



NSLPP MEETING HELD ON 01/02/2023

Attachments:

1. Site Plan
2. Architectural Plans
3. Clause 4.6 Statement (Building Height)
4. Approved CDC Plans (CDC 143/22)

ADDRESS/WARD: 27 Elamang Avenue, Kirribilli (C)

APPLICATION No: DA 288/22

PROPOSAL: Alterations and additions to a dwelling and associated work.

PLANS REF:

Plan No.	Rev.	Description	Prepared by	Dated	Received
DA02	A	Site Plan	Corben Architects	15/09/2022	23/09/2022
DA03	A	Existing Level 1 Demolition Plan	Corben Architects	15/09/2022	23/09/2022
DA04	A	Existing Level 2 Demolition Plan	Corben Architects	15/09/2022	23/09/2022
DA05	A	Proposed Level 1 Plan	Corben Architects	15/09/2022	23/09/2022
DA06	A	Proposed Level 2 Plan	Corben Architects	15/09/2022	23/09/2022
DA07	A	Proposed Level 3 Plan	Corben Architects	15/09/2022	23/09/2022
DA08	A	Roof Plan	Corben Architects	15/09/2022	23/09/2022
DA09	A	Western & Eastern Elevations	Corben Architects	15/09/2022	23/09/2022
DA10	A	Northern & Southern Elevations	Corben Architects	15/09/2022	23/09/2022
DA11	A	Section A, B & C	Corben Architects	15/09/2022	23/09/2022
DA19	A	Exterior Finishes	Corben Architects	15/09/2022	23/09/2022
LP00	A	DA Landscape Overview	Garden Life	19/09/2022	23/09/2022
LP01	A	DA Landscape Plan – Level 1	Garden Life	19/09/2022	23/09/2022
LP02	A	DA Landscape Plan – Level 2	Garden Life	19/09/2022	23/09/2022
LP03	A	DA Landscape Plan – Level 3	Garden Life	19/09/2022	23/09/2022
DA4.00	B	Vehicle Crossing Plan & Details	Triaxial Consulting	16/09/2022	23/09/2022
DA4.01	B	Vehicle Crossing Sections	Triaxial Consulting	16/09/2022	23/09/2022

OWNER: Bianca Grace White

APPLICANT: John White

AUTHOR: Andrew Beveridge, Assessment Officer

DATE OF REPORT: 19 January 2023

DATE LODGED: 23 September 2022

RECOMMENDATION: Approval

EXECUTIVE SUMMARY

This development application seeks NSLPP approval for alterations and additions to an existing dwelling house.

This application is reported to North Sydney Local Planning Panel for determination because the proposed works breach the building height limit by greater than 10% and requires determination by the panel.

As the proposal involves the construction of alterations and additions to an existing single dwelling with a maximum height of 10.5m that is in exceedance of the maximum permitted height limit by 2m (23.5%), the applicant has submitted a written request seeking a variation to the building height development standard in accordance with Clause 4.6 of NSLEP 2013. The applicant's submission has been considered with reference to the Land and Environment Court's decision in *Wehbe v Pittwater Council [2007] NSWLEC 827* in order to justify the proposed variation. The applicant's Clause 4.6 is considered to be satisfactory given the site circumstances and on the basis that it will not have a significant impact upon the views or general amenity of adjoining properties.

Notification of the proposal has attracted four submissions and the assessment has considered these as well as the performance of the application against Council's planning requirements. The amenity impacts upon adjoining properties in regard to views, solar access, privacy have been assessed and are considered to be minor and acceptable within the site circumstances.

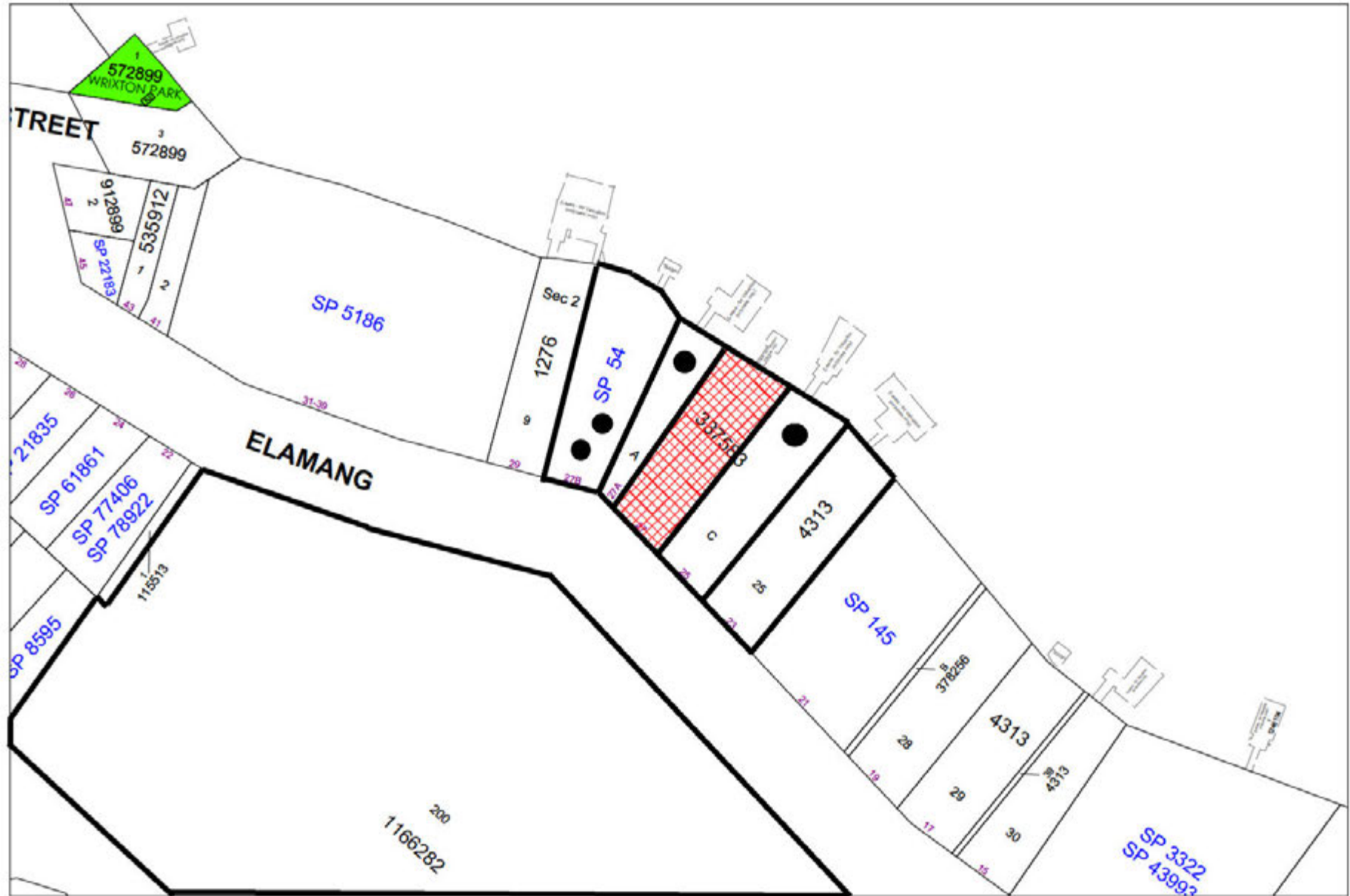
The impacts of the overall development upon landscaping, the sensitive harbour foreshore, and significant trees have also been assessed and, subject to appropriate conditions, was found to be generally acceptable on the basis that the works will maintain a sympathetic scale with relatively minor excavation and will not result in any adverse impacts upon Sydney Harbour.

Subject to the satisfaction of conditions, it is considered that the proposal is acceptable as it will not result in any significant adverse impacts upon the locality or adjoining properties, and the streetscape character will be maintained. The proposal will also not result in any unreasonable impacts on the amenity of adjoining properties such as impacts to views, overshadowing or loss of privacy.

While there will be some minor non-compliances with the side setbacks, and involves a large non-compliance with the height level that creates some minor view loss, this is considered to be acceptable on merit on the basis that the proposal would not have significant overall amenity impacts upon adjoining properties and the development has been designed in a manner that is sympathetic to the built form of the neighbourhood and the sloping topography of the site towards Sydney Harbour.

Having regard for the potential impacts upon the amenity of adjoining properties and the surrounding neighbourhood, subject to conditions, the development application is considered to be satisfactory and is recommended for approval.

LOCATION MAP



□ Property/Applicant ● Submitters - Properties Notified

DESCRIPTION OF PROPOSAL

The proposed works are for alterations and additions to an existing dwelling house, adding upon works already approved and under construction by way of a Complying Development Certificate, as follows:

Level 1 (Lower Ground Floor)

- The conversion of the existing basement storage area at the south-eastern corner to include a gym and cellar accessed via the family room at this level. Addition of new retaining walls along the southern edge of this level.

Level 2 (Ground Floor)

- Two-storey addition at the south-western corner of the site including a dwelling entry, storage room, and laundry, at the ground floor level.
- Addition of a sub-floor plant room, rainwater tank, and storage room beneath the proposed garage and driveway in the south-eastern corner.
- Alterations to the approved dwelling, including a new terrace at the western end of the existing ground floor level to provide an outdoor dining area as well as a fixed BBQ area, and a minor extension to the internal breakfast area at the north-western corner.

Level 3 (First Floor) & Roof

- Demolition of the existing driveway within the north-western corner of the site and replacement with landscaping.
- Two-storey addition at the south-western corner of the site including an attached double garage, storage, landing area, and staircase to Level 2.
- Addition of a new driveway, vehicular crossing, and garbage storage, to the south-eastern corner of the site. The new driveway will access the upper level of the proposed two-storey addition.
- Addition of an extension to the north-western corner of Level 3 to create a new master bedroom and two rooftop balconies/decks facing towards the harbour.
- Addition of solar panels to a new hipped metal roof on the north-eastern and north-western roof planes.

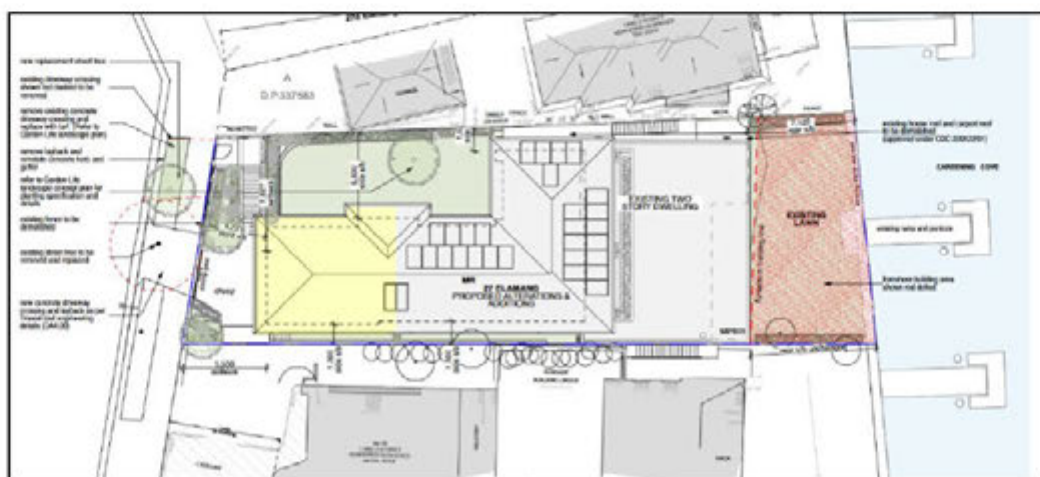


Figure 1. Site Plan.

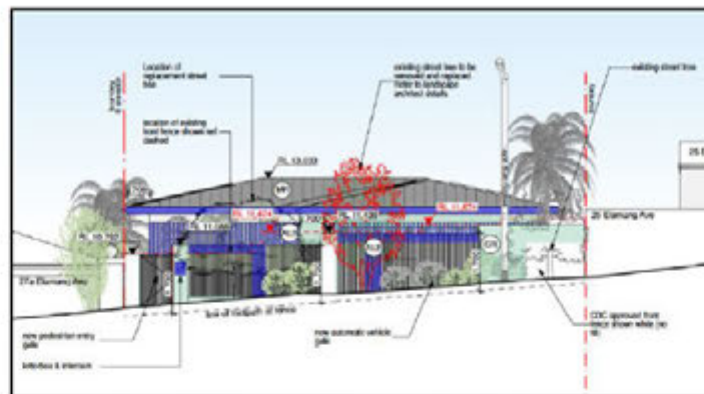


Figure 2. Elamang Avenue street elevation.

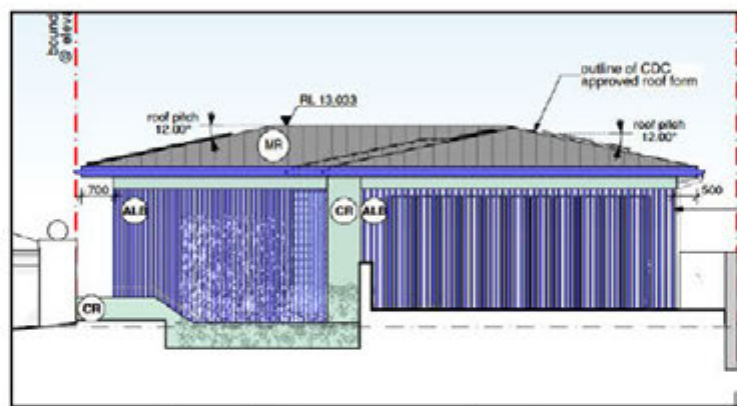


Figure 3. Western street elevation.



Figure 4. Eastern harbourfront elevation.

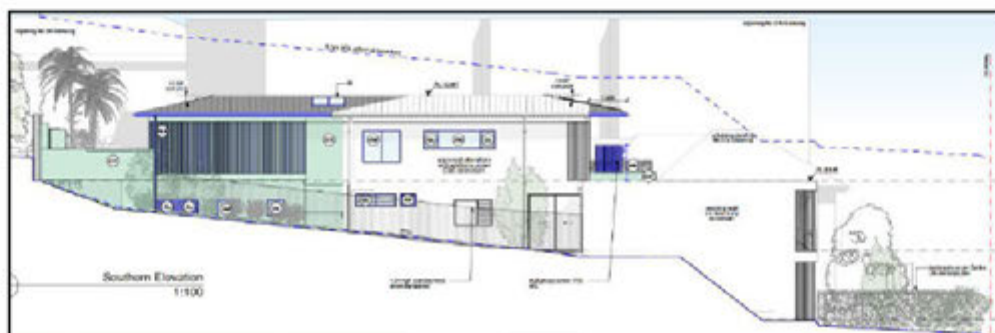


Figure 5. Southern side elevation.

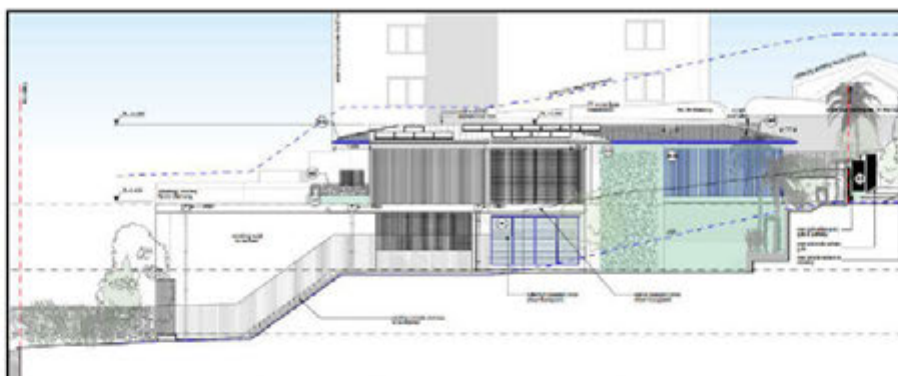


Figure 6. Northern side elevation.

STATUTORY CONTROLS

North Sydney Local Environmental Plan 2013 (NSLEP 2013)

- Zoning – R2 Low Density Residential
- Item of Heritage – No
- In Vicinity of Item of Heritage – Yes (29 Elamang, 10216; 73-83 Carabella Street, 10204)
- Conservation Area – No
- Foreshore Building Line – Yes

Environmental Planning & Assessment Act 1979

SEPP (Biodiversity and Conservation) 2021

- Chapter 2 – Vegetation in non-rural areas
- Chapter 6 – Water Catchments

SEPP (Resilience and Hazards) 2021

- Chapter 2 – Coastal Management (Coastal Use Area)
- Chapter 4 – Remediation of Land

SEPP (Building Sustainability Index – BASIX) 2004

Local Development

POLICY CONTROLS

North Sydney Development Control Plan 2013 (NSDCP 2013)

North Sydney Local Infrastructure Contributions Plan 2020

DESCRIPTION OF LOCALITY

The subject site (Lot B DP 337583) is located on the northern side of Elamang Avenue. Currently located on site is a 2-3-storey, single dwelling, with a driveway and vehicular access within the south-western corner of the site. The dwelling is currently unoccupied given that the site is a construction site undertaking works approved by way of a Complying Development Certificate.

The 626.9m² site is rectangular in shape, and the site's topography slopes down to the north where it has a foreshore frontage to Careening Cove of 15.24m. Surrounding development is predominantly residential, comprising multi-storey single dwellings and residential flat buildings. Loreto Kirribilli school is located opposite the subject site on the southern side of Elamang Avenue. Photos of the site and local area are provided below.



Figure 7. Aerial photograph of subject site (outlined yellow).

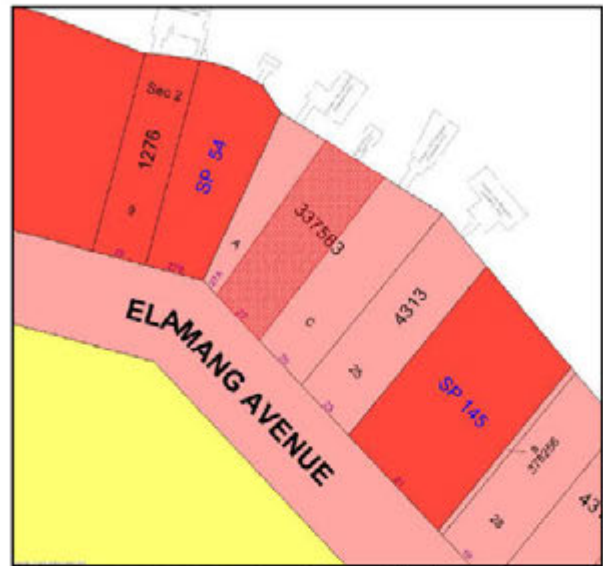


Figure 8. NSLEP Zoning Map with the subject hatched red in the R2 Zone.



Figure 9. View of the site from the southern side of Elamang Avenue.



Figure 10. View of the subject site from the Elamang Avenue street level.



Figure 11. Eastern rear view of the existing building.

RELEVANT HISTORY

Building Application No. 92/447 (lodged 29 July 1992) for the addition of a timber lattice fence and gates to the street, was approved by Council on 10 September 1992.

Development Application No. 18/99 (lodged 18 July 1999) for the rendering of the external brick walls of the dwelling, was approved on 5 August 1999.

Complying Development Certificate No. 143/22 for substantial alterations and additions to the existing two-storey dwelling. The CDC was issued on 11 July 2022 and these works are currently under construction (See Attachment 4). These works included:

- Tree removal and reconfigured landscaping.
- Construction of a new two storey addition to the south-eastern corner of the dwelling facing Elamang Avenue including a new dwelling entry, bedroom, laundry and media room at ground floor level, and a master bedroom suite on the first-floor level
- Various internal and external alterations within the existing footprint of the dwelling and retaining the existing setback of the dwelling to the foreshore.

CURRENT HISTORY

Date	Action
23 September 2022	The application was lodged with Council
28 September 2022	The subject application was notified to adjoining properties and the Milson Precinct Committee seeking comment between 7 October 2022 and 21 October 2022. Four (4) submissions were received by Council raising various concerns.
8 November 2022	An inspection of the subject site and three adjoining properties was undertaken by Council Officers.
15 November 2022	An additional site visit to an adjoining property was undertaken.

REFERRALS

Building

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

Engineering

The proposal was referred to Council's Development Engineer, who raised no objection subject to the imposition of appropriate conditions (See Conditions C1, C3, C9, C10, C11, C20, D3, E2, E3, E4, E10, E14, E16, E20, F7, G1, G3, G4, and G10).

Landscaping

The proposal was referred to Council's Landscape Development Officer, who provided the following comments:

*A site visit uncovered the existing *Corymbia ficifolia* street tree in front of the site to be dead. This tree was assessed as in good health in the submitted arborist report dated July 2022 and is shown in photographs dated August 2022 as having a full and healthy canopy. Unfortunately, this tree is required for removal in order to relocate the existing driveway further south-east. A condition is recommended for the replacement planting of a *Lophostemon confertus* (100-litre) in the location of the existing driveway.*

*There is another *Callistemon* street tree in the verge to the south-east of the dead *Corymbia ficifolia*, which is shown on street-view images with a full canopy and healthy appearance. However, a recent site visit has revealed that the tree has a very sparse canopy with foliage only evident on upper branches. In order to achieve the best outcome, following discussion with Council's tree management team it is agreed that this tree shall be removed upon the issue of the Construction Certificate, and a condition is recommended for the replacement planting of a second *Lophostemon confertus* (100-litre) in its place, at the cost of the applicant as part of the DA. It should also be noted that all site trees within the front setback were recently removed under the recent Complying Development Certificate.*

REQUIRED AMENDMENTS

- *1 x *Lophostemon confertus* (200l) shall be planted in the council verge in front of 27 Elamang Avenue, equidistant between the existing VXO in front of 27A Elamang Avenue and the proposed new VXO in front of 27 Elamang Avenue.*
- *1 x *Lophostemon confertus* (200l) shall be planted in the Council verge in front of 27 Elamang Avenue, in the location of the existing T2 *Callistemon viminalis* which is planned for removal by council due to its recent demise.*

Consequently, several conditions have been recommended to ensure the landscaped setting of the subject site is maintained (see conditions C12, C13, C23, D1, D2, E1, E9, E11, E12, E13, E14, G6, G7, G8, G9, I1, and I2).

SUBMISSIONS

On 28 September 2022, the subject application was notified to adjoining properties and the Milson Precinct Committee (Bradfield Precinct Committee being inactive) seeking comment between 7 October 2022 and 21 October 2022. Four (4) submissions were received by Council. The issues raised in the submissions having regard to the proposal are summarised below and addressed later in this report.

Basis of Submission

- The proposed variation to the height limit and increased height will impact upon water views to Sydney Harbour.
- The proposed solar panels on the western roof plane will result in significant glare and heat directly into the unit.
- The site has already lost significant vegetation and trees and the proposal will exacerbate this situation.
- Visual privacy impacts from the upper level terraces should be minimised with adequate screening.
- The boundary fencing should be reinstated once development is completed.

- The proposed height breach and additional bulk has the potential to impacts upon the privacy, solar access, and views, particularly from the garage windows, studio, and courtyard area.
- No landscaping has been provided to screen the third floor wall as viewed from 27A Elamang Avenue.
- Concern regarding exhaust from the proposed BBQ.
- The landscape areas need to be revised as the previous loss of trees and landscaping has removed landscaped screening.
- The proposed variation with the height limit and increased height will impact upon harbour views.
- The proposed rooftop deck areas will impact upon privacy.
- The proposed solar panels on the western roof plane will result in glare issues.

CONSIDERATION

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

SEPP (Biodiversity and Conservation) 2021 – Chapter 2 – Vegetation in non-rural areas

On 1 March 2022, the *SEPP (Biodiversity and Conservation) 2021* came into effect, consolidating several planning policies to form chapters within the new SEPP without significant amendment. Under Chapter 2 of this SEPP, which comprises the former *SEPP (Vegetation in Non-Rural Areas) 2017*, the proposed development would not require the removal of any significant vegetation defined under this SEPP or have a significant impact upon any bushland areas.

SEPP (Biodiversity and Conservation) 2021 – Chapter 6 – Water Catchments

Chapter 6 of this SEPP applies to this site and is required to be considered in the assessment of the application. The site is within the Foreshores and Waterways Area adjoining but not including the zone **W6 - Scenic Waters Active Use**. However, the proposed works do not involve any works within or directly adjoining the foreshore building line. The proposal is unlikely to have an adverse environmental impact as the works are sufficiently set back from the waterway and will not physically damage or interfere with the ecological or water qualities of Sydney Harbour. The proposal also includes two 7,500-litre water tanks at the southern end of the site underneath the driveway to minimise any additional runoff from the extended building footprint, which is likely to minimise any impact upon stormwater runoff to Sydney Harbour from the site. In summary, the proposal is considered to be satisfactory having regard for the aims and objectives of the SEPP.

SEPP (Resilience and Hazards) 2021 – Chapter 2 – Coastal Management

The provisions of this chapter do not apply as the site is within the Sydney Harbour Foreshores and Waterways Area identified within Chapter 6 (Water Catchments) of the *SEPP (Biodiversity and Conservation) 2021*. Nevertheless, it is considered that the proposed development is consistent with the objectives of the SEPP, as the proposal will not result in any removal of public access, overshadowing or the significant loss of views of the public foreshore.

SEPP (Resilience and Hazards) 2021 – Chapter 4 – Remediation of Land

Chapter 4 of this SEPP requires Council to consider the likelihood of land contamination and any remediation necessary to rehabilitate the site. Council's records indicate that the site has previously been used for residential development for a substantial period of time and as such is unlikely to contain any contamination. Therefore, the requirements of the above SEPP have been satisfactorily addressed.

SEPP (Building Sustainability Index: BASIX) 2004

The applicant has submitted a valid BASIX Certificate (A466522_03, dated 9 September 2022) to satisfy the requirements of the above SEPP.

North Sydney Local Environmental Plan 2013

Permissibility

The subject site is zoned R2 Low Density Residential zone under the provisions of the NSLEP 2013. The proposal involves alterations and additions to an existing detached dwelling house, which is a permissible form of development in the zone with consent from Council.

Objectives of the zone

The objectives of the Zone R2 are stated below:

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

The proposed development will maintain the existing single dwelling development in an area characterised by lower and higher density residential developments, and will maintain a high level of amenity for the residents as well as residents of neighbouring properties. The proposal also involves relatively minor alterations and additions that will not have any impact upon the natural or cultural heritage of the area. The proposal will have no impact upon the heritage significance of any nearby heritage item.

Clause 4.3 – Height

Principal Development Standards – North Sydney Local Environmental Plan 2013			
Clause	Proposed	Control	Complies
Clause 4.3 – Heights of Building	Existing: 7.302m Proposed: 10.5m (2m/23.5%)	8.5m	No

Due to the steep natural fall of the site and the existing excavated ground level of Level 1, a section of the top of Level 3 and the roof of the eastern end of the dwelling is above the 8.5m high limit at 10.5m (2m or 23.5%). Consequently, this requires a variation of the Development Standard in clause 4.3 in NSLEP 2013 (see discussion below).

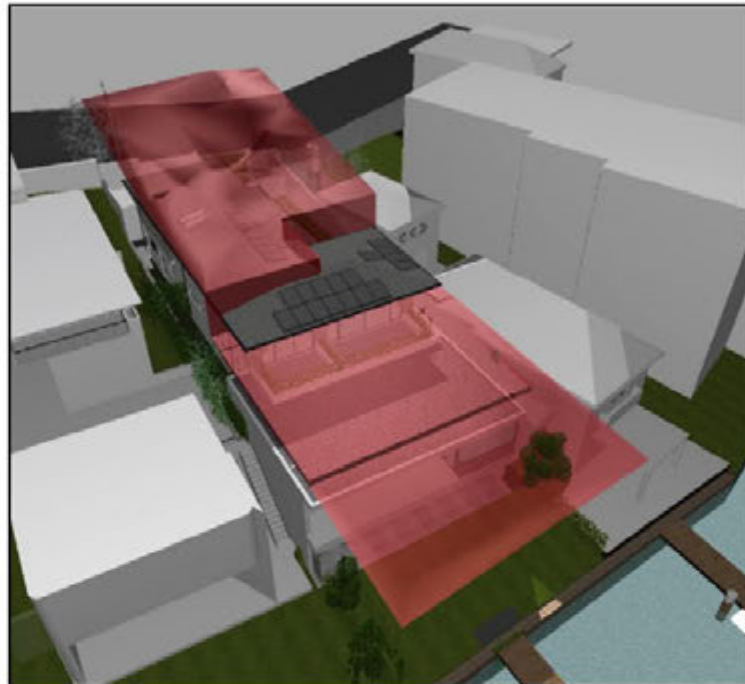


Figure 12. The building height blanket diagram.

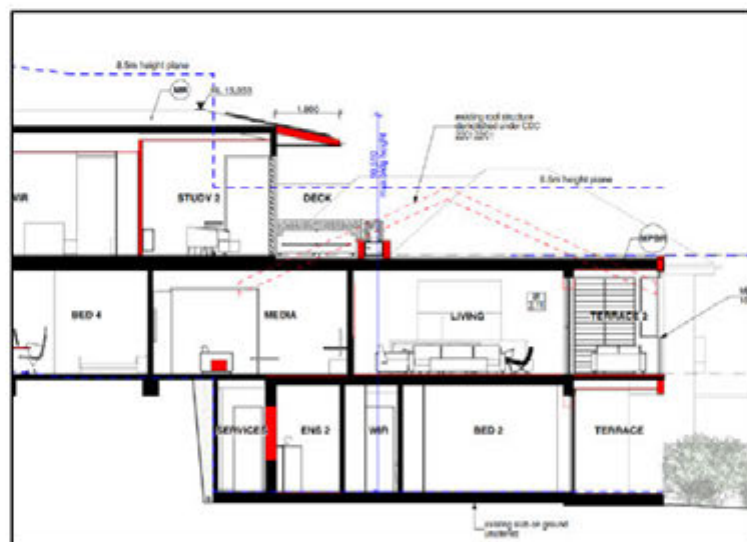


Figure 13. Section diagram looking north, with the areas above 8.5m shown by the blue dotted line.

Clause 4.6 – Exceptions to development standards

The applicant has provided a written request to vary the development standard for height.

Extent of the Variation

The proposed works would exceed the maximum permitted height. The proposed height of the proposed first floor extension results in a maximum variation of 2m or 23.5% from the development standard, as shown in the above table.

Clause 4.6(3)(a) Is compliance with the development standard unreasonable and unnecessary in the circumstances of the case?

For reference the objectives of the development standard are as follows:

Clause 4.3(1) of North Sydney Local Environmental Plan 2013

“(1) The objectives of this clause are as follows:

- (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.”*
- (g) to maintain a built form of mainly 1 or 2 storeys in Zone R2 Low Density Residential, Zone R3 Medium Density Residential and E4 Environmental Living.*

The Applicant’s written request relies upon *Webhe Test 1* to demonstrate that compliance with the development standard is unreasonable and unnecessary in this instance as the objectives of the development standard would be achieved notwithstanding the non-compliance with the development standard. The development is considered below, having regard to the objectives of the development standard.

(1)(a) to promote development that conforms to and reflects natural landforms, by stepping development on sloping land to follow the natural gradient,

The proposed dwelling has been designed in a manner that responds to the existing site conditions, with the development stepping down the site to the north-east to follow the natural topography, with the upper Level 3 set back behind each level below.

(1)(b) to promote the retention and, if appropriate, sharing of existing views,

There are a number of adjoining properties within the nearby residential flat building at No. 27B Elamang Avenue, which have Sydney Harbour views and outlooks across the site which will be to varying degrees impacted by the development.

The applicant has provided a View Impact Assessment for several nearby properties that will be affected by the proposed works, including Units 8 and 10 of 27B Elamang Avenue. Council officers have carried out a view impact assessment for Units 8 and 10 below.

Planning Principle – View Sharing

To understand whether the proposal will ensure a reasonable level of view sharing for adjoining properties, consideration is given to the four (4) step process adopted by Commissioner Roseth of the NSW Land and Environment Court in *Tenacity Consulting v Warringah Council* [2004] NSWLEC 140.


1. Assessment of views to be affected;

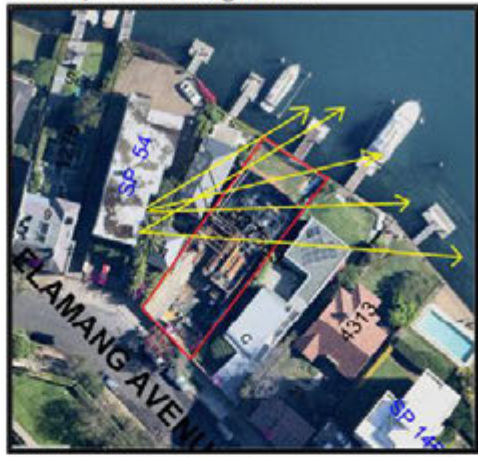
“Water views are valued more highly than land views. Iconic views (eg of the Opera House, the Harbour Bridge or North Head) are valued more highly than views without icons. Whole views are valued more highly than partial views, eg a water view in which the interface between land and water is visible is more valuable than one in which it is obscured.”

2. Consider from what part of the property the views are obtained.

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

The below table describes the view to be affected, along with the part of the subject site from which the views are obtained:

Address	View	Part of Property
Unit 8/27B Elamang Avenue  <p>Figure 15. Views (in yellow) from balcony and bedroom across the subject site (outlined red).</p>	North-eastern and eastern view of Careening Cove, Neutral Bay and Sydney Harbour beyond. District views towards Kurraba Point.	The affected views are water views from the central loungeroom and secondary bedroom of the unit on the south eastern side elevation of the building. The views are accessed over multiple side boundaries across Nos. 27A, 27, and 25 Elamang Avenue. The views from the bedroom are partially obscured by Palm trees present on 27A Elamang Avenue.

<p>Unit 10/27B Elamang Avenue</p>  <p>Figure 16. Views (in yellow) from balcony and bedroom across the subject site (outlined red).</p>	<p>North-eastern and eastern view of Careening Cove, Neutral Bay and Sydney Harbour beyond. District views towards Kurraba Point.</p>	<p>The affected views are water views from the central loungeroom and secondary bedroom of the unit on the south eastern side elevation of the building. The views are accessed over multiple side boundaries across Nos. 27A, 27, and 25 Elamang Avenue. The views from the bedroom are partially obscured by Palm trees present on 27A Elamang Avenue.</p>
---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

3. Assess the extent of the impact in qualitative terms as negligible, minor, moderate, severe or devastating.

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

Unit 8/27B Elamang Avenue

Loungeroom – The loungeroom would retain the majority of its water view and district/harbour-side views to the northeast but would lose a lower section of the water view due to the new roof level of the development. This loss will partially be created through the Level 3 addition of the subject site, particularly within the north-western corner of the addition that is non-compliant with the height limit. Nevertheless, this overall view and general outlook will be retained by the proposal as the majority of the lower part of the water view is already obstructed by existing buildings on the subject site and adjoining sites, such as the roof of No. 27A Elamang Avenue.



Figure 17. Left: the current outlook/view from the loungeroom of Unit 8. Right: Annotated view of the outlook from the loungeroom of Unit 8 showing the proposed development and the level of water view loss represented by the proposal.

Bedroom – The bedroom would lose a portion of the lower section of the water view to the north-east gained across the side boundaries of Nos. 27A and 27 Elamang Avenue, which is already obscured by intervening buildings and trees. This loss will be created through the Level 3 addition of the subject site, particularly within the north-western corner of the addition. While this will result in the partial loss of water views from this bedroom, this water view across the side boundaries is relatively minor given the existing vegetation and buildings that already obscure views minimises the level of impact from this space, which is a low-use bedroom space. The majority of the view to Kurraba Point and some water view will be retained.



Figure 18. The current outlook/views from the bedroom of Unit 8.

Overall, the view impacts to this property are assessed as minor. Refer to Figures 17-18 above.

Unit 10/27B Elamang Avenue

Loungeroom – The loungeroom would retain the vast majority of its water view and district/harbourside views to the northeast but would lose a very minor lower section of the water view due to the new roof level of the development. This loss will partially be created through the Level 3 addition of the subject site, particularly within the north-western corner of the addition that is non-compliant with the height limit. Nevertheless, this overall view and general outlook will be retained by the proposal as the majority of the lower part of the water view is already obstructed by existing buildings on the subject site.

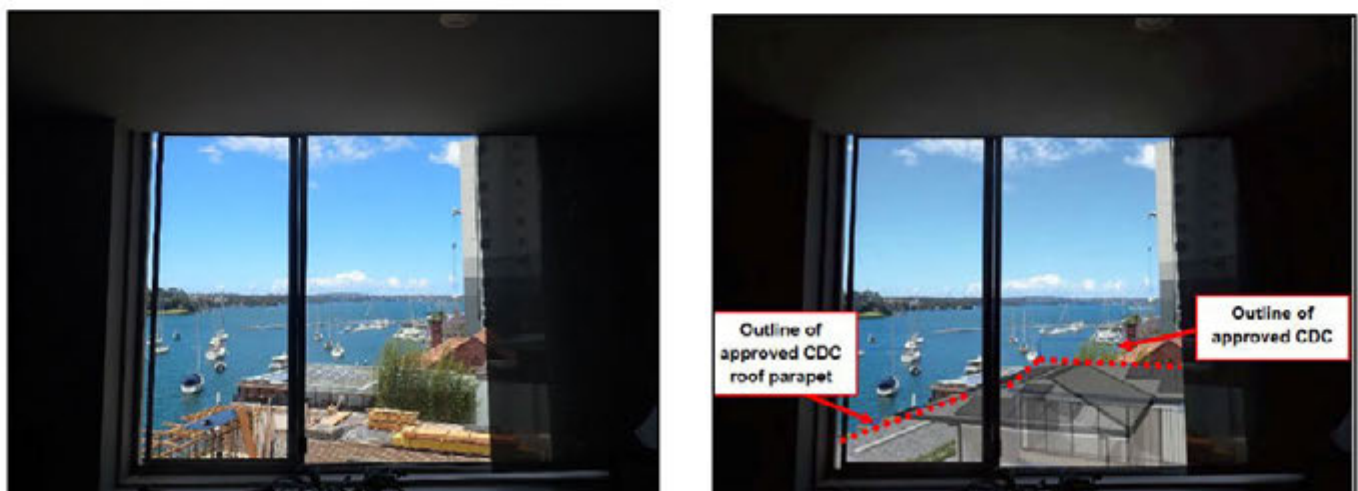


Figure 19. Left: the current outlook/view from the loungeroom of Unit 10. Right: Annotated view of the outlook from the loungeroom of Unit 10 showing the proposed development and the level of water view loss represented by the proposal.

Bedroom – The bedroom would lose a small portion of the lower section of the water view to the north-east gained across the side boundaries of Nos. 27A and 27 Elamang Avenue, which is already obscured by intervening buildings and trees. This loss will be created through the Level 3 addition of the subject site, particularly within the north-western corner of the addition. While this will result in partial loss of water views from this bedroom, this water view across the side boundaries is relatively minor given the existing vegetation and buildings that already obscure views minimises the level of impact from this space, which is a low-use bedroom space. The majority of the view to Kurraba Point and water view will be retained.



Figure 20. The current outlook/views from the bedroom of Unit 8.

The impacts for this property are assessed as minor. Refer to Figures 19-20 above.

4. Assess the reasonableness of the proposal that is causing the impact.

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

The proposed development results in a breach of the NSLEP height control of 8.5m by up to 2m or 23.5%. The majority of this height breach occurs at the north-western end of the Level 3 addition, comprising only the top section of the upper level and part of the roof at this corner. The view loss for the properties at 27B Elamang Avenue, while partially created as a result of non-complying building elements, particularly at the northern end of the Level 3 addition, are considered to be relatively minor and reasonable in their impact due to the minor nature of the views impacted that are heavily filtered through vegetation and the adjoining buildings across multiple side boundaries, and will have a minimal impact upon the overall views available for these dwellings elsewhere, with the majority of water and district views being retained from these dwellings.

(1)(c) to maintain solar access to existing dwellings, public reserves, and streets, and to promote solar access for future development,

Due to the orientation, topography, and separation from adjoining buildings to the south and east, the proposed development will not result in significant overshadowing for adjoining properties. Some minor additional shadows will occur to the western side elevation and setback of No. 25 Elamang Avenue at 3pm. However, these shadows will only impact approximately 50% of a bedroom and a bathroom window, and will not adversely impact upon the main indoor and outdoor living spaces of this dwelling. As a consequence, the development will not affect the primary living areas and private open space for adjoining properties between 9am and 12pm in mid-winter. It is also noted that the elements of the proposal that are above the height of buildings control do not contribute to any significant overshadowing.

(1)(d) to maintain privacy for residents of existing dwellings and to promote privacy for residents of new buildings,

The proposed works will maintain appropriate levels of privacy for residents of the subject site and adjoining properties. However, in order to preserve privacy between No. 25 Elamang Avenue and the subject site, the proposed privacy screen on the eastern side elevation of the Level 3 study balcony/deck is recommended to be a minimum height of 1.8m and to run the full length of the balcony/deck (See Condition C74).

(1)(e) to ensure compatibility between development, particularly at zone boundaries,

The site is located within the R2 Low Density Residential zone and directly adjoined by buildings within this zone, with residential flat buildings within the R4 High density Residential zone located nearby at Nos. 21 and 27B Elamang Avenue. The proposed works have a larger footprint compared to the existing building, but it is nevertheless broadly similar to surrounding development, which have all been designed to follow the steep natural topography of the area and take advantage of views and outlooks to the north and east. As a result, it is considered that the proposed northern extension is unlikely to result in a development that is incompatible with the R2 zone.

(1)(f) to encourage an appropriate scale and density of development that is in accordance with, and promotes the character of, an area.

The proposed scale and density of the development is appropriate for the site and does not result in significant non-compliances with Council's controls. While the proposal will result in a non-compliance in building height, the overall development is compatible with the existing building and surrounding buildings which have been designed to maintain views to the north and east in line with the sloping topography.

(1)(g) to maintain a built form of mainly 1 or 2 storeys in Zone R2 Low Density Residential, Zone R3 Medium Density Residential and E4 Environmental Living.

Due to the steeply sloping topography of the neighbourhood, particularly along the western side of Elamang Avenue, a built form of 1-2 storeys is not typical, with a built form of 2+ storeys being more typical as a response to the sloping topography. The existing building on site is a two-storey dwelling, while adjoining buildings to the north and south with similar site conditions are 2-3 storeys in height. As a consequence, the proposed 2-3 storey built form is considered to be acceptable on the basis that this will not result in significant impacts upon amenity or the character of the neighbourhood.

Clause 4.6(3)(b) Are there sufficient environmental planning grounds to justify the variation

The applicant has provided the following grounds:

The proposed numerical variation to the building height control is reasonable and appropriate in the particular circumstances on the basis that:

- *the building form has been carefully designed to negotiate the topographical conditions of the site;*
- *the building form steps down the site towards the rear, and does not extend beyond the rear (western) alignment of the existing dwelling;*
- *the proposed building remains below the height of the adjoining buildings to the north and south;*
- *the main roof level is located below the level of the carriageway of Elamang Avenue, and the portion of the building visible from the Elamang Avenue comfortably complies with the applicable building height control;*
- *strict compliance with the building height control would unnecessarily require the removal of portions of the upper levels of the building, and introduce a building form that is less compatible with the nature of surrounding development;*
- *the proposed development will promote good design and the amenity of the built environment which is a recently incorporated object of the Act: "(g) to promote good design and amenity of the built environment"*
- *the proposed development does not contribute to any significant or unreasonable impacts on the amenity of any surrounding land in terms of the key considerations of overshadowing, loss of privacy, and loss of views;*
- *the scale of the building when viewed from the public domain will not be antipathetic to the existing buildings in the locality, or visually jarring when viewed from either the public domain or the adjoining properties;*
- *the proposed development is consistent with, or not antipathetic to, the relevant objectives of the R2 – Low Density Residential zone; and*
- *the proposed development is generally consistent with, or not antipathetic to, the objectives of the building height control, notwithstanding the numerical variation.*

It is unreasonable and unnecessary to require compliance with the height of buildings development standard due to the following reasons:

- *The variation to the 8.5m height standard is a result of the existing site circumstances*

- *lower floor level on the subject site with the maximum height of 10.5m being measured from the existing excavated ground level of the sub-floor storage area below the proposed upper-level addition. It is unreasonable to require compliance with the height standard as the proposed built form comfortably complies with the 8.5m height control when measured at the northern and southern side boundaries of the site, with a height of 7.5m-7.7m when measured at the side building elevations. The development in this regard presents a compliant building height when viewed from the adjoining properties and the public domain, with the variation being largely imperceptible outside of the site noting the variation is the result of an existing excavated sub-floor level.*

*The measurement of the building height from existing ground levels at the side boundaries is consistent with the assessment of building height applied by the Land and Environment Court under *Bettar v Council of City of Sydney* [2014] NSWLEC 1070.*

In this instance the proposal complies with the height control when measured in accordance with the established LEC precedent with respect to measuring building height on already-developed sites.

