



13553  
15 December 2014

Ms Lisa Foley  
Panel Secretariat  
Sydney East Joint Regional Planning Panel  
23-33 Bridge Street  
SYDNEY NSW 2000

Dear Ms Foley,

**18-22 OCEAN STREET NORTH AND 30 WELLINGTON STREET, BONDI  
PANEL REFERENCE 2014SYE115**

We refer to the Development Application (DA) submitted by Mirvac Projects Pty Ltd for a high density residential development. Mirvac received Council's Report to the Joint Regional Planning Panel and draft conditions of consent on 4 December 2014. The Report supports the proposed development and recommends approval subject to Deferred Commencement Conditions.

As the Panel would be aware, on 2 December 2014 Waverley Council met to consider the proposed development. The elected Council upheld the officer's recommendation to support the proposed development, subject to the provision of additional parking, deletion of the rooftop plant screens from Buildings A, D and E, rationalisation of condensers, modification to the footprint of Building C and the payment of funds towards road and pedestrian safety upgrades.

Whilst Mirvac is supportive of the Council officer's recommendation, there are several matters in the draft conditions of consent which require further consideration. Similarly, Mirvac would like to respond to some of the recommendations made by the elected Council, primarily with respect to parking and modifications to Building C.

This letter highlights the key concerns, the table at Section 5 details those conditions which Mirvac would like the Panel to reconsider, and provides a justification for the proposed changes.

## **1.0 BACKGROUND**

The background of the proposed development is outlined in detail in the Council officer's report. However, as background to this letter, we would like to outline the previous approval for the site, the progression of the scheme during the assessment process, and the proposal's compliance with the LEP controls.

### **Benevolent Society DA and Overlay Plans**

As the Panel would be aware, in May 2010, development consent was issued by the Land and Environment Court for development of the site as a senior's housing development. We understand that the Panel has been presented with plans which compare Mirvac's Amended DA scheme, with what are assumed to be the approved Benevolent Society plans.

We note that the Benevolent Society approval should not be used as the basis for determining whether the proposed scheme is appropriate, particularly as the site has been rezoned since the approval of that application. Further, it is important to note that the Benevolent Society scheme envelopes shown on the comparison drawings are indicative only, and have been created from manual measurements of scanned hardcopies of the plans. These drawings were supplied to Mirvac by Waverley Council on 26 August 2014, and no digital information, including surveys or architectural plans, were available to

produce these comparison drawings. Further, we note that neither Council, Mirvac or Smart Design Studio have been able to confirm the status or accuracy of the information supplied, as the plans were not stamped or identified as being the approved plans. Based on the above, all areas are approximate and will have a margin of error that may be greater than 10%. It should also be noted that Levels 7 – 10 were excluded from the plans and area schedules that were issued to Mirvac by Council and therefore, this information has been omitted from Mirvac's plan overlays.

### **Progression of Scheme and Compliance with LEP Controls**

Throughout the DA process, Mirvac has worked closely with Council to achieve the best design outcome for the site, whilst minimising any adverse impacts on neighbouring properties. Mirvac has always sought to comply with Council's LEP standards relating to height and FSR. The development complies with the base FSR applying to the site. The scheme also complies with the LEP height limits, with the exception of a minor non-compliance in the north-east corner of the site (Building C) which exceeds the height limit by 1.2m to accommodate a lift overrun. The non-compliance will not result in any adverse built form or amenity impacts, and Building C will be no higher than the heritage-listed Scarba House which is located in this part of the site. The remainder of the buildings comply with the maximum LEP height controls.

The following summary highlights the key differences between the pre-DA, DA and Amended DA schemes.

#### *Pre-DA scheme – March 2014*

The pre-DA scheme proposed:

- 224 residential dwellings.
- A total GFA of 19,164m<sup>2</sup>.
- A FSR of 1.72:1.

Note: A maximum floor space ratio of 1.5:1 applies to the site, and there is currently a bonus 15% gross floor area permitted if 50% of the additional GFA is provided as affordable house for a 3 year period. On this basis, the total maximum permissible FSR on the site is 1.725:1.

- 171 car parking spaces.

#### *DA scheme- May 2014*

In response to the comments made by Council and the SEPP 65 Panel during pre-DA discussions, a number of amendments were made to reduce the scale of the development and provide an improved relationship to Scarba House. The DA scheme sought approval for:

- Five residential buildings with a combined GFA of 17,733m<sup>2</sup> and an overall FSR of 1.592:1, including approximately 500m<sup>2</sup> of affordable housing floorspace.
- 205 residential dwellings.
- Construction of a part one / part two level basement carpark with vehicle access points on Ocean and Wellington Streets.
- 171 car parking spaces made up as follows:
  - 158 resident spaces;
  - 10 visitor spaces; and
  - 3 car share spaces.

#### *Amended DA scheme - October 2014*

In response to the public submissions received and Council's feedback, the DA scheme was amended as follows:

- The bulk and scale of the scheme has been reduced, with 14 fewer (191) dwellings proposed.

- The proposed GFA has been reduced by over 1,000m<sup>2</sup>, to 16,704m<sup>2</sup> (an overall reduction of nearly 2,500m<sup>2</sup> compared to the original pre-DA scheme).
- The amended scheme seeks approval for an FSR of 1.5:1, and does not propose any bonus FSR.
- An additional basement level has been constructed resulting in the provision of 221 parking spaces. Visitor parking spaces have been increased by 35 spaces to a total of 45 spaces (now compliant with DCP 2012).
- The ratio of car spaces to residential apartments has been increased from 77% to 91%.
- Vehicle movements are more evenly distributed between Wellington Street and Ocean Street North, with a new left only exit from Wellington Street.
- Building setbacks to Building E have been increased, and now comply with Waverley DCP 2012.

This process highlights the efforts that Mirvac has gone through to improve the scheme in response to issues raised by Council and the community. The scheme has always sought to improve the reading of Scarba House and retain the heritage listed trees on the site. The provision of through-site links and substantial open space in the centre of the site has also been a key feature throughout the design process. Similarly, Mirvac has always maintained a commitment to be the first residential development in Waverley to exceed BASIX sustainability targets by 25%.

## 2.0 DEFERRED COMMENCEMENT CONDITIONS

### Site Audit Statement

Mirvac is generally satisfied with the Deferred Commencement Condition regarding the need to prepare and submit a Site Audit Statement (SAS). A Remediation Action Plan (RAP) has already been prepared for the site which confirms that the site can be made suitable for the proposed use. The RAP formed Appendix I of the Amended DA submission. It is expected that the Site Audit Statement will be complete by January 2015.

### Substation Location

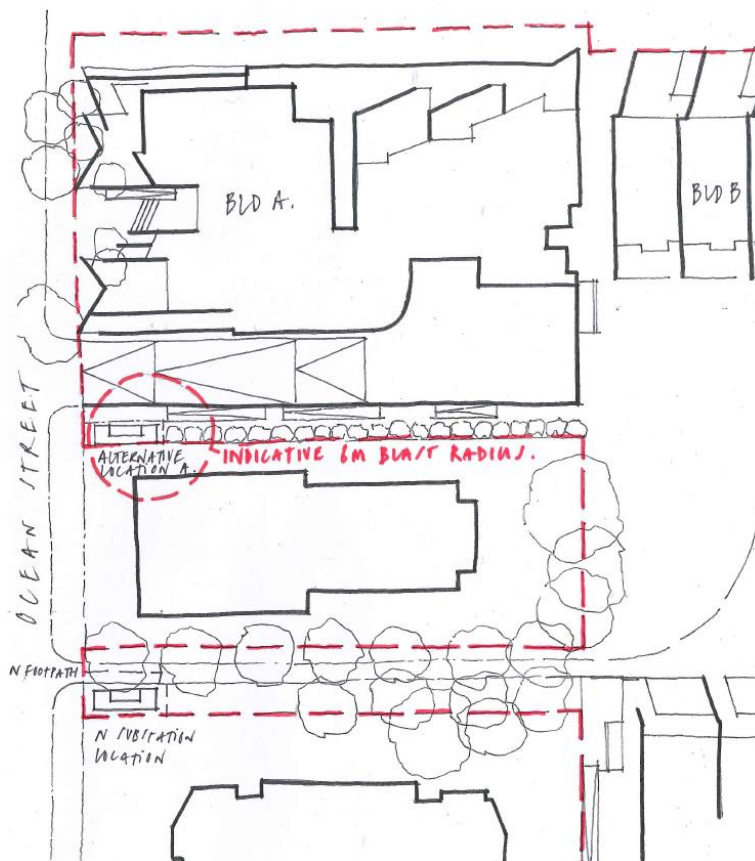
The Council Officer's report and the Deferred Commencement Conditions recognise Mirvac's previous response, and the justification that has been submitted to support the proposed location of the substation at the Ocean Street North entry to the through-site link.

