
Bayside Planning Panel

13/02/2018

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| Item No | 6.1 |
| Application Type | Development Application |
| Application Number | DA-2017/582 |
| Lodgement Date | 14 December 2017 |
| Property | 75 Bayview Street, Bexley |
| Owner | Mr Laurence John Kilham Mrs Denise Olive McNamara |
| Applicant | M Cubed Design |
| Proposal | Demolition of all existing structures and construction of a detached dual occupancy; new vehicle footway crossings and front fence with Torrens Title Subdivision |
| No. of Submissions | Six (6) |
| Cost of Development | \$800,000.00 |
| Report by | Alexandra Hafner – Senior Assessment Planner |

Officer Recommendation

- 1 That the Bayside Planning Panel support the variation to Clause 4.1 – Minimum Subdivision Lot Size as contained within the Rockdale Local Environmental Plan, 2011, in accordance with the request under Clause 4.6 of the Rockdale Local Environmental Plan, 2011, submitted by the Applicant.
 - 2 That Development Application DA-2017/105 for the demolition of existing structures and construction of a detached dual occupancy; new vehicle footway crossings and front fence with Torrens Title Subdivision be APPROVED pursuant to Section 80(1)(a) of the Environmental Planning and Assessment Act 1979 and subject to the conditions of consent attached to this report.
 - 3 That objectors are advised of the Bayside Planning Panel's decision.
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Background

DA-2017/582 was lodged with Bayside Council on 14 December 2017 and neighbour notified for a period of 14 days in accordance with the Regulations and RDCP 2011. A total of six (6) objections were received.

The application is accompanied by a written Clause 4.6 submission which seeks to vary the minimum numerical requirements of Clause 4.1 as contained within the RLEP 2011. Bayside Council has previously approved comparable minimum lot sizes under the following applications:

- 1 No. 17 Somerville Street, Arncliffe (682sqm) under DA-2017/188 approved on 8 March 2017.
- 2 No. 12 Broadford Street, Bexley (686.60sqm) under DA-2015/431 approved on 21 October 2015.

The application is reported to the Bayside Planning Panel (The Panel) and recommended for approval for the reasons contained within the body of this Report.

Attachments

- 1 Planning Assessment Report
 - 2 Clause 4.6 Submission (page 11 of SEE)
 - 3 Demolition Plan
 - 4 Site Plan
 - 5 Elevations North East & South East and Front Fence
 - 6 Elevations South East & North West
 - 7 Elevations South West & North West
 - 8 Landscape Plan
 - 9 Parking Plan
 - 10 Streetscape Elevation
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Location Plan



Fig 1 – Location Plan

BAYSIDE COUNCIL

Planning Assessment Report

Application Details

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|----------------------------|---|
| Application Number: | DA-2017/582 |
| Date of Receipt: | 23 November 2017 |
| Property: | 75 Bayview Street, BEXLEY (Lot 12 Sec2 DP 1030) |
| Owner(s): | Mr Laurence John Kilham Mrs Denise Olive McNamara |
| Applicant: | M Cubed Design |
| Proposal: | Demolition of all existing structures and construction of a detached dual occupancy; new vehicle footway crossings and front fence with Torrens Title Subdivision |
| Recommendation: | Approved |
| No. of submissions: | Six (6) |
| Author: | Alexandra Hafner |
| Date of Report: | 14 December 2017 |

Key Issues

There are no pertinent issues for consideration.

Recommendation

That this Development Application be **APPROVED** pursuant to Section 80(1)(a) of the Environmental Planning and Assessment Act 1979 and subject to the conditions of consent attached to this report.

Background

History

There are no historical applications applicable to the subject site.

Proposal

Council is in receipt of DA-2017/582 which seeks consent for the demolition of all existing structures and construction of a detached dual occupancy; new vehicle footway crossings and front fence with Torrens Title Subdivision. Specifically, the proposal seeks consent for the following:

- Demolition of existing structures as shown on the accompanying Survey Plan, prepared by OSUM Surveying and dated 1 November 2017;
- Construction of a detached dual occupancy development comprised of ground floor with single car garage and storage area; entry portico and lounge; separate bath; laundry and study area

- Rear ground floor alfresco area and deck;
- First floor master bedroom with WIR and ensuite; three separate bedrooms and a bathroom with upper level balconies addressing both the primary setback and rear, private open space areas;
- Associated landscaping and engineering works, including new vehicle footway crossings and front fences with Torrens Title Subdivision into two (2) lots.

The subject site, formally identified as Lot 12 Section 2 DP 1030, is a regular shaped allotment with equal primary and rear allotments widths of 20.115 metres; depths of 34.14 metres and a total site area of 686.7sqm (by Survey). The site is currently occupied by a single storey brick dwelling house with a tiled roof; a detached brick garage with a tiled roof; carport; rear detached metal shed and various trees and plantings.

Statutory Considerations

Environmental Planning and Assessment Act, 1979

An assessment of the application has been undertaken pursuant to the provisions of the *Environmental Planning and Assessment Act, 1979*.

S.79C(1) - Matters for Consideration - General

S.79C(1)(a)(i) - Provisions of Environmental Planning Instruments

The following Environmental Planning Instruments are relevant to this application:

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

The application is accompanied by BASIX Certificate No 878852S and 878866S, both dated Monday 13 November 2017. The Certificates demonstrate the proposed developments satisfy the relevant water; thermal and energy commitments as required by the SEPP (BASIX). These commitments are also illustrated on the architectural plans and therefore deemed acceptable with regards to SEPP.

Rockdale Local Environmental Plan 2011

| Relevant clauses | Compliance with objectives | Compliance with standard/provision |
|---|----------------------------|------------------------------------|
| 2.3 Zone R2 Low Density Residential | Yes | Yes - see discussion |
| 2.6 Subdivision - consent requirements | Yes | Yes - see discussion |
| 2.7 Demolition requires consent | Yes | Yes - see discussion |
| 4.1 Minimum subdivision lot size | Yes | No - see discussion |
| 4.3 Height of buildings | Yes | Yes - see discussion |
| 4.4 Floor space ratio - Residential zones | Yes | Yes - see discussion |
| 4.6 Exceptions to development standards | Yes | Yes - see discussion |
| 5.9 Preservation of trees or vegetation | Yes | Yes - see discussion |
| 6.2 Earthworks | Yes | Yes - see discussion |
| 6.4 Airspace operations | Yes | Yes - see discussion |
| 6.12 Essential services | Yes | Yes - see discussion |

2.3 Zone R2 Low Density Residential

The subject site is zoned R2 - Low Density Residential under the provisions of *Rockdale Local Environmental Plan 2011* (RLEP 2011). The proposed detached dual occupancy development, including Torrens Title Subdivision, is permissible only with development consent. The objectives of the zone 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 ensure that land uses are carried out in a context and setting that minimises any impact on the character and amenity of the area.*

The proposed development is consistent with the objectives of the zone as it provides for the housing needs of the community in a context and setting that minimises potential impacts on the character and amenity of the Bexley area.

2.6 Subdivision - consent requirements

The provisions of this Clause are such that Subdivision of an allotment require development consent from the consent authority. The application is accompanied by a Subdivision Plan, Drawing No. 12/16 and dated 13 November 2017 and hence satisfies the provisions of this Clause.

2.7 Demolition requires consent

The application is accompanied by Demolition Plan, Drawing No. 11/16 and dated 13 November 2017. The Plan illustrates all nominated structures for removal, including trees contained on site in accordance with the provisions of this Clause. Subject to conditions imposed on the draft Notice of Determination, the proposal is acceptable and recommended for approval in this instance.

4.1 Minimum subdivision lot size

Clause 4.1(3B)(a) and (b) permits consent to the subdivision of a lot on which a dual occupancy is proposed, if:

- (a) the area of each lot resulting from the subdivision is equal to or greater than 350sqm; and*
- (b) each of the lots will have one of the dwellings on it.*

The application is accompanied by a Subdivision Plan, Drawing No. 12/16, dated 13 November 2017. The Plan illustrates proposed Lots 700 and 701 both to be 343.35sqm in area, which fails to comply with Clause 4.1(3B)(a) as stipulated above. The application is accompanied by a written Clause 4.6 submission which is discussed in detail below.

4.3 Height of buildings

Clause 4.3 permits a maximum building height of 8.5m as measured from NGL (existing).

The proposed development seeks an overall building height of 7.9m for Dwelling 1 (RL46.90 - RL39.0) and 7.6m for Dwelling 2 (RL46.50 - RL38.90) and hence complying with the numerical provisions of this Clause. In doing so, the proposal contributes to a high quality urban form; maintains satisfactory sky exposure and daylight to buildings and maintains an appropriate transition in built form and land use intensity. Accordingly, the objectives of this Clause are also satisfied.

4.4 Floor space ratio - Residential zones

Clause 4.4 permits a maximum FSR of 0.50:1 for the subject site, pre- and post- Torrens Title Subdivision.

The GFA of the proposed development is calculated at 173.109sqm over a site area of 686.7sqm (pre-Subdivision) or 343.35sqm (post-Subdivision). The resultant FSR is 0.50:1 pre- and post-Subdivision and therefore satisfies the numerical provisions of this Clause. In this regard, the proposed density is in accordance with the desired future character of Bexley; will have minimal adverse environmental effects on the use or enjoyment of adjoining properties and will maintain an appropriate visual relationship

between new and existing developments. Accordingly, the objectives of this Clause have been satisfied also.

4.6 Exceptions to development standards

Clause 4.6 allows a variation to a development standard, subject to a written request by the Applicant, justifying the variation by demonstrating the following:

- (3)(a) that compliance with the standard is unreasonable or unnecessary in the circumstances of the case, and*
- (3)(b) that there are sufficient environmental planning grounds to justify the variation.*

In considering the applicant's submission, the consent authority must be satisfied that:

- (i) the applicant's written request is satisfactory in regards to addressing subclause (3) above, and*
- (ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives of the relevant zone.*

5(a) The consent authority must also consider whether contravention of the development standard raises any matter of significance for State or Regional environmental planning, and

5(b) The public benefit of maintaining the development standard.

The variations to minimum subdivision lot size requirements have been assessed below.

The proposal has been further assessed against the Principles established by the Land and Environment Court judgement *Four2Five v Ashfield Council* [2015] NSWLEC 90 where it was established that justification was required in order to determine whether the development standard was unreasonable or unnecessary on grounds other than whether the development achieved the objectives of the development standard. Consideration is to be given to the particular site circumstances and development.

Variation sought - Minimum subdivision lot size

As noted within Clause 4.1 - Minimum lot size requirements, the proposal seeks to vary the minimum subdivision lot size requirements by 6.65sqm per proposed Lot. This equates to a variation of 1.9% per lot and is shown in the figure below.

- *The proposed shortfall of 6.65sqm per lot is a minor variation to the overall requirement and will not compromise the internal amenity of the development.*

Strict compliance with the minimum subdivision lot requirements is unreasonable and unnecessary on the following grounds:

- a) The proposal has demonstrated to achieve compliance with the relevant objectives of the development standard relating to minimum subdivision lot size requirements;
- b) The proposal does not alter the development's compliance with controls relating to site cover; storey limit; landscaping and parking;
- c) The minor non-compliance does not result in any additional shadow impacts in midwinter to either the POS areas or habitable windows to the south eastern adjoining development compared to a compliant subdivision;
- d) The minor non-compliance does not result in increased privacy impacts to surrounding residential development;
- e) The proposal has demonstrated consistency with the objectives of Clause 4.1 - Minimum subdivision lot size, in that the dimensions are able to accommodate development consistent with the relevant development controls; and
- f) Due to the reasons contained above, the proposal is considered to achieve an appropriate outcome on site and is therefore in the public interest.

Council comment

The applicant's written request has satisfactorily addressed the provisions of Clause 4.1(3B)(a) where a minor technical non-compliance of 6.65sqm is supported for the following reasons:

- The extent of the non-compliance is not considered to result in a size or scale of development that is incompatible with the desired future character of the locality. The proposal is of an height and FSR (i.e. bulk and scale) which is commensurate with the approved surrounding and emerging dwellings within its immediate context;
- The absence of environmental impacts associated with the 1.9% variation per lot in regards to view loss; shadows and loss of privacy further underlines the 'reasonableness' of the variation in this instance;
- The proposed variation has demonstrated consistency with the objectives of Clause 4.1 - Minimum subdivision lot size as it minimises any likely impacts on the amenity of neighbouring properties whilst also ensuring the dimensions are able to accommodate development consistent with the relevant controls.

Given the site and development circumstances as discussed above, the proposed variation sought by the applicant is not considered unreasonable and supported in this instance. The proposal provides for a development that facilitates the orderly and economic development of the site and in a manner which is considered to outweigh strict adherence to the numerical standards presented by Clause 4.1 of the RLEP 2011.

It is considered therefore, that there are sufficient environmental planning grounds and site circumstances which justify contravening the subject Clause for this site.

5.9 Preservation of trees or vegetation

The State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 (Vegetation SEPP) regulates the clearing of native vegetation on urban land and land zoned for environmental conservation/management that does not require development consent and applies to the Sydney and

Newcastle metropolitan areas. The aims of the policy are as follows:

*(a) to protect the biodiversity values of trees and other vegetation in non-rural areas of the State, and
(b) to preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation.*

The Vegetation SEPP repeals clause 5.9 and 5.9AA of the Standard Instrument - Principal Local Environmental Plan and substantially reproduces the effect of these clauses in the Vegetation SEPP. Council will continue to regulate the clearing of vegetation (including native vegetation) below the BOS thresholds through the DCP.

As such, the application has been referred to Council's Tree Officer has confirmed existing site trees can be removed, subject to at least eight (8) replacement trees as per the approved Landscape Plan. The existing Blueberry Ash Tree located forward of the property boundary shall be retained and protected.

