

Architectural Projects

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R7 – PROPOSAL RESPONSE TO JUDGEMENT

9 Amendments to the approved plans

The following amendments are to be made to the approved plans:

- a) *The stair, foyer and lift within Building 4 providing access to Unit 3 of that building shall be included on the title for Unit 3 and for its exclusive use.*

Response: Not Applicable

- b) *A 2.5m length of privacy screen to a height of 1.8m above the level of the adjoining balcony, shall be provided on the inside edge of the planter to the south of Townhouse 2, Building 3, opposite the window to the living room.*

Response: Addressed by privacy screen

- c) *A privacy screen to a height of 1.8m above FFL shall be provided for the full length of the northern side of the terrace to the east of Townhouse 2, building 3.*

Response: Addressed by privacy screen

- d) *A privacy screen to a height of 1.7m above the FFL of the stair access to unit 1, Building 4 shall be provided along the western side of that access, commencing at the landing at RL 43.4 and extending northwards, terminating at the northern end of the landing at RL 44.95.*

Response: Addressed by privacy screen and proposed paving is lowered than previous approval so reduced privacy.

- e) *Deleted*

- f) *The louvre privacy treatment to the west facing windows and balconies of Building 4 shall be fixed and designed so as to prevent overlooking of the adjoining property, 10 Boyle Street.*

Response: Window to living facing 10 Boyle St deleted. Addressed to upper window to stair by privacy screen.

- g) *All east facing windows to Building 4 (other than the northernmost Bedroom of Unit 1) shall be privacy screened using fixed vertical louvers angled at 45 degrees in a south easterly*

direction so as to restrict overlooking of the adjoining property, such screens to have a minimum height of 1.7m above FFL.

Response: Addressed by privacy screen

- h) A fixed privacy screen to a minimum height of 1.7m above FFL is to be provided for the full length of the eastern end of the southern terrace/balconies of Units, 1, 2 and 3 Building 4.*

Response: Addressed by privacy screen

- i) All privacy screens are to be constructed as frosted glass or fixed louvres (with the angle of fixing being no more than 45 degrees from the window/opening plane and designed so as to restrict overlooking of the adjoining property).*

Response: Fixed louvres to be 45 degrees

- j) The western wall to the living area of Unit 3, Building 4 as well as the adjoining balcony, shall be setback further from the western boundary so as to align with the stairwell and bedroom at the northern end of this Unit.*

- k) The overall height of Building 3 is to be reduced 300mm through a reduction in floor to ceiling heights across*

- l) The stair along the west side of Building 4 shall be constructed as a cantilevered structure, with required supporting piers/wall being set back a minimum 500mm from the west edge of the stair tread so as to enhance soil volume for the adjacent planting bed.*

Response: Addressed, the stair is constructed as a cantilevered structure.

- m) All development (including demolition and fencing) is to be contained wholly within the lot boundaries.*

Response: Confirmed

- n) A traffic light system is to be provided at the base of the driveway at RL 43.6 providing priority to ingressing vehicles.*

Response: Addressed traffic light system provided

o) The lift door to the basement level Dwg 201 be amended to hinge from the south.

Response: Not Applicable as lift now communal

p) The lift door to the upper ground level Dwg 202 and level1 Dwg 203 be amended to hinge from the east.

Response: Not Applicable as lift now communal

The following amendments are to be made to the approved landscaping plans:

Response: Addressed in Landscaping Plan.

- q) The landscaping proposed that reaches a height greater than 4m between the southern most boundary and the proposed building is to be amended to a species that reaches a maximum height of 4m.*
- r) Two evergreen trees, with a mature height not exceeding 5 metres, are to be provided in the planter between buildings 2 and 4.*
- s) The 'replacement tree' located to the north east of Townhouse 2, Building 3 is to be of a species with a maximum mature height of 4 metres.*
- t) The Agave and Mexican lily planting proposed in the 600mm deep soil zone adjacent to Boyle Street shall be replaced with a hedge species (lilly pilly, viburnum or similar) and maintained at a minimum height of 1.8mm above the adjoining footpath level.*
- u) The planter to the south of Townhouse 2, Building 3 shall be planted with a hedge species maintained at a minimum height of 1 metre above the top of the planter wall.*
- v) An open style fence to an average maximum height of 1 metre above footpath level shall be provided on the Boyle Street frontage, and it is to be designed consistent with MDCP controls under MDCP 4.1.10.*
- w) Each of the following planters is to be supplemented with the planting of one tree having a mature height between 2.5m and 3.5m:
 - i)The triangular planter immediately west of the stone wall and the opening into Building 4;*
 - ii)The planter opposite, at the south east corner of Townhouse 2, Building 3.**
- x) The deep soil landscaped area to the west of the entry path to Unit 3, Building 4, (that is, opposite the stairwell to Unit 3 and the office to Unit 2), shall be planted with a hedge species along its full length, maintained at a minimum height of 1.6m above the level of the adjoining footpath/accessway.*
- y) A minimum soil depth of 600mm is to be achieved over the full length of the landscape areas to the west and east of Building 4 and over the width of that planting strip, as indicated on the approved landscape drawings. If excavation is required in order to achieve this depth, on the western side this must be undertaken in accordance with a methodology and design prepared by a qualified structural engineer in order to ensure that no damage occurs to the dry stone wall adjacent. No constructed planter may be placed adjacent to dry the stone wall and above the level of its base.*

z) The low shrub planting to the east of Building 4, adjacent to the northernmost bedroom of Unit 1, shall be replaced with 'CC' (Bottle Brush).

