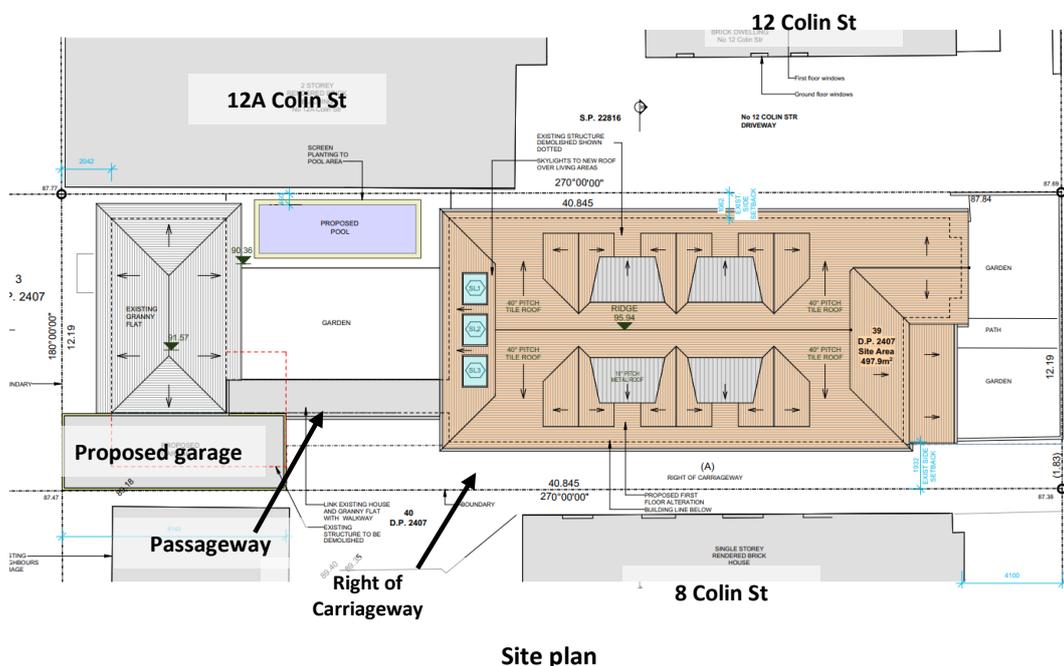
- (a) Demolition Works – Removal of internal partitioning walls at the rear of the main dwelling, the rear pergola of main dwelling and the southern side of the secondary dwelling;
- (b) Construction of a ground floor rear addition to the main dwelling and reconfiguration of the internal layout to provide an open plan living/family and kitchen area, a laundry and a pantry as well as a new staircase to the first floor;
- (c) Reconfiguration of the secondary dwelling at the rear to provide a rumpus room and the retention of an existing bedroom and bathroom on the northern side of the structure; and
- (d) Construction of a new garage to the south of the modified secondary dwelling;

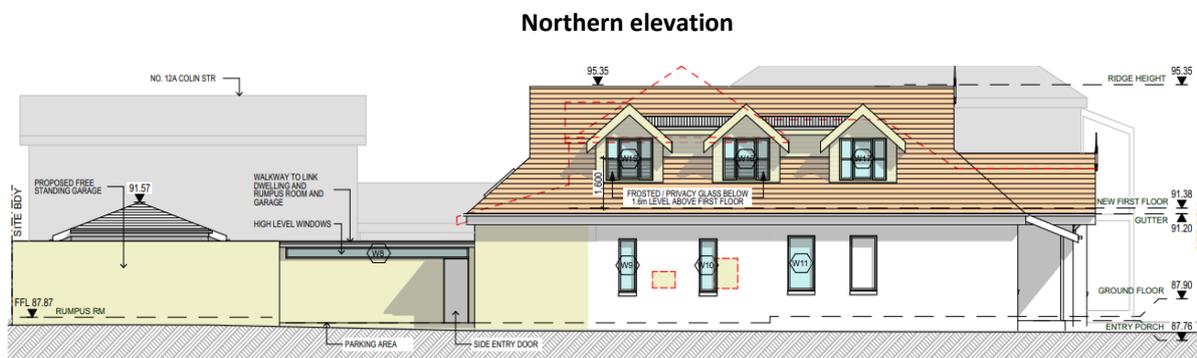
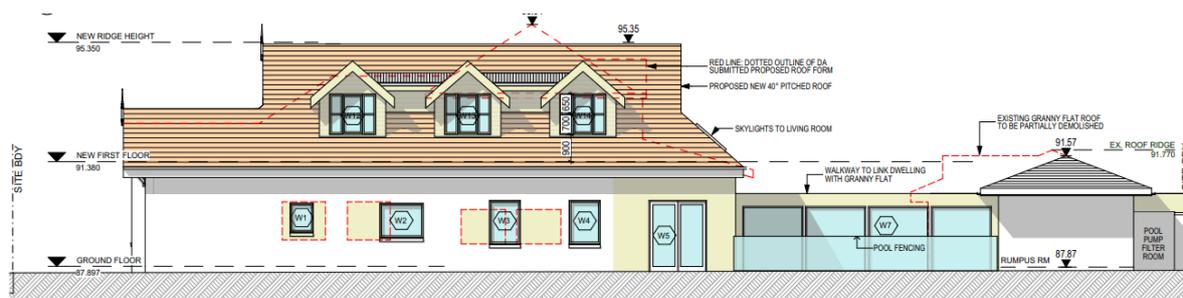
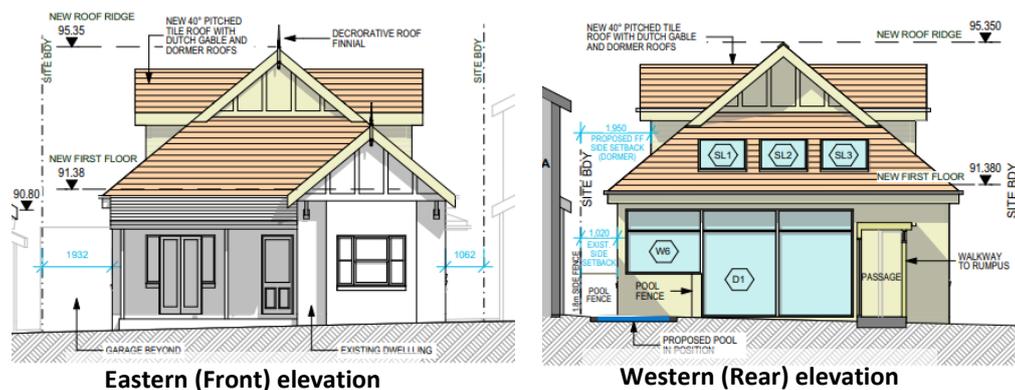
First floor:

- (a) Demolition of the existing first floor rear addition; and
- (b) Construction of a new first floor addition to provide a master bedroom with ensuite bathroom, storage and plant areas.

Other External Works:

- (a) Construction of an enclosed passageway to provide a link between the main dwelling and the secondary dwelling;
- (b) Construction of a swimming pool (6.4m x 2m) within the courtyard adjacent to the northern property boundary; and
- (c) Landscaping works.





Figures 1 – 5: Proposed development

STATUTORY CONTROLS

North Sydney LEP 2013

- Zoning – R2 (Low Density Residential)
- Item of Heritage – No (Neutral Item)
- In Vicinity of Item of Heritage – Yes (No.12 Colin Street)
- Conservation Area – Yes (Plateau Conservation Area)
- FSBL - No

Environmental Planning & Assessment Act 1979

Environmental Planning and Assessment Regulation 2021

SEPP (Biodiversity and Conservation) 2021

SEPP (Housing) 2021

SEPP (Resilience and Hazards) 2021

SEPP (Sustainable Buildings) 2022

Local Development

POLICY CONTROLS

NORTH SYDNEY DCP 2013

North Sydney Local Infrastructure Contributions Plan 2020

Sydney Harbour Foreshores & Waterways Area DCP 2005

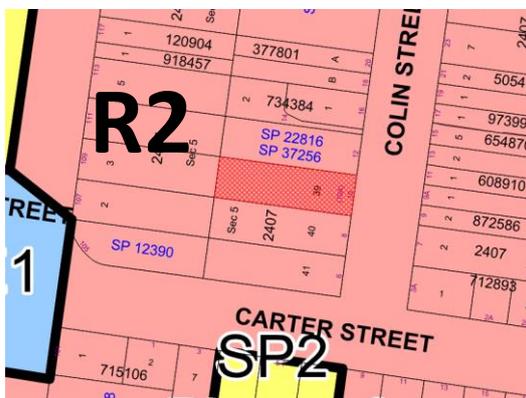


Figure 6 : Zoning

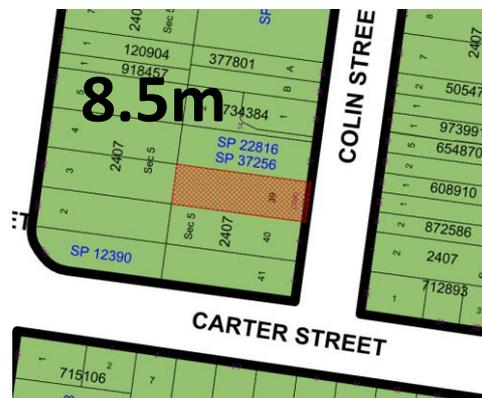


Figure 7 : Building height

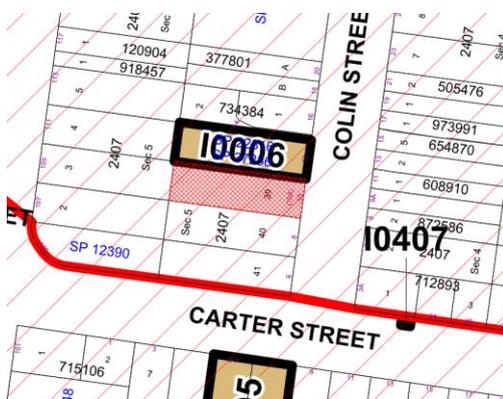


Figure 8 : Heritage

DESCRIPTION OF LOCALITY

The subject site is legally described Lot 39 DP2407, and is known as No. 10 Colin Street, Cammeray. The subject site has a frontage to Colin Street. Vehicular access to an open car space at the rear is provided via a right of carriageway along the southern property boundary. The site is generally flat and has a total area of 497.9sqm.

Currently the subject site contains a detached dwelling with a first floor rear addition and a single storey secondary dwelling at the rear of the subject site.

The subject site is a neutral item located within the Plateau Conservation Area.

The surrounding locality is characterised by low density residential development including single or two storeys detached dwellings or semi-detached dwellings. To the south of the subject site is a single storey detached dwelling at No.8 Colin Street. This adjoining property also shares the use of the right of carriage way.

The land to the north of the subject site contains 2 x two storey dwellings. The two storey dwelling fronting Colin Street is known as No.12 Colin Street and the two storey dwelling at the rear is known as No. 12A Colin Street with vehicular access via a right of carriageway along the northern property boundary of the subject site. This adjoining property is a heritage item as identified in NSLEP 2013.

The property at the rear (west) of the subject site contains a two storey detached dwelling at No. 109 Bellevue Street.



Eastern (Front) elevation and Right of carriageway along the northern boundary



Eastern (Front) elevation and Right of carriageway on the southern side of the site



Western (Rear) elevation of the main dwelling

Figures 9 – 11: Existing development



Figure 12: The Locality

RELEVANT HISTORY

Previous applications

- **26 July 2004** – Development Consent (**D142/04**) was granted by Council for alterations and additions to an existing dwelling including a two storey addition.
- **4 October 2013** – Development Consent (**D161/13**) was granted under delegated authority for demolition of an existing garage and construction of a new two bedroom secondary dwelling at the rear of the existing dwelling.
- **14 August 2014** – A Section 96 application (**D161/13/2**) was approved under delegated authority for changes to rear setback of the secondary dwelling to avoid encasement of a water main.

Current Application

- **27 October 2023** – The subject Development Application (**D311/23, PAN-381890**) for alterations and additions to an existing dwelling and secondary dwelling was lodged with Council via the Planning Portal.
- **24 November to 8 December 2023** - The application was notified to adjoining properties and the Plateau Precinct seeking comment on the proposal. A total of seven (7) submissions were received.
- **19 December 2023** – A site inspection was carried out the Assessing Officers.
- **10 January 2024** – The Assessing Officer carried out inspections of two adjoining properties.
- **5 February 2024** – A letter was sent to the applicant providing comments on various aspects of the proposal including heritage, landscaping, site coverage and impacts on the amenity of the adjoining properties.

- **25 March 2024** - The applicant submitted amended plans featuring a revised design for the proposed first addition above the main dwelling with three dormers each on the northern and southern sides of the roof plane.
- **9 to 22 April 2024** – The amended plans were notified to adjoining properties and the Plateau Precinct seeking comment on the proposal. A total of four (4) submissions were received.
- **18 June 2024** – The applicant suggested an alternate concept design for the first floor addition featuring two (2) dormers on each side of the roof plane. This design was not formally lodged with Council and does not form part of this assessment.

INTERNAL REFERRALS

BUILDING

The proposed works the subject of this application have not been assessed in accordance with compliance with the National Construction Code of Australia. This would need to be undertaken prior to the issue of a Construction Certificate. Should significant changes be required to achieve compliance with NCC standards, a Section 4.55 application would be necessary.

HERITAGE

The application, including the amended plans, has been referred to Council's Conservation Planner who provided the following on the amended proposal:

The subject property is a Neutral item and is located within the Plateau Conservation Area. The dwelling is Federation in style and has been modified by the addition of concrete roof tiles, the rendering of the brickwork, as well as the construction of a high front boundary wall and a two storey rear addition with rooms in the attic space. There is a right of carriageway along a paved driveway to a free standing garage to the south-west of the dwelling that also provides access to a self contained studio (Secondary dwelling).

The dwelling is adjacent to a heritage item (10006) at 12 Colin Street, which is located immediately to the north.

No objection is raised to the proposed changes to the interior, the partial demolition of the studio, the proposed new garage or pool, as these works are located in areas that will have low visual impact to the streetscape.

The amended proposal, however, is still not supportable as the proposed additions to the roof will further detract from the dwelling's original significance. NSDCP 2013 Part 13.6 defines Neutral items as : 'not defining, but do not detract from the overall character of a conservation area. They often represent the original era of development and may display the predominant architectural style.

The focus for neutral items is how the building appears in the street and public domain. The intention is to achieve a neutral or improved built outcome by removing previous unsympathetic alterations, or adding features that are characteristic of an area.'

The proposal therefore does not satisfy clause 5.10 in NSLEP 2013 because of the changes to the roof and the impact to the streetscape. This is largely the result of the increase in the dwelling's scale as well as the proposed new gable facing the street and the overall length and volume of the proposed dormers.

In addition, the proposal does not comply with the following controls in NSDCP 2013:

13.6.1 General Objectives O3 Enable neutral items to be improved such that they contribute to the character of the heritage conservation area through the removal of unsympathetic and inappropriate elements, and reinstating missing details where appropriate - *The proposal does not result in the removal of unsympathetic elements such as the high front wall to improve the building's significance. Instead, the proposal will result in an over-scaled roof addition in the form of two sets of triple dormers, an increased roof ridge height and a new gable-end facing the street. There is also no clarity as to whether the concrete roof tiles are to be replaced with sympathetic traditional Federation style Marseilles profile tiles.*

13.6.2 Form, Massing, Scale 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 - *The proposal does not result in the removal of the visually detracting high front wall or the heavily paved driveway. The proposed dormer additions will further detract from the building's remnant significance. The proposed new roof form with the new gable addressing the street will introduce a new gable-end and dormers just to create plant and storage space. It is recommended that the plant and storage attic spaces be deleted from the proposal.*

13.6.4 Additional Storeys and Levels P1 Additional storeys or upper level additions are not supported in heritage conservation areas. P2 Despite P1, the consent authority may permit an additional storey or upper level addition, but only if the applicant can demonstrate: (a) that the resultant building will exhibit a similar scale to that in the vicinity of the site, and (b) that the design respects the heritage characteristics of the area. (c) that the additional storey does not alter the form or scale of any heritage or contributory items. Note: Modest cottages need to retain a small form and height. P3 Typically, additions should be set back behind the main roof lines and should be located substantially within the existing roof - *The amended proposal is not compliant in that the new roof ridge height will increase the building's scale, the original roof form will be altered and the new dormers will dominate the side roof planes.*

13.9.2 Dormers P6 Dormers on the street elevation of a building must not comprise more than 1/3 of the width of the roof plane upon which they are placed. P8 The design of the dormer is to complement the style and detailing of the existing building and its roof. Figures B-13.21 and B-13.24 show examples of Victorian and Edwardian dormer windows - The proposed dormers are over-scaled in that the total length of the dormers exceeds more than 1/3 of the roof plane as measured at the eaves and do not comply with P6. This style of dormer is not characteristic to Federation style dwellings and the proposal therefore does not comply with provision P8.

It is recommended that the front two dormers for the plant and attic plant rooms be deleted, plus the associated shed dormers. This will require re-configuration of the floor plans internally.

CONCLUSION

It is recommended that the application be amended such that the:

- a) *The gable end facing the street is amended to a hipped roof plane to reduce the bulk of the new roof, particularly as the roof height has increased;*
- b) *The front two gabled dormers for the plant and storage attic spaces and the associated shed style dormers to the west be deleted.*

The following deferred commencement condition is recommended to ensure that the development will be more sympathetic to the character of the conservation area:

Heritage Requirements

AA1. *The following heritage requirements are to be met:*

- a) *The following design modifications are required for the first floor addition:*
 - i) *The plant and attic storage rooms are to be deleted from the first floor addition;*
 - ii) *The gable end addressing the street shall be amended to a hipped roof plane that has a traditional Federation style roof pitch sympathetic to the subject dwelling;*
 - iii) *The two eastern gabled dormers closest to the street and their associated shed style dormers are to be deleted;*
 - iv) *Dormers are to be fully dimensioned and demonstrate compliance with DCP's proportion requirements.*
- b) *New roof tiles to be unglazed terracotta roof tiles in Marseilles pattern.
New metal roof sheeting to have a corrugated profile*
- c) *New windows W1 - W5 and W9 - W17 are to be timber framed.*

Plans and specifications demonstrating compliance with the above requirements must be submitted for written approval from Council's Team Leader Assessments consultation with Council's Conservation Planner in prior to the issue of an operative consent.

(Reason: To ensure that the proposed development is sympathetic to the character of the conservation area.)

ENGINEERING

The application has been referred to Council's Development Engineers who raised no objection to the proposed development subject to appropriate engineering conditions. It is noted that the existing driveway crossing would be retained and stormwater would be discharged to the existing infrastructure along the street.

LANDSCAPING

The application has been referred to Council's Landscape Development Officer who raised no in-principle objection to the proposal subject to the imposition of appropriate landscaping conditions including various changes to the planting arrangements in order to achieve a better landscaping outcome.

EXTERNAL REFERRALS

Ausgrid

The application has been referred to Ausgrid in accordance with s.2.48 of the *SEPP (Transport and Infrastructure) 2021*.

Ausgrid has raised no objection to the proposal subject to certain requirements to ensure protection of overhead electricity cables in front of the subject site.

SUBMISSIONS

Original proposal

Council notified adjoining properties and the Plateau Precinct of the proposed development seeking comment between 24 November and 8 December 2023. Council received a total of seven (7) submissions. The matters raised in the submissions are listed below:

Basis of Submissions

- The proposal is contrary to Council's heritage requirements due to the proposed first floor addition and changes to the roof form.
- The proposed roof is higher than the existing and that of the neighbouring property to the north.
- The proposed dormer window on the rear elevation would cause the loss of visual privacy for the adjoining property to the west of the subject site.
- No owners consent is granted on any new structures to be constructed along the common southern property boundary.
- The proposed first floor addition would be a full storey and is non-compliant with Council's heritage controls.
- Concerns raised about the shadowing impacts on the adjoining property to the south.
- In sufficient open space and landscaped area within the proposed development.

- Excessive bulk and scale and overdevelopment of the subject site.
- Concerns raised about the loss of access to the adjoining property to the south via the right of carriageway during the construction of the proposed development.
- The proposed swimming pool does not comply with the DCP minimum setback requirements.
- The adjoining property to the north is a heritage item with a two storey main dwelling and an outbuilding that was converted into a two storey dwelling.
- The existing rear addition over the main dwelling on the subject site retains views and protect visual privacy of the adjoining property to the north across the right of carriageway.
- The proposed addition would be excessive in bulk and scale and uncharacteristic within a conservation area.
- The loss of significant views as seen from the first floor windows on the southern elevation of an adjoining property across the right of carriageway.
- The loss of light and view of the sky from the ground floor south facing windows of the adjoining property to the north across the right of carriageway.
- The loss of visual privacy for the adjoining property to the north due to overlooking from the proposed addition.
- The new first floor addition is also highly visible from the street.
- The proposal is an overdevelopment of the subject site.
- The survey plan incorrectly identified an adjoining two storey dwelling as a single storey building.
- The proposed excavation and construction works associated with the proposed swimming pool would compromise the structural integrity and the significance of the adjoining heritage listed dwelling to the north.
- The proposed swimming pool would result in adverse noise impacts on the adjoining property to the north.
- Adverse heritage impacts resulting from excessive bulk and scale and uncharacteristic nature of the proposed first floor addition.
- Adverse visual privacy impacts due to overlooking from the new first floor windows on the rear elevation into the adjoining property to north of the subject site.
- Non-complying site coverage and landscaped area.
- The proposed dormer window on the rear elevation would cause the loss of visual privacy for the adjoining property to the west of the subject site.
- Significant privacy impact on the adjoining property to the south.
- Uncharacteristic bulk and scale within the Conservation Area.

Amended Proposal

The applicant submitted amended plans that were renotified to adjoining properties, previous submitters and the precinct for 14 days between 9 and 22 April 2024. Council received total of four (4) submissions were received.

Basis of Submissions

- Issues raised in the previous submission still stand.
- Access to the adjoining property via the right of carriageway must be maintained at all times.
- Amended proposal has resulted to additional adverse impacts in term of the loss of solar access and adverse privacy impacts.
- Concerns raised about the shadowing impacts on the adjoining property to the south.
- The proposed swimming is likely to cause noise nuisance for the adjoining property to the south.
- The amended proposal would result in increased impacts on the adjoining property to the north across the right of carriageway.
- Concerns raised about further loss of visual privacy for the adjoining property to the north across the right of carriageway. due to looking caused by the the proposed dormers .

- A loss of significant views to the city and skyline as seen from the first floor windows on the southern elevation of the adjoining property.
- There are no clear reasons for the positioning of the plant/storage area located at the front the proposed addition that would cause adverse amenity impacts for the adjoining property to the north across the right of carriageway.
- Consideration should be given to a revised design with a reduced overall roof ridge height and the deletion of the eastern dormers to retain the original roof line.
- The concerns raised in the original submission still stand.
- The additional building bulk from the amended design would reduce the internal amenity of the adjoining property to the north.
- Adverse heritage impacts resulting from excessive bulk and scale and uncharacteristic nature of the proposed first floor addition.
- Adverse visual privacy impacts due to overlooking from the new first floor dormer windows into the adjoining property to north of the subject site.
- Non-complying site coverage and landscaped area.

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.

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:

Environmental Planning and Assessment Act 1979 (as amended) ***Environmental Planning and Assessment Regulation 2021***

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:

SEPP (Biodiversity and Conservation) 2021

Chapter 2 – Vegetation in Non-Rural Areas

The proposed modifications meet the objectives of the SEPP because there would be no clearance of native vegetation or any materials impacts on bushland in the vicinity of the subject site.

Chapter 6 - Sydney Harbour Catchment

Having regard to the provisions of Chapter 6 of the SEPP and the Sydney Harbour Foreshores and Waterways Area DCP 2005, the proposed development would not be visible from Sydney Harbour and its foreshores, it is not considered to be detrimental to general scenic quality and the ecology of the Harbour and will not unduly impose upon the character of the foreshore due to the site's location away from the foreshore. Furthermore, the proposal would not adversely affect environmental processes, including in relation to water quality and biodiversity.

As such, the development is generally acceptable having regard to the provisions contained within Chapter 6 of the above SEPP.

SEPP (Resilience and Hazards) 2021

The subject site has been considered in light of the above SEPP.

It is noted that as the site has been used for residential purposes for many years and Council's records does not indicate any likely source of land contamination. Furthermore, the proposed modifications do not involve any new earthworks.

Accordingly, the proposal is considered to be satisfactory having regard to *SEPP (Resilience and Hazards) 2021*.

SEPP (Housing) 2021

The proposal involves alteration and additions to an existing detached dwelling and an existing secondary dwelling within the subject site.

Whilst the proposed development does not offend the provisions of the *SEPP*, particularly Part 1 in Chapter 3 of the SEPP relating to secondary dwelling, the application involves physical works to the secondary dwelling with the intention for use as a single occupancy. A condition is therefore recommended that the subject site is to be used as a single occupancy to ensure clarity for the future use of the subject property (**Condition I3**).

SEPP (Sustainable Buildings) 2022

A valid BASIX Certificate (No. A1741052) has been submitted with the application to satisfy the Aims of the SEPP (**Conditions No. C28, G9**).

NORTH SYDNEY LOCAL ENVIRONMENT PLAN (NSLEP 2013)

1. Permissibility

The subject site is zoned Residential R2 (Low Density Residential) under the provisions of the *North Sydney Local Environmental Plan 2013 (NSLEP 2013)*. Development for the purposes of alterations and additions to a detached dwelling/secondary dwelling is permissible within the zone with Council's development consent.