Subject to compliance with the above, the provisions of this Clause are satisfied.

6.2 Earthworks

The extent of earthworks and excavation required to facilitate the proposed development is minimal and impacts determined as negligible. Notwithstanding this, standard conditions are imposed on the draft Notice of Determination to ensure that the environmental amenity of surrounding land is maintained, and soil erosion, sedimentation, and drainage impacts are minimised. Subject to compliance with these conditions, the provisions of this Clause are satisfied.

6.4 Airspace operations

The proposed development is affected by the Obstacle Limitation Surface (OLS) which is set at 51m AHD. The proposed building heights are measured at 7.9 metres and 7.6 metres for Dwellings 1 and 2 respectively. In this regard, it is considered that the proposed development will have minimal adverse impact on the OLS and hence is acceptable with regards to this Clause.

6.12 Essential services

Services will generally be available on the site. Additional conditions have been incorporated in the draft Notice of Determination requiring consultation with relevant utility providers in regards to any specific requirements for the provision of services on the site.

S.79C(1)(a)(ii) - Provisions of any Draft EPI's

There are no draft EPI's applicable to the subject site.

S79C(1)(a)(iii) - Provisions of any Development Control Plan

The following Development Control Plan is relevant to this application:

Rockdale Development Control Plan 2011

The application is subject to Rockdale DCP 2011. A compliance table for the proposed development is provided below:

| Relevant clauses | Compliance with objectives | Compliance with standard/provision |
|------------------|----------------------------|------------------------------------|
|------------------|----------------------------|------------------------------------|

| | | |
|--|-----|----------------------|
| 4.1.1 Views and Vista | Yes | Yes - see discussion |
| 4.1.3 Water Management | Yes | Yes - see discussion |
| 4.1.4 Soil Management | Yes | Yes - see discussion |
| 4.1.7 Tree Preservation | Yes | Yes - see discussion |
| 4.1.9 Lot size and Site Consolidation - Dual Occupancy | Yes | No - see discussion |
| 4.2 Streetscape and Site Context - General | Yes | Yes - see discussion |
| 4.3.1 Open Space & Landscape Design - Low & medium density residential | Yes | Yes - see discussion |
| 4.3.2 Private Open Space - Low density residential | Yes | Yes - see discussion |
| 4.4.1 Energy Efficiency - Residential | Yes | Yes - see discussion |
| 4.4.2 Solar Access - Low and medium density residential | Yes | Yes - see discussion |
| 4.4.3 Natural Lighting and Ventilation - Residential | Yes | Yes - see discussion |
| 4.4.5 Visual privacy | Yes | Yes - see discussion |
| 4.6 Parking Rates - Dual Occupancy | Yes | Yes - see discussion |
| 4.6 Car Park Location and Design | Yes | Yes - see discussion |
| 4.6 Driveway Widths | Yes | Yes - see discussion |
| 4.7 Air Conditioning and Communication Structures | Yes | Yes - see discussion |
| 4.7 Waste Storage and Recycling Facilities | Yes | Yes - see discussion |
| 4.7 Laundry Facilities and Drying Areas | Yes | Yes - see discussion |
| 5.1 Storey Height and Setbacks - Dual occupancy & Semi-detached dwelling | Yes | Yes - see discussion |
| 5.1 Residential Subdivision | Yes | No - see discussion |

4.1.1 Views and Vista

The siting of the proposed building will ensure that there is minimal adverse impact on the surrounding views presently enjoyed by adjacent residents.

4.1.3 Water Management

The application is accompanied by Stormwater Plans, prepared by KD Stormwater Pty Ltd and dated November 2017. The site does not lie within an absorption area and is not affected by surface drainage. The site has an approximate cross fall of 2m towards the primary frontage, with OSD tanks proposed beneath the driveways of respective dwellings. The Plans were referred to Council's Development Engineer for review and comment and determined satisfactory, subject to standard conditions imposed on any consent granted by Council.

The proposal is therefore acceptable with regards to this Clause.

4.1.4 Soil Management

The application is accompanied by an Erosion and Sediment Control Plan, Drawing No. 10/16 and dated 13 November 2017. The Plan illustrates general erosion and sediment control strategies to ensure that the potential for impact on adjoining land and surrounding waterways is minimised. These include temporary fencing erected along the boundaries of the site. Subject to compliance, the provisions of this Clause are satisfied.

4.1.7 Tree Preservation

As contained in the above body of this Report, the application has been referred to Council's Tree

Management Officer for review and comment. Existing site trees can be removed, subject to at least eight (8) replacement trees as per the approved Landscape Plan. The existing Blueberry Ash Tree located forward of the property boundary shall be retained and protected.

Subject to compliance with the above, the provisions of this Clause are satisfied.

4.1.9 Lot size and Site Consolidation - Dual Occupancy

For a dual occupancy development, a minimum lot size of 700m² and a minimum width of 15m at the front building alignment is required. However, a dual occupancy may be erected on a parcel of land which existed as a separate parcel on 30 March 1973. The subject site complies with the minimum frontage requirements with a total width of 20.115 metres however fails to satisfy minimum lot size requirements with a total site area of 686.7sqm, deficient by 13.3sqm (by Survey).

Whilst technically non-compliant the lot area is considered to be sufficient for the proposed dual occupancy as it has demonstrated compliance with all relevant landscaping, parking and access provisions. The application complies with height, setbacks, solar access and does not unreasonable impacts of over-looking. The proposal is therefore consistent with the objectives of this standard and supported in this instance.

4.2 Streetscape and Site Context - General

The subject site is located within an R2 - Low Density Residential zone and the immediate context is low scale, consisting predominantly of single and double storey dwellings. The proposal has demonstrated compliance with Council's statutory provisions and is consistent with the desired and future character of the area in terms of height, bulk and scale.

The proposed and variable primary setbacks are consistent with the adjoining one and two storey dwellings and in this regard, the streetscape for Bayview Street will be retained and protected. The development is designed with appropriate use of articulation and modulation to the facades, via the incorporation of ground floor entry portico's and first floor upper level balconies overlooking the primary setback. Varying building elements in addition to a range of materials and finishes add visual interest to the facades.

The proposed development fencing, landscaping and other features are sited to ensure a clearly defined public; semi public and private spaces in accordance with the provisions of this Clause.

4.3.1 Open Space & Landscape Design - Low & medium density residential

Council's DCP 2011 requires that no less than 25% of the total site area be landscaped. The proposed development includes a total of 103sqm over a site area of 343.35sqm which equates to 29% in accordance with the provisions of this Clause. The development is satisfactory in this regard.

4.3.2 Private Open Space - Low density residential

The proposed development incorporates a compliant 80sqm soft landscaped area for each Dwelling 1 and 2 with an additional, functional area of 30sqm for the outdoor alfresco area. Primary private open space areas to each dwelling are functional, usable and meets user requirements for outdoor activities; accessibility and landscaping. The provisions of this Clause are satisfied.

4.4.1 Energy Efficiency - Residential

As discussed in the above body of this Report, the application is accompanied by BASIX Certificate

No 878852S and 878866S, both dated Monday 13 November 2017. The Certificates demonstrate the proposed developments satisfy the relevant water; thermal and energy commitments as required by the SEPP (BASIX). These commitments are also illustrated on the architectural plans and therefore deemed acceptable with regards to SEPP.

4.4.2 Solar Access - Low and medium density residential

The application is accompanied by Shadow and Elevational Shadow Diagrams which demonstrates both the existing and resultant shadow impacts from the proposal at 9am; midday and 3pm on 21 June. In particular, the Elevational Shadow Diagrams demonstrate the resultant shadows cast on the south eastern adjoining development at midday, with full solar access received between 9am and midday. The proposed development will have minimum impact of the level of sunlight currently received by adjoining properties and within the development site.

4.4.3 Natural Lighting and Ventilation - Residential

The proposed development incorporates compliant ground floor and first floor FCL's of 2900mm and 2700mm in accordance with the provisions of this Clause.

4.4.5 Visual privacy

The proposed dual occupancy development is designed and sited to minimise the overlooking of adjoining properties both to side and rear through incorporating the following:

- Compliant side setbacks of 0.9m to the ground and 1.5m to the first floor levels respectively;
- Compliant rear setbacks of 8m to the ground and 12m to the first floor levels respectively;
- Upper level rooms which addressing surrounding properties are restricted to bedrooms and bathrooms, considered a low frequency use and therefore to pose minimal privacy concerns;
- Upper level rumpus room window W5 which addresses the proposed allotment boundary is high sill and provided with an increased side setback of 1.5m and 3m separation between both ensuring that privacy is also maintained for intended occupants.
- Landscape hedging/ tree screening located along boundary fences at a height of 3m to provide additional screening to dwellings adjoining at the rear; and
- Windows are offset to preclude views into windows of adjacent buildings.

Having regard to the above, the proposed development provides a reasonable level of visual privacy between the adjoining properties. An appropriate condition is to be included in the draft notice of determination regarding the privacy screens for the upper level rear balconies. The proposal is therefore considered acceptable in this regard.

4.6 Parking Rates - Dual Occupancy

The proposal incorporates two (2) car parking spaces per dwelling in accordance with the provisions of this Clause.

4.6 Car Park Location and Design

The proposed development seeks consent for the construction of two (2) light duty vehicle footway crossings to address each Dwelling 1 and 2. The crossing has been reviewed by Council's Development Engineer and determined to comply with Council's Technical Specifications relating to car park location and design. Subject to conditions, the provisions of this Clause are satisfied.

4.6 Driveway Widths

The application was referred to Council's Development Engineer for review and comment and determined satisfactory with regards to width of access driveways in accordance with Council

Technical Specifications. The provisions of this Clause are satisfied.

4.7 Air Conditioning and Communication Structures

The proposal seeks to install air conditioning units to the ground floor building wall addressing the shared common boundary. Subject to conditions, including compliance with the performance provisions of the POEO Act, the provisions of this Clause are satisfied.

4.7 Waste Storage and Recycling Facilities

The application is accompanied by a Waste Management Plan (WMP), prepared in accordance with Council's Technical Specifications. The WMP details waste management during the construction phase of the development. Ongoing waste management strategies include the provision of sufficient storage area within the ground floor garage and side setbacks to ensure the waste facilities do not have negative impacts on the streetscape or residential amenity of occupants and neighbours.

The provisions of this Clause are satisfied.

4.7 Laundry Facilities and Drying Areas

Internal laundry facilities are provided to the Ground Floor of each Dwellings 1 and 2. Additionally, ample outdoor space is provided to allow for external drying facilities which are screened from public view.

The provisions of this Clause are satisfied.

5.1 Storey Height and Setbacks - Dual occupancy & Semi-detached dwelling

The proposed development incorporates compliant 900mm ground floor and side setbacks with 900mm and 1500mm upper level setbacks. Post Torrens Title Subdivision, the proposal can call upon reduced lot with provisions and therefore complies with the provisions of this Clause. The proposal also provides a compliant primary setback of 6550mm to the front building wall and 7120mm to the garage building line.

5.1 Residential Subdivision

The proposed development seeks consent for the Torrens Title Subdivision with resultant lot areas of 343.35sqm each and the application is accompanied by a written Clause 4.6 submission discussed in the above body of this Report. Whilst the application fails to satisfy minimum numerical lot requirements, the site satisfies minimum lot widths of 15 metres with each proposed lot having a public frontage with adequate provision for infrastructure services. Additionally, the proposal demonstrates sufficient lot area for landscaping; car and pedestrian access; and private open space requirements.

The objectives of this Clause are satisfied.

S.79C(1)(a)(iv) - Provisions of regulations

The proposed development is not inconsistent with the relevant provisions of the *Environmental Planning and Assessment Regulation, 2000*.

S.79C(1)(b) - Likely Impacts of Development

Potential impacts related to the proposal have been considered in response to SEPPs, LEP and DCP controls and determined acceptable. The impacts that have not already been addressed are as follows:

Construction

All matters relating to the BCA are addressed by way of conditions imposed on the draft Notice of Determination. Additionally, site and safety measures are to be implemented in accordance with these, and WorkCover Authority guidelines and requirements.

S.79C(1)(c) - Suitability of the site

Having regard to the above, the site is considered to be suitable for the proposed form of development.

S.79C(1)(d) - Public submissions

The application was notified for a period of 14 days in accordance with the RDCP 2011 and provisions of the Regulations 2000. Two (2) submissions were received with the matters of concern and Council's assessment response below:

Concern: Overshadowing and Solar Access

Council comment: Concerns were raised regarding the extent of overshadowing to the south eastern and south western adjoining allotments. Council has considered the proposal in accordance with Part 4.4.2 of the RDCP 2011 which has successfully demonstrated compliance with both the numerical and performance provisions of this standard. Council also notes, the proposal has negligible shadow impacts to the dwelling house located at the rear of the site and in this regard, the objection is unfounded.

Concern: Non-compliance with Clause 4.1 of the RLEP 2011

Council comment: The DA seeks to vary Council's minimum numerical requirements as contained within Clause 4.1(3) of the RLEP 2011 relating to minimum subdivision requirements for a dual occupancy development. The DA is accompanied by a written Clause 4.6 submission which is examined in depth in the body of the report above. Council has an established precedence with regards to variations of such nature and recommends approval in this instance.

Concern: Acoustic Amenity

Council comment: The net addition of one (1) dwelling on the allotment is not considered to generate additional noise impacts which would be unreasonable within the R2 - Low Density Residential zone.

Concern: My 120 year old Federation House will be totally dominated and overwhelmed by the new buildings

Council comment: Clause 4.3 - Height of Buildings and Clause 4.4 - Floor Space Ratio of the RLEP 2011 provide limits for the bulk and scale of development within the R2 - Low Density Residential zone. The proposal has demonstrated compliance with both the numerical and performance provisions contained therein and is supported in this instance. Council notes the building separation between the proposal and the existing dwelling located at the rear allotment boundary is no less than 12.5 metres and in this regard, is not considered to overlook the dwelling to the rear.

