



**NSLPP MEETING HELD ON 07/05/2025  
SECTION 4.56 APPLICATION REPORT**

**Attachments:**

1. Site Plan
2. Architectural Plans

**ADDRESS:** 1 Hayes Street, Neutral Bay

**APPLICATION No:** D182/22/5

**PROPOSAL:** To modify a consent for alterations and additions to a mixed use building and associated works, issued by the NSW Land & Environment Court

**PLANS REF:**

Plan Nos. (last 3 digits of page no.)	Rev. No.	Description	Prepared by	Dated
100	02	Title Page	Popov Bass	10 03 2025
101	03	Site Plan		"Work in progress"
102	02	Basement Plan		10 03 2025
103	02	Level 01 Plan		10 03 2025
104	02	Level 02 Plan		10 03 2025
105	02	Level 03 Plan		10 03 2025
106	03	Roof Plan		15 04 2025
107	03	West Elevation		15 04 2025
108	03	East Elevation		15 04 2025
109	03	North Elevation		15 04 2025
110	03	South Elevation		15 04 2025
111	03	West Elevation (non-coloured)		15 04 2025
112	03	East Elevation (non-coloured)		15 04 2025
113	03	North Elevation (non-coloured)		15 04 2025
114	03	South Elevation (non-coloured)		15 04 2025
115	02	Section AA		10 03 2025
116	03	Section BB		15 04 2025
146	02	Exterior Palette		10 03 2025
149	02	Basement Demolition Plan		10 03 2025
150	02	Level 01 Demolition Plan		10 03 2025
151	02	Level 02 Demolition Plan		10 03 2025
152	02	Level 03 Demolition Plan		10 03 2025
153	02	Roof Demolition Plan		10 03 2025
154	02	West Elevation Demolition		10 03 2025
155	02	East Elevation Demolition		10 03 2025
156	02	North Elevation Demolition		10 03 2025
157	02	South Elevation Demolition		10 03 2025
158	02	Elevation Demolition Calculation		10 03 2025
159	02	Elevation Demolition Calculation		10 03 2025

160	02	Window Schedule		10 03 2025
161	03	Window Schedule		15 04 2025
162	02	Wall Type Schedule		10 03 2025
C000	01	Cover sheet	Henry & Hymas	06 08 2024
C101	01	Detail plan – basement floor		06 08 2024
C102	01	Detail plan – level 1 floor		06 08 2024
C103	01	Detail plan – level 2 floor		06 08 2024
C104	01	Detail plan – level 3 floor		06 08 2024
C105	01	Detail plan - Roof plan		06 08 2024
C200	01	Stormwater miscellaneous details and pit lid schedule		06 08 2024
C250	01	Pre and Post development stormwater catchment plans		06 08 2024
SE01	01	Sediment and erosion control plan		06 08 2024
SE02	01	Sediment and erosion control typical details		06 08 2024

### Documents

Title	Prepared by	Dated
Preliminary Site Investigation	El Australia	22/04/2022
Preliminary Geotechnical Assessment	El Australia	18/05/2022
Structural Assessment Report	El Australia	26/08/2024
Acoustic Assessment for DA	Renzo Tonin and Associates	03/05/2022
Access Assessment Report	BCA Access	09/05/2022
Operational Waste Management Plan	Elephants Foot Consulting	20/08/2024
BASIX Certificate No. 1297017M_02	EMF Griffiths	15/05/2023
NatHERS Summary Certificate No. 0008643600	EMF Griffiths	15/05/2023
NatHERS Individual Certificates Nos. 0008643553, 0008643546, 0008643595, and 0008643561	EMF Griffiths	15/05/2023

**OWNER:** 7 Pty Ltd

**APPLICANT:** 7 Pty Ltd

**AUTHOR:** Jim Davies Executive Planner

**DATE OF REPORT:** 17 April 2025

**DATE LODGED:** 10 October 2024

**AMENDED:** 06 March 2025 & 16 April 2025

**RECOMMENDATION:** Approval

## EXECUTIVE SUMMARY

This application, made under Section 4.56 of the *Environmental Planning and Assessment Act 1979* seeks approval to modify the Land and Environment Court's consent granted 13 June 2023, for alterations and additions to an existing mixed-use building at 1 Hayes Street Neutral Bay, adjacent to the Neutral Bay Public Wharf at the southern end of Hayes Street. The application is reported to the North Sydney Local Planning Panel as 11 submissions have been received.

The application was notified between 1 and 15 November 2024, objections were received regarding:

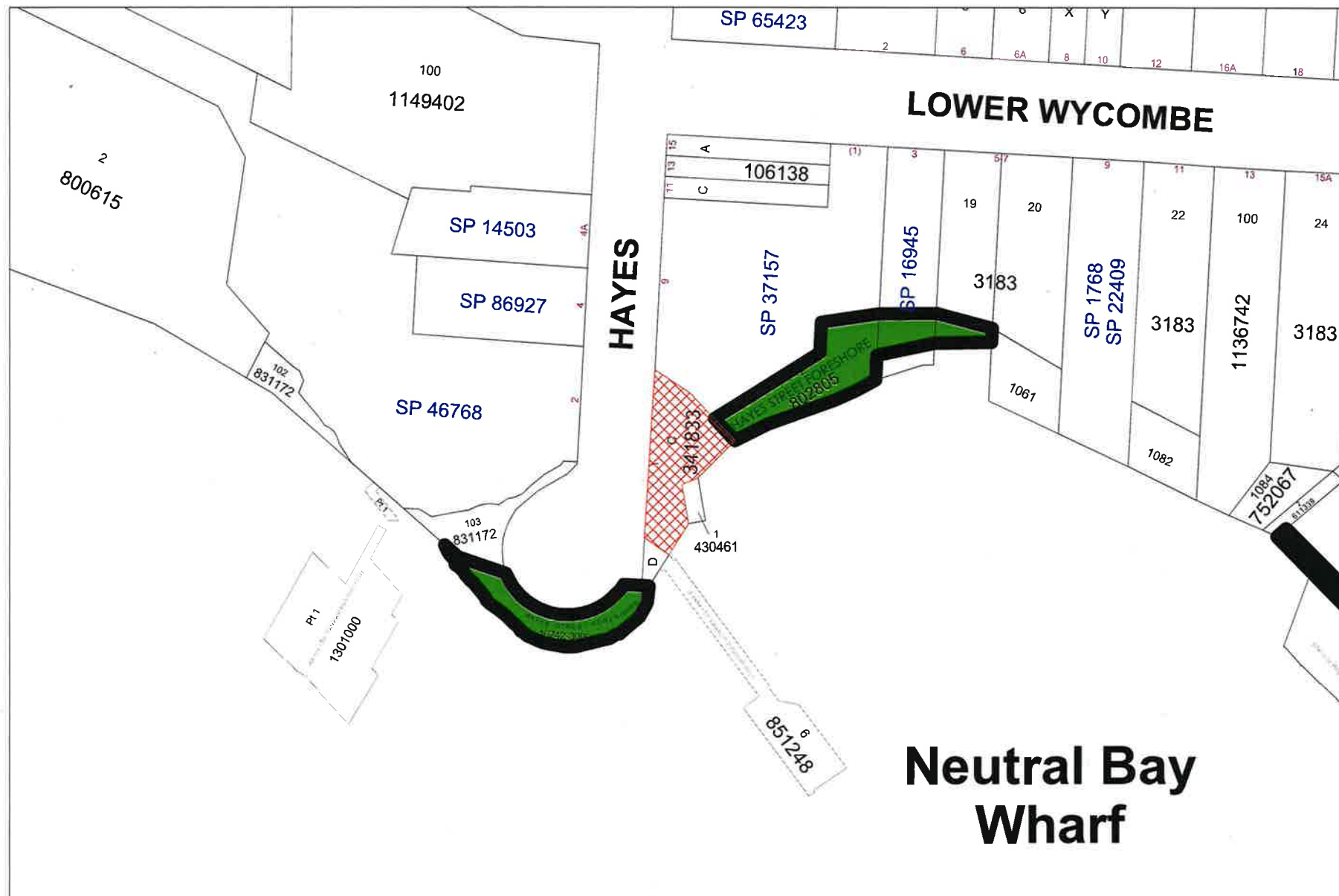
- Impacts on local amenity, specifically increased site coverage causing excessive bulk and scale, increased impacts on views, loss of views and reduced access to sunlight,
- Loss of retail floor space, and
- Insufficient information to allow proper assessment.

Minor amendments to the design were submitted 6 March 2025 and 16 April 2025. The amendments involve minor adjustments to windows and inclusion of ventilation grilles on eastern and southern elevations for BCA compliance, and inclusion of exhaust outlet cowls and fans on the roof, also to satisfy the BCA. These were deemed to not materially affect local amenity, and the application was not renotified according to Council's community engagement protocol.

An assessment of the application concludes that the proposed modification of the consent is satisfactory, and approval is accordingly recommended.

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LOCATION MAP



Property/Applicant ● Submitters - Properties Notified

## DESCRIPTION OF PROPOSAL

The proposal involves modification of the approved development to accommodate the following amendments as described by the submitted statement of environmental effects:

- *Internal reconfiguration of the basement level to preserve the existing alignment of the Sydney Water sewer main in the northwest corner of the site. This includes reducing the basement.*
- *excavation, relocating parking spots, the car and passenger lift, fire stairs, waste collection, and refining the internal layout on all upper levels accordingly.*
- *Removal of the approved retail tenancy adjacent to the approved car lift to accommodate the authority plant in accordance with relevant requirements for fire service equipment and bin storage, as well as relocating the accessible toilet to meet Disability Discrimination Act (DDA) access requirements.*
- *Demolition and re-instatement like-for-like of portion of eastern façade (additional 9.55% of total façade) facing Hayes Street Beach to enhance appearance, structural stability and waterproofing.*
- *Implement modifications in accordance with the conditions outlined by the development consent (DA No. 182/22).*
- *Modification of windows and inclusion of ventilation louvres/grilles in window openings on eastern and southern façades, for BCA compliance*
- *Inclusion of ventilation outlets and cowls on the roof, for BCA compliance.*
- *Other external modifications to align with the proposed internal reconfiguration.*

In summary, proposed modifications include:

- Modifying the development to maintain the alignment of a Sydney Water sewer main in the site's northern corner, apparently unknown at the time consent was granted,
- Relocation of a toilet for persons with disability to the ground level to satisfy statutory access requirements,
- Reduced number of retail/business premises from four to three, resulting from relocation of the car stacker and driveway, bin storage with access to the footpath and other utilities, as shown on the plans, made necessary by the need to avoid the sewer main, according to the application,
- Enlargement of windows to improve ventilation and to comply with and BCA requirements,
- Rebuilding part of the east-facing wall for stabilisation and waterproofing, recommended by structural engineers,
- Addition of weather-protection cowls over ventilation shafts and enclosed exhaust fans on the roof of the building,
- Amendments to conditions made necessary by proposed modifications to the approved development.

The modified proposal maintains the dwelling number and mix and the number of parking spaces. All levels as approved are maintained, as is privacy screening included on the plans in accordance with the consent, granted by the Land and Environment Court, on 13 June 2023.

## STATUTORY CONTROLS

### *North Sydney LEP 2013*

- E1 Local Centre,
- Item of Heritage – I 0627 Neutral Bay Wharf (includes the wharf entry and the attached building of 5 shops and 5 residential flats with basement parking and storage),
- In Vicinity of Item of Heritage:
  - 'The Hastings' located opposite the Site at 2 Hayes Street, a State heritage item, I0628 in Schedule 5 to the NSLEP;
  - 'Kcot-Sedar' located opposite to and slightly north of the Site at 4 Hayes Street, a local heritage item, I0629 in Schedule 5 to the NSLEP;
  - 7 Manns Avenue, located north of the Site, a local heritage item, I0672 in Schedule 5 to the NSLEP ;
  - 9 - 11 Manns Avenue, located north of the Site, a local heritage item, I0673 in Schedule 5 to the NSLEP,
- Conservation Area – Kurraba Point Heritage Conservation Area,
- Foreshore Building Line –No.

*SEPP (Biodiversity and Conservation) 2021*

*SEPP (Resilience and Hazards) 2021*

*SEPP (Housing) 2021*

*SEPP (Sustainable Buildings) 2022*

## POLICY CONTROLS

North Sydney Development Control Plan 2013

## DESCRIPTION OF SITE & LOCALITY

The subject site is legally described as Lot C in DP 341833 and Lot 1 in DP 430461. It is known as No. 1 Hayes Street, Neutral Bay.

As mentioned, the site is a heritage item, the Statement of Significance from the State Heritage Inventory describing the development as:

*An architecturally typical group of early twentieth century shopfronts contained with(in) a single, terraced building. A relic of the former importance of this location as a train and ferry interchange in the period prior to the opening of the Harbour Bridge in 1932.*

A physical description of the item from the State Heritage Inventory follows:

*A single storey brick terrace of four shops, stepped down the hillside adjacent to the Neutral Bay (Hayes Street) ferry wharf. The building contains a consistently detailed parapet over the four frontages, with the top edge continuous over three shops and stepped down for the fourth, though the cornice line above the street awnings steps down over each of the four frontages. The parapet is plain, with pilasters between each frontage and a deetiolated cornice. This building is designed in the Inter-War stripped classical style.*



***Zoning and conservation map extract (eplanning spatial viewer). Site in yellow outline, tan and red hatch respectively indicate heritage sites and the Kurraba Point Conservation area.***

The site has an irregular, triangular shape with an area of 421.1m<sup>2</sup> and a single frontage to Hayes Street of 36.095m.

Located on the site is a mixed-use brick building containing 5 x residential apartments and 5 x retail/business premises with associated car parking. The existing building ranges in height from 2 storeys to 4 storeys.

The site is located on the eastern side of Hayes Street. The street frontage of the site has a fall of approximately 3.5m from north to south. The Site also falls by approximately 3.3m – 6.8m from the street level in the west down to the water level in the east. Ground levels have been altered by historical development.

On its eastern side the Site has a frontage to Neutral Bay (and the Hayes Street Beach, publicly accessible via a stairway on 9 Hayes Street (burdened by a right of way) adjacent to the site) and is visible from the water, and the beach. An existing timber balcony encroaches beyond the site boundaries by approximately 1.6m over the water at the south-western corner.

Apart from the group of shops at the corner of Hayes Street and Lower Wycombe Road, surrounding buildings accommodate medium to high density housing, of varying vintages and vernacular.

## **CHECKING OF PLANS**

This application has been checked to ensure that the changes being sought are the only changes included in the submitted plans.

## RELEVANT HISTORY

### Previous Applications

Date	Action
17 June 2022	Original application DA 182/22 lodged.
11 October 2022	Applicant deemed refusal and filed an appeal with the Land and Environment Court.
13 June 2023	Appeal upheld and consent granted following conciliation conference.

### Current application

Date	Action
13 August 2024	An informal pre-application meeting was held, the applicant outlining proposed modifications, potential issues were discussed.
1 October 2024	Subject modification application lodged.
01 November – 15 November 2024	Application notified and 11 objections received.
7 March 2025 & 16 April 2025	Application amended to modify window sizes to improve ventilation. Windows altered on east and south elevations, overlooking Hayes St Beach, by 0.12m and 0.65m. This amendment was deemed minor and does not cause detrimental impact on nearby residents or the public domain. Further amendment to the application places exhaust cowls to provide weather protection for ventilation outlets from the building, and installation of fully enclosed exhaust fans on other shafts, for BCA-compliance. These additional works being behind the parapet and well above the beach and harbour, they will only likely be visible from adjacent apartments above the roof, located to the site's north. Their small size and discreet location result in negligible visual impact.

## SUBMISSIONS

The Application was notified in accordance with Council's Community Engagement Protocol between 1 November and 15 November, 2024. 11 submissions were received and issues raised are considered in relation to s4.56 EP&A Act, below.

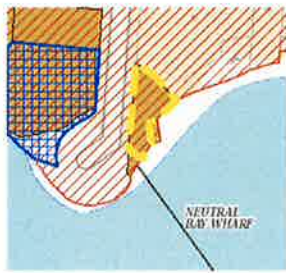
## REFERRALS

### Heritage

Below is the conservation planner's assessment of the application.

#### **1. Heritage status and significance**

*1 Hayes Street is identified as an item of environmental heritage and is situated within the Kurraba Point conservation area. The conservation area is significant:*



- (a) As an early harbourside suburb that has retained significant elements of its major 19th century development phase with good examples of later periods of development including some fine inter war flat buildings.
- (b) For the large number of architecturally distinguished homes some that have a strong relationship with the water and include the works of B. J. Waterhouse, Jefferson Jackson and Walter Liberty Vernon.
- (c) For its irregular subdivision pattern with irregular street pattern and widths that allied to the topography and plantings and mature trees add to a high quality luxuriant character.

*The NSW State Heritage Inventory provides the following statement of significance for the subject site:*

*An architecturally typical group of early twentieth century shopfronts contained within a single, terraced building. A relic of the former importance of this location as a train and ferry interchange in the period prior to the opening of the Harbour Bridge in 1932.*

*The site is in the vicinity of the SHR listing known as The Hastings at 2 Hayes Street and the locally significant item at 4 Hayes Street, both located to the east of the subject site.*

## **2. Heritage Assessment and Recommendations**

*An assessment of the proposed s4.56 modification which seeks to amend condition A1 of the LEC approved consent where the development will remain substantially the same as the development that was originally approved has been undertaken with regard to the relevant heritage provisions set out in NSLEP 2013 Part B s13 Heritage and Conservation to ensure the proposal meets with the objectives of NSLEP 2013 Clause 5.10 Heritage conservation.*

*The proposed works as described in the HIS involve:*

- *Internal reconfiguration of the basement level to preserve the existing alignment of the Sydney Water sewer main, and refine the internal layout on all upper levels accordingly.*
- *Removal of approved retail tenancy adjacent to the car lift for authority plant.*
- *Demolition and re-instatement of the eastern façade facing Hayes Street Beach for structural stability and waterproofing*
- *Other external and internal modifications.*

*The LEC approval for the site involved alterations/additions to the existing mixed-use building, including changes to the external façade and building envelope, a swimming pool and an internal layout making provision for four residential units and x5 retail tenancies.*

*Externally, the material palette and composition of the shopfronts based on the one original shopfront makes for a positive outcome in relation to the heritage site and the conservation area. Internally, changes are noted in terms of the revised shop dimensions and their layout arising from modifications required for structural aspects etc, however, there are no comprehensive criteria relating to heritage fabric - only brief heritage notes are available in relation to the LEC matter and the court decision does not elaborate on any heritage conditions per se.*

*Following a perusal of the history of the DA and the relevant material relating to the LEC decision, and in the absence of a formal baseline relating to the retention of heritage fabric, no heritage issues are raised with respect to the s4.55 application.*

### **3. Conclusions and Recommendations**

*With reference to the above, the s4.55 application is supported. The following conditions are recommended:*

#### **STANDARD CONDITIONS RECOMMENDED**

1. A4. No Demolition of Extra Fabric
2. C13 Colours, Materials and finishes (Conservation areas)
3. E9 Removal of extra fabric
4. C15 Heritage architect to be commissioned

#### **Planner's comment**

Standard condition A4 (A3 in the consent) is included. The others are recommended to be included having regard to the changes to fabric and finishes proposed by the subject application.

#### **Building**

The building surveyor advised the building either complies or is capable with complying with the National Construction Code. A condition is already in the consent to ensure compliance with the code.

#### **Environmental health**

No comment required.

#### **Development engineering**

The development engineer suggested condition C17 (i) may be deleted. This condition required relocation of a street light pole, no longer necessary due to relocation of the driveway.

#### **Planner's comment**

Removal of condition C17 (i) is recommended.

#### **Transport and traffic**

Council's transport and traffic engineer raised no concerns with the proposed modifications, noting that existing conditions address relevant matters including vehicle access and egress to the car lift.

### **Waste Management**

Waste management requirements for waste disposal and bin storage are satisfied, noting each unit has a waste diversion system capable of separating general and recyclable waste materials.

### ***Planner's comment***

Although diversions systems are not favoured under Council's waste management policy, it will be up to the owners and their strata management to ensure effective operation of the system, which is deemed to be acceptable, given the small number of units. Furthermore, the revised waste system is preferred to the previously approved arrangement, which required residents to carry their waste to the common waste disposal room in the basement and dispose of waste into the correct bins.

### **CONSIDERATION**

Council is required to assess the s4.56 application having regard to the following matters:

#### **4.56 Modification by consent authorities of consents granted by the Court**

- (1) *A consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the Court and subject to and in accordance with the regulations, modify the development consent if—*
  - (a) *it is **satisfied that the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted** and before that consent as originally granted was modified (if at all), and*
  - (b) *it has **notified the application** in accordance with—*
    - (i) *the regulations, if the regulations so require, and*
    - (ii) *a **development control plan**, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent, and*
  - (c) *it has notified, or **made reasonable attempts to notify, each person who made a submission in respect of the relevant development application** of the proposed modification by sending written notice to the last address known to the consent authority of the objector or other person, and*
  - (d) *it has **considered any submissions made** concerning the proposed modification within any period prescribed by the regulations or provided by the development control plan, as the case may be.*
- (1A) *In determining an application for modification of a consent under this section, **the consent authority must take into consideration such of the matters referred to in section 4.15(1) as are of relevance** to the development the subject of the application. The consent authority must also **take into consideration the reasons given by the consent authority for the grant of the consent that is sought to be modified.***
- (1B)...
- (1C)...
- (2)...

(3) ...

(4) ...

Evaluation against these requirements follows.

### THE "SUBSTANTIALLY THE SAME" TEST

Below is a description of the proposed modifications on each level, quoted from the submitted planning report, some responding to requirements of specified conditions of consent, with an assessment of whether the changes substantially alter the approved development.

#### Basement

- Demolish existing eastern masonry walls and windows facing Hayes Street Beach; and rebuild them with new concrete walls to meet waterproofing requirements, with associated rendering and painting works.
- New opening sizes and windows to match the approval.
- Relocate the car and passenger lift, as well as egress stairs, to preserve the existing sewer line.
- Raise the north corner of the basement slab above the sewer line and outside of the zone of influence as per Sydney Water requirements (Condition D5).
- Install a new geothermal heating and cooling system with boreholes below the basement slab.
- Relocate the waste and bulky waste rooms; and add a new residential waste room and bulky waste room as per the Waste Management Plan (Conditions C9 and C21b-f).
- Update vehicle turntable and car parking arrangement, maintaining 6 car spaces as approved.
- Relocate retail waste storage and accessible WC from the basement to Level 02.
- Relocate apartment storage cages due to internal changes.
- Reduce the extent of Apartment 1 for the new car parking arrangement.
- Amend the plant room extent for required hydraulic and mechanical services (Condition 22).
- Relocate retail bicycle space with access according to AS290.3 and AS2890.6 (Condition C42).

#### *Comment:*

Although the detailed design adjustments are numerous and detailed, the result is a more rational use of the available floor space, noting the basement's floor area is reduced by the space already occupied by the 'zone of influence' of the sewer main, unknown at the time the application was considered by the Court. The amended layout contains similar functions as the approved design, except that the uses proposed for the part of Apartment 1 in the basement are better suited to the basement level of RL 0.37, being that part of the unit abutting the beach.

Despite rearrangement of the basement being extensive, its purpose and functions remain similar to the approved development.

#### Level 01

- Demolish existing masonry walls of Apartment 1's Bedrooms 1 and 2; and rebuild like for like with associated rendering and painting works.
- New opening sizes and windows to match the approval.
- Retain the existing masonry wall adjacent to the south-east facing Bedroom 1 window.

- Remove the existing retail balcony facing Hayes Street Beach and reinstate as per the original balcony details. Existing balcony structural elements to be removed and made good to be reinstalled.
- Remove the existing retail timber floor and joists for new concrete slab and timber floor finish to match the existing timber floor. New finish floor levels are to match the existing retail floor levels.
- New concrete columns in retail areas to support new floors above.
- Relocation of the car lift, passenger lift and the internal stairs for Apartment 1.
- Amalgamation of retail Tenancy 1 and 2 to create a single tenancy.
- Other internal alterations to retail tenancies, including a new accessible toilet in the café to meet.
- NCC and AS1428 requirements. The existing heritage window and entry to Tenancy 2 will be retained.
- Remove central columns from Apartment 1 balcony to increase functionality of the terrace area and improve overall resident amenity.
- Internal layout reconfiguration to Apartment 1 due to the above-mentioned adjustments.

**Comment:**

Apart from the changes necessitated by relocating the car lift, passenger lift, stairs and other building services, the layout of Apartment 1 is substantially the same. The more significant change on this level is the amalgamation of retail tenancies 1 and 2, thereby increasing the extant café's floor area. With this enlargement, the former Tenancy 2's recessed entry door is proposed to be replaced by a window matching the other in the shopfront. This alteration also enables location of an accessible toilet for the café, noting the fit out is to be the subject of a separate application, which will involve a change in use of the space from retail premises to food and beverage outlet.

Level 1 remains substantially the same as the approved development offering similar floor space usage for residential and retail/commercial use, while accommodating amendments to avoid impacting the sewer main. It would also appear that the change to the tenancies (reducing two to one) offers a larger space with accessible facilities, better-attuned to contemporary commercial needs than the previous smaller floorspaces available under the currently approved premises, which were little-changed compared with the pre-DA premises.

**Level 02**

- Remove the existing floor for a new concrete slab and floor finish for new Tenancy 3.
- New window and entry door to Tenancy 3. Framing details to match the adjacent existing retained heritage windows.
- Demolish and rebuild the existing masonry wall of Apartment 2's Bedroom 1 and 2, with associated rendering and painting works.
- New opening sizes and windows are to match the approval.
- Retain the existing masonry wall adjacent to southeast-facing Apartment 2 Bedroom 1 window.
- Relocate the car lift and driveway, relocate the passenger lift with amendments to the entry lobby area; and relocate the egress stairs and egress door to Hayes Street.
- New services area containing bin holding and accessible WC at the north corner with direct access from Hayes Street (relocated from the Basement level).
- Relocate the retail waste storage from the Basement to the north corner with direct access from Hayes Street (Condition 21b-f), located in the separate storage area.

- Relocate the residential bin holding area to the north corner, separated from retail waste storage (Condition I10).
- Provisions for fire booster, hydrant and sprinkler hydrant allocated to the north corner and Hayes Street frontage.
- Reduce the extent of the proposed retail area due to the new passenger lift location and structure.
- Remove central columns from Apartment 2 balcony, and other internal layout refinements.

**Comment:**

The layout of Level 02 is similar to the approved development, noting the main rearrangements for unit 2 relate to relocation of the car lift, the passenger lift and associated lobbies, and satisfaction of a condition of consent, to provide separate holding areas for commercial and residential waste bins.

Of arguably greater import is the loss of one retail outlet formerly located where the main staircase for the residences are located in the proposed plans. The 'new' third tenancy is slightly reduced in size compared with that approved.

These matters are further examined below.

**Level 03**

- Raise the parapet along the east boundary facing Hayes Street Beach by 320mm to RL 9.97.
- Lower the floor level of Apartment 3's Bedrooms 2 and 3 by 310mm to RL 9.16 with new steps.
- Raise the pool terrace floor level by 200mm to RL 9.16 and remove relevant steps.
- Raise the top of the wall-bound pool terrace by 100mm to RL 9.16, to match the existing parapet height in front (and) along the Hayes Street boundary.
- Provisions for mechanical air-conditioning condensers, located next to the pool terrace and behind the existing parapet along the Hayes Street boundary.
- Shift the living room east wall towards the east and reduce the terrace depth to ensure alignment with the perimeter building line at levels below.
- Shift Bedroom 1's east external wall facing Hayes Street Beach towards the boundary.
- Extend the Bedroom 1 wall to remove recess in room.
- Internal layout reconfiguration to Apartment 3 and 4 due to the relocated lift and egress stairs.
- Windows to Apartment 4 shifted to suit internal arrangement.
- Reduce the pool slab to allow for a 1.4m pool depth.

**Comment:**

Despite these adjustments to this exclusively residential space, for two dwellings, the level remains substantially the same, also mainly resulting from modifications necessitated by the relocation of building services and facilities.

**Roof**

- Raise the approved masonry parapet of the existing shopfront building along Hayes Street by 50mm to the existing parapet level (RL 12.17).
- Shift the approved skylights (above the corridor to Apartment 3's bedrooms, Apartment 3's kitchen and private lift lobby) to match the proposed internal reconfiguration.
- New skylight above egress stair.

- Slightly lower the overall height of the lower portion of roof slab above Apartment 3's Bedrooms 1 and 2 from RL 12.13 to RL 12.07 and reinstate the adjoining parapet edge along to Hayes Street to RL 12.17 (which matches the existing building parapet height) to allow for a 100mm waterproofing hob on the roof.
- Alter the extent of the roof above the Apartment 3 terrace to provide coverage over terrace.
- Relocate the approved lift overrun to align with the proposed internal layout refinements below.
- Include weather protection cowls over the building's exhaust vents, which are 350mm high and 570mm wide, relocate and reduce the size of skylights, and adjust the location of exhaust supply and return air vents to the basement and garbage chute and include roof mounted, fully enclosed fans (no higher than 450mm) for car park and car lift exhaust, required for BCA compliance. Their inclusion requires amendment of condition C22, requested in the covering email submitted with amended plans.

**Comment:**

Changes to the roof are minor and do not substantially alter the approved development. The parapet above the Hayes Street façade remains the tallest part of the building and does not exceed the approved building height. Rearrangement and addition of rooftop fittings are related to the lower-level design adjustments and are required by the Building Code of Australia.

Their visibility will be limited to the units above the building (northwest, north and northeast of the site) which look over it towards the harbour and the North Sydney shoreline across Neutral Bay. The impact on those views over the building will be minimal and acceptable, also noting that their visibility will reduce with distance, and that increased elevation will make them appear as though they 'blend in' with the roof plane.

Views of the building from the public domain, including the Hayes Street Beach and the harbour will be negligibly affected or unaffected. Visual impacts of the rooftop modifications are acceptable. Plan No 117 (extract below) shows the sightlines from Hayes Street and the harbour adjacent to the beach, indicating the building screens the roof from these vantage points.

Four of the exhaust fans are positioned adjacent to the solar arrays which are not screened by the parapet. These may be visible from across Hayes Street and further up the hill, and units at 2 Hayes Street. As a precautionary measure, these exhaust fans are to be screened and manufactured using a material and colour that complements the building's finishes and heritage qualities. Amendment to condition C22 as recommended will address this issue.



**Section showing sight lines from Hayes Street and a vessel adjacent to the Hayes Street Beach (extract of drawing No 117, Popov Bass Architects).**

**Western elevation**

- Replacement of a doorway with a window, related to amalgamation of Tenancies 1 and 2.
- Bike racks are shown on the footpath.
- Relocation of residential entries, car lift door and driveway, access to stair, waste storage rooms and fire hydrant and booster valves.

**Comments:**

The bike racks are not permitted, the DCP excludes private facilities from the public domain, and is addressed by a recommended condition of consent.

Compared with the approved design, consolidation of pedestrian and vehicle accesses with utilities and services to the northern end of the building directly adjacent to the footpath have a similar appearance and potential impacts as the approved development. As discussed, the fourth commercial tenancy is removed as a result, replaced by the residential lobby, car lift and stair exit, which reduces activation of the northern, higher part of the site's frontage, while focusing activity at the lower southern end, adjacent to the three shops, bus stop and ferry wharf entry.

**Eastern and southern elevations**

- These are the two elevations which face the beach.
- The only alteration to the eastern facade is slightly increasing several window openings in the eastern façade, to match the size of adjacent windows in some cases and to include ventilation louvres in tops of some openings to satisfy BCA ventilation requirements.

**Comment:**

The altered window openings are visible from the beach and the harbour, not from adjacent residential buildings north and east of the proposal. The alterations are not significant and do not appreciably alter the solid to void ratio of the façade and will have satisfactory visual impact.

