

**NSLPP MEETING HELD ON 02/10/2024****Attachments:**

1. Site Plan
2. Architectural Plans
3. Landscape Plans

ADDRESS/WARD: 18 Grasmere Road, Cremorne**APPLICATION No:** 330/23**PROPOSAL:** Demolition of existing dwelling and construction and strata subdivision of an attached dual occupancy, landscaping and associated works.**PLANS REF:**

Plan No.	Rev No.	Dated	Description	Prepared by
F3	F	04/03/2024	Roof/Site Analysis Plan	Design Corp Architects
F4			Basement Floor Plan	
F5			Ground Floor Plan	
F6			First Floor Plan	
F8			Elevations Plan	
F9			Sections	
F12			Materials and Finishes	
F13			Demolition Plan	
C01	C	08/05/2024	Cover Sheet/Ground Floor Landscape Plan	Plandrew
C02			Landscape Detail Rear	
C03			Landscape Detail Front	
C04			Plant Schedule	
C05			Details	
000	B	07/05/2024	Cover Sheet	Telford Civil
101			Stormwater Concept Plan Site Plan	
102			Stormwater Concept Plan Basement Level	
103			Stormwater Concept Plan	
104			Miscellaneous Details	

OWNER: S Mehta**APPLICANT:** A Ingleton Design Corp Architects**AUTHOR:** Jim Davies, Executive Assessment Planner**DATE OF REPORT:** 16 September 2024**DATE LODGED:** 21 November 2023**RECOMMENDATION:** Approval

EXECUTIVE SUMMARY

This development application seeks approval to demolish a dwelling house and replace it with an attached dual occupancy of 2-3 storeys, with parking for four cars, one in a garage for each dwelling and the others on the driveway.

The application is reported to the North Sydney Local Planning Panel for determination as notification attracted more than 10 objections.

The application had been notified twice and at the time of writing this report 15 submissions had been received, including one from the body corporate of home units at 29 Grasmere Road. Key issues of concern are:

- Amenity impacts,
- Height and setbacks,
- Local character,
- Landscape architecture, and
- Adequacy of drainage infrastructure.

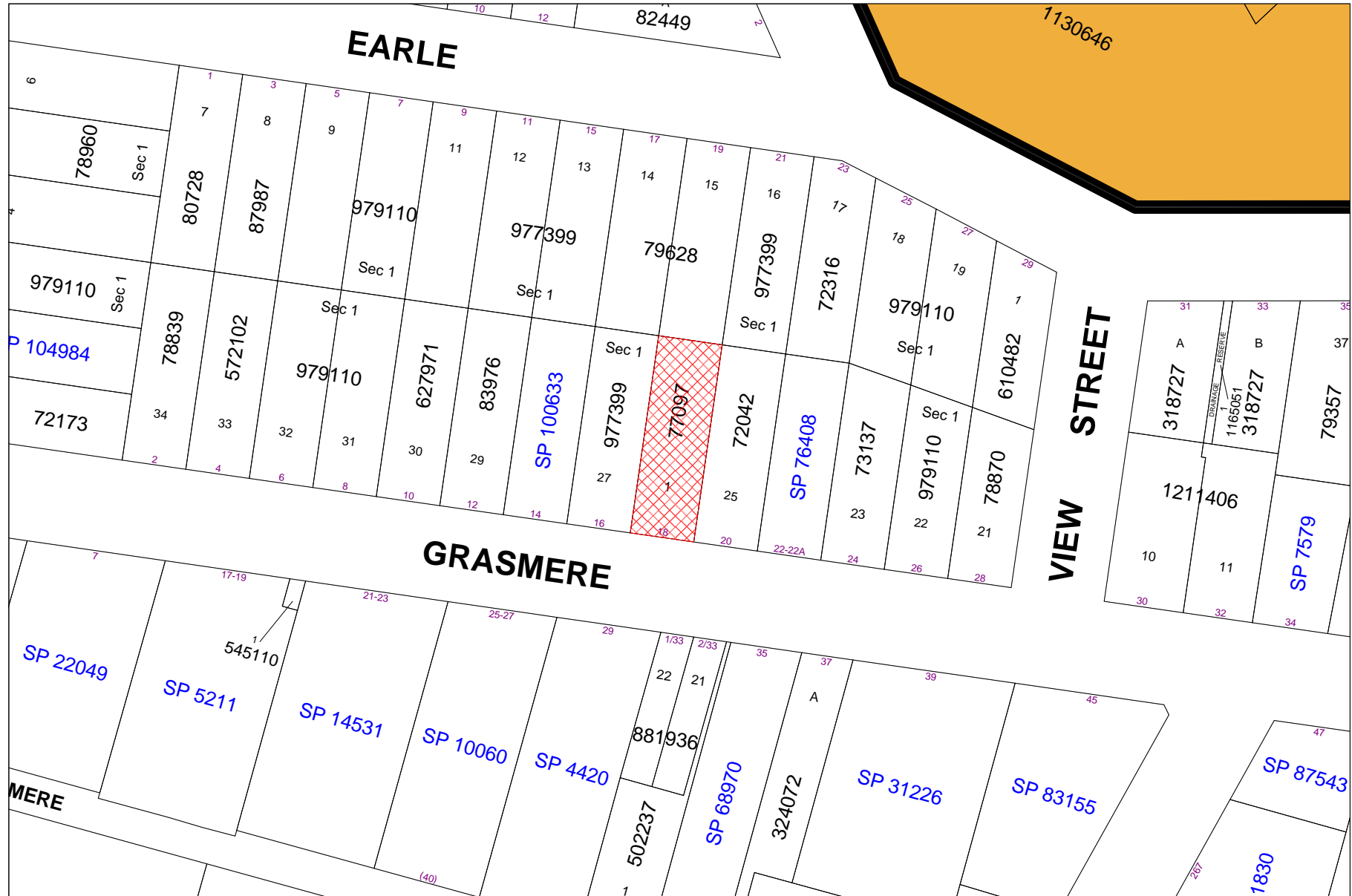
At the time of writing a third notification period was underway, between 13 September 2024 and 27 September 2024, because neighbouring properties adjacent to the site had not previously been notified in writing, due to an administrative oversight. Advice of submitters and copies of submissions (if any) were to be forwarded to the Panel on 30 October 2024, to enable the Panel's consideration of any additional submissions in their determination of the application.

Otherwise, the report has considered community concerns in an appraisal of the application having regard to relevant State and Council planning requirements.

Overall, this assessment concludes the application is satisfactory, having been amended to conform with applicable statutory requirements and objectives of the local planning framework.

Accordingly, granting consent is recommended.

LOCATION MAP



Property/Applicant ● Submitters - Properties Notified

DESCRIPTION OF PROPOSAL

Proposal

The application seeks consent to demolish a dwelling house and to build an attached dual occupancy as illustrated below by extracts from the architectural drawings submitted. The application also proposes strata subdivision into a lot for each dwelling and a common lot for the driveway.

To summarise, the proposed dual-dwelling building has a maximum 3 levels, with a dwelling either side of the building.

Each dwelling has 4 bedrooms, open plan living areas and two main open spaces, a patio at ground level in the back yard and a balcony on the top level adjacent to the main bedroom suites. Open plan living areas also have a small balcony at the rear, adjacent to the dining room of each dwelling.

Each dwelling has a single garage with sufficient space on the shared driveway to park another car without inhibiting access for residents of the other dwelling. Landscaping is included front and rear, with the backyards exceeding 90m² of soft landscaped area.



3D render of the proposed development, viewed from Grasmere Road (Design Corp Architects).



Rear (northern) elevation (Design Corp Architects).



Front and western elevations with the second unit's front door to the side, to assist the building appear from the street as a single dwelling (Design Corp Architects).

Site

The site is rectangular and is oriented southwards to Grasmere Road. It has an area of 585.3m² with a street frontage of 13.7m.

Falling northwards toward Primrose Park and Long Bay, the site drains to Earle Street via an extant inter-allotment easement that burdens 19 Earle Street.

Improvements on the site are a dwelling house, carport and shed, all to be demolished. Several mature palm trees are in the front yard, considered by members of the local community to enhance the streetscape. Several other trees grow and around the subject land, complementing local built form. There are no other distinguishing features.

Locality

The site is in the Benelong Neighbourhood of the North Cremorne Planning Area, of Part C Section 5.4 of the NSDCP 2013, which describes the locality thus:

- Predominantly residential accommodation,
- Falling toward Willoughby Bay with north to northwest aspects,
- Steep slopes of residential properties in the vicinity of the foreshore,
- Remnant bushland in proximity of Willoughby Bay,

The site is near Cammeray Golf course to the west and a short walk north of the site is Primrose Park.

Grasmere Road forms the edge of the Benelong Neighbourhood, to the south is the Waters Neighbourhood. Either side of the street the urban form contrasts between low density residential (houses and dual occupancies) to the north and medium density (mainly home units of 3-4 storeys) on the street's southern side. Landscaping softens the built form, including a variety of native shrubs and small trees growing on street verges.



The site.



A recently completed dual occupancy at 20 Grasmere Road, immediately east of the site.



Medium density development on the southern side of Grasmere Road.

STATUTORY CONTROLS

North Sydney Local Environmental Plan 2013 (the LEP)

- Zoning – R2 Low Density Residential
- Height Max. – 8.5m
- Item of Heritage - No
- In Vicinity of Item of Heritage - No
- Conservation Area - No
- Foreshore Building Line - No

Environmental Planning & Assessment Act 1979 (the Act) - Local Development

SEPP (Resilience and Hazards) 2021

SEPP (Biodiversity and Conservation) 2021

SEPP (Sustainable Buildings) 2022

POLICY CONTROLS

North Sydney Development Control Plan 2013 (the DCP)

North Sydney Local Infrastructure Contributions Plan 2020

RELEVANT HISTORY

Previous applications

None is relevant.

Subject Application

Date	Event
21 November 23	Application lodged.
8 December 2023 – 19 January 2024.	Application notified for 14 days. 11 submissions were received.
11 December 2023	Site inspection.
December 23 – February 24	In separate communications between December 23 and February 24, additional information and amendments were requested, regarding stormwater drainage, landscaping and tree preservation, and design (LEP requires attached dual occupancies to appear as a dwelling house).
27 May 2024	Amended application received.
7 June 2024 – 21 June 2024	Application renotified for 14 days. 4 submissions were received, from previous correspondents.
13 September 2024 – 27 September 2024	Application renotified for 14 days. Submissions, if any, were to be forwarded to the Panel before the meeting.

INTERNAL REFERRALS

BUILDING

The proposal has not been assessed per the National Construction Code of Australia.

Conditions are recommended that the NCC be considered post development consent, as the EP&A Act requires.

ENGINEERING

Council's development engineer has recommended conditions addressing construction traffic management, parking and access, stormwater management, and erosion and sediment controls, public infrastructure and protection of adjoining development from excavation.

LANDSCAPING

Council's landscape development officer has considered the application and has advised:

"...the proposed amendments are considered to be generally acceptable subject to strict adherence to tree protection conditions and Tree Protection Management Plan within amended arborist report prepared by L&Co consultancy dated 23/5/24.

All works within the TPZ of T20 Cupressus sp. shall be carried out under direct supervision of the project arborist. Levels within the rear setback of 18 Grasmere Rd shall be retained at grade.

All previously advised conditions shall be applied."

Conditions as specified are included in the recommended conditions attached to this report.

Conditions requiring amendments to the submitted landscape plans have been altered based on a site inspection and meeting with neighbours adjacent the site, on 17 September 2023. The amendment will avoid impacts on views from these dwellings, at No 29 Grasmere Road.

Relocation of the palm trees as proposed by the applicant's landscape plans (Attachment 3) would have substantially blocked views of Middle Harbour to the north east. An image below depicts the view from the balcony of one of the units at this address, from a standing position. The recommended conditions include relocating the trees on the eastern side of the front yard to the yard's western side, to avoid this impact.



View from a unit at 29 Grasmere Road. The image shows the five tall palm trees presently growing in the site's front yard (just left of centre). Proposed relocation of two of the trees to the corner where the carport is currently situated (centre) would likely reduce the view of Middle Harbour over the site and the large residential building next door, at No 20 Grasmere Road. Recommendations to relocate these trees to group them with the three palms to the west, will alleviate this possible impact.

Views from further west over the site are indirect and may be affected by the palms already located on the western side of the site. Additional trees on the site's western side is considered reasonable as additional impacts are likely to be insignificant.

EXTERNAL REFERRALS

None required.

NOTIFICATION & SUBMISSIONS

The application was notified twice, the second period following submission of amended plans. Notification periods were 08 December 2023 – 19 January 2024 and 07 June 2024 – 21 June 2024.

Submissions were received from 11 correspondents. In total 15 submissions were made, four were received from previous submitters in the second period.

As noted by at least one of seven submissions from residents across the street from the site, properties across the street did not receive written advice of the application, for each notification period. This occurred due to an administrative oversight.

Consequently, a third notification period was held between 13 September 2024 and 27 September 2024, including properties opposite the site on Grasmere Road. At the time of writing, advice of submitters and copies of submissions (if any) will be forwarded to the Panel under separate cover on 30 October 2024, to enable the Panel's consideration of any additional submissions in their determination of the application.

Issues raised in the first two notification periods are considered in the following table.

Issue	Consideration
Privacy impacts, for neighbours either side of the site and opposite in Grasmere Road.	<i>Side window placement and size, and being angled away from neighbouring dwellings, with balconies screened by blade walls, will reasonably maintain privacy with neighbours on either side. Building separation between the proposal and the units directly across the street at 29 Grasmere Road would be 36.5m, bedrooms and garages face the street and all living areas of the proposed building face north, away from residences opposite the site.</i>
Increased drainage via an easement over neighbour's property, being 19 Earle Street.	<i>The development engineer has assessed the proposed drainage as satisfactory, subject to recommended conditions.</i>
Building height unclear on submitted plans and should be consistent with height of neighbouring buildings.	<i>Submitted architectural plans when compared with the survey plan indicate the proposed development's roof is respectively 0.53m lower and 1.27m higher than the roofs of buildings either side. The highest roof ridge at No 16 is 70.64m and 68.84m at No 20. The highest point of the proposed building's roof is 70.11m. As a result, roof heights fall from west to east and the proposal, thus not disrupting the pattern of building height on the northern side of the street.</i>
Removal of palm trees and other trees from the site.	<i>Amended landscape plans show the 5 palms in the front yard will be replanted either side of the driveway. As discussed, conditions recommend relocating these trees on the western side of the driveway to avoid possible impacts on views form neighbouring dwellings.</i>
Architecture out of character with other development on the street block.	<i>There are several residential buildings either side of Grasmere Road that present double garage forms to the street. Although most (if not all) houses on the low density north side of the street have pitched roofs, the proposed building has a flat roof in contrast. This is a relatively recent trend in contemporary residential architecture, also allowing two storeys to present to the street, without the additional height and bulk of a pitched roof. Opposite the site on the street's southern side, established residential flat buildings have a variety of roof forms.</i>

	<i>In this context, noting the Part C of the DCP encourages low-pitched roofs, the proposed flat roof is compatible with residential development in the street. The mix of density and variety of architectural form either side of the street does not warrant the additional height of a pitched roof which would, if two stories were retained (also reasonable), cause a breach of the height control. This would be a less-than-ideal outcome, compared to the proposed development.</i>
Inadequate shadow diagrams (No 16)	<i>Revised shadow diagrams indicate satisfactory solar access for neighbours and occupants of the proposal.</i>
Setback at the rear is less than neighbour (No 16).	<i>The DCP's character statement for the Benelong Neighbourhood mandates a 10.0m minimum setback for residential buildings, which is complied with.</i>
Views from properties on the southern side of Grasmere Road.	<i>The proposed building envelope is compliant with LEP and DCP controls respectively for height and setback. View impacts of the building are minimal and acceptable.</i>
Trees should be removed, as they block views from neighbours south of the site.	<i>The palms in the front yard will be relocated to other locations in the front yard and new plantings will complement them. Proposed landscaping will also complement the proposed building and contribute to maintaining streetscape character. Trees are recommended to be relocated to minimise view impacts.</i>
Noise, mess and parking by contractors should be controlled by Council.	<i>Conditions are recommended to manage site construction and associated activities, such as waste management and disposal.</i>
Increased drainage to Earle Street will contribute to unsafe road conditions during rain.	<i>Council's development engineer has assessed the drainage of the proposal as satisfactory, subject to conditions.</i>
Construction in the easement adjacent to the boundary of 17 and 19 Earle Street will interfere with landscaping and fencing.	<i>Landscaping and drainage plans have been amended to relocate or plant new vegetation to avoid further impact. Stormwater from the site is capable of being accommodated within the existing easement in favour of the site over the property below, being 19 Earle Street. As shown on the submitted stormwater drainage plans, required works include a new pit in the northwestern site corner, which will be connected to the existing 150mm diameter PVC pipe in the easement. Apart from making this connection, no further works are required in the easement through 19 Earle St. The easement is within the driplines of T18 and T19 and works should not interfere with the root systems of these trees. Conditions recommended by the landscape development officer require protection of these trees, including measures in the revised arborist's report by L&Co of 23 May 2024.</i>

<p>A 3 storey building is out of character with one and two storey houses in the street (site's visual catchment) and is bulky at the rear.</p>	<p><i>Building envelope controls (height and setbacks) are complied with, consequently the proposal reflects the future character promoted by the planning framework.</i></p>
<p>Height reduction could be achieved by reducing floor thickness.</p>	<p><i>The maximum building height of 8.5m is complied with.</i></p>
<p>Excavation at the rear is excessive and does not conform to the landscape/fall of the land, excavation is within 1.0m of the side boundary (No 20).</p>	<p><i>Standard conditions are recommended to ensure dilapidation reports are prepared for adjoining development, shoring is provided to protect adjacent property, if required, and preparation of a suitably detailed geotechnical report.</i></p>
<p>Side setbacks are inadequate and do not comply on the two upper levels.</p>	<p><i>Setback minima are satisfied. The DCP allows 1.5m setbacks to side boundaries up to 7.0m above ground level and 2.5m above 7.0m. Parts of the building with 1.5m minimum setbacks are no higher than 5.8m above ground level. Above this level a minimum 2.5m setback is provided, except for small, curved projections to allow for windows to be angled to prevent direct overlooking of neighbours and privacy screening. These window and screen projections are setback at least 1.9m from the side boundaries.</i></p>
<p>Other development in the area complies with the 10m rear setback (DA 434/12, DA 119/19).</p>	<p><i>The rear setback is a minimum 10.7m to the building, and the ground level 'al fresco' areas have a minimum setback of 7.7m. The level above has balconies setback 8.7m, effectively screened to maintain privacy with neighbours. The topmost level has balconies at the rear setback 10.7m, also screened to protect privacy. Setbacks of the building and appurtenant structures are reasonable.</i></p>
<p>Removal of a side fence is proposed with no details of replacement (No 20).</p>	<p><i>The applicant has advised any boundary fencing that is removed will be replaced. A condition is recommended to this effect.</i></p>
<p><i>A geotechnical report not provided on DA tracker.</i></p>	<p><i>A geotechnical report was not submitted, one is required by a recommended condition of consent.</i></p>
<p>Erosion and sediment control and need for dilapidation reports are necessary.</p>	<p><i>Conditions of consent provide for details to be submitted with the relevant construction certificate.</i></p>
<p>The extent of properties notified was inadequate, properties opposite the site in Grasmere Road were not notified.</p>	<p><i>This was an administrative oversight, site signage was installed to supplement written notification, per Council's adopted notification protocol. A third notification period was held to ensure adequate communication and opportunity for members of the community to make submissions.</i></p>
<p>Landscaping in front setback inadequate.</p>	<p><i>Landscaping as shown in revised plans is adequate, as assessed by Council's landscape development officer, subject to recommended conditions.</i></p>

CONSIDERATION

The relevant matters for consideration of Section 4.15 of the Act, are assessed below.

SEPP (Biodiversity and Conservation) 2021

Development in the Sydney Harbour Catchment

Part 6.2 Development in regulated catchments, Division 2 Controls on development generally

The following provisions apply to the site, The proposed development is not inconsistent with those relevant.

- 6.6 Water quality and quantity – a satisfactory erosion and sediment control plan and stormwater management plan are provided.
- 6.7 Aquatic ecology - no marine fauna or flora will be directly impacted.
- 6.8 Flooding – the locality is not flood prone, although residents note in several submissions that nuisance flooding of local roads downhill of the site occurs during rain events.
- 6.9 Recreation and public access – waterfront access to the shore and Willoughby Bay are not affected.
- 6.10 Total Catchment Management – this provision only relates to large-scaled development that could impact a catchment.
- 6.11 Land within 100m of a natural waterbody – the site further than 100m from Long Bay.

SEPP (Resilience and Hazards) 2021

Past use of the site for residential purposes is unlikely to have caused contamination to an extent that would require remediation. Neither is any change to the current use proposed, and further investigation or remediation are unnecessary. The application can be approved, as applicable requirements of the policy have been considered.

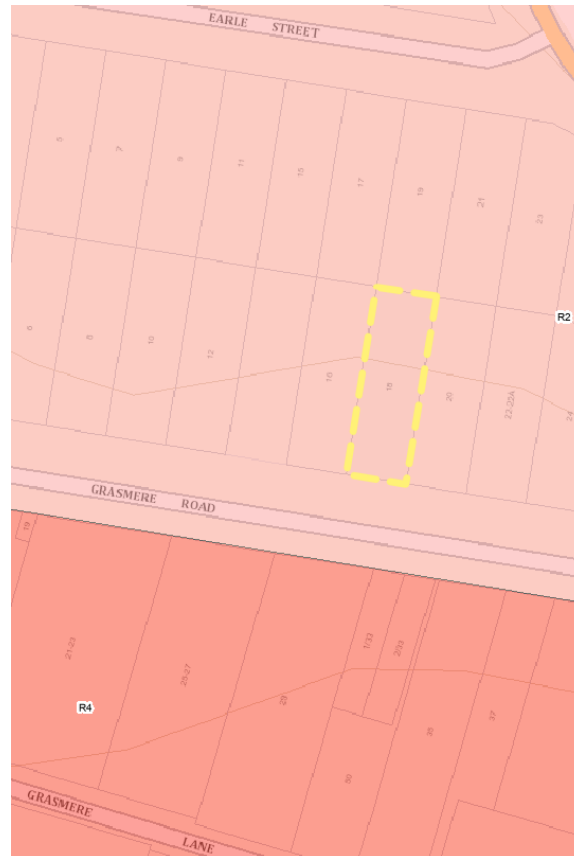
SEPP (Sustainable Buildings) 2022

A valid BASIX Certificate No. 1373665M, 24 October 2023 for two dwelling houses has been submitted with the application to satisfy provisions of the SEPP.

NORTH SYDNEY LOCAL ENVIRONMENT PLAN (NSLEP 2013)

Permissibility

The site is zoned R2 Low Density Residential. Attached dual occupancies are permissible with consent in this zone.



Site (yellow edge) with zoning of site and surrounds, R2 Low Density Residential (Pink), R4 High Density Residential (dark pink) (eplanning spatial viewer). Zoning reflects the character of the site's immediate locality.

Objectives of the zone

R2 zone objectives are:

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

The proposal is consistent with relevant zone objectives, because:

- The development helps meet housing needs, doubling housing density on the site,
- Non-residential uses are not proposed,
- A dual occupancy is proposed without compromising local amenity or local natural or cultural heritage, and
- The proposal will achieve and maintain a high level of residential amenity, consistent with other similarly sized and sited developments in the locality.

Principal Development Standards

Principal Development Standards – North Sydney Local Environmental Plan 2013			
Site Area - #m ²	Proposed	Control	Complies
Clause 4.1 – Subdivision lot size			N/A
Clause 4.3 – Heights of Building	8.5m	8.5m	Yes
Clause 4.4 – Floor Space Ratio			N/A
Clause 4.4a – Non-residential FSR			N/A
Clause 6.6 Dual Occupancy:			
<ul style="list-style-type: none"> Appearance as a dwelling house 		Non-numeric standard.	Yes, like others in locality.
<ul style="list-style-type: none"> Level of attachment to common wall (80%) or common floor to ceiling (80%) 	>80% common wall shared between dwellings	80%	Yes
<ul style="list-style-type: none"> Minimum lot size 	581m ²	450m ²	Yes

Height of Building

The maximum height of the proposal measured in accordance with the building height definition of the LEP is 8.5m, which equals the maximum permitted. According to the submitted plans (East Elevation, Drawing No F8) the highest point of the building is at the top of the southern façade, facing the street. The roof falls away from this point to north, following the relatively gentle slope of the site.

Consistency with building height standard objectives

The proposal is deemed to be consistent with the building height standard's objectives, cited below.

