



WILLOUGHBY
CITY COUNCIL

MEMO

To: Chair, Sydney North Planning Panel
From: Consultant Planner, Peter Wells
Date: 13 December 2024
Address: 1 Walter Street Willoughby
Ref/File No: PPSSNH-526- Willoughby - Public meeting DA-2024/159
Subject: (a) Further information regarding landscaping
(b) Further information regarding parking
(c) Schematic waste collection for adjoining 462 Willoughby Road
(d) Applicant's response to draft conditions

This memo is provided to assist the Panel in its determination of the above application.

The applicant has provided additional information to assist in the determination of the application, which includes:

- (a) Landscaping - a layer of additional information contained in more detailed landscape plans that specify the location and species of planting at the rear (northern) side of the development.
- (b) Parking – a supplementary statement from the applicant's traffic engineer confirming that the parking on the site satisfies the requirements of SEPP (Housing) 2021 and WDCP 2023.
- (c) Waste collection – updated basement drawing is provided from the applicant that shows a holding room and access tunnel for waste pertaining to the adjoining site at 462 Willoughby Road.
- (d) Applicant's response to draft conditions

Three appendices are:

Appendix 1 – updated landscape plans (*separate attachment*)

Appendix 2 – updated traffic reports (*separate attachment*)

Appendix 3 – updated schedule draft conditions (only where updated from assessment report) – see end of this report

Appendix 4 – copy of approved plans pertaining to DA-2021/300/C to assist the Panel with comparison between schemes (*separate attachment*)

These items are further discussed as follows:

(a) Landscaping

On 10 December 2024 the applicant issued updated landscape plans (see Appendix 1). The updated plans were submitted in response to a request for additional clarity from Council's Landscape Architect about species selection and location, particularly along the northern boundary



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of the property where the landscape plans (prior to the updated plans) provided a generalised list of planting species as "Eucalypt & native shrub screen".

The request to the applicant also sought that, in specifying the selection and layout, the applicant's View impact Assessments (VIAs) by Urbaine were used to assist with the provision of screening whilst also maintaining views through identified view corridors.

Council's Landscape Architect finds that the updated landscape drawings achieve an appropriate level of specificity about species selection and location and offer a good level of filtered screening benefit. To assist the Panel's assessment, Council's Landscape Architect prepared image 1 below, which shows in approximate terms the height and location of more substantial trees along the boundary.



Image 1: The vertical blue lines approximately represent the heights and location of the more substantial trees in the updated landscape plan. The landscape scheme is considered to offer a sufficient level of filtered visual screening of the development whilst retaining the view benefit offered between buildings at 1 Walter Street.

The updated landscape plans are satisfactory and are captured in updated condition 1.

(b) Parking

A supplementary statement from the applicant's traffic engineer (MLA Transport Planning) confirms that the parking on the site satisfies the requirements of SEPP (Housing) 2021 and WDCP 2023.

The supplementary material undertook a comparison of the parking demand using:

- (i) SEPP (Housing) 2021 only
- (ii) SEPP (Housing) 2021 and WDCP 2023
- (iii) SEPP (Housing) 2021 and WDCP 2006

The findings were as follows:

Building	SEPP (Housing) 2021 only	SEPP (Housing) 2021 and WDCP 2023	SEPP (Housing) 2021 and WDCP 2006	Proposed
Building B	22	20	25	22
Building C	35	34	43	38
Building D	60	46	60	45
Building E	42	42	50	42
Building F	42	42	50	42
Car share	-	-	-	2
Manager space	-	-	-	1
Total	201	184	228	192

The tan coloured column is most relevant to the current 'demands of the day' based on SEPP (Housing) 2021 and WDCP 2023. The green column shows a total compliant provision.

Council's Senior Transport Engineer and Traffic & Transport Team Leader, Planning & Infrastructure are satisfied the updated traffic reports. No additional traffic conditions are required.

(c) Waste collection

The Planning Proposal for the subject site included 462 Willoughby Road, however the site was not acquired and the DA excluded 462 Willoughby Road (it also excluded 29 – 31 Walter Street).