2. Objectives of the zone

The proposed development, as amended by the deferred commencement conditions, is considered to be generally satisfactory in meeting the objectives of the R2 zone as discussed throughout this report.

Part 4 – Principal Development Standards

COMPLIANCE TABLE Principal Development Standards North Sydney Local Environmental Plan 2013			
Site Area – 497.9m²	Proposed	Control	Complies
Clause 4.3 – Heights of Building	7.8m	8.5m	YES

3. Height of Building

The proposed development, with a maximum building height of 7.8m, complies with the LEP maximum building height limit of 8.5m pursuant to Clause 4.3 of *North Sydney LEP 2013*.

4. Heritage Conservation

The application has been assessed against the relevant heritage objectives and provisions as contained in the *North Sydney LEP 2013*, and found to be generally satisfactory subject to the imposition of appropriate deferred commencement and other conditions as indicated in the comments from Council's Conservation Planner.

5. Earthworks

The proposed development involves excavation works for the construction of the proposed swimming pool.

Given that the current proposal only provides 450mm setback from the northern property boundary, it is considered that an increased setback of 1.2m should be provided in order to minimise impacts on heritage listed dwelling at No.12A Colin Street due to the proposed excavation works for the swimming pool (**Condition AA2**).

Furthermore, the applicant is required to submit geotechnical report, dilapidation reports, structural adequacy report to ensure that the proposal would minimise any impacts on the structural integrity of adjoining properties, particularly the heritage listed item at No. 12A Colin Street.

NORTH SYDNEY DEVELOPMENT CONTROL PLAN 2013

The proposal has been assessment under the following heading within NSDCP 2013:

DEVELOPMENT CONTROL PLAN 2013 – Part B Section 1- Residential Development		
	<i>complies</i>	<i>Comments</i>
1.2 Social Amenity		
1.2.1 Population Mix	Acceptable on merit	Whilst the application does not specify the change of use of the subject site to a single occupancy, the design of the proposal implies such use. Notwithstanding this, the proposal is considered to be acceptable given that the secondary dwelling can be used by the same household that occupies the main dwelling for the purpose of additional accommodation.
1.2.2 Maintaining Residential Accommodation		
1.2.3 Affordable Housing		
1.2.4 Housing for Seniors/ Persons with disability		
1.3 Environmental Criteria		
1.3.1 Topography	Yes	The proposed development would not materially change the landform of the subject site.
1.3.6 Views		The proposed development would not cause the loss of significant view from most of the surrounding properties. However, a view analysis, based on the L&E Court Tenacity principle, is provided below for the adjoining property to the north at No. 12 Colin Street.

Tenacity Test

One of the issues raised in the submissions received by Council relates to potential view loss for an adjoining property to the north at No. 12 Colin Street.

This adjoining property is a two storey detached dwelling that has an east-west orientation with the outlook from the front elevation towards the east. The first floor bedroom window on the southern (side) elevation benefit from a view/outlook to the south across the side property boundary over the roof ridge line of the existing dwelling on the subject site.

The Four Step Test in respect of Views

The following view assessment has been undertaken in accordance with the four (4) step process adopted by Commissioner Roseth of the NSW Land and Environment Court centering around *Tenacity Consulting v Warringah Council [2004] NSWLEC 140*.

First Step:

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

Comment:

An inspection of No.12 Colin Street has revealed that the first floor bedroom window has a view across the roof of the main dwelling of the subject site to nearby buildings, vegetation and the upper part of the taller buildings in Sydney CBD and North Sydney CBD on the background. The view has valuable elements such as buildings in Sydney CBD, however, this view is partial and partly filtered by nearby vegetation.



Figures 13 – 14: View from the first floor bedroom window of No. 12 Colin Street

Second Step:

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

Comment:

The views being considered are from a bedroom in a standing position. In addition, the views affected would be obtained across the side boundaries which are more difficult to be retained.

The design of proposed development, as modified by the deferred commencement condition requiring the deletion of the store/plant rooms at the eastern end of the proposed addition, should assist the partial retention of the view to the Sydney CBD buildings.

Third Step:

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

Comment:

As mentioned above, the views being considered are seen from a bedroom window on the southern elevation of No.12 Colin Street. The design modifications as recommended by Council’s Conservation Planner requiring the deletion of the eastern dormers, are likely to reduce the visual impact of the proposed roof and is likely to retain some of the views as seen from the first floor bedroom window at No, 12 Colin Street. The view impact is considered to be minor subject to the imposition of the deferred commencement conditions (Condition AA1).

Fourth Step:

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

Comment:

The proposed development complies with the LEP maximum building height development standards. Notwithstanding compliance with the LEP building height control, the design modifications requiring the deletion of the eastern dormers has the benefit of view sharing for the residents of No.12 Colin Street with the likely retention of the view to the Sydney CBD.

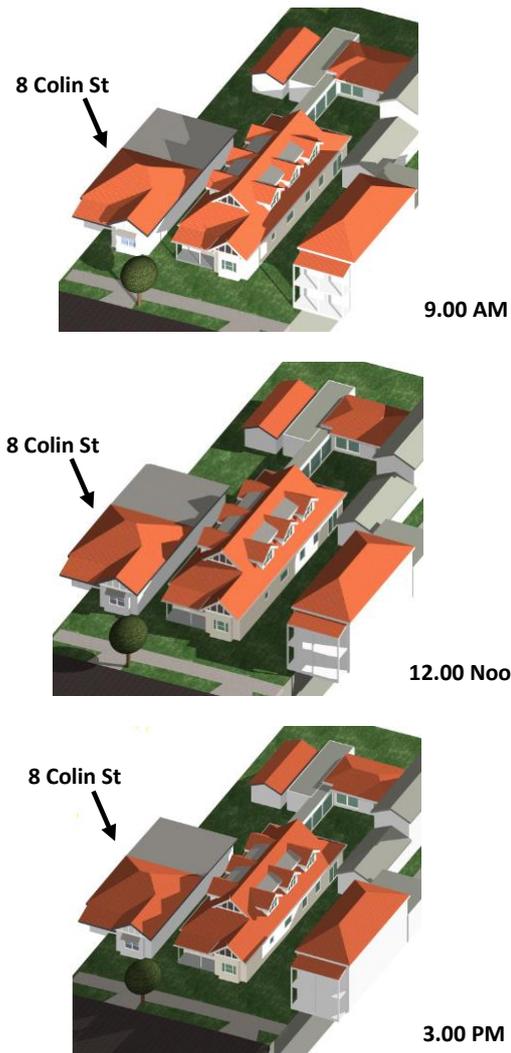
Conclusions

The proposed development complies with the LEP building height control. The proposal is likely to affect the view from a first floor bedroom across the side property boundary towards nearby vegetation and taller buildings in Sydney CBD and North Sydney CBD.

It is noted that views across side property boundaries are difficult to protect and the views seen from a bedroom window are less significant from primary living areas such as a living room under the tenacity principle.

The design modifications as recommended by Council’s Conservation Planner would have the added benefit of retaining part of the view. It is therefore considered that the view impacts are acceptable subject to the imposition of deferred commencement conditions.

<p>1.3.7 Solar Access</p>	<p>Yes</p>	<p>The shadow diagrams submitted by the applicant has indicated that the proposal would cause additional shadowing on the ground floor windows on the northern elevation of No.8 Colin Street between 9am and 3pm during mid winter (21 June).</p> <p>However, the following factors are considered to be relevant in assessing the shadowing impacts of the proposal on this adjoining property (Figures 15-17):</p> <p>(a) The proposed addition complies with LEP maximum building height limit;</p>
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		<p>(b) The southern elevation of the proposed addition complies with DCP’s side boundary setback controls;</p> <p>(c) Solar access is difficult to protect for southern properties where properties are characterised by east-west oriented dwellings;</p> <p>(d) The proposed addition would have no material shadowing impacts on the eastern (front) and western (rear) elevations of No. 8 Colin Street during mid winter due to the east-west orientation of the dwelling on this adjoining property.</p> <p>It is therefore considered that the shadowing impacts on No.8 Colin Street are acceptable under the site circumstance.</p>  <p style="text-align: center;">Figures 15-17: 3D shadow diagrams (Mid Winter)</p>
<p>1.3.8 Acoustic Privacy</p>	<p>Yes</p>	<p>The proposal does not significantly change the use of the outdoor areas as passive recreation spaces with the exception of the swimming pool. The impacts of the proposed swimming pool will be considered under a separate heading in this report.</p>

<p>1.3.10 Visual Privacy</p>	<p>Yes (via condition)</p>	<p>The new ground floor windows on the northern and southern elevations are unlikely to cause additional privacy impacts for the adjoining properties because of (a) the screening provided by the boundary fencing for the windows on the norther elevation and (b) the requirement for frosted glazing for windows W9, W10 and W11 (Condition AA2).</p> <p>In addition, the applicant has proposed frosted/privacy glazing for the lower panes of the dormer windows on the southern elevation to protect visual privacy for the adjoining property at No. 8 Colin Street.</p> <p>Similarly, a condition is recommended requiring frosted/privacy glazing to be applied to the lower panes of the dormer windows on the northern elevation to protect visual privacy for the adjoining property at No. 12 Colin Street (Condition AA2).</p> <p>The proposed dormer windows are unlikely to cause material visual privacy impacts for the properties at No.12A Colin Street and No. 109 Bellevue Street with the requirement for frosted glazing and the locations of the dormers away from these properties.</p>																												
<p>1.4 Quality built form</p>																														
<p>1.4.1 Context</p>	<p>Yes (via condition)</p>	<p>The proposed development, as amended by deferred commencement conditions as detailed throughout this report, is considered to be acceptable within the context of the subject site and that of the conservation area.</p>																												
<p>1.4.2 Subdivision Pattern</p>	<p>Yes</p>	<p>The proposed development would not change the subdivision pattern within the subject site and the locality.</p>																												
<p>1.4.3 Streetscape</p>	<p>Yes (via conditions)</p>	<p>Council’s Development Engineer has raised no objection to the proposal given that the existing kerb and gutter along Colin Street would be retained. The street tree in front of the subject site is required to be protected to minimise any impacts during the construction phase of the development.</p>																												
<p>1.4.5 Siting</p>	<p>Yes</p>	<p>The proposed development would not change the orientation and siting of buildings within the subject site.</p>																												
<p>1.4.6 Setback – Side</p>	<p>Acceptable on merit and via condition</p>	<p>A table is provided below showing the level of compliance with DCP’s setback controls:</p> <table border="1" data-bbox="783 1554 1410 2056"> <thead> <tr> <th>Control</th> <th>Existing</th> <th>Proposed</th> <th>Compliance</th> </tr> </thead> <tbody> <tr> <td>1st storey (Up to 4m) 900mm</td> <td></td> <td></td> <td></td> </tr> <tr> <td>- Northern elevation</td> <td>1.062m</td> <td>1.062m</td> <td>Yes</td> </tr> <tr> <td>- Southern elevation</td> <td>900mm</td> <td>0mm</td> <td>No</td> </tr> <tr> <td>2nd storey (up to 7m) 1.5m</td> <td></td> <td></td> <td></td> </tr> <tr> <td>- Northern elevation</td> <td>1.8m*</td> <td>1.95m***</td> <td>Yes</td> </tr> <tr> <td>- Southern elevation</td> <td>3.8m**</td> <td>2.85m***</td> <td>Yes</td> </tr> </tbody> </table>	Control	Existing	Proposed	Compliance	1st storey (Up to 4m) 900mm				- Northern elevation	1.062m	1.062m	Yes	- Southern elevation	900mm	0mm	No	2nd storey (up to 7m) 1.5m				- Northern elevation	1.8m*	1.95m***	Yes	- Southern elevation	3.8m**	2.85m***	Yes
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- Southern elevation	N/A	2.5m****	Yes															

		<p>(d) What are the impacts on the amenity and/or development potential of the adjoining sites</p> <p>This aspect of the proposal would not cause material impacts on the amenity of the adjoining properties in terms of overshadowing, view or privacy loss given that the new wall would be located to the north of an existing garage building for No. 8 Colin Street.</p> <p>(e) Are there arrangements in place for the maintenance of the wall or gutters</p> <p>Whilst no details have been provided by the applicant with regard to maintenance of the walls and gutters of the adjoining property, it is considered that the issue of access and maintenance of the structure adjacent to the property boundaries would be a civil matter between the property owners.</p> <p>Having regard to the above, the nil setback of the proposed garage building is considered to be acceptable.</p>
P1 Front setback	<p>Yes</p> <p>Via condition</p>	<p>The proposed works would not change the existing building setback from the front boundary at 4.1m.</p> <p>The first floor addition would provide a setback of approximately 8.8m from the front property boundary. Council's Conservation Planner has recommended design modifications that would result in further setback of the first floor addition from the front boundary in order to minimise the visual impact of the addition on the single storey character of the conservation area (Condition AA1).</p>
P5 Rear Setback – Rear	<p>Yes</p> <p>Via condition</p>	<p>The main dwelling would provide a rear property boundary setback in excess of 15m. No objection is raised to this aspect of the proposal given the variable rear boundary building setback of properties nearby.</p> <p>The proposed garage would have a nil setback from the rear (western) property boundary. It is considered that a 900mm setback would be appropriate to provide a buffer between the proposed garage building and the rear yard of the adjoining property to the west (No.109 Bellevue Street) (Condition AA2).</p>
1.4.7 Form Massing Scale 1.4.8 Built Form Character	<p>Yes (via condition)</p>	<p>The proposed development, as amended by deferred commencement conditions as detailed throughout this report, is considered to be acceptable in terms of building height, bulk and scale as well as the built form character of the development.</p>
1.4.9 Dwelling Entry	<p>No change</p>	<p>The proposal would not change the dwelling entry on the front elevation of the subject site.</p>
1.4.10 Roofs	<p>Yes (via condition)</p>	<p>The proposed roof form, as amended by deferred commencement conditions is considered be acceptable with a reduction in size in a more recessive form as seen from the street.</p>
1.4.11 Dormers	<p>Yes (via condition)</p>	<p>As indicated earlier in this report, the proposal for three (3) dormers each on the eastern and western roof planes is considered to be excessive. The design modifications as required by the deferred commencement condition to reduce the number of dormers to two (2) each on the northern and southern roof plane would result in a more acceptable outcome.</p>

1.4.12 Materials	Yes (via condition)	Council's Conservation Planner has recommended a condition requiring certain changes to external materials and the submission of a revised schedule of external materials, colours and finishes (Condition C11).																				
1.4.14 Front Fences	No change	The applicant has not proposed any new works to the existing 1.8m high masonry front fence.																				
1.5 Quality Urban Environment																						
1.5.4 Vehicle Access and Parking	Yes	The proposed garage at the rear of the subject site with a vehicular access via a right of carriageway off Colin Street is compliant with the DCP parking requirement.																				
1.5.5 Site Coverage 1.5.6 Landscape Area	Acceptable via condition	A table is provided below to demonstrate compliance with DCP's site coverage, unbuilt upon and landscaped area requirements: <table border="1" data-bbox="799 725 1394 1285" style="margin: 10px auto;"> <thead> <tr> <th>Control</th> <th>Existing</th> <th>Proposed</th> <th>Compliance</th> </tr> </thead> <tbody> <tr> <td>Site Area: 497.9sqm</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Site coverage (Max 50%)</td> <td>241sqm (48.4%)</td> <td>279.4sqm (56.1%) 264.4sqm* (53.1%)</td> <td>No</td> </tr> <tr> <td>Landscaped area (Min 30%)</td> <td>22sqm (4.4%)</td> <td>125.3sqm (25.2%) 139.3sqm* (27.9%)</td> <td>No</td> </tr> <tr> <td>Unbuilt-upon area (Max 20%)</td> <td>234.9sqm (47.2%)</td> <td>93.2sqm (18.7%) 94.2sqm* (18.9%)</td> <td>Yes</td> </tr> </tbody> </table> <p data-bbox="743 1290 1310 1319">* As amended by deferred commencement conditions</p> <p data-bbox="743 1352 1455 1473">The existing development complies with DCP's site coverage requirement, however there is a significant shortfall of landscaped area and excessive unbuilt upon areas due to the right of carriageway on the southern side of the subject site.</p> <p data-bbox="743 1507 1455 1628">The proposed increase in landscaped area and reduction in unbuilt upon areas are supported. It is however noted that the site coverage would be increased by approximately 8% due to the proposed swimming pool, the coverage passageway and the garage.</p> <p data-bbox="743 1662 1455 1845">The recommended deferred commencement conditions would improve compliance with the DCP site coverage and landscaped area requirements as indicated in the compliance table above. The minor increase in unbuilt upon area is the result of the deferred commencement requirement for the swimming pool to provide an 1.2m setback from the northern property boundary.</p>	Control	Existing	Proposed	Compliance	Site Area: 497.9sqm				Site coverage (Max 50%)	241sqm (48.4%)	279.4sqm (56.1%) 264.4sqm* (53.1%)	No	Landscaped area (Min 30%)	22sqm (4.4%)	125.3sqm (25.2%) 139.3sqm* (27.9%)	No	Unbuilt-upon area (Max 20%)	234.9sqm (47.2%)	93.2sqm (18.7%) 94.2sqm* (18.9%)	Yes
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Unbuilt-upon area (Max 20%)	234.9sqm (47.2%)	93.2sqm (18.7%) 94.2sqm* (18.9%)	Yes																			
1.5.8 Landscaping	Yes (via condition)	As indicated earlier in this report, Council's Landscape Development Officer has recommended appropriate landscaping conditions including submission of revised landscape plans to demonstrate compliance with Council's Landscape Development officer's requirements (Condition C2).																				

<p>1.5.9 Front Gardens</p>	<p>Yes (via condition)</p>	<p>The applicant has not proposed significant works within the front garden. The submitted landscape plan has indicated the planting of two blue burry ash trees within the front garden. This is generally supported subject to further landscaping conditions as recommended by Council’s Landscape Development Officer.</p>												
<p>1.5.11 Swimming Pools</p>	<p>Acceptable via conditions</p>	<p>Consideration has been given to the key DCP swimming pool controls are demonstrated below:</p> <table border="1" data-bbox="774 472 1422 757"> <thead> <tr> <th>Control</th> <th>Proposed</th> <th>Compliance</th> </tr> </thead> <tbody> <tr> <td>Setback 1.2m min</td> <td>450mm</td> <td>No</td> </tr> <tr> <td>Height -500m max</td> <td>w/in 500mm</td> <td>Yes</td> </tr> <tr> <td>Nearest habitable room – 6m min.</td> <td>700mm</td> <td>No</td> </tr> </tbody> </table> <p>The proposed swimming pool does not comply with DCP’s minimum swimming pool setback control. A deferred commencement condition is recommended requiring the swimming pool to provide a complying 1.2m setback from the northern property boundary. This would minimise the impacts of excavation works on the southern wall of the heritage listed property at No. 12A Colin Street (Condition AA1).</p> <p>Whilst the swimming pool is proposed to be located approximately 700mm from the ground floor living room of No.12A Colin Street, the external wall of this adjoining dwelling would generally provide amenity protection for this room. The design modification requiring a 1.2m setback of the swimming pool from the property boundary would enhance amenity protection for this adjoining property.</p> <p>In addition, appropriate conditions are recommended to address noise from plant equipment for the proposed swimming pool.</p>	Control	Proposed	Compliance	Setback 1.2m min	450mm	No	Height -500m max	w/in 500mm	Yes	Nearest habitable room – 6m min.	700mm	No
Control	Proposed	Compliance												
Setback 1.2m min	450mm	No												
Height -500m max	w/in 500mm	Yes												
Nearest habitable room – 6m min.	700mm	No												
<p>1.5.13 Garbage Storage</p>	<p>Yes (via condition)</p>	<p>A standard condition is recommended requiring adequate storage facilities to be provided for general waste and recyclable materials (Condition C19).</p>												
<p>1.6 Efficient Use of Resources</p>														
<p>1.6.1 Energy Efficiency</p>	<p>Yes</p>	<p>A valid BASIX Certificate has been submitted with the proposed development.</p>												

Cammeray Planning Area (Plateau Conservation Area) – Part C of NSDCP 2013

The proposal, as amended by the deferred commencement conditions, is generally consistent with Part C of North Sydney DCP 2013 in particular Section 4 of the Character Statement for Cammeray Planning Area and Section 4.5 for Plateau Conservation Area.

The proposed development is generally consistent with the built characteristic building elements within the conservation area subject to the imposition of the recommended deferred commencement conditions.

LOCAL INFRASTRUCTURE CONTRIBUTIONS PLAN

The proposal is subject to Local Infrastructure Contributions in accordance with the North Sydney Local Infrastructure Contributions Plan 2020.

It is noted that the proposed development does not involve an increase in population, therefore the proposal is subject to a S7.12 levy in accordance with Sections 1.3.3 and 1.4 of North Sydney Local Infrastructure Contribution Plan 2020 because the cost of the development is over \$100,000.00.

The required contribution has been calculated in accordance with the applicable contribution rates as follows

Applicable Contribution Type		
S7.12 contribution detail	Development cost:	\$513,480.00
(payment amount subject to indexing at time of payment)	Contribution:	\$5,134.80

Conditions requiring payment of contributions are included in the attached recommended conditions of consent.

ALL LIKELY IMPACTS OF THE DEVELOPMENT

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

ENVIRONMENTAL APPRAISAL

CONSIDERED

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	N/A
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 <i>Environmental Planning and Assessment (Amendment) Act 1979</i>	Yes

SUBMITTERS CONCERNS

The original DA proposal was notified to the adjoining properties and the Plateau Precinct between 24 November and 8 December 2023. The amended plans were renotified to adjoining properties and the precinct between 9 and 22 April 2024. Council received a total of eleven (11) submissions.

The issues raised relating to heritage, bulk and scale, view loss, overshadowing and the loss of privacy have been addressed throughout the report. Comments are provided below for other matters raised in the submissions received by Council.

- ***The proposed roof is higher than the existing and that of the neighbouring property to the north.***

Comment:

The ridge height of the proposed addition (RL95.35) would be 200mm higher than the roof ridge height of No.12A Colin Street (RL95.01) and 1.78m lower than the roof ridge height of the two storey dwelling to the north at No. 12 Colin Street (RL97.13).

- ***No owners consent is granted on any new structures to be constructed along the common southern property boundary.***
- ***Concerns raised about the loss of access to the adjoining property to the south via the right of carriageway during the construction of the proposed development.***
- ***Access to the adjoining property via the right of carriageway must be maintained at all times.***

Comment:

The absence of owners' consent from No. 8 Colin Street is noted. A condition is recommended that the proposed development must be located wholly within the property boundary of No 10 Colin Street (**Condition C29**).

Site specific conditions are recommended requiring access to No.8 Colin Street via the right of carriageway be maintained at all times (**Conditions E1 and I1**).

- ***In sufficient open space and landscaped area within the proposed development.***
- ***Non-complying site coverage and landscaped area.***

Comment:

As indicated earlier in this report, the proposal would improve the provision of landscaped area and a reduction in unbuilt upon area within the subject site.

The recommended deferred commencement conditions requiring design modification would further improve the level compliance with the DCP's site coverage and landscaped area requirements as indicated earlier in this report.

- ***The proposed excavation and construction works associated with the proposed swimming pool would compromise the structural integrity and the significance of the adjoining heritage listed dwelling to the north.***
- ***The proposed swimming pool does not comply with the DCP minimum setback requirements.***
- ***The proposed swimming is likely to cause noise nuisance for the adjoining property to the south.***

Comment:

As indicated earlier in this report, a deferred commencement condition is recommended requiring the swimming pool to provide a complying 1.2m setback from the northern property boundary. This would minimise the impacts of excavation works on the southern wall of the heritage listed property at No. 12A Colin Street (**Condition AA1**).

The proposed swimming pool is unlikely to cause unreasonable noise nuisance for the adjoining property to the south (No.8 Colin Street) given that the nearest habitable room within this property would be in excess of 12m from the proposed swimming pool.

PUBLIC INTEREST

The proposal is considered to be in the public interest for the reasons stated throughout this report subject to the imposition of the deferred commencement conditions.

SUITABILITY OF THE SITE

The proposal would be located in a R2 (Low Density Residential) zone where works for the purpose of alterations and additions to an existing detached dwelling are permissible with Council's consent. Consequently, the proposal is considered to be suitable for the site subject to the imposition of the deferred commencement conditions.

HOW WERE THE COMMUNITY VIEWS TAKEN INTO CONSIDERATION?

The original DA proposal was notified to the adjoining properties and the Plateau Precinct between 24 November and 8 December 2023. The amended plans were renotified to adjoining properties and the precinct between 9 and 22 April 2024. Council received a total of eleven (11) submissions from two rounds of notification.

CONCLUSION

The proposal has been considered under the relevant Environmental Planning Instruments and policies including *NSLEP 2013* and *NSDCP 2013* and was generally found to be satisfactory subject to the imposition of deferred commencement conditions requiring design modifications to the roof addition.

The proposal for alterations and additions to an existing detached dwelling is a permissible form of development on land within an R2 Zone (Low Density Residential) with consent from Council. The proposed dwelling complies with LEP's maximum building height limit.

The subject site is located within the Plateau Conservation Area and the imposition of the deferred commencement conditions relating to the roof addition would result in a dwelling design that would be more compatible with the character of the conservation area. Furthermore, a deferred commencement condition is recommended to further improve the level of compliance with site coverage and landscape area requirements.

The proposed development would not cause unreasonable impacts on the amenity of the adjoining properties in terms of the loss of significant views, privacy and solar access subject to the imposition of appropriate conditions in order to ensure reasonable amenity of the adjoining properties.

