

REFERRAL RESPONSE – TECHNICAL SERVICES

FILE NO: Development Applications/ 72/2014/2
ADDRESS: 250-290 Jersey Road WOOLLAHRA 2025
PROPOSAL: Modifications to the to the approved scheme including layout changes to the Village centre, balconies to Macquarie tower, access & layout and access changes to Bourke & Gipps units
FROM: Mr R Lam
TO: Ms N Pindar

1. ISSUES

- None

2. DOCUMENTATION

I refer to the following documents received for this report:

- Statement of Environment Effects, referenced 8349E, prepared by dfp planning, dated January 2017.
- Architectural Plans, referenced 728.2, prepared by enviro studio, dated 10/01/2017.
- Geotechnical Report, referenced 84648.01, prepared by Douglas Partners, dated August 2016.

3. ASSESSMENT

Comments have been prepared on the following.

a. Geotechnical, Hydrogeological and/or Structural comments

A Geotechnical Report by Douglas Partners Ref: 84648.01, dated August 2016, has been submitted in support of the application.

The report identified the subsurface conditions. It is noted from the report that the excavation for the construction of the proposed accessway will be in sands except at the northern end of Bourke House which will be excavation within medium or high strength sandstone.

The report made comments and recommendations on the following:

- *Shoring and support,*
- *Vibration Monitoring,*
- *Excavation method,*
- *Further Geotechnical input.*

Since there will be excavation in sandstone at the northern end of Bourke House, it is considered that condition for vibration monitoring should be imposed as part of this application. Further, the geotechnical engineer has commented that temporary ground anchors will be required if the contiguous wall method is used for temporary retention for soil stabilisation. Therefore, condition for ground anchors should also be imposed in case this method is chosen.

Council's Technical Services has no objection to the proposed excavation on technical grounds. Notwithstanding this, Council's Planning Officer is also to undertake an assessment of the proposed excavation against the relevant excavation objectives and controls prescribed under the LEP and DCP.

4. RECOMMENDATION

Council's Development Engineer has determined that the proposal is satisfactory, subject to the following conditions:

C. Conditions which must be satisfied prior to the issue of any construction certificate

C.41 Ground Anchors

E. Conditions which must be satisfied during any development work

E.14 Vibration Monitoring

REFERRAL RESPONSE – TREES & LANDSCAPING

FILE NO: DA 72/2014/2

ADDRESS: 250-290 Jersey Road WOOLLAHRA 2025

PROPOSAL: Modifications to the to the approved scheme including layout changes to the Village centre, balconies to Macquarie tower, access & layout and access changes to Bourke & Gipps units

FROM: David Grey - Tree & Landscape Officer

TO: Ms N Pindar

I refer to the following documents received for this report:

- Statement of Environmental Effects, prepared by DFP Planning Consultants, dated January 2017
- Architectural Drawing No. 101 to 107, 110, 120 to 122, 130, 131, drawn by Environa Studio, dated 10 January 2017
- Landscape Plan No. LP-1.0 to LP-1.3, LP-2.0, designed by John Lock & Assoc., dated 10 January 2017

A site inspection was carried out on: 2 March 2017.

Relevant Control:

- Woollahra Local Environment Plan 2014
- Woollahra Residential Development Control Plan 2015
- The comments and recommendations within this Referral Response have taken into consideration the guidelines established within Australian Standard AS 4373 – Pruning of amenity trees and Australian Standard AS 4970 – Protection of trees on development sites

SUMMARY

No major alteration in landscape terms.

COMMENTS

This Section 96 application would not result in any major alterations of landscape than that of the existing approval. There are some minor additions to the plantings proposed on the Jersey

Road frontage to the east of the Community Centre. A change of species for five trees proposed on the southern boundary with the Taber Cottage. All acceptable.

It should be noted that Tree 29 (*Eucalyptus saligna* (Sydney Blue Gum)) was removed in 2015 by way of an expedited Tree Preservation Order permit due to its hazardous condition (TPO 480/2014). The tree is indicated as being retained on the supplied landscape plans. The tree had dropped two large braches into Jersey Road. A condition of the TPO permit was that a replacement specimen of *Caesalpinia ferrea* (Leopard tree) was to be planted at a location conveniently adjacent to the tree removed. This replacement planting has not been undertaken. I have recommended that this requirement is now made a condition of this Section 96 application to ensure a positive outcome.

I have also recommended that the indicated planting of another specimen of Sydney Blue Gum on supplied Landscape Plan LP-1.2 at the front south east corner of the Macquarie Tower is deleted. A semi-mature specimen of Sydney Blue Gum is already established in this area (Tree 30). Sydney Blue Gum is a large to very large tree at maturity. One such tree in this limited area is sufficient. There are good landscape materials adjacent now.

RECOMMENDATIONS

Council's Tree and Landscape Officer has determined that the development proposal is satisfactory in terms of tree preservation and landscaping, subject to compliance with the following Conditions of Consent.

CONDITIONS OF CONSENT

Please note that the standard conditions of consent are generally modified by the Technical Services Department to suit a particular development application. Please ensure all Technical Services conditions of consent are cut and pasted from this document only, and not inserted as standard conditions using the automatically generated (F3) function

A. General Conditions

A.1 Approved Amended (s96) Plans and supporting documents

Reference	Description	Author/Drawn	Date(s)
LP-1.0 to LP-1.2 Lp-2.0	Landscape Plan	John Lock & Ass.	10 Jan. 2017

B. Conditions which must be satisfied prior to the demolition of any building or construction

NIL

C. Conditions which must be satisfied prior to the issue of any construction certificate

C.1 Amended Landscape Plan

An amended Landscape Plan shall be prepared in accordance with Council's DA Guide and conforming to the conditions of this Development Consent. This plan must be

submitted to Council prior to the issue of the Construction Certificate. The amended landscape plan must include the following:

- Indicate the planting of a specimen of *Caesalpinia ferrea* (Leopard tree) of 100 litre pot size in the garden bed to the north of Tree 29 which has been removed. This replacement being a condition of the permit to remove Tree 29.
- Indicate to deletion of the proposed planting of a specimen *Eucalyptus saligna* (Sydney Blue Gum) at the south east corner of the Macquarie Tower, adjacent to Tree 30. This being assessed as excessive planting adjacent to a developing tree of the same species.

D. Conditions which must be satisfied prior to the commencement of any development work

NIL

E. Conditions which must be satisfied during any development work

E.1 Replacement/Supplementary trees which must be planted

Any replacement or supplementary tree shall be grown in accordance with Tree stock for landscape use (AS 2303:2015). The replacement tree shall be planted in *deep soil landscaped area* and maintained in a healthy and vigorous condition. If the replacement tree is found to be faulty, damaged, dying or dead before it attains a size whereby it is protected by Council's Tree Preservation Order, it must be replaced with another of the same species which complies with the criteria outlined below.

Species/Type	Planting/Location	Container Size/Size of Tree (at planting)	Minimum Dimensions at Maturity (metres)
1 x <i>Caesalpinia ferrea</i> (Leopard tree)	East side of Macquarie Tower – Garden bed north of Tree 29 previously removed	100 litre	10 x 8

The project arborist shall document compliance with the above condition.



Tree Officer

14 March 2017

REFERRAL RESPONSE - HERITAGE

FILE NO: Development Applications/ 72/2014/2

ADDRESS: 250-290 Jersey Road WOOLLAHRA 2025

PROPOSAL: Modifications to the to the approved scheme including layout changes to the Village centre, balconies to Macquarie tower, access & layout and access changes to Bourke & Gipps units

FROM: Catherine Colville
Heritage Officer

TO: Ms N Pindar

ISSUES

- *No areas of heritage concern*
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DOCUMENTATION

The following documentation provided by the applicant has been examined for this referral response:

- Drawing set by By Environa Studio, dated 10 Jan 017, and numbered 815-101C – 815-107C, 815-110C, 815-120C – 815-122C, 815-130C – 815-131C
- Heritage Impact Statement by NBRS Architecture & Heritage, dated 23 December 2016
- Statement of Environmental Effects by dfp planning Consultants, dated 17 January 2017

SITE INSPECTION / RESEARCH

The following research was undertaken in the preparation of this assessment:

- The site was inspected on the 14 February 2017.

Review of the following documents and photographic evidence:

- Council's property system, to establish dates of earlier building and development applications for the subject and surrounding properties.
- Previous referral responses (Referral Response DA 72/2014/1 dated 31 March 2014 – Paul Fletcher)
- Council's photography files relevant to the immediate area
- Council's heritage inventory sheets
- Council's aerial photography and mapping database
- Google Maps – street view

STATUTORY AND POLICY DOCUMENTS

The following statutory and policy documents are relevant to the application:

- Woollahra LEP 2014
- Woollahra DCP 2015

HERITAGE FRAMEWORK

- The subject building is not a heritage item in the Woollahra Local Environment Plan 1995, the LEP, and is not listed on the State Heritage Register.
- The subject building is adjacent to a heritage item, namely Taber Cottage, the former Paddington Watch House, at No. 238 Jersey Road, Woollahra.
- The subject building is within the Paddington Heritage Conservation Area, and is not considered a contributory item or a significant item.

SIGNIFICANCE OF SUBJECT PROPERTY/TO THE CONSERVATION AREA

The subject site contains a late 20th Century housing complex with little heritage significance.

SIGNIFICANCE OF ITEMS IN THE VICINITY

The subject building is in the vicinity of two heritage items:

- At the southern end of the site is the old police station building (known as Taber Cottage/Paddington Watch House) and associated large sandstone boundary wall which make a significant contribution to the heritage conservation area; and
- The Lord Dudley Hotel at 236 Jersey Road, Paddington.

The Paddington Watch House has aesthetic significance as a fine and largely intact example of a former watch house in the composite Victorian style. The building which was used as a watch house and police residence for many years has high historic and social significance as the only Government-owned Police building in that particular area, and is significant as a companion of the 'new' Paddington Police Court House and Police Station. The building, which remains largely intact externally, is architecturally significant as one of the few remaining sandstone Police Stations in the Sydney area, and for the contribution it makes to the streetscape of the immediate area. Modern additions which are located at the rear of the block allow the building to retain its original scale and form.

The Lord Dudley Hotel at 236 Jersey Road, Paddington, has architectural significance for the exterior as a fine and largely intact example of a corner pub of the Federation Queen Anne style. Situated on a prominent corner location, the building has aesthetic significance for its part in providing a social venue and budget accommodation in the local district. The interior of the building, which has undergone little modification since being built, is significant as an example of an interior in the style. The site has significance for its long continuous association with the hotel trade and the building is significant for continuing the traditional functions of bar and accommodation.

DESCRIPTION OF PROPOSAL

The proposed S96 scheme modifies the approved scheme in the following ways:

- Revised front entrance and car parking;
- Revised internal layout to Level 3;
- Additional basement floor in the Village Centre connecting with Level 1 of Bourke and Gipps House;
- Revised Jersey Road entrance to Bourke and Gipps House;
- Revised circulation to Levels 1 to 3 of Bourke and Gipps House;
- Revision to façade of Bourke and Gipps House to make a consistent façade line;
- Increase in the size of the balconies to units in Macquarie tower;
- Increase in the size of the living room windows of units in Macquarie tower.

ASSESSMENT OF HERITAGE IMPACT

Compliance with the relevant planning controls

The assessment is made using the following statutory and policy heritage conservation provisions:

Woollahra LEP 2014 Part 5.10 Clauses 1(a), 1(b), 4

- Clause 1(a) The development does conserve the heritage of Woollahra.
- Clause 1(b) The impact upon the heritage significance of the conservation area will be neutral.
- Clause 4 This referral constitutes an assessment under this clause.

Woollahra DCP 2015

Consideration

The current proposal is a section 96(2) modification application to development consent determined by Sydney East JRPP on the 28 May 2014.

The previously approved proposal was assessed on heritage grounds via Referral Response DA 72/2014/1 dated 31 March 2014. The proposal sought to refurbish the existing ARV (Anglican Retirement Villages) Goodwin Village and to construct a new five-storey Village Centre, to be located between the five-storey Gipps House and the ten-storey Macquarie Tower.

The assessment concluded that the adjacent heritage item (Paddington Watch House) is to the south of Macquarie Tower, shielding the item from most of the proposed Village Centre. It was further concluded that the proposal would not affect significant views to or from the heritage item and will not overshadow the item. It was also determined that the proposal would not have any adverse effect on the heritage significance of any heritage items in the vicinity.

The proposed modifications to the previously approved scheme involve mainly internal and circulation changes. There will be a slight increase in the size of the balconies and living room windows to the units in Macquarie tower, however this will result in only a minor visual change in the overall presentation of the building. As such, this will have a negligible impact on the streetscape presentation within the conservation area and the setting of the heritage items located in the vicinity.

The only other amendments proposed that may impact on heritage significance of the conservation area and heritage items within the vicinity, are the changes to the front entry and the revision to façade of Bourke and Gipps House to make a consistent façade line. Given the length, scale and massing of the development within the streetscape, and the contemporary style and character of the development within the historic streetscape and conservation area, the changes proposed are considered to be minor. Whilst the previously approved scheme is the preferred option for the front entry to the development (recessed, as opposed to protruding forward under the proposed scheme), the proposed amendments will result in a very minor overall visual change to the presentation of the development when viewing the development in its entirety.

Accordingly, no objection is raised to the proposed modifications on heritage grounds.

RECOMMENDATION

The application is generally acceptable as it complies with the relevant statutory and policy documents and would have a satisfactory impact.

Consent. No heritage conservation conditions required.