- (a) to promote development that conforms to and reflects natural landforms, by stepping development on sloping land to follow the natural gradient,
- (b) to promote the retention and, if appropriate, sharing of existing views,
- (c) to maintain solar access to existing dwellings, public reserves and streets, and to promote solar access for future development,
- (d) to maintain privacy for residents of existing dwellings and to promote privacy for residents of new buildings,
- (e) to ensure compatibility between development, particularly at zone boundaries,
- (f) to encourage an appropriate scale and density of development that is in accordance with, and promotes the character of, an area.
- (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 C4 Environmental Living.

Earthworks

The proposal involves some excavation, less than about 1.5m in depth, at the site's rear where it will be most apparent. Provisions of cl. 6.10 require Council to consider the following, before granting consent:

- Drainage patterns and soil stability,
- Natural features and vegetation on the site and in the locality,
- The effect of the development on likely future use of the land,
- The quality of material to be used as fill or proposed to be excavated,
- The effect of the development on the effect of adjoining properties,
- The source of fill and the destination of any excavated material,
- The likelihood of disturbing Aboriginal relics,

- Proximity to and potential for adversely impacting a water course or environmental sensitive area, and
- Appropriate measures to avoid, minimise or mitigate potential impacts.

A geotechnical report has not been submitted with the application, which is usual for a proposal of this scale and given existing site conditions. A condition recommends submission of a geotechnical report with the relevant construction certificate, along with appropriate dilapidation and structural reports as deemed necessary by Council’s development engineer.

Dual Occupancies

The table above summarises compliance with applicable LEP standards and indicates the proposal satisfies standards for dual occupancy development, for maximum building height, minimum lot size, being sufficiently attached and for appearing as a dwelling house.

Amendments have been made, so the building will appear more like a dwelling house, compared with the design as originally submitted, which arguably may not have been so characterised.

Features of the design which deliver a satisfactory result include:

- Removing the symmetry of the original design,
- Off-setting the main built elements above the garages, and
- Locating one of the main dwelling entries to the side of the building, where it is less apparent, when viewed from the street.

NORTH SYDNEY DEVELOPMENT CONTROL PLAN 2013

The proposal has been assessed in accordance with applicable DCP provisions:

DEVELOPMENT CONTROL PLAN 2013 – Part B Section 1- Residential Development		
	<i>Complies</i>	<i>Comments</i>
1.2 Social Amenity		
1.2.1 Population Mix	Yes	The proposal replaces an existing dwelling with an attached dual occupancy.
1.2.2 Maintaining Residential Accommodation	Yes	The development increases housing density on the site.
1.2.3 Affordable Housing	N/A	
1.2.4 Housing for Seniors/Persons with disability	N/A	
1.3 Environmental Criteria		
1.3.1 Topography Objectives seek to: <ul style="list-style-type: none"> - Maintain natural topography and landform, - Retain vegetation and trees, - Minimise negative impact on neighbour amenity, - Not disturb local geotechnical and hydrogeological characteristics, and - Minimise effects of adjoining transport infrastructure. 	On merit	Excavation is proposed for the basement level, from a depth of about 1.0m at the rear of the building and up to about 2.1m towards the front, above existing ground level. The earthworks do not impact topography significantly and the building does require removal of seven trees, which will be replaced with native species as indicated in the landscape plan. As discussed elsewhere, neighbourhood amenity is not significantly affected by the proposal.

1.3.2 Bushland	Yes	The site is in "Bushland Buffer Area A" and the proposal is consistent with the DCP's Section 15 requirements, for landscaping, stormwater management and erosion and sediment control.
1.3.3 Bush Fire Prone Land	N/A	
1.3.4 Foreshore Frontage	N/A	
1.3.6 Views	Yes	The building envelope is largely compliant and view impacts are considered reasonable.
1.3.7 Solar Access	Yes	Solar access and overshadowing impacts are also reasonable. As the site has north/south orientation, rear north-facing living spaces receive more than the minimum 3 hours of sunlight required in midwinter. Neighbours will continue to receive adequate sunlight, with dwellings either side of the site being overshadowed between 9am and 11am to the west, and between 2pm and 3pm on the eastern side.
1.3.8 Acoustic Privacy	Yes	Two dwellings replace a single dwelling in a mixed-density residential setting. Noise in addition to that expected from typical domestic activities is not anticipated.
1.3.9 Vibration	N/A	
1.3.10 Visual Privacy <ul style="list-style-type: none"> • Roof top terraces are only permitted under specific circumstances, and if appropriate, • Must be the smaller of the lesser of either 50% of the floor area below or 18m². 	Yes	<p>Visual privacy measures are acceptable, with the use of narrow and high-sill windows to bedrooms and bathrooms on ground and upper levels.</p> <p>Screens to patios and balconies maintain privacy from outdoor spaces at the rear where each dwelling has a patio at ground (basement) level and balconies on the two levels above.</p> <p>As mentioned regarding submissions, that only bedrooms face home units across the street and the distance between them is some 36.0m, reasonable privacy will be maintained.</p> <p>Rooftop terracing is not proposed.</p>
1.4 Quality built form		
1.4.1 Context	Yes	The built form proposed is like that of extant buildings in the locality. However, the flat roof contrasts with predominant pitched roofs on the northern side of Grasmere Road, and is satisfactory, as examined elsewhere.
1.4.2 Subdivision Pattern	N/A	
1.4.3 Streetscape	Yes	<p>The proposal's appearance, bulk and scale are consistent with the streetscape. In the site's environs, there are several dual occupancies of two storeys, with garages for each dwelling, side-by-side. The streetscape is mixed in terms of density and form due to low density (R2) and high density (R4) zones facing each other across the street.</p> <p>In this context the proposal's design is acceptable.</p>
1.4.4 Laneways	N/A	
1.4.5 Siting	Yes.	Setbacks are compliant.

1.4.6	Setback – Side	Yes.	Control	Compliance
			Ground floor (Up to 4m) 900mm	The lower, basement level, where it protrudes more than 1.0m above ground level has compliant setbacks between 0.9m and 1.5m.
			1 st floor (up to 7m) 1.5m	The mid-level is setback variably between 0.9m and 1.5m. As none of this level exceeds 7.0m in height, side setbacks comply.
			2 nd & 3 rd floors (Greater than 7m) 2.5m	Except for nibs to allow windows to face north from side elevations to maintain privacy, which have setbacks of 1.9m, the upper level has side setbacks larger than 2.5m on either side.
P1	Front setback • 3.0m (Part C)	Front: Yes.	Front setback The front setback is behind that of adjacent dwellings at Nos 16 and 20.	
P5	Rear Setback – Rear • 10.0m (Part C) • To match adjoining properties	Rear: Yes,	Rear setback The main rear building line is setback 10.7m from the rear boundary. Complying with Part C DCP requirements.	
1.4.7	Form Massing Scale • Floor to ceiling height 2.7m	Yes.	Substantially complying with numeric envelope controls and demonstrably consistent with pertinent performance measures, the mass and scale of the building is acceptable.	
1.4.8	Built Form Character	Yes.	As discussed above, regarding context and streetscape.	
1.4.9	Dwelling Entry	Yes.	Dwelling entries offer a suitable sense of address and security for occupants, while achieving the statutory requisite to minimise the duplex design's appearance as two dwellings.	
1.4.10	Roofs	On merit.	The proposed flat roof is acceptable, in the context of the street's mix of built form and density. Arguably, the proposed building could be considered out of character due to its flat roof, as all other dwellings have pitched roofs on the northern side of Grasmere Road. This is not considered determinative in the circumstances outlined, also because flat roofed designs are becoming more prevalent in contemporary residential design, a pertinent consideration in non-conservation areas.	
1.4.11	Dormers	N/A		
1.4.12	Materials	Yes.	Materials are of a contemporary style and substance compatible with materials and colours used in contemporary architecture. Not being in a conservation area and being in a streetscape of mixed form and density, the materials and colours proposed are acceptable.	
1.4.13	Balconies – Apartments	N/A		
1.4.14	Front Fences • No greater than 1m from front building line & along front boundary • Transparent fences no greater than 1.5m with 50% solid construction	N/A	No front fence is proposed, brick pillars containing letter boxes will delineate the front boundary, either side of the shared driveway.	

1.5 Quality Urban Environment					
1.5.1 High Quality Residential Accommodation	N/A	Applies to multi dwelling housing and residential flat buildings only.			
1.5.2 Lightwells & Ventilation	N/A	As above.			
1.5.3 Safety and Security	N/A	As above.			
1.5.4 Vehicle Access and Parking	On merit	Vehicle access and parking is satisfactory. Other dual occupancies have been approved in the street, with twin garages facing the street, similar to that proposed.			
1.5.5 Site Coverage Objectives <ul style="list-style-type: none"> - Eliminate overdevelopment - Promote desired character - Control density - Allow for adequate landscaping 	Yes	See table below.			
1.5.6 Landscape & Unbuilt Upon Area Objectives <ul style="list-style-type: none"> - Usable open space - Buffer between properties - Maximise absorption of rain - Promote plant cover including trees to increase canopy cover - Minimise site disturbance - Improve streetscape and amenity - Promote biodiversity 	Yes	Control	Required %	Proposed %	Compliance
		Site coverage (max)	45	40.6	Yes
		Landscaped area (min)	40	44.8	Yes
		Unbuilt upon area (max)	15	14.6	Yes
All objectives are deemed to be satisfied.					
1.5.7 Landscaping	Yes	The Landscape Development Officer endorsed the submitted landscape plans, which are recommended to be stamped and included in the consent, and are subject to further amendments as recommended.			
1.5.8 Front Gardens	Yes	Despite the land devoted to parking forward of the main building line, there is sufficient area for landscaping the front garden, which will be compatible with other landscaping in the streetscape, noting that palm trees considered a feature in the street by some will be relocated, in the front yard.			
1.5.9 Private and Communal Open Space	Yes	Large terraces and balconies for each dwelling and rear yards offer generous open space for each dwelling.			
1.5.10 Swimming Pools	N/A				
1.5.11 Tennis Courts	N/A				
1.5.12 Garbage Storage	Yes	Bins will be stored in the garages, which is satisfactory.			
1.5.13 Site Facilities	N/A				
1.5.14 Servicing of new lots	Yes	Strata subdivision approval is sought and conditions are recommended for servicing of new lots.			
1.6 Efficient Use of Resources					
1.6.1 Energy Efficiency	Yes	A valid BASIX certificate has been submitted with the application.			
1.6.2 Passive Solar Design					
1.6.3 Thermal Mass and Insulation					
1.6.4 Natural Ventilation					
1.6.6 Hot Water Systems					
1.6.7 Water Conservation					
1.6.8 Stormwater Management					

North Cremorne Planning Area – Part C of the DCP

The proposal is in the Benelong neighbourhood and applicable controls are considered below.

The area's character statement declares:

Development within the Planning Area should result in:

- *residential growth being provided in accordance with Council's Residential Development Strategy, with the growth concentrated within the Mixed Use zones of the Town Centres located on or in the vicinity of Military Road, and the remainder comprising of multi dwelling housing and residential flat buildings in the surrounding residential areas*
- *residential densities not being increased in foreshore areas and areas of steep terrain*
- *development within the R2 – Low Density Residential zone being of a similar scale to existing characteristic development*
- *a wide range of residential types and sizes being distributed throughout the area according to zone*
- *a range of retail and commercial premises, services and facilities being available to the local community within the Town Centres*

Consideration: The proposal is consistent with and complements this statement, the third paragraph being most relevant. Being compliant with statutory requirements and consistent with these and other performance-based criteria, the proposal is satisfactory.

Clause 5.4 has additional provisions that apply to the site:

Views

P7 Buildings should not obstruct views and vistas from public places to the waterway.

P8 Development should not adversely restrict views from neighbouring properties. This is especially important in foreshore areas or sites that enjoy water views.

Consideration: As noted, the height and setbacks result in a building that has minimal impacts on neighbours' views. The building's height maintains the descending height-line with dwellings either side. The existing house's roof level is RL 69.42 and the height of the proposal's roof is RL70.11, an increase of 0.69m.

Roofs

P5 Development should maintain low pitched roofs

Consideration: As discussed above, the site being at the interface of high and low density residential zones, the proposed flat roof is suitable in this context.

Setbacks

P9 Front: 3m

Consideration: Complies.

P10 Rear: 10m

Consideration: Complies.

LOCAL INFRASTRUCTURE CONTRIBUTIONS PLAN

The subject application has been assessed against the North Sydney Local Infrastructure Contribution Plan 2020 and is subject to payment of a contribution towards the provision of local infrastructure. The contribution payable is \$20,000.00, levied in accordance with s7.11 of the Act.

A condition requiring payment of the contribution at the appropriate time is included in the attached conditions.

HOUSING & PRODUCTIVITY CONTRIBUTION

On 1 October 2023 the Housing and Productivity Contribution was introduced by the NSW Government. The contribution is required to contribute towards State-provided infrastructure and replaces the Special Infrastructure Contribution in areas where this applied.

Levying the amount and payment is arranged via the NSW Planning Portal, for certain types of residential, commercial and industrial development. The subject application having been lodged after this date, and because it creates an additional dwelling, a contribution will be payable should consent be granted.

Procedures for calculating and imposing a condition for the contribution are unclear, except that the process must occur via the NSW Planning Portal.

A condition is recommended, using the wording provided by the Department.

ALL LIKELY IMPACTS OF THE DEVELOPMENT

All likely impacts of the proposed development have been considered in 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 s 4.15 (1) considerations of the Act 1979	Yes

PUBLIC INTEREST

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

SUITABILITY OF THE SITE

The proposed attached dual occupancy and strata subdivision are permissible forms of development in the R2 Low Density Residential zone. For this reason and due to the merits of the application the site is deemed suitable for the proposed development.

CONCLUSION + REASONS

The proposal has been considered and is deemed satisfactory having regard to relevant Environmental Planning Instruments and policies, including relevant SEPPs and the principal LEP and DCP for North Sydney. Consent is recommended for the following reasons:

1. The proposed development is permissible with consent.
2. The proposal complies with all applicable statutory requirements.
3. The proposed design satisfies relevant performance objectives of the North Sydney Development Control Plan 2013.
4. The development will have acceptable impacts on built and natural environments, including on residential amenity in and character of the locality.
5. Matters raised by public submissions have been suitably considered.

HOW WERE THE COMMUNITY VIEWS TAKEN INTO CONSIDERATION?

The subject application was notified to adjoining properties and the Willoughby Bay Precinct Committee on two separate occasions, due to the application being substantially amended, to address several inconsistencies with the North Sydney DCP 2013.

At the time of writing, Council had received 15 submissions from 11 correspondents, raising concerns that have been considered in this report, as addressed by amendments to the design of the proposal and with appropriate conditions of consent.

As outlined earlier, the application was notified a third time for reason that some neighbours had not been notified in writing on prior occasions. Due to the timeframes required for preparing and publishing this report coinciding with renotification, further submission (if received) could not have been considered.

Consequently, if any additional submissions were received, they will have been provided to Panel members under separate cover on 30 October 2024.

RECOMMENDATION

PURSUANT TO SECTION 4.16 OF ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

THAT the North Sydney Local Planning Panel, exercising the functions of Council, grant consent to Development Application No. 330/23 for demolition of the existing dwelling house and associated works and construction and strata subdivision of an attached dual occupancy, landscaping and associated works, on land at 18 Grasmere Road Cremorne, subject to the conditions attached to this report.

JIM DAVIES
EXECUTIVE ASSESSMENT PLANNER

STEPHEN BEATTIE
MANAGER DEVELOPMENT SERVICES

NORTH SYDNEY COUNCIL
CONDITIONS OF DEVELOPMENT APPROVAL
18 GRASMERE ROAD, CREMORNE
DEVELOPMENT APPLICATION NO. 330/23

A. Conditions that Identify Approved Plans

Development in Accordance with Plans/Documentation

- A1. The development must be carried out in accordance with the following drawings endorsed with Council's approval stamp and other documentation listed in the table to this clause, or cited by other conditions, and as amended by other conditions of this consent.

Plan No.	Rev No.	Description	Prepared by	Dated
F3	F	04/03/2024	Roof/Site Analysis Plan	Design Corp Architects
F4			Basement Floor Plan	
F5			Ground Floor Plan	
F6			First Floor Plan	
F8			Elevations Plan	
F9			Sections	
F12			Materials and Finishes	
F13			Demolition Plan	
C01	C	08/05/2024	Cover Sheet/Ground Floor Landscape Plan	Plandrew
C02			Landscape Detail Rear	
C03			Landscape Detail Front	
C04			Plant Schedule	
C05			Details	
000	B	07/05/2024	Cover Sheet	Telford Civil
101			Stormwater Concept Plan Site Plan	
102			Stormwater Concept Plan Basement Level	
103			Stormwater Concept Plan	
104			Miscellaneous Details	

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

Plans on Site

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

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

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

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

C1. The approved development must be amended as follows:

- a) Side or rear boundary fencing requiring removal for the carrying out of the development must be replaced, by a type of fencing of the same materials, construction and height as any remaining fencing, in consultation with neighbours. Should all fencing be replaced, another suitable fencing of another type, materials and height may be erected, in consultation with neighbours and in accordance with relevant legislation and/or guidelines and/or standards.

The above amendments must be shown on all relevant drawings submitted to the Principal Certifier with the relevant Construction Certificate.

(Reasons: Compliance and to ensure acceptable environmental impacts.)

Dilapidation Report Damage to Public Infrastructure

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

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

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

Dilapidation Report Private Property (Excavation)

- C3. A full dilapidation survey and report on the visible and structural condition of all neighbouring structures within the 'zone of influence' of the required excavations must be submitted to the Principal Certifier for approval prior to the issue of any Construction Certificate. The zone of influence is to be defined as the horizontal distance from the edge of the excavation face to twice the excavation depth.

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

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

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

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

(Reason: To record the condition of property/ies prior to the commencement of construction)

Shoring for Adjoining Property

- C4. Where any shoring for excavation is to be located on or is supporting Council's property, or any adjoining private property, engineering drawings certified as being adequate for their intended purpose by an appropriately qualified and practising structural engineer, showing all details, including the extent of encroachment and the method of removal and de-stressing of shoring elements, must be submitted to the Principal Certifier for approval prior to the issue of the relevant Construction Certificate. A copy of this documentation must be provided to the Council for record purposes.

Note: Approval of engineering drawings for shoring works to be located on adjoining property by the Principal Certifier does not authorise a trespass on private or public land. All relevant permissions/legal rights must be obtained to undertake any works on adjoining land.

(Reason: To ensure the protection of existing public infrastructure and adjoining properties)

Structural Adequacy of Adjoining Properties - Excavation Works

C5. A report prepared by an appropriately qualified and practising structural engineer detailing the structural adequacy of adjoining properties No. 16 Grasmere Road Cremorne and No. 20 Grasmere Road Cremorne, which certifies their ability to withstand the proposed excavation and outlines any measures required to be implemented to ensure that no damage will occur to adjoining properties during the course of the works, must be submitted to the Principal Certifier for approval prior to the issue of the relevant Construction Certificate. The measures outlined in the certified report must be complied with at all times.

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

Geotechnical Report

C6. Prior to issue of any Construction Certificate a Geotechnical/Civil Engineering report must be prepared which addresses at a minimum (but is not limited to) the following:

- a) the type and extent of substrata formations by the provision of a minimum of four (4) representative bore hole logs which are to provide a full description of all material from ground surface to 1.0m below the finished basement floor level and include the location and description of any anomalies encountered in the profile. The surface and depth of the bore hole logs must be related to Australian Height Datum;
- b) the appropriate means of excavation/shoring in light of point (a) above and proximity to adjacent property and structures. Potential vibration caused by method of excavation and potential settlements affecting nearby footings/foundations must be discussed and mechanisms to ameliorate any such impacts recommended;
- c) the proposed method to temporarily and permanently support the excavation for the basement adjacent to adjoining property, structures and road reserve if nearby (full support must be provided within the subject site);
- d) the existing groundwater levels in relation to the basement structure, where influenced;

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- e) the drawdown effects on adjacent properties (including road reserve), if any, the basement excavation will have on groundwater together with the appropriate construction methods to be utilised in controlling groundwater. Where it is considered there is the potential for the development to create a “dam” for natural groundwater flows, a groundwater drainage system must be designed to transfer groundwater through or under the proposed development without a change in the range of the natural groundwater level fluctuations. Where an impediment to the natural flow path is constructed, artificial drains such as perimeter drains and through drainage may be utilised; and
- f) recommendations to allow the satisfactory implementation of the works. An implementation program is to be prepared along with a suitable monitoring program including control levels for vibration, shoring support, ground level and groundwater level movements during construction. The implementation program is to nominate suitable hold points at the various stages of the works for verification of the design intent before sign-off and before proceeding with subsequent stages.

The geotechnical report must be prepared by an appropriately qualified consulting geotechnical/hydrogeological engineer with previous experience in such investigations and reporting.

It is the responsibility of the consulting geotechnical/ hydrological specialist to undertake the appropriate investigations, reporting and specialist recommendations to ensure a reasonable level of protection to adjacent property and structures both during and after construction. The report must contain site-specific geotechnical recommendations and shall specify the necessary hold/inspection points by relevant professionals as appropriate.

The design principles for the geotechnical report are as follows:

- a) no ground settlement or movement is to be induced which is sufficient enough to cause an adverse impact to adjoining property and/or infrastructure;
- b) no changes to the ground water level are to occur as a result of the development that are sufficient enough to cause an adverse impact to the surrounding property and infrastructure;
- c) no changes to the ground water level are to occur during the construction of the development that are sufficient enough to cause an adverse impact to the surrounding property and infrastructure;
- d) vibration is to be minimised or eliminated to ensure no adverse impact on the surrounding property and infrastructure occurs, as a result of the construction of the development;

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- e) appropriate support and retention systems are to be recommended and suitable designs prepared to allow the proposed development to comply with these Design Principles; and
- f) an adverse impact can be assumed to be crack damage as identified within the relevant Australian Standard for determining such damage.

The report, satisfying the requirements of this condition, must be submitted to the Principal Certifier for approval prior to the issue of the relevant Construction Certificate.

The professional recommendations, implementation program, monitoring program, mitigation measures and the like contained in the report must be implemented in full during the relevant stages of excavation and construction.

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

Sediment Control

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

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

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

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

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The Principal Certifier must ensure that the building plans and specifications submitted, referenced on and accompanying the issued relevant 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

C8. A Waste Management Plan is to be submitted for approval by the Principal Certifier prior to the issue of any Construction Certificate. The plan must include, but not be limited to:

- a) The estimated volume of waste and method of disposal for the construction and operation phases of the development;
- b) The design of the on-site waste storage and recycling area; and
- c) Administrative arrangements for waste and recycling management during the construction process.

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

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

External Finishes and Materials

C9. The external colours and finishes must be in accordance with the approved schedule of finishes and materials. The Principal Certifier must ensure that the building plans and specifications submitted, referenced on and accompanying the issued relevant Construction Certificate, fully satisfy the requirements of this condition.

(Reason: To ensure quality built form of development)

Reflectivity Index of Glazing

C10. The glazing for windows, walls or roof finishes of the approved development must be factory pre-finished with low glare and reflectivity properties. Plans and specifications which comply with this condition must be submitted to the Principal Certifier for approval prior to the issue of any Construction Certificate. The Principal Certifier must ensure that the building plans and specifications submitted, referenced on and accompanying the issued relevant Construction Certificate, fully satisfy the requirements of this condition.

Note: The reflectivity index of glazing elements can be obtained from glazing manufacturers. Glass with mirrored or reflective foil finishes is unlikely to achieve compliance with this requirement.

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

Roofing Materials - Reflectivity

- C11. Roofing materials must be factory pre-finished with low glare and reflectivity properties to be compatible with the colours of neighbouring buildings. The selected roofing material must not cause a glare nuisance or excessive reflectivity to adjoining or nearby properties. Plans and specifications which comply with this condition must be submitted to the Principal Certifier for approval prior to the issue of any Construction Certificate. The Principal Certifier must ensure that the building plans and specifications submitted, referenced on and accompanying the issued relevant Construction Certificate, fully satisfy the requirements of this condition.

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

Work Zone

- C12. If a Work Zone is required a Work Zone permit is to be obtained from Council prior to the issue of any Construction Certificate.

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

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

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Maintain Property Boundary Alignment Levels

C13. Except where otherwise approved by Council, the property boundary alignment levels must match the levels which existed prior to the commencement of works. Plans and specifications which document existing and proposed levels adjacent to the site boundaries and which comply with the requirements of this condition must be submitted to the Principal Certifier for approval prior to the issue of the relevant Construction Certificate.