The issues raised in the submissions have been discussed in this report and/or addressed with appropriate conditions of consent.

Having regard to the merits of the proposal, the application is recommended for approval subject to appropriate conditions.

RECOMMENDATION

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

THAT the North Sydney Local Planning Panel, grant deferred commencement consent to Development Application No. 311/23 for alterations and additions to an existing detached dwelling and the secondary dwelling on land at No.10 Colin Street, Cammeray, subject to the following site specific conditions and the attached conditions:-

AA. Deferred Commencement Condition

This consent shall not operate until the following deferred commencement conditions have been satisfied.

The applicant must satisfy Council as to the matters specified in the deferred commencement conditions within 12 months of the date of the grant of this consent.

If the applicant fails to satisfy Council as to the matters specified in the deferred commencement conditions within 12 months from the date of this consent. It will lapse in accordance with Section 4.16(3) of the *Environmental Planning and Assessment Act 1979*.

Deferred Commencement Matters

Heritage Requirements

AA1. The following heritage requirements are to be met:

- (a) The following design modifications are required for the first floor addition:
 - (i) The plant and attic storage rooms are to be deleted from the first floor addition;
 - (ii) The gable end addressing the street shall be amended to a hipped roof plane that has a traditional Federation style roof pitch sympathetic to the subject dwelling;
 - (iii) The two eastern gabled dormers closest to the street and their associated shed style dormers are to be deleted;
 - (iv) Dormers are to be fully dimensioned and demonstrate compliance with DCP's proportion requirements.
- (b) New roof tiles to be unglazed terracotta roof tiles in Marseilles pattern. New metal roof sheeting to have a corrugated profile
- (c) New windows W1 - W5 and W9 - W17 are to be timber framed.

(Reason: To ensure that the proposed development is sympathetic to the character of the conservation area.)

Design Modifications

AA2. The design of the proposed development shall be modified as follows:

- (a) The proposed passageway connecting the main dwelling and the secondary dwelling at the rear shall be deleted and shall be replaced by soft landscaping;
- (b) A 900mm setback shall be provided between the western building line of the proposed garage building and the rear (western) property boundary. Soft landscaping shall be provided on the land affected by this requirement;
- (c) The northern edge of the proposed swimming pool shall provide a 1.2m setback from the northern property boundary to minimise construction impacts on the adjoining property to the north;
- (d) Frosted/obscure glazing shall be applied to the lower panes of the proposed dormer windows on the northern and southern elevations;
- (e) Frosted/obscure glazing shall be applied to ground floor windows W9, W10 and W11.

(Reason: To ensure quality development outcomes, compliance with planning controls and protection of the adjoining properties.)

This consent shall not operate until such time as the written approval from Council's Manager Development Services stating that the requirements of this condition have been satisfied.

B. Subject to the above deferred commencement conditions being satisfied within 12 months of the date of this determination, the consent shall operate in accordance with the attached conditions including the following and site specific conditions:

No encroachment of works

C1. The proposed works must not encroach onto any adjoining properties, in particular the adjoining property at No.8 Colin Street, Cammeray.

The Certifying Authority must ensure that the building plans and specifications submitted fully satisfy the requirements of this condition.

(Reason: To ensure no encroachment onto the adjoining properties)

Revised Landscape Plan

C2. The applicant must submit a revised landscape plan, based on the submitted landscape plan (Drawing numbered L01 prepared by A total Concept and dated 14 September 2023) incorporating the following:

- (a) Soft landscaping shall be provided on the areas affected by the deletion of the enclosed passageway and the provision of a 900mm setback for the proposed garage building from the rear (western) property boundary as required by Condition AA2;
- (b) The 1 x *Magnolia* 'Teddy Bear' (45lt) shown to be planted in the centre of the rear setback shall be replaced with a more upright small to medium tree (75lt) with a vase-shaped open canopy (eg *Lagerstroemia indica*) capable of achieving a mature height of 7m min planted towards one of the southern corners of the rear setback;

- (c) The *Viburnum odoratissimum* (200mm) shown to be planted along the narrow northern rear boundary adjacent to the secondary dwelling shall be replaced with a species (300mm) better suited to this narrow space in dry shade beneath the eaves of the dwelling (Note: Consideration shall also be given to maintenance requirements/access when considering plant choice);
- (d) Pot size of all *Viburnum odoratissimum* shall be increased from 200mm to 300mm;
- (e) 1 x *Tristaniopsis laurina* 'Luscious' (100lt) shall be planted in the council verge (northern end) in front of 10 Colin Street.

The revised landscape plan, architectural 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 a desirable landscaping outcome for the subject site and the locality)

Robin Tse
SENIOR ASSESSMENT OFFICER

Isobella Lucic
TEAM LEADER ASSESSMENTS

Stephen Beattie
MANAGER OF DEVELOPMENT SERVICES

NORTH SYDNEY COUNCIL
CONDITIONS OF DEVELOPMENT APPROVAL
10 COLIN STREET, CAMMERAY
DEVELOPMENT APPLICATION NO. 311/23

AA. Deferred Commencement Condition

This consent shall not operate until the following deferred commencement condition(s) have been satisfied.

The applicant must satisfy Council as to the matters specified in the deferred commencement conditions within 12 months of the date of the grant of this consent.

If the applicant fails to satisfy Council as to the matters specified in the deferred commencement conditions within 12 months from the date of this consent. It will lapse in accordance with Section 4.16(3) of the Environmental Planning and Assessment Act 1979.

Deferred Commencement Matters

Heritage Requirements

AA1. The following heritage requirements are to be met:

- (a) The following design modifications are required for the first floor addition:
 - (i) The plant and attic storage rooms are to be deleted from the first floor addition;
 - (ii) The gable end addressing the street shall be amended to a hipped roof plane that has a traditional Federation style roof pitch sympathetic to the subject dwelling;
 - (iii) The two eastern gabled dormers closest to the street and their associated shed style dormers are to be deleted;
 - (iv) Dormers are to be fully dimensioned and demonstrate compliance with DCP's proportion requirements.
- (b) New roof tiles to be unglazed terracotta roof tiles in Marseilles pattern. New metal roof sheeting to have a corrugated profile
- (c) New windows W1 - W5 and W9 - W17 are to be timber framed.

(Reason: To ensure that the proposed development is sympathetic to the character of the conservation area.)

Design Modifications

AA2. The design of the proposed development shall be modified as follows:

- (a) The proposed passageway connecting the main dwelling and the secondary dwelling at the rear shall be deleted and shall be replaced by soft landscaping;
- (b) A 900mm setback shall be provided between the western building line of the proposed garage building and the rear (western) property boundary. Soft landscaping shall be provided on the land affected by this requirement;
- (c) The northern edge of the proposed swimming pool shall provide a 1.2m setback from the northern property boundary to minimise construction impacts on the adjoining property to the north;
- (d) Frosted/obscure glazing shall be applied to the lower panes of the proposed dormer windows on the northern and southern elevations;
- (e) Frosted/obscure glazing shall be applied to ground floor windows W9, W10 and W11.

(Reason: To ensure quality development outcomes, compliance with planning controls and protection of the adjoining properties.)

This consent shall not operate until such time as the written approval from Council's Manager Development Services stating that the requirements of this condition have been satisfied.

B. Subject to the above deferred commencement conditions being satisfied within 12 months of the date of this determination, the consent shall operate in accordance with the attached site specific and standard conditions including the following conditions:

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 endorsed with Council's approval stamp and other documentation listed in the table to this clause, or cited by other conditions, and as amended by other conditions of this consent.

Plan No. Rev	Description	Prepared by	Dated
DA_A001 Rev -	Site and Roof Plan	INTO Architecture	22 March 2024
DA_A101 Rev -	Ground Floor Plan New	INTO Architecture	22 March 2024
DA_A102 Rev -	First Floor Plan	INTO Architecture	22 March 2024
DA_A201 Rev -	Sections	INTO Architecture	22 March 2024
DA_A202 Rev -	Pool Sections	INTO Architecture	22 March 2024
DA_A301 Rev -	Elevations North & South	INTO Architecture	22 March 2024
DA_A302 Rev -	Elevations East & West	INTO Architecture	22 March 2024

Note: The final drawing numbers and associated details in this condition are subject to further updates to reflect the changes required by the relevant deferred commencement conditions.

(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 plans endorsed with Council's approval stamp, 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 Certifier.

All documents kept on site in accordance with this condition must be provided to any officer of the Council or the Principal Certifier 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)

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)

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

No encroachment of works

- C1. The proposed works must not encroach onto any adjoining properties, in particular the adjoining property at No.8 Colin Street, Cammeray.

The Certifying Authority must ensure that the building plans and specifications submitted fully satisfy the requirements of this condition.

(Reason: To ensure no encroachment onto the adjoining properties)

Revised Landscape Plan

- C2. The applicant must submit a revised landscape plan, based on the submitted landscape plan (Drawing numbered L01 prepared by A total Concept and dated 14 September 2023) incorporating the following:

- (a) Soft landscaping shall be provided on the areas affected by the deletion of the enclosed passageway and the provision of a 900mm setback for the proposed garage building from the rear (western) property boundary as required by Condition AA2;
- (b) The 1 x *Magnolia* 'Teddy Bear' (45lt) shown to be planted in the centre of the rear setback shall be replaced with a more upright small to medium tree (75lt) with a vase-shaped open canopy (eg *Lagerstroemia indica*) capable of achieving a mature height of 7m min planted towards one of the southern corners of the rear setback;

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- (c) The *Viburnum odoratissimum* (200mm) shown to be planted along the narrow northern rear boundary adjacent to the secondary dwelling shall be replaced with a species (300mm) better suited to this narrow space in dry shade beneath the eaves of the dwelling (Note: Consideration shall also be given to maintenance requirements/access when considering plant choice);
- (d) Pot size of all *Viburnum odoratissimum* shall be increased from 200mm to 300mm;
- (e) 1 x *Tristaniopsis laurina* 'Luscious' (100lt) shall be planted in the council verge (northern end) in front of 10 Colin Street.

The revised landscape plan, architectural 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 a desirable landscaping outcome for the subject site and the locality.)

Dilapidation Report Damage to Public Infrastructure

- C3. A dilapidation survey and report (including photographic record) must be prepared by a suitably qualified consultant which details the predeveloped 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 Principal Certifier 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 Principal Certifier with submission of the Construction Certificate documentation.

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

Dilapidation Report Private Property (Excavation)

- C4. A full dilapidation survey and report on the visible and structural condition of all neighbouring structures within the 'zone of influence' of the required excavations must be submitted to the Principal Certifier for approval prior to the issue of any Construction Certificate. The zone of influence is to be defined as the horizontal distance from the edge of the excavation face to twice the excavation depth.

The dilapidation report and survey are to be prepared by a consulting structural/geotechnical engineer and a copy to be given to the owner of any affected adjoining property.

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 dilapidation survey 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 the developer or affected property owners to assist in any action required to resolve dispute(s) 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: To record the condition of property/ies prior to the commencement of construction)

Dilapidation Survey Private Property (Neighbouring Buildings)

- C5. A photographic survey and dilapidation report of adjoining property No. 12A Colin Street, Cammeray 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, MUST BE submitted to the Principal Certifier for approval prior to the issue of any Construction Certificate. The survey and report are to be prepared by an appropriately qualified person and a copy to be given to the owner of the adjoining property. A copy of the report is to be provided to Council, if Council is not the Principal Certifier, 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.

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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 of Adjoining Properties - Excavation Works

C6. A report prepared by an appropriately qualified and practising structural engineer detailing the structural adequacy of adjoining property No. 12A Colin Street, Cammeray, which certifies their ability to withstand the proposed excavation and outlines any measures required to be implemented to ensure that no damage will occur to adjoining properties during the course of the works, must be submitted to the Principal Certifier for approval prior to the issue of any Construction Certificate. The measures outlined in the certified report must be complied with at all times.

(Reason: To ensure the protection and structural integrity of adjoining properties in close proximity during excavation works)

Structural Adequacy of Existing Building

C7. 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 Principal Certifier 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

C8. 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 Principal Certifier 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 Principal Certifier 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

- C9. 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.

An Erosion and Sediment Control Plan must be prepared and submitted to the Principal Certifier for approval prior to the issue of any Construction Certificate and prior to any works commencing. The Erosion and 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 Principal Certifier 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)

Waste Management Plan

- C10. A Waste Management Plan is to be submitted for approval by the Principal Certifier 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)

- C11. The exterior colour scheme is to match the existing scheme or any new scheme, shall either be a traditional colour scheme appropriate to Federation period dwellings or shall use neutral tones. White is not to be used for the main wall colour. All new external timber work shall have a painted finish not a stained/oiled finish.

A schedule of exterior colours and finishes complying with the above requirements must be submitted for the written approval of Council's Team Leader Assessments in consultation with Council's Conservation Planner.

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 the completed colours, finishes and materials are complementary to the character of the Conservation Area.)

Skylight(s)

- C12. Skylight flashing(s) and frame(s) to be coloured to match the roof material. Skylight(s) to sit no higher than 100mm above roof plane when in a closed position. Plans and specifications which comply with this condition must be submitted to the Principal Certifier for approval prior to the issue of any Construction Certificate.

The Principal Certifier must ensure that the building plans and specifications submitted fully satisfy the requirements of this condition.

(Reason: To minimise the visual impact of the skylight(s) on the roof plane)

Roofing Materials - Reflectivity

- C13. 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 Principal Certifier for approval prior to the issue of any Construction Certificate. The Principal Certifier 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)

Work Zone

- C14. If a Work Zone is required a Work Zone permit is to be obtained from Council prior to the issue of any Construction Certificate.

Note: For major development an application for work zone permit must be considered by the North Sydney Local Traffic Committee.

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 Works 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 Principal Certifier 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)

Stormwater Disposal

C15. Stormwater runoff generated by the approved development must be conveyed by gravity to the existing site stormwater drainage disposal system. A licensed tradesman shall install plumbing components to achieve this requirement in accordance with the NCC and current plumbing standards and guidelines. Plans and specifications which comply with this condition must be submitted to the Principal Certifier for approval prior to the issue of any Construction Certificate. The Principal Certifier 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 appropriate provision for disposal and stormwater management arising from the development)

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

C16. Prior to the issue of any Construction Certificate, security deposit or bank guarantee must be provided to Council to the sum of \$3,000.00 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 6 months after the work is completed.
- d) Council reserves the right to retain all bonds on infrastructure works relating to the completion of required Infrastructure work for a 12-month defect liability period. Council may elect to provide a lesser period for minor residential work.

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 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 Development Engineers or Manager of Development Services.

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:

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- 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 Principal Certifier 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

- C17. Prior to the issue of any construction certificate, security in the sum of \$14,000.00 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.

Schedule

Tree Species	Location	Bond
1 x <i>Tristaniopsis laurina</i> (6x7m)	Council verge in front of 10 Colin Street	\$10,000
1 x <i>Tristaniopsis laurina</i> (4x4m)	Council verge in front of 8 Colin Street	\$4,000

(Reason: Protection of existing environment public infrastructure, community assets and significant trees)

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Protection of Trees

- C18. The following tree(s) are required to be protected and retained as part of the development consent in accordance with AS 4970-2009 - Protection of trees on development sites:

Tree	Location	Height
1 x <i>Tristaniopsis laurina</i>	Council verge in front of 10 Colin Street	6x7m
1 x <i>Tristaniopsis laurina</i>	Council verge in front of 8 Colin Street	4x4m

Removal or pruning of any other tree on the site is not approved, excluding species exempt under Section 16 of the North Sydney DCP 2013.

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)

Garbage and Recycling Facilities

- C19. Adequate provision must be made for the storage of waste and recyclable material generated by the premises. Plans and specifications which comply with this condition must be submitted to the Principal Certifier for approval prior to the issue of any Construction Certificate. The Principal Certifier 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 provision of appropriate waste facilities and to ensure efficient collection of waste by collection contractors)

Asbestos and Hazardous Material Survey

- C20. A report must be prepared by a suitably qualified person in relation to the existing building fabric to be demolished and/or disturbed identifying the presence or otherwise of asbestos contamination and, if asbestos contamination is present, making recommendations as to the work required to safely address the contamination.

Any demolition works or other works identified in the report as having to be carried out must be carried out in accordance with the recommendations of the report and the following:

- a) the removal of asbestos must be undertaken by a WorkCover licensed contractor;
- b) all removal must be in strict accordance with the requirements of the WorkCover Authority in relation to the removal, handling and disposal of material containing asbestos and any Work Safe Australia requirements.

- c) during the removal of any asbestos a sign stating "DANGER ASBESTOS REMOVAL IN PROGRESS" must be erected in a visible position at the boundary of the site; and
- d) Waste disposal receipts must be provided to the Principal Certifier as proof of correct disposal of asbestos laden waste.

The report must be submitted to the Principal Certifier for approval prior to the issue of any Construction Certificate. The Principal Certifier must ensure that the report, and other plans, referenced on and accompanying the issued Construction Certificate, fully satisfy the requirements of this condition.

(Reason: To ensure the long-term health of workers on site and occupants of the building is not put at risk unnecessarily)

Air Conditioners in Residential Premises

C21. 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 2017 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 8.00am and after 10.00pm on any Saturday, Sunday or Public Holiday; or
 - (ii) before 7.00am or after 10.00pm 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 Noise Policy for Industry 2017 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 Noise Policy for Industry published by the NSW Environment Protection Authority.

(Reason: To maintain residential amenity)

Swimming Pool Pumps on Residential Premises

C22. The Principal Certifier must be satisfied that the swimming pool pump to be installed on the premises 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 8.00am and after 8.00pm on any Sunday or Public Holiday; or
 - (ii) before 7.00am or after 8.00pm on any other day

- (c) 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 Noise Policy for Industry 2017 shall 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 Noise Policy for Industry published by the NSW Environment Protection Authority.

Details demonstrating compliance with the requirements of this condition must be submitted to the Principal Certifier prior to the issue of the Construction Certificate.

(Reason: To maintain residential amenity)

Pool Access

C23. Access to the pool must be restricted by a child resistant barrier in accordance with the regulations prescribed in the Swimming Pools Act 1992, and the barrier is to conform to the requirements of the applicable Australian Standard. Plans and specifications complying with this condition must be submitted to the Principal Certifier for approval prior to the issue of the relevant Construction Certificate. The Principal Certifier 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 safety of children and make applicant aware of the need to comply with applicable pool fencing legislation)

Swimming Pool Water to Sewer

- C24. The swimming pool, including overflow water, must be drained to the sewer. The consent of Sydney Water to dispose of wastewater must be obtained prior to the issue of the relevant Construction Certificate. Plans and specifications complying with this condition and any conditions/ requirements of Sydney Water must be submitted to the Principal Certifier for approval prior to the issue of the relevant Construction Certificate. The Principal Certifier must ensure that the building plans and specifications submitted, referenced on and accompanying the issued Construction Certificate, fully comply with this condition and any conditions/ requirements imposed by Sydney Water.

(Reason: Water from a swimming pool is classified as wastewater and cannot be legally disposed of into the stormwater system)

Pool Filter

- C25. The pool filtering equipment must be encased by a soundproof cover and must be located six (6) metres from any habitable room in a dwelling on a neighbouring property. Plans and specifications complying with this condition must be submitted to the Principal Certifier for approval prior to the issue of the relevant Construction Certificate. The Principal Certifier 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 noise generated by equipment does not result in offensive noise)

Section 7.12 Development Contributions

- C26. 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 \$5,134.80.

Indexation

The monetary contribution required under this consent will be indexed between the date of the grant of the consent and the date on which the contribution is paid the time of payment in accordance with quarterly movements in the Consumer Price Index (All Groups Index) for Sydney as published by the Australian Bureau of Statistics.

Timing of Payment

The contribution must be paid to Council prior to issue of any Construction Certificate for any work approved by this consent.

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A copy of the North Sydney Contribution 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 provide for local infrastructure identified in the North Sydney Council Local Contributions Plan 2020)

Security Deposit/Guarantee Schedule

C27. 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)	\$14,000.00
Footpath Damage Bond	\$3,000.00
TOTAL BONDS	\$17,000.00

Note: The following fees applicable

Fees	
Section 7.12 Development Contributions:	\$5,134.80
TOTAL FEES	\$5,134.80

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

C28. Under clause 75 of the Environmental Planning and Assessment Regulation 2021, it is a condition of this development consent that all the commitments listed in BASIX Certificate No. A1741052 for the development are fulfilled. Plans and specifications complying with this condition must be submitted to the Principal Certifier for approval prior to the issue of the relevant Construction Certificate. The Principal Certifier 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)

Ausgrid

C29. The applicant/developer shall note the following comments below regarding any proposal within the proximity of existing electrical network assets:

Ausgrid Overhead Powerlines are in the vicinity of the development

- (a) The developer should refer to SafeWork NSW Document – Work Near Overhead Powerlines: Code of Practice. This document outlines the minimum separation requirements between electrical mains (overhead wires) and structures within the development site throughout the construction process. It is a statutory requirement that these distances be maintained throughout the construction phase.

Consideration should be given to the positioning and operating of cranes, scaffolding, and sufficient clearances from all types of vehicles that are expected be entering and leaving the site.

The “as constructed” minimum clearances to the mains must also be maintained. These distances are outlined in the Ausgrid Network Standard, NS220 Overhead Design Manual. This document can be sourced from Ausgrid’s website at www.ausgrid.com.au.

- (b) It is the responsibility of the developer to verify and maintain minimum clearances onsite. In the event where minimum safe clearances are not able to be met due to the design of the development, the Ausgrid mains may need to be relocated in this instance. Any Ausgrid asset relocation works will be at the developer’s cost.

Additional information can be found in the Ausgrid Quick Reference Guide for Safety Clearances “Working Near Ausgrid Assets - Clearances”. This document can be found by visiting the following Ausgrid website:

www.ausgrid.com.au/Your-safety/Working-Safe/Clearance-enquiries

- (c) For new connections or to alter the existing electrical connection to the property from the Ausgrid network, the proponent should engage an Accredited Service Provider and submit a connection application to Ausgrid as soon as practicable. Visit the Ausgrid website for further details: <https://www.ausgrid.com.au/Connections/Get-connected>

(Reason: Compliance with Ausgrid 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 prior to commencement of any works on the site. Any recommendations must be undertaken for the duration of works on the site.

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

(Reason: Protection of existing environmental and community assets)

Protection of Trees

- D2. The following tree(s) are required to be protected and retained as part of the development consent in accordance with AS 4970-2009 – Protection of trees on development sites:

Tree	Location	Protection
1 x <i>Tristaniopsis laurina</i> (6x7m)	council verge in front of 10 Colin Street	Trunk, branch & root protection
1 x <i>Tristaniopsis laurina</i> (4x4m)	council verge in front of 8 Colin Street	Nil

Trunk protection to be installed by first wrapping the stem of the tree in hessian or like material then strapping timber battens over the top. It is recommended that timber battens with the dimensions of length 2000mm, width 75mm and depth 50mm are used. The battens are not to be directly screwed or nailed into the tree.

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

Temporary Fences and Tree Protection

- D3. All protected trees on-site that are specifically nominated as per Condition C18 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 builder's waste are to be stored in the vicinity of the nominated tree/trees at any time.

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

Public Liability Insurance - Works on Public Land

- D4. 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)

Sydney Water Approvals

D5. Prior to the commencement of any works, the approved plans must be submitted to Sydney Water to determine whether the development application will affect Sydney Water's sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met. The Principal Certifier must ensure that Sydney Water has appropriately stamped the plans before the commencement of building works.

Notes:

- **Sydney Water Building Plan Approvals** can be obtained from the Sydney Water Tap in™ online service. Building plans must be submitted to the Tap in™ to determine whether the development will affect any Sydney Water sewer or water main, stormwater drains and/or easement, and if further requirements need to be met. For further information visit <http://www.sydneywater.com.au/tapin/index.htm> or call 13 000 TAP IN (1300 082 746) for further information.

(Reason: To ensure compliance with Sydney Water requirements)

Asbestos Material Survey

D6. Prior to the commencement of any works, a report must be prepared by a suitably qualified person in relation to the existing building fabric to be demolished and/or disturbed identifying the presence or otherwise of asbestos contamination and, if asbestos contamination is present, making recommendations as to the work required to safely address the contamination.

Any demolition works or other works identified in the report as having to be carried out must be carried out in accordance with the recommendations of the report and the following:

- a) the removal of asbestos must be undertaken by a WorkCover licensed contractor;
- b) all removal must be in strict accordance with the requirements of the WorkCover Authority in relation to the removal, handling and disposal of material containing asbestos and any Work Safe Australia requirements.
- c) during the removal of any asbestos a sign stating "DANGER ASBESTOS REMOVAL IN PROGRESS" must be erected in a visible position at the boundary of the site; and
- d) Waste disposal receipts must be provided to the Principal Certifier as proof of correct disposal of asbestos laden waste.

The report must be submitted to the Principal Certifier for approval prior to the issue of any Construction Certificate. The Principal Certifier must ensure that the report, and other plans, referenced on and accompanying the issued Construction Certificate, fully satisfy the requirements of this condition.

(Reason: To ensure the long-term health of workers on site and occupants of the building is not put at risk unnecessarily)

Commencement of Works' Notice

D7. 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

Access to No. 8 Colin Street

E1. Pedestrian and vehicular access to the adjoining property at No.8 Colin Street via the right of carriageway from Colin Street must be provided at all times during the construction phase of the proposed development. The access must be provided in way to ensure safety of pedestrians and vehicles using the right of carriageway.

(Reason: To maintain access to the adjoining property during construction phase of the development)

Reuse of Sandstone

E2. Sandstone blocks (if any) removed from the site are to be either stored for re-use on site or offered to Council in the first instance.

