

2 November 2022

At 5.00 pm

Local Planning Panel

Agenda

- 1. Disclosures of Interest
- 2. Confirmation of Minutes
- 3. Development Application: 807 South Dowling Street, Waterloo D/2021/1512



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- 1. Register to speak by calling Secretariat on 9265 9702 or emailing secretariat@cityofsydney.nsw.gov.au before 12.00 noon on the day of the meeting.
- 2. Check the recommendation in the LPP report before speaking, as it may address your concerns so that you just need to indicate your support for the recommendation.
- 3. Note that there is a three minute time limit for each speaker and prepare your presentation to cover your major points within that time.
- 4. Avoid repeating what previous speakers have said and focus on issues and information that the LPP may not already know.
- 5. If there is a large number of people interested in the same item as you, try to nominate three representatives to speak on your behalf and to indicate how many people they are representing.

At the start of each LPP meeting, the Chair may re-order agenda items so that those items with speakers can be dealt with first.

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Item 1.

Disclosures of Interest

In accordance with section 4.9 of the Code of Conduct for Local Planning Panel Members, all Panel members are required to sign a declaration of interest in relation to each matter on the agenda.

Pursuant to the provisions of Clause 15 of Schedule 4B of the Environmental Planning and Assessment Act 1979, members of the Local Planning Panel are required to disclose pecuniary interests in any matter on the agenda for this meeting of the Local Planning Panel.

Panel members are also required to disclose any non-pecuniary interests in any matter on the agenda for this meeting of the Local Planning Panel.

In both cases, the nature of the interest must be disclosed.

Item 2.

Confirmation of Minutes

Minutes of the following meeting of the Local Planning Panel, which have been endorsed by the Chair of that meeting, are submitted for noting:

Meeting of 12 October 2022

Item 3.

Development Application: 807 South Dowling Street, Waterloo - D/2021/1512

File No.: D/2021/1512

Summary

Date of Submission: 29 December 2021, with additional information submitted

on 7 September 2022.

Applicant/Owner: Karimbla Properties (No. 25) Pty Limited

Planning Consultant: Avenue Town Planning

Cost of Works: \$0

Zoning: The site is located in the B4 Mixed Use zone. The

proposed development is defined as residential flat building and is permissible with consent in the zone.

Proposal Summary: Approval is sought for the conversion of existing serviced

apartments to their previously approved use as residential apartments pursuant to Chapter 3, Part 7 of the State

Environmental Planning Policy (Housing) 2021.

The application is referred to the Local Planning Panel for

determination as the proposal is subject to State

Environmental Planning Policy No. 65 - Design Quality of Residential Apartment Development and the existing

building is greater than 4 storeys in height.

The following additional information has been provided to

address issues raised by Council's officers:

 written statement referring to the amendment to the SEPP (Transport and Infrastructure) 2021 made on 12 August 2022 to remove the noise and vibration consideration for developments pursuant to Chapter 3, Part 7 of the SEPP (Housing) 2021;

 updated floor plans to nominate the use of existing back-of-house facilities on Level 2 as bulky waste storage, and an updated waste management plan to outline the residential waste management procedure;

- confirmation of the apartment mix, including the number of dual-key apartments that were converted from three-bedroom apartments;
- number of car parking spaces, car wash bays, and bicycle parking; and
- gross floor area calculation plan to confirm that the proposal will not alter the site's existing FSR.

The application was notified and advertised for 21 days between 18 January and 9 February 2022. As a result, 1 submission in support and 1 submission in objection were received. All comments made in the submissions are addressed within this report.

Overall, the proposal satisfies the provisions of Chapter 3, Part 7 of the SEPP (Housing) 2021 and maintains the level of residential amenity for the apartments as originally approved under development consent D/2003/927 (as amended).

Summary Recommendation:

The development application is recommended for approval, subject to conditions.

Development Controls:

- (i) State Environmental Planning Policy (Housing) 2021
- (ii) State Environmental Planning Policy (Transport and Infrastructure) 2021
- (iii) State Environmental Planning Policy (Resilience and Hazards) 2021
- (iv) State Environmental Planning Policy No 65 Design Quality of Residential Apartment Development
- (v) State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004
- (vi) Sydney Local Environmental Plan 2012
- (vii) Sydney Development Control Plan 2012
- (viii) City of Sydney Development Contributions Plan 2015
- (ix) City of Sydney Affordable Housing Program

Attachments:

- A. Recommended Conditions of Consent
- B. Selected Drawings

Recommendation

It is resolved that consent be granted to Development Application No. D/2021/1512 subject to the conditions set out in Attachment A to the subject report.