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

(Reason: To ensure interface between property and public land remains uniform)

Obtain Driveway Crossing Permit under S.138 Roads Act 1993

C14. 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 the relevant 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. The 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, grass verge and footpath;
- c) the width of the new vehicular layback must be 5.5 metres (including the wings);
- d) the vehicular layback 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;

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- g) transitioning works of one footpath panel on both sides of the driveway crossing is required to ensure uniformity in the footpath;
- h) the footpath, kerb gutter, and road shoulder must be transitioned 1m on both sides of the crossing to ensure uniformity in the road reserve;
- i) the road shoulder must be reconstructed 600mm wide (AC10 – 50mm thick) to the gutter lip, adjacent to all new gutter works;
- j) any twisting of driveway access must occur entirely within the subject property;
- k) all inspection openings, utility services must be adjusted to match the proposed driveway levels;
- l) sections along centre-line and extremities are required at a scale of 1:50 to be taken from the centre-line of the roadway through to the parking area itself and must include all changes of grade and levels both existing and proposed;
- m) 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;
- n) a longitudinal section along the footpath property boundary at a scale of 1:50 is required;
- o) the sections must show the calculated clearance to the underside of any overhead structure;

The permit must be granted by Council prior to the issue of the relevant 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 Principal Certifier issuing the relevant Construction Certificate must ensure that the permit issued by Council is obtained and referenced on and accompanies the Construction Certificate issued.

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

Stormwater Disposal - Drainage Plan

C15. Prior to the issue of the relevant Construction Certificate, site drainage plans must be prepared by a licensed plumber or drainage engineer. The site drainage plans must be designed in accordance with the following criteria:

- a) compliance with NCC drainage requirements and current Australian Standards and guidelines;

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

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

(Reason: Proper disposal of stormwater)

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

- C16. Prior to the issue of the relevant Construction Certificate, security deposit or bank guarantee must be provided to Council to the sum of \$8,500.00 to be held by Council for the payment of cost for any/all of the following:
- a) making good any damage caused to any property of the Council as a consequence of the doing of anything to which this consent relates,
 - b) completing any public work (such as road work, kerbing and guttering, footway construction, stormwater drainage and [environmental controls](#)) required in connection with this consent
 - c) remedying any defects in any such public work that arise within 6 months after the work is completed.
 - d) Council reserves the right to retain all bonds on infrastructure works relating to the completion of required Infrastructure work for a 12-month defect liability period. Council may elect to provide a lesser period for minor residential work.

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

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

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

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

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

Arborist to be Commissioned

- C17. An experienced consulting arborist ("the project arborist") must be commissioned to assist the design development, contract documentation and overseeing of construction works on the site for their duration by undertaking regular inspections of the works in progress and providing advice in relation to tree matters.

The project arborist must hold a minimum Australian Qualification Framework Level 5 in Arboriculture, be a registered consulting member of a nationally recognised arboricultural organisation or association, not remove or prune trees in the North Sydney local government area and be engaged before work commences for the duration of site preparation, demolition, construction and landscaping.

The project arborist shall prepare a Tree Protection and Management Plan, inspect, monitor, supervise, provide recommendations, written reports and certification relating to protection of trees in accordance this consent.

Written details of the engagement of the project arborist and the Tree Protection Management Plan must be submitted to the Principal Certifier prior to the issue of the relevant Construction Certificate.

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Contact details for the project arborist shall be advised to Council's Landscape Development Officer before work commences and be kept up to date for the duration of works. If a new project arborist is appointed, their details shall be notified to Council within 7 days.

Note: This condition, and any advice given by the consulting arborist, should not be construed as authorising the carrying of development or works not in accordance with the development consent.

(Reason: To ensure that all matters relating to trees and the proposed development are properly managed using best practice.)

Porous Paving

C18. The proposed off-street car parking space(s) and/or paving must be paved with materials to allow stormwater infiltration to the substrate. Plans and specifications which comply with this condition must be submitted to the Principal Certifier for approval prior to the issue of the relevant Construction Certificate. The Principal Certifier must ensure that the building plans and specifications submitted, referenced on and accompanying the issued relevant Construction Certificate, fully satisfy the requirements of this condition.

(Reason: To improve the capacity of the site to absorb water runoff)

Tree Protection

C19. To ensure the protection of all trees to be retained, the following measures are to be undertaken:

- a) All documentation for the relevant Construction Certificate application must show the site trees to be retained, and retention of the adjoining trees, with their positions and diameters of trunks and crowns (canopies) to be clearly and accurately shown in relation to all levels of the proposed development.
- b) All plans and correspondences must refer to the required compliance with the approved Tree Protection and Management Plan, and clearly show the assigned number of each tree on site, adjoining and Council land.
- c) A Consulting Arboriculturist ("the project arboriculturist"), who holds a minimum Australian Qualification Framework Level 5 in Arboriculture, is a registered consulting member of a nationally recognised arboricultural organisation or association, and who does not remove or prune trees in the North Sydney local government area, shall be engaged before work commences for the duration of site preparation, demolition, construction and landscaping.
- d) The project arboriculturist shall inspect, monitor, supervise, provide recommendations and written reports and certification relating to protection of the trees and compliance with the conditions of consent.

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- e) The contact details of the project arboriculturist shall be advised to council before work commences and maintained up to date for the duration of works. If a new project arborist is appointed details of the new project arborist shall be notified to council within 7 days.

(Reason: Tree protection measures)

Tree Bond for Public Trees

- C20. Prior to the issue of the relevant construction certificate, security in the sum of \$5,000.00 must be provided to Council for the protection of trees in public places, including the making good of any damage caused to such trees. The security is to be provided in accordance with the Schedule below.

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

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

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

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

SCHEDULE

Tree Species	Location	Bond
<i>T3 Buckinghamia celissima (2x1m)</i>	council verge in front of 20 Grasmere Rd	\$3,000
<i>T4 Buckinghamia celissima (2x1m)</i>	council verge in front of 16 Grasmere Rd	\$2,000

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

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Tree Protection Measures to be shown on Construction Drawings

C21. The tree protection measures contained in the arborist report prepared by L&Co, dated 23 May 2024, and as subsequently amended to reflect required amendments shall be shown clearly on the relevant Construction Certificate drawings. Plans and specifications showing the said tree protection measures must be submitted to the Principal Certifier for approval prior to the issue of the relevant Construction Certificate. The Principal Certifier must ensure the construction plans and specifications submitted, referenced on and accompanying the issued relevant Construction Certificate, fully satisfy the requirements of this condition.

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

Protection of Trees

C22. 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
<i>T3 Buckinghamia celissima</i>	council verge in front of 20 Grasmere Rd	2x1m
<i>T4 Buckinghamia celissima</i>	council verge in front of 16 Grasmere Rd	2x1m
T6 (2 x closely planted trees) <i>Archontophoenix cunninghamiana</i>	front setback-18 Grasmere – to be transplanted	10x8m
<i>T7-T9 Archontophoenix cunninghamiana</i>	front setback-18 Grasmere	9x6m
<i>T13-T15 Archontophoenix cunninghamiana</i>	side setbacks-18 Grasmere-to be transplanted	9x8m
<i>T18 Stenocarpus sinuatus</i>	rear setback of 17 Earle St	14 x 8m
<i>T19 Hymenosporum flavum</i>	rear setback of 19 Earle St	5x8m
<i>T20 Cupressus sp.</i>	rear setback of 19 Earle St	18x10m
<i>T21 Cupressus sp.</i>	rear setback of 19 Earle St	14x8m
<i>T22 Cupressus leylandii</i>	rear setback of 21 Earle St	4x4m
<i>T24 Magnolia 'Little Gem'</i>	rear setback of 16 Grasmere Rd	5x4m

Plans and specifications complying with this condition must be submitted to the Principal Certifier for approval prior to the issue of the relevant Construction Certificate. The Principal Certifier must ensure that the building plans and specifications submitted, referenced on and accompanying the issued relevant 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)

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Approval for Removal of Trees

C23. The following tree(s) are approved for removal in accordance with the development consent:

Trees that are acceptable to remove	Location	Height
T1 <i>Jacaranda mimosifolia</i>	council verge in front of 18 Grasmere Rd	5x6m
T2 <i>Buckinghamia celissima</i>	council verge in front of 18 Grasmere Rd	3x3m
T5 <i>Callistemon viminalis</i>	front setback-18 Grasmere Rd	4x6m
T10 <i>Ficus maclellandii</i>	front setback-18 Grasmere Rd	11x10m
T11 <i>Olea europaea</i>	front setback-18 Grasmere Rd	3x4m
T12 <i>Camellia sasanqua</i>	eastern setback-18 Grasmere Rd	4x6m
T16 <i>Howea forsteriana</i>	rear setback-18 Grasmere Rd	4x4m
T17 <i>Magnolia denudata</i>	front setback-18 Grasmere Rd	4x6m
T23 <i>Tibouchina granulosa</i>	rear setback-18 Grasmere Rd	3x4m

Removal or pruning 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)

Amendments to the Landscape Plan

C24. The landscape plan must be amended as follows to provide an appropriate landscaped setting:

- Proposed vehicle crossover shall be limited to single width.
- T6 (two trees close together) & T13 *Archontophoenix cunninghamiana* within the front and side setbacks of the subject site, shall be retained and transplanted to be co-located with T7, T8 and T9 *Archontophoenix cunninghamiana* in the front setback on the western side of the driveway, as close to the south western corner of the site as possible. T7, T8 and T9 may be relocated if required to improve long term health and vigour of all trees required to be located west of the driveway.
- T14 & T15 *Archontophoenix cunninghamiana* located within the side setbacks of the subject site shall be retained and translocated as shown in the amended landscape plans, as shown on sheets C01 and C03, prepared by Plandrew, dated 08 May 2024.
- The transplanting of T6, T13-T15 as detailed above shall be carried out by a qualified arborist specialising in such transplanting procedures. The transplanting shall be staged as required during demolition, planted to final locations, and maintained and monitored during construction, and for a minimum 12 months following issue of the final Occupation Certificate. These trees shall be suitably fenced off and have temporary irrigation installed immediately after planting. Existing orientation shall be maintained as much as possible.

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- A revised arborist report including detailed a Tree Protection Management Plan for preparation, removal, transplanting and ongoing maintenance is required. The amended landscape plan is to provide an increased garden area to successfully and sympathetically incorporate the transplanted palms.
- If required, an amended Stormwater Plan that does not impact the structural root zone and does not result in a greater than 10% encroachment (when added to encroachment already proposed) to any protected tree must be submitted. That the connection to the easement through 19 Earle St will not impact T19 or any other protected tree must be confirmed before the relevant construction certificate is issued.
- T1 *Jacaranda mimosifolia (5x6m)* & T2 *Buckinghamia celissima (3x3m)* in the council verge in front of 18 Grasmere Road are approved for removal subject to the replacement planting of 2 x *Buckinghamia celissima (100l)* on either side of the new single vehicle crossing, provided all other requirements detailed by this and other conditions of this consent are complied with.
- The driveway proposed within the front setback of the subject site shall allow for additional lawn & garden area, to be suitably designed to incorporate the retention of T6, T7-T9 and T13 *Archontophoenix cunninghamiana*.
- The 2 x *Elaeocarpus reticulatus (75l)* shown to be planted within the front setback shall be replaced with 2 x *Backhousia citriodora (75l)*.
- All amended plans shall clearly show existing and proposed levels.

An amended landscape plan(s) complying with this condition must be submitted to the Principal Certifier for approval prior to the issue of the relevant Construction Certificate. The Principal Certifier must ensure that the amended landscape plan(s) and other plans and specifications submitted fully satisfy the requirements of this condition.

(Reason: To ensure residential amenity)

Asbestos and Hazardous Material Survey

- C25. 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

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- d) Waste disposal receipts must be provided to the Principal Certifier as proof of correct disposal of asbestos laden waste.

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

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

Air Conditioners in Residential Premises

C26. The use of any air conditioner installed on the premises must comply with the requirements of the Protection of the Environment Operations (Noise Control) Regulations 2017 and State Environmental Planning Policy (Infrastructure) 2007 and must not:

- (a) emit a noise that is audible within a habitable room in any affected residence (regardless of whether any door or window to that room is open);
- (i) before 8.00am and after 10.00pm on any Saturday, Sunday or Public Holiday; or
- (ii) before 7.00am or after 10.00pm on any other day
- (b) cause an LAeq(15min) which exceeds the RBL background noise level by more than 5dB when measured at the boundary of any affected residence. The modifying factor adjustments in Section 4 of the EPA Noise Policy for Industry 2017 will be applied.

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

“boundary” includes any window or elevated window of an affected residence.

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

- (Reason: To maintain residential amenity)

Underground Electricity and Other Services

C27. All electricity and telecommunication provision to the site is to be designed in conjunction with Ausgrid and any other relevant authority so that it can be easily connected underground when the street supply is relocated underground. Plans and specifications complying with this condition must be submitted to the Principal Certifier for approval prior to the issue of the relevant Construction Certificate. The Principal Certifier must ensure that the building plans and specifications submitted, referenced on and accompanying the issued relevant Construction Certificate, fully satisfy the requirements of this condition.

(Reason: To provide infrastructure that facilitates the future improvement of the streetscape by relocation of overhead lines below ground)

Section 7.11 Development Contributions

C28. A monetary contribution pursuant to the provisions of Section 7.11 of *the Environmental Planning and Assessment Act 1979* is to be paid to Council, in accordance with the North Sydney Council's Contribution Plan, to provide for local infrastructure improvements.

Based on the cost of development at the date of determination, the total contribution payable to Council is \$20,000.00.

Indexation

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

Timing of Payment

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

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

(Reason: to provide for local infrastructure identified in the North Sydney Council Local Contributions Plan 2020)

Security Deposit/Guarantee Schedule

C29. All fees and security deposits/ guarantees in accordance with the schedule below must be provided to Council prior to the issue of the relevant Construction Certificate:

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Security Deposit/Guarantee	Amount (\$)
Public Tree Bond	\$5,000.00
Infrastructure Damage Bond	\$8,500.00
TOTAL BONDS	\$13,500.00

Note: The following fees applicable

Fees	
Local Infrastructure Contributions	\$20,000.00
TOTAL FEES	\$20,000.00

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

- C30. Under clause 75 of the Environmental Planning and Assessment Regulation 2021, it is a condition of this development consent that all the commitments listed in BASIX Certificate No. 1373665M, 24 October 2023, for the development are fulfilled. Plans and specifications complying with this condition must be submitted to the Principal Certifier for approval prior to the issue of the relevant Construction Certificate. The Principal Certifier must ensure that the building plans and specifications submitted, referenced on and accompanying the issued relevant 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)

Housing and Productivity Contribution

- C31. A housing and productivity contribution (HPC) is required to be made, for one allotment of the Strata subdivision of the approved development. Payment must be made before the Subdivision Certificate is issued.

The HPC must be paid using the NSW planning portal. At the time of payment, the amount of the HPC is to be adjusted in accordance with the Environmental Planning and Assessment (Housing and Productivity Contributions) Order 2024 (HPC Order).

The HPC may be made wholly or partly as a non-monetary contribution (apart from any transport project component) if the Minister administering the Environmental Planning and Assessment Act 1979 agrees.

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The HPC is not required to be made to the extent that a planning agreement excludes the application of Subdivision 4 of Division 7.1 of the Environmental Planning and Assessment Act 1979 to the development, or the HPC Order exempts the development from the contribution.

The amount of the contribution may be reduced under the HPC Order, including if payment is made before 1 July 2025.

(Reason: To require contributions towards the provision of regional infrastructure)

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 Principal Certifier 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 & beam construction & flexible location of piers/footings shall be used within the TPZ of any protected tree. No roots greater than 40mm shall be cut. No stormwater or any other underground services shall be directed through the TPZ of any protected tree.

No level changes shall be permitted within the TPZ of any protected tree, other than those specifically shown on approved plans.

1.8m high steel mesh tree protection fencing shall be erected east to west across the subject site to fully enclose the rear setback to a distance of 1m north of the building line of the proposed dwelling. No entry or any works shall be permitted to the north of this fence except under physical supervision of project arborist.

The tree protection measures detailed in the approved Tree Protection and Management Plan, and as directed by the project arboriculturist shall be established before work commences.

(Reason: To ensure that the stability and ongoing viability of trees being retained are not compromised Tree protection measures)

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Project Arborist Engaged

- D2. a) The project arboriculturist shall inspect tree protection measures and certify in writing to the Principal Certifier the measures comply with the approved Tree Protection Plan and as directed by the project arboriculturist before work commences.
- b) The project arboriculturist shall provide guidance and oversight of tree protection and management to ensure that the stability and ongoing viability of trees being retained is not compromised.
- c) The project arboriculturist must contact the tree pruning contractor and Council's Tree Management Officer (giving at least 2 working days' notice) to arrange a joint site meeting, prior to commencing any pruning, to determine the exact location and extent of pruning that is permissible, with the tree pruning contractor to comply with any instructions issued by Council, acting reasonably.
- d) Any pruning must be undertaken by a practicing arborist with a minimum Australian Qualification Framework Level 3 in arboriculture, in accordance with the principles of the Australian Standard AS 4373-2007 'Pruning of Amenity Trees, and the NSW Work Cover Code of Practice for the Amenity Tree Industry (1998), as well as any instructions issued on site by Council, acting reasonably.
- e) The practicing arborist must keep a log of dates and times of when they attended the site, the type of works that were performed, and must form part of the certification required prior to Occupation.

(Reason: Tree protection measures)

Protection of Public Trees

- D3. The following tree(s) are required to be protected and retained as part of the development consent in accordance with AS 4970-2009 – Protection of trees on development sites:

Tree	Location	Protection
<i>T3 Buckinghamia celissima</i> (2x1m)	council verge in front of 20 Grasmere Rd	1.8m high steel mesh tree protection fencing
<i>T4 Buckinghamia celissima</i> (2x1m)	council verge in front of 16 Grasmere Rd	1.8m high steel mesh tree protection fencing

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

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

(Reason: Protection of existing environmental and community assets)

Temporary Fences and Tree Protection

- D4. All protected trees on-site that are specifically nominated as per Condition C21 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), not less than the distance shown in the schedule hereunder, must be installed to the satisfaction of the Principal Certifier prior to demolition or commencement of any works and must be maintained for the duration of the works.

1.8m high steel mesh tree protection fencing shall be erected east to west across the subject site to fully enclose the rear setback to a distance of 1m north of the building line of the proposed dwelling. No entry or any works shall be permitted to the north this fence except under physical supervision of project arborist.

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

Public Liability Insurance - Works on Public Land

- D5. Any person or contractor undertaking works on public land must take out Public Risk Insurance with a minimum cover of \$20 million in relation to the occupation of public land and the undertaking of approved works within Council's road reserve or public land, as approved by this consent. The Policy is to note and provide protection/full indemnification for North Sydney Council, as an interested party. A copy of the Policy must be submitted to Council prior to commencement of any works. The Policy must be valid for the entire period that the works are being undertaken.

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

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

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Notification of New Addresses

- D6. Prior to the commencement of any building works, an application must be made and written confirmation received from North Sydney Council of the allocated street address (house number) and/ or unit numbers of the completed project.

A plan for the proposed dwelling and unit numbering must be submitted to Council for approval with the application for new addresses. Applications for numbering will be considered in accordance with the *NSW Geographical Names Board* requirements outlined in the document titled '*NSW Addressing User Manual.*'

The approved numbering will be recorded in Council's Land and Property Information database and must be clearly displayed at the property at all times. Council will also notify relevant public authorities and some service providers of the approved addresses (including Australia Post). A list of current authorities and service providers notified by Council will be included in the address approval notice.

These details will be recorded in Council records and must be displayed at the property in accordance with the provisions of the applicable Australian Standard relating to rural and urban addressing. A copy of the allocation confirmation must be submitted to the Principal Certifier with the application for the relevant Construction Certificate.

(Reason: To ensure that Council records are accurate, and that house numbering complies with the requirements of the NSW Geographical Names Board and Council's *Property Addressing Policy*)

Sydney Water Approvals

- D7. Prior to the commencement of any works, the approved plans must be submitted to Sydney Water to determine whether the development application will affect Sydney Water's sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met. The Principal Certifier must ensure that Sydney Water has appropriately stamped the plans before the commencement of building works.

Notes:

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

(Reason: To ensure compliance with Sydney Water requirements)

E. During Demolition and Building Work**Parking Restrictions**

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

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

Road Reserve Safety

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

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

(Reason: Public Safety)

Temporary Disposal of Stormwater Runoff

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

(Reason: Stormwater control during construction)

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Geotechnical Stability during Works

- E4. A contractor with specialist excavation experience must undertake the excavations for the development and a suitably qualified and consulting geotechnical engineer must oversee the excavation procedure.

Geotechnical aspects of the development work, namely appropriate excavation method and vibration control, support and retention of excavated faces, and hydrogeological considerations must be undertaken in accordance with the recommendations of the Geotechnical Investigation Report prepared by JK Geotechnics, dated 26 August 2022, 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)

Council Inspection of Public Infrastructure Works

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

- a) Formwork for layback, kerb/gutter, footpath, etc

All works must proceed in accordance with Roads Act 1993 approvals or other permits relating to roads issued by Council. A minimum of 48 hours' notice must be given to Council to book an inspection. Work must not proceed until the works or activity covered by the inspection is approved.

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

Dust Emission and Air Quality

- E6. 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.

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- (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

- E7. 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 in Public Open Space

- E8. 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

- E9. The Developer or the person, company or other entity that is acting upon this consent, must bear the cost of all works associated with the development that occurs on Council's property, including the restoration of damaged areas.

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

No Removal of Trees on Public Property

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

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

Protection of Trees

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

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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. All recommendations contained within the tree report prepared by L&Co dated 23 May 2024, and as subsequently amended to reflect required amendments must be implemented for the duration of the works.

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

Notes:

- a. If the nominated tree is damaged to a significant degree or removed from the site without prior written approval being obtained from Council, the issuing of fines or legal proceedings may be commenced for failure to comply with the conditions of this consent.
- b. An application to modify this consent pursuant to Section 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

E12. 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
<i>T1 Jacaranda mimosifolia</i>	council verge in front of 18 Grasmere Rd	5x6m
<i>T2 Buckinghamia celissima</i>	council verge in front of 18 Grasmere Rd	3x3m
<i>T5 Callistemon viminalis</i>	front setback-18 Grasmere Rd	4x6m
<i>T10 Ficus maclellandii</i>	front setback-18 Grasmere Rd	11x10m
<i>T11 Olea europaea</i>	front setback-18 Grasmere Rd	3x4m
<i>T12 Camellia sasanqua</i>	eastern setback-18 Grasmere Rd	4x6m
<i>T16 Howea forsteriana</i>	rear setback-18 Grasmere Rd	4x4m
<i>T17 Magnolia denudata</i>	front setback-18 Grasmere Rd	4x6m
<i>T23 Tibouchina granulosa</i>	rear setback-18 Grasmere Rd	3x4m

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

Special Permits

E13. 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)

Service Adjustments

- E14. Where required, the adjustment or inclusion of any new utility service or facilities must be carried out by an appropriate contractor in accordance with the requirements of the relevant utility authority.

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

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

(Reason: To ensure the service requirements are met)

Noxious Plants

- E15. All lantana, privet, rubber trees, asthma weed, and other declared noxious plants on the site, must be eradicated before the commencement of landscape works.

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

Construction Hours

- E16. Construction activities and works approved under this consent must be restricted to within the hours stipulated in the following table:

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

Construction activities for development approved under this consent must be carried out in accordance with the standard construction hours above, the EPA Noise Policy for Industry 2017 and any Construction Noise Management Plan required under this consent.

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

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

Out-of-hours' Work Permits

E17. Where it is necessary for works to occur outside those hours allowed by these conditions, an application may be made to Council's Customer Services Centre for a permit to carry out works outside of the approved hours. If a permit is issued the works approved must be carried out in accordance with any requirements specified in the permit. Permits will only be approved if **public safety is not at risk**. Applications which seek a variation to construction hours solely to benefit the developer will require the lodgement and favourable determination of a modification application pursuant to the provisions of Section 4.55 of *the Environmental Planning and Assessment Act 1979*.

Notes:

- 1) Failure to obtain a permit for work outside of the approved hours will result in on the spot fines being issued, or Council pursuing any action required (including legal proceedings) to have the out of hours work cease, without prior warning.
- 2) Applications for out of hour's works should be lodged with Council no later than seven (7) calendar days prior to the date of the intended works.
- 3) Examples of activities for which permits may be granted include:
 - the erection of awnings,
 - footpath, road and other infrastructure works which cannot be carried out for public convenience reasons within normal hours,
 - the erection and removal of hoardings and site cranes, and
 - craneage of materials which cannot be done for public convenience reasons within normal working hours.
- 4) Examples of activities for which permits WILL NOT be granted include:
 - extended concrete pours
 - works which are solely to convenience the developer or client, and
 - catch up works required to maintain or catch up with a construction schedule.
- 5) Further information on permits can be obtained from the Council website at www.northsydney.nsw.gov.au.