**Northern elevation**

- Several window openings are being replaced on levels 01 to 03 and are screened by masonry walls, reduced in size and further privacy-treated with fixed metal louvres (refer to plans 103, 104, 105, 109 and image 3 on sheet 148).

**Comment:**

The revised design is consistent with the Court's decision and the conference which preceded it, where increased privacy measures were agreed to be necessary, being directly adjacent to several apartments at 9 Hayes Street.

The changes are acceptable in that amenity and visual impacts remain consistent with the approved development, without significantly altering the appearance of the building.

**AMENDMENTS TO CONDITIONS**

The application requires amendment to conditions as described below.

**Condition A1 - Development in Accordance with Plans/Documentation**

The table to Condition A1 requires amendment, to refer to the amended plan set, not those presently referred to by the consent. The condition is recommended to read as follows:

### 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 in the tables to this condition, except where amended by other conditions of this consent.

Plan Nos. (last 3 digits of page no.)	Rev. No.	Description	Prepared by	Dated
100	02	Title Page	Popov Bass	10 03 2025
101	03	Site Plan		"Work in progress"
102	02	Basement Plan		10 03 2025
103	02	Level 01 Plan		10 03 2025
104	02	Level 02 Plan		10 03 2025
105	02	Level 03 Plan		10 03 2025
106	03	Roof Plan		15 04 2025
107	03	West Elevation		15 04 2025
108	03	East Elevation		15 04 2025
109	03	North Elevation		15 04 2025
110	03	South Elevation		15 04 2025
111	03	West Elevation (non-coloured)		15 04 2025
112	03	East Elevation (non-coloured)		15 04 2025
113	03	North Elevation (non-coloured)		15 04 2025
114	03	South Elevation (non-coloured)		15 04 2025
115	02	Section AA		10 03 2025
116	03	Section BB		15 04 2025
146	02	Exterior Palette		10 03 2025
149	02	Basement Demolition Plan		10 03 2025
150	02	Level 01 Demolition Plan		10 03 2025
151	02	Level 02 Demolition Plan		10 03 2025
152	02	Level 03 Demolition Plan		10 03 2025
153	02	Roof Demolition Plan		10 03 2025
154	02	West Elevation Demolition		10 03 2025
155	02	East Elevation Demolition		10 03 2025
156	02	North Elevation Demolition		10 03 2025
157	02	South Elevation Demolition		10 03 2025
158	02	Elevation Demolition Calculation		10 03 2025
159	02	Elevation Demolition Calculation		10 03 2025
160	02	Window Schedule		10 03 2025
161	03	Window Schedule		15 04 2025
162	02	Wall Type Schedule		10 03 2025
C000	01	Cover sheet	Henry & Hymas	06 08 2024
C101	01	Detail plan – basement floor		06 08 2024
C102	01	Detail plan – level 1 floor		06 08 2024
C103	01	Detail plan – level 2 floor		06 08 2024
C104	01	Detail plan – level 3 floor		06 08 2024
C105	01	Detail plan - Roof plan		06 08 2024
C200	01	Stormwater miscellaneous details and pit lid schedule		06 08 2024
C250	01	Pre and Post development stormwater catchment plans		06 08 2024
SE01	01	Sediment and erosion control plan		06 08 2024
SE02	01	Sediment and erosion control typical details		06 08 2024

### Documents

Title	Prepared by	Dated
Preliminary Site Investigation	El Australia	22/04/2022
Preliminary Geotechnical Assessment	El Australia	18/05/2022
Structural Assessment Report	El Australia	26/08/2024
Acoustic Assessment for DA	Renzo Tonin and Associates	03/05/2022
Access Assessment Report	BCA Access	09/05/2022
Operational Waste Management Plan	Elephants Foot Consulting	20/08/2024
BASIX Certificate No. 1297017M_02	EMF Griffiths	15/05/2023
NatHERS Summary Certificate No. 0008643600	EMF Griffiths	15/05/2023
NatHERS Individual Certificates Nos. 0008643553, 0008643546, 0008643595, and 0008643561	EMF Griffiths	15/05/2023

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

### Condition C22 – Location of Plant

This condition requires amendment to allow additional plant to be located on the roof as shown on plan no. 106 (Rev. 3, 15 April 2025), as discussed. The existing condition is reproduced below followed by the condition as recommended to be amended (**emphasis added to indicate altered/new text**).

#### **Existing Condition**

#### **Location of Plant**

C22. All plant and equipment (including but not limited to air conditioning equipment) except for the approved photovoltaic cells is to be located within the basement of the building and is not to be located on balconies or the roof. 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: Minimise impact on surrounding properties, improved visual appearance and amenity for locality)

***Recommended condition***

**Location of Plant**

- C22. Only plant and equipment as shown on the Roof Plan cited by the table to Condition A1 is to be located on the roof. All other plant is to be located within the basement of the building and is not to be located on balconies. The four exhaust fans (represented on the plans by a box with "EX" marked on the box) closest to the western edge of the roof and adjacent to the photovoltaic panels must be suitably screened on all four sides (and covered, if possible) using a material(s) and colour(s) which complement the building's architecture and heritage qualities. 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: Minimise impact on surrounding properties, improved visual appearance and amenity for locality)

**Inclusion and deletion of other conditions**

Conditions required to be included in and deleted from the consent as a result of this assessment are detailed below.

***Conditions to be included***

As recommended by Council's conservation planner, except condition C47 to remove bike racks from the footpath, the following conditions are recommended to be included as detailed below:

**A. *Insert after condition C44, the following conditions:***

**Colours, Finishes and Materials (Heritage Item)**

- C45. A traditional palette of finishes, materials and colour schemes must be selected for the new building works, appropriate to the architectural style of the original building, and submitted to the Principal Certifier for approval prior to the issue of the relevant Construction Certificate.

(Reason: To ensure that exterior colours, finishes and materials are sympathetic to the significance of the heritage item)

**Heritage Architect to be Commissioned**

- C46. An appropriately qualified and experienced heritage architect must be commissioned to assist the design development, contract documentation and overseeing of construction works on the site for their duration by undertaking regular inspections of the works in progress and providing advice in relation to heritage matters.

Written details of the engagement of the experienced heritage architect must be submitted to the Principal Certifier prior to the issue of the relevant Construction Certificate.

Note: If advice provided by the heritage architect is to the effect that works requiring development consent be carried out, such works would require a Modification under s4.55 of the *Environmental Planning and Assessment Act 1979*, or further development application. This condition, and any advice given by the heritage architect, should not be construed as authorising the carrying out of development with/otherwise than in accordance with the development consent.

(Reason: To ensure that all matters relating to significant fabric and spaces are resolved and recorded using best practice for heritage conservation)

#### **Design amendment**

C47. The bicycle racks shown on the plans on the Hayes Street footpath are to be removed.

(Reason: Compliance)

#### **B. Insert after condition E30, the following conditions:**

##### **Removal of Extra Fabric**

E31. 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)

##### **Condition to be deleted**

Condition C17 (i) is to be deleted for reason that it is no longer required, due to relocation of the driveway and the car lift more than 1.0m from the light pole. Condition C17 (i) reads:

- i) *It is assumed that street light pole will be relocated. Otherwise, the minimum distance of the edge of vehicular crossing from the light pole must be 1 m.*

##### **IS THE "SUBSTANTIALLY THE SAME" TEST SATISFIED?**

In both qualitative and quantitative terms, the reduction and rearrangement of retail floor space is perhaps the most significant aspect of the application, having regard to the fact that the site's zone is E1 Local Centre, in which residential accommodation is prohibited, except shop-top housing.

The proposed development relies on existing use rights, as part of the building is used for residential accommodation. That the site has existing use rights was confirmed by the Court in the appeal decision, at paragraph 12 in *7 Pty Ltd v North Sydney Council* [2023] NSWLEC 1289. The Court had characterised the building as a mixed-use building, partly accommodating business and retail premises with the remainder constituting a residential flat building.

According to the submitted planning report, the quantum reduction of commercial floor area is 34.6m<sup>2</sup>. Also significant is the reduction of 4 commercial premises to 3. Regarding the quantitative and qualitative impacts of reducing the commercial floor area and number of premises, the submitted planning report notes:

*"...Specifically, the approved retail tenancy adjacent to the car lift will be removed to make space for the authority plant, including fire service equipment, bin storage and bin manoeuvring space. Additionally, the accessible toilet for retail staff will be relocated from the basement to the ground floor to comply with Disability Discrimination Act (DDA) access requirements. It is noted that the other approved other (sic) tenancies (Tenancies 1, 2 and 3) will be maintained with minor internal layout adjustments to enhance the active street frontage while remaining consistent with heritage values, which will not adversely affect the economic viability."*

In addition to this submission, it is noted that remaining commercial floor space is planned to be distributed into three tenancies, with 2 of the 3 'shops' being smaller than the other, being significantly larger. From this arrangement it may be deduced that it will likely suit prospective lessees, post-development. And as with the current proposal, should market conditions change or demand arise for other types of businesses in the future, a further application could again redistribute the floor area available for retailing or other forms of businesses, in tenancies of differing sizes.

The proposed modifications are also considered an improvement over the approved development, in that access and services are grouped at the northern end of the building and retailing is grouped at the southern end, conveniently located next to the ferry wharf and bus stop, close to the harbour and the high amenity it provides to the locality.

Contributing to the modifications being substantially the same as the Court-approved development, is the number and mix dwellings remaining at 4 dwellings in total, with 3 units having 3 or 4 bedrooms and 1, single bedroom studio apartment, noting the layout of the modified studio apartment of Level 03 is much improved compared to the approved unit. So too is the Level 01 unit layout improved, removing a bedroom from the basement and replacing it with a games/rumpus room. Regarding the residential element of the development the modifications are materially and fundamentally the same in quantity, and improved in terms of quality, offering enhanced residential amenity without material adverse environmental impact or reduced neighbourhood amenity. The reduction in residential floor area is inconsequential, only being 3.82m<sup>2</sup>.

The Court also noted the existing and proposed buildings exceeded the permitted 1:1 floor space ratio, with the proposed building's FSR being 1.95:1. The modified proposal's FSR is reduced to a minor degree, now proposed to be 1.87:1.

Height and floor areas of the approved building and as proposed to be modified are similar and acceptable.

In comparing these metrics and in consideration of the qualitative effects of the subject application, the modified development remains substantially the same as the approved building.

## **NOTIFICATION**

The application was notified from 1 November until 15 November 2024. 11 submissions objecting to the proposal were received.

## NOTIFICATION OF OBJECTORS

People who made objections against the original application were notified in writing, notification being sent to the latest address of those persons according to Council's records.

## CONSIDERATION OF SUBMISSIONS

Matters raised in the submissions received are considered in the following table.

Submission issue	Consideration
Increased height causing further view loss and overshadowing of Hayes Street Beach.	The changes to the roof are addition of two skylights, several cowls and exhaust fans and the relocated lift overrun, with a maximum height of RL 12.8m, which exceeds the height of the western parapet next to the lift overrun by 0.33m. The impact on views over the building from residences to the north and east, and on the building's appearance from the public domain will be marginal.
Solar panels are shown to be installed flat and are not linked or restricted by any maximum RLs being identified for them. Solar panels should be included in view assessment and their RLs shown.	The solar panels as approved, remain the same in the modified application and are still proposed to be laid flat on the roof. As they are not being modified, there are no grounds to amend the consent regarding the solar panels.
Reducing retail area by 25% is inconsistent with E1 zone objectives including promoting development compatible with neighbourhood character, maintaining active street life, and protecting residential amenity, and DCP character controls. These provisions are not addressed by the application.	<p>This matter has been addressed, regarding the proposal being substantially the same as the approved development. Accordingly, the revised proposal is deemed to be consistent with zone objectives, despite the reduction in commercial floor space.</p> <p>Noting that a contributing factor to these changes is bringing the building 'up to code' regarding waste management, fire safety and accessibility for employees, a reasonable balance is achieved, while noting the changes to the design of the basement necessitated by not being able to build in the sewer main's zone of influence.</p> <p>Because a busy street frontage such as the one next to the development does not typically offer a high standard of amenity for residential use, a street frontage is comparatively best-used by accommodating essential services and facilities, especially when the site offers no alternative, to locate what may otherwise be considered 'back-of-house' facilities.</p> <p>The site is in the Kurraba Point Conservation Area, the DCP's guidelines are considered later.</p>

Submission issue	Consideration
The shops and café are well patronized by residents and visitors.	Noted, the application will be unlikely to reduce custom for retailers following completion of the development.
Ground level utilities should not be provided at the expense of residential, not commercial floor space.	The main impact of the changes proposed to the northern end of the building to avoid impacting the sewer main is reducing retail space, amounting to the reduction in the number of retail outlets.
Street activation will be reduced by the decreased number of shops.	Addressed above.
Replacing shops with parking and citing compliance with Sydney Water requirements is unjustified.	A purpose of enabling modification of consents is to address unknown constraints, such as the sewer main, being revealed upon detailed investigations and design taking place, following the granting of consent. Further, services required by regulation must be accommodated and there is no alternative.
"Clear attempt to circumnavigate the agreement reached with council after mediation required by the Land Environment Court."	As above, the Act enables consents to be modified provided proposed modifications result in the development being substantially the same as the approved development, as considered above, and having acceptable environmental impacts.
The development will disrupt local convenience and the cultural and social wellbeing offered by the general store and increase potential for accidents making access to buses and the public wharf less equitable.	Relocating the vehicle access as proposed does not significantly alter the risk to residents and visitors using the footpath.
Amended plans should be notified to allow "...proper assessment and consultation."	Only minor adjustments have been made as described, deemed not to significantly impact local amenity and the environment.
The notification sign was improperly displayed.	The sign was properly affixed by Council staff, it appears to have fallen to the floor of the premises, reason unknown. Signage is but one means of informing the community, information is available on council's website, nearby residents have been notified by letter, including those who objected to the approved application, in accordance with the Act.
Overshadowing of Hayes Street Beach.	Overshadowing is assessed in relation to the SEPP (Housing) 2021, later in this report.
LEP and DCP (including view-sharing principles) controls should be complied with.	As discussed above in relation to building height and floor area (density), the modified proposal is similar to that approved by the Court. An assessment of the application regarding the DCP is provided below, also finding the proposed building to be satisfactory, including view-sharing.
Social, health and well-being advantages of having a local convenience store will be lost.	Despite the alterations proposed, there is scope for this type of retailing to locate in the building, should demand for such an outlet remain.

Submission issue	Consideration
Concerns raised over the types of waste to be generated.	Required facilities for domestic and commercial waste disposal will enable proper management of waste materials.
Council requested to consider discussing with the applicant potential to provide access from the ferry wharf to the beach around the eastern side of the building, via a boardwalk.	Such a facility would have been, and would continue to be, incompatible with the residential use of the building.
The massing of the building further overdevelops an already overdeveloped site.	As noted, there is slight reduction of floor area of the proposed development, which has no noticeable effect on the mass or bulk of the building.
The modifications intensify incompatible uses in proximity of the Hayes Street Beach.	The material change to activities brought about by the modifications are negligible.
Relocation of the driveway and car lift is an improvement compared to that approved, the driveway should remain where it is.	Being centrally located, albeit in a slightly different location, the revised driveway will have similar impact as the current driveway, noting the Court-approved driveway was agreed as acceptable by both parties' traffic experts. Council's transport engineer has reviewed the subject application and has raised no objection, noting plans indicate fitting of a "sound and flashing warning light" which presumably will be activated when the driveway is in use.
Proposed parapet height increase is unjustified.	The parapet to Hayes Street is not being increased in height although a nominal height increase of 50mm reflects the actual height of the existing parapet.
The relocated lift overrun will cause view loss.	Being about 330mm above the parapet facing Hayes Street and set back a similar distance from the roof's edge, and being a considerable distance from dwellings to the northwest, north and east of the site, the lift overrun will have negligible impacts on views.
The roof plane should be adjusted to follow the fall of the land.	Such an amendment is beyond the scope of this assessment and would be unreasonable given the flat roof has already been approved. The proposed modifications only adjust the location of certain rooftop infrastructure, add a small number of other ventilation works and weather protection to approved vent shafts, as discussed. Further, the fundamental shape of the western façade is similar to the existing building except for the small southward extension of the building (several metres behind the parapet) and use of the roof above the café for a pool and terrace.
The stairs to the beach should be changed to ramp to improve access for elderly people, people with disability and parents/caregivers with young children.	The stairway to the beach is not part of the subject site at 1 Hayes Street, it is on adjoining land (No. 9 Hayes Street). Should redevelopment of neighbouring land ever be proposed, this suggestion would certainly be worthy of consideration.

Submission issue	Consideration
Access to the beach should not be closed.	The approved development will not restrict access to the beach via the stairway from Hayes Street.

## **MATTERS FOR CONSIDERATION – s. 4.15 EP&A Act**

### ***SEPP (Biodiversity & Conservation) 2021***

#### ***Part 6.2 Development in regulated catchments***

Sydney Harbour is defined as a regulated catchment for the purposes of the SEPP.

#### ***Division 2 Controls on development generally***

The following provisions apply and are considered below.

Provision	Consistency
6.6 Water quality and quantity	Erosion and stormwater controls are included for the approved works and are addressed by existing conditions of consent.
6.7 Aquatic ecology	With water quantity and quality controls required by existing conditions, aquatic ecology will likely be unaffected.
6.8 Flooding	The site is not flood prone.
6.9 Recreation and public access	Proposed development will not impact recreation and public access in the catchment. The development must maintain access across the site's frontage to the wharf during construction and will not affect public access to the Hayes Street Beach.
6.10 Total Catchment Management	This provision only relates to large-scaled development that could affect a catchment, which requires consultation with other Councils in the same catchment.
6.11 Land within 100m of a natural waterbody	The site is on the harbour, the original proposal and the modified proposal have considered potential impacts on the harbour.

#### ***Part 6.3 Foreshores and Waterways Area***

Applicable provisions are considered below, as the site is in the Foreshores and Waterways Area.

#### ***Division 3 Development in Foreshores and Waterways Area***

Clause 6.28 (1) The following must be considered:

Provision	Consideration
(a) whether the development is consistent with the following principles— (i) Sydney Harbour is a public resource, owned by the public, to be protected for the public good, (ii) the public good has precedence over the private good, (iii) the protection of the natural assets of Sydney Harbour has precedence over all other interests,	The modified development is consistent with these criteria, in that: - The public value of the harbour is not diminished by the development, having an improved appearance within a similar envelope as the existing building, - No unreasonable exploitation of the public good is caused, and - Natural assets of the harbour are not compromised by the modified proposal.

(b) whether the development will promote the equitable use of the Foreshores and Waterways Area, including use by passive recreation craft,	The proposal would unlikely impact equitable use of the harbour and foreshores, not affecting access thereto.
(c) whether the development will have an adverse impact on the Foreshores and Waterways Area, including on commercial and recreational uses of the Foreshores and Waterways Area,	Despite a reduction of some 34m <sup>2</sup> of retail/business floorspace and the reduction of outlets from four to three, the modified development maintains a mix of uses compatible with the locality and its waterfront location.
(d) whether the development promotes water-dependent land uses over other land uses,	Adjacent water-dependent uses, such as the public's use of the beach, access to the harbour and the Neutral Bay Ferry are not unreasonably impacted by the modified development.
(e) whether the development will minimise risk to the development from rising sea levels or changing flood patterns as a result of climate change,	Sealed windows in and structural reinforcement of the walls facing the beach will reduce risks associated with climate change.
(f) whether the development will protect or reinstate natural intertidal foreshore areas, natural landforms and native vegetation,	The proposal is unlikely to impact native vegetation or natural landforms or intertidal areas, it's construction and envelope facing the beach in the inter-tidal zone being unchanged.
(g) whether the development protects or enhances terrestrial and aquatic species, populations and ecological communities, including by avoiding physical damage to or shading of aquatic vegetation,	Compared with the existing and approved development, the subject modification will not have any further, significant deleterious impact on harbour ecology.
(h) whether the development will protect, maintain or rehabilitate watercourses, wetlands, riparian lands, remnant vegetation and ecological connectivity.	Compared with existing and approved development, the subject modifications will not have any additional negative effects on the harbour as a watercourse, there are no wetlands or riparian land affected, or remnant vegetation and ecological connectivity either.

(2) Consent must not be granted unless the consent authority is satisfied of the following:

Provision	Satisfaction
(a) having regard to both current and future demand, the character and functions of a working harbour will be retained on foreshore sites,	The proposal does not affect the harbour's function and character as a working waterway.
(b) if the development site adjoins land used for industrial or commercial maritime purposes—the development will be compatible with the use of the adjoining land,	N/A, the site is not adjacent to industrial or commercial maritime activities.
(c) if the development is for or in relation to industrial or commercial maritime purposes—public access that does not interfere with the purposes will be provided and maintained to and along the foreshore,	N/A, the development is not for a maritime commercial or industrial purpose.

(d) if the development site is on the foreshore—excessive traffic congestion will be minimised in the zoned waterway and along the foreshore,	Although the site is on the harbour's shore, the modified development will not generate significant maritime traffic, beyond possible use of recreational craft by residents of the building.
(e) the unique visual qualities of the Foreshores and Waterways Area and its islands, foreshores and tributaries will be enhanced, protected or maintained, including views and vistas to and from— (i) the Foreshores and Waterways Area, and (ii) public places, landmarks and heritage items.	The modified development will be highly visible from the harbour and nearby public places, particularly the Hayes Street Beach, Neutral Bay Ferry Wharf and nearby homes in the locality. Overall, the modified proposal will likely have a positive effect on views of and from the Harbour and the Harbour's catchment, including public places, landmarks and heritage items nearby.

#### **SEPP (Resilience and Hazards) 2021**

Remediation of land provisions of the SEPP were considered and requirements incorporated into the consent to manage potential contamination. These provisions will remain in the consent, being equally relevant to the subject application to modify the approved development.

#### **SEPP (Building Sustainability Index: BASIX) 2004**

A valid BASIX certificate (No. 1297017M\_02) was submitted and is the subject of condition C40 of the Court's consent. The applicant's consultants who made the BASIX assessment have advised that the current Certificate remains valid for the modified development as the modified proposal does not alter the development's ability to satisfy BASIX commitments.

#### **SEPP (Housing) 2021**

The approved development, being a mixed-use building including 3 above-ground storeys and 4 dwellings, Chapter 4 - Design of Residential Apartment Development, applies. The policy's design quality principles are considered below.

Noting the plans have been prepared by the same architect that prepared the original application's design and verification statement, clause 146 (3) of the SEPP allows the consent authority discretion in referring a modification application to Council's Design Excellence Panel. Having been deemed as substantially the same as the approved development, and the modifications being consistent with the policy's design principles, as outlined below, referring the application to the panel was considered unnecessary.

#### **1. Context and neighbourhood character**

As discussed in relation to the DCP's character provisions, the modified design is consistent with relevant criteria.

**2. Built form and scale**

Notwithstanding minor additions to the roof and adjustments to some window openings, the modified design maintains the form and scale of the approved building.

**3. Density**

Density of the building is not significantly altered by the subject application, proposing a slight reduction in residential and commercial floor space.

**4. Sustainability**

Sustainability features of the approved design have been retained, such as solar panels and optimising access to daylight and natural ventilation.

**5. Landscape**

Practically having total site coverage, the building has no landscape area to speak of, however planters allow cascading plants to flow over the parapet above the refurbished retail space next to the wharf entrance, which will complement the streetscape.

**6. Amenity**

Privacy measures agreed during Court-sponsored conferencing have been maintained between the site and adjacent properties. Solar access of the dwellings in the building is not altered and overshadowing in mid-winter does not affect neighbours.

According to submitted shadow diagrams, the development does not increase shading of nearby residences between 9.00am and 3.00pm, only small additional areas of Hayes Street in the morning and early afternoon are overshadowed, and small portions of the wharf and bay from noon until 3.00pm have increased shading.

**7. Safety**

Public safety is not altered by the modified development, the relocated vehicle crossing will protect the public by having visible and audible warnings when the driveway and car lift are in use, required by an existing condition of consent.

**8. Housing diversity and social interaction**

Despite one retail tenancy being removed, the remaining, consolidated active frontage will continue to promote social interaction along Hayes Street. Housing diversity is maintained, the housing mix being the same in the subject application as in the approved development.

**9. Aesthetics**

The proposed alterations include a more streamlined approach to materials and a more uniform design facing Hayes Street Beach. Despite minor adjustments to rooftop works and provided recommended screening of some rooftop elements occurs, the presentation to Hayes Street will be satisfactory, maintaining the heritage qualities of the façade and the streetscape.

## **NORTH SYDNEY LOCAL ENVIRONMENT PLAN 2013**

### **1. Permissibility**

The proposed modifications relate to a building approved under the Existing Use Rights provisions of the EP & A Act, as the approved development contains both residential and retail/business premises. Retail premises are permitted, residential accommodation is prohibited, except shop-top housing. It was outlined earlier that the Court did not characterise the development in this way, as there is residential accommodation on the ground floor of the building.

### **2. Objectives of the zone**

The objectives for the E1 Local Centre zone are stated below:

- To provide a range of retail, business and community uses that serve the needs of people who live in, work in or visit the area.*
- To encourage investment in local commercial development that generates employment opportunities and economic growth.*
- To enable residential development that contributes to a vibrant and active local centre and is consistent with the Council's strategic planning for residential development in the area.*
- To encourage business, retail, community and other non-residential land uses on the ground floor of buildings.*
- To encourage active street life while maintaining high levels of residential amenity.*
- To minimise adverse effects on adjoining residentially zoned land.*
- To ensure the scale and intensity of non-residential development caters to local needs.*

The modifications proposed do not alter the approved development's consistency with relevant objectives, despite the reduction in commercial floor space proposed. The scale and nature of the proposal is commensurate with other residential mixed use and commercial buildings in the locality.

### **Principal development standards**

<b>Principal Development Standards – North Sydney Local Environmental Plan 2013</b>			
	<b>Proposed</b>	<b>Control</b>	<b>Complies</b>
Clause 4.1 – Subdivision lot size			N/A
Clause 4.3 – Heights of Building	RL 13.13	8.5m	No, modification does not alter approved maximum height
Clause 4.4 – Floor Space Ratio	1:87 (790.3 m <sup>2</sup> )	1:1	No, FSR reduced from 1.95:1
Clause 4.4a – Non residential FSR			N/A

### **Height of Buildings**

The following objectives for the permissible height limit are stated below:

- (a) to promote development that conforms to and reflects natural landforms, by stepping development on sloping land to follow the natural gradient,*
- (b) to promote the retention and, if appropriate, sharing of existing views,*
- (c) to maintain solar access to existing dwellings, public reserves and streets, and to promote solar access for future development,*
- (d) to maintain privacy for residents of existing dwellings and to promote privacy for residents of new buildings,*
- (e) to ensure compatibility between development, particularly at zone boundaries,*
- (f) to encourage an appropriate scale and density of development that is in accordance with, and promotes the character of, an area.*

As the approved maximum height is not altered by the proposed modifications, and the proposed additions of roof plant (for BCA compliance) add small elements above the approved height, the effect on the visual qualities of the building and impact on views from the public domain and private residences are acceptable. Screening of four exhaust outlets is recommended, to acceptably reduce their visual impact. The development as proposed to be modified remains consistent with the height control objectives.

#### **Floor Space Ratio**

The following objectives related to the maximum floor space ratio control:

- (a) to ensure the intensity of development is compatible with the desired future character and zone objectives for the land,*
- (b) to limit the bulk and scale of development.*

The above table indicates a slight reduction in gross floor area of the amended design. Although the extant, approved and modified building exceed the control by about 80% or more, the small reduction of floor area does not alter consistency with these objectives.

#### **Mean high water mark**

Consent is required for development of land below the mean highwater mark (MHW). Part of the site adjacent to the Hayes Street Beach is below this level. At the informal pre-lodgement meeting the applicant was asked to check whether any approvals or concurrence of NSW government ministers or agencies was necessary to enable or authorise works below MHW. Counsel's advice was proffered in the negative, noting s. 4.56 does not require consultation or concurrence with Government as does s. 4.55 (2). Further, Counsel advised no Crown land approval to lodge the application is necessary as the development remains wholly within the registered allotment.

#### **Heritage**

With reference to the foregoing conservation planner's assessment, heritage impact of the revised design is satisfactory.

#### **Earthworks**

Earthworks are restricted to the building envelope which occupies most, if not all of the site. Notwithstanding, the modified development remains subject to the conditions of the original consent regarding geotechnical investigations, maintaining stability during and after works, and erosion and sediment control measures being deployed during works, as authorised by the consent.

## **NORTH SYDNEY DEVELOPMENT CONTROL PLAN 2013**

Only those provisions of the DCP's Part B Section 2 Commercial & mixed-use development, pertinent to the modification application, are considered.

### ***2.2.1 Diversity of activities facilities and opportunities***

Despite the reduction of commercial space, the proposal maintains the capability of providing convenience retailing and personal services to the local community.

### ***2.3.8 Views***

Minor additions to the roof, below the approved maximum height, with addition of screening to some rooftop plant will have minimal and reasonable impacts on views of the development from the public domain and public and private views over and past the site to toward the harbour and its foreshores.

### ***2.3.11 Visual privacy***

The modified design has carefully considered and maintained privacy screening, as agreed during the Court's conciliation conference, to openings visible from adjacent residential development, at 9 Hayes Street in particular.

## **CHARACTER STATEMENTS – PART C**

### ***South Cremorne Planning Area, Kurraba Point Conservation Area (Kurraba HCA)***

The Court's assessment of the original proposal was undertaken regarding the character statement and design criteria for the area, concluding the proposal "...is not detrimental to the (heritage) item itself, or those items of heritage in the vicinity of the site, or in respect of the Kurraba HCA".

As the proposed modified development is found to be substantially the same as that approved, it is deemed consistent with the character requirements of the DCP despite minor modifications to roof plant, window openings, adjustments to materials and the removal of a retail outlet resulting in a net loss of about 34.6m<sup>2</sup> commercial floor area.

## **REASONS THE DEVELOPMENT APPLICATION WAS APPROVED**

The following reasons the Court approved the development (in 7 Pty Ltd v North Sydney Council [2023] NSWLEC 1289) have been considered in this report's evaluation of the proposed modifications of the approved development:

- The Court disposed of the matter in accordance with the agreement reached during the conciliation conference, per s. 34(3) of the Land and Environment Court Act.
- The Court was not required to make any merit assessment of issues originally in dispute between the parties.
- The agreement being based on plans submitted to the Court on 24 May 2023.
- The parties' agreement that the clause 4.6 submission to breach the height standard of clause 4.3 NSLEP should be upheld.

In summary, the modification is consistent with these reasons in the Court upholding the appeal, as:

- Approval of this application would be consistent with the Court's approval.
- Only the merits of the issues arising from the modifications have been considered in this assessment.

- The plans approved by the Court, being those referred to above, formed the basis of comparison with the proposed modifications, to arrive at the conclusion the modified development, as proposed, is substantially the same as the Court-approved development.
- The maximum height as approved has not been breached by the modified design. The modified development is deemed to have satisfied the merit tests required to contravene the building height development standard.

#### **LOCAL INFRASTRUCTURE CONTRIBUTIONS PLAN**

The modified development does not require the adjustment of the contribution payable per the original consent, the estimated cost not having changed.

<b>ENVIRONMENTAL APPRAISAL</b>	<b>CONSIDERED</b>
1. Statutory Controls	Yes
2. Policy Controls	Yes
3. Design in relation to existing building and natural environment	Yes
4. Landscaping/Open Space Provision	Yes
5. Traffic generation and Carparking provision	Yes
6. Loading and Servicing facilities	Yes
7. Physical relationship to and impact upon adjoining development (Views, privacy, overshadowing, etc.)	Yes
8. Site Management Issues	N/A
9. All relevant s. 4.15 (1) considerations of Environmental Planning and Assessment Act 1979	Yes

#### **PUBLIC INTEREST**

The proposal is in the public interest for reason it is substantially the same as the approved development, and the impacts of the development as proposed to be modified are satisfactory.