Reasons for Recommendation

The application is recommended for approval for the following reasons:

- (A) The development complies with the objectives of the B4 Mixed Use zone pursuant to Sydney Local Environmental Plan 2012.
- (B) The development complies with the principles of the State Environmental Planning Policy (Housing) 2021 and the provisions of Chapter 3, Part 7 of the policy.
- (C) The development is generally consistent with the design quality principles of State Environmental Planning Policy No 65 Design Quality of Residential Apartments.
- (D) The development is generally consistent with the objectives of Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012.

Background

The Site and Surrounding Development

- 1. The site has a legal description of Lot 2 in DP1094580, commonly known as 807 South Dowling Street, Waterloo. It is irregular in shape with an area of approximately 27,390m². It has a primary street frontage to South Dowling Street and secondary street frontages to Crescent Street (north) and Danks Street (south).
- 2. The site was redeveloped together with the adjoining property to the west, being 28 Danks Street, under development consent D/2003/927. Collectively, the two sites form the Stage 6 redevelopment of the former ACI site.
- 3. The two sites contain four buildings sited above a shared basement and ground floor parking, loading and servicing area. The shared basement and servicing area is accessed via a double-width single driveway off Danks Street (Figure 3). The two sites also share a communal podium, nested between the buildings.
- 4. The two sites have been subdivided. To allow access to the shared facilities, 29 easements have been registered in DP1094580. These include reciprocal easements for access, fire egress, services, fire services, and the access and use of the communal podium; and easements for the subject site to access the loading bay, and recycling bin storage area located on 28 Danks Street.
- The adjoining 28 Danks Street accommodates Buildings A and B, being two 7-10 storey residential flat buildings. The two buildings comprise 82 strata-subdivided apartments.
- 6. The subject site, on the other hand, accommodates Buildings C and D, being two 7-15 storey buildings. The two buildings are currently used as serviced apartments, known as 'Meriton Suites Waterloo'. However, they were originally designed as residential flat buildings, with Small Office Home Office (SOHO) style apartments and a retail tenancy on the ground floor.
- 7. The surrounding area is characterised by a mixture of land uses, primarily being residential in nature, including the multi-storey mixed use buildings known as Moore Park Gardens to the north, and other mixed-use buildings to the west and south.
- 8. The site is not a heritage item nor located within a heritage conservation area. The site is located within the Green Square locality and is not identified as being flood-affected.
- 9. A site visit was carried out on 20 January 2022. Photos of the site and surrounds are provided below:



Figure 1: Aerial view of site and surrounds



Figure 2: Site (Building D) viewed from the corner of Danks and South Dowling Streets



Figure 3: Site (Building D) viewed from Danks Street, showing entrance to the common basement shared with the adjoining apartment buildings to the west



Figure 4: Site (Building C) viewed from Crescent Street



Figure 5: View of ground floor SOHO apartments fronting South Dowling Street

History Relevant to the Development Application

Development Applications

On 8 September 1999, South Sydney Council adopted a masterplan for the former ACI site. The adopted masterplan established a framework of land uses and urban design elements for the development of the former ACI site. The subject site forms part of Stage 6 of the masterplan. The 10 stages of the masterplan are shown in Figure 6 below, with the subject Stage 6 outlined in red.

On 29 July 2004, deferred commencement consent **D/2003/927** was granted by the Central Sydney Planning Committee for the construction of 4 buildings containing 242 residential units, 70m² of retail space, and associated 255 parking spaces. The deferred commencement condition relating to the detailed design of the building facades was satisfied on 22 September 2004 and the consent was activated. The four buildings, being Buildings A, B, C and D are shown in Figure 6, while the approved Level 3 plan is provided in Figure 7, showing the shared loading bay and recycling bin storage area.

