

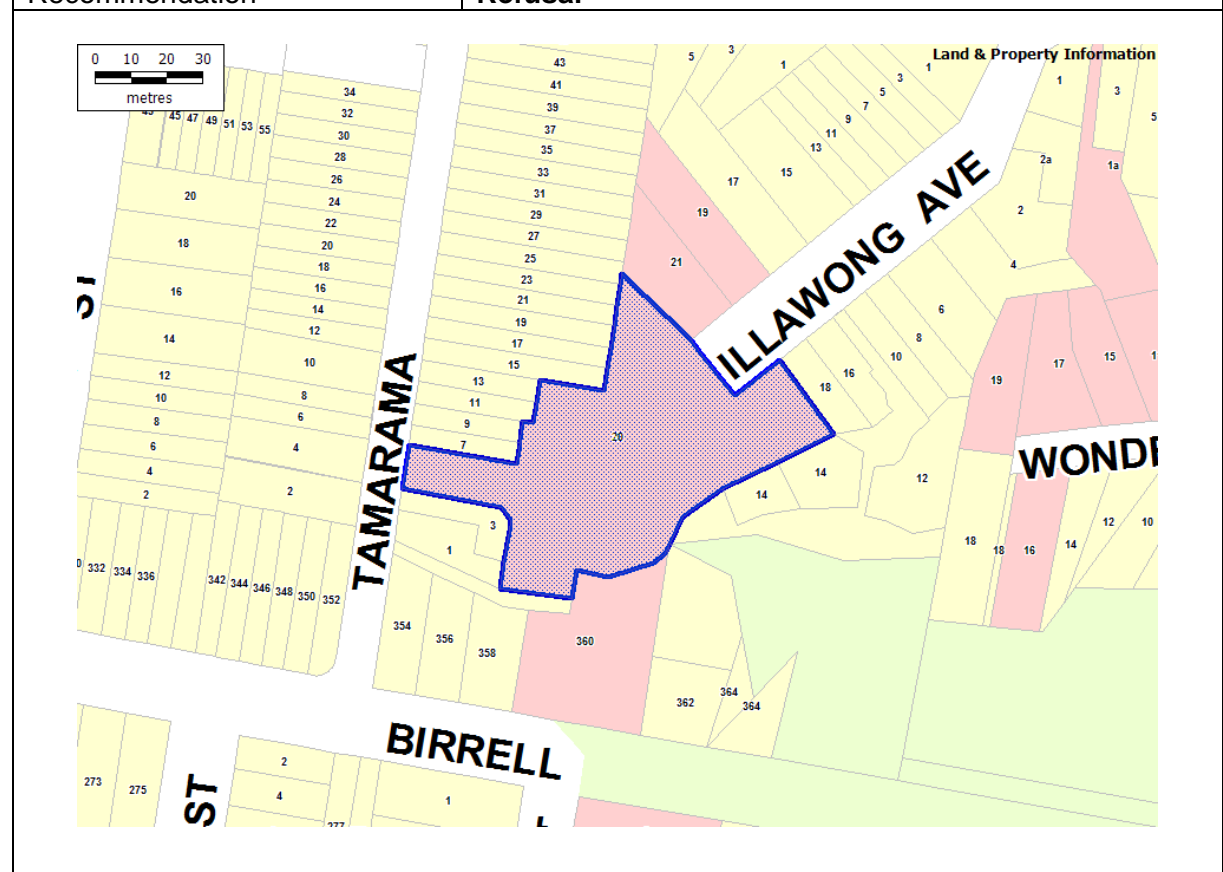
20 Illawong Avenue, Tamarama – Alterations and additions to multi-storey residential flat building including additional level, underground carparking, new three storey residential flat building, and land subdivision (DA 125/2012)

Report dated 13 July 2012 from the Development and Building Unit.

Recommendation: That the application be refused in accordance with the reasons contained in this report.

Note: The consent authority for this application is the Joint Regional Planning Panel (JRPP) - Sydney East Region. This assessment report is submitted to council for information and to consider any submission to the panel.

Development Assessment Report	
Development Application No.	DA-125/2012
Address	20 Illawong Avenue, Tamarama
Consent Authority	JRPP - Sydney East region
Proposal	a) Construction of additional level b) Torrens title subdivision c) Construct new 3 storey residential flat building d) Basement car park for 87 cars over 2 levels e) Tree removal, tree transplanting and landscaping
Zoning and relevant controls	2(a) and 2(b) pursuant to Waverley Local Environmental Plan 1996, Waverley Development Control Plan 2010
Owner	Strata Plan 1731
Applicant	C Smetzers
Submissions	73 letters of objection 1 letter of support
Issues	Bulk, scale, view loss, insufficient information
Recommendation	Refusal



1. PREAMBLE

The consent authority for this development application is the Joint Regional Planning Panel – Sydney East Region (JRPP). This assessment report is submitted for the information of Council. Any comments or submission on the proposal by the Council may be separately made for consideration by the JRPP.

1.1 The Site and its Locality

The site, No. 20 Illawong Avenue, Tamarama (known as Glenview Court) is occupied by a residential flat building of 8 storeys including 80 units comprising a mix of 1, 2 and 3 bedrooms. Each apartment has dual aspects, to the east (towards Tamarama beach) and west (towards Bondi Junction/Queens Park).

The building is located close to the eastern boundary of the site, which borders Tamarama Park (also referred to as Tamarama Gully). The building has uninterrupted views on the eastern elevation directly to Tamarama beach and surrounds.

The parcel of land is an irregular shape with an area of 4353m² and shares a boundary with 17 properties. The site has a single vehicle entry point from Illawong Avenue and has an open bitumen car park which accommodates 58 car parking spaces. A laundry building with garbage storage facilities and a meeting room lies in the north western corner of the site.

1.2 Relevant History

The building is subject to a current Fire Safety Order that requires substantial fire safety upgrading works. The building is also in poor repair and requires substantial structural remediation works including repair to concrete cancer.

1.3 Background

In October 2011, a pre development application (Pre-DA) was lodged for this site. This included alterations and additions to the existing residential flat building including new balconies to the eastern and western facades, an additional level to main building, new fire stair on the northern elevation of the building, new underground car park and landscaping; and construction of a secondary residential building in the north western corner of the site in the location of the existing laundry building.

The subsequent advice given to the applicant was that the additions to the main building and new secondary building would not likely be supported given that the existing level of development resulted in substantial exceedance of height and FSR controls. It is apparent that this advice has been generally disregarded.

1.4 Proposal Description

The application generally incorporates the following works:

- a) Alterations and additions to the existing residential flat building including the following:
 - i. New balconies to the eastern façade
 - ii. New common walkway on the western façade
 - iii. Additional level including two units.
 - iv. Demolition of existing stair and lift on western elevation and demolition of southern stair
 - v. Two new lifts and fire stair adjacent to the new walkway on the western façade
- b) Torrens title subdivision of a portion of the site.
- c) Demolition of the existing laundry building and construction of a 1 to 3 storey residential flat building in the N/W corner of the site comprising 5 units
- d) Basement car park for 87 cars over 2 levels including laundry facilities and new at grade parking for 4 cars (including 2 spaces for loading area)
- e) Tree removal, tree transplanting and landscaping

2. ASSESSMENT

The following matters are to be considered in the assessment of this development application under Section 79C of the Environmental Planning and Assessment Act 1979.

2.1 Section 79C(1)(a) Planning Instruments.

2.1.1 State/Regional Environmental Planning Policies

An assessment of the proposal against the relevant State/Regional Environmental Planning Policies ("SEPP") is below.

State Environmental Planning Policy (State and Regional Development) 2011

One of the aims of the Policy is to identify development for which regional panels are to exercise specified consent authority functions.

Pursuant to Clause 20 of the SEPP and Schedule 4A of the Environmental Planning and Assessment Act 1979, general development valued with a capital investment value of more than \$20 million, the Regional Panel exercises the consent authority functions.

The development application has an estimated capital investment value of between \$25 and \$26 million, therefore is subject to the provisions of the SEPP and the Joint Regional Planning Panel (JRPP) is the consent authority for the determination of the application.

In accordance with the requirements of this SEPP, the assessment report of the application will be forwarded to the JRPP for consideration and determination.

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

SEPP (Building Sustainability Index) applies to residential development. A BASIX certificate has been submitted in support of the proposal and the development demonstrates compliance with the commitments listed within the BASIX certificate. The development therefore satisfies the requirements of the SEPP.

State Environmental Planning Policy 55 - Remediation of Land

Council is satisfied that the land has been a residential use since the building was constructed in the 1950s and that the site is suitable for residential development.

State Environmental Planning 65 - Design Quality of Residential Flat Development

The application was referred to the Waverley/Randwick SEPP 65 Panel and their comments are annexed to this report. In relation to the additional density, the Panel commented:

"The additional space proposed over the amount at present on the site will have little impact on the surrounding neighbourhood. Unless the project gains revenue from such development It is unlikely to proceed.

There are overall environmental and local benefits to be gained from the building being upgraded. In this context, it is the Panel's view that the additional FSR is not excessive. However it should only be permitted if there is confidence that the design will be excellent. In order to ensure this, as noted above, there is a need for more detail to be provided in the Application.

Summary and Recommendations

Subject to examination of the further detail, noted above as required, the Panel is supportive of this proposal.

However, as discussed, the Panel considers that the site plan should be subject to examination and should like to review the application after the matters raised above have been considered by the applicant.

The DBU reviewed the Panel's comments, and whilst acknowledging many of the issues raised, do not agree that the increased density in the form submitted (ie add an additional level to an 8 storey building as well as an additional 3 storey block of units) is acceptable on merit and do not agree that lack of available building maintenance funds, as suggested by the applicant, is reasonable justification.

2.1.2 Waverley Local Environmental Plan 1996

An assessment of the proposal against the relevant Clauses of the Waverley Local Environmental Plan 1996 ("the LEP") is provided:

Clause 3 – Specific Aims

Sub-clause (7) 'Housing' is applicable to the proposed scheme. In this regard, it is considered that the majority of the works proposed present an overdevelopment of the site, and fail to be compatible with the surrounding development. Whilst some of the cosmetic works to the existing building and landscaping will improve the amenity of the surrounding area, the overarching components which increase the density of the site, result in an over development of the site, failing to satisfy parts (d) and (e) of Clause 3 (7) of the LEP.

Clause 10 – Zone Objectives

The majority of the site is zoned 2(b) Residential – Medium Density under Waverley LEP 1996 with a small section of land which lies between 3 and 7 Tamarama Street zoned 2(a) Residential - Low Density.

Residential Flat Buildings and associated works are permissible with Council consent within the 2(b) Residential - Medium Density zone. Notwithstanding the permissibility of the development, the proposed works overall are considered an overdevelopment of the site, contrary to the relevant zone objective (b) of Zone 2(b).

Clause 12 – Subdivision

Clause 12 of the LEP states that the subdivision of land in a 2(a) Residential zone must be no less than 325 m². The proposed subdivision of a rectangular portion of the parcel of land between 3 and 7 Tamarama Street complies with the minimum standards in the LEP and is supported. This allows for a clear delineation between the residential 2(a) and residential 2(b) zones. The rationalisation of the subdivision pattern to allow the triangular 4.4 m² parcel to the lot at 3 Tamarama Street is considered a rationale and acceptable outcome and is supported. Overall the proposed subdivision complies with Clause 12 of the LEP and is acceptable.

Clauses 21-26 – Environmental Considerations

The proposed development can satisfy Clauses 21-24 inclusive. A BASIX Certificate has been submitted with the development application demonstrating compliance with the requirements under SEPP (Building Sustainability Index: BASIX) 2004, thus complying with Clause 25. In addition, a waste management plan has been submitted to satisfy Clause 26 of the LEP.

Clause 30 – Aesthetic Appearance of Development

Clause 30 applies to any proposed development within view of Port Jackson, Bondi Beach, Tamarama Beach, Bronte Beach or the South Pacific Ocean, or adjacent to any arterial road, or public reserve, or land within zone 6(a). In these circumstances, the Council must make an assessment of the probable aesthetic appearance of any building or work that will result from the proposed development.

The proposal seeks to provide a structural and visual upgrade to the existing residential flat building known as 'Glenview Court'. This building presents as an 8 storey built form and has a dominant visual appearance in the area. It is (as suggested by the SEPP 65 Panel) out of scale with its context and can be seen from a wide area of Waverley as well as from the beaches and ocean.

Whilst the rendering of the existing building, additional balconies and stairs are considered acceptable in terms of providing a visual upgrade, the construction of an additional level will cause this "out of context" building to be even larger and have even greater visual impact. This over development is considered to the detriment of the aesthetic appearance of the site, contrary to Clause 30 of the LEP.

