Bayside Council
Serving Our Community

NOTICE

Bayside Local Planning Panel
will meet
on **Tuesday 12 August 2025 at 5:00 PM**
in the Committee Room, Botany Town Hall
Corner of Edward Street and Botany Road, Botany
to consider items outside the public meeting
In accordance with the Operational Procedures

Members of the public do not have the opportunity to speak on these items.

ON-SITE INSPECTIONS

On-site inspections are undertaken beforehand.

AGENDA

1 ACKNOWLEDGEMENT OF COUNTRY

Bayside Council acknowledges traditional custodians: the Gadigal and Bidjigal people of the Eora nation, and pays respects to Elders past, present and emerging. The people of the Eora nation, their spirits and ancestors will always remain with our waterways and the land, our Mother Earth.

2 APOLOGIES

3 DISCLOSURES OF INTEREST

4 MINUTES OF PREVIOUS MEETINGS

Nil

5 REPORTS – PLANNING PROPOSALS

Nil

6 REPORTS – DEVELOPMENT APPLICATIONS

6.1 DA-2024/119 - 30-34 Wickham Street Arncliffe - Development Application 2

Meredith Wallace
General Manager

Bayside Local Planning Panel - Other Applications 12/08/2025

Item No	6.1
Application No	DA-2024/119
Property	**30-34 Wickham Street Arncliffe**
Application Type	Development Application
Proposal	Integrated Development - Demolition of the existing dwellings, outbuildings and tree removal, and construction of a ten (10) storey residential flat building, comprising 51 apartments, and four (4) levels of basement car parking
Owner	TQM Develop Pty Ltd
Applicant	T F R Pty Limited
Ward	Ward 2
Lodgement Date	6/06/2024
No. of Submissions	Nine (9)
Cost of Development	$17, 765,766.30
Reason Criteria	Contentious development
Report by	Peter Barber, Director City Futures

Reason for report

This application has been referred to the Bayside Local Planning Panel (BLPP) for the following reason:

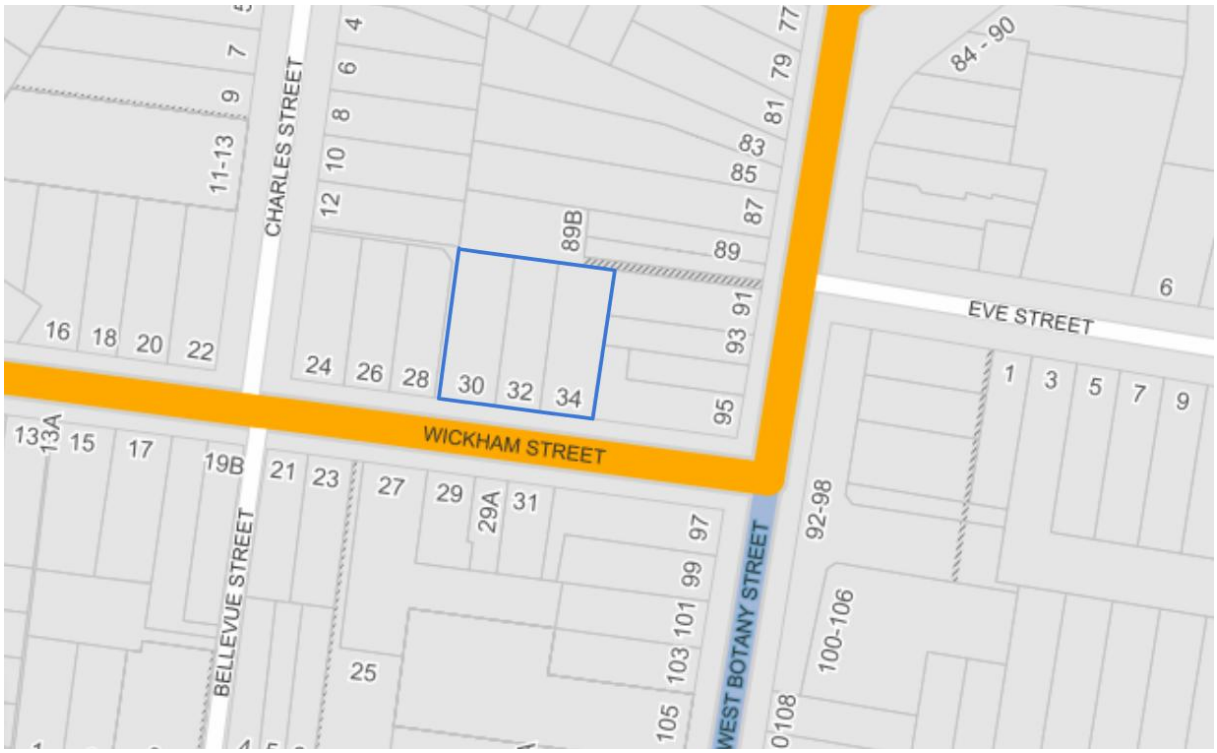
In accordance with Section 4(b) and Schedule 1 from the Local Planning Panels Direction issued by the Minister for Planning and Public Spaces (dated 6 March 2024), development applications for development to which State Environmental Planning Policy (Housing) 2021 Chapter 4 (Design of Residential Apartment Development) applies must be determined by local planning panels. The proposed development for the subject site complies with the floor space ratio and height of building development standards as imposed by the SEPP (Housing) 2021, namely clauses 16 and 18 which include a 30% bonus for the site.

Officer Recommendation

1. That the Bayside Local Planning Panel, exercising the functions of Council as the consent authority pursuant to s4.16 and s4.17 of the *Environmental Planning and Assessment Act 1979*, determine Development Application DA-2024/119 for Integrated Development - Demolition of the existing dwellings, outbuildings and tree removal, and construction of a ten (10) storey residential flat building, comprising 51 apartments, and four (4) levels of basement car parking at 30-34 Wickham Street, ARNCLIFFE NSW 2205 by **GRANTING CONSENT** subject to the recommended conditions of consent attached to this report.

2. That the submitters be notified of the Panel's decision.

Location Plan



Attachments

1 ⇩ Planning Assessment Report
2 ⇩ Draft Development Consent Conditions
3 ⇩ Statement of Environmental Effects
4 ⇩ Architectural Plans
5 ⇩ Landscape Plans
6 ⇩ 3D View of Entire Building

BAYSIDE COUNCIL
Planning Assessment Report

Application Details

Application Number:	DA-2024/119
Date of Receipt:	6 June 2024
Property:	30-34 Wickham Street, Arncliffe NSW 2205 Lot 24 in DP 666352 (No. 30), Lot 1 in DP 910542 (No. 32) and Lot 1 in DP 911971 (No. 34)
Owner:	Mr B T Gouw & Mrs M Gouw (No.30), Kenny Central Holdings Pty Ltd (No. 32), Mrs. A Messina (No. 34)
Applicant:	T F R Pty Limited
Architect:	Design Workshop Australia
Town Planner:	BMA Urban
Proposal:	Integrated Development - Demolition of the existing dwellings, outbuildings and tree removal, and construction of a ten (10) storey residential flat building, comprising 51 apartments, and four (4) levels of basement car parking
Recommendation:	Approval
No. of submissions:	Nine (9) submissions
Author:	Michael Maloof – Senior Development Assessment Planner
Date of Report:	25 June 2025

Key Issues

The key issues identified in the assessment of the development application relate to:

- Floor Space Ratio;
- Building height;
- Flood level;
- Common open space design; and
- Tree removal.

The development application ("DA") has been assessed in accordance with the relevant requirements of the *Environmental Planning and Assessment Act 1979* ("the Act") and is recommended for

The officers involved in writing and authorising this report declare, to the best of their knowledge, that they have no interest, pecuniary or otherwise, in this application or persons associated with it and have provided an impartial assessment.

Recommendation

1. That the Bayside Local Planning Panel, exercising the functions of Council as the consent authority pursuant to s4.16 and s4.17 of the *Environmental Planning and Assessment Act 1979*, determine Development Application DA-2024/119 for Integrated Development - Demolition of the existing dwellings, outbuildings and tree removal, and construction of a ten (10) storey residential flat building, comprising 51 apartments, and four (4) levels of basement car parking at 30-34 Wickham Street, ARNCLIFFE NSW 2205 by **GRANTING CONSENT** subject to the recommended conditions of consent attached to this report.

2. That the submitters be notified of the Panel's decision.

Background

History

The following applications have previously been considered by Council in relation to the subject site:

- PDA-2023/18 for Demolition of existing buildings, construction of an eight (8) storey residential flat building containing 41 units and basement parking on the subject site, at Nos. 30-34 Wickham Street was previously considered by Council with a letter being issued to the applicant on 11 October 2023. The Pre DA letter referred to the minutes of a Design Review Panel meeting which was considered on 7 September 2023. This scheme did not include any affordable units at the time. The minutes of the DRP meeting are attached to this report for your information. The locality is in a state of transition with smaller lots undergoing redevelopment consistent with the high density residential zone (R4).

The history of the subject application is summarised as follows:

- 6 June 2024 - The DA was lodged with Council.
- 21 June 2024 to 22 July 2024 - Notification period dates
- 7 August 2024 – Site Inspection
- 5 September 2024 – Design Review Panel meeting
- 6 September 2024 - RFI letter sent to the applicant
- 18 September 2024 – Minutes of Design Review Panel sent to applicant
- 31 October 2024 – Referral received from WaterNSW
- 12 November 2024 – Request for time extension to submit information on 29th
- 29 November 2024 – Applicant submits additional information

- 6 March 2025 – Second Design Review Panel meeting held
- 24 March 2025 – Final Design Review Panel Minutes sent to applicant
- 28 March 2025 - Final amended landscape plans received from the applicant
- 16 April 2025 – Referral received from Sydney Airport Corporation Ltd
- 22 April 2025 – External Referral Response received from Transport for NSW not supporting the application due to the substation
- 22 May 2025 – Internal Referral response received
- 27 May 2025 – Email to Transport for NSW requesting final referral with conditions and explaining why the substation will not affect the SP2 zone.
- 30 May 2025 – Internal Referral Response received
- 11 June 2025 – External Referral response received from TfNSW with conditions

Proposal

The proposal comprises an Integrated Development for the demolition of the existing structures, outbuildings and tree removal and construction of a ten (10) storey residential flat building containing 51 units, four (4) basement parking levels and associated landscaping. Vehicular access is provided directly via Charles Street to the basement parking levels via a ramp.

The application is for integrated development being located on Wickham Street (a classified road) and located above the M6 and M8 Tunnels. As such, the application was referred to Transport for New South Wales (TfNSW) for consideration. TfNSW has provided their comments which are discussed later in this report. The development is also Integrated Development under the Water Management Act 200, as the proposed basement excavation and construction will intercept groundwater and requires a de-watering permit. The application was referred to Water NSW for concurrence and General Terms of Approval were provided on 31 October 2024.

The proposal includes a residential flat building with a unit breakdown of 8 x 1-bedroom, 34 x 2-bedroom and 9 x 3-bedroom on the site. The development includes 2 units on the ground floor, 6 units per floor on Levels 1 to 6, 5 units on Level 7 and 4 units on Levels 8 and 9, resulting in a total of 51 units in the residential flat building. The proposal includes a total of 64 car parking spaces within the 4 basement levels.

The proposal includes nine (9) affordable housing units which are numbered units G01, G02, 101, 102, 103, 104, 105, 106 and 206. These units comprise 1 x 1 bedroom, 6 x 2 bedroom and 2 x 3 bedroom units and have a total affordable housing GFA of 721.1m2.

The site falls to the south along Wickham Street and the driveway and ramp to the basement are proposed at the western end of the Wickham Street frontage. The bin loading bay is off the eastern side of the driveway ramp behind the front southern wall fronting Wickham Street. The loading bay will be used for deliveries, waste collection and removal trucks. The 4 basement parking levels include 48 residential car parking spaces, 8 visitor car parking spaces, 2 car share spaces, 53 bicycle spaces for residents (and 6 additional visitor bicycle spaces), 5 motorbike spaces, 53 storage cages and ancillary waste storerooms. The plans show a wall mounted EV charging board will be provided with parking spaces able to be fitted with EV chargers.

The communal open space area is on the ground floor towards the rear half of the building and leads to the deep soil zone within the rear setback. The proposal includes a communal open space area of 445.1m2 (26.2%) comprising an open area with barbeque, seating, tables, and two thirds of which is covered underneath the level above providing protection from the elements. The

ground floor is also occupied by the lifts, garbage chute, services, entry lobby, driveway ramp and two residential units.

The two residential units are located along the eastern side boundary of the site and contain a private courtyard to the rear and a balcony to the front. The proposal will contain a deep soil area of 603.5m2 (35.56%) with minimum depth of 6m along the rear boundary which includes the side setbacks and part of the front setback. The proposal provides a total landscaped area of 622m2 on the ground floor resulting in a total of 36.7% of the site.

The proposal will include a part 7 storey and part 8 storey street wall height along Wickham Street with a front setback of 5m to 6m to Wickham Street. The upper levels (7 to 9) have a 6.5m setback from the front boundary along Wickham Street to the apartment wall. The front elevation along Wickham Street has been softened and improved with different building components being separated and focusing on a larger and more legible pedestrian entry, fencing and a driveway ramp along the western side with internal loading bay.

Overall, the proposed residential flat building is located centrally with a square shape footprint and provides a suitable external appearance with appropriate materials and finishes including concrete, fluted concrete, glazing, timber lock wall and combination grey and copper metal wall cladding, black and grey painted metal finishes. The resulting building form is suitable to the square shape of the site.

The site falls to the side (east) along Wickham Street and to the southern frontage. The proposal includes a substation within the front setback to Wickham Street to be surrounded by landscape planting. The southern elevation includes the main central pedestrian entry/exit point while the rear includes the single pedestrian entry/exit point to the communal open space area leading to the deep soil area in the rear setback.

The proposed development does not include any commercial floor space or dual key apartments. The proposal does not involve any strata subdivision of the apartments, and this will be sought by way of a subsequent application.

An arborist report was submitted with the application which indicates the proposal involves the removal of fourteen (14) trees from the site, one from the adjoining property and the retention of one (1) tree within Council's nature strip along Wickham Street. Five (5) of the trees to be removed are noxious weeds and/or exempt trees requiring a tree removal permit. Nearly all the trees to be removed intersect the basement, driveway and/or building form and therefore their health will likely be affected should they be retained. The tree to be removed from the adjoining property is Tree No 12 located at No. 95 West Botany Street and is also a weed.

The proposal includes the provision of replacement trees with landscape plantings including young trees, shrubs and groundcover.

The proposal includes more than adequate compensatory planting around the periphery of the site to replace the loss of tree canopy. The revised landscape plan submitted with the application details the provision of three street trees within the nature strip along the street frontage and ample landscape elements including trees and shrubs within the side and rear setbacks.

The figures below are extracts of the proposal:

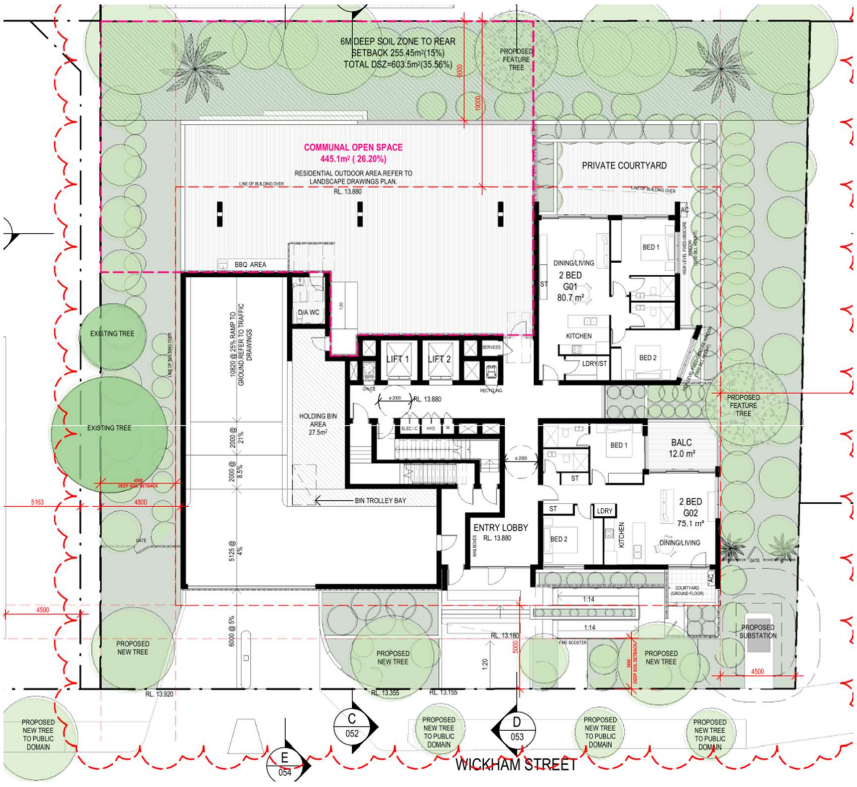


Figure 1: Ground plan of the proposed residential flat building on the subject site

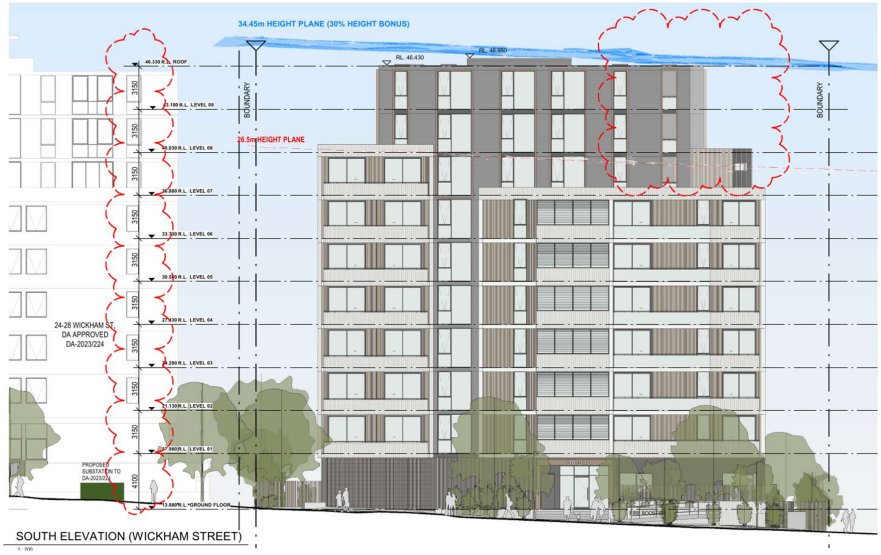


Figure 2: Front elevation of the proposed residential flat building along Wickham Street.

Site Location and Context

The subject site is legally identified as Lot 24 in DP 666352 (No. 30), Lot 1 in DP 910542 (No. 32) and Lot 1 in DP 911971 (No. 34). The site is known as 30, 32 and 34 Wickham Street, Arncliffe. The site is a regular shape with a total frontage width of 41.765m to Wickham Street, side boundaries of 40.215m and 40.225m and a rear boundary of 42.645m. The total site area is 1,697.0m^2. The western side boundary adjoins a stormwater drainage easement (1.2m wide) however this does not form part of the site. The topography of the site is relatively uniform but has a moderate cross fall of 1.6 metres from west to east and a crossfall from the front to the rear of 0.8m.

Each of the three lots contain a single storey dwelling house of brick and tile roof construction. The properties contain associated structures including small sheds to the rear of No. 30 and 34 while No. 32 has a detached granny flat at the rear. The site is zoned R4 High Density Residential and is located on the northern side of Wickham Street between Charles Street to the west and West Botany Street to the east. To the east are single storey dwellings fronting West Botany Street that are perpendicular to the site. To the south on the opposite side of Wickham Street are single storey dwellings in the R3 Medium Density Residential zone.

To the immediate west is located Nos. 24, 26 and 28 Wickham Street (now a vacant site). Development Application (DA-2023/224) was approved by the Local Planning Panel on 13 August 2024 for the demolition of existing structures and construction of a seven (7) storey residential flat building containing 44 residential units, rooftop terrace, three (3) basement parking levels and associated landscape works. This residential flat building includes a 6 storey street wall which is setback 5m from the street and 8m for the upper levels. This adjoining property is smaller (1,565.0m2) and the application has a minor FSR breach (2.38:1 - with bicycle storage room and excess parking spaces) and a breach to the height control of 26.5m by 2.5m (29.0m). This application is on a smaller site, does not contain any affordable housing, went to the DRP twice and was recommended for approval by Council at the Local Planning Panel meeting on 13 August 2024.

There are fifteen (15) trees on the site of which fourteen (14) are to be removed and replaced. An arborist report which identified eighteen (18) trees, with two of these in Council's nature strip and one on an adjoining property, was submitted with the application and referred to Council's Tree Management Officer for consideration. The proposal includes the provision of replacement and compensatory plantings within the landscape plan submitted with the application. The proposal will retain one street tree and include the provision of additional street trees on the public domain in front of the site.

The site does not contain any items of environmental heritage and is not located within a Heritage Conservation Area. The site is impacted by aircraft noise contours at the 15-20 ANEF and flooding.

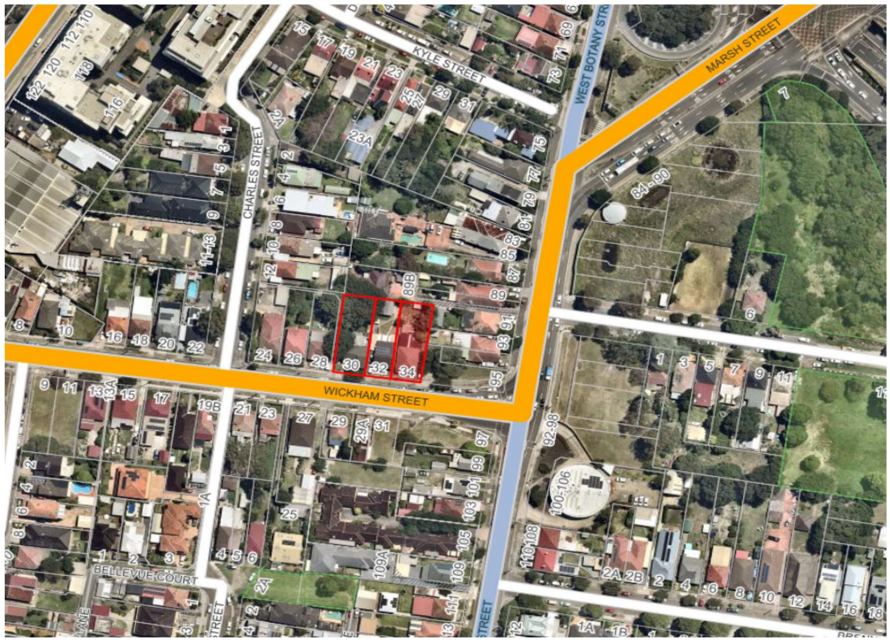


Figure 3: Aerial photograph showing the subject site, marked in red (*Source: Bayside IntraMaps*)

Figure 4: Photographs of the site when viewed from Wickham Street (No. 30 (left), No. 32 (middle) and No. 34 (right)

Figure 5: 3D view of the proposed development viewed form Wickham Street

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* ("the Act").

S4.46 – Development that is Integrated Development

The development application has been lodged as Integrated Development, as an approval under the *Water Management Act 2000* is required, and specifically the development involves a temporary construction dewatering activity.

The proposal involves excavation of basement car parking levels at a depth of 12.4 metres (RL 1.48m AHD). Testing on site has been undertaken and the geotechnical report prepared by JC Geotechnics dated 30 April 2024 demonstrates that groundwater was encountered at 4.3 metres (RL 8.9m to 9.3m AHD).

The application was referred to Water NSW for concurrence. In a letter dated 31 October 2024, Water NSW provided their General Terms of Approval (GTA) for the proposal. The application was referred to Transport NSW who provided their conditions to be imposed in respect of the proposal. These conditions have been incorporated within the recommended conditions of draft consent.

Further to the above, the development has direct frontage to a State Classified Road and involves a new driveway access from Wickham Street. As such, the application was referred to TfNSW for concurrence, and on the 11 June 2025, conditions were provided by TfNSW.

S4.15 (1) - Matters for Consideration - General

S4.15 (1)(a)(i) - Provisions of Environmental Planning Instruments

The following Environmental Planning Instruments are relevant to this application:

State Environmental Planning Policies

State Environmental Planning Policy (Sustainable Buildings) 2022

The applicant has submitted a BASIX Certificate for the proposed development, Certificate number 1744824M_04.

Commitments made within BASIX certificates result in reductions in energy and water consumption on site post construction. A condition has been recommended to ensure that the stipulated requirements are adhered to. The proposal is satisfactory in this regard.

State Environmental Planning Policy (Housing) 2021

Chapter 2 - Part 2 - Division 1 - In-fill affordable housing

This Part of the SEPP applies as the proposal is permissible, at least 10% of the units are for affordable housing (at 17.6%), and the site is within an “accessible area”.

Section	Requirement	Proposal	Complies
15C – Development to which this provision applies	Permitted on land that includes residential development if the development is permissible under chapter 3, part 4, chapters 5 and 6 or another EPI. The affordable housing component is at least 10% The development is carried out on land within 800m walking distance of land in a relevant zone or equivalent land use zone.	The development includes residential development that is permissible under chapter 3 and part 4 of the SEPP. The proposal includes 17.6% (9 of 51) affordable housing units. The site is located within 370m from Arncliffe Railway Station which is an accessible area.	Yes Yes Yes
16 – Affordable Housing requirements for additional FSR	Maximum possible benefit of up to 30% increase in FSR. AF Minimum = 10% AF Component – additional FSR / 2	The proposal includes 17.6% AF housing thus benefits from 30% bonus FSR or 2.86:1 The proposal involves a GFA of 4,580.51m2 and an FSR of 2.70:1 which complies with the maximum bonus for the site.	Yes
17 - Additional floor space ratio for relevant	Bonus FSR for a relevant authority or community housing provider	N/A	N/A

Section	Requirement	Proposal	Complies
authorities and registered community housing providers			
18 - Affordable housing requirements for additional building height	Maximum height control under the LEP = 26.5m Maximum possible benefit of up to 30% increase in building height. AF Minimum = 10% AF Component – additional height / 2 Max height – 26.5 + 7.95 = 34.45m	The proposal includes 17.6% AF housing and benefits from 30% bonus building height or 7.95m (max 34.45m) The proposal involves a height of 34.40m (RL 46.95m-NGL 12.55m) which complies with the maximum bonus for the site (34.45m) under the SEPP.	Yes
19 - Non-Discretionary Development Standards	(2)(a) minimum site area of 450m2.	Site area is 1,697m2	Yes
	(2)(b) minimum landscaped area that is the lesser of: - (i) 35m2 per dwelling (1785m2) (ii) 30% of the site area (509.1m2)	Total Landscaped area provided is 622m2 (36.7%) which equates to 12.2m2 per dwelling.	Yes
	(2)(c) minimum deep soil of 15% of the site area where: - (i) Minimum dimension of 3m (ii) At least 65% to be located at the rear	603.5m2 (35.56%) deep soil – with min 3m dimension 255m2 at rear & 260 at sides or 53% & 85% respectively.	Yes – only 53% at the rear not 65% - Refer to **Note 1** below
	(2)(d) living rooms and POS in at least 70% of dwellings have a minimum of 3 hours of direct solar access between 9am and 3pm in mid-winter.	Plans submitted show 84.31% or 43/51 units.	Yes
	(2)(e) parking spaces for affordable dwellings- (i) 1 bedroom – min 0.4 parking space (ii) 2 bedroom – min 0.5 parking space (iii) +3 bedroom – min 1.0 parking space	1 x 1 bed, 6 x 2 bed and 2 x 3 bedroom units 0.4 + 3.0 + 2 spaces = 5.4 or 6 spaces required 6 spaces can be provided	Yes
	(2)(f) parking spaces for dwellings not used as affordable dwellings- (i) 1 bedroom – min 0.5 parking space (ii) 2 bedroom – min 1.0 parking space (iii) +3 bedroom – min 1.5 parking space (Note: Total development has 8 x 1-bedroom, 34 x 2-bedroom and 9 x 3-	7 x 1 bed & 28 x 2 bed & 7 x 3 bedroom units = 3.5+28+10.5 = 42 = 42 spaces required The proposal provides 54 residential spaces and can comply with both requirements.	Yes

Section	Requirement	Proposal	Complies
	bedroom residential units).		
	(2)(g) minimum internal area as specified in the ADG for the type of res development	Yes – sufficient internal area provided to comply with the ADG.	Yes
	(2)(h) minimum GFA for dual occupancies, manor housing or multi dwelling house as specified in Low Rise Housing Diversity Design Guide.	N/A	N/A
	(2)(i) minimum floor areas if paragraphs g and h above do not apply (i) 1 bedroom – min 65m2 (ii) 2 bedroom – min 90m2 (iii) +3 bedroom – min 115m2 plus 12m2 for each bedroom in addition to 3 bedrooms.	N/A	N/A
20 – Design Requirements	Not for dual occupancies, manor houses or multi-dwelling house unless considered the Low Rise Housing Diversity Design Guide Must consider whether the development is compatible with: (i) The desirable elements of the character of the local area (ii) For precincts undergoing transition, the desired future character of the precinct.	N/A Yes Yes	N/A Yes Yes
21 – Must be used for affordable housing for at least 15 years	The development must include affordable housing; The affordable housing component will be managed by a registered community housing provider.	Yes Conditions shall be imposed in this regard.	Yes
22 – Subdivision permitted with Consent	Land on which development has been carried out under this division may be subdivided with development consent.	The proposal does not include subdivision.	N/A

Discussion of Affordable Housing Non-Compliances
Note 1

<u>19(2)(c) – Minimum Deep Soil</u>

The proposal will provide sufficient deep soil area on the site, despite the scheme included 53% in the rear setback not 65% as required under the SEPP. The proposal will provide ample side setbacks on both sides which make up the shortfall and will provide ample deep soil areas on the site capable of accommodating dense landscaping which will screen and soften the proposed development.
The objective of this section of the SEPP is the following:

> *The object of this section is to identify development standards for particular matters relating to residential development under this division that, if complied with, prevent the consent authority from requiring more onerous standards for the matters.*

In this regard, the standard is not a development control, but a non-discretionary standard

which if complied with, prevents the consent authority from imposing more onerous standards. Notwithstanding this, it is not a rigid control and the proposal is not unreasonable in the circumstances of the case. Accordingly, the proposal provides sufficient deep soil area and is acceptable in this regard.

Chapter 4 - Design Quality of Residential Apartment Development

This SEPP applies as it is a form of residential accommodation of 3 or more storeys and 4 or more dwellings.

In accordance with Section 28(2) of this policy, the consent authority must take into consideration the following:

a. **The advice of the Design Review Panel (DRP)**

The proposal has been referred to the Design Review Panel twice on 5 September 2024 and 6 March 2025. The Panel supports the proposal with their detailed comments and minor suggested improvements provided in the report below. The Applicant has amended their scheme and have provided their response on how the proposal has been modified to address the issues raised by the Panel.

The Council has supported the revised scheme, subject to the minor improvements made in accordance with the comments from the DRP. The DRP have confirmed the application demonstrated Design Excellence and recommended that the proposal did not require submission back to them.

b. **The design quality of the development when evaluated in accordance with the design quality principles.**

The design quality principles have been considered in the assessment of the proposal and are found to be satisfactory as indicated below.

Principle 1 – Context and Neighborhood Character

Panel Comment:

The Panel is generally supportive of the proposal's contribution to Local Context and Neighbourhood Character. The Panel defers to Council in ascertaining if the tree loss is considered necessary and acceptable.

Council Comment:

Council's Tree Management Officer has considered the loss of trees on the site. The proposal will involve the removal of fourteen (14) trees but will include the provision of compensatory trees and plantings. This has been addressed later in this report. For more information, please refer to the section titled State Environmental Planning Policy (Biodiversity and Conservation) 2021.

Principle 2 – Built Form and Scale

Panel Comment:

The Panel supports the changes made to the floor plans in the latest iteration, particularly the revised ground floor arrangement. We do note that the ground floor lobby appears able to be widened and encourage the architect to review the need for the egress stairs to extend into the lobby.

Council Comment:

Council supports the improvements made to the ground floor plan and widening of the entry lobby and corridor width to 2m. While a further increase is preferred, the fire stair is limited by the floor plate above. In this regard, the proposal is not unreasonable and is sufficient to retain suitable amenity within the lobby for the future occupants of the building.

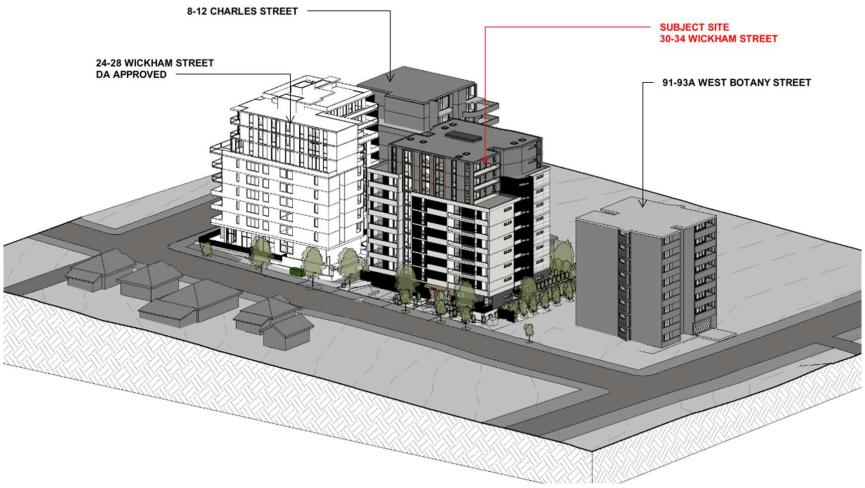


Figure 6: Future context of the proposed development viewed form Wickham Street

Principle 3 – Density

Panel Comment:

The density is considered appropriate, including the Affordable Housing bonus.

Council Comment:

The proposal includes a density that is permissible under the SEPP (Housing) 2021 and Council raises no objection to the proposal in this regard.

Principle 4 - Sustainability

Panel Comment:

The material reviewed by the Panel was not explicit on the sustainability commitments. The applicant should refer to the commentary from the previous Panel minutes above.

The previous minutes indicated that any future DA should identify commitments to sustainability measures which are beyond compliance and should include the following:

- Excellent passive design with naturally ventilated/daylit bathrooms where possible.
- Better than compliant BASIX targets.
- Specific PV and battery capacity commitments.
- Provision for alternate mobility parking solutions and electric vehicle and scooter charging.

- Fossil fuel free electrified development to reduce carbon footprint.
- Use of low emissions construction materials/systems maximised.
- Urban canopy maximised in deep soil areas.

Council Comment:

The proposal includes sustainability initiatives including:

- Better than compliant BASIX targets,
- Grey water reuse, on demand hot water system, rainwater tanks, etc.
- 4 and 5 star appliances, water equipment (showerheads, taps, toilet flushing, etc),
- Energy efficient artificial lighting, fossil free energy appliances, very good thermal performance specifications (materials),
- Solar panels with battery storage and specific capacity commitments.

Based on the above, the information submitted by the applicant contained sufficient energy efficiency and sustainability commitments to satisfy Council of the application. In this regard, the application is acceptable and complies with Council's requirements.

Principle 5 – Landscape

Panel Comment:

While the Panel notes the previous discussion on the retention of the Chinese Celtis, it is the substantial Camphor Laurel tree that is preferred to be retained due to its contribution to area amenity. Both are known as "weed species" but Camphor Laurel trees are retained in some parts of Sydney for their amenity that they provide. In this case the retention of the Camphor Laurel tree is problematic, and the panel recommends that a suitable evergreen tree of a minimum 1000 litre size be placed on site with other proposed canopy trees in the deep soil area being a minimum of 400 litre size at installation.

Note that areas of landscape with basement below are still labelled 'Deep Soil' (which they are not).

Council Comment:

The applicant has revised the landscape plans to include sufficient landscape plants to soften and screen the proposed development. This is addressed in more detail later in this report. For more information, please refer to the section titled SEPP (Biodiversity and Conservation) 2021.

The applicant has proposed to remove the Camphor Laurel due to the inherent problems associated with its retention and will replace it with suitable compensatory trees. In this regard, a condition is not required to be imposed requiring the provision of at least one evergreen tree of a minimum 1000 litre pot size at the rear of the site in the deep soil area as the revised landscape plan includes the provision of one of these trees in the corner and at least two more along the rear boundary of the site in the deep soil zone. The proposal has been amended to include more than adequate compensatory tree and landscape plantings and is acceptable in this regard.

The panel is correct in noting that the architectural plans show a "deep soil" area which has the basement directly below it. The plans show that the proposal will provide a deep soil area of 474m2 which represents 28% of the site. Notwithstanding the "deep soil" area marked on the plan, the scheme complies with the minimum deep soil area requirement and is acceptable in this regard.

Principle 6 – Amenity

Panel Comment:

The Panel is generally supportive of the Amenity levels shown in the revised design.

Council Comment:

The proposal has been designed to incorporate suitable levels of amenity and the comments made by the DRP are agreed with by Council. Accordingly, the proposal is acceptable in respect to amenity.

Principle 7 - Safety

Panel Comment:

The revised design shows that the egress stair has been integrated into the built form, the interaction between the southern landscaped area and communal area is improved, with the side landscaping no longer conceived of as communal open space.

These amendments are all supported by the Panel.

Council Comment:

The proposal has been improved in respect to the safety matters raised by the DRP and Council agrees with the comments made by the panel. Accordingly, the proposal is acceptable in this regard.

Principle 8 - Housing Diversity and Social Interaction

Panel Comment:

The proposal contains a mix of unit sizes and types, including affordable housing. Its contribution to Housing Diversity and Social Interaction is supported.

Council Comment:

The proposal contains a suitable mix of units sizes and includes affordable housing that will contribute to the housing market. As such, Council agrees with the comments of the panel above and the application is acceptable in this regard.

Principle 9 – Aesthetics

Panel Comment:

While the notes above remain variously valid, the Panel is generally supportive of the revised design as presented.

The panel notes above previously suggested the following:

- Removing the fake timber cladding
- More consistent use of the fluted and non-fluted concrete panels
- Refine the articulations and materials on the ground floor to more clearly identify recessed zones for driveways and servicing VS entry and residences.

Council Comment:

The applicant has considered the comments of the DRP and replaced the fake timber cladding with fluted copper cladding and wall materials. The replacement materials are different but suitable for the building without detracting from the original design and spatial arrangement of the elevations of the building.

The revised scheme adopts better use of materials within the formal frontage to visually separate the driveways and servicing areas from the pedestrian entry point to the residences. The building has an improved context when viewed from the public domain.

c. **The Apartment Design Guide**

The proposal has been assessed against the *Apartment Design Guide* (ADG). The proposed development is acceptable in respect to the objectives and design criteria contained within the ADG. The relevant provisions and issues are discussed below:

SECTION	DESIGN CRITERIA	COMMENTS	COMPLIES
3C – Public Domain Interface	Max 1m level change from footpath to ground floor level of building. Landscaping to soften building edge and improve interface.	Level change of 0.725m (RL 13.88 – RL 13.155) from footpath to lobby	Yes
	Mailboxes located in lobbies or integrated into front fence	Mailboxes are located in the main lobby of the ground floor.	Yes
3D - Communal Open Space	25% (424.25 sqm) Site Area	Ground – 445.1m2- 26.2%	Yes
	50% (222.55 sqm) to receive 2 hours solar access in midwinter 9am - 3pm	100% receives more than 2 hours	Yes
3E - Deep Soil Zone	7% (118.8 sqm) site area Minimum Dimensions 3m	603.5m2 (35.56%) claimed – measured 474m2 (28%)	Yes
3F - Visual Privacy *Min separation - side & rear boundaries.*	<u>Up to 12m (4 storeys)</u> Hab. Rooms / Balconies = 6m Non Hab. Rooms = 3m <u>Up to 25m (5-8 Storeys)</u> Hab. Rooms / Balconies = 9m Non Hab. Rooms = 4.5m	Ground 4.5m side boundaries (combined 9m) 5m front boundary 10m rear boundary L1-L3 – 4.5m side boundaries (combined 9m) 5m to 6m front boundary 10m rear boundary Level 5-8 - 4.5m side (9m combined) 12m side (east) 5m-6m front boundary 10m rear boundary	Yes Yes Yes
3G – Pedestrian Access & Entries	Multiple entries provided to activate street edge	Main lobby, ground floor unit and basement driveway ramp provided along Wickham Street.	Yes

SECTION	DESIGN CRITERIA	COMMENTS	COMPLIES
	Building access clearly visible from public domain& communal spaces	The access is clearly visible from Wickham Street.	Yes
	Steps / ramps integrated into building & landscape design	The pedestrian entry has ramps to allow increased pedestrian access from the street and tree retention with integrated landscape design.	Yes
	Electronic access to manage access	Electronic access cards will be used in maintaining security for the future occupants of the building.	Yes
3H – Vehicular Access	Car park access integrated with building façade & behind building line.	Basement car parking access from Wickham Street clearly behind the building line.	Yes
	Garbage collection, loading & servicing areas screened	A loading bay has been provided for waste collection, deliveries and furniture trucks. An exit path of travel is separate to it.	Yes
	Pedestrian / vehicle access separated & distinguishable.	Pedestrian and vehicular access is separated and legible.	Yes
3J - Bicycle & Car Parking	Parking as per Council DCP.	The proposal provides 64 parking spaces (54 residential) and complies with The Guide. The proposal includes 53 bicycle spaces for residents, 6 additional visitor bicycle spaces and 5 motorbike spaces.	Yes
4A – Solar & Daylight Access	Living rooms + POS of at least 70% (36 of 51) of apartments receive min 2hrs direct sunlight b/w 9am & 3 pm mid-winter	43 of 51 provided which equates to 84.31%	Yes
	Max 15% (8 of 51) apartments receive no direct sunlight b/w 9am &	6 of 51 receive no direct sunlight between 9am & 3pm mid winter which equates to	Yes

SECTION	DESIGN CRITERIA	COMMENTS	COMPLIES
	3pm mid-winter	11.76%	
4B – Natural Ventilation	Min 60% (31 of 52) of apartments are naturally cross ventilated in the first nine storeys of the building.	The plans show 38 of 51 units are naturally cross ventilated (74.51%)	Yes
4C – Ceiling Heights	Floor to Ceiling Habitable – 2.7m Non Habitable - 2.4m	Ground – 4.10m Upper levels – 3.15m Complies	Yes
4D – Apartment Size & Layout *+5sq/m per extra bathroom*	1 bed – 50sqm	≥ 50m2	Yes
	2 bed+ 2 bath – 75sqm	≥ 75m2	Yes
	3 bed + 2 bath - 95sqm	≥ 95m2	Yes
4E – Private Open Space & Balconies.	1 bed – 8sqm 2m min depth	≥ 8m2	Yes
	2 bed – 10sqm / 2m min depth	≥ 10m2	Yes
	3 bed – 12sqm / 2.4m min depth	≥ 12m2 individually or jointly	Yes
4F – Common Circulation & Spaces	Max apartments off a circulation core on a single level is eight.	Max 6 units of one double lift core	Yes
4G – Storage *50% is located within apartment*	1 bed - 6 cubic metres	+8m3	Yes
	2 bed - 8 cubic metres	+10m3	
	3 bed - 10 cubic metres	+12m2	
4J – Noise & Pollution	Setbacks to the underside of residential floor levels to increase relative to traffic volumes / noise sources	The proposal is an RFB (not mixed use) however, the proposal uses landscaped setbacks and façade treatments to soften noise sources (road and flightpath noise).	Yes
4K – Apartment Mix	Variety of apartment types provided & flexible apartment configurations to support diverse household types and	Variety of apartment types and configurations with a mix of bedrooms	Yes

SECTION	DESIGN CRITERIA	COMMENTS	COMPLIES
	stages of life		
	Larger apartment types located on ground / roof level where there is potential for more open space &corners where more building frontage is available	Larger units provided on the upper level with more balcony space	Yes

Based on the above, the proposal complies with the requirements of the ADG and is acceptable in this regard.

State Environmental Planning Policy (Transport and Infrastructure) 2021

Division 5 / Subdivision 2 – Clause 2.48 – Development likely to affect an electricity transmission or distribution network

The application is subject to Clause 2.48 of the SEPP as the proposed works are within the vicinity of electricity infrastructure and therefore, in accordance with Clause 2.48(2), the consent authority must give written notice to the electricity supply authority for the area in which the development is to be carried out, inviting comments about potential safety risks, and take into consideration any response to the notice that is received within 21 days after the notice is given.

The application was referred to Ausgrid on 1 July 2024 for comment. On 3 July 2024 Ausgrid raised no objections to the proposed development subject to the imposition of conditions of consent which have been incorporated within the recommended conditions of consent.

The application is consistent with the provisions of the SEPP and is acceptable in this regard.

Division 17 / Subdivision 2 – Clause 2.119 - Development with frontage to classified road

The proposed development is located on land with a frontage to a classified road (i.e. Road). In this regard, Clause 2.119 - Development with frontage to a classified road of the SEPP must be considered before consent can be granted.

The proposed development involves access to and from the site via Wickham Street via a two way driveway, as secondary road access is not available. The application was accompanied by a Parking and Traffic Impact Assessment Report prepared by Stanbury Traffic Planning and dated 29 April 2024.

The application was referred to Transport for NSW (TfNSW) on 1 April 2025 for comment. The council received a formal response from TfNSW on 11 June 2025 providing concurrence under Section 138 of the Roads Act 1993 subject to the imposition of 11 conditions of development consent. The conditions are included in the draft Notice of Determination.

The proposal satisfies Clause 2.119 of the SEPP, noting the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the proposed development as a result of the design of the vehicular access, or the emission of smoke or dust from the

development, or the nature, volume or frequency of vehicles using the classified road to gain access to the land.

Division 17 / Subdivision 2 – Clause 2.120 - Impact of road noise or vibration on non-road development

The proposed development is for a residential flat building that is on land in or adjacent to the road corridor for a freeway, a tollway or a transitway or any other road with an annual average daily traffic volume of more than 20,000 vehicles and that the consent authority considers is likely to be adversely affected by road noise or vibration. Accordingly, Clause 2.120 of the SEPP is required to be considered as part of this assessment.

For residential accommodation, the consent authority must not grant consent unless it is satisfied that appropriate measures will be taken to ensure that the following LAeq levels are not exceeded:

a. *in any bedroom in the building35 dB(A) at any time between 10 pm and 7 am,*
b. *anywhere else in the building (other than a garage, kitchen, bathroom or hallway) - 40 dB(A) at any time.*

The proposal was accompanied by an Acoustic Report, prepared by Acoustic Logic dated 29 April 2024, which considered the potential impact of road noise on the proposed development. The report concludes that the development will satisfy the noise level requirements as outlined in the SEPP, Council's DCP and the NSW Department of Planning document for Development Near Rail Corridors and Busy Roads – Interim Guide (2008) should the recommendations in section 7 of the acoustic report be adopted. The acoustic report recommendations have been included within the draft conditions of consent.

The proposal is acceptable and satisfies the requirements of Clause 2.120 of the SEPP.

Division 17 / Subdivision 2 – Clause 2.122 – Traffic Generating Development

The proposal is less than 75 dwellings with frontage to a classified road and less than 300 dwellings (i.e., includes 51 dwellings). As such, the proposal is not identified as a traffic generating development under Schedule 3 of the SEPP.

However, the application was referred to TfNSW on 1 April 2025 for comment as the site contains direct vehicular access to a classified road (Wickham Street).

Council received a formal response from TfNSW on 11 June 2025 providing concurrence under Section 138 of the Roads Act 1993 subject to the imposition of 11 conditions. These conditions have been included in the draft Notice of Determination.

The proposal will have acceptable impacts in terms of any potential traffic safety, freight/people movement, road congestion and parking implications within Wickham Street.

Based on the above, the proposal satisfies the requirements of Clause 2.122 of the SEPP.

State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 4 – Remediation of Land

The provisions of Chapter 4 of the SEPP have been considered in the assessment of the proposal. Subsection 4.6 of the SEPP requires Council to be satisfied that the site is, or can be made, suitable for its intended use at the time of determination of an application.

The site appears to have been continuously used for residential purposes. The adjoining and adjacent properties are currently used for residential purposes. The site and surrounding land were not previously zoned for purposes identified under Table 1 of the contaminated land-planning guide in then SEPP, in particular industrial, agricultural or defence uses.

On the above basis, the site is considered suitable in its present state for the proposed residential flat development. No further investigations of contamination are considered necessary. The proposal satisfies the requirements of Subsection 4.6 of the SEPP.

State Environmental Planning Policy (Biodiversity and Conservation) 2021

Chapter 2 Vegetation in non-rural areas

This Chapter applies to non-rural areas of the State, including the Bayside local government area and aims to *(a) protect the biodiversity values of trees and other vegetation in non-rural areas of the State*, and *(b) preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation*.

This Chapter is triggered due to the need for approval to remove vegetation/trees as outlined in Bayside DCP 2022. The proposed work involves the removal of vegetation requiring approval. This includes:

- An arborist report was submitted with the application which indicated that the proposal sought to remove fourteen (14) trees from the site, one from the adjoining property and retain one (1) tree within Council's nature strip further along Wickham Street. Five of the trees to be removed are noxious weeds and/or exempt trees when in respect to their removal. Nearly all the trees to be removed intersect with the basement, driveway and/or building form and therefore their health would most likely be affected should they be retained. The tree to be removed from the adjoining property is Tree No 12 located at No. 95 West Botany Street and is also a weed.

  Trees sought to be removed:

- Trees 1-3. *Celtis sinenssis* (Chinese Celtis) and 2 x *Shefflera actinophylla* (Umbrella plant) These are exempt tree species under the Bayside LEP 2021.
- Tree 4. *Livingstona australis* (Cabbage Tree Palm). Sought to be removed but will be transplanted and added to the final landscaping plan.
- Tree 5. *Cinnamonum camphor* (Camphor Tree) This is an exempt tree species under the Bayside LEP 2021.
- Tree 6. *Phoenix canariensis* (Christmas Island Date Palm).
- Tree 7 & 8. *Celtis sinenssis* (Chinese Celtis). These are exempt tree species under the Bayside LEP 2021.
- Tree 9. *Magnolia soulangena* (Saucer Magnolia).
- Tree 10. *Callistemon viminalis* (Weeping Bottlebrush). Located in Public Domain.
- Tree 12. This is an exempt tree species under the Bayside LEP 2021 and is located on an adjoining property. Consent from the neighbour will be required.
- Tree 13-17. These are fruit trees and are exempt tree species under the Bayside LEP 2021.
- Tree 18. *Laura nobilis* (Bay Tree).

  Tree 11 is a *Callistemon viminalis* (Weeping Bottlebrush) and is proposed to be retained. This tree is located on Council's nature strip outside the proposed construction zone and does not require the erection of any Tree Protection Zone (TPZ).

- The proposal includes the provision of replacement trees with landscape plantings including young trees, shrubs and groundcovers. When referred to the Design Review Panel on 5 September 2024, the panel requested the retention of the Chinese Celtis tree (*Celtis sinensis*) being tree No. 8 adjacent to the northwestern corner given its contribution to the existing streetscape and its 14m height, 8m canopy, medium life expectancy despite its low retention value. The applicant has indicated removal of this tree given it is classified as a weed on the state government's Weed Wise Website. Furthermore, it is located in proximity to the rear of the building in the northeastern corner of the site.

- The proposal includes the provisions of more than adequate compensatory planting around the periphery of the site to replace the loss of tree canopy. This includes the provision of one evergreen tree of minimum pot size of 1000 litres as required by the Design Review Panel to replace the Camphor Laurel tree. The revised landscape plan submitted with the application details the provision of three street trees within the nature strip along the street frontage and ample landscape elements including trees and shrubs within the side and rear setbacks. The proposal will provide sufficient landscape elements to screen and soften the development.

- The application was referred to Council's Tree Management Officer who advised that the above trees can be removed on the basis of compensatory plantings being provided. To offset the removal of the four live trees (T6, T9, T10 & T18) 3 times the number of these trees (i.e., twelve 12) will be provided on the site. Should they not fit on the site, a monetary contribution as outlined in Councils current Fee and Charges could be arranged by the applicant to provide the trees in proximity to the site. Based on the above, Council's Tree Management Officer raised no objections to the proposal subject to the imposition of conditions of development consent.

Based on the above, the proposal is acceptable in respect to the loss of trees on the site and complies with the requirements of the State Environmental Planning Policy (Biodiversity and Conservation) 2021.

Bayside Local Environmental Plan 2021

The following table outlines the relevant Sections of Bayside Local Environmental Plan 2021 ("the LEP") applicable to the proposal, while aspects warranting further discussion follows:

Relevant Sections		Compliance with Objectives	Compliance with Standard / Provision
2.3	R4 High Density Residential Zone and Zone Objectives	Yes - see discussion	Yes - see discussion
2.7	Demolition	Yes - see discussion	Yes - see discussion
4.3	Height of buildings	Yes - see discussion	Yes - see discussion
4.3A	Exception to Height of buildings	Not Applicable	Not Applicable
4.4	Floor space ratio ("FSR")	Yes - see discussion	Yes - see discussion
4.6	Exceptions to development standards	Not Applicable	Not Applicable

Relevant Sections	Compliance with Objectives	Compliance with Standard / Provision
5.21 Flood planning	Yes - see discussion	Yes - see discussion
6.1 Acid Sulfate Soil Class 5	Yes - see discussion	Yes - see discussion
6.2 Earthworks	Yes - see discussion	Yes - see discussion
6.3 Stormwater and water sensitive urban design	Yes - see discussion	Yes - see discussion
6.7 Airspace operations	Yes - see discussion	Yes - see discussion
6.8 Development in areas subject to aircraft noise	Yes - see discussion	Yes - see discussion
6.10 Design Excellence	Yes - see discussion	Yes - see discussion
6.11 Essential services	Yes - see discussion	Yes - see discussion
7.1 Public Utility Infrastructure	Yes - see discussion	Yes - see discussion

2.3 - Zone

The subject site is zoned R4 High Density Residential under the provisions of the Bayside LEP 2021. The proposal is defined as a residential flat building which constitutes a permissible development only with development consent. The objectives of the zone are:

- To provide for the housing needs of the community within a high density residential environment.
- To provide a variety of housing types within a high density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To ensure land uses are carried out in a context and setting to minimise impact on the character and amenity of the area.
- To enable residential development in accessible locations to maximise public transport patronage and encourage walking and cycling.

The proposed development satisfies the objectives of the zone.

2.7 - Demolition

The proposal seeks consent for the demolition of the existing structures on the site. Accordingly, the proposal complies with the provisions of this Section.

4.3 - Height of Buildings

A maximum height standard of 26.5 metres applies to the subject site.

The proposal has a maximum height of 34.25 metres (RL 46.95 AHD) which does not comply with the provisions of this Section.

This is a height exceedance of 7.75m and results in a contravention of 29.2% to the LEP control. However, the proposal has a height which complies with the maximum 30% height benefit under the provisions of the SEPP (Housing) 2021 Cl16(3) or a height of 34.45m. In this

instance, the proposal complies with the provisions of the SEPP in relation to building height and a variation under Section 4.6 – Exceptions to Development Standards was not required.

4.4 – Floor Space Ratio

A maximum FSR standard of 2.2:1 (GFA of 3,733.4 sqm) applies to the subject site and proposal.

The proposal has a maximum GFA of 4,580.51 sqm and equates to an FSR of 2.7:1 which does not comply with the provisions of this Section. This is a GFA exceedance of 847.11 sqm and results in a contravention of 22.7% to the LEP control. However, the proposal has a GFA which complies with the maximum 30% floor space benefit under the provisions of the SEPP (Housing) 2021 or GFA of 4,853.42m2 or FSR of 2.86:1. In this regard, the proposal complies with the provisions of the SEPP in relation to floor space ratio and a contravention under Section 4.6 – Exceptions to Development Standards was not required in this instance.

5.21 – Flood Planning

Council records indicate that the lot is subject to flooding in a 1% AEP and hence flood control applies. The finished floor levels of the development comply with the minimum 1% AEP level plus 500mm above freeboard at RL 13.88m AHD. Therefore, the proposal is acceptable in respect to these finished floor levels. The loading dock is set higher than the 1% AEP Flood level while the driveway crest and the bin holding area are to be revised (raised) to comply with the 1% AEP Flood level. This could be addressed through the imposition of a condition of development consent.

The report and proposal were reviewed by Council's Development Engineer who advised that the scheme is acceptable subject to the imposition of conditions. Appropriate conditions have been included within the recommended conditions.

The proposal has been designed to adhere to the relevant minimum flood levels and is satisfactory with respect to the provisions of this LEP Section.

6.1 – Acid Sulfate Soils

Council's records indicate that the site is affected by Acid Sulfate Soils (ASS) Class 5. Development Consent is required as the proposal involves works within 500m of adjacent class 1, 2, 3, or 4 land that is below 5m AHD and by which the water table is likely to be lowered below 1m AHD on adjacent class 1, 2, 3 or 4 land. The site is located 250m away from Class 3 ASS and the Eve Street Wetland.

The proposal involves excavation below natural ground level of 12.4m or so for the four basement parking levels (i.e. not just for footings). Given the depth of approximately 12.4 metres, the applicant submitted a Geotechnical report with the application prepared by JC Geotechnics dated 30 April 2024. Section 5.9 of the report addressed acid sulphate soils risk and stated that the closest land that is likely to be affected by the development that is class 3 is located at least 900m away to the northeast of the site. Due to this distance and a low permeability of the underlying residual soil and sandstone bedrock, the report indicates that the water-table on the closest class 3 land is unlikely to be lowered below 1m AHD. As such, an Acid Sulfate Soils Management Plan (ASSMP) is not warranted in this instance, and the proposal is acceptable in the context of the LEP Section.

Based on the above, the proposal is consistent with the objectives and requirements of Section 6.1 and is acceptable in this regard.

6.2 – Earthworks

The proposal will involve the excavation of the site and formation of three basement levels below the residential flat building above. The applicant has submitted a geotechnical report dated 30 April 2024 prepared by JC Geotechnics. The report demonstrates that the excavation will intersect the ground water table. Accordingly, the proposal was referred to Water NSW who provided concurrence on 31 October 2024 stating that the GTAs issued on the same day are applicable and the application is acceptable in this regard. The conditions have been imposed in the draft Notice of Determination.

Potential impacts of proposed earthworks have been considered in the assessment of this proposal. Conditions have been imposed in the draft Notice of Determination to ensure minimal impacts on the amenity of surrounding properties, drainage patterns and soil stability. The proposal meets the objectives of this Section.

6.3 – Stormwater and WSUD

The development proposes an on-site detention system (OSD) and 10,000L rainwater tank which is to be located in the basement and front setback respectively. Stormwater plans were submitted with the application and were prepared by Mance Arraj Civil and Structural Engineers and dated 6 November 2024. The application was reviewed by Councils Development Engineer who had no objections to the proposal subject to conditions which have been included in the recommended conditions.

6.7 and 6.8 – Airspace Operations and Development in Areas subject to Aircraft Noise

The subject site is located within the 15 to 20 ANEF Contour, and as such, is not subject to potential adverse aircraft noise.

The site is located within an area affected by the Obstacle Limitation Surface (OLS) at RL 51.0m AHD. The proposed building will be at RL 46.95m at the lift overrun and as such, the proposal is not unreasonable and would ordinarily not require referral to the Sydney Airport Corporation Ltd for consideration.

The site is located within the 15.24m Building Height restriction under the Civil Aviation Regulations. As the building will be higher than 15.24m, the application was referred to the Sydney Airport Corporation Ltd (SACL). On 16 April 2025 SACL advised in writing that the application is acceptable up to a height of 46.95m AHD subject to conditions. As such, a condition has been imposed in the draft Notice of Determination. In this regard, the proposal is acceptable in respect to the requirements of this Section.

The proposal is satisfactory with respect to the requirements and objectives of this Section, subject to the recommended condition of consent.

6.10 – Design Excellence

In accordance with this Section, development consent must not be granted to development to which this Clause applies unless the consent authority considers that the development exhibits design excellence. The Design Excellence clause applies to the proposal and requires that the development deliver the highest standard of architectural, urban and landscape design.

Section 6.10(4) provides a long list of matters that must be considered when considering whether a proposal exhibits design excellence. In this context, the proposal is considered to exhibit design excellence for the following reasons:

- The proposal achieves a high standard of architectural design, materials and detailing and has been improved by changes requested at the first of two DRP meetings.
- The proposal has an appropriate form, arrangement and external appearance that will improve the quality and amenity of the public domain.

- The proposal will not result in any significant adverse impacts on the existing view corridors and the requirements of Council's DCP have been taken into consideration in the design of the scheme.
- The applicant has addressed the matters raised in section 6.10(4)(e) of the BLEP 2021.
- The original application was referred to the DRP and the current one is the improvement to the plan which was referred once. Council has taken into account the requests and findings of the DRP which have been adequately addressed by the applicant. The DRP have confirmed the revised scheme is acceptable and complies with the Design Excellence requirements of this clause.

For more information, please refer to the section titled *Chapter 4 Design of Residential Apartment Development* under the *SEPP (Housing) 2021*.

Subject to the conditions, the proposal appears to satisfy the requirements relating to Design Excellence under Section 6.10 of the BLEP 2021.

Figure 7: Artist's impression of the front of the residential flat building from Wickham Street

6.11 – Essential Services

Services are generally available on site to facilitate to the proposed development. Appropriate conditions have been recommended requiring approval or consultation with relevant utility providers with regard to any specific requirements for the provision of services on the site.

7.1 - Public Utility Infrastructure

Services are generally available on site to facilitate to the proposed development. Appropriate conditions have been recommended requiring approval or consultation with relevant utility providers with regard to any specific requirements for the provision of services on the site.

S4.15(1)(a)(ii) - Provisions of any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority

There are no draft environmental planning instruments of direct relevance to the proposal.

S4.15 (1)(a)(iii) - Provisions of any Development Control Plan

The following Development Control Plan is relevant to this application:

Bayside Development Control Plan 2022

The application is subject to the Bayside Development Control Plan 2022 ("the DCP"). This is the comprehensive DCP relevant to the proposal. The following table outlines the relevant Parts of the DCP applicable to the proposal, while aspects warranting further discussion follows:

Relevant Parts	Compliance with Objectives	Compliance with Standard / Provision
PART 3 – GENERAL DEVELOPMENT PROVISIONS		
3.1.5 Views	Yes - see discussion	Yes - see discussion
3.2 Design Excellence	Yes - see discussion	Yes - see discussion
3.3 Energy and Environmental Sustainability	Yes - see discussion	Yes - see discussion
3.5 Transport, Parking and Access	Yes - see discussion	Yes - see discussion
3.6 Social Amenity, Accessibility and Adaptable Design	Yes - see discussion	Yes - see discussion
3.7 Landscaping, Private Open Space and Biodiversity	Yes - see discussion	Yes - see discussion
3.8 Tree Preservation and Vegetation Management	Yes - see discussion	Yes - see discussion
3.9 Stormwater Management and WSUD	Yes - see discussion	Yes - see discussion
3.10 Flood Prone Land	Yes - see discussion	Yes - see discussion
3.11 Contamination	Yes - see discussion	Yes - see discussion
3.12 Waste Minimisation and Site Facilities	Yes - see discussion	Yes - see discussion
3.13 Areas subject to Aircraft Noise and Airport airspace	Yes - see discussion	Yes - see discussion
3.14 Noise, Wind, Vibration and Air Quality	Yes - see discussion	Yes - see discussion

Relevant Parts	Compliance with Objectives	Compliance with Standard / Provision
3.18 Utilities and Mechanical Plant	Yes - see discussion	Yes - see discussion
PART 5 – RESIDENTIAL AND MIXED-USE DEVELOPMENTS		
5.1.1 Fences and Walls	Yes - see discussion	Yes - see discussion
5.1.4 Quality of Design, Choice and Diversity	Yes - see discussion	Yes - see discussion
5.2.4 High Density Residential	Yes - see discussion	Yes - see discussion
PART 7 – SPECIFIC PLACES		
7.4 Arncliffe & Banksia	Yes - see discussion	Yes - see discussion

The following Sections elaborate on Key matters from the above table.

Part 7 is dealt with first, as the DCP states: *"Provisions in the chapter [7] prevail over any similar provisions in other sections of the DCP".*

Part 7.4 - Arncliffe and Banksia Precinct

This Part of the DCP provides controls and guidelines for 17 areas within the Local Government Area. Not all areas are included. The areas chosen are either unique or have been subject to detailed master-planning controls, with more specific controls to guide development.

As stated, the provisions of this Part prevail over other sections of the DCP, including where there is any inconsistency. The site is located within the Arncliffe and Banksia Precinct between Charles Street and West Botany Street.

The subject site is located within the southern part of the Special Character Area known as Area 4 or the "Cahill Park Neighbourhood" as specified in Figure 56 of the Bayside DCP 2022. The Cahill Park Neighbourhood area has been identified as an unresolved transition area between the higher density to the north and lower density to the south. The vision for the precinct is to provide a vibrant and attractive area for people to live and work with increased access to public transport, community facilities, open space, shops and local services.

The subject site is identified within the Cahill Park Neighbourhood being area 4 as a special character area. The proposal is consistent with the desired future neighbourhood character with an appropriate land use in that it will contain generous landscaped setbacks and be primarily for residential development. The proposal is consistent with the built form controls including appropriate setbacks, deep soil zones and the provision of high-quality amenity in respect to privacy.

The proposal will retain most of the view corridors to Botany Bay, as the apartments further to the west look out over the subject site. Properties to the west on the opposite side of Charles Street are yet to be developed and contain single storey dwelling houses. In this regard, the proposal is not likely to have any unreasonable impact on existing view corridors. However, view loss from the future redevelopment of sites to the west is unavoidable given the zoning of the land and this is addressed below in this report (please refer to section 3.1.5 of this DCP headed "Views"). The proposal will include a landscaped 5m front setback and a seven to

eight-storey wall height with the upper levels setback further as required under Figures 72 and 73 of the Bayside DCP 2022.

Based on the above, the proposal is consistent with and generally complies with the requirements outlined in section 7.4 of Council's DCP 2022 in respect to the Arncliffe Banksia Precinct.

PART 3 – GENERAL DEVELOPMENT CONTROLS

Part 3.1.5 - Views

The proposal will result in a ten (10) storey residential flat building (which does not have a roof top terrace) which generally complies with the requirements and built form controls permitted for the site. Neighbouring sites to the immediate west will also likely be redeveloped in a similar manner. In this regard the proposal is not likely to adversely impact on any existing developments in the vicinity of the site in respect to views. Accordingly, the proposal is acceptable in respect to the requirements of this part.

Part 3.2 – Design Excellence

An assessment against Design Excellence has been discussed in response to Section 6.10 of the LEP, in the previous section of this report.

Part 3.3 - Energy and Environmental Sustainability

The proposal has been designed with glazing proportions, window locations and passive shading devices to manage heating, thermal massing and unwanted energy gain. The proposal provides sun protection during summer with shading devices, louvres, finishes and appropriate balcony placement. The front elevation comprises glazing and balcony overhangs but faces south and therefore will not result in any glare or reflection problem along Wickham Street. A standard condition has also been imposed to ensure that the reflectivity index of glazing and finishing materials used on the facades and roof of the building shall not exceed 20%. The proposal complies with the minimum floor to ceiling heights which are shown in the table under the Apartment Design Guide (SEPP (Housing) 2021).

A BASIX Certificate has been submitted with the application being certificate number **1744824M_04.** Commitments made within BASIX certificates result in reductions in energy and water consumption on site post construction. A condition has been imposed on the consent to ensure that the stipulated requirements are adhered to. The proposal is satisfactory in this regard.

Accordingly, the proposal complies with the requirements of this clause and is acceptable in respect to energy and sustainability.

Part 3.5 – Transport, Parking and Access

Although the subject site has direct sole vehicular access to Wickham Street, the design and location of the vehicular access, parking facilities and pedestrian access on the site is acceptable having regard to the nature of the site and the proposed development.