*The Land and Environment Court ruling in *Merman Investments Pty Ltd v Woollahra Municipal Council* [2021] NSWLEC 1582 established that the maximum building height can also be measured from the existing excavated ground level beneath an existing building [73]. Notwithstanding, the Court acknowledged in paragraph [74] of this ruling that the prior excavation of land within the footprint of an existing building can 'distort' the building height plane overlaid a sloping site and as such this constitutes an environmental planning ground within the meaning of Clause 4.6(3)(b) of the standard LEP. The environmental planning grounds which support the proposed variation are addressed further within the proceeding sections of this statement.*

- *The topography of the subject site also contributes to the proposed variation as the site has a significant fall from its street frontage to the foreshore/concrete seawall of 7.71m across the length of the site. It is unreasonable to require compliance with the standard as the varying elements are located central to the built form and will sit comfortably within the site given the slope of the land, and recessing of the upper-level addition from the northern elevation of the floor below.*
- *It is unnecessary to require compliance with the height standard as the proposed variation does not result in any significant environmental or amenity impacts when compared with a complying height. The proposal comfortably complies with the height control at the side elevations – interface with adjoining properties and as such the variation does not result in any bulk and scale, overshadowing, or visual impacts beyond that anticipated of a compliant development on the subject site.*
- *The height is suitable for the subject site and compatible with the planning objectives and intended outcomes for the site and the objectives of the R2 – Low Density Residential zone.*

*In line with the decisions in *Wehbe v Pittwater Council* [2007] NSWLEC 827 the proposal meets the first test as the objectives of the development standard are achieved notwithstanding the noncompliance.*

The proposed non-compliance with the height limit only relates to part of the north-western corner of Level 3 and does not comprise the entirety of the proposed works. Furthermore, the amenity impacts of the development are considered to be acceptable and are compliant or acceptable within the site circumstances with Council's other controls in Part B of NSDCP 2013. The proposed works have been sympathetically designed to step down the sloping site topography in a manner that minimises any amenity impacts upon adjoining properties. The proposal is therefore considered to be acceptable within the site circumstances, with no excessive height, bulk, or scale, nor any significant adverse impacts to the amenity and privacy of neighbouring properties, and is considered to be a reasonable improvement to the site.

Clause 4.6(4)(a)(ii) Applicant's written request

The written request provided by the applicant adequately addresses the matters required by subclause (3) as discussed above.

Clause 4.6(4)(a)(ii) Public Interest

The proposed development would be in the public interest because it is consistent with the objectives of the development standard for height and the objectives of the zone as discussed above. It is also considered that the proposal does not result in any significant adverse impacts for the character of the surrounding area or the amenity of adjoining properties.

Conclusion

The applicant has submitted a written request pursuant to Clause 4.6 in NSLEP 2013. The written request has adequately addressed sub clause (3) and, subject to satisfying conditions, is considered to be in the public interest because it is consistent with the relevant development standard and the objectives of the zone.

Clause 5.10 – Heritage conservation

The site is not a heritage item and is not located within a conservation area. While the site is within the vicinity of several heritage items, the works are sufficiently separated from these items and will not have any impact upon the curtilage or public domain views of these heritage items. Consequently, the proposal is acceptable in this regard.

Clause 6.9 – Limited development on foreshore area

While a portion of the site lies within the foreshore building line area, the proposed works are located outside this area, and the development includes sufficient landscaping and stormwater retention on site to minimise any impacts upon foreshore land and the Sydney Harbour waterway. The proposal, therefore, is not considered to have an adverse impact upon the waterway, flora and fauna, or the heritage and environmental significance of the surrounding area.

Clause 6.10 – Earthworks

The proposed works will entail earthworks to accommodate the new gym and cellar at the lower ground Level 1, and the rainwater storage/plant rooms underneath the proposed garage at Level 2. The excavation at Level 2 will be sufficiently set back from the site boundaries to minimise any impacts to adjoining properties and the excavation at Level 1 will extend an existing lower ground level into the subfloor void area. Consequently, the proposed excavation is unlikely to negatively affect drainage patterns, soil stability, natural features, or the integrity of adjoining properties.

North Sydney Development Control Plan 2013

Part B Section 1 – Residential Development		
<i>Section</i>	<i>Complies</i>	<i>Comments</i>
1.2 Social Amenity		
Population Mix	Yes	The proposal will maintain the existing single dwelling on the site, with a minor increase in accommodation provision by one bedroom. The existing dwelling does not involve affordable housing.
Maintaining residential accommodation		
Affordable housing		
1.3 Environmental criteria		
Topography	Yes	The proposed works in this area will retain the majority of the front and rear setbacks for landscaping, and the most substantial excavation to accommodate a gym and cellar at level 1 will extend into an existing subfloor area, and the rainwater/plant rooms underneath the proposed garage at level 2 will have a significant setbacks the side boundary (1.5m from the southern boundary). Subject to appropriate conditions, the works will not have an adverse impact upon the natural topography of the site, natural drainage patterns or the structural integrity of adjoining properties (see Conditions C2, C4, C5 and C10).
Properties adjoining bushland	N/A	The site does not adjoin, nor is within close proximity to, any bushland areas.
Properties on Bush Fire Prone Land	N/A	The site is not classified as Bush Fire Prone Land.
Properties with a foreshore frontage	Yes	While a portion of the site lies within the foreshore building line area, the proposed works are located outside this area. The proposal, therefore, is not considered to have an adverse impact upon the waterway, flora and fauna, or the heritage and environmental significance of the surrounding area.
Views	Yes	Refer to the detailed discussion under the Tenacity planning principle assessment earlier within this report, where it is considered that the view impacts are considered to be minor and acceptable within the site circumstances.
Solar access	Yes	Due to the orientation, topography, and separation from adjoining buildings to the south and west, the proposed development will not result in significant overshadowing for adjoining properties. Some additional shadows will occur to the northern side elevation and setback of No. 25 Elamang Avenue after 12pm only. However, these shadows will not adversely impact upon the main indoor and outdoor living spaces of this dwelling and the majority of shadows from this new extension will fall over existing shadows due to the topography of the area. As a consequence, the development will not affect the primary living areas and private open space for adjoining properties between 9am and 3.00pm in mid-winter.

		In summary, the solar access impacts are considered to be relatively minor and acceptable within the site circumstances and the conditions of neighbouring properties.
Acoustic and Visual privacy	Yes	<p><u>SOUTH</u> The east-facing rear balconies at Level 3 have the potential to result in additional overlooking to the towards 25 Elamang Avenue. As a result, it is recommended that the proposed privacy screen on the eastern side elevation of the Level 3 study balcony/deck is recommended to be a minimum height of 1.8m and to run the full length of the balcony/deck (See Condition C18).</p> <p><u>NORTH</u> There are no new openings to the proposed side elevation facing 27A Elamang Avenue that will result in any privacy impacts. The proposed BBQ area located at the southern terrace area will have a fixed aluminium louvre privacy screen along its northern side to minimise any privacy impacts. While a new footpath will extend along the setback between this screen and the side boundary with 27A Elamang Avenue, this narrow access path is unlikely to result in significant opportunities for acoustic or visual privacy impacts for the adjoining property as a narrow transitory space.</p> <p>The north-east-facing rear balcony at Level 3 will only overlook the existing roof plane of 27A Elamang Avenue, and is unlikely to result in additional overlooking to the north.</p> <p>The north facing Level 2 windows (W3.01, 3.02, 3.03 and 3.04) approved under the CDC will have and external batten screens added in front to further screen this space from adjoining properties, which will enhance privacy.</p> <p>The proposed works will not have any other privacy impacts, including to the east (facing the harbour) or the west (facing Elamang Avenue).</p>
1.4 Quality Built Form		
Context	Yes	<p>The existing building will continue to be located below the Elamang Avenue street level, so will not be highly visible from the street. The proposed additions will be stepped down the topography of the site, with the extended Level 3 maintaining a substantial setback from the rear boundary to the foreshore, which will ensure that the building will sympathetically blend with adjoining properties when viewed from the harbour or harbourside sites such as the North Sydney High Street Ferry Wharf.</p> <p>The most visible new element will be the proposed double garage and front fence/gates to the street. The proposed garage will appear as a relatively modest double garage with a substantial setback of 4.1-5m from the front boundary, while the front fence will be a partially open style batten fence and gates (See Condition C22). With the proposed new trees and landscaping within the setback facing the street it is considered that the context of the site from the street will be sympathetic to the surrounding neighbourhood.</p>
Streetscape	Yes	Due to the poor and moribund condition of the two street trees in front of the site their replacement with appropriate mature species is recommended (see conditions C23 and G8) A small bond is recommended to protect Council's infrastructure outside the site (see Condition C11).
Siting	Yes	The proposed works will be positioned in the same orientation as the existing building on site, which remains consistent and characteristic with the neighbourhood.

<p>Setbacks</p>	<p>Yes (Acceptable on merit)</p>	<p><u>Front</u> The proposed attached garage will have a setback of 4.1-5m front the front boundary, which compares favourably with the front setbacks of adjoining properties, with the garage of 25 Elamang Avenue having a nil setback and the garage of No. 27A Elamang Avenue having a 7.8m setback. It is also noted that "Garages built to the boundary" are identified as characteristic within the Kirribilli Neighbourhood.</p> <p><u>Side – North</u> The proposed level 3 extension will have a northern side setback of 1.5-1.7m, which is compliant with Council's 1.5m setback control for two stories up to 7m in height. The setback is not compliant for the sections above 7m, which are mainly to the rear, where the 2.5m side setback control applies. However, this is considered to be acceptable on the basis that the majority of the eastern extension is compliant with the setback control and is unlikely to result in significant amenity impacts for adjoining properties to the north, particularly regarding privacy and solar access for No. 27A Elamang Avenue and views for Units 8 and 10 of No. 27 B Elamang Avenue, as demonstrated elsewhere in this report.</p> <p><u>Side – South</u> The proposed Level 2 and 3 extension of the dwelling to create the new double garage within the south-eastern corner of the site with rainwater/plant and laundry underneath will have a setback of 1.5m at Level 2 (ground level) and a setback of 1.3m for the garage only at Level 3. The minor non-compliance of 200mm of the garage from the minimum 1.5m control is considered to be acceptable on the basis that the majority of the extension is compliant with the setback control and is unlikely to result in significant amenity impacts for adjoining properties to the south, particularly regarding privacy and solar access for No. 25 Elamang Avenue.</p> <p><u>Rear</u> The proposal will maintain the existing rear setback to the foreshore frontage. The bedroom addition to level 3 will be recessed behind the floor below and will maintain the rear setback approved under the CDC in 2022.</p>
<p>Form, massing & scale</p>	<p>Yes</p>	<p>The proposed works are consistent with the built form, massing, and scale within the area, which allows for a stepped form of 2-3 storeys to follow the steep topography of the area that slopes towards Sydney Harbour. While the footprint of the dwelling will be larger than existing, the new footprint areas will not significantly encroach upon adjoining properties and will maintain sufficient landscaped setbacks and buffers from adjoining sites.</p> <p>Due to the steeply sloping topography along the northern side of Elamang Avenue, a built form of 2-3 storeys is more typical for this neighbourhood. It should be noted that like the subject site, this scale of building is not readily perceptible from the street as these developments are mostly below street level.</p> <p>The overall form of the development is contemporary but is sufficiently articulated, with a variety of materials and design features such as balcony planter boxes and battens/screens to ensure that the facades are not dominated by glass, and that the garage structure to Elamang Avenue will present to the street as a smaller ancillary structure that services the main building.</p>

Built form character	Yes	The proposed works are consistent with the existing character of the dwelling and the streetscape, with contemporary style developments stepping down the steep topography with a limited built form to street level. As noted above, the design does not comprise excessive amount of glazing, and the north-facing balconies are integrated within the stepped rear elevation.																				
Dwelling entry	Yes	The proposal includes a new dwelling entry accessed via a new front gate, path, and stairs down to Level 2 of the house. This provides a secure entry that is clearly demarcated from the garage/vehicular entrance.																				
Roofs	Yes	The proposed additions will continue the metal hipped roofs previously approved under the CDC in 2022. In particular, the south-eastern corner extension including the garage will have a hipped metal roof, which will be similar to the pitched metal roof of No. 25 Elamang Avenue.																				
Colours and materials	Yes	The proposed colours and materials are acceptable and sympathetic to the surrounding neighbourhood.																				
Front fences	Yes	The proposed front fence will be a metal batten structure up to 1.7m in height, with a solid masonry base and piers. A condition is recommended to have this reduced to no higher than 1.5m with a 50% minimum transparency of the battened section (see Condition C22). The reduced height and partially open design will allow for filtered views from the street to the front garden and the building beyond.																				
1.5 Quality urban environment																						
High quality residential accommodation	Yes	The proposed works will provide a high standard of accommodation for the dwelling.																				
Site coverage, Landscaped area and Un-Built Upon Area	Yes (Acceptable on merit)	<p>The proposed and existing levels of site coverage, landscaped area and un-built upon area indicated in the table below:</p> <table border="1" data-bbox="703 1196 1441 1585"> <thead> <tr> <th>Site Area:</th> <th>Existing</th> <th>Proposed</th> <th>Complies</th> </tr> </thead> <tbody> <tr> <td>626.9m²</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Site Coverage 40% (max)</td> <td>54.01% (338.62m²)</td> <td>51.65% (323.81m²)</td> <td>No (Reduced)</td> </tr> <tr> <td>Landscaped area 40% (min)</td> <td>29.72% (186.33m²)</td> <td>40.24% (252.32m²)</td> <td>Yes</td> </tr> <tr> <td>Unbuilt-upon area 20% (max)</td> <td>16.26% (101.95m²)</td> <td>8.09% (50.77m²)</td> <td>Yes</td> </tr> </tbody> </table> <p>While the proposed level of site coverage is not compliant with the control, the removal of the existing driveway, which is counted as site coverage due to the presence of storage rooms underneath, has enabled the levels of the proposal to be reduced from existing, and, when combined with compliant levels of landscaped are and unbuilt-upon area, is acceptable within the site circumstances.</p>	Site Area:	Existing	Proposed	Complies	626.9m²				Site Coverage 40% (max)	54.01% (338.62m ²)	51.65% (323.81m ²)	No (Reduced)	Landscaped area 40% (min)	29.72% (186.33m ²)	40.24% (252.32m ²)	Yes	Unbuilt-upon area 20% (max)	16.26% (101.95m ²)	8.09% (50.77m ²)	Yes
Site Area:	Existing	Proposed	Complies																			
626.9m²																						
Site Coverage 40% (max)	54.01% (338.62m ²)	51.65% (323.81m ²)	No (Reduced)																			
Landscaped area 40% (min)	29.72% (186.33m ²)	40.24% (252.32m ²)	Yes																			
Unbuilt-upon area 20% (max)	16.26% (101.95m ²)	8.09% (50.77m ²)	Yes																			
Safety and Security	Yes	Safety and security would not be compromised as a result of the subject development application. The proposal maintains the existing security and natural surveillance of the subject site to and from the street. The proposed front fence as conditioned (see Condition C22) also provides a high level of natural surveillance to and from the street.																				

Vehicle Access and Car parking	Yes	<p>The proposed double garage is acceptable within the site circumstances as garages built on or close to the front boundary are common along Elamang Avenue, such as 25 Elamang Avenue. It is also acknowledged that "Garages built to the boundary" are identified as characteristic within the Kirribilli Neighbourhood.</p> <p>While the proposed garage within the front setback is not strictly compliant with Council's controls, it is considered to be acceptable on merit on the basis that the structure will not significantly impact upon the character of the streetscape and will not result in the significant loss of landscaping as it will enable the removal of the substantial driveway on the northern side of the site and its replacement with landscaping and trees. The garage will also be set back from the front boundary by 4.1-5m, which further minimises its prominence as part of the sites' street frontage.</p> <p>The proposed 2 car spaces is compliant with the maximum rate of 2 spaces per dwelling of 3 or more bedrooms as specified in Part B Section 10 of NSDCP 2013.</p>
Landscaping and front gardens	Yes	<p>While the works approved under the CDC in 2022 have resulted in the significant loss of many of the trees on site, the proposed landscaping scheme includes new trees and gardens to ensure that the landscaped area of the site remains compliant with Council's control.</p> <p>Council's Landscape Development Officer has also recommended replacement street trees to compensate for the loss of the existing moribund/poor condition trees (see Condition C23). It is also recommended that the front fence be reduced in height and transparency increased to enable filtered views of the front garden and landscaping from the street (see Condition C22).</p>
Private and Communal Open Space	Yes	The proposal includes a substantial area of private open space.
Garbage Storage	Yes	A new garbage storage area is proposed for the south-eastern corner of the front setback between the garage and the front vehicular gate. This location will be obscured by the gate and fence from the street while also enabling easy access for moving the bins for collection.
1.6 Efficient use of resources		
Energy efficiency	Yes	A valid BASIX Certificate has been lodged with this proposal. Solar panels are also included for the proposed roof planes.
Water conservation	Yes	Two 7,500-litre rainwater tanks are proposed underneath the new garage/driveway to provide additional water retention on site.
Stormwater management	Yes	All stormwater pipes will connect to the new system, which includes rainwater tanks on site and drainage via the existing arrangements.

Kirribilli Planning Area (Kirribilli Neighbourhood)

Consideration has been given to the Character Statement for the North Cremorne Planning Area in Part C of NSDCP 2013, particularly Section 8.2 (Kirribilli Neighbourhood) where this site is located. Subject to conditions, the proposal is acceptable as the proposed works are broadly consistent with the existing building and development in the surrounding area, and responds to the existing site topography and constraints without resulting in any significant loss of views, privacy, solar access, or amenity for adjoining properties.

LOCAL INFRASTRUCTURE CONTRIBUTIONS PLAN

The proposal, which involves development where the cost of the proposed development is more than \$100,000, is classified under the North Sydney Local Infrastructure Contributions Plan 2020 as a 'Type (c) development' that triggers a Section 7.12 contribution of \$7,507.00, for the purpose of local infrastructure provision.

Contribution amounts payable

Applicable contribution type		
s7.12 contribution details	Development cost:	\$750,724.70
(payment amount subject to indexing at time of payment)	Contribution:	\$7,507.00

A condition is recommended requiring payment prior to issue of any Construction Certificate (refer to Condition C80).

ALL LIKELY IMPACTS OF THE DEVELOPMENT

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

ENVIRONMENTAL APPRAISAL

CONSIDERED

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

SUITABILITY OF THE SITE (Section 4.15 of the EPAA 1979)

The proposal involves residential development in a residential zone, so the proposal is considered to be suitable for the subject site.

SUBMISSIONS (Section 4.15 of the EPAA 1979)

The subject application was notified to adjoining properties and the Milson Precinct Committee seeking comment. Four (4) submissions were received by Council raising concerns regarding the proposal. The issues raised in the submissions are summarised below and addressed with planning comments:

- *The proposed variation with the height limit and increased height will impact upon water views to Sydney Harbour.*
- *The proposed height breach and additional bulk has the potential to impacts upon the privacy, solar access, and views.*
- *No landscaping has been provided to screen the third floor wall as viewed from 27A.*

See the discussions earlier in this report regarding the form, massing, scale, eight level breach, view impacts, privacy, solar access, and setbacks of this development, where it was considered that the proposal has been designed in a manner that responds to the existing site conditions, with articulations and variations in the design to minimise any amenity or visual impacts upon the neighbourhood and adjoining properties.

- *The proposed solar panels on the western roof plane will result in glare issues.*

A condition has been recommended (see Condition C20) to minimise the potential for reflectivity and glare issues from the proposed roof and solar panels.

- *The site has already lost significant vegetation and trees and the proposal will exacerbate this situation.*

The overall level of landscaping on site will be improved from the existing level (from 29% to 40%) and Council's Landscape Development Officer has raised no objection to the proposed landscape plans. Conditions are recommended to ensure that the existing moribund street trees in front of the site are appropriately replaced (see Conditions C88 and G32).

- *Visual privacy impacts from the upper level terraces should be minimised with adequate screening.*
- *The proposed rooftop deck areas will impact upon privacy.*

See the discussions earlier in this report regarding the potential for privacy impacts arising from the proposed balconies on level 3, where it was considered that the spaces have been designed in a manner minimised any privacy impact. This includes the use of planters around the balcony edges, and the low-impact use of the rooms adjoining these spaces (bedroom and study). A condition is recommended for a higher and longer privacy screen along the southern end of the balcony accessed off the study to ensure continued privacy for No. 25 Elamang Avenue. It is unlikely that the proposed balcony off the bedroom will have any privacy impact for adjoining properties as it will mostly overlook the roof plane of No. 27A Elamang Avenue when looking north.

- *The boundary fencing should be reinstated once development is completed.*

Disputes regarding boundary fences are not a matter for Council or this assessment. Boundary fences are considered to be a civil matter between property owners governed under the *Dividing Fences Act 1991*.

- *Concern regarding exhaust from the proposed BBQ.*

The proposed fixed barbeque area at the south-west corner of the dwelling will be set back approximately 1-1.2m from the boundary with 27A Elamang Avenue, with significant screening provided by the existing boundary fence and the proposed privacy wall between this structure and the adjoining property. It is also considered that the usage and placement of the barbeque is a reasonable use of the site and is part of living in a built-up urban context within an R2 Low Density Residential zone.

PUBLIC INTEREST (Section 4.15 of the EPAA 1979)

The proposal would provide a high level of amenity for the residents without causing any unreasonable impacts to the area's character, the streetscape, and/or adjoining properties, so the proposal would not be contrary to the public interest, subject to conditions.

HOW WERE THE COMMUNITY VIEWS TAKEN INTO CONSIDERATION

The subject application was notified to adjoining properties and the Milson Precinct Committee seeking comment and four submissions were received raising concerns regarding amenity and visual impacts. As demonstrated in this report it is considered that the proposal will not have a significant impact upon the general amenity, privacy, views, stability, or solar access for adjoining properties, subject to appropriate conditions of consent to maintain residential amenity, ensure the works are safe for the community, and enhance the landscaped setting of the site within the locality.

CONCLUSION AND REASONS

The development application has been assessed against the relevant planning instruments and policies, in particular the North Sydney Local Environmental Plan 2013 and the North Sydney Development Control Plan 2013, and generally found to be satisfactory.

The development is broadly compliant and acceptable having regard to Council's built form character, solar access, privacy, and landscaped area controls, and broadly complies with the objectives and provisions for height, site coverage, views, setbacks, form massing and scale, and the Kirribilli Neighbourhood. While there will be some minor non-compliances with the side setbacks, and involves a large non-compliance with the height level that creates some minor view loss, this is considered to be acceptable on merit on the basis that the proposal would not have significant overall amenity impacts upon adjoining properties and the development has been designed in a manner that is sympathetic to the built form of the neighbourhood and the sloping topography of the site towards Sydney Harbour.

Subject to conditions, there would be no unreasonable overshadowing, view loss, privacy loss and/or excessive bulk and scale as a result of the proposal. Conditions are however recommended to further enhance the landscaped context of the site when viewed from the street as well as additional privacy measures. The proposal makes an acceptable streetscape contribution, with a highly contemporary architectural style, due to the particular site circumstances and the context of the immediate neighbourhood, the majority of the development will not be highly visible from the public domain and maintains an acceptable scale below the street level.

As a result, the proposed works as conditioned will provide a high level of resident amenity without significantly impacting upon adjoining dwellings or the character of the neighbourhood. The application is considered to be acceptable in the circumstances and it is recommended for approval subject to standard and site-specific conditions.

RECOMMENDATION

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

THAT the North Sydney Local Planning Panel, exercising the functions of Council, assume the concurrence of the Secretary of The Department of Planning, Industry, and Environment and invoke the provisions of Clause 4.6 in NSLEP 2013 with regards to the non-compliance with Clause 4.3 and grant consent to Development Application No. 288/22 for alterations and additions to an existing single dwelling, on land at 27 Elamang Avenue, Cremorne, subject to the following site specific and the attached standard conditions:-

Privacy

C18. The following must be applied to the proposed development to protect privacy for the adjoining owners:

- (a) A fixed timber louvre/lightweight/lattice privacy screen shall be attached to the eastern side of the balcony attached to the study room on Level 3 of the subject site, with a minimum height of 1.8m above the balcony floor level, and must extend along the full length of the balcony.

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

(Reason: To protect the privacy for the adjoining properties.

Front Fence

C22. The front fence and gates to Elamang Avenue must be no higher than 1.5m, with a minimum level of transparency of 50% for the battened sections between the solid piers.

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

(Reason: To minimise the bulk and scale of structures as viewed from the public domain)

Amendments to the Landscape Plan

C23. The landscape shown on the approved plans must be amended as follows to provide an appropriate landscaped setting:

- 1) 1 x *Lophostemon confertus* (200-litre pot size) shall be planted in the Council verge in front of 27 Elamang Avenue, equidistant between the existing vehicular crossing in front

of 27A Elamang Avenue and the proposed new vehicular crossing in front of 27 Elamang Avenue.

- 2) 1 x *Lophostemon confertus* (200-litre pot size) shall be planted in the Council verge in front of 27 Elamang Avenue, in the location of the existing T2 *Callistemon viminalis*, which is planned for removal by council due to its recent demise.

An amended site plan and landscape plan 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 amended plans and specifications submitted fully satisfy the requirements of this condition.

(Reason: To ensure residential amenity and to demonstrate compliance with Council's controls)

Ongoing Street Tree Care

11. The 2 x *Lophostemon confertus* (200-litre pot size) located in the road reserve shall be watered for a period of six (6) months after the final construction certificate is issued. The watering shall be approximately 20 litres per week (min) delivered gently by hose or watering can so that the surrounding soil can absorb the water. Seasol solution is recommended once a month over this period.

(Reason: To ensure that replacement plantings on Council property are of sufficient health to enhance community landscaped amenity)

ANDREW BEVERIDGE
ASSESSMENT OFFICER

ROBYN PEARSON
TEAM LEADER ASSESSMENTS

STEPHEN BEATTIE
MANAGER DEVELOPMENT SERVICES

NORTH SYDNEY COUNCIL
CONDITIONS OF DEVELOPMENT APPROVAL
27 ELAMANG AVENUE, KIRRIBILLI
DEVELOPMENT APPLICATION NO. 288/22

A. Conditions that Identify Approved Plans

Development in Accordance with Plans/Documentation

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

Plan No.	Rev.	Description	Prepared by	Dated	Received
DA02	A	Site Plan	Corben Architects	15/09/2022	23/09/2022
DA03	A	Existing Level 1 Demolition Plan	Corben Architects	15/09/2022	23/09/2022
DA04	A	Existing Level 2 Demolition Plan	Corben Architects	15/09/2022	23/09/2022
DA05	A	Proposed Level 1 Plan	Corben Architects	15/09/2022	23/09/2022
DA06	A	Proposed Level 2 Plan	Corben Architects	15/09/2022	23/09/2022
DA07	A	Proposed Level 3 Plan	Corben Architects	15/09/2022	23/09/2022
DA08	A	Roof Plan	Corben Architects	15/09/2022	23/09/2022
DA09	A	Western & Eastern Elevations	Corben Architects	15/09/2022	23/09/2022
DA10	A	Northern & Southern Elevations	Corben Architects	15/09/2022	23/09/2022
DA11	A	Section A, B & C	Corben Architects	15/09/2022	23/09/2022
DA19	A	Exterior Finishes	Corben Architects	15/09/2022	23/09/2022
LP00	A	DA Landscape Overview	Garden Life	19/09/2022	23/09/2022
LP01	A	DA Landscape Plan – Level 1	Garden Life	19/09/2022	23/09/2022
LP02	A	DA Landscape Plan – Level 2	Garden Life	19/09/2022	23/09/2022
LP03	A	DA Landscape Plan – Level 3	Garden Life	19/09/2022	23/09/2022
DA4.00	B	Vehicle Crossing Plan & Details	Triaxial Consulting	16/09/2022	23/09/2022
DA4.01	B	Vehicle Crossing Sections	Triaxial Consulting	16/09/2022	23/09/2022

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

Plans on Site

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

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

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

No Demolition of Extra Fabric

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

(Reason: To ensure compliance with the approved development)

External Finishes and Materials

A4. External finishes and materials must be in accordance with the submitted schedule numbered DA19, dated 15 September 2022, prepared by Corben Architects, and received by Council on 23 September 2022, unless otherwise modified by Council.

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

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

Dilapidation Report Damage to Public Infrastructure

C1. A dilapidation survey and report (including photographic record) must be prepared by a suitably qualified consultant which details the pre-developed condition of the existing public infrastructure in the vicinity of the development site. Particular attention must be paid to accurately recording any pre-developed damaged areas so that Council is fully informed when assessing any damage to public infrastructure caused as a result of the development. A copy of the dilapidation survey and report is to be submitted to the Certifying Authority for approval prior to the issue of any Construction Certificate.

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

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

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

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

Dilapidation Survey Private Property (Neighbouring Buildings)

- C2. A photographic survey and dilapidation report of adjoining properties Nos. 25 and 27A Elamang Avenue, Kirribilli detailing the physical condition of those properties, both internally and externally, including, but not limited to, such items as walls, ceilings, roof, structural members and other similar items, SHALL BE submitted to the Certifying Authority for approval prior to the issue of any Construction Certificate. The survey and report are to be prepared by an appropriately qualified person agreed to by both the applicant and the owner of the adjoining property. A copy of the report is to be provided to Council, if Council is not the Certifying Authority, prior to the issue of any Construction Certificate.

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

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

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

(Reason: Proper management of records)

Structural Adequacy of Existing Building

- C3. A report prepared by an appropriately qualified and practising structural engineer, certifying the structural adequacy of the property and its ability to withstand the proposed additional, or altered structural loads during all stages of construction shall be submitted to the Certifying Authority for approval prior to issue of any Construction Certificate. The certified report must also include all details of the methodology to be employed in construction phases to achieve the above requirements. The methodology in the certified report must be complied with at all times.

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

Sediment Control

- C4. Where construction or excavation activity requires the disturbance of the soil surface or existing vegetation, erosion and sediment control techniques, as a minimum, are to be in accordance with the publication *Managing Urban Stormwater: Soils and Construction* (4th edition, Landcom, 2004) commonly referred to as the "Blue Book" or a suitable and effective alternative method.

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

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

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

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

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

Waste Management Plan

- C5. A Waste Management Plan is to be submitted for approval by the Certifying Authority prior to the issue of any Construction Certificate. The plan must include, but not be limited to:
- a) The estimated volume of waste and method of disposal for the construction and operation phases of the development;
 - b) The design of the on-site waste storage and recycling area; and

- c) Administrative arrangements for waste and recycling management during the construction process.

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

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

External Colours and Finishes

- C6. The external colours and finishes shall match those as existing and/or be compatible with surrounding development. A schedule of external colours and finishes must be submitted to the Certifying Authority for approval prior to the issue of any Construction Certificate. The Certifying Authority must ensure that the building plans and specifications submitted, referenced on and accompanying the issued Construction Certificate, fully satisfy the requirements of this condition.

(Reason: To ensure that the completed colours and finishes of the works are compatible with surrounding development)

Roofing Materials - Reflectivity

- C7. Roofing materials and solar panels must be factory pre-finished with low glare and reflectivity properties to be compatible with the colours of neighbouring buildings. The selected roofing material/solar panel must not cause a glare nuisance or excessive reflectivity to adjoining or nearby properties.

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

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

Work Zone

- C8. If a Work Zone is proposed, an application must be made to the North Sydney Local Traffic Committee to install the 'Work Zone'. A Work Zone permit is required to be issued by the Council prior to the issue of any Construction Certificate.

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

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

(Reason: Amenity and convenience during construction)

Obtain Driveway Crossing Permit under S.138 Roads Act 1993

- C9. A driveway crossing and roads infrastructure works permit to suit the approved off-street parking facilities must be granted by the Council prior to the issue of any Construction Certificate. In order to obtain a permit under S.138 of the Roads Act 1993, an application must be made to Council on the 'Vehicular Access Application' form with payment of the adopted assessment/inspection fees. Council will require civil design construction drawings and certification from the applicant's Civil Engineer to verify design details and enable issue of the permit. The requirements of the permit must be complied with at all times.

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

- a) the vehicular access way must comply with AS 2890.1 and Council's current Vehicular Access Application Guidelines and Specification (gutter bridges not permitted) to ensure that a B85 vehicle will not scrape/strike the surface of the carriageway, layback, vehicular crossing, or parking floor,
- b) the redundant layback crossing must be reinstated as kerb gutter, verge, and footpath.
- c) the width of the vehicular layback must be 3.0 metres (including the wings),
- d) the vehicular crossover must be set square to the kerb,
- e) the crossing (between the layback and the property boundary) must be placed on a single straight grade of approximately 4.5%, falling to the back of the layback,

- f) the gutter levels and boundary footpath levels must match the existing levels and shall not be altered,
- g) the footpath, kerb gutter, and road shoulder must be transitioned 1m on both sides of the crossing to ensure uniformity in the road reserve,
- h) the works will require reconstruction of the carriageway shoulder extending out 600mm from the gutter lip in AC10 - 50mm thick, adjacent to all new gutter works, layback, kerb/gutter,
- i) any twisting of driveway access must occur entirely within the subject property,
- j) all inspection openings, utility services must be adjusted to match the proposed driveway levels,
- k) sections along centreline and extremities are required at a scale of 1:50 to be taken from the centreline of the roadway through to the parking area itself and must include all changes of grade and levels both existing and proposed,
- l) a longitudinal section along the gutter line at a scale of 1:50 showing how it is intended to blend the vehicular crossing with the existing kerb and gutter,
- m) a longitudinal section along the footpath property boundary at a scale of 1:50 is required,
- n) the sections must show the calculated clearance to the underside of any overhead structure,
- o) a swept path analysis is required demonstrating that an 85th percentile vehicle can manoeuvre in and out of the garage spaces in accordance with AS 2890.1 2004 "Off Street Parking".

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

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

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

Stormwater Disposal

- C10. Stormwater runoff generated by the approved development must be conveyed by gravity to the existing site stormwater drainage disposal system. A licensed tradesman shall install plumbing components to achieve this requirement in accordance with the BCA and current plumbing standards and guidelines. Plans and specifications which comply with this condition must be submitted to the Certifying Authority for approval prior to the issue of any Construction Certificate. The Certifying Authority must ensure that the building plans and specifications submitted, referenced on and accompanying the issued Construction Certificate, fully satisfy the requirements of this condition.

(Reason: To ensure appropriate provision for disposal and stormwater management arising from the development)

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

- C11. Prior to the issue of any Construction Certificate, security deposit or bank guarantee must be provided to Council to the sum of \$5,000.00 to be held by Council for the payment of cost for any/all of the following:
- a) making good any damage caused to any property of the Council as a consequence of the doing of anything to which this consent relates,
 - b) completing any public work (such as road work, kerbing and guttering, footway construction, stormwater drainage and environmental controls) required in connection with this consent.
 - c) remedying any defects in any such public work that arise within six months after the work is completed.

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

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

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

- where the damage constitutes a hazard in which case Council may make use of the security immediately;

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

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

Protection of Trees

- C12. The following tree(s) are required to be protected and retained as part of the development consent in accordance with AS 4970-2009 - Protection of trees on development sites:

Tree	Location	Height
All existing vegetation	Properties adjoining 27 Elamang Avenue.	Various

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.

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

(Reason: Protection of existing environmental and community assets)

Approval for Removal of Trees

- C13. The following tree(s) are approved for removal in accordance with the development consent:

Trees that are acceptable to remove	Location	Height
1 x <i>Corymbia ficifolia</i> (dead)	Council verge in front of 27 Elamang Avenue.	4x6m

Removal of any other tree on the site is not approved, excluding species exempt under Council's Tree Preservation Order. Any tree(s) shown as being retained on the approved plans (regardless of whether they are listed in the above schedule or not) must be protected and retained in accordance with this condition.

(Reason: Protection of existing environmental and community assets)

Garbage and Recycling Facilities

- C14. Adequate provision must be made for the storage of waste and recyclable material generated by the premises. Plans and specifications which comply with this condition must be submitted to the Certifying Authority for approval prior to the issue of any Construction Certificate. The Certifying Authority must ensure that the building plans and specifications submitted, referenced on and accompanying the issued Construction Certificate, fully satisfy the requirements of this condition.

(Reason: To ensure the provision of appropriate waste facilities and to ensure efficient collection of waste by collection contractors)

Asbestos Material Survey

- C15. A report must be prepared by a suitably qualified person in relation to the existing building fabric to be demolished and/or disturbed identifying the presence or otherwise of asbestos contamination and, if asbestos contamination is present, making recommendations as to the work required to safely address the contamination.

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

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

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

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

Noise from Plant and Equipment

- C16. The use of all plant and equipment installed on the premises must not:

- (a) Contribute an LAeq(15min) which will cause the total LAeq(15min) from all plant and equipment operating contemporaneously on the site or in the strata scheme or in the mixed strata schemes to exceed the RBL by more than 5dB when measured at the boundary of any affected receiver. The modifying factor adjustments in Section 4 of the EPA Industrial Noise Policy shall be applied.
- (b) Cause "offensive noise" as defined in the *Protection of the Environment Operations Act 1997*.

"affected receiver" includes residential premises (including any lot in the strata scheme or another strata scheme), premises for short-term accommodation, schools, hospitals, places of worship, commercial premises and parks and such other affected receiver as may be notified by the Council in writing.

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

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

(Reason: To maintain an appropriate level of amenity for adjoining land uses)

Air Conditioners in Residential Premises

C17. The use of any air conditioner installed on the premises must comply with the requirements of the Protection of the Environment Operations (Noise Control) Regulations 2008 and State Environmental Planning Policy (Infrastructure) 2007 and must not:

- (a) emit a noise that is audible within a habitable room in any affected residence (regardless of whether any door or window to that room is open);
 - (i) before 8.00 am and after 10.00 pm on any Saturday, Sunday or Public Holiday; or
 - (ii) before 7.00 am or after 10.00 pm on any other day
- (b) cause an LAeq(15min) which exceeds the RBL background noise level by more than 5dB when measured at the boundary of any affected residence. The modifying factor adjustments in Section 4 of the EPA Industrial Noise Policy will be applied.

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

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

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

(Reason: To maintain residential amenity)

Privacy

C18. The following must be applied to the proposed development to protect privacy for the adjoining owners:

- (a) A fixed timber louvre/lightweight/lattice privacy screen shall be attached to the eastern side of the balcony attached to the study room on Level 3 of the subject site, with a minimum height of 1.8m above the balcony floor level, and must extend along the full length of the balcony.

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

(Reason: To protect the privacy for the adjoining properties.)

Section 7.12 Contributions

C19. A monetary contribution pursuant to the provisions of Section 7.12 of the Environmental Planning and Assessment Act 1979 is to be paid to Council, in accordance with the North Sydney Council's Contribution Plan. Based on the cost of development a total contribution of \$7,507.00 is to be paid to Council to provide for additional local infrastructure improvements.

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

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

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

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

Security Deposit/Guarantee Schedule

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

Security Deposit/Guarantee	Amount (\$)
Infrastructure Damage Bond	\$5,000.00
TOTAL BONDS	\$5,000.00

Note: The following fees applicable

Fees	
Section 7.12 Development Contributions	\$7,507.00
TOTAL FEES	\$7,507.00

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

(Reason: Compliance with the development consent)

BASIX Certificate

- C21. Under clause 97A(3) of the Environmental Planning and Assessment Regulation 2000, it is a condition of this development consent that all the commitments listed in BASIX Certificate No. A466522_03, dated 9 September 2022 for the development are fulfilled. Plans and specifications complying with this condition must be submitted to the Certifying Authority for approval prior to the issue of any Construction Certificate. The Certifying Authority must ensure that the building plans and specifications submitted, referenced on and accompanying the issued Construction Certificate, fully satisfy the requirements of this condition.

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

Front Fence

- C22. The front fence and gates to Elamang Avenue must be no higher than 1.5m, with a minimum level of transparency of 50% for the battened sections between the solid piers.

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

(Reason: To minimise the bulk and scale of structures as viewed from the public domain)

Amendments to the Landscape Plan

- C23. The landscape shown on the approved plans must be amended as follows to provide an appropriate landscaped setting:

- 1) 1 x *Lophostemon confertus* (200-litre pot size) shall be planted in the Council verge in front of 27 Elamang Avenue, equidistant between the existing vehicular crossing in front of 27A Elamang Avenue and the proposed new vehicular crossing in front of 27 Elamang Avenue.
- 2) 1 x *Lophostemon confertus* (200-litre pot size) shall be planted in the Council verge in front of 27 Elamang Avenue, in the location of the existing T2 *Callistemon viminalis*, which is planned for removal by council due to its recent demise.

An amended site plan and landscape plan 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 amended plans and specifications submitted fully satisfy the requirements of this condition.

(Reason: To ensure residential amenity and to demonstrate compliance with Council's controls)

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

Protection of Trees

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

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

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

Temporary Fences and Tree Protection

- D2. All protected trees on-site that are specifically nominated as per Condition C12 to be retained by notation on plans or by condition as a requirement of this consent must be tagged with luminous tape or the like for purposes of identification prior to demolition, excavation or construction works and must remain so for the duration of works on the site. No materials or builder's waste are to be stored in the vicinity of the nominated tree/trees at any time.

Appropriate fencing or barricades in accordance with AS4970-2009 (Protection of trees on development sites) must be installed to the satisfaction of the Certifying Authority prior to demolition or commencement of any works and must be maintained for the duration of the works.

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

Public Liability Insurance - Works on Public Land

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

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

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

Sydney Water Approvals

- D4. Prior to the commencement of any works, the approved plans must be submitted to Sydney Water to determine whether the development application will affect Sydney Water's sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met. The Certifying Authority must ensure that Sydney Water has appropriately stamped the plans before the commencement of building works.

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

(Reason: To ensure compliance with Sydney Water requirements)

Commencement of Works' Notice

- D5. Building work, demolition or excavation in accordance with this development consent must not be commenced until the developer has given at least two days' notice to North Sydney Council of the person's intention to commence building work, demolition or excavation in accordance with this development consent.

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

E. During Demolition and Building Work

Reuse of Sandstone

- E1. Sandstone blocks (if any) removed from the site are to be either stored for re-use on site or offered to Council in the first instance.

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

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

Parking Restrictions

- E2. Existing public parking provisions in the vicinity of the site must be maintained at all times during works. The placement of any barriers, traffic cones, obstructions or other device in the road shoulder or kerbside lane is prohibited without the prior written consent of Council. Changes to existing public parking facilities/restrictions must be approved by the North Sydney Local Traffic Committee. The Developer will be held responsible for any breaches of this condition and will incur any fines associated with enforcement by Council regulatory officers.

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

Road Reserve Safety

- E3. All public footways and roadways fronting and adjacent to the site must be maintained in a safe condition at all times during the course of the development works, with no obstructions caused to the said footways and roadways. Construction materials and plant must not be stored in the road reserve without approval of Council. A safe pedestrian circulation route and a pavement/route free of trip hazards must be maintained at all times on or adjacent to any public access ways fronting the construction site.

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

(Reason: Public Safety)

Temporary Disposal of Stormwater Runoff

- E4. During construction, stormwater runoff must be disposed in a controlled manner that is compatible with the erosion and sediment controls on the site. Immediately upon completion of any impervious areas on the site (including roofs, driveways, paving) and where the final drainage system is incomplete, the necessary temporary drainage systems must be installed to reasonably manage and control runoff as far as the approved point of stormwater discharge. Such ongoing measures must be to the satisfaction of the Certifying Authority.

(Reason: Stormwater control during construction)

Geotechnical Stability during Works

- E5. A contractor with specialist excavation experience must undertake the excavations for the development and a suitably qualified and consulting geotechnical engineer must oversee the excavation procedure.

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

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

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

Removal of Extra Fabric

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

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

Dust Emission and Air Quality

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

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

Noise and Vibration

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

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

No Work on Public Open Space

- E9. No work can be undertaken within adjoining public lands (i.e., Parks, Reserves, Roads etc) without the prior written consent of Council. In this regard the developer is to liaise with Council prior to the commencement of any design works or preparation of a Construction and Traffic Management Plan.

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

Developer's Cost of Work on Council Property

- E10. The developer must bear the cost of all works associated with the development that occurs on Council's property, including the restoration of damaged areas.

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

No Removal of Trees on Public Property

- E11. No trees on public property (footpaths, roads, reserves, etc.) unless specifically approved by this consent shall be removed or damaged during construction including for the erection of any fences, hoardings or other temporary works.

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

Protection of Trees

- E12. All trees required to be retained, as part of this consent must be protected from any damage during construction works in accordance with AS4970-2009. In the event that any tree required to be retained is damaged during works on the site, notice of the damage must be given to Council forthwith.

Notes:

- 1) If the nominated tree is damaged to a significant degree or removed from the site without prior written approval being obtained from Council, the issuing of fines or legal proceedings may be commenced for failure to comply with the conditions of this consent.
- 2) An application to modify this consent pursuant to Section 96 of the Environmental Planning and Assessment Act 1979 will be required to address the non-compliance with any of the conditions of consent relating to the retention of nominated trees, and Council may require tree replenishment.