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

Installation and Maintenance of Sediment Control

E18. Erosion and sediment controls must be installed and maintained at all times in accordance with the Sediment and erosion control plan submitted and approved with the relevant Construction Certificate.

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

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

Sediment and Erosion Control Signage

E19. A durable sign must be erected during building works in a prominent location on site, warning of penalties should appropriate erosion and sedimentation control devices not be maintained. A sign of the type referred to in this condition is available from Council.

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

Site Amenities and Facilities

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

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

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

Health and Safety

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

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

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

Prohibition on Use of Pavements

E22. Building materials must not be placed on Council's footpaths, roadways, parks or grass verges, (unless a permit is obtained from Council beforehand). A suitable sign to this effect must be erected adjacent to the street alignment.

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

Plant and Equipment Kept Within Site

E23. All plant and equipment used in the undertaking of the development/works, including concrete pumps, wagons, lifts, mobile cranes, hoardings etc, must be situated within the boundaries of the site (unless a permit is obtained from Council beforehand) and so placed that all concrete slurry, water, debris and the like must be discharged onto the building site, and is to be contained within the site boundaries.

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

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

Imported Fill Material

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

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

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

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

Waste Disposal

E25. All records demonstrating the lawful disposal of waste must be retained and kept readily accessible for inspection by regulatory authorities such as North Sydney Council and the Environmental Protection Authority.

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

Asbestos Removal

E26. All demolition works involving the removal and disposal of asbestos cement must only be undertaken by contractors who hold a current WorkCover Asbestos or "Demolition Licence" and a current WorkCover "Class 2 (Restricted) Asbestos Licence and removal must be carried out in accordance with National Occupational Health and Safety Commission.

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

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

National Construction Code

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

(Reason: Prescribed - Statutory)

Home Building Act

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

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

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

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

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- (i) the name of the owner-builder, and
 - (ii) if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.
- 2) If arrangements for doing residential building work are changed while the work is in progress such that the information submitted to Council in accordance with this condition is out of date, work must cease, and no further work may be carried out unless the Principal Certifier for the development to which the work relates (not being the Council), has given the Council written notice of the updated information.

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

(Reason: Prescribed - Statutory)

Appointment of Principal Certifier (PC)

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

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

Construction Certificate

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

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

Occupation Certificate

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

(Reason: Statutory)

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Critical Stage Inspections

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

(Reason: Statutory)

Commencement of Works' Notice

F7. Building work 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 the erection of the building.

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

Excavation/Demolition

- F8. 1) All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with appropriate professional standards.
- 2) All excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them from being dangerous to life or property.
- 3) Demolition work must be undertaken in accordance with the provisions of AS2601- Demolition of Structures.

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

Protection of Public Places

- F9. 1) A hoarding and site fencing must be erected between the work site and adjoining public place.
- 2) If necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.
- 3) The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.
- 4) Any such hoarding, fence or awning is to be removed when the work has been completed.

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- 5) No access across public reserves or parks is permitted.

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

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

Site Sign

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

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to the satisfaction of Council Engineers at no cost to Council. Council's development engineer must be contacted to arrange inspections of the completed works in the Public Domain.

(Reason: Maintain quality of Public assets)

Damage to Adjoining Properties

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

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

Utility Services

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

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

Notification of New Address Developments

- G4. Prior to any Occupation Certificate being issued, the person acting upon this consent must comply with the following: -

- (a) Notify Australia Post of the address(es) as issued by Council and the location in plan form of any secondary, internal addresses, in relation to built public roads. Check Australia Post Website (www.auspost.com.au) to find your nearest Australia Post Delivery Facility.

(Reason: To ensure that Council records are accurate, that house numbering complies with the requirements of Council's House Numbering Policy and to assist emergency services.)

Asbestos Clearance Certificate

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

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

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

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

Certification of Tree Condition

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

Tree	Location	Height
T3 <i>Buckinghamia celissima</i>	council verge in front of 20 Grasmere Rd	2x1m
T4 <i>Buckinghamia celissima</i>	council verge in front of 16 Grasmere Rd	2x1m
T6 (2 x closely planted trees) <i>Archontophoenix cunninghamiana</i>	front setback-18 Grasmere – to be transplanted	10x8m
T7-T9 <i>Archontophoenix cunninghamiana</i>	front setback-18 Grasmere	9x6m
T13-T15 <i>Archontophoenix cunninghamiana</i>	side setbacks-18 Grasmere-to be transplanted	9x8m
T18 <i>Stenocarpus sinuatus</i>	rear setback of 17 Earle St	14 x 8m
T19 <i>Hymenosporum flavum</i>	rear setback of 19 Earle St	5x8m
T20 <i>Cupressus sp.</i>	rear setback of 19 Earle St	18x10m
T21 <i>Cupressus sp.</i>	rear setback of 19 Earle St	14x8m
T22 <i>Cupressus leylandii</i>	rear setback of 21 Earle St	4x4m
T24 <i>Magnolia</i> 'Little Gem'	rear setback of 16 Grasmere Rd	5x4m

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

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

Landscaping

- G7. The landscaping shown in the approved landscape plans cited by Condition A1 and as amended by other conditions of this consent must be completed prior to the issue of the relevant Occupation Certificate.

(Reason: To ensure compliance)

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House Numbering (Dwellings)

- G8. Prior to the relevant Occupation Certificate being issued an application must be made to North Sydney Council for written confirmation, or allocation, of the street address(es) or apartment number(s) for the completed project in accordance with Council's Property Addressing Policy. These are the numbers that will be recorded in Council records and must be displayed at the property in accordance with the provisions of AS/NZS 4819:2011.

Note: If apartments are to be sold off the plan, the applicant must have written confirmation from Council of the address and apartment numbering if the apartment number is to be identified on the contract.

(Reason: To ensure that Council records are accurate, and that house numbering complies with the requirements of Council's House Numbering Policy. Proper house numbering also assists emergency services in readily locating properties.)

Damage to Adjoining Properties

- G9. On completion of the development the subject of this consent and prior to the issue of the relevant Occupation Certificate, a report is to be prepared by an appropriately qualified consultant and is to be provided to the Principal Certifier (and a copy to Council if it is not the Principal Certifier) certifying:
- a) whether any damage to adjoining properties has occurred as a result of the development;
 - b) the nature and extent of any damage caused to the adjoining property as a result of the development;
 - c) the nature and extent of works required to rectify any damage caused to the adjoining property as a result of the proposed development;
 - d) the nature and extent of works carried out to rectify any damage caused to the adjoining property as a result of the development; and
 - e) the nature and extent of any agreements entered into for rectification of any damage caused to the adjoining property as a result of the development.

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

A copy of the report and certification required by this condition must be submitted to Council with the Final Occupation Certificate. All costs incurred in achieving compliance with this condition shall be borne by the developer.

(Reason: To record the condition of adjoining properties prior to completion of the development and to facilitate claims against damage)

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Required Tree Planting

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

Schedule

Tree Species	Location	Pot Size
2 x <i>Buckinghamia celissima</i>	Council verge on either side of the new single vehicle crossover in front of 18 Grasmere Rd	100l

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

Upon completion of installation and prior to the issue of the relevant 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 the relevant Occupation Certificate.

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

Unpaved Verge

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

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

I. On-Going / Operational Conditions

Maintenance of Approved Landscaping

- I1. The owner of the premises at 18 Grasmere Road is to maintain the landscaping approved by this consent generally in accordance with approved plans.

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

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

Ongoing Street Tree Care

12. The 2 x *Buckinghamia celissima* located in the road reserve shall be watered for a period of six (6) months after the relevant construction certificate is issued. The watering shall be approximately 50 litres each per week (min) delivered gently by hose or watering can so that the surrounding soil can absorb the water. Seasol solution or similar is recommended once a month over this period.

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

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

Minimum Headroom for Car Parking

13. A minimum headroom of 2.2m must be provided over all car-parking areas.

(Reason: To ensure compliance with relevant standards and provide appropriate headroom)

K. Strata Certificate

Registered Plans (Strata)

- K1. The applicant must submit to Council's documentary evidence that the Strata Plan has been registered and the lot(s) exists.

(Reason: To ensure the accuracy of Council's Property and Land Information system)

Strata Subdivision

- K2. A Strata Certificate pursuant to the *Strata Schemes (Freehold Development) Act 1973*, that authorises registration of the strata plan, strata plan of subdivision or notice of conversion at NSW Land Registry Services must be obtained. If the Strata Certificate is obtained from an Accredited Certifier, other than the Council, the certifier is to provide Council with a copy of the endorsed Strata Certificate within 7 days of issuing the same, pursuant to the *Strata Schemes (Freehold Development) Regulation 2002*.

NOTES: For approval of the Strata Certificate by North Sydney Council, the following must be submitted to Council:

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- a) the original strata plans or strata plans of subdivision and administration sheets plus two (2) copies of each, and any original Instrument (including but not limited to any section 88B or 88E instruments) to be endorsed, all **enclosed in a protective cardboard tube** (to prevent damage during transfer);
- b) 2 additional copies of the strata plans or strata plans of subdivision and any relevant Instrument for submission to Council Customer Services and records department for electronic database scanning and copying;
- c) a completed *Subdivision or Strata Certificate Application* form together with payment of fee current at lodgement;
- d) written evidence that all applicable conditions of consent required to be satisfied, prior to issue of the Strata Certificate, have been satisfied. Council will check the consent conditions on the relevant consent(s). Failure to submit the required information will delay endorsement of the Strata Certificate, and may require payment of rechecking fees;
- e) **plans of subdivision and copies must not be folded; and**
- f) **council will not accept bonds in lieu of completing subdivision works.**

(Reason: To ensure compliance with relevant legislative requirements and maintenance of up-to-date Council records)

Sydney Water

K3. A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained.

The Section 73 Certificate must be submitted to the Principal Certifier or North Sydney Council with the documentation to enable the issue of the Strata Certificate.

Notes:

1. Application must be made through an authorised Water Servicing Co-ordinator, for details see the Sydney Water web site www.sydneywater.com.au or telephone 13 20 92.
2. Following application, a 'Notice of Requirements' will be forwarded detailing water and sewer extensions to be built and charges to be paid. Please make early contact with the Coordinator since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design.

(Reason: To ensure compliance with Sydney Water requirements)

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Release of Strata Certificate

- K4. The Strata Certificate that authorises registration of the Strata Plan, Strata Plan of Subdivision or Notice of Conversion at NSW Land Registry Services shall not be issued until bounding walls, floors and ceilings between proposed strata lots have been constructed in accordance with the approved plans identified in Condition A1 of this Consent.

(Reason: To ensure that the registered strata plan relates to approved development)

Building and Unit Numbering (Strata Subdivisions)

- K5. Prior to issue of the Strata Certificate, the person acting upon this consent must apply to North Sydney Council and receive written confirmation of the allocated street address and unit numbers for the building and the approved strata allotments within the completed project. These are the property addresses that will be recorded in Council records and must be displayed at the property in accordance with the provisions of the applicable Australian Standard (AS/NZS 4819:2011).

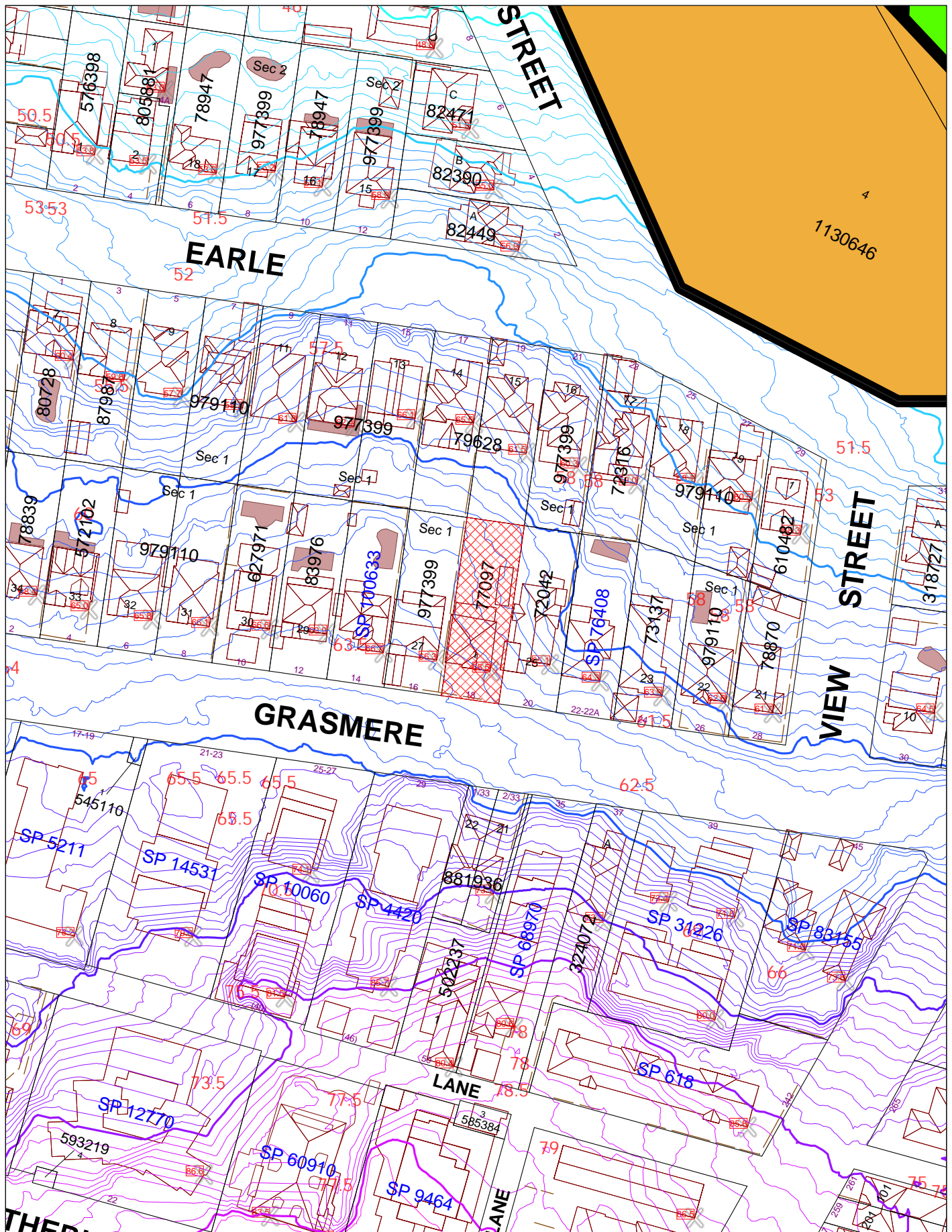
To assist Council, a draft proposal for numbering within the strata scheme or street should be submitted for concurrence to Council, as these numbers will be used to maintain Council's property and mapping database.

(Reason: To ensure that Council records are accurate, and that building and unit numbering complies with the requirements of Council's Property Addressing Policy. Proper building and unit numbering also assists emergency services in readily locating properties)

Services within Lots

- K6. A report must be provided by a Registered Surveyor certifying that all services (including but not limited to stormwater drainage, gas, electricity, telephone cable) as constructed or to be constructed are/will be contained within each lot or within the necessary easements to accommodate such services. The report must be submitted to the Principal Certifier for approval prior to the issue of any Subdivision Certificate.

(Reason: To ensure adequate servicing of the development)



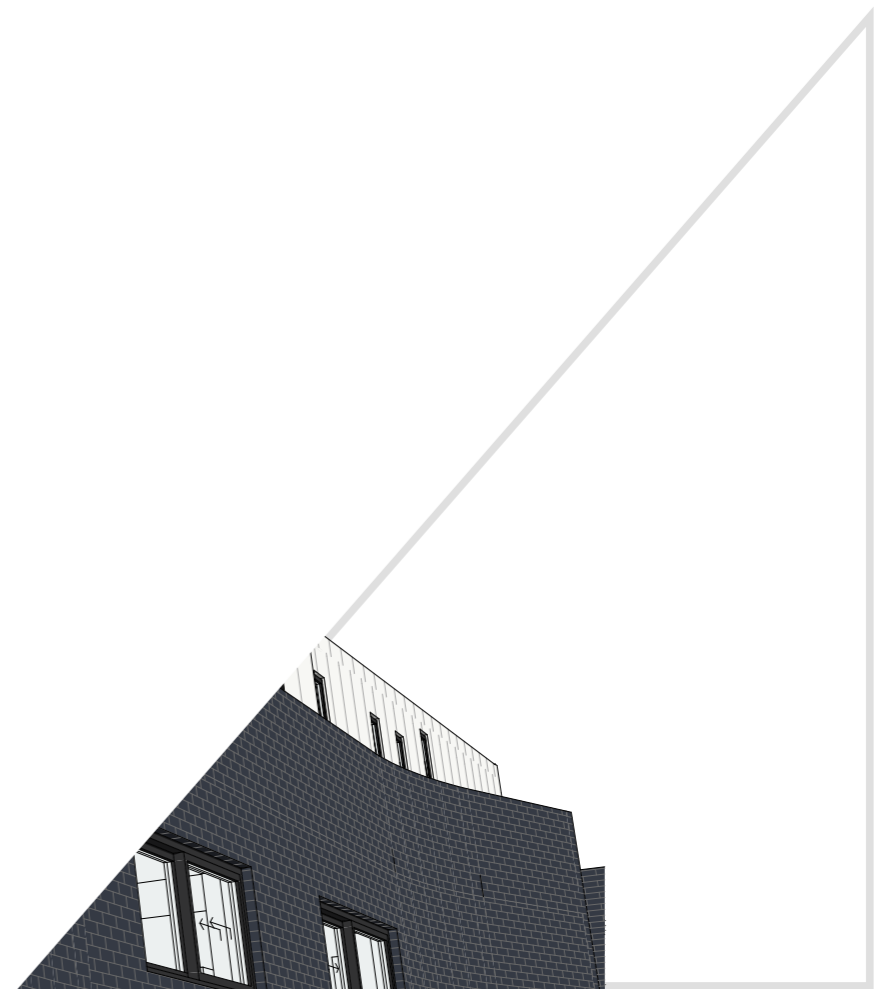
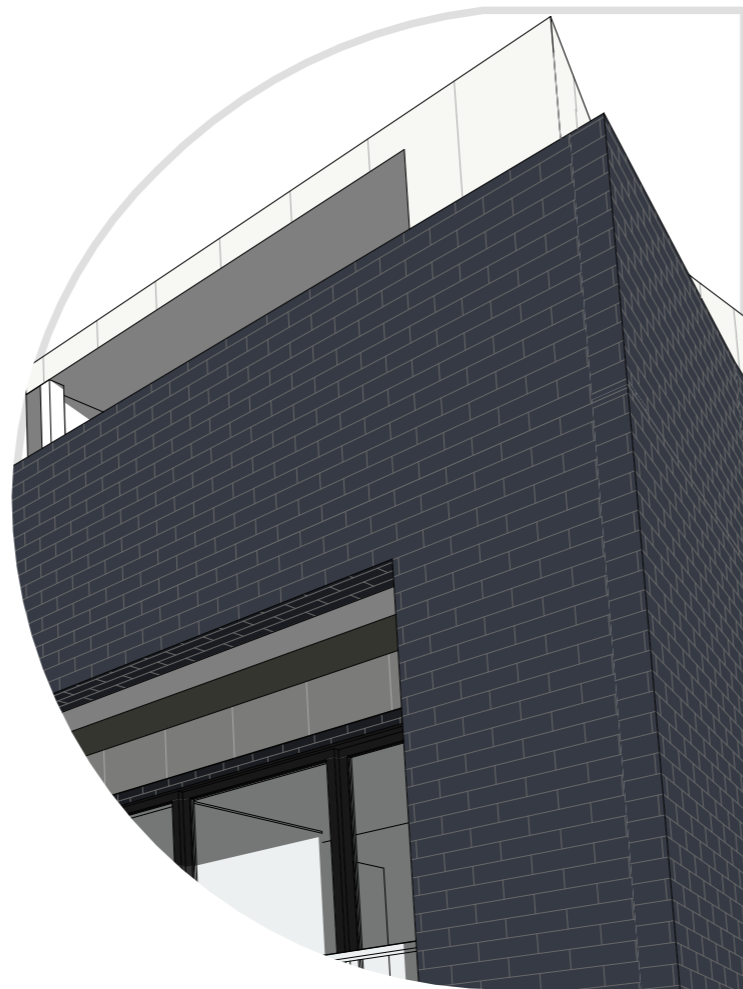
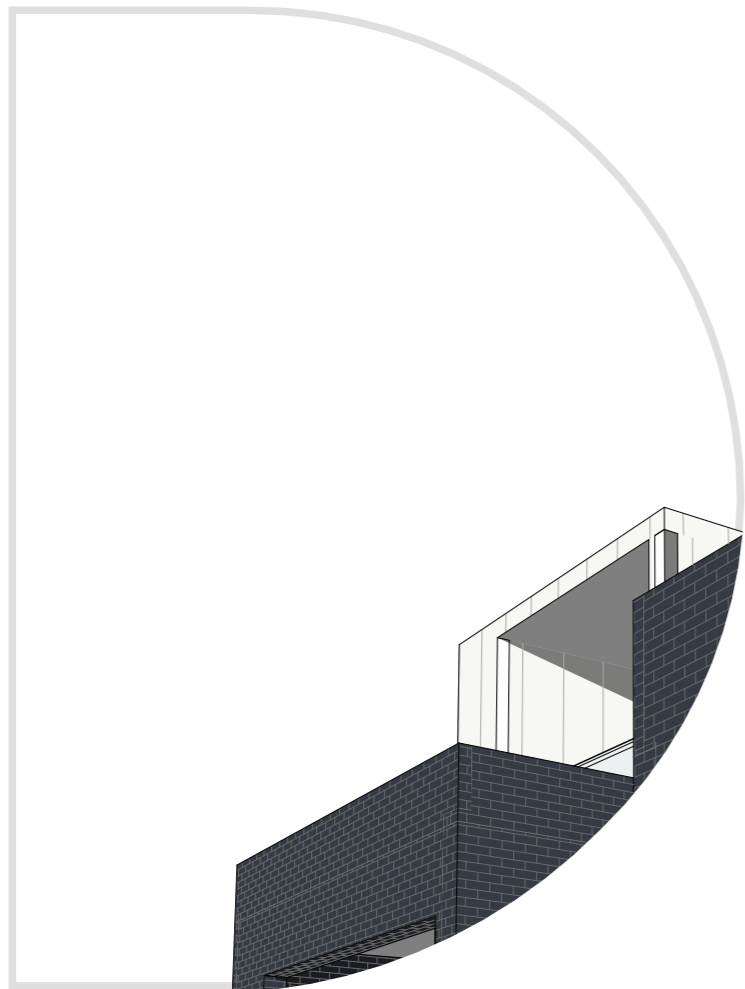
North Sydney Council

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

Scale: 1:1200 approx.







