ANNEXURE 1

Referral Response
Urban Design Planner

10 December 2018

REFERRAL RESPONSE - URBAN DESIGN

FILE NO: Development Applications/ 515/2018/1

ADDRESS: 206D Victoria Road BELLEVUE HILL 2023

PROPOSAL: Demolition of existing buildings and construction of a new residential flat development containing 3 buildings linked via a common basement car park, communal open space, landscape and site works

FROM: Tom Jones Urban Design

TO: Mr D Lukas

Information

Architectural drawings: UP Architects 20 Nov 2018

CATEGORY	SHEET NUMBER	SHEET NAME
GENERAL		
	001-001	COVER SHEET & DRAWING LIST
	001-002	PHOTOMONTAGE
	001-003	PHOTOMONTAGE
	001-004	PHOTOMONTAGE
SITE PLAN		
	100-001	SITE PLAN & ANALYSIS
DEMOLITION PLAN		
	101-001	DEMOLITION & EXCAVATION PLAN
GA PLANS		
	110-000	PARKING 3
	110-001	PARKING 2 + BC GROUND
	110-002	PARKING 1 + BC LEVEL 1
	110-003	A LOWER GROUND + BC LEVEL 2
	110-004	A GROUND + BC LEVEL 3
	110-005	A LEVEL 1 + BC ROOF
	110-006	A LEVEL 2
	110-007	A LEVEL 3
	110-008	A ROOF
GA ELEVATIONS		
	210-001	ELEVATIONS SOUTH & NORTH - BUILDING A
	210-002	ELEVATIONS NORTHWEST & SOUTH - BUILDINGS B+C
	210-003	ELEVATIONS EAST & WEST - BUILDING A+B
GA COLOURED ELEVATIONS		
	211-001	ELEVATIONS SOUTH & NORTH - BUILDING A
	211-002	ELEVATIONS NORTHWEST & SOUTH - BUILDINGS B+C
	211-003	ELEVATIONS EAST & WEST - BUILDING A+B
GA SECTIONS		
	310-001	SECTIONS
	310-002	SECTIONS 2

Statement of Environmental Effects: GSA planning job # 18112 November 2018

Survey: Linker /Veris ref 200178 1.03.2018

Background

This DA is assessed and determined on the basis of the current controls. It is not open to Council to depart from our existing development standards unless an objection submitted under clause 4.6 of WLEP 2014 (see below) is upheld.

Context

The proposed site consists of four lots, three of which face Victoria Road (210A, 210 and 208), the fourth is a battle-axe accessed from Victoria Road (206A). The amalgamated site area is 2,525.5sqm.

Currently there are a total of 13 dwellings on the site: a pair of semi-detached dwellings occupy the western part of the Victoria Road frontage, three town houses occupy the

eastern part of the Victoria Road frontage and a residential flat building with 8 dwellings is sited behind to the north. There are currently approximately 12 car parking spaces accommodated on the amalgamated site.

Proposal
The proposal is to demolition the existing multi dwelling houses and residential flat building and construction of a new residential flat development. The proposal is for three predominantly four storey residential flat buildings containing 25 units with basement car parking for 54 vehicles.

Controls
The following controls apply to this development.

- State Environmental Planning Policy # 65 (SEPP 65) : Apartment Design Guide (ADG)
- Woollahra Local Environment Plan 2014 (WLEP 2014)
- Woollahra Development Control Plan 2015 (WDCP 2015)

Compliance
The following is an assessment of the proposal against the relevant controls above.

SEPP 65: 9 Design Principles
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 proposed building consolidates the five separate buildings currently on the site into three forms all connected by the excavated car parking level. The building has a substantial presence on the street. This location is characterised by residential flat building and the proposed streetscape design approach is acceptable. The rear of the site is bounded by an escarpment that drops approximately 12m to Cooper Park. The proposal sits on the top of the escarpment and is setback from 0.75m – Approximately 3.00m from the edge, which is also the site boundary. The two rear four storey buildings rises approximately another 12.00m. This siting has a major impact on the character of the park below and does not *enhance the qualities and identity of the area.*

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 scale of this development is a response to the permitted FSR. The site is extended with a long total boundary length and so has little buffering qualities for this scale of development.

The design ignores the building envelope controls which restrict the extent of built form. The result is buildings that dominates the ridge above the park to the north and impacts on views and sunlight to a number of existing dwelling to the south. The built form and sale of this development to the street is acceptable, but the positioning and scale of the buildings to the rear is not.

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 proposed development is 800m from Bondi Junction train Station. Four bus routes use this part of Victoria Road and three use the closely adjacent Old South Head Road. It is 300m to local shops at Bellevue Hill. This is a very well serviced location. The proposed population density is acceptable.

The proposed building doubles the dwellings on the site and more than quadruples the number of car spaces. The building mass density associated with these large apartments has adverse amenity impacts on adjacent developments. The more than four-fold increase in the private vehicles density accommodated on site is a concern in this congested location where traffic overload already has a significant negative amenity impact.

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.

There are no significant environmental initiatives associated with this development. There is no external clothes drying spaces indicated and there is a significant amount of excavation.

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 usability, privacy and opportunities for social

interaction, equitable access, respect for neighbours' amenity, provides for practical establishment and long term management.

The landscape proposal is acceptable.

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.

The amenity of these apartments is generally good with over 80% getting good solar access. The building layout does not perform so well with regard to cross ventilation.

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.

There are no safety concerns regarding this development.

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, providing opportunities for social interaction amongst residents.

Thirteen of the apartments have three bedrooms. Seven apartments have four bedrooms and four have two bedrooms. This is a response to the market demand in this location. The development provides twelve additional dwellings, but provides little housing diversity. The design provides a number of communal spaces that provide opportunities for social interaction.

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

The aesthetics of this development (when the visual impact of bulk and scale is not considered) are well handled.

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: 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 Numerous bedroom windows face the boundary but are blinked by fixed. Shutters All the windows to the southern boundary are within 6m of the boundary.
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 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	Yes All but four apartments get excellent solar access. Yes Only two units out of 25 receive no sun
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	Yes
4D Apartment size	1.Apartments are required to have the following minimum internal areas: Apartment type — Minimum internal area Studio — 35m2 1 bedroom — 50m2 2 bedroom — 70m2 3 bedroom — 90m2 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	Yes
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 Habitable rooms — 2.7m Non-habitable — 2.4m For 2 storey apartments — 2.7m for main living area floor; 2.4m for second floor, where its area does not exceed 50% of the apartment area Attic spaces — 1.8m at edge of room with a 30 degree minimum ceiling slope If located in mixed used areas — 3.3m for ground and first floor to promote future flexibility of use	Yes
4E Private open space	1. All apartments are required to have primary balconies as follows: Dwelling type — Minimum area — Minimum depth Studio apartments — 4m2 — -	Yes

	1 bedroom apartments 2 bedroom apartments 3+ bedroom apartments	8m2 10m2 12m2	2m 2m 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 type Studio apartments 1 bedroom apartments 2 bedroom apartments 3+ bedroom apartments At least 50% of the required storage is to be located within the apartment		Storage size volume 4m3 6m3 8m3 10m3	No The requirement for storage within the apartment is not addressed in the design drawings or the UD and SEPP 65 report submitted by the applicant.

SEPP 65 Summary

The design fails to meet the expectations of SEPP 65. Particularly regarding the design response to the site's context.