Note: The provisions of the Heritage Act may also apply to altering any sandstone elements on any site.

(Reason: To allow for preservation of cultural resources within the North Sydney Council area)

Parking Restrictions

- E3. 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

- E4. 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

- E5. 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 Principal Certifier.

(Reason: Stormwater control during construction)

Geotechnical Stability during Works

- E6. A contractor with specialist excavation experience must undertake the excavations for the development and a suitably qualified and consulting geotechnical engineer must oversee the excavation procedure.

Geotechnical aspects of the development work, namely appropriate excavation method and vibration control, support and retention of excavated faces, and hydrogeological considerations must be undertaken in accordance with the recommendations of the geotechnical engineer and all subsequent geotechnical inspections carried out during the excavation and construction phase.

Approval must be obtained from all affected property owners, including North Sydney Council where rock anchors (both temporary and permanent) are proposed below adjacent private or public property.

(Reason: Ensure appropriate professional are engaged at appropriate stages during construction)

Progress Survey

E7. In order to ensure compliance with approved plans, a Survey Certificate, to Australian Height Datum, must be prepared by a Registered Surveyor as follows: -

- a) at the completion of the first structural floor level indicating the level of that floor and the relationship of the building to the boundaries;
- b) at the completed height of the building, prior to the placement of concrete form work, or the laying of roofing materials; and
- c) at completion, the relationship of the building, and any projections thereto, to the boundaries.

Progress certifications in response to points (a) through (c) must be provided to the Principal Certifier for approval at the time of carrying out relevant progress inspections. In the event that such survey information is not provided or reveals discrepancies between the approved plans and the proposed works, all works, save for works necessary to bring the development into compliance with the approved plans, must cease. Works may only continue upon notification by the Principal Certifier to the Applicant that survey information (included updated survey information following the carrying out of works to comply with the approved plans) complies with this condition.

(Reason: To ensure compliance with approved plans)

Removal of Extra Fabric

E8. 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

E9. 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

E10. 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)

No Work on Public Open Space

E11. No work can be undertaken within adjoining public lands (i.e., Parks, Reserves, Roads etc) without the prior written consent of Council. In this regard the developer is to liaise with Council prior to the commencement of any design works or preparation of a Construction and Traffic Management Plan.

(Reason: Protection of existing public infrastructure and land and to ensure public safety and proper management of public land)

Developer's Cost of Work on Council Property

E12. The developer or the person, company or other entity that is acting upon this consent, 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)

No Removal of Trees on Public Property

E13. 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

E14. 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:

- a. 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.
- b. 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

E15. 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)

Noxious Plants

E16. All lantana, privet, rubber trees, asthma weed, and other declared noxious plants on the site, must be eradicated before the commencement of landscape works.

(Reason: To ensure that plants identified as weed species are not allowed to proliferate or interfere with a quality landscaping outcome)

Construction Hours

- E17. Construction activities and works approved under this consent must be restricted to within the hours stipulated in the following table:

Location	Standard Construction Hours	
	Day	Hours
Residential zones	Monday - Friday	7.00 am - 5.00 pm
	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, the EPA Noise Policy for Industry 2017 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

- E18. 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

- E19. 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)

Site Amenities and Facilities

- E20. Where work involved in the erection and demolition of a building is being carried out, amenities which satisfy applicable occupational health and safety and construction safety regulations, including any WorkCover Authority requirements, must be provided and maintained at all times. The type of workplace determines the type of amenities required.

Further information and details can be obtained from the Internet at www.workcover.nsw.gov.au.

(Reason: To ensure the health and safety of the community and workers on the site)

Health and Safety

- E21. All work undertaken must satisfy applicable occupational health and safety and construction safety regulations, including any WorkCover Authority requirements to prepare a health and safety plan. Site fencing must be installed sufficient to exclude the public from the site. Safety signs must be erected that warn the public to keep out of the site and provide a contact telephone number for enquiries.

Further information and details regarding occupational health and safety requirements for construction sites can be obtained from the internet at www.workcover.nsw.gov.au.

(Reason: To ensure the health and safety of the community and workers on the site)

Prohibition on Use of Pavements

- E22. 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)

Plant and Equipment Kept Within Site

- E23. 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)

Imported Fill Material

E24. The only waste derived fill material that may be received at the development site is:

- a) Virgin excavated natural material (within the meaning of the Protection of the Environment Operations Act 1997); and
- b) Any other waste-derived material the subject of a resource recovery exemption under cl. 51A of the Protection of the Environment Operations (Waste) Regulation 2005 that is permitted to be used as fill material.

Any waste-derived material the subject of a resource recovery exemption received at the development site, must be accompanied by documentation as the material's compliance with the exemption conditions and must be provided to the Principal Certifier on request.

(Reason: To ensure that imported fill is of an acceptable standard for environmental protection purposes)

Waste Disposal

E25. 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

E26. 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)

Service Adjustments

E27. Where required, the adjustment or inclusion of any new utility service or facilities must be carried out by an appropriate contractor in accordance with the requirements of the relevant utility authority.

These works shall be at no cost to Council. It is the Applicant's responsibility to contact the relevant utility authorities to ascertain the impacts of the proposal upon utility services prior to the commencement of any work, including demolition (including water, phone, gas and the like).

Council accepts no responsibility for any impact on or influence upon utility services provided by another authority.

(Reason: To ensure the service requirements are met)

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 Certifier 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.
- 2) 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 condition is out of date, work must cease, and no further work may be carried out unless the Principal Certifier 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 Principal Certifier (PC)

F3. Building work, **demolition** or excavation in accordance with the development consent must not be commenced until the developer has appointed a Principal Certifier 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)

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 Certifier appointed for the building work can issue an Occupation Certificate.

(Reason: Statutory)

Excavation/Demolition

- F6.
- 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.

- 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

- F7. 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

- F8. 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 Certifier for the work.

- 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

Pool Access

- G1. Access to the pool must be restricted by a child resistant barrier in accordance with the regulations prescribed in the Swimming Pools Act 1992, and the requirements of the applicable Australian Standard. The pool must not be filled with water or be allowed to collect stormwater until the installation of the child resistant barrier is completed. Certification from an appropriately qualified person confirming compliance with these requirements must be provided prior to the issuing of any Occupation Certificate.

(Reason: To ensure that any person acting upon this consent is aware of their obligations under the provisions of the Swimming Pools Act)

Pool Safety Requirements

- G2. A notice must be displayed in a prominent position in the immediate vicinity of the pool at all times showing:
- a) Appropriate instructions of artificial resuscitation methods.
 - b) A warning stating:
 - (i) "YOUNG CHILDREN SHOULD BE SUPERVISED WHEN USING THIS SWIMMING POOL", and
 - (ii) "POOL GATES MUST BE KEPT CLOSED AT ALL TIMES", and
 - (iii) "KEEP ARTICLES, OBJECTS AND STRUCTURES AT LEAST 900 MILLIMETRES CLEAR OF THE POOL FENCE AT ALL TIMES",

Details demonstrating compliance are to be provided with any Occupation Certificate issued for the pool.

This notice must be kept in a legible condition and at the poolside.

(Reason: To ensure an adequate level of safety for young pool users)

Damage to Adjoining Properties

- G3. 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

- G4. 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)

Asbestos Clearance Certificate

- G5. For building works where asbestos based products have been removed or altered, an asbestos clearance certificate signed by an appropriately qualified person (being an Occupational Hygienist or Environmental Consultant) must be submitted to and approved by the Principal Certifier (and a copy forwarded to Council if it is not the Principal Certifier) for the building work prior to the issue of any Occupation Certificate, the asbestos clearance certificate must certify the following: -

- a) the building/land is free of asbestos; or
- b) the building/land has asbestos that is presently deemed safe.

The certificate must also be accompanied by tipping receipts, which detail that all asbestos waste has been disposed of at an approved asbestos waste disposal depot. If asbestos is retained on site the certificate must identify the type, location, use, condition and amount of such material.

Note: Further details of licensed asbestos waste disposal facilities can be obtained from www.epa.nsw.gov.au.

(Reason: To ensure that building works involving asbestos based products are safe for occupation and will pose no health risks to occupants)

Certification of Tree Condition

- G6. Prior to the issue of an Occupation Certificate, a report prepared by an appropriately qualified person (being an arborist or the like) must be submitted to the Principal Certifier, describing the health of the tree(s) specifically nominated below: -

Tree	Location	Height
1 x <i>Tristaniopsis laurina</i>	council verge in front of 10 Colin Street	6x7m
1 x <i>Tristaniopsis laurina</i>	council verge in front of 8 Colin Street	4x4m
1 x <i>Tristaniopsis laurina</i> (new tree)	council verge in front of 10 Colin Street (new)	100 litres

The report must detail the condition and health of the nominated tree(s) upon completion of the works and shall certify that the tree(s) has/have not been significantly damaged during the works on the site and has/have reasonable prospects for survival.

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

Disposal Information

G7. Upon completion of works and prior to occupation, a report including the following information must be provided to Council's Open Space and Environmental Services Department:

- (a) the total tonnage of all waste and excavated material disposed of from the site (including any tipping docket); and
- (b) the disposal points and methods used.

(Reason: To ensure appropriate disposal methods are undertaken for auditing and inspection purposes)

BASIX Completion Certificate

G8. In accordance with Section 45 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021, prior to issuing a final occupation certificate the Principal Certifier must provide a BASIX completion certificate.

(Reason: To ensure compliance with the Regulations)

Landscaping

G9. The landscaping shown in the approved landscape plan as required by Condition C2 must be completed prior to the issue of any Occupation Certificate

(Reason: To ensure compliance)

Required Tree Planting

G10. On completion of works and prior to the issue of the Occupation Certificate for the whole of the building, trees in accordance with the schedule hereunder must be planted in Council's nature strip/footpath: -

Schedule

Tree Species	Location	Pot Size
1 x <i>Tristaniopsis laurina</i>	council verge in front of 10 Colin Street northern end.	100lt

The installation of such trees, their current health and their prospects for future survival must be certified upon completion by an appropriately qualified horticulturalist.

Upon completion of installation and prior to the issue of an Occupation Certificate an appropriately qualified horticulturalist must certify that any trees planted in accordance with this condition are healthy and have good prospects of future survival. The certification must be submitted with any application for an Occupation Certificate.

(Reason: To ensure that replacement plantings are provided to enhance community landscaped amenity and cultural assets)

Unpaved Verge

G11. The unpaved verge area must be constructed or reconstructed and planted with an appropriate species of grass prior to completion of the works at no cost to Council.

(Reason: To ensure that community assets are presented in accordance with reasonable community expectations)

Compliance with Certain Conditions

G12. Prior to the issue of any Occupation Certificate, Conditions C1, C2 and C11 must be certified as having been implemented on site and complied with.

(Reason: To ensure the development is completed in accordance with the requirements of this consent)

I. Ongoing/Operational Conditions

Vehicular and Pedestrian Access

I1. Vehicular and pedestrian access to No.8 Colin Street via the right of carriageway from Colin Street shall be maintained at all times.

(Reason: To ensure access to the adjoining property.)

Pool Filter

I2. The swimming pool pump installed at the premises must not operate so as to:

(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);

(j) before 8.00am and after 8.00pm on any Sunday or Public Holiday; or

(ii) before 7.00am or after 8.00pm 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 Noise Policy for Industry 2017 shall be applied.

**10 COLIN STREET, CAMMERAY
DEVELOPMENT APPLICATION NO. 311/23**

Page 36 of 36

“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 Noise Policy for Industry published by the NSW Environment Protection Authority.

(Reason: To ensure noise generated by equipment does not result in offensive noise)

Single Occupancy

13. 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)

Maintenance of Approved Landscaping

14. The owner of the premises at 10 Colin Street is to maintain the landscaping approved by this consent generally in accordance with the approved plans.

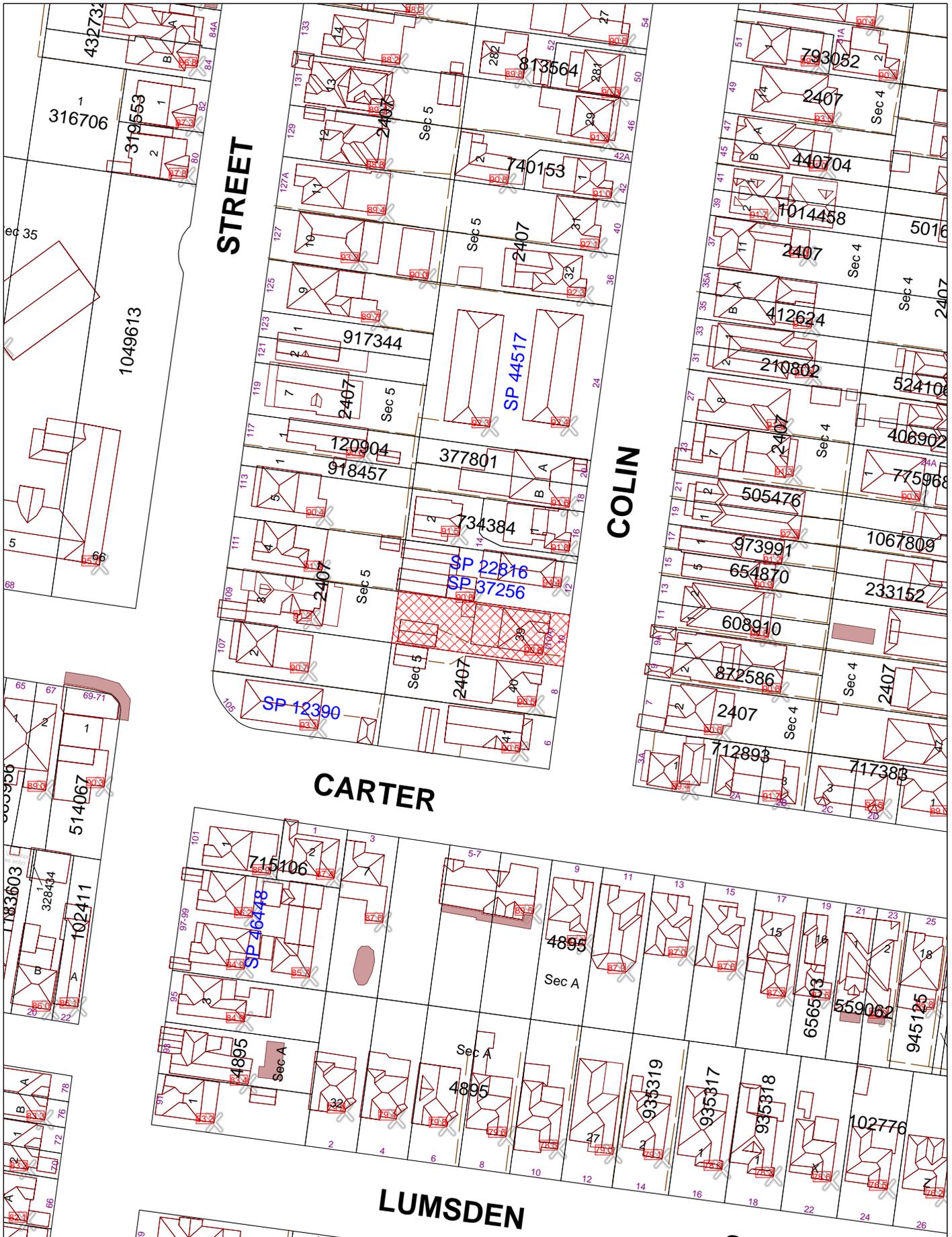
Any replacement plants required shall be advanced in growth and be selected to maintain the anticipated mature height, canopy density and nature of those plant species as originally approved.

(Reason: To ensure maintenance of the amenity, solar access and views of adjoining properties)

Ongoing Street Tree Care

15. The 1 x *Tristaniopsis laurina* located in the council verge in front of 10 Colin Street (northern end) shall be watered for a period of six (6) months after the final occupation certificate is issued. The watering shall be approximately 50 litres per week (min) delivered gently by hose or watering can so that the surrounding soil can absorb the water. Seasol solution is recommended once a month over this period.

(Reason: To ensure appropriate street tree care and maintenance)



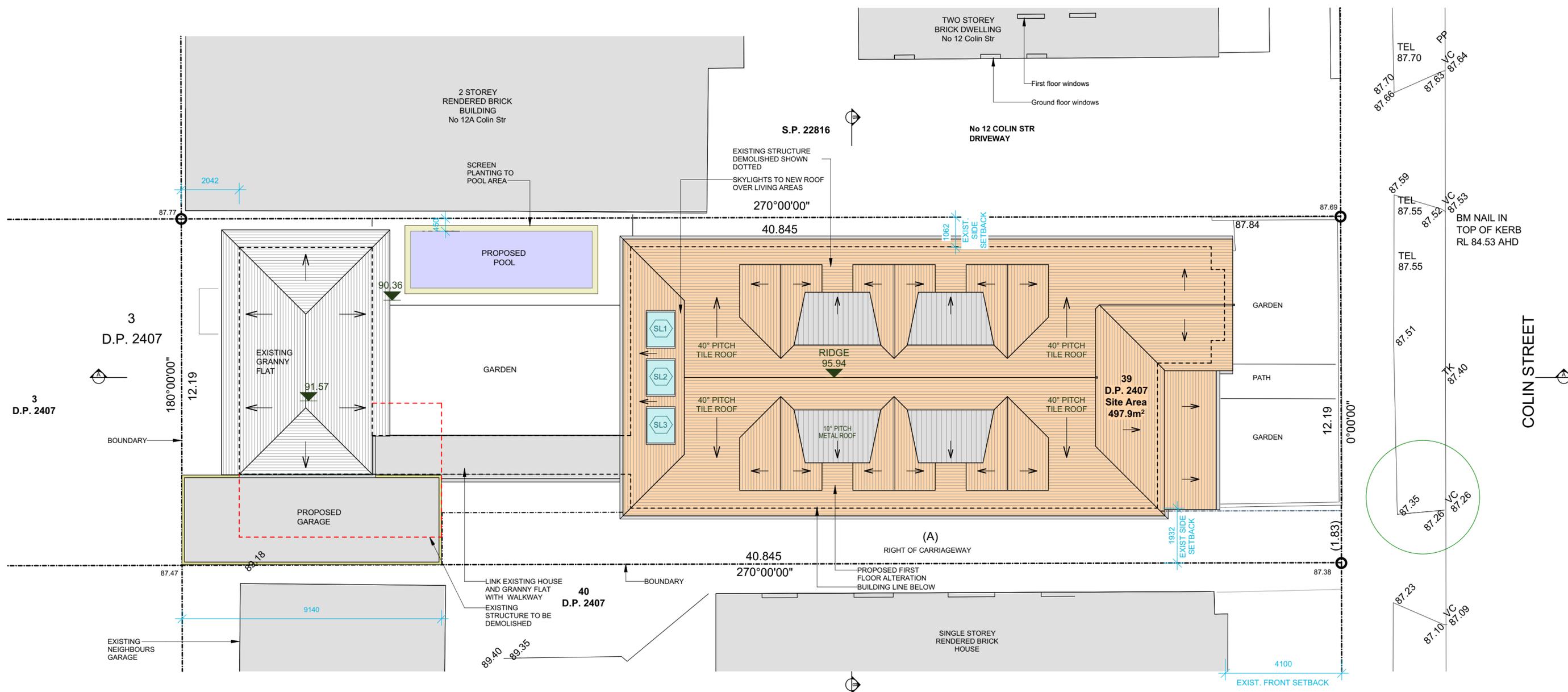
North Sydney Council

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

Scale: 1:1200 approx.





SITE PLAN
SCALE:1:100

INTO
architecture

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PROJECT ADDRESS
10 Colin St Cammeray NSW 2062
LOT 39 D.P. 2407 SITE AREA BY SURVEY: 497.9m²

CLIENT
John Liu



DRAWING TITLE
SITE & ROOF PLAN

REV.	DESCRIPTION	DATE
-	DEVELOPMENT APPLICATION ISSUE	22/03/24

REV.	DESCRIPTION	DATE

SCALE 1:100 @ A3 DATE 22/03/2024 DRAWN SM

DRAWING NO. & REVISION
DA_A001

STATUS DEVELOPMENT APPLICATION

NOTES:

1. SILT AND SEDIMENT FENCE TO BE ERECTED WHERE NECESSARY AT AREAS OF EXCAVATION IN ACCORDANCE WITH THE BCA AND LOCAL COUNCIL REQUIREMENTS BEFORE COMMENCEMENT OF ANY SITE WORKS INCL DEMOLITION AND OR EXCAVATION WORK.

ALL SILT AND SEDIMENT CONTROL MEASURES ARE TO BE INSPECTED REGULARLY AND CLEANED OF SILT TO ENSURE CONTINUED OPERATION. ANY SILT BARRIERS THAT ALLOW SILT TO PASS ARE TO BE REPLACED.

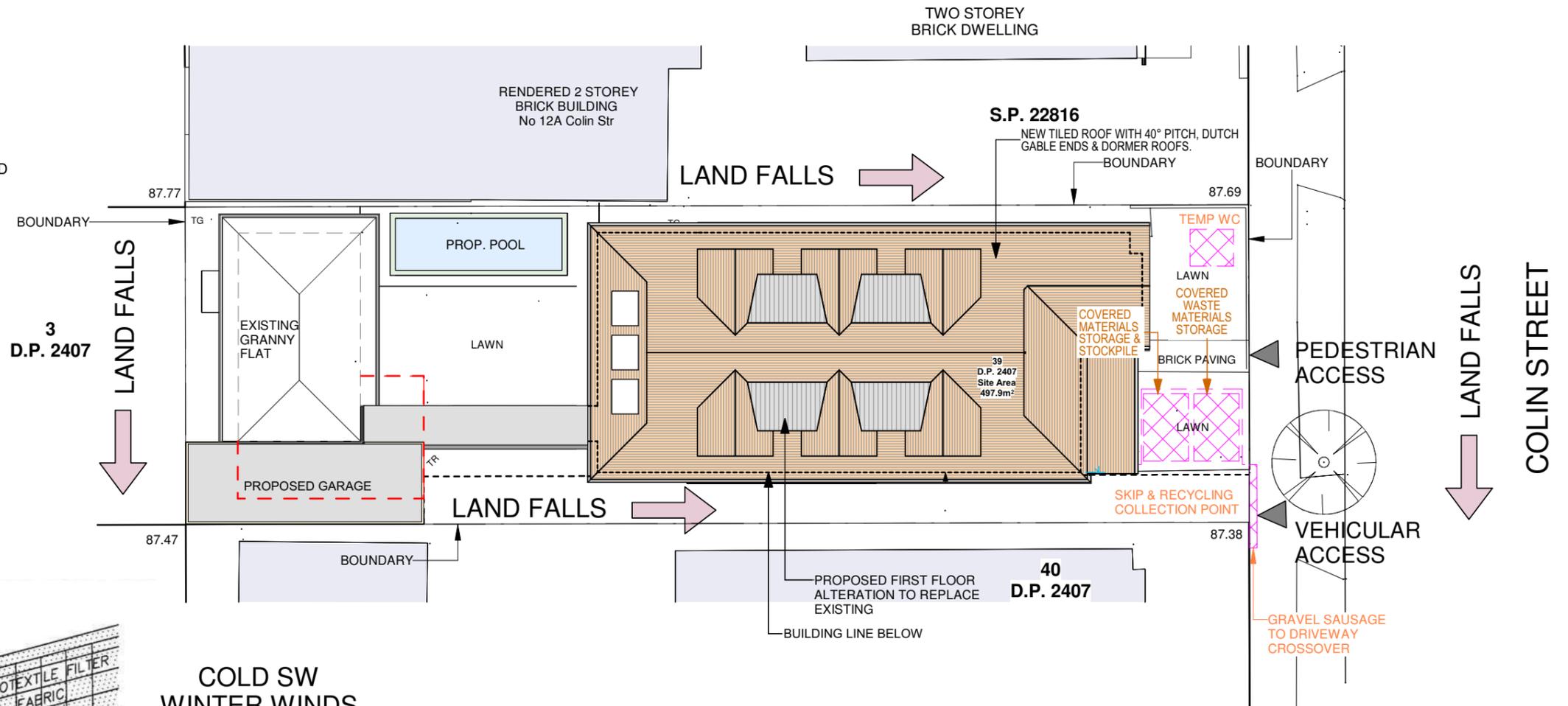
2. DUST CONTROL TO BE LIMITED ON-SITE BY PHYSICAL BARRIERS AND WATER SPRAYING

3. USE BLUE METAL WRAPPED IN GEOTEXTILE FABRIC (GRAVEL SAUSAGE) TO PROTECT GUTTER FROM SEDIMENT DISCHARGE INTO STORMWATER

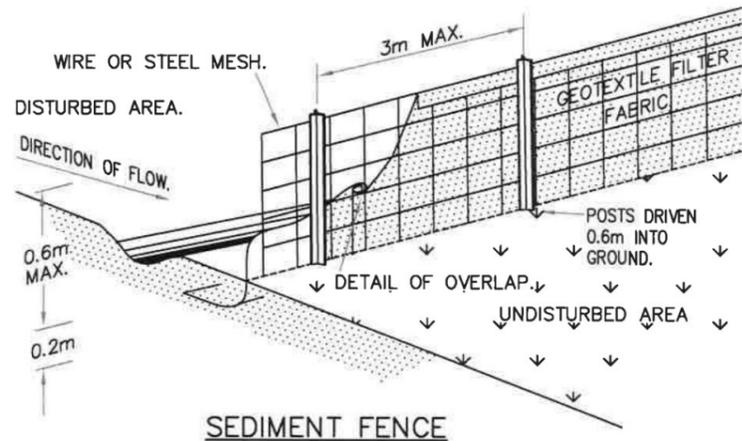
PUBLIC PROTECTION

THE CONTRACTOR SHALL PROVIDE SUITABLE FENCING AND LOCKABLE GATES AS REQUIRED TO PROTECT THE PUBLIC FROM ENTERING THE CONSTRUCTION SITE.

