

Confidential

29 June 2022

RLA Ref: 144420

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FILED ON
21 DEC 2022

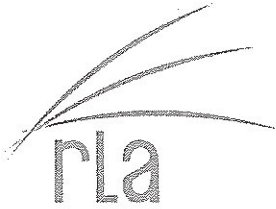
Dear Yan,

**Sun Property Balgowlah Pty Ltd s.4.55 application to vary existing consent
307 Sydney Road and 12 Boyle Street, Balgowlah**

Assessment of impacts on view sharing

1 Purpose of this report

1. I have been appointed by the Applicant in the Proceedings, Sun Property Balgowlah Pty Ltd to provide an assessment of the likely effects on views of the subject s.4.55 modification application for the DA in relation to the above properties.
2. I am a professional consultant specialising in visual impacts and view loss. A summary CV is attached to this assessment. A full CV can be read or downloaded from the tab on the Home page of the RLA website at www.richardlamb.com.au.
3. I was the views consultant to the Applicant for the DA for which there is an existing consent granted in a s.34 agreement between the parties by the Land and Environment Court of NSW.
4. In preparing this report I have been provided with, have read and agree to be bound to the Uniform Civil Procedure Rules 2005 Division 2 and Schedule 7, Expert Witness Code. A summary CV is attached to this Report.
5. I have not relied on the opinion of any other party in coming to the position in this report.



6. I have made all the inquiries that I consider desirable and appropriate and no matters of significance that I consider are relevant have to my knowledge been withheld from the Court.
7. The purpose of this report is to provide an analysis and assessment of the likely impact on views caused by the modification application for the DA. Architectural Projects are the project architects for what is now known as the Capella Project.

2 Context of the assessment

8. The assessment in this document concerns potential impacts of the s.4.55 modification application) on view sharing with private dwellings in 10, 14 and 16 Boyle Street.
9. The parties to the s.34 agreement agreed that while some view loss would occur for some windows in some apartments in 10 Boyle Street, that the impact on views from that property, the loss of views from 14 Boyle Street and minor effects on some south-facing window views from 16 Boyle Street did not warrant refusal of the application.
10. Architectural Projects are the project architects for what is known as the Capella project and propose modifications to the plans subject of the existing consent by way of a s.4.55 modification application. The modifications are shown in Preliminary Pre-DA drawings Revision P8.
11. The modifications primarily concern changes to accessibility and include a ramp to the east side of Building 1 (retained heritage building), a platform lift on the south side of Building 2, minor modifications to the internal access to Building 4, internal modifications to Building 2 and changes to fenestration.
12. As an aid to the assessment of impacts on views, a 3D View Study had formerly been prepared A+Design Group for the plans for which consent was granted by the Land and Environment Court, which shows the visual effects of the massing, on views from the three Boyle Street properties.
13. Having analysed the proposed modification plans by Architectural Projects in relation to the existing 3D View Study by A+Design Group, it became evident that the modifications would not cause any change to the appearance of the buildings such as perceivable heights or massing and therefore could not have any perceivable effect on view sharing. I therefore advised against the preparation of an amended 3D View Study, as it would have been expensive and unnecessary. The reasons for this conclusion and my assessment of the view sharing impacts of the modifications on views assessed proposed follow.

6 Summary of Visual Effects of Modification Plans

6.1 10 Boyle Street

14. In relation to views from 10 Boyle Street which were assessed for several units on the east side of the building, the proposed modification plans would be of no effect, as the



location and nature of the modifications is such that they would not change the height or massing of the approved building in views. The modifications would not have detectable effect on views from this building and the view sharing with 10 Boyle Street would remain satisfactory and as approved.

6.1 14 Boyle Street

15. The existing views from 14 Boyle Street are obliquely across two of the site's side boundaries and are highly screened by vegetation and buildings. To the extent that there is a view, the view would be lost. The proposed modifications to the approved plans would be on the far side of Building 2 and not visible or would change details of the façade of the building but not the massing and would therefore not have any effect on the views that are approved in the existing consent. The modifications therefore have no potential to have any different impacts on view sharing.

6.1 16 Boyle Street

16. The views from the main living areas of Units 3 and 4 (lounge rooms) that are side views across three boundaries have views of part of the retained Building 1 and of part of Buildings 2 and 4. The modifications to Building 1 are hidden by the retained building itself in views from 16 Boyle Street. The modifications to Buildings 2 and 4 do not affect the height, bulk or scale of the buildings. The modifications are not visible or in the case of fenestration to the part of Building 2 that is visible, are minimal changes in details. The modifications would therefore have no effect on the views that are approved in the existing consent and have no potential to have any different impacts on view sharing.

17. In my opinion, the proposed modification application is therefore acceptable with regard to view sharing, as there would be no evidence of the modifications in views from the neighbouring properties.

