

	COUNCIL DEFERRAL LETTER	APPLICANT RESPONSE
	Waverley Council letter dated 8 May 2024	
	<p>I refer to your development application to Council to carry out the following works at the above address:</p> <p>Demolition of dwellings and construction of a four-storey seniors housing development with 31 units including basement parking and associated landscaping works</p> <p>You are advised that this application has been deferred for the following reasons:</p>	Noted
1	<p>State Environmental Planning Policy (Housing) 2021</p> <p>The Housing SEPP has replaced SEPP 65 in the assessment of development applications for multi- unit housing. The Seniors Housing Guide has also been introduced to guide the design and development of seniors housing.</p> <p>Please amend your application to incorporate all of the requirements of the Housing SEPP, removing reference to SEPP 65. Please also address the requirements of the Seniors Housing Guide in your amended submission.</p>	<p>Refer to updated SEE – note that Sections 4.4 and 4.5 of the SEE have been revised, such that references to SEPP 65 have been removed and discussion/assessment against the provisions of the Housing SEPP has been expanded.</p> <p>A further attachment has also been included which outlines a consideration of the proposal against the Seniors Housing Guide.</p>
2	<p>Floor Space Ratio</p> <p>The proposal is non-compliant with Council’s Floor Space Ratio (FSR) development standard as prescribed by Clause 4.4 of Waverley Local Environmental Plan (LEP) 2012 in addition to being non-compliant with the 15% bonus floor space that can be applied under Clause 87(2) of the Housing SEPP.</p> <p>The Clause 4.6 submitted with the application has been reviewed however, the proposal is not considered to meet objective (d) of Clause 4.4 of Waverley LEP 2012 as the proposal results in additional overshadowing and privacy impacts to the adjoining properties that would otherwise not be experienced by a development that is fully compliant with FSR and therefore does not ‘preserve’ their environmental amenity.</p> <p>Whilst it is acknowledged that Council has supported a similar gross floor area (GFA) over the development site compared to that which is proposed as part of this DA, it is noted that the development approved under DA-455/2021 over Nos. 671-683 Old South Head Road had a compliant FSR with the development standard that was applicable under the previous SEPP at that time which permitted a greater FSR bonus (ie. 0.5:1 bonus FSR under the previous SEPP (Housing for Seniors or People with a Disability)). Accordingly, that development was not subject to the same Clause 4.6 assessment of the FSR as is required for the current development application, which proposes an overall FSR exceedance of 22.8% above what is permitted under the Housing SEPP.</p>	<p>Noted, refer below</p> <p>It is considered that the DA as amended does meet Objective (d) of clause 4.4 of the Waverley LEP 2012 and the additional information prepared assists in demonstrating this.</p> <p><u>Solar Access</u> With regard to solar access, we refer to the detailed shadow diagram analysis, prepared by Bates Smart, attached. The drawings demonstrate three key matters of importance.</p> <p>Firstly, it is noted that the design proposed in the amended DA will not result in additional overshadowing upon any openings in the western elevation of the existing residential flat building to the east of the site at 2 Oceanview Avenue from 9am to 3pm in mid-winter. It is also noted that all the openings in the western and northern elevations of 2 Oceanview Avenue are to bedrooms and are not to living rooms.</p> <p>Secondly, the proposed development does not result in any apartments at the RFB to the east of the subject site</p>