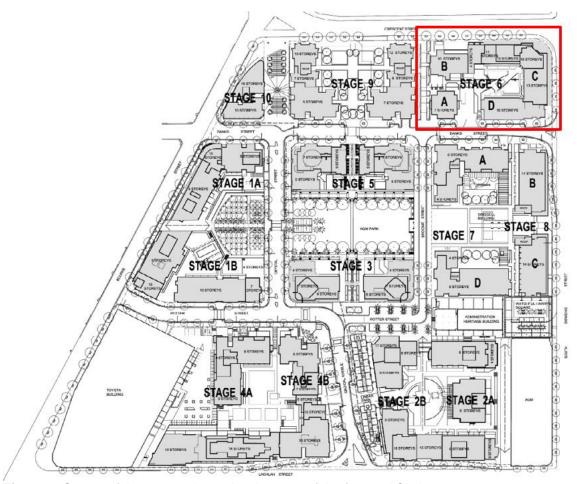


Figure 6: Stages of the masterplan redevelopment of the former ACI site

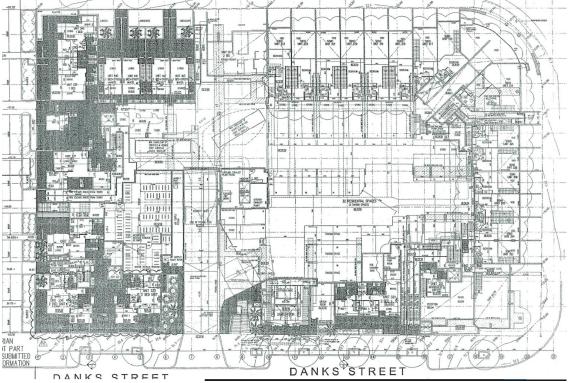


Figure 7: Level 3 plan for Buildings A-D

- 10. The development consent D/2003/927 has been subsequently modified. The following modification applications are relevant to the subject application:
 - D/2003/927/G was approved on 29 August 2005 to convert the studies of nine apartments into bedrooms, deletion of a roof top communal open space, and modify the retail tenancy floor space. As amended, the consent allows 226 residential units, 15 home/office (SOHO) units, 71m² retail floor space, and 255 parking spaces.
 - D/2003/927/J was approved on 14 December 2005 for physical works related to serviced apartments in Buildings C and D such as linen room, reception desk, staff room [the use is separately approved under D/2005/1989] and the conversion of 26 three-bedroom apartments in Buildings C and D into dual key apartments.

It is noted that Condition 1d was added to prevent the strata subdivision of the 26 dual key apartments, requiring each of the former three-bedroom apartments to remain as a single strata lot; and Condition 1e was added to require the partial surrender of D/2003/927 for the use of Buildings C and D as permanent residential apartment.

11. On 12 January 2006, deferred commencement consent D/2005/1989 was granted for the use of residential apartments in Building C and D as serviced apartments. The deferred commencement condition required the partial surrender of D/2003/927 for the use of those apartments as permanent residential apartments. The deferred commencement requirement was satisfied on 2 February 2006, and the consent was subsequently activated.

NOTE: The consent included no physical works and does not affect Buildings A and B.

Additional Information

- 12. Following an assessment of the proposed development by Council Officers, a request for additional information was sent to the applicant on 9 March 2022. The following were requested:
 - updated acoustic report to demonstrate compliance with the noise and vibration criteria stipulated by the State Environmental Planning Policy (Transport and Infrastructure) 2021;
 - (b) updated waste management plan to outline the proposed management procedure for the residential apartments;
 - (c) evidence to demonstrate how the proposed development is eligible for an exemption for section 7.11 development contribution pursuant to Table 2, Section 1.3 of the City of Sydney Development Contributions Plan 2015 and an exemption for affordable housing contribution pursuant to Section 2.2 of the City of Sydney Affordable Housing Program;
 - (d) diagrams to identify the proposed apartment mix and the number of parking spaces, car wash bays, and bicycle parking spaces;
 - (e) confirm the new uses for the existing back-of-house facilities associated with the service apartments; and