Catherine Colville
Heritage Officer

24 January 2017

Section 96(2) REFERRAL RESPONSE URBAN DESIGN

FILE NO: Development Applications/ 72/2014/2

ADDRESS: 250-290 Jersey Road WOOLLAHRA 2025

PROPOSAL: Modifications to the to the approved scheme including layout changes to the Village centre, balconies to Macquarie tower, access & layout and access changes to Bourke & Gipps units

FROM: Tom Jones Urban Design

TO: Ms N Pindar

Information

Architectural drawings:

By Enviro Studio

DWG	DRAWING TITLE	ISSUE
000	PRE CONSTRUCTION INFORMATION	
003	SITE PLAN 1:500	D
004	VILLAGE CENTRE PERSPECTIVE VIEWS	D
005	3D MODEL STUDY: APPROVED -DA + S96-1	D
006	3D MODEL STUDY: APPROVED -DA + S96-2	D
007	3D MODEL STUDY: APPROVED -DA + S96-3	D
100	GENERAL ASSEMBLY PLANS	
101	LEVEL 1 FLOOR PLAN	D
102	LEVEL 2 FLOOR PLAN	D
103	LEVEL 3 FLOOR PLAN	D
104	LEVEL 4 FLOOR PLAN	D
105	LEVEL 5 FLOOR PLAN	D
106	LEVEL 6 FLOOR PLAN	D
107	LEVEL 7-10 FLOOR PLAN	D
110	ROOF PLAN	D
120	SECTION A	D
121	SECTION B	D
122	SECTION C	D
130	ELEVATION WEST	D
131	ELEVATION EAST	D
200	SCHEDULES	
210	MATERIALS + FINISHES SCHEDULE	D
900	NON-CONSTRUCTION INFORMATION	
980	AREA CALCULATION PLAN - SHEET 1	D

Statement of Environmental Effects: Dated: 10 Jan 017
dfp planning Consultants
issued 17 January 2017
Project Number 8349E

Survey: None supplied with Section 96(2) submission

Background

This is a section 96(2) modification application to development consent determined by Sydney East JRPP on the 28 May 2014.

Context

The existing aged care facility on Jersey Road consists of three loosely connected buildings, the tallest is nine and other two five storeys. These buildings were constructed around 1970 on a large 7,690sqm site. The land falls away from Jersey Road to the west towards Trumper Park in the gully behind Rushcutters Bay. There is a late 19th century sandstone ex-police station on the southern end of the site which is not a part of the works proposed.

Proposal

It is proposed to refurbish, alter and add to the existing 1970s buildings to improve the amenity and appearance of the apartments and provide additional communal facilities.

Controls

State Environmental Planning Policy # 65: Design Quality of Residential Apartment Development. (SEPP 65) and the Apartment Design Guide (ADG)

State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 (SEPP HSPD)

Woollahra Local Environment Plan 2014 (WLEP 2014)

Woollahra Development Control Plan 2015 (WDCP 2015)

Note: The section 96(2) application is assessed using the current controls, however the controls in place at the time of the original submission are considered.

Compliance

SEPP 65

SEPP 65 Clause 28(2)(b) provides that the consent authority must consider design quality when evaluating the development taking into account the following 9 design principles. The assessment against the principles has been made with reference to the relevant objectives of the Apartment Design Guide.

Principle 1: Context and neighbourhood character

Good design responds and contributes to its context. Context is the key natural and built features of an area, their relationship and the character they create when combined. It also includes social, economic, health and environmental conditions. Responding to context involves identifying the desirable elements of an area's existing or future character. Well designed buildings respond to and enhance the qualities and identity of the area including the adjacent sites, streetscape and neighbourhood.

Consideration of local context is important for all sites, including sites in established areas, those undergoing change or identified for change.

The site is in a heritage conservation area, however the context is very much defined by the existing built form on the site. The existing 1970s buildings on site are not characteristic of the wider location. The proposed works respond to the existing

buildings on site that are being retained and added to. The additions mean the whole group better responds to the immediate streetscape. The additions fulfill this design principle.

Principle 2: Built form and scale

Good design achieves a scale, bulk and height appropriate to the existing or desired future character of the street and surrounding buildings.

Good design also achieves an appropriate built form for a site and the building's purpose in terms of building alignments, proportions, building type, articulation and the manipulation of building elements.

Appropriate built form defines the public domain, contributes to the character of streetscapes and parks, including their views and vistas, and provides internal amenity and outlook.

The proposed section 96(2) amendments retain the existing scale of development on the site and complement the existing buildings.

Principle 3: Density

Good design achieves a high level of amenity for residents and each apartment, resulting in a density appropriate to the site and its context.

Appropriate densities are consistent with the area's existing or projected population.

Appropriate densities can be sustained by existing or proposed infrastructure, public transport, access to jobs, community facilities and the environment.

The population density on this site is effectively being slightly reduced by the development.

Principle 4: Sustainability

Good design combines positive environmental, social and economic outcomes.

Good sustainable design includes use of natural cross ventilation and sunlight for the amenity and liveability of residents and passive thermal design for ventilation, heating and cooling reducing reliance on technology and operation costs. Other elements include recycling and reuse of materials and waste, use of sustainable materials and deep soil zones for groundwater recharge and vegetation.

The proposal improves the present condition. Higher insulation levels are provided and greater potential to control internal temperature with opening windows. Existing open walk ways are enclosed further protecting from inclement conditions. There is limited space provided for recycling by the individual consumers and limited space at the collection point.

The design provides no obvious clothes drying facilities. Both SEPP 65 and the Woollahra Residential DCP require external clothes drying facilities. The NSW State Government *save power* website suggests that over 10 years a 10 unit flat building not hanging clothes out to dry in the sun will account for 130 tons of carbon emissions into the atmosphere. This position is reinforced by the Ausgrid *clothes dryers* discussion paper. The section 96(2) does not address these concerns.

Principle 5: Landscape

Good design recognises that together landscape and buildings operate as an integrated and sustainable system, resulting in attractive developments with good amenity. A positive image and contextual fit of well designed developments is achieved by contributing to the landscape character of the streetscape and neighbourhood.

Good landscape design enhances the development's environmental performance by retaining positive natural features which contribute to the local context, co-ordinating water and soil management, solar access, micro-climate, tree canopy, habitat values and preserving green networks.

Good landscape design optimises useability, privacy and opportunities for social interaction, equitable access, respect for neighbours' amenity and provides for practical establishment and long term management.

Providing interactive gardening opportunities for seniors is a great potential lifestyle opportunity for aged care housing. Many retired people, living in apartments, having left a garden behind and having more available time are interested in gardening. The landscape proposal does not appear to recognise this, although "community gardens" are provided, there are no actual hands on gardening/vegetable growing opportunities. As previously noted there are also no clothes drying areas. The landscape work proposed does however appear to provide some attractive external places surrounding the development.

The proposal meets this design principle, but misses the potential opportunities regarding resident involvement and community building.

Principle 6: Amenity

Good design positively influences internal and external amenity for residents and neighbours. Achieving good amenity contributes to positive living environments and resident well being.

Good amenity combines appropriate room dimensions and shapes, access to sunlight, natural ventilation, outlook, visual and acoustic privacy, storage, indoor and outdoor space, efficient layouts and service areas and ease of access for all age groups and degrees of mobility.

Community facilities greatly improve the village atmosphere and provide an appropriate connection to the wider public realm.

The works improve the amenity across the site.

Principle 7: Safety

Good design optimises safety and security within the development and the public domain. It provides for quality public and private spaces that are clearly defined and fit for the intended purpose. Opportunities to maximise passive surveillance of public and communal areas promote safety.

A positive relationship between public and private spaces is achieved through clearly defined secure access points and well lit and visible areas that are easily maintained and appropriate to the location and purpose.

The creation of a village centre allows residents to meet and provides a clearly defined entry area. This means residents are more likely to be able to identify an

intruder, meaning the development is both safer and more secure.

Principle 8: Housing diversity and social interaction

Good design achieves a mix of apartment sizes, providing housing choice for different demographics, living needs and household budgets.

Well designed apartment developments respond to social context by providing housing and facilities to suit the existing and future social mix.

Good design involves practical and flexible features, including different types of communal spaces for a broad range of people and providing opportunities for social interaction among residents.

Aged housing provides a very necessary housing type which meets the particular needs of the growing number of senior citizens in an aging population.

Principle 9: Aesthetics

Good design achieves a built form that has good proportions and a balanced composition of elements, reflecting the internal layout and structure. Good design uses a variety of materials, colours and textures.

The visual appearance of a well designed apartment development responds to the existing or future local context, particularly desirable elements and repetitions of the streetscape.

The proposed section 96(2) amendments both respect and positively contribute to the existing architectural aesthetic.

SEPP 65: 8 Topic Criteria

SEPP 65 Clause 28(2)(c) provides that the consent authority must take into account particular design criteria in the Apartment Design Guide. Eight topics are listed in SEPP 65 clause 6A and override any controls in the WDCP2015 when the development is being evaluated.

Topic Area	Subject	Compliance												
3F Building separation	Separation between windows and balconies is provided to ensure visual privacy is achieved. Minimum required separation distances from buildings to the side and rear boundaries are as follows: <table> <tr> <th>Building height</th><th>Habitable rooms and balconies</th><th>Non-habitable rooms</th></tr> <tr> <td>up to 12m (4 storeys)</td><td>6m</td><td>3m</td></tr> <tr> <td>up to 25m (5-8 storeys)</td><td>9m</td><td>4.5m</td></tr> <tr> <td>over 25m (9+ storeys)</td><td>12m</td><td>6m</td></tr> </table>	Building height	Habitable rooms and balconies	Non-habitable rooms	up to 12m (4 storeys)	6m	3m	up to 25m (5-8 storeys)	9m	4.5m	over 25m (9+ storeys)	12m	6m	No
Building height	Habitable rooms and balconies	Non-habitable rooms												
up to 12m (4 storeys)	6m	3m												
up to 25m (5-8 storeys)	9m	4.5m												
over 25m (9+ storeys)	12m	6m												
4A Solar access	1. Living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 2 hours direct sunlight between 9 am and 3 pm at mid winter in the Sydney Metropolitan Area and in the Newcastle and Wollongong local government areas 2. In all other areas, living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 3 hours direct sunlight	Yes Although the existing building features double												

	— between 9 am and 3 pm at mid winter 3. A maximum of 15% of apartments in a building receive no direct sunlight between 9 am and 3 pm at mid winter	loaded corridors over 70% of the apartments are likely to comply										
4F Common circulation spaces	1. The maximum number of apartments off a circulation core on a single level is eight 2. For buildings of 10 storeys and over, the maximum number of apartments sharing a single lift is 40	No There are 2 lifts but 10 apartments per floor										
4D Apartment size	1.Apartments are required to have the following minimum internal areas: <table><tr><td>Apartment type</td><td>Minimum internal area</td></tr><tr><td>Studio</td><td>35m2</td></tr><tr><td>1 bedroom</td><td>50m2</td></tr><tr><td>2 bedroom</td><td>70m2</td></tr><tr><td>3 bedroom</td><td>90m2</td></tr></table> 2.Habitable room depths are limited to a maximum of 2.5 x the ceiling height 3.In open plan layouts (where the living, dining and kitchen are combined) the maximum habitable room depth is 8m from a window 1.Master bedrooms have a minimum area of 10m2 and other bedrooms 9m2 (excluding wardrobe space) 2.Bedrooms have a minimum dimension of 3m (excluding wardrobe space) 1.Living rooms or combined living/dining rooms have a minimum width of: 3.6m for studio and 1 bedroom apartments 4m for 2 and 3 bedroom apartments 2.The width of cross-over or cross-through apartments are at least 4m internally to avoid deep narrow apartment layouts	Apartment type	Minimum internal area	Studio	35m2	1 bedroom	50m2	2 bedroom	70m2	3 bedroom	90m2	Impossible to determine from documentation provided
Apartment type	Minimum internal area											
Studio	35m2											
1 bedroom	50m2											
2 bedroom	70m2											
3 bedroom	90m2											
4C Ceiling Height	Measured from finished floor level to finished ceiling level, minimum ceiling heights are: Minimum ceiling height for apartment and mixed use buildings <table><tr><td>Habitable rooms</td><td>2.7m</td></tr><tr><td>Non-habitable</td><td>2.4m</td></tr></table> For 2 storey apartments <table><tr><td>2.7m for main living area floor</td></tr><tr><td>2.4m for second floor, where its area does not exceed 50% of the apartment area</td></tr></table> Attic spaces <table><tr><td>1.8m at edge of room with a 30 degree minimum ceiling slope</td></tr></table> If located in mixed used areas <table><tr><td>3.3m for ground and first floor to promote future flexibility of use</td></tr></table>	Habitable rooms	2.7m	Non-habitable	2.4m	2.7m for main living area floor	2.4m for second floor, where its area does not exceed 50% of the apartment area	1.8m at edge of room with a 30 degree minimum ceiling slope	3.3m for ground and first floor to promote future flexibility of use	No		
Habitable rooms	2.7m											
Non-habitable	2.4m											
2.7m for main living area floor												
2.4m for second floor, where its area does not exceed 50% of the apartment area												
1.8m at edge of room with a 30 degree minimum ceiling slope												
3.3m for ground and first floor to promote future flexibility of use												
4E Private	1. All apartments are required to have primary balconies as follows:	Yes										

open space	Dwelling type	Minimum area	Minimum depth	
	Studio apartments	4m2	-	
	1 bedroom apartments	8m2	2m	
	2 bedroom apartments	10m2	2m	
	3+ bedroom apartments	12m2	2.4m	
4B Cross ventilation	1. At least 60% of apartments are naturally cross ventilated in the first nine storeys of the building. Apartments at ten storeys or greater are deemed to be cross ventilated only if any enclosure of the balconies at these levels allows adequate natural ventilation and cannot be fully enclosed 2. Overall depth of a cross-over or cross-through apartment does not exceed 18m, measured glass line to glass line			Yes
4G Storage volumes	In addition to storage in kitchens, bathrooms and bedrooms, the following storage is provided: Dwelling typeStorage size volume Studio apartments4m3 1 bedroom apartments6m3 2 bedroom apartments8m3 3+ bedroom apartments10m3 At least 50% of the required storage is to be located within the apartment			No

SEPP 65 Summary

With the exception of the lack of facilities for recycling and external clothes drying the development meets the expectations of the nine SEPP 65 design principles. I consider that there is potential for a revision of the landscape design providing greater resident involvement.