Woollahra Local Environment Plan 2014 (WLEP2014)

This location is zoned R3 for medium density residential development. The height limit is 13.5m and the FSR is 1.3:1. The proposal complies with the use and the FSR, but utilises a method for measuring height which is not the interpretation generally used. The height limit at 13.5m is designed to accommodate 4 storeys. This development however is part five storeys. This is facilitated by the applicant using a "natural" ground level.

Woollahra Development Control Plan 2015 (WDCP2015)

The WDCP 2015 has a site depth controls which allows a building to occupy 60% of the sites depth. This control eliminates the developing of the northern battle axe lot.

> ***B3.2 Building envelope 3.2.4 Rear setback***
> *C3 For development in the R3 Medium Density Residential Zone where an FSR applies, the building depth is 60 % of the site depth.*

The next most relevant controls set might be that which relates to battle axe lots. The setbacks for a residential flat building on such a site are 6.00m to all boundaries. Again this would effectively eliminate the potential to develop the rear section of the site as is proposed.

> ***B3.9 Additional controls for development on a battle-axe lot***
> *C4 For development in the R3 Medium Density Residential Zone (other than a dwelling house or dual occupancy) a 6m setback applies to all boundaries (refer to Figure 31).*

The excavation control allows for 2,525cu.m on a 2,525.5sqm RFB site. The applicant is proposing 17,376cu.m which appears to be measured from *existing ground level* rather than the 'natural' ground level. This is 588% more than that permitted on a flat site. The

excavation is also not setback the 3.00m required from the site boundaries. At points the excavation is over 12m deep.

Urban Design Review

This site is an example of the permitted FSR being in conflict with the building envelope. Given that there is a significant part of the site that is outside the envelope and that there is currently a development on the battel axe lot, it would seem reasonable to allow a level of development. However, the level of development proposed and the impact that that development will have on the public park and adjacent dwellings is unacceptable from an urban design perspective.

The proposed building excavates to accommodate more than the maximum off street car spaces permitted and to accommodate residential accommodation so reducing the height of the built form. The ground level of the four storey development along the escarpment has been excavated to lower the built form and effectively alters the profile of the escarpment. This altering of a topographical feature to accommodate residential development is not appropriate from an urban design perspective.

Recommendation

The proposal in its present from should be refused. To be acceptable from an urban design perspective the rear built forms would need to be significant lowered and pulled away from the boundary. And the amount of excavation would need to be significantly reduced and have the required side setbacks.

Tom Jones
Urban Design

ANNEXURE 2

Referral Response
Engineering

Completion Date: 26 September 2019
Amended on 12 November 2019

REFERRAL RESPONSE – DEVELOPMENT ENGINEERING

FILE NO:	Development Applications/ 515/2018/1
ADDRESS:	206D Victoria Road BELLEVUE HILL 2023
PROPOSAL:	Demolition of existing buildings and construction of a new residential flat development containing 3 buildings linked via a common basement car park, communal open space, landscape and site works
FROM:	Mr R Lam
TO:	Mr D Lukas

1. ISSUES

- Relevant/suitable conditions suggested by GHD are to be included in the DA consent by the Planning Officer separately.

2. DOCUMENTATION

I refer to the following documents received for this report:

- Statement of Environment Effects, referenced 18112, prepared by GSA Planning, dated November 2018.
- Revised Architectural Plans, referenced 1716-Rev K, prepared by UP Architects, dated 29/11/2018.
- Survey, referenced 200178, prepared by Linker Surveying, dated 1 March 2018.
- Geotechnical Report, referenced 86503.00, prepared by Douglas Partners, dated November 2018.
- Stormwater Disposal Concept Plan, referenced 18010535-Rev 1, prepared by Jones Nicholson Consulting Engineers, dated 31/10/2018.
- Traffic report, referenced 18105-Rev C, prepared by TTPA, dated November 2018.
- Email from Council's Geotechnical Consultant, dated 10/09/2019.
- Letter regarding geotechnical Conditions of Consent, referenced 2127786-27935, prepared by GHD (Council's Consultant), dated 10 September 2019.

3. ASSESSMENT

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

a. Site Drainage comments

The submitted stormwater plans are considered satisfactory in principle subject to refinements at the CC stage. The applicant has provided on-site detention (OSD) system as required by Chapter E2.2.4 of Council's DCP. Stormwater treatment system have also been provided for this type of development to comply with Chapter E2.2.3 of Council's DCP.

It is noted that stormwater runoff from the site will be discharged to Cooper Park via the existing cast iron stormwater pipe along the rock face. Based on the scale of the development, the stormwater runoff that will be generated from the development and the

condition of this cast iron pipe, Council's Drainage Engineer is in the opinion that this cast iron pipe should be replaced with ductile iron flanged pipe as part of this DA.

Generally, Council's Technical Services Division is satisfied that adequate provision could be made for the disposal of stormwater from the land it is proposed to develop and complies with Chapter E2 "Stormwater and Flood Risk Management" DCP.

b. Flooding & Overland Flow comments

Council's Drainage Engineer has determined that the development proposal is generally satisfactory subject to the following conditions:

a) The existing cast iron pipe that conveys stormwater from the site to Cooper Park down the existing rock face is to be replaced with a 150mm diameter ductile iron flanged pipe. The class of the pipe is to be determined by a structural engineer. The pipe is to be secured with a minimum of 2 rock bolted connections per pipe segment to the existing rock wall. All rock bolted connections are to be designed by a structural engineer.
b) The ductile iron flanged pipe is to be connected directly to the existing junction pit in Cooper Park (option 2 – sketch by Jones Nicholson Consulting Engineers, dated 30/11/18).

c. Impacts on Council Infrastructure comments

The applicant seeks to provide basement parking as part of this development. Since the locations of the vehicular access are different to the existing, the applicant shall remove all existing vehicular crossing and layback and construct two new 3m wide crossing as part of this application to comply with Council's Crossing Specification. This requirement will be conditioned accordingly.

Besides, Council's Assets Team has previously engaged geotechnical consultant (GHD) to carry out the Cooper Park rock slope assessment. On the basis that the two of the proposed buildings are located close to the crest of the rock faces fronting Cooper Park and Bellevue Gardens, Council's Assets Team has referred this application to GHD for review and advice to ensure that the proposed development will not cause any adverse impacts to the properties that are located below the rock face. In this regard, the conditions recommended by the geotechnical consultant should be imposed in the DA consent.

It is noted that the planning officer has been liaising with Council's geotechnical consultants directly for any relevant/suitable conditions to be included in the DA consent. As such, those conditions would not be included in this referral response.

d. Traffic comments

Council's Traffic Engineer has determined that the development proposal is generally satisfactory subject to engineering conditions. A copy of the memo is in Trim # 19/28302. The conditions imposed by Council's Traffic Engineer will be incorporated into the conditions by Development Engineer.

e. Vehicle Access & Accommodation comments

Vehicular access and car parking layout comply with AS2890.1. However, condition will be imposed for the provision of driveway splays to comply with AS2890.1 to ensure sight lines to pedestrians are adequately provided.

f. Geotechnical, Hydrogeological and/or Structural comments

A Geotechnical Report by Douglas Partners, Ref: 86503.00, dated November 2018, has been submitted in support of the application. The proposal involves excavation with a maximum depth of about 12.6 metres below the existing ground levels.

The report identified that the subsurface conditions as:

a) Fill comprising silty sand to a depth of 1.7m.
b) Depth of natural sand with various density to a depth beneath the fill of 4.9m.
c) Sandstone bedrock was encountered beneath the natural sand.
d) Groundwater was not encountered during the field investigation.

The report made comments and recommendations on the following:

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

Council's Technical Services has no objections 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 conditions.