Council has also acknowledged that the JRPP may resolve to allow the substation in its current location, subject to receiving the concurrence of Ausgrid.

Mirvac maintains that the proposed location is the only suitable location for the proposed substation. This is supported by the statement prepared by Integrated Group Services (IGS) (submitted at Appendix H of the Amended DA submission, and **attached** for reference). IGS has been liaising with Ausgrid since before Mirvac acquired the site. IGS has reviewed the substation location, and in consultation with Ausgrid, has confirmed that the proposed location is the only suitable location for the substation for the following reasons:

- The 11kV high voltage network does not extend any further north past the existing kiosk substation located at 26 Ocean Street North and there is no high voltage network on Wellington Street. The proposed location has been carefully assessed and negotiated with Ausgrid's Contestability Manager to ensure the site can be adequately serviced from Ausgrid's Network. This is evidenced by the Deed prepared by Ausgrid (attached to IGS's letter) which shows the design of the substation on Ocean Street North.
- Mirvac were advised during due diligence that the substation was required to be located behind the property boundary on ground that is within a few hundred millimetres of the level of the existing road. There are only two locations on the site that meet this requirement, being the proposed location on Ocean Street North and the southern boundary of the site on Wellington Street. The southern boundary location has been discounted as it would require extensive trenching which would interfere with the Structural Root Zone of the heritage listed Norfolk Island Pine.

- The proposed location provides unobstructed level access for installation and ongoing maintenance in accordance with Ausgrid Network Standards.
- Options to incorporate the substation into the building were also discounted due to the adverse impact it would have on the design and architecture of the buildings as a result of Ausgrid's access requirements and the need to provide adequate blast proofing. Relocating the substation to the walkway alongside Building A was considered, however for safety reasons, the substation and any building openings to habitable space are required to be separated by more than 6m, which is not achievable in this location due to the proximity of the neighbouring property. The sketch at **Figure 1** indicates the 6m blast radius and the impact it would have on the neighbouring building. In addition, the opportunities to provide landscaping to screen the substation are more limited adjacent to the driveway entry. An example of the type of poor design outcome that would result from locating the substation adjacent to Building A is provided in **Figure 2**.
- Ausgrid's Contestability Manager has confirmed that the kiosk substation can be screened by hedges, shrubs, climbing plants and / or fences up to 2 metres tall to reduce the visual impact on the streetscape and through-site link, provided gates are supplied to provide adequate access. IGS has had a preliminary discussion with Aspect Studios and believe that an appropriate solution can be reached. An image indicating the type of screening that can be achieved has been prepared by Aspect Studios, and is provided at **Figure 3**.



**Figure 1** – Extent of the 6m blast zone if the substation is located adjacent to Building A





**Figure 2** – Example of the poor design outcome achieved when a substation is placed in front of a building, requiring a 6m blast zone



**Figure 3** – Indicative screening of the proposed substation, looking down the through-site link from Ocean Street North

### 3.0 HERITAGE CONSIDERATIONS

#### Relationship between Scarba House and Building C

The elected Council's recommendation seeks to setback the footprint of the southern element of Building C to be consistent with the Benevolent Society approval. We wish to reiterate the significant changes that have already been made to Building C to improve the visual curtilage of Scarba House, as well as the general heritage benefits that the proposed scheme offers compared to the Benevolent Society's development.

Further it is noted that the elected Council's recommendation is not reflected in the Council officer's report or the draft conditions of consent. The Council officers support the proposed design of Building C, stating that the footprint is similar to previously approved Building C and noting that *'The amended proposal has provided a set down on the southern side of Building B to the eaves level of Scarba House. This was to allow increased views through to Scarba House from Wellington Street and the public domain. This amendment is considered appropriate to ensure a sufficient curtilage to this building...'*

As part of the Amended DA, and following comments received from Council's heritage officer, Building C was redesigned to provide a step down to three storeys on the southern edge in order to establish a height datum to the eave line of Scarba House. As outlined below, Building C, and the scheme more broadly, has been designed to respect the site's heritage significance. In summary:

- The arrangement of the buildings around the existing building and their height and location amongst the existing trees is carefully considered to achieve an elegant balance of new and old, framing views and creating outdoor spaces suitable to the site's renewal for residential purposes whilst also respecting, acknowledging and emphasising past uses.
- The traditional views towards Scarba House through the landscape are maintained by the proposal, with the angled façade of Building D acknowledging the original landscaped design intent for a diagonal vista from the Wellington Street crossover towards the front façade of Scarba glimpsed through the trees.
- The south façade of Building C is designed to form a simple backdrop to the significant heritage residence adjacent. It is designed to have a calm restraint, with simple but textured materials and, acknowledging the comments of the design review panel, carefully arranged fenestration to enable apartments to look out onto the green central courtyard.

This is supported by Mirvac's heritage consultant, Graham Brooks and Associates, who have confirmed that the proposed scheme represents an appropriate heritage outcome, and provides a number of benefits over the Benevolent Society approval. In summary:

- Historic Scarba House is retained, freed from modern excretions and externally upgraded to facilitate future residential use by a private owner.
- Under the Benevolent Society consent, Scarba House was to be re-used for commercial purposes, with many sub-optimal outcomes from a heritage perspective.
- The landscaped foreground of Scarba House is retained and upgraded to ensure the grand historic house remains as a prime component of the overall development.
- The adjoining residential apartment building (Building C) on the north-east corner of the overall site is set back from the 'frontage line' of Scarba House and is well separated from it, ensuring a wide viewing angle to the historic house from Wellington Street and within the site.
- Extensive articulation of new buildings and good site planning ensure retention of the mature trees and landscaped setting for the overall site and the historic house.

With reference to the elected Council's request to provide an additional setback to Building C to open views to Scarba House from Wellington Street, it is noted that the slope of Wellington Street, together with the height of the stone retaining wall, effectively prevents any additional views to Scarba House that would be created by an additional setback. This is demonstrated by **Figures 4 to 7**, which show the existing view at various points along Wellington Street. Views to Scarba House from Wellington Street are currently obscured by a later building, fencing and major trees. Removal of the modern building and poor quality fencing, and the revised positioning of Building C as currently proposed, will greatly enhance views to the historic house.