The performance of the building under the SEPP 65: 8 Topic Criteria is not good. However SEPP HSPD considered below overrides SEPP 65. This is also a refurbishment of an existing facility that was built when different controls were in place. Given these considerations, the proposal is acceptable from an Urban Design perspective.

State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 (SEPP HSPD)

This SEPP which was current at the time of the original application, overrides the WLEP2014 and allows aged care facilities in this location. The proposed Section 96(2) amendments do not impact on the SEPP HSPD assessment.

Woollahra Local Environment Plan 1995 (WLEP)

Although the use is not permitted in the 2(b) zone in the WLEP, The WLEP is overridden by SEPP HSPD regarding the permissibility of aged care on 2(b) zoned

land.

The existing height of the development does not comply with the WLEP, however the height is not being increased other than between existing buildings where it has no amenity impacts.

The existing building also exceeds the WLEP FSR control. Similarly to height the infill proposed increases the GFA on the site, but has no impact on the amenity of the neighbours.

Woollahra Residential Development Control Plan 2003 (WRDCP)

The proposed works comply with the WRDCP other than in regard to drying facilities.

Urban Design Review

The proposed section 96(2) amendments have no significant impact on the amenity of the dwellings and the communal facilities. The proposed amendments have no significant impact on the amenity of the surrounding location. The proposal is in the public good and is supported.

The principle changes from the version approved are the enlarging of balconies and the re configuration of the entry point. Neither alteration has a negative impact on the developments presentation to the surrounding public and private realms from an urban design perspective.

Recommendation

My recommendation for approval remains, despite the amendments proposed under the section 96(2) application, That original recommendation also suggested:

- The identifying of external areas suited to clothes drying and the designing of suitable clothes drying facilities.
- The accommodating of recycling or a report regarding the adequacy of the presently proposed facilities.
- Consideration of the provision of “hands on” community gardens.

Some of these may have been addressed, since the last referral in March 2014, but this is not evident on the section 96(2) application documentation. These suggestions remain valid.

Tom Jones
Urban Design

REFERRAL RESPONSE - ENVIRONMENTAL HEALTH

FILE NO: Development Applications/ 72/2014/2
ADDRESS: 250-290 Jersey Road WOOLLAHRA 2025
PROPOSAL: Modifications to the to the approved scheme including layout changes to the Village centre, balconies to Macquarie tower, access & layout and access changes to Bourke & Gipps units
FROM: Graeme Reilly Environmental Health Officer
TO: Ms N Pindar

1. ISSUES

- NIL

2. DOCUMENTATION

I refer to the following documents received for this report:

- Statement of Environment Effects, referenced 250-290 Jersey Road Woollahra prepared by dfp Planning , dated January 2017 .
- Architectural Plans, referenced Dwgs 101-131 , prepared by Enviroma Studio, dated 10/01/2017 ,

3. RESEARCH

The following research was undertaken in the preparation of this assessment:

- A site inspection was carried out on the following date: 20/01/2017

4. SUMMARY OF PROPOSAL

Modifications to the to the approved scheme including layout changes to the Village centre, balconies to Macquarie tower, access & layout and access changes to Bourke & Gipps units

5. ASSESSMENT

Comments have been prepared on the following. **Where Approval is recommended, Conditions of Consent follow at the end of the comments.**

6. RECOMMENDATION

Council's Environmental Health Officer has determined that the proposal is satisfactory, subject to the following conditions:

- A. **General Conditions**
- B. **Conditions which must be satisfied prior to the demolition of any building or construction**
- C. **Conditions which must be satisfied prior to the issue of any construction certificate**

C.1 Light & Ventilation

The *Construction Certificate* plans and specifications, required to be submitted to the *Certifying Authority* pursuant to clause 139 of the *Regulation*, must detail all a lighting, mechanical ventilation or air-conditioning systems complying with Part F.4 of the *BCA* or clause 3.8.4 and 3.8.5 of the *BCA* Housing Provisions, inclusive of [AS 1668.1](#), [AS 1668.2](#) and [AS/NZS 3666.1](#). If an alternate solution is proposed then the *Construction Certificate* application must include a statement as to how the performance requirements of the *BCA* are to be complied with and support the performance based solution by expert *evidence of suitability*. This condition does not set aside the mandatory requirements of the *Public Health (Microbial Control) Regulation* 2000 in relation to *regulated systems*. This condition does not set aside the effect of the *Protection of the Environment Operations Act* 1997 in relation to offensive noise or odour.

Note: Clause 98 of the *Regulation* requires compliance with the *BCA*. Clause 145 of the *Regulation* prevents the issue of a *Construction Certificate* unless the *Accredited Certifier/Council* is satisfied that compliance has been achieved. Schedule 1, Part 3 of the *Regulation* details what information must be submitted with any *Construction Certificate*. It is the Applicant's responsibility to demonstrate compliance through the *Construction Certificate* application process. Applicants must also consider possible noise and odour nuisances that may arise. The provisions of the *Protection of the Environment Operations Act* 1997 have overriding effect if offensive noise or odour arises from the use. Applicant's must pay attention to the location of air intakes and air exhausts relative to sources of potentially contaminated air and neighbouring windows and air intakes respectively, see section 2 and 3 of [AS 1668.2](#).

Standard Condition C59

C.2 Ventilation - Internal Sanitary Rooms

All internal sanitary rooms and laundry facilities not provided with natural ventilation must be provided with a system of mechanical exhaust ventilation in accordance with *Table B1 Minimum Exhaust Ventilation Flow Rates of AS 1668.2-1991*. Details of any proposed mechanical ventilation system(s) being submitted with the *Construction Certificate* plans and specifications, required to be submitted to the *Certifying Authority* demonstrating compliance with AS 1668 Parts 1 & 2.

Graeme Reilly
Environmental Health Officer

Date:23/01/2017

REFERRAL RESPONSE – FIRE SAFETY

FILE NO: DA 72/2014/2
ADDRESS: 250-290 Jersey Road WOOLLAHRA 2025
PROPOSAL: Modifications to the to the approved scheme including layout changes to the Village centre, balconies to Macquarie tower, access & layout and access changes to Bourke & Gipps units
FROM: Richard Smith - Fire Safety Officer
TO: Ms N Pindar

1. DOCUMENTATION

I refer to the following documents received for this report:

- Statement of Environment Effects, referenced modifications of approved alterations & additions prepared by dfp planning consultants, dated January 2017.
- Architectural Plans, referenced 101,102, 103, 104, 105, 106, 107, 110, 120, 121, 122, 130 & 131, prepared by enviro studio, dated 10 January 2017,
- Fire Safety Report, referenced Building Code of Australia report, prepared by mckenzie group, dated 31 August 2016.

2. RESEARCH

The following research was undertaken in the preparation of this assessment:

- A site inspection was carried out on the following date: 19 January 2017

3. LEGISLATION

A Building Code of Australia (BCA) assessment of this development application is required to satisfy the following statutory provisions of the *Environmental Planning & Assessment Regulation 2000*.

☒ Clause 94 – ‘Consent authority may require buildings to be upgraded’

- Compliance with the BCA if more than 50% of the volume has been changed in the last 3 years
- Fire safety – to protect persons using the building and facilitate their egress from the building as well as restricting the spread of fire from the building to other buildings

4. BUILDING DESCRIPTION

Type of Construction: A

Class:	3
Number of Storeys:	9
Rise in Storeys:	9
Effective Height:	23.494 metres

5. ASSESSMENT

Comments have been prepared on the following. **Where Approval is recommended, Conditions of Consent follow at the end of the comments.**

6.1 Clauses of BCA referenced:

6. RECOMMENDATION

Certain non-compliances have been outlined in the BCA report submitted to Council. The non-compliances will need to be addressed in a performance solution and the proposed section 96 layout changes will need to comply with the BCA.

As the proposed works are all new they will have to be dealt with at the Construction Certificate stage, conditioning the development in relation to a clause 94 upgrade is not required.

Council's Fire Safety Officer has determined that the proposal is satisfactory, subject to the following conditions:

- A. **General Conditions**
- B. **Conditions which must be satisfied prior to the demolition of any building or construction**
- C. **Conditions which must be satisfied prior to the issue of any construction certificate**
- D. **Conditions which must be satisfied prior to the commencement of any development work**
- E. **Conditions which must be satisfied during any development work**
- F. **Conditions which must be satisfied prior to any occupation or use of the building (Part 4A of the Act and Part 8 Division 3 of the Regulation)**

F.1 Fire Safety Certificates

In the case of a ***final occupation certificate*** to authorise a person:

- a) to commence occupation or use of a *new building*, or
- b) to commence a change of building use for an existing building,

a *certifying authority* must be satisfied that a final fire safety certificate has been issued for the building.

In the case of an ***interim occupation certificate*** to authorise a person:

- a) to commence occupation or use of a partially completed *new building*, or
- b) to commence a change of building use for part of an existing building,

a *certifying authority* must be satisfied that a final fire safety certificate or an interim fire safety certificate has been issued for the relevant part of the building.

Note: This condition does not apply to a class 1a or class 10 building within the meaning of clause 167 of the Regulation.

Note: In this condition:

interim fire safety certificate has the same meaning as it has in Part 9 of the Regulation.

final fire safety certificate has the same meaning as it has in Part 9 of the Regulation.

new building has the same meaning as it has in section 109H of the Act.

Standard Condition: F4

G. Conditions which must be satisfied prior to the issue of any Subdivision Certificate

H. Conditions which must be satisfied prior to the issue of a Final Occupation Certificate (s109C(1)(c))

I. Conditions which must be satisfied during the ongoing use of the development

I.1 Annual Fire Safety Statements (Class 1b to 9c buildings inclusive)

Each year, the owner of a building to which an *essential fire safety measure* is applicable must provide an *annual fire safety statement* to Council and the Commissioner of the NSW Fire Brigades. The *annual fire safety statement* must be prominently displayed in the building.

Note: *Essential fire safety measure* has the same meaning as in clause 165 of the Regulation. *Annual fire safety statement* has the same meaning as in clause 175 of the Regulation. Part 9 Division 5 of the Regulation applies in addition to this condition at the date of this consent. Visit Council's web site for additional information in relation to fire safety www.woollahra.nsw.gov.au.