ANNEXURE 3

Referral Response
Traffic

Traffic

Woollahra Municipal Council

ABN 32 218 483 245

Redleaf Council Chambers
536 New South Head Road
Double Bay NSW 2028
Correspondence to
General Manager
PO Box 61
Double Bay NSW 1360
DX 3607 Double Bay
records@woollahra.nsw.gov.au
www.woollahra.nsw.gov.au
Telephone (02) 9391 7000
Facsimile (02) 9391 7044

Date	22 February 2019
File No.	Development Application 468/2018/1
To	Mr D Lukas
From	Mr E Andari and Mr A Lindaya
Address	206D, 208, 210, 210A Victoria Road, Bellevue Hill

I refer to the memo from the Planning Department requesting comments in relation to the above. I have reviewed the Traffic Report prepared by TTPA dated November 2018 and provide the following comments:

PROPOSAL

It is proposed to demolish the six existing residential buildings comprising 11 apartments and constructing a three multi-level buildings incorporating 25 residential apartments and basement parking.

DISCUSSION

Traffic Generation

The report's traffic generation methodology to use the rates specified in the RMS Technical Direction TDT 2013/4 Guide to Traffic Generating Developments Updated Traffic Surveys is questioned by Council's Traffic and Transport Section. The rates used are for high residential developments which involved residential buildings greater than 6 storeys in height. The proposed development does not include buildings more than five storeys in height.

The RMS Guide to Traffic Generating Developments 2002 specifies that a residential development of this size and scale should generate approximate 16 vehicle trips in the peak hour (vtph).

Taking into consideration the traffic generated by the current development, which is approximately 6 vtph, and its proximity to state arterial roads, the additional traffic generated by the proposed development can be accommodated on the road network.

Parking Provision

Section E1.4.2 - Residential Parking Generation Rates from the *Woollahra Development Control Plan 2015 (DCP)* outlines the parking generation rates for the **maximum** number of parking spaces to be provided for a **Residential Flat Building** (RFB). The car parking calculation is shown in Table 1 below:

Table 1: Car Parking spaces calculation

RFB Component	Quantity	DCP Maximum Requirement per Dwelling – Space(s)	DCP Maximum Required Parking
2 Bedrooms	4	1.5	6
3 Bedrooms or More	21	2	42
Visitors	25	0.25	6
TOTAL			**54**
Proposed Parking Provision			***54***

The Woollahra Development Control Plan Chapter E1 Parking and Access (WDCP E1) specifies that a development of this size and land use type should provide 48 parking spaces for residents and 6 parking space for visitors.

The proposed development provides a total of 54 car parking spaces which complies with the requirements of the WDCP E1.

Section E1.6.2 – Bicycle Parking Rates of the *DCP* states that residential accommodation requires 1 bicycle parking space per dwelling and 0.1 customer/visitor bicycle parking spaces per dwelling. The bicycle parking calculation is shown in Table 2 below

Table 2: Bicycle parking spaces calculation

BICYCLE			
	Quantity (Dwellings)	**DCP Minimum Requirement (*per* Dwelling)**	**DCP Minimum Required Parking**
Residents	25	1	25
Residential Visitors	25	0.1	3
TOTAL			**28**
Proposed Bicycle Parking Provision			***28***

In accordance with the WDCP E1, the proposed development will require 28 bicycle parking spaces.

The proposed development provides 26 secured bicycle storage areas and bicycle racks capable of parking 4 bicycles for visitors which complies with the requirements of the WDCP E1.

Section E1.7.1 - Calculating Required Motorcycle Parking from the DCP outlines under Control C1: "*Developers shall provide a minimum of 1 motorcycle parking space per 10 car*

spaces for all types of development.[13]" The bicycle parking calculation is shown in Table 3 below:

Table 3: Motorbike parking spaces calculation

MOTORBIKE			
	Quantity	**DCP Minimum Requirement (*per* 10 Car Spaces)**	**DCP Minimum Required Parking**
Motorbike Spaces	54	1	5
TOTAL			**5**
Proposed Motorbike Parking Provision			***6***

In accordance with the WDCP E1, the proposed development requires five (5) motorcycle parking spaces. The proposed development provides six (6) motorcycle spaces within the basement car park which complies with the WDCP.

Access and Queuing

Traffic Engineers raise concerns with the driveway access design. The entry/ egress points are not perpendicular to the roadway which has the potential to increase conflict with pedestrians and vehicular sight lines. Council's Traffic Engineers request that the driveway be redesigned such that it is perpendicular with the road and existing footpath and meets the requirements of the Australian Standards and Council's Infrastructure Specification.

RECOMMENDATIONS

It is recommended that the development be supported subject to conditions of consent.

ANNEXURE 4

Referral Response
Drainage

Memorandum - Drainage

Woollahra Municipal Council
ABN 32 218 483 245
Redleaf Council Chambers
536 New South Head Road
Double Bay NSW 2028
Correspondence to
General Manager
PO Box 61
Double Bay NSW 1360
DX 3607 Double Bay
records@woollahra.nsw.gov.au
www.woollahra.nsw.gov.au
Telephone (02) 9391 7000
Facsimile (02) 9391 7044

Date	13/11/2019
File No.	Development Applications: DA2018-515-1
To	Mr Robert Lam
From	Michael Casteleyn
Address	206D, 208 210 210A Victoria Road Bellevue Hill

I refer to the following documents received for this report:

18/195200 Plan - Civil Package- DA018-515-1 - 206D 208 210 210A VICTORIA ROAD_BELLEVUE HILL

RECOMMENDATION

Council's drainage Engineer has determined that the development proposal is generally satisfactory subject to the following:

- The existing Cast iron pipe that conveys water to Cooper Park down the existing rock face is to be replaced with a 150mm DIA ductile iron flanged pipe. The class of the pipe is to be determined by a structural engineer. The pipe is to be secured with a minimum of 2 rock bolted connections per pipe segment to the existing rock wall. All rock bolted connections are to be designed by a structural engineer.
  The vertical pipe is to be located so that it is entirely located on within development site boundaries.

- The pipe is to be connected to the existing pipe in Cooper Park with a grated surcharge pit with a minimum grate size of 600mm by 600mm.

- The integrity of the pipe that crosses Cooper Park to an existing open channel is to be confirmed by CCTV. The CCTV is to be submitted to Council for assessment and any anomalies in this pipe are to be repaired to the satisfaction of Council.

ANNEXURE 5

Referral Response
Trees and landscaping

18 September 2019

REFERRAL RESPONSE – TREES & LANDSCAPING

FILE NO:	DA 515/2018/1
ADDRESS:	206D Victoria Road BELLEVUE HILL 2023
PROPOSAL:	Demolition of existing buildings and construction of a new residential flat development containing 3 buildings linked via a common basement car park, communal open space, landscape and site works
FROM:	Nick Williams- Tree & Landscape Officer
TO:	Mr D Lukas

I refer to the following documents received for this report:

- Statement of Environmental Effects, prepared by GSA Planning, dated November 2018.
- Survey Plan No. 200178 Issue 5, drafted by Linker Surveying, dated 1st of March 2018.
- Architectural Drawing No's DA100/001, DA101/001, DA110/000-008, DA210/001-003, DA310/001-002, DA701/001, DA702/001, DA703/001, DA705-001, DA720/001-03 drawn by Up Architects, dated 16/8/2019.
- Arboricultural Impact Assessment Report, written by Sturt Noble, dated 21 June 2019.
- Amended Landscape Plans (Issue H) No. DA 1823/01-06, designed by Sturt Noble Associates, dated 28th of June 2019.