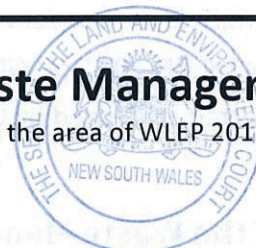
A handwritten signature in black ink that reads 'Richard Lamb'. The signature is written in a cursive, flowing style.

Dr Richard Lamb

NORTHERN BEACHES COUNCIL

Waste Management Plan

(For development in the area of WLEP 2011 and WLEP 2000)



FILED ON

This plan is to be completed
in accordance with Council's

Waste Management Guidelines

(For development in the area of WLEP 2011 and WLEP 2000)

Effective Date: 25 October 2016

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Purpose of the Waste Management Plan

This *Waste Management Plan (WMP)* will detail the arrangements for waste management during all stages of development and occupation.

The WMP must be completed in accordance with the Waste Management Guidelines (Guidelines).

A completed WMP is a mandatory requirement for any Development Application (DA) submitted under WLEP 2011 or WLEP 2000. DAs that are submitted without a completed WMP will be rejected or refused by Council.

Structure of the Waste Management Plan

All applicants are required to complete the 'Applicant and Project Details' part of the WMP and include it with the relevant Sections that apply to their proposed development.

The WMP is divided into Sections and applicants are only required to complete the relevant Sections in accordance with the Guidelines. The table below identifies which Sections are relevant to which development types.

For example, if the proposed development was to include demolition of an existing structure and construction of a single dwelling, the relevant Sections would be Sections 1, 2 and 3.

Section	Development Type [^]
Section 1 – Demolition	All
Section 2 – Construction	All
Section 3 – On-going waste management for one or two dwellings	One or two dwelling developments Mixed-use developments containing one or two dwellings
Section 4 – On-going waste management for three or more dwellings	Three or more dwelling developments Mixed-use developments containing three or more dwellings
Section 5 – On-going waste management for non-residential and mixed use developments	Commercial developments Industrial developments Mixed-use developments
Section 6 – Private roadway developments	Private roadways

[^]Note: the definitions of the development types are provided in Section vi of the Introduction to the Guidelines

Applicant and Project Details

Complete this page and the relevant Sections that apply to your proposed development.

Applicants' Details

Name: (must be the same as the DA form)	Sun Property Balgowlah Pty Ltd
Address: (must be the same as the DA form)	Suite 39.02 Level 39, 100 Miller Street, North Sydney, 2060
Phone Number:	02 8920 1999
Email Address:	yan@sunpropertygroup.com.au

Property Details

Lot No: Deposited Plan (DP) No: or Strata Plan (SP) No:	Lot 1/ DP 115705 Lot D/ DP 335027
Unit No: House No: Street: Suburb: Postcode:	

Project Details

Description of proposed development:	1. Demolishing existing building along Boyle street, 2. Refurbish existing heritage building. 3. Two new built blocks with shared lower ground carparking 4. In total, 6 dwellings.
Structures to be demolished:	Existing building along 12 Boyle Street.

Applicant Declaration

I declare that:

1. This plan has been completed in accordance with the Waste Management Guidelines
2. To the best of my knowledge, the details on this form are accurate and correct

Section 1 – Demolition

This section must be completed in accordance with ‘Chapter 1 – Demolition’ of the Waste Management Guidelines

MATERIALS ON SITE	DESTINATION <i>Evidence such as weighbridge dockets and invoices for waste disposal or recycling must be retained on site for inspection</i>					
	REUSE AND RECYCLING (MOST FAVOURABLE)			DISPOSAL (LEAST FAVOURABLE)		
Types of Waste Material	Estimated Volume (m ³) or Weight (t)	✓ ONSITE RE-USE Specify how material will be reused on site	OFFSITE RECYCLING ✓ Recycling Outlet (RO) ✓ Waste Transport Contractor (WTC)		OFFSITE DISPOSAL ✓ Specify landfill site (LS) ✓ Specify Waste Transport Contractor (WTC)	
			WTC	RO	WTC	LS
Excavated Material						
Garden Organics	10 m3					
Bricks					OPTION NOT AVAILABLE: These materials must be re-used or separated on or off site and sent for recycling.	
Tiles						
Concrete						
Timber						
Plasterboard						
Metals						
Asbestos						
Other waste (please specify)						
Estimated Total % Recovered						

Refer to the estimation tables in ‘Chapter 1 – Demolition’ of the Guidelines for assistance in completing this table.

The applicant must submit a Site Plan showing the structures to be demolished and storage areas for waste and construction materials (if the development also includes construction).