Clause 45 – Heritage Conservation

The site itself is not listed as an item of heritage significance; however the adjoining land to the east, Tamarama Park is listed as a Landscape Conservation Area. Council's Parks Planning Division have reviewed the documentation and noted that insufficient information has been provided to ensure the protection of Tamarama Park. For this reason, the proposal fails Clause 45 of the LEP.

The application has been assessed having regard to the relevant provisions of the LEP and is not acceptable for the reasons discussed above.

2.1.3 The Draft Waverley LEP 2011

The Draft Waverley LEP 2011 was exhibited from 19th October 2011 until 30th November 2011 and therefore requires consideration in the assessment of this proposal.

The site is currently zoned Residential 2(a) Residential 2(b) under Waverley LEP 1996 and proposed to be zoned to the equivalent zone of R3 Medium Density Residential in the comprehensive Draft Waverley LEP 2011. The current floor space ratio and height control of 0.6:1 and 9.5m are also proposed to remain unchanged under the comprehensive LEP and therefore the proposal is considered unacceptable for the reasons previously outlined.

2.1.4 Waverley Development Control Plan 2010

A Merit Assessment of each of the relevant components of the Development are below against the relevant sections of Waverley Development Control Plan 2010.

a) Alterations and additions to the existing residential flat building "A" 'Glenview Court'.

The works include:

- i. New balconies to the eastern façade
- ii. New common walkway on the western façade
- iii. Additional level including two units.
- iv. Two new lifts and fire stair adjacent to the new walkway on the western façade

COMPLIANCE CHECK – (WDCP 2010) Part D2 - Alterations and additions to existing RFB “Building A”

Control	Standard	Proposed	Compliance
Height	<ul style="list-style-type: none"> • Wall height 6.5m • Overall height 9.5m • Number of storeys 2 	<ul style="list-style-type: none"> • Flat roof with overall height of 27.145m • 8 (existing) + additional level = 9 storeys 	<ul style="list-style-type: none"> • No • No
Maximum Floor Space Ratio (Site Area 3980 m ²)	<ul style="list-style-type: none"> • 0.6:1 or 2,388.3 m² • EXISTING BUILDING FSR= 1.32:1 or 5755_{m2} 	<ul style="list-style-type: none"> • Existing building plus additional level; 5755 m² • Proposed building; + 574 m² • Total = 6350 m² = 1.74:1 	<ul style="list-style-type: none"> • No

Issues:

Floor Space Ratio and Height Issues

The purpose of the height and density controls within the DCP is to control the size, bulk and scale of developments to reflect the existing and desired future character of the area. Under the provision of Waverley Development Control Plan 2010, within the 2(b) zone, residential flat buildings should be contained to a height of 9.5m overall with a maximum number of 2 storeys (with attic permitted) and a maximum FSR of 0.6:1.

The existing building in its current form substantially exceeds the permitted scale of development within the zone standing at 8 storeys high with a roof height of 23.4m and an FSR of 1.32:1.

The building is positioned at the top of Tamarama Park and given its stature, is visually prominent from many vantage points around the area. Whilst acknowledging that the existing building requires repairs and fire safety upgrading, the proposal to add an additional level to an eight storey building in an area that allows for 2-3 storey development is not considered an acceptable outcome.

The applicant has put a case to Council that the proposal provides a better design outcome having regard to the current state of the site and will not have any significant additional adverse impacts on adjoining properties in terms of privacy, visual impact, overshadowing or view loss. The applicant asserts that the proposal is consistent with the objectives and intent of the controls. The applicant also notes that the maximum FSR is not a relevant consideration given that the existing building has an FSR of 1.32:1.

With regard to visual impact, the applicant states that the height of the existing building has a height of 27.06m (RL 82.64, taken from the top of the lift core) and the additions to the RFB will result in an overall height of 27.145m (PL 82.725) which results in a height increase of 0.085m. The figures provided however compare the height of the lift core to the height of the building and do not accurately translate the real visual impact.

The existing building is essentially split visually into two components, the lift core/stair and the principle residential component. The principle residential component is actually 2.6m lower than the lift core which is higher and can be seen from the eastern side of the building.

The figures below demonstrate that the additional level to the core residential component of the building will be 2.7m higher than the existing core residential component. Given that the core component is the more visually dominant, any additional height to this building is considered to have a significant visual impact. Further height to the already non-compliant building is not accepted.

Comparison of Heights			
Existing height of lift core	82.64RL	Existing height of main building	79.98RL
Proposed height of lift core	82.64RL	Proposed height of main building	82.725RL
Additional Height	NIL – same level	Additional Height =	2.745m

With regard to overshadowing, the additional level will contribute to additional shadowing over Tamarama Park and adjoining properties. Whilst the applicant has described the additional overshadowing as minor having negligible impact, any additional over shadowing is considered unacceptable given that the building is already well over the maximum building height and density controls. Privacy impacts and view loss are considered in detail further in this report.

It would be a reasonable expectation for surrounding owners and the general community that the scale of the existing building was at its maximum and significant weight should be placed on any additional impacts caused by upgrading or other works. On sites with similar situations where building envelopes of an existing older building are larger than the current planning controls allow, this Council has consistently restricted development to be no larger than the existing building envelope. There appears no justified reason why in this case this approach should be abandoned.

In summary the proposed additional level to the building in the form of a penthouse level containing 2 units is not supported.

Balconies to the eastern and western elevations

In recognition in the need of an upgrade to the building, there is no objection to the new balconies and walkway on the western façade of the building as it will aid enhancing the visual presentation of building when viewed from the streetscape of Illawong Avenue, and from the rear of the properties in Tamarama Street. Whilst the walkway will add to the construction of the building by 1.75m on the western elevation, on balance the visual improvement justifies the minor increase in bulk to this elevation. Privacy and noise impacts from the modified balconies are not likely to be any more than the current impacts. Noise attenuation of pedestrian movements on the common walkway could be improved with modern construction methods.

Similarly, the balconies on the eastern façade are considered to provide architectural articulation to the building to the benefit of the visual presentation of the building to Tamarama Gully. Each unit currently has no private open space and the balconies will rectify this and increase the amenity for residents. Given the building is siting at the top of Tamarama park, views in terms of overlooking will be predominantly to the public domain, and not dissimilar to the current overlooking from within each unit in the building. In terms of noise, each balcony is not of a size and width which would allow for instances of entertaining for prolonged periods of time. Given the building is sited on an angle on the usually shaped parcel of land, the balconies to the southern end will impede into the view corridor which exists between the building and adjoining building at 360 Birrell Street. This will be discussed in further detail within this report.

Stair and Lift Cores

The proposal also includes removal of the existing fire stair on the southern end of the building and the construction of a fire stair and lift on the western side of the building. Two sets of fire stairs are required to satisfy the requirements of the fire safety matters under the BCA. Compliance with regard to BCA matters is discussed in detail further in this report, however it is accepted that 2 fire stairs are required to comply.

The 2 new stairs and lift cores proposed on the western elevation of the building are to be at the same height as the existing lift core at 82.64RL. In terms of planning considerations, whilst the additional lift core and stair will provide additional 'bulk' to the western side of the building, it is reasonable to expect 2 lifts for the upgrade of an existing building containing 80 units. Furthermore, the additional bulk on the western elevation is considered reasonable on balance in lieu of the removal of the stair on the southern end of the building. The lifts are positioned approx 14.5m from the northern and southern end of the building, providing symmetry to the building. This portion of the proposal is considered acceptable on planning grounds.

b) Torrens title subdivision of the site to create 3 lots

This matter has been assessed in part 2.1.2 of this report under the Clause 12 of the LEP. This part of the proposal is acceptable.

c) Demolition of the existing laundry building and construction of a 1 to 3 storey residential flat building in the N/W corner of the site comprising 5 units

An assessment of the building against the DCP controls is below

COMPLIANCE CHECK – (WDCP 2010) – Part D2 - Proposed new RFB “Building B”			
Control	Standard	Proposed	Compliance
Height	<ul style="list-style-type: none">• Wall height 6.5m• Overall height 9.5m• Number of storeys 2	<ul style="list-style-type: none">• Flat roof with overall height of 9.5m.• Third storey proposed at the front of the building	<ul style="list-style-type: none">• Yes• No
Maximum Floor Space Ratio (as proposed subdivision plan = 3980.5 m ²)	<ul style="list-style-type: none">• 0.6:1 or 2,388.3m²	<ul style="list-style-type: none">• Existing building plus additional level; 5450 m²• Proposed building; 574 m²• Total = 6024 m² = 1.74:1	<ul style="list-style-type: none">• No

Setbacks – Front	<ul style="list-style-type: none"> Predominant setback 	<ul style="list-style-type: none"> Forward of building line in Illawong Ave 	<ul style="list-style-type: none"> No
Rear	<ul style="list-style-type: none"> If none – 6m 	<ul style="list-style-type: none"> Min 4m – Max 10m 	<ul style="list-style-type: none"> Yes
Side	<ul style="list-style-type: none"> 3m and 4.5m for living areas facing side 	<ul style="list-style-type: none"> 3m side boundaries – Min 3m for living areas on western and north eastern side 	<ul style="list-style-type: none"> Yes No
Building Length	<ul style="list-style-type: none"> Maximum 24m 	<ul style="list-style-type: none"> 16.3m 	<ul style="list-style-type: none"> Yes
Building Depth	<ul style="list-style-type: none"> Maximum of unit is 18m 	<ul style="list-style-type: none"> All < 18m 	<ul style="list-style-type: none"> Yes
Building Separation on large sites	<ul style="list-style-type: none"> 6m non-habitable rooms 9m habitable to non-habitable rooms 12m habitable rooms 	Insufficient separation between proposed building and 21 Illawong Ave	<ul style="list-style-type: none"> No
Attic Level	<ul style="list-style-type: none"> Within pitched roof Maximum pitch 35° 	No attic level, 3 rd level proposed	<ul style="list-style-type: none"> No
Sunlight – Large sites	<ul style="list-style-type: none"> 70% of units minimum 3 hours 9am-3pm 	Insufficient information provided, however unlikely to comply	<ul style="list-style-type: none"> No
<ul style="list-style-type: none"> COMPLIANCE CHECK – (WDCP 2010) – Part D2 - Proposed new RFB “Building B” 			
Ceiling Heights (floor to ceiling)	<ul style="list-style-type: none"> Residential 2.7m 	2.7m	<ul style="list-style-type: none"> Yes
Private Balconies to upper units	<ul style="list-style-type: none"> Minimum area 10m² Minimum depth 2.5m 	Unit 4 – 7.25 m ² area 2.5m depth Unit 5 - 7.25 m ² area 2.5m depth	<ul style="list-style-type: none"> No Yes No Yes
Courtyards to ground level units	<ul style="list-style-type: none"> Minimum area 25m² Minimum width & depth 3m 	Private courtyards are not defined for Units 1,2 and 3 – Units 1 and 2 don't appear to accommodate 25m ²	<ul style="list-style-type: none"> No
Storage Facilities	<ul style="list-style-type: none"> Two bed unit 8m³ Three plus bed unit 10m³ 	Not shown on plans, separate calculations provided	<ul style="list-style-type: none"> No
Minimum unit size	<ul style="list-style-type: none"> 2 bedroom 80m² 3 bedroom 100m² 	All 2 beds >80 m ² All 3 beds > 100 m ²	<ul style="list-style-type: none"> Yes Yes

General Issues

The additional residential flat building proposed in the north west triangular portion of the site, when viewed singularly, meets a number of the relevant development controls, however, this part of the proposal must be considered in the overall context of the existing and proposed development. In this regard the addition of further density to the site is not supported and is considered inappropriate in the 2(b) Residential zone.

The significant amount of open space currently surrounding the site provides relief to the abrupt density of the large Glenview Court building. Vegetation within this triangular portion of the site provides privacy to the adjoining properties on Tamarama Street providing protection from the overlooking from common walkways used by residents of the 80 units. To remove this curtilage and allow further density in the form of an additional building (with elevated balconies which overlook boundaries) results in poor amenity to the adjoining properties, as well as the building itself.

The plans do not show where private open space is provided for each unit at ground level, however, it appears that Unit 3 has the only usable private open space, with open space for the remaining ground floor units being within the 3m boundary setback required under the BCA.

The applicant has justified the building in terms of overshadowing noting that the additional shadow of the building will be predominantly be captured in the existing shadow of the adjoining flat building at No.21 Illawong Avenue. This however it not considered a positive outcome for the amenity and solar access of the 5 units of the proposed building. A detailed matrix demonstrating compliance with the 3 hours of solar access was not provided, however it appears as though Unit 2 and 4, located between units 1 and 3 would not receive sufficient solar access.