#### **SUITABILITY OF THE SITE**

For the same reason as above, the site is suitable for the modified proposal.

#### **CONCLUSION & REASONS**

The subject application is consistent with the originally approved development application having been assessed in accordance with s.4.56 of the EP&A Act 1979. Proposed modifications do not result in any unreasonably detrimental amenity impacts to adjoining properties or the surrounding area. The proposed modifications are also consistent with the reasons for development consent being granted to the original development application.

Having regard to the provisions of section 4.56 & 4.15(1) of the Environmental Planning and Assessment Act 1979, the development as proposed to be modified is substantially the same development as originally consented to. The application is therefore recommended for **approval**.

**RECOMMENDATION**

PURSUANT TO SECTION 4.55 OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 (AS AMENDED)

**THAT** the North Sydney Planning Panel exercising the functions of Council approve the modification of development consent DA 182/22 for alterations and additions to a mixed-use building at 1 Hayes Street Neutral Bay under the provisions of Section 4.56 of the Environmental Planning and Assessment Act as detailed in the attached Schedule.

**JIM DAVIES**  
**EXECUTIVE PLANNER**

**STEPHEN BEATTIE**  
**MANAGER DEVELOPMENT SERVICES**

---

## SCHEDULE

### Condition A1 - Development in Accordance with Plans/Documentation

The table to Condition A1 requires amendment, to refer to the amended plan set, not those presently referred to by the consent. The condition is recommended to read as follows:

### 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 in the tables to this condition, except where amended by other conditions of this consent.

Plan Nos. (last 3 digits of page no.)	Rev. No.	Description	Prepared by	Dated
100	02	Title Page	Popov Bass	10 03 2025
101	03	Site Plan		"Work in progress"
102	02	Basement Plan		10 03 2025
103	02	Level 01 Plan		10 03 2025
104	02	Level 02 Plan		10 03 2025
105	02	Level 03 Plan		10 03 2025
106	03	Roof Plan		15 04 2025
107	03	West Elevation		15 04 2025
108	03	East Elevation		15 04 2025
109	03	North Elevation		15 04 2025
110	03	South Elevation		15 04 2025
111	03	West Elevation (non-coloured)		15 04 2025
112	03	East Elevation (non-coloured)		15 04 2025
113	03	North Elevation (non-coloured)		15 04 2025
114	03	South Elevation (non-coloured)		15 04 2025
115	02	Section AA		10 03 2025
116	03	Section BB		15 04 2025
146	02	Exterior Palette		10 03 2025
149	02	Basement Demolition Plan		10 03 2025
150	02	Level 01 Demolition Plan		10 03 2025
151	02	Level 02 Demolition Plan		10 03 2025
152	02	Level 03 Demolition Plan		10 03 2025
153	02	Roof Demolition Plan		10 03 2025
154	02	West Elevation Demolition		10 03 2025
155	02	East Elevation Demolition		10 03 2025
156	02	North Elevation Demolition		10 03 2025
157	02	South Elevation Demolition		10 03 2025
158	02	Elevation Demolition Calculation		10 03 2025
159	02	Elevation Demolition Calculation		10 03 2025
160	02	Window Schedule		10 03 2025
161	03	Window Schedule		15 04 2025
162	02	Wall Type Schedule		10 03 2025
C000	01	Cover sheet	Henry & Hymas	06 08 2024
C101	01	Detail plan – basement floor		06 08 2024
C102	01	Detail plan – level 1 floor		06 08 2024
C103	01	Detail plan – level 2 floor		06 08 2024
C104	01	Detail plan – level 3 floor		06 08 2024
C105	01	Detail plan - Roof plan		06 08 2024

C200	01	Stormwater miscellaneous details and pit lid schedule		06 08 2024
C250	01	Pre and Post development stormwater catchment plans		06 08 2024
SE01	01	Sediment and erosion control plan		06 08 2024
SE02	01	Sediment and erosion control typical details		06 08 2024

### Documents

Title	Prepared by	Dated
Preliminary Site Investigation	EI Australia	22/04/2022
Preliminary Geotechnical Assessment	EI Australia	18/05/2022
Structural Assessment Report	EI Australia	26/08/2024
Acoustic Assessment for DA	Renzo Tonin and Associates	03/05/2022
Access Assessment Report	BCA Access	09/05/2022
Operational Waste Management Plan	Elephants Foot Consulting	20/08/2024
BASIX Certificate No. 1297017M_02	EMF Griffiths	15/05/2023
NatHERS Summary Certificate No. 0008643600	EMF Griffiths	15/05/2023
NatHERS Individual Certificates Nos. 0008643553, 0008643546, 0008643595, and 0008643561	EMF Griffiths	15/05/2023

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

### Condition C22 – Location of Plant

This condition requires amendment to allow additional plant to be located on the roof as shown on plan no. 106 (Rev. 3, 15 April 2025), as discussed. The existing condition is reproduced below followed by the condition as recommended to be amended (**emphasis added to indicate altered/new text**).

***Existing Condition***

**Location of Plant**

- C22. All plant and equipment (including but not limited to air conditioning equipment) except for the approved photovoltaic cells is to be located within the basement of the building and is not to be located on balconies or the roof. 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: Minimise impact on surrounding properties, improved visual appearance and amenity for locality)

***Recommended condition***

**Location of Plant**

- C22. Only plant and equipment as shown on the Roof Plan cited by the table to Condition A1 is to be located on the roof. All other plant is to be located within the basement of the building and is not to be located on balconies. The four exhaust fans (represented on the plans by a box with "EX" marked on the box) closest to the western edge of the roof and adjacent to the photovoltaic panels must be suitably screened on all four sides (and covered, if possible) using a material(s) and colour(s) which complement the building's architecture and heritage qualities. 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: Minimise impact on surrounding properties, improved visual appearance and amenity for locality)

**Addition and deletion of other conditions**

Conditions required to be included in and deleted from the consent as a result of this assessment are detailed below.

***Conditions to be included***

As recommended by Council's conservation planner, the following conditions are recommended to be included as detailed below:

**C. Insert after condition C44, the following conditions:**

**Colours, Finishes and Materials (Heritage Item)**

- C45. A traditional palette of finishes, materials and colour schemes must be selected for the new building works, appropriate to the architectural style of the original building, and submitted to the Principal Certifier for approval prior to the issue of the relevant Construction Certificate.

(Reason: To ensure that exterior colours, finishes and materials are sympathetic to the significance of the heritage item)

**Heritage Architect to be Commissioned**

**C16**

- C46. An appropriately qualified and experienced heritage architect must be commissioned to assist the design development, contract documentation and overseeing of construction works on the site for their duration by undertaking regular inspections of the works in progress and providing advice in relation to heritage matters.

Written details of the engagement of the experienced heritage architect must be submitted to the Principal Certifier prior to the issue of the relevant Construction Certificate.

Note: If advice provided by the heritage architect is to the effect that works requiring development consent be carried out, such works would require a Modification under s4.55 of the *Environmental Planning and Assessment Act 1979*, or further development application. This condition, and any advice given by the heritage architect, should not be construed as authorising the carrying out of development with/otherwise than in accordance with the development consent.

(Reason: To ensure that all matters relating to significant fabric and spaces are resolved and recorded using best practice for heritage conservation)

**Design amendment**

- C47. The bicycle racks shown on the plans on the Hayes Street footpath are to be removed.

(Reason: Compliance)

**D. Insert after condition E30, the following conditions:**

**Removal of Extra Fabric**

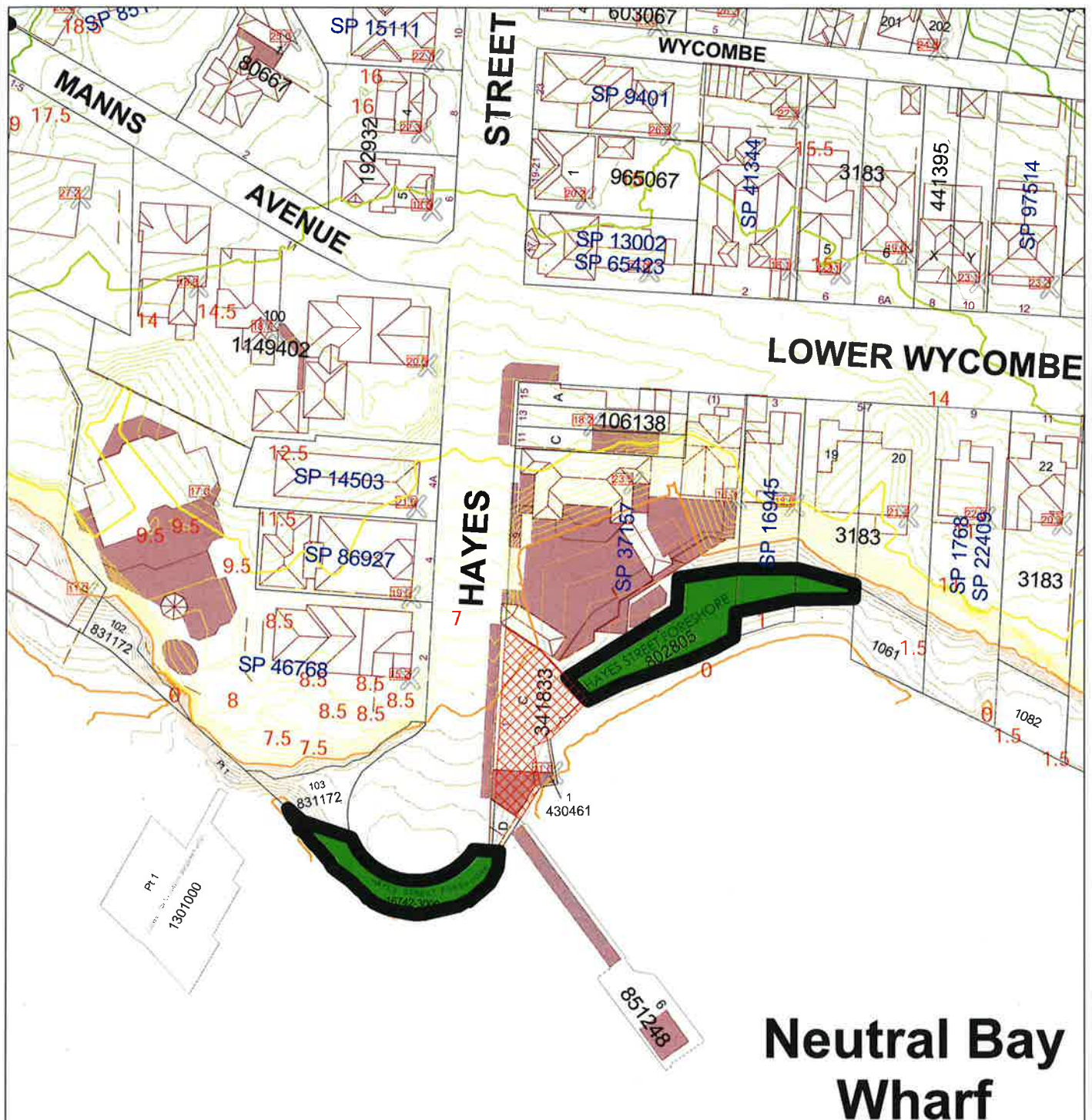
- E31. Should any portion of the existing building, trees, or curtilage of the site, which is indicated on the approved plans to be retained, be damaged for whatever reason, all the works in the area of the damaged portion are to cease and written notification of the damage is to be given to Council 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)

***Condition to be deleted***

Condition C17 (i) is to be deleted for reason that it is no longer required due to relocation of the driveway to the car lift. Condition C17 (i) reads:

- j) *It is assumed that street light pole will be relocated. Otherwise, the minimum distance of the edge of vehicular crossing from the light pole must be 1 m.*



**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](mailto:mapping@northsydney.nsw.gov.au)

Scale: 1:1200 approx.





LOCALITY PLAN

1 Hayes Street, Neutral Bay NSW 2089

# HAYES STREET - RESIDENCES

1 Hayes Street, Neutral Bay NSW 2089

DRAWING No.	DESCRIPTION	SCALE	DRAWING No.	DESCRIPTION	SCALE	DRAWING No.	DESCRIPTION	SCALE
S456100	Title Page		S456128	Shadow Diagram: 10:00am June 21	1:300	S456156	North Elevation Demolition	1:100
S456101	Site Plan	1:200	S456129	Shadow Diagram: 11:00am June 21	1:300	S456157	South Elevation Demolition	1:100
S456102	Basement Plan	1:100	S456130	Shadow Diagram: 12:00pm June 21	1:300	S456158	Elevation Demolition Calculation	1:200
S456103	Level 01 Plan	1:100	S456131	Shadow Diagram: 1:00pm June 21	1:300	S456159	Elevation Demolition Calculation	1:200
S456104	Level 02 Plan	1:100	S456132	Shadow Diagram: 2:00pm June 21	1:300	S456160	Window Schedule	
S456105	Level 03 Plan	1:100	S456133	Shadow Diagram: 3:00pm June 21	1:300	S456161	Window Schedule	
S456106	Roof Plan	1:100	S456134	Sun Eye Diagram June 21 - Approved		S456162	Wall Type Schedule	1:20
S456107	West Elevation	1:100	S456135	Sun Eye Diagram June 21 - Proposed		S456200	Notification Plan	1:400
S456108	East Elevation	1:100, 1:1	S456136	Shadow Diagram: 9:00am September 21	1:300			
S456109	North Elevation	1:100, 1:1	S456137	Shadow Diagram: 10:00am September 21	1:300			
S456110	South Elevation	1:100, 1:1	S456138	Shadow Diagram: 11:00am September 21	1:300			
S456111	West Elevation (non-coloured)	1:100	S456139	Shadow Diagram: 12:00pm September 21	1:300			
S456112	East Elevation (non-coloured)	1:100	S456140	Shadow Diagram: 1:00pm September 21	1:300			
S456113	North Elevation (non-coloured)	1:100	S456141	Shadow Diagram: 2:00pm September 21	1:300			
S456114	South Elevation (non-coloured)	1:100	S456142	Shadow Diagram: 3:00pm September 21	1:300			
S456115	Section AA	1:100	S456143	Sun Eye Diagram September 21 - Appr...				
S456116	Section BB	1:100	S456144	Sun Eye Diagram September 21 - Prop...				
S456117	View Analysis Diagram	1:100	S456145	GFA Diagrams	1:400			
S456118	Shadow Diagram: 9:00am March 21	1:300	S456146	Exterior Palette				
S456119	Shadow Diagram: 10:00am March 21	1:300	S456147	Photomontage				
S456120	Shadow Diagram: 11:00am March 21	1:300	S456148	Photomontage				
S456121	Shadow Diagram: 12:00pm March 21	1:300	S456149	Basement Demolition Plan	1:100			
S456122	Shadow Diagram: 1:00pm March 21	1:300	S456150	Level 01 Demolition Plan	1:100			
S456123	Shadow Diagram: 2:00pm March 21	1:300	S456151	Level 02 Demolition Plan	1:100			
S456124	Shadow Diagram: 3:00pm March 21	1:300	S456152	Level 03 Demolition Plan	1:100			
S456125	Sun Eye Diagram March 21 - Approved		S456153	Roof Plan Demolition	1:100			
S456126	Sun Eye Diagram March 21 - Proposed	1:100	S456154	West Elevation Demolition	1:100			
S456127	Shadow Diagram: 9:00am June 21	1:300	S456155	East Elevation Demolition	1:100			

## SCHEDULE OF BASIX COMMITMENTS

Refer to relevant BASIX certificate (0007565530) for greater detail.

<p>Basix Certificate (0007565530)</p> <p>Basix Certificate (0007565530)</p> <p>Basix Certificate (0007565530)</p>	<p>Basix Certificate (0007565530)</p> <p>Basix Certificate (0007565530)</p> <p>Basix Certificate (0007565530)</p>	<p>Basix Certificate (0007565530)</p> <p>Basix Certificate (0007565530)</p> <p>Basix Certificate (0007565530)</p>
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## NatHERS CONSTRUCTION & INSULATION SPECIFICATION

Refer to relevant NatHERS certificate for greater detail.

NATHERS CONSTRUCTION DETAILS		
Floor	Floor Type 1	Basement: 200mm concrete slab on ground / floor covering
	Floor Type 2	Level 1-3: 200mm concrete slab / floor covering
Wall	External Wall Type 1	110mm brick / R2.0 insulation / plasterboard
	External Wall Type 2	Render or tile / min 190mm concrete block / R2.0 insulation / plasterboard
	External Wall Type 3	110mm brick / R1.1 cavity insulation / 110mm brick / plasterboard
	Unit / Unit (Apt 3 - Apt 4)	Plasterboard / 140mm concrete / R1.0 insulation / plasterboard
	Unit / Plant, Lift, Lobby OR Retail	Plasterboard / R1.0 insulation / 140mm concrete
Ceiling	Unit / Basement	Plasterboard / R2.0 insulation / 140mm concrete
	Internal	Plasterboard / stud / plasterboard
Roof	Ceiling between Units	Plasterboard / 200mm concrete
	Roof Apt 1 & 2 (Balcony Above Ceiling)	Plasterboard / R2.0 insulation / 200mm concrete - unvented, no cavity
Glazing	Roof	Plasterboard / R2.0 insulation / 200mm concrete - unvented, no cavity
	Sliding and Fixed	Thermally Broken Aluminium Frame with Clear Double Glazing U-value ≤3.6; SHGC 0.54 ±5% (0.51 - 0.57)
	Caseament and Awning	Thermally Broken Aluminium Frame with Clear Double Glazing U-value ≤3.6; SHGC 0.47 ±5% (0.45 - 0.49)
	Skylight	Metal Frame with Clear Double Glazing U-value ≤4.2; SHGC 0.72 ±5% (0.68 - 0.76)

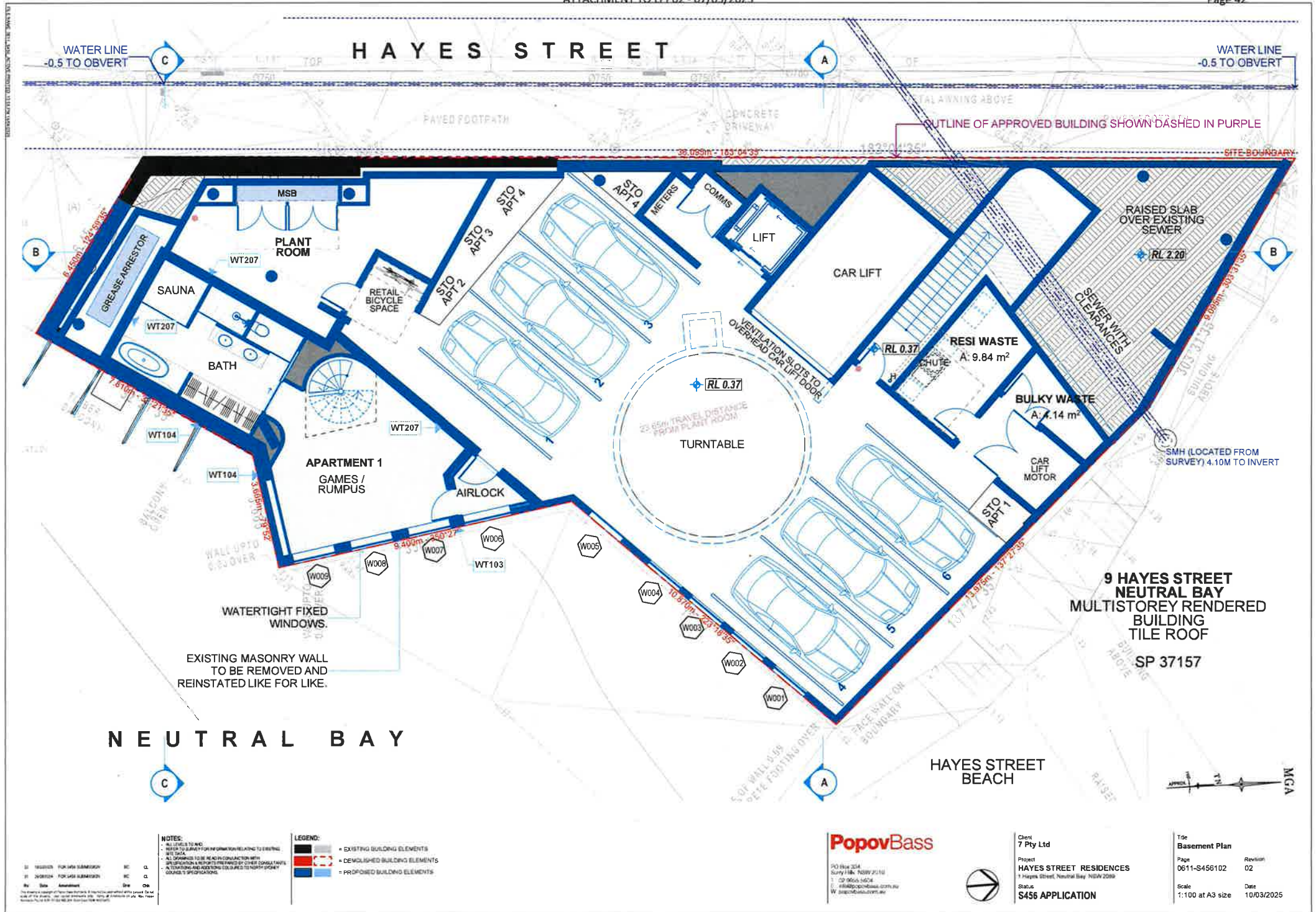
Assumptions for BASIX/NatHERS assessment:

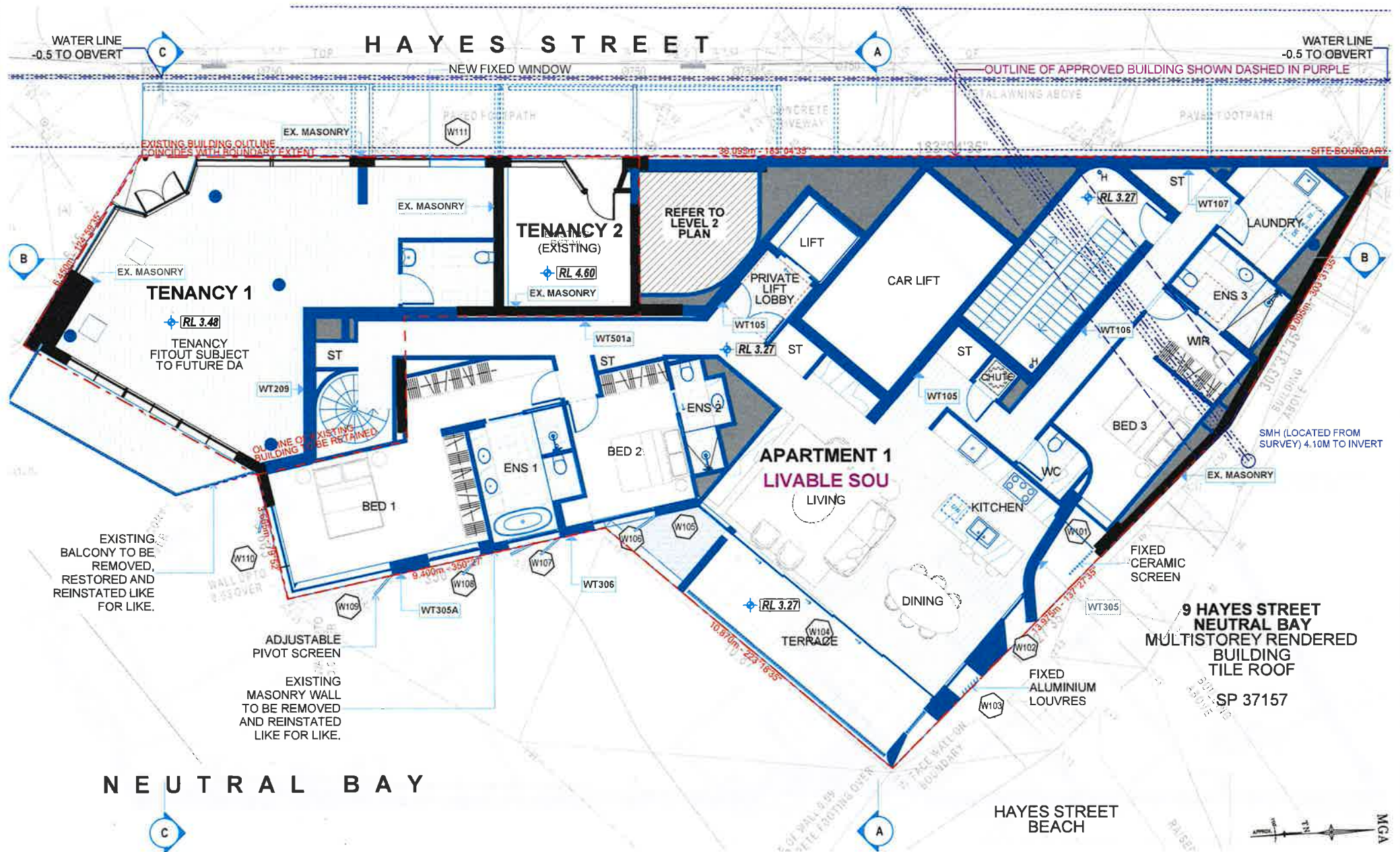
- 4 sealed LED downlights per 10m<sup>2</sup> in each zone.
- 2 sealed LED downlights in zones between 5-10 m<sup>2</sup>.
- 1 sealed LED downlight in zones less than 5 m<sup>2</sup>.
- Insulation clearance of 150mm around each downlight.
- Exhaust fan and kitchen rangehood with non-return dampener (sealed) and 300mm insulation clearance in kitchen, laundry and bathrooms.
- 2700mm ceiling heights for Basement to Level 02 for all areas except wet areas, which are 2400mm.
- 2655mm ceiling heights for Level 3 for all areas except wet areas, which are 2400mm.

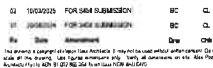


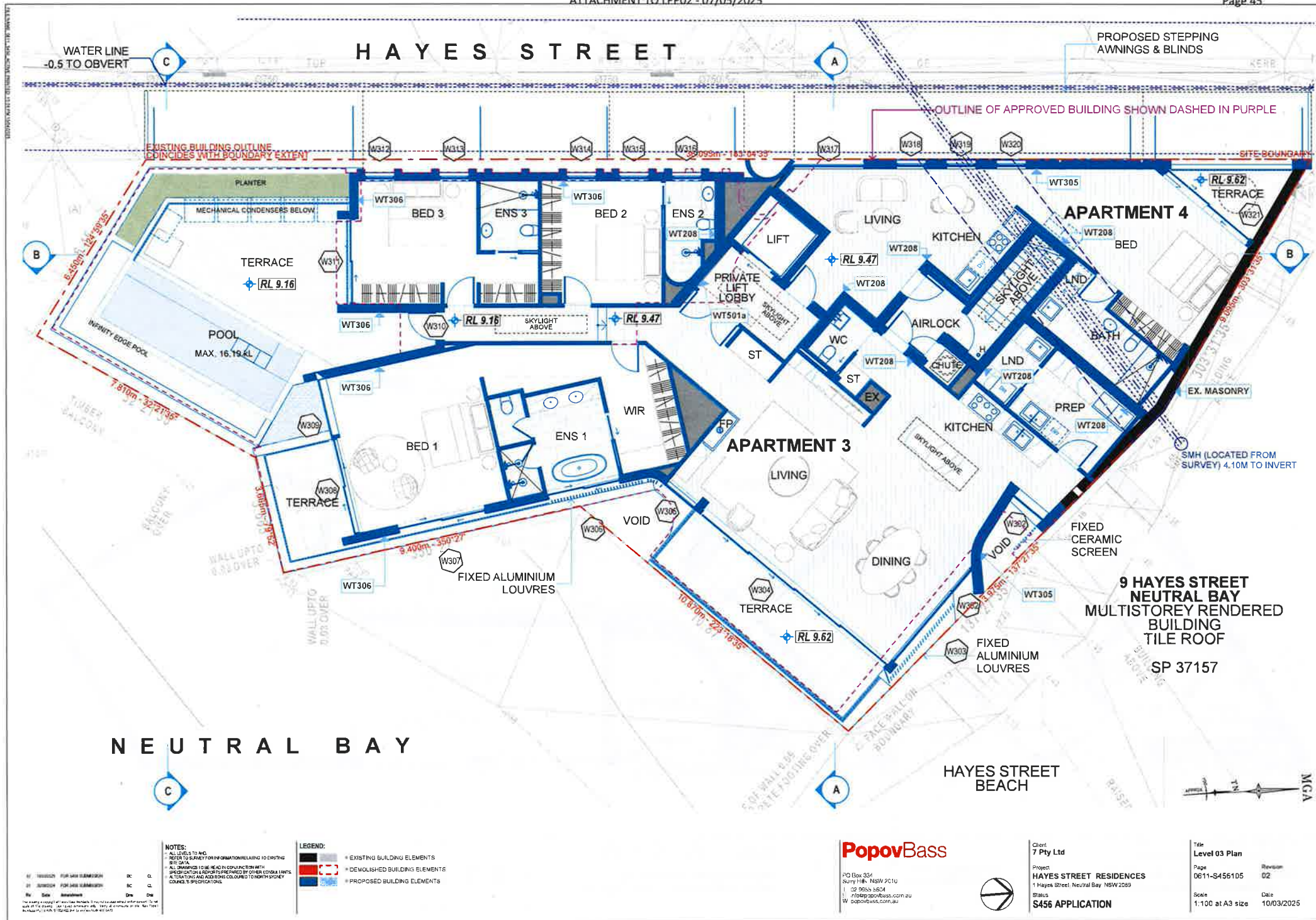


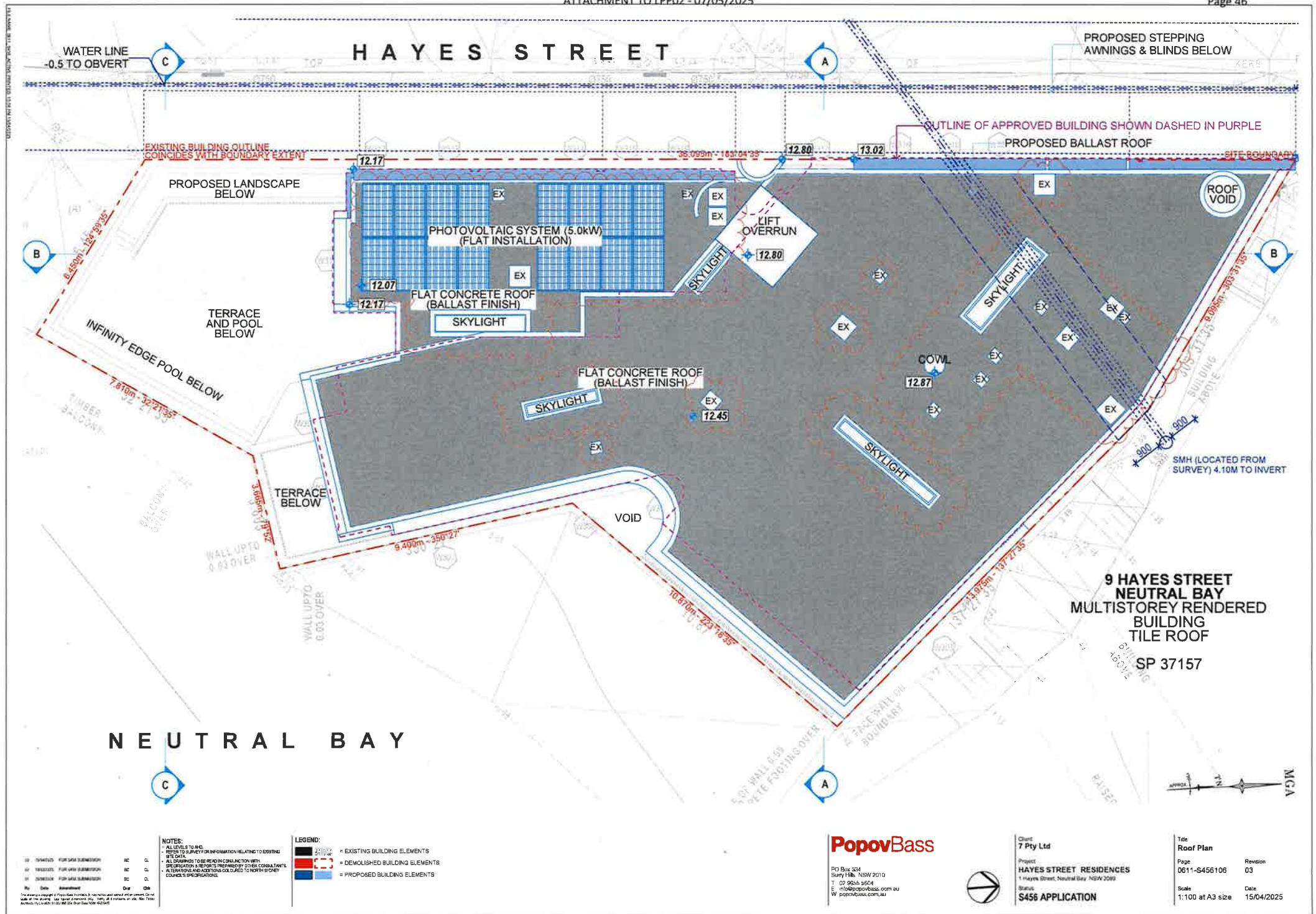
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Site Plan	
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1:200 at A3 size	Work in Progress











WEST ELEVATION  
1:100

1

## NOTES:

- ALL DIMENSIONS TO FACE
- REFER TO SURVEY FOR INFORMATION RELATING TO EXISTING SITE DATA
- ALL DRAWINGS TO BE READ IN CONJUNCTION WITH SPECIFICATION AND NOT TO BE CONSIDERED AS STAND-ALONE DOCUMENTS
- ALL DIMENSIONS AND NOTATIONS COLOURED TO MATCH SYDNEY COUNCIL'S SPECIFICATIONS

## LEGEND:

CO	CONCRETE	MB	METAL BALUSTRADE
CCO	RENDERED CONCRETE	MT1	METAL TYPE 1
RCO	BRICKWORK	MT2	METAL TYPE 2
BR	RENDERED MASONRY	MT3	METAL TYPE 3
TL1	TILES (LIGHT)	PF1	PAINT FINISH 1
TL2	TILES (DARK)	SKY	GLAZED SKYLIGHT
SC1	METAL SCREEN	GDR	JARAGE DOOR
SC2	CERAMIC SCREEN	FAB	FABRIC
GB	GLASS BALUSTRADE		

PopovBass

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Client  
7 Pty Ltd

Project  
**HAYES STREET RESIDENCES**  
1 Hayes Street, Neutral Bay NSW 2089  
Status  
**S456 APPLICATION**

Title  
**West Elevation**

Page  
0511-S456107  
Revision  
03  
Scale  
1:100 at A3 size  
Date  
15/04/2025



- ALL LEVELS TO AHD.
- REFER TO SURVEY FOR INFORMATION RELATING TO EXISTING SITE DATA.
- ALL DRAWINGS TO BE READ IN CONJUNCTION WITH SPECIFICATION & REPORTS PREPARED BY OTHER CONSULTANTS.
- ALTERATIONS AND ADDITIONS COLOURS TO NORTH SYDNEY COUNCIL'S SPECIFICATIONS.