Standard Condition: I22

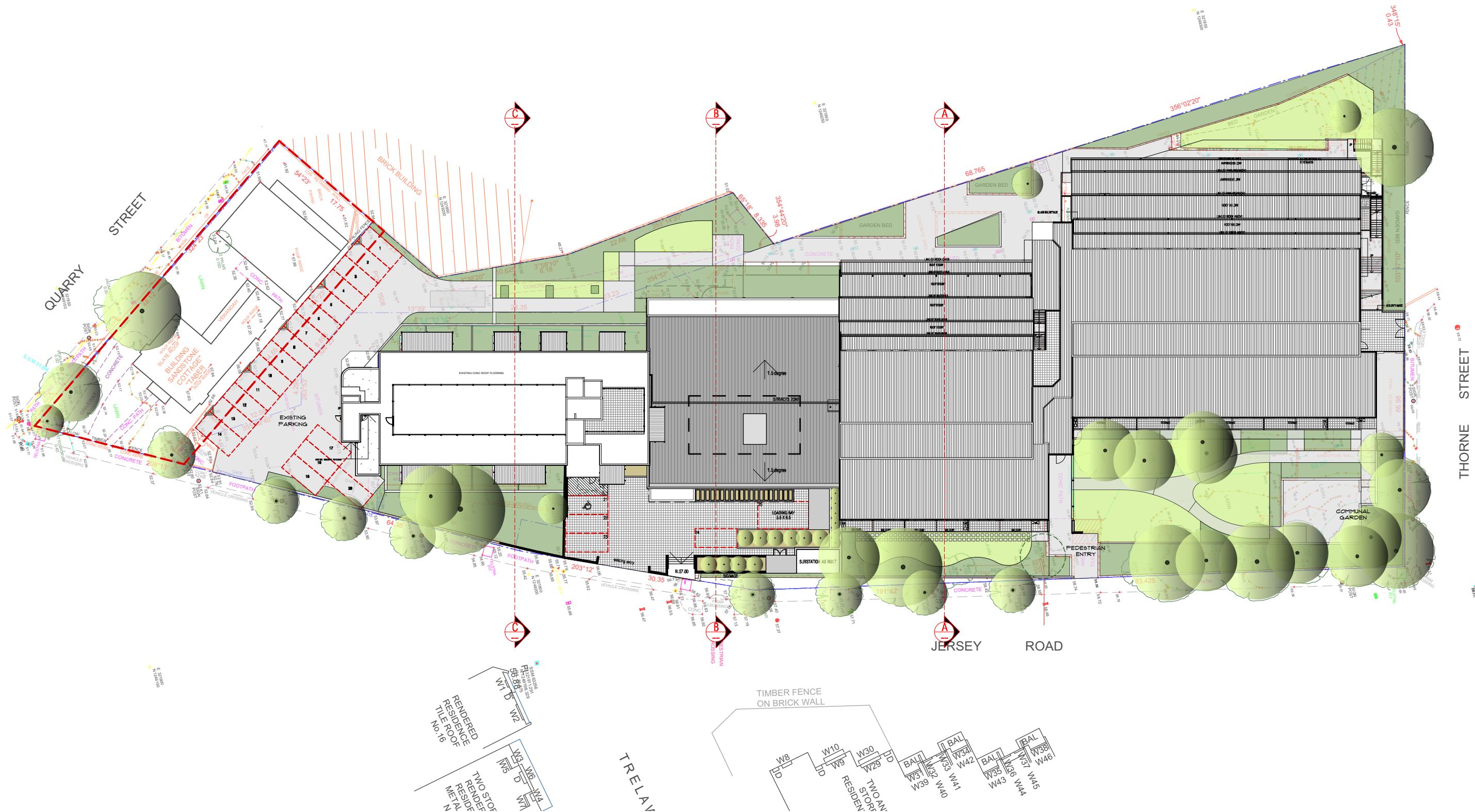
J. Miscellaneous Conditions

K. Advisings

Nil

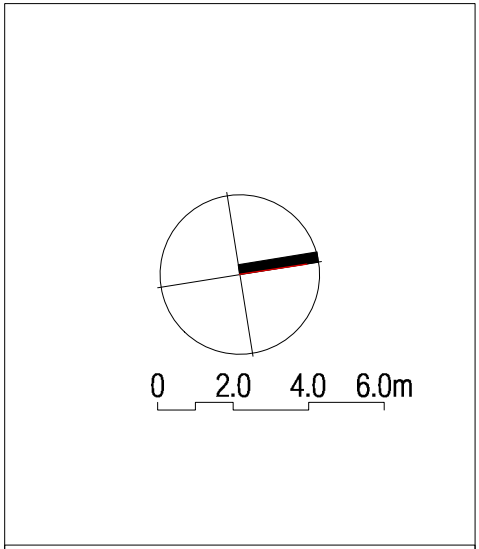
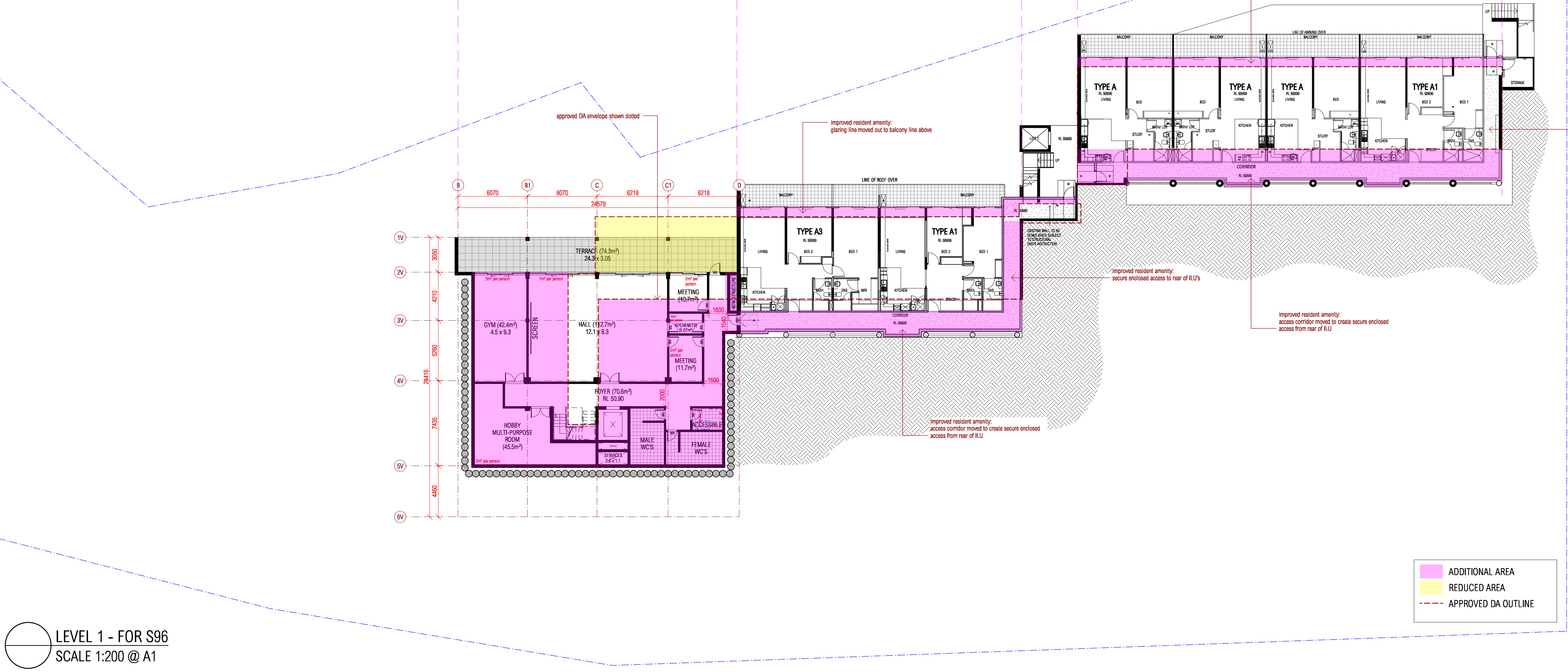
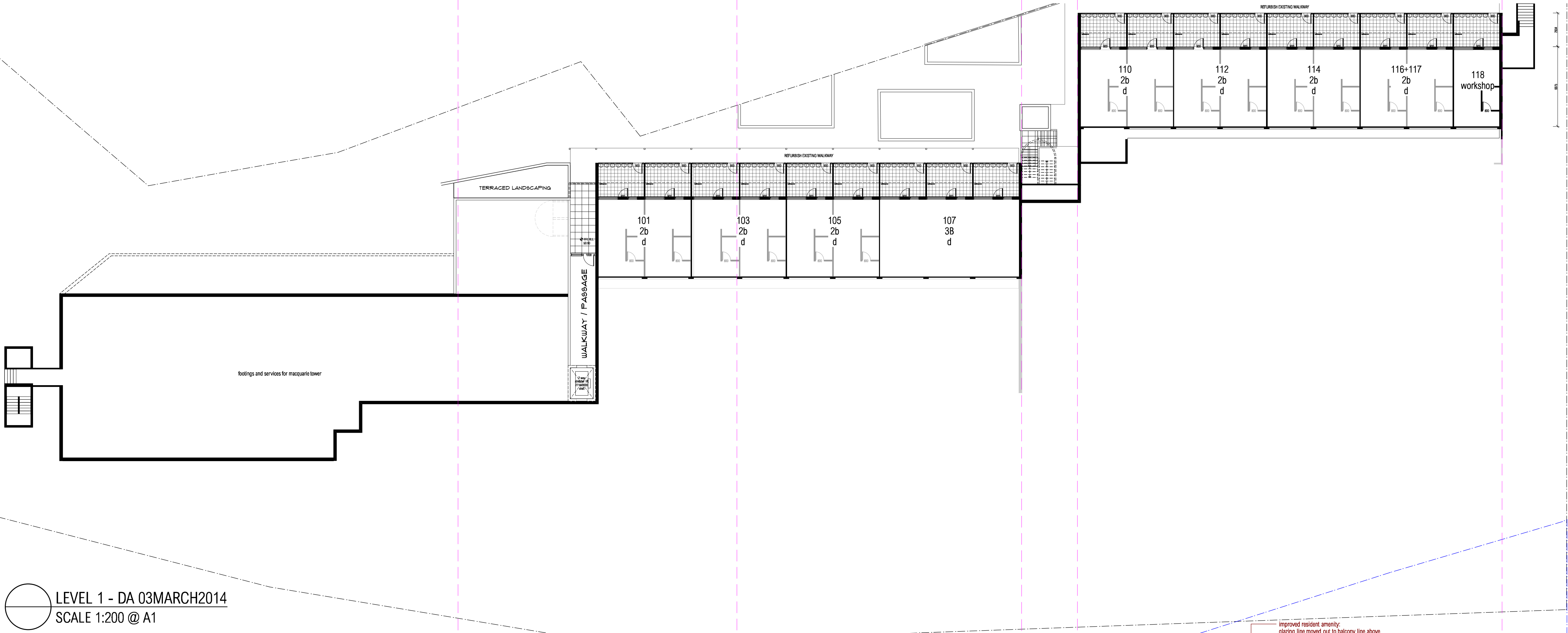
Richard Smith
Fire Safety Officer

Date: 25 January 2017



scale 1:500 @ A3 0579111315M	notes all work to be carried out in accordance with bca, saa codes and conditions of council. measurements in mm's unless noted. use figured dimensions. do not scale drawings. site measure before starting work. refer all discrepancies to the architect.	rev	date	amendment	rev	date	amendment	environa studio 19/151 foveaux st surry hills 2010 t: 02 9332 1211 f: 02 9332 1355 w: www.environastudio.com.au architects registration number 6239	project ARV GOODWIN VILLAGE	location 250-290 JERSEY ROAD	drawing SITE PLAN	stage S96	project no. 728.2	dwg no. 003
		A C D	03.03.14 20.10.16 10.01.17	DA ISSUE PRE-DA (S96) issue S96 issue					for/client ARV Villages	at WOOLLAHRA	drawing	chkd TW	drwn CK /OZ	date 11/1/17

environa studio
19/151 foveaux st surry hills 2010
t: 02 9332 1211 f: 02 9332 1355
w: www.environastudio.com.au
architects registration number 6239



notes		
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rev	date	amendment
A	17.03.14	DA issue: additional info
C	20.10.16	PRE-DA (S96) issue
D	10.01.17	S96 issue

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e: info@environastudio.com.au
architects registration : 6239

project
ARV GOODWIN VILLAGE

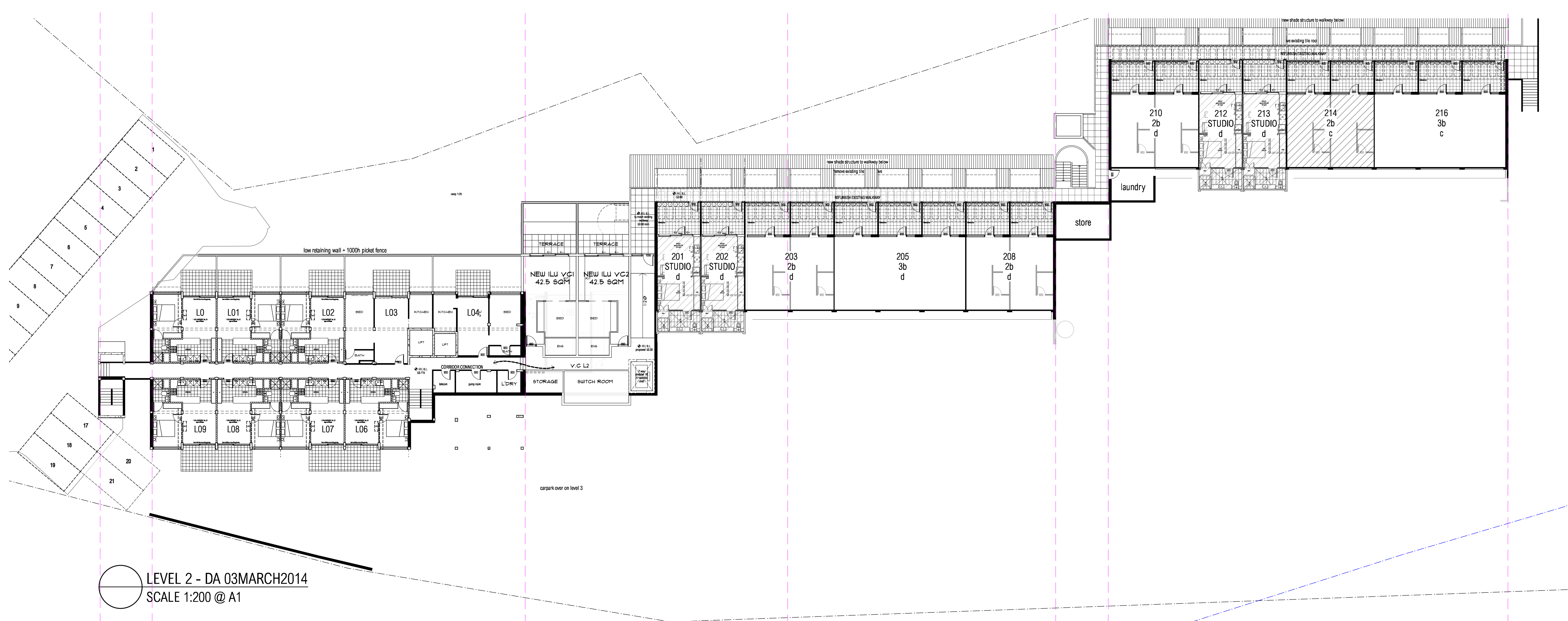


location
250-290 JERSEY RD

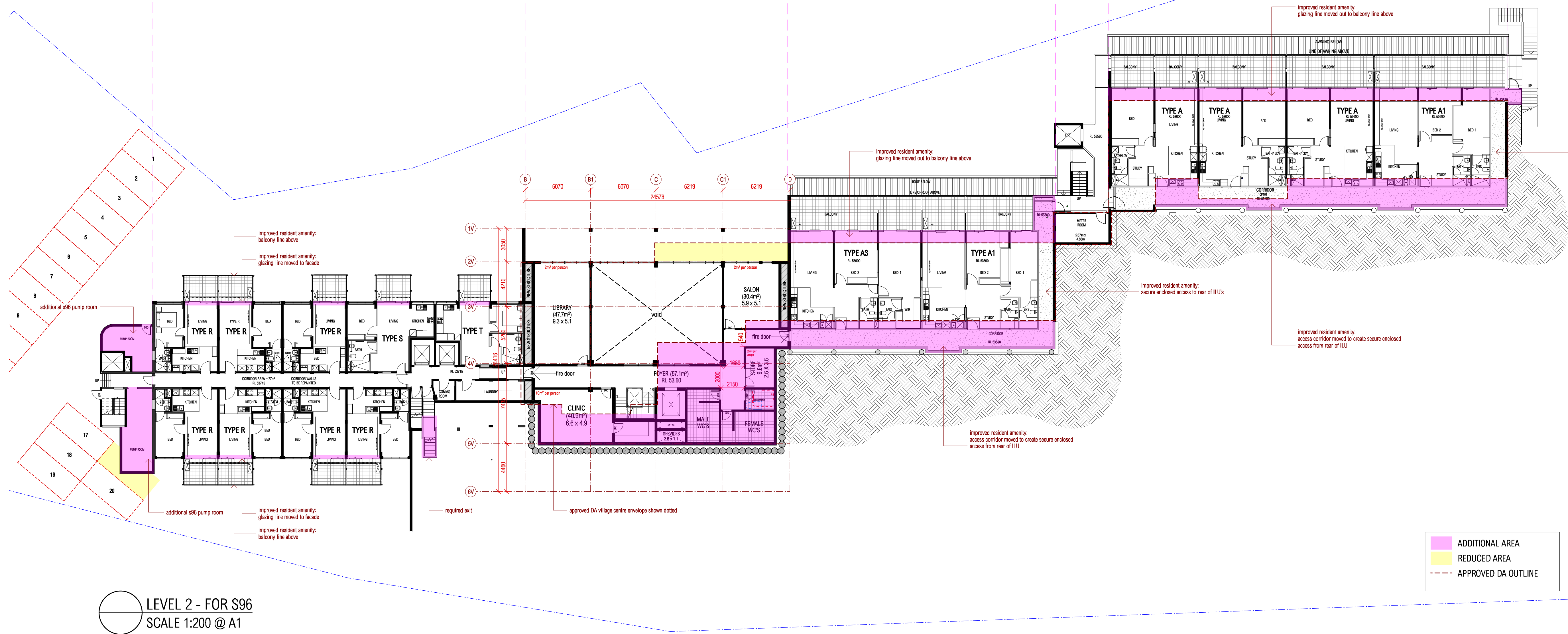
at
WOOLLAHRA

drawing
LEVEL 1 FLOOR PLAN

stage	project no.	dwg no.
S96	815	101
chkd	drwn	date
TW	CK /OZ	10/1/17
		issue
		D



