

**NSLPP MEETING HELD ON 07/09/2022****Attachments:**

1. Site Plan
2. Architectural Plans inc shadow diagrams
3. Landscape Plans
4. Operational Plan of Management
5. Design Excellence Panel Comments

ADDRESS/WARD: 124 Benelong Road, Cremorne**APPLICATION No:** 323/2021**PROPOSAL:** Demolition of existing structures and construction of four (4) storey boarding house with 20 rooms**PLANS REF:**

Plan No.	Rev No.	Description	Dated	Prepared by
DA00.00	B	Cover Sheet	29/09/21	JKM Architects
DA00.01	B	BASIX compliance summary	29/09/21	JKM Architects
DA00.10	B	Site Plan	29/09/21	JKM Architects
DA00.11	B	Site Analysis	29/09/21	JKM Architects
DA01.00	B	Existing Ground Floor Plan	29/09/21	JKM Architects
DA02.00	C	Proposed Ground Floor Plan	29/09/21	JKM Architects
DA02.01	C	Proposed Level 01 Plan	29/09/21	JKM Architects
DA02.02	C	Proposed Level 02 Plan	29/09/21	JKM Architects
DA02.03	C	Proposed Level 03 Plan	29/09/21	JKM Architects
DA02.04	C	Proposed Roof Plan	29/09/21	JKM Architects
DA03.00	C	Elevations – North-East and South-West	29/09/21	JKM Architects
DA03.01	C	Elevation – North-West	29/09/21	JKM Architects
DA03.02	C	Elevation – South-East	29/09/21	JKM Architects
DA04.00	C	Proposed Sections sheet 01	29/09/21	JKM Architects
DA04.01	C	Proposed Sections sheet 02	29/09/21	JKM Architects
DA10.01	B	Shadow Study	29/09/21	JKM Architects
DA10.02	B	Shadow Study	29/09/21	JKM Architects
DA20.01	B	Area schedule	29/09/21	JKM Architects
DA20.10	B	Materials and finishes	29/09/21	JKM Architects

OWNER: Regal Benelong Pty Ltd**APPLICANT:** Anthony Betros**AUTHOR:** Brett Brown Consultant Planner**DATE OF REPORT:** 26 August 2022**DATE LODGED:** 15 October 2021**RECOMMENDATION:** Refusal

EXECUTIVE SUMMARY

This development application seeks approval for the construction of a four level boarding house with 20 rooms at 124 Benelong Road Cremorne.

The development application is reported to North Sydney Local Planning Panel for determination because the proposal has attracted more than 10 unique submissions. The development application is therefore required to be determined by the North Sydney Local Planning Panel in accordance with the Minister's directions.

Notification of the original proposal attracted a total of 82 submissions raising particular concerns about building height, density, overshadowing, visual privacy, traffic, car parking, impacts of the communal roof top facilities, blocking up of adjoining windows, safety concerns, inappropriate location for a boarding house, wind impacts, character of the building, impact on adjoining heritage item, construction impacts and various other concerns.

In response to the matters raised in the submission and Council assessment, a letter inviting the applicant to withdraw the application was sent on 13 April 2022. The matters of concern included:

- 1. The street setbacks are out of keeping with the character of the area and will result in the building having adverse visual impacts.*
- 2. The side setback is out of keeping with the character of the area and has unreasonable adverse visual impacts on neighbouring properties and streetscape.*
- 3. The proposed landscaped area is inadequate.*
- 4. The proposed design does not meet the requirements of Cl25(2)(a) of the Housing SEPP.*
- 5. The communal living area is inadequate in size.*
- 6. The communal open space is inadequate in size.*
- 7. The proposed parking is inadequate.*
- 8. The issues raised by the Design Excellence Panel (DEP).*

Council has not received a response from the applicant.

Following an assessment, the development application is considered to be excessive and unable to be supported and so is recommended for **refusal**.

LOCATION MAP



Property/Applicant ● Submitters - Properties Notified

DESCRIPTION OF PROPOSAL

The proposed development involves the demolition of existing structures and construction of a four storey boarding house containing 20 rooms including a manager's room, 4 motorcycle spaces, 4 bicycle spaces and landscaping.

In detail, the development is proposed as follows:-

- Ground floor – 4 boarding rooms (self contained apart from laundry facilities), 1 manager's room, shared laundry, communal living room with kitchenette and bathroom and visitors' bathroom. The Ground level is accessible and includes 2 adaptable rooms. Access is via an accessible pathway from the Benelong Road frontage. The ramp also provides access to the 4 bike spaces adjacent to the entry. A bin store is provided at the Benelong Road frontage. 4 motorcycle spaces are provided at the Gerard Street frontage, accessed via the existing driveway crossing. Landscaping around the building is provided including communal open space adjoining the communal living room and private open space for the manager's room;
- Level 1 – 6 self contained boarding rooms;
- Level 2 – 5 self contained boarding rooms;
- Level 3 – 4 self contained boarding rooms.



Photomontage of Proposed Gerard Street elevation

STATUTORY CONTROLS

North Sydney LEP 2013

- Zoning – R4 High Density Residential
- Item of Heritage – No

- In Vicinity of Item of Heritage – No
- Conservation Area – No
- Environmental Planning & Assessment Act 1979 (As amended)
- Environmental Planning & Assessment Regulations 2000
- State Environmental Planning Policy (Affordable Rental Housing) 2009
- State Environmental Planning Policy (Biodiversity and Conservation) 2021
- State Environmental Planning Policy (Resilience and Hazards) 2021
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004
- State Environmental Planning Policy (Transport and Infrastructure) 2021
- North Sydney Local Infrastructure Contributions Plan 2020
- Draft State Environmental Planning Policy (Housing) 2021

POLICY CONTROLS

Development Control Plan 2013

DESCRIPTION OF LOCALITY

The site is legally described as Lot 1 in DP 169417, and is known as No. 124 Benelong Road, Cremorne. The subject site has dual frontages and a northeast-southwest orientation, being located on the eastern side of Benelong Road which intersects with Gerard Street. The site is a regular rectangular shaped allotment, with a total site area of 371.58m². The site has street frontage of 12.19m to Benelong Road, side boundaries of 30.48m (one of which is to Gerard Street, and a rear boundary of 12.19m.



Existing Benelong Road elevation



Existing view from Gerard Street

The areas across Benelong Road and along this street generally comprise low density 1-2 storey dwelling houses. Opposite on Gerard Street are 4 storey apartment buildings.



Development to the NW of site on Benelong Road



Apartment buildings opposite in Gerard Street

INTERNAL REFERRALS

HEALTH/ENVIRONMENT

Concern has been raised in regard to potential noise from plant and communal areas. No acoustic assessment has been submitted to address these matters. However the submitted Plan of Management and conditions of consent could address these matters.

ENGINEERING/TRAFFIC

Council's traffic engineer provided the following comments:

I generally concur that the traffic generation from the proposed development will have negligible impact on the road network.

In consideration of the location of this development (at a signalised intersection) it is recommended that one parking space (service vehicle parking) and associated swept path can be provided with the development.

ENGINEERING/STORMWATER DRAINAGE

Council's Development Engineer raises no concerns subject to imposition of conditions of consent.

LANDSCAPING

Council's Landscape Officer raised a concern regarding the proximity of the proposed works to the existing street tree in the Gerard Street road reserve.

WASTE

Council's Waste Officer has indicated that the submitted Waste Management Plan and proposed facilities are inadequate and do not meet Council's requirements.

COMMUNITY SERVICES

Council's Community Services Director provided the following comments:

There is a need for more boarding houses due to the loss of boarding house bed spaces in the last decades. In 1998 there were 48 boarding houses in operation. Now there are approximately 22, though not all of these are registered or operated by an approved housing provider.

As the proposal complies with the State Environmental Planning Policy (Affordable Rental Housing) 2009 and there is a need for boarding house accommodation in North Sydney, the proposal is supported.

Planner response – The proposal does not comply with the new Housing SEPP as discussed in this report.

DESIGN EXCELLENCE PANEL

The development application was considered by the Design Excellence Panel and their comments are attached. In summary the DEP recommended:

The cumulative impacts of the proposed results in an unsatisfactory development as detailed above and should not be approved in its current form.

Planner comments – Many of the matters raised by the DEP are concurred with and will form part of the reasons for refusal.

EXTERNAL REFERRALS

TRANSPORT for NSW

TfNSW raises no objections to this development proposal and would provide concurrence to the proposed development, subject to the following conditions being considered and included in any Consent issued by Council:

1. *The layout of the proposed car parking areas associated with the subject development (including, driveways, grades, turn paths, sight distance requirements in relation to landscaping and/or fencing, aisle widths, aisle lengths, and parking bay dimensions) should be in accordance with AS 2890.1- 2004, AS2890.6-2009 and AS 2890.2 – 2018 for heavy vehicle usage. Parking Restrictions may be required to maintain the required sight distances at the driveway.*
2. *Vehicles are to enter and exit the site in a forward direction.*
3. *Vehicles are to be wholly contained on site before being required to stop.*
4. *All demolition and construction vehicles are to be contained wholly within the site and vehicles must enter the site before stopping.*
5. *A Road Occupancy Licence (ROL) should be obtained from Transport Management Centre for any works that may impact on traffic flows on Archbold Road during construction activities. A ROL can be obtained through <https://myrta.com/oplinc2/pages/security/oplincLogin.jsf>*

In addition to the above, TfNSW recommends that car parking provision should be provided to Council's satisfaction.

Planner comments – The proposal cannot meet the conditions above as the proposed motorcycle spaces will not allow vehicles to leave the site in a forward direction. Also the lack of car parking proposed is contrary to the requirements of the DCP and therefore also contrary to the Housing SEPP as discussed below.

CONSIDERATION

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

STATE ENVIRONMENTAL PLANNING POLICY (BIODIVERSITY AND CONSERVATION) 2021

Whilst this SEPP commenced after the lodgement of the DA, it does not contain savings provisions and as such it must be considered in the DA assessment.

The provisions of SREP (Sydney Harbour Catchment) 2005 have been incorporated into this new SEPP. The proposed development is not considered to be detrimental to the Harbour and will not unduly impose upon the character of the foreshore given the site's location is not highly visible from Sydney Harbour. As such, the development is acceptable having regard to the provisions contained within this SEPP.

The provisions of State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 have been incorporated into this new SEPP. The proposal will have an adverse impact on existing vegetation as indicted in the Landscape Officer's comments noted above.

STATE ENVIRONMENTAL PLANNING POLICY (RESILIENCE AND HAZARDS) 2021

Whilst this SEPP commenced after the lodgement of the DA, it does not contain savings provisions and as such it must be considered in the DA assessment.

The provisions of SEPP 55 have been incorporated into this new SEPP. Pursuant to Clause 4.6(2) and (4)(c) consent cannot be granted as the proposal involves residential use of the land and complete knowledge of the history of the site has not been demonstrated.

SEPP (BUILDING SUSTAINABILITY INDEX: BASIX) 2004

A valid BASIX Certificate has been submitted with the application to satisfy the requirements of the SEPP.

STATE ENVIRONMENTAL PLANNING POLICY (TRANSPORT AND INFRASTRUCTURE) 2021

Whilst this SEPP commenced after the lodgement of the DA, it does not contain savings provisions relevant to Chapter 2 (the chapter relevant to this application) and as such it must be considered in the DA assessment.

The submitted documentation does not adequately address the requirements of Clause 2.119 of this SEPP in that Gerard Street is a classified road and may have an annual average daily traffic volume of more than 20,000 vehicles. If this is the case an acoustic impact report is required.

Further as noted above TfNSW has raised concerns regarding the proposal.

STATE ENVIRONMENTAL PLANNING POLICY (HOUSING) 2021/ STATE ENVIRONMENTAL PLANNING POLICY (AFFORDABLE RENTAL HOUSING) 2009

The new SEPP now contains savings provisions (in Schedule 7A) which means it does not apply to DA's submitted prior to 21 November 2021. As the subject DA was lodged 15 October 2021, the provisions of the now repealed State Environmental Planning Policy (Affordable Rental Housing) 2009 are applicable and are considered in the following table.

STATE ENVIRONMENTAL PLANNING POLICY (AFFORDABLE RENTAL HOUSING) 2009		
	<i>Complies</i>	<i>Comment</i>
Clause 28 – Boarding houses permitted with consent	Yes	The site is zoned R4 High Density Residential under NSLEP 2013 where boarding houses are a permitted use.
Clause 29 – Standards that cannot be used to refuse consent	No	<p>The DA cannot be refused consent on the following grounds:</p> <ul style="list-style-type: none"> • The communal room receives more than 3 hours solar access between 9am and 3pm midwinter; • The communal open space is at least 20sqm with a minimum dimension of 3m; • The manager's open spaces is greater than 8sqm with a minimum dimension of 2.5m; • Each boarding room is at least 16sqm in area. • No parking is provided which is contrary to the requirement for 4 car spaces. <p>The DA can be refused on the following grounds:</p> <ul style="list-style-type: none"> • The height exceeds the LEP standard (see below); • The landscaping of the front setback is not compatible with the existing streetscape (as discussed below); • No parking is provided.
Clause 30 – Standards for boarding houses	Yes	<p>The proposal achieves compliance with the requirements of this clause:</p> <ul style="list-style-type: none"> • A communal room is provided; • No room is greater than 25sqm in area; • No room will be able to accommodate more than 2 lodgers; • Adequate kitchen and bathroom facilities area available to each lodger; • A Manager's Room is provided; • At least 1 bicycle and motorcycle space is provided per 5 rooms.

Clause 30A – Character of local area	No	As discussed in detail below, the proposal has characteristics that result in a development that is out of keeping with the character of the local area. These include excessive height, excessive bulk ad scale, inadequate setbacks, inadequate landscaped areas and the overall nature of the design.
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NORTH SYDNEY LOCAL ENVIRONMENT PLAN (NSLEP 2013)

Part 2 – Permitted or prohibited development

Permissibility

The proposal can be defined as a boarding house. This is a permissible use in the R4 High Density Residential zone.

Objectives of the R4 zone

The objectives for a R4 High Density Residential Zone are stated below:

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

The proposed development will be inconsistent with the above as it will compromise the amenity of the surrounding properties and the area generally as discussed in this report.

Part 4 – Principal Development Standards

Principal Development Standards – North Sydney Local Environmental Plan 2013				
Site Area – 371.6m²	Existing	Proposed	Control	Complies
Clause 4.3 – Heights of Building	Complies	12.07m	12m	No

No request to breach this requirement has been submitted pursuant to Clause 4.6 of the LEP and as such approval cannot be granted.

Part 5 – Miscellaneous Provisions

Heritage

The site has no heritage constraints.

Part 6 – Additional Local Provisions

Earthworks

Clause 6.10 in NSLEP 2013 specifies that the consent authority must consider the following matters prior to granting development for earthworks:

- (a) *the likely disruption of, or any detrimental effect on—*
 - (i) *drainage patterns and soil stability in the locality of the development, and*
 - (ii) *natural features of, and vegetation on, the site and adjoining land,*
- (b) *the effect of the development on the likely future use or redevelopment of the land,*
- (c) *the quality of the fill or the soil to be excavated, or both,*
- (d) *the effect of the development on the existing and likely amenity of adjoining properties,*
- (e) *the source of any fill material and the destination of any excavated material,*
- (f) *the likelihood of disturbing Aboriginal objects or relics,*
- (g) *the proximity to, and potential for adverse impacts on, any waterway, drinking water catchment or environmentally sensitive area,*
- (h) *any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.*

Comment: Consideration has been given to the provisions of Clause 6.10 NSLEP 2013 as follows:

- The proposed excavation is not considered to be excessive;
- Council's development engineer raises no concerns with the method of stormwater disposal subject to imposition of conditions
- Conditions can be imposed to require the protection of adjoining properties.

The proposal is considered to be consistent with the provisions of Clause 6.10 NSLEP 2013.

DRAFT STATE ENVIRONMENTAL PLANNING POLICY (HOUSING) 2021

This SEPP was in draft form at the date of lodgement and as such is required to be considered under Section 4.15((1)(a)(ii) of the EP&A Act. The proposal is non-compliant with a number of the relevant provisions including:

- inadequate landscaped area having regard to the requirements of Clause 24(2)(d) in that the provision is substantially less than the 40% required by Section 1.5.6 of Part B of Council's DCP;
- inadequate communal living space having regard to the standards detailed in Clause 24(2)(g)(i);
- inadequate communal open space having regard to the standards detailed in Clause 24(2)(h)(i);
- inadequate parking having regard to the standards detailed in Clause 24(2)(i)(ii);

- the design of the boarding house is not compatible with the desirable elements of the character of the local area, or the desired future character of the precinct contrary to the requirements of Clause 25(2)(a)(i) and (ii). In this regard the bulk and scale of the building is excessive and its design and use of materials and colours is incompatible with the nature of existing development;
- the proposal has inadequate setbacks having regard to the requirements of Clause 25(2)(b)(ii) in that they are out of keeping with the character of the area and will result in the building having adverse visual impacts on the streetscape and when viewed from surrounding development.

NORTH SYDNEY DEVELOPMENT CONTROL PLAN 2013

The Housing SEPP discussed above calls up the relevant provisions of the DCP and also the ADG and as such many of the DCP provisions are not of great relevance. The matters that require further comment are discussed in the following table.