LEGEND:

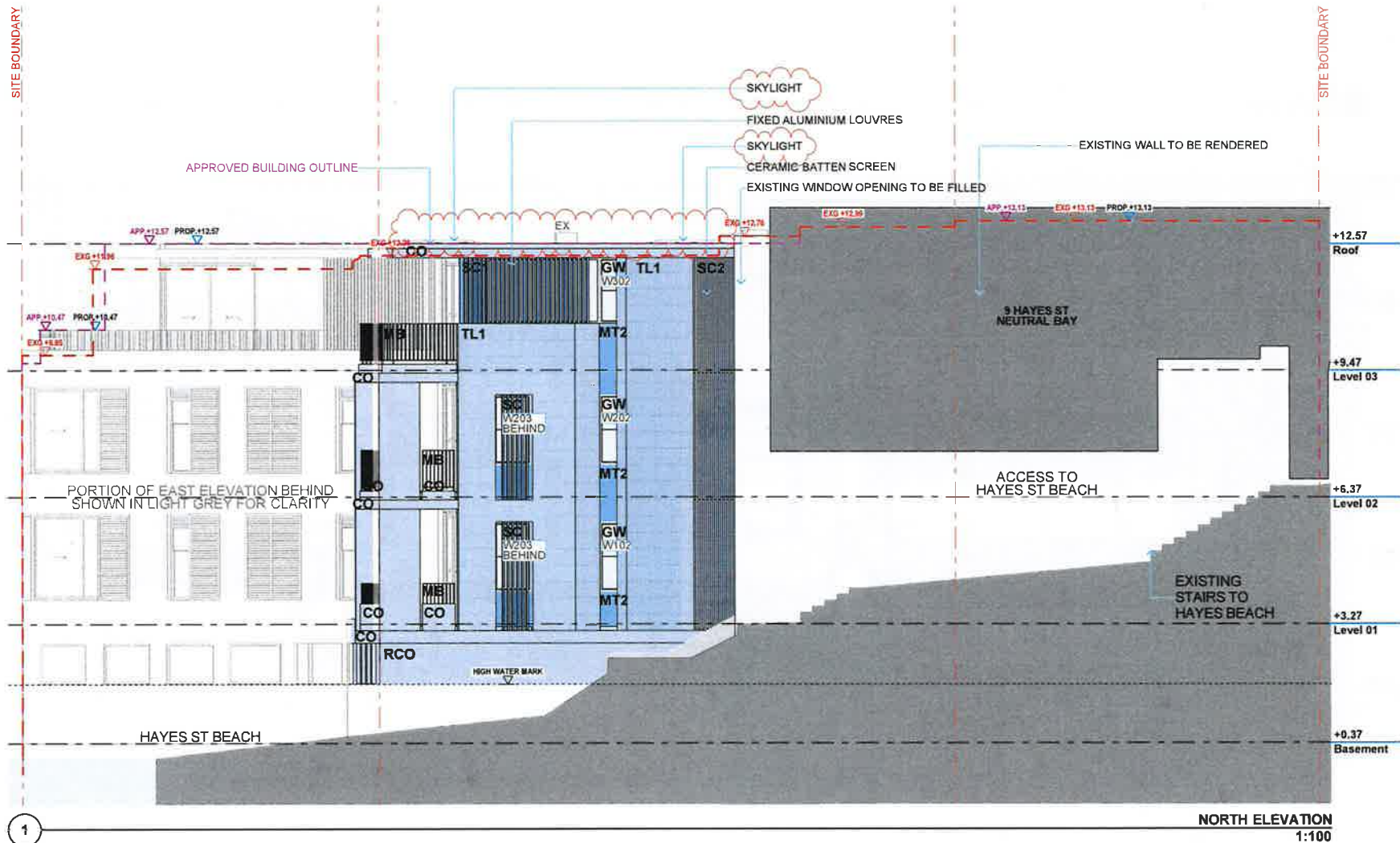
CO	CONCRETE
RCO	RENDERED CONCRETE
BR	BRICKWORK
RM	RENDERED MASONRY
TL1	TILES (LIGHT)
TL2	TILES (DARK)
SC1	METAL SCREEN
SC2	CERAMIC SCREEN
GR	GLASS BALUSTRADE

MB	METAL BALUSTRADE
MT1	METAL TYPE 1
MT2	METAL TYPE 2
MT3	METAL TYPE 3
PF1	PAINT FINISH 1
SKY	GLAZED SKYLIGHT
GDR	GARAGE DOOR
FAB	FABRIC

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Project  
**HAYES STREET RESIDENCES**  
1 Hayes Street Neutral Bay NSW 2089  
Status  
**S456 APPLICATION**

Page	Revision
0611-S456108	03
Scale	Date
1:100, 1:1 at A3	15/04/2025



## NOTES:

- ALL LEVELS TO AHD
- REFER TO DRAWING FOR DIMENSIONS RELATIVE TO EXISTING
- SEE DATA
- ALL DIMENSIONS TO FACE UNLESS OTHERWISE SPECIFIED
- ALL DIMENSIONS TO FACE UNLESS OTHERWISE SPECIFIED
- ALL DIMENSIONS TO FACE UNLESS OTHERWISE SPECIFIED

## LEGEND:

CO	CONCRETE	MB	METAL BALUSTRADE
RCO	RENDERED CONCRETE	MT1	METAL TYPE 1
BR	BRICKWORK	MT2	METAL TYPE 2
RM	RENDERED MASONRY	MT3	METAL TYPE 3
TL1	TILES (LIGHT)	PF1	PAINT FINISH 1
TL2	TILES (DARK)	SKY	GLAZED SKYLIGHT
SC1	METAL SCREEN	GDR	GARAGE DOOR
SC2	CERAMIC SCREEN	FAB	FABRIC
GB	GLASS BALUSTRADE		

**PopovBass**

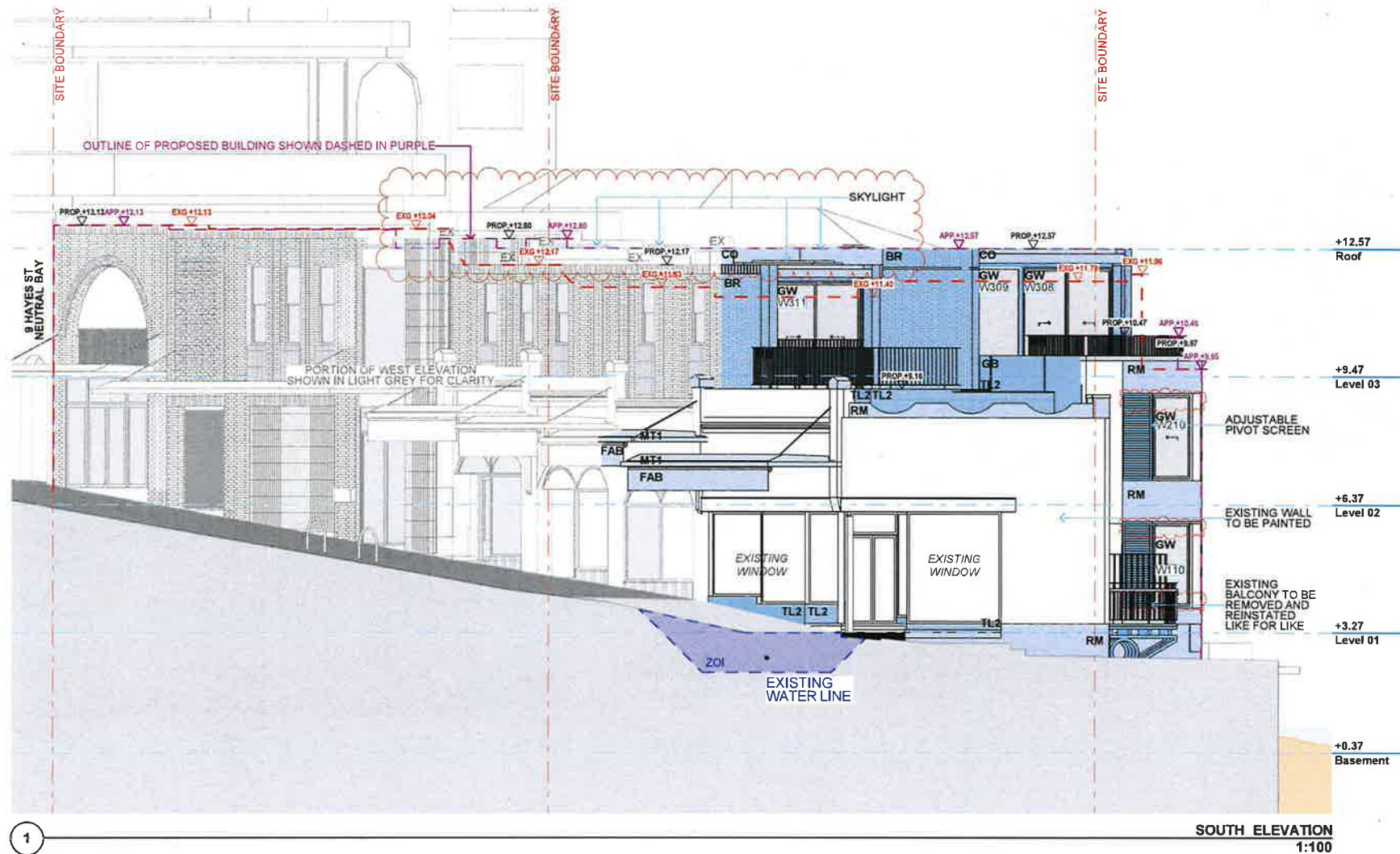
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E info@popovbass.com.au  
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Client:  
7 Pty Ltd

Project:  
**HAYES STREET RESIDENCES**  
1 Hayes Street, Neutral Bay NSW 2059  
Status:  
**S456 APPLICATION**

Title:  
North Elevation

Page:  
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Revision:  
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Date:  
15/04/2025  
Size:



## NOTES:

- ALL LEVELS TO A.S.D.
- REFER TO SURVEY FOR INFORMATION RELATING TO EXISTING SITE DATA.
- ALL DRAWINGS TO BE READ IN CONJUNCTION WITH SPECIFICATION & REPORTS PREPARED BY OTHER CONSULTANTS.
- ALL DIMENSIONS AND ADJUSTING COULDS TO NORTH DOWNS COUNCIL'S SPECIFICATIONS.

## LEGEND:

CO	CONCRETE	MB	METAL BALUSTRADE
RCO	RENDERED CONCRETE	MT1	METAL TYPE 1
BR	BRICKWORK	MT2	METAL TYPE 2
RM	REINFORCED MASONRY	MT3	METAL TYPE 3
TL1	TILES (LIGHT)	PF1	PAINT FINISH 1
TL2	TILES (DARK)	SKY	GLAZED SKYLIGHT
SG1	METAL SCREEN	SDR	DARKE DOOR
SG2	CERAMIC SCREEN	FAB	FABRIC
GB	GLASS BALUSTRADE		

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7 Pty Ltd

Project  
**HAYES STREET RESIDENCES**  
1 Hayes Street, Neutral Bay NSW 2089  
Status  
**S456 APPLICATION**

Title  
South Elevation

Page  
0611-S456110

Revision  
03

Scale  
1:100, 1:1 at A3 size

Date  
15/04/2025



1

NOTES:

- ALL LEVELS TO MGD.
- REFER TO SURVEY FOR INFORMATION RELATING TO EXISTING SITE DATA.
- ALL DRAWINGS TO BE READ IN CONJUNCTION WITH SPECIFICATION & REPORTS PREPARED BY OTHER CONSULTANTS.
- ALTERATIONS AND ADDITIONS COLOURED TO MATCH SNEY CONSTRUCTION SPECIFICATIONS.

## LEGEND:

CC	CONCRETE	MB	METAL BALUSTRADE
RC	RENDERED CONCRETE	MT1	METAL TYPE 1
BR	BRICKWORK	MT2	METAL TYPE 2
RM	RENDERED MASCHURY	MT3	METAL TYPE 3
TL1	TILES (LIGHT)	PF1	PAINT FINISH 1
TL2	TILES (DARK)	SKY	GLAZED SKYLIGHT
SC1	METAL SCREEN	ODR	GARAGE DOOR
SC2	CERAMIC SCREEN	FAB	FABRIC
GB	GLASS BALUSTRADE		

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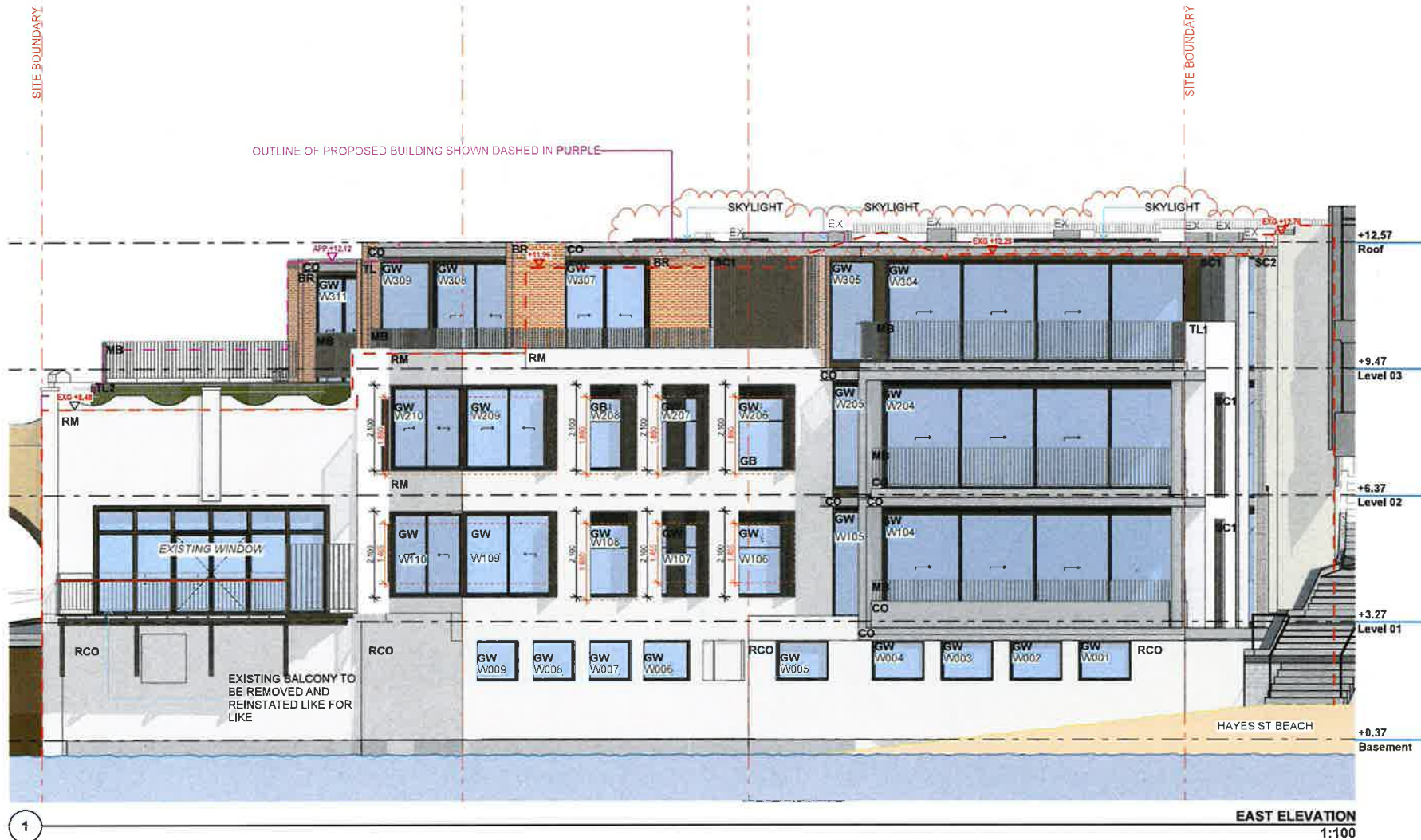
Status  
S456 APPLICATION

Title  
West Elevation (non-coloured)

Page  
0611-S456111 03

Scale  
1:100 at A3 size

Date  
15/04/2025



## NOTES:

- 1. ALL LEVELS TO AND ABOVE TO SURVEY FOR INFORMATION RELATING TO EXISTING SITE DATA
- 2. ALL DIMENSIONS TO BE AS DIMENSIONS WITH SPECIFICATION & REPORTS PREPARED BY OTHER CONSULTANTS
- 3. ALL DIMENSIONS AND MATERIALS TO BE COMPLIED TO NORTH SYDNEY COUNCIL'S SPECIFICATIONS

## LEGEND:

- |     |                   |     |                  |
|-----|-------------------|-----|------------------|
| CO  | CONCRETE          | MB  | METAL BALUSTRADE |
| RCO | RENDERED CONCRETE | MT1 | METAL TYPE 1     |
| BR  | BRICKWORK         | MT2 | METAL TYPE 2     |
| RM  | RENDERED MASONRY  | MT3 | METAL TYPE 3     |
| TL1 | TILES (LIGHT)     | PF1 | PAINT FINISH 1   |
| TL2 | TILES (DARK)      | SKY | GLAZED SKYLIGHT  |
| SC1 | METAL SCREEN      | GDR | GARAGE DOOR      |
| SC2 | CERAMIC SCREEN    | FAB | FABRIC           |
| GB  | GLASS BALUSTRADE  |     |                  |

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HAYES STREET RESIDENCES  
1 Hayes Street, Neutral Bay, NSW 2088

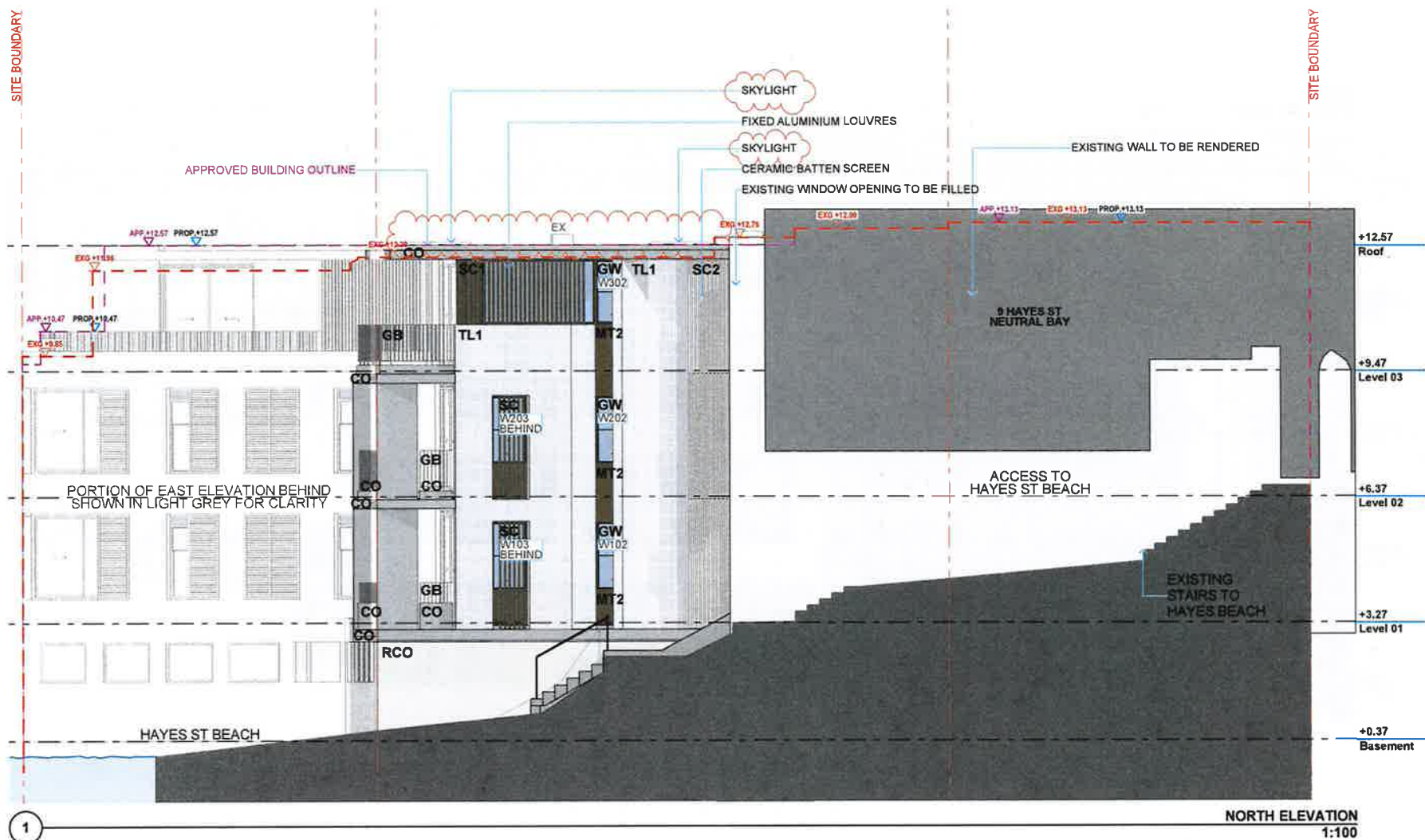
Status:  
S456 APPLICATION

Title:  
East Elevation (non-coloured)

Page:  
0611-S456112 03

Scale:  
1:100 at A3 size

Date:  
15/04/2025



## NOTES:

- ALL LEVELS TO AHD
- REFERS TO SURVEY FOR INFORMATION RELATING TO EXISTING SITE DATA
- ALL CHANGING TO BE IN ACTUAL CONSTRUCTION WITH INFORMATIONAL PURPOSES AND FINISHED BY CHANGING CORRECTIONS
- ALTERATIONS AND ADDITIONS COLOURED TO INDICATE VARIATION FROM EXISTING

## LEGEND:

CO	CONCRETE	MB	METAL BALUSTRADE
RCO	RENDERED CONCRETE	MT1	METAL TYPE 1
BR	BRICKWORK	MT2	METAL TYPE 2
RM	RENDERED MASONRY	MT3	METAL TYPE 3
TL1	TILES (LIGHT)	PF1	PAINT FINISH 1
TL2	TILES (DARK)	SKY	GLAZED SKYLIGHT
SC1	METAL SCREEN	GDR	GARAGE DOOR
SC2	CERAMIC SCREEN	FAB	FABRIC
GB	GLASS BALUSTRADE		

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**HAYES STREET RESIDENCES**  
1 Hayes Street Neutral Bay NSW 2059  
Scheme  
**S456 APPLICATION**

Title  
**North Elevation (non-coloured)**

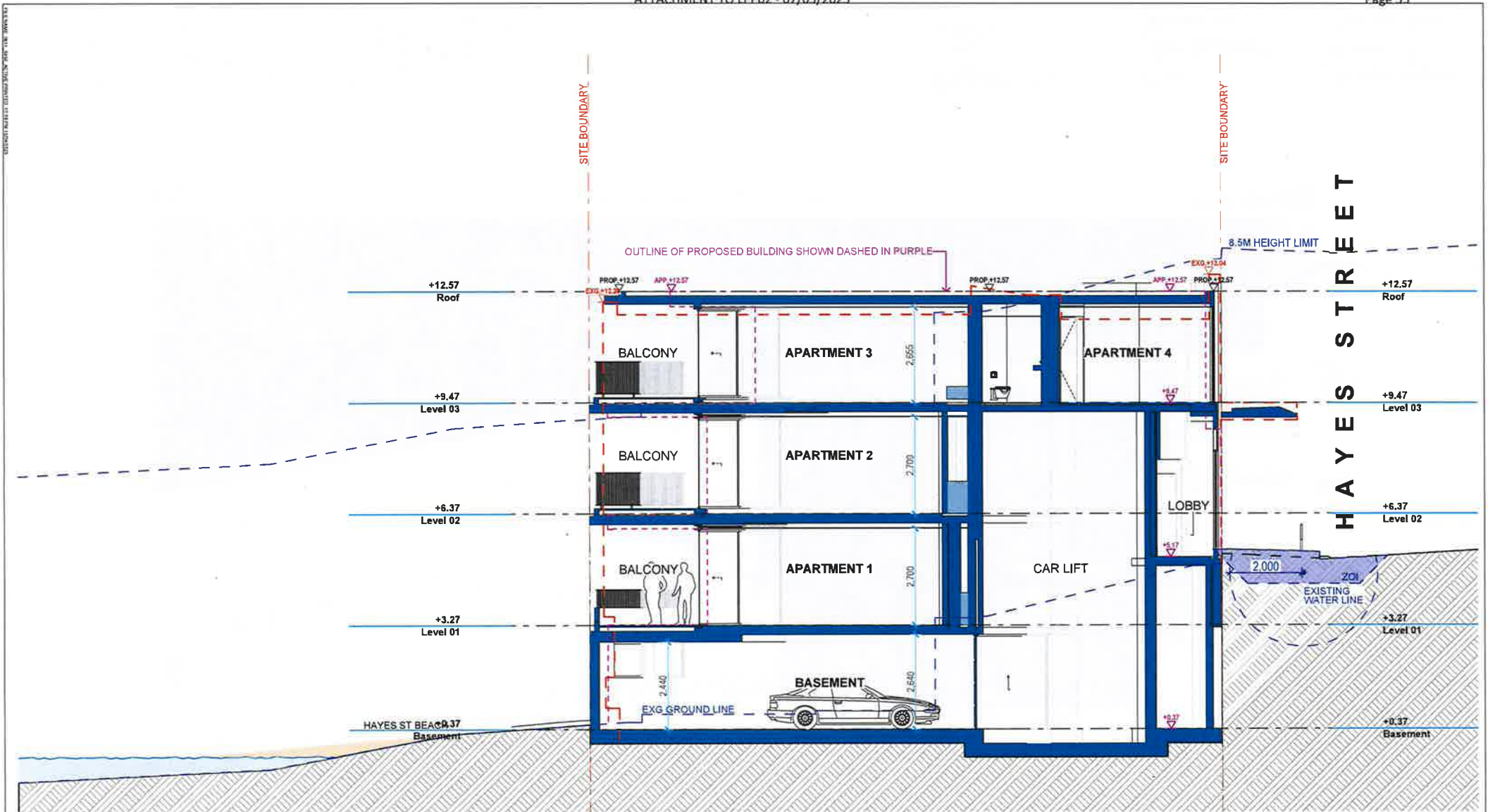
Page  
0611-S456113

Revision  
03

Scale  
1:100 at A3 size

Date  
15/04/2025



SECTION AA  
1:100

1

## NOTES:

- ALL DIMS TO FACE
- REFER TO SURVEY FOR INFORMATION RELATIVE TO EXISTING SITE DATA
- ALL DIMENSIONS TO BE READ IN CONJUNCTION WITH SPECIFICATION & REPORT TO PREPARED BY OTHER CONSULTANTS
- ALL DIMENSIONS AND NOTATIONS COLOURS TO NORTH SPOKE SYMBOL'S SPECIFICATIONS

01 18/01/25 FOR DATA SUBMISSION SC 0

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1 Hayes Street, Neutral Bay NSW 2059  
Status  
S456 APPLICATION

Title  
Section AA

Page  
0611-S456115 02

Scale  
1:100 at A3 size

Date  
10/03/2025



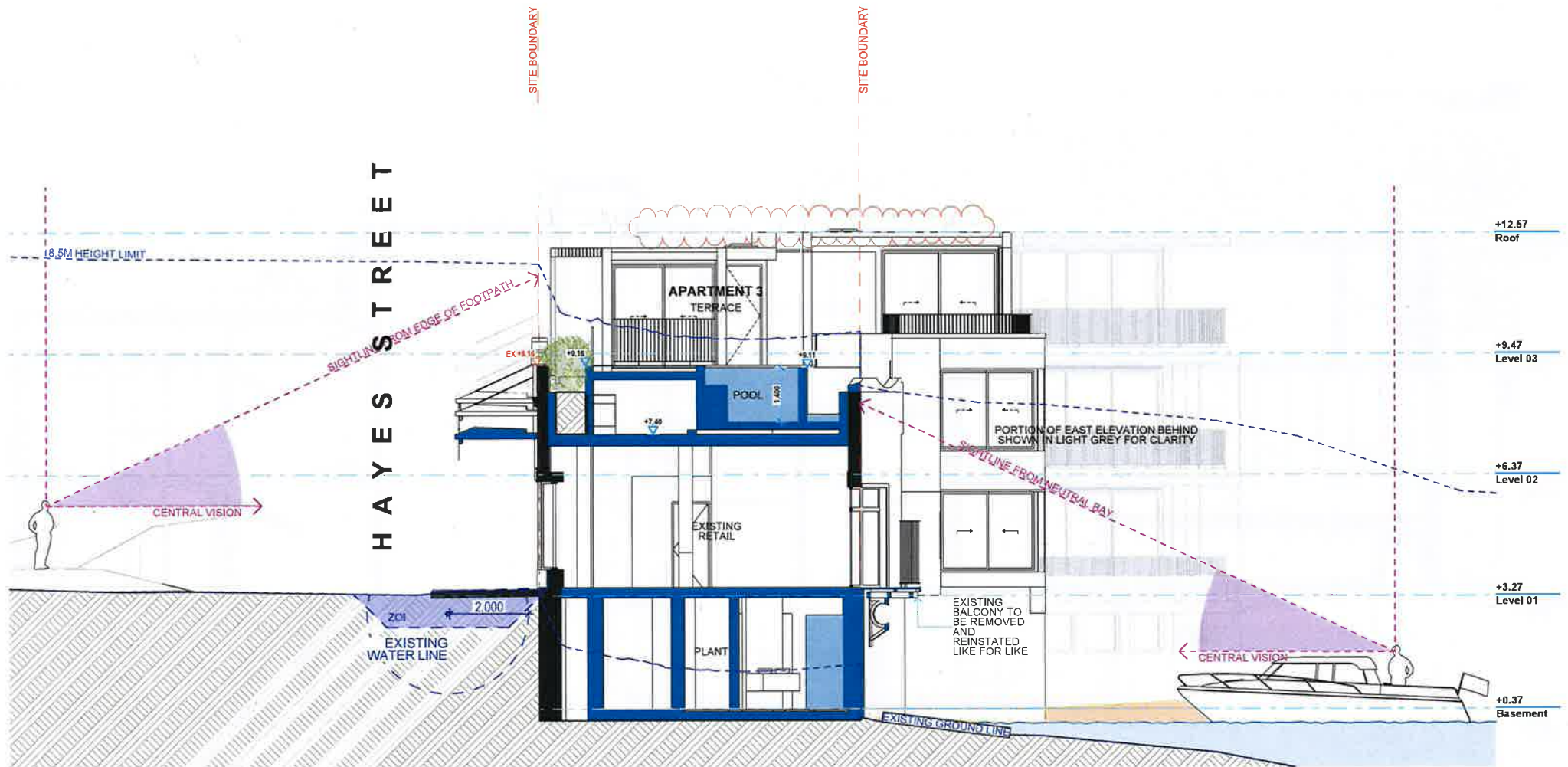
Title  
**Section BB**

Page  
0611-S456116

Revision  
03

Scale  
1:100 at A3 size

Date  
15/04/2025



**SECTION CC - VIEW ANALYSIS**  
1:100

1

10	04/05/2025	FOR S456 SUBMISSION	SC	CL
11	14/05/2025	FOR S456 SUBMISSION	SC	CL
12	06/05/2025	FOR S456 SUBMISSION	SC	CL
13	06/05/2025	FOR S456 SUBMISSION	SC	CL
14	06/05/2025	FOR S456 SUBMISSION	SC	CL

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Status  
**S456 APPLICATION**

Title  
**View Analysis Diagram**

Page  
0611-S456117 03

Scale  
1:100 at A3 size

Date  
15/04/2025

HAYES STREET

NEUTRAL BAY

HAYES STREET  
BEACH

MARCH 21 9:00AM

01	FORWARDED FOR SHADOW STUDY	NC	CL
02	FORWARDED FOR SHADOW STUDY	NC	CL
03	FORWARDED FOR SHADOW STUDY	NC	CL

Rev	Date	Amendment	Drawn	Check

## LEGEND:

- PROPOSED NEW SHADOWS
- EXISTING SHADOWS UNCHANGED
- EXISTING SHADOWS NO LONGER CAST

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**HAYES STREET RESIDENCES**  
1 Hayes Street, Neutral Bay NSW 2088

Status  
**S456 APPLICATION**

Title  
Shadow Diagram: 9:00am March 21

Page  
0811-S456118 03

Scale  
1:300 at A3 size

Date  
15/04/2025

HAYES STREET

NEUTRAL BAY

HAYES STREET  
BEACH

MARCH 21 10:00AM

01	SHADOWS	FOR S456 SUBMISSION	BC	CL
02	SHADOWS	FOR S456 SUBMISSION	BC	CL
03	SHADOWS	FOR S456 SUBMISSION	BC	CL
Rev	Date	Amendment	Drawn	DB

This is a sample of the proposed shadows. It is not intended to be used as a final shadow study. The shadows are shown for information only. The shadows are shown for information only. The shadows are shown for information only.