The building is also visually out of context when read in the streetscape of Illawong Avenue, being forward of the building line set by 21 Illawong Avenue. In summary, the building is considered inappropriate as it exacerbates an already over developed site and the location in the corner of the site offers little in terms of amenity for the units and adjoining properties.

d) Basement car park for 87 cars over 2 levels including laundry facilities and new at grade parking for 4 cars

The site currently contains an at grade bitumen car park which accommodates 58 car parking spaces. The application was also provided with a Traffic and Parking Assessment. The report examines whether the development complies with the parking rates of the DCP, as well as parking layout and circulation.

Pursuant to Part I – Land Use and Transport of the Waverley Development Control Plan 2010, the site is located in Parking Zone ‘B’. An assessment of the proposal against the relevant DCP controls is below. The total number of units proposed on site is 87 comprising;

- 80 units in existing RFB
- 2 additional units on proposed level of existing RFB
- 5 units within new RFB

COMPLIANCE CHECK – (WDCP 2010) Part I – Land Use and Transport			
Control	Standard	Proposed	Compliance
Parking Spaces (Parking Zone B)	<ul style="list-style-type: none"> • Number of spaces per unit For total 87 units, mix of 1,2,3 bedrooms = Min – 56 Max – 84 • Number of visitors (1 spaces per every 7 units) 	<ul style="list-style-type: none"> • 73 resident spaces • 10 visitor spaces 	<ul style="list-style-type: none"> • Yes • Yes

	over 14 units) = 10 spaces		
	<ul style="list-style-type: none"> • Loading Facility (1 per 50 dwellings) = 1 loading space required • Bicycle spaces Ground floor units – 0.25 per dwelling & 0.25 for visitor bike space First floor units – 1 per dwelling & 0.25 for visitor bike space • Motorcycle spaces Required for more than 20 car spaces 	<ul style="list-style-type: none"> • 2 loading car spaces provided at front of dwelling • Units – 3 spaces • Visitors – 3 spaces • Units – 74 spaces • Visitors – 19 spaces Total = 85 bike parking spaces • 12 spaces have been provided 	<ul style="list-style-type: none"> • Yes • Storage area not identified on the plans • Yes

The proposal complies with the stipulated number of parking spaces and loading areas. The 'On Site Parking Assessment' report notes that storage areas of bicycles are provided in the 2 basement levels. The plans do not specify which storage areas are for bicycles, and it is assumed the applicant is relying on storage for individual units to accommodate bicycle parking/storage as well. This is not considered to be in the spirit of the DCP control, which seeks to have storage area of bulky good for residents of units, and the separate areas for persons to park bicycles to encourage bike usage given the proximity to public transport.

With regard to the extensive excavation proposed to accommodate the carpark, concerns were raised during the pre-lodgement meeting regarding the extent of excavation near property boundaries. The excavation is proposed at 1.5m from each boundary (apart from the eastern boundary of the 2nd level car park) and a geotechnical report, prepared by Douglas Partners has been provided to support the application.

e) Tree removal, tree transplanting and landscaping

COMPLIANCE CHECK – (WDCP 2010) Part D2 - Landscaping Controls			
Landscaping of whole site	<ul style="list-style-type: none"> • Minimum 30% or site as deep soil zone • 15% of site as communal 	<ul style="list-style-type: none"> • 19% deep soil zone • Landscaped areas cover 30% of the site • Communal space not defined. 	No, merit assessment applicable

Given the unusual shape of the site, not all of the controls for landscaping can be applied in the assessment of this proposal.

The purpose of landscaping controls in the DCP is to improve the amenity of development in high density areas. In particular, the objectives seek to allow for landscaping to provide screening between properties, and provide usable space to contribute to the open space structure of the area. Landscaping on site is currently is scarce and is in need of improvement to satisfy the above objectives.

The scheme allows for further area to be landscaped, given that the bitumen car park is to be removed and relocated underground. The scheme proposes plantings around the Glenview Court building to improve its appearance and a community garden is proposed in a corner of the site. Planting of endemic species, near the eastern boundary of the site is also proposed as a continuation to the Tamarama gully. These components are considered a positive contribution to the site. However, the removal and transplanting of the mature trees located within the triangular corner of the site is not supported by Council's Tree Management Officer for arboriculture reasons. Matters relating to this will be discussed in detail later in this report under the recommendations by Council's Tree Management Officer.

It is noted that the 'Landscape Areas' plan shows decks at ground level for the units in the new residential flat building which aren't shown on the architectural plans. Overall, the proposed landscaping is considered an improvement of the site.

2.1.4 Other Matters

Insufficient Information

Insufficient information has been provided to facilitate a full assessment of all aspect of the application. This information includes;

- Elevation of the proposed laundry area in the basement which is shown above ground on the model.
- Levels of the succulent garden/roof of laundry area and survey showing the levels of adjoining properties. This is required to assess the relationship between the laundry area and the adjoining properties in relation to view corridors and visual presentation to adjoining properties at 1 and 3 Tamarama Street
- Plan showing the relationship between the private internal deck and common walkway on the western elevation.
- Location of Fig Tree and assessment of view loss through the established view at the southern end of the Glenview Court building.

Streetscape

The proposed additional height and floor space to the existing building as discussed previously within this report are unacceptable for the zoning for the site.

The additional residential flat building proposed in the north west corner of the site results in poor amenity of the units (as well as the adjoining properties) as well as being visually out of context when read in the streetscape of Illawong Avenue.

A visual upgrade to the existing building including the balconies and new lift core and landscaping is considered to be an aesthetic improvement which will be a positive contribution to the streetscape, all other works are considered to constitute an overdevelopment of the site.

Privacy

Privacy has been discussed in general terms in relation to individual components of this application previously to this report. Further comments for consideration are detailed below.

A survey providing detail of the buildings on adjoining sites has not been submitted to enable an accurate assessment of the privacy implications between the proposed new building and existing dwellings surrounding the site. Seven properties adjoin the triangular portion of the allotment where the new RFB is proposed including No.15 – 25 Tamarama Street which are low density semi detached dwellings and 21 Illawong Avenue which is a residential flat building of 3 storeys.

With regard to the proposed new residential flat building in the north west corner of the site, this area currently provides a privacy 'buffer' to the adjoining properties, from the 8 storey Glenview Court building.

Of particular concern are the balconies and openings proposed on the north, west and south elevations of the building which potentially can overlook into the properties adjoining. Most of the balconies are to bedrooms however there is a potential privacy and overlooking issue from the balconies of apartments 4 and 5 on the western elevation which would directly overlook into the rear private open space of the adjoining properties in Tamarama Street. The existing tree which currently screens the property from the development site is proposed to be moved to a more central location of the site. This issue would need to be addressed by the panel if the application was supported.

In considering the improvements to the existing Glenview Court building, additional privacy impacts are not expected from the replaced western balcony in its extended form as overlooking will remain to the status quo. In addition, the balconies on the eastern elevation of the site will predominantly overlook the Tamarama Gully, and privacy screens on either end of the balconies and in between balconies will provide privacy to both dwellings immediately to the north and south of the dwelling as well as between units within the development.

View sharing

The Pre-DA advice given to the applicant raised the potential for view loss from properties which may enjoy a glimpse of Ocean views across the site and would have a reasonable expectation that the current building would not get any bigger given the current controls and expect that their view is protected.

During the notification period of the development (which is discussed in further detail further within this report) the following nine (9) properties noted a loss view as a result of the proposal;

Property	View Loss
14 Tasman St, Tamarama	No substantiated view
*1 Tamarama St Tamarama	View of the ocean in the corridor between the site and adjoining building at 360 Birrell Street.
*3 Tamarama St, Tamarama	View of the ocean in the corridor between the site and adjoining building at 360 Birrell Street.
6 Tamarama St, Tamarama	Unsubstantial view of the water in the one corner of the dwelling and when peering through the canopy of a tree in the front yard.
11 Tamarama St, Tamarama	No substantiated view
*13 Tasman St, Tamarama	View of the ocean in the corridor between the site and adjoining building at 360 Birrell Street

*52 Bennett St, Tamarama	View of the ocean over the top of the existing building
*48 Bennett St, Tamarama	View of the ocean over the top of the existing building
10 Tamarama St, Tamarama	Unsubstantial view from upper level window adjoining study/bedroom area which requires direct peering to enjoy

**Properties with substantiated views which are assessed below;*

To quantify the view impacts of the development, the planning principles of Tenacity Consulting vs. Warringah (2004) are used and discussed for each of the properties below;

Principle 1: Assess the views to be affected

The effected properties in Tamarama Street have views to the ocean in the corridor between the southern end of the 'Glenwood Court' building and the residential flat building of 360 Birrell Street.

The properties in Bennett Street although located more than 630m (straight distance) west of the site, are sited on higher ground and have views over the existing building to the ocean.

Principle 2: From what part of the property are the views obtained

Tamarama Street properties – the views from the effected properties are from a bedroom at No.1 Tamarama Street, and laundry attached to a living room for the effected property at No.3 Tamarama Street. The loss of view from Tasman Street is from when standing at the window in a study bedroom at first floor level.

Bennett Street properties- Living rooms in the rear of the house.

Principle 3: Assess the extent of the impact

Tamarama Street properties – The loss of view would be from the proposed balconies on the eastern elevation of the Glenview Court building. Due to the building being positioned on an angle, the balconies would interrupt the view corridor between the southernmost end of the building and adjoining building at No.360 Birrell Street.

Bennett Street properties – The proposed additional level to the Glenview Court Building will result in loss of view of the water which is currently enjoyed over the existing building.

Principle 4: Assess the reasonable of the proposal that is causing the impact

The proposed building is over the FSR and height restrictions of the zone. The loss of view therefore over the maximum height limit is therefore considered unsatisfactory. In addition, the loss of view from the view corridor through the southern end of the site is also unreasonable. Under the principles of tenacity, the loss of view from the Bennett Street and the substantiated Tamarama Street properties are considered unreasonable, given that the development is well over the maximum building envelope controls permitted for the site.

If the panel were to support the application, the view loss from the view corridor at the southern end of the building could be overcome by setting in the end most eastern balconies on all floors. A view analysis would need to be undertaken by the architect to ascertain the extent the balconies would have to be set in. To maintain the symmetry of the building, it would be recommended that the eastern facing balconies at the northern end, be modified in the same manner.

Character Study

The site is not located in a character study area.

Affordable Housing Provisions

No affordable housing proposed.

Access for People with Disabilities

The application has been submitted with an Access Assessment Report, prepared by BCA Access (Building Regulations and Fire Safety Engineering Consultants). The report assesses the existing building and proposed building against the access and amenity provisions for people with a disability in the BCA. The report concludes that compliance can be achieved and addressed at the construction certificate stage of the development.

3**REFERRALS****Fire Safety and Building Code of Australia Compliance (BCA)**

The BCA Compliance Statement and Fire Safety Upgrade Strategy are inconclusive and inconsistent. Due to the inconsistencies, the Council officers are not satisfied that matters relating to fire safety can be satisfied as a Construction Certificate matter without implicating the design of the structure. The Structural Verification Report is also inconclusive.

Based on the above, the submission of revised plans and additional information including the following is required prior to any approval of the development application;

- A comprehensive and conclusive Building Code of Australia Compliance Assessment Report,
- Fire Engineering Alternative Solution Report prepared in conjunction with Fire & Rescue NSW,
- Structural Engineers Structural Adequacy Certification Report & Surveyors Report detailing existing relative floor levels

Until the above reports are found to be satisfactory by Council officers, the proposal cannot be supported on Building Code of Australia grounds alone.

Waste Management

The Site Waste and Recycling Management Plan (SWMP) provided to Council is satisfactory and prepared in accordance with the Waverley DCP. However, the proposed garbage storage area of 40m² is inadequate to contain the required allocation of bins. A revised plan for the garbage storage area is required to be assessed for compliance with the DCP.

Vehicular Access and Traffic

Council's Manager of Traffic and Development has reviewed the proposal and raised no objection to the development, subject to conditions. The recommended conditions relate to issues including the submission of a Construction Vehicle and Pedestrian Plan of Management, loading facilities, disabled parking spaces and bicycle parking. In addition, the issue was raised regarding the 'security' annotation on the plans at the entrance point of the basement car park at the end of the ramp. Further details of this security point would be required if the application is to be approved, as this location is considered to be inappropriate.

Stormwater

Council's Technical Services Division have reviewed the scheme and find it satisfactory subject to conditions of consent. The question was raised however regarding the position of the OSD tank near the eastern boundary of the site where the property meets the Tamarama Gully. This requires further information and consideration by Council's Parks Planning Division.

A Sydney Water sewer pipe traverses the site and this was raised as an issue with the applicant prior to the submission of the DA. The applicant has noted that consent for the excavation works will be sought separately with Sydney Water if the application is approved. This matter should be included as a condition of consent if the application is approved.

Urban Design

The following comments were received from Council's Urban Design Consultant;

The building is recorded as originally being designed by architect Harry Seidler with substantial change to the original design occurring during construction. Construction was reportedly undertaken by three successive builders the first two defaulting on the contract and the last, the father of Sydney stock broker Rene Rifkin completing the building in its current form. The building is reported to have originally incorporated a parabolic roofed penthouse - this being removed in favour of a simple continuation of the core building form.