DEVELOPMENT CONTROL PLAN 2013 – Part B Section 1- Residential Development		
	<i>Complies</i>	<i>Comments</i>
1.4 Quality built form		
1.4.1 Context	No	The subject building is not in keeping with the context of this area as detailed further below.
1.4.2 Subdivision Pattern	Yes	The proposal relates to one lot and therefore the subdivision pattern is maintained.
1.4.3 Streetscape	Yes	However these provisions quite specifically refer to footpaths, kerb and guttering and street trees, not the streetscape generally. The proposal will have adverse impacts on the streetscape as discussed further below.
1.4.5 Siting	No	The building is generally orientated north-east/ south-west consistent with other development in Benelong Road; however, it is sited much closer to the front and rear boundaries compared to other development.
1.4.6 Setbacks		
Front P1 The front setback must match the alignment of the primary facades of buildings on adjoining properties. Where different setbacks occur, the average of the setbacks of those primary facades is to be used.	No	The proposed front setback is not consistent with others in Benelong Road and is partly occupied by a large garbage store. Given the height, bulk and scale of the proposal, this will have adverse impacts on the streetscape
Side The side setback requirement is a minimum of 3m and compliance with the plane generated 3.5m above the boundary and projected at 45 degrees over the site	No	The proposed side setback to the NW boundary is 900mm at Ground and 2.4m at L2 and L3. The 45 degree plane is significantly breached. This results in a building of excessive bulk and scale.
Rear The side setback requirement is a minimum of 1.5m and compliance with the plane generated 3.5m above the boundary and projected at 45 degrees over the site	No	The proposed rear setbacks range from 3.5m-7.5m. There is a minor breach of the 45 degree plane and this contributes to the excessive bulk and scale of the building.
1.4.7 Form Massing Scale • Floor to ceiling height 2.7m	No	The submitted SEE states 2.7m but the floor to floor height is only 2.9m. The objectives are not met.
1.4.8 Built Form Character	No	No specific requirements but objectives are not met.

1.4.9 Dwelling Entry	No	The proposed entry off Gerard Street is below street level and not suitably visible or legible from the public domain.
1.4.10 Roofs	Yes	A flat roof is not unreasonable in the circumstances.
1.4.12 Colours and Materials	No	The materials and colours are out of keeping with the existing character of the area and will adversely affect the streetscape and visual quality of the locality.
1.4.14 Front Fences <ul style="list-style-type: none"> • No greater than 1m from front building line & along front boundary • Transparent fences no greater than 1.5m with 50% solid construction 	No	The proposed fencing is excessive in height and is out of character with the existing streetscapes.
1.5 Quality Urban Environment		
1.5.3 Safety and Security	No	The entry to the building is not visible from the street and creates safety concerns.
1.5.7 Landscaping	No	There is a lack of planting in the front and Gerard Street setback and there is a lack of canopy tree planting.
1.5.8 Front Gardens	No	There is a lack of planting in the front and Gerard Street setback.
1.5.12 Garbage Storage	No	The garbage store will detract from the streetscape and is otherwise inadequate as noted in the Council's Waste Officer's comments.
1.5.14 Site Facilities	No	No clothes drying area or letterboxes are provided.
1.6 Efficient use of resources		
1.6.8 Stormwater Management	Yes	No objection has been raised by Council's engineer.
1.6.9 Waste Management and Minimisation	No	The garbage store will detract from the streetscape and is otherwise inadequate as noted in the Council's Waste Officer's comments.
1.6.10 Green Roofs	No	The proposal has a flat roof and the objectives of this section have not been addressed.

The following section of the DCP applies; however, the majority of provisions are overridden by the provisions of the Affordable Housing SEPP. Those that remain relevant are noted.

DEVELOPMENT CONTROL PLAN 2013 – Part C of NSDCP 2013 – Boarding Houses		
	<i>Complies</i>	<i>Comments</i>
10.1 Internal Building Design		
Internal circulation P16 No more than 8 boarding rooms can share a stairway, corridor or deck. P17 Internal circulation areas are to be designed to enhance choices about privacy and interaction.	Yes	A max of 6 rooms are accessed on each level. The internal circulation design is satisfactory.
Personal security P21 Ensure areas adjacent to shared entry lobbies are visible from the outside to the inside. P22 Communal and common areas are well lit and provide clear sight lines. P23 Provide a secure point for mail deliveries.	No	The building entry is not visible from the street.

Fire Safety P24 All boarding houses are to comply with all the fire safety provisions of the Building Code of Australia as they apply to Boarding Houses (Class 1b or Class 3). P25 Any required exit door from lobby must never be locked.	Yes	The applicant has submitted a BCA report which details that the proposed development complies or can comply with the BCA.
Design for persons with disabilities	Yes	The applicant's Access report advises the proposed development can comply with disabled access requirements.
10.3 Management and Registration		
Management	Yes	The applicant has submitted a Plan of Management that is considered appropriate. The Plan of Management is considered to outline operational requirements including to address amenity impacts.
Registration	Yes	A condition could be imposed to require the boarding house to be registered with Council.
DEVELOPMENT CONTROL PLAN 2013 – Part C of NSDCP 2013 – Area Character Statements (North Cremorne – Waters Neighbourhood)		
Various requirements	No	The proposal is not consistent with the North Cremorne Planning Area Character Statement as: <ul style="list-style-type: none"> • The following quality built form requirement will not be achieved: residential development respects and maintains existing characteristic built form with buildings setback from all boundaries and landscaped front gardens, softening the built form; • The following quality urban environment requirement will not be achieved: car parking does not adversely affect the character of the area and quality of residential streets and front fences are low and offer good outlooks to house fronts and gardens. The proposal is inconsistent with the Waters Neighbourhood Character Statement as: <ul style="list-style-type: none"> • The following aspect of the desired built form will not be achieved: Future development of high density housing must have a sympathetic relationship to other surrounding development in terms of height, bulk and scale, privacy and access to views (for example stepping down to lower height).

LOCAL INFRASTRUCTURE CONTRIBUTIONS PLAN

The subject application has been assessed against the North Sydney Local Infrastructure Contribution Plan 2020 and is subject to payment of contributions towards the provision of local infrastructure in the event that consent is granted.

ALL LIKELY IMPACTS OF THE DEVELOPMENT

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

ENVIRONMENTAL APPRAISAL	CONSIDERED
1. Statutory Controls	Yes
2. Policy Controls	Yes
3. Design in relation to existing building and natural environment	Yes
4. Landscaping/Open Space Provision	Yes
5. Traffic generation and Carparking provision	Yes
6. Loading and Servicing facilities	Yes
7. Physical relationship to and impact upon adjoining development (Views, privacy, overshadowing, etc.)	Yes
8. Site Management Issues	Yes
9. All relevant S79C considerations of <i>Environmental Planning and Assessment (Amendment) Act 1979</i>	Yes

SUBMITTERS CONCERNS

The application was notified to adjoining properties and the Willoughby Bay Precincts. Council received 82 submissions to the development application. Many issues have been raised and are commented upon below.

- **Out of keeping with area/visual impacts**

The proposal is considered to be excessive in bulk and scale and has an appearance which is not compatible with the existing or desired future character of the area.

- **Inappropriate location for a boarding house**

The proposed use is permissible in the zone and is considered an appropriate use for the site. A Plan of Management will ensure the appropriate use of the site and an on-site manager will reside on the site.

- **Construction impacts**

Standard conditions will be imposed to ensure construction impacts are consistent with Council's standard hours and requirements.

- **Traffic impacts**

The proposal is supported by Council's traffic engineer in regard to traffic; however, it cannot comply with the TfNSW requirement that all vehicles leave the site in a forward direction.

- **Impacts on on-street car parking**

The proposal provides no car parking and is contrary to the requirements of Council's DCP and the Housing SEPP. Therefore, it is likely to reduce on street parking in the vicinity.

- **Visual privacy impacts**

The proposal fails to meet the ADG requirements for privacy as required by the Housing SEPP.

- **Lack of amenity for boarding rooms**

The proposal fails to meet the requirements of the Housing SEPP and has an unacceptable level of amenity for residents.

- **Electricity supply**

There is no evidence to suggest this is an issue for the development.

- **BCA**

A report has been submitted to ensure that compliance is or will be achieved

- **Airbnb**

Tourist use is not proposed and any proposal for such would have to be considered on its merits.

- **Flooding**

The site is not subject to flooding.

- **Sewer maintenance**

This is a matter for Sydney Water.

- **Inconsistent with zoning**

The proposal is permitted within the subject R4 zoning; however, it is considered that it is not consistent with the objectives of this zone as noted above.

- **Not affordable**

If consent was granted, conditions would require the rooms to be managed by a social housing provider as required by the Housing SEPP.

- **Waste management/bin location**

The bin location is unacceptable and will have adverse impacts on the streetscape. Council's Waste Officer has also raised concerns.

- **Noise**

The proposal has the potential for adverse noise impact; however, these are addressed in the submitted Plan of Management and can be further addressed by conditions of consent.

- **Transient occupants/safety**

If consent was granted, conditions would require the rooms to be managed by a social housing provider as required by the Housing SEPP. Boarding houses must accommodate lodgers for a period longer than 3 months.

- **Views**

There is no evidence that the proposal will affect views.

- **Sustainability**

The proposal has been supported by a BASIX certificate and is considered to be suitably sustainable with the exception that a green roof should be provided.

PUBLIC INTEREST

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

SUITABILITY OF THE SITE

The proposal would be located in the R4 High Density Residential zone where boarding house developments are a permissible form of development. Consequently, the proposed use is considered to be suitable for the site; however, the building form is excessive in bulk and scale and has an appearance that is not suitable to this site and locality.

CONCLUSION AND REASONS

The proposal was considered under the relevant Environmental Planning Instruments and policies including NSLEP 2013 and NSDCP 2013 and is found to be unacceptable for the reasons outlined above and summarised in the recommendation.

HOW WERE THE COMMUNITY VIEWS TAKEN INTO CONSIDERATION?

The subject application was notified to adjoining properties and the Willoughby Bay Precinct for 28 days, where a number of issues were raised that have been addressed in this report.

RECOMMENDATION

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

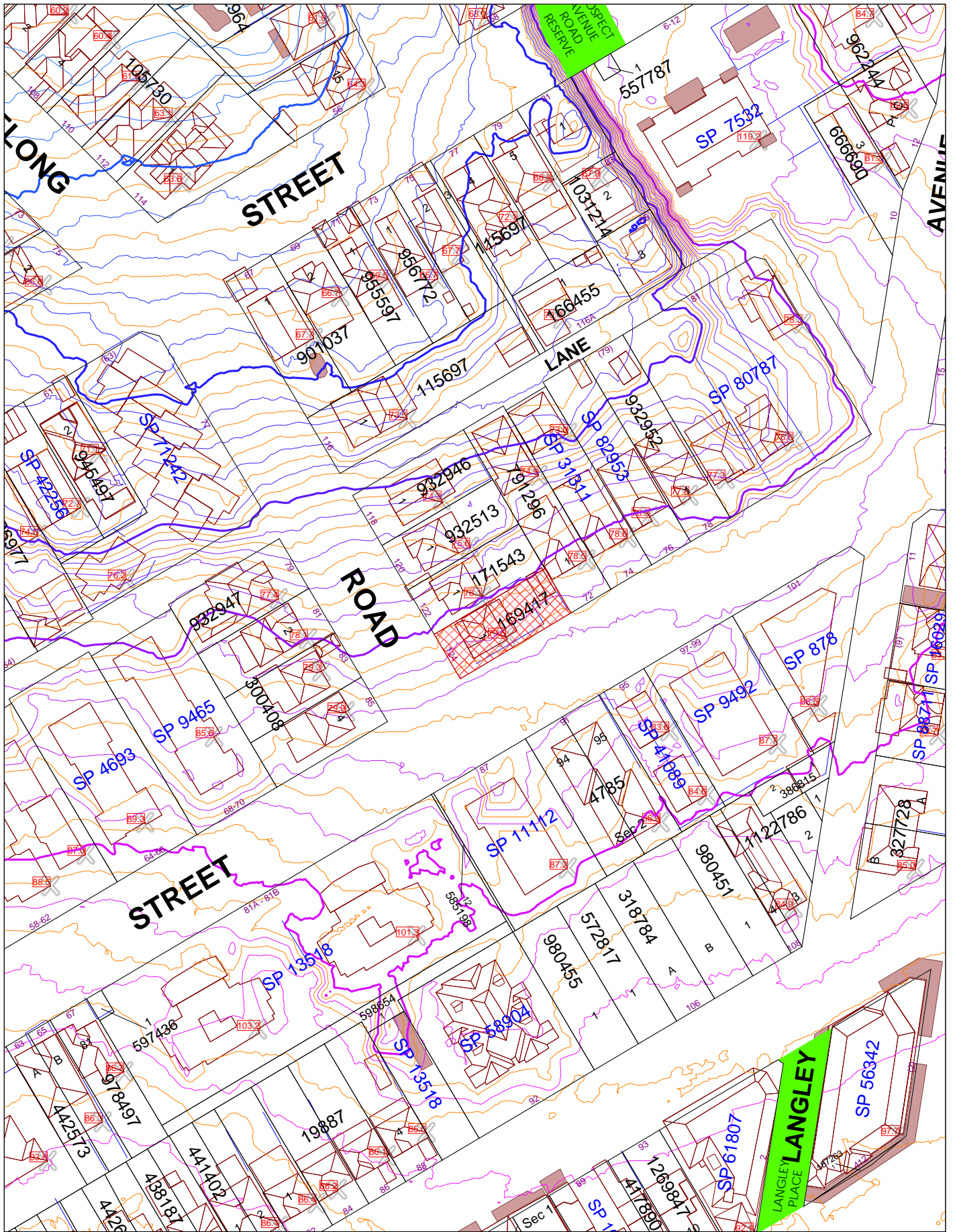
- A **THAT** the North Sydney Local Planning Panel refuse consent to Development Application No. 323/2021 for demolition of existing structures and construction of a four level boarding house with 20 rooms at 124 Benelong Road Cremorne for the following reasons:
- i. The proposal does not provide adequate parking having regard to the standards detailed in Clause 29(2)(e) of State Environmental Planning Policy (Affordable Rental Housing) 2009 and Clause 24(2)(i)(ii) of draft State Environmental Planning Policy (Housing) 2021. Further, the vehicles associated with the use cannot leave the site in a forward direction, contrary to the requirements of Transport for NSW;
 - ii. The design of the boarding house is not compatible with the character of the area contrary to the requirements of Clause 30A of State Environmental Planning Policy (Affordable Rental Housing) 2009 and Clause 25(2)(a)(i) and (ii) of draft State Environmental Planning Policy (Housing) 2021. In this regard the bulk and scale of the building its excessive and its design and use of materials and colours is incompatible with the nature of existing development;
 - iii. The proposal has inadequate setbacks having regard to the requirements of Clause 29(2)(b) of State Environmental Planning Policy (Affordable Rental Housing) 2009 and Clause 25(2)(b)(ii) of draft State Environmental Planning Policy (Housing) 2021 in that they are out of keeping with the character of the area and will result in the building having adverse visual impacts on the streetscape and when viewed from surrounding development.
 - iv. The proposal has inadequate landscaped area having regard to the requirements of Clause 24(2)(d) of draft State Environmental Planning Policy (Housing) 2021 in that the provision is substantially less than the 40% required by Section 1.5.6 of Part B of Council's DCP;
 - v. The proposal does not provide adequate communal living space having regard to the standards detailed in Clause 24(2)(g)(i) of draft State Environmental Planning Policy (Housing) 2021;
 - vi. The proposal does not provide adequate communal open space having regard to the standards detailed in Clause 24(2)(h)(i) of draft State Environmental Planning Policy (Housing) 2021;

- vii. The proposal has unreasonable privacy impacts as it fails to comply with the minimum building separation requirements of the Apartment Design Guide as referred to in Clause 25(2)(c) of draft State Environmental Planning Policy (Housing) 2021;
- viii. Pursuant to Clause 4.6(2) and (4)(c) of State Environmental Planning Policy (Resilience and Hazards) 2021, consent cannot be granted as the proposal involves residential use of the land and complete knowledge of the history of the site has not been demonstrated.
- ix. Pursuant to Clause 2.119 of State Environmental Planning Policy (Transport and Infrastructure) 2021, Gerard Street is a classified road and inadequate information has been provided in relation the annual average daily traffic volume of this road and whether an acoustic assessment is required.
- x. The proposal breaches the 8.5m height control of Clause 4.3 of North Sydney LEP and has not been supported by a request to breach the control pursuant to Clause 4.6 of the LEP. The building height is excessive and out of keeping with the character of the area;
- xi. The window openings to rooms G03, G04, 01.03, 01.04 and 2.03 are too small to provide adequate daylight, internal amenity and sustainable outcomes;
- xii. The main building entry lacks a welcoming street address and is accessed via a long narrow side passage which is not visible from the street. The three separate entrances with no external cover are all exposed to southern wind and rain;
- xiii. No external clothes drying area or letterbox has been provided contrary to the requirements of Section 1.5.14 of Part B of the DCP;
- xiv. The proposed fences to the street frontages are excessively high and solid and contrary to the provision of Section 1.4.14 of Part B of the DCP and are out of keeping with the character of the area;
- xv. The proposal does not adequately address the requirements for a green roof in Section 1.6.10 of Part B of the DCP;
- xvi. The proposed waste storage area is inappropriately located and the proposal does not provide waste facilities in accordance with the requirements of Section 19 of the DCP;
- xvii. The proposal is not consistent with the requirements of the North Cremorne and Waters Neighbourhood Character Statements in Part C of the DCP in that:
 - it does not respect or maintain the existing characteristic built form as it is not adequately setback from all boundaries and have a suitably landscaped front garden to soften built form;
 - the front fences are not low and do not offer good outlooks of the building entry and landscaped setbacks;

- it does not have a sympathetic relationship to other surrounding development in terms of height, bulk and scale and privacy.
- xviii. The proposal will have an adverse impact on the existing street tree in the Gerard Street road reserve due to the excavation in close proximity.