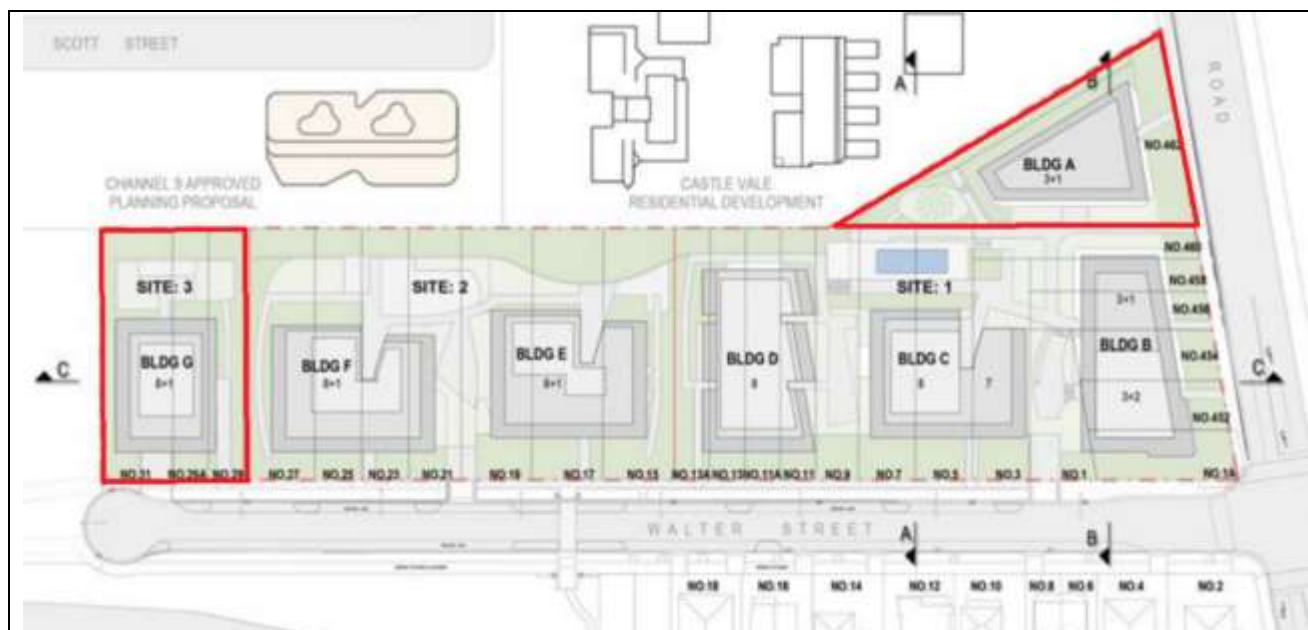


Image 2: The DA excluded 462 Willoughby Road and 29 – 31 Walter Street, shown outlined in red. WDCP 2023 Part B 7.6.2 (c) (4) is shown **below**.



4. Any basement car parking proposed on the site is to make provision for shared access where appropriate, with necessary easements on title in line with Section 88B of *NSW Conveyancing Act 1919*, appropriate circulation paths, and siting of breakthrough walls to allow shared/integrated basements with access from Walter Street only.

A proposed right of way is depicted by a tan colour shown below. By way of background, the applicant did seek to remove the right of way requirement through a Class 1 appeal, but discontinued the proceedings.

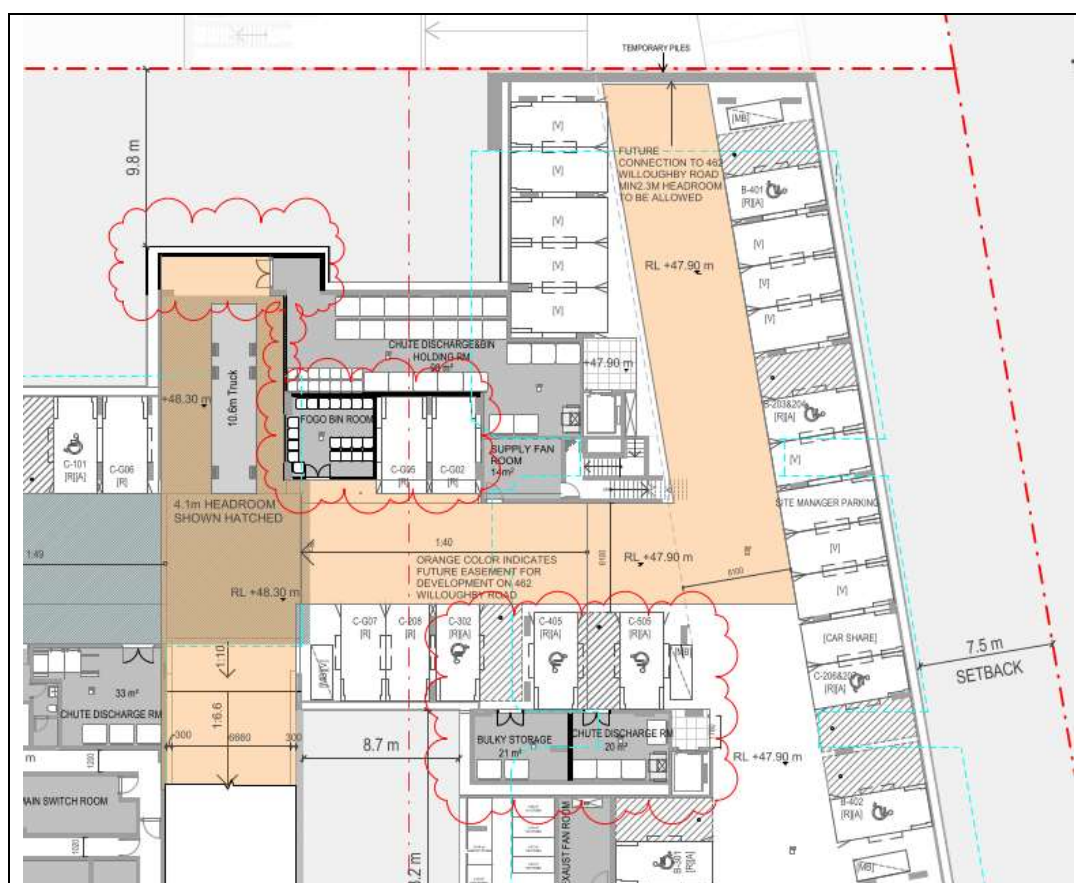


Image 3: The right of way indicates the “future easement for development on 462 Willoughby Road” (source: Drawing A.102/ST1 Rev E)