The proposal provides fifty-four 54 on-site car parking spaces which can service the proposed residential flat building and complies with the required 48 car parking spaces (under the SEPP and the Guide) and is acceptable in this regard. The car parking spaces provided can comply with the relevant Australian Standard and a condition has been imposed in this regard.

The architectural plans submitted with the application indicate wall mounted charging stations for EVs within basement level 02. A condition has been imposed stipulating the provision of charging stations in respect of the development.

Vehicular access to the basement parking area is proposed to be provided via 3.3m wide ingress driveway and 4.1m wide egress driveway separated by a 0.6m wide intercom island. Access movements between the site and Wickham Street are proposed to be restricted to left in/ left out movements by virtue of the separated and splayed ingress and egress driveways and supplemented with 'No Right Turn' and 'Left Turn Only' signage facing westbound Wickham Street traffic and traffic exiting the site, respectively.

A Traffic and Parking Assessment report was submitted, prepared by Stanbury Traffic Planning and dated 1 December 2024. This report and the application was referred to Council's Development Engineer who had no objections to the proposal, subject to conditions which have been included in the recommended conditions.

The proposed waste collection arrangements meet Council's specifications and requirements. Council's Development Engineer has confirmed that the waste collection vehicles can access the site with adequate maneuvering and raises no objections to the proposal in this regard.

The proposal satisfies the transport, access and parking requirements of Council's DCP and is acceptable in this regard.

Part 3.6 – Social Amenity, Accessibility and Adaptable Design

The proposal has been designed so that the development is accessible from the public domain and internally. The development provides level access and ramping from the footpath to the lift core and to communal open space.

The proposal provides ten (10) adaptable units (20%) within the development with these located at levels 1 to 6. The development provides thirteen (13) accessible car spaces located within the three basement levels (1, 2 and 3) and these spaces are located in proximity to the lifts.

The applicant has provided a Compliance Assessment Report which demonstrates the proposals compliance with the Building Code of Australia (BCA) 2022 prepared by Peter Dix, a building surveyor and dated 15 April 2024 which has included a recommendation for the submission of an energy efficiency report to comply with Section J of the code. Finally, the building surveyor confirmed that the proposal is capable of complying with the Deemed to Satisfy and/or Performance Provisions of the Building Code of Australia and associated Australian Standards.

The proposal is satisfactory and complies with the objectives of this Part of the DCP.

Part 3.7 – Landscaping, Private Open Space, Biodiversity

The proposed use generates a required landscaped area of 15% of the site area or 254.55m2. The proposal will provide a total landscaped area of 622m2 on the ground floor resulting in a total of 36.7% of the site and complies with this requirement. The proposal requires a minimum communal open space area and deep soil area of 424.25m2 (25%) and 118.79m2 (7%) respectively. The proposal includes a communal open space area of 445.1m2 (26.2%) and total deep soil area of 474m2 (28%) or total with 6m minimum dimension of 255.4m2 (15%) on the site.

The proposal complies with the minimum requirement that at least 20% of the front setback is landscaped area with 54% provided). While Council's DCP stipulates a maximum of 20% of total landscaped area being in the side setbacks the proposal provides 43% of the total within the side setbacks. While this exceeds the maximum, the density of planting provided within all

setbacks on the site is acceptable and is consistent with the objectives of this clause in providing sufficient screening to softening the proposed development. The proposal complies with the control that at least 75% of the landscaped area comprise planting areas, as opposed to paving/gravel.

While the proposal will remove the existing trees from the site it will provide ample compensatory tree and ground plantings. This has been addressed previously in this report. For more information, please refer to the section titled SEPP (Biodiversity and Conservation) 2021.

The applicant submitted an arboricultural impact assessment report prepared by Tree Management Strategies Pty Ltd and dated 4 August 2023. The application was referred to Council's Tree Management Officer for review and the arborist report was found to be satisfactory and subject to the provision of compensatory planting which has been addressed through the imposition of a condition of development consent. Condition imposed by Council's Tree Management Officer have been included in the recommended conditions of consent.

The proposal is satisfactory in regard to the objectives and provisions of Parts 3.7 and 3.8 of the DCP, subject to recommended conditions.

Part 3.8 - Tree/Vegetation Management

This has been addressed previously in this report. For more information, please refer to the section titled SEPP (Biodiversity and Conservation) 2021.

Part 3.9 – Stormwater Management and WSUD

An assessment against stormwater management has been discussed in response to Section 6.3 of the LEP, in the previous section of this report.

Part 3.10 – Flood Prone Land

An assessment against flood management has been discussed in response to Sections 5.21 and 5.22 of the LEP, in the previous section of this report.

Part 3.11 – Contamination

An assessment of contamination has been discussed in response to *SEPP (Resilience and Hazards) 2021* in a previous section of this report.

Part 3.12 – Waste Minimisation and Management

An Operational Waste Management Plan prepared by Elephants Foot Company and dated 15/04/2024 was submitted with the application listing methods for minimising and managing construction and ongoing waste on site.

A garbage chute system is incorporated into the building design for the reception of waste material only. Waste and Recycling Compartments are located on all residential floors of the building for residents to place their waste (into the chute) and their recyclables (into a 240-litre recycling bin next to the chute).

Plans indicate the provision of a waste room which includes green and bulk waste at basement level 1 beyond the lobby. There is also a bin loading area adjacent to the driveway ramp for SRV loading / unloading bay and can be used for collection.

The proposed waste arrangements and report were referred to Council's Waste Management Officer who had no objections to the proposal subject to the imposition of conditions of development consent. Appropriate conditions previously imposed will be retained and included in the recommended conditions.

3.13 – Development in areas subject to Aircraft Noise and Sydney Airport Operations

The proposal does not intrude into the Sydney Airport OLS and PANS-OPS. The proposal referred to Sydney Airport Corporation, who advised that the proposal is acceptable subject to the imposition of a condition of development consent. This has been addressed previously in this report. For more information, please refer to the section titled 6.7 and 6.8 under the Bayside LEP 2021.

The proposed use is sensitive to aircraft noise and is within the ANEF 20+ noise contour. This has been discussed in response to Section 6.8 of the LEP previously.

3.14 - Noise, Wind, Vibration and Air Quality

Noise considerations related to road and rail noise have been addressed previously in response to *SEPP (Transport and Infrastructure) 2021*.

The acoustic considerations to and from the proposed residential flat building are acceptable in the context of the objectives and provisions of the DCP. Further, conditions of consent have been imposed in this regard.

The application was accompanied by an Environmental Wind Impact Assessment prepared by SLR Consulting Aust Pty Ltd, Revision 3, and dated December 2024. Section 6 of the report stipulated that the development includes dense foliage in all landscaping provided, specific location of seating and communal open space areas, windbreak mitigation features such as colonnades, planters and tall trees to alleviate direct high-speed winds. The front awning be retained over the pedestrian entry point and the trees along the rear boundary are at least 3m tall and evergreen in species. The report concluded that with the incorporation of the windbreak mitigation measures, the proposal is expected to achieve the target "*Lawson Comfort Criteria and Melbourne Safety Criterion established for the project.*"

The proposal has been conditioned to ensure that the above recommendations are implemented on the site. Based on the above, the proposal complies with the requirements of this clause.

Part 3.18 - Utilities and Mechanical Plant

Appropriate site facilities are provided. Utilities are located in an appropriate location such as the solar panels (photovoltaic) on the roof top. The proposal includes the provision of a substation within the south eastern corner of the site (frontage) along Wickham Street.

PART 5 – RESIDENTIAL AND MIXED-USE DEVELOPMENTS

5.1.1 - Fences and Retaining Walls – General Controls

The proposal involves new metal palisade fencing, up to 1.8m in height, above the proposed masonry and retaining walls within the frontage to Wickham Street. The fencing along the side and rear boundaries shall be retained as existing, or repaired and reinstated as required.

The proposal complies with the following controls in the DCP:

- Maximum 1.8m height on front (more than 50% transparent), side and rear boundaries; and
- 1m high retaining walls along a street.

The proposal is acceptable given the fall of the land, safety for pedestrians and delineation of public and private land along Wickham Street. The objective of the fencing controls is:

> *To ensure fence design, pattern, style, materials, and construction are compatible with the envisaged streetscape and local character*

The proposal is consistent with this objective because it is consistent with the established style and type of fencing in the precinct, will clearly define the boundaries of the site, secure the proposed development and be compatible with the future streetscape and local character.

5.1.1.1 - Fence design and materials

The proposed fencing is acceptable in respect to the flooding requirements applying to the land.

5.1.4 - Quality of Design and Housing Choice and Diversity

Design Excellence considerations have been addressed previously in response to the LEP provisions. An adequate site analysis plan was provided with the application.

As the proposal contains more than 20 units, the DCP contains provisions related to unit mix, as below:

Bayside DCP 2022	*Current Proposal*
a. Studio: 5 - 10%;	*0 x Studio – 0%*
b. 1 bedroom: 10 – 30%	*8 x 1-bedroom – 15.7%*
c. 2 bedroom: 40 – 75%; and	*34 x 2-bedroom – 66.7%*
d. 3+ bedroom: 10 - 100%	*9 x 3 bedroom – 17.6%*

The proposed housing mix is generally compliant with the above requirements apart from no studio units being provided. This housing mix is not unreasonable and will still provide a variation in housing density that will meet the demand of the residents in the locality. The proposal includes a suitable quality of design with the configuration and design of the proposed dwellings. In this regard, the proposal is generally consistent with the above housing mix and satisfies the requirements of this clause in Council's DCP 2022.

5.2.4.2 - Built Form Controls

Some of the provisions of this Part of the DCP are similar to *SEPP (Housing) 2021 (Design Quality of Residential Apartment Development)* and the associated *Apartment Design Guide*, which have been addressed previously.

5.2.4.3 – Setbacks

The Design Quality of Residential Apartment Development and the associated *Apartment Design Guide* override this section of the DCP, and these have been addressed previously in this report.

5.2.4.4 - Landscaping and Private Open Space

The provisions of *SEPP (Housing) 2021 (Design Quality of Residential Apartment Development)* and the associated *Apartment Design Guide* have been addressed previously. The landscaping controls in Part 3.7 of the DCP have been addressed previously.

The proposed landscape area on the ground floor around the building is satisfactory when considered against the objectives and provisions of this part of the DCP, noting that ample communal open space area has been provided and comprises a design which is usable and will

benefit the future occupants of the development. Significant improvements have been made to the original scheme in this regard.

The proposal incorporates a landscaped ground floor with ample communal open space with an appropriate and suitable design for future occupants of the site. This complies with the objectives of Council's DCP 2022 in respect to the provision of communal open space including the following:

> *To ensure new dwellings have functional and high-quality landscaping and open space.*

Accordingly, the proposal complies with the requirements of this clause of Council's DCP 2022.

5.2.4.5 - Solar Access and Overshadowing

SEPP (Housing) 2021 (Design Quality of Residential Apartment Development) and the associated *Apartment Design Guide* override this section of the DCP, and these and have been addressed previously.

In terms of overshadowing to adjoining properties, the applicant has provided existing and proposed shadow diagrams between 9am to 3pm for mid-winter (June 21) and spring-equinox (September/March 21). Additionally, sun eye views or solar aspect elevation shadow diagrams have been provided for mid-winter and spring-equinox at hourly intervals showing solar access to the proposed dwellings.

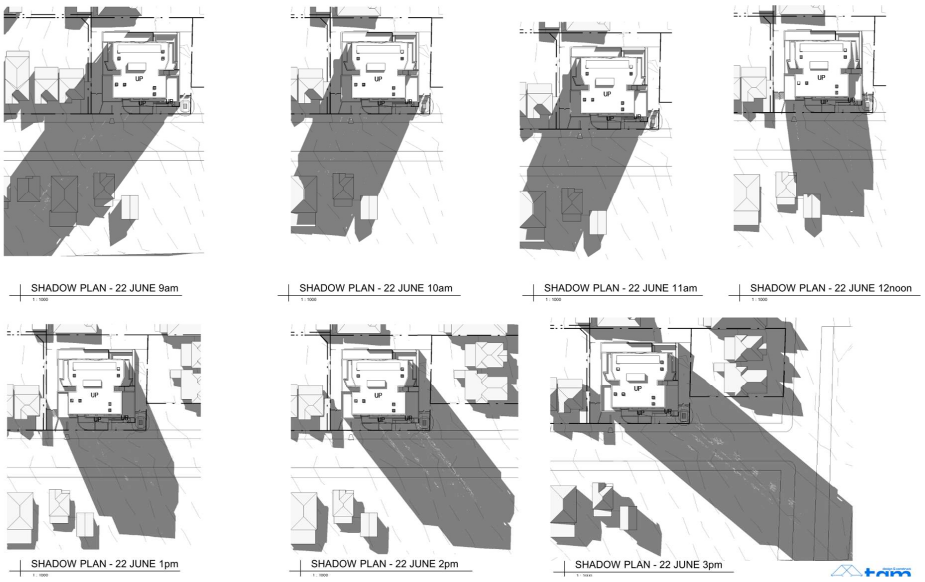


Figure 9: Shadow diagram showing the shadows cast by the development in mid-winter.

As demonstrated within the shadow diagrams, at mid-winter, the proposal will increase overshadowing of Wickham Street and will swing from the south-west to south-east over the street and allow more than 2 hours of direct sunlight to the front of the properties to the south on the opposite side of Wickham Street. The line of shadows cast will extend out over the front yard and roof tops of the dwellings opposite to the south. However, the proposal will retain more than 2 hours of direct sunlight to these properties and more than 50% of their private open space throughout the day in mid-winter. In this regard, the proposal will comply with the minimum solar access requirements in Council's DCP 2022.

In addition to the above, the DCP contains the following objectives regarding solar access:

To ensure that sunlight access:
- *is provided to private open space and habitable rooms within the development; and*
- *is not unreasonably diminished for neighbouring properties and the development site.*

The proposal is consistent with these objectives because the additional shadows will fall to the south over the roof tops of the dwellings opposite and the adjoining street network and retain adequate direct solar access to the private open space areas and living rooms of the dwellings on the adjoining and adjacent properties.

Given the above assessment regarding the solar access and overshadowing objectives and controls, it is reasonable to conclude the proposal is acceptable in this instance.

5.2.4.6 - Parking and Access

This has been addressed previously in accordance with Part 3.5 of the DCP and in response to relevant provisions of *SEPP (Housing) 2021 (Design Quality of Residential Apartment Development)* and the associated *Apartment Design Guide*.

5.2.4.7 - Visual and Acoustic Privacy

An assessment of potential privacy impacts upon neighbours has been undertaken having regard to the controls and objectives of this Part of the DCP.

The proposal incorporates an elevated ground floor due to the flood levels and fall of the land with front and rear balconies on the seven floors above which are located off living areas and bedrooms. The applicant has provided privacy blade walls / screening along the side elevations at a height of 1.8 metres, high level window sills and ample setbacks to prevent any direct overlooking into any neighbouring windows and to reduce direct sightlines to neighbouring rear yards. The rear setback maintains a well landscaped 10m from the boundary to the edge of the balconies.

The proposed development has been designed and sited to reasonably minimise overlooking to and from adjoining properties, incorporating:

- Compliant building setbacks on the front, sides and rear elevations;
- Privacy screening in various forms and materials at the balcony and terrace edges and opposing windows, balconies and courtyards to the north and eastern elevations;
- High light window sills at 1.8m and some opaque glazing where required;
- 1.8m high boundary fencing; and
- Windows that are offset from windows at adjacent dwellings.

The objectives of this Part of the DCP are:
- *To site and design development to ensure a reasonable level of acoustic and visual privacy for residents within a development and between a development and adjoining sites.*
- *To ensure attics do not result in excessive bulk or adverse impacts to the visual privacy of adjoining sites.*

The proposal is consistent with this objective because the design includes privacy measures that will minimise overlooking and impacts on the adjoining properties in relation to privacy.

5.2.4.8 – Materials and Finishes

These aspects have been considered in relation to *SEPP (Housing) 2021 (Design Quality of Residential Apartment Development)* and the associated *Apartment Design Guide* addressed previously in this report.

5.2.4.9 - Entries

Building entries are easily identifiable, accessible, and positively contribute to the existing streetscape within Wickham Street. The proposal satisfies the objective of this Part of the DCP and is acceptable when considered against the applicable controls and provisions.

Details regarding street numbering and letterboxes have been addressed through the imposition of the recommended conditions of development consent.

S4.15(1)(a)(iii) - Provisions of any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4

There is no planning agreement applicable to the proposal.

S4.15(1)(a)(iv) - Provisions of the Regulation

In terms of provisions of the Regulation:

- The DA submission has included sufficient information to enable environmental assessment of the application (Clause 24);
- Concurrences and other approvals are addressed in the "Proposal" section of this Statement or in response to relevant SEPPs;
- No approval under the Local Government Act 1993 is sought as part of this DA (Clause 31(3)); and
- Demolition works are able to meet the provisions of Australian Standard ("AS") 2601 and this is addressed by conditions of consent (Section 61(1)).

All relevant provisions of the Regulations have been taken into account in the assessment of this proposal.

S4.15(1)(b) - Likely Impacts of Development

This Section of the Act requires consideration of natural and built environmental impacts, and social and economic impacts. The potential and likely impacts related to the proposal have been considered in response to SEPPs, LEP and DCP controls. The impacts that have not already been addressed or warrant some elaboration are as follows:

Natural Environmental Impacts

<u>Trees</u>

The proposal will involve the removal of trees from the site. This has been addressed previously in this report. For more information, please refer to SEPP (Biodiversity and Conservation) 2021.

<u>Stormwater Quality and Quantity</u>

This has been addressed previously in this report. For more information, please refer to 6.3 Stormwater and WSUD under the Bayside LEP 2021.

Acid Sulphate Soils

This has been addressed previously in this report. For more information, please refer to 6.1 Acid Sulphate Soils under the Bayside LEP 2021.

Excavation and Earthworks

This has been addressed previously in this report. For more information, please refer to 6.2 Excavation and Earthworks under the Bayside LEP 2021.

Built Environmental Impacts

Streetscape

This has been addressed previously in this report. For more information, please refer to the section titled SEPP (Housing) 2021.

Views

This has been addressed previously in this report. For more information, please refer to the section titled 3.1.5 Views in the Bayside DCP 2022.

Overshadowing

This has been addressed previously in this report. For more information, please refer to the section titled 5.2.4.5 Solar Access and Overshadowing in the Bayside DCP 2022.

Privacy (Aural and Visual)

This has been addressed previously in this report. For more information, please refer to the section titled 5.2.4.7 - Visual and Acoustic Privacy in the Bayside DCP 2022.

Visual Impacts

The proposal is not likely to result in any visual impacts given the design and external appearance of the proposed residential flat building. The proposed development is consistent with the future desired character of the area. For more information, please refer to the section titled SEPP (Housing) 2021.

Traffic and Parking

This has been addressed previously in this report. For more information, please refer to Part 3.5 Transport, Parking and Access under Bayside DCP 2022.

Construction Impacts

Construction of the residential flat development involves excavation works, piling, and construction of the building. The impacts will be minimised through the use of standard conditions relating to hours of construction, noise and vibration, dust suppression, traffic management, shoring of adjoining properties, and the like. A draft condition is also proposed requiring submission of a Construction Management Plan (CMP) that will address all relevant conditions and include measures to be implemented to minimise impacts to nearby residents / tenants and the public during construction.

Social Impacts

The proposal will enhance the public domain and include suitable landscaped front setbacks, an appropriate building context in Wickham Street and an efficient and usable design of open space on the site. The residential flat building will set a high standard for Wickham Street and improve the use of space on the site in accordance with the zoning of the land. The residential

units have access to good public transport that will assist in reducing car use, and the proposal includes motorcycle and bicycle parking. The proposal also includes a significant area of communal open space that will benefit from good solar access throughout the year. The proposal is not considered to result in any significant adverse social impacts.

Economic Impacts

In terms of economic impacts, the proposal will cause no anticipated negative economic impacts and will result in positive economic impacts from adding value to the site to the materials and labour needed for operation and construction of the proposal.

S4.15(1)(c) - Suitability of the Site

The relevant matters pertaining to the suitability of the site for the proposed development have been considered in the assessment of the proposal, throughout this report. There are no known major physical constraints, environmental impacts, natural hazards or exceptional circumstances that would hinder the suitability of the site for the proposed development. Appropriate conditions of consent are proposed to further manage and mitigate impacts on neighbouring properties and the environment. Subject to the recommended conditions, the proposal is suitable for the site.

S4.15(1)(d) - Public Submissions

Public Submissions

Adjoining owners were notified of the development in accordance with Bayside Council's DCP 2022, between 21 June 2024 and 22 July 2024. During the notification period nine (9) submissions have been received by Council.

The amended plans were not required to be renotified because the changes made to the scheme reduced potential amenity impacts and did not reduce the building setbacks.

The issues raised in the submissions are discussed below:

Issue 1: The proposed building height should be limited to 7 storeys only.
Comment: The SEPP (Housing) 2021 was introduced to increase the provision of affordable housing in the area and applies to all of NSW. The SEPP permits bonuses in respect to height and floor space. The proposal seeks to increase the provision of affordable housing in the area and benefit from the bonuses. In this regard, the increase in height is permissible with consent.

Issue 2: Traffic management: Keep the "No right turn" sign but remove the "6am-10am" from the right turn out of Belleview Street. Put a "No through road" sign to Charles Street. Put a "left turn only" sign on the left side of Bellevue Street.
Comment: The time restriction on the no right turn out of Belleview Street prevents motorists turning right during the morning peak period. This is a safety issue. The request to remove it will result in motorists not being able to turn right at any time, even off peak and when the road is not busy. This would be a reduction in permeability and require motorists to only turn left and drive up to the highway, which is unnecessary and will result in a significant deviation. The request for a no through road sign to Charles Street would be false as Charles Street is not a dead end and allows motorists access to Duncan and Kyle Streets and is used regularly. Accordingly, the current traffic signs manage the traffic flow around the site without causing significant difficulties for motorists whilst retaining road safety and should be retained.

Issue 3: Traffic impacts given congestion and the traffic backs up quickly from West Botany Street during the peak periods; On street parking in Charles and Kyle Streets is usually not

available. Insufficient traffic control measures for the anticipated volume of traffic.
Comment: A traffic impact assessment report was submitted with the application which was referred to Council's Development Engineer. In this regard, no objections were raised to the scheme by Council's Development Engineer subject to the imposition of conditions of consent relating to traffic management and parking. The proposal contains ample on site car parking which complies with the controls for this form of development. A condition shall be imposed requiring access movements between the site and Wickham Street to be restricted to left in and left out by virtue of the separate driveways with posted signage on each to this effect. In this regard, the proposal as conditioned, will contain suitable traffic control measures which will work in tandem with the existing traffic control signage along Wickham Street. Finally, there will be traffic control measures throughout the construction process and while there will be inconveniences experienced, these will be temporary.

Issue 4: The basements are four levels deep and will affect my property; the M6 is underneath the proposal and will be affected and similarly affect our properties; the dust will affect my daughter who has a respiratory illness; The drilling will affect shift workers sleep during the day. Vibration and dust impacts on adjoining residences.
Comment: The proposed basement construction will utilise the latest building techniques which include piling and shoring with anchors along the boundaries of the site. The M6 is approximately 82m deep underneath the site. The application was referred to Transport NSW who raised no objections to the proposal subject to the imposition of conditions. The degree of vertical separation above the M6 is not likely to have any significant impact on the tunnel. Conditions have been imposed to manage the construction process and reduce construction impacts upon the amenity of the surrounding properties. Construction methods used include modern techniques to minimise impacts and are regulated by the builder and foreman on the site. Vibration and acoustic impacts from drilling on the site will be temporary and dust and vibration impacts can be reported to the private certifier at any time during construction.

Issue 5: Overshadowing and privacy impacts; Loss of afternoon daylight access; Reduction in the livability and enjoyment of my family home. This results in the loss of value of my family's home. Overshadowing impacts will result on the low density housing on the southern side of Wickham Street.
Comment: This has been addressed previously in this report. For more information, please refer to the Apartment Design Guide and section 5.2.4.5 Solar Access and Overshadowing in the Bayside DCP 2022.

Issue 6: Inadequate infrastructure and services to cater for the increase in density, (e.g., roads, schools, health care and utilities).
Comment: The site has access to infrastructure and services that will facilitate the redevelopment of the land. These include power, water and sewer. The surrounding area contains schools, health care services and more land uses that can support the increase in residential accommodation on the site. The development will assist in the levy of contributions that will assist in the increased provision of service and facilities in the locality.

Issue 7: Of the 8 one-bedroom units, only one has solar access and none has cross ventilation. These units will be hot and stuffy with no relief from the summer sun. The SEE states a maximum of 15% of units receive no direct sunlight which is over the limit.
Comment: The development includes a one-bedroom unit that faces south along the Wickham Street frontage on six floors. Under the Apartment Design Guide, the proposal is limited to a maximum of 15% of apartments with no direct sunlight between the hours of 9am to 3pm at mid-winter. The proposal will include six (6) units with no solar access, which represents 11.76% of the development. As such, the proposal complies with this requirement in respect to solar access.

Issue 8: Vehicles must slow to a crawl to enter and exit the site which holds up traffic along Wickham Street. Vehicles entering and exiting the site endanger pedestrians. Vehicles exiting the loading bay will interfere and restrict movement of other vehicles using the driveway. It is unreasonable to say that traffic lights at either end of Wickham Street provide for frequent gaps in traffic flow and that drivers would be aware of vehicles entering and exiting properties between Princes Hwy and West Botany Street. The development will result in accidents.
Comment: Vehicles must slow to enter or exit the site, and this is no different from any other property in Wickham Street. Motorists have adequate site distances to ensure pedestrian safety along Wickham Street from all directions. Temporary inconveniences will occur when the loading and bin area will be accessed by trucks along the driveway and this is no different to any other residential development in the precinct. The traffic lights at each end of Wickham Street do regulate traffic flow and when out of sequence, provide a gap in the flow of vehicles. It is acknowledged that there will be a small increase in traffic flow from vehicles entering and exiting the site. However, Wickham Street has the capacity to accommodate this increase and suitable driveway widths will allow vehicular access to and from the site.

Issue 9: Loss of property values
Comment: No information has been submitted to Council to substantiate this claim. Further, the proposal will add value to the subject site and increase the value of the land. Property values are not a valid matter for consideration under the Environmental Planning and Assessment Act 1979 (as amended).

Issue 10: Loss of views out over the site
Comment: The subject site and adjoining lands may benefit from but do not have a right to unencumbered views out to the east over Botany Bay. The subject site and adjoining lands benefit from a high density residential zone and have an expectation of being developed for in accordance with this zone with a high density residential development. In this regard, the precinct will be developed with buildings of the anticipated building height, i.e., at least 26.5m. Furthermore, any redevelopment of the site will result in a similar impact on existing views when the site is surrounded by single storey dwellings.

Referral Comments

A summary of comments from other agencies or from other Departments within Council is below:

Other agencies

The application was referred to Water NSW, Transport for NSW and the Sydney Airport Corporation Ltd.

Council Departments/Experts

Design Review Panel

The application was referred to the DRP. This is documented in more detail previously in this report. For more information, please refer to the section titled SEPP (Housing) 2021.

Traffic/Assets/Public Domain

No objection subject to the recommended conditions, which have been included as conditions of consent.

Development Engineer

No objection subject to the recommended conditions, which have been included as conditions of consent.

Flooding

No objection has been raised to the scheme, subject to the recommended conditions, which have been included as conditions of consent.

Tree Management Officer

No objection subject to the recommended conditions, which have been included as conditions of consent.

Landscape Architect

No objection subject to the recommended conditions, which have been included as conditions of consent.

Address and Road Naming

Recommended conditions, which have been included as conditions of consent.

S4.15(1)(e) - Public interest

The proposal has been assessed against the relevant planning instruments and controls applying to the site, also having regard to the applicable objectives of the controls. As demonstrated in this assessment of the development application, the proposal is suitable for the site and has acceptable environmental impacts, subject to recommended conditions. Impacts on adjoining properties have been considered and addressed. As such, granting approval to the proposed development will be in the public interest, subject to the recommended conditions which help manage and mitigate environmental or potential environmental impacts.

S7.11 - Development Contributions

The application was referred to Council's Development Contributions Planner who indicated the following:

The DA seeks the demolition of the existing dwellings, outbuildings and tree removal, and construction of a ten (10) storey residential flat building, comprising 51 apartments. The S7.11 is levied for 51 apartment units comprising eight (8) one-bedroom units, 34 two-bedroom units, and 9 three-bedroom units. Three (3) credits are given for the three (3) existing dwelling houses on the site. The existing granny flat on the site does not absorb any credit as there has been no levy on it at the time of construction.

Condition:
*A Section 7.11 contribution of **$960,000.00** shall be paid to Council. The contribution is calculated according to the provisions contained within Council's adopted Arncliffe and Banksia Local Infrastructure Contribution Plan 2020. The amount to be paid is to be adjusted at the time of payment, in accordance with the review process contained in the Contributions Plan. The contribution is to be paid prior to the issue of any compliance certificate; subdivision certificate or construction certificate. The contributions will be used towards the provision or improvement of the amenities and services identified below.*

Transport	*$ 296,172.26*	*AB1*
Stormwater Management	*$ 42,844.78*	*AB2*
Open Space	*$ 185,510.23*	*AB3*
Community Facilities	*$ 424,101.40*	*AB4*
Administration	*$ 11,371.33*	*AB5*
Total in 2025/26	***$ 960,000.00***	

A person may not apply for a construction certificate or occupation certificate (as the case may require, having regard to the Determination) in relation to a development the subject of this development consent unless the person provides, with the application, written evidence from the Department of Planning, Industry and Environment that the special infrastructure contribution for the development (or that part of the development for which the certificate is sought) has been made or that arrangements are in force with respect to the making of the contribution.

Housing and Productivity Contribution (HPC)

The current application was lodged on 6 June 2024 and therefore the Housing and Productivity Contributions (HPC) applies to the site. As such, forty two (42) of the proposed apartments (being the total of 51 apartments deducting the nine (9) affordable apartments) will attract a levy of $420,543.67 which has been imposed in a condition of development consent. Accordingly, the proposal as conditioned, is acceptable in respect to the HPC and complies with the requirements of the *Environmental Planning and Assessment (Housing and Productivity Contribution) Order 2023*.

Conclusion and Reasons for Decision

The proposed development at 30-34 Wickham Street, Arncliffe NSW 2205 has been assessed in accordance with Section 4.15 of the *Environmental Planning and Assessment Act 1979* including relevant environmental planning instruments and Bayside Development Control Plan 2022.

The proposed development, being for the demolition of the existing dwellings, outbuildings and tree removal, and construction of a ten (10) storey residential flat building, comprising 51 apartments, and four (4) levels of basement car parking, is a permissible land use within the zone with development consent. In response to the public notification, nine (9) submissions were received. The matters raised in these submissions include building height, traffic congestion, parking, noise, overshadowing, loss of views and property values. These matters have been discussed and addressed in this report and in this instance do not warrant refusal of the proposal.

The proposal is supported for the following main reasons:

- The proposal is acceptable when considered against all relevant State Environmental Planning Policies, including State Environmental Planning Policy (Housing) 2021.
- The development, subject to conditions, is consistent with the objectives of the R4 High Density Residential zone and the relevant objectives of Bayside Local Environmental Plan 2021.
- The development, subject to conditions, is consistent with the objectives of Bayside Development Control Plan 2022.
- The proposed residential flat building is suited to the site and surrounding area.
- The proposal is an appropriate response to the streetscape and topography and will not result in any significant impact on the environment or the amenity of nearby residents.
- The scale and design of the proposal is suitable for the location and is compatible with the desired future character of the locality.
- The issues raised by objectors have been considered and where appropriate, addressed via amendments to plans or conditions or consent.
- Recommended conditions of consent appropriately mitigate and manage potential environmental impacts of the proposal.

Schedule 1 – Draft Conditions of Consent

Refer to draft conditions attached separately.

Bayside Council
Serving Our Community

NOTICE OF DETERMINATION OF A DEVELOPMENT APPLICATION

Application number	DA-2024/119 PAN-429881
Applicant	Robert Gizzi 81a Princes Highway FAIRY MEADOW NSW 2519
Description of development	Demolition of the existing dwellings and outbuildings, tree removal and construction of ten (10) storey residential flat building, comprising a total of 53 apartments over four (4) levels of basement car parking, nine (9) of the apartments are proposed to be affordable housing
Property	30 WICKHAM STREET ARNCLIFFE 2205 24/-/DP666352
	32 WICKHAM STREET ARNCLIFFE 2205 1/-/DP910542 34 WICKHAM STREET ARNCLIFFE 2205 1/-/DP911971
Determination	Approved Consent Authority - Local Planning Panel
Date of determination	12/08/25
Date from which the consent operates	12/08/25

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Date on which the consent lapses	12/08/30
Approval bodies that have given general terms of approval	Water NSW

Under section 4.18(1) of the EP&A Act, notice is given that the above development application has been determined by the granting of consent using the power in section 4.16(1)(a) of the EP&A Act, subject to the conditions specified in this notice.

Reasons for approval

- The proposal is acceptable when considered against all relevant State Environmental Planning Policies, including State Environmental Planning Policy (Housing) 2021.
- The development, subject to conditions, is consistent with the objectives of the R4 High Density Residential zone and the relevant objectives of Bayside Local Environmental Plan 2021.
- The development, subject to conditions, is consistent with the objectives of Bayside Development Control Plan 2022.
- The proposed residential flat building is suited to the site and surrounding area.
- The proposal is an appropriate response to the streetscape and topography and will not result in any significant impact on the environment or the amenity of nearby residents.
- The scale and design of the proposal is suitable for the location and is compatible with the desired future character of the locality.
- The issues raised by objectors have been considered and where appropriate, addressed via amendments to plans or conditions or consent.
- Recommended conditions of consent appropriately mitigate and manage potential environmental impacts of the proposal.

Right of appeal / review of determination

If you are dissatisfied with this determination:

Request a review

You may request a review of the consent authority's decision under section 8.3(1) of the EP&A Act. The application must be made to the consent authority within 6 months from the date that you received the original determination notice provided that an appeal under section 8.7 of the EP&A Act has not been disposed of by the Court.

Rights to appeal

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You have a right under section 8.7 of the EP&A Act to appeal to the Court within 6 months after the date on which the determination appealed against is notified or registered on the NSW planning portal.

The Dictionary at the end of this consent defines words and expressions for the purposes of this determination.

Christoper Mackey
Coordinator Development Assessment
Person on behalf of the consent authority

For further information, please contact Michael Maloof / Senior Development Assessment Planner

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Terms and Reasons for Conditions

Under section 88(1)(c) of the EP&A Regulation, the consent authority must provide the terms of all conditions and reasons for imposing the conditions other than the conditions prescribed under section 4.17(11) of the EP&A Act. The terms of the conditions and reasons are set out below.

General Conditions

1	**Compliance with Building Code of Australia and insurance requirements under Home Building Act 1989**
	1. It is a condition of a development consent for development that involves building work that the work must be carried out in accordance with the requirements of the *Building Code of Australia*. 2. It is a condition of a development consent for development that involves residential building work for which a contract of insurance is required under the *Home Building Act 1989*, Part 6 that a contract of insurance is in force before building work authorised to be carried out by the consent commences. 3. It is a condition of a development consent for a temporary structure used as an entertainment venue that the temporary structure must comply with Part B1 and NSW Part H102 in Volume 1 of the *Building Code of Australia*. 4. In subsection (1), a reference to the *Building Code of Australia* is a reference to the Building Code of Australia as in force on the day on which the application for the construction certificate was made. 5. In subsection (3), a reference to the *Building Code of Australia* is a reference to the Building Code of Australia as in force on the day on which the application for development consent was made. 6. This section does not apply— a. to the extent to which an exemption from a provision of the *Building Code of Australia* or a fire safety standard is in force under the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*, or b. to the erection of a temporary building, other than a temporary structure to which subsection (3) applies.
	Condition reason: Prescribed condition under section 69 of the Environmental Planning and Assessment Regulation 2021.
2	**Erection of signs**
	1. This section applies to a development consent for development involving building work, subdivision work or demolition work. 2. It is a condition of the development consent that a sign must be erected in a prominent position on a site on which building work, subdivision work or demolition work is being carried out—

	a. showing the name, address and telephone number of the principal certifier for the work, and b. showing the name of the principal contractor, if any, for the building work and a telephone number on which the principal contractor may be contacted outside working hours, and c. stating that unauthorised entry to the work site is prohibited. 3. The sign must be— a. maintained while the building work, subdivision work or demolition work is being carried out, and b. removed when the work has been completed. 4. This section does not apply in relation to— a. building work, subdivision work or demolition work carried out inside an existing building, if the work does not affect the external walls of the building, or b. Crown building work certified to comply with the *Building Code of Australia* under the Act, Part 6.
	Condition reason: Prescribed condition under section 70 of the Environmental Planning and Assessment Regulation 2021.
3	**Shoring and adequacy of adjoining property**
	1. This section applies to a development consent for development that involves excavation that extends below the level of the base of the footings of a building, structure or work on adjoining land, including a structure or work in a road or rail corridor. 2. It is a condition of the development consent that the person having the benefit of the development consent must, at the person's own expense— a. protect and support the building, structure or work on adjoining land from possible damage from the excavation, and b. if necessary, underpin the building, structure or work on adjoining land to prevent damage from the excavation. 3. This section does not apply if— a. the person having the benefit of the development consent owns the adjoining land, or b. the owner of the adjoining land gives written consent to the condition not applying.
	Condition reason: Prescribed condition under section 74 of the Environmental Planning and Assessment Regulation 2021.
4	**Approved plans and supporting documentation**
	Development must be carried out in accordance with the following approved plans and documents, except where the conditions of this consent expressly require otherwise.

Approved Architectural Plans (25/25170)				
Plan number	Revision number	Plan title	Drawn by	Date of plan

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Drawing No. 000,	F	Coversheet	Design Workshop Australia (DWA)	28/11/2024
Drawing No. 006,	F	Contextual Streetscape Analysis	DWA	28/11/2024
Drawing No. 020,	F	Site Plan – Roof Plan	DWA	28/11/2024
Drawing Nos. 021 to 024,	F	Basement 04 to Basement 01, Floor Plan	DWA	28/11/2024
Drawing No. 025,	F	Ground Floor Plan	DWA	28/11/2024
Drawing No. 026,	F	Level 01 Floor Plan	DWA	28/11/2024
Drawing No. 027,	F	Levels 02 - 06 Floor Plan	DWA	28/11/2024
Drawing Nos. 028 to 030,	F	Levels 07, 08 & 09 Floor Plan	DWA	28/11/2024
Drawing No. 040,	F	South Elevation (Wickham Street)	DWA	28/11/2024
Drawing No. 041,	F	East Elevation	DWA	28/11/2024
Drawing No. 042,	F	West Elevation	DWA	28/11/2024
Drawing No. 043,	F	North Elevation	DWA	28/11/2024
Drawing No. 050,	F	Section A-A	DWA	28/11/2024
Drawing No. 051,	F	Section B-B	DWA	28/11/2024
Drawing No. 052,	F	Section C-C	DWA	28/11/2024
Drawing No. 053,	F	Section D-D	DWA	28/11/2024
Drawing No. 054,	F	Section E-E	DWA	28/11/2024
Drawing No. 060,	F	3D View (Height Plane)	DWA	28/11/2024
Drawing No. 061,	F	3D Views	DWA	28/11/2024
Drawing No. 062,	F	3D Views – Ground Floor COS	DWA	28/11/2024
Approved Landscape Plans (25/108159)				
Plan number	Revision number	Plan Title	Drawn by	Date of plan
SS23-5159 - 000	K	Cover sheet	Site Image (NSW)	24/03/2025

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SS23-5159 – C100	L	Ground Floor	Site Image (NSW)	24/03/2025
SS23-5159 – 001	K	Existing Tree Management Plan	Site Image (NSW)	24/03/2025
SS23-5159 – 101	L	Landscape Ground Floor	Site Image (NSW)	24/03/2025
SS23-5159 – 201	K	Hardscape Ground Floor	Site Image (NSW)	24/03/2025
SS23-5159 – 301	F	Planting Ground Floor	Site Image (NSW)	24/03/2025
SS23-5159 – 501	H	Landscape Specification / Plant Schedule	Site Image (NSW)	24/03/2025
SS23-5159 – 501	G	Landscape Details	Site Image (NSW)	24/03/2025

Approved documents			
Document title	Version number	Prepared by	Date of document
BASIX Certificate	1744824M_02	Integreco Consulting Pty Ltd	23 April 2024
Arboricultural Impact Assessment Report	2	Tree Management Strategies	21 November 2024
Operational Waste Management Plan	C	Elephants Foot	15 April 2024
Statement of Environmental Effects	0	BMA Urban	May 2024
Noise Impact Assessment	0	Acoustic Logic	29 April 2024
Geotechnical report	0	JC Geotechnics	30 April 2024
Traffic Impact Assessment Report – (23-078-REP-5)	5	Stanbury Traffic Planning	1 December 2024
Wind Impact Report	V0.3	SLR Consulting Aust Pty Ltd dated	December 2024
Reflectivity Assessment Report	V0.1	SLR Consulting Australia	22 April 2024

In the event of any inconsistency between the approved plans and documents, the approved plans prevail.

In the event of any inconsistency with the approved plans and a condition of this consent, the condition prevails.

Condition reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.

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5	**Carrying out of Works Wholly within the Site**
	All approved works shall be carried out inside the confines of the site boundary and not in adjacent forecourts, yards, access ways, car parking areas, or on Council's footpath.
	Condition reason: To avoid encroachment of the development beyond the site boundaries.
6	**General Landscape Conditions**
	Landscaped areas and deep soil zones as depicted in the approved plans are not to be reduced in size and shall be provided with soft landscape treatment. Built in planter boxes approved above slab structures as indicated in approved plans are not to be replaced with plant pots. Irrigation. To ensure satisfactory growth and maintenance of the landscaping, a fully automatic drip irrigation system is required in all landscaped areas. The system shall be installed by a qualified landscape contractor and provide full coverage of planted areas with no more than 300mm between drippers, automatic controllers and backflow prevention devices, and should be connected to a recycled water source. Irrigation shall comply with both Sydney Water and Council requirements as well as Australian Standards and be always maintained in effective working order.
	Condition reason: To ensure landscaping is retained and maintained for the life of the development.
7	**Planterbox Landscape Specifications for Construction Certificate**
	Prior to issue of the relevant Construction Certificate, the following must be complied with to the satisfaction of the Principal Certifier Authority: 1. a. Planter boxes constructed over a concrete slab shall be built in accordance with the following requirements: i. Soil depths must be in accordance with Council's DCP and associated Technical Specifications. The base of the planter must be screeded to ensure drainage to a piped internal drainage outlet of minimum diameter 90mm, with no low points elsewhere in the planter. There are to be no external weep holes. ii. A concrete hob or haunch shall be constructed at the internal join between the sides and base of the planter to contain drainage to within the planter. iii. Planters are to be fully waterproofed and sealed internally with a proprietary sealing agent and applied by a qualified and experienced tradesman to eliminate water seepage and staining of the external face of the planter. All internal sealed finishes are to be sound and installed to manufacturer's directions prior to backfilling with soil. An inspection of the waterproofing and sealing of edges is required by the Certifier prior to backfilling with soil

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	iv. Drainage cell must be supplied to the base and sides of the planter to minimize damage to the waterproof seal during backfilling and facilitate drainage. Apply a proprietary brand filter fabric and backfill with an imported lightweight soil suitable for planter boxes compliant with AS 4419 and AS 3743. Install drip irrigation including to lawns. v. Planter boxes must be an external finish that is consistent with the character of the colour schemes and finishes of the building (e.g. with a suitable paint, render or tile to match the character of the approved building). vi. All planter boxes shall be provided with a fully automated drip irrigation system. vii. All planter boxes shall have the required depth to sustain the proposed planting, as detailed below: • Trees over 8 meters: Minimum soil depth 1.3 metre, • Medium trees (8 metre canopy diameter at maturity): Minimum soil depth one (1) metre, • Small trees (4 metre canopy diameter at maturity): Minimum soil depth 800mm. • Shrubs: Minimum soil depths 500-600mm. • Groundcover: Minimum soil depths 300-450mm.
	Condition reason: To ensure compliance with landscape requirements from relevant policies.
8	**Amendments require Modification Application**
	Further alterations and/or additions to the subject building, including the relocation of the fire booster valves and/or provision of an electricity substation, the fitting of any form of doors and/or walls, shall not be undertaken without first obtaining approval from Council under Section 4.55 of the *Environmental Planning and Assessment Act*.
	Condition reason: To avoid changes that may result in adverse impacts without proper assessment.
9	**Approved Materials and Finishes.**
	The finishes, materials and colour scheme and façade details, approved under condition 1 and any other relevant condition(s) of this consent must not be altered or amended at the construction certificate stage without a separate Section 4.55 approval.
	Condition reason: To ensure that the development is finished in accordance with the approved plans and documentation.
11	**Compliance with the Building Code of Australia (BCA)**
	Building work must be carried out in accordance with the requirements of the Building Code of Australia (BCA).
	Condition reason: Environmental Planning and Assessment Regulation Clause 98(1)(a).

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12	**Construction Certificate Required**
	A Construction Certificate must be obtained from Council or a Principal Certifier prior to any building work commencing. Building work is defined under the *Environmental Planning and Assessment Act Part 6*.
	Condition reason: To ensure that a Construction Certificate is obtained at the appropriate time.
13	**Design Architect Involvement.**
	(a) In order to ensure the design excellence of the development is retained: (i) Design Workshop Australia (design architect) is to have direct involvement in the design documentation, contract documentation and construction stages of the project, and (ii) The Design Architect is to have full access to the site and is to be authorised by the applicant to respond directly to the consent authority where information or clarification is required in the resolution of design issues throughout the life of the project, and (iii) Evidence of the Design Architect's commission is to be provided to the Council prior to release of the Construction Certificate. (b) The Design Architect of the project is not to be changed without prior notice and approval of the Council.
	Condition reason: To ensure design quality is achieved in accordance with the approved plans and documentation.
14	**Enclosure of Structures.**
	The balconies shall not be enclosed at any further time without prior development consent.
	Condition reason: To avoid changes that may result in adverse impacts without proper assessment.
15	**Parking Allocation.**
	Parking spaces and associated facilities shall be provided and allocated in accordance with the following table:

Use	Number of Spaces Allocated
Residential	
Market Residential units (42)	48 car parking spaces allocated as per the below:

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		• Studio/1bedroom unit – 4 car spaces with 1 car space per unit • 2 bedroom unit – 28 car spaces with 1 car space per unit • 3 bedroom unit – 10 car spaces with a minimum of 1 and maximum of 2 car spaces per unit
	Residential affordable units (9)	6 car parking spaces allocated as per the below: • 1 space per 1 bedroom unit • 1 space per 2 bedroom unit
	Residential visitor	9 spaces
	Car Wash Bay	1 space (shared with visitor)
	Others	
	Loading Bay	1 SRV
	Car Share	2 spaces
	Motorcycle parking	
	Residential	5 spaces
	Bicycle parking	
	Residential	59 spaces
	The above allocated must be adhered and complied with at all times and shall be reflected in any subsequent Strata subdivision of the development. All residential visitor spaces, car wash bays and loading bays shall be stated as common property on and Strata plan for the site. All residential accessible parking spaces shall be allocated to adaptable dwelling units.	
	Condition reason: To ensure that car parking is provided and allocated in accordance with the approved plans and documentation.	
16	**Requirements of Concurrence, Integrated and Other Authorities**	
	These conditions have been imposed by other NSW Government agencies either through their role as referral bodies, concurrence authorities or by issuing General Terms of Approval under the Integrated provisions of the Environmental Planning and Assessment Act 1979: **1. Transport for NSW (TfNSW)** 1. All buildings and structures together with any improvements integral to the future use of the site (apart from kerb and gutter replacement, stormwater/drainage works, pedestrian footpath awnings, and required public utility works) are to be wholly within the freehold property unlimited in height or depth along the Wickham Street boundary	

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	2. The construction of the vehicular crossing, kerb, stormwater drainage and associated works on Wickham Street shall be in accordance with TfNSW requirements. Detailed design plans are to be submitted to TfNSW for approval prior to the issue of a Construction Certificate and commencement of any road works. Please send all documentation to development.sydney@transport.nsw.gov.au. A plan checking fee and lodgement of a performance bond is required from the applicant prior to the release of the approved road design plans by TfNSW. 3. The central median island proposed within the footpath reserve shall be replaced with a grassed area and shall not be raised. Left out, only signage shall be installed within the site at the exit driveway. This is to be detailed on the Construction Certificate plans. 4. The developer is to submit design drawings and documents relating to the excavation of the site and support structures to TfNSW for assessment, in accordance with Technical Direction GTD2020/001. The developer is to submit all documentation prior to the issue of a Construction Certificate and at least six (6) weeks prior to commencement of construction and is to meet the full cost of the assessment by TfNSW. Please send all documentation to development.sydney@transport.nsw.gov.au. If it is necessary to excavate below the level of the base of the footings of the adjoining roadways, the person acting on the consent shall ensure that the owner/s of the roadway is/are given at least seven (7) day notice of the intention to excavate below the base of the footings. The notice is to include complete details of the work. 5. Prior to the Issue of the Construction Certificate, the developer is to submit the following documents to TfNSW to ensure that the proposed development will not adversely impact the M6 tunnel, its infrastructure, or associated assets: a) Detailed design drawings and Geotechnical Reports relating to foundations and excavation must be submitted before the issue of a Construction Certificate. The reports shall address the following key issues (not limited to): i) A Geotechnical Investigation Report to support the proposed foundation design, including pile depths and ground conditions, an assessment of the surcharge load and unloading due to basement excavation for the proposed development. It should be demonstrated that the load combination will not adversely impact the tunnel structures. ii) Detailed Structural Foundation Design Report, structural drawings showing foundation depth and construction methodology for the proposed foundation. iii) Design Report confirming that the development will have no adverse impact on the tunnel structure, Impact assessments detailing the magnitude of construction impacts, including noise and vibration. iv) Details of the required instrumentation, monitoring procedures, and duration necessary to verify the performance of the design works.

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v) Where any excavation in rock is undertaken that requires an excavator with a rock hammer, rock hammer vibrations must be limited to no more than 5mm/s at the affected tunnel structure. If rock hammering is required, the developer must submit a vibration monitoring plan to TfNSW for approval and which needs to include the size of rock hammer to be used, the location and size of excavation and mitigations measures to ensure the vibration limit is not exceeded.

The M6 Project Team may impose further conditions based on its assessment of the documentation provided above.

6. Any public utility adjustment/relocation works on the state road network will require detailed civil design plans for road opening /underboring to be submitted to TfNSW for review and acceptance prior to the issue of a Construction Certificate and commencement of any works. The developer must also obtain necessary approvals from the various public utility authorities and/or their agents. Please send all documentation to development.sydney@transport.nsw.gov.au. A plan checking fee will be payable and a performance bond may be required before TfNSW approval is issued.

7. The developer is required to enter into a Works Authorisation Deed (WAD), or other suitable arrangement as agreed to by TfNSW, for the abovementioned works detailed in Points 2 to 6 that are located on or have the potential to impact Wickham Street and the M6 tunnel.

8. Prior to issue of a Construction Certificate, the location of the electrical substation shall be relocated to ensure that the easement for the proposed substation does not encroach within the neighbouring TfNSW land which may affect future road widening proposals. The electrical substation shall be relocated to ensure any associated easements do not encroach or affect the adjacent TfNSW land.

9. For the life of the completed development the following shall be complied with:

a) Waste collection and servicing for the site from the Wickham Street frontage is not permitted.
b) The left out, only signage shall at the exit driveway shall be in place.

10. Prior to the issue of an Occupation Certificate, the works as required by TfNSW as part of the WAD (i.e. works required by Conditions 2 to 6) must be completed to the satisfaction of TfNSW. Written confirmation is to be obtained from TfNSW in relation to the above.

11. A Road Occupancy License (ROL) shall be obtained from the Transport Management Centre for any works that may impact on traffic flows on the Wickham Street during construction activities. A ROL can be obtained through https://myrta.com/oplinc2/pages/security/oplincLogin.jsf.

2. Sydney Airport

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	The following conditions are imposed by the Sydney Airport Corporation Limited (SACL) in their letter dated 6 February 2025 and must be complied with: The approved height of **46.950m AHD** is inclusive of all vents, chimneys, lift over-runs, chimneys, aerials, TV antennae and construction cranes etc. No permanent or temporary structure is to exceed this height without further approval from Sydney Airport Corporation Limited. Construction cranes may be required to operate at a height significantly higher than that of the proposed development and consequently, may not be approved under the Airports (Protection of Airspace) Regulations. Should you wish to exceed this height a new application must be submitted. Sydney Airport advises that approval to operate construction equipment (i.e., cranes) should be obtained prior to any commitment to construct. Note: Under Section 186 of the Airports Act 1996, it is an offence not to give information to the Airport Operator that is relevant to a proposed "controlled activity" and is punishable by a fine of up to 50 penalty units. For further information on Height Restrictions please contact SACL on 9667 9246. **3. Ausgrid** The applicant/developer should note the following comments below regarding any proposal within the proximity of existing electrical network assets. *Ausgrid Overhead Powerlines are in the vicinity of the development.* The developer should refer to SafeWork NSW Document – Work Near Overhead Powerlines: Code of Practice. This document outlines the minimum separation requirements between electrical mains (overhead wires) and structures within the development site throughout the construction process. It is a statutory requirement that these distances be maintained throughout the construction phase. Consideration should be given to the positioning and operating of cranes, scaffolding, and sufficient clearances from all types of vehicles that are expected be entering and leaving the site. The "as constructed" minimum clearances to the mains must also be maintained. These distances are outlined in the Ausgrid Network Standard, NS220 Overhead Design Manual. This document can be sourced from Ausgrid's website at www.ausgrid.com.au. It is the responsibility of the developer to verify and maintain minimum clearances onsite. In the event where minimum safe clearances are not able to be met due to the

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	design of the development, the Ausgrid mains may need to be relocated in this instance. Any Ausgrid asset relocation works will be at the developer's cost. *New Driveways - Proximity to Existing Poles* Proposed driveways shall be located to maintain a minimum clearance of 1.5m from the nearest face of the pole to any part of the driveway, including the layback, this is to allow room for future pole replacements. Ausgrid should be further consulted for any deviation to this distance. *New or modified connection* To apply to connect or modify a connection for a residential or commercial premises. Ausgrid recommends the proponent to engage an Accredited Service Provider and submit a connection application to Ausgrid as soon as practicable. Visit the Ausgrid website for further details; https://www.ausgrid.com.au/Connections/Get-connected Additional information can be found in the Ausgrid Quick Reference Guide for Safety Clearances "Working Near Ausgrid Assets - Clearances". This document can be found by visiting the following Ausgrid website: www.ausgrid.com.au/Your-safety/Working-Safe/Clearance-enquiries
	Condition reason: To ensure compliance with the requirements of State Agencies.
17	**In-fill affordable housing**
	i. This section applies to development permitted under State Environmental Planning Policy (Housing) 2021, Chapter 2, Part 2, Division 1, other than— a. development on land owned by the Land and Housing Corporation, or b. a development application made by, or on behalf of, a public authority. ii. It is a condition of the development consent that before the issue of an occupation certificate for the development— a. a restriction must be registered, in accordance with the Conveyancing Act 1919, section 88E, against the title of the property relating to the development, which will ensure the requirements of subsection (3)(a) and (b) are met, and b. evidence of an agreement with a registered community housing provider for the management of the affordable housing component must be given to the Registrar of Community Housing, including the name of the registered community housing provider, and c. evidence that the requirements of paragraphs (a) and (b) have been met must be given to the consent authority. d. The restriction on the title shall designate unit nos. G.01, G02, 101 through to 106 and 206 (as designated on the architectural plan) as Affordable Housing Units. e. It is a condition of the development consent that during the relevant period— i. the affordable housing component must be used for affordable housing, and ii. the affordable housing component must be managed by a registered community housing provider, and

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	iii. notice of a change in the registered community housing provider who manages the affordable housing component must be given to the Registrar of Community Housing and the consent authority no later than 3 months after the change, and iv. the registered community housing provider who manages the affordable housing component must apply the Affordable Housing Guidelines. f. In this section— *affordable housing component* has the same meaning as in State Environmental Planning Policy (Housing) 2021, section 21. *relevant period* means a period of 15 years commencing on the day on which an occupation certificate is issued for all parts of the building or buildings to which the development consent relates.
	Condition reason: Prescribed condition under section 82 of the Environmental Planning and Assessment Regulation 2021.
18	**Tree Protection and Management.**
	(a) The Applicant has permission to remove the following trees located on the subejct site: · Trees 1-3. Exempt tree species under our LEP · Tree 4. *Livingstona australis* (Cabbage Tree Palm). To be transplanted and added to the final landscaping plan. · Tree 5. Exempt tree species under our LEP · Tree 6. *Phoenix canariensis* (Christmas Island Date Palm). · Tree 7 & 8. Exempt tree species under our LEP · Tree 9. *Magnolia soulangena* (Saucer Magnolia) · Tree 10. *Callistemon viminalis* (Weeping Bottlebrush). Located in Public Domain. · Tree 12. Exempt tree species under our LEP. Adjoining property. Consent from neighbour will be required. · Tree 13-17. Exempt tree species under our LEP · Tree 18. *Laura nobilis* (Bay Tree).

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	Tree Offset Controls: The proposed development includes the removal of four (4) live trees, Tree 6, 9,10 & 18. To offset the loss of canopy loss the applicant is required to replace the trees at a 3:1 replacement ratio, therefore a total of twelve (12) new trees shall be planted to offset the canopy loss for environmental reasons. If there is insufficient space to install all of the conditioned replacement trees on site, the applicant may choose to offset the remaining trees by way to Council so it can facilitate replacement planting in Public Land. Section 3.8.2 of the Bayside Development Control Plan stipulates a monetary contribution as outlined in Councils current Fee and Charges. It is to be paid prior to the issue of the Construction Certificate and prior to any tree related works. These trees must not be removed until a Construction Certificate has been issued, unless otherwise agreed to in writing by Council.
	Condition reason: To minimise adverse impacts on trees, protect local canopy through tree retention and replacement and ensure best practice is implemented.
19	**Earthworks Not Shown on Plans**
	No further excavation, backfilling or retaining walls can be carried out or constructed other than those identified on the approved drawings which form part of this consent unless it is otherwise permitted as exempt or complying development.
	Condition reason: To avoid changes that may result in adverse impacts without proper assessment.

Demolition Work

Before demolition work commences

20	**Asbestos removal signage**
	Before demolition work commences involving the removal of asbestos, a standard commercially manufactured sign containing the words 'DANGER: Asbestos removal in progress' (measuring not less than 400mm x 300mm) must be erected in a prominent position at the entry point/s of the site and maintained for the entire duration of the removal of the asbestos.
	Condition reason: To alert the public to any danger arising from the removal of asbestos

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21	**Demolition management plan**
	Before demolition work commences, a demolition management plan must be prepared by a suitably qualified person. The demolition management plan must be prepared in accordance with Australian Standard 2601 – The Demolition of Structures, the Code of Practice – Demolition Work, Bayside Council's Development Control Plan 2022 and must include the following matters: 1. The proposed demolition methods 2. The materials for and location of protective fencing and any hoardings to the perimeter of the site 3. Details on the provision of safe access to and from the site during demolition work, including pedestrian and vehicular site access points and construction activity zones 4. Details of demolition traffic management, including proposed truck movements to and from the site, estimated frequency of those movements, and compliance with AS 1742.3 Traffic Control for Works on Roads and parking for vehicles 5. Protective measures for on-site tree preservation and trees in adjoining public domain (if applicabl (including in accordance with AS 4970-2009 Protection of trees on development sites and Bayside DCP 2022 6. Erosion and sediment control measures which are to be implemented during demolition and methods to prevent material being tracked off the site onto surrounding roadways 7. Noise and vibration control measures, in accordance with any Noise and Vibration Control Plan approved under this consent 8. Details of the equipment that is to be used to carry out demolition work and the method of loading and unloading excavation and other machines 9. Details of any bulk earthworks to be carried out 10. Details of re-use and disposal of demolition waste material in accordance with Bayside DCP 2022 11. Location of any reusable demolition waste materials to be stored on-site (pending future use) 12. Location and type of temporary toilets onsite 13. A garbage container with a tight-fitting lid.
	Condition reason: To provide details of measures for the safe and appropriate disposal of demolition waste and the protection of the public and surrounding environment during the carrying out of demolition works on the site
22	**Dilapidation report**
	Before any site work commences, a dilapidation report must be prepared by a suitably qualified engineer detailing the structural condition of adjoining buildings, structures or works and public land, to the satisfaction of the principal certifier. Where access has not been granted to any adjoining properties to prepare the dilapidation report, the report must be based on a survey of what can be observed externally and

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	demonstrate, in writing, to the satisfaction of the the principal certifier, that all reasonable steps were taken to obtain access to the adjoining properties. No less than seven (7) days before any site work commences, adjoining building owner(s) must be provided with a copy of the dilapidation report for their property(ies) and a copy of the report(s) must be provided to Council (where Council is not the principal certifier) at the same time.
	Condition reason: To establish and document the structural condition of adjoining properties and public land for comparison as site work progresses and is completed and ensure neighbours and Council are provided with the dilapidation report.
23	**Disconnection of services before demolition work**
	Before demolition work commences, all services, such as water, telecommunications, gas, electricity and sewerage, must be disconnected in accordance with the relevant authority's requirements.
	Condition reason: To protect life, infrastructure and services
24	**Erosion and sediment control plan**
	Before site work commen ces, an erosion and sediment control plan must be prepared by a suitably qualified person in accordance with the following documents and provided to the private certifier: 1. Council's relevant development control plan, 2. the guidelines set out in 'Managing Urban Stormwater: Soils and Construction' prepared by Landcom (the Blue Book) (as amended from time to time), and 3. the 'Guidelines for Erosion and Sediment Control on Building Sites' (Department of Planning, Housing and Infrastructure) (dated 2024, as amended from time to time).
	Condition reason: To ensure no substance other than rainwater enters the stormwater system and waterways.
25	**Erosion and sediment controls in place**
	Before any site work commences, the principal certifier or Council (where a principal certifier is not required), must be satisfied the erosion and sediment controls in the erosion and sediment control plan which was provided to the principal certifier are in place. These controls must remain in place until any bare earth has been restabilised in accordance with the erosion and sediment control plan.
	Condition reason: To ensure sediment laden runoff and site debris do not impact local stormwater systems and waterways.
26	**Notice of commencement for demolition**

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	At least one week before demolition work commences, written notice must be provided to council and the occupiers of neighbouring premises of the work commencing. The notice must include: 1. name 2. address, 3. contact telephone number, 4. license type and license number of any demolition waste removal contractor and, if applicable, asbestos removal contractor, and 5. the contact telephone number of council and 6. the contact telephone number of SafeWork NSW (4921 2900).
	Condition reason: To advise neighbours about the commencement of demolition work and provide contact details for enquiries
27	**Protection of adjoining areas**
	Before work commences, a temporary hoarding or temporary construction site fence must be erected around the work site perimeter and must be kept in place until after the work is completed.
	Condition reason: To protect land uses and amenity and ensure safety on an operating farm.
28	**Tree protection measures**
	Before any site work commences, the principal certifier must be satisfied the measures for tree protection detailed in the construction site management plan are in place.
	Condition reason: To protect and retain trees.
29	**Waste Management Plan – an approved document of this consent**
	Before site work commences, a waste management plan for the development must be provided to the Private Certifier.
	Condition reason: To ensure resource recovery is promoted and local amenity protected during construction.

During demolition work

30	**Discovery of relics and Aboriginal objects**
	While site work is being carried out, if a person reasonably suspects a relic or Aboriginal object is discovered: 1. the work in the area of the discovery must cease immediately; 2. the following must be notified 1. for a relic – the Heritage Council; or

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	2. for an Aboriginal object – the person who is the authority for the protection of Aboriginal objects and Aboriginal places in New South Wales under the National Parks and Wildlife Act 1974, section 85. Site work may recommence at a time confirmed in writing by: 1. for a relic – the Heritage Council; or 2. for an Aboriginal object – the person who is the authority for the protection of Aboriginal objects and Aboriginal places in New South Wales under the National Parks and Wildlife Act 1974, section 85.
	Condition reason: To ensure the protection of objects of potential significance during works.
31	**Handling of asbestos during demolition**
	While demolition work is being carried out, any work involving the removal of asbestos must comply with the following requirements: 1. Only an asbestos removal contractor who holds the required class of Asbestos Licence issued by SafeWork NSW must carry out the removal, handling and disposal of any asbestos material; 2. Asbestos waste in any form must be disposed of at a waste facility licensed by the NSW Environment Protection Authority to accept asbestos waste; and 3. Any asbestos waste load over 100kg (including asbestos contaminated soil) or 10m² or more of asbestos sheeting must be registered with the EPA on-line reporting tool WasteLocate.
	Condition reason: To ensure that the removal of asbestos is undertaken safely and professionally
32	**Hours of work**
	Site work, building work, demolition or vegetation removal must only be carried out between 7:00am to 5:00pm on Monday to Saturday. No works to be carried out on Sunday and public holidays. Site work is not to be carried out outside of these times except where there is an emergency, or for urgent work directed by a Police Officer or a public authority.
	Condition reason: To protect the amenity of the surrounding area.
33	**Implementation of the site management plans**
	While site work is being carried out: 1. the measures required by the construction site management plan and the erosion and sediment control plan (plans) must be implemented at all times, and 2. a copy of these plans must be kept on site at all times and made available to Council officers upon request.

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	Condition reason: To ensure site management measures are implemented during the carrying out of site work.

On completion of demolition work

34	**Post-construction dilapidation report**
	After completion of all site work a post-construction dilapidation report must be prepared by a suitably qualified engineer, to the satisfaction of the principal certifier, detailing whether: 1. after comparing the pre-construction dilapidation report to the post-construction dilapidation report required under this condition, there has been any structural damage to any adjoining buildings; and 2. where there has been structural damage to any adjoining buildings, that it is a result of the work approved under this development consent; and 3. a copy of the post-construction dilapidation report must be provided to Council (where Council is not the principal certifier or a principal certifier is not required) and to the relevant adjoining property owner(s).
	Condition reason: To identify any damage to adjoining properties resulting from site work on the development site.
35	**Preservation of survey marks**
	After completion of all site work, documentation must be submitted by a registered surveyor to the principal certifier, which demonstrates that: 1. no existing survey mark(s) have been removed, damaged, destroyed, obliterated or defaced, or 2. any survey mark(s) that were damaged, destroyed, obliterated or defaced have been re-established in accordance with the Surveyor General's Direction No. 11 – Preservation of Survey Infrastructure.
	Condition reason: To protect the State's survey infrastructure.
36	**Release of securities**
	After completion of all site work, an application may be lodged to release the securities held in accordance with Council's Fees and Charges Policy.
	Condition reason: To allow release of securities where the terms and conditions for the securities have been met to Council's satisfaction.
37	**Repair of infrastructure**
	After completion of all site work:

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	1. any public infrastructure damaged as a result of the carrying out of work approved under this consent (including damage caused by, but not limited to, delivery vehicles, waste collection, contractors, sub-contractors, concreting vehicles) must be fully repaired to the written satisfaction of Council, and at no cost to Council; or 2. if the works in (a) are not carried out to Council's satisfaction, Council may carry out the works required and the costs of any such works must be paid as directed by Council and in the first instance will be paid using the security deposit required to be paid under this consent.
	Condition reason: To ensure any damage to public infrastructure is rectified.