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<p>In this regard, the subject proposal results in amenity impacts upon the residential properties to the east, north and south of the site by way of unreasonable additional overshadowing and privacy impacts. Overshadowing impacts, particularly upon 2 Oceanview Avenue, are unreasonable, reducing the solar access to habitable room windows of this residential flat building to below 2 hours during the winter solstice. The proposal will also result in balconies overlooking the habitable room windows of 685 Old South Head Road. These impacts are exacerbated by a number of other non-compliances with the relevant controls including overall height, external wall height and separation distances.</p> <p>Therefore, due to the additional overshadowing and privacy impacts, the environmental amenity of neighbouring properties is not preserved and the breach to the FSR development standard is not supported. The proposal is to be amended to ensure compliance with the FSR development standard or to remove the impacts identified. Furthermore, an exceedance of the GFA above what has already been approved on the site will not be supported.</p>	<p>at 2 Oceanview Avenue receiving less than the minimum required 2 hours solar access to primary internal living room and private open space between 9am and 3pm at the winter solstice. In this regard the proposal complies with the relevant DCP and ADG requirements. In this way it can be said that the proposal preserves the environmental amenity that is expected under the relevant planning provisions.</p> <p>Thirdly, the proposed development results in less overshadowing of the property to the east compared to the recent approved development at the site, due to better placement of GFA and refinement of the building envelope compared to the existing approvals.</p> <p>Therefore, it can be said that the environmental amenity of the property to the south will be preserved (and improved) compared to the amenity that would be expected under the approved development at the site.</p> <p><u>Privacy</u> Having regard to privacy impacts, the proposed development (as amended) complies with the Objective of Part 3F-1 of the ADG (Visual Privacy) and the Objectives and Controls of the Waverley DCP at Part 2.15 (Visual Privacy and Security) of Part C2 (Other Residential Development).</p> <p>Specifically, the rear (eastern) building wall of the proposed buildings within the development are setback by 6m (or more) from the southern boundary, consistent with the ADG Design Criteria at 3F.</p> <p>It is also noted that the eastern building wall of the proposed buildings are separated by a distance of 12m or more from the western building wall of the RFB at 2 Oceanview Avenue in compliance with the Design Criteria at 3F of the ADG.</p> <p>Having regard to the only other boundary that adjoins residential development, the northern side boundary, it is noted that the proposed building wall is setback by a minimum of 4.5m. This is greater than the minimum 3m required under the ADG for non-habitable rooms (for buildings up to 4 storeys).</p> <p>It is noted that the northern building wall of the proposed development has been designed so that any habitable rooms with openings are provided with screening devises and are off-set against any openings within the southern building wall of the RFB at 687 Old South Head Road.</p>

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		<p>Furthermore, the private open space areas at the northern end of the proposed development (i.e. balconies to serving Units UG.01, Apt 01.01 and 2.01) have been designed to include screening devices to their respective northern edges and or 1m deep planters which ensure a 1m setback to the northern edge of those balconies.</p> <p>By including these devices, the design ensures that there will be no direct overlooking opportunities from the proposed northern units into or over internal living spaces or private open spaces of units located at 687 Old South Head Road.</p> <p>An analysis demonstrating the privacy screening arrangements between the proposed development and the existing RFB at 687 Old South Head Road is provided within the amended Architectural Design Package prepared by Bates Smart, attached to this referral.</p> <p>In summary therefore, the proposed development is considered to preserve the environmental amenity of the adjacent residential properties, having regard to solar access and privacy, to a level that is expected under the applicable planning provisions.</p> <p>Further, the proposal is considered to result in a better environmental amenity outcome for the adjacent residential properties when considered against the impacts of the developments that have been recently approved for the site, particularly having regard to overshadowing and visual privacy.</p> <p>There is no exceedance of GFA above what has already been approved on the sites, in point 3 below.</p>