## LEGEND:

- PROPOSED NEW SHADOWS
- EXISTING SHADOWS UNCHANGED
- EXISTING SHADOWS NO LONGER CAST

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Status  
S456 APPLICATION

Title  
Shadow Diagram: 10:00am March  
21  
Page  
0611-S456119  
Revision  
03  
Scale  
1:300 at A3 size  
Date  
15/04/2025



HAYES STREET

NEUTRAL BAY

HAYES STREET  
BEACH

MARCH 21 12:00 PM

10	SHADOWS - FOR S456 SUBMISSION	SC	CL
11	SHADOWS - FOR S456 SUBMISSION	SC	CL
12	SHADOWS - FOR S456 SUBMISSION	SC	CL
13	SHADOWS - FOR S456 SUBMISSION	SC	CL
14	SHADOWS - FOR S456 SUBMISSION	SC	CL
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98	SHADOWS - FOR S456 SUBMISSION	SC	CL
99	SHADOWS - FOR S456 SUBMISSION	SC	CL
100	SHADOWS - FOR S456 SUBMISSION	SC	CL

## LEGEND:

- PROPOSED NEW SHADOWS
- EXISTING SHADOWS UNCHANGED
- EXISTING SHADOWS NO LONGER CAST

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**7 Pty Ltd**  
Project  
**HAYES STREET RESIDENCES**  
1 Hayes Street, Neutral Bay NSW 2089  
Status  
**S456 APPLICATION**

Title  
**Shadow Diagram: 12:00pm March**  
21  
Page  
0611-S456121 03  
Scale  
1:300 at A3 size  
Date  
15/04/2025

HAYES STREET

NEUTRAL BAY

HAYES STREET  
BEACH

MARCH 21 1:00 PM

16	SHADOWS - FOR NEW SUBMISSION	BC	CL
17	SHADOWS - FOR NEW SUBMISSION	BC	CL
18	SHADOWS - FOR NEW SUBMISSION	BC	CL
19	SHADOWS - FOR NEW SUBMISSION	BC	CL

The shading is a computer-generated image and is not a photograph. It is not a representation of the actual shadows cast by the proposed development. It is a computer-generated image and is not a representation of the actual shadows cast by the proposed development.

## LEGEND:

- = PROPOSED NEW SHADOWS
- = EXISTING SHADOWS UNCHANGED
- = EXISTING SHADOWS NO LONGER CAST

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Project:  
HAYES STREET RESIDENCES  
1 Hayes Street, Neutral Bay NSW 2059  
Status:  
S456 APPLICATION

Title:  
Shadow Diagram: 1:00pm March 21  
Page:  
0611-S456122  
Revision:  
03  
Scale:  
1:300 at A3 size  
Date:  
15/04/2025



HAYES STREET

NEUTRAL BAY

HAYES STREET  
BEACH

MARCH 21 3:00 PM

## LEGEND:

- = PROPOSED NEW SHADOWS
- = EXISTING SHADOWS UNCHANGED
- = EXISTING SHADOWS NO LONGER CAST

30	PLANVIEW	POP BASS SUBMISSION	EC	CL
31	SECTION	POP BASS SUBMISSION	EC	CL
32	SECTION	POP BASS SUBMISSION	EC	CL
33	SECTION	POP BASS SUBMISSION	EC	CL

By Date Authorised Drawn  
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Client:  
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Project:  
 HAYES STREET RESIDENCES  
 1 Hayes Street, Neutral Bay NSW 2089

Status:  
 S456 APPLICATION

Title:  
 Shadow Diagram: 3:00pm March 21

Page:  
 0611-S456124

Revision:  
 03

Scale:  
 1:300 at A3 size

Date:  
 15/04/2025



MARCH 21

**NOTE: AREAS OF GLAZING INDICATED IN BLUE:**

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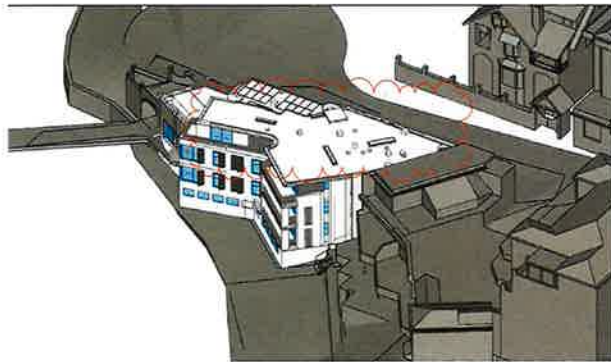
Client  
**7 Pty Ltd**

Project  
**HAYES STREET RESIDENCES**  
1 Hayes Street, Neutral Bay, NSW 2088

Strata  
**S456 APPLICATION**

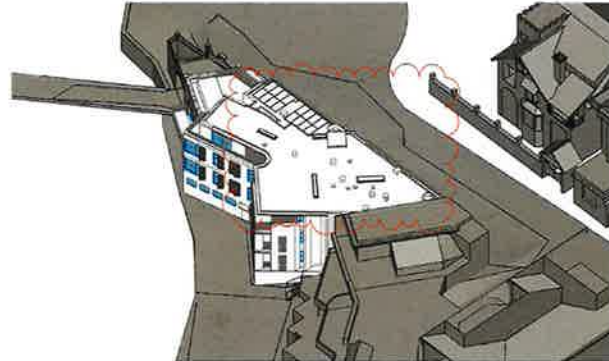
Title  
**Sun Eye Diagram March 21 -**  
**Approved**  
Page  
0611-S456125  
Revision  
02  
Scale  
at A3 size  
Date  
10/03/2025

[illegible]



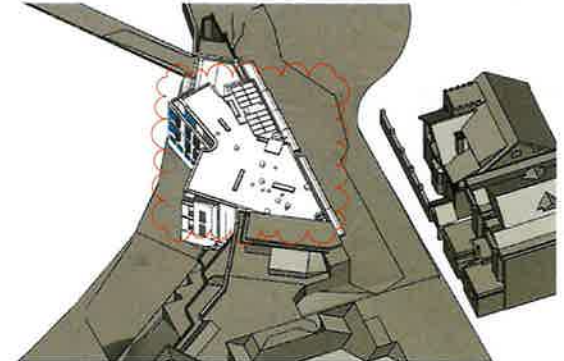
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Sun Eye View: March 21 - 9:00am



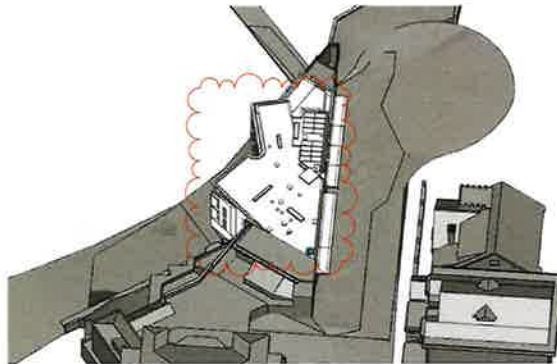
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Sun Eye View: March 21 - 10:00am



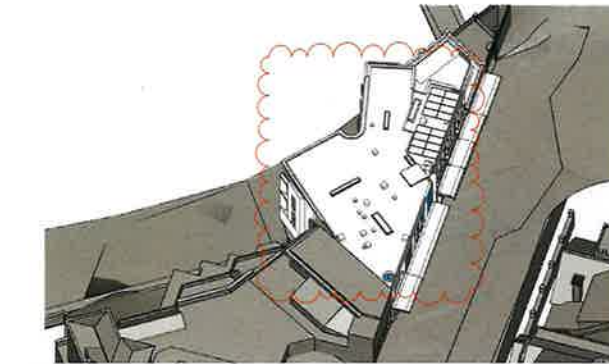
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Sun Eye View: March 21 - 11:00am



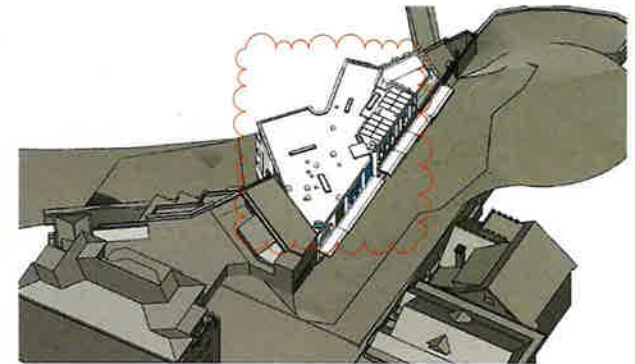
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Sun Eye View: March 21 - 12:00pm



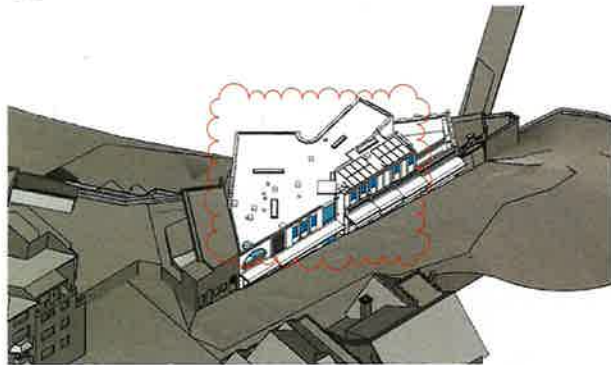
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Sun Eye View: March 21 - 12:30pm



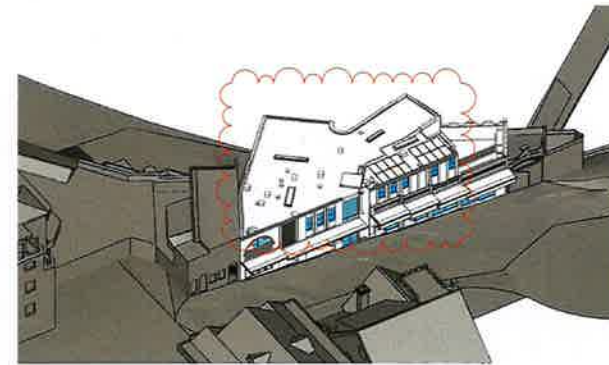
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Sun Eye View: March 21 - 1:00pm



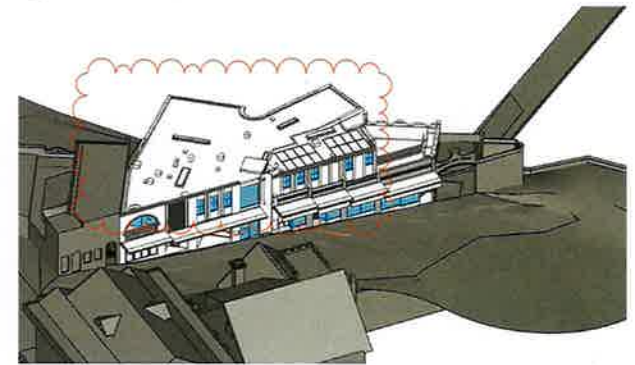
14

Sun Eye View: March 21 - 2:00pm



15

Sun Eye View: March 21 - 2:30pm



16

Sun Eye View: March 21 - 3:00pm

MARCH 21

NOTE: AREAS OF GLAZING INDICATED IN BLUE

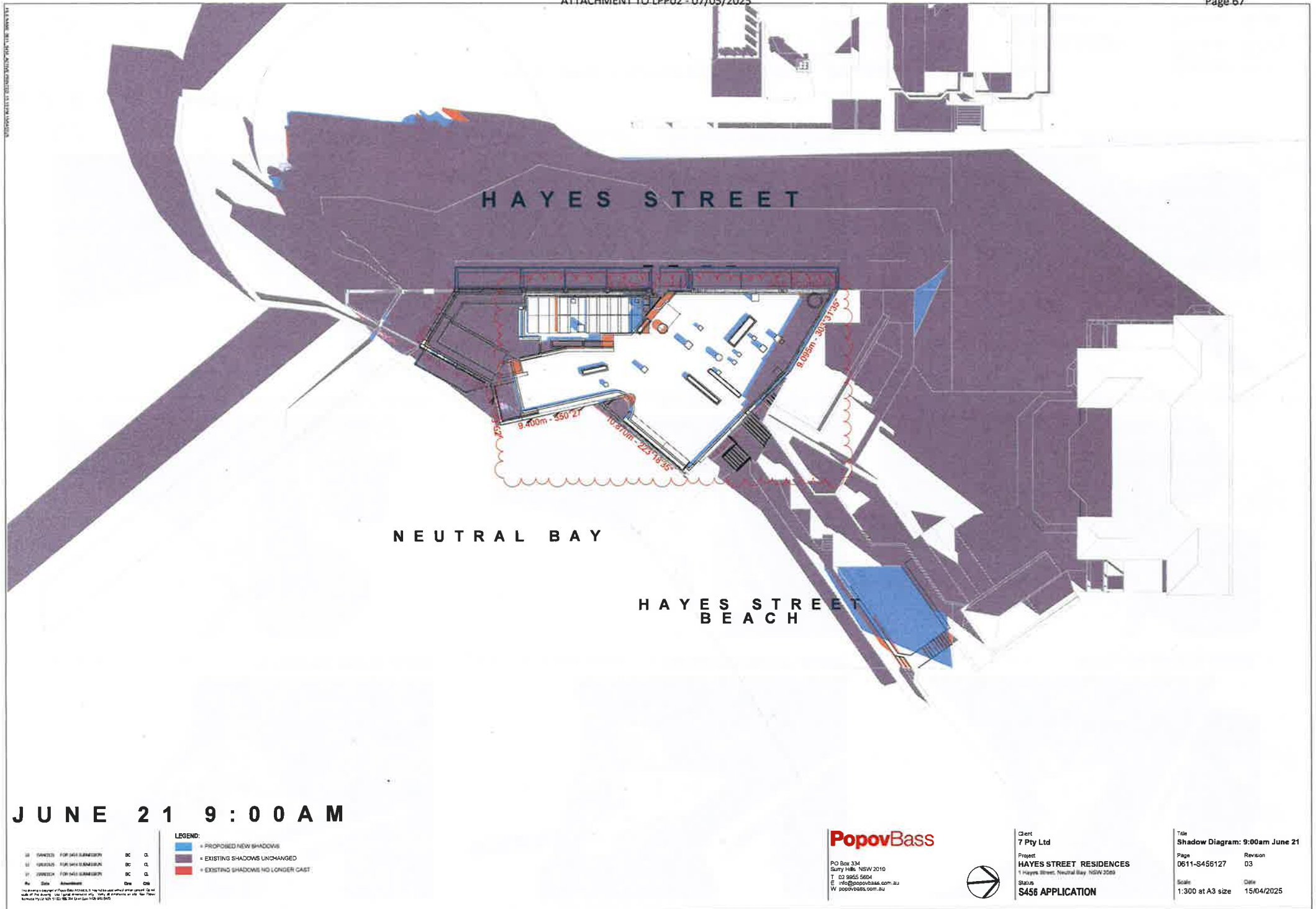
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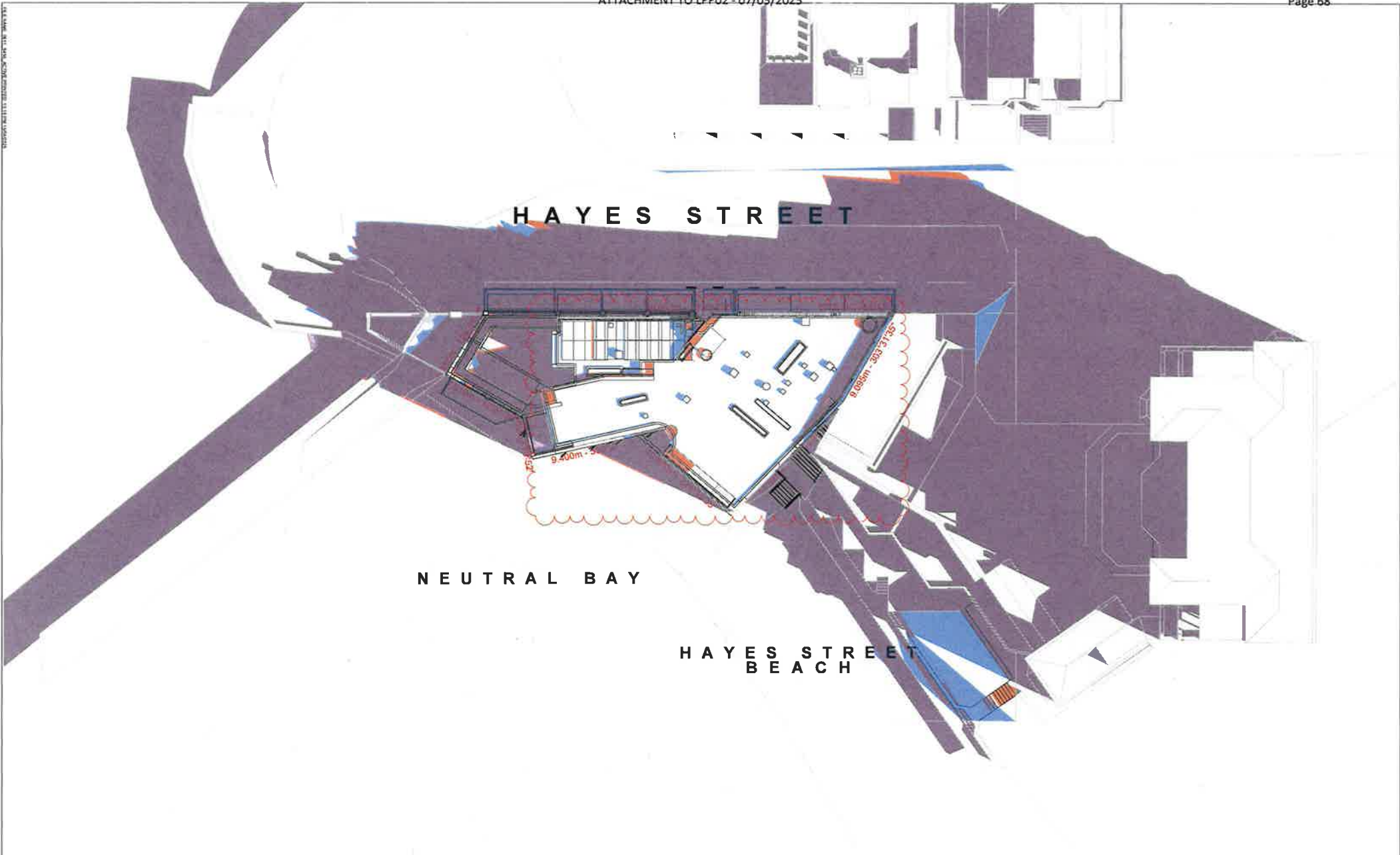
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Project  
HAYES STREET RESIDENCES  
1 Hayes Street, Neutral Bay NSW 2089  
Status  
S456 APPLICATION

Title  
Sun Eye Diagram March 21 -  
Proposed  
Page  
0611-S456126 03  
Scale  
1:100 at A3 size  
Date  
15/04/2025

USE: (SCHEDULE 1) FOR SALE (SCHEDULE 1) BC CL  
USE: (SCHEDULE 1) FOR SALE (SCHEDULE 1) BC CL  
USE: (SCHEDULE 1) FOR SALE (SCHEDULE 1) BC CL  
Rev Date Amendment Des OA  
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JUNE 21 10:00 AM

11	10/01/2025	FOR SALE SUBMISSION	BC	CL
12	10/01/2025	FOR SALE SUBMISSION	BC	CL
13	10/01/2025	FOR SALE SUBMISSION	BC	CL
14	10/01/2025	FOR SALE SUBMISSION	BC	CL
15	10/01/2025	FOR SALE SUBMISSION	BC	CL

LEGEND:  
= PROPOSED NEW SHADOWS  
= EXISTING SHADOWS UNCHANGED  
= EXISTING SHADOWS NO LONGER CAST

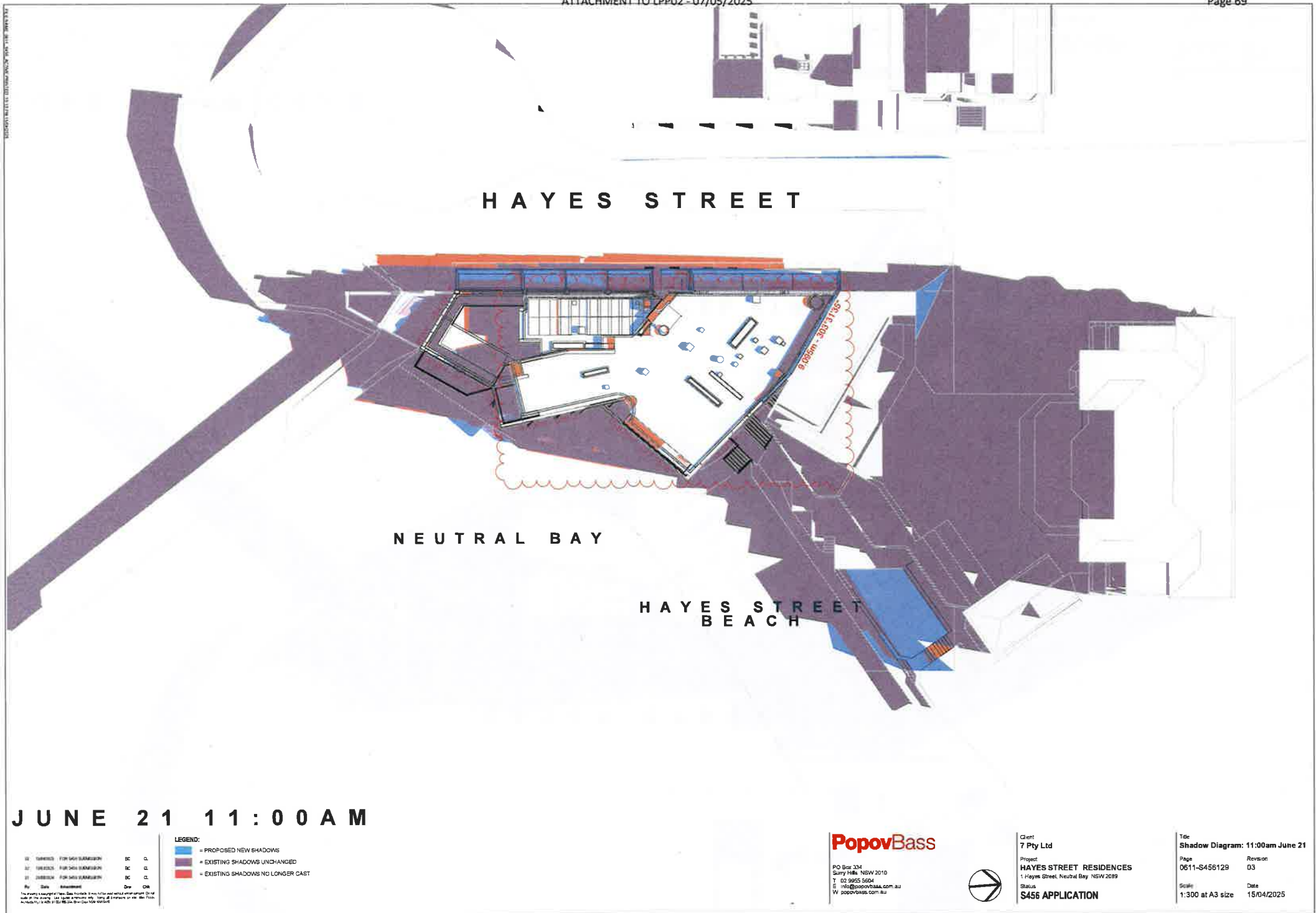
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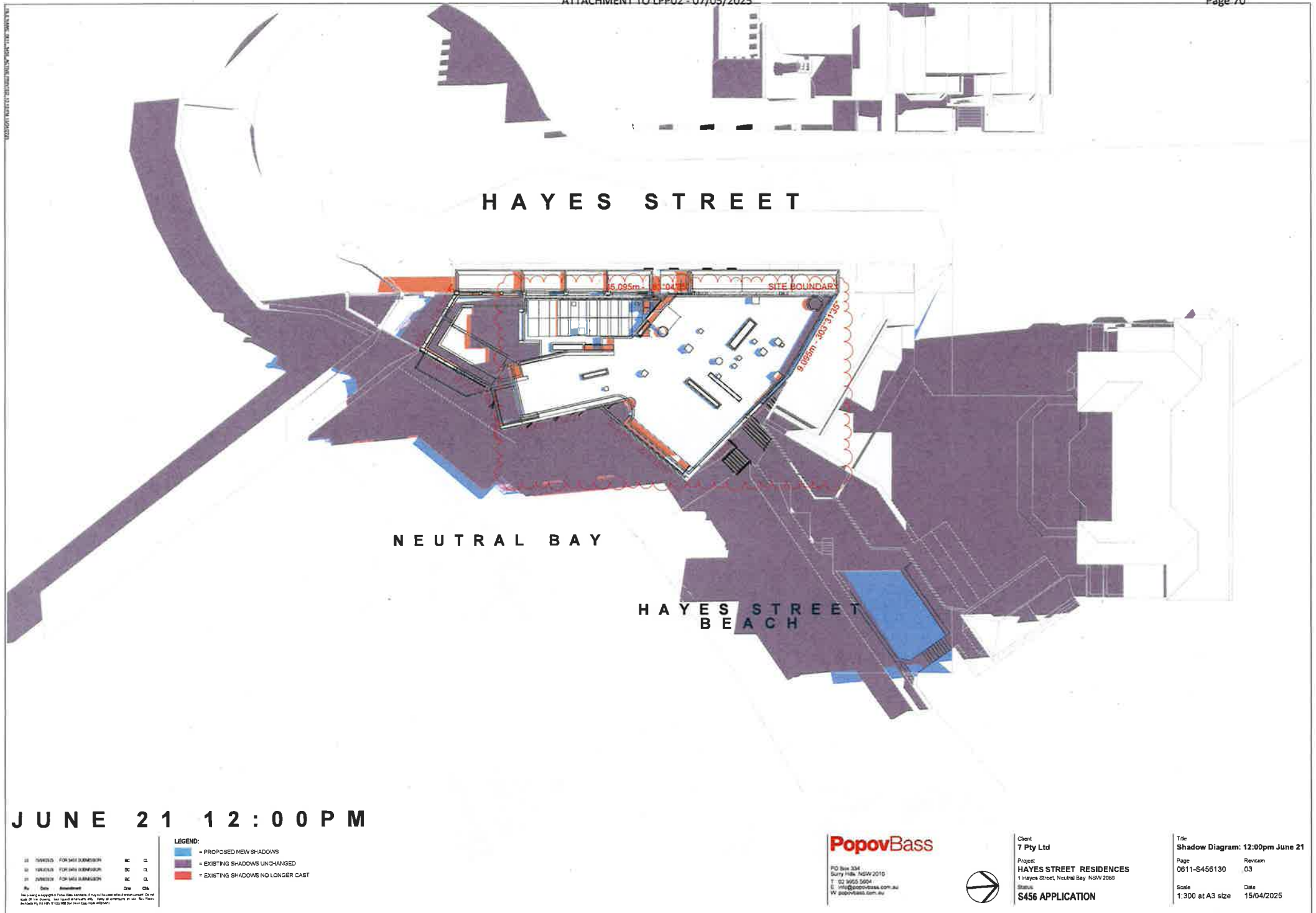
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W popovbass.com.au

