



SUPPLEMENTARY BUSINESS PAPER

LOCAL PLANNING PANEL MEETING

**Wednesday 26 June 2024
at 4:00pm**



TABLE OF CONTENTS

SUPPLEMENTARY ITEMS

Item 1	LPP10/24 ELECTRONIC - DA/1443/2023 - Alterations & additions to dwelling house - 7 & 9 Chorley Avenue, Cheltenham.....	1
Item 2	LPP13/24 ELECTRONIC - DA/245/2024 - Volunteer Bushfire Fighters Training Facility - The Tollgates, 1049 Pacific Highway, Cowan	102
Item 3	LPP11/24 ELECTRONIC Reporting Development Applications for Determination by the Hornsby Local Planning Panel over 180 Days.....	159

1 DA/1443/2023 - ALTERATIONS & ADDITIONS TO DWELLING HOUSE - 7 & 9 CHORLEY AVENUE, CHELTENHAM

DA No: DA/1443/2023 (Lodged on 1 February 2024)

Description: Alterations and additions to a dwelling house

Property: Lot 131 and Lot 130 DP 12364, Nos. 7-9 Chorley Avenue, Cheltenham

Applicant: Louise Fawkes

Owner: Louise Fawkes

Estimated Value: \$9,587,673

Ward: C Ward

Clause 4.6 Request: Clause 4.3 Height of Buildings

Submissions: Seven

LPP Criteria: Proposal contravenes a development standard by more than 10%

Author: Charley Wells, Town Planner

COI Declaration: No Council staff involved in the assessment of this application have declared a Conflict of Interest.

RECOMMENDATION

- A. THAT the Hornsby Shire Local Planning Panel, exercising the functions of Council as the consent authority, vary Clause 4.3 Height of buildings development standard pursuant to Clause 4.6 of the Hornsby Local Environmental Plan 2013 as the applicants written request has adequately addressed the merits required to be demonstrated by subclause (3) and the proposed development is consistent with the objectives of the standard and the objectives for development within the zone in which the development is proposed to be carried out.
- B. THAT the Hornsby Shire Local Planning Panel, exercising the functions of Council as the consent authority, approve Development Application No. DA/1443/2023 for alterations and additions to a dwelling house at Lot 131, DP 12364 and Lot 130, DP 12364, Nos. 7 and 9 Chorley Avenue, Cheltenham subject to the conditions of consent in Attachment 1 of LPP Report No. LPP10/24.

EXECUTIVE SUMMARY

- The application involves alterations and additions to a dwelling house.
- The proposal does not comply with the Hornsby Local Environmental Plan 2013 (HLEP) with regard to Clause 4.3 'Height of Buildings'. The applicant has made a submission in accordance with Clause 4.6 'Exceptions to development standards' of the HLEP to contravene the maximum 8.5 metre building height development standard. The submission is considered well founded and is supported.
- A total of seven submissions have been received in respect of the application.
- The application is required to be determined by the Hornsby Local Planning Panel as the proposal would contravene the height of buildings development standard by more than 10 percent.
- It is recommended that the application be approved.

BACKGROUND

On 26 March 2024, Council requested additional information with regards to tree removal concerns, building height and earthworks.

On 13 May 2024, amended plans, photomontages, modelling, updated arborist report and an amended clause 4.6 variation request were submitted in response to Council's concerns.

On 17 May 2024, a preliminary construction management plan was submitted for Council's consideration.

On 22 May 2024, Council requested additional information to clarify the location of a retaining wall in the rear yard which is in close proximity to trees identified for retention. The applicant submitted amended plans deleting the retaining wall to ensure protection of these trees on the same day the request was sent.

SITE

The site is made up of two allotments legally described as Lot 131, DP 12364 (7 Chorley Avenue) and Lot 130, DP 12364 (9 Chorley Avenue).

The site is located on the south-western side of Chorley Avenue with a total area of 2,452m² and contains a dwelling house and detached garage and shed.

The site experiences less than a metre of fall towards the north-western side boundary.

The site is not bushfire prone and is not flood prone.

The site does not contain any easements or restrictions.

The property is not heritage listed but is located within the Beecroft-Cheltenham Plateau Precinct of the Beecroft-Cheltenham Heritage Conservation Area (HCA) under Schedule 5 of the Hornsby Local Environmental Plan 2013. The property is also in the immediate vicinity of the following heritage items:

- Item No. 271 - House, No. 8 Cheltenham Road, Cheltenham
- Item No. 274 - House, No. 10 Cheltenham Road, Cheltenham
- Item No. 275 - House, No. 15 Chorley Avenue, Cheltenham

PROPOSAL

The application proposes alterations and additions to a dwelling house as follows:

- Demolition of the rear of the existing dwelling, garage, shed, driveway and paving.
- A ground floor extension comprising a formal lounge, storeroom, entry, entry porch, verandah, servery, formal dining, powder room, guest WC, outdoor living with fireplace, outdoor dining, lift, family living, conservatory, family dining, bar, alfresco storage kitchen, bathroom scullery/pantry, cool room, laundry and toilet.
- First floor addition that would comprise a master bedroom with ensuite store walk in robe and study, four bedrooms with ensuites, three walk in robes, library, storeroom, laundry, lift and balcony.
- Basement level that would comprise a gym, sauna, bathroom rumpus room, wine cellar, lift, entry hall, plant room three storage rooms and garage.
- Extension of the existing vehicular crossing, new paved driveway, pathways, front and side boundary fencing is proposed.
- To meet BASIX requirements, a photovoltaic system is proposed on the roof to generate at least 8.36 peak kilowatts of electricity.

A total of 12 trees would be removed by the development and a total of 89 trees and medium trees are proposed capable of growing to 3 metres or more.

ASSESSMENT

The development application has been assessed having regard to the Greater Sydney Region Plan - A Metropolis of Three Cities, the North District Plan and the matters for consideration prescribed under Section 4.15 of the *Environmental Planning and Assessment Act 1979* (the Act). The following issues have been identified for further consideration.

1. STRATEGIC CONTEXT

1.1 Greater Sydney Region Plan - A Metropolis of Three Cities and North District Plan

1. The Greater Sydney Region Plan - A Metropolis of Three Cities has been prepared by the NSW State Government to guide land use planning decisions over the next 40 years (to 2056). The Plan sets a strategy and actions for accommodating Sydney's future population growth and identifies dwelling targets to ensure supply meets demand. The Plan also identifies that the most suitable areas for new housing are in locations close to jobs, public transport, community facilities and services.

2. The NSW Government will use the subregional planning process to define objectives and set goals for job creation, housing supply and choice in each subregion. Hornsby Shire has been grouped with Hunters Hill, Ku-ring-gai, Lane Cove, Mosman, North Sydney, Ryde, Northern Beaches and Willoughby to form the North District. The Greater Sydney Commission has released the North District Plan which includes priorities and actions for Northern District over the next 20 years.

The identified challenge for Hornsby Shire will be to deliver 97,000 additional dwellings in the North District by 2036. The following Planning Priorities are considered relevant to the proposal:

- Planning Priority N5 - Providing housing supply, choice and affordability, with access to jobs, services and public transport.

- Planning Priority N6 - Creating and renewing great places and local centres and respecting the Districts heritage.

In giving effect to A Metropolis of Three Cities, these Planning Priorities deliver on the below objective and the corresponding strategies:

- Objective 11 - Housing is more diverse and affordable.

The proposed alterations and additions to the dwelling house have been thoughtfully considered and identified within this report. It is considered that the additions to the dwelling house would provide a contemporary, more user-friendly family home, whilst maintaining the amenity and heritage character of the area.

The proposal would meet objectives of these planning priorities and would be considered acceptable in the context of the Greater Sydney Region Plan - A Metropolis of Three Cities and North District Plan.

2. STATUTORY CONTROLS

Section 4.15(1)(a) requires Council to consider “*any relevant environmental planning instruments, draft environmental planning instruments, development control plans, planning agreements and regulations*”.

2.1 Hornsby Local Environmental Plan 2013

The proposed development has been assessed having regard to the provisions of the Hornsby Local Environmental Plan 2013 (HLEP).

2.1.1 Zoning of Land and Permissibility

The subject land is zoned R2 Low density residential under the HLEP. The objectives of the R2 zone are:

- *To provide for the housing needs of the community within a low-density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

The proposed development is defined as alterations and additions to a ‘dwelling house’. The proposed use is permissible in the zone with Council’s consent and would meet the objectives of the zone by providing for the housing needs of the community within a low-density residential environment.

2.1.2 Height of Buildings

Clause 4.3 of the HLEP provides that the height of a building on any land should not exceed the maximum height shown for the land on the Height of Buildings Map. The maximum permissible height for the subject site is 8.5 metres. The proposal has a maximum height of 10 metres and does not comply with this provision.

A Clause 4.6 written request is submitted with the proposal in support of the height contravention, which is discussed in Section 2.1.3 of the report below.

2.1.3 Exceptions to Development Standards

The application has been assessed against the requirements of Clause 4.6 of the HLEP. This clause provides flexibility in the application of the development standards in circumstances where strict compliance with those standards would, in any particular case, be unreasonable or unnecessary or tender to hinder the attainment of the objectives of the zone.

The proposal would exceed the 8.5 metre maximum building height development standard with a proposed height of 10 metres which exceeds the development standard by 1.5 metres or 17.6%.

The objective of Clause 4.3 Height of Buildings of the HLEP is “to permit a height of buildings that is appropriate for the site constraints, development potential and infrastructure capacity of the locality”.

The applicant has made a submission in support of the contravention to the development standard in accordance with Clause 4.6 of the HLEP. Clause 4.6 provides that development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:

- (a) *That compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and*
- (b) *That there are sufficient environmental planning grounds to justify contravening the development standard.*

In *Initial Action Pty Ltd v Woollahra Municipal Council [2008]* NSW LEC 118, Preston CJ clarified the correct approach to dealing with a written request under Clause 4.6 to justify the contravention of a development standard.

In relation to determining the matter under Clause 4.6(3)(a), the consent authority must be satisfied that the applicant’s written request adequately addresses the matter as opposed to the determining authority making its own judgement regarding whether compliance is unreasonable or unnecessary. Additionally, the clause does not require that a non-compliant development should have a neutral or beneficial effect relative to a compliant development.

In relation to determining the matter under Clause 4.6(3)(b), the environmental planning grounds clause, non-compliant development is not required to result in a ‘better environmental planning outcome for the site’ relative to a compliant development. Instead, the requirement is only that there are sufficient environmental planning grounds to justify the development standard contravention.

Council must be satisfied that the written request provided by the applicant under Clause 4.6 addresses both the unreasonable and unnecessary test and demonstrates sufficient environmental planning grounds to justify contravening the development standard. These matters are discussed below.

2.1.4 Unreasonable or Unnecessary Clause 4.6(3)(a)

There are five common methods by which an applicant can demonstrate that compliance with a development standard is unreasonable or unnecessary in the circumstances of the development. Initially proposed for objections under clause 6 of SEPP 1 in the decision of *Wehbe v Pittwater Council [2007]* NSWLEC 827 Pearson C summarised and applied these methods to written requests made under Clause 4.6 in *Four2Five Pty Ltd v Ashfield Council [2015]* NSWLEC 1009 [61-62]. These five methods are generally as follows:

1. *The objectives of the standard are achieved notwithstanding noncompliance with the standard.*
2. *The underlying objective or purpose of the standard is not relevant to the development and therefore compliance is unnecessary.*
3. *The underlying object of purpose would be defeated or thwarted if compliance was required and therefore compliance is unreasonable.*
4. *The development standard has been virtually abandoned or destroyed by the council's own actions in granting consents departing from the standard and hence compliance with the standard is unnecessary and unreasonable.*
5. *The compliance with development standard is unreasonable or inappropriate due to existing use of land and current environmental character of the particular parcel of land. That is, the particular parcel of land should not have been included in the zone.*

It is not required to demonstrate that a development meets multiple methods as listed above, and the satisfaction of one can be adequate to demonstrate that the development standard is unreasonable or unnecessary. The Clause 4.6 request states the proposed contravention is consistent with the objectives of the height of building development standard and has relied on Test 1 identified by Commissioner Preston in *Wehbe v Pittwater Council 2007* to demonstrate that compliance with the development standard is both unreasonable and unnecessary. The justification is considered below:

- *The non-compliance with the height controls is a result of providing a roof pitch that complements the style and character of the dwelling proposed. A complying roof form results in a built form that is not appropriately balanced and destroys the architectural character. The overriding architectural objective is to conserve the heritage significance of the conservation areas and proposed roof pitch which is designed to be consistent with the roof pitch of the existing historic dwelling that achieves this. The additions need to be consistent with the heritage aspects of the existing dwelling which is contributory to the heritage conservation area. The design of the additions is driven by the characteristics of the existing dwelling.*
- *The proposed height is appropriate for the site given the characteristics of the existing historic dwelling which includes the existing roof pitch and ridge heights that are inherent in its architectural character.*

Further justification was provided within the request regarding how compliance with the development standard is both unreasonable and unnecessary as follows:

- *The proposal which incorporates a high pitched roof consistent with the pitch of the existing main roof form on the existing historic dwelling, provides for a successful integration of the addition to the dwelling and within the heritage conservation area. In fact, the non-compliance with the building height control ensures that the proposed built form is compatible with the existing historic dwelling and the surrounding HCA.*
- *The non-compliance with the height controls is a result of providing a roof pitch that complements the style and character of the dwelling proposed. A complying roof form would result in a built form that is not appropriately balanced and destroys the architectural character.*
- *The design of the additions are driven by the characteristics of the existing historic dwelling and respecting the existing roof pitch which is an integral aspect of the dwelling. The*

proposed roof form has not been designed to increase floor to ceiling heights with the existing upper level floor and ceiling levels replicated in the additions.

- *Strict compliance with the numerical standard, would require an altered roof form which would detract from the character of the existing historic dwelling and provide for an unsympathetic outcome. The proposal ensures a consistent architectural expression with the resultant ridge height being complimentary to the existing historic dwelling, noting that the proposal does not exceed the existing ridge height. The dwelling in its original form was a substantial house for a well known person of society. A well-integrated addition requires a roof form that is consistent with the existing historic dwelling.*
- *The overriding architectural objective is to conserve the heritage significance of the conservation areas and proposed roof pitch which is designed to be consistent with the roof pitch of the existing historic dwelling that achieves this. The additions need to be consistent with the heritage aspects of the existing dwelling which is contributory to the heritage conservation area. The design of the additions is driven by the characteristics of the existing dwelling.*

Council considers the applicants request to contravene the height development standard is considered well founded for the following reasons:

- The height departure would not result in any significant amenity impact to surrounding neighbours due to the significant setback distances and would not result in significant overshadowing of adjoining and nearby premises.
- The overall appearance of the building, when viewed from the street front, would be substantially unchanged and includes dense screen planting, which is consistent with the heritage requirements of the HLEP.
- The proposed development would not overly dominate the natural environment or surrounding built elements.
- The application provides for the orderly and economic development of land, improved residential amenity of the existing residence, and demonstrates adequate consideration and protection of the environment and public interest.
- The proposed development generally meets the objectives of Clause 4.3 Height of Buildings of the HLEP by way of being appropriate with respect to the constraints of the site and in regard to the development potential of the site.

Based on this assessment, it is considered that compliance with the development standard would be unreasonable and unnecessary in the circumstances of the case.

2.1.3.2 Environmental Planning Grounds - Clause 4.6(3)(b)

In addition to demonstrating that compliance is unreasonable or unnecessary, Clause 4.6(3)(b) requires that there are sufficient environmental planning grounds to justify contravening the development standard. In demonstrating that sufficient environmental planning grounds exist it must be demonstrated that the planning grounds are particular to the circumstances of the development on the subject site (summarised from *Four2Five Pty Ltd v Ashfield Council [2015] NSWLEC 1009 [60]*).

The applicant provided the following planning grounds for the contravention of the development standard:

- *The proposed development will maintain the general bulk and scale of the existing surrounding development and maintains architectural consistency with the existing development on site. The noncompliance is the result of providing a roof form to match the existing roof form which is contributory to the Heritage Conservation Area. Providing for a roof form to comply with the building height development standard would result in an inferior design which is unbalanced and destroys the character of the existing historic dwelling.*
- *The additions are designed replicate the floor and ceiling levels of the existing upper level. Therefore, the roof design and resultant building height as proposed promotes the orderly & economic use of the land.*
- *The existing dwelling is celebrated for its architectural character, including the roof pitch and ridge height which is inherent to the character. It is noted that the additions/alterations do not exceed the height of the existing historic building. Therefore, the proposal and resultant building height promotes the management of the built heritage.*
- *The overriding architectural objective is to conserve the heritage significance of the conservation areas and this proposal provides for a roof form that achieves this.*
- *The proposal, and in particular, the area of non-compliance, does not result in any additional overshadowing to the adjoining properties. Shadow diagrams have been prepared which depicts both the existing and proposed shadows. The diagrams indicate that proposal continues to ensure at least 3 hours of solar access to private open space of the adjoining properties.*
- *The area of non-compliance does not result in any loss of privacy to the adjoining properties. The area of non-compliance relates only to the roof form. The first floor level provides for only bedrooms, a study and bathrooms. Windows on the side elevations are provided with sufficient setbacks to the boundaries to ensure spatial separation and protection of privacy.*
- *The proposed roof form does not result in unreasonable bulk or scale when viewed from the adjoining property. The area of noncompliance is provided with sufficient setbacks to the side boundaries which provides for ample separation from the adjoining built form.*

Council considers that the environmental planning grounds stated within the written request are sufficient with respect to Clause 4.6(3)(b) and that the stated grounds are specific to the proposed development and the circumstances of the development site. It is therefore considered that the written request adequately demonstrates compliance with the clause and is acceptable in this regard.

In demonstrating the unreasonable and unnecessary test, the applicant further established satisfactory environmental planning grounds with respect to the site and the surrounding constraints.

Local Planning Panels constituted under the *Environmental Planning and Assessment Act 1979* exercise consent authority functions on behalf of a Council and are not delegates of Council. Therefore, Local Planning Panels may determine a development application notwithstanding, a numerical non-compliance in excess of 10%.

Accordingly, it is considered that the written request satisfactorily responds to the relevant matters required to be addressed under Clause 4.6 and that the Panel, as consent authority, may rely upon the written request and grant development consent to the development application.

2.1.5 Heritage Conservation

Clause 5.10 of the HLEP sets out heritage conservation provisions for Hornsby Shire.

The property is not heritage listed but is located within the Beecroft-Cheltenham Plateau Precinct of the Beecroft-Cheltenham Heritage Conservation Area (HCA) under Schedule 5 of the HLEP. The property is also in the immediate vicinity of the following heritage items:

- Item No. 271 - House, No. 8 Cheltenham Road, Cheltenham
- Item No. 274 - House, No. 10 Cheltenham Road, Cheltenham
- Item No. 275 - House, No. 15 Chorley Avenue, Cheltenham

The Hornsby Development Control Plan 2013 (HDCP) describes the Beecroft Cheltenham Plateau Precinct as being significant for the early release subdivisions from the Field of Mars and its characteristic buildings from the Victorian, Federation, Arts and Crafts, Inter-war, and Post-war periods. The buildings are predominantly single storey, well-articulated to their architectural period and with mature landscape settings remnant forest community trees which create the character and significance of the HCA. The buildings from these periods are considered contributory to the character and heritage significance of the HCA.

The existing contributory dwelling at No. 7 and 9 Chorley Avenue was constructed in circa 1939, partly over two allotments and is considered to be a good example of the Inter-war Old English style, with large gables containing rooms in the roof, tall chimneys, timber windows, terracotta roof tiles and terracotta gable shingles.

Alterations and additions occurred to the existing contributory dwelling prior to the HCA listing (early 1980s and early 1990s) and are located at the rear of the Inter-war dwelling. The dwelling is relatively intact externally on the streetscape (except for the garage removal).

The site and dwelling are also located in a mature landscaped garden setting, with a mix of plantings which contribute to the style and setting of the dwelling, as well as the conservation area.

The sites immediate streetscape (including No's 3, 5, 7, 11, 2, 4, 6, 8, 10 and 12 Chorley Ave) contains 11 dwellings, mainly from the Federation, Inter-war, and Post-war periods. A number of dwellings are two storeys with rooms in the roof designs (including No. 7 Chorley Ave), single storey dwellings mainly date from the Federation period and there is some part single and two storey dwellings in the streetscape. Fencing and wheel strip driveways are not particularly characteristic in the immediate streetscape.

The proposed works to the retained contributory Inter-war dwelling are of a scale and form that is larger than the existing dwelling. However, the location, large street setbacks, articulated elevations, and compatible materials result in minimal impact on the mixed housing style character of the streetscape. The additions are also sympathetic and compatible with the historic Inter-war and Federation styles significant to the HCA.

The retention of the original two storey Inter-war dwelling is supported on heritage grounds as it positively contributes to the 'development diary,' character, and significance of the HCA. The design of the proposal minimises heritage impacts by locating the additions behind the existing dwelling and over the semi vacant second allotment (mainly No. 9 Chorley Ave), with large front setbacks (over 23 metres) from the street boundary proposed. Additionally, elements including rooms in the roof, gables, articulation, landscaped front garden area and materials that are sympathetic and compatible with the streetscape character assist in meeting the heritage provisions of the HLEP.

A further heritage assessment against the HDCP is provided in Part 2.6.3 of this report.

In summary, the proposal would meet the objectives of Clause 5.10 of the HLEP and is considered acceptable.

2.1.6 Earthworks

Clause 6.2 of the HLEP states that consent is required for proposed earthworks on site. Before granting consent for earthworks, Council is required to assess the impacts of the works on adjoining properties, drainage patterns and soil stability of the locality.

The application was supported by a Geotechnical Assessment prepared by JK Geotechnics which notes that the geology of the site is identified as bedrock comprising sandstone.

The application proposes excavation associated with a basement on a relatively level site that would entail the removal of 1614m³ of material from the site. At its deepest point, the excavation would be 3.8 metres below the existing ground level, with the excavation works being confined to the dwelling footprint.

No objections are raised to the level of excavation proposed as it is confined to the building footprint only and does not result in any amenity impacts or loss of landscaping and does not disrupt drainage patterns to adjoining properties.

To ensure protection of the environment and adjoining properties, a condition is recommended in Attachment 1 to require the recommendations of the Geotechnical Assessment prepared by JK Geotechnics to be applied including, but not limited to the completion of dilapidation surveys/reports for adjoining buildings and structures prior to the commencement of works and inspections and monitoring of earthworks by JK Geotechnics.

In addition, all excavated material removed from the site must be classified by a suitably qualified environmental consultant in accordance with the NSW Environment Protection Authority's Waste Classification Guidelines and Protection of the Environment Operations (Waste) Regulation 2014 prior to disposal to a licensed waste management facility. Tipping dockets for the total volume of excavated material that are received from the licensed waste management facility must be provided to the Principal Certifier prior to the issue of an Occupation Certificate and Prior to fill material being imported to the site, a Waste Classification Certificate shall be obtained from a suitably qualified environmental consultant. Further a Council approved Construction Management Plan must also be complied with for the duration of works.

Subject to recommended conditions, the proposal is considered satisfactory in respect to Clause 6.2 of the HLEP.

2.2 State Environmental Planning Policy (Biodiversity and Conservation) 2021

The application has been assessed against the requirements of chapter 2 and 6 of State Environmental Planning Policy (Biodiversity and Conservation) 2021.

2.2.1 Chapter 2 Vegetation in Non-Rural Areas

Chapter 2 of this policy aims to protect the biodiversity and amenity values of trees within non-rural areas of the state.

Part 2.3 of the policy states that a development control plan may make a declaration in any manner relating to species, size, location and presence of vegetation. Accordingly, Part 1B.6.1 of the HDCP prescribes works that can be undertaken with or without consent to trees and objectives for tree preservation.

Section 3.1.1 of this report provides an assessment in accordance with Part 1B.6.1 of the HDCP.

2.2.2 Chapter 6 Waterways

The site is located within the catchment of Sydney Harbour. The aim of this chapter is to ensure that the catchment, foreshores, waterways and islands of Sydney Harbour are recognised, protected, enhanced and maintained. This chapter provides general planning considerations and strategies to ensure that the catchment, foreshores, waterways and islands of Sydney Harbour are recognised, protected, enhanced and maintained.

The plan addresses matters related to biodiversity, ecology and environment protection; public access to, and use of, foreshores and waterways; maintenance of a working harbour; interrelationship of waterway and foreshore uses; foreshore and waterways scenic quality; maintenance, protection and enhancement of views and boat storage facilities.

Subject to the implementation of sediment and erosion control measures and stormwater management to protect water quality, the proposal would have minimal potential to impact on the Sydney Harbour Catchment and would comply with the requirements of chapter 6 of the Biodiversity and Conservation SEPP.

2.3 State Environmental Planning Policy (Sustainable Buildings) 2022

The application has been assessed against the requirements of chapter 2 of State Environmental Planning Policy (Sustainable Buildings) 2022 which seeks to encourage the design and delivery of more sustainable buildings.

Chapter 2 sets out the Standards for residential development. The proposal includes a BASIX certificate in accordance with the requirements of the SEPP including the list of commitments to be complied with at the construction stage and during the use of the premises. The BASIX certificate achieves the minimum scores for energy and water use, and thermal performance.

The proposal is acceptable in this regard.

2.4 State Environmental Planning Policy (Resilience and Hazards) 2021

The application has been assessed against the requirements of chapter 4 of State Environmental Planning Policy (Resilience and Hazards) 2021.

2.4.1 Chapter 4 Remediation of Land

Section 4.6 of the Resilience and Hazard SEPP states that consent must not be granted to the carrying out of any development on land unless the consent authority has considered whether the land is contaminated or requires remediation for the proposed use.

Should the land be contaminated, Council must be satisfied that the land is suitable in a contaminated state for the proposed use. If the land requires remediation to be undertaken to make the land suitable for the proposed use, Council must be satisfied that the land will be remediated before the land is used for that purpose.

An examination of Council's records and aerial photography has determined that the site has been historically used for residential purposes. It is not likely that the site has experienced any significant contamination, and further assessment under chapter 4 of the Resilience and Hazards SEPP is not required.

2.5 Section 3.42 Environmental Planning and Assessment Act 1979 - Purpose and Status of Development Control Plans

Section 3.42 of the *Environmental Planning and Assessment Act 1979* states that a DCP provision will have no effect if it prevents or unreasonably restricts development that is otherwise permitted and complies with the development standards in relevant Local Environmental Plans and State Environmental Planning Policies.

The principal purpose of a development control plan is to provide guidance on the aims of any environmental planning instrument that applies to the development; facilitate development that is permissible under any such instrument; and achieve the objectives of land zones. The provisions contained in a DCP are not statutory requirements and are for guidance purposes only. Consent authorities have flexibility to consider innovative solutions when assessing development proposals, to assist achieve good planning outcomes.

2.6 Hornsby Development Control Plan 2013

The proposed development has been assessed having regard to the relevant desired outcomes and prescriptive requirements within the Hornsby Development Control Plan 2013 (HDCP). The following table sets out the proposal's compliance with the prescriptive requirements of the Plan:

HDCP - Part 3.1 Dwelling Houses			
Control	Proposal	Requirement	Complies
Site Area	2,452m ²	N/A	N/A
Building Height	10m	8.5m	No
No. storeys	3	max. 2 + attic	No
Site Coverage	27%	30%	Yes
Floor Area			
- dwelling	1100m ²	430m ²	No
- basement	460m ²		
Setbacks			
- Front	13.5m	6m	Yes
- Side (East)			
Ground floor	1.4m	900mm	Yes
First floor	3.8m	1.5m	Yes
- Side (West)			
Ground floor	2.5m	900mm	Yes
First floor	2.5m	1.5m	Yes
- Rear			

<i>Ground floor</i>	8.8m	3m	Yes
<i>First floor</i>	13.9m	8m	Yes
Landscaped Area (% of lot size)	68%	45%	Yes
Private Open Space			
- <i>minimum area</i>	>24m ²	24m ²	Yes
- <i>minimum dimension</i>	>3m ²	3m	Yes
Car Parking	4 spaces	2 spaces	Yes

ITEM 1

As detailed in the above table, with the exception of building height, number of storeys and floor area the proposed development generally complies with the prescriptive measures within the HDCP. A brief discussion on compliance with relevant performance requirements and Part 1C General Controls is provided below.

2.6.1 Scale

With regards to the height non-compliance, the application is supported by a submission pursuant to Clause 4.6 of the HLEP to contravene the maximum height of buildings development standard, which is discussed in detail under Section 2.1.3 of this report. The submission is considered well founded and is supported.

With regards to the floor area non-compliance, it is noted as follows:

- The development site comprises two lots with a combined area of 2,452m² which is significantly larger than surrounding residential properties.
- The sites could accommodate additional development which could be subdivided into three 600m² lots resulting in a much larger site coverage/floor area over the subject site than currently proposed.
- The total floor area of the dwelling (excluding the basement) would be 1100m² which is considerably less than what would be permitted if the land were to be subdivided into 3 properties and allows for considerable landscaping comprising 68% of the total site area.
- The 1560m² calculation of floor area includes a basement area which comprises 460m². The basement is not visible from the public domain or adjoining properties and does not contribute to bulk or scale impacts to adjoining properties,
- There is no outbuilding proposed (100m²) as part of the application as permitted by the DCP.
- The proposed additions have sufficient setbacks to all boundaries and the dwelling would be substantially screened from the street.
- The non-compliance to floor area does not result in unreasonable shadow impacts to adjoining properties which will receive a minimum of 3 hours of unobstructed sunlight to their respective private open space areas.
- The additions do not create unreasonable environmental impacts to adjoining development with regard to visual bulk, solar access, amenity or privacy.

In support of the three-storey element of the proposed dwelling house, it is noted that the basement floor is excavated below the natural ground level and would not be highly visible from the public domain. No concerns are raised as the dwelling house presents as a two-storey building form.

With regard to roof pitch, the prescriptive measure states that *“the roof should have a maximum pitch of 35 degrees, except if a steeper roof pitch is more consistent with the existing character of the locality”*.

It is noted that the proposed roof pitch would be 55 degrees which would not comply with the 35 degree prescriptive measure. In support of this non-compliance, it is noted that the roof pitch would match the roof pitch of the existing dwelling and is consistent with the streetscape character of the HCA.

In summary, the proposed development is considered of a height, bulk and scale that is compatible with the surrounding low density residential environment and meets the prescriptive measures of Part 3.1.1 Scale of the HDCP.

2.6.2 Privacy

The desired outcome of Part 3.1.6 Privacy of the HDCP is to encourage *“development that is designed to provide reasonable privacy to adjacent properties.”*

This is supported by the prescriptive measures that state that:

- a. *“Living and entertaining areas of dwelling houses should be located on the ground floor and oriented towards the private open space of the dwelling house and not side boundaries.*
- b. *A proposed window in a dwelling house should have a privacy screen if:*
 - *it is a window to a habitable room, other than a bedroom, that has a floor level of more than 1 metre above existing ground level,*
 - *the window is setback less than 3 metres from a side or rear boundary, and*
 - *the window has a sill height of less than 1.5 metres.*

It is noted that the living and entertaining areas of the dwelling are located on the ground floor with the exception of the study/retreat and library located on the first floor.

In support of this non-compliance, it is noted that the study/retreat would maintain the existing side boundary setback of the existing dwelling which is set back more than 3.8 metres and is considered acceptable in this instance as it would comply with prescriptive measure b.

With respect to the library room, the library would be centrally located, and the window would be well in excess of 3 metres from the side boundary. It is therefore not anticipated that the library would have any unreasonable privacy impacts and is considered acceptable.

All other first floor level windows would provide natural light and ventilation to ‘non-habitable’ use rooms (bathrooms) and non-active use rooms (bedrooms) in compliance with Council’s planning guidelines.

The proposal meets the desired outcome of Part 3.1.6 Privacy of the HDCP and is considered acceptable.

2.6.3 Heritage

The desired outcome of 9.3.1 is to encourage *“Development that complements and is sympathetic to the existing character of the conservation area and the elements that are significant to that character.”*

A Heritage Impact Statement has been submitted with the proposal and supports the alterations and additions and noting that the proposal is *‘sympathetic to the Federation/Inter-War character’* of the conservation area.

Councils’ heritage assessment supports the retention of the original two storey Inter-war dwelling as it positively contributes to the ‘development diary,’ character, and significance of the HCA as discussed below.

2.6.3.1 Streetscape Impacts

The immediate streetscape contains a mix of single and two storey-built forms from various development periods of the HCA, and the additions would be generally compatible with this mixed housing style character.

The additions are located to the side and rear of the existing dwelling and are of a larger footprint than the original dwelling. The design of the proposal minimises impacts by locating the additions behind the existing dwelling, with large front setbacks (over 23 metres) from the street boundary. Other elements including rooms in the roof, gables, articulation, landscaped front garden area and materials are compatible with the streetscape character.

The architectural style and detailing of the front elevation additions is considered to be sufficiently compatible with the variety of original Federation and Inter-war styles and the existing dwelling.

The proposal also involves the removal of some original internal and external fabric, including internal layout, stairs, and rear chimney. As the dwelling is not a heritage item, the removal of fabric would not have an adverse impact on the Inter-war dwelling’s contribution to the streetscape character or significance of the HCA. No heritage concerns are raised to the streetscape character of the new works in the HCA.

2.6.3.2 Materials and Finishes

The additions would contain clean face brick and terracotta roof tiles to match the existing which would complement the period and style of the dwelling and HCA. The street facing copper clerestory roof feature would also be a compatible material in the conservation area, being a traditional material.

The side dormers are proposed to have timber shingles. Although timber shingles are not an original feature of the Inter-war style of the existing dwelling, the area of timber shingle is small and is considered to have minimal impact on the existing dwelling or conservation area. No heritage concerns are raised to the materials and finishes.

2.6.3.3 Garage and Driveway

Basement car parking is proposed, and the garage entrance is well setback from the street and is not visible on the street elevation, due to excavation. The proposed bitumen paving with cobblestone kerb would be complementary to the existing driveway and streetscape. Therefore, no heritage concerns are raised to the proposed garage and driveway.

2.6.3.4 Landscaping and Fencing

The proposal retains the large, landscaped area of the front garden and generally replacement planting compensates for trees removed as shown on the landscape plan.

Two large evergreen Cypress trees (T22 & 23) on either side of the driveway entrance, contribute positively to the Inter-war period and the streetscape. Council requested that these trees be retained due to their contribution to the site and streetscape. An amended landscape plan was submitted indicating retention of Tree 22 and 23.

The front boundary contains a hedge and sandstone pillars at the driveway entrances. Although the streetscape is not characterised by fencing, the proposed fence would be located behind the existing hedge, maintaining the landscape character. Wrought iron and stone are a traditional material compatible with the conservation area. No heritage concerns are raised to the proposed fence and gates.

2.6.3.5 Heritage Items in the Vicinity

There would be no adverse impacts on the heritage items in the vicinity, due to physical separation and the additions are well setback from the street and to the rear existing dwelling.

In summary, the proposed works to the retained contributory Inter-war dwelling are of a scale and form that is larger than the existing dwelling. However, the location, large street setbacks, articulated elevations, and compatible materials result in minimal impact on the mixed housing style character of the streetscape. The additions are also sympathetic and compatible with the historic Inter-war and Federation styles significant to the HCA. No heritage concerns are raised to the proposal.

2.6.4 Domestic Solid Fuel Burning Appliances

As part of the application, the installation of a fireplace is proposed within the outdoor alfresco area and in the rear yard. It is also noted that gas fireplaces are proposed within the formal lounge room, formal dining room and family room, no concerns are raised regarding these gas fireplaces as solid fuel would not be used.

Council cannot approve a free-standing fireplace without a flue to control the smoke. A condition of consent has been recommend requiring the deletion of the fireplace in the rear yard as indicated on red on the approved plans.

As specified under Section 4.9 of the 'AS/NZS 2918:2001 Domestic Solid Fuel Burning Appliances - Installation' BCA standard, "the flue exit shall be located outside the building in which the appliance is installed so that:

- a) the flue pipe shall extend not less than 4.6m above the top of the floor protector;
- b) the minimum height of the flue system within 3m distance from the highest point of the roof shall be 600mm above that point;
- c) the minimum height of a flue system further than 3m from the highest point of the roof shall be 1000mm above roof penetration;
- d) no part of the building lies in or above a circular area described by a horizontal radius of 3m about the flue system exit".

With respect to (a), a condition is recommended requiring the flue pipe of the fireplace within the outdoor alfresco area to extend 4.6 metres above the floor protector.

With respect to (b), it is noted that the flue system would be more than 3 metres from the height point of the roof, as a consequence this provision does not apply.

With respect to (c), it is noted that the flue system would be located more than 3m from the highest point of the roof, as a consequence a condition is recommended requiring the flue pipe to *be 1000mm above the height point of the roof.*

With respect to (d), it is noted that the proposed flue system would be located at a distance greater than 3 metres from any other structure.

A condition is recommended in Attachment 1 of this report requiring the installation to be completed in accordance with Section 4.9 of the 'AS/NZS 2918:2001 Domestic Solid Fuel Burning Appliances - Installation' and the 'Protection of the Environment Operations (Clean Air) Amendment (Solid Fuel Heaters) Regulation 2016'.

The proposed fireplace within the outdoor alfresco area is considered acceptable, subject to conditions.

2.7 Section 7.12 Contributions Plans

Hornsby Shire Council Section 7.12 Contributions Plan 2019-2029 applies to the development as the estimated costs of works is greater than \$100,000. Should the application be approved, an appropriate condition of consent is recommended requiring the payment of a contribution in accordance with the Plan.

3. ENVIRONMENTAL IMPACTS

Section 4.15(1)(b) of the Act requires Council to consider "*the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality*".

3.1 Natural Environment

3.1.1 Tree and Vegetation Preservation

An amended Arboricultural Impact Assessment Report (AIA) prepared by Jacksons Nature Works, dated 7 May 2024 was submitted with the proposal as well as a Tree Risk Assessment Report prepared by Arboricultural tree Services Pty Ltd, dated September 2023.

The proposed development would necessitate the removal of 12 trees numbered 5, 13, 14, 14a, 14b, 14c, 15, 16, 17, 18, 27 and 35.

Tree 5 (*Eucalyptus pilularis*) is a prominent tree with high landscape significance located behind the existing dwelling. The Tree Risk Assessment Report submitted for this tree included a detailed investigation to assess its structural defects by undertaking aerial Tomograph testing, Resitograph testing and Electrical Resitograph Testing. The report concludes that the tree has a short useful life expectancy with the tree colonised by unidentified pathogenic wood decay fungi and the tree is now predisposed to branch failure due to altered wind damping effects. The report recommends the tree be prioritised for removal with the residual risk being high and it be replaced by 3x 75L same Genus species trees.

Council's tree assessment reviewed the submitted documentation and concurs with the recommendations of the report and supports the removal of Tree 5. Council in this instance has not recommended redesign of the alterations and additions to retain this tree as the tree is at risk of failure. Further, it is noted that Tree 5 has had significant pruning of the canopy over time and a development application has been approved for alterations and additions at the adjoining property No. 5 Chorley Avenue further impacting the health of tree 5. Retention of this tree is not considered viable in this instance and replacement planting is therefore recommended. The landscape plan submitted indicates replacement planting and includes 1x *Eucalyptus pilularis* (Blackbutt tree) with a 75 litre pot size. A condition is recommended to ensure the Landscape Plan is amended prior to issue of the construction certificate requiring two of the proposed tree replacement planting to be upgraded to a 75 litre pot size *Eucalyptus pilularis*. A further condition is recommended ensuring that the landscaping is completed in accordance with the approved Landscape Plans.

Tree 13 (*Jacaranda mimosifolia*), Tree 14 (*Callistemon viminalis*) and Tree 14A (*Nerium oleander*) are of low retention value and Trees 14b & 14c (*Elaeocarpus eumundi*) are semi mature of good retention value. These trees are located within close proximity to the proposed masonry sandstone wall and would require removal. Council raises no concerns with the removal of these trees, subject to replacement planting.

Tree 15 (*Triadica sebiferum*), Tree 16 (*Elaeocarpus eumundi*) and Tree 35 (*Camellia japonica*) are located within the proposed building footprint and require removal. Trees 17, 18 and 27 would require removal for the driveway widening. No concerns are raised with the removal of these trees, subject to replacement planting.

Trees numbered 1, 2, 3, 4, 6, 7, 8, 9, 10, 11, 12, 19, 20, 21, 22, 23, 24, 25, 26, 26a, 26b, 26c, 26d, 26e, 26f, 26g, 26h, 26i, 26j, 26k, 28, 29, 30, 31, 32, 33, 34, 36 would be retained.

The submitted AIA indicates that Tree 26f would require removal. However, Council's Tree Management Team considers that this tree can be retained.

It is noted that the application includes a Landscape Plan that includes 89 trees that are capable of growing more than 3 metres high which compensates for the removal of the 12 trees, and over time would establish a landscape canopy.

The proposal meets the prescriptive measures of Part 1B.6.1 Tree Preservation of the HDCP and is considered acceptable, subject to conditions.

3.1.2 Stormwater Management

The proposed development would be connected to Council's street drainage system. The application is supported by stormwater concept plans prepared by ACOR consultants which included a below ground rainwater reuse tank with a capacity of 22,500 Litres and a basement pump out tank.

Council's engineering assessment raised no objections to the proposed stormwater management system, subject to recommended conditions of consent.

3.2 Built Environment

3.2.1 Built Form

The built form would not be highly visible from the street and would be screened by existing landscaping/ trees. The proposal would be consistent with residential development within the locality and HCA.

3.2.2 Traffic

The proposal is for a single dwelling, and it would not intensify traffic generation.

3.3 Social Impacts

The alterations and additions to a dwelling house result in a positive social contribution by providing for the housing needs of the community within a low-density residential environment.

3.4 Economic Impacts

The alterations and additions to a dwelling house would not have any detrimental economic impact upon the locality.

4. SITE SUITABILITY

Section 4.15(1)(c) of the Act requires Council to consider *“the suitability of the site for the development”*.

The site is considered to be capable of accommodating the proposed development. The scale of the proposed development is consistent with the capability of the site and is considered acceptable.

5. PUBLIC PARTICIPATION



Section 4.15(1)(d) of the Act requires Council to consider *“any submissions made in accordance with this Act”*.

5.1 Community Consultation

The proposed development was placed on public exhibition and was notified to adjoining and nearby landowners between 8 February 2024 and 29 February 2024 in accordance with the Hornsby Community Engagement Plan. During this period, Council received seven submissions. The map below illustrates the location of those nearby landowners who made a submission that are in close proximity to the development site.



NOTIFICATION PLAN

<ul style="list-style-type: none"> • PROPERTIES NOTIFIED 	<ul style="list-style-type: none"> X SUBMISSIONS RECEIVED 	 PROPERTY SUBJECT OF DEVELOPMENT	
<p>3 submissions were received out of map range</p>			

Five submissions objected to the development, generally on the grounds that the development would result in:

- Unacceptable traffic on local streets.
- Development does not comply with the floor area control.
- Development that is excessive in bulk and scale.
- Impact of construction vehicles and damage to the road and nearby driveways.
- Unacceptable noise from construction and extensive excavation.
- Safety concerns and obstruction resulting from the parking of workers' vehicles.
- Damage to neighbouring dwellings from vibrations.
- Unacceptable dust and debris emanating from property.
- Tree Impacts and removal of significant trees.
- Unacceptable overshadowing of adjoining properties.

- Unacceptable non-compliant building height.
- Unacceptable non-compliant roof pitch not in keeping with the area.
- Concerns regarding reinforcement of the propped wall.
- Unacceptable privacy impacts.
- Unacceptable views from adjoining properties.

Two submissions supported, the development and made the following observations:

- The development would enhance the neighbourhood and increase property values in the area.
- The proposed design for the large house is sympathetic to the old-style architecture, ensuring that it complements and enhances the surrounding heritage landscape.
- By preserving the integrity of the existing heritage elements, this development will help maintain the unique character and charm of our neighbourhood for generations to come.
- The design of the new house reflects careful consideration of architectural styles, materials, and detailing, showcasing a high level of craftsmanship and attention to detail.
- The addition of a well-maintained older property will elevate the appeal of the area.
- In addition to its cultural significance, the development will generate economic benefits for our community by creating employment opportunities during construction and supporting local businesses in the area.
- It will serve as a focal point of pride for residents of Cheltenham and visitors alike, fostering a sense of place and identity within our neighbourhood.
- The development would provide an increase in much needed services in the locality.

The merits of the matters raised in community submissions have been addressed in the body of the report with the exception of the following:

5.1.1 Construction Management

Submissions have been received raising concerns regarding movement of construction vehicles, damage to the road and driveways, delivery of materials, safety issues as a result of construction work vehicles, noise impacts from construction and excavation and dust/debris emanating from the site.

Comment: It is noted that a construction management plan (CMP) has been submitted with the development application which includes measures to manage and reduce potential amenity, traffic and environmental impacts associated with demolition and construction works on the site. Conditions are recommended Attachment 1 to ensure compliance with the CMP.

5.1.2 Damage to Adjoining Properties

Submissions were received raising concerns regarding damage to adjoining properties.

Comment: A condition of consent is recommended requiring a Dilapidation Report to be prepared prior to the commencement of any works on site to record the condition of adjoining properties and public land. Any damage caused to adjoining properties is a Civil matter between the involved parties.

5.1.3 Tree Preservation

A submission was received requesting pruning of tree 19 and removal of trees 2, 3, 4 and 21 as the trees have caused damage to the adjoining property at No. 11 Chorley Avenue and are dangerous.

Comment: As outlined in Part 3.31 of this report, Trees 2, 3, 4, 19 and 21 are proposed to be retained as they would not be impacted by the development. The subject application can only consider tree removal in relation to the development proposed. A separate tree application can be lodged with Council to remove and prune trees.

5.1.4 Boundary Fencing

Submissions were received raising concerns with respect to the proposed boundary fencing and masonry wall.

Comment: The exact location, design and costing for the erection of boundary fencing are to be the subject of negotiation and agreement between the relevant property owners in accordance with the relevant requirements of the *Dividing Fences Act 1991*.

5.1.5 Sunlight Access

A submission was received raising concerns with respect to sunlight access of the adjoining property No. 5 Chorley Avenue.

Comment: It is noted that the prescriptive measures of Part 3.1.5 Sunlight access of HDCP state that “on 22 June, 50 percent of the required principal private open space on any adjoining property should receive 3 hours of unobstructed sunlight access between 9am and 3pm”.

An assessment of the shadow diagrams provided by the applicant illustrate that the subject site and the southern adjacent neighbours, including No. 5 Chorley Avenue would receive at least 3 hours of unobstructed sunlight access to 50 per cent of their private open space between 9am and 3pm on the day of the winter solstice.

It is further noted that the shadow diagrams depict sunlight access during the winter season where the sun is lowest in the sky and a higher degree of overshadowing would result.

During the other seasonal cycles of the year, a higher degree of sunlight access would be achieved in comparison to what is depicted on the submitted shadow diagrams.

The proposal meets the desired outcomes of Part 3.1.5 Sunlight Access of the HDCP and is considered acceptable.

5.1.6 Views

A submission was received regarding the proposed dwelling resulting in blocking of the adjoining properties views of the bushland.

Comment: The prescriptive measures of Part 3.1.5 Design Details of HDCP state that “development should allow for the reasonable sharing of significant views, including water views and iconic views”. It is noted that no significant view would be inhibited.

5.1.7 Geotechnical Report

A submission was received regarding the outcomes of the geotechnical report and how these recommendations would be applied.

Comment: The Geotechnical Report prepared by JK Geotechnics dated 27 June 2023 is considered acceptable and has been prepared by a suitably qualified consultant. Conditions of consent have been recommended requiring compliance with the geotechnical report recommendations when preparing construction drawings and during construction.

5.2 Public Agencies

The development application was not required to be referred to any Public Agencies for comment.

6. THE PUBLIC INTEREST

Section 4.15(1)(e) of the Act requires Council to consider "*the public interest*".

The public interest is an overarching requirement, which includes the consideration of the matters discussed in this report. Implicit to the public interest is the achievement of future built outcomes adequately responding to and respecting the future desired outcomes expressed in environmental planning instruments and development control plans.

The application is considered to have satisfactorily addressed Council's and relevant agencies' criteria and would provide a development outcome that, on balance, would result in a positive impact for the community. Accordingly, it is considered that the approval of the proposed development would be in the public interest.

CONCLUSION

The application proposes alterations and additions to a dwelling house.

The development generally meets the desired outcomes of Council's planning controls and is satisfactory having regard to the matters for consideration under Section 4.15 of the *Environmental Planning and Assessment Act 1979*.

Council received seven submissions during the public notification period. The matters raised have been addressed in the body of the report.

Having regard to the circumstances of the case, approval of the application is recommended.

The reasons for this decision are:

- The request under Clause 4.6 of Hornsby Local Environmental Plan 2013 to contravene the 'Height of Buildings' development standard is well founded. Strict compliance with the development standard is considered unreasonable and unnecessary in the circumstances of the case and sufficient environmental planning grounds have been submitted to justify the contravention to the development standard.
- The proposed development generally complies with the requirements of the relevant environmental planning instruments and the Hornsby Development Control Plan 2013.
- The proposed development does not create unreasonable environmental impacts to adjoining development with regard to visual bulk, solar access, amenity or privacy.





Note: At the time of the completion of this planning report, no persons have made a Political Donations Disclosure Statement pursuant to Section 10.4 of the Environmental Planning and Assessment Act 1979 in respect of the subject planning application.

CASSANDRA WILLIAMS
Major Development Manager - Development
Assessments
Planning and Compliance Division

ROD PICKLES
Manager - Development Assessments
Planning and Compliance Division

ITEM 1

Attachments:

1.  Draft Conditions of Consent
2.  Clause 4.6
3.  Architectural Plans
4.  Landscape Plan

File Reference: DA/1443/2023/PUBLICACCESS
Document Number: D08886671

DRAFT CONDITIONS OF CONSENT

GENERAL CONDITIONS

Condition				
1. Approved Plans and Supporting Documentation				
<p>The development must be carried out in accordance with the plans and documentation listed below and endorsed with Council's stamp, except where amended by Council and/or other conditions of this consent:</p> <p><u>Approved Plans</u></p>				
Plan No./ Issue	Plan Title	Drawn by	Dated	Council Reference
DA-0400 E	Site Plan	David White Architects Pty Ltd	22/05/2024	
DA-1100 D	Ground Floor - Proposed	David White Architects Pty Ltd	22/05/2024	
DA-1101 A	Upper Floor Plan - Proposed	David White Architects Pty Ltd	22/12/2023	
DA-1102 A	Basement Floor Plan - Proposed	David White Architects Pty Ltd	22/12/2023	
DA-9046 A	Basement Garage Manoeuvring Diagram	David White Architects Pty Ltd	13/05/204	
DA-1103 A	Roof Plan - Proposed	David White Architects Pty Ltd	22/12/2023	
DA-1200 A	North & West Elevations - Proposed	David White Architects Pty Ltd	22/12/2023	
DA-1201 A	South & East Elevations - Proposed	David White Architects Pty Ltd	22/12/2023	
DA-1202 A	Fence Elevations; Existing & Proposed	David White Architects Pty Ltd	22/12/2023	
DA-1300 A	Sections A & B	David White Architects Pty Ltd	22/12/2023	
DA-1301 C	Sections C & D	David White Architects Pty Ltd	13/05/2023	
DA-1700 A	Finishes Schedule	David White Architects Pty Ltd	22/12/2023	
DA-9000 C	Tree Analysis Drawing	David White Architects Pty Ltd	22/05/2024	
LP-01-B B	Landscape Plan	Selena Hannan Landscape Design	22/04/2024	
C5 B	Erosion and Sediment Control Plan	ACOR consultants (CC) Pty Ltd	21/12/2023	

Supporting Documentation

Document Title	Prepared by	Dated	Council Reference
Survey Plan Dwg No. 65476001A	Hill & Blume Consulting Surveyors	05/04/2023	D08795117
Construction Traffic Management & Erosion & Sediment Control Plans Sheets M1-M13 Issue B	Hydracor Consulting Engineers Pty Ltd	17/05/2024	D08884584
Arboricultural Impact Assessment Report	Jacksons Nature Works	7/05/2024	D0880866
Waste Management Plan	David White Architects Pty Ltd	21/12/2023	D08795119
Tree Risk Assessment Report	Arboricultural Tree Services Pty Ltd	September 2023	D08795118
Stormwater Management Plans Sheets C1-C6 Issue B	ACOR consultants (CC) Pty Ltd	21/12/2023	D08795116
Statement of Heritage Impact Issue C	GBA Heritage	21/12/2023	D08795109
Geotechnical Investigation Report Ref: 36078Zrpt	JK Geotechnics	27/06/2023	D08795108
BASIX Certificate No. 1731748S	Bonnefin Consulting Pty Ltd	22/12/2023	D08795105

Reason: To ensure all parties are aware of the approved plans and supporting documentation that apply to the development.

2. Amendment of Plans

1. To comply with Councils requirement in terms of air quality and replacement tree planting, the approved plans are to be amended as follows:
 - a. The approved plans must delete any reference to the proposed fireplace in the rear yard as indicated in red on the approved ground floor plan.
 - b. The approved landscape plan must be amended to include a minimum of 3x *Eucalyptus pilularis* trees with a minimum 75L pot size.
2. These amended plans must be submitted with the application for the Construction Certificate.

Reason: To require minor amendments to the approved plans and supporting documentation following assessment of the development.

3. Construction Certificate

1. A Construction Certificate is required to be approved by Council or a Principal Certifier prior to the commencement of any construction works under this consent.
2. A separate approval must be obtained from Council for all works within the public road reserve under *S138 of the Roads Act 1993*.
3. The Construction Certificate plans must be consistent with the Development Consent plans.

Reason: To ensure that detailed construction certificate plans are consistent with the approved plans and supporting documentation.

4. Section 7.12 Development Contributions

1. In accordance with Section 4.17(1) of the *Environmental Planning and Assessment Act 1979* and the Hornsby Shire Council Section 7.12 Development Contributions Plan 2019-2029, \$95,876.70 must be paid towards the provision, extension or augmentation of public amenities or public services, based on development costs of \$ 9,587,673.
2. The value of this contribution is current as of 28 May 2024. If the contributions are not paid within the financial quarter that this consent is granted, the contributions payable will be adjusted in accordance with the provisions of the Hornsby Shire Council Section 7.12 Development Contributions Plan and the amount payable will be calculated at the time of payment in the following manner:

$$\text{\$C}_{PY} = \frac{\text{\$C}_{DC} \times \text{CPI}_{PY}}{\text{CPI}_{DC}}$$

Where:

\\$C_{PY} is the amount of the contribution at the date of Payment

\\$C_{DC} is the amount of the contribution as set out in this Development Consent

CPI_{PY} is the latest release of the Consumer Price Index (Sydney - All Groups) at the date of Payment as published by the ABS.

CPI_{DC} is the Consumer Price Index (Sydney - All Groups) for the financial quarter at the date of this Development Consent.

3. The monetary contributions shall be paid to Council:
 - a. Prior to the issue of the Subdivision Certificate where the development is for subdivision; or
 - b. Prior to the issue of the first Construction Certificate where the development is for building work; or
 - c. Prior to issue of the Subdivision Certificate or first Construction Certificate, whichever occurs first, where the development involves both subdivision and building work; or
 - d. Prior to the works commencing where the development does not require a Construction Certificate or Subdivision Certificate.

Note: Should the cost of works increase at Construction Certificate stage, a revised contribution amount will be calculated in accordance with the Hornsby Shire Council Section 7.12 Development Contributions Plan.

Note: It is the professional responsibility of the Principal Certifier to ensure that the monetary contributions have been paid to Council in accordance with the above timeframes.

Note: In accordance with Ministerial Directions, the payment of contribution fees for development with a cost of works of over \$10 million can be deferred to prior to Occupation Certificate.

Note: The Hornsby Shire Council Section 7.12 Development Contributions Plan may be viewed at www.hornsby.nsw.gov.au or a copy may be inspected at Council's Administration Centre during normal business hours.

Note: To arrange a Payment Advice for the monetary contributions, please contact Council's Customer Service Team on 9847 6666.