LEVEL 2 - DA 03MARCH2014
SCALE 1:200 @ A1



LEVEL 2 - FOR S96
SCALE 1:200 @ A1

notes		
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rev	date	amendment
A	17.03.14	DA issue: additional info
C	20.10.16	PRE-DA (S96) issue
D	10.01.17	S96 issue

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19/151 foveaux St
surry hills 2010
t: 02 9332 1211 f: 02 9332 1355
e: info@environastudio.com.au
architects registration : 6239

project
ARV GOODWIN VILLAGE

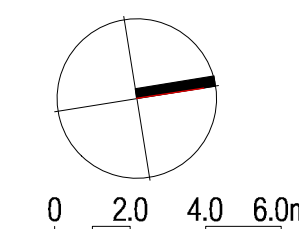
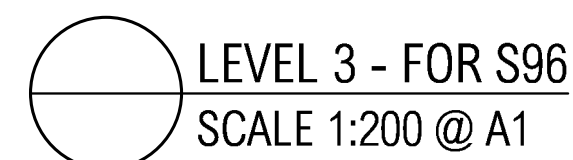
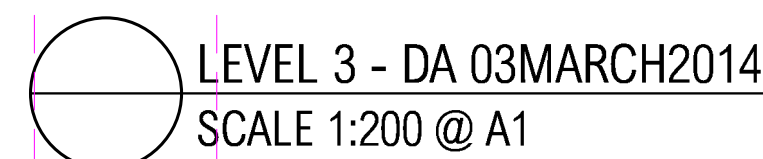
for/client
ARV Villages

location
250-290 JERSEY RD

at
WOOLLAHRA

drawing
LEVEL 2 FLOOR PLAN

stage	project no.	dwg no.
S96	815	102
chkd	drwn	date
TW	CK	10/1/17
		issue
		D



notes
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rev	date	amendment
A	17.03.14	DA issue: additional info
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D	10.01.17	S96 issue

environa studio

19/151 foveaux St
surry hills 2010
t: 02 9332 1211 f: 02 9332 1355
e: info@environastudio.com.au
architects registration : 6239

project
ARV GOODWIN VILLAGE

for/client

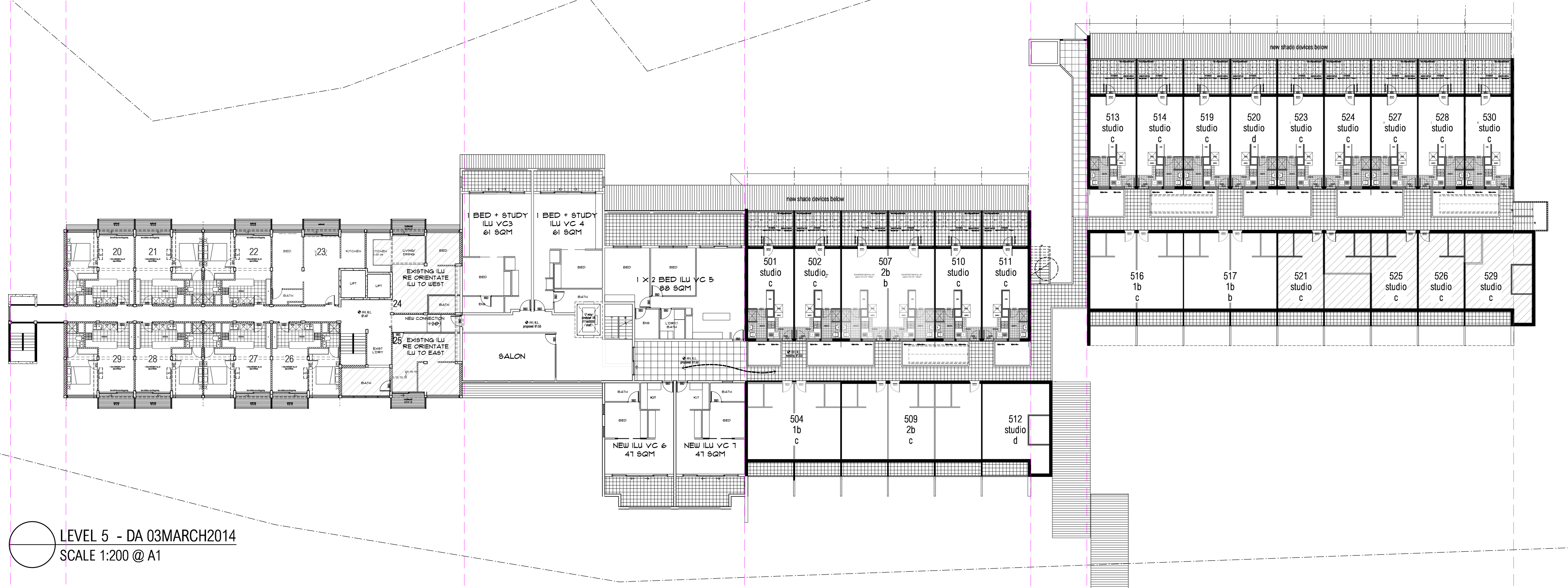
 **ARV** Villages

location
250-290 JERSEY RD

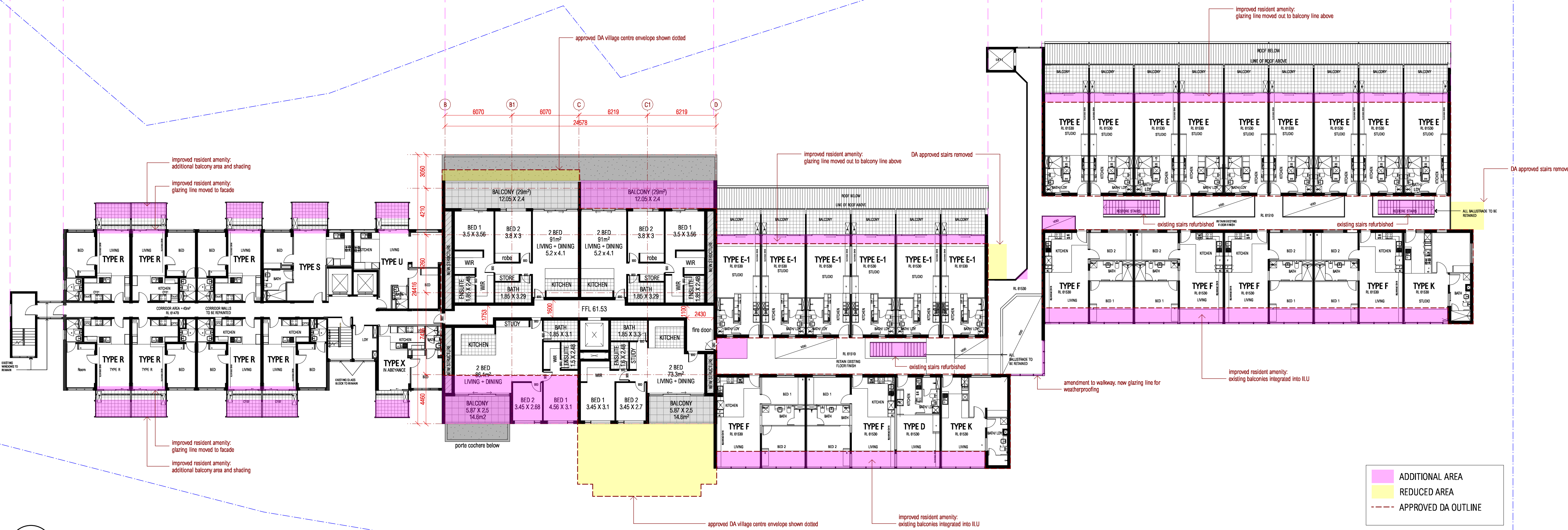
at
WOOLLAHRA

drawing
LEVEL 3 FLOOR PLAN

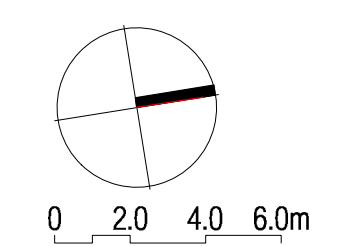
stage S96	project no. 815	dwg no. 103
chkd TW	drwn CK /07	date 10/1/17
		issue D



LEVEL 5 - DA 03MARCH2014
SCALE 1:200 @ A1



LEVEL 5 - FOR S96
SCALE 1:200 @ A1



notes		
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rev	date	amendment
A	17.03.14	DA issue: additional info
C	20.10.16	PRE-DA (S96) issue
D	10.01.17	S96 issue

environa studio
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t: 02 9332 1211 f: 02 9332 1355
e: info@environastudio.com.au
architects registration : 6239

project
ARV GOODWIN VILLAGE

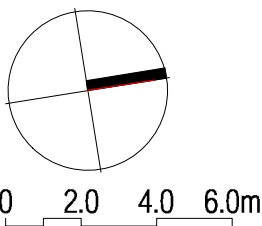
for/client
 Villages

location
250-290 JERSEY RD

at
WOOLLAHRA

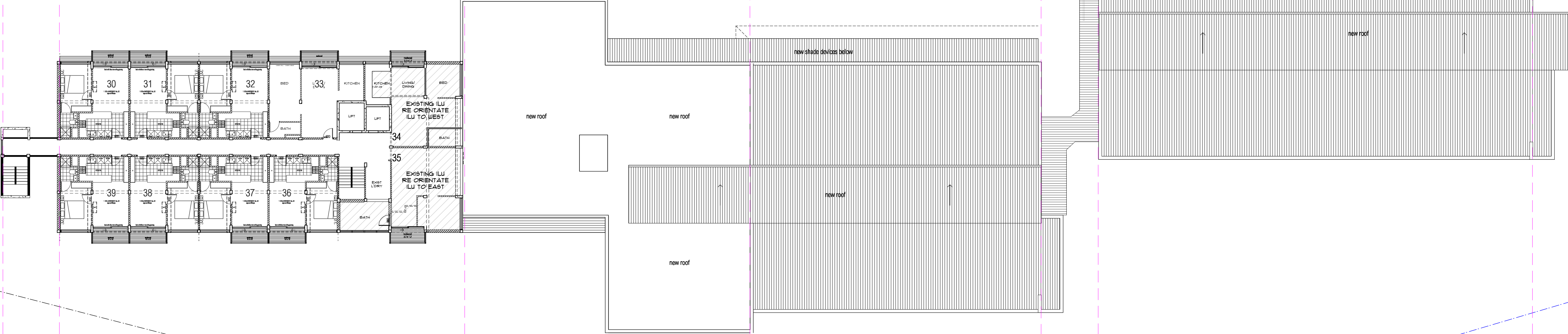
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LEVEL 5 FLOOR PLAN

stage S96	project no. 815	dwg no. 105
chkd TW	drwn CK	date 10/1/17
		issue D

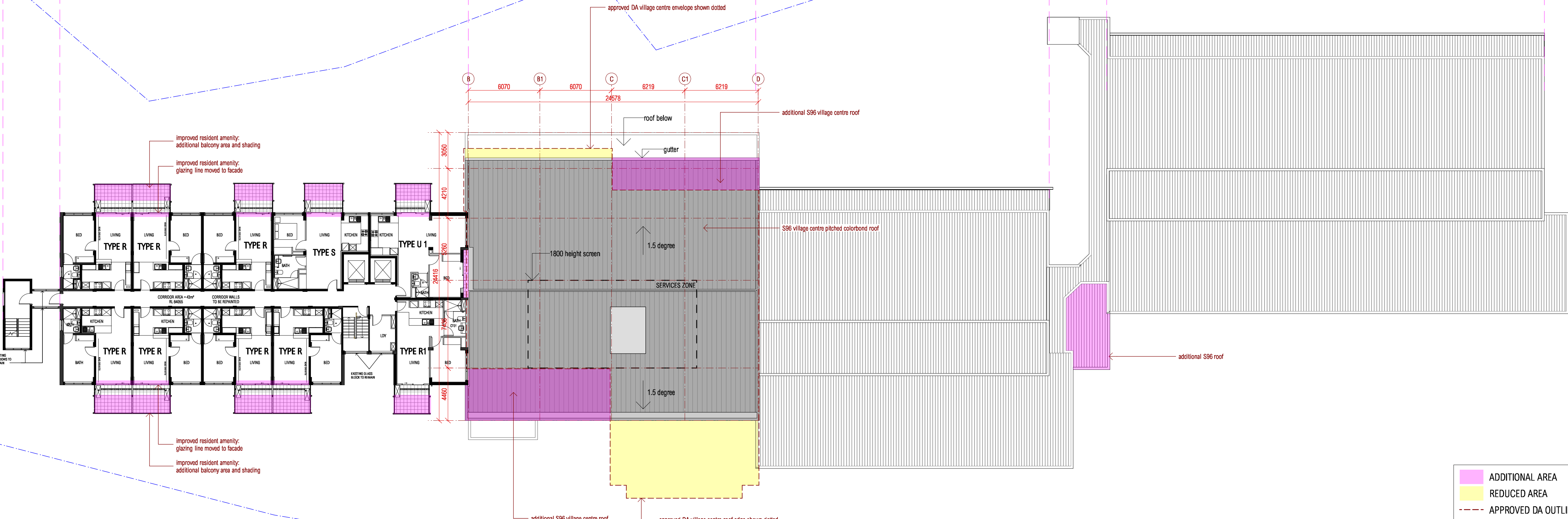


notes
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rev	date	amendment
A	17.03.14	DA issue: additional info
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D	10.01.17	S96 issue