Brett Brown
CONSULTANT PLANNER

Stephen Beattie
MANAGER DEVELOPMENT SERVICES



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.

DEVELOPMENT APPLICATION: 124 Benelong Road, Cremorne



DRAWING LIST

Sheet Number	Sheet Name	Current Revision
DA00.00	Cover Sheet	B
DA00.01	BASIX Compliance Summary	B
DA00.10	Site Plan	B
DA00.11	Site Analysis	B
DA01.00	Existing Ground Floor Plan	B
DA02.00	Proposed Ground Floor Plan	C
DA02.01	Proposed Level 01 Plan	C
DA02.02	Proposed Level 02 Plan	C
DA02.03	Proposed Level 03 Plan	C
DA02.04	Proposed Roof Plan	C
DA03.00	Elevations - North-East & South-West	C
DA03.01	Elevation - North-West	C
DA03.02	Elevation - South-East	C
DA04.00	Proposed Sections Sheet 01	C
DA04.01	Proposed Sections Sheet 02	C
DA10.01	Shadow Study	B
DA10.02	Shadow Study	B
DA20.01	Area Schedule	B
DA20.10	Materials and Finishes	B

LEGEND

- CON - Concrete
- BWK - Brickwork
- TMD - Timber Deck
- OW - Operable Window
- FW - Fixed Window
- GD - Glass Door
- AF - Aluminium Frame
- RD - Roof Drain

DEVELOPMENT SUMMARY

Site Area:	371.58m ²
Proposed Level 03:	104m ²
Proposed Level 02:	118m ²
Proposed Level 01:	169m ²
Proposed Ground:	161m ²
Total Proposed GFA:	552m²

DESIGN INTENT DRAWINGS
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				Revision	Date	Description													
A	21.08.31	For Coordination																	
B	21.09.29	Development Application																	
<p>Project Name: Cremorne Boarding House</p>	<p>Project No.: 2107</p>																		

BASIX COMPLIANCE TABLE

1. Commitments for Residential flat buildings - 124 Benelong Road

(a) Dwellings

(i) Water

(b) Indigenous or low water use species of vegetation through the area of land specified for the dwelling must be planted in the "indigenous species" column of table below, as private landscaping for the dwelling. (This area of indigenous vegetation is to be contained within the "Area of garden and lawn" for the dwelling specified in the "Description of Project" table).

(e) A private swimming pool or spa for the dwelling must not be installed, with a volume exceeding that specified for it in the table below.

(g) the pool or spa must be located as specified in the table.

(h) Each alternative water supply system with specified size, must be installed for the dwelling listed in the table below. Each system must be configured to collect run-off from the areas specified (excluding any area which supplies any other alternative water supply system), and to divert overflow as specified. Each system must be connected as specified.

Dwelling no.	Fixtures				
	All shower-heads	All toilet flushing systems	All kitchen taps	All bathroom taps	HW recirculation or diversion
All dwellings	4 star (>4.5 but <= 6 L/min)	4 star	6 star	5 star	no.

(ii) Energy

(b) Each hot water system specified for the dwelling in the table must be installed, so that the dwelling's hot water is supplied by that system. If the table specifies a central hot water system for the dwelling, then that control system must be connected to the dwelling, so that the dwelling's hot water is supplied by that central system.

(f) This commitment applies to each room or area of the dwelling which is referred to in a heading to the "Natural lighting" column of the table below (but only to the extent specified for that room or area). Each such room or area must be ensured to be fitted with a window and/or skylight.

(b) Common areas and central systems / facilities

(i) Water

(b) the alternative water supply system specified in the "central systems" column of the table below must be installed. In each case, the system must be sized, be configured, and be connected, as specified in the table.

(c) A swimming pool or spa listed in the table must not have a volume (in KLs) greater than that specified for the pool or spa in the table.

(ii) Energy

(c) the systems and fixtures specified in the "Central energy systems" column of the table below must be installed. In each case, the system or fixture must be of the type, and meet the specifications, listed for it in the table.

Central energy systems	Type	Specification
Central hot water system (no. 1)	gas instantaneous	Piping insulation (ringmain & supply risers): b) Piping internal to building R0.3 (~13mm)

Dwelling no.	Hot water system	Bathroom ventilation system		Kitchen ventilation system		Laundry ventilation system	
	Hot water system	Each bathroom	Operation control	Each kitchen	Operation control	Each laundry	Operation control
All dwellings	central hot water system 1	individual fan, ducted to facade or roof	interlocked to light	individual fan, ducted to facade or roof	manual switch on/off	Natural ventilation only, or no laundry	-

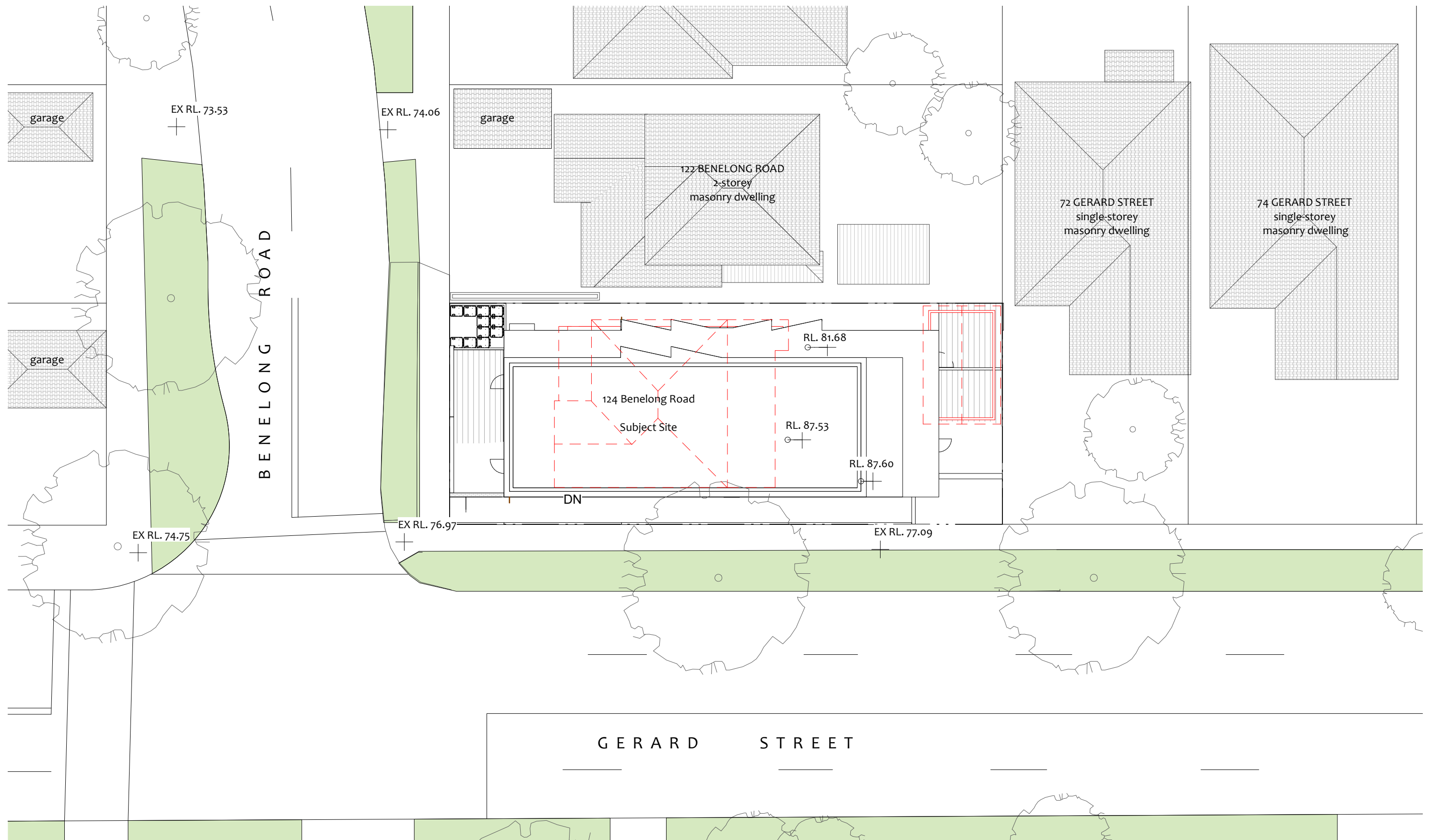
Dwelling no.	Natural Lighting	
	No. of bathrooms and/or toilets	Main Kitchen
1.01,1.05, 2.05	1	yes
1.03,1.04, 2.03,2.04, G.03,G.04	0	no
All other dwellings	1	no

(iii) Thermal Comfort

(a) The development will be a Class 3 building. The documentation accompanying the application must include for a construction certificate (or complying development certificate, if applicable) a report demonstrating that the development will meet Section J of the National Construction Code – Volume 1.

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						Sheet Name BASIX Compliance Summary	Scale @ A3



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Legend
 - - - Site Boundary
 [Red Hatched] Demolition
 [Solid Black] New Construction
 CON Concrete
 BWK Brickwork
 OW Operable Window
 FW Fixed Window
 GD Glass Door
 TMD Timber Deck
 RD Roof Drain



Revision	Date	Description
A	21.08.31	For Coordination
B	21.09.29	Development Application

Architect
jkm
 architectes
 JKMarchitects Pty Ltd
 Suite 6.13 / 55 Miller Street,
 Pyrmont, NSW 2009.
 ABN 98 651 373 483

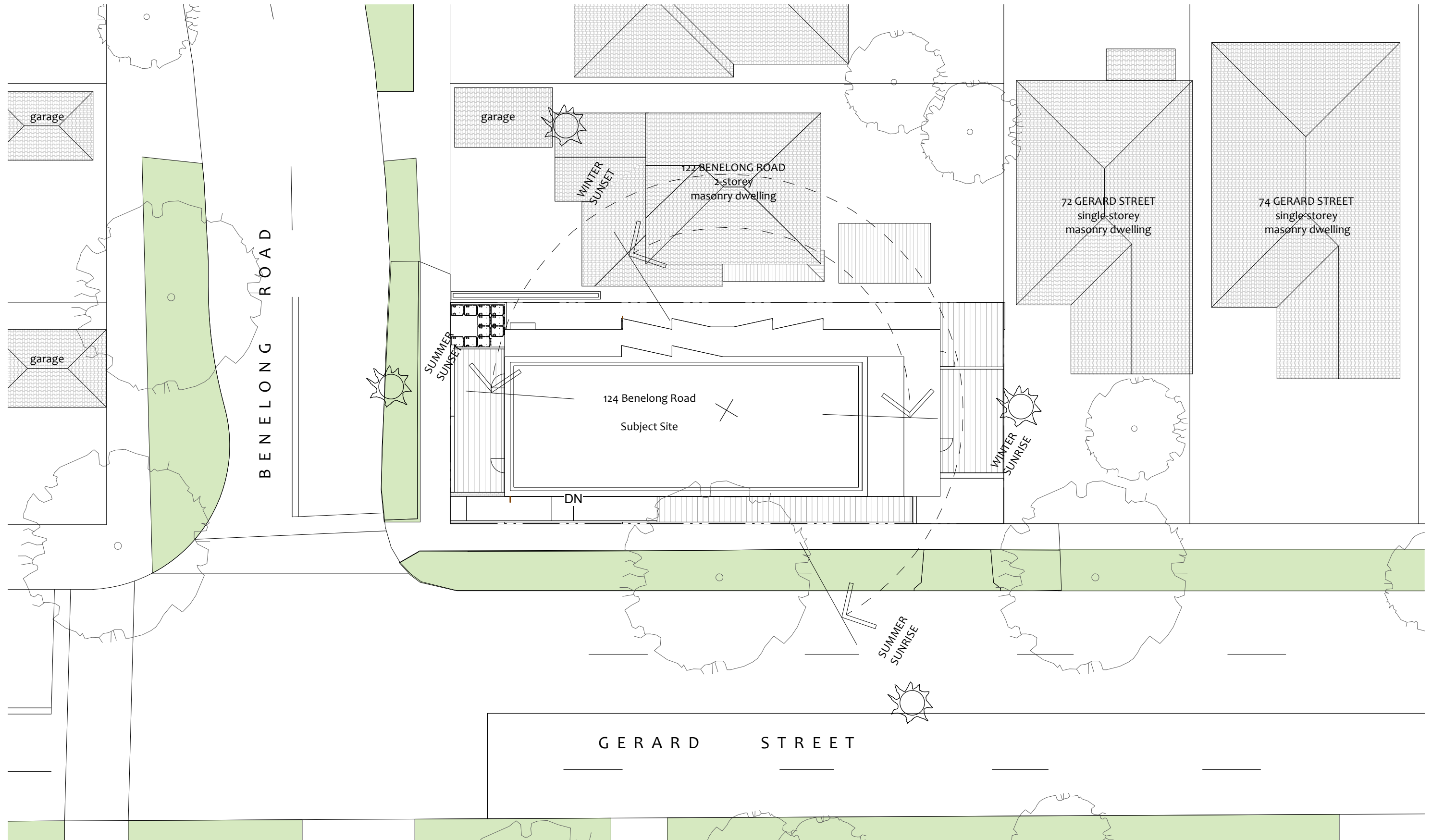
Client:
 Regal Benelong
 Pty Ltd

Project Name:
 Cremorne Boarding House
 Project Address:
 124 Benelong Road,
 Cremorne NSW 2090

Project No.
 2107
 Sheet Name
 Site Plan
 Drawing no.
 DA00.10

Status
 Development Application
 Scale
 1: 200 @ A3

 Revision
 B



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Legend



Revision	Date	Description
A	21.08.31	For Coordination
B	21.09.29	Development Application

Architect
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architects
JKMArchitects Pty Ltd
Suite 6.13 / 55 Miller Street,
Pyrmont, NSW 2009.
ABN 98 651 373 483

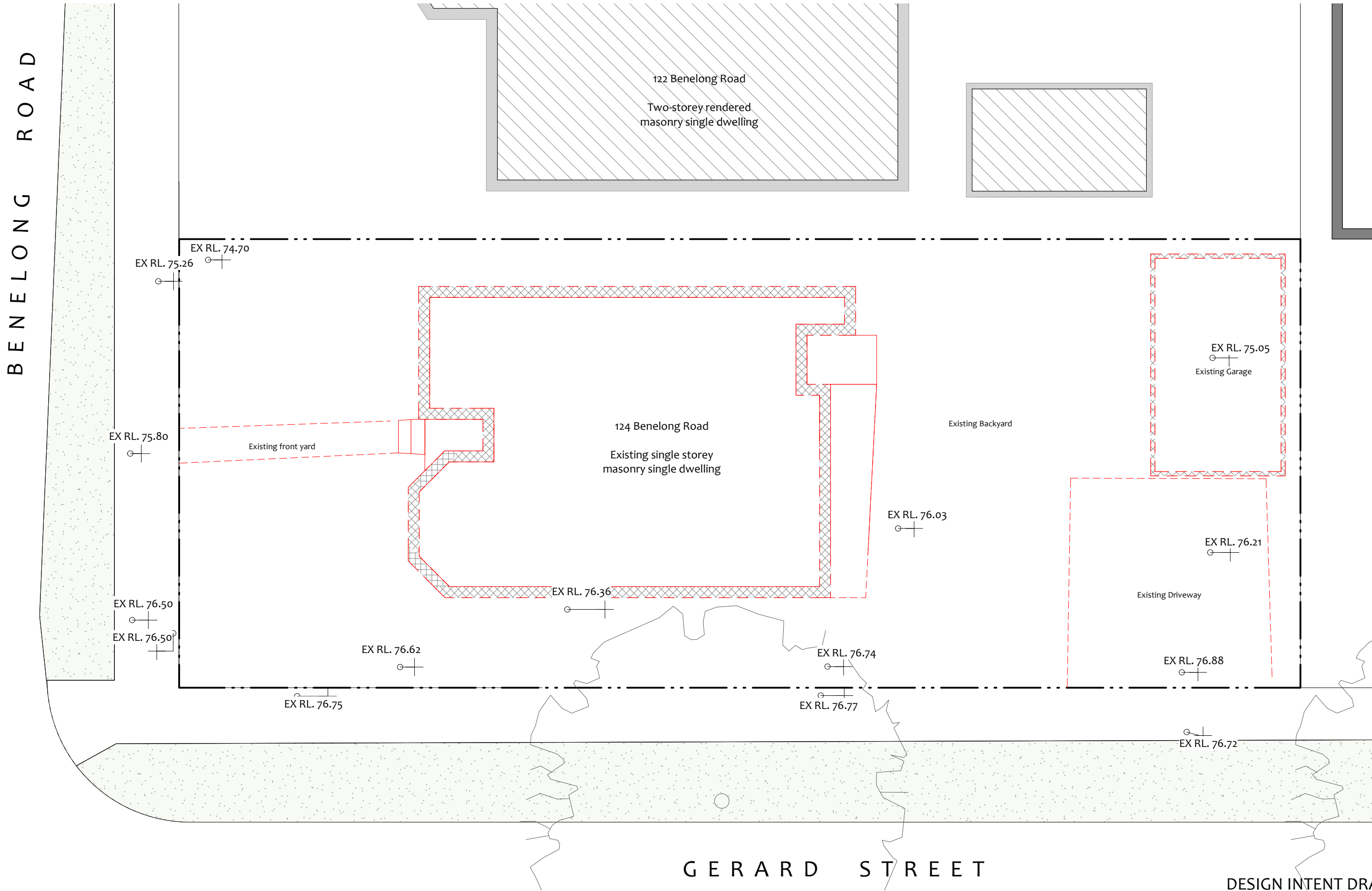
Client.
Regal Benelong
Pty Ltd

Project Name.
Cremorne Boarding House
Project Address
124 Benelong Road,
Cremorne NSW 2090