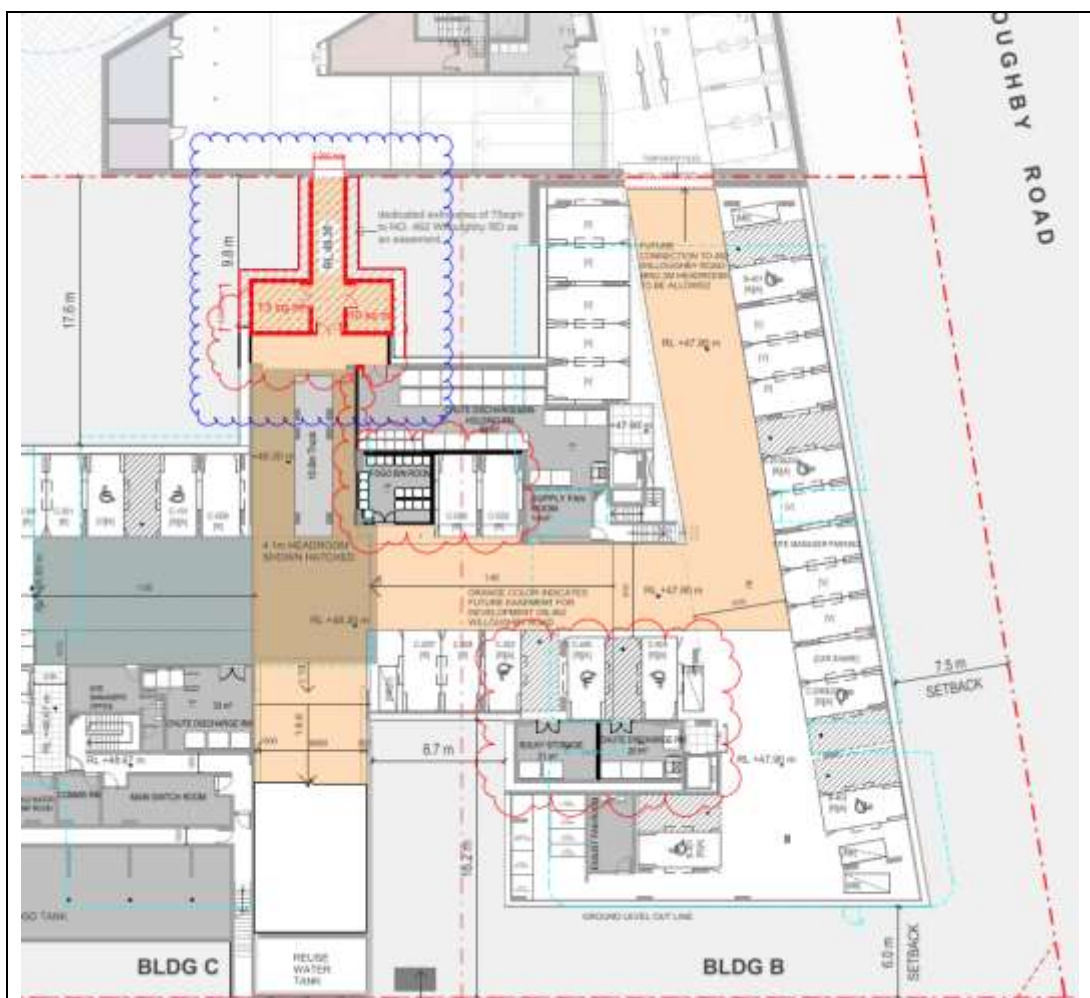


Image 4: A notional, extended proposed right of way to provide for a 22.5m² holding room and tunnel serving 462 Willoughby Road (source: Drawing A.102/ST1 Rev E)

This scheme (image 4) remedies a site isolation issue that WDCP 2023 Part B 7.6.2 (c) (4) aims to resolve. The provision for waste in the manner shown in **image 4** is a highly desirable outcome and is supported by Council staff. Kerbside pickup pertaining to 462 Willoughby Road, from both Walter Street and Willoughby Road, is unacceptable. Further, a Council waste vehicle cannot access the 462 Willoughby Road site using the right of way as it has a height clearance of 3.37m minus services (minimum 4.1m height clearance is required).

Development Application DA-2023/267 for 462 Willoughby Road is currently under assessment. It was lodged 23.9.2023 and relates to a 5-storey RFB with 19 residential units and basement carparking for 35 cars.



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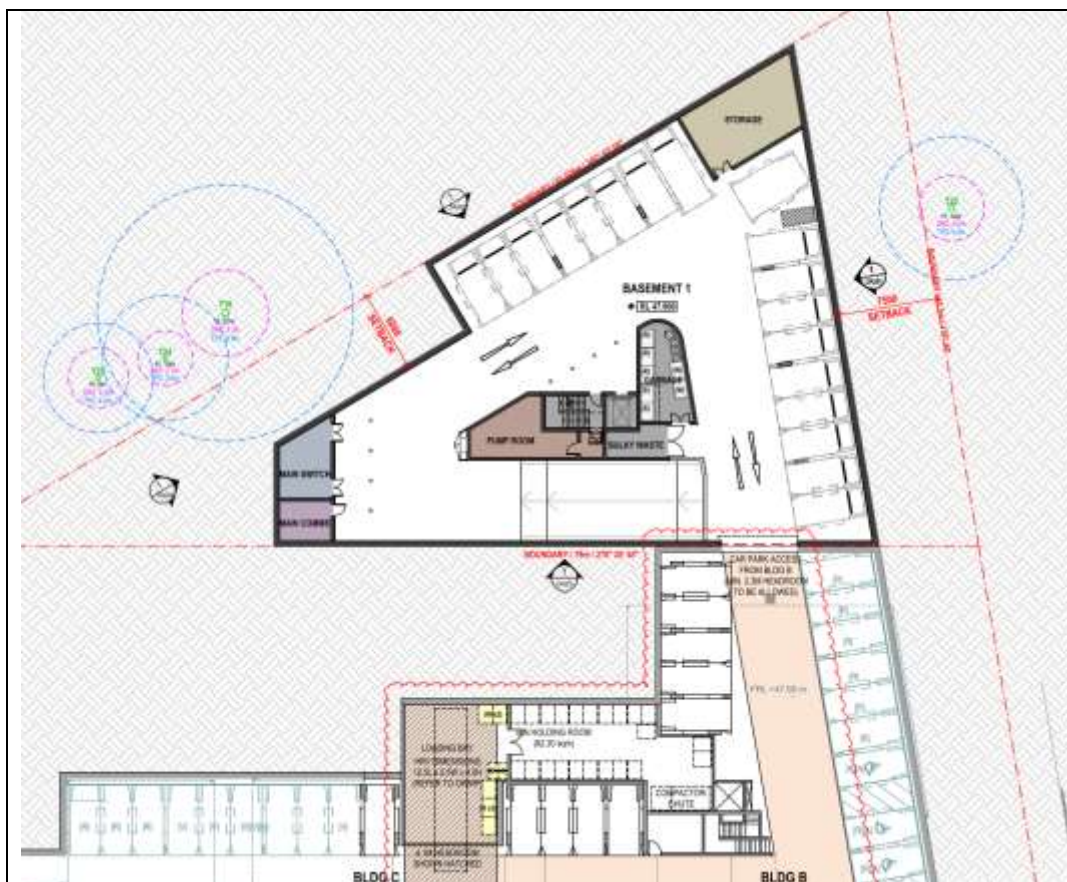


