

From: [Justin Tse](#)
To: [Luke Donovan](#); [Claire Burdett](#)
Cc: [Julian Frate](#)
Subject: RE: Draft Conditions - Wahroonga Estate MOD 0173/22
Date: Friday, 16 June 2023 11:25:54 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[image008.png](#)
[image009.png](#)
[image010.png](#)
[image011.png](#)
[image012.png](#)
[image672314.png](#)
[image422120.png](#)
[image024141.png](#)
[image749121.png](#)

Thanks Luke,

No further comments from us – happy for this to be issued to the Panel.

Kind regards,

Justin Tse

Urbanist
Planning

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Sydney NSW 2000
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From: Luke Donovan <ldonovan@krg.nsw.gov.au>
Sent: Friday, June 16, 2023 9:31 AM
To: Claire Burdett <cburdett@ethosurban.com>; Justin Tse <jtse@ethosurban.com>
Subject: RE: Draft Conditions - Wahroonga Estate MOD 0173/22

Hi Claire,

That typo is now corrected. Are you otherwise in agreement with the draft conditions?

If so, I will advise the Panel.

Thankyou

Luke

Luke Donovan • J.P. • Executive Assessment Officer • Ku-ring-gai Council
9424 0920 • 0478 323 922 • ldonovan@krg.nsw.gov.au • krg.nsw.gov.au



From: Claire Burdett <Cburdett@ethosurban.com>
Sent: Wednesday, 14 June 2023 3:05 PM
To: Luke Donovan <ldonovan@krg.nsw.gov.au>; Justin Tse <jtse@ethosurban.com>
Subject: RE: Draft Conditions - Wahroonga Estate MOD 0173/22

No problem.

Kind Regards

Claire

Claire Burdett

Associate Director
Planning

M. [+61 423 066 002](tel:+61423066002)
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From: Luke Donovan <ldonovan@krg.nsw.gov.au>
Sent: Wednesday, June 14, 2023 2:57 PM
To: Claire Burdett <Cburdett@ethosurban.com>; Justin Tse <jtse@ethosurban.com>
Subject: RE: Draft Conditions - Wahroonga Estate MOD 0173/22

Hi Claire,

Which condition/plan should reference November 2022?

Thanks

Luke

Luke Donovan • J.P. • Executive Assessment Officer • Ku-ring-gai Council
9424 0920 • 0478 323 922 • ldonovan@krg.nsw.gov.au • krg.nsw.gov.au



From: Claire Burdett <Cburdett@ethosurban.com>
Sent: Wednesday, 14 June 2023 2:15 PM
To: Luke Donovan <ldonovan@krg.nsw.gov.au>; Justin Tse <jtse@ethosurban.com>

Subject: RE: Draft Conditions - Wahroonga Estate MOD 0173/22

Hi Luke,

Thanks for your help in getting the modification to the Panel, and co-operation.

We've noticed one minor typo in the draft conditions – should be November 2022.

Please can you amend the reference.

Kind Regards

Claire

Claire Burdett

Associate Director
Planning

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From: Luke Donovan <ldonovan@krg.nsw.gov.au>

Sent: Tuesday, June 13, 2023 9:59 AM

To: Justin Tse <jtse@ethosurban.com>; Claire Burdett <Cburdett@ethosurban.com>

Cc: Julian Frate <jfrate@capcorp.com.au>

Subject: Draft Conditions - Wahroonga Estate MOD 0173/22

Good morning Justin and Claire,

As promised, please see attached draft modified conditions. This is the full suite of conditions. There are no changes to the conditions referencing Building E. Any changes to conditions is noted by the terms "modified by MOD0173/22" and the use of strikethrough.

Once again, thank you for your assistance with this MOD.

Kind Regards

Luke

Luke Donovan • J.P. • Executive Assessment Officer • Ku-ring-gai Council
9424 0920 • 0478 323 922 • ldonovan@krg.nsw.gov.au • krg.nsw.gov.au



From: Luke Donovan <ldonovan@krg.nsw.gov.au>
Sent: Friday, 9 June 2023 4:57 PM
To: Justin Tse <jtse@ethosurban.com>; Claire Burdett <Cburdett@ethosurban.com>
Cc: Julian Frate <jfrate@capcorp.com.au>
Subject: Re: Wahroonga Estate MOD 0173/22 RFI package

Thankyou Justin. Much appreciated.