3	<p>Calculation of Gross Floor Area and Inaccuracies in Calculations</p> <p>It is noted that some areas have been excluded from the calculation of GFA when they are required to be included in accordance with the definition under the Waverley LEP 2012. Notably are the horizontal circulation corridors at the top of stairs and adjacent to the lifts on each floor level. These areas are not excluded from the definition for GFA and need to be included in the calculation of FSR. Also, the lower ground floor level storage rooms (that are not located below basement floor level) and corridors leading to storage areas are required to be included.</p>	<p>In relation to the lobbies on each floor we contend that these constitute vertical circulation space required for the lifts and stairs and are therefore excluded from the calculation of GFA for that reason. This approach was adopted and agreed to by Council in its assessment of DA-372/2020 for 669 Old South Head Road and DA 455/2021 for 671-683 Old South Head Road, both sites forming part of this proposal.</p> <p>Bates Smart long sections and cross sections show that all lower ground storage rooms are below the existing ground levels, including corridors leading to the storage rooms, consistent with Councils approval of DA 455/2021.</p>

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	<p>It is also noted that the GFA and FSR have also been incorrectly calculated when assessing them over the two different zonings and FSR development standards that apply. In particular, the site at the corner of Oceanview Avenue and Old South Head Road known as 669 Old South Head Road comprises two separate lots that are located within the E1 Local Centre zone. These particular lots have not been included when assessing the FSR proposed within that part of the development site zoned E1. This has also resulted in an incorrect calculation of the FSR applicable over that part of the development site zoned R3 Medium Density Residential. Please update the SEE and Clause 4.6 to address this issue accordingly, ensuring that the Clause 4.6 submission accurately references the correct GFA and FSR calculations.</p> <p>Please also update your GFA diagrams to reflect these changes.</p>	<p>The proposed GFA calculated for the proposed development is set out below</p> <p>DA 455/2021 for 671-683 Old South Head Road had an approved GFA of 5,398sqm, as per GFA diagram dated 6 September 2022, submitted at the request of Council and formed the basis of that approval.</p> <p>DA-372/2020 for 669 Old South Head Road had an approved GFA of 745sqm</p> <p>Including the balance of the E1 land, adjacent to Oceanview Avenue (pan-handle) and DA 374/2020, the total permissible GFA is 824.5sqm (as noted in Council email dated 22 April 2024)</p> <p>Therefore, the total GFA across the total site is 5,398sqm + 824.5sqm = 6,222.5 (the current proposed scheme has a GFA of 6,221sqm)</p>
4	<p>Height:</p> <p>Given the GFA being sought, at a minimum, the building envelope is to comply with the height development standard applicable to the subject site under the Waverley LEP 2012.</p>	<p>Notwithstanding that the statutory provisions have changed from the time of the approval of DA 455/2021 & DA-372/2020 with regard to the introduction of the (Housing SEPP) and changes to provisions relating to Seniors Housing development, it remains relevant that the proposed development is commensurate with the density and height of the two recent approvals for the site.</p> <p>In addition to satisfying the Development Standard objectives and zone objectives, the planning circumstances that justify the proposed development in terms of the non-compliance with the building height standard applicable under the WLEP 2012 are that the proposal can be said to have a better planning outcome compared to the recent approvals (i.e. DA 455/2021 & DA-372/2020) due to the following:</p> <ul style="list-style-type: none"> • The proposal will result in a less intense land use, such that the proposal will result in fewer residential accommodation units than the approved development for the site • The proposal will result in less traffic generation • The proposal will preserve the solar access and visual privacy to adjacent properties • The proposal will result in less shadow impacts compared to the previous approvals for the site • The proposal will result in a better streetscape / architectural outcome (as agreed by the Design Review Panel).