Image 5: The current proposed basement at 462 Willoughby Road under DA-2023/267.

Negotiations are currently under way between owners of 1 Walter Street and 462 Willoughby Road regarding the amended right of way, cost implications and responsibilities. The owner of 462 Willoughby Road has indicated an acceptance of the waste solution.

The applicant seeks that this waste solution not form part of the subject application, and has offered to \$4.55 this aspect if and when the matter is resolved. Notwithstanding, it remedies an otherwise dire situation for 462 Willoughby Road in development terms, and satisfies the underlying intent of the site specific DCP developed as part of the Planning Proposal – to avoid the isolation of 462 Willoughby Road. Catering for the waste needs of 462 Willoughby Road in the manner depicted constitutes orderly development of the land.

An additional draft condition reads as follows:

3A. Site isolation (right of way)

Prior to the issue of the Construction Certificate, a right-of-way burdening 1 Walter Street and benefitting 462 Willoughby Road must be clearly indicated on the drawings and be accompanied with written terms, clearly defining its use as an access route to/from 462 Willoughby Road from/to 1 Walter Street, including residents' vehicles, visitors, service vehicles, removalists and waste vehicles. Further, that it serves a waste collection function for 462 Willoughby Road. The terms of the right of way must describe that the waste holding room shown immediately north of the truck loading bay on Drawing A.102/ST1 Rev



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E, plot dated 27.11.2024 prepared by Architecture Urbaneia (FFL RL 48.3) is to be used exclusively for the purpose of temporarily holding waste/recycle/organic bins on collection days, where bins are presented for collection in accordance with the approved Waste Management Plan.
(Reason: Site isolation)

3B. Waste Management Plan

Prior to the issue of the Construction Certificate, the Waste Management Plan is required to be updated to clearly describe the waste management procedures associated with the temporary holding room located on 1 Walter Street that serves 462 Willoughby Road.
(Reason: Waste management)

(d) Applicant's response to draft conditions

The applicant responded to the draft conditions on 5 December 2024. The following points are the applicant's response (in red) and Council's response:

Condition	Council's response
<p>5. Damage Deposit – Stage 1 </p> <p>Prior to the issue of the Construction Certificate for Stage 1, the applicant shall lodge a Damage Deposit of \$230,000 (GST Exempt) to Council against possible damage to Council's assets and any infrastructure within the road reserve/footway during the course of the building works. The deposit will be refundable subject to inspection by Council after the completion of all works relating to Stage 1 of the proposed development. For the purpose of inspections carried out by Council Engineers, an inspection fee of \$176 (GST Exempt) is payable to Council. Any damages identified by Council shall be restored by the applicant prior to release of the Damage Deposit.</p> <p>Total Payable = \$230,000 + \$176 = \$230,176 <i>This condition relates to the original conditions and deposit has already been lodged with Council. Could you please differentiate between the original DA and new conditions as it may be interpreted as a new condition requiring additional deposits?</i> (Reason: Protection of public asset)</p>	<p>The condition applies once (to either DA-2021/300 or DA-2024/159). A sentence could be added to clarify "where this payment is made under DA-2021 this condition is also satisfied".</p>
<p>27. Adaptable Units <i>104/180=57.7%</i></p> <p>A total of 104 adaptable unit (which equates to 56% of the total number of units) shall be provided, and sixty-nine (69) accessible spaces compliant with AS 2890.6 shall be made appurtenant to these adaptable units, in accordance with Drawing A.011 Rev G, plot dated 27.11.2024 by Architecture Urbaneia. (Reason: Compliance, versatile building design)</p>	<p>Agreed. This condition can be updated to read 57.7%.</p>
<p>92. Performance Bond – Stage 1 </p> <p>Prior to the issue of an Occupation Certificate for Stage 1, the Applicant shall lodge with the Council a performance bond of \$140,000 against defective public civil works undertaken by the main Contractor for a period of twelve (12) months from the date of the completion certificate issued by Council as the road authority under the Roads Act 1993. The bond shall be lodged in the form of a cash deposit, cheque or unconditional bank guarantee which will be refundable subject to the approval of Council's Engineers at the end of the maintenance period. In this period, the Applicant is liable for any part of the work which fails to achieve the design specifications. Council shall be given full authority to make use of the bond for such restoration works within the maintenance period as deemed necessary. (Reason: Ensure compliance and specification) <i>Is this bond additional to the original DA bond, or the same condition as the original DA.</i></p> <p>93. Performance Bond – Stage 2 </p> <p>Prior to the issue of any Occupation Certificate, the Applicant shall lodge with the Council a performance bond of \$90,000 against defective public civil works undertaken by the main Contractor for a period of twelve (12) months from the date of the completion certificate issued by Council as the road authority under the Roads Act 1993. The bond shall be lodged in the form of a cash deposit, cheque or unconditional bank guarantee which will be refundable subject to the approval of Council's Engineers at the end of the maintenance period. In this period, the Applicant is liable for any part of the work which fails to achieve the design specifications. Council shall be given full authority to make use of the bond for such restoration works within the maintenance period as deemed necessary. (Reason: Ensure compliance and specification) <i>Is this bond additional to the original DA bond, or the same condition as the original DA.</i></p>	<p>Likewise with condition 5, these conditions are satisfied if otherwise satisfied under DA-2021/300. A sentence could be added to clarify "where this performance bond is lodged under DA-2021 this condition is also satisfied".</p>