A site inspection was carried out on 20th of September 2019.

Relevant Control:

- Woollahra Local Environment Plan 2014
- Woollahra 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

Tree 19 – Council street tree

There are no major issues with the proposed works located within the 6.84 metre TPZ radius awarded to this tree. The existing hard surfaces, masonry walls and driveways are likely to have restricted root growth within the property where most of the works within this area are proposed.

Regardless of this a tree damage security deposit bond is required for Tree 19. Tree protection fencing and trunk protection are also required, as is arborist's supervision for works located within 6.84 metres – Refer to Conditions B.1 & B.2 of this referral response.

Council Street Tree in front of 206C Victoria Road (Tree 38).

The retention and protection of the Brushbox tree at the front of 206C Victoria Road forms part of this referral response. The tree has not been included within the submitted arboricultural impact assessment, despite works occurring close to the tree. I have referenced this tree #38.

Retention of Tree 3

To ensure the viable retention of Tree 3, which has now been included to be retained as part of the proposal, there are several modifications required to the details of the development.

This includes the deletion of hard surfaces, the deletion of retaining walls and no excavation and within a 5.5 metre radius of this tree - Refer to Conditions C.3 of this referral response. While an incursion within 5.5 metres from the tree still represents a 20 % overall incursion into the 11 metre TPZ of the tree the species is generally known to have a moderate to high tolerance to root disturbance. Additionally, the proposed landscape treatment to the South West of the tree which is likely to include irrigation will provide an overall benefit for the tree.

Landscape Plan

The Landscape Plan requires some amendments. This includes a change of species from the proposed use of Blackbean trees (*Castanospermum*) to *Banksia*. Blackbean trees are deemed unsuitable due to their excessive fruit drop and very large dimensions at maturity.

Secondly an additional native tree should also be included to be planted in the rear deep soil area to the South West of proposed Block C. The required changes to the submitted landscape plan are outlined in Condition C.3 of this referral response

RECOMMENDATIONS

Council's Tree and Landscape Officer has determined that the development proposal is satisfactory in terms of tree preservation and landscaping, subject to …conditions.

ANNEXURE 6

Referral Response
Health

Completion Date: 30/08/2019

REFERRAL RESPONSE - ENVIRONMENTAL HEALTH

FILE NO:	Development Applications/ 515/2018/1
ADDRESS:	206D Victoria Road BELLEVUE HILL 2023
PROPOSAL:	Demolition of existing buildings and construction of a new residential flat development containing 3 buildings linked via a common basement car park, communal open space, landscape and site works
FROM:	Louie Salvatore
TO:	Mr D Lukas

1. ISSUES

- Acoustics – Noise associated with mechanical plant ventilation systems and demolition & construction noise activities.
- Soil Contamination – SEPP No. 55 – Preliminary Investigation Report.

2. DOCUMENTATION

I refer to the following documents received for this report:

- Statement of Environment Effects: prepared by GSA Planning, Job No. 18112 dated November 2018.
- Architectural Plans: prepared by Urban Possible, Project No. 1716 dated 20 November 2018.
- Acoustic Report: prepared by Acoustic Logic, Document Reference. 20181309/2011A/R1/RL dated 20 November 2018.
- Geotechnical Investigation & Hydrogeological Assessment: prepared by Douglas Partners, Project No. 86503.00 dated November 2018.
- Preliminary Site Investigation: prepared by Douglas Partners. Project No. 86503.01. November 2018.

3. RESEARCH

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

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

4. SUMMARY OF PROPOSAL

It is proposed to demolish the existing buildings and construct a part four and part five storey residential flat development containing 25 units, basement parking for 54 vehicles and landscaping works. The proposal comprises three residential flat buildings identified as Buildings A, B and C. Building A is located within the southern portion of the site and has frontage to Victoria Road. Buildings B and C are located within the northern portion of the site and are set lower than Building A.

Basement Parking Level 3 (Building A)
Building A is below ground at 74.30 AHD and comprises a parking area for 18 cars, two motorbikes and 10 bicycles/storage. This level also has two plant rooms and space for services. A ramp provides vehicular access to the upper basement levels. Lifts and stairs provide access to the floors above.

Basement Parking Level 2 (Building A) and Ground Floor Level (Building B and C)
This basement parking level 2 in Building A is below ground at 77.40 AHD and comprises a parking area for 17 cars, two motorbikes and 10 bicycles/storage. A ramp provides vehicular access to the upper basement levels. Lifts and stairs provide access to the floors above.

The ground floor level of Buildings B and C, at 77.40 AHD, contains two three-bedroom units in Building B and a four-bedroom unit in Building C. Each unit contains living, dining and kitchen areas, an ensuite and a bathroom. Each unit also has access to a balcony at the rear.

Basement Parking Level 1 (Building A) and First Floor Level (Buildings B & C) The basement parking level 1 in Building A is below ground at 80.5 AHD and comprises a parking area for 18 cars, two motorbikes and three visitor bicycle spaces. This level also includes a waste room and service areas. A ramp provides vehicular access to the upper basement levels. Lifts and stairs provide access to the floors above.

The first floor level of Buildings B and C, at 80.5 AHD, contains two three-bedroom units of Building B and a four-bedroom unit of Building C. Each unit contains living, dining and kitchen areas, an ensuite and a bathroom. Each unit also has access to a balcony at the rear.

Lower Ground Floor Level (Building A) and Second Floor Level (Buildings B & C)
The lower ground floor level of Building A is below street level at 83.80 AHD and comprises six bicycle/storage spaces and a plant room. This level also includes a four-bedroom unit which contains living, dining and kitchen areas, an ensuite and a bathroom. A ramp provides vehicular access to the upper basement levels. Lifts and stairs provide access to the floors above.

The second floor level of Buildings B and C, at 83.60 AHD, has ground-level pedestrian access from a central communal area. This level contains two three-bedroom units in Building B and a four-bedroom unit in Building C. Each unit contains living, dining and kitchen areas, an ensuite and a bathroom. Each unit also has access to a balcony at the rear.

Ground Floor Level (Building A) and Third Floor Level (Buildings B & C)
The ground floor level of Building A, at 86.90 AHD is generally at street level and includes a covered main entrance to the building, accessed from Victoria Road. This level also includes two three-bedroom units, each of which contains living, dining and kitchen areas, an ensuite, bathroom and a balcony. Vehicular access is from a 3m wide ingress driveway off Victoria Road. A separate 3m wide egress driveway is also provided. Pedestrian access to upper floors is from a lift and a stairway.

The third floor level of Buildings B and C, at 86.70 AHD, contains two three-bedroom units in Building B and a four-bedroom unit in Building C. Each unit contains living, dining and kitchen areas, an ensuite, bathroom and balcony.

First Floor Level (Building A)
The first floor level of Building A, at 90.00 AHD, comprises two two-bedroom units, a three-bedroom unit and a four-bedroom unit, each of which contains living, dining and kitchen areas, an ensuite and a bathroom. Each unit has access to a balcony at the front or rear.

Second Floor Level (Building A)
The second floor level of Building A, at 93.10 AHD, comprises two x two-bedroom units, a three-bedroom unit and a four-bedroom unit, each of which contains living, dining and kitchen areas, an ensuite and a bathroom. Each unit has access to a balcony at the front or rear.

Third Floor Level (Building A)
The third floor level of Building A, at 96.20 AHD, comprises a three-bedroom unit and a four-bedroom unit, each of which contains living, dining and kitchen areas, an ensuite and a bathroom. Each unit has access to a balcony at the rear.