ALL GATES, BARRIERS AND FENCING SHALL BE PROPERLY MAINTAINED UNTIL ALL WORKS ARE COMPLETE.



DRAINAGE AREA 0.6ha. MAX. SLOPE GRADIENT 1:2 MAX. SLOPE LENGTH 60m MAX.



COLD SW WINTER WINDS

ENVIRONMENTAL SITE MANAGEMENT PLAN SCALE:1:200



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ON ORIGINAL @ A3

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10 Colin St Cammeray NSW 2062

DRAWING TITLE
ENV. SITE MANAGMENT PLAN

SCALE 1:1, 1:200 @ A3
DATE 22/03/2024
DRAWN SM



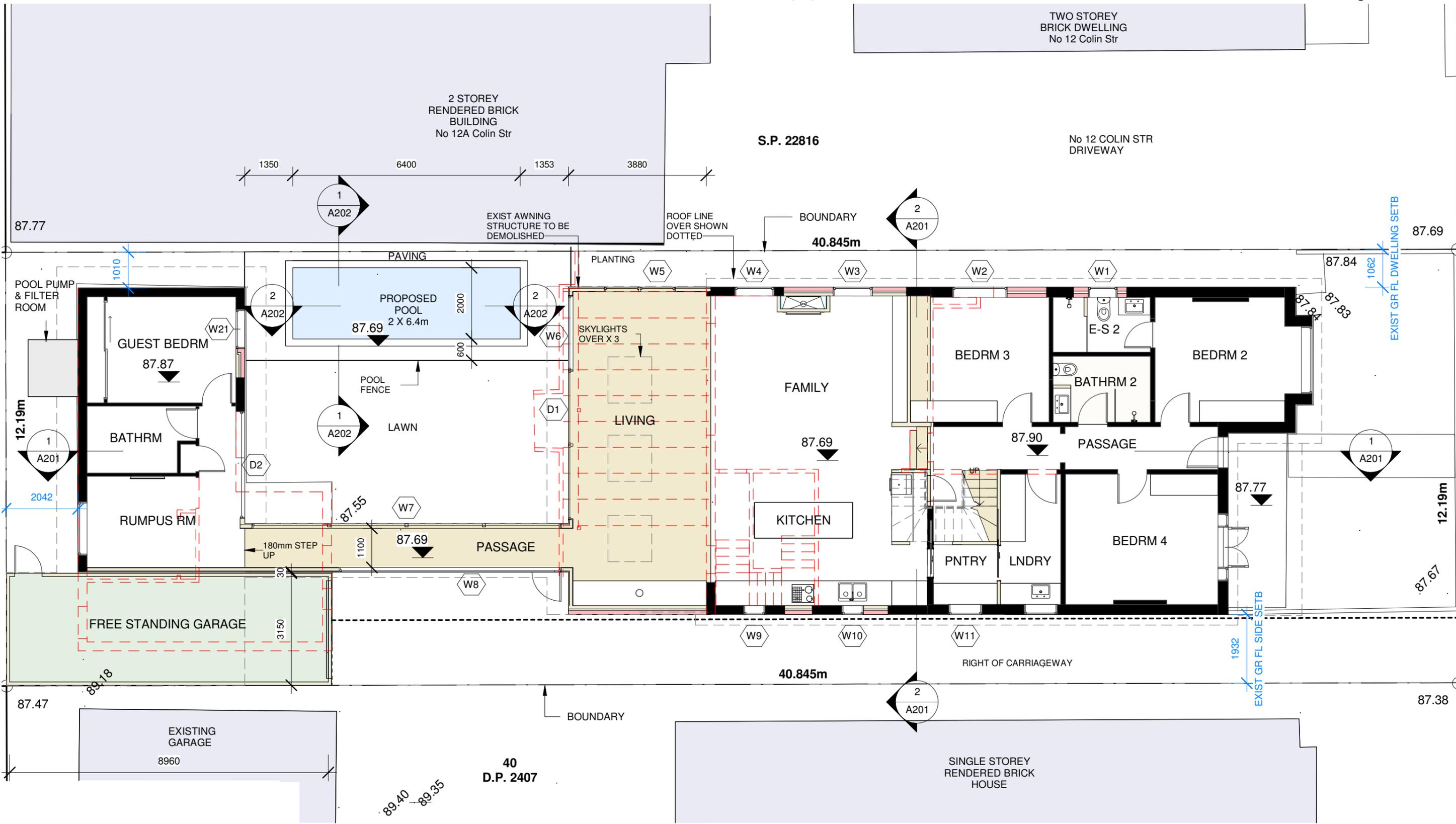
REV.	DESCRIPTION	DATE
-	DEVELOPMENT APPLICATION ISSUE	22/03/24

DRAWING NO. & REVISION

DA_A003

CLIENT
Owner c/o Ken Demlakian - Keystone Property Consultants

STATUS DEVELOPMENT APPLICATION



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CLIENT
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DRAWING TITLE
 GROUND FLOOR PLAN NEW

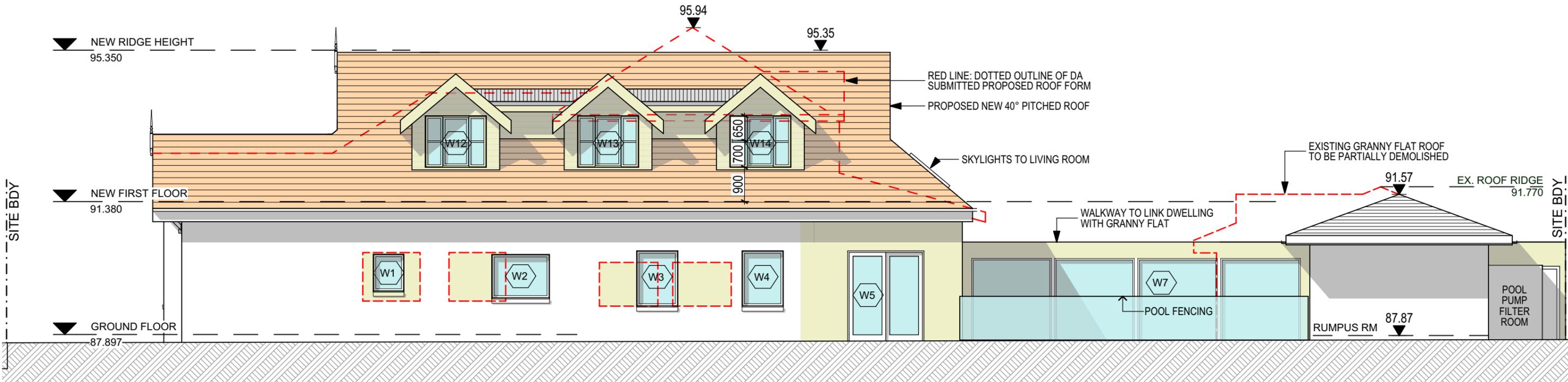
REV.	DESCRIPTION	DATE
-	DEVELOPMENT APPLICATION ISSUE	22/03/24

SCALE 1:100 @ A3
 DATE 22/03/2024
 DRAWN SM

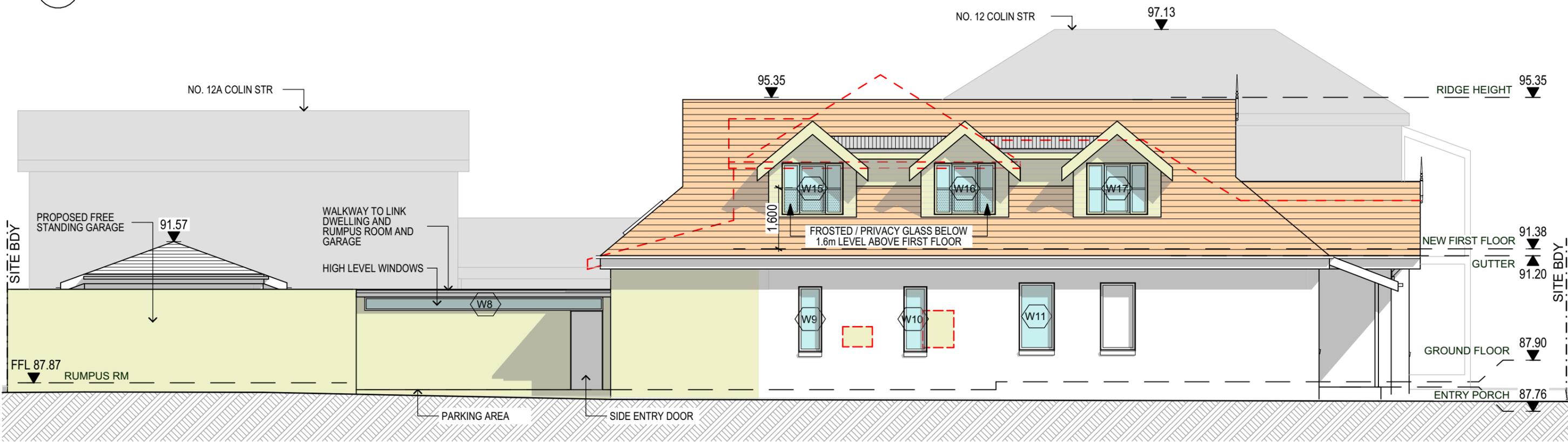
DRAWING NO. & REVISION

DA_A101

STATUS DEVELOPMENT APPLICATION



ELEVATION NORTH
SCALE:1:100



ELEVATION SOUTH
SCALE:1:100



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CLIENT
Owner c/o Ken Demlakian - Keystone Property Consultants

DRAWING TITLE
ELEVATIONS NORTH & SOUTH

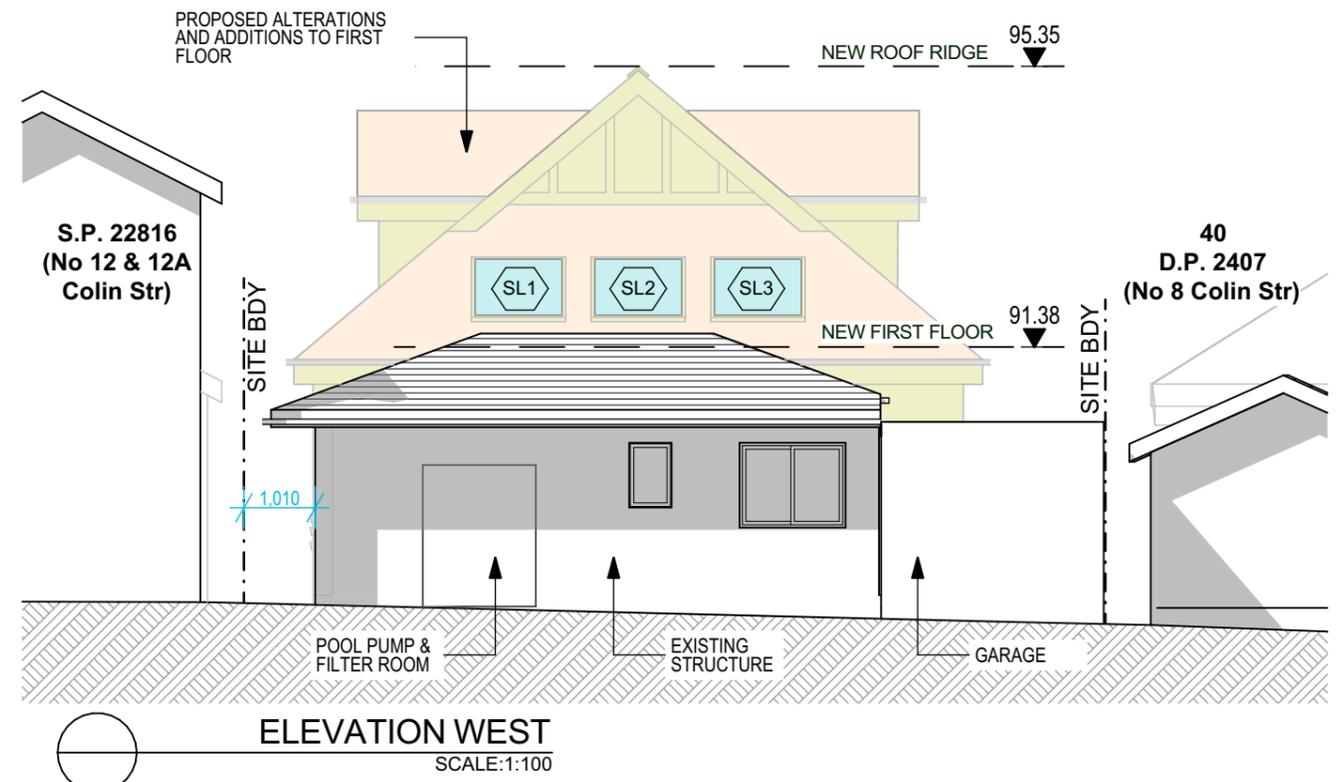
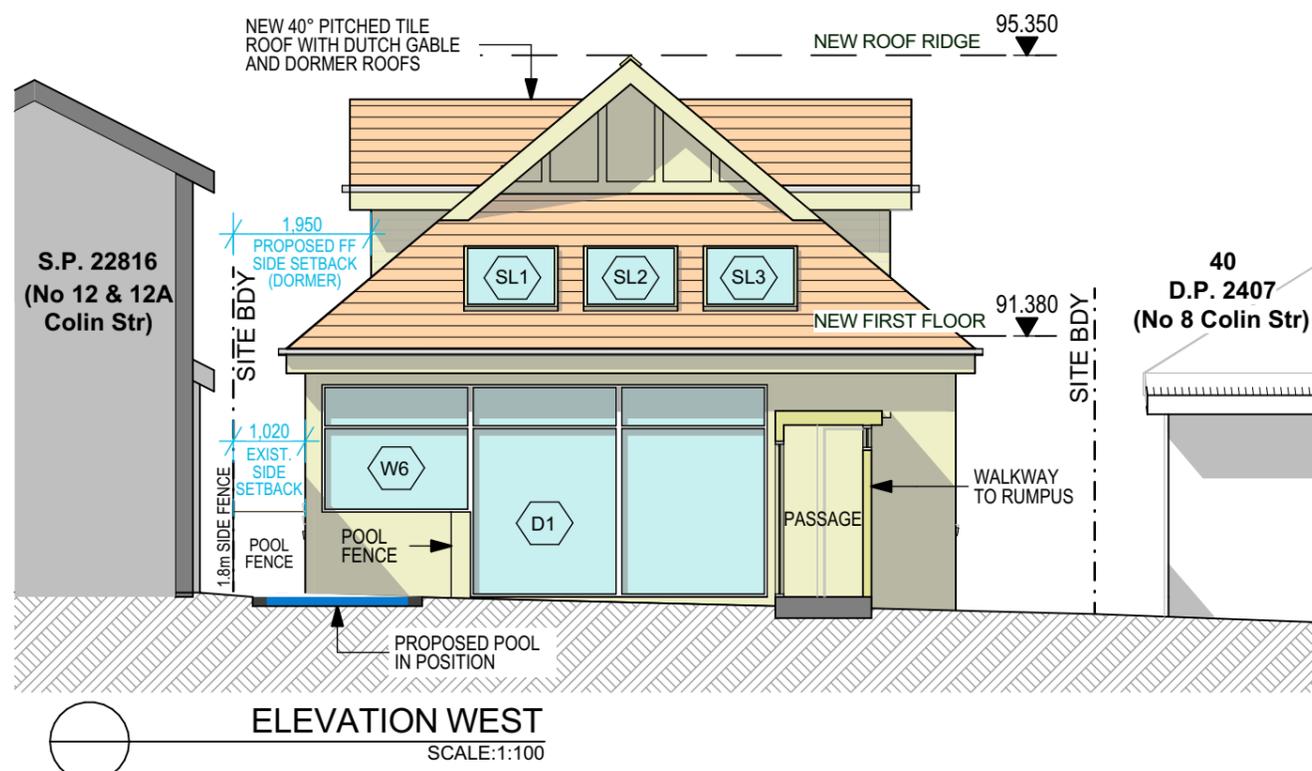
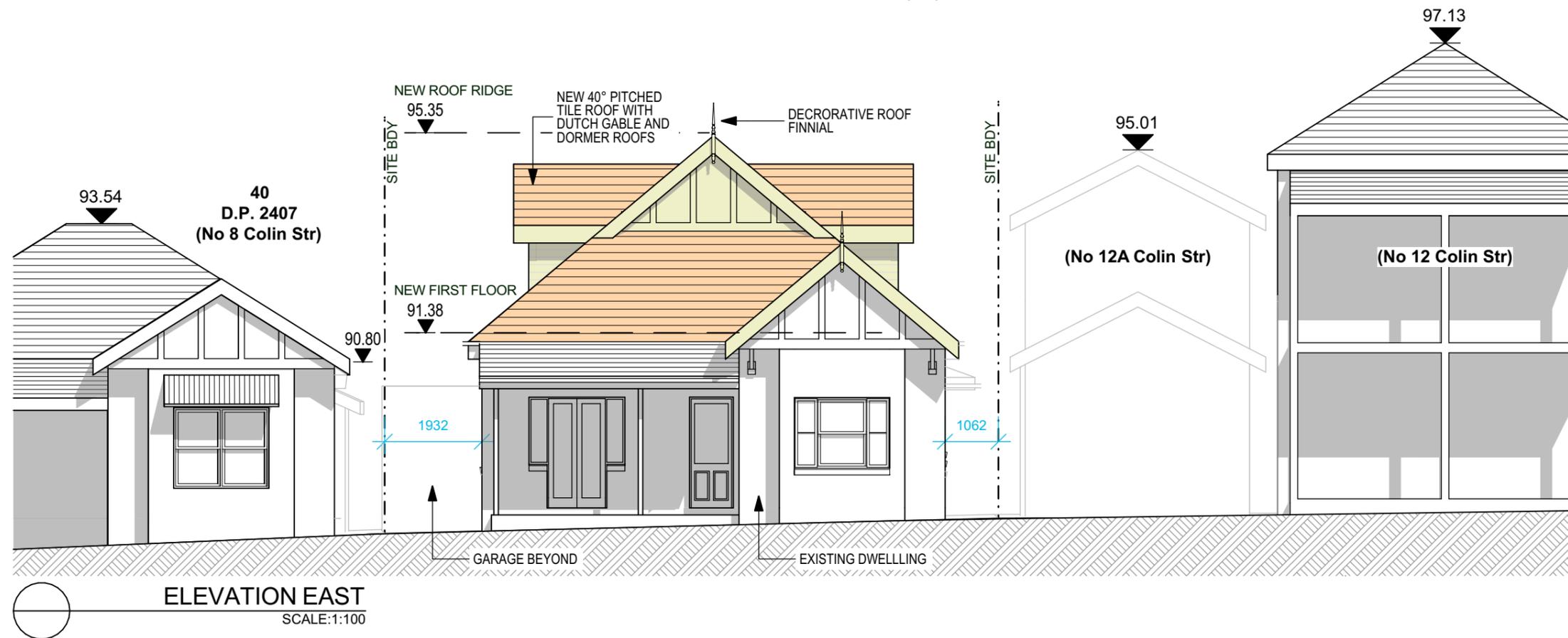
REV.	DESCRIPTION	DATE
-	DEVELOPMENT APPLICATION ISSUE	22/03/24

SCALE 1:100 @ A3
DATE 22/03/2024
DRAWN SM

DRAWING NO. & REVISION

DA_A301

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0 1 2 3 4 5 cm ON ORIGINAL @ A3

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CLIENT
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DRAWING TITLE
 ELEVATIONS EAST & WEST

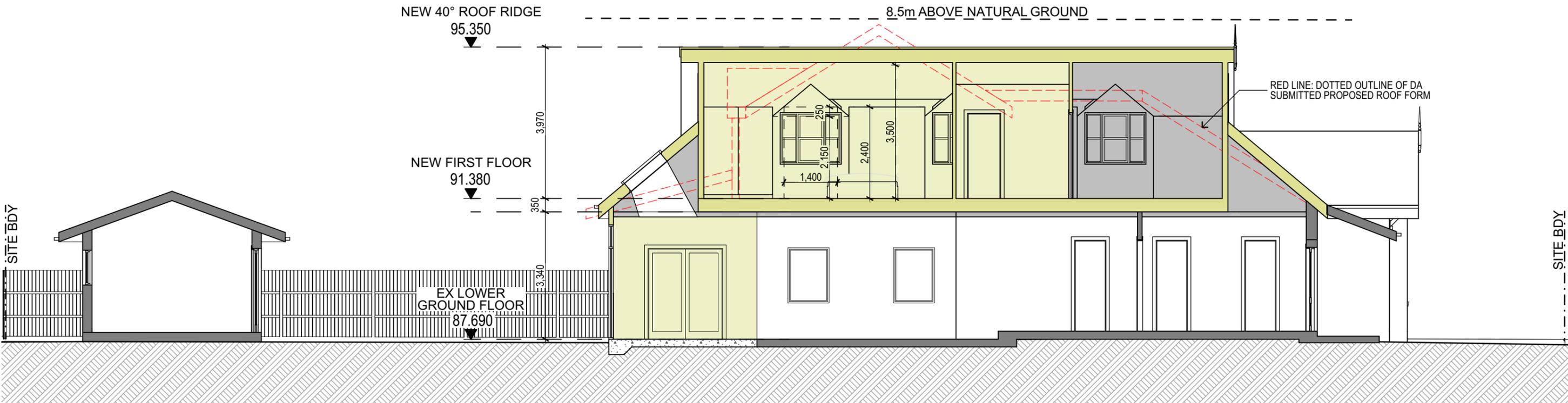
REV.	DESCRIPTION	DATE
-	DEVELOPMENT APPLICATION ISSUE	22/03/24

SCALE 1:100 @ A3
 DATE 22/03/2024
 DRAWN SM

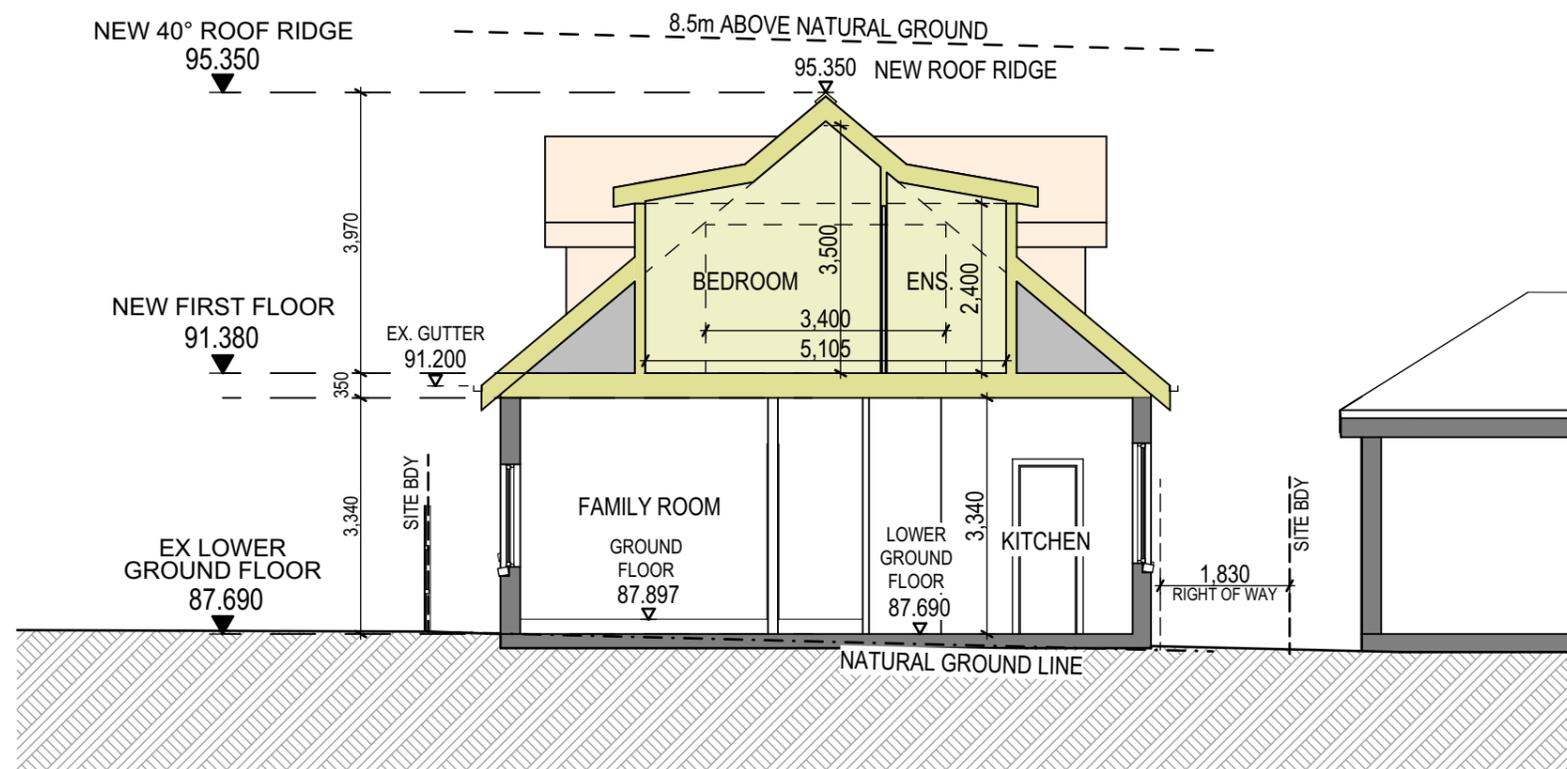
DRAWING NO. & REVISION

DA_A302

STATUS DEVELOPMENT APPLICATION



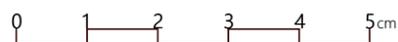
SECTION A
SCALE:1:100



SECTION B
SCALE:1:100



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DRAWING TITLE
SECTIONS

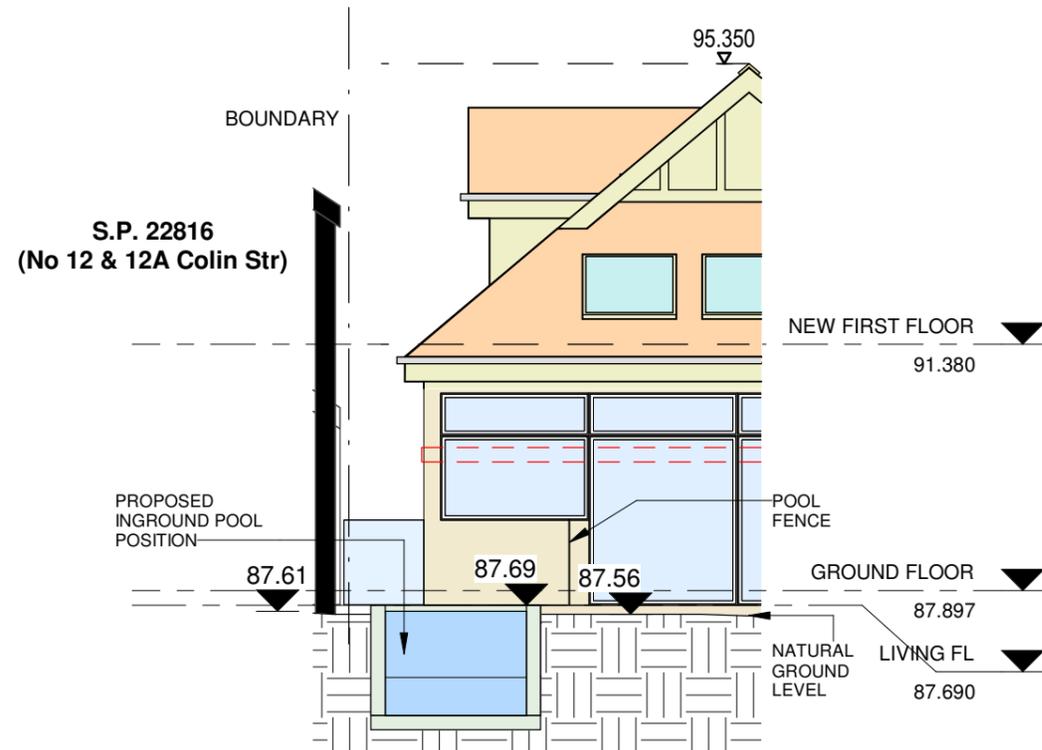
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-	DEVELOPMENT APPLICATION ISSUE	22/03/24