Reason: To address the increased demand for community infrastructure resulting from the approved

<i>development.</i>	
<p>5. Removal of Trees</p> <p>1. This development consent permits the removal of trees numbered 5, 13, 14, 14a, 14b, 14c, 15, 16, 17, 18, 27 and 35 as identified on page 35 contained in the Arboricultural Impact Assessment prepared by Jacksons Nature Works dated 7/05/2024 (D08880866).</p> <p>2. No consent is granted for the removal of trees numbered 1, 2, 3, 4, 6, 7, 8, 9, 10, 11, 12, 19, 20, 21, 22, 23, 24, 25, 26, 26a, 26b, 26c, 26d, 26e, 26f, 26g, 26h, 26i, 26j, 26k, 28, 29, 30, 31, 32, 33, 34 and 36 as these trees contribute to the established landscape amenity of the area/streetscape.</p> <p><i>Note: The removal of any other trees from the site requires separate approval by Council in accordance with Part 1B.6 Tree and Vegetation Preservation of the Hornsby Development Control Plan, 2013.</i></p> <p><i>Reason: To identify only those trees permitted to be removed.</i></p>	
<p>6. Retaining Walls</p> <p>To ensure the stability of the site, structural details of all required retaining walls must be submitted with the application of the Construction Certificate.</p> <p><i>Reason: To ensure the stability of the site and adjoining properties.</i></p>	
<p>7. Domestic Solid Fuel Burning Appliances (For outdoor living area)</p> <p>1. The fire place and chimney/flue must be installed accordance with the requirements of Part 12.4 National Construction Code - Building Code of Australia.</p> <p>2. The domestic solid-fuel heater must comply with the Protection of the Environment Operations (Clean Air) Regulation 2021 and Australian Standard AS4013 Domestic solid fuel burning appliances - Method for determination of flue gas emission.</p> <p><i>Reason: To ensure compliance with appropriate environmental standards to maintain air quality.</i></p>	

**BUILDING WORK
BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE**

Condition	
<p>8. Building Code of Australia</p> <p>Detailed plans, specifications and supporting information is required to be submitted to the certifying authority detailing how the proposed building work achieves compliance with the National Construction Code - Building Code of Australia. All building work must be carried out in accordance with the requirements of the National Construction Code - Building Code of Australia.</p> <p><i>Reason: Prescribed condition - EP&A Regulation section 69(1).</i></p>	
<p>9. Notification of Home Building Act 1989 Requirements</p> <p>Residential building work within the meaning of the <i>Home Building Act 1989</i> must not be carried out unless the Principal Certifier for the development to which the work relates (not being Council) has</p>	

<p>given Council written notice of the following information:</p> <ol style="list-style-type: none"> 1. In the case of work for which a principal contractor is required to be appointed: <ol style="list-style-type: none"> a. The name and licence number of the principal contractor; and b. The name of the insurer by which the work is insured under Part 6 of that Act. 2. In the case of work to be done by an owner-builder: <ol style="list-style-type: none"> a. The name of the owner-builder; and b. If the owner-builder is required to hold an owner-builder's permit under that Act, the number of the owner-builder's permit. <p><i>Note: If arrangements for doing the residential building work are changed while the work is in progress so that the information notified becomes out of date, further work must not be carried out unless the Principal Certifier for the development to which the work relates (not being Council) has given Council written notification of the updated information.</i></p> <p><i>Reason: Prescribed condition EP&A Regulation section 71(2) and (3).</i></p>	
10.	<p>Contract of Insurance (Residential Building Work)</p> <p>Where residential building work for which the <i>Home Building Act 1989</i> requires there to be a contract of insurance in force in accordance with Part 6 of that Act, this contract of insurance must be in force before any building work authorised to be carried out by the consent commences.</p> <p><i>Reason: Prescribed condition EP&A Regulation section 69(2).</i></p>
11.	<p>Sydney Water Building Plan Approval</p> <p>The plans must be approved by Sydney Water prior to demolition, excavation or construction works commencing. This allows Sydney Water to determine if sewer, water or stormwater mains or easements will be affected by any part of your development. Any amendments to plans will require re-approval. Please go to Sydney Water Tap in® to apply.</p> <p><i>Note: Sydney Water recommends developers apply for a Building Plan Approval early as to reduce unnecessary delays to further referrals or development timescales.</i></p> <p><i>Reason: To ensure the development complies with the requirements of Sydney Water.</i></p>
12.	<p>Appointment of a Project Geotechnical Engineer</p> <p>An appropriately qualified Geotechnical Engineer shall be appointed to ensure that the stability of the land and construction is undertaken generally in accordance with the recommendations of the Geotechnical Report Ref: 36078Zrpt prepared by JK Geotechnics dated 27 June 2023.</p> <p><i>Reason: to ensure the stability of the site.</i></p>
13.	<p>Stormwater Drainage - Dwellings</p> <p>The stormwater drainage system for the development must be designed for an average recurrence interval (ARI) of 20 years and be gravity drained in accordance with the following requirements:</p> <ol style="list-style-type: none"> 1. Roof water must be connected to a rainwater tank in accordance with the approved BASIX Certificate requirements. 2. The overflow from the rainwater tank and collected surface water must be disposed of in accordance with AUS-SPEC Specifications (www.hornsby.nsw.gov.au/property/build/aus-spec).

terms-and-conditions) and the following requirements:

- a. Connected directly to Council's street drainage system.
- b. The stormwater drainage system must be designed by a qualified hydraulic engineer.

Reason: To ensure appropriate provision for management and disposal of stormwater.

14. Internal Driveway/Vehicular Areas

The driveway and parking areas on site must be designed, constructed and a Construction Certificate issued in accordance with Australian Standards AS2890.1, AS2890.2, AS3727 and the following requirements:

1. The driveway shall be all weather standard.
2. Any structure including eaves gutters encroaching over the access driveway shall be removed.
3. The maximum grade shall not exceed 1 in 4 (25%) with the maximum changes of grade of 1 in 8 (12.5%) for summit grades and 1 in 6.7 (15%) for sag grades. Any transition grades shall have a minimum length of 2 metres.

Reason: To provide safe vehicle and pedestrian access.

15. Appointment of a Project Arborist

To ensure the trees that must be retained are protected, a project arborist with AQF Level 5 qualifications must be appointed to assist in ensuring compliance with the conditions of consent and provide monitoring reports as specified by the conditions of consent.

Details of the appointed project arborist must be submitted to Council and the PCA with the application for the construction certificate/subdivision works certificate.

Reason: To ensure appropriate monitoring of tree(s) to be retained.

16. Dilapidation Report

1. Prior to the commencement of any works on site, the applicant must submit for approval by the Principal Certifier (with a copy forwarded to Council) a 'Dilapidation Report' detailing the structural condition of the adjoining properties:
 - a. Lot 132 DP 12364, No. 5 Chorley Avenue, Cheltenham
 - b. Lot 129 DP 12364, No. 11 Chorley Avenue, Cheltenham
 - c. Lot 128 DP 12364, No. 15 Chorley Avenue, Cheltenham
 - d. Lot 127 DP 12364, No. 17 Chorley Avenue, Cheltenham
 - e. Lot 106 DP 12364, No. 26 Sutherland Road, Cheltenham
 - f. Lot 105 DP 12364, No. 24 Sutherland Road, Cheltenham
2. The report must include a dilapidation report detailing the condition of the surrounding roadways, including but not limited to the following:
 - a. Chorley Avenue,
 - b. Cheltenham Road, and
 - c. Sutherland Road.
3. The report must include a photographic survey of the adjoining properties detailing their

physical condition, both internally and externally, including such items as walls, ceilings, roof, structural members, and other similar items. The report must be completed by a chartered structural/geotechnical engineer. A copy of the dilapidation report must be submitted to Council.

4. In the event access to adjoining allotments for the completion of a dilapidation survey is denied, the applicant must demonstrate in writing that all reasonable steps have been taken to advise the adjoining allotment owners of the benefit of this survey and details of failure to gain consent for access to the satisfaction of the Principal Certifier.

Note: This documentation is for record keeping purposes only and can be made available to an applicant or affected property owner should it be requested to resolve any dispute over damage to adjoining properties arising from works. It is in the applicant's and adjoining owner's interest for it to be as detailed as possible.

Reason: To record the condition of adjoining properties and public land to resolve any dispute over damage from works.

17. Construction Management Plan

To assist in the protection of the public, the environment and Council's assets, a separate Construction Management Plan must be prepared by a suitably qualified environmental consultant in consultation with a qualified traffic engineer and AQF 5 arborist and submitted to Council's Compliance Team via Council's Online Services Portal for review and written approval.

The Construction Management Plan (CMP) must include the following details:

1. Description of the works
 - a. A description of the scope of works for all stages of development.
 - b. Site plans for all stages of works including the location of site sheds, concrete pump, and crane locations, unloading, and loading areas, waste and storage areas, existing survey marks, vehicle entry, surrounding pedestrian footpaths and hoarding (fencing) locations.
 - c. The CTMP plans shall be in accordance with all other plans submitted to Council as part of this development proposal.
 - d. A statement confirming that no building materials, work sheds, vehicles, machines, or the like shall be allowed to remain in the road reserve area without the written consent of Hornsby Shire Council.
 - e. If there is a requirement to obtain a Work Zone, Out of Hours permit, partial Road Closure or Crane Permit, the Plan must detail these requirements and include a statement that an application to Hornsby Shire Council will be made to obtain such a permit.
 - f. The Plan must state that the applicant and all employees of contractors on the site must obey any direction or notice from the Prescribed Certifying Authority or Hornsby Shire Council in order to ensure the above.
 - g. The CMP must detail all responsible parties ensuring compliance with the document and include the contact information for developers, builder, Principal Certifier, and any emergency details during and outside work hours.
2. A Construction Traffic Management Plan (CTMP) including the following:
 - a. The order of construction works and arrangement of all construction machines and vehicles

- being used during all stages.
- b. The CTMP plans shall be in accordance with all other plans submitted to Council as part of this development proposal.
 - c. The Plan shall be in compliance with the requirements of the Roads and Maritime Services Traffic control at work sites Manual 2018 and detail:
 - i. Public notification of proposed works.
 - ii. Long term signage requirements.
 - iii. Short term (during actual works) signage.
 - iv. Vehicle Movement Plans, where applicable.
 - v. Traffic Management Plans.
 - vi. Pedestrian and Cyclist access and safety.
 - d. Traffic controls including those used during non-working hours. Pedestrian access and two-way traffic in the public road must be able to be facilitated at all times.
 - e. Details of parking arrangements for all employees and contractors, including layover areas for large trucks during all stages of works. The parking or stopping of truck and dog vehicles associated with the development will not be permitted other than on the site and the plan must demonstrate this will be achieved.
 - f. Proposed truck routes to and from the site including details of the frequency of truck movements for all stages of the development.
 - g. Swept path analysis for ingress and egress of the site for all stages of works.
 - h. The total quantity and size of trucks for exportation of fill on site throughout all stages of works, and a breakdown of total quantities of trucks for each stage of works.
 - i. The number of weeks trucks will be accessing and leaving the site with excavated fill material.
 - j. The maximum number of trucks travelling to and from the site on any given day for each stage of works. Consideration should be given to the amenity of the local area, and the maximum number of trucks per day should be limited to cause the least disturbance.
 - k. The maximum number of truck movements on any given day during peak commuting periods for all stages of works. Consideration should be given to the local area, and trucks should be scheduled to avoid peak commuting periods.
 - l. If there is a requirement to obtain a Work Zone, Out of Hours permit, partial Road Closure or Crane Permit, the Plan must detail these requirements and include a statement that an application to Hornsby Shire Council will be made to obtain such a permit.
3. A Construction Waste Management Plan detailing the following:
- a. A table of information detailing cut and in-situ fill calculations for all stages for works. The table must include specified dimensions (WxLxD) and total cubic metres.
 - b. Details of the importation or excavation of soil and fill, the classification of the fill, disposal methods and authorised disposal depots that will be used for the fill.
 - c. A scaled site plan including levels of the extent of cut and fill on the site, forming part of the proposed development.

- d. Asbestos management requirement and procedures for removal and disposal from the site in accordance with AS 2601-2001 - 'The Demolition of Structures', and the Protection of the Environment Operations (Waste) Regulation 2005.
- e. General demolition & construction waste details including waste skip bin locations and litter management for workers.
4. A Tree Protection Plan (TPP) prepared by an AQF 5 Arborist in accordance with any approved Arboricultural Impact Assessment and tree location plans, detailing the following:
 - a. A site plan showing tree protection zones (TPZ) and structural root zones (SRZ) of trees to be retained and specific details of tree protection measures inclusive of distances (in metres) measured from tree trunks.
 - b. Construction methodology to avoid damage to trees proposed to be retained during construction works.
 - c. Specifications on tree protection materials used and methods within the TPZ or SRZ.
 - d. Location of dedicated material storage space on site outside of TPZ's and SRZ's for retained trees.
5. A Construction Noise and Vibration Management Plan (CNMP) which includes:
 - a. Existing noise and vibration levels within the proximity of the proposed development site.
 - b. Details of the extent of rock breaking or rock sawing works forming part of the proposed development works.
 - c. The maximum level of noise and vibration predicted to be emitted during each stage of construction.
 - d. The duration of each stage of works where the maximum level of noise and vibration are predicted to be emitted for.
 - e. Details of mitigation measures, inclusive of respite periods, that will meet acoustic standards and guidelines at each stage of works.
 - f. Details of a complaints handling process for the surrounding neighbourhood for each stage of works.
6. An Erosion and Sediment Control Plan (ESCP) that describes all erosion and sediment controls to be implemented in accordance with the publication Managing Urban Stormwater: Soils & Construction (4th Edition), which includes:
 - a. A site survey which identifies contours and approximate grades and the direction(s) of fall.
 - b. Locality of site and allotment boundaries.
 - c. Location of adjoining road(s) and all impervious surfaces.
 - d. Location of site access and stabilisation of site access.
 - e. Provision for the diversion of run off around disturbed areas.
 - f. Location of material stockpiles.
 - g. Proposed site rehabilitation and landscaping; staging of construction works.
 - h. Maintenance program for erosion and sediment control measures.
 - i. Provide a plan of how all construction works will be managed in a wet-weather events (i.e.

<p style="text-align: center;">storage of equipment, stabilisation of the Site)</p> <ol style="list-style-type: none"> 7. A de-watering plan that describes all controls to be implemented for the disposal of water that accumulates within any site excavation areas. 8. The CMP must detail all responsible parties ensuring compliance with the document and include the contact information for developers, builder, Principal Certifier, and any emergency details during and outside work hours. <p><i>Note: The CMP must be lodged via Council's Online Services Portal at: https://hornsbyprd-pwy-epw.cloud.infor.com/ePathway/Production/Web/Default.aspx and by selecting the following menu options: Applications > New Applications > Under 'Application Types': Management Plans.</i></p> <p><i>Reason: To document construction measures to protect the public and the surrounding environment.</i></p>
--

BEFORE BUILDING WORK COMMENCES

Condition
<p>18. Site Sign</p> <ol style="list-style-type: none"> 1. A sign must be erected in a prominent position on any site on which any approved work involving excavation, erection or demolition of a building is being carried out detailing: <ol style="list-style-type: none"> a. The name, address, and telephone number of the Principal Certifier. b. the name of the principal contractor (if any) for any demolition or building work and a telephone number on which that person may be contacted outside working hours; and c. Unauthorised entry to the work site is prohibited. 2. The sign must be maintained during excavation, demolition and building work is being carried out and must be removed when the work has been completed. <p><i>Reason: Prescribed condition EP&A Regulation, section 70(2) and (3).</i></p>
<p>19. Protection of Adjoining Areas</p> <p>A temporary hoarding, fence or awning must be erected between the work site and adjoining lands before the works begin and must be kept in place until after the completion of the works if the works:</p> <ol style="list-style-type: none"> 1. Could cause a danger, obstruction, or inconvenience to pedestrian or vehicular traffic. 2. Could cause damage to adjoining lands by falling objects; and/or 3. Involve the enclosure of a public place or part of a public place; and/or 4. Have been identified as requiring a temporary hoarding, fence, or awning within the Council approved Construction Management Plan (CMP). <p><i>Note: Notwithstanding the above, Council's separate written approval is required prior to the erection of any structure or other obstruction on public land.</i></p> <p><i>Reason: To ensure public safety and protection of adjoining land.</i></p>
<p>20. Toilet Facilities</p> <ol style="list-style-type: none"> 1. To provide a safe and hygienic workplace, toilet facilities must be available or be installed at the

<p>works site before works begin and must be maintained until the works are completed at a ratio of one toilet for every 20 persons employed at the site.</p> <ol style="list-style-type: none"> 2. Each toilet must: <ol style="list-style-type: none"> a. Be a standard flushing toilet connected to a public sewer; or b. Be a temporary chemical closet approved under the <i>Local Government Act 1993</i>; or c. Have an on-site effluent disposal system approved under the <i>Local Government Act 1993</i>. <p><i>Reason: To ensure adequate toilet facilities are provided.</i></p>
<p>21. Erosion and Sediment Control Measures</p> <p>Install and maintain adequate sediment and erosion control measures for the duration of all works, until such a time that sediment, sediment laden water or any other material/substance can no longer migrate from the premises. The measures are to be installed and maintained in such a manner as to prevent sediment, sediment-laden water, or any other materials and substances migrating from the site onto neighbouring land, the roadway, waters and/or into the stormwater system, and in accordance with:</p> <ol style="list-style-type: none"> 1. The publication <i>Managing Urban Stormwater: Soils and Construction 2004</i> (4th edition) - 'The Blue Book'. 2. <i>Protection of the Environment Operations Act 1997</i>; and 3. The approved plans. <p>Controls are to be monitored and adjusted where required throughout the works to ensure compliance with the above.</p> <p><i>Note: On the spot penalties may be issued for any non-compliance with this requirement without any further notification or warning. If you are unsure how to achieve compliance with this condition during works, you may need to engage the services of a suitably qualified environmental, soil or geotechnical consultant to assist.</i></p> <p><i>Reason: To minimise impacts on the water quality of the downstream environment.</i></p>
<p>22. Garbage Receptacle</p> <p>A garbage receptacle must be provided at the work site before works begin and must be maintained until all works are completed.</p> <ol style="list-style-type: none"> 1. The garbage receptacle must have a tight fitting lid and be suitable for the reception of food scraps and papers. 2. The receptacle lid must be kept closed at all times, other than when garbage is being deposited. 3. Food scraps must be placed in the garbage receptacle and not in demolition and construction waste bins. <p><i>Reason: To maintain the site in a clean condition and protect local amenity.</i></p>
<p>23. Installation of Tree Protection Measures</p> <ol style="list-style-type: none"> 1. Trees to be retained numbered 1, 2, 3, 4, 6, 7, 8, 9, 10, 11, 12, 19, 20, 21, 22, 23, 24, 25, 26, 26a, 26b, 26c, 26d, 26e, 26f, 26g, 26h, 26i, 26j, 26k, 28, 29, 30, 31, 32, 33, 34 and 36 as identified on Annexure C: Tree Impact Plans on page 35 of the Arboricultural Impact Assessment prepared by Jacksons Nature Works dated 7 May 2024 must have tree protection

<p>measures for the ground, trunk and canopy installed by the project arborist as follows:</p> <ol style="list-style-type: none"> a. For the duration of demolition works, in accordance with the Tree Protection Plan on page 51 of the Arboricultural Impact Assessment prepared by Jacksons Nature Works dated 7 May 2024. b. For the duration of construction works, in accordance with the Tree Protection Plan on page 51 of the Arboricultural Impact Assessment prepared by Jacksons Nature Works dated 7 May 2024. <ol style="list-style-type: none"> 2. Tree protection fencing for the trees to be retained must be installed by the engaged AQF 5 project arborist and consist of 1.8m high temporary fencing panels installed in accordance with Australian Standard AS4687-2007 Temporary fencing and hoardings. 3. The installation of all required tree protection fencing must include shade cloth attached to the fencing to reduce transport of dust, particulates, and liquids from entering the tree protection zone. <p><i>Reason: To minimise impacts on the water quality of the downstream environment.</i></p>
--

DURING BUILDING WORK

Condition
<p>24. Hours of Work</p> <ol style="list-style-type: none"> 1. All work on site (including remediation, demolition, construction, earth works and removal of vegetation), must only occur between 7am and 5pm Monday to Saturday. 2. No work is to be undertaken on Sundays or public holidays. <p><i>Reason: To protect the amenity of neighbouring properties.</i></p>
<p>25. Street Sweeping</p> <p>During works (including remediation, demolition, earth works and construction) and until exposed ground surfaces across the site have been stabilised, street sweeping must be undertaken following sediment tracking from the site.</p> <p>The street cleaning service must utilise a 'scrub and dry' method and be undertaken for the full extent of any sediment tracking.</p> <p><i>Note: The above Item does not permit for sediment and/or any other materials/substances to exit the site in a way that constitutes water pollution as defined in the Protection of the Environment Operations Act 1997 or in a manner that contravenes other conditions in this consent.</i></p> <p><i>Reason: To minimise impacts to the natural environment.</i></p>
<p>26. Council Property</p> <p>To ensure that the public reserve is kept in a clean, tidy, and safe condition during remediation, demolition and construction works, no building materials, waste, machinery, or related matter is to be stored on the road or footpath.</p> <p><i>Reason: To protect public land.</i></p>

<p>27. Disturbance of Existing Site</p> <p>During construction works, the existing ground levels of open space areas and natural landscape features, including natural rock-outcrops, vegetation, soil, and watercourses must not be altered unless otherwise nominated on the approved plans.</p> <p><i>Reason: To protect the natural features of the site.</i></p>
<p>28. Soil Management (Excavation)</p> <p>While site work is being carried out, the Principal Certifier or Council (where a principal certifier is not required) must be satisfied all soil removed from the site is managed in accordance with the following requirements:</p> <ol style="list-style-type: none"> 1. All excavated material removed from the site must be classified in accordance with the EPA's Waste Classification Guidelines before it is disposed of at an approved waste management facility and the classification, and the volume of material removed must be reported to the Principal Certifier or Council (where a principal certifier is not required). 2. Tipping dockets for the total volume of excavated material that are received from the licensed waste management facility must be provided to the Principal Certifier prior to the issue of an Occupation Certificate. <p><i>Reason: To ensure soil removed from the site is appropriately disposed of and soil imported to the site is not contaminated and is safe for future occupants.</i></p>
<p>29. Survey Report</p> <p>A report(s) must be prepared by a registered surveyor and submitted to the Principal Certifier:</p> <ol style="list-style-type: none"> 1. Prior to the pouring of concrete at each level of the building certifying that: <ol style="list-style-type: none"> a. The building, retaining walls and the like have been correctly positioned on the site; and b. The finished floor level(s) are in accordance with the approved plans. <p><i>Reason: To ensure buildings are positioned in the approved location and at the correct height.</i></p>
<p>30. Compliance with Construction Management Plan</p> <p>The Council approved Construction Management Plan (CMP) must be complied with for the duration of works, unless otherwise approved by Council.</p> <p><i>Reason: To ensure implementation of construction measures to protect the public and the surrounding environment.</i></p>
<p>31. Unexpected Finds</p> <p>Should the presence of asbestos or soil contamination, not recognised during the application process be identified during any stage of works, the applicant must immediately notify the Principal Certifier and Council (compliance@hornsby.nsw.gov.au).</p> <p><i>Reason: To ensure the appropriate removal and disposal of contaminated materials.</i></p>
<p>32. De-watering of Excavated Sites</p> <p>Water that accumulates within an excavation must be removed and disposed of in a manner that does not result in the pollution of waters, nuisance to neighbouring properties, or damage to</p>

<p>neighbouring land and/or property.</p> <p><i>Reason: To document the safe removal of water during work to protect the public and the surrounding environment.</i></p>
<p>33. Erosion and Sediment Control</p> <ol style="list-style-type: none"> 1. Works are not to result in the discharge of sediment and or run-off onto the adjoining properties or public land. 2. The person having the benefit of this consent must ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the site. <p><i>Note: On the spot penalties may be issued for any non-compliance with this requirement without any further notification or warning.</i></p> <p><i>Reason: To minimise impacts on neighbouring properties and public land.</i></p>
<p>34. Soil and Water Management (Stockpiles)</p> <ol style="list-style-type: none"> 1. Stockpiles of topsoil, sand, aggregate, soil or other material shall be protected with adequate sediment controls and must not be located on any drainage line or easement, natural watercourse, footpath or roadway. 2. The storage of stockpiled topsoil, sand, aggregate, soil or other materials must not result in the discharge of sediment or run-off onto the adjoining properties or public land. <p><i>Reason: To minimise impacts on the water quality of the downstream environment.</i></p>
<p>35. Storage and Removal of Waste</p> <ol style="list-style-type: none"> 1. All demolition and/or construction waste must be stored in a waste receptacle and be removed from the site at frequent intervals. Materials are to be wholly contained within the waste receptacle and not overflowing. 2. All garbage and recyclable materials generated during work must be stored in a waste receptacle and be removed from the site at frequent intervals. Materials are to be wholly contained within the waste receptacle and not overflowing. <p><i>Reason: To ensure the site is maintained to an appropriate standard cleanliness and prevent any nuisance or danger to health, safety or the environment</i></p>
<p>36. Compliance with Geotechnical requirements</p> <p>The recommendations of the Geotechnical Report Ref: 36078Zrpt prepared by JK Geotechnics dated 27 June 2023 must be complied with during construction, including the following:</p> <ol style="list-style-type: none"> 1. Excavation with hydraulic rock hammers, should commence by providing a vertical saw cut slot along the perimeter of the proposed rock excavation and maintaining the base of the slot at a lower level than the adjoining rock excavation at all times. 2. Quantitative vibration monitoring must be carried out during rock excavation when using rock hammers. 3. The initial footing excavations/drill holes must be inspected by a geotechnical engineer. <p><i>Reason: to ensure the stability of the site.</i></p>

<p>37. Road Opening Permit</p> <p>A road opening permit shall be obtained from the Council to permit a person to dig into Council assets, such as roads, footpaths and nature strips. The applicable fees for the restoration of any public asset by Council shall be at the applicant's full expense.</p> <p><i>Reason: To ensure public infrastructure and property is maintained.</i></p>
<p>38. Prohibited Actions within the Fenced Tree Protection Zone</p> <p>The following activities are prohibited within the approved fenced tree protection zones unless otherwise approved by Council:</p> <ol style="list-style-type: none"> 1. Soil cutting or filling, including excavation and trenching. 2. Soil cultivation, disturbance, or compaction 3. Stockpiling storage or mixing of materials 4. The parking, storing, washing, and repairing of tools, equipment, and machinery. 5. The disposal of liquids and refuelling 6. The disposal of building materials 7. The siting of offices or sheds 8. Any action leading to the impact on tree health or structure. <p><i>Reason: To protect trees during construction.</i></p>
<p>39. Maintaining the Health of Trees Approved for Retention</p> <p>The appointed project arborist must monitor and record any and all necessary actions required to maintain tree health and condition for trees to be retained on the approved plans.</p> <p><i>Reason: To ensure appropriate monitoring of tree(s) to be retained.</i></p>
<p>40. Maintaining Tree Protection Measures</p> <p>Tree Protection Measures must be maintained by the project arborist for the duration of works.</p> <p><i>Reason: To protect trees during construction.</i></p>
<p>41. Approved Works within Tree Protection Zone incursions</p> <ol style="list-style-type: none"> 1. Where tree root pruning is required for the installation of piers, driveway or underground services, the pruning must be overseen by the AQF 5 project arborist and must be undertaken as follows: <ol style="list-style-type: none"> a. Using sharp secateurs, pruners, handsaws, or chainsaws with the final cut being clean. b. The maximum diameter of roots permitted to be cut is 30 mm. 2. The replacement driveway must be constructed using the following process: <ol style="list-style-type: none"> a. Demolition must be done manually using small plant machinery only, no larger than a jackhammer. 3. The new driveway must be constructed using the following process: <ol style="list-style-type: none"> a. To minimise soil compaction the proposed driveway must be built on or above grade

	<p>using sensitive construction techniques.</p> <ul style="list-style-type: none"> b. To minimise soil compaction all imported material in the vicinity of the replacement driveway must be distributed by hand. <p>4. Approved excavations within the Tree Protection Zone of trees to be retained numbered T6 and T34 not associated with installation of services must be undertaken as follows:</p> <ul style="list-style-type: none"> a. Excavations associated with the basement and building footprint and within the Tree Protection Zone of trees numbered T6 and T34 must be overseen by the AQF 5 project arborist for the first 1m undertaken manually to locate roots and allow for pruning in accordance with condition No. 41.1(a)(b). <p>5. No changes of grade within the Tree Protection Zone of trees to be retained on the approved plans, are permitted.</p> <p>6. To minimise impacts within the Tree Protection Zone (TPZ) of trees to be retained on the approved plans, the installation of services must be undertaken as follows:</p> <ul style="list-style-type: none"> a. The AQF 5 project arborist must be present to oversee the installation of any underground services which enter or transect the tree protection. b. The installation of any underground services which either enter or transect the designated TPZ of T6 must utilise directional drilling only. c. The installation of all other underground services which either enter or transect the designated TPZ must be undertaken manually. d. For manually excavated trenches the AQF 5 project arborist must designate roots to be retained. Manual excavation may include the use of pneumatic and hydraulic tools. <p>7. Where scaffolding is required, ground protection must be installed beneath the scaffolding in the following order:</p> <ul style="list-style-type: none"> a. Installation of a 100mm deep layer of woodchip. <p><i>Reason: To protect trees during construction.</i></p>
42.	<p>Building Materials and Site Waste</p> <p>The stockpiling of building materials, the parking of vehicles or plant, the disposal of cement slurry, wastewater or other contaminants must be located outside the tree protection zones as prescribed in the conditions of this consent of any tree to be retained.</p> <p><i>Reason: To protect trees during construction.</i></p>
43.	<p>Waste Management</p> <p>All work must be carried out in accordance with the approved waste management plan.</p> <p><i>Reason: To ensure the management of waste to protect the environment and local amenity during construction.</i></p>

BEFORE ISSUE OF AN OCCUPATION CERTIFICATE

Condition	
44. Fulfilment of BASIX Commitments	<p>The applicant must demonstrate the fulfilment of BASIX commitments pertaining to the development.</p> <p><i>Reason: Prescribed condition under section 75. EP&A Regulation.</i></p>
45. Replacement Tree Requirements and Certification	<ol style="list-style-type: none"> 1. The trees approved for removal under this consent, being trees numbered 5, 13, 14, 14a, 14b, 14c, 15, 16, 17, 18, 27 and 35 are offset through replacement planting of a minimum of 12 trees as detailed on the approved Landscape Plan. 2. The location and size of tree replacement planting must comply with the following: <ol style="list-style-type: none"> a. All replacement trees must be located in either the front or rear setbacks and planted 4 metres or greater from the foundation walls of the approved development. b. The pot size of the replacement trees must be a minimum 45 litres. c. All replacement trees must be a minimum of 3 metres in height. d. All replacement trees must have the potential to reach a mature height greater than 10 metres. 3. A certificate must be submitted to the Principal Certifier by a practicing landscape architect, horticulturalist or person with similar qualifications and experience certifying that all required landscaping works have been satisfactorily completed in accordance with the approved landscape plans. <p><i>Reason: To ensure replacement planting to maintain tree canopy.</i></p>
46. Damage to Council Assets	<p>To protect public property and infrastructure, any damage caused to Council's assets as a result of the construction or demolition of the development must be rectified by the applicant in accordance with AUS-SPEC Specifications (www.hornsby.nsw.gov.au/property/build/aus-spec-terms-and-conditions). Rectification works must be undertaken prior to the issue of an Occupation Certificate, or sooner, as directed by Council.</p> <p><i>Reason: To ensure public infrastructure and property is maintained.</i></p>
47. Construction of Engineering Works	<p>All engineering works identified in this consent are to be completed and a Compliance Certificate issued prior to the release of the Occupation Certificate.</p> <p><i>Reason: To ensure engineering works are completed.</i></p>
48. Final Certification	<p>The AQF 5 Project arborist must submit to the Principal Certifying Authority a certificate that includes the following:</p> <ol style="list-style-type: none"> 1. All tree protection requirements complied with the as approved tree protection plan for the duration of demolition and/or construction works; and

<p>2. All completed works relating to tree protection and maintenance have been carried out in compliance with the conditions of consent and approved plans; and</p> <p>3. Dates, times, and reasons for all site attendance; and</p> <p>4. All works undertaken to maintain the health of retained trees; and</p> <p>5. Details of tree protection zone maintenance for the duration of works.</p> <p><i>Note: Copies of monitoring documentation may be requested throughout the development works.</i></p> <p><i>Reason: To ensure compliance with tree protection commitments.</i></p>
<p>49. Asbestos Clearance Certificate</p> <p>Should any asbestos be encountered during demolition or construction works, a licenced asbestos assessor is required to provide a Clearance Certificate to the Principal Certifier prior to the issue of an Occupation Certificate, certifying that the asbestos has been removed and appropriately disposed of, and the site is now suitable for its approved use.</p> <p><i>Reason: To ensure the appropriate removal and disposal of contaminated materials and the site is suitable for its approved use.</i></p>
<p>50. Retaining Walls</p> <p>All retaining walls must be constructed as part of the development and prior to the issue of an Occupation Certificate.</p> <p><i>Reason: To ensure the stability of the site and adjoining land.</i></p>
<p>51. Submission of Excavated Material Tipping Dockets to Principal Certifier</p> <p>Tipping docket for the total volume of excavated material that are received from the licensed waste facility must be provided to the Principal Certifier prior to the issue of an Occupation Certificate.</p> <p><i>Reason: To confirm appropriate disposal of excavated material.</i></p>
<p>52. Consolidation of Allotments</p> <p>All allotments the subject of this consent must be consolidated into one allotment.</p> <p><i>Note: The applicant is recommended to submit the plan of subdivision to consolidate allotments to the NSW Department of Lands at least 4-6 weeks prior to seeking an occupation certificate.</i></p> <p><i>Reason: To ensure the orderly development of the site.</i></p>
<p>53. Certification from Geotechnical Engineer</p> <p>Prior to the issue of an occupation certificate, a certificate by a qualified geotechnical engineer shall be submitted to the principal certifying authority, certifying that all works have been carried out in accordance with the recommendations in the Geotechnical Report Ref: 36078Zrpt prepared by JK Geotechnics dated 27 June 2023.</p> <p><i>Reason: to ensure the stability of the site.</i></p>

OCCUPATION AND ONGOING USE

Condition	
54. Use of Premises	<p>The development approved under this consent shall be used for a residential dwelling and not for any other purpose without Council's separate written consent.</p> <p><i>Reason: To ensure the use is undertaken with the terms of this consent.</i></p>

**DEMOLITION WORK
BEFORE DEMOLITION WORK COMMENCES**

Condition	
55. Site Sign	<ol style="list-style-type: none"> 1. A sign must be erected in a prominent position on any site on which any approved work involving excavation, erection or demolition of a building is being carried out detailing: <ol style="list-style-type: none"> a. The name, address, and telephone number of the Principal Certifier. b. the name of the principal contractor (if any) for any demolition or building work and a telephone number on which that person may be contacted outside working hours; and c. Unauthorised entry to the work site is prohibited. 2. The sign must be maintained during excavation, demolition and building work is being carried out and must be removed when the work has been completed. <p><i>Reason: Prescribed condition EP&A Regulation, section 70(2) and (3).</i></p>
56. Asbestos Removal Signage	<p>Before demolition work commences involving the removal of asbestos, a standard commercially manufactured sign containing the words 'DANGER: Asbestos removal in progress' (measuring not less than 400mm x 300mm) must be erected in a prominent position at the entry point/s of the site and maintained for the entire duration of the removal of the asbestos.</p> <p><i>Reason: To alert the public to any danger arising from the removal of asbestos.</i></p>
57. Protection of Adjoining Areas	<p>A temporary hoarding, fence or awning must be erected between the work site and adjoining lands before the works begin and must be kept in place until after the completion of the works if the works:</p> <ol style="list-style-type: none"> 1. Could cause a danger, obstruction, or inconvenience to pedestrian or vehicular traffic. 2. Could cause damage to adjoining lands by falling objects; and/or 3. Involve the enclosure of a public place or part of a public place; and/or 4. Have been identified as requiring a temporary hoarding, fence, or awning within the Council approved Construction Management Plan (CMP). <p><i>Note: Notwithstanding the above, Council's separate written approval is required prior to the</i></p>

<p><i>erection of any structure or other obstruction on public land.</i></p> <p><i>Reason: To ensure public safety and protection of adjoining land.</i></p>
<p>58. Notice of Commencement for Demolition</p> <p>At least one week before demolition work commences, written notice must be provided to council and the occupiers of neighbouring premises of the work commencing. The notice must include:</p> <ol style="list-style-type: none"> 1. Name 2. Address, 3. Contact telephone number, 4. Licence type and license number of any demolition waste removal contractor and, if applicable, asbestos removal contractor, 5. The contact telephone number of council and 6. The contact telephone number of SafeWork NSW (4921 2900). <p><i>Note: The written notice to Council can be sent to devmail@hornsby.nsw.gov.au.</i></p> <p><i>Reason: To advise neighbours about the commencement of demolition work and provide contact details for enquiries.</i></p>
<p>59. Toilet Facilities</p> <ol style="list-style-type: none"> 1. To provide a safe and hygienic workplace, toilet facilities must be available or be installed at the works site before works begin and must be maintained until the works are completed at a ratio of one toilet for every 20 persons employed at the site. 2. Each toilet must: <ol style="list-style-type: none"> a. Be a standard flushing toilet connected to a public sewer; or b. Be a temporary chemical closet approved under the <i>Local Government Act 1993</i>; or c. Have an on-site effluent disposal system approved under the <i>Local Government Act 1993</i>. <p><i>Reason: To ensure adequate toilet facilities are provided.</i></p>
<p>60. Erosion and Sediment Control Measures</p> <p>Install and maintain adequate sediment and erosion control measures for the duration of all works, until such a time that sediment, sediment laden water or any other material/substance can no longer migrate from the premises. The measures are to be installed and maintained in such a manner as to prevent sediment, sediment-laden water, or any other materials and substances migrating from the site onto neighbouring land, the roadway, waters and/or into the stormwater system, and in accordance with:</p> <ol style="list-style-type: none"> 1. The publication <i>Managing Urban Stormwater: Soils and Construction 2004</i> (4th edition) - 'The Blue Book'. 2. <i>Protection of the Environment Operations Act 1997</i>; and 3. The approved plans <p>Controls are to be monitored and adjusted where required throughout the works to ensure compliance with the above.</p>

<p><i>Note: On the spot penalties may be issued for any non-compliance with this requirement without any further notification or warning. If you are unsure how to achieve compliance with this condition during works, you may need to engage the services of a suitably qualified environmental, soil or geotechnical consultant to assist.</i></p> <p><i>Reason: To minimise impacts on the water quality of the downstream environment.</i></p>	
<p>61. Garbage Receptacle</p>	<p>A garbage receptacle must be provided at the work site before works begin and must be maintained until all works are completed.</p> <ol style="list-style-type: none"> 1. The garbage receptacle must have a tight-fitting lid and be suitable for the reception of food scraps and papers. 2. The receptacle lid must be kept closed at all times, other than when garbage is being deposited. 3. Food scraps must be placed in the garbage receptacle and not in demolition and construction waste bins. <p><i>Reason: To maintain the site in a clean condition and protect local amenity.</i></p>
<p>62. Installation of Tree Protection Measures</p>	<ol style="list-style-type: none"> 1. Trees to be retained numbered 1, 2, 3, 4, 6, 7, 8, 9, 10, 11, 12, 19, 20, 21, 22, 23, 24, 25, 26, 26a, 26b, 26c, 26d, 26e, 26f, 26g, 26h, 26i, 26j, 26k, 28, 29, 30, 31, 32, 33, 34 and 36 as identified on Annexure C: Tree Impact Plans on page 35 of the Arboricultural Impact Assessment prepared by Jacksons Nature Works dated 7 May 2024 must have tree protection measures for the ground, trunk and canopy installed by the project arborist as follows: <ol style="list-style-type: none"> a. For the duration of demolition works, in accordance with the Tree Protection Plan on page 51 of the Arboricultural Impact Assessment prepared by Jacksons Nature Works dated 7 May 2024. b. For the duration of construction works, in accordance with the Tree Protection Plan on page 51 of the Arboricultural Impact Assessment prepared by Jacksons Nature Works dated 7 May 2024. 2. Tree protection fencing for the trees to be retained must be installed by the engaged AQF 5 project arborist and consist of 1.8m high temporary fencing panels installed in accordance with Australian Standard AS4687-2007 Temporary fencing and hoardings. 3. The installation of all required tree protection fencing must include shade cloth attached to the fencing to reduce transport of dust, particulates, and liquids from entering the tree protection zone. <p><i>Reason: To minimise impacts on the water quality of the downstream environment.</i></p>

DURING DEMOLITION WORK

Condition	
<p>63. Demolition</p>	<p>To protect the surrounding environment, all demolition work must be carried out in accordance with Australian Standard AS2601-2001 Demolition of structures and the following requirements:</p>

<ol style="list-style-type: none"> 1. Demolition material must be disposed of to an authorised recycling and/or waste disposal site and/or in accordance with an approved waste management plan; and 2. Demolition works, where asbestos material is being removed, must be undertaken by a contractor that holds an appropriate licence issued by SafeWork NSW in accordance with the Work Health and Safety Regulation 2017 and be appropriately transported and disposed of in accordance with the Protection of the Environment Operations (Waste) Regulation 2014; and 3. On construction sites where any building contains asbestos material, a standard commercially manufactured sign containing the words 'DANGER ASBESTOS REMOVAL IN PROGRESS' and measuring not less than 400mm x 300mm must be displayed in a prominent position visible from the street. <p><i>Reason: To ensure the appropriate removal and disposal of demolition materials.</i></p>
<p>64. Handling of Asbestos</p> <p>While demolition or remediation work is being carried out, any work involving the removal of asbestos must comply with the following requirements:</p> <ol style="list-style-type: none"> 1. Only an asbestos removal contractor who holds the required class of Asbestos Licence issued by SafeWork NSW must carry out the removal, handling, and disposal of any asbestos material. 2. Asbestos waste in any form must be disposed of at a waste facility licensed by the NSW Environment Protection Authority to accept asbestos waste; and 3. Any asbestos waste load over 100kg (including asbestos contaminated soil) or 10m² or more of asbestos sheeting must be registered with the EPA on-line reporting tool WasteLocate. <p><i>Reason: To ensure that the removal of asbestos is undertaken safely and professionally.</i></p>
<p>65. Street Sweeping</p> <p>During works (including remediation, demolition, earth works and construction) and until exposed ground surfaces across the site have been stabilised, street sweeping must be undertaken following sediment tracking from the site.</p> <p>The street cleaning service must utilise a 'scrub and dry' method and be undertaken for the full extent of any sediment tracking.</p> <p><i>Note: The above Item does not permit for sediment and/or any other materials/substances to exit the site in a way that constitutes water pollution as defined in the Protection of the Environment Operations Act 1997 or in a manner that contravenes other conditions in this consent.</i></p> <p><i>Reason: To minimise impacts to the natural environment.</i></p>
<p>66. Council Property</p> <p>To ensure that the public reserve is kept in a clean, tidy, and safe condition during remediation, demolition and construction works, no building materials, waste, machinery, or related matter is to be stored on the road or footpath.</p> <p><i>Reason: To protect public land.</i></p>
<p>67. Unexpected Finds</p> <p>Should the presence of asbestos or soil contamination, not recognised during the application process be identified during any stage of works, the applicant must immediately notify the Principal</p>

<p>Certifier and Council (compliance@hornsby.nsw.gov.au).</p> <p><i>Reason: To ensure the appropriate removal and disposal of contaminated materials.</i></p>	
<p>68. Erosion and Sediment Control</p>	<p>1. Works are not to result in the discharge of sediment and or run-off onto the adjoining properties or public land.</p> <p>2. The person having the benefit of this consent must ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the site.</p> <p><i>Note: On the spot penalties may be issued for any non-compliance with this requirement without any further notification or warning.</i></p> <p><i>Reason: To minimise impacts on neighbouring properties and public land.</i></p>
<p>69. Soil and Water Management (Stockpiles)</p>	<p>1. Stockpiles of topsoil, sand, aggregate, soil or other material shall be protected with adequate sediment controls and must not be located on any drainage line or easement, natural watercourse, footpath or roadway.</p> <p>2. The storage of stockpiled topsoil, sand, aggregate, soil or other materials must not result in the discharge of sediment or run-off onto the adjoining properties or public land.</p> <p><i>Reason: To minimise impacts on the water quality of the downstream environment.</i></p>
<p>70. Storage and Removal of Waste</p>	<p>1. All demolition and/or construction waste must be stored in a waste receptacle and be removed from the site at frequent intervals. Materials are to be wholly contained within the waste receptacle and not overflowing.</p> <p>2. All garbage and recyclable materials generated during work must be stored in a waste receptacle and be removed from the site at frequent intervals. Materials are to be wholly contained within the waste receptacle and not overflowing.</p> <p><i>Reason: To ensure the site is maintained to an appropriate standard cleanliness and prevent any nuisance or danger to health, safety or the environment.</i></p>
<p>71. Approved Works within Tree Protection Zone incursions</p>	<p>1. Where tree root pruning is required for the installation of piers, driveway or underground services, the pruning must be overseen by the AQF 5 project arborist and must be undertaken as follows:</p> <ol style="list-style-type: none"> a. Using sharp secateurs, pruners, handsaws, or chainsaws with the final cut being clean. b. The maximum diameter of roots permitted to be cut is 30 mm. <p>2. The replacement driveway must be constructed using the following process:</p> <ol style="list-style-type: none"> a. Demolition must be done manually using small plant machinery only, no larger than a jackhammer. <p>3. The new driveway must be constructed using the following process:</p> <ol style="list-style-type: none"> a. To minimise soil compaction the proposed driveway must be built on or above grade

<p>using sensitive construction techniques.</p> <ol style="list-style-type: none"> b. To minimise soil compaction all imported material in the vicinity of the replacement driveway must be distributed by hand. <ol style="list-style-type: none"> 4. Approved excavations within the Tree Protection Zone of trees to be retained numbered T6 and T34 not associated with installation of services must be undertaken as follows: <ol style="list-style-type: none"> a. Excavations associated with the basement and building footprint and within the Tree Protection Zone of trees numbered T6 and T34 must be overseen by the AQF 5 project arborist for the first 1m undertaken manually to locate roots and allow for pruning in accordance with condition No. 71.1(a)(b). 5. No changes of grade within the Tree Protection Zone of trees to be retained on the approved plans, are permitted. 6. To minimise impacts within the Tree Protection Zone (TPZ) of trees to be retained on the approved plans, the installation of services must be undertaken as follows: <ol style="list-style-type: none"> a. The AQF 5 project arborist must be present to oversee the installation of any underground services which enter or transect the tree protection. b. The installation of any underground services which either enter or transect the designated TPZ of T6 must utilise directional drilling only. c. The installation of all other underground services which either enter or transect the designated TPZ must be undertaken manually. d. For manually excavated trenches the AQF 5 project arborist must designate roots to be retained. Manual excavation may include the use of pneumatic and hydraulic tools. 7. Where scaffolding is required, ground protection must be installed beneath the scaffolding in the following order: <ol style="list-style-type: none"> a. Installation of a 100mm deep layer of woodchip. <p><i>Reason: To protect trees during demolition.</i></p>
<p>72. Building Materials and Site Waste</p> <p>The stockpiling of building materials, the parking of vehicles or plant, the disposal of cement slurry, wastewater or other contaminants must be located outside the tree protection zones as prescribed in the conditions of this consent of any tree to be retained.</p> <p><i>Reason: To protect trees during demolition.</i></p>
<p>73. Waste Management</p> <p>All work must be carried out in accordance with the approved waste management plan.</p> <p><i>Reason: To ensure the management of waste to protect the environment and local amenity during construction.</i></p>

7-9 Chorley Avenue, Cheltenham

**7-9 CHORLEY AVENUE, CHELTENHAM
DWELLING ALTERATIONS AND ADDITIONS**

**VARIATION OF A DEVELOPMENT STANDARD REGARDING THE MAXIMUM
BUILDING HEIGHT CONTROL AS DETAILED IN CLAUSE 4.3 OF THE HORNSBY
ENVIRONMENTAL PLAN 2013**

For: Alterations and Additions to an Existing Dwelling
At: 7-9 Chorley Avenue, Cheltenham
Owner: Mr & Mrs Fawkes
Applicant: Mr & Mrs Fawkes

1.0 Introduction

This written request is made pursuant to the provisions of Clause 4.6 of Hornsby Local Environmental Plan 2013. In this regard, it is requested Council support a variation with respect to compliance with the building height development standard as described in Clause 4.3 of the Hornsby Local Environmental Plan 2013 (HLEP 2013).

2.0 Background

Clause 4.3 of HLEP sets out the maximum height of a building as follows:

- (1) *The objectives of this clause are as follows—*
 - (a) *to permit a height of buildings that is appropriate for the site constraints, development potential and infrastructure capacity of the locality.*
- (2) *The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map.*

The Height of Buildings Map specifies a maximum building height of 8.5m.

The proposed alterations and additions to the existing dwelling house provides for a maximum building height of 10m, which is consistent with the height of the existing dwelling on site. This is a non-compliance of 1.5m or a variation of 17.6%.

The extent of non-compliance is depicted in the following section and height plane analysis prepared by David White Architects Pty Ltd.

7-9 Chorley Avenue, Cheltenham

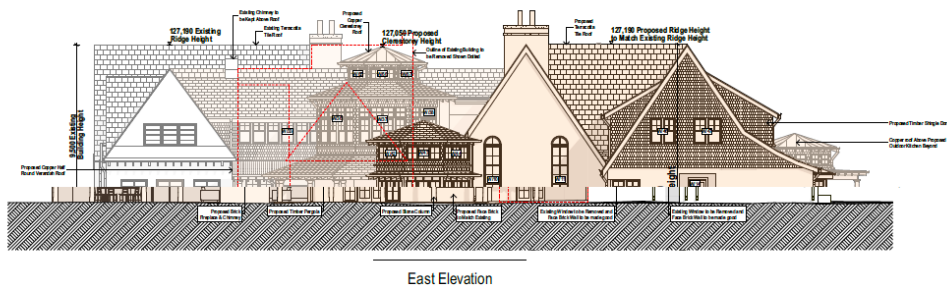


Fig 1: Extract of elevations depicting maximum height of 10m (consistent with height of existing ridge)

The Dictionary to HLEP operates via clause 1.4 of HLEP. The Dictionary defines “building height” as:

building height (or height of building) means—

- (a) *in relation to the height of a building in metres—the vertical distance from ground level (existing) to the highest point of the building, or*
- (b) *in relation to the RL of a building—the vertical distance from the Australian Height Datum to the highest point of the building,*

including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like.

The proposal is considered acceptable and as discussed further within this request, there are sufficient environmental planning grounds to justify contravening the development standard.

The controls of Clause 4.3 are considered to be a development standard as defined in the Environmental Planning and Assessment Act, 1979.

Is Clause 4.3 of the LEP a development standard?

- (a) The definition of “development standard” in clause 1.4 of the EP&A Act means standards fixed in respect of an aspect of the development and includes:
 - “(c) *the character, location, siting, bulk, scale, shape, size, height, density, design or external appearance of a building or work.*”
- (b) Clause 4.3 relates to the maximum height of a building. Accordingly, Clause 4.3 is a development standard.

7-9 Chorley Avenue, Cheltenham

3.0 Purpose of Clause 4.6

The Hornsby Local Environmental Plan 2013 contains its own variations clause (Clause 4.6) to allow a departure from a development standard. Clause 4.6 of the LEP is similar in tenor to the former State Environmental Planning Policy No. 1, however the variations clause contains considerations which are different to those in SEPP 1. The language of Clause 4.6(3)(a)(b) suggests a similar approach to SEPP 1 may be taken in part.

There is recent judicial guidance on how variations under Clause 4.6 of the Standard Instrument should be assessed. These cases are taken into consideration in this request for variation.

In particular, the principles identified by Preston CJ in *Initial Action Pty Ltd vs Woollahra Municipal Council* [2018] NSWLEC 118 have been relied on in this request for a variation to the development standard.

4.0 Objectives of Clause 4.6

The objectives of Clause 4.6 are as follows:

- (a) to provide an appropriate degree of flexibility in applying certain development standards to particular development, and
- (b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances.

The decision of Chief Justice Preston in *Initial Action Pty Ltd v Woollahra Municipal Council* [2018] NSWLEC 118 (“Initial Action”) provides guidance in respect of the operation of clause 4.6 subject to the clarification by the NSW Court of Appeal in ***RebelMH Neutral Bay Pty Limited v North Sydney Council* [2019] NSWCA 130 at [1], [4] & [51]** where the Court confirmed that properly construed, a consent authority has to be satisfied that an applicant’s written request has in fact demonstrated the matters required to be demonstrated by cl 4.6(3).

Initial Action involved an appeal pursuant to s56A of the Land & Environment Court Act 1979 against the decision of a Commissioner.

At [90] of *Initial Action* the Court held that:

“In any event, cl 4.6 does not give substantive effect to the objectives of the clause in cl 4.6(1)(a) or (b). There is no provision that requires compliance with the objectives of the clause. In particular, neither cl 4.6(3) nor (4) expressly or impliedly requires that development that contravenes a development standard “achieve better outcomes for and from development”.

7-9 Chorley Avenue, Cheltenham

If objective (b) was the source of the Commissioner's test that non-compliant development should achieve a better environmental planning outcome for the site relative to a compliant development, the Commissioner was mistaken. Clause 4.6 does not impose that test."

The legal consequence of the decision in *Initial Action* is that clause 4.6(1) is not an operational provision and that the remaining clauses of clause 4.6 constitute the operational provisions.

Clause 4.6(2) of the LEP provides:

- (2) *Development consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.*

Clause 4.3 (the Maximum Building Height Control) is not excluded from the operation of clause 4.6 by clause 4.6(8) or any other clause of the LEP.

Clause 4.6(3) of the LEP provides:

- (3) *Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:*
- (a) *that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and*
- (b) *that there are sufficient environmental planning grounds to justify contravening the development standard.*

The proposed development does not comply with the maximum building height development standard pursuant to Clause 4.3 of HLEP which specifies a maximum building height of 8.5m in this area of Hornsby Council.

The proposed additions and alterations to the existing historic dwelling provide an addition to the rear of the existing built form which will result in a maximum height of up to 10m in height, resulting in a non-compliance of 1.5m or 17.6% to the control. It is noted that the new works do not exceed the height of the existing dwelling which is contributory to the Heritage Conservation Area.

7-9 Chorley Avenue, Cheltenham

The proposal provides for additions to an existing dwelling house, with the existing historic dwelling currently exceeding the current height controls of the HLEP. The additions do not extend above the height of the existing buildings.

The subject site is not heritage listed, however it is located within the Beecroft Cheltenham Heritage Conservation Area. The existing historic dwelling on site is two storey face brick structure described as Inter-War Old English Style. The existing features steep tiled roofs that 'spring' from the first floor level with large gable and tall chimneys. A Statement of Heritage Impact has been prepared by GBA Heritage which identifies that the existing dwelling on site has many features of the Inter-War Old English Style which is a period acknowledged in the Beecroft Cheltenham Heritage Conservation Area. These features include a steep and/or 'catslide' roofs which are identified as having a high contribution value to the HCA.

The proposal which incorporates a high pitched roof consistent with the pitch of the existing main roof form on the existing historic dwelling, provides for a successful integration of the addition to the dwelling and within the heritage conservation area. In fact, the non-compliance with the building height control ensures that the proposed built form is compatible with the existing historic dwelling and the surrounding HCA.

The non-compliance with the height controls is a result of providing a roof pitch that complements the style and character of the dwelling proposed. A complying roof form results in a built form that is not appropriately balanced and destroys the architectural character.



View A

Proposed Montage

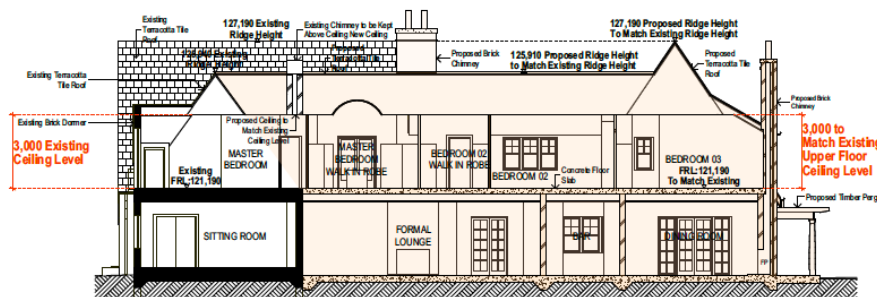
The overriding architectural objective is to conserve the heritage significance of the conservation areas and the proposed additions, in particular the roof pitch and non-complying height achieves this. In particular, objective 1(b) of Clause 5.10 (Heritage Conservation) of the Hornsby LEP provides:

(1) Objectives - The objectives of this clause are as follows—

- (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,

The higher roof form is integral to the design and to ensure its contribution to the existing dwelling and the Heritage Conservation Area. The existing dwelling which is contributory to the Heritage Conservation Area has been in existence for almost 100 years, well before the current Local Environmental Plan and Development Control Plans. The existing dwelling is a contributory building and is celebrated in the locality for its design. The proposed additions therefore, including the roof form, have been designed to be consistent with the heritage aspects.