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5	<p>Apartment Design Guide</p> <p>The following controls of the ADG are required to be addressed:</p> <ul style="list-style-type: none"> The proposal is to meet the separation distances required by the Apartment Design Guide (ADG). The submitted documentation incorrectly states that the proposal is compliant with the separation distances required by the ADG when it is not, noting that separation distances are measured from the property boundaries and not the buildings themselves. <p>Additionally, as contained within the design guidance for Objective 3B-2 of the ADG, where a proposal will reduce the solar access to neighbours, building separation should be increased beyond minimums.</p> <p>Detailed sections/elevations are also to be provided showing the relationship between 2 Oceanview Avenue, 685 Old South Head Road and the subject development.</p>	<p>Refer to drawings prepared by Bates Smart, attached to this deferral response, that demonstrate compliance with the ADG.</p> <p>Refer to drawings prepared by Bates Smart, attached to this deferral response.</p> <p>Refer to drawings prepared by Bates Smart, attached to this deferral response.</p>
6	<p>Design Excellence Advisory Panel (DEAP)</p> <p>The following matter raised by the DEAP is required to be addressed:</p> <p><i>The entry/exit ramp connecting the Level 1 basement to the street does not appear wide enough to allow cars to fit going up and down at the same time. If it isn't then that may create issues with cars waiting on Old South Head Road if there are lots of cars existing at any time. Given the size of the building and the number of car spaces in the basement, it would be better to have a two way ramp, even if that means some of the storage space on Basement 01 and apartment space on the Lower Ground need to be relocated elsewhere.</i></p>	<p>A car waiting bay are located inside the property boundary at the top of the proposed ramp, consistent with the existing approval, DA 455/2021 for 671-683 Old South Head Road.</p> <p>This Seniors Living development has less cars and less apartments than the existing development approval, previously supported by Council and TfNSW.</p>
7	<p>Landscaped Areas/ Communal Open Space</p> <p>The following matters are required to be addressed:</p> <ul style="list-style-type: none"> Extent of actual deep soil areas which enable the planting of deep rooted vegetation is insufficient and not supported. Additional area for deep soil planting is to be provided having regard to the requirements of Part C2.9 of Waverley DCP 2022. The balcony landscaped areas that are beyond handrails need to be considered for maintenance and safety. To be effective planter boxes these would need and have suitable dimensions (width, soil depth, drainage and irrigation, etc). External common circulation spaces, common outdoor areas and pool areas have the potential to create privacy and noise 	<p>Refer to updated landscape drawings prepared by NBLA, attached to this deferral response.</p> <p>Refer to updated landscape drawings prepared by NBLA, attached to this deferral response.</p> <p>In relation external common circulation spaces, common outdoor areas and pool areas we contend that these were adopted and agreed to by Council in its</p>

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	<p>issues for neighbours and light spill at night. Please provide additional information on how this is to be addressed.</p> <ul style="list-style-type: none"> It is recommended that a toilet be provided near the outdoor pool for those people using this pool. 	<p>assessment of DA 455/2021 for 671-683 Old South Head Road. Furthermore, an updated management plan prepared by Chanje, the Seniors Living operator and manager for the proposed development, has outlined the management plan, with time restrictions for use of external areas to mitigate noise and eliminate and nuisance lighting.</p> <p>In addition, lighting:</p> <ul style="list-style-type: none"> External common circulation spaces, common areas and pool areas (ie, garden areas) shall include ambient and directional lighting only. All garden area lighting shall be appropriately implemented with the relevant parameters acknowledged where surrounding sites to the north and east of the subject site sit at a greatly different finished surface level to the common garden and pool areas. Nominal screen hedging to the subject site as proposed by the landscape consultant shall mitigate the impact of garden area lighting on surrounding properties. All garden area lighting shall be specified and positioned accordingly to protect surrounding properties from direct glare. Garden lighting shall be directed toward (inward of subject site) the subject area or object. Where necessary, garden lighting shields or reflectors shall be utilised. <p>Refer to drawings prepared by Bates Smart, attached to this deferral response.</p>									