Project No.
2107
Sheet Name
Site Analysis
Drawing no.
DA00.11

Status
Development Application

Scale
1: 200 @ A3
0 2 4 6 m
Revision
B



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Legend	
	Site Boundary
	Demolition
	New Construction
CON	Concrete
BWK	Brickwork
OW	Operable Window
FW	Fixed Window
GD	Glass Door
TMD	Timber Deck
RD	Roof Drain

Revision	Date	Description
A	21.08.17	For Coordination
B	21.09.29	Development Application

Architect

 JKMarchitects Pty Ltd
 Suite 6.13 / 55 Miller Street,
 Pyrmont, NSW 2009.
 ABN 98 651 373 483

Client:
 Regal Benelong
 Pty Ltd

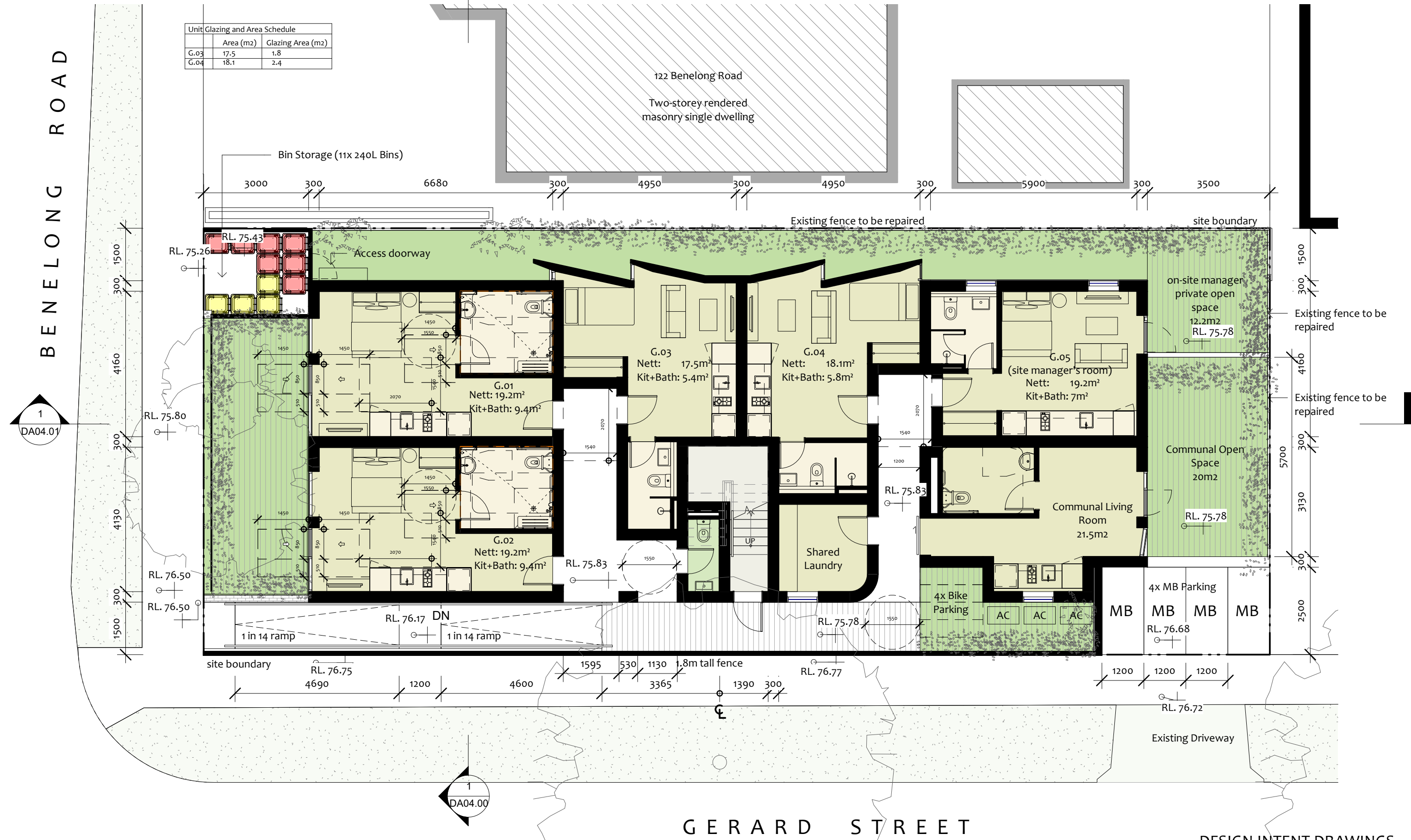
Project Name:
 Cremorne Boarding House
Project Address:
 124 Benelong Road,
 Cremorne NSW 2090

Project No.:
 2107
Sheet Name:
 Existing Ground Floor Plan
Drawing no.:
 DA01.00

Status:
 Development Application
Scale:
 1: 100 @ A3

 Revision B

Unit Glazing and Area Schedule		
	Area (m2)	Glazing Area (m2)
G.03	17.5	1.8
G.04	18.1	2.4



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Legend	
	Site Boundary
	Demolition
	New Construction
CON	Concrete
BWK	Brickwork
OW	Operable Window
FW	Fixed Window
GD	Glass Door
TMD	Timber Deck
RD	Roof Drain

Revision	Date	Description
A	21.08.17	For Coordination
B	21.08.31	For Coordination
C	21.09.29	Development Application

Architect
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ABN 98 651 373 483

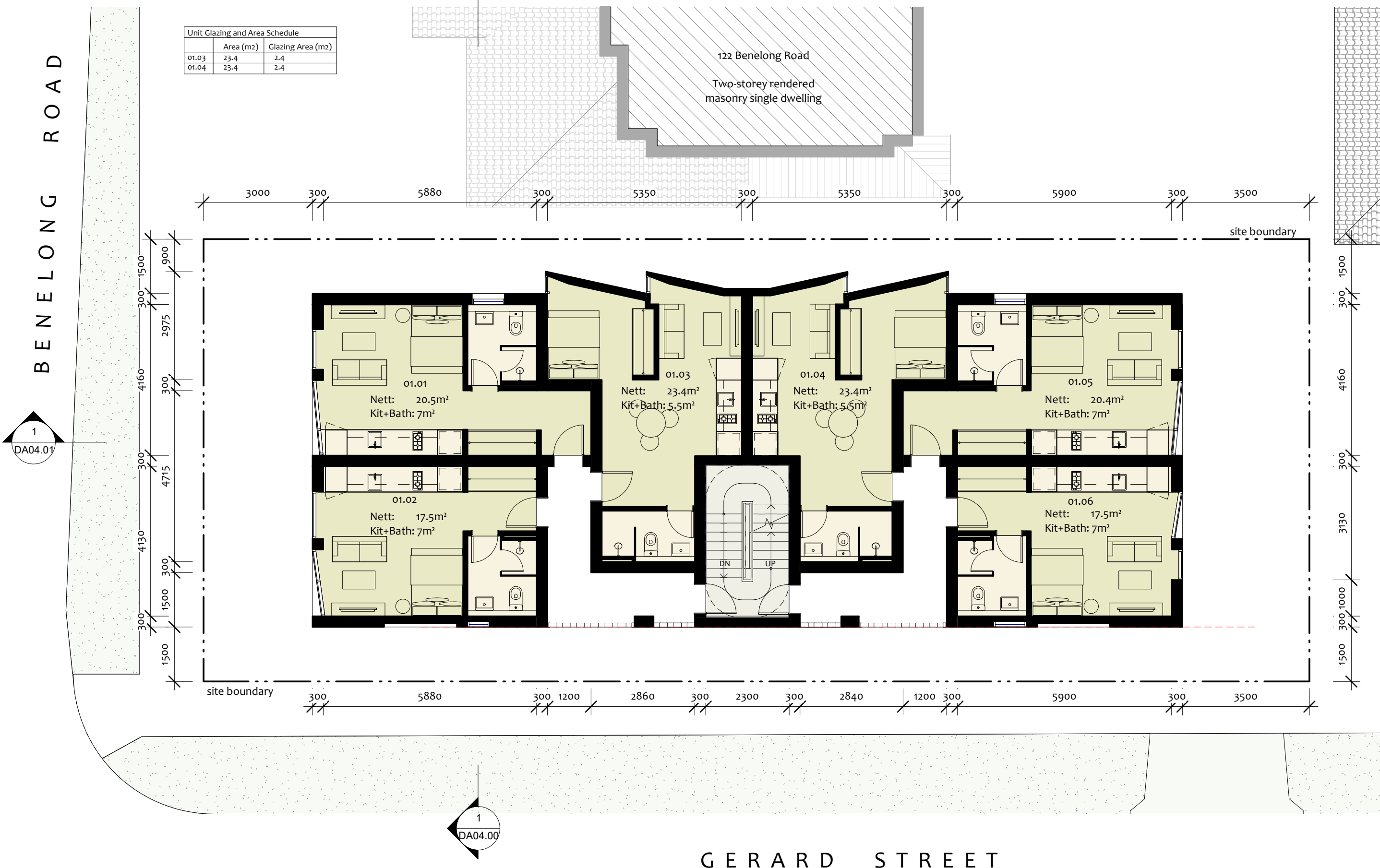
Client:
Regal Benelong
Pty Ltd

Project Name:
Cremorne Boarding House
Project Address:
124 Benelong Road,
Cremorne NSW 2090

Project No.:
2107
Sheet Name:
Proposed Ground Floor Plan
Drawing no.:
DA02.00

Status:
Development Application
Scale:
1: 100 @ A3
0 1000 2000 3000 mm
Revision C

Unit Glazing and Area Schedule		
	Area (m ²)	Glazing Area (m ²)
01.03	23.4	2.4
01.04	23.4	2.4



GERARD STREET

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Legend	
	Site Boundary
	Demolition
	New Construction
CON	Concrete
BWK	Brickwork
OW	Operable Window
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Revision	Date	Description
A	21.08.17	For Coordination
B	21.08.31	For Coordination
C	21.09.29	Development Application

Architect
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ABN 98 651 373 483

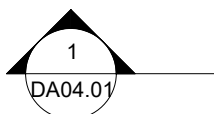
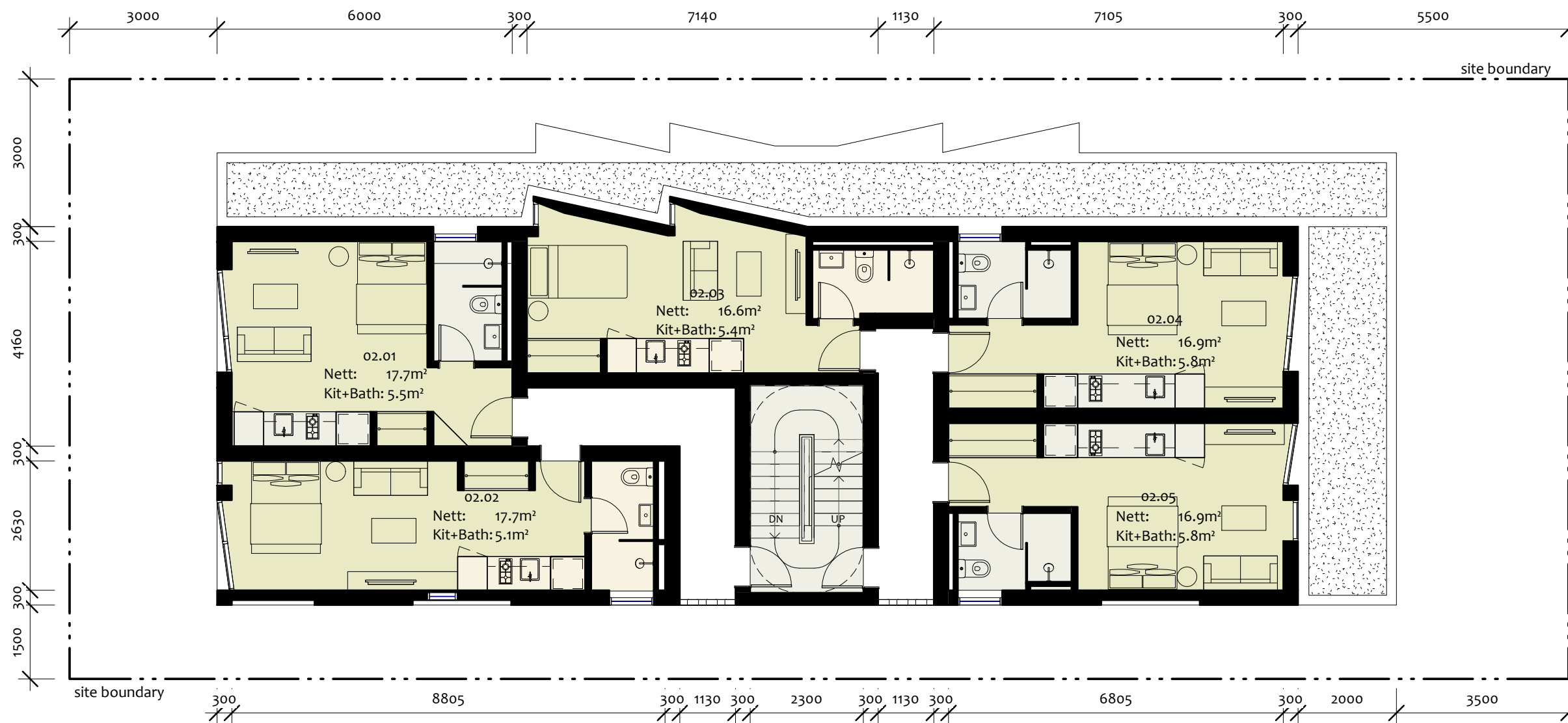
Client:
Regal Benelong
Pty Ltd

Project Name:
Cremorne Boarding House
Project Address:
124 Benelong Road,
Cremorne NSW 2090

Project No.:
2107
Sheet Name:
Proposed Level 01 Plan
Drawing no.:
DA02.01

Status:
Development Application
Scale:
1: 100 @ A3
0 1000 2000 3000 mm
Revision:
C

Unit Glazing and Area Schedule		
	Area (m ²)	Glazing Area (m ²)
02.03	16.6	2.4



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Legend	
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	Demolition
	New Construction
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Revision	Date	Description
A	21.08.17	For Coordination
B	21.08.31	For Coordination
C	21.09.29	Development Application

Architect
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Suite 6.13 / 55 Miller Street,
Pyrmont, NSW 2009.
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Client:
Regal Benelong
Pty Ltd

Project Name:
Cremorne Boarding House
Project Address:
124 Benelong Road,
Cremorne NSW 2090

Project No.:
2107
Sheet Name:
Proposed Level 02 Plan
Drawing no.:
DA02.02

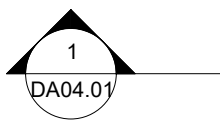
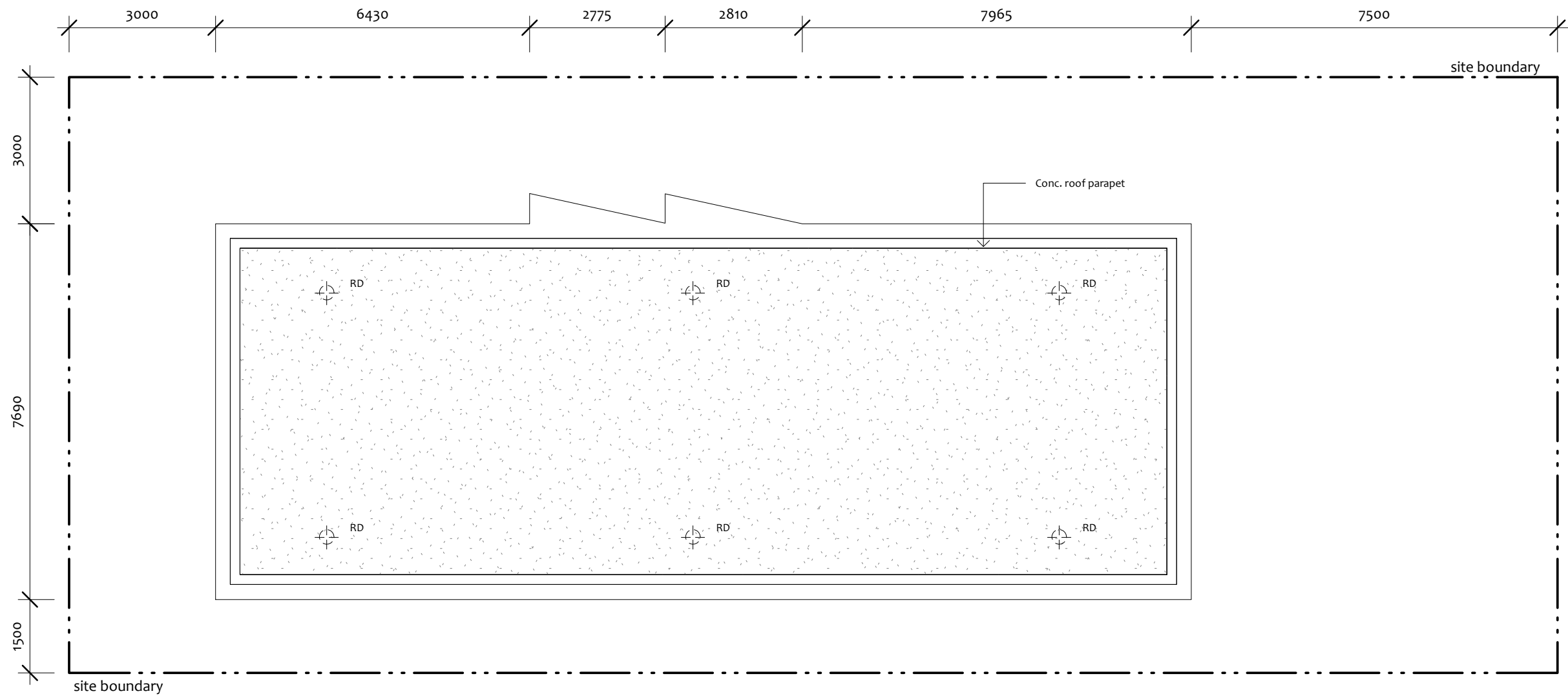
Status:
Development Application
Scale:
1: 100 @ A3
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Revision C