Building Work

Before issue of a construction certificate

38	**Adaptable units**
	Before the issue of a construction certificate, a report prepared by a suitably qualified consultant must be obtained that demonstrates, to the certifier's satisfaction, that any adaptable dwellings specified in the approved plans or documents comply with the provisions of AS 4299 Adaptable Housing Standards.
	Condition reason: To ensure adaptable units are designed in accordance with the Australian Standard.
39	**Car parking details**
	Before the issue of a Construction Certificate, written evidence prepared by a suitably qualified engineer must be obtained that demonstrates, to the certifier's satisfaction, the plans for parking facilities comply with the relevant parts of AS 2890.1 Parking Facilities - Off-Street Carparking and of Bayside DCP 2022 as in force as at the date of determination of this consent.
	Condition reason: To ensure parking facilities are designed in accordance with the Australian Standard and Council's DCP.
40	**Clear public access ways**
	Before issue of a construction certificate, construction plans must demonstrate that access doors to enclosures for building services and facilities, such as hydrant and sprinkler booster assemblies or the like, except fire stair doors, will not open over the footway or roadway.
	Condition reason: To ensure doors used to house building services and facilities do not obstruct pedestrians and vehicles
41	**Construction Site Management Plan**

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	Before the issue of a Construction Certificate, a construction site management plan must be prepared, and provided to the Principal Certifier. The plan must include the following matters: 1. The location and materials for protective fencing and hoardings on the perimeter of the site; 2. Provisions for public safety; 3. Pedestrian and vehicular site access points and construction activity zones; 4. Details of construction traffic management including: a. Proposed truck movements to and from the site; b. Estimated frequency of truck movements; and c. Measures to ensure pedestrian safety near the site; 5. Details of any bulk earthworks to be carried out; 6. The location of site storage areas and sheds; 7. The equipment used to carry out all works; 8. The location of a garbage container with a tight-fitting lid; 9. Dust, noise and vibration control measures; 10. The location of temporary toilets; 11. The protective measures for the preservation of trees on-site and in adjoining public areas including measures in accordance with: a. AS 4970 - Protection of trees on development sites; b. An applicable Development Control Plan; c. An arborist's report approved as part of this consent. A copy of the construction site management plan must be kept on-site at all times while work is being carried out.
	Condition reason: To require details of measures that will protect the public, and the surrounding environment, during site works and construction.
42	**Long Service Levy**
	Before the issue of a Construction Certificate, the long service levy of **$ 44,414.42**, as calculated at the date of this consent, must be paid to the Long Service Corporation under the Building and Construction industry Long Service Payments Act 1986, section 34, and evidence of the payment is to be provided to the certifier.
	Condition reason: To ensure the long service levy is paid.
43	**Utilities and services**
	Before the issue of a Construction Certificate, written evidence of the following service provider requirements must be provided to the private certifier: 1. a letter from Ausgrid demonstrating that satisfactory arrangements can be made for the installation and supply of electricity; 2. a response from Sydney Water Corporation as to whether the plans accompanying the application for a Construction Certificate would affect any Sydney Water infrastructure, and whether further requirements need to be met; 3. other relevant utilities or services - that the development as proposed to be carried out is satisfactory to those other service providers, or if it is not, the changes that are required to make the development satisfactory to them.

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	Condition reason: To ensure relevant utility and service providers' requirements are provided to the certifier.
44	**Provision of detailed plans for construction certificate application**
	Before the issue of a construction certificate, detailed plans must be prepared by a suitably qualified person and provided to the Certifier that are consistent with the plans and documentation approved under this consent. Detailed plans must also show the following: 1. Car parking facilities 2. Acoustic measures 3. Disability access 4. Pedestrian access 5. Signage location and structures 6. Mechanical ventilation
	Condition reason: To ensure that detailed construction certificate plans are consistent with the approved plans and supporting documentation
45	**Acoustic Isolation between Floors.**
	The development shall have an impact isolation between floors which achieves an Acoustical Star Rating of 5 in accordance with the standards prescribed by the Association of Australian Acoustical Consultants (AAAC) in accordance with the report by Acoustic Logic, dated 29 April 2024 and received by Council on 16 May 2025.
	Condition reason: To minimise adverse amenity impacts to residents within the building.
46	**Adaptable Units and Parking.**
	Access must be provided to and within a minimum of 10 residential unit(s), and between these unit(s) and their allocated car parking space(s) in accordance with Council's Development Control Plan and *Australian Standard 4299: Adaptable Housing*. The required adaptable units shall be unit number(s) 104, 105, 205, 304, 305, 405, 504, 505, 605. The units shall be constructed to comply with the requirements of AS 4299. Details demonstrating compliance shall be submitted to the satisfaction of the Principal Certifier prior to the issue of a Construction Certificate. Note: Compliance with Council's Development Control Plan does not necessarily guarantee that the development meets the full requirements of the *Disability Discrimination Act 1992*. It is the responsibility of the Applicant to make the necessary enquiries to ensure that all aspects of the Act are satisfied.
	Condition reason: To ensure adaptable units are provided and designed in accordance with the relevant standards.
47	**Detailed Parking Facility Design Requirements and Certification.**

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Prior to the issue of the relevant Construction Certificate, the construction certificate plans and supporting documentation shall demonstrate compliance with the following:

1. Compliance with AS2890 Car, Bicycle and Motorcycle Parking:
    a. The parking facility (including parking spaces, ramps, aisles, vehicular crossing etc.) must comply in full with AS2890.1. The longitudinal profile(s) of the access driveway and any ramps within the parking facilities must comply with the Ground Clearance, Gradient (%) and Length requirements of the 2890 Australian Standards Series, and
    b. All vehicles are to enter and exit the site in a forward direction, and
    c. The minimum number of accessible car parking spaces shall be in accordance with the relevant disability legislation. The design and construction of accessible car parking spaces shall be in accordance with AS2890.6 and
    d. Pedestrian sightlines for vehicles existing the site are to comply with AS2890.1, and
    e. Convex mirrors shall be provided at blind corners within, and leading to, the car parking levels to provide increased sight distance for vehicles, and
    f. The car wash bay shall be minimum 3.5m wide, and
    g. A minimum of 59 bicycle parking spaces and 5 motorcycle parking spaces must be provided as part of the development and designed in accordance with AS2890.3:2015 and AS2890.1 respectively, and
2. Compliance with AS2890.2 Commercial (Service) Vehicle Parking:
    a. Loading and unloading within the site shall be designed and be restricted to commercial vehicles not exceeding the size and mass description of the SRV from AS2890.2:2018. Commercial vehicles greater in size and mass than the SRV are not permitted to enter the site, and
    b. The gate for the basement shall be located to permit the queuing of one SRV vehicle when waiting to enter the basement garage.
    c. The design of the parking facility (including driveways/access ramps/vehicular crossings etc.) shall conform with Australian Standards AS2890.2:2018 along the travel path of the service vehicles, and
    d. All service vehicles shall enter the property front in front out, and
    e. Swept path analysis shall be provided for manoeuvring of SRV commercial vehicles, depicting a forward entry and forward exit manoeuvre to/from the site via the loading dock proposed within the development, and
    f. A longitudinal section plotting headroom clearance along the travel path of the service vehicle is to be provided. It must be demonstrated that a safe headroom clearance of 3.5m is achieved along the entire travel path, parking and manoeuvring areas of the SRV within the development, and
    g. All waste collection must be undertaken on-site, no bins/waste are permitted to be presented to the street for collection.
    h. A longitudinal driveway profile for the driveway prepared by a qualified Civil Engineer shall be submitted to the Principal Certifier for 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 AS2890.2. The profile shall include all relevant levels, grades (%), headroom clearances and lengths. The existing boundary levels shall be clearly shown on the profile, any change to the existing boundary levels requires approval from Bayside Council. The driveway crest is to be the 1% AEP flood level plus the 500mm freeboard. The driveway crest to be shown on the driveway profile.

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	The design of the entire car parking facility is to be certified by a Civil Engineer registered with the National Engineering Register (NER) as being strictly in accordance with the abovementioned requirements and the Australian Standard 2890 parking facilities series.
	Condition reason: To ensure compliance with the relevant Australian Standard.
48	**Driveway Application**
	An application for Driveway Works (Public Domain Construction – Vehicle Entrance/Driveway Application) shall be made to Council's Customer Service Centre prior to the issue of the Construction Certificate. A fee is payable to Council. 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. All boundary frontage works, egress paths, driveways and fences shall comply with the approval.
	Condition reason: To ensure that public domain works are designed and constructed in accordance with relevant requirements and standards.
49	**Frontage Works Application**
	Prior to the issue of any Construction Certificate, an application for Frontage Works (Public Domain Construction – Frontage / Civil Works Application) shall be made to Bayside Council's Customer Service Centre for assessment of all required works within the road reserve. A fee is payable to Bayside Council in accordance with Council's adopted fees and charges. Prior to the commencement of the public domain works, a Public Domain Frontage Design package must be prepared by suitably qualified professionals for all frontage works that are required to be constructed within the public domain that are subject to assessment and approval pursuant to Section 138 of the *Roads Act 1993*. Public domain frontage works can include, but not be limited to, civil, drainage, landscaping, undergrounding of services, lighting, traffic signage, line marking, parking, and traffic devices to address and satisfy relevant development consent conditions. All frontage works shall be in accordance with Bayside Council technical manuals, specifications, master plans, town centre plans, Australian Standards, and standard design drawings. A public domain performance bond is to be provided to Bayside Council prior to the issue of the Final Occupation Certificate. The performance bond is calculated by Bayside Council as part of the frontage works process as per Bayside Council's adopted fees and charges. The performance bond will be kept for a period of 12 months after the completion of all external works and the issuing of a Final Occupation Certificate (defects liability/street tree maintenance period). The bond may be applied by Bayside Council to rectify defective/non-conforming public domain works and the establishment and maintenance of landscaping & street trees. Bayside Council is entitled to recover any monies expended more than the bond amount in undertaking such works.
	Condition reason: To ensure that public domain works are designed and constructed in accordance with relevant requirements and standards.
50	**Geotechnical Certification.**
	Prior to the issue of any Construction Certificate, a Geotechnical Engineer must:

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	1. Review and ensure the appropriate construction methodology, parameters, and recommendations in the geotechnical report prepared by JC GEOTECHNIC, report no. GR1424.1j, dated 30/4/24, have been implemented and relied upon during the preparation of the Construction Certificate plans and documentation. 2. Provide detailed recommendations to allow the satisfactory implementation of the works. a. The appropriate means of any excavation/shoring is to be determined and detailed considering the proximity to adjacent property and structures. b. Potential vibration caused by the method of excavation and potential settlements affecting nearby footings/foundations/buildings shall be discussed and ameliorated. c. Review and certify the proposed method to temporarily and permanently support any excavation adjacent to adjoining property, structures, and road reserve if nearby (full support to be provided within the subject site). d. An implementation program is to be prepared along with a suitable monitoring program (as required) including control levels for vibration, shoring support, ground level and groundwater level movements during construction. The implementation program is to nominate suitable hold points at the various stages of the works for verification of the design intent before sign-off and before proceeding with subsequent stages. 3. Prepare a Construction Methodology report demonstrating that the proposed construction methods (including any excavation, and the configuration of the built structures) will have no adverse impact on any surrounding property and infrastructure. 4. Certify that the construction certificate plans and supporting documentation are satisfactory from a geotechnical perspective. 5. Inspect the works as they progress at frequencies determined by the geotechnical engineer (where necessary). The professional recommendations shall be implemented in full during the relevant stages of excavation and construction. Note: A failure by contractors to adequately assess and seek professional engineering (geotechnical) advice to ensure that appropriate underpinning and support to adjoining land is maintained prior to commencement may result in damage to adjoining land and buildings. Such contractors are likely to be held responsible for any damages arising from the removal of any support to supported land as defined by section 177 of the Conveyancing Act 1919.
	Condition reason: To ensure that structural designs are adequate and that damage to adjoining land is minimised.
51	**Glazing Reflectivity**
	The relectivity index of glazing and finishing materials used on the facades and roof of the building shall not exceed 20%. Details demonstrating compliance with the above requirement shall be submitted to the satisfaction of the Principal Certifer prior to the issue of a Construction Certificate for the relevant stage of works.
	Condition reason: To ensure that adverse reflectivity impacts are minimised.
52	**Lighting.**
	All proposed lights shall comply with the *Australian Standard AS4282 - Control of the Obstrusive Effects of Outdoor Lighting.* In this regard, the lighting of the premises shall be directed so as not

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to cause nuisance to the owners or occupiers of adjacent / adjoining premises or to motorists on adjoining or nearby roads.

Condition reason: To ensure that adverse impacts from lighting are minimised in accordance with relevant standards.

53 **Materials and Finishes.**

The building shall be constructed of a masonry or brick wall construction with select coloured finishes as per the approved schedule of finishes. This requirement shall be reflected on the Construction Certificate plans and supporting documentation.

Condition reason: To ensure that works are executed in accordance with the approval

54 **Payment of fees and security deposits.**

Before the commencement of any works on the site or the issue of a Construction Certificate, the Applicant must make all of the following payments to Council and provide written evidence of these payments to the Certifier:

Soil and Water Management Sign Fee	$ 27.00
Section 7.11 Contributions	$ 960,000.00
Builders Damage Deposit (Security Deposit)	$ 24,735.00

Note: The amount payable must be in accordance with Council's fees and charges at the payment date.

Note: At the completion of the project only security deposits can be refunded, fees and contributions are non-refundable.

Condition reason: To ensure any damage to public infrastructure is rectified and public works can be completed.

55 **Payment of Section 7.11 Contributions.**

(a) Before the issue of the first occupation certificate in respect of any building to which this consent relates, a Section 7.11 contribution calculated in accordance with subclause (3) must be paid, except as provided by subclause (2).

(b) If no construction certificate in respect of the erection of any building to which the consent relates has been issued on or before 25 September 2022, the monetary contribution must be paid before the issue of the first construction certificate after that date for any such building.

(c) The applicant must pay the following contributions to Council :

A Section 7.11 contribution of **$960,000.00** shall be paid to Council. The contribution is calculated according to the provisions contained within Council's adopted Arncliffe and Banksia Local Infrastructure Contribution Plan 2020. The amount to be paid is to be adjusted at the time of

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payment, in accordance with the review process contained in the Contributions Plan. The contribution is to be paid prior to the issue of any compliance certificate; subdivision certificate or construction certificate. The contributions will be used towards the provision or improvement of the amenities and services identified below.

Transport	$ 296,172.26	AB1
Stormwater Management	$ 42,844.78	AB2
Open Space	$ 185,510.23	AB3
Community Facilities	$ 424,101.40	AB4
Administration	$ 11,371.33	AB5
Total in 2025/26	**$ 960,000.00**	

The total contribution payable to Council under this condition is $960,000.00 as calculated at the date of this consent, in accordance with the Arncliffe and Banksia Local Infrastructure Contribution Plan 2020.

The total amount payable may be adjusted at the time the payment is made, in accordance with the provisions of the Arncliffe and Banksia Local Infrastructure Contribution Plan 2020.

A copy of the development contributions plan is available for inspection at Council's Customer Service Centre or on Council's website at www.bayside.nsw.gov.au.

Condition reason: To ensure development contributions are paid to address the increased demand for public amenities and services resulting from the approved development.

56 **Property Address Allocation – Medium density, residential flat building, retirement villages, caravan parks, camping grounds, schools & universities i-detached.**

Prior to the issue of a Construction Certificate for the development, an application for street addresses (Property Address Allocation) and associated fee shall be submitted to Council for the primary address of the consolidated lot and the sub-address of each individual dwelling within the development in accordance with Section 5.2 of the NSW Address Policy.

The form is available for download at:

https://www.bayside.nsw.gov.au/services/development-construction/building-or-altering-property/commonly-used-forms

Derivation and production of address data components is governed by the NSW Addressing User Manual to ensure consistency of application.

Condition reason: To ensure property addresses are allocated in accordance with relevant standards.

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57	**Provision of Car Wash Bay.**
	The Construction Certificate plans must show the provision of 1 x 3.5m wide car wash bay. A visitor car space can be utilised for this purpose. A cold-water tap (typically connected to the rainwater tank) and waterproof power outlet shall be provided along with a sign fixed to the wall saying, 'Visitor Car Space and Car Wash Bay'. The car wash bay must be bunded in accordance with AS1940 and AS/NZS 4452 with direct connection to the sewer in accordance with a Sydney Water trade waste agreement.
	Condition reason: To ensure that a carwash bay is provided in accordance with Council requirements and relevant standards
58	**Safer by Design Requirements**
	To maximise security in and around the development the following shall be incorporated into the development. Details for the following are to be approved by the Principal Certifier prior to the issue of the Construction Certificate, implemented prior to issue of the Occupation Certificate, and maintained for the lifetime of the development: (a) Monitored CCTV facilities shall be implemented throughout the development. Areas of focus include the basement car park (including entry and exits), main entry areas to the development and garbage / storage areas, and (b) A lighting maintenance policy shall be established for the development. Lighting shall be designed to the Australian and New Zealand Lighting Standards. Australia and New Zealand Lighting Standard 1158.1 - Pedestrian, requires lighting engineers and designers to consider crime risk and fear when selecting lamps and lighting levels, and (c) Security mirrors shall be installed within corridors and on blind corners to enable users to see around blind corners, and (d) Graffiti resistant materials shall be used to ground level external surfaces, and (e) Intercom facilities shall be installed at all vehicular and pedestrian entry / exit points to enable residents to communicate and identify with people prior to admitting them to the development, and (f) The front window of the ground floor tenancy must be kept free of shelves, and a maximum of 15% of the window display area may be covered with promotional materials to ensure passive surveillance is maintained to and from the tenancy, and (g) The ceiling of the basement car park shall be finished in light courlour in order to maximmise visibility.
	Condition reason: To ensure compliance with the Crime Prevention Through Environmental Design (CPTED) principles.
59	**Services in Garbage Room**
	Hot and cold water supply shall be provided to the garbage room. Services or utility systems shall not be located within the garbage room.

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	Details demonstrating compliance shall be provided to the satisfaction of the Principal Certifier, prior to the issue of a Construction Certificate.
	Condition reason: To ensure the proper storage and management of waste and minimise adverse impacts to human health.
60	**Sydney Water Tap-in**
	Prior to the issue of the Construction Certificate, the approved plans must be submitted to Sydney Water Tap inTM 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 inTM online service is available at: https://www.sydneywater.com.au/SW/plumbing-building-developing/building/sydney-water-tap-in/index.htm
	Condition reason: To ensure compliance with Sydney Water requirements.
61	**Undergrounding of Overhead Services and Installation of Lighting**
	All overhead cables, including electricity and telecommunication cables, along the entire length of all frontages of the development site must be relocated underground as part of the development. The Ausgrid lighting and power poles will need to be decommissioned and new underground supplied lighting columns shall be constructed (where necessary) satisfying the applicable requirements. Ausgrid's approval for the works must be obtained. The location of the new electrical pillars, new lighting poles, any new pits and trenches for utilities shall be confirmed with Bayside Council prior to the commencement of public domain works. The Applicant is responsible for all relocation costs, including costs associated with other cabling such as telecommunications cables. These works must be completed to the satisfaction of Bayside Council prior to the issue of the Final Occupation Certificate. Where the road reserve is congested with underground utility services and/or street trees, the person acting on the consent must design the undergrounding works around the congestion to the requirements of Ausgrid and Bayside Councils Landscape Architect/Arborist. If further works are required beyond the frontages of the development site (e.g. across a road) to support the required undergrounding works, these works must also be carried out at no cost or expense to Bayside Council.
	Condition reason: To improve the public domain in accordance with Council's Development Control Plan.
62	**WaterNSW - Dewatering.**
	General Terms of Approval Compliance is required with the General Terms of Approval issued by WaterNSW on 31 October 2024, which are as follows: **Dewatering** **GT0116-00001** Before any construction certificate is issued for any excavation under the development consent,

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the applicant must:
1. Apply to WaterNSW for, and obtain, an approval under the *Water Management Act 2000* or *Water Act 1912*, for any water supply works required by the development; and
2. Notify WaterNSW of the programme for the dewatering activity to include the commencement and proposed completion date of the dewatering activity Advisory Note; and
3. An approval under the *Water Management Act 2000* is required to construct and/or install the water supply works. For the avoidance of doubt, these General Terms of Approval do not represent any authorisation for the take of groundwater, nor do they constitute the grant or the indication of an intention to grant, any required Water Access Licence (WAL). A WAL is required to lawfully take more than 3ML of water per water year as part of the dewatering activity; and
4. A water use approval may also be required, unless the use of the water is for a purpose for which a development consent is in force.

GT0117-00001
A water access licence, for the relevant water source, must be obtained prior to extracting more than 3ML per water year of water as part of the construction dewatering activity.
Advisory Notes:
1. This approval is not a water access licence.
2. A water year commences on 1 July each year.
3. This approval may contain an extraction limit which may also restrict the ability to take more than 3ML per water year without further information being provided to WaterNSW.
4. Note that certain water sources may be exempted from this requirement - see paragraph 17A, Schedule 4 of the *Water Management (General) Regulation 2018*.

GT0118-00001
If no water access licence is obtained for the first 3ML / year (or less) of water extracted, then, in accordance with clause 21(6), *Water Management (General) Regulation 2018*, the applicant must:
a) Record water taken for which the exemption is claimed; and
b) Record the take of water not later than 24 hours after water is taken; and
c) Make the record on WAL exemption form located on WaterNSW website "Record of groundwater take under exemption"; and
d) Keep the record for a period of 5 years, and (e) give the record to WaterNSW either via email to: Customer.Helpdesk@waternsw.com.au or post completed forms to: PO Box 398 Parramatta NSW 2124
i) not later than 28 days after the end of the water year (being 30 June) in which the water was taken, or
ii) of WaterNSW directs the person in writing to give the record to WaterNSW on an earlier date, by that date.

GT0119-00001
All extracted groundwater must be discharged from the site in accordance with Council requirements for stormwater drainage or in accordance with any applicable trade waste agreement.

GT0121-00001
Construction phase monitoring bore requirements GTA:
a) A minimum of three monitoring bore locations are required at or around the subject property, unless otherwise agreed by WaterNSW.
b) The location and number of proposed monitoring bores must be submitted for approval, to WaterNSW with the water supply work application.

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c) The monitoring bores must be installed and maintained as required by the water supply work approval.
d) The monitoring bores must be protected from construction damage.

GT0122-00001
Construction Phase Monitoring programme and content:

a) A monitoring programme must be submitted, for approval, to WaterNSW with the water supply work application. The monitoring programme must, unless agreed otherwise in writing by WaterNSW, include matters set out in any Guide published by the NSW Department of Planning Industry and Environment in relation to groundwater investigations and monitoring. Where no Guide is current or published, the monitoring programme must include the following (unless otherwise agreed in writing by WaterNSW):
i) Pre-application measurement requirements: The results of groundwater measurements on or around the site, with a minimum of 3 bore locations, over a minimum period of 3 months in the six months prior to the submission of the approval to WaterNSW.
ii) Field measurements: Include provision for testing electrical conductivity; temperature; pH; redox potential and standing water level of the groundwater;
iii) Water quality: Include a programme for water quality testing which includes testing for those analytes as required by WaterNSW;
iv) QA: Include details of quality assurance and control v. Lab assurance: Include a requirement for the testing by National Association of Testing Authorities accredited laboratories.

b)The applicant must comply with the monitoring programme as approved by WaterNSW for the duration of the water supply work approval.

GT0123-00001 - Approved Monitoring Programme
a) Prior to the issuing of the occupation certificate, and following the completion of the dewatering activity, and any monitoring required under the Approved Monitoring Programme, the applicant must submit a completion report to WaterNSW.

b) The completion report must, unless agreed otherwise in writing by WaterNSW, include matters set out in any guideline published by the NSW Department of Planning Industry and Environment in relation to groundwater investigations and monitoring. Where no guideline is current or published, the completion report must include the following (unless otherwise agreed in writing by WaterNSW)
1) All results from the Approved Monitoring Programme; and
2) Any other information required on the WaterNSW completion report form as updated from time to time on the WaterNSW website.

c) The completion report must be submitted using "Completion Report for Dewatering work form" located on WaterNSW website www.waternsw.com.au/customer-service/water-licensing/dewatering

GT0150-00001
The extraction limit shall be set at a total of 3ML per water year (being from 1 July to 30 June). The applicant may apply to WaterNSW to increase the extraction limit under this condition. Any application to increase the extraction limit must be in writing and provide all information required for a hydrogeological assessment. Advisory note: Any application to increase the extraction limit should include the following: - Groundwater investigation report describing the groundwater

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	conditions beneath and around the site and subsurface conceptualisation - Survey plan showing ground surface elevation across the site - Architectural drawings showing basement dimensions - Environmental site assessment report for any sites containing contaminated soil or groundwater (apart from acid sulphate soils (ASS)) - Laboratory test results for soil sampling testing for ASS - If ASS, details of proposed management and treatment of soil and groundwater. Testing and management should align with the NSW Acid Sulphate Soil Manual. **GT0151-00001** Any dewatering activity approved under this approval shall cease after a period of two (2) years from the date of this approval, unless otherwise agreed in writing by WaterNSW (Term of the dewatering approval). Advisory note: an extension of this approval may be applied for within 6 months of the expiry of Term. **GT0152-00001** This approval must be surrendered after compliance with all conditions of this approval, and prior to the expiry of the Term of the dewatering approval, in condition GT0151-00001. Advisory note: an extension of this approval may be applied for within 6 months of the expiry of Term. **GT0155-00001** The following construction phase monitoring requirements apply (Works Approval): a) The monitoring bores must be installed in accordance with the number and location shown, as modified by this approval, unless otherwise agreed in writing with WaterNSW. b) The applicant must comply with the monitoring programme as amended by this approval (Approved Monitoring Programme). c) The applicant must submit all results from the Approved Monitoring Programme, to WaterNSW, as part of the Completion Report.
	Condition reason: To ensure compliance with requirements of WaterNSW.
63	**Wind Report.**
	The development residential flat development shall be constructed in accordance with the approved Wind Report listed under "*Approved Plans and Supporting Documents*" condition. Details are to be provided on the Construction Certificate plans.
	Condition reason: To ensure that adverse impacts from wind are minimised in accordance with specified performance measures.
64	**Sydney Water Tree Planting**
	Building Plan Approval (including Tree Planting Guidelines) The plans must be approved by Sydney Water prior to demolition, excavation or construction works commencing. This allows Sydney Water to determine if sewer, water or stormwater mains or easements will be affected by any part of your development. Any amendments to plans will require re-approval. Please go to Sydney Water Tap in® to apply. Sydney Water recommends developers apply for a Building Plan Approval early as to reduce unnecessary delays to further referrals or development timescales.

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	Tree Planting Certain tree species placed in proximity to Sydney Water's underground assets have the potential to inflict damage through invasive root penetration and soil destabilisation. Section 46 of the Sydney Water Act specifies what might occur when there is interference or damage to our assets caused by trees. For any trees proposed or planted that may cause destruction of, damage to or interference with our work and are in breach of the Sydney Water Act 1994, Sydney Water may issue an order to remove that tree or directly remove it and seek recovery for all loss and associated compensation for the removal. For guidance on types of trees that can cause damage or interference with our assets see Sydney Water webpage Wastewater blockages. For guidance on how to plant trees near our assets, see Diagram 5 – Planting Trees within Sydney Water's Technical guidelines – Building over and adjacent to pipe assets.
	Condition reason: To ensure compliance with the requirements of Sydney Water Corporation.
65	**Design Excellence**
	To ensure design excellence is achieved, as required by Section 6.10 of Bayside Local Environmental Plan 2021, prior to the issue of any construction certificate entailing any works above basement levels including public domain works, the following must be prepared by the registered architect commissioned for the construction of the project: a. One (1) sample board containing original samples and swatches of all external materials and colours including: i. Wall and roof cladding, and ii. Columns located in the front elevation, and iii. Balustrading, and iv. Louvres, and v. Glazing, and vi. Window edge treatments, and vii. Paving/surface in front setback areas, and viii. Driveway, and ix. Footpaths, and x. Retaining wall details. b. Full coloured elevational details at a minimum scale of 1:10; c. Sections through relevant façade elements, public domain stairs, planter boxes at a minimum scale of 1:10. The boards, elevations and sections are to be submitted and stamped as approved by the Director City Futures (or delegate) prior to the issue of any Construction Certificate entailing

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	any works above basement levels. The Construction Certificate shall be precisely consistent with these approved materials. Any modifications to the approved materials under this condition require submission and approval of a S4.55 application.
	Condition reason: To ensure that works are executed in accordance with the approval.
66	**Sustainability**
	Prior to the issue of the relevant Construction Certificate, the applicant is to demonstrate the use of the following sustainability measures within the development: 1. Provision of photovoltaic cell systems on the rooftop. Detailed design for the photovoltaic cells systems is to be provided, the provision of photovoltaic cells is to be at a rate that maximises the coverage of available non-trafficable space on the rooftop. A storage battery is to be provided where possible. This solar power shall be utilised in communal areas and other suitable areas within the development to reduce the developments demand for electricity from the grid. 2. Sensor controlled and zoned internal lighting within the building's car park and common areas. 3. Use of admixtures in concrete to minimise cement and reduce embodied carbon. 4. Separate circuiting for temporary power to minimal stair and corridor lighting. 5. Use of LEDs and other low energy flicker free lighting resources. 6. Provision for EV charging in accordance with the below requirements; a. All residential car parking spaces must be 'EV-Ready'. An 'EV-Ready' car space requires the provision of a backbone cable tray and a dedicated spare 15A circuit within an EV Distribution Board enabling future installation of a smart EV charger and cabling to the EV Distribution Board. b. Provide EV Distribution Boards of sufficient size to allow connection of all 'EV-Ready' car spaces. c. Locate EV Distribution board(s) so that no future 'EV-Ready' car space will require a cable run greater than 55m from the parking bay to an EV distribution board and, ensure that no cables will obstruct vehicular circulation aisles. Development shall provide cable trays, electrical cabinets, and conduits sufficient to accommodate the electric circuitry to each 'EV-Ready' and 'EV Equipped' car space. d. EV Distribution Boards are to be dedicated to EV charging that is capable of supplying not less than 50% of EV connections at full power (full power being each individual connection being provided with not less than 2kW power and preferably 7kW power) at any one time during off-peak periods, to minimize impacts to maximum demand loads. To deliver this, an EV Load Management System and an active suitably sized connection to the main switchboard is required. e. EV Load Management System is to be capable of: i. Reading real time current and energy from the EV chargers under management via ethernet connection; ii. Determining, based on known installation parameters and real time data, the appropriate behaviour of each EV charger to minimise building peak power demand whilst ensuring electric vehicles connected are fully recharged; iii. Scale for residents to engage an EV Load Management provider to provide additional smart chargers to residential car spots over time.

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iv. Ensuring each multi-unit residential 'EV-Ready' car parking spaces be metered separately to their individual account as part of the 'EV-Ready' system.

7. The above measures shall be implemented on site prior to the issue of the Final Occupation Certificate.

Condition reason: To increase the sustainability and energy efficiency for the life of the development.

67 **Landscape Construction Certificate Drawings**

1. Landscape Requirements shown in Architectural Plans

Prior the issue of the relevant Construction Certificate, detailed construction architectural plans must be submitted to, and approved by, the Director of City Futures (or delegate) of Bayside Council. The detailed architectural plans shall include, but not be limited to, the following requirements/architectural modifications:

i. Provide a depicted plan with all areas, including communal open spaces to be maintained by strata. Indicate maintenance access points, and any required anchor point, provide details of any required anchor including type of mounting.

ii. Details of all above slab structures that support planting. Include construction details of planters, and how the planters have the capability to provide greenery to the streetscape.

iii. Include drainage details for all planting areas.

iv. Provide soil depths and soil volumes of all planting areas. Ensure this is consistent with landscape proposal and conditions, as well as aligned with Minimum Soil depths for plant types as recommended in Table 5 Part 4P Planting in Structures, ADG NSW Department of Planning.

v. The pebble rooftops for Level 6 and 7 are to be revised to replace the pebble roof with a raised planter boxes roof to soften the development, provide greenery to the streetscape and provide green roofs. Demonstrate that built in planters design in combination with selected planting scheme can deliver greenery to the streetscape.

vi. Provide details of how all landscaped areas are to be accessed for maintenance purposes, including planters in private units. Include location of tool storage; and specify location of any required anchor point, mount specification and type of anchor points.

The plans and sections approved in this condition must be reflected in the construction certificate issued by the Certifier.

A. Detailed Landscape Plan for Construction Certificate

Prior the issue of the relevant Construction Certificate, detailed landscape plans must be submitted to, and approved by, the Director of City Futures (or delegate) of Bayside Council.

The detailed landscape plans shall be generally in accordance with the Landscape Plans prepared by Site Image, project/job number SS23-5159, dated 24/03/2025, revision/issue K and must comprise detailed landscape construction documentation (plans and specifications).

The detailed plan shall include, but not be limited to, the following:

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	i. A planting plan at 1:100 showing all plant locations/groupings and plant centres/species. ii. Planter beds shall include a dense layered planting scheme consisting of trees, shrubs and groundcovers in all of these areas. iii. Provide built in planter box sectional details and drainage details with finished levels to assess soil depths provisions. iv. All new trees to be planted in deep soil within the site are to be supplied and planted in super advanced form. v. A dense screen of shrubs shall be provided along both side boundary, to establish an appropriate level of privacy in relation to adjoining properties resulting from this development. The screen shrubs shall be planted at minimum container size of 27 litres/400mm and obtain a minimum growth height of 3.5 meters in local conditions. vi. All deep soil areas to include canopy trees where feasible to mitigate the loss of existing mature trees on site and to provide a level of amelioration to the buildings. vii. Indicate the location of all basement structures relative to the landscape areas. viii. Indicate access to all landscaped areas to be maintained and location of tools; and specify location of any required anchor point, mount specification and type of anchor points. ix. Specifications detailing soil and mulch finishes, root barriers, irrigation, edging and other landscape handworks such as retaining walls, steps, planter walls, feature walls, skateboard restrictions, tree pits, tree grates, tree guards, tree pit treat, areas of paving, schedule of materials, edge treatments, tactile and sectional construction details. x. Details of all fencing, privacy screening, arbors and the like- elevations and materials, impacting or visible to public domain areas. xi. Details of all other hardscape landscape elements such as street furniture, pedestrian amenity lighting, bins, bollards. Location to be clearly identified on plan. Provide sectional construction details and elevations if required. xii. Conflict between landscaped beds, existing/proposed trees or landscaped areas and underground utilities (including stormwater structures) are to be avoided. Where there is a conflict, this shall be resolved with Bayside Council. xiii. The front setback area shall incorporate tree planting which does not conflict with the stormwater system. xiv. All trees shall be located within mulched landscaped beds except where this may interfere with the performance of an above ground stormwater system. xv. The natural ground levels of private open space areas are not to be altered unless otherwise indicated on the approved plans. xvi. All natural features, including natural rock outcrops, natural vegetation, soil and watercourses, are to remain undisturbed except where affected by necessary works detailed on approval plans. xvii. Any proposed play equipment shall be in accordance with Australian Standards for Play Equipment and Surfacing, set out in AS 4422:2016 and AS 4685:2017. xviii. All utility services (including all telecommunication, high and low voltage power lines) are to be placed underground along the entire development site frontages as part of the

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development prior to occupation. The extent of works required in order to achieve this outcome may involve works beyond the frontage of the development site.

xix. All proposed magnolia trees in the front setback deep soil area, East of the proposed driveway, to become native trees as requested. Council recommends Callistemon viminalis at 100 litre pot size.

xx. The pebble rooftops for Level 6 and 7 are to be revised to replace the pebble roof with a raised planter boxes roof to soften the development, provide greenery to the streetscape and provide green roofs. Demonstrate that built in planters design in combination with selected planting scheme can deliver greenery to the streetscape.

xxi. An additional street tree in the public domain is to be installed between the driveway and Western side of the walkway/building entry. This street tree will be Elaeocarpus reticulatus, at 100 litre pot size.

xxii. All proposed Waterhousea floribunda in the rear setback to be amended to 1000 litre pot size.

xxiii. All proposed Tristaniopsis laurina in the Eastern side setback to be amended to 400 litre pot size.

xxiv. Wind report must be updated to reflect amended landscape plan.

xxv. Landscape plan is to ensure that no loose landscape materials are to be proposed in the OSD basins.

A. Landscape Maintenance Manual and Specifications

Prior the issue of the relevant Construction Certificate, a Landscape Maintenance Schedule and Specifications must be submitted to, and approved by, the Director City Futures (or delegate) of Bayside Council.

The Maintenance Documentation is to cover a 12 month period to provide a guide to the landowner or occupier on how to best maintain the constructed landscaped areas; and include the following information: shrub pruning/trimming (frequency, plant requirements); Fertilising and pest control (soil testing, types, rate, frequency); Mulching, weeding and soil improvement (frequency, materials); Irrigation (checks, adjustments); tree maintenance (fertilising, mulching, tree stakes adjustments, special tree requirements); Maintenance of hard landscape elements (paving, edges, walls, pergolas, seats, and planter box walls); and planter boxes/roof gardens/green wall (specialised maintenance requirements). The Maintenance Manual shall also include the following:

1.
   a.
      i. Frequency and methodology of different maintenance requirements including the removal of green waste; irrigation system tests, waterproofing inspections.
      ii. Details of maintenance safety procedures;
      iii. Laminated copies of Landscape drawings;
      iv. Manufacturer's contact details and copies of manufacturers' typical details and specification;

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	v. Copies of warranties and guarantees relating to all materials and plant used in construction; vi. Inspection programs based on AS/NZS 1891.4, including annual load testing of chemical and friction anchors, for all installed anchors.
	Condition reason: To ensure compliance with landscape requirements from relevant policies.
68	**Erosion and sediment control plan**
	Before the issue of a Construction Certificate, an erosion and sediment control plan must be prepared by a suitably qualified person in accordance with the following documents and provided to Principal Certifier: • Council's relevant Development Control Plan, • the guidelines set out in the NSW Department of Housing Manual 'Managing Urban Stormwater: Soils and Construction Certificate' (the Blue Book), and • the 'Do it Right On-Site, Soil and Water Management for the Construction Industry' (Southern Sydney Regional Organisation of Councils and the Natural Heritage Trust) (as amended from time to time).
	Condition reason: To ensure no substance other than rainwater enters the stormwater system and waterways.
69	**Retaining Walls Over 600mm**
	Retaining walls over 600mm in height shall be designed and specified by a structural engineer registered with the National Engineering Register (NER).
	Condition reason: To ensure the structural adequacy of new retaining walls.
70	**Detailed Design Stormwater Management Plan**
	Prior to the issue of the relevant Construction Certificate, detailed drainage design plans for the management of stormwater are to be submitted to the Principal Certifier for assessment and approval. Engineering design certification and drainage design calculations are to be submitted with the plans. Bayside Technical Specification Stormwater Management sets out the minimum documentation requirements for detailed design plans. Stormwater management requirements for the site, including the final discharge/end connection point, must comply with Bayside Technical Specification Stormwater Management. The detailed drainage design plans shall incorporate the provisions generally made in the stormwater concept plans prepared by MANCE ARRRAJ CIVIL AND STRUCTURAL ENGINEERS, project number 7056-DA, dated 06/11/24, issue B along with the requirements detailed below: 1. The car wash bay to be fully bunded with a minimum 100mm bund and drain to the sewer. 2. Calculations for the basement pump out pit to be shown including the upstream catchment area draining into the pump out pit. The civil grading to be shown along with the minimum 0.5% crossfall as per AS/NZS3500.3 per basement level. 3. The surface level of the rainwater outlets on the basement levels stormwater plan to be shown.

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4. The pump out pit section on plan ‘SW010’ to be revised show the top water level (TWL) being 100mm lower than the invert level of the inlet pipe. The sump level in the pump out pit to be revised to have a maximum 250mm sump.
5. A sump plan showing the base levels of the pump out pit is to be provided, showing the minimum 1% fall towards the sump.
6. The basement level 4 plan ‘SW010’ is to be revised to have a minimum cover of 0.3m in the surface and sealed pits as per AS/NZS3500.3. The pipe runs to be adjusted accordingly.
7. The DRAINS Model to be revised to model the length of the overflow weir as per the stormwater plan ‘SW020’ for the spillway.
8. A minimum 10,000 litre rainwater tank shall be provided for the development, connected to all ground floor toilets, ground floor clothes washers and external taps/landscape irrigation for non-potable stormwater re-use.
9. The rainwater tank top water level (TWL) to be set a minimum 100mm higher than the OSD TWL.
10. The MUSIC Model to be revised to model the OSD basin catchment directly connected to the receiving node and to remove the OSDD basin node.
11. The surface level of the OSD control pit in the eastern OSD basin to be revised to show a minimum 1% crossfall towards the surface pit.
12. Details of the point of connection into the drainage system to be provided including the pipe size, pit sizes and pipe invert levels.
13. The above ground basin adjacent to eastern boundary to provide an emergency overflow weir in case of a pipe blockage.
14. The design of the above ground OSD system shall address these requirements:
    a. Retaining walls shall be able to withstand all hydrostatic loads generated by the 100-year ARI event. This is the depth of maximum storage plus the depth of flow overtopping the weir.
    b. All gas meters, sewer vents, electricity outlets and other services shall be located outside or above the limits of the storage and overflow weir.
    c. Bark chips and other loose floatable landscaping materials shall not be used in the above ground storage area.

Condition reason: To ensure compliance with Council’s Stormwater Management Technical Guidelines / Specifications.

71 **Use of Neighbouring Properties and Roadways for Support**

Prior to the issue of the Construction Certificate, if neighbouring properties or roadway are to be utilised for excavation support, the legal rights of any adjoining properties must be respected including for permanent and temporary excavation supports. In this regard the written permission of the affected property owners must be obtained and a copy of the owner’s consent for excavation support or other material in adjacent lands must be lodged to the Principal Certifier.

Where excavation support materials are proposed to be used in public land, an application must be made to Council for approval under Section 138 of the *Roads Act 1993*, via a permit application. The submission would need to be supported by an engineering report prepared by an Engineer registered with the National Engineering Register (NER), with supporting details addressing the following issues:

a) Demonstrate that any structures will not adversely affect public infrastructure, and the proposed supports within the road reserve are of adequate depth to ensure no adverse impact on existing or

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	potential future service utilities in the road reserve. All existing services must be shown on a plan and included on cross sectional details where appropriate. The report must be supported by suitable geotechnical investigations to demonstrate the efficacy of all design assumptions.
	Condition reason: To ensure landowner's legal rights are protected and that damage to adjoining land is minimised.
72	**Detailed Roof Drainage**
	Prior to the issue of the relevant Construction Certificate, a detailed roof drainage plan to be prepared by a qualified engineer designed in accordance with AS/NZS 3500.3 and to be submitted to the Principal Certifier for assessment and approval. Engineering design certification and drainage design calculations are to be submitted with the plans.
	Condition reason: To ensure that the stormwater system is constructed as approved and in accordance with relevant standards.
73	**Tanking and Waterproofing Basement Intercepting Groundwater Table**
	Prior to the issue of any Construction Certificate, all subsurface structures shall be designed with a waterproof retention system (i.e., full structural tanking and waterproofing) with adequate provision for future fluctuation of the water table. The subsurface structure is required to be designed with consideration of uplift due to water pressure and "flotation" (buoyancy) effects. If subsoil drainage is permitted to be provided around the subsurface structure, the subsoil drainage around the subsurface structure must allow free movement of groundwater around the structure but must not be connected to the internal drainage system. No groundwater is permitted to enter the subsurface structures and, no pump-out system is permitted to be used to drain and discharge groundwater from the subsurface structures. The design of subsurface structure, tanking, waterproofing and subsoil drainage shall be undertaken and certified by Engineer(s) registered with the National Engineering Register (NER). Design details, construction specifications and engineering design certification shall be included in the documentation accompanying the Construction Certificate.
	Condition reason: To ensure that subsurface structures are designed to prevent ingress of groundwater.
74	**Structural Certification for Flood Prone Land**
	Prior to the issue of the relevant Construction Certificate, a suitably qualified engineer is to certify that the structure can withstand the forces of floodwater, scour, debris, and buoyancy in a 1% AEP flood event. All building materials shall be flood resistant, or flood compatible to a height of 500mm above the 1% AEP flood event, or flow level. All internal electrical switches, power points or similar utilities liable to flood damage shall be set at a minimum of 500mm above the 1% AEP flood level.
	Condition reason: To ensure the development meets flood planning requirements.
75	**Protection of Basement and Building Structures Below Flood Level**
	All proposed habitable floor levels and basement car park entry levels within the development site shall be set 500mm above the 1% AEP flood level. The underground basement and substructures, access stair wells, lift wells, windows, pedestrian entry / exit points etc. shall be flood proofed and

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	physically protected to a minimum of 500mm above the 1% AEP flood level. A design certification report for floor levels of buildings and structures prepared by a suitably qualified engineer shall be submitted to the Principal Certifier prior to the issue of any Construction Certificate.
	Condition reason: To ensure the development meets flood planning requirements.
76	**Detailed Flood Risk Management Plan**
	Prior to the issue of the relevant Construction Certificate, a Flood Risk Management Plan, prepared by a suitably qualified Civil Engineer, must be provided for the development. The flood risk and flood hazard on the site and its surrounds shall be assessed for the 1% AEP and PMF flood events. The management plan must make provision for, but not be limited to, the following: 1. Recommendations on all precautions to minimise risk to personal safety of occupants and the risk of property damage for the total development, and 2. Flood warning signs / depth indicators for areas that may be inundated, and 3. A flood evacuation strategy, and 4. A flood awareness strategy, and 5. On site response plan to minimise flood damage, demonstrating that adequate storage areas are available for hazardous materials and valuable goods above the flood level.
	Condition reason: To ensure the development meets flood planning requirements and minimise risk to personal safety and property.
77	**Equal Access to Premises**
	Before the issue of a Construction Certificate, plans which demonstrate that adequate access to the premises will be provided for persons with disabilities in accordance with the Commonwealth Disability (Access to Premises – Buildings) Standards 2010. These plans must be submitted to the Certifier.
	Condition reason: To ensure safe and easy access to the premises for people with a disability.
78	**Design Verification Statement**
	Prior to the issue of a Construction Certificate, a statement from a qualified designer (Registered Architect) is to be submitted verifying that the plans and specifications achieve or improve the design quality of the development for which development consent was granted, having regard to the design quality principles, in accordance with the requirements of the *Environmental Planning and Assessment Regulation 2021.*
	Condition reason: To ensure compliance with the Environmental Planning and Assessment Regulation 2021.
79	**Encroachment of Structures not Permitted.**
	No part of any structure, including gutters and eaves and front fences (including footings), may encroach or overhang any property boundary and / or public footway. Any front fences / boundary fences / vehicular access gates must not open onto public footway. The access gate is to open inwards onto priviate property. Details are to be provided on the Construction Certificiate plans.

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	Condition reason: To ensure all development is contained wholly within the site and minimise impacts on surrounding land.
80	**Waste Management Plan Requirements**
	Before the issue of a Construction Certificate, a Waste Management Plan for the development must be prepared and provided to the Principal Certifier. The plan must be prepared: 1. in accordance with: a. the Environmental Protection Authority's Waste Classification Guidelines as in force from time to time, and b. a development control plan that provides for waste management that applies to the land on which the work or the clearing of vegetation is carried out, and 1. include the following information: a. the contact details of the person removing the waste, b. an estimate of the type and quantity of waste, c. whether waste is expected to be reused, recycled or sent to landfill, d. the address of the disposal location for waste. A copy of the Waste Management Plan must be kept on-site at all times while work approved under the development consent is being carried out.
	Condition reason: To ensure resource recovery is promoted and local amenity protected during construction.
81	**Waste Requirements**
	1. **Waste Storage** The plans shall include details of the waste storage area. The waste storage area shall not be visible from the street. The waste storage area shall be located within the lot / building in accordance with the approved plans. The waste storage area shall be large enough to accommodate the required number of bins for the development and located in an area to suitably facilitate servicing on waste collection day. The path to the bin room is to be at least 1.0 metres wide and kept clear and unobstructed at all times. 1. **Residential Waste** The development will require the provision of the waste and recycling facilities in accordance with Council's Waste Management Technical Specificaitons. This includes bins for domestic waste, domestic recycling, domestic greenwaste and a bulk waste storage area. Details of the above are to be provided to the Private Certifier or Council within the Construction Certificate for the site.
	Condition reason: To manage waste in accordance with Council's Waste Management Technical Specifications.
82	**Landscape Frontage Works Application**

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	Prior to the issue of any Construction Certificate, the applicant must submit a Frontage Works Application (Public Domain Construction – Frontage / Civil Works Application) to Bayside Council. Prior to the commencement of public domain works, a public domain landscape improvements plan shall be submitted to Bayside Council for assessment and approval. The plans shall be undertaken by a suitably experienced Landscape Architect and shall include, but not be limited to, new street tree planting, footpath paving (segmental/other), street tree pit treatments and tree guards, street furniture, in ground landscaping and irrigation. The landscape plan must indicate locations of lighting poles, underground services, stormwater infrastructure etc. The design shall be in accordance with Council's City Identity Program, Landscape DCP and any other Council specification or requirement. Contact Council's Landscape Architect for further details of specific requirements in preparation of the plan. Note: Only one frontage works application needs to be submitted for the development consent. Lodgement of the frontage works application and payment of the fees with Bayside Council is all that is needed to satisfy this condition.
	Condition reason: To ensure compliance with landscape requirements from relevant policies.
83	**Design Amendments**
	Before the issue of a construction certificate, the certifier must ensure the approved construction certificate plan (and specifications) detail the following required amendments to the approved plans and supporting documentation stamped by Council. 1. Conceal drainage pipes within the floor slabs and walls so that they do not appear in the exterior of the building, including balconies and driveway entrances. 2. Encase any hot water system / unit in the balconies in a recessed box with the lid / cover designed to be blend into the facades and screened from the public domain. 3. Finish the internal entrance area of the car park that is visible from the public domain in a manner that is consistent with the overall façade design. 4. The architectural plans to be revised to show the internal driveway ramp crest to be RL14.325m AHD which is to be a flat crest at a single level. The driveway ramp is not supported with different levels on western and eastern edge of the ramp, the entire ramp to be consistent driveway rest level on both eastern and western edges. 5. The bin hoist in the ground floor to be raised to RL14.3m AHD to be protected from flood waters and the loading dock door to be deleted to the entry lobby. An internal ramp to be provided within the holding bin area to the bin hoist. The amended plans to be submitted to Bayside Council Director of City Futures (or delegate) for approval prior to the issue of a Construction Certificate.
	Condition reason: To require minor amendments to the approved plans and supporting documentation following assessment of the development.
84	**Certification of External Wall Cladding**
	The external walls of the building, including attachments must comply with the relevant requirements of the National Construction Code (NCC). Prior to the issue of a Construction Certificate and Occupation Certificate, the Principal Certifier must:

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	(a) Be satisfied that suitable evidence is provided to demonstrate that the products and systems proposed for use or used in the construction of external walls including finishes and claddings such as synthetic or aluminium composition panels comply with the reelvant requirements of the NCC, and (b) Ensure that the documentation relied upon in the approval process include an appropriate level of detail to demonstrate compliance with the NCC as proposed and as built.
	Condition reason: To ensure development complies with the NCC and fire safety requirements.

Before building work commences

85	**Erosion and sediment controls in place**
	Before any site work commences, **the principal certifier**, must be satisfied the erosion and sediment controls in the erosion and sediment control plan which was provided to **the principal certifier** are in place. These controls must remain in place until any bare earth has been restabilised in accordance with the erosion and sediment control plan.
	Condition reason: To ensure sediment laden runoff and site debris do not impact local stormwater systems and waterways.
86	**Dilapidation Report – Private Land.**
	A professional engineer specialising in structural or geotechnical engineering shall prepare a Pre-Construction Dilapidation Report detailing the current structural condition of all adjoining premises, a photographic survey, and including buildings, foundations, and structures likely to be affected by the excavation as determined by the consulting engineer. This shall include, but not be limited to, the following properties: • 89B West Botany Street ARNCLIFFE NSW 2205 • 91 West Botany Street ARNCLIFFE NSW 2205 • 93 West Botany Street ARNCLIFFE NSW 2205 • 93A West Botany Street ARNCLIFFE NSW 2205 • 28 Wickham Street ARNCLIFFE NSW 2205 The report shall be prepared at the expense of the applicant and a copy of the Dilapidation Survey and an insurance policy that covers the cost of any rectification works shall be submitted to the Principal Certifier prior to commencement of any works. The insurance cover shall be a minimum of $10 million. A copy of the Pre-Construction Dilapidation Report is to be provided to the adjoining properties (subject of the Dilapidation Report), a minimum of five (5) working days prior to the commencement of work. Evidence confirming that a copy of the Dilapidation Report was delivered to the adjoining properties must be provided to the PCA. Should the owners of properties (or their agents) refuse access to carry out inspections, after being given reasonable written notice, this shall be reported to Council to obtain

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	Council's agreement to complete the report without access. Reasonable notice is a request for access in no sooner than 14 days between 8.00am and 6.00pm.
	Condition reason: To establish and document the structural condition of adjoining properties for comparison as building work progresses and is completed.
87	**Dilapidation Report - Public Domain - Pre-Construction - Major**
	Prior to the commencement of any work, a professional engineer specialising in civil, structural, or geotechnical engineering shall prepare a Dilapidation Report detailing the current condition of Bayside Council's infrastructure adjoining, and within 50m of, the development site. This includes the condition of the road reserve (including footpath, nature strip, landscaping, trees, kerb and gutter, pits, pipes, traffic devices, signs, retaining walls, driveways, and road pavement) and any other adjacent Bayside Council properties. Photographs are to be in colour, digital, annotated and date stamped. The full name, accreditation, professional registration, and signature of the professional engineer is to be detailed. The report is to be supplied in an electronic format to the Principal Certifier and Bayside Council. The liability for any damage to public infrastructure in the vicinity of the site, where such damage is not accurately recorded by the requirements of this condition, will be borne by the Applicant. The Applicant shall bear the cost of all restoration works to Council's property damaged by the Applicant during this development.
	Condition reason: To advise Council of, and provide Council with, the required dilapidation report.
88	**Vibration Monitoring**
	Vibration monitoring equipment must be installed and maintained, under the supervision of a professional engineer with expertise and experience in geotechnical engineering, between any potential source of vibration and any building identified by the professional engineer as being potentially at risk of movement or damage from settlement and/or vibration during the excavation and during the removal of any excavated material from the land being developed. If vibration monitoring equipment detects any vibration at the level of the footings of any adjacent building exceeding the peak particle velocity adopted by the professional engineer as the maximum acceptable peak particle velocity an audible alarm must activate such that the principal contractor and any sub-contractor are easily alerted to the event. Where any such alarm triggers all excavation works must cease immediately. Prior to the vibration monitoring equipment being reset by the professional engineer and any further work recommencing the event must be recorded and the cause of the event identified and documented by the professional Engineer. Where the event requires, in the opinion of the professional engineer, any change in work practices to ensure that vibration at the level of the footings of any adjacent building does not exceed the peak particle velocity adopted by the professional engineer as the maximum acceptable peak particle velocity these changes in work practices must be documented and a written direction given by the professional engineer to the principal

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	contractor and any sub-contractor clearly setting out required work practice. A copy of any written direction required by this condition must be provided to the Principal Certifier within 24 hours of any event. Where there is any movement in foundations such that damaged is occasioned to any adjoining building or such that there is any removal of support to supported land, the professional engineer, Principal Contractor and any Sub-Contractor responsible for such work must immediately cease all work, inform the owner of that supported land and take immediate action under the direction of the professional engineer to prevent any further damage and restore support to the supported land.
	Condition reason: To protect the amenity of the neighbourhood and the structural integrity of nearby developments.
89	**Utility Services Adjustments**
	The approved elements including driveways, stormwater connections, (etc.) prevail over the location of existing utility services and power poles. All services shall be adjusted at the Applicants cost to suit the construction of approved design elements. Applicants must seek approval form the relevant public utility, state authority or service provider.
	Condition reason: To ensure required changes to public utility services are completed, in accordance with the relevant agency requirements, before occupation.
90	**Signs on site**
	A sign must be erected in a prominent position on any site on which building work or demolition work is being carried out: a) showing the name, address and telephone number of the Principal Certifier for the work, and b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside work hours, and c) stating that unauthorised entry to the work site is prohibited. Any such sign is to be maintained while the building work or demolition work is being carried out, but must be removed when the work has been completed. **Note**: This does not apply in relation to building work or demolition work that is carried out inside an existing building that does not affect the external walls of the building.
	Condition reason: Prescribed condition EP&A Regulation, Section 70 (2) and (3).
91	**Home Building Act requirements**

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	Residential building work within the meaning of the Home Building Act 1989 must not be carried out unless the Principal Certifier for the development to which the work relates (not being the Council) has given the Council written notice of the following information – a) In the case of work for which a principal contractor is required to be appointed: i. the name and licence number of the principal contractor; and ii. the name of the insurer by which the work is insured under Part 6 of that Act; b) In the case of work to be done by an owner-builder: i. the name of the owner-builder; and ii. if the owner-builder is required to hold an owner-builder permit under the Act, the number of the owner-builder permit. If arrangements for doing the residential building work are changed while the work is in progress so that the information notified becomes out of date, further work must not be carried out unless the Principal Certifier for the development to which the work relates (not being the Council) has given the Council written notice of the updated information.
	Condition reason: Prescribed condition EP&A Regulation, Section 71(1), (2) and (3).
92	**Notice regarding Dilapidation Report**
	Before the commencement of any site or building work, the Principal Certifier must ensure the adjoining building owners is provided with a copy of the Dilapidation Report for their properties no less than 7 days before the commencement of any site or building works and provide a copy of the report to Council at the same time.
	Condition reason: To advise neighbours and Council of any Dilapidation Report.
93	**Notice of Commencement for Demolition**
	At least one week before demolition work commences, written notice must be provided to Council and the occupiers of neighbouring premises of the work commencing. The notice must include: 1. Name; 2. Address; 3. Contact telephone number; 4. Licence type and license number of any demolition waste removal contractor and, if applicable, asbestos removal contractor; 5. The contact telephone number of Council; and 6. The contact telephone number of SafeWork NSW (PH 4921 2900).
	Condition reason: To advise neighbours about the commencement of demolition work and provide contact details for enquiries.
94	**Soil Stockpile Area - ESCP (<2,500m2)**

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	A sufficient area shall be provided onsite to enable separate stockpiling and treatment of excavated materials for sampling and analysis prior to removal or reuse on site. Details of this area shall be provided in the Erosion and Sediment Control Plan (ESCP) prior to commencement of works. This plan shall incorporate and reference the construction environmental management plan (CEMP) and address site limitations.
	Condition reason: To minimise adverse impacts on surrounding properties and the environment.

During building work

95	**Implementation of the site management plans**
	While site work is being carried out: 1. the measures required by the construction site management plan and the erosion and sediment control plan (plans) must be implemented at all times; and 2. a copy of these plans must be kept on site at all times and made available to Council officers upon request.
	Condition reason: To ensure site management measures are implemented during the carrying out of site work.
96	**Responsibility for changes to public infrastructure**
	While site work is being carried out, any costs incurred as a result of the approved removal, relocation or reconstruction of infrastructure (including ramps, footpaths, kerb and gutter, light poles, kerb inlet pits, service provider pits, street trees or any other infrastructure in the street footpath area) must be paid as directed by the consent authority.
	Condition reason: To ensure payment of approved changes to public infrastructure.
97	**Waste management**
	While site work is being carried out: 1. all waste management must be undertaken in accordance with the waste management plan; and 2. upon disposal or removal of the waste, records of the disposal or other fate (such as re-use on site) must be compiled and provided to <Insert the principal certifier or Council (where a principal certifier is not required)>, detailing the following: a. The name and contact details of the person(s) who removed the waste, b. The waste carrier vehicle registration, c. The date and time of waste collection,

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	d. A description of the waste (type of waste, classification and estimated quantity) and whether the waste is to be reused, recycled, go to landfill or other fate. e. The contact details and address of the disposal location or other offsite location(s) where the waste was taken, f. The corresponding tip docket/receipt from the site(s) to which the waste is transferred, noting date and time of delivery, description (type and quantity) of waste. 3. The waste generated on site during construction must be classified in accordance with the Environment Protection Authority's Waste Classification Guidelines, 2014 (as amended from time to time) and disposed of to an approved waste management facility or otherwise lawfully managed. If waste has been removed from the site where the waste is under an Environment Protection Authority Resource Recovery Order or Exemption, records in relation to and required by that Order or Exemption must be maintained and provided to the principal certifier and council.
	Condition reason: To require records to be provided, during site work, documenting the lawful disposal of waste.
98	**Hours of work**
	Site work including tree removal, demolition, excavation and construction must only be carried out between 7:00am to 5:00pm Monday to Saturday. No works are to be carried out on Sundays' or Public Holidays. Site work is not to be carried out outside of these times except where there is an emergency, or for urgent work directed by a police officer or a public authority.
	Condition reason: To protect the amenity of the surrounding area.
99	**Noise and Vibration requirements**
	While site work is being carried out, noise generated from the site must not exceed an LAeq (15 min) of **5dB**(A) above background noise, when measured at a lot boundary of the site.
	Condition reason: To protect the amenity of the neighbourhood during construction.
100	**Approval and Permits under Roads Act and Local Government Act for Works Activities on Public Land**
	During all stages of demolition and construction, application(s) shall be made to Bayside Council (upon payment of a fee in accordance with Bayside Council's adopted fees and charges) to obtain the necessary approvals and permits for any and all works/activities on Bayside Council land or road reserve pursuant to the *Roads Act 1993* and *Local Government Act 1993*. All applications associated with works and activities on Bayside Council's land must be made at least 7-10 days prior to the programmed completion of works and all construction must be completed and approved by Bayside Council. Refer to

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	Bayside Council "Work Activities on Council Sites Application Form" and "Road Opening Application" to obtain permits/approvals for the following: • Road, Footpath and Road Related Area Closure – To temporarily close any part of the road, footpath or car park to vehicle or pedestrian traffic. This permit is required to allow the Applicant to close a road or part of, footpath or car park to vehicle or pedestrian traffic. • Stand and Operate Registered Vehicle or Plant – To occupy any part of the road, footpath or car park to work from a vehicle parked on the street. This permit is required when construction activities involve working from a vehicle parked on the street including mobile crane, concrete truck, concrete pump or other similar vehicles. • Occupy Road with Unregistered Item – To place a waste container or other item within the roadway which is not a registered vehicle. This permit is required to allow the Applicant to place unregistered items within the roadway including waste containers and skip bins. • Erection of a Works Zone – To implement a statutory Work Zone for activities adjacent to the development site. These applications are assessed by Bayside Council officers and are referred to the Traffic Committee for approval. A Work Zone being that you must not stop or park in a work zone unless you are driving a vehicle that is engaged in construction work in or near the zone. • Placement of Scaffolding, Hoarding and Fencing – To erect a temporary structure in a public place to enclose a work area. This permit is required for all temporary structures to enclose a work area within the public domain. These include site fencing, types A & B hoarding, type A & B hoarding with scaffolding and type B hoarding plus site sheds. • Temporary Shoring/Support using Ground Anchors in Council Land – To install temporary ground anchors in public road to support excavation below the existing road surface level. This permit is required to allow the Applicant to install temporary support system in or under a public road to support excavation below the existing road surface level. The support systems include ground anchors and shoring. • Tower Crane – To swing or hoist over and across Council property (including roadway). This permit is required when tower crane(s) are used inside the work site and will swing, slew or hoist over Council property or asset. • Public Land Access – To access through or occupy Council land. This permit is required by Applicants in order to access over or occupy Council land. • Temporary Dewatering – To pump out groundwater from the site and discharge into Council's drainage system including road gutter. This permit is required when temporary dewatering is required to pump out water from the construction site into Council stormwater drainage system including gutter, pits and pipes. Dewatering management plan and water quality plan are required for this application. • Road Opening Application Permit to open road reserve area including roads, footpaths or nature strip for any purpose whatsoever, such as relocation / re-adjustments of utility services. This does not apply to public domain works that are approved through Bayside Council's permit for Driveway Works (Public Domain Construction – Vehicle Entrance / Driveway Application) / Frontage Works (Public Domain Construction – Frontage / Civil Works Application) under section 138 of the *Roads Act*.

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	A valid permit/approval to occupy Bayside Council land or road reserve to carry out any works or activities within the public domain must be obtained, and permit conditions complied with, during all stages of demolition and construction. Fines apply if an activity commences without a valid permit being issued. It shall be noted that any works/activities shown within Bayside Council land or road on the DA consent plans are indicative only and no approval of this is given until this condition is satisfied.
	Condition reason: To ensure appropriate permits are applied for and comply with the Roads Act 1993.
101	**Construction Activities - Minimise Pollution**
	The following conditions are necessary to ensure minimal impacts during construction: (a) Building, demolition and construction works not to cause stormwater pollution and being carried out in accordance with Council's stormwater pollution control requirements. 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, and (b) Stormwater from roof areas shall be linked via a temporary downpipe to an approved stormwater disposal system immediately after completion of the roof area, and (c) All disturbed areas shall be stabilised against erosion within 14 days of completion, and prior to removal of sediment controls, and (d) Building and demolition operations such as brick cutting, 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, and (e) 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, and (f) Windblown dust from stockpile and construction activities shall be minimised by one or more of the following methods: (i) spraying water in dry windy weather, and (ii) cover stockpiles, and (iii) fabric fences. (g) All vehicles transporting soil, sand or similar materials and demolition material to or from the site shall cover their loads at all times, and (h) The applicant shall conduct all construction works and any related

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	deliveries/activities wholly within the site, and (i) During the construction works, the Council nature strip shall be maintained in a clean and tidy state at all times and shall be suitably repaired and/or replaced in accordance with Council Specifications at the completion of construction works, and (j) Access 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 two metres to remove mud from the tyres of construction vehicles, and (k) 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.
	Condition reason: To protect neighbourhood amenity and the quality of the waterways.
102	**Protection of Council's Property**
	During demolition, excavation and construction, care must be taken to protect Council's infrastructure, including street signs, footpath, kerb, gutter and drainage pits etc. Protecting measures shall be maintained in a state of good and safe condition throughout the course of demolition, excavation, and construction. The area fronting the site and in the vicinity of the development shall also be made safe for pedestrian and vehicular traffic at all times. Any damage to Council's infrastructure (including damage caused by, but not limited to, delivery vehicles, waste collection, contractors, sub-contractors, concrete delivery vehicles) shall be fully repaired in accordance with Council's specification and AUS-SPEC at no cost to Bayside Council.
	Condition reason: To ensure public safety at all times and to protect the function and integrity of public infrastructure.
103	**Site Fencing**
	The site shall be secured by an 1800mm (minimum) high temporary fence for the duration of the work. Gates shall be provided at the opening points and open and secured in such a way as to not obstruct the public footway. Such protection work, including fences, is to be constructed, positioned and maintained in a safe condition to the satisfaction of the Principal Certifier, prior to the demolition of the existing structures and commencement of building operations.
	Condition reason: To protect the amenity of the neighbourhood and ensure public safety.
104	**Site Fencing and Hoarding**

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	(a) A hoarding or fence shall be erected between the work site and the public place when the work involved in the erection or demolition of a building: i. is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or ii. involves the enclosure of a public place. (b) Where the development site adjoins a public thoroughfare, the common boundary between them must be fenced for its full length with a hoarding, unless, the least horizontal distance between the common boundary and the nearest part of the structure is greater than twice the height of the structure. The hoarding must be constructed of solid materials (chain wire or the like is not acceptable) to a height of not less than 1.8m adjacent to the thoroughfare. (c) Where a development site adjoins a public thoroughfare with a footpath alongside the common boundary then, in addition to the hoarding required above, the footpath must be covered by an overhead protective structure, type B Hoarding, and the facing facade protected by heavy duty scaffolding unless either: i. the vertical height above footpath level of the structure being demolished is less than 4m, or ii. the least horizontal distance between footpath and the nearest part of the structure is greater than half the height of the structure. iii. the overhead structure must consist of a horizontal platform of solid construction and vertical supports, and the platform must: a. extend from the common boundary to 200mm from the edge of the carriageway for the full length of the boundary, and b. have a clear height above the footpath of not less than 2.1m, and c. terminate not less than 200mm from the edge of the carriageway (clearance to be left to prevent impact form passing vehicles with a continuous solid upstand projecting not less than 0.5m above the platform surface, and d. together with its supports, be designed for a uniformly distributed live load of not less than 7kPa. iv. The 'B' Class hoarding is to be lit by fluorescent lamps with anti-vandalism protection grids. (d) The developer must ensure that all hoarding erected on the site is maintained in a clean and tidy condition, free from graffiti. Any graffiti must be removed within 48 hours of its appearance. (e) The developer must allow access to the hoarding for inspection by the Council's compliance team at any reasonable time. (f) The developer must comply with any directives issued by the Council regarding the maintenance and appearance of the hoarding. The Principal Contractor or owner builder must pay all fees and rent associated with the application and occupation and use of the road (footway) for required hoarding or overhead protection.