In summary:

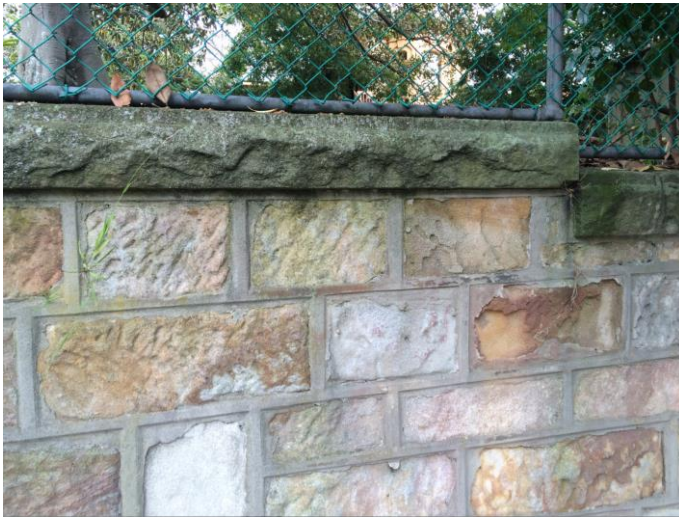
- **View 1** shows the primary view of Scarba House from Wellington Street, where the sandstone wall is 760mm high. This view will not be impacted by Building C, and would not be improved by any additional setback to Building C.
- **View 2** is from lower down Wellington Street where the wall is 1.82m high. From this location only the top of Scarba House can be seen. Notwithstanding this, any views to Scarba House are largely obscured by foliage from existing heritage trees, which are to be retained. Any amendment to Building C would not result in significant views from this location.
- **View 3** is in line with proposed Building C, and would be the only place where a pedestrian would obtain a visual benefit from an additional setback. At this location the wall is 2.06m high, and so no views are available to Scarba House.



Figure 4 – View locations



**Figure 5** – View 1 looking towards Scarba House from Wellington Street (wall height 760mm). This view will not be impacted by the proposed Building C and would not be enhanced by any additional setback to Building C.



**Figure 6** – View 2 looking towards Scarba House from Wellington Street (wall height 1.82m). This view will not be significantly impacted by Building C and would not be enhanced by any reduction to Building C.



**Figure 7** – View 3 looking towards Scarba House from Wellington Street, in line with Building C. The wall height of 2.06m prevents any views to Scarba House.



### Wall Opening to Wellington Street

Draft Condition 5(e) requires that the opening in the sandstone wall in front of Building C on Wellington Street be deleted. In consultation with Smart Design Studio and Graham Brooks and Associates, it is proposed to delete this part of Condition 5(e) so that the wall opening can be retained. The proposed wall opening to accommodate a pedestrian entry is considered appropriate as it provides:

- A direct entry off the street into this building provides;
- A highly visible, legible and secure entry for visitors;
- Quicker, clearer and simpler access for deliveries;
- A more direct connection to the street for residents;
- A means of providing separate and discreet waste collection, eliminating the need for bins to be moved through the site; and
- A way to re-use part of the existing structure on the site in this location, reducing the embodied energy required to develop the site.

As outlined above, the opening and gate is essential in providing a sense of address to Building C. The need to provide each individual building with an address has been one of Council's key considerations throughout the assessment process. Removing the opening and gate would mean that Building C would have to be accessed from within the site, and would not have its own separate address or entry. Throughout the assessment of the development application, the Council officers often referred to a 'pizza man' test. That is, what address would you give to a delivery person or visitor? Mirvac was required to change its design throughout the scheme in order to better comply with this requirement. We believe that requiring the deletion of this opening and entrance would mean that Building C would fall short of this particular Council consideration.

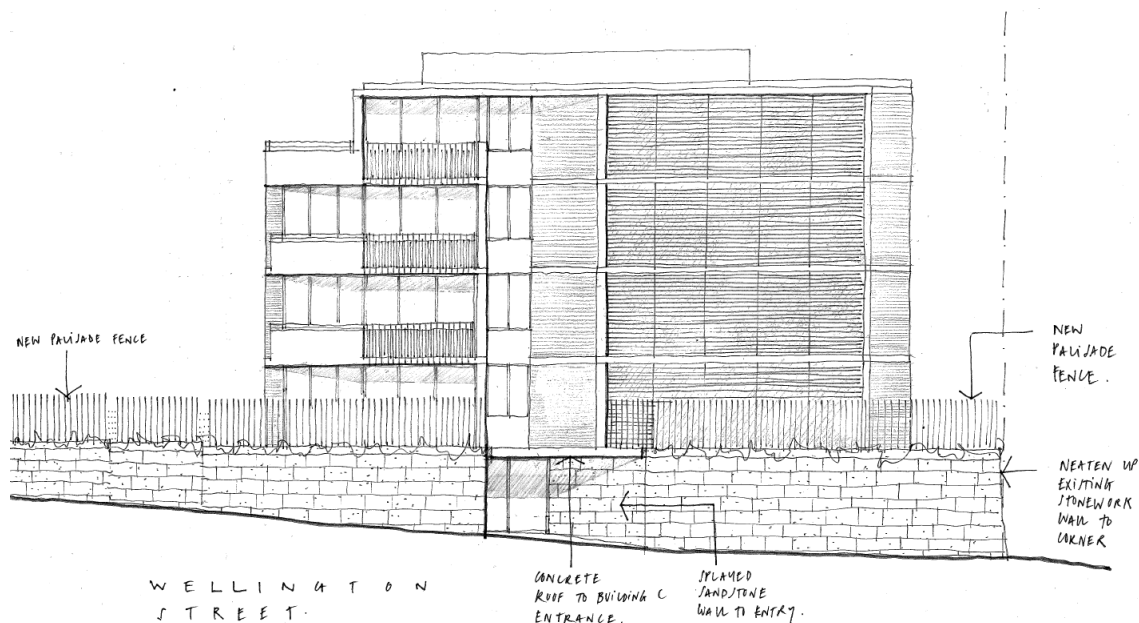
Further, requiring an entry from within the site would increase the building's impact on Scarba House and its heritage landscape. In order to function at its best, the entry to Building C would need to be clearly identifiable which would more significantly impact on the landscaped courtyard and the adjoining heritage house rather than forming a calm and quiet backdrop.

It is noted that due to the age of the existing sandstone wall, its current poor state of repair and the arrangement of the existing building immediately behind it, stabilisation works are required in this location. These works will have a visible component regardless of the design. Due to the presence of the existing opening in the sandstone in this section of the wall, the proposed entrance is considered a logical solution that will have the least visible impact when viewed from the public domain. The existing opening in the wall and its current state of repair are shown at **Figure 8**.

Finally, the entry has been designed as an attractive and distinctive component within the precinct's architectural family of buildings. As part of the design process Smart Design Studio has refined the proposal in consultation with Graham Brooks and Associates to provide for the reconstruction of the sandstone wall along one side of the entry portal extending within the site. A sketch of the proposed design is provided at **Figure 9**.



**Figure 8** – View of the sandstone wall on Wellington Street, showing the existing opening and the wall's poor state of repair



**Figure 9** – Indicative sketch of the proposed wall opening on Wellington Street

#### 4.0 CAR PARKING AND TRAFFIC AND PEDESTRIAN MANAGEMENT

##### Car Parking

The elected Council has recommended that an additional basement level be provided to accommodate 'around 70' extra parking spaces, to be consistent with Council's draft DCP amendment. This requirement for additional parking is largely based on bus capacity, with the elected Council noting that buses along Bondi Road are often full.

We note that this recommendation is not reflected in the Council officer's report or the draft conditions of consent. The Council officers have recognised that the amount of car parking proposed has been increased to 221 spaces (at Council's request) with an additional level of basement parking provided below Building A. This includes an extra 35 visitor spaces, taking the total number of visitor parking spaces to 45 (compliant with DCP requirements).

The Council officer's report goes on to note that the number of resident spaces proposed exceeds the maximum permitted by the current DCP 2012 by 24 spaces, which is considered appropriate given the concerns raised by the public. Whilst the report notes that Council is in the process of reviewing the parking controls of the DCP (and that the proposal will not exceed the proposed (draft) maximum rates) it correctly identifies that the draft DCP amendment has no planning weight and does not technically apply

to the subject development. Rather than suggesting that Mirvac should increase the parking provision to be consistent with Council's draft rates, Council officers have used the proposed maximum rate as a means of justifying the exceedance of the existing DCP.

