

21 May 2020

Ms Kim Holt
Planning Panels Secretariat
Locked Bag 5022
Parramatta NSW 2124

Dear Ms Holt,

PPSSNH-66, MOD2019/0654 - 5 SKYLINE PLACE, FRENCHS FOREST

INTRODUCTION

We write on behalf of Platino Properties (the Applicant) in relation the above modification application.

We have reviewed Northern Beaches Council's Assessment Report and its reasons for recommending refusal of the application and consider there are a number of issues which warrant a response and clarification. We ask that these matters are brought to the attention of the Sydney North Planning Panel (SNPP) prior to its determination of the application.

At the outset, we wish to reiterate that the modification application seeks to make relatively minor amendments to the approved scheme and that the proposed modified scheme remains a seniors living and mixed use development that continues to be consistent with the applicable strategic and statutory planning framework, including *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004* (SEPP HSPD), and the SNPP's approval of the development on 18 June 2019.

We have previously provided information, in previous Statements of Environmental Effects and information provided to the SNPP during its determination of the Section 8.2 Review, demonstrating the growing demand for seniors housing in the Northern Beaches LGA. Based on 2019 data from the Department of Planning, Industry and Environment, the largest growing demographic group in the LGA is 85 years and over and predicted to increase by 78% from 7,050 (2016) to 12,550 (2036). Furthermore, the 65-84 years age group is also rapidly growing and predicted to increase by 40% from 35,950 (2016) to 50,450 (2036).

The subject development, as proposed to be modified, will continue to play a key role in meeting this demand, particularly given the evolving land use and character of the Frenchs Forest Health and Education Precinct.

The proposed modifications reflect the Applicant's discussions with potential operators of the seniors living development and further market testing of the proposed commercial floor space which have identified enhancements to improve the scheme in terms of operational efficiency, security, connectivity, and the amenity of future residents and workers on the site.

In summary, the proposed modifications and enhancements to the approved scheme are:

- The approved scheme includes commercial uses on both levels 1 and 2, where seniors housing and communal spaces are also present. The proposed amendment refines the design of the internal areas to provide commercial and retail space that is more marketable and provides a better separation between the different uses and future residents and workers within the building.
- Removing the commercial space from levels 1 and 2 addresses these concerns, while the relocation of the residents' communal space to level 1 provides this space in one central location with greater access to natural light and external views. Consequently, level 2 will contain seniors housing purposes only.
- The resultant concentration of commercial/retail floorspace on the lower ground and ground floor creates greater compatibility between the development's different uses and will have more appeal to users of the commercial spaces than on level 1 and level 2 where access and potential conflicts with residents are issues.
- This also improves connectivity between the commercial areas and the hospital by providing a north-south link that allows people to walk through the buildings, as opposed to around the buildings.
- The proposed revised dwelling mix of the development will provide greater product variety. The inclusion of one-bedroom units provides an affordable product entry which may appeal, for example, to nurses or single retirees.

The proposed modified development continues to comprise a seniors living and mixed use development that will increase the supply of seniors housing in a demonstrably suitable location, consistent with the provisions of SEPP HSPD and the SNPP's approval of the development on 18 June 2019.

We also note that Council's assessment report is completely silent on the economic assessment that was undertaken in support of the modification application and, accordingly, fails to acknowledge the demonstrated economic and employment benefits of the modified scheme.

The proposal will continue to provide a substantial quantum of commercial and retail floorspace and, as outlined in the Economic Assessment prepared by HillPDA submitted with the application (Attachment 1), will generate significant economic and employment benefits. These include:

- The estimated construction cost for the proposed scheme of \$32 million would generate further economic activity including:
 - Production induced effects of \$41.5 million
 - Consumption induced effects of \$29.3 million
 - Total economic activity of \$103.3 million.
- Around 69 post-construction jobs could be supported on site, comprising 22 jobs associated with the seniors living component and 47 jobs associated with the commercial floor space. This is a net increase of 54 jobs compared to existing employment on the site, or a 360% increase in the current number of jobs on the site.
- The combined total workers' salaries generated onsite is estimated at approximately \$2.9 million (a reduction of \$0.5 million per annum from that generated under the approved scheme.)
- The value added from the proposal is in the order \$3.8 million per year (a reduction of \$0.7 million per annum from that generated under the approved scheme.)

- Workers on the site could generate a combined annual retail spend of around \$217,350 (a reduction of around \$44,100 per annum compared to the approved scheme). Given the proximity of the proposed new Frenchs Forest town centre, these future worker's expenditure would be directed towards this proposed centre and contribute to its viability and vibrancy in the near future.
- The modified scheme would continue to provide significant investment stimulus for further investment and development in the immediate area.

Council's report claims that the proposed reduction of commercial/retail floorspace by 567 m² amounts to a **64.5%** reduction. This is incorrect and grossly misleading in the context of Council's premise that the scale of changes sought are beyond what can be considered as "substantially the same development" and the reasons for the SNPP's approval of the development.

The proposed reduction in commercial/retail floorspace from 2,219 m² to 1,652 m² is only **25.6%**, substantially less than claimed by Council. Furthermore, we note that Council's report fails to acknowledge that the total GFA of the scheme would be reduced from 8,991 m² to 8,269 m² and, accordingly, there is only a negligible 5% decrease in the proportion of commercial/retail GFA of overall GFA from 25% to 20%.

These are critical points, overlooked by Council, but material to our position that the proposed changes clearly result in development that:

- is substantially the same as the approved development
- would not give rise to any increased or new environmental impacts beyond those addressed through the approved development
- on the basis of the information submitted with the modification application and outlined in this letter, clearly warrants approval.

RESPONSE TO REASON FOR RECOMMENDED REFUSAL

Our response to each of Council's reasons for the recommended refusal is outlined below:

- 1. Pursuant to Section 4.55 (2) of the Environmental Planning and Assessment Act, 1979, the amendments proposed under the Modification Application will result in a development that is not substantially the same as the development for which consent was originally granted.***

We note Council's position that the proposed modification cannot be considered to be substantially the same development, for the purposes of section 4.55 of the *Environmental Planning and Assessment Act 1979* (EP&A Act), due to the proposed reduction in the amount of commercial/retail floorspace from 2,219m² to 1,652m² and an additional 7 seniors units.

Council's report states that: *"The amended development cannot be said to be substantially or materially the same as that considered by the Panel under Section 8.2 review because it is not of the same essence as the former in the critical area of residential dwelling area versus commercial floor area."*

We have provided advice from Jacinta Reid, Barrister, at Attachment 2 which addresses this issue. This advice notes that Council's position appears to stem from a concern that any

reduction in commercial floor space would result in loss of employment in the B7 zone and is therefore a material change to the development. This reflects Council's original concerns relating to the development that seniors living development should not be permitted in the B7 zone. That concern is highlighted in Council's internal 'Strategic Planning Referral Response' dated 5 March 2020 which states that 'the original application was not supported, the comments raised previously remain and that the development is not consistent with Council's strategic objective for the wider Frenchs Forest precinct'.

As noted in the legal advice, that concern was resolved in the approval of the Consent and was addressed in advice from Jacinta Reid dated 17 December 2018 (Attachment 3) which was provided to the Panel, and accepted, on determination of the original application.

The legal advice also notes that:

The 'Strategic Planning' concern, which appears to have been adopted in the Assessment Report, coupled with the mathematical error that the commercial space would be reduced by 64.5% appears to have infected Council's consideration of whether the application is substantially the same development.

The advice concludes:

The proposed modification will result in a development that does not exceed the height and bulk of the original approval. The uses of the proposed modification will remain the same with an amendment to the ratio of uses provided whilst reinforcing the visual presentation of commercial uses to the street levels. The effect of the modification is to rationalise the design to provide better amenity for its intended occupants. That modification will not change the material essence of the original approval. Accordingly, it is open to the Panel to form the requisite opinion that the proposed modification will result in a development that is 'substantially the same' as that originally approved.

- 2. Pursuant to Section 4.15(1) (a) (i) of the Environmental Planning and Assessment Act 1979, the proposed development is inconsistent with the provisions of SEPP (Building and Sustainability Index: BASIX) 2004.**

A BASIX certificate has now been provided to Council and is attached to this letter (Attachment 4). Accordingly, this reason for refusal has now been addressed.

- 3. Pursuant to Section 4.15(1) (a) (i) of the Environmental Planning and Assessment Act 1979, the proposed development is inconsistent with the solar access and cross ventilation requirements of the Apartment Design Guide as applies under SEPP 65 – Design Quality of Residential Apartment Development.**

Council's report states that: "the modified development will result in new non-compliances with the ADG requirements in relation to solar access as relates to increasing the number of solely south facing units and cross ventilation requirements. The modifications result in reduced amenity outcomes for the future occupants of the dwellings."

In response to this statement, we draw the SNPP's attention to our previous response to Council raising this issue. That is, the ADG is a guide which contains targets but does not

prescribe mandatory standards, which is confirmed in the Department of Planning and Environment's Planning Circular 17-001 which states that:

...the ADG is not intended to be and should not be applied as a set of strict development standards...

Furthermore, we note that the proposed modification would still result in the development meeting the ADG targets in relation to solar access and units per corridor and only minor departures from the targets for apartments with no direct sunlight and cross ventilation, as shown in the Table below:

SEPP 65	ADG Target	Approved scheme	Modified scheme	Comment
Solar access	70%	94%	82%	Exceeds ADG target
Apartments with no direct sunlight	Max. 15%	6%	16%	Minor departure from ADG target 1%
Cross Ventilation	60%	61%	55%	Minor departure from ADG target 5%
Seniors living units per corridor	Max. 12	5	4-8	Meets ADG target

As noted in the Statement of Environmental Effects supporting the modification application, whilst there is a minor decrease in the development's ability to meet all the ADG's targets, there is still a high degree of amenity maintained through solar access and the on-site recreational facilities to be provided. The modification includes additional private winter gardens and a north-facing communal winter garden to promote social interaction and residential amenity.