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	Any such hoarding, fence or awning is to be removed when the work has been completed.
	Condition reason: To protect the amenity of the neighbourhood and ensure public safe.
105	**Site Management - Principal Certifier Inspections**
	Upon inspection of each stage of construction, the Principal Certifier (or other suitably qualified person on behalf of the Principal Certifier) is also required to ensure that adequate provisions are made for the following measures (as applicable), to ensure compliance with the terms of Council's approval: (a) Sediment control measures, and (b) Provision of secured perimeter fences or hoardings for public safety to restrict access to building sites, and (c) Maintenance of the public place free from unauthorised materials, waste containers or other obstructions.
	Condition reason: To protect public safety and water quality around building sites.
106	**Temporary Dewatering Permit - Water Quality Requirements**
	To ensure that relevant engineering and water quality provisions are met during the period of temporary dewatering for construction, a permit must be obtained from Council to permit discharge to the stormwater system. Temporary dewatering shall not commence until this permit is issued by Council. The permit must be current and valid at all times during dewatering operations. The water quality must meet ANZECC 2000 Water Quality Guidelines for Fresh and Marine Water for the 95% protection trigger values for marine water. The results of all testing must be completed by a NATA accredited laboratory. All laboratory results must be accompanied by a report prepared by a suitably qualified person indicating the water meets these guidelines and is acceptable to be released into council's stormwater system. If it is not acceptable, details of treatment measures to ensure that the water is suitable for discharge to council's stormwater shall be provided in this report. Reports shall be provided to Council prior to discharge of any groundwater to the stormwater system.
	Condition reason: To ensure any ground water encountered during works is appropriately treated and disposed of.
107	**Vibration During Demolition Works**
	Demolition and construction works shall not give rise to the transmission of a vibration nuisance or damage to other premises as defined in the Environment Protection Authority's Technical Guidelines for Assessing Vibration.

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	Condition reason: To protect the amenity of the neighbourhood and the structural integrity of nearby developments.
108	**Shoring and Adequacy of Adjoining Property**
	If the development involves an excavation that extends below the level of the base of the footings of a building, structure or work on adjoining land (including any structure or work within a road or rail corridor), the person having the benefit of the development consent must, at the person's own expense – a) Protect and support the building, structure or work from possible damage from the excavation, and b) Where necessary, underpin the building, structure or work to prevent any such damage. This condition does not apply if the person having the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying.
	Condition reason: Prescribed condition – EP&A Regulation, Section 74.
109	**Approved Plans kept on Site**
	A copy of the Construction Certificate, the Development Consent and the approved and current stamped Construction Certificate plans and specifications must be kept on the site at all times and be available to Council officers upon request.
	Condition reason: To ensure relevant information is available on site.
110	**Demolition Requirements During Works**
	Demolition is to be carried out in the accordance with the following: (a) The approved Safe Work Method Statement required by this consent, and (b) Demolition is to be carried out in accordance with Australian Standard 2601:2001: Demolition of structures, *Work Health & Safety Act 2011 (NSW)*, *Work Health & Safety Regulation 2011 (NSW*) and the requirements of the NSW WorkCover Authority, and (c) Vibration monitors must be placed at the footings of the nearest residential and/or commercial property(s) boundaries prior to any demolition commencing; and (d) Hazardous or intractable wastes arising from the demolition process must be removed and disposed of in accordance with the requirements of WorkCover New South Wales and the Environmental Protection Authority, and (e) Dust control - dust emission must be minimised for the full height of the building. Compressed air must not be used to blow dust from the building site, and (f) Demolition procedures must maximise the reuse and recycling of demolished materials

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	in order to reduce the environmental impacts of waste disposal, and (g) During demolition, public property (footpaths, roads, reserves etc) must be clear at all times and must not be obstructed by any demolished material or vehicles. The footpaths and roads must be swept (not hosed) clean of any material, including clay, soil and sand. On the spot fines may be levied by Council against the demolisher and/or owner for failure to comply with this condition, and (h) All vehicles leaving the site with demolition materials must have their loads covered and vehicles must not track soil and other materials onto public property (footpaths, roads, reserves etc) and the footpaths must be suitably protected against damage when plant and vehicles access the site, and (i) The burning of any demolished material on site is not permitted and offenders will be prosecuted. The demolition by induced collapse and the use of explosives is not permitted, and (j) Care must be taken during demolition, excavation or erection of structures to ensure that existing services on the site (ie, sewer, electricity, gas, phone) are not damaged. Please contact Before You Dig (Website: www.byda.com.au) or phone 1100 before commencement of works. Any damage cuased to existing services must be repaired by the relevant authority at the Applicant's expense, and (k) Suitable erosion and sediment control measures in accordance with the Soil and Water Management Plan must be erected prior to the commencement of demolition works and must be maintained at all times, and (l) Any material containing asbestos found on site during the demolition process shall be removed and disposed of in accordance with WorkCover NSW requirements. *Protection of the Environment Operations Act 1997*, *Protection of the Environment Operation (Waste) Regulation* and 'Waste Classification Guidelines 2014' prepared by the NSW Office of Environment and Heritage.
	Condition reason: To protect the amenity of the neighbourhood and ensure public safety.
111	**Implementation of Soil and Water Management Plan**
	All management measures recommended and contained within the Soil and Water Management Plan (SWMP) shall be implemented prior to commencement of any site works or activities. All controls in the plan shall be maintained at all times throughout the entire demolition, excavation and construction phases of the development and for a minimum three (3) month period after the completion of the project, where necessary. The plan is to be available to Council officers, on request. 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.

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	Condition reason: To ensure no substance other than rainwater enters the stormwater system and waterways.
112	**Noise during Construction**
	The following shall be complied with during construction and demolition: (a) Construction Noise Noise from construction activities associated with the development shall comply with the NSW Environmental Protection Authority's Interim Construction Noise Guidelines and the *Protection of the Environment Operations Act 1997.* (b) Level Restrictions Any building works being carried out must ensure that any noise caused by demolition, vegetation removal or construction does not exceed an LAeq (15min) of 5dB(A) above background noise, when measured at any lot boundary of the property where the construction is being carried out. (c) Out of hours work For any activity that is required to be undertaken outside normal construction hours due to public safety, traffic related reasons, or significant concrete pour, a separate Out of Hours Works Permit is required prior to commencement of any out of hours works being undertaken. (d) Silencing All possible steps should be taken to silence construction site equipment.
	Condition reason: To protect the amenity of the neighbourhood.
113	**Toilet Facilities**
	(a) 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 addiitional toilet for every 20 persons employed at the site, and (b) Each toilet must: i. Be a standard flushing toilet connected to a public sewer, or ii. Have an on-site effluent disposal system approved under the *Local Government Act 1993*, or

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	iii. Be a temporary chemical closet approved under the *Local Government Act 1993*.
	Condition reason: To ensure compliance with the Local Government Act 1993.
114	**Waste Disposal Verification Statement**
	On completion of demolition work: 1. A signed statement must be submitted to Council verifying that demolition work, and any recycling of materials, was undertaken in accordance with the waste management plan approved under this consent, and, 1. If the demolition work involved the removal of asbestos, an asbestos clearance certificate issued by a suitably qualified person, must be submitted to Council within 14 days of completion of the demolition work.
	Condition reason: To provide for the submission of a statement verifying that demolition waste management and recycling has been undertaken in accordance with the approved waste management plan.

Before issue of an occupation certificate

115	**Certification of acoustic measures**
	Before the issue of an occupation certificate, a suitably qualified person must provide details demonstrating compliance to the principal certifier that the acoustic measures have been installed in accordance with the acoustic report approved under this consent
	Condition reason: To protect the amenity of the local area
116	**Completion of public utility services**
	Before the issue of the relevant occupation certificate, confirmation must be obtained from the relevant authority that any adjustment or augmentation of any public utility services including gas, water, sewer, electricity, street lighting and telecommunications, required as a result of the development, have been completed and this confirmation must be provided to the principal certifier.
	Condition reason: To ensure required changes to public utility services are completed, in accordance with the relevant agency requirements, before occupation.
117	**Removal of waste upon completion**
	Before the issue of an Occupation Certificate:

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	a. all refuse, spoil and material unsuitable for use on-site must be removed from the site and disposed of in accordance with the approved waste management plan; and b. written evidence of the waste removal must be provided to the satisfaction of the **principal certifier**. c. Any chemical waste generated throughout construction must be disposed of to an approved waste management facility or otherwise lawfully managed.
	Condition reason: To ensure waste material is appropriately disposed or satisfactorily stored.
118	**Water authority certification**
	Before the issue of an occupation certificate, a certificate of compliance must be obtained in relation to the proposed use(s) from the Sydney Water.
	Condition reason: To ensure compliance with the water supply authority's requirements
119	**Post-construction dilapidation report**
	Before the issue of an Occupation Certificate a post-construction dilapidation report must be prepared by a suitably qualified engineer, to the satisfaction of the principal certifier, detailing whether: 1. after comparing the pre-construction dilapidation report to the post-construction dilapidation report required under this condition, there has been any structural damage to any adjoining buildings; and 2. where there has been structural damage to any adjoining buildings, that it is a result of the work approved under this development consent; and 3. a copy of the post-construction dilapidation report must be provided to Council (where Council is not the principal certifier or a principal certifier is not required) and to the relevant adjoining property owner(s).
	Condition reason: To identify any damage to adjoining properties resulting from site work on the development site.
120	**Preservation of survey marks**
	Before the issue of an Occupation Certificate, documentation must be submitted by a registered surveyor to the principal certifier, which demonstrates that: 1. no existing survey mark(s) have been removed, damaged, destroyed, obliterated or defaced; or 2. any survey mark(s) that were damaged, destroyed, obliterated or defaced have been re-established in accordance with the Surveyor General's Direction No. 11 – Preservation of Survey Infrastructure
	Condition reason: To protect the State's survey infrastructure.
121	**Works-as-executed plans and any other documentary evidence**

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	Before the issue of an Occupation Certificate, works-as-executed plans, any compliance certificates and any other evidence confirming the following completed works must be submitted to the satisfaction of the principal certifier: 1. All stormwater drainage systems and storage systems; and 2. A copy of the plans must be provided to Council with the Occupation Certificate.
	Condition reason: To confirm the location of works once constructed that will become Council assets.
122	**Anti-Graffiti Coating**
	Prior to issue of the Occupation Certificate, ground level surfaces are to be treated with anti-graffiti coating to minimise the potential of defacement.
	Condition reason: To protect the amenity of the surrounding area.
123	**BASIX / Energy Efficiency Commitments.**
	A Compliance Certificate must be provided to the Principal Certifier confirming that the development has been constructed in accordance with the commitments contained within the approved BASIX / Energy Efficiency Report listed under "*Approved Plans and Supporting Documents*" condition prior to the issue of any Occupation Certificate.
	Condition reason: To ensure BASIX and Energy Efficiency commitments are fulfilled.
124	**Consolidation of Lots**
	All allotments involved in this proposal must be consolidated into one allotment. Details demonstrating compliance with the requirements of this condition and evidence of registration are to be submitted to the satisfaction of the Principal Certifier prior to the issue of an Occupation Certificate.
	Condition reason: To encourage the orderly and economic use of the land.
125	**Design Verification Statement - before Occupation Certificate**
	Prior to the issue of an Occupation Certificate for occupation or use of residential flat development, a design verification statement from a qualified designer certifying that the development achieves the design quality of the development as shown in the plans and specifications in respect of which the construction certificate was issued, having regard to Part 2 of *State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development*.
	Condition reason: To ensure the design quality is delivered in accordance with approved plans and the provisions under SEPP 65.
126	**Geotechnical Certification prior to issue of Occupation Certificate**
	Prior to the issue of any Occupation Certificate, a Geotechnical Engineer shall certify that the construction works have been constructed in accordance with the approved

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	construction geotechnical report/recommendations and include an evaluation of the completed works.
	Condition reason: To ensure that the construction works have been completed in accordance with the approved construction geotechnical report/recommendations.
127	**Occupation Certificate.**
	The Occupation Certificate must be obtained prior to any use or occupation of the building / development or part thereof. The Principal Certifier must ensure that all works are completed in accordance with this consent, including all conditions.
	Condition reason: To ensure that an Occupation Certificate is obtained.
128	**Parking Facility Certification**
	Prior to the issue of the Occupation Certificate, a Civil Engineer registered with the National Engineering Register (NER) shall certify that the vehicular access and off-street parking facilities have been constructed & line marked in accordance with the approved construction plans and the applicable Australian Standards (i.e., AS/NZS 2890.1, AS 2890.2, AS 2890.3, AS/NZS 2890.6, AS 1742). The car parking area is to be clearly and appropriately line marked/signposted indicating all the vehicular movements on the site. All parking spaces must be clearly designated as to their use in accordance with this development consent. Furthermore, the below shall be certified as being implemented within the completed development. Furthermore, the below shall be certified as being implemented within the completed development: - Wheel stops shall be installed in all car parking spaces adjoining high obstructions in accordance with AS/NZS 2890.1. - Bollards shall be erected for all accessible parking spaces that are designed in accordance with AS/NZS 2890.6. - Large convex mirrors are to be installed at all corners/bends throughout the parking facility to provide increased sight distance for vehicles. The certification must be submitted to the Principal Certifier.
	Condition reason: To ensure compliance with the relevant standards.
129	**Provision of Intercom System**
	Prior to the issue of the Occupation Certificate, the entry to the car park and each pedestrian entry at the ground floor level of the building shall be provided with an intercom system. The intercom system shall be connected to each dwelling unit / tenancy, and enable thoses units / tenancies to provide access to the car park for visitors.
	Condition reason: To prevent queuing of vehicles and to ensure safe and effective access to the building.

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130	**Roads Act / Public Domain Works - Major Development Frontage Works.**
	Prior to the issue of any Occupation Certificate, the Applicant shall carry out the following works as specified by Bayside council in accordance with Bayside Council's Engineer, Landscape Architect, Public Domain Masterplans, and Infrastructure Specifications: (a) Construction of a new footpath and planting of required street trees, lanscaping along all frontages of the development site. (b) Construction of vehicular entrance/s designed to accommodate the largest vehicle entering the site. (c) Construction of new kerb and gutter along the frontage of the development site. (d) Removal of the existing concrete vehicular entrance/s, kerb laybacks and othe damaged/redundant public domain improvements which will no longer be requried. (e) Reconstuction of selected areas of the existing footpath, vehicular entrances, road, kerb, and gutter as requried. The public footpaths shall be constructed in accordance with the approved Public Domain Plan and Bayside Council specifications. The footpath dimensions, location, pavement type and construction methods shall be in accordance with these specifications. If pavers are necessary, they shall be ordered allowing for adequate lead time for manufacture (10-12 weeks). All works within the road reserve, wihch are subject to aproval pursuant to Section 138 of the Roads Act 1993, shall be completed to the satisfaction of Bayside Council at the Applicant's expense. A resport shall be submitted in accordance with Bayside Council's Contributed Asset Procedure for all constructed assets in the ownership of Bayside Council. Works-As-Executed plans prepared by a registered surveyor and engineering certification shall be submitted. Final inspection reports for the works on the road reserve shall be obtained from Bayside Council's authorised officer and submitted to the Principal Certifier attesting that this condition has been satisfied prior to the issue of any Occupation Certificate.
	Condition reason: To ensure that required public domain outcomes are achieved.
131	**Section 73 Sydney Water Compliance Certificate**
	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 website 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

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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 Certifier prior to release of the Occupation Certificate.

Condition reason: To comply with Sydney Water requirements.

132 **Housing and Productivity Contribution**

Before the release of the Occupation Certificate, the housing and productivity contribution (HPC) set out in the table below is required to be made.

Housing and Productivity Contribution	Amount
Housing and Productivity Contribution (base component)	$ 420,543.67
Transport Project Component	$ 0
Total Housing and Productivity Contribution	$ 420,543.67

The HPC must be paid using the NSW Planning Portal.

At the time of payment, the amount of the HPC is to be adjusted in accordance with the Environmental Planning and Assessment (Housing and Productivity Contribution) Order 2024 (HPC Order).

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

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

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

Condition reason: To ensure contributions are captured for the provision of regional infrastructure.

133 **Internal Landscape Works Completion**

Prior to the issue of the whole of building Occupation Certificate, the following must be complied with to the satisfaction of the Principal Certifier:

a. All landscape works are to be carried out in accordance with the construction certificate landscape plans approved by Bayside Council. A copy of the approved landscape maintenance schedule shall be provided on site or with the building manager.

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	b. A Landscape Architect shall provide a report to the principal certifier (with a copy provided to Council, if Council is not the principal certifier) certifying that the landscape works have been carried out in accordance with the approved plans and documentation. The certificate shall, amongst other matters included in approved plans, confirm compliance with the following requirements: a. i. At least five (5) native trees of at least 100 litres pot size and capable of growing to a minimum mature height of three (3) - twelve (12) metres shall be planted in suitable locations (front setback) within the property on completion of the building works and prior to the final inspection. • Trees at time of inspection shall have a minimum height of 2.4 meters, calliper at 300mm greater than 50mm, installed with stakes and ties within a mulch bed or equivalent. **(100L)** ii. At least three (3) native trees of at least 1000 litres pot size and capable of growing to a minimum mature height of eight (8) - twelve (15) metres shall be planted in suitable locations (rear setback) within the property on completion of the building works and prior to the final inspection. • Trees at time of inspection shall have a minimum height of 2.4 meters, calliper at 300mm greater than 50mm, installed with stakes and ties within a mulch bed or equivalent. **(1000L)** iii. At least three (3) native trees of at least 400 litres pot size and capable of growing to a minimum mature height of eight (8) - twelve (12) metres shall be planted in suitable locations (Eastern side setback) within the property on completion of the building works and prior to the final inspection. • Trees at time of inspection shall have a minimum height of 2.4 meters, calliper at 300mm greater than 50mm, installed with stakes and ties within a mulch bed or equivalent. **(400L)** iv. A dense screen of shrubs shall be planted along northern boundary (rear and side setbacks), to establish an appropriate level of privacy in relation to adjoining properties resulting from this development. The screen shrubs shall be planted at minimum container size of 27 litres/400mm and obtain a minimum growth height of between 3 to 4 meters in local conditions. v. A fully automated irrigation system has been installed to the podium landscaping. vi. Podium landscaping and paved areas are drained into the stormwater drainage system.
	Condition reason: To ensure the approved landscaping works have been completed before occupation, in accordance with the approved landscaping plan(s).
134	**Public Domain Landscape Improvements**

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	Prior the issue of the whole of building Occupation Certificate, the Landscape works within the Public Domain shall comply with the following: 1. a. Works to be completed in public space owned by Council and TfNSW, will be of no cost to Council or the TfNSW, including the following: Landscaping and embellishment of Wickham Street to the development site, including footpaths, paving, street trees, tree pits/grates and other planting, and street furniture, etc. b. All street trees have to be supplied in a pot size not less than 200 Litre. Trees supplied shall be healthy and vigorous, free of pest and disease, free from injuries. Trees provided shall conform to NATSPEC guide. c. Verge strip of Wickham Street shall be planted with four (4) Elaeocarpus reticulatus, as per Street Tree Master Plan. i. Pot size supplied shall be not less than 100 Litre. Height above container 2.4 meters, calliper at 300mm greater than 50mm, with a clear trunk height of 1.5 meters. d. Each new Street tree shall include a 50mm diameter slotted watering pipe with geotextile sleeve around rootball connected to watering grate (or kerb hole if WSUD option used) Root Rain Urban or equivalent. e. An experienced Landscape Contractor shall be engaged to undertake all landscaping public domain work and shall be provided with a copy of both the approved landscape drawing and the conditions of approval to satisfactorily construct the landscape to Council requirements. The Contractor shall be engaged weekly for a minimum period of 52 weeks from final completion of landscaping for maintenance and defects liability, replacing plants in the event of death, damage, theft or poor performance. After that time regular and ongoing maintenance is required. f. Root barriers shall be specified to be installed in all street trees along both kerb and footpaths. Root barriers shall be installed as far as possible of trees. Ensure 50mm of root barrier is left above finished ground height. Root barrier shall be minimum 2 meters long to each side. Root barriers shall be installed alongside the landscape element to be protected in accordance with manufacturer's recommendations. g. Mulching - Tree pit mulched shall conform to AS 4454 and free of deleterious extraneous matter such as soil, weeds, wood slivers, stones. Mulch shall be in all tree pits to a depth of 100mm, when plants are installed, clear of all plant stems, and rake to an even surface flush with the surrounding finished levels. h. The trees shall be planted in an area measuring 1.5 metres long by 1.5 metres wide, backfilled with imported soil/compost, water holding additive and fertiliser. Interface of tree pit and turf shall be with hardwood, 50mm x 150mm, edging set flush with adjoining kerb and path, provide pegs at both ends and centre of timber edge. i. Tree pits shall be finished with porous resin treatment: i. 85mm depth of resin bonded porous paving finished smooth and level to adjacent footpath and kerb. The resin binder shall be a clear flexible polyurethane type material suitable for use in tree pit applications (e.g. FiltaPave™, StoneSet or approved equivalent)

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	2. Around the tree trunk 5-7mm screened blue metal aggregate placed loosely around base of tree and finished level with adjoining resin bonded paving. Extend no more than 150mm from trunk. a. Tree pit irrigation: 50mm diameter slotted watering pipe (200-300mm below ground level) with vertical piece of pipe with enough length to ensure that the inlet is flush or slightly (25mm) proud of the finish pit level. (RootRain Urban or equivalent). 3. Tree pits shall be planted with groundcovers: 20 Dianella caerulea 'Breeze' approx., (6 x sqm). No groundcovers shall be planted 600mm from tree trunk. 4. A Dial-Before-You-Dig enquiry is required prior to stump grinding the trunk and shall occur without damage to Council infrastructure or underground services/utilities. 5. Comply with the pedestrian lighting requirements detailed in the Australian Standard AS/NZS 1158 3.1:1999 Pedestrian Area (Category P) Lighting. 6. Tree Guard shall be constructed for each tree; four (4) posts 2100mm long, 100mmsq dressed all round seasonal hardwood timber upright. Post shall be 1500 above ground with 2 levels of rails measuring 100x50 mm DAS seasonal hardwood. One rail at 300 mm above pavement, and the top rail at 150mm under top of post. 7. Tree Stakes - Each new street tree shall be installed with stakes and ties - Three stakes (3) of 50 x 50 x 2500mm of durable hardwood, straight, free from knots or twists, pointed at one end. Provide ties fixed securely to the stakes, 50mm hessian webbing installed around the stakes and stem in a figure of eight pattern and stapled to the stakes. 8. All telecommunication and utility services (including all high and low voltage power lines) are to be placed underground along the entire development site frontage including the installation of underground supplied street lighting columns. The extent of works required in order to achieve this outcome may involve works beyond the frontage of the development site. All works (including the installation of underground supplied street lighting columns) are to be completed prior to the issue of any Occupation Certificate to the satisfaction of Bayside Council. The Applicant is required to obtain a Council inspection and approval of all public domain landscape improvements prior the issue of the relevant occupation certificate. Inspections can be arranged with Council's Landscape Architect with two weeks advanced notice. Final inspection reports for the landscape works on the road reserve shall be obtained from Bayside Council's authorised officer and submitted to the Principal Certifier attesting that this condition has been satisfied prior to the issue of the whole of building Occupation Certificate.
	Condition reason: To ensure the approved landscaping and public domain works have been completed before occupation, in accordance with the approved plan(s), and will be maintained for the lifetime of the development.
135	**Dilapidation Report – Public Domain – Post-Construction - Major**
	After the completion of all construction and public domain works, a professional Engineer specialising in civil, structural, or geotechnical engineering shall prepare a dilapidation report detailing the post-construction condition of Bayside Council's infrastructure adjoining, and within 50m of, the development site. This includes the condition of the road

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	reserve (including footpath, nature strip, landscaping, trees, kerb and gutter, pits, pipes, traffic devices, signs, retaining walls, driveways, and road pavement etc.) and any other adjacent Bayside Council properties. Photographs are to be in colour, digital, annotated and date stamped. The full name, accreditation, professional registration, and signature of the professional Engineer is to be detailed. The report is to be supplied in an electronic format to the Principal Certifier and Bayside Council. Any damage identified in the dilapidation report must be fully rectified by the Applicant or owner at no cost to Bayside Council. Details demonstrating compliance with the requirements of this condition are to be submitted to the satisfaction of Bayside Council's Director of City Futures (or delegate), prior to the issue of the Final Occupation Certificate.
	Condition reason: To identify damage to adjoining properties resulting from building work on the development site
136	**Undergrounding of Overhead Services and Installation of Lighting**
	Prior to the issue of the Final Occupation Certificate, all overhead cables, including electricity and telecommunications cables, along the entire length of all frontages of the development site must be relocated underground to the satisfaction of Bayside Council. The Ausgrid lighting and power poles will need to be decommissioned and new underground supplied lighting columns shall be construction (where necessary) satisfying the applicable lighting requirements. All works shall be carried out at the applicant's expense, to the satisfaction of the asset owner and Bayside Council. If further works are required beyond the frontages of the development site (e.g. across a road) to support the required works, these works must also be carried out at no cost or expense to Bayside Council. Bayside Council's Director of City Futures (or delegate) must advise in writing that the works have been completed to their satisfaction, prior to the issue of the Occupation Certificate.
	Condition reason: To ensure that overhead services are placed underground to achieve required public domain outcomes.
137	**Certification of New Stormwater System**
	Prior to the issue of any Occupation Certificate, a Civil Engineer registered with the National Engineering Register (NER) must certify that the stormwater system has been constructed in accordance with the approved plans and as required by Bayside Technical Specification Stormwater Management. The constructed stormwater drainage system shall be inspected, evaluated, and certified. The certification shall demonstrate compliance with the approved plans, relevant Australian Standards, Codes and Council Specifications. A works-as-executed (WAE) drainage plan shall be prepared by a registered surveyor based on a survey of the completed works. The WAE plan must clearly illustrate the surveyed dimensions and details of all drainage aspects. The certification and WAE plan(s) shall be supplied to the Principal Certifier and Bayside Council.

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	Condition reason: To ensure that the stormwater system is constructed as approved and in accordance with relevant standards.
138	**Certification of Roof Drainage System**
	Prior to the issue of any Occupation Certificate, a qualified Engineer must certify that the roof drainage system has been constructed in accordance with the approved plans and in accordance relevant Australian Standard and Codes. The constructed roof drainage system shall be inspected, evaluated, and certified. The certification shall demonstrate compliance with the approved plans, relevant Australian Standards, Codes and Council Specifications.
	Condition reason: To ensure that the roof drainage system is constructed as approved and in accordance with Australian Standards relevant standards.
139	**Positive Covenant Application**
	Prior to the issue of the Occupation Certificate, a Restriction on Use of Land and Positive Covenant(s) pursuant to the Conveyancing Act 1919 are to be created on the title of the lots on which the following systems are present: • Stormwater Detention System • Stormwater Pump System • Stormwater Quality Improvement Devices The terms of the instruments to be in favour of Bayside Council and are to be submitted to Bayside Council for review and approval. An application must be lodged with, and approved by, Bayside Council prior to issue of the Occupation Certificate. Bayside Council must be provided with the relevant fees and all supporting information required (such as works-as-executed drainage plans and certification) prior to Bayside Council endorsing the Instrument. Council requires proof of lodgement of the signed documents with the NSW Land Registry Services prior to the issue of the Occupation Certificate. A maintenance schedule is to be provided for the stormwater internal drainage system including the pump system, on-site detention and stormwater quality improvement devices.
	Condition reason: To ensure that the approved stormwater system is maintained in good working condition.
140	**Certification of Tanking and Waterproofing**
	Prior to the issue of any Occupation Certificate, an Engineer registered with the National Engineering Register (NER) shall certify that the tanking and waterproofing of all subsurface structures has been constructed in accordance with the approved design and specification. The certification is to include an inspection and evaluation of the works.
	Condition reason: To ensure that subsurface structures are designed to prevent ingress of groundwater.

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141	**Rainwater Tank - Plumbing Certification**
	Prior to the issue of any Occupation Certificate, a registered plumber shall certify that the rainwater tank has been connected to all ground floor toilet flushing, the cold water tap that supplies the ground floor clothes washing machines on the ground floor, the car wash bay, and the landscape irrigation system for non-potable stormwater re-use.
	Condition reason: To ensure that the rainwater will be reused within the site in accordance with this approval.
142	**Erection of Signage**
	Prior to the issue of the Occupation Certificate, the following signage shall be erected: 1. Above Ground Stormwater System: The above ground stormwater storage systems shall be marked by the permanent fixing of a marker plate of minimum size 200mm by 150mm to the nearest permanent surface. The plate shall be non-corrosive metal, or 4mm thick laminated plastic that contains the following wording “This is an onsite stormwater system that will pond water during heavy storms. The outlet must be cleared of debris regularly”. 1. On-Site Detention System (OSD) and confined space: The OSD shall be marked by the permanent fixing of a marker plate of minimum size 200mm by 150mm to the nearest permanent surface. The plate shall be non-corrosive metal, or 4mm thick laminated plastic. 1. Vehicles Enter & Exit in Forward Direction: All vehicles shall enter and exit the site in a forward direction at all times. A plaque with minimum dimensions 300mm x 200mm shall be permanently fixed to a prominent place near the primary vehicular entrance to the site, approved by the Principal Certifier, stating the following: “All vehicles shall enter and exit the site in a forward direction at all times”. The owners shall preserve the plaque(s) in a good condition and keep it visible.
	Condition reason: To ensure that signposting occurs where required to advise people of restrictions or hazards.
143	**Surveyor’s Certificate for Finished Floor Level (Flooding)**
	Prior to the issue of any Occupation Certificate, a certificate from a registered surveyor shall be provided to the Principal Certifier, certifying that the habitable floor levels are constructed a minimum of 500 mm above the 1% Annual Exceedance Probability (AEP) Flood Level and that the basement parking level is protected from inundation to a minimum of 500mm above the 1% AEP Flood Level.
	Condition reason: To ensure that floor levels are built in accordance with required flood planning levels.

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144	**Flood Risk Management Plan - Major**
	The approved Flood Risk Management Plan and all recommendations from the Flood Awareness & Evacuation Strategy are to be implemented within the development prior to the issue of the Occupation Certificate. A copy of the Flood Risk Management Plan is to be kept on-site. Details and evidence are to be provided to the satisfaction of the Principal Certifier prior to the issue of any Occupation Certificate.
	Condition reason: To minimise risk to life and property.
145	**Private Waste Collection**
	Waste and recycling must be collected by a private waste contractor within the site. A contract for waste and recycling collection must be entered into prior to issue of the Occupation Certificate and the maximum size of the waste collection vehicle shall be equal to or smaller than a SRV vehicle (as denoted by AS2890.2). The company engaged must ensure that all recycling is collected separately from waste. Council must be advised in writing within seven (7) days of a private contractor being engaged for waste collection services.
	Condition reason: To ensure the waste can be collected on site in accordance with the approved development.
146	**Loading Dock Management Plan**
	Prior to the issue of the Occupation Certificate, the Applicant shall prepare a detailed loading and servicing management plan for the development which includes, but shall not be limited to, operation hours, use of off-peak deliveries, methods to avoid congestion of service vehicles, booking system, how the vicinity will be shared and general mitigation measures to prevent amenity impacts to neighbouring properties and residents within the site. The plan shall be prepared by a suitably qualified professional and submitted to the Principal Certifier. The management plan is to be implemented for the lifetime of the use of the development.
	Condition reason: REASON To ensure that loading docks are operated in a manner that minimises amenity impacts to residents within the site and surrounding properties.
147	**Car Share**
	The two car share car parking space must be operated by a recognized commercial car share operator within the site. A contract for the operation of the car share space by the commercial car share provider must be entered into prior to issue of any Occupation Certificate. The car share space must be made available to car share operators without a fee or charge. The car share space must be appropriately line marked and signposted to indicate its usage to be exclusively as a car share space to the satisfaction of the car share operator. The car share space must be publicly accessible at all times and the intercom system must be designed to facilitate public access to the car share parking space. The use and operation of the car share space must be accommodated in the titling and management of the residential development, including covenants, building/strata

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	management statement, by laws and other instruments prior to the issue of any Occupation Certificate. The titling and management of the development must provide for: 1. Free use of the car share space by the car share operator. 2. The maximum size of the car share vehicle shall be equal to, or smaller than, a B99 vehicle (as denoted by AS/NZS2890.1:2004). 3. Public access to the car share parking space shall always be available (all 7 days of the week and all 24 hours of each day) and shall be well-lit. 4. Insurances, including public liability. 5. The car share space must be retained as common property in the strata subdivision of the development The car share space is to be fully operational, and the commercial car share operator is to confirm its operation to the Principal Certifier and Bayside Council prior to the issue of any Occupation Certificate.
	Condition reason: To ensure the provision of, and legal access to, the designated off-street car parking space for car share use.
148	**Post-construction dilapidation report**
	Before the issue of any Occupation Certificate, a post-construction dilapidation report must be prepared by a suitably qualified Engineer, to the satisfaction of the Principal Certifier, detailing whether: 1. after comparing the pre-construction dilapidation report to the post-construction dilapidation report required under this condition, there has been any structural damage to any adjoining buildings; and 2. where there has been structural damage to any adjoining buildings, that it is a result of the building work approved under this development consent, and 3. a copy of the post-construction dilapidation report must be provided to Council (where Council is not the Principal Certifier or a Principal Certifier is not required) and to the relevant adjoining property owner(s).
	Condition reason: To identify any damage to adjoining properties resulting from site work on the development site.
149	**Intruder Alarm Timer**
	All intruder alarms must be fitted with a timing device in accordance with the requirements of the Protection of the Environment Operations (Noise Control) Regulation 2008, and AS 2201 – Parts 1 and 2 – Intruder Alarm Systems.
	Condition reason: To protect the amenity of residents in the surrounding area.
150	**Repair of Infrastructure**
	Before the issue of an Occupation Certificate: 1. any public infrastructure damaged as a result of the carrying out of work approved under this consent (including damage caused by, but not limited to, delivery

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	vehicles, waste collection, contractors, sub-contractors, concreting vehicles) must be fully repaired to the written satisfaction of Council, and at no cost to Council, or 1. if the works in (a) are not carried out to Council's satisfaction, Council may carry out the works required and the costs of any such works must be paid as directed by Council and in the first instance will be paid using the security deposit required to be paid under this consent.
	Condition reason: To ensure any damage to public infrastructure is rectified.
151	**Release of Securities**
	When Council receives an Occupation Certificate, an application may be lodged to release the securities held in accordance with councils' fees and charges for development.
	Condition reason: To allow release of securities and authorise Council to use the security deposit to complete works to its satisfaction.
152	**Completion of Landscape and Tree Works**
	Before the issue of an Occupation Certificate, the Principal Certifier must be satisfied all landscape and tree-works have been completed in accordance with the approved plans and documents and any relevant conditions of this consent.
	Condition reason: To ensure the approved landscaping works have been completed in accordance with the approved landscaping plan(s).

Occupation and ongoing use

153	**Plan of Management (POM)**
	The affordable housing component of the approved development shall at all times be operated in accordance with the approved Plan of Management (POM). A copy of the approved POM shall be displayed at all times within each of the affordable housing units. A copy of the POM shall be made freely available to family and visitors who frequent the facility, as well as to neighbouring property owners and local residents, if requested. The POM shall be reviewed every five (5) years. If the Plan of Management is updated following the review, the operator is required to: 1. ensure that the amended POM is consistent with all conditions of this consent; 2. a copy of the amended Plan of Management is provided to Council within 7 days of completion; 3. the POM is updated, if required, to include comments if provided by Council.

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	Condition reason: To ensure the affordable housing units are managed appropriately and do not result in adverse impacts on the remainder of the approved development.
154	**Landscape – Maintenance**
	1. The landscaped areas on the property / site shall be maintained in accordance with any approved landscape plans and Council's Development Control Plan. The landscaped areas shall be maintained in a clean and tidy state and with a dense, even coverage of plants to Council's satisfaction at all times, and 2. Green corridors/ Gateway/ landscape setbacks: Dead or declined trees shall be replaced with same trees as specified in approved plans. Replacement of planting material, including trees as indicated in approved landscape plan, with an alternative tree species shall be approved by the Director City Futures (or delegate) of Bayside Council. Maintenance tasks will include pruning to ensure CPTED principles are always met. All tree works must be done by a qualified arborist with a minimum level 3 in arboriculture (AQF). Trees along frontages are not to be pruned in height, unless required for safety reasons or for better development of the tree. 3. A landscape contractor shall be engaged weekly for a minimum period of 52 weeks from completion of the landscape installation to maintain the landscaping. After that time monthly maintenance is required in perpetuity, and 4. An automatic drip irrigation system shall be installed and maintained in working order for all landscaped areas, and 5. New street trees shall be maintained by the Applicant/Owner/Strata Corporation for a period of twelve (12) months after final inspection by Council. Maintenance includes twice weekly watering within the first 6 months then weekly thereafter, biannual feeding, weed removal round the base, mulch replenishment at 3 monthly intervals (to 75mm depth) and adjusting of stakes and ties; to sustain adequate growth and health. Maintenance does not include trimming or pruning of the trees under any circumstances.
	Condition reason: To ensure ongoing maintenance of approved landscaping.
155	**Operation of Vehicular Premises**
	The operation of the development and movements of vehicles shall comply with the following requirements: 1. All vehicles must enter and exit the site in a forward direction. 2. All commercial vehicles (including deliveries and garbage collection) shall enter and exit the site in a forward direction and exit the site in a forward direction. 3. All loading / unloading and garbage / waste collection activities shall take place on-site wholly within the dedicated loading areas and not from public places, public streets, or any road related area (e.g., footpath, nature strip, road shoulder, road reserve). 4. The maximum size of vehicles accessing the site shall be limited to an 6.4m long SRV Vehicle (as denoted in AS2890.2). 5. All manoeuvring movements of vehicles shall be carried out wholly within the site and vehicle manoeuvring area shall be kept clear at all times.

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	6. Parking spaces must not be enclosed without further approval of Bayside Council. The enclosure of car spaces is not permitted unless the enclosure complies with the design requirements of AS/NZS 2890.1. 7. All vehicles shall be parked in the marked parking bays. All parking bays on-site shall be set aside for parking purpose only and shall not be used for storage of goods or machinery.
	Condition reason: To manage site operations so that adverse impacts are minimised.
156	**Maintenance of Stormwater Drainage System**
	The stormwater drainage system (including all pits, pipes, absorption, detention structures, treatment devices, infiltration systems and rainwater tanks) shall be regularly cleaned, maintained and repaired to ensure the efficient operation of the system from time to time and all times. The system shall be inspected after every rainfall event to remove any blockage, silt, debris, sludge and the like in the system. All solid and liquid waste that is collected during maintenance shall be disposed of in a manner that complies with the appropriate Environmental Guidelines. The water from the rainwater tank should not be used for drinking. Rainwater tanks shall be routinely de-sludged and all contents from the de-sludging process disposed: Solids shall be disposed to the waste disposal and de-sludged liquid shall be disposed to the sewer.
	Condition reason: To protect waterways and minimise adverse impacts to the environment.
157	**Maintenance of Wastewater and Stormwater Treatment Device**
	During occupation and ongoing use of the building, all wastewater and stormwater treatment devices (including drainage systems, sumps and traps, and on-site detention) must be regularly maintained to remain effective and in accordance with any positive covenant (if applicable).
	Condition reason: To protect sewerage and stormwater systems.

General advisory notes

This consent contains the conditions imposed by the consent authority which are to be complied with when carrying out the approved development. However, this consent is not an exhaustive list of all obligations which may relate to the carrying out of the development under the EP&A Act, EP&A Regulation and other legislation. Some of these additional obligations are set out in the *Conditions of development consent: advisory notes*. The consent should be read together with the *Conditions of development consent: advisory notes* to ensure the development is carried out lawfully.

The approved development must be carried out in accordance with the conditions of this consent. It is an offence under the EP&A Act to carry out development that is not in accordance with this consent.
Building work or subdivision work must not be carried out until a construction certificate or

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subdivision works certificate, respectively, has been issued and a principal certifier has been appointed.

A document referred to in this consent is taken to be a reference to the version of that document which applies at the date the consent is issued, unless otherwise stated in the conditions of this consent.

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Dictionary

The following terms have the following meanings for the purpose of this determination (except where the context clearly indicates otherwise):

Approved plans and documents means the plans and documents endorsed by the consent authority, a copy of which is included in this notice of determination.

AS means Australian Standard published by Standards Australia International Limited and means the current standard which applies at the time the consent is issued.
Building work means any physical activity involved in the erection of a building.

Certifier means a council or a person that is registered to carry out certification work under the *Building and Development Certifiers Act 2018.*

Construction certificate means a certificate to the effect that building work completed in accordance with specified plans and specifications or standards will comply with the requirements of the EP&A Regulation and *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.*

Council means BAYSIDE COUNCIL.

Court means the Land and Environment Court of NSW.

EPA means the NSW Environment Protection Authority.

EP&A Act means the *Environmental Planning and Assessment Act 1979.*

EP&A Regulation means the *Environmental Planning and Assessment Regulation 2021.*

Independent Planning Commission means Independent Planning Commission of New South Wales constituted by section 2.7 of the EP&A Act.

Local planning panel means Bayside Local Planning Panel

Occupation certificate means a certificate that authorises the occupation and use of a new building or a change of building use for an existing building in accordance with this consent.

Principal certifier means the certifier appointed as the principal certifier for building work or subdivision work under section 6.6(1) or 6.12(1) of the EP&A Act respectively.

Site work means any work that is physically carried out on the land to which the development the subject of this development consent is to be carried out, including but not limited to building work, subdivision work, demolition work, clearing of vegetation or remediation work.

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Stormwater drainage system means all works and facilities relating to:

- the collection of stormwater,

- the reuse of stormwater,

- the detention of stormwater,

- the controlled release of stormwater, and

- connections to easements and public stormwater systems.

Strata certificate means a certificate in the approved form issued under Part 4 of the *Strata Schemes Development Act 2015* that authorises the registration of a strata plan, strata plan of subdivision or notice of conversion.

Sydney district or regional planning panel means Sydney Eastern City Planning Panel.

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Statement of Environmental Effects

Residential Flat Building

30-34 Wickham Street, Arncliffe

BMA URBAN

Submitted to: Bayside Council

On behalf of: TQM Design & Construct

Date: May 2024

BMA URBAN STAFF RESPONSIBLE FOR THIS REPORT WERE:

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Report Number	Final- 03/05/24

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1. INTRODUCTION

This Statement of Environmental Effects (SEE) has been prepared by BMA Urban in support of a Development Application (DA) to Bayside Council, prepared in accordance with Section 4.12 of the Environmental Planning and Assessment Act, 1979 and Clause 50 of the Environmental Planning and Assessment Regulation, 2021. The proposed development seeks consent for demolition of the existing dwellings and outbuildings, tree removal and construction of ten (10) storey residential flat building, comprising a total of 53 apartments over four (4) levels of basement car parking at 30-34 Wickham Street, Arncliffe. Nine (9) of the apartments are proposed to be affordable housing in accordance with Chapter 2 – Affordable housing within State Environmental Planning Policy (Housing) 2021.

This SEE has been prepared pursuant to Section 4.12 of the *Environmental Planning and Assessment Act*, 1979 and Clause 50 of the *Environmental Planning and Assessment Regulation*, 2021. Pursuant to Section 4.46 of the Environmental Planning and Assessment Act 1979, the proposal is classified as Integrated Development as it requires approval pursuant to the Water Management Act 2000 with respect to groundwater.

The proposed development has been designed in accordance with the Bayside Local Environmental Plan 2021 controls and is generally consistent with the built form outcomes of the Arncliffe and Banksia Precinct prescribed by the Bayside Development Control Plan 2022. Specifically, the built form, siting and massing of the proposed development takes into account the transitioning character of the context and necessity to provide a contextually balanced form that serves to integrate into the existing development and evolving visual character setting.

The SEE concludes this proposal is of an appropriate scale and mass for the site, which is consistent with the existing and future character of the area. The proposal:

- positively contributes to the prominent site setting with a large emphasis placed on interface relationships and residential and neighbourhood amenity;
- provides for a '*residential flat building*' which will contribute to the economic redevelopment of the immediate area; and
- provides a built form and massing which is commensurate with the likely evolution in built forms governed by the land zoning and prescribed controls applicable to the land.

The SEE concludes this proposal is of an appropriate scale and mass for the site, is consistent with its immediate context and the desired future character of the Arncliffe Banksia Precinct, is well designed and has no adverse amenity impacts and will make a valuable contribution to housing supply and diversity in the Bayside LGA. As such, it is considered that the proposal will deliver a suitable and appropriate development for the site and is worthy of approval.

In view of the contents of this report, we are satisfied that this proposal has properly responded to all relevant matters for consideration within Clause 4.15 of the Environmental Planning and Assessment Act, and the accompanying Regulation.

1.1 Report Structure

This SEE is structure in the following manner:

- **Section 1** – Introduction;
- **Section 2** - Analysis of site and surrounding context;
- **Section 3** – Description of the Development
- **Section 4** - Assessment of the proposal's compliance with relevant planning instruments and policies;
- **Section 5** - Impact assessment and consideration of key planning issues as required by Section 4.15 of the EP&A Act; and
- **Section 6** – Conclusion.

1.2 Supporting Documentation

The technical and design documents that have been prepared to accompany this DA are identified in **Table 1** and are as follows;

Document:	Prepared by:	Dated:
Architectural Plans	Design Workshop Australia	16 April 2024
Traffic and Parking	Stanbury Traffic Planning	17 April 2024
BASIX	Integreco Consulting	23 April 2024
ESD, BASIX and NatHERS summary	Integreco Consulting	5 April 2024
BCA	Building Code Assistance	15 April 2024
Stormwater Quality Management Plan	Mance Arraj	April 2024
Wind Impact Assessment	SLR Consulting	19 April 2024
Stormwater Plans	Mance Arraj	17 April 2024
Arboricultural Impact Assessment	Tree Management Strategies	4 August 2023
QS Report	PBA	5 April 2024
Hazardous Material Survey	Iros Australia	15 April 2024
Operational Waste Management Plan	Elephants Foot	15 April 2024
Landscape Plans	Site Image	15 April 2024
Survey	SDG Pty Ltd	1 April 2023
Access	ABS	23 April 2024
Acoustics	Acoustic Logic	29 April 2024
Environmental Wind Impact	SLR Consulting	19 April 2024
Reflectivity Assessment	SLR Consulting	22 April 2024
Geotechnical Report	JC Geotechnics	30 April 2024

Table 1: Technical and design documentation

2. SITE ANALYSIS AND CONTEXT

2.1 The Subject Site

The subject site is located within the Local Government Area (LGA) of Bayside. The site is located within the Arncliffe Precinct, which is a transitioning locality that is undergoing change through the redevelopment of numerous sites. The site is located within proximity to the Arncliffe Railway Station and therefore has optimal access to public transport via the Illawarra Line. Land uses surrounding the site are mixed, primarily including detached dwellings forming part of the original housing stock, medium to large scale residential development, commercial and industrial uses, hotels and places of public worship. The built forms in the locality are experiencing a transition towards higher density development typologies noting the prescribed zonings, FSR and heights afforded to the land/s.

Figures 1 and 2 below provide an aerial view identifying the location of the site within its defining context.

Figure 1: Site Plan (Base Map)
Source: Six Maps

Subject site

Figure 2: Site Plan (Aerial)
Source: Six Maps

Subject site

2.2 Site Description

2.2.1 Dimensions and Locational Characteristics

The subject site is comprised of three (3) allotments which have been consolidated to form Lot 2411, more readily identified as 30-34 Wickham Street, Arncliffe and is located on the northern side of Wickham Street. The site presents a primary consolidated frontage of 41.76m to Wickham Street, respective eastern and western boundary lengths of 40.22m and 40.21m and rear boundary width of 42.64m. The site has a total combined land area of 1697m^2.

A detailed Land Survey prepared by SDG Pty Ltd indicating boundary lengths, site area and the location of existing structures on the allotment. This survey is a detail and land survey of Lot 2411, being a plan of consolidation of Lot 24 in DP 666352, Lot 1 in DP 910542 and Lot 1 in DP 911971. The survey plan provided is reproduced in **Figure 3** below.

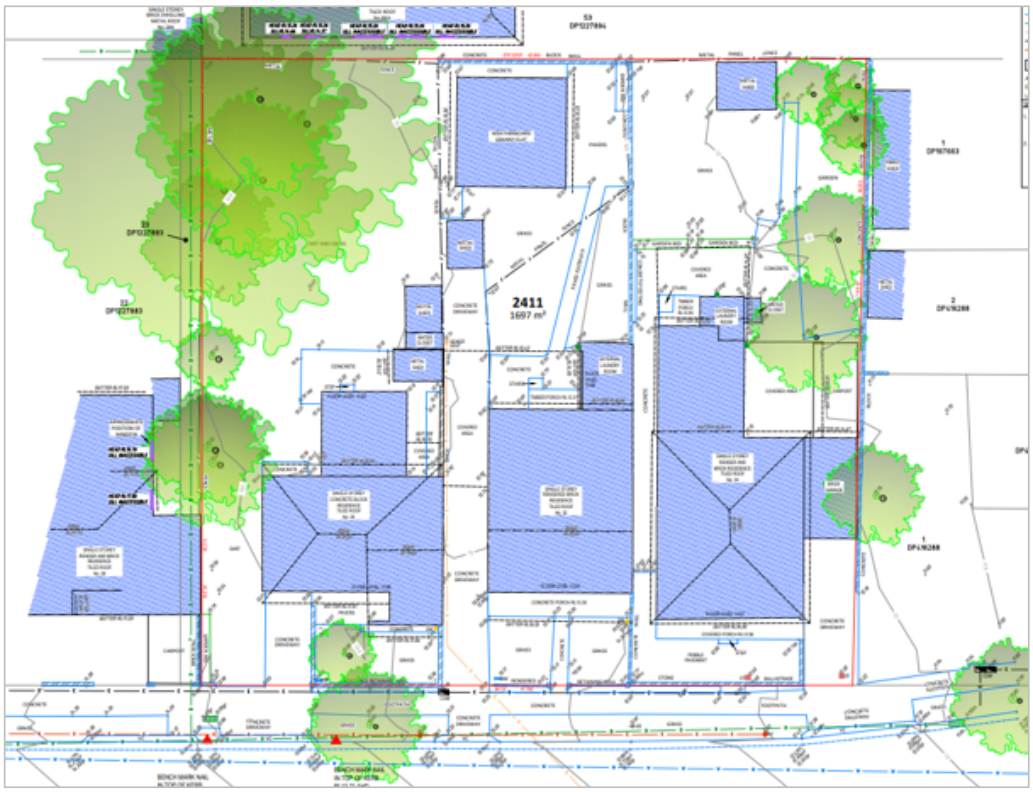


Figure 3: Survey Plan
Source: SDG Pty Ltd

2.2.2 Existing Improvements

Address	Description
30 Wickham Street	Single storey dwelling with detached outbuildings/shed.
32 Wickham Street	Single storey dwelling with detached weatherboard granny flat in the rear yard.
34 Wickham Street	Single storey dwelling with detached metal shed.

Figures 4 through to **7** below provide a visual identification of the site as it presents to Wickham Street.

Figure 4: Existing dwelling at 30 Wickham Street

Figure 5: Existing dwelling at 32 Wickham Street

Figure 6: Existing dwelling at 34 Wickham Street.

Figure 7:The subject site as viewed at the western end of Wickham Street

2.3 The Locality

The site is bordered by Charles Street to the east and West Botany Street to the west. The immediate locality is defined by a mixture of developments including but not limited to, detached dwellings forming part of the original housing stock, medium to large scale residential development, commercial and industrial uses, hotels and places of public worship.

It is worth noting that over time, housing stock will be demolished and redeveloped commensurate with the scale of development envisaged for zone and the prescribed standards applying to it. **Figures 8** through to **11** provide a visual overview of the immediate context.

Figure 8: Immediately adjoining dwelling to the west at 28 Wickham Street

Figure 9: Existing development adjoining to the east, facing West Botany Street

Figure 10: Existing residential development at No.1A – 7 Wickham Street

Figure 11:No.185 Princes Highway as it presents from the intersection of Wickham Street and Princes Highway

3. PROPOSED DEVELOPMENT

3.1 Development Summary

This DA seeks consent for: demolition of the existing improvements and construction of a new ten (10) storey residential flat building with four (4) levels of basement car parking. The proposed development comprises:

- The construction of a ten (10) storey residential flat building, containing a total of 53 residential units;
- Of the total of 53 residential units, 9 of those are proposed to be affordable housing in accordance with Chapter 2 – Affordable housing within SEPP (Housing) 2021. These units are nominated as being: G01, G02, G03, 101, 102, 103, 104, 105 and 106;
- Four levels of basement accommodating a total of 65 car parking spaces, 5 motorcycle parking spaces and 53 bicycle parking spaces;
- On-site loading bay on the ground floor, capable of accommodating waste collection via a Small Rigid Vehicle (SRV);
- Principal usable communal open space provided at ground level; and
- Ground plane landscaping.

The key numerical aspects of the proposed development are outlined in **Table 2** and described in further detail in the following sections.

Parameter	Proposal
Site Area	Total Land Area - 1697m^2
Floor Space Ratio	2.78:1 or 4722.71 m
Deep Soil Provision	614.6m^2 or 36.2 % 6m wide deep soil is 255.4m^2 or 15%
Building Height (maximum)	Approximately 34.3m (RL46.8) as measured to the lift overrun
Apartment Mix (Across Development as a whole) 1 bedroom 2 bedroom 3 bedroom	• Eight (8) • Thirty-four (34) • Eleven (11) Total = Fifty-three (53) dwellings

Parking Provision (Total)	• Resident - 54 (including 12 accessible) • Visitor - 9 spaces (including 1 accessible and 1 shared visitor/car wash bay) • Car share – 2 spaces • Motorcycle -5 spaces • Bicycle – 59 spaces (53 within the basement and 6 at ground level)
Communal open space	522.4m^2 or 30.95%
Land Use	Residential flat building

Table 2: Numeric Overview of the proposed development

3.2 Built form and Urban Design

The proposed built form comprises a single residential flat building within a landscaped setting as identified in **Figure 12** below.

The residential flat building would be a total of ten (10) storeys in scale. The upper two (2) storeys have been designed to have greater building setbacks so as to minimise visual bulk and scale, amenity impacts and create a well-defined eight (8) storey base to the building. Ground level communal space is provided on the north-eastern part of the site where solar access and subsequent residential amenity is achieved.

As shown in **Figure 13** being the development render, the buildings have been modulated to provide articulation and visual interest when viewed from the public domain.

The elevations are highly modulated using articulated walls and varying setbacks. A range of different materials and colours have been used to further visually break up the built form, including fluted concrete panels, copper look metal cladding, light and dark grey paint, metal wall cladding (horizontal), timber look wall cladding and off form concrete.

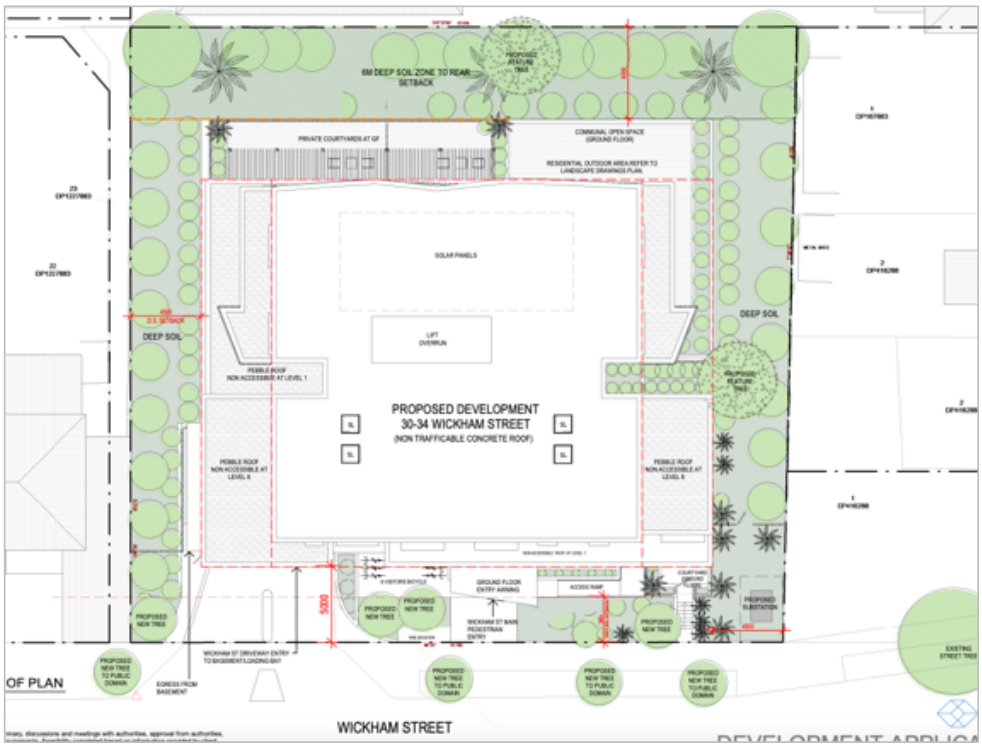


Figure 12: Site Plan
Source: DWA

Figure 13: Development Render
Source: DWA

3.3 Landscaping/Communal Open Space

Landscape Plans prepared by Site Image accompany this development application.

The landscape design strategy seeks to provide residents with a diversity of spaces and activities for their leisure that are both attractive and functional. The planting palette will be vibrant and lush, reflecting the desired future character of the area and with a focus on native and floral species. Private open space is provided in the form of landscaped courtyards for the ground floor apartments and balconies for the dwellings located above.

The design aims to deliver opportunities for community gathering and private retreats across the rear of the ground floor.

With regards to streetscape, the landscape design strategy seeks to create revitalised street frontages with multiple pedestrian access points, a centralised entry lobby, deep soil planting within the setback zones; and new street tree planting consistent with Council's guidelines for re-development in this precinct.

3.4 Water Management

In accordance with Council's guidelines for stormwater and water cycle management, Mance Arraj Engineers have developed a stormwater management plan incorporating on-site detention and discharge to the public drainage network via new stormwater infrastructure proposed across the site which feeds into the inlet structures.

The inlet structures have been designed to adequately convey the surface runoff into the in-ground drainage network. The runoff will then be conveyed through a pit and pipe system to on site detention tanks. From the detention tanks stormwater is then conveyed to the legal point of discharge using gravity and the geometric falls of the pipe system.

3.5 Waste Management

An Operational Waste Management Plan prepared by Elephants Foot and is separately submitted with this application. The Operational Waste Management Plan outlines the strategy for managing ongoing operational waste from the residential development.

3.6 External Materials and Finishes

Details of the proposed materials of the development are included as part of the Architectural Drawings prepared by DWA and are also reproduced for reference in **Figure 14** below. The building will use a combination of contemporary materials to provide a visually interesting facade that responds to the future surrounding built form character. This includes: fluted concrete panels, copper look metal cladding, light and dark grey paint, metal wall cladding (horizontal), timber look wall cladding and off form concrete.

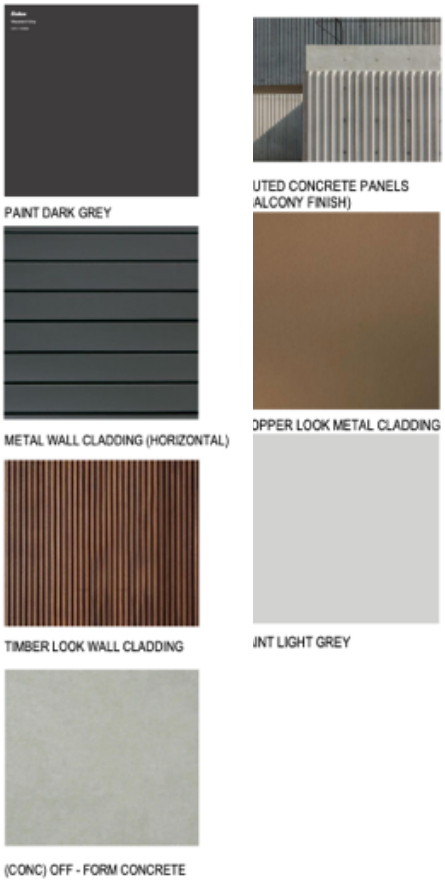


Figure 14: Materials and Finishes Schedule
Source: DWA

4. STATUTORY PLANNING CONSIDERATIONS

4.1 Overview

The relevant statutory framework considered in the preparation of this report comprises:

- Environmental Planning and Assessment Act, 1979;
- Environmental Planning and Assessment Regulation 2021;
- State Environmental Planning Policy (Resilience and Hazards) 2021;
- State Environmental Planning Policy (Biodiversity and Conservation) 2021;
- State Environmental Planning Policy (Sustainable Buildings) 2022;
- State Environmental Planning Policy (Transport and Infrastructure) 2021;
- State Environmental Planning Policy (Housing) 2021;
- Bayside Local Environmental Plan 2021; and
- Bayside Development Control Plan 2022.

The relevant provisions and controls of the above Instruments and Plans are summarised in the following sections of this SEE.

4.2 Environmental Planning and Assessment Act 1979

4.2.1 Section 1.3 – Objects

The Environmental Planning and Assessment Act, 1979 (the Act) is the principle planning and development legislation in New South Wales. In accordance with Section 1.3, the objectives of the Act are:

- *to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,*
- *to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,*
- *to promote the orderly and economic use and development of land,*
- *to promote the delivery and maintenance of affordable housing,*
- *to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,*
- *to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),*
- *to promote good design and amenity of the built environment*
- *to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,*
- *to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,*
- *to provide increased opportunity for community participation in environmental planning and assessment.*

For the reasons set out below, it is considered that the proposed development satisfies the above stated objects of the Act:

- The new stock increases employment opportunities and delivers a residential form of accommodation in a well serviced area;
- The subject site does not pose any risk to human health, or none that cannot be remediated;
- Creation of additional jobs during the construction phase;
- The proposal will result in the orderly and economic use and development of land;
- The proposed building promotes a high standard of environmental performance, incorporating the principles of ecologically sustainable development, while responding to the context and enhancing the qualities of the area; and
- Appropriate utility services are provided.

4.2.2 Section 4.15 of the EP&A Act 1979

Section 4.15(1) of the Act as amended specifies the matters which a consent authority must consider when determining a development application. The relevant matters for consideration under Section 4.15 of the Act are addressed in the Table below.

Section	Comment
Section 4.15(1)(a)(i) Any environmental planning instrument	Consideration of relevant instruments is discussed in Section 4.
Section 4.15(1)(a)(ii) Any draft environmental planning instrument	The provision of any draft State Environmental Planning Policy is discussed at Section 4.6
Section 4.15(1)(a)(iii) Any development control plan	Consideration of relevant the development control plan is discussed in Section 4.7.
Section 4.15(1)(a)(iiia) Any planning agreement	Not relevant to this application.
Section 4.15(1)(a)(iv) Matters prescribed by the regulations	Refer to Section 4.3
Section 4.15(1)(b)	The likely impacts of the proposed development have been discussed throughout this Report, particularly Section 5 of this SEE.
Section 4.15(1)(c) The suitability of the site	The suitability of the site has been discussed throughout this Report, particularly within Section 5 of this SEE.
Section 4.15(1)(d) Any submissions	It is understood that the DA for the proposed development will be publicly notified as is statutorily required.

Section 4.15(1)(e) The public interest	The proposed development will increase housing choice by providing 53 residential apartments, including additional dedicated affordable housing that will contribute to meeting the housing targets within the Arncliffe and Banksia Precinct. The proposed development is located in proximity to public transport, including Arncliffe Railway Station. The proposed development is therefore in the public interest.

Table 3: Section 4.15 of the EP&A Act 1979

4.3 Environmental Planning and Assessment Regulations 2021

4.3.1. Section 61 – Additional matters that consent authority must consider

Section 61 of the EP&A Reg prescribes those additional matters that are to be taken into consideration by a consent authority in assessing and determining a DA for the purposes of Section 4.15(1)(a)(iv) of the EP&A Act. All demolition works will undertaken in accordance with the Australian Standard AS 2601—2001*: The Demolition of Structures*.

4.3.2. Section 69 – Compliance with Building Code of Australia and insurance requirements under the Home Building Act 1989

Any building work must be carried out in accordance with the requirements of the Building Code of Australia (BCA), pursuant to Section 61 of the EP&A Reg and can be conditioned as part of any development consent granted for the DA.

4.4 State Environmental Planning Policies

4.4.1 State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 4 – Remediation of Land

Chapter 4 of this state policy applies to the whole of the State. The object of this chapter is to provide for a Statewide planning approach to the remediation of contaminated land. In accordance with the provisions of clause 4.6(1) of this state policy, Council must not consent to the carrying out of any development on land unless it has considered whether the land is contaminated, and if the land is contaminated, it is satisfied that the land is suitable in it contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out.

Based on a review of the aerials of the site (see below), the site has had been subject to residential land uses which are unlikely to be contaminated.

Figure 15: 1943 aerial of the site and surrounds
Source: Six Maps

4.4.3 State Environmental Planning Policy (Sustainable Buildings) 2022

In accordance with the provisions of the State Environmental Planning Policy (Sustainable Buildings) 2022, a BASIX Certificate has been provided. The proposed development satisfies the requirements of the Certificate in terms of water, thermal comfort and energy efficiency.

4.4.4 State Environmental Planning Policy (Biodiversity and Conservation) 2021

Chapter 2 – Vegetation in non-rural areas

Chapter 2 of this state policy applies to the non-rural areas of the State inclusive of the subject local government area and aims to:

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

The proposal seeks the removal of twelve (12) trees. The extent of vegetation located across and adjoining the site is described in the arborist report prepared by Tree Management Strategies. Offset planting is proposed in accordance with the landscape plan prepared by Site Image.

4.4.5 State Environmental Planning Policy (Transport and Infrastructure) 2021

Division 5 – Electricity Transmission or Distributions

Subdivision 2 – Development likely to affect electricity transmission or distribution networks

2.48 Determination of development applications—other development

(1) This section applies to a development application (or an application for modification of a consent) for development comprising or involving any of the following—

(a) the penetration of ground within 2m of an underground electricity power line or an electricity distribution pole or within 10m of any part of an electricity tower,
(b) development carried out—
(i) within or immediately adjacent to an easement for electricity purposes (whether or not the electricity infrastructure exists), or
(ii) immediately adjacent to an electricity substation, or
(iii) within 5m of an exposed overhead electricity power line,
(c) installation of a swimming pool any part of which is—
(i) within 30m of a structure supporting an overhead electricity transmission line, measured horizontally from the top of the pool to the bottom of the structure at ground level, or
(ii) within 5m of an overhead electricity power line, measured vertically upwards from the top of the pool,
(d) development involving or requiring the placement of power lines underground, unless an agreement with respect to the placement underground of power lines is in force between the electricity supply authority and the council for the land concerned.
(2) Before determining a development application (or an application for modification of a consent) for development to which this section applies, the consent authority must—
(a) give written notice to the electricity supply authority for the area in which the development is to be carried out, inviting comments about potential safety risks, and
(b) take into consideration any response to the notice that is received within 21 days after the notice is given.

The proposal is located in proximate distance of a single overhead power pole and lines. The consent authority is therefore under obligation to prepare a referral to the electricity supply authority. Subject to referral and consideration of any response, the proposal is capable of satisfying the provisions of this SEPP.