Concern: Character

Council comment: The proposed dual occupancy development is not considered to diminish the existing and future intended character of Bayview Street in terms of height, bulk and scale. The primary setbacks are consistent with those adjoining and in this regard, the streetscape will be retained and protected. The proposed primary fencing and landscaping will ensure a clearly defined public; semi public and private space in accordance with Part 4.2 of Council's DCP 2011 with the building materials

and design commensurate with existing development which surrounds it.

Concern: *Glazing and large west facing balcony doors and privacy*

Council comment: The upper level west facing doors provide access between bedrooms and the rear upper level balcony. Council considers bedrooms to be a low frequency use and as such, pose less privacy concerns. In addition to the anticipated use, the building separation between the proposal and that which adjoins both to the rear and sides it is determined sufficient to ensure privacy is maintained for intended occupants and those surrounding.

Concern: *Insufficient parking*

Council comment: The proposal provides no less than two (2) off street parking spaces per dwelling in accordance with Part 4.6 of the RDCP 2011.

Concern: *Destruction of habitat for local remaining wildlife*

Council comment: The proposal, including removal of nominated trees, was referred Council's Tree Management Officer for review and comment. The Officer assessed the application in accordance with Clause 5.9 of the RLEP 2011 and determined to be satisfactory with regards to the preservation of trees and vegetation. The Officer has imposed conditions relating to the replacement planting of no less than eight (8) trees for the subject site which ensures habitat for local remaining wildlife.

Concern: *Loss of private open space to accommodate new build*

Council comment: The proposed development provides no less than 110sqm per lot for private open space purposes in accordance with the RDCP 2011.

Concern: *Over-development in the R2 - Low Density Residential zone*

Council comment: The above report has suitably demonstrated that the proposal is not considered to be an over-development of the site within an R2 - Low Density Residential zone. Rather, the contemporary dual occupancy is wholly contained within the maximum provisions relating to FSR and HOB and ensures standards relating to landscaping; private open space; and setbacks are achieved.

Concern: *Ownership at time of DA Lodgement*

Council comment: Concerns were raised regarding correct ownership at the time of DA Lodgement being 23 November 2017. Council can confirm that the correct ownership consent was obtained and provided at the time of lodgement., being both Denise McNamara and Laurence Kilham.

S.79C(1)(e) - Public interest

The proposed development is considered satisfactory having regard to the objectives and requirements of Rockdale Local Environmental Plan 2011 and Development Control Plan 2011. Impacts on adjoining properties have been considered and addressed. As such it is considered that the proposed development is in the public interest.

Schedule 1 - Draft Conditions of consent

General Conditions

The following conditions restrict the work to the detail provided in the Development Application and are to ensure that the development is complete.

1. The term of this consent is limited to a period of five (5) years from the date of the original approval. The consent will lapse if the development does not commence within this time.
2. The development must be implemented substantially in accordance with the plans listed below, the application form and on any supporting information received with the application, except as may be amended in red on the attached plans and by the following conditions.

| Plan/Dwg No. | Drawn by | Dated | Received by Council |
|--|------------------------|------------------|----------------------------|
| Site Plan, Drawing No. 2/16 | M Cubed Design | 13 November 2017 | 23 November 2017 |
| Ground Floor Plan, Drawing No. 3/16 | M Cubed Design | 13 November 2017 | 23 November 2017 |
| First Floor Plan, Drawing No. 4/16 | M Cubed Design | 13 November 2017 | 5 December 2017 |
| Roof Plan, Drawing No. 5/16 | M Cubed Design | 13 November 2017 | 5 December 2017 |
| North East Elevation; Front Fence and South - East Elevation, Drawing No. 6/16 | M Cubed Design | 13 November 2017 | 23 November 2017 |
| South West Elevation, North West Elevation, Drawing No. 7/16 | M Cubed Design | 13 November 2017 | 23 November 2017 |
| South East Elevation, North West Elevation, Drawing No. 8/16 | M Cubed Design | 13 November 2017 | 23 November 2017 |
| Section A-A, Drawing No. 9/16 | M Cubed Design | 13 November 2017 | 23 November 2017 |
| Demolition Plan, Drawing No. 11/16 | M Cubed Design | 13 November 2017 | 23 November 2017 |
| Subdivision Plan, Drawing No. 12/16 | M Cubed Design | 13 November 2017 | 23 November 2017 |
| Parking Plan, Drawing No. 13/16 | M Cubed Design | 13 November 2017 | 23 November 2017 |
| Streetscape Elevation, Drawing No. 14/16 | M Cubed Design | 13 November 2017 | 23 November 2017 |
| Landscape Plan, Drawing No. LA-001, Project 171113 | Outliers Design Studio | 20 November 2017 | 23 November 2017 |

3. All new building work must be carried out in accordance with the provisions of the Building Code of Australia (BCA).
4. A Construction Certificate must be obtained from Council or an Accredited Certifier prior to any building work commencing.
5. The development must be implemented and all BASIX commitments thereafter maintained in accordance with BASIX Certificate Number 878852S and 878866S, both dated Monday 13 November 2017 other than superseded by any further amended consent and BASIX certificate.

Note: Clause 145(1)(a1) of the Environmental Planning & Assessment Regulation 2000 provides: A certifying authority must not issue a construction certificate for building work unless it is satisfied of the following matters: -

- (a1) that the plans and specifications for the building include such matters as each relevant BASIX certificate requires.

Note: Clause 154B(2) of the Environmental Planning & Assessment Regulation 2000 provides: "A certifying authority must not issue a final occupation certificate for a BASIX affected building to which this clause applies unless it is satisfied that each of the commitments whose fulfilment it is required to monitor has been fulfilled."

Note: For further information please see <http://www.basix.nsw.gov.au>.

6. The rear alfresco area shall not be enclosed at any future time.
7. This approval is not to be construed as permission to erect any structure on or near a boundary contrary to the provisions of the Dividing Fences Act.

Development specific conditions

The following conditions are specific to the Development Application proposal.

8. The existing and future owners (Registered Proprietor) of the property will be responsible for the operation and maintenance of the detention system. The registered proprietor will:
 - (i) permit stormwater to be temporarily detained by the system;
 - (ii) keep the system clean and free of silt, rubbish and debris;
 - (iii) maintain, renew and repair the whole or parts of the system so that it functions in a safe and efficient manner, and in doing so complete the same within the time and in the manner specified in written notice issued by the Council;
 - (iv) carry out the matters referred to in paragraphs (ii) and (iii) at the proprietor's expense;
 - (v) not make any alterations to the system or elements thereof without prior consent in writing of the Council;
 - (vi) permit the Council or its authorised agents from time to time upon giving reasonable notice (but at any time and without notice in the case of emergency) to enter and inspect the land for compliance with the requirements of this clause;
 - (vii) comply with the terms of any written notice issued by the Council in respect to the requirements of this clause within the time stated in the notice.
9. The rainwater tank shall be routinely de-sludged and all contents from the de-sludging process disposed – solids to the waste disposal and de-sludged liquid to the sewer.
10. Residential air conditioners shall not cause 'offensive noise' as defined by the Protection of the Environment Operations Act 1997 or contravene provisions of the Protection of the Environment (Noise Control) Regulation 2008 where emitted noise from a residential air conditioner can be heard within a habitable room in any other residential premises at night.

Prior to issue of the construction certificate

The following conditions must be completed prior to the issue of the Construction Certificate.

11. The following fees shall be paid to Council prior to the issue of a Construction Certificate. If payment is made after the end of the financial year, the amount shall be adjusted in accordance with Council's adopted fees and charges.
 - i. A Footpath Reserve Restoration Deposit of \$4,998.00. This is to cover repair of any damages, or other works to be done by Council. This includes construction, removal, or repair as required to: kerb and guttering, existing or new driveways; paved areas and concrete footpaths. The deposit may be lodged with Council in the form of a Bank Guarantee (Any proposed Bank Guarantee must not have an expiry date). The deposit will not be returned by Council until works are completed and all damage is restored and all specified works are completed by Council.
 - ii. An environmental enforcement fee of 0.25% of the cost of the works.
 - iii. A Soil and Water Management Sign of \$18.00.
12. For work costing \$25,000 or more, a Long Service Leave Levy shall be paid. For further information please contact the Long Service Payments Corporation on their Helpline 13 1441.
13. An application for Boundary levels shall be made to Council's Customer Service Centre prior to issue of the Construction Certificate. All boundary works, egress paths, driveways and fences shall comply with this level.

A fee is payable to Council for the determination of boundary levels. If payment is made after the end of the financial year, the amount shall be adjusted in accordance with Council's adopted fees and charges.
14. A Section 94 contribution of \$17,404.01 shall be paid to Council. Such contributions are only used towards the provision or improvement of the amenities and services identified below. The amount to be paid is adjusted at the time of payment, in accordance with the contribution rates contained in Council's current Adopted Fees and Charges. The contribution is to be paid prior to the issue of construction certificate for works above the floor level of the ground floor. (Payment of the contribution is not required prior to any separate construction certificates issued only for demolition, site preparation works and the construction of basement levels).

Copies of Council's Section 94 Contribution Plans may be inspected at Council's Customer Service Centre, Administration Building, 444-446 Princes Highway, Rockdale.

15. In the case of residential building work for which the Home Building Act 1989 requires there to be a contract of insurance or owner builder's permit in force in accordance with Part 6 of that Act, that such a contract or permit is in place.
16. A landscape plan, prepared by a qualified Landscape Architect or Landscape Designer/Consultant, shall be submitted to Council or the accredited certifier (AC) for approval with or before the application for a Construction Certificate. The plan shall be at a scale of 1:100 or 1:200 and comply with Rockdale Technical Specification Landscape and all other relevant conditions of this Consent.
17. Prior to the issue of the Construction Certificate, the approved plans must be submitted to Sydney Water Tap in™ online service 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.

Sydney Water's Tap in™ online service is available at:

<https://www.sydneywater.com.au/SW/plumbing-building-developing/building/sydney-water-tap-in/index.htm>

18. Prior to issue of the Construction Certificate, a longitudinal driveway profile shall be submitted to Principal Certifying Authority for assessment and approval. The profile shall start in the centre of the road and be along the critical edge (worst case) of the driveway. Gradients and transitions shall be in accordance with Council's Code. The profile shall be drawn to a scale of 1 to 25 and shall include all relevant levels, grades (%) and lengths.
19. Any part of the proposed building within 3m of the proposed detention tank or absorption trench shall be constructed on a pier and beam foundation with piers extending no less than 300mm below the bottom of the tank or trench base. This requirement shall be reflected on the Construction Certificate plans and supporting documentation.
20. Prior to the issue of the Construction Certificate, detailed drainage design plans for the management of stormwater are to be submitted to Principal Certifying Authority for assessment and approval. Design certification, in the form specified in Rockdale Technical Specification Stormwater Management, and drainage design calculations are to be submitted with the plans. Council's Rockdale Technical Specification Stormwater Management sets out the minimum documentation requirements for detailed design plans. Stormwater management requirements for the development site, including the final discharge/end connection point, must comply with Rockdale Technical Specification Stormwater Management.
21. Prior to the issue of a Construction Certificate for the approved development, the architectural plans shall be amended as follows:
 - a) Incorporation of privacy screens to the north western and south eastern elevations of the dual occupancy development, including a 300mm return to the south western elevations.

Prior to commencement of works

The following conditions must be completed prior to the commencement of works.

22. A Soil and Water Management Plan shall be prepared. The Plan must include details of the proposed erosion and sediment controls to be installed on the building site. A copy of the Soil and Water Management Plan must be kept on-site at all times and made available on request.

Soil and sedimentation controls are to be put in place prior to commencement of any work on site. The controls are to be maintained in effective working order during construction.

Council's warning sign for soil and water management must be displayed on the most prominent point on the building site, visible to both the street and site workers. The sign shall be erected prior to commencement of works and shall be displayed throughout construction.

23. A sign must be erected at the front boundary of the property clearly indicating the Development Approval Number, description of work, builder's name, licence number and house number before commencement of work. If owner/builder, the Owner/Builder Permit Number must be displayed.
24. A sign must be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out:
 - i. stating that unauthorised entry to the work site is prohibited, and
 - ii. showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours.

Any such sign is to be removed when the work has been completed.

This condition does not apply to:

- iii. building work carried out inside an existing building or
- iv. building work carried out on premises that are to be occupied continuously (both during and outside working hours) while the work is being carried out.

- 25. Prior to the commencement of work, a Tree Protection Zone shall be established in accordance with AS4970-2009 (Protection of trees on Development Sites) with protective fences at least 1.8 metres high erected outside the drip line where possible around the Blueberry Ash street tree which is required to be retained. The protective fences shall consist of chain wire mesh temporary fence panels securely mounted and braced to prevent movement, shall be in place prior to the commencement of any work on site and shall remain until the completion of all building and hard landscape construction. Excavations for services, waste bins, storage of materials and equipment, site residue, site sheds, vehicle access or cleaning of tools and equipment are not permitted within the Tree Protection Zone at any time.
- 26. Prior to the commencement of any work on site, a sign shall be placed in a prominent position on each protective fence identifying the area as a Tree Protection Zone and prohibiting vehicle access, waste bins, storage of materials and equipment, site residue and excavations within the fenced off area.
- 27. The site shall be secured by a 1800 mm (minimum) high temporary fence for the duration of the work. Gates shall be provided at the opening points.
- 28. Toilet facilities must be available or provided at the work site before works begin and must be maintained until the works are completed at a ratio of one toilet plus one additional toilet for every 20 persons employed at the site.

During demolition / excavation / construction

The following conditions must be complied with during demolition, excavation and or construction.