In summary, the proposed parking rate is considered appropriate for the following reasons:

- The scheme fully complies with the visitor parking requirements under Waverley DCP 2012.
- The additional resident parking (provided at Council's request) meets, and in fact exceeds, the current DCP maximum parking rates.
- The ratio of car spaces to residential apartments has been increased from 77% (under the original DA) to 91%. We note that this ratio is higher than the Waverley car ownership rate of 79% and so there is not demand driver to justify a further increased in parking supply for the proposed development.
- The draft DCP has no statutory weight, and is not a matter for consideration under Section 79(C)(1) of the *Environmental Planning and Assessment Act 1979*.
- The proposed parking provision is supported by:
  1. Council's traffic engineers;
  2. Mirvac's traffic consultant (Parking and Traffic Consultants); and
  3. the independent consultant engaged by Council to undertake a peer review of Mirvac's report (GTA Consulting).
- Consistent with the desire to provide an environmentally sustainable development, the scheme provides 3 car share spaces and 209 bicycle parking spaces. The provision of additional car parking would be inconsistent with these sustainability principles.

Finally, public transport capacity is not a valid reason to require additional parking on the site. Whilst Mirvac cannot resolve existing bus capacity concerns, Council's comment that additional parking spaces should be provided so that more residents can drive would only serve to exacerbate traffic issues in the area.

### **Traffic and Pedestrian Management**

The findings of Mirvac's traffic consultant (Parking and Traffic Consultants) have been supported by Council's independent peer review, and the Council officer's report has not raised any concerns around traffic generation associated with the proposed development.

Notwithstanding this, the elected Council has requested that Mirvac make a contribution to the improvement of road and pedestrian safety in Wellington Street in the School Zone, and at the intersection of Wellington Street and Bondi Road.

The traffic assessment undertaken in relation to the project established that the traffic volumes associated with the development would not result in a notable impact on the operation of the existing road network during the peak periods. In this regard, no road or intersection upgrades are required relating to road capacity. In relation to safety, the design of the driveways is fully compliant with the requirements of AS2890.1 and is supported by Council's assessment. In the context of the existing traffic activity on the road network, the minor increase associated with the development is not sufficient to cause any impact on the safe operation of the road network, or pedestrian movements.

## **5.0 ADDITIONAL MATTERS FOR CONSIDERATION AND PROPOSED CHANGES TO CONDITIONS**

In addition to the key matters outlined above, Mirvac requests that the following changes to the conditions be considered to ensure that the consent is workable, and consistent with the submitted documentation. The proposed changes to the conditions, and a justification for each proposed amendment, are outlined below.

- Condition 4(a) Screening / enclosures;
- Condition 4(d) Ceiling Fans;



- Condition 4(e) Clerestory Windows;
- Condition 5(c) Opening of sandstone wall on Wellington Street;
- Condition 12 – Amended Landscape Plan;
- Condition 102 – Wellington Street Crossing;
- Condition 113 – Tree Plan; and
- Condition 114 – Tree Protection.

<p><b>Condition 4 (a) Screening / enclosures</b></p> <p>The screening / enclosures around the roof plant on the roofs of Buildings A, D and E shall be deleted.</p>	<p><b>Condition 4 (a) Screening / enclosures</b></p> <p>The screening / enclosures around the roof plant on the roofs of Buildings A, D and E shall be <del>deleted</del> rationalised.</p>	<p>In response to submissions received around view loss from neighbouring buildings, both the elected Council and Council officers have requested that plant screening be deleted. This would not result in an optimal outcome from a visual impact or acoustic perspective. It would result in surrounding residents looking directly on to plant equipment, and would remove the acoustic benefits afforded by the screens.</p> <p>However, it is acknowledged that the screens can be minimised and rationalised to reduce their scale and visual impact. An indicative revised roof plan showing how the screening could be reduced is <b>attached</b>. The proposed amendment would provide the opportunity to better resolve the plant screening / enclosures whilst still allowing them to perform the function of screening plant and providing acoustic mitigation.</p> <p>Given the indicative reduction in the extent of the plant, it is still recommended that the screens be provided at a height of up to 1.2m above the topmost roof parapet level to provide some screening of this from neighbouring properties. These screens would be appropriate because:</p> <ol style="list-style-type: none"> <li>1. Screens of this height will be at approximately the same height as the top of the condensers.</li> <li>2. Any neighbouring windows at this height will only gain a very narrow sliver of additional view in a direction perpendicular to the plant if the screens are removed. All other windows will not gain any additional outlook through deleting the screens.</li> <li>3. The screens will be more aesthetically pleasing than seeing condensers / pipe runs.</li> <li>4. The screens will provide acoustic benefits to properties at or below the level of the condensers.</li> </ol>
<p><b>Condition 4 (d) Ceiling fans</b></p> <p>Ceiling fans shall be provided throughout each of the units and indicated on the plans.</p>	<p><b>Condition 4 (d) Ceiling fans</b></p> <p><del>Ceiling fans shall be provided throughout each of the units and indicated on the plans.</del></p>	<p>This condition has been copied from the SEPP 65 Panel's report based on their review of the <u>original DA scheme</u>. At that point in time, the development did not fully comply with the SEPP 65 Rules of Thumb for cross ventilation. The revised scheme now complies with the Rule of Thumb, with 62% of apartments being naturally cross ventilated.</p>

		<p>It is noted that similar recent developments in Waverley LGA, that have been determined by the Panel, have not been conditioned to provide ceiling fans.</p> <p>The installation of ceiling fans is a matter of personal preference, and should not be a condition of consent. Residents can choose to install ceiling fans at a later date, if considered necessary.</p>
<p><b>Condition 4 (e) Clerestory windows</b></p> <p>An improved roof design with clerestory windows shall be used to capture winter sun and provide added light and ventilation, particularly to service rooms and at entries. Drawings should indicate roof thicknesses for falls, surface treatment and insulation.</p>	<p><b>Condition 4 (e) Clerestory windows</b></p> <p><del>An improved roof design with clerestory windows shall be used to capture winter sun and provide added light and ventilation, particularly to service rooms and at entries. Drawings should indicate roof thicknesses for falls, surface treatment and insulation.</del></p>	<p>It is requested that the condition requiring clerestory windows be deleted for the following reasons:</p> <p><b>1. The development is now fully compliant with the Rules of Thumb for solar access and single aspect south facing units</b></p> <p>This condition has been copied from the SEPP 65 Panel's report based on their review of the original DA scheme. At that point in time, the development did not fully comply with the SEPP 65 Rules of Thumb for solar access and single aspect south facing units. It is understood that this comment was made as a suggestion for how Mirvac might be able to achieve full compliance with these SEPP 65 Rules of Thumb.</p> <p>The Panel has not reviewed the amended DA, which now fully complies with the SEPP 65 Rules of Thumb in relation to solar access (72% of units) and single aspect south facing units (8% of units). As such, we believe that this additional design change is no longer applicable or necessary.</p> <p><b>2. Impact on views</b></p> <p>The envisaged clerestory windows would require 'pop-up' roof sections. These have not been exhibited and would be in the sensitive view plane of the adjoining properties. Mirvac does not want to further impact its neighbours by adding structure in view planes that they would not be aware of until completion. Clerestory windows would also limit Mirvac's ability to minimise the footprint of roof plant, further impacting view sharing.</p> <p><b>**Note:</b> Mirvac Design has advised that to adequately allow for waterproofing, structure, window framing and insulation in accordance with Section J of the BCA, the minimum additional height above the current roof level would be 1.5 metres.</p> <p><b>3. LEP height limits</b></p> <p>Whilst Mirvac has not carried out a full assessment of where these proposed roof pop-ups would be located, the LEP height limits are sloping planes and in some cases these pop-ups may protrude through the height plane.</p>