Accordingly, we do not consider that the minor departures from the ADG targets resulting from the modification warrant refusal of the application.

4. *The proposed modifications are inconsistent with the objective of the B7 Business Park zone under the Warringah Local Environmental Plan 2011 in relation to encouraging employment opportunities within the zone.*

Council's report states that "the proposed modification reduces the commercial uses on site and increases the residential units, which will result in further loss of employment generation in the area, which is inconsistent with the objectives of the zone and this issue has been included as a reason for refusal."

In this regard, Council officers continue to attempt to give primacy to the provisions of the *Warringah Local Environmental Plan 2011* (WLEP 2011) over the provisions of SEPP HSPD.

We note that Council has previously and erroneously raised this same issue as a recommended reason for refusal for previous applications on this site.

In response, we have previously provided information to the SNPP in its consideration of the section 8.2 Review outlining that the B7 zone objectives clearly do not contemplate seniors

housing because it is otherwise prohibited in that zone, but made permissible through the SEPP HPSD. This is supported by previously legal advice which confirmed that there is no legal requirement to demonstrate consistency with the B7 zone objectives (Attachment 3). As noted above, this advice was previously provided to the Panel, and accepted, on determination of the original application.

In this regard, we note that in approving the application following the section 8.2 Review, the SNPP specifically agreed with our position on this issue in its Statement of Reasons, stating that:

“The review Panel considers that such inconsistency is to be expected given the Warringah LEP prohibits residential zone yet the overriding SEPP (HSPD) permits it and, in the interests of its overall aim of encouraging seniors housing, specifies that its aims will be achieved by “setting aside local planning controls that would prevent the development of seniors housing that meets the development criteria and standards specified in this Policy (SEPP cl 2(2)).

Accordingly, Council officers are now restating arguments from their earlier consideration of applications on the site which have been already considered and found to be incorrect in the approval of the project.

CONCLUSION

The proposed development, as proposed to be modified, continues to demonstrate strong strategic merit and complies with the prevailing statutory planning framework. Specifically, the proposed development:

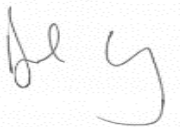
- is minor in nature and is substantially the same development as the development for which consent was originally granted
- substantially improves the operational efficiency, security, connectivity, and the amenity of future residents and workers on the site and will better facilitate the delivery of seniors living development in a local government area and locality with strong demand for seniors housing
- does not result in any changes to the height, scale or footprint of the approved development
- is acceptable as the proposed works will not result in any adverse impacts on neighbouring properties
- will provide for a better design outcome and operational efficiencies for the future seniors living development on the site
- will not result in any significant environment impacts
- provides for greater housing diversity in terms of the mix of apartment sizes than the approved development
- will continue to provide significant economic and employment benefits

We have also clarified and/or refuted inaccuracies and other statements and arguments in Council’s assessment report which we consider are critical to the proper assessment and determination of the application.

For the reasons outlined above, there are strong grounds for the approval of the modification application and we request that these issues be brought to the attention of the SNPP prior to its determination.

Please do not hesitate to contact Dan Keary on 8459 7511 or dan@keylan.com.au in the first instance if you wish to discuss any aspect of this letter.

Yours sincerely



Dan Keary BSc MURP MPIA
Director

Attachments:

Attachment 1	Economic Assessment, Hill PDA
Attachment 2	Memorandum of Advice, Jacinta Reid, Barrister, 21 May 2020
Attachment 3	Memorandum of Advice, Jacinta Reid, Barrister, 17 December 2018
Attachment 4	BASIX certificate, Greenworld Architectural Drafting

Attachment 1

**Economic Assessment
prepared by
Hill PDA**

Dear Paula,

Subject: 5 Skyline Place, Economic Multiplier update

It is understood that in 2019 approval was granted for the construction of a mixed-use development containing 49 seniors housing units, and commercial space at 5 Skyline Place, Frenches Forest. A subsequent amended scheme has been prepared to better reflect the operational requirements of the likely future owner/operator of the facility.

The proposed changes are outlined in the following table.

Table 1: Proposed development yield amendments

Criteria	Approved	Proposed
Height	6 storeys	6 storeys
Site area	4,886	4,759
Total GFA	8,991sqm	8,957sqm
FSR	1.84:1	1.88:1
Total seniors' units	49 units GFA 6,211sqm	56 units 6,900sqm GFA
Commercial / cafe floorspace	2,219sqm	1,652sqm
Car parking spaces	127	124

The following assesses the economic impact of the proposed changes in terms of construction multipliers, employment, remuneration, Industry Value Added (IVA), and retail expenditure from workers on site.

Under the approved scheme, the development would have likely generated 83 jobs, \$3.3 million in remuneration per annum, a IVA of \$4.5 million per annum and \$261,450 per annum in retail expenditure from workers on site.

1.1 Economic Impacts during construction

The proposed development would generate employment and economic activity during construction period. Construction cost is estimated at \$32 million. The estimate was made based on the following¹:

- Demolition of existing structure at \$150/sqm for an estimated 6,380sqm
- Seniors living (inclusive of common areas at \$3,000/sqm for a total GFA of around 6,900sqm
- Commercial at \$2,000/sqm for total GFA of around 1,652sqm
- Car parking at \$50,000/space for total of 124 spaces
- A further 4% for contingency and other miscellaneous items.

¹ Source: Various sources including Rawlinsons 2017

Construction multiplier effects

The construction industry is a significant component of the economy accounting for 5.96% of Gross Domestic Product (GDP) and employing just over one million workers across Australia². The industry has strong linkages with other sectors, so its impacts on the economy go further than the direct contribution of construction. Multipliers refer to the level of additional economic activity generated by a source industry.

There are two types of multipliers:

Production induced: which is made up of:

- first round effect: which is all outputs and employment required to produce the inputs for construction, and
- an industrial support effect: which is the induced extra output and employment from all industries to support the production of the first-round effect.

Consumption induced: which relates to the demand for additional goods and services due to increased spending by the wage and salary earners across all industries arising from employment.

The source of the multipliers adopted in this report is ABS Australian National Accounts: Input-Output Tables 2017-18 (ABS Pub: 5209.0). These tables identify first round effects, industrial support effects and consumption induced multiplier effects at rates of \$0.62, \$0.66 and \$0.91 respectively to every dollar of construction.

The table below quantifies the associated economic multipliers resulting from the construction process. The estimated construction cost for the proposed scheme of \$32 million would generate further economic activity described as:

- Production induced effect effects of \$41.5 million
- Consumption induced effects of \$29.3 million
- Total economic activity of \$103.3 million.

The table below quantifies associated economic multipliers resulting from the construction process.

Table 2: Investment multipliers

	Direct Effects	Production Induced Effects		Consumption Induced Effects	Total
		First Round Effects	Industrial Support Effects		
Output multipliers	1	0.6200	0.6610	0.9050	3.1860
Output (\$million)	\$32	\$20.1	\$21.4	\$29.3	\$103.3

Source: HillPDA Estimate using data from ABS Australian National Accounts: Input-Output Tables 2017-18

Note that the multiplier effects are national, and not necessarily local. The ABS states that:

“Care is needed in interpreting multiplier effects; their theoretical basis produces estimates which somewhat overstate the actual impacts in terms of output and employment. Nevertheless, the estimates illustrate the high flow-on effects of construction activity to the rest of the economy. Clearly, through its multipliers, construction activity has a high impact on the economy.”

In particular the multiplier impacts can leave the impression that resources would not have been used elsewhere in the economy had the development not proceeded. In reality, many of these resources would have been employed elsewhere. Note that the NSW Treasury guidelines state:

² Source: IBIS World Construction Industry Report 2018

“Direct or flow on jobs will not necessarily occur in the immediate vicinity of the project – they may be located in head office of the supplier or in a factory in another region or State that supplies the project”³.

Nevertheless, economic multiplier impacts represent considerable added value to the Australian economy.

Construction related employment

Every one million dollars of construction work undertaken generates 2.497 job years directly in construction⁴. Based on the estimated construction cost 81 job years⁵ would be directly generated by the proposed development as shown in the table below.

Table 3: Construction employment

	Direct Effects	Production Induced Effects		Consumption Induced Effects	Total
		First Round Effects	Industrial Support Effects		
Multipliers	1	0.731	0.851	1.434	4.016
Employment No. per \$million	2.497	1.826	2.125	3.581	10.029
Total job years created	81	59	69	116	325

Source: HillPDA Estimate using data from ABS Australian National Accounts: Input-Output Tables 2017-18

The ABS Australian National Accounts: Input-Output Tables 2015-16 identified employment multipliers for first round, industrial support and consumption induced effects of 0.731, 0.851 and 1.434 respectively for every job year in direct construction.

Including the multiplier impacts the DA is forecast to generate a total of 325 job years directly and indirectly in construction.

1.2 Post-construction economic contribution

The following undertakes an assessment of the potential economic benefits post construction.

Employment generation

The proposed development would support permanent employment opportunities once fully operational. Assuming the below high-level employment densities for the proposed uses on site, it is estimated that upon full settlement and occupation around 69 jobs could be supported on site. This represents a reduction of 14 jobs when compared to that generated under the approved scheme.

The breakdown of these jobs by land use type is provided below.