- (f) a gross floor area calculation plan to confirm the FSR of the site.
- 13. The applicant responded to the request on 7 September 2022 and submitted the following information:
 - (a) written statement referring to the amendment to the SEPP (Transport and Infrastructure) 2021 made on 12 August 2022 to remove the noise and vibration consideration for developments pursuant to Chapter 3, Part 7 of the SEPP (Housing) 2021;
 - (b) updated floor plans to nominate the use of existing back-of-house facilities on Level 2 as bulky waste storage, and an updated waste management plan to outline the waste management procedure, utilising the existing loading bay and recycling waste storage area located on the adjoining 28 Danks Street;
 - (c) confirmation of the apartment mix, including the number of dual-key apartments that were converted from three-bedroom apartments;
 - (d) number of car parking spaces, car wash bays, and bicycle parking provided within the subject site;
 - (e) a gross floor area calculation plan to demonstrate that no changes to the site's existing FSR as a result of the proposed change of use;
 - (f) receipt demonstrating previous payment of s94 (now s7.11) development contributions; and
 - (g) receipt demonstrating previous payment for affordable housing contributions and a request for an exemption to be considered.

Proposed Development

- 14. The application seeks consent for the change of use of Buildings C and D from serviced apartments to residential apartments, as originally approved under development consent D/2003/972 (as amended).
- 15. The two buildings currently contain 158 apartments, including 26 three-bedroom apartments that have been approved as dual key apartments. Those dual key apartments comprise three studios, 42 one-bedrooms, and seven two-bedrooms, increasing the total number of apartments to 184.
- 16. Existing back-of-house facilities associated with the serviced apartments, being linen store, office and house-keeper store, are proposed to be repurposed as bulky waste storage area.
- 17. The buildings also contain a ground floor retail tenancy at the southeast corner. No specific use is proposed for the tenancy. Thus, its fitout and use are subject to separate development consent/s and a condition is recommended to restrict the hours of operation to the typical hours for commercial premises under a complying development certificate.
- 18. The application proposes no changes to the existing vehicular access off Danks Street, and maintains the existing servicing, loading, and parking arrangements as originally approved.

Assessment

19. The proposed development has been assessed under Section 4.15 of the Environmental Planning and Assessment Act 1979 (EP&A Act).

State Environmental Planning Policies

State Environmental Planning Policy (Housing) 2021

20. The aim of SEPP (Housing) 2021 is to provide a consistent planning regime for the provision of diverse housing types, especially in locations where it will make good use of existing and planned infrastructure and services.

Chapter 3 Diverse Housing - Part 7 Conversion of certain serviced apartments

- 21. Chapter 3 Part 7 is applicable to the subject application as the existing buildings are currently used for the purposes of serviced apartments under D/2005/1989 and have previously been the subject of a development consent for the use as a residential flat building under D/2003/927.
- 22. Section 116 enables the conversion of serviced apartments to residential flat buildings, given 'residential flat buildings' are permitted on the subject site, which is zoned B4 Mixed Use.
- 23. In accordance with Section 115(2), the Apartment Design Guide is not to be taken into consideration when determining the subject application.

State Environmental Planning Policy No 65 - Design Quality of Residential Flat Development

- 24. The aim of SEPP 65 is to improve the design quality of residential apartment development in New South Wales.
- 25. When determining an application for a residential flat development of three or more floors and containing four or more apartments, SEPP 65 requires the consent authority take into consideration a number of matters relating to design quality, including the design quality principles as set out in Schedule 1.
- 26. The applicant has submitted a design verification statement prepared by Ian Lim (no. 8473) with the application, addressing the design quality principles set out in Schedule 1 of this SEPP. The statement is deemed to satisfy Clause 50(1A) of the Environmental Planning and Assessment Regulation 2000.
- 27. An assessment of the proposal against the design quality principles is provided below:
 - (a) Principle 1: Context and Neighbourhood Character

The site was redeveloped as part of the wider redevelopment of the ACI site. The existing building responds to its surrounding context and contributes to the now established residential character of the area. The proposal will not modify the existing buildings, hence maintaining that contribution to the surrounding streetscape and character.

(b) Principle 2: Built Form and Scale

The proposal will not modify the existing buildings' form and scale, which is compatible with the neighbouring buildings, including the predominantly residential developments to the north, west, and south.

(c) Principle 3: Density

The proposal maintains the existing number and variety of apartment as originally approved. It maintains the level of amenity approved by the original development consent for the future residents and will not result in any additional amenity impacts to neighbouring properties.

The density is appropriate in the local context, particularly in proximity to established infrastructure, public transport, community and recreational facilities.

(d) Principle 4: Sustainability

The apartments were designed to maximise access to natural light, and the achievement of natural cross ventilation. Centralised waste management facilities were also provided. These features are not altered by the proposal.