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

Trees to be Removed

- E13. All trees on the site must be protected and retained save for those expressly identified below as being approved for removal:

Trees that are acceptable to remove	Location	Height
1 x <i>Corymbia ficifolia</i> (dead)	Council verge in front of 27 Elamang Avenue.	4x6m

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

Special Permits

- E14. Unless otherwise specifically approved in writing by Council, all works, processes, storage of materials, loading and unloading associated with the development must occur entirely on the property.

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

1) **On-street mobile plant**

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

(Reason: Proper management of public land)

2) **Hoardings**

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

(Reason: Proper management of public land)

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

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

(Reason: Proper management of public land)

4) **Kerbside restrictions, construction zones**

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

(Reason: Proper management of public land)

Construction Hours

- E15. Construction activities and works approved under this consent must be carried out only within the hours stipulated in the following table:

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

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

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

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

Installation and Maintenance of Sediment Control

- E16. Erosion and sediment controls must be installed and maintained at all times in accordance with the Sediment and erosion control plan submitted and approved with the Construction Certificate.

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

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

Sediment and Erosion Control Signage

- E17. A durable sign must be erected during building works in a prominent location on site, warning of penalties should appropriate erosion and sedimentation control devices not be maintained. A sign of the type referred to in this condition is available from Council.

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

Site Amenities and Facilities

- E18. Where work involved in the erection and demolition of a building is being carried out, amenities which satisfy applicable occupational health and safety and construction safety regulations, including any WorkCover Authority requirements, must be provided and maintained at all times. The type of workplace determines the type of amenities required.

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

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

Health and Safety

- E19. All work undertaken must satisfy applicable occupational health and safety and construction safety regulations, including any WorkCover Authority requirements to prepare a health and safety plan. Site fencing must be installed sufficient to exclude the public from the site. Safety signs must be erected that warn the public to keep out of the site and provide a contact telephone number for enquiries.

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

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

Prohibition on Use of Pavements

- E20. Building materials must not be placed on Council's footpaths, roadways, parks or grass verges, (unless a permit is obtained from Council beforehand). A suitable sign to this effect must be erected adjacent to the street alignment.

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

Plant and Equipment Kept Within Site

- E21. All plant and equipment used in the undertaking of the development/ works, including concrete pumps, wagons, lifts, mobile cranes, hoardings etc, must be situated within the boundaries of the site (unless a permit is obtained from Council beforehand) and so placed that all concrete slurry, water, debris and the like must be discharged onto the building site, and is to be contained within the site boundaries.

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

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

Imported Fill Material

- E22. The only waste derived fill material that may be received at the development site is:
- a) Virgin excavated natural material (within the meaning of the Protection of the Environment Operations Act 1997); and
 - b) Any other waste-derived material the subject of a resource recovery exemption under cl. 51A of the Protection of the Environment Operations (Waste) Regulation 2005 that is permitted to be used as fill material.

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

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

Waste Disposal

- E23. All records demonstrating the lawful disposal of waste must be retained and kept readily accessible for inspection by regulatory authorities such as North Sydney Council and the Environmental Protection Authority.

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

Asbestos Removal

E24. All demolition works involving the removal and disposal of asbestos cement must only be undertaken by contractors who hold a current WorkCover Asbestos or "Demolition Licence" and a current WorkCover "Class 2 (Restricted) Asbestos Licence and removal must be carried out in accordance with National Occupational Health and Safety Commission.

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

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

National Construction Code

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

(Reason: Prescribed - Statutory)

Home Building Act

F2. 1) Building work that involves residential building work (within the meaning and exemptions provided in the Home Building Act 1989) for which the *Home Building Act 1989* requires there to be a contract of insurance under Part 6 of that Act must not be carried out unless the Principal Certifying Authority for the development to which the work relates has given North Sydney Council written notice of the contract of insurance being issued and of the following:

a) in the case of work for which a principal contractor is required to be appointed:

- i) the name and licence number of the principal contractor, and
- ii) the name of the insurer by which the work is insured under Part 6 of that Act, or

(b) in the case of work to be done by an owner-builder:

- (i) the name of the owner-builder, and
- (ii) if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

- 2) If arrangements for doing residential building work are changed while the work is in progress such that the information submitted to Council in accordance with this conditions is out of date, work must cease and no further work may be carried out unless the Principal Certifying Authority for the development to which the work relates (not being the Council), has given the Council written notice of the updated information.

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

(Reason: Prescribed - Statutory)

Appointment of a Principal Certifying Authority (PCA)

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

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

Construction Certificate

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

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

Occupation Certificate

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

(Reason: Statutory)

Mandatory Critical Stage Inspections

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

(Reason: Statutory)

Excavation/Demolition

- F7. 1) All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with appropriate professional standards.
- 2) All excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them from being dangerous to life or property.
- 3) Demolition work must be undertaken in accordance with the provisions of AS2601- Demolition of Structures.

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

Protection of Public Places

- F8. 1) A hoarding and site fencing must be erected between the work site and adjoining public place.
- 2) If necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.
- 3) The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.
- 4) Any such hoarding, fence or awning is to be removed when the work has been completed.
- 5) No access across public reserves or parks is permitted.

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

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

Site Sign

- F9. 1) A sign must be erected in a prominent position on the site
- a) stating that unauthorised entry to the work site is prohibited;
 - b) showing the name of the principal contractor (or person in charge of the work site), and a telephone number at which that person may be contacted at any time for business purposes and outside working hours; and
 - c) showing the name, address and telephone number of the Principal Certifying Authority for the work.
- 2) Any such sign must be maintained while building work or demolition work is being carried out but must be removed when the work has been completed.

(Reason: Prescribed - Statutory)

G. *Prior to the Issue of an Occupation Certificate*

Infrastructure Repair and Completion of Works

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

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

(Reason: Maintain quality of public assets)

Certification - Civil Works

- G2. An appropriately qualified and practicing Civil Engineer must certify to the Certifying Authority that the vehicular crossing and associated works and road works were constructed in accordance with this consent and any approval for works in the road reserve issued by the Council.

A copy of the certificate must be submitted to Council (if it is not the Certifying Authority), upon completion of the development works and prior to the issue of an Occupation Certificate.

(Reason: Compliance with the Consent)

Damage to Adjoining Properties

- G3. All precautions must be taken to prevent any damage likely to be sustained to adjoining properties. Adjoining owner property rights and the need for owner's permission must be observed at all times, including the entering onto land for the purpose of undertaking works.

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

Utility Services

- G4. All utility services shall be adjusted to the correct levels and/or location/s required by this consent, prior to issue of an occupation certificate. This shall be at no cost to Council.

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

Asbestos Clearance Certificate

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

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

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

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

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

Certification of Tree Condition

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

Tree	Location	Height
2 x <i>Lophostemon confertus</i> (replacement planting)	Council verge in front of 27 Elamang Avenue.	100-litre pot size
All existing vegetation	Properties adjoining boundaries of 27 Elamang Avenue.	Various

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

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

Landscaping

- G7. The landscaping shown in the approved landscape plan the landscape plans numbered LP00-LP03, prepared by Garden Life, dated 19 September 2022 (Revision A), and as amended by Condition C23 of this consent, must be completed prior to the issue of any Occupation Certificate.

(Reason: To ensure compliance)

Required Tree Planting

- G8. On completion of works and prior to the issue of an Occupation Certificate trees in accordance with the schedule hereunder must be planted in Council's nature strip/footpath:

Schedule

Tree Species	Location	Pot Size
1 x <i>Lophostemon confertus</i>	Council verge in front of 27 Elamang Avenue, equidistant between the existing vehicular crossing in front of 27A Elamang Ave and the proposed new vehicular crossing in front of 27 Elamang Avenue.	200-litre

1 x <i>Lophostemon confertus</i>	Council verge in front of 27 Elamang Avenue, in the location of the existing T2 <i>Callistemon viminalis</i> which is planned for removal by Council due to its recent demise.	200-litre
----------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------

The installation of this tree, its current health, and prospects for future survival, must be certified upon completion by an appropriately qualified horticulturalist.

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

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

Unpaved Verge

G9. The unpaved verge area must be constructed/reconstructed with an appropriate species of grass prior to completion of the works at no cost to Council if damaged by the works.

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

Compliance with Certain Conditions

G10. Prior to the issue of any Occupation Certificate, Conditions C12 and C23 must be certified as having been implemented on site and complied with.

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

I. Ongoing/Operational Conditions

Ongoing Street Tree Care

I1. The 2 x *Lophostemon confertus* (200-litre pot size) located in the road reserve shall be watered for a period of six (6) months after the final construction certificate is issued. The watering shall be approximately 20 litres per week (min) delivered gently by hose or watering can so that the surrounding soil can absorb the water. Seasol solution is recommended once a month over this period.

(Reason: To ensure that replacement plantings on Council property are of sufficient health to enhance community landscaped amenity)

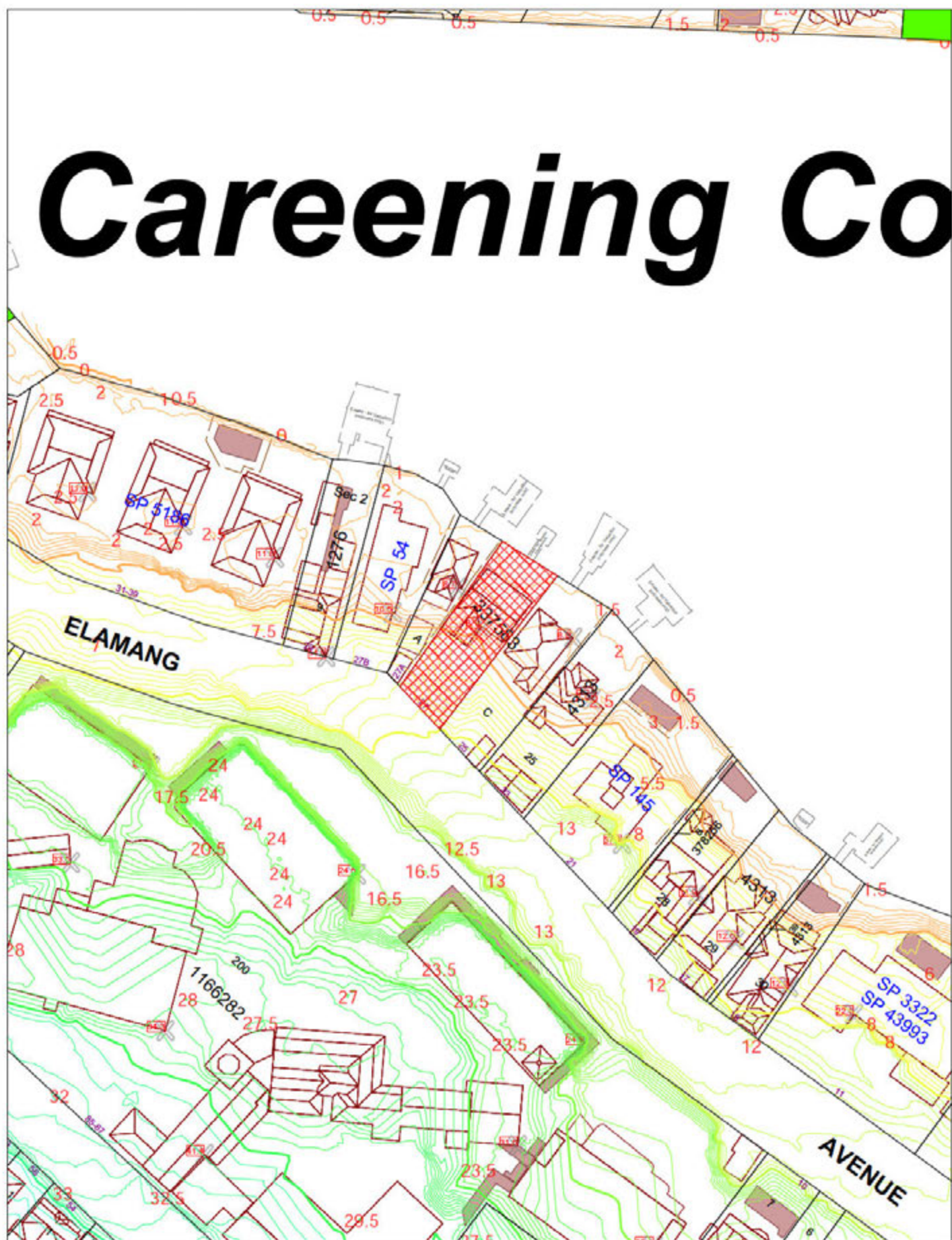
Maintenance of Approved Landscaping

12. The owner of the premises at 27 Elamang Avenue, Kirribilli is to maintain the landscaping approved by this consent generally in accordance with the landscape plans numbered LPP00-LP03, prepared by Garden Life, dated 19 September 2022 (Revision A), and as modified by Condition C23 of this consent.

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

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

Careening Co

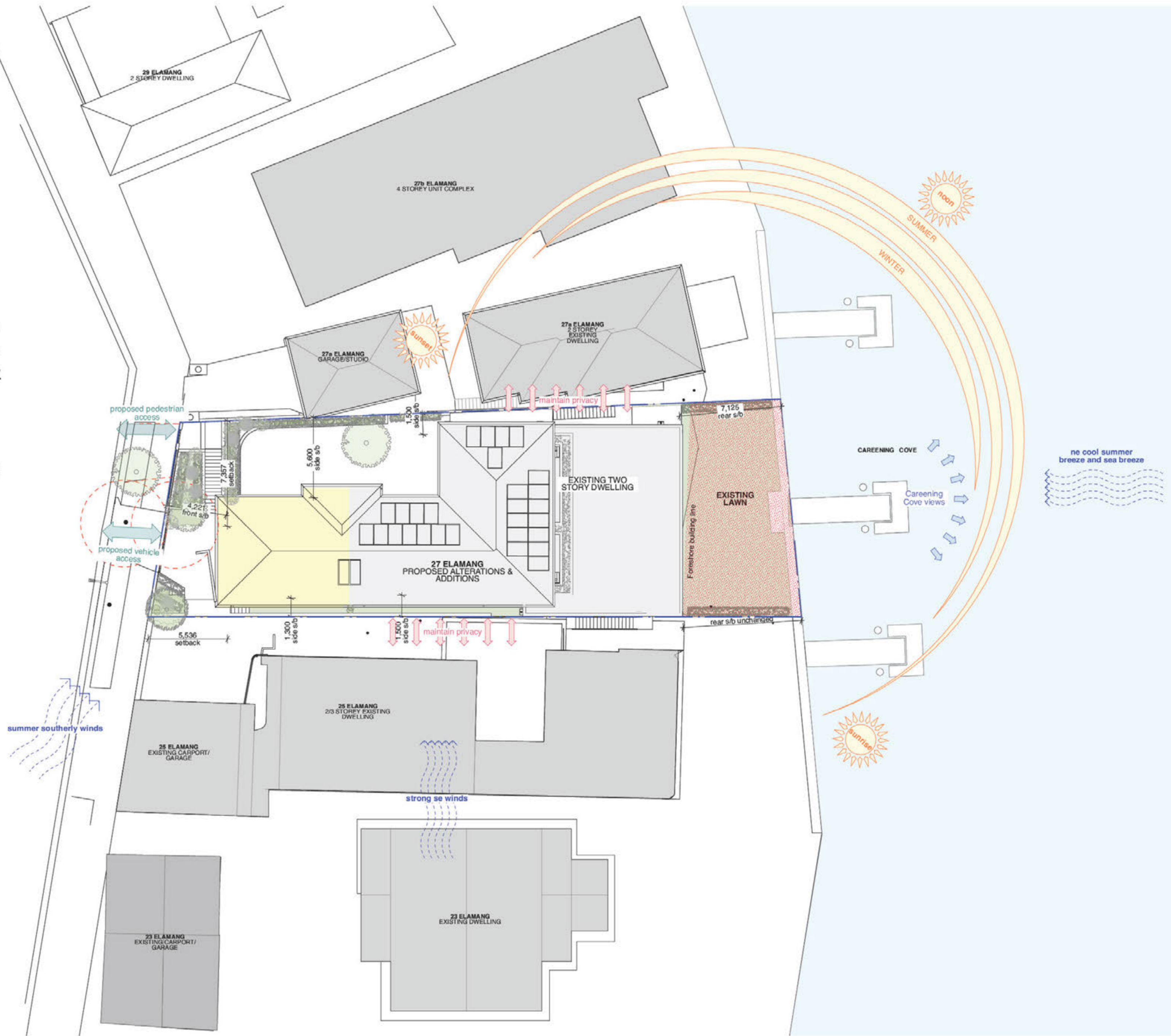


North Sydney Council

Copyright © North Sydney Council - No part of this map may be reproduced without permission. Commercial decisions should not be made based on information contained in this map without first checking details held by the responsible Government authority.

Further details can be obtained by calling (02) 9536 8100 or e-mail mapping@northsydney.nsw.gov.au

ELAMANG AVENUE



Context Map



Street View of 27 Elamang



Street View of 21 Elamang



Street View of 27b and 29 Elamang

- Any discrepancies to be brought to Architect's attention
- Use figure dimensions in preference to scaling
- Only scale under direction from Architect
- Builder to examine site and verify conditions and dimensions
- This drawing remains the property of the architect
- Client is granted conditional license to use the drawings
- Transfer of license is prohibited
- Architect reserves the right to terminate the licence
- Electronic data transfer should be scanned for viruses before use
- Any loss or damage (including consequential damage) caused to the recipient of electronic data, by its direct or indirect use, is not the liability of the architect
- Refer to hard copies for accuracy of electronic data
- Copyright reserved by the Architect

Rev	Date	Description
A	19/02/22	Development Application

notes



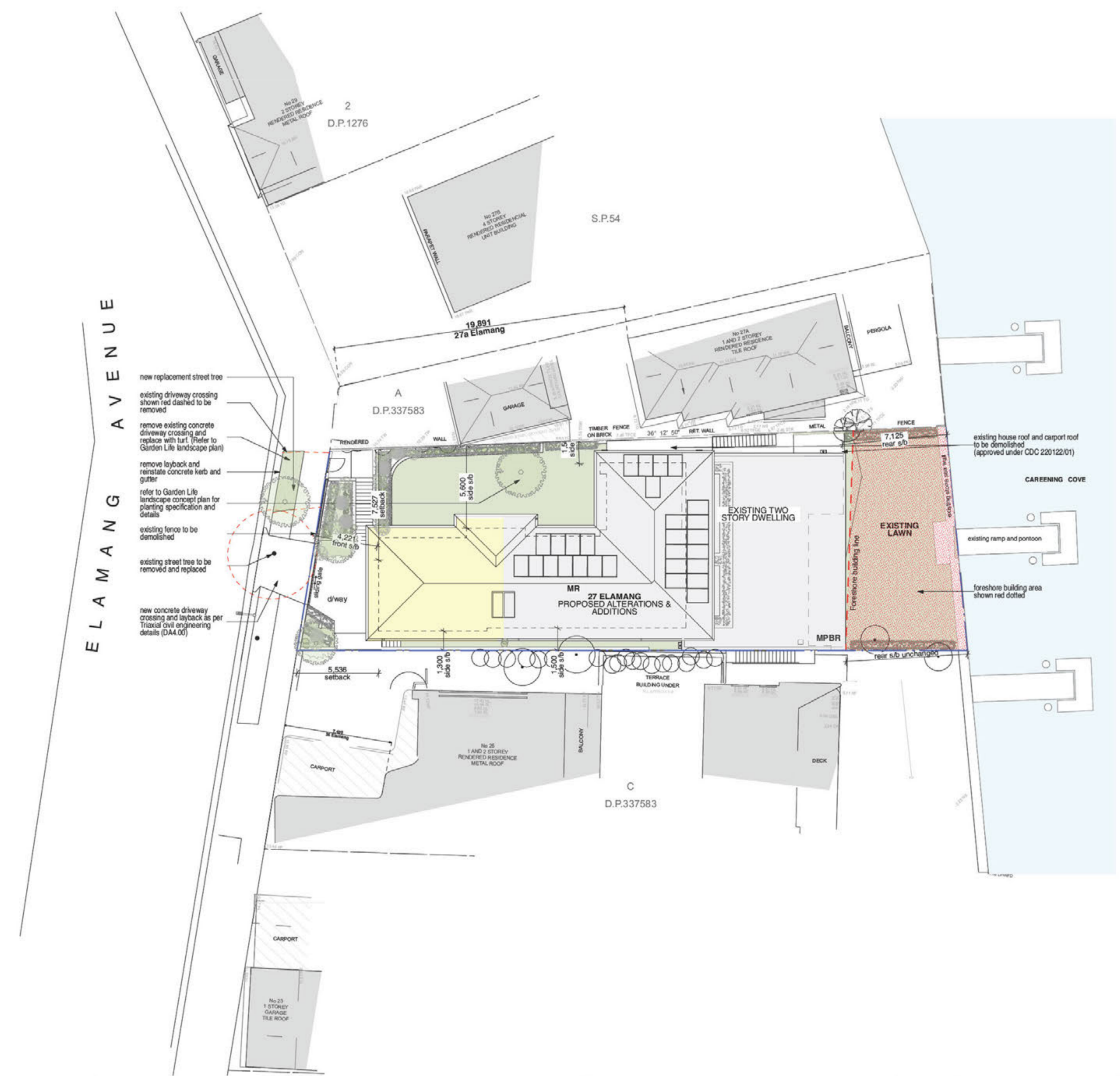
CORBEN ARCHITECTS
 PO Box 1021 Neutral Bay NSW 2089 Australia
 02 9904 1844
 mail@corben.com.au
 corben.com.au
 Nominated Architect: Philip Corben (Reg. No. 4616)

project Alterations & Additions to an approved CDC
address 27 Elamang Avenue Kirribilli NSW
client John and Bianca White

title Site Analysis
issue Development Application

job no. WHK
drawn JM, AB
checked
scale 1:200

dwg no. DA01
revision A



wall type legend	
	existing wall to be demolished
	existing/ CDC 220122/01 approved wall to remain
	proposed wall
	proposed alterations and additions (DA)
	existing dwelling footprint

- new replacement street tree
- existing driveway crossing shown red dashed to be removed
- remove existing concrete driveway crossing and replace with turf. (Refer to Garden Life landscape plan)
- remove layback and reinstale concrete kerb and gutter
- refer to Garden Life landscape concept plan for planting specification and details
- existing fence to be demolished
- existing street tree to be removed and replaced
- new concrete driveway crossing and layback as per Triaxial civil engineering details (DA4.00)

- existing house roof and carport roof to be demolished (approved under CDC 220122/01)
- CAREENING COVE
- existing ramp and pontoon
- foreshore building area shown red dotted

- Any discrepancies to be brought to Architect's attention
- Use figure dimensions in preference to scaling
- Only scale under direction from Architect
- Builder to examine site and verify conditions and dimensions
- This drawing remains the property of the architect
- Client is granted conditional license to use the drawings
- Transfer of license is prohibited
- Architect reserves the right to terminate the licence
- Electronic data transfer should be scanned for viruses before use
- Any loss or damage (including consequential damage) caused to the recipient of electronic data, by its direct or indirect use, is not the liability of the architect
- Refer to hard copies for accuracy of electronic data
- Copyright reserved by the Architect

revisions		
Rev	Date	Description
A	19/02/22	Development Application

notes



CORBEN ARCHITECTS

PO Box 1021 Neutral Bay NSW 2089 Australia
 02 9904 1844
 mail@corben.com.au
 corben.com.au

Nominated Architect: Philip Corben (Reg. No. 4616)

project Alterations & Additions to an approved CDC

address 27 Elamang Avenue Kirribilli NSW

client John and Bianca White

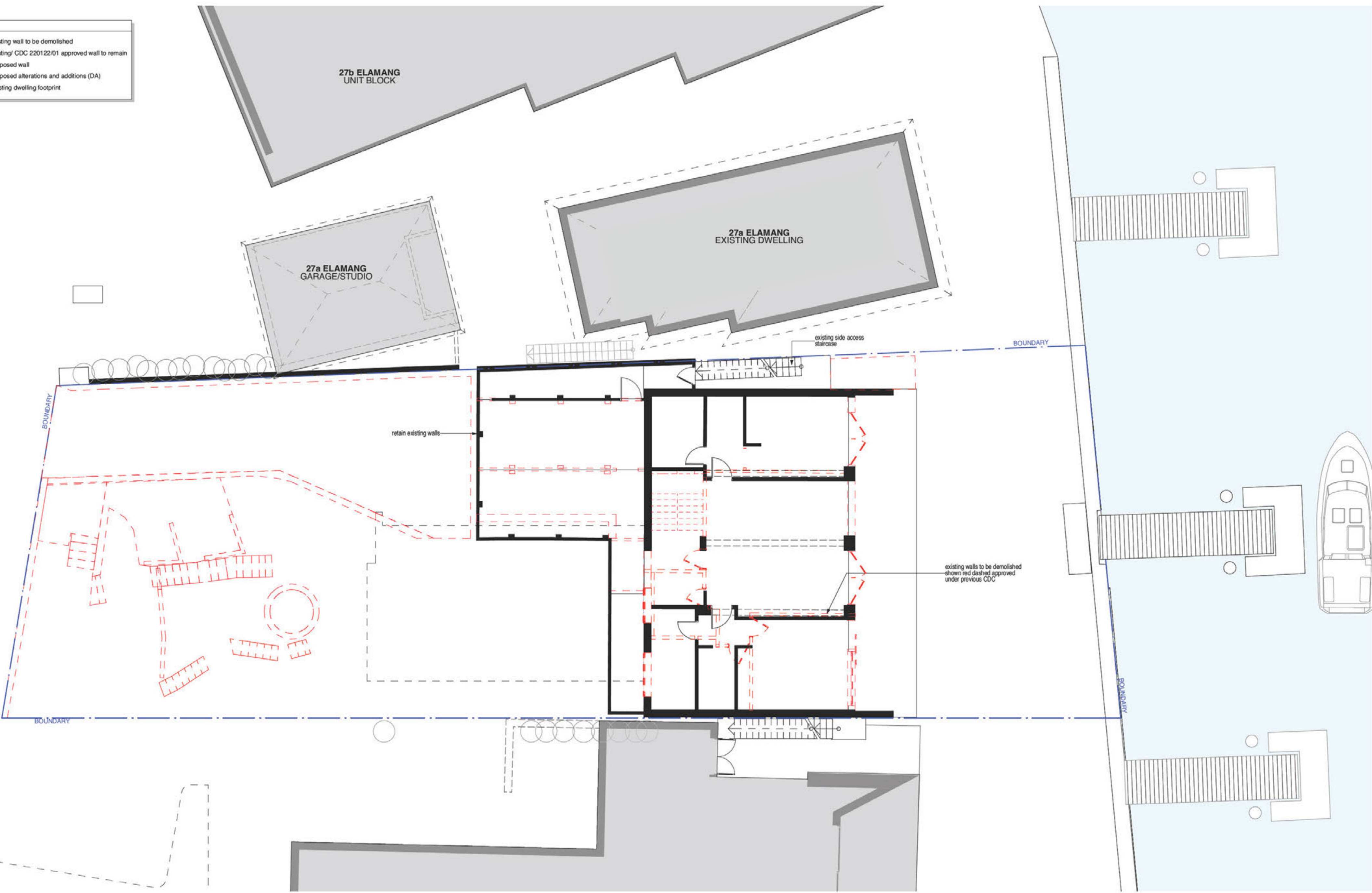
title Site Plan

issue Development Application

job no.	WHK	dwg no.	DA02
drawn	JM, AB	revision	A
checked	PC	scale	1:200

wall type legend

	existing wall to be demolished
	existing/ CDC 220122/01 approved wall to remain
	proposed wall
	proposed alterations and additions (DA)
	existing dwelling footprint



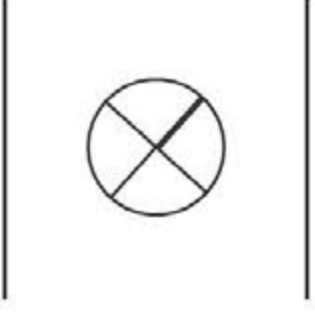
- Any discrepancies to be brought to Architect's attention
- Use figure dimensions in preference to scaling
- Only scale under direction from Architect
- Builder to examine site and verify conditions and dimensions
- This drawing remains the property of the architect
- Client is granted conditional license to use the drawings
- Transfer of license is prohibited
- Architect reserves the right to terminate the licence
- Electronic data transfer should be scanned for viruses before use
- Any loss or damage (including consequential damage) caused to the recipient of electronic data, by its direct or indirect use, is not the liability of the architect
- Refer to hard copies for accuracy of electronic data
- Copyright reserved by the Architect

Version: 1, Version Date: 26/09/2022

revisions

Rev	Date	Description
A	19/02/22	Development Application

notes



CORBEN ARCHITECTS

PO Box 1021 Neutral Bay NSW 2089 Australia
 02 9904 1844
 mail@corben.com.au
 corben.com.au

Nominated Architect: Philip Corben (Reg. No. 4616)

project Alterations & Additions to an approved CDC

address 27 Elamang Avenue Kirribilli NSW

client John and Bianca White

title Existing Level 1 Demolition Plan

issue Development Application

job no. WHK

drawn JM, AB

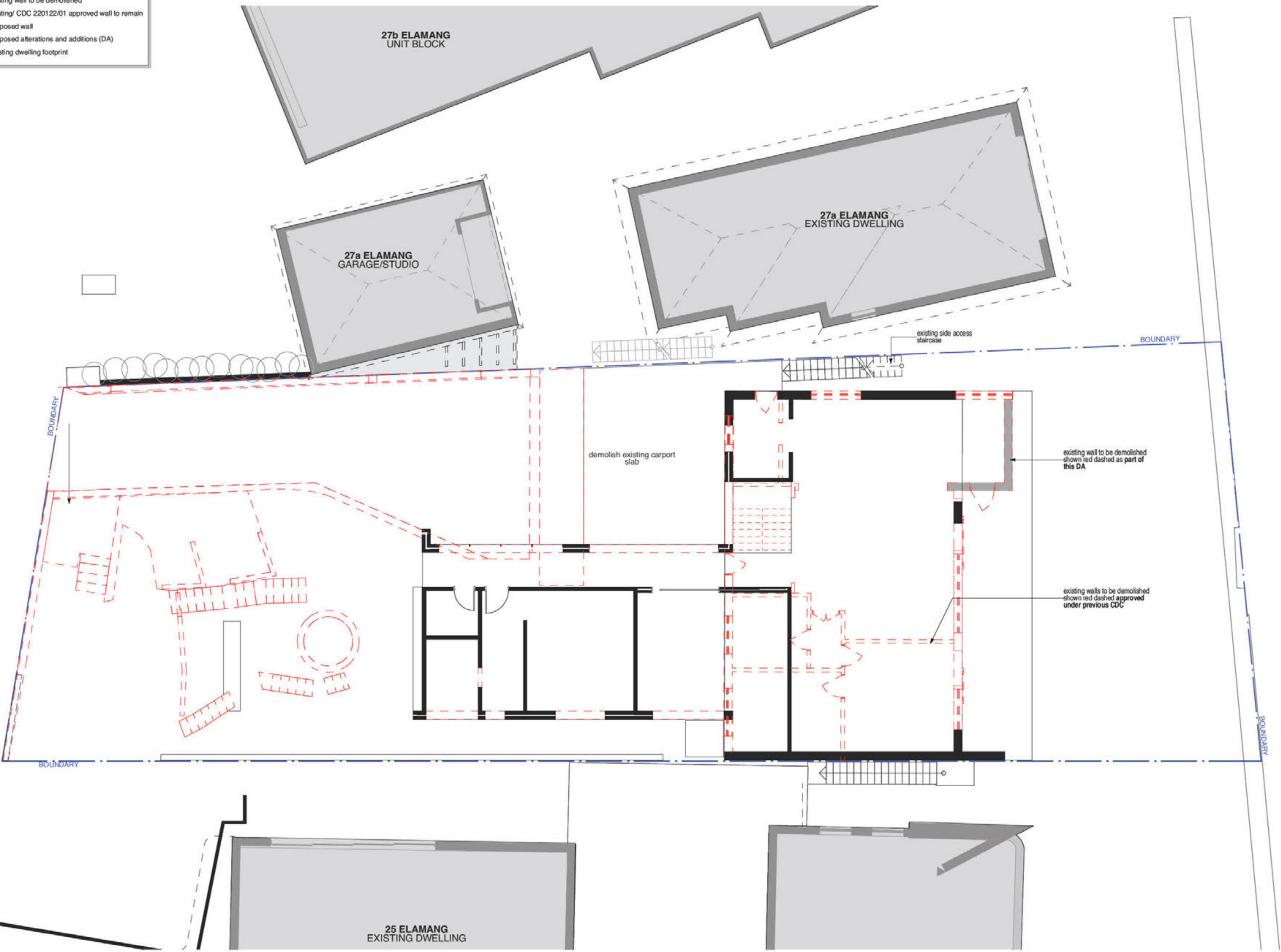
checked PC

scale 1:100

dwg no. DA03

revision A

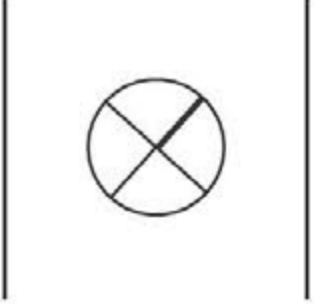
wall type legend	
	existing wall to be demolished
	existing/ CDC 220122/01 approved wall to remain
	proposed wall
	proposed alterations and additions (DA)
	existing dwelling footprint



• Any discrepancies to be brought to Architect's attention
 • Use figure dimensions in preference to scaling
 • Only scale under direction from Architect
 • Builder to examine site and verify conditions and dimensions
 • This drawing remains the property of the architect
 • Client is granted conditional license to use the drawings
 • Transfer of license is prohibited
 • Architect reserves the right to terminate the licence
 • Electronic data transfer should be scanned for viruses before use
 • Any loss or damage (including consequential damage) caused to the recipient of electronic data, by its direct or indirect use, is not the liability of the architect
 • Refer to hard copies for accuracy of electronic data
 • Copyright reserved by the Architect

Rev	Date	Description
A	19/02/22	Development Application

notes



CORBEN ARCHITECTS
 PO Box 1021 Neutral Bay NSW 2089 Australia
 02 9904 1844
 mail@corben.com.au
 corben.com.au
 Nominated Architect: Philip Corben (Reg. No. 4616)

project Alterations & Additions to an approved CDC
address 27 Elamang Avenue Kirribilli NSW
client John and Bianca White

title Existing Level 2 Demolition Plan
issue Development Application

job no. WHK
drawn JM, AB
checked PC
scale 1:100

dwg no. DA04
revision A

wall type legend	
	existing wall to be demolished
	existing/ CDC 220122/01 approved wall to remain
	proposed wall
	proposed alterations and additions (DA)
	existing dwelling footprint



• Any discrepancies to be brought to Architect's attention
 • Use figure dimensions in preference to scaling
 • Only scale under direction from Architect
 • Builder to examine site and verify conditions and dimensions
 • This drawing remains the property of the architect
 • Client is granted conditional license to use the drawings
 • Transfer of license is prohibited
 • Architect reserves the right to terminate the licence
 • Electronic data transfer should be scanned for viruses before use
 • Any loss or damage (including consequential damage) caused to the recipient of electronic data, by its direct or indirect use, is not the liability of the architect
 • Refer to hard copies for accuracy of electronic data
 • Copyright reserved by the Architect
 Document Set ID: 302206
 Version: 1, Version Date: 26/09/2022

revisions		
Rev	Date	Description
A	19/02/22	Development Application

notes


CORBEN ARCHITECTS
 PO Box 1021 Neutral Bay NSW 2089 Australia
 02 9904 1844
 mail@corben.com.au
 corben.com.au
 Nominated Architect: Philip Corben (Reg. No. 4616)

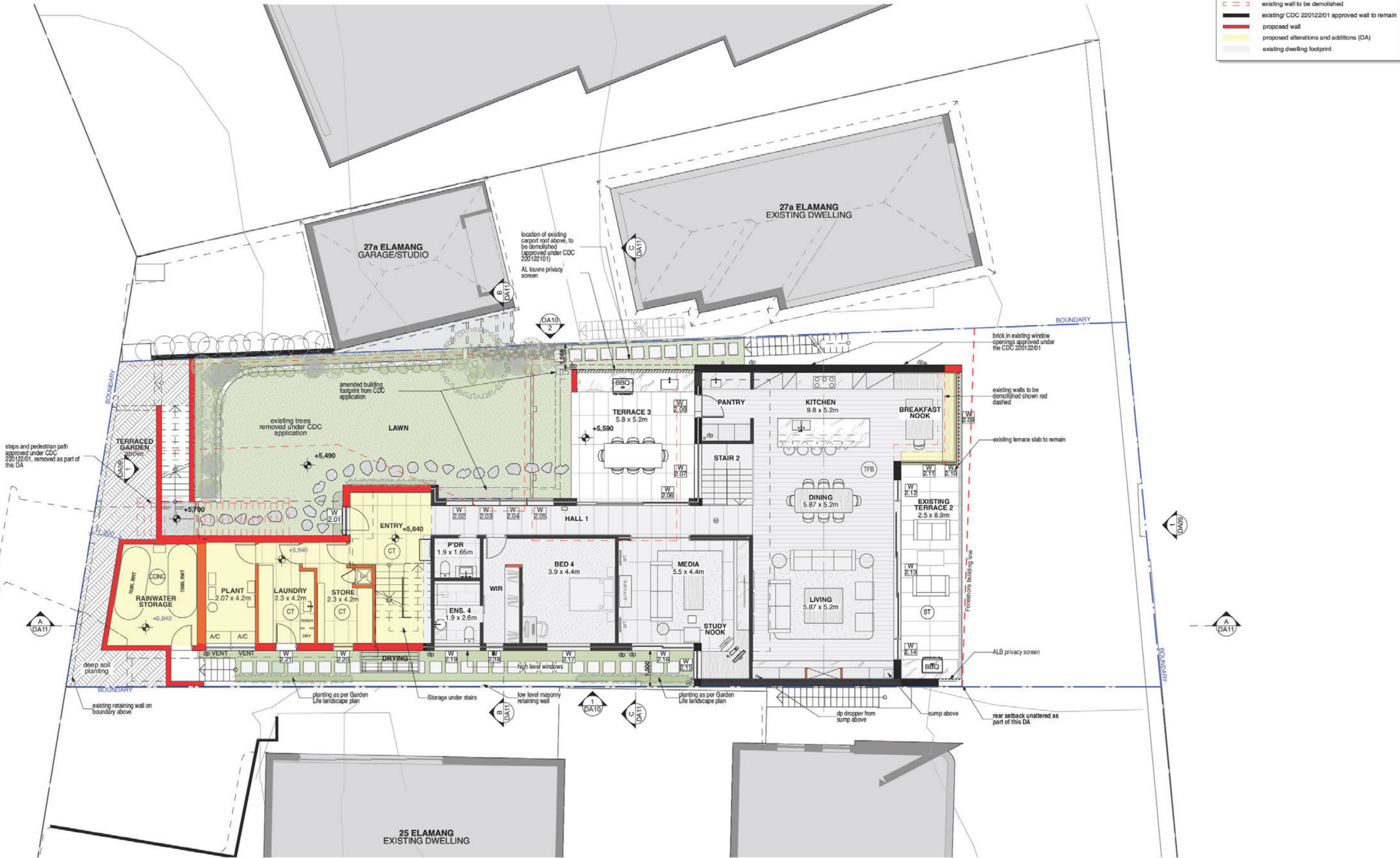
project Alterations & Additions to an approved CDC
address 27 Elamang Avenue Kirribilli NSW
client John and Bianca White

title Proposed Level 1 Plan
issue Development Application

job no. WHK
drawn JM, AB
checked PC
scale 1:100

dwg no. DA05
revision A

wall type legend	
	existing wall to be demolished
	existing/ CDC 220122/01 approved wall to remain
	proposed wall
	proposed alterations and additions (DA)
	existing dwelling footprint



- Any discrepancies to be brought to Architect's attention
- Use figure dimensions in preference to scaling
- Only scale under direction from Architect
- Builder to examine site and verify conditions and dimensions
- This drawing remains the property of the architect
- Client is granted conditional license to use the drawings
- Transfer of license is prohibited
- Architect reserves the right to terminate the licence
- Electronic data transfer should be scanned for viruses before use
- Any loss or damage (including consequential damage) caused to the recipient of electronic data, by its direct or indirect use, is not the liability of the architect
- Refer to hard copies for accuracy of electronic data
- Copyright reserved by the Architect

Rev	Date	Description
A	19/02/22	Development Application

notes

CORBEN ARCHITECTS

PO Box 1021 Neutral Bay NSW 2089 Australia
 02 9904 1844
 mail@corben.com.au
 corben.com.au

Nominated Architect: Philip Corben (Reg. No. 4616)

project Alterations & Additions to an approved CDC

address 27 Elamang Avenue Kirribilli NSW

client John and Bianca White

title Proposed Level 2 Plan

issue Development Application

job no. WHK

drawn JM, AB

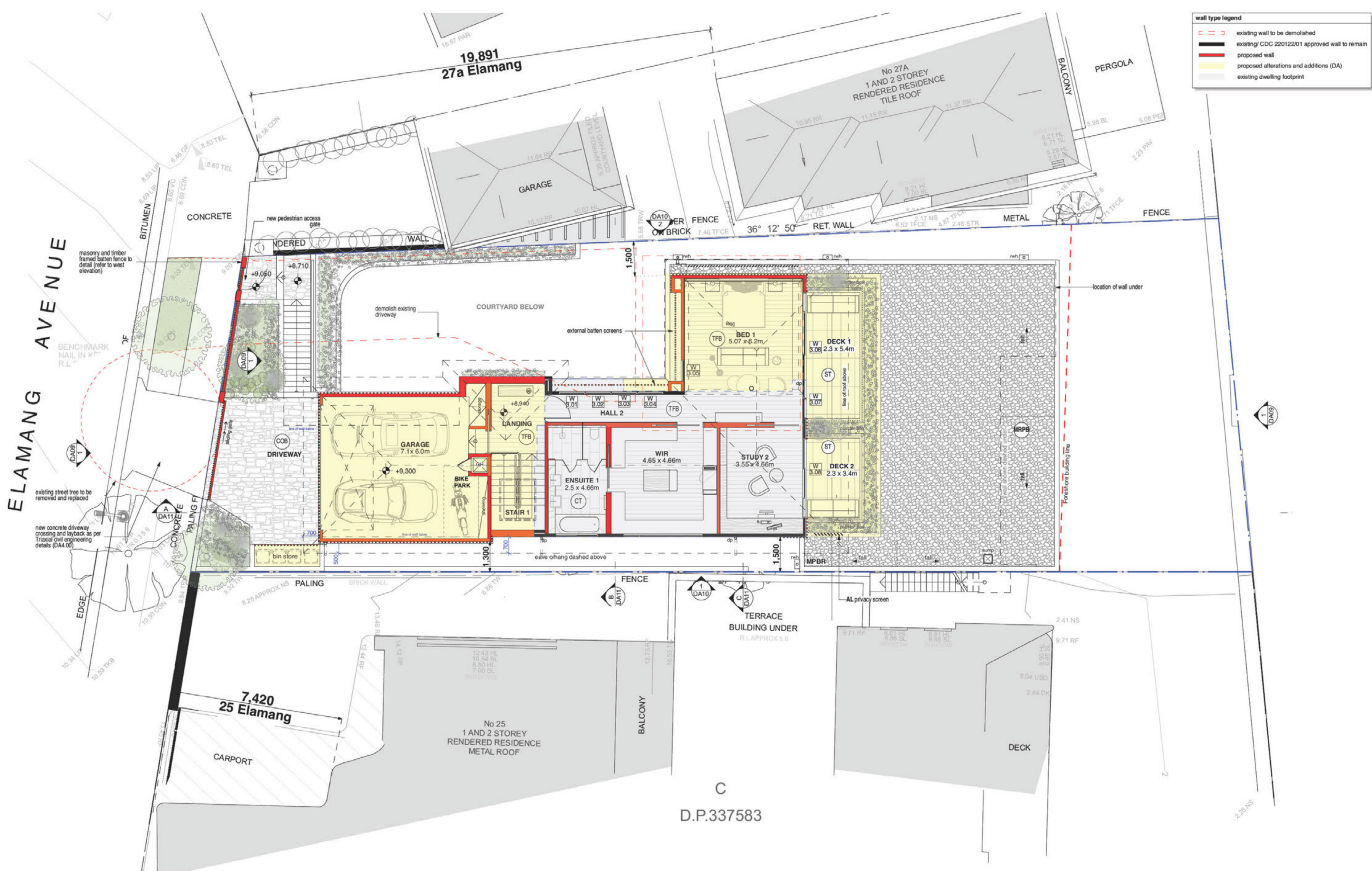
checked PC

scale 1:100

dwg no. DA06

revision A

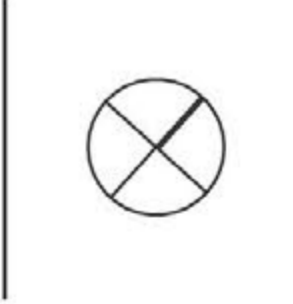
wall type legend	
	existing wall to be demolished
	existing/ CDC 220122D1 approved wall to remain
	proposed wall
	proposed alterations and additions (DA)
	existing dwelling footprint