Table 4: Estimated employment generation

Land use	Floorspace (GFA)	Sqm/Employee	No. of Workers
Senior units	56 keys	2.5 keys per worker*	22
Commercial space (allied health/retail)	1,652	35sqm/worker	47
Total Employment	1,652		69

Source: HillPDA, *City of Sydney Developer Contributions Plan 2015 (0.4 workers per key)

³ Source: Office of Financial Management Policy and Guidelines Paper: Policy and Guidelines: Guidelines for estimating employment supported by the actions, programs and policies of the NSE Government (TPP 09-7) NSW Treasury

⁴ Source: ABS Australian National Accounts: Input – Output Tables 2017-18 (ABS Pub: 5209.0)

⁵ Note: One job year equals one full-time job for one year

Remuneration generation

The combined total workers' salaries generated onsite is estimated at approximately \$2.9 million. This represents a reduction of \$0.5 million per annum when compared to that generated under the approved scheme.

The table below shows the breakup of this total salary generation by land use.

Table 5: Estimated remuneration generation

Land use	No. of Workers	Average Wage	Total Wage Generation (\$m)
Senior units	22	\$51,555	\$1.2
Commercial space	47	\$36,707	\$1.7
Total	69		\$2.9

Source: IBIS World Reports 2018, HillPDA

Industry Value Added

Value added of an industry refers to the value of outputs less the costs of inputs. It also measures the contribution that the industry makes to the country's wealth or gross domestic product (GDP).

It is estimated the value added from the proposal to be in the order \$3.8 million per year. The table below shows the breakup of this total salary generation by land use. This represents a reduction of \$0.7 million per annum when compared to that generated under the approved scheme.

Table 6: Estimated Industry Value Added

Land use	No. of Workers	IVA / Worker	Industry Value Add (\$m)
Senior units	22	\$60,494	\$1.3
Commercial space	47	\$52,970	\$2.5
Total	69		\$3.8

Source: IBIS world reports 2018, HillPDA

Retail expenditure from workers

A survey conducted by URBIS found that CBD workers in Australia spend an average of \$230 a week or \$11,000 per annum on retail goods and services in Sydney CBD. For the purpose of the assessment HillPDA has assumed a more conservative weekly expenditure of \$75/employee/week⁶ for workers on the site (annual spend of \$3,150).

Applying this annual expenditure, workers on the site could generate a combined annual retail spend of around \$217,350, a reduction of around \$44,100 per annum when compared to the approved scheme. Given the proximity of the proposed new town centre on the current Forest High School Site, these future worker's expenditure would be directed towards this proposed centre helping its viability and vibrancy in the near future.

Investment stimulus

Where a significant property investment decision has been made it is generally viewed as a strong positive commitment for the local area. Such an investment can in turn stimulate and attract further investment to the immediate area.

The proposed development would create additional business opportunities in this locality associated with future residents. It would increase the profile of this area and in doing so increase the financial feasibility of future development, potentially acting as a catalyst on surrounding sites.

⁶ Assumed 42 working weeks

Yours sincerely,

Signed by



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Nicholas Hill

Associate

B. Science, M Human Geography, Macquarie
University (2012) M.A Property Development,
University of Technology Sydney (2015))

Nick.Hill@hillpda.com

Attachment 2

Memorandum of Advice - 21 May 2020
prepared by
Jacinta Reid, Barrister

Re: Modification application PPSSNH 66,
MOD2019/0654
Mixed use seniors housing and commercial
space
5 Skyline Place, Frenchs Forest

MEMORANDUM OF ADVICE

Mr George Revay
Platino Properties
Suite 11, 20 Young Street
NEUTRAL BAY NSW 2089

E: george@platino.com.au
P: 02 8968 1900

*Liability limited by a scheme approved under Professional
Standards Legislation.*

Re: Modification application PPSSNH 66, MOD2019/0654
Mixed use seniors housing and commercial space
5 Skyline Place, Frenchs Forest

MEMORANDUM OF ADVICE

1. I am instructed by Platino Properties Pty Ltd ('the applicant'), the applicant to a modification application ('the Modification Application') to development consent DA2018/0995 ('the Consent') for a mixed use commercial and seniors housing development at 5 Skyline Place, Frenchs Forest ('the Land') pursuant to *State Environmental Planning Policy (Housing for Seniors or People with a Disability)* 2004 ('the SEPP').
2. The Modification Application seeks to amend the Consent to enable the reconfiguration of the internal layout of the building at the Lower Ground Level, Ground Level, Level 1 and Level 2, including:
 - a. Overall reduction in GFA from 8,991m² to 8,269m²;
 - b. The reduction in the amount of commercial/retail floorspace from 2,219m² to 1,652m²;
 - c. Reconfiguration of level 1 to provide for kitchen, dining, common area, bathrooms, and recreational facility rooms and 2 additional seniors living apartments;
 - d. Reconfiguration of level 2 to provide for 5 additional seniors living apartments and courtyard areas;
 - e. Extension of outdoor courtyard area on level 3;
 - f. Minor amendments to the façade design to reflect the internal changes (no changes to overall height bulk or scale of the approved development);

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- g. Reduction of the size of lot 2 from 4,886m² to 4,759m² to allow for an axe handle to facilitate the future installation of required servicing along the western boundary of the site without the requirement for an easement.

Advice sought

- 3. I have had the benefit of considering Council's Assessment Report to the Panel which asserts that the Panel lacks the legal power to approve the application on the basis that the modified development would not be 'substantially the same' as the approved development, and therefore contrary to section 4.55(2) of the *Environmental Planning and Assessment Act 1979* ('the Act').
- 4. I am instructed to advise on whether the proposed modification to the Consent will meet the jurisdictional threshold pursuant to s4.55(2)(a) of the Act that requires that any modification is substantially the same development as the development for which consent was originally granted.

Executive summary of advice

- 5. Whether a modification is substantially the same development as the development for which consent was originally granted is a question of fact and degree.
- 6. It is open to the Panel to form the requisite opinion that the proposed modification of the Consent will result in substantially the same development as that originally approved.

Legal threshold for modification application

- 7. Section 4.55 of the Act empowers a consent authority to modify a consent only when it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which consent was originally granted. Whether the development will be 'substantially the same' as the original consent is a mixed question of fact and law.
- 8. The principles regarding s4.55 (which is in the same form as the previously numbered s96) were summarised in *Agricultural Equity Investments Pty Ltd v Westlime Pty Ltd* (No 3) [2015] NSWLEC 75 at [173]:

- (1) *first, the power contained in the provision is to "modify the consent". Originally the power was restricted to modifying the details of the*

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consent but the power was enlarged in 1985 (*North Sydney Council v Michael Standley & Associates Pty Ltd* [1998] NSWSC 163; (1998) 43 NSWLR 468 at 475 and *Scrap Realty Pty Ltd v Botany Bay City Council* [2008] NSWLEC 333; (2008) 166 LGERA 342 at [13]).

Parliament has therefore “chosen to facilitate the modification of consents, conscious that such modifications may involve beneficial cost savings and/or improvements to amenity” (*Michael Standley* at 440);

- (2) the modification power is beneficial and facultative (*Michael Standley* at 440);
- (3) the condition precedent to the exercise of the power to modify consents is directed to “the development”, making the comparison between the development as modified and the development as originally consented to (*Scrap Realty* at [16]);
- (4) the applicant for the modification bears the onus of showing that the modified development is substantially the same as the original development (*Vacik Pty Ltd v Penrith City Council* [1992] NSWLEC 8);
- (5) the term “substantially” means “essentially or materially having the same essence” (*Vacik* endorsed in *Michael Standley* at 440 and *Moto Projects (No 2) Pty Ltd v North Sydney Council* [1999] NSWLEC 280; (1999) 106 LGERA 298 at [30]);
- (6) the formation of the requisite mental state by the consent authority will involve questions of fact and degree which will reasonably admit of different conclusions (*Scrap Realty* at [19]);
- (7) the term “modify” means “to alter without radical transformation” (*Sydney City Council v Ilenace Pty Ltd* [1984] 3 NSWLR 414 at 42, *Michael Standley* at 474, *Scrap Realty* at [13] and *Moto Projects* at [27]);
- (8) in approaching the comparison exercise “one should not fall into the trap” of stating that because the development was for a certain use and that as amended it will be for precisely the same use, it is substantially the same development. But the use of land will be relevant to the assessment made under s 96(2)(a) (*Vacik*);
- (9) the comparative task involves more than a comparison of the physical features or components of the development as currently approved and modified. The comparison should involve a qualitative and quantitative appreciation of the developments in their “proper contexts (including the circumstances in which the development consent was granted)” (*Moto Projects* at [56]); and
- (10) a numeric or quantitative evaluation of the modification when compared to the original consent absent any qualitative assessment will be “legally flawed” (*Moto Projects* at [52]).

9. Platino bear the onus of demonstrating that the development as modified is ‘substantially the same development’.

10. In *Moto Projects (No 2) Pty Ltd v North Sydney Council* (1999) 106 LGERA 298, Bignold J observed:

54. The relevant satisfaction required by s 96(2)(a) to be found to exist in order that the modification power be available involves an ultimate

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finding of fact based upon the primary facts found. I must be satisfied that the modified development is substantially the same as the originally approved development.

55. *The requisite factual finding obviously requires a comparison between the development, as currently approved, and the development as proposed to be modified. The result of the comparison must be a finding that the modified development is "essentially or materially" the same as the (currently) approved development.*
56. *The comparative task does not merely involve a comparison of the physical features or components of the development as currently approved and modified where that comparative exercise is undertaken in some type of sterile vacuum. Rather, the comparison involves an appreciation, qualitative, as well as quantitative, of the developments being compared in their proper contexts (including the circumstances in which the development consent was granted).*
- ...
 58. *Qualitatively appreciated, that difference is in respect of material and essential features of the approved development, that materiality involving the importance attributed to the physical features of the approved development sought to be modified.*

11. Having regard to the authorities cited above, to determine whether the consent authority has power to approve the Modification Application, it is necessary to undertake a qualitative and quantitative assessment of the application and the circumstances in which development consent was granted.

Is the Modification Application substantially the same development as the Consent?