The site is located close to existing public transport and is well-serviced by the existing dedicated cycleway that runs along Bourke Street to encourage the use of alternative transport modes to private vehicles.

(e) Principle 5: Landscape

A communal podium open space is provided between Buildings C and D that accommodates landscaping and tree plantings. The proposal will maintain the landscaping currently accommodated within the open space.

(f) Principle 6: Amenity

The existing buildings were approved with an acceptable level of amenity. The proposal will not diminish that level of amenity for the future residents of the development and will not result in any additional amenity impacts to neighbouring properties.

(g) Principle 7: Safety

The proposal provides for passive surveillance of the three street frontages, including the corners. The communal open spaces are easily accessible and clearly defined. Appropriate security gate is provided to the street entrance to the podium open space from Danks Street, and the open space is highly visible to the apartments to optimise passive surveillance. The design is generally consistent with the principles of Crime Prevention Through Environmental Design.

(h) Principle 8: Housing Diversity and Social Interaction

The proposal will provide an appropriate mix of dwelling types with varying sizes to accommodate different demographics. Communal open spaces are designed to accommodate active and passive uses, to provide amenity to the residents and encourage social interaction.

(i) Principle 9: Aesthetics

The proposal will not alter the existing design of Buildings C and D. The design is of an acceptable standard and is compatible with existing neighbouring developments and the desired character of the locality.

- 28. The development is acceptable when assessed against the SEPP including the above stated principles.
- 29. It should be noted that Clause 6A(2) of the SEPP specifies that provisions of Sydney Development Control Plan 2012 are of no effect regarding matters of visual privacy, solar and daylight access, common circulation and spaces, apartment size and layout, ceiling heights, private open space and balconies, natural ventilation, and storage.

State Environmental Planning Policy (Transport and Infrastructure) 2021

30. The provisions of SEPP (Infrastructure) 2007 have been considered in the assessment of the development application.

Section 2.119 – Development with frontage to classified road

- 31. The application is subject to Section 2.119 of the SEPP as the site has a frontage to South Dowling Street which is a classified road.
- 32. The proposed development satisfies the provisions of section 2.119 as access to the site is not provided from the classified road and the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development.
- 33. The application was referred to the Transport for NSW, who raised no objections and did not recommend any conditions.

Section 2.120 - Impact of road noise or vibration on non-road development

- 34. The application is subject to Section 2.120 of the SEPP as the proposed use, being residential accommodation, is likely to be adversely affected by road noise or vibration from the adjacent South Dowling Street.
- 35. Clause (3A), however, was added on 12 August 2022 to exclude the consideration of the identified noise and vibration criteria of section 2.120 for developments pursuant to Chapter 3, Part 7 of SEPP (Housing) 2021.
- 36. Compliance with the identified noise and vibration criteria of section 2.120 is therefore not required.

State Environmental Planning Policy (Resilience and Hazards) 2021

- 37. Chapter 4 of the State Environmental Planning Policy (Resilience and Hazards) 2021 is to ensure that a change of land use will not increase the risk to health, particularly in circumstances where a more sensitive land use is proposed.
- 38. The subject site was redeveloped circa 2004-2006 under development consent D/2003/927 (as amended) as a residential flat building. The site was made suitable for residential purposes and was subjected to a Site Audit Statement issued by an EPA Accredited Site Auditor.

- 39. This development application does not include any physical works to the existing buildings, thus there will be no exposure created to any potential sub-surface contaminants.
- 40. Council's Health Unit has reviewed the history of the site and considers the site is suitable for the proposed use.

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

41. A BASIX Certificate has been submitted with the development application to demonstrate that the existing building can satisfy BASIX requirements subject to possible replacement of existing fixtures. A condition of consent is recommended ensuring the measures detailed in the BASIX certificate are implemented.

Sydney Local Environmental Plan 2012

42. An assessment of the proposed development against the relevant provisions of the Sydney Local Environmental Plan 2012 is provided in the following sections.

Part 2 Permitted or prohibited development

Provision	Compliance	Comment
2.3 Zone objectives and Land Use Table	Yes	The site is located in the B4 Mixed Use zone. The proposed development is defined as residential flat building and is permissible with consent in the zone. The proposal generally meets the objectives of the zone.