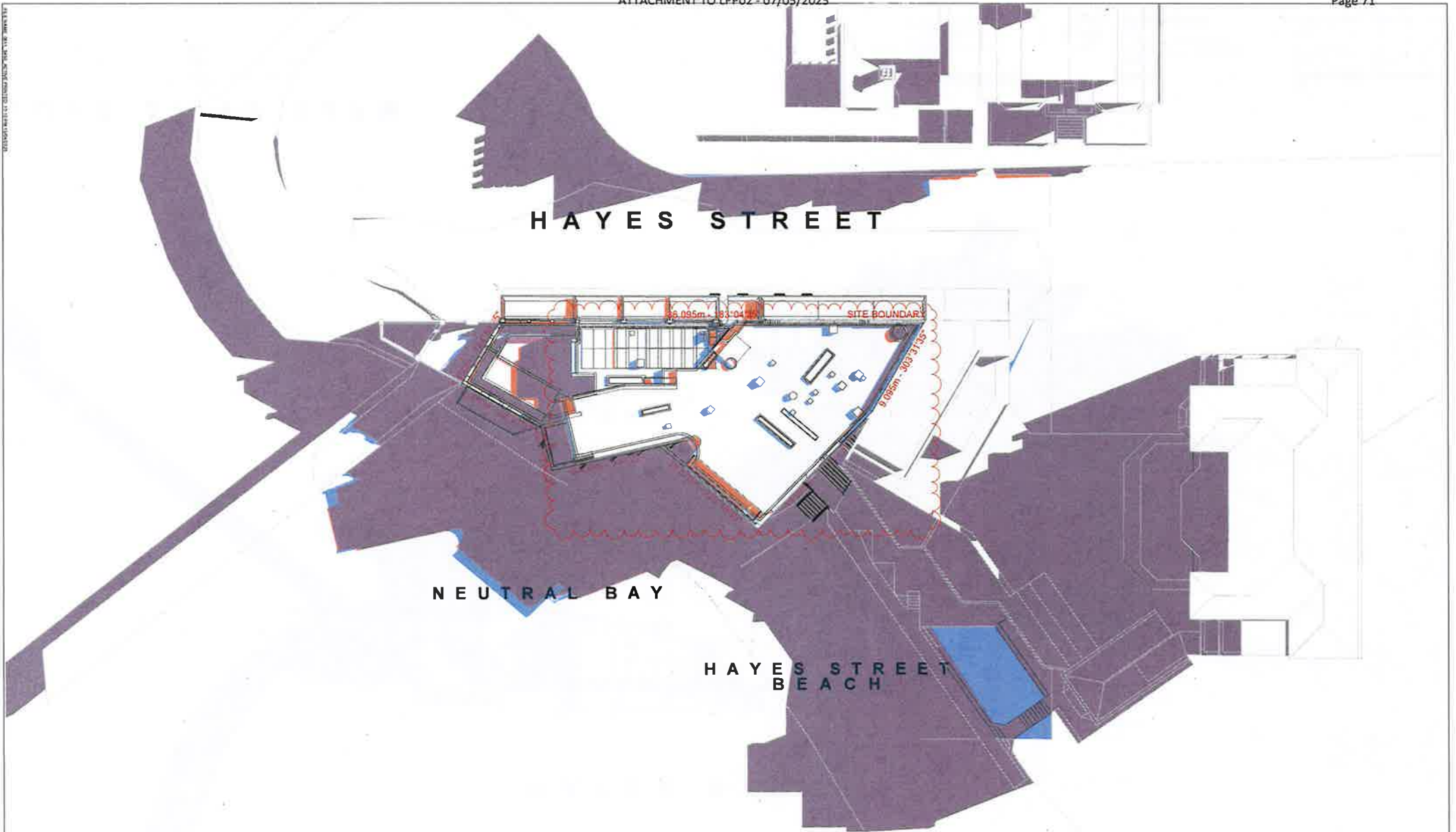


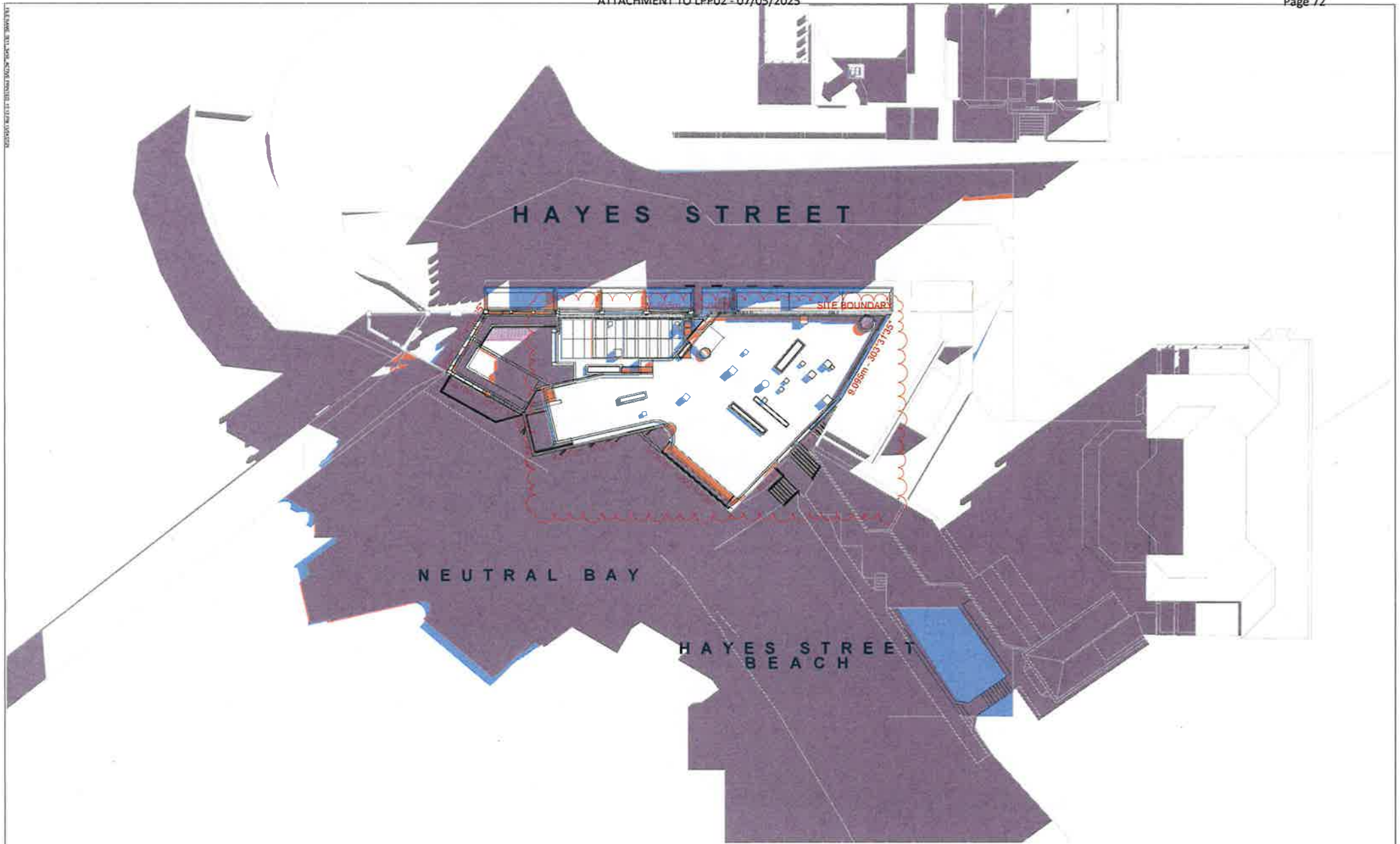
Client  
7 Pty Ltd  
Project  
HAYES STREET RESIDENCES  
1 Hayes Street, Neutral Bay NSW 2089  
Status  
S456 APPLICATION

Title  
Shadow Diagram: 10:00am June 21  
Page  
0611-S456128  
Revision  
03  
Scale  
1:300 at A3 size  
Date  
15/04/2025









**JUNE 21 2:00 PM**

**LEGEND:**

- PROPOSED NEW SHADOWS
- EXISTING SHADOWS UNCHANGED
- EXISTING SHADOWS NO LONGER CAST

10	10/10/2024	FOR S456 APPLICATION	BC	CL
11	11/11/2024	FOR S456 APPLICATION	BC	CL
12	12/12/2024	FOR S456 APPLICATION	BC	CL

Rev Date Reason Draw CDR  
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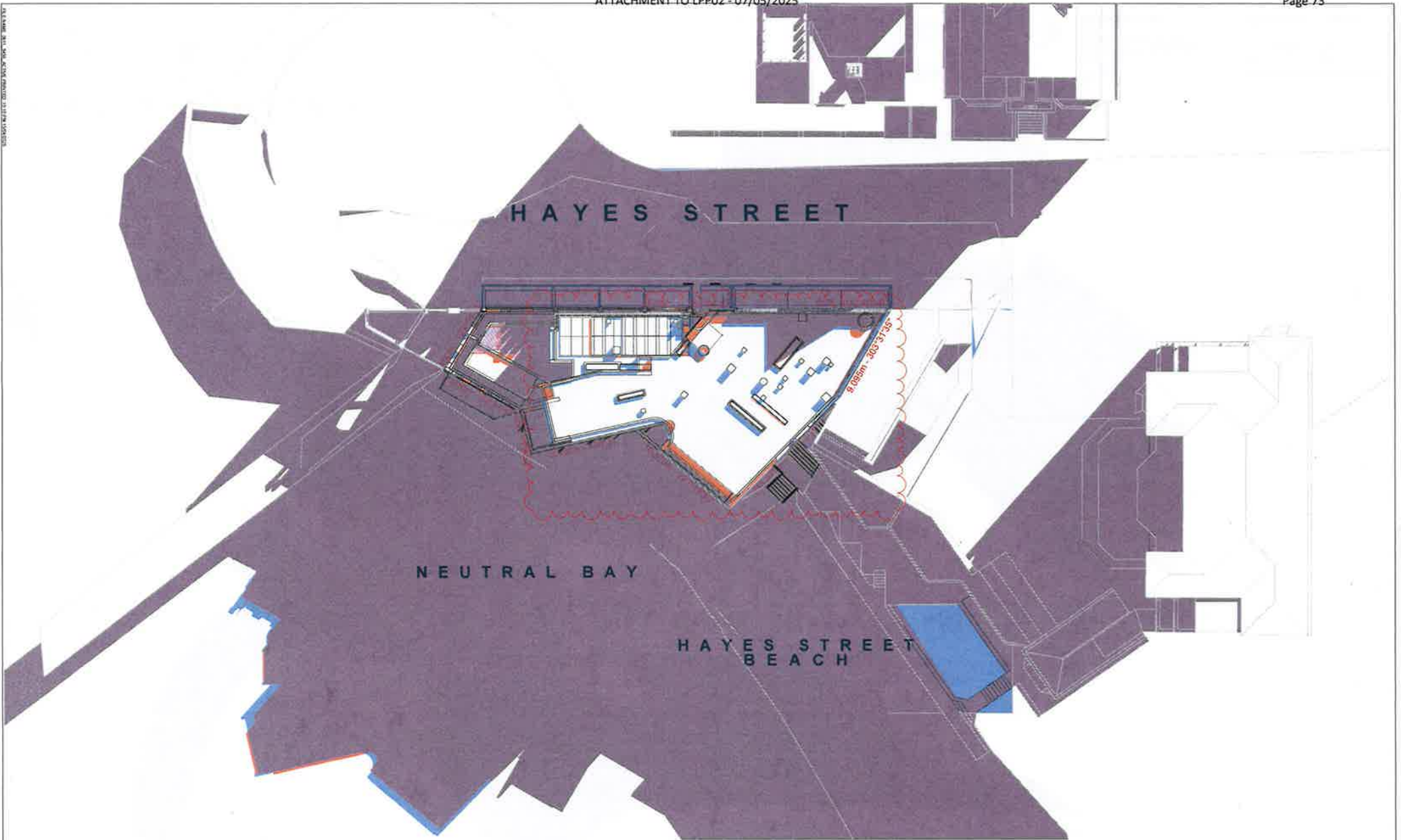
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**HAYES STREET RESIDENCES**  
 1 Hayes Street, Neutral Bay NSW 2089  
 Status:  
**S456 APPLICATION**

Title:  
**Shadow Diagram: 2:00pm June 21**  
 Page:  
 0611-S456132  
 Revision:  
 03  
 Scale:  
 1:300 at A3 size  
 Date:  
 15/04/2025



J U N E 2 1 3 : 0 0 P M

**LEGEND:**

\* PROPOSED NEW SHADOWS

 = EXISTING SHADOWS UNCHANGED

■ EXISTING SHADOWS NO LONGER CAST

18	10/24/2015	FIGHT WITH SUBSTITUTION	BC	Q
22	10/24/2015	FIGHT WITH SUBSTITUTION	BC	Q
31	10/24/2015	FIGHT WITH SUBSTITUTION	BC	Q

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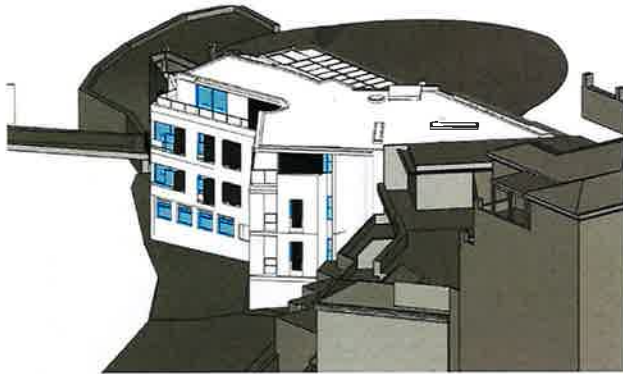
Project  
**HAYES STREET RESIDENCES**  
1 Hayes Street, Neutral Bay NSW 2089

Status  
**S456 APPLICATION**

Title  
**Shadow Diagram: 3:00pm June 21**

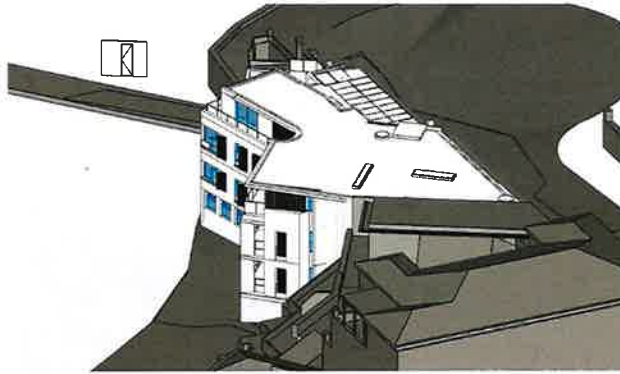
Page  
0611-S456133 Revision 03 |

Scale	Date
1:300 at A3 size	15/04/2025



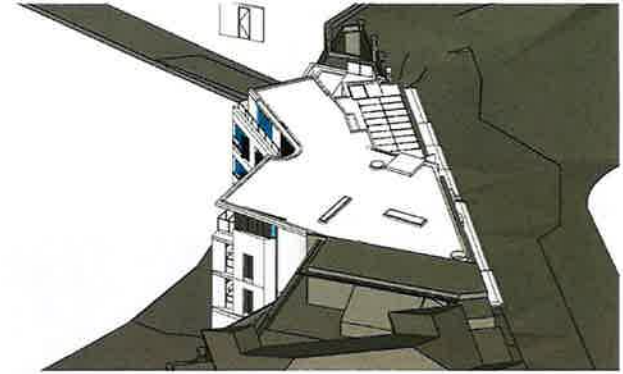
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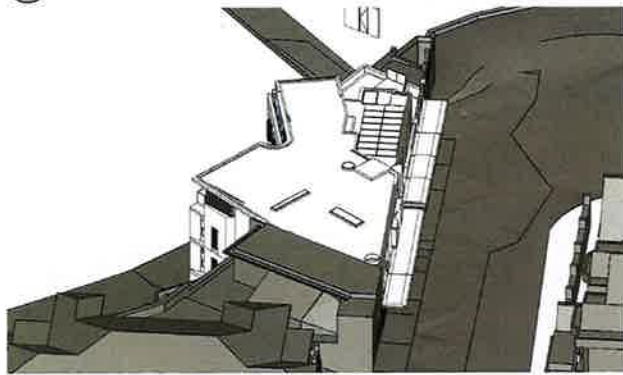
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Sun Eye View: June 21 - 10:00am



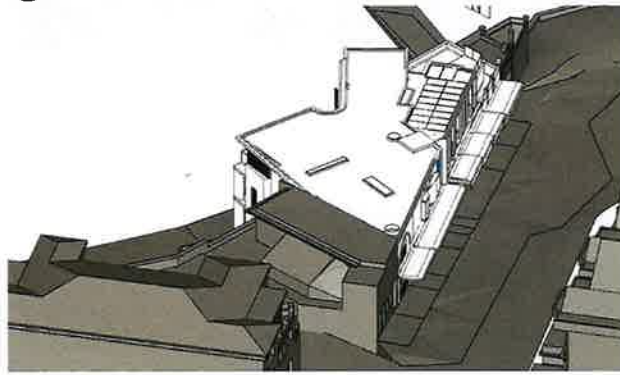
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Sun Eye View: June 21 - 11:00am



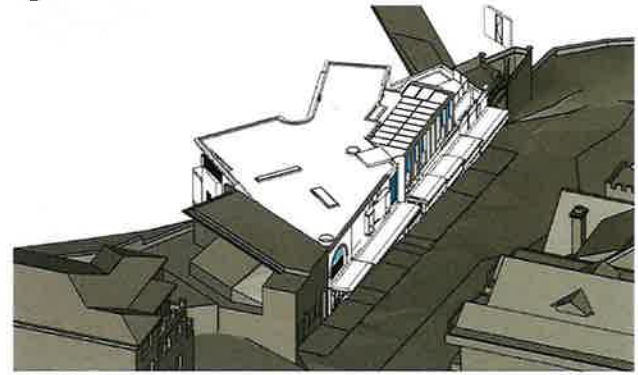
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Sun Eye View: June 21 - 12:00pm



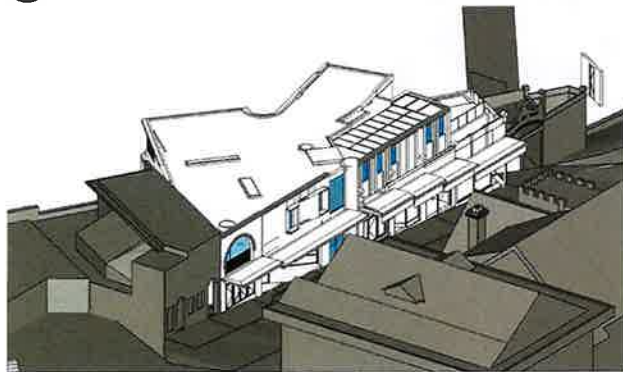
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Sun Eye View: June 21 - 12:30pm



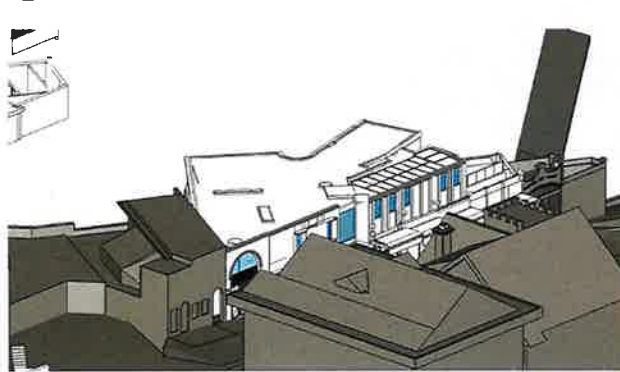
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Sun Eye View: June 21 - 1:00pm



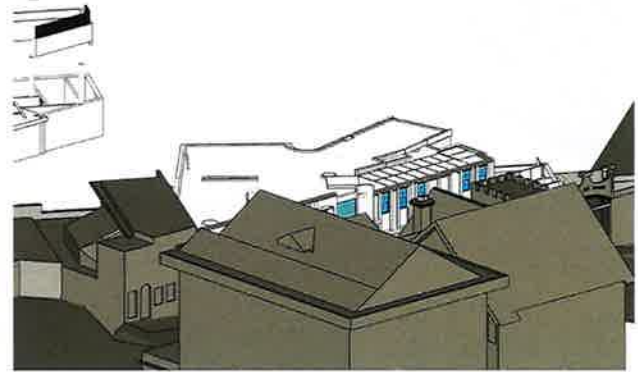
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Sun Eye View: June 21 - 2:00pm



8

Sun Eye View: June 21 - 2:30pm



9

Sun Eye View: June 21 - 3:00pm

J U N E 2 1

NOTE : AREAS OF GLAZING INDICATED IN BLUE

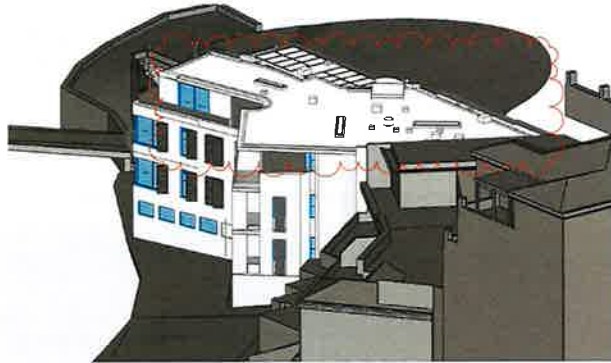
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Project:  
HAYES STREET RESIDENCES  
1 Hayes Street, Neutral Bay NSW 2089  
Status:  
S456 APPLICATION

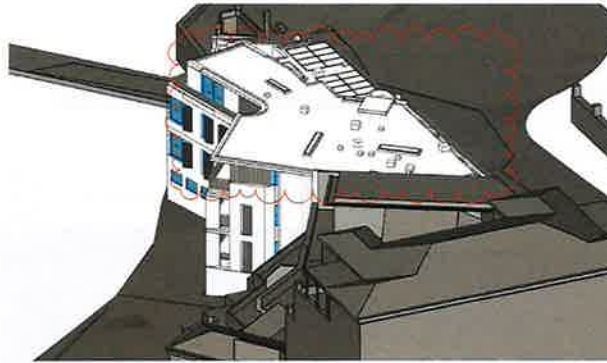
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Sun Eye Diagram June 21 -  
Approved  
Revision  
0611-S456134 02  
Scale:  
at A3 size  
Date:  
10/03/2025

10/03/2025 FOR S456 SUBMISSION DC CL  
10/03/2025 FOR S456 SUBMISSION EC CL  
By Date Approved Draw DB  
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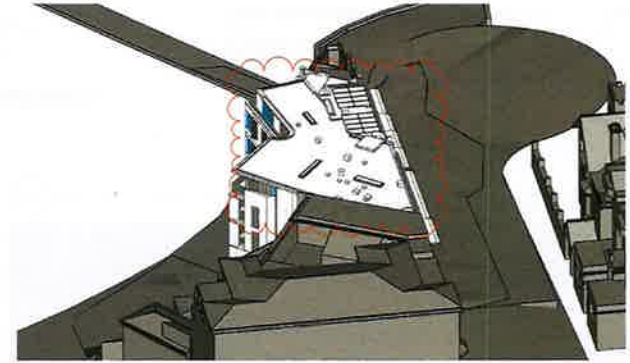
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Sun Eye View: June 21 - 9:00am



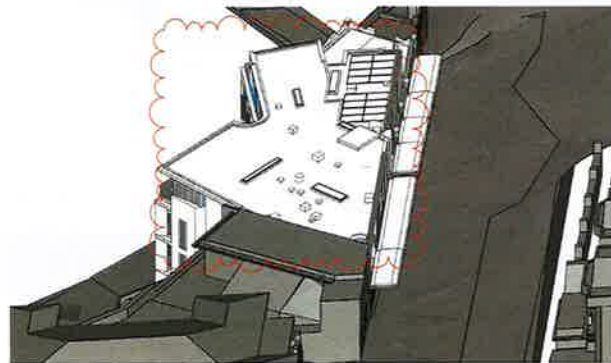
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Sun Eye View: June 21 - 10:00am



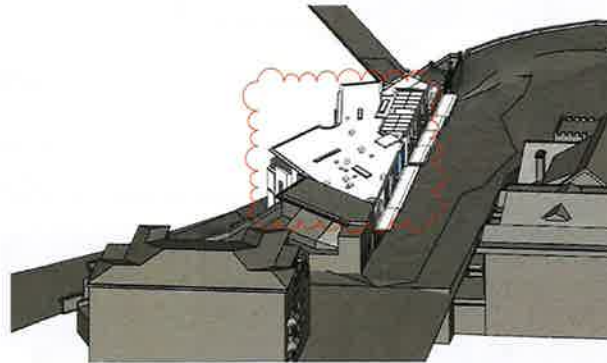
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Sun Eye View: June 21 - 11:00am



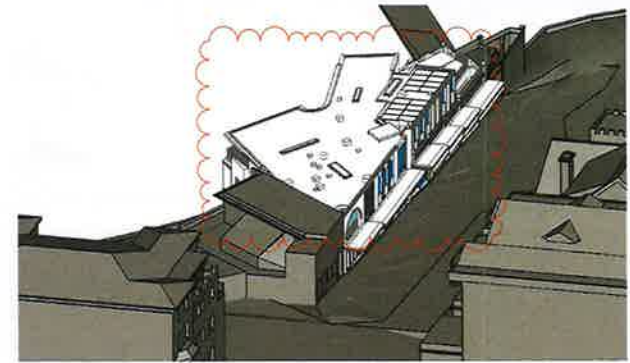
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Sun Eye View: June 21 - 12:00pm



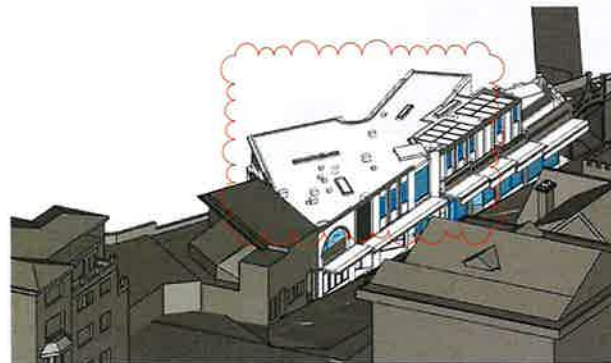
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Sun Eye View: June 21 - 12:30pm



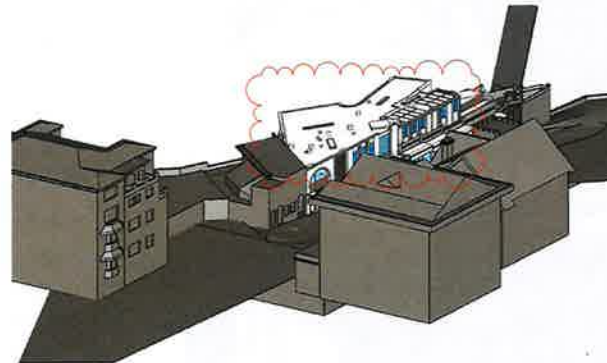
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Sun Eye View: June 21 - 1:00pm



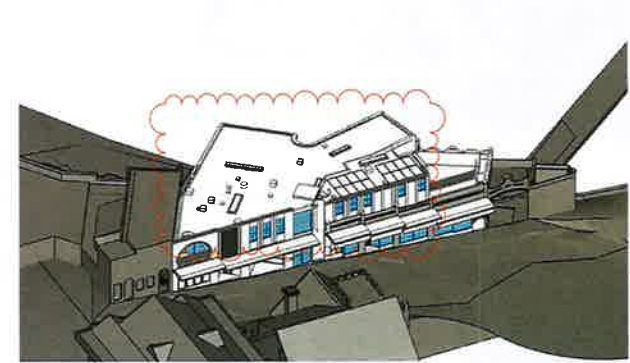
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Sun Eye View: June 21 - 2:00pm



8

Sun Eye View: June 21 - 2:30pm



9

Sun Eye View: March 21 - 3:00pm

JUNE 21

NOTE: AREAS OF GLAZING INDICATED IN BLUE

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**HAYES STREET RESIDENCES**  
 1 Hayes Street, Neutral Bay NSW 2088  
 Status  
**S456 APPLICATION**

Title  
**Sun Eye Diagram June 21 - Proposed**  
 Page  
**0611-S456135**  
 Revision  
**03**  
 Scale  
 at A3 size  
 Date  
 15/04/2025

10 10/04/2025 FOR INFO SUBMISSION NO 10  
 11 10/04/2025 FOR INFO SUBMISSION NO 11  
 12 10/04/2025 FOR INFO SUBMISSION NO 12  
 Rev Date Assessment Draw Date  
 The planning proposal of Hayes Street Residences 1 may not be used without endorsement. Do not  
 make of the proposal, and apply for consent with 10/04/2025 or 11/04/2025 or 12/04/2025  
 Approved 11/04/2025 11/04/2025 11/04/2025



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Title  
**Shadow Diagram: 9:00am**  
September 21  
Page  
0611-S456136  
Revision  
03  
Scale  
1:300 at A3 size  
Date  
15/04/2025

HAYES STREET

NEUTRAL BAY

HAYES STREET  
BEACH

SEPTEMBER 21 10:00 AM

## LEGEND:

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- = EXISTING SHADOWS UNCHANGED
- = EXISTING SHADOWS NO LONGER CAST

01	PROPOSED - POPPOVBASS RESIDENCES	NC	Q
02	PROPOSED - POPPOVBASS RESIDENCES	NC	Q
03	PROPOSED - POPPOVBASS RESIDENCES	NC	Q
04	DATE: 15/04/2025	DATE	DATE

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HAYES STREET RESIDENCES  
1 Hayes Street, Neutral Bay, NSW 2059

Status  
S456 APPLICATION

Title  
Shadow Diagram: 10:00am  
September 21  
Page  
0611-S456137 03

Scale  
1:300 at A3 size

Date  
15/04/2025

HAYES STREET

NEUTRAL BAY

HAYES STREET  
BEACH

SEPTEMBER 21 11:00AM

13	REMOVED	FOR WALL REMOVAL	AC	D.
14	REMOVED	FOR WALL REMOVAL	AC	D.
15	REMOVED	FOR WALL REMOVAL	BC	D.

Rev: Date: Amendment: Drawn: CNA

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1 Hayes Street, Neutral Bay NSW 2089  
Status:  
S456 APPLICATION

Title:  
Shadow Diagram: 11:00am  
September 21  
Page:  
0611-S456138 03  
Scale:  
1:300 at A3 size  
Date:  
15/04/2025

HAYES STREET

NEUTRAL BAY

HAYES STREET  
BEACH

SEPTEMBER 21 12:00 PM

## LEGEND:

- = PROPOSED NEW SHADOWS
- = EXISTING SHADOWS UNCHANGED
- = EXISTING SHADOWS NO LONGER CAST

14	REVISION	FOR S456 SUBMISSION	BC	Q
12	REVISION	FOR S456 SUBMISSION	BC	Q
11	REVISION	FOR S456 SUBMISSION	BC	Q
10	REVISION	FOR S456 SUBMISSION	BC	Q

Rev Date Amendment Drawn By

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Status  
**S456 APPLICATION**

Title  
Shadow Diagram: 12:00pm  
September 21

Page  
0611-S456139 03

Scale  
1:300 at A3 size

Date  
15/04/2025

HAYES STREET

NEUTRAL BAY

HAYES STREET  
BEACH

SEPTEMBER 21 1:00 PM

12	FORWARDED FOR S456 DETERMINATION	BC	CL
13	FORWARDED FOR S456 DETERMINATION	BC	CL
14	FORWARDED FOR S456 DETERMINATION	BC	CL

Rev Date Amendment Dwg CM

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1 Hayes Street, Neutral Bay NSW 2089