12. Ultimately, whether the Modification Application is substantially the same development as the Consent is an opinion that is required to be formed by the consent authority. That opinion cannot be open to challenge if it was formed on a reasonable basis.
13. To determine whether the Modification Application will result in substantially the same development as that originally approved, the following comparison of the proposed modification and the original Consent is relevant:
 - a. Though there will be an overall reduced development yield in total GFA and a 25% change to the ratio of commercial development to seniors living development, the resultant development will remain, in essence, a mixed use development comprising commercial and seniors living;
 - b. Whilst the seniors living component of the development is a different use to the commercial space, it retains a commercial aspect through the requirement to provide commercial services to the seniors units, as distinct from a residential flat building;

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- c. The development promotes commercial development at the ground and lower ground floors which will maintain the visual presentation of commercial space to the public areas, whilst strengthening commercial connectivity with the through site link;
 - d. There is no material change to exterior presentation of the building;
 - e. The internal changes to the building are not radically different, but provide a more refined layout to improve amenity to the seniors living units and commercial units by providing a clearer separation of uses.
14. Qualitatively, the essential and material aspects of the development, being the mixed use and the bulk of the buildings, are the substantially the same development. The proposed application will result in a differently configured, but essentially the same type of development. That the floorplates have been rationalised to ensure a better separation between the commercial and seniors living floor spaces to achieve a better living/working experience, does not change the 'essence' of the development. When assessed in quantitative terms, it is relevant that the ratio of commercial to seniors living floor space changes, but it is not so significant that it changes the 'essence' of the development. The bulk of the development and general façade does not change, or materially change.
15. The Council's concerns appear to stem from a concern that **any** reduction in commercial floor space would result in loss of employment in the B7 zone and is therefore a material change to the development. The concern appears to stem from Council's original concerns relating to the development that seniors living development should not be permitted in the zone. That concern is highlighted in the 'Strategic Planning Referral Response' dated **5 March 2020** (copy attached and marked "A") noting that 'the original application was not supported, the comments raised previously remain and that the development is not consistent with Council's strategic objective for the wider Frenchs Forest precinct'. That concern was resolved in the approval of the Consent and was addressed in my earlier advice of **17 December 2018** which was provided to the Panel, and accepted, on determination of the original application. That material finding of the Panel should not be undermined.
16. The 'Strategic Planning' concern, which appears to have been adopted in the Assessment Report, coupled with the mathematical error that the commercial space would be reduced by 64.5% appears to have infected Council's consideration of

whether the application is substantially the same development. The Council report also gives no consideration to the fact that the seniors living development will also contribute jobs to the economy both during construction and in the operation of the development in the longer term. That 'commercial' aspect of the development should not be overlooked and is a relevant consideration when changing the mix of development in the proposed building.

17. Having regard to the qualitative and quantitative assessment above, it is open to the Panel, as the consent authority, to form an opinion that the proposed development is 'substantially the same development' pursuant to s4.55(2)(a) of the Act, as that originally approved by the Council.

Conclusion

18. The proposed modification will result in a development that does not exceed the height and bulk of the original approval. The uses of the proposed modification will remain the same with an amendment to the ratio of uses provided whilst reinforcing the visual presentation of commercial uses to the street levels. The effect of the modification is to rationalise the design to provide better amenity for its intended occupants. That modification will not change the material essence of the original approval. Accordingly, it is open to the Panel to form the requisite opinion that the proposed modification will result in a development that is 'substantially the same' as that originally approved.
19. I so advise.

21 May 2020

Chambers



JACINTA REID

Jacinta Reid | Barrister

Annexure “A” – Council’s Strategic Planning Referral Response



Strategic Planning Referral Response

Application Number:	Mod2019/0654
Date:	05/03/2020
To:	Lashta Haidari
Land to be developed (Address):	Lot 1 SP 49558 , 1 / 5 Skyline Place FRENCHS FOREST NSW 2086 Lot 2 SP 49558 , 2 / 5 Skyline Place FRENCHS FOREST NSW 2086 Lot 3 SP 49558 , 3 / 5 Skyline Place FRENCHS FOREST NSW 2086 Lot 4 SP 49558 , 4 / 5 Skyline Place FRENCHS FOREST NSW 2086 Lot 5 SP 49558 , 5 / 5 Skyline Place FRENCHS FOREST NSW 2086 Lot CP SP 49558 , 5 Skyline Place FRENCHS FOREST NSW 2086

Officer comments

Council's Strategic Planning Department provided comments in regards to previous applications (DA2018/0995 and Mod2019/0654), which was unsupportive of the proposed development.

The comments raised previously remain. Of note, concern is raised that the development is not consistent with Council's strategic objective for the B7 Business Park zone, the development has the potential for land use conflict, loss of employment land and is not consistent with the strategic objective for the wider Frenchs Forest precinct.

The proposal is therefore unsupported.

Note: Should you have any concerns with the referral comments above, please discuss these with the Responsible Officer.

Strategic Planning Conditions:

Nil.

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Attachment 3

Memorandum of Advice – 17 December 2018
prepared by
Jacinta Reid, Barrister

Re: Development application DA2018/0995
Mixed use seniors housing and commercial
space
5 Skyline Place, Frenchs Forest

MEMORANDUM OF ADVICE

Mr George Revay
Platino Properties
Suite 11, 20 Young Street
NEUTRAL BAY NSW 2089

E: george@platino.com.au
P: 02 8968 1900

*Liability limited by a scheme approved under Professional
Standards Legislation.*

Re: Development application DA2018/0995
Mixed use seniors housing and commercial space
5 Skyline Place, Frenchs Forest

MEMORANDUM OF ADVICE

1. I am instructed by Platino Properties Pty Ltd ('the applicant'), the applicant to development application DA2018/0995 ('the DA') for a mixed use commercial and seniors housing development at 5 Skyline Place, Frenchs Forest ('the Land') pursuant to *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004* ('the SEPP').
2. I am instructed to advise on:
 - a. The legal weight to be given to the Northern Beaches Hospital Structure Plan 2017 ('Structure Plan'); and
 - b. The manner in which a consent authority can lawfully take into account objectives of a zone.

Background

3. I have considered the Council Assessment Report to Sydney North Planning Panel dated 18 December 2018, but published on Council's website on an earlier (unknown) date ('the Report').
4. The Report notes that the Structure Plan is not a statutory document (p9) (and therefore has no legal force). Further, Council notes that the Structure Plan does not propose any changes to the B7 zone, including the Land, which supports the new Hospital (p9). The Structure Plan does not propose any change to the existing residential zoning to the north of the Frenchs Forest East.

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5. Notwithstanding the Council's acknowledgement that the Structure Plan has no statutory force, the Report relevantly recommends refusal of the DA for the following reason:

The proposed Land use (Seniors Housing) is inconsistent with Council's Northern Beaches Hospital Precinct Structure Plan.

- a. *The seniors housing on this site will compromise the ability to achieve the vision of Council's adopted Northern Beaches Hospital Structure Plan, which seeks to implement the directions and objectives of the Greater Sydney Region Plan and North District Plan.*
 - b. *The seniors housing on this site is inconsistent with State Government metropolitan planning, which reinforces the importance of retaining and enhancing employment uses within the Business Park.*
6. The stated intention of the Structure Plan is to 'form an overarching strategy for all future planning in Frenchs Forest and sets a 20 year vision for the growth of the precinct with development opportunities deliverable in the short, medium and longer term. The document is Council's endorsed framework for all future planning decisions.' (Part 4.0, p6).
7. The Council's position is that the proposal will be inconsistent with the Structure Plan, which proposes the same B7 zoning (and therefore objectives for the Land) into the foreseeable future. The Structure Plan does not propose to amend the residential zoned land to the north of Frenches Forest Road East.

Legislative framework

8. The Land is zoned B7 Business Park pursuant to the Warringah Local Environmental Plan 2011 ('the LEP'). The objectives of the B7 zone are:
- *To provide a range of office and light industrial uses.*
 - *To encourage employment opportunities.*
 - *To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area.*
 - *To create business park employment environments of high visual quality that relate favourably in architectural and landscape treatment to neighbouring land uses and to the natural environment.*
 - *To minimise conflict between land uses in the zone and adjoining zones and ensure the amenity of adjoining or nearby residential land uses.*
9. 'Hospitals' are permissible in the B7 zone and the SEPP applies to the Land as the pre-conditions of clause 4 of the SEPP are met. It is common ground between the applicant and the Council that the SEPP applies to the Land.

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10. The land use table to the B7 zone prohibits residential development in the zone.
11. Clause 2.3(2) of the LEP requires the consent authority to 'have regard to the objectives for development in a zone when determining a development application in respect of land within the zone'. The requirement (for any development application) is not to determine whether the proposal is consistent with the zone objectives, but rather to have 'regard' to them.
12. The aims of the SEPP are set out at clause 2 and provide:
 - (1) *This Policy aims to encourage the provision of housing (including residential care facilities) that will:*
 - (a) *increase the supply and diversity of residences that meet the needs of seniors or people with a disability, and*
 - (b) *make efficient use of existing infrastructure and services, and*
 - (c) *be of good design.*
 - (2) *These aims will be achieved by:*
 - (a) *setting aside local planning controls that would prevent the development of housing for seniors or people with a disability that meets the development criteria and standards specified in this Policy, and*
 - (b) *setting out design principles that should be followed to achieve built form that responds to the characteristics of its site and form, and*
 - (c) *ensuring that applicants provide support services for seniors or people with a disability for developments on land adjoining land zoned primarily for urban purposes.*
13. Clause 5(3) of the SEPP provides that if it is inconsistent with any other environmental planning instrument that it prevails to the extent of the inconsistency.