Will circulate the draft conditions next Tuesday.

I hope you also have a great weekend.

Kind Regards

Luke

Get [Outlook for iOS](#)

From: Justin Tse <jtse@ethosurban.com>
Sent: Friday, June 9, 2023 3:55:02 PM
To: Luke Donovan <ldonovan@krg.nsw.gov.au>; Claire Burdett <Cburdett@ethosurban.com>
Cc: Julian Frate <jfrate@capcorp.com.au>
Subject: RE: Wahroonga Estate MOD 0173/22 RFI package

Hi Luke,

We have just received the BASIX stamped drawings and these have also been submitted to the Planning Portal. The DVS received this morning has also been submitted to the Portal.

Thanks and have a great weekend.

Kind regards,

Justin Tse

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From: Justin Tse <jtse@ethosurban.com>
Sent: Friday, June 9, 2023 8:58 AM
To: Luke Donovan <ldonovan@krg.nsw.gov.au>; Claire Burdett <Cburdett@ethosurban.com>
Cc: Julian Frate <jfrate@capcorp.com.au>; Alister Eden <AEden@groupgsa.com>
Subject: RE: Wahroonga Estate MOD 0173/22 RFI package

Hi Luke,

Please find amended DVS attached.

Kind regards,

Justin Tse

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From: Luke Donovan <ldonovan@krg.nsw.gov.au>

Sent: Thursday, June 8, 2023 10:23 AM

To: Justin Tse <jtse@ethosurban.com>; Claire Burdett <Cburdett@ethosurban.com>

Cc: Julian Frate <jfrate@capcorp.com.au>; Alister Eden <AFeden@groupgsa.com>

Subject: RE: Wahroonga Estate MOD 0173/22 RFI package

Hi Justin,

Thankyou, however could you please ask the architect to add a sentence to the effect that the "modification does not detract from the design quality or compromise the design intent" consistent with the requirements of s 102 of the Regs, specifically subsection (d).

- (d) verify that the modification does not—
(i) diminish or detract from the design quality of the original development, or
(ii) compromise the design intent of the original development.

Maybe the architect could also delete reference to private terrace on the roofs in the comment to objective 4N-2 of the ADG (2nd last page).

Yes, will send across draft conditions as soon as possible.

Thankyou

Luke

Luke Donovan • J.P. • Executive Assessment Officer • Ku-ring-gai Council
9424 0920 • 0478 323 922 • ldonovan@krg.nsw.gov.au • krg.nsw.gov.au



From: Justin Tse <jtse@ethosurban.com>

Sent: Thursday, 8 June 2023 9:52 AM

To: Luke Donovan <ldonovan@krg.nsw.gov.au>; Claire Burdett <Cburdett@ethosurban.com>

Cc: Julian Frate <jfrate@capcorp.com.au>; Alister Eden <AEden@groupgsa.com>; Ross Guerrero <rguerrera@krg.nsw.gov.au>

Subject: RE: Wahroonga Estate MOD 0173/22 RFI package

Hi Luke,

Please find attached amended DVS with the reference to the mod as requested. We trust that the wording provided is acceptable. I'll also upload this to the Planning Portal.

The ESD team is currently actioning the BASIX stamp on the architectural plans and have advised that this will be with us on Friday, or at the very latest, Monday.

If we can get the BASIX stamped plans to you tomorrow (Friday), just wondering when we might be able to review draft conditions?

Happy to discuss the above matters further. Many thanks again for your help.

Kind regards,

Justin Tse

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From: Luke Donovan <ldonovan@krg.nsw.gov.au>

Sent: Wednesday, June 7, 2023 9:39 AM

To: Justin Tse <jtse@ethosurban.com>; Claire Burdett <Cburdett@ethosurban.com>

Cc: Julian Frate <jfrate@capcorp.com.au>; Alister Eden <AEden@groupgsa.com>; Ross Guerrero <rguerrera@krg.nsw.gov.au>

Subject: RE: Wahroonga Estate MOD 0173/22 RFI package

Importance: High

Hi Justin,

Just finalising this report. I will provide draft modified conditions in due course.