5. ASSESSMENT

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

a) Acoustics

Acoustic Report: prepared by Acoustic Logic titled Development Application Acoustic Assessment, Document Reference: 20181309.1/2011A/R1/RL, Revision 1 dated 20 November 2018.

The acoustic report has addressed noise impacts from the proposed development limited to the following:

• Traffic noise from Victoria Road and Old South Head Road;
• Noise from the mechanical plant servicing the base building.

Health Services Section is of the opinion, given the magnitude of the development, that the acoustic report should have also included likely noise impacts arising from demolition of the old buildings and construction activities of the new development.

External Noise Intrusion Assessment - Mechanical Plant Ventilation

Noise emission criteria for all mechanical plant associated with the development are summarised in section 5 of the Acoustic Logic acoustic report. It should be noted that final detailed plant selection has not been undertaken at this stage and an acoustic review should be undertaken at Construction Certificate stage of the development to determine appropriate acoustic treatments to control noise emissions.

Health Services Section recommends that all mechanical plant & associated equipment should have a design goal that specifies noise emission from any set of primary, or secondary plant, or equipment, on the basis that if that equipment could operate at any time of the day, or night, then the noise emission component (cumulative), when measured at the nearest residential property façade should not exceed the nocturnal background sound level.

Given the magnitude of the proposed development, Health Services Section anticipates the extensive installation of mechanical plant equipment for ventilation purposes. To effectively control the sources and severity of noise emissions careful consideration should be given to plant selection, specific mitigation measures and in particular plant location. On this basis Health Services Section recommends that appropriate provisions are to be made for supply and exhaust fans forming part of the mechanical plant ventilation

system(s) to be located within underground plant rooms to prevent the emission of noise adversely impacting upon nearby residential receivers. Rooftop plant areas for mechanical plant ventilation system(s) should only be considered if they are fully enclosed and acoustically treated to comply with Council's noise criterion for mechanical plant and associated equipment.

External Noise Intrusion Assessment – Demolition & Construction Noise

The EPA Interim Construction Noise Guideline (ICNG) assessment requires that for work conducted during normal hours where an exceedance of the management levels is predicted, residential noise sensitive receivers can be considered 'noise affected'; in such circumstances all feasible and reasonable work practices are to be applied in order to minimise the impact of construction noise. Where construction noise levels reach 75dBA residential receivers can be considered as 'highly noise affected', consideration must be given to restricting hours to provide periods of respite.

Health Services Section anticipates when taking into account the scope of works to be undertaken on site, including demolition and excavation, it is expected that construction noise impacts will exceed the ICNG Noise Management Levels on occasion. With respect to vibration impacts, given the proximity of the neighbouring receivers it is likely that some vibration monitoring will also be required in the management of vibration during the demolition and/or construction phases.

Health Services Section recommends that noise intensive activities such as construction works with impulsive, tonal or low frequency characteristics such as jack hammering, rock hammering, pile driving, vibratory rolling, cutting of pavement and the like should only be undertaken between the hours of 8.00am to 5.00pm Monday to Friday; between the hours of 8.00am to 1.00pm Saturday and in continuous blocks not exceeding three hours each with a minimum respite from those activities of not less than one hour between each block in order to protect the amenity of the neighbourhood.

In addition to the above, in an attempt to minimize noise impacts from demolition, excavation and construction activities, Health Services Section also recommends the development of a Construction Noise and Vibration Management Plan (CNVMP) incorporating noise mitigation strategies. Options for the CNVMP may include the following:

- A Plant Hazard Assessment prepared for each piece of plant prior to its operation on site. The PHA will require measurement of the sound power level and will confirm that actual plant noise levels are within those maximum noise levels. Ensure that all plant where possible are fitted with noise control equipment. Example all equipment is equipped with appropriate noise control such as mufflers, silenced exhausts, acoustic enclosures, flashing lights as an alternative to reversing beepers).
- Attended noise monitoring carried out to verify construction noise levels and determine effectiveness of noise mitigation strategies. Attended noise monitoring of construction activities should be undertaken within 14 days of commencement of significant construction activities.
- Consider scheduling activities where cumulative impacts indicate increased noise impacts so that these works are not undertaken together.
- Consider the use of temporary screens for mitigation of specific stationary noise sources, where identified, as causing excessive noise impact. If required, deploy screens in a way to ensure noise goals are met.

- Delivery of plant and equipment to the site to occur during standard construction hours.
- Ensure a clearly defined access road is available through the development site and that the road surfaces are adequately maintained.
- Ensure traffic movement is kept to a minimum, e.g. ensure trucks are fully loaded so that the volume of each delivery is maximised.
- Ensure traffic control in and around the development site to ensure proper traffic flow.
- Undertake close community liaison to ensure that local residents are aware of the times and durations when they may be affected by construction noise and vibration and to provide an avenue for communication between the community and the developer. Each complaint should be investigated and where the noise in question is in excess of allowable limits, appropriate noise amelioration measures are to be put in place to prevent future occurrences.
- Attended vibration monitoring to be undertaken; if monitored vibration levels are considered to be high risk or close to the vibration criteria, unattended vibration monitoring should be carried out on a continuous basis at the nearest vibration sensitive receiver.
- Where attended vibration monitoring is not feasible, due to extended periods of vibration intensive works, a permanent vibration monitoring system should be installed to warn plant operators whenever there is potential for cosmetic damage to buildings and structures.

f) Land Contamination (SEPP 55)

Preliminary Site Investigation: prepared by Douglas Partners. Project No. 86503.01. November 2018.

SEPP No. 55 – Remediation of Land was gazetted on 28 August 2005 and applies to the whole of the State. Clause 7(1) requires the consent authority to consider whether land is contaminated prior to the consent of development on that land.

The owners have advised that as the long term uses of the site have been residential the site is unlikely to be contaminated. Nonetheless, as a precaution, a Preliminary Site Investigation has been prepared by Douglas Partners (DP) Project No. 86503.01. November 2018.

The ***objectives*** of the investigation were to:

• Identify potential sources of contamination at the site and determine the contaminants of potential concern (CoPC) and undertake a programme of limited soil sampling;
• Identify potential human and ecological receptors;
• Develop a preliminary conceptual site model; and
• Evaluate the overall potential for site contamination and evaluate the suitability of the site for the proposed development and identify the need for any additional investigations and/or remediation.

The report has been prepared with reference to NEPC (2013) National Environment Protection (Assessment of Site Contamination) Measure (as amended 2013) and NSW OEH (2011) Contaminated Sites: Guidelines for Consultants Reporting on Contaminated Sites. The PSI was undertaken alongside DP's geotechnical investigation reported separately in DP (2018), Report on Geotechnical Investigation and Hydrogeological

Assessment, Proposed Residential Development 206D, 208, 210 & 210A Victoria Road, Bellevue Hill (DP project ref: 86503.00), dated September 2018.