The existing apartment is undergoing extensive repairs to the exterior due to deterioration of external cladding and possibly the structure.

The submission provides extensive development both of the original building and the site. The site is in the immediate context of a listed landscape conservation area. The Tamarama Gully is considered by a significant portion of the immediate community to be impacted both in terms of overshadowing and visual dominance by the existing structure.

There is also considerable public opinion that works by Harry Seidler, Australia's most recognised architectural practitioner in the International Style, warrant identification and conservation as items of aesthetic and historic cultural significance. There are four known buildings in Waverley Municipality attributed as originating from Harry Seidler's practise - none of the identified sites has been listed as of heritage significance in Waverley LEP.

Whilst it may be argued that the works further the aims of urban consolidation there can be no argument that the works serve to complete or reinstate an unfinished design of architect Harry Seidler. The practise of Harry Seidler has registered objection to any inference the works reinstate the Seidler design and there is considerable argument to support this objection.

With little or no reference to the original design the external verandahs and new vertical movement towers are considered with some design development an acceptable addition to the building. These will have limited impact upon the adjacent Landscape Conservation Area or the setting and will serve in part to improve the unresolved status of the existing elevations.

It is considered that further design development is required to maintain the expression of the building floating over the escarpment one of the few aspects of the existing building appearing related to its initial design. The horizontal expression of the floor plane evident in the existing building and also in the Diamond Bay apartments should also be retained in provision of verandahs to the eastern elevation.

The construction of a new apartment building in the northwestern portion of the site appears to have no impact upon the Tamarama Gully and Conservation Area. It will however further increase traffic loads on the limited site access. Whilst it may be argued the extra apartments provide a positive contribution to urban consolidation, it is noted that the new apartments are hemmed in by a large vehicle ramp and surrounding boundary fences and appear to have limited solar access particularly when the proposed surrounding tree planting matures.

The proposed additional storey to the existing apartment building could be supported if a significant portion was employed as a common area preferably with outdoor space. This is a serious need in buildings with such a high percentage of small apartments. Similar apartment complexes in contemporary developments are recommended to have such common areas by

SEPP 65 Panels. Visually the vaulted roof form of the additional floor appears thwarted by the extent and unrelieved massing the excessive use of glass balustrading and the lack of meaningful setback at the outer sides and the eastern elevation serve bulk up the impact of the additional floor.

Recommendations

- Any provision of an additional floor to the existing building includes significant community space for the occupants of the existing small apartments comprising the bulk of the building.*
- Any additional floor to the existing building be of non continuous form set back from the outer building lines and employ a more considered use of glazing and solid exterior enclosure.*
- In addition it is recommended that the current architect consult with the office of Seidler and Associates to identify, retain and enhance existing and intended aspects of the original design.*

Public Domain- Tamarama Gully

Tamarama Park is listed as a Landscape Conservation Area and the proposed works are within the vicinity of the common boundary. Insufficient information has been provided regarding the protection of the adjacent reserve as a result of the works. The following information is required for assessment by Council's Parks Planning Manager prior to consent be granted to the proposal;

- A 1:100 scaled site plan showing the relationship with the adjacent reserve, including spot heights, levels, contours, existing rock outcrops, tree locations etc should be provided in order to allow a more accurate analysis of the proposals.
- An Arborist's report and tree survey plan of trees within a 10m offset from the development boundary. Identifying species and assessment of the health of the trees. The report should also include the dimensions and height of the canopy, trunk diameter at breast height (DBH), and extent of the drip line.
- The Arborist's report is to inform a tree protection plan detailing how the trees shall be protected during the demolition and construction phase. This is to include a continuous 1.8m high chain wire fence (or alternate method approved by Council Open Space Manager) installed for the duration of works.
- Multiple cross sections running east – west that highlight the relationship between the proposed works and the existing adjacent reserve, including rock outcrops, water courses, existing trees and vegetation.
- Details of the location of the OSD tank and extent of excavation in relation to the rock of the Tamarama Gully, including Geotechnical Investigation to ensure the stability of Tamarama Gully.

Landscaping and Tree Preservation

Councils' Tree Management officer has reviewed the application and indicated general agreement with the removal of the majority of the trees on the as outlined in the Arboricultural Impact Assessment report.

Removal of the Phoenix palm and fig trees is not supported due to habitat and disruption to neighbours. The design should either delete proposed new building from the plan or the building to be designed around the retention of these trees. No basement car park is permitted underneath the trees and the building is to be engineered to withstand current and future growth needs of the mature trees on the site. The Fig trees have average form and structure but not significant enough to warrant removal. Should the new residential flat building be approved, further details would be required regarding the transplanting of the tree given that works on the adjoining properties will need to be undertaken to remove this tree.

Section 79C(1)(b) - The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality.

Based on the above assessment, it is considered that the proposed development would have an unreasonable impact on the natural and built environment within the locality, failing to satisfy Section 79C(1)(b) of the Act.

Section 79C(1)(c) - The suitability of the site for the development.

Based on the above assessment, it is considered that the proposed development is unsuitable for the site, failing Section 79C(1)(c) of the Act.

4. PUBLIC SUBMISSIONS

The application was notified and advertised for 30 days in accordance with *Waverley Development Control Plan 2010, Part C3 – Advertised and Notified Development*.

A total of 74 submissions were received which included 1 letter of support. A list of objectors is attached at Annexure B of this report. The issues raised in the submission are summarised and discussed below.

1. *An over-development of the existing building which already exceeds the controls of the DCP, is of an excessive bulk and scale, that is not in keeping with the character of the area,*

Comment – The most frequent theme of all submissions was the overdevelopment of both the existing building and the site overall. The comments also noted that lift towers should be contained within building. These matters have been previously discussed within the assessment part of this report.

2. *Devaluation of property*

Comment- No evidence has been provided to support the claim. Notwithstanding, this is not a relevant matter for consideration under Section 79 (c) of the Act.

3. *Undesirable precedent for other buildings within the LGA.*

Comment – This is a valid point and reflects the opinion of the planning department.

4. *Noise and privacy impacts from both the new western balconies given they are to be widened, and eastern balconies, given that the Tamarama Gully acts as an amphitheatre. Comments also note that residents gather and are disruptive on the current balconies. One objector suggested consideration should be given to using noise attenuating materials and other strategies to ameliorate noise. Overlooking into properties*

Comment – Privacy and overlooking and noise from the proposed balconies have been discussed previously in this report and on balance and subject to conditions would be considered satisfactory.

5. *Lighting on the balconies is disruptive.*

Comment – This has been a common theme for nearby and adjoining properties. Photographs provided by objectors show that the existing building is lit by florescent light in the night time and has been described as disruptive.

Under the proposal, the balconies are to be rebuilt, therefore new lighting will need to be provided. A condition of consent can be included to ensure that lighting is within the acceptable limits. It is envisaged that the proposal would improve this current contention raised by the objectors.

6. *New residential flat building presents an overdevelopment of the site and has overshadowing impacts on adjoining properties.*

Comment – As discussed previously in this report, the new residential flat building is not supported, as it presents an overdevelopment of the site which is to the detriment of the amenity of the adjoining properties.

7. *Traffic and congestion from additional population from the new residential flat building and encouraging more cars due to the excavated car park. Danger for children at the kindergarten on the corner.*

Comment – The proposal seeks to provide 7 additional units to the development and car parking which is well within the DCP's maximum rate. Council's Traffic Management Officer has reviewed the proposal and raised no objection to the proposal. The objector has failed to provide any evidence regarding safety and danger to substantiate the claim. Notwithstanding, the planning department does not support the additional floor space on site.

8. *Concerns regarding the excavated car park in terms of noise, vibration, damage to property and life (and other hazards) and drainage issues in relation to the gully (natural watercourse)*

Comment – The proposal includes a stormwater drainage plan to capture and manage the water on site. This plan was found to be acceptable by Council's Technical Services Department. Damage to property will be addressed by the submission of a dilapidation report prior to construction, and a further Geotechnical Report should be sought as a condition of consent addressing vibration and site stability if the application is approved. Noise from excavation is controlled by the limitations and working hours specified as standard conditions of consent.

9. *Construction nuisances, specifically, vehicles associated with excavation works and up to 2 years of potential burdens.*

Comment – Council's Technical Services have reviewed the proposal and requested a "Construction Vehicle and Pedestrian Plan of Management" (CVPPM) as a condition of consent if the application is approved. The plan is to be approved by Council prior to the issue of a Construction Certificate and the undertaking of any demolition, excavation, remediation or construction on the site.

10. *Residents within the building have objected to changes to internal units, and prefer that the safety upgrade works alone should be constructed. Objections also relate to the telecommunication facilities on top of the building.*

Comment – Letters of objection were received from residents within the building who object to the development as a whole and the loss of income from leases telecommunication facilities on top of the building. The application was submitted with the permission of the Body Corporate. The objections raised by owners of the building do not provide any sufficient justification to refuse the application.

11. Loss of views. Landscaping causing view loss.

Comment – View loss has been discussed previously. Insufficient information has been provided in terms of landscaping as the mature heights of species have not been specified on the landscaping plan. In relation to the relocation of the Fig Tree, this has not been supported by Council's Tree Officer. If the transplanting of the tree was to be supported, an analysis of the location of the tree in relation to the southern view corridor would be required for assessment.

12. Objection to the subdivision of land and sale of the parcel adjoining Tamarama Street, as it balances out the current overdeveloped site.

Comment – This matter has been discussed previously and is considered acceptable. The subdivision of the rectangular parcel is considered a rational portioning of the land as the land is currently unused, and parcel conforms with the pattern of subdivision in the Tamarama streetscape.

13. Exhaust stacks to carpark have not been identified.

Comment – This matter should be addressed as a condition of consent if the application is approved.

14. Pollution to Tamarama Gully as a result of construction on the building. Including airborne contaminants toxic chemicals and paints

Comment – Council's Parks Planning Manager has requested additional information regarding the vegetation and protection of vegetation within the Park. This information would be required prior to any approval being issued. Conditions have been recommended in relation to sediment control to protect matter being transported to Tamarama Park, and the submission of a bond of \$25,000 to ensure protection measures are implemented.

15. Location of laundry and potential security risk, noise, and privacy

Comment – The laundry area is located within the excavated basement, therefore noise will be contained underground and privacy impacts will be negligible. In terms of security risk, the succulent garden above the laundry is not to be trafficable to residents, other than for maintenance of the landscaping. Objectors concerns related to persons being able to stand on the garden area and jump over fences. Insufficient information has been provided on the plans, including no levels of adjoining properties or the top of the roof garden to ascertain whether this is a substantiated concern. If the application was to be supported, further information would need to be required from the applicant to assess the impact in this regard.

16. Fire safety issues

Comment – The current application seeks to rectify current non-compliances with fire safety standards. Further information would need to be provided if the application was to be supported.

17. Air and noise pollution from cars on the carpark ramp

Comment – Given that the site currently has an open car park for 58 cars, it is not expected that the noise or air pollution from cars within excavated car park would be substantially different which would exceed the acceptable limits. This is not considered a justified reason to render the underground car park unacceptable.

18. Objections to development as a result on an inadequate sinking fund.

Comment – The financial position of the body corporate is not a relevant matter for consideration under the Environmental Planning and Assessment Act 1979,

19. Objection to removal of trees which currently screen in between properties.

Comment – Council's Tree Management officer has objected to the removal and transplanting of these trees.

20. Visual impact and overshadowing on Tamarama Park

Comment – The additional level to the existing building is not supported. The aesthetic and structural improvements, including the balconies to the eastern elevation are considered a visual improvement to the building.

21. Grievances with the applicants consultation process prior to the DA.

Comment – Under the provisions of the Environmental Planning and Assessment Act 1979, the applicant is not required to consult with neighbouring properties prior to the lodgement of the DA. The applicant has provided documentation of the Pre-DA consultation process that was undertaken.

22. Financial viability of the project in the current economic climate

Comment – This is not a matter for consideration under Section 79(c) of the Act to constitute a reason for refusal.

23. Beach access

Comment – The objectors' issues related to a separate proposal of Council to provide pedestrian access on the northern boundary of the objectors site at No.16 Illawong Avenue to Tamarama Park. Of particular concern to the objectors is the extent pedestrian traffic which would occur from residents within the proposed development at No. 20 Illawong Avenue utilising this beach access through Tamarama Park. The objector suggested that separate access to the Park for the development should be sought by the applicant. In this regard, a direct access to the Park has not been proposed under this DA and therefore has not been formally assessed.

24. The building should be demolished and compliant building constructed

Comment – It is relevant to is to assess the application as presented through the Development Application process.