However, can I please ask the following –

1. Updated DVS – the revised DVS refers to the Architect designing the development the subject of the DA. There is no reference to designing the development the subject of the MOD as per the requirements of the relevant legislation. Can this please be amended – see extract below
2. The Plans really ought to be affixed with the Accredited Assessors stamp as per the requirement of BASIX. The letter that you provided whilst helpful does not address commitments contained in the BASIX Certificate



Thanks

Luke

Luke Donovan • J.P. • Executive Assessment Officer • Ku-ring-gai Council
9424 0920 • 0478 323 922 • ldonovan@krg.nsw.gov.au • krg.nsw.gov.au



From: Justin Tse <jtse@ethosurban.com>

Sent: Friday, 2 June 2023 11:08 AM

To: Luke Donovan <ldonovan@krg.nsw.gov.au>; Claire Burdett <Cburdett@ethosurban.com>

Cc: Julian Frate <jfrate@capcorp.com.au>; Alister Eden <AEden@groupgsa.com>; Ross Guerrero <rguerrera@krg.nsw.gov.au>

Subject: RE: Wahroonga Estate MOD 0173/22 RFI package

Hi Luke,

In response to 1 – Julian is sorting out the payments and will pay this today. We will send over the invoice when this is all finalised which may potentially be early next week.

In response to 2 – The ESD consultant's report accompanying the RFI (attached again) indicates that the proposal achieves a 7.5-star average NatHERS rating and exceeds the 5 star average NatHERS requirement. Given that this letter outlines the compliance of the proposal against NatHERS requirements

we do not believe a stamp is necessary.

We trust the above is acceptable, happy to discuss further if needed.

Kind regards,

Justin Tse

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From: Luke Donovan <ldonovan@krg.nsw.gov.au>

Sent: Wednesday, May 31, 2023 4:27 PM

To: Justin Tse <jtse@ethosurban.com>; Claire Burdett <Cburdett@ethosurban.com>

Cc: Julian Frate <jfrate@capcorp.com.au>; Alister Eden <AEden@groupgsa.com>; Ross Guerrero <rguerrera@krg.nsw.gov.au>

Subject: Wahroonga Estate MOD 0173/22 RFI package

Hi Justin,

Two final things please –

1. Please pay amended plan/additional assessment fee as contained in Council's letter dated 2 May 2023
2. Do you need to get those latest architectural plans (17/05/23) affixed with the NatHERS Stamp?

Thanks

Luke

Luke Donovan • J.P. • Executive Assessment Officer • Ku-ring-gai Council
9424 0920 • 0478 323 922 • ldonovan@krg.nsw.gov.au • krg.nsw.gov.au



From: Justin Tse <jtse@ethosurban.com>

Sent: Wednesday, 31 May 2023 9:24 AM

To: Luke Donovan <ldonovan@krg.nsw.gov.au>; Claire Burdett <Cburdett@ethosurban.com>

Cc: Julian Frate <jfrate@capcorp.com.au>; Alister Eden <AEden@groupgsa.com>; Ross Guerrero <rguerrera@krg.nsw.gov.au>

Subject: RE: CM: Wahroonga Estate MOD 0173/22 RFI package

Hi Luke,

Thanks for your patience with this. Please find attached revised basement drawings and Platinum Level unit plan.