Unit Glazing and Area Schedule		
	Area (m2)	Glazing Area (m2)
03.03	21.8	2.4



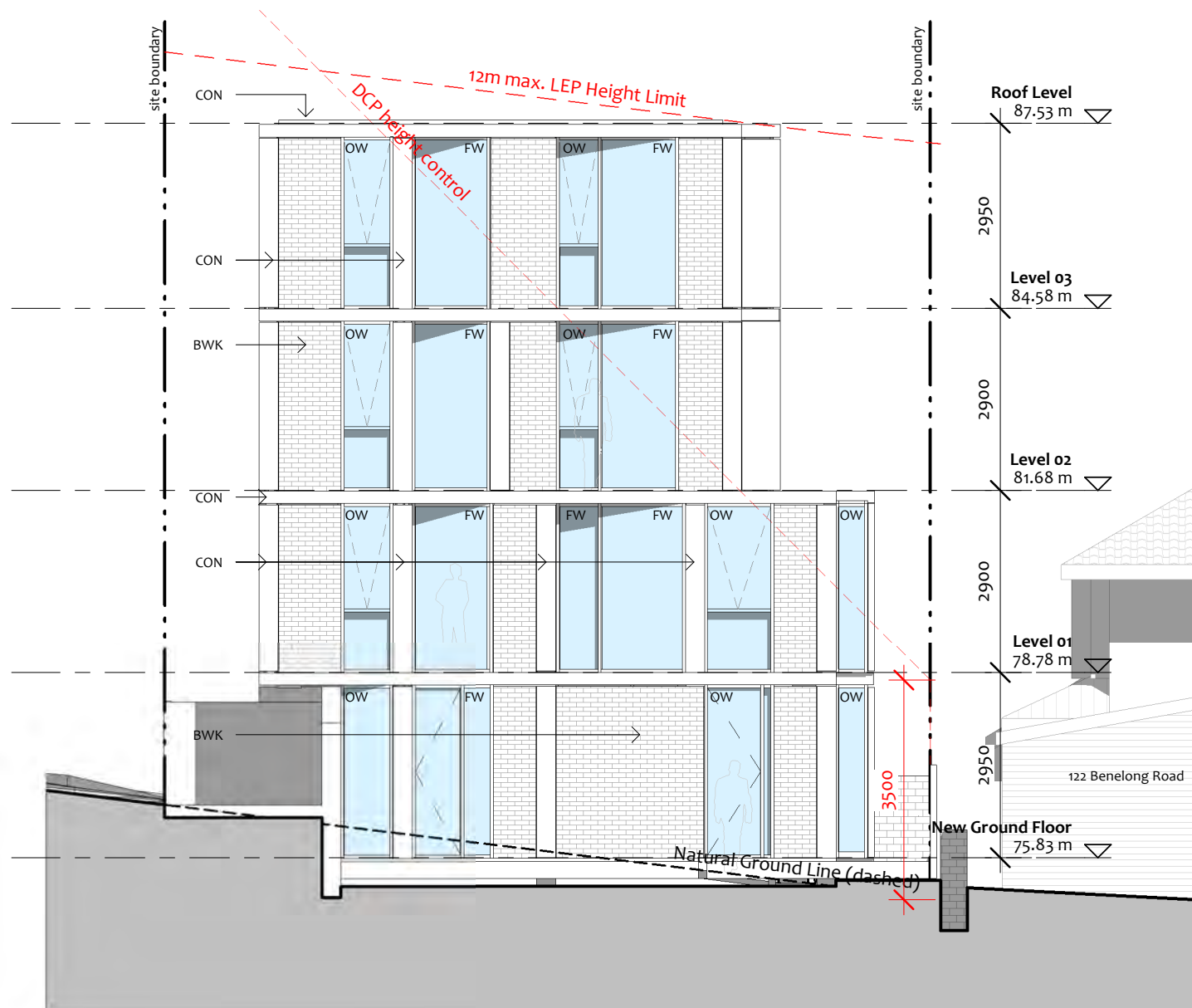
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				Revision	Date	Description														
				A	21.08.17	For Coordination														
B	21.08.31	For Coordination																		
C	21.09.29	Development Application																		
<p>Document Set ID: 8673717</p>	<p>Version: 1, Version Date: 15/10/2021</p>	<p>Revision C</p>																		



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				Revision	Date	Description														
				A	21.08.17	For Coordination														
B	21.08.31	For Coordination																		
C	21.09.29	Development Application																		
<p>Document Set ID: 8673717</p>																				
<p>Version: 1, Version Date: 15/10/2021</p>																				



1 North-East Elevation
1 : 100



2 South-West Elevation
1 : 100

DESIGN INTENT DRAWINGS
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Legend	
	Site Boundary
	Demolition
	New Construction
CON	Concrete
BWK	Brickwork
OW	Operable Window
FW	Fixed Window
GD	Glass Door
TMD	Timber Deck
RD	Roof Drain

Revision	Date	Description
A	21.08.17	For Coordination
B	21.08.31	For Coordination
C	21.09.29	Development Application

Architect
jkm architects
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Suite 6.13 / 55 Miller Street,
Pyrmont, NSW 2009.
ABN 98 651 373 483

Client.
Regal Benelong Pty Ltd

Project Name.
Cremorne Boarding House
Project Address
**124 Benelong Road,
Cremorne NSW 2090**

Project No.
2107
Sheet Name
Elevations - North-East & South-West
Drawing no.
DA03.00

Status
Development Application
Scale
1: 100 @ A3

Revision
C



1 North-West Elevation
1 : 100

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Legend	
	Site Boundary
	Demolition
	New Construction
CON	Concrete
BWK	Brickwork
OW	Operable Window
FW	Fixed Window
GD	Glass Door
TMD	Timber Deck
RD	Roof Drain

Revision	Date	Description
A	21.08.17	For Coordination
B	21.08.31	For Coordination
C	21.09.29	Development Application

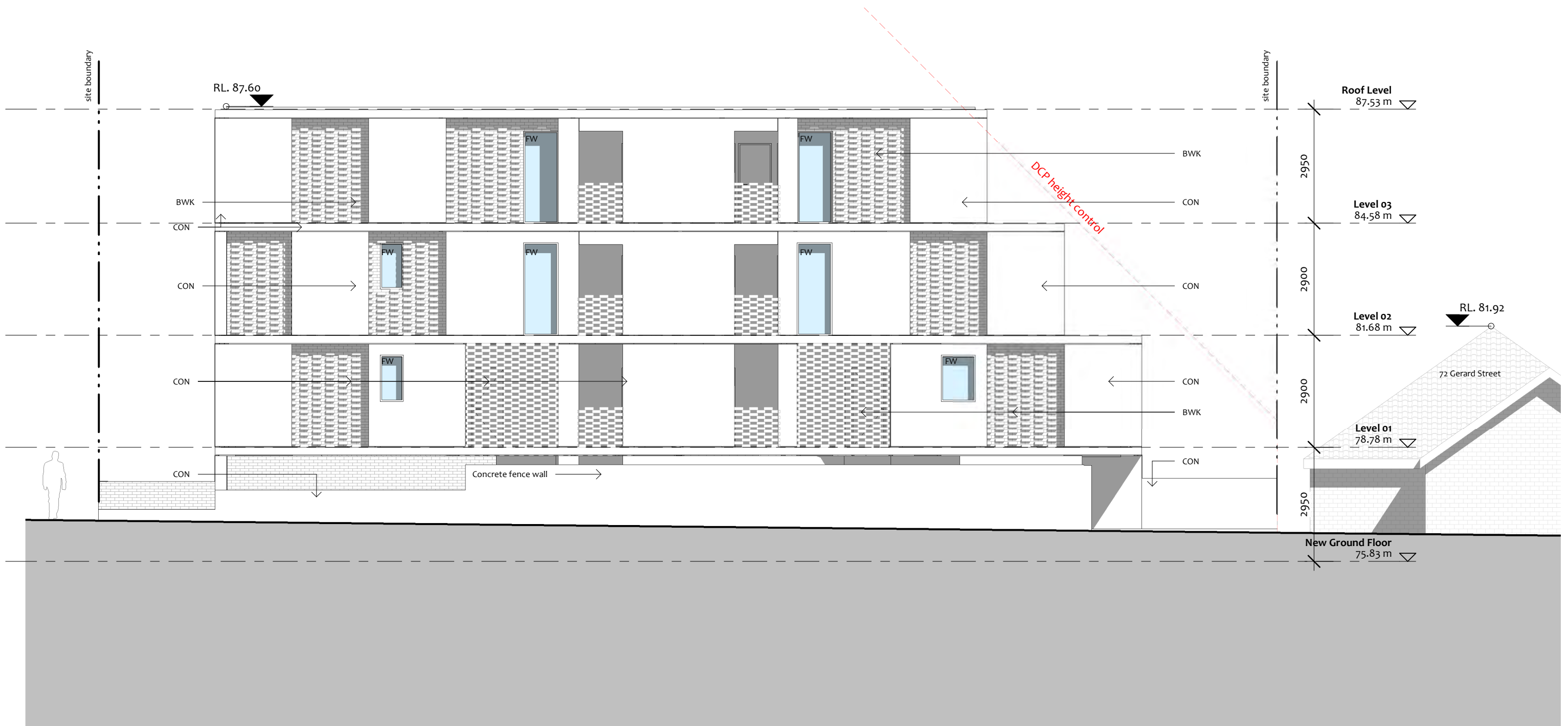
Architect
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Suite 6.13 / 55 Miller Street,
Pyrmont, NSW 2009.
ABN 98 651 373 483

Client:
Regal Benelong
Pty Ltd

Project Name:
Cremorne Boarding House
Project Address:
124 Benelong Road,
Cremorne NSW 2090

Project No.:
2107
Sheet Name:
Elevation - North-West
Drawing no.:
DA03.01

Status:
Development Application
Scale:
1: 100 @ A3
0 1000 2000 3000 mm
Revision C



1 South-East Elevation
1 : 100

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Legend	
	Site Boundary
	Demolition
	New Construction
	CON Concrete
	BWK Brickwork
	OW Operable Window
	FW Fixed Window
	GD Glass Door
	TMD Timber Deck
	RD Roof Drain

Revision	Date	Description
A	21.08.17	For Coordination
B	21.08.31	For Coordination
C	21.09.29	Development Application

Architect
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architects
JKMarchitects Pty Ltd
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Pyrmont, NSW 2009.
ABN 98 651 373 483

Client
Regal Benelong
Pty Ltd

Project Name
Cremorne Boarding House
Project Address
124 Benelong Road,
Cremorne NSW 2090

Project No.
2107
Sheet Name
Elevation - South-East
Drawing no.
DA03.02

Status
Development Application
Scale
1: 100 @ A3

Revision
C



1 Short Section
1 : 100

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Legend	
	Site Boundary
	Demolition
	New Construction
CON	Concrete
BWK	Brickwork
OW	Operable Window
FW	Fixed Window
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RD	Roof Drain

Revision	Date	Description
A	21.08.17	For Coordination
B	21.08.31	For Coordination
C	21.09.29	Development Application

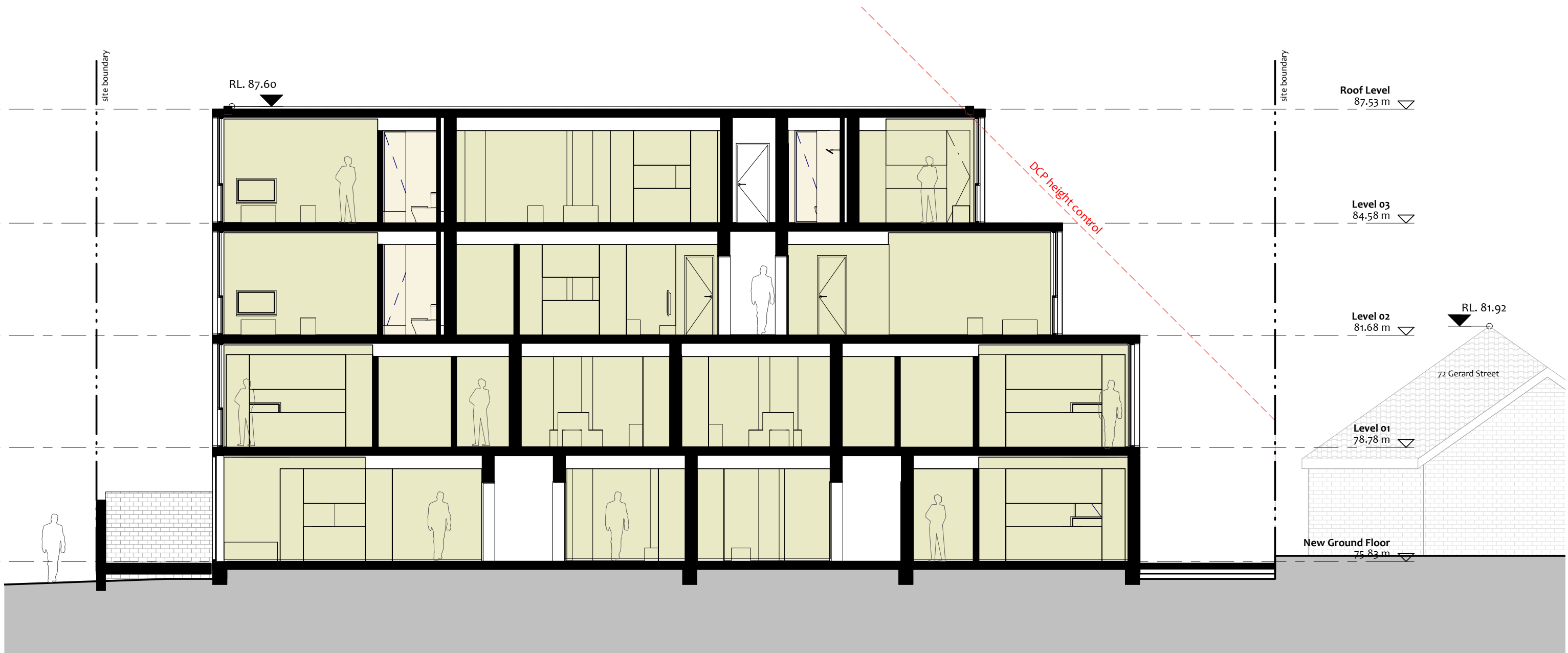
Architect
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JKMarchitects Pty Ltd
Suite 6.13 / 55 Miller Street,
Pyrmont, NSW 2009.
ABN 98 651 373 483

Client.
Regal Benelong
Pty Ltd

Project Name.
Cremorne Boarding House
Project Address
124 Benelong Road,
Cremorne NSW 2090