Any discrepancies to be brought to Architect's attention
 Use figure dimensions in preference to scaling
 Only scale under direction from Architect
 Builder to examine site and verify conditions and dimensions
 This drawing remains the property of the architect
 Client is granted conditional license to use the drawings
 Transfer of license is prohibited
 Architect reserves the right to terminate the licence
 Electronic data transfer should be scanned for viruses before use
 Any loss or damage (including consequential damage) caused to the recipient of electronic data, by its direct or indirect use, is not the liability of the architect
 Refer to hard copies for accuracy of electronic data
 Copyright reserved by the Architect

Rev	Date	Description
A	19/02/22	Development Application

notes



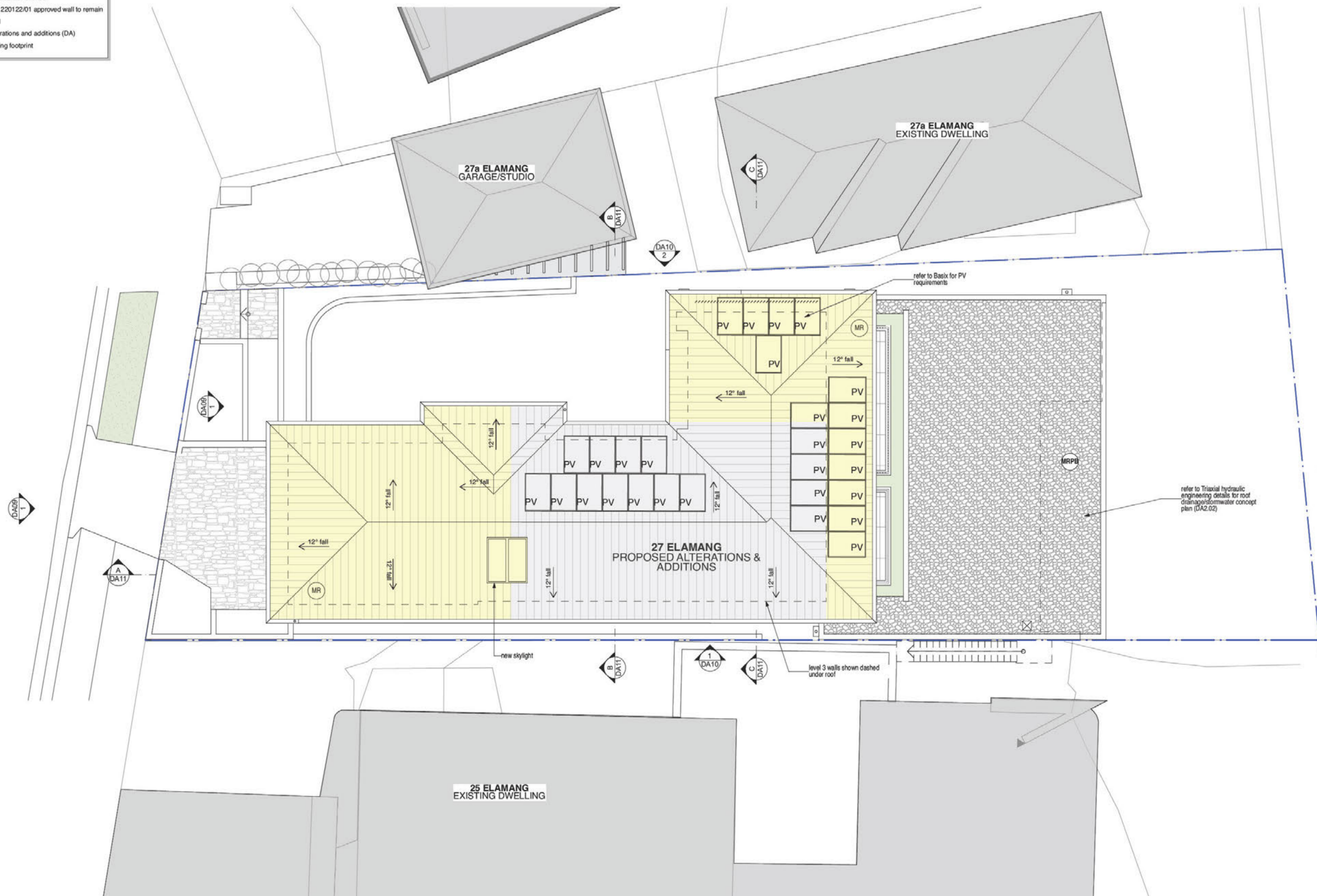
CORBEN ARCHITECTS
 PO Box 1021 Neutral Bay NSW 2089 Australia
 02 9904 1844
 mail@corben.com.au
 corben.com.au
 Nominated Architect: Philip Corben (Reg. No. 4616)

project Alterations & Additions to an approved CDC
address 27 Elamang Avenue Kirribilli NSW
client John and Bianca White

title Proposed Level 3 Plan
issue Development Application

job no. WHK
drawn JM, AB
checked PC
scale 1:100
dwg no. DA07
revision A

wall type legend	
	existing wall to be demolished
	existing/ CDC 220122/01 approved wall to remain
	proposed wall
	proposed alterations and additions (DA)
	existing dwelling footprint



- Any discrepancies to be brought to Architect's attention
- Use figure dimensions in preference to scaling
- Only scale under direction from Architect
- Builder to examine site and verify conditions and dimensions
- This drawing remains the property of the architect
- Client is granted conditional license to use the drawings
- Transfer of license is prohibited
- Architect reserves the right to terminate the licence
- Electronic data transfer should be scanned for viruses before use
- Any loss or damage (including consequential damage) caused to the recipient of electronic data, by its direct or indirect use, is not the liability of the architect
- Refer to hard copies for accuracy of electronic data
- Copyright reserved by the Architect

Rev	Date	Description
A	19/02/22	Development Application

notes



CORBEN ARCHITECTS

PO Box 1021 Neutral Bay NSW 2089 Australia
 02 9904 1844
 mail@corben.com.au
 corben.com.au

Nominated Architect: Philip Corben (Reg. No. 4616)

project Alterations & Additions to an approved CDC

address 27 Elamang Avenue Kirribilli NSW

client John and Bianca White

title Roof Plan

issue Development Application

job no. WHK

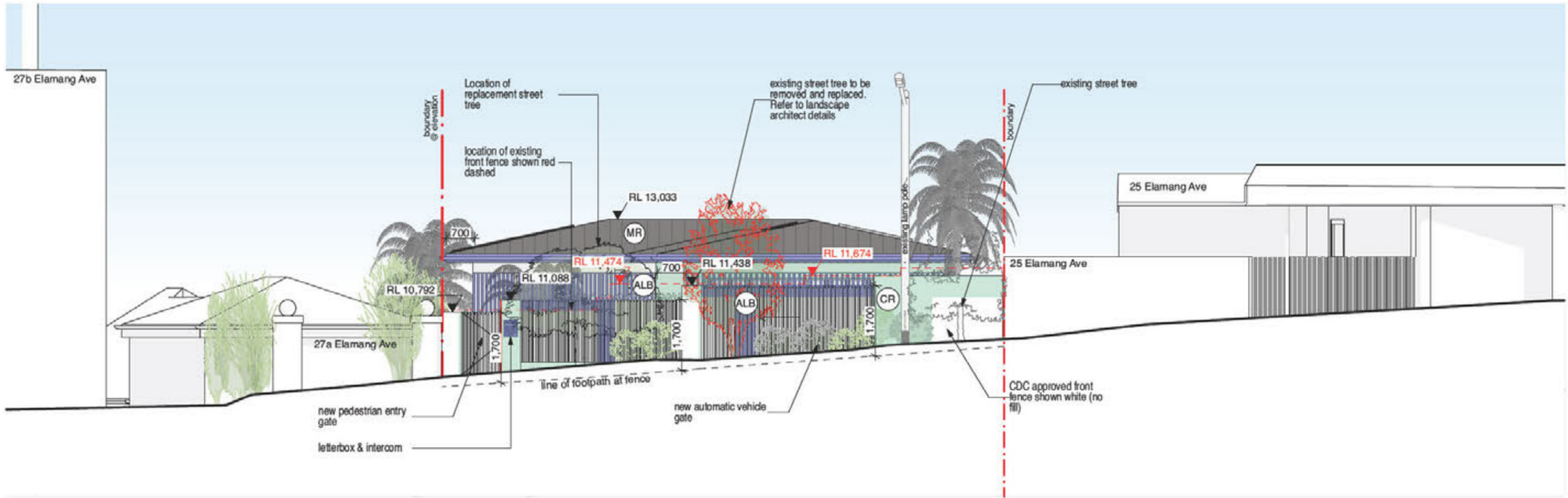
drawn JM, AB

checked PC

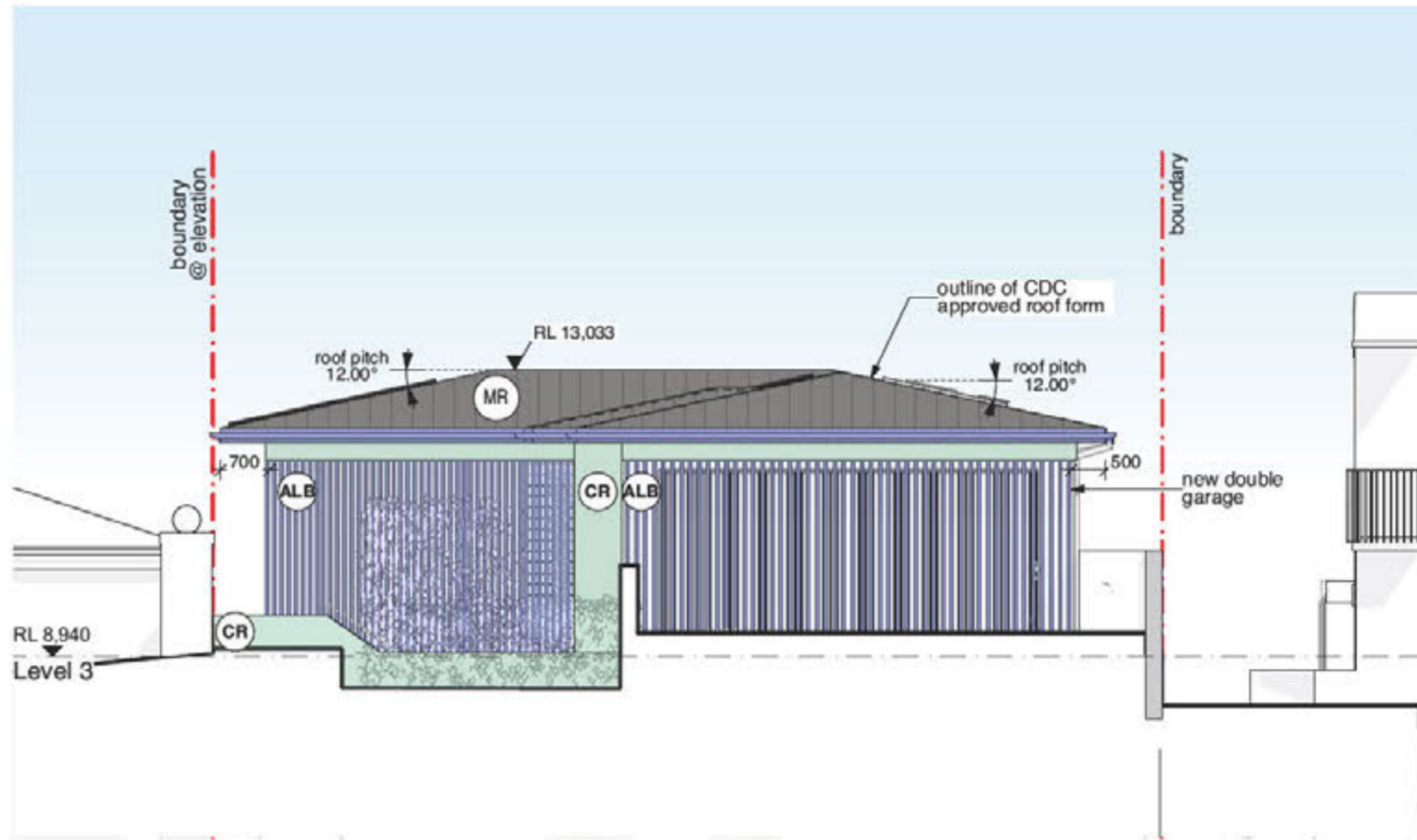
scale 1:100

dwg no. DA08

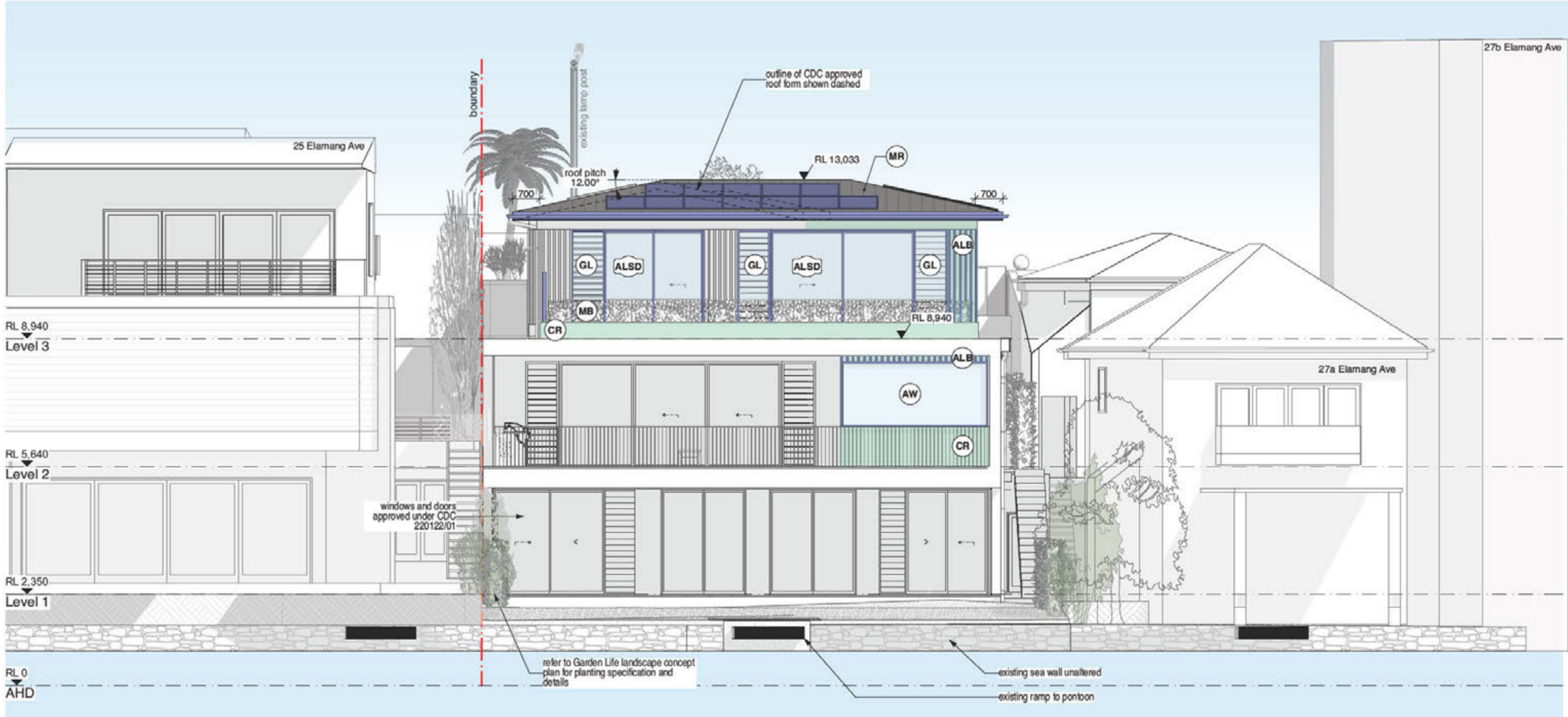
revision A



Streetscape Elevation
1:100



Western Elevation
1:100



Eastern Elevation
1:100

colour legend

Elevation & Section	
colour	material
	Tile
	cement render
	sheet metal /aluminium /steel
	metal roofing
	glazing
	structural timber
	brick

- Any discrepancies to be brought to Architect's attention
- Use figure dimensions in preference to scaling
- Only scale under direction from Architect
- Builder to examine site and verify conditions and dimensions
- This drawing remains the property of the architect
- Client is granted conditional license to use the drawings
- Transfer of license is prohibited
- Architect reserves the right to terminate the licence
- Electronic data transfer should be scanned for viruses before use
- Any loss or damage (including consequential damage) caused to the recipient of electronic data, by its direct or indirect use, is not the liability of the architect
- Refer to hard copies for accuracy of electronic data
- Copyright reserved by the Architect

revisions

Rev	Date	Description
A	19/02/22	Development Application

notes

refer to Garden Life landscape concept plan for planting specification and details

existing sea wall unaltered

existing ramp to ponbon



CORBEN ARCHITECTS

PO Box 1021 Neutral Bay NSW 2089 Australia
02 9904 1844
mail@corben.com.au
corben.com.au

Nominated Architect: Philip Corben (Reg. No. 4616)

project Alterations & Additions to an approved CDC

address 27 Elamang Avenue
Kirribilli NSW

client John and Bianca White

title Western & Eastern Elevations

issue Development Application

job no. WHK

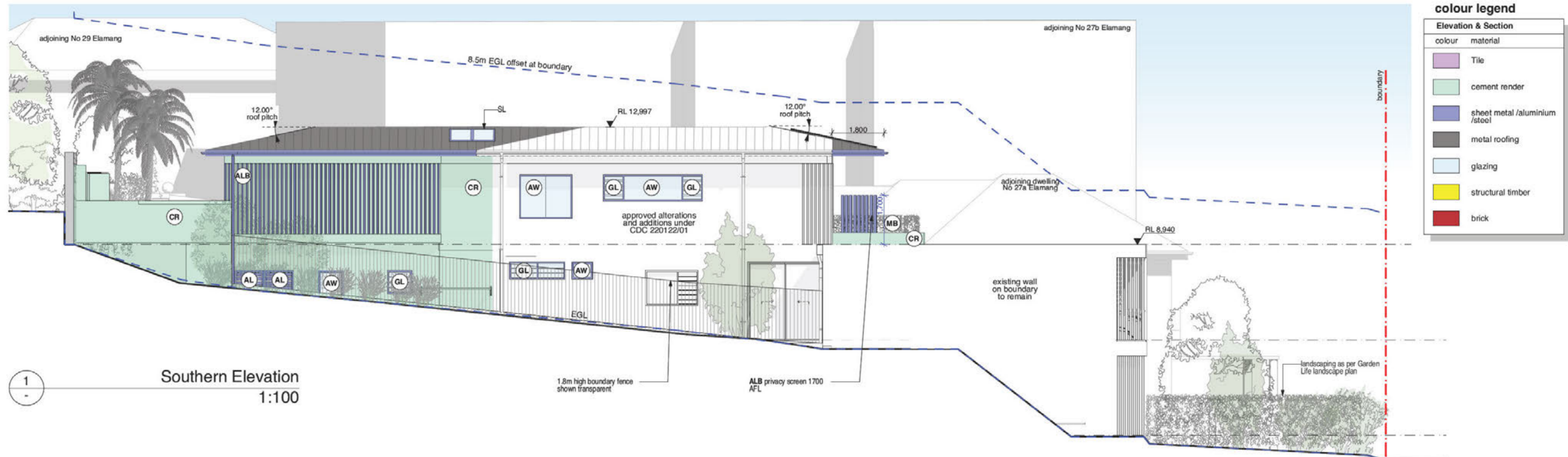
drawn JM, AB

checked PC

scale 1:100

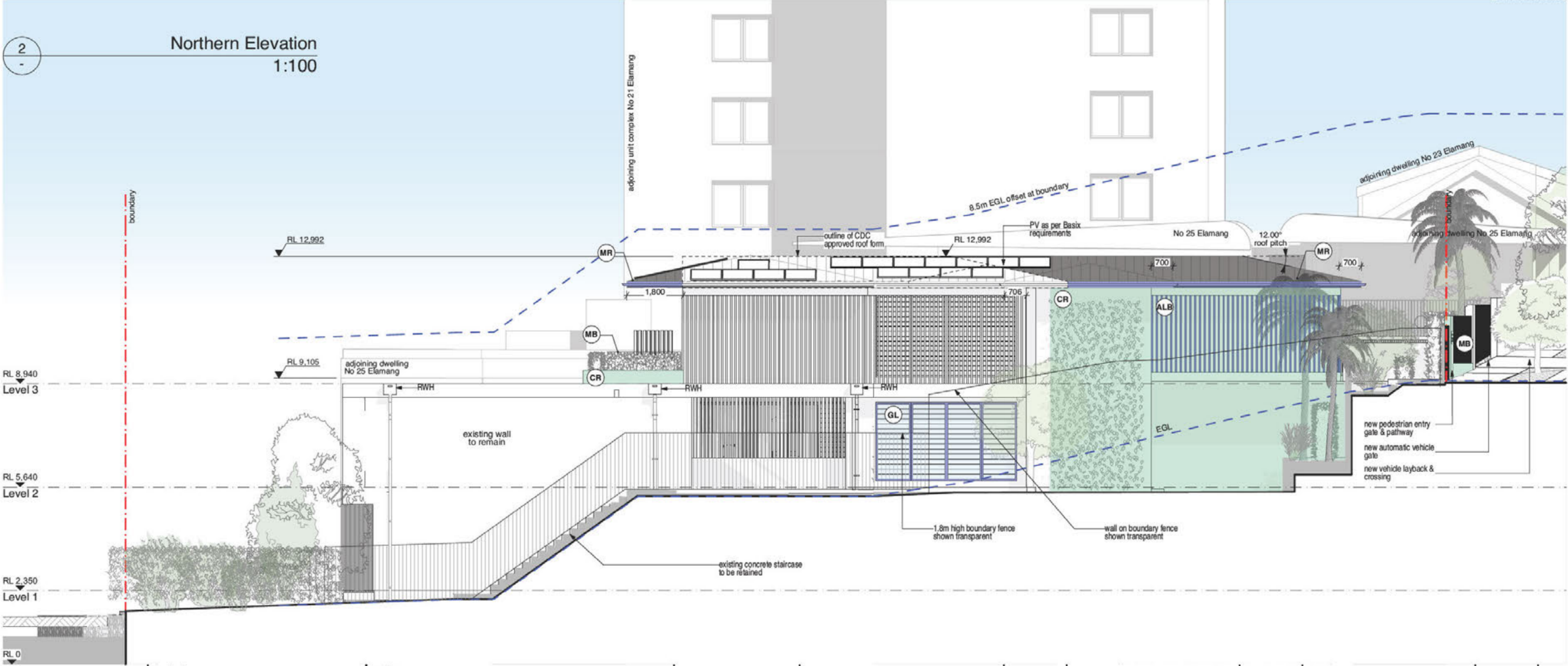
dwg no. DA09

revision A



colour legend

Elevation & Section	
colour	material
	Tile
	cement render
	sheet metal / aluminium / steel
	metal roofing
	glazing
	structural timber
	brick



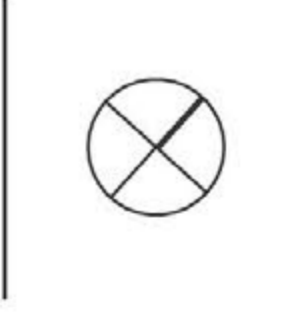
Any discrepancies to be brought to Architect's attention
 Use figure dimensions in preference to scaling
 Only scale under direction from Architect
 Builder to examine site and verify conditions and dimensions
 This drawing remains the property of the architect
 Client is granted conditional license to use the drawings
 Transfer of license is prohibited
 Architect reserves the right to terminate the licence
 Electronic data transfer should be scanned for viruses before use
 Any loss or damage (including consequential damage) caused to the recipient of electronic data, by its direct or indirect use, is not the liability of the architect
 Refer to hard copies for accuracy of electronic data
 Copyright reserved by the Architect

revisions

Rev	Date	Description
A	19/02/22	Development Application

notes

existing concrete staircase to be retained



CORBEN ARCHITECTS
 PO Box 1021 Neutral Bay NSW 2089 Australia
 02 9904 1844
 mail@corben.com.au
 corben.com.au
 Nominated Architect: Philip Corben (Reg. No. 4616)

project Alterations & Additions to an approved CDC
address 27 Elamang Avenue Kirribilli NSW
client John and Bianca White

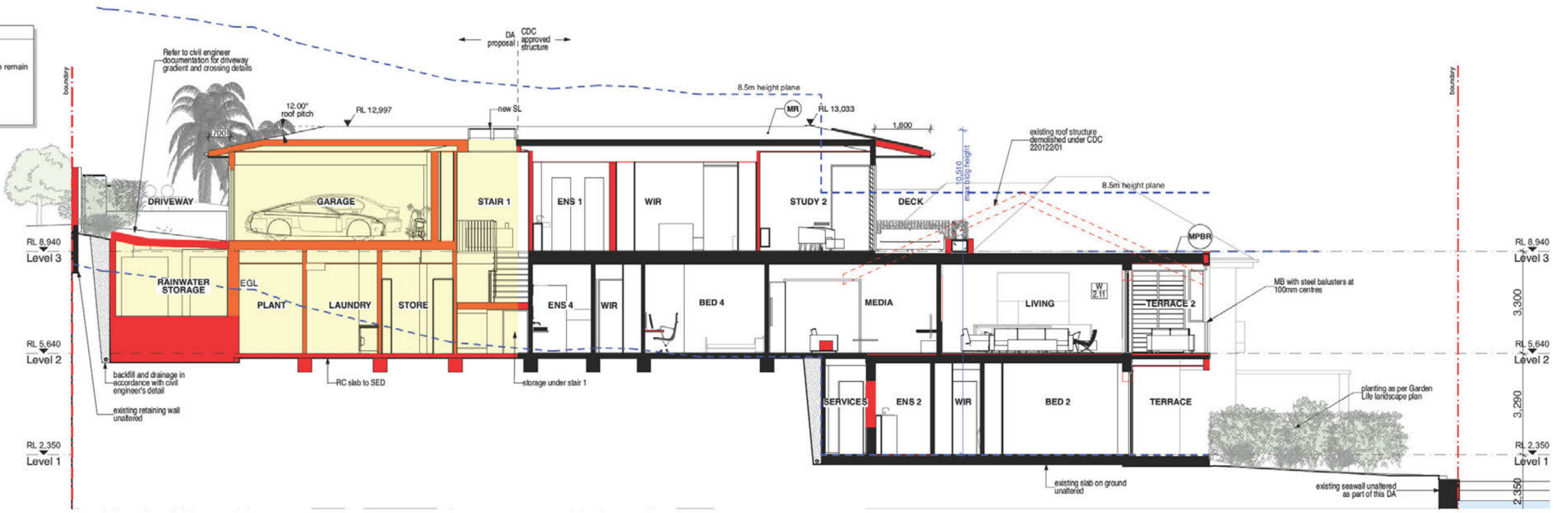
title Northern & Southern Elevations
issue Development Application

job no. WHK
drawn JM, AB
checked PC
scale 1:100

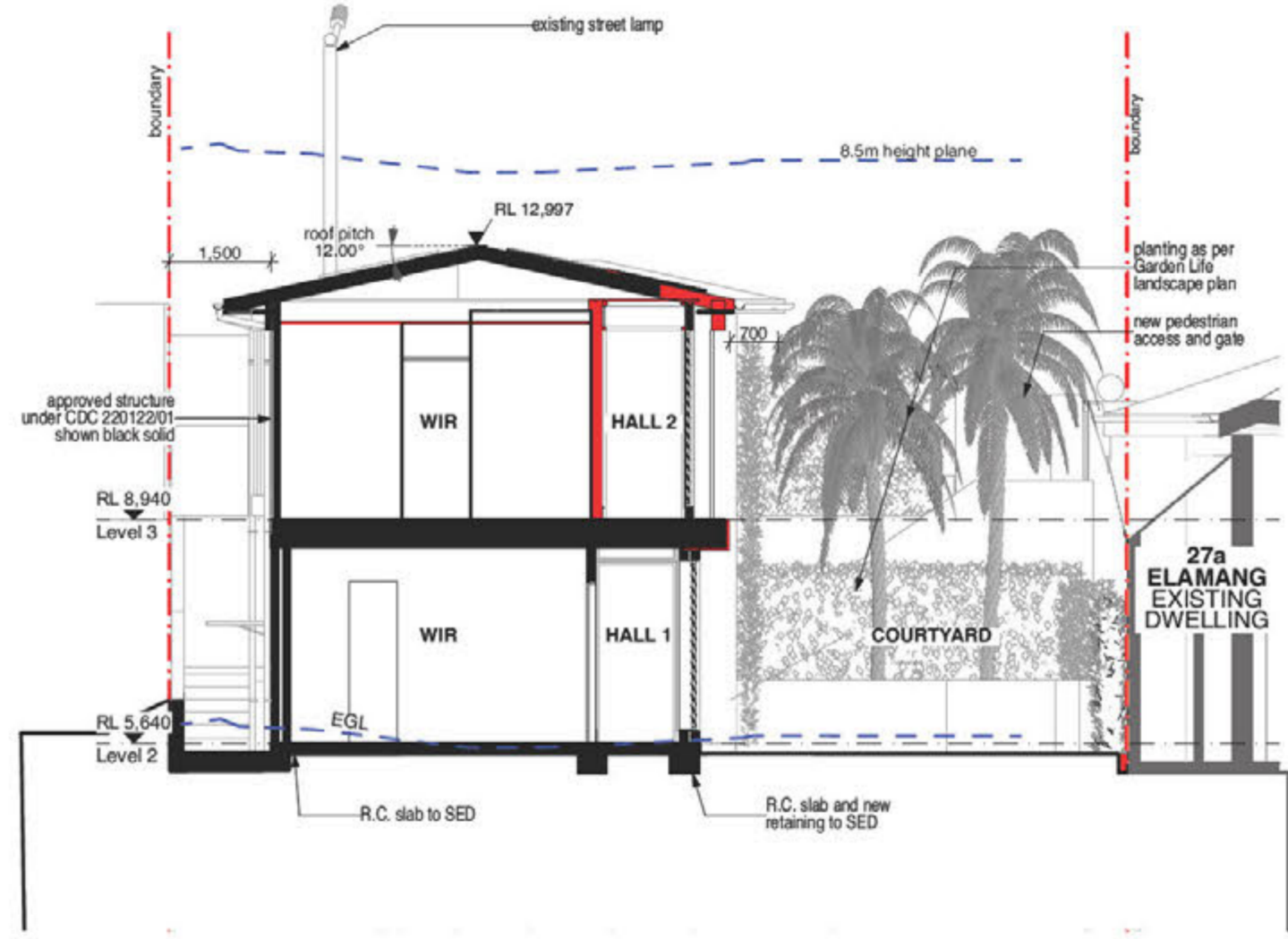
dwg no. DA10
revision A

wall type legend

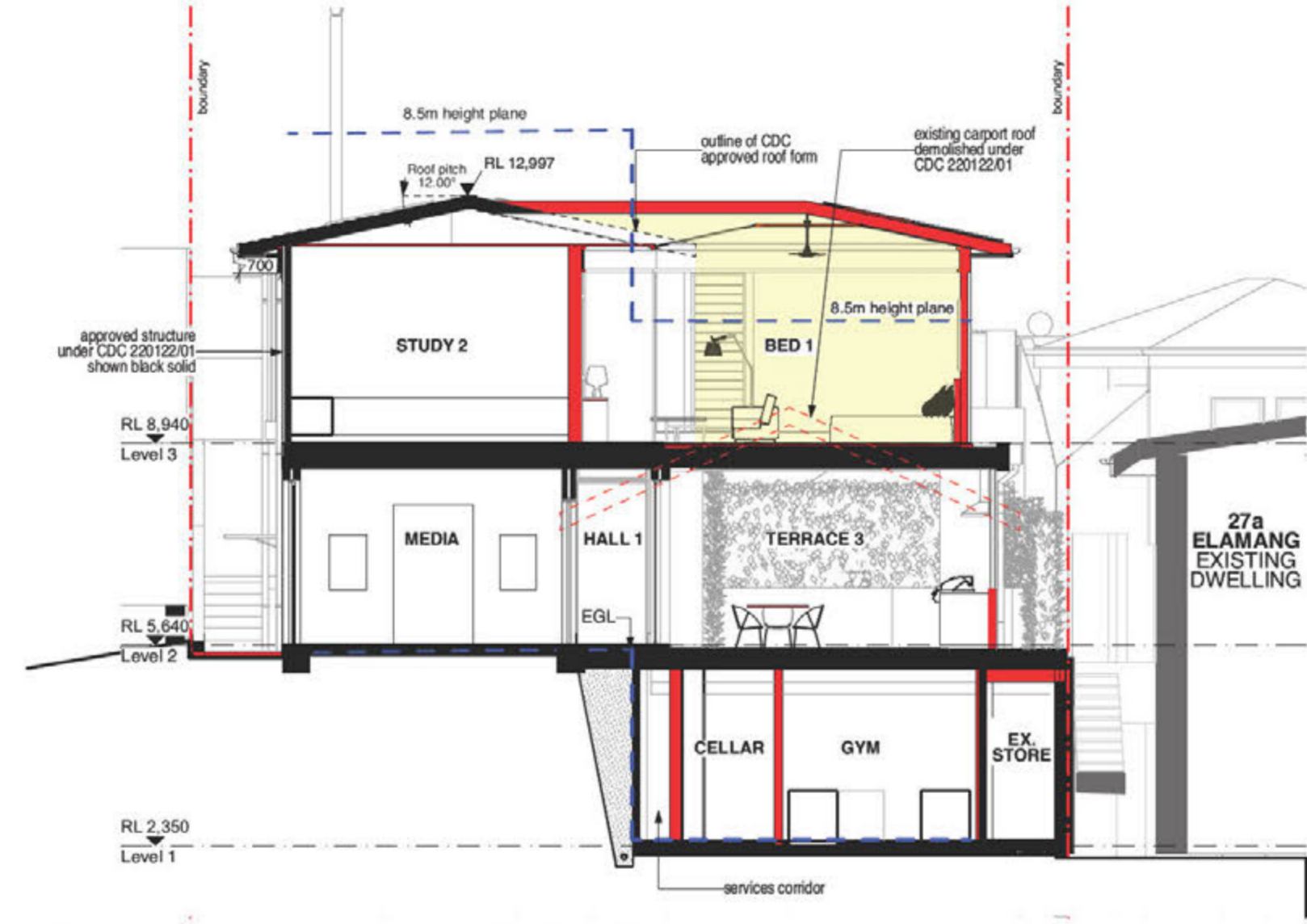
	existing wall to be demolished
	existing/ CDC 220122/01 approved wall to remain
	proposed wall
	proposed alterations and additions (DA)
	existing dwelling footprint



Section A
1:100



Section B
1:100



Section C
1:100

Any discrepancies to be brought to Architect's attention
 Use figure dimensions in preference to scaling
 Only scale under direction from Architect
 Builder to examine site and verify conditions and dimensions
 This drawing remains the property of the architect
 Client is granted conditional license to use the drawings
 Transfer of license is prohibited
 Architect reserves the right to terminate the licence
 Electronic data transfer should be scanned for viruses before use
 Any loss or damage (including consequential damage) caused to the recipient of electronic data, by its direct or indirect use, is not the liability of the architect
 Refer to hard copies for accuracy of electronic data
 Copyright reserved by the Architect

revisions

Rev	Date	Description
A	19/05/22	Development Application

notes



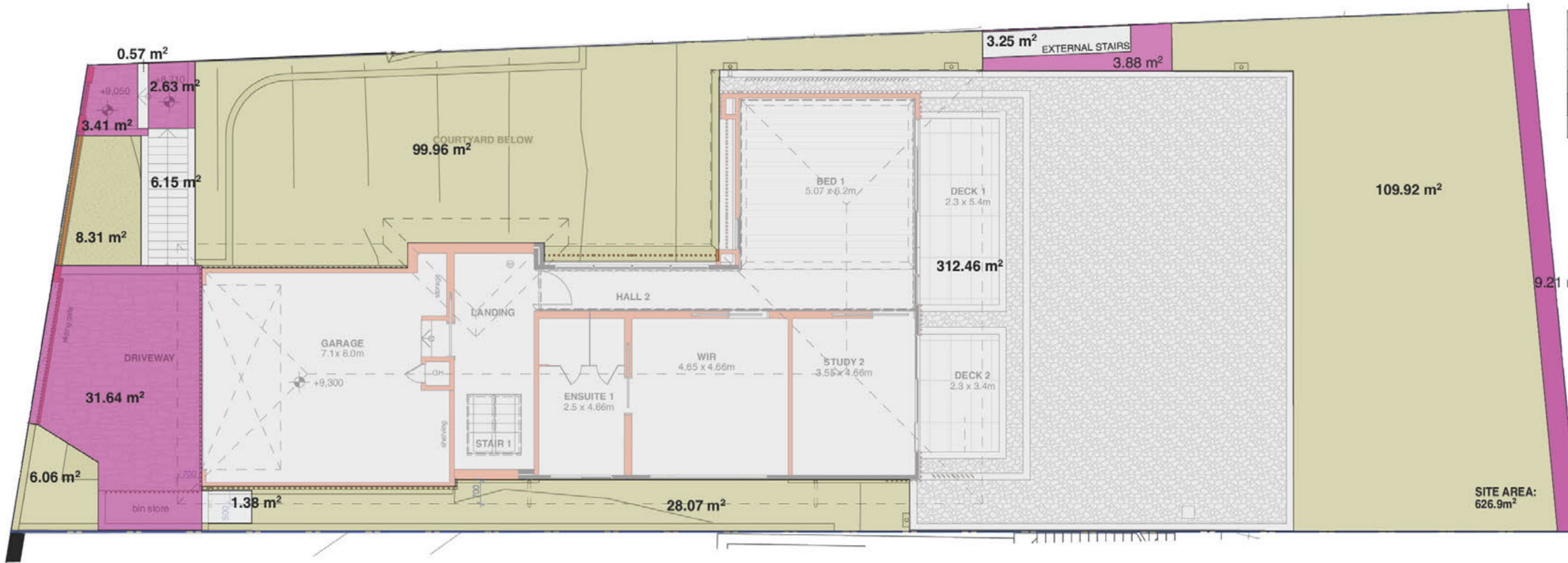
CORBEN ARCHITECTS
 PO Box 1021 Neutral Bay NSW 2089 Australia
 02 9904 1844
 mail@corben.com.au
 corben.com.au
 Nominated Architect: Philip Corben (Reg. No. 4616)

project Alterations & Additions to an approved CDC
address 27 Elamang Avenue Kirribilli NSW
client John and Bianca White

title Section A, B & C
issue Development Application

job no. WHK
drawn JM, AB
checked PC
scale 1:100

dwg no. DA11
revision A



PROPOSED Site Cover, U.U.A & Landscaped Area Calculations

Total Site Area				626.9m ²
	Control	Existing	Proposed	
Landscaped Area	250.76m ² 40%	186.33m ² 29.72%	252.32m ² 40.24%	compliant
Unbuilt Upon Area	125.38m ² 20%	102.02m ² 16.27%	50.77m ² 8.11%	compliant
Site Coverage	250.76m ² 40%	338.62m ² 54.01%	323.81m ² 51.65%	compliant*

* Refer to Chapman Planning SEE for justification of numerical non-compliance - proposed site coverage less than existing

Proposed Compliance Diagram
1:100

Proposed Landscaped Area Calculations

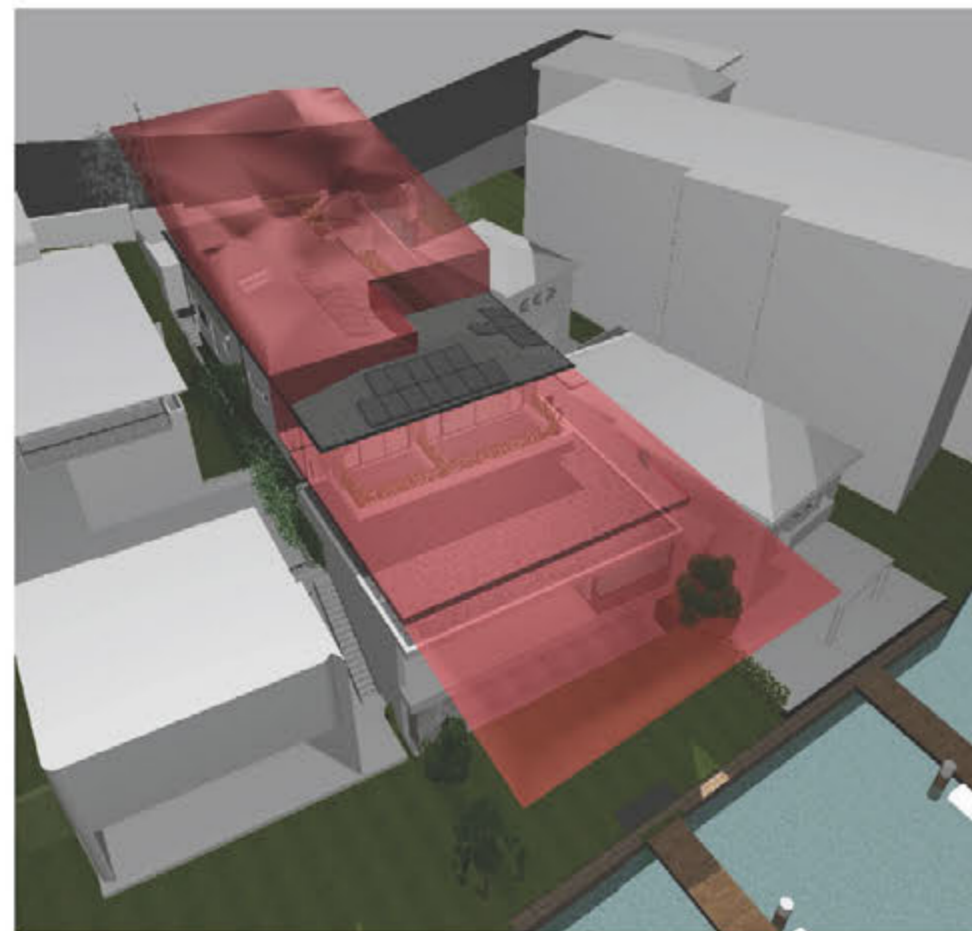
Frontyard	8.31m ²
Frontyard	6.06m ²
Side	28.07m ²
Courtyard	99.96m ²
Backyard	109.92m ²
TOTAL:	252.32m²

Proposed U.U.A. Area Calculations

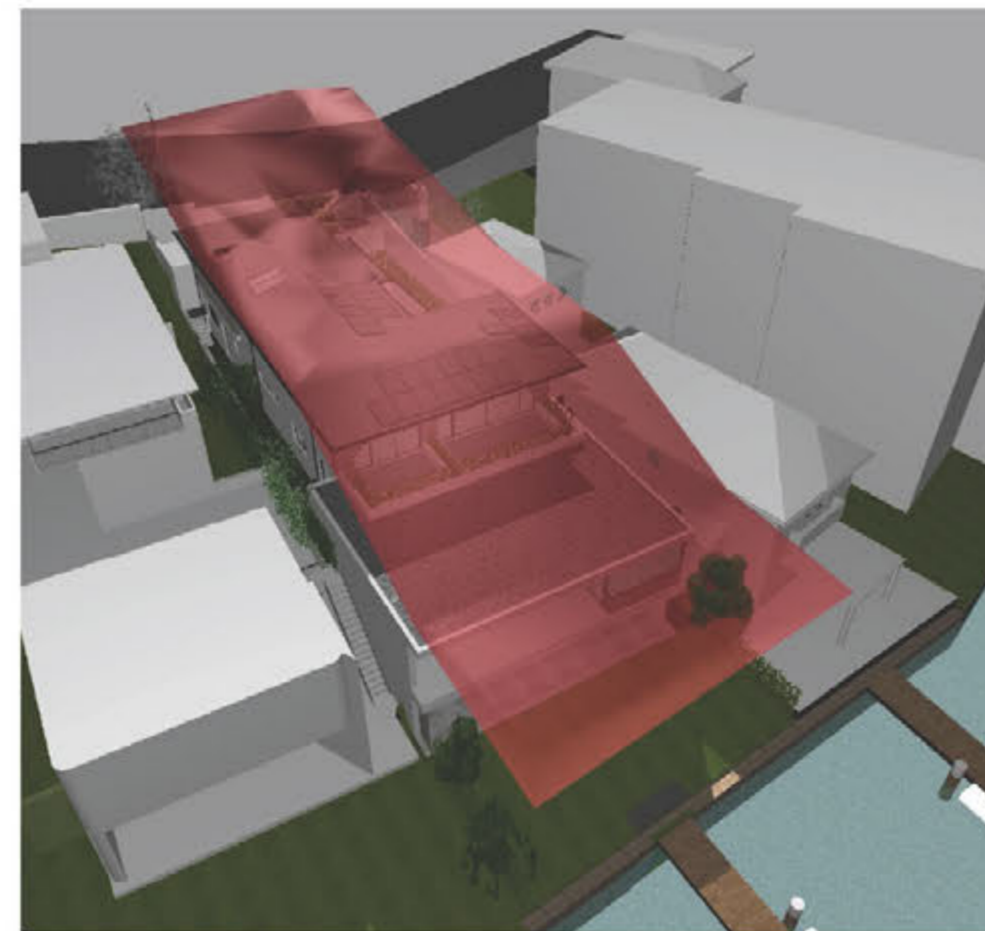
Front Paving	2.63m ²
Front Paving	3.41m ²
Paved Area - side	3.88m ²
Seawall	9.21m ²
Driveway	31.64m ²
TOTAL:	50.77m²