The design of the additions are driven by the characteristics of the existing historic dwelling and respecting the existing roof pitch which is an integral aspect of the dwelling. The proposed roof form has not been designed to increase floor to ceiling heights with the existing upper level floor and ceiling levels replicated in the additions.



Section Depicting Ceiling/Floor Heights of Existing and Proposed Elements

Strict compliance with the numerical standard, would require an altered roof form which would detract from the character of the existing historic dwelling and provide for an unsympathetic outcome. The proposal ensures a consistent architectural expression with the resultant ridge height being complimentary to the existing historic dwelling, noting that the proposal does not exceed the existing ridge height. The dwelling in its original form was a substantial house for a well known person of society. A well-integrated addition requires a roof form that is consistent with the existing historic dwelling.

Strict compliance is considered to be unreasonable or unnecessary in the circumstances of this case and there are considered to be sufficient environmental planning grounds to justify contravening the development standard. The relevant arguments are set out later in this written request.

7-9 Chorley Avenue, Cheltenham

Clause 4.6(4) of HLEP is administrative and requires the consent authority to keep a record of its assessment of the clause 4.6 variation:

Clause 4.6(6) relates to subdivision and is not relevant to the development. Clause 4.6(8) is only relevant so as to note that it does not exclude Clause 4.3 of the LEP from the operation of clause 4.6.

The specific objectives of Clause 4.6 are as follows:

- (a) to provide an appropriate degree of flexibility in applying certain development standards to particular development, and*
- (b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances.*

The development will achieve a better outcome in this instance as the proposal provides for additions/alterations that complement the form and character of the existing historic dwelling and the surrounding Heritage Conservation Area. The non-compliance is a result of providing a roof form consistent with the existing roof form, which is consistent with the stated Objectives of the R2 Low Density Residential Zone, which are noted as:

- To provide for the housing needs of the community within a low density residential environment.*
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

5.0 The Nature and Extent of the Variation

- 5.1 This request seeks a variation to the maximum building height standard contained in Clause 4.3 of HLEP.
- 5.2 Clause 4.3 of HLEP specifies a maximum building height of 8.5m in this area of Hornsby.
- 5.3 The proposal provides for additions to the existing dwelling house which is contributory to the Heritage Conservation Area. The works proposed do not extend above the height of the existing building. The non-compliance is a direct result of providing additions that are complimentary and includes a roof pitch to match the existing which is integral to the architectural character of the existing historic dwelling.

6.0 Relevant Caselaw

6.1 In *Initial Action* the Court summarised the legal requirements of clause 4.6 and confirmed the continuing relevance of previous case law at [13] to [29]. In particular, the Court confirmed that the five common ways of establishing that compliance with a development standard might be unreasonable and unnecessary as identified in *Wehbe v Pittwater Council (2007) 156 LGERA 446; [2007] NSWLEC 827* continue to apply as follows:

17. *The first and most commonly invoked way is to establish that compliance with the development standard is unreasonable or unnecessary because the objectives of the development standard are achieved notwithstanding non-compliance with the standard: Wehbe v Pittwater Council at [42] and [43].*
18. *A second way is to establish that the underlying objective or purpose is not relevant to the development with the consequence that compliance is unnecessary: Wehbe v Pittwater Council at [45].*
19. *A third way is to establish that the underlying objective or purpose would be defeated or thwarted if compliance was required with the consequence that compliance is unreasonable: Wehbe v Pittwater Council at [46]*
20. *A fourth way is to establish that the development standard has been virtually abandoned or destroyed by the Council's own decisions in granting development consents that depart from the standard and hence compliance with the standard is unnecessary and unreasonable: Wehbe v Pittwater Council at [47].*
21. *A fifth way is to establish that the zoning of the particular land on which the development is proposed to be carried out was unreasonable or inappropriate so that the development standard, which was appropriate for that zoning, was also unreasonable or unnecessary as it applied to that land and that compliance with the standard in the circumstances of the case would also be unreasonable or unnecessary: Wehbe v Pittwater Council at [48]. However, this fifth way of establishing that compliance with the development standard is unreasonable or unnecessary is limited, as explained in Wehbe v Pittwater Council at [49]-[51]. The power under cl 4.6 to dispense with compliance with the development standard is not a general planning power to determine the appropriateness of the development standard for the zoning or to effect general planning changes as an alternative to the strategic planning powers in Part 3 of the EPA Act.*

7-9 Chorley Avenue, Cheltenham

22. *These five ways are not exhaustive of the ways in which an applicant might demonstrate that compliance with a development standard is unreasonable or unnecessary; they are merely the most commonly invoked ways. An applicant does not need to establish all of the ways. It may be sufficient to establish only one way, although if more ways are applicable, an applicant can demonstrate that compliance is unreasonable or unnecessary in more than one way.*
- 6.2 The relevant steps identified in *Initial Action* (and the case law referred to in *Initial Action*) can be summarised as follows:
1. Is Clause 4.3 of HLEP a development standard?
 2. Is the consent authority satisfied that this written request adequately addresses the matters required by clause 4.6(3) by demonstrating that:
 - (a) compliance is unreasonable or unnecessary; and
 - (b) there are sufficient environmental planning grounds to justify contravening the development standard
 3. Is the consent authority satisfied that the proposed development will be consistent with the objectives of Clause 4.3 and the objectives for development for in the R2 zone?

7.0. Request for Variation

7.1 Is compliance with Clause 4.3 unreasonable or unnecessary?

- (a) This request relies upon the 1st way identified by Preston CJ in *Wehbe*.
- (b) The first way in *Wehbe* is to establish that the objectives of the standard are achieved.
- (c) Each objective of the maximum 8.5m building height standard, as outlined under Clause 4.3, and reasoning why compliance is unreasonable or unnecessary, is set out below:
 - (a) *to permit a height of buildings that is appropriate for the site constraints, development potential and infrastructure capacity of the locality.*

7-9 Chorley Avenue, Cheltenham

The non-compliance with the height controls is a result of providing a roof pitch that complements the style and character of the dwelling proposed. A complying roof form results in a built form that is not appropriately balanced and destroys the architectural character. The overriding architectural objective is to conserve the heritage significance of the conservation areas and proposed roof pitch which is designed to be consistent with the roof pitch of the existing historic dwelling that achieves this. The additions need to be consistent with the heritage aspects of the existing dwelling which is contributory to the heritage conservation area. The design of the additions is driven by the characteristics of the existing dwelling.

The proposed height is appropriate for the site given the characteristics of the existing historic dwelling which includes the existing roof pitch and ridge heights that are inherent in its architectural character.

7.3 Are there sufficient environmental planning grounds to justify contravening the development standard?

In Initial Action the Court found at [23]-[24] that:

23. *As to the second matter required by cl 4.6(3)(b), the grounds relied on by the applicant in the written request under cl 4.6 must be “environmental planning grounds” by their nature: see Four2Five Pty Ltd v Ashfield Council [2015] NSWLEC 90 at [26]. The adjectival phrase “environmental planning” is not defined, but would refer to grounds that relate to the subject matter, scope and purpose of the EPA Act, including the objects in s 1.3 of the EPA Act.*
24. *The environmental planning grounds relied on in the written request under cl 4.6 must be “sufficient”. There are two respects in which the written request needs to be “sufficient”. First, the environmental planning grounds advanced in the written request must be sufficient “to justify contravening the development standard”.
The focus of cl 4.6(3)(b) is on the aspect or element of the development that contravenes the development standard, not on the development as a whole, and why that contravention is justified on environmental planning grounds. The environmental planning grounds advanced in the written request must justify the contravention of the development standard, not simply promote the benefits of carrying out the development as a whole: see Four2Five Pty Ltd v Ashfield Council [2015] NSWCA 248 at [15].
Second, the written request must demonstrate that there are sufficient environmental planning grounds to justify contravening the development standard so as to enable the consent authority*

7-9 Chorley Avenue, Cheltenham

to be satisfied under cl 4.6(4)(a)(i) that the written request has adequately addressed this matter: see Four2Five Pty Ltd v Ashfield Council [2015] NSWLEC 90 at [31].

There are sufficient environmental planning grounds to justify contravening the development standard.

The proposed development achieves the objects in Section 1.3 of the EPA Act, specifically:

- The proposed development will maintain the general bulk and scale of the existing surrounding development and maintains architectural consistency with the existing development on site. The non-compliance is the result of providing a roof form to match the existing roof form which is contributory to the Heritage Conservation Area. Providing for a roof form to comply with the building height development standard would result in an inferior design which is unbalanced and destroys the character of the existing historic dwelling. It is noted that the height is not driven by a need for an increased ceiling height. Rather, the additions are designed replicate the floor and ceiling levels of the existing upper level. Therefore, the roof design and resultant building height as proposed promotes the orderly & economic use of the land (cl 1.3(c)).
- The additions provide for a roof form that is consistent with the existing roof form of the dwelling and will promote good design (cl 1.3(g)).
- The existing dwelling is celebrated for its architectural character, including the roof pitch and ridge height which is inherent to the character. It is noted that the additions/alterations do not exceed the height of the existing historic building. Therefore, the proposal and resultant building height promotes the management of the built heritage (cl1.3(f)).
- The existing building exceeds the maximum height control, however the new additions do not exceed the existing height and strict compliance is therefore unreasonable.
- The overriding architectural objective is to conserve the heritage significance of the conservation areas and this proposal provides for a roof form that achieves this.

Further, the proposed works do not have any detrimental impact on the adjoining properties for the following reasons:

7-9 Chorley Avenue, Cheltenham

- The proposal, and in particular, the area of non-compliance, does not result in any additional overshadowing to the adjoining properties. Shadow diagrams have been prepared which depicts both the existing and proposed shadows. The diagrams indicate that proposal continues to ensure at least 3 hours of solar access to private open space of the adjoining properties.
- The area of non-compliance does not result in any loss of privacy to the adjoining properties. The area of non-compliance relates only to the roof form. The first floor level provide for only bedrooms, a study and bathrooms. Windows on the side elevations are provided with sufficient setbacks to the boundaries to ensure spatial separation and protection of privacy.
- The proposed roof form does not result in unreasonable bulk or scale when viewed from the adjoining property. The area of non-compliance is provided with sufficient setbacks to the side boundaries which provides for ample separation from the adjoining built form.

The above environmental planning grounds are not general propositions. They are unique circumstances to the proposed development, particularly the existing historic building on site which exceeds the height of building development standard and the overriding architectural objectives to converse the significance of the conservation areas. A complying roof form results in a built form that is not appropriately balanced and destroys the architectural character of the historic building.

It is noted that in *Initial Action*, the Court clarified what items a Clause 4.6 does and does not need to satisfy. Importantly, there does not need to be a "better" planning outcome:

87. The second matter was in cl 4.6(3)(b). I find that the Commissioner applied the wrong test in considering this matter by requiring that the development, which contravened the height development standard, result in a "better environmental planning outcome for the site" relative to a development that complies with the height development standard (in [141] and [142] of the judgment). Clause 4.6 does not directly or indirectly establish this test. The requirement in cl 4.6(3)(b) is that there are sufficient environmental planning grounds to justify contravening the development standard, not that the development that contravenes the development standard have a better environmental planning outcome than a development that complies with the development standard.

7-9 Chorley Avenue, Cheltenham

As outlined above, it is considered that in many respects, the proposal will provide for a better planning outcome than a strictly compliant development. The non-compliance is a result providing for a roof form that is consistent with the roof form of the existing dwelling, which is contributory to the Heritage Conservation Area. A complying roof form results in a built form that is not appropriately balanced and destroys the architectural character. The area of non-compliance does not result in any detrimental impact and provides a better outcome by providing for a roof form to match the existing historic dwelling and conserving the heritage significance of the conservation areas. The existing dwelling which is contributory to the Heritage Conservation Area has been in existence for almost 100 years. The existing building is celebrated in the locality for its architectural design. The proposed additions incorporate ridge heights which are needed to ensure appropriate integration and respect for the existing historic characteristics. At the very least, there are sufficient environmental planning grounds to justify contravening the development standard.

7.4 Is the proposed development consistent with the objectives of Clause 4.3 and the objectives of the R2 Low Density Residential Zone?

- (a) Section 4.2 of this written request suggests the 1st test in Wehbe is made good by the development.
- (b) Each of the objectives of the R2 Low Density Residential Zone and the reasons why the proposed development is consistent with each objective is set out below.

I have had regard for the principles established by Preston CJ in *Nessdee Pty Limited v Orange City Council [2017] NSWLEC 158* where it was found at paragraph 18 that the first objective of the zone established the range of principal values to be considered in the zone.

Preston CJ also found that *“The second objective is declaratory: the limited range of development that is permitted without or with consent in the Land Use Table is taken to be development that does not have an adverse effect on the values, including the aesthetic values, of the area. That is to say, the limited range of development specified is not inherently incompatible with the objectives of the zone”*.

In response to *Nessdee*, I have provided the following review of the zone objectives:

7-9 Chorley Avenue, Cheltenham

It is considered that notwithstanding the variation of to the building height, the resultant building as proposed will be consistent with the individual Objectives of the R2 Low Density Residential Zone for the following reasons:

- ***To provide for the housing needs of the community within a low density residential environment.***

The proposal provides for an addition to the existing dwelling which is contributory to the Heritage Conservation Area. The additions do not exceed the height of the existing historic dwelling on site and provides for the housing needs of the community whilst retaining a low density residential environment. As detailed previously, the proposal, and in particular the area of non-compliance, does not result in any loss of amenity to the adjoining properties.

The non-compliance is a result of providing for a roof form that is consistent with the roof form of the existing dwelling which is contributory to the Heritage Conservation Area. A complying roof form results in a built form that is not appropriately balanced and destroys the architectural character.

- ***To enable other land uses that provide facilities or services to meet the day to day needs of residents.***

This objective is not relative to the proposal.

Accordingly, it is considered that the site may be further developed with a variation to the prescribed maximum building height control, whilst maintaining consistency with the zone objectives.

8.0 Conclusion

This development proposes a departure from the maximum building height development standard, with the proposed additions providing for a maximum building height 10m.

The non-compliance is a result providing for a roof form that is consistent with the roof form of the existing historic dwelling. A complying roof form results in a built form that is not appropriately balanced and destroys the architectural character.

The extent of the variation to the building height control does not result in any significant impact on the amenity, views and outlook for the neighbouring properties.

7-9 Chorley Avenue, Cheltenham

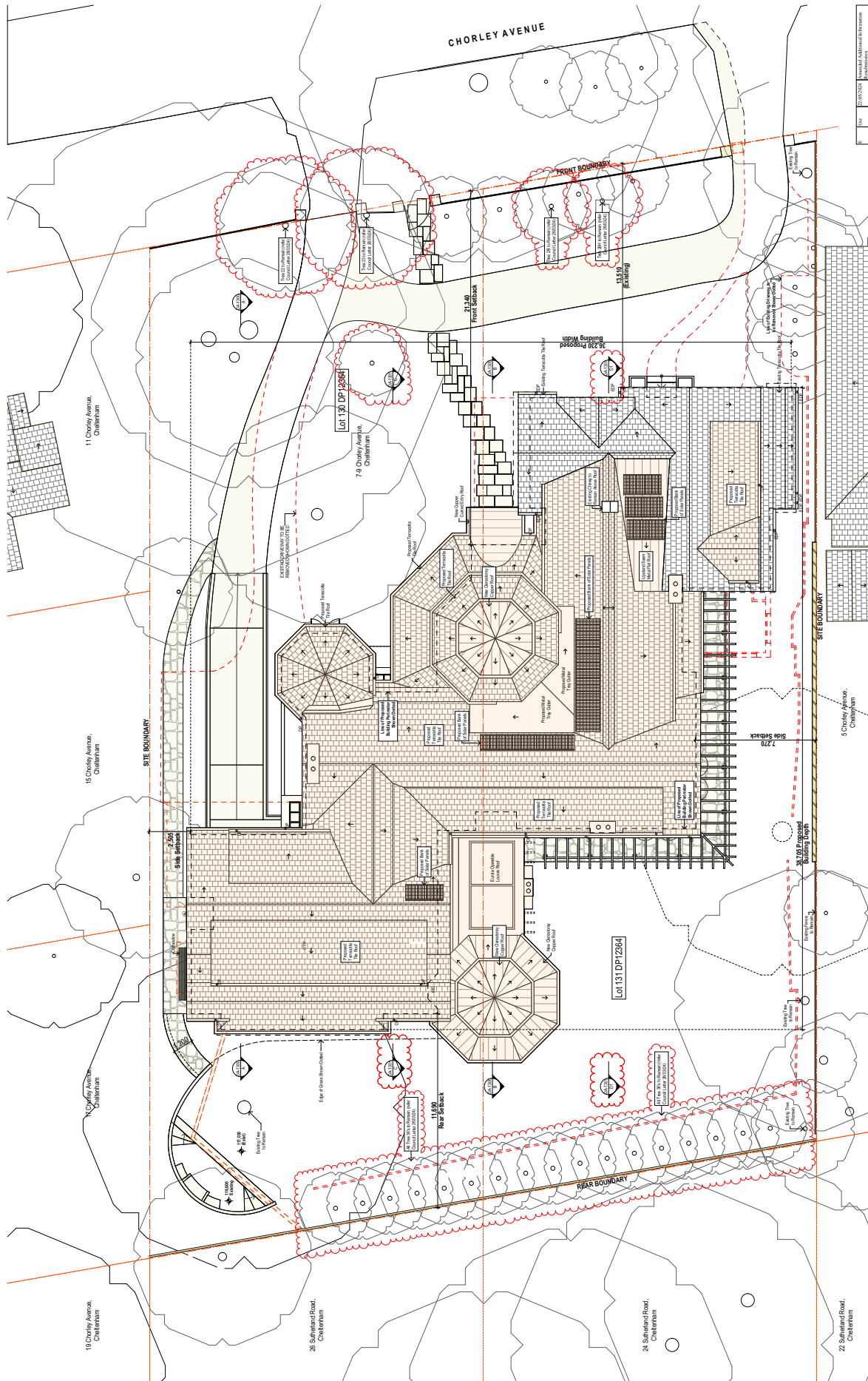
This written request to vary to the maximum building height standard specified in Clause 4.3 of the Hornsby LEP 2013 adequately demonstrates that the objectives of the standard will be met.

The bulk and scale of the proposed development is appropriate for the site and locality.

Strict compliance with the maximum building height control would be unreasonable and unnecessary in the circumstances of this case.

Natalie Nolan
Town Planner

ATTACHMENT 2 - ITEM 1



NO.	DATE	DESCRIPTION
1	22/05/24	ISSUE FOR INFORMATION
2	22/05/24	ISSUE FOR INFORMATION
3	22/05/24	ISSUE FOR INFORMATION
4	22/05/24	ISSUE FOR INFORMATION
5	22/05/24	ISSUE FOR INFORMATION
6	22/05/24	ISSUE FOR INFORMATION
7	22/05/24	ISSUE FOR INFORMATION
8	22/05/24	ISSUE FOR INFORMATION
9	22/05/24	ISSUE FOR INFORMATION
10	22/05/24	ISSUE FOR INFORMATION

PROJECT NAME	5 Chorley Avenue, Cherrimoon
CLIENT	MRS KEN AND MRS LOUISE FAWKES
PROJECT NUMBER	DA-104
DRAWING NUMBER	23003
ISSUE NAME	Site Plan - Proposed
ISSUE DATE	22/05/24
ARCHITECT	DAVID WHITE ARCHITECTS PTY LTD
DRAWN	DAVID WHITE
SCALE	1:1000
ISSUE INFORMATION	FOR INFORMATION
ISSUE	E

PROJECT NAME	5 Chorley Avenue, Cherrimoon
CLIENT	MRS KEN AND MRS LOUISE FAWKES
PROJECT NUMBER	DA-104
DRAWING NUMBER	23003
ISSUE NAME	Site Plan - Proposed
ISSUE DATE	22/05/24
ARCHITECT	DAVID WHITE ARCHITECTS PTY LTD
DRAWN	DAVID WHITE
SCALE	1:1000
ISSUE INFORMATION	FOR INFORMATION
ISSUE	E

PROJECT NAME	5 Chorley Avenue, Cherrimoon
CLIENT	MRS KEN AND MRS LOUISE FAWKES
PROJECT NUMBER	DA-104
DRAWING NUMBER	23003
ISSUE NAME	Site Plan - Proposed
ISSUE DATE	22/05/24
ARCHITECT	DAVID WHITE ARCHITECTS PTY LTD
DRAWN	DAVID WHITE
SCALE	1:1000
ISSUE INFORMATION	FOR INFORMATION
ISSUE	E

PROJECT NAME	5 Chorley Avenue, Cherrimoon
CLIENT	MRS KEN AND MRS LOUISE FAWKES
PROJECT NUMBER	DA-104
DRAWING NUMBER	23003
ISSUE NAME	Site Plan - Proposed
ISSUE DATE	22/05/24
ARCHITECT	DAVID WHITE ARCHITECTS PTY LTD
DRAWN	DAVID WHITE
SCALE	1:1000
ISSUE INFORMATION	FOR INFORMATION
ISSUE	E

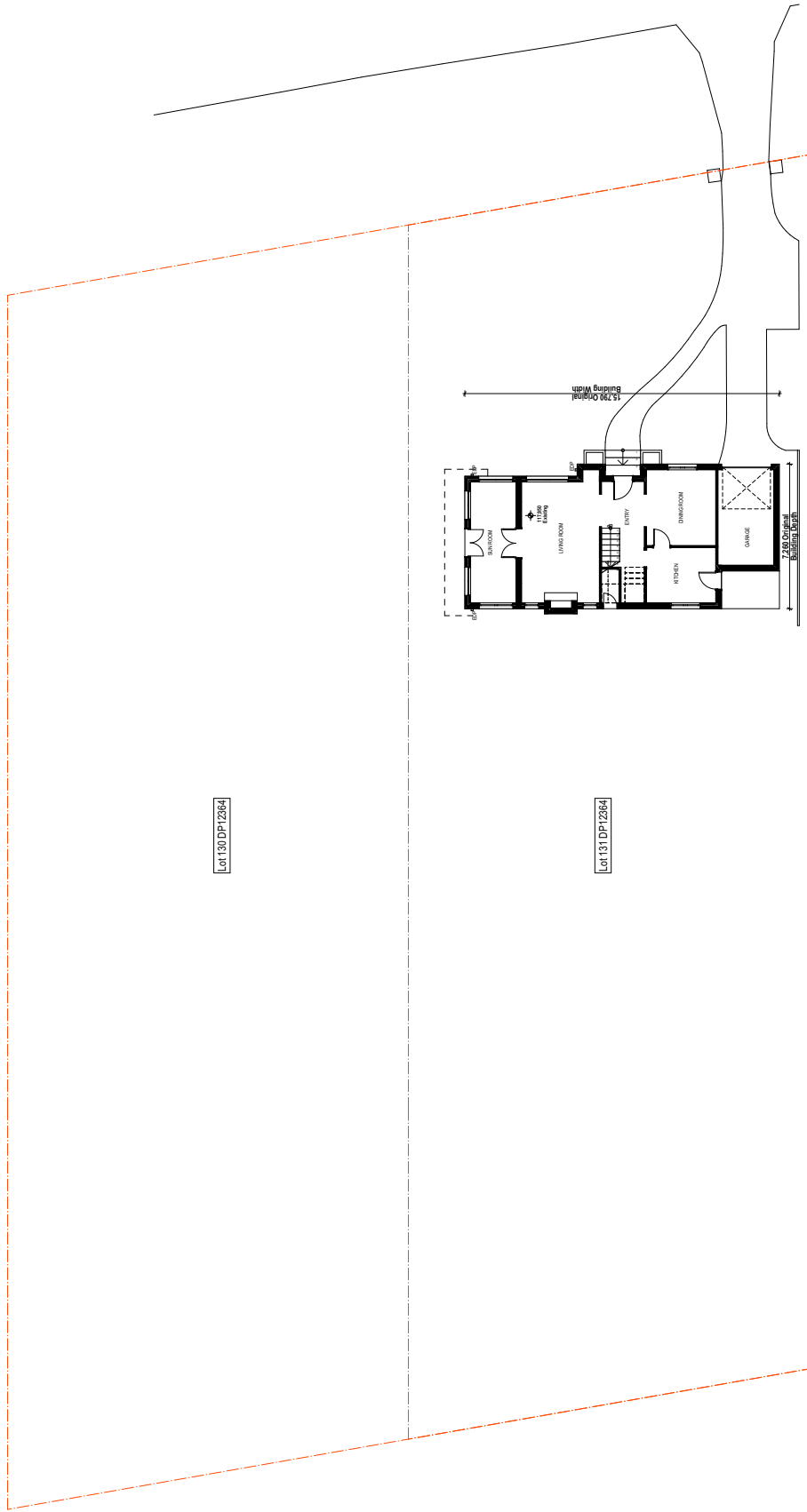
PROJECT NAME	5 Chorley Avenue, Cherrimoon
CLIENT	MRS KEN AND MRS LOUISE FAWKES
PROJECT NUMBER	DA-104
DRAWING NUMBER	23003
ISSUE NAME	Site Plan - Proposed
ISSUE DATE	22/05/24
ARCHITECT	DAVID WHITE ARCHITECTS PTY LTD
DRAWN	DAVID WHITE
SCALE	1:1000
ISSUE INFORMATION	FOR INFORMATION
ISSUE	E

PROJECT NAME	5 Chorley Avenue, Cherrimoon
CLIENT	MRS KEN AND MRS LOUISE FAWKES
PROJECT NUMBER	DA-104
DRAWING NUMBER	23003
ISSUE NAME	Site Plan - Proposed
ISSUE DATE	22/05/24
ARCHITECT	DAVID WHITE ARCHITECTS PTY LTD
DRAWN	DAVID WHITE
SCALE	1:1000
ISSUE INFORMATION	FOR INFORMATION
ISSUE	E

ATTACHMENT 3 - ITEM 1

- Areas of New Works
- Areas in Existing Footprint
- Areas of New External Hard Surface Works

ARCHITECT
DAVID WHITE ARCHITECTS PTY LTD
 N.S.W. Registration No. 626
 5 WINGOLA CRESCENT (SUITE 2) BIRCHCROFT 2119
 T: (02) 9464 8925 E: info@davidwhitearchitects.com.au



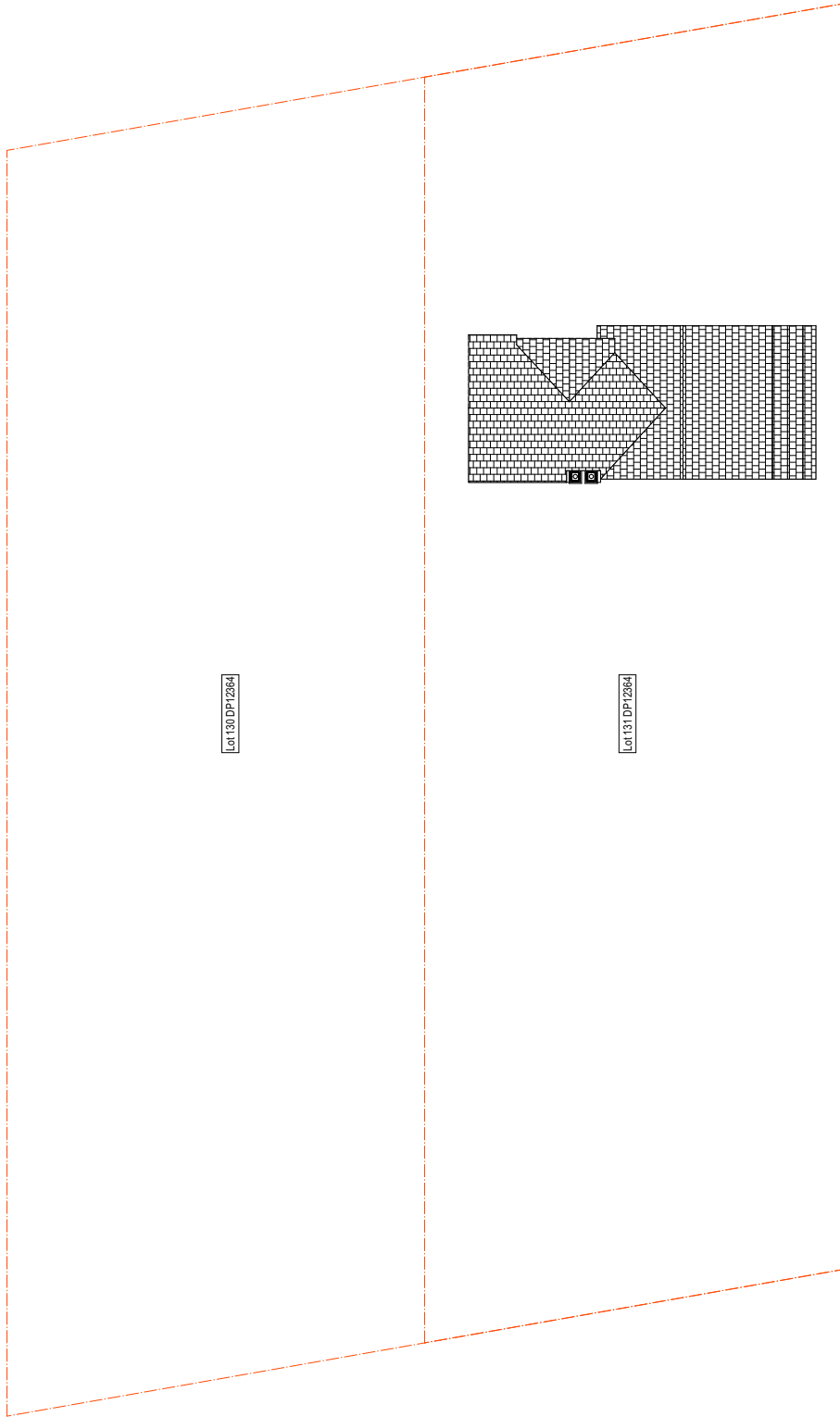
ARCHITECT DAVID WHITE ARCHITECTS PTY LTD N.S.W. Registration No. 458 5 WINGOLA CRESCENT (SUITE 2) BILBERGROFT 2119 T (02) 9434 4924 E. info@dwarchitects.com.au	NOTES: ALL WORK TO COMPLY WITH CURRENT REGULATIONS AND S.A.A. STANDARDS. ALL WORK TO COMPLY WITH CURRENT REGULATIONS AND S.A.A. STANDARDS. ALL WORK TO COMPLY WITH CURRENT REGULATIONS AND S.A.A. STANDARDS.	CLIENT MR. KEN AND MRS. LOUISE FAWKES	PROJECT NAME ALTERATIONS AND ADDITIONS TO CHORLEYA VENUE CHELTENHAM, NSW, 2119		PROJECT NUMBER DA-1000	PROPOSED DEVELOPMENT DA-1000	PROJ. NO. 23003	ISSUE A

ATTACHMENT 3 - ITEM 1



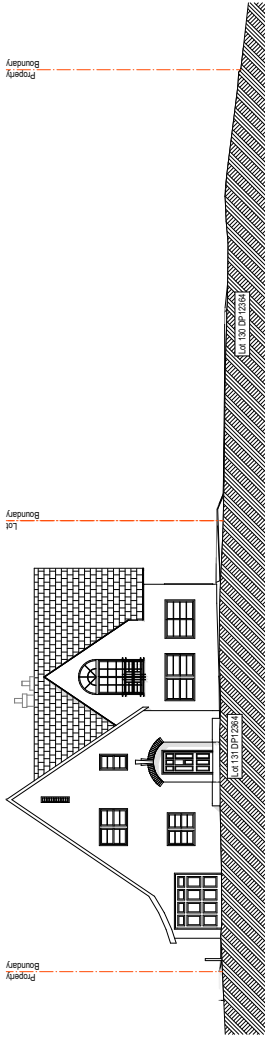
ARCHITECT DAVID WHITE ARCHITECTS PTY LTD N.S.W. Registration No. 458 5 WINGOLA CRESCENT (SUITE 2) BILGERDIFT 2119 T: (02) 9484 0925 E: info@dwarchitects.com.au	NOTES: 1. THIS PLAN IS A PRELIMINARY DESIGN AND IS NOT TO BE USED FOR CONSTRUCTION WITHOUT THE WRITTEN APPROVAL OF THE ARCHITECT. 2. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS IN THIS PLAN. 3. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY CONFLICTS WITH OTHER PLANS OR REGULATIONS. 4. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY DELAYS OR COSTS INCURRED BY THE CLIENT. 5. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY DAMAGE TO PROPERTY OR PERSONS. 6. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF LAW OR REGULATIONS. 7. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF CONTRACT. 8. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF NEGLIGENCE. 9. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF PROFESSIONAL ETHICS. 10. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF PUBLIC POLICY. 11. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF MORALS. 12. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF GOOD FAITH. 13. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF HONESTY. 14. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF INTEGRITY. 15. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF SINCERITY. 16. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF FAITHFULNESS. 17. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF TRUSTWORTHINESS. 18. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF RELIABILITY. 19. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF ACCURACY. 20. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF PRECISION. 21. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF CLARITY. 22. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF CONCISENESS. 23. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF BREVITY. 24. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF ECONOMY. 25. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF EFFICIENCY. 26. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF EFFECTIVENESS. 27. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF PRODUCTIVITY. 28. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF PROFICIENCY. 29. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF SKILLFULNESS. 30. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF CAPABILITY. 31. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF COMPETENCE. 32. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF QUALITY. 33. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF EXCELLENCE. 34. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF PERFECTION. 35. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF SUPERBITY. 36. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF MAGNIFICENCE. 37. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF GRANDIORITY. 38. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF GLORIOUSNESS. 39. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF STUNNINGNESS. 40. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF BREATHTAKINGNESS. 41. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF ASTONISHINGNESS. 42. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF AMAZINGNESS. 43. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF INCREDIBLENESS. 44. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF UNBELIEVABLENESS. 45. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF UNTHINKABLENESS. 46. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF UNIMAGINABLENESS. 47. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF UNCONCEIVABLENESS. 48. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF UNFATHOMABLENESS. 49. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF UNMEASURABLENESS. 50. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF UNLIMITEDNESS. 51. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF UNBOUNDLESSNESS. 52. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF UNRESTRICTEDNESS. 53. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF UNHINDEREDNESS. 54. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF UNOBSTRUCTEDNESS. 55. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF UNIMPEDEDNESS. 56. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF UNHINDEREDNESS. 57. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF UNOBSTRUCTEDNESS. 58. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF UNIMPEDEDNESS. 59. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF UNHINDEREDNESS. 60. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF UNOBSTRUCTEDNESS. 61. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF UNIMPEDEDNESS. 62. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF UNHINDEREDNESS. 63. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF UNOBSTRUCTEDNESS. 64. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF UNIMPEDEDNESS. 65. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF UNHINDEREDNESS. 66. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF UNOBSTRUCTEDNESS. 67. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF UNIMPEDEDNESS. 68. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF UNHINDEREDNESS. 69. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF UNOBSTRUCTEDNESS. 70. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF UNIMPEDEDNESS. 71. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF UNHINDEREDNESS. 72. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF UNOBSTRUCTEDNESS. 73. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF UNIMPEDEDNESS. 74. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF UNHINDEREDNESS. 75. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF UNOBSTRUCTEDNESS. 76. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF UNIMPEDEDNESS. 77. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF UNHINDEREDNESS. 78. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF UNOBSTRUCTEDNESS. 79. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF UNIMPEDEDNESS. 80. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF UNHINDEREDNESS. 81. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF UNOBSTRUCTEDNESS. 82. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF UNIMPEDEDNESS. 83. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF UNHINDEREDNESS. 84. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF UNOBSTRUCTEDNESS. 85. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF UNIMPEDEDNESS. 86. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF UNHINDEREDNESS. 87. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF UNOBSTRUCTEDNESS. 88. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF UNIMPEDEDNESS. 89. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF UNHINDEREDNESS. 90. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF UNOBSTRUCTEDNESS. 91. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF UNIMPEDEDNESS. 92. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF UNHINDEREDNESS. 93. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF UNOBSTRUCTEDNESS. 94. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF UNIMPEDEDNESS. 95. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF UNHINDEREDNESS. 96. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF UNOBSTRUCTEDNESS. 97. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF UNIMPEDEDNESS. 98. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF UNHINDEREDNESS. 99. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF UNOBSTRUCTEDNESS. 100. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY BREACHES OF UNIMPEDEDNESS.	CLIENT MR. KEN AND MRS. LOUISE FAWKES 10 CHORLEY AVENUE CHELTENHAM, NSW, 2119 DA ISSUE	PROJECT NAME UPPER FLOOR PLAN - ORIGINAL 1939 CONSTRUCTION ARCHITECT DW	PROJECT NUMBER DA-1000 ISSUE A	DATE 22/1/2023 SCALE 1:100	PROJECT NUMBER DA-1000 ISSUE A
---	---	--	--	---	---	---

ATTACHMENT 3 - ITEM 1

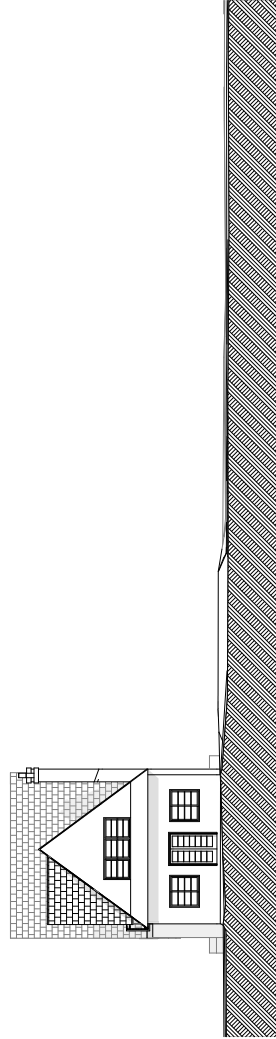


ARCHITECT DAVID WHITE ARCHITECTS PTY LTD N.S.W. Registration No. 658 5 WINGOLA CRESCENT (SUITE 2) BIRRODPT 2119 T (02) 9434 0925 E. info@dwarchitects.com.au	NOTES: 1. THIS PLAN IS TO BE CONSIDERED AS A PRELIMINARY DESIGN ONLY. IT IS NOT TO BE USED FOR CONSTRUCTION WITHOUT THE APPROVAL OF THE LOCAL COUNCIL. 2. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL COUNCIL. 3. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL COUNCIL. 4. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL COUNCIL. 5. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL COUNCIL. 6. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL COUNCIL. 7. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL COUNCIL. 8. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL COUNCIL. 9. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL COUNCIL. 10. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL COUNCIL.	CLIENT MR. KEN AND MRS. LOUISE FAWKES	PROJECT ALTERATIONS AND ADDITIONS TO CHORLEYA VENUE CHELTENHAM, NSW 2119	PROJECT NUMBER 	DRAWING NAME ROOF PLAN - ORIGINAL 1998 CONSTRUCTION	DRAWING NUMBER DA-1000	PROJECT NUMBER 23003
		DAUGHTER COMPANY DA WHITE ARCHITECTS PTY LTD	DRAWN RC	ARCHITECT DW	ISSUE A		

ATTACHMENT 3 - ITEM 1



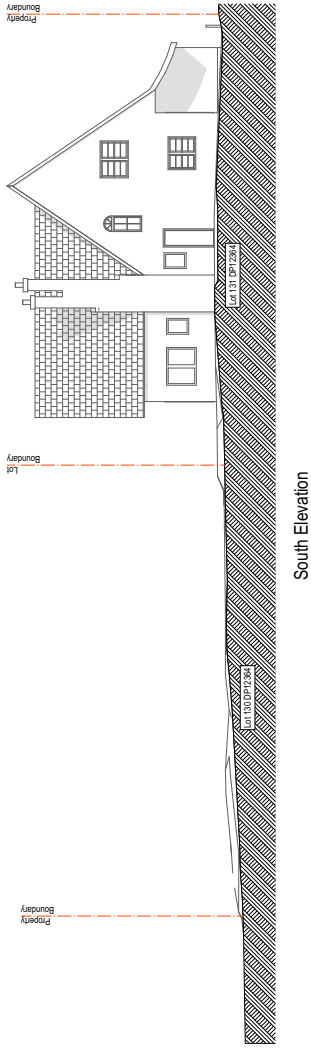
North (Street) Elevation



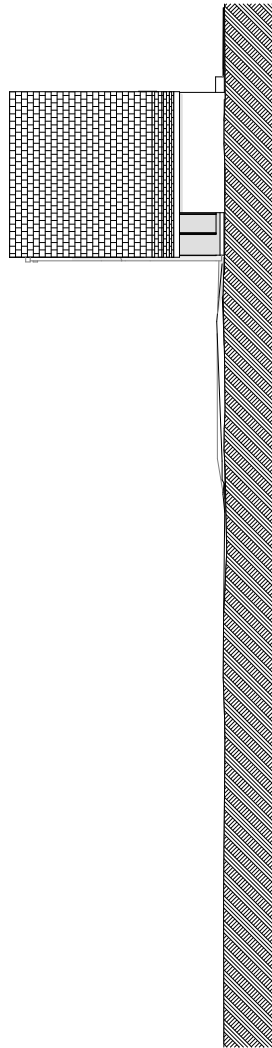
West Elevation

<p>ARCHITECT DAVID WHITE ARCHITECTS PTY LTD N.S.W. Registration No. 626 5 WINGOLA CRESCENT (SUITE 2) BIRCHROFT 2119 T: (02) 9464 0942 E: info@dwaindwestarch.com.au</p>	<p>NOTES: ALL WORK IS TO BE COMPLETED IN ACCORDANCE WITH THE NATIONAL BUILDING REGULATIONS 2011 (AS AMENDED) AND THE LOCAL COUNCIL'S DEVELOPMENT CONTROL REGULATIONS. ALL WORK IS TO BE COMPLETED IN ACCORDANCE WITH THE NATIONAL BUILDING REGULATIONS 2011 (AS AMENDED) AND THE LOCAL COUNCIL'S DEVELOPMENT CONTROL REGULATIONS. ALL WORK IS TO BE COMPLETED IN ACCORDANCE WITH THE NATIONAL BUILDING REGULATIONS 2011 (AS AMENDED) AND THE LOCAL COUNCIL'S DEVELOPMENT CONTROL REGULATIONS.</p>	<p>CLIENT MR. KEN AND MRS. LOUISE FAWKES DA ISSUE</p>	<p>PROJECT ALTERATIONS AND ADDITIONS TO 10 CHERLEY AVENUE CHELTENHAM, NSW, 2119</p>	<p>DRAWING NAME: NORTH & WEST ELEVATIONS - ORIGINAL 1939 CONSTRUCTION</p>	<p>DRAWING NUMBER: DA-1003</p>	<p>PROJECT NUMBER: 23003</p>	<p>SCALE: 1:100 (G.A.)</p>	<p>DATE: 22/1/2023</p>	<p>ISSUE: A</p>
							<p>SCALE: 1:100 (G.A.)</p>	<p>DATE: 22/1/2023</p>	<p>ISSUE: A</p>

ATTACHMENT 3 - ITEM 1



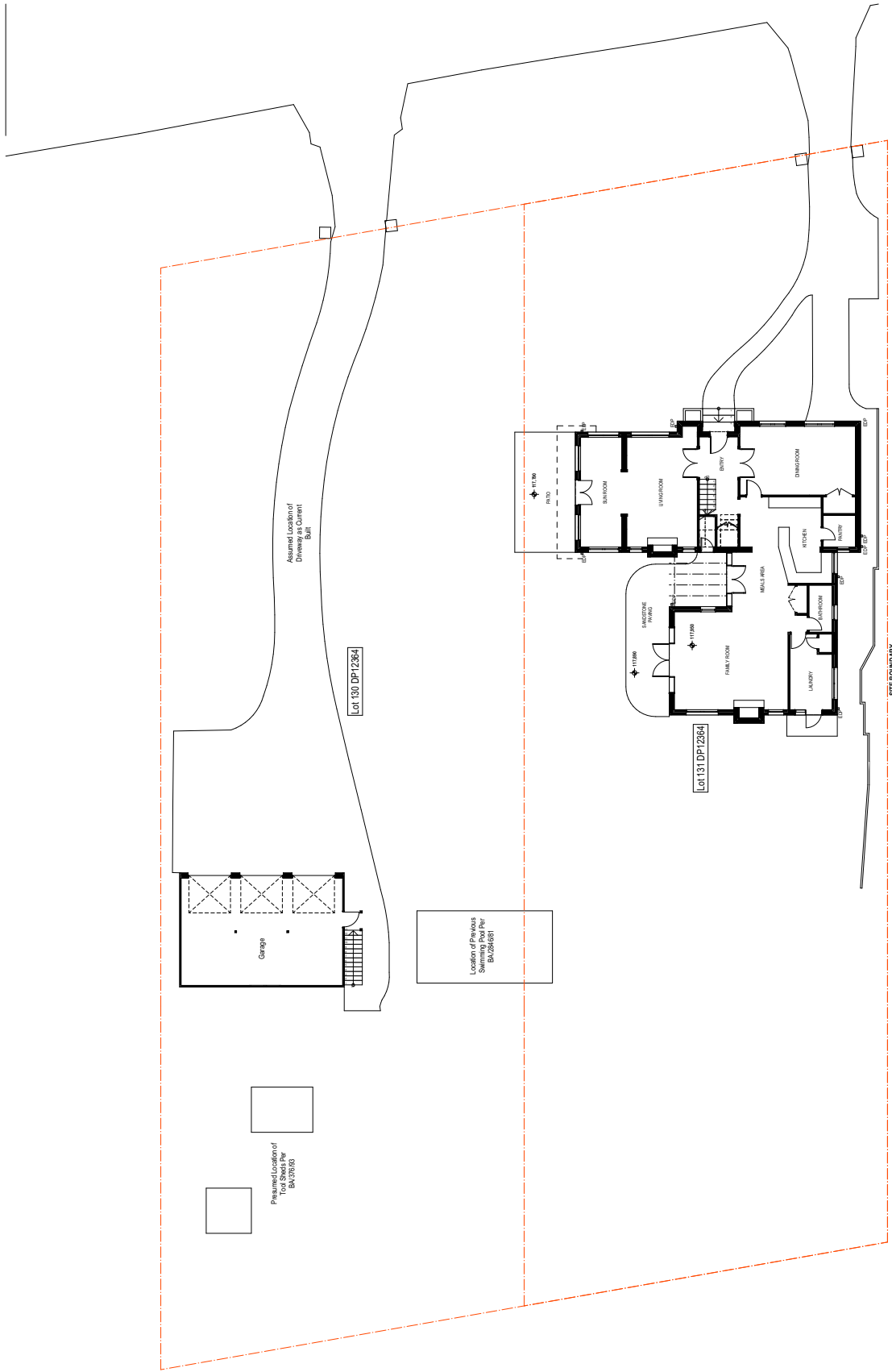
South Elevation



East Elevation

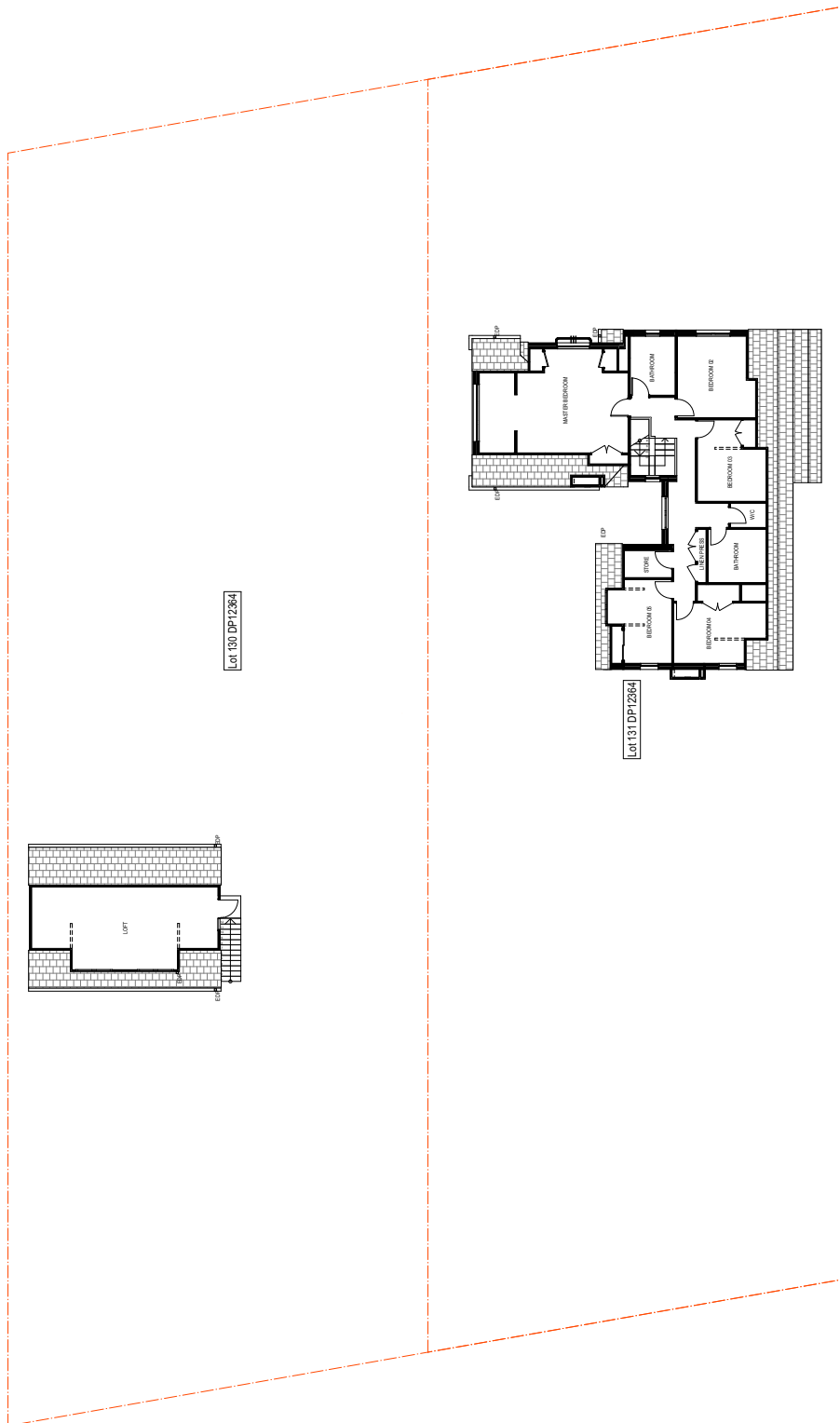
ARCHITECT DAVID WHITE ARCHITECTS PTY LTD N.S.W. Registration No. 626 5 WINGGOLA CRESCENT (SUITE 2) BILGERDIFT 2119 T: (02) 9464 0942 E: info@dwaindwesthornsby.com.au	NOTES: ALL WORK SHALL BE IN ACCORDANCE WITH THE NATIONAL BUILDING REGULATIONS AND ALL APPLICABLE STANDARDS. ALL WORK TO COMPLY WITH CURRENT REGULATIONS AND S.A.A. CONSULTANT'S WORK IS LIMITED TO THE DESIGN OF THE BUILDING. CLIENT'S RESPONSIBILITY IS TO OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL COUNCIL AND STATE AUTHORITIES. THE CLIENT IS ADVISED THAT THE ARCHITECT'S WORK IS LIMITED TO THE DESIGN OF THE BUILDING AND DOES NOT INCLUDE THE OBTAINING OF PERMITS OR APPROVALS FROM THE LOCAL COUNCIL AND STATE AUTHORITIES. THE CLIENT IS ADVISED THAT THE ARCHITECT'S WORK IS LIMITED TO THE DESIGN OF THE BUILDING AND DOES NOT INCLUDE THE OBTAINING OF PERMITS OR APPROVALS FROM THE LOCAL COUNCIL AND STATE AUTHORITIES.	CLIENT MR. KEN AND MRS. LOUISE FAWKES DA ISSUE	PROJECT ALTERATIONS AND ADDITIONS TO 130/131 DP17304 CHELTENHAM, NSW, 2119	DRAWING NAME SOUTH & EAST ELEVATIONS - ORIGINAL D99 CONSTRUCTION	DRAWING NUMBER DA-1004	PROJECT NUMBER 23003
		ARCHITECT DW	ARCHITECT DW	ISSUE DATE 22/11/2023	ISSUE A	SCALE: 1:100

ATTACHMENT 3 - ITEM 1



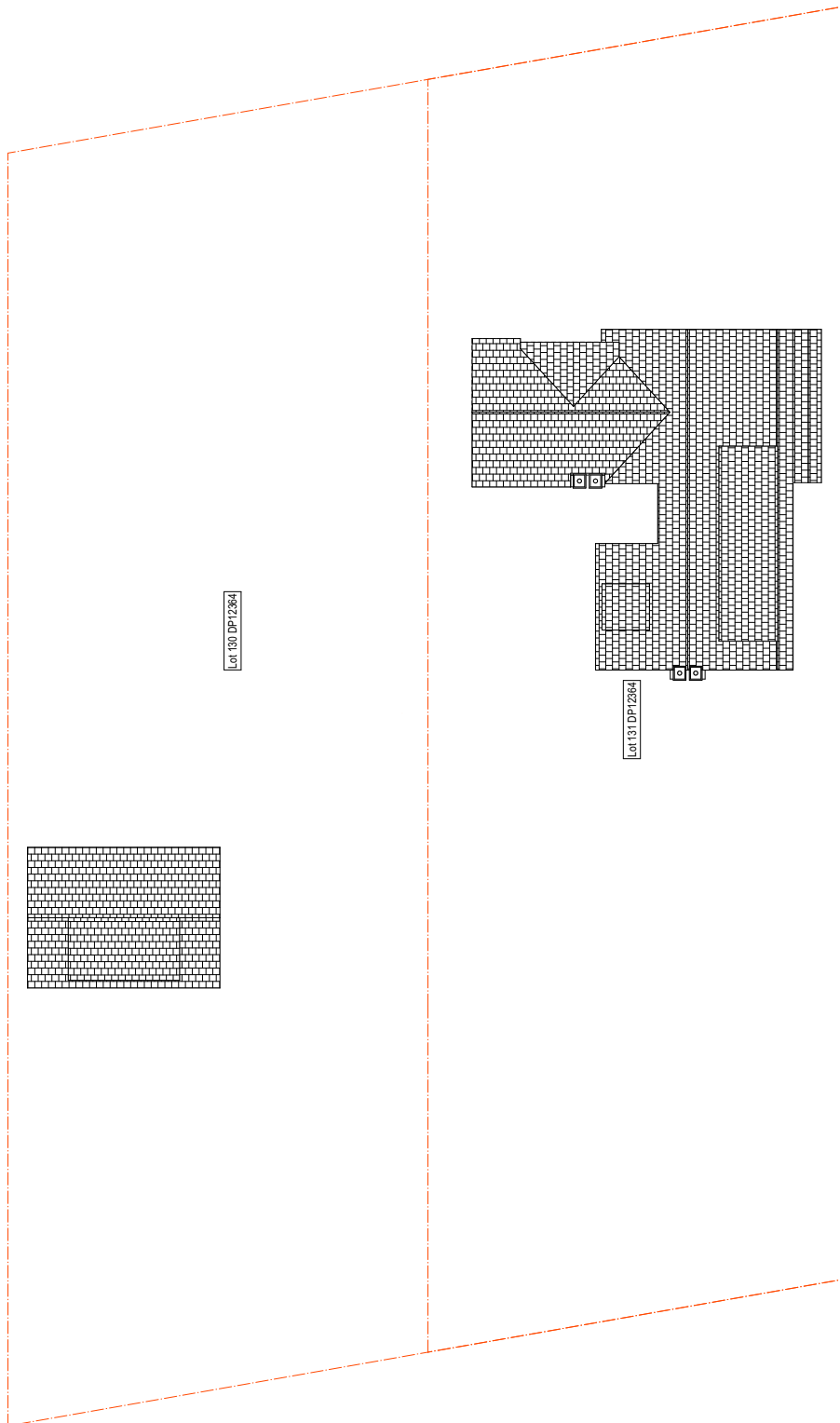
ARCHITECT DAVID WHITE ARCHITECTS PTY LTD N.S.W. Registration No. 658 5 WINGOLA CRESCENT (SUITE 2) BIRRODIFT 2119 T (02) 9484 0925 E. info@dwarchitects.com.au	NOTES: 1. THIS DOCUMENT IS THE PROPERTY OF DAVID WHITE ARCHITECTS PTY LTD. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED IN THE TITLE BLOCK AND NOT BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF DAVID WHITE ARCHITECTS PTY LTD. 2. THE CLIENT ACCEPTS THAT THIS DOCUMENT IS NOT A CONTRACT AND IS SUBJECT TO THE STANDARD CONDITIONS OF SALE AND CONTRACT DOCUMENTS OF DAVID WHITE ARCHITECTS PTY LTD. 3. ALL WORK IS TO COMPLY WITH CURRENT REGULATIONS AND S.A.A. STANDARDS.	CLIENT MR. KEN AND MRS. LOUISE FAWKES	PROJECT NAME ALTERATIONS AND ADDITIONS TO CHORLEYA VESSEL CHRENTON (NSW 2119)	PROJECT NUMBER DA-1005
		DRAWING NUMBER 191 BA/246/081	DRAWN RC	ARCHITECT DW