LEVEL 6 - DA 03MARCH2014
SCALE 1:200 @ A1



LEVEL 6 - FOR S96
SCALE 1:200 @ A1

environa studio
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surry hills 2010
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e: info@environastudio.com.au
architects registration : 6239

project
ARV GOODWIN VILLAGE

for/client
ARV Villages

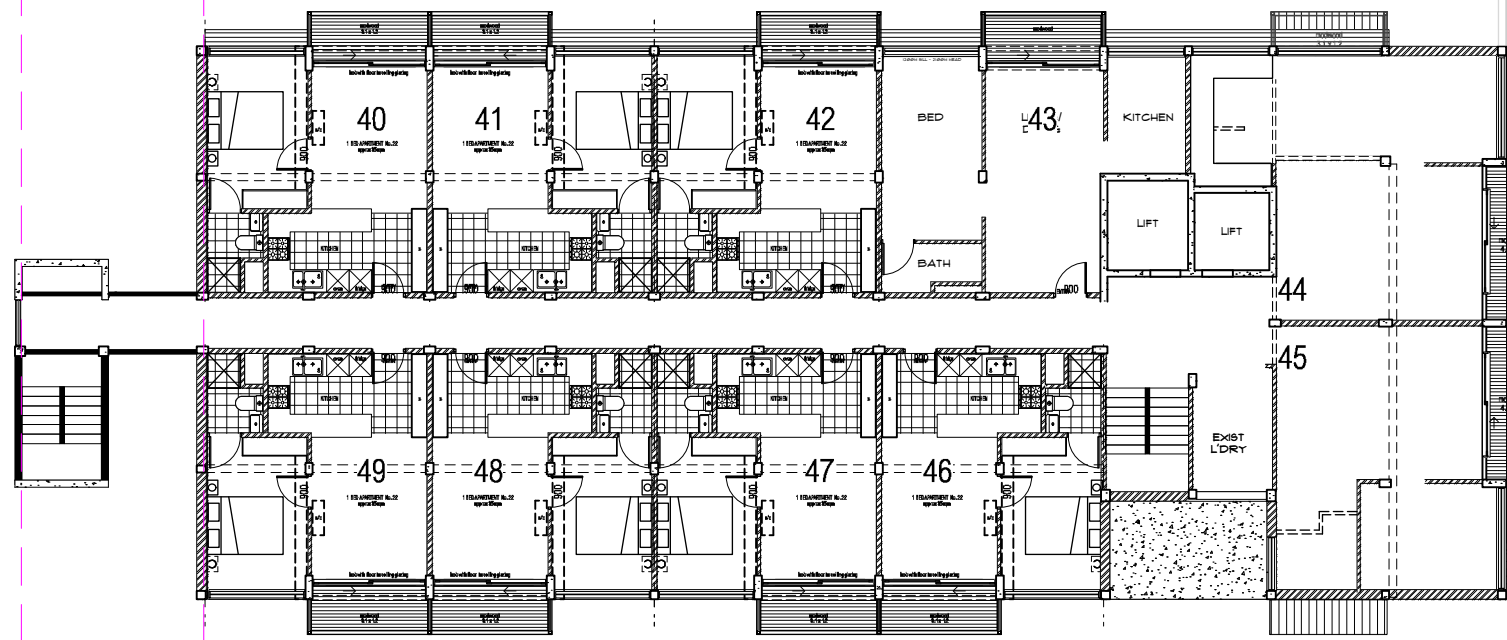
location
250-290 JERSEY RD

at
WOOLLAHRA

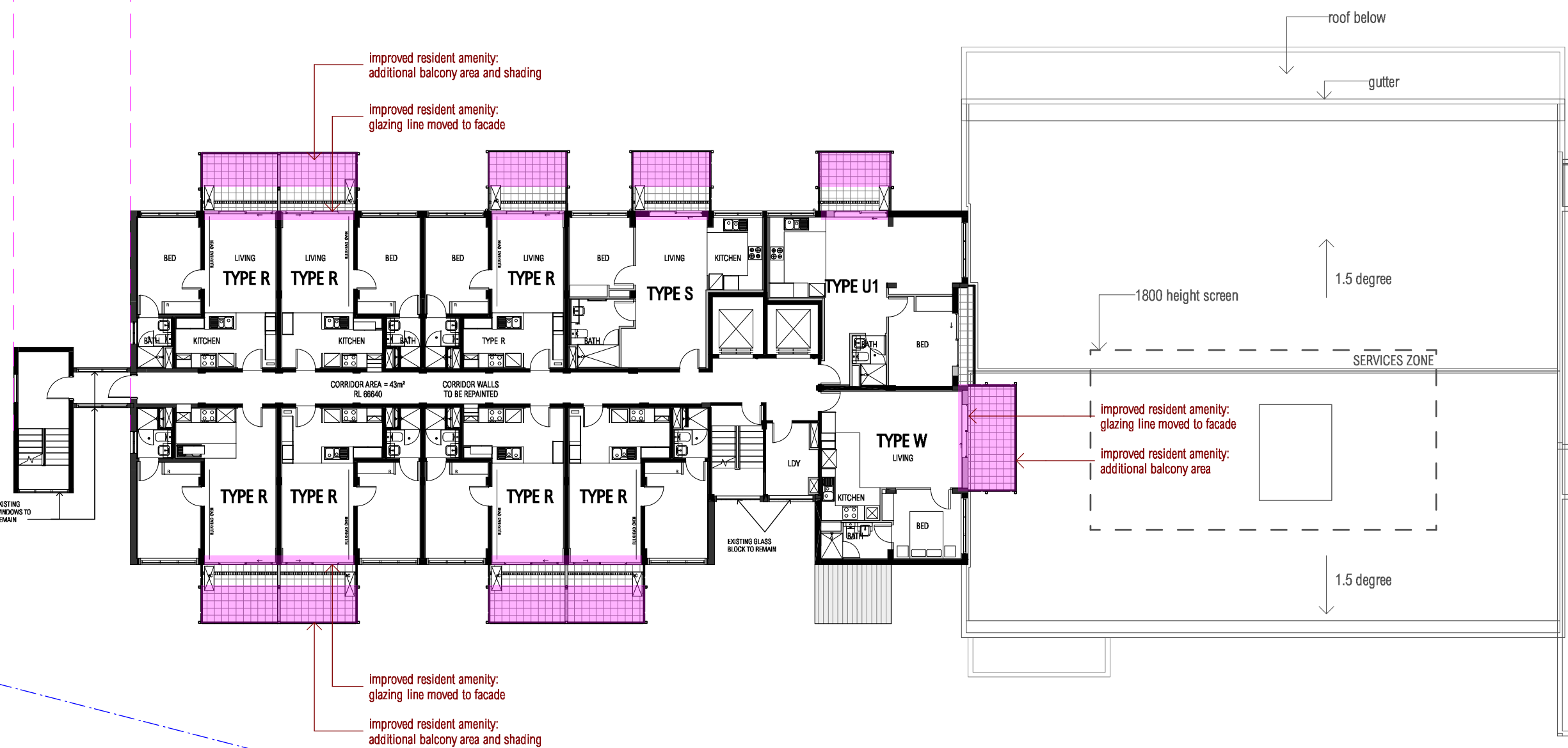
drawing
LEVEL 6 FLOOR PLAN

stage	project no.	dwg no.
S96	815	106

chkd	drwn	date	issue
TW	CK	10/1/17	D
/OZ			

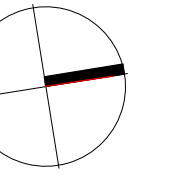


LEVEL 7-10 - DA 03MARCH2014
SCALE 1:200 @ A1



LEVEL 7-10 - FOR S96 (DRAFT)
SCALE 1:200 @ A1

ADDITIONAL AREA
REDUCED AREA
APPROVED DA OUTLINE



0 2.0 4.0 6.0m

notes
all work to be carried out in accordance with
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measurements in mm's unless noted. use
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rev	date	amendment
A	17.03.14	DA issue: additional info
C	20.10.16	PRE-DA (S96) issue
D	10.01.17	S96 issue

environa studio
19/151 foveaux St
surry hills 2010
t: 02 9332 1211 f: 02 9332 1355
e: info@environastudio.com.au
architects registration : 6239

project
ARV GOODWIN VILLAGE

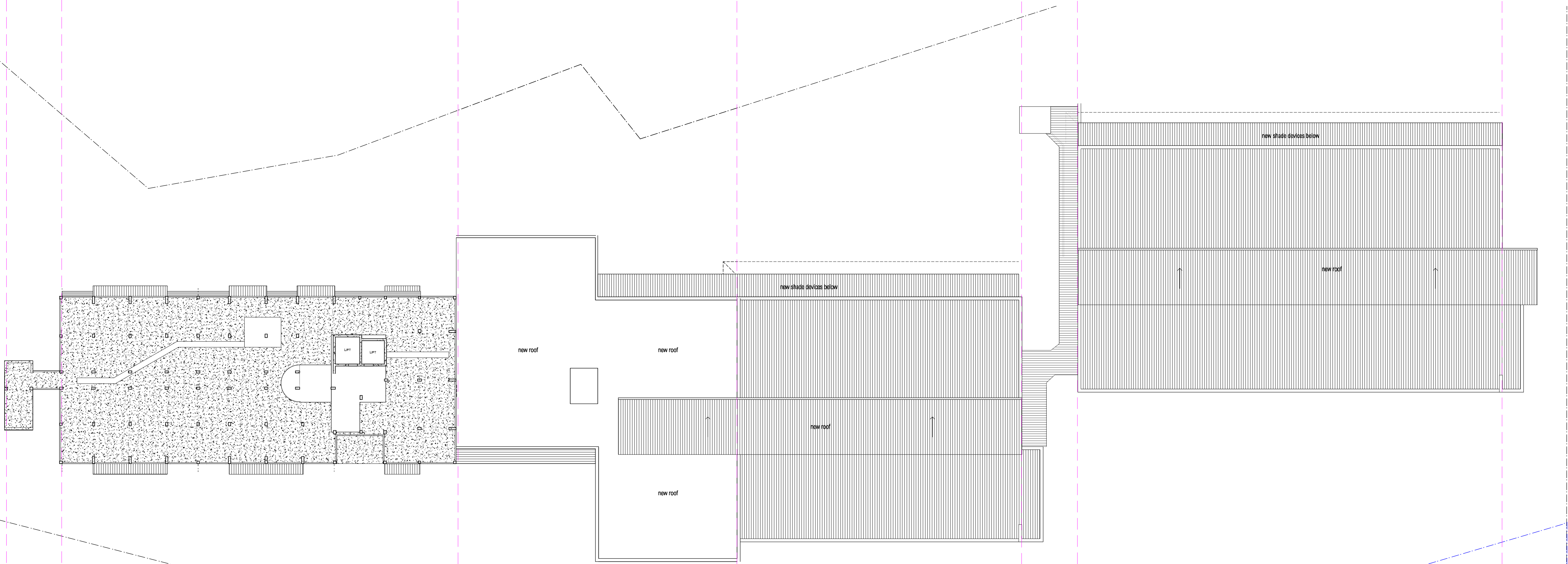
for/client
ARV Villages

location
250-290 JERSEY RD

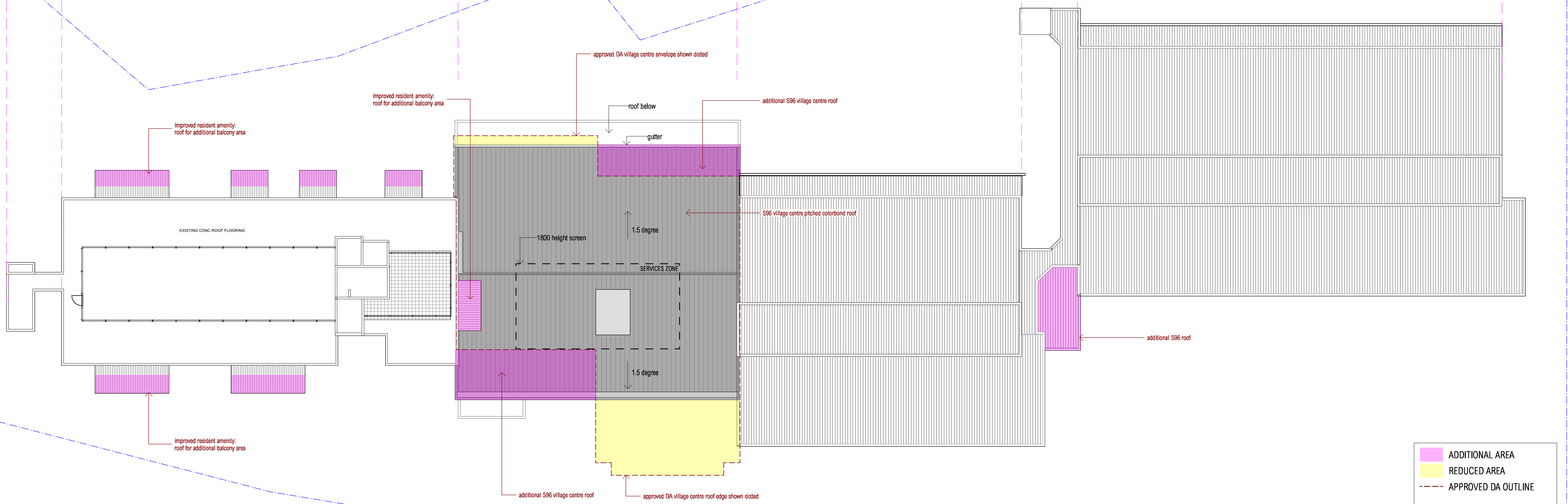
at
WOOLLAHRA

drawing
LEVEL 7-10 FLOOR PLAN

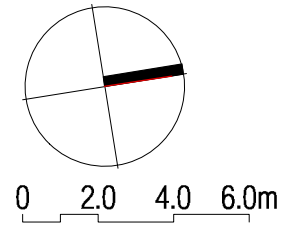
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S96		815	107
chkd	drwn	date	issue
W	CK	10/1/17	D
/OZ			