Proposed Site Coverage Calculations

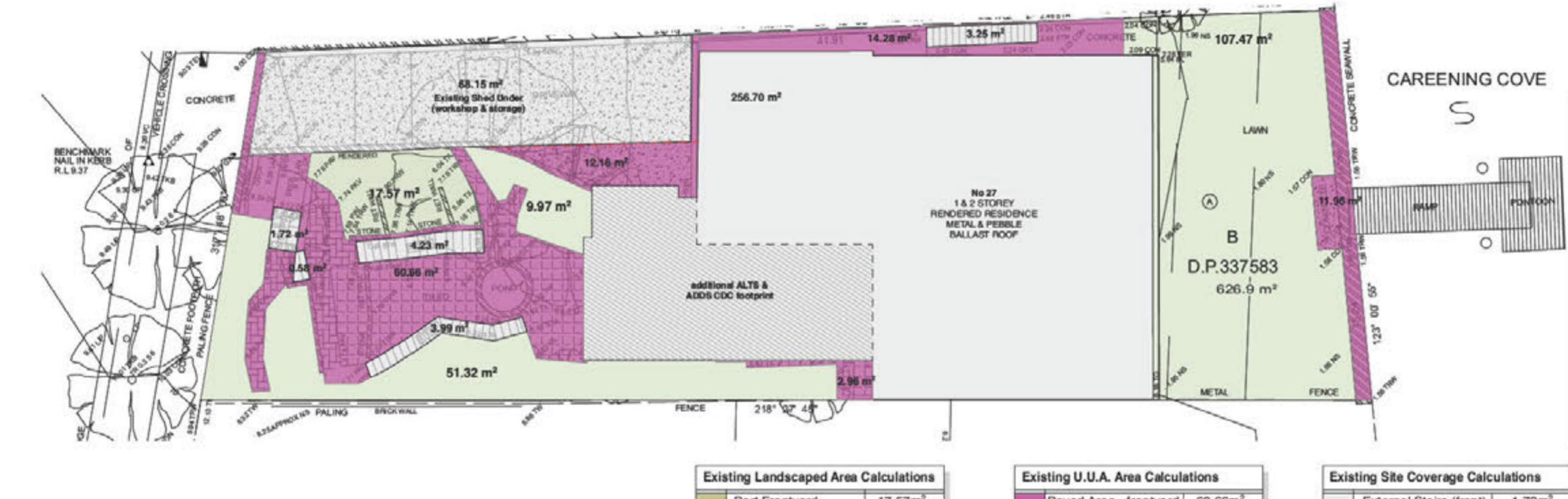
External Stairs (front)	0.57m ²
External Stairs (side)	3.25m ²
External Stairs (front)	6.20m ²
Dwelling Footprint	312.46m ²
External Stairs (side)	1.38m ²
TOTAL:	323.81m²



Height Plane Diagram



Interpolated Height Plane Diagram



Landscape Area - Existing (CDC)
1:200

Existing Landscaped Area Calculations

Part Frontyard	17.57m ²
Part Frontyard	9.97m ²
Part Frontyard	51.32m ²
Backyard	107.47m ²
TOTAL:	186.33m²

Existing U.U.A. Area Calculations

Paved Area - frontyard	60.66m ²
Part Driveway	12.16m ²
Paved Area - side	2.96m ²
Side access concrete	14.28m ²
Seawall	11.96m ²
TOTAL:	102.02m²

Existing Site Coverage Calculations

External Stairs (front)	1.72m ²
External Stairs (front)	0.58m ²
External Stairs (front)	4.23m ²
External Stairs (front)	3.99m ²
External Stairs (side)	3.25m ²
Shed	68.15m ²
Dwelling Footprint	256.70m ²
TOTAL:	338.62m²

Any discrepancies to be brought to Architect's attention
Use figure dimensions in preference to scaling
Only scale under direction from Architect
Builder to examine site and verify conditions and dimensions
This drawing remains the property of the architect
Client is granted conditional license to use the drawings
Transfer of license is prohibited
Architect reserves the right to terminate the licence
Electronic data transfer should be scanned for viruses before use
Any loss or damage (including consequential damage) caused to the recipient of electronic data, by its direct or indirect use, is not the liability of the architect
Refer to hard copies for accuracy of electronic data
Copyright reserved by the Architect

revisions

Rev	Date	Description
A	19/02/22	Development Application

DRAFT

notes

CORBEN ARCHITECTS
PO Box 1021 Neutral Bay NSW 2089 Australia
02 9904 1844
mail@corben.com.au
corben.com.au
Nominated Architect: Philip Corben (Reg. No. 4616)

project Alterations & Additions to an approved CDC
address 27 Elamang Avenue Kirribilli NSW
client John and Bianca White

title Compliance Diagrams
job no. WHK
drawn JM, AB
checked PC
scale 1:200, 1:100
issue Development Application

dwg no. DA18
revision A

①
②
③
④
⑤
⑥



PROPOSED ALTERATIONS AND ADDITIONS RENDERING (LANDSCAPING DECREASED FOR CLARITY)



1 Metal Roofing Standing Seam



2 Aluminium Windows and Doors



3 Half round metal gutter & downpipes



4 Timber look aluminium battens



5 Cement Render



6 Cobblestone Driveway and Entry Path



7 Metalwork in Micaceous Iron Oxide Natural Grey



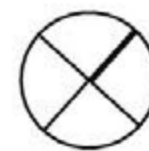
8 Pebble ballast on concrete roof

• Any discrepancies to be brought to Architect's attention
 • Use figure dimensions in preference to scaling
 • Only scale under direction from Architect
 • Builder to examine site and verify conditions and dimensions
 • This drawing remains the property of the architect
 • Client is granted conditional license to use the drawings
 • Transfer of license is prohibited
 • Architect reserves the right to terminate the licence
 • Electronic data transfer should be scanned for viruses before use
 • Any loss or damage (including consequential damage) caused to the recipient of electronic data, by its direct or indirect use, is not the liability of the architect
 • Refer to hard copies for accuracy of electronic data
 • Copyright reserved by the Architect

revisions

Rev	Date	Description
A	15/02/22	Development Application

notes



CORBEN ARCHITECTS

PO Box 1021 Neutral Bay NSW 2089 Australia
 02 9904 1844
 mail@corben.com.au
 corben.com.au

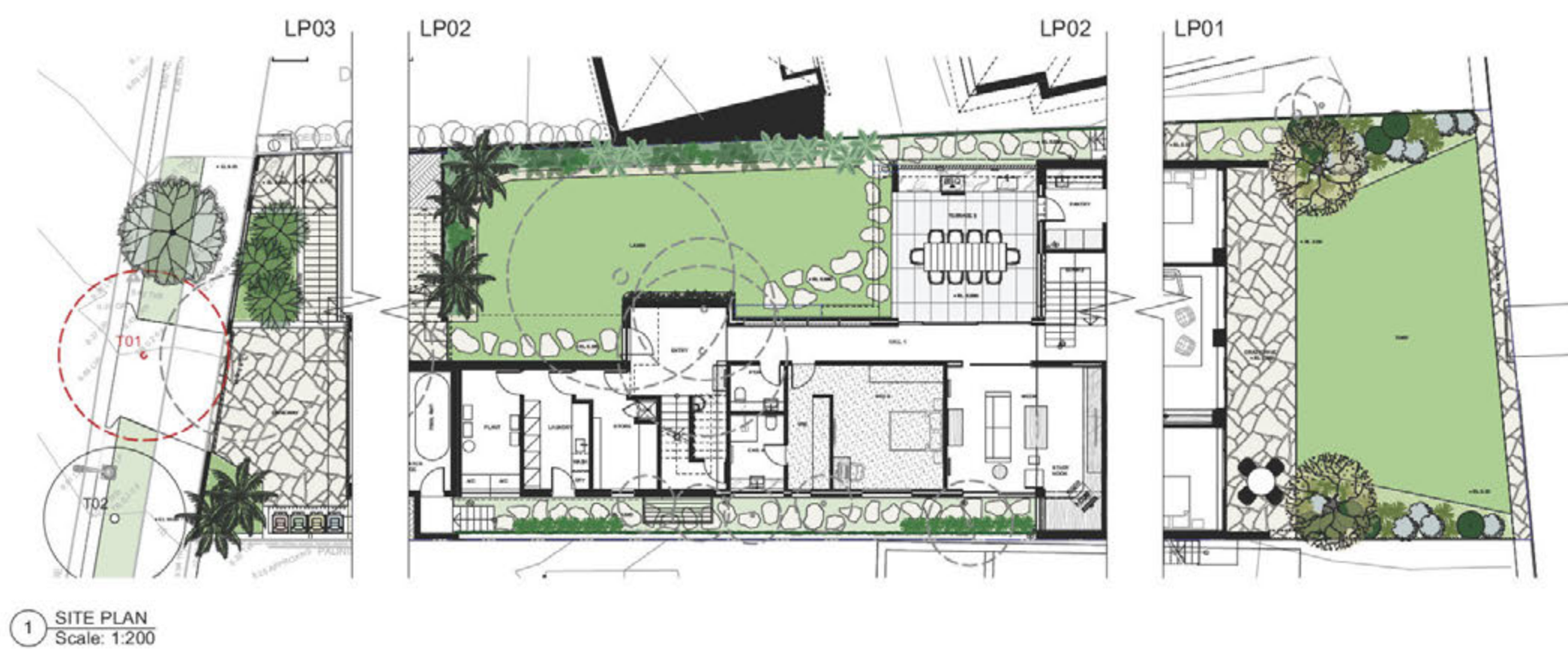
Nominated Architect: Philip Corben (Reg. No. 4616)

project Alterations & Additions to an approved CDC
address 27 Elamang Avenue Kirribilli NSW
client John and Bianca White

title Exterior Finishes
issue Development Application

job no. WHK
drawn JM, AB
checked PC
scale 1:1.29

dwg no. DA19
revision A



1 SITE PLAN
Scale: 1:200

EXISTING TREES

NO.	BOTANICAL NAME	COMMON NAME	HEIGHT (m)	SPREAD (m)	DBH (m)	PROPOSED
T1	Corymbia ficifolia	Flowering Gum	4m	6m	0.2m	TO BE REMOVED
T2	Callistemon species	Bottebrush	6m	5m	0.3m	TO BE RETAINED

PLANT SCHEDULE

BOTANICAL NAME	COMMON NAME	NO.	POT SIZE	PLANTED	MATURE
Aloe 'Bush Baby Yellow'	Bush Baby Yellow	24	140mm	0.3m	0.3m
Alpinia caerulea	Native Ginger	18	200mm	0.8m	3m
Asplenium nidus	Birds Nest Fern	12	200mm	0.8m	3m
Bambusa textilis 'Gracilis'	Slender Weavers Bamboo	20	300mm	0.5m	6m
Benkalis serrata	Old Man Benkalis	2	200L	shown	3m
Beaumontia grandiflora	Easter Lily Vine	5	200mm	0.8m	1m
Blechnum gibbum	Silver Lady Fern	12	200mm	0.5m	0.8m
Brachyscome multifida	Cut Leaf Daisy	24	140mm	0.3m	0.2m
Buckinghamia oelissima	Ivory Curl	3	100L	1.5m	6m
Casuarina 'Greenwave'	Dwarf Sheoak	12	200mm	1m	1.5m
Corymbia ficifolia	Flowering Gum	1	45L	shown	5-10m
Ficus pumila	Creeping Fig	20	140mm	0.1m	climber
Howea forsteriana	Kentia Palm	5	200L	shown	6m
Kalanchoe 'Silver Spoons'	Silver Spoons	20	200mm	0.8m	1m
Kalanchoe tomentosa	Panda plant	36	140mm	0.4m	0.4m
Lomandra 'Tanika'	Mat Rush	45	140mm	0.5	0.8m
Myoporum parvifolium	Creeping boobialla	12	140mm	0.4m	0.3m
Poa poaformis 'Kingsdale'	Blue Tussock Grass	24	140mm	0.5m	0.5m
Pratia pedunculata	Matted Pratia	180	100mm	0.3m	0.1m
Santolina chamaecyparissus	Cotton Lavender	24	140mm	0.5m	0.5m

NATIVE PLANT RATIO

TOTAL PLANTS	NATIVE PLANTS	EXOTIC PLANTS	% NATIVE
499	345	154	69.14%

* native plant species

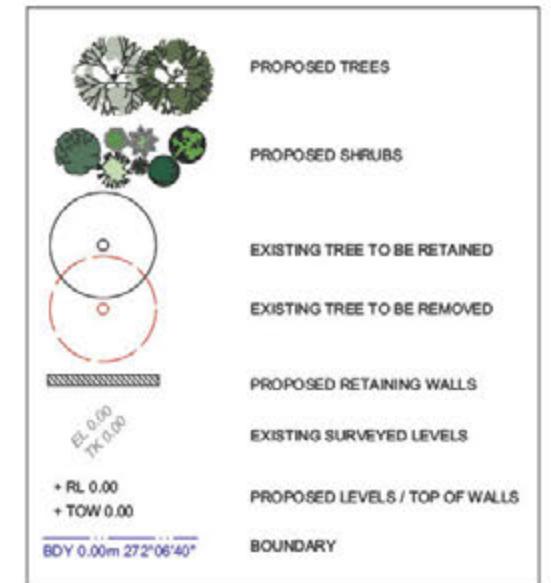
LANDSCAPE AREA CALCULATIONS

SITE AREA	626.90 SQM
SITE COVERAGE	
CONTROL	40% (250.76 SQM)
EXISTING	54.01% (338.62 SQM)
PROPOSED	51.65% (323.85 SQM)
LANDSCAPE AREA	
CONTROL	40% (250.76 SQM)
EXISTING	29.72% (186.33 SQM)
PROPOSED	40.24% (252.28 SQM)

AREA CALCS LEGEND



LEGEND



PROJECT	27 ELAMANG AVE, KIRRIBILLI		
CLIENT	WHITE RESIDENCE		
DWG	DA LANDSCAPE OVERVIEW		
PROJECT	22-055	DATE	19.09.22
DWG	LP00	REV	A
SCALE	NTS @ A3		
DRAWN	RC	CHECKED	RU

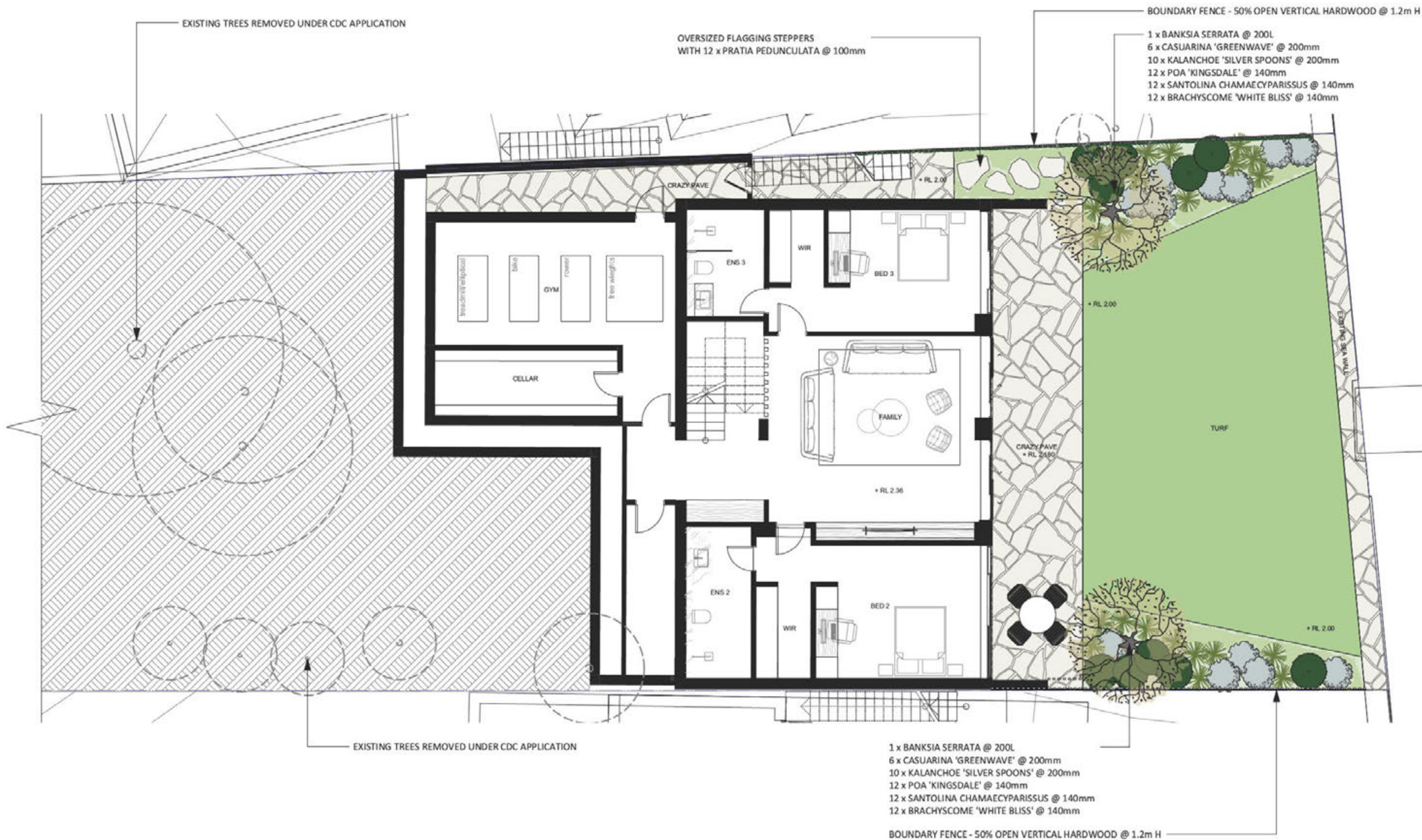
GENERAL NOTES:
 - Concrete plans are not intended for construction
 - Figure dimensions shall be taken in preference to scaling
 - All dimensions in millimetres (mm) unless otherwise stated
 - The contractor shall check all dimensions on site before commencing
 - This drawing shall be read in conjunction with all Architectural and Engineering drawings
 - All work to be further detailed by Engineer
 - Refer to Architectural/Engineering Drawing Set for details of existing and proposed levels, and proposed gradients, and retaining walls
 - Refer to Hydraulic Engineering Drawing for Stormwater Retention
 - The Landscape Contractor shall ensure all Landscape works comply with Local Council By-Laws, and Relevant Standard Code and Australian Standards
 - The Landscape Contractor shall be responsible to locate all services and utilities prior to commencement of Landscape Works

Copyright of Garden Life

158 Princes Hwy, St Peters NSW 2044 Australia
 E: design@gardenlife.com.au

ABN: 36 117 076 954
 T: 02 9517 3633





PROJECT			27 ELAMANG AVE, KIRRIBILLI		
CLIENT			WHITE RESIDENCE		
DWG			DA LANDSCAPE PLAN - LEVEL 1		
PROJECT	22-055	DATE	19.09.22	SCALE	1:100 @ A3
DWG	LP01	REV	A	DRAWN	RC
				CHECKED	RU

GENERAL NOTES:
 - Concrete plans are not intended for construction
 - Figure dimensions shall be taken in preference to scaling
 - All dimensions in millimetres (mm) unless otherwise stated
 - The contractor shall check all dimensions on site before commencing
 - This drawing shall be read in conjunction with all Architectural and Engineering drawings
 - All work to be further detailed by Engineer
 - Refer to Architectural/Engineering Drawing Set for details of existing and proposed levels, and proposed gradients, and retaining walls
 - Refer to Hydraulic Engineering Drawing for Stormwater Retention
 - The Landscape Contractor shall ensure all Landscape works comply with Local Council By-Laws, and Relevant Standard Code and Australian Standards
 - The Landscape Contractor shall be responsible to locate all services and utilities prior to commencement of Landscape Works



Copyright of Garden Life
 158 Princes Hwy, St Peters NSW 2044 Australia
 E: design@gardenlife.com.au
 ABN: 36 117 076 954
 T: 02 9517 3633



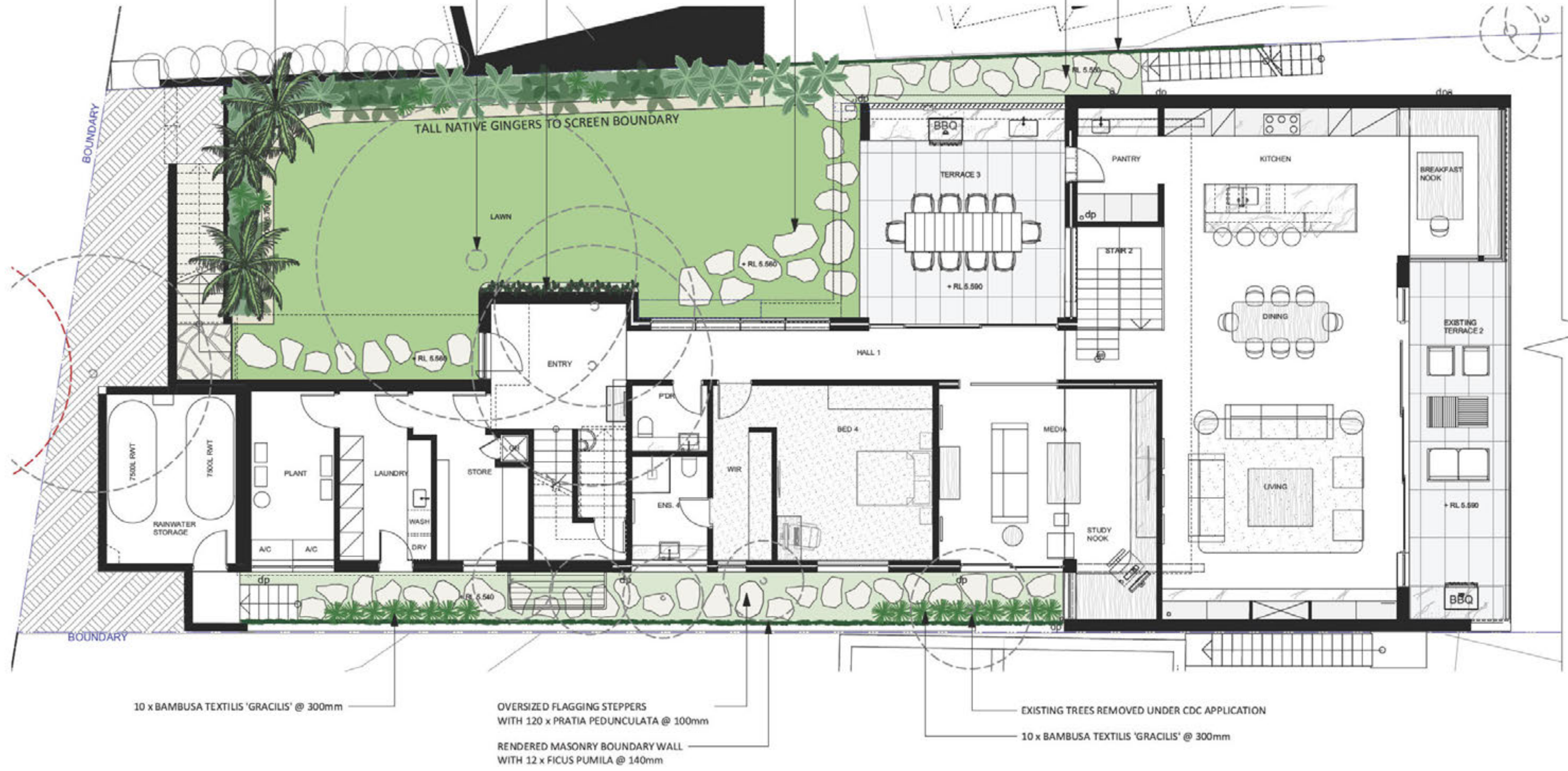
PLANTING IN RAISED PLANTER BED
 3 x HOWEA FORSTERIANA @ 200L
 18 x ALPINIA CAERULEA @ 200mm
 12 x BLECHNUM GIBBUM @ 200mm
 12 x ASPLENIUM NIDUS @ 200mm
 12 x LOMANDRA 'TANIKA' @ 140mm

EXISTING TREES REMOVED UNDER CDC APPLICATION

CLIMBERS ON VERTICAL WIRES TO LEVEL 3
 5 x BEAUMONTIA GRANDIFLORA @ 200mm

OVERSIZED FLAGGING STEPPERS IN LAWN
 OVERSIZED FLAGGING STEPPERS WITH 48 x PRATIA PEDUNCULATA @ 100mm

BOUNDARY FENCE @ 1.8m H
 8 x FICUS PUMILA @ 140mm



10 x BAMBUSA TEXTILIS 'GRACILIS' @ 300mm

OVERSIZED FLAGGING STEPPERS WITH 120 x PRATIA PEDUNCULATA @ 100mm

RENDERED MASONRY BOUNDARY WALL WITH 12 x FICUS PUMILA @ 140mm

EXISTING TREES REMOVED UNDER CDC APPLICATION

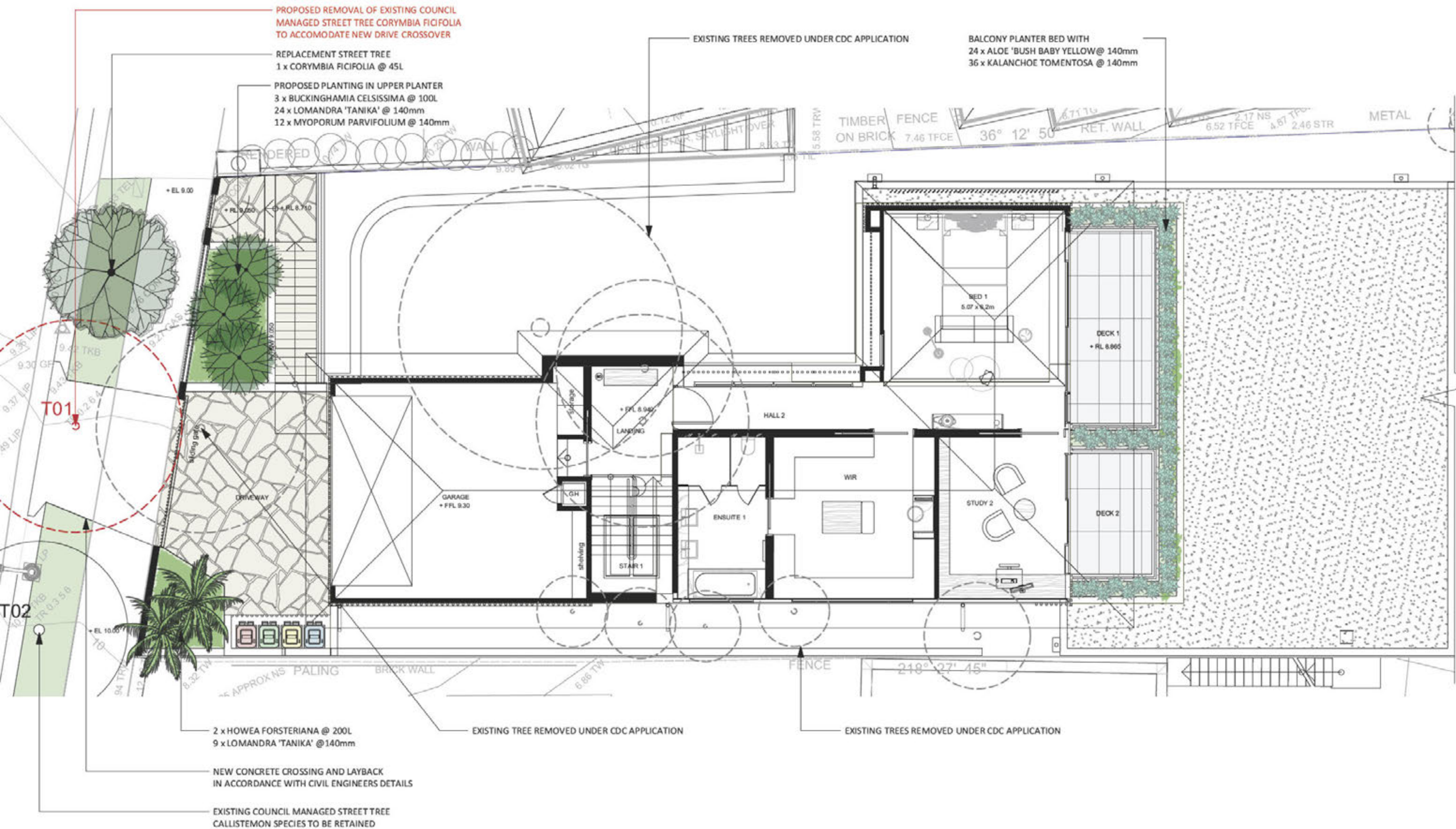
10 x BAMBUSA TEXTILIS 'GRACILIS' @ 300mm

PROJECT			27 ELAMANG AVE, KIRRIBILLI		
CLIENT			WHITE RESIDENCE		
DWG			DA LANDSCAPE PLAN - LEVEL 2		
PROJECT	DATE	SCALE	PROJECT	DATE	SCALE
22-055	19.09.22	1:100 @ A3	22-055	19.09.22	1:100 @ A3
DWG	REV	DRAWN	DWG	REV	DRAWN
LP02	A	RC	LP02	A	RU
		CHECKED			RU

GENERAL NOTES:
 - Concrete plans are not intended for construction
 - Figure dimensions shall be taken in preference to scaling
 - All dimensions in millimetres (mm) unless otherwise stated
 - The contractor shall check all dimensions on site before commencing
 - This drawing shall be read in conjunction with all Architectural and Engineering drawings
 - All work to be further detailed by Engineer
 - Refer to Architectural/Engineering Drawing Set for details of existing and proposed levels, and proposed gradients, and retaining walls
 - Refer to Hydraulic Engineering Drawing for Stormwater Retention
 - The Landscape Contractor shall ensure all Landscape works comply with Local Council By-Laws, and Relevant Standard Code and Australian Standards
 - The Landscape Contractor shall be responsible to locate all services and utilities prior to commencement of Landscape Works



Copyright of Garden Life
 158 Princes Hwy, St Peters NSW 2044 Australia
 E: design@gardenlife.com.au
 ABN: 36 117 076 954
 T: 02 9517 3633



PROJECT	27 ELAMANG AVE, KIRRIBILLI		
CLIENT	WHITE RESIDENCE		
DWG	LANDSCAPE PLAN - LEVEL 3		
PROJECT	22-055	DATE	19.09.22
DWG	LP03	REV	A
		SCALE	1:100 @ A3
		DRAWN	RC
		CHECKED	RU

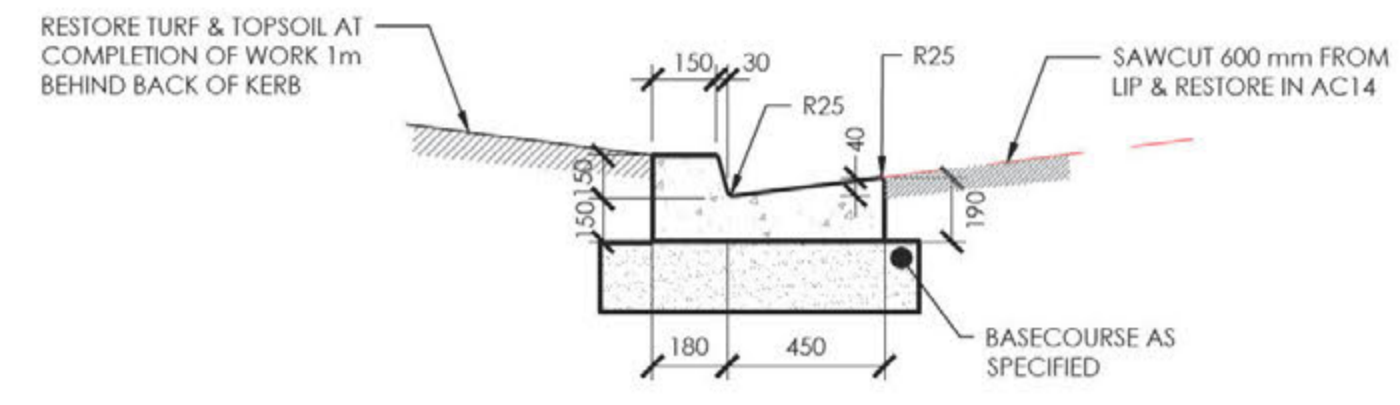
GENERAL NOTES:
 - Concrete plans are not intended for construction
 - Figure dimensions shall be taken in preference to scaling
 - All dimensions in millimetres (mm) unless otherwise stated
 - The contractor shall check all dimensions on site before commencing
 - This drawing shall be read in conjunction with all Architectural and Engineering drawings
 - All work to be further detailed by Engineer
 - Refer to Architectural/Engineering Drawing Set for details of existing and proposed levels, and proposed gradients, and retaining walls
 - Refer to Hydraulic Engineering Drawing for Stormwater Retention
 - The Landscape Contractor shall ensure all Landscape works comply with Local Council By-Laws, and Relevant Standard Code and Australian Standards
 - The Landscape Contractor shall be responsible to locate all services and utilities prior to commencement of Landscape Works



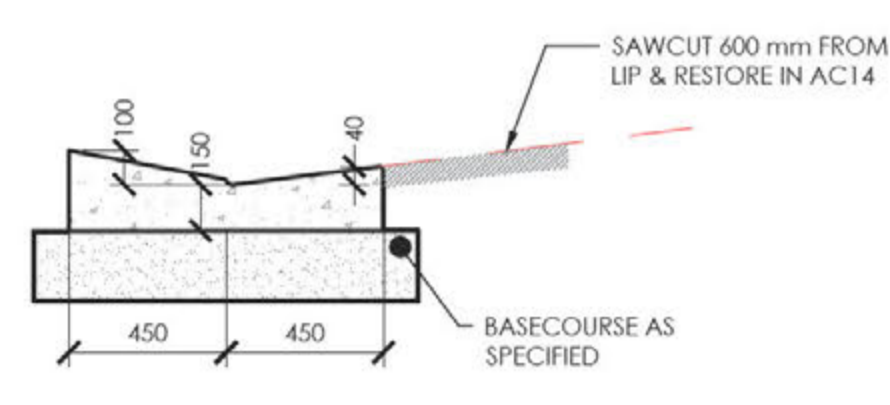
Copyright of Garden Life
 158 Princes Hwy, St Peters NSW 2044 Australia
 E: design@gardenlife.com.au
 ABN: 36 117 076 954
 T: 02 9517 3633

NOTE:
 1. ALL CIVIL WORKS TO BE IN ACCORDANCE WITH NORTH SYDNEY COUNCIL DGP ENGINEERING SPECIFICATIONS.
 2. REFER TO DRAWING DA4.02 FOR COUNCIL'S STANDARD VEHICLE CROSSING DRAWING AND SPECIFICATION.

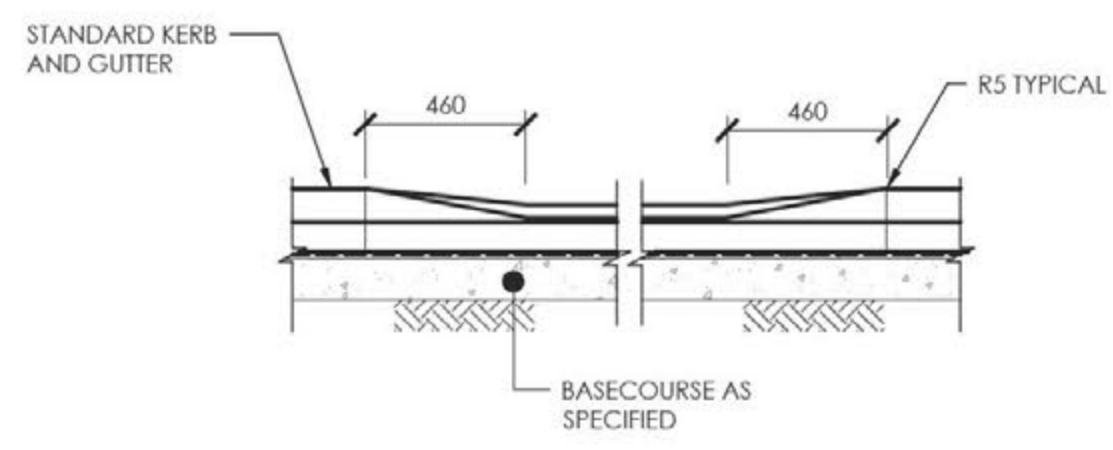
SYMBOL	DESCRIPTION
	CONCRETE VEHICLE CROSSING
	GRASS VERGE
	SLAB THICKNESS



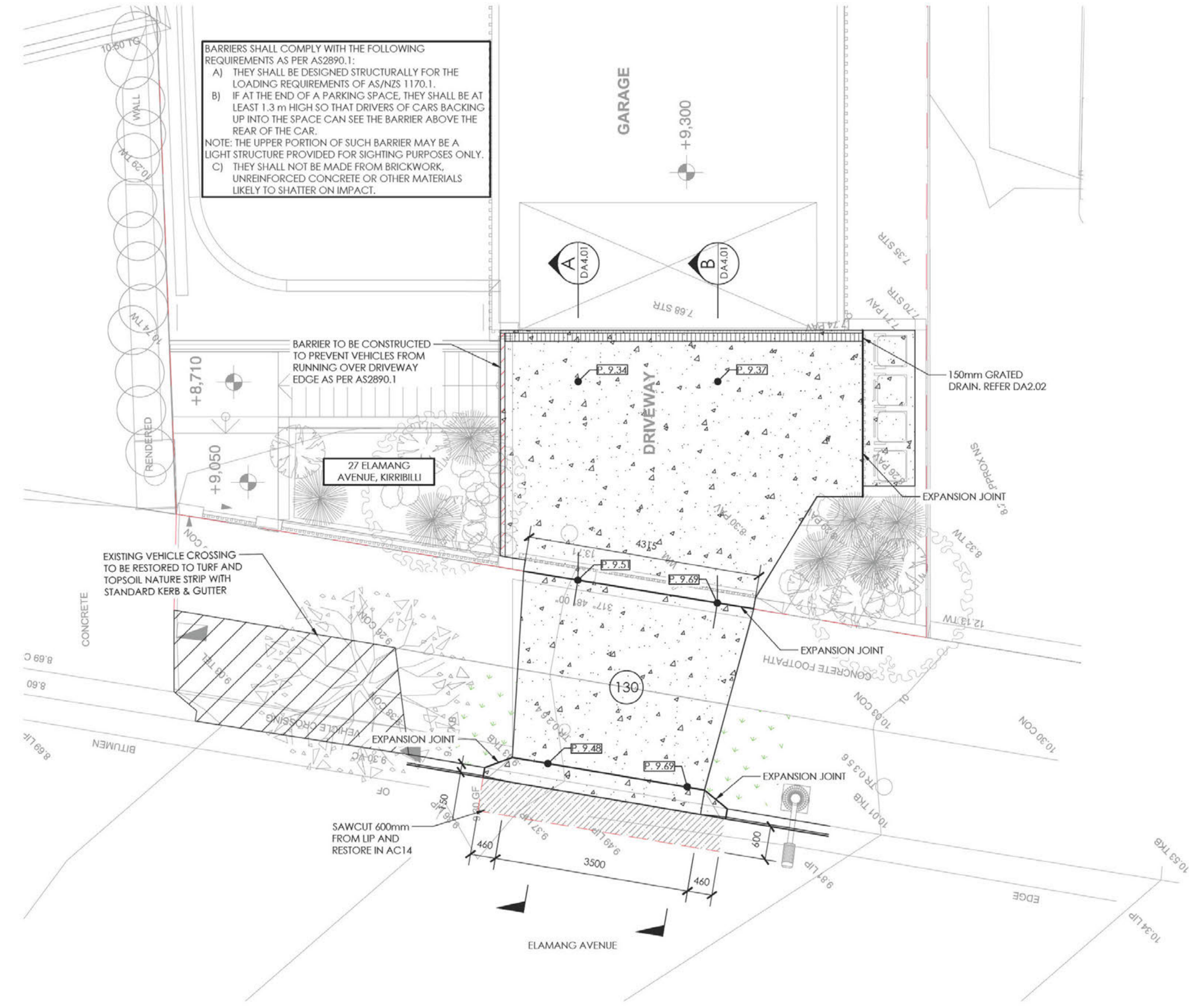
TYP. KERB DETAIL
 (NORTH SYDNEY COUCL)
 SCALE 1:20 AT A1



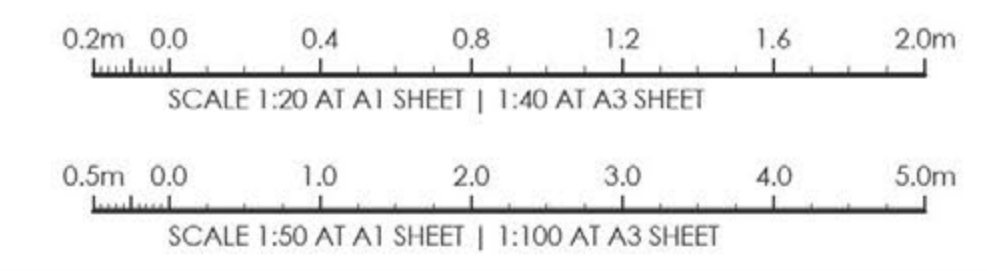
TYP. LAYBACK DETAIL
 (NORTH SYDNEY COUCL)
 SCALE 1:20 AT A1



TYP. VEHICLE CROSSING ELEVATION
 (NORTH SYDNEY COUCL)
 SCALE 1:20 AT A1



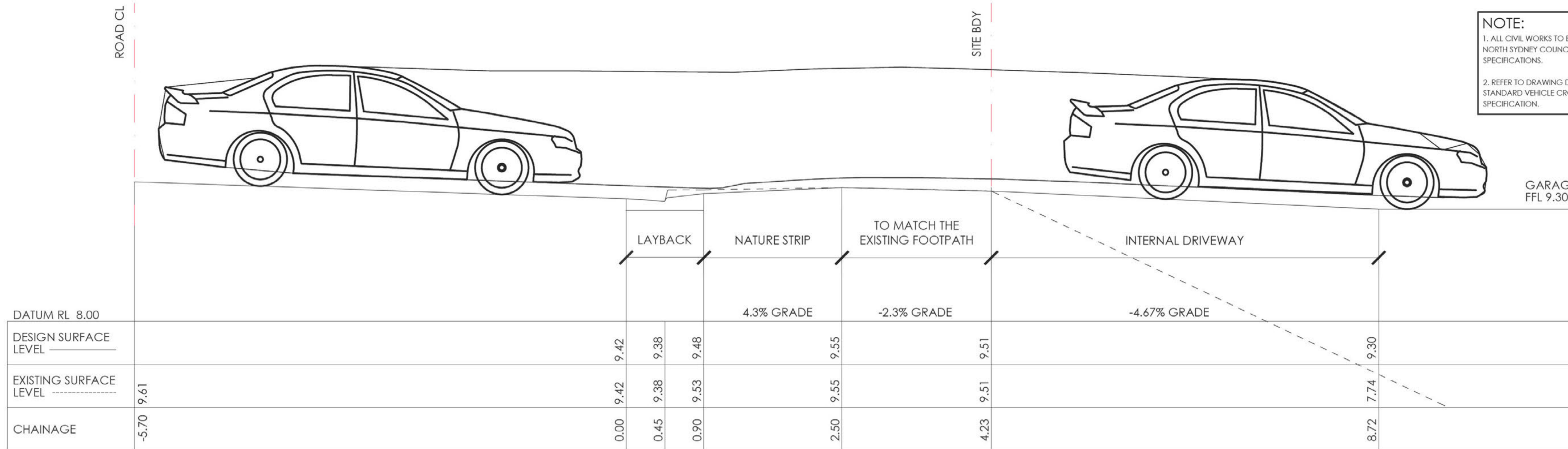
VEHICLE CROSSING PLAN
 SCALE 1:50 AT A1



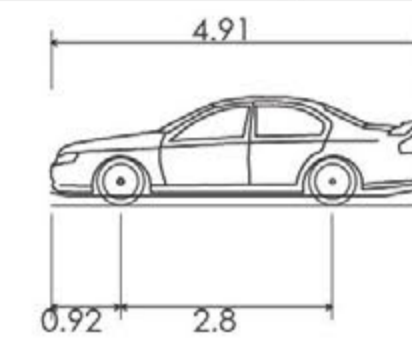
ISSUED FOR DA 16/09/22 B JO.R ISSUED FOR ARCHITECT REVIEW 24/08/22 A JO.R AMENDMENTS DATE ISSUE BY	NORTH POINT U.N.O. ARCHITECT CORBEN ARCHITECTS PO BOX 1021 NEUTRAL BAY NSW 2089	CLIENT JOHN AND BIANCA WHITE	PROJECT ALTERATIONS AND ADDITIONS 27 ELAMANG AVENUE KIRIBILLI NSW	TRIAxIAL CONSULTING COMPLEX PROBLEMS RESOLVED SIMPLY	1300 874 294 TRIAXIAL.COM.AU SUITE 12, LEVEL 14, 327 PITT STREET, SYDNEY NSW 2000 PO BOX A203, SYDNEY SOUTH NSW 1235 TO BE PRINTED IN COLOUR	DRAWING TITLE VEHICLE CROSSING PLAN & DETAILS PROJECT No. TX16745.00 - DA4.00 DRAWING No. B

Document Set ID: 9052903
 Version: 1, Version Date: 26/09/2022

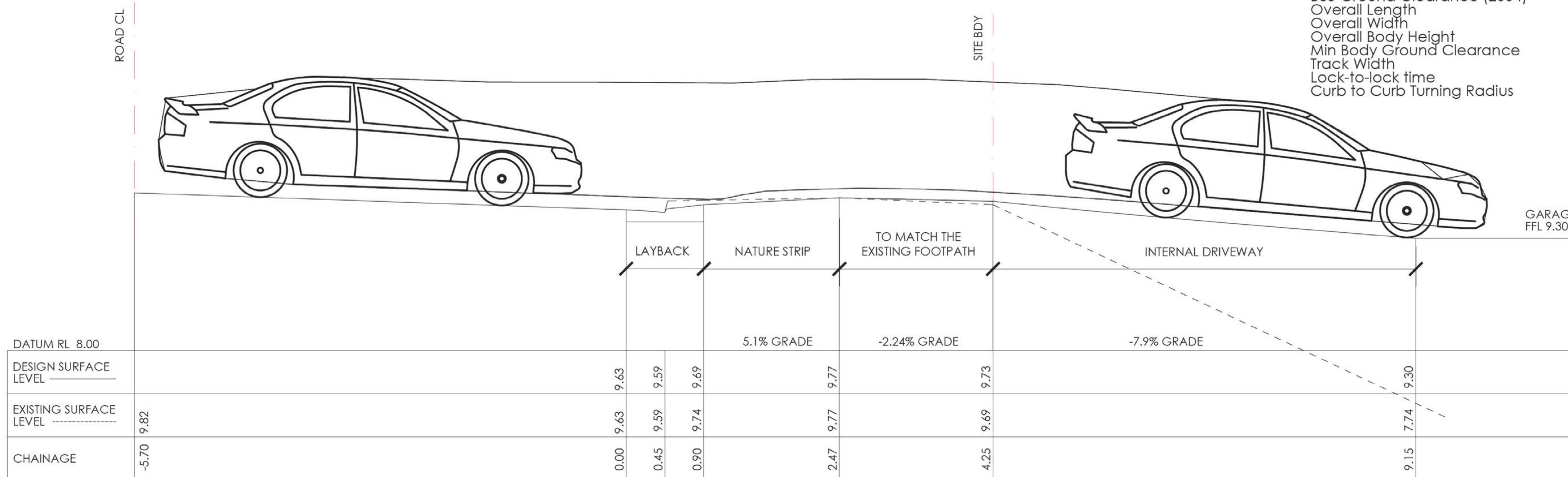
NOTE:
 1. ALL CIVIL WORKS TO BE IN ACCORDANCE WITH NORTH SYDNEY COUNCIL DCP ENGINEERING SPECIFICATIONS.
 2. REFER TO DRAWING DA4.02 FOR COUNCIL'S STANDARD VEHICLE CROSSING DRAWING AND SPECIFICATION.