The platinum level units are as follows:

Building A: AG05, AG06, A105, A205, A305, A405, A505

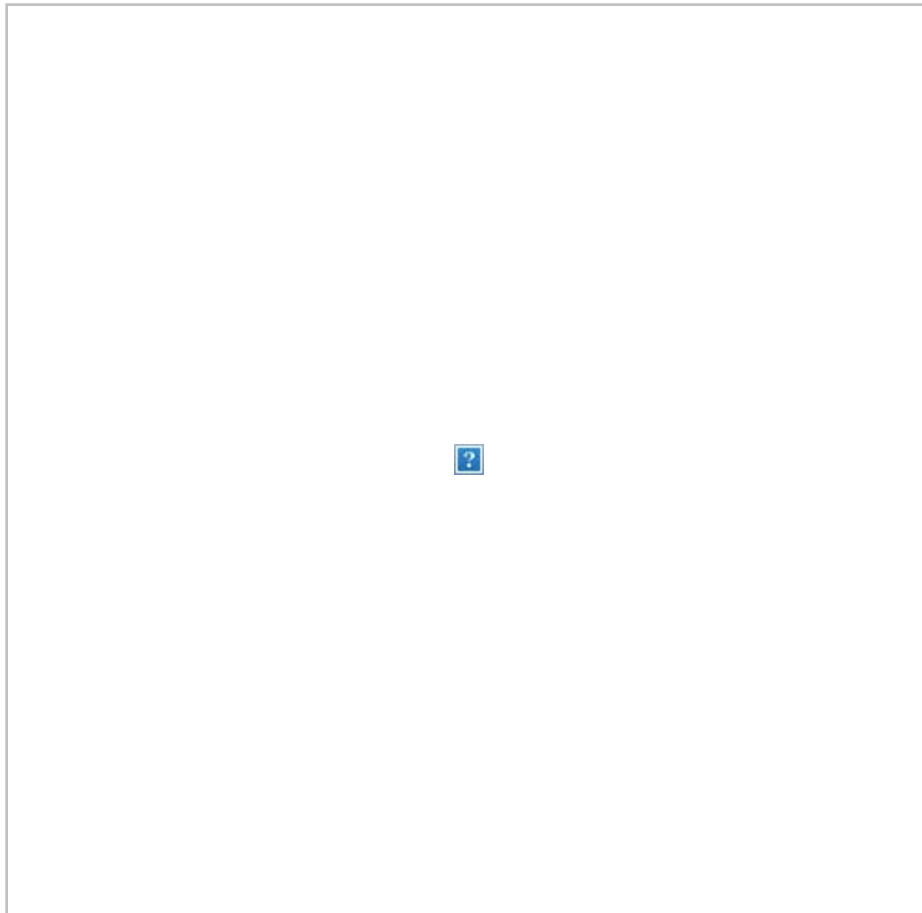
Building B: B104, B204, C304, C404, C504

Building C: C103, C106, C203, C206, C303, C306, C403, C406, C503, C506

Building E: ELG04, E107, E207, E307

This results in a total of 26/140 apartments or 15.7%.

Further, the car parking situation proposed is broken down in the below extracted matrix now included in the basement plans,. Resulting in a net reduction of 2 spaces:



Happy to discuss further if required. Many thanks for your assistance.

Kind regards,

Justin Tse

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From: Luke Donovan <ldonovan@krg.nsw.gov.au>
Sent: Tuesday, May 30, 2023 9:05 AM
To: Claire Burdett <Cburdett@ethosurban.com>; Justin Tse <jtse@ethosurban.com>
Cc: Julian Frate <jfrate@capcorp.com.au>; Alister Eden <AEden@groupgsa.com>; Ross Guerrero <rguerrera@krg.nsw.gov.au>
Subject: RE: CM: Wahroonga Estate MOD 0173/22 RFI package
Importance: High

Hi Claire and Justin,

I need to finalise a report this week on this MOD. In order to do this, I require the following confirmation, as advised last week –

1. A minimum of 15% platinum level under LHD Guidelines for Buildings A, B and C. As proposed, less than 15%. By my calculations an additional 3 x platinum level need to be provided.
2. Clarification on parking numbers between DA and MOD. By my calculations, a reduction in 2 spaces. Please confirm if 3 spaces (as indicated in SOM) or 2 spaces and which spaces?