Project No.
2107
Sheet Name
Proposed Sections Sheet 01
Drawing no.
DA04.00

Status
Development Application
Scale 1: 100 @ A3 0 1000 2000 3000 mm Revision C



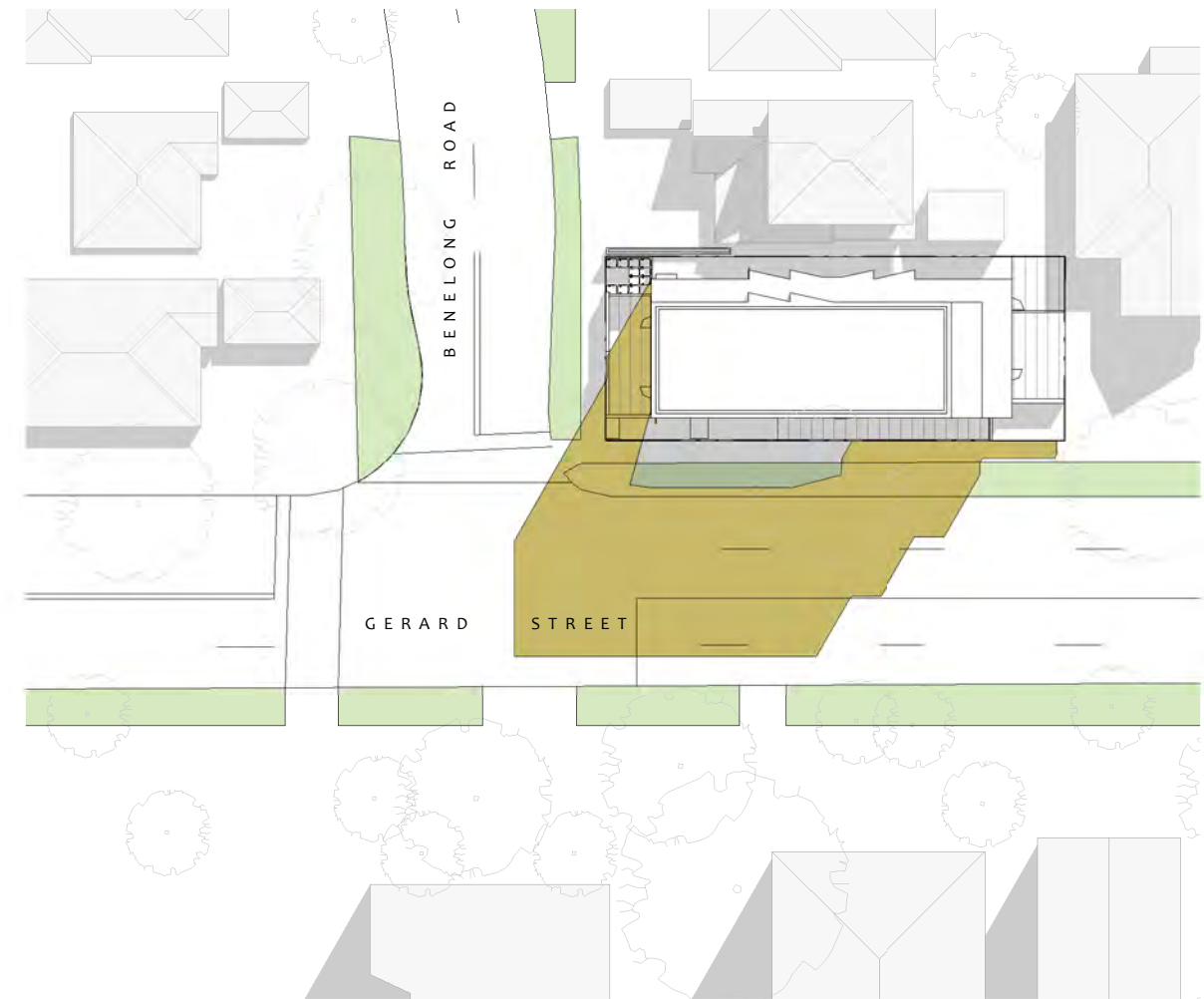
1 Long Section
1 : 100

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				Revision	Date	Description														
A	21.08.17	For Coordination																		
B	21.08.31	For Coordination																		
C	21.09.29	Development Application																		
<p>Scale 1: 100 @ A3</p> <p>0 1000 2000 3000 mm</p>	<p>Revision C</p>																			



1 June 21st 9am
1 : 500



2 June 21st 12pm
1 : 500

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Legend
 Proposed Shadows
 Existing Shadows



Revision	Date	Description
A	21.08.31	For Coordination
B	21.09.29	Development Application

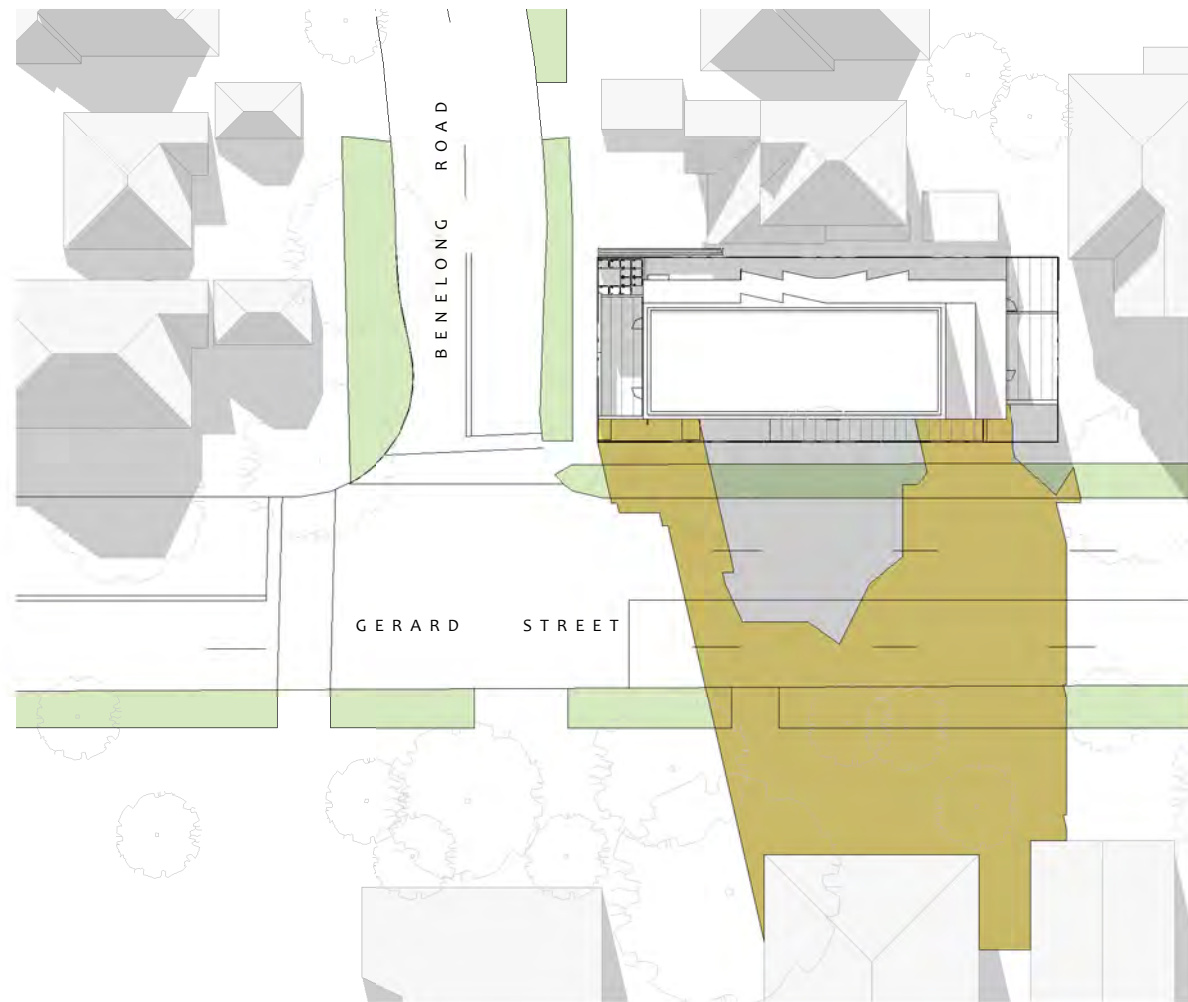
Architect
jkm
 architects
 JKMarchitects Pty Ltd
 Suite 6.13 / 55 Miller Street,
 Pyrmont, NSW 2009.
 ABN 98 651 373 483

Client.
 Regal Benelong
 Pty Ltd

Project Name.
 Cremorne Boarding House
 Project Address
 124 Benelong Road,
 Cremorne NSW 2090

Project No.
 2107
 Sheet Name
 Shadow Study
 Drawing no.
 DA10.01

Status
Development Application
Scale 1: 500 @ A3 0 5 10 15 m
Revision B



1 June 21st 3pm
1 : 500

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Legend

 Proposed Shadows
 Existing Shadows



Revision	Date	Description
A	21.08.31	For Coordination
B	21.09.29	Development Application

Architect

 JKMarchitects Pty Ltd
 Suite 6.13 / 55 Miller Street,
 Pyrmont, NSW 2009.
 ABN 98 651 373 483

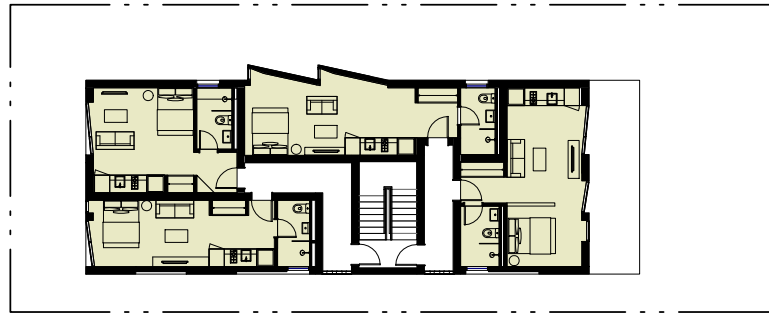
Client:
 Regal Benelong
 Pty Ltd

Project Name:
 Cremorne Boarding House
Project Address
 124 Benelong Road,
 Cremorne NSW 2090

Project No.
 2107
Sheet Name
 Shadow Study
Drawing no.
 DA10.02

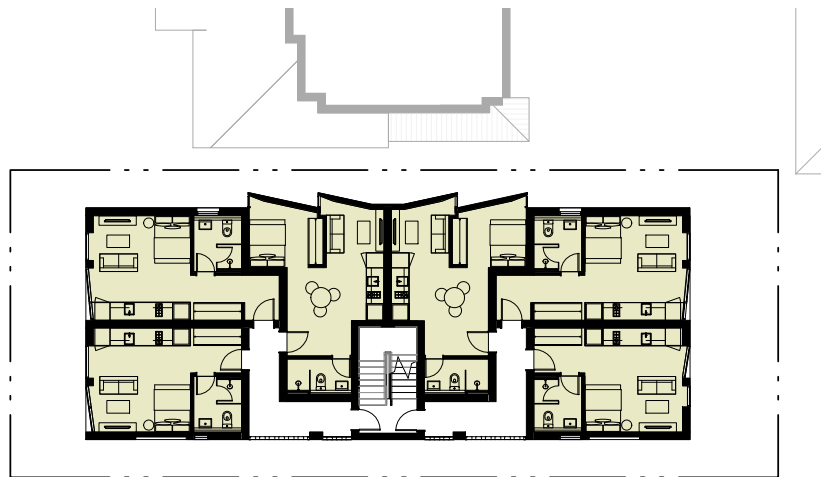
Status
 Development Application
Scale
 1: 500 @ A3

 0 5 10 15 m
Revision
 B



3 Level 02
1 : 300

4 Level 03
1 : 300



1 New Ground Floor
1 : 300

2 Level 01
1 : 300

Area Schedule (GFA)	
Level	Area
Level 03	104 m ²
Level 02	118 m ²
Level 01	169 m ²
New Ground Floor	161 m ²
	552 m ²

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Legend



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B	21.09.29	Development Application

Architect
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JKMarchitects Pty Ltd
Suite 6.13 / 55 Miller Street,
Pyrmont, NSW 2009.
ABN 98 651 373 483

Client
Regal Benelong
Pty Ltd

Project Name
Cremorne Boarding House
Project Address
124 Benelong Road,
Cremorne NSW 2090

Project No.
2107
Sheet Name
Area Schedule
Drawing no.
DA20.01

Status
Development Application

Scale
1: 300 @ A3
0 3 6 9 m
Revision B



Artistic Impression from Gerard Street



1. Off-form Concrete
CON



2. Brick facade (Boral Simmental Silver)
BWK



3. Perforated Brick facade for permeability (Brick colour should match BWK)



4. Powdercoated Aluminium Framing
Colour: Charcoal
AF

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			<p>Project Address 124 Benelong Road, Cremorne NSW 2090</p>	<p>Sheet Name Materials and Finishes</p>	<p>Drawing no. DA20.10</p>			<p>Scale @ A3</p>	<p>Revision B</p>	

124 BENELONG ROAD

CREMORNE, NSW 2090

LANDSCAPE DA DOCUMENTATION

EXISTING SITE PLAN



DRAWING REGISTER

DRAWING NUMBER	DRAWING NAME	SCALE / SIZE
LDA-00	LANDSCAPE COVER SHEET	N/A
LDA-01	LANDSCAPE PLAN	1:100 @ A3
LDA-02	LANDSCAPE DETAILS	1:20 @ A3

PLANT SCHEDULE

BOTANICAL NAME (COMMON NAME)	MATURE HEIGHT	NATIVE	POT SIZE	QUANTITY
TREES				
JACARANDA MIMOSIFOLIA (BLUE JACARANDA)	12M		100L	2
LAGERSTROEMIA INDICA (CREPE MYRTLE)	6-8M		100L	3
TRISTANIOPSIS 'LUSCIOUS'	10M	✓	100L	4
SHRUBS				
ACMENA 'MINOR'	2M	✓	300MM	-
CALLISTEMON 'BETTER JOHN'	1M	✓	300MM	-
PHOTINIA 'RUBENS'	1.5M		300MM	-
WERSTRINGIA 'AUSSIE BOX'	0.6M	✓	200MM	-
GRASSES & GROUNDCOVERS				
AGAPANTHUS 'SUGAR PLUM'	0.5M		140MM	-
CASUARINA 'COUSIN IT'	0.2M (TRAILING)	✓	140MM	-
DIANELLA 'CASSA BLUE'	0.4M	✓	140MM	-
LIRIOPE 'STRIPEY WHITE'	0.6M		140MM	-
MYOPORUM 'YAREENA'	0.3M	✓	140MM	-
TRACHELOSPERMUM 'TRICOLOUR'	0.3M		140MM	-
WESTRINGIA 'MUNDI'	0.5M	✓	140MM	-

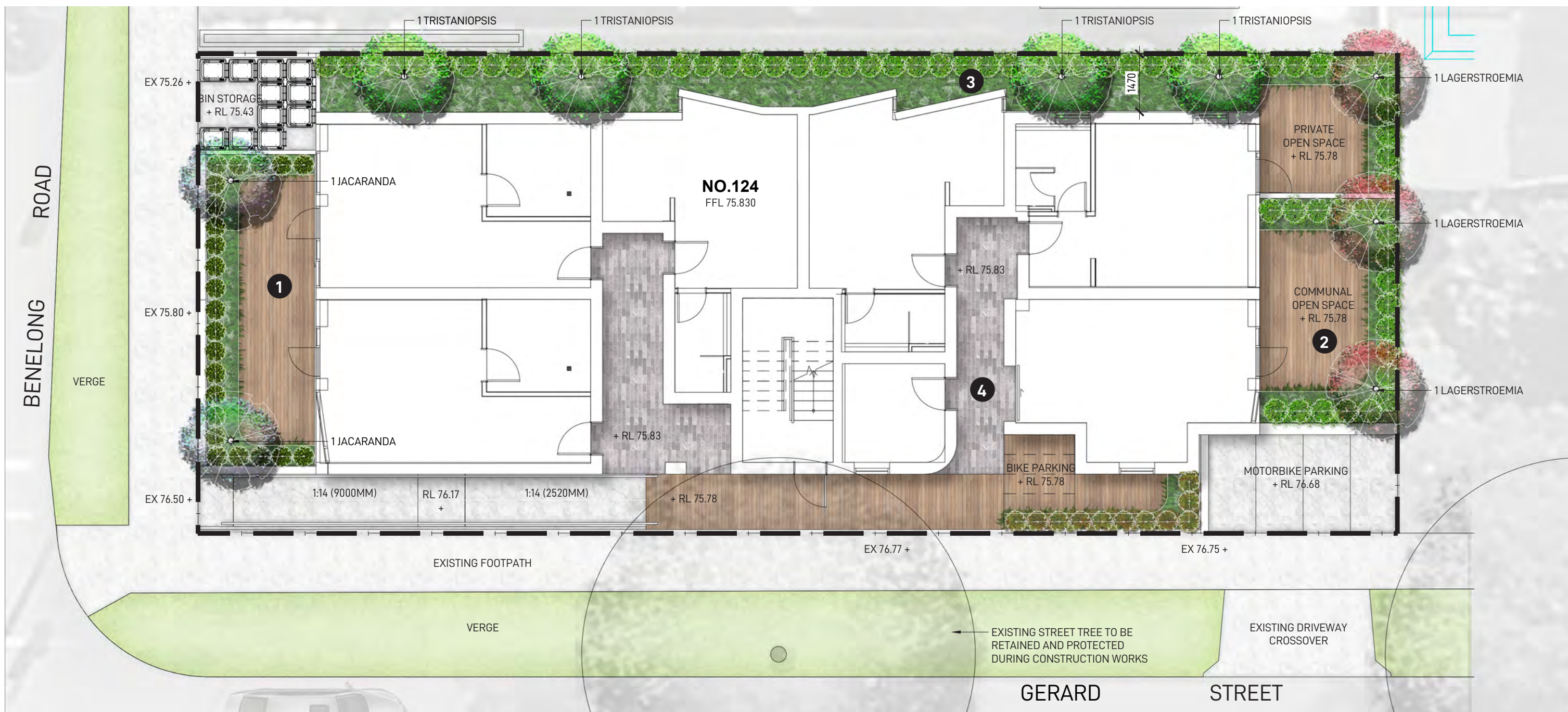
LANDSCAPE ARCHITECT
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ISSUE	DATE	DESCRIPTION	DRAWN	REVIEW
DRAFT	10/09/21	DRAFT DA ISSUE	MK	RL
A	23/09/21	DA ISSUE	MK	RL

DRAWING
LANDSCAPE COVER SHEET

DATE	JOB NUMBER	DRAWING NUMBER
23-SEP-21	20210823	LDA-00
PROJECT 124 BENELONG ROAD, CREMORNE, NSW 2090		
SCALE N/A		REVISION A



LEGEND

- SITE BOUNDARY
- EX 0.00 EXISTING SPOT LEVEL
- RL 0.00 PROPOSED SPOT LEVEL
- FFL 0.00 FINISHED FLOOR LEVEL
- PROPOSED SHRUB PLANTING
- PROPOSED TREE
- 1** PROPOSED JACARANDA TREES WITH UNDERSTOREY PLANTING OF AGAPANTHUS, CALLISTEMON AND MYOPORUM TO PROVIDE GREEN AMENITY TO NEW BUILDING FRONTAGE