The weight to be given to the Structure Plan

14. The Structure Plan was prepared by Northern Beaches Council as a 20 year vision for the growth of the hospital precinct, in which the Land is situated (Part 4.0, p6 Structure Plan). The Structure Plan informs Council's plans for planning and infrastructure decisions. At page 13 of the Structure Plan, it is noted that the B7 Business Park zone for Frenchs Forest Business Park 'will be retained'.
15. It is common ground that the Structure Plan does not have any statutory force.
16. The Structure Plan does no more for the strategic plan for the Land than to confirm the Council's intention that the current B7 zoning will continue to apply for at least 20 years. Further, the Structure Plan does not propose any change to the residential zoning to the north of Frenchs Forest Road East which adjoins the Land (intersected by the road).

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17. The Structure Plan cannot operate to set aside the provisions of the SEPP, but rather it must be read with the aims of the SEPP which provide a clear intention, at clause 2(1)(a), to increase the supply and diversity of housing for seniors or people with a disability by **setting aside** local planning controls that would prevent the development of such housing (clause 2(2)(a) SEPP). The Structure Plan informs the drafting of local planning controls which would otherwise be set aside by the SEPP if seniors housing is proposed on the Land.
18. The consent authority would therefore consider the Structure Plan and give it no more weight than a publicly exhibited intention to continue the current zoning of the Land and surrounding lands.

The manner in which a consent authority can lawfully take into account objectives of a zone

19. The Panel is required to have 'regard' to the zone objectives, pursuant to clause 2.3(2) of the LEP. To lawfully 'have regard' to the zone objectives one must give meaningful consideration to the objectives when balancing whether the proposal is acceptable.
20. When having regard to the objectives of the zone, it must be recognised that they inform the nominate and innominate permissible development in the zone. The objectives do not contemplate seniors housing as it is prohibited.
21. Viewed in that lens, the consent authority would then consider the SEPP and recognise that the aim of the SEPP, at clause 2(1)(a) is to encourage supply of seniors housing. Clause 2(2)(a) of the SEPP provides that the aim will be achieved by setting aside local planning controls prohibiting seniors housing.
22. Clause 5(3) of the SEPP sets out the method in which the planning controls are set aside and provides that if the SEPP is inconsistent with any other environmental planning instrument, that the SEPP prevails to the extent of the inconsistency.
23. The Report incorrectly assesses the application on the basis of the LEP controls which prohibit residential development, noting that the future strategic plan is to maintain the B7 zoning, and by dint hospitals would remain a permissible use on the Land when Council's strategic plan for the area is considered. The Report fails to consider whether, when one has regard to the zone objectives, those zone objectives are inconsistent with the SEPP. Instead the Report makes an assessment of whether the

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proposal will be 'inconsistent' with the objectives of the zone which otherwise prohibits the development.

24. When considering if the zone objectives are inconsistent with the SEPP, the consent authority would be assisted by the decision in *Coffs Harbour Environment Centre Inc. v Minister for Planning and Coffs Harbour City Council* (1994) 84 LGERA 324 at 331, where Kirby P set out the proper approach to the test for inconsistency between instruments as follows:

The resolution of this dispute requires only that the word "inconsistency" be given its ordinary and natural meaning without the gloss which has necessarily developed around the meaning of the word in a constitutional setting. Upon that basis, there will be an inconsistency if, in the provisions of one environmental planning instrument, there is "want of consistency or congruity"; "lack of accordance or harmony" or "incompatibility, contrariety, or opposition" with another environmental planning instrument.

25. There is actual contrariety between the proposed seniors housing component of the development and the objectives of the B7 zone. The contrariety arises as residential development is not permitted in the zone and therefore the objectives are crafted around encouraging other uses.
26. It is noted that the fifth objective of the B7 zone is to 'minimise conflict between land uses in the zone and adjoining zones and ensure the amenity of adjoining or nearby residential land uses'. I am instructed that the Land is located on the zone boundary adjoining a residential zone, which zone is not affected by the Structure Plan. The proposal will have the effect of providing a buffer between the residential zone and the B7 zone by introducing commercial space at the ground level and residential space above. Similarly, the location of the Land at the edge of the zone will **minimise** any conflict between land uses in the zone to ensure the amenity of the residential uses, consistent with the fifth objective of the zone.
27. When 'regard' is had to the objectives of the zone and their relationship to the SEPP, the consent authority would form the opinion that the development is acceptable.

Conclusion

28. For the foregoing reasons, I am of the opinion that the correct legal approach to having 'regard' to the B7 zone objectives when determining the DA is:
- a. That the consent authority must have 'regard' to the B7 zone objectives;
 - b. 'Regard' is had by recognising that the objectives of the B7 zone inform the nominate and innominate uses in the Land Use Table;

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- c. The zone objectives do not contemplate seniors housing because it is a form of development that is prohibited in the B7 zone;
- d. To consider the SEPP and recognise that it is a strategy to set aside prohibitions on seniors housing to meet the aims of the SEPP of supplying seniors housing; and
- e. In those circumstances, the consent authority would give primacy to the aims of the SEPP over irrelevant zone objectives.

29. When proper 'regard' is had to the B7 zone objectives, the consent authority would not endorse the first recommendation for refusal proposed by the Report.

30. I so advise.

17 December 2018
Chambers



JACINTA REID

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Attachment 4

**BASIX certificate
prepared by
Greenworld Architectural Drafting**

BASIX[®]Certificate

Building Sustainability Index www.basix.nsw.gov.au

Multi Dwelling

Certificate number: 924670M_03

This certificate confirms that the proposed development will meet the NSW government's requirements for sustainability, if it is built in accordance with the commitments set out below. Terms used in this certificate, or in the commitments, have the meaning given by the document entitled "BASIX Definitions" dated 06/10/2017 published by the Department. This document is available at www.basix.nsw.gov.au

This certificate is a revision of certificate number 924670M lodged with the consent authority or certifier on 13 June 2018 with application DA2018/0995.

It is the responsibility of the applicant to verify with the consent authority that the original, or any revised certificate, complies with the requirements of Schedule 1 Clause 2A, 4A or 6A of the Environmental Planning and Assessment Regulation 2000

Secretary

Date of issue: Monday, 18 May 2020

To be valid, this certificate must be lodged within 3 months of the date of issue.



Planning,
Industry &
Environment

Project summary

Project name	Seniors Living Skyline Place Frenchs_03
Street address	5 Skyline Place Frenchs Forest 2086
Local Government Area	Northern Beaches Council
Plan type and plan number	strata 49558
Lot no.	Null
Section no.	-
No. of residential flat buildings	1
No. of units in residential flat buildings	56
No. of multi-dwelling houses	0
No. of single dwelling houses	0

Project score

Water	✓ 41	Target 40
Thermal Comfort	✓ Pass	Target Pass
Energy	✓ 26	Target 25

Certificate Prepared by

Name / Company Name: Greenworld Architectural Drafting

ABN (if applicable): 70203970543

Description of project

Project address

Project name	Seniors Living Skyline Place Frenchs_03
Street address	5 Skyline Place Frenchs Forest 2086
Local Government Area	Northern Beaches Council
Plan type and plan number	strata 49558
Lot no.	Null
Section no.	-

Project type

No. of residential flat buildings	1
No. of units in residential flat buildings	56
No. of multi-dwelling houses	0
No. of single dwelling houses	0

Site details

Site area (m²)	4786.5
Roof area (m²)	1418
Non-residential floor area (m²)	1966.0
Residential car spaces	83
Non-residential car spaces	41

Common area landscape

Common area lawn (m²)	0.0
Common area garden (m²)	1300.0
Area of indigenous or low water use species (m²)	0.0

Assessor details

Assessor number	BDAV/16/1763
Certificate number	0004842880
Climate zone	56

Project score

Water	✓ 41	Target 40
Thermal Comfort	✓ Pass	Target Pass
Energy	✓ 26	Target 25

Description of project

The tables below describe the dwellings and common areas within the project

Residential flat buildings - Building1, 56 dwellings, 6 storeys above ground

Dwelling no.	No. of bedrooms	Conditioned floor area (m ²)	Unconditioned floor area (m ²)	Area of garden & lawn (m ²)	Indigenous species (min area m ²)
E1.1	2	124.0	0.0	0.0	0.0
E1.5	2	105.0	0.0	0.0	0.0
E2.4	2	97.0	0.0	0.0	0.0
E3.1	2	124.0	0.0	0.0	0.0
E3.5	2	129.0	0.0	0.0	0.0
E4.2	2	133.0	0.0	0.0	0.0
W1.2	2	122.0	0.0	0.0	0.0
W1.6	2	96.0	0.0	0.0	0.0
W2.3	2	97.0	0.0	0.0	0.0
W2.8	1	63.0	0.0	0.0	0.0
W3.3	2	97.0	0.0	0.0	0.0
W3.7	2	87.0	0.0	0.0	0.0
W4.4	2	97.0	0.0	0.0	0.0
W5.1	2	136.0	0.0	0.0	0.0

Dwelling no.	No. of bedrooms	Conditioned floor area (m ²)	Unconditioned floor area (m ²)	Area of garden & lawn (m ²)	Indigenous species (min area m ²)
E1.2	2	122.0	0.0	0.0	0.0
E2.1	2	124.0	0.0	0.0	0.0
E2.5	2	105.0	0.0	0.0	0.0
E3.2	2	122.0	0.0	0.0	0.0
E3.6	2	121.0	0.0	0.0	0.0
E4.3	2	118.0	0.0	0.0	0.0
W1.3	2	97.0	0.0	0.0	0.0
W1.7	2	87.0	0.0	0.0	0.0
W2.4	2	97.0	0.0	0.0	0.0
W2.9	2	100.0	0.0	0.0	0.0
W3.4	2	97.0	0.0	0.0	0.0
W4.1	2	124.0	0.0	0.0	0.0
W4.5	2	122.0	0.0	0.0	0.0
W5.2	2	133.0	0.0	0.0	0.0