Part 4 Principal development standards

Provision	Compliance	Comment
4.3 Height of buildings	Yes	A maximum building height of 45m is permitted. The proposal will not alter the height of the existing buildings.
4.4 Floor space ratio	Yes	A maximum FSR of 3.75:1 is permitted. The proposal, including the change of use of existing back-of-house services located on the ground floor, will not alter the existing FSR for the site.

Part 7 Local provisions - general

Provision	Compliance	Comment
Division 1 Car parking ancillary t	o other develop	ment
7.5 Residential flat buildings, dual occupancies and multi	Acceptable	The proposal will not alter the existing provision of car parking spaces.
dwelling housing		While the existing 184 residential car parking spaces exceeds the maximum

Provision	Compliance	Comment	
		137 permitted under section 7.5; section 7.1(3) clarifies that a reduction is not required in an existing building.	
7.7 Retail premises	Yes	The existing 2 retail parking spaces is compliant with the maximum of 2 spaces permitted under section 7.7.	
Division 3 Affordable housing			
7.13 Contribution for purpose of affordable housing		An affordable housing contribution is not payable as an exemption in accordance with Section 2.2 of City of Sydney Affordable Housing Program is considered acceptable. See 'Financial Contributions' section below for details.	

Development Control Plans

Sydney Development Control Plan 2012

43. An assessment of the proposed development against the relevant provisions within the Sydney Development Control Plan 2012 is provided in the following sections.

Section 2 - Locality Statements

44. The site is located within the Danks Street locality. The proposed development is in keeping with the unique character and the design principles of the locality.

Section 3 – General Provisions

Provision	Compliance	Comment
3.6 Ecologically Sustainable Development	Yes	The proposal satisfies BASIX and environmental requirements.
3.8 Subdivision, Strata Subdivision and Consolidation	Yes	A condition is recommended to require the dual key apartments to remain on a single strata lot to allow them to be converted back to three-bedroom apartments in the future if desired. This requirement is consistent with the requirements of the original development consent D/2003/927.
3.11 Transport and Parking	Yes	Existing easement allows the subject site to access the loading bay located on the portion of the basement below 28 Danks Street. A condition is recommended to

Provision	Compliance	Comment
		specify the maximum vehicle size to service the site is 10.8m. This is consistent with the original development consent D/2003/927.
		No changes are proposed to the existing car parking allocation. Two (2) car wash bays are also maintained.
3.14 Waste	Yes	The subject site will utilise the existing loading area and recycling waste storage area located at 28 Danks Street, which access is secured by existing easements.
		Existing back-of-house facilities associated with the service apartments will also be repurposed as bulky waste storage area to comply with the City's Guidelines for Waste Management in New Development.
		Conditions have been recommended in Attachment A to ensure appropriate waste management will occur in accordance with the relevant provisions of the <i>Guidelines</i> .

Section 4 – Development Types

4.2 Residential Flat, Commercial and Mixed Use Developments

Provision	Compliance	Comment
4.2.1 Building height 4.2.2 Building setbacks	Yes	The proposal will not alter the existing building envelope nor the floor to ceiling heights as originally approved.
4.2.3.5 Landscaping	Yes	The existing landscaping, including the landscaped area within the podium open space, are not altered by this application.
4.2.3.12 Flexible housing and dwelling mix	Yes	The existing buildings have been approved with 158 apartments, including 26 dual key apartments.
		Prior to the conversion of the 26 three-bedrooms into dual key apartments, the apartment mix of 12.6% studio, 31% one-bedrooms, 49% two-bedrooms and 18.4% three-bedrooms is generally consistent with the recommended ratio.

Provision	Compliance	Comment
		The 26 dual key apartments provide as an alternative 3 studios, 42 one-bedrooms, and 7 two-bedrooms.
		The mix of dwelling type is considered appropriate to accommodate a diverse population and achieve social diversity. In particular, the dual key apartments provide additional flexibility to enable future changes in internal configurations to cater for future needs.
		The 26 dual key apartments are currently contained within a single strata unit according to the strata plan included in Attachment B2. A condition is also recommended to reinforce this requirement.
4.2.6 Waste and recycling Management	Yes	Conditions are recommended to ensure compliance with the relevant provisions of the City of Sydney Guidelines for Waste Management in New Development.
4.2.8 Letterboxes	Yes	A condition is recommended to confirm the design and installation of letterboxes prior to the occupation of the buildings.