25. Existing drainage problems possibly getting worse

Comment – An onsite detention (OSD) system is proposed to manage stormwater on site. The installation of new OSD system should improve existing drainage problems on site. Council's technical services team have found the proposed stormwater system to be satisfactory.

26. Not enough parking provided in the car park

Comment – The provision of parking complies with Council's parking requirements, being lower than the maximum permitted, and higher than the minimum requirement.

The Waverley DCP parking rates are outlined in the DCP and were calculated based on the availability of public transport within the vicinity.

27. Health of transplanted trees and requirement for mature trees on site

Comment – Council's Tree Management officer has objected to the removal and transplanting of these trees.

Section 79C(1)(e) - The public interest.

The proposal is against the public interest.

5. CONCLUSION

Whilst some components of the proposal may be acceptable, the primary part of the works constitute an overdevelopment of the site and are not supported therefore the application is recommended for refusal.

If the Panel was in the mind to support the application, further information as identified within the body of this report would be required to finalise the assessment of the application.

6. RECOMMENDATION

That Development Application No. at 20 Illawong Avenue, Tamarama for alterations and additions to existing residential flat building including additional level, balcony additions, two stair and lift cores, underground car parking, new three storey block of five apartments, landscaping, plus land subdivision to create 3 lots be refused for the following reasons:-

1. The proposal fails the State Environmental Planning Policy 65 principles and Residential Flat Development Code in that the proposal is a gross overdevelopment of the site to the detriment of the surrounding locality. In addition, the additional residential flat building provides for poor amenity to the building, and impacts the amenity of adjoining properties.
2. The proposal does not comply with Clause 3(7)(d) and (f) of Waverley Local Environmental Plan 2006. In this regard, it is considered that the majority of the works proposed present an overdevelopment of the site, and fail to be compatible with the surrounding development. Whilst some of the cosmetic works to the existing building and landscaping will improve the amenity of the surrounding area, the overarching components which increase the density of the site, result in an over development of the site, failing to satisfy parts (d) and (e) of Clause 3 (7).
3. The proposal does not comply with objective (b) of the 2(b) Residential – Medium Density zone as it fails to maintain the amenity of the locality, contrary to Clause 10 of the Waverley Local Environmental Plan 1996.
4. The proposal fails to satisfy Clause 30 of Waverley Local Environmental Plan 1996, as the proposal does not have an acceptable aesthetic appearance when viewed from Tamarama Beach or adjoining to a public reserve. Whilst the rendering the existing building, additional balconies and stairs are considered an acceptable in terms of providing a visual upgrade, the additional height and FSR to the existing 'Glenview

Court' building in addition to the construction of another residential flat building of 1 – 3 storeys in the north west corner of the site would result in a gross overdevelopment of the site. This over development is considered to the detriment of the aesthetic appearance of the site, contrary to Clause 30.

5. The proposal fails to satisfy Clause 45 of Waverley Local Environmental Plan 1996. The site is adjoins Tamarama Park on the east boundary which is listed as a Landscape Conservation Area. Insufficient information has been provided to ensure the protection of Tamarama Park, failing to satisfy Clause 45.
6. The proposal fails to comply with the following provisions of the Waverley Development Control Plan, in particular:
 - (a) Height control set out in Clause 3.3 of Part D2 which permits a maximum height of 9.5m comprising 2 storeys with attic. The building is proposed to be 27.145m high comprising 9 storeys and would result in a building of unacceptable size and bulk that would adversely impact upon the adjoining properties.
 - (b) Floor Space Ratio (FSR) Control set out in Clause 3.4 of Part D2 which permits a maximum FSR of 0.6:1. The proposed development results in two buildings with a combined FSR of 1.74:1 and would result in development of an unacceptable bulk and density in relation to the allotment. This results in an overdevelopment of the site with negative impacts on adjoining residential properties, to the detriment of the character of the area.
 - (c) The proposed second Residential Flat Building “B” fails to comply with the side setback control set out in Clause 3.7 of Part D2 which requires a minimum of 4.5m setback where living areas primarily address side boundaries. The setback of living areas on the north eastern elevation and south western elevations are within 4.5m of the boundaries to the detriment of the amenity of the building and adjoining properties.
 - (d) The proposed second Residential Flat Building “B” fails to comply with the side Building Separation control set out in Clause 3.10 of Part D2 which requires a distance of 9m between non habitable rooms and habitable rooms of buildings on adjoining properties. In this regard, the proposal is within 9m of the adjoining building at 21 Illawong Avenue.
 - (e) The proposed second Residential Flat Building “B” fails to provide sufficient information to determine compliance with the following Clauses of Part D2, Clause 4.9 - Solar Access and Overshadowing; Clause 5.3- Private open space and Clause 5.4 – Storage.
7. The applicant has failed to provide sufficient information with regard to the basement laundry area; survey showing the levels of adjoining properties; conclusive information regarding fire safety and compliance with the Building Code of Australia; information regarding the adjoining Tamarama Park to determine the potential impact of hoardings, balconies and OSD tank on the Tamarama Park and Gully.
8. The proposal results in unacceptable view loss to nearby properties between the view corridor at the southern end of the building and adjoining properties; and over the site to the ocean.
9. The proposal would be contrary to the public interest given the issues raised in the submissions.

NOTES

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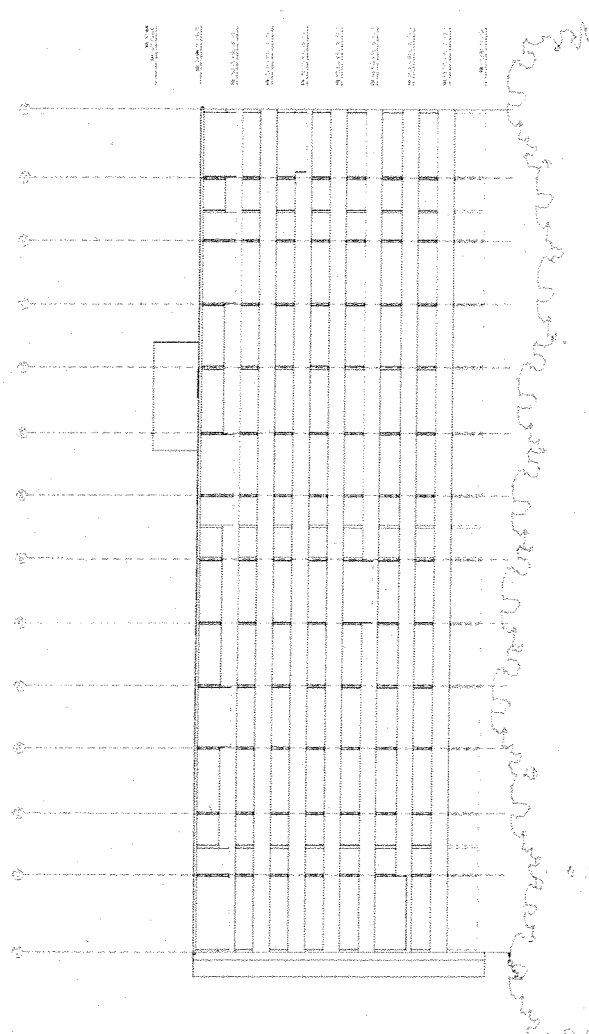
V. ANY CHANGES AND MODIFICATIONS MUST BE APPROVED BY THE FLORIDA DEPARTMENT OF REVENUE IN WRITING.

W. ANY CHANGES AND MODIFICATIONS MUST BE APPROVED BY THE FLORIDA DEPARTMENT OF REVENUE IN WRITING.

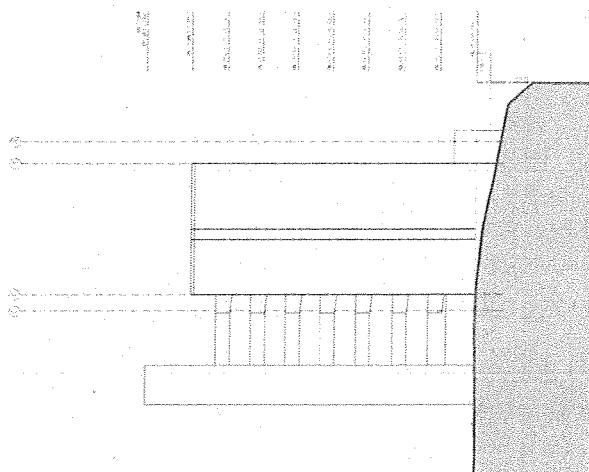
X. ANY CHANGES AND MODIFICATIONS MUST BE APPROVED BY THE FLORIDA DEPARTMENT OF REVENUE IN WRITING.

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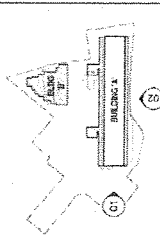
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EXISTING EAST ELEVATION
DA.200



EXISTING SOUTH ELEVATION
DA.200

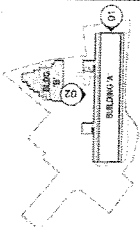


SITE PLAN

2011 ALONG AVE TAMARISK
GLENVIEW
BODY CORP. STRAT 1731
BLDG A - EXISTING ELEVATIONS
100105
DA.200

THESE CONSIDERATIONS CONVINCED THE MEMBERSHIP OF THE BOARD THAT THE ORGANIZATION MUST FIRST CONSIDER THE NEEDS AND DESIRES OF THE INDIVIDUALS WITH WHOM IT WAS TO DO BUSINESS, BEFORE CONSIDERING ITS OWN NEEDS AND DESIRES. THIS WAS THE FIRST STEP IN THE REFORMATION OF THE BOARD OF THE NATIONAL ASSOCIATION OF THE DEAF.

- [illegible]



BY MAIL

ADOLPH WAGNER & SONS LTD
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DA 201

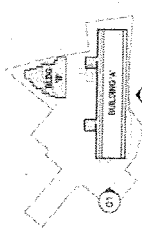
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LEGEND

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KEY PLAN



LEGEND MATERIALS

- 1. FINE FINISH CONCRETE
- 2. FINE FINISH MASONRY
- 3. FINE FINISH METAL CLADDING
- 4. FINE FINISH GLASS CURTAIN WALL
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PROPOSED EAST ELEVATION

PROPOSED SOUTH ELEVATION

20 WILLARONG AVE, TAMERAM

GLENVIEW

BOOY CORP STRATA 1731

BLOK A - PROPOSED ELEVATIONS

TOOLOS

DA.202

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20 ILLAWONG AVE. TAMARAMA

• *Journal of the American Medical Association*

JULY CORP. STRATA 1731

BLDG. A - PROPOSED ELEVATIONS

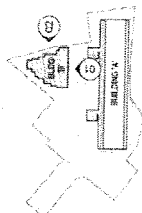
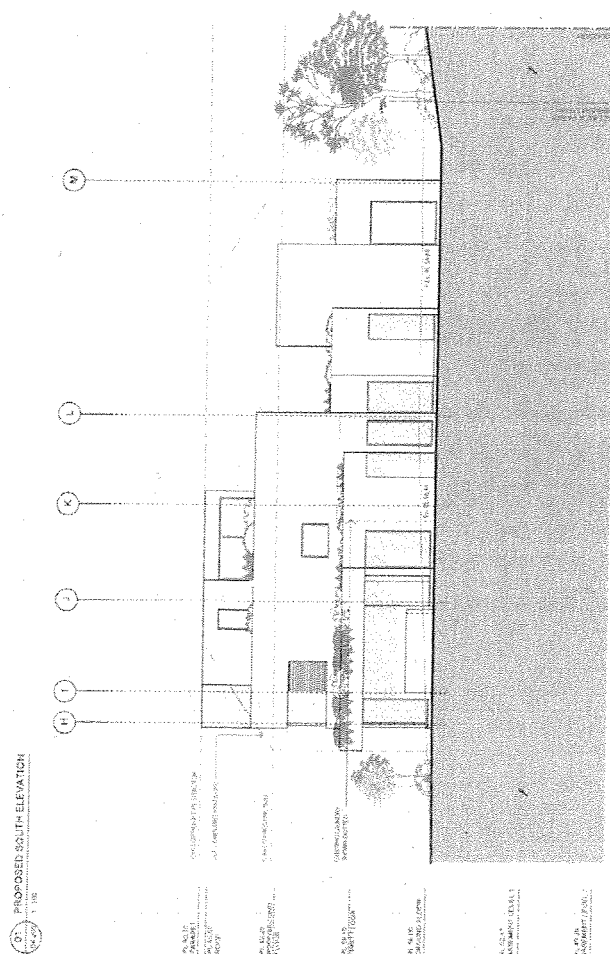
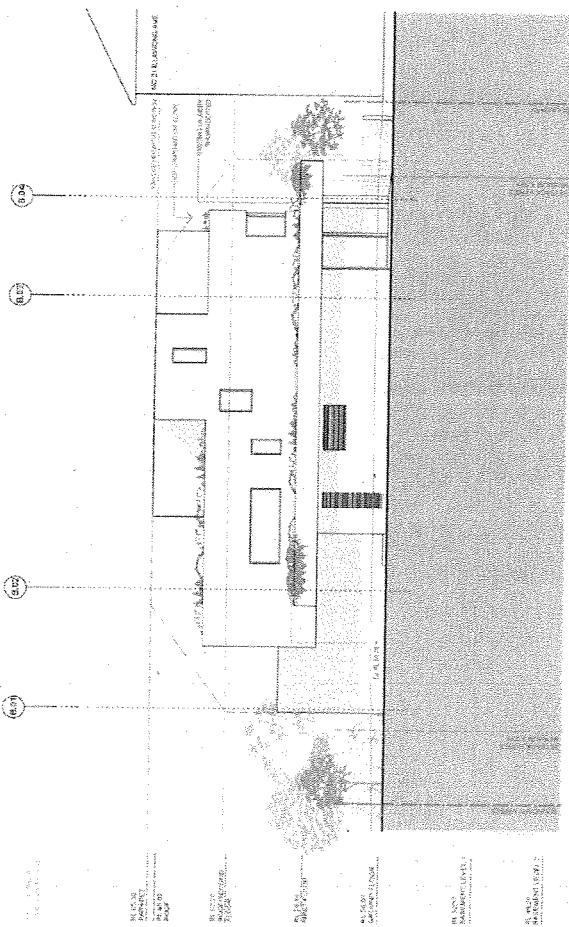
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27. *Library School Foundation, 1972. Available 2014.*