Dwelling no.	No. of bedrooms	Conditioned floor area (m ²)	Unconditioned floor area (m ²)	Area of garden & lawn (m ²)	Indigenous species (min area m ²)
E1.3	2	97.0	0.0	0.0	0.0
E2.2	2	122.0	0.0	0.0	0.0
E2.6	2	99.0	0.0	0.0	0.0
E3.3	2	97.0	0.0	0.0	0.0
E3.7	2	87.0	0.0	0.0	0.0
E4.4	3	153.0	0.0	0.0	0.0
W1.4	2	97.0	0.0	0.0	0.0
W2.1	2	124.0	0.0	0.0	0.0
W2.5	2	106.0	0.0	0.0	0.0
W3.1	2	124.0	0.0	0.0	0.0
W3.5	2	117.0	5.0	0.0	0.0
W4.2	2	122.0	0.0	0.0	0.0
W4.6	2	121.0	0.0	0.0	0.0
W5.3	2	118.0	0.0	0.0	0.0

Dwelling no.	No. of bedrooms	Conditioned floor area (m ²)	Unconditioned floor area (m ²)	Area of garden & lawn (m ²)	Indigenous species (min area m ²)
E1.4	2	97.0	0.0	0.0	0.0
E2.3	2	97.0	0.0	0.0	0.0
E2.7	2	87.0	0.0	0.0	0.0
E3.4	2	97.0	0.0	0.0	0.0
E4.1	2	136.0	0.0	0.0	0.0
W1.1	2	124.0	0.0	0.0	0.0
W1.5	1	75.0	0.0	0.0	0.0
W2.2	2	122.0	0.0	0.0	0.0
W2.7	2	87.0	0.0	0.0	0.0
W3.2	2	122.0	0.0	0.0	0.0
W3.6	2	121.0	0.0	0.0	0.0
W4.3	2	97.0	0.0	0.0	0.0
W4.7	2	87.0	0.0	0.0	0.0
W5.4	3	153.0	0.0	0.0	0.0

Description of project

The tables below describe the dwellings and common areas within the project

Common areas of unit building - Building1

Common area	Floor area (m²)
Car park area (Lower Ground)	2038.0
Lift car (No.2)	-
Common Lounges	105.0
Plant room (No. 3)	143.0
Ground floor lobby type	93.0

Common area	Floor area (m²)
Car park area (Basement)	2575.0
Com Garbage room	33.0
Plant room (No. 1)	12.0
Store Room	40.0
Hallway/lobby type	642.0

Common area	Floor area (m²)
Lift car (No.1)	-
Res Garbage room	46.0
Plant room (No. 2)	12.0
Store Room	110.0

Schedule of BASIX commitments

1. Commitments for Residential flat buildings - Building1

(a) Dwellings

- (i) Water
- (ii) Energy
- (iii) Thermal Comfort

(b) Common areas and central systems/facilities

- (i) Water
- (ii) Energy

2. Commitments for multi-dwelling houses

3. Commitments for single dwelling houses

4. Commitments for common areas and central systems/facilities for the development (non-building specific)

- (i) Water
- (ii) Energy

Schedule of BASIX commitments

The commitments set out below regulate how the proposed development is to be carried out. It is a condition of any development consent granted, or complying development certificate issued, for the proposed development, that BASIX commitments be complied with.

1. Commitments for Residential flat buildings - Building1

(a) Dwellings

(i) Water	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(a) The applicant must comply with the commitments listed below in carrying out the development of a dwelling listed in a table below.			
(b) The applicant must plant indigenous or low water use species of vegetation throughout the area of land specified for the dwelling in the "Indigenous species" column of the table below, as private landscaping for that dwelling. (This area of indigenous vegetation is to be contained within the "Area of garden and lawn" for the dwelling specified in the "Description of Project" table).	✓	✓	
(c) If a rating is specified in the table below for a fixture or appliance to be installed in the dwelling, the applicant must ensure that each such fixture and appliance meets the rating specified for it.		✓	✓
(d) The applicant must install an on demand hot water recirculation system which regulates all hot water use throughout the dwelling, where indicated for a dwelling in the "HW recirculation or diversion" column of the table below.		✓	✓
(e) The applicant must install:			
(aa) a hot water diversion system to all showers, kitchen sinks and all basins in the dwelling, where indicated for a dwelling in the "HW recirculation or diversion" column of the table below; and		✓	✓
(bb) a separate diversion tank (or tanks) connected to the hot water diversion systems of at least 100 litres. The applicant must connect the hot water diversion tank to all toilets in the dwelling.		✓	✓
(e) The applicant must not install a private swimming pool or spa for the dwelling, with a volume exceeding that specified for it in the table below.	✓	✓	
(f) If specified in the table, that pool or spa (or both) must have a pool cover or shading (or both).		✓	
(g) The pool or spa must be located as specified in the table.	✓	✓	
(h) The applicant must install, for the dwelling, each alternative water supply system, with the specified size, listed for that dwelling in the table below. Each system must be configured to collect run-off from the areas specified (excluding any area which supplies any other alternative water supply system), and to divert overflow as specified. Each system must be connected as specified.	✓	✓	✓

	Fixtures					Appliances		Individual pool				Individual spa		
Dwelling no.	All shower-heads	All toilet flushing systems	All kitchen taps	All bathroom taps	HW recirculation or diversion	All clothes washers	All dish-washers	Volume (max volume)	Pool cover	Pool location	Pool shaded	Volume (max volume)	Spa cover	Spa shaded
All dwellings	4 star (> 4.5 but <= 6 L/min)	4 star	3 star	3 star	no	-	3 star	-	-	-	-	-	-	-

	Alternative water source							
Dwelling no.	Alternative water supply systems	Size	Configuration	Landscape connection	Toilet connection (s)	Laundry connection	Pool top-up	Spa top-up
None	-	-	-	-	-	-	-	-

(ii) Energy	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(a) The applicant must comply with the commitments listed below in carrying out the development of a dwelling listed in a table below.			
(b) The applicant must install each hot water system specified for the dwelling in the table below, so that the dwelling's hot water is supplied by that system. If the table specifies a central hot water system for the dwelling, then the applicant must connect that central system to the dwelling, so that the dwelling's hot water is supplied by that central system.	✓	✓	✓
(c) The applicant must install, in each bathroom, kitchen and laundry of the dwelling, the ventilation system specified for that room in the table below. Each such ventilation system must have the operation control specified for it in the table.		✓	✓
(d) The applicant must install the cooling and heating system/s specified for the dwelling under the "Living areas" and "Bedroom areas" headings of the "Cooling" and "Heating" columns in the table below, in/for at least 1 living/bedroom area of the dwelling. If no cooling or heating system is specified in the table for "Living areas" or "Bedroom areas", then no systems may be installed in any such areas. If the term "zoned" is specified beside an air conditioning system, then the system must provide for day/night zoning between living areas and bedrooms.		✓	✓
(e) This commitment applies to each room or area of the dwelling which is referred to in a heading to the "Artificial lighting" column of the table below (but only to the extent specified for that room or area). The applicant must ensure that the "primary type of artificial lighting" for each such room in the dwelling is fluorescent lighting or light emitting diode (LED) lighting. If the term "dedicated" is specified for a particular room or area, then the light fittings in that room or area must only be capable of being used for fluorescent lighting or light emitting diode (LED) lighting.		✓	✓

(ii) Energy	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(f) This commitment applies to each room or area of the dwelling which is referred to in a heading to the "Natural lighting" column of the table below (but only to the extent specified for that room or area). The applicant must ensure that each such room or area is fitted with a window and/or skylight.	✓	✓	✓
(g) This commitment applies if the applicant installs a water heating system for the dwelling's pool or spa. The applicant must: (aa) install the system specified for the pool in the "Individual Pool" column of the table below (or alternatively must not install any system for the pool). If specified, the applicant must install a timer, to control the pool's pump; and (bb) install the system specified for the spa in the "Individual Spa" column of the table below (or alternatively must not install any system for the spa). If specified, the applicant must install a timer to control the spa's pump.		✓ ✓	
(h) The applicant must install in the dwelling: (aa) the kitchen cook-top and oven specified for that dwelling in the "Appliances & other efficiency measures" column of the table below; (bb) each appliance for which a rating is specified for that dwelling in the "Appliances & other efficiency measures" column of the table, and ensure that the appliance has that minimum rating; and (cc) any clothes drying line specified for the dwelling in the "Appliances & other efficiency measures" column of the table.		✓ ✓ ✓	✓
(i) If specified in the table, the applicant must carry out the development so that each refrigerator space in the dwelling is "well ventilated".		✓	

	Hot water	Bathroom ventilation system		Kitchen ventilation system		Laundry ventilation system	
Dwelling no.	Hot water system	Each bathroom	Operation control	Each kitchen	Operation control	Each laundry	Operation control
All dwellings	central hot water system 1	individual fan, ducted to façade or roof	manual switch on/off	individual fan, ducted to façade or roof	manual switch on/off	individual fan, ducted to façade or roof	manual switch on/off

Dwelling no.	Cooling		Heating		Artificial lighting						Natural lighting	
	living areas	bedroom areas	living areas	bedroom areas	No. of bedrooms &/or study	No. of living &/or dining rooms	Each kitchen	All bathrooms/toilets	Each laundry	All hallways	No. of bathrooms &/or toilets	Main kitchen
All dwellings	1-phase airconditioning EER 2.5 - 3.0 (zoned)	1-phase airconditioning EER 2.5 - 3.0 (zoned)	1-phase airconditioning EER 2.5 - 3.0 (zoned)	1-phase airconditioning EER 2.5 - 3.0 (zoned)	2 (dedicated)	1 (dedicated)	yes (dedicated)	yes (dedicated)	yes (dedicated)	yes (dedicated)	0	no