SCALE 1:100 @ A3
DATE 22/03/2024
DRAWN SM

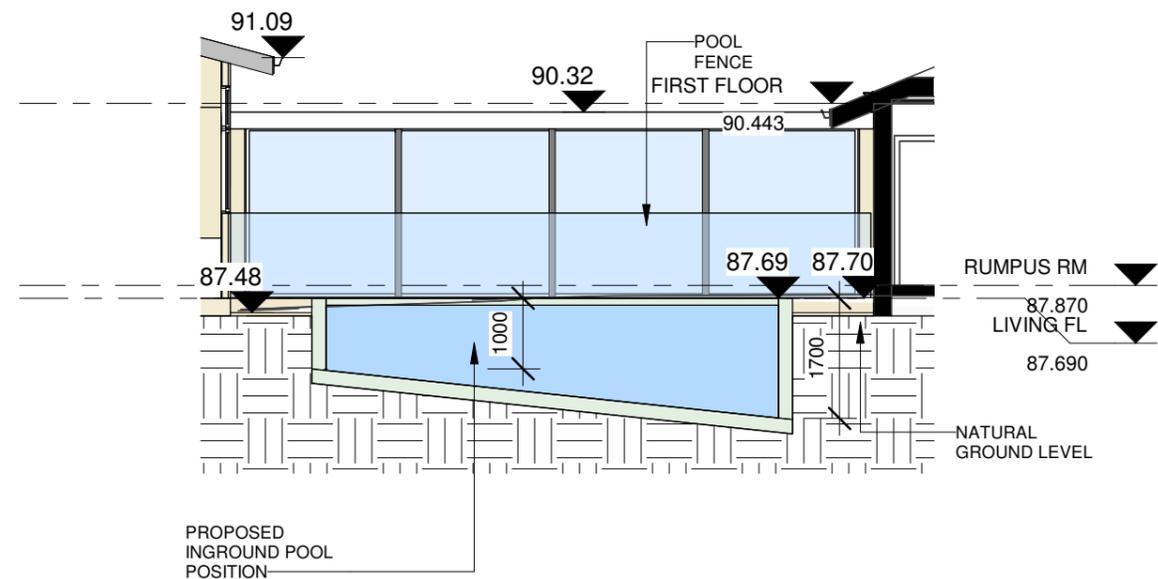
DRAWING NO. & REVISION

DA_A201

STATUS DEVELOPMENT APPLICATION



① POOL SECTION A
1 : 100



② POOL SECTION B
1 : 100



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0 1 2 3 4 5cm

ON ORIGINAL @ A3

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DRAWING TITLE
POOL SECTIONS

REV.	DESCRIPTION	DATE
-	DEVELOPMENT APPLICATION ISSUE	22/03/24

SCALE 1:1, 1:100 @ A3
DATE 22/03/2024
DRAWN SM

DRAWING NO. & REVISION

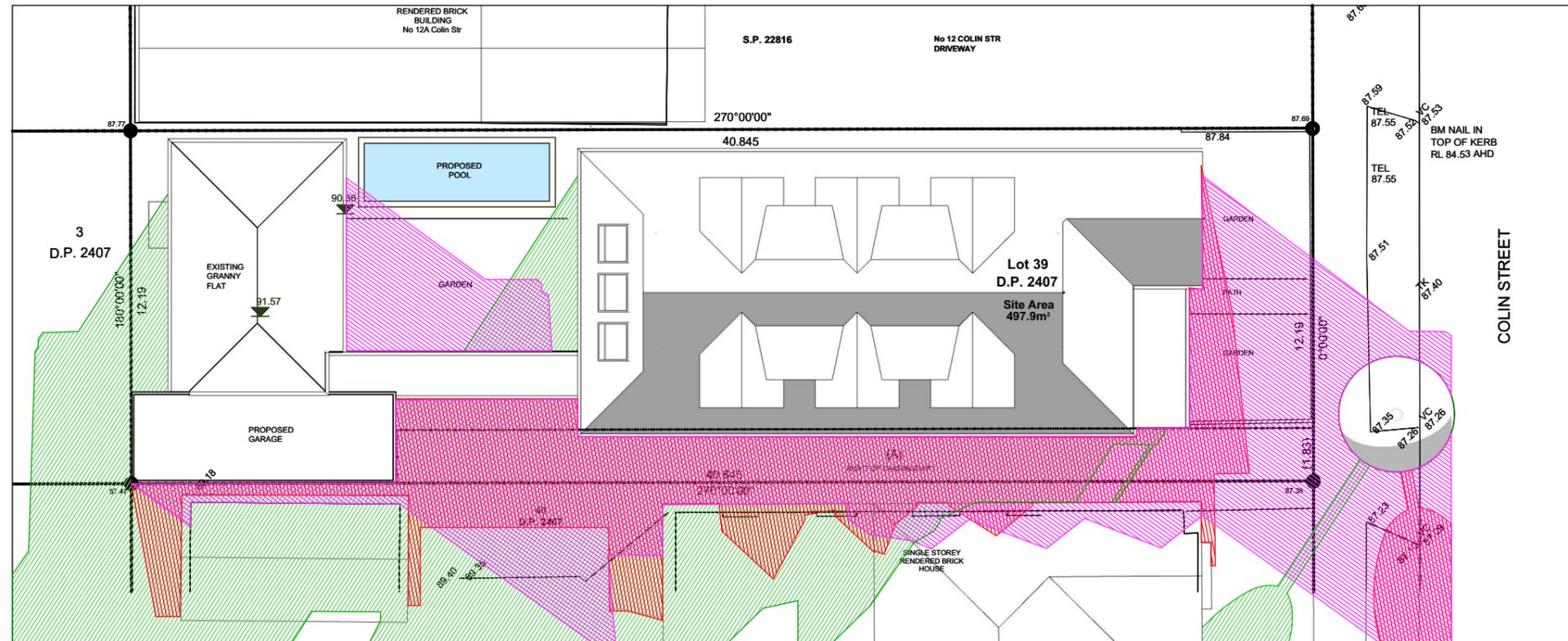
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STATUS DEVELOPMENT APPLICATION

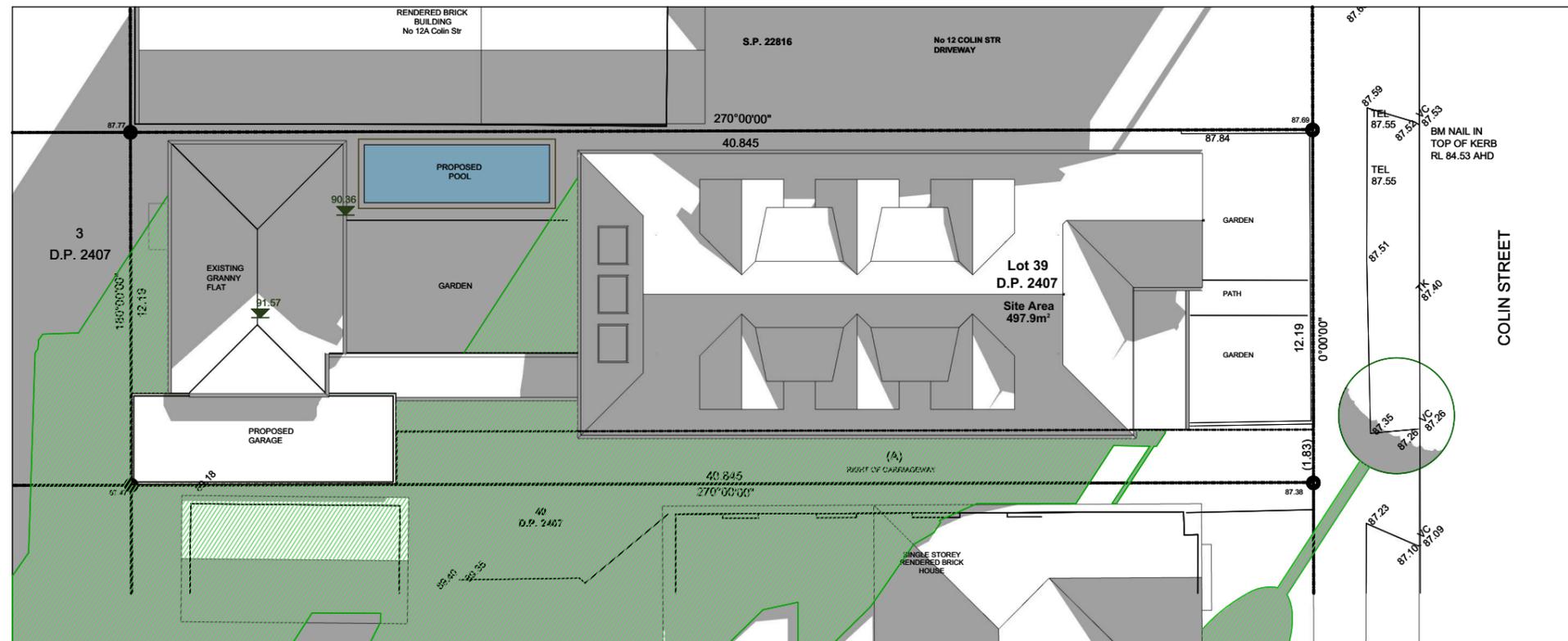
SHADOWS JUNE 22 09:00

SHADOWS JUNE 22 12:00

SHADOWS JUNE 22 15:00



SHADOW DIAGRAM JUNE 22 [ALL]
SCALE ON A3:1:200



SHADOW DIAGRAM JUNE 22 09:00
SCALE ON A3:1:200



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0 1 2 3 4 5cm ON ORIGINAL @ A3

PROJECT ADDRESS
10 Colin St Cammeray NSW 2062

DRAWING TITLE
SHADOW DIAGRAMS NEW 1

SCALE 1:200 @ A3
DATE 22/03/2024
DRAWN SM

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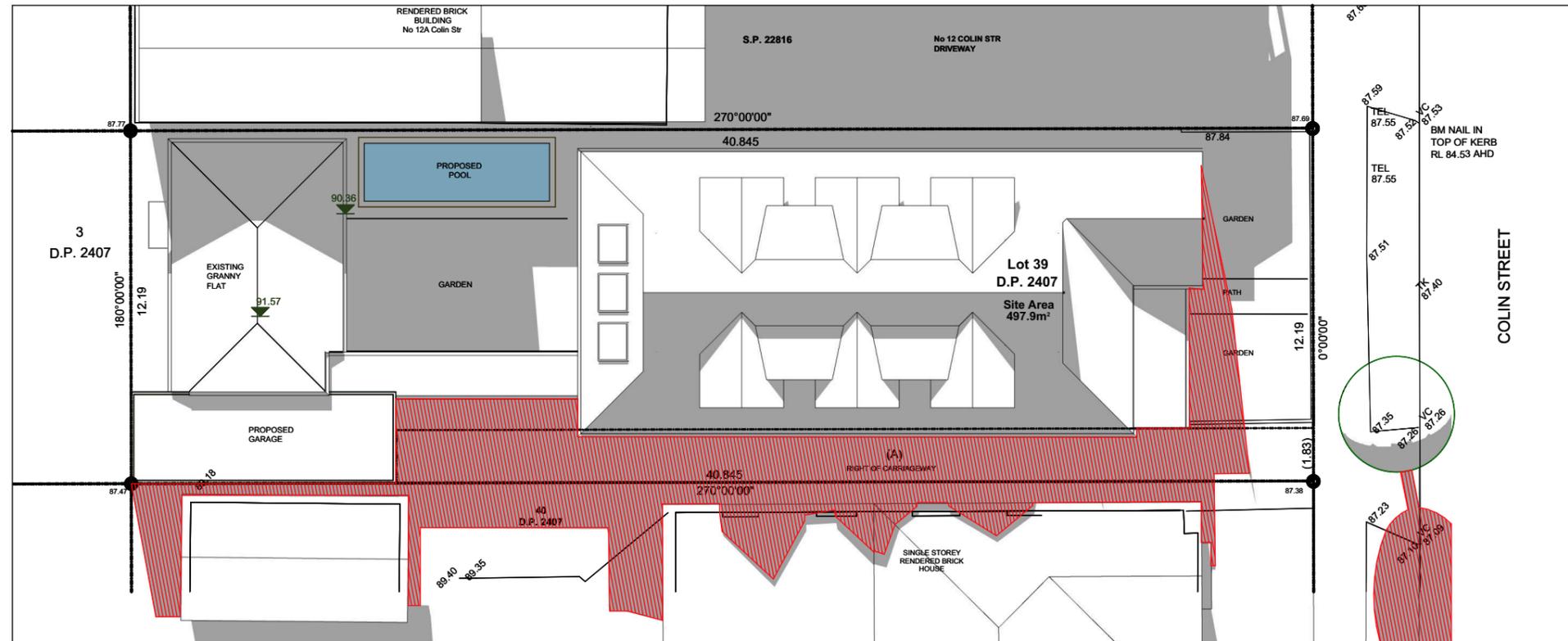
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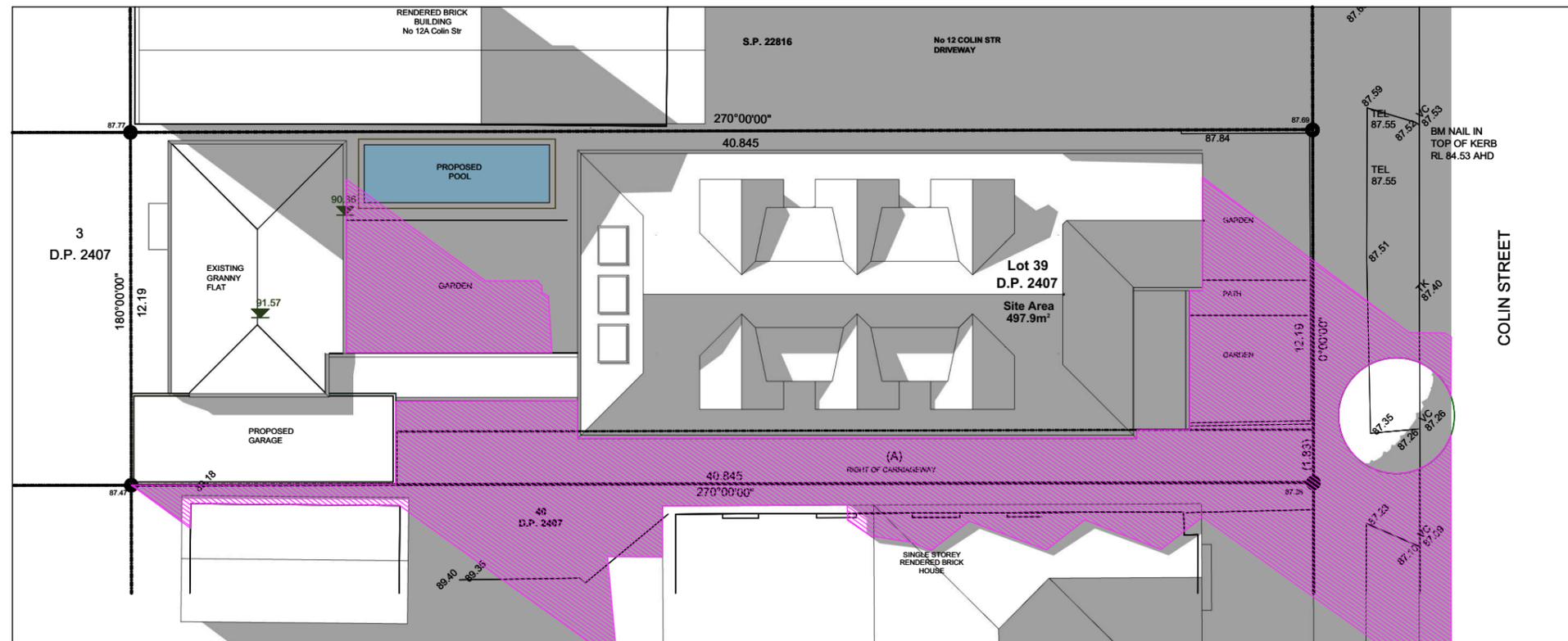


REV.	DESCRIPTION	DATE
-	DEVELOPMENT APPLICATION ISSUE	22/03/24

DRAWING NO. & REVISION
DA_A004
STATUS DEVELOPMENT APPLICATION



SHADOW DIAGRAM JUNE 22 12:00
SCALE ON A3:1:200



SHADOW DIAGRAM JUNE 22 15:00
SCALE ON A3:1:200



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0 1 2 3 4 5 cm ON ORIGINAL @ A3

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10 Colin St Cammeray NSW 2062

DRAWING TITLE
SHADOW DIAGRAMS NEW 2

SCALE
1:200 @ A3

DATE
22/03/2024

DRAWN
SM



REV.	DESCRIPTION	DATE
-	DEVELOPMENT APPLICATION ISSUE	22/03/24

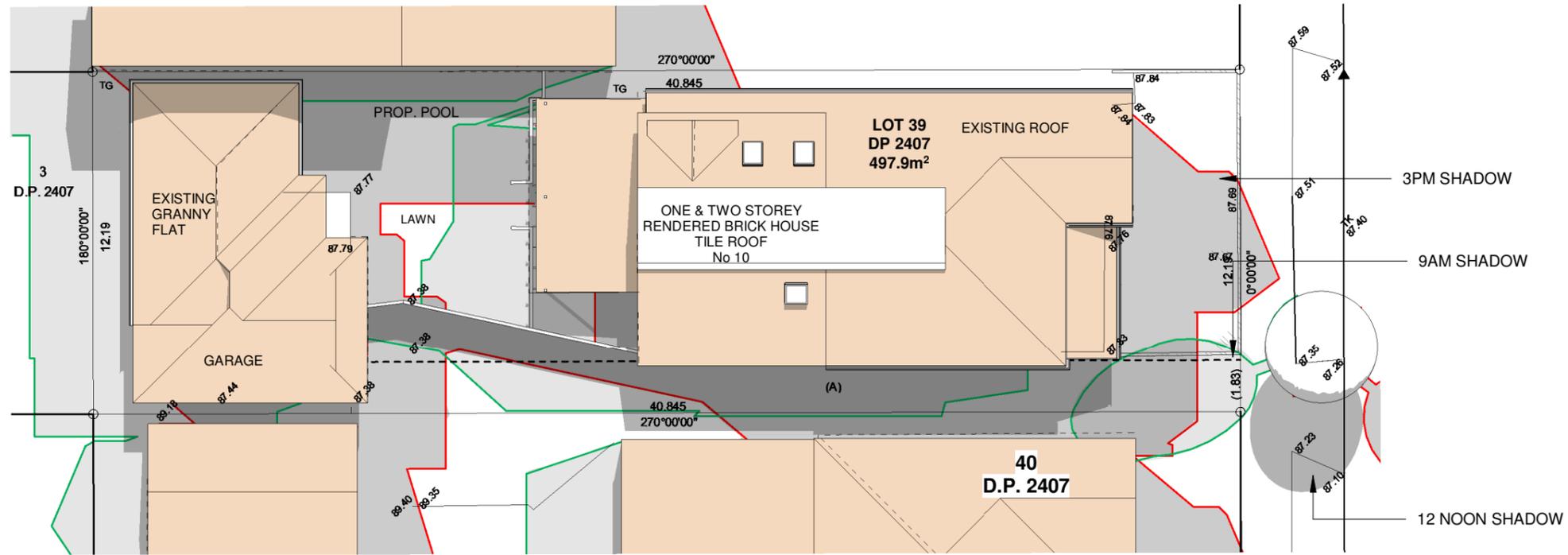
DRAWING NO. & REVISION

DA_A005

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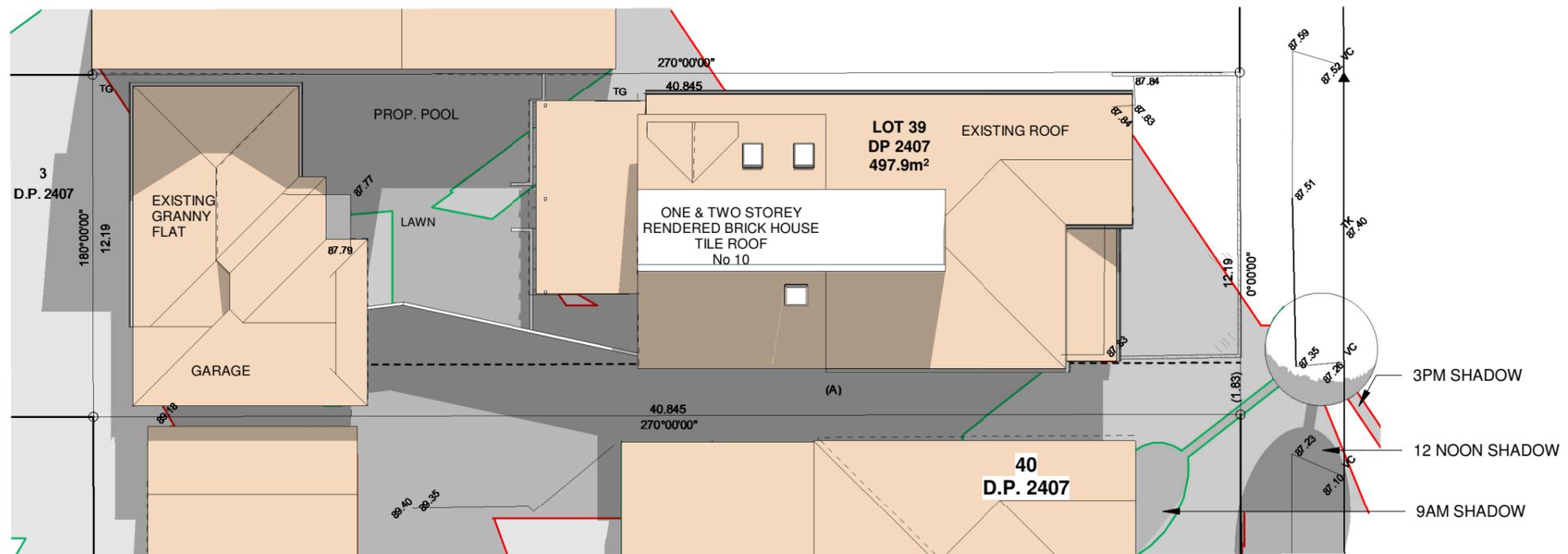
STATUS DEVELOPMENT APPLICATION