Thankyou

Luke

Luke Donovan • J.P. • Executive Assessment Officer • Ku-ring-gai Council
9424 0920 • 0478 323 922 • ldonovan@krg.nsw.gov.au • krg.nsw.gov.au



From: Claire Burdett <Cburdett@ethosurban.com>
Sent: Tuesday, 23 May 2023 4:18 PM
To: Luke Donovan <ldonovan@krg.nsw.gov.au>; Justin Tse <jtse@ethosurban.com>
Cc: Julian Frate <jfrate@capcorp.com.au>; Alister Eden <AEden@groupgsa.com>; Ross Guerrero <rguerrera@krg.nsw.gov.au>
Subject: RE: CM: Wahroonga Estate MOD 0173/22 RFI package

Hi Luke,

Capital Corporation are happy to provide an accessible parking space in the Building A-C basement. We will get the drawing updated and issued.

Kind Regards

Claire

Claire Burdett

Associate Director
Planning





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From: Luke Donovan <ldonovan@krg.nsw.gov.au>
Sent: Tuesday, May 23, 2023 4:15 PM
To: Justin Tse <jtse@ethosurban.com>
Cc: Claire Burdett <Cburdett@ethosurban.com>; Julian Frate <jfrate@capcorp.com.au>; Alister Eden <AEden@groupgsa.com>; Ross Guerrero <rguerrera@krg.nsw.gov.au>
Subject: RE: CM: Wahroonga Estate MOD 0173/22 RFI package

Hi Justin,

Whilst I accept your argument re: providing an accessible visitor space within the basement to Building E, in practice, if I am visiting an apartment within Buildings A, B or C where can I park if I am looking for an accessible visitor parking spot?. Buildings A – C and Building E have different basements and are physically separated. It would be preferable to provide an accessible visitor parking spot within the basement levels of Buildings A-C, if possible.

Thankyou

Luke

Luke Donovan • J.P. • Executive Assessment Officer • Ku-ring-gai Council
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From: Justin Tse <jtse@ethosurban.com>
Sent: Tuesday, 23 May 2023 9:24 AM
To: Luke Donovan <ldonovan@krg.nsw.gov.au>
Cc: Claire Burdett <Cburdett@ethosurban.com>; Julian Frate <jfrate@capcorp.com.au>; Alister Eden <AEden@groupgsa.com>; Ross Guerrero <rguerrera@krg.nsw.gov.au>
Subject: RE: CM: Wahroonga Estate MOD 0173/22 RFI package

Hi Luke,

I have placed the amended architectural set (including basement plans) in the same OneDrive folder as below, suffixed V2 to differentiate this from the original version. This set will also be uploaded to the Planning Portal shortly.

Many thanks for your assistance.

Kind regards,

Justin Tse

Urbanist
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From: Luke Donovan <ldonovan@krg.nsw.gov.au>
Sent: Monday, May 22, 2023 1:20 PM
To: Justin Tse <jtse@ethosurban.com>
Cc: Claire Burdett <cburdett@ethosurban.com>; Julian Frate <jfrate@capcorp.com.au>; Alister Eden <AFeden@groupgsa.com>; Ross Guerrero <rguerrera@krg.nsw.gov.au>
Subject: RE: CM: Wahroonga Estate MOD 0173/22 RFI package

Thanks Justin,

A favour please, can you please submit Basement 2 (under Buildings A, B and C). appears to be missing from the amended architectural set.

Thankyou

Luke

Luke Donovan • J.P. • Executive Assessment Officer • Ku-ring-gai Council
9424 0920 • 0478 323 922 • ldonovan@krg.nsw.gov.au • krg.nsw.gov.au



From: Justin Tse <jtse@ethosurban.com>
Sent: Saturday, 20 May 2023 12:16 AM
To: Luke Donovan <ldonovan@krg.nsw.gov.au>
Cc: Claire Burdett <cburdett@ethosurban.com>; Julian Frate <jfrate@capcorp.com.au>; Alister Eden <AFeden@groupgsa.com>
Subject: CM: Wahroonga Estate MOD 0173/22 RFI package

Hi Luke,

Please find below OneDrive link to the RFI response documents. The same documents have also been uploaded to the NSW Planning Portal.

 [Wahroonga Estate Precinct B MOD 017322 RFI response package](#)

If you could confirm receipt of the RFI package this would be greatly appreciated. Many thanks for your

assistance.

Kind regards,

Justin Tse

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