Drawn  
**S456 APPLICATION**

Title  
**Shadow Diagram: 1:00pm**

Date  
**September 21**

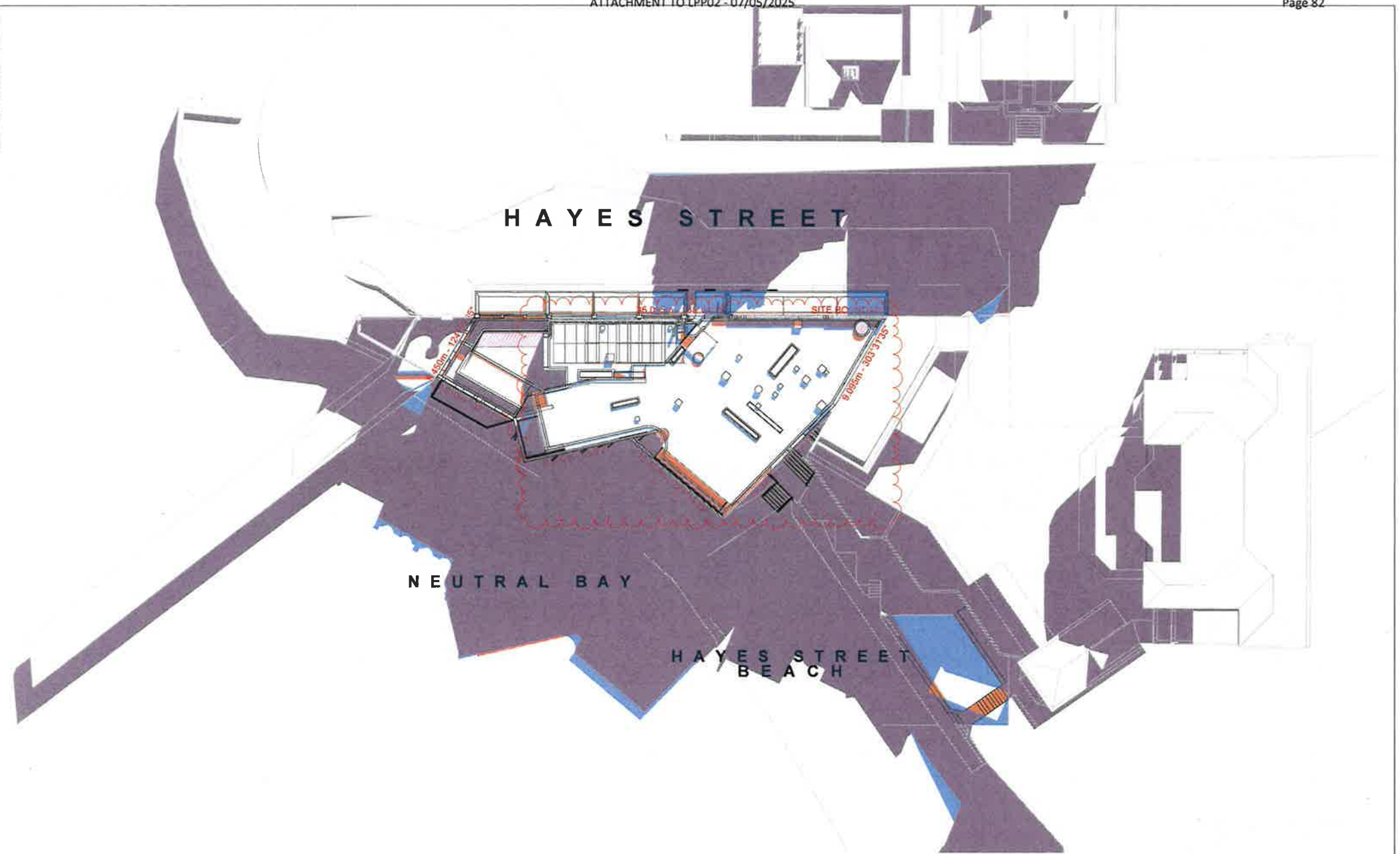
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Revision  
**03**

Scale  
**1:300 at A3 size**

Date  
**15/04/2025**





SEPTEMBER 21 3:00 PM

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11	10/09/2024	FOR S456 SUBMISSION	BC	CL
12	10/09/2024	FOR S456 SUBMISSION	BC	CL

Rev Date Amendment Drawn By

LEGEND:

- = PROPOSED NEW SHADOWS
- = EXISTING SHADOWS UNCHANGED
- = EXISTING SHADOWS NO LONGER CAST

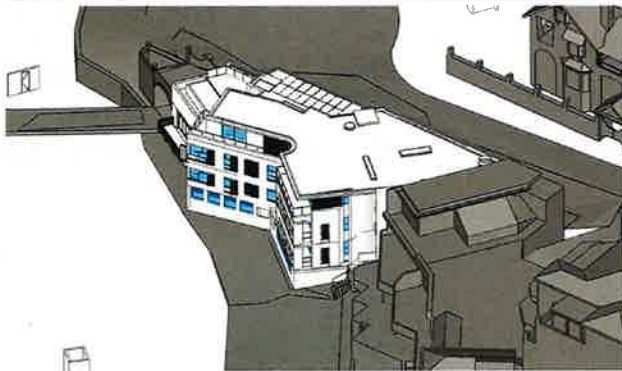
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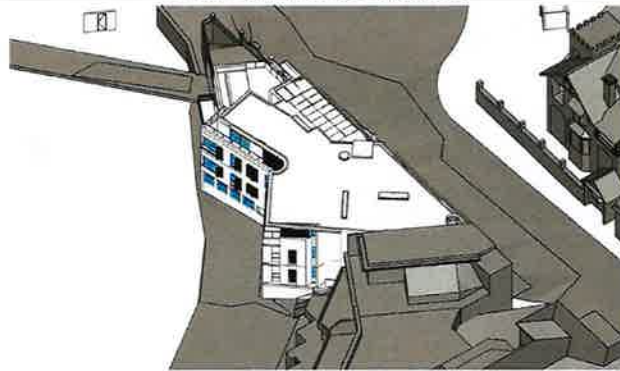


Client  
7 Pty Ltd  
Project  
HAYES STREET RESIDENCES  
1 Hayes Street, Neutral Bay NSW 2059  
Status  
S456 APPLICATION

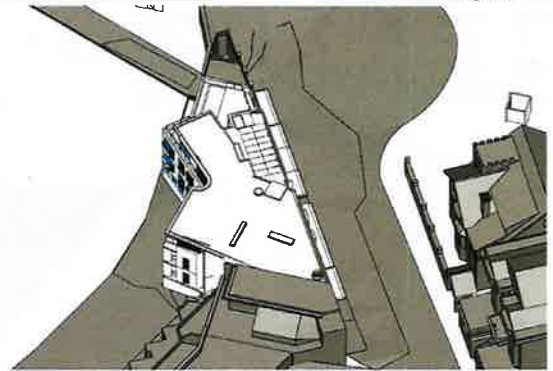
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September 21  
Page  
0611-S456142  
Revision  
03  
Scale  
1:300 at A3 size  
Date  
15/04/2025



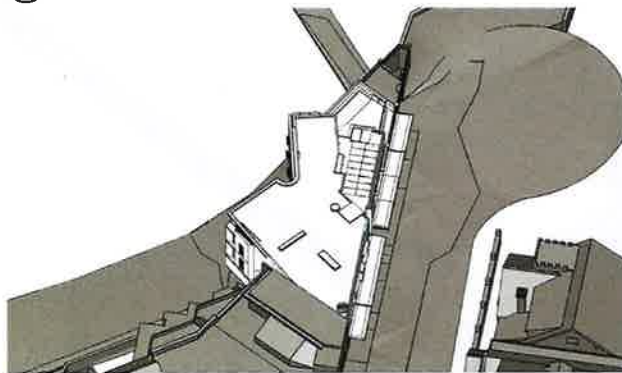
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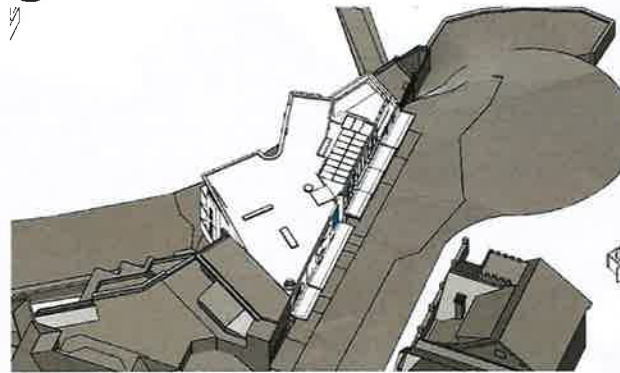
Sun Eye View: September 21 - 10:00am



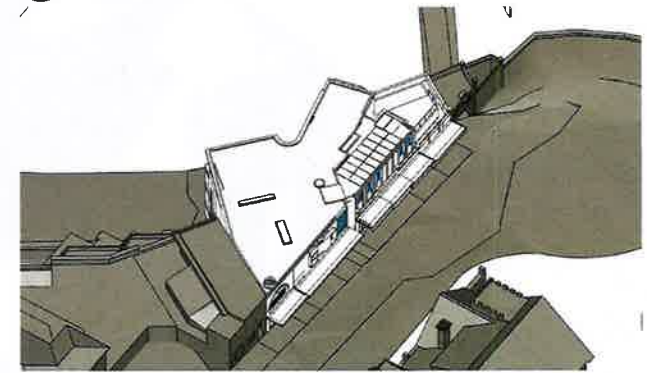
Sun Eye View: September 21 - 11:00am



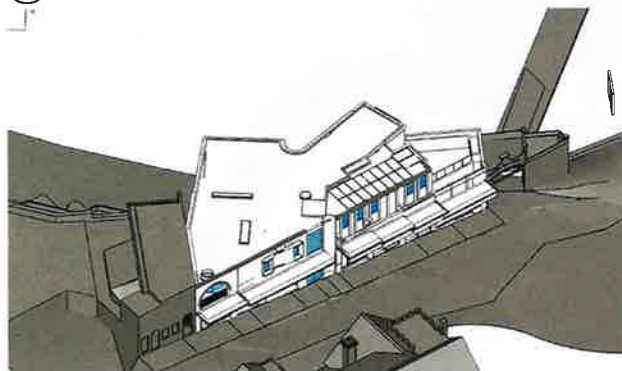
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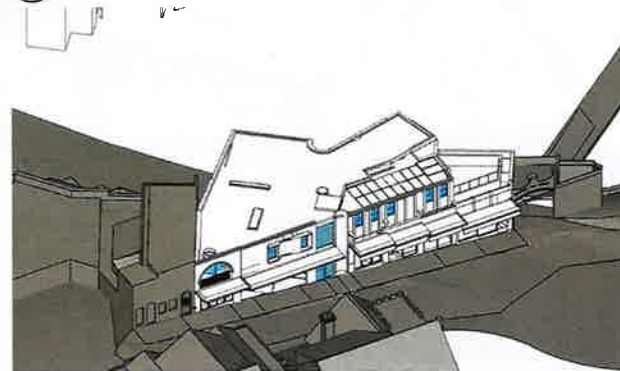
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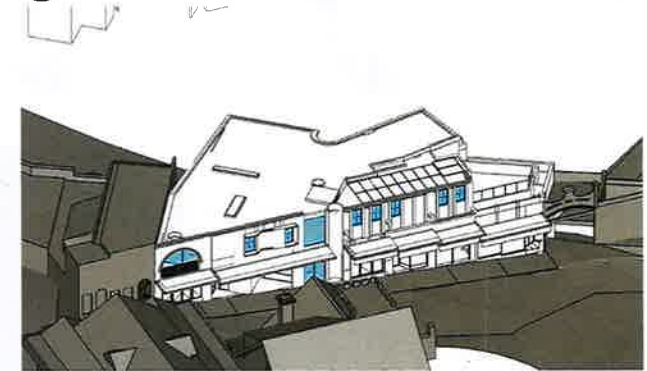
Sun Eye View: September 21 - 1:00pm



Sun Eye View: September 21 - 2:00pm



Sun Eye View: September 21 - 2:30pm



Sun Eye View: September 21 - 3:00pm

S E P T E M B E R 2 1

NOTE : AREAS OF GLAZING INDICATED IN BLUE

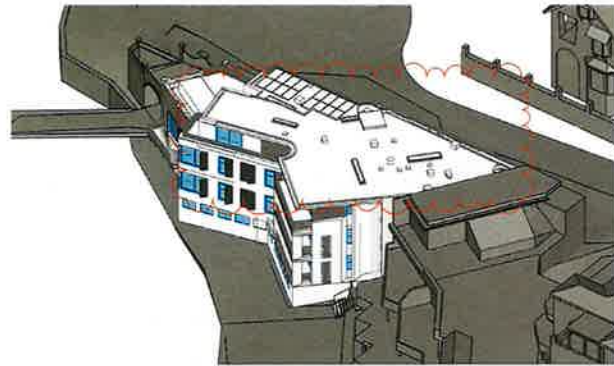
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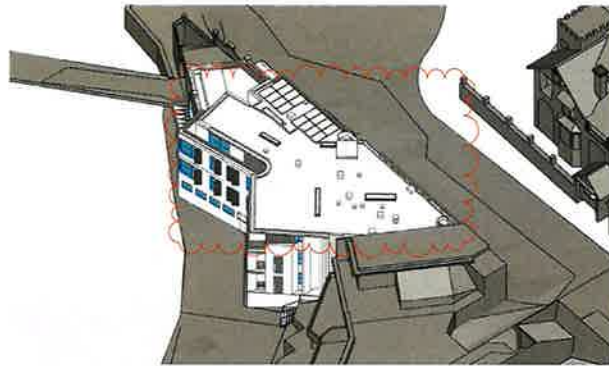
Client  
7 Pty Ltd  
Project  
HAYES STREET RESIDENCES  
1 Hayes Street, Neutral Bay NSW 2059  
Status  
S456 APPLICATION

Title  
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Approved  
Page 0611-S456143 02  
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Date  
10/03/2025

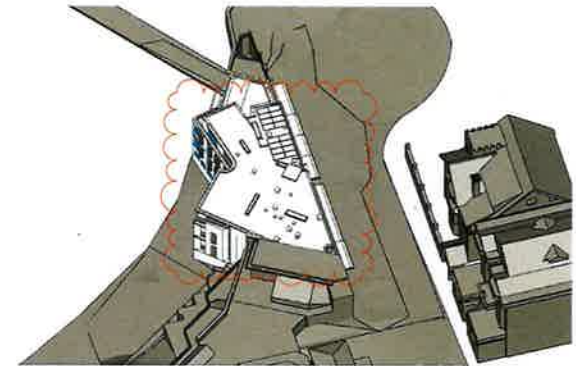
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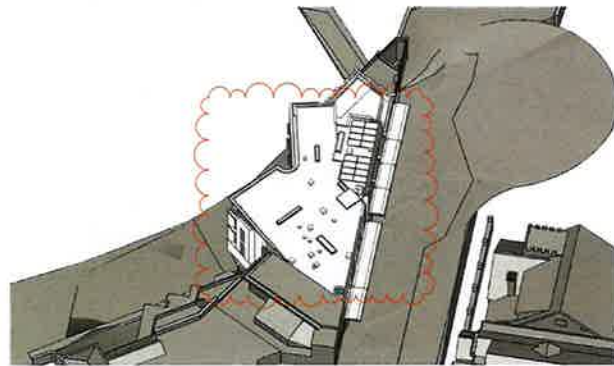
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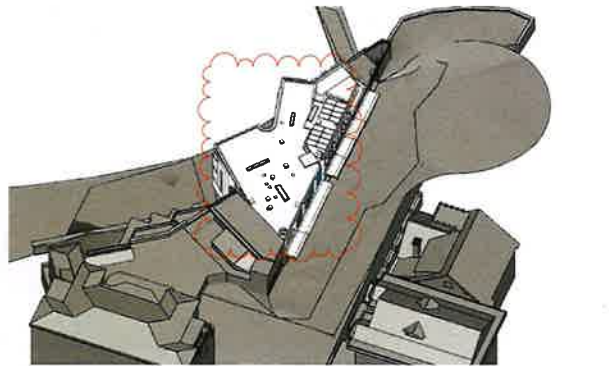
2 Sun Eye View: September 21 - 10:00am



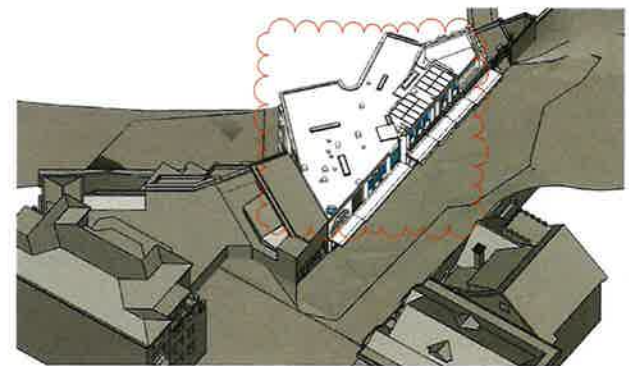
3 Sun Eye View: September 21 - 11:00am



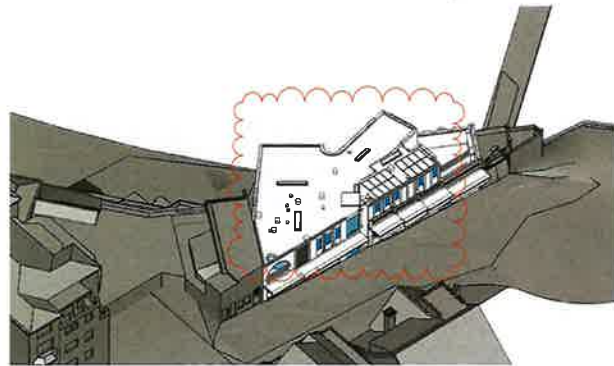
4 Sun Eye View: September 21 - 12:00pm



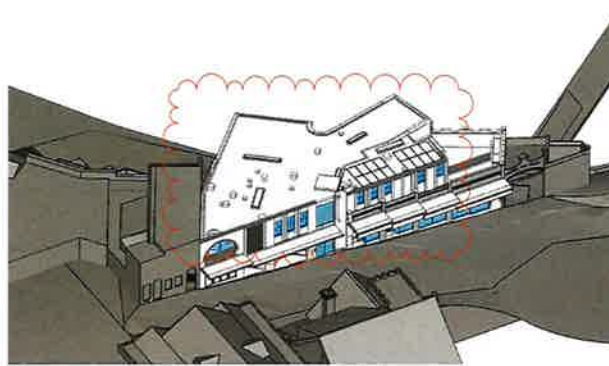
5 Sun Eye View: September 21 - 12:30pm



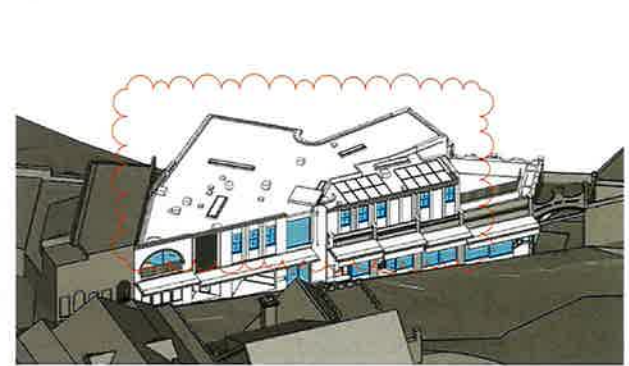
6 Sun Eye View: September 21 - 1:00pm



7 Sun Eye View: March 21 - 2:00pm



8 Sun Eye View: September 21 - 2:30pm



9 Sun Eye View: September 21 - 3:00pm

S E P T E M B E R 2 1

N O T E : AREAS OF GLAZING INDICATED IN BLUE

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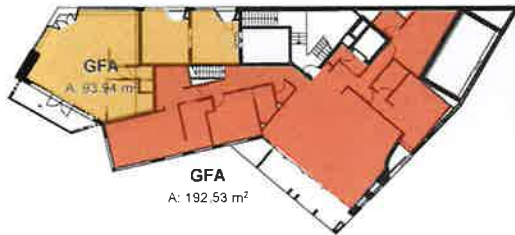
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7 Pty Ltd  
Project  
HAYES STREET RESIDENCES  
1 Hayes Street, Neutral Bay NSW 2088  
Status  
S456 APPLICATION

Title  
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Proposed  
Page  
0611-S456144  
Revision  
03  
Scale  
at A3 size  
Date  
15/04/2025

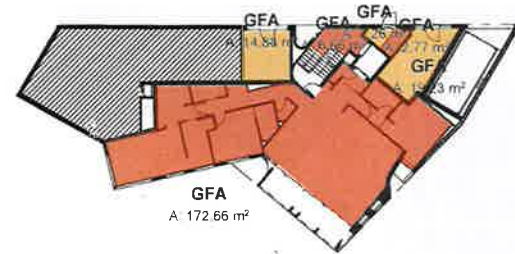
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Pb Date Issued/Rev  
Dw Chs  
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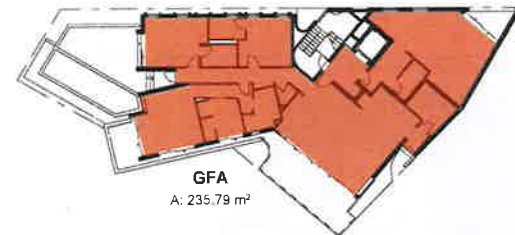
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1:400



2 **Level 01 Approved GFA**  
1:400



3 **Level 02 Approved GFA**  
1:400



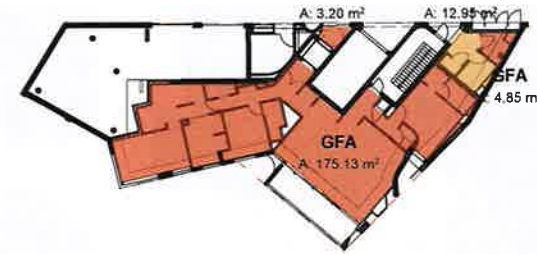
4 **Level 03 Approved GFA**  
1:400



5 **Basement - Proposed**  
1:400



6 **Level 01 - Proposed**  
1:400



7 **Level 02 - Proposed**  
1:400



8 **Level 03 - Proposed**  
1:400

## Area Schedule

POPOVBASS ARCHITECTS

### Controls

Site Area	422.4 sqm
FSR	1:1
Height Limit	8.5 m

Existing	Basement	Level 1	Level 2	Level 3	TOTAL
GFA Residential	112.0	108.4	140.1	270.0	630.5
GFA Retail		94.5	104.8		199.3
<b>Total GFA</b>					<b>829.8 sqm</b>

DA APPROVED	Basement	Level 1	Level 2	Level 3	TOTAL
GFA Residential	84.4	192.5	182.1	235.8	694.8
GFA Retail		93.9	36.4		130.3
<b>Total GFA</b>					<b>825.1 sqm</b>

Proposed	Basement	Level 1	Level 2	Level 3	TOTAL
GFA Residential	49.0	196.2	183.2	251.8	680.3
GFA Retail		97.1	13.0		110.0
<b>Total GFA</b>					<b>790.3 sqm</b>

10. THESE PLANS ARE FOR INFORMATION ONLY AND ARE NOT TO BE USED FOR CONSTRUCTION. ANY CHANGES TO THE PLANS MUST BE APPROVED BY THE ARCHITECT. THE ARCHITECT'S OFFICE IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS IN THESE PLANS.

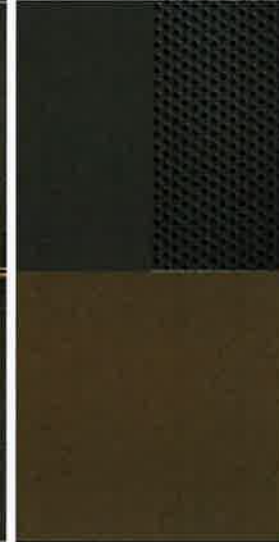
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Status  
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Title  
**GFA Diagrams**  
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D611-S456145  
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02  
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1:400 at A3 size  
Date  
10/03/2025

CO  
CONCRETETL1  
WHITE TILES  
TYPE 2 (LIGHT)TL2  
GREEN TILES  
TYPE 1 (DARK)MT1  
AGED ZINC (DARK)PF1  
DULUX TEA CHEST  
(MEDIUM)  
MT2  
WINDOW FRAMES AND  
METAL WORKSMT3  
METAL WORKS (LIGHT)MB  
METAL BALUSTRADE  
GB  
GLAZED BALUSTRADEFAB  
FABRIC (LIGHT)BR  
BRICKWORK  
BOWRAL BLENDS BARGOSC1  
ANGLED BLADE SCREENSC2  
CERAMIC BATTENRM  
RENDERED MASONRY (LIGHT)  
RCO  
RENDERED CONCRETE (LIGHT)

## LEGEND:

CO	CONCRETE	GB	GLASS BALUSTRADE
RCO	RENDERED CONCRETE	MB	METAL BALUSTRADE
BR	BRICKWORK	MT1	METAL TYPE 1
RM	RENDERED MASONRY	MT2	METAL TYPE 2
TL1	TILES (LIGHT)	MT3	METAL TYPE 3
TL2	TILES (DARK)	PF1	PAINTE FRESH 1
SC1	METAL SCREEN	SKY	GLAZED SKYLIGHT
SC2	CERAMIC SCREEN		

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**S456 APPLICATION**

Title  
**Exterior Palette**

Page  
0611-S456146

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02

Scale  
at A3 size

Date  
10/03/2025



IMAGE 1  
VIEW FROM HAYES STREET.  
IMAGE PREPARED BY LUCID METAL.

NO.	DATE	REVISION	BY	CHK
01	10/03/2025	1.00	W. POPOV	W. POPOV
02	10/03/2025	1.01	W. POPOV	W. POPOV

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Project:  
**HAYES STREET RESIDENCES**  
1 Hayes Street, Neutral Bay, NSW 2088  
Status:  
**S456 APPLICATION**

Title:  
**Photomontage**  
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0611-S456147  
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02  
Scale:  
at A3 size  
Date:  
10/03/2025



IMAGE 2  
VIEW FROM NEUTRAL BAY WHARF.  
IMAGE PREPARED BY LUCID METAL.



IMAGE 3  
VIEW FROM HAYES STREET BEACH.  
IMAGE PREPARED BY LUCID METAL.

01	REVISIONS FOR INFO CONSULTATION	BC	Q
02	REVISIONS FOR INFO CONSULTATION	BC	Q
03	REVISIONS FOR INFO CONSULTATION	BC	Q
04	REVISIONS FOR INFO CONSULTATION	BC	Q
05	REVISIONS FOR INFO CONSULTATION	BC	Q
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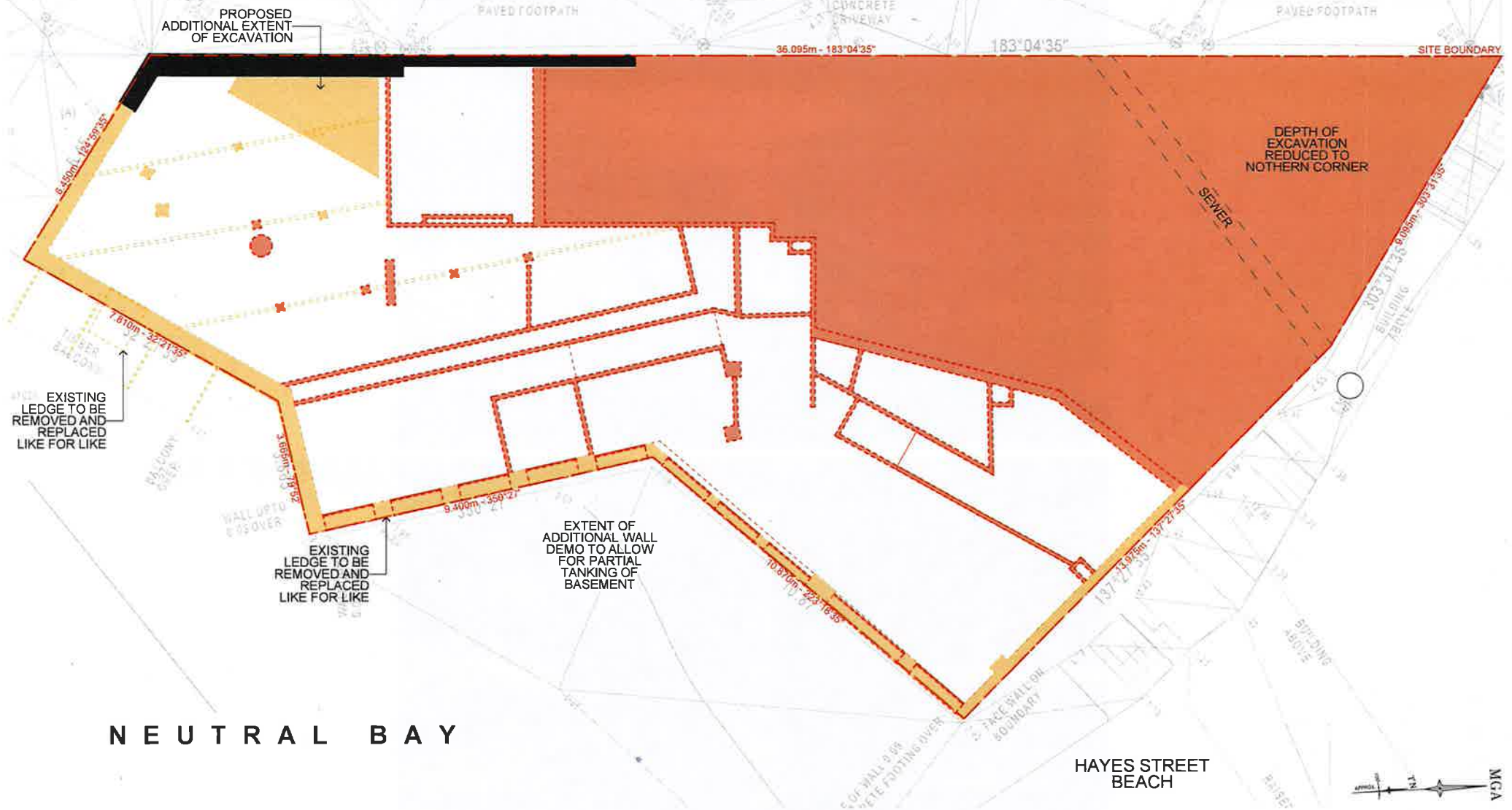
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Title  
**Photomontage**  
Page  
0611-S456148  
Revision  
02  
Scale  
at A3 size  
Date  
10/03/2025

# HAYES STREET (above)



## NOTES:

ALL LEVELS TO BE DEMOLISHED TO SURFACE FOR INFORMATION RELATING TO EXISTING SITE DATA.  
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## LEGEND

EXISTING BUILDING ELEMENTS  
APPROVED EXTENT OF DEMOLISHED BUILDING ELEMENTS  
PROPOSED ADDITIONAL DEMOLITION

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1 Hayes Street, Neutral Bay NSW 2088  
Status  
**S456 APPLICATION**

Title  
**Basement Demolition Plan**

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0611-S456149 02  
Scale  
1:100 at A3 size  
Date  
10/03/2025

## HAYES STREET

PAVED FOOTPATH

CONCRETE DRIVEWAY

METAL AWNING ABOVE

PAVED FOOTPATH

SITE BOUNDARY

PROPOSED  
ADDITIONAL  
DEMOLITION OF  
FLOOR SHOWN IN  
YELLOW

EXISTING  
BALCONY TO BE  
REMOVED AND  
REINSTATED  
LIKE FOR LIKE

NEUTRAL BAY

HAYES STREET  
BEACH

## NOTES:

- ALL LEVELS TO AHD
- REFER TO SURVEY FOR INFORMATION RELATING TO EXISTING SITE DATA
- ALL DIMENSIONS TO BE READ IN CONJUNCTION WITH PREPARATION & REPORTS PREPARED BY OTHER CONSULTANTS
- A TRIANGULAR AND ADDITIONAL COLOURED TO CORNER'S SPECIFICATIONS
- RECONSTRUCTION OF EXISTING FLOOR SLABS AND WALLS WHERE REQUIRED BY THE STRUCTURAL ENGINEER DUE TO STRUCTURAL INADEQUACY. ALL TO ALL FLOORS ARE TO BE READ AS APPROXIMATE WITH EXCEPTION OF THE TOP MOST BUILDING ELEMENTS PRECISE AT 1:1

## LEGEND



- EXISTING BUILDING ELEMENTS
- APPROVED EXTENT OF DEMOLISHED BUILDING ELEMENTS
- PROPOSED ADDITIONAL DEMOLITION

BY	DATE	REVISION	BY	DATE	REVISION
1	10/03/2025	FOR LPP02 SUBMISSION	EC	CL	
2	10/03/2025	FOR S456 SUBMISSION	EC	CL	
3	10/03/2025	FOR S456 SUBMISSION	EC	CL	

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**HAYES STREET RESIDENCES**  
1 Hayes Street, Neutral Bay NSW 2059

Status:  
**S456 APPLICATION**

Title:  
**Level 01 Demolition Plan**

Page:  
**0611-S456150 02**

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**1:100 at A3 size**

Date:  
**10/03/2025**

## HAYES STREET

## NEUTRAL BAY

HAYES STREET  
BEACH

## NOTES:

1. ALL LEVELS TO MSL  
 2. REFER TO SUPPLY FOR INFORMATION RELATING TO EXISTING  
 3. ALL DIMENSIONS TO BE MEASURED TO FACE UNLESS  
 4. DIMENSIONS AND REPORTS PREPARED BY OTHER CONSULTANTS  
 5. DIMENSIONS AND REPORTS CHECKED TO CORRECTLY  
 6. DIMENSIONS  
 7. DIMENSIONS OF EXISTING BUILDINGS AND WALLS  
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 98. DIMENSIONS OF EXISTING BUILDINGS AND WALLS  
 99. DIMENSIONS OF EXISTING BUILDINGS AND WALLS  
 100. DIMENSIONS OF EXISTING BUILDINGS AND WALLS

- EXISTING BUILDING ELEMENTS  
 ■ APPROVED EXTENT OF DEMOLISHED BUILDING ELEMENTS  
 ■ PROPOSED ADDITIONAL DEMOLITION

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**7 Pty Ltd**  
 Project:  
**HAYES STREET RESIDENCES**  
 1 Hayes Street, Neutral Bay NSW 2089  
 Status:  
**S456 APPLICATION**

Title:  
**Level 02 Demolition Plan**  
 Page:  
 0511-S456151  
 Revision:  
 02  
 Scale:  
 1:100 at A3 size  
 Date:  
 10/03/2025

# NEUTRAL BAY

## HAYES STREET BEACH

  = EXISTING BUILDING ELEMENTS  
  = APPROVED EXTENT OF DEMOLISHED BUILDING ELEMENTS  
  = PROPOSED ADDITIONAL DEMOLITION

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Title  
**Level 03 Demolition Plan**

Page  
0611-S456152

Revision  
02

Scale  
1:100 at A3 size

Date  
10/03/2025



# NEUTRAL BAY

- ALL LEVELS TO BE RECONSTRUCTED IN ACCORDANCE WITH SPECIFICATIONS AND REQUIREMENTS OF OTHER CONSULTANTS.
- ALTERATIONS AND ADDITIONS CO-RELATED TO COUNCIL'S DECISIONS.
- RECONSTRUCTION OF EXISTING FLOOR SLABS AND WALLS WHERE REQUIRED BY THE STRUCTURAL ENGINEER DUE TO STRUCTURAL INSUFFICIENCY AS TO ALL FLOORS ARE TO BE RECONSTRUCTED WITH ERECTION OF THE TOP MOST BUILDING ELEMENT FIXED AT RL 10.18.