ATTACHMENT 3 - ITEM 1



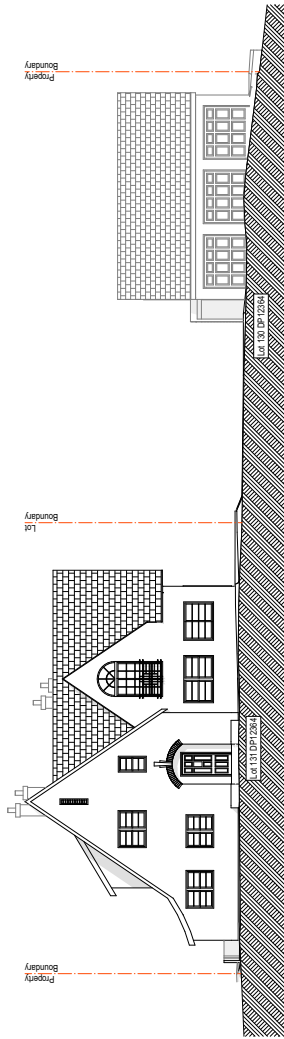
ARCHITECT DAVID WHITE ARCHITECTS PTY LTD N.S.W. Registration No. 458 5 WINGOLA CRESCENT (SUITE 2) BIRRODIFT 2119 T (02) 9484 0925 E. info@dwarchitects.com.au	NOTES: 1. THIS DOCUMENT IS THE PROPERTY OF DAVID WHITE ARCHITECTS PTY LTD. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED IN THIS DOCUMENT. IT IS NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, WITHOUT THE WRITTEN PERMISSION OF DAVID WHITE ARCHITECTS PTY LTD. ANY UNAUTHORIZED USE OF THIS DOCUMENT IS STRICTLY PROHIBITED.	CLIENT MR. KEN AND MRS. LOUISE FAWKES DA ISSUE	PROJECT NAME ALTERATIONS AND ADDITIONS OF 131 CHELSEA AVENUE CHELTENHAM, NSW, 2119	PROJECT NUMBER 1981 BA24681	DRAWING NAME DA-1006	PROJECT NUMBER 23003
	ARCHITECT DAVID WHITE ARCHITECTS PTY LTD 5 WINGOLA CRESCENT (SUITE 2) BIRRODIFT 2119 T (02) 9484 0925 E. info@dwarchitects.com.au	SCALE 1:100 (A1)	DATE 22/1/2023	ISSUE A	SCALE 1:100 (A1)	DATE 22/1/2023

ATTACHMENT 3 - ITEM 1

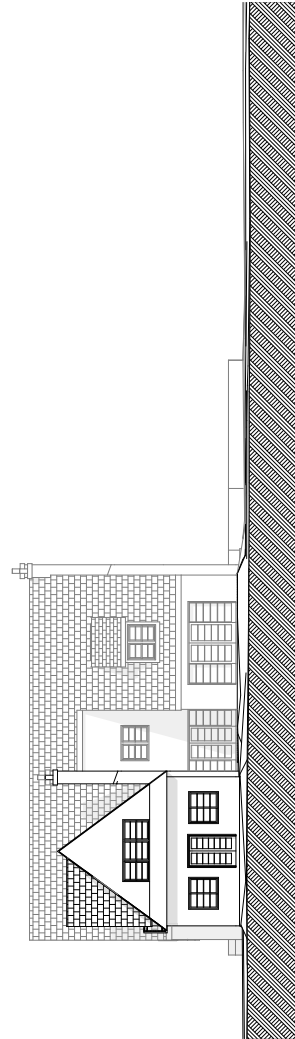


ARCHITECT DAVID WHITE ARCHITECTS PTY LTD N.S.W. Registration No. 458 5 WINGOLA CRESCENT (SUITE 2) BILGEROFT 2119 T (02) 9434 0925 E. info@dwarchitects.com.au	NOTES: 1. THIS DOCUMENT IS THE PROPERTY OF DAVID WHITE ARCHITECTS PTY LTD. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED IN THE TITLE BLOCK. IT IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF DAVID WHITE ARCHITECTS PTY LTD. 2. THIS DOCUMENT IS THE PROPERTY OF DAVID WHITE ARCHITECTS PTY LTD. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED IN THE TITLE BLOCK. IT IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF DAVID WHITE ARCHITECTS PTY LTD.	CLIENT MR. KEN AND MRS. LOUISE FAWKES	PROJECT ALTERATIONS AND ADDITIONS TO 70 CHERLEY AVENUE CHELTENHAM, NSW, 2119	PROJECT NUMBER 	DRAWING NAME ROOF PLAN - 1981 BA/246081	DRAWING NUMBER DA-1007	PROJECT NUMBER 23003
		MR. KEN AND MRS. LOUISE FAWKES DA ISSUE	PROJECT NAME ALTERATIONS AND ADDITIONS TO 70 CHERLEY AVENUE CHELTENHAM, NSW, 2119	ARCHITECT DW	DRAWN RC	ISSUE A	DATE 22/11/2023

ATTACHMENT 3 - ITEM 1



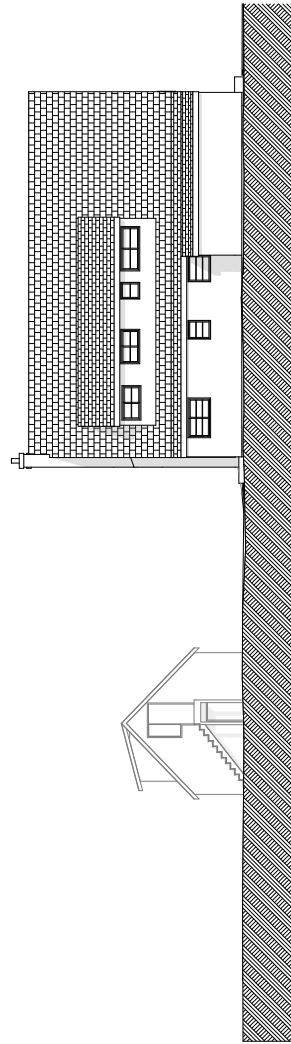
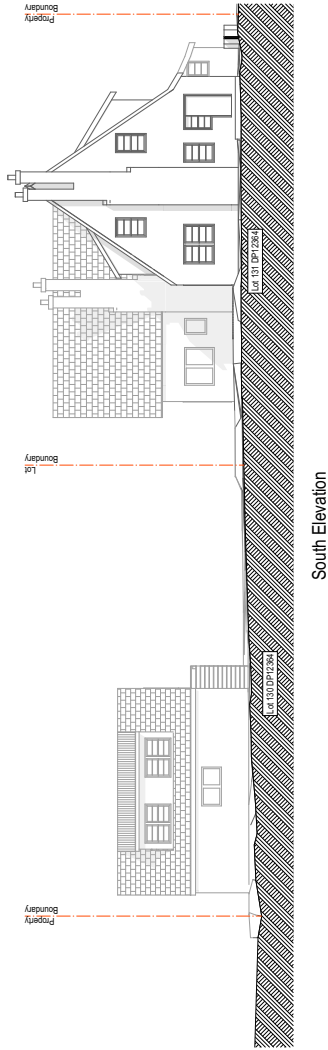
North (Street) Elevation



West Elevation

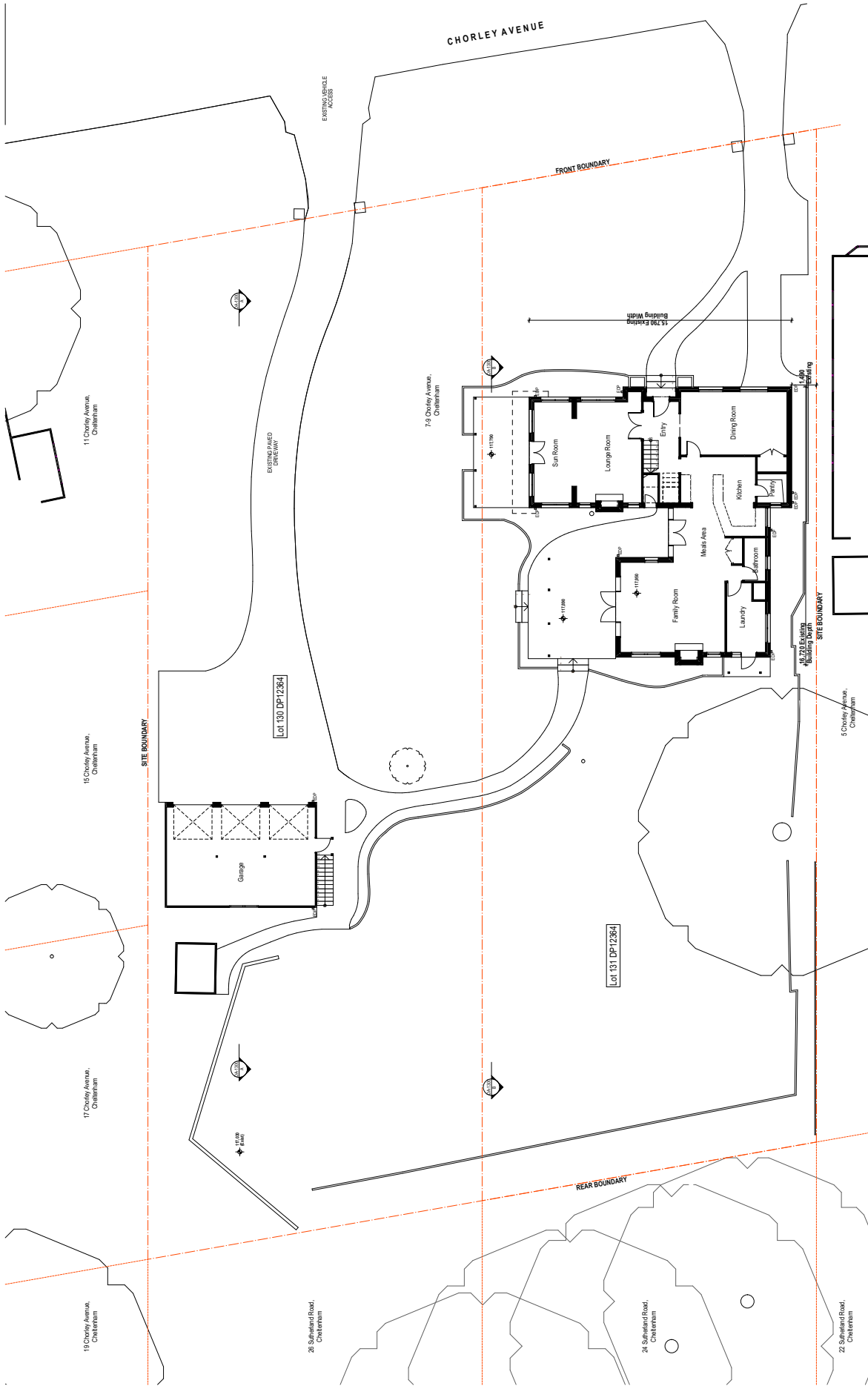
ARCHITECT DAVID WHITE ARCHITECTS PTY LTD N.S.W. Registration No. 626 5 WINGOLA CRESCENT (SUITE 2) BILGERDPT 2119 T: (02) 9434 8942 E: info@dwarchitects.com.au	NOTES: ALL WORK IS TO BE CONSIDERED AS A PRELIMINARY DESIGN AND IS NOT TO BE USED FOR CONSTRUCTION WITHOUT THE APPROVAL OF THE LOCAL COUNCIL. THE CLIENT IS ADVISED THAT ANY ALTERATIONS TO THIS DESIGN SHALL BE AT THEIR OWN RISK AND WITHOUT THE LIABILITY OF THE ARCHITECT. THE CLIENT IS ADVISED THAT ANY ALTERATIONS TO THIS DESIGN SHALL BE AT THEIR OWN RISK AND WITHOUT THE LIABILITY OF THE ARCHITECT. ALL WORK IS TO BE CONSIDERED AS A PRELIMINARY DESIGN AND IS NOT TO BE USED FOR CONSTRUCTION WITHOUT THE APPROVAL OF THE LOCAL COUNCIL.	CLIENT MR. KEN AND MRS. LOUISE FAWKES DA ISSUE	PROJECT ALTERATIONS AND ADDITIONS TO 15 CHORLEY AVENUE CHELTENHAM, NSW, 2119	DRAWING NAME NORTH & WEST ELEVATIONS - 1981 BA2346081	DRAWING NUMBER DA-1008	PROJECT NUMBER 23003
		ARCHITECT DW	ISSUE DATE 22/1/2024	ISSUE A		

ATTACHMENT 3 - ITEM 1



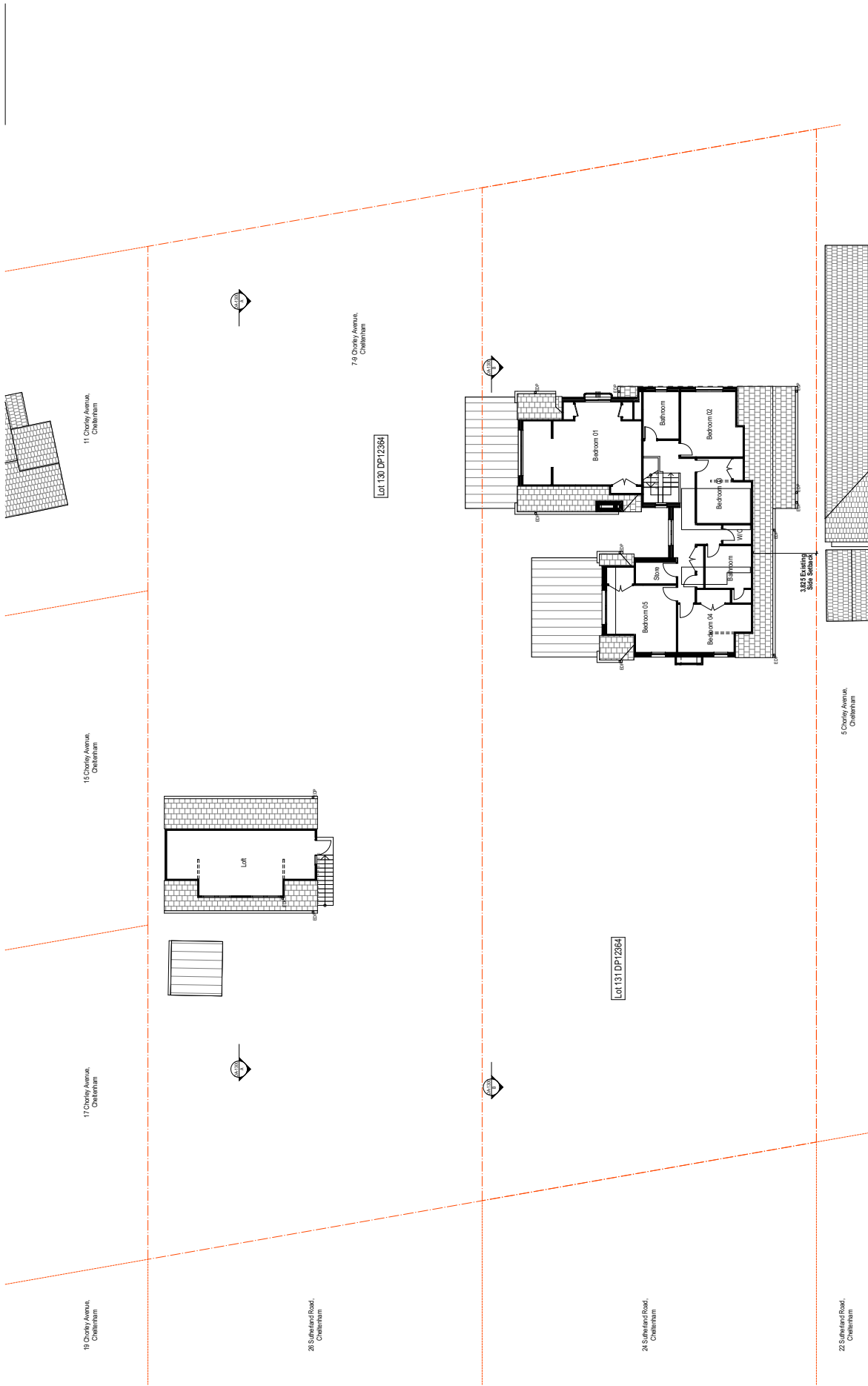
ARCHITECT DAVID WHITE ARCHITECTS PTY LTD N.S.W. Registration No. 458 5 WINGOLA CRESCENT (SUITE 2) BILEROFT 2119 T (02) 9434 4952 E info@dwarchitects.com.au	NOTES: ALL WORK IS TO BE COMPLETED IN ACCORDANCE WITH THE NATIONAL BUILDING REGULATIONS 2011. THIS DRAWING IS A PRELIMINARY DESIGN AND IS NOT TO BE USED FOR CONSTRUCTION WITHOUT THE WRITTEN APPROVAL OF THE ARCHITECT. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS IN THIS DRAWING. ALL WORK IS TO COMPLY WITH CURRENT REGULATIONS AND S.A. STANDARDS.	CLIENT MR. KEN AND MRS. LOUISE FAWKES DA ISSUE	PROJECT ALTERATIONS AND ADDITIONS 76 CHERLEY AVENUE CHELTENHAM, NSW, 2119	DRAWING NAME SOUTH & EAST ELEVATIONS - 191 BA/284681	DRAWING NUMBER DA-1099	PROJECT NUMBER 23003
		ARCHITECT DW	DRAWN RC	ISSUE DATE 22/11/2023	SCALE 1:100 (A1)	ARCHITECT DW

ATTACHMENT 3 - ITEM 1



<p>ARCHITECT DAVID WHITE ARCHITECTS PTY LTD N.S.W. Registration No. 658 5 WINGOLA CRESCENT (SUITE) / BERKHOFT 2/19 E. info@dwarchitects.com.au T. (02) 9434 8925</p>	<p>NOTES: 1. THIS DOCUMENT IS THE PROPERTY OF DAVID WHITE ARCHITECTS PTY LTD. 2. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED. 3. ANY REUSE OR MODIFICATION OF THIS DOCUMENT WITHOUT THE WRITTEN PERMISSION OF DAVID WHITE ARCHITECTS PTY LTD. IS STRICTLY PROHIBITED. 4. ALL WORK IS TO COMPLY WITH CURRENT REGULATIONS AND S.A.A. STANDARDS.</p>	<p>CLIENT MR. KEN AND MRS. LOUISE FAWKES</p>	<p>PROJECT ALTERATIONS AND ADDITIONS TO 7-9 CHORLEY AVENUE CHILTERNHAM, NSW, 2119</p>	<p>PROJECT NUMBER GROUND FLOOR PLAN - EXISTING BA37693</p>	<p>DATE 22/1/2023</p>	<p>SCALE 1:100 (A1)</p>	<p>ISSUE A</p>	<p>ARCHITECT DW</p>	<p>DRAWN RC</p>	<p>PROJECT NUMBER DA-100</p>	<p>PROJECT NUMBER 23003</p>

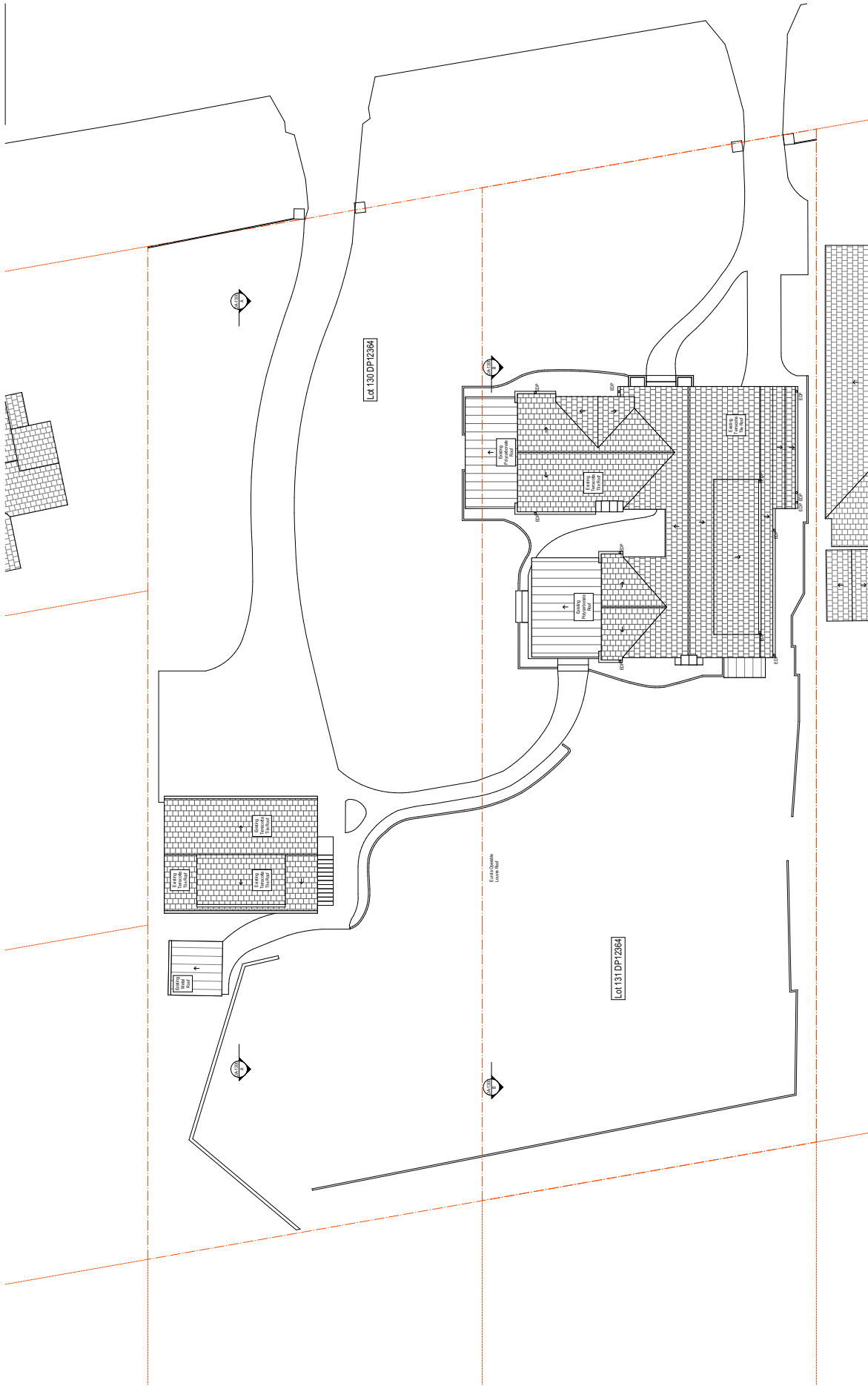
ATTACHMENT 3 - ITEM 1



ARCHITECT DAVID WHITE ARCHITECTS PTY LTD N.S.W. Registration No. 458 5 WINGALA CRESCENT (SUITE 2) BIRLEIGH 2119 T (02) 9484 8925 E. info@dwarchitects.com.au	NOTES: 1. THIS DOCUMENT IS THE PROPERTY OF DAVID WHITE ARCHITECTS PTY LTD. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN. ANY REUSE OR REPRODUCTION OF THIS DOCUMENT WITHOUT THE WRITTEN PERMISSION OF DAVID WHITE ARCHITECTS PTY LTD. IS STRICTLY PROHIBITED. 2. THIS DOCUMENT IS NOT VALID UNLESS USED IN CONJUNCTION WITH THE CURRENT MAIN PLAN. 3. ALL WORK TO COMPLY WITH CURRENT REGULATIONS AND S.A.A. STANDARDS.	CLIENT MR KEN AND MRS LOUISE FAWKES	PROJECT NAME ALTERATIONS AND ADDITIONS TO 78 CHERRY AVENUE, CHELTENHAM, NSW, 2119	PROJECT NUMBER DA-101	DRAWING NUMBER 23003	PROJECT NUMBER 23003
		DRAWING NAME UPPER FLOOR PLAN - EXISTING RAJ57603	DRAWN RC	ARCHITECT DW	ISSUE DATE 22/1/2023	ISSUE A

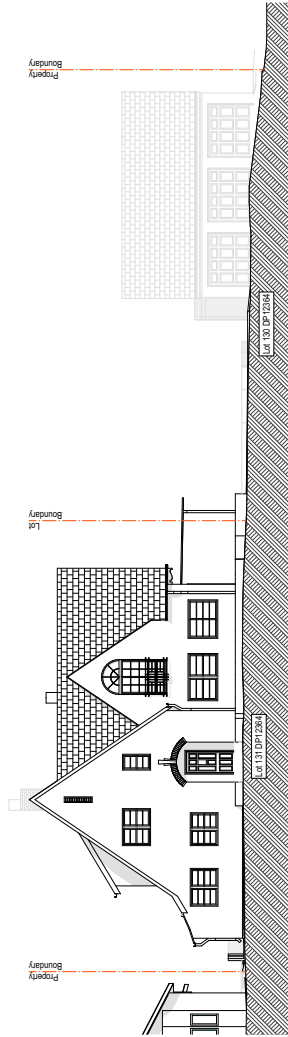
DA ISSUE

ATTACHMENT 3 - ITEM 1

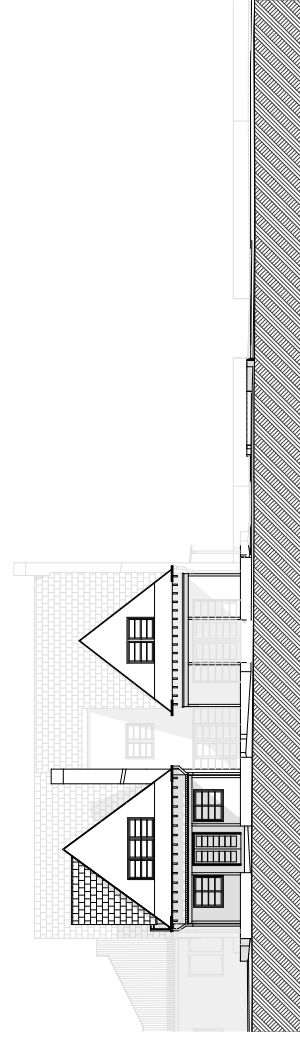


ARCHITECT DAVID WHITE ARCHITECTS PTY LTD N.S.W. Registration No. 456 5 WINGOLA CRESCENT (SUITE) BIRRODPT 2119 T (02) 9484 8925 E. info@dwaindwhite.com.au	NOTES: 1. ALL WORK IS TO BE COMPLETED IN ACCORDANCE WITH THE NATIONAL BUILDING REGULATIONS 2011. 2. THIS DRAWING IS THE PROPERTY OF DAVID WHITE ARCHITECTS PTY LTD. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED. 3. ANY REVISIONS TO THIS DRAWING MUST BE APPROVED BY DAVID WHITE ARCHITECTS PTY LTD. 4. ALL WORK IS TO COMPLY WITH CURRENT REGULATIONS AND S.A.A. STANDARDS.	CLIENT MR KEN AND MRS LOUISE FAWKES	PROJECT NAME ROOF PLAN - EXISTING BA37693	PROJECT NUMBER DA-102	PROJECT NUMBER 23003
		PROJECT ALTERATIONS AND ADDITIONS TO CHORLEYA VENUE CHELTENHAM, NSW 2119	DA ISSUE	SCALE 1:100 (A1)	DATE 22/01/2023

ATTACHMENT 3 - ITEM 1



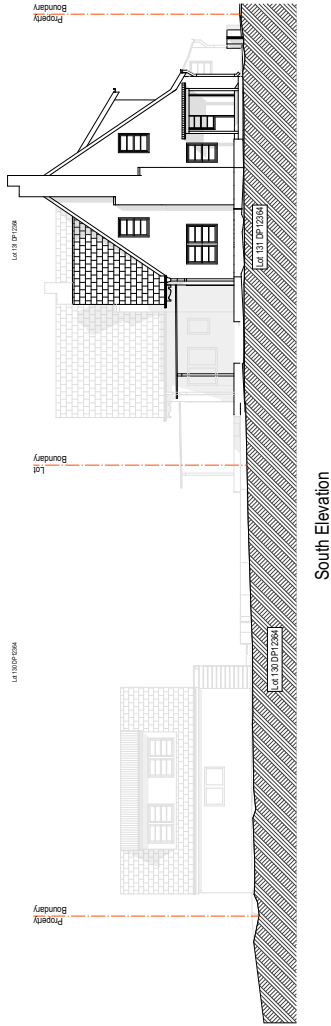
North (Street) Elevation



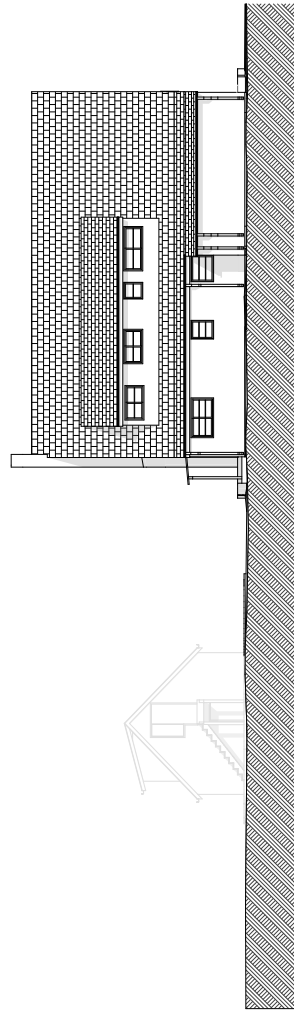
West Elevation

ARCHITECT DAVID WHITE ARCHITECTS PTY LTD N.S.W. Registration No. 626 5 WINGOLA CRESCENT (SUITE 2) BIRRODIT 2119 T: (02) 9434 4925 E: info@dwarchitects.com.au	NOTES: ALL WORK SHALL BE IN ACCORDANCE WITH THE NATIONAL BUILDING REGULATIONS AND ALL APPLICABLE STANDARDS. ALL WORK TO COMPLY WITH CURRENT REGULATIONS AND S.A.A. STANDARDS. CLIENT'S RESPONSIBILITY TO OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL COUNCIL AND STATE AUTHORITIES. THIS DRAWING IS THE PROPERTY OF DAVID WHITE ARCHITECTS PTY LTD. NO PART OF THIS DRAWING IS TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF DAVID WHITE ARCHITECTS PTY LTD. CONSULT YOUR ARCHITECT FOR MORE INFORMATION. ALL WORK TO COMPLY WITH CURRENT REGULATIONS AND S.A.A. STANDARDS.	CLIENT MR. KEN AND MRS. LOUISE FAWKES DA ISSUE	PROJECT ALTERATIONS AND ADDITIONS TO CHORLEY AVENUE CHERRILTON, NSW, 2119	DRAWING NAME NORTH & WEST ELEVATIONS - EXISTING BA37693	DRAWING NUMBER DA-1013	PROJECT NUMBER 23003
		DRAWN RC	ARCHITECT DW	ISSUE DATE 22/11/2023	SCALE 1:100 (A1)	SCALE 1:100

ATTACHMENT 3 - ITEM 1



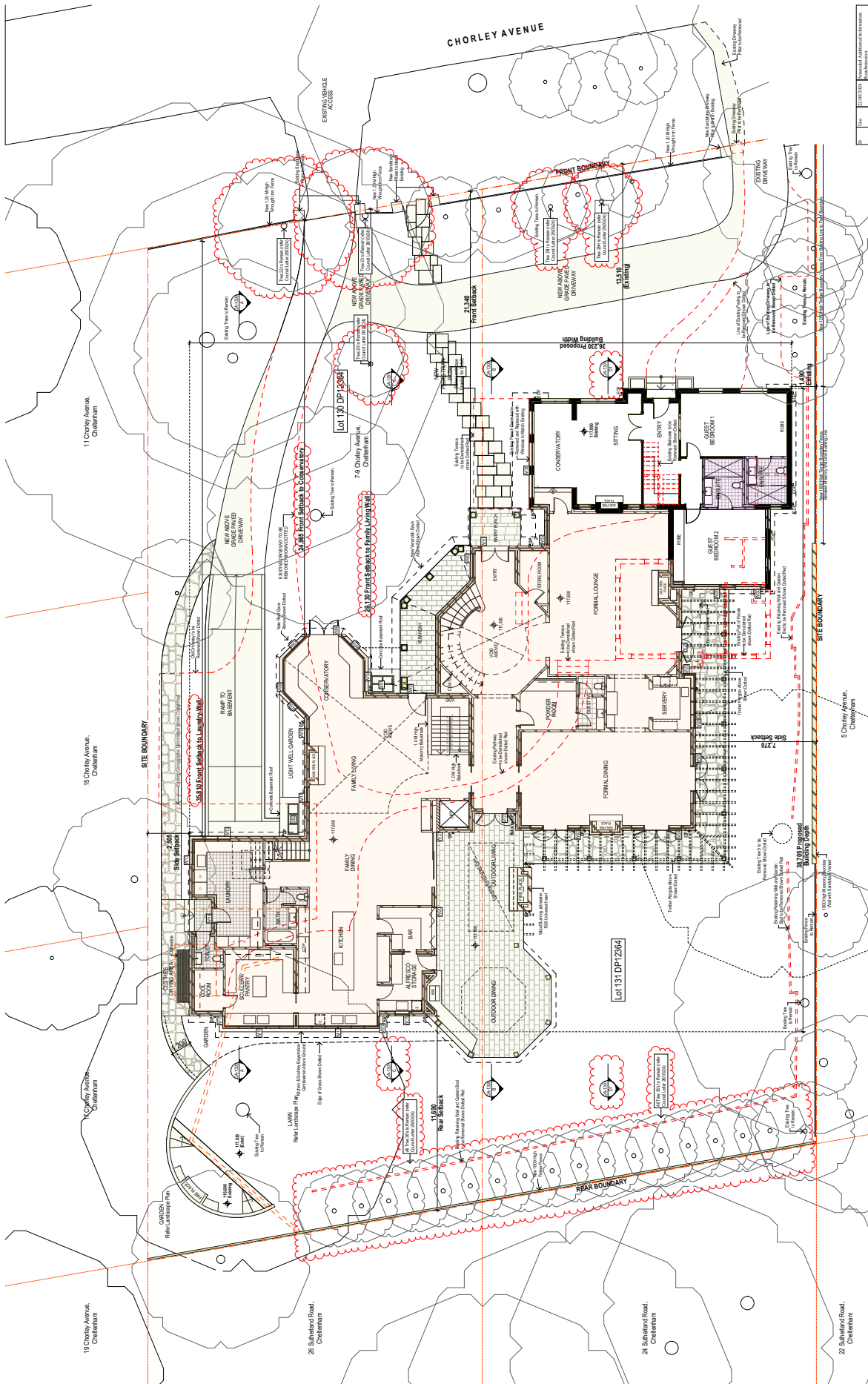
South Elevation



East Elevation

ARCHITECT DAVID WHITE ARCHITECTS PTY LTD N.S.W. Registration No. 458 5 WINGOLA CRESCENT (SUITE) / BIRCHCROFT 2119 T (02) 9434 4952 E. info@dwarchitects.com.au	NOTES: ALL WORK SHALL BE IN ACCORDANCE WITH THE NATIONAL BUILDING REGULATIONS AND ALL APPLICABLE STANDARDS. ALL WORK TO COMPLY WITH CURRENT REGULATIONS AND S.A.A. CONSULTANT OF RECORD TO BE ADVISED PRIOR TO ANY CHANGES TO THE DRAWINGS. THE CLIENT ACCEPTS RESPONSIBILITY FOR THE ACCURACY OF THE INFORMATION PROVIDED AND THE DESIGN OF THE WORK. THE CLIENT ACCEPTS RESPONSIBILITY FOR THE ACCURACY OF THE INFORMATION PROVIDED AND THE DESIGN OF THE WORK.	CLIENT MR. KEN AND MRS. LOUISE FAWKES DA ISSUE	PROJECT ALTERATIONS AND ADDITIONS TO 10 CHERLEY AVENUE CHELTENHAM, NSW, 2119	DRAWING NAME SOUTH & EAST ELEVATIONS - EXISTING BAU7693	DRAWING NUMBER DA-104	PROJECT NUMBER 23003
		ARCHITECT DAVID WHITE ARCHITECTS PTY LTD	DRAWN RC	ISSUE DATE 22/1/2024	ISSUE A	SCALE: 1:100

ATTACHMENT 3 - ITEM 1



NO.	DATE	DESCRIPTION
1	22/05/24	ISSUE FOR PUBLIC COMMENT
2	22/05/24	ISSUE FOR PUBLIC COMMENT
3	22/05/24	ISSUE FOR PUBLIC COMMENT
4	22/05/24	ISSUE FOR PUBLIC COMMENT
5	22/05/24	ISSUE FOR PUBLIC COMMENT
6	22/05/24	ISSUE FOR PUBLIC COMMENT
7	22/05/24	ISSUE FOR PUBLIC COMMENT
8	22/05/24	ISSUE FOR PUBLIC COMMENT
9	22/05/24	ISSUE FOR PUBLIC COMMENT
10	22/05/24	ISSUE FOR PUBLIC COMMENT

DRAWING NUMBER	DA-100
PROJECT NUMBER	23003
ISSUE DATE	22/05/24
ISSUE	D

PROJECT NAME	GROUND FLOOR PLAN - PROPOSED
DRAWN BY	RC
ARCHITECT	DAVID WHITE ARCHITECTS
ISSUE NAME	Public Comment Information
ISSUE NUMBER	8

PROJECT NUMBER	DAVID WHITE ARCHITECTS
SCALE	1:100 (A1)
DATE	22/05/24

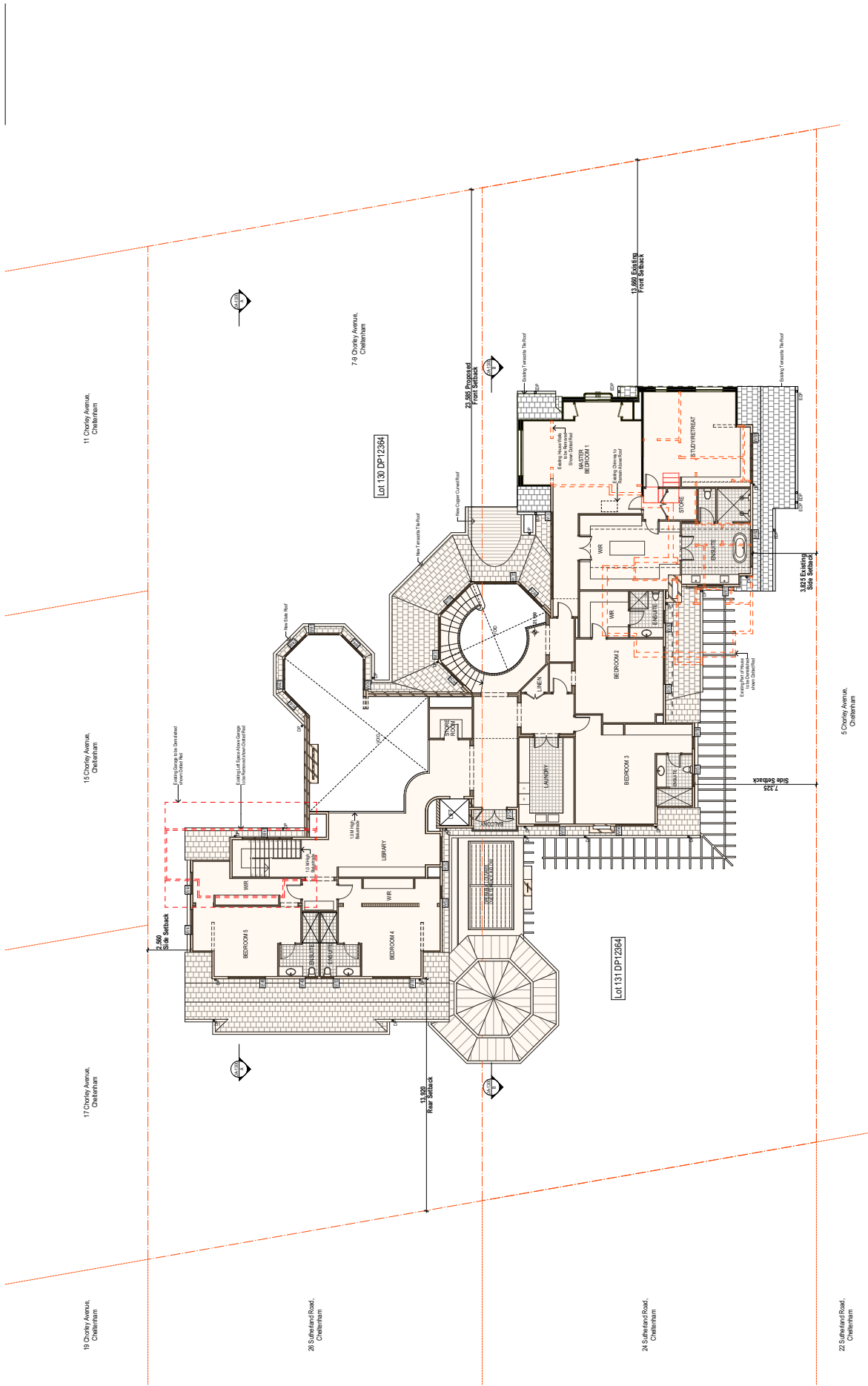
CLIENT	MRS KEN AND MRS LOUISE FAWKES
PROJECT	ALTERATIONS AND ADDITIONS TO 5 CHORLEY AVENUE, CHORLEY (LPP10/24)
DA ISSUE	DA ISSUE

ARCHITECT	DAVID WHITE ARCHITECTS PTY LTD
REGISTRATION	N.S.W. Registration No. 458
ADDRESS	5 WINGGALA CRESCENT (SUITE 2) BIRRODROFT 2119
CONTACT	T: (02) 9434 4925 E: info@dwarchitects.com.au

NOTES:
 1. THIS DRAWING IS THE PROPERTY OF DAVID WHITE ARCHITECTS PTY LTD AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF DAVID WHITE ARCHITECTS PTY LTD.
 2. THIS DRAWING IS THE PROPERTY OF DAVID WHITE ARCHITECTS PTY LTD AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF DAVID WHITE ARCHITECTS PTY LTD.
 3. ALL WORK TO BE DONE IN ACCORDANCE WITH CURRENT REGULATIONS AND S.A.A. STANDARDS.

AREAS OF NEW WORKS	AREAS IN EXISTING FOOTPRINT	AREAS OF NEW EXTERNAL HARD SURFACE WORKS
--------------------	-----------------------------	--

ATTACHMENT 3 - ITEM 1



ARCHITECT
DAVID WHITE ARCHITECTS PTY LTD
 N.S.W. Registration No. 458
 5 WINGGALA CRESCENT (SUITE 2) BIRLECROFT 2119
 T (02) 9484 8925 E. info@dwaindwhitearchitects.com.au

CLIENT
 MR KEN AND MRS LOUISE FAWKES

PROJECT
 ALTERATIONS AND ADDITIONS
 TO 5 CHARLEY AVENUE
 CHELTENHAM, NSW, 2119

PROJECT NUMBER
 DA-101

DRAWING NUMBER
 DA-101

PROJECT NUMBER
 23003

SCALE
 1:100 (A1)

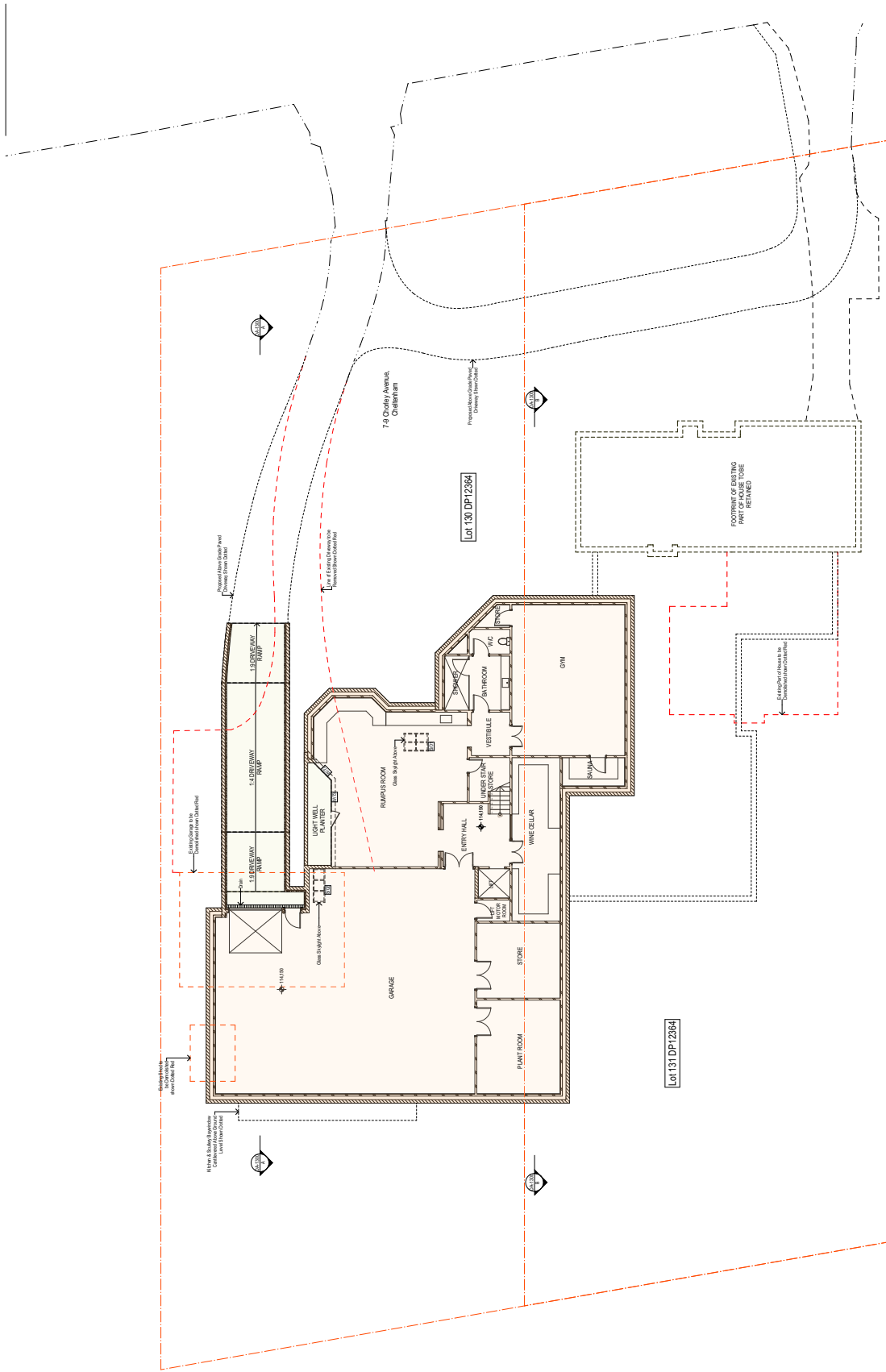
DATE
 22/11/2023

ARCHITECT
 DW

ISSUE
 A

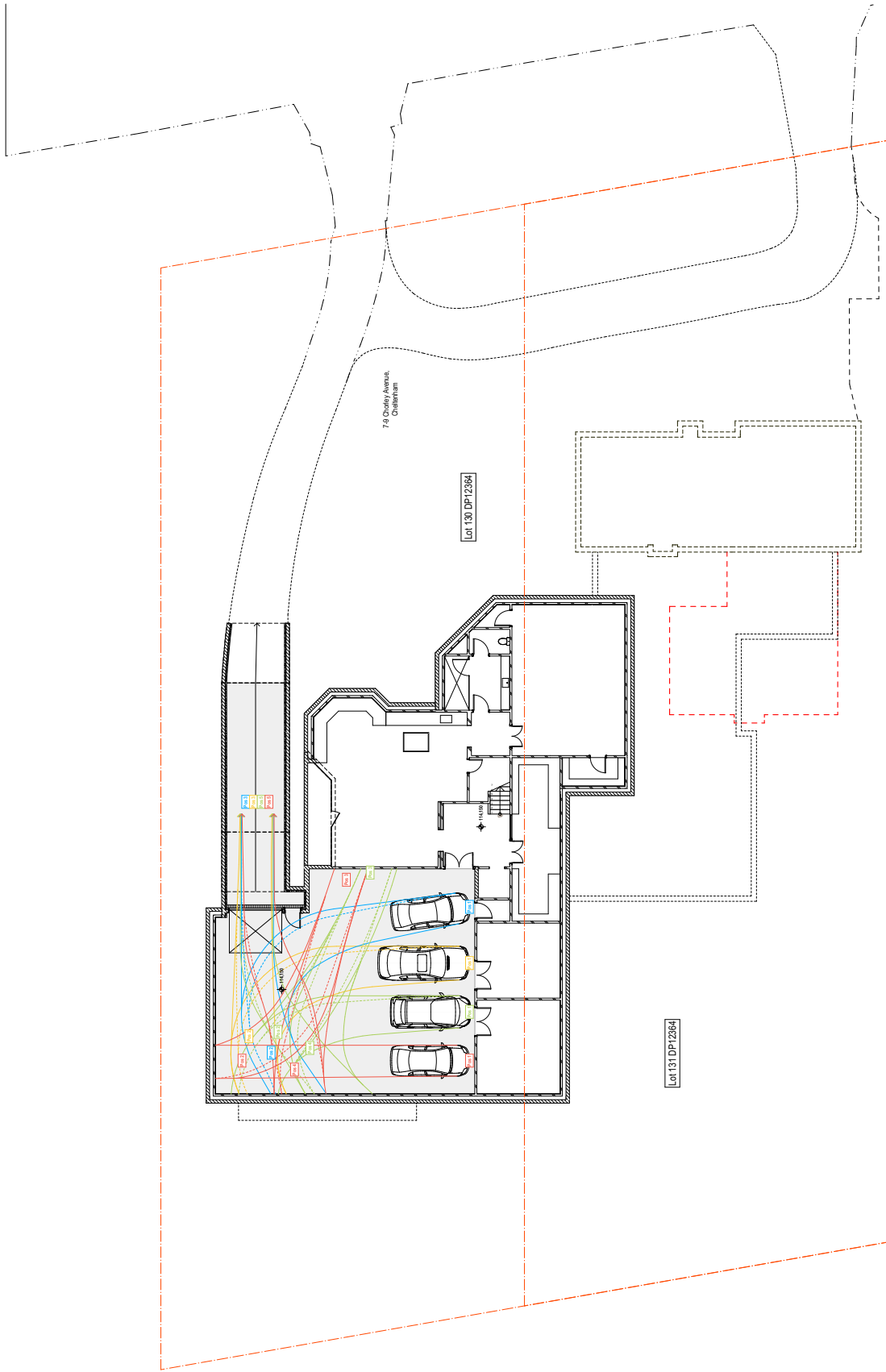
NOTES:
 1. THIS DRAWING IS A PRELIMINARY DESIGN AND IS NOT TO BE USED FOR CONSTRUCTION WITHOUT THE WRITTEN APPROVAL OF THE ARCHITECT.
 2. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL COUNCIL AND ANY OTHER RELEVANT AUTHORITIES.
 3. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL COUNCIL AND ANY OTHER RELEVANT AUTHORITIES.
 4. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL COUNCIL AND ANY OTHER RELEVANT AUTHORITIES.
 5. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL COUNCIL AND ANY OTHER RELEVANT AUTHORITIES.
 6. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL COUNCIL AND ANY OTHER RELEVANT AUTHORITIES.
 7. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL COUNCIL AND ANY OTHER RELEVANT AUTHORITIES.
 8. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL COUNCIL AND ANY OTHER RELEVANT AUTHORITIES.
 9. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL COUNCIL AND ANY OTHER RELEVANT AUTHORITIES.
 10. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL COUNCIL AND ANY OTHER RELEVANT AUTHORITIES.