The ***scope of works*** included the following:

• Ordering and reviewing of a Lotsearch Report including historical aerial photographs; public databases held under the Contaminated Land Management Act 1997 (CLM Act) and the Protection of the Environment Operations Act 1997 (POEO Act); historical business searches; historical maps (including historical UBD); department of Primary Industry groundwater bore records; soils, acid sulphate soils and geological maps; and topographic maps.
• Undertaking a site walkover;
• Conducting a services search using DBYD and an authorised services locator;
• Drilling of six boreholes (BH1 to BH6), taken to a depth of between 8.0 m and 15.95 m below ground level;
• Soil samples were collected at regular intervals based on field observations, including from the near surface, from near the water table (if encountered) and upon any signs of obvious contamination such as odours or staining;
• Collection of two targeted near surface soil samples (ES1 and ES2);
• Laboratory analysis of selected soil samples for combinations of the following common contaminants: Metals (arsenic, cadmium, chromium, copper, lead, mercury, nickel and zinc); Total recoverable hydrocarbons (TRH); Benzene, toluene, ethylbenzene and xylenes (BTEX); Polycyclic aromatic hydrocarbons (PAH); Phenols; Organochlorine pesticides (OCP); Organophosphorus pesticides (OPP);
Polychlorinated biphenyls (PCB); and pH, cation exchange capacity and clay content. • Field sampling and laboratory analysis in compliance with standard environmental protocols, including a Quality Assurance/Quality Control (QA/QC) plan consisting of 10% replicate sampling.

Preliminary Conceptual Site Model

A conceptual site model (CSM) is a representation of site-related information regarding contamination sources, receptors and exposure pathways between those sources and receptors (linkages). No major potential point-sources of contamination within the site have been identified. The available site history of residential use suggests a generally low potential for diffuse source site contamination.

Soil Sampling

Field work, including drilling and soil sampling, was undertaken in two rounds. The first round of field work was undertaken between 9 and 10 August and the second round between 29 and 31 August 2018. Based on the area of the site (3,135m2), and with reference to Table A in NSW EPA (1995) Sampling Design Guidelines, 11 sampling locations are recommended to constitute a detailed site investigation (DSI). As such, this investigation has comprised of approximately 75% of the recommended sampling density for a Detailed Site Investigation.

Two surface samples (ES1 and ES2) were taken from the near surface of the filling of garden beds., to gain a better understanding of the extent of contamination and targeted areas of potential imported fill ES1 was taken from a garden bed, adjacent to a retaining wall, whilst ES2 was collected from a garden bed in the western corner of the site.

The generic Health Investigation Levels and Health Screening Levels are considered to be appropriate for the assessment of contamination at the site. Given the proposed land use as residential with minimal opportunity for soil access (i.e. apartments) the adopted HIL and HSL are:

• HIL-B – Residential with minimal opportunities for soil access; includes dwellings with fully and permanently paved yard space such as high rise buildings and apartments;
• HSL-B- – Residential with minimal opportunities for soil access (for vapour intrusion); and
• HSL-B – Residential with minimal opportunities for soil access (for direct contact).

A detailed asbestos assessment was not undertaken as part of these works as asbestos was not an identified as a contaminant of concern at the time of writing the proposal. Therefore the presence or absence of asbestos at a limit of reporting of 0.1 g/kg has been adopted for this assessment as an initial screen.

Soil Analytical Results

Reported concentrations of metals, TRH, BTEX, phenols, OCP, OPP, BCPs and asbestos in the soil samples were below the SAC (Table F1, Appendix F of the report) with the following exceptions:

• Zinc in sample ES1 (1600 mg/kg)- exceeding the EILs (350 mg/kg); and
• TRH >C16-34 in sample ES1 (940 mg/kg) – exceeding the ESL (300 mg/kg).

Reported concentrations of PAH were below the SAC with the exception of:

• B(a)P in sample BH3/0.4-0.5 (1.9 mg/kg), BH4/0.13-0.2 (1.2 mg/kg), BH6/0.11-0.2 (1.8 mg/kg), ES1 (5.3 mg/kg) and ES2 (1.3 mg/ kg) - exceeding the ESL (0.7 mg/kg); and
• Carcinogenic PAH as B(a)P TEQ in sample ES1 (7.071 mg/kg) - exceeding the HIL B (4 mg/kg).

The above exceedance occurred at or close to the surface, in the filling layer. The results are considered likely to be associated with the nature of the fill (i.e. due to the presence of slag in the fill). The NEPC (2013) ESL is therefore considered overly conservative for this site and therefore the exceedances of this criterion are not considered to be of concern.

Several exceedances of the GSW criteria without TCLP (CT1 criteria) were noted, including:

• Lead in samples BH3/0.4-0.5 (210 mg/kg), BH4/0.13-0.2 (300 mg/kg), ES1 (330 mg/kg) and ES2 (200 mg/kg) - exceeding the GSW (CT1) criteria of 100 mg/kg;
• Mercury in sample BH3/0.9-1.0 (5.6 mg/kg) - exceeding the GSW (CT1) criteria of 4 mg/kg; and
• B(a)P in samples BH3/04-0.5 (1.9 mg/kg), BH4/0.13-0.2 (1.2 mg/kg), BH6/0.11-0.2 (1.8 mg/kg), ES2 (1.3 mg/kg) – exceeding the GSW (CT1) criteria of 0.8 mg/kg.

Additionally, there was one exceedance of the RSW criteria without TCLP (CT2 criteria) which was for B(a)P in sample ES1 (5.3 mg/kg).

Based on these results, the filling at the site is considered to have a preliminary waste classification of *General Solid Waste (non-putrescible).* It is noted, however, the presence

of anthropogenics (including building rubble) in a number of the bore locations, which suggests a high probability for asbestos to be present in the fill.

Recommendations

Based on the review of the selected site history information and the site walkover, the site does not appear to have undergone significant changes with the newest existing buildings likely constructed after 2009. From the early 1940s to present day, the site appears to have been used for residential purposes with changes to multiple buildings between 1991 and 2009.

Contaminant concentrations in the soil samples were all within the adopted SAC with the exception of B(a)P TEQ at one location (ES1). This location however, is within the proposed basement footprint and will be addressed (removed) by the bulk excavation of the site.

Based on the results of the soil testing and low potential for adjacent off-site contaminant point sources, DP considers that the likelihood of groundwater contamination at the site is low and that a groundwater assessment is not required.

Based on the findings of this PSI including a programme of limited soil sampling, it is concluded that the site will be suitable for the proposed development and land use (i.e. residential with minimal opportunity for soil access) following excavation of the B(a)P TEQ and zinc and TRH >C16-34 impacted soil in the vicinity of test location ES1 as part of the basement excavation. It is assumed that this will occur as part of the proposed development.

The surplus soils requiring off-site disposal following excavation will need additional characterisation / testing in order to confirm the preliminary waste classification. The waste classification must be undertaken in accordance with the POEO Act (1997), and the NSW EPA Waste Classification Guidelines (2014).

Given the age of some of the buildings, it is recommended that a pre-demolition hazardous building materials survey is also undertaken in order to inform the appropriate demolition of the older buildings.

6. RECOMMENDATION

Council's Environmental Health Officer has determined that sufficient information has been submitted to enable an assessment of the proposal. The following conditions are recommended for inclusion:

7. ACOUSTICS

Demolition & Construction Activities

Health Services Section is of the opinion, given the magnitude of the development, that the acoustic report should have also included likely noise impacts arising from demolition of the old buildings and construction activities of the new development.