property: DUAL OCCUPANCY

18 GRASMERE ROAD CREMORNE

applicant: DESIGNCORP ARCHITECTS PTY LTD

client: P&V FIEDLER Pty Ltd atf WALANA
FAMILY TRUST and SHIBANI MEHTA

date: 7/08/2024

job no: 2022-196

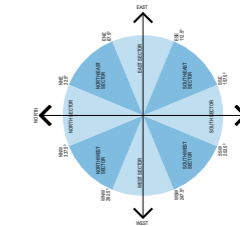
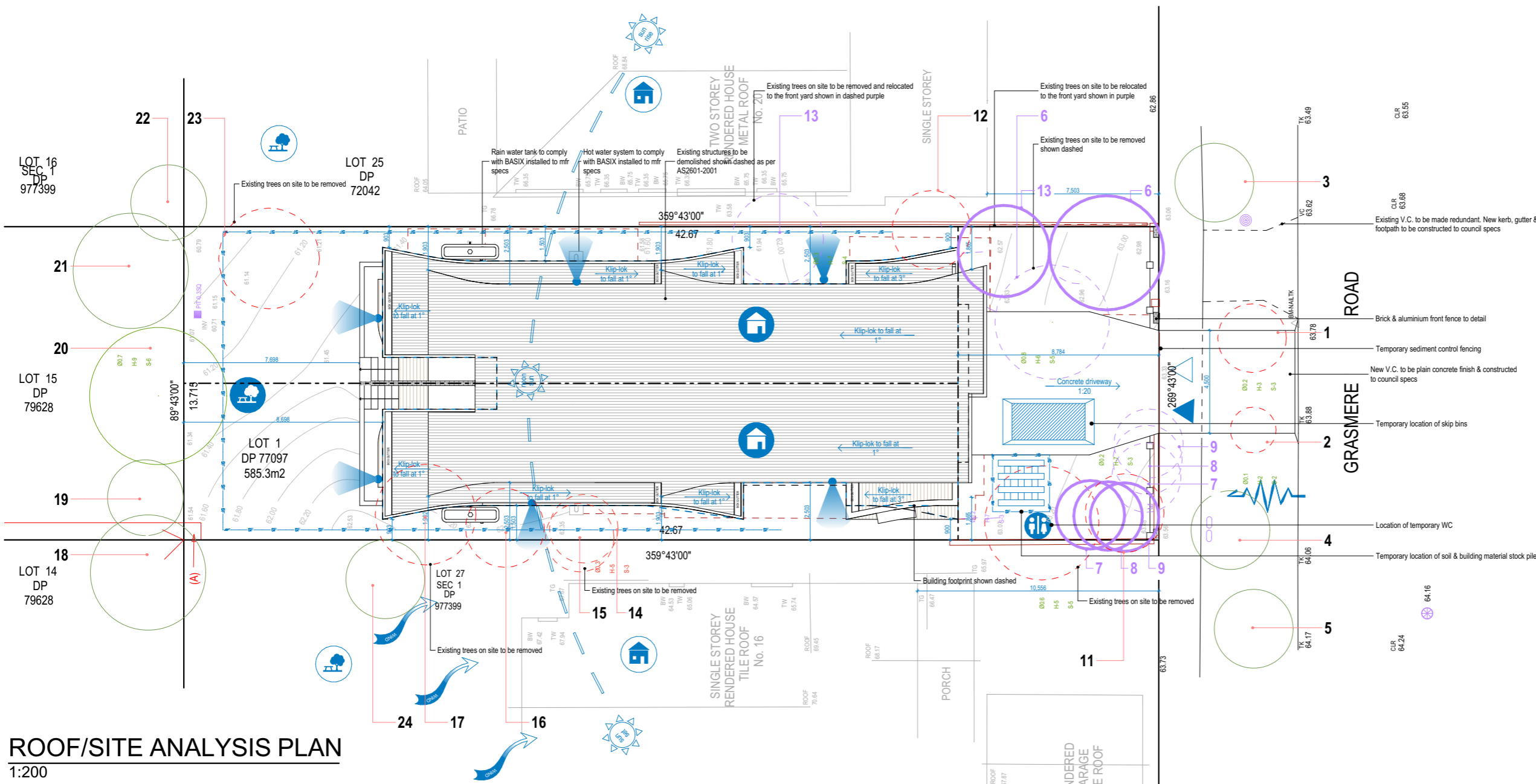
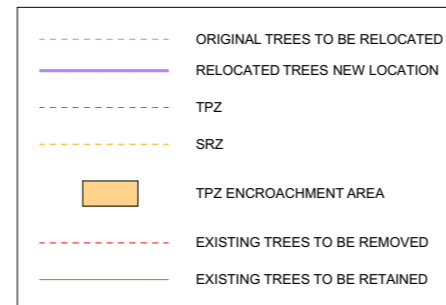
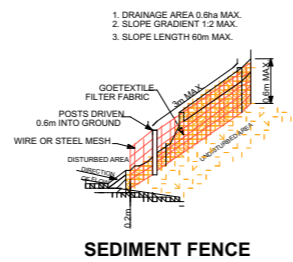
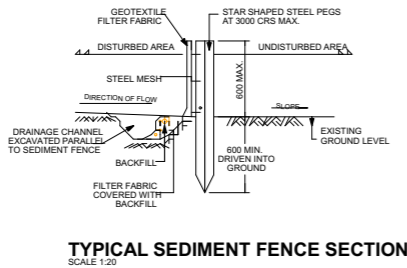
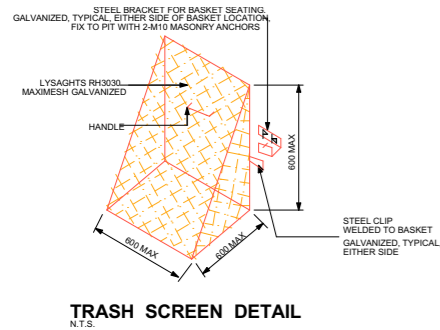
PROPOSED DUAL OCCUPANCY @ 18 GRASMERE ROAD CREMORNE FOR P&V FIEDLER Pty Ltd atf WALANA FAMILY TRUST and SHIBANI MEHTA DEVELOPMENT APPROVAL

LOCATION MAP



SITE DATA			
SITE AREA		585.3	
COMMON PROPERTY =		120.5	
UNIT 01 (LOT A) =	232.40	UNIT 02 (LOT B) =	232.40
FLOOR AREA			
Lower Ground Floor	76.51	Lower Ground Floor	76.51
Upper Ground Floor	99.6	Upper Ground Floor	96.99
First Floor Area	73.82	First Floor Area	74.19
TOTAL	249.93	TOTAL	247.69

COMPLIANCE TABLE			
CONTROL	REQUIRED	PROPOSED	
Site Area (m ²) R2	450	585.3	
Floor Area (n/a)	N/A	LOT 1	LOT 2
		249.93	247.69
Front Setback	Average (9.029)	8.784m	
Side Setback	<4m = 900mm / >4m->7m = 1500mm / >7m = 2500mm	900 / 2.5m over 7m	
Rear Setback	Average (10.695m)	10.695m	
Un-built upon area (15% max)	87.795	85.37	
Site Coverage (45% max)	263.385	237.66	
Building Height	8.5m	8.5m	
Ground FFL to NGL	Max 1m	2.1m	2.2m
Landscape (40% min)	92.96	129.3	131.03
Solar Access (hrs)	3 hrs	3 hrs	3 hrs
Private Open Space	40m ²	73.36m ²	73.36m ²
Front fence	1m high if solid, 1.5m high if 50% transparent	1m	
Habitable room in basement	50% floor area to be no more than 1m underground	Yes	Yes
Parking	2	1	1



SHEET SCHEDULE	
SHEET	TITLE
1	COVER SHEET
2	3D
3	ROOF/SITE ANALYSIS PLAN
4	BASEMENT FLOOR PLAN
5	GROUND FLOOR PLAN
6	FIRST FLOOR PLAN
7	TPZ AND SRZ PLAN
8	ELEVATIONS
9	SECTIONS
10	SHADOWS - JUN
11	VIEWS FROM THE SUN - JUN
12	MATERIALS & FINISHES
13	DEMOLITION PLAN

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 ISSUE H: 03/02/2023
 ISSUE G: 20/12/2022
 ISSUE F: 23/11/2022

drawing: ROOF/SITE ANALYSIS PLAN
 project: PROPOSED DUAL OCCUPANCY @ 18 GRASMERE ROAD CREMORNE
 client: P&V FIEDLER Pty Ltd atf WALANA FAMILY TRUST and SHIBANI MEHTA
 drawn: A.M. scale: as shown sheet size: A3 Council
 checked: J.E. date: SEPT23 ref: 2022-196 NSC

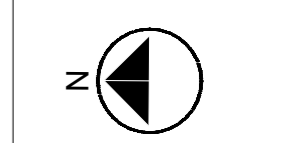
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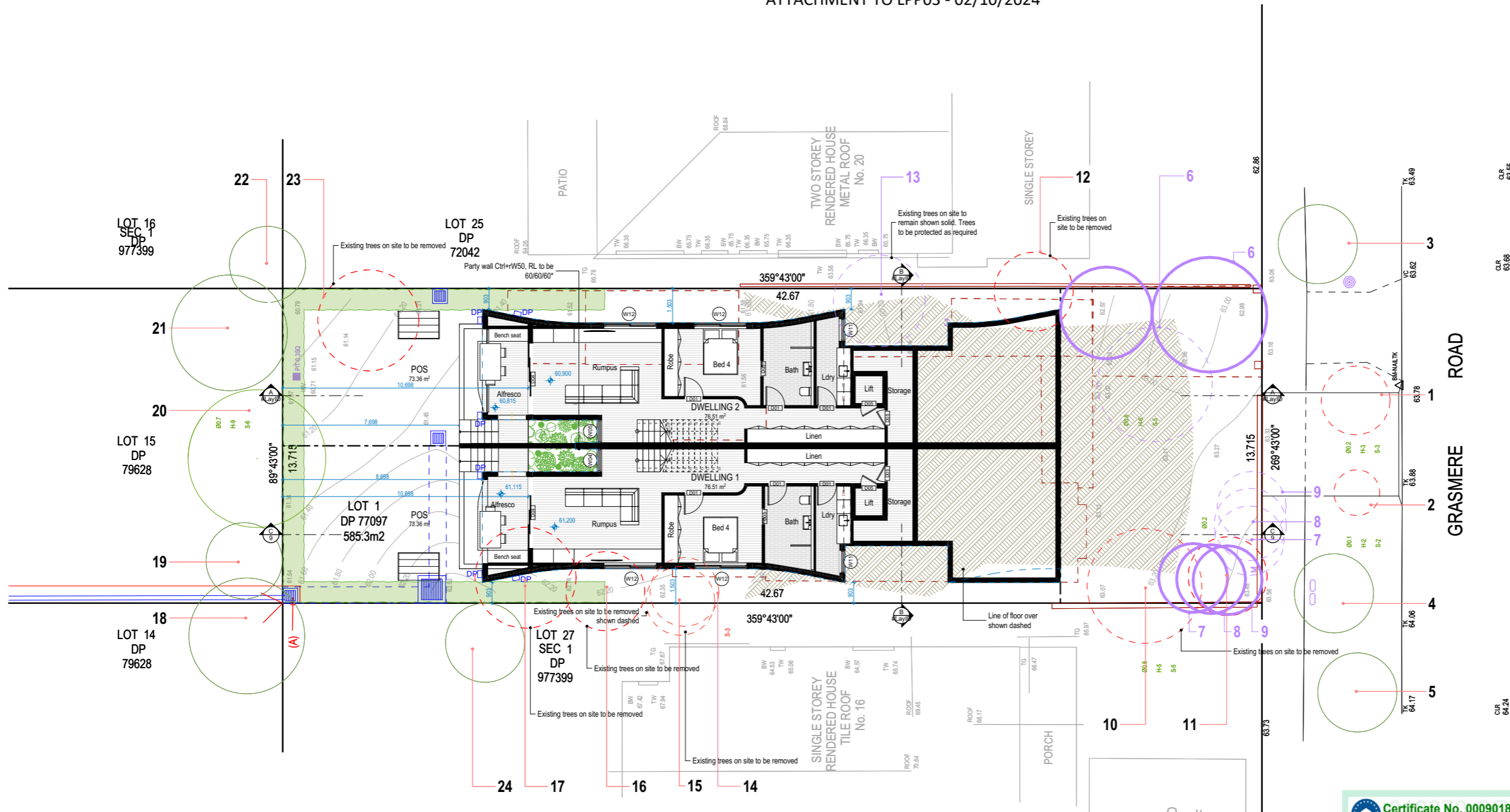
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 nominated architect - joe el-sabbagh 8707

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ISSUE a:	20/12/2022



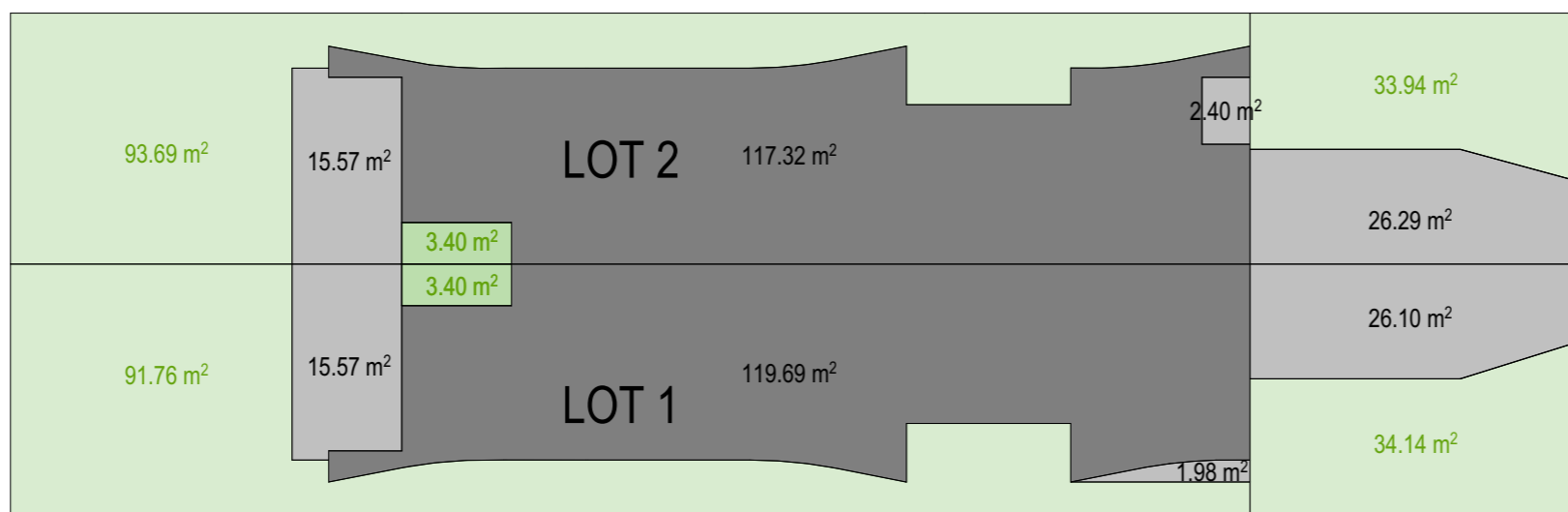
BASEMENT FLOOR PLAN

1:200

Certificate No. 0009018370

Assessor name: John Boutros
 Accreditation No. DMN/16/1763
 Property Address: Unit 2, 18 Grasmere Rd, Cremorne NSW, 2090

- ORIGINAL TREES TO BE RELOCATED
- RELOCATED TREES NEW LOCATION
- TPZ
- SRZ
- TPZ ENCROACHMENT AREA
- EXISTING TREES TO BE REMOVED
- EXISTING TREES TO BE RETAINED



LANDSCAPE/SITE AREA CALCULATION

1:200

drawing: **BASEMENT FLOOR PLAN**
 project: **PROPOSED DUAL OCCUPANCY @ 18 GRASMERE ROAD CREMORNE**
 client: **PW FIEDLER Pty Ltd atf WALANA FAMILY TRUST and SHIBANI MEHTA**
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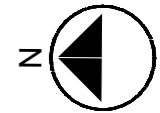
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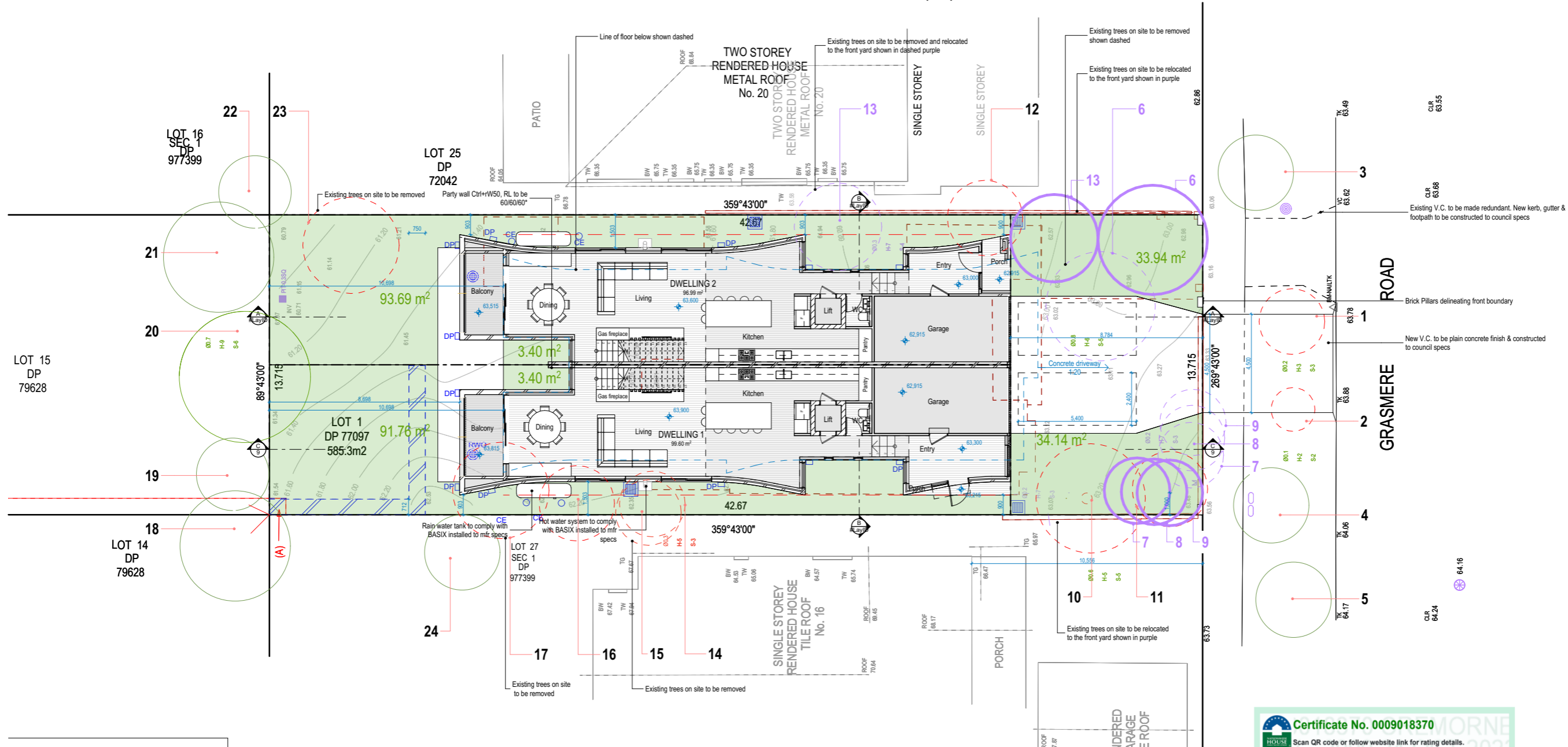


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GROUND FLOOR PLAN

1:200

Certificate No. 0009018370

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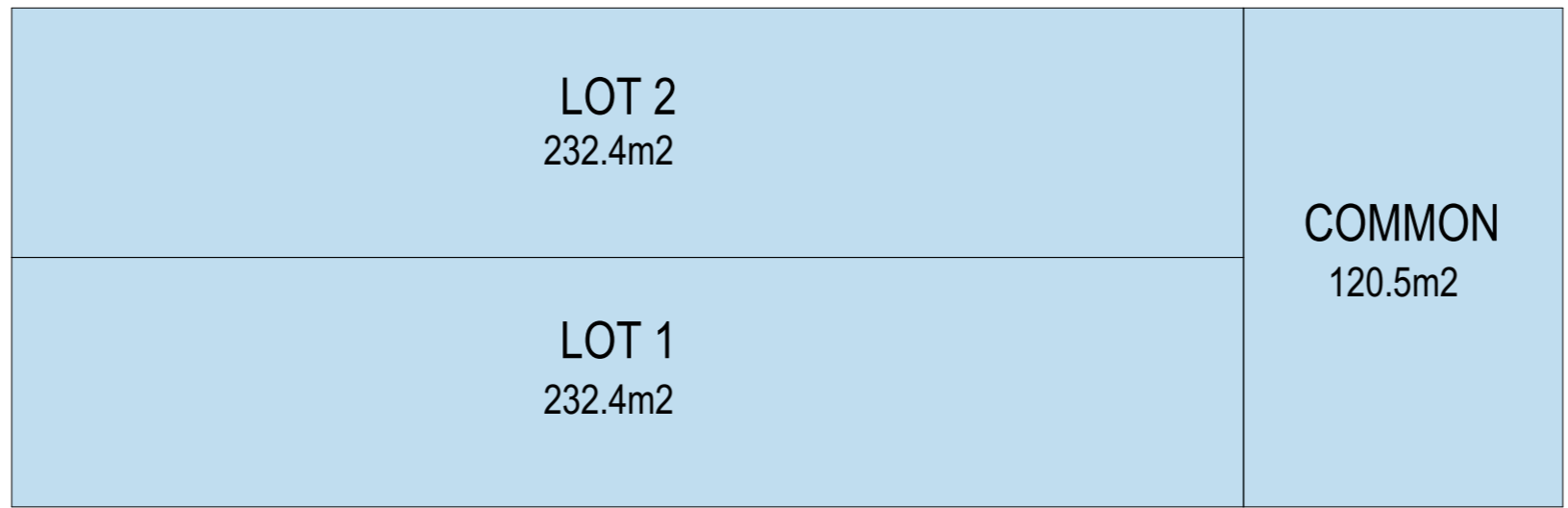
Assessor name John Boutros

Accreditation No. DMN/16/1763

Property Address Unit 2, 18 Grasmere Rd, Cremorne NSW, 2090

hstar.com.au/QR/Generate?tp=DU6BUqpt

SUBDIVISION DATA		
PROPOSED LOT DESCRIPTION		
LOT 1 (unit 1) - 232.4m ²		
LOT 2 (unit 2) - 232.4m ²		
Common property - 120.5m ²		
PROPOSED SUBDIVISION TITLE		
STRATA		
CURRENT LOT DESCRIPTION		
LOT: 1	DP: 77097	HOUSE NO.
AREA: 585.3m ² (BY CALC)		
NOTE		
FRONT SETBACK AREA TO REMAIN COMMON PROPERTY. ALL DIMENSIONS TO BE VERIFIED ON SITE BY SURVEYOR.		