Division 17 – Roads and Traffic

Subdivision 2 – Development in or adjacent to road corridors and road reservations

2.118 Development with frontage to classified road

(1) The objectives of this section are—

(a) to ensure that new development does not compromise the effective and ongoing operation and function of classified roads, and
(b) to prevent or reduce the potential impact of traffic noise and vehicle emission on development adjacent to classified roads.
(2) The consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that—
(a) where practicable and safe, vehicular access to the land is provided by a road other than the classified road, and
(b) the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of—
(i) the design of the vehicular access to the land, or
(ii) the emission of smoke or dust from the development, or
(iii) the nature, volume or frequency of vehicles using the classified road to gain access to the land, and
(c) the development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road.

This clause applies to development with frontage to a classified road. In this regard, Wickham Street is identified as a Classified Road and therefore, this provisions of this clause apply to this development.

As detailed in the accompanying traffic report prepared by Stanbury Traffic Planning, the development has been projected to generate up to eleven peak hour vehicle trips in the morning and eight peak hour vehicle trips in the afternoon. Such a peak hour traffic generation, is not projected to, in itself, result in any unreasonable impacts on the existing operational performance of the surrounding local road network. In this regard, the extent of additional traffic is not projected to measurably impact the existing operational performance of Wickham Street or the existing operational performance of the nearby public road junctions of Wickham Street / Forest Road / Princes Highway or Wickham Street and West Botany Street.

Further, the proposed site access management of left-in / left-out traffic movements only, is envisaged to effectively govern that site access / egress movements and are therefore not projected to cause congestion or impact State Road traffic flow. In consideration of this and the above discussion, it is concluded that the nature, volume and frequency of vehicles utilising Wickham Street to obtain access to the subject site will not unreasonably compromise the effective and ongoing operation and function of the road.

In terms of the emission of smoke or dust from the development, measures will be put in place during the construction phase mitigating the extent of any construction generated smoke and or dust emissions. Additional consent conditions may be imposed in this regard.

Having regard to the commentary above, the proposed development is capable of satisfying the relevant provisions of Clause 2.118 of the SEPP.

2.119 Impact of road noise or vibration on non-road development

This clause applies to development for any of the following purposes that is on land in or adjacent to the road corridor for a freeway, a tollway or a transitway or any other road with an annual average daily traffic volume of more than 20,000 vehicles (based on the traffic volume data published on the website of RMS) and that the consent authority considers is likely to be adversely affected by road noise or vibration:

(a) residential accommodation,
(b) a place of public worship,
(c) a hospital,
(d) an educational establishment or centre-based child care facility.

The subject site is located along Wickham Street, requiring that a mandatory assessment be undertaken in accordance with the SEPP.

The application is accompanied by an acoustic report prepared by Acoustic Logic.

The assessment concludes that the proposed development is capable of achieving the noise attenuation criteria where relevant to the development subject to the recommendations detailed within the report being adhered to.

The proposed development cis therefore capable of satisfying the provisions of Clause 2.119 of TISEPP.

2.120 Excavation in or Immediately adjacent to corridors

This section applies to development that involves the penetration of ground to a depth of at least 3m below ground level (existing) on land that is the road corridor of any of the following roads or road projects (as described in Schedule 2).

While the proposal does involve excavation that exceeds 3m in depth, the site is located in close proximity to the M8 tunnel which for the proposes of this clause, is not identified in Schedule 2 of the SEPP as a potentially impacted corridor.

2.120 Impact of road noise or vibration on non-road development

This section applies to development for any of the following purposes that is on land in or adjacent to the road corridor for a freeway, a tollway or a transitway or any other road with an annual average daily traffic volume of more than 20,000 vehicles (based on the traffic volume data published on the website of TfNSW) and that the consent authority considers is likely to be adversely affected by road noise or vibration—

(a) residential accommodation,
(b) a place of public worship,
(c) a hospital,
(d) an educational establishment or centre-based child care facility.

In the interest of abundant caution, the relevant provisions of this instrument have been addressed.

The accompanying acoustic report prepared by Acoustic Logic provides a number of recommendations that if satisfied, will satisfy the prescribed LAeq levels across the development.

2.122 Traffic generating Development

This section applies to development specified in Column 1 of the Table to Schedule 3 that involves—

(a) new premises of the relevant size or capacity, or
(b) an enlargement or extension of existing premises, being an alteration or addition of the relevant size or capacity.

The proposed development seeks the provision of two hundred and ninety-six (296) apartments and therefore, does not trigger as a traffic generating development.

5.4.6 State Environmental Planning Policy (Housing) 2021

Chapter 2 – Affordable Housing: Division 1 In-fill affordable housing

The objective of this division is to facilitate the delivery of new in-fill affordable housing to meet the needs of very low, low and moderate income households. The relevant sections within this Division are addressed as follows:

15C Development to which division applies

This division applies to the proposed development on the basis of the following:

- The development (*residential flat building*) is permitted with consent on the subject land under the Bayside Local Environmental Plan 2021, that being an environmental planning instrument.
- The proposed affordable housing component within the development is at least 10% (14.6% proposed);
- All or part of the development is on land in the Six Cities Regional and is within an accessible area. In this regard, the site is land within 800m walking distance of a public entrance to the Arncliffe Railway Station as demonstrated in **Figure 16** below. The walking distance from the site to the station is 700m.

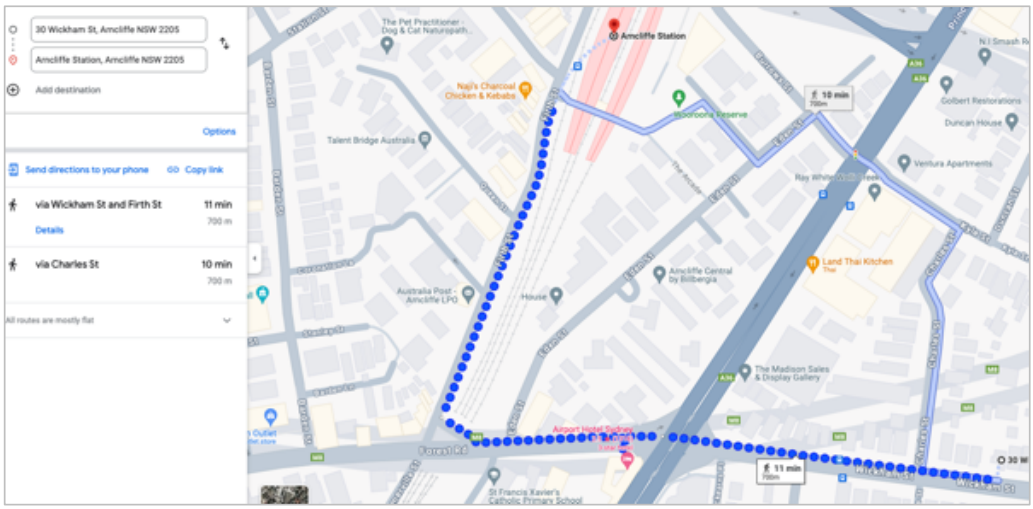


Figure 16: Walking distance from the subject land to Arncliffe Station
Source: Google Maps

16 Affordable housing requirements for additional floor space ratio

The maximum floor space ratio for development that includes residential development to which this division applies is the maximum permissible floor space ratio for the land plus an additional floor space ratio of up to 30%, based on the minimum affordable housing component calculated in accordance with subsection (2). The maximum allowable FSR under the Bayside LEP 2021 is 2.2:1. An additional 30% is permitted, resulting in a maximum allowable FSR of 2.86:1. The proposed FSR is 2.78:1 which is compliant.

The minimum affordable housing component, which must be at least 10%, is calculated as follows—

$$\text{affordable housing component} = \text{additional floor space ratio (as a percentage)} \div 2$$

Based on the proposed FSR of 2.78:1, the additional FSR sought as a percentage is 26.5%. Dividing that by two, the required affordable housing component is 13.5% or 637.55m^2. A total of 9 units are proposed to be affordable, those being: G01, G02, G03, 101, 102, 103, 104, 105 and 106. The combined area of these units is 692.6m^2 or 14.6% of the total FSR and is thus compliant.

If the development includes residential flat buildings or shop top housing, the maximum building height for a building used for residential flat buildings or shop top housing is the maximum permissible building height for the land plus an additional building height that is the same percentage as the additional floor space ratio permitted under subsection (1). The development is for a residential flat building and is thus permitted an additional 30% building height. The maximum allowable height limit under Bayside LEP 2021is 26.5m. An additional 30% results in a 34.45m height limit. The proposal complies with this.

19 Non-discretionary development standards -the Act, s 4.15

The following are non-discretionary development standard in relation to the residential development to which this division applies.

(2)(a) a minimum site area of 450m²

The site is 1697m² and is thus compliant.

(b) a minimum landscaped area that is the lesser of –
(i) 35m² per dwelling, or
(ii) 30% of the site area

30% of the site area is equivalent to 509.1m². The extent of landscaped area proposed is 614.6m² which is compliant.

(e) The following number of parking spaces for dwellings used for affordable housing—
(i) for each dwelling containing 1 bedroom—at least 0.4 parking spaces,
(ii) for each dwelling containing 2 bedrooms—at least 0.5 parking spaces,
(iii) for each dwelling containing at least 3 bedrooms— at least 1 parking space,

(f) The following number of parking spaces for dwellings not used for affordable housing—
(i) for each dwelling containing 1 bedroom—at least 0.5 parking spaces,
(ii) for each dwelling containing 2 bedrooms—at least 1 parking space,
(iii) for each dwelling containing at least 3 bedrooms—at least 1.5 parking spaces,

The on-site car parking provision complies with the above requirements. Refer to Section 3.3.2 of the Traffic and Parking Assessment prepared by Stanbury Traffic Planning which accompanies this DA submission.

(g) The minimum internal area, if any, specified in the Apartment Design Guide for the type of residential development

The internal apartment sizes are ADG compliant as discussed further below under Chapter 4.
Note: Subsection (2)(c) and (d) do not apply because Chapter 4 of SEPP (Housing) 2021 applies.

20 Design requirements

(3) Development consent must not be granted to development under this division unless the consent authority has considered whether the design of the residential development is compatible with—
(a) the desirable elements of the character of the local area, or
(b) for precincts undergoing transition—the desired future character of the precinct.

As acknowledged in Part 7.4 of the Bayside DCP 2022, the Bayside West Precincts 2036 was prepared to guide the renewal of the Arncliffe and Banksia Precincts, after they were identified as Planned Precincts by the Department of Planning and Environment. The Strategy outlines the vision for growth in these areas and

plans for the infrastructure needs to support this population increase. Accordingly, and given the applicable planning controls, the site is located within a precinct undergoing transition. The design of the development would be consistent with the desired future character of the precinct given that it achieves a high degree of consistency with Part 7.4 Arncliffe and Banksia of BDCP 2022, in particular, the Cahill Park Neighbourhood. In this regard, the proposal:

- Incorporates landscaped setbacks along Wickham Street to enhance street character and provide improved amenity for adjacent residential uses.
- Retains a residential land use.
- Provides deep soil zones along the rear and side boundaries to facilitate planting and visual privacy between properties.
- Provides an additional front setback for the upper two (2) storeys of the building.
- Provides a compliant front building setback with appropriate landscaping outcomes adjacent to the public domain.
- Retains vistas to Botany Bay.

21 Must be used for affordable housing for at least 15 years

The affordable housing component is proposed to be managed by a registered community housing provider in accordance with section 21(1)(b). Appropriate conditions of consent can be imposed in this respect.

22 Subdivision permitted with consent

Land on which development has been carried out under this division may be subdivided with development consent.

No subdivision is proposed.

Chapter 4 - Design of Residential Apartment Development

The aim of this chapter is to improve the design of residential apartment development in New South Wales for the following purposes—

(a) to ensure residential apartment development contributes to the sustainable development of New South Wales by—
(i) providing socially and environmentally sustainable housing, and
(ii) being a long-term asset to the neighbourhood, and
(iii) achieving the urban planning policies for local and regional areas,
(b) to achieve better built form and aesthetics of buildings, streetscapes and public spaces,
(c) to maximise the amenity, safety and security of the residents of residential apartment development and the community,
(d) to better satisfy the increasing demand for residential apartment development, considering—
(i) the changing social and demographic profile of the community, and
(ii) the needs of a wide range of people, including persons with disability, children and seniors,

(e) to contribute to the provision of a variety of dwelling types to meet population growth,
(f) to support housing affordability,
(g) to minimise the consumption of energy from non-renewable resources, to conserve the environment and to reduce greenhouse gas emissions,
(h) to facilitate the timely and efficient assessment of development applications to which this chapter applies.

(2) This chapter recognises that the design of residential apartment development is significant because of the economic, environmental, cultural and social benefits of high quality design.

Development consent must not be granted to residential apartment development, and a development consent for residential apartment development must not be modified, unless the consent authority has considered the following—

(a) the quality of the design of the development, evaluated in accordance with the design principles for residential apartment development set out in Schedule 9,
(b) the Apartment Design Guide,
(c) any advice received from a design review panel within 14 days after the consent authority referred the development application or modification application to the panel.

Division 1 of the Environmental Planning and Assessment Regulation 2021, subclause 29, outlines that a development application that relates to a residential apartment development must be accompanied by a statement by a qualified designer.

The statement must—

(a) verify that the qualified designer designed, or directed the design of, the development, and
(b) explain how the development addresses—
(i) the design principles for residential apartment development, and
(ii) the objectives in Parts 3 and 4 of the Apartment Design Guide.

These principles do not generate design solutions but provide a guide to achieving good design and the means of evaluating the merit of proposed solutions. An assessment of the proposed development, against these design principles and the Apartment Design Guide (ADG) criteria is contained in the Verification Statement prepared by DWA which has been separately submitted and forms part of this development application.

In summary, the proposed development provides a positive contribution to its locality in terms of its design quality, the internal and external amenity it provides and an increase in housing choice and stock in the area.

Furthermore, the proposed development is consistent with the aims and relevant provisions of the ADG.

In terms of how the proposal responds to the relevant design criteria specified in the Apartment Design guide, this has also been prepared by DWA and accompanies the Verification Statement (Separately submitted).

Overall, the proposed development achieves an acceptable level of compliance with the critical provisions of the Apartment Design Guide as detailed in **Table 4 below**.

ADG	Objective	Design Criteria	Achieves Design Criteria
3D: Communal and public open space	Communal open space to enhance residential amenity, encourage a range of activities, be visually appealing and to provide opportunities for landscaping. Communal open space should be designed to maximise safety.	25% of site area (minimum) Minimum of 50% direct sunlight for a minimum of 2 hours between 9am and 3pm on 21 June (mid- winter)	**Yes** The extent of communal open space across the development equates to 522.4m^2 or 30.95%.
3E: Deep soil zones	To provide areas on the site that allow for and support healthy plant and tree growth.	Less than 650m^2 - 7% 650m^2 – 1,500m^2 3m Greater than 1,500m^2 6m Greater than 1,500m^2 with significant existing tree cover 6m	**Yes** The extent of deep soil planting proposed is 614.6m^2 or 36.2%. The extent of deep soil that is 6m wide is 255.4m^2 or 15%.
3F-1 Visual Privacy	"Adequate building separation distances are shared equitably between neighbouring sites, to achieve reasonable levels of external and visual privacy".	Up to 12m (4 storeys) 6m 3m Up to 25m (5-8 storeys) 9m 4.5m Over 25m (9+ storeys) 12m 6m	**Yes** Refer to the discussion in Part 5.2.5 of the SEE.
4A: Solar Access	To optimise the number of apartments receiving sunlight to habitable rooms,	70% of total apartments (minimum) A maximum of 15% of apartments in a building receive no direct sunlight between 9 am and 3 pm at mid winter	**Yes** The development results in 44 of the 53 apartments receiving

	primary windows and private open space.	A maximum of 15% of apartments in a building receive no direct sunlight between 9 am and 3 pm at mid-winter.	the requisite amount of solar access. Expressed as a percentage, this equates to 83%.
4B: Natural Ventilation	To maximise natural cross ventilation for comfortable indoor environments	60% of total apartments (minimum)	Yes The development results in 31 of the 53 apartments capable of being natural cross ventilated. Expressed as a percentage, this equates to 69.81%.
4C: Ceiling Height	Improve internal dwelling amenity.	Habitable rooms: 2.7m Non-habitable: 2.4m For 2 storey apartments: 2.7m for main living area floor; 2.4m for second floor, where its area does not exceed 50% of the apartment area Attic spaces: 1.8m at edge of room with a 30 degree minimum ceiling slope If located in mixed use areas: 3.3m for ground and first floor to promote future flexibility of use These minimums do not preclude higher ceilings if desired.	Yes All proposed apartments will comprise of areas that comply with the ADG Part 4C requirements.
4D: Apartment Size	The layout of rooms within an apartment is functional, well organised and provides a high standard of amenity.	Studio: 35m² 1 bedroom: 50m² 2 bedroom: 70m² 3 bedroom: 90m²	Yes All proposed apartments will comprise of areas that comply with the ADG Part 4D requirements.
4E: Private Open Space and Balconies	Apartments provide appropriately sized private open space and balconies to enhance residential amenity.	Studio apartment: 4m², - 1 bedroom apartment: 8m², 2m 2 bedroom apartment: 10m², 2m 3+ bedroom apartment: 12m², 2.4m The minimum balcony depth to be counted as contributing to the balcony area is 1m.	Yes The ADG objectives for Apartment size are achieved in the proposal. All apartments comply with the minimum primary area criteria and most of the apartments have private open space

			areas that exceed the minimum area requirement.
4G: Storage	Adequate, well designed storage is to be provided in each apartment	Studio apartment: $4m^2$ 1 bedroom apartment: $6m^2$ 2 bedroom apartment: $8m^2$ 3+ bedroom apartment: $10m^2$	**Yes** All proposed apartments will comprise of storage areas that comply with the ADG Part 4G requirements.

Table 4: ADG core compliance summary

4.5 The Provisions of any exhibited Draft Environmental Planning Instruments

4.5.1 Environment SEPP

The planning provisions for waterways, catchments, world heritage and urban bushland are currently contained in seven State Environmental Planning Policies (SEPPs), the Standard Instrument – Principal Local Environmental Plan (Standard Instrument), and in Ministerial Directions for plan making issued under the Environmental Planning and Assessment Act 1979.
An Explanation of Intended Effect for the SEPP (Environment) was publicly notified between 31 October 2017 to 31 January 2018. The SEPP (Environment) will integrate provisions from seven existing SEPPs relating to catchments, waterways, urban bushland and world heritage, and to reduce the complexity and streamline the planning system.

The proposed SEPP (Environment) will:

- *Encourage the proper management, development and conservation of natural resources and the protection of the environment, in line with the objectives of the Act*
- *Enable growth that maintains and enhances the health and integrity of our natural and cultural heritage for the benefit and enjoyment of the present community and for future generations*
- *Streamline development assessment by identifying and considering environmental values and constraints at the earliest possible stage in the development decision making process, using evidenced based planning methods*
- *Promote ecologically sustainable development that supports a balanced approach to the use of land and natural resources, and provides for long term environmental, economic and social wellbeing*
- *Adopt a risk based approach to minimise cumulative negative impacts of development on both the immediate site and on a surrounding area or region*
- *The proposed SEPP fits within a range of plans and strategies including A Plan for Growing Sydney, draft District Plans, Regional Plans, local environmental plans, Ministerial Directions, and development control plans*

Based on the information of the Explanation of Intended Effect of the SEPP (Environment), it is considered that the proposal is consistent with the draft planning instrument being, the proposed SEPP (Environment).

4.6 Local Environmental Plans

4.6.1 Bayside Local Environmental Plan 2021

The Bayside Local Environmental Plan 2021 (BLEP 2021) applies to the subject site which is identified as being within Zone R4 – High Density Residential. The proposed development is best characterised as a "*residential flat building*" which is a permissible form of development in the zone.

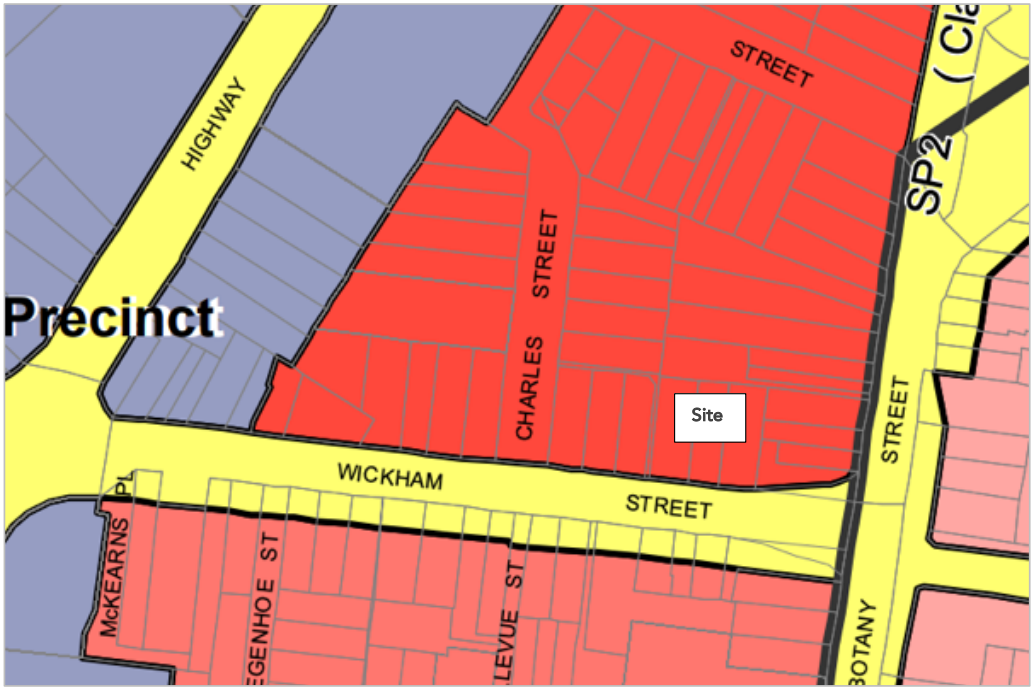
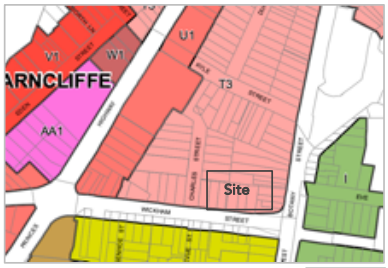


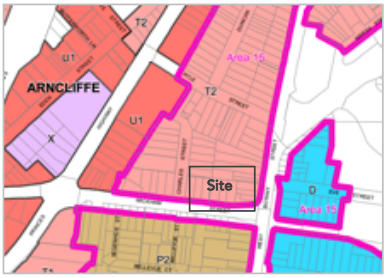
Figure 17: Zoning map extract
Source: BLEP 2021

The objectives of the R4 – High Density Residential Zone are as follows:

- *To provide for the housing needs of the community within a high density residential environment.*
- *To provide a variety of housing types within a high density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To ensure land uses are carried out in a context and setting to minimise impact on the character and amenity of the area.*
- *To enable residential development in accessible locations to maximise public transport patronage and encourage walking and cycling.*

The proposed development is consistent with the objectives of the zone. A summary of our assessment of the proposed development against the LEP provisions is detailed below. Some clauses with the LEP have been deliberately omitted because they are not applicable to the proposed development.

Clause	Provision	Proposal	Comply
PART 2 – Permitted or Prohibited development			
2.6	Subdivision – Consent Requirements	The proposal does not seek consent for any form of land subdivision.	N/A
2.7	Demolition requires development consent	This application seeks development consent for the demolition of the existing site improvements as detailed on the demolition plans prepared by DWA.	Yes
PART 4 – Principal Development Standards			
4.3	Height of Buildings The development is subject to the provisions of Clause 4.3, which as indicated on the associated "Height of Buildings" Map, limited the height of buildings to 26.5m.	 Figure 18: HoB map extract Source: BLEP 2021 The proposed development has a maximum height of approximately 34.3m which exceeds the 26.5m height limit. However, the proposal is afforded an additional 30% allowable height under Chapter 2 of SEPP (Housing) 2021. Accordingly, the maximum allowable height is 34.45m which is complied with.	Complies with SEPP

4.4	Floor Space Ratio Clause 4.4 permits a maximum FSR of 2.2:1 for the subject site equating to 3733.4m^2.	 Figure 19: FSR map Source: BLEP 2021 T2 2.2 The proposed development has an FSR of 2.78:1 or 4722.61m^2 which exceeds the 2.2:1 maximum. However, the proposal is afforded an additional 30% allowable FSR under Chapter 2 of SEPP (Housing) 2021. Accordingly, the maximum allowable FSR is 2.86:1 which is complied with.	Complies with SEPP
PART 5 – Miscellaneous Provisions			
5.10	Heritage Conservation	The subject property is not listed as an item of local heritage significance, is it located within a Heritage Conservation Area nor is it located in proximity to an item of relevance.	Yes
5.21	Flood Planning (1) The objectives of this clause are as follows— (a) to minimise the flood risk to life and property associated with the use of land, (b) to allow development on land that is compatible with the flood function and behaviour on the land, taking into account projected changes as a result of climate change, (c) to avoid adverse or cumulative impacts on flood behaviour and the environment, (d) to enable the safe occupation and efficient evacuation of people in the event of a flood.	Council has issued a Flood Advice Letter dated 8 November 2023 which states the following: *Council has identified these properties to be subject to the following flood affectation:* • *30 Wickham Street: affected by the 1% AEP flood event and affected by the PMF flood event.* • *32 Wickham Street: not affected by the 1% AEP flood event and affected by the PMF flood event.* • *34 Wickham Street: not affected by the 1% AEP flood event and not affected by the PMF flood event.* The above information is derived from the Bayside West Floodplain Risk Management Study and Plan, WMA Water, 2023. The proposed ground floor level is set at	Yes

		RL13.88 which is compliant with the various flood planning levels as set out in the Flood Advice Letter. It is noted that Location 'A' on the site, as presented in the letter, is at the front western corner of No.30 Wickham Street and the flood planning level is identified as RL13.9 – however, this co-incites with the location of the vehicular access point.	
PART 6 – Additional Local Provisions			
6.1	Acid Sulfate Soils The objective of this clause is to ensure that development does not disturb, expose of drain acid sulfate soils.	The subject site has been identified as being affected by Class 5 Acid Sulfate Soils on the ASS Map. However, the proposal does not involve works within 500m of adjacent class 1,2,3 or 4 land that is below 5m AHD and by which the watertable is likely to be lowered below 1m AHD on adjacent 1,2,3 or 4 land.	Yes
6.2	Earthworks This clause seeks to ensure earthworks would not have a detrimental impact on any environmental functions or existing built environments. It also prescribes that earthworks are required for most earthworks.	Earthworks are proposed for the purpose of facilitating the provision of the basement parking levels. A geotechnical investigation prepared by JC Geotechnics accompanies this DA. In any regard, any excavated material is understood to be virgin material and highly unlikely to be contaminated given the long standing use of the site for residential purposes. It is anticipated that standard conditions of consent will be imposed in relation to land contamination and disposal of excavated material. Where proposed earthworks occur within or close to the zone of influence of neighbouring structures, specific excavation and earth retention methods will be implemented to ensure structural integrity of adjacent buildings is not compromised. It is considered unlikely that the site, which for the most part has been relatively undisturbed, contains relics or any items of	Yes

		historic significance. Should any such item be encountered during site preparation works, excavation will cease immediately and the appropriate government authority notified. It is anticipated that a standard condition of consent will be imposed in this regard. The site is not in proximity to, nor are earthworks likely to have any detrimental impact on groundwater, drinking water catchment or environmentally sensitive area. Sediment and erosion controls will be installed and maintained for the duration of site preparation and construction phases to ensure there is no risk of sediment laden water leaving the site and entering council's drainage infrastructure. Excavation techniques which focus on minimising disturbance resulting from noise and vibration transmission will be implemented. Sediment and erosion controls will be installed and maintained for the duration of site preparation and construction phases. In this regard, the proposal will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.	
6.3	**Stormwater and water sensitive urban design** (2) Before granting development consent to development on any land to which this Plan applies, the consent authority must be satisfied that— (a) water sensitive urban design principles are incorporated into the design of the development, and (b) riparian, stormwater and flooding measures are integrated as part of the development, and (c) the stormwater management system includes all reasonable management	The application is accompanied by stormwater management plan prepared by Mance Arraj. This plan has been designed with the intent of ensuring that any stormwater generated by the building will be designed in accordance with the relevant provisions of this clause.	Yes

	actions to avoid adverse impacts on the land to which the development is to be carried out, adjoining properties, native bushland, waterways, receiving waters and groundwater systems, and (d) if a potential adverse environmental impact cannot be feasibly avoided, the development minimises and mitigates the adverse impacts of stormwater runoff on adjoining properties, native bushland, waterways receiving waters and groundwater systems, and (e) the development is designed to maximise the use of water permeable surfaces on the site having regard to the soil characteristics affecting on-site infiltration of water.		
6.7	**Airspace Operations** (1) The objective of this clause is to protect airspace around airports. (2) The consent authority must not grant development consent to development that is a controlled activity within the meaning of Division 4 of Part 12 of the *Airports Act 1996* of the Commonwealth unless the applicant has obtained approval for the controlled activity under regulations made for the purposes of that Division.	The Inner horizontal surface relevant to the site is 51m (AHD). The maximum proposed building height is below this.	Yes
6.10	**Design Excellence** (2) This clause applies to the following development— (a) development involving the erection of a new building or external alterations to an existing building within the Arncliffe Precinct or the Banksia Precinct,	The subject site has been identified on the Design Excellence Map noting it is located within the Arncliffe Precinct. The requirements of this clause therefore apply to the assessment of the application.	Yes
Design Excellence Assessment (4) In considering whether the development exhibits design excellence, the consent authority must have regard to the following matters—			

(a) whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved,	The building will present as a modern architectural design with a strong emphasis on visual identity and contextual integration. The building siting and form responds to the Arncliffe Precinct context and desired character while the range in materiality employed across the development will accentuate its key features.	Yes
(b) whether the form, arrangement and external appearance of the development will improve the quality and amenity of the public domain,	The development will provide for a high quality built form which addresses the streetscape and provides for a number of façade undulations, vertical and horizontal articulation, balcony design and fenestration. The building has a strong presentation to its frontage across the lower levels while the upper two building levels have been additionally recessed into the built form for the purpose of breaking up any strong level of built form verticality.	Yes
(c) whether the development detrimentally impacts on view corridors,	The siting, scale and built form relationship the development will have with both neighbouring properties and public domain, will not result in any visual impediment to established view corridors.	Yes
(d) the requirements of any development control plan made by the Council and as in force at the commencement of this clause,	The proposal has been designed in response to the prescribed control provisions of the DCP. This is discussed in more detail in Section 4.7.1 of this SEE.	Yes
(e) how the development addresses the following matters— *(i) the suitability of the land for development,* *(ii) existing and proposed uses and use mix,* *(iii) heritage issues and streetscape constraints,* *(iv) the relationship of the development with other development (existing or proposed) on the same site or on neighbouring sites in terms of separation, setbacks, amenity and urban form,* *(v) bulk, massing and modulation of buildings,* *(vi) street frontage heights,* *(vii) environmental impacts such as sustainable design, overshadowing, wind and reflectivity,*	The subject site is zoned R4-High Density Residential where residential flat buildings are a contemplated form of development. The proposal seeks to replace three (3) detached dwellings which appear to form part of the areas original housing stock with a high quality residential flat building designed in response to Council's controls and the desired future character of both the immediate and broader Arncliffe Precinct context. The land does not contain any impediments which could preclude the ability for this development to be carried out while there are no proximate heritage items whose	Yes

(viii) the achievement of the principles of ecologically sustainable development, *(ix) pedestrian, cycle, vehicular and service access, circulation and requirements,* *(x) the impact on, and any proposed improvements to, the public domain,* *(xi) achieving appropriate interfaces at ground level between the building and the public domain,* *(xii) excellence and integration of landscape design.*	value could be compromised as a result of the proposal. The site involves the consolidation of three (3) lots which is an orderly response to the block pattern noting that the residual lots to the north, east and west which have the ability to be redeveloped without constraint. The siting, scale and setbacks of the development is generally reflective of Council's prescribed DCP controls pertaining to this Precinct. It is noted that the building height and FSR are in accordance with the SEPP (Housing) 2021 provisions and thus exceed the LEP in this respect. The building will provide for several façade undulations, vertical and horizontal articulation, balcony design and fenestration all of which will work in conjunction so as to ensure the building identifies as appropriately scaled, and a desired '*fit*' for the locality. The development successfully mitigates the potential for unreasonable amenity impacts to arise across neighbouring properties noting that the neighbouring properties will also over time, be demolished and redeveloped to a scale envisaged by the zoning and more generally, the precinct. Accompanying this application are detailed plans/reports/analysis relevant to overshadowing, wind and BASIX certificate which identify the proposal ability in achieving the required targets. An eight (8) storey base wall height has been adopted along the Wickham Street frontage. Although this exceeds the DCP guideline of six (6) storeys, this is fundamentally due to the additional FSR provisions afforded to the development and the need to balance the building against all design considerations. The proposal seeks the provision of vehicular access/egress from the site directly from Wickham Street which as described in the accompanying traffic impact assessment prepared by Stanbury Traffic Planning, will	

		adhere to the RMS guidelines and Australian Standards. A pedestrian entry point is provided from Wickham Street which directs occupants/visitors along a ramped path which returns into the central core of the building and into a generously sized lobby. The provision of high quality landscaping is proposed across the site but most importantly, along the private/public domain street interface. A detailed landscaping plan prepared by *Site Image* accompanies the application. In brief, the landscape resolution for the site will comprise of trees, shrubs and grasses all of which will soften the built form and improve the landscaped character of the streetscape. A contiguous relationship at ground level is proposed between the landscaping treatments and communal spaces which will in turn, will afford future residents and their visitors with a high level of user amenity.	
(5) Development consent must not be granted to development to which this clause applies unless— (a) if the development is in respect of a building that is, or will be, higher than 12 metres or 3 storeys (or both) but not higher than 40 metres or 12 storeys (or both)— *(i) a design review panel has reviewed the development, and* *(ii) the consent authority takes into account the findings of the design review panel, or*		The Design Review Panel will be required to review the subject DA.	Yes
6.11	**Essential Services** Before determining a DA, this clause requires the consent authority to be satisfied that essential utilities would be available to the proposal.	The subject site is currently serviced by water, electricity, sewer as well as direct vehicular and pedestrian access services, as required by the clause. Where necessary, such services can be upgraded to meet any additional demands generated by the proposal.	Yes

Table 5: BLEP 2021 compliance table

4.7 Development Control Plans

4.7.1 Bayside Development Control Plan 2022

On 27 August 2021, the Bayside Local Environmental Plan 2022 was made. This DCP has been prepared in accordance with Part 3, Division 3.6 of the Environmental Planning and Assessment Act 1979 (EP&A Act) and the Environmental Planning and Assessment Regulation 2021 (EP&A Regulation).

Bayside Development Control Plan 2022			
Design Solution	Requirements	Proposed	Y/N
Part 3 – General principles for development			
3.1 Site Analysis and Locality			
3.1.1 Site Analysis Plan	Development Applications are to include a Site Analysis which includes both a sketch/diagrammatic Site Analysis Plan and a written component.	A site analysis plan forms part of the architectural plan detail set prepared by DWA.	Yes
3.1.2 Interface with Public Domain	Buildings are to be designed to: a. have a clearly defined entry point; and b. address the street, side street, rear laneway or any adjacent parks and/or public spaces	A clearly defined building entry point is observed across the frontage of the development as it presents to Wickham Street.	Yes
	The visual and physical connection between the building frontage and the public domain must be considered in all development applications to ensure that the interface at ground level promotes a high level of pedestrian amenity and equitable access.	A defined entry lobby that provides for residential access into the building is nominated in a centrally located position. We have been informed that access can be provided equitably which was demonstrated in the accompanying Access Report prepared by ABS.	Yes
	For mixed use development which contains residential dwellings, the principal usable part of outdoor private open space must not be located on the street frontage, unless it is on the first floor or above.	Not applicable	N/A

Bayside Development Control Plan 2022			
Design Solution	**Requirements**	**Proposed**	**Y/N**
	Public domain improvement works such as footpath paving, reconstruction of kerb and gutter, landscaping, street trees, amenity area lighting and furniture may be required at the developer's expense.	A consent condition, if deemed applicable, may be imposed which formalises this requirement.	Yes
	Comfortable public places with high-quality public furniture, good shade and interesting outlooks within the public domain and open space shall be provided.	A consent condition, if deemed applicable, may be imposed which formalises this requirement.	Yes
	Developments are to be designed so that required services and infrastructure (e.g. hydrants) that interface with the public domain are considered and integrated into the built form design at development assessment stage.	A consent condition, if deemed applicable, may be imposed which formalises this requirement.	Yes
3.1.3 Crime Prevention through Environmental Design	CPTED principles are to be addressed in all development applications where there is the potential to minimise risk and improve safety. Larger development applications (as outlined below) are to be supported by a Safer by Design Assessment Report.	Refer to the discussion in Part 5.4 of this SEE.	Yes
3.1.4 Active Street Frontages	Where active street frontages are required, development is to: · identify landscaping, street paving and furniture etc along the active street frontage · orientate and program active uses on the ground floor to maximise the visual amenity for outdoor seating opportunities · provide a minimum width of 2 metres on a public footpath that is clear of any	Not applicable	N/A

Bayside Development Control Plan 2022			
Design Solution	**Requirements**	**Proposed**	**Y/N**
	obstructions or structures for pedestrian access.		
3.1.5 Views	Development must consider any significant vistas or views to, from and across the site including those which contribute to the character, identity, or sense of place of the site.	The siting and locational characteristics of the land are such that any views to, from and across the site will remain in accordance with that envisaged for the zone.	Yes
3.2 Design Excellence			
Development is to give consideration to the principles of design excellence as outlined within Clause 6.10 of Bayside Local Environmental Plan 2021 and within Council's Design Excellence Guidelines.		Refer to previous LEP discussion addressing Design Excellence.	Yes
3.3 Energy Review and Sustainability			
The design of buildings should follow the general principles of 'green building design' to reduce consumption of non-renewable energy sources and thereby: • use energy efficiently • minimise the use on non-renewable energy • reduce the peak demand on energy supply systems • reduce greenhouse gas emissions • reduce the use of potable water • make buildings more comfortable for occupants all year round • reduce energy bills and the lifecycle cost of energy services.		The proposal is accompanied by a Basix Certificate as well as an ESD report prepared by Integreco Consulting which demonstrates a commitment to sustainability.	Yes
3.5 Transport, Parking and Access			
3.5.1 Design of the Parking Facility	Off-street parking facilities, including carports, are generally not permitted within the front setback due to the impact on streetscape and landscape character. Driveways/hardstands and carports encroaching into the	The proposal nominates parking provision across the building basement/s, consistent with the intent of this control.	Yes

Bayside Development Control Plan 2022			
Design Solution	Requirements	Proposed	Y/N
	minimum front boundary setback may be considered for single dwelling houses in circumstances where: a. the hardstand or carport is to serve a single dwelling house (not permitted for any other form of residential development); b. there is no opportunity to provide off street parking from a rear lane, side street, or behind the required front setback; c. the hardstand or carport is for a single vehicle and is no larger than 3m in width, 6m in length and 3m in height if a flat roof, or 3.6m if a pitched roof; d. the design is sympathetic to the host dwelling and the existing streetscape, in regard to materials, scale, form, roof style and the predominant setbacks of similar structures; e. the carport does not include enclosing walls, or a solid panel or roller shutter door; f. gates do not encroach upon public g. land during operation and a minimum length of 5.5m is available so that a parked vehicle does not overhang the front boundary; and h. all other requirements of this DCP are met, including landscaping requirements.		

Bayside Development Control Plan 2022			
Design Solution	Requirements	Proposed	Y/N
	For mixed use development, residential on- site parking areas are to be clearly separated from parking areas associated with other uses by installation of a security roller door or boom gate.	Not applicable	N/A
	The design/width of the access driveway shall minimise the loss of on-street parking and be as per with Bayside Technical Specification - Traffic, Parking and Access.	There is no off-street car parking at the front of the site.	Yes
	Off-street parking facilities are to be designed in accordance with current Australian Standards (AS2890 parking series).	We have been informed that the proposed access to and from nominated parking spaces have been designed in accord with the relevant standards. This is affirmed in the accompanying traffic report prepared by Stanbury Traffic Planning.	Yes
	Vehicular Access A maximum of one vehicular access point is permitted per property.	A single vehicular access point is provided from Wickham Street.	Yes
	The following developments shall be designed with internal manoeuvring areas so that vehicles can enter and exit the site in a forward direction: · Developments with four or more dwellings/car spaces · Childcare centres & boarding houses · Developments with vehicle access to/from a classified road · Industrial & commercial development · Developments with basement car parking accessed via a steep ramp	The proposal has been designed so that all required vehicular movements are capable of being carried out internally and in a forward direction.	Yes

Bayside Development Control Plan 2022			
Design Solution	Requirements	Proposed	Y/N
	· Where council considers it necessary due to the site-specific circumstances.		
	Vehicular access is to be provided from a secondary street frontage or rear lane, where possible.	Vehicular access is proposed to be provided off Wickham Street being the only available location. No secondary access is afforded to the subject site.	Yes
	Adequate sightlines are to be provided for pedestrians on the footpath as per Australian Standards.	The accompanying traffic impact assessment report prepared by Stanbury Traffic Planning affirms that sightlines across the development are reflective of the relevant AS provisions.	Yes
	Pedestrian Access Pedestrian entrances and access within a development must be legible and separated from vehicular access paths.	The proposed pedestrian entrance into the development is both legible and offers a clear level of demarcation between it, and the vehicular access driveway located at the western edge of the site.	Yes
	Car parks must provide a direct and safe pedestrian access to a building's entry and exit (well-lit and free of concealment opportunities).	This design outcome has been achieved.	Yes
	Pedestrian access routes between car parking and other public areas are to provide: · co-ordinated signage · lighting · security · direct paths of travel with stairs and · disabled access ramps · protected from vehicular aisles and · manoeuvring areas by bollards · for childcare centres, the parent · drop off/pick up spaces are to be provided with a minimum 1.5m dedicated pedestrian link connecting to the child care centre entrance which	A consent condition may be imposed that formalises this requirement.	Yes

Bayside Development Control Plan 2022			
Design Solution	**Requirements**	**Proposed**	**Y/N**
	does not protrude into, and is protected from, the vehicular manoeuvring areas · for laneways, where possible provide a minimum 0.9m laneway setback for the extension of the public footpath covered by a right of footway easement.		
	A Traffic and Parking Impact Assessment Report is to be prepared and submitted for development.	A Traffic and Parking Impact Assessment report prepared by Stanbury Traffic Planning accompanies this application.	Yes
3.5.3 On-Site Parking Rates	Various rates for car parking	It is proposed to provide car parking in accordance with the rates set out in Section 19 – Non discretionary development standards within SEPP (Housing) 2021. This is detailed in the Traffic and Parking Impact Assessment prepared by Stanbury Traffic Planning.	Yes

Bayside Development Control Plan 2022			
Design Solution	**Requirements**	**Proposed**	**Y/N**
3.5.4 Bicycle and Motorcycle Parking	Bicycle & motorcycle parking must be provided on site as follows: Residential Flat Building: · 1 bicycle space per dwelling (for residents) · 1 bicycle space per 10 dwellings (for visitors) · 1 motorcycle space per 15 car spaces Commercial Premises (Business Premises, Office Premises, and Retail Premises): · 1 bicycle space per 150sqm GFA · 1 bicycle space per 400sqm GFA · provided for visitors · c. 1 motorcycle space per 15 car spaces	The proposal provides for the requisite number of motorcycle and bicycle parking spaces across the development.	Yes
3.5.5 Accessible Parking	Accessible car parking spaces for people with a mobility impairment are to be included in the allocation of car parking for a development and provided in accordance with the rates specified in Table 4 of the DCP.	A compliant level of accessible parking has been provided across the development.	Yes
3.5.7 Waste Collection	· Waste collection must be provided on-site within new building development (excluding development with less than 600m2 GFA and multi-unit developments with 10 dwellings or less). The waste collection point is to be designed to: · allow waste loading operations to occur on a level surface away from parking areas, turning areas, aisles, internal roadways and ramps	A waste storage area is proposed at Basement Level 01 alongside appropriate bin holding areas and associated loading dock on the ground floor to facilitate on-site waste collection. This 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 basements so as to ensure the waste facilities do not have a negative visual impact on the streetscape.	Yes

Bayside Development Control Plan 2022			
Design Solution	**Requirements**	**Proposed**	**Y/N**
	· provide sufficient side, rear and vertical clearance to allow for the waste collection activity to be undertaken (e.g. the lifting arc for automated bin lifters requires clearance to remain clear of any walls or ceilings and all service ducts, pipes and the like). · comply with Bayside Technical Specification - Traffic, Parking and Access. · Waste rooms are to be located as close as possible to the waste collection point. Where this cannot be provided for and waste rooms are spread out across the basement of a development, a method to internally transport waste to the collection point is to be provided.		
3.6 Social Amenity, Accessibility and Adaptable Design			
3.6.1 Accessibility	· The siting, design, and construction of premises available to the public are to ensure an appropriate level of accessibility, so that all people can enter and use these premises. · All development must comply with the following: all Australian Standards relevant to accessibility; the Building Code of Australia access requirements; and Disability Discrimination Act 1992. Complex developments where compliance is proposed through alternative solutions must be accompanied by an Access	Refer to the accompanying Access Report prepared by ABS accompanying this application.	Yes

Bayside Development Control Plan 2022			
Design Solution	**Requirements**	**Proposed**	**Y/N**
	report prepared by a suitably qualified access professional. · Ensure all publicly accessible buildings provide a safe and continuous path of travel for people with impaired mobility. · A high standard of women's facilities, amenities for parents in both women's and men's toilets and amenities for people with disability (i.e. lift and change facilities) in buildings available to the public. · Where heritage impact is used as a reason for not providing equitable access in accordance with this Section, evidence is to be provided that no suitable alternatives for access are available. · Required egress routes in residential development are to allow for safe escape		
3.6.2 Adaptable Dwellings and Universal Housing	A minimum 20% of total dwellings in new multi dwelling housing, shop top housing and residential flat buildings containing 10 or more dwellings must be adaptable dwellings and designed and constructed to a minimum Class C Certification under AS 4299 Adaptable Housing.	The proposal provides for the required number of adaptable dwellings.	Yes

Bayside Development Control Plan 2022			
Design Solution	**Requirements**	**Proposed**	**Y/N**
3.6.3 Social Impact	Where a Social Impact Assessment is not required, social impacts are to be addressed in the Statement of Environmental Effects (SEE) accompanying a development application. At a minimum, the Statement of Environmental Effects is to consider: · the potential social impacts; · the scale of those impacts; · the likely extent of those impacts including when and where they might occur; · outcomes of any discussions with affected people or groups; and · any measures to maximise the positive impacts and eliminate or minimise negative impacts.	Refer to the discussion in Part 5.6 in address of this control.	Yes
3.7 Landscaping, Private Open Space and Biodiversity			
3.7.1 Landscaping	Development must comply with Council's Technical Specification – Landscape and documentation is required to be submitted in accordance with Schedules – Chapter 9.3 of this DCP.	The proposal is accompanied by a landscape plan prepared by Site Image.	Yes
	For all development the layout and design of driveways, pedestrian entries and services maximises deep soil and retention of existing trees and planting of new trees.	The proposal does not necessitate the removal of any significant trees and or vegetation. Tree removal albeit minor, is offset by the extent of additional tree planting as detailed in the landscape plan prepared by Site Image.	Yes

Bayside Development Control Plan 2022			
Design Solution	**Requirements**	**Proposed**	**Y/N**
	The minimum amount of landscaped area within the site is as follows: Development Type — Min. landscaped area (of the site area) Low and medium density residential — 25% Residential flat buildings — 15% Mixed use (with shop top housing) — 10% Highway commercial — 10% Industrial — 10% Child care centres — 20%	The extent of landscaping provided across the site complies with the SEPP (Housing) 2021 requirements relevant to his form of land redevelopment as well as the ADG.	Yes
3.7.2 Planting Design and Species	A minimum of 80% of a planting scheme proposed on deep soil is to consist of native or indigenous plants. Locally indigenous species, are to be incorporated where practical and suit the microclimate conditions.	Refer to the accompanying landscape plan prepared by Site Image.	Yes
3.7.3 Communal and Private Open Space	**Private Open Space – General** Private open space is to: a. be clearly defined for private use through planting, fencing or landscape features; b. predominantly face north, east or west to maximise sunlight access; c. sited and configured to maximise visual and acoustic privacy of its occupants and neighbours; d. should be located adjacent to the living room, dining room or kitchen to extend the living space.	The development provides for areas of private open space to each apartment that are consistent with the ADG provisions.	Yes

Bayside Development Control Plan 2022			
Design Solution	**Requirements**	**Proposed**	**Y/N**
	Communal Open Space Communal open space at the rate of 5m2 per dwelling is to be provided for multi dwelling housing with 12 or more dwellings.	Part 6A of SEPP 65 (1)(c) identifies common circulation and spaces which includes communal open space and therefore, development control plan provisions that specify requirements, standards or controls in relation to this matter have no effect.	N/A
3.7.4 Public Open Space Interface Controls	Where possible, highly used habitable rooms such as living rooms should be located and oriented to overlook adjoining public open space and non-habitable rooms should not be located to face adjoining public open space.	Proposed apartment G.03 faces the street and provides an appropriate interface.	Yes
3.9 Stormwater Management and Water Sensitive Urban Design			
	All development is to be consistent with Bayside Technical Specification Stormwater Management relating to stormwater management and WSUD.	The proposal is accompanied by a detailed stormwater plan prepared by Mance Arraj.	Yes
3.12 Waste Minimisation and Site Facilities			
	Development is to be consistent with Council's Waste Management DCP Technical Specification 2022 and all development applications are required to submit a Waste Management Plan consistent with this Technical Specification.	The proposal is accompanied by a waste management plan.	Yes
	A waste and recycling storage area for each dwelling must be located on the relevant lot in a position convenient for both users and waste collection personnel.	A waste storage area is located within Basement Level 01.	Yes

Bayside Development Control Plan 2022			
Design Solution	Requirements	Proposed	Y/N
5.2.4 High density residential			
5.2.4.1 Streetscape, Local Character and Quality of Design			
Development is to be designed to reflect the relevant local character in Chapter 7 and reinforce the architectural features and identity which contribute to the desired future character of the area.		The subject site is located in the Arncliffe Banksia Precinct. The applicable Part 7 controls are addressed below.	Yes
Where involving development that is three or more storeys and has four or more dwellings, development considers the relevant objectives and design criteria of the Apartment Design Guide.		Noted – ADG compliance has been addressed throughout this SEE.	Yes
The building line of a street wall building must be parallel with the street boundary alignment. .		The front building line would be parallel to the Wickham Street boundary alignment.	Yes
Buildings provide opportunities for people to engage with the public domain through well designed, legible elements such as: a. entry lobbies b. entry porches c. loggias		The entry lobby, access ramp and courtyard for unit G03 at the front of the site facilitates opportunities for people to engage with the public domain at the front of the site.	
Elevations are to be articulated into smaller elements in both the horizontal and vertical planes that provide visual detail and interest within a cohesive overall design including through the use of: a. building entries b. balconies and other private outdoor recreation areas c. windows d. doors e. eaves, overhangs, and other sun shading devices f. blade walls and fins		A consent condition may be imposed formalising this requirement.	Yes
Large expanses of blank walls are avoided through the use of architectural design features.		The design of the building is not considered to present any large expanses of blank walls.	Yes
Design incorporates a range of measures to provide for a high level of residential amenity such as: a. sun shading devices b. noise barriers c. privacy screens d. careful location of balconies, terraces and loggias		High levels of residential amenity are achieved through appropriate solar access, unit sizes, POS and natural cross ventilation.	Yes

Bayside Development Control Plan 2022			
Design Solution	Requirements	Proposed	Y/N
Plumbing services/fire boosters/substations are to be integrated and within building footprint.		The proposal incorporates a substation in the front southern eastern corner of the site as well as a fire booster on the front boundary adjacent to the pedestrian entry point. It is noted that these facilities are outside the building footprint and therefore do not comply with this DCP guideline. However, the placement of these structures is required to conform to the technical requirements of the relevant authorities and their placement immediately adjacent to the front boundary is favoured for ease of access and serviceability reasons.	No
All overhead wires (including electrical and telecommunication services) fronting the site are to be relocated underground as part of the development. The redundant power poles are to be removed and replaced with underground supplied street lighting columns. All works shall be carried out at the applicant's expense.		A consent condition may be imposed formalising this requirement.	Yes
5.2.4.2 Built Form Controls			
Western elevations incorporate design measures that reduce solar gain from direct summer afternoon sunlight.		The western elevation incorporates a well-articulated and angled side wall alongside privacy screening and high level fixed windows to provide an appropriate amenity arrangement.	Yes
Building utilities such as clothes drying areas and air conditioning units are screened from view from the public domain.		A consent condition may be imposed formalising this requirement.	Yes
Where provided on a roof, plant rooms, lift overruns and mechanical ventilation are to be integrated into the building design and are not visible from the public domain public place.		The lift overruns are positioned within the building envelope well setback from the Wickham Street frontage which minimises their visibility from the public domain.	Yes
Ground floor dwellings fronting a street are to have individual street entries.		An individual entry is provided for unit G03 at the front of the ground floor.	Yes
The maximum difference in height between the public and private domain at the lot boundary is 1m. Ground floor units must not be located below the level of the adjacent street.		No level changes greater than 1m at the lot boundary along Wickham Street are proposed. The ground floor level is elevated above the adjacent street level in order to comply with the flood planning requirements.	Yes

Bayside Development Control Plan 2022			
Design Solution	Requirements	Proposed	Y/N
5.2.4.3 Setbacks			
Building setback to a road is compatible with: a. the predominant front setback b. the setback defined in Chapter 7 – Location Specific Controls		Compliance with the relevant requirements of the Arncliffe Banksia precinct in Chapter 7 are addressed below.	Yes
Development setbacks to the side and rear are to be consistent with the Apartment Design Guide.		Building setback/separation are addressed in detail in Section 6 below.	
5.2.4.4 Landscaping and Private Open Space			
New development must comply with the landscaping, private, communal open space and deep soil criteria within the Apartment Design Guide.		Refer to previous ADG discussion. Compliance with these parameters is achieved.	Yes
Any rooftop terrace must be oriented to minimise impacts on the visual and acoustic privacy of adjoining sites.		No rooftop terrace is proposed.	N/A
5.2.4.5 Solar Access and Overshadowing			
Adjoining properties that the ADG does not apply to should receive a minimum of 2 hours direct sunlight in habitable living areas (family rooms, rumpus, lounge, and kitchen areas) and at least 50% of the primary private open space between 9am and 3pm in mid-winter.		The ADG is likely to apply to the adjoining properties in any future development scenario given the applicable zoning, that being R4 – High Density Residential.	Yes
5.2.4.6 Parking, Access and Circulation			
Development must be consistent with the requirements in Section 3.5 (Transport, Parking and Access).		Consistency with Section 3.5 is generally achieved. Refer to previous discussion.	Yes
All common corridors have a minimum width of 2m to enable bulky goods (white goods, furniture etc) to be easily transported through the building.		The common corridors are appropriately sized to enable the transportation of bulky goods.	Yes
All common corridors are to be provided with natural light and ventilation.		The common corridors have windows at either end to facilitate natural light and ventilation.	Yes
Level access to the lift from all basement levels is provided		The lift has been designed to service all levels of the building.	Yes
Each dwelling on a level above the sixth storey has access to two lifts. In buildings of more than four storeys served by elevators, ensure that alternative access to another elevator is available in the event that any elevator is out-of-service due to breakdown or routine servicing.		Two lifts are proposed.	Yes

Bayside Development Control Plan 2022			
Design Solution	Requirements	Proposed	Y/N
All applications are to include a statement on how the development will comply with the provisions of the Disability Discrimination Act and comply with Part 4.10 – Universal, Accessible and Adaptable Design.		Refer to the accompany Access Report.	Yes
5.2.4.7 Visual and Acoustic Privacy			
Habitable room windows above the ground floor, which face side or rear boundaries that adjoin a residential property, must provide: a. offsetting of the edge of one window to the edge of the other window by a sufficient distance to limit views; or b. sill heights 1.5m above the floor level of that storey; or c. opaque glazing in any part of the window below 1.5m above floor level; or d. fixed external screens with 50% transparency or less.		The windows to habitable rooms on the side elevations of the building have been carefully designed and sited in a manner to achieve acceptable visual and acoustic privacy outcomes. This includes high level and obscure windows.	Yes
Balconies, terraces and the like should be located to minimise overlooking of an adjoining property's open space or windows. Techniques such as recessing, screens or landscaping may be used to prevent direct views into habitable rooms or private open spaces.		Most of the balconies are on the front or rear elevation of the building. There are some internal balconies, however, these balconies incorporate privacy screens along their side elevations where facing an allotment boundary. Furthermore, the adjacent windows of other bedrooms (i.e. – Bed 2 in units 201/203 and corresponding units on other levels) are designed as high level fixed obscure windows to ensure that an appropriate privacy relationship is achieved.	Yes
Overlooking into the internal private and external open space of adjoining neighbours must be avoided.		Overlooking into neighbouring properties has been minimised with the inclusion of privacy screening and high level windows along the side elevations of the buildings.	Yes
Rooms with snorkel windows are discouraged.		No rooms with snorkel windows are proposed.	Yes
5.2.4.8 Materials and Finishes			
A Schedule of Finishes and a detailed colour scheme for the building facade will accompany all Development Applications involving building works (refer to Council's Development Application Lodgement Checklist).		Details of the proposed materials and finishes have been incorporated into the architectural plan set prepared by DWA.	Yes
5.2.4.9 Finishes			

Bayside Development Control Plan 2022			
Design Solution	Requirements	Proposed	Y/N
The entry is to be designed so that it is a clearly identifiable element of the building in the street.		The pedestrian entry is generously proportioned along the front elevation, centrally positioned within the building. As a result, it is considered to be a clearly identifiable element of the building.	Yes
At least one main entry with convenient universal, barrier-free access must be provided in all new developments.		Compliant ramped access is provided to the front entry on the ground floor.	Yes
Where a ramp access is provided, it is not visually dominant from the adjoining public domain.		Ramped access is provided. However, it has been well screened behind a 3m wide deep soil zone which has the potential to accommodate a range of plant species.	Yes
Provide separate entries from the street for: a. pedestrians and cars		Separate entries from pedestrians and cars is provided.	Yes
Building entries providing access to more than one dwelling maximise visual connections between the private and public domain through layout and materials such as large expanses of transparent glass.		The entry lobby width at the front of the building is relatively wide and includes glazing elements so as to create a visual connection with the public domain at the front of the site.	Yes
Street numbering and mailboxes must be clearly visible from the primary street.		Appropriate street numbering and mailboxes are capable of being accommodated and could form an appropriate condition of consent.	Yes
7.4 – Arncliffe and Banksia			
7.4.3.1 – Special Character Areas **4 - Cahill Park Neighbourhood** The subject development is located within the Cahill Park Neighborhood Precinct with the approximate location of the site denoted by a blue arrow.		The subject site is located within the Cahill Park Neighbourhood.	Noted

Bayside Development Control Plan 2022			
Design Solution	Requirements	Proposed	Y/N
Land Use	• Primarily residential development. • Large format commercial development at the lower levels of development adjoining Princes Highway.	The proposed development is for a residential land use. The site does not adjoin the Princes Highway.	Yes
Built Form	• Development (including double height, 7 metre floor to ceiling height commercial ground floor) is proposed on sites fronting the Princes Highway. These spaces might comprise a small mezzanine. • Provide street edge aligned built form with active frontage to mark the corner at junction of the Princes Highway and West Botany Street. • A front setback of 3 metre is required, unless a specific setback is recommended elsewhere in this chapter. • Deep soil zones along rear boundary to facilitate mid-block tree planting and visual privacy between properties. • Side setbacks are to include deep soil zones and appropriate landscaped treatment. • Retain vistas to Botany Bay. No building or	• The site does not front the Princes Highway. • An active street frontage is not anticipated for the subject site in accordance with the applicable planning controls. • Front setbacks are provided in accordance with section 7.4.3.5 Built Form. In this regard, a 5m landscaped setback is provided which consists of 3m of landscaping and 2m as private courtyards/balconies. • Deep soil zones are accommodated along the side and rear boundaries of the site.	Yes

Bayside Development Control Plan 2022			
Design Solution	Requirements	Proposed	Y/N
	structure is to detrimentally impact any view corridor as identified.	• It is likely that the upper level units of the proposed development would achieve vistas to Botany Bay. The proposal would not unreasonably obstruct any existing vistas to Botany Bay.	
Public Domain • A 5 metre landscape setback is required to Marsh Street, West Botany Street and Wickham Street comprising a 3 metre landscape zone with private courtyards behind to assist in ameliorating the impacts of busy roads on residential development. The landscape zone should include large and medium size tree planting.		The building setbacks and landscaping outcomes as required by the DCP have been reflected in the design of the development	Yes
7.4.3.3 Landscape Setbacks • Improvements to existing residential streets are proposed to increase canopy cover and improve neighbourhood amenity. New development located in the areas identified in the Residential Streets Landscape Setback image are to: a. Provide expanded footpath and verge zones and reduce carriage ways where possible; b. Provide ground floor private open space; c. Relocate footpaths to provide expanded verge and tree planting zones; d. Provide additional street tree planting to street verges, in accordance with Council guidelines; e. Provide additional tree planting between on street parking bays, in accordance with Council guidelines; f. Provide gardens with low shrubs and ground cover rather than lawn verges, in accordance with Council guidelines; g. Consolidate deep soil within setback frontages adjacent to existing streets to allow for additional tree planting in private land. This setback should not include private open space; and h. Allow for the integration and provision of rain gardens within landscape areas.		• A 5m landscaped setback is provided which consists of 3m of landscaping and 2m as private courtyards/balconies. This is in accordance with the Residential Streets Landscape Setback diagram within Part 7 of BDCP 2022. • The design of the development provides for: ground floor private open space, additional street tree planting along the public verge across the frontage and consolidated deep soil areas within the setback frontage adjacent to Wickham Street. • Appropriate conditions of consent can be imposed to ensure that the existing overhead power lines are moved to be underground.	Yes

Bayside Development Control Plan 2022			
Design Solution	Requirements	Proposed	Y/N
	• Existing overhead power lines are to be moved underground as each site is redeveloped.		
7.4.3.4 Through Site Links		Figured 69 – 71 identify the required through site links. The subject site is not identified as being subject to a through site link.	N/A
7.4.3.5 Built Form	• New development within the Arncliffe and Banksia Precincts is to provide ground floor building setbacks and provide new buildings to the street alignment in accordance with the Built Form and Character Map. • 5 metres landscaped setbacks are to consist of 3 metres landscaping and 2 metres private courtyards. The landscape zone should include large and medium size tree planting, in accordance with Council guidelines.	The building setbacks at the front of the site as well as the landscaped areas have been provided as required.	Yes
7.4.3.6 Street Wall Heights	• New development within the Arncliffe and Banksia Precincts is to provide street wall heights in accordance with the Built Form and Character Map. • The building envelope shall be set back a minimum of 3m above the Street Wall Heights as identified in the Street Wall Heights Map.	A 6 storey street wall height is required. The proposed development provides a 7-8 storey street wall which does not comply. However, the non-compliance is fundamentally due to the additional FSR available under the SEPP (Housing) 2021 provisions. In this regard, reference is made to Planning Circular PS 23-003 which states that: *In some cases, the uplift afforded under the Housing SEPP may compromise the ability for a development to achieve strict compliance with local controls contained within a Local Environmental Plan (LEP) or Development Control Plan (DCP). Flexibility should be applied in these instances in order to balance local outcomes with the delivery of more affordable housing.* The design outcomes proposed is one such example of the above. Conscious efforts were made to comply with the Part 7 controls as part of practically possible, whilst also ensuring compliance with the other suite of controls (i.e. – ADG provisions). The design	No

Bayside Development Control Plan 2022			
Design Solution	Requirements	Proposed	Y/N
		still achieves a similar effect whereby the upper 2 levels are recessed further back rearward into the site, achieving an appropriate building composition.	

Table 6: Bayside Development Control Plan 2022 compliance table

5. ENVIRONMENTAL IMPACT ASSESSMENT

This chapter includes an assessment of the environmental effects of the proposed development as described in the preceding sections of this report. The assessment includes those matters under section 4.15(1) of the EP&A Act that are relevant to the proposal.

5.1 Built Environment

5.1.1 Height, Bulk and Scale

The proposal complies with applicable height and FSR standards for the site, noting that the development is afforded additional height and FSR (i.e. – beyond the BLEP 2021 controls) on the basis that it will deliver 9 affordable units in accordance with SEPP (Housing) 2021.

The proposal is also '***generally***' consistent with the site-specific built form objectives of the Bayside Development Control Plan, noting that a variation to the street wall height is sought.

Section 3.43 (5) of the EPAA states:

(5) A provision of a development control plan (whenever made) has no effect to the extent that:

(a) it is the same or substantially the same as a provision of an environmental planning instrument applying to the same land, or
(b) it is inconsistent or incompatible with a provision of any such instrument.

A control which seeks to restrict development upon the site to a certain number of storeys is clearly inconsistent with the provisions of SEPP (Housing) 2021 and is therefore of no effect.

More generally, the configuration of the building in association with the succeeding recessed levels above the street wall height(s), will facilitate the provision of a built form, siting, scale and spatial relationship between the subject and neighbouring developments which will continue to reinforce the emerging character of the precinct. Potential adverse impacts from building bulk have been controlled through the use of vertical and horizontal design elements, extensive modulation, varied materials, finishes and colours and other unique facade features.

The development has utilised façade indentations and extrusions for the purpose of providing visual depth and in conjunction with vertical/horizontal elements, balcony articulation and fenestration, provides for a greater degree of visual interest.

5.2 Public Amenity

5.2.1 Views and Visual Impact

The proposal demonstrates optimum capacity of the site to accommodate a built form that minimises the loss of views from neighbouring buildings, particularly within the context of the area being in transition to higher density forms of development, as well as in consideration with the planning controls applicable to the subject site. The proposed development achieves good balance between minimising views and benefitting from the planning controls applicable to the site, providing a high quality built form which bears limited impact on distant views and or view corridors.

Accordingly, in our opinion, the proposal is appropriate in respect of views.

With regards to visual impact, the built form incorporates a mixture of architectural elements which are supplemented by a diverse mix in building materiality designed to reflect more subtle neutral and or naturalistic colours and tones. The building acknowledges the desired human scale relationship with the introduction of a distinguished building outcome, differentiated into a number of varying components, all of which serves to strengthen the form of the building while reducing the extent of its perceivable scale across all levels.

5.2.2 Overshadowing

Overshadowing diagrams have also been prepared in support of this DA. They show the anticipated shadow impact of the proposed development on itself, the surrounding public domain and surrounding properties.

Overshadowing impacts within the development site are inevitable and unavoidable, but the proposal has been designed and laid out to ensure maximum solar penetration to the ground levels are achieved.

The proposal has been mindful of avoiding detrimental overshadowing impacts particularly to the neighbouring properties and public domain and has therefore sought to incorporate generous upper level setbacks.

The overshadowing impacts to adjoining and surrounding properties is again inevitable. With reference to the accompanying shadowing diagrams, modelling has shown that adjoining properties will not be restricted from achieving compliant solar access outcomes, owing mainly to the broader northerly orientation of sites in the precinct. As such, the overshadowing impacts are considered acceptable given the high density setting and controls for the area.

5.2.3 Building and Construction

Compliance with the BCA will be demonstrated with the Construction Certificate documentation.

A final Construction Management Plan will be prepared by the appointed contractor, once the terms of any approval granted by Council are known. Accordingly, it is anticipated that Council will include appropriate conditions within any consent notice requiring the preparation and approval of a CMP prior to works commencing.