8	<p>Waste Management</p> <p>Council's waste department has reviewed the proposal and advised that the following matters are required to be addressed:</p> <table> <tr> <th>Criteria</th><th>Proposal</th><th>DCP Compliance and Comments</th></tr> <tr> <td colspan="3">Residential Waste</td></tr> <tr> <td>Waste generation calculation, bin size and collection frequency</td><td> <ul style="list-style-type: none"> Garbage bins - 4x 660L red lid bins collected twice weekly. Container recycling bins – 2x 660L yellow lid bins collected twice weekly. </td><td> <p>Not compliant.</p> <p>Minimum number of recommended bins:</p> <ul style="list-style-type: none"> 6x 660L collected weekly. 4-6x 660L yellow lid container </td></tr> </table>	Criteria	Proposal	DCP Compliance and Comments	Residential Waste			Waste generation calculation, bin size and collection frequency	<ul style="list-style-type: none"> Garbage bins - 4x 660L red lid bins collected twice weekly. Container recycling bins – 2x 660L yellow lid bins collected twice weekly. 	<p>Not compliant.</p> <p>Minimum number of recommended bins:</p> <ul style="list-style-type: none"> 6x 660L collected weekly. 4-6x 660L yellow lid container 	<p>Noted, bin room can be adjusted to comply with sizing, as outlined</p> <p>We are unable to find reference in WDCP 2022 or provision of 1.4.1.1 (K), where it states that 'Residential waste <u>must</u> be collected by Waverley Council', however the DCP does state, extract below:</p> <p>'For developments with <u>20 dwellings</u> or more, or mixed-use developments with more than 200sqm of commercial floor space and a minimum of 10 residential dwellings, advice must be obtained from a <u>waste management consultant</u> to incorporate optimal waste storage and management solutions that recover as much material as possible. Such solutions can be in the</p>
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	<ul style="list-style-type: none"> Paper and cardboard bins – 2x 660L blue lid bins collected twice weekly. <p>Bins collected twice weekly by a private waste contractor.</p>	<p>bins collected fortnightly.</p> <ul style="list-style-type: none"> 4-6x 660L blue lid container bins collected fortnightly. <p>Residential waste must be collected by Waverley Council.</p>	<p>form of compactors, chute systems, and/or problem waste storage and <u>collections</u>.' [Emphasied]</p> <p>Our Waste consultant has provided advice that private collection is a preferred outcome for this development, which is in addition to the Traffic engineer confirming the waste vehicle is able to use the proposed ramp access and effectively operate within the basement. In addition, we contend that this method of waste disposal was adopted and agreed to by Council in its assessment of DA 455/2021 for 671-683 Old South Head Road.</p> <p>However, it is acknowledged that bin collection could be undertaken by Council, therefore a bin hoist and bin collection area is included within the updated Architectural Design, attached to this deferral.</p>
Waste storage area	Designed to accommodate reduced number of bins for twice weekly collection.	Recommendation of size increase to accommodate full set of bins as per Council's waste collection schedule.	
Bulky waste storage	Space shown on plan and OWMP mentions DCP controls.	Minimum 7m2 as per Council's DCP 2022	
Bin carting path (from storage to presentation point)	Bin carting path not clearly demonstrated in OWMP.	Design according to Control 1.4.1.1 (d): Bin carting route from the storage area to the collection point must be safe and clear of steps and steep gradients. Not compliant.	
Waste collection method	Onsite collection by private contractor.	<p>Waste must be collected by Council and its contractors through onsite collection or a wheel-in and wheel-out service.</p> <p>For onsite collection the loading bay would need to be re-designed to accommodate Council's waste collection vehicles according to AS 2890.2 (as per Annexure B1-3, page 136 of Council's DCP) to comply with controls 1.4.2.1(b)</p>	

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	<p>and 1.4.2.2 for onsite waste collection.</p> <p>For a <i>wheel-in and wheel-out</i> service the waste bins are stored in a temporary holding area accessible from the street. This area is usually located at ground level and should meet controls 1.4.2.3.</p> <table><tr><th colspan="3">Commercial Waste</th></tr><tr><td>Waste storage area</td><td>Room size, door and door width not shown in architectural plan.</td><td>Storage room size must have sufficient space for bin manoeuvrability and door width to comply with Controls 1.4.1.1 (p) and 1.4.1.2 (a)</td></tr><tr><td>Bin carting path (from storage to presentation point)</td><td>Bin carting path not clearly demonstrated in OWMP.</td><td>Design according to Control 1.4.1.1 (d): Bin carting route from the storage area to the collection point must be safe and clear of steps and steep gradients.</td></tr></table> <p>Please provide additional information/modifications to the Waste Management Plan to respond to the above comments.</p>	Commercial Waste			Waste storage area	Room size, door and door width not shown in architectural plan.	Storage room size must have sufficient space for bin manoeuvrability and door width to comply with Controls 1.4.1.1 (p) and 1.4.1.2 (a)	Bin carting path (from storage to presentation point)	Bin carting path not clearly demonstrated in OWMP.	Design according to Control 1.4.1.1 (d): Bin carting route from the storage area to the collection point must be safe and clear of steps and steep gradients.	