Dwelling no.	Individual pool		Individual spa		Appliances & other efficiency measures							
	Pool heating system	Timer	Spa heating system	Timer	Kitchen cooktop/oven	Refrigerator	Well ventilated fridge space	Dishwasher	Clothes washer	Clothes dryer	Indoor or sheltered clothes drying line	Private outdoor or unsheltered clothes drying line
All dwellings	-	-	-	-	gas cooktop & electric oven	-	yes	-	-	-	no	no

(iii) Thermal Comfort	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(a) The applicant must attach the certificate referred to under "Assessor details" on the front page of this BASIX certificate (the "Assessor Certificate") to the development application and construction certificate application for the proposed development (or, if the applicant is applying for a complying development certificate for the proposed development, to that application). The applicant must also attach the Assessor Certificate to the application for a final occupation certificate for the proposed development.			
(b) The Assessor Certificate must have been issued by an Accredited Assessor in accordance with the Thermal Comfort Protocol.			
(c) The details of the proposed development on the Assessor Certificate must be consistent with the details shown in this BASIX Certificate, including the details shown in the "Thermal Loads" table below.			
(d) The applicant must show on the plans accompanying the development application for the proposed development, all matters which the Thermal Comfort Protocol requires to be shown on those plans. Those plans must bear a stamp of endorsement from the Accredited Assessor, to certify that this is the case.	✓		
(e) The applicant must show on the plans accompanying the application for a construction certificate (or complying development certificate, if applicable), all thermal performance specifications set out in the Assessor Certificate, and all aspects of the proposed development which were used to calculate those specifications.		✓	

(iii) Thermal Comfort	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(f) The applicant must construct the development in accordance with all thermal performance specifications set out in the Assessor Certificate, and in accordance with those aspects of the development application or application for a complying development certificate which were used to calculate those specifications.		✓	✓
(g) Where there is an in-slab heating or cooling system, the applicant must: (aa) Install insulation with an R-value of not less than 1.0 around the vertical edges of the perimeter of the slab; or (bb) On a suspended floor, install insulation with an R-value of not less than 1.0 underneath the slab and around the vertical edges of the perimeter of the slab.	✓	✓	✓
(h) The applicant must construct the floors and walls of the development in accordance with the specifications listed in the table below.	✓	✓	✓

	Thermal loads	
Dwelling no.	Area adjusted heating load (in mJ/m ² /yr)	Area adjusted cooling load (in mJ/m ² /yr)
E1.1	39.0	13.0
E1.2	7.9	19.0
E1.5	3.3	20.1
E2.1	24.5	14.1
E2.2	8.7	18.1
E2.3	2.2	19.2
E2.5	3.7	20.2
E2.6	21.1	14.8
E2.7	27.4	13.7
E3.1	25.1	13.8
E3.2	9.1	17.7
E3.5	3.8	20.3
E3.6	35.1	14.3
E3.7	27.9	13.2
E4.1	44.4	23.7

	Thermal loads	
Dwelling no.	Area adjusted heating load (in mJ/m²/yr)	Area adjusted cooling load (in mJ/m²/yr)
E4.2	16.7	24.4
E4.3	15.2	22.2
E4.4	31.5	16.3
W1.1	21.8	15.1
W1.2	7.2	17.9
W1.5	2.5	19.5
W1.6	23.3	16.8
W1.7	23.0	17.1
W2.1	23.3	14.0
W2.2	8.1	16.7
W2.4	2.4	19.2
W2.5	2.9	17.8
W2.7	24.3	16.2
W2.8	23.7	22.8
W2.9	22.6	17.7
W3.1	23.9	14.2
W3.2	8.4	15.6
W3.5	6.6	17.2
W3.6	36.0	13.6
W3.7	24.8	16.0
W4.1	28.2	11.3
W4.2	11.2	12.1
W4.3	4.0	15.0
W4.4	4.1	15.0
W4.5	7.9	13.0
W4.6	41.2	12.0
W4.7	28.5	13.5

	Thermal loads	
Dwelling no.	Area adjusted heating load (in mJ/m ² /yr)	Area adjusted cooling load (in mJ/m ² /yr)
W5.1	44.7	19.0
W5.2	17.4	24.1
W5.3	15.6	20.9
W5.4	42.7	14.4
E1.3, W1.4	1.7	19.7
E1.4, W1.3	1.7	20.1
E2.4, W2.3	2.1	19.2
E3.3, W3.4	2.4	18.9
All other dwellings	2.3	18.8

(b) Common areas and central systems/facilities

(i) Water	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(a) If, in carrying out the development, the applicant installs a showerhead, toilet, tap or clothes washer into a common area, then that item must meet the specifications listed for it in the table.		✓	✓
(b) The applicant must install (or ensure that the development is serviced by) the alternative water supply system(s) specified in the "Central systems" column of the table below. In each case, the system must be sized, be configured, and be connected, as specified in the table.	✓	✓	✓
(c) A swimming pool or spa listed in the table must not have a volume (in kLs) greater than that specified for the pool or spa in the table.	✓	✓	
(d) A pool or spa listed in the table must have a cover or shading if specified for the pool or spa in the table.		✓	
(e) The applicant must install each fire sprinkler system listed in the table so that the system is configured as specified in the table.		✓	✓
(f) The applicant must ensure that the central cooling system for a cooling tower is configured as specified in the table.		✓	✓

Common area	Showerheads rating	Toilets rating	Taps rating	Clothes washers rating
All common areas	4 star (> 4.5 but ≤ 6 L/min)	4 star	3 star	no common laundry facility

(ii) Energy	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(a) If, in carrying out the development, the applicant installs a ventilation system to service a common area specified in the table below, then that ventilation system must be of the type specified for that common area, and must meet the efficiency measure specified.		✓	✓
(b) In carrying out the development, the applicant must install, as the "primary type of artificial lighting" for each common area specified in the table below, the lighting specified for that common area. This lighting must meet the efficiency measure specified. The applicant must also install a centralised lighting control system or Building Management System (BMS) for the common area, where specified.		✓	✓
(c) The applicant must install the systems and fixtures specified in the "Central energy systems" column of the table below. In each case, the system or fixture must be of the type, and meet the specifications, listed for it in the table.	✓	✓	✓

Common area	Common area ventilation system		Common area lighting		
	Ventilation system type	Ventilation efficiency measure	Primary type of artificial lighting	Lighting efficiency measure	Lighting control system/BMS
Car park area (Lower Ground)	ventilation (supply + exhaust)	carbon monoxide monitor + VSD fan	fluorescent	zoned switching with motion sensor	No
Car park area (Basement)	ventilation (supply + exhaust)	carbon monoxide monitor + VSD fan	fluorescent	zoned switching with motion sensor	No
Lift car (No.1)	-	-	light-emitting diode	connected to lift call button	No
Lift car (No.2)	-	-	light-emitting diode	connected to lift call button	No
Com Garbage room	ventilation exhaust only	-	fluorescent	motion sensors	No
Res Garbage room	ventilation exhaust only	-	fluorescent	motion sensors	No
Common Lounges	ventilation (supply + exhaust)	time clock or BMS controlled	light-emitting diode	zoned switching with motion sensor	No
Plant room (No. 1)	no mechanical ventilation	-	fluorescent	manual on / manual off	No
Plant room (No. 2)	no mechanical ventilation	-	fluorescent	manual on / manual off	No
Plant room (No. 3)	no mechanical ventilation	-	fluorescent	manual on / manual off	No
Store Room	no mechanical ventilation	-	fluorescent	manual on / manual off	No
Store Room	no mechanical ventilation	-	fluorescent	manual on / manual off	No
Ground floor lobby type	no mechanical ventilation	-	light-emitting diode	zoned switching with motion sensor	No
Hallway/lobby type	no mechanical ventilation	-	light-emitting diode	zoned switching with motion sensor	No

Central energy systems	Type	Specification
Central hot water system (No. 1)	gas instantaneous	Piping insulation (ringmain & supply risers): (a) Piping external to building: R0.6 (~25 mm); (b) Piping internal to building: R0.6 (~25 mm)
Lift (No. 1)	gearless traction with V V V F motor	Number of levels (including basement): 8
Lift (No. 2)	gearless traction with V V V F motor	Number of levels (including basement): 7

4. Commitments for common areas and central systems/facilities for the development (non-building specific)

(b) Common areas and central systems/facilities

(i) Water	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(a) If, in carrying out the development, the applicant installs a showerhead, toilet, tap or clothes washer into a common area, then that item must meet the specifications listed for it in the table.		✓	✓
(b) The applicant must install (or ensure that the development is serviced by) the alternative water supply system(s) specified in the "Central systems" column of the table below. In each case, the system must be sized, be configured, and be connected, as specified in the table.	✓	✓	✓
(c) A swimming pool or spa listed in the table must not have a volume (in kLs) greater than that specified for the pool or spa in the table.	✓	✓	
(d) A pool or spa listed in the table must have a cover or shading if specified for the pool or spa in the table.		✓	
(e) The applicant must install each fire sprinkler system listed in the table so that the system is configured as specified in the table.		✓	✓
(f) The applicant must ensure that the central cooling system for a cooling tower is configured as specified in the table.		✓	✓

Common area	Showerheads rating	Toilets rating	Taps rating	Clothes washers rating
All common areas	4 star (> 4.5 but ≤ 6 L/min)	4 star	3 star	no common laundry facility

(ii) Energy	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(a) If, in carrying out the development, the applicant installs a ventilation system to service a common area specified in the table below, then that ventilation system must be of the type specified for that common area, and must meet the efficiency measure specified.		✓	✓
(b) In carrying out the development, the applicant must install, as the "primary type of artificial lighting" for each common area specified in the table below, the lighting specified for that common area. This lighting must meet the efficiency measure specified. The applicant must also install a centralised lighting control system or Building Management System (BMS) for the common area, where specified.		✓	✓
(c) The applicant must install the systems and fixtures specified in the "Central energy systems" column of the table below. In each case, the system or fixture must be of the type, and meet the specifications, listed for it in the table.	✓	✓	✓

Notes

1. In these commitments, "applicant" means the person carrying out the development.
2. The applicant must identify each dwelling, building and common area listed in this certificate, on the plans accompanying any development application, and on the plans and specifications accompanying the application for a construction certificate / complying development certificate, for the proposed development, using the same identifying letter or reference as is given to that dwelling, building or common area in this certificate.
3. This note applies if the proposed development involves the erection of a building for both residential and non-residential purposes (or the change of use of a building for both residential and non-residential purposes). Commitments in this certificate which are specified to apply to a "common area" of a building or the development, apply only to that part of the building or development to be used for residential purposes.
4. If this certificate lists a central system as a commitment for a dwelling or building, and that system will also service any other dwelling or building within the development, then that system need only be installed once (even if it is separately listed as a commitment for that other dwelling or building).
5. If a star or other rating is specified in a commitment, this is a minimum rating.
6. All alternative water systems to be installed under these commitments (if any), must be installed in accordance with the requirements of all applicable regulatory authorities. NOTE: NSW Health does not recommend that stormwater, recycled water or private dam water be used to irrigate edible plants which are consumed raw, or that rainwater be used for human consumption in areas with potable water supply.