5.2.4 Aural Privacy

The design and layout of the proposal has been designed to maximise aural and visual privacy for residents of neighbouring sites. Acoustic privacy is about preventing sound transmission between external and internal spaces, between apartments and communal areas, and apartments and external spaces. The building has been designed to orient private and communal open spaces and noise sensitive rooms in such manner that will not result in an unreasonable impact to the acoustic privacy of adjoining properties and will in turn afford acoustic privacy to the occupants of the building.

Furthermore, an Acoustic Report has been prepared by Acoustic Logic which accompanies this application. Acoustic Logic concludes that the proposed development will meet the relevant noise criteria prescribed for the development.

5.2.5 Building Separation and Visual privacy

The consent authority is required to consider whether the proposal will achieve the minimum building separation distances outlined in the ADG. It should be noted that it is not a requirement that the minimum building separation distances must be strictly achieved. As detailed in Planning Circular PS17-001, "*the ADG is not intended to be and should not be applied as a set of strict development standards*".

These separation distances are set out in Objective 3F-1 (noting that Part 2 of the ADG does not apply to development applications) and concern the achievement of 'reasonable levels of external and internal visual privacy' (see Objective 3F-1).

The application is supported with various diagrams prepared by DWA which demonstrate how the adjoining sites are capable of being re-developed as well as the building separation relationship between the proposed development and hypothetical future re-development.

In terms of numerical separation generally, the following assessment is noted:

- The front (southern) portion of the building incorporates 4.5m setback/separation to the eastern and western side boundaries which does not comply in a strict sense. However, visual privacy outcomes are acceptable given that high-level fixed windows and privacy screening to balconies are provided. Furthermore, the length of the side walls is relatively short which restricts amenity impacts such as visual bulk and scale and overshadowing. The 4.5m building separation proposed is not considered to

unreasonably compromise the re-development options of the adjoining sites to the east and west.

- At the rear, 10m building separation is provided to the rear boundary. This is unlikely to be an issue with regards to future development at the rear because the adjoining sites are very long in terms of their depth and front West Botany Street. New development is likely to the concentrated to the east, towards the frontage.

5.3 Natural Environment

5.3.1 Tree Removal/Landscaping

The proposal seeks the removal of twelve (12) trees from the site. All tree removal, retention and protection works are proposed to be carried out in accordance with the Arboricultural Assessment prepared by Tree Management Strategies. Accordingly, the removal of trees is considered appropriate given their proposed replacement as part of the high quality landscape strategy including a new street trees, and in context of the broader community benefits delivered by the site's redevelopment in accordance with the expectations of the Arncliffe Banksia precinct controls.

Landscaping is proposed in accordance with the accompanying landscape plans prepared by Site Image.

5.3.2 Water Management

In support of the application is a Development Application Stormwater Management Report prepared by Mance Arraj, which has undertaken a high level assessment of the proposed development and the expected stormwater management measures. The report confirms that the existing stormwater is able to be safely managed; that provision is required and has been made for on-site detention measures in accordance with Council's guidelines; and water quality improvement devices are required that will improve the outflow water quality from the development.

5.3.3 Demolition and Construction Management

Prior to the commencement of demolition and/or excavation work on site, the following details will be submitted to and be approved by the Principal Certifying Authority:

i. Plans and elevations showing distances of the subject building from the site boundaries and the location of adjoining buildings.
ii. A Demolition Work Method Statement prepared by a licensed demolisher who is registered with the Work Cover Authority. (The demolition by induced collapse, the use of explosives or on-site burning is not permitted.)
iii. An Excavation Work Method Statement prepared by an appropriately qualified person.
iv. A Waste Management Plan for the demolition and or excavation of the proposed development.

These statements will, where applicable, be in compliance with *AS2601-1991 Demolition of Structures*, the *Construction Safety Act 1912* and *Demolitions Regulations*; the *Occupational Health and Safety Act 2000*

and Regulation; applicable Council Policies for Waste Minimisation, the *Waste Avoidance and Resource Recovery Act 2001*, and all other relevant acts and regulations, and will include provisions for:

i. A Waste Management Plan for the removal of refuse from the site in accordance with the *Waste Avoidance and Resource Recovery Act 2001*.
ii. The name and address of the company/contractor undertaking demolition/excavation works.
iii. The name and address of the company/contractor undertaking off site remediation/disposal of excavated materials.
iv. The name and address of the transport contractor.
v. The type and quantity of material to be removed from site.
vi. Location and method of waste disposal and recycling.
vii. Proposed truck routes, in accordance with this development consent.
viii. Procedures to be adopted for the prevention of loose or contaminated material, spoil, dust and litter from being deposited onto the public way from trucks and associated equipment and the proposed method of cleaning surrounding roadways from such deposits. (Note: With regard to demolition of buildings, dust emission must be minimised for the full height of the building. A minimum requirement is that perimeter scaffolding, combined with chain wire and shade cloth must be used, together with continuous water spray during the demolition process. Compressed air must not be used to blow dust from the building site).
ix. Measures to control noise emissions from the site.
x. Measures to suppress odours.
xi. Enclosing and making the site safe.
xii. A certified copy of the Public Liability Insurance indemnifying Council for $10,000,000 against public prosecution for the duration of the demolition works.
xiii. Induction training for on-site personnel.
xiv. Written confirmation that an appropriately qualified Occupational Hygiene Consultant has inspected the building/site for asbestos, contamination and other hazardous materials, in accordance with the procedures acceptable to Work Cover Authority.
xv. An Asbestos and Hazardous Materials Clearance Certificate by a person approved by the Work Cover Authority.
xvi. Disconnection of utilities.
xvii. Fire Fighting. (Fire fighting services on site are to be maintained at all times during demolition work. Access to fire services in the street must not be obstructed).
xviii. Access and egress. (Demolition and excavation activity must not cause damage to or adversely affect the safe access and egress of the subject building or any adjacent buildings).
xix. Waterproofing of any exposed surfaces of adjoining buildings. Control of water pollution and leachate and cleaning of vehicles tyres (proposals must be in accordance with the *Protection of the Environmental Operations Act 1997*).
xx. Working hours, in accordance with this development consent.
xxi. Any Work Cover Authority requirements.

Demolition and/or construction works include temporary fencing, hoarding and warning notices required to conduct the works and protect the general public. All construction and building work will be adequately managed so as to minimise disruption to the local community and the environment. Noise generated by construction activities will comply with the Council's standard construction times and conditions.

5.3.4 Air and Microclimate

Some dust is anticipated during the construction period. This impact can be managed through measures such as wetting down work areas/stockpiles, stabilising exposed areas, preventing material tracking out onto public roadways, covering loads on all departing trucks and working to weather conditions. The proposal is otherwise not expected to give rise to any long term or adverse impacts on local or regional air quality.

A final CMP will be provided by the builder, once appointed, prior to the issue of the Construction Certificate.

The proposal is otherwise not expected to give rise to any long term or adverse impacts on local or regional air quality.

5.3.5 Waste Management

Each building will be serviced by way of a garbage chute system that will then be serviced by a number of bins within the basement. A bulky good room is also nominated on the Basement 1 Level. A nominated waste holding area and associated loading bay are provided on the ground floor so as to enable on-site waste collection. Kerb side pick up is not favoured in this location, given that the front of the site is No Stopping and is quite a busy road.

5.3.6 Soil and Erosion Control

The works have the potential to create adverse impacts to water quality, vegetation and result in erosion and sedimentation. These include:

1. Stormwater Drainage Infrastructure Inlets
2. Construction Exit Protection
3. Downstream Site Boundaries
4. Sediment Runoff

The following mitigation measures are proposed to minimise adverse environmental impacts:

- Sandbag protection to be installed surrounding existing stormwater drainage infrastructure inlets to prevent sediment entering the system.
- Shaker grid and wash down facility will be installed at all exists from the construction site.
- All vehicles leaving the site will have wheels washed down and pass over the shaker grid to remove any spoil collected.
- Installation of sediment fences on all downstream boundaries to collect sediment and prevent it from discharging onto downstream properties.

Additionally, impacts from earthworks will be managed in accordance with a Construction Management Plan to be developed by the contractor prior to the issue of a Construction Certificate. The plan is likely to contain the following mitigation procedures to manage sedimentation and impacts from soil disturbance:

- Bunding of sediment basins and siltation fencing to be installed;
- Stockpiles of soil to be bunded, covered and wet-down to limit impacts from dust;
- Works to be not occur during times of high wind events or prior to major storms;
- Excess cut material is to be transported from site as soon as practicable after completion and
- All excavation works should be undertaken in accordance with an approved staging / scheduling plan which is regularly updated by the site manager; and
- Site fencing is to be maintained around the perimeters to restrict access to the general public.

5.4 Environmentally Sensitive Design

The NSW Land and Environment Court has established six principles for Ecologically Sustainable Development (ESD):

1. *The principle of sustainable use;*
2. *The principle of integration;*
3. *The precautionary principle;*
4. *Inter-generational and intra-generational equity*
5. *Conservation of biological diversity and ecological integrity*
6. *Internalisation of external environmental costs*

The proposals consistency with the principles of ESD is provided below:

Sustainable Use

The construction and ongoing operational use of the development will need to be mindful of incorporating sustainable and renewable materials so as to limit its impact on the environment. This includes the use of sustainable building materials, the considered storage, treatment and recycling of waste and water, as well as the use of energy efficient appliances to conserve electricity.

Integration

The principle of integration is founded in properly considering and balancing the economic and environmental outcomes of development. In other words, the economic drivers behind a development should not compromise the achievement of environmental outcomes. The Applicant is an established developer. Whilst the proposed development will be underpinned by the achievement of certain economic outcomes, the proponent is committed to ensuring environmental efficiencies throughout the construction and operational phases. These include (but are not limited to):

- Utilising sustainable building materials;
- Incorporating resilient landscaping, water and building materials;
- Delivering design outcomes that decrease reliance on power for heating and cooling; and
- Managing waste such that materials can be efficiently recycled and re-used.

Precautionary Principle

The proposal is unlikely to cause any serious, irreversible or damaging impacts to the natural environment. This application has suitably demonstrated principles and methods of ensuring impacts are avoided and instilling a level of confidence that the building can developed in a considered way. Any damaging impacts will be identified with clear mitigation measures to reduce impacts if needed.

Inter and Intra Generational Equality

This principle requires that the health, diversity and productivity of the environment are maintained or enhanced for the benefit of future generations. In the first instance, the development proposed is of significant benefit to the current and future generations in that it delivers high quality residential apartments that serve the growing Arncliffe Banksia Precinct. The development will be undertaken having consideration for the highest standards and procedures for building and land use currently available. The use of new technologies, services and infrastructure has been and will continue to be investigated to ensure the longevity of the building and proposed uses within.

Conservation of biological diversity and ecological integrity

The Applicant is committed to sourcing and utilising sustainable materials, particularly those that are naturally sourced and are renewable.

Internalisation of external environmental costs

This principle requires the consideration of environmental costs in the short- and long-term operation of the development and services. The Construction and Operational Management Plans to be provided at the Construction Certificate and Occupation Certificate stages respectively, will include environmental goals to limit impacts and costs to the environment. These goals will need to be regularly assessed and solutions to improve reductions to environmental impacts should continually be revised and updated.

5.6 Movement and Access

A transport and parking assessment has been undertaken by Stanbury Traffic Engineers. The key findings of the report are summarised below.

5.6.1 Access/Road Network

Wickham Street is identified as a Classified Road.

The development has been projected to generate up to eleven peak hour vehicle trips in the morning and eight peak hour vehicle trips in the afternoon. Such a peak hour traffic generation, is not projected to, in itself, result in any unreasonable impacts on the existing operational performance of the surrounding local road network. In this regard, the extent of additional traffic is not projected to measurably impact the existing operational performance of Wickham Street or the existing operational performance of the nearby

public road junctions of Wickham Street / Forest Road / Princes Highway or Wickham Street and West Botany Street.

Further, the proposed site access management of left-in / left-out traffic movements only, is envisaged to effectively govern that site access / egress movements and are therefore not projected to cause congestion or impact State Road traffic flow. In consideration of this and the above discussion, it is concluded that the nature, volume and frequency of vehicles utilising Wickham Street to obtain access to the subject site will not unreasonably compromise the effective and ongoing operation and function of the road.

5.5.2 Public and Active Transport

The site is well linked to public transport facilities, including Arncliffe Railway Station (approximately 700m walking distance) as well as bus stops along Wickham Street as well as other surrounding streets.

5.6 Social and Economic Impacts

The proposed development is considered to provide a range of positive social and economic impacts as follows:

- Provides a mix of apartments types to suit a range of people close to high frequency public transport infrastructure.
- Provides dedicated affordable housing.
- Promotes local and state government initiatives in relation to urban growth and densification by increasing the density of residential housing in close proximity to services and facilities as envisaged by the Arncliffe Banksia Precinct.
- Achieves high environmental performance (water and energy) targets.
- Offer an improved urban design and architectural outcome for the site.
- Successful approach to a comprehensive landscape-led design will mitigate impacts of the urban heat island and deliver comfortable public and private open space.
- Establishes a high precedence for surrounding future projects and reinforces the objectives and vision for the precinct developed by Council.
- Creation of thousands of short-medium term jobs in construction of the project across a lifecycle.

5.7 The Public Interest

The development will increase the supply and choice of housing in the locality and will result in an overall improvement in the residential dwelling stock, and affordable housing in the locality. Furthermore, the amenity of the adjoining properties will not be detrimentally impacted upon by the proposed development, through various design measures to mitigate overlooking and view impacts. Further, the proposal will provide housing supply in a highly accessible location that is well served by public transport. For these reasons the development is considered consistent with the public interest.

6. CONCLUSION

The relevant matters for consideration under Section 4.15 Evaluation of the Environmental Planning and Assessment Act 1979 have been addressed in this Statement of Environmental Effects and the proposed development has been found to be consistent with the objectives and requirements of the relevant planning provisions.

The proposed development is permitted with development consent within the R4 High Density Use zone, pursuant to the Bayside LEP 2021 and is consistent with the objectives of the zone. In particular the development:

- Will provide a range of housing types to meet a growing population in a highly accessible location;
- Will provide a high level of amenity that contributes towards the vision for the Arncliffe Banksia Precinct; and
- Will provide for affordable housing in accordance with Chapter 2 of SEPP (Housing) 2021.

For reasons outlined in this Statement of Environmental Effects the proposed development is considered worthy of being granted development consent.

DISCLAIMER

This report incorporates information and events up to that date only and excludes any information arising, or event occurring, after that date which may affect the validity of BMA Urban Pty Ltd opinion in this report. BMA Urban prepared this report on the instructions, and for the benefit only, TQM **(Instructing Party)** for the purpose of the Statement of Environmental Effects **(Purpose)** and not for any other purpose or use. To the extent permitted by applicable law, BMA Urban expressly disclaims all liability, whether direct or indirect, to the Instructing Party which relies or purports to rely on this report for any purpose other than the Purpose, and to any other person which relies or purports to rely on this report for any purpose whatsoever (including the Purpose).

In preparing this report, BMA Urban was required to make judgements which may be affected by unforeseen future events, the likelihood and effects of which are not capable of precise assessment.

All surveys, forecasts, projections and recommendations contained in or associated with this report are made in good faith and on the basis of information supplied to BMA Urban at the date of this report, and upon which BMA Urban relied. Achievement of the projections and budgets set out in this report will depend, among other things, on the actions of others over which BMA Urban has no control.

Whilst BMA Urban has made all reasonable inquiries it believes necessary in preparing this report, it is not responsible for determining the completeness or accuracy of information provided to it. BMA Urban (including its officers and personnel) is not liable for any errors or omissions, including in information provided by the Instructing Party or another person or upon which BMA Urban relies, provided that such errors or omissions are not made by BMA Urban recklessly or in bad faith.

This report has been prepared with due care and diligence by BMA Urban and the statements and opinions given by BMA Urban in this report are given in good faith and in the reasonable belief that they are correct and not misleading, subject to the limitations above.

UNIT DEVELOPMENT

30-34 WICKHAM STREET, ARNCLIFFE
TQM

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SITE ADDRESS

30-34 WICKHAM STREET, ARNCLIFFE
LOT (D.P.)

SITE AREA

1697.0 sqm TOTAL

SUMMARY

GFA	TOTAL ALLOWABLE	3733.4 sqm
	+30 % BONUS (1120.02m^2)	4853.4 sqm
	TOTAL PROPOSED	4580.51 sqm (incl.30% BONUS)
FSR	ALLOWABLE	2.20 : 1
	+30 % BONUS (0.66:1)	2.86 : 1
	PROPOSED	2.70 : 1(incl.30% BONUS)
COMMUNAL (COS)	REQUIRED	424.25 sqm (25.0%)
	PROPOSED	445.1 sqm (26.20%)
DEEP SOIL	REQUIRED	118.79 sqm (7.0%)
	PROPOSED TOTAL (6.0M WIDE)	255.4 sqm (15%)
CARPARKING	REQUIRED RESIDENTIAL	52 SPACES
	PROPOSED RESIDENTIAL	55 SPACES
	REQUIRED SHARE CAR	02 SPACES
	PROPOSED SHARE CAR	02 SPACES
	REQUIRED VISITOR	09 SPACES
	PROPOSED VISITOR	09 SPACES
	MOTORBIKE VISITOR	01 SPACE
	REQUIRED MOTORBIKE	04 SPACES
	PROPOSED MOTORBIKE	04 SPACES
	REQUIRED BICYCLE	53 SPACES
	PROPOSED BICYCLE	53 SPACES
	REQUIRED VISITOR BICYCLE	06 SPACES
	PROPOSED VISITOR BICYCLE	06 SPACES
PARKING RATES	1 BED =	(0.6 SPACES, MAX 1 PER UNIT)
	2 BED =	(0.9 SPACES, MAX 1 PER UNIT)
	3 BED =	(1.4 SPACES, MAX 2 PER UNIT)
	VISITOR =	(1 SPACE PER 10 UNITS)
	MB =	(1 SPACE PER 15 UNITS)
	BIKE =	(1 SPACE PER 1 DWELLING)

70% OF TOTAL UNITS (35 OUT OF 50 UNITS) REQUIRED TO ACHIEVE SOLAR COMPLIANCE (ADG)
TOTAL PROVIDED = 43 UNITS (84.31%)

60% OF TOTAL UNITS (30 OUT OF 50 UNITS) REQUIRED TO ACHIEVE CROSS VENTILATION (ADG)
TOTAL PROVIDED = 36 UNITS (70.59%)

20% OF UNITS (10 UNITS) REQ TO BE ADAPTABLE
10% OF UNITS (5 UNITS) REQ TO ACHIEVE SILVER (LIVABLE HOUSING)

MIN. AH FLOOR SPACE: 15% OF TOTAL GFA = 687.0m^2
PROPOSED AH : 721.1m^2 (15.74%)

TOTAL ADAPTABLE PROVIDED - 10 UNITS : 1 BED (105,205,305,405,505,605)
2 BED (104,204,304,404)
TOTAL LIVABLE PROVIDED - 4 UNITS (104,204,304,404,504)

UNIT SCHEDULE

TYPE	NUMBERS
1 BED	8
2 BED	34
3 BED	9

TOTAL UNITS: 51

DRAWING LIST

SHEET NO.	SHEET NAME
000	COVERSHEET
001	DCP ANALYSIS
002	URBAN CONTEXT
003	LOCAL CONTEXT
004	SITE ANALYSIS-CONTEXT
005	SITE FEATURES
006	CONTEXTUAL STREETSCAPE ANALYSIS
007	CONTEXTUAL 3D ANALYSIS- EXISTING
008	CONTEXTUAL 3D ANALYSIS- PROPOSED
009	CONTEXTUAL 3D ANALYSIS- FUTURE
010	EXISTING SURVEY
011	DEMOLITION PLAN
012	PRECEDENCE
020	SITE PLAN - ROOF PLAN
021	BASEMENT 04 FLOOR PLAN
022	BASEMENT 03 FLOOR PLAN
023	BASEMENT 02 FLOOR PLAN
024	BASEMENT 01 FLOOR PLAN
025	GROUND FLOOR PLAN
026	LEVEL 01
027	LEVEL 2-6 (TYPICAL)
028	LEVEL 7
029	LEVEL 8
030	LEVEL 9
031	AREA PLANS
032	KEY PLAN
033	STORAGE SCHEDULE
040	SOUTH ELEVATION (WICKHAM STREET)
041	EAST ELEVATION
042	WEST ELEVATION
043	NORTH ELEVATION
050	SECTION A-A
051	SECTION B-B
052	SECTION C-C
053	SECTION D-D
054	SECTION E-E
060	3D VIEW(HEIGHT PLANE)
061	3D VIEWS
062	3D VIEWS - GROUND FLOOR C.O.S
070	CROSS VENTILATION PLANS
080	SOLAR VIEWS
081	COMPLIANCE SCHEDULES
090	SHADOW DIAGRAMS-SEPTEMBER
091	SHADOW DIAGRAMS - JUNE
100	FUTURE CONTEXT FLOOR PLANS-GROUND FLOOR
101	FUTURE CONTEXT FLOOR PLANS (TYPICAL)
102	FUTURE CONTEXT FLOOR PLANS (TYPICAL)
110	FUTURE CONTEXT GFA PLANS
111	FUTURE SOLAR ACCESS
112	FUTURE SOLAR ACCESS
113	FUTURE SOLAR COMPLIANCE CALCULATIONS

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ADDITIONAL INFORMATON

DISCLAIMER
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D	11/04/2024	CONSULTANTS COORDINATION
E	16/04/2024	FOR DA SUBMISSION
F	28/11/2024	ADDITIONAL INFORMATION

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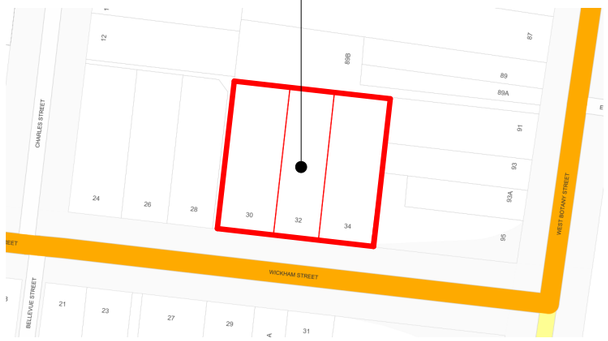
Wolli Creek NSW 2205
Nominated Architect:
Robert Gizzi (Reg. 8286)

CLIENT: TQM
UNIT DEVELOPMENT
ADDRESS: 30-34 WICKHAM STREET, ARNCLIFFE
DRAWING NAME: COVERSHEET

ISSUE DATE: 28/11/2024
DRAWN: JS/ML
SCALE:
QA: RG
PROJECT No. 2689
DWG No. 000
Rev. F
A3

SUBJECT SITE

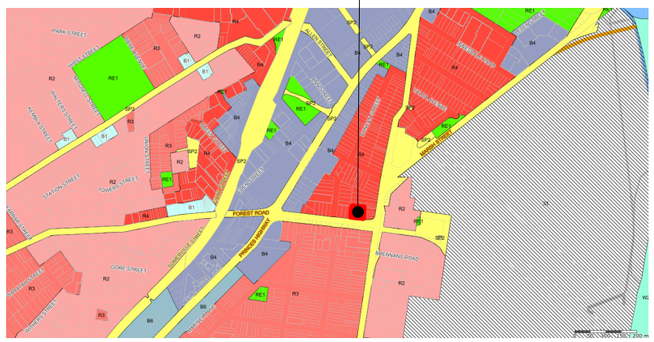


SITE LOCATION
30-34 WICKHAM STREET, ARNCLIFFE

SUBJECT SITE

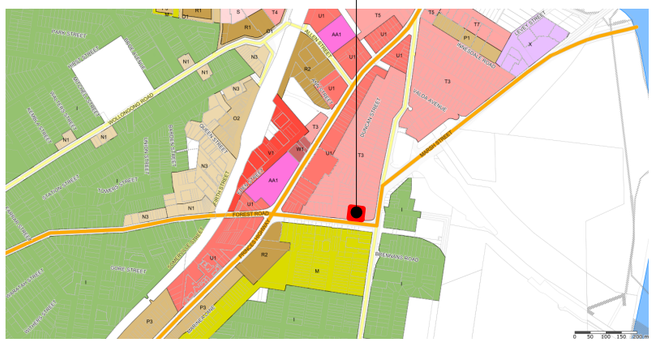
AERIAL PHOTOGRAPH
30-34 WICKHAM STREET, ARNCLIFFE

SUBJECT SITE



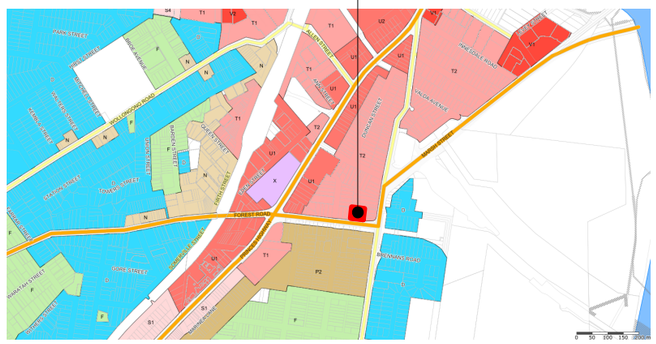
ZONING MAP
R4 - HIGH DENSITY RESIDENTIAL

SUBJECT SITE



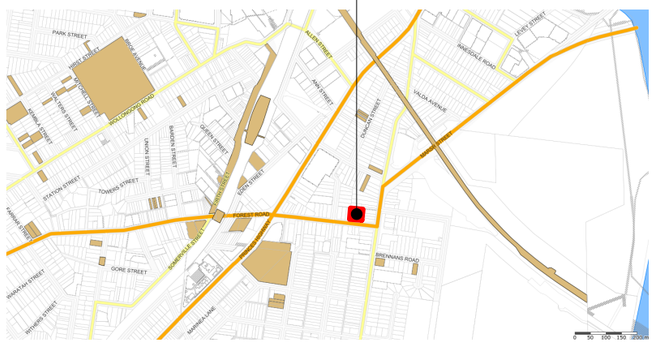
BUILDING HEIGHT
26.5m HEIGHT LIMIT

SUBJECT SITE



FSR
2.2:1 ALLOWED

SUBJECT SITE



HERITAGE ITEM

STREET VIEW
30 WICKHAM STREET, ARNCLIFFE

STREET VIEW
32 WICKHAM STREET, ARNCLIFFE

STREET VIEW
34 WICKHAM STREET, ARNCLIFFE

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Sydney
Level 10, 6 Mount Olympus Boulevard,
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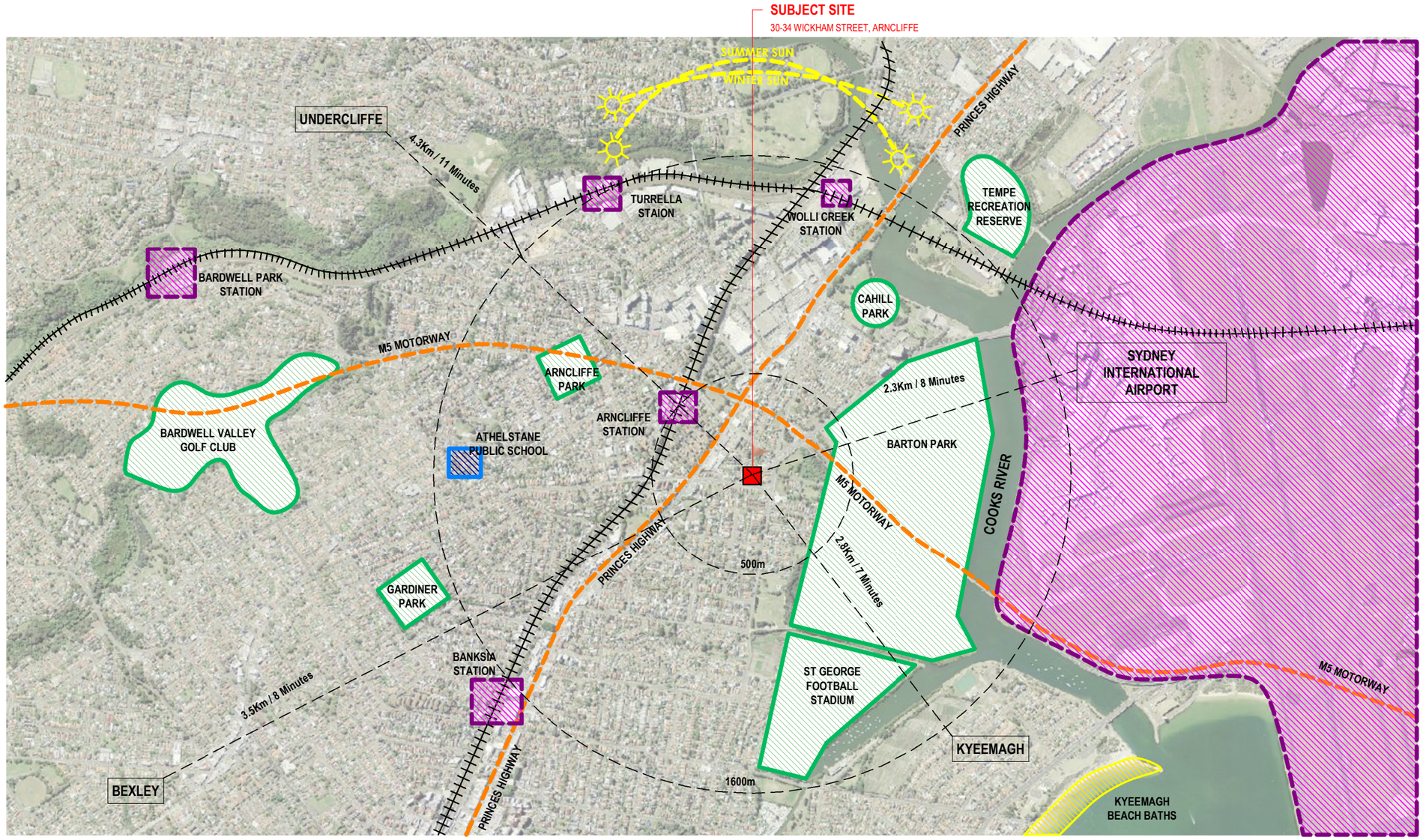
Nominated Architect:
Robert Gizzi (Reg. 8286)

CLIENT: TQM UNIT DEVELOPMENT
ADDRESS: 30-34 WICKHAM STREET, ARNCLIFFE
DRAWING NAME: DCP ANALYSIS

ISSUE DATE: 28/11/2024
DRAWN: JS
SCALE:
QA: RG

PROJECT No. 2689
DWG No. 001
Rev. F

A3



LEGEND

- STUDY AREA
- BUS STOP
- PROPOSED DEVELOPMENT
- PARKS AND RECREATION AREAS
- BEACHES
- LOCAL SHOPS
- ENTERTAINMENT AREAS
- VEHICULAR ACCESS
- EDUCATION FACILITY
- PUBLIC TRANSPORT FACILITIES
- MEDICAL/HEALTH FACILITIES
- HERITAGE ITEMS
- HERITAGE CONSERVATION AREA
- PEDESTRIAN ACCESS

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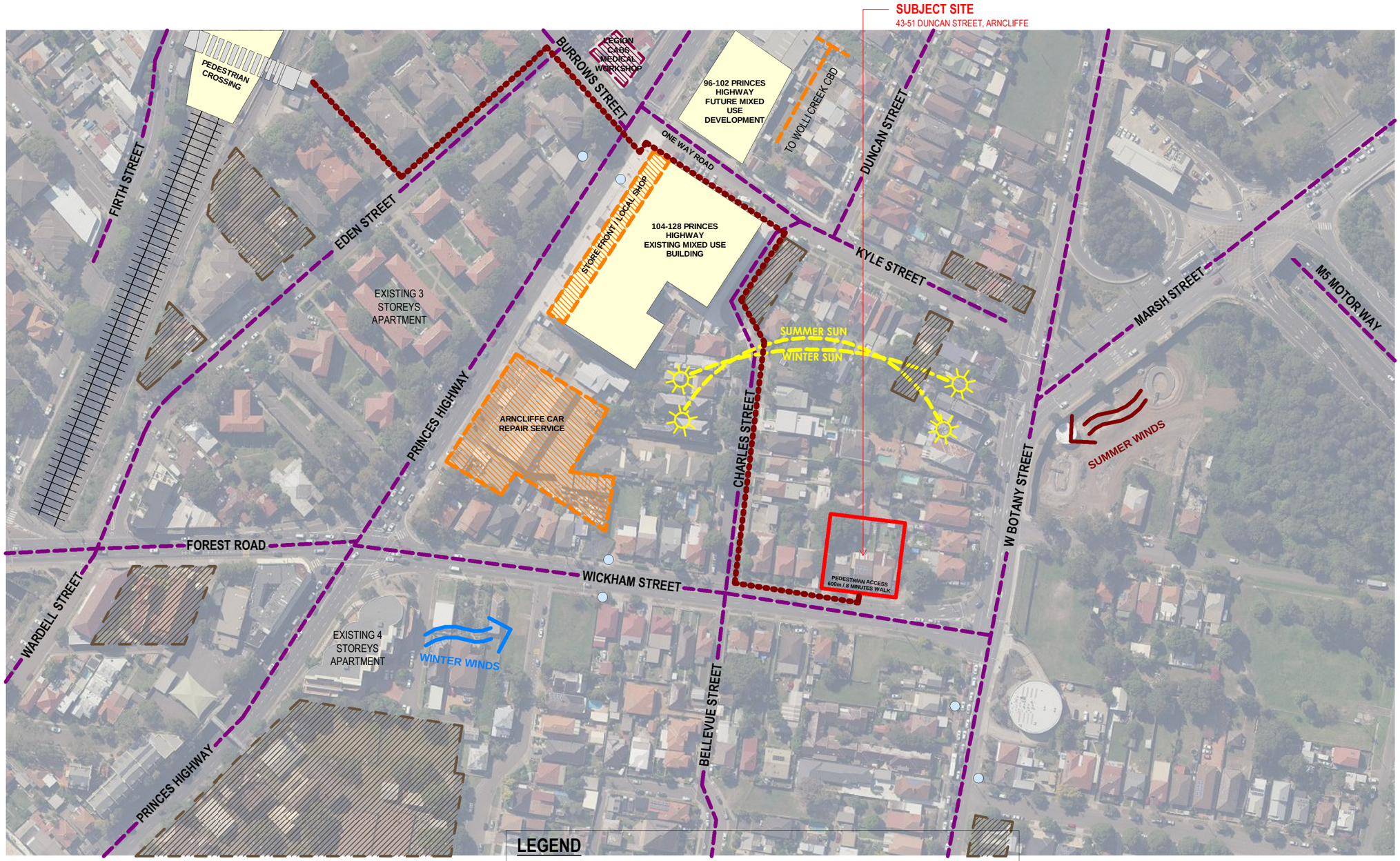
Nominated Architect:
Robert Gizzi (Reg. 8286)

CLIENT: TQM UNIT DEVELOPMENT
ADDRESS: 30-34 WICKHAM STREET, ARNCLIFFE
DRAWING NAME: URBAN CONTEXT

ISSUE DATE: 28/11/2024
DRAWN: JS
SCALE:
QA: RG

PROJECT No. 2689
DWG No. 002
Rev. F

A3



LEGEND

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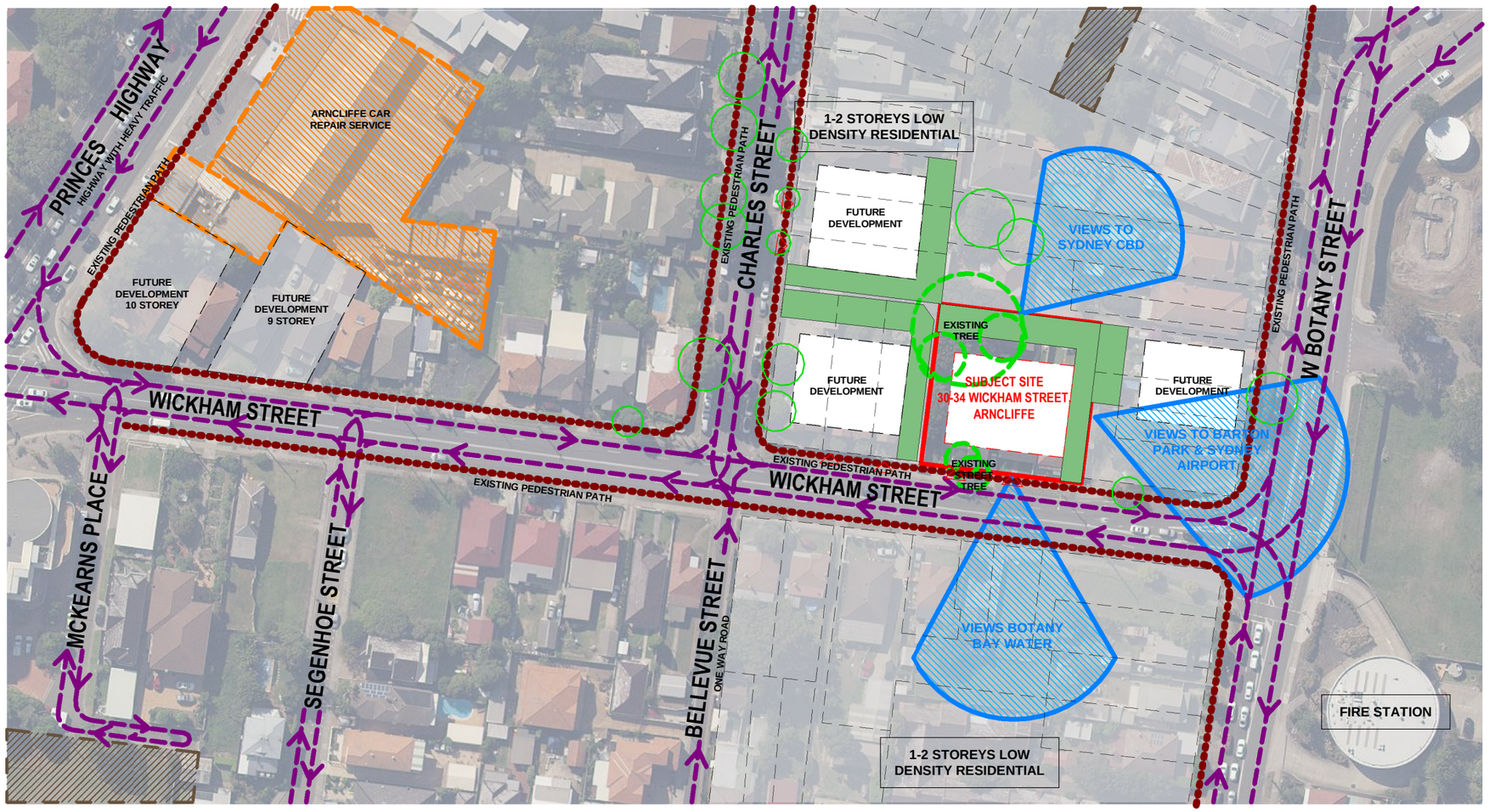
CLIENT: TQM UNIT DEVELOPMENT
ADDRESS: 30-34 WICKHAM STREET, ARNCLIFFE
DRAWING NAME: LOCAL CONTEXT

ISSUE DATE: 28/11/2024
DRAWN: JS
SCALE:
QA: RG

PROJECT No. 2689
DWG No. 003
Rev. F

A3



LEGEND

- STUDY AREA
- BUS STOP
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Nominated Architect:
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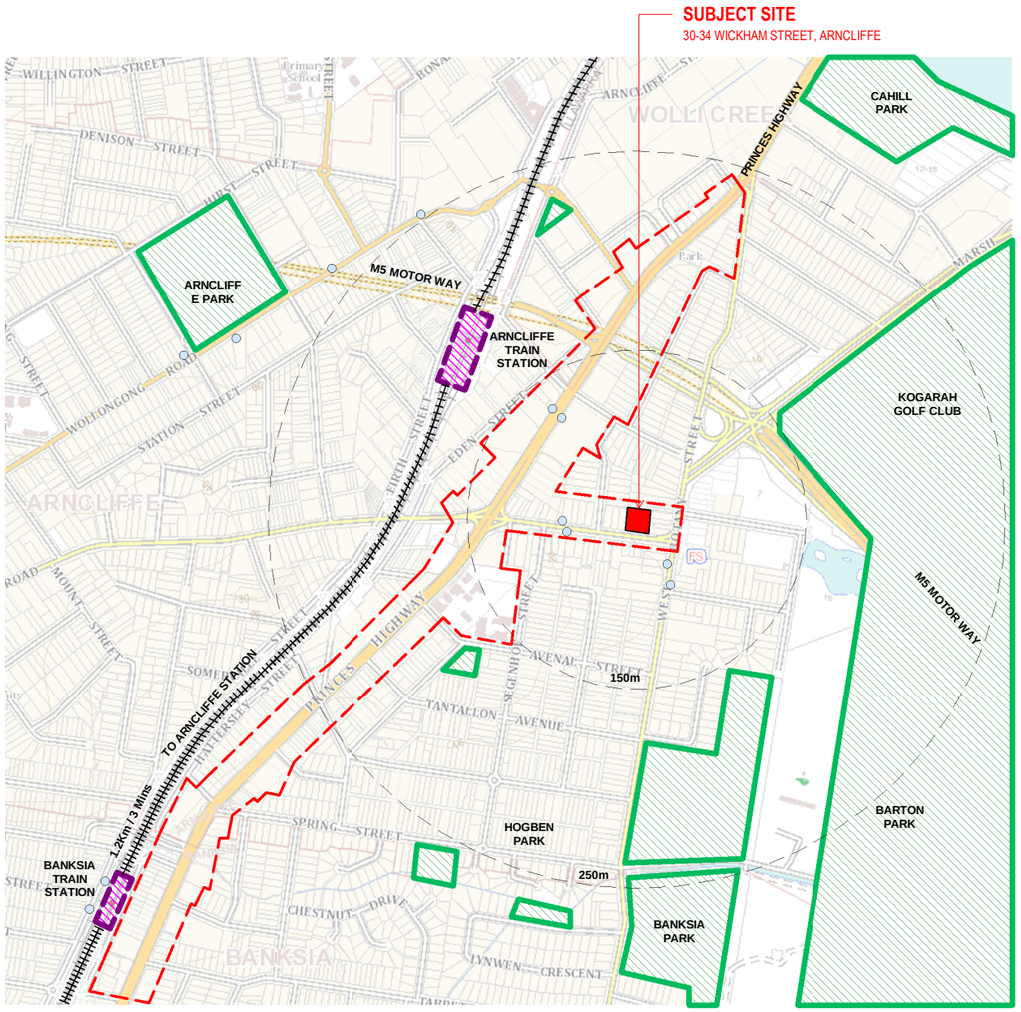
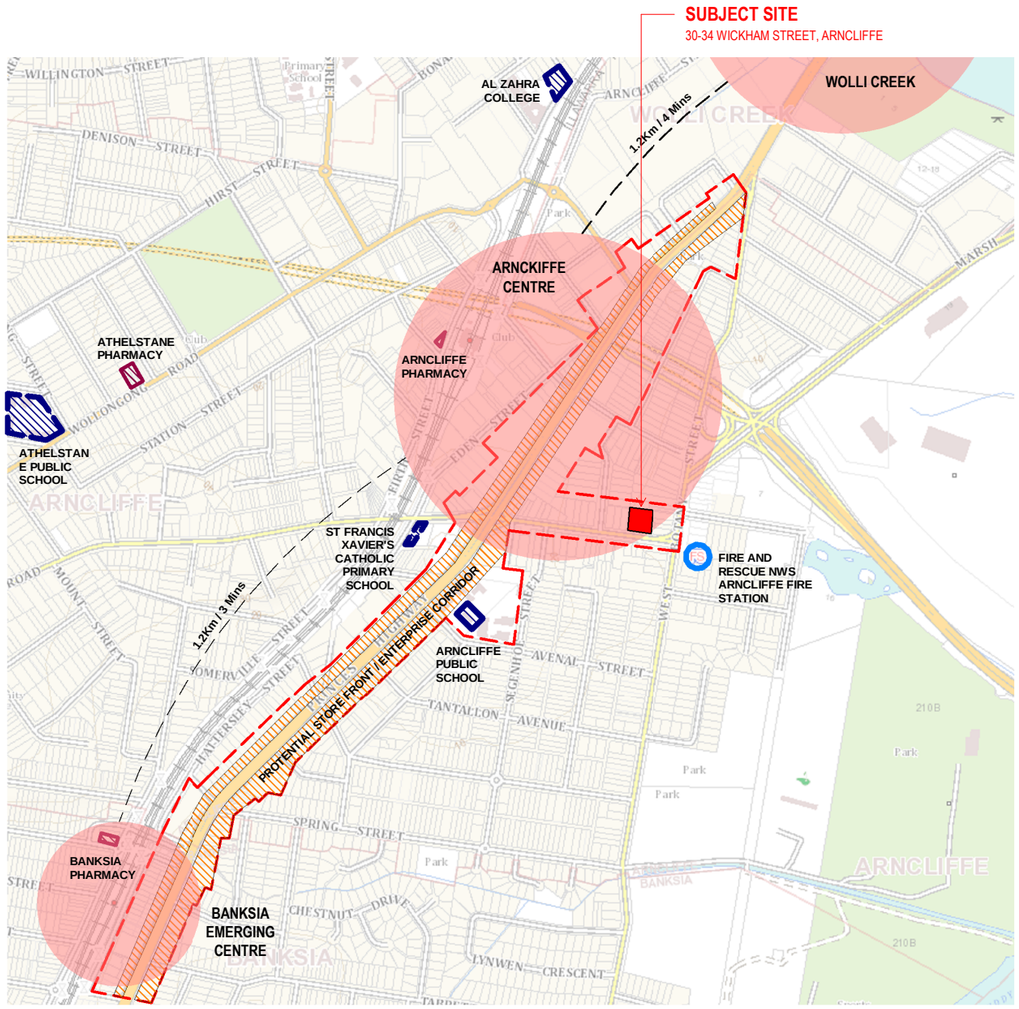
CLIENT: TQM UNIT DEVELOPMENT
ADDRESS: 30-34 WICKHAM STREET, ARNCLIFFE
DRAWING NAME: SITE ANALYSIS-CONTEXT

ISSUE DATE: 28/11/2024
DRAWN: JS
SCALE:
QA: RG

PROJECT No. 2689
DWG No. 004
Rev. F

A3





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CLIENT: TQM UNIT DEVELOPMENT
ADDRESS: 30-34 WICKHAM STREET, ARNCLIFFE
DRAWING NAME: SITE FEATURES

ISSUE DATE: 28/11/2024
DRAWN: JS
SCALE:
QA: RG

PROJECT No. 2689
DWG No. 005
Rev. F

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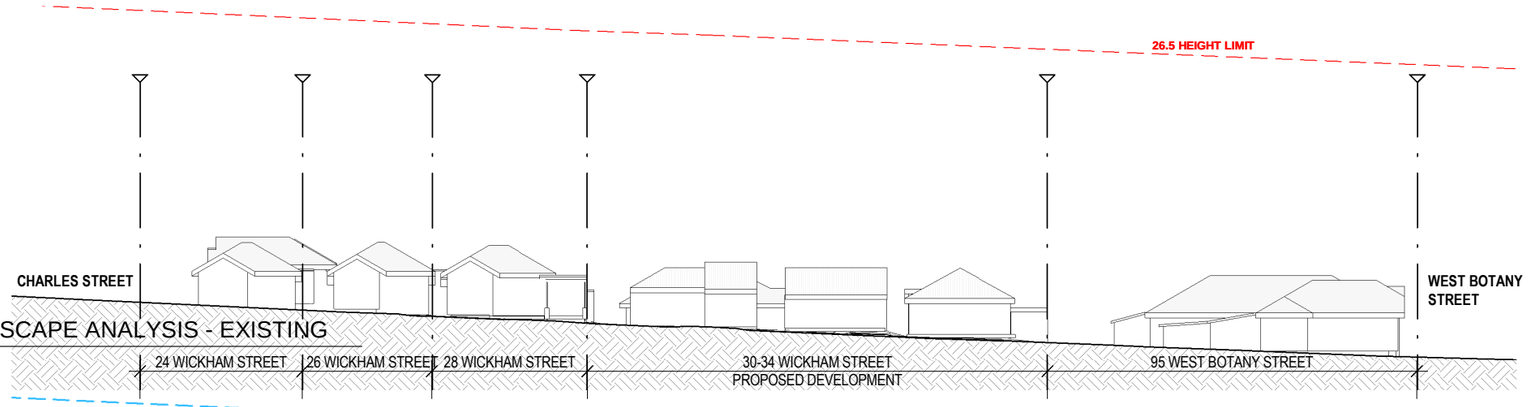
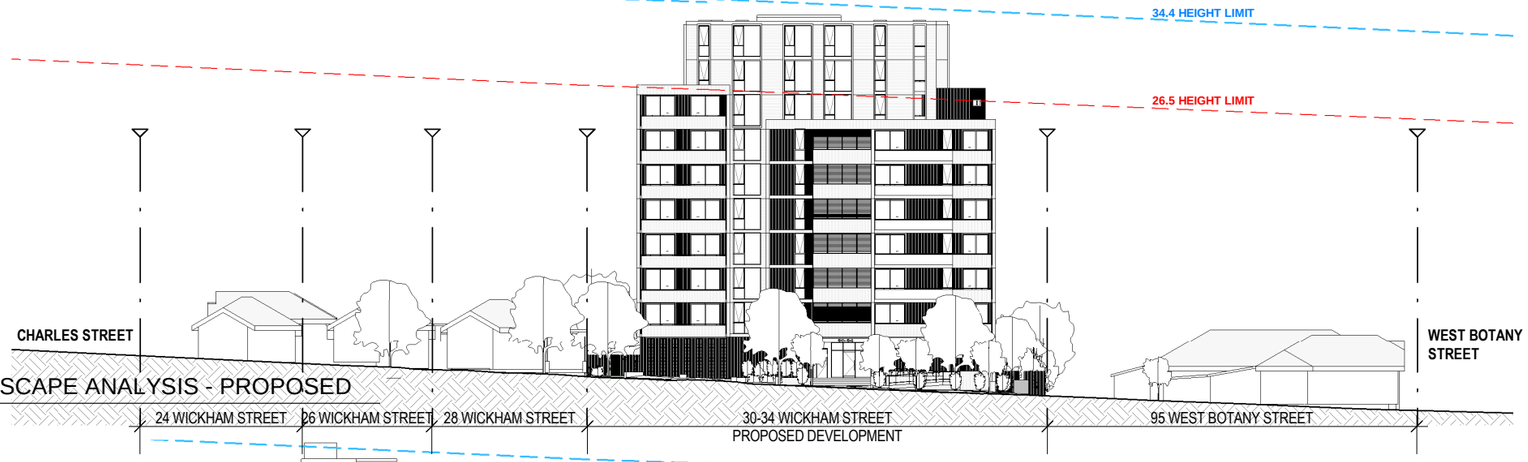


CONTEXTUAL STREETSCAPE ANALYSIS - EXISTING

1 : 500



CONTEXTUAL STREETSCAPE ANALYSIS - PROPOSED

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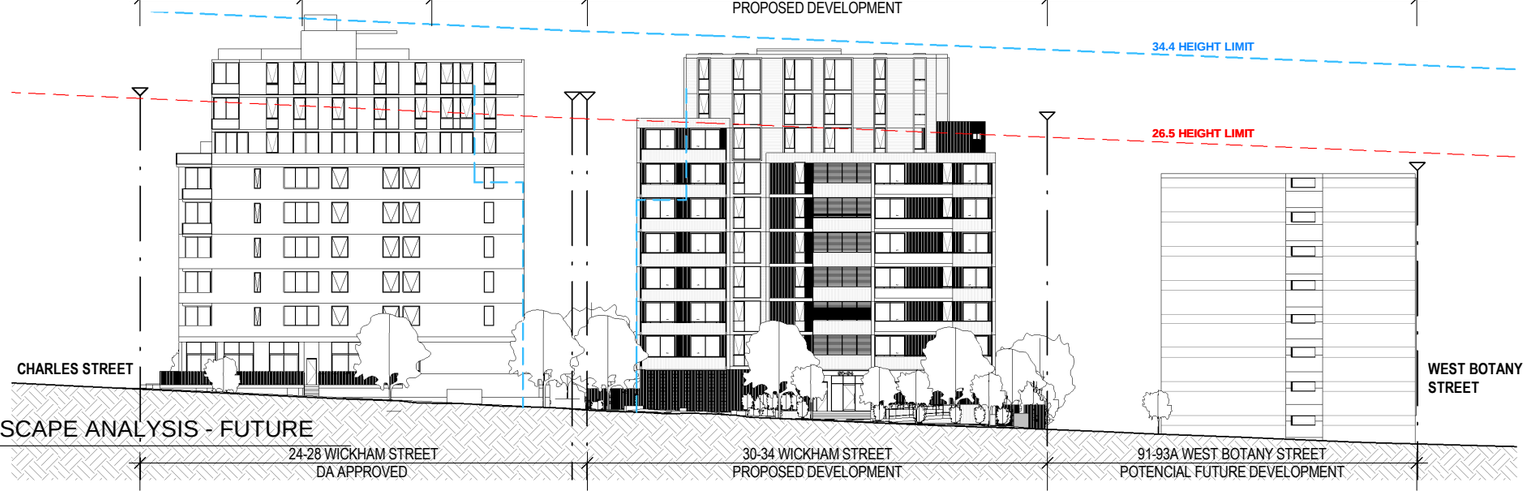

CONTEXTUAL STREETSCAPE ANALYSIS - FUTURE

1 : 500

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Nominated Architect:
Robert Gizzi (Reg. 8286)

CLIENT: TQM
UNIT DEVELOPMENT

ADDRESS: 30-34 WICKHAM STREET, ARNCLIFFE

DRAWING NAME: CONTEXTUAL STREETSCAPE ANALYSIS

ISSUE DATE: 28/11/2024
DRAWN: ML
SCALE:
QA: RG

PROJECT No. 2689
DWG No. 006
Rev. F

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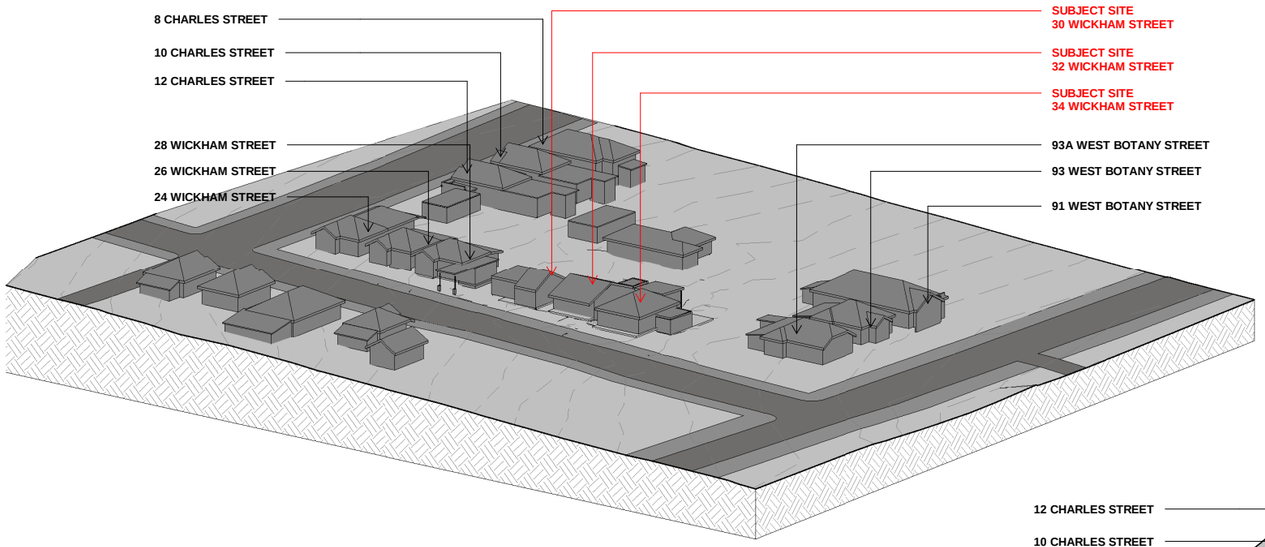

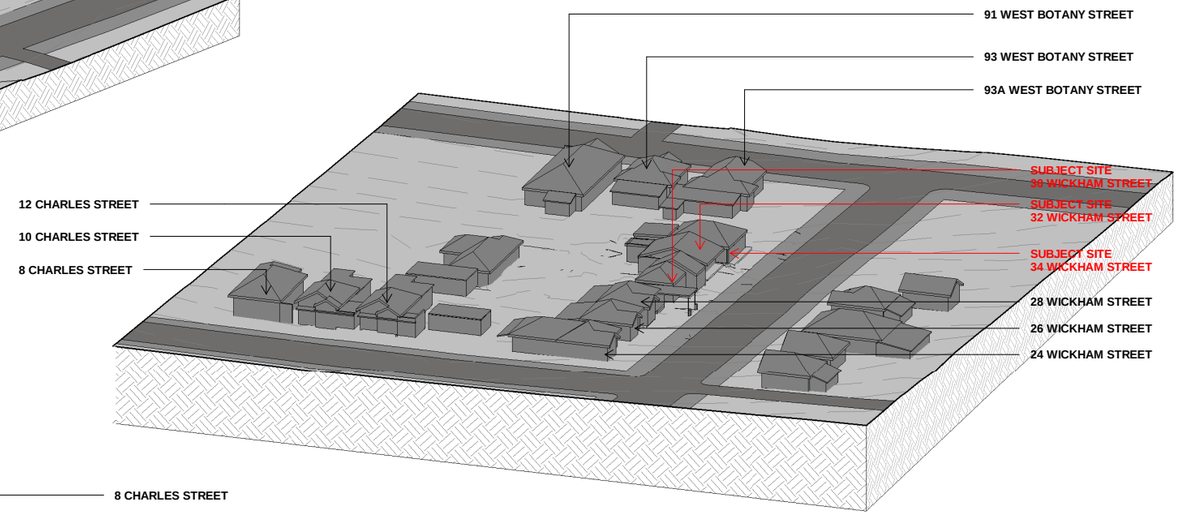

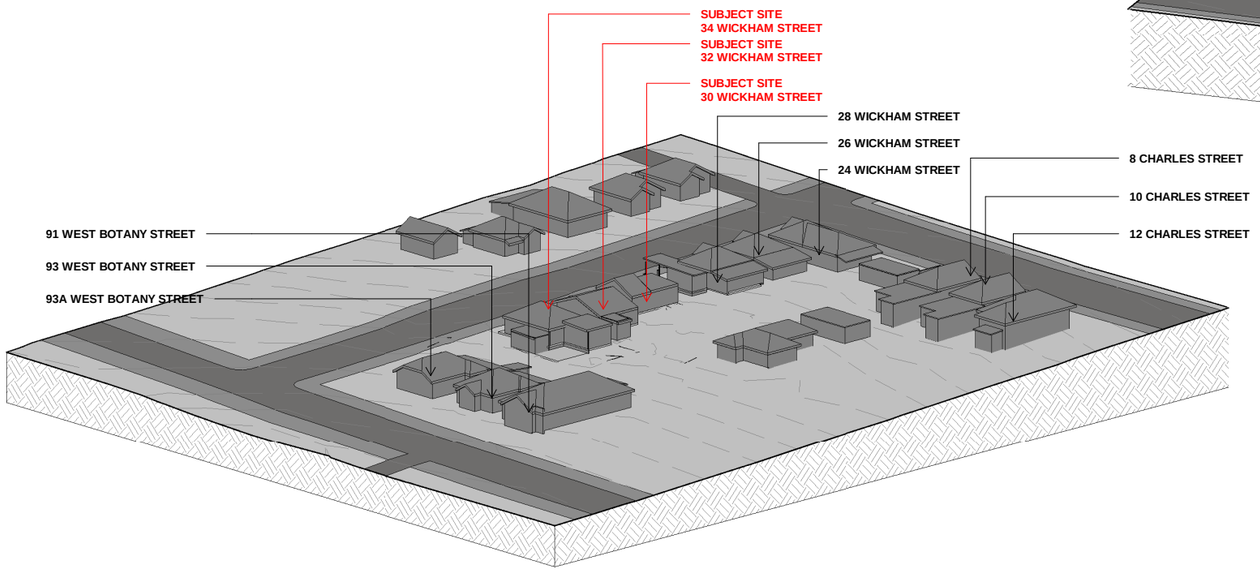

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Nominated Architect:
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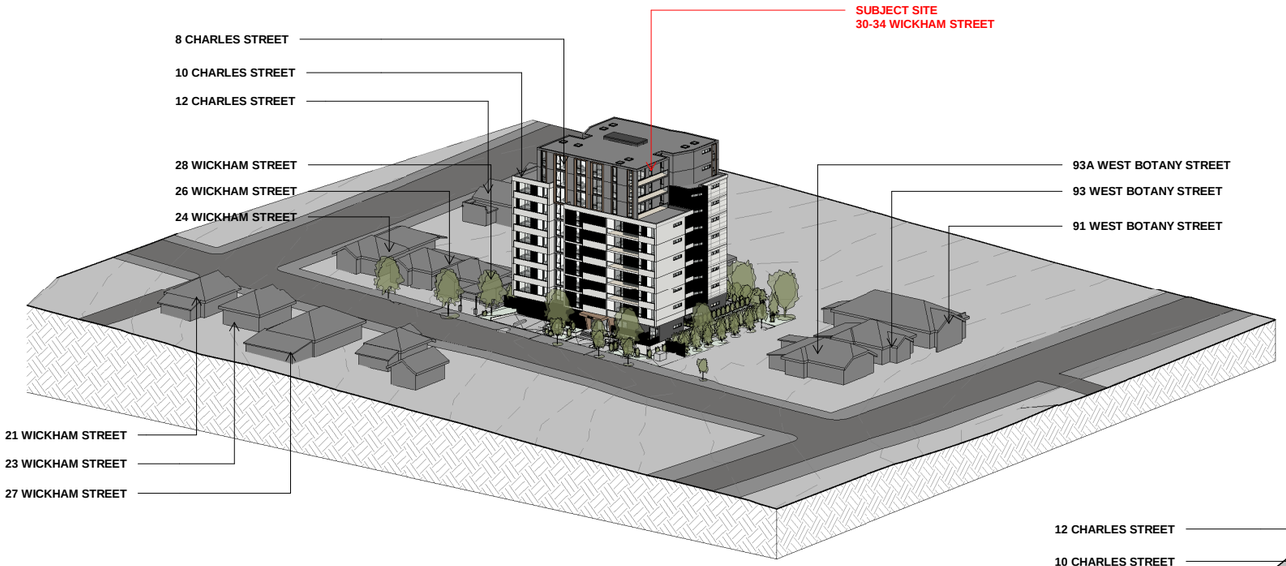
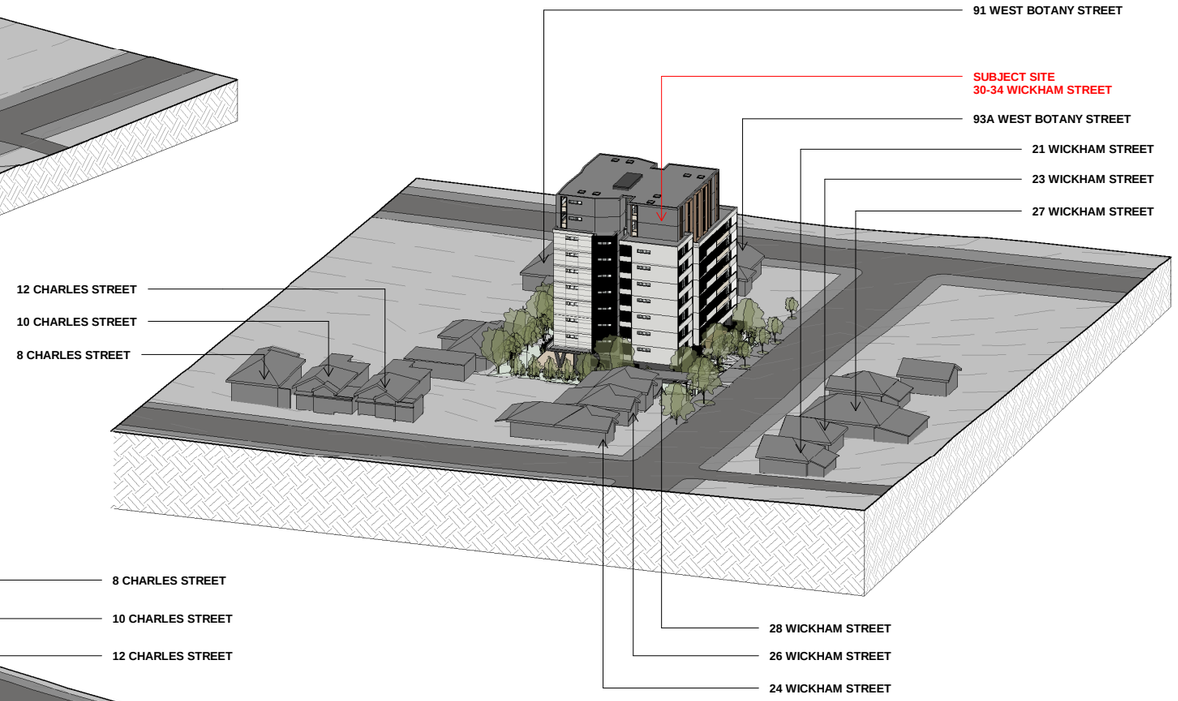
ADDRESS: 30-34 WICKHAM STREET, ARNCLIFFE
DRAWING NAME: CONTEXTUAL 3D ANALYSIS- EXISTING

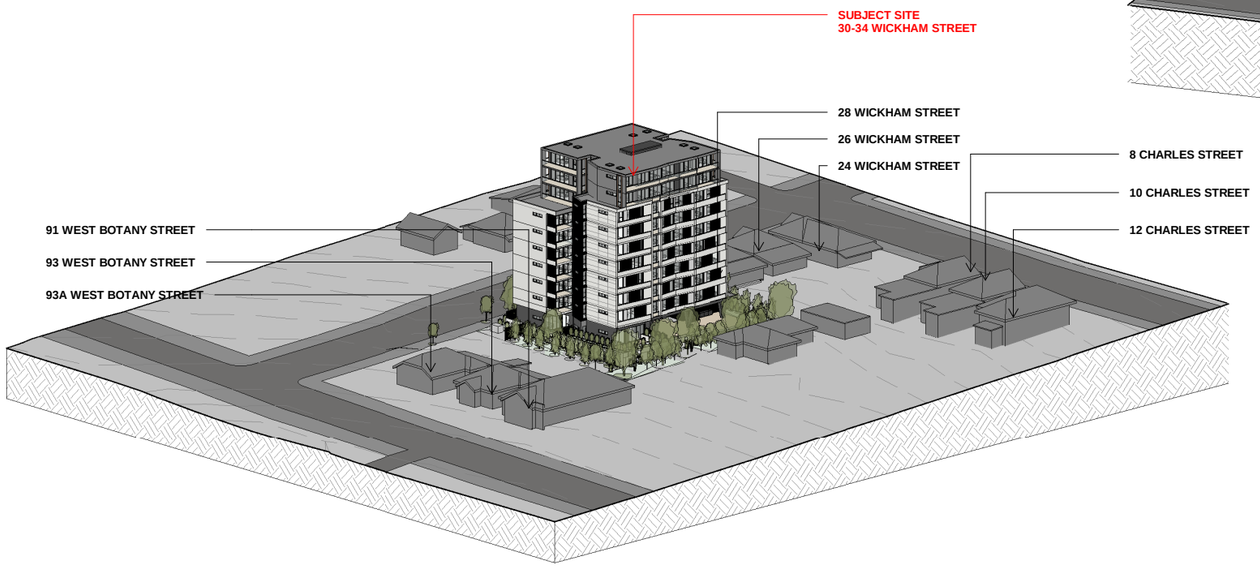
ISSUE DATE: 28/11/2024
DRAWN: ML
SCALE:
QA: RG