  = EXISTING BUILDING ELEMENTS  
  = APPROVED EXTENT OF DEMOLISHED BUILDING ELEMENTS  
  = PROPOSED ADDITIONAL DEMOLITION

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Status  
**S456 APPLICATION**

### Roof Plan Demolition

Page: 0611-S456153  
Scale: 1:100 at A3 size  
Revision: 02  
Date: 10/03/2025



1

WEST ELEVATION

1:100

**NOTES:**

- ALL LEVELS TO A.D.
- REFER TO SURVEY FOR INFORMATION RELATING TO EXISTING SITE DATA.
- ALL DIMENSIONS TO BE READ IN CONJUNCTION WITH SPECIFICATION & REPORTS PREPARED BY OTHER CONSULTANTS.
- ALL DIMENSIONS AND NOTATIONS COLOURS TO CONSULT SPECIFICATIONS.
- DEMOLITION ELEVATIONS & DEMOLITION SECTIONS TO BE READ IN CONJUNCTION WITH DEMOLITION PLANS.

**LEGEND**

- EXISTING BUILDING ELEMENTS
- APPROVED EXTENT OF DEMOLISHED BUILDING ELEMENTS
- PROPOSED ADDITIONAL DEMOLITION

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Status:  
**S456 APPLICATION**

Title:  
**West Elevation Demolition**

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0611-S456154

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Revision

02

Date

10/03/2025



- ALL LEVELS AND
- REFER TO SAME FOR INFORMATION RELATING TO EXISTING SITE DATA.
- ALL COMMENTS TO BE READ IN CONJUNCTION WITH DISCUSSION AND REPORT PREPARED BY OTHER CONSULTANTS.
- ALTERATIONS AND ADDITIONS COMPARED TO ORIGINAL SPECIFICATIONS.
- DEMOLITION ELEVATIONS & DEMOLITION SECTIONS TO BE READ IN CONJUNCTION WITH DEMOLITION PLANS.



= PROPOSED ADDITIONAL DEMOLITION

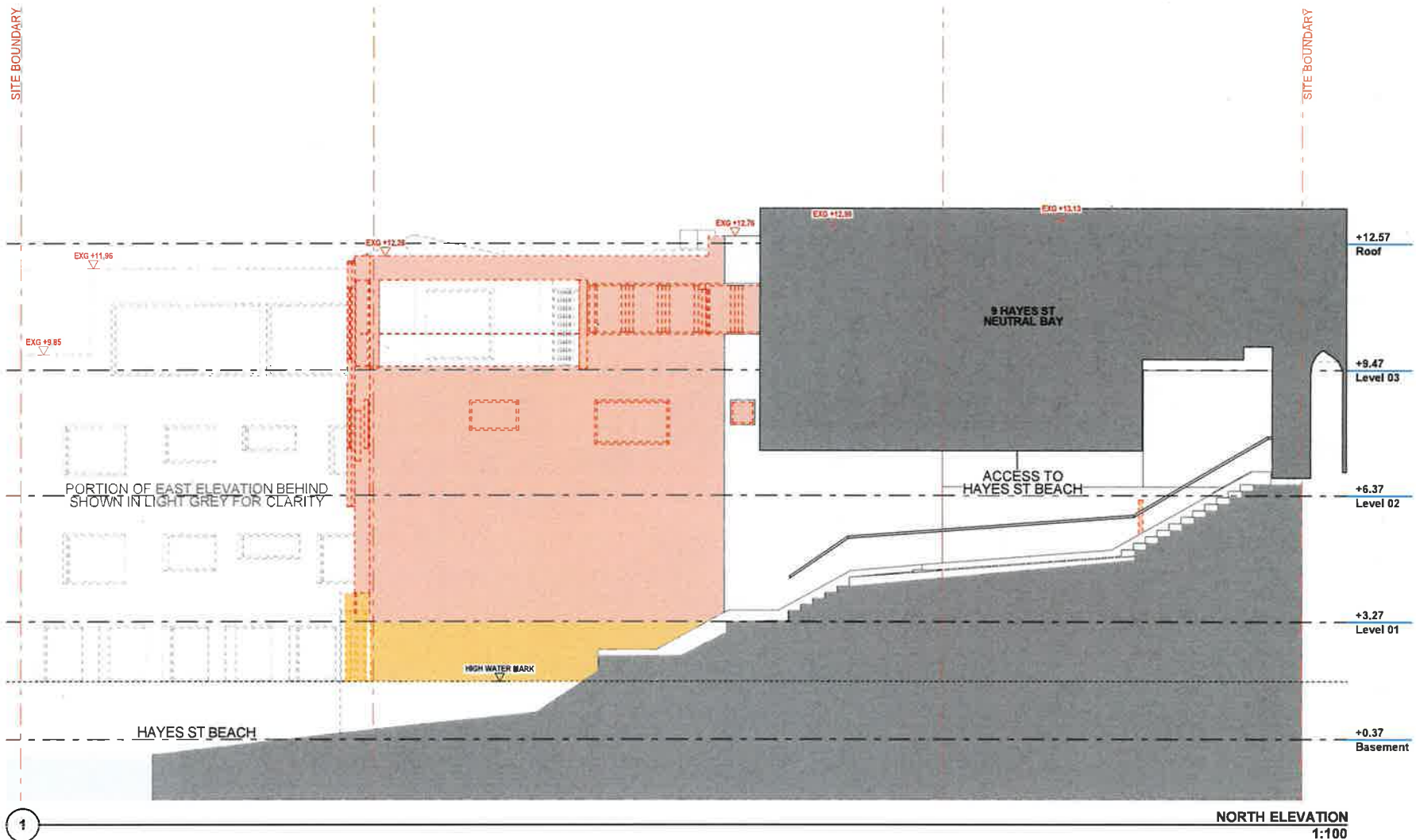
Ry	Date	Amount	Draw	Cash
101	10/10/1919	100.00	100.00	0.00
102	10/20/1919	100.00	100.00	0.00

I am issuing a receipt for the above amount, and I am not to be used as a receipt for any other purpose. Do not  
 make any other receipt. The receipt is valid only for the amount of the receipt. No other receipt is valid.  
 Received by the above named person for the above named amount. No other receipt is valid.

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**HAYES STREET RESIDENCES**  
1 Hayes Street, Neutral Bay, NSW 2088  
**Status**  
**S456 APPLICATION**

Page	Revision
0611-S456155	02
Scale	Date
1:100 at A3 size	10/03/2025



## NOTES:

- ALL LEVELS TO AFD.
- REFERS TO SURVEY FOR INFORMATION RELATING TO EXISTING SITE DATA.
- ALL CHANGES TO BE MADE IN CONFORMANCE WITH THE OPERATIONS & REPORTS PREPARED BY OTHER CONSULTANTS.
- ALL DEMOLITION AND NOTATION CO-ORDINATE TO CONSULTING OPERATIONS.
- DEMOLITION ELEVATIONS & DEMOLITION SECTIONS TO BE MADE IN CONFORMANCE WITH DEMOLITION PLANS.

## LEGEND

- EXISTING BUILDING ELEMENTS
- APPROVED EXTENT OF DEMOLISHED BUILDING ELEMENTS
- PROPOSED ADDITIONAL DEMOLITION

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Status  
S456 APPLICATION

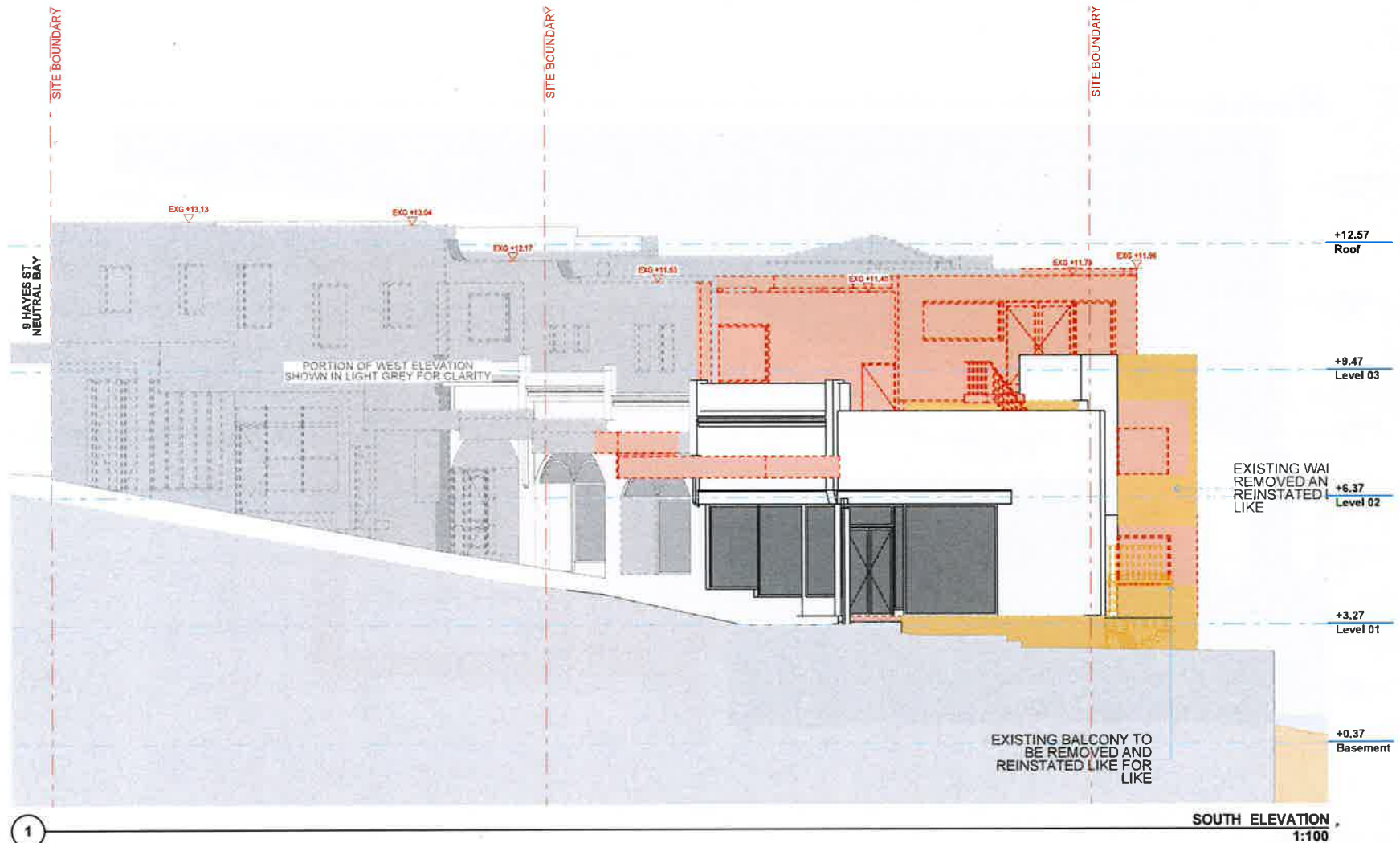
Title  
North Elevation Demolition

Page  
0611-S456156

Revision  
02

Scale  
1:100 at A3 size

Date  
10/03/2025



## NOTES:

- ALL LEVELS TO AHD.
- REFER TO SURVEY FOR INFORMATION RELATING TO EXISTING SITE DATA.
- ALL DIMENSIONS TO BE READ IN CONJUNCTION WITH SPECIFICATION & NOTATION DETERMINED BY OTHER CONSULTANTS.
- ALTERNATIVE AND ACTIONS COLOURED TO COLOURS IN SPECIFICATIONS.
- DEMOLITION ELEVATIONS & DEMOLITION SECTIONS TO BE READ IN CONJUNCTION WITH DEMOLITION PLANS.

## LEGEND



- EXISTING BUILDING ELEMENTS
- APPROVED EXTENT OF DEMOLISHED BUILDING ELEMENTS
- PROPOSED ADDITIONAL DEMOLITION

01	DEMOLITION	FOR DEMOLITION	02	03
04	DEMOLITION	FOR DEMOLITION	05	06

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Sheets:  
**S456 APPLICATION**

Title:  
**South Elevation Demolition**

Page:  
0611-S456157

Revision:  
02

Scale:  
1:100 at A3 size

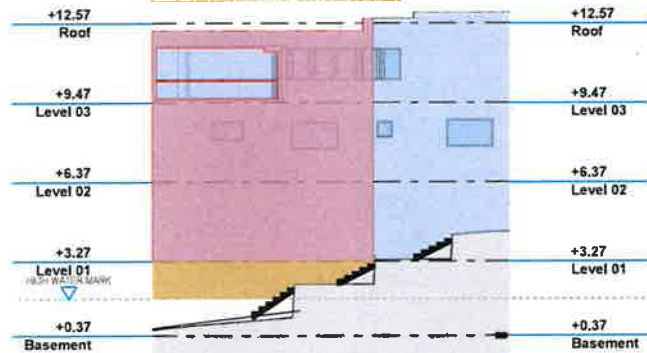
Date:  
10/03/2025

TOTAL ELEVATION 254.75 m<sup>2</sup>APPROVED DEMO 170.33 m<sup>2</sup>PROPOSED ADDITIONAL 2.30 m<sup>2</sup>

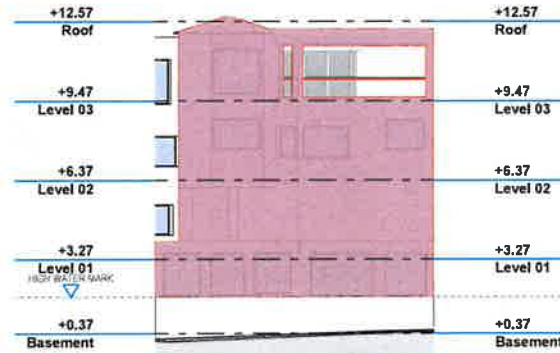
ELEVATION 1

TOTAL ELEVATION 66.85 m<sup>2</sup>APPROVED DEMO 2.22 m<sup>2</sup>

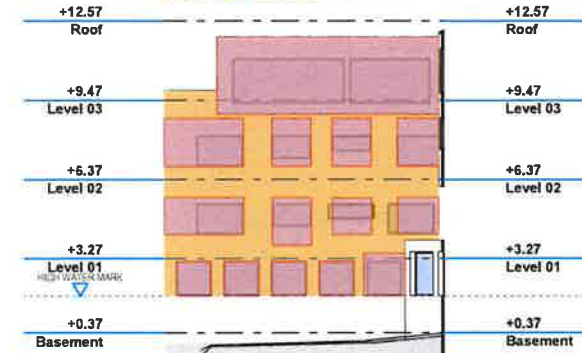
ELEVATION 2

TOTAL ELEVATION 136.06 m<sup>2</sup>APPROVED DEMO 69.05 m<sup>2</sup>PROPOSED ADDITIONAL 10.02 m<sup>2</sup>

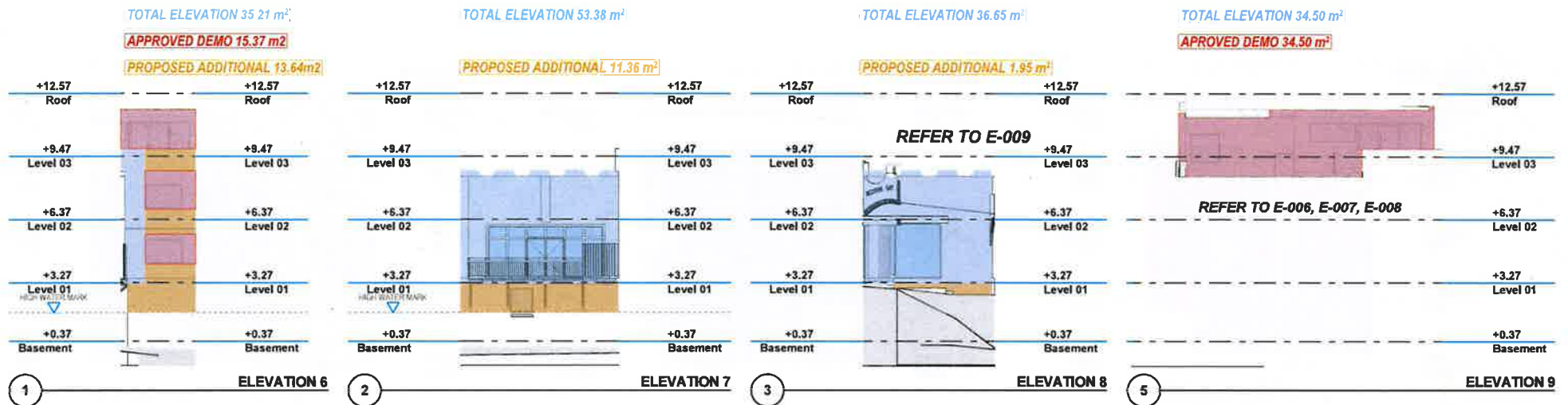
ELEVATION 3

TOTAL ELEVATION 97.18 m<sup>2</sup>APPROVED DEMO 97.18 m<sup>2</sup>

ELEVATION 4

TOTAL ELEVATION 103.49 m<sup>2</sup>APPROVED DEMO 63.04 m<sup>2</sup>PROPOSED ADDITIONAL 38.85 m<sup>2</sup>

ELEVATION 5



ELEVATION	TOTAL FAÇADE AREA (m2)	APPROVED FAÇADE DEMOLITION AREA (m2)	ADDITIONAL FAÇADE DEMOLITION AREA (m2)	TOTAL PROPOSED FAÇADE DEMOLITION AREA (m2)
1	254.75	170.33	2.3	172.63
2	66.85	2.22	0	2.22
3	136.06	69.05	10.02	79.07
4	97.18	97.18	0	97.18
5	103.49	63.04	38.85	101.89
6	35.21	15.37	13.64	29.01
7	53.38	0	11.36	11.36
8	36.65	0	1.95	1.95
9	34.5	34.5	0	34.5
<b>TOTAL</b>	<b>818.07</b>	<b>451.69</b>	<b>78.12</b>	<b>529.81</b>

TOTAL APPROVED FAÇADE DEMOLISHED AREA %	TOTAL ADDITIONAL FAÇADE DEMOLISHED AREA %	TOTAL PROPOSED FAÇADE DEMOLISHED AREA %
55.21%	9.55%	64.76%

ELEVATION														
PLAN														
WINDOW NUMBER	W001	W002	W003	W004	W005	W006	W007	W008	W009	W101	W102	W103	W104	W105
LOCATION	BASEMENT	BASEMENT	BASEMENT	BASEMENT	BASEMENT	APT 1 - BASEMENT	APT 1 - BASEMENT	APT 1 - BASEMENT	APT 1 - BASEMENT	APT 1 - BED 3	APT 1 - KITCHEN	APT 1 - DINING	APT 1 - TERRACE	APT 1 - TERRACE
WINDOW TYPE	FIXED	FIXED	FIXED	FIXED	FIXED	FIXED	FIXED	FIXED	FIXED	SWING	ANEETA	ANEETA	SLIDING	FIXED
W x H	1,300×990	1,300×990	1,300×990	1,300×990	1,300×990	1,526×990	1,360×990	1,360×990	1,360×990	1,130×2,810	900×1,700	900×1,700	7,527×2,810	1,060×2,810
NOTE	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

ELEVATION												
PLAN												
WINDOW NUMBER	W106	W107	W108	W109	W110	W111	W201	W202	W203	W204	W205	W206
LOCATION	APT 1 - BED 2	APT 1 - ENS 1	APT 1 - BED 1	APT 1 - BED 1	APT 1 - BED 1	TENANCY 2	APT 2 - BED 3	APT 2 - KITCHEN	APT 2 - DINING	APT 2 - TERRACE	APT 2 - TERRACE	APT 2 - BED 2
WINDOW TYPE	ANEETA	ANEETA	ANEETA	ANEETA	SLIDING	FIXED	SWING	ANEETA	ANEETA	SLIDING	FIXED	ANEETA
W x H	1,820×2,100	1,526×2,100	1,526×2,100	1,526×2,100	2,906×2,100	2,537×2,100	1,605×1,870	1,130×2,710	900×1,700	7,527×2,660	1,060×2,660	1,820×2,100
NOTE	125MM RESTRICTOR	N/A	125MM RESTRICTOR	125MM RESTRICTOR	125MM RESTRICTOR	125MM RESTRICTOR	N/A	N/A	N/A	N/A	N/A	125MM RESTRICTOR

ELEVATION													
PLAN													
WINDOW NUMBER	W207	W208	W209	W210	W211a	W211b	W211c	W211d	W212	W213	W302	W302	W303
LOCATION	APT 2 - ENS 1	APT 2 - BED 1	APT 2 - BED 1	APT 2 - BED 1	TENANCY 2	TENANCY 2	TENANCY 2	ENTRY LOBBY	ENTRY LOBBY	STAIR ENTRY	APT 3 - DINING	APT 3 - KITCHEN	APT 3 - DINING
WINDOW TYPE	ANEETA	ANEETA	ANEETA	SLIDING	FIXED	FIXED	FIXED; SWING	SLIDING	FIXED	SWING	ANEETA	ANEETA	FIXED
W x H	1,526×2,100	1,526×2,100	2,906×2,100	2,537×2,100	1,603×2,000	565×2,000	1,463×2,100	3,165×1,000	2,177×3,378	960×2,400	898×1,600	1,185×2,750	2,817×1,600
NOTE	N/A	125MM RESTRICTOR	125MM RESTRICTOR	125MM RESTRICTOR	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

PLAN

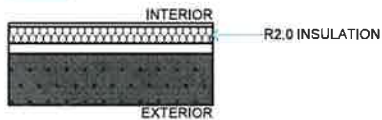
Diagram showing the plan view of the building facade with five windows. The dimensions are as follows:

- Window 1 (SKY001): Width 400, Height 1,550
- Window 2 (SKY002): Width 550, Height 2,850
- Window 3 (SKY003): Width 400, Height 3,765
- Window 4 (SKY004): Width 700, Height 3,090
- Window 5 (SKY005): Width 400, Height 2,315

WINDOW NUMBER	SKY001	SKY002	SKY003	SKY004	SKY005
LOCATION	ROOF	ROOF	ROOF	ROOF	ROOF
WINDOW TYPE	FIXED	FIXED	FIXED	FIXED	FIXED

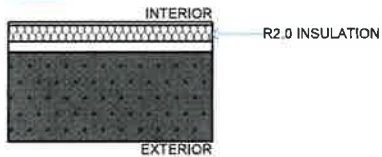
Page	Revision
0611-S456161	03
Scale	Date
at A3 size	15/04/2025

WT103



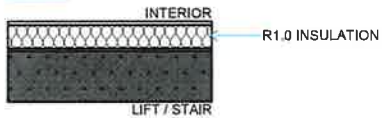
13 mm Plasterboard - Wall  
64 mm Steel Stud + Insulation  
40 mm Cavity Space - Between Walls  
200 mm Concrete - Structural

WT104



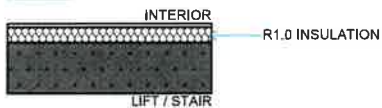
13 mm Plasterboard - Wall  
64 mm Steel Stud + Insulation  
40 mm Cavity Space - Between Walls  
350 mm Concrete - Structural

WT105



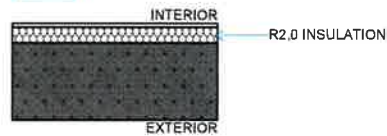
13 mm Plasterboard - Wall  
2 mm Cavity Space - Between Walls  
90 mm Steel Stud + Insulation  
10 mm Cavity Space - Between Walls  
200 mm Concrete - Structural

WT106



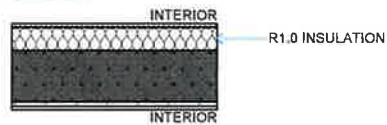
13 mm Plasterboard - Wall  
2 mm Cavity Space - Between Walls  
60 mm Steel Stud + Insulation  
200 mm Concrete - Structural

WT107



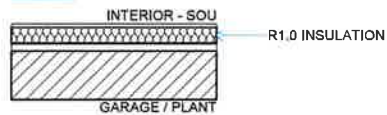
13 mm Plasterboard - Wall  
2 mm Cavity Space - Between Walls  
60 mm Steel Stud + Insulation  
300 mm Concrete - Structural

WT108



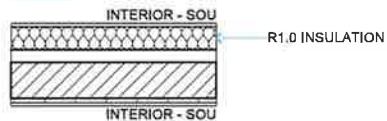
13 mm Plasterboard - Wall  
2 mm Cavity Space - Between Walls  
90 mm Steel Stud + Insulation  
200 mm Concrete - Structural  
18 mm Steel Stud  
13 mm Plasterboard - Wall

WT207



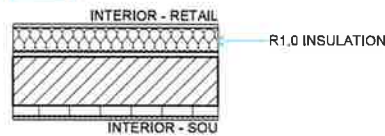
13 mm Plasterboard - Wall  
64 mm Steel Stud + Insulation  
30 mm Cavity Space - Between Walls  
190 mm Concrete Block

WT208



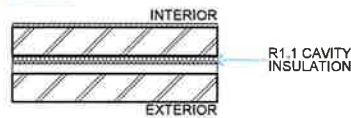
13 mm Plasterboard - Wall  
92 mm Steel Stud + Insulation  
50 mm Cavity Space - Between Walls  
140 mm Concrete Block  
18 mm Steel Stud  
13 mm Plasterboard - Wall

WT209



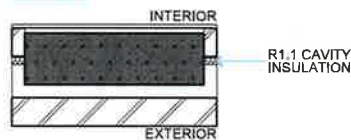
13 mm Plasterboard - Wall  
2 mm Cavity Space - Between Walls  
92 mm Steel Stud + Insulation  
20 mm Cavity Space - Between Walls  
190 mm Concrete Block  
40 mm Steel Stud  
2 mm Cavity Space - Between Walls  
13 mm Plasterboard - Wall

WT305



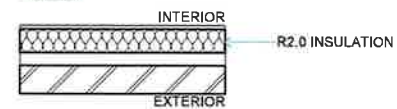
13 mm Plasterboard - Wall  
2 mm Cavity Space - Between Wall Structures  
110 mm Brick - Internal Wall  
30 mm Insulation - Rigid - Foamboard  
40 mm Cavity Space - Between Wall Structures  
110 mm Brick - Structural

WT305A



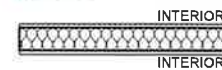
13 mm Plasterboard - Wall  
2 mm Cavity Space - Between Walls  
110 mm Brick - Internal Wall  
30 mm Insulation - Rigid - Foamboard  
130 mm Cavity Space - Between Walls  
110 mm Brick - Structural

WT306



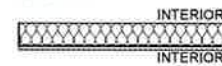
13 mm Plasterboard - Wall  
2 mm Cavity Space - Between Walls  
90 mm Timber Stud + Insulation  
50 mm Cavity Space - Between Walls  
110 mm Brick - Structural

WT402a



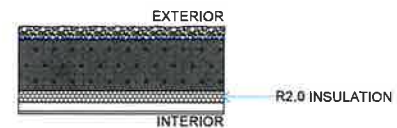
13 mm Plasterboard - Wall  
2 mm Cavity Space - Between Walls  
90 mm Timber Stud + Insulation  
2 mm Cavity Space - Between Walls  
13 mm Plasterboard - Wall

WT501a



90 mm Timber Stud + Insulation  
2 mm Cavity Space - Between Walls  
13 mm Plasterboard - Wall

## ROOF



50 mm Gravel  
200 mm Concrete - Structural  
45 mm Insulation - Rigid - Foamboard  
35 mm Cavity Space - Ceiling  
10 mm Plasterboard - Ceiling

NOTE:  
WALL TYPE AND ROOF  
CONSTRUCTION MAY BE SUBJECT TO  
CHANGE ON FURTHER ENGINEERING  
AND CONSULTANT ADVICE.

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**7 Pty Ltd**  
Project  
**HAYES STREET RESIDENCES**  
1 Hayes Street, Neutral Bay NSW 2089  
Status  
**S456 APPLICATION**

Title  
**Wall Type Schedule**  
Page  
0611-S456162  
Revision  
02  
Scale  
1:20 at A3 size  
Date  
10/03/2025