<p><b>Condition 5(c)</b></p> <p>No approval is granted for an opening in the sandstone wall for Building C access directly from Wellington Street. In this regard, the sandstone wall shall be retained as existing (and restored) and the opening deleted from the plans. The plans shall be amended to setback 'B1 Basement Plan level' of Building C a minimum of 1.5m from the eastern boundary of the site. Accessible entry/exit shall occur at ground level.</p>	<p><b>Condition 5(c)</b></p> <p><del>No approval is granted for an opening in the sandstone wall for Building C access directly from Wellington Street. In this regard, the sandstone wall shall be retained as existing (and restored) and the opening deleted from the plans. The plans shall be amended to setback 'B1 Basement Plan level' of Building C a minimum of 1.5m from the eastern boundary of the site. Accessible entry/exit shall occur at ground level.</del></p>	<p>The opening in the Wellington Street wall is required to provide a sense of address to Building C. The opening seeks to enhance an existing opening, and will not significantly alter the reading of the wall from Wellington Street. The proposed opening is supported by the project's heritage consultant.</p> <p>Further justification and explanation for this proposed change is provided at Section 3.0 of this response.</p>																																				
<p><b>Condition 12 – Amended Landscape Plan</b></p> <p>The Landscape Plan is to be amended by the following changes:</p> <p>(a) The removal of the three trees detailed in the table below are not approved for removal and they shall be retained. The landscape plan shall be amended to indicate the retention of these trees.</p> <table border="1"> <tbody> <tr> <td>T 29</td><td>Within</td><td>retain</td></tr> <tr> <td>Platanus x hybrida</td><td>Site</td><td>and protected</td></tr> <tr> <td>T30</td><td>Within</td><td>retain</td></tr> <tr> <td>Platanus x hybrida</td><td>Site</td><td>and protected</td></tr> <tr> <td>T31</td><td>Within</td><td>retain</td></tr> <tr> <td>Platanus x hybrida</td><td>Site</td><td>and protected</td></tr> </tbody> </table> <p>(b) There is to be a minimum representation of 50% native species used across the site (represented in each category of trees, shrubs, ground covers). The Landscape Plan needs to outline the number of plants to be implemented. There is scope to increase the Landscape Plan so that planting beds are exclusively made up of local native plants.</p> <p>(c) The landscape plan is to be updated to more closely reflect the approved architectural drawings.</p> <p>The amended landscape plan is to be submitted to Council for approval by the Council's Tree Management Officer prior to the issue of the relevant Construction Certificate.</p>	T 29	Within	retain	Platanus x hybrida	Site	and protected	T30	Within	retain	Platanus x hybrida	Site	and protected	T31	Within	retain	Platanus x hybrida	Site	and protected	<p><b>Condition 12 – Amended Landscape Plan</b></p> <p>The Landscape Plan is to be amended by the following changes:</p> <p><del>(a) The removal of the three trees detailed in the table below are not approved for removal and they shall be retained. The landscape plan shall be amended to indicate the retention of these trees.</del></p> <table border="1"> <tbody> <tr> <td><del>T 29</del></td><td><del>Within</del></td><td><del>retain</del></td></tr> <tr> <td><del>Platanus x hybrida</del></td><td><del>Site</del></td><td><del>and protected</del></td></tr> <tr> <td><del>T30</del></td><td><del>Within</del></td><td><del>retain</del></td></tr> <tr> <td><del>Platanus x hybrida</del></td><td><del>Site</del></td><td><del>and protected</del></td></tr> <tr> <td><del>T31</del></td><td><del>Within</del></td><td><del>retain</del></td></tr> <tr> <td><del>Platanus x hybrida</del></td><td><del>Site</del></td><td><del>and protected</del></td></tr> </tbody> </table> <p>(b) There is to be a minimum representation of 50% native species used across the site (represented in each category of trees, shrubs, ground covers). The Landscape Plan needs to outline the number of plants to be implemented. There is scope to increase the Landscape Plan so that planting beds are exclusively made up of local native plants.</p> <p>(c) The landscape plan is to be updated to more closely reflect the approved architectural drawings.</p> <p><b><i>The amended landscape plan is to be submitted to Council for approval by the Council's Tree Management Officer prior to the issue of the relevant Construction Certificate.</i></b></p>	<del>T 29</del>	<del>Within</del>	<del>retain</del>	<del>Platanus x hybrida</del>	<del>Site</del>	<del>and protected</del>	<del>T30</del>	<del>Within</del>	<del>retain</del>	<del>Platanus x hybrida</del>	<del>Site</del>	<del>and protected</del>	<del>T31</del>	<del>Within</del>	<del>retain</del>	<del>Platanus x hybrida</del>	<del>Site</del>	<del>and protected</del>	<p>The subject group of London Plane trees (Tree No.s T29, T30 and T31) are located within the footprint of the proposed basement. They cannot be retained in the context of the current design, even though at-grade they stand within a communal courtyard area.</p> <p>In order to retain these trees, significant redesign of the built form and basement would be required. A simple amendment to the Landscape Plan, as suggested in the draft condition, would not permit the retention of these trees.</p> <p>Although the trees are nominated as high retention value due to the positive contribution that they provide to the amenity of the site and surrounding properties, they have no special ecological or heritage significance.</p> <p>The setback distances required to permit the retention of these trees is considerable due to the size of the trees. The calculated Tree Protection Zones (in accordance with AS 4970:2009) are 8.3, 7.5 and 9.0 metres respectively.</p> <p>Given the position of the trees within the site, the retention of these trees creates a significant constraint to the development. When considering the already significant constraints imposed on the site by the existing Heritage listed trees, the retention of these additional trees was not considered feasible in the design process.</p>
T 29	Within	retain																																				
Platanus x hybrida	Site	and protected																																				
T30	Within	retain																																				
Platanus x hybrida	Site	and protected																																				
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<p><b>Condition 102 – Wellington Street Crossings</b></p> <p>The vehicle crossings on Wellington Street shall be designed and constructed to allow for a clear kerb length of 11m</p>	<p><b>Condition 102 – Wellington Street Crossings</b></p> <p>The vehicle crossings on Wellington Street shall be designed and constructed to allow for a clear kerb length of 14m</p>	<p>Whilst the scale of the plans submitted made it appear as though two cars could be accommodated, Smart Design Studio has confirmed that this is not possible. The available distance is 7.6m, which is sufficient for one (1) car only.</p>																																				



<p>between the crossings to cater for the parking of two B85 standard vehicles.</p>	<p>7.5m between the crossings to cater for the parking of two B85 standard vehicles.</p>	<p>The tolerance of these driveways to achieve Australian Standard gradients and turning paths within all of the other obstructions is very tight. When the second driveway was added (at Council's request) Mirvac was constrained by the following items:</p> <ul style="list-style-type: none"> <li>■ Maintaining as much parking in the basement as possible;</li> <li>■ The heritage Norfolk Island pine tree protection zone;</li> <li>■ The southern property boundary, and</li> <li>■ The lift core and emergency stairs of Building D (which affect the planning and location of the units above).</li> </ul> <p>Based on the above, it is not feasible to increase the distance between the two crossings to accommodate two parking spaces.</p>
<p><b>Condition 113 - Tree Plan</b></p> <p><i>Refer to Council officer's report.</i> Condition 113 provides a schedule of trees to be retained and protected</p>	<p><b>Condition 113 - Tree Plan</b></p> <p><i>Refer to <b>attachment</b> for revised condition.</i> It is proposed to remove the following trees from the schedule of trees to be retained and protected:</p> <ul style="list-style-type: none"> <li>■ T17 – Eucalyptus elata is required to be removed as its entire structural root zone is within the basement.</li> <li>■ T27a – Lagunaria patersonia is required to be removed as its entire structural root zone is within the basement.</li> <li>■ T27b – Lagunaria patersonia is required to be removed as its entire structural root zone is within the basement.</li> <li>■ T29 - Platanus x hybrid is required to be removed as it is located within the footprint of the proposed basement</li> <li>■ T30 - Platanus x hybrid is required to be removed as it is located within the footprint of the proposed basement</li> <li>■ T31 - Platanus x hybrid is required to be removed as it is located within the footprint of the proposed basement</li> </ul>	<p>The table in Condition 113 appears to refer to a previous revision of the tree retention plan, with a few minor discrepancies between the condition, the plan and the arborist report. In accordance with the proposed change to Condition 12, T29, T30 and T31 are also proposed to be included in the schedule.</p>
<p><b>Condition 114 - Tree Protection</b></p> <p><i>Refer to Council officer's report.</i> Condition 114 provides a schedule of trees to be removed.</p>	<p><b>Condition 114 - Tree Protection</b></p> <p><i>Refer to <b>attachment</b> for revised condition.</i> It is proposed to include the following trees in the schedule of trees to be removed:</p> <ul style="list-style-type: none"> <li>■ T17 – Eucalyptus elata.</li> <li>■ T27a – Lagunaria Patersonia.</li> <li>■ T27b – Lagunaria Patersonia.</li> <li>■ T 29 - Platanus x hybrid.</li> <li>■ T30 - Platanus x hybrid.</li> <li>■ T31 - Platanus x hybrid.</li> </ul>	<p>Consistent with the proposed changes to Condition 113, the relevant trees have been included in the schedule of tree to be removed at Condition 114.</p>