SECTION A - VEHICLE CROSSING LONG SECTION
 SCALE 1:25 AT A1

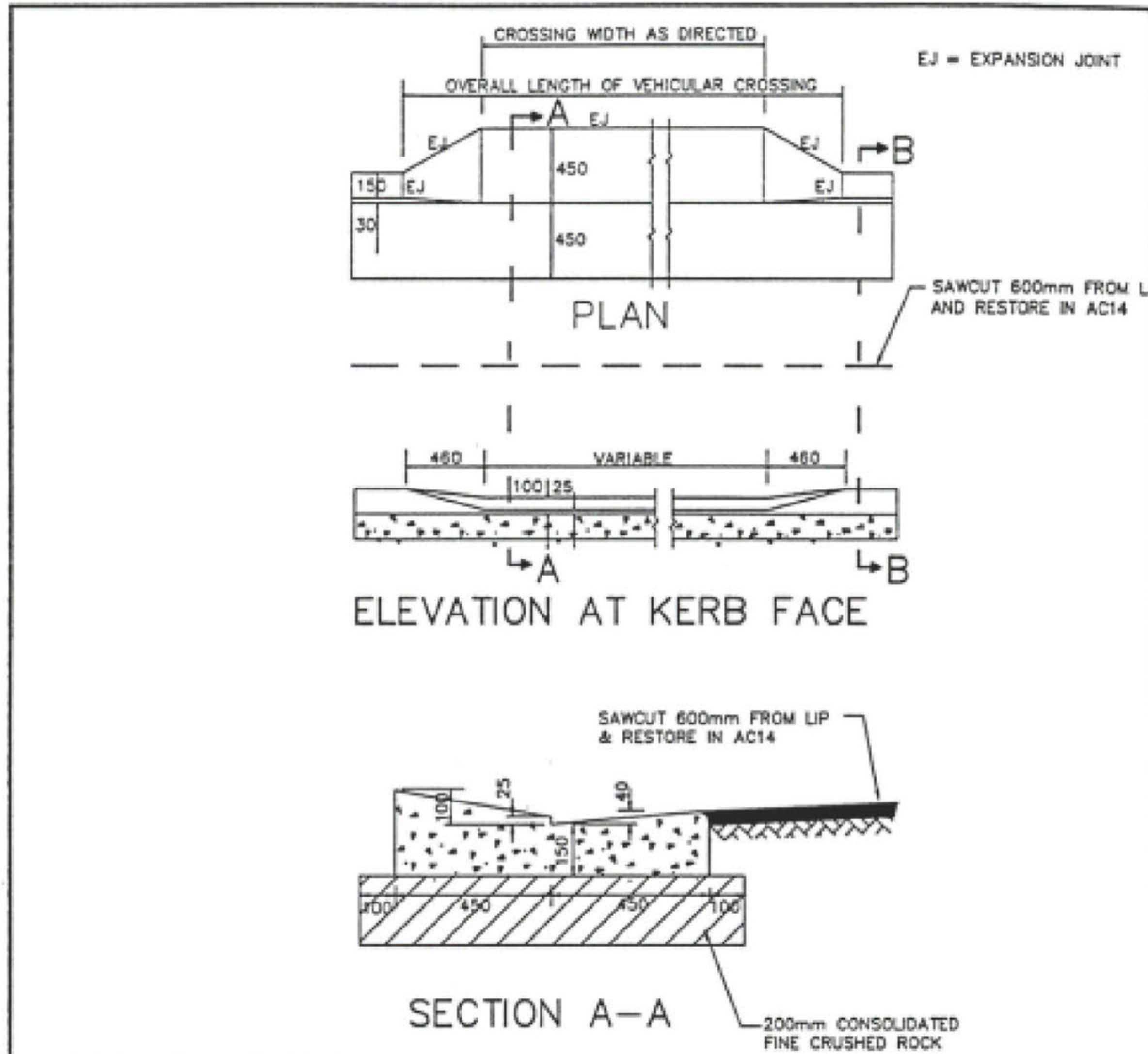


B85 Ground Clearance (2004)
 Overall Length 4.910m
 Overall Width 1.870m
 Overall Body Height 1.421m
 Min Body Ground Clearance 0.120m
 Track Width 1.770m
 Lock-to-lock time 4.00s
 Curb to Curb Turning Radius 8.000m



SECTION B - VEHICLE CROSSING LONG SECTION
 SCALE 1:25 AT A1

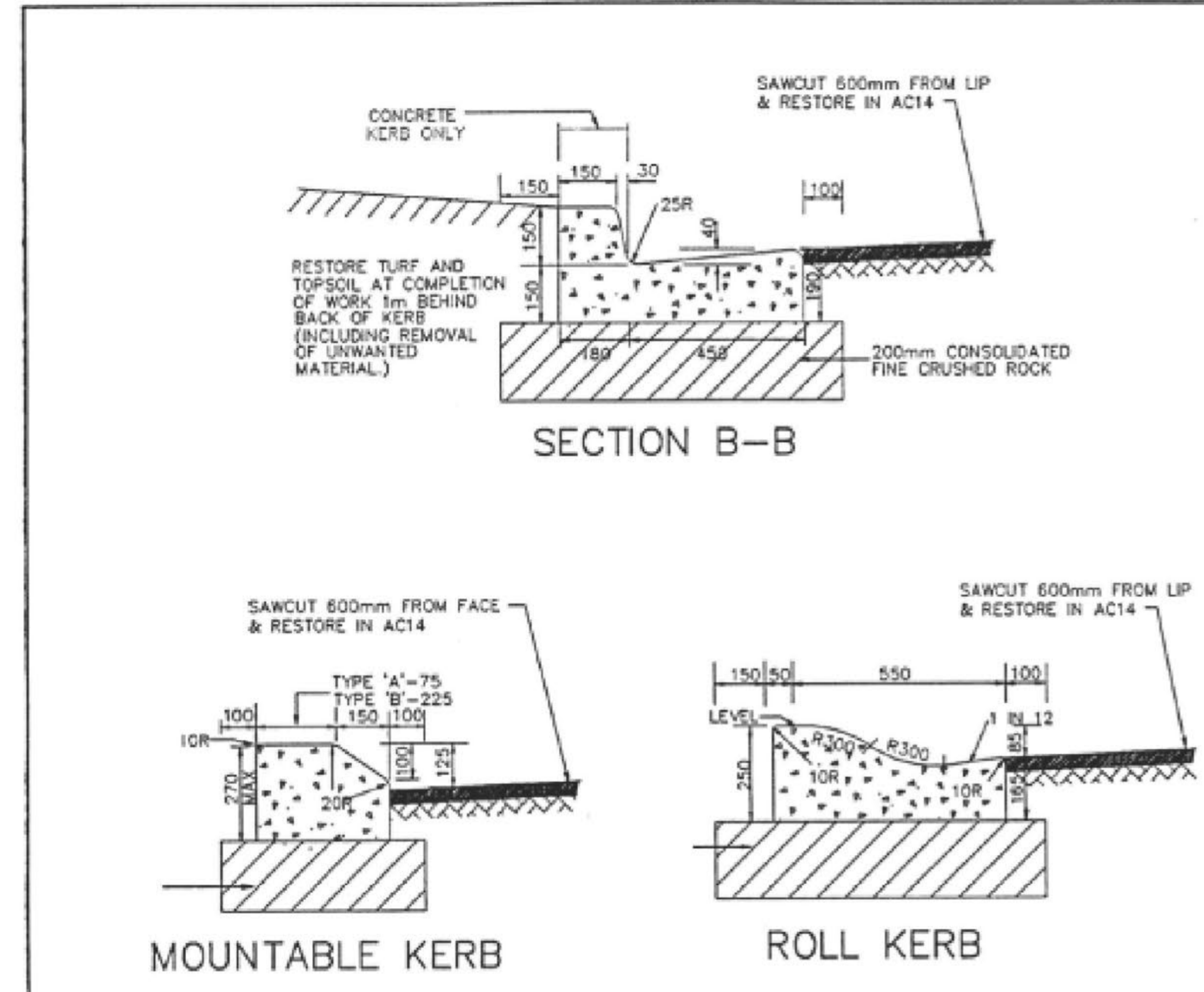




SPECIFICATIONS

- SLAB THICKNESS AND REINFORCEMENT**
RESIDENTIAL: 130mm F82 REO MESH TO 180mm F82 REO MESH.
COMMERCIAL: 180mm F92 REO MESH. (TO BE LOCATED WITH 40mm COVER FROM BOTTOM OF SLAB).
 ALL CONCRETE F'c20 MPA.
- BASE COURSE**
 CONSOLIDATED FINE CRUSHED ROCK TO COUNCILS SPECIFICATION
- CONCRETE FINISH**
 A. ALL EDGES SHALL BE TOOL FINISHED WITH 12mm RAD 50mm WIDE EDGING TOOL.
 B. GUTTER SHALL BE FINISHED WITH A STEEL TROWEL.
 C. LAYBACK AND SLAB TO BE FINISHED WITH WOOD FLOAT.
- EXPANSION JOINTS**
 EXPANSION JOINTS SHALL BE PLACED AT 6m INTERVALS
- CONTRACTORS SHALL CONFORM TO THE COUNCILS "CONDITIONS" OF APPROVAL FOR CONSTRUCTION OF VEHICULAR CROSSING/CONCRETE FOOTPATHS AND TO LINE LEVEL AND GRADE FIXED BY COUNCIL
- SITE OF WORK:**
 DURING AND ON COMPLETION OF WORK, ALL EXCAVATED MATERIAL FROM THE SITE SHALL BE REMOVED AND THE SITE KEPT IN A CLEAN, SAFE AND TIDY CONDITION TO THE SATISFACTION OF COUNCIL'S ENGINEER.
- ALL PLAN DIMENSIONS ARE IN MILLIMETRES.
- AC14mm ADJUSTMENT:**
 PROVIDE 600mm WIDE AC14 CORRECTION COARSE LAYER 50mm THICK AS SHOWN.

APPROVED:		NORTH SYDNEY COUNCIL STANDARD VEHICULAR CROSSING, KERB & GUTTER DETAIL	SCALE
COUNCIL ENGINEER			NOT TO SCALE
DATE: 01/12/96			DRAWING NO. S101A



SPECIFICATIONS

- SLAB THICKNESS AND REINFORCEMENT**
RESIDENTIAL: 130mm F82 REO MESH TO 180mm F82 REO MESH.
COMMERCIAL: 180mm F92 REO MESH. (TO BE LOCATED WITH 40mm COVER FROM BOTTOM OF SLAB).
 ALL CONCRETE F'c20 MPA.
- BASE COURSE**
 CONSOLIDATED FINE CRUSHED ROCK TO COUNCILS SPECIFICATION
- CONCRETE FINISH**
 A. ALL EDGES SHALL BE TOOL FINISHED WITH 12mm RAD 50mm WIDE EDGING TOOL.
 B. GUTTER SHALL BE FINISHED WITH A STEEL TROWEL.
 C. LAYBACK AND SLAB TO BE FINISHED WITH WOOD FLOAT.
- EXPANSION JOINTS**
 EXPANSION JOINTS SHALL BE PLACED AT 6m INTERVALS
- CONTRACTORS SHALL CONFORM TO THE COUNCILS "CONDITIONS" OF APPROVAL FOR CONSTRUCTION OF VEHICULAR CROSSING/CONCRETE FOOTPATHS AND TO LINE LEVEL AND GRADE FIXED BY COUNCIL
- SITE OF WORK:**
 DURING AND ON COMPLETION OF WORK, ALL EXCAVATED MATERIAL FROM THE SITE SHALL BE REMOVED AND THE SITE KEPT IN A CLEAN, SAFE AND TIDY CONDITION TO THE SATISFACTION OF COUNCIL'S ENGINEER.
- ALL PLAN DIMENSIONS ARE IN MILLIMETRES.
- AC14mm ADJUSTMENT:**
 PROVIDE 600mm WIDE AC14 CORRECTION COARSE LAYER 50mm THICK AS SHOWN.
- RESTORATION OF TURF**
 RESTORE TURF & TOPSOIL AT COMPLETION OF WORK UP TO 1M BEHIND BACK OF KERB (REMOVE UNWANTED MATERIAL).

APPROVED:		NORTH SYDNEY COUNCIL STANDARD VEHICULAR CROSSING, KERB & GUTTER DETAIL	SCALE
COUNCIL ENGINEER			NOT TO SCALE
DATE: 31/12/97			DRAWING NO. S101B

ISSUED FOR DA 15/09/22 B J.O.R.
 ISSUED FOR ARCHITECT REVIEW 24/08/22 A J.O.R.
 AMENDMENTS DATE ISSUE BY

NOT FOR CONSTRUCTION

NORTH POINT U.N.O.

ARCHITECT
CORBEN ARCHITECTS
 PO BOX 1021
 NEUTRAL BAY NSW 2089

CLIENT
JOHN AND BIANCA WHITE

PROJECT
ALTERATIONS AND ADDITIONS
 27 ELAMANG AVENUE
 KIRRIBILLI NSW

DESIGNED JO.R. DRAWN JO.R. DATE AUG 22 SIZE A1 CAD REF TX16745.00 - C01



TRIAxIAL CONSULTING
 COMPLEX PROBLEMS
 RESOLVED SIMPLY

1300 874 294 | TRIAXIAL.COM.AU
 SUITE 12, LEVEL 14, 327 PITT STREET, SYDNEY NSW 2000
 PO BOX A203, SYDNEY SOUTH NSW 1235

TO BE PRINTED IN COLOUR

DRAWING TITLE
COUNCIL'S DRIVEWAY DETAILS

PROJECT No. TX16745.00 - DA4.02 B
 DRAWING No. ISSUE

19 September 2022

Clause 4.6 Variation to Development Standard

Property Description: 27 Elamang Avenue, Kirribilli
Development: Alterations and Additions – Dwelling House
Development Standard: Height of Buildings

Introduction

This is a clause 4.6 variation to support the development proposal for alterations and additions to an existing dwelling house at 27 Elamang Avenue, Kirribilli. The proposal seeks approval for internal and external alterations to the existing dwelling, noting a Complying Development Certificate (CDC) No. 220122/01 was issued on 11 July 2022 for works to the existing dwelling that are not yet constructed.

This clause 4.6 request seeks a variation to the 8.5m building height development standard contained in clause 4.3 – Height of Buildings of the *North Sydney Local Environmental Plan 2013*.

The variation to the height is measured to the north-western portion of the upper level. The maximum height of the proposal is 10.5m when measured to the roof form above the proposed decks and bedroom addition at Level 3 of the dwelling house.

The height variation is a result of the existing site circumstances – lower floor level on the subject site with the maximum height measured from the existing excavated ground level of the sub-floor storage area below the proposed upper-level addition at the north-eastern portion of the site.

Further, the variation is also a result of the topography of the site as the land has a significant fall from the street frontage – southern boundary (AHD 9.27) to the northern boundary – foreshore/concrete seawall (AHD 1.56) of 7.71m across the length of the site.

It is noted that the proposed additions meet the 8.5m height of buildings development standard based on existing ground levels at the side boundaries as depicted on the submitted elevation plans and interpolated height diagram prepared by *Corben Architects*. The height line measured from existing ground levels at the site boundaries is consistent with the assessment of building height applied by the Land and Environment Court under *Bettar v Council of City of Sydney* [2014] NSWLEC 1070.

The development proposal results in a contemporary two storey building on the subject site, noting the proposed alterations and additions have been designed to utilise the building footprint of the existing dwelling on the subject site. The variation to the height is measured from existing excavated ground level – sub-floor level to the upper portion of the bedroom addition.

The maximum height is 10.5m measured from existing excavated ground level. The maximum numerical variation is therefore 2m being a variation of 23.5%.

The extent of the variation is shown on the building height plane and section plan extracts below.

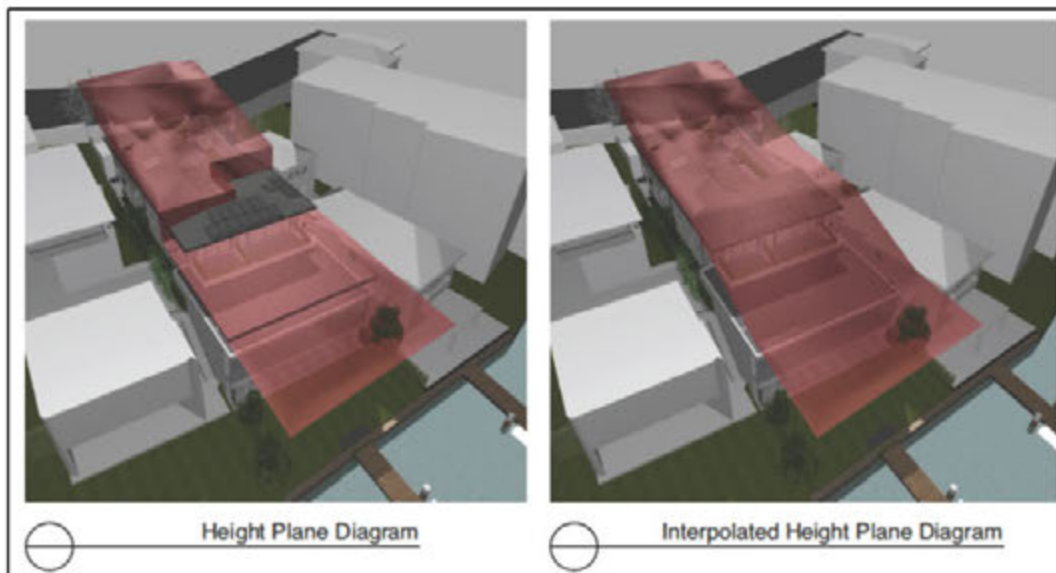


Figure 1: Building height plane diagrams – Measured from excavated ground level (left) and interpolated natural ground level at the site boundaries (right)

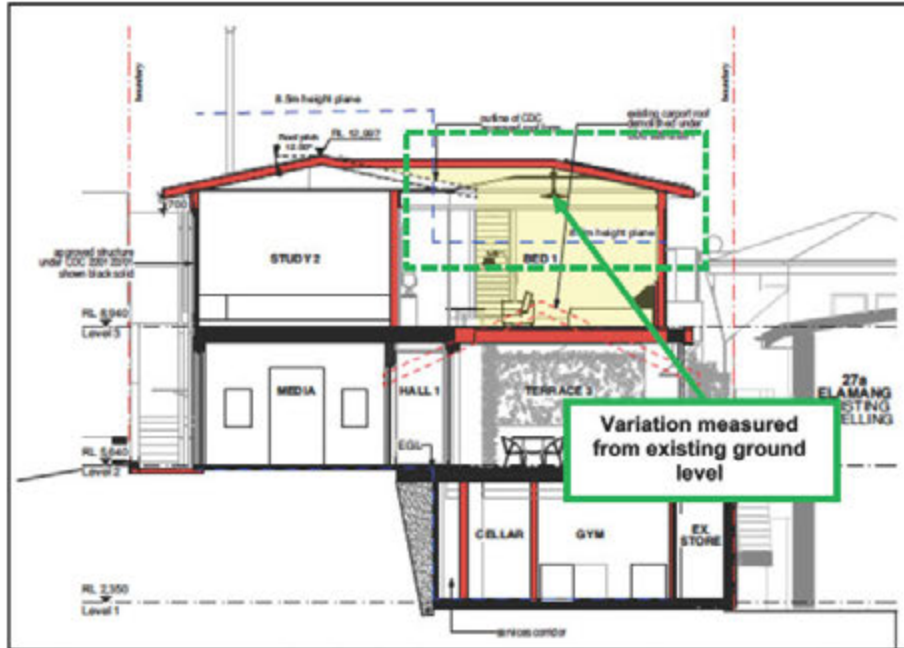


Figure 2: Short section drawing indicating extent of variation to upper-level bedroom addition



Figure 3: Long section drawing indicating extent of variation to upper-level roof form above rooftop deck

The request to contravene the development standard for the building height has been prepared in accordance with the principles applied in relevant case law including:

1. *Winten Property Group Limited v North Sydney Council* (2001) 130 LGERA 79;
2. *Wehbe v Pittwater Council* (2007) 156 LGERA 446;
3. *Four2Five Pty Ltd v Ashfield Council* [2015] NSWLEC 1009;
4. *Initial Action Pty Ltd v Woollahra Municipal Council* [2018] NSWLEC 118;
5. *Al Maha Pty Ltd v Huajun Investments Pty Ltd* (2018) 233 LGERA 170; and
6. *RebelMH Neutral Bay Pty Limited v North Sydney Council* (2019) NSWCA 130

This Clause 4.6 variation request is set out in accordance with the relevant principles established by the Court including:

1. Is the development consistent with the objectives of the zone?

2. Is the proposed development consistent with the objectives of the development standard which is not met?
3. Is compliance with the development standard unreasonable or unnecessary in the circumstances of the case? (cl 4.6(3)(a) and cl 4.6(4)(a)(i))
4. Are there sufficient environmental planning grounds to justify contravening the development standard and therefore the Applicant's written request to vary the development standard is well founded? (cl 4.6(3)(b) and 4.6(4)(a)(ii))
5. Is the proposed development in the public interest because it is consistent with the objectives of the standard and the zone? (cl 4.6(4)(a)(ii))

Matters required to be demonstrated under clause 4.6(3) of the LEP

Compliance with the development standard is unreasonable or unnecessary in this particular case

Pursuant to clause 4.6(3)(a) of the LEP, the variation to the height of buildings development standard is acceptable in the circumstances of this case and compliance with the development standard is considered unreasonable and unnecessary because the proposed development is consistent with the objectives of the height of buildings standard, notwithstanding non-compliance with the standard.

• Objectives of the Height of Buildings Development Standard

The objectives of the development standard are at clause 4.3(1) of the LEP as follows:

- (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.*
- (g) to maintain a built form of mainly 1 or 2 storeys in Zone R2 Low Density Residential, Zone R3 Medium Density Residential and Zone E4 Environmental Living.*

The proposed development meets the objectives of Clause 4.3 of the LEP based on the following assessment:

Objective (a) – The proposed development has been designed to conform to the topography of the site which has a significant fall from the street frontage – southern boundary (AHD 9.27) to the northern boundary – foreshore/concrete seawall (AHD 1.56) of 7.71m across the length of the site. The upper level – Level

3 has been recessed from the northern elevation of the floor below so that the built form is stepped with the slope of the land, and to reduce its visual prominence at the northern elevation – foreshore frontage of the subject site.

The resultant built form when viewed from the adjoining properties and public domain – streetscape reflects the natural topography of the land and the existing site conditions, noting the dwelling retains a two-storey form across the length of the site as depicted by the below side elevation plan extracts prepared by *Corben Architects* depicting the resultant built form and existing ground level at the side boundaries of the site:

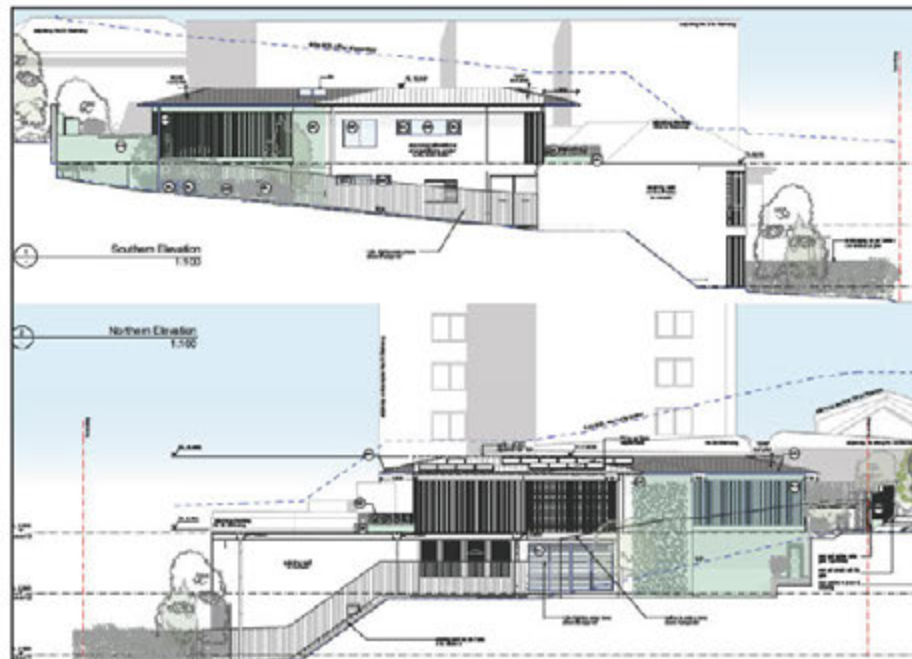


Figure 4: Side elevation plans depicting the proposed built form and ground level at the side boundaries of the site.

Objective (b) – The views obtained from adjoining allotments to the east and west of the subject site will not be significantly impacted by the proposed development, noting no significant change is proposed to the rear building line of the existing dwelling. The proposed additional built form at the upper level will not obstruct any views from the public domain – streetscape over the subject site towards the foreshore. The elements of the proposal which breach the height control – roof form and upper portion of the bedroom addition do not result in any view loss impacts upon the adjoining properties.

Objective (c) – The proposed development allows for adequate solar access to the adjoining properties, noting the adjoining property at 25 Elamang Avenue will retain solar access to its rear yard and primary living area orientated towards the foreshore from 9am-12pm in midwinter as existing, with minor additional overshadowing cast by the proposal impacting upon upper-level bedroom windows – side elevation at the southern part of this dwelling. The elements of the proposal which vary the height control do not contribute to any significant overshadowing, noting the upper-level bedroom addition is located at the north-eastern portion of

the site and aligns with the approved rear building line at the upper level of the development.

Objective (d) – The proposed development has been designed to maintain visual and acoustic privacy of adjoining properties noting the upper-level rooftop deck is orientated towards the foreshore and does not have direct sightlines into the private open space or living areas of adjoining properties. The proposed building elements which vary the height control – bedroom addition and roof form do not present any visual privacy impacts upon adjoining properties noting the bedroom windows are orientated internally to the site and towards the foreshore.

Objective (e) – The subject site is not located at a zone boundary. The development is compatible with the form and scale of surrounding properties including nearby residential flat buildings and 2-3 storey dwellings along the Careening Cove foreshore. The resultant built form is of a contemporary design consistent with the overall form and scale of the adjoining dwelling house at 25 Elamang Avenue and at 15-19 Elamang Avenue, Kirribilli.

Objective (f) – The proposal is consistent with the desired future character of the locality established within Section 8.2 of the North Sydney DCP 2013 for the Kirribilli Neighbourhood. The proposal is consistent in form and scale with other development within the visual catchment of the site, and is of a scale and density commensurate with that of other low density residential development in the broader locality which includes larger 2-3 storey dwelling houses.

Objective (g) – The proposed alterations to the dwelling house result in a 1 – 2 storey building viewed from Elamang Avenue and the stepped built form at the rear is consistent with the topography of the site presenting a 2-storey building with a recessed upper level viewed from the foreshore and Careening Cove – Sydney Harbour.

It is unreasonable and unnecessary to require compliance with the height of buildings development standard due to the following reasons:

- The variation to the 8.5m height standard is a result of the existing site circumstances – lower floor level on the subject site with the maximum height of 10.5m being measured from the existing excavated ground level of the sub-floor storage area below the proposed upper-level addition. It is unreasonable to require compliance with the height standard as the proposed built form comfortably complies with the 8.5m height control when measured at the northern and southern side boundaries of the site, with a height of 7.5m-7.7m when measured at the side building elevations. The development in this regard presents a compliant building height when viewed from the adjoining properties and the public domain, with the variation being largely imperceptible outside of the site noting the variation is the result of an existing excavated sub-floor level.

The measurement of the building height from existing ground levels at the side boundaries is consistent with the assessment of building height applied by the Land and Environment Court under *Bettar v Council of City of Sydney* [2014] NSWLEC 1070. In this instance the proposal complies with the height control when measured in

accordance with the established LEC precedent with respect to measuring building height on already-developed sites.

The Land and Environment Court ruling in *Merman Investments Pty Ltd v Woollahra Municipal Council* [2021] NSWLEC 1582 established that the maximum building height can also be measured from the existing excavated ground level beneath an existing building [73]. Notwithstanding, the Court acknowledged in paragraph [74] of this ruling that the prior excavation of land within the footprint of an existing building can 'distort' the building height plane overlaid a sloping site and as such this constitutes an environmental planning ground within the meaning of Clause 4.6(3)(b) of the standard LEP. The environmental planning grounds which support the proposed variation are addressed further within the proceeding sections of this statement.

- The topography of the subject site also contributes to the proposed variation as the site has a significant fall from its street frontage to the foreshore/concrete seawall of 7.71m across the length of the site. It is unreasonable to require compliance with the standard as the varying elements are located central to the built form and will sit comfortably within the site given the slope of the land, and recessing of the upper-level addition from the northern elevation of the floor below.
- It is unnecessary to require compliance with the height standard as the proposed variation does not result in any significant environmental or amenity impacts when compared with a complying height. The proposal comfortably complies with the height control at the side elevations – interface with adjoining properties and as such the variation does not result in any bulk and scale, overshadowing, or visual impacts beyond that anticipated of a compliant development on the subject site.
- The height is suitable for the subject site and compatible with the planning objectives and intended outcomes for the site and the objectives of the R2 – Low Density Residential zone.

In line with the decisions in *Wehbe v Pittwater Council* [2007] NSWLEC 827 the proposal meets the first test as the objectives of the development standard are achieved notwithstanding the noncompliance.

There are sufficient environmental planning grounds to justify contravening the development standard

Pain J held in *Four2Five vs Ashfield Council* [2015] NSWLEC 90 that to satisfy clause 4.6(3)(b), a clause 4.6 variation must do more than demonstrate that the development meets the objectives of the development standard and the zone – it must also demonstrate that there are other environmental planning grounds that justify contravening the development standard, preferably being grounds that are specific to the site.

Preston CJ noted in *Initial Action Pty Ltd v Woollahra Municipal Council* [2018] NSWLEC 118, that in order for there to be 'sufficient' environmental planning grounds to justify a written request under clause 4.6, the aspect of the development that contravenes the development standard should be the focus (as opposed to the development as a whole) of any analysis.

Pursuant to clause 4.6(3)(b) of the LEP, there are sufficient environmental planning grounds to justify the variation to the height of buildings development standard because:

- The variation to the 8.5m height standard pursuant to the *North Sydney Local Environmental Plan 2013* is a result of the existing excavated ground level on the site, including an existing sub-floor level beneath the proposed upper-level bedroom addition. As established by the Court in its ruling in *Merman Investments Pty Ltd v Woollahra Municipal Council* the prior excavation of land beneath an existing building footprint can serve to distort the building height plane when applied to a sloping site, resulting in a non-compliant building height central to a site where otherwise the proposal would comply with the height control when measured at the sites boundaries.

In this instance, the existing excavated sub-floor level at the north-eastern portion of the site results in the protrusion of the upper-level bedroom addition above the 8.5m height control, whilst the perceptible height of the development comfortably complies with the height control at a height of 7.5m-7.7m when viewed from the adjoining properties to the east and west.

- The variation to the height standard is also partly the result of the topography of the subject site which has a fall from its street frontage to the foreshore of 7.71m. The roof form above the rooftop deck at Level 3 which varies the height control is located central to the site directly above a previously excavated portion of the site, noting the measurement of the building's height above the interpolated slope of the land results in compliance with the height control. The development is otherwise designed so that the built form generally sits within the 8.5m height control, with the upper level recessed from the northern foreshore elevations at the floors below.
- The portions of the building exceeding the height standard will not be visually discernible from the public domain being at the northern and north-eastern portions of the building and confined to the roof form and upper portion of the bedroom addition. In this case, the building form is suitable for the subject site and compatible with the planning objectives and intended outcomes of the objectives of the R2 – Low Density Residential zone.
- The variation to the height limit does not contribute to additional bulk and scale at the foreshore or adjoining properties noting these elements present a height of 7.5m-7.7m when measured at the side boundaries of the site, and would not otherwise be perceptible from Elamang Avenue – public domain. The varying elements will not result in unreasonable privacy impacts, overshadowing, or the loss of views/outlook from the adjoining properties.
- The proposed alterations and additions to the dwelling house including the portion exceeding the 8.5m height standard will not result in unreasonable overshadowing impacts to 25 Elamang Avenue. The proposal does not result in a reduction of existing solar access to living room windows or private open space meeting the controls at Part 1.3.7 of the North Sydney DCP.

- The variation in height is consistent with the following relevant aims of the *North Sydney LEP 2013* found at clause 1.2(2):
 - (2)(b)(i) The variation does not contribute significant additional bulk to the surrounding area with the resultant two storey built form on the site being consistent with that of the adjoining dwelling at 25 Elamang Avenue and other surrounding dwelling houses.
 - (2)(b)(ii) The variation being on a foreshore site does not adversely impact upon the visual qualities of Sydney Harbour noting the variation will not be highly perceptible from the waterway, and the varying element – upper level bedroom addition and roof form above terrace are adequately recessed from the foreshore elevation of the level below. The variation will not adversely impact upon the appearance of the development when viewed from Careening Cove.
 - (2)(c)(i) The portions of the development exceeding the height control do not result in unreasonable amenity impacts to adjoining properties or the public domain with regard to overshadowing, privacy or view loss.
 - (2)(e)(i) The variation to the height proposed in this development does not impede on the natural landscape of the locality. The proposal has been designed to conform to the topography of the site and utilise the existing footprint of the dwelling on the subject site to mitigate the impact upon the topography of the site. The variation is a result of site specific environmental constraints – existing excavated ground level and topography of the subject site.
 - (2)(e)(f) The proposal will not adversely impact upon the heritage significance of the nearby heritage items along Elamang Avenue.

- The variation in height is consistent with the following objects of the Environmental Planning and Assessment Act, 1979 as follows:
 - 1.3(c) – The proposal is an orderly and economic use of the site, and the development is largely consistent with the height standard with a contemporary built form that is compatibility with the desired future character of the locality, and the variation will not result in unreasonable amenity impacts,
 - 1.3(g) – The variation to the height control presents a good design outcome for the development, allowing for a recessed upper level addition and roof form above rooftop terrace that contribute to the residential amenity of the development.
 - 1.3(g) – The portion of the development exceeding the height control does not result in unreasonable amenity impacts to adjoining properties or the public domain with regard to overshadowing or loss of views.

Clause 4.6 (4)(a)(i) – The consent authority is satisfied that the applicant’s written request has adequately addressed the matters required to be demonstrated by subclause (3)

As demonstrated above, the proposed development has satisfied the matters required to be demonstrated in Clause 4.6(3) by providing a written request that demonstrates:

1. Compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, by establishing that the objectives of the development standard are achieved notwithstanding the non-compliance.
2. The environmental planning grounds relied on are sufficient to justify the development standard.

In accordance with the findings of Chief Justice Preston in *Initial Action Pty Ltd v Woollahra Municipal Council* [2018] NSWLEC 118, the Consent Authority under Clause 4.6(4)(a)(i) must only be satisfied that the request addresses Clause 4.6(3). Under Clause 4.6(4)(a)(i) the Consent Authority is not to determine in their opinion whether the request satisfies the requirements of Clause 4.6(3)(a) and (b), just that the request has been made and that these items have demonstrated.

The relevant items in Clause 4.6(3) have been demonstrated above.

The proposed development is in the public interest

In relation to clause 4.6(4)(a)(ii) of the LEP, the proposed development is in the public interest because it is consistent with the objectives of the applicable height of buildings standard and the objectives for development in the R2 Low Density Residential zone in accordance with the planning assessment provided as follows:

Objective	Consistency
<i>To provide for the housing needs of the community within a low density residential environment.</i>	The proposed alterations and additions provide for the housing needs of the residents of the subject site within a built form that is consistent with the surrounding character of the low-density residential environment with respect to scale.
<i>To enable other land uses that provide facilities or services to meet the day to day needs of residents</i>	N/A
<i>To encourage development of sites for low density housing, including dual occupancies, if such development does not compromise the amenity of the surrounding area or the natural or cultural heritage of the area.</i>	The proposal being for alterations and additions to an existing dwelling house does not compromise the amenity of the surrounding area with respect to visual impact, overshadowing, or privacy. The proposed development will not have a significant adverse impact upon the heritage significance of the nearby heritage items within the vicinity of the site.
<i>To ensure that a high level of residential amenity is achieved and maintained.</i>	The proposal achieves a high level of residential amenity for the existing dwelling providing improved internal amenity and interface with private open space areas on the site compared to that existing. Further, the proposal retains the

	existing landscaped area within the foreshore building line contributing to the landscape amenity of the subject site.
--	------------------------------------------------------------------------------------------------------------------------

In addition to the above reasons, the proposal is also in the public interest because:

- The development proposal presents a two-storey form to the foreshore and adjoining properties consistent with the character of the locality, and the proposed built form will not present unreasonable bulk and scale impacts to the public domain or adjoining properties,
- The resultant built form is well articulated and is a suitable built form – height for this site that is consistent with the context and scale of other development in the locality including the adjoining dwelling at 25 Elamang Avenue and other dwellings at 15-19 Elamang Avenue.
- The development is generally within the 8.5m height standard at the interface with the adjoining properties being a suitable form and scale of development that is consistent with the envisioned character of development within the R2 Low Density Residential zone.

Taking into consideration the above, the proposed development is in the public interest as it is consistent with the objectives of the development standard and the R2 Low Density Residential zone under the *North Sydney Local Environmental Plan 2013*.

The variation to the 8.5m building height standard is confined to the roof form above the Level 3 terrace and upper portion of the bedroom addition. The proposal does not attempt to affect the intended planning outcome for the locality, rather the works are consistent with the envisioned scale and form of development planned for the site.

For these reasons, the proposal and the variation does not undermine the integrity of the building height development standard and its objectives, as well as the zoning objectives which have been adopted by Council as being in the public interest.

The concurrence of the Secretary

Clause 4.6(4)(b) of the LEP requires the concurrence of the Secretary (of the Department of Planning, Industry and Environment) before the consent authority can exercise the power to grant development consent for development that contravenes a development standard.

In deciding whether to grant concurrence, the Secretary is required to consider the following:

- (a) whether contravention of the development standard raises any matter of significance for State or regional environmental planning, and*
- (b) the public benefit of maintaining the development standard, and*
- (c) any other matters required to be taken into consideration by the Secretary before granting concurrence.*

- a) The proposal is not likely to raise any matter of significance for State or regional environmental planning. As addressed above the variation is consistent with the 8.5m height standard pursuant to the *North Sydney Local Environmental Plan 2013*. The proposal is considered to be in the public interest because the proposed development is consistent with the objectives of the height standard and the objectives of the R2 Low Density Residential zone.
- b) The public benefit of maintaining the development standard is not considered significant because the building is consistent with the 8.5m height standard contained in *North Sydney Local Environmental Plan 2013*.
- c) The portions of the development exceeding the height control will not be visually discernible or generate unreasonable additional overshadowing or amenity impacts upon the adjoining properties.

Accordingly, the proposal is consistent with the matters required to be taken into consideration before concurrence can be granted under clause 4.6(5) of the LEP. The exceedance of the standard will not result in adverse amenity impacts and is in the public interest.

Conclusion

The development proposal has a variation to the 8.5m building height control contained in Clause 4.3 of the *North Sydney LEP 2013*; notwithstanding, the proposal has been designed with a built form that is consistent with the intent of the height standard and is suitable for the subject site.

The variation to the building height standard does not attempt to affect the planning outcome for the broader locality; rather the proposed variation and overall development is consistent with the scale and form of development planned for the locality.

The elements which vary the height control will not be visually dominant from the foreshore or adjoining properties, and the variation is a direct result of measurement of the maximum building height from the existing excavated sub-floor level on the site, noting the height of the built form at the side boundaries comfortably complies with the 8.5m control. The proposal will not impact upon the public domain or adjoining properties and will not generate unreasonable overshadowing or amenity impacts.

The application to vary the 8.5m building height development standard pursuant to *North Sydney Local Environmental Plan 2013* is well founded and, as addressed above, the proposed height meets the objectives of the building height development standard. The proposal achieves an acceptable design that does not result in unreasonable visual, or amenity impacts upon surrounding properties and is a desirable outcome in terms of built form for the site and locality.

In accordance with the environmental planning grounds addressed in this clause 4.6 variation, the building height can be supported.