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9	<p>Stormwater</p> <p>Council’s Stormwater Engineer has reviewed the proposal and made the following comments that are required to be addressed:</p> <ul style="list-style-type: none">The kerb inlet pit located across Old South Head Road, North of the site’s Northern Boundary within the road reserve in front of 42 Old South Head Road is owned by Woollahra Council. It was communicated with Woollahra Council’s Stormwater Engineer that they will need more information to	<p>Noted</p>									

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<p>work out the impact that the extra runoff will have on their drainage system.</p> <ul style="list-style-type: none"> • An electronic closed circuit television report (CCTV camera footage) must be prepared by an accredited operator that assesses the condition of the existing pipe of the proposed connection point at least up to 100m downstream of the existing pipe to determine its structural and serviceability condition and for Woollahra Council to assess whether it is suitable to accept extra flow. A dilapidation report must be submitted. • Stormwater management plans must be submitted in accordance with the current Council's DCP and Water Management Technical Manual dated October 2021. • The checklist as set out on pages 68-76 in Council's Water Management Technical Manual (October 2021) available online must be completed and submitted. • The proposed design must include the rainwater tank with a minimum size of 10 kL collecting at least 300 m2 of the roof area as specified in the BASIX report. • The rainwater tank will not be directly connected to the On-site Detention (OSD) tank with a weir separation/combined with the OSD storage. • Details of any rainwater tank required by BASIX commitments or as nominated are to be shown on the architectural plan, including the overflow connection to the stormwater drainage system. • A roof stormwater management plan must be provided. • A grated trench drain shall be provided across the (garage entrance/driveway/street boundary) within private property. Unless otherwise sized by a suitably qualified and practising Engineer, the dimensions of the trench grate shall be no less than 300mm wide by 100mm deep at the shallow end and have a "bottom" slope of 2%. • Show sub-soil drainage is restricted from entering the basement areas of the building and the stormwater drainage system by waterproofing and fully tanking the basement areas of the building in accordance with a Registered Structural Engineer's design. 	<p>Noted, this can form part of the detailed design for the stormwater drainage system prior to the issue of a CC.</p> <p>Updated stormwater drawings C-11 to C-16, prepared by Enscape, attached.</p> <p>The checklist prepared by Enscape is attached.</p> <p>Two 5kL rainwater tanks have been included, shown on the updated stormwater drawings prepared by Enscape, attached.</p> <p>Rainwater tanks have been provided next to the OSD tanks with overflow pipes running from rainwater tanks into the OSD filter chamber, refer to updated stormwater drawings prepared by Enscape, attached</p> <p>Shown on the updated stormwater drawings, the tanks don't impact on architectural plans as they are outside the basement extent.</p> <p>Roof stormwater included, refer to updated stormwater drawings prepared by Enscape, attached</p> <p>Grated trench included, refer to updated stormwater drawings prepared by Enscape, attached</p> <p>Basement is not a tanked basement; the basement is a drained basement. The basement is not sitting in the groundwater so doesn't need to be tanked. The site is also at the top of the catchment so there won't be any upstream groundwater catchments impacting the basement.</p> <p>Noted, this can form part of the detailed design for the stormwater drainage system prior to the issue of a CC.</p>