We thank the Panel for the opportunity to provide input on the draft conditions for the above application. We trust that the Panel will consider this response with regard to the flexibility that Mirvac has demonstrated, particularly with respect to the provision of car parking and modifications to Building C. We look forward to discussing this further with the Panel.

Should you have any queries about this matter, please do not hesitate to contact me on 9956 6962 or [aduggan@jbaurban.com.au](mailto:aduggan@jbaurban.com.au).

Yours faithfully,

A handwritten signature in black ink, consisting of a stylized 'A' followed by a horizontal line extending to the right.

Andrew Duggan  
*Director*

16 October 2014

General Manager  
Waverley Council  
PO BOX 9  
Bondi Junction, NSW, 1355

Dear Sir,

## **RE: 30 Wellington Street and 18 – 22 Ocean Street North Bondi Substation Location Requirements**

We are appointed by Mirvac in the capacity of a Level 3 Accredited Service Provider (ASP3) to design underground high voltage systems (NSW Government - Trade & Investment [Resources & Energy] Accreditation Number: 4033). We have been liaising with Ausgrid since before Mirvac acquired the abovementioned site and undertook initial due diligence studies of the high voltage network in the area. Our studies and liaison with Ausgrid confirmed that the kiosk substation that has been shown in the current Development Application (DA-203/2014) is the only suitable location for the project for the following reasons:

### **1. Connection to Ausgrid's 11kV network**

Due to the size of the development, the site is required to be serviced by an 11kV underground cable. Figure 1 below depicts Ausgrid's 11 kV network (in red) surrounding the development site. As indicated by the diagram, the 11kV high voltage network does not extend any further north past the existing kiosk substation located at 26 Ocean Street Bondi and there is no high voltage network on Wellington Street whatsoever. The proposed location has been carefully assessed and negotiated with Ausgrid's Contestability Manager, Doug Chalker to ensure the site can be adequately serviced from Ausgrid's Network. This is evidenced by the Deed prepared by Ausgrid attached to this letter which shows the design of the substation on Ocean Street North.

Mr Doug Chalker's details are listed below for further reference:

*Doug Chalker  
Contestability Sydney South  
Ausgrid BLDG 1A, 33-45 Judd Street Oatley NSW 2223 AUSTRALIA  
Phone: 02 9585 5667| Email: [dchalker@ausgrid.com.au](mailto:dchalker@ausgrid.com.au)*



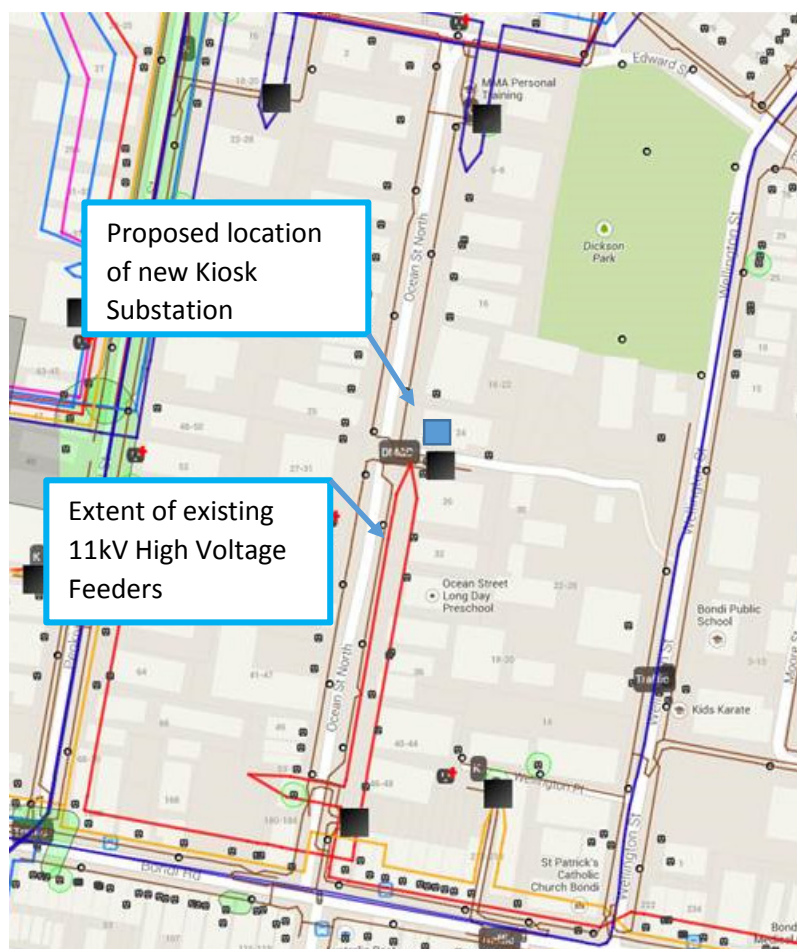


Figure: 1 – Ausgrid's 11kV network surrounding the development site

## 2. Compliant access for installation and ongoing maintenance

Mirvac were advised during due diligence that the substation was required to be located behind the property boundary on ground that is within a few hundred millimetres of level with the existing road level. When referring to the site survey (submitted with the DA) it is apparent that there are only two locations on the site that meet this requirement. One of those is the proposed location on Ocean Street North where the RL of the street is 77.20 at the kerb and the level of the land inside the boundary is 77.18. The other is on Wellington Street at the southern boundary of the site where the RL of the kerb is 77.20 and the level inside the boundary varies around 77.28. The southern boundary location was immediately dismissed as substations require extensive trenching for high voltage and sub-main lines. This trenching would interfere with the Structural Root Zone of the heritage listed Norfolk Island Pine in that location and was not permitted by Mirvac's arborist. It would also conflict with the vehicular access point for the basement. The proposed location provides unobstructed level access for installation and ongoing maintenance in accordance with Ausgrid Network Standards. Other locations within the site do not meet Ausgrid's requirements due to the change in levels between the site and street. **In our capacity as an ASP3, we would not submit a design to Ausgrid in those locations as they do not meet Ausgrid's technical requirements for kiosk substation design and would not be approved.**

### 3. Reduced impact on architecture and streetscape

Options of locating the kiosk substation within the frontage of Building A on Ocean Street North were considered by building up the level of the ground inside the property boundary. These were discounted early by Mirvac after we advised them of the impact it would have on the design of the building.

Our advice at the time was that if located in front of the building, a blast zone of 6m, measured by string line from the housing of the kiosk substation would be required. Mirvac and their appointed architects decided that large sections of blank, reinforced concrete wall from street level, up to the third storey would have a detrimental impact on the architecture and the streetscape.