Section 5 – Specific Areas

5.2 Green Square

Provision	Compliance	Comment
5.2.1 Green Square Urban Strategy	Yes	The subject site was redeveloped in accordance with a master plan for the
5.2.2 Objectives for Green Square		former ACI site. The residential units originally approved within the existing building contributes to a residential environment that is supported by a 'local centre' along Dank Street, community facilities, public parks and public streets.
		The proposed change of use will maintain the site's contribution to the desired character of the area and provide a mix of housing choices to support a diverse community.

Consultation

Internal Referrals

45. The application was discussed with Council's Building Services Unit; Environmental Health Unit; Heritage and Urban Design Unit; Surveyors; Transport and Access Unit; and the Waste Management Unit who advised that the proposal is acceptable subject to conditions. Where appropriate, these conditions are included in the Notice of Determination.

Advertising and Notification

- 46. In accordance with the City of Sydney Community Participation Plan 2019, the proposed development was notified and advertised for a period of 21 days between 18 January 2022 and 9 February 2022. A total of 463 properties were notified and a total of 2 submissions were received, including one submission in support and one objection.
- 47. The submission in support made the following comments:
 - (a) **Issue:** The change from serviced apartments to residential apartments will eliminate the current amenity issues, such as loud music at night and littering.

Response: Noted.

- 48. The objection raised the following issue:
 - (a) **Issue:** Sufficient visitor car parking spaces should be provided to avoid visitors using the car parking spaces in the common basement.

Response: According to the approved strata plan included in Attachment B2, no visitor car parking spaces were previously approved in the portion of the basement below the subject site and that all existing car parking spaces are allocated to a strata unit. Notwithstanding, the subject site is well serviced by public transport and the existing cycleway network as alternative transport modes. Nineteen (19) visitor bicycle parking spaces are also provided in the portion of the basement below the subject site.

Financial Contributions

Contribution under Section 7.11 of the EP&A Act 1979

- 49. The development is not subject to a Section 7.11 development contribution under the provisions of the City of Sydney Development Contributions Plan 2015, as a development contribution has previously been charged and paid under a predecessor plan, being the Sydney City Council Section 94 Contributions Plan 2003.
- 50. The contribution amount was calculated on the basis that the buildings would be used as residential apartments instead of serviced apartments. The receipt of payment provided by the applicant has also been verified against Council's record.
- 51. This application is therefore excluded from the need to pay a contribution.

Affordable Housing Contribution under Section 7.13 of the Sydney LEP 2012

- 52. The proposed development is on land within the Green Square affordable housing contribution area, and the proposed development involves the change of use of more than 60sqm of existing floor area of a building. As such, the proposed development is subject to an affordable housing contribution in accordance with Section 7.13(1)(b) of Sydney LEP 2012.
- 53. However, the applicant has made a case for an exemption under Section 2.2 of the City of Sydney Affordable Housing Program in that the estimated development cost of construction for the proposed development is below \$100,000.
- 54. The exemption is considered acceptable, and an affordable housing contribution is therefore not payable.

Relevant Legislation

55. Environmental Planning and Assessment Act 1979.

Conclusion

- 56. The proposed development is generally consistent with the zone objectives contained in Sydney Local Environmental Plan 2012 and the provisions of Chapter 3 Part 7 of the State Environmental Planning Policy (Housing) 2021.
- 57. The proposed development is generally consistent with the design quality principles of SEPP 65 and the residential amenity provisions of Section 4.2 of Sydney Development Control Plan 2012.
- 58. The proposed development is consistent with the objectives and desired future character for the Danks Street locality contained within the Sydney Development Control Plan 2012.