WMP Checklist

Have you included the following:	Applicant Tick
A site plan showing: <ul style="list-style-type: none"> • The structures to be demolished. • Storage areas for waste to be reused, recycled, or disposed of. • Materials storage (if the development also includes construction) 	<input type="checkbox"/>
The table on the previous page, completed in accordance with 'Chapter 1 – Demolition' in the guidelines.	<input type="checkbox"/>

Section 2 – Construction

This section must be completed in accordance with 'Chapter 2 – Construction' of the Waste Management Guidelines

MATERIALS ON SITE	DESTINATION					
	<i>Evidence such as weighbridge dockets and invoices for waste disposal or recycling must be retained on site for inspection</i>					
	REUSE AND RECYCLING (MOST FAVOURABLE)			DISPOSAL (LEAST FAVOURABLE)		
Types of Waste Material	Estimated Volume (m ³) or Weight (t)	ONSITE RE-USE ✓ Specify how material will be reused on site	OFFSITE RECYCLING ✓ Specify recycling outlet (RO) ✓ Specify Waste Transport Contractor (WTC)	OFFSITE DISPOSAL ✓ Specify landfill site (LS) ✓ Specify Waste Transport Contractor (WTC)		
* Please specify			WTC	RO	WTC	LS
Excavated Material						
Garden Organics						
Bricks					OPTION NOT AVAILABLE: These materials must be re-used or separated on or off site and sent for recycling.	
Tiles						
Concrete						
Timber*						
Plasterboard						
Metals*						
Asbestos						
Other waste*						
Estimated Total % Recovered						

Refer to the estimation tables in 'Chapter 2 – Construction' of the Guidelines for assistance in completing this table.

The applicant must submit a Site Plan showing the structures to be demolished and storage areas for waste and construction materials (if the development also includes construction).

WMP Checklist

Have you included the following:	Applicant Tick
A site plan showing: <ul style="list-style-type: none"> • The structures to be demolished. • Potential storage areas for waste to be reused, recycled, or disposed of. • Materials storage 	<input type="checkbox"/>
The table on the previous page, completed in accordance with 'Chapter 2 – Construction' in the guidelines.	<input type="checkbox"/>

Section 3 – On-going waste management for one or two dwellings

This section is to be completed in accordance with 'Chapter 3 – On-going waste management for one or two dwellings' of the Waste Management Guidelines.

Type of development: _____

Number of dwellings: _____

WMP Checklist

Do your architectural and landscape plans include the following:	Applicant Tick
Waste Storage Area design requirements (Chapter 3.2.)	<input type="checkbox"/>
Waste Storage Area location requirements (Chapter 3.3.)	<input type="checkbox"/>

Section 4 – On-going waste management for three or more dwellings

This section is to be completed in accordance with 'Chapter 4 – On-going waste management for three or more dwellings' of the Waste Management Guidelines.

Type of development: _____

Number of dwellings: _____

WMP Checklist and Applicant Declaration

Do your architectural/landscape plans include the following:	Applicant Tick	N/A
Waste Storage Area design requirements (Chapter 4.2.)	<input type="checkbox"/>	-
Waste Storage Area location requirements (Chapter 4.3.)	<input type="checkbox"/>	-
Pathway, access and door requirements (Chapter 4.4.)	<input type="checkbox"/>	-
Clean-up waste requirements (Chapter 4.5.)	<input type="checkbox"/>	<input type="checkbox"/>
Kerbside (on-street) waste collection requirements (Chapter 4.6.)	<input type="checkbox"/>	<input type="checkbox"/>
On-site (off-street) waste collection requirements (Chapter 4.7.)	<input type="checkbox"/>	<input type="checkbox"/>

Section 5 – On-going waste management for non-residential and mixed use developments

This section is to be completed in accordance with 'Chapter 5 – On-going waste management for non-residential developments' and 'Chapter 6 – On-going waste management for mixed use developments' of the Waste Management Guidelines.

Type of development: _____

Number of commercial premises: _____

Number of Waste Storage Areas: _____

WMP Checklist

Do your architectural/landscape plans include the following:	Applicant Tick	N/A
Waste Storage Area design requirements (Chapter 5.2.)	<input type="checkbox"/>	-
Waste Storage Area location requirements (Chapter 5.3.)	<input type="checkbox"/>	-

Section 6 – Private roadway developments

This section is to be completed in accordance with 'Chapter 7 – Private roadway developments' of the Waste Management Guidelines.

Type of development: _____

Number of dwellings: _____

(Only applicable for sub-divisions)

WMP Checklist and Applicant Declaration

Do your sub-division plans include the following:	Applicant Tick	N/A
Council's waste vehicle design requirements (Chapter 7.2.)	<input type="checkbox"/>	<input type="checkbox"/>
Waste Storage Area requirements (Chapter 7.3.)	<input type="checkbox"/>	<input type="checkbox"/>