It is recommended that the *Acoustic Report: prepared by Acoustic Logic titled Development Application Acoustic Assessment, Document Reference: 20181309.1/2011A/R1/RL, Revision 1 dated 20 November 2018,* is amended to include

development of a Construction Noise and Vibration Management Plan (CNVMP) incorporating noise mitigation strategies. Options for the CNVMP may include but not be limited to the following:

- A Plant Hazard Assessment (PHA) prepared for each piece of plant likely to be used on site. The PHA will require measurement of the sound power level and will confirm that actual plant noise levels are within those maximum noise levels. Ensure that all plant where possible are fitted with noise control equipment. Example all equipment is equipped with appropriate noise control such as mufflers, silenced exhausts, acoustic enclosures, flashing lights as an alternative to reversing beepers.
- Attended noise monitoring carried out to verify construction noise levels and determine effectiveness of any proposed noise mitigation strategies. Attended noise monitoring of construction activities should be undertaken within 14 days of commencement of significant construction activities.
- Consider scheduling activities where cumulative impacts indicate increased noise impacts so that these works are not undertaken together.
- Consider the use of temporary screens for mitigation of specific stationary noise sources, where identified, as causing excessive noise impact. If required, deploy screens in a way to ensure noise goals are met.
- Delivery of plant and equipment to the site to occur during standard construction hours.
- Ensure a clearly defined access road is available through the development site and that the road surfaces are adequately maintained.
- Ensure traffic movement is kept to a minimum, e.g. ensure trucks are fully loaded so that the volume of each delivery is maximised.
- Ensure traffic control in and around the development site to ensure proper traffic flow.
- Undertake close community liaison to ensure that local residents are aware of the times and durations when they may be affected by construction noise and vibration and to provide an avenue for communication between the community and the developer. Each complaint should be investigated and where the noise in question is in excess of allowable limits, appropriate noise amelioration measures are to be put in place to prevent future occurrences.
- Attended vibration monitoring to be undertaken; if monitored vibration levels are considered to be high risk or close to the vibration criteria, unattended vibration monitoring should be carried out on a continuous basis at the nearest vibration sensitive receiver.
- Where attended vibration monitoring is not feasible, due to extended periods of vibration intensive works, a permanent vibration monitoring system should be installed to warn plant operators whenever there is potential for cosmetic damage to buildings and structures.

The development of the CNVMP shall have regard to the noise criterion specified in the EPA Interim Construction Noise Guideline (ICNG) assessment which requires that for work conducted during normal hours where an exceedance of the management levels is predicted, residential noise sensitive receivers can be considered ‘noise affected’; in such circumstances all feasible and reasonable work practices are to be applied in order to minimise the impact of construction noise. Where construction noise levels reach 75dBA residential receivers can be considered as ‘highly noise affected’, consideration must be given to restricting hours to provide periods of respite.

Mechanical Plant Ventilation

Given the magnitude of the proposed development, Health Services Section anticipates the extensive installation of mechanical plant equipment for ventilation purposes. To effectively control the sources and severity of noise emissions careful consideration should be given to plant selection, specific mitigation measures and in particular plant location.

Health Services Section recommends that the *Acoustic Report: prepared by Acoustic Logic titled Development Application Acoustic Assessment, Document Reference: 20181309.1/2011A/R1/RL, Revision 1 dated 20 November 2018,* is amended to provide noise modelling on the basis that appropriate provisions are to be made for supply and exhaust fans forming part of the mechanical plant ventilation system(s) to be located within underground plant rooms. Rooftop plant areas for mechanical plant ventilation system(s) should only be considered if they are fully enclosed and acoustically treated to comply with Council's noise criterion for mechanical plant and associated equipment.

ANNEXURE 7

Referral Response
Heritage

6 May 2019

REFERRAL RESPONSE - HERITAGE

FILE NO:	Development Applications/ 515/2018/1
ADDRESS:	206D Victoria Road BELLEVUE HILL 2023
PROPOSAL:	Demolition of existing buildings and construction of a new residential flat development containing 3 buildings linked via a common basement car park, communal open space, landscape and site works
FROM:	Shona Lindsay - Heritage Officer
TO:	Mr D Lukas

ISSUES

- *There are no heritage concerns*

DOCUMENTATION

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

- Drawing set by Urban Possible, dated 20 November 2018 and numbered DA001-001 to 820-004
- Demolition report by Urbis, dated 11 December 2018
- Statement of Environmental Effects by GSA Planning, dated November 2018
- Survey plan by Linker Surveying, ref 200178, dated 1 March 2018
- Due Diligence Report by AMAC, dated March 2019
- Material palette by Urban Possible, dated 20 November 2018
- Geotechnical report by Douglas Partners, dated November 2018

SITE INSPECTION / RESEARCH

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

- The site was inspected on the 30 April 2019, including the interior of No. 206D and the general locality.

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.
- 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:

- National Parks & Wildlife Act 1974
- Woollahra LEP 2014
- Woollahra DCP 2015

HERITAGE FRAMEWORK

- The subject building is not a heritage item in Woollahra Local Environment Plan 2014 'the LEP'.
- The subject building is not listed on the State Heritage Register.

- The subject building is not in a heritage conservation area.
- The subject building is within the Bellevue Hill south precinct.

SIGNIFICANCE OF SUBJECT PROPERTY

Background

No. 206D

206D was constructed c.1939 by Charles Amos Baker, whom was a prominent builder in the local area during the Inter War period. The building is a three storey Inter War residential flat building called 'The Macquarie' and was built in the Art Deco and Functionalist style. The building comprises 8 flats and 4 garages. The exterior of the building is mostly intact, with the interior of each flat varying in degree of intactness due to different alterations taking place. No. 5 is the most intact out of all the flats inspected by Urbis, which was verified through a site inspection. No. 5 retains its original fire place, some original flooring, and timber joinery. Although the building retains original fabric, the building does not feature any outstanding decorative features or elements that would make it architecturally significant as an Inter War building.

Extensive research into the Woollahra Council archives, previous building and development applications, records, library files, the State Library of NSW, Trove, and the NSW Land Registry Services (Historical Land Records Viewer) has not been able to locate the original plans of the building or records which would indicate the architect of the building.

No. 208

208 was constructed in the late 1990s under a DA approved in 1998 and designed by Van Architects, and consists of three two-storey townhouses with basement parking. It replaced a Federation dwelling named 'Bowness' which was demolished in the late 1990s for the current buildings. Minor alterations and additions to the townhouses occurred during 2006 and 2010. The existing buildings have no heritage significance.

No. 210 and 210A

No. 210 and 210A were constructed between 2003-2006 and designed by Arcon Design & Building Pty Ltd and consist of two contemporary semi-detached dwellings. It replaced a Federation cottage named 'Kia-Ora' that was later converted into semi-detached dwellings. The existing buildings have no heritage significance.

Significance

The Demolition Report prepared by Urbis concluded the following statements of significance for the properties:

No. 206D

The Inter-War flat building at 206D Victoria Road is a representative example of its type which demonstrates characteristics of the Art Deco and Functionalist styles. The building forms part of the setting of Cooper Park, Bellevue Gardens and Kendall Street due to its positioning on the top of a quarry cliff. Despite its prominent position and demonstration of characteristic features of its type, numerous better examples of Art Deco and Functionalist Inter-War building exist within the locality and within the Woollahra LGA as demonstrated in Section 4.0. Additionally, the Inter-War apartment building is isolated from other similar examples and does not form part of a consistent streetscape of similar buildings. Thus, the Inter-War flat building at 206D Victoria Road does not reach the requisite level of significance for heritage listing.

No. 208

While the lot of 208 Victoria Road reflects the subdivision of the Logan Estate during the early nineteenth century, the demolition of the early twentieth century residential dwelling in the late 1990s for the construction of the existing three townhouses severed connections with the early subdivision of the Logan Estate. The three 1990s townhouses do not demonstrate any significant characteristics and at best make a neutral contribution to the streetscape. Thus, 208 Victoria Road does not meet any of the criteria to warrant individual heritage listing.