PROJECT No. 2689
DWG No. 007
Rev. F

A3







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tqm design & construct

ADDITIONAL INFORMATON

REF.	DATE	AMENDMENT
B	14/03/2024	PRELIMINARY
C	28/03/2024	CONSULTANT ISSUE
D	11/04/2024	CONSULTANTS COORDINATION
E	16/04/2024	FOR DA SUBMISSION
F	28/11/2024	ADDITIONAL INFORMATION

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Web: www.designworkshop.com.au

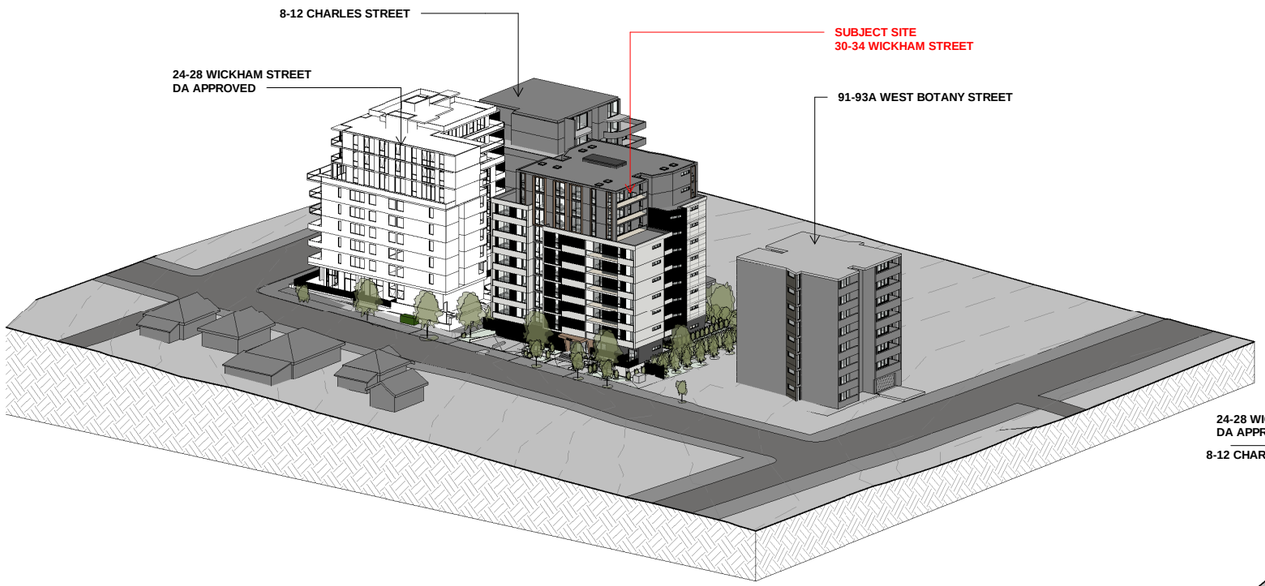
Sydney
Level 10, 6 Mount Olympus Boulevard,
Wolli Creek NSW 2205
Nominated Architect:
Robert Gizzi (Reg. 8286)

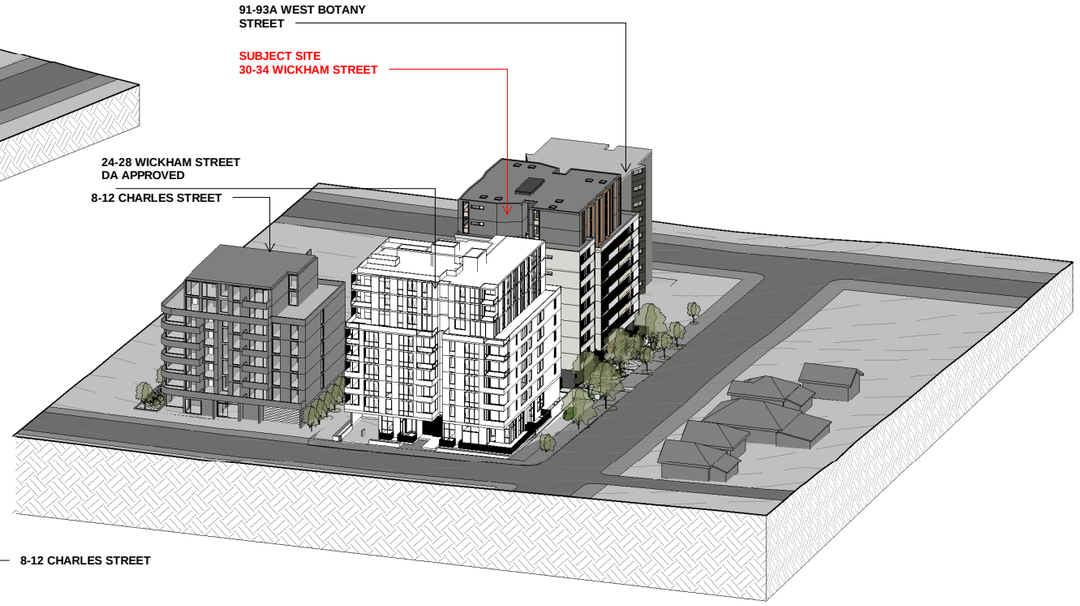
CLIENT: TQM UNIT DEVELOPMENT
ADDRESS: 30-34 WICKHAM STREET, ARNCLIFFE
DRAWING NAME: CONTEXTUAL 3D ANALYSIS- PROPOSED

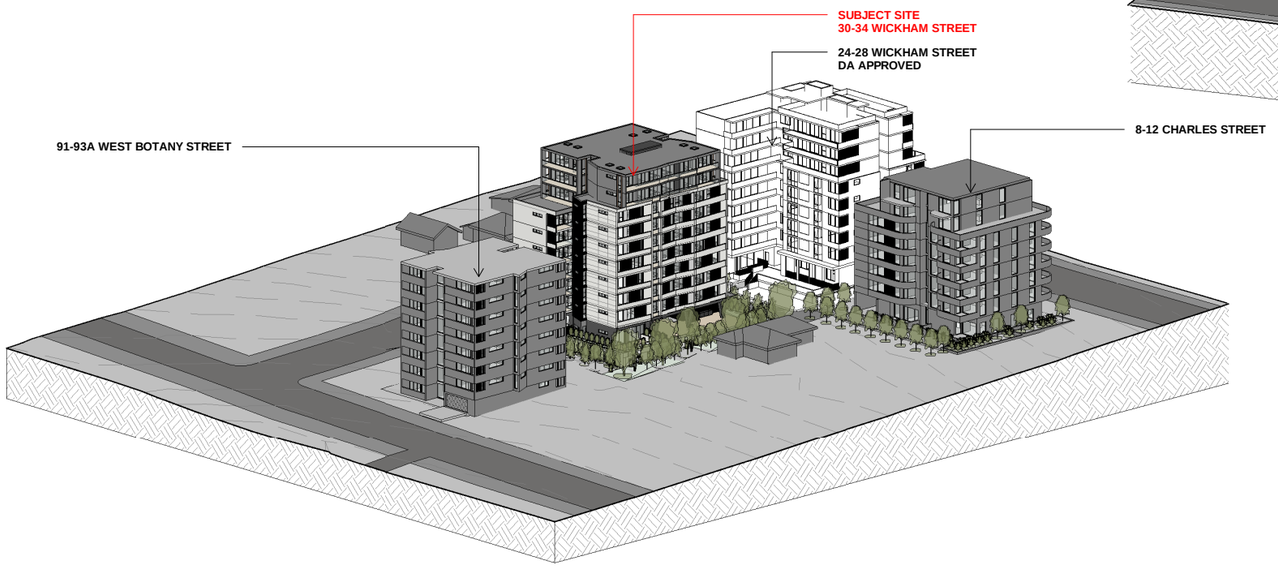
ISSUE DATE: 28/11/2024
DRAWN: ML
SCALE:
QA: RG

PROJECT No. 2689
DWG No. 008
Rev. F

A3







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ADDITIONAL INFORMATON

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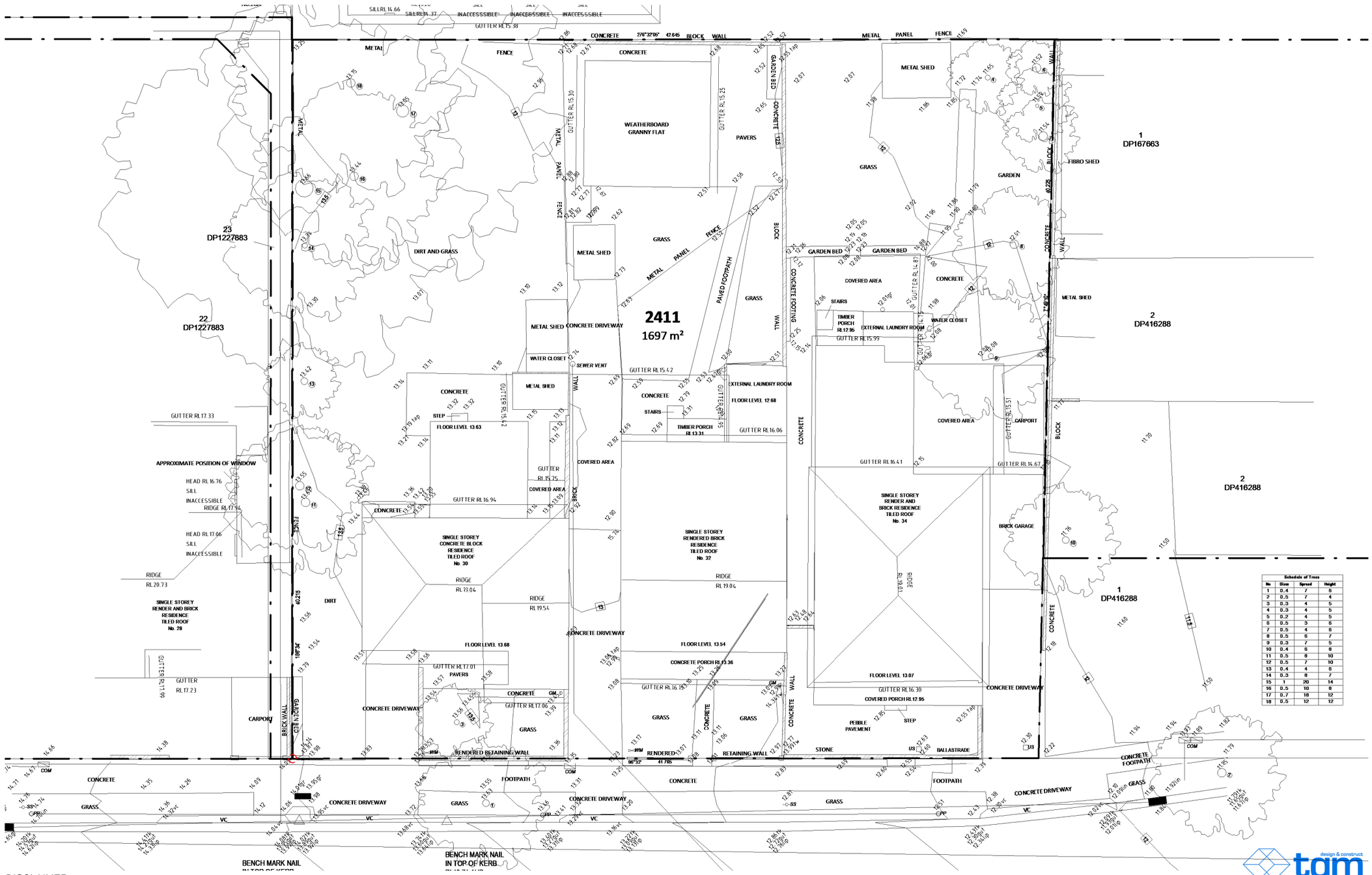
Level 10, 6 Mount
Olympus Boulevard,
Wolli Creek NSW 2205
Nominated Architect:
Robert Gizzi (Reg. 8286)

CLIENT: TQM
UNIT DEVELOPMENT
ADDRESS: 30-34 WICKHAM STREET, ARNCLIFFE
DRAWING NAME: CONTEXTUAL 3D ANALYSIS- FUTURE

ISSUE DATE: 28/11/2024
DRAWN: Author
SCALE:
QA: Checker

PROJECT No. 2689
DWG No. 009
Rev. F

A3



Schedule of Trees			
No	Dbh	Spread	Height
1	0.4	7	6
2	0.5	7	4
3	0.3	4	5
4	0.3	4	5
5	0.2	4	5
6	0.5	3	6
7	0.5	4	6
8	0.5	6	7
9	0.3	7	5
10	0.4	6	8
11	0.5	8	10
12	0.5	7	10
13	0.4	4	6
14	0.3	8	7
15	1	20	14
16	0.5	10	8
17	0.7	18	12
18	0.5	12	12

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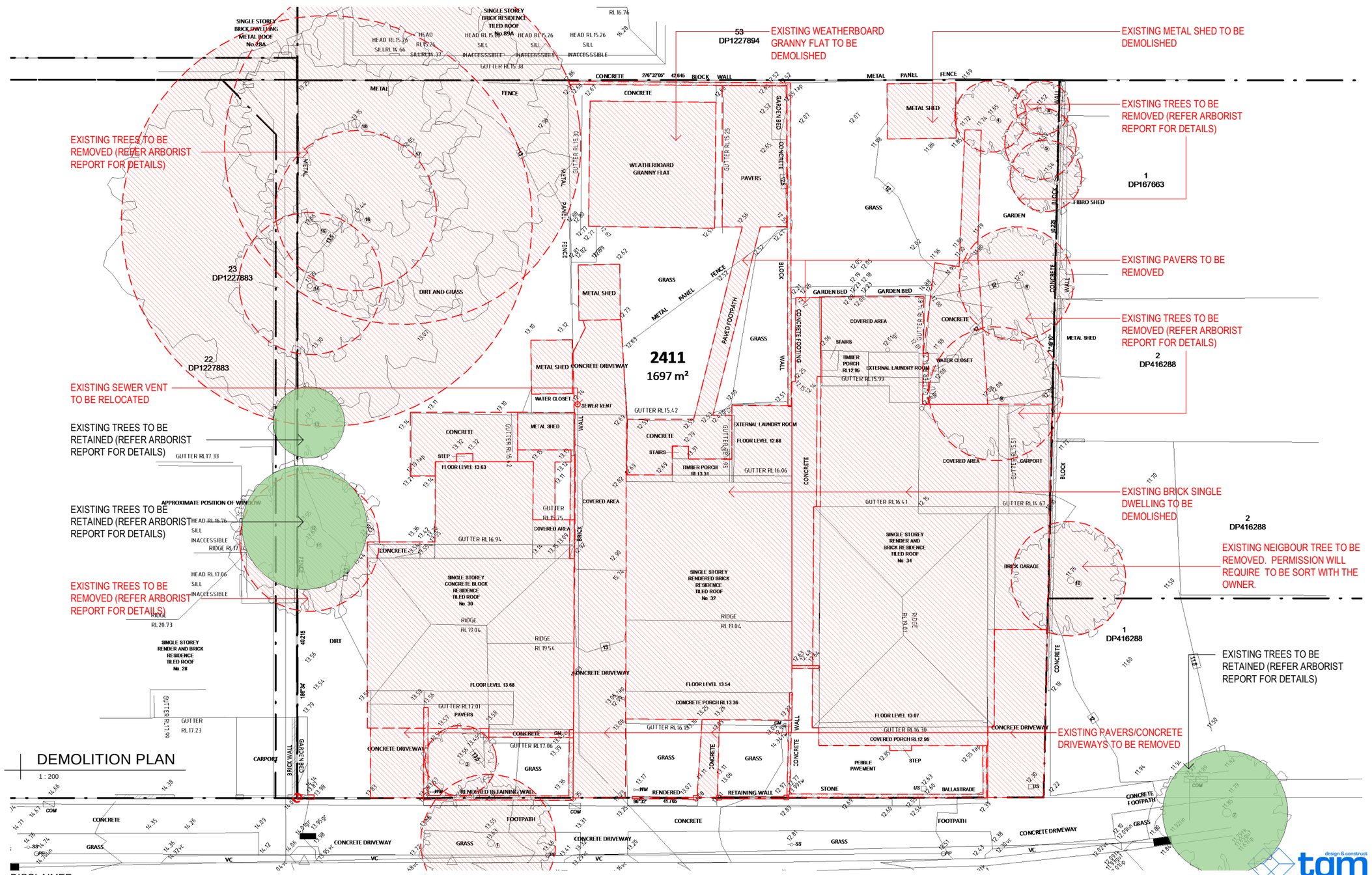
Nominated Architect:
Robert Gizzi (Reg. 8286)

CLIENT: TQM UNIT DEVELOPMENT
ADDRESS: 30-34 WICKHAM STREET, ARNCLIFFE
DRAWING NAME: EXISTING SURVEY

ISSUE DATE: 28/11/2024
DRAWN: JS
SCALE:
QA: RG

PROJECT No. 2689
DWG No. 010
Rev. F

A3



DEMOLITION PLAN

1 : 200

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Sydney
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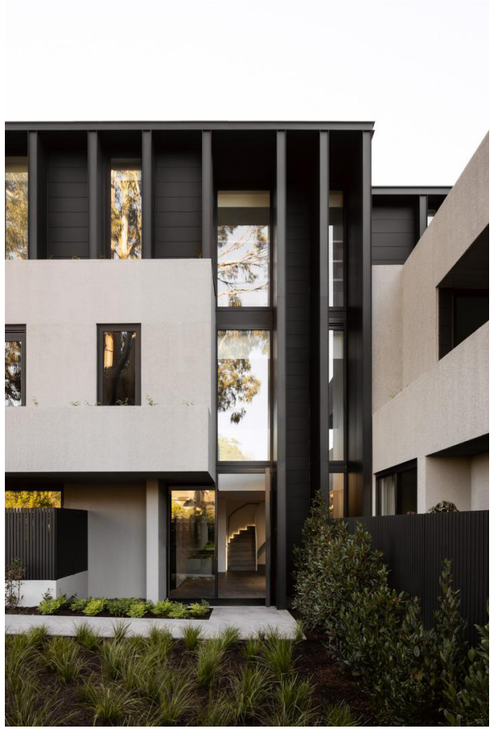
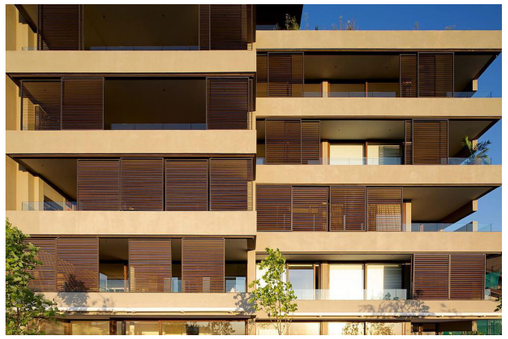
Nominated Architect:
Robert Gizzi (Reg. 8286)

CLIENT: TQM UNIT DEVELOPMENT
ADDRESS: 30-34 WICKHAM STREET, ARNCLIFFE
DRAWING NAME: DEMOLITION PLAN

ISSUE DATE: 28/11/2024
DRAWN: JS/ML
SCALE:
QA: RG
PROJECT No. 2689
DWG No. 011
Rev. F
A3



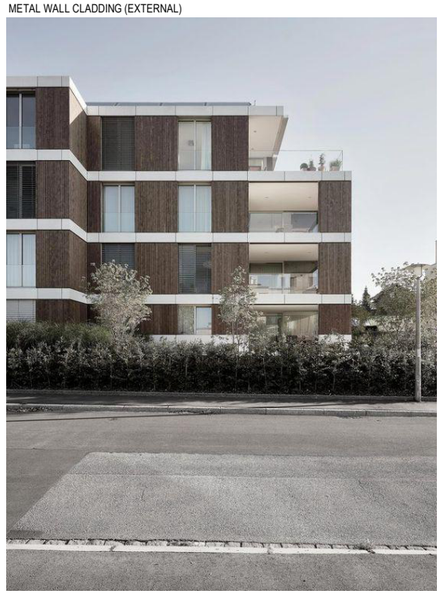
METAL WALL CLADDING (EXTERNAL)

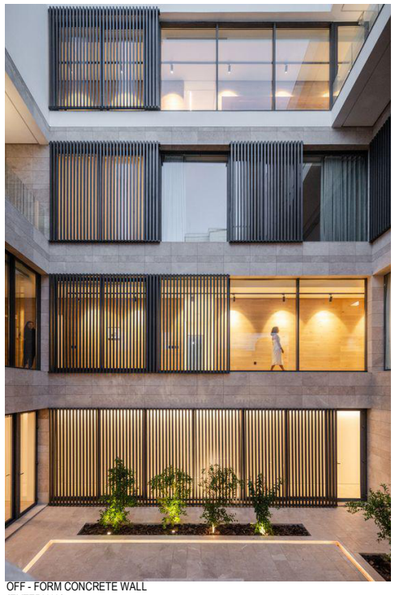


COPPER LOOK METAL CLADDING
(ENTRY AWNING , WINDOW HOODS, NORTH BALCONY SUNSCREENS

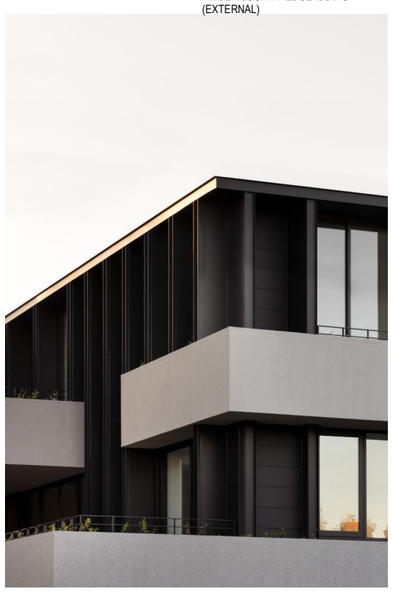
TIMBER LOOK WALL CLADDING
(EXTERNAL)

FLUTED CONCRETE PANELS
(EXTERNAL WALLS ,BALCONY FINISH)

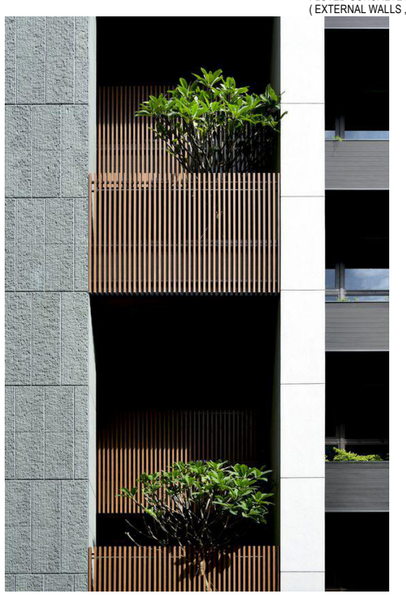


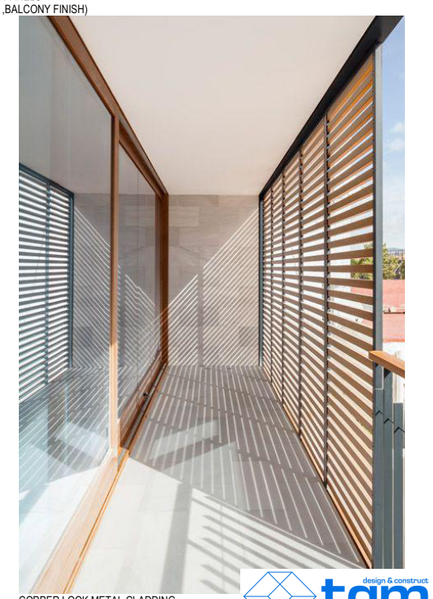


OFF - FORM CONCRETE WALL
(EXTERNAL)



METAL WALL CLADDING (EXTERNAL)





COPPER LOOK METAL CLADDING
(AWNING, WINDOW HOOD, BALCONY LOUVERS
SUNSCREEN)

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ADDITIONAL INFORMATON

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E	16/04/2024	FOR DA SUBMISSION
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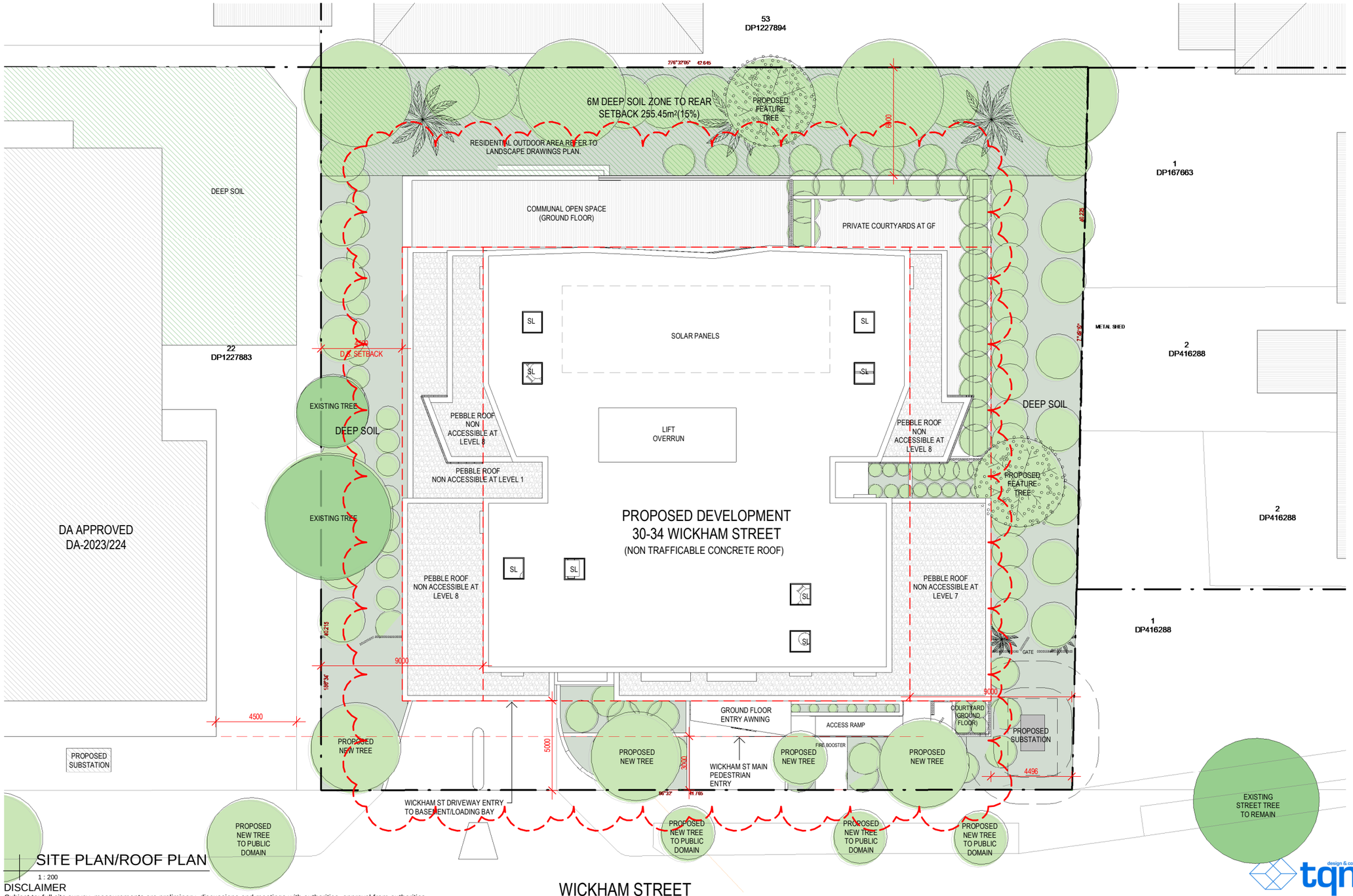
Level 10, 6 Mount Olympus Boulevard,
Wolli Creek NSW 2205
Nominated Architect:
Robert Gizzi (Reg. 8286)

CLIENT: TQM UNIT DEVELOPMENT
ADDRESS: 30-34 WICKHAM STREET, ARNCLIFFE
DRAWING NAME: PRECEDENCE

ISSUE DATE: 28/11/2024
DRAWN: JS
SCALE:
QA: RG

PROJECT No. 2689
DWG No. 012
Rev. F

A3



SITE PLAN/ROOF PLAN

1 : 200

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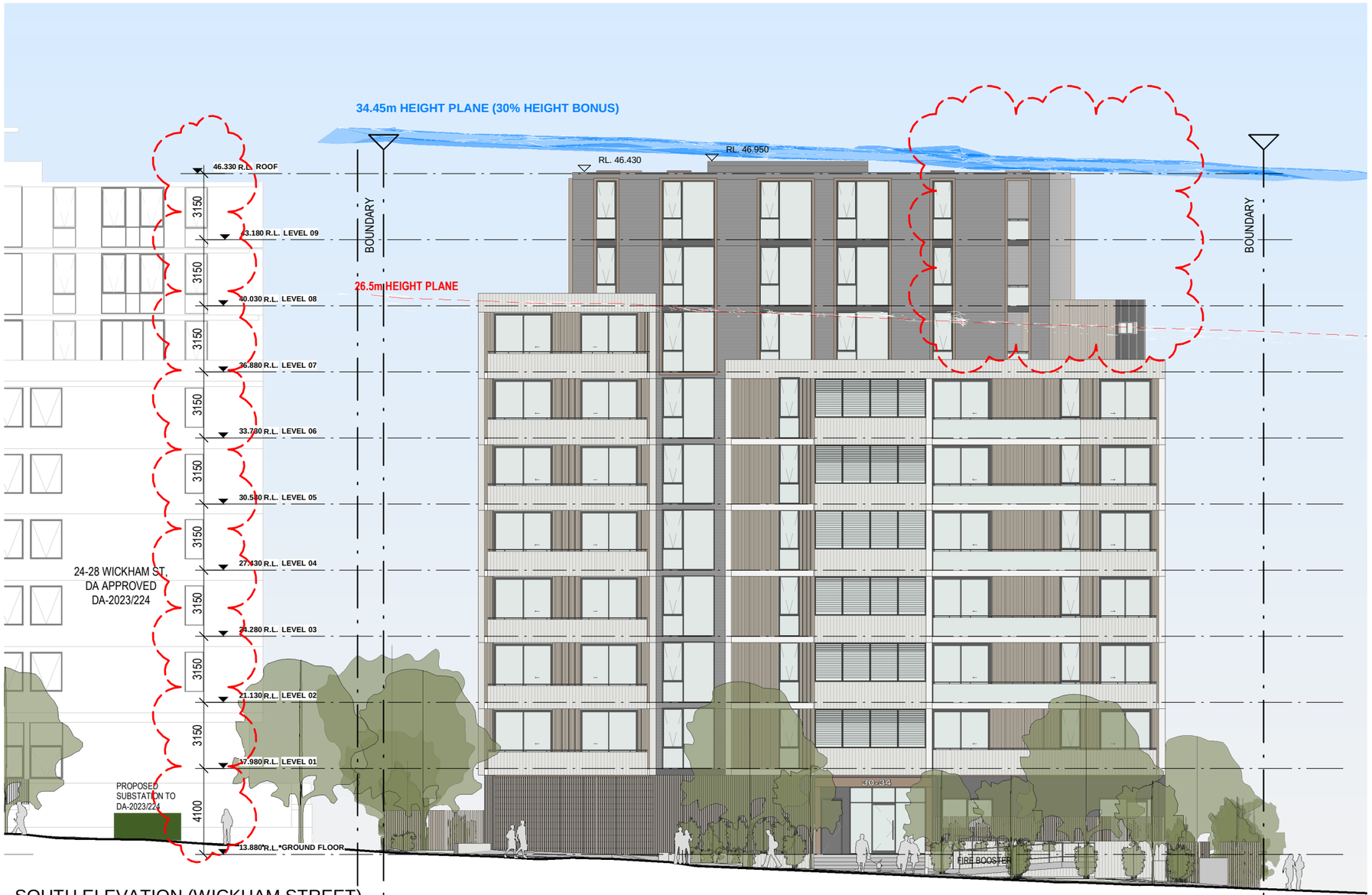
Sydney
Level 10, 6 Mount Olympus Boulevard,
Wolli Creek NSW 2205
Nominated Architect:
Robert Gizzi (Reg. 8286)

CLIENT: TQM UNIT DEVELOPMENT
ADDRESS: 30-34 WICKHAM STREET, ARNCLIFFE
DRAWING NAME: SITE PLAN - ROOF PLAN

ISSUE DATE: 28/11/2024
DRAWN: ML
SCALE:
QA: RG
PROJECT No. 2689
DWG No. 020
Rev. F
A3

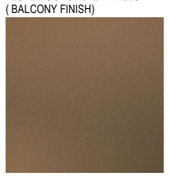


SOUTH ELEVATION (WICKHAM STREET)

1 : 200

MATERIAL PALETTE:

FLUTED CONCRETE PANELS
(BALCONY FINISH)



COPPER LOOK METAL CLADDING
(AWNING, WINDOW HOOD)

PAINT DARK GREY WALLS
(EXTERNAL)

METAL WALL CLADDING
(EXTERNAL)

TIMBER LOOK WALL CLADDING
(EXTERNAL)

OFF - FORM CONCRETE WALL
(EXTERNAL)

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ADDITIONAL INFORMATON

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Level 10, 6 Mount Olympus Boulevard,
Wolli Creek NSW 2205
Nominated Architect:
Robert Gizzi (Reg. 8286)

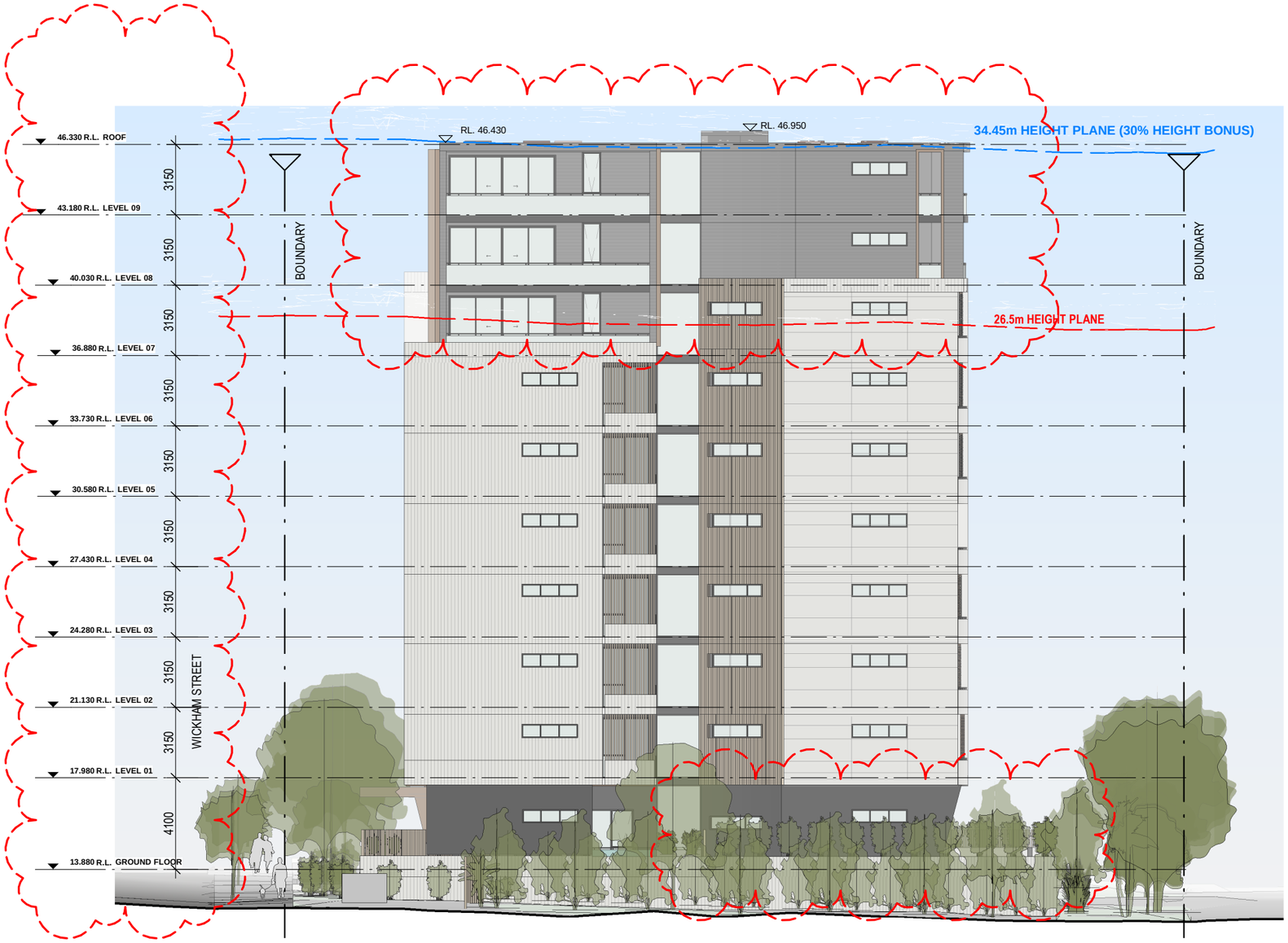
CLIENT: TQM UNIT DEVELOPMENT
ADDRESS: 30-34 WICKHAM STREET, ARNCLIFFE
DRAWING NAME: SOUTH ELEVATION (WICKHAM STREET)

SCALE BAR: 0 2.5 5 7.5 10m

ISSUE DATE: 28/11/2024
DRAWN: JS/ML
SCALE: 1:200
QA: RG

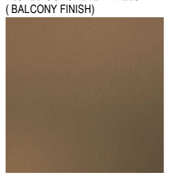
PROJECT No. 2689
DWG No. 040
Rev. F

A3



MATERIAL PALETTE:

FLUTED CONCRETE PANELS
(BALCONY FINISH)


COPPER LOOK METAL CLADDING
(AWNING, WINDOW HOOD)

PAINT DARK GREY WALLS
(EXTERNAL)

METAL WALL CLADDING
(EXTERNAL)

TIMBER LOOK WALL CLADDING
(EXTERNAL)

OFF - FORM CONCRETE WALL
(EXTERNAL)

EAST ELEVATION

1 : 200

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tqm design & construct

ADDITIONAL INFORMATON

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C	28/03/2024	CONSULTANT ISSUE
D	11/04/2024	CONSULTANTS COORDINATION
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Sydney
Level 10, 6 Mount Olympus Boulevard,
Wolli Creek NSW 2205
Nominated Architect:
Robert Gizzi (Reg. 8286)

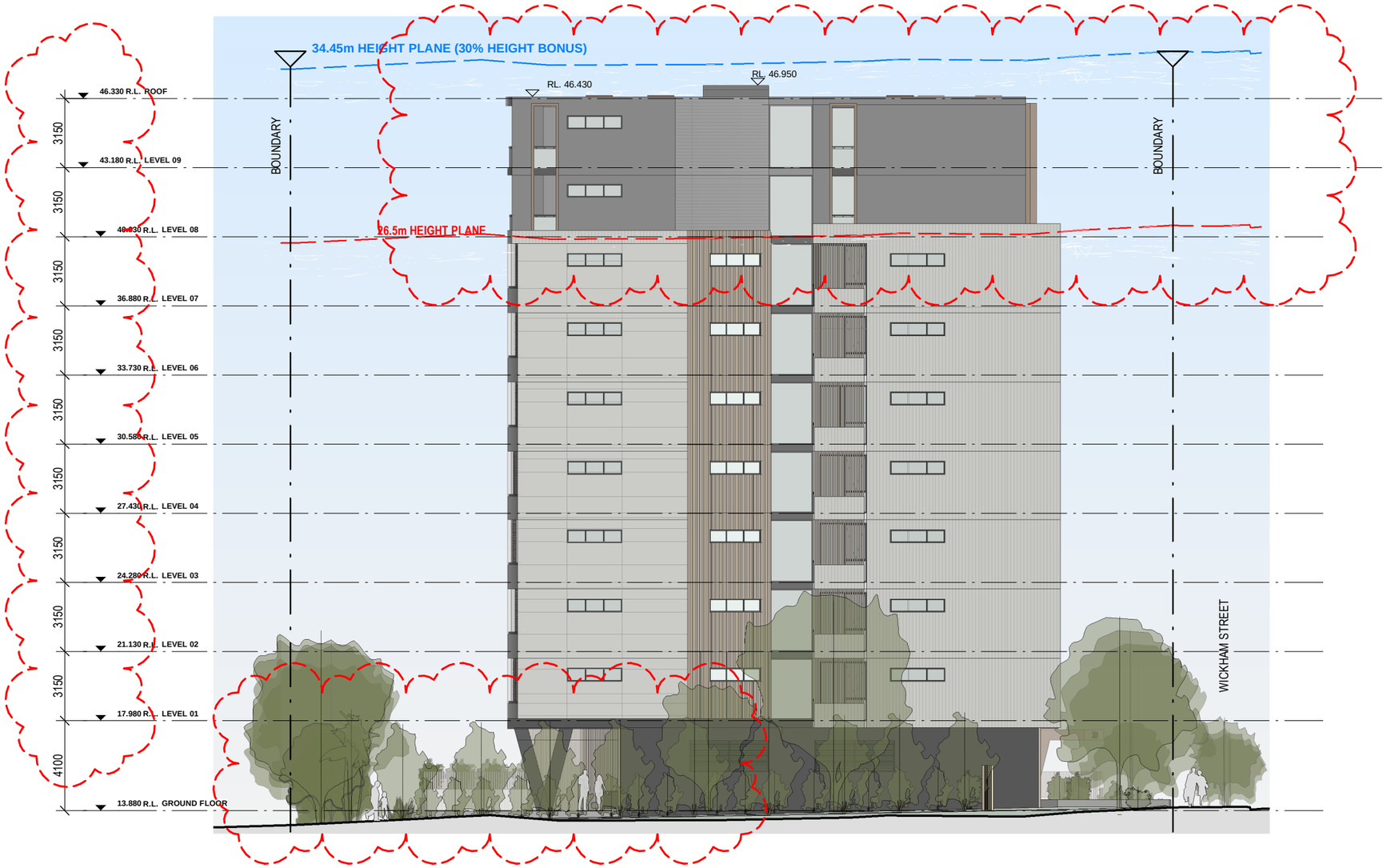
CLIENT: TQM UNIT DEVELOPMENT
ADDRESS: 30-34 WICKHAM STREET, ARNCLIFFE
DRAWING NAME: EAST ELEVATION

SCALE BAR:
0 2.5 5 7.5 10m

ISSUE DATE: 28/11/2024
DRAWN: JS/ML
SCALE: 1:200
QA: RG

PROJECT No. 2689
DWG No. 041
Rev. F

A3

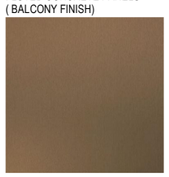


WEST ELEVATION

1 : 200

MATERIAL PALETTE:

FLUTED CONCRETE PANELS
(BALCONY FINISH)



COPPER LOOK METAL CLADDING
(AWNING, WINDOW HOOD)

PAINT DARK GREY WALLS
(EXTERNAL)

METAL WALL CLADDING
(EXTERNAL)

TIMBER LOOK WALL CLADDING
(EXTERNAL)

OFF - FORM CONCRETE WALL
(EXTERNAL)

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D	11/04/2024	CONSULTANTS COORDINATION
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Sydney
Level 10, 6 Mount
Olympus Boulevard,
Wolli Creek NSW 2205
Nominated Architect:
Robert Gizzi (Reg. 8286)

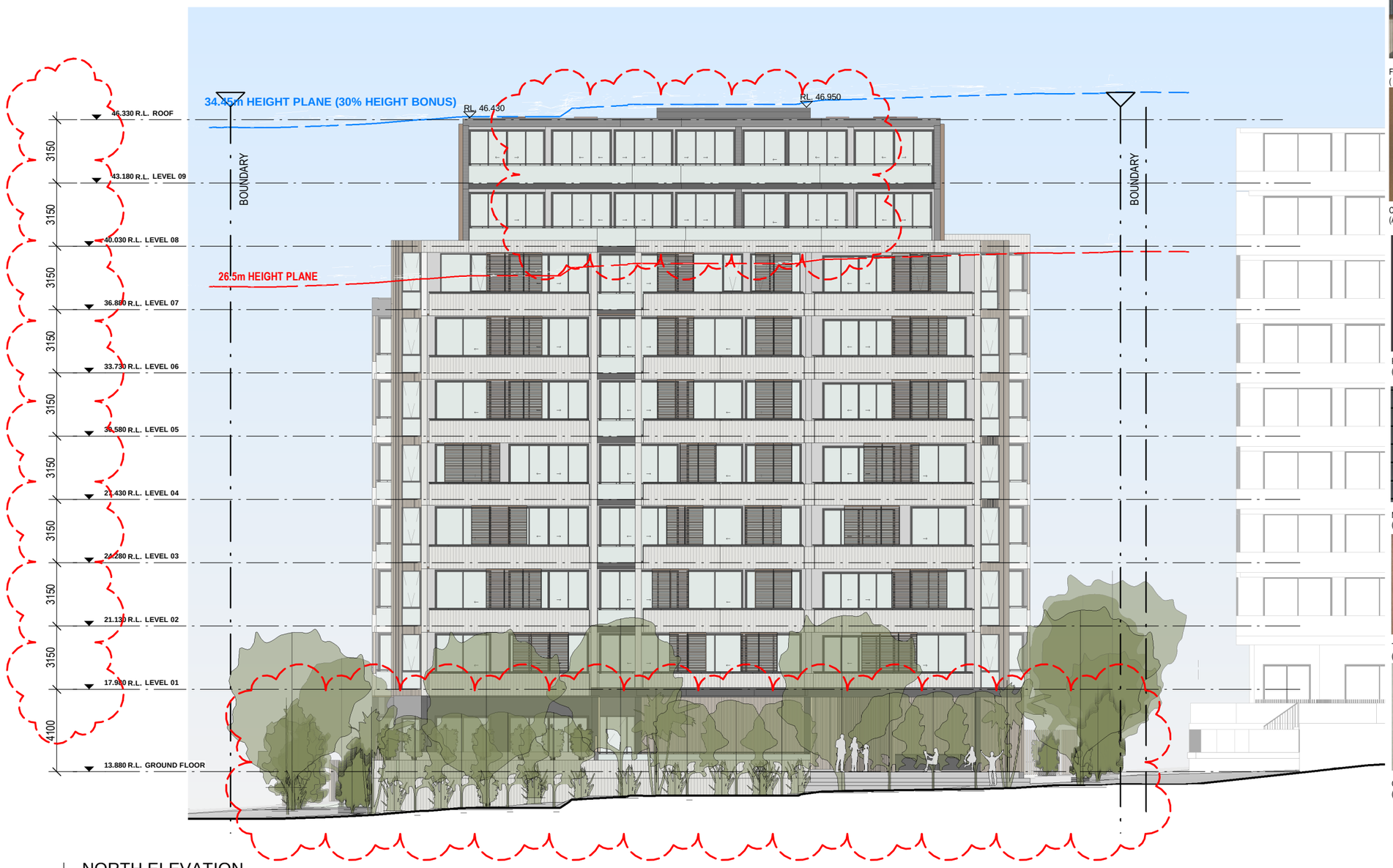
CLIENT: TQM
UNIT DEVELOPMENT
ADDRESS: 30-34 WICKHAM STREET, ARNCLIFFE
DRAWING NAME: WEST ELEVATION

SCALE BAR:
0 2.5 5 7.5 10m

ISSUE DATE: 28/11/2024
DRAWN: JS/ML
SCALE: 1:200
QA: RG

PROJECT No. 2689
DWG No. 042
Rev. F

A3



MATERIAL PALETTE:

FLUTED CONCRETE PANELS
(BALCONY FINISH)

COPPER LOOK METAL CLADDING
(AWNING, WINDOW HOOD)

PAINT DARK GREY WALLS
(EXTERNAL)

METAL WALL CLADDING
(EXTERNAL)

TIMBER LOOK WALL CLADDING
(EXTERNAL)

OFF - FORM CONCRETE WALL
(EXTERNAL)

NORTH ELEVATION

1 : 200

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All parking and ramps to traffic engineers details. (Subject to Approval)

tqm design & construct

ADDITIONAL INFORMATON

REF.	DATE	AMENDMENT
B	14/03/2024	PRELIMINARY
C	28/03/2024	CONSULTANT ISSUE
D	11/04/2024	CONSULTANTS COORDINATION
E	16/04/2024	FOR DA SUBMISSION
F	28/11/2024	ADDITIONAL INFORMATION

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Web: www.designworkshop.com.au

Sydney
Level 10, 6 Mount Olympus Boulevard,
Wolli Creek NSW 2205
Nominated Architect:
Robert Gizzi (Reg. 8286)

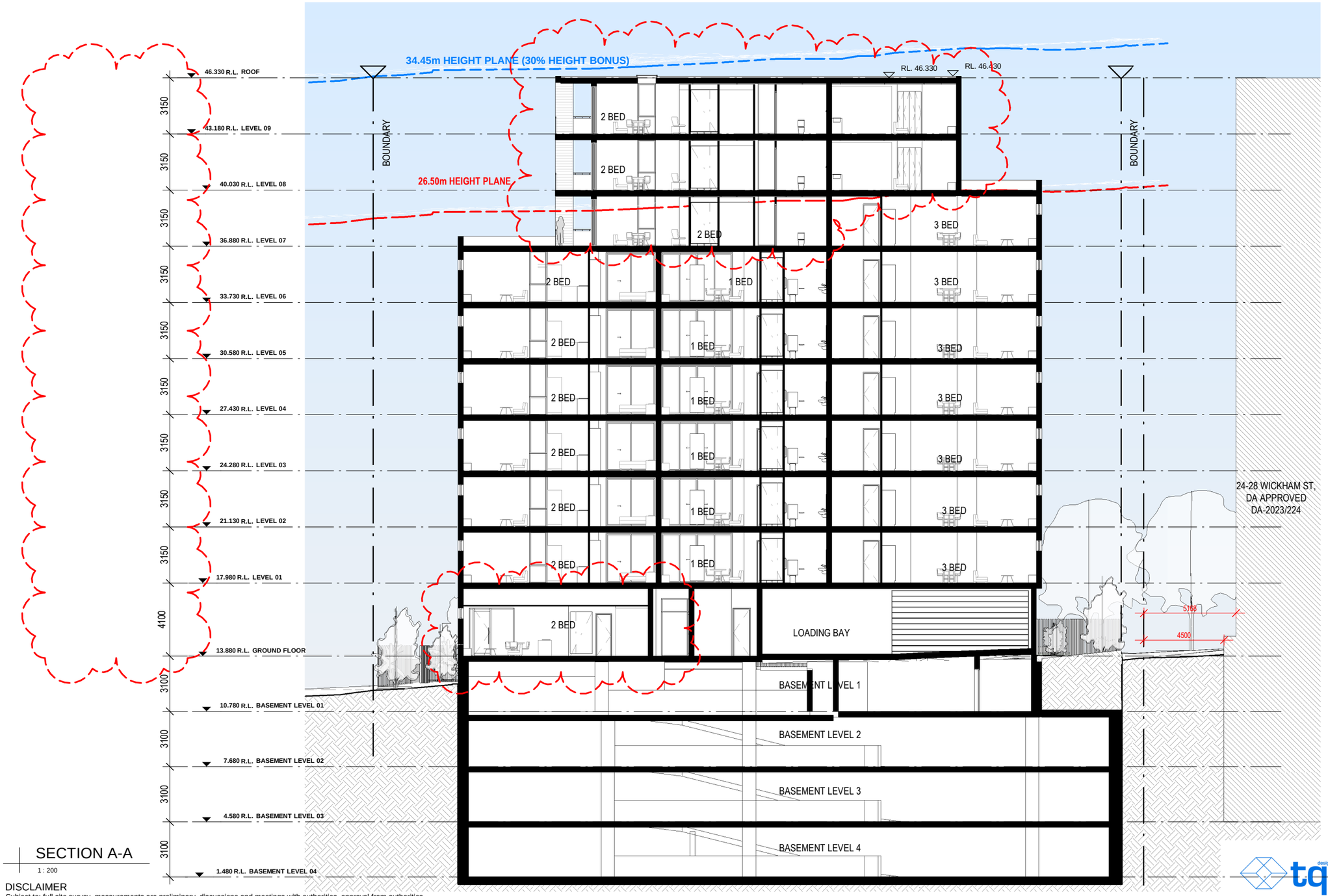
CLIENT: TQM UNIT DEVELOPMENT
ADDRESS: 30-34 WICKHAM STREET, ARNCLIFFE
DRAWING NAME: NORTH ELEVATION

SCALE BAR: 0 2.5 5 7.5 10m

ISSUE DATE: 28/11/2024
DRAWN: JS/ML
SCALE: 1:200
QA: RG

PROJECT No. 2689
DWG No. 043
Rev. F

A3



SECTION A-A

1 : 200

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ADDITIONAL INFORMATON

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F	28/11/2024	ADDITIONAL INFORMATION

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Wolli Creek NSW 2205
Nominated Architect:
Robert Gizzi (Reg. 8286)

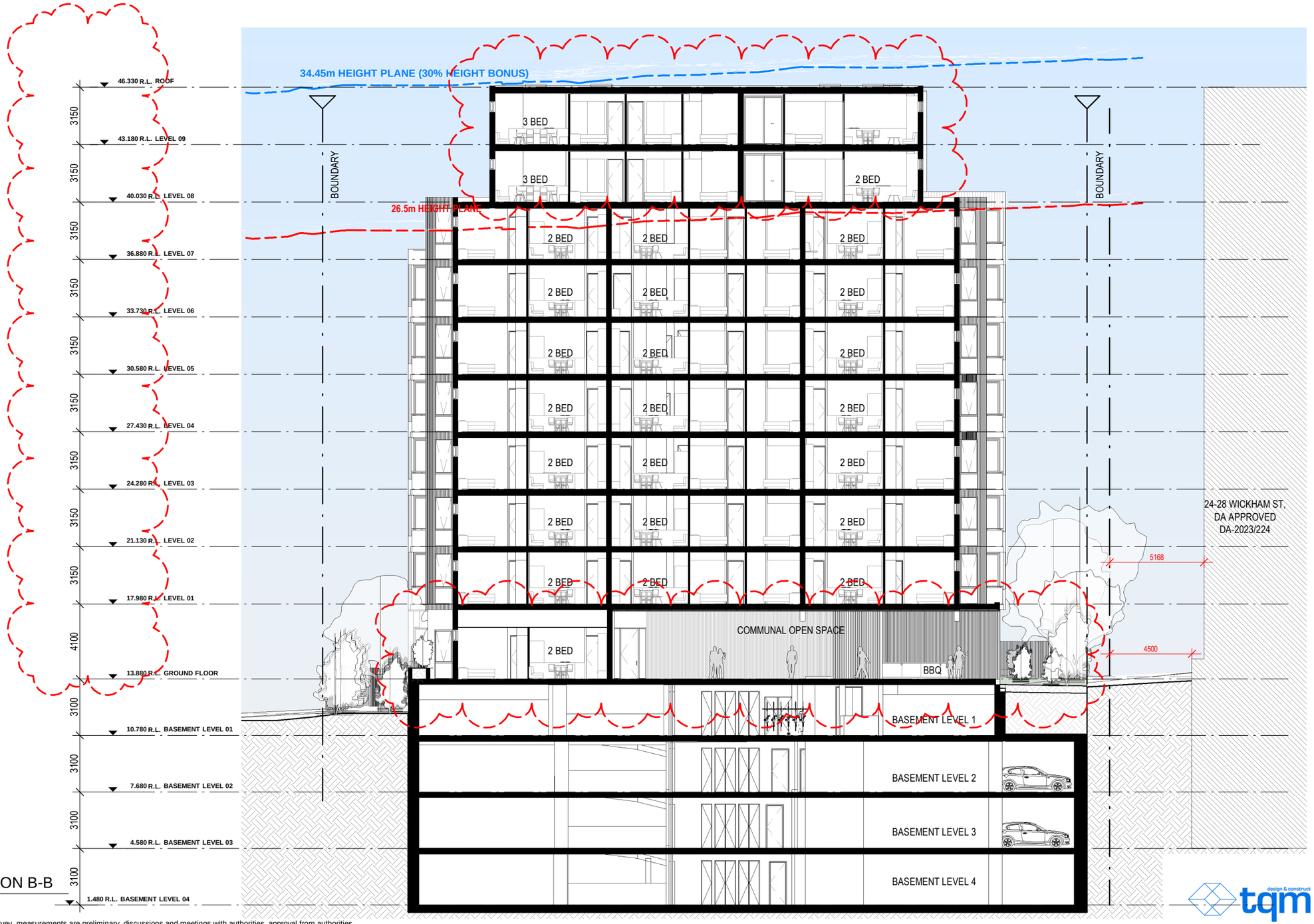
CLIENT: TQM
UNIT DEVELOPMENT
ADDRESS: 30-34 WICKHAM STREET, ARNCLIFFE
DRAWING NAME: SECTION A-A

SCALE BAR: 0 2.5 5 7.5 10m

ISSUE DATE: 28/11/2024
DRAWN: JS/ML
SCALE: 1:200
QA: RG

PROJECT No. 2689
DWG No. 050
Rev. F

A3



SECTION B-B
1 : 200

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Subject to: full site survey, measurements are preliminary, discussions and meetings with authorities, approval from authorities, relevant consultant information as per council DA requirements. Feasibility completed based on information provided by client.
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ADDITIONAL INFORMATON

REF.	DATE	AMENDMENT
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C	28/03/2024	CONSULTANT ISSUE
D	11/04/2024	CONSULTANTS COORDINATION
E	16/04/2024	FOR DA SUBMISSION
F	28/11/2024	ADDITIONAL INFORMATION

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Wolli Creek NSW 2205
Nominated Architect:
Robert Gizzi (Reg. 8286)

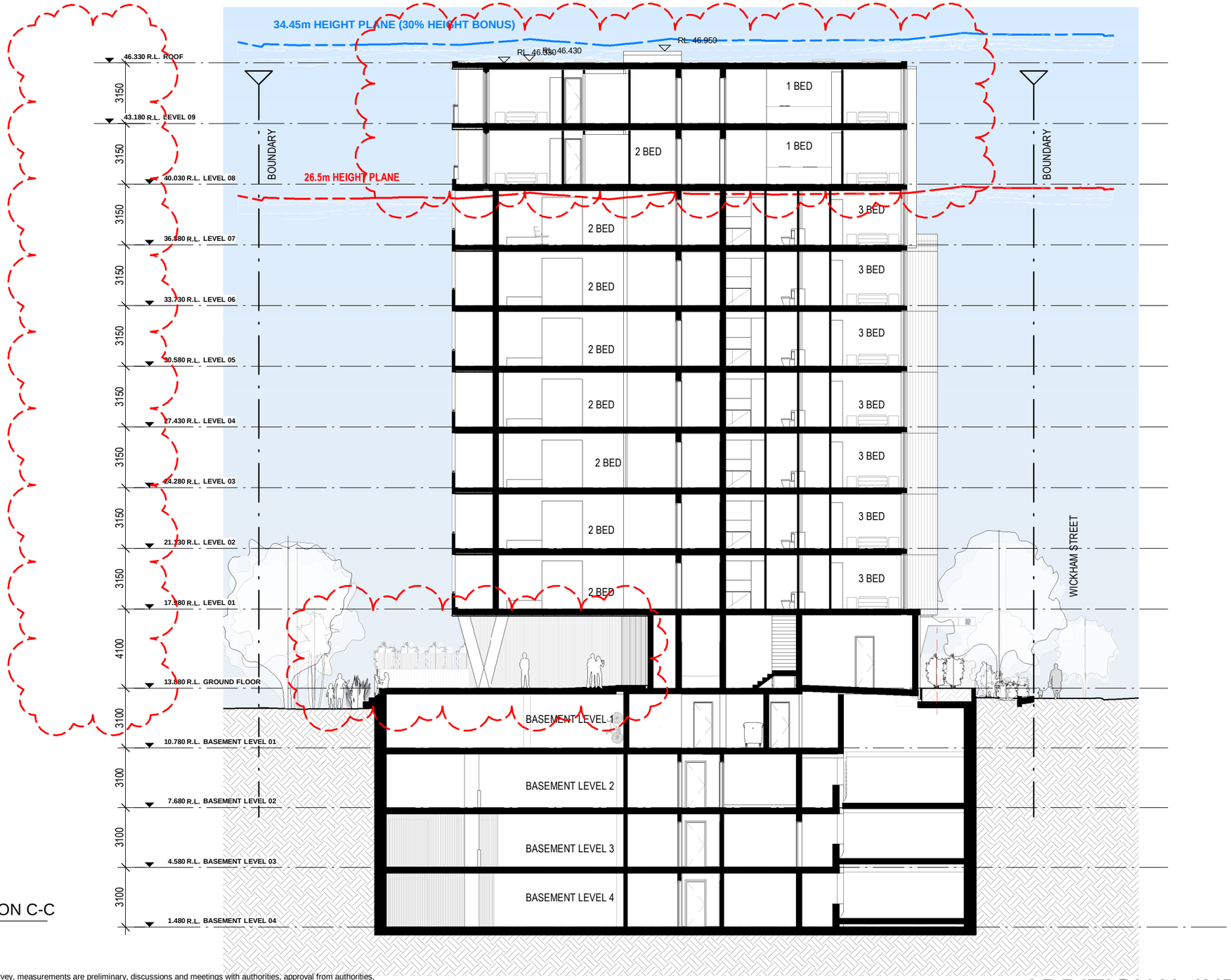
CLIENT: TQM UNIT DEVELOPMENT
ADDRESS: 30-34 WICKHAM STREET, ARNCLIFFE
DRAWING NAME: SECTION B-B

SCALE BAR: 0 2.5 5 7.5 10m

ISSUE DATE: 28/11/2024
DRAWN: JS/ML
SCALE: 1:200
QA: RG

PROJECT No. 2689
DWG No. 051
Rev. F

A3



SECTION C-C
1 : 200

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ADDITIONAL INFORMATON

REF.	DATE	AMENDMENT
B	14/03/2024	PRELIMINARY
C	28/03/2024	CONSULTANT ISSUE
D	11/04/2024	CONSULTANTS COORDINATION
E	16/04/2024	FOR DA SUBMISSION
F	28/11/2024	ADDITIONAL INFORMATION

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Robert Gizzi (Reg. 8286)

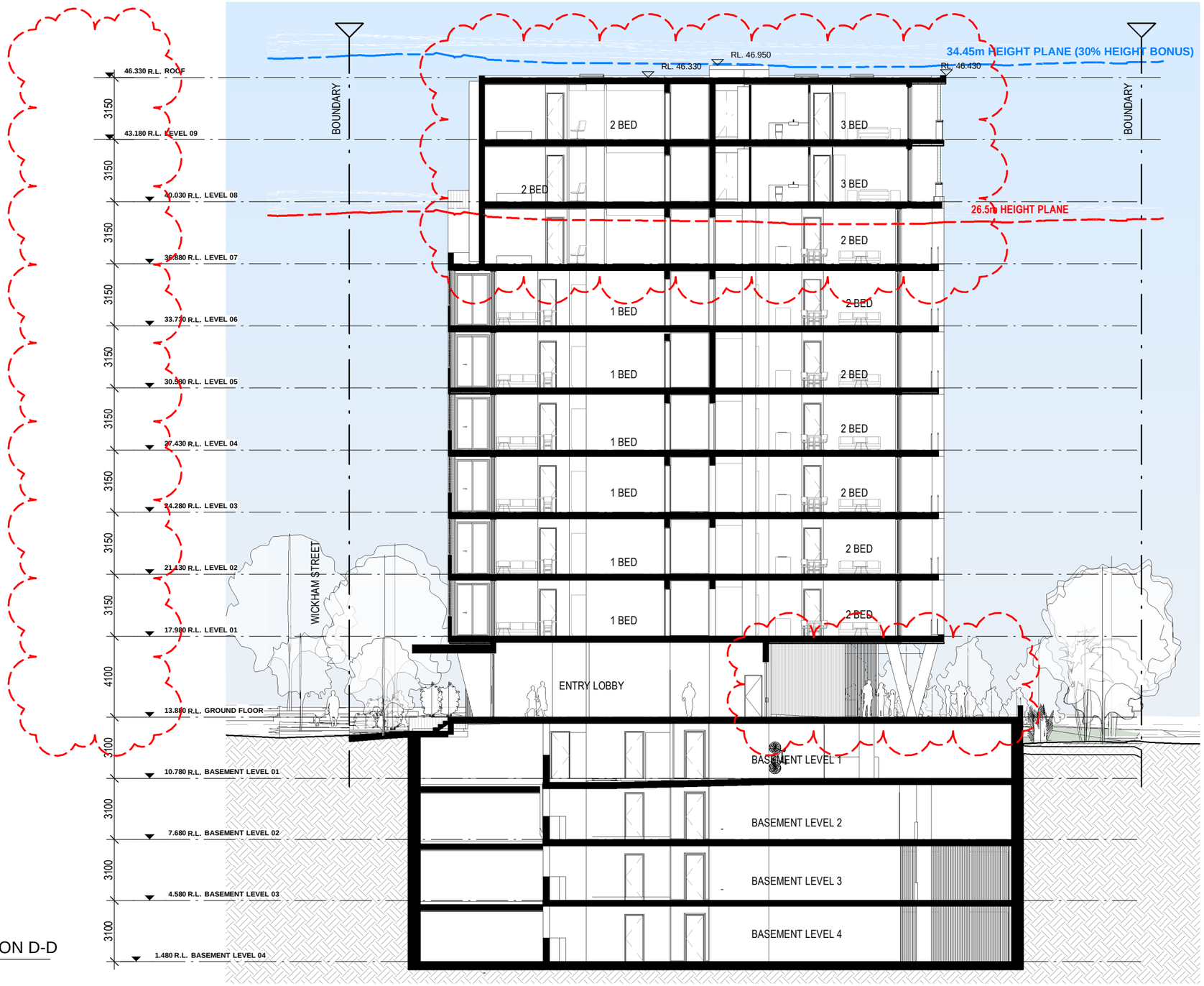
CLIENT: TQM UNIT DEVELOPMENT
ADDRESS: 30-34 WICKHAM STREET, ARNCLIFFE
DRAWING NAME: SECTION C-C

SCALE BAR: 0 2.5 5 7.5 10m

ISSUE DATE: 28/11/2024
DRAWN: JS/ML
SCALE: 1:200
QA: RG

PROJECT No. 2689
DWG No. 052
Rev. F

A3



SECTION D-D
1 : 200

DISCLAIMER
Subject to: full site survey, measurements are preliminary, discussions and meetings with authorities, approval from authorities, relevant consultant information as per council DA requirements. Feasibility completed based on information provided by client.
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tqm design & construct

ADDITIONAL INFORMATON

REF.	DATE	AMENDMENT
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C	28/03/2024	CONSULTANT ISSUE
D	11/04/2024	CONSULTANTS COORDINATION
E	16/04/2024	FOR DA SUBMISSION
F	28/11/2024	ADDITIONAL INFORMATION

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Web: www.designworkshop.com.au

Sydney
Level 10, 6 Mount Olympus Boulevard,
Wolli Creek NSW 2205
Nominated Architect:
Robert Gizzi (Reg. 8286)