aa) The 1 metre high open metal palisade fencing to the east of Building 4 shall be of sufficient visual permeability to enable views through to the landscape planting beyond.

bb) A planter, having the following dimensions, shall be provided along the full length of the western side of the balcony to Unit 3, Building 4 and this shall be planted and maintained with low groundcovers not exceeding 300mm height;

- - top edge of planter RL48;*
- - maximum soil depth of 350mm;*
- - width (measured west-east) 600mm;*
- - balustrade to ensure BCA compliance to be placed on the inside edge of the planter.*

Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of the construction certificate.

Reason: To ensure development minimises unreasonable impacts upon surrounding land.

10 On-site Stormwater Detention Compliance

Response: See Consultant Report.

11 Pump-Out System Design for Stormwater Disposal

Response: See Consultant Report.

12 Vehicle Driveway Gradients

Response: See Consultant Report.

13 Tanking of Basement Level

Response: See Consultant Report.

14 Structural Adequacy and Excavation Work

Response: See Consultant Report.

15 Structural Integrity Methodology Report

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- Response: See Consultant Report.
- 16 **Vehicle Crossings Application**
- Response: See Consultant Report.
- 17 **Heritage Photographic Survey**
prior to the issue of the Construction Certificate.
- 18 **Deleted.**
- 19 **Heritage photographic archival record**
prior to the issue of the Construction Certificate.
- 20 **Heritage photographic archival record (Dry Stone Wall)**
prior to the issue of the Construction Certificate.
- 21 **Heritage Architect**
prior to the issue of the Construction Certificate.
Details demonstrating compliance are to be submitted to the Certifying Authority
- 22 **Heritage Methodology Report**
prior to the issue of the Construction Certificate.
- 23 **Certification of Stormwater Drainage impacts on Paths and Retained Vegetation**
- Response: See Consultant Report.
- 24 **Palm transplantation**
prior to the issue of a Construction Certificate.
- 25 **Sydney Water "Tap In"**
prior to works
- 26 **Adaptable accommodation requirements**
prior to the issue of the Construction Certificate.

The internal plans are to be amended to include the provision of two adaptable units in accordance with clause 3.6.3.1 Accessible (Adaptable) Accommodation Requirements of the Manly DCP 2013.

Amended plans demonstrating compliance with this condition are to be submitted to the Certifying Authority

Reason: To provide a reasonable proportion of residential units that are designed to be adaptable and easily modified to promote 'ageing in place' and for people with disabilities.

27 Pre-construction dilapidation survey

prior to the issue of a Construction Certificate.

28 Design and Construction of Gutter and Crossing (Sydney Road)

The design and construction of the gutter crossing on Sydney Road shall be in accordance with Roads and Maritime requirements. Details of these requirements should be obtained by email to DeveloperWorks.Sydney@rms.nsw.gov.au.

Detailed design plans of the proposed gutter crossing are to be submitted to Roads and Maritime for approval prior to the issue of a Construction Certificate and commencement of any road works.

A plan checking fee and lodgement of a performance bond is required from the applicant prior to the release of the approved road design plans by Roads and Maritime.

Reason: To ensure appropriate construction of infrastructure.

Response: See Consultant Report.

29 Sight Distances

Sight distances from the proposed vehicular crossings to vehicles on Sydney Road are to be in accordance with the Austroads Guide to Road Design: Part 4A: Unsignalised and Signalised Intersections (Section 3 – Sight Distance) and AS 2890. Vegetation and proposed landscaping/fencing/wall must not hinder sight lines to and from the vehicular crossings to motorists, pedestrians and cyclists.

Details demonstrating compliance are to be submitted to the certifying authority prior to the issue of the Construction Certificate.

Reason: To minimise traffic hazards.

Response: See Consultant Report.

30 Waste and Recycling Requirements

Response: See Consultant Report.

31 Visitor Spaces Located Behind Security Shutter/Door.

The installation of any security roller shutter for parking areas shall not restrict access to any designated visitor car parking space. In the event that the approved visitor car parking spaces are located behind any proposed security roller shutter, an intercom system is required to be installed to enable visitor access into the basement car parking area. This requirement is to be reflected on the Construction Certificate plans and any supporting documentation for the endorsement of the Certifying Authority prior to the release of the Construction Certificate.

Response: See Consultant Report.

32 Vehicular manoeuvring paths.

Vehicular manoeuvring paths must be provided to demonstrate all vehicles can enter or depart the site in a forward direction without encroaching on any other occupied car parking spaces. The demonstration drawings provided need to show that there is no encroachment when the adjoining spaces are occupied at their extremities. The drawings must be compliant with Australian/New Zealand Standard AS/NZS 2890.1:2004 - Parking facilities - Off-street car parking. Drawings must be submitted with the Construction Certificate application. In this regard a reduction in parking numbers to the minimum required under the Manly Development Control Plan 2013 could be considered to ensure adequate turning space is available for all users.

Response: See Consultant Report.

33 Construction Traffic Management Plan.

CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

34 Public Liability Insurance – Works on Public Land

35 Tree removal