DA 2030

PROPOSED NORTH ELEVATION

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[illegible]

- [illegible]

NOTES

20 ILLAWONG AVE, TAMARAMA

GLENVE

BODY CORP., STRATA 1731

BLOG. B - PROPOSED ELEVATIONS

1000

2nd Marine Division, 2nd Marine Division, 2nd Marine Division

DA 2050

[illegible]

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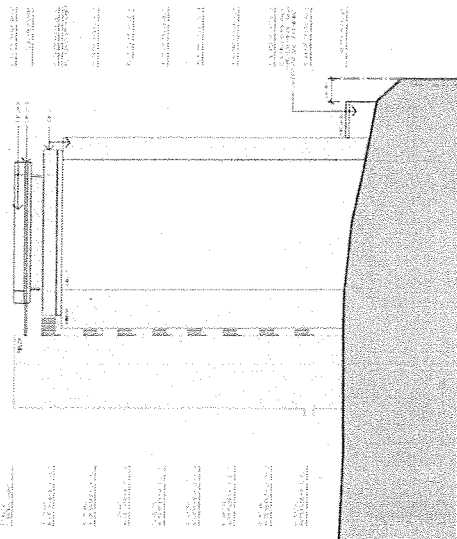
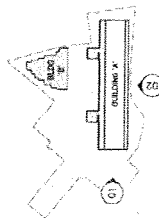
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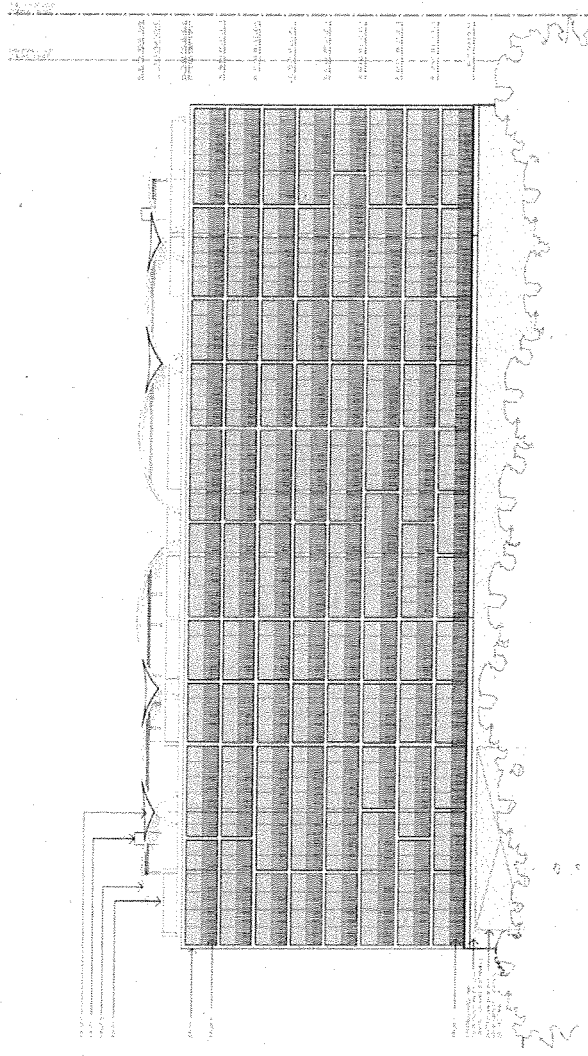
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NET PLAN



21 PROPOSED SOUTH ELEVATION
1:500



22 PROPOSED EAST ELEVATION
1:500

20 ULLAWONG AVE, TAMARUA

GLERVE

BODY CORP STRATA 1731

PROPOSED ELEVATIONS (SHADE)

100105

Prepared by: T. S. 10/10/2010 Date: 10/10/2010

Scale: 1:500

DA.208

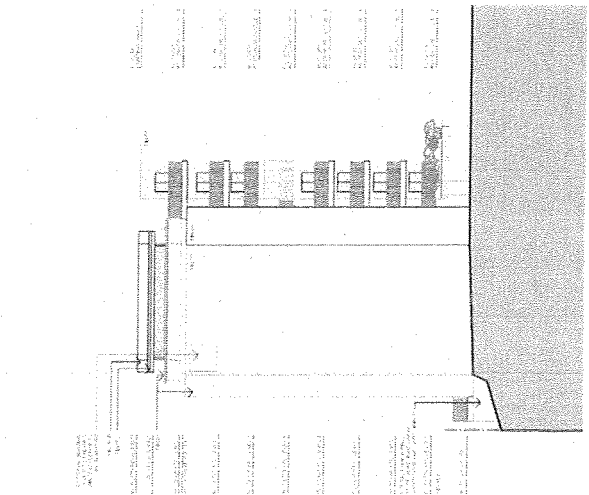
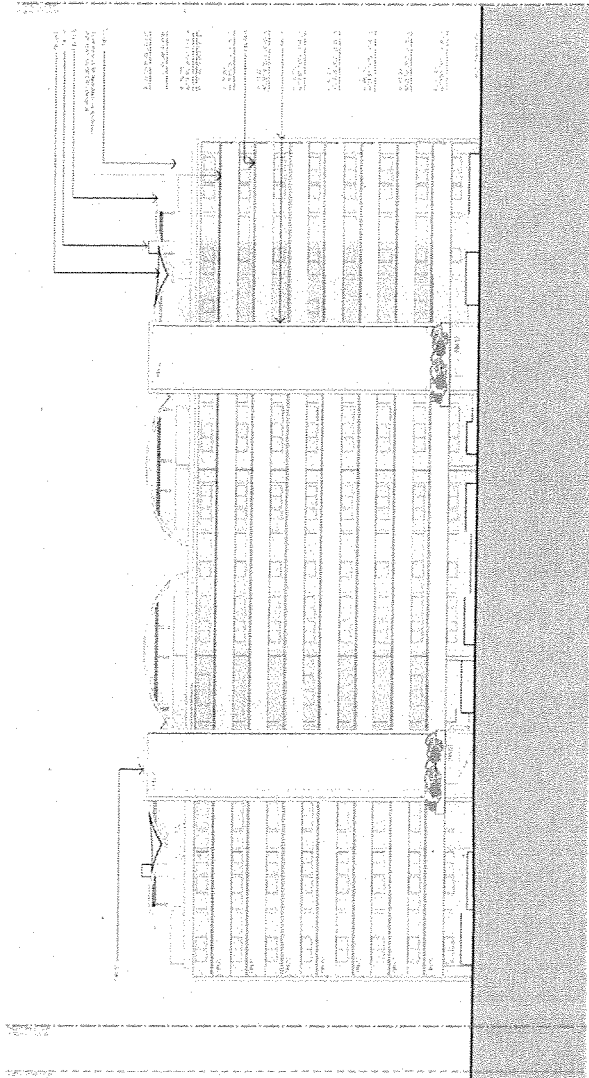
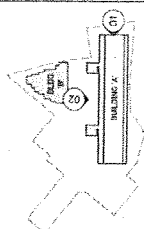
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KEY PLAN

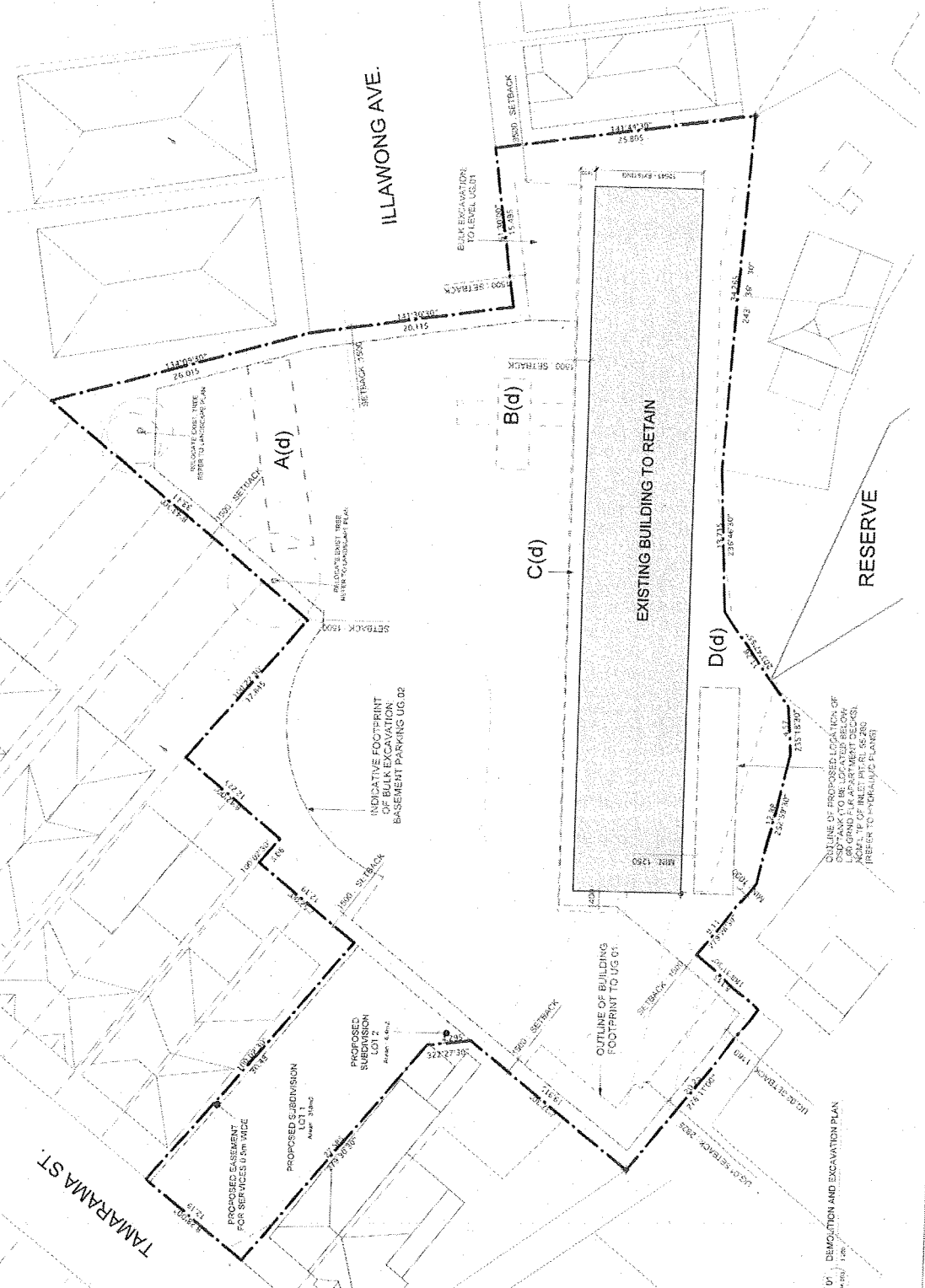
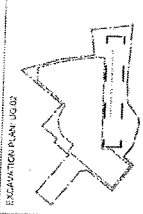
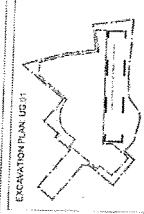
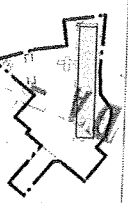


02 PROPOSED WEST ELEVATION
1:200

01 PROPOSED NORTH ELEVATION
1:200

20 ILAWONG AVE. TAVARUA	
GLENVIEW	
BODY CORP. STRATA 1731	
PROPOSED ELEVATIONS (SHADE)	
TUBBOS	
DA.209	

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Waverley Council
RC & CS Department



LEGEND:

- [Symbol] SITE BOUNDARY
- [Symbol] BUILDING RETAIN
- [Symbol] EXISTING DEMOLISHED
- [Symbol] EXISTING DEMOLISHED
- [Symbol] EXISTING LAUNDRY / STORE
- [Symbol] EXISTING STAIR / LIFT CORE
- [Symbol] EXISTING BALCONY / ACCESS - SOUTHERN STAIR
- [Symbol] EXISTING EASTERN VERANDAH TO GROUND FLOOR APARTMENTS

NOTES:

- [A(d)] PROPOSED EXCAVATION FOOTPRINT
- [B(d)] EXISTING NATURAL GROUND RL - NOML RL 55.50
- [C(d)] EXISTING SUBDIVISION FOOTPRINT
- [D(d)] PROPOSED BASEMENT PARKING UG.02 - FTL 40.20

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Department

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RESERVE

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BODDY CORP., STRATA 1731

GROUND FLOOR

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REGIONAL APARTMENT LEGEND INDICATIVE PURPOSES ONLY

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• **BRILLIANTLY** *very well* | **AMAZINGLY** *very much*

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NOTE: TON OF ROSS AINALL NO. 252720 PL. 252720 ALLO

1. *Journal of the American Statistical Association*, 1995, 90(432), 1313-1324.