ROOF PLAN - DA 03MARCH2014
SCALE 1:200 @ A1



ROOF PLAN - FOR S96 (DRAFT)
SCALE 1:200 @ A1



notes
all work to be carried out in accordance with
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D	10.01.17	S96 issue

environa studio
19/151 foveaux St
surry hills 2010
t: 02 9332 1211 f: 02 9332 1355
e: info@environastudio.com.au
architects registration : 6239

project
ARV GOODWIN VILLAGE

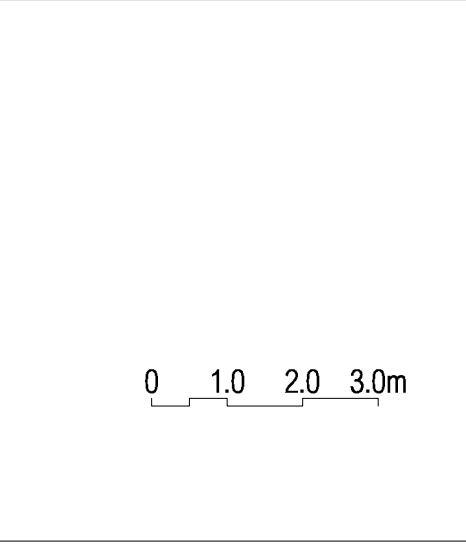
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location
250-290 JERSEY RD

at
WOOLLAHRA

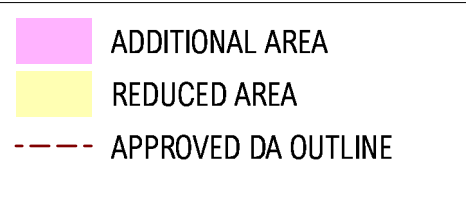
drawing
ROOF PLAN

stage	project no.	dwg no.
S96	815	110
chkd	drwn	date
TW	CK	10/1/17
issue		
/OZ	D	



notes
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C	20.10.16	PRE-DA (S96) issue
D	10.01.17	S96 issue



environa studio
19/151 foveaux St
surry hills 2010
t: 02 9332 1211 f: 02 9332 1355
e: info@environastudio.com.au
architects registration : 6239

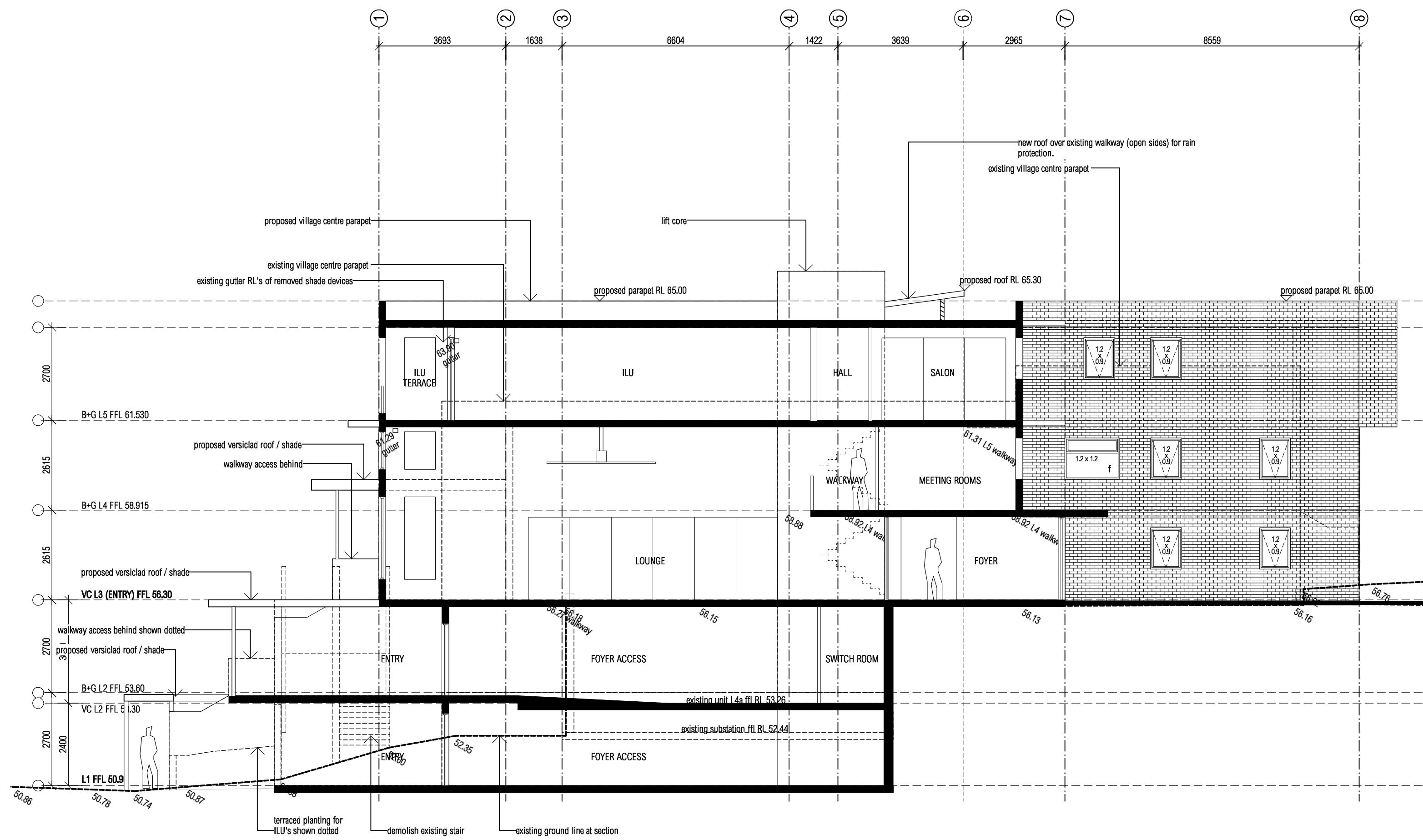
for/client

 ARV Villages

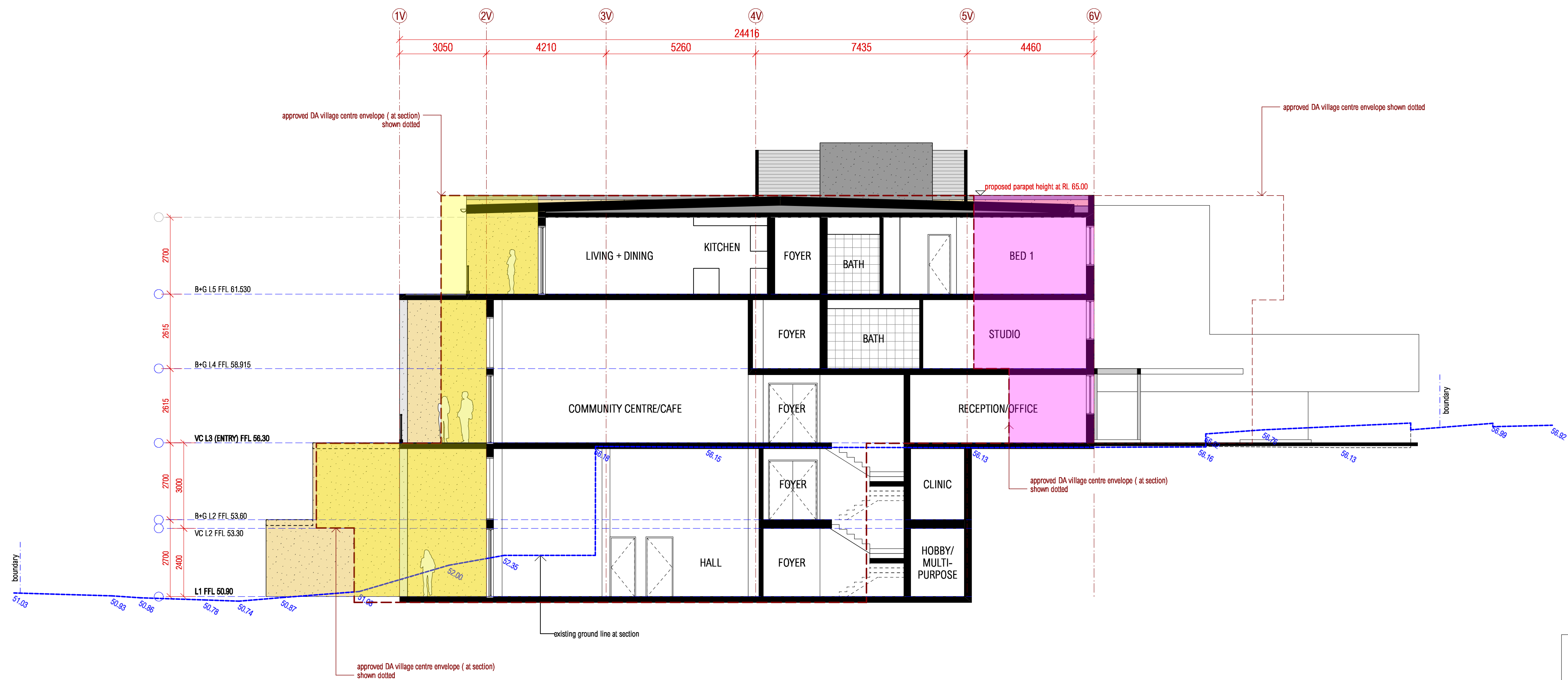
at
WOOLLAHRA

stage S96	project no. 815	dwg no. 120
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chkd	drwn	date	issue
TW	CK /OZ	10/1/17	D



SECTION B - VILLAGE CENTRE - DA 03MARCH2014
SCALE 1:100 @ A1



SECTION B - VILLAGE CENTRE - S96
SCALE 1:100 @ A1

0 1.0 2.0 3.0m

notes
all work to be carried out in accordance with
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rev	date	amendment
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C	20.10.16	PRE-DA (S96) issue
D	10.01.17	S96 issue

environa studio

19/151 foveaux St
surry hills 2010
t: 02 9332 1211 f: 02 9332 1355
e: info@environastudio.com.au
architects registration : 6239