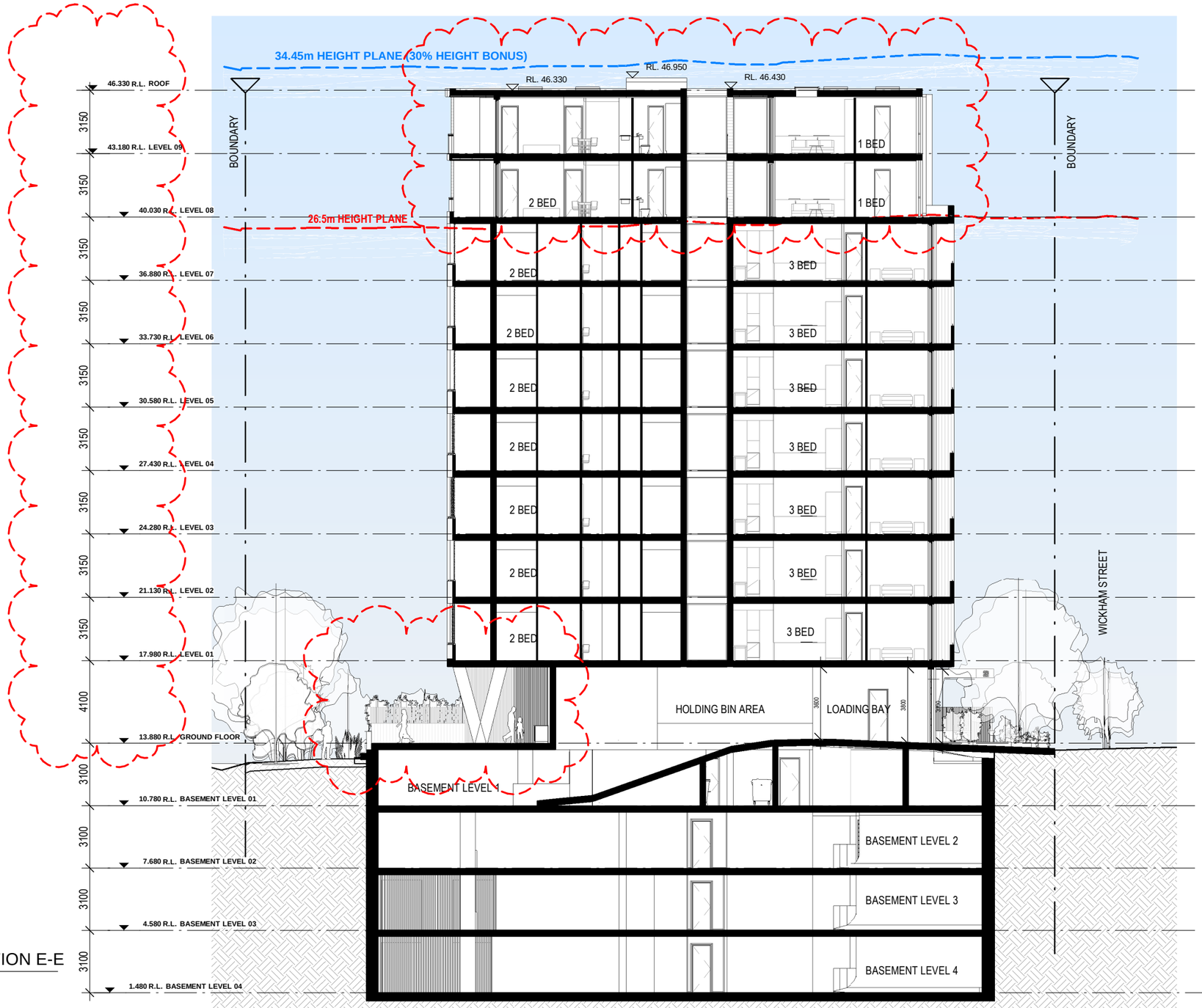
CLIENT: TQM UNIT DEVELOPMENT
ADDRESS: 30-34 WICKHAM STREET, ARNCLIFFE
DRAWING NAME: SECTION D-D

SCALE BAR: 0 2.5 5 7.5 10m

ISSUE DATE: 28/11/2024
DRAWN: JS
SCALE: 1:200
QA: RG

PROJECT No. 2689
DWG No. 053
Rev. F

A3



SECTION E-E
1 : 200

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ADDITIONAL INFORMATON

REF.	DATE	AMENDMENT
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C	28/03/2024	CONSULTANT ISSUE
D	11/04/2024	CONSULTANTS COORDINATION
E	16/04/2024	FOR DA SUBMISSION
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Sydney
Level 10, 6 Mount Olympus Boulevard,
Wolli Creek NSW 2205
Nominated Architect:
Robert Gizzi (Reg. 8286)

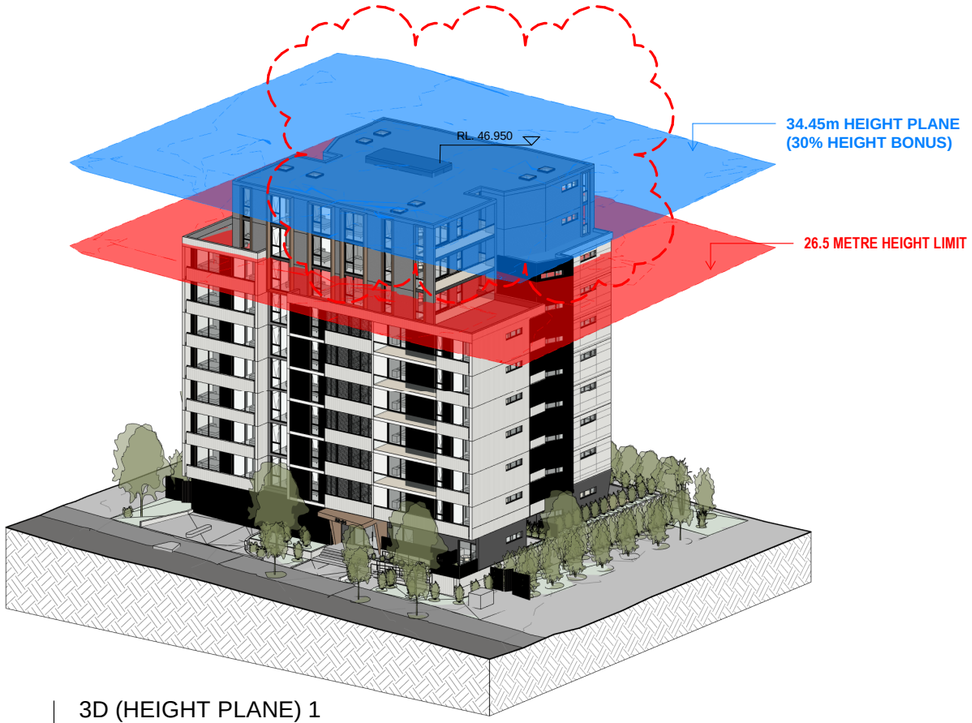
CLIENT: TQM UNIT DEVELOPMENT
ADDRESS: 30-34 WICKHAM STREET, ARNCLIFFE
DRAWING NAME: SECTION E-E

SCALE BAR: 0 2.5 5 7.5 10m

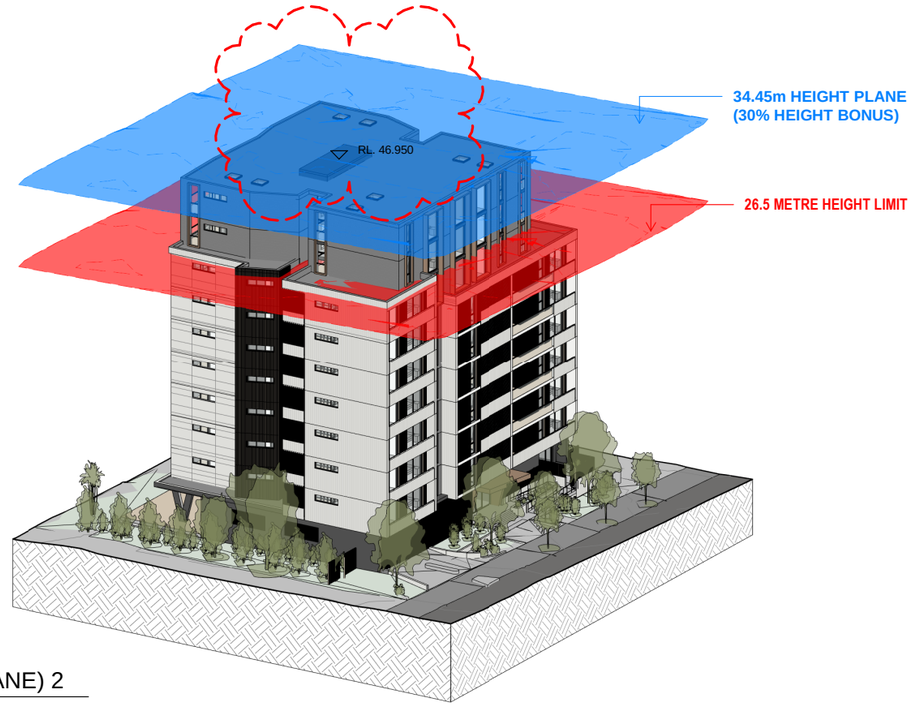
ISSUE DATE: 28/11/2024
DRAWN: JS/ML
SCALE: 1:200
QA: RG

PROJECT No. 2689
DWG No. 054
Rev. F

A3



3D (HEIGHT PLANE) 1



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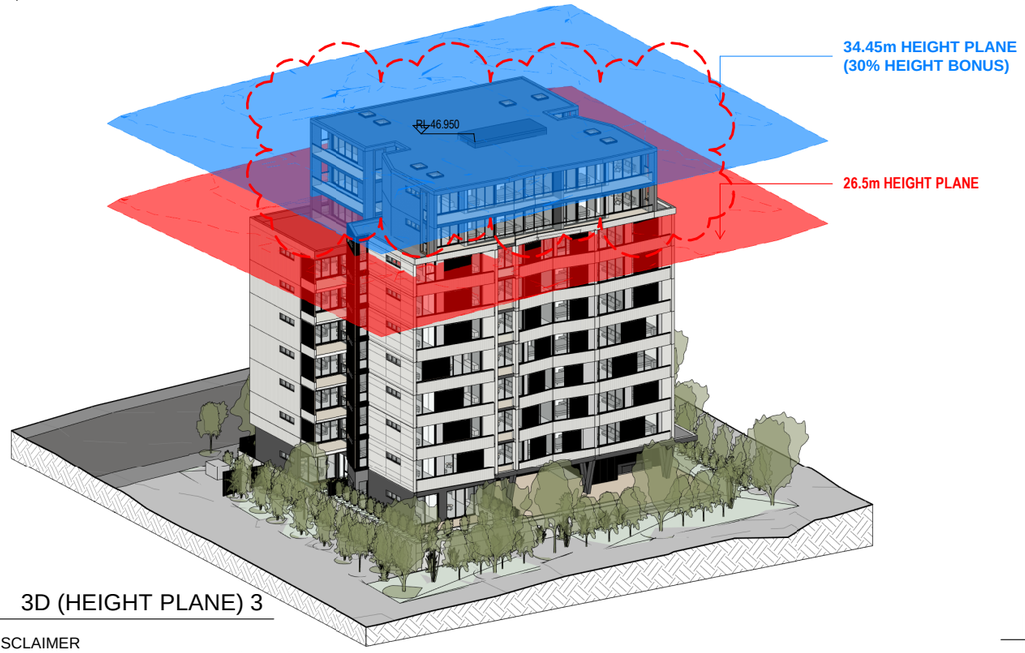
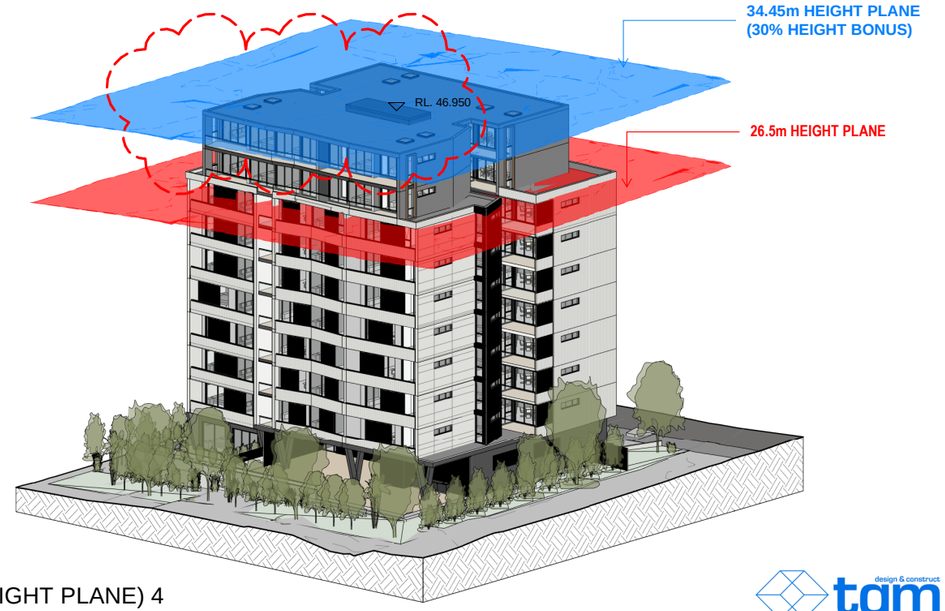


3D (HEIGHT PLANE) 3



3D (HEIGHT PLANE) 4

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D	11/04/2024	CONSULTANTS COORDINATION
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Level 10, 6 Mount Olympus Boulevard,
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Nominated Architect:
Robert Gizzi (Reg. 8286)

CLIENT: TQM UNIT DEVELOPMENT
ADDRESS: 30-34 WICKHAM STREET, ARNCLIFFE
DRAWING NAME: 3D VIEW(HEIGHT PLANE)

ISSUE DATE: 28/11/2024
DRAWN: Author
SCALE:
QA: Checker

PROJECT No. 2689
DWG No. 060
Rev. F

A3

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ADDITIONAL INFORMATON

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D	11/04/2024	CONSULTANTS COORDINATION
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Web: www.designworkshop.com.au

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Level 10, 6 Mount Olympus Boulevard,
Wolli Creek NSW 2205
Nominated Architect:
Robert Gizzi (Reg. 8286)

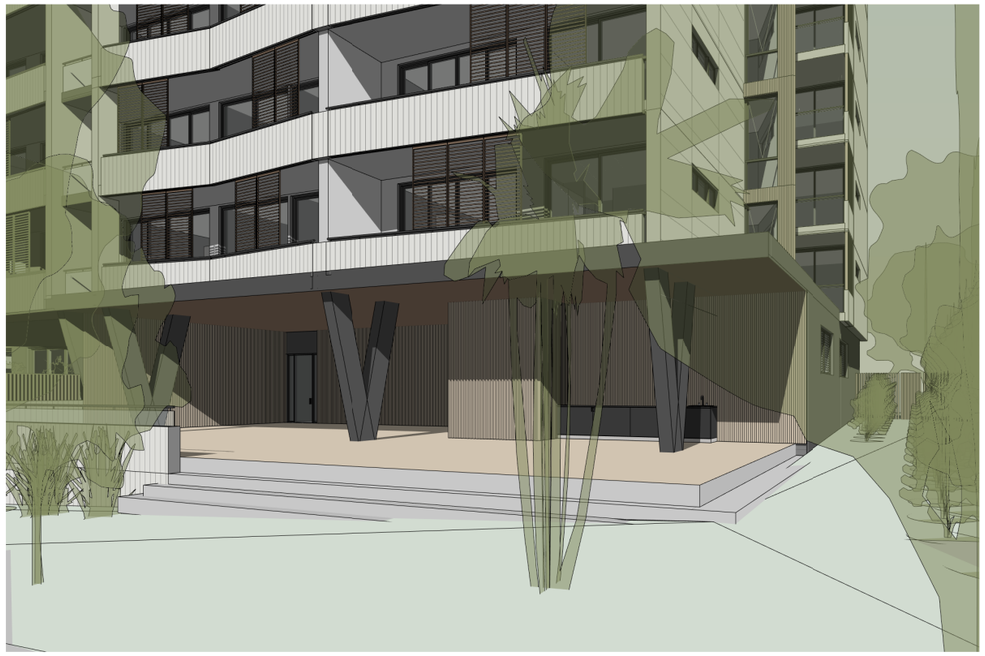
CLIENT: TQM UNIT DEVELOPMENT
ADDRESS: 30-34 WICKHAM STREET, ARNCLIFFE
DRAWING NAME: 3D VIEWS

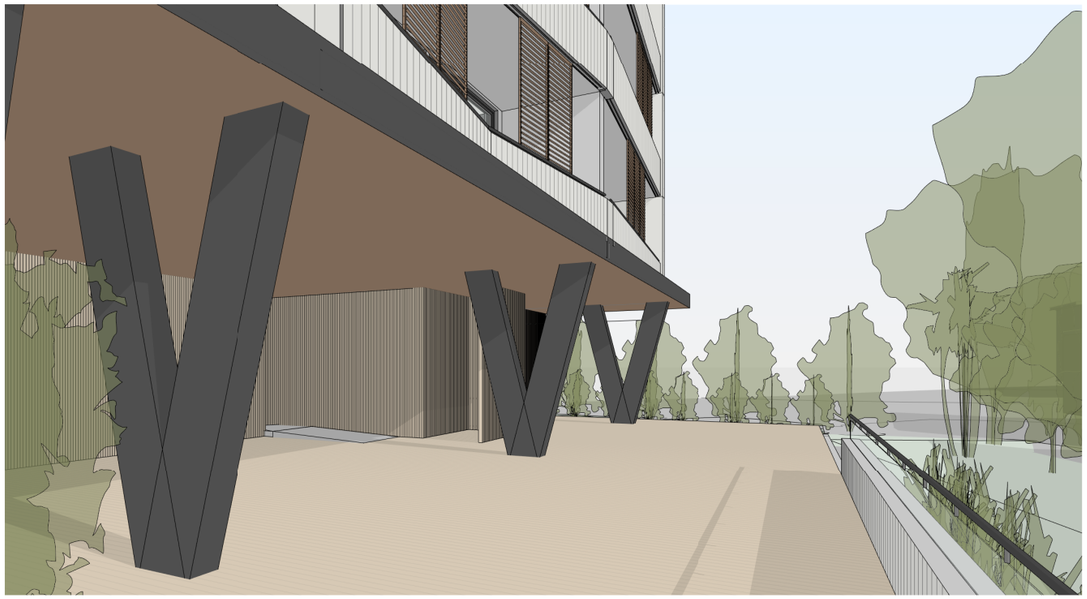
SCALE BAR:
0 2.5 5 7.5 10m

ISSUE DATE: 28/11/2024
DRAWN: ML
SCALE: 1:200
QA: RG

PROJECT No. 2689
DWG No. 061
Rev. F

A3





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tqm design & construct

ADDITIONAL INFORMATON

REF.	DATE	AMENDMENT
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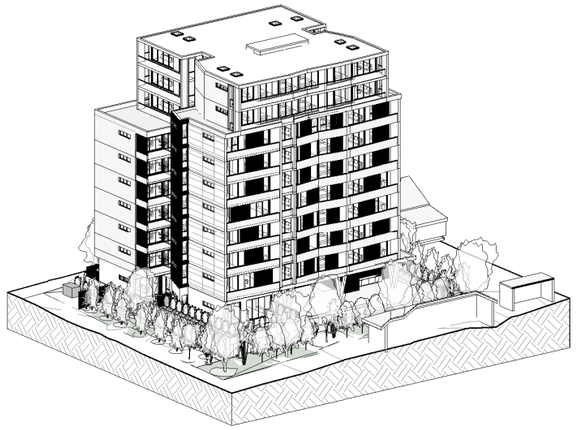
Sydney
Level 10, 6 Mount Olympus Boulevard,
Wolli Creek NSW 2205
Nominated Architect:
Robert Gizzi (Reg. 8286)

CLIENT: TQM UNIT DEVELOPMENT
ADDRESS: 30-34 WICKHAM STREET, ARNCLIFFE
DRAWING NAME: 3D VIEWS - GROUND FLOOR C.O.S

ISSUE DATE: 28/11/2024
DRAWN: Author
SCALE:
QA: Checker

PROJECT No. 2689
DWG No. 062
Rev. F

A3



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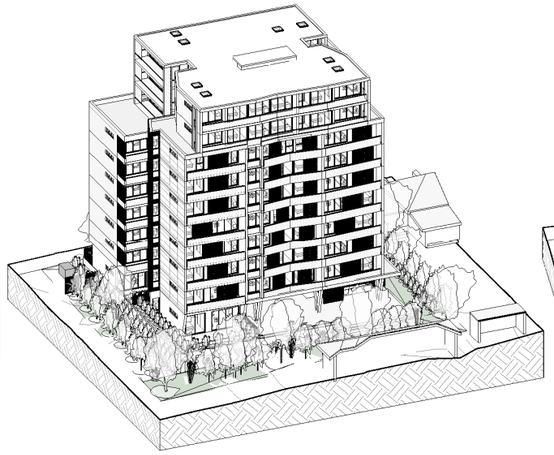
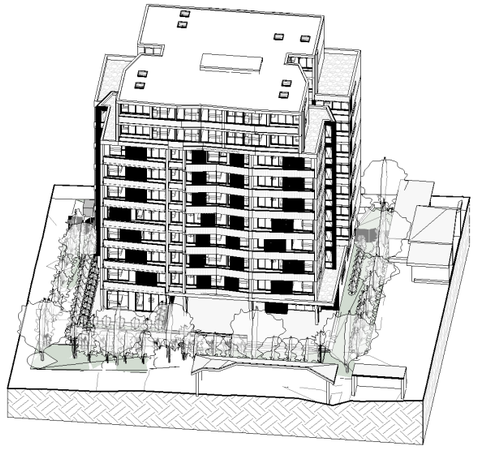


SOLAR ACCESS - 21/06/2023-10.00

SOLAR ACCESS - 21/06/2023-11.00



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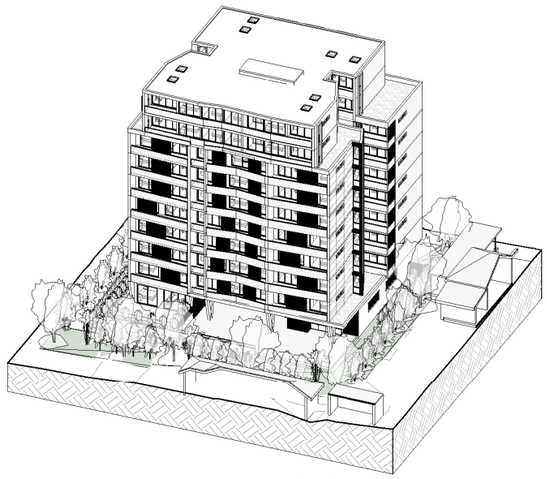

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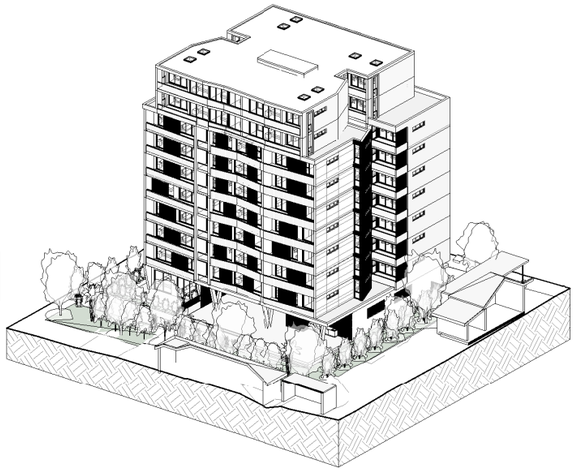

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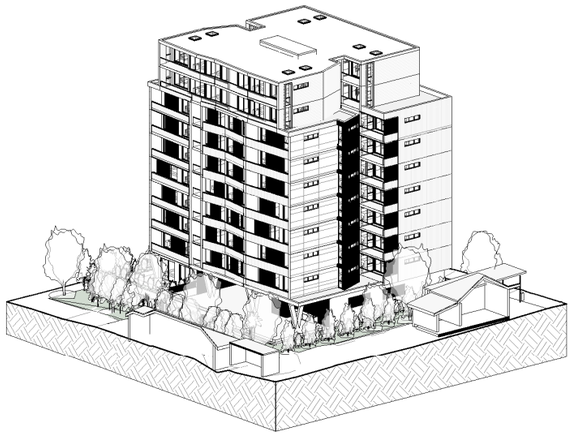

SOLAR ACCESS - 21/06/2023-15.00

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ADDITIONAL INFORMATON

REF.	DATE	AMENDMENT
B	14/03/2024	PRELIMINARY
C	28/03/2024	CONSULTANT ISSUE
D	11/04/2024	CONSULTANTS COORDINATION
E	16/04/2024	FOR DA SUBMISSION
F	28/11/2024	ADDITIONAL INFORMATION

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Sydney
Level 10, 6 Mount Olympus Boulevard,
Wolli Creek NSW 2205
Nominated Architect:
Robert Gizzi (Reg. 8286)

CLIENT: TQM UNIT DEVELOPMENT
ADDRESS: 30-34 WICKHAM STREET, ARNCLIFFE
DRAWING NAME: SOLAR VIEWS

ISSUE DATE: 28/11/2024
DRAWN: ML
SCALE:
QA: RG

PROJECT No. 2689
DWG No. 080
Rev. F

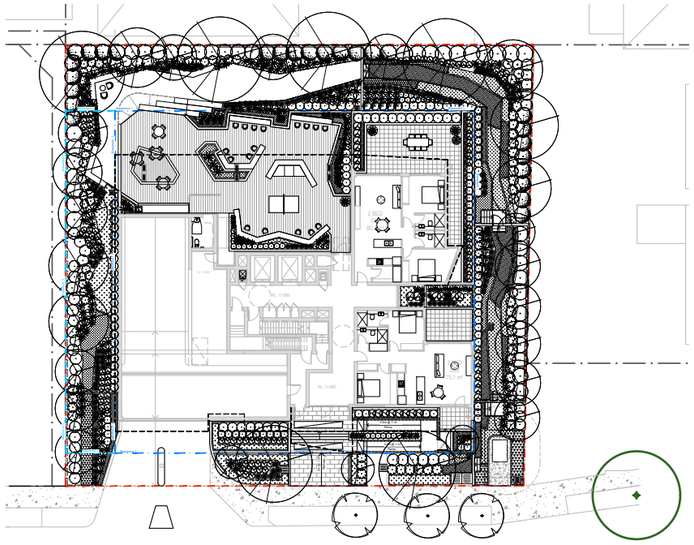
A3

Residential Development

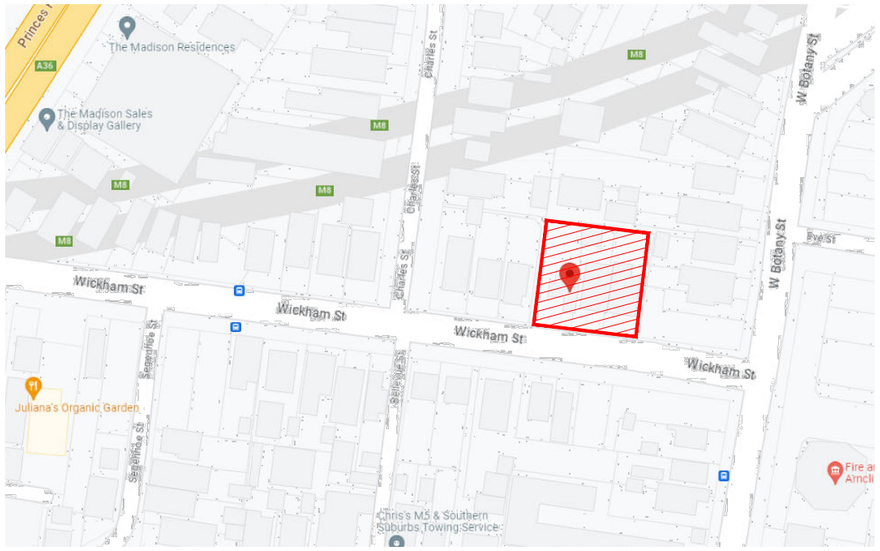
30 - 34 Wickham Street, Arncliffe

LANDSCAPE DEVELOPMENT APPLICATION

DWG NO.	DRAWING TITLE	SCALE
000	COVER SHEET	N/A
C101	LANDSCAPE PLAN (RENDER)	1:100 @ A1
001	EXISTING TREE MANAGEMENT PLAN	1:100 @ A1
101	LANDSCAPE PLAN	1:100 @ A1
201	HARDSCAPE PLAN	1:100 @ A1
301	PLANTING PLAN	1:100 @ A1
501	LANDSCAPE SPECIFICATION NOTES / INDICATIVE PLANT SCHEDULE	N/A
502	LANDSCAPE DETAILS	As Shown



SITE PLAN
1:250



LOCATION PLAN
N.T.S.

NOT FOR CONSTRUCTION

A1

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The contractor shall check and verify all work on site (including work by others) before commencing the landscape installation. Any discrepancies are to be reported to the Project Manager or Landscape Architect prior to commencing work. Do not scale this drawing. Any required dimensions not shown shall be referred to the Landscape Architect for confirmation.

Issue	Revision Description	Drawn	Check	Date
K	For response to DRP	MJW	RS	24.03.2025
J	For DA	PH	RS	17.03.2025
I	For DA	MJW	RS	05.12.2024
H	For DA	MJW	RS	28.11.2024
G	For DA	MJW	RS	01.11.2024
F	For DA	MJW	RS	31.10.2024
E	For DA	MJW	RS	15.04.2024
D	For Approval	MJW	RS	05.04.2024
C	For Approval	MJW	RS	17.11.2023
B	For Approval	MJW	RS	26.06.2023
A	For Approval	PH	RS	13.06.2023

Legend

Key Plan

Client
TQM Unit Development

Project
30-34 Wickham Street Arncliffe

SITE IMAGE
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DEVELOPMENT APPLICATION

Drawing Name
Cover Sheet

Scale

Job Number	Drawing Number	Issue
SS23-5159	000	K

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L	For response to DRP	MJW	RS	24.03.2025
K	For DA	PH	RS	17.03.2025
J	For response to DRP	MJW	RS	27.02.2025
I	For DA	MJW	RS	05.12.2024
H	For DA	MJW	RS	28.11.2024
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Legend

- Existing Tree to be Retained & Protected
- Proposed Trees (Refer to plant schedule for species)
- Proposed Accent / Shrub Planting (Refer to plant schedule for species)
- Ground cover (Refer to plant schedule for species)
- Turf
- Paving Type 1 Insitu concrete paving
- Paving Type 2 Private courtyard
- Paving Type 3 Concrete unit paver
- Timber Decking
- Feature Seating
- Aluminum Garden Edge
- Proposed Fence - Refer Architectural Plan
- Basement under
- Boundary line

Key Plan

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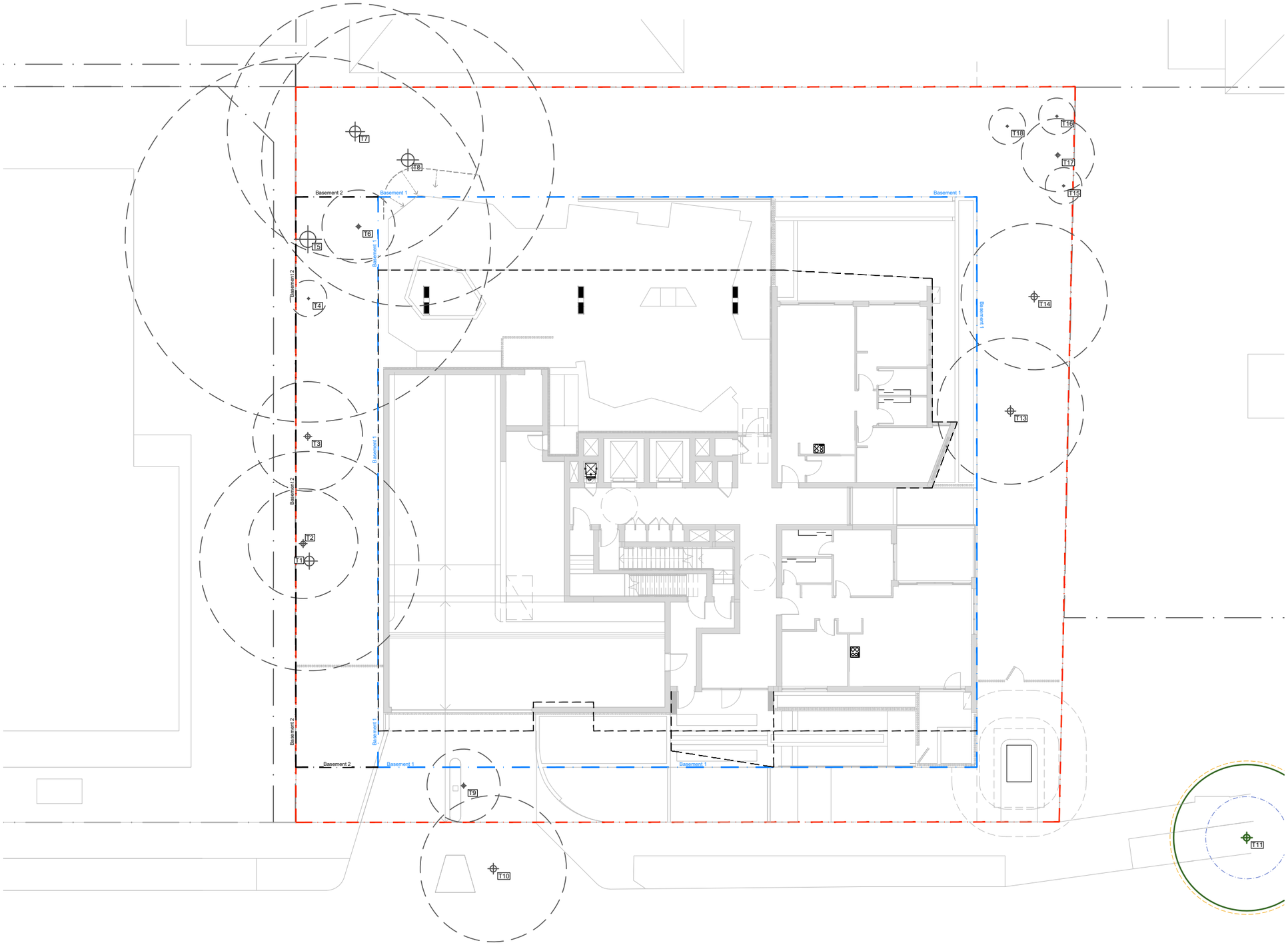
DEVELOPMENT APPLICATION

Drawing Name
Landscape Plan (render)
- Ground Floor

Scale 1:100 @ A1 (0 1 2 3 4 5m)

Job Number	Drawing Number	Issue
SS23-5159	C100	L



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Legend

- Existing Tree to be Retained & Protected
  Tree numbers correlate with Arborist Report
- Existing Tree Removed
  Tree numbers correlate with Arborist Report
- TPZ
  Tree Protection Zone
- SRZ
  Structural Root Zone
- Boundary line

Key Plan

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DEVELOPMENT APPLICATION

Drawing Name
Existing Tree Management Plan

Scale 1:100 @ A1
0 1 2 3 4 5m

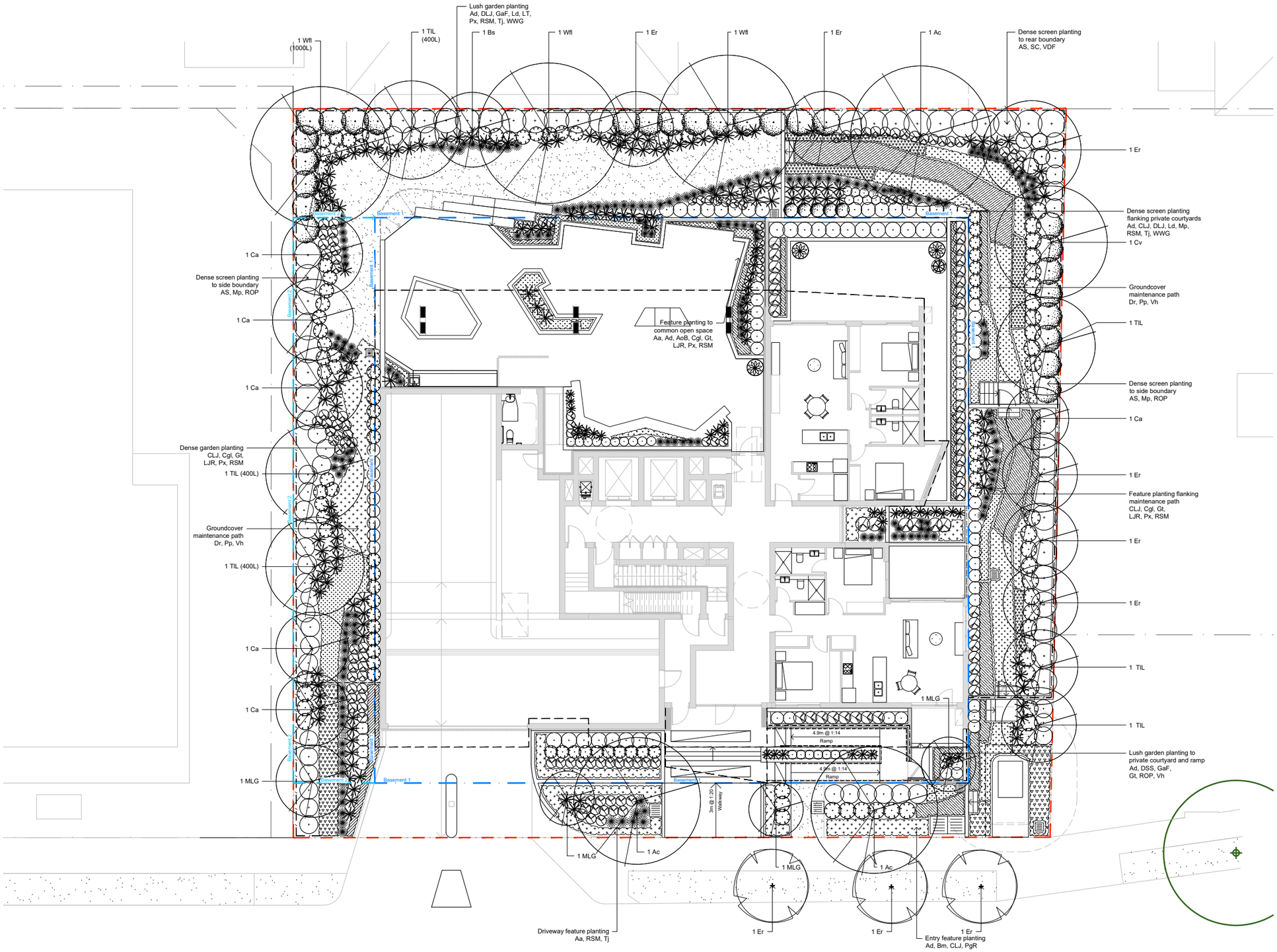
Job Number
SS23-5159

Drawing Number
001

Issue
K

NOT FOR CONSTRUCTION

A1



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Landscape Architects

DEVELOPMENT APPLICATION

Drawing Name
Planting Plan
- Ground Floor

Scale 1:100 @ A1
0 1 2 3 4 5m

Job Number SS23-5159
Drawing Number 301
Issue F

NOT FOR CONSTRUCTION

A1

LANDSCAPE SPECIFICATIONS

GENERAL NOTES

References
All plans and details included in the project documents shall be read in conjunction with this specification. All structural and civil works components of the landscape design shall be referenced to engineers' details and specifications. Read this specification in conjunction with the plant and materials schedules on the drawings. If in doubt about any detail or if conflicts are found in the documents, seek advice.

Workmanship and Materials
The whole of the landscape works shall be carried out by a competent, trained and qualified landscape contractor who is experienced in horticultural practices, landscape construction and planting techniques. The landscape contractor shall hold a current Building Contractors License and/or be a financial member of LNA Landscape Association NSW & ACT or equivalent organisations in other states.

EXISTING TREES AND SHRUBS
Trees and Shrubs to be Retained and Protected
Identify and mark trees and shrubs to be retained using a suitable non-injurious, easily visible and removable means of identification. Protect from damage the trees and shrubs to be retained, including those beyond the site area, both above and below the ground. If a tree becomes damaged during the works or it is proposed to perform work on a tree, give written notice immediately and obtain instructions.

Work Near Trees and Shrubs
Keep the area of the drip-line free from construction material and debris. Do not place bulk materials and harmful materials under foliage canopies or near trees. Do not place spoil from excavations against tree trunks. Prevent wind-blown building materials, such as cement, from covering trees and other plants. Do not remove topsoil from, or add topsoil to, the area within the drip-line of trees.

EARTHWORKS
Excavation, Trimming and Filling
Except as otherwise noted in the contract, bulk excavation is excluded from the landscape works. After the completion of bulk excavation by others, trim and fill the excavated ground surfaces to achieve design levels to accommodate finish materials as detailed. Prepare the sub-grade surface as required for the various finished ground treatments.

Sub-soil Drainage
Keep the excavated works drained and free of standing water. Allow to supply and install sub-soil drainage pipes as required for the new works to ensure that all gardens are well drained. Connect the sub-soil drainage pipes to the nearest downstream stormwater pits. Include pipe filter socks and course sharp aggregate backfilling of trenches.

HARDWORKS
Furniture, Handrails, Balustrades
Supply and install the scheduled items in accordance with the manufacturer's recommendations, as detailed and in the locations shown on plan. Provide all footings and fixings required for the items to be stable and in accordance with applicable codes and standards.

Garden Walls, Fences, Edging
Construct garden walls, fences, and edging as shown on plan, as detailed and of the material scheduled. Refer to engineer's details for structural retaining walls, concrete stairs, concrete strength, reinforcing and joint placement.

Continuous, Unit and Loose Pavement
Install the scheduled material pavement to the locations shown on plan. Ensure that all subgrade/subsurface works are complete prior to commencing paving. Confer with the engineer to ensure the structural integrity of the subgrade. Ensure that the base course under paved surfaces is a continuous plane offering a constant depth of bedding material not exceeding 50mm. If laying unit pavers in a cement mortar bed on a concrete sub-base ensure that joints in paving match the location of joints in the concrete. Refer to engineer's details for heavy duty slabs, concrete stairs, concrete strength, reinforcing, and joint type and placement.

SOFTWORKS
Site Soil Testing
Where site soil is to be retrieved from site and stored on site for reuse, undertake at least two (2) soil tests in locations as advised by the Project Manager or as shown on the plans. Provide results and recommendations regarding soil additives for the benefit of healthy plant growth and to adjust the soil components to achieve an appropriate planting medium for successful plant development.

Subsoil
Excavate and/or fill all garden beds to bring the top of subsoil to at least 300mm below finished design soil levels. Excavate all turf areas to bring the subsoil to at least 100mm below finished design levels. In all areas shape the subsoil to fall to subsoil drains where applicable. Do not excavate within the drip line of trees and shrubs to be retained. Cultivate or rip the subsoil to a further depth of 100mm before placing top soil. Remove stones of size exceeding 25mm, clods of earth exceeding 50mm, and weeds, rubbish or other deleterious material brought to the surface during cultivation. Do not disturb services or existing tree roots. If necessary cultivate these areas by hand. During cultivation, thoroughly mix in materials required to be incorporated into the subsoil, as recommended in the soil testing results and to manufacturer's recommendations. Trim the surface to design levels again after cultivation.

Topsoil
Import topsoil for the garden and turf areas, unless the topsoil can be provided from material recovered from the site, as recommended in the soil testing results. Spread the topsoil on the prepared subsoil and grade evenly, compact lightly and uniformly in 150mm layers. Avoid differential subsidence and excess compaction and produce a finished topsoil surface which has the following characteristics:

- Finished to design levels, allowing for mulch or turf, which is to finish flush with adjoining hard surfaces such as paths and edges;
- Smooth and free from inorganic matter, stones or clods of soil;
- Graded to drain freely, without ponding, to catchment and/or sub-soil drains;
- Graded evenly to adjoining surfaces; and
- Ready for planting.

Compost
Provide, in accordance with AS 4454, well rotted vegetative material or animal manure, free from harmful chemicals, inorganic matter, grass, weeds and the reproductive parts of unwanted plants.

Fertiliser
Provide proprietary fertilisers, delivered to the site in sealed containers marked to show manufacturer or vendor, weight, fertiliser type, N:P:K ratio, recommended uses, application rates and safety procedures. Apply appropriate fertiliser suited to the provenance of plants (indigenous or exotic) included in the design.

Plants
Supply plants in accordance with the landscape design drawings and schedules, which have the following characteristics:

- Large healthy root systems, with no evidence of root curl, restriction or damage;
- Vigorous, well established, free from disease and pests, of good form consistent with the species/variety;
- Hardened off, not soft or forced, and suitable for planting in the natural climatic conditions prevailing at the site in full sun, partial shade or full shade conditions;
- Grown in final containers for not less than twelve weeks;
- Trees, unless required to be multi-stemmed, shall have a single leading shoot; and
- Containers shall be free from weeds and of appropriate size in relation to the specified plant size.

Plant Installation
Following excavation of the planting hole, place and spread 15gms of wetting agent pre-mixed with one (1) litre of water. Place the plant correctly orientated to north or for best presentation. Backfill the planting holes with specified topsoil mixture. Lightly tamp and water to eliminate air pockets. Ensure that the backfill soil is not placed over the top of the root ball and that the root ball is not higher than the soil in which it is planted. Apply fertiliser, as specified around the plants in the soil at the time of planting.

Embankment Stabilisation
Where necessary and shown on the drawings prevent soil erosion or soil movement by stabilising embankments as follows. As a minimum this should be on slopes steeper than or equal to 1:3 gradient. Stabilise embankments using biodegradable fibre reinforced heavy weight jute fabric. Lay fabric from top to bottom of slope. Install in accordance with manufacturer's specification, including 300 x 300mm anchor trench at top and bottom of slope, backfilled with soil over the fabric and compacted into the trenches. Using U-shaped galvanised steel pegs at 1000 mm centres generally and 250mm centres at edge overlaps, secure the fabric to the prepared soil surface. Plant through the fabric after it is installed.

Root Barrier
Supply and install root control barriers to all new tree plantings adjacent to walls, paths, kerbs and all service trenches, where their proximity poses a threat to the stability of the built infrastructure. Install in accordance with manufacturer's recommendations.

Mulch
Unless noted otherwise, mulch shall be approved proprietary recycled wood fibre or pine bark material. Place mulch in all garden beds to a depth of 75mm after all specified plants are installed. Keep mulch clear of all plant stems and rake to an even plane, flush with the surrounding surfaces evenly graded between design surface levels. Over fill to allow mulch to settle to the specified depth.

Stakes and Ties
Stakes shall be durable hardwood, straight, free of knots and twists, pointed at one end, in the following quantities and sizes for each of the various plant pot sizes:

- Plants >25 lt: 1 off 38 x 38 x 1200mm;
- Semi-advanced plants >75 lt: 2 off 50x50x 1800mm;
- Advanced plants >100 lt: 3 off 50 x 50 x 2400mm.

Turf
Turf shall be delivered to site as 25mm minimum thick cut rolls. Obtain turf from a specialist grower of cultivated turf. Turf shall have an even thickness, free from weeds and other foreign matter. Deliver turf to the site within 24 hours of being cut and lay it within 24 hours of delivery. Prevent it form drying out between cutting and laying. Lay the turf in the following manner:

- In stretcher pattern, joints staggered and close butted;
- Parallel long sides of level areas, with contours on slopes; and
- To finish flush, after lightly tamping, with adjacent finished surfaces and design levels.

Species: *Stenotaphrum secundatum* Sir Walter Soft-leaf Buffalo.

IRRIGATION
Scope: Unless otherwise noted or instructed irrigate all planted areas shown on plans including planters, tubs, gardens, turf and the like.
The irrigation system shall be an automatic permanent system, with an irrigation controller self operated via a soil moisture sensor. The system shall be calibrated to deliver the optimum rate and volume of water appropriate to the type of plants in the design. The system shall be adjustable and fully serviceable. The layout of the entire irrigation system shall focus on delivering the required amount of water to maintain healthy and vigorous growth. The irrigation system shall be such that, component theft, vandalism, over-spray and wetting of paths shall be reduced to a minimum or completely eliminated by the use of drip, pop-up sprinklers and judiciously placed fixed spray emitters. Generally do not use fine mist emitters that provide a drifting mist that may wet paths and the buildings unless specifically required by the design.

LANDSCAPE MAINTENANCE

The Landscape Contractor shall rectify defects during installation and that become apparent in the works under normal use for the duration of the contract Defects Liability Period. Unless contracted otherwise, the Landscape Contractor shall maintain the contract areas by the implementation of industry accepted horticultural practices for 52 weeks from Practical Completion of the works. The landscape maintenance works shall include, but not be limited to:

- Replacing failed plants;
- Pruning;
- Insect and pest control;
- Fertilising;
- Maintaining and removing stakes and ties;
- Maintaining mulch;
- Mowing and top dressing;
- Irrigation and watering;
- Erosion control; and
- Weeding and rubbish removal.

Maintenance Log Book
Implement and keep a maintenance log book recording when and what maintenance work has been undertaken and what materials, actions and decisions have been used, implemented and concluded to keep the landscape always looking its best. Enter data daily and review information every 2 weeks. Observe trends and develop a maintenance regime around seasonal and observed event occurrences.

Maintenance Activities
During the defects maintenance period schedule the following activities to occur on a timely basis.

- **Plant replacement** - Replace plants that have failed to mature, die or are damaged. Replacement plants shall be in a similar size and quality and identical species or variety to the plant that has failed. Replacement of plants shall be at the cost of the landscape contractor unless advised otherwise. If the cause of the failure is due to a controllable situation then correct the situation prior to replacing plants. Observe and replace failed plants within 2 weeks of observation.
- **Pruning** - Prune dead wood, broken limbs, dead or infected foliage and as needed to develop strong, healthy plants to achieve the shape and form expected of the plant type. Observe daily and prune plants on a needs basis.
- **Insect, disease and pest control** - Avoid spraying:
  - if ever possible;
  - in wet weather or if wet weather is imminent;
  - if target plants are still wet after rain;
  - in windy weather; and
  - if non-target species are too close.

  Immediately report to the Project Manager any evidence of intensive weed infestation, insect attack or disease amongst plant material. Submit all proposals to apply chemicals and obtain approval before starting this work. When approved, spray with herbicide, insecticide, fungicide as appropriate in accordance with the manufacturers' recommendations. Observe daily and act as necessary to control any infestation or disease. Record in the logbook all relevant details of spraying activities including:
  - Product brand / manufacturer's name,
  - Chemical / product name,
  - Chemical contents,
  - Application quantity and rate,
  - Date of application and location,
  - Results of application, and
  - Use approval authority.
- **Fertilising** - Fertilise gardens with a proprietary slow release fertiliser applied in accordance with the manufacturer's directions and recommendations. Apply 6-12 monthly. Record in the logbook all relevant details of fertilising including:
  - Product brand / manufacturer's name,
  - Fertiliser / product name,
  - Application quantity and rate, and
  - Date of application and location.
- **Stakes and ties** - Adjust and replace as required to ensure plants remain correctly staked. Remove those not required at the end of the planting establishment period (Defects Liability Period). Inspect and act at least every 2 weeks.
- **Maintaining mulch** - Maintain the surface in a clean, tidy and weed free condition and reinstate the mulch as necessary to ensure correct depth as specified. Observe weekly and replenish mulch as required.
- **Mowing and top dressing** - Mow the turf to maintain a grass height of between 30-50mm. Do not remove more than one third of the grass height at any one time. Remove grass clippings from the site after each mowing. Top dress to a maximum of 10mm to fill depressions and hollows in the surface. Mow weekly/fortnightly in warmer months. Mow monthly or as required in cooler months. Top dress at approximately 6 monthly intervals.
- **Irrigation and watering** - Maintain the irrigation system to sure that each individual plant receives the required amount of water to maintain healthy and vigorous growth. Adjust and calibrate as required. Provide additional watering, if necessary but inspect irrigation weekly and make repairs as necessary.
- **Erosion control** - Where necessary, maintain the erosion control fabric in a tidy and weed free condition and reinstate as necessary to ensure control measures are effective where deemed necessary. Inspect every 2 weeks and act to repair any damage as soon as possible.
- **Weeding and rubbish removal** - During the plant establishment period remove by hand, rubbish and weed growth that may occur or re-occur throughout all planted, mulched and paved areas. The contractor shall target weeds that are capable of producing a major infestation of unwanted plants by seed distribution. Whenever possible, time weed removal to precede flowering and seed set. Constant observation and removal of weeds is essential.

SS23-5159 30-34 Wickham St, Arncliffe

Indicative Plant Schedule

Symbol	Botanic Name	Common Name	Mature size	Pot Size
	TREES		**H x W (m)**	
Ac	*Angophora costata*	Smooth Barked Apple	15 x 8	100 L
Bs	*Banksia serrata*	Old Man Banksia	10 x 6	100 L
Cv	*Callistemon viminalis*	Weeping Bottlebrush	6 x 5	100 L
Ca	*Cupaniopsis anacardioides*	Tuckeroo	7 x 5	100 L
Er	*Elaeocarpus reticulatus*	Blueberry Ash	12 x 5	100 L
MLG	*Magnolia grandiflora 'Little Gem'*	Little Gem Magnolia	5 x 3	100 L
TIL	*Tristaniopsis laurina 'Luscious'*	Water Gum	10 x 7	400L / 100 L
Wfl	*Waterhousea floribunda*	Weeping Lilly Pilly	10 x 8	1000L / 100 L
	SHRUBS / ACCENTS			
AL	*Acacia cognata* 'Limelight'	Limelight Acacia	1.0 x 1.0	300mm
AS	*Acmena smithii* 'Sublime'	Sublime Lilly Pilly	4.0 x 2.0	300mm
Aa	*Asplenium australasicum*	Bird's Nest Fern	1.0 x 1.0	150mm
Ae	*Aspidistra elatior*	Cast Iron Plant	1.0 x 1.0	150mm
Bg	*Blechnum gibbum*	Dwarf Tree Fern	0.8 x 1.2	150mm
BGW	*Blue Gem™ Westringia 'WES03'*		1.5 x 1.2	300mm
Bm	*Buxus microphylla ver.Japonica*	Japanese Box	1.5 x 1.5	300mm
CLJ	*Callistemon viminalis Little John*	Little John Bottlebrush	0.8 x 0.8	300mm
CBF	*Callistemon* 'Great Balls of Fire'		1.5 x1.0	300mm
Cal	*Correa alba*	White Correa	1.5 x1.0	300mm
Cr	*Cycas revoluta*	Japanese Sago	2.0 x 2.0	300mm
De	*Doryanthes excelsa*	Gymea Lily	3.0 x 2.0	300mm
Ga	*Gardenia augusta Florida*	Gardenia	1.5 x 1.5	300mm
Ld	*Lavandula dentata*	French Lavender	1.5 x 1.0	150mm
Ms	*Melaleuca linariifolia 'Snowstorm'*	Snowstorm Tea Tree	1.5 x 1.5	300mm
Mp	*Murraya paniculata*	Orange Jasmine	3.0 x 2.0	300mm
PgR	*Photinia glabra 'Rubens'*	Photinia	3.0 x 2.0	300mm
Px	*Philodendron Xanadu*	Xanadu	0.8 x 1.0	150mm
ROP	*Rhaphiolepis indica 'Oriental Pearl'*	Oriental Pearl	1.5 x 1.5	300mm
RSM	*Raphiolepis indica 'Snow Maiden'*	Indian Hawthorn	0.8 x 0.8	300mm
Sr	*Strelitzia reginae*	Bird of Paradise	1.8 x 1.5	300mm
SC	*Syzygium Cascade*	Pink Flowering Lilly Pilly	2.5 x 1.5	300mm
VDF	*Viburnum odoratissimum 'Dense Fence'*	Viburnum	1.5 x 1.5	300mm
Wf	*Westringia fruticosa*	Coastal Rosemary	2.0 x 2.0	300mm
WWG	*Westringia fruticosa 'Wynyabbie Gem'*	Coastal Rosemary	1.5 x 1.5	300mm
	GROUNDCOVER			
Ad	*Alternanthera dentata 'Little Ruby'*	Little Ruby Altenanthera	0.7 x 1.5	150mm
AoB	*Agapanthus orientalis 'Blue'*	African Lily	1.0 x 0.6	150mm
Cgl	*Carpbrotus glaucescens*	Pig Face	0.2 x 1.0	150mm
DLJ	*Dianella careulea* 'Little Jess'	Dianella Little Jess	0.4 x 1.0	150mm
Dre	*Dichondra repens*	Kidney Weed	0.2 x 3.0	150mm
DSS	*Dianella 'Silver Streak'*	Silver Flax Lily	0.6 x 0.65	150mm
Dr	*Dianella revoluta*	Black Anther Flax Lily	0.8 x 0.8	150mm
Gt	*Gazania tomentosa*	Silver Leaf Gazania	0.2 x 1.0	150mm
Hp	*Hibbertia pedunculata*	Guinea Flower	0.2 x 0.6	150mm
LJR	*Lirope muscari 'Just Right'*	Lirope	0.6 x 0.5	150mm
LT	*Tanika® Lomandra longifolia 'LM300'*	Tanika	0.6 x 0.65	150mm
LN	*Lomandra* 'Nyalla'	Nyalla Mat Rush	0.8 x 0.8	150mm
Pp	*Pratia purpurascens*	White Root	0.2 x 0.5	150mm
Tj	*Trachelospermum jasminoides*	Star Jasmine	0.1 x 2.0	150mm
Vh	*Viola hederacea*	Native Violet	0.1 x 0.2	150mm

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ABN 44 801 262 380

Landscape Architects

DEVELOPMENT APPLICATION

Drawing Name
Landscape Specification Notes / Indicative Plant Schedule

Scale

Job Number	Drawing Number	Issue
SS23-5159	501	H

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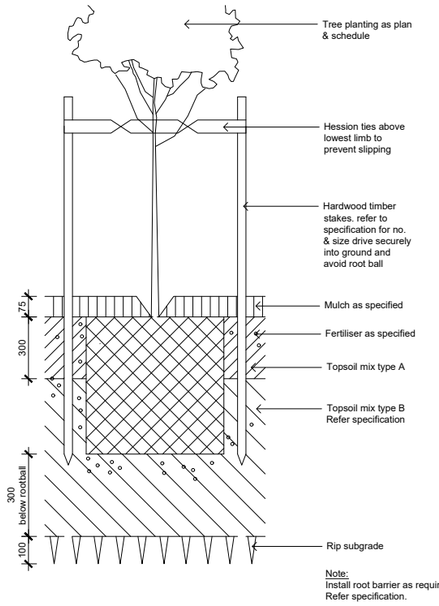
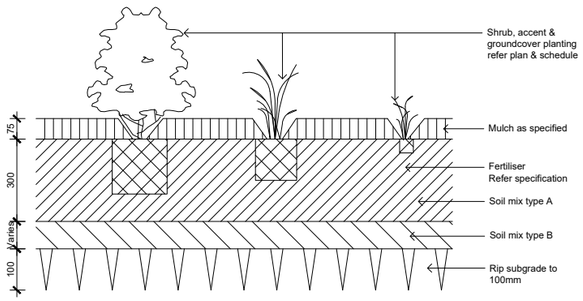
A1



01 / 502 Detail 75-200L Tree Planting on Grade
1:10



02 / 502 Detail Shrub Accent & Groundcover Planting on Grade
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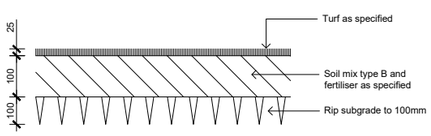

03 / 502 Detail Turf on Even Grade
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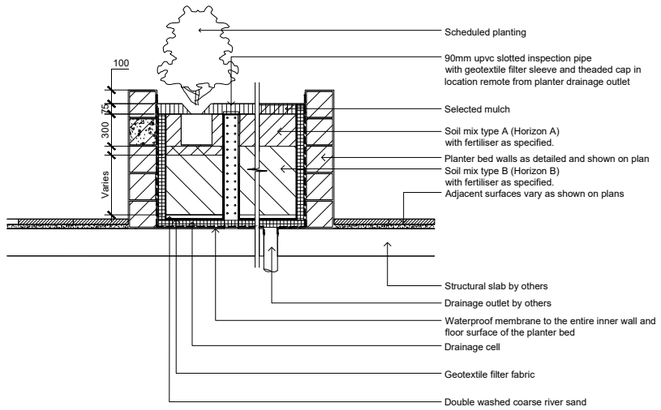
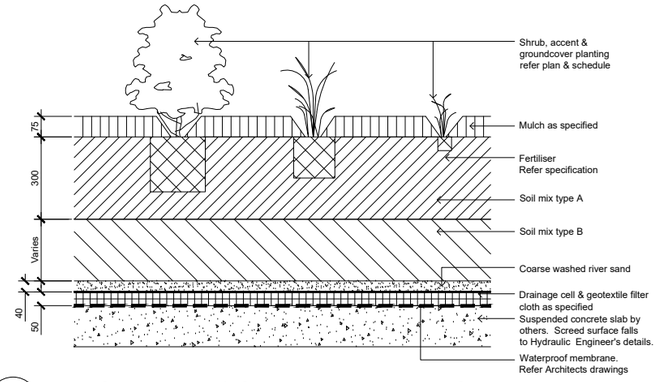
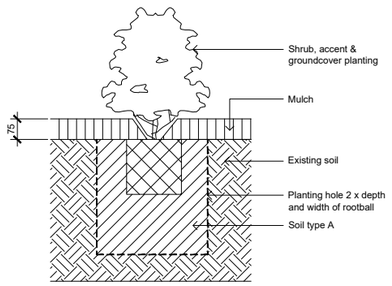


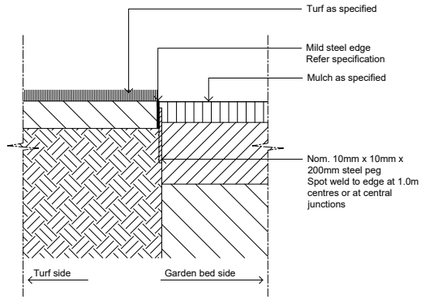
04 / 502 Section - Typical Raised Planter Bed on Structure
1:20
Inspection riser pipe



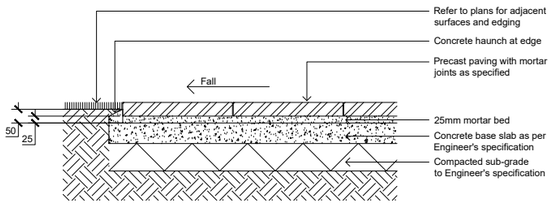
05 / 502 Detail Shrub Accent & Groundcover Planting on Structure
1:10



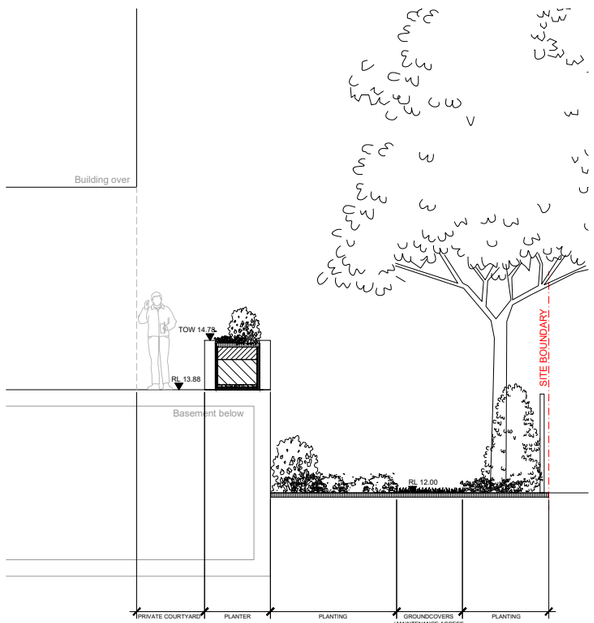
06 / 502 Pocket Planting in existing trees TPZ
1:10



07 / 502 Typical Mild Steel Edge
1:10



08 / 502 Unit Pavers on Slab
1:10



09 / 502 Section - Boundary treatment
1:50

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The contractor shall check and verify all work on site (including work by others) before commencing the landscape installation. Any discrepancies are to be reported to the Project Manager or Landscape Architect prior to commencing work. Do not scale this drawing. Any required dimensions not shown shall be referred to the Landscape Architect for confirmation.

Issue	Revision Description	Drawn	Check	Date
G	For response to DRP	MJW	RS	24.03.2025
F	For DA	MJW	RS	31.10.2024
E	For DA	MJW	RS	15.04.2024
D	For Approval	MJW	RS	05.04.2024
C	For Approval	MJW	RS	17.11.2023
B	For Approval	MJW	RS	26.06.2023
A	For Approval	PH	RS	13.06.2023

Legend

Key Plan

Client
TQM Unit Development

Project
30-34 Wickham Street Arncliffe

SITE IMAGE
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Redfern NSW 2016
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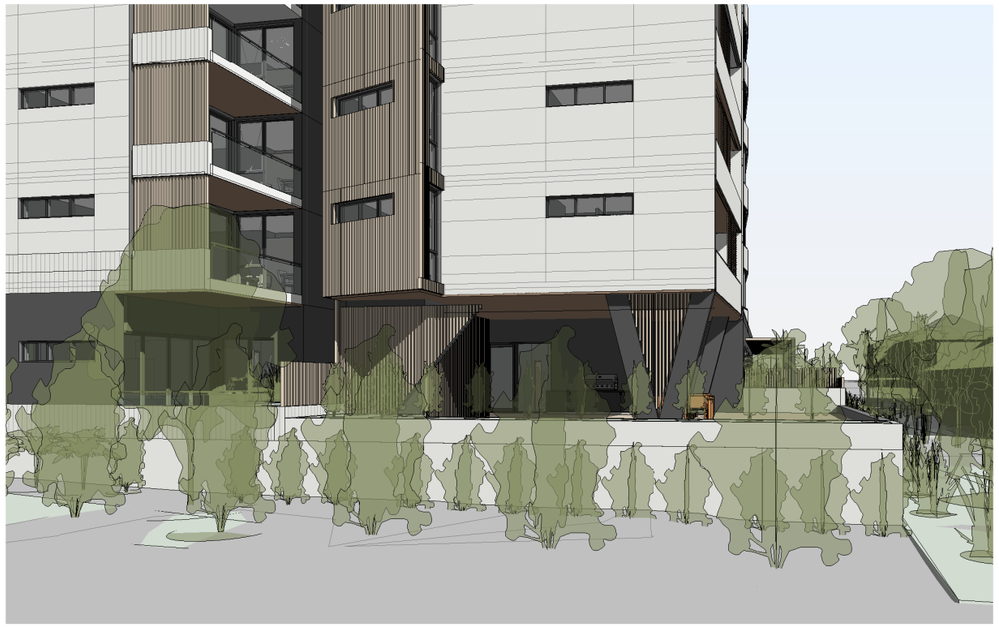
Site Image (NSW) Pty Ltd
ABN 44 801 262 380
Landscape Architects

DEVELOPMENT APPLICATION

Drawing Name
Landscape Details

Scale

Job Number	Drawing Number	Issue
SS23-5159	502	G



DISCLAIMER
Subject to: full site survey, measurements are preliminary, discussions and meetings with authorities, approval from authorities, relevant consultant information as per council DA requirements. Feasibility completed based on information provided by client.
Drawings are not are not suitable for purchase of property.
All parking and ramps to traffic engineers details. (Subject to Approval)

tqm design & construct

DEVELOPMENT APPLICATION

REF.	DATE	AMENDMENT
A	21/02/2024	PRELIMINARY
B	14/03/2024	PRELIMINARY
C	28/03/2024	CONSULTANT ISSUE
D	11/04/2024	CONSULTANTS COORDINATION
E	16/04/2024	FOR DA SUBMISSION

DISCLAIMER
All dimensions are in millimeters. Verify all dimensions on site prior to commencement of any work.
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DWA
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Sydney
Level 10, 6 Mount Olympus Boulevard,
Wolli Creek NSW 2205
Nominated Architect:
Robert Gizzi (Reg. 8286)

CLIENT: TQM UNIT DEVELOPMENT
ADDRESS: 30-34 WICKHAM STREET, ARNCLIFFE
DRAWING NAME: 3D VIEWS

ISSUE DATE: 16/04/2024
DRAWN: Author
SCALE:
QA: Checker

PROJECT No. 2689
DWG No. 062
Rev. E

A3