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<p>103. 88E Restriction – Affordable Housing</p> <p>Pursuant to the Environmental Planning and Assessment Regulation 2021 the following must be complied with:</p> <p>a) registration of a restriction against the title of the property in accordance with section 88E of the Conveyancing Act 1919 to ensure the affordable housing component is:</p> <ul style="list-style-type: none">• used for affordable housing, and• managed by a registered CHP. <p>b) evidence of an agreement with a registered CHP for the management of the affordable housing component to be given to the Registrar of Community Housing, including the name of the registered CHP, and</p> <p>c) evidence that the requirements of a) and b) above have been satisfied provided to the consent authority.</p>	<p>Agreed that stipulating 27 nominated units affords more specificity.</p> <p>Amended bullet points as follows:</p> <ul style="list-style-type: none">• Twenty-seven (27) units as nominated on the approved architectural drawings are used for affordable housing, for a period of at least 15 years commencing on the day an occupation certificate is issued being: <p>Building E</p> <p>Unit G01 Unit G02 Unit 101 Unit 103 Unit 105 Unit 201 Unit 203 Unit 205 Unit 301 Unit 401 Unit 403 Unit 501 Unit 503 Unit 601</p> <p>Building F</p> <p>Unit G01 Unit 101 Unit 103 Unit 105 Unit 201 Unit 203 Unit 205 Unit 301 Unit 401 Unit 403 Unit 501 Unit 503 Unit 601</p> <p>b) evidence of an agreement.... (as per report)</p>
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I look forward to providing any further clarification where required at today's meeting.

Peter Wells
Consultant Planner



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APPENDIX 1 – UPDATED LANDSCAPE PLANS (uploaded to portal separately on 13 Dec 2024)

APPENDIX 2 – UPDATED TRAFFIC REPORTS (uploaded to portal separately on 13 Dec 2024)

APPENDIX 3 – UPDATED SCHEDULE DRAFT CONDITIONS (ONLY WHERE UPDATED FROM ASSESSMENT REPORT)

The following condition provides information on what forms part of the Consent.

1. Approved Plan/Details

The development must be in accordance with the following consent plans electronically stamped by Council:

Type	Plan No.	Revision/ Issue No	Plan Date (as Amended)	Prepared by
Architectural Drawings	A.010	G	27/11/2024	Architecture Urbaneia
	A.011			
	A.0004	H	18/11/2024	
	A.0005			
	A.0006	I	18/11/2024 (Drawing 102/ST1 Rev E plot dated 27.11.2024)	
	A.0007			
	A.0008			
	A.023	F		
	A.100	H		
	A.101/ST1	E		
	A.102/ST1			
	A.103/ST1	F		
	A.104/ST1	E		
	A.105/ST1	F		
	A.106/ST1			
	A.107/ST1	E		
	A.108/ST1			
	A.109/ST1			
	A.110/ST1			
	A.111/ST1	D		
	A.111a/ST1	C		
	A.111b/ST1			
	A.111c/ST1			
	A.112/ST2	N	27/11/2024	
	A.113/ST2	L	18/11/2024	
	A.114/ST2	N	27/11/2024	
	A.115/ST2	K	18/11/2024	
	A.116/ST2	I		
	A.117/ST2			



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Type	Plan No.	Revision/ Issue No	Plan Date (as Amended)	Prepared by		
	A.118/ST2					
	A.119/ST2					
	A.120/ST2					
	A.121/ST2					
	A.122/ST2					
	A.123/ST2	I	18/11/2024			
	A.124/ST2	A	8/7/2024			
	A.125/ST2	C	18/11/2024	Architecture Urbaneia		
Architectural Drawings	A.151/1	G	8/7/2024			
	A.151/2					
	A.153/1	J	27/11/2024			
	A.154/1	I				
	A.155/1					
	A.156/1	H	18/11/2024			
	A.160					
	A.160A					
	A.161	I	27/11/2024			
	A.162	C	18/11/2024			
	A.163					
	A.164					
	A.166					
	A.167					
	A.168					
	A.169					
	A.170	J	27/11/2024			
	A.171					
	A.172					
	A.173					
	A.174					
	A.175					
	A.176					
	A.177					
	A.178					
	A.179					
	A.179a					
	A.179b					
	A.401	F	8/7//2024			
	A.402	B			8/7/2024	
	A.403				27/11/2024	
	A.404					
	A.405					
	A.406					
	A.407					