Chapman Planning Pty Ltd

list of abbreviations

- A/C air conditioning
- AFFL above finished floor level
- AL aluminium
- ALB aluminium battens
- ALSD aluminium sliding door
- AS adjustable shelf
- AW aluminium window
- BAL balustrade
- BALC balcony
- BLWK block work
- BLWK block work faced
- BS bath spout
- BSN basin
- BWBP brickwork bagged & painted
- BWF brickwork faced
- COF concrete - off form
- OPS concrete - polished & sealed
- CST concrete - steel trowel finish
- CONC concrete
- COS check on site
- CCTV closed circuit TV
- CFC compressed fibre cement
- CHS circular hollow section
- COL column
- CPD cupboard
- CPT carpet
- CR cement render
- CT ceramic tile
- CTP cooktop
- DP down pipe
- DPC damp proof course
- DRY dryer
- DR drawer
- DW dishwasher
- EDS electrical switch board
- EQ equal
- EX existing
- F fridge
- FC fibrous cement sheet
- FCL finished ceiling level
- FFL finished floor level
- FGL finished ground level
- FP fixed panel
- FW floor waste
- G glass / glazing
- GBL glass balustrade
- GL glass louvre
- GO glass obscure
- GALV galvanised
- GD grated drain
- GPO general purpose outlet
- HR hanging rail
- HT hose tap
- HTR heated towel rail
- HWU hot water unit
- LAM laminate
- LV louvre
- MB metal balustrade
- MDF medium density fibreboard
- M mirror
- MPBR membrane pebble ballast roof
- MR metal roof
- MSB main switch board
- MS metal sheeting
- MT mosaic tile
- O diameter
- OF over/flow
- OS open shelf
- PAV paving
- PB plasterboard
- PBR plasterboard fire resistant 90/90/90
- PBM plasterboard moisture resistant
- PLY plywood
- PNT paint
- PU polyurethane
- RH range hood
- RHS rectangular hollow section
- RL reduced level
- RWH rainwater head
- RWO rainwater outlet
- SD smoke detector
- SED structural engineers detail
- SH shutters
- SHA shutters automated
- SHR shower
- SK skirting
- SP set plaster
- SPM set plaster moisture resistant
- SS stainless steel
- ST stone
- STL steel
- T timber
- TB timber battens
- TF timber frame
- TFB timber floorboards
- THR timber handrail
- TOP top of fence
- TOW top of wall
- TR tiled roof
- TS timber screen
- US underside
- VN veneer timber
- WB weatherboards
- WC water closet
- WM washing machine
- WPM water proof membrane

BASIX commitments

BLACK COAST COMMUNITY RESERVE

Partners and systems			Shown on DA Plans	Shown on CDC/DCD Plans & specs	Detailer Check	
Hot water						
The applicant must install the following hot water system as the development: electric tankless pump system that is eligible to receive Performance Energy Certificate under the (Electricity) Regulatory and the (Electricity) Amendment Regulations 2005 (No. 2).						
Lighting						
The applicant must install a minimum of 40% of Area of Floor or glazed area covered with standard compact fluorescent or light emitting diode (LED) lighting.						
Factors						
The applicant must ensure that all external aluminium work is finished with standard compact fluorescent or light emitting diode (LED) lighting.						
The applicant must ensure that all external aluminium work is finished with standard compact fluorescent or light emitting diode (LED) lighting.						
Construction						
The applicant must install the work as shown (Construction Plans) etc. and comply with the provisions of the applicable codes of practice as indicated in the table below or additional standards or regulations where the area of new construction is less than 200 sq m. In addition, applicants must comply with the provisions of the applicable codes of practice as indicated in the table below.						
Construction	Additional provision required (if any)	Other specifications				
concrete - with or without form	nil					
stone/stone masonry/concrete blockwork	nil					
metallic steel - structural	AS 1300/AS 1301 for structural connections					
metallic steel - non-structural	AS 1300/AS 1301 for structural connections					
roof cladding - pitched/flat	cladding AS 4600 (incl. cold chime) or equivalent (AS 4600) (AS 4600)	Minimum colour absorbance 0.675 @ 0.75 m				
roof cladding - flat	cladding AS 4600 (incl. cold chime) or equivalent (AS 4600) (AS 4600)	Minimum colour absorbance 0.675 @ 0.75 m				
Glazing requirements						
Windows and glazed doors						
The applicant must install the windows, glazed doors and sliding devices, in accordance with the specifications listed in the table below. Reverse overhang specifications must be checked for each window and glazed door.						
The following requirements must also be included in relation to each window and glazed door:						
Each window or glazed door with standard aluminium or timber frames and single clear or tinted glass may either match the description, or have a U-value and a Solar Heat Gain Coefficient (SHGC) no greater than that listed in the table below. Total system U-values and SHGCs must be calculated in accordance with National Performance Rating Council (NPRC) conditions.						
Each window or glazed door with improved frames, or systems like a glass or clear air gap near glazing or tinted air gap/near glazing must have a U-value and a Solar Heat Gain Coefficient (SHGC) no greater than that listed in the table below. Total system U-values and SHGCs must be calculated in accordance with National Performance Rating Council (NPRC) conditions. The description is provided for information only. Alternative systems with complying U-value and SHGC may be substituted.						
For projections developed in eaves, the leading edge of each panel, pergola, veranda, balcony or awning must be no more than 100 mm above the head of the window or glazed door and no more than 2400 mm above the sill.						
Pergolas with polycarbonate roof or similar translucent material must have a shading coefficient of less than 0.35.						
External louvre sunblinds must fully shade the window or glazed door beside which they are situated when fully down or closed.						
Pergolas with louvre blinds must have louvre blades parallel to the window or glazed door above which they are situated, unless the pergola has shades a perpendicular window. The spacing between blades must not be more than 50 mm.						
Disambiguating buildings or vegetation within the height and distance from the centre and the base of the window and glazed door, as specified in the table below.						
Windows and glazed doors glazing requirements						
Window / door No.	Orientation	Area of glass (sq. m)	Overhang Height (m)	Distance (m)	Shading device	Frame and glass type
W1.01	NE	7.58	0	0	external louvre blind (fixed)	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
W1.02	NE	0.04	0	0	external louvre blind (fixed)	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
W1.03	NE	5.93	0	0	external louvre blind (fixed)	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
W1.04	NE	98	0	0	external louvre blind (fixed)	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
W2.01	SW	2.76	0	0	external louvre blind (fixed)	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
W2.02	SW	2.97	0	0	external louvre blind (fixed)	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
W2.03	NW	8.01	0	0	external louvre blind (fixed)	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
W2.04	NW	12.81	0	0	external louvre blind (fixed)	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
W2.05	SW	0.14	0	0	external louvre blind (fixed)	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
W2.06	SW	2.46	0	0	external louvre blind (fixed)	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
W2.07	NE	8.32	0	0	external louvre blind (fixed)	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
W2.08	SE	0.89	0	0	external louvre blind (fixed)	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
W2.09	SE	2.34	0	0	external louvre blind (fixed)	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
W2.10	NE	2.34	0	0	external louvre blind (fixed)	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
W2.11	NE	17.19	0	0	external louvre blind (fixed)	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
W2.12	NE	2.43	0	0	external louvre blind (fixed)	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
W2.13	SW	1.80	0	0	external louvre blind (fixed)	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
W2.14	SE	4.13	1.8	1.5	external louvre blind (fixed)	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
W2.15	SE	2.16	1.8	1.5	external louvre blind (fixed)	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
W2.16	SE	1.73	1.8	1.5	external louvre blind (fixed)	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
W2.17	SE	1.51	1.8	1.5	external louvre blind (fixed)	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
W3.01	SW	8.75	0	0	external louvre blind (fixed)	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
W3.02	SW	3.22	0	0	external louvre blind (fixed)	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
W3.03	SW	3.27	0	0	external louvre blind (fixed)	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
W3.04	NW	2.3	0	0	external louvre blind (fixed)	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
W3.05	NW	2.3	0	0	external louvre blind (fixed)	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
W3.06	NW	2.3	0	0	external louvre blind (fixed)	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
W3.07	NW	2.3	0	0	external louvre blind (fixed)	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)

drawing list

No.	Drawing Name	Current Rev
A2 Cover Sheet		
CDC00	Cover Sheet	01
A2 Documentation Sheet		
CDC01	Site Plan	01
CDC02	Existing Level 1 Demolition Plan	01
CDC03	Existing Level 2 Demolition Plan	01
CDC04	Proposed Level 1 Plan	01
CDC05	Proposed Level 2 Plan	01
CDC06	Proposed Level 3 Plan	01
CDC07	Roof Plan	01
CDC08	Western & Eastern Elevations	01
CDC09	Northern & Southern Elevations	01
CDC10	Section A, B & C	01
CDC11	Landscape & GFA Calculations	01
CDC12	Exterior Finishes	01

Proposed Street Perspective



site location, sixmaps

Window / door No.	Orientation	Area of glass (sq. m)	Overhang Height (m)	Distance (m)	Shading device	Frame and glass type
W3.08	NW	2.3	0	0	external louvre blind (fixed)	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
W3.09	NW	2.3	0	0	external louvre blind (fixed)	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
W3.10	NW	2.3	0	0	external louvre blind (fixed)	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
W3.11	NE	9.51	0	0	external louvre blind (adjustable)	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
W3.12	NE	2.63	0	0	external louvre blind (adjustable)	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
W3.13	SE	1.44	0	0	external louvre blind (fixed)	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
W3.14	SE	4.26	0	0	external louvre blind (fixed)	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)

01	22/02	Complying Development Certificate Issue - for consultation
----	-------	------------------------------------------------------------

PRIVATE CERTIFIERS AUSTRALIA
Complying Development Certificate
Reference: 220122/01
Date: 11/07/2022
Rhiannon Thurlow
Building Surveyor Restricted
BDC 2762

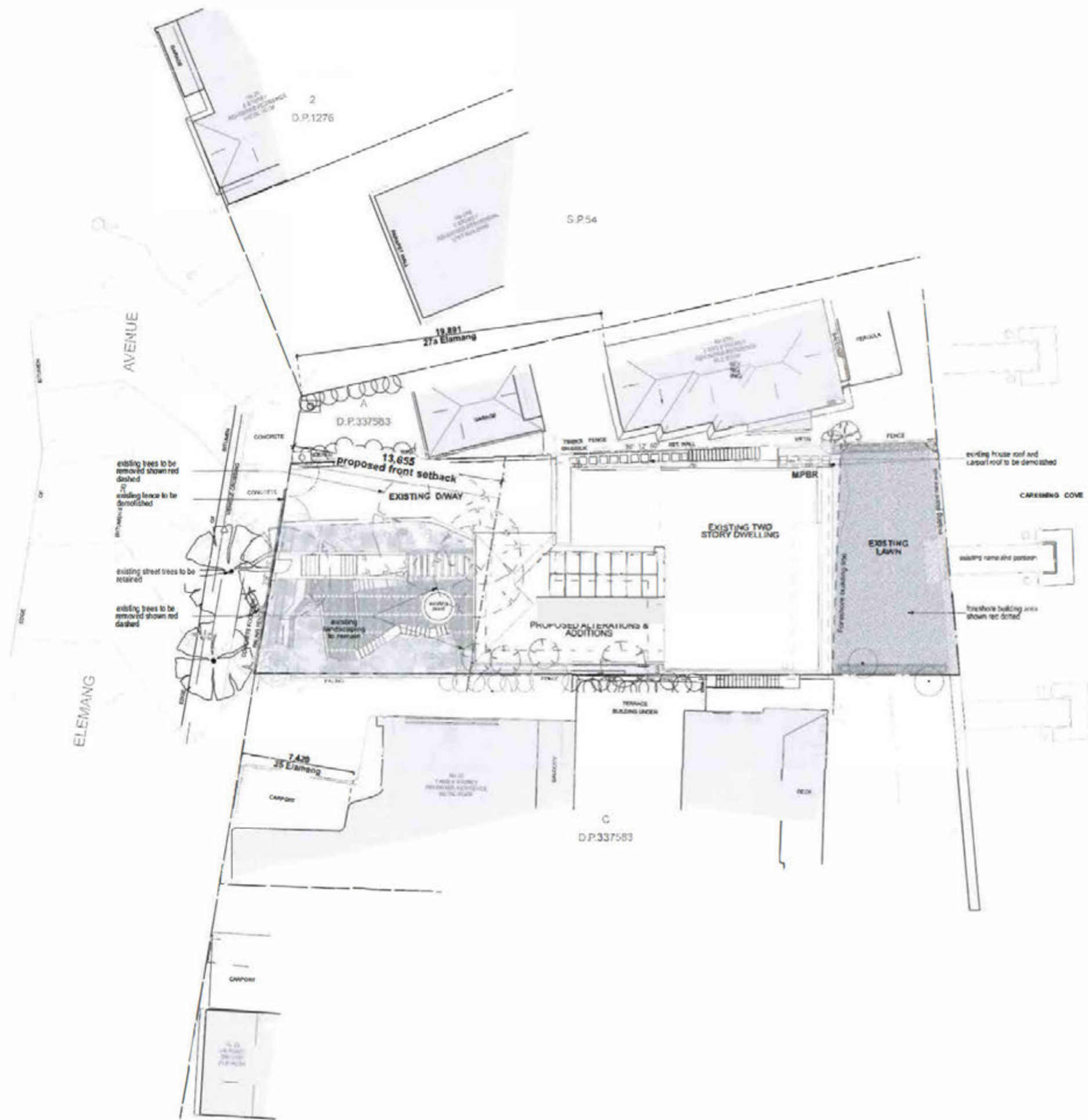
Complying Development Certificate

White Residence Kirribilli

at
27 Elamang Avenue, Kirribilli
for
John and Bianca White

CORBEN ARCHITECTS
PO Box 1021 Penrith Bay NSW 2099 Australia
02 9904 1894
mail@corben.com.au
corben.com.au
Nominated Architect P19 Corben (Reg No 4115)

job no.	WHK	dwg no.	CDC01
drawn	JM	revision	01
checked	PC		
scale			



FRONT SETBACK CALCULATION

27a Elamang Ave:	10.89m
25 Elamang Ave:	7.42m
Average front setback:	$(10.89 + 7.42) \div 2 = 13.655m$
Proposed Setback:	13.655m

CDC COMPLIANCE TABLE

	CONTROL	PROPOSED	COMPLIANCE
SITE AREA	NA	426.0m ²	NA
GFA	330m ²	329.2m ²	YES
HEIGHT	8.5m	7.3m	YES
FRONT SETBACK	(average of 2 neighbours - 8m above calculation)	13.655m	YES
SIDE SETBACK LEVEL 1	0.9m	1.6m	YES
SIDE SETBACK LEVEL 2	1.6m @ 8.3m (refer to section)	1.6m (refer to section)	YES
REAR SETBACK	8.0m	(T/C)	NA
POS	24m ²	>24m ²	YES
LANDSCAPE AREA	30% or 106.0m ²	30.7% or 180.23m ²	YES

- NOTES:**
- Smoke alarms are to be installed in accordance with AS 3786 & NCC 3.7.2 - smoke alarms
 - CDC plans are FOR CONSTRUCTION unless noted otherwise
 - should any conflicts be found in the documentation contact the architect immediately
 - Project Structural Engineer: Greg Zaccone of G Z Consulting Engineers
 - Project Hydraulic Engineer: Kimi Zhang of Triaxial Consulting

wall type legend

	existing wall to be demolished
	existing wall to remain
	proposed wall
	proposed alterations and additions
	existing dwelling footprint

PRIVATE CERTIFIERS AUSTRALIA
 Complying Development Certificate
 Reference: 220122/01
 Date: 11/07/2022
 Rhiannon Thurlow
 Building Surveyor Restricted
 BDC 2762

Any discrepancies to be brought to Architect's attention
 Use figure dimensions in preference to scaling
 Only scale under direction from Architect
 Builder to examine site and verify conditions and dimensions
 This drawing remains the property of the architect
 Client is granted conditional license to use the drawings
 Transfer of license is prohibited
 Architect reserves the right to terminate the license
 Electronic data transfer should be scanned for viruses before use
 Any loss or damage (including consequential damage) caused to
 the recipient of electronic data, by its direct or indirect use, is not
 the liability of the architect
 Refer to hard copies for accuracy of electronic data
 Copyright reserved by the Architect

revisions

Rev	Date	Description
01	20/6/22	Complete Complying Development Certificate - for construction

notes



CORBEN ARCHITECTS
 PO Box 1021 Neutral Bay NSW 2059 Australia
 02 9501 1814
 info@corben.com.au
 0420162716

project #Project Description
address 27 Elamang Avenue
 Kirribilli NSW
client John and Bianca White

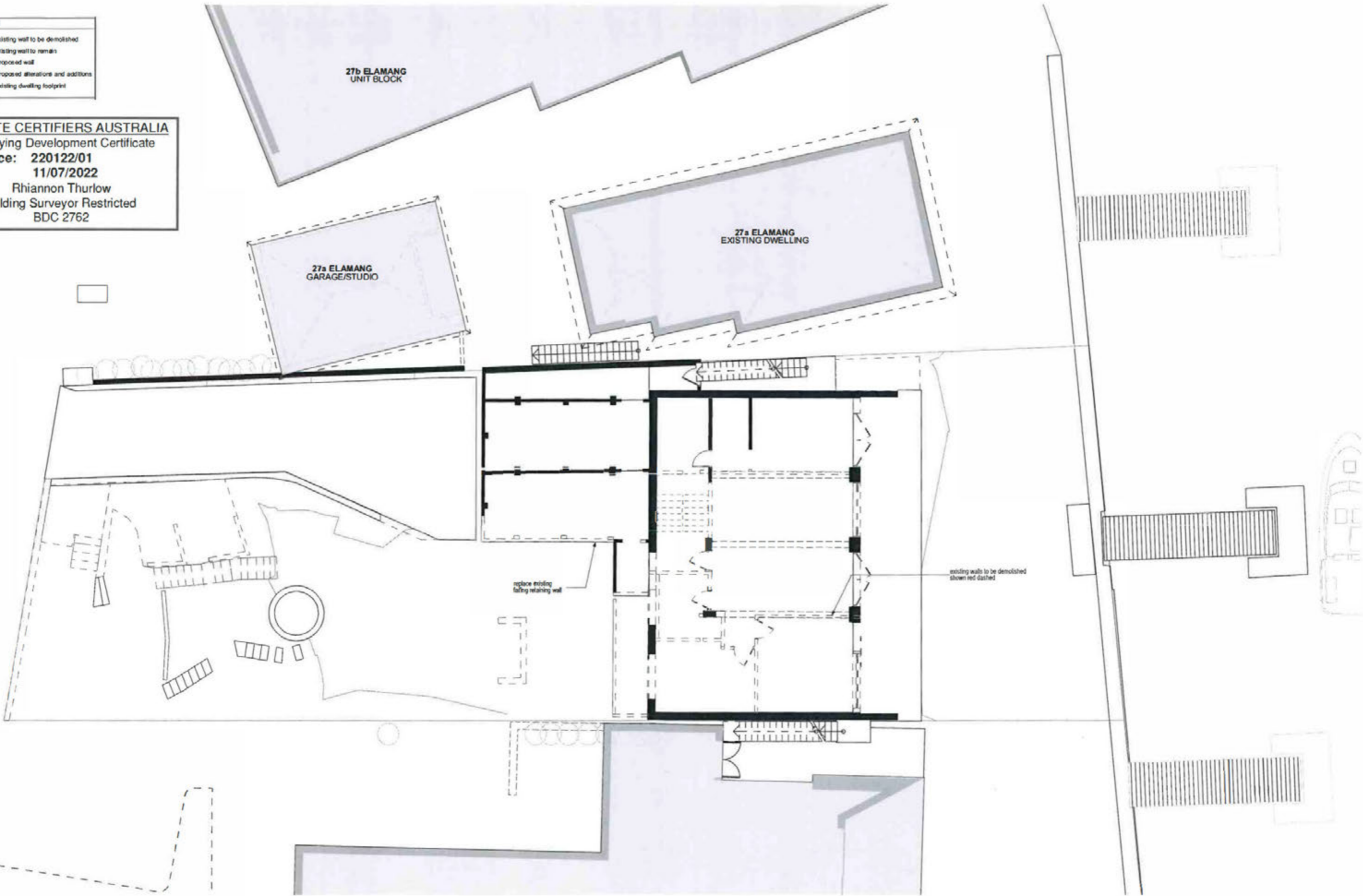
title Site Plan
issue Complying Development

job no. WHK
drawn JM
checked PC
scale 1:200
 1:100
dwg no. CDC01
revision 01

wall type legend

	existing wall to be demolished
	existing wall to remain
	proposed wall
	proposed alterations and additions
	existing dwelling footprint

PRIVATE CERTIFIERS AUSTRALIA
 Complying Development Certificate
Reference: 220122/01
Date: 11/07/2022
 Rhiannon Thurlow
 Building Surveyor Restricted
 BDC 2762



Any discrepancies to be brought to Architect's attention
 Use figure dimensions in preference to scaling
 Only scale under direction from Architect
 Builder to examine site and verify conditions and dimensions
 This drawing remains the property of the architect
 Client is granted conditional license to use the drawings
 Transfer of license is prohibited
 Architect reserves the right to terminate the licence
 Electronic data transfer should be scanned for viruses before use
 Any loss or damage (including consequential damage) caused to
 the recipient of electronic data, by its direct or indirect use, is not
 the liability of the architect
 Refer to hard copies for accuracy of electronic data
 Copyright reserved by the Architect

revisions

Rev	Date	Description
01	20/02	Complying Development Certificate issue - for construction

notes

CORBEN ARCHITECTS
 PO Box 1021 Neutral Bay NSW 2059 Australia
 02 9504 1844
 info@corben.com.au
 corben.com.au
 Designation: Registered Professional (Reg. No. 6423)

project #Project Description
address 27 Elamang Avenue Kirribilli NSW
client John and Bianca White

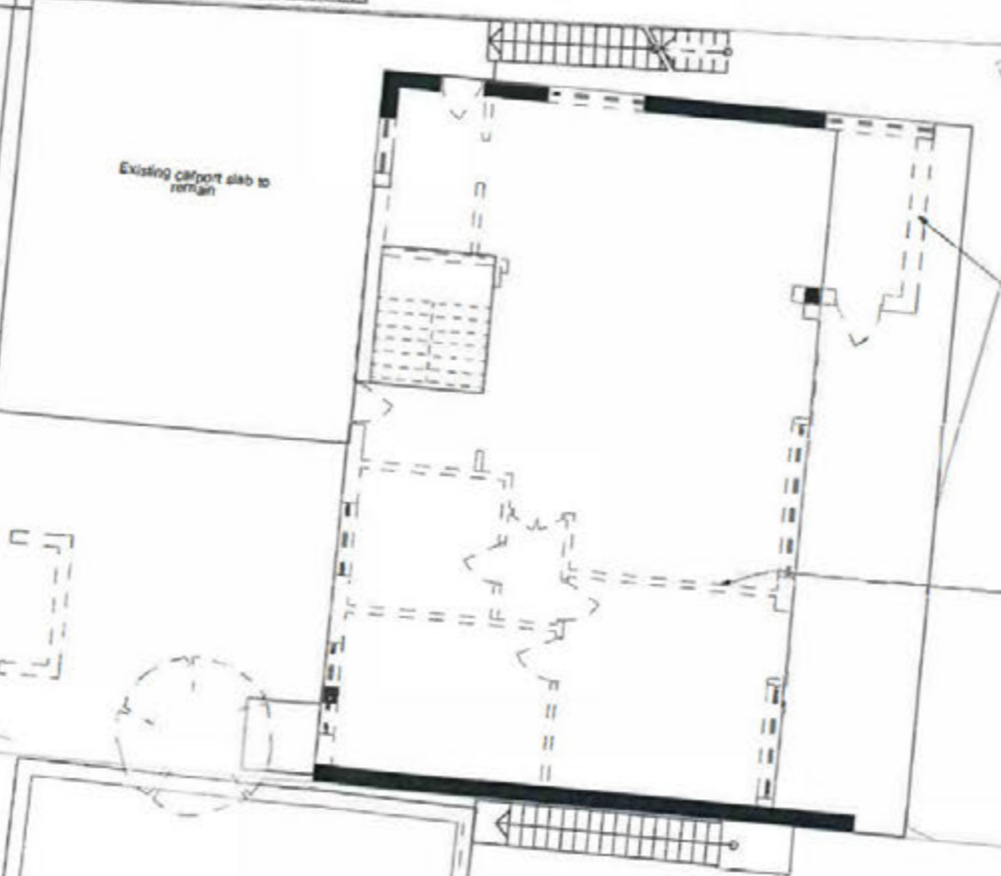
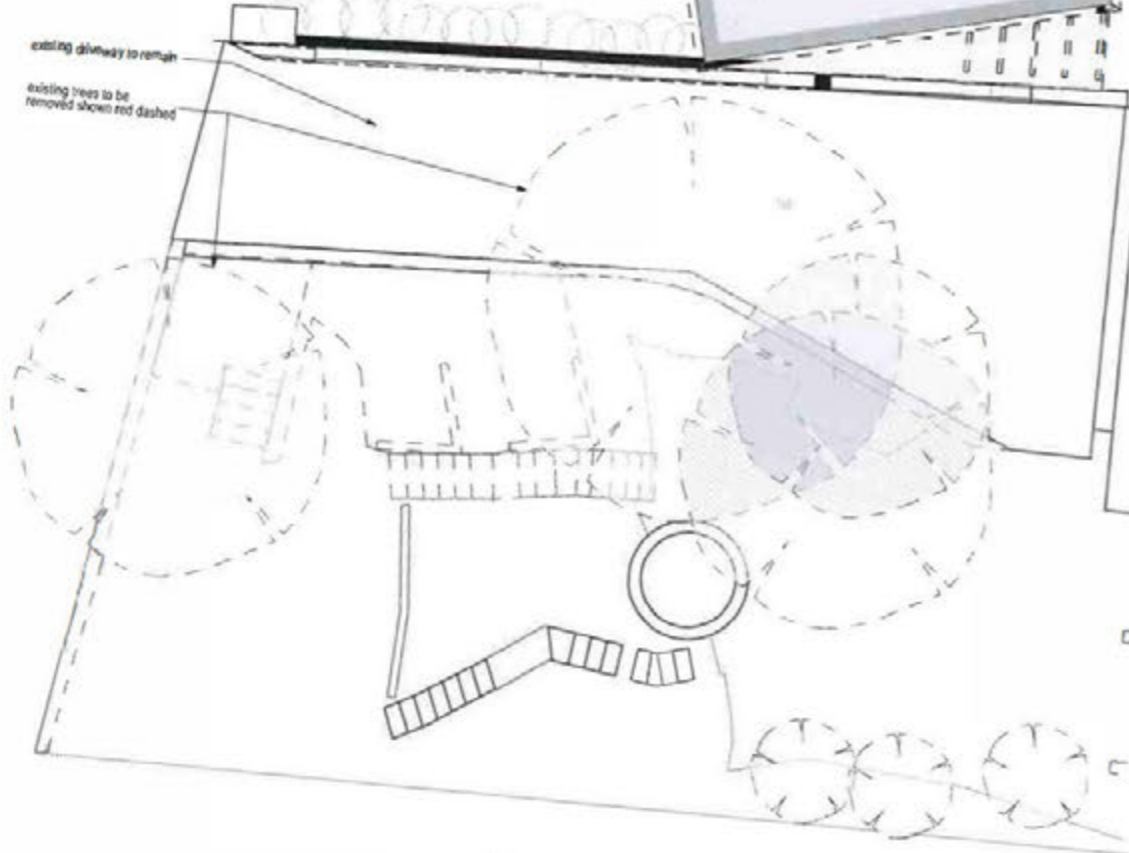
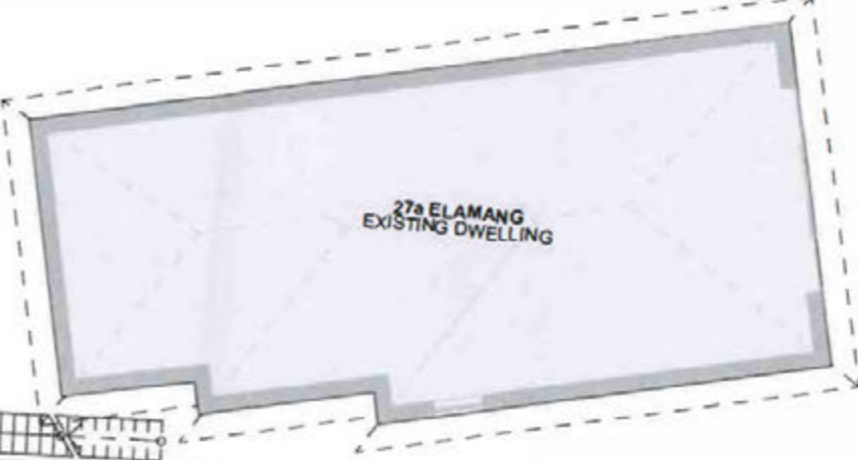
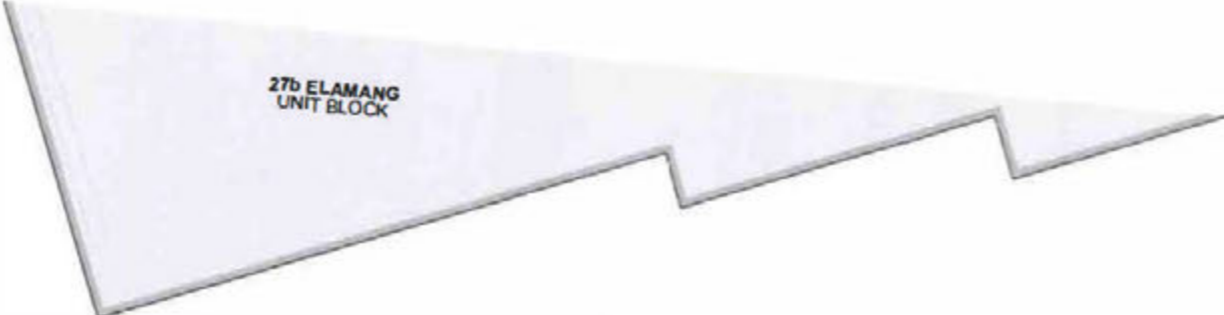
title Existing Level 1 Demolition Plan
issue Complying Development

job no. WHK
drawn JM
checked PC
scale 1:100

dwg no. CDC02
revision 01

existing wall to be demolished
 existing wall to remain
 proposed wall
 proposed alterations and additions
 existing dwelling footprint

PRIVATE CERTIFIERS AUSTRALIA
 Complying Development Certificate
 Reference: 220122/01
 Date: 11/07/2022
 Rhiannon Thurlow
 Building Surveyor Restricted
 BDC 2762



discrepancies to be brought to Architect's attention
 figure dimensions in preference to scaling
 scale under direction from Architect
 er to examine site and verify conditions and dimensions
 drawing remains the property of the architect
 it is granted conditional license to use the drawings
 er of license is prohibited
 ect reserves the right to terminate the licence
 es or damage (including consequential damage) caused to
 pment of electronic data, by its direct or indirect use, is not
 bility of the architect
 o hard copies for accuracy of electronic data
 2022 Copyright for Rhiannon Thurlow

Rev	Date	Description
01	20/6/22	Complying Development Certificate Issue - for construction

notes



CORBEN ARCHITECTS
 PO Box 1021 Rhiannon Bay NSW 2202 Australia
 02 9501 1811
 info@corben.com.au
 2022/07/22/01

project #Project Description
address 27 Elamang Avenue
 Kirribilli NSW
client John and ...

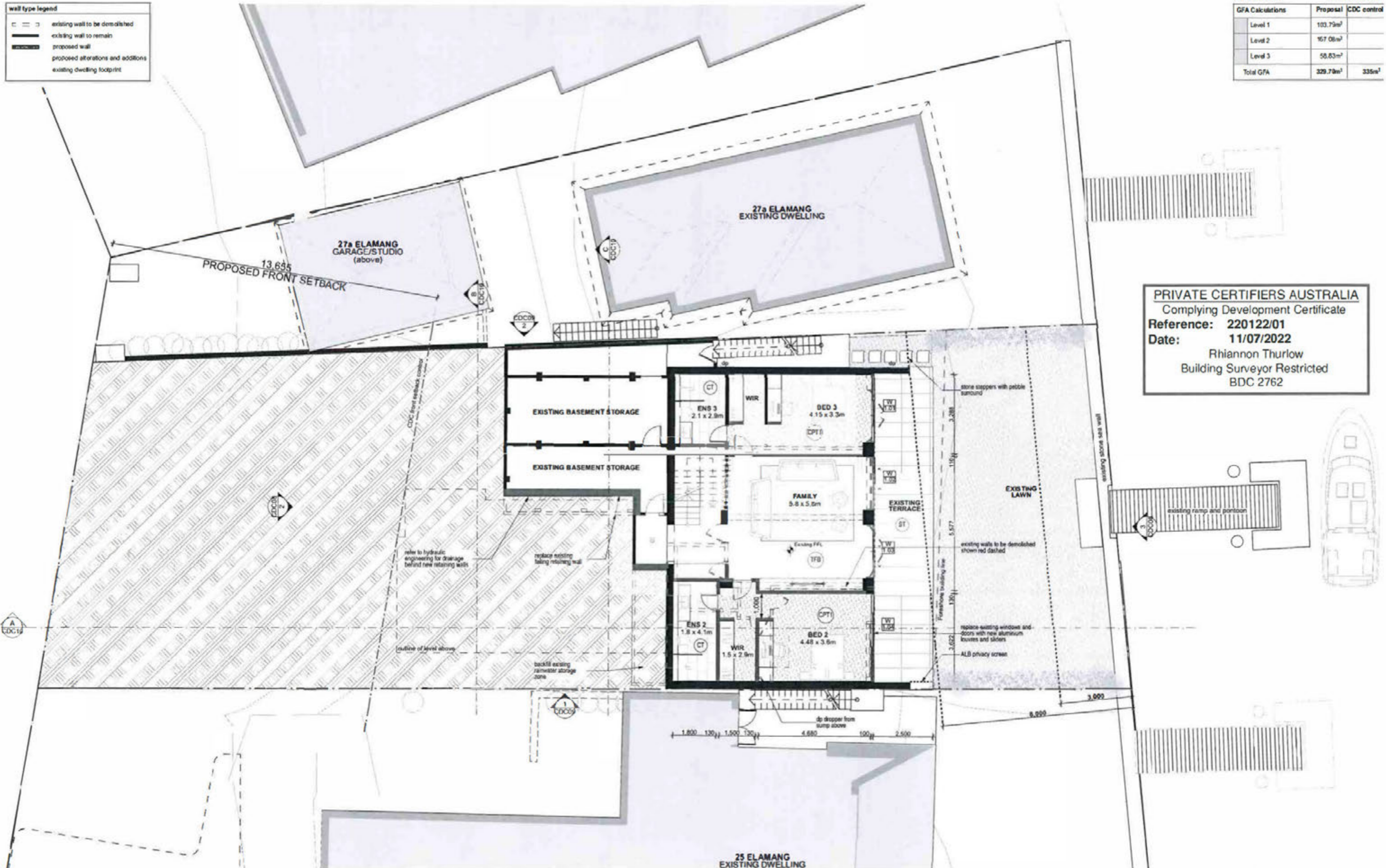
title Existing Level 2
 Demolition Plan

job no. WHK
drawn JM

dwg no. CDC03

CDC PROPOSAL		Site Area: 628.9m ²
GFA Calculations	Proposal	CDC control
Level 1	103.79m ²	
Level 2	167.08m ²	
Level 3	58.83m ²	
Total GFA	329.70m²	335m²

wall type legend	
	existing wall to be demolished
	existing wall to remain
	proposed wall
	proposed alterations and additions
	existing dwelling footprint



PRIVATE CERTIFIERS AUSTRALIA
 Complying Development Certificate
Reference: 220122/01
Date: 11/07/2022
 Rhiannon Thurlow
 Building Surveyor Restricted
 BDC 2762

Any discrepancies to be brought to Architect's attention
 Use figure dimensions in preference to scaling
 Only scale under direction from Architect
 Builder to examine site and verify conditions and dimensions
 This drawing remains the property of the architect
 Client is granted conditional license to use the drawings
 Transfer of license is prohibited
 Architect reserves the right to terminate the license
 Electronic data transfer should be scanned for viruses before use
 Any loss or damage (including consequential damage) caused to
 the recipient of electronic data, by its direct or indirect use, is not
 the liability of the architect
 Refer to hard copies for accuracy of electronic data
 Copyright Reserved by the Architect

Rev	Date	Description
01	20/07/22	Complying Development Certificate Issue - for construction

notes

refer to hydraulic engineering for drainage behind new retaining walls

replace existing failing retaining wall

backfill existing rainwater storage zone

outline of level above

replace existing windows and doors with new aluminium louvers and sliders

ALB privacy screen

existing walls to be demolished shown red dashed

stone steps with pebble surround

existing ramp and pontoon

existing above slab wall

dp dropper from pump above

CORBEN ARCHITECTS

PO Box 1021 Neutral Bay NSW 2062 Australia
 02 9204 1804
 info@corben.com.au
 corben.com.au

Registered Architect Prop Corben Reg No 4416

project	#Project Description
address	27 Elamang Avenue Kirribilli NSW
client	John and Bianca White

title	Proposed Level 1 Plan
issue	Complying Development

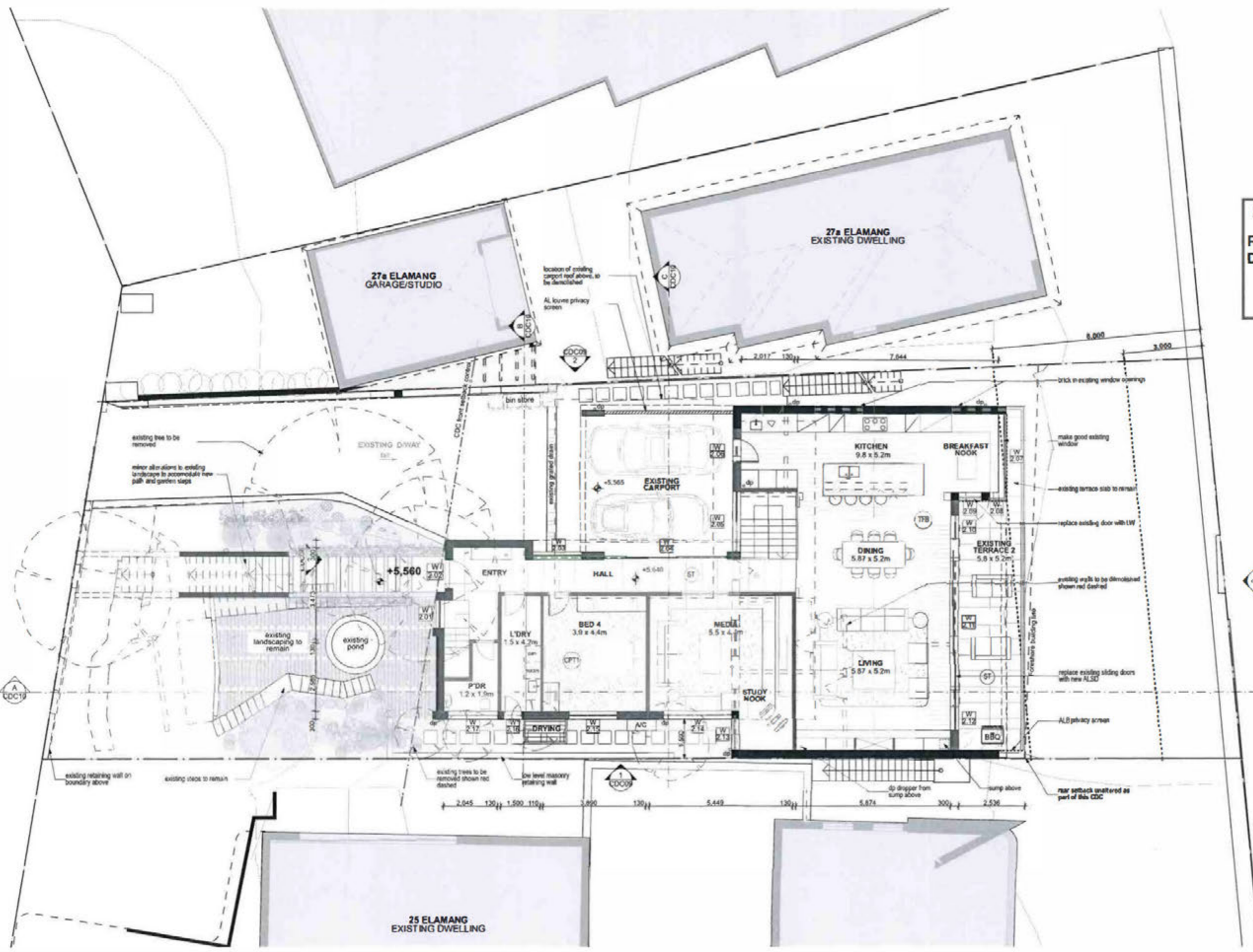
job no.	WHK
drawn	JM
checked	PC
scale	1:100

dwg no.	CDC04
revision	01

CDC PROPOSAL		Site Area: 626.9m ²
GFA Calculations	Proposal	CDC control
Level 1	103.79m ²	
Level 2	167.08m ²	
Level 3	58.83m ²	
Total GFA	329.70m²	335m²

wall type legend	
	existing wall to be demolished
	existing wall to remain
	proposed wall
	proposed alterations and addition existing dwelling footprint

PRIVATE CERTIFIERS AUSTRALIA
 Complying Development Certificate
Reference: 220122/01
Date: 11/07/2022
 Rhiannon Thurlow
 Building Surveyor Restricted
 BDC 2762



Any discrepancies to be brought to Architect's attention
 Use figure dimensions in preference to scaling
 Only scale under direction from Architect
 Builder to examine site and verify conditions and dimensions
 This drawing remains the property of the architect
 Client is granted conditional license to use the drawings
 Transfer of license is prohibited
 Architect reserves the right to terminate the licence
 Electronic data transfer should be scanned for viruses before use
 Any loss or damage (including consequential damage) caused to
 the recipient of electronic data, by its direct or indirect use, is not
 the liability of the architect
 Refer to hard copies for accuracy of electronic data
 Provided pursuant to the Architect

revisions		
Rev	Date	Description
01	20/02/22	Complying Development Certificate issue - for construction

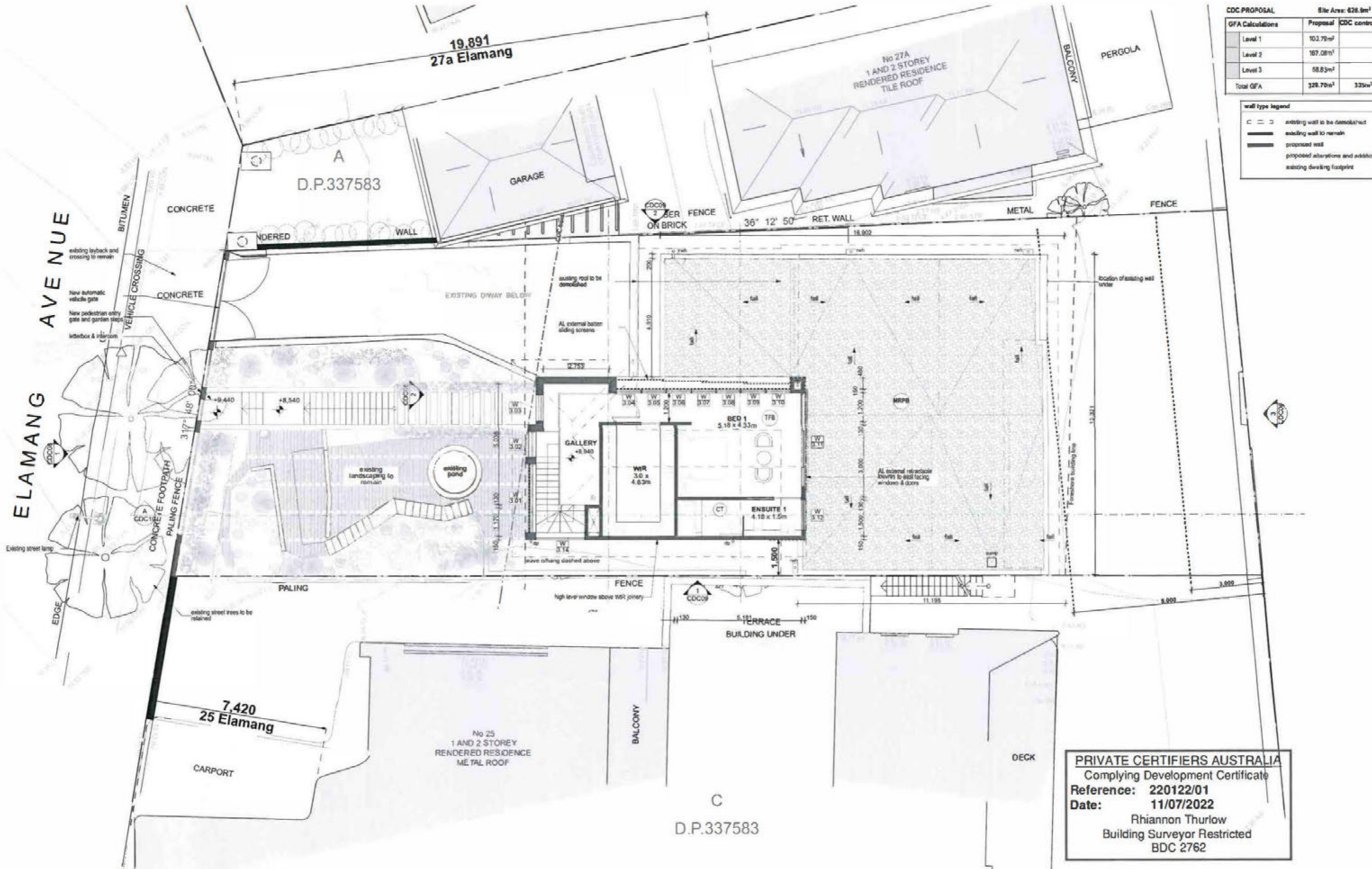
notes

CORBEN ARCHITECTS
 PO Box 1021 Neutral Bay NSW 2009 Australia
 02 9504 1841
 info@corben.com.au
 corben.com.au
 Neutral Bay NSW Australia

project #Project Description
address 27 Elamang Avenue Kirribilli NSW
client John and Bianca White

title Proposed Level 2 Plan
issue Complying Development

job no. WHK
drawn JM
checked PC
scale 1:100
dwg no. CDC05
revision 01



CDC PROPOSAL		Site Area: 628.8m ²
GFA Calculations	Proposal	CDC control
Level 1	103.79m ²	
Level 2	167.08m ²	
Level 3	58.83m ²	
Total GFA	329.70m²	329m²

wall type legend

- existing wall to be demolished
- existing wall to remain
- proposed wall
- proposed alterations and additions
- existing dwelling footprint