ATTACHMENT 3 - ITEM 1



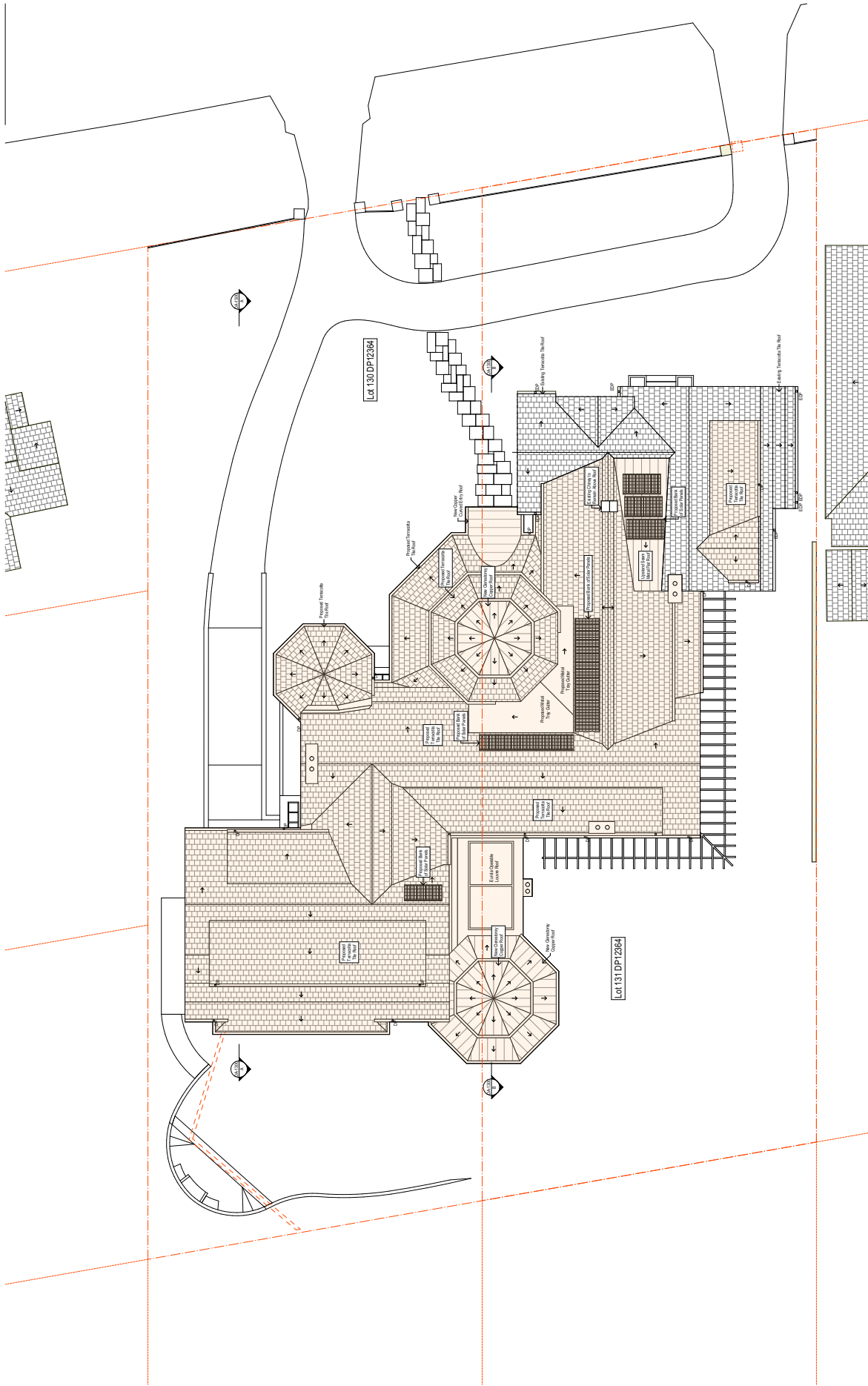
ARCHITECT DAVID WHITE ARCHITECTS PTY LTD N.S.W. Registration No. 458 5 WINGGALLA CRESCENT (SUITE 2) BIRLECROFT 2119 T (02) 9434 8925 E. info@dwarchitects.com.au	NOTES: 1. THIS DOCUMENT IS THE PROPERTY OF DAVID WHITE ARCHITECTS PTY LTD. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED IN THE TITLE BLOCK. IT IS NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, WITHOUT THE WRITTEN PERMISSION OF DAVID WHITE ARCHITECTS PTY LTD. WHILE IN THE POSSESSION OF THE CLIENT OR ANY OTHER PARTY, THE CLIENT AND ANY OTHER PARTY SHALL BE RESPONSIBLE FOR THE PROTECTION AND SECURITY OF THIS DOCUMENT AND FOR THE REPAIR AND REPLACEMENT OF ANY DAMAGE TO IT. ALL WORK TO COMPLY WITH CURRENT REGULATIONS AND S.A.A. STANDARDS.	CLIENT MR. KEN AND MRS. LOUISE FAWKES 79 CHUBBY AVENUE CHESHAM, NSW, 2119 DA ISSUE	PROJECT NAME BASEMENT FLOOR PLAN - PROPOSED	PROJECT NUMBER DA-102	DRAWING NUMBER 23003
	SCALE 1:100 (A1)	DATE 22/1/2023	ISSUE A	ARCHITECT DW	SCALE BAR 0 5 10 METERS

ATTACHMENT 3 - ITEM 1



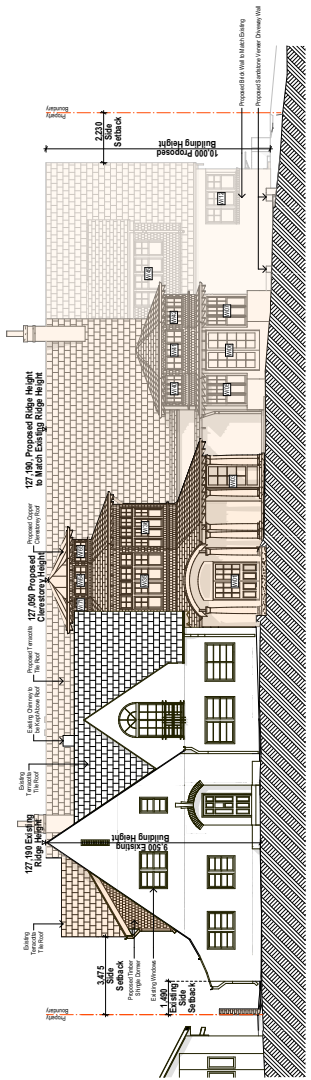
ARCHITECT DAVID WHITE ARCHITECTS PTY LTD N.S.W. Registration No. 458 5 WINGOLA CRESCENT (SUITE 2) BIRRODIFT 2119 T: (02) 9484 8925 E: info@dwarchitects.com.au	NOTES: 1. THIS DRAWING IS A PRELIMINARY DESIGN AND IS NOT TO BE USED FOR CONSTRUCTION. 2. ANY WORK SHOWN ON THIS DRAWING IS SUBJECT TO THE RELEVANT LOCAL GOVERNMENT REGULATIONS AND S.A.A. STANDARDS. 3. THE CLIENT IS ADVISED THAT THIS DRAWING IS NOT TO BE USED FOR CONSTRUCTION WITHOUT THE WRITTEN PERMISSION OF DAVID WHITE ARCHITECTS PTY LTD. 4. THE CLIENT IS ADVISED THAT THIS DRAWING IS NOT TO BE USED FOR CONSTRUCTION WITHOUT THE WRITTEN PERMISSION OF DAVID WHITE ARCHITECTS PTY LTD. 5. THE CLIENT IS ADVISED THAT THIS DRAWING IS NOT TO BE USED FOR CONSTRUCTION WITHOUT THE WRITTEN PERMISSION OF DAVID WHITE ARCHITECTS PTY LTD.	CLIENT MR. KEN AND MRS. LOUISE FAWKES DA ISSUE	PROJECT ALTERATIONS AND ADDITIONS 5 CHEROKEE AVENUE CHELTENHAM, NSW, 2119	PROJECT NUMBER BASMENT GARAGE MANUEVERING DIAGRAM SCALE: 1:100(01)	DRAWING NAME BASMENT GARAGE MANUEVERING DIAGRAM DRAWN: RC ARCHITECT: DW	DRAWING NUMBER DA-9406 PROJECT NUMBER 23003	ISSUE NAME Additional Information Refinement ISSUE DATE 15/05/24 ISSUE A
		PROJECT NAME 5 CHEROKEE AVENUE CHELTENHAM, NSW, 2119	SCALE 1:100(01)	ISSUE NAME Additional Information Refinement ISSUE DATE 15/05/24 ISSUE A			

ATTACHMENT 3 - ITEM 1

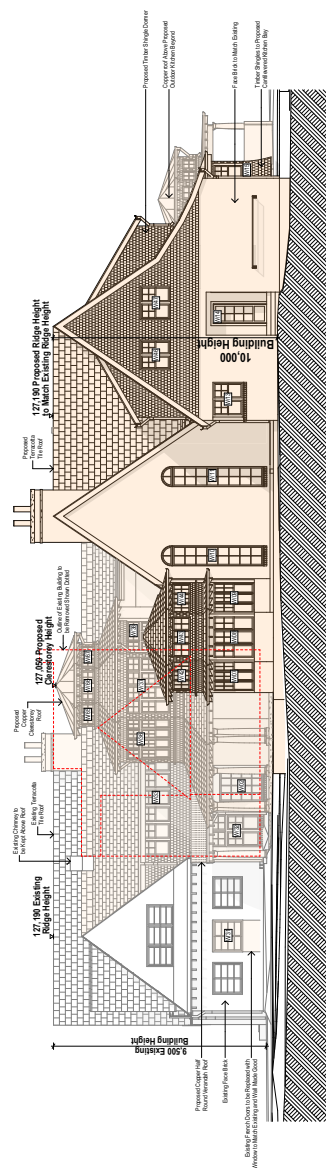


ARCHITECT DAVID WHITE ARCHITECTS PTY LTD N.S.W. Registration No. 458 5 WINGOLA CRESCENT (SUITE) JBERCROFT 2119 T: (02) 9484 8925 E: info@dwarchitects.com.au	NOTES: 1. ALL WORK SHALL BE IN ACCORDANCE WITH THE NATIONAL BUILDING REGULATIONS AND THE NSW BUILDING ACT 2018. 2. THIS PLAN IS A PRELIMINARY DESIGN AND IS NOT TO BE USED FOR CONSTRUCTION WITHOUT THE APPROVAL OF THE LOCAL COUNCIL. 3. ALL WORK SHALL BE IN ACCORDANCE WITH THE NATIONAL BUILDING REGULATIONS AND THE NSW BUILDING ACT 2018. 4. ALL WORK SHALL BE IN ACCORDANCE WITH THE NATIONAL BUILDING REGULATIONS AND THE NSW BUILDING ACT 2018.	CLIENT MR. KEN AND MRS. LOUISE FAWKES DA ISSUE	PROJECT ALTERATIONS AND ADDITIONS TO 130/131 WINGOLA CRESCENT CHELTENHAM, NSW 2119	PROJECT NUMBER ROOF PLAN - PROPOSED	SCALE 1:100 (R/C) 1:50 (G/F)	DATE 22/11/2023	ISSUE A
				PROJECT NAME ROOF PLAN - PROPOSED	SCALE 1:100 (R/C) 1:50 (G/F)	DATE 22/11/2023	ISSUE A

ATTACHMENT 3 - ITEM 1



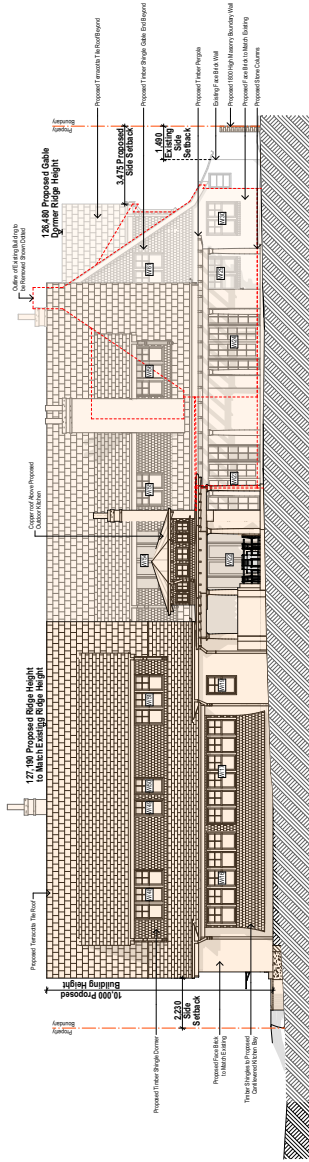
North (Street) Elevation



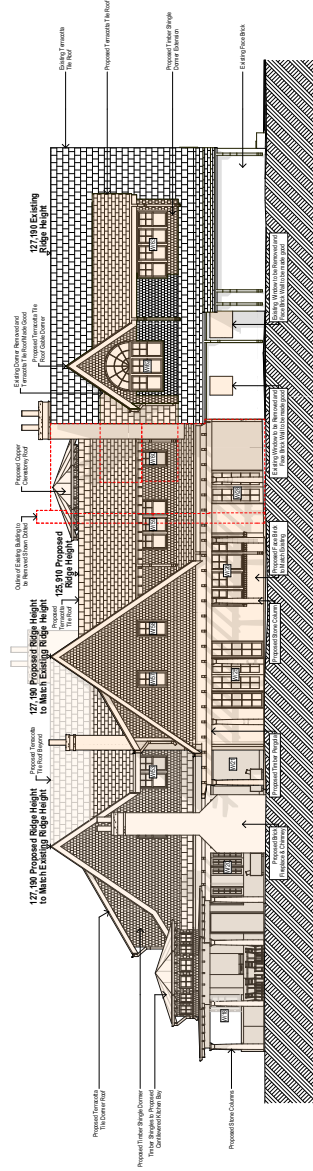
West Elevation

ARCHITECT DAVID WHITE ARCHITECTS PTY LTD N.S.W. Registration No. 626 5 WINGOLA CRESCENT (SUITE 2) BIRCHCROFT 2119 T (02) 9484 8942 E. info@dwaindwhitearchitects.com.au	CLIENT MR KEN AND MRS LOUISE FAWKES DA ISSUE	PROJECT ALTERATIONS AND ADDITIONS 127,188 CHEVELLY AVENUE CHELTERHAM, NSW, 2119	DRAWING NAME NORTH & WEST ELEVATIONS - PROPOSED	SCALE 1:100 (A1)	DATE 22/11/2024	ISSUE A
				DRAWING NUMBER DA-1200	PROJECT NUMBER 23003	

ATTACHMENT 3 - ITEM 1



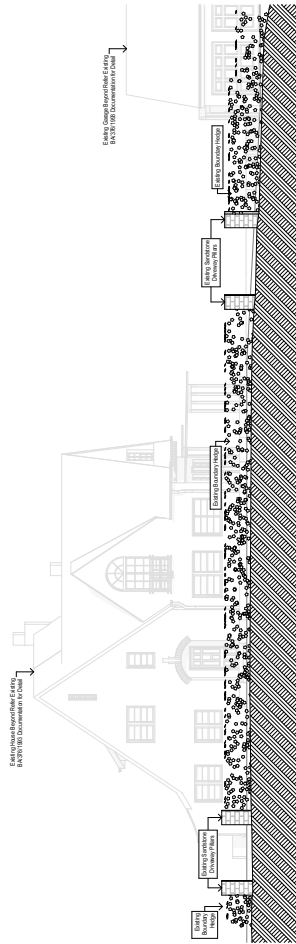
South Elevation



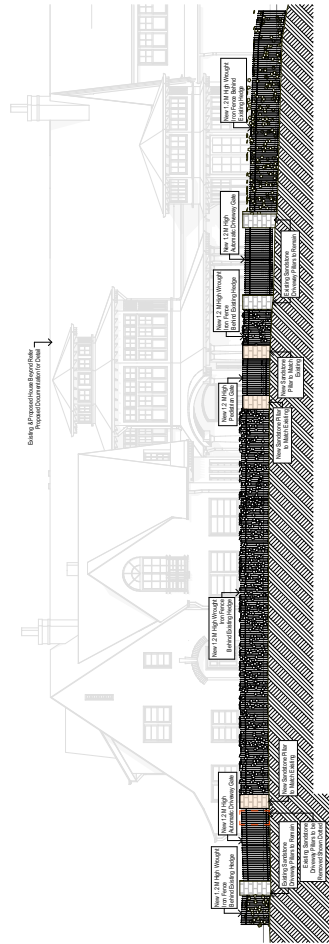
East Elevation

ARCHITECT DAVID WHITE ARCHITECTS PTY LTD N.S.W. Registration No. 458 5 WINGOLA CRESCENT (SUITE 2) BIRICROFT 2119 T 02 9414 8942 E info@dwaindwest.com.au	CLIENT MR. KEN AND MRS. LOUISE FAWKES DA ISSUE	PROJECT ALTERATIONS AND ADDITIONS 5 CHERLEY AVENUE CHELTENHAM, NSW, 2119	PROPOSAL NAME SOUTH & EAST ELEVATIONS - PROPOSED SCALE 1:100 (EAL) DRAWN RC DATE 22/1/2024 SHEET NO. A	DRAWING NUMBER DA-1201	DRAWING NUMBER 23003	DRAWING NUMBER 23003
				ARCHITECT DW	SHEET DATE 22/1/2024	SHEET A

ATTACHMENT 3 - ITEM 1



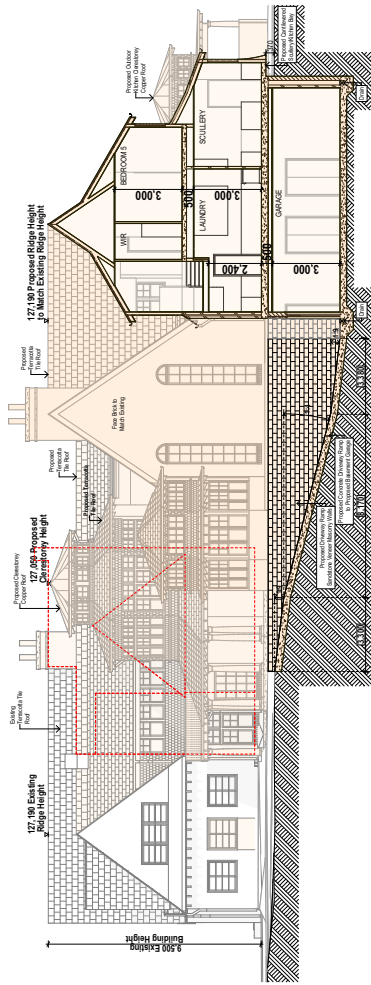
Existing Front Boundary Elevation



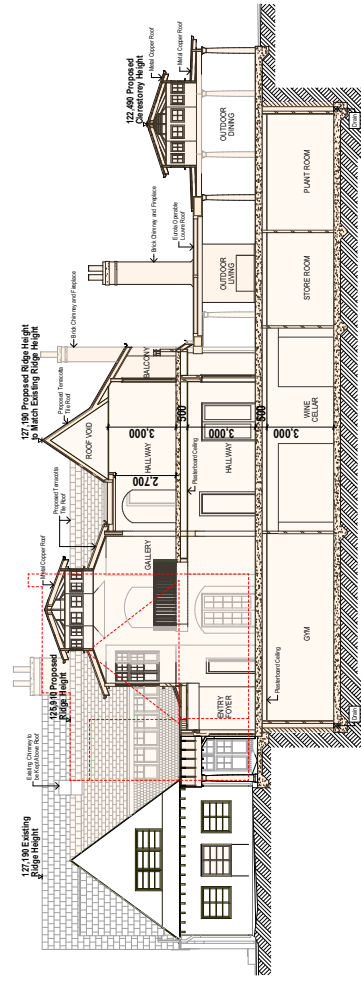
Proposed Fence Elevation

ARCHITECT DAVID WHITE ARCHITECTS PTY LTD N.S.W. Registration No. 458 5 WINGOLA CRESCENT (SUITE 2) BIRRODIFT 2119 T: (02) 9484 4952 E: info@dwarchitects.com.au	NOTES: ALL WORK IS TO BE COMPLETED IN ACCORDANCE WITH THE NSW BUILDING ACT 2016 AND THE NSW BUILDING REGULATIONS 2018. THIS DRAWING IS A PRELIMINARY DESIGN AND IS NOT TO BE USED FOR CONSTRUCTION WITHOUT THE WRITTEN APPROVAL OF DAVID WHITE ARCHITECTS PTY LTD. ALL WORK IS TO BE COMPLETED IN ACCORDANCE WITH CURRENT REGULATIONS AND S.A.A. STANDARDS.	CLIENT MR. KEN AND MRS. LOUISE FAWKES DA ISSUE	PROJECT NAME ALTERATIONS AND ADDITIONS TO CHELSEA VILLAGE CHELSEA (LOCAL GOV. NO. 2119)	PROJECT NUMBER DA-192	DRAWING NUMBER DA-192	PROJECT NUMBER 23003
		ARCHITECT DAVID WHITE ARCHITECTS PTY LTD	DRAWN BY DAVID WHITE	CHECKED BY DAVID WHITE	ISSUE DATE 22/11/2023	ARCHITECT DAVID WHITE ARCHITECTS PTY LTD

ATTACHMENT 3 - ITEM 1



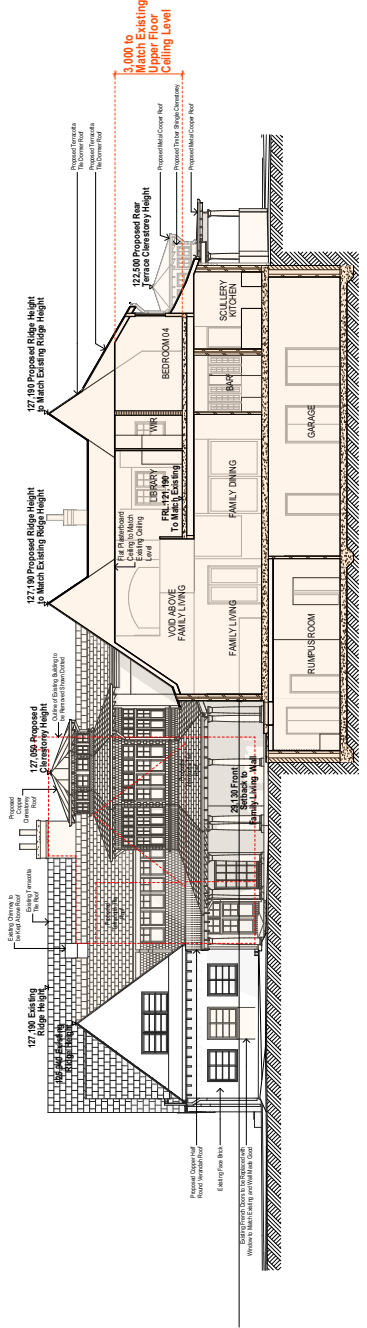
SECTION A



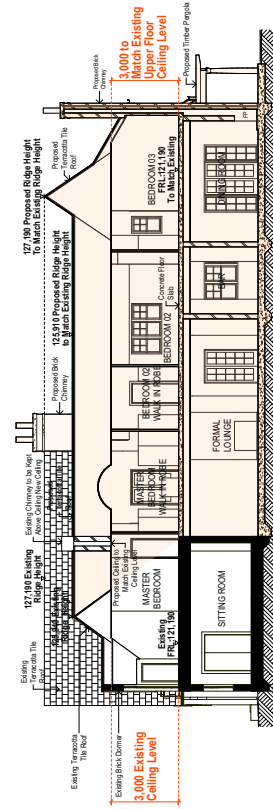
SECTION B

<p>ARCHITECT DAVID WHITE ARCHITECTS PTY LTD N.S.W. Registration No. 458 5 WINGGOLA CRESCENT (SUITE 2) BIRLECROFT 2119 T (02) 9494 8925 E info@dwarchitects.com.au</p>	<p>CLIENT MR KEN AND MRS LOUISE FAWKES DA ISSUE</p>	<p>PROJECT NAME ALTERATIONS AND ADDITIONS TO CHELSEA VENUE CHELTENHAM, NSW 2119</p>	<p>PROJECT NUMBER SECTIONS A & B</p>	<p>SCALE 1:100 (A1)</p>	<p>DRAWN JC</p>	<p>ISSUE A</p>	<p>DATE 22/11/2023</p>	<p>ARCHITECT DW</p>	<p>DATE 22/11/2023</p>	<p>SCALE 1:100</p>	<p>PROJECT NUMBER DA-1900</p>	<p>ISSUE A</p>
									<p>DATE 22/11/2023</p>	<p>SCALE 1:100</p>	<p>PROJECT NUMBER DA-1900</p>	<p>ISSUE A</p>

ATTACHMENT 3 - ITEM 1



SECTION C



SECTION D

NO.	DATE	REVISION
1	13/05/2024	Issue for Information
2	13/05/2024	Issue for Information
3	13/05/2024	Issue for Information
4	13/05/2024	Issue for Information
5	13/05/2024	Issue for Information
6	13/05/2024	Issue for Information
7	13/05/2024	Issue for Information
8	13/05/2024	Issue for Information
9	13/05/2024	Issue for Information
10	13/05/2024	Issue for Information

DRAWING NUMBER	DA-1301
PROJECT NUMBER	23003
ISSUE NAME	ISSUE DATE
ARCHITECT	DAVID WHITE ARCHITECTS
DRAWN BY	DAVID WHITE ARCHITECTS
ARCHITECT	DAVID WHITE ARCHITECTS
ISSUE NAME	ISSUE DATE
Additional Information Reference	
SCALE	1:1000
SECTION NAME	SECTIONS C & D

CLIENT	MR. KEN AND MRS. LOUISE FAWKES
PROJECT	ALTERATIONS AND ADDITIONS TO 127,000 CHELSEA AVENUE, CHELSEA (DAL), NSW, 2119
DA ISSUE	DA ISSUE

NOTES:	1. ALL WORK TO COMPLY WITH CURRENT REGULATIONS AND S.A.A. STANDARDS. 2. ALL WORK TO COMPLY WITH CURRENT REGULATIONS AND S.A.A. STANDARDS. 3. ALL WORK TO COMPLY WITH CURRENT REGULATIONS AND S.A.A. STANDARDS. 4. ALL WORK TO COMPLY WITH CURRENT REGULATIONS AND S.A.A. STANDARDS. 5. ALL WORK TO COMPLY WITH CURRENT REGULATIONS AND S.A.A. STANDARDS. 6. ALL WORK TO COMPLY WITH CURRENT REGULATIONS AND S.A.A. STANDARDS. 7. ALL WORK TO COMPLY WITH CURRENT REGULATIONS AND S.A.A. STANDARDS. 8. ALL WORK TO COMPLY WITH CURRENT REGULATIONS AND S.A.A. STANDARDS. 9. ALL WORK TO COMPLY WITH CURRENT REGULATIONS AND S.A.A. STANDARDS. 10. ALL WORK TO COMPLY WITH CURRENT REGULATIONS AND S.A.A. STANDARDS.
--------	---

ARCHITECT	DAVID WHITE ARCHITECTS PTY LTD
N.S.W. Registration No. 658	
3 WINGGALA CRESCENT (SUITE 2) BIRCHCROFT 2119	
T: (02) 9484 8925	E: info@dwaindustries.com.au

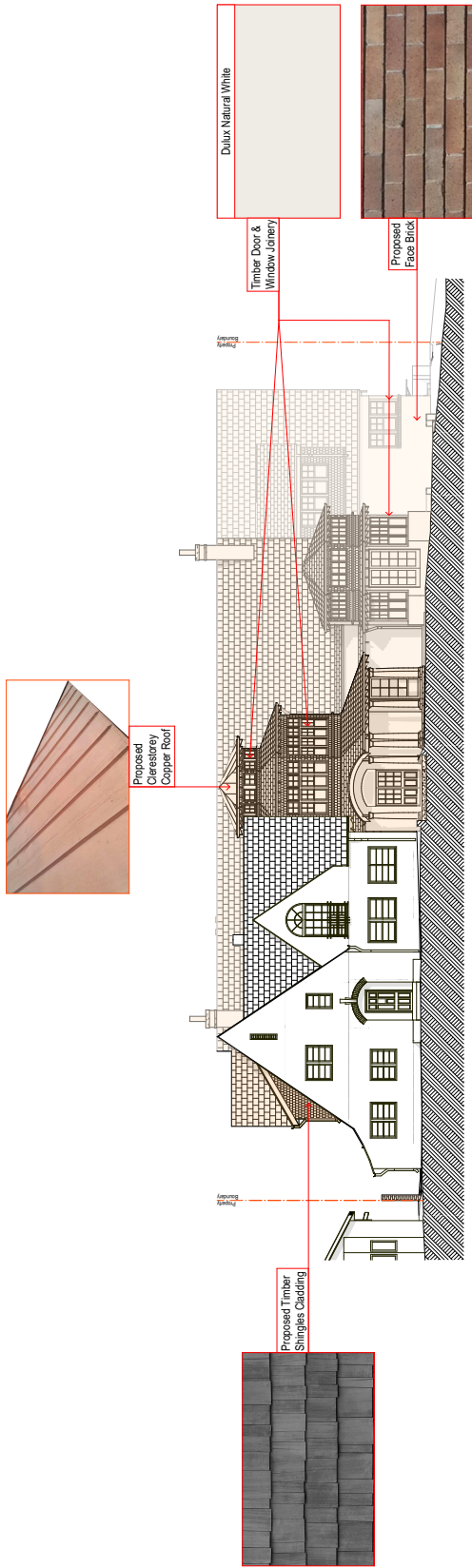
ARCHITECT	DAVID WHITE ARCHITECTS PTY LTD
N.S.W. Registration No. 658	
3 WINGGALA CRESCENT (SUITE 2) BIRCHCROFT 2119	
T: (02) 9484 8925	E: info@dwaindustries.com.au

ARCHITECT	DAVID WHITE ARCHITECTS PTY LTD
N.S.W. Registration No. 658	
3 WINGGALA CRESCENT (SUITE 2) BIRCHCROFT 2119	
T: (02) 9484 8925	E: info@dwaindustries.com.au

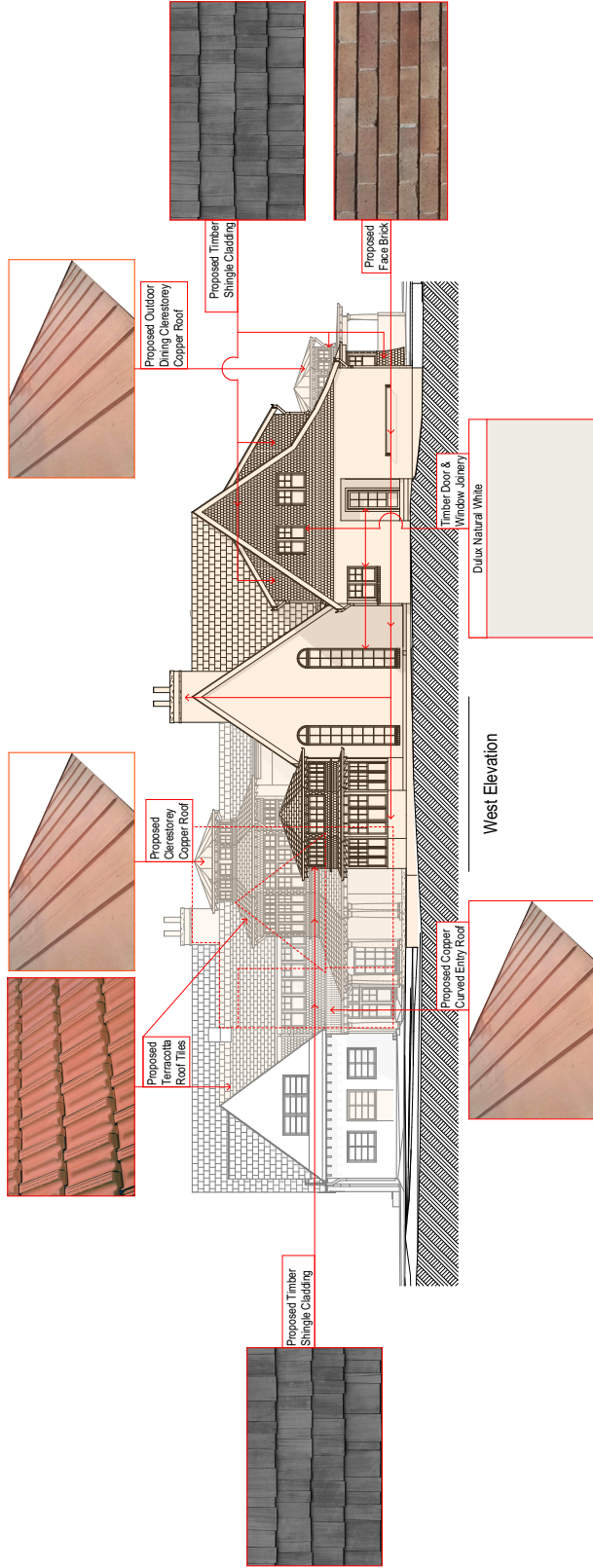
ARCHITECT	DAVID WHITE ARCHITECTS PTY LTD
N.S.W. Registration No. 658	
3 WINGGALA CRESCENT (SUITE 2) BIRCHCROFT 2119	
T: (02) 9484 8925	E: info@dwaindustries.com.au

ARCHITECT	DAVID WHITE ARCHITECTS PTY LTD
N.S.W. Registration No. 658	
3 WINGGALA CRESCENT (SUITE 2) BIRCHCROFT 2119	
T: (02) 9484 8925	E: info@dwaindustries.com.au

ATTACHMENT 3 - ITEM 1



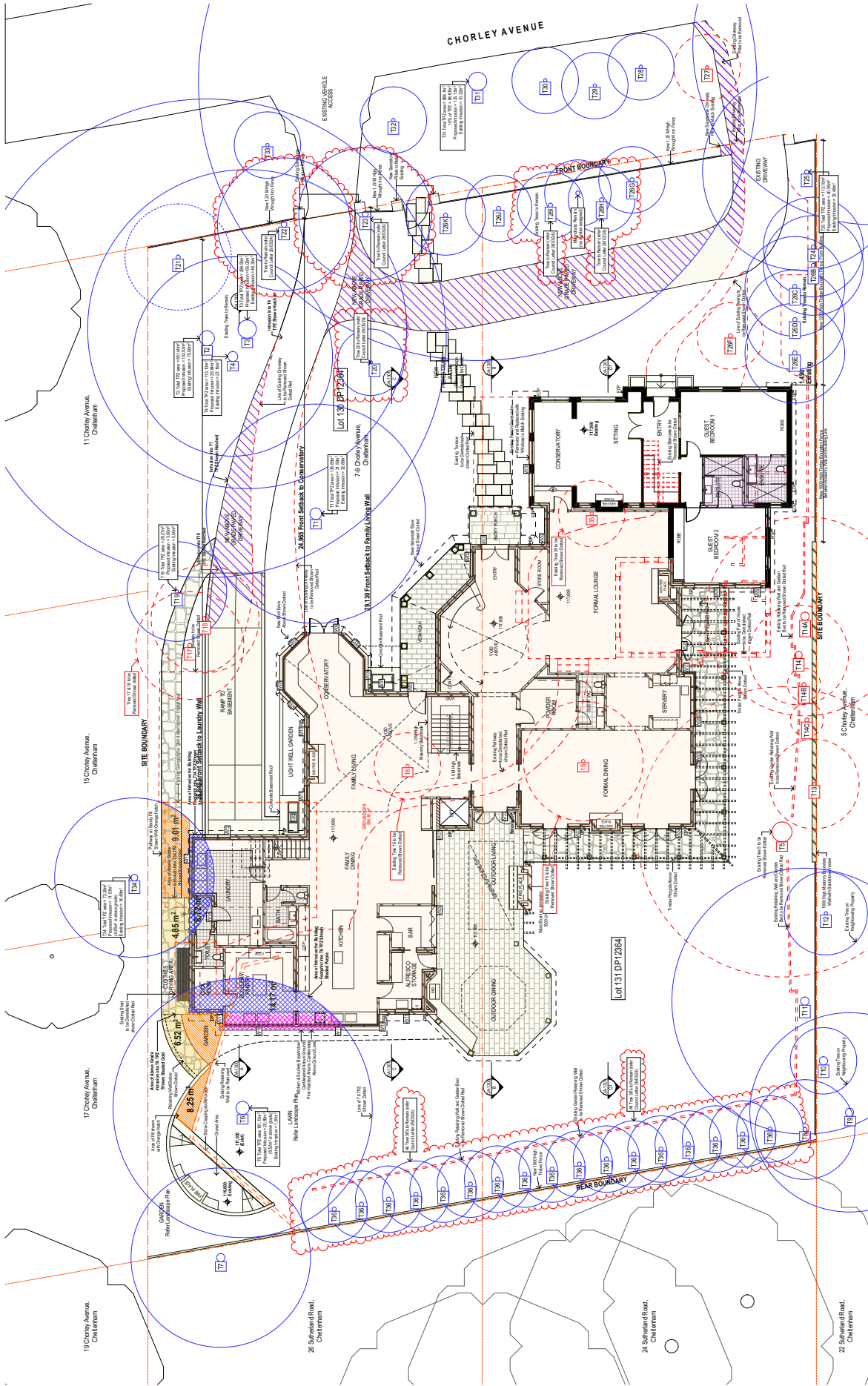
North (Street) Elevation



West Elevation

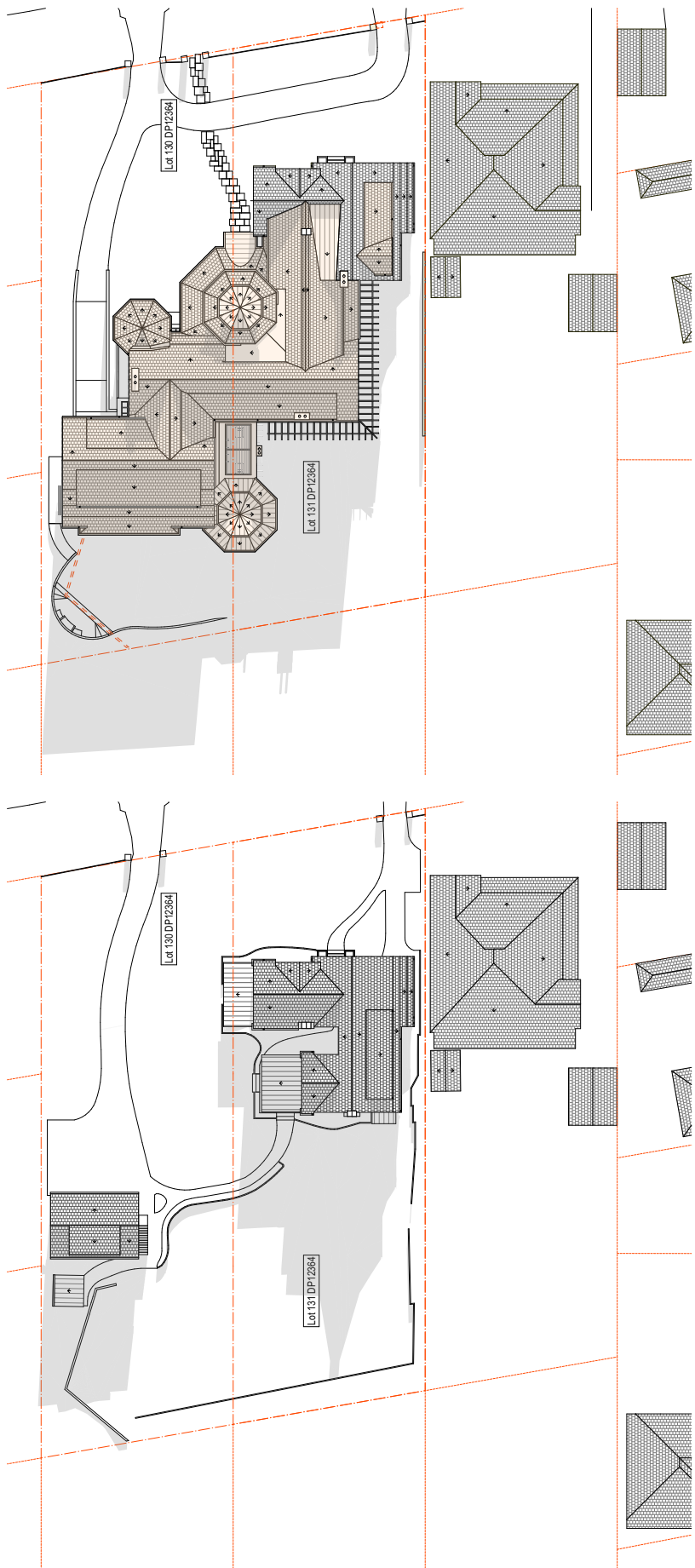
ARCHITECT DAVID WHITE ARCHITECTS PTY LTD N.S.W. Registration No. 458 5 WINGGALA CRESCENT (SUITE 2) BIRCHROFT 2119 T: (02) 9414 4925 E: info@dwarchitects.com.au	NOTES: 1. ALL WORK SHALL BE IN ACCORDANCE WITH THE NATIONAL BUILDING REGULATIONS 2011 AND THE NATIONAL BUILDING STANDARDS. 2. THE CLIENT IS ADVISED THAT THIS DRAWING IS A PRELIMINARY DESIGN AND IS SUBJECT TO CHANGE WITHOUT NOTICE. 3. THE CLIENT IS ADVISED THAT THIS DRAWING IS A PRELIMINARY DESIGN AND IS SUBJECT TO CHANGE WITHOUT NOTICE. 4. THE CLIENT IS ADVISED THAT THIS DRAWING IS A PRELIMINARY DESIGN AND IS SUBJECT TO CHANGE WITHOUT NOTICE. 5. THE CLIENT IS ADVISED THAT THIS DRAWING IS A PRELIMINARY DESIGN AND IS SUBJECT TO CHANGE WITHOUT NOTICE. 6. THE CLIENT IS ADVISED THAT THIS DRAWING IS A PRELIMINARY DESIGN AND IS SUBJECT TO CHANGE WITHOUT NOTICE. 7. THE CLIENT IS ADVISED THAT THIS DRAWING IS A PRELIMINARY DESIGN AND IS SUBJECT TO CHANGE WITHOUT NOTICE. 8. THE CLIENT IS ADVISED THAT THIS DRAWING IS A PRELIMINARY DESIGN AND IS SUBJECT TO CHANGE WITHOUT NOTICE. 9. THE CLIENT IS ADVISED THAT THIS DRAWING IS A PRELIMINARY DESIGN AND IS SUBJECT TO CHANGE WITHOUT NOTICE. 10. THE CLIENT IS ADVISED THAT THIS DRAWING IS A PRELIMINARY DESIGN AND IS SUBJECT TO CHANGE WITHOUT NOTICE.	CLIENT MR. KEN AND MRS. LOUISE FAWKES DA ISSUE	PROJECT ALTERATIONS AND ADDITIONS TO 10 CHORLEY AVENUE CHELTENHAM, NSW, 2119	DRAWING NAME FINISHES SCHEDULE SCALE 1:100 (A1)	DRAWING NUMBER DA-1700	PROJECT NUMBER 23003	ISSUE A	DATE 22/11/2023	ARCHITECT DW	SCALE 1:100 	DRAWING DATE 22/11/2023
											DRAWING DATE 22/11/2023

ATTACHMENT 3 - ITEM 1



ARCHITECT DAVID WHITE ARCHITECTS PTY LTD N.S.W. Registration No. 636 3 WINGGALA CRESCENT (SUITE 2) BIRCHCROFT 2119 T: (02) 9434 4925 E: info@davidwhitearchitects.com.au		CLIENT MR. KEN AND MRS. LOUISE FAWKES DA ISSUE		PROJECT ALTERATIONS AND ADDITIONS 13 CHORLEY AVENUE CHILTERNANT, NSW, 2119		PROJECT NUMBER DA-9000 PROJECT NUMBER 23003	
NOTES: 1. THIS DRAWING IS A PRELIMINARY DESIGN AND IS SUBJECT TO APPROVAL BY THE LOCAL COUNCIL. 2. THE CLIENT ACCEPTS RESPONSIBILITY FOR THE ACCURACY OF THE INFORMATION PROVIDED TO THE ARCHITECT. 3. THE ARCHITECT ACCEPTS RESPONSIBILITY FOR THE ACCURACY OF THE INFORMATION PROVIDED TO THE CLIENT. 4. ALL WORK IS SUBJECT TO THE LOCAL COUNCIL'S APPROVAL AND STANDARDS.		ALTERATIONS AND ADDITIONS 13 CHORLEY AVENUE CHILTERNANT, NSW, 2119 DA ISSUE		ARCHITECT DW SCALE 1:100 (A1)		ISSUE DATE 23/05/24 ISSUE C	
LEGEND Areas of New Works Areas in Existing Footprint Areas of New External Hard Surface Works Indicates Tree of Element to be Removed Indicates Tree to Remain		PROJECT NAME TREE ANALYSIS DRAWING SCALE 1:100 (A1)		DRAWING NUMBER DA-9000 PROJECT NUMBER 23003		ISSUE DATE 23/05/24 ISSUE C	

ATTACHMENT 3 - ITEM 1



9:00am Proposed

9:00am Existing

Areas of New Works

Areas of New External Hard Surface Works

ARCHITECT
DAVID WHITE ARCHITECTS PTY LTD
 N.S.W. Registration No. 658
 3 WINGOLA CRESCENT (SUITE 2) BIRCHROFT 2119
 T (02) 9454 8925 E. info@dwarchitects.com.au

NOTES:
 1. ALL WORKS TO BE CONSIDERED IN ACCORDANCE WITH THE NSW DEVELOPMENT ACT 1993 AND THE NSW DEVELOPMENT INSTRUMENTS.
 2. THIS PLAN IS A PRELIMINARY DESIGN AND IS SUBJECT TO APPROVAL BY THE LOCAL COUNCIL.
 3. THIS PLAN IS TO BE USED FOR INFORMATION ONLY AND IS NOT TO BE USED FOR ANY OTHER PURPOSE.
 4. ALL WORK TO BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.
 5. ALL WORK TO BE COMPLETED WITHIN THE SPECIFIED BUDGET.

CLIENT
 MR. KEN AND MRS. LOUISE FAWKES
DA ISSUE

PROJECT
 ALTERATIONS AND ADDITIONS
 TO CHORLEYA VENUE
 CHILTERNANT, NSW 2119



PROJECT NUMBER
 SHADOW DIAGRAMS 24 JUNE 9:00AM

SCALE
 1:500 (A1)

DATE
 22/1/2023

ARCHITECT
 DW

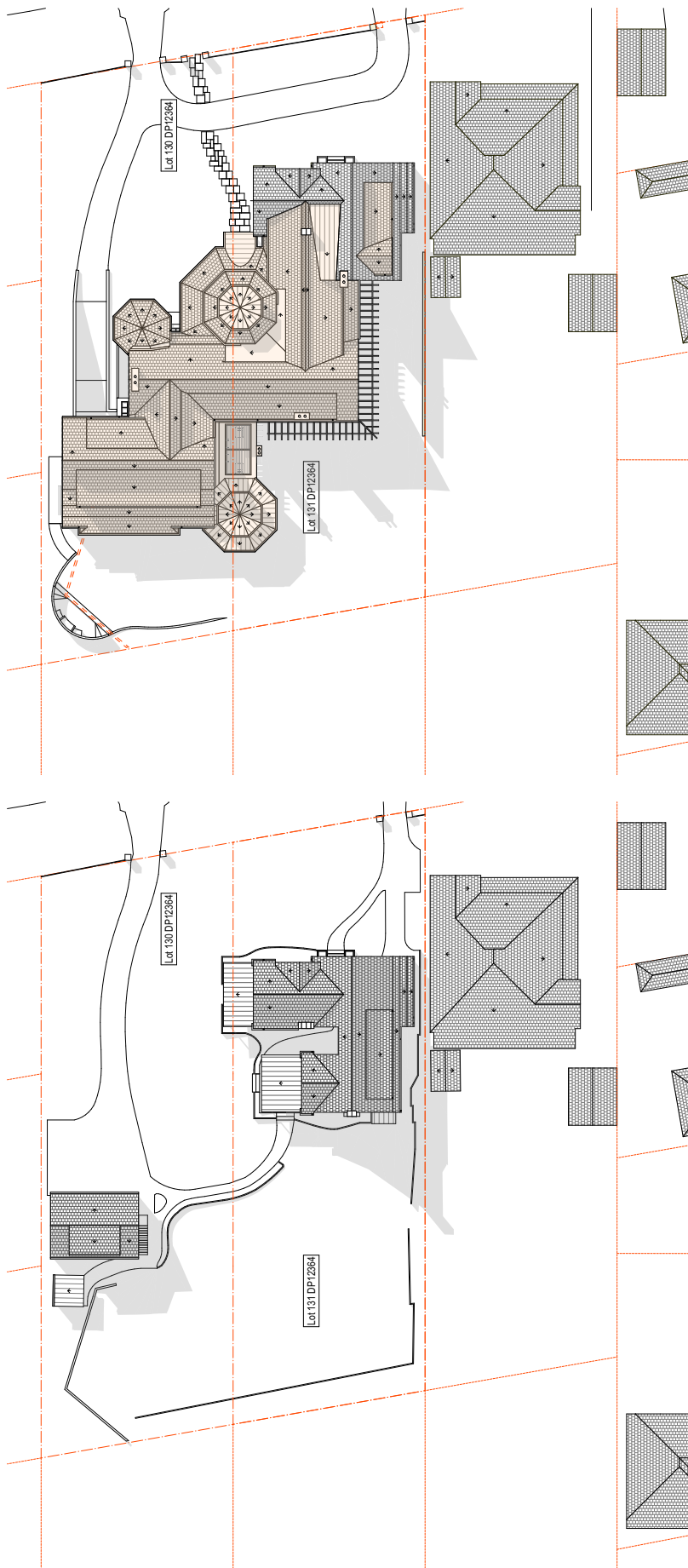
ISSUE
 A

DRAWN
 RC

PROJECT NUMBER
 DA-900

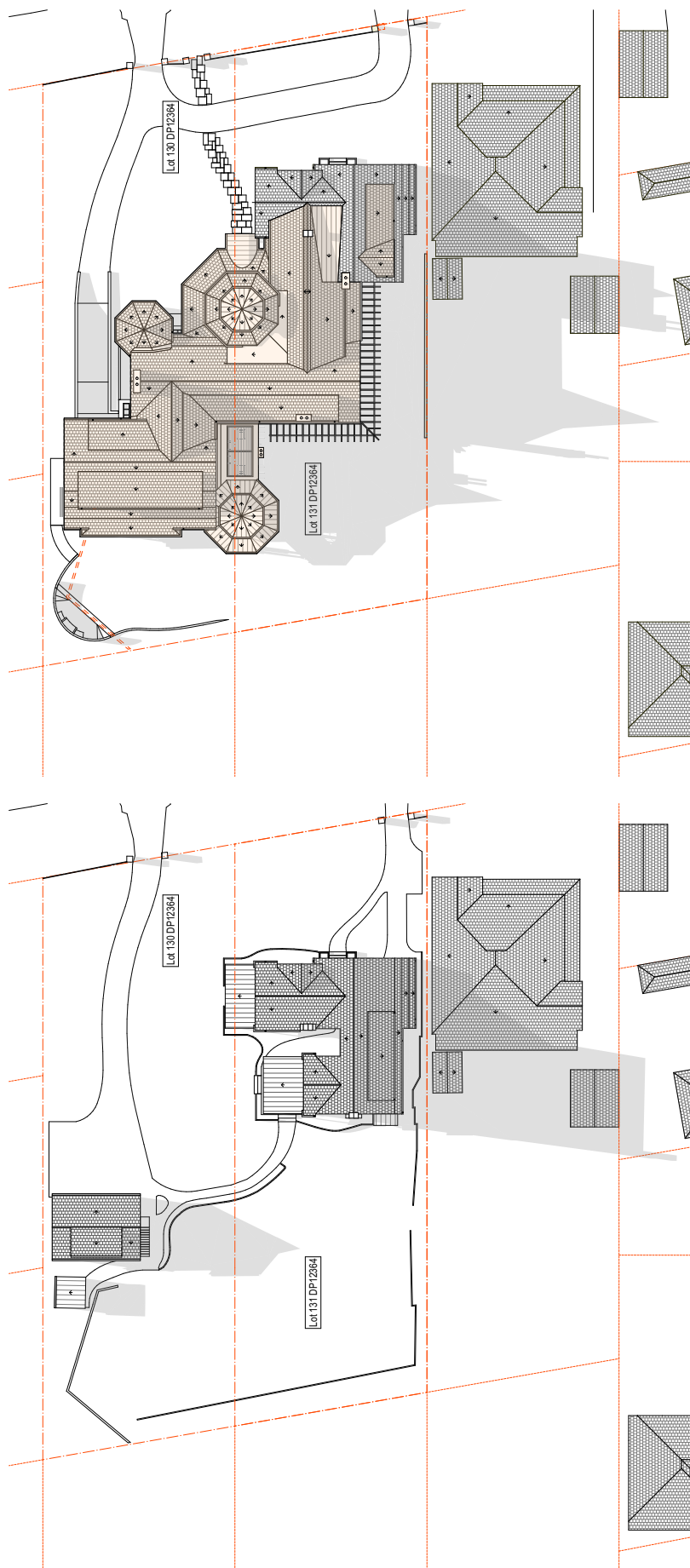
PROJECT NUMBER
 23003

ATTACHMENT 3 - ITEM 1



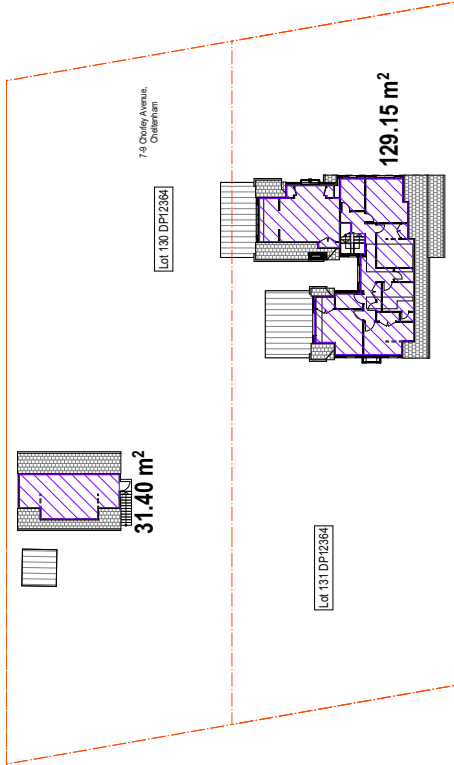
<p>ARCHITECT DAVID WHITE ARCHITECTS PTY LTD N.S.W. Registration No. 658 3 WINGOLA CRESCENT (SUITE 2) BIRCHROFT 2119 T (02) 9454 8925 E. info@dwarchitects.com.au</p>	<p>NOTES: 1. THIS PLAN IS A PRELIMINARY DESIGN AND IS SUBJECT TO APPROVAL BY THE LOCAL COUNCIL. 2. THIS PLAN IS TO BE USED IN CONJUNCTION WITH THE DAVID WHITE ARCHITECTS PTY LTD CONTRACT AND CONDITIONS OF SERVICE. 3. ALL WORK IS TO BE COMPLETED IN ACCORDANCE WITH THE CURRENT BUILDING STANDARDS. 4. ALL WORK IS TO BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.</p>	<p>CLIENT MR. KEN AND MRS. LOUISE FAWKES 10 CHORLEY AVENUE CHELTENHAM, NSW, 2119</p>	<p>PROJECT NAME SHADOW DIAGRAMS 24 JUNE 12:00PM</p>	<p>PROJECT NUMBER DA-901</p>	<p>SCALE 1:500 (A1)</p>	<p>DATE 22/11/2023</p>	<p>ISSUE A</p>
	<p>ALTERATIONS AND ADDITIONS</p>	<p>DA ISSUE</p>	<p>ARCHITECT DW</p>	<p>SCALE 1:500 (A1)</p>	<p>DATE 22/11/2023</p>	<p>ISSUE A</p>	<p>PROJECT NUMBER DA-901</p>

ATTACHMENT 3 - ITEM 1

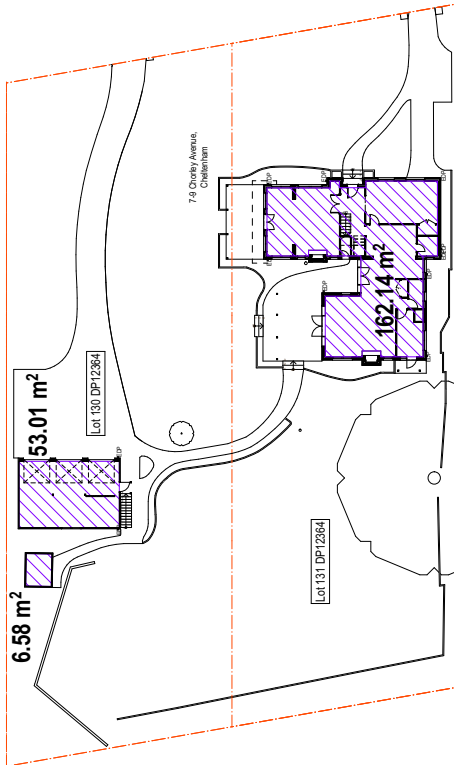


<p>ARCHITECT DAVID WHITE ARCHITECTS PTY LTD N.S.W. Registration No. 658 3 WINGOLA CRESCENT (SUITE) BIRCHROFT 2119 T (02) 9454 0925 E. info@dwarchitects.com.au</p>	<p>CLIENT MR. KEN AND MRS. LOUISE FAWKES DA ISSUE</p>	<p>PROJECT NAME SHADOW DIAGRAMS 21st JUNE 3:00PM</p>	<p>PROJECT NUMBER DA-902</p>	<p>SCALE 1:500(A1)</p>	<p>DATE 22/11/2023</p>	<p>ISSUE A</p>
	<p>NOTES: 1. ALL WORK IS TO BE COMPLETED IN ACCORDANCE WITH THE NSW DEVELOPMENT ACT 1993 AND THE NSW DEVELOPMENT INSTRUMENTS. 2. ALL WORK IS TO BE COMPLETED IN ACCORDANCE WITH THE NSW DEVELOPMENT ACT 1993 AND THE NSW DEVELOPMENT INSTRUMENTS. 3. ALL WORK IS TO BE COMPLETED IN ACCORDANCE WITH THE NSW DEVELOPMENT ACT 1993 AND THE NSW DEVELOPMENT INSTRUMENTS. 4. ALL WORK IS TO BE COMPLETED IN ACCORDANCE WITH THE NSW DEVELOPMENT ACT 1993 AND THE NSW DEVELOPMENT INSTRUMENTS. 5. ALL WORK IS TO BE COMPLETED IN ACCORDANCE WITH THE NSW DEVELOPMENT ACT 1993 AND THE NSW DEVELOPMENT INSTRUMENTS.</p>	<p>PROJECT TITLE ALTERATIONS AND ADDITIONS TO 131 CHELSEA AVENUE CHELSEA NSW 1519</p>	<p>DRAWN RC</p>	<p>ARCHITECT DW</p>	<p>SCALE 1:500</p>	<p>DATE 22/11/2023</p>

ATTACHMENT 3 - ITEM 1



Upper Floor Plan



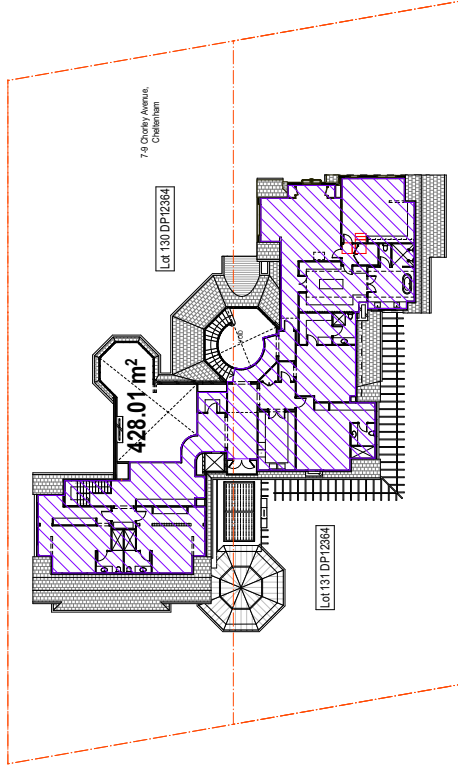
Ground Floor Plan

Existing Floor Area	
Site Area =	2,452,000m ²
Allowed Floor Area - Dwelling House sqm =	430,000m ²
Allowed Floor Area - Outbuildings sqm =	100,000m ²
Existing Floor Area - Dwelling House sqm =	291,29m ²
Existing Floor Area - Outbuildings sqm =	90,99m ²
Area Taken for Floor Area Calculation	