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	<ul style="list-style-type: none"> Pits and inspection openings are to be provided at all junctions, change in gradient, change in direction, and change in diameter for access and maintenance purposes. The DRAINS model must be submitted for assessment. Provide a site catchment plan including the catchment area for each OSD tank, roof catchment area, pump out system catchment area etc. As a minimum, the pump system must consist of one duty and one standby pump. In the event of pump failure, pondage in a suitably visible area must be provided. These areas must be sited with a view to minimising the cost of damage to occupiers of the property and include signage warning residents that inundation of the area may occur in the event of a pump failure. All electrical fittings and supply must be located to have at least 300 mm freeboard above the maximum water level and/or any overland flow path. <p>Please update the stormwater management plans/ documentation to address the above matters.</p>	<p>Model is prepared and can be issued, however the planning portal does not except documents in certain formats. Council to clarify to permit submission.</p> <p>Refer to updated stormwater drawings prepared by Enscape, attached</p> <p>Pump has been noted as duel pump on the pump out tank detail, included in the updated stormwater drawings prepared by Enscape, attached</p> <p>Pump out pit has been sized to contain any water in the tank in the event of pump failure.</p> <p>Noted, this can form part of the detailed design for the stormwater drainage system prior to the issue of a CC.</p>
10	<p>Traffic</p> <p>Modified plans are required showing:</p> <ul style="list-style-type: none"> Provision of 6 visitor car parking spaces Minimum of 7 electric vehicle charging points for resident car parking spaces and 6 electric vehicle charging points for visitor car parking spaces. 1 electric vehicle charging point and parking space for bicycles and motor scooters. Ramp gradient for the first 6m from the property boundary shall be a maximum of 1:20 (5%) downwards in accordance with Australian Standard AS2890.1:2004. Clarification required regarding the height clearance provided at the access and within the loading bay and how it complies with the type of delivery vehicles accessing the loading bay. 	<p>Refer to drawings prepared by Bates Smart, attached to this deferral response.</p> <p>Refer to drawings prepared by Bates Smart, attached to this deferral response.</p> <p>Refer to drawings prepared by Bates Smart, attached to this deferral response.</p> <p>The design of the driveway complies with AS2890.1 as outlined on page 8 of the Traffic Report submitted with the Development Application.</p> <p>Waste collection vehicle details are included in Appendix E, of the Traffic Report submitted with the Development Application (height of vehicle is 2.2m). The floor to floor height of the basement is 3.5m as shown on section details in the Architectural drawings prepared by Bates Smart.</p>

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	<ul style="list-style-type: none"> The architectural plans do not show the dimensions or security mechanism of the bicycle parking spaces and their storage area. 	Refer to drawings prepared by Bates Smart, attached to this deferral response.
11	<p>Plans and Documentation</p> <p>In addition to the above, the following amended plans and documentation are required to be addressed/ submitted:</p> <ul style="list-style-type: none"> Clearly label the existing ground level on all elevations and sections. Additional detailed dimensions are required on all floor plans showing proposed setbacks from all boundaries over each floor level. RLs are also to be shown on all floor plans and relationship to neighbouring RLs. Please submit elevational shadow diagrams for those properties immediately adjoining/ adjacent the subject site that are impacted by the subject development. Elevational shadow diagrams are to accurately depict all openings on these adjoining/ adjacent buildings. East elevations of the proposed development are required to be submitted showing a clearer representation of the building's relationship to the neighbouring properties to the east. In this regard, the building appears to present as five (5) storeys at the rear. Could you please clarify in the amended documentation. Provide sections showing façade details with floor to ceiling heights over all floor levels. Provide a detailed typical section demonstrating compliance with the requirement for 2.7m high ceilings for all units. Please also show the proposed floor to ceiling heights of the commercial/retail premises. Fence/ wall height details for all sides of the development are to be submitted. Fence details are to show materiality and heights. Fence/ wall heights are also to show their relationship to floor levels of the adjoining properties. Details on the proposed treatment of the substation at the Oceanview Avenue side of the development. Further detailed plans are required showing the proposed structures to the Old South Head Road and Oceanview Avenue frontages of the development. This is to include, but not limited to, fence details, letter boxes, planter boxes and the proposed integrated treatment of the fire services to Old South Head Road. Dimensions and materiality are to be provided on the submitted plans, elevations and sections. Further information and details are required on the proposed structures located within the rear courtyard areas. This 	<p>Refer to drawings prepared by Bates Smart, attached to this deferral response.