PRIVATE CERTIFIERS AUSTRALIA
 Complying Development Certificate
 Reference: 220122/01
 Date: 11/07/2022
 Rhiannon Thurlow
 Building Surveyor Restricted
 BDC 2762

Any discrepancies to be brought to Architect's attention
 Use figure dimensions in preference to scaling
 Only scale under direction from Architect
 Builder to examine site and verify conditions and dimensions
 This drawing remains the property of the architect
 Client is granted conditional license to use the drawings
 Transfer of license is prohibited
 Architect reserves the right to terminate the license
 Electronic data transfer should be scanned for viruses before use
 Any loss or damage (including consequential damage) caused to
 the recipient of electronic data, by its direct or indirect use, is not
 the liability of the architect
 Refer to hard copies for accuracy of electronic data
 Provided pursuant to this Agreement

Rev	Date	Description
01	20/07/22	Complying Development Certificate Issue for construction

notes

CORBEN ARCHITECTS
 PO Box 1021 Nyngan Bc NSW 2589 Australia
 08 7924 1674
 www.corben.com.au
 corben@corben.com.au

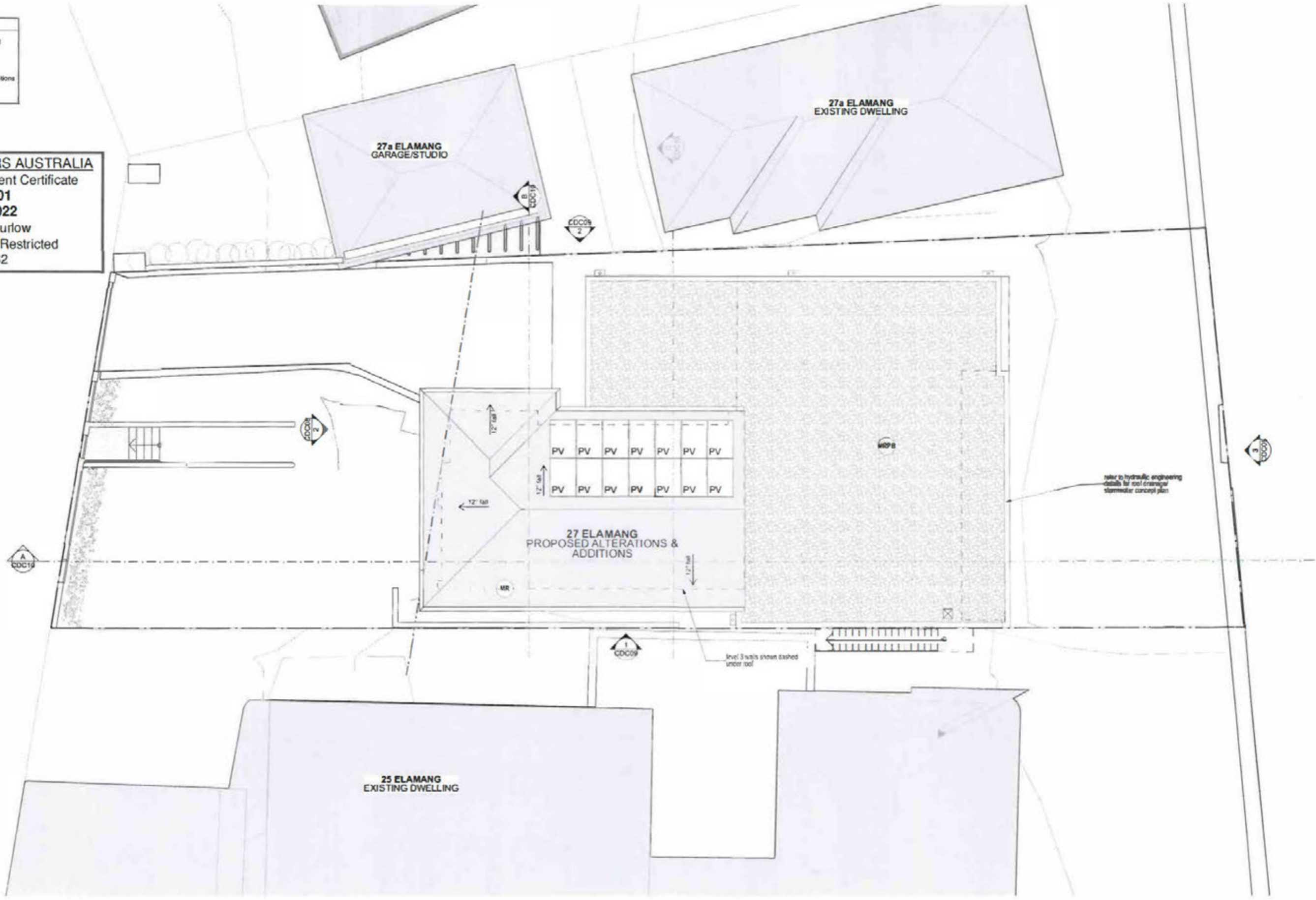
project #Project Description
address 27 Elamang Avenue
 Kiribilli NSW
client John and Bianca White

title Proposed Level 3 Plan
job no. WHK
drawn JM
checked PC
scale 1:100
Issue Complying Development

dwg no. CDC06
revision 01

wall type legend	
	existing wall to be demolished
	existing wall to remain
	proposed wall
	proposed alterations and additions
	existing dwelling footprint

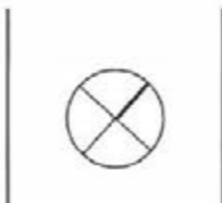
PRIVATE CERTIFIERS AUSTRALIA
 Complying Development Certificate
Reference: 220122/01
Date: 11/07/2022
 Rhiannon Thurlow
 Building Surveyor Restricted
 BDC 2762



Any discrepancies to be brought to Architect's attention
 Use figure dimensions in preference to scaling
 Only scale under direction from Architect
 Builder to examine site and verify conditions and dimensions
 This drawing remains the property of the architect
 Client is granted conditional license to use the drawings
 Transfer of license is prohibited
 Architect reserves the right to terminate the license
 Electronic data transfer should be scanned for viruses before use
 Any loss or damage (including consequential damage) caused to
 the recipient of electronic data, by its direct or indirect use, is not
 the liability of the architect
 Refer to hard copies for accuracy of electronic data
 Copyright reserved for the Architect

revisions		
Rev	Date	Description
01	20/5/22	Complying Development Certificate issue for construction

notes



CORBEN ARCHITECTS
 PO Box 1021 Neutral Bay NSW 2009 Australia
 02 9904 1844
 info@corben.com.au
 corben.com.au
 Telephone: (02) 9904 1844 Fax: (02) 9904 1844

project	#Project Description
address	27 Elamang Avenue Kirribilli NSW
client	John and Bianca White

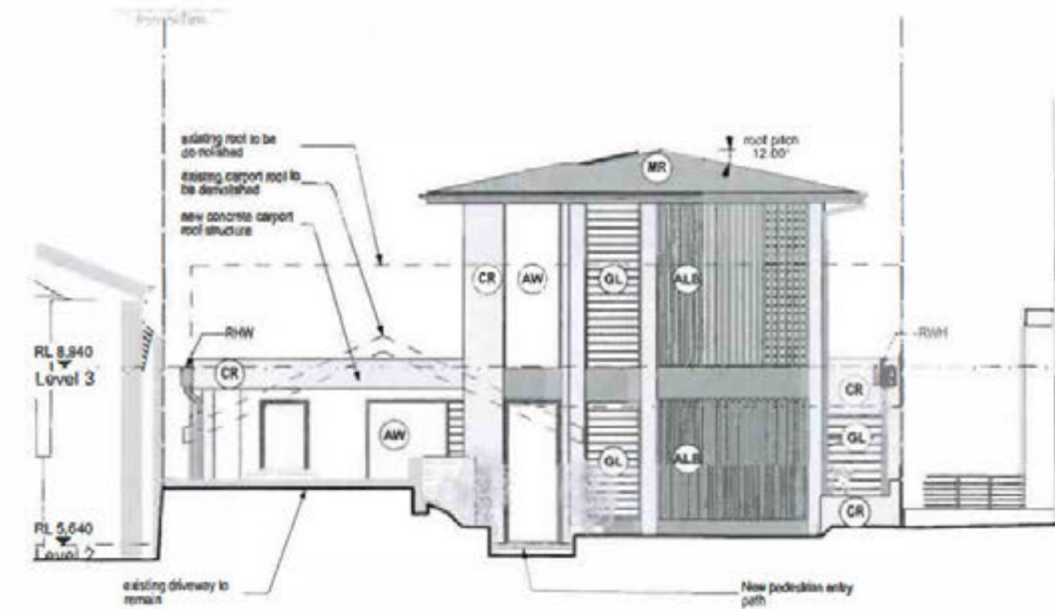
title	Roof Plan
issue	Complying Development

job no.	WHK	dwg no.	CDC07
drawn	JM	revision	01
checked	PC		
scale	1:100		

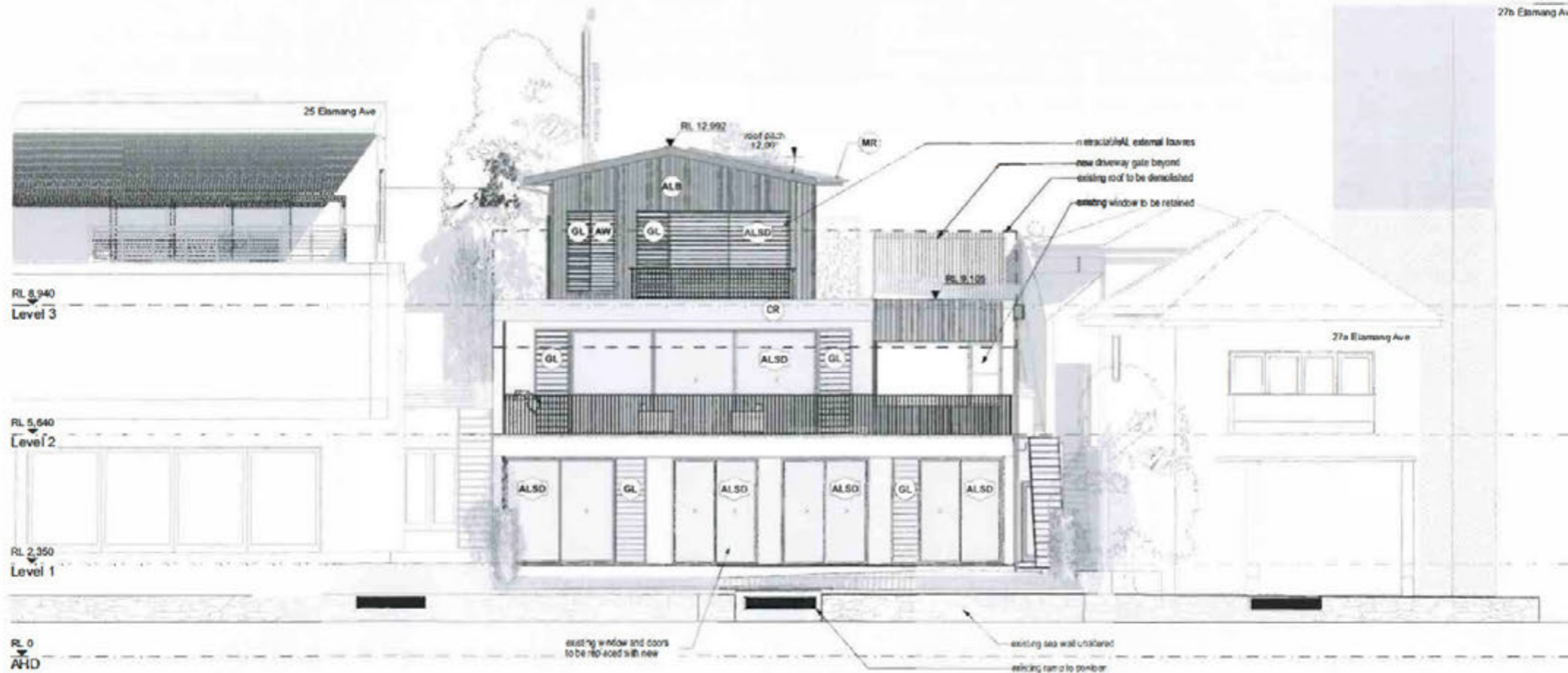


1 Streetscape
1:100

3 Eastern Elevation
1:100



2 Western Elevation
1:100



colour legend

Elevation & Section	
colour	material
[Light Grey Box]	Tile
[White Box]	cement render
[Dark Grey Box]	sheet metal /aluminium /steel
[Medium Grey Box]	metal roofing
[White Box]	glazing
[Light Grey Box]	structural timber
[Dark Grey Box]	brick

PRIVATE CERTIFIERS AUSTRALIA
 Complying Development Certificate
 Reference: 220122/01
 Date: 11/07/2022
 Rhiannon Thurlow
 Building Surveyor Restricted
 BDC 2762

Any discrepancies to be brought to Architect's attention
 Use figure dimensions in preference to scaling
 Only scale under direction from Architect
 Builder to examine site and verify conditions and dimensions
 This drawing remains the property of the architect
 Client is granted conditional license to use the drawings
 Transfer of license is prohibited
 Architect reserves the right to terminate the license
 Electronic data transfer should be scrutinized for viruses before use
 Any loss or damage (including consequential damage) caused to
 the recipient of electronic data, by its direct or indirect use, is not
 the liability of the architect
 Refer to hard copies for accuracy of electronic data
 Copyright reserved by the architect

revisions

Rev	Date	Description
01	20/02	Complying Development Certificate Issue for construction

notes

existing window and doors to be replaced with new

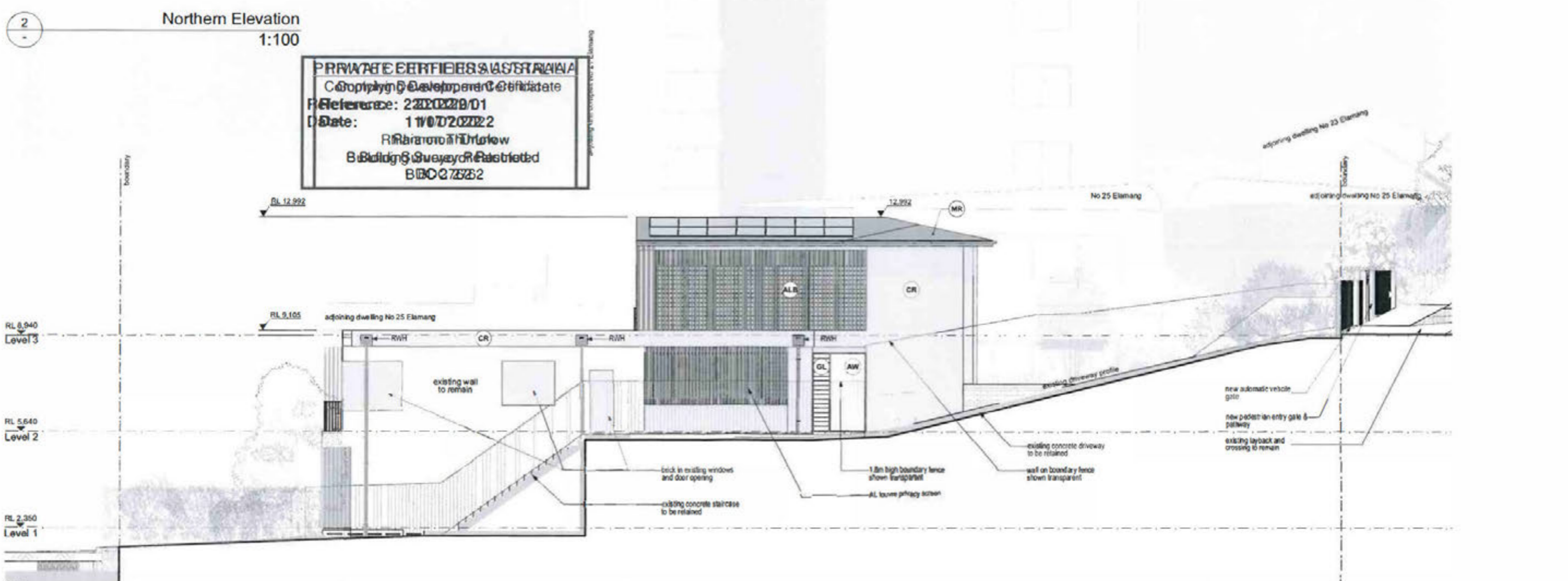
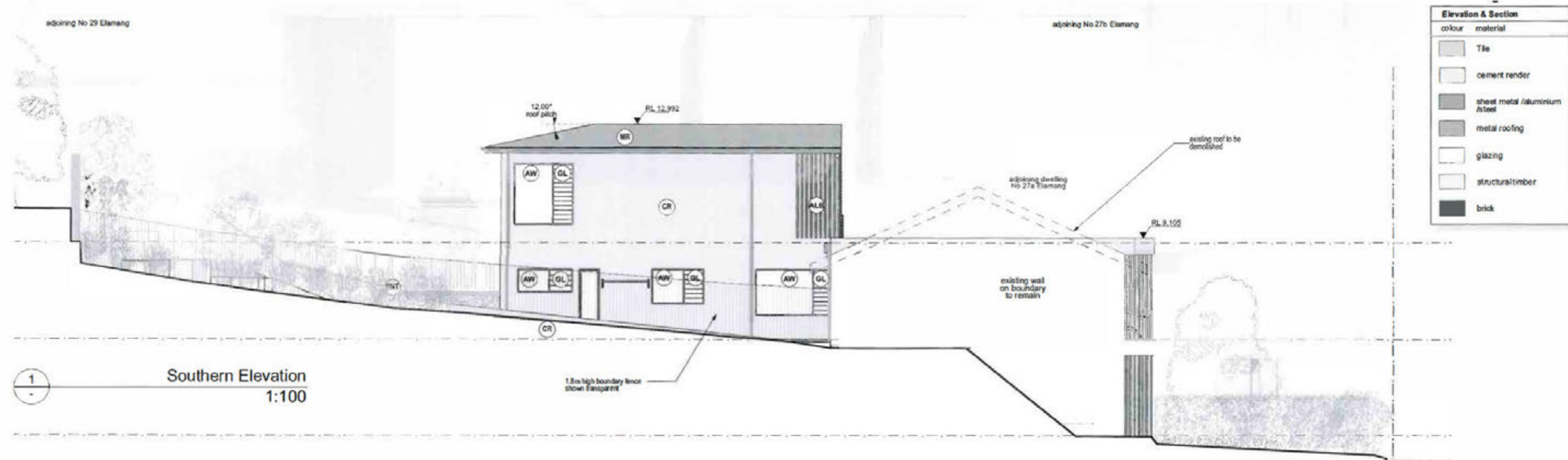
existing sea wall unaltered

existing ramp to be removed



CORBEN ARCHITECTS
 PO Box 1021 Neutral Bay NSW 2009 Australia
 02 9501 1844
 mail@corben.com.au
 corben.com.au
 Make your Architect Publically Visible. No strings attached.

project	#Project Description	title	Western & Eastern Elevations	job no.	WHK	dwg no.	CDC08
address	27 Elamang Avenue Kirribilli NSW	issue	Complying Development	drawn	JM	revision	01
client	John and Bianca White	scale	1:100, 1:1	checked	PC		



Any discrepancies to be brought to Architect's attention
 Use figure dimensions in preference to scaling
 Only scale under direction from Architect
 Builder to examine site and verify conditions and dimensions
 This drawing remains the property of the architect
 Client is granted consent for publication to use the drawings
 Transfer of license is prohibited
 Architect reserves the right to terminate the license
 Electronic data transfer should be scanned for viruses before use
 Any loss or damage (including consequential damage) caused to
 the recipient of electronic data, by its direct or indirect use, is not
 the liability of the architect
 Refer to hard copies for accuracy of electronic data
 Copyright reserved by the Architect

Rev	Date	Description
01	20/02/22	Complying Development Certificate Issue for construction

notes

(X)

CORBEN ARCHITECTS

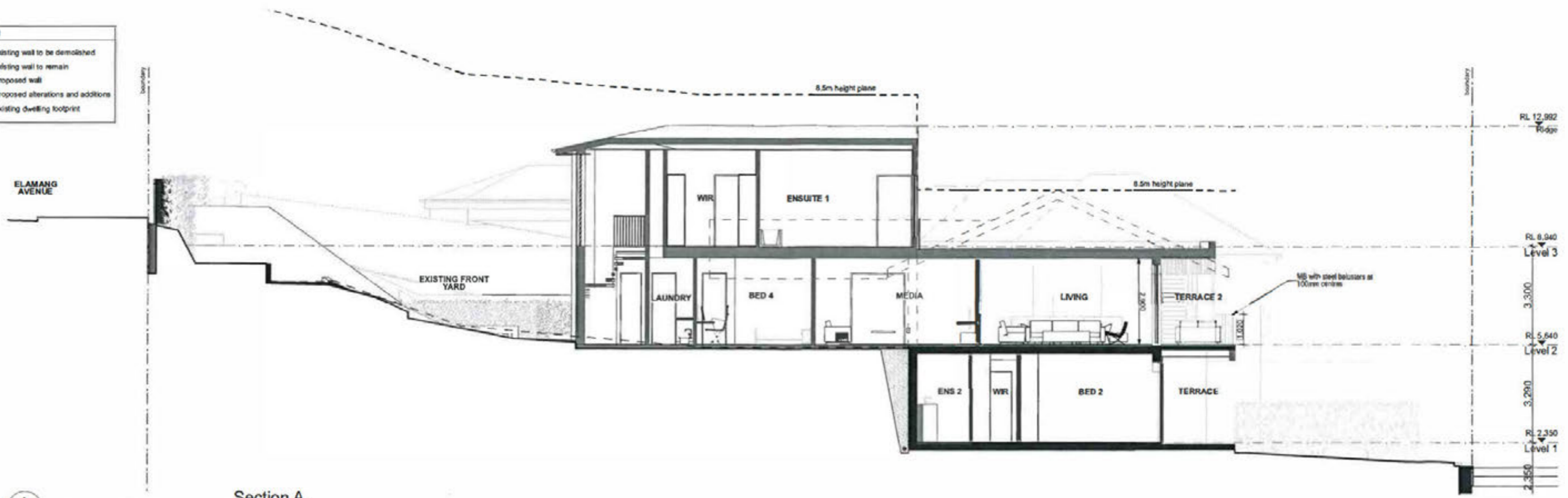
PO Box 1021 Neutral Bay NSW 2059 Australia
 02 9904 1644
 mobile: 0438 607446
 corben@corben.com.au
 www.corben.com.au

project	#Project Description
address	27 Elamang Avenue Kimbili NSW
client	John and Bianca White

title	Northern & Southern Elevations
job no.	WHK
drawn	JM
checked	PC
scale	1:100, 1:1

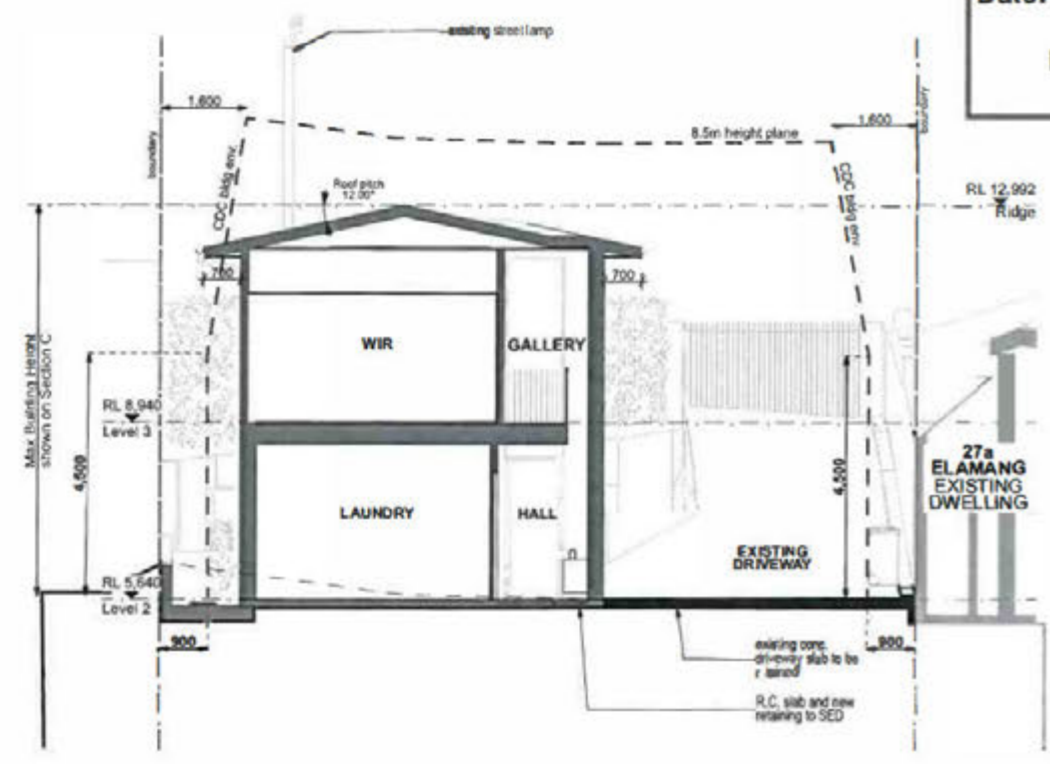
dwg no.	CDC09
revision	01

wall type legend	
	existing wall to be demolished
	existing wall to remain
	proposed wall
	proposed alterations and additions
	existing dwelling footprint

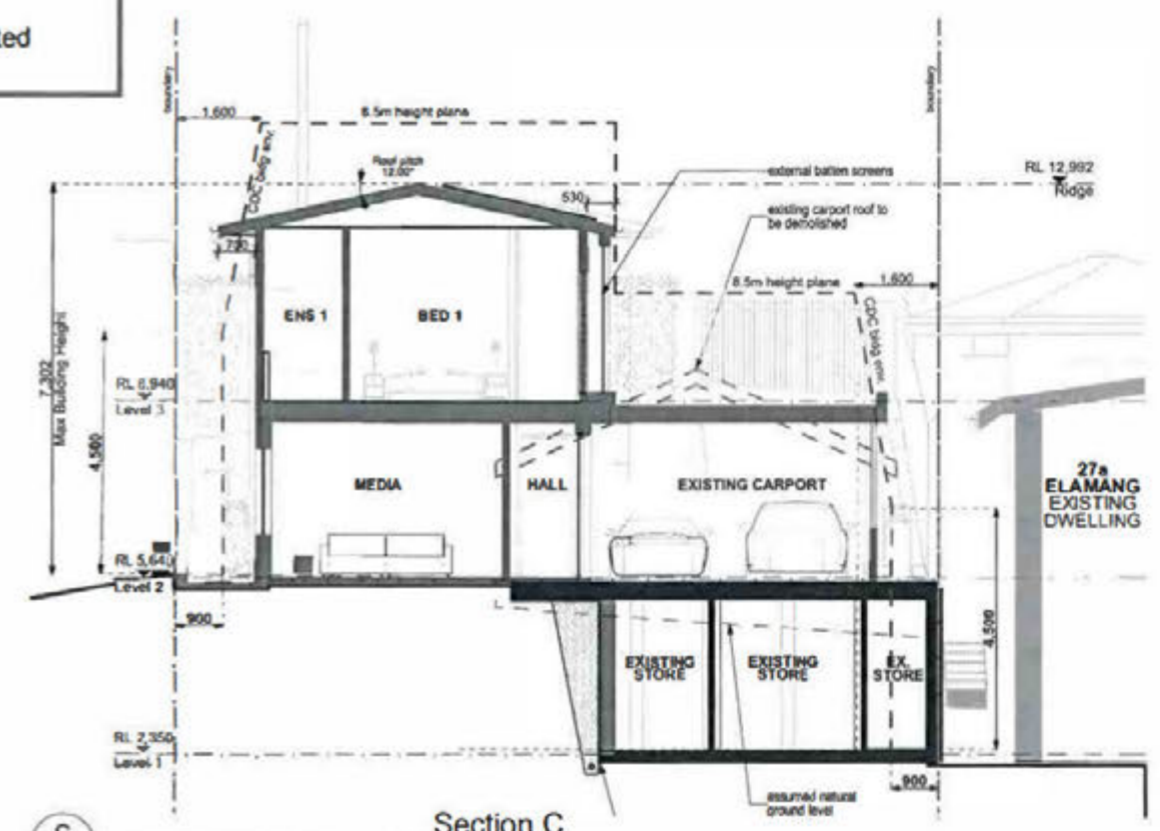


Section A
1:100

PRIVATE CERTIFIERS AUSTRALIA
Complying Development Certificate
Reference: 220122/01
Date: 11/07/2022
Rhiannon Thurlow
Building Surveyor Restricted
BDC 2762



Section B
1:100



Section C
1:100

Any discrepancies to be brought to Architect's attention
Use four dimensions in preference to scaling
Only scale under direction from Architect
Builder to examine site and verify conditions and dimensions
This drawing remains the property of the architect
Client is granted conditional license to use the drawings
Transfer of license is prohibited
Architect reserves the right to terminate the license
Electronic data transfer should be scanned for viruses before use
Any files or damage (including consequential damage) caused to
the recipient of electronic data, by its direct or indirect use, is not
the liability of the architect
Refer to hard copies for accuracy of electronic data
Printed and prepared by RJA & S

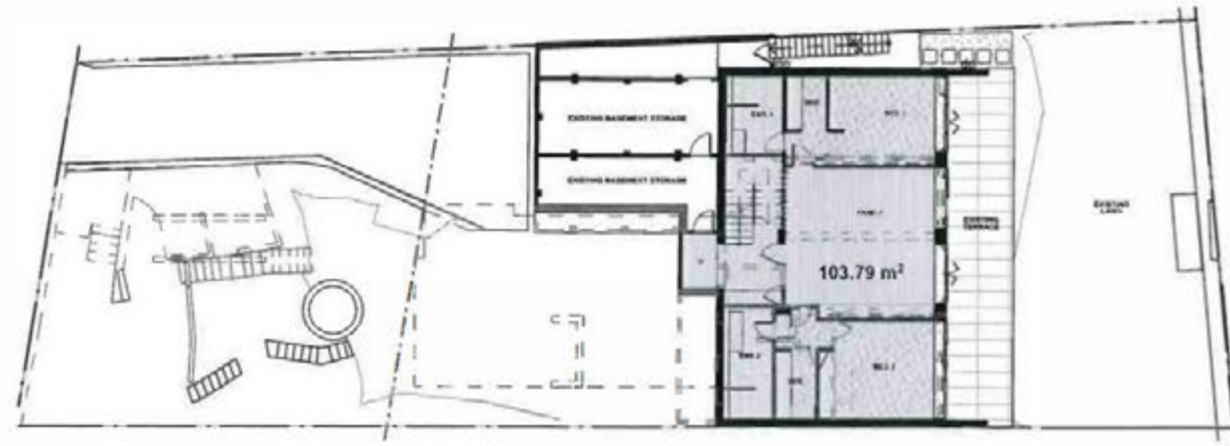
revisions		
Rev	Date	Description
01	20/02/22	CORBEN DEVELOPMENT CERTIFICATE ISSUE FOR CONSTRUCTION

notes

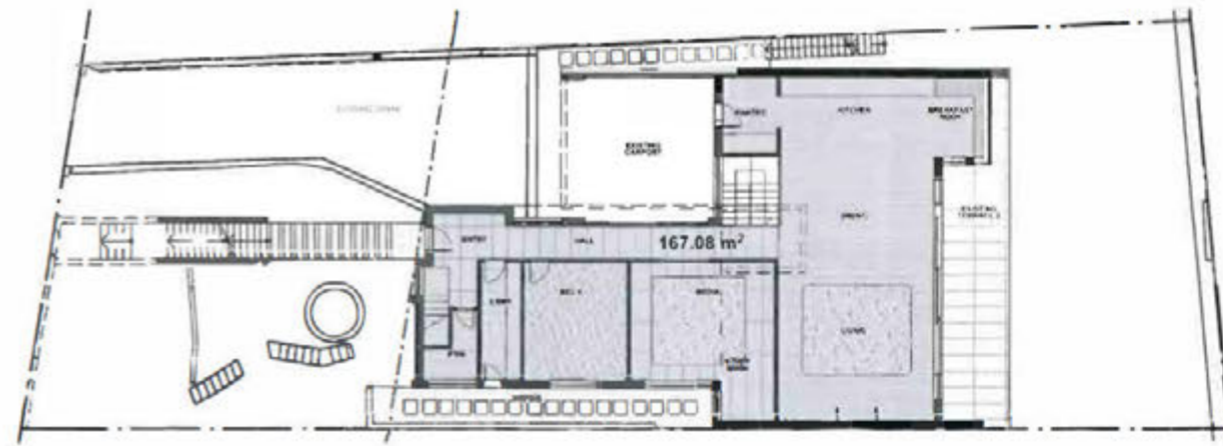


CORBEN ARCHITECTS
PO Box 1021 Neutral Bay NSW 2009 Australia
02 9901 1641
m.j@corben.com.au
corben.com.au
Neutral Bay Architect Philip Corben (Ph: 9901 1641)

project	#Project Description	title	Section A, B & C	job no.	WHK	dwg no.	CDC10
address	27 Elamang Avenue Kiribilli NSW			drawn	JM		
client	John and Bianca White	issue	Complying Development	checked	PC	revision	01
				scale	1:100		

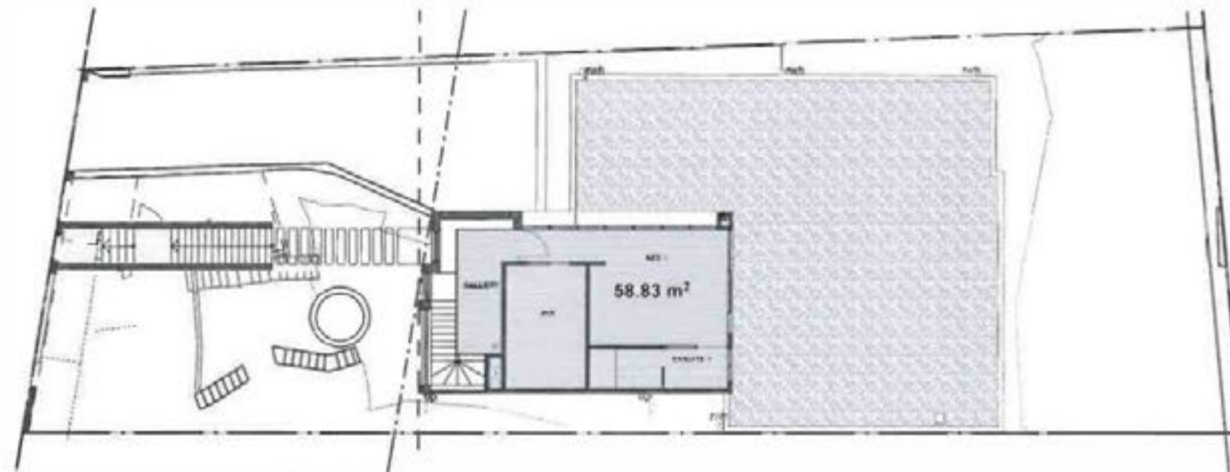


Level 1 GFA Plan
1:200

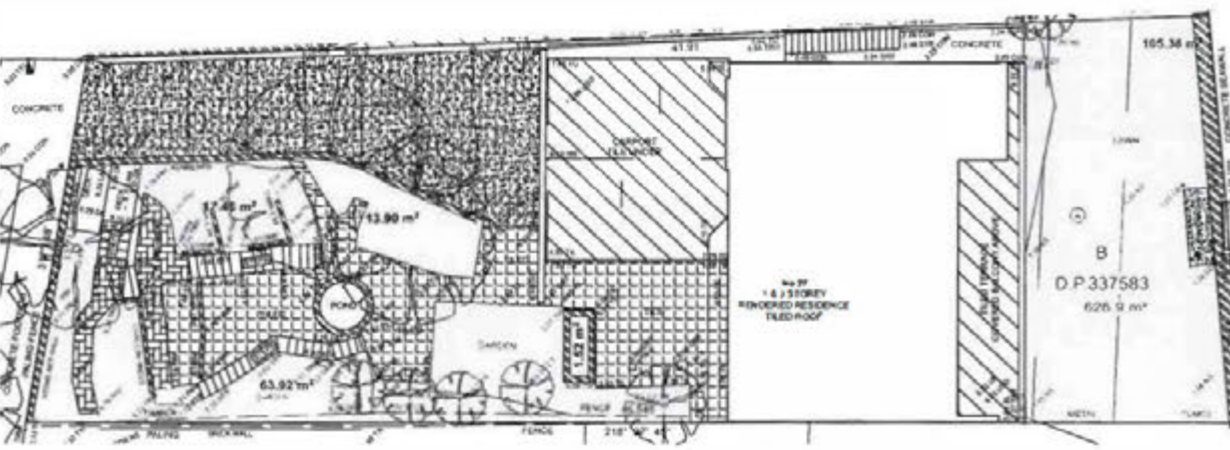


Level 2 GFA Plan
1:200

PRIVATE CERTIFIERS AUSTRALIA
Complying Development Certificate
Reference: 220122/01
Date: 11/07/2022
Rhiannon Thurlow
Building Surveyor Restricted
BDC 2762



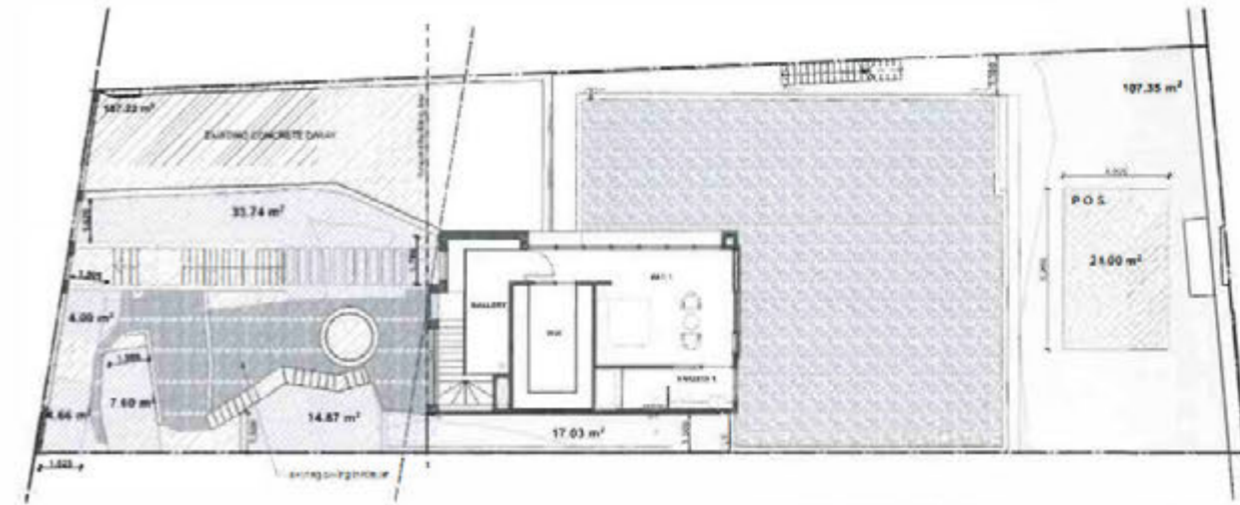
Level 3 GFA Plan
1:200



Landscaped Area - Existing
1:200

EXISTING SITE LANDSCAPED AREA*		Site Area: 626.9m ²
Existing Area Calculations		
Front Garden Beds	96.8m ²	
Rear Lawn	105.38m ²	
Total Landscaped Area	202.18m²	32%

* includes area below 1.5m in width & length



Landscaped Area - Proposed
1:200

CDC PROPOSED LANDSCAPED AREA*		Site Area: 626.9m ²
Landscaped Area Calculations		
	Proposed	Control
L.A. forward bldg line**	34.8% or 64.87m ²	25% or 48.80m ²
L.A. behind bldg. line	66% or 124.38m ²	50% or 94.04m ²
Total Landscaped Area	30.2% or 189.25m²	30% or 188.07m²

* excludes area less than 1.5m in width & length
** Area forward of building line = 187.22m²
L.A. = Landscaped Area

Any discrepancies to be brought to Architect's attention
Use figure dimensions in preference to scaling
Only scale under direction from Architect
Builder to examine site and verify conditions and dimensions
This drawing remains the property of the architect
Client is granted conditional license to use the drawings
Transfer of license is prohibited
Architect reserves the right to terminate the license
Electronic data transfer should be scanned for viruses before use
Any loss or damage (including consequential damage) caused to
the recipient or electronic data, by its direct or indirect use, is not
the liability of the architect
Refer to hard copies for accuracy of electronic data
Printed and scanned by the architect

revisions		
Rev	Date	Description
01	20/02	Complying Development Certificate issue - for consultation

notes



CORBEN ARCHITECTS
PO Box 1021 Neutral Bay NSW 2009 Australia
02 9904 1841
info@corben.com.au
corben.com.au
Members of the NSW Council of Architectural Practitioners

project #Project Description
address 27 Elamang Avenue
Kimbili NSW
client John and Bianca White

title Landscape & GFA Calculations
issue Complying Development

job no. WHK
drawn JM
checked PC
scale 1:200, 1:100

dwg no. CDC11
revision 01

1
2
3
4
5
6
7
8



PROPOSED ALTERATIONS AND ADDITIONS RENDERING

PRIVATE CERTIFIERS AUSTRALIA
 Complying Development Certificate
 Reference: 220122/01
 Date: 11/07/2022
 Rhiannon Thurlow
 Building Surveyor Restricted
 BDC 2762



1 Metal Roofing Standing Seam



2 Aluminium Windows and Doors



3 Half round metal gutter & downpipes



4 Timber look aluminium battens



5 Cement Render



6 Pebble ballast roof



7 Metalwork in Micaceous Iron Oxide Natural Grey



8 Existing Driveway to remain

Any discrepancies to be brought to Architect's attention
 Use figure dimensions in preference to scaling
 Only scale under direction from Architect
 Builder to examine site and verify conditions and dimensions
 This drawing remains the property of the architect
 Client is granted conditional license to use the drawings
 Transfer of license is prohibited
 Architect reserves the right to terminate the license
 Electronic data transfer should be submitted for viruses before use
 Any loss or damage (including consequential damages) caused to the recipient of electronic data, by its direct or indirect use, is not the liability of the architect
 Refer to hard copies for accuracy of electronic data
 Drawings created by the Architect

revisions

Rev	Date	Description
01	20/11/22	Complying Development Certificate New - for construction

notes



CORBEN ARCHITECTS

PO Box 1021 Neutral Bay NSW 2089 Australia
 02 9904 1844
 email@corben.com.au
 corben.com.au

Registered Architects Public Certificate (Reg No 1619)

project	#Project Description	title	Exterior Finishes	job no.	WHK	dwg no.	CDC12
address	27 Elamang Avenue Kirribilli NSW	issue	Complying Development	drawn	JM	revision	01
client	John and Bianca White			checked	PC		
				scale	1:3.06, 1:1.15		