SUBDIVISION PLAN

1:200

- ORIGINAL TREES TO BE RELOCATED
- RELOCATED TREES NEW LOCATION
- TPZ
- SRZ
- TPZ ENCROACHMENT AREA
- EXISTING TREES TO BE REMOVED
- EXISTING TREES TO BE RETAINED

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ISSUE G:	Issue Info	20/12/2022
ISSUE F:	Issue Info	23/11/2022

drawing: GROUND FLOOR PLAN

project: PROPOSED DUAL OCCUPANCY @ 18 GRASMERE ROAD CREMORNE

client: POU FIEDLER Pty Ltd atf WALANA FAMILY TRUST and SHIBANI MEHTA

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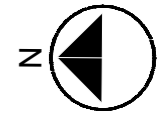


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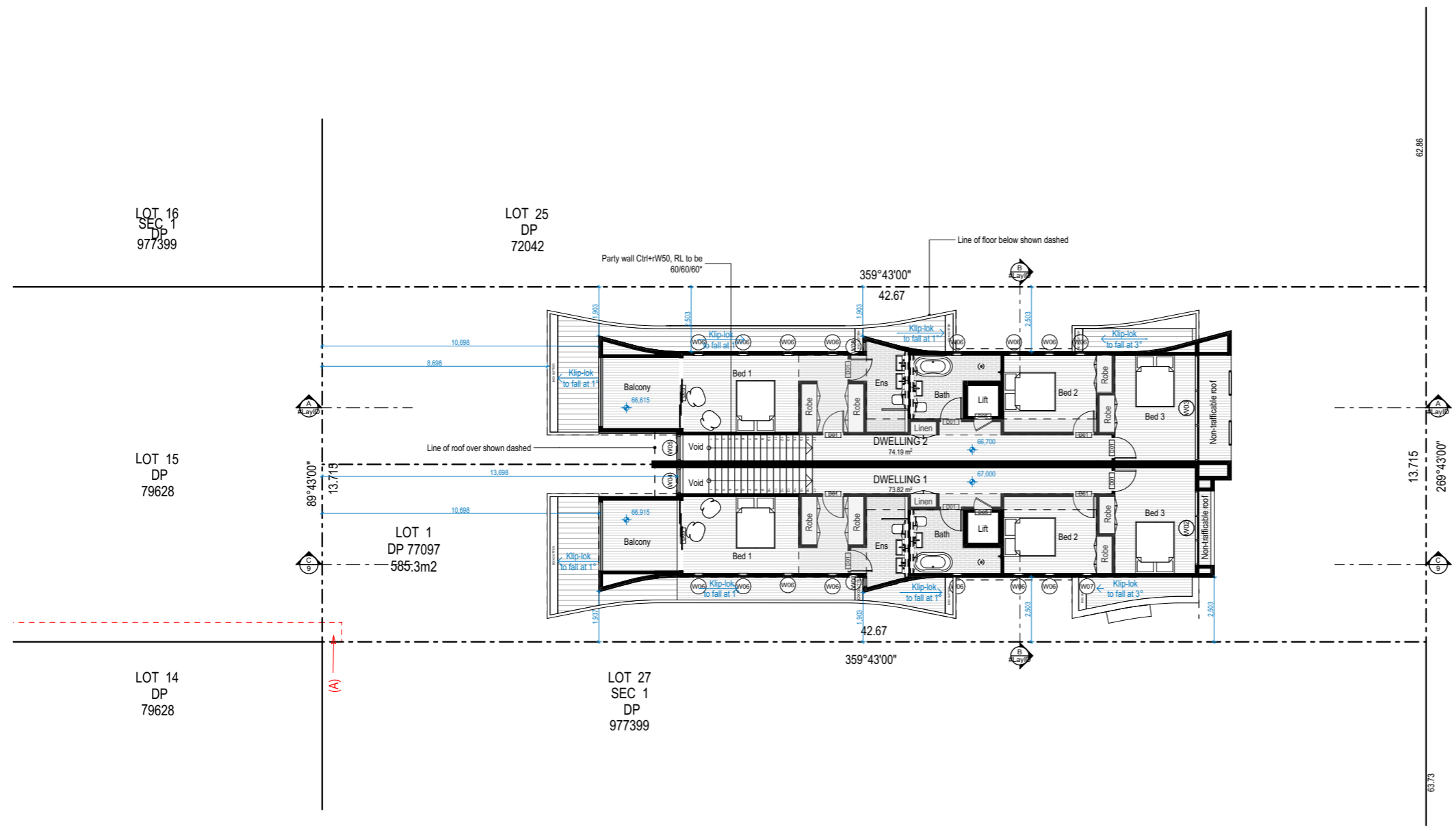
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ISSUE a:	23/11/2022



FIRST FLOOR PLAN
1:200

DOOR SCHEDULE						
Element ID	TYPE	HEIGHT	WIDTH	PLAN	ELEVATION	Q
D01	SWING DOOR	2,400	820			18
D02	SWING DOOR	2,700	920			2
D03	SLIDING DOOR	2,400	2,710			2
D04	SLIDING DOOR	2,400	3,120			4
D05	POCKET DOOR	2,400	720			11
D06	SWING DOOR	2,400	720			1
D07	GARAGE DOOR	3,085	3,000			2

WINDOW SCHEDULE							
Element ID	TYPE	SILL	WIDTH	HEIGHT	PLAN	ELEVATION	Q
W01	DOUBLE HUNG WINDOW	0	750	2,700			2
W02	TOP HUNG WINDOW	0	2,875	2,400			1
W03	TOP HUNG WINDOW	0	4,080	2,700			1
W04	LOUVER WINDOW	0	1,000	2,100			3
W05	LOUVRE WINDOW	300	1,000	2,100			3
W06	1TOP HUNG 1FIXED	600	400	1,800			19
W07	1TOP HUNG 1FIXED	900	400	1,800			1
W08	LOUVER WINDOW	600	400	1,800			2
W09	1TOP HUNG 1FIXED	600	600	1,800			1
W10	FIXED WINDOW	600	1,170	1,800			2
W11	LOUVER WINDOW	1,458	1,000	642			2
W12	SLIDING WINDOW	1,500	2,300	900			8
W13	FIXED GLASS WINDOW	0	1,000	2,700			1
W14	DOUBLE HUNG WINDOW	0	1,430	2,700			1

Certificate No. 0009018370

Scan QR code or follow website link for rating details.

Assessor name: John Boutros
Accreditation No. DMN16/1763

Property Address: Unit 2, 18 Grasmere Rd, Cremorne NSW, 2090

hstar.com.au/QR/Generate?ip=DUEBUOph

- NATHERS Specs Summary:**
- Floor slabs:
 - Basement: Concrete.
 - Ground floor: Concrete.
 - First floor: Timber. R2.5 floor insulation to areas over outside air.
 - Exterior walls:
 - Basement: Cavity brick with "Kingspan Kooltherm KB 40mm" (R1.9), or similar in brick or plasterboard cavity.
 - Ground floor: Brick veneer wall with R2.7 batts in cavity (with air gap) to plasterboard lining.
 - First floor: Lightweight veneer wall with R2.7 batts in cavity (with air gap) to plasterboard lining.
 - Interior garage walls: insulated with R2.7 batts in cavity to plasterboard lining.
 - Garage door: Metal with R1.0 insulation.
 - Modelled with colour finishes as per stamped plans.
 - Glazing:
 - High solar gain Low-E glass, with aluminium framing.
 - To all glazing.
 - Type A (U-Value: 5.4, SHGC: 0.49).
 - Type B (U-Value: 5.4, SHGC: 0.58).
 - Ceiling:
 - R5.0 ceiling insulation to all ceilings to metal roof.
 - R2.5 ceiling insulation to throughout garage ceilings.
 - Modelled with sealed: LED downlights & wet area exhaust fans.
 - Roof:
 - Metal roof with "Anticon 90" glasswool/foil under (or similar R2.0 rated product), modelled with light ("Surfmist" SA 0.33) colour finishes, and as unventilated.
- Please refer to NATHERS individual certificates for further details.

drawing: **FIRST FLOOR PLAN**

project: **PROPOSED DUAL OCCUPANCY @ 18 GRASMERE ROAD CREMORNE**

client: **POU FIEDLER Pty Ltd atf WALANA FAMILY TRUST and SHIBANI MEHTA**

drawn: **A.M.** scale: as shown sheet size: **A3** Council

checked: **J.E.** date: **SEPT23** ref: **2022-196** NSC

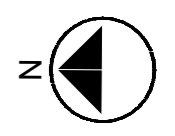
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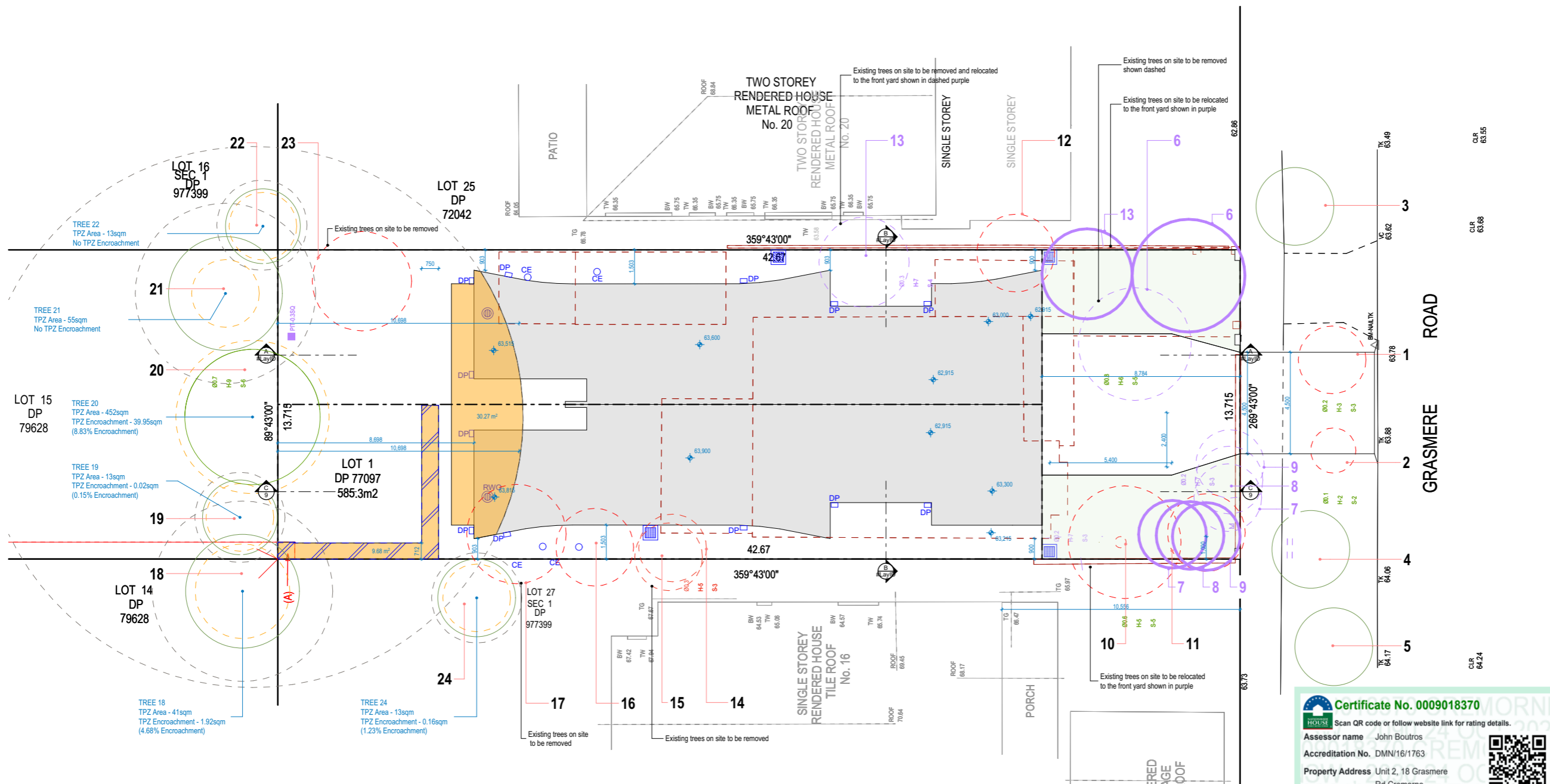
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nominated architect - joe el-sabbagh 8707

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TPZ and SRZ
1:200

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 Accreditation No. DMN/16/1763
 Property Address Unit 2, 18 Grasmere Rd, Cremorne NSW, 2090
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ISSUE a: Client Sketch	

drawing: TPZ AND SRZ PLAN
 project: PROPOSED DUAL OCCUPANCY @ 18 GRASMERE ROAD CREMORNE
 client: POU FIEDLER Pty Ltd atf WALANA FAMILY TRUST and SHIBANI MEHTA
 drawn: A.M. scale: as shown sheet size: A3 Council
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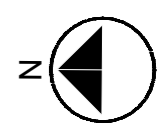
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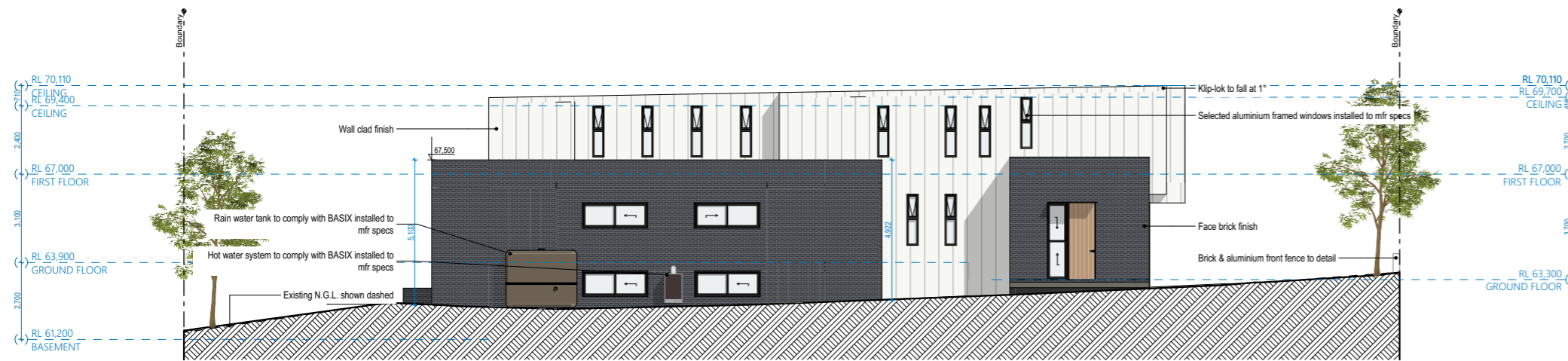
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ISSUE b:	CLIENT CHANGES
ISSUE a:	CLIENT SKETCH



WEST ELEVATION

1:200

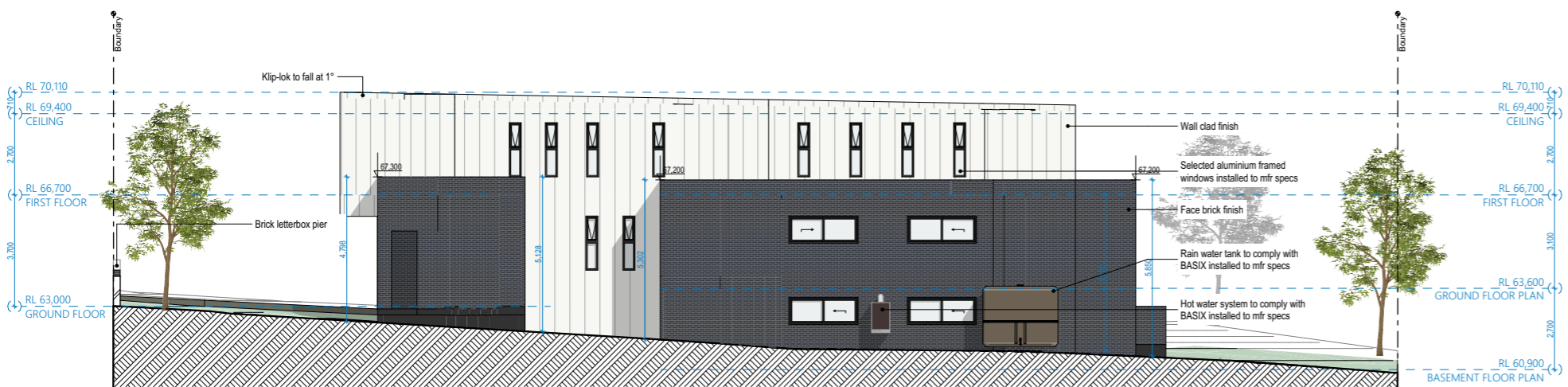
Certificate No. 0009018370

Scan QR code or follow website link for rating details.

Assessor name: John Boutros
 Accreditation No. DMN/16/1763

Property Address: Unit 2, 18 Grasmere Rd, Cremorne NSW, 2090

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EAST ELEVATION

1:200

NATHERS Specs Summary:

- Floor slabs:**
 - Basement: Concrete.
 - Ground floor: Concrete.
 - First floor: Timber, R2.5 floor insulation to areas over outside air.
 - Exterior walls:**
 - Basement: Cavity brick with "Kingspan Kooltherm K2 40mm" (R1.9), or similar in brick or plasterboard cavity.
 - Ground floor: Brick veneer wall with R2.7 batts in cavity (with air gap) to plasterboard lining.
 - First floor: Lightweight veneer wall with R2.7 batts in cavity (with air gap) to plasterboard lining.
 - Interior garage walls: insulated with R2.7 batts in cavity to plasterboard lining.
 - Garage door: Metal with R1.0 insulation.
 - Modelled with colour finishes as per stamped plans.
 - Glazing:**
 - High solar gain Low-E glass, with aluminium framing:
 - To all glazing.
 - Type A (U-Value: 5.4, SHGC: 0.49).
 - Type B (U-Value: 5.4, SHGC: 0.58).
 - U-Value & SHGC are combined glass and frame figures.**
 - * Frame and glass types are a guide only.
 - * U-Values specified are a minimum (lower is better).
 - * SHGC to be within +/- 5%.
 - Ceiling:**
 - R5.0 ceiling insulation to all ceilings to metal roof.
 - R2.5 ceiling insulation to throughout garage ceilings.
 - Modelled with sealed: LED downlights & wet area exhaust fans.
 - Roof:**
 - Metal roof with "Anticon 90" glasswool/foil under (or similar R2.0 rated product), modelled with light "Surfmist" SA 0.33 colour finishes, and as unventilated.
- Please refer to NATHERS individual certificates for further details.

drawing: ELEVATIONS
 project: PROPOSED DUAL OCCUPANCY @ 18 GRASMERE ROAD CREMORNE
 client: POU FIEDLER Pty Ltd atf WALANA FAMILY TRUST and SHIBANI MEHTA
 drawn: A.M. scale: as shown sheet size: A3 Council
 checked: J.E. date: SEPT23 ref: 2022-196 NSC



SOUTH ELEVATION

1:200



NORTH ELEVATION

1:200



SOUTH FENCE DETAIL

1:200

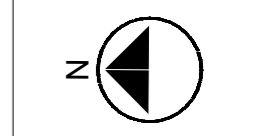
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ISSUE a: Client Sketch	

drawing: SECTIONS
 project: PROPOSED DUAL OCCUPANCY @ 18 GRASMERE ROAD CREMORNE
 client: POU FIEDLER Pty Ltd acf WALANA FAMILY TRUST and SHIBANI MEHTA
 draw: A.M. scale: as shown sheet size: A3 Council
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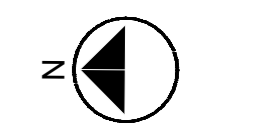
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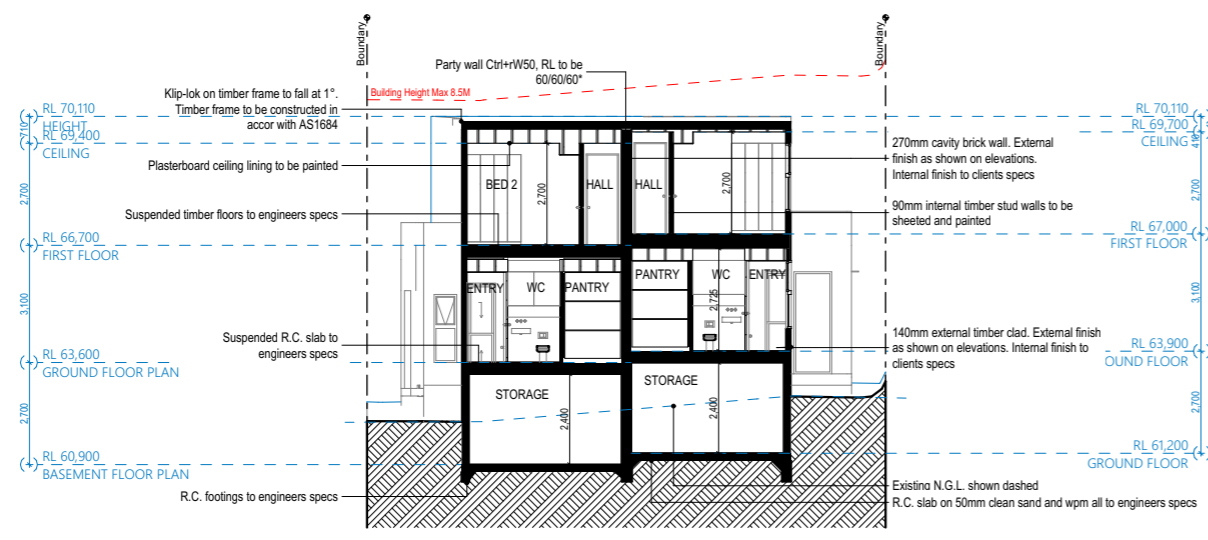
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 nominated architect - joe el-sabbagh 8707

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SECTION A
1:200



SECTION B
1:200

NATHERS Specs Summary:

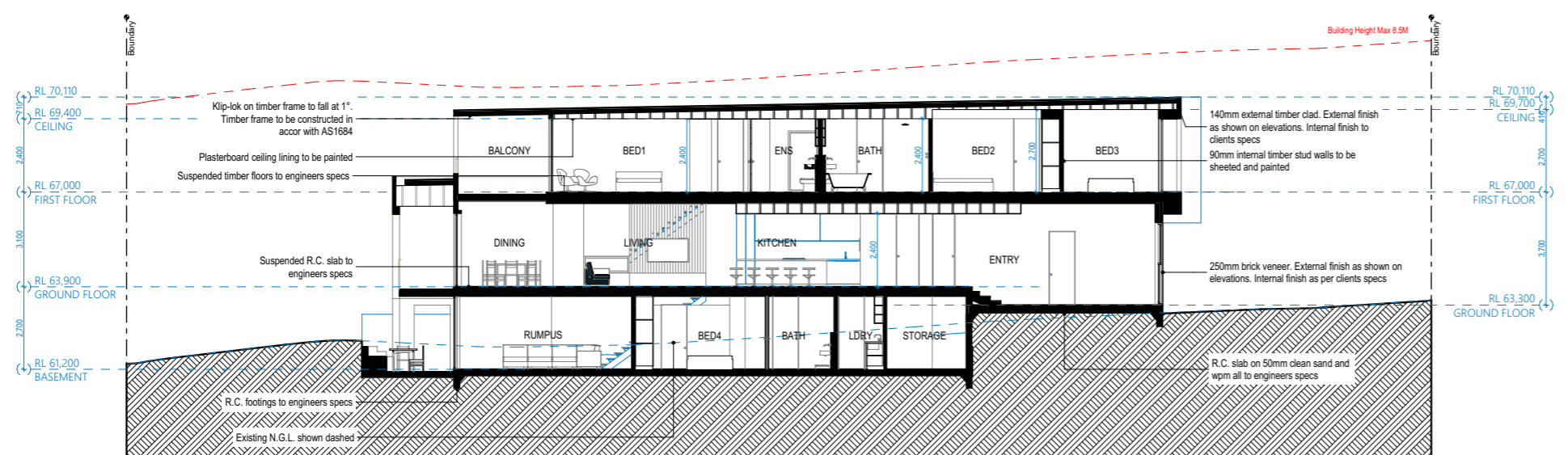
- Floor slabs:
 - Basement: Concrete.
 - Ground floor: Concrete.
 - First floor: Timber; R2.5 floor insulation to areas over outside air.
- Exterior walls:
 - Basement: Cavity brick with "Kingspan Kooltherm KB 40mm" (R1.9), or similar in brick or plasterboard cavity.
 - Ground floor: Brick veneer wall with R2.7 batts in cavity (with air gap) to plasterboard lining.
 - First floor: Lightweight veneer wall with R2.7 batts in cavity (with air gap) to plasterboard lining.
 - Interior garage walls: insulated with R2.7 batts in cavity to plasterboard lining.
 - Garage door: Metal with R1.0 insulation.
 - Modelled with colour finishes as per stamped plans.
- Glazing:
 - High solar gain Low-E glass, with aluminium framing:
 - To all glazing.
 - Type A (U-Value: 5.4, SHGC: 0.49).
 - Type B (U-Value: 5.4, SHGC: 0.58).
- Ceiling:
 - R5.0 ceiling insulation to all ceilings to metal roof.
 - R2.5 ceiling insulation to throughout garage ceilings.
 - Modelled with sealed; LED downlights & wet area exhaust fans.
- Roof:
 - Metal roof with "Anticon 90" glasswool/foil under (or similar R2.0 rated product), modelled with light ("Surfmist" SA 0.33) colour finishes, and as unventilated.

Please refer to NATHERS individual certificates for further details.

Certificate No. 0009018370

Scan QR code or follow website link for rating details.