WINTER

Abstract

Journal of Management Education 36(7) 809-824

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Received 12 November 2003; revised 12 February 2004; accepted 12 February 2004

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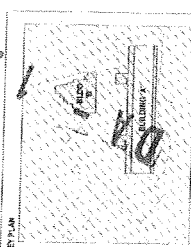
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KEY PLAN

KEY PLAN

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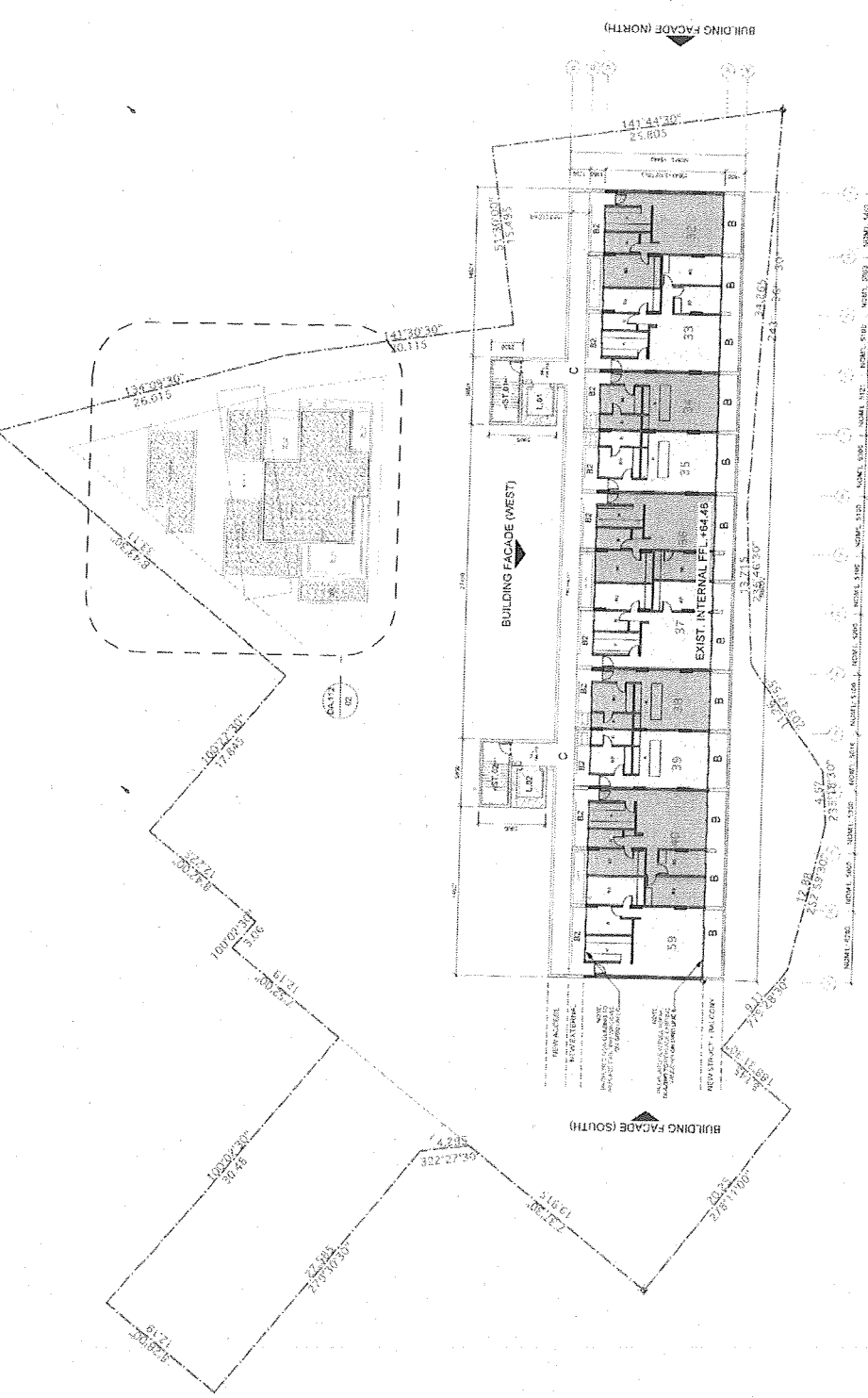
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BUILDING FACADE (EAST)

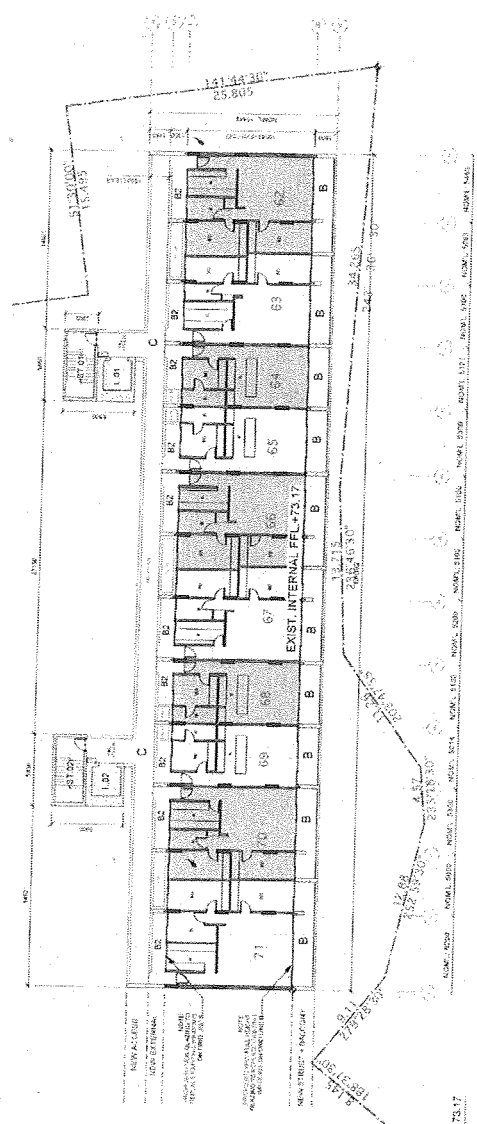
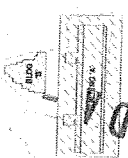
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1.03	EXIST. WALL	1.04	EXIST. WINDOW
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1.07	EXIST. ELEVATOR	1.08	EXIST. RAMP
1.09	EXIST. TERRACE	1.10	EXIST. BALCONY
1.11	EXIST. PORCH	1.12	EXIST. PATIO
1.13	EXIST. DRIVEWAY	1.14	EXIST. GARAGE
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1.27	EXIST. SATELLITE	1.28	EXIST. TELESCOPE
1.29	EXIST. CAMERA	1.30	EXIST. MICROPHONE
1.31	EXIST. SPEAKER	1.32	EXIST. MONITOR
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1.71	EXIST. GOLFING	1.72	EXIST. SKIING
1.73	EXIST. SNOWBOARDING	1.74	EXIST. SURFING
1.75	EXIST. CLIMBING	1.76	EXIST. ROCKING
1.77	EXIST. CRAWLING	1.78	EXIST. CREEPING
1.79	EXIST. SLIDING	1.80	EXIST. TUMBLING
1.81	EXIST. FALLING	1.82	EXIST. CRASHING
1.83	EXIST. COLLAPSING	1.84	EXIST. BREAKING
1.85	EXIST. SHATTERING	1.86	EXIST. CRACKING
1.87	EXIST. SPLITTING	1.88	EXIST. TEARING
1.89	EXIST. PULLING	1.90	EXIST. PUSHING
1.91	EXIST. LIFTING	1.92	EXIST. LOWERING
1.93	EXIST. MOVING	1.94	EXIST. TRANSPORTING
1.95	EXIST. DELIVERING	1.96	EXIST. RECEIVING
1.97	EXIST. STORING	1.98	EXIST. RETRIEVING
1.99	EXIST. MANAGING	1.100	EXIST. MAINTAINING

01 LEVEL 03 EXIST. FFL 40.46

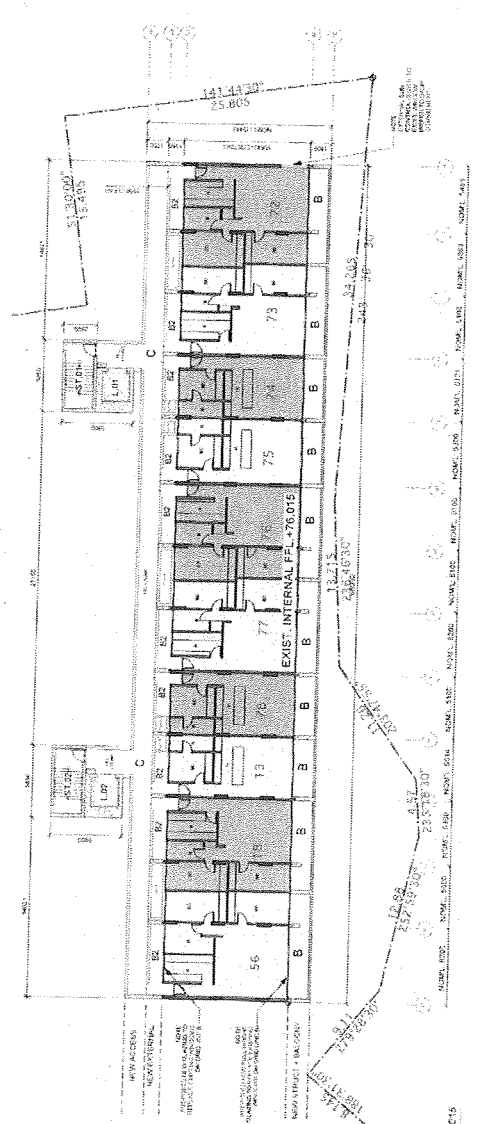
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RC & CS Department
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PLAN



01 LEVEL 06 EXIST. FFL+73.17



02 LEVEL 07 EXIST. FFL+76.015

LEGEND

- REF. 1.00 - EXISTING FLOOR
- REF. 1.01 - EXISTING WALL
- REF. 1.02 - EXISTING DOOR
- REF. 1.03 - EXISTING WINDOW
- REF. 1.04 - EXISTING STAIR
- REF. 1.05 - EXISTING LIFT
- REF. 1.06 - EXISTING RAMP
- REF. 1.07 - EXISTING ROOF
- REF. 1.08 - EXISTING GROUND
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- REF. 1.11 - EXISTING PAVEMENT
- REF. 1.12 - EXISTING LANDSCAPE
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- REF. 1.15 - EXISTING SERVICES
- REF. 1.16 - EXISTING STRUCTURE
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- REF. 1.18 - EXISTING FINISH
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- REF. 1.20 - EXISTING FURNITURE
- REF. 1.21 - EXISTING LIGHTING
- REF. 1.22 - EXISTING SOUNDING
- REF. 1.23 - EXISTING VIBRATION
- REF. 1.24 - EXISTING AIR QUALITY
- REF. 1.25 - EXISTING CLIMATE
- REF. 1.26 - EXISTING ECOSYSTEM
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- REF. 1.35 - EXISTING SCIENCE
- REF. 1.36 - EXISTING TECHNOLOGY
- REF. 1.37 - EXISTING INNOVATION
- REF. 1.38 - EXISTING CREATIVITY
- REF. 1.39 - EXISTING IMAGINATION
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- REF. 1.41 - EXISTING VISIONS
- REF. 1.42 - EXISTING HOPES
- REF. 1.43 - EXISTING DREAMS
- REF. 1.44 - EXISTING VISIONS
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- REF. 1.46 - EXISTING DREAMS
- REF. 1.47 - EXISTING VISIONS
- REF. 1.48 - EXISTING HOPES
- REF. 1.49 - EXISTING DREAMS
- REF. 1.50 - EXISTING VISIONS

- REF. 2.00 - PROPOSED FLOOR
- REF. 2.01 - PROPOSED WALL
- REF. 2.02 - PROPOSED DOOR
- REF. 2.03 - PROPOSED WINDOW
- REF. 2.04 - PROPOSED STAIR
- REF. 2.05 - PROPOSED LIFT
- REF. 2.06 - PROPOSED RAMP
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- REF. 4.00 - PROPOSED FLOOR
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- REF. 4.04 - PROPOSED STAIR
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- REF. 4.50 - PROPOSED VISIONS

INTERNAL APARTMENT LEGEND INDICATIVE PURPOSES ONLY

K = KITCHEN
B = BEDROOM
D = BATHROOM

20 ELANOR AVE. TAMARUA
GLENVIEW
BODY CORP STRATA 171
LVL 06 - 07
TOBOS
DA.107

125/12
RC & CS Depart
ENTLEY CO

DA.106(

5090

BODY CORP., STRATA 1731

INTERNAL, APARTMENT LEGEND: INDICATIVE PURPOSES ONLY

6 KITCHEN
10 BEDROOM
12 BATHROOM

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THESE RESULTS WERE CONFIRMED BY A REPEATED MEASURES ANALYSIS OF THE DATA.