No. 210 and 210A
The two contemporary semi-detached dwellings located at 210 and 210A Victoria Road minimally reflect the subdivision of the Logan Estate during the early nineteenth century, however, due to the subdivision of the site in 2006 this historical subdivision is now obscured. With the demolition of the early twentieth century residential dwelling sometime between 2003 and 2006, the existing semi-detached dwellings have no connections with the early subdivision of the Logan Estate. The two semi-detached dwellings do not demonstrate any significant characteristics and do not contribute to the streetscape of Victoria Road. Thus both 210 and 210A Victoria Road do not meet any of the criteria to warrant individual heritage listing.

The properties are not heritage listed and are not located within a heritage conservation area. A demolition/heritage significance report has been submitted with the development application and includes historical research on the development of the properties over time. The report included a comparative analysis of other Inter War flat buildings to No. 206D, which is deemed to be accurate. Although No. 206D is situated in a prominent location on a cliff overlooking Cooper Park, it does not contribute to the streetscape of Victoria Road which contains numerous Inter War flat buildings. Although No. 206D was built by a prominent developer in the area for the time, Charles Amos Baker, this does not reach the threshold for associative significance. The construction of the dwellings is not associated with any known prominent architect and they have no distinctive features that would make them potentially significant or rare. The report has assessed the potential heritage significance of the existing dwellings and has concluded that the properties do not meet the criteria for identification as places of local significance. The findings of the report are considered to be accurate.

SIGNIFICANCE OF ITEMS IN THE VICINITY

The subject property is located within the vicinity of the following locally significant heritage items and heritage conservation areas:

- 'Victoria Road Heritage Conservation Area' LEP Item No. C2
- 'Glamis – residential flat building and interiors, front building wall, entry link and grounds' LEP Item No. 73
- 'Residential flat building, interiors and grounds' LEP Item No. 72
- 'Residential flat building, interiors and grounds' LEP Item No. 71

DESCRIPTION OF PROPOSAL

The following works are proposed:

- demolish the existing buildings
- construct a part four and part five storey residential flat development containing 25 units, basement parking for 54 vehicles and landscaping works.

ASSESSMENT OF HERITAGE IMPACT

Compliance with the relevant legislative framework and planning controls

National Parks and Wildlife Act 1974

A basic search conducted on AHIMS (Aboriginal Heritage Information Management System) from the Office of Environment & Heritage NSW (OEH) website has revealed that there are 2 recorded Aboriginal sites within 200m of the subject site, with 1 of them within 50m of the subject site. It is noted that the site is located on a sensitive landform (located on a ridge top, ridge line or headland), as defined under the Due Diligence Code of Practice. Therefore a Due Diligence Report was requested as part of the Development

Application to ascertain whether the proposal may impact on potential Aboriginal heritage sites and objects.

Consideration

A Due Diligence Report has been prepared by AMAC in consultation with the La Perouse Local Aboriginal Land Council.

The Due Diligence Report prepared by AMAC found the following conclusions:
A background analysis of the environment and archaeological context revealed that the study area contains shallow soils and has been subject to heavy past land disturbance of which a moderate- high level of disturbance can be observed. The study area currently has multi-storey buildings standing which will require demolition. No areas of exposure were visible. Landscape features present do indicate that sub-surface Aboriginal objects and/or deposits are likely in undisturbed areas and are likely to be considered of low to moderate Aboriginal archaeological significance. However given the built form within the study area no undisturbed land is found to be present.

The report found the subject property to be located on a sensitive landform as the subject property is located on a sandstone outcrop and ridge. However, no confirmed Aboriginal sites on AHIMS are located within the property and the property has previously been disturbed when the current buildings were constructed. Therefore the report recommended a site heritage induction, inspection of the site by the La Perouse Local Aboriginal Land Council after the demolition process has occurred and prior to the removal of any building footings, and an unexpected finds procedure be implemented. No further actions under the Due Diligence Code of Practice were required. The findings of the report are found to be accurate and appropriate conditions will be applied accordingly.

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

- Clause 1(a) The development does conserve the heritage of Woollahra.
- Clause 4 This referral constitutes an assessment under this clause.

Woollahra DCP 2015

Consideration

The buildings at No. 206D, 208, 210, and 210A have no heritage significance and do not make any contribution to the heritage significance of Bellevue Hill. The properties are not heritage listed and are not located within a heritage conservation area.

A demolition/heritage significance report has been submitted with the development application and includes historical research on the development of the properties over time. The report included a comparative analysis of other Inter War flat buildings to No. 206D, which is deemed to be accurate. Although No. 206D is situated in a prominent location on a cliff overlooking Cooper Park, it does not contribute to the streetscape of Victoria Road which contains numerous Inter War flat buildings. Although No. 206D was built by a prominent developer in the area for the time, Charles Amos Baker, this does not reach the threshold for associative significance. The construction of the dwellings is not associated with any known prominent architect and they have no distinctive features that would make them potentially significant or rare. The report has assessed the potential heritage significance of the existing dwellings and has concluded that the properties do not meet the criteria for identification as places of local significance. The findings of the report are considered to be accurate. Accordingly, the properties are not of heritage value and therefore no objection is raised to the proposed demolition of the existing buildings.

The subject property is located within the vicinity of the following locally significant heritage items and heritage conservation areas:

- 'Victoria Road Heritage Conservation Area' LEP Item No. C2
- 'Glamis – residential flat building and interiors, front building wall, entry link and grounds' LEP Item No. 73
- 'Residential flat building, interiors and grounds' LEP Item No. 72
- 'Residential flat building, interiors and grounds' LEP Item No. 71

Victoria Road HCA is located to the east of the subject property. The heritage items are located to the north-east of the subject property. The subject property is located a sufficient distance from the heritage items and will therefore not impact on the setting or significant views of the heritage items. The proposal has been designed to respond to the streetscape of Victoria Road through articulation, materiality, and form, and will therefore be in keeping with the character of the area. The proposal would not have an adverse impact on the setting or heritage significance of the heritage items.
As such, there are no concerns raised on heritage grounds regarding the design of the proposed new development.

Given that No. 206D still retains its Inter-War style influences, it is considered that the interior and exterior of the building, its setting, and landscape elements should be archivally recorded prior to being demolished.

At No. 206D Victoria Road, the original bricks, joinery, fireplaces, and decorative architectural elements to be demolished, which include the decorative front doors and window in the fire stairs, must be catalogued, labelled, and salvaged. Salvaged building materials surplus to the project must be transferred to an established second building material dealer for recycling.

RECOMMENDATION

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

Consent, subject to the conditions.

ANNEXURE 8

NSW Transport RMS

3 May 2019

Our Reference: SYD19/00485
Council Ref: DA515/2018

General Manager
Woollahra Municipal Council
536 New South Head Road
Double Bay NSW 2028

Attention: Mr D Lukas

Dear Sir/Madam,

PROPOSED RESIDENTIAL FLAT DEVELOPMENT
206D, 208, 210 AND 210A VICTORIA ROAD, BELLEVUE HILL

Reference is made to Council's email dated 10 April 2019, regarding the abovementioned Application which was referred to Roads and Maritime Services (Roads and Maritime) for comment.

Roads and Maritime has reviewed the proposed development and whilst raises no objections, provides the following advisory comments to Council for consideration in determining the application:

1. All vehicles should enter and exit the site in a forward direction.

2. A Road Occupancy Licence should be obtained from the Transport Management Centre for any works that may impact on traffic flows on Old South Head Road during construction activities.

Should you have any further inquiries in relation to this matter, please do not hesitate to contact Vic Naidu, Land Use Planner, by email at development.sydney@rms.nsw.gov.au

Yours sincerely,

Brendan Pegg
Senior Land Use Planner
South East Precinct, Sydney Division