- 29. A copy of the Construction Certificate and the approved plans and specifications must be kept on the site at all times and be available to Council officers upon request.
- 30. Hours of construction shall be confined to between 7 am and 6.30 pm Mondays to Fridays, inclusive, and between 8 am and 3.30 pm Saturdays with no work being carried out on Sundays and all public holidays.
- 31. Ground water shall only be pumped or drained to Council's stormwater system if the water is clean and unpolluted. The standard used to determine the acceptability of the quality of the water is the 'Australian and New Zealand Environment and Conservation Council - Australian Water Quality Guidelines for Fresh and Marine Waters 1992'.

Note: Prior treatment and/or filtration of the water may be necessary to achieve acceptable quality, including a non-filterable residue not exceeding 50 milligrams/litre or small quantities may be removed by the services of a Licenced Liquid Waste Transporter. It is an offence under the provisions of the Protection of the Environment Operations Act 1997 to pollute the stormwater system.

- 32. Demolition operations shall not be conducted on the roadway or public footway or any other locations, which could lead to the discharge of materials into the

stormwater drainage system.

33. All waste generated on site shall be disposed of in accordance with the submitted Waste Management Plan.
34. When soil conditions require it:
 - i. retaining walls associated with the erection or demolition of a building or other approved methods of preventing movement of the soil shall be provided, and
 - ii. adequate provision shall be made for drainage.
35. All contractors shall comply with the following during all stages of demolition and construction:
 - A Waste Container on Public Road Reserve Permit must be obtained prior to the placement of any waste container or skip bin in the road reserve (i.e. road or footpath or nature strip). Where a waste container or skip bin is placed in the road reserve without first obtaining a permit, the Council's fees and penalties will be deducted from the Footpath Reserve Restoration Deposit. Permits can be obtained from Council's Customer Service Centre.
 - A Road Opening Permit must be obtained prior to any excavation in the road reserve (i.e. road or footpath or nature strip). Where excavation is carried out on the road reserve without first obtaining a permit, the Council's fees and penalties will be deducted from the Footpath Reserve Restoration Deposit. Permits can be obtained from Council's Customer Service Centre.
 - A Hoarding Permit must be obtained prior to the erection of any hoarding (Class A or Class B) in the road reserve (i.e. road or footpath or nature strip). Where a hoarding is erected in the road reserve without first obtaining a permit, the Council's fees and penalties will be deducted from the Footpath Reserve Restoration Deposit. Permits can be obtained from Council's Customer Service Centre.
 - A Crane Permit must be obtained from Council prior to the operation of any activity involving the swinging or hoisting of goods across or over any part of a public road by means of a lift, hoist or tackle projecting over the footway. Permits can be obtained from Council's Customer Service Centre.
 - A current Permit to Dewater or Pump Out a site must be obtained prior to the discharge of pumped water into the road reserve, which includes Council stormwater pits and the kerb and gutter. Permits can be obtained from Council's Customer Service Centre.
36. All demolition work shall be carried out in accordance with AS2601 – 2001: The Demolition of Structures and with the requirements of the WorkCover Authority of NSW.
37. The following conditions are necessary to ensure minimal impacts during construction:
 - i. Building, demolition and construction works not to cause stormwater pollution and being carried out in accordance with Section 2.8 of Council's Stormwater Pollution Control Code 1993. Pollutants such as concrete slurry, clay and soil shall not be washed from vehicles onto roadways, footways or into the stormwater system. Drains, gutters, roadways and access ways shall be maintained free of sediment. Where required, gutters and roadways shall be swept regularly to maintain them free from sediment.
 - ii. Stormwater from roof areas shall be linked via a temporary downpipe to an approved stormwater disposal system immediately after completion of the

roof area.

- iii. All disturbed areas shall be stabilised against erosion within 14 days of completion, and prior to removal of sediment controls.
- iv. Building and demolition operations such as brickcutting, washing tools or paint brushes, and mixing mortar shall not be performed on the roadway or public footway or any other locations which could lead to the discharge of materials into the stormwater drainage system.
- v. Stockpiles are not permitted to be stored on Council property (including nature strip) unless prior approval has been granted. In addition stockpiles of topsoil, sand, aggregate, soil or other material shall be stored clear of any drainage line or easement, natural watercourse, kerb or road surface.
- vi. Wind blown dust from stockpile and construction activities shall be minimised by one or more of the following methods:
 - a) spraying water in dry windy weather
 - b) cover stockpiles
 - c) fabric fences
- vii. Access to the site shall be restricted to no more than two 3m driveways. Council's footpath shall be protected at all times. Within the site, provision of a minimum of 100mm coarse crushed rock is to be provided for a minimum length of 2 metres to remove mud from the tyres of construction vehicles.

An all weather drive system or a vehicle wheel wash, cattle grid, wheel shaker or other appropriate device, shall be installed prior to commencement of any site works or activities, to prevent mud and dirt leaving the site and being deposited on the street. Vehicular access is to be controlled so as to prevent tracking of sediment onto adjoining roadways, particularly during wet weather or when the site is muddy. Where any sediment is deposited on roadways it is to be removed by means other than washing and disposed of appropriately.

In addition builders / demolishers are required to erect a 1.5m high fence along the whole of the street alignment other than at the two openings. Such protection work, including fences, is to be constructed, positioned and maintained in a safe condition to the satisfaction of the Principal Certifying Authority, prior to the demolition of the existing structures and commencement of building operations.

- viii. Any noise generated during construction of the development shall not exceed limits specified in any relevant noise management policy prepared pursuant to the Protection of the Environment Operations Act, 1997 or exceed approved noise limits for the site.
- 38. Council's warning sign for soil and water management must be displayed on the most prominent point on the building site, visible to both the street and site workers. The sign must be displayed throughout construction. A copy of the sign is available from Council.
 - 39. The Blueberry Ash street trees located at the front of the site shall not be removed or pruned, including root pruning, without the written consent of Council in the form of a Permit issued under Council's Development Control Plan 2011.
 - 40. All existing trees located within the site may be removed.

41. Where drainage or paving works are proposed to be constructed in the area below the dripline of trees, the proposed works and construction methods must not damage the tree. Where either the trees or works were not shown in detail on the approved plans, then Council approval must be obtained by contacting Council's Tree Management Officer.
42. Underground Services such as pipelines or cables to be located close to trees, must be installed by boring or by such other method that will not damage the tree rather than open trench excavation. The construction method must be approved by Council's Tree Management Officer.
43. Existing soil levels within the drip line of trees to be retained shall not be altered without reference to Council's Tree Management Officer.
44. Building materials, site residue, machinery and building equipment shall not be placed or stored under the dripline of trees required to be retained.

Prior to issue of occupation certificate or commencement of use

The following conditions must be complied with prior to issue of the Occupation Certificate or Commencement of Use.

45. An Occupation Certificate shall be obtained in relation to the approved works prior to any use or occupation of the building.
46. Where Council's park/reserve is damaged as a result of building work or vehicular building traffic, this area shall be restored by Council at the applicant's expense. Repairs shall be completed prior to the issue of the Occupation Certificate.
47. All excess excavated material, demolition material, vegetative matter and builder's rubbish shall be removed to the Waste Disposal Depot or the Regional Tip prior to final inspection.
Note: Burning on site is prohibited.
48. All landscape works are to be carried out in accordance with the approved landscape plans prior to the issue of an Occupation Certificate for the approved development. The landscaping is to be maintained to the approved standard at all times.
49. At least eight (8) native or ornamental trees of at least 100 litre pot size and capable of growing to a minimum height of five (5) metres shall be planted in suitable locations within the property on completion of the building works and prior to the final inspection.
50. All works within the road reserve, which are subject to approval pursuant to Section 138 of the Roads Act 1993, shall be completed and accepted by council.
51. Prior to completion of the building works, a full width vehicular entry is to be constructed to service the property. Any obsolete vehicular entries are to be removed and reconstructed with kerb and gutter. This work may be done using either a Council quote or a private contractor. There are specific requirements for approval of private contractors.
52. Both driveway accesses are required to have a maximum width of 3m at the boundary and separated by 6m along the kerb.
53. Prior to the issue of the Final Occupation Certificate, a Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water.

It is recommended that applicants apply early for the certificate, as there may be water and sewer pipes to be built and this can take some time. This can also impact

on other services and building, driveway or landscape design.

Application must be made through an authorised Water Servicing Coordinator. For help either visit www.sydneywater.com.au > Plumbing, building and developing > Developing > Land development or telephone 13 20 92.

54. Prior to occupation, a registered surveyor shall certify that the driveway(s) over the footpath and within the property have been constructed in accordance with the approved driveway profile(s). The certification shall be based on a survey of the completed works. A copy of the certificate and a works-as-executed driveway profile shall be provided to Council if Council is not the Principal Certifying Authority.
55. Prior to occupation a Chartered Professional Engineer shall certify that the stormwater system has been constructed in accordance with the approved plans and as required by Rockdale Technical Specification Stormwater Management. The certificate shall be in the form specified in Rockdale Technical Specification Stormwater Management and include an evaluation of the completed drainage works. A works-as-executed drainage plan shall be prepared by a registered surveyor based on a survey of the completed works. A copy of the certificate and works-as-executed plan(s) shall be supplied to the Principal Certifying Authority. A copy shall be provided to Council if Council is not the Principal Certifying Authority.
56. The owner of the premises is required to comply with the following requirements when installing a rainwater tank:
 - Inform Sydney Water that a Rainwater tank has been installed in accordance with applicable requirements of Sydney Water.
 - The overflow from the rainwater tank shall be directed to the storm water system.
 - All plumbing work proposed for the installation and reuse of rainwater shall comply with the NSW Code of Practice: Plumbing and Drainage and be installed in accordance with Sydney Water "Guidelines for rainwater tanks on residential properties.
 - A first flush device shall be installed to reduce the amount of dust, bird faeces, leaves and other matter entering the rainwater tank.

Prior to issue of subdivision certificate

The following conditions must be complied with prior to the issue of the Subdivision Certificate or the Strata Certificate.

57. A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation.

Application must be made through an authorised Water Servicing Coordinator. Please refer to the Building Developing and Plumbing section of the web site www.sydneywater.com.au then refer to "Water Servicing Coordinator" under "Developing Your Land" or telephone 13 20 92 for assistance.

Following application a "Notice of Requirements" will advise of water and sewer infrastructure to be built and charges to be paid. Please make early contact with the Coordinator, since building of water/sewer infrastructure can be time consuming and may impact on other services and building, driveway or landscape design.

The Section 73 Certificate must be submitted to the Principal Certifying Authority

prior to release of the Subdivision/Strata Certificate.

58. All existing and proposed services on the property shall be shown on a plan, and shall be submitted to Council. This includes electricity, gas, water, sewer, stormwater and telephone services. Where any service crosses one lot but benefits another lot, it is to be covered by an easement. The service easement is to be covered by a Section 88B Instrument, which may only be varied or extinguished with the consent of Bayside Council. These provisions are to be put into effect prior to the release of the Subdivision/Strata Certificate.
59. A positive covenant shall be provided over the on-site detention system. A Section 88B Instrument and four copies shall be lodged with the Subdivision Certificate.
60. Council will not issue the Subdivision Certificate unless the following has been provided to Council:
 - Works-As-Executed Plan for Stormwater Drainage System;
 - Engineering Compliance Certificate for Stormwater Drainage System and Works-As-Executed drawing;
 - Final Occupation Certificate;
 - Utility Services Plan;
 - Original of Section 73 Certificate referring to Subdivision (Sydney Water Act, 1994);
 - Landscape Certification (if Council not appointed as PCA); and
 - Administration Sheet and 88B Instruments prepared by a Qualified Surveyor.

Roads Act

61. Where applicable, the following works will be required to be undertaken in the road reserve at the applicant's expense:
 - i) construction of two (2) new fully constructed concrete vehicular entrance/s;
 - ii) removal of the existing concrete vehicular entrance/s, and/or kerb laybacks which will no longer be required;
 - iii) removal of redundant paving;
 - iv) smooth transition with new driveways and footpath areas.
62. All footpath, or road and drainage modification and/or improvement works to be undertaken in the road reserve shall be undertaken by Council, or by a Private Licensed Contractor subject to the submission and approval of a Private Contractor Permit, together with payment of all inspection fees. An estimate of the cost to have these works constructed by Council may be obtained by contacting Council. The cost of conducting these works will be deducted from the Footpath Reserve Restoration Deposit, or if this is insufficient the balance of the cost will be due for payment to Council upon completion of the work.
63. This Roads Act approval does not eradicate the need for the Contractor to obtain a Road Opening Permit prior to undertaking excavation in the road or footpath.
64. Any driveway works to be undertaken in the footpath reserve by a private contractor requires an "Application for Consideration by a Private Contractor" to be submitted to Council together with payment of the application fee. Works within the footpath reserve must not start until the application has been approved by Council.
65. Following completion of concrete works in the footpath reserve area, the balance of the area between the fence and the kerb over the full frontage of the proposed development shall be turfed with either buffalo or couch (not kikuyu).

Development consent advice

- a. You are advised to consult with your utility providers (i.e. Energy Aust, Telstra etc) in order to fully understand their requirements before commencement of any work.
- b. *Dial Before You Dig*

Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets, please contact Dial before You Dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial before You Dig service in advance of any construction or planning activities.

- c. *Telstra Advice - Telecommunications Act 1997 (Commonwealth)*

Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Commonwealth) and is liable for prosecution. Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on phone number 1800810443.

- d. All asbestos fibre demolition material and asbestos dust shall be handled, stored and removed in accordance with the relevant legislation and guidelines including:
 - Work Health and Safety Act 2011
 - Work Health and Safety Regulation 2011
 - Code of Practice for the Safe Removal of Asbestos [NOHSC: 2002 (2005)]
 - Code of Practice for the Management and Control of Asbestos in Workplaces [NOHSC: 2018 (2005)]
 - Protection of the Environment Operations (Waste) Regulation 2005

All work procedures shall be devised to minimise the release of dust and fibres. A checklist of safety precautions when working with asbestos is available in Health & Safety Guidelines prepared by the WorkCover Authority of NSW. Collection, storage and transportation is subject to the Protection of the Environment Operations (Waste) Regulation 2005.