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[illegible]

0-8769-0000-0 \$10.00
0-8769-0001-8 \$10.00

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10

Year	Population	Population	Population
1970	100	100	100
1980	100	100	100
1990	100	100	100
2000	100	100	100
2010	100	100	100
2020	100	100	100
2030	100	100	100
2040	100	100	100
2050	100	100	100
2060	100	100	100
2070	100	100	100
2080	100	100	100
2090	100	100	100
2100	100	100	100

Figure 1. Schematic representation of the experimental design. The subjects were divided into two groups: the control group (n = 10) and the experimental group (n = 10). The control group received a standard diet (SD) and the experimental group received a high-fat diet (HFD). The subjects were divided into two groups: the control group (n = 10) and the experimental group (n = 10). The control group received a standard diet (SD) and the experimental group received a high-fat diet (HFD). The subjects were divided into two groups: the control group (n = 10) and the experimental group (n = 10). The control group received a standard diet (SD) and the experimental group received a high-fat diet (HFD).

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LEVEL 04 - EXIST. FFL. + 07.40

2 - LEVEL 05: EXIST. FFL. = 70.27'

LEGEND:

Figure 1. \log_{10} of the relative abundance of *Brachymeria* spp. in the *Phaenocarpa* spp. wasps. The y-axis represents the \log_{10} of the relative abundance of *Brachymeria* spp. in the *Phaenocarpa* spp. wasps. The x-axis represents the \log_{10} of the relative abundance of *Phaenocarpa* spp. in the *Phaenocarpa* spp. wasps. The data points are shown as open circles. The regression line is shown as a solid line. The equation of the regression line is $y = 0.5x + 1.5$. The correlation coefficient is $r = 0.95$.

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Figure 6

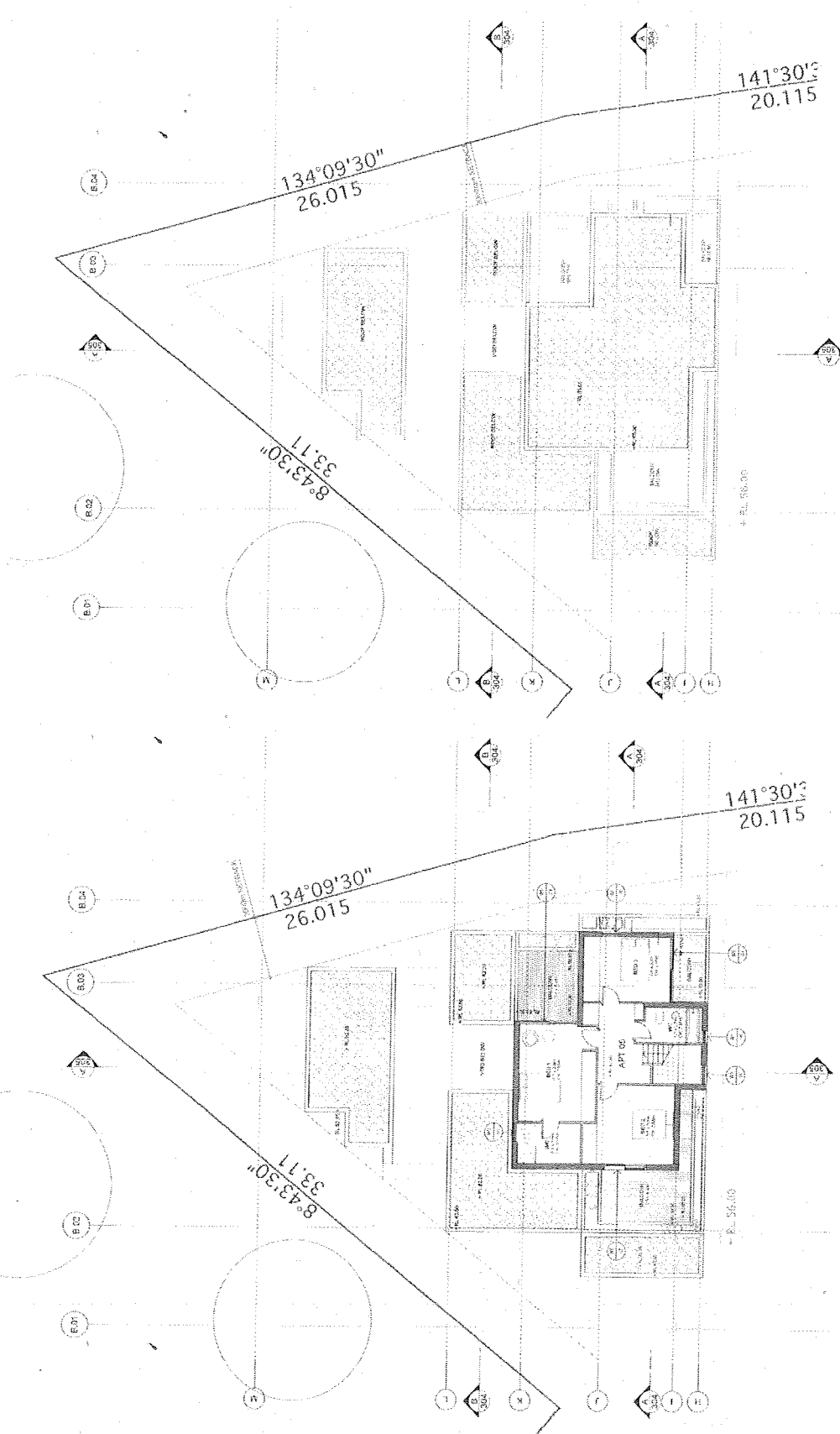
Figure 6 shows a plot of the normalized difference between the two sets of results, $\frac{R_{\text{max}} - R_{\text{min}}}{R_{\text{max}} + R_{\text{min}}}$, versus the parameter α . The y-axis ranges from 0 to 0.08, and the x-axis ranges from 0 to 1. The curve starts at approximately 0.07 for $\alpha = 0$, decreases sharply to about 0.01 at $\alpha = 0.5$, and then remains relatively flat around 0.01 for $\alpha > 0.5$.

NOTES

1. ALL DIMENSIONS ARE IN METERS UNLESS OTHERWISE SPECIFIED.
2. THE SHOWN BUILDING FOOTPRINT IS BASED ON THE INFORMATION PROVIDED BY THE CLIENT.
3. THE SHOWN BUILDING FOOTPRINT IS BASED ON THE INFORMATION PROVIDED BY THE CLIENT.
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DA-112

KEY PLAN



01 BUILDING B SECOND FLOOR (REF. 452.20)

02 BUILDING B ROOF PLAN

20 WILLAWONG AVE. TAMARICA
GLENJEE
BODY CORP. STRATA 1731
BUILDING B LVL 02 & ROOF PLANS
TOOLOS
DA-112

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3 APR 2012
WAVERLEY COUNCIL
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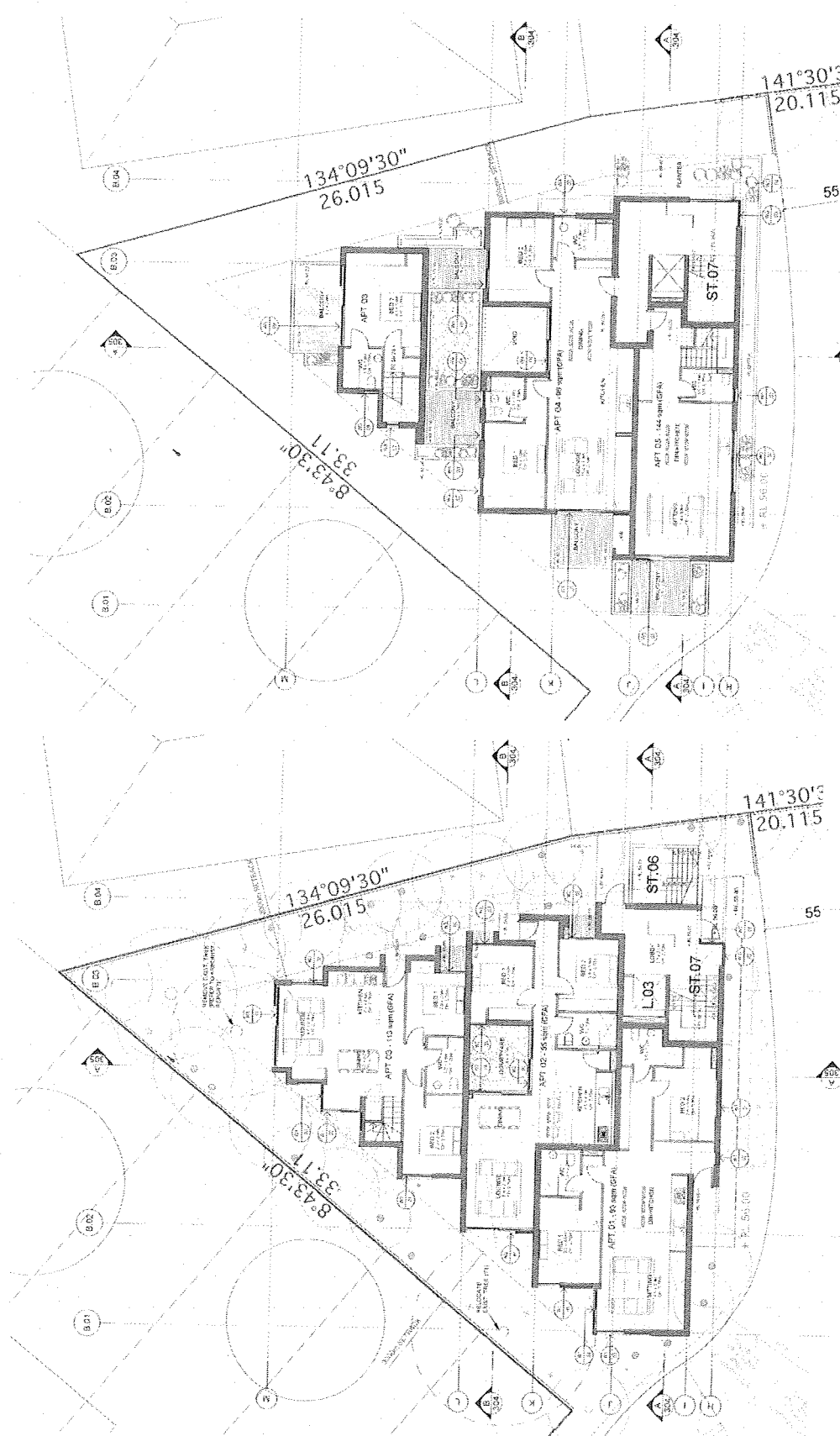
DA-125/112

DA.111

20 ILLAWONG AVE, TAMARUA
GLEWJUE
BODY CORP STRATA 1731
BLOCK B 1/LV GP-01 PLANS

100105

1:100
DATE: 11/01/08
DRAWN: J. DODD
CHECKED: J. DODD
SCALE: 1:100



01. BUILDING B GROUND FLOOR PFL 450.00

02. BUILDING B LEVEL 1 PFL 455.10