Type	Plan No.	Revision/ Issue No	Plan Date (as Amended)	Prepared by
	A.407A		18/11/2024	
	A.407B	A		
	A.407C			
	A.407D			
	A.408	B	8/7/2024	
	A.409			
	A.410			
	A.411			
	A.411A	A	18/11/2024	
	A.411B			
	A.411D	A	18/11/2024	
	A.411C			
	A.413	B	18/11/2024	
Architectural Drawings	A.414	B	8/7/2024	Architecture Urbaneia
	A.414A			
	A.414B			
	A.414C			
	A.414D			
	A.414E	A		
	A.414F			
	A.414G			
	A.415	G		
	A.417	E		
	A.418			
	A.421	G	18/11/2024	
	A.422	A	8/7/2024	
	A.423	E	18/11/2024	
	A.424	B		
General Arrangement Plan – Sheet 1 of 4	C1-2-00	H	14/10/2022	Calibre
General Arrangement Plan – Sheet 2 of 4	C1-2-01	H	14/10/2022	Calibre
General Arrangement Plan – Sheet 3 of 4	C1-2-02	H	14/10/2022	Calibre
General Arrangement Plan – Sheet 4 of 4	C1-2-03	H	14/10/2022	Calibre
Stormwater Drainage Details Sheet 1 of 2	C1-4-20	G	14/10/2022	Calibre
Stormwater Drainage Details Sheet 2 of 2	C1-4-21	G	14/10/2022	Calibre
On-site Stormwater Detention Details Site 1	C1-4-30	I	14/10/2022	Calibre
Stormwater Drainage OSD Catchment Plan	C1-4-60	F	14/10/2022	Calibre
General Arrangement	C2-2-00	I	14/10/2022	Calibre



Type	Plan No.	Revision/ Issue No	Plan Date (as Amended)	Prepared by
Plan Level 1 – Sheet 1 of 4				
General Arrangement Plan Level 1– Sheet 2 of 4	C2-2-01	I	14/10/2022	Calibre
General Arrangement Plan Ground Level – Sheet 3 of 4	C2-2-02	I	14/10/2022	Calibre
General Arrangement Plan Ground Level – Sheet 4 of 4	C2-2-03	I	14/10/2022	Calibre
Stormwater Drainage Details	C2-4-20	H	14/10/2022	Calibre
On-site Stormwater Detention Details Site 2	C2-4-30	J	14/10/2022	Calibre
Stormwater Drainage OSD Catchment Plan	C2-4-60	H	14/10/2022	Calibre
Landscape Planting Plan	L401	A	10/12/2024	Site image
Landscape Planting Plan	L402	A	10/12/2024	Site image
Landscape Planting Plan	L403	A	10/12/2024	Site image
Landscape Planting Plan	L404	A	10/12/2024	Site image
Landscape Planting Plan	L405	A	10/12/2024	Site image
Landscape Planting Plan	L406	A	10/12/2024	Site image
Landscape Planting Plan	L407	A	10/12/2024	Site image
Landscape Planting Plan	L408	A	10/12/2024	Site image
Landscape Planting Plan	L409	A	10/12/2024	Site image
Landscape Planting Plan	L410	A	10/12/2024	Site image
Landscape Planting Plan	L502	A	10/12/2024	Site image
Landscape elevation – Walter Street	LP-30	01	28/6/2024	Site image
Landscape site plan	LP-00	01	28/6/2024	Site image
Existing tree plan	LP-00.1	01	28/6/2024	Site image
Streetscape plan	LP-00.2	01	28/6/2024	Site image
Streetscape plan – sheet 1	LP-00.21	01	28/6/2024	Site image
Streetscape plan – sheet 2	LP-00.22	01	28/6/2024	Site image
Landscape images design notes – sheet 1	LP-00.3	01	28/6/2024	Site image
Landscape images design notes – sheet 2	LP-00.4	01	28/6/2024	Site image
Landscape Plan – Site 1	LP-01	01	28/6/2024	Site image
Hardscape Plan – Site 1	LP-01.1	01	28/6/2024	Site image
Level 4 Landscape Plan – site 1	LP-01.5	01	28/6/2024	Site image
Level 4 Blg B -	LP-01.6	01	28/6/2024	Site image



Type	Plan No.	Revision/ Issue No	Plan Date (as Amended)	Prepared by
Landscape Plan				
Roof level landscape plan – Site 1	LP-01.7	01	28/6/2024	Site image
Landscape Plan – Site 2	LP-02	01	28/6/2024	Site image
Hardscape plan – Site 2	LP-02.1	01	28/6/2024	Site image
Landscape Elevation –o Walter Street	LP-30	01	28/6/2024	Site image

- It is a requirement of this condition that a new condition 1A is to be inserted into development consent DA-2021/300 as follows:
- Despite any provision of this development consent DA-2021/300, this consent does not authorise or require anything that is inconsistent with the work approved (as shown clouded in red) in accordance with development consent DA-2024/159 and to the extent of any inconsistency the latter consent applies. The terms of development consent DA-2024/159 must be satisfied when carrying out development under this consent.
- It is a requirement of this condition that a new condition 1B is to be inserted into development consent DA-2021/300 (as modified) as follows:

Despite condition 1A, the development must be implemented in accordance with the following approved plans and documents as amended by conditions of this consent:

Type	Plan No.	Revision/ Issue No	Plan Date (as Amended)	Prepared by	
Architectural Drawings	A.010	G	27/11/2024	Architecture Urbaneia	
	A.011				
	A.0004	H	18/11/2024		
	A.0005				
	A.0006	I	18/11/2024 (Drawing 102/ST1 Rev E plot dated 27.11.2024)		
	A.0007				
	A.0008				
	A.023	F			
	A.100	H			
	A.101/ST1	E			18/11/2024 (Drawing 102/ST1 Rev E plot dated 27.11.2024)
	A.102/ST1				
	A.103/ST1	F			
	A.104/ST1	E			
	A.105/ST1	F			
	A.106/ST1				
	A.107/ST1	E			
	A.108/ST1				
	A.109/ST1				