Legend

1. Commitments identified with a "✓" in the "Show on DA plans" column must be shown on the plans accompanying the development application for the proposed development (if a development application is to be lodged for the proposed development).
2. Commitments identified with a "✓" in the "Show on CC/CDC plans and specs" column must be shown in the plans and specifications accompanying the application for a construction certificate / complying development certificate for the proposed development.
3. Commitments identified with a "✓" in the "Certifier check" column must be certified by a certifying authority as having been fulfilled. (Note: a certifying authority must not issue an occupation certificate (either interim or final) for a building listed in this certificate, or for any part of such a building, unless it is satisfied that each of the commitments whose fulfilment it is required to monitor in relation to the building or part, has been fulfilled).

Nationwide House Energy Rating Scheme* — Class 2 summary

Certificate number: **0004842880**

Certificate Date: **18 May 2020**

★ Average Star rating: **7.5**



Assessor details

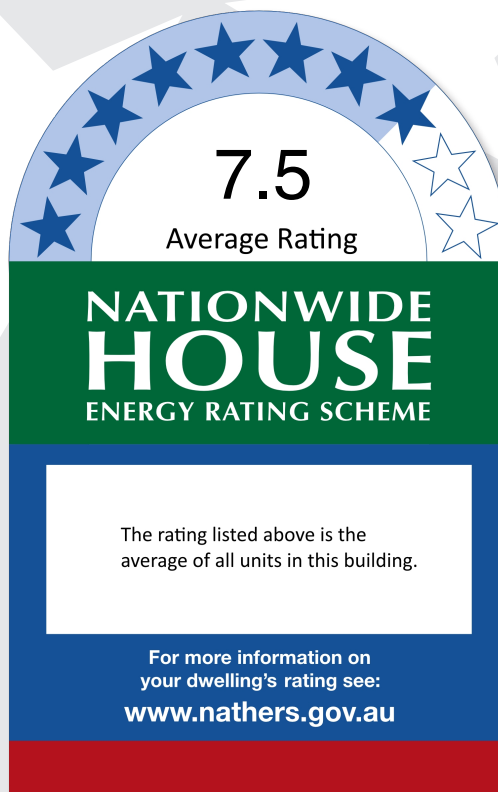
Accreditation number: **VIC/BDAV/16/1763**
Name: **John Boutros**
Organisation: **Greenworld Architectural Drafting**
Email: **greenworldarchi@outlook.com**
Phone: **02 9652 0045**
Declaration of interest: **None**
Software: **BERS Pro v4.3.0.2f (3.13)**

AAO: **BDAV**

Dwelling details

Street: **5 Skyline Pl**
Suburb: **Frenchs Forest**
State: **NSW**
Postcode: **2086**

Scan to access this certificate online and confirm this is valid.



Summary of all dwellings

Certificate Details

Certificate number	Unit number	Heating load	Cooling load	Total load	Star Rating
0004842662	E1.1	39.0	13.0	52.0	5.9
0004842670	E1.2	7.9	19.0	26.8	7.9
0004842688	E1.3	1.7	19.7	21.4	8.4
0004842696	E1.4	1.7	20.1	21.7	8.4
0004842704	E1.5	3.3	20.7	24.0	8.2
0004842712	E2.1	24.5	14.1	38.6	7.1
0004842720	E2.2	8.7	18.1	26.8	7.9
0004842738	E2.3	2.2	19.2	21.4	8.4
0004842746	E2.4	2.1	19.2	21.3	8.4
0004842753	E2.5	3.7	20.2	23.9	8.2
0004842761	E2.6	21.1	14.8	35.9	7.3
0004842779	E2.7	27.4	13.7	41.0	6.9
0004842787	E3.1	25.1	13.8	39.0	7
0004842795	E3.2	9.1	17.7	26.8	7.9
0004842803	E3.3	2.4	18.9	21.3	8.4

Nationwide House Energy Rating Scheme* - Class 2 summary

Certificate number: **0004842880**

Certificate Date:

18 May 2020

★ Average Star rating: **7.5**



Summary of all dwellings continued

Certificate Details

Certificate number	Unit number	Heating load	Cooling load	Total load	Star Rating
0004842811	E3.4	2.3	18.8	21.1	8.4
0004842829	E3.5	3.8	20.3	24.1	8.2
0004842837	E3.6	35.1	14.3	49.5	6.2
0004842282	E3.7	27.9	13.2	41.1	6.9
0004842290	E4.1	44.4	23.7	68.1	4.9
0004842316	E4.2	16.7	24.4	41.2	6.9
0004842332	E4.3	15.2	22.2	37.4	7.2
0004842357	E4.4	31.5	16.3	47.8	6.3
0004842373	W1.1	21.8	15.1	36.9	7.2
0004842399	W1.2	7.2	17.9	25.1	8.1
0004842415	W1.3	1.7	20.1	21.7	8.4
0004842449	W1.4	1.7	19.7	21.4	8.4
0004842464	W1.5	2.5	19.5	22.1	8.4
0004842472	W1.6	23.3	16.8	40.0	6.9
0004842506	W1.7	23.0	17.1	40.2	6.9
0004842522	W2.1	23.3	14.0	37.3	7.2
0004842548	W2.2	8.1	16.7	24.7	8.2
0004842563	W2.3	2.1	19.2	21.3	8.4
0004842589	W2.4	2.2	19.2	21.4	8.4
0004842597	W2.5	2.9	17.8	20.7	8.4
0004842613	W2.7	24.3	16.2	40.5	6.9
0004842639	W2.8	23.7	22.8	46.5	6.4
0004842274	W2.9	22.6	17.7	40.3	6.9
0004842308	W3.1	23.9	14.2	38.1	7.1
0004842324	W3.2	8.4	15.6	24.0	8.2
0004842340	W3.3	2.3	18.8	21.1	8.4
0004842365	W3.4	2.4	18.9	21.3	8.4
0004842381	W3.5	6.6	17.2	23.8	8.2
0004842407	W3.6	36.0	13.6	49.6	6.2
0004842423	W3.7	24.8	16.0	40.8	6.9
0004842431	W4.1	28.2	11.3	39.5	6.9
0004842456	W4.2	11.2	12.1	23.3	8.3
0004842480	W4.3	4.0	15.0	19.0	8.6
0004842498	W4.4	4.1	15.1	19.2	8.6
0004842514	W4.5	7.9	13.0	20.8	8.4
0004842530	W4.6	41.2	12.0	53.2	5.9
0004842555	W4.7	28.5	13.5	42.0	6.8
0004842571	W5.1	44.7	19.0	63.7	5.2
0004842605	W5.2	17.4	24.1	41.5	6.8
0004842621	W5.3	15.6	20.9	36.6	7.2
0004842647	W5.4	42.7	14.4	57.1	5.6

NatHERS Specs Summary:

- Floor slabs:**
- Concrete ground floor.
 - R1.0 floor insulation to unit **E1.1**.
 - None assessed for remainder.
- Exterior walls:**
- 75mm Hebel (AAC) wall with foil + R1.5 batts in cavity to plasterboard lining, or wall system reaching a total R-value (R2.74).
 - External walls modelled with default medium colour finishes.
 - "Exterior walls" = All unit walls that are not party walls to other units, or enclosed hallways & shafts.
- Glazing:**
- Double glazed, with aluminium framing:**
- To unit **W5.1 kitchen/dining & living** - excluding clerestory windows.
 - Type A (U-Value: 4.80, SHGC: 0.51).
 - Type B (U-Value: 4.80, SHGC: 0.59).
- Low solar gain Low-E glass, with aluminium framing:**
- To units **E4.2 & W5.2**.
 - Type A (U-Value: 5.6, SHGC: 0.41).
 - Type B (U-Value: 5.6, SHGC: 0.36).
- High solar gain Low-E glass, with aluminium framing:**
- To all window/door glazing in units **E4.1, E4.4 & W5.4**.
 - Remaining rooms of **W5.1**
 - Type A (U-Value: 5.4, SHGC: 0.49).
 - Type B (U-Value: 5.4, SHGC: 0.58).
- Single clear glass, with aluminium framing:**
- Modelled to all remaining unit window/door glazing & clerestory windows:
 - Type A (U-Value: 6.7, SHGC: 0.57).
 - Type B (U-Value: 6.7, SHGC: 0.70).
- U-Value & SHGC are combined glass and frame figures.**
- Ceiling/Roof:**
- R2.5 ceiling insulation to all top floor unit ceilings to roof.
 - Assessed with sealed wet area exhaust fans.
 - Concrete roof modelled with default medium colour finishes, and as unventilated.

Please refer to NatHERS individual certificates for further details.