- 2** PROPOSED DECKING OPEN SPACE WITH TREE PLANTING OF LAGERSTROEMIA INDICA AND PERIMETER UNDERSTOREY PLANTING OF PHOTINIA AND TRACHELOSPERMUM
- 3** PROPOSED TREE PLANTING OF TRISTANIOPSIS 'LUSCIOUS' WITH MIXED UNDERSTOREY PLANTING OF ACMENA, DIANELLA, MYOPORUM AND WESTRINGIA TO PROVIDE A GREEN VISUAL PRIVACY FROM NEIGHBOURING PROPERTIES
- 4** PROPOSED UNIT PAVING SUBJECT TO FUTURE DETAILS

INDICATIVE PLANT IMAGES



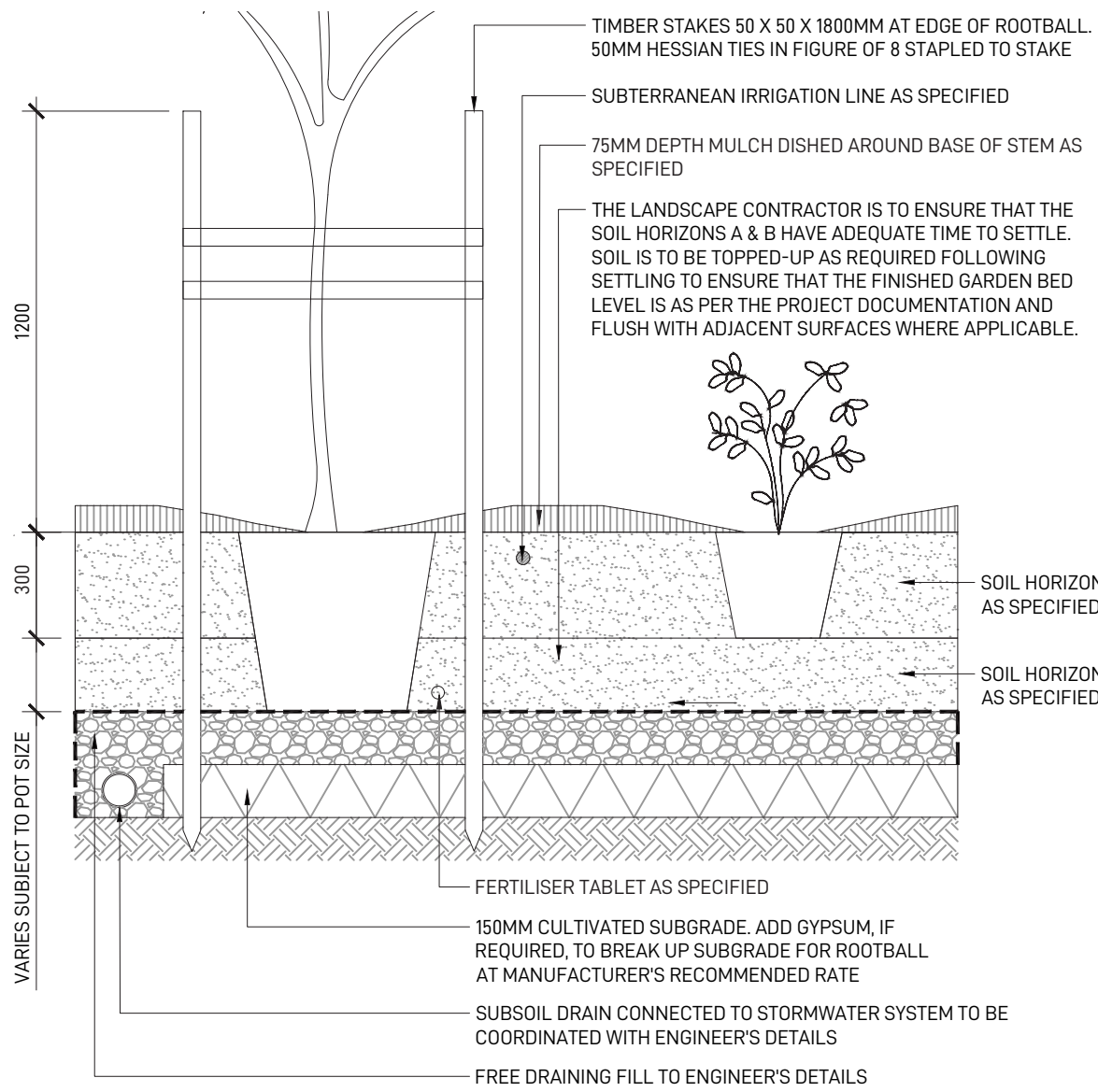
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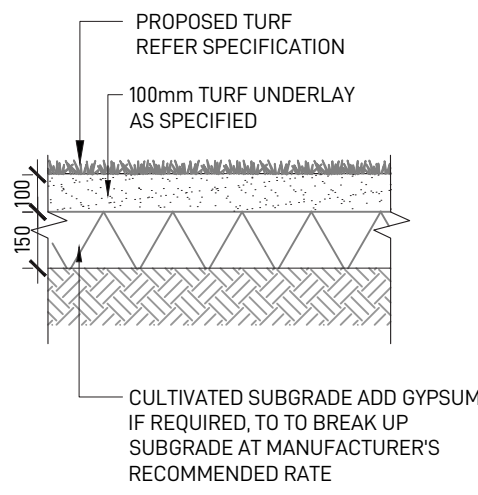
ISSUE	DATE	DESCRIPTION	DRAWN	REVIEW
DRAFT	10/09/21	DRAFT DA ISSUE	MK	RL
A	23/09/21	DA ISSUE	MK	RL

DRAWING
LANDSCAPE PLAN

DATE	JOB NUMBER	DRAWING NUMBER
23-SEP-21	20210823	LDA-01
PROJECT 124 BENELONG ROAD, CREMORNE, NSW 2090		NORTH
SCALE 1:100 (A3)		REVISION A



MASS PLANTING
TYPICAL SECTION
1:20 @ A3



TURF ON NATURAL GROUND
TYPICAL SECTION
1:20 @ A3

OUTLINE LANDSCAPE SPECIFICATION

GENERAL

MAINTENANCE SHALL MEAN THE CARE AND MAINTENANCE OF THE LANDSCAPE WORKS BY ACCEPTED HORTICULTURAL PRACTICE AS RECTIFYING ANY DEFECTS THAT BECOME APPARENT IN THE LANDSCAPE WORKS UNDER NORMAL USE. THE LANDSCAPE CONTRACTOR SHALL ATTEND THE SITE ON A WEEKLY BASIS TO MAINTAIN THE LANDSCAPE WORKS FOR THE FULL TERM APPROVED AT CC STAGE OF THE MAINTENANCE PERIOD (COMMENCING FROM PRACTICAL COMPLETION).

RUBBISH REMOVAL

DURING THE TERM OF THE MAINTENANCE PERIOD THE LANDSCAPE CONTRACTOR SHALL UNDERTAKE RUBBISH REMOVAL FROM THE SITE ON A WEEKLY BASIS TO ENSURE THE SITE REMAINS IN TIDY CONDITION.

WEED ERADICATION

WEED GROWTH THAT MAY OCCUR IN, PLANTED OR MULCHED AREAS IS TO BE REMOVED USING ENVIRONMENTALLY ACCEPTABLE METHODS I.E. NON-RESIDUAL GLYPHOSATE HERBICIDE, (E.G. 'ROUNDUP', APPLIED IN ACCORDANCE WITH THE MANUFACTURER'S DIRECTIONS) OR HAND WEEDING.

TREE REPLACEMENT

TREES SHALL SHOW SIGNS OF HEALTHY VIGOROUS GROWTH AND BE FREE FROM DISEASE AND NOT EXHIBIT SIGNS OF STRESS PRIOR TO HANDOVER TO THE CLIENT. ANY TREES OR PLANT THAT DIE OR FAIL TO THRIVE, OR ARE DAMAGED OR STOLEN WILL BE REPLACED. REPLACEMENT MATERIAL SHALL HAVE THE MAINTENANCE PERIOD EXTENDED IN ACCORDANCE WITH THE LANDSCAPE CONTRACT CONDITIONS. TREES AND PLANT MATERIALS SHALL BE EQUAL TO THE MINIMUM REQUIREMENTS OF SPECIES SPECIFIED AND APPROVED MATERIAL DELIVERED TO SITE. SHOULD THE CONDITION DECLINE FROM THE APPROVED SAMPLE THE SUPERINTENDENT RESERVES THE RIGHT TO REJECT THE TREE / PLANTS. FREQUENCY: AS REQUIRED.

PRUNING

SELECTIVE PRUNING MAY BE REQUIRED DURING THE ESTABLISHMENT PERIOD TO PROMOTE A BALANCED CANOPY STRUCTURE. THESE ACTIVITIES SHALL BE CARRIED OUT TO THE BEST HORTICULTURAL AND INDUSTRY PRACTICE. ALL PRUNED MATERIAL IS TO BE REMOVED FROM SITE.

IRRIGATION

A LOW VOLUME DRIP IRRIGATION SYSTEM MAY BE INSTALLED AT THE DISCRETION OF THE DEVELOPER. POSITION OF CONTROL BOX, SOLENOIDS AND IRRIGATION CONDUITS TO BE DESIGNED BY QUALIFIED IRRIGATION ENGINEER AT CC STAGE. CONTROLLERS SHALL BE MOUNTED ON A STABLE WALL, POWER RACK, OR FORMED AND CONSTRUCTED CONCRETE BASED PEDESTAL MOUNT. PERFORMANCE SPECIFICATION TO BE PROVIDED BY LANDSCAPE ARCHITECT, NOMINALLY 25MM DELIVERED TO PLANT AREAS EACH WEEK DURING ESTABLISHMENT (DEPENDING ON WEATHER CONDITIONS). AFTER ESTABLISHMENT, IRRIGATION RATES CAN BE DECREASED IN CERTAIN AREAS OF THE LANDSCAPE DEPENDING ON THE SPECIES.

WATERING

IMPLEMENT AN APPROPRIATE HAND WATERING REGIME IN AREAS NOT IRRIGATED IN ASSOCIATION WITH CURRENT WATERING PROGRAMME TO MAINTAIN PLANT HEALTH AND VIGOUR. THE PROGRAM SHALL REFLECT SEASONAL CONDITIONS AND PLANT SPECIES. FREQUENCY: WEEKLY OR AS REQUIRED.

DRAINAGE

ALL LANDSCAPE AREAS ARE TO HAVE POSITIVE DRAINAGE TO SW SYSTEMS. IF AREAS OF POOR DRAINAGE ARE IDENTIFIED ON SITE THEN THIS SHOULD BE BROUGHT TO THE SITE SUPERINTENDENTS ATTENTION. INSTALL AGG LINES IF REQUIRED.

SOILS

HORIZON A - GARDEN BEDS ON NATURAL GROUND
A SANDY LOAM TO CLAY LOAM TOPSOIL MIX DESIGNED FOR GENERAL PURPOSE, ON-GRADE LANDSCAPE GARDEN BED PLANTING OF GRASSES, WOODY AND HERBACEOUS ANNUALS AND PERENNIALS THAT HAVE HIGH NUTRIENT REQUIREMENT FOR SUSTAINED OPTIMUM GROWTH, AND ARE NOT SUBJECT TO COMPACTION BY PEDESTRIAN AND OTHER FOOT TRAFFIC. HEAVIER TEXTURED SOILS IN THIS SPECIFICATION MAY REQUIRE ENGINEERED SOLUTIONS WHERE EXCESSIVE WETNESS IS ANTICIPATED. NOTE THAT ORGANIC SOIL

VARIANT SHOULD NOT BE CHOSEN FOR LOW P PLANTINGS AND SHOULD NOT BE USED BELOW 300MM. PLANTING METHODS INCLUDE DIRECT SEEDING, TUBE AND POTTED SPECIMENS UP TO 45L

HORIZON B - LARGER POTTED PLANTING BELOW 300MM
A SANDY, WELL DRAINED MEDIUM WITH LOW ORGANIC MATTER FOR BACKFILLING BELOW 300MM FROM THE SURFACE IN LARGER POTTED SPECIMENS OVER 45L OR 400MM DEPTH OF ROOT BALL, SEMI-ADVANCED, ADVANCED AND SUPER ADVANCED TREE PLANTING. THE SPECIFICATION MAY USE A SMALL PROPORTION OF SITE WON TOPSOIL OR SUBSOIL, PROVIDED THE ORGANIC MATTER UPPER LIMIT IS NOT EXCEEDED.

CULTIVATION

ALL GARDEN BEDS TO BE CULTIVATED TO A MIN DEPTH OF 150MM AND TREE PITS TO THE DEPTH OF THE ROOT BALL ONLY. IF ADDITIVES SUCH AS GYPSUM ARE REQUIRED CONDUCT THIS AFTER CULTIVATION INTO THE TOP 100MM OF SOIL.

PLANTING

ALL PLANTING TO BE GROWN TO NATSPEC SPECIFICATIONS. CONTRACTOR TO PREPARE SITE FOR PLANTING INCLUDING WATERING, HANDLING, SETTING OUT AND EXCAVATION. EXCAVATE A HOLE FOR EACH PLANT LARGE ENOUGH TO PROVIDE NOT LESS THAN 100MM ALL AROUND THE ROOT SYSTEM OF THE PLANT. FOR TREE PLANTING EACH HOLE SHALL BE DUG WITH A SHOVEL, BACKHOE OR SIMILAR TOOL. INDIVIDUAL HOLES SHALL BE EXCAVATED TO ALLOW ROOT SYSTEM TO SIT FLAT ON THE EXCAVATED HOLE AND 400MM TO EACH SIDE OF THE ROOT SYSTEM. BACKFILL PLANTING HOLES WITH EXISTING SITE SOIL AND TOPSOIL AS DESCRIBED IN SECTION 'SOIL'. PLANT / TREE SHALL BE SET PLUMB, WITH THE ROOT BALL SET SLIGHTLY BELOW THE FINAL SOIL LEVEL.

MULCHING

THE LANDSCAPE CONTRACTOR SHALL SUPPLY AND INSTALL 10MM PINE BARK MULCH TO ALL GARDEN BEDS SHOWN ON THE LANDSCAPE PLANS, TO A MINIMUM DEPTH OF 75MM. ALL MULCH IS TO BE FREE OF DELETERIOUS MATTER SUCH AS SOIL, WEEDS AND STICKS. MULCHED SURFACES ARE TO BE KEPT CLEAN AND TIDY AND FREE OF ANY DELETERIOUS MATERIAL AND FOREIGN MATTER. REINSTATE DEPTHS TO A UNIFORM LEVEL OF 75MM WITH MULCH AS SPECIFIED, MULCH TO BE FREE OF ANY WOOD MATERIAL IMPREGNATED WITH CCA OR SIMILAR TOXIC TREATMENT. MAINTAIN WATERING RINGS AROUND TREES. TOP UP MULCH LEVELS PRIOR TO HANDOVER TO CLIENT.

TURFING

THE LANDSCAPE CONTRACTOR SHALL SUPPLY AND INSTALL SAPPHIRE BUFFALO TURF IN STRETCHER PATTERN TO ALL TURF AREAS SHOWN ON THE LANDSCAPE PLANS AND IS TO FINISH FLUSH WITH ADJACENT SURFACES. TURF TO BE A MIN THICKNESS OF 50MM WITH A 40MM MOWING HEIGHT. CONTRACTOR TO ALLOW FOR FERTILISING, LAYING, TAMPING, WATERING, TOP DRESSING, MAINTENANCE AND MOWING. THE LANDSCAPE CONTRACTOR SHALL SUPPLY AND INSTALL TURF UNDERLAY UNDER ALL TURF AREAS, CONSISTING OF 100MM THICK LAYER OF SCREENED TOP SOIL.

PEST AND DISEASE CONTROL

THE LANDSCAPE CONTRACTOR SHALL SPRAY FOR PESTS AND DISEASE INFESTATIONS WHEN THE PEST AND FUNGAL ATTACK HAS BEEN POSITIVELY IDENTIFIED AND WHEN THEIR POPULATIONS HAVE INCREASED TO A POINT THAT WILL BECOME DETRIMENTAL TO PLANT GROWTH. APPLY ALL PESTICIDES TO MANUFACTURER'S DIRECTIONS. FREQUENCY: WEEKLY INSPECTION

FERTILISING

PELLETS SHALL BE IN THE FORM INTENDED TO UNIFORMLY RELEASE PLANT FOOD ELEMENTS FOR A PERIOD OF APPROXIMATELY NINE MONTHS EQUAL TO SHIRLEYS KOKEI PELLETS, ANALYSIS 6.3:1.8:2.9 OR SIMILAR APPROVED. KOKEI PELLETS SHALL BE PLACED AT THE TIME OF PLANTING TO THE BASE OF THE PLANT, 50MM MINIMUM FROM THE ROOT BALL AT A RATE OF TWO PELLETS PER 300MM OF TOP GROWTH TO A MAXIMUM OF 8 PELLETS PER TREE. GENERALLY CHECK FOR SIGNS OF NUTRIENT DEFICIENCIES (YELLOWING OF LEAVES, FAILURE TO THRIVE), AND ADAPT FERTILISER REGIME TO SUIT. FERTILISER SHOULD BE APPLIED AT THE BEGINNING AND THE END OF THE (SUMMER) GROWING SEASON.