S.P. 22816



EXISTING SHADOWS - 21 MARCH

S.P. 22816



EXISTING SHADOWS - 22 JUNE



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ON ORIGINAL @ A3

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DRAWING TITLE
 SHADOW DIAGRAMS EXISTING

SCALE
 1:1 @ A3

DATE
 22/03/2024

DRAWN
 SM



REV.	DESCRIPTION	DATE
-	DEVELOPMENT APPLICATION ISSUE	22/03/24

DRAWING NO. & REVISION

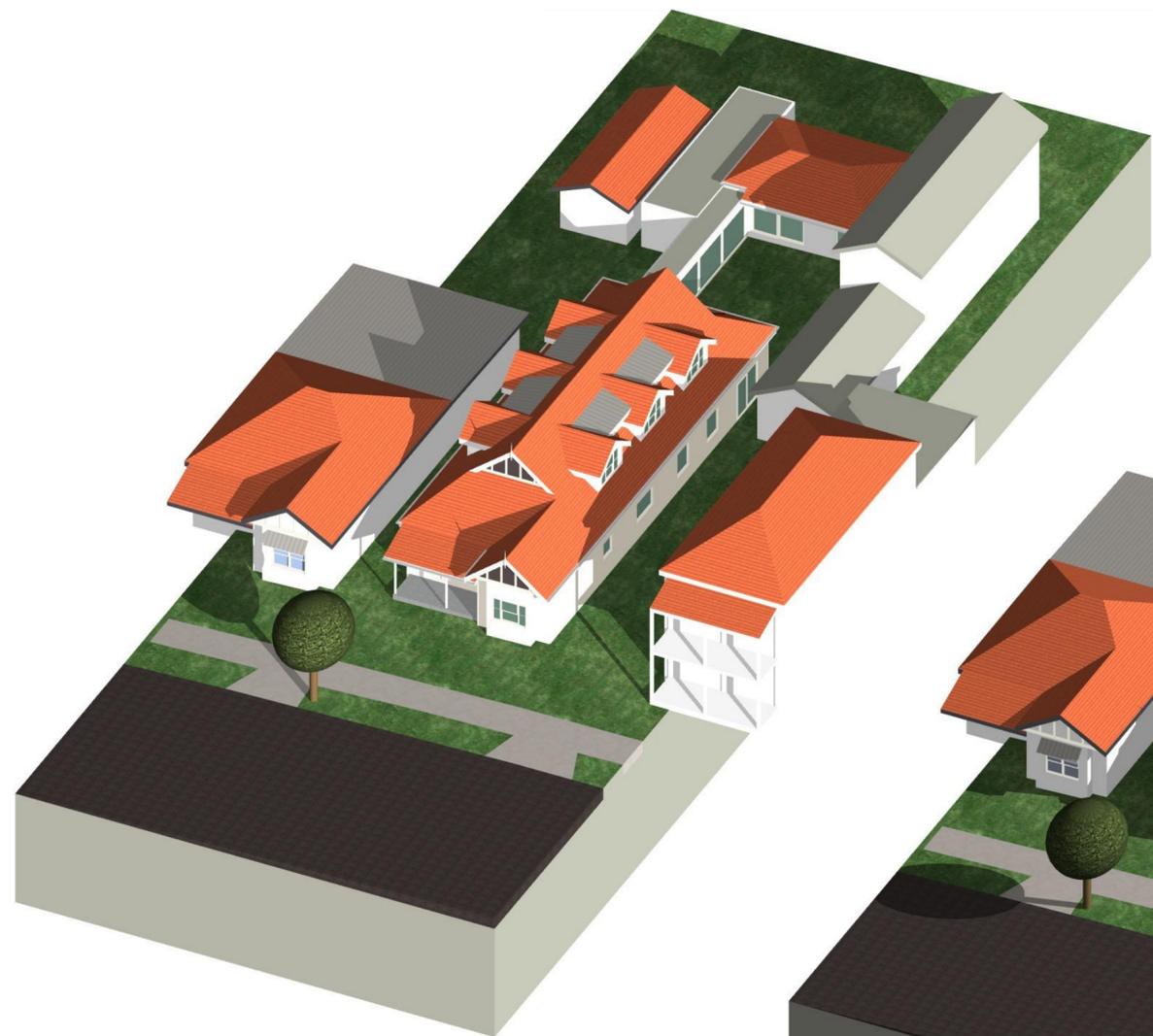
DA_A006

CLIENT
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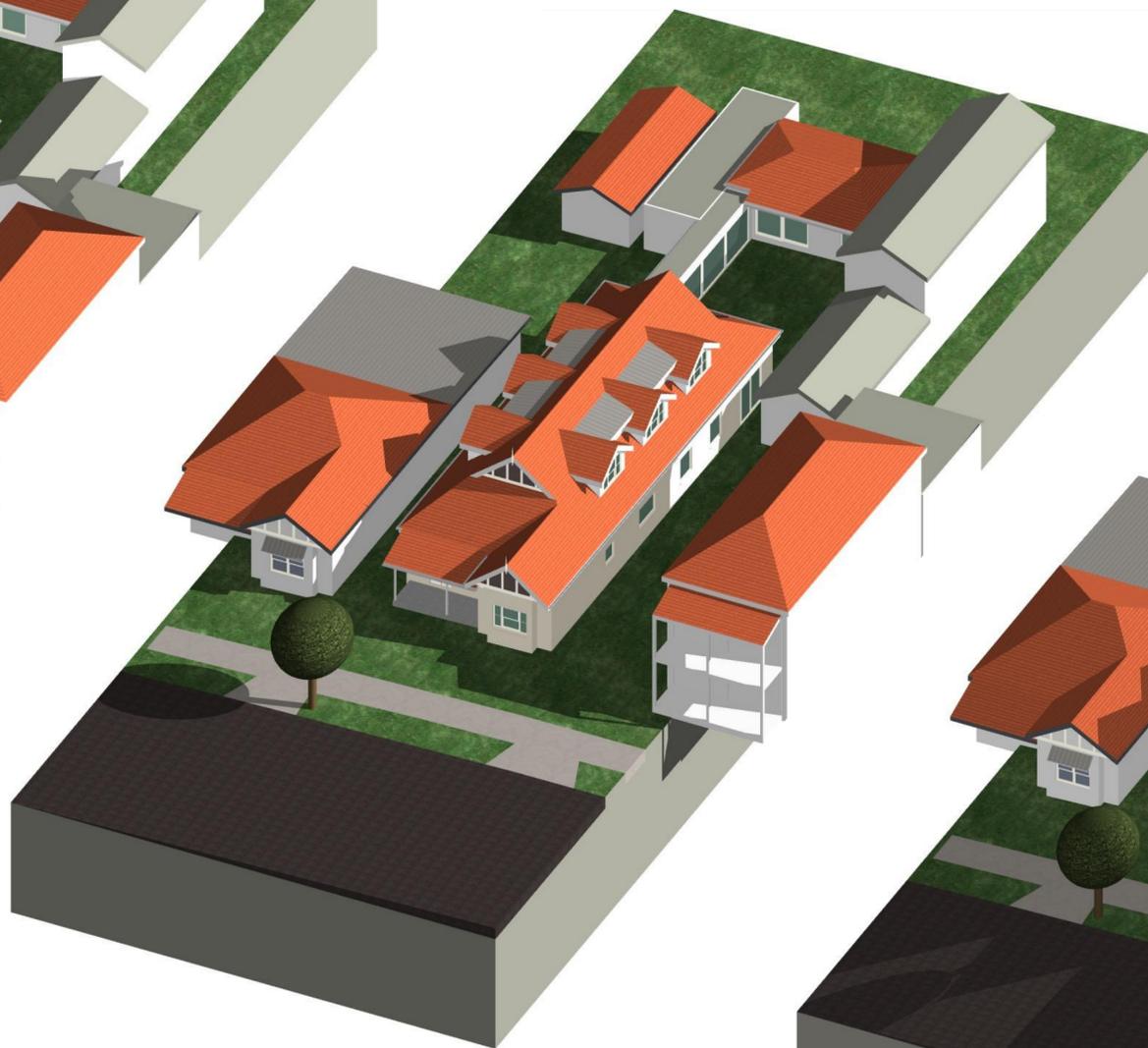
STATUS DEVELOPMENT APPLICATION

COLIN STREET

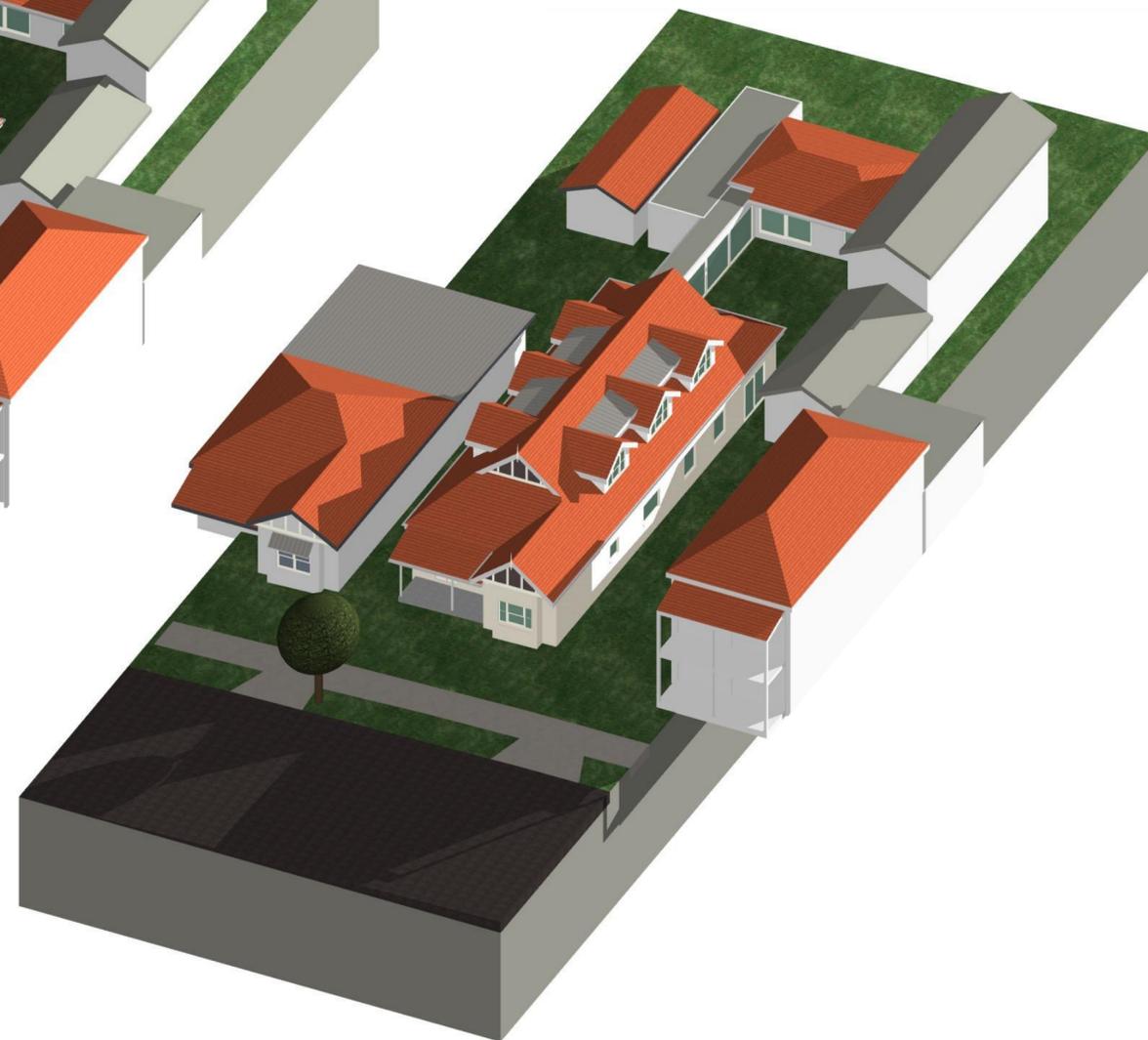
COLIN STREET



○ SHADOW DIAGRAM AXO NEW 09:00



○ SHADOW DIAGRAM AXO NEW 12:00



○ SHADOW DIAGRAM AXO NEW 15:00



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0 1 2 3 4 5cm ON ORIGINAL @ A3

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PROJECT ADDRESS
 10 Colin St Cammeray NSW 2062
 LOT 39 D.P. 2407 SITE AREA BY SURVEY: 497.9m²

CLIENT
 John Liu

0 1 2 3 4 5cm ON ORIGINAL @ A3

DRAWING TITLE
 SHADOW AXO'S NEW

REV.	DESCRIPTION	DATE
-	DEVELOPMENT APPLICATION ISSUE	22/03/24

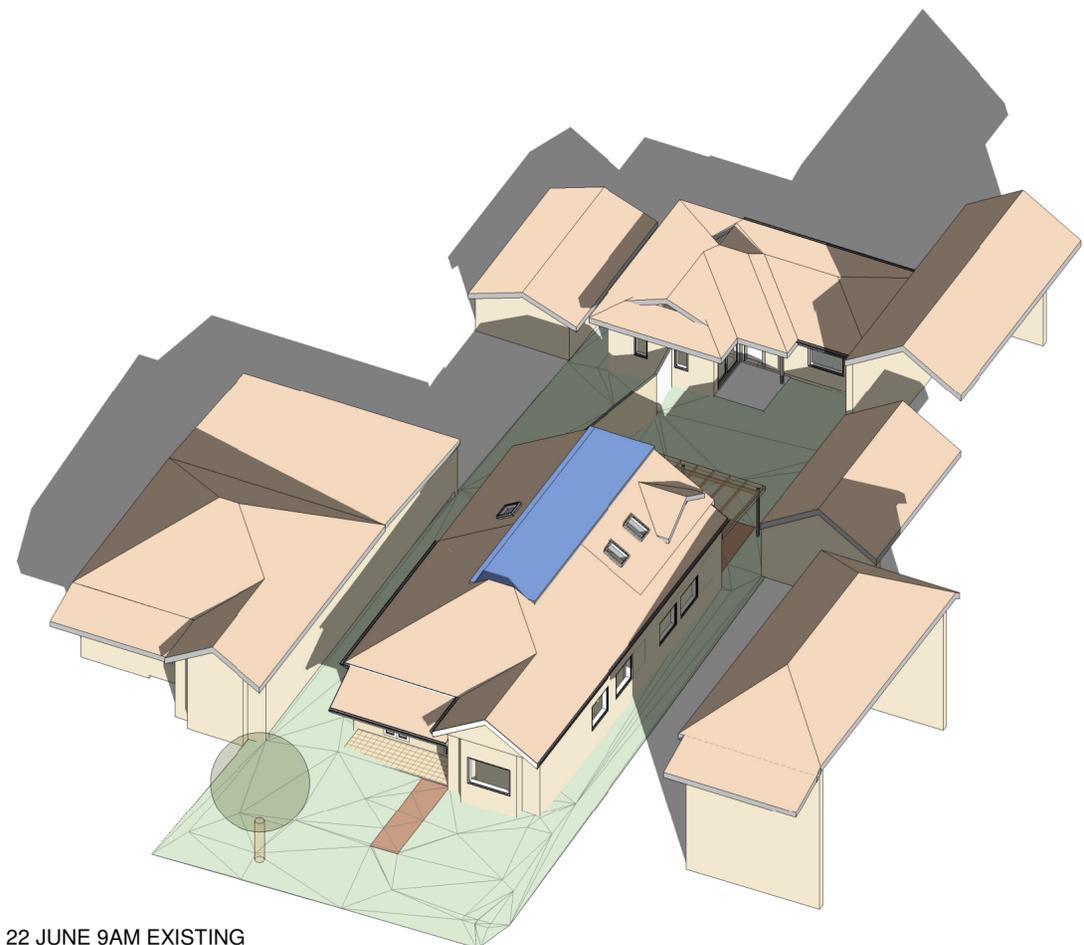
REV.	DESCRIPTION	DATE

SCALE @ A3 DATE 22/03/2024 DRAWN SM

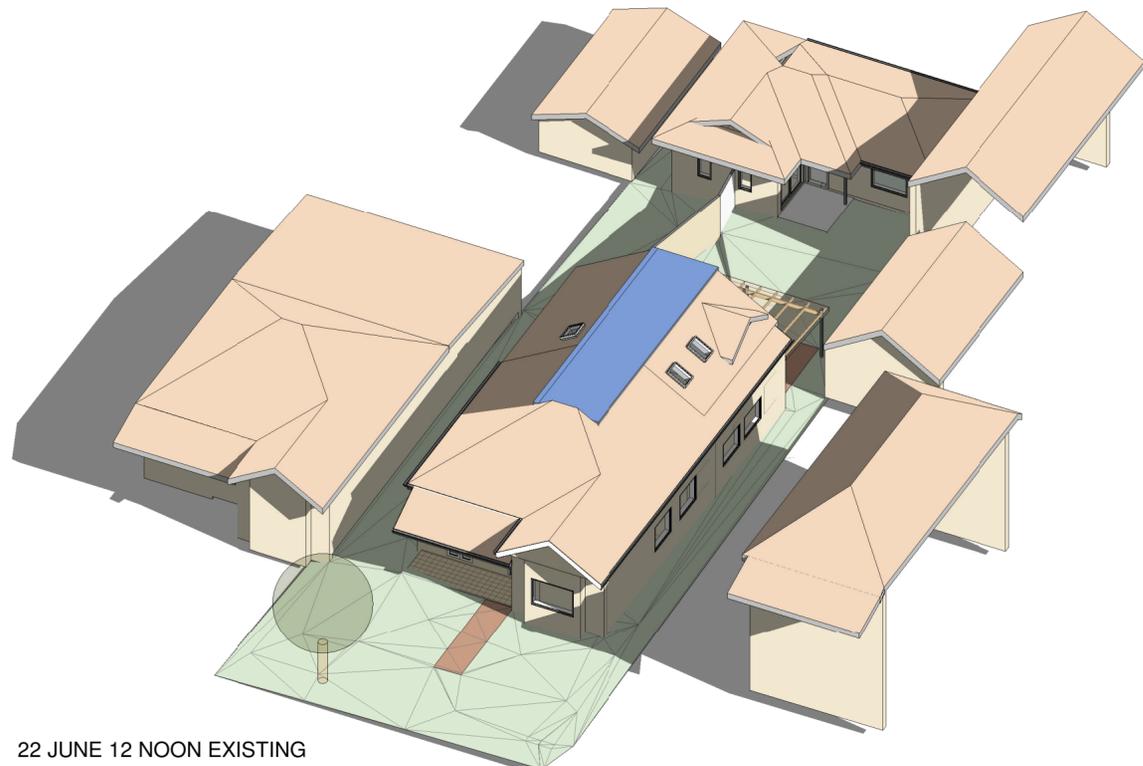
DRAWING NO. & REVISION

DA_A007

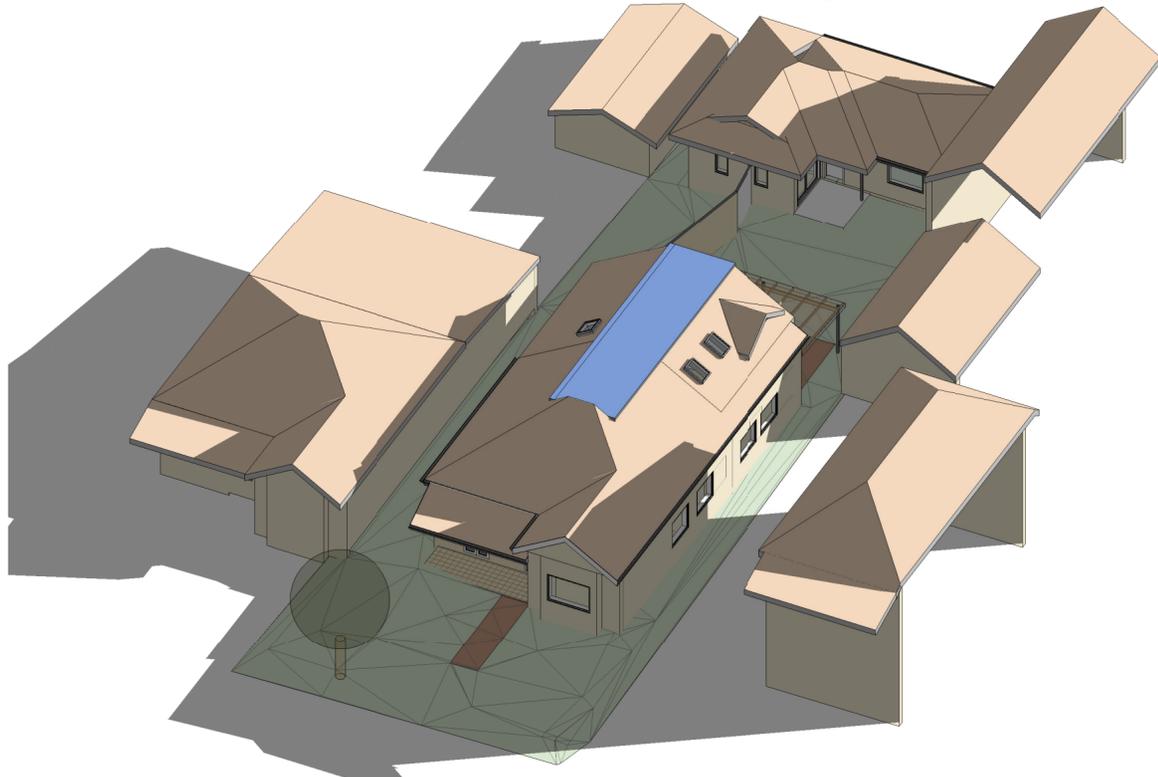
STATUS DEVELOPMENT APPLICATION



① 22 JUNE 9AM EXISTING



② 22 JUNE 12 NOON EXISTING



③ 22 JUNE 3PM EXISTING

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PROJECT ADDRESS
10 Colin St Cammeray NSW 2062
LOT 39 D.P. 2407 SITE AREA BY SURVEY: 497.9m²

CLIENT
John Liu

0 1 2 3 4 5cm ON ORIGINAL @ A3

DRAWING TITLE
SHADOW AXO'S EXISTING

REV.	DESCRIPTION	DATE
-	DEVELOPMENT APPLICATION ISSUE	22/03/24

REV.	DESCRIPTION	DATE

SCALE 1:1 @ A3 DATE 22/03/2024 DRAWN SM

DRAWING NO. & REVISION
DA_A008

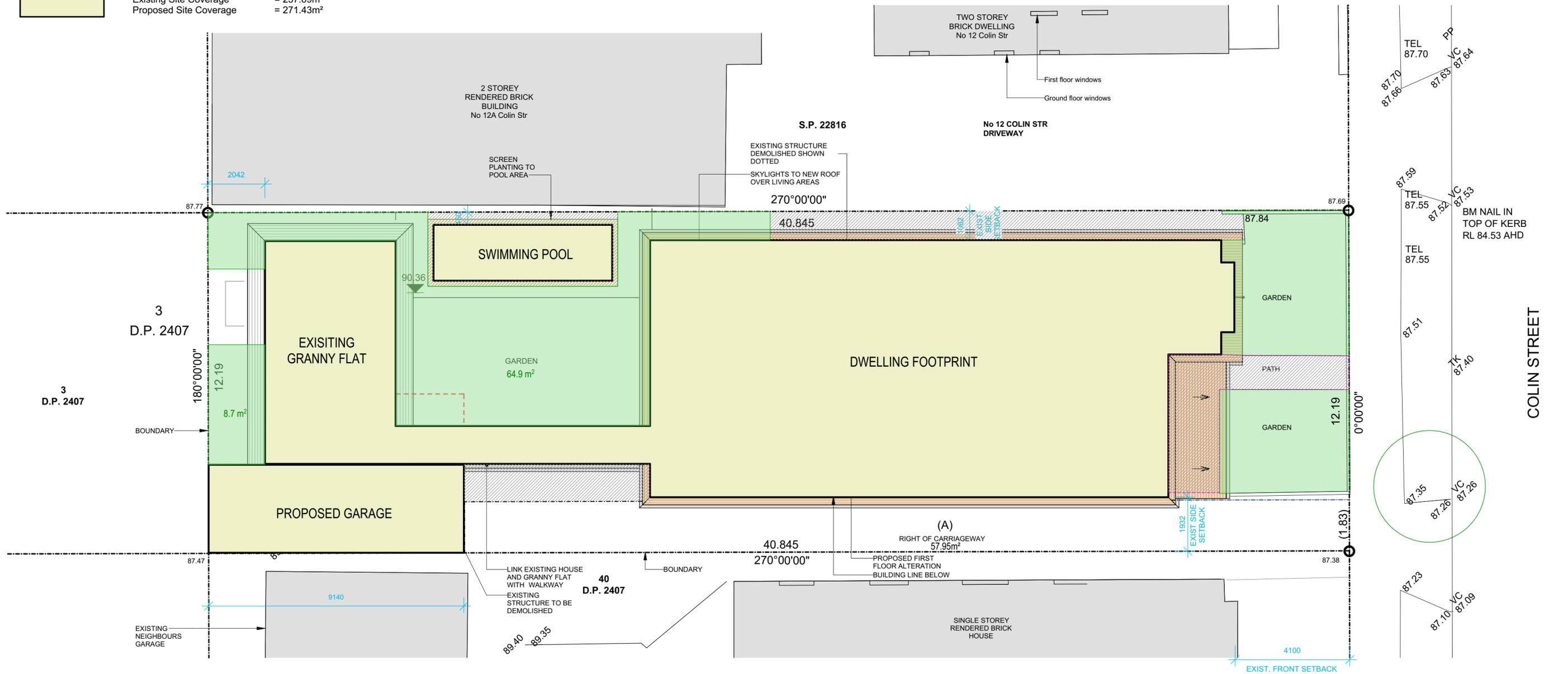
STATUS DEVELOPMENT APPLICATION

SITE CALCULATIONS

- 
1.5.6 Landscaped Area
 Min. landscaped area (230-499m²) = 30% SA (less right of carriageway) = 149.37m² (131.99m²)
 Existing Landscaped Area = 86.8m²
 Proposed Landscaped Area = 112.5m² (more than existing)