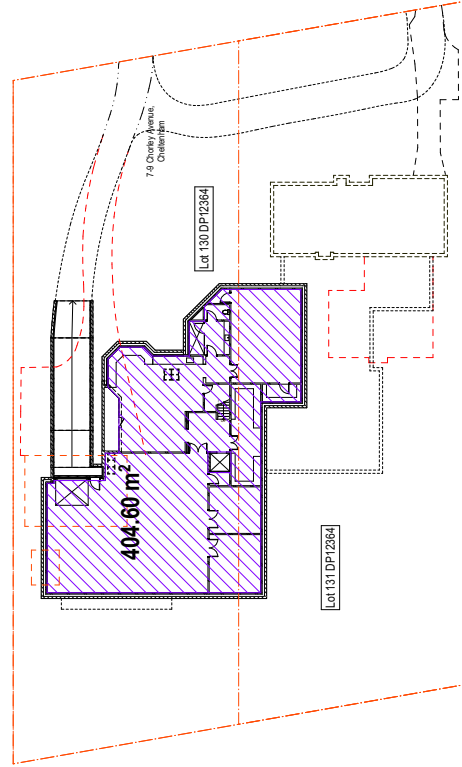
Lot size	Maximum floor area of dwelling house	Maximum total floor area of all outbuildings
200m ² to 249m ²	90% of the lot area	36 m ²
250m ² to 299m ²	85% of the lot area	36 m ²
300m ² to 449m ²	270m ²	45 m ²
450m ² to 599m ²	330m ²	45 m ²
600m ² to 899m ²	390m ²	60 m ²
900m ² or larger	430m ²	100 m ²

ARCHITECT DAVID WHITE ARCHITECTS PTY LTD N.S.W. Registration No. 456 3 WINGGOLA CRESCENT (SUITE 2) BIRROFT 2119 T (02) 9464 8925 E. info@dwarchitects.com.au	CLIENT MR. KEN AND MRS. LOUISE FAWKES DA ISSUE	PROJECT NAME ALTERATIONS AND ADDITIONS TO 7-9 CHERYLE AVENUE CHERRYMAN, NSW, 2119		DRAWING NAME EXISTING FLOOR AREA	DRAWING NUMBER DA-900	PROJECT NUMBER 23003
				SCALE 1:500(A1)	DRAWN RC	ARCHITECT DW

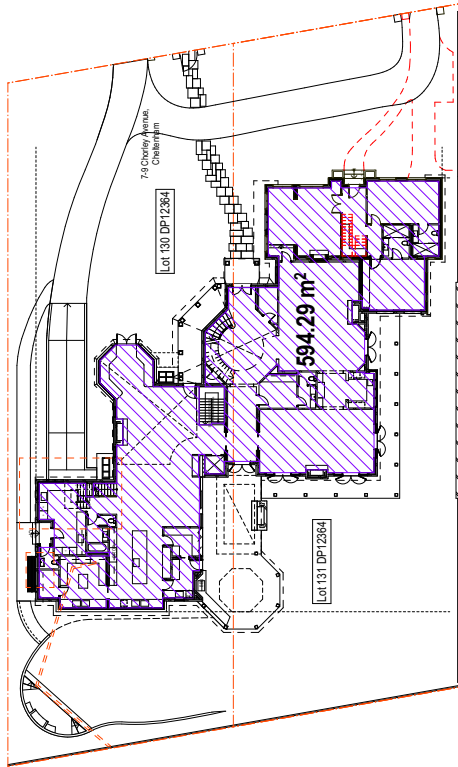
ATTACHMENT 3 - ITEM 1



Upper Floor Plan



Basement Floor Plan



Ground Floor Plan

Proposed Floor Area	Site Area = 2,452,00m ²
Allowed Floor Area - Dwelling House sqm =	430,00m ²
Allowed Floor Area - Outbuildings sqm =	100,00m ²
Existing Floor Area - Dwelling House sqm =	1,428,90m ²
Existing Floor Area - Outbuildings sqm =	0m ²
Area Taken for Floor Area Calculation	

Lot size	Maximum floor area of dwelling house	Maximum total floor area of all outbuildings
200m ² to 249m ²	9% of the lot area	36 m ²
250m ² to 299m ²	8% of the lot area	36 m ²
300m ² to 449m ²	7% of the lot area	45 m ²
450m ² to 599m ²	6% of the lot area	45 m ²
600m ² to 899m ²	5% of the lot area	60 m ²
900m ² or larger	4% of the lot area	100 m ²

ARCHITECT
DAVID WHITE ARCHITECTS PTY LTD
 N.S.W. Registration No. 458
 3 WINGOLA CRESCENT (SUITE) BIRICHOFF 2119
 T (02) 9484 8925 E. info@dwarchitects.com.au

CLIENT
 MR. KEN AND MRS. LOUISE FAWKES
DA ISSUE

PROJECT NAME
 ALTERATIONS AND ADDITIONS TO 7-9 CHORLEY AVENUE, CHILTERNHAM, NSW, 2119

PROPOSED FLOOR AREA
 1,396.91 m²

SCALE
 1:500 (A1)

ARCHITECT
 DW

ISSUE DATE
 22/11/2023

ISSUE
 A

PROJECT NUMBER
 DA-9041

PROJ. NUMBER
 23003

SCALE 1:500

DATE 22/11/2023

ISSUE A

ATTACHMENT 3 - ITEM 1

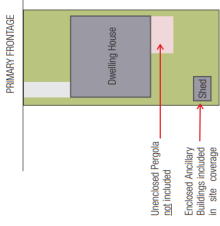
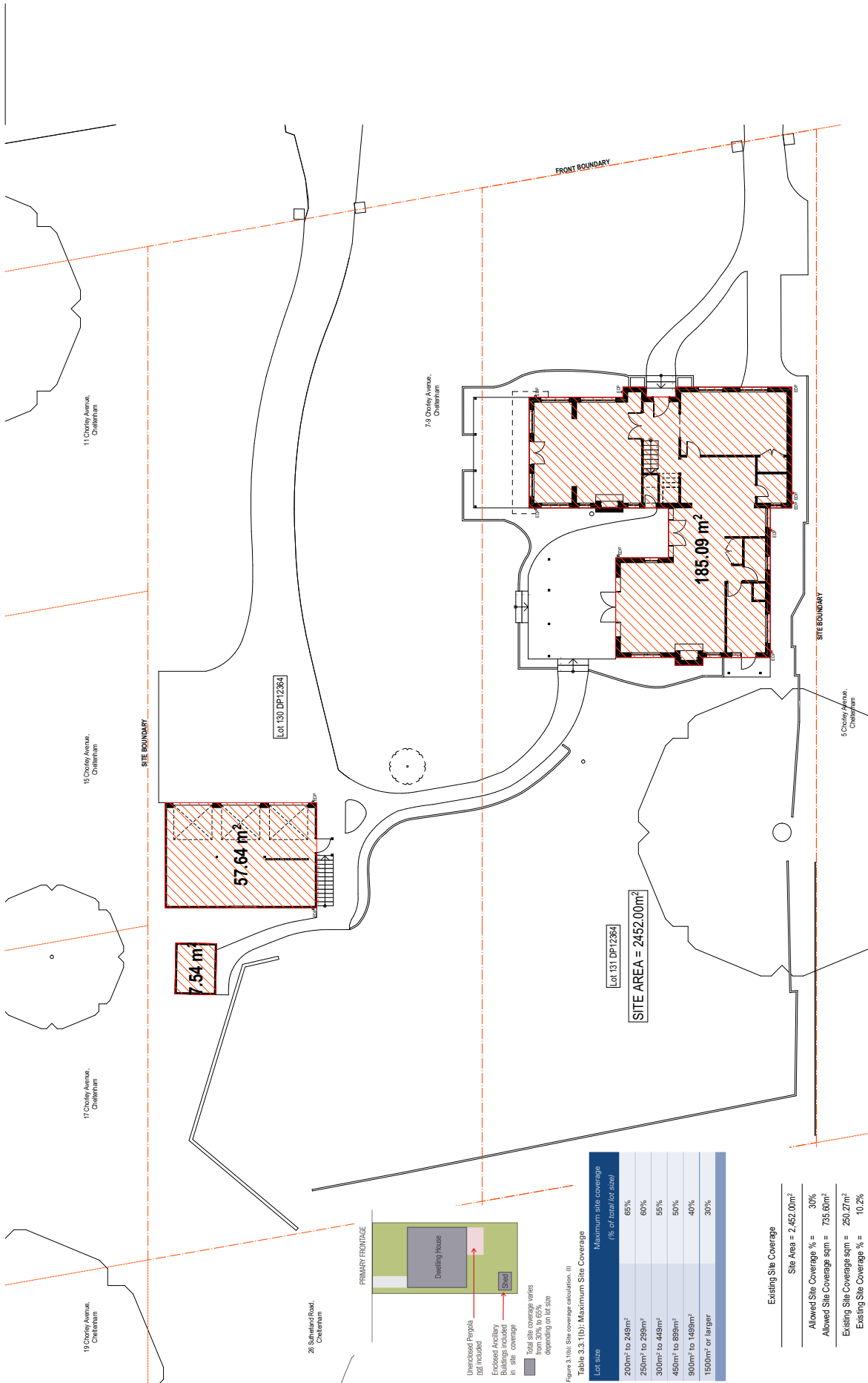


Figure 3.1(b): Site coverage calculation: (i)

Table 3.3.1(b): Maximum Site Coverage

Lot size	Maximum site coverage (% of total lot size)
200m ² to 249m ²	65%
250m ² to 299m ²	60%
300m ² to 449m ²	55%
450m ² to 899m ²	50%
900m ² to 1499m ²	40%
1500m ² or larger	30%

Existing Site Coverage
 Site Area = 2,452.00m²
 Allowed Site Coverage % = 30%
 Allowed Site Coverage sqm = 735.60m²
 Existing Site Coverage sqm = 250.27m²
 Existing Site Coverage % = 10.2%

Area for Site Coverage Calculation

ARCHITECT
DAVID WHITE ARCHITECTS PTY LTD
 N.S.W. Registration No. 650
 3 WINGOLA CRESCENT (SUITE) BIRCHCROFT 2119
 T: (02) 9434 9052 E: info@davidwhitearchitects.com.au

NOTES:
 1. THIS PLAN IS A PRELIMINARY DESIGN AND SHOULD NOT BE USED FOR CONSTRUCTION WITHOUT THE APPROVAL OF THE LOCAL COUNCIL.
 2. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL COUNCIL.
 3. THIS PLAN IS SUBJECT TO THE LOCAL COUNCIL'S APPROVAL AND CONDITIONS OF ANY PERMITS GRANTED.
 4. ALL WORK IS TO BE COMPLETED WITHIN THE SPECIFIED TIME FRAME AND TO THE SATISFACTION OF THE LOCAL COUNCIL.
 5. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL COUNCIL.

CLIENT
MR. KEN AND MRS. LOUISE FAWKES
DA ISSUE

PROJECT
ALTERATIONS AND ADDITIONS TO CHISLEHURST AVENUE CHISLEHURST (NSW: 2119)

PROJECT NUMBER
 DA-9042

EXISTING SITE COVERAGE
 10.2%

SCALE
 1:500 (A1)

DATE
 22/1/2024

ARCHITECT
 DW

DRAWN
 RC

ISSUE
 A

PROJECT NAME
 ALTERATIONS AND ADDITIONS TO CHISLEHURST AVENUE CHISLEHURST (NSW: 2119)

SCALE
 1:500 (A1)

DATE
 22/1/2024

ARCHITECT
 DW

DRAWN
 RC

ISSUE
 A

ATTACHMENT 3 - ITEM 1

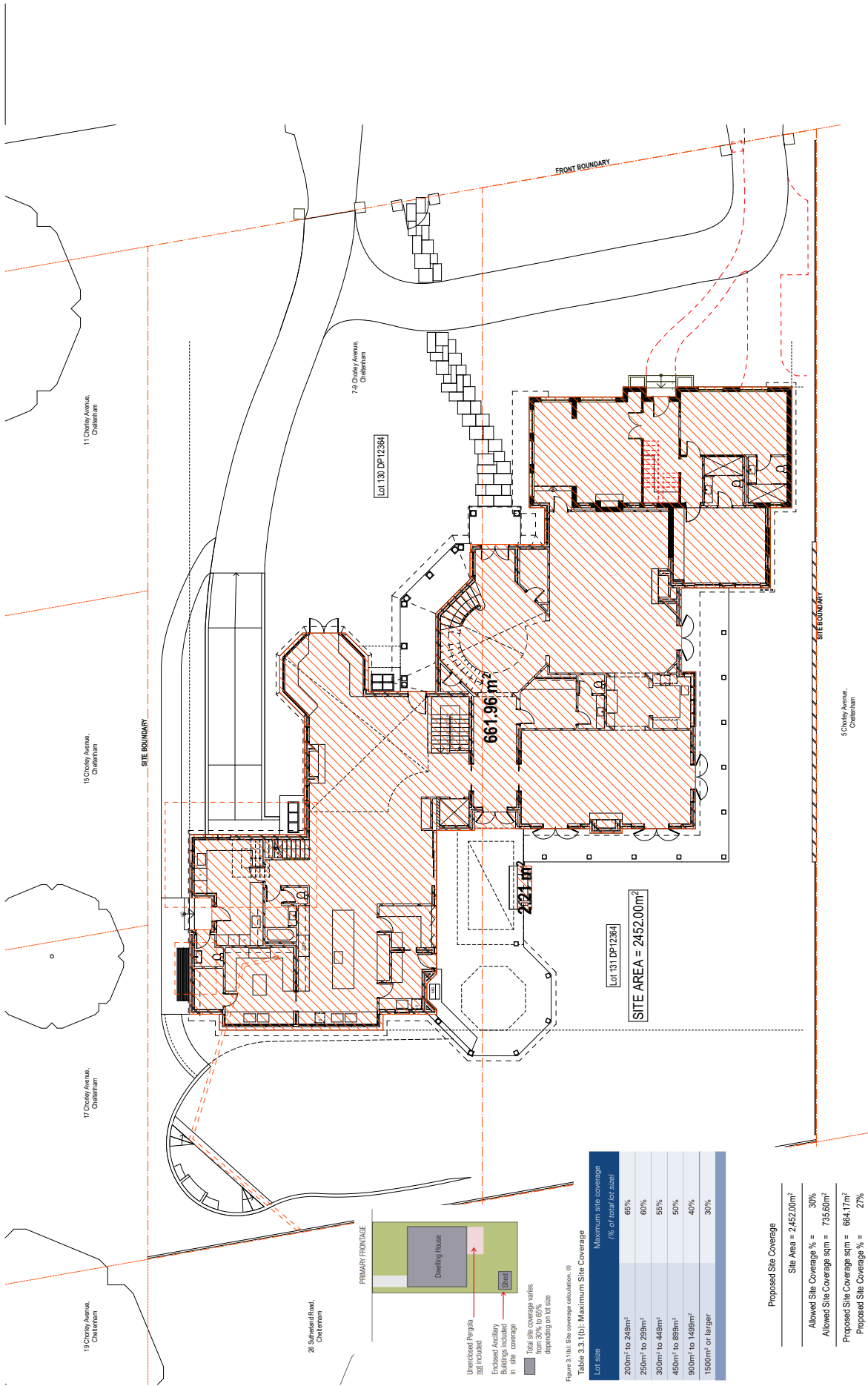


Figure 3.1(b): Site coverage calculations. (1)

Table 3.3.1(b): Maximum Site Coverage

Lot size	Maximum site coverage (% of total lot size)
200m ² to 249m ²	65%
250m ² to 299m ²	60%
300m ² to 449m ²	55%
450m ² to 899m ²	50%
900m ² to 1499m ²	40%
1500m ² or larger	30%

Proposed Site Coverage
 Site Area = 2452.00m²
 Allowed Site Coverage % = 30%
 Allowed Site Coverage sqm = 735.60m²
 Proposed Site Coverage sqm = 664.17m²
 Proposed Site Coverage % = 27%

Area for Site Coverage Calculation

ARCHITECT
DAVID WHITE ARCHITECTS PTY LTD
 N.S.W. Registration No. 450
 3 WINGGALA CRESCENT (SUITE) BIRCHROFT 2119
 T: (02) 9434 4925 E: info@davidwhitearchitects.com.au

NOTES:
 1. THIS PLAN IS A PRELIMINARY DESIGN AND IS NOT TO BE USED FOR CONSTRUCTION WITHOUT THE APPROVAL OF THE LOCAL COUNCIL.
 2. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL COUNCIL.
 3. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL COUNCIL.
 4. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL COUNCIL.
 5. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL COUNCIL.

CLIENT
MR KEN AND MRS LOUISE FAWKES
DA ISSUE

PROJECT
ALTERATIONS AND ADDITIONS
TO CHORDELEY AVENUE
CHESHAM (NSW 2119)

PROPOSED SITE COVERAGE
 DRAWING NAME: DAVID WHITE ARCHITECTS PTY LTD
 DRAWING NUMBER: DA-9043
 SCALE: 1:500 (A1)
 DRAWN BY: RC
 CHECKED BY: DM
 ISSUE DATE: 22/11/2023
 ARCHITECT: DAVID WHITE ARCHITECTS PTY LTD
 PROJECT NUMBER: 23003

PROJECT NUMBER
 23003
ISSUE
 A

ATTACHMENT 3 - ITEM 1

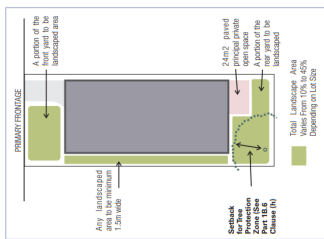
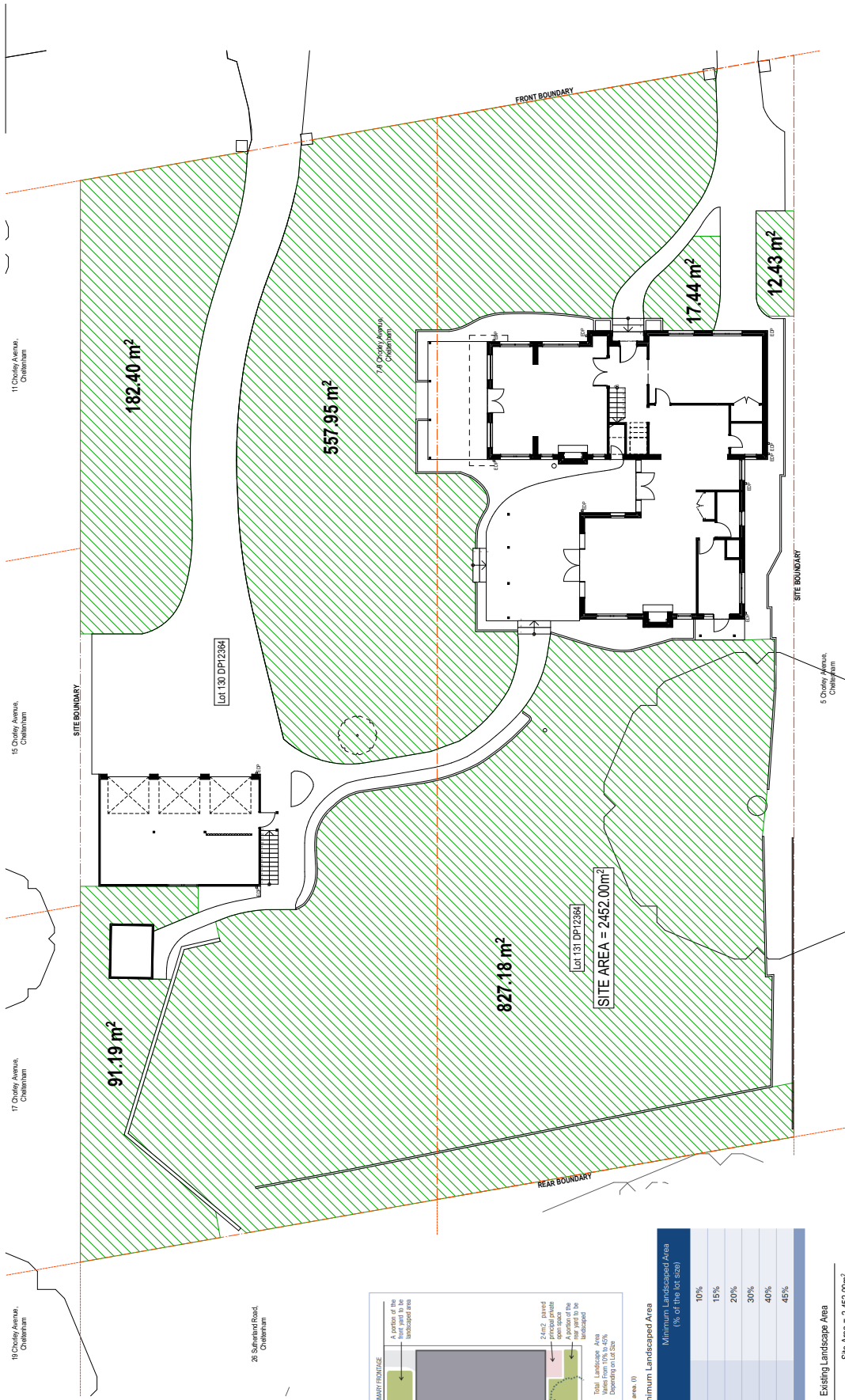


Figure 3.1(e): Landscaped area (0)

Lot Size	Minimum Landscaped Area (% of the lot size)
200m² to 299m²	10%
300m² to 449m²	15%
450m² to 599m²	20%
600m² to 899m²	30%
900m² to 1499m²	40%
1500m² or larger	45%

Existing Landscape Area
 Site Area = 2452.00m²
 Desired Landscape % = 45%
 Desired Landscape sqm = 1103.40m²
 Existing Landscape sqm = 1888.59m²
 Existing Landscape % = 68.8%

Area for Site Coverage Calculation

ARCHITECT
DAVID WHITE ARCHITECTS PTY LTD
 N.S.W. Registration No. 450
 3 WINGALGA CRESCENT (SUITE) DIBLEYDRAFT 2119
 T: (02) 9464 4925 E: info@dwaindustries.com.au

CLIENT
MR KEN AND MRS LOUISE FAWKES
DA ISSUE

PROJECT NAME
ALTERATIONS AND ADDITIONS TO 5 CHEROKEE AVENUE, CHERRILAND, NSW, 2119

EXISTING LANDSCAPE AREA
 DRAWING NUMBER: DA-904
 PROJECT NUMBER: 23003
 SCALE: 1:500 (A1)
 DRAWN: RC
 CHECKED: DM
 ISSUE DATE: 22/01/2023
 SHEET: A

NOTES:
 1. THIS PLAN IS A PRELIMINARY DESIGN AND IS NOT TO BE USED FOR CONSTRUCTION WITHOUT THE APPROVAL OF THE LOCAL COUNCIL.
 2. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL COUNCIL.
 3. ALL WORK IS TO BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.
 4. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL COUNCIL.
 5. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL COUNCIL.

ATTACHMENT 3 - ITEM 1

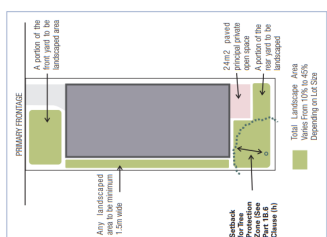
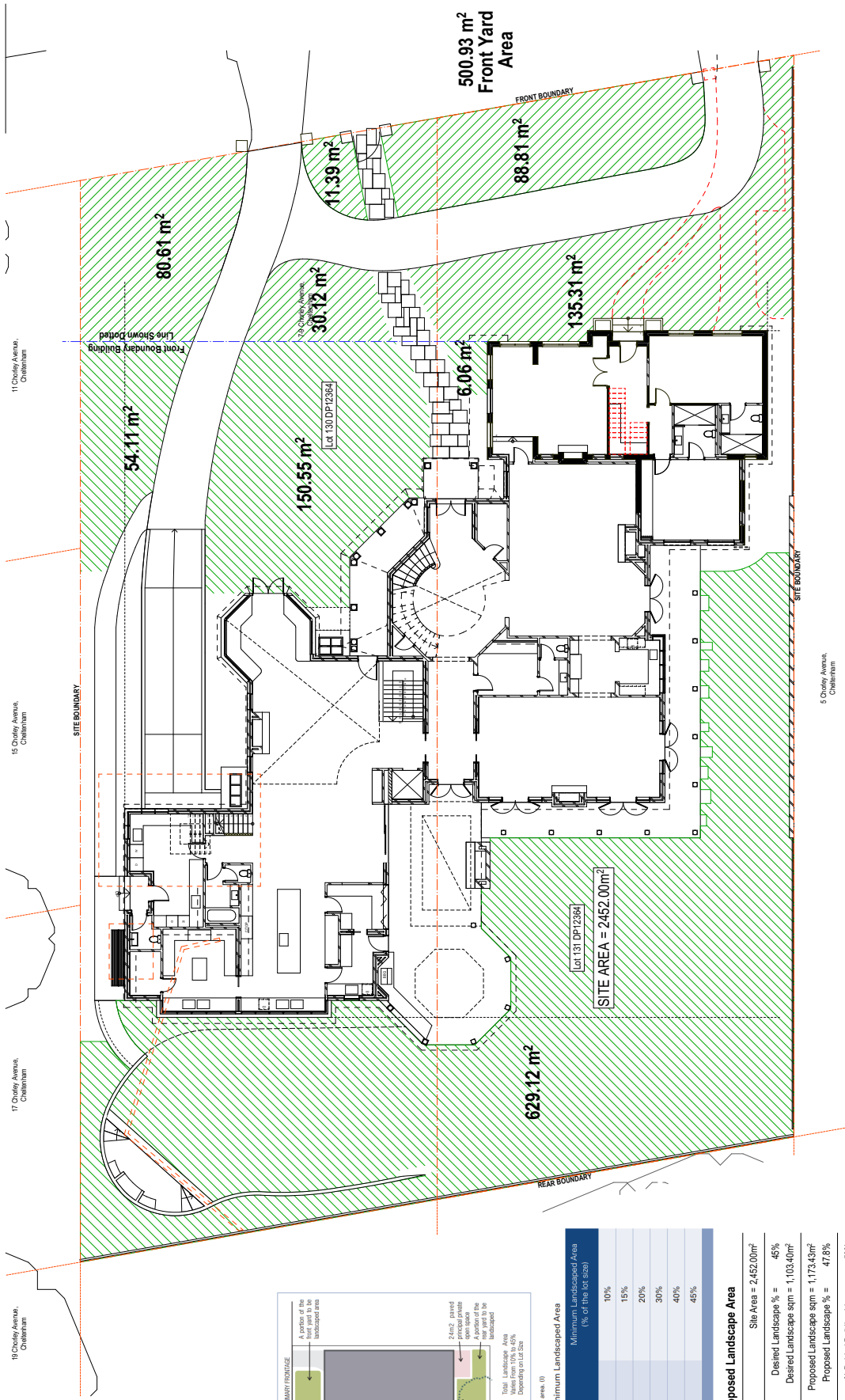


Figure 3.14c: Landscaped area (1)

Lot size	Minimum Landscaped Area (% of the lot size)
200m ² to 299m ²	10%
300m ² to 449m ²	15%
450m ² to 599m ²	20%
600m ² to 899m ²	30%
900m ² to 1499m ²	40%
1500m ² or larger	45%

Proposed Landscape Area	
Site Area = 2,452.00m ²	
Desired Landscape % = 45%	Desired Landscape sqm = 1,103.40m ²
Proposed Landscape % = 47.8%	Proposed Landscape sqm = 1,173.43m ²
Desired Landscape % Behind Building Line = 50%	Desired Landscape sqm = 1,226.00m ²
Proposed Landscape % Behind Building Line = 94%	Proposed Landscape sqm = 2,304.88m ²
Desired Front Yard Landscape % = 50%	Desired Front Yard Landscape sqm = 1,226.00m ²
Proposed Front Yard Landscape % = 69%	Proposed Front Yard Landscape sqm = 1,692.48m ²

Area for Site Coverage Calculation

ARCHITECT
DAVID WHITE ARCHITECTS PTY LTD
 3 WINGGALA CRESCENT (SUITE 2) BILBERGHOFF 2119
 T: (02) 9434 8925 E: info@davidwhitearchitects.com.au

NOTES:
 1. THIS PLAN IS A PRELIMINARY DESIGN AND SHOULD NOT BE USED FOR CONSTRUCTION WITHOUT THE APPROVAL OF THE LOCAL COUNCIL.
 2. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL COUNCIL.
 3. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL COUNCIL.
 4. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL COUNCIL.
 5. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL COUNCIL.

CLIENT
MRS KEN AND MRS LOUISE FAWKES
 5 Chislehurst Avenue, Chislehurst, NSW 2119

PROJECT
ALTERATIONS AND ADDITIONS TO 5 CHISLEHURST AVENUE, CHISLEHURST, NSW 2119

PROPOSED LANDSCAPE AREA
 SCALE: 1:500 (A1)
 DRAWN: RC
 CHECKED: DM
 ISSUE DATE: 22/01/2024
 ARCHITECT: DW
 ISSUE: A

PROJECT NUMBER: DA-9045
 DRAWING NUMBER: 23003
 SCALE: 1:500 (A1)
 DRAWN: RC
 CHECKED: DM
 ISSUE DATE: 22/01/2024
 ARCHITECT: DW
 ISSUE: A

ATTACHMENT 3 - ITEM 1

PLANT SCHEDULE: FRONT GARDEN, SIDES AND ATRIUM

Botanical Name	Common Name	Min Height	Max Height	Rate of Growth	Notes
Small shrubs, perennials, groundcovers for mixed borders, climbers					
Antigonon chinensis	China mistle	600 x 600	200mm	Ba	
Chrysanthemum	Chrysanthemum	600 x 450	200mm	Ba	
Chrysanthemum	Chrysanthemum	600 x 450	200mm	Ba	
Chrysanthemum	Chrysanthemum	600 x 450	200mm	Ba	
Chrysanthemum	Chrysanthemum	600 x 450	200mm	Ba	
Chrysanthemum	Chrysanthemum	600 x 450	200mm	Ba	
Chrysanthemum	Chrysanthemum	600 x 450	200mm	Ba	
Chrysanthemum	Chrysanthemum	600 x 450	200mm	Ba	
Chrysanthemum	Chrysanthemum	600 x 450	200mm	Ba	
Chrysanthemum	Chrysanthemum	600 x 450	200mm	Ba	

PLANT SCHEDULE: BACK GARDEN

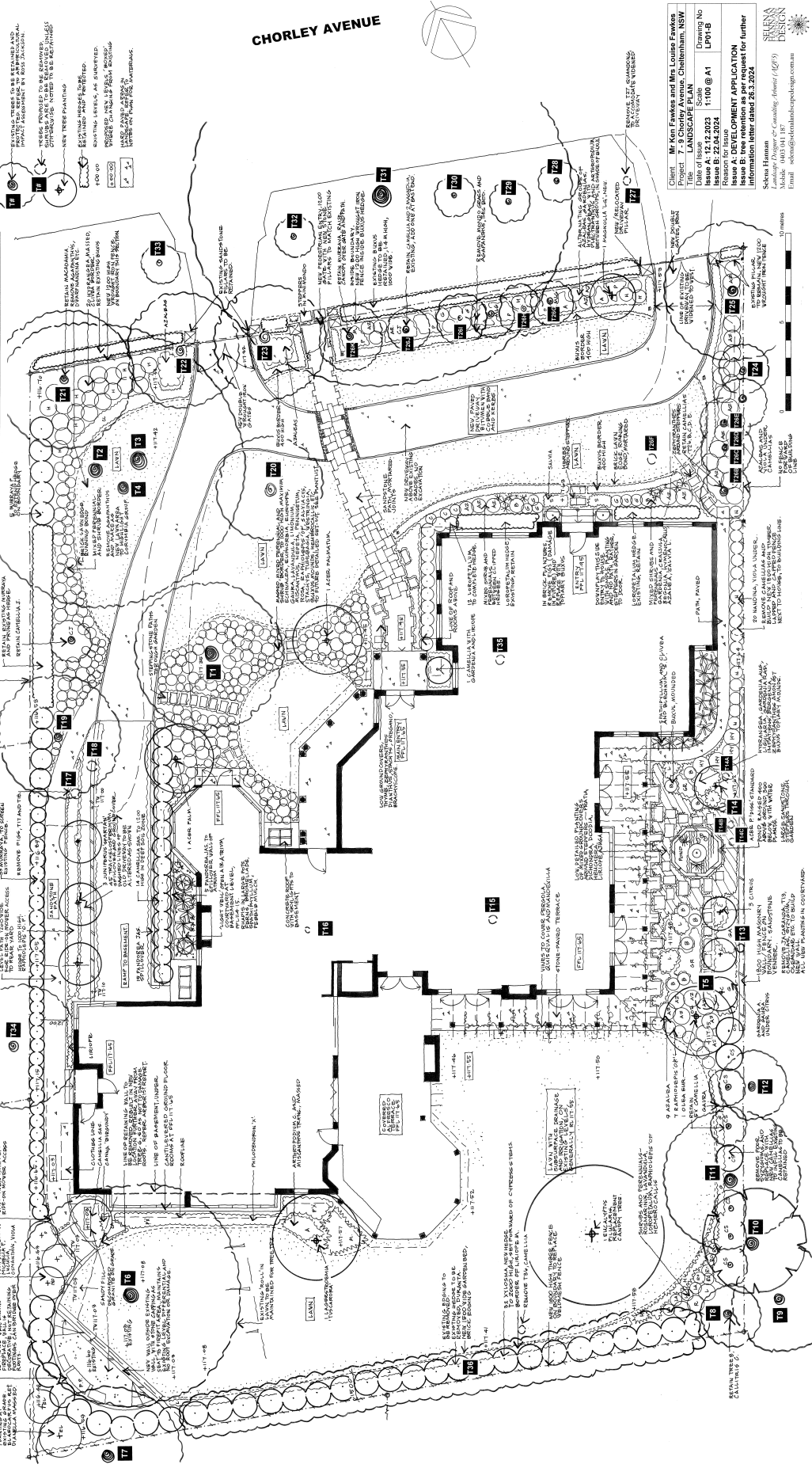
Botanical Name	Common Name	Min Height	Max Height	Rate of Growth	Notes
Local native trees, medium trees and shrubs for hedging, screening					
Acacia acuminata	Blackbutt	2000 x 2500	200mm	Ba	
Acacia mangium	Wattle	2000 x 2500	200mm	Ba	
Acacia melanoxylon	Blackbutt	2000 x 2500	200mm	Ba	
Acacia pulchella	Blackbutt	2000 x 2500	200mm	Ba	
Acacia retinacea	Blackbutt	2000 x 2500	200mm	Ba	
Acacia robusta	Blackbutt	2000 x 2500	200mm	Ba	
Acacia salicina	Blackbutt	2000 x 2500	200mm	Ba	
Acacia verticillata	Blackbutt	2000 x 2500	200mm	Ba	
Albizia julibrissin	Silk tree	600 x 600	200mm	Ba	
Albizia lophocarpa	Silk tree	600 x 600	200mm	Ba	
Albizia saman	Silk tree	600 x 600	200mm	Ba	
Albizia tonkinensis	Silk tree	600 x 600	200mm	Ba	
Albizia waterhouseana	Silk tree	600 x 600	200mm	Ba	
Albizia julibrissin	Silk tree	600 x 600	200mm	Ba	
Albizia lophocarpa	Silk tree	600 x 600	200mm	Ba	
Albizia saman	Silk tree	600 x 600	200mm	Ba	
Albizia tonkinensis	Silk tree	600 x 600	200mm	Ba	
Albizia waterhouseana	Silk tree	600 x 600	200mm	Ba	

PLANT SCHEDULE: BACK GARDEN (continued)

Botanical Name	Common Name	Min Height	Max Height	Rate of Growth	Notes
Small shrubs, perennials, groundcovers, climbers					
Antigonon chinensis	China mistle	600 x 600	200mm	Ba	
Chrysanthemum	Chrysanthemum	600 x 450	200mm	Ba	
Chrysanthemum	Chrysanthemum	600 x 450	200mm	Ba	
Chrysanthemum	Chrysanthemum	600 x 450	200mm	Ba	
Chrysanthemum	Chrysanthemum	600 x 450	200mm	Ba	
Chrysanthemum	Chrysanthemum	600 x 450	200mm	Ba	
Chrysanthemum	Chrysanthemum	600 x 450	200mm	Ba	
Chrysanthemum	Chrysanthemum	600 x 450	200mm	Ba	
Chrysanthemum	Chrysanthemum	600 x 450	200mm	Ba	
Chrysanthemum	Chrysanthemum	600 x 450	200mm	Ba	

PLANT SCHEDULE: FRONT GARDEN, SIDES AND ATRIUM (continued)

Botanical Name	Common Name	Min Height	Max Height	Rate of Growth	Notes
Large trees					
Acacia mangium	Wattle	600 x 450	200mm	Ba	
Acacia melanoxylon	Blackbutt	600 x 450	200mm	Ba	
Acacia pulchella	Blackbutt	600 x 450	200mm	Ba	
Acacia retinacea	Blackbutt	600 x 450	200mm	Ba	
Acacia robusta	Blackbutt	600 x 450	200mm	Ba	
Acacia salicina	Blackbutt	600 x 450	200mm	Ba	
Acacia verticillata	Blackbutt	600 x 450	200mm	Ba	
Albizia julibrissin	Silk tree	600 x 450	200mm	Ba	
Albizia lophocarpa	Silk tree	600 x 450	200mm	Ba	
Albizia saman	Silk tree	600 x 450	200mm	Ba	
Albizia tonkinensis	Silk tree	600 x 450	200mm	Ba	
Albizia waterhouseana	Silk tree	600 x 450	200mm	Ba	
Albizia julibrissin	Silk tree	600 x 450	200mm	Ba	
Albizia lophocarpa	Silk tree	600 x 450	200mm	Ba	
Albizia saman	Silk tree	600 x 450	200mm	Ba	
Albizia tonkinensis	Silk tree	600 x 450	200mm	Ba	
Albizia waterhouseana	Silk tree	600 x 450	200mm	Ba	



Client: Mr Ken Fawkes and Mrs Louise Fawkes
Project: 7 - 9 Chorley Avenue, Cheltenham, NSW
Title: LANDSCAPE PLAN
Drawings No: LPV18
Issue A: 12.12.2023 11:00 @ A1
Issue B: 22.04.2024
Issue A - DEVELOPMENT APPLICATION
Issue B - tree retention as per request for further information letter dated 26.3.2024

Selena Hamman
 Mobile: (02) 941 1817
 Email: selent@continentallandscape.com.au

Continental Landscape

ATTACHMENT 4 - ITEM 1

2 DA/245/2024 - VOLUNTEER BUSHFIRE FIGHTERS TRAINING FACILITY - THE TOLLGATES, 1049 PACIFIC HIGHWAY, COWAN

DA No:	DA/245/2024 (Lodged on 19 March 2024)
Description:	Construction of a Volunteer Bushfire Fighters Training Facility - PAN-415202
Property:	Lot 100 DP 1104687- The Tollgates, No. 1049 Pacific Highway, Cowan
Applicant:	NSW Rural Fire Service
Owner:	Hornsby Shire Council
Estimated Value:	\$276,452
Ward:	Ward A
Clause 4.6 Request:	Not applicable
Submissions:	Nil
LPP Criteria:	Council owned land
Author:	Independent report prepared by Nicola Neil, Octagon Planning
COI Declaration:	No Council staff involved in the assessment of this application have declared a Conflict of Interest.

RECOMMENDATION

THAT the Hornsby Shire Local Planning Panel, exercising the functions of Council as the consent authority, approve Development Application No. DA/245/2024 for construction of a Volunteer Bushfire Fighters Training Facility at Lot 100 DP 1104687, The Tollgates, No. 1049 Pacific Highway, Cowan subject to the conditions of consent Attachment 2 of LPP Report No. LPP13/24.

EXECUTIVE SUMMARY

- The application involves construction of a training facility for the NSW Rural Fire Service.
- The application involves land owned by Hornsby Shire Council and is required to be determined by the Hornsby Council Local Planning Panel. An independent assessment of the development application has been undertaken by Octagon Planning.
- The proposal complies with Hornsby Local Environmental Plan 2013 and Hornsby Development Control Plan 2013.
- No submissions have been received in respect of the application.
- The assessment report by Octagon Planning is attached to this report for the Hornsby Planning Panel's consideration. The independent consultant's report recommends that the application be approved.

ASSESSMENT

In accordance with the referral criteria and procedural requirements for Local Planning Panels, the assessment of the development application has been referred to an independent town planning consultant as the development is located on Council owned land. The report by Landmark Planning is held at Attachment 1 of this report.

CONCLUSION

The application proposes construction of a training facility for the NSW Rural Fire Service.

The development generally meets the desired outcomes of Council's planning controls and is satisfactory having regard to the matters for consideration under Section 4.15 of the *Environmental Planning and Assessment Act 1979*.

Council has referred the application to an independent town planner to carry out an assessment of the application. The assessment concludes that the application should be approved.

It is recommended that the Hornsby Local Planning Panel approve the application in accordance with the recommendations in the report prepared by Octagon Planning and the conditions of consent in Attachment 2 of this report.

Note: At the time of the completion of this planning report, no persons have made a Political Donations Disclosure Statement pursuant to Section 10.4 of the Environmental Planning and Assessment Act 1979 in respect of the subject planning application.











CASSANDRA WILLIAMS
Major Development Manager - Development
Assessments

ROD PICKLES
Manager - Development Assessments
Planning and Compliance Division

Planning and Compliance Division

ITEM 2

Attachments:

1.   Independent Assessment Report
2.   Draft Conditions of Consent
3.   Architectural Plans
4.   Plan of Management
5.   Sydney Trains Conditions

File Reference: DA/245/2024/PUBLICACCESS

Document Number: D08900699

Consultant Assessment Report
Prepared by: Nicola Neil, Octagon Planning

DA No:	DA/245/2024 (Lodged on 19/03/2024)
Description:	Emergency Services Facility – Volunteer Firefighter Training Facility
Property:	The Tollgates, 1049 Pacific Highway, Cowan (Lot 100 DP1104687)
Applicant:	NSW Rural Fire Service
Owner:	Hornsby Shire Council
Estimated Cost:	\$276,452
Ward:	Ward A
Clause 4.6 Request:	Not applicable
Submissions:	Nil
LPP Criteria:	Development on Council-owned land
Author:	Nicola Neil, Consultant Town Planner
COI Declaration:	No Council staff involved in the assessment of this application have declared a Conflict of Interest.

RECOMMENDATION

THAT Development Application No. DA/245/2024 for a volunteer firefighter training facility at 1049 Pacific Highway, Cowan (Lot 100 DP1104687) be approved subject to the conditions of consent detailed in Attachment 2 of LPP Report No. LPP13/24.

EXECUTIVE SUMMARY

- The application involves construction of a training facility for the NSW Rural Fire Service.
- The site is owned by Council. In accordance with Council's adopted Policy '*Proposed Council Developments*' an independent assessment of the development application has been undertaken by Nicola Neil of Octagon Planning.
- The proposal complies with Hornsby Local Environmental Plan 2013 and Hornsby Development Control Plan 2013.
- No submissions have been received in respect of the application.
- The application is required to be determined by the Hornsby Council Local Planning Panel as the development is located on Council-owned land.
- It is recommended that the application be approved.

Consultant Assessment Report
Prepared by: Nicola Neil, Octagon Planning

BACKGROUND

On 20/02/2008 Council approved a development application for the Hornsby/Ku-ring-gai Rural Fire Centre on the subject site. On 12/01/2017 Council approved a development application for Cowan Rural Fire Service Station on the subject site.

APPLICATION HISTORY

A request for additional information letter was sent to the applicant on 15 April 2024 requesting details regarding screen planting and the smoke machine.

On 16 April 2024 Council's Strategy and Place Branch sent correspondence to the Planning & Compliance Division noting that the location of the proposed training facility encroached upon the space required to maintain the wind turbine on the site. An amended request for additional information letter was sent to the applicant on 17 April 2024.

Following a pre-LPP meeting on 22 April, further issues were raised and another request for additional information letter was sent to the applicant on 2 May 2024 requesting submission of a Plan of Management, clarification of any external lighting proposed, a schedule of materials and finishes and wastewater details.

Amended plans were submitted by the applicant to accommodate the wind turbine and address the screen planting. A Plan of Management was submitted along with a Schedule of Materials and Finishes and details pertaining to the smoke machine to address the outstanding issues.

SITE

The site is located on the Pacific Highway at Cowan and was formerly used as a heavy vehicle weigh station. It is a long narrow site with an area of 9,432m², bordered on both the eastern and western sides by the Pacific Highway. The site is largely cleared and level, with a few trees scattered throughout.

In the northern part of the site is a grassed area along with a number of shipping containers, a demountable building and a small disused single storey brick building. To the south of this is the large two-storey district Rural Fire Service (RFS) Centre which includes a control centre, various administrative rooms, a lecture room and storage. South of the centre is a large car park, then the single storey Cowan RFS building. Beyond this is another parking area and a large undeveloped gravel area (the development site), and in the southernmost part of the site is a wind turbine and a fire tower.

To the east of the site is the railway line, with the M1 Pacific Motorway beyond. To the west of the site is the Cowan Rest Area Truck Stop.

PROPOSAL

The proposed development is an RFS training facility. The RFS is required to relinquish its Westleigh site where training is currently carried out. Following construction of the facility, training sessions will be relocated to Cowan. The development is to be located in the southern part of the subject site, between the Cowan RFS building and the fire tower.

The development includes a single storey storage shed with shade structure, two-storey prefabricated training module, and a concrete slab. One (1) dead tree is to be removed. The Statement of Environmental Effects and Plan of Management submitted with the Development Application provide detailed accounts of the training, which is summarised below.

Consultant Assessment Report
Prepared by: Nicola Neil, Octagon Planning

Training sessions are carried out 30-40 days a year, with 10-15 attendees at each session. Teams assemble at their local RFS station and are transported in the fire truck to the training facility. The fire truck is then used in the training scenario. A prefabricated training module is used to simulate a house fire; the structure includes a pitched metal roof and a pitched tile roof. The module simulates structure fires using a smoke machine only ("cold fire" training); there are no live fires within the module. "Hot fire" training is carried out at other specialised sites. The module trains volunteers for house fires, working on roofs and heights training.

Other training is also proposed for the concrete areas of the site using props, which will be stored on site until required. Sometimes portable gas props are used outdoors on concrete slab areas to simulate fires. Volunteers will have pre-packed lunches and refreshments in the shelter adjoining the storage shed and will be driven back to their station in the fire truck at the end of the day.

The training facility will develop and maintain the following skills: firefighter fitness, crew safety, breathing apparatus, forcible entry, search and rescue, structural firefighting, motor vehicle firefighting, motor vehicle accident fire protection and casualty assistance, working at heights, storm damage repair, chainsaw operation and operational command.

ASSESSMENT

The development application has been assessed having regard to the Greater Sydney Region Plan - A Metropolis of Three Cities, the North District Plan and the matters for consideration prescribed under Section 4.15 of the *Environmental Planning and Assessment Act 1979* (the Act). The following issues have been identified for further consideration.

1. STRATEGIC CONTEXT

1.1 Greater Sydney Region Plan - A Metropolis of Three Cities and North District Plan

The Greater Sydney Region Plan - A Metropolis of Three Cities has been prepared by the NSW State Government to guide land use planning decisions over the next 40 years (to 2056). The Plan sets a strategy and actions for accommodating Sydney's future population growth and identifies dwelling targets to ensure supply meets demand. The Plan also identifies that the most suitable areas for new housing are in locations close to jobs, public transport, community facilities and services.

The NSW Government will use the subregional planning process to define objectives and set goals for job creation, housing supply and choice in each subregion. Hornsby Shire has been grouped with Hunters Hill, Ku-ring-gai, Lane Cove, Mosman, North Sydney, Ryde, Northern Beaches and Willoughby to form the North District. The Greater Sydney Commission has released the North District Plan which includes priorities and actions for Northern District over the next 20 years.

The proposed development is consistent with the "resilient city" section of the Metropolis of Three Cities, the objectives of which are:

- Objective 36. People and places adapt to climate change and future shocks and stresses
- Objective 37. Exposure to natural and urban hazards is reduced
- Objective 38. Heatwaves and extreme heat are managed

The proposal is also consistent with the section "An Efficient City" which aims to use resources wisely. By co-locating the practical training with the lecture-based training which occurs at the control centre,

and in an easily accessible location just off the motorway, the development will use fewer resources than the existing facility at Westleigh.

The proposal is also consistent with Objective 5.9 Planning for a Resilient North District in the Draft North District Plan.

2. STATUTORY CONTROLS

Section 4.15(1)(a) requires Council to consider “*any relevant environmental planning instruments, draft environmental planning instruments, development control plans, planning agreements and regulations*”.

2.1 Hornsby Local Environmental Plan 2013

The proposed development has been assessed having regard to the provisions of the Hornsby Local Environmental Plan 2013 (HLEP).

2.1.1 Zoning of Land and Permissibility

The subject land is zoned SP2 Infrastructure (Purpose: Emergency Services Facility) under the HLEP. The objectives of the SP2 zone are:

- *To provide for infrastructure and related uses.*
- *To prevent development that is not compatible with or that may detract from the provision of infrastructure.*

The proposed development meets the objectives as it is a training facility for the emergency services and does not detract from the provision of infrastructure.

HLEP includes in the permitted uses for the SP2 zone, “*The purpose shown on the Land Zoning Map, including any development that is ordinarily incidental or ancillary to development for that purpose*”. The proposed development is ancillary to the existing emergency services facility located on the site and is permissible in the SP2 zone with Council's consent.

2.1.2 Height of Buildings

The subject site has no maximum height mapped under Clause 4.3 of HLEP. The training module has a maximum height of 6m, which is considered appropriate for the site.

2.1.3 Floor Space Ratio

The subject site has no maximum Floor Space Ratio (FSR) mapped under Clause 4.4 of HLEP. The training facility has a floor area of 254.23m² in addition to the 1,512.68m² existing buildings on site making a total floor area of 1,766.91m². The site is 9,432m², making for an FSR of 0.19:1. This is considered appropriate for the site.

2.1.4 Heritage Conservation

Clause 5.10 of the HLEP sets out heritage conservation provisions for Hornsby Shire. The site does not include a heritage item and is not located in a heritage conservation area. Accordingly, no further assessment regarding heritage is necessary.

Consultant Assessment Report
Prepared by: Nicola Neil, Octagon Planning

2.1.5 Earthworks

Clause 6.2 of the HLEP states that consent is required for earthworks. Before granting consent for earthworks, Council is required to assess the impacts of the works on adjoining properties, drainage patterns and soil stability of the locality. Earthworks are minimal and are limited to what is required for the building footings. Council's Development Engineer has reviewed the proposal and raised no objections subject to recommended conditions of consent.

2.2 State Environmental Planning Policy (Biodiversity and Conservation) 2021

The application has been assessed against the requirements of chapter 6 of State Environmental Planning Policy (Biodiversity and Conservation) 2021.

2.2.1 Chapter 6 Waterways

The site is located within the Hawkesbury-Nepean catchment. The aim of this chapter is to ensure that the catchment, foreshores, waterways and islands of Sydney Harbour are recognised, protected, enhanced and maintained. This chapter provides general planning considerations and strategies to ensure that the catchment, foreshores, waterways and islands of Sydney Harbour are recognised, protected, enhanced and maintained.

The plan addresses matters related to biodiversity, ecology and environment protection; public access to, and use of, foreshores and waterways; maintenance of a working harbour; interrelationship of waterway and foreshore uses; foreshore and waterways scenic quality; maintenance, protection and enhancement of views and boat storage facilities.

The Plan of Management submitted with the Development Application specifies that water will be the main extinguishing agent used in training. A small amount of training foam may be used in small quantities; this is non-hazardous, non-toxic and readily biodegradable. Activities using training foam will be subject to risk assessment. No Class A or Class B foam will be used or stored at the site. The RFS no longer uses PFAS-containing foam.

Subject to the continuation of sediment and erosion control measures and stormwater management to protect water quality, the proposal would have minimal potential to impact on the Hawkesbury-Nepean Catchment and would comply with the requirements of chapter 6 of the Biodiversity and Conservation SEPP.

2.3 State Environmental Planning Policy (Resilience and Hazards) 2021

The application has been assessed against the requirements of Chapter 4 of State Environmental Planning Policy (Resilience and Hazards) 2021.

2.3.1 Chapter 4 Remediation of Land

Section 4.6 of the Resilience and Hazards SEPP states that consent must not be granted to the carrying out of any development on land unless the consent authority has considered whether the land is contaminated or requires remediation for the proposed use.

Should the land be contaminated, Council must be satisfied that the land is suitable in a contaminated state for the proposed use. If the land requires remediation to be undertaken to make the land suitable

Consultant Assessment Report
Prepared by: Nicola Neil, Octagon Planning

for the proposed use, Council must be satisfied that the land will be remediated before the land is used for that purpose.

The subject site was used as a heavy vehicle weigh station until the mid-2000s. A Preliminary Contaminated Site Assessment was conducted by Heggies in 2007 as part of the redevelopment of the site for the Hornsby/Ku-Ring-Gai Control Centre. This report concluded that there was a minimal risk of site contamination and the current site conditions were not considered to be unsuitable for the proposed development.

As mentioned in section 2.2.1 above, the RFS does not use PFAS-containing foam.

The proposed development involves minimal earthworks associated with slab construction. It is not likely that the site has experienced any significant contamination since the 2007 report, and further assessment under Chapter 4 of the Resilience and Hazards SEPP is not required.

2.4 State Environmental Planning Policy (Transport and Infrastructure) 2021

The application has been assessed against the requirements of Chapter 2 of State Environmental Planning Policy (Transport and Infrastructure) 2021.

2.4.1 Part 2.3 Division 6 Emergency Services and Bush Fire Hazard Reduction

Division 6 of the SEPP relates to emergency services and bush fire hazard reduction. Clause 2.51(1) states that development for the purpose of an emergency services facility may be carried out with consent in a prescribed zone by or on behalf of the NSW Rural Fire Service or an emergency services organisation that is not a public authority. Clause 2.52(1) excludes the NSW RFS from carrying out development without consent.

2.4.2 Part 2.3 Division 17 Roads and Traffic

Subdivision 2 relates to development in or adjacent to road corridors and road reservations. Clause 2.119(2) states that

The consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that—

- (a) where practicable and safe, vehicular access to the land is provided by a road other than the classified road, and*
- (b) the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of—*
 - (i) the design of the vehicular access to the land, or*
 - (ii) the emission of smoke or dust from the development, or*
 - (iii) the nature, volume or frequency of vehicles using the classified road to gain access to the land, and*
- (c) the development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road.*

Consultant Assessment Report
Prepared by: Nicola Neil, Octagon Planning

The proposed development will use the existing vehicular access to the subject site and will not affect the safety, efficiency and ongoing operation of the classified road due to the abovementioned factors. The Statement of Environmental Effects notes that some smoke will occasionally be generated at the site, but this is in a controlled training environment and would not be of a large enough volume to create a traffic hazard. The development is not sensitive to traffic noise or vehicle emissions and its efficient operation would not be prejudiced by proximity to the road.

2.4.3 Part 2.3 Division 15 Railways

Division 15 of the SEPP relates to railways, with Subdivision 2 setting out notification and other requirements for development in or adjacent to rail corridors. The Development Application was referred to Sydney Trains for comment. Sydney Trains provided a response with a number of conditions which will be included with the notice of determination.

2.5 Section 3.42 Environmental Planning and Assessment Act 1979 - Purpose and Status of Development Control Plans

Section 3.42 of the *Environmental Planning and Assessment Act 1979* states that a DCP provision will have no effect if it prevents or unreasonably restricts development that is otherwise permitted and complies with the development standards in relevant Local Environmental Plans and State Environmental Planning Policies.

The principal purpose of a development control plan is to provide guidance on the aims of any environmental planning instrument that applies to the development; facilitate development that is permissible under any such instrument; and achieve the objectives of land zones. The provisions contained in a DCP are not statutory requirements and are for guidance purposes only. Consent authorities have flexibility to consider innovative solutions when assessing development proposals, to assist achieve good planning outcomes.

2.6 Hornsby Development Control Plan 2013

The proposed development has been assessed having regard to the relevant desired outcomes and prescriptive requirements within the Hornsby Development Control Plan 2013 (HDCP).

The objectives of Hornsby DCP are to:

- *provide a comprehensive document that provides a framework for development of land in the Hornsby Local Government Area,*
- *clearly set out the processes, procedures and responsibilities for the involvement of the community and key stakeholders in the development of land,*
- *promote development that is consistent with Council's vision of creating a living environment,*
- *protect and enhance the natural and built environment, and ensure that satisfactory measures are incorporated to ameliorate any impacts arising from development,*
- *encourage high quality development that contributes to the existing or desired future character of the area, with particular emphasis on the integration of buildings with a landscaped setting,*
- *protect and enhance the public domain,*

Consultant Assessment Report
Prepared by: Nicola Neil, Octagon Planning

- *minimise risk to the community, and*
- *ensure that development incorporates the principles of Ecologically Sustainable Development (ESD).*

The proposed development is consistent with the objectives as it will provide training to volunteer firefighters who protect the natural and built and environment, is integrated into the landscaped setting of the site, minimises risk to the community by providing emergency services training, and incorporates the principles of ESD by using a prefabricated module made from shipping containers and co-locating practical training with theory-based training which is conducted at the control centre, on a site that is easily accessed being close to the M1.