</p> <p>Included in updated drawings prepared by Bates Smart</p> <p>Included in updated drawings prepared by Bates Smart</p> <p>Detailed shadow diagrams for the proposed scheme and existing approved scheme, prepared by Bates Smart, attached to this deferral response.</p> <p>Refer to drawings prepared by Bates Smart, attached to this deferral response.</p> <p>Refer to drawings prepared by Bates Smart, attached to this deferral response.</p> <p>Refer to drawings prepared by NBLA and Bates Smart, attached to this deferral response.</p> <p>Refer to drawings prepared by NBLA and Bates Smart, attached to this deferral response.</p> <p>Refer to drawings prepared by NBLA and Bates Smart, attached to this deferral response.</p>

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	<p>includes the toilets, private pool seating and associated roof structures, chimney to fireplace and courtyard dining roof structure. Materiality and structures are required.</p> <ul style="list-style-type: none"> The Solar Panel location and area drawn to scale on architectural plans as per the BASIX Certificate (70 kW). The surface area of a 1kWh photovoltaic system is approximately 8m². Provide details on the capability for electric vehicles to be charged within each car parking space. There appears to be some overlooking between units within the development itself. Please address this issue in the amended submission. The retail space is to provide toilets that are accessed from within the tenancy itself and not from the common residential area, to improve security for residents. Exhaust/ducting, internal ventilation shaft for the retail space at ground level needs to be provided/demonstrated on the plans. 	<p>Refer to drawings prepared by NBLA and Bates Smart, attached to this deferral response.</p> <p>Refer to drawings prepared by Bates Smart, attached to this deferral response.</p> <p>Refer to drawings prepared by Bates Smart, attached to this deferral response.</p> <p>Refer to drawings prepared by Bates Smart, attached to this deferral response.</p> <p>Refer to drawings prepared by Bates Smart, attached to this deferral response.</p> <p>Refer to drawings prepared by Bates Smart, attached to this deferral response.</p>
12	<p>Upon submission of amended plans/documentation addressing the reasons outlined above, further consideration will be given to your application.</p> <p>If amended plans are not received within 21 days from the date of this letter, then Council may proceed to deal with your application in the form submitted which may lead to a refusal.</p> <p>A reassessment fee is required. Calculated at 25% of the original Development Application fee, the additional fee is \$6,760.20. In addition, the amended application may require notification and payment of the associated fee.</p> <p>The amended plans/documentation are to be submitted via the NSW Planning Portal in PDF format and include a cover letter with the DA number, address and description of submitted documentation.</p>	Noted

	COUNCIL DEFERRAL LETTER	APPLICANT RESPONSE
	Waverley Council meeting 20 June 2024	
1	Remove the shadow impact from the bedroom window on the northern elevation of 2 Oceanview.	Refer to Bates Smarts updated Architectural drawings and shadow diagrams, demonstrating that the shadow impact has been removed from the bedroom window.
2	Provide street access to enable Council to collect waste.	Refer to Bates Smarts updated Architectural drawings, with a new bin collection area included on Oceanview Avenue and bin hoist provided in the basement.
3	Outline how noise and lighting management in external communal areas will be managed.	Refer to the updated management plan prepared by Chanje, the Seniors Living operator and manager for the proposed development. The management plan outlines time restrictions for use of external areas to mitigate noise and eliminate and nuisance lighting.
4	Review the cl.4.6 variation to address the GFA and Height exceedance	Refer to the updated Statement of Environmental Effects, DCP compliance table and cl. 4.6 variations prepared by SJB Planning.