Finally, Ausgrid's Contestability Manager has confirmed that the kiosk substation can be screened by hedges, shrubs, climbing plants and/or fences up to 2 metres tall surrounding the substation to reduce the visual impact on the streetscape and through site pedestrian link, provided gates are supplied to provide adequate access. We have had a preliminary discussion with Mirvac's landscape architect, Aspect Studios and believe that there is an appropriate solution.

Based on the above advice, we confirm that the proposed location of the kiosk substation is the only suitable location within the development.

We trust this advice is to your satisfaction.

Please do not hesitate to contact me if you have any further queries.

Yours Faithfully,



Mays Chalak  
DIRECTOR  
For Integrated Group Services

EXISTING STRUCTURE TO BE MAINTAINED

NEW STRUCTURE

WALL TO BE DEMOLISHED

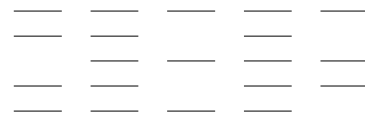
EXTENT OF PLANT SCREEN IN DA DRAWINGS

A:001 SITE PLAN  
A:002 SITE DEMOLITION PLAN  
A:003 PLAN LEVEL B2  
A:004 PLAN LEVEL B1  
  
A:100 PLAN GROUND LEVEL  
A:101 PLAN LEVEL 1  
A:102 PLAN LEVEL 2  
A:103 PLAN LEVEL 3  
A:104 PLAN LEVEL 4  
A:105 PLAN LEVEL 5  
A:106 PLAN LEVEL 6  
A:107 PLAN LEVEL 7  
A:110 ROOF PLAN  
  
A:300 STREET ELEVATIONS  
A:301 ELEVATIONS AND SECTIONS  
A:302 ELEVATIONS AND SECTIONS  
  
A:500 GFA LEVELS  
A:501 GFA LEVELS  
A:502 GFA LEVELS  
  
A:600 ADAPTABLE APARTMENT LA

1. **DESIGN DEVELOPMENT**
  - 1.1 The drawings shall be general architectural intent for the purpose of this development application only.
  - 1.2 The drawings shall be a general layout and indicative and is subject to further design development.
  - 1.3 The dimensions shown are general only and are subject to further design development.
  - 1.4 Location of car park entry points is general only and will be confirmed and detailed at a later stage.
  - 1.5 The size and position of louvre sun screens is indicative and shown in open areas only.
  - 1.6 Ceiling R/L where shown indicates general ceiling design level only, which may be subject to change.
  - 1.7 The drawings shall be general and are not a detailed partial ceiling construction.
  - 1.7 Landscape component is shown indicative only and subject to further design development.
2. **GRAPHIC PRESENTATION**
  - 2.1 Colours presented on drawings are general only and indicative of the architectural design intent. Some colour distortion may also occur in the printing of the drawings.
3. **EXISTING STRUCTURES AND SERVICES**
  - 3.1 Extend and location of existing structures and services is according to the available information and is to be verified on site at a later stage.
  - 3.2 All unchanged site levels are as per the existing survey information.
4. **GENERAL NOTES**
  - 4.1 All dimensions to be verified on site.
  - 4.2 Report any discrepancies or omissions to SDS prior to construction.
  - 4.3 All drawings shall be in accordance with the details or when a detail is required.
  - 4.4 All drawings to be read in conjunction with specification.
  - 4.5 All drawings shall be in accordance with consultants' drawings.
  - 4.6 All structure to structural engineer's details.

ISSUE	REASON	DATE
A	DEVELOPMENT APPLICATION	14.05.14
B	ROOF PLANT AREA REVIEW	12.12.14

ISSUE	REASON	DATE
A	DEVELOPMENT APPLICATION	14.05.14
B	ROOF PLANT AREA REVIEW	12.12.14



632 BOURKE STREET  
SURRY HILLS NSW 2010  
TEL +61 2 8332 4333  
NOM ARCH WILLIAM SMART 6381

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DO NOT SCALE DRAWINGS

PROJECT  
1327 OCEAN STREET BOND

DRAWN  
SB

APP'D  
WS

DWG TITLE  
**ROOF PLAN**

DWG NO  
**A:110**

REV  
**B**

smart design studio

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## 113 TREE PLAN

All trees to be retained on the subject site and neighbouring properties are to be protected by AS 4970 – 2009 Protection of trees on development sites and by any other imposed conditions.

All trees, shrubs or vegetation on the subject or neighbouring sites identified for retention and within 7.5m of the building work are to be provided with tree protection measures as described in the Development Impact Assessment Report, prepared by Earthscape Horticultural Services, author Andrew Morton, dated May 2014 and received by Council on 25 Jun, 2014. Appendix 2 is to be complied with.

- **Trees to be retained and protected;**

The trees to be protected are as specified in the “Tree Retention and Removal Diagram Dwg no 13072-DA06”.

Species	Location	Action
T 3 Lophostemon confertus	Within Site	retained and protected
T 4 Ficus macrophylla	Within Site	retained and protected
T 5 Ficus macrophylla	Within Site	retained and protected
T 6 Araucaria heterophylla	Within Site	retained and protected
T 7 Ficus macrophylla	Within Site	retained and protected
T 8 Ficus macrophylla	Within Site	retained and protected
T 9 Ficus macrophylla	Within Site	retained and protected
T 15 Ficus microcarpa var. hillii	Ocean Street North	retained and protected
T 17 Eucalyptus elata	Within Site	retained and protected
T 19 Araucaria heterophylla	Within Site	retained and protected
T 20 Populus deltoides	24 Ocean Street	retained and protected
T 27a Lagunaria patersonia	Within Site	retained and protected
T 27b Lagunaria patersonia	Within Site	retained and protected
T 36a Corymbia maculata	26-30 Ocean Street	retained and protected
T 36b Casuarina cunninghamiana	26-30 Ocean Street	retained and protected
T 37 Populus deltoides	24 Ocean Street	retained and protected
T 37a Phoenix canariensis	24 Ocean Street	retained and protected
T 38 Populus deltoides	Within Site	retained and protected
T 54 Pittosporum undulatum	22-28 Wellington Street	retained and protected
T 55 Pinus pinaster	34a Ocean Street/22-28 Wellington Street	retained and protected
T 56 Corymbia gummifera	34a Ocean Street/22-28 Wellington Street	retained and protected
T 57 Pinus pinaster	34a Ocean Street/22-28 Wellington Street	retained and protected
T 58 Pinus pinaster	34a Ocean Street/22-28 Wellington Street	retained and protected
T 59 Podocarpus elatus	34a Ocean Street/22-28 Wellington Street	retained and protected
T 60 Melaleuca quinquinervia	34a Ocean Street/22-28 Wellington Street	retained and protected
T 62 Quercus robur	32 Ocean Street	retained and protected
T 63 Ficus rubiginosa	Boundary with 32 Ocean Street	retained and protected

T 64 Quercus robur	32 Ocean Street	retained and protected
T 65 Ficus microcarpa var. hillii	Dickson Park	retained and protected
T 66 Ficus microcarpa var. hillii	Dickson Park	retained and protected
T 67 Ficus microcarpa var. hillii	Dickson Park	retained and protected
<b>T 29 Platanus x hybrida</b>	<b>Within Site</b>	<b>retained and protected</b>
<b>T30 Platanus x hybrida</b>	<b>Within Site</b>	<b>retained and protected</b>
<b>T31 Platanus x hybrida</b>	<b>Within Site</b>	<b>retained and protected</b>

**\*TPZ- Tree Protection Zone**

TPZ – A 1.8m chain link wire fence or the like shall be erected around the above trees to be retained to protect them from damage during construction. Fencing is not to be removed until all building work has been completed. Fencing to be installed to the dimensions outlined in the table above. All tree protection fencing shall comply with AS 4970 – 2009 Protection of trees on development sites.

The maintenance of this TPZ shall be maintained as per AS4970 – 2009, Section 4.6.