- e. Hazardous and/or intractable wastes arising from the demolition process shall be removed and disposed of in accordance with the requirements of the relevant statutory authorities (NSW WorkCover Authority and the NSW Environment Protection Authority), together with the relevant regulations, including:
 - Work Health and Safety Act 2011
 - Work Health and Safety Regulation 2011
 - Protection of the Environment Operations (Waste) Regulation 2005.

- f. Demolition and construction shall minimise the emission of excessive noise and prevent “offensive noise” as defined in the Protection of the Environment Operations Act 1997. Noise reduction measures shall include, but are not limited to the following strategies:
- choosing quiet equipment
 - choosing alternatives to noisy activities
 - relocating noise sources away from affected neighbours
 - educating staff and contractors about quiet work practices
 - informing neighbours of potentially noisy activities in advance
 - equipment, such as de-watering pumps, that are needed to operate on any evening or night between the hours of 8 p.m. and 7 a.m. or on any Sunday or Public Holiday, shall not cause a noise nuisance to neighbours of adjoining or nearby residences. Where the emitted noise exceeds 5 dB(A) [LAeq(15m)] above the background sound level [LA90] at the most affected point on the nearest residential boundary at any time previously stated, the equipment shall be acoustically insulated, isolated or otherwise enclosed so as to achieve the sound level objective.
- g. The water from the rainwater tank should not be used for drinking, Sydney Water shall be advised of the installation of the rainwater tank.
- h. The removal, cleaning and disposal of lead-based paint shall conform with the requirements of the NSW Environment Protection Authority’s guideline - "Lead Alert - Painting Your Home".
- i. All site works shall comply with the occupational health and safety requirements of the NSW WorkCover Authority.
- j. In the event of any inconsistency between conditions of this approval and the drawings/documents referred to in condition 2, the conditions of this approval prevail.

STATEMENT OF ENVIRONMENTAL EFFECTS
TO ROCKDALE CITY COUNCIL

Proposed Dual Occupancy

75 Bayview Street, Bexley

November 2017

Prepared by
Mounzer Mortada

M: 0405 125 350

E: Info@mcubed.com.au

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5.0 Conclusion

1.0 INTRODUCTION

This Statement of Environmental Effects is submitted to Rockdale City Council in respect of a development application for the construction of a new detached two storey Dual Occupancy. The site is best suited for such a development.

This report describes the site, its locality and the development proposed. It includes an assessment under the relevant heads of consideration stipulated in section 79C(1) of the *Environmental Planning and Assessment Act 1979*.

2.0 SITE LOCATION AND DESCRIPTION

| | |
|---------------------------|--|
| Location | The site is located on the West side of the street. The site has a fall from north to south (Right to Left). |
| Real Property Description | Lots 12, Section 2, in DP 1030 |
| Site Area | 686.70 sq.m |
| Frontage | 20.115m |
| Zoning | R2 –low Density Residential pursuant to Rockdale Local Environmental Plan 2011 |
| Current Use | The site is currently occupied by a single storey dwelling house. At the rear there is a garage. |
| Surrounding Land Uses | The site is located in an established residential area characterised by a mixture of single dwellings. |

Photographs of the site and its context are provided at Figure 1



Figure 1: The subject site



Figure 2: rear of existing house

Streetscape

3.0 DESCRIPTION OF PROPOSAL

The proposed development comprises of the demolition of existing structure with a new two storey detached dual occupancy with front fence and torrens title subdivision.

4.0 STATUTORY CONSIDERATIONS

4.1 Section 79C(1)(a) Considerations

4.1.1 Rockdale Local Environmental Plan (RLEP 2011)

The site is zoned R2 –

Zone R2 Low Density Residential

1 Objectives of zone

- *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.*

2 Permitted without consent

Home based child care; Home businesses; Home industries; Home occupations; Roads

3 Permitted with consent

Attached dwellings; Boarding houses; Building identification signs; Child care centres; Community facilities; Dual occupancies; Dwelling houses; Educational establishments; Exhibition homes; Exhibition villages; Group homes; Health consulting rooms; Hostels; Places of public worship;Page 11 Recreation areas; Secondary dwellings; Semi detached dwellings; Seniors housing

The proposed development involves the construction of low density housing, consistent with the scale and form of existing residential development in the locality. Accordingly the proposal is consistent with the zone objectives.

4.1.2 Rockdale Development Control 2011

The proposed development compares to the relevant standards of DCP 2011 as outlined in the table below.

| CLAUSE | CONTROL | PROPOSAL | COMPLIANCE |
|--------|---|---|--|
| | Minimum Area 700sqm | 686.70 sq.m | No (within 0.20% of the required) |
| | Average. width 15 m | 20.115m | Yes |
| | Max. FSR = 0.5:1 | 0.50:1 = 343sq.m | Yes |
| | * Subdivision area > 700sqm * FSR not to exceed 0.5:1 for each lot | 686.70 sq.m complies | No (Meets DCP Objectives) YES |
| | * Building should address the street frontage and should resemble single dwellings in design so that buildings visible from the street have similarities with those that exist. * New development should positively contribute to the existing and established streetscape and complement the character of the existing streetscape. | The front dwellings are existing | Yes The buildings have hipped roofs |
| 9.3 | Roof form to match those of neighbouring buildings | The proposed roof form is consistent with the locality. | Yes |
| 9.3 | Ceiling heights minimum of 2.7m | Complies | Yes |

| CLAUSE | CONTROL | PROPOSAL | COMPLIANCE |
|--------|--|---|--|
| | <p>* Building height and mass sympathetic to natural landform and topographical features. Less than the 8.5m Max height line.</p> <p>* Building facades – new development when viewed from the street should be compatible with the sites visible locality</p> | | Yes |
| | Internal Design – living spaces should be spacious and connect to private outdoor areas | Living spaces are well connected to private outdoor areas | Yes |
| | *Building Height not to exceed 8.5m | <p>8.5m</p> <p>Parapet are to the front.</p> <p>Also complies with the maximum proposed building heights.</p> | <p>Yes</p> <p>Yes</p> |
| | <p><u>Front Setbacks</u></p> <p>AVERAGE SETBACK IN THE STREET past the ground floor.</p> | 6.3m for garage with articulation over | Yes (6.5m TO GARAGES) |
| | Overshadowing | Not applicable (no overshadowing) | <p>Yes</p> <p>Development complies with solar access requirements.</p> |
| | <p><u>Landscaped area</u></p> <p>* 25% site area</p> | Min. 25% is provided | Yes |

| CLAUSE | CONTROL | PROPOSAL | COMPLIANCE |
|--------|---|---|------------|
| | * Natural/soft 25% of site area | | |
| | <u>Private Open Space</u> * To be provided behind dwelling * > 125sqm = 80sqm per dwelling | Provided at rear MIN 80sq.m provided for each dwelling. (includes alfresco) | Yes |
| | Visual and Acoustic Privacy | The proposal will not have a significant impact on the visual and acoustic privacy of adjoining properties. It is expected that Council will attach appropriate conditions of consent to ensure that the development does not impact on adjoining properties during construction. | Yes |
| | Carparking and access > 3 bedroom = 2 spaces 4 Bedroom= 2 Space | 2 car space provided | Yes |
| | Dimension of car spaces 5.5m x 2.5m | Complies | Yes |
| | Consideration given to basement garages so long as they do not significantly impact on the overall height of the building | No basement | Yes |
| | <u>Driveways</u> | | |

| CLAUSE | CONTROL | PROPOSAL | COMPLIANCE |
|--------|--------------------------------------|---|------------|
| | Min. 2.5m, Max. 3m Max. grade 20% | COMPLIES | Yes |
| | Laundries | Laundries are provided for each dwellings | Yes |
| | Storage | Provided under stair and in linens. | Yes |
| | Waste and Recycling facilities | Side of dwellings/courtyard | Yes |
| | Clothes Line | Clothes lines provided at rear of dwellings and internal to alfresco | Yes |
| | Mechanical Ventilation | Provided in bathrooms and laundries | Yes |
| | Crime Prevention | The proposed development is consistent with the CPTED principles of Natural Surveillance, Territorial Enforcement and Access Control. | Yes |

Rockdale Development Control Plan 2011 – Stormwater Management

Please reference the Stormwater Plans that form part of the development application submission.

Pool and Spa Code

No pools provided

4.2 Section 79C(1)(b) Considerations - Likely Impact of the Development

The proposed development is not expected to have a significant impact on the environment. The development has been designed to maintain the privacy of adjoining residential properties and will not have an adverse impact on solar access.

4.3 Section 79C(1)(c) Considerations - Suitability of the Site

The attributes of this site, specifically its location and size, deem it a suitable site for the proposed development. The site is appropriately zoned to accommodate a dual occupancy and its size and dimensions enable the provision of a building that provides a high level of amenity for occupants without having adverse impacts on neighbours.

4.4 Section 79C(1)(d) Considerations - Public Interest

It is expected that Council will notify the application and consider any submissions received from the public during the exhibition period. There is no cause to suspect that the proposal is not in the public interest.

5.0 VARIATION (minimum lot size 700sq.m)

The development seeks a variation to Clause 4.1(3B)(a) of RLEP 2011 relating to the minimum site area per dwelling for a dual occupancy. The following justification is submitted for Council's consideration in accordance with Clause 4.6 of RLEP 2011 relating to the non-compliance of the development standard.

Clause 4.6 Exceptions to development standards – Subdivision Lot Size

The objectives of this clause, as provided in subclause 1 are:

- (a) to provide an appropriate degree of flexibility in applying certain development standards to particular development,*
- 6.0 *(b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances.*

Although the site falls short of 0.4% being 4.40sq.m. Council has been in a position of

It is considered that the provision of an appropriate degree of flexibility in applying the minimum lot size for the proposed dual occupancy development standard is warranted in this instance for the following reasons:

- The proposal is generally compliant with the requirements and controls of Rockdale LEP 2011 and Rockdale DCP 2011 with the exception of a minor

non-compliance of 6.7sqm for each dwelling relating to the minimum lot size requirement which equates to approximately 0.019 percent. The proposal complies with the other applicable development standards and has not sought to maximise the floor space possible on the site.

- The proposal has minimal impact on the adjoining properties in terms of privacy, amenity and shadow impacts with the site enjoying a north-south orientation.
- The proposed subdivision is in keeping with the existing subdivision pattern along Bayview Street having similar allotment sizes to what is being proposed.
- The proposed variation will not detract from the streetscape of Broadford Street and will not impact on the bulk and scale of the development from the street or the adjoining dwellings at the rear.
- The proposal has been designed to ensure that each dwelling is of a sufficient size to serve its intended purpose and usage. The proposal demonstrates compliance with the landscape, private open space and required car parking areas.
- The proposed shortfall of 6.65sqm per lot is a minor variation to the overall requirement and will not compromise the internal amenity of the development.

Although the proposal departs from the numerical standard, the proposal satisfies the objectives of the standard and hence there is scope on merit grounds in permitting the numerical departure. By applying a degree of flexibility to the lot size standard, this will achieve a better outcome for the site.

Subclause 3 provides that, amongst other matters, a consent authority must not consent to a development which seeks an exception to a development standard unless the development proponent demonstrates:

(a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case.

Strict compliance with the minimum lot size for each lot of the dual occupancy development is unreasonable and unnecessary in this particular instance as compliance with the standard would not necessarily achieve a better planning outcome. The minor variation to the lot size will have a negligible impact on the amenity of the dwellings and adjoining properties and the Bayview Street streetscape. The proposal maintains compliance with the objectives of the development standard. Further, the proposal does not alter the development's compliance with the controls relating to site cover, storey limit, landscaping and parking. The proposal also represents a high level of internal and external amenity for the development.

(b) that there are sufficient environmental planning grounds to justify contravening the development standard.

There are sufficient planning grounds to justify contravening the development standard, as noted below:

- The objectives of Clause 4.6 have been satisfied
- The proposed variation will maintain a compatible building form to that permissible if the building complied numerically.
- There is no net public benefit in maintaining strict compliance with the minimum lot size development standard.
- The proposal does not detract from a streetscape perspective.
- The proposal satisfies the relevant objectives of the R2 Low Density Residential zone.
- The proposed development is permissible in the zone and will deliver a greater diversity of housing.

Subclause 4 provides that, amongst other matters, a proposal which seeks to contravene a development standard must remain in the public interest because *'it is consistent with the objectives of the development standard in question'*.

The proposed development is in the public interest as it is consistent with the objectives of the minimum subdivision lot size development standard which are as follows:

- (a) to ensure that subdivision reflects and reinforces the predominant subdivision pattern of the area,
- (b) to minimise any likely impact of subdivision, and development on subdivided land, on the amenity of neighbouring properties,
- (c) to ensure that lot sizes and dimensions are able to accommodate development consistent with relevant development controls.

The proposal is consistent with the desired future character of Bayview Street as established through the permissible uses in the zone. The proposal is reflective of the predominant subdivision pattern along Bayview Street. This is clearly evident with the frontage and lot sizes of existing development along Bayview Street. House No.'s 69,69A, 73,73A,77,79,52,54,50,48,46 have similar lot sizes to the proposal.

Another important aspect of the street is that next door at no. 73 and 71 are both Dual occupancy developed sites. Our proposal will be the exact same.

Further, the bulk and scale is appropriate in the context and will not impact on the streetscape. The minor variation will not result in a significant increase to the bulk of the development as viewed from the adjoining properties.