2.6.1 Part 1B.6.1 Tree Preservation

The proposed development is consistent with this section of the DCP as all existing trees on the site are proposed to remain. One (1) dead tree is to be removed, identified as Tree 4 in the Arborist Report accompanying the Development Application.

2.6.2 Part 1C.1.2 Stormwater Management

The DCP requires development to have appropriate controls to stabilise and retain soil and sediments during construction in accordance with Landcom's *Managing Urban Stormwater (2006)* also known as *The Blue Book*. A condition of consent is recommended to ensure appropriate erosion and sediment control. Council's Development Engineer has reviewed the stormwater arrangements and raised no objections subject to recommended conditions of consent.

2.6.3 Part 1C.1.4 Earthworks and Slope

The proposed development is consistent with the DCP requirement for development to be sited on the area of land presenting the least topographic constraints and away from ridge lines. The development site is partially screened from view from the west by an embankment. In accordance with the DCP, cut and fill will not exceed 1m.

2.6.4 Part 1C.2.1 Transport and Parking

The proposal is consistent with the DCP requirement for direct vehicular access points to main roads to be consolidated; entry to the proposed development will be via the existing driveway. The Statement of Environmental Effects outlines how training attendees will arrive on site in their fire truck which will be used as part of the training; consequently, there is no requirement for any additional parking on site.

The Plan of Management provided following a request for additional information states:

The maximum number of fire appliances to use the District Training Centre at any time is 4.

Vehicular access for the fire appliances is via the main gates on the precinct's western boundary.

Parking for fire appliances is available within the existing Fire Control Centre car park on the northern side of the Support Station. Additional parking for RFS vehicles is available on the kerbside on the precinct's western boundary adjacent to main gates.

Consultant Assessment Report
Prepared by: Nicola Neil, Octagon Planning

Participants will typically assemble and join the fire appliance at their local fire station, before proceeding to the Fire Control Centre. Participants will typically alight from the appliance and undertake theory-based lectures and/or briefings in the training rooms within the Fire Control Centre. Participants will then typically board their fire appliance and position on site at the District Training Centre under the direction of the Lead Instructor.

Vehicle traffic does not exceed the existing capacity of the broader Fire Control Centre and parking facilities. The District Training Centre provides on-site practical training facilities for participants who would have otherwise attended the Fire Control Centre for theory-based lectures, and then travelled to an off-site facility for practical training sessions.

The District Training Centre will be booked in conjunction with one of the Fire Control Centre Training Rooms, to ensure that typical site occupancy is not exceeded.

The proposal is satisfactory with regard to onsite parking.

2.6.5 Part 1C.2.3 Waste Management

In accordance with the DCP, a Waste Management Plan was submitted with the Development Application. The use of prefabricated materials and modules reduces waste both in the construction phase and at the end of the buildings' life span. The WMP is considered adequate.

2.6.6 Part 1C.2.4 Effluent Disposal

The desired outcome of this section is:

Sewage is disposed of in a manner that minimises impacts on the natural and built environment and public health.

As noted in the Plan of Management, amenities including toilets and showers are available within the Fire Control Centre and these will be used by participants in the practical training at the development site.

2.6.7 Part 1C.2.6 Air Quality

The proposed development will use smoke machines to simulate house fires. The DCP requires buffer zones to be provided between potentially air polluting activities and air quality sensitive land uses. The closest dwellings to the development site are over 400m to the south-west in Berowra.

It is noted that the applicant provided product information sheets for both the smoke machine and the fog liquid to be used. This is standard artificial smoke which is used on stage.

It is not expected that the development will generate levels of air emissions exceeding the requirements of the *Protection of the Environment Operations Act 1997* and therefore mitigating measures are not required under the DCP.

2.6.8 Part 1C.2.9 Landscaping

The DCP requires landscaping to be incorporated where appropriate. The development retains all existing trees and includes screen planting of Weeping Lilly Pilly and *Acacia cognata* (River Wattle).

Consultant Assessment Report
Prepared by: Nicola Neil, Octagon Planning

2.6.9 Part 1C.2.10 Services and Lighting

The desired outcomes for this section are:

- a. *Development that provides necessary services to cater for future occupants.*
- b. *Development that integrates required services in building and site design to minimise impacts on the streetscape.*

The letter provided by the applicant in response to requests for additional information states that no external lighting is required or proposed for the development. The Plan of Management notes that training may be undertaken after dark using existing site lighting and the work lights of fire appliances.

2.6.10 Part 1C.3.1 Bushfire

The development site is mapped as bushfire prone land – vegetation buffer. The DCP requires development on bushfire prone land to comply with *Planning for Bushfire Protection 2019*. A Bushfire Report was submitted with the Development Application and concluded that:

This proposal falls outside the requirements for specific bushfire safety construction standards as outlined in the NCC, AS-3959 and Planning for Bushfire Protection and requires only the general fire safety provisions of the NCC that are associated with that class of structure.

Planning for Bushfire Protection requires that this proposal complies with the aims and objectives of that document and the specific objectives for infill development.

It is considered that this proposal does comply with the intent of the relevant aims and objectives of Planning for Bushfire Protection and the relevant specific objectives for infill.

The proposed development is considered satisfactory with regard to bushfire risk.

2.7 Section 7.12 Contributions Plans

Hornsby Shire Council Section 7.12 Contributions Plan 2019-2029 applies to developments with an estimated development cost greater than \$100,000. The applicant has provided a Cost Estimate Report with a total development cost of \$276,452. A condition of consent will be recommended requiring payment of applicable contributions.

3. ENVIRONMENTAL IMPACTS

Section 4.15(1)(b) of the Act requires Council to consider *“the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality”*.

3.1 Natural Environment

The proposed development is not expected to have any other impacts on the natural environment other than those discussed above.

Consultant Assessment Report
Prepared by: Nicola Neil, Octagon Planning

3.2 Built Environment

3.2.1 Built Form

The proposed development prioritises function over form and is therefore not architecturally outstanding. The development is in a fairly isolated site with no nearby residential properties; the site is partially screened by existing trees and an embankment; additional screen planting will assist in mitigating visual impacts.

3.3 Social Impacts

The proposed development will support the ongoing training of volunteer firefighters. Volunteering is widely acknowledged to be good for community wellbeing, in addition to this specific volunteering providing various benefits to the community through bushfire prevention and emergency response. The development will have a positive social impact.

3.4 Economic Impacts

The proposed development will have indirect economic benefits by providing training to volunteer firefighters who will go on to protect property from bushfire. The development will also have a minor economic benefit during construction.

4. SITE SUITABILITY

Section 4.15(1)(c) of the Act requires Council to consider "*the suitability of the site for the development*".

The subject site is already designated for emergency services purposes and includes two associated facilities. The subject site is not identified as flood prone; it is mapped as bushfire prone. This is discussed in detail in section 2.6.10 above. The site is considered to be capable of accommodating the proposed development. The scale of the proposed development is consistent with the capability of the site and is considered acceptable.

5. PUBLIC PARTICIPATION

Section 4.15(1)(d) of the Act requires Council to consider "*any submissions made in accordance with this Act*".

5.1 Community Consultation

The proposed development was placed on public exhibition and was notified to adjoining and nearby landowners between 15 April 2024 and 29 April 2024 in accordance with the Hornsby Community Engagement Plan. During this period, Council received no submissions. Figure 1 below illustrates the location of those nearby landowners who were notified of the development.

Consultant Assessment Report
 Prepared by: Nicola Neil, Octagon Planning

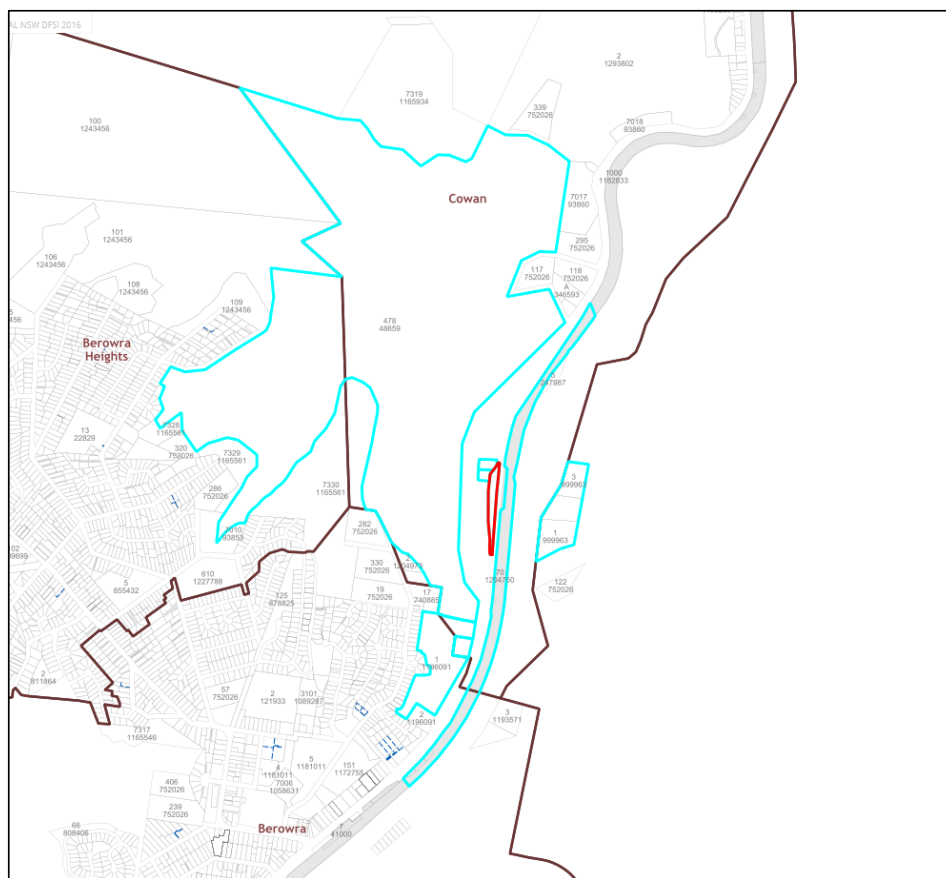


Figure 1: Subject site outlined in red; notified properties outlined in cyan

5.2 Public Agencies

The development application was referred to the following Agencies for comment:

5.2.1 Sydney Trains

The Development Application was referred to Sydney Trains due to the site's proximity to the railway corridor. Sydney Trains provided a response with a number of conditions which will be included with the notice of determination.

6. THE PUBLIC INTEREST

Section 4.15(1)(e) of the Act requires Council to consider *“the public interest”*.

The public interest is an overarching requirement, which includes the consideration of the matters discussed in this report. Implicit to the public interest is the achievement of future built outcomes adequately responding to and respecting the future desired outcomes expressed in environmental planning instruments and development control plans.

The application is considered to have satisfactorily addressed Council's and relevant agencies' criteria and would provide a development outcome that, on balance, would result in a positive impact for the

Consultant Assessment Report
Prepared by: Nicola Neil, Octagon Planning

community. Accordingly, it is considered that the approval of the proposed development would be in the public interest.

CONCLUSION

The application proposes a new volunteer firefighter training facility.

The development generally meets the desired outcomes of Council's planning controls and is satisfactory having regard to the matters for consideration under Section 4.15 of the *Environmental Planning and Assessment Act 1979*.

Having regard to the circumstances of the case, approval of the application is recommended.

The reasons for this decision are:

- The proposed development complies with the requirements of the relevant environmental planning instruments and the Hornsby Development Control Plan 2013.
- The proposed development does not create unreasonable environmental impacts to adjoining development with regard to visual bulk, solar access, amenity or privacy.

Note: At the time of the completion of this planning report, no persons have made a Political Donations Disclosure Statement pursuant to Section 10.4 of the Environmental Planning and Assessment Act 1979 in respect of the subject planning application.

DRAFT CONDITIONS OF CONSENT

GENERAL CONDITIONS

Condition																																																																																												
1.	<p>Approved Plans and Supporting Documentation</p> <p>The development must be carried out in accordance with the plans and documentation listed below and endorsed with Council's stamp, except where amended by Council and/or other conditions of this consent:</p> <p><i>Approved Plans</i></p> <table border="1" style="width: 100%; border-collapse: collapse; margin-bottom: 10px;"> <thead> <tr> <th style="width: 8%;">Plan No.</th> <th style="width: 35%;">Plan Title</th> <th style="width: 25%;">Drawn by</th> <th style="width: 15%;">Dated</th> <th style="width: 17%;">Council Reference</th> </tr> </thead> <tbody> <tr><td>E02</td><td>Proposed Site Plan Rev 01</td><td>Maitland Butler Architects</td><td>24/04/2024</td><td></td></tr> <tr><td>E03</td><td>Sediment Control Plan Rev 01</td><td>Maitland Butler Architects</td><td>24/04/2024</td><td></td></tr> <tr><td>E05</td><td>Ground Floor Plan Rev 01</td><td>Maitland Butler Architects</td><td>24/04/2024</td><td></td></tr> <tr><td>E06</td><td>Cold House Prop Plans Rev 02</td><td>Maitland Butler Architects</td><td>24/04/2024</td><td></td></tr> <tr><td>E07</td><td>Cold House Prop Elevations Rev 02</td><td>Maitland Butler Architects</td><td>24/04/2024</td><td></td></tr> <tr><td>E07</td><td>Storage Shed Shelter Plan Rev 01</td><td>Maitland Butler Architects</td><td>24/04/2024</td><td></td></tr> <tr><td>E08</td><td>Stormwater Concept Plan Rev 01</td><td>Maitland Butler Architects</td><td>24/04/2024</td><td></td></tr> <tr><td>E10</td><td>Landscaping Plan Rev 01</td><td>Maitland Butler Architects</td><td>24/04/2024</td><td></td></tr> <tr><td>E11</td><td>Sections Rev 01</td><td>Maitland Butler Architects</td><td>24/04/2024</td><td></td></tr> <tr><td>E21</td><td>Elevations 1 Rev 01</td><td>Maitland Butler Architects</td><td>24/04/2024</td><td></td></tr> <tr><td>E22</td><td>Elevations 2 Rev 01</td><td>Maitland Butler Architects</td><td>24/04/2024</td><td></td></tr> </tbody> </table> <p><i>Supporting Documentation</i></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 35%;">Document Title</th> <th style="width: 25%;">Prepared by</th> <th style="width: 15%;">Dated</th> <th style="width: 25%;">Council Reference</th> </tr> </thead> <tbody> <tr><td>Arborist Report</td><td>Abacus Tree Services</td><td>29/02/2024</td><td>D08840002</td></tr> <tr><td>Bushfire Report</td><td>Bushfire Planning Services</td><td>31/01/2024</td><td>D08840005</td></tr> <tr><td>Plan of Management (Draft) Rev C</td><td>RFS</td><td>20/05/2024</td><td>D08889027</td></tr> <tr><td>Schedule of Finishes</td><td>RFS</td><td>01/05/2024</td><td>D08889026</td></tr> <tr><td>Waste Management Plan</td><td>Matthew O'Donnell, RFS</td><td>29/02/2024</td><td>D08840023</td></tr> <tr><td>Detail Survey 23019_DET_1A</td><td>Survey Plus</td><td>06/12/2023</td><td>D08840022</td></tr> </tbody> </table> <p><i>Reason: To ensure all parties are aware of the approved plans and supporting documentation that apply to the development.</i></p>				Plan No.	Plan Title	Drawn by	Dated	Council Reference	E02	Proposed Site Plan Rev 01	Maitland Butler Architects	24/04/2024		E03	Sediment Control Plan Rev 01	Maitland Butler Architects	24/04/2024		E05	Ground Floor Plan Rev 01	Maitland Butler Architects	24/04/2024		E06	Cold House Prop Plans Rev 02	Maitland Butler Architects	24/04/2024		E07	Cold House Prop Elevations Rev 02	Maitland Butler Architects	24/04/2024		E07	Storage Shed Shelter Plan Rev 01	Maitland Butler Architects	24/04/2024		E08	Stormwater Concept Plan Rev 01	Maitland Butler Architects	24/04/2024		E10	Landscaping Plan Rev 01	Maitland Butler Architects	24/04/2024		E11	Sections Rev 01	Maitland Butler Architects	24/04/2024		E21	Elevations 1 Rev 01	Maitland Butler Architects	24/04/2024		E22	Elevations 2 Rev 01	Maitland Butler Architects	24/04/2024		Document Title	Prepared by	Dated	Council Reference	Arborist Report	Abacus Tree Services	29/02/2024	D08840002	Bushfire Report	Bushfire Planning Services	31/01/2024	D08840005	Plan of Management (Draft) Rev C	RFS	20/05/2024	D08889027	Schedule of Finishes	RFS	01/05/2024	D08889026	Waste Management Plan	Matthew O'Donnell, RFS	29/02/2024	D08840023	Detail Survey 23019_DET_1A	Survey Plus	06/12/2023	D08840022
Plan No.	Plan Title	Drawn by	Dated	Council Reference																																																																																								
E02	Proposed Site Plan Rev 01	Maitland Butler Architects	24/04/2024																																																																																									
E03	Sediment Control Plan Rev 01	Maitland Butler Architects	24/04/2024																																																																																									
E05	Ground Floor Plan Rev 01	Maitland Butler Architects	24/04/2024																																																																																									
E06	Cold House Prop Plans Rev 02	Maitland Butler Architects	24/04/2024																																																																																									
E07	Cold House Prop Elevations Rev 02	Maitland Butler Architects	24/04/2024																																																																																									
E07	Storage Shed Shelter Plan Rev 01	Maitland Butler Architects	24/04/2024																																																																																									
E08	Stormwater Concept Plan Rev 01	Maitland Butler Architects	24/04/2024																																																																																									
E10	Landscaping Plan Rev 01	Maitland Butler Architects	24/04/2024																																																																																									
E11	Sections Rev 01	Maitland Butler Architects	24/04/2024																																																																																									
E21	Elevations 1 Rev 01	Maitland Butler Architects	24/04/2024																																																																																									
E22	Elevations 2 Rev 01	Maitland Butler Architects	24/04/2024																																																																																									
Document Title	Prepared by	Dated	Council Reference																																																																																									
Arborist Report	Abacus Tree Services	29/02/2024	D08840002																																																																																									
Bushfire Report	Bushfire Planning Services	31/01/2024	D08840005																																																																																									
Plan of Management (Draft) Rev C	RFS	20/05/2024	D08889027																																																																																									
Schedule of Finishes	RFS	01/05/2024	D08889026																																																																																									
Waste Management Plan	Matthew O'Donnell, RFS	29/02/2024	D08840023																																																																																									
Detail Survey 23019_DET_1A	Survey Plus	06/12/2023	D08840022																																																																																									

2. Construction Certificate

1. A Construction Certificate is required to be approved by Council or a Principal Certifier prior to the commencement of any construction works under this consent.
2. The Construction Certificate plans must be consistent with the Development Consent plans.

Reason: To ensure that detailed construction certificate plans are consistent with the approved plans and supporting documentation.

3. Section 7.12 Development Contributions

1. In accordance with Section 4.17(1) of the Environmental Planning and Assessment Act 1979 and the Hornsby Shire Council Section 7.12 Development Contributions Plan 2019-2029, \$2,764.50 must be paid towards the provision, extension or augmentation of public amenities or public services, based on development costs of **\$276,452**.
2. The value of this contribution is current as of 13 June 2024. If the contributions are not paid within the financial quarter that this consent is granted, the contributions payable will be adjusted in accordance with the provisions of the Hornsby Shire Council Section 7.12 Development Contributions Plan and the amount payable will be calculated at the time of payment in the following manner:

$$\text{\$C}_{PY} = \frac{\text{\$C}_{DC} \times \text{CPI}_{PY}}{\text{CPI}_{DC}}$$

Where:

\\$C_{PY} is the amount of the contribution at the date of Payment

\\$C_{DC} is the amount of the contribution as set out in this Development Consent

CPI_{PY} is the latest release of the Consumer Price Index (Sydney – All Groups) at the date of Payment as published by the ABS.

CPI_{DC} is the Consumer Price Index (Sydney – All Groups) for the financial quarter at the date of this Development Consent.

3. The monetary contributions shall be paid to Council:
 - a. Prior to the issue of the Subdivision Certificate where the development is for subdivision; or
 - b. Prior to the issue of the first Construction Certificate where the development is for building work; or
 - c. Prior to issue of the Subdivision Certificate or first Construction Certificate, whichever occurs first, where the development involves both subdivision and building work; or
 - d. Prior to the works commencing where the development does not require a Construction Certificate or Subdivision Certificate.

Note: Should the cost of works increase at Construction Certificate stage, a revised contribution amount will be calculated in accordance with the Hornsby Shire Council Section 7.12 Development Contributions Plan.

Note: It is the professional responsibility of the Principal Certifier to ensure that the monetary contributions have been paid to Council in accordance with the above timeframes.

Note: In accordance with Ministerial Directions, the payment of contribution fees for development with a cost of works of over \$10 million can be deferred to prior to Occupation Certificate.

Note: The Hornsby Shire Council Section 7.12 Development Contributions Plan may be viewed at www.hornsby.nsw.gov.au or a copy may be inspected at Council's Administration Centre during normal business hours.

Note: To arrange a Payment Advice for the monetary contributions, please contact Council's Customer Service Team on 9847 6666.

Reason: To address the increased demand for community infrastructure resulting from the approved development.

4. Compliance with Other Department, Authority or Service Requirements

The development must be carried out in compliance with all recommendations and requirements, excluding general advice, within the following:

Other Department, Authority or Service	Document Title/ Ref	Dated	Council Reference
Transport for NSW (Sydney Trains)	State Environmental Planning Policy (Transport And Infrastructure) 2021 Development Application – Da/245/2024 (CNR-66891)	11/04/2024	D08860791

(NOTE: For a copy of the above referenced document/s, please see Application Enquiry System on Council's website www.hornsby.nsw.gov.au)

Reason: To ensure the work is carried out in accordance with the determination and the statutory requirements of other departments, authorities or bodies.

BUILDING WORK

BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE

Condition	
5. Building Code of Australia	Detailed plans, specifications and supporting information is required to be submitted to the certifying authority detailing how the proposed building work achieves compliance with the National Construction Code - Building Code of Australia. All building work must be carried out in accordance with the requirements of the National Construction Code - Building Code of Australia. <i>Reason: Prescribed condition - EP&A Regulation section 69(1).</i>
6. Fire Safety Schedule	A schedule of all proposed essential fire safety measures to be installed in the building (e.g. hydrants, hose reels, emergency warning systems etc.) shall be submitted with the construction

<p>certificate application. The schedule shall distinguish between existing and proposed fire safety measures.</p> <p><i>Reason: To ensure all fire safety measures are identified to protect life and property.</i></p>
<p>7. Sydney Water Building Plan Approval</p> <p>The plans must be approved by Sydney Water prior to demolition, excavation or construction works commencing. This allows Sydney Water to determine if sewer, water or stormwater mains or easements will be affected by any part of your development. Any amendments to plans will require re-approval. Please go to Sydney Water Tap in® to apply.</p> <p><i>Note: Sydney Water recommends developers apply for a Building Plan Approval early as to reduce unnecessary delays to further referrals or development timescales.</i></p> <p><i>Reason: To ensure the development complies with the requirements of Sydney Water.</i></p>
<p>8. Identification of Survey Marks</p> <p>A registered surveyor must identify all survey marks in the vicinity of the proposed development. Any survey marks required to be removed or displaced as a result of the proposed development shall be undertaken by a registered surveyor in accordance with Section 24 (1) of the <i>Surveying and Spatial Information Act 2002</i> and following the Surveyor General's Directions No.11 Preservation of Survey Infrastructure.</p> <p><i>Reason: To identify and protect the State's survey infrastructure.</i></p>
<p>9. Stormwater Drainage</p> <p>The stormwater drainage system for the development must be designed for an average recurrence interval (ARI) of 20 years and be gravity drained in accordance with the following requirements:</p> <ol style="list-style-type: none"> 1. Connected directly to Council's street drainage system at Pacific Highway. <p><i>Reason: To ensure appropriate provision for management and disposal of stormwater.</i></p>

BEFORE BUILDING WORK COMMENCES

Condition
<p>10. Site Sign</p> <ol style="list-style-type: none"> 1. A sign must be erected in a prominent position on any site on which any approved work involving excavation, erection or demolition of a building is being carried out detailing: <ol style="list-style-type: none"> a. The name, address, and telephone number of the Principal Certifier. b. the name of the principal contractor (if any) for any demolition or building work and a telephone number on which that person may be contacted outside working hours; and c. Unauthorised entry to the work site is prohibited. 2. The sign must be maintained during excavation, demolition and building work is being carried out and must be removed when the work has been completed.

<i>Reason: Prescribed condition EP&A Regulation, section 70(2) and (3).</i>	
11. Toilet Facilities	<p>1. To provide a safe and hygienic workplace, toilet facilities must be available or be installed at the works site before works begin and must be maintained until the works are completed at a ratio of one toilet for every 20 persons employed at the site.</p> <p>2. Each toilet must:</p> <ol style="list-style-type: none"> a. Be a standard flushing toilet connected to a public sewer; or b. Be a temporary chemical closet approved under the <i>Local Government Act 1993</i>; or c. Have an on-site effluent disposal system approved under the <i>Local Government Act 1993</i>. <p><i>Reason: To ensure adequate toilet facilities are provided.</i></p>
12. Erosion and Sediment Control Measures	<p>Install and maintain adequate sediment and erosion control measures for the duration of all works, until such a time that sediment, sediment laden water or any other material/substance can no longer migrate from the premises. The measures are to be installed and maintained in such a manner as to prevent sediment, sediment-laden water, or any other materials and substances migrating from the site onto neighbouring land, the roadway, waters and/or into the stormwater system, and in accordance with:</p> <ol style="list-style-type: none"> 1. The publication <i>Managing Urban Stormwater: Soils and Construction 2004</i> (4th edition) - 'The Blue Book'. 2. <i>Protection of the Environment Operations Act 1997</i>; and 3. The approved plans <p>Controls are to be monitored and adjusted where required throughout the works to ensure compliance with the above</p> <p><i>Note: On the spot penalties may be issued for any non-compliance with this requirement without any further notification or warning. If you are unsure in how to achieve compliance with this condition during works, you may need to engage the services of a suitably qualified environmental, soil or geotechnical consultant to assist.</i></p> <p><i>Reason: To minimise impacts on the water quality of the downstream environment.</i></p>
13. Garbage Receptacle	<p>A garbage receptacle must be provided at the work site before works begin and must be maintained until all works are completed.</p> <ol style="list-style-type: none"> 1. The garbage receptacle must have a tight fitting lid and be suitable for the reception of food scraps and papers. 2. The receptacle lid must be kept closed at all times, other than when garbage is being deposited. 3. Food scraps must be placed in the garbage receptacle and not in demolition and construction waste bins. <p><i>Reason: To maintain the site in a clean condition and protect local amenity.</i></p>

DURING BUILDING WORK

Condition	
14. Hours of Work	<p>All work on site (including demolition, construction, earth works and removal of vegetation), must only occur between 7am and 5pm Monday to Saturday.</p> <p>No work is to be undertaken on Sundays or public holidays.</p> <p><i>Reason: To protect the amenity of neighbouring properties.</i></p>
15. Environmental Management (Air Pollution)	<p>The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent. During construction, the Applicant must ensure that:</p> <ol style="list-style-type: none"> 1. Exposed surfaces and stockpiles are suppressed by regular watering. 2. All trucks entering or leaving the site with loads have their loads covered. 3. Trucks associated with the development do not track dirt onto the public road network. 4. Public roads used by these trucks are kept clean; and 5. Land stabilisation works are carried out progressively on site to minimise exposed surfaces. <p><i>Reason: To minimise impacts to the natural environment and public health.</i></p>
16. Council Property	<p>To ensure that the public reserve is kept in a clean, tidy, and safe condition during demolition and construction works, no building materials, waste, machinery, or related matter is to be stored on the road or footpath.</p> <p><i>Note: This consent does not give right of access to the site via Council's park or reserve. Should such access be required, separate written approval is to be obtained from Council.</i></p> <p><i>Reason: To protect public land.</i></p>
17. Soil Management (Excavation and Fill)	<p>While site work is being carried out, the Principal Certifier or Council (where a principal certifier is not required) must be satisfied all soil removed from or imported to the site is managed in accordance with the following requirements:</p> <ol style="list-style-type: none"> 1. All excavated material removed from the site must be classified in accordance with the EPA's Waste Classification Guidelines before it is disposed of at an approved waste management facility and the classification, and the volume of material removed must be reported to the Principal Certifier or Council (where a principal certifier is not required). 2. Tipping docket for the total volume of excavated material that are received from the licensed waste management facility must be provided to the Principal Certifier prior to the issue of an Occupation Certificate.

<p>3. Prior to fill material being imported to the site, a Waste Classification Certificate shall be obtained from a suitably qualified environmental consultant confirming all fill material imported to the site must be:</p> <ol style="list-style-type: none"> Virgin Excavated Natural Material as defined in Schedule 1 of the Protection of the Environment Operations Act 1997, or A material identified as being subject to a resource recovery exemption by the NSW EPA, or A combination of Virgin Excavated Natural Material as defined in Schedule 1 of the Protection of the Environment Operations Act 1997 and a material identified as being subject to a resource recovery exemption by the NSW EPA. <p>4. The required Waste Classification Certificate must be provided to the Principal Contractor prior to fill being imported to the site and made available to Council at its request.</p> <p><i>Reason: To ensure soil removed from the site is appropriately disposed of and soil imported to the site is not contaminated and is safe for future occupants.</i></p>
<p>18. Disturbance of Existing Site</p> <p>During construction works, the existing ground levels of open space areas and natural landscape features, including natural rock-outcrops, vegetation, soil, and watercourses must not be altered unless otherwise nominated on the approved plans.</p> <p><i>Reason: To protect the natural features of the site.</i></p>
<p>19. Building Materials and Site Waste</p> <p>The stockpiling of building materials, the parking of vehicles or plant, the disposal of cement slurry, wastewater or other contaminants must be located outside the tree protection zones as prescribed in the conditions of this consent of any tree to be retained.</p> <p><i>Reason: To protect trees during construction.</i></p>
<p>20. Soil and Water Management (Stockpiles)</p> <ol style="list-style-type: none"> Stockpiles of topsoil, sand, aggregate, soil or other material shall be protected with adequate sediment controls and must not be located on any drainage line or easement, natural watercourse, footpath or roadway. The storage of stockpiled topsoil, sand, aggregate, soil or other materials must not result in the discharge of sediment or run-off onto the adjoining properties or public land. <p><i>Reason: To minimise impacts on the water quality of the downstream environment.</i></p>
<p>21. Unexpected Finds</p> <p>Should the presence of asbestos or soil contamination, not recognised during the application process be identified during any stage of works, the applicant must immediately notify the Principal Certifier and Council (compliance@hornsby.nsw.gov.au).</p> <p><i>Reason: To ensure the appropriate removal and disposal of contaminated materials.</i></p>

<p>22. Erosion and Sediment Control</p> <ol style="list-style-type: none"> 1. Works are not to result in the discharge of sediment and or run-off onto the adjoining properties or public land. 2. The person having the benefit of this consent must ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the site. <p><i>Note: On the spot penalties may be issued for any non-compliance with this requirement without any further notification or warning.</i></p> <p><i>Reason: To minimise impacts on neighbouring properties and public land.</i></p>
<p>23. Storage and Removal of Waste</p> <ol style="list-style-type: none"> 1. All demolition and/or construction waste must be stored in a waste receptacle and be removed from the site at frequent intervals. Materials are to be wholly contained within the waste receptacle and not overflowing. 2. All garbage and recyclable materials generated during work must be stored in a waste receptacle and be removed from the site at frequent intervals. Materials are to be wholly contained within the waste receptacle and not overflowing. <p><i>Reason: To ensure the site is maintained to an appropriate standard cleanliness and prevent any nuisance or danger to health, safety or the environment</i></p>

BEFORE ISSUE OF AN OCCUPATION CERTIFICATE

Condition
<p>24. Damage to Council Assets</p> <p>To protect public property and infrastructure, any damage caused to Council's assets as a result of the construction or demolition of the development must be rectified by the applicant in accordance with AUS-SPEC Specifications (www.hornsby.nsw.gov.au/property/build/aus-spec-terms-and-conditions). Rectification works must be undertaken prior to the issue of an Occupation Certificate, or sooner, as directed by Council.</p> <p><i>Reason: To ensure public infrastructure and property is maintained.</i></p>
<p>25. Fire Safety Statement – Final</p> <p>In accordance with the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021, upon completion of the building, the owner must provide Council with a certificate in relation to each fire safety measure implemented in the building.</p> <p><i>Reason: To ensure all fire safety measures are implemented to protect life and property.</i></p>
<p>26. Preservation of Survey Marks</p> <p>A certificate by a Registered Surveyor must be submitted to the Principal Certifying Authority, certifying that there has been no removal, damage, destruction, displacement or defacing of the existing survey marks in the vicinity of the proposed development or otherwise the re-establishment</p>

of damaged, removed, or displaced survey marks has been undertaken in accordance with the Surveyor General's Direction No.11 Preservation of Survey Infrastructure.

Reason: To protect the State's survey infrastructure.

OCCUPATION AND ONGOING USE

Condition					
27. Fire Safety Statement - Annual	<p>On at least one occasion in every 12 month period following the date of the first 'Fire Safety Certificate' issued for the property, the owner must provide Council with an annual 'Fire Safety Certificate' to each essential service installed in the building.</p> <p><i>Reason: To ensure fire safety measures are maintained to protect life and property.</i></p>				
28. Landscape Establishment	<p>The landscape works must be maintained into the future to ensure the establishment and successful growth of plant material to meet the intent of the landscape design. This must include but not be limited to watering, weeding, replacement of failed plant material and promoting the growth of plants through standard industry practices.</p> <p><i>Reason: To ensure the approved landscaping is established correctly for future viability.</i></p>				
29. Use of Premises	<p>The development approved under this consent shall be used for an emergency services facility and not for any other purpose without Council's separate written consent.</p> <p><i>Reason: To ensure the use is undertaken with the terms of this consent.</i></p>				
30. Hours of Operation	<p>The hours of operation of the premise are restricted to those times listed below:</p> <table style="margin-left: 20px;"> <tr> <td>Monday to Friday</td> <td>8.30 am to 10 pm</td> </tr> <tr> <td>Saturday, Sunday & Public Holidays</td> <td>8.30 am to 5.30 pm</td> </tr> </table> <p><i>Reason: To protect the amenity of the local area.</i></p>	Monday to Friday	8.30 am to 10 pm	Saturday, Sunday & Public Holidays	8.30 am to 5.30 pm
Monday to Friday	8.30 am to 10 pm				
Saturday, Sunday & Public Holidays	8.30 am to 5.30 pm				
31. Compliance with Plan of Management	<p>All control measures and procedures nominated in the Plan of Management prepared by the NSW Rural Fire Service, dated 20/05/2024, must be implemented.</p> <p><i>Reason: To ensure the operational measures implemented protect the amenity of the local area.</i></p>				

RFS TRAINING FACILITY
1049 Pacific Hwy, Cowan NSW 2081



TRAINING FACILITY SITE

ID	DESCRIPTION	REV
RF503- E00	COVER SHEET	01
RF503- E01	EXISTING SITE PLAN	01
RF503- E02	PROPOSED SITE PLAN	01
RF503- E03	SEDIMENT CONTROL PLAN	01
RF503- E04	SITE ANALYSIS PLAN	01
RF503- E05	GROUND FLOOR PLAN	01
RF503- E06	COLD HOUSE PROP PLANS	02
RF503- E07	COLD HOUSE PROP ELEVATIONS	02
RF503- E08	STORAGE/SHED SHELTER PLAN	01
RF503- E10	STORMWATER CONCEPT PLAN	01
RF503- E11	Landscaping Plan	01
RF503- E21	SECTIONS 1	01
RF503- E22	ELEVATIONS 2	01
RF503- E31	VIEWS	01
RF503- E32	LANDSCAPING VIEWS	01

AREA CALCULATIONS	
SITE AREA	9.439 ¹
BUILDING AREA EXISTING	1.812 280 ²
BUILDING AREA ADDITIONAL	254.280 ³
SITE BUILT UP (%)	0.19

- SPECIFICATIONS**
1. TO COMPLY WITH THE BCA INCLUDING CURRENT VERSION OF REFERRED STANDARDS.
 2. TO COMPLY WITH THE NSW STATE ENVIRONMENTAL CONTAMINATION ACT 2013.
 3. PROVIDE STRAWBATT OR CONCRETE TILING AS PERMITTED TO COVER.
 4. COORDINATE WITH WATER TO DRAIN TO DOWNWATER LINES ON SITE.
 5. REFER TO STRUCTURAL ENGINEER DETAILS AND SPECIFICATIONS FOR CONCRETE.
 6. REFER TO STRUCTURAL ENGINEER DETAILS AND SPECIFICATIONS FOR ROOFING TO BE USED TO MANUFACTURER'S RECOMMENDATIONS.
 7. REFER TO ELECTRICAL ENGINEER FOR ALL ELECTRICAL REQUIREMENTS.
 8. ELECTRICAL FIT OUT TO BE PERFORMED AND TO APPLY ALL AUTHORITY REQUIREMENTS.

- FINISHES SCHEDULE**
- SELECTED RIBBLE SHEET STEEL
 - EXTERNAL WALLS
 - INTERNAL WALLS
 - FLOORS
 - CEILING
 - WALLCOVERING
 - INTERNAL DOORS
 - INTERNAL WINDOWS
 - ROOFING
 - ROOFING CONTRIB
 - TO BE SELECTED

Drawn	Scale	Drawing No.
RB	@A2	RF503- E00

RFS TRAINING FACILITY
of
1049 Pacific Hwy Cowan, NSW 2081
for
NSW Rural Fire Service

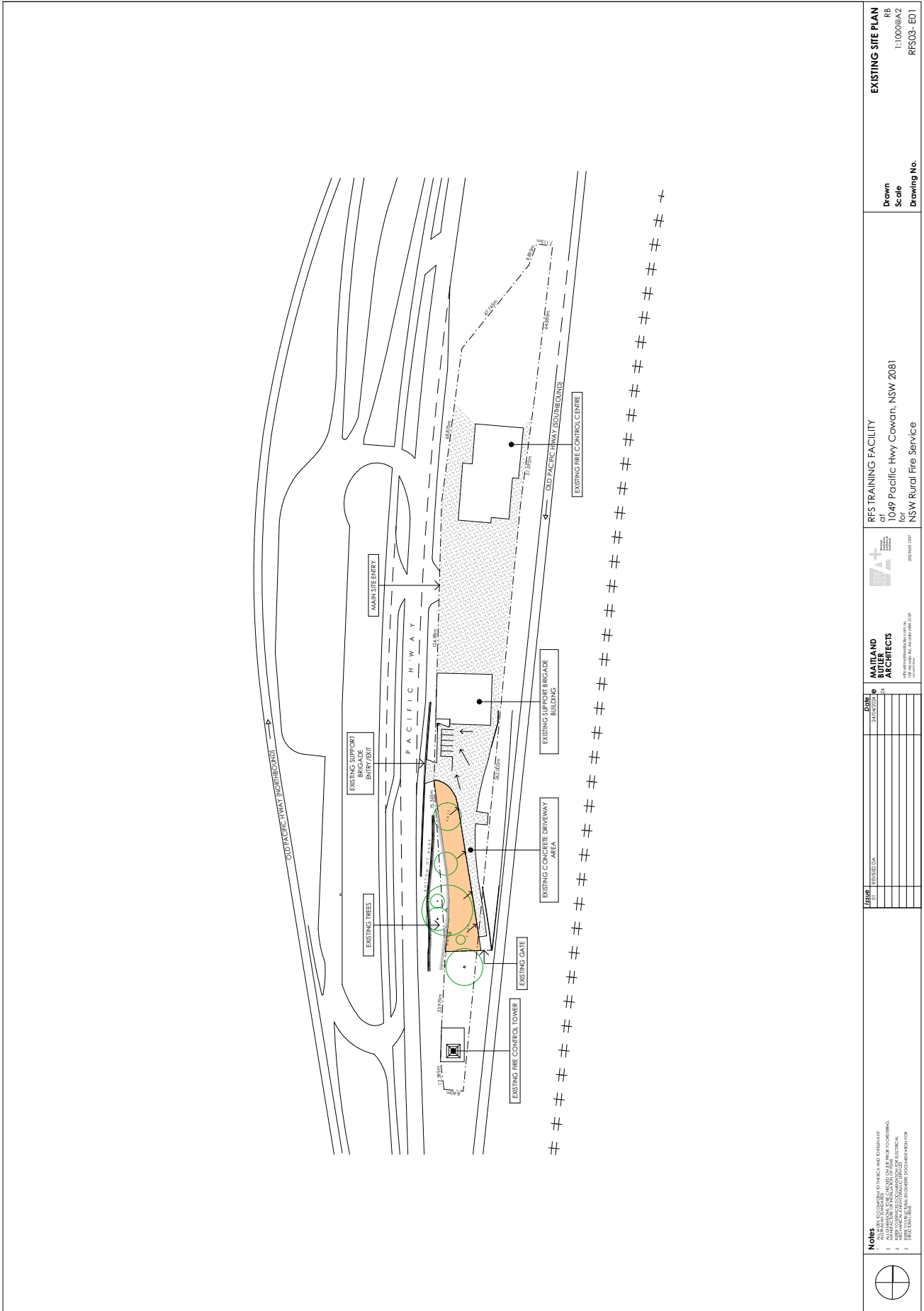
MATILDA BUTLER ARCHITECTS
170 AVONDALE RD, AVONDALE NSW 2191
02 9633 8300
matilda@matildabutler.com.au

DATE	DESCRIPTION
14/06/2024	ISSUED FOR PERMIT

- Notes**
1. ALL WORK TO COMPLY WITH THE BCA AND NSW ENVIRONMENTAL CONTAMINATION ACT 2013.
 2. ALL WORK TO BE PERFORMED IN ACCORDANCE WITH THE NSW STATE ENVIRONMENTAL CONTAMINATION ACT 2013.
 3. REFER TO STRUCTURAL ENGINEER FOR ALL STRUCTURAL REQUIREMENTS.
 4. REFER TO ELECTRICAL ENGINEER FOR ALL ELECTRICAL REQUIREMENTS.



ATTACHMENT 3 - ITEM 2



Notes

1. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
3. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
4. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
5. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.

REVISIONS

NO.	DATE	DESCRIPTION

MAITLAND BUTLER ARCHITECTS
 170 AVONDALE RD, AVONDALE NSW 2111
 02 9333 1234
 02 9333 1235

RFS TRAINING FACILITY
 of
 1049 Pacific Hwy Cowan, NSW 2081
 for
 NSW Rural Fire Service

EXISTING SITE PLAN
 RB
 1:100@A2
 RFS03-E01

Drawn Scale
Drawing No.

ATTACHMENT 3 - ITEM 2



DATE	BY	REVISION

Notes

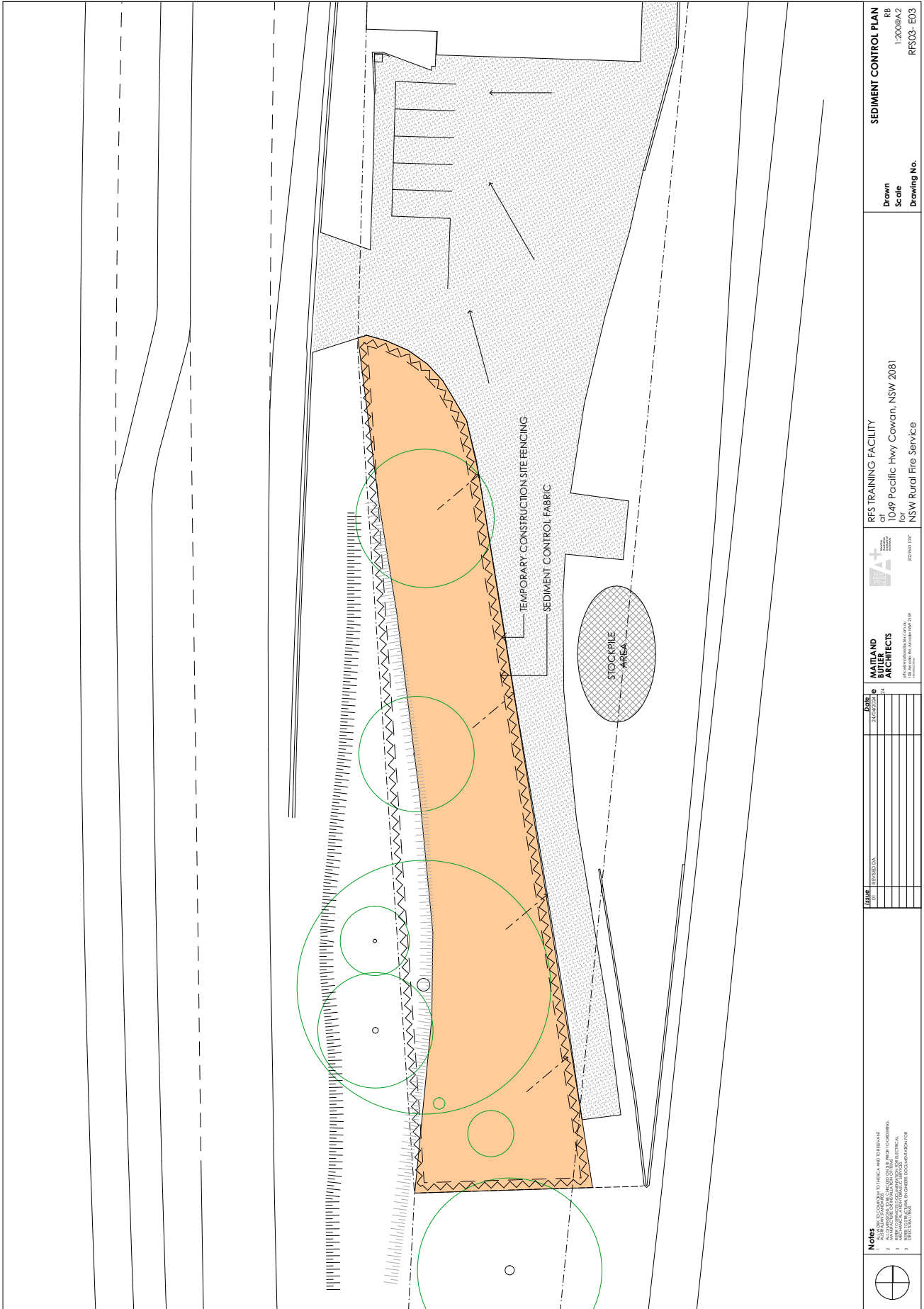
1. ALL DIMENSIONS UNLESS OTHERWISE SPECIFIED ARE IN METERS.
2. ALL DIMENSIONS OF PROPOSED BUILDINGS ARE TO EXTERIOR WALLS UNLESS OTHERWISE SPECIFIED.
3. DIMENSIONS OF EXISTING BUILDINGS ARE TO EXTERIOR WALLS UNLESS OTHERWISE SPECIFIED.
4. DIMENSIONS OF EXISTING DRIVEWAYS ARE TO EXTERIOR CURBS UNLESS OTHERWISE SPECIFIED.

MAITLAND BUTLER ARCHITECTS
 210 MACDONALD ST. SYDNEY NSW 2000
 61 2 9550 9898
 61 2 9550 9899
 61 2 9550 9900
 61 2 9550 9901
 61 2 9550 9902
 61 2 9550 9903
 61 2 9550 9904
 61 2 9550 9905
 61 2 9550 9906
 61 2 9550 9907
 61 2 9550 9908
 61 2 9550 9909
 61 2 9550 9910

RFS TRAINING FACILITY
 of
 1049 Pacific Hwy Cowan, NSW 2081
 for
 NSW Rural Fire Service

PROPOSED SITE PLAN
 RB
 1:100@A2
 RFS03-E02

ATTACHMENT 3 - ITEM 2



Notes

1. ALL WORK TO BE COMPLETED WITHIN THE SPECIFIED TIME FRAME AND TO BE REPORTED TO THE LOCAL PLANNING PANEL FOR APPROVAL.
2. ALL WORK TO BE COMPLETED WITHIN THE SPECIFIED TIME FRAME AND TO BE REPORTED TO THE LOCAL PLANNING PANEL FOR APPROVAL.
3. ALL WORK TO BE COMPLETED WITHIN THE SPECIFIED TIME FRAME AND TO BE REPORTED TO THE LOCAL PLANNING PANEL FOR APPROVAL.
4. ALL WORK TO BE COMPLETED WITHIN THE SPECIFIED TIME FRAME AND TO BE REPORTED TO THE LOCAL PLANNING PANEL FOR APPROVAL.
5. ALL WORK TO BE COMPLETED WITHIN THE SPECIFIED TIME FRAME AND TO BE REPORTED TO THE LOCAL PLANNING PANEL FOR APPROVAL.

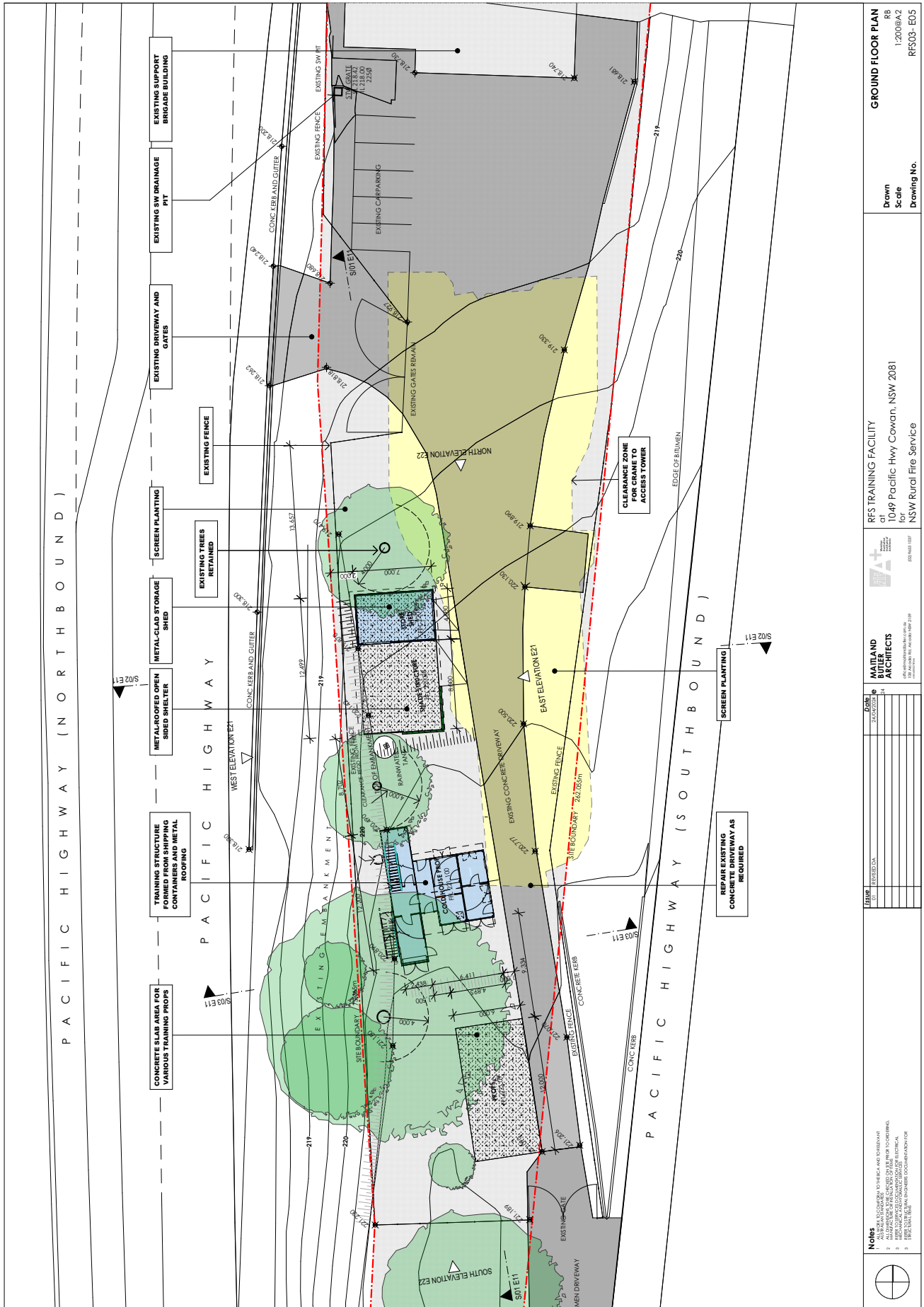
SEDIMENT CONTROL PLAN
 Drawn Scale Drawing No. RFS03-E03
 1:200@A2

RFS TRAINING FACILITY
 of 1049 Pacific Hwy Cowan, NSW 2081
 for NSW Rural Fire Service

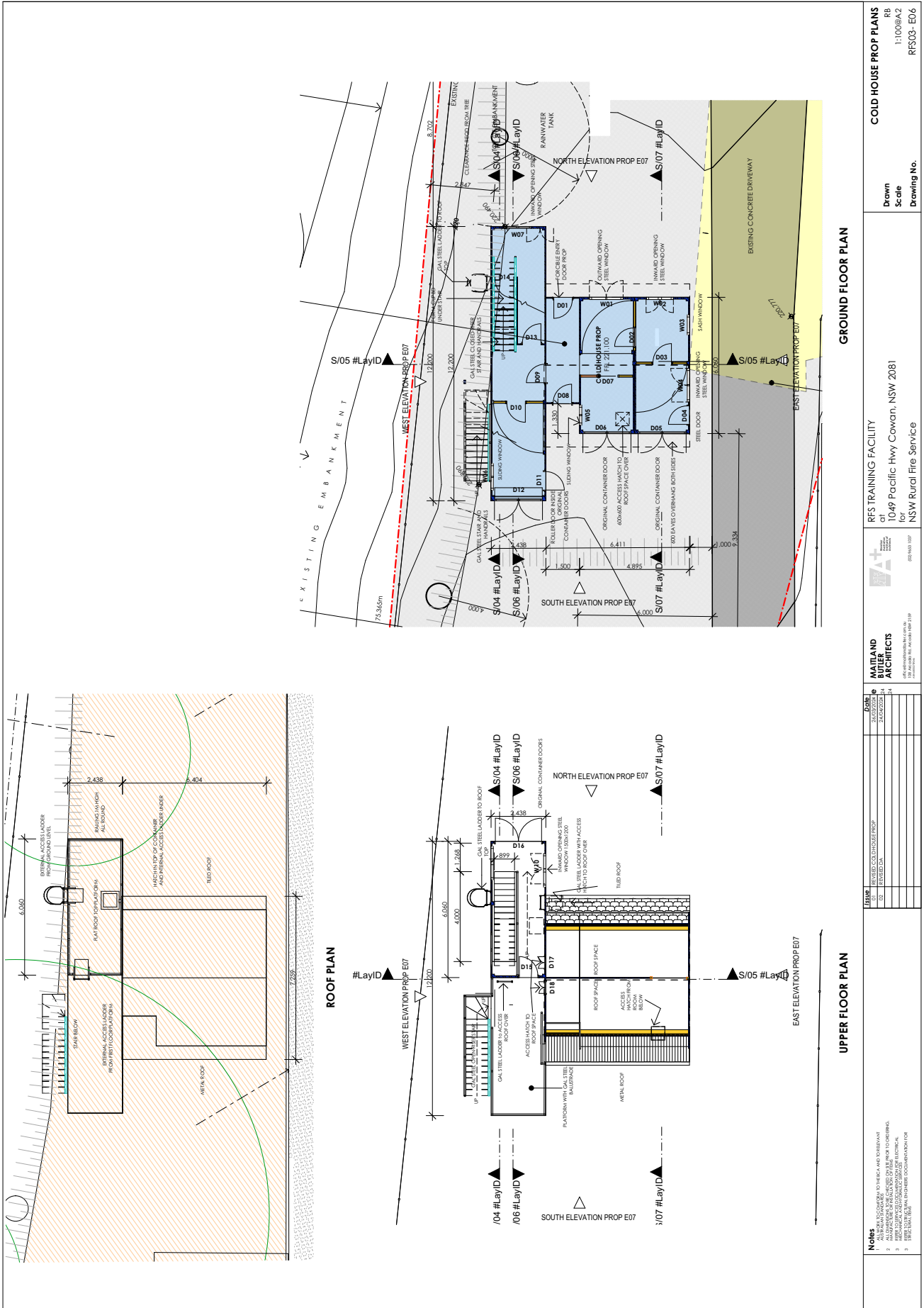
MALINDA BUTLER ARCHITECTS
 10/100 Pacific Hwy, Sydney NSW 2000
 02 9550 1234
 02 9550 1234

DATE	DESCRIPTION	BY	DATE	DESCRIPTION	BY

ATTACHMENT 3 - ITEM 2



ATTACHMENT 3 - ITEM 2



COLD HOUSE PROP PLANS
 RB
 1:100@A2
 RFS03-E06

Drawn
 Scale
 Drawing No.