project
ARV GOODWIN VILLAGE

for/client
ARV Villages

location
250-290 JERSEY RD

at
WOOLLAHRA

drawing
SECTION B

stage
S96

project no.
815

dwg no.
121

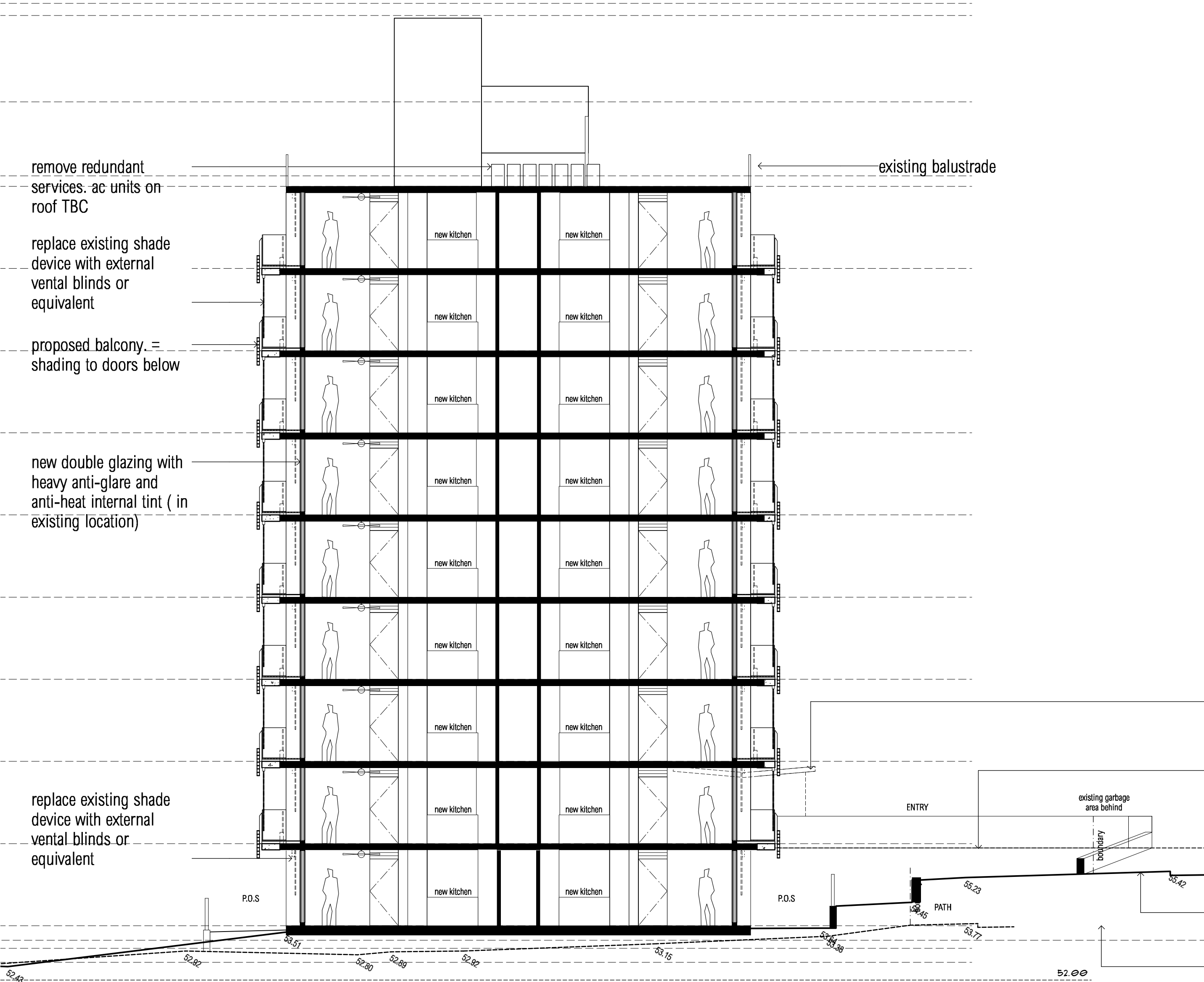
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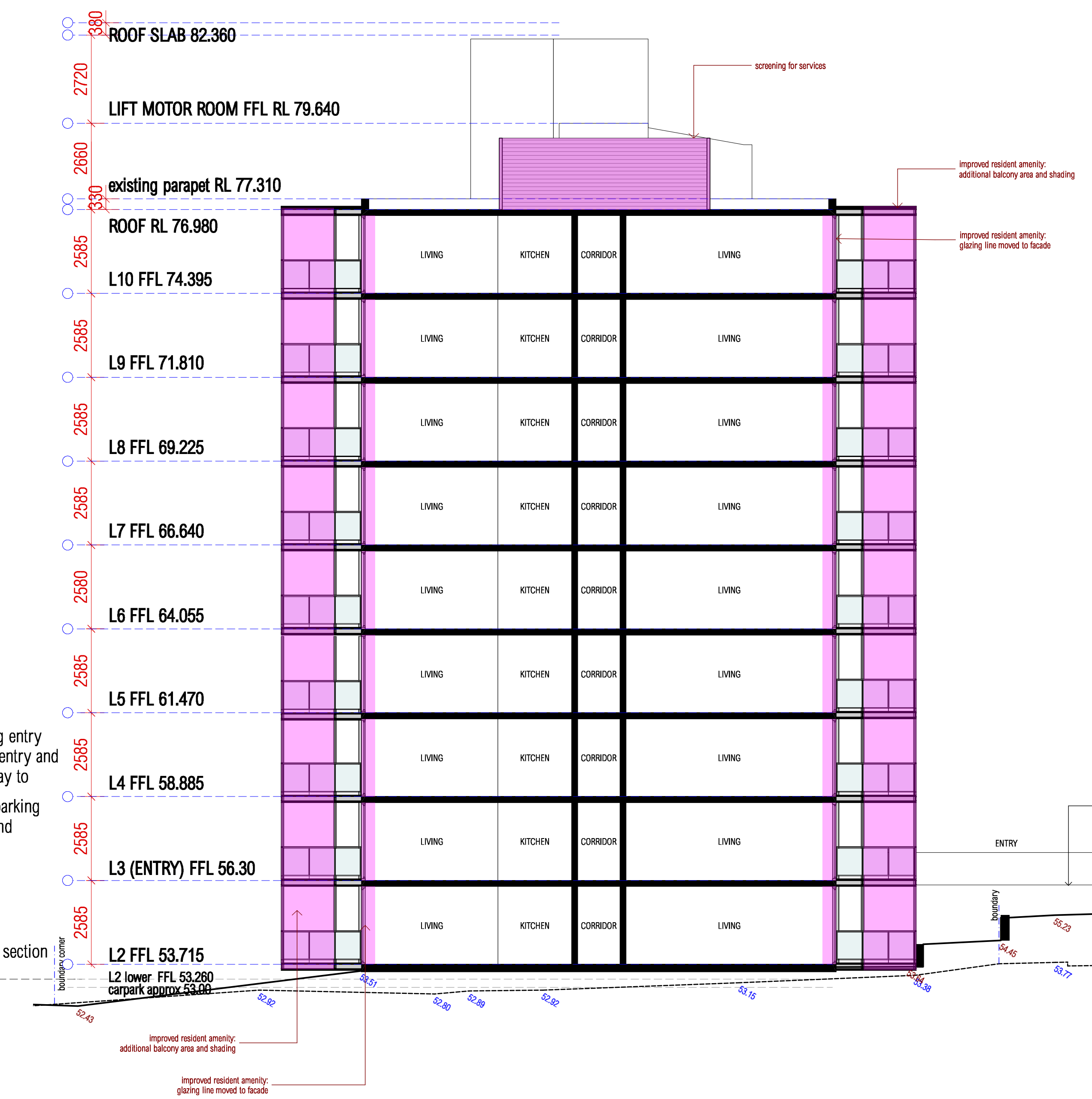
date
10/1/17

issue
D

ADDITIONAL AREA
REDUCED AREA
APPROVED DA OUTLINE



SECTION C -MACQUARIE TOWER - DA 03MARCH2014
SCALE 1:100 @ A1



SECTION C -MACQUARIE TOWER - S96
SCALE 1:100 @ A1

ADDITIONAL AREA

REDUCED AREA

APPROVED DA OUTLINE

01.02.03m

notes
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D	10.01.17	S96 issue

environa studio

19/151 foveaux St
surry hills 2010
t: 02 9332 1211 f: 02 9332 1355
e: info@environastudio.com.au
architects registration : 6239

project

ARV GOODWIN VILLAGE

for/client

ARV

Villages

location

250-290 JERSEY RD

at

WOOLLAHRA

drawing

SECTION C

stage	project no.	dwg no.	
S96	815	122	
chkd	drwn	date	issue
TW	CK	10/1/17	D
/OZ			

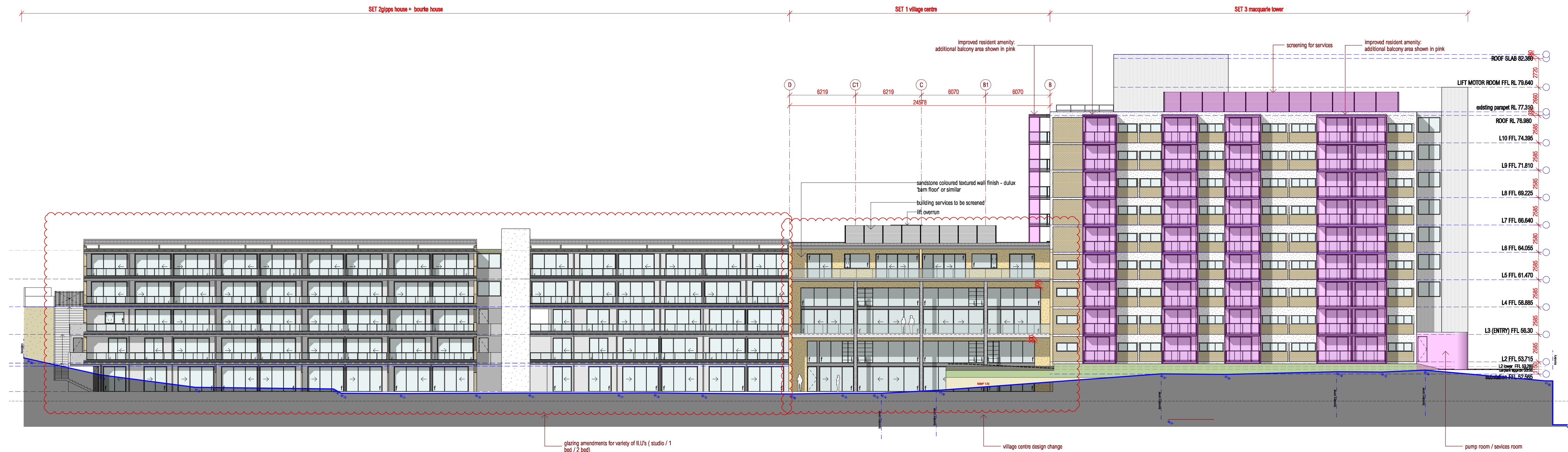


WEST ELEVATION - DA 03MARCH2014
SCALE 1:200 @ A1

0 2.0 4.0 6.0m

notes
all work to be carried out in accordance with
boa, saa codes and conditions of council.
measurements in mm's unless noted. use
figured dimensions. do not scale drawings.
site measure before starting work. refer all
discrepancies to the architects.

rev	date	amendment
A	17.03.14	DA issue: additional info
C	20.10.16	PRE-DA (S96) issue
D	10.01.17	S96 issue



WEST ELEVATION - S96
SCALE 1:200 @ A1

environa studio
19/151 foveaux St
surry hills 2010
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e: info@environastudio.com.au
architects registration : 6239

project
ARV GOODWIN VILLAGE

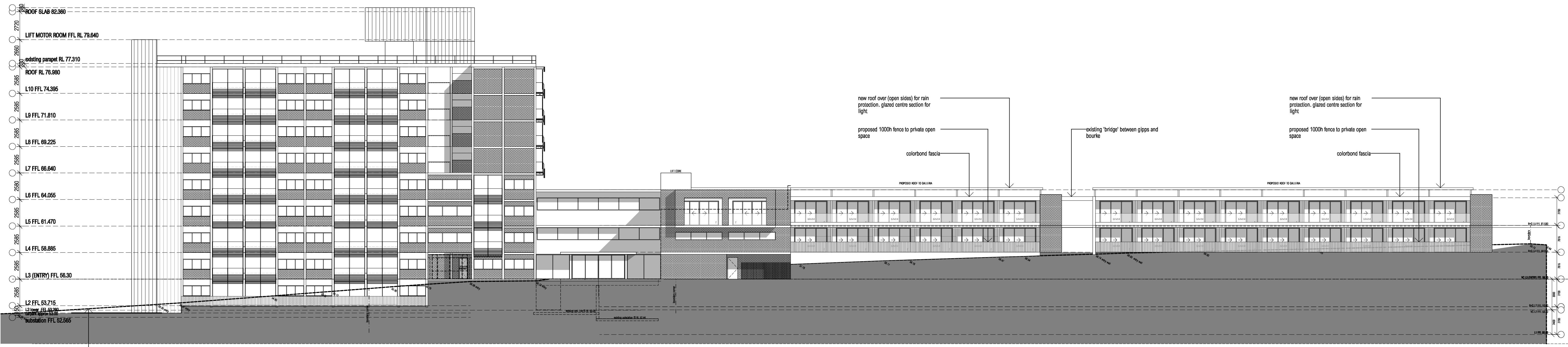
for/client
ARV Villages

location
250-290 JERSEY RD

at
WOOLLAHRA

drawing
WEST ELEVATION

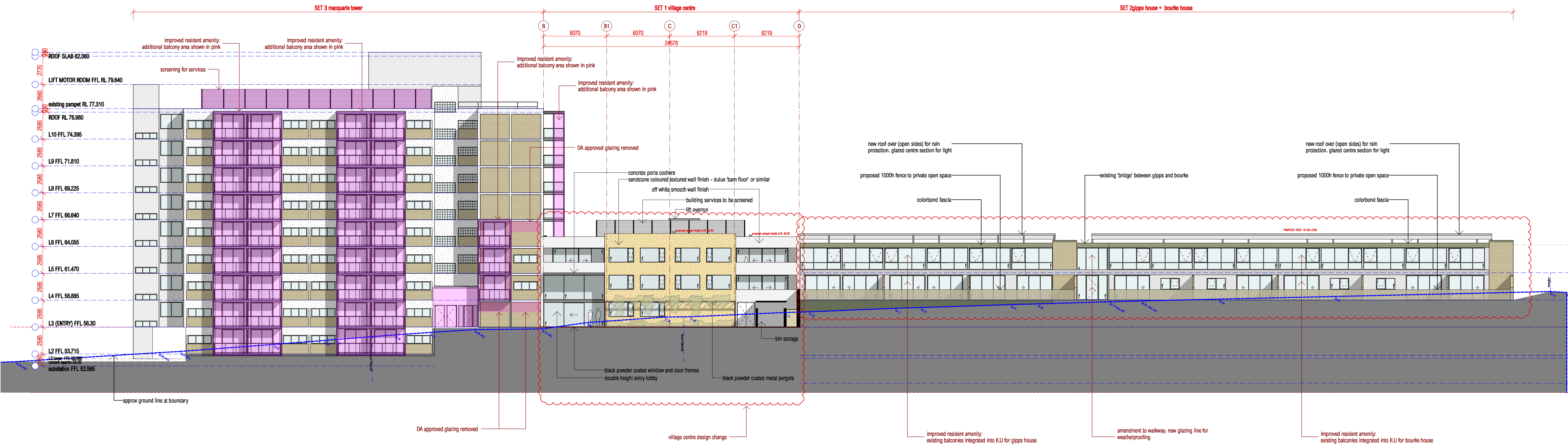
stage	project no.	dwg no.
S96	815	130
chkd	drwn	date
TW	CK /OZ	10/1/17
		issue
		D



notes
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rev	date	amendment
A	17.03.14	DA issue: additional info
C	20.10.16	PRE-DA (S96) issue
D	10.01.17	S96 issue

EAST ELEVATION - DA 03MARCH2014
SCALE 1:200 @ A1



EAST ELEVATION - S96
SCALE 1:200 @ A1

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architects registration : 6239

project
ARV GOODWIN VILLAGE

for/client
ARV Villages

location
250-290 JERSEY RD

at
WOOLLAHRA

drawing
EAST ELEVATION

stage	project no.	dwg no.
S96	815	131
chkd	drwn	date
TW	CK	10/1/17
/OZ		issue
		D