The proposal will not detract from the suburban character of the area and does not exceed the maximum floor space and height limits. The proposal also provides an appropriate height that maintains the existing and future amenity of both the adjoining properties and future occupants of the site. The proposal is consistent with the development controls under Rockdale DCP 2011.

The above demonstrates that the proposed variation to the minimum subdivision lot size development standard for dual occupancy remains consistent with the

objectives of Clause 4.1(1), despite non-compliance with the numerical control. Subclause 5 provides that when considering an exception to a development standard, the Director General must consider the following:

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

The minor nature of the variation sought does not raise any matters of significance for State or regional planning. There is no public benefit in maintaining the development standard in this instance as the site can satisfactorily accommodate the minor site area non-compliance and delivers a diversity of housing choice for the locality. The design represents a quality design response which is of a public benefit whilst improving the residential amenity of future occupants and maintaining the amenity of neighbouring properties. It is understood that the concurrence of the Director-General can be assumed in the current circumstances.

Therefore, it is considered that the objection is well founded taking into consideration the minimal adverse environmental and social impacts, it is requested that Council support the proposed variation submitted.

7.0 Subdivision

Torrens title subdivision is proposed. The site will be subdivided through the middle creating two equal lots with 343.35m to each.

8.0 ACID SULFATE SOILS

The Proposal is classified as class 5. There is no excavation.

9.0 Trees

All trees on site will be removed. The tree at the street will be retained.

Flooding

The site is NOT subject to minimum floor levels.

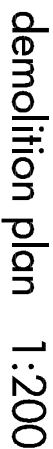
10.0 ARTIST IMPRESSION



11.0 CONCLUSION

The proposed development complies with the relevant environmental planning instruments, codes, and policies and is considered to be a suitable development that is consistent with the public interest. The development will provide a high level of liveability for future occupants and it is not expected to have an adverse impact on the amenity of adjoining properties. Please consider this application adequate.

Thank you!



LOT A
DP 359294

LOT B
DP 307636

LOT A
DP 442564

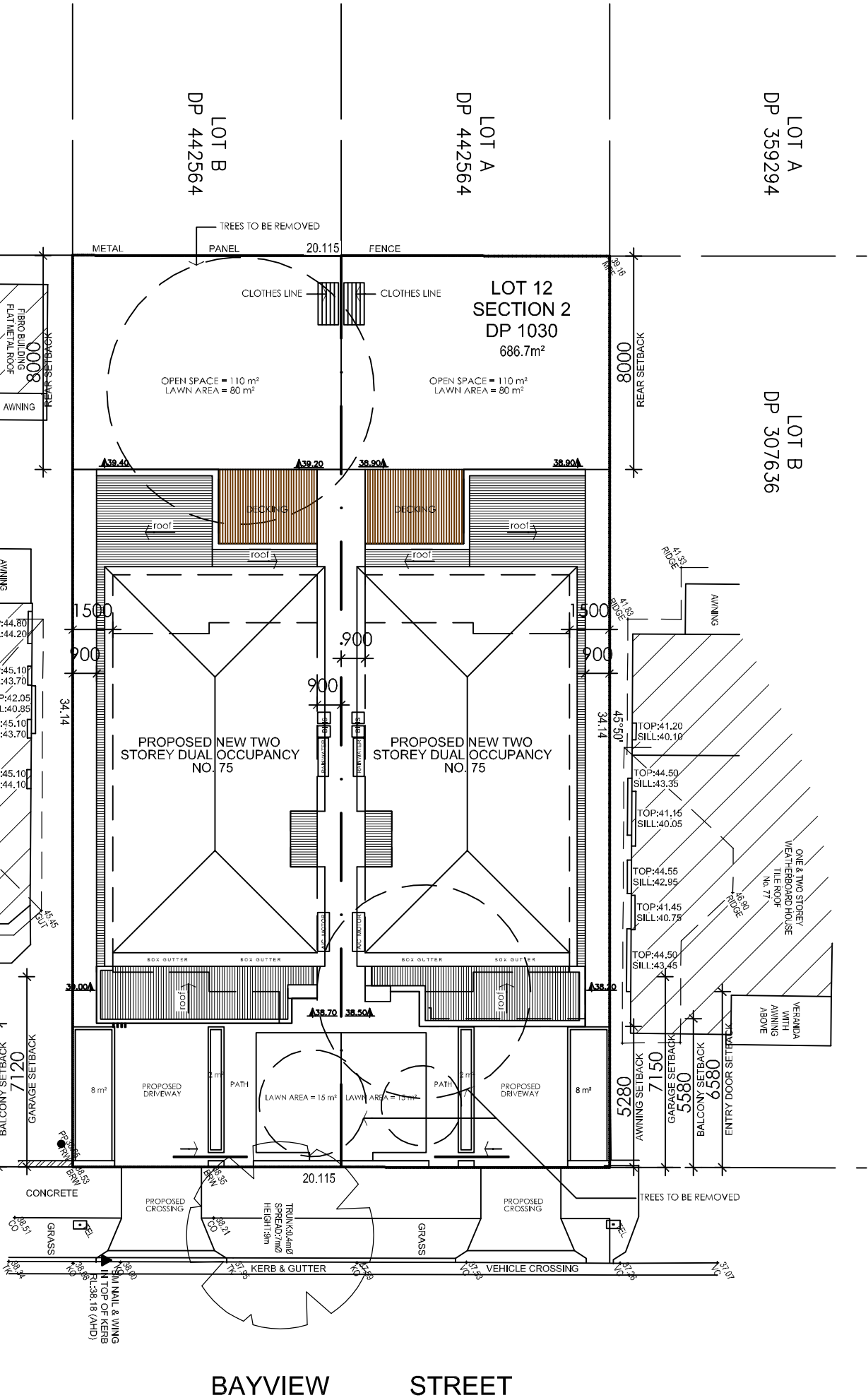
LOT B
DP 442564

LOT 8
SECTION 2
DP 1030

LOT 701
DP 1103424

LOT 700
DP 1103424

site plan 1:200



BAYVIEW STREET

CALCULATIONS:

site area: 686.70sq.m
allowed FSR area 50%: 343.35 sq.m

DWELLING 1

total site DW 1: 343.35sq.m
total ground floor area : 115 sq.m
total 1st floor area : 87.50 sq.m
total allowed area : 171.70 sq.m
total voids/stairs: 5 sq.m
total garage: 26 sq.m
private open space: 110 sq.m
total Proposed Floor area: 171.50 sq.m

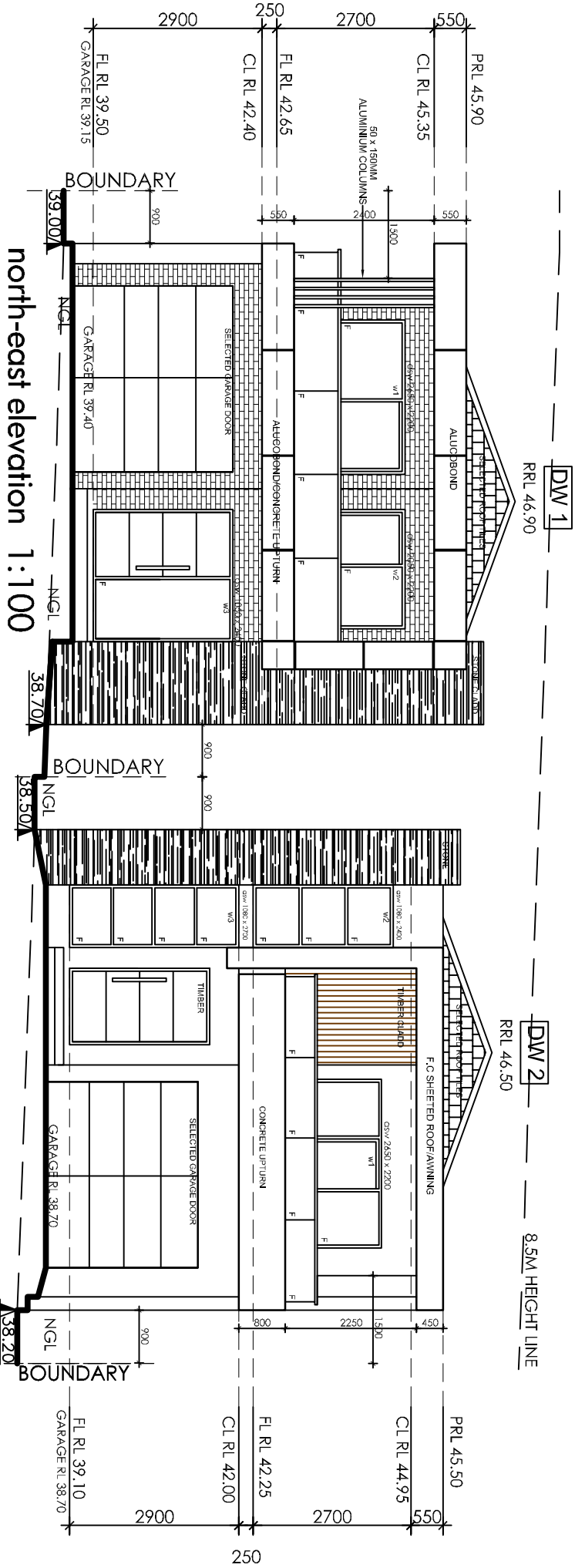
DWELLING 2

total site DW 2: 343.35sq.m
total ground floor area : 115 sq.m
total 1st floor area : 87.50 sq.m
total allowed area : 171.70 sq.m
total voids/stairs: 5 sq.m
total garage: 26 sq.m
private open space: 110 sq.m
total Proposed Floor area: 171.50 sq.m

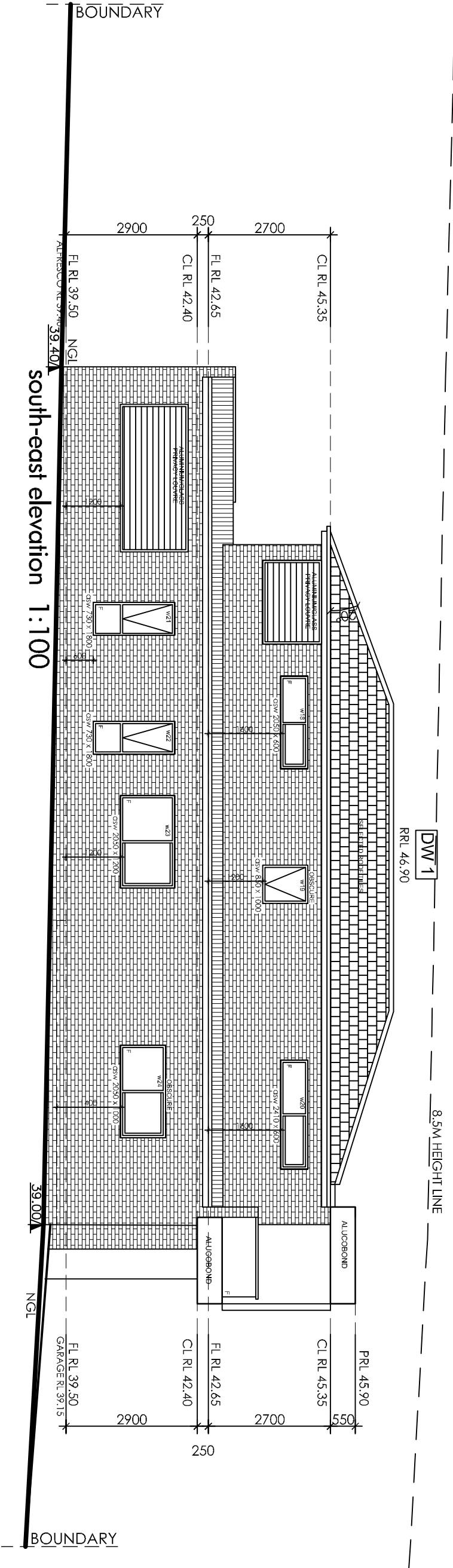
LANDSCAPING

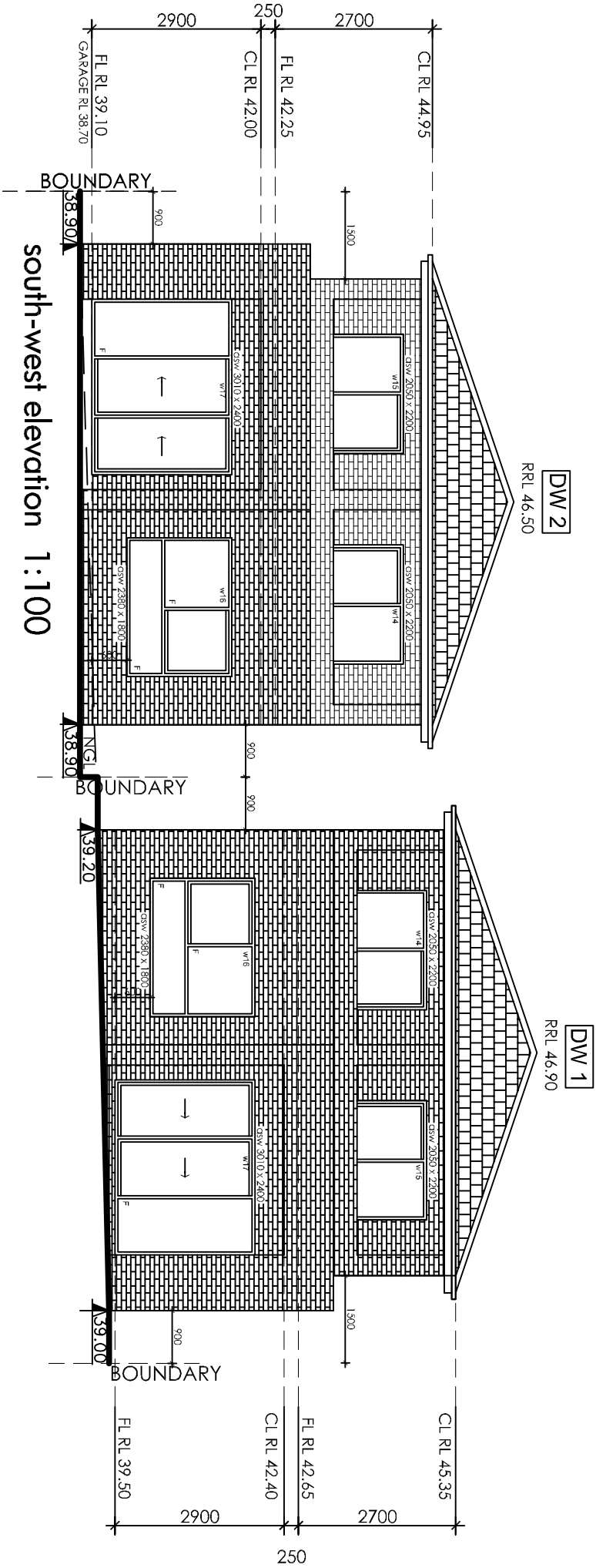
total floor area: 343 sq.m 50% of site
total soft landscaping : 210 sq.m 30% of site