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Type	Plan No.	Revision/ Issue No	Plan Date (as Amended)	Prepared by	
	A.110/ST1				
	A.111/ST1	D			
	A.111a/ST1	C			
	A.111b/ST1				
	A.111c/ST1				
	A.112/ST2	N	27/11/2024		
	A.113/ST2	L	18/11/2024		
	A.114/ST2	N	27/11/2024		
	A.115/ST2	K	18/11/2024		
	A.116/ST2	I			
	A.117/ST2				
	A.118/ST2				
	A.119/ST2				
	A.120/ST2				
	A.121/ST2				
	A.122/ST2				
	A.123/ST2	I	18/11/2024		
	A.124/ST2	A	8/7/2024		
	A.125/ST2	C	18/11/2024	Architecture Urbaneia	
Architectural Drawings	A.151/1	G	8/7/2024		
	A.151/2				
	A.153/1	J	27/11/2024		
	A.154/1	I			
	A.155/1				
	A.156/1	H	18/11/2024		
	A.160				
	A.160A				
	A.161	I	27/11/2024		
	A.162	C	18/11/2024		
	A.163				
	A.164				
	A.166				
	A.167				
	A.168				
	A.169				
	A.170	J	27/11/2024		
	A.171				
	A.172				
	A.173				
A.174					
A.175					
A.176					
A.177					



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Type	Plan No.	Revision/ Issue No	Plan Date (as Amended)	Prepared by	
	A.178			Architecture Urbaneia	
	A.179				
	A.179a				
	A.179b				
	A.401	F			
	A.402	B			8/7/2024
	A.403				27/11/2024
	A.404				8/7//2024
	A.405				
	A.406				
	A.407				
	A.407A		A		18/11/2024
	A.407B				
	A.407C				
	A.407D				
	A.408	B	8/7/2024		
	A.409				
	A.410				
	A.411				
	A.411A	A	18/11/2024		
	A.411B				
	A.411D	A	18/11/2024		
	A.411C				
	A.413	B	18/11/2024		
Architectural Drawings	A.414	B	8/7/2024		
	A.414A				
	A.414B				
	A.414C				
	A.414D				
	A.414E	A			
	A.414F				
	A.414G				
	A.415	G			
	A.417	E			
	A.418				
	A.421	G	18/11/2024		
	A.422	A	8/7/2024		
	A.423	E	18/11/2024		
A.424	B				
General Arrangement Plan – Sheet 1 of 4	C1-2-00	H	14/10/2022	Calibre	
General Arrangement Plan – Sheet 2 of 4	C1-2-01	H	14/10/2022	Calibre	
General Arrangement	C1-2-02	H	14/10/2022	Calibre	



Type	Plan No.	Revision/ Issue No	Plan Date (as Amended)	Prepared by
Plan – Sheet 3 of 4				
General Arrangement Plan – Sheet 4 of 4	C1-2-03	H	14/10/2022	Calibre
Stormwater Drainage Details Sheet 1 of 2	C1-4-20	G	14/10/2022	Calibre
Stormwater Drainage Details Sheet 2 of 2	C1-4-21	G	14/10/2022	Calibre
On-site Stormwater Detention Details Site 1	C1-4-30	I	14/10/2022	Calibre
Stormwater Drainage OSD Catchment Plan	C1-4-60	F	14/10/2022	Calibre
General Arrangement Plan Level 1 – Sheet 1 of 4	C2-2-00	I	14/10/2022	Calibre
General Arrangement Plan Level 1– Sheet 2 of 4	C2-2-01	I	14/10/2022	Calibre
General Arrangement Plan Ground Level – Sheet 3 of 4	C2-2-02	I	14/10/2022	Calibre
General Arrangement Plan Ground Level – Sheet 4 of 4	C2-2-03	I	14/10/2022	Calibre
Stormwater Drainage Details	C2-4-20	H	14/10/2022	Calibre
On-site Stormwater Detention Details Site 2	C2-4-30	J	14/10/2022	Calibre
Stormwater Drainage OSD Catchment Plan	C2-4-60	H	14/10/2022	Calibre
Landscape Planting Plan	L401	A	10/12/2024	Site image
Landscape Planting Plan	L402	A	10/12/2024	Site image
Landscape Planting Plan	L403	A	10/12/2024	Site image
Landscape Planting Plan	L404	A	10/12/2024	Site image
Landscape Planting Plan	L405	A	10/12/2024	Site image
Landscape Planting Plan	L406	A	10/12/2024	Site image
Landscape Planting Plan	L407	A	10/12/2024	Site image
Landscape Planting Plan	L408	A	10/12/2024	Site image
Landscape Planting Plan	L409	A	10/12/2024	Site image
Landscape Planting Plan	L410	A	10/12/2024	Site image
Landscape Planting Plan	L502	A	10/12/2024	Site image
Landscape elevation – Walter Street	LP-30	01	28/6/2024	Site image
Landscape site plan	LP-00	01	28/6/2024	Site image
Existing tree plan	LP-00.1	01	28/6/2024	Site image
Streetscape plan	LP-00.2	01	28/6/2024	Site image
Streetscape plan – sheet	LP-00.21	01	28/6/2024	Site image



Type	Plan No.	Revision/ Issue No	Plan Date (as Amended)	Prepared by
1				
Streetscape plan – sheet 2	LP-00.22	01	28/6/2024	Site image
Landscape images design notes – sheet 1	LP-00.3	01	28/6/2024	Site image
Landscape images design notes – sheet 2	LP-00.4	01	28/6/2024	Site image
Landscape Plan – Site 1	LP-01	01	28/6/2024	Site image
Hardscape Plan – Site 1	LP-01.1	01	28/6/2024	Site image
Level 4 Landscape Plan – site 1	LP-01.5	01	28/6/2024	Site image
Level 4 Blg B - Landscape Plan	LP-01.6	01	28/6/2024	Site image
Roof level landscape plan – Site 1	LP-01.7	01	28/6/2024	Site image
Landscape Plan – Site 2	LP-02	01	28/6/2024	Site image
Hardscape plan – Site 2	LP-02.1	01	28/6/2024	Site image
Landscape Elevation –o Walter Street	LP-30	01	28/6/2024	Site image

the application form and any other supporting documentation submitted as part of the application, except for:

- (a) any modifications which are “Exempt Development” as defined under S.4.1(1) of the *Environmental Planning and Assessment Act 1979*;
- (b) otherwise provided by the conditions of this consent. (Reason: Information and ensure compliance)

3A. Site isolation (right of way)

Prior to the issue of the Construction Certificate, a right-of-way burdening 1 Walter Street and benefitting 462 Willoughby Road must be clearly indicated on the drawings and be accompanied with written terms, clearly defining its use as an access route to/from 462 Willoughby Road from/to 1 Walter Street, including residents’ vehicles, visitors, service vehicles, removalists and waste vehicles. Further, that it serves a waste collection function for 462 Willoughby Road. The terms of the right of way must describe that the waste holding room shown immediately north of the truck loading bay on Drawing A.102/ST1 Rev E, plot dated 27.11.2024 prepared by Architecture Urbaneia (FFL RL 48.3) is to be used exclusively for the purpose of temporarily holding waste/recycle/organic bins on collection days, where bins are presented for collection in accordance with the approved Waste Management Plan.
(Reason: Site isolation)

3B. Waste Management Plan



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Prior to the issue of the Construction Certificate, the Waste Management Plan is required to be updated to clearly describe the waste management procedures associated with the temporary holding room located on 1 Walter Street that serves 462 Willoughby Road.
(Reason: Waste management)

5. Damage Deposit – Stage 1

Prior to the issue of the Construction Certificate for Stage 1, the applicant shall lodge a Damage Deposit of **\$230,000** (GST Exempt) to Council against possible damage to Council's assets and any infrastructure within the road reserve/footway during the course of the building works. The deposit will be refundable subject to inspection by Council after the completion of all works relating to Stage 1 of the proposed development. **Where this payment is made under DA-2021 this condition is also satisfied.** For the purpose of inspections carried out by Council Engineers, an inspection fee of **\$176** (GST Exempt) is payable to Council. Any damages identified by Council shall be restored by the applicant prior to release of the Damage Deposit.

Total Payable = \$230,000 + \$176 = \$230,176

(Reason: Protection of public asset)

26. Adaptable Units

A total of 104 adaptable unit (which equates to ~~56~~ **57.7%** of the total number of units) shall be provided, and sixty-nine (69) accessible spaces compliant with AS 2890.6 shall be made appurtenant to these adaptable units, in accordance with Drawing A.011 Rev G, plot dated 27.11.2024 by Architecture Urbaneia.

(Reason: Compliance, versatile building design)

92. Performance Bond – Stage 1

Prior to the issue of an Occupation Certificate for Stage 1, the Applicant shall lodge with the Council a performance bond of \$140,000 against defective public civil works undertaken by the main Contractor for a period of twelve (12) months from the date of the completion certificate issued by Council as the road authority under the *Roads Act 1993*. The bond shall be lodged in the form of a cash deposit, cheque or unconditional bank guarantee which will be refundable subject to the approval of Council's Engineers at the end of the maintenance period. In this period, the Applicant is liable for any part of the work which fails to achieve the design specifications. Council shall be given full authority to make use of the bond for such restoration works within the maintenance period as deemed necessary. **Where this performance bond is lodged under DA-2021 this condition is also satisfied.**

(Reason: Ensure compliance and specification)

93. Performance Bond – Stage 2

Prior to the issue of any Occupation Certificate, the Applicant shall lodge with the Council a performance bond of \$90,000 against defective public civil works undertaken by the main Contractor for a period of twelve (12) months from the date of the completion certificate issued by Council as the road authority under the *Roads Act 1993*. The bond shall be



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lodged in the form of a cash deposit, cheque or unconditional bank guarantee which will be refundable subject to the approval of Council's Engineers at the end of the maintenance period. In this period, the Applicant is liable for any part of the work which fails to achieve the design specifications. Council shall be given full authority to make use of the bond for such restoration works within the maintenance period as deemed necessary. **Where this performance bond is lodged under DA-2021 this condition is also satisfied.**
(Reason: Ensure compliance and specification)

103. 88E Restriction – Affordable Housing

Pursuant to the Environmental Planning and Assessment Regulation 2021 the following must be complied with:

a) registration of a restriction against the title of the property in accordance with section 88E of the Conveyancing Act 1919 to ensure the affordable housing component is:

- **Twenty-seven (27) units as nominated on the approved architectural drawings are used for affordable housing, for a period of at least 15 years commencing on the day an occupation certificate is issued being:**

Building E

Unit G01
Unit G02
Unit 101
Unit 103
Unit 105
Unit 201
Unit 203
Unit 205
Unit 301
Unit 401
Unit 403
Unit 501
Unit 503
Unit 601

Building F

Unit G01
Unit 101
Unit 103
Unit 105
Unit 201
Unit 203
Unit 205
Unit 301
Unit 401
Unit 403
Unit 501
Unit 503
Unit 601, and



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- managed by a registered CHP.
- b) evidence of an agreement with a registered CHP for the management of the affordable housing component to be given to the Registrar of Community Housing, including the name of the registered CHP, and
- c) evidence that the requirements of a) and b) above have been satisfied provided to the consent authority.

**APPENDIX 4 – COPY OF APPROVED PLANS PERTAINING TO DA-2021/300/C
(uploaded to portal separately on 13 Dec 2024)**