- 
Max. un-built upon area
 (230-499m²) = 20% SA (less right of carriageway) = 99.58m² (87.99m²)
 Existing un-built upon area = 173.53m² (115.58m²)
 Proposed un-built upon area = 104.45m² (46.5m²)

- 
1.5.5 Site Coverage
 Max. Permissible Site Coverage = 50% SA (230-499m²) = 248.95m²
 Existing Site Coverage = 237.69m²
 Proposed Site Coverage = 271.43m²



SITE CALCULATIONS
SCALE:1:100

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PROJECT ADDRESS
 10 Colin St Cammeray NSW 2062
 LOT 39 D.P. 2407 SITE AREA BY SURVEY: 497.9m²

CLIENT
 John Liu

DRAWING TITLE
SITE CALCULATIONS

REV.	DESCRIPTION	DATE
-	DEVELOPMENT APPLICATION ISSUE	22/03/24

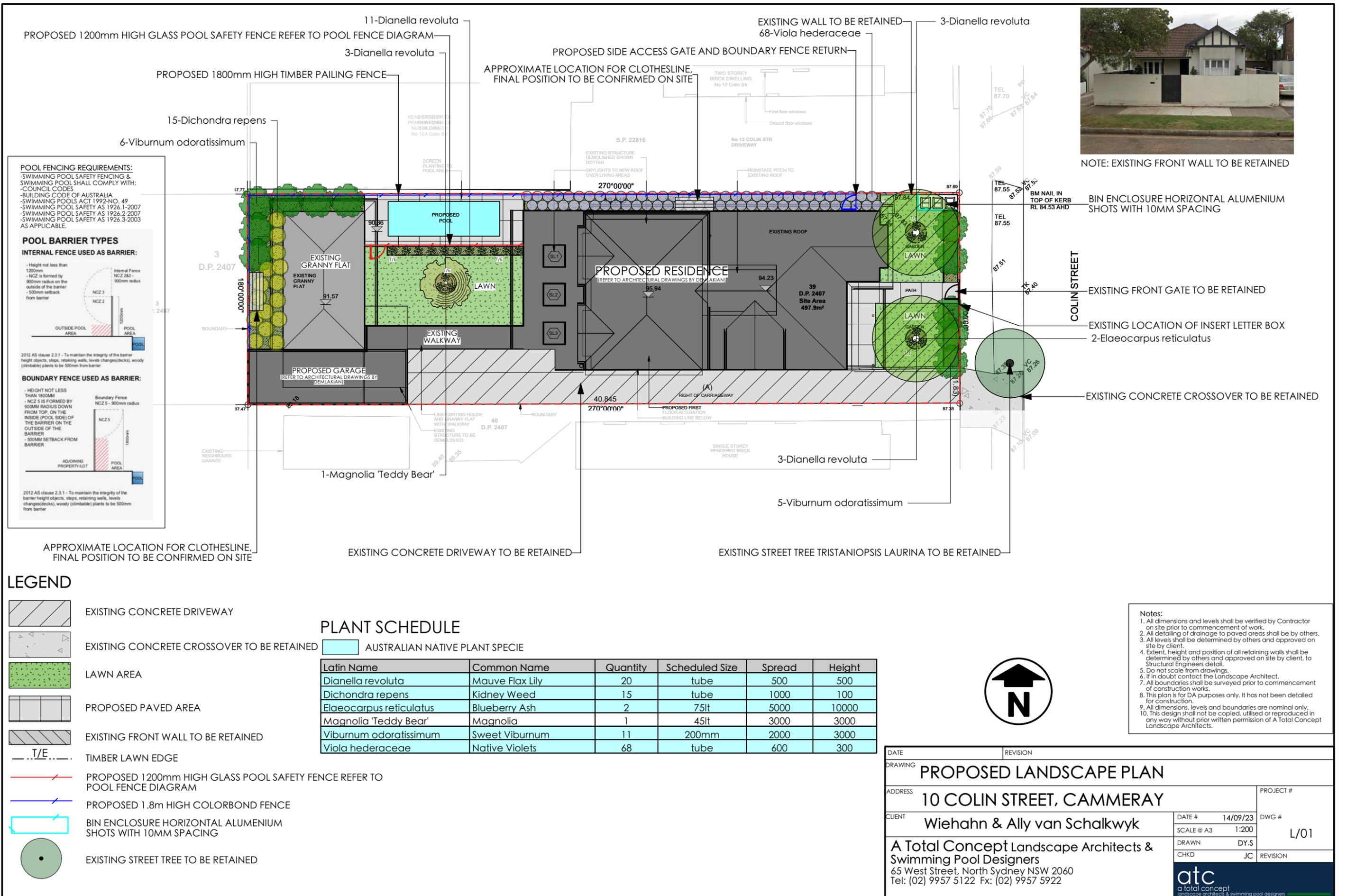
REV.	DESCRIPTION	DATE

SCALE @ A3 DATE 22/03/2024 DRAWN SM

DRAWING NO. & REVISION
DA_A009
 STATUS DEVELOPMENT APPLICATION

0 1 2 3 4 5cm ON ORIGINAL @ A3

0 1 2 3 4 5cm ON ORIGINAL @ A3



NOTE: EXISTING FRONT WALL TO BE RETAINED

BIN ENCLOSURE HORIZONTAL ALUMINIUM SHOTS WITH 10MM SPACING

EXISTING FRONT GATE TO BE RETAINED

EXISTING LOCATION OF INSERT LETTER BOX

2-Elaeocarpus reticulatus

EXISTING CONCRETE CROSSOVER TO BE RETAINED

POOL FENCING REQUIREMENTS:
 -SWIMMING POOL SAFETY FENCING & SWIMMING POOL SHALL COMPLY WITH:
 -COUNCIL CODES
 -BUILDING CODE OF AUSTRALIA
 -SWIMMING POOLS ACT 1992-NO. 49
 -SWIMMING POOL SAFETY AS 1926.1-2007
 -SWIMMING POOL SAFETY AS 1926.2-2007
 -SWIMMING POOL SAFETY AS 1926.3-2003 AS APPLICABLE.

POOL BARRIER TYPES

INTERNAL FENCE USED AS BARRIER:
 - Height not less than 1200mm
 - NCZ 3 IS FORMED BY 900MM RADIUS ON THE OUTSIDE OF THE BARRIER
 - 500mm setback from barrier

BOUNDARY FENCE USED AS BARRIER:
 - HEIGHT NOT LESS THAN 1800MM
 - NCZ 5 IS FORMED BY 900MM RADIUS DOWN FROM TOP, ON THE INSIDE (POOL SIDE) OF THE BARRIER ON THE OUTSIDE OF THE BARRIER
 - 500MM SETBACK FROM BARRIER

LEGEND

- EXISTING CONCRETE DRIVEWAY
- EXISTING CONCRETE CROSSOVER TO BE RETAINED
- LAWN AREA
- PROPOSED PAVED AREA
- EXISTING FRONT WALL TO BE RETAINED
- T/E... TIMBER LAWN EDGE
- PROPOSED 1200mm HIGH GLASS POOL SAFETY FENCE REFER TO POOL FENCE DIAGRAM
- PROPOSED 1.8m HIGH COLORBOND FENCE
- BIN ENCLOSURE HORIZONTAL ALUMINIUM SHOTS WITH 10MM SPACING
- EXISTING STREET TREE TO BE RETAINED

PLANT SCHEDULE

Latin Name	Common Name	Quantity	Scheduled Size	Spread	Height
Dianella revoluta	Mauve Flax Lily	20	tube	500	500
Dichondra repens	Kidney Weed	15	tube	1000	100
Elaeocarpus reticulatus	Blueberry Ash	2	75lt	5000	10000
Magnolia 'Teddy Bear'	Magnolia	1	45lt	3000	3000
Viburnum odoratissimum	Sweet Viburnum	11	200mm	2000	3000
Viola hederaceae	Native Violets	68	tube	600	300

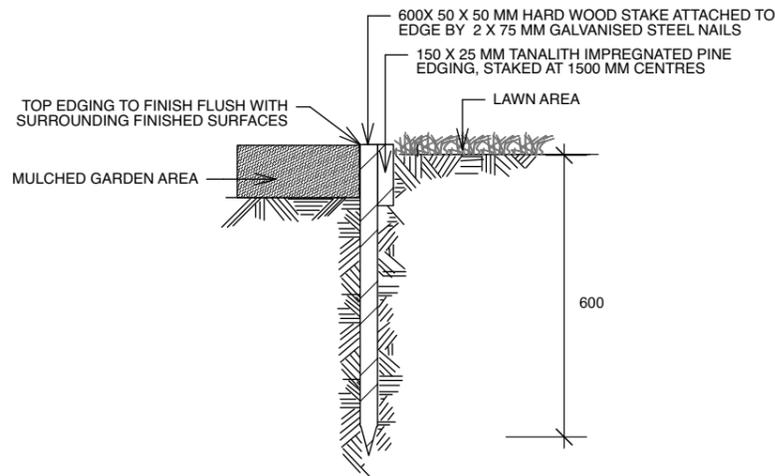
- Notes:**
- All dimensions and levels shall be verified by Contractor on site prior to commencement of work.
 - All detailing of drainage to paved areas shall be by others.
 - All levels shall be determined by others and approved on site by client.
 - Extent, height and position of all retaining walls shall be determined by others and approved on site by client, to Structural Engineers detail.
 - Do not scale from drawings.
 - If in doubt contact the Landscape Architect.
 - All boundaries shall be surveyed prior to commencement of construction works.
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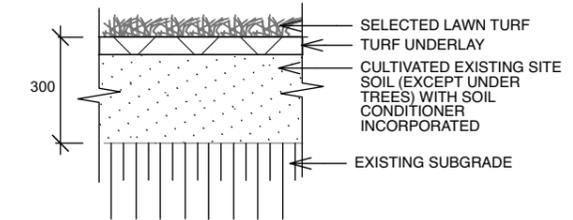
DATE	REVISION
DRAWING PROPOSED LANDSCAPE PLAN	
ADDRESS	PROJECT #
10 COLIN STREET, CAMMERAY	
CLIENT	DATE #
Wiehahn & Ally van Schalkwyk	14/09/23
	DWG #
	L/01
DRAWN	
DY.S	
CHKD	REVISION
JC	

A Total Concept Landscape Architects & Swimming Pool Designers
 65 West Street, North Sydney NSW 2060
 Tel: (02) 9957 5122 Fx: (02) 9957 5922

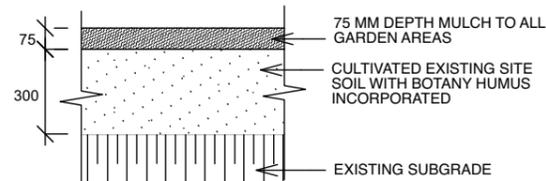
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 landscape architects & swimming pool designers



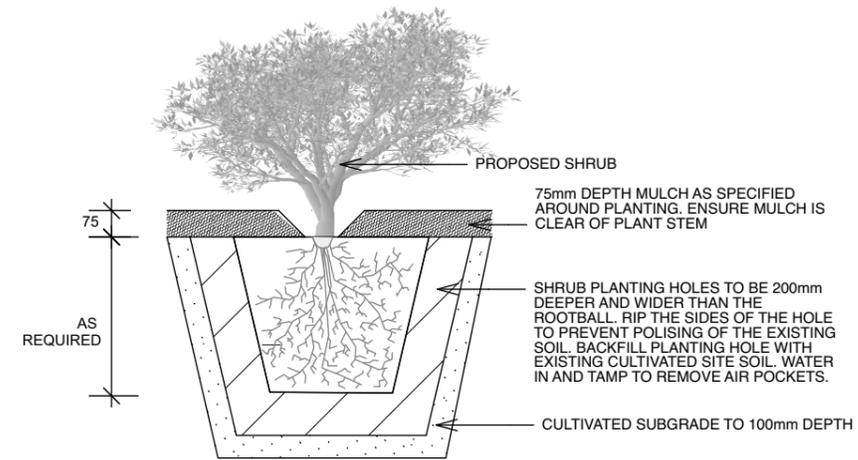
TYPICAL TIMBER EDGE DETAIL
SCALE 1:10
DO NOT SCALE



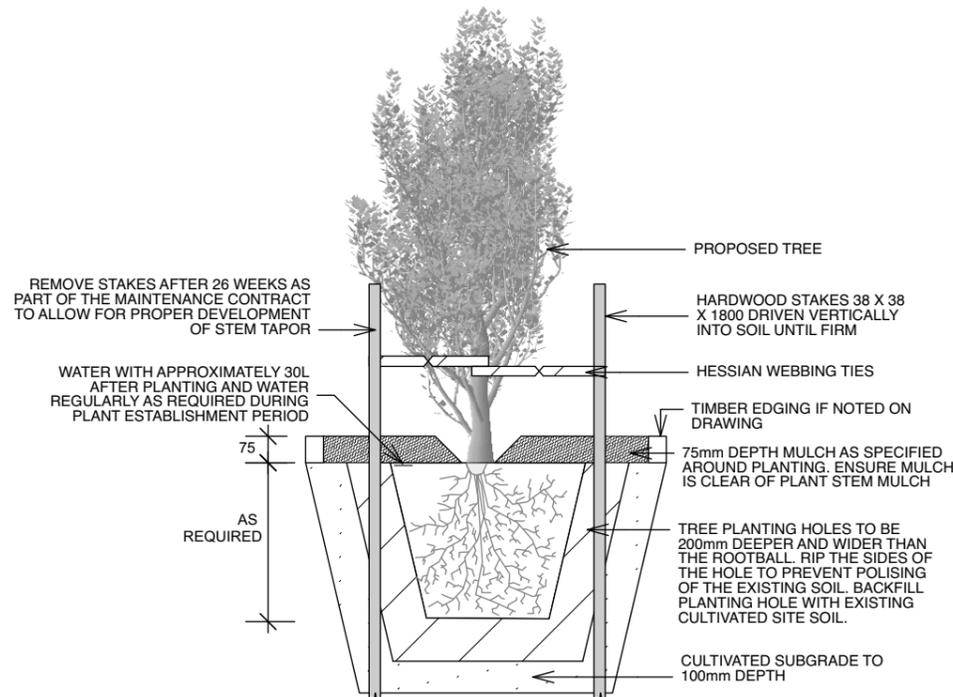
TYPICAL TURF DETAIL
SCALE 1:20



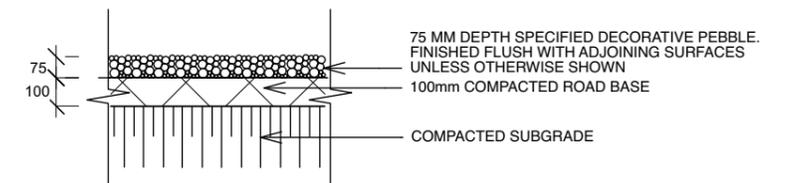
SOIL TO GARDEN AREAS
SCALE 1:20



PLANTING DETAIL
SCALE 1:20



TREE PLANTING & STAKING DETAIL
SCALE 1:20



PEBBLE PATHWAY
SCALE 1:10

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ADDRESS	10 COLIN STREET, CAMMERAY	PROJECT #
CLIENT	Wiehahn & Ally van Schalkwyk	DWG #
	DATE # 14/09/23	L/02
	SCALE @ A3 AS NOTED	
	DRAWN DY.S	
	CHKD JC	REVISION
A Total Concept Landscape Architects & Swimming Pool Designers 65 West Street, North Sydney NSW 2060 Tel: (02) 9957 5122 Fx: (02) 9957 5922		

OUTLINE LANDSCAPE SPECIFICATION

Preparation by Builder: Builder shall remove all existing concrete pathways, fences, footings, walls etc. not notated to be retained and complete all necessary excavation work prior to commencement on site by Landscape Contractor (Contractor). Builder shall also install new retaining walls, kerbs, layback kerb, crossover, pathways etc. and make good all existing kerbs, gutters etc. as necessary and to approval of Council. Builder shall ensure that a minimum 450mm of topsoil in garden areas and a minimum 150mm of topsoil in lawn areas exists. Should required depths not exist Builder shall contact Landscape Architect and ask for instructions prior to completion of excavation works.

Excavate as necessary, then fill with approved site topsoil to allow for minimum 500mm soil depth in garden areas and 150mm soil depth in lawn areas and to gain required shapes & levels. Ensure all garden and lawn areas drain satisfactorily. All levels & surface drainage shall be determined by others & approved on site by Head Contractor. Note: Approved imported topsoil mix may be utilised if there is insufficient site topsoil available. State in Tender a m3 rate for additional imported topsoil and the quantities of both site topsoil and imported topsoil allowed for in Tender.

Initial Preparation: Verify all dimensions & levels on site prior to commencement. Do not scale from drawings. Locate all underground & above ground services & ensure no damage occurs to them throughout contract. Spray approved weedicide to all proposed lawn & garden areas to manufacturer's directions. Remove existing concrete pathways, footings, walls etc. not notated to be retained & weeds from site. Levels indicated on Plan are nominal only and are derived from Architectural Plans & Drawings by others. Final structural integrity of all items shall be the sole responsibility of Landscape Contractor.

Tree Protection: Trees to be retained shall be protected during site works and construction by the erection of solid barricades to the specification of Council. Storage of machinery or materials beneath canopy of trees to be retained shall not be permitted. Changes to soil level and cultivation of soil beneath canopy of trees to be retained shall not be permitted unless under direct supervision of Landscape Architect. Existing trees shall be pruned to Landscape Architects onsite instructions.

Soil Preparation: Cultivate to depth of 300mm all proposed lawn & garden areas incorporating minimum 100mm depth of organic clay breaker into existing site soil. Do not cultivate beneath existing trees to be retained. In areas where fill is required gain required shapes & levels using a premium grade soil mix. In areas where excavation is required (if in clay) over excavate as required to allow for installation of 500mm depth of premium grade topsoil mix to garden areas and 300mm depth of premium grade topsoil mix to lawn areas. Undertake all required action to ensure that no rootballs of proposed plants sit in clay wells and that all garden areas and lawn areas drain satisfactorily. Note it is intended that wherever possible existing levels shall not be altered through garden and lawn areas. It is the Contractors responsibility to ensure that the end result of the project is that all lawn and garden areas drain sufficiently (both surface & subsurface), are at required finished levels and have sufficient soil depths to enable lawn and plants to thrive and grow. Should alternative works to those specified be required to achieve the above result, Contractor shall inform Builder at time of Tender and request instructions.

Lawn Edging and Stepping Stones:(i) 125 x 25mm approved tanalith impregnated pine edging shall be installed, to lines as indicated on plan and staked with approved stakes at maximum 1500mm centres at ends and changes of direction; stakes shall be nailed to edging with approved galvanised steel nails. Top of edging shall finish flush with surrounding surfaces. Top of stakes shall finish 25mm below top of edging.(ii) Contractor shall install approved bricks on edge on a minimum 100mm deep x 90mm wide concrete footing with brick tor set in, to lines nominated on plan as brick edging. Bricks shall be laid with a nominal 10mm wide approved coloured mortar joint. Bricks needing to be cut shall be done so with clean sharp cuts. Top of edging shall finish flush with surrounding finished surfaces. Approved sandstone stepping stones shall be positioned as indicated on plan on a 25mm river sand bed. Approved sandstone stepping stones shall be positioned as indicated on plan on a 25mm river sand bed.

Retaining Walls: Positions, detail and heights of retaining walls shall be by others.

Planting: Purchase plants from an approved nursery. Plants to be healthy & true to type & species. Set out plants to positions indicated on plan. Following approval, plant holes shall be dug approximately twice width and to 100mm deeper than plant rootballs that they are to receive. Base and sides of hole shall be further loosened. Fertiliser, followed by 100mm depth of topsoil mix shall then be placed into base of hole and lightly consolidated. Base of hole shall then be watered. Remove plant container and install plant into hole. Rootball shall be backfilled with surrounding topsoil and topsoil firmed into place. An approved shallow dish shall be formed to contain water around base of stem. Base of stem of plant shall finish flush with finished soil level. Once installed plant shall be thoroughly watered and maintained for the duration of the Contract.

Staking: All trees shall be staked using 2 x 38mm x 38mm x 2000mm long hardwood stakes per plant and with hessian webbing ties installed to Landscape Architect's on site instructions.

Mulching: Install 75mm depth of 25mm diameter hardwood mulch to all garden areas, coving mulch down around all plant stems & to finish flush with adjacent surfaces.

Turfing: Prepare for, level & lay cultivated Palmetto Buffulo turves to all areas nominated on plan as being lawn. Roll, water, fertilise, mow & maintain lawns as necessary until completion of maintenance period. At same time make good all existing lawn areas using same lawn type. Lawns in shade shall be over sown with an approved seed mix. Allow to retrim and returf councils nature strip as required.

Fencing: Retain all existing fences unless advised otherwise by builder. Install timber paling fences to heights indicated on Plan.

Paving: Areas to be paved shall be excavated or filled to allow for installation of bedding materials. Levels and falls shall be as per Plan. Surface drainage on paving shall be towards grated drains with all drains connected to stormwater system and installed by Builder.

Irrigation: Contractor shall supply and install an approved fully automatic, vandal resistant, computerised irrigation system to all garden and lawn areas, excluding council nature strip. Entire system shall be to approval of Water Board and shall utilise pop-up sprinklers and electronic controllers. Contractor shall be responsible to ensure that system is able to satisfactorily operate on available water pressure. Power supply for use by irrigation system shall be provided to an approved location near southwest corner of residence by others and shall consist of an approved weatherproof G.P.O. The irrigation system controller shall be housed in an approved waterproof cabinet mounted to external wall of residence.

Clotheslines: Contractor shall allow for all necessary labour and materials and shall install clotheslines to positions as indicated on plan to manufacturer's instructions to approval of Landscape Architect. Clothesline type shall be equal to 'Hills Foldaline'.

Completion: Prior to practical completion remove from site all unwanted debris occurring from work. Satisfy Council that all landscaping work has been undertaken in strict accordance with Councils landscape codes & guidelines.

Maintenance Period: A twelve month maintenance period shall be undertaken by owner or owners representative as set out herein. Owner shall have care and maintenance of all work specified under this Contract and shall rectify any defective work for a period of 52 weeks following Practical Completion of Landscape Works. This period shall be herein known as the Maintenance Period. Work shall also include for the care and maintenance of all existing vegetation to be retained and proposed vegetation. Site shall be attended at least weekly and as otherwise required. The following works shall be undertaken during the Maintenance Period.

(a) **Recurrent works** Undertake recurrent works throughout the Maintenance Period. These works shall include but are not limited to watering, weeding, fertilising, pest and disease control, returfing, staking and tying, replanting, cultivation, pruning, aerating, renovating, top dressing and the like.

(b) **Watering** Regularly water all plants and lawn areas to maintain optimal growing conditions. Contractor shall adjust the water quantity utilised with regard to climatic conditions prevalent at the time.

(c) **Replacements** Immediately replace plants which die or fail to thrive (at discretion of Landscape Architect) with plants of same species or variety and of same size and quality unless otherwise specified. Plant replacement shall be at Contractors expense, unless replacement is required due to vandalism or theft, which shall be determined by Landscape Architect. Required replacement of plants due to vandalism or theft shall be undertaken by Contractor and shall be paid for by Client at an agreed predetermined rate.

(d) **Mulched surfaces** Maintain mulched surfaces in clean, tidy, weed-free condition and shall reinstate mulch as necessary to maintain specified depths.

(e) **Stakes & ties** Adjust and/or replace stakes and ties as required. Remove stakes and ties at end of Maintenance Period if directed by Landscape Architect.

(f) **Lawn areas** Lawn areas shall be mown at regular intervals to ensure non heading of lawn with a fine-cutting mulching mower and clippings left on lawn to mulch and self-fertilise lawn areas. Primary cut after laying of lawn by others shall be determined on site taking into consideration season, watering and growth rate of lawn. Following the primary cut all lawns shall be regularly mown as required to ensure a healthy lawn and a neat appearance. Care shall always be taken to ensure that no clippings are left on surrounding roads or garden areas after mowing. Replace lawn areas that fail to thrive at discretion of Landscape Architect. All new and made good lawn areas shall be barricaded off from pedestrian traffic by use of star pickets and brightly coloured plastic safety mesh until establishment of lawn. Barricades shall be removed upon establishment of lawn area.

(g) **Weeding** Remove by hand, or by carefully supervised use of weedicide, any weed growth that may occur throughout Maintenance Period. This work shall be executed at weekly intervals so that all lawn and garden areas may be observed in a weed-free condition.

(h) **Pruning** Prune new and existing plants (excluding existing trees) as necessary to maintain dense foliage conditions. Any rogue branches, or branches overhanging or obstructing pathways, roads, doorways, etc., shall be removed by approved horticultural methods.

(i) **Spraying** Spraying for insect, fungal and disease attack shall be undertaken as required and in accordance with spray manufacturers recommendations at intervals taking into account the season of year during which landscape works are to be implemented.

(j) **Tree Care** Should any existing trees be damaged during construction works immediately engage an experienced arboriculturist and then undertake any rectification work recommended by arboriculturist.

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