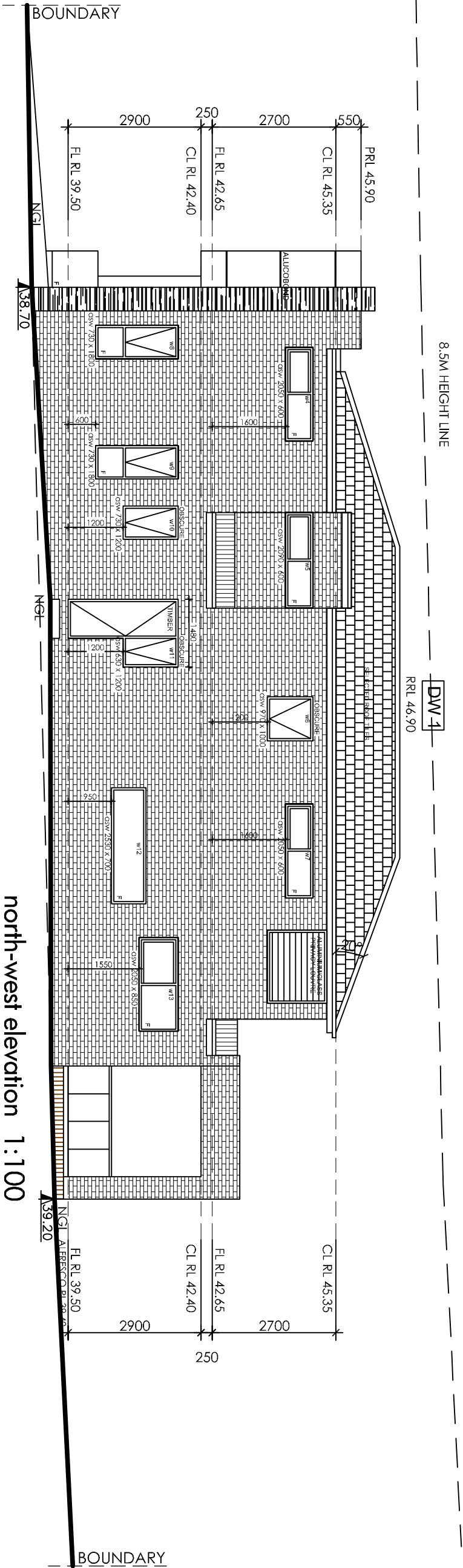


| MATERIALS COLOUR SCHEDULE | |
|------------------------------------|--|
| BRICKWORK: | RENDERED PAINTED LIGHT GREY/ FACE BRICK WHISPER WHITE (DULUX)/DARK GREY FACE BRICK MEDIUM GREY/BROWN TONES |
| ROOF: | SHALE GREY COLORBOND METAL SHEETING CHARCOAL ROOF TILES |
| WINDOWS: | SILVER ALUMINIUM FRAME |
| BRICK COLUMNS/ PARAPETS | RENDERED AND PAINTED GREY |
| GARAGE DOOR | CHARCOAL/ TIMBER/ALUCOBOND |
| FRONT DOOR: | TIMBER |
| RAILINGS: | GLASS |
| CLADDING: | TIMBER/TILES/STONE |





| MATERIALS COLOUR SCHEDULE | |
|------------------------------------|--|
| BRICKWORK: | RENDERED PAINTED LIGHT GREY/ FACE BRICK WHISPER WHITE (DULUX)/DARK GREY FACE BRICK MEDIUM GREY/BROWN TONES |
| ROOF: | SHALE GREY COLORBOND METAL SHEETING CHARCOAL ROOF TILES |
| WINDOWS: | SILVER ALUMINIUM FRAME |
| BRICK COLUMNS/ PARAPETS | RENDERED AND PANINIED GREY |
| GARAGE DOOR | CHARCOAL/ TIMBER/ALUCOBOND |
| FRONT DOOR: | TIMBER |
| RAILINGS: | GLASS |
| CLADDING: | TIMBER/TILES/STONE |



CONCEPT LANDSCAPE PLAN

SCALE 1:100 @ A1



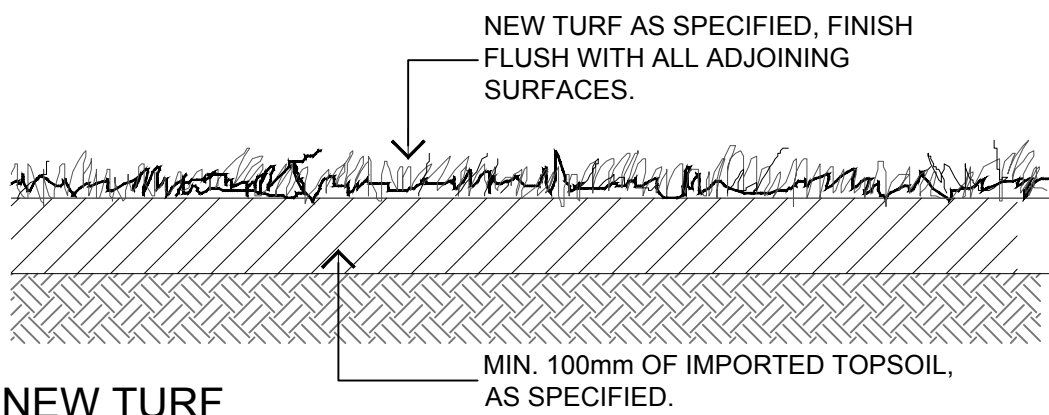
NOTES

- FOR ALL DRAINAGE WORKS, INCLUDING OSD, PIT AND DRAINAGE LINE LOCATION, TANK SIZING AND SPECIFICATION, REFER TO HYDRAULICS ENGINEER'S PLANS AND DETAILS...
- ALL LANDSCAPE DRAWINGS ARE TO BE READ IN CONJUNCTION WITH THE ARCHITECT'S AND ADDITIONAL CONSULTANT'S DRAWINGS, SPECIFICATIONS AND REPORTS.
- ALL LANDSCAPED AREA ARE TO HAVE A MINIMUM 1:100 FALL AWAY FROM DWELLING FOR POSSIBLE OVERLAND WATER DRAINAGE
- CONTRACTORS TO CONFIRM ALL 'TOW' AND GROUND LEVEL ARE CORRECT, ADEQUATE AND COMPLY WITH STANDARDS PRIOR TO ANY EXCAVATION WORKS TO NATURAL GROUND LEVEL
- ALL PUBLIC UTILITY SERVICES ARE TO BE LOCATED ON SITE BY THE CONTRACTOR PRIOR TO THE COMMENCEMENT OF WORKS. THE LOCATION, PRESENCE AND EXTENT OF SERVICES SHOWN ARE NOT GUARANTEED COMPLETE OR CORRECT.
- NO TREES PROTECTED UNDER THE LOCAL COUNCIL'S TREE PRESERVATION ORDER ARE TO BE REMOVED UNLESS APPROVED BY DEVELOPMENT CONSENT OR PERMIT OBTAINED FROM COUNCIL.
- ALL PAVING IS INDICATIVE, TO BE TO FUTURE SPECIFICATION, AND SET OUT ON SITE.
- ALL WORK TO BE CARRIED OUT IN ACCORDANCE WITH THE LOCAL COUNCIL'S APPROVAL, STANDARDS AND CODES.

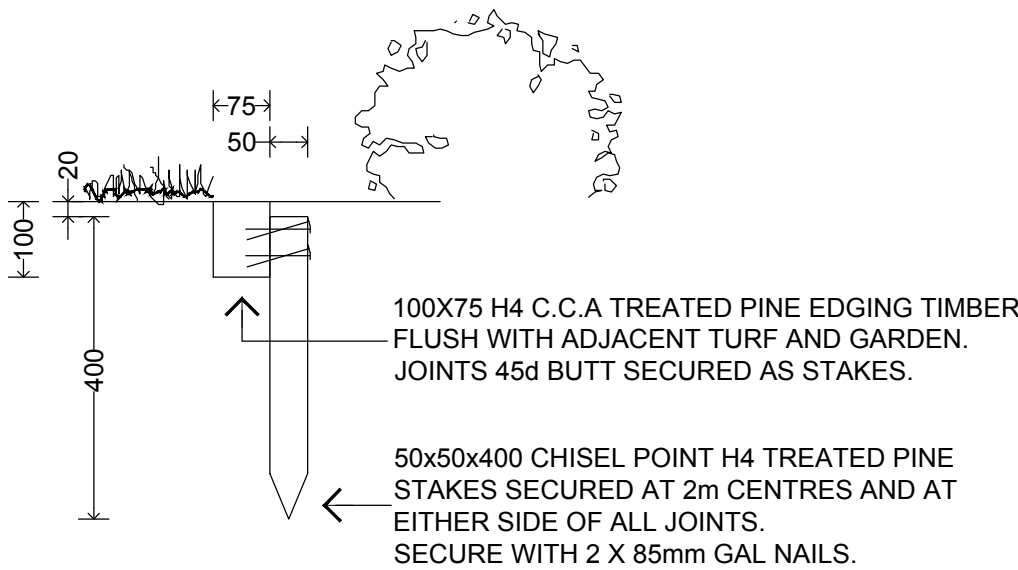
LANDSCAPE DETAILS

GENERAL NOTES:

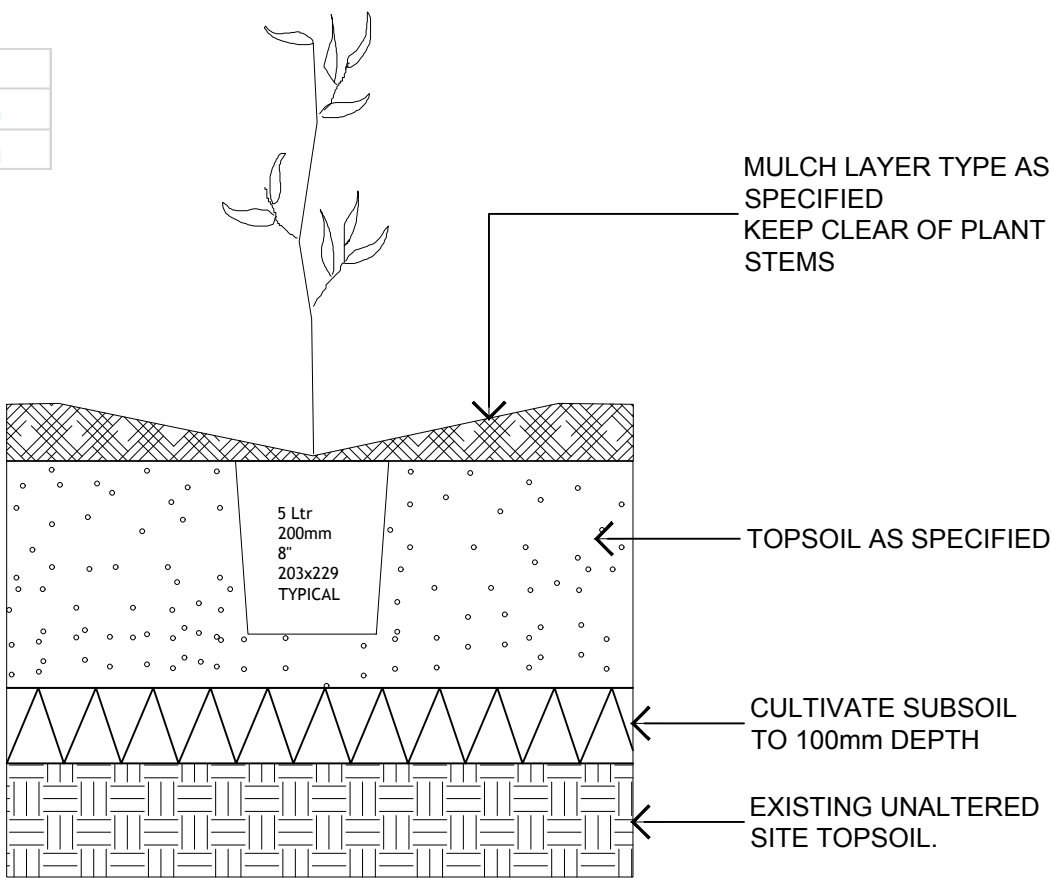
- EACH DRAWING IS TO BE READ IN CONJUNCTION WITH LANDSCAPE WORKS SPECIFICATION AND DETAILS.
- DO NOT SCALE OFF DRAWING. REFER TO DIMENSIONS SHOWN ON PLAN.
- ALL SERVICES ARE TO BE CHECKED AND VERIFIED ON SITE.
- FOR CIVIL AND STRUCTURAL DETAILS, REFER TO ENGINEER'S DRAWINGS.
- PRIOR TO LANDSCAPE WORKS, REMOVE ALL BUILDERS DERBIS AND RIP ALL GARDEN BED AND TURF AREAS TO A MINIMUM DEPTH OF 300MM. THE AREA WITHIN THE DRIP ZONE OF EXISTING TREES AND SHRUBS TO BE RETAINED ARE TO BE HAND DUG.