Established boundary fences or site boundary fences are to remain in place at all times to physically protect any existing trees or vegetation on neighbouring sites. If fences are to be removed and replaced this process shall be undertaken in the most minimal time possible.

If tree roots are exposed during this process and they are to be exposed for any more than 24 hours then a protective absorbent covering is to run the length of the exposed boundary. This covering is to be kept moist to prevent the drying out of roots.

Any backfilling material required due to excavation shall meet the requirements of AS 4419-2003 Soils for landscaping and garden use. Any backfilling material shall also be conducive to promoting root development and growth.

Soil levels are not to be changed around any trees on the subject or neighbouring properties.

No mechanical excavation shall be undertaken within the tree canopy spread (within the dripline) or within 2.0m from the middle of the trunk (whichever is greater) of any tree, shrub or vegetation that is protected under Waverley Council's Tree Preservation Order.

If any tree roots are exposed during any approved works then roots smaller than 30mm are to be pruned as per the specifications below. Any roots greater than 30mm are to be assessed by a qualified arborist before any pruning is undertaken.

If tree roots are required to be removed for the purposes of constructing the approved works they shall be cut cleanly by hand, by an experienced Arborist/Horticulturist (with a minimum of the Horticulture Certificate or Tree Surgery Certificate).

It is the arborist's responsibility to determine if such root pruning is suitable. If there are any concerns regarding this process then Waverley Council's Tree Management Officer is to be contacted to make final determination.

If any trees or vegetation on the subject property require pruning and are covered by Waverley Council's Tree Preservation Order an Application to Prune or Remove Trees on Private Property is must be presented to Council for processing.

If any trees on neighbouring properties require pruning and are covered by Waverley Council's Tree Preservation Order then permission must be gained from the owner of the tree(s) and an Application to Prune or Remove Trees on Private Property is then to be presented to Council for processing.

There are to be no underground services installed within 2.0 metres from the middle of the trunk of any trees to be planted, or 1.0 metres from the edge of any proposed garden bed.

## 114. TREE PROTECTION

Precautions shall be taken when working near trees, shrubs or vegetation on the subject or neighbouring properties to ensure their retention, including the following:

- (a) Do not store harmful or bulk materials or spoil under or near trees;
- (b) Prevent damage to bark and root system;
- (c) Do not use mechanical methods to excavate within root zones;
- (d) Do not add or remove topsoil from under the drip line;
- (e) Do not compact ground under the drip line;
- (f) Do not mix or dispose of liquids within the drip line of the tree; and
- (g) All trees marked for retention must have a protective fence/guard placed around a nominated perimeter.
- (h) If any trees are damaged through the construction or demolition process, they must be replaced with a tree(s) of comparable size as approved by Council.

- **Trees to be removed from on site;**

In accordance with "Tree Retention and Removal Diagram Dwg no 13072-DA06":

Species	Location	Action
T 1 Lophostemon confertus	Within Site	Remove
T 2 Juniperus sp. Juniper	Within Site	Remove
T 10 Liquidambar styraciflua	Within Site	Remove
T 10a Agonis flexuosa	Within Site	Remove
T 11 Morus nigra	Within Site	Remove
T 11a Banksia integrifolia	Ocean Street North	Remove
T 12 Lophostemon confertus	Within Site	Remove
T 12a Casuarina glauca	Ocean Street North	Remove
T 13 Melaleuca styphelioides	Ocean Street North	Remove
T 13a Casuarina glauca	Ocean Street North	Remove
T 14 Lophostemon confertus	Within Site	Remove
<b>T 17 Eucalyptus elata</b>	<b>Within Site</b>	<b>Remove</b>
T 16 Lophostemon confertus	Within Site	Remove
T 16a Corymbia maculata	Within Site	Remove
T 18 Cinnamomum camphora	Within Site	Remove
T 21 Eucalyptus botryoides	Within Site	Remove
T 21a Populus nigra 'Italica'	Within Site	Remove
T 21b Populus nigra 'Italica'	Within Site	Remove
T 22 Eucalyptus botryoides	Within Site	Remove
T 23 Eucalyptus botryoides	Within Site	Remove
T 24 Eucalyptus botryoides	Within Site	Remove
T 25 Eucalyptus botryoides	Within Site	Remove
T 25a Olea africana	Within Site	Remove
T 26 Eucalyptus botryoides	Within Site	Remove
T 27 Eucalyptus botryoides	Within Site	Remove
<b>T 27a Lagunaria patersonia</b>	<b>Within Site</b>	<b>Remove</b>
<b>T 27b Lagunaria patersonia</b>	<b>Within Site</b>	<b>Remove</b>
T 28 Lophostemon confertus	Within Site	Remove
<b>T 29 Platanus x hybrida</b>	<b>Within Site</b>	<b>Remove</b>
<b>T30 Platanus x hybrida</b>	<b>Within Site</b>	<b>Remove</b>
<b>T31 Platanus x hybrida</b>	<b>Within Site</b>	<b>Remove</b>



T 32 <i>Olea africana</i>	Within Site	<b>Remove</b>
T 33 <i>Magnolia grandiflora</i>	Within Site	<b>Remove</b>
T 34 <i>Juniperus</i> sp	Within Site	<b>Remove</b>
T 35 <i>Magnolia grandiflora</i>	Within Site	<b>Remove</b>
T 36 <i>Cinnamomum camphora</i>	Within Site	<b>Remove</b>
T 39 <i>Lophostemon confertus</i>	Within Site	<b>Remove</b>
T 39a <i>Jacaranda mimosifolia</i>	Within Site	<b>Remove</b>
T 39b <i>Melaleuca leucadendra</i>	Within Site	<b>Remove</b>
T 40 <i>Juniperus</i> sp	Within Site	<b>Remove</b>
T 41 <i>Juniperus</i> sp	Within Site	<b>Remove</b>
T4 2 <i>Juniperus</i> sp	Within Site	<b>Remove</b>
T 43 <i>Juniperus</i> sp	Within Site	<b>Remove</b>
T 44 <i>Juniperus</i> sp	Within Site	<b>Remove</b>
T 45 <i>Juniperus</i> sp	Within Site	<b>Remove</b>
T 46 <i>Juniperus</i> sp	Within Site	<b>Remove</b>
T 47 <i>Juniperus</i> sp	Within Site	<b>Remove</b>
T 48 <i>Syzygium paniculatum</i>	Within Site	<b>Remove</b>
T 49 <i>Cupressus sempervirens</i>	Within Site	<b>Remove</b>
T 50 <i>Melaleuca quinquinervia</i>	Wellington Street	<b>Remove</b>

In line with Council's policy to maintain and increase tree cover in the Council area, all trees where consent has been given to remove are to be replaced with a local native tree of minimum container size of 75 litres and shall be maintained until they attain a mature height of at least five (5) metres, or whereby they will be protected by Council's Tree Preservation Order. The Landscape plan prepared by Ocean Street North, Bondi DA Landscape Report 13072-DA-LR Mirvac May 2014 satisfies the above requirement.

Any replacement tree is to be planted a minimum of 1.0 metres from any boundary, structure or underground services, and should be located in a similar location to the specimen approved for removal.

Trees shall not be tied to stakes unless support is essential. In lawn areas, grass is to be kept back for a radius of at least 450mm from stems and trunks, a depression should be formed for the collection of water and the area mulched.

Woodchip mulch is to be installed to a depth of 75-90mm to all mass planted garden areas and around the base of trees in lawn areas. The mulch should be kept at least 50mm away from plant stems to reduce the risk of collar rot.

The replacement local native trees to be planted shall be maintained in a healthy and vigorous condition until they attain a height of 4.0 metres whereby they will be protected by Council's Tree Preservation Order.

If the replacement trees are found to be faulty, damaged, dying or dead before being protected by Council's Tree Preservation Order the tree/s shall be replaced with the same species at no cost to Council.