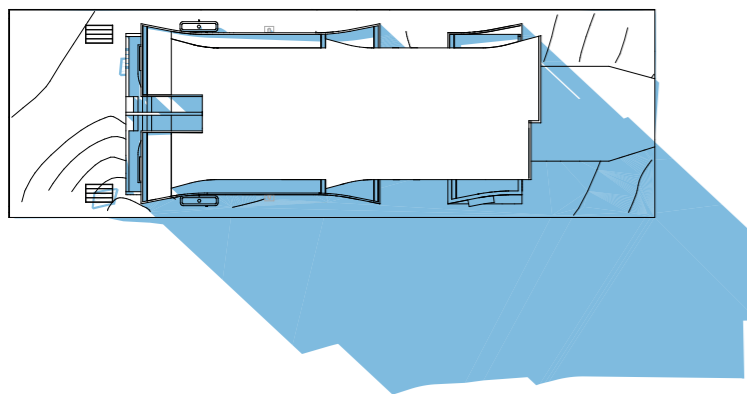
Assessor name: John Boutros
 Accreditation No.: DMN/16/1763
 Property Address: Unit 2, 18 Grasmere Rd, Cremorne NSW, 2090
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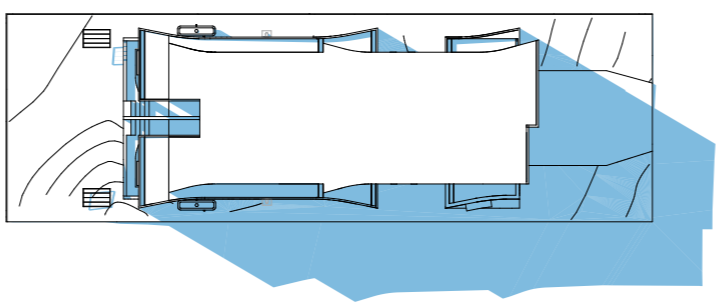
SECTION C
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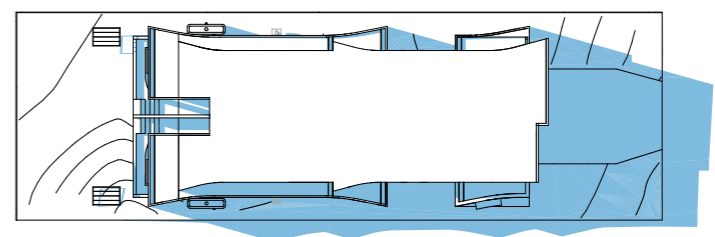
issue k:	04/03/2024
issue j:	18/09/2023
issue i:	04/04/2023
issue h:	03/02/2023
issue g:	20/12/2022
issue f: Add Info	23/11/2022
issue e: DA	
issue d: ISSUE FOR INFORMATION ONLY	
issue c: Client Changes	
issue b: Client Changes	
issue a: Client Sketch	



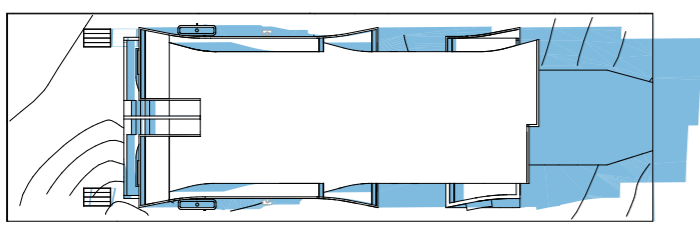
Jun-21-9am
1:500



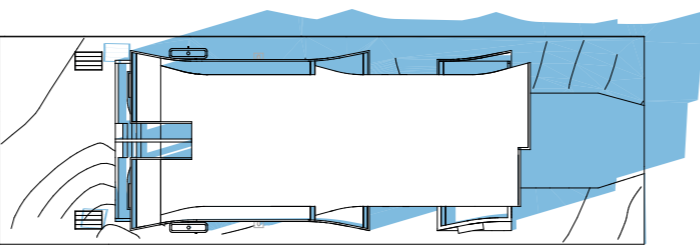
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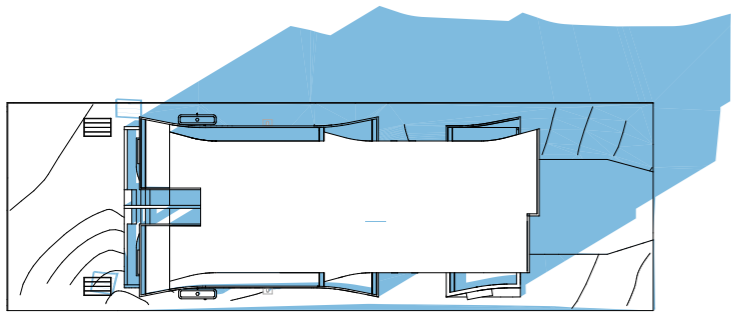
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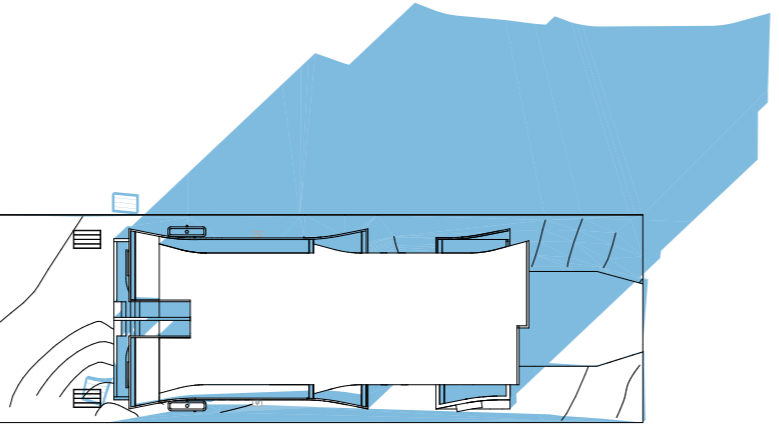
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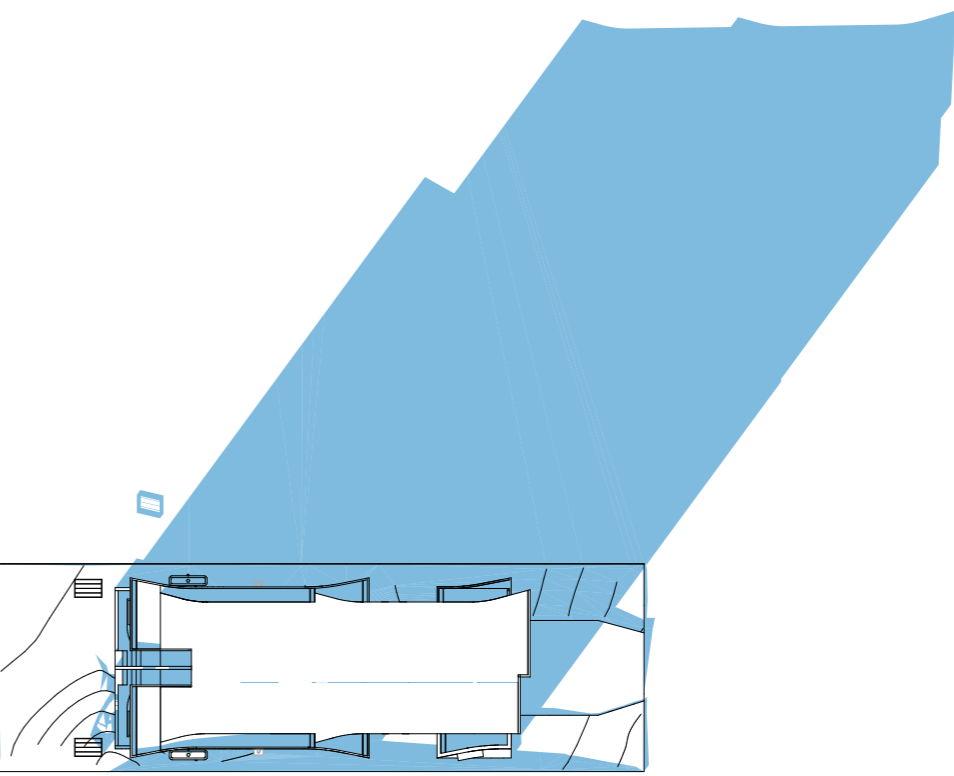
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Jun-21-2pm
1:500



Jun-21-3pm
1:500



Jun-21-4pm
1:500

drawing: SHADOWS - JUN
 project: PROPOSED DUAL OCCUPANCY @ 18 GRASMERE ROAD CREMORNE
 client: POU FIEDLER Pty Ltd atf WALANA FAMILY TRUST and SHIBANI MEHTA
 drawn: A.M. scale: as shown sheet size: A3 Council
 checked: J.E. date: SEPT23 ref: 2022-196 NSC

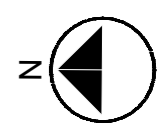
F10



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VIEWS FROM THE SUN

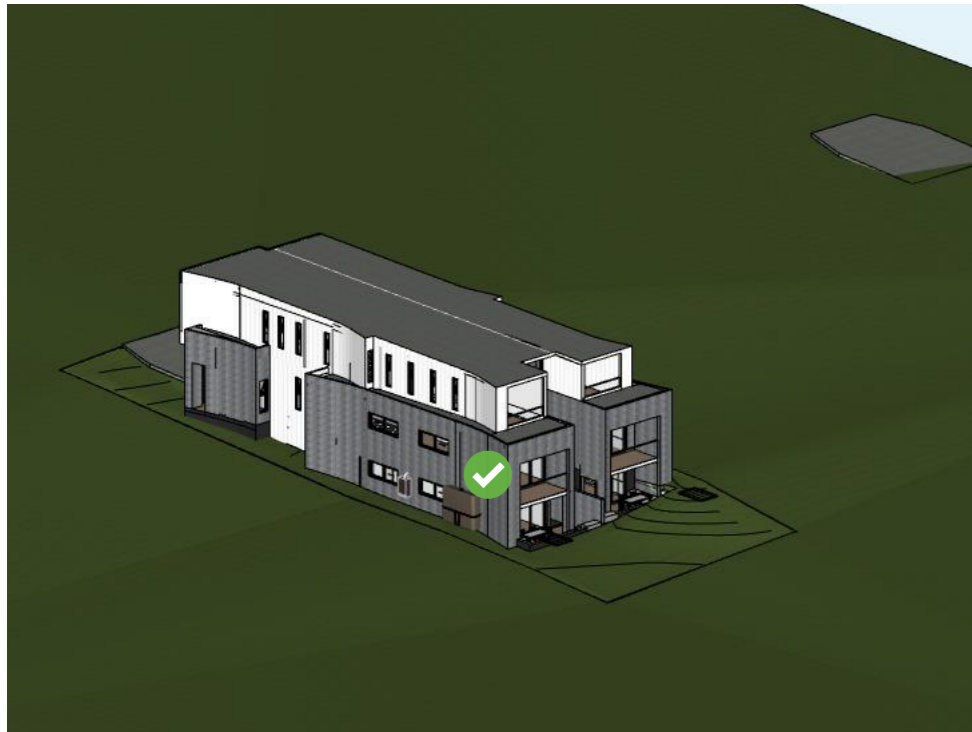
21st of June



Living rooms and balconies receiving direct solar access on nominated hour



ISSUE k:	04/03/2024
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ISSUE f:	23/11/2022
ISSUE e: Add Info	
ISSUE d: DA	
ISSUE c: ISSUE FOR INFORMATION ONLY	
ISSUE b: Client Changes	
ISSUE a: Client Sketch	



9AM SHADOW

10AM SHADOW

11AM SHADOW

12PM SHADOW



1PM SHADOW

2PM SHADOW

3PM SHADOW



4PM SHADOW

drawing: VIEWS FROM THE SUN - JUN
 project: PROPOSED DUAL OCCUPANCY @ 18 GRASMERE ROAD CREMORNE
 client: POU FIEDLER Pty Ltd acf WALANA FAMILY TRUST and SHIBANI MEHTA
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MATERIALS & FINISHES SCHEDULE @ 18 GRASMERE ROAD CREMORNE



ISSUE k:		04/03/2024
ISSUE j:		18/09/2023
ISSUE i:		04/04/2023
ISSUE h:		03/02/2023
ISSUE g:	ADD INFO	20/12/2022
ISSUE f:		23/11/2022
ISSUE e:		
ISSUE d:	ISSUE FOR INFORMATION ONLY	
ISSUE c:	Client Changes	
ISSUE b:	Client Changes	
ISSUE a:	Client Sketch	



drawing: MATERIALS & FINISHES
 project: PROPOSED DUAL OCCUPANCY @ 18 GRASMERE ROAD CREMORNE
 client: POU FIEDLER Pty Ltd atf WALANA FAMILY TRUST and SHIBANI MEHTA
 drawn: A.M. scale: as shown sheet size: A3 Council
 checked: J.E. date: SEPT23 ref: 2022-196 NSC

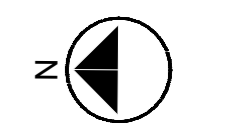
F12



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EXTERNAL BRICK WALLS
FACE BRICK - PGH URBAN BLUE



EXTERNAL CLADDING/
GARAGE DOOR
ALUMINIUM - TIMBER



EXTERNAL CLADDING
COLORBOND OR SIMILAR - SURFMIST



DOORS & WINDOWS
ALUMINIUM - COLORBOND MONUMENT

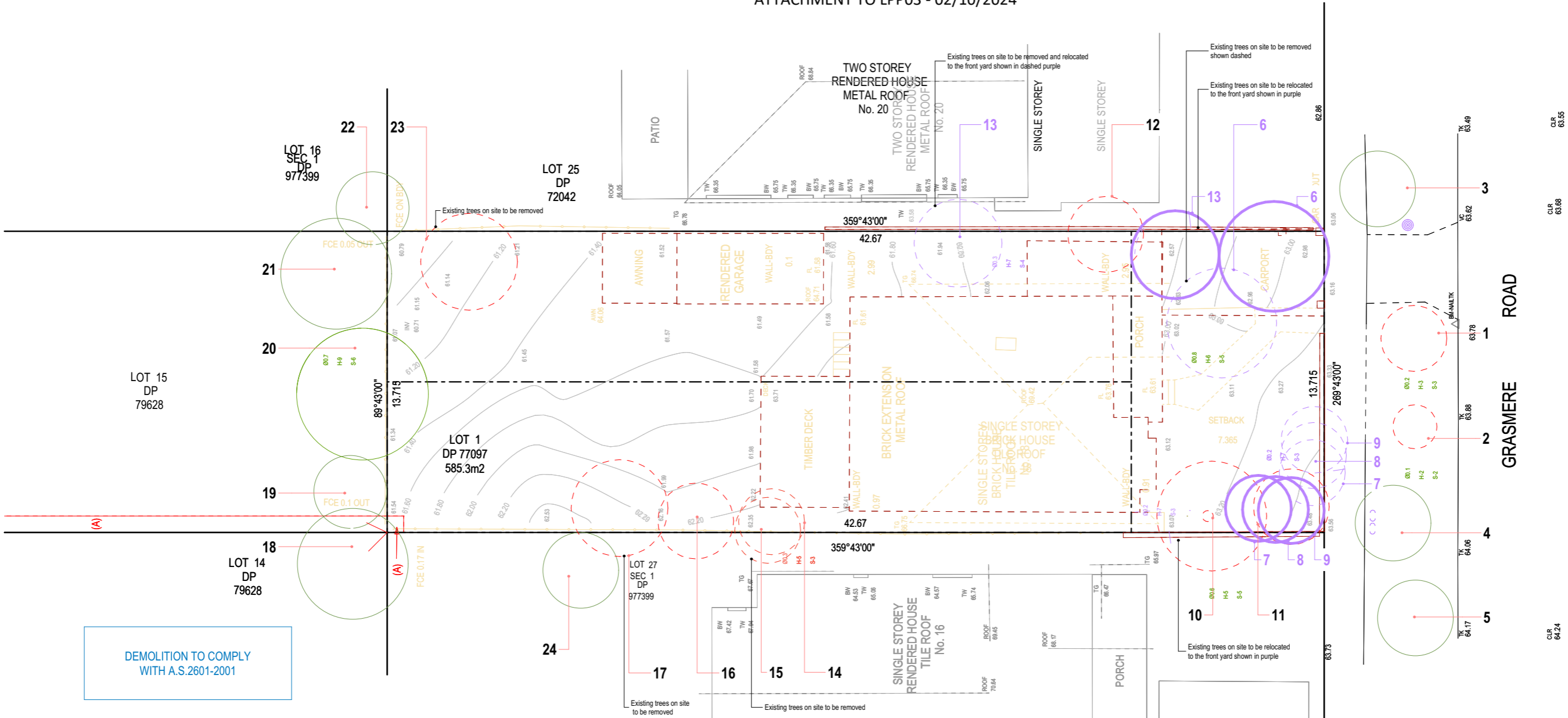


DRIVEWAY
CONCRETE





ISSUE k:	04/03/2024
ISSUE j:	18/09/2023
ISSUE i:	04/04/2023
ISSUE h:	03/02/2023
ISSUE g:	20/12/2022
ISSUE f:	23/11/2022
ISSUE e:	
ISSUE d:	
ISSUE c:	
ISSUE b:	
ISSUE a:	



DEMOLITION TO COMPLY WITH A.S.2601-2001

DEMOLITION PLAN

<p>BASIX Certificate Multi Dwelling</p> <p>NSW</p>	<p>Project summary</p> <table border="1"> <tr> <th>Item</th> <th>Value</th> <th>Target</th> </tr> <tr> <td>Energy</td> <td>10</td> <td>10</td> </tr> <tr> <td>Water</td> <td>10</td> <td>10</td> </tr> <tr> <td>Greenhouse Gas</td> <td>10</td> <td>10</td> </tr> </table>	Item	Value	Target	Energy	10	10	Water	10	10	Greenhouse Gas	10	10	<p>Description of project</p> <table border="1"> <tr> <th>Item</th> <th>Value</th> <th>Target</th> </tr> <tr> <td>Energy</td> <td>10</td> <td>10</td> </tr> <tr> <td>Water</td> <td>10</td> <td>10</td> </tr> <tr> <td>Greenhouse Gas</td> <td>10</td> <td>10</td> </tr> </table>	Item	Value	Target	Energy	10	10	Water	10	10	Greenhouse Gas	10	10	<p>Description of project</p> <p>No common areas specified.</p>	<p>Schedule of BASIX commitments</p> <p>1. Commitments for single dwelling houses</p> <p>2. Commitments for common areas and central systems/ductwork for the development (non-building specific)</p>	<p>Schedule of BASIX commitments</p> <p>1. Commitments for single dwelling houses</p> <table border="1"> <tr> <th>Item</th> <th>Value</th> <th>Target</th> </tr> <tr> <td>Energy</td> <td>10</td> <td>10</td> </tr> <tr> <td>Water</td> <td>10</td> <td>10</td> </tr> <tr> <td>Greenhouse Gas</td> <td>10</td> <td>10</td> </tr> </table>	Item	Value	Target	Energy	10	10	Water	10	10	Greenhouse Gas	10	10
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<p>2. Commitments for common areas and central systems/ductwork for the development (non-building specific)</p> <table border="1"> <tr> <th>Item</th> <th>Value</th> <th>Target</th> </tr> <tr> <td>Energy</td> <td>10</td> <td>10</td> </tr> <tr> <td>Water</td> <td>10</td> <td>10</td> </tr> <tr> <td>Greenhouse Gas</td> <td>10</td> <td>10</td> </tr> </table>	Item	Value	Target	Energy	10	10	Water	10	10	Greenhouse Gas	10	10	<p>3. Notes</p> <p>1. The information provided in this certificate is for the development described in the schedule of commitments.</p> <p>2. The information provided in this certificate is for the development described in the schedule of commitments.</p> <p>3. The information provided in this certificate is for the development described in the schedule of commitments.</p> <p>4. The information provided in this certificate is for the development described in the schedule of commitments.</p>	<p>Notes</p> <p>1. The information provided in this certificate is for the development described in the schedule of commitments.</p> <p>2. The information provided in this certificate is for the development described in the schedule of commitments.</p> <p>3. The information provided in this certificate is for the development described in the schedule of commitments.</p> <p>4. The information provided in this certificate is for the development described in the schedule of commitments.</p>																											
Item	Value	Target																																							
Energy	10	10																																							
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NATHERS Specs Summary:

- Floor slabs:
 - Basement: Concrete.
 - Ground floor: Concrete.
 - First floor: Timber; R2.5 floor insulation to areas over outside air.
- Exterior walls:
 - Basement: Cavity brick with "Kingspan Kooltherm KB 40mm" (R1.9), or similar in brick or plasterboard cavity.
 - Ground floor: brick veneer wall with R2.7 batts in cavity (with air gap) to plasterboard lining.
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 - Interior garage walls: insulated with R2.7 batts in cavity to plasterboard lining.
 - Garage door: Metal with R1.0 insulation.
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- Glazing:
 - High solar gain Low-E glass, with aluminium framing:
 - To all glazing:
 - Type A (U-Value: 5.4, SHGC: 0.49).
 - Type B (U-Value: 5.4, SHGC: 0.58).
- Ceiling:
 - R5.0 ceiling insulation to all ceilings to metal roof.
 - R2.5 ceiling insulation to throughout garage ceilings.
 - Modelled with sealed: LED downlights & wet area exhaust fans.
- Roof:
 - Metal roof with "Anticon 90" glasswool/foil under (or similar R2.0 rated product), modelled with light ("surmist" SA 0.33) colour finishes, and as unventilated.

U-Value & SHGC are combined glass and frame figures.
* Frame and glass types are a guide only.
* U-Values specified are a minimum (lower is better).
* SHGC to be within +/- 5%.

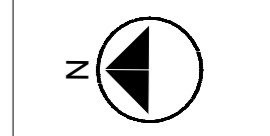
Please refer to NATHERS individual certificates for further details.

drawing: DEMOLITION PLAN
 project: PROPOSED DUAL OCCUPANCY @ 18 GRASMERE ROAD CREMORNE
 client: POU FIEDLER Pty Ltd atf WALANA FAMILY TRUST and SHIBANI MEHTA
 draw: A.M. scale: as shown sheet size: A3 Council
 checked: J.E. date: SEPT23 ref: 2022-196 NSC



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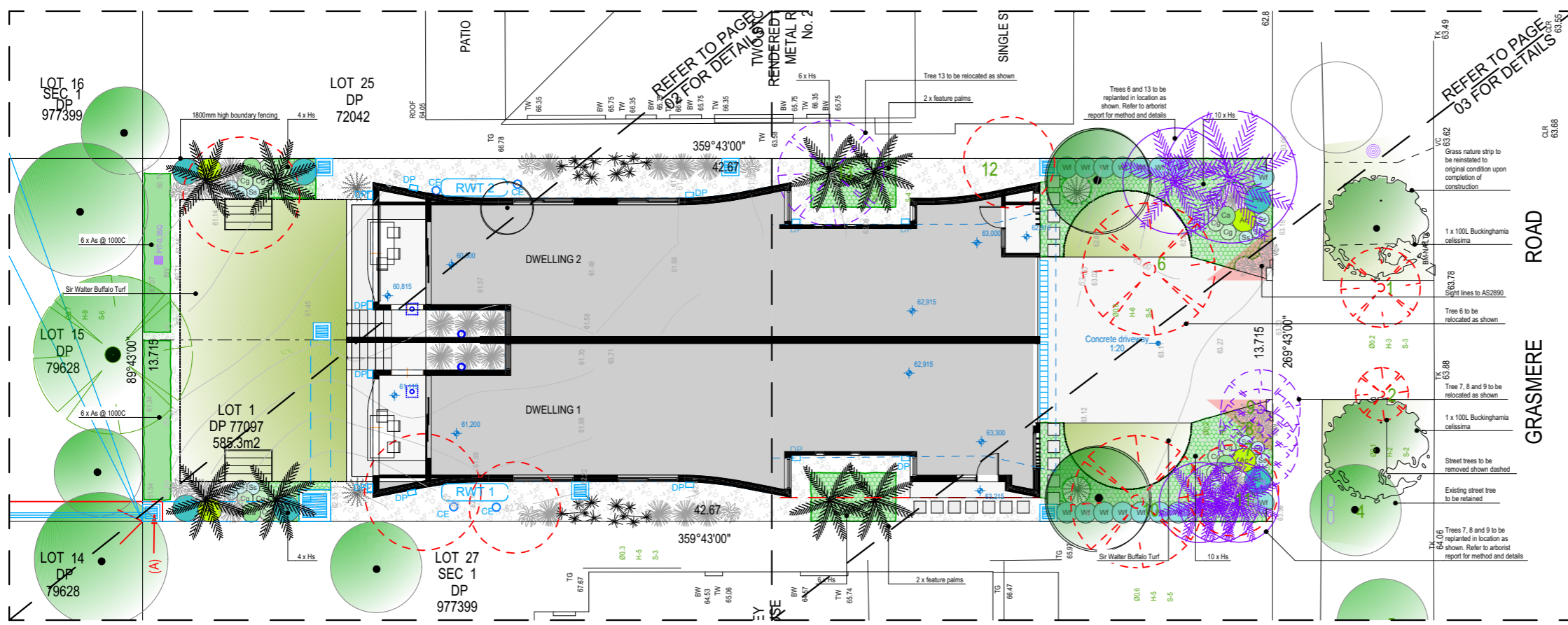
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PROPOSED LANDSCAPE DESIGN @ 18 GRASMERE ROAD, CREMORNE FOR SHIBANI METHA DEVELOPMENT APPLICATION



SHEET SCHEDULE	
DRAWING No	TITLE
01	COVER SHEET
02	LANDSCAPE DETAIL REAR
03	LANDSCAPE DETAIL FRONT
04	PLANT SCHEDULE
05	DETAILS



GROUND FLOOR LANDSCAPE PLAN

1:200

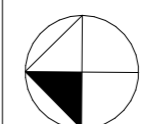


issue c: Additional Information	08/05/2024
issue b: Development Application	06/11/2023
issue a: Client Sketch	26/10/2023