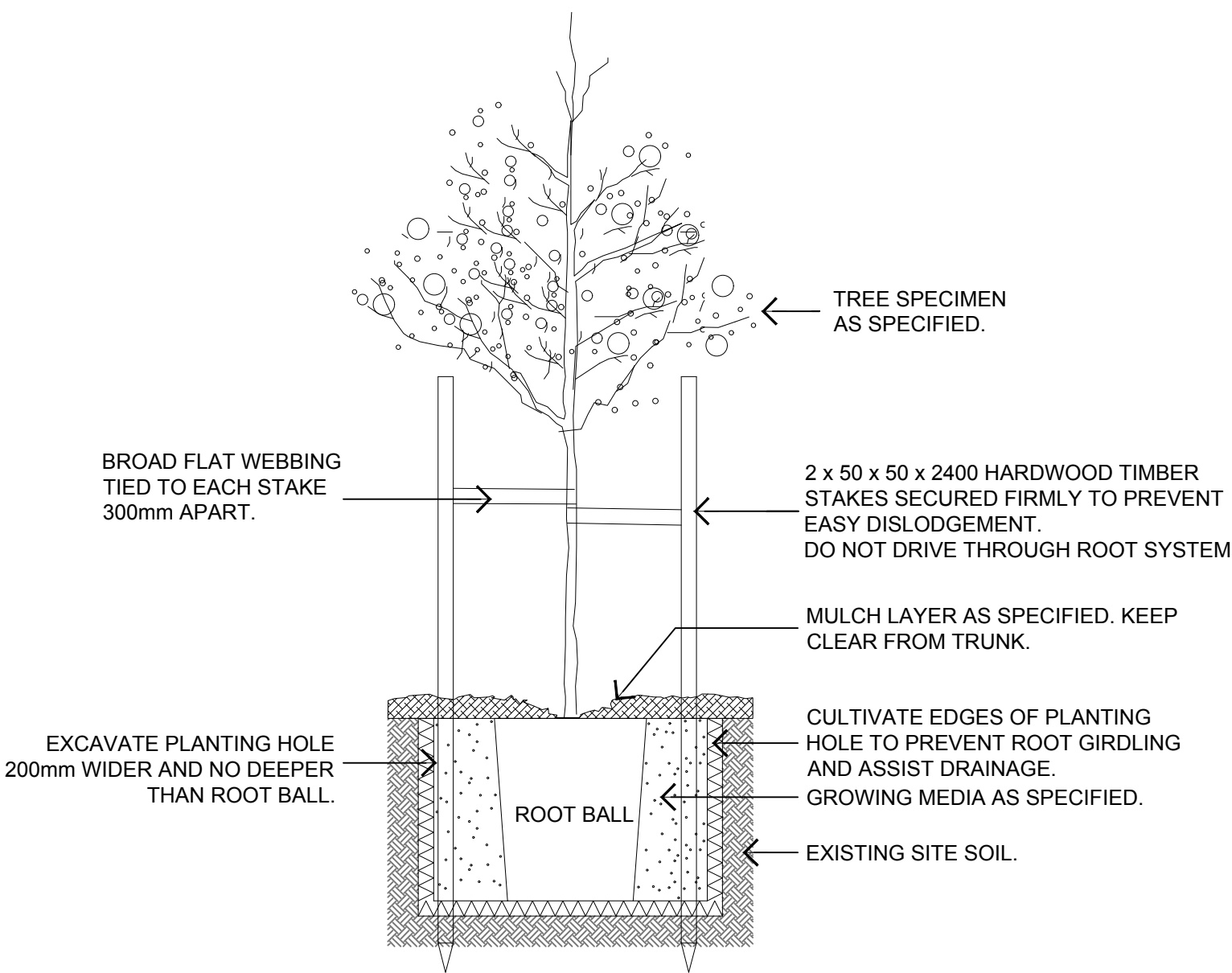
A NEW TURF
1: 10 @ A1



B Timber Garden Edge - 75mm Treated Pine
1: 10 @ A1



C TYPICAL MASS PLANTING
1: 10 @ A1, 1: 20 @ A3



D 100L TREE PLANTING IN GARDEN
1: 20 @ A1, 1: 40 @ A3

LEGEND

| | |
|-------------------------------|--|
| 1800MM HIGH FENCE | MASONRY RETAINING WALLS TO ENG DETAILS |
| SITE BOUNDARY | TURF SURFACE |
| EXISTING CONTOURS | PAVING SURFACE |
| PROPOSED CONTOURS | CONCRETE SURFACE |
| EXISTING LEVELS | STENCILED CONCRETE SURFACE |
| TOW 45.59 + | MASONRY OR TIMBER RETAINING WALLS WHERE REQUIRE TO ENG DETAILS |
| RL 46.00 + | MASONRY GARDEN EDGE (REFER TO ENG DWG) |
| EXISTING TREES TO BE REMOVED | DRAINAGE PITS (REFER TO ENG DWG) |
| EXISTING TREES TO BE RETAINED | |

PLANT SCHEDULE

| Trees/Palms | SYMBOL | BOTANICAL NAME | COMMON NAME | QUANTITY | POT SIZE | MATURE SIZE | STAKING |
|-------------------------|--------|--------------------------------------|-----------------------|-------------------|----------|-------------|---------|
| | CA | Cupaniopsis anacardioides | Tuckeroo | 4 | 100Ltr | 8m | Yes |
| | ER | Baeocarpus reticulatus | Blueberry Ash | 1 | 100Ltr | 5m | Yes |
| | TL | Tristania laurina | Water Gum | 3 | 100Ltr | 10m | Yes |
| Shrubs & Hedges | | | | | | | |
| | An | Alpinia nutans | Dwarf Cardamon | 36 | 200mm | 1m | NA |
| | Bmh | Buxus macrophylla 'Hedge' | Buxus | 20 | 300mm | 1.2m | NA |
| | Gf | Gardenia augusta 'Florida' | Gardenia | 12 | 300mm | 1.2m | NA |
| | Hc | Hymenocallis caribaea | Caribbean Spider Lily | 32 | 300mm | 1m | NA |
| | Ss | Syzygium 'Sublime' | Sublime Lily Fly | 26 | 300mm | 3m | NA |
| | Wf | Westringia fruticosa 'Jervis Gem' | Coastal Rosemary | 11 | 300mm | 1-1.2m | NA |
| Ground Covers & Grasses | | | | | | | |
| | Ac | Arthropodium cirratum | NZ Rock Lily | 16 | 200mm | 0.5-0.6m | NA |
| | Sm | Senecio mandraliscae | Blue Chalk Stick | 20 | 140mm | Groundcover | NA |
| Turf | | | | | | | |
| | | Stenotaphrum secundatum 'Sir Walter' | Sir Walter Buffalo | 140 ^{m2} | Rolls | NA | NA |

AMENDMENTS

| Issue | Date | Description |
|-------|----------|--|
| | | |
| | | |
| | | |
| | | |
| A | 20.11.17 | CONCEPT PLAN FOR DEVELOPMENT APPLICATION |

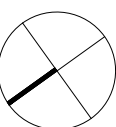


Architect
M CUBED DESIGN
(M) 0405 125 350
(E) info@mcubed.com.au

Project
PROPOSED DUAL OCCUPANCY
75 BAYVIEW STREET, BEXLEY NSW 2207
LOT 12, SECTION 2, DP 1030

Outliers Design Studio
4/67 Hampton Court Rd, Carlton NSW 2218
(m) 0410 866 668 (e) info@outliersdesign.com.au (w) outliersdesign.com.au
ABN 55 511 615 478

Drawing Title
LANDSCAPE PLAN

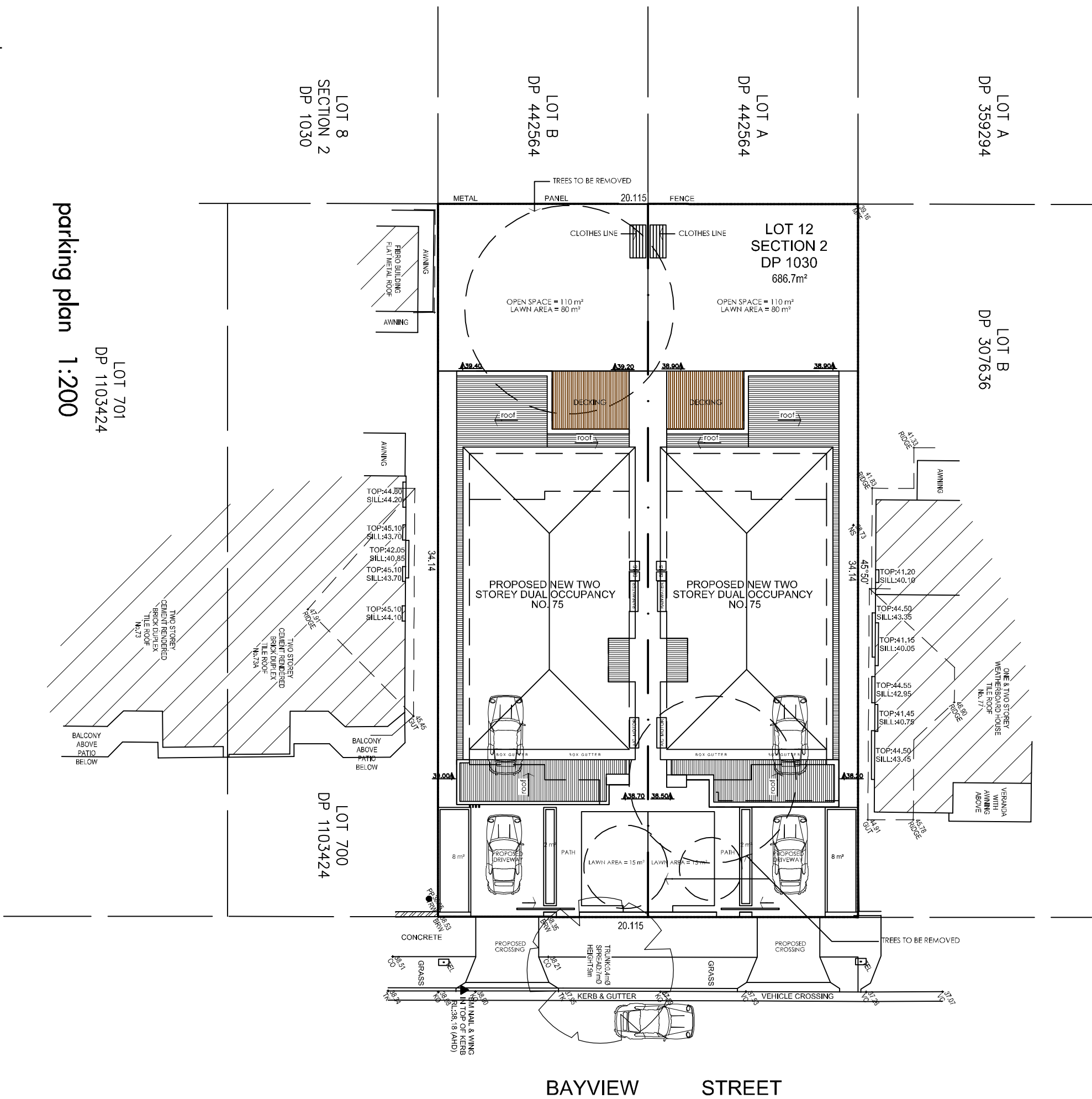


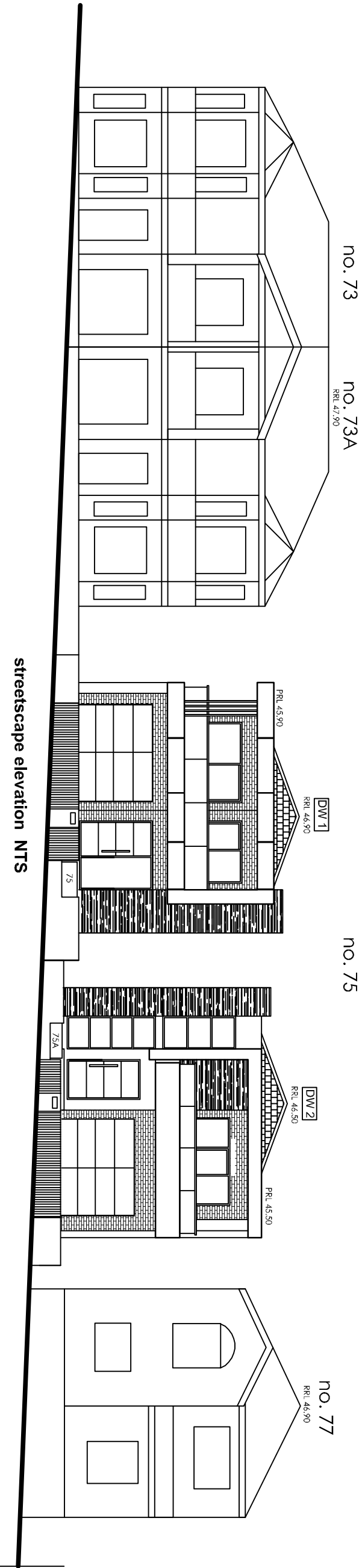
Drawn by
Verified by
Authorised by

Scale
NOTED @ A1
Proj. No.
171113

Date
20.11.17
Drg. No.
LA-001

Issue
A





streetscape elevation NTS