RFS TRAINING FACILITY
 of
 1049 Pacific Hwy Cowan, NSW 2081
 for
 NSW Rural Fire Service

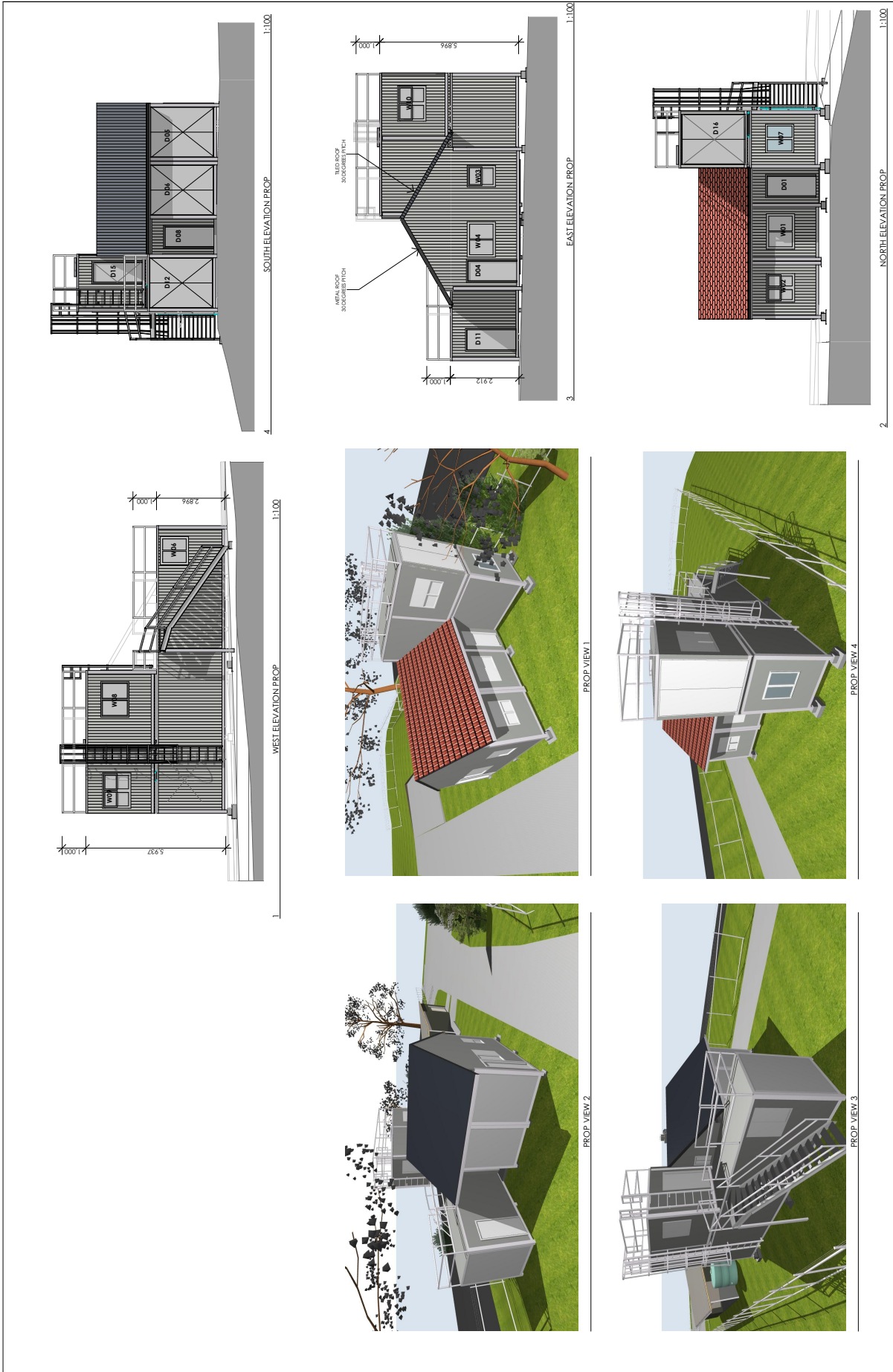
MALINDA BUTLER ARCHITECTS
 110/112 WILSON ROAD, WILSON PROMENADE, WILSON PROMENADE, WILSON PROMENADE, WILSON PROMENADE
 02 9333 1337
 110/112 WILSON ROAD, WILSON PROMENADE, WILSON PROMENADE, WILSON PROMENADE

DATE	DESCRIPTION
21/04/2024	REVISED FOR RFS
21/04/2024	REVISED FOR RFS
21/04/2024	REVISED FOR RFS

Notes

- ALL DIMENSIONS UNLESS OTHERWISE STATED TO BE IN METERS
- ALL DIMENSIONS OF WALLS TO BE TO FACE UNLESS OTHERWISE STATED
- ALL DIMENSIONS OF ROOFS TO BE TO FACE UNLESS OTHERWISE STATED
- ALL DIMENSIONS OF FLOORS TO BE TO FACE UNLESS OTHERWISE STATED
- ALL DIMENSIONS OF CEILING TO BE TO FACE UNLESS OTHERWISE STATED
- ALL DIMENSIONS OF DOORS TO BE TO FACE UNLESS OTHERWISE STATED
- ALL DIMENSIONS OF WINDOWS TO BE TO FACE UNLESS OTHERWISE STATED
- ALL DIMENSIONS OF STAIRS TO BE TO FACE UNLESS OTHERWISE STATED
- ALL DIMENSIONS OF RAMP TO BE TO FACE UNLESS OTHERWISE STATED
- ALL DIMENSIONS OF CURB TO BE TO FACE UNLESS OTHERWISE STATED
- ALL DIMENSIONS OF KERB TO BE TO FACE UNLESS OTHERWISE STATED
- ALL DIMENSIONS OF GROUND TO BE TO FACE UNLESS OTHERWISE STATED
- ALL DIMENSIONS OF TANK TO BE TO FACE UNLESS OTHERWISE STATED
- ALL DIMENSIONS OF TOWER TO BE TO FACE UNLESS OTHERWISE STATED
- ALL DIMENSIONS OF TOWER TO BE TO FACE UNLESS OTHERWISE STATED

ATTACHMENT 3 - ITEM 2



<p>Notes</p> <ol style="list-style-type: none"> ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED. 		<p>DATE</p> <table border="1"> <tr> <th>NO.</th> <th>DESCRIPTION</th> <th>DATE</th> </tr> <tr> <td>1</td> <td>ISSUED FOR PERMIT</td> <td>21/06/2024</td> </tr> <tr> <td>2</td> <td>ISSUED FOR PERMIT</td> <td>21/06/2024</td> </tr> <tr> <td>3</td> <td>ISSUED FOR PERMIT</td> <td>21/06/2024</td> </tr> <tr> <td>4</td> <td>ISSUED FOR PERMIT</td> <td>21/06/2024</td> </tr> </table>		NO.	DESCRIPTION	DATE	1	ISSUED FOR PERMIT	21/06/2024	2	ISSUED FOR PERMIT	21/06/2024	3	ISSUED FOR PERMIT	21/06/2024	4	ISSUED FOR PERMIT	21/06/2024	<p>SCALE</p> <p>1:100</p>		<p>DRAWING NO.</p> <p>RF503-E07</p>	
NO.	DESCRIPTION	DATE																				
1	ISSUED FOR PERMIT	21/06/2024																				
2	ISSUED FOR PERMIT	21/06/2024																				
3	ISSUED FOR PERMIT	21/06/2024																				
4	ISSUED FOR PERMIT	21/06/2024																				
<p>CLIENT</p> <p>RFS TRAINING FACILITY of 1049 Pacific Hwy Cowan, NSW 2081 for NSW Rural Fire Service</p>				<p>DRAWN BY</p> <p>RB</p>																		
<p>ARCHITECT</p> <p>MAITLAND BUTLER ARCHITECTS 110/112/114/116/118/120/122/124/126/128/130/132/134/136/138/140/142/144/146/148/150/152/154/156/158/160/162/164/166/168/170/172/174/176/178/180/182/184/186/188/190/192/194/196/198/200/202/204/206/208/210/212/214/216/218/220/222/224/226/228/230/232/234/236/238/240/242/244/246/248/250/252/254/256/258/260/262/264/266/268/270/272/274/276/278/280/282/284/286/288/290/292/294/296/298/300/302/304/306/308/310/312/314/316/318/320/322/324/326/328/330/332/334/336/338/340/342/344/346/348/350/352/354/356/358/360/362/364/366/368/370/372/374/376/378/380/382/384/386/388/390/392/394/396/398/400/402/404/406/408/410/412/414/416/418/420/422/424/426/428/430/432/434/436/438/440/442/444/446/448/450/452/454/456/458/460/462/464/466/468/470/472/474/476/478/480/482/484/486/488/490/492/494/496/498/500/502/504/506/508/510/512/514/516/518/520/522/524/526/528/530/532/534/536/538/540/542/544/546/548/550/552/554/556/558/560/562/564/566/568/570/572/574/576/578/580/582/584/586/588/590/592/594/596/598/600/602/604/606/608/610/612/614/616/618/620/622/624/626/628/630/632/634/636/638/640/642/644/646/648/650/652/654/656/658/660/662/664/666/668/670/672/674/676/678/680/682/684/686/688/690/692/694/696/698/700/702/704/706/708/710/712/714/716/718/720/722/724/726/728/730/732/734/736/738/740/742/744/746/748/750/752/754/756/758/760/762/764/766/768/770/772/774/776/778/780/782/784/786/788/790/792/794/796/798/800/802/804/806/808/810/812/814/816/818/820/822/824/826/828/830/832/834/836/838/840/842/844/846/848/850/852/854/856/858/860/862/864/866/868/870/872/874/876/878/880/882/884/886/888/890/892/894/896/898/900/902/904/906/908/910/912/914/916/918/920/922/924/926/928/930/932/934/936/938/940/942/944/946/948/950/952/954/956/958/960/962/964/966/968/970/972/974/976/978/980/982/984/986/988/990/992/994/996/998/1000</p>				<p>COLD HOUSE PROP ELEVATIONS</p>																		

ATTACHMENT 3 - ITEM 2

Architectural drawings showing elevations and sections of the shelter facility. The drawings include:

- 3. WEST ELEVATION SHELTER (Scale 1:100)
- 4. SOUTH ELEVATION SHELTER (Scale 1:100)
- 5. NORTH ELEVATION SHELTER (Scale 1:100)
- 6. EAST ELEVATION SHELTER (Scale 1:100)
- 7. SHELTER SECTION 11 (Scale 1:100)
- 8. SHELTER SECTION 10 (Scale 1:100)

Site plan showing the layout of the RFS Training Facility. Key features include:

- EXISTING FENCE
- COLLECTOR RISE
- Y/D
- RAINWATER TANK
- SOUTH ELEVATION SHELTER E07
- WEST ELEVATION SHELTER E07
- EAST ELEVATION SHELTER E07
- 6 E07
- 7 E07
- 8 E07
- 8.100
- 7.000
- 4.000
- 2.000
- AY

Notes

1. ALL DIMENSIONS UNLESS OTHERWISE SPECIFIED ARE IN METERS
2. ALL DIMENSIONS TO FACE UNLESS OTHERWISE SPECIFIED
3. ALL DIMENSIONS TO FACE UNLESS OTHERWISE SPECIFIED
4. ALL DIMENSIONS TO FACE UNLESS OTHERWISE SPECIFIED
5. ALL DIMENSIONS TO FACE UNLESS OTHERWISE SPECIFIED

DATE	DESCRIPTION	BY	CHECKED BY

Maitland Butler Architects
 100/1000 Pacific Highway, Maitland NSW 2320
 Tel: 02 4031 1000
 Fax: 02 4031 1001
 Email: info@mba.com.au

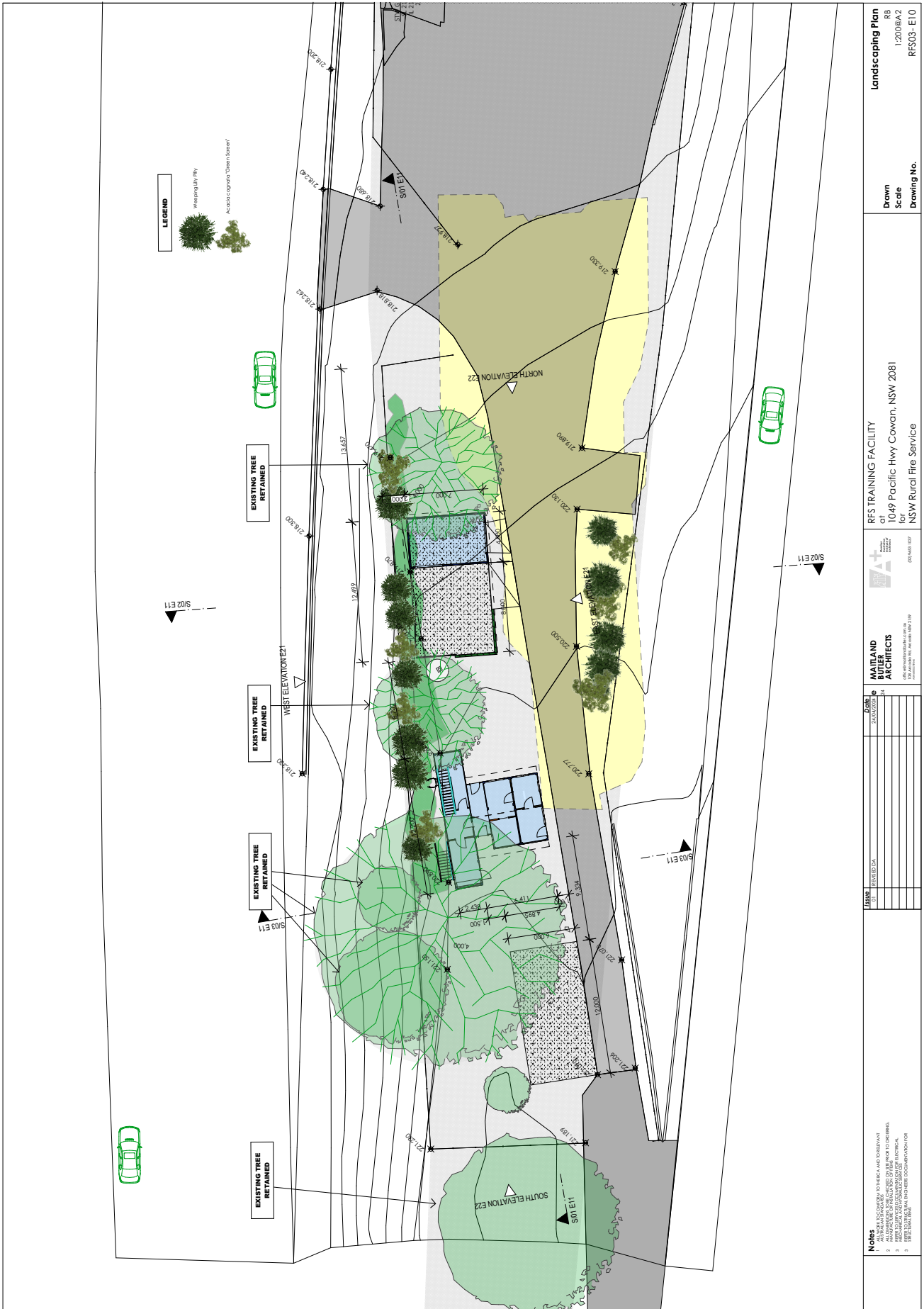
RFS TRAINING FACILITY
 of
 1049 Pacific Hwy Cowan, NSW 2081
 for
 NSW Rural Fire Service

Drawn: RB
 Scale: 1:100@A2
 Drawing No.: RFS03-E07

ATTACHMENT 3 - ITEM 2

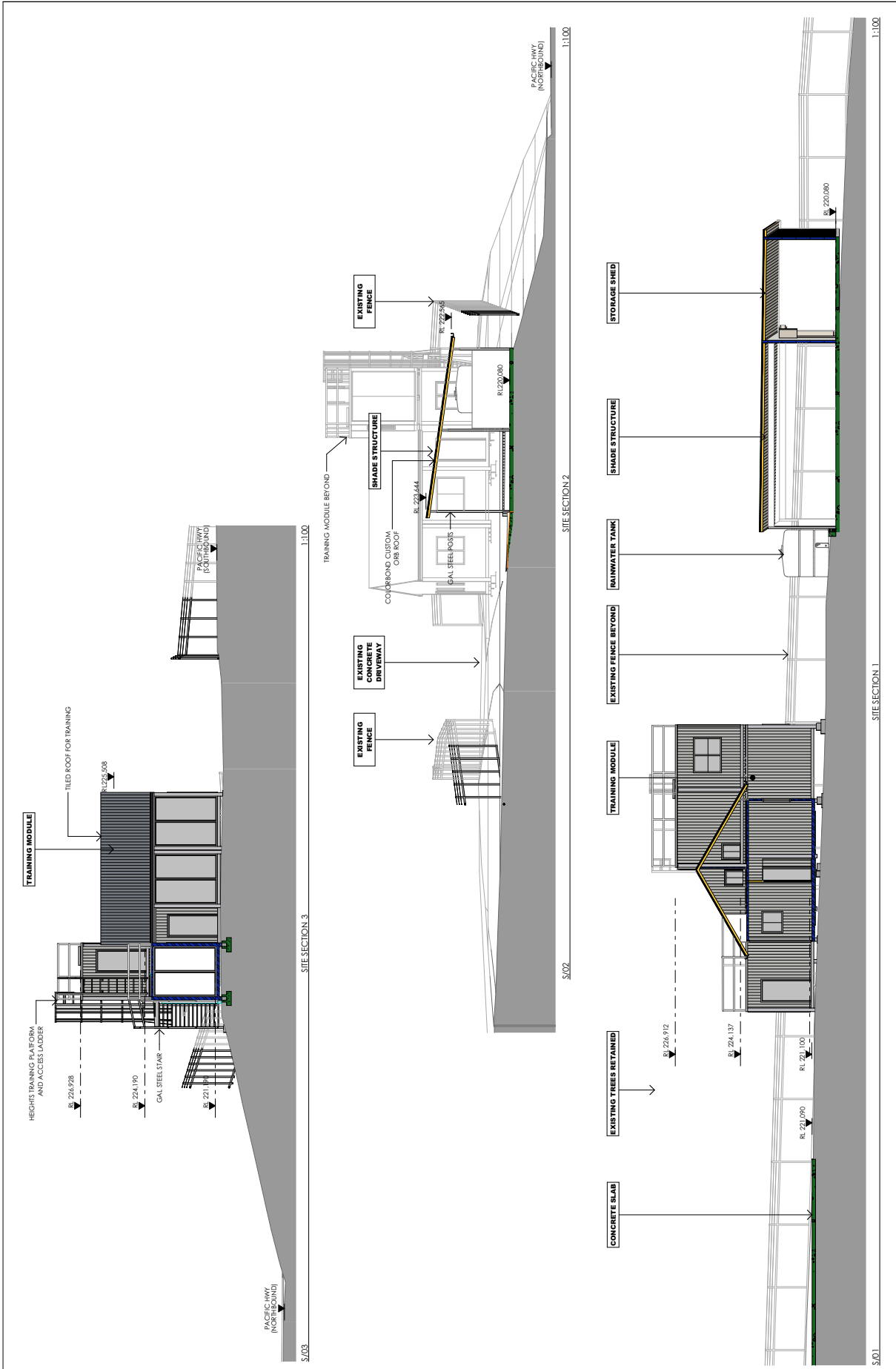


ATTACHMENT 3 - ITEM 2



Notes 1. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED. 2. ALL DIMENSIONS OF PLANTING ARE TO FACE UNLESS OTHERWISE SPECIFIED. 3. ALL DIMENSIONS OF BUILDINGS ARE TO FACE UNLESS OTHERWISE SPECIFIED. 4. ALL DIMENSIONS OF DRIVEWAYS ARE TO FACE UNLESS OTHERWISE SPECIFIED. 5. SEE PLAN FOR DETAILS.	DATE 20/06/2024	PROJECT RFS TRAINING FACILITY of 1049 Pacific Hwy Cowan, NSW 2081 for NSW Rural Fire Service	Drawn RB Scale 1:200@A2 Drawing No. RFS03-E10

ATTACHMENT 3 - ITEM 2



<p>Notes</p> <ol style="list-style-type: none"> ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED 	<p>DATE</p> <p>2024/06/24</p>	<p>PROJECT</p> <p>RFS TRAINING FACILITY</p>	<p>CLIENT</p> <p>1049 Pacific Hwy Cowan, NSW 2081</p>	<p>SCALE</p> <p>1:100@A2</p>	<p>SECTION</p> <p>RF</p>
<p>DATE</p> <p>2024/06/24</p>	<p>PROJECT</p> <p>RFS TRAINING FACILITY</p>	<p>CLIENT</p> <p>1049 Pacific Hwy Cowan, NSW 2081</p>	<p>SCALE</p> <p>1:100@A2</p>	<p>SECTION</p> <p>RF</p>	<p>DRAWING NO.</p> <p>RFS03-E11</p>

ATTACHMENT 3 - ITEM 2



Notes

1. ALL WALLS TO BE PAINTED TO MATCH COLORBOND "BLUEGUM"
2. ALL WALLS TO BE PAINTED TO MATCH COLORBOND "BLUEGUM"
3. ALL WALLS TO BE PAINTED TO MATCH COLORBOND "BLUEGUM"
4. ALL WALLS TO BE PAINTED TO MATCH COLORBOND "BLUEGUM"
5. ALL WALLS TO BE PAINTED TO MATCH COLORBOND "BLUEGUM"

DATE

DATE	DESCRIPTION

MAITLAND BUTLER ARCHITECTS
 4/45 Macquarie Street, Maitland, NSW 2320
 Tel: 02 4031 2339
 Fax: 02 4031 2338
 Email: info@mba.com.au

RFS TRAINING FACILITY
 of
 1049 Pacific Hwy Cowan, NSW 2081
 for
 NSW Rural Fire Service

ELEVATIONS 1
 RB
 1:100@A2
 Drawing No. RFS03 - E21

ATTACHMENT 3 - ITEM 2



Notes 1. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED. 2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED. 3. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED. 4. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.	DATE: 20/06/24 DRAWN BY: M. BUTLER	RFS TRAINING FACILITY at 1049 Pacific Hwy Cowan, NSW 2081 for NSW Rural Fire Service	Drawn Scale Drawing No.	ELEVATIONS 2 RB 1:100@A2 RFS03-E22
	MAITLAND BUTLER ARCHITECTS 4/45 Pittwater Road, Pittwater NSW 1505 Tel: 02 9438 1234 Email: info@mba.com.au	RFS TRAINING FACILITY at 1049 Pacific Hwy Cowan, NSW 2081 for NSW Rural Fire Service	DATE: 20/06/24 DRAWN BY: M. BUTLER	Drawn Scale Drawing No.

ATTACHMENT 3 - ITEM 2



AERIAL VIEW FROM NORTH



VIEW FROM PACIFIC HWY WEST SIDE NORTHBOUND



VIEW FROM PACIFIC HWY EAST SIDE



VIEW FROM PACIFIC HWY WEST SIDE SOUTHBOUND

Notes	<ol style="list-style-type: none"> ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED 	<p>DATE</p> <table border="1"> <tr> <td>DATE</td> <td>DESCRIPTION</td> </tr> <tr> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> </tr> </table>	DATE	DESCRIPTION											<p>MATILDA BUTLER ARCHITECTS 10/100 RIVERVIEW RD, WILSONS BAY NSW 1550 TEL: 02 9339 3333 WWW.MATILDAANDBUTLER.COM.AU</p>	<p>REVIEWS</p> <table border="1"> <tr> <td>Drawn</td> <td>RB</td> </tr> <tr> <td>Scale</td> <td>@A2</td> </tr> <tr> <td>Drawing No.</td> <td>RFS03-E31</td> </tr> </table>	Drawn	RB	Scale	@A2	Drawing No.	RFS03-E31
DATE	DESCRIPTION																					
Drawn	RB																					
Scale	@A2																					
Drawing No.	RFS03-E31																					
<p>RFS TRAINING FACILITY of 1049 Pacific Hwy Cowan, NSW 2081 for NSW Rural Fire Service</p>		<p>PROJECT NO. 1049/2024</p>																				

ATTACHMENT 3 - ITEM 2

Landscaping view 1

Landscaping View 2

weeping lilly pilli

Acacia_casualis

Notes

1. ALL PLANTING TO BE DONE BY CONTRACTOR AND TO BE VERIFIED BY THE ARCHITECT.
2. ALL PLANTING TO BE DONE IN ACCORDANCE WITH THE LANDSCAPE ARCHITECT'S SPECIFICATIONS.
3. ALL PLANTING TO BE DONE IN ACCORDANCE WITH THE LANDSCAPE ARCHITECT'S SPECIFICATIONS.
4. ALL PLANTING TO BE DONE IN ACCORDANCE WITH THE LANDSCAPE ARCHITECT'S SPECIFICATIONS.

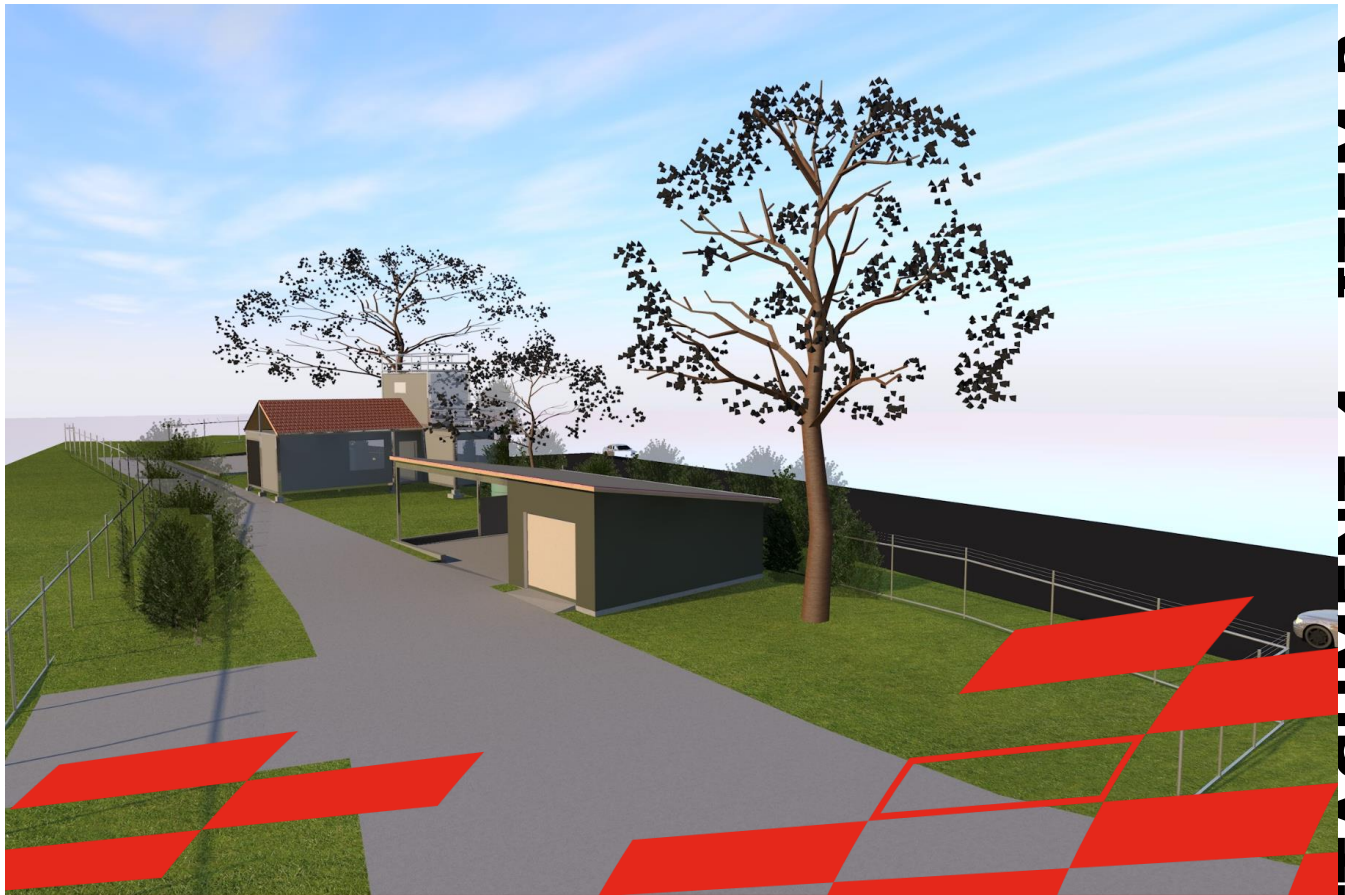
DATE	DESCRIPTION	DATE	DESCRIPTION

Maitland Butler Architects
 45/47 Maitland Street, Maitland NSW 2320
 08 9033 1000

RFS TRAINING FACILITY
 at
 1049 Pacific Hwy Cowan, NSW 2081
 for
 NSW Rural Fire Service

LANDSCAPING VIEWS
 RB
 @A2
 Drawing No. RFS03-E32

ATTACHMENT 3 - ITEM 2



ATTACHMENT 4 - ITEM 2



RFS

Plan of Management (Draft)

Hornsby Ku-ring-gai District Training Centre



Document control

Release history

Version	Date	Author	Summary of changes
Rev A	06/05/2024	Matthew O'Donnell	Draft
Rev B	16/052024	Matthew O'Donnell	Draft
Rev C	20/05/2024	Matthew O'Donnell	Draft

Reviewed by

Name	Title	Date
Supt Steve Marsh	District Coordinator – Capability	13/05/2024
Keith Pratten	Officer Responsible for L&D	13/05/2024
Craig Woon	Group Captain	13/05/2024
Nick Coney	BAO/SFF Course Coordinator	13/05/2024
Michael Fitzgerald	Senior Project Officer – PFAS	13/05/2024

Approved by

Name	Title	Date
Superintendent Matthew O'Donnell	Acting District Manager	

Related documents

Document name	Version
Service Standard 6.1.2 Qualifications for NSW RFS Members	3.6
Service Standard 6.1.3 Training in the NSW Rural Fire Service	4.2
Service Standard 6.1.5 Live Fire Training	1.1

Rev C

Plan of Management (Draft) | Page 1 of 12

ATTACHMENT 4 - ITEM 2

Document name	Version
RFS Training Standard Operating Procedures	4.1
RFS Training & Assessment Strategies	-
RFS Course Guides	-
RFS Assessment Guides	-
Service Standard 5.1.10 Accommodation Standards and Building Construction Projects	4.0
Service Standard 5.3.4 Maintenance of Buildings	1.1
Policy P8.1.0 Asset Management	1.1
RFS Strategic Asset Management Plan	2.0

ATTACHMENT 4 - ITEM 2

Contents

Document control.....	1
Release history	1
Reviewed by	1
Approved by	1
Related documents	1
1. Introduction	4
1.1. Purpose	4
1.2. Site Location.....	4
1.3. Site Description	5
2. Site Operation	5
2.1. Operation of the Facility	5
2.2. Hours of Operation	5
2.3. Occupancy.....	6
2.4. Vehicle Access & Parking	6
2.5. Amenities	6
3. Site Activities.....	7
3.1. Site Activities.....	7
3.2. Live Fire	8
3.3. Equipment.....	8
3.4. Firefighting Foams & Agents	9
3.5. Training Approvals	9
3.6. Risk Management	10
3.7. Supervision.....	10
3.8. Work Health & Safety	10
3.9. Environmental Sustainability	10
3.10. Make Safe.....	11

1. Introduction

This Plan of Management outlines the arrangements for the management and operation of the Hornsby Ku-ring-gai District Training Centre.

1.1. Purpose

The purpose of this Plan of Management is to ensure that training is conducted in accordance with the statutory and organisational requirements and that the management and operation of the training centre is consistent with the principles of environmental sustainability, and with consideration to the surrounding community.

1.2. Site Location

The Hornsby Ku-ring-gai District Training Centre is located within the grounds of the Fire Control Centre Precinct at 1049 Pacific Highway Cowan (Lot 100, DP1104687). The site is owned by Hornsby Shire Council.



The nearest neighbouring premises is light industrial premises to the east of the site. The site is surrounded by highway and National Park at some distance.

1.3. Site Description

The site incorporates a number of facilities arranged along an existing internal road to simulate a realistic streetscape:

– Structural Training Prop

The prop simulates a typical two-storey residential building to practice defensive and offensive structural firefighting and safe working at heights.

The prop consists of a number of shipping containers with hinged internal walls which can be configured to simulate a range of internal building layouts. The prop incorporates various styles of windows and doors to enable the application of forcible entry and access techniques. The prop incorporates a number of internal and external stairways and ladders to enable multi-level access for search and rescue.

A pitched roof incorporating both colourbond and tile cladding is provided to enable work at heights training.

The prop is not used for live fire. Fire conditions are simulated using artificial smoke produced by a fog machine, and electric and gas fuelled fire props. Simulated smoke and fire minimises environmental, health and financial impacts by reducing emissions, contaminants, waste, and wear and tear. It also enables the facility to be rapidly reset between exercises, maximising site use within operating hours.

– Hard Stand

A concrete hard stand is available on site for the operation of portable gas fire props to simulate various training scenarios. The props are removed when not in use and stored on site.

– Shelter

An open shelter structure is available on site to provide protection from sun and rain during training sessions and breakout periods as well as a space for briefings and debriefings.

– Storage Shed

A colourbond shed is situated adjacent to the shelter, for the secure storage of training props and other equipment. The storage shed and shelter are positioned on site adjacent to the structural prop to simulate a secondary exposure for protection during firefighting operations.

2. Site Operation

2.1. Operation of the Facility

The District Training Centre will be operated by RFS trainers and assessors, typically volunteers. Operations must be supervised at all times by an allocated Lead Instructor.

2.2. Hours of Operation

The District Training Centre is located within the grounds of the broader Fire Control Centre site. Whilst its typical business hours are Monday to Friday from 08:30 to 17:30, the site is an emergency services facility and, as such, there are volunteer and emergency operations on site outside of business hours.

The training facilities within the District Training Centre are typically used 30-40 times during the year on weekends and occasionally on mid-week evening sessions, to suit volunteer availability.

Operation of the District Training Centre outside of business hours is limited to the following hours:

- Monday to Friday: 08:30 to 22:00
- Saturday to Sunday: 08:30 to 17:30

Training may be undertaken after dark, utilising existing site lighting and the work lights of fire appliances.

2.3. Occupancy

The maximum number of participants to use the District Training Centre at any time is 16. This does not include trainers and assessors (typically 3-5).

Occupancy does not exceed the existing capacity of the broader Fire Control Centre. The District Training Centre provides on-site practical training facilities for participants who would have otherwise attended the Fire Control Centre for theory-based lectures, and then travelled to an off-site facility for practical training sessions.

The District Training Centre will be booked in conjunction with one of the Fire Control Centre Training Rooms, to ensure that typical site occupancy is not exceeded.

2.4. Vehicle Access & Parking

The maximum number of fire appliances to use the District Training Centre at any time is 4.

Vehicular access for the fire appliances is via the main gates on the precinct's western boundary.

Parking for fire appliances is available within the existing Fire Control Centre car park on the northern side of the Support Station. Additional parking for RFS vehicles is available on the kerbside on the precinct's western boundary adjacent to main gates.

Participants will typically assemble and join the fire appliance at their local fire station, before proceeding to the Fire Control Centre. Participants will typically alight from the appliance and undertake theory-based lectures and/or briefings in the training rooms within the Fire Control Centre. Participants will then typically board their fire appliance and position on site at the District Training Centre under the direction of the Lead Instructor.

Vehicle traffic does not exceed the existing capacity of the broader Fire Control Centre and parking facilities. The District Training Centre provides on-site practical training facilities for participants who would have otherwise attended the Fire Control Centre for theory-based lectures, and then travelled to an off-site facility for practical training sessions.

The District Training Centre will be booked in conjunction with one of the Fire Control Centre Training Rooms, to ensure that typical site occupancy is not exceeded.

2.5. Amenities

Amenities are available within the Fire Control Centre including:

- Male Toilets & Shower
- Female Toilets & Shower
- Accessible Toilets & Shower
- Catering facilities and meal rooms

These amenities are located adjacent to the training rooms within the Fire Control Centre building.

3. Site Activities

3.1. Site Activities

The District Training Centre is used to deliver the practical training, assessment and competency maintenance required by our volunteer firefighters in the following skills:

Activity	Description
Firefighter fitness	Functional fitness activities through the course of skills and drills including carrying loads, climbing stairs, climbing ladders and operating with personal protective equipment.
Crew safety	Hazard identification, risk assessment and control on an incident scene through the course of skills and drills.
Operation of breathing apparatus	Selection, operation and maintenance of self-contained breathing apparatus for firefighting and other operations in conditions of reduced visibility.
Forcible entry	Safe operation of forcible entry tools and techniques to access a structure for the purpose of search and rescue during firefighting operations.
Search and rescue	Plan and conduct primary and secondary search operations and use appropriate techniques for the rescue of casualties during firefighting operations.
Structural firefighting techniques	Undertake defensive structural firefighting techniques to protect exposures from fire extension and systematic search and rescue and interior firefighting techniques inside a structure.
Motor vehicle firefighting techniques	Undertake fire suppression techniques on motor vehicle fire incidents using portable gas fuelled props.
Motor vehicle accident support	Secure the scene and apply casualty assistance techniques, establish fire protection during rescue and paramedical operations and support rescue and recovery operations.
Working at heights	Establish and use height safety systems to access roofs.
Storm damage repair	Use emergency roof repair techniques to effect temporary repair of roofs during recovery operations following storm events.
Chainsaw operation	Safe operation of chainsaws to undertake cross cutting techniques on fallen timber.

Activity	Description
Operational command	Supervision of firefighting operations and the management of multi-sector structural firefighting operations.

Firefighters undertake theory-based instruction within the training rooms in the Fire Control Centre.

3.2. Live Fire

The use of fire within the District Training Centre is restricted to engineered fuel trays and portable gas and electric fire simulators operated in hard stand areas.

The combustion of Class A fuels at the District Training Centre is strictly prohibited. The structural training prop is a cold fire training facility only, with fire simulated using an internal fog machine and portable gas and electric elements.

Hot fire training may be undertaken within demonstration cells available in other Districts, including but not limited to the following locations:

- The Hills: Sackville North Training Centre
- Central Coast: Cameron Park Training Centre
- Lower Hunter: East Maitland Training Centre
- FRNSW Orchard Hills Training Academy

Any training involving the use of live fire, must comply with the requirements of Service Standard 6.1.5 Live Fire Training.

3.3. Equipment

The following training props may be used on site as part of practical training scenarios:

Equipment	Description
FRSA Trainer 501 Smoke Machine	<p>A smoke machine which vaporises a proprietary fluid to simulate smoke/fog within an enclosed space. The fluid is vapourised within the machine and then dispersed within an open space or through ducting with an inline fan.</p> <p>The FRSA Trainer 501 can use either a light or heavy fluid and allows for adjustment of smoke output at between 0 and 100%.</p> <p>The fog is water-based odourless, non-irritating, non-toxic, and non-flammable and leaves no residue. The fog dissipates quickly when it is released from an enclosed space.</p>
Car Fire Portable Gas Prop	<p>Heavy duty simulated medium-size sedan with hinged bonnet, boot, and passenger doors. Regulated, adjustable gas burners. Integrated castors to position on site and return to storage on completion. Gas fire is extinguished through the application of hose lines and isolation of gas.</p>

Equipment	Description
Portable Gas Props	Assorted small portable gas props incorporating regulated, adjustable gas burners. Gas fire is extinguished through the application of hose lines and isolation of gas.
Digital Fire Simulation	Digital technology uses LEDs to recreate flames and their patterns. Thermal sensors detect the application of a fire hose line or a digital hose line. Sound and training smoke add realism to immerse firefighters in the training environment.
Positive Pressure Ventilation Fan	Positive Pressure Ventilation fan used for building ventilation and fast smoke clearance during structural firefighting operations.

All training props are properly engineered, maintained and where necessary certified by an appropriate certifying authority. Gas props must be checked annually by an appropriately qualified gas fitter and confirmation that all components are in a safe and operable condition must be obtained and recorded.

3.4. Firefighting Foams & Agents

Water will be the main extinguishing agent used in training. The quantities used during training scenarios will be within existing the capacity of stormwater systems on the Fire Control Centre site.

In accordance with Service Standard 6.1.5 Live Fire Training, the Lead Instructor will be responsible for monitoring water run-off and implementing daily environmental protection measures. Excess water run-off will be directed to landscaped areas, with stormwater drains protected from sediment.

Training foam may be used in small quantities for specific assessment tasks in contained areas, infrequently.

Training foam is a non-hazardous, non-toxic, readily biodegradable substance which mimics the properties of firefighting foams. Training foams are typically designed for use at very low concentrations of 0.5 – 3%. Training foams are designed to rapidly breakdown on application, for ease of containment.

Activities involving the use of training foam will be subject to a risk assessment, which outlines the measures taken to contain, clean up and dispose. Training foam will be contained so that it does not enter stormwater or sewer. The Lead Instructor will be responsible for ensuring the containment of foam used on site and the clean up and disposal using equipment and materials carried on fire appliances.

No Class A or Class B foam will be stored or used in the proposed future firefighting training at the site.

The RFS no longer uses PFAS containing foam and complies with the Protection of the Environment Operations (General Amendment) PFAS Fire Fighting foam (Regulation) 2021. Firefighting foams used by the RFS are authorised by the National Industrial Chemicals Notification and Assessment Scheme, the approval body for chemical use in Australia. RFS has only used foams legally permitted for use in Australia.

3.5. Training Approvals

Each NSW RFS training activity shall be authorised by the Officer responsible for Learning & Development. Approved training activities shall be included within the District Brief.

3.6. Risk Management

Realism in emergency services training is critical, however all existing, potential or introduced hazards and risks must be identified so as to properly prepare participants and ensure that appropriate measures are in place to reduce the risk of physical, psychological, environmental and organisational harm.

A written activity risk assessment, focused on the task based risks, shall be completed each time an activity is conducted. This includes the necessary on-the-day checklist, regardless of the level at which training is undertaken.

Activity risk assessments may be used on multiple occasions provided they are checked and relevant hazards and risks are mitigated. Any new hazards and risks shall be added and addressed on the day by the appropriate persons.

All participants, trainers, assessors and observers involved in a training activity shall be made aware of any hazards, risks and control measures prior to the activity commencing and whenever changes to the risk assessment are required.

Trainers, assessors and safety officers shall use dynamic risk assessment throughout any activity to identify new hazards and implement controls, and shall advise participants accordingly. Where a new hazard is identified and a control put in place, the existing risk assessment shall be updated and members briefed in relation to the new hazard.

3.7. Supervision

Training activities undertaken at the District Training Centre must be supervised by a person allocated as Lead Instructor who meets the following requirements:

- a. is a Course Coordinator, Training Officer or ranked officer within the local District;
- b. holds the qualifications and relevant operational experience in the subject matter being trained;
- c. has undergone an appropriate induction to the site; and
- d. has acquainted themselves with the Site and Activity Risk Assessments.

The Lead Instructor is responsible for ensuring that all approvals are in place, risk assessments and equipment checks have been completed and Members have been inducted prior to the activity commencing.

The identity of the Lead Instructor must be recorded within the Risk Assessment of the activity to enable determination of responsibility for any breaches of the Management Plan.

3.8. Work Health & Safety

All training shall be conducted in compliance with the Work Health and Safety Act 2011 and relevant NSW RFS requirements.

Personal protective clothing/personal protective equipment (PPC/PPE) is to be utilised in accordance with Service Standard 5.1.5 Protective Clothing and Accessories.

A dedicated Safety Officer is to be appointed for all activities. The Safety Officer is responsible for the welfare and safety of all personnel involved in the exercise.

All training must have a First Aid Application (FAA) qualified member in attendance.

3.9. Environmental Sustainability

All training shall be conducted consistent with the principles of environmental sustainability, and with consideration to the surrounding community.

Training must take into account environmental considerations which may include, but not be limited to:

- a. Management of runoff;
- b. Control of the use of firefighting suppressants;
- c. Appropriate disposal of residual materials; and
- d. Prevention of contamination of surrounding environment.

3.10. Make Safe

At the conclusion of the activity, the Lead Instructor is responsible for ensuring that the District Training Centre is made safe.

Where props or other training aides have been used, they are to demobilised, inspected and stowed.

The District Training Centre and its structures are to be appropriately secured to prevent unauthorised access.

DRAFT

ATTACHMENT 4 - ITEM 2



RFS

Postal address

NSW Rural Fire Service
Locked Bag 17
GRANVILLE NSW 2142

State address

NSW Rural Fire Service
4 Murray Rose Avenue,
Sydney Olympic Park NSW 2127

T 02 8741 5555

F 02 8741 5550

rfs.nsw.gov.au

Social Media

 @NSWRFS

 facebook.com/nswrfs

 @NSWRFS

Transport for NSW



Elvin Keung
The Council of the Shire of Hornsby
ekeung@hornsby.nsw.gov.au

11 April 2024

**STATE ENVIRONMENTAL PLANNING POLICY (TRANSPORT AND INFRASTRUCTURE) 2021
DEVELOPMENT APPLICATION – DA/245/2024 (CNR-66891)
1049 Pacific Highway, Cowan NSW 2081**

Dear Sir/Madam,

I refer to Council's referral requesting comments for the above development application in accordance with Section 2.48 and Section 2.98 of the *State Environmental Planning Policy (Transport and Infrastructure) 2021 (Transport and Infrastructure SEPP)*.

Council is advised that TfNSW (Sydney Trains), via Instrument of Delegation from the Secretary of Transport and from TAHE (Transport Asset Holding Entity), has been delegated to act as the rail authority for the heavy rail corridor, and electrical supply authority; and to process the review for this development application.


As such, TfNSW (Sydney Trains) advises that the proposed development has been assessed in accordance with the relevant Transport for NSW Assets Standard Authority standards and Sydney Trains requirements. To ensure that the proposed development is undertaken in a safe manner it is requested Council impose the conditions provided in Attachment A.

In the event that this proposed development is the subject of a Land and Environment Court appeal, Council is requested to notify TfNSW (Sydney Trains) should such an event occur.

Council is also advised that the TfNSW (Sydney Trains) requested conditions of consent as provided in Attachment A are not to be amended, replaced, or superseded by any subsequent submission provided by any other rail authority, without the further agreement from TfNSW (Sydney Trains).

Please contact TfNSW (Sydney Trains) Town Planning Management via email to DA_sydneytrains@transport.nsw.gov.au should you wish to discuss this matter. Finally, it is requested that when the proposed development's Determination is issued by the Council, a copy of the Notice of Determination and conditions of consent are provided.

Sincerely,


Digitally signed
by Ethan Chau
Date: 2024.04.11
14:58:13 +10'00'

Ethan Chau
Assistant Town Planner
Transport for NSW

7 Harvest Street, Macquarie Park NSW 2113
PO Box 459 Burwood NSW 1805

OFFICIAL

DA_sydneytrains@transport.nsw.gov.au
www.transport.nsw.gov.au/sydneytrains

1

ATTACHMENT 5 - ITEM 2

Transport for NSW



ATTACHMENT A

- The proposed development is to comply with the deemed-to-satisfy provisions in the Department of Planning's document titled "Development Near Rail Corridors and Busy Roads- Interim Guideline".
- Prior to the issue of a Construction Certificate the Applicant is to provide structural details that the concrete slab or footings will be protected by a vapour barrier membrane. A copy of this detail is to be provided to the Certifier with the application for a Construction Certificate.
- The design, installation and use of lights, signs, and reflective materials, whether permanent or temporary, which are (or from which reflected light might be) visible from the rail corridor must limit glare and reflectivity to the satisfaction of the rail operator. The Certifier is not to issue the Construction Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.
- Prior to the issuing of a Construction Certificate the Applicant must submit to Sydney Trains a plan showing all craneage and other aerial operations for the development and must comply with all Sydney Trains' requirements. If required by Sydney Trains, the Applicant must amend the plan showing all craneage and other aerial operations to comply with all Sydney Trains' requirements. The Certifier is not to issue the Construction Certificate until written confirmation has been received from the Sydney Trains confirming that this condition has been satisfied.
- Sydney Trains advises there is a **11kV** and **66kV** High Voltage Aerial Transmission Line in close proximity to the proposed works. All works within 6 metres of the nearest transmission line conductor must comply with:
 - i. ISSC 20 – Guideline for the Management of Activities within Electricity Easements and Close to Electricity Infrastructure.
 - ii. The Safe Approach Distances (SADs) in the Sydney Trains Document titled "SMS-06-GD-0268 – Working Around Electrical Equipment".
 - iii. "WorkCover Code of Practice – Work near Overhead Power Lines (The Code)"
- Prior to the issuing of a Construction Certificate, the following final version rail specific items are to be submitted to Sydney Trains for review, comment, and written endorsement:
 - Machinery to be used during excavation/construction.
 - Demolition, excavation, and construction methodology and staging.

The Certifier is not to issue the Construction Certificate until it has received written confirmation from Sydney Trains that this condition has been complied with.
- Sydney Trains or Transport for NSW, and persons authorised by those entities for the purpose of this condition, must be permitted to inspect the site of the

Transport for NSW



ATTACHMENT 5 - ITEM 2

development and all structures to enable it to consider whether those structures have been or are being constructed and maintained in accordance with the approved plans and the requirements of this consent, on giving reasonable notice to the principal contractor for the development or the owner or occupier of the part of the site to which access is sought.

- If required, prior to the issue of a Construction Certificate the Applicant is to contact Sydney Trains External Interface Management team to determine the need for public liability insurance cover. If insurance cover is deemed necessary, this insurance must be for a sum as determined by Sydney Trains and shall not contain any exclusion in relation to works on or near the rail corridor and rail infrastructure and must be maintained for the duration specified by Sydney Trains. The Applicant is to contact Sydney Trains External Interface Management team to obtain the level of insurance required for this particular proposal. Prior to issuing the Construction Certificate the Certifier must witness written proof of this insurance in conjunction with Sydney Trains' written advice to the Applicant on the level of insurance required.
- The Applicant must ensure that at all times they have a representative (which has been notified to Sydney Trains in writing), who:
 - oversees the carrying out of the Applicant's obligations under the conditions of this consent and in accordance with correspondence issued by Sydney Trains;
 - acts as the authorised representative of the Applicant; and
 - is available (or has a delegate notified in writing to Sydney Trains that is available) on a 7 day a week basis to liaise with the representative of Sydney Trains, as notified to the Applicant.
- Without in any way limiting the operation of any other condition of this consent, the Applicant must, during demolition, excavation and construction works, consult in good faith with Sydney Trains in relation to the carrying out of the development works and must respond or provide documentation as soon as practicable to any queries raised by Sydney Trains in relation to the works.
- Where a condition of consent requires consultation with Sydney Trains, the Applicant shall forward all requests and/or documentation to the relevant Sydney Trains External Interface Management team. In this instance the relevant interface team is **North Interface**, and they can be contacted via email on **North_Interface@transport.nsw.gov.au**.
- Copies of any certificates, drawings, approvals/certification, or documents endorsed by, given to, or issued by Sydney Trains or TAHE (Transport Asset Holding Entity) must be submitted to Council for its records prior to the issuing of the applicable Construction Certificate or Occupation Certificate.

3 REPORTING DEVELOPMENT APPLICATIONS FOR DETERMINATION BY THE HORNSBY LOCAL PLANNING PANEL OVER 180 DAYS

EXECUTIVE SUMMARY

- In accordance with the Local Planning Panels Directions - Operational Procedures, Council is required to monitor development applications to be determined by the Panel that may be experiencing unreasonable delays of over 180 days from lodgement.
- A list of out outstanding development applications in excess of 180 calendar days from lodgement is attached for the Hornsby Local Planning Panel's advice.

RECOMMENDATION

THAT the contents of LPP Report No. LPP11/24 be received and noted.

PURPOSE

The purpose of this report is to advise the Hornsby Local Planning Panel of development applications required to be determined by the Panel that are over 180 calendar days from lodgement.

DISCUSSION

In 2019 the NSW Productivity Commission conducted a review of the Independent Planning Commission (IPC). The review recommended several actions to streamline processes to optimise efficiency, output and performance.

The planning panel changes were implemented on 1 August 2020 to incorporate a number of the NSW Productivity Commission 's recommendations to the way Local Planning Panels work to make them more efficient and to improve the assessment and determination times of development applications and maintain panel oversight of sensitive and contentious applications.

These changes were made as part of the Planning Acceleration Program to support the State's immediate and long-term economic recovery from the COVID-19 crisis.

The changes will speed up panel determinations by:

1. Reducing the need to conduct public panel meetings for non-contentious matters by applying a '10-or-more' objection trigger for public meetings.
2. Reducing the amount of modifications going to panels.
3. Obliging panel chairs to more actively manage development applications (DAs) coming to the panels to reduce panel deferrals and assessment timeframes.
4. Allowing chairs to bring forward determination on DAs that are experiencing unreasonable delays of over 180 days from lodgement.
5. Introducing panel performance measures.

The Local Planning Panels Directions - Operational Procedures has been amended to:

- Require panels to make determinations within two weeks of being provided an assessment report.
- Require panels to hold a public meeting only where the Development Application has attracted 10 or more unique submissions by way of objection.
- Allow, at the Chair's discretion, applicants to attend a briefing, along with council staff, to explain complex matters or present confidential or commercially sensitive material.
- Oblige panel chairs to work with council to ensure key issues are addressed during assessment in order to minimise deferrals by the panels at determination stage.
- Require the panels to provide reasons for deferring a decision and set timeframes in which any additional information must be provided in order to finalise the determination.
- Give panel chairs the ability to require council to report a DA to the panel within four weeks for determination if the application has experienced unreasonable delays in excess of 180 calendar days from lodgement.

In accordance with Point 6 of the Local Planning Panels Directions - Operational Procedures, attached is a list of development applications required to be determined by the Panel that are over 180 calendar days from lodgement.

CONCLUSION

Council is required to monitor development applications to be determined by the Panel that are over 180 calendar days from lodgement. This report provides advice to the Local Planning Panel on DAs that are experiencing unreasonable delays of over 180 days from lodgement.

RESPONSIBLE OFFICER


The officer responsible for the preparation of this report is the Major Development Manager, Cassandra Williams.


JAMES FARRINGTON

Director - Planning and Compliance

Planning and Compliance Division

Attachments:

1.  DAs over 180

 days

File Reference: F2013/00295-004

Document Number: D08894421

List of development applications required to be determined by the LPP that are over 180 calendar days from lodgement.

DA No.	Proposal	Address	Reason	Est. Date to LPP	Advice to Chair	No. Days at 26/6
DA/1022/2021	Torrens title subdivision of 1 lot into 60	36-56 David Road, Castle Hill	VPA >10 submissions	August	Council has provided final comments on the legal review of the draft VPA. Upon receipt of final version, the VPA will be placed on exhibition followed by a report to Council. Additional information has been provided and referred to internal branches for comment and further assessment.	1000
DA/411/2023	Demolition of existing structures and construction of double storey commercial building with 2 basement parking levels	350-352 Galston Road, Galston	>10% height, >10% FSR >10 submissions Dedication of land	August	Applicant has indicated that amended plans/information will be submitted by 28 June. Once submitted, the application will be re-notified and referred to internal branches for comment to enable a report to be prepared for determination at a future LPP meeting.	408
DA/794/2023	Demolition and construction 5 storey RFB - 20 units	21-25 Thornleigh Street, Thornleigh	SEPP 65	July	The application has been re-referred to Water NSW due to the additional basement level. Water NSW advised that the application has also been internally referred to DCCEEW for comment and noted indicated that there are delays in DCCEEW processing times currently. Report to be prepared for July LPP meeting, subject to receiving concurrence.	309
DA/1003/2023	Demolition and construction of a dwelling and swimming pool	11A Malton Road Beecroft	>10 submissions	July	Report to be prepared for July LPP meeting.	259

ATTACHMENT 1 - ITEM 3