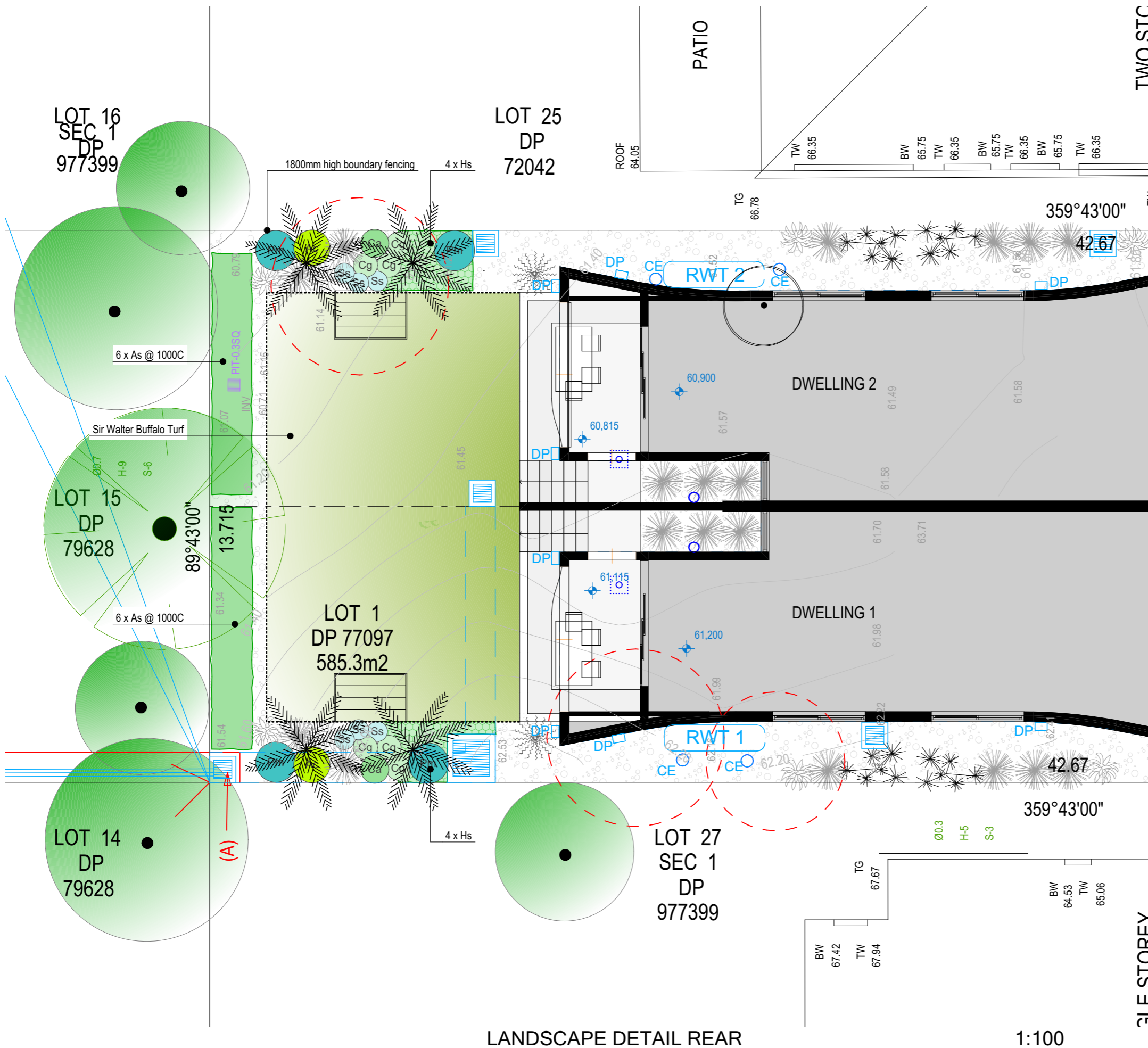
abn: 98 641 681 798
e: info@plandrew.com.au
m: 0413 933 613
a: po box 5081
old toongabbie nsw 2146

Professional Member
member number: 1145

project	PROPOSED LANDSCAPE DESIGN @ 18 GRASMERE ROAD, CREMORNE	C01
client	SHIBANI METHA	
drawn: A.M.	date: MAY24	ref: 2023-038
		Council NSC



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CONTINUES ON PAGE 03

LEGEND

- Selected turf laid in stretcher pattern. Surface to be lightly tamped to an even surface after laying. Water until topsoil is moistened to its full depth. Ensure that all surface water runoff is directed away from buildings and towards inlet pits, kerbs, etc.
- Dwelling footprint
- Hard surface areas to architects specs
- Garden area to be mulched with non floating mulch
- Brick garden edge to suit development (refer to detail) Curves formed are to be even and straight lines as shown. All surfaces to finish flush
- Clothes line
- Trees to be retained
- Trees to be removed
- Boundary fence (to architects details)
- Front boundary fence (to architects details)

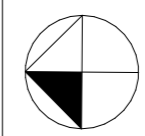
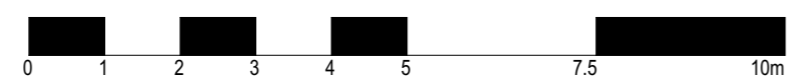
- NOTES**
- Contractors must verify all dimensions on site before commencing work which must be approved before manufacturing
 - Do not scale off drawing. If in doubt all dimensions are to be verified by designer
 - This drawing is to be read in conjunction with the approved architectural, hydraulic and survey plans
 - All trees to be retained shall be protected as per arborist report and/or council requirements. All pruning shall be in accordance with A.S. 4373
 - All landscape works shall comply with all council DA & CC conditions and all relevant Australian Standards. Any deviation from the approved design is not authorised under the development consent. Any alteration to design and plant material must be approved by the accredited certifier
 - Irrigation system - If required, shall be designed & installed to comply with AS 2698.1-1994; AS 2698.2-1985; AS 2698.3-1990; water board and other relevant authority regulations
 - All landscape works are to be maintained for a period of 12 months after final completion. All plants that fail are to be replaced with the same species. Mulch is to be maintained at specified depth. All plants and turf shall be watered on a regular basis to maintain moisture levels required for optimum growth. All garden areas are to be maintained free from weeds
 - Minimum BASIX requirement in relation to native landscaped area to be met
 - Planted areas within site detentions or any planted areas on a flood risk sites or sites that contain overland flow are to be mulched with non floating mulch to avoid floating material

issue c: Additional Information	08/05/2024
issue b: Development Application	06/11/2023
issue a: Client Sketch	26/10/2023

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 old toongabbie nsw 2146

Professional Member
 member number: 1145

project	PROPOSED LANDSCAPE DESIGN @ 18 GRASMERE ROAD, CREMORNE		C02
client	SHIBANI METHA		
drawn:	A.M.	date: MAY24	ref: 2023-038 Council NSC



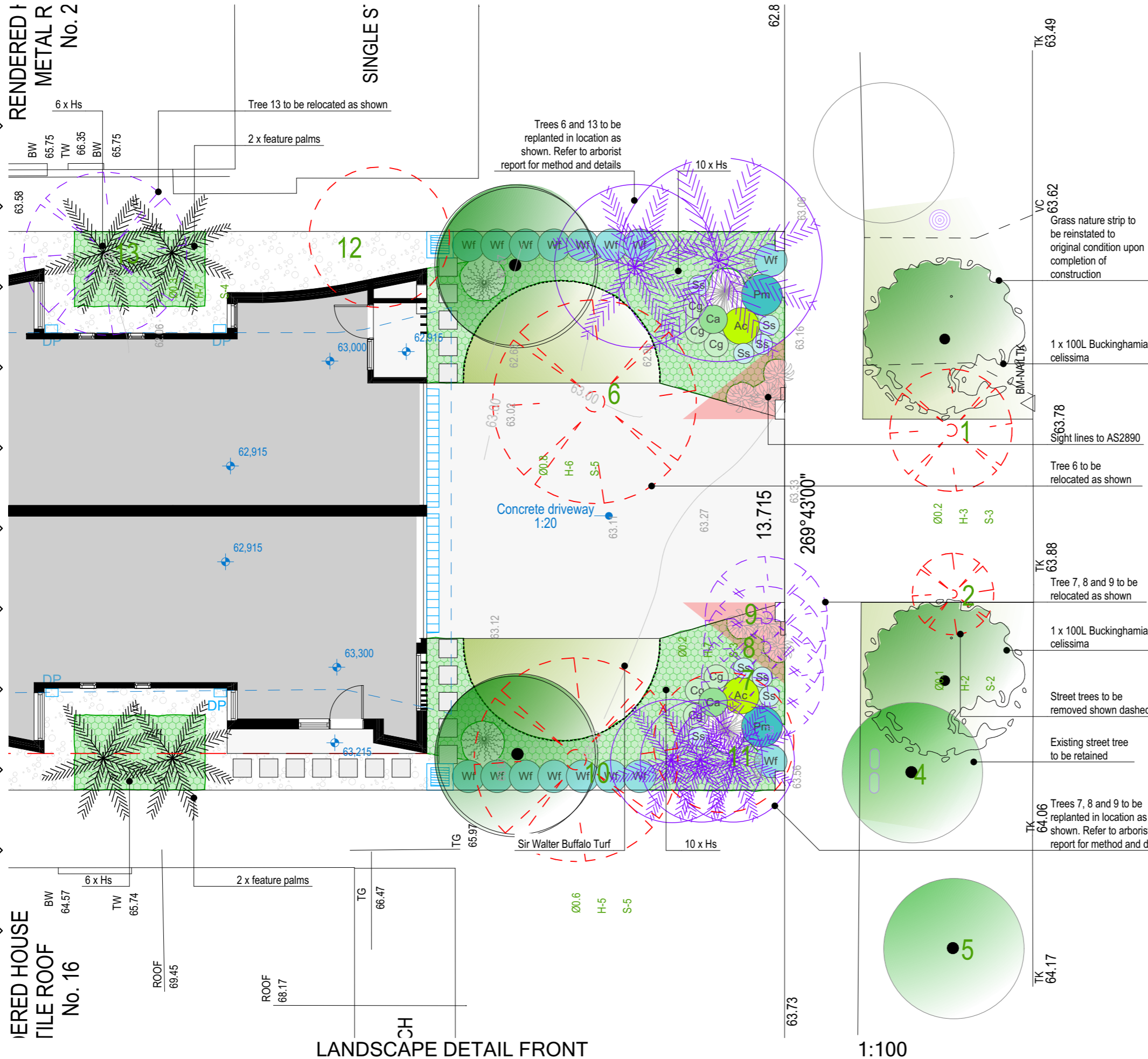
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LANDSCAPE DETAIL REAR

1:100

GLE STOREY

CONTINUES ON PAGE 02



LANDSCAPE DETAIL FRONT

1:100



GRASMERE ROAD

CLR 63.68

CLR 63.55

LEGEND

- Selected turf laid in stretcher pattern. Surface to be lightly tamped to an even surface after laying. Water until topsoil is moistened to its full depth. Ensure that all surface water runoff is directed away from buildings and towards inlet pits, kerbs, etc.
- Dwelling footprint
- Hard surface areas to architects specs
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issue c: Additional Information	08/05/2024
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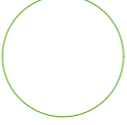

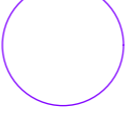
Professional Member
member number: 1145

project	PROPOSED LANDSCAPE DESIGN @ 18 GRASMERE ROAD, CREMORNE		C03
client	SHIBANI METHA		
drawn: A.M. date: MAY24 ref: 2023-038 Council NSC			

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TREE KEY

-  Trees to be removed shown red dashed
-  Trees to be retained shown green solid
-  Original position of trees to be transplanted shown purple dashed
-  New position of trees to be transplanted shown purple solid

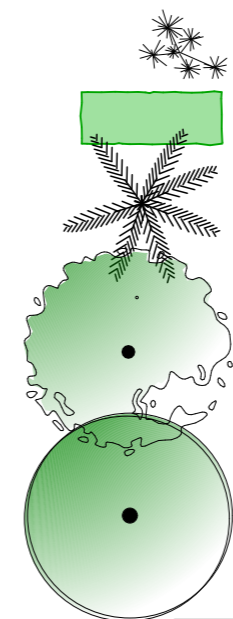
REPLANTING NOTES

- Refer to arborist report for replanting methodology
- Trees to be transplanted to be suitably fenced off and have temporary irrigation installed immediately post planting
- Existing orientation of trees to be maintained


1. Grouped trees 7, 8 and 9 to be relocated to southwestern corner of site
2. Tree 6 to be relocated to southeastern corner of site
3. Tree 13 to be relocated to southeastern corner of site

PLANTING SCHEDULE Note: Plant symbols on plan refers directly to table below. Plants to be mass planted have number allocated accordingly


Symbol	Code	Botanical Name	Common Name	Mature Height	Pot size	Quantity
	Hs	Hibbertia scandens #	Guinea Flower	200mm	50mm	40
	Cg	Casuarina glauca 'Cousin It'	Cousin It	300mm	140mm	12
	Ss	Senecio serpens	Blue Chalksticks	300mm	90mm	14
	LLT	Lomandra longifolia #	Tanika Lomandra	700mm	140mm	14
	Ac	Acacia cognata 'Limelight' - Limelight	Limelight	700mm	200mm	4
	Pm	Philothea myoporoides #	Long Leafed Wax Flower	1,000mm	200mm	6
	Wf	Westringia fruticosa #	Coastal Rosemary	1,000mm	200mm	16
	Ca	Crassula arborescens	Silver Jade Plant	1,000mm	200mm	4
	DC	Dianella caerulea cvs *	Blue Flax Lily	1,000mm	200mm	20
	Xa	Xanthorrhoea arborea #	Grass Tree	1,200mm	45L	4
	Cs	Chamaedorea seifrizii	Bamboo Palm	2,500mm	200mm	4
	As	Acmena smithii #	Lilly Pilly	3,000mm	200mm	12
	AC	Archontophoenix cunninghamiana #	Bangalow Palm	15,000mm	75L	8
	Bcel	Buckinghamia celissima *	Ivory Curl Flower	5,000mm	100L	2
	Bcit	Backhousia citriodora *	Lemon Scented Myrtle	8,000mm	75L	2



issue c: Additional Information	08/05/2024
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issue a: Client Sketch	26/10/2023

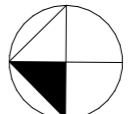


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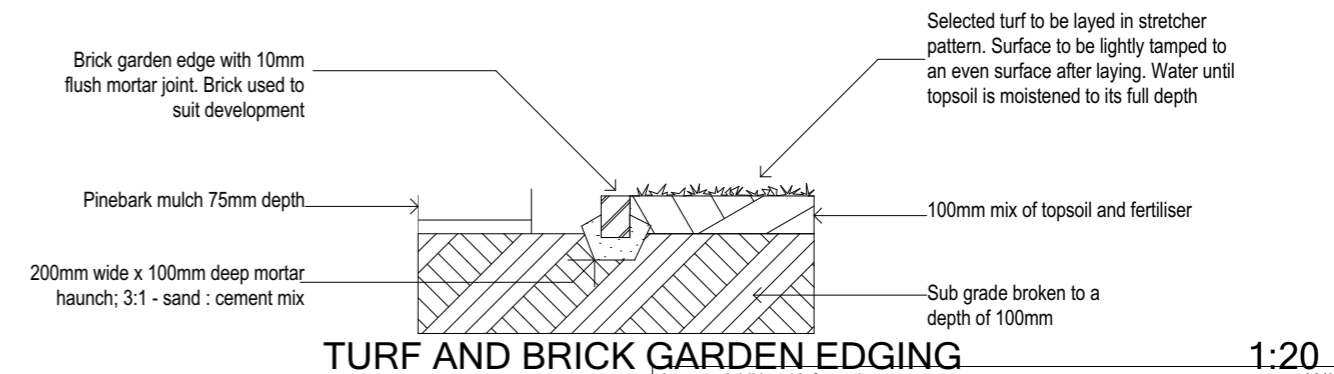
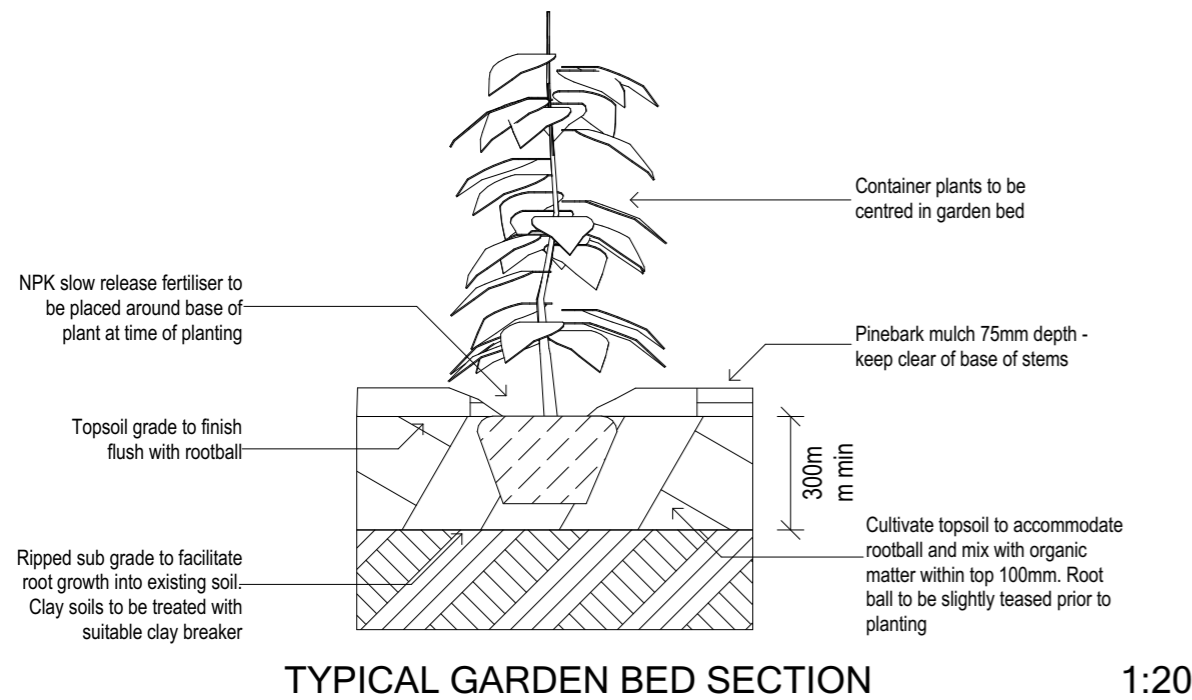
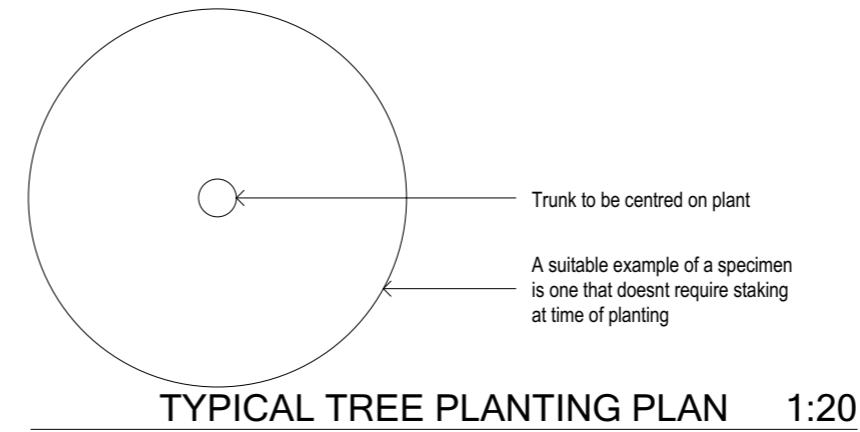
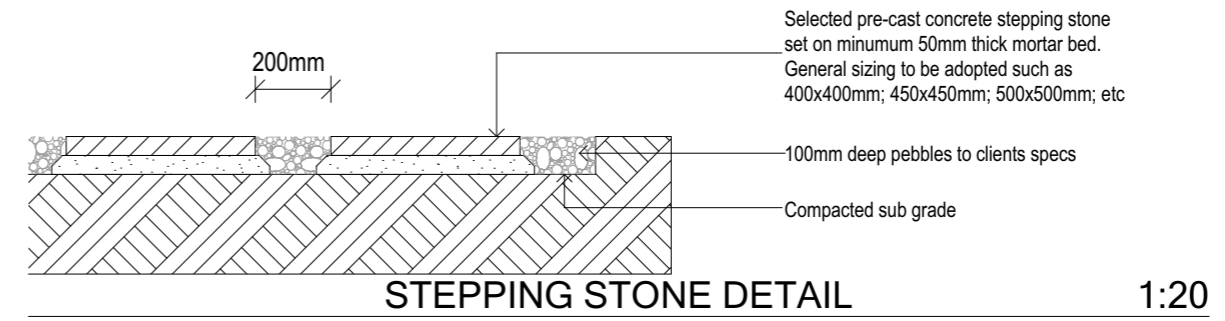
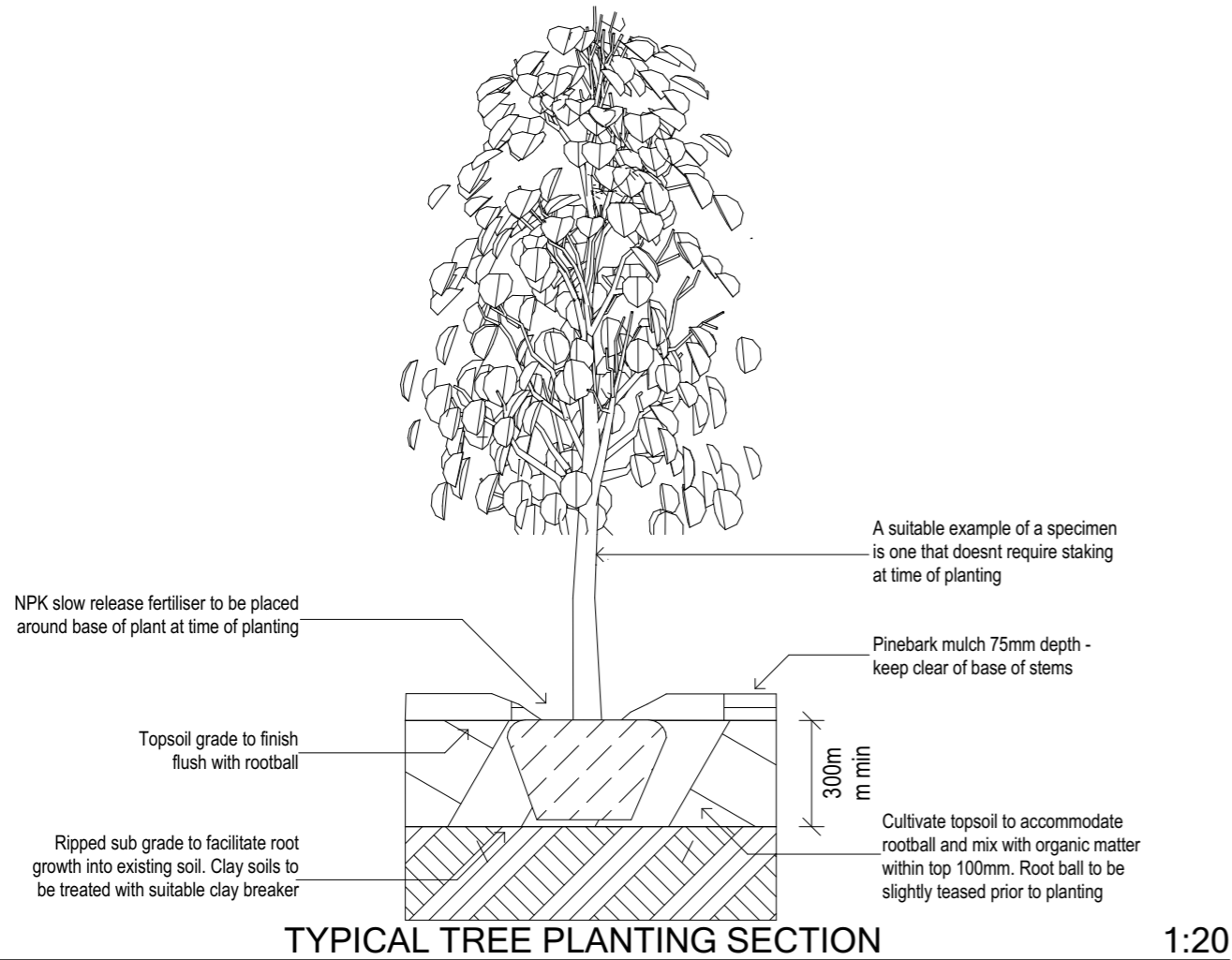


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project	PROPOSED LANDSCAPE DESIGN @ 18 GRASMERE ROAD, CREMORNE		C04
client	SHIBANI METHA		
drawn: A.M.	date: MAY24	ref: 2023-038 Council NSC	



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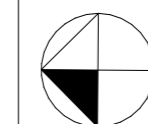


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Landscape Design Institute
 Professional Member
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project	PROPOSED LANDSCAPE DESIGN @ 18 GRASMERE ROAD, CREMORNE			C05			
client	SHIBANI METHA						
drawn:	A.M.	date:	MAY24		ref:	2023-038	Council



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