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DRAFT	10/09/21	DRAFT DA ISSUE	MK	RL
A	23/09/21	DA ISSUE	MK	RL

DRAWING
LANDSCAPE DETAILS

DATE	JOB NUMBER	DRAWING NUMBER
23-SEP-21	20210823	LDA-02
PROJECT 124 BENELONG ROAD, CREMORNE, NSW 2090		
SCALE 1:20 (A3)		REVISION
0	0.2	0.4
0.6	0.8	1m
		A

PLAN OF MANAGEMENT

124 BENELONG ROAD, CREMORNE

SUBMITTED TO
NORTH SYDNEY COUNCIL

PREPARED BY
ABC PLANNING PTY LTD

October 2021

PLAN OF MANAGEMENT

PLAN OF MANAGEMENT

The primary purpose of this plan is to ensure the proposed boarding house for lodgers and or student accommodation maintains a high level of amenity for neighbouring properties and for all lodgers residing in the premises.

SITE MANAGEMENT

1. The boarding house shall operate in accordance with the terms of this Plan as well as all conditions of development consent.
2. A copy of this plan is to be retained on Council's Development Application, Construction Certificate and Property File.
3. The boarding house shall be restricted to 19 boarding rooms, 1 caretaker/manager room, and 1 communal room.
4. The boarding rooms shall comprise 3 x single room and 20 x double rooms.
5. Maximum permanent resident occupancy shall be 36 persons (35 boarders and 1 manager). A schedule showing the numerical designation of each bedroom and the number of persons permitted to be accommodated in each room must be conspicuously displayed on the premises.
6. Each room must be numbered in accordance with the schedule and there must be displayed clearly on the door, or in each bedroom, the maximum number of persons allowed to be accommodated in the bedroom.
7. At no time is any room to be advertised or made available for short stay accommodation such as that associated with backpacker hostels, motels, hotels or the like.

ACCOMMODATION REGISTRATION

8. A hard copy of this plan is to be provided to each new lodger upon arrival. Failure to adhere to this plan will result in cessation of occupation.
9. Each lodger is to be registered by the caretaker/manager and a copy of the plan is to be signed by the lodger.
10. An accommodation register will be maintained providing details of all occupants, length of stay and payment details.
11. Each lodger is to sign an Occupancy Agreement and House Rules Agreement and the minimum term is 3 months.
12. Upon registering, each lodger will be given a welcome pack which clearly outlines the rules that are to be strictly adhered to. Any lodger found breaking these rules will be issued with a warning. An individual lodger has a maximum of three (3) warnings before their lease is terminated.

INFORMATION FOR LODGERS

13. Upon arrival lodgers are issued with an information sheet. This document will provide general information about the premises as well as a note that there is residential development in the vicinity and that lodgers need to take the neighbours' interests into account when leaving and entering.
14. The publications and factsheets will be updated at least every 12 months and where not available similar information will be provided.

LODGER IDENTIFICATION

15. The caretaker/manager will require photo ID (e.g. typically either passport or driver's licence) prior to renting a boarding room.

CARETAKER/MANAGERS RESPONSIBILITIES

16. The caretaker/manager shall be familiar with and aware of his or her responsibilities under such legislation as the OHS Act 2000, OHS Regulation 2001 and the Innkeepers Act.
17. The caretaker must be a permanent resident and shall be available during typical business hours on weekdays (9am-5pm) and on Saturday morning (9am-midday). When not present on site, the mobile phone number of the caretaker manager must be readily available. A sign (including the name and phone number of the caretaker/manager) which is clearly visible must be displayed adjacent to the entrance of the premises.
18. The on-site caretaker/manager must be over 18 years of age.
19. The caretaker/ manager shall be responsible for keeping all common areas in an excellent state of cleanliness.
20. The on-site manager will ensure that boisterous and noise generating activities are minimised.

NOISE MITIGATION MEASURES

The on-site manager shall be responsible for enforcing the following noise mitigation measures:

21. The noise mitigation measures include:
 - a. No music (live or amplified) is to be played within the outdoor communal area
 - b. No alcohol is to be consumed within the internal or communal areas
 - c. No smoking is permitted in the outdoor communal room or within the internal common room
 - d. Signage is to be provided which advises occupants to be mindful of surrounding neighbours

OCCUPANCY/VISITORS

22. No more than 1 lodger and 1 visitor shall be permitted in the single rooms and 2 lodgers and 1 visitor shall be permitted in the double rooms.
23. Visitors to the premises are only permitted between 9am and 9pm. Greater occupancy than those registered shall result in cessation of occupancy. Any lodger inviting visitors to the premises must accept full responsibility for them and their behaviour.

COMPLAINTS

24. The caretaker/manager is responsible for recording any complaints in a complaint register which is to be available to surrounding neighbours and Council upon request. The register shall detail how and when any complaints are dealt with.
25. The caretaker/ manager will be available during business hours, being 9am to 6pm, Monday to Saturday. The caretaker/manager is to deal with any complaints as to the operation and management of the premises. An after-hours number is to be provided, with such phone number being publicly available. There will be a register of all complaints. The register will contain:
 - a. Complaint date and time
 - b. Name of person/police/council making the complaint
 - c. Contact details
 - d. Nature of the complaint
 - e. Action taken (by whom and when)
 - f. Outcome and/or further action required.

All complaints shall be dealt with by management within 24 hours of notification. The Complaints Register is to be made available to Police and Council upon request.

SIGNAGE

26. Signs are to be placed at the entrance of the building and within the foyer which provide a 24-hour phone number for neighbours and residents to call, shall there be any immediately concerning issues.
27. No smoking signs are to be erected within the outdoor communal area. A breach of this will result in the lodger being issued with a warning. Multiple warnings will result in cessation of tenancy.
28. No alcohol signs are to be erected within the outdoor communal area. A breach of this will result in the lodger being issued with a warning. Multiple warnings will result in cessation of tenancy.
29. Signs stating "please respect our neighbours" to be erected within the outdoor communal area and at the exit points of the building.
30. Signage with the communal area stating "no music is to be played within the outdoor communal area."

ONGOING MAINTENANCE

31. A contracted gardener shall be engaged once every 3 months to maintain the health and appearance of all landscaped areas.
32. An accessible path of travel shall be maintained between the street entry and the accessible boarding rooms as well as to the common room and external courtyard.
33. Pest control by a professional contractor shall be carried out at least once a year.
34. The external presentation of the premises to be maintained to a high standard with all rendered surfaces to be cleaned and painted as necessary.

WASTE MANAGEMENT

35. All lodgers shall be responsible for disposing their waste to the communal bin storage area and are to utilise the general waste, paper/cardboard and bottle/can recycling provisions. Separate sorting bins are to be provided within each boarding room.
36. The caretaker/manager shall be responsible for taking the bins to and from the street on collection day.
37. A floor waste and hose cock is to be provided adjacent to the garbage store area to ensure that the room is kept in a high state of cleanliness.

HOUSE CLEANING

38. The common areas and communal room are to be professionally cleaned by a contractor weekly. Each boarder will be responsible for cleaning their room.

HOUSE RULES

39. No alcohol is permitted to be consumed in the communal room or in the communal open space. No unauthorised drugs are permitted on the premises.
40. All windows and doors must be closed when loud volume music or television is played indoors.
41. All music is to cease playing after 9pm.
42. Low volume level TV may be played without doors and windows shut to allow for ventilation at the discretion of the on-site caretaker.
43. No live or amplified music is permitted in the communal open space area nor is music to be audible beyond individual rooms.
44. No glassware is permitted in the common area.
45. The premises are non-smoking. This includes within each room, within communal areas and communal open space areas.
46. The common walkways and access ways are not to be used for congregating or as communal areas.

ROOM FURNISHING

47. All rooms are to be fully furnished and no lodger may bring their own furniture to the premises. Each room shall be provided with:
 - a. Single/Double bed including base, mattress and mattress protector
 - b. Wardrobe
 - c. Mirror
 - d. Table and chair
 - e. Suitable lighting including night light
 - f. Waste receptacles including recyclables
 - g. Curtains/blinds or other privacy device
 - h. Kitchenette to include sink, bench, storage, bar fridge and microwave
48. No furniture or storage of any bulky household items are permitted to be stored on site.
49. The lodgers shall advise the caretaker/manager of any broken furniture or faulty services within each room or laundry. The caretaker/manager shall be responsible for replacement of furniture as required.
50. Each lodger shall permit the caretaker/manager access as required to check cleanliness, condition of furniture and maintenance of services (fridge, microwave oven). The caretaker/manager must give each lodger at least 1 days' notice of an inspection.

PUBLIC LIABILITY INSURANCE

51. The owners will maintain a public liability cover of \$10 million.

ENERGY EFFICIENCY

52. Any replacement of fixtures or appliances is to be in accordance with the energy ratings required by the approved Section J Report/Capability Statement.

FIRE SAFETY/CERTIFICATION

53. A copy of the annual fire safety compliance statement shall be displayed in a prominent location. Essential fire safety measures to comply with the *Environmental Planning and Assessment Regulation 2000*
54. Mattresses, curtains and furniture will be of materials that resist the spread of fire, and limit the generation of smoke and heat.
55. An evacuation plan must be clearly displayed in each room and common room. A floor plan must be permanently fixed to the inside of the door of each sleeping room to indicate the available emergency egress routes from the respective sleeping room
56. The caretaker/manager's contact phone number must be clearly displayed at the entrance of the premises whilst also being available in each room. Other emergency contact details (police, fire ambulance) as well as utility information (gas, electricity, and plumbing) are to also be clearly visible in each room.
57. Annual certification of Fire Safety Equipment and preparation of the Form 15a is carried out by a fire safety consultant. Annual certification required of any of the equipment is overseen by the owners.

SAFETY AND SECURITY

58. Check in time for new lodger will be between 9am and 6pm daily with lodgers to be registered by the lodger caretaker/manager.
59. A swipe card will be issued to all lodgers with no additional cards to be issued to visitors.
60. Any lodger failing to observe the rules and any cases of serious misconduct will be dealt with by the caretaker/manager who may require a lodger to leave the premises. Examples of serious misconduct include, but are not limited to, drug or alcohol abuse, sexual, racial or religious harassment, theft or violence. Lodgers are to advise the caretaker/manager if another lodger is performing illegal acts on the property. The caretaker/manager shall call the Police in such instance.
61. Additional safety and security measures for all residents may include but are not limited to such things as internal signage indicating the property caretaker or manager and contact number, emergency contact numbers for essential services such as fire, ambulance, police, and utilities such as gas, electricity, plumbing, installation of perimeter lighting, appropriate fencing and secure gates, and all residents to have own keys.

OCCUPATION HEALTH AND SAFETY REQUIRMENTS

62. The caretaker/manager and staff must be aware of their responsibilities under such legislation as the OHS Act 2000, OHS Regulation 2001, and the Innkeepers Act.
63. The WorkCover website lists the OHS Act and Regulations and other helpful information – visit www.workcover.nsw.gov.au for boarding houses NSW



DA No: 323/21

PAN: 151863

ADDRESS: 124 Benelong Road Cremorne

PROPOSAL: Boarding house

DATE: 9 November 2021

ATTENDANCE:

Chair: Anita Morandini

Panel Members: Professor Peter Webber, Peter St Clair, Louise Pearson

Council staff: Stephen Beattie, Jim Davies

Applicant: Keith Ma, JKM Architects, Anthony Betros, ABC Planning

PANEL COMMENTS

Principle 1: Context and local character

The area is characterised by its garden setting and predominately two storey, highly articulated tiled pitched roof dwellings stepping with the topography of the land.

The proposed bulk, scale, flat roof, unarticulated facade, material treatment and colouring is uncharacteristic of the neighbourhood setting.

On Gerard Street, the inadequate setback provides no opportunity for significant planting to contribute to the greening of the street.

An important consideration is that adjoining sites to the north are also zoned to accommodate buildings of up to 12 metres in height. Any development on the subject site must be acceptable in relation to both existing and potential future development. The proposal as submitted would not be appropriate in either the existing or likely future contexts.

Principle 2: Built form, scale and public domain/urban design response

The proposal cannot be supported in view of significantly inadequate setbacks, and non-compliance with DCP envelope controls for the two top levels and part of level 1.

No roof parapet, upstands or services are shown at roof level, all of which will likely further impact on height.

Poised at the top of a rise when viewed from the north, the building presents as 4 storeys. Non-compliant setbacks exacerbate the perceived height and scale of the building.

Street setbacks are significantly less than existing nearby development. An undesirable precedent would be set for other development permitted in the R4 zone if this proposal was to proceed in its current form.



The setback to Gerard Street is 1.5m, far less than typical, with no significant landscape screening in keeping with others in the street.

At 1.5m the side setback to the northern neighbour with the two top levels significantly in breach of the DCP envelope controls results in an assertive and dominant built form.

Proposed at 3.0m, the setback to Benelong Road is approximately half that of existing dwellings to the north.

Principle 3: Density

The proposed density based on non-compliant building setbacks and inadequate floor to floor heights results in a development of poor residential amenity, impacting on neighbouring developments and an inappropriate built form relationship to the existing and future context.

The proposed should comply with height, setback and site coverage DCP controls to achieve an appropriate density.

Principle 4: Sustainability, building performance and adaptability

Window openings to rooms G03, G04, 01.03, 01.04 and 2.03 are too small to provide adequate daylight, internal amenity and sustainable outcomes.

The northern elevation takes little advantage of solar access and views.

Fenestration to the east and west have large areas of glass, with no solar protection from summer sunlight, or measures to provide privacy.

No sustainability initiatives are apparent. Solar panels, greening of roofs and rainwater recycling should be considered.

Principle 5: Landscape Integration

The minimal setback to Gerard Street does not allow substantial planting on this side of the site, either to screen the building or complement the character of the street.

Overland flow and storm water infiltration will change significantly. Deep soil and landscaped area appear to be inadequate. Ground floor levels as proposed will result in overland flow ponding at the ground level entry. The proponent is encouraged to review the ground floor design with a civil engineer to ensure overland flow is sufficiently resolved and onsite detention requirements are met.



Image: Ground floor entry levels.

The open bin storage located on the street front and accessed via the public footpath is not supported. An internal bin store should be provided, at a minimum discretely located and accessed from within the property boundary.



Native and endemic species are recommended (rather than exotics as proposed) to enable a more connected habitat for native fauna.

Principle 6: Building configuration, planning, and amenity

The cumulative impacts of the proposal result in poor residential amenity and must be resolved.

Neighbouring residential amenity

The north-west elevation is unarticulated and largely blank. Despite the orientation of the small windows to avoid overlooking, the unmitigated scale and presentation of the facade dominates and overwhelms the neighbouring dwelling at 122 Benelong Road.

East and west facing rooms have large windows with no privacy screens to manage privacy and overlooking between neighbouring residential properties.

Room amenity

A number of rooms offer inadequate space and amenity. Rooms G03, G04, 01.03, 01.04 and 2.03 in particular have insufficient window openings to provide outlook, natural daylight and ventilation.

Building entry

The main building entry lacks a welcoming street address and is accessed via a long narrow side passage. The three separate entrances with no external cover are all exposed to southern wind and rain.

No lift nor adequately dimensioned lobby space is provided.

No loading area has been provided for servicing and moving furniture in or out of the building. It is unclear how the boarding house will be serviced.

A bank of 3 air conditioning condensers is located at the main entry and directly adjacent to the kitchen window of the communal living space. Heat and noise generation will impact the amenity of the adjacent spaces.

No letterboxes appear to have been provided.

Acoustics

Gerard Street is subject to significant traffic. The rooms with windows fronting and directly perpendicular to Gerard Street will likely be negatively impacted by traffic noise.

Communal spaces

Indoor and outdoor communal spaces are insufficient, noting they do not comply with the Housing SEPP.

Access to the communal living room, open space and shared laundry is inequitable. With the exception of two units, residents are required to exit to the exterior of the building with no weather protection and then reenter the building to access facilities.

The communal living area is insufficiently sized and lacks amenity to support gatherings, noting the living area looks directly into the adjacent toilet.

The Affordable Rental Housing SEPP requires 3 hours of solar access to community living



rooms – this needs to be demonstrated.

The 'Communal Open Space' is small and would receive no sunlight during afternoons. It will likely also be subject to noise generated by traffic on Gerard Street

Motor cycle parking

Parking is directly located off a classified road which would not be supported by Council. Parking spaces are only accessible via the public footpath which is unacceptable and located in an unsupervised location.

Principle 7: Safety

The entrances are potentially unsafe with no natural surveillance, being located on a long side passage flanked by blank walls, in deeply recessed spaces without entry doors.

The fire egress door opens onto the narrow entry passage and impedes movement.

Principle 8: Housing diversity and social interaction

The communal facilities are small with inequitable access for most residents and are unlikely to effectively enable or enhance social interactions.

Principle 9: Architectural expression and materiality

The prominence of grey tones of the concrete finish are inconsistent with the character of the area. The use of warmer tones and materials in keeping with the surrounding context is strongly recommended.

The recently completed boarding house development at the corner of Winnie Street and Military Road for example is similar in size and has a preferable palette of materials. The beige bricks of the modernist 1970s developments within the neighbourhood may be a more compatible palette than those proposed.

Increasing the ratio of brick to concrete may more appropriately contextualise the proposed building.

Recommendation

The cumulative impacts of the proposed results in an unsatisfactory development as detailed above and should not be approved in its current form.

Development Services Manager's Note

The outcome of this review by the Design Excellence Panel is not determinative and is but one of many inputs into the assessment process. Applicants are urged to have high regard to the panels input and respond accordingly.