ANDREW THOMAS

Executive Manager Planning and Development

Bryan Li, Senior Planner

Attachment A

Recommended Conditions of Consent

SCHEDULE 1 CONDITIONS OF CONSENT PART A - GENERAL

(1) APPROVED DEVELOPMENT

(a) Development must be in accordance with Development Application No. D/2021/1512 dated 29 December 2021 and the following drawings prepared by MERITON:

Drawing Number	Drawing Name	Date
DA0020 Q	Floor Plan Level 1 Carparking Plan (Stage C-D)	05.08.22
DA0021 AJ	Floor Plan Level 2 Carparking Plan (Stage C-D)	05.08.22
DA0022 AJ	Floor Plan Level 3 Carparking Plan (Stage C-D)	05.08.22
DA0023 AG	Floor Plan Level 4 Plan (Stage C-D)	05.08.22
DA0024 AD	Floor Plan Level 5 Plan (Stage C-D)	05.08.22
DA0025 AA	Floor Plan Level 6 Plan (Stage C-D)	05.08.22
DA0026 AA	Floor Plan Level 7 Plan (Stage C-D)	05.08.22
DA0027 AC	Floor Plan Level 8 Plan (Stage C-D)	05.08.22
DA0028 AE	Floor Plan Level 9 Plan (Stage C-D)	05.08.22
DA0029 AD	Floor Plan Level 10 Plan (Stage C-D)	05.08.22
DA0030 X	Floor Plan Level 11 Plan (Stage C-D)	05.08.22
DA0031 AA	Floor Plan Level 12 Plan (Stage C-D)	05.08.22
DA0032 Z	Floor Plan Level 13 Plan (Stage C-D)	05.08.22
DA0033 W	Floor Plan Level 14 Plan (Stage C-D)	05.08.22
DA0034 Q	Floor Plan Level 15 Plan (Stage C-D)	05.08.22

and as amended by the conditions of this consent.

(b) In the event of any inconsistency between the approved plans and supplementary documentation, the plans will prevail.

Reason

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

(2) USE - SEPARATE DA REQUIRED

No consent is granted or implied for the fit out or specific use of the retail tenancy.

A development consent or Complying Development Certificate (as appropriate) is required to be obtained for the fitout and/or use of that tenancy prior to that fitout and/or use commencing.

Reason

To require separate consent to be obtained for a use.

(3) ALLOCATION FOR CAR WASH BAYS

If car wash bays are provided, spaces must not at any time be allocated, sold or leased to an individual owner/occupier and must be strictly retained as common property by the Owners Corporation for use by all tenants.

Reason

To ensure designated areas within the development are maintained as common property.

(4) ALLOCATION OF ACCESSIBLE CAR PARKING SPACES

For residential development, accessible car parking spaces for people with mobility impairment are only to be allocated as visitor parking or to adaptable units. Where allocated to adaptable units, the unit(s) and car spaces must be assigned to the unit in any future strata subdivision of the building.

Reason

To ensure accessible vehicle parking spaces are allocated to adaptable units.

(5) INTERCOM FOR VISITORS

Where a boom gate or barrier control is in place, the visitor spaces must be accessible to visitors by the location of an intercom (or card controller system) at the car park entry and at least 4m clear of the property boundary, wired to all units. The intercom must comply with Australian Standard AS 1428.2-1992: Design for access and mobility - Enhance and additional requirements - Building and facilities Sections 22 and 23.

Reason

To maintain the orderly operation of vehicle parking areas.

(6) PARKING ON COMMON PROPERTY AREAS

No part of the common property, apart from the visitor vehicle spaces which are to be used only by visitors to the building, and service vehicle spaces which are to be used only by service vehicles, is to be used for the parking or storage of vehicles or boats. The strata subdivision of the building is to include an appropriate documentary restriction pursuant to Section 88B of the Conveyancing Act 1919, so burdening common property, with the Council being the authority to release, vary or modify the restriction.

Reason

To ensure designated areas within the development are maintained as common property.

(7) WASTE AND RECYCLING MANAGEMENT - RESIDENTIAL

- (a) The Waste and Recycling Management Plan accompanying this Development Application has not been approved by this consent.
- (b) An updated Waste and Recycling Management Plan is to be submitted to and approved by Council's Area Coordinator Planning Assessments / Area Planning Manager prior to any Occupation Certificate being issued. The plan must comply with the Council's *Guidelines for Waste Management in New Developments 2018*.
- (c) The updated Waste and Recycling Management Plan must include:
 - (i) Marked up plans of the existing chute discharge rooms and details on how the chute will be secured to ensure safety and confirmation that residents would not have access to the chute room:
 - (ii) The path of travel between the bin storage areas/bulky waste storage areas and the designated waste/recycling collection point;
 - (iii) If consolidation of 240L bins into 1,100L bins are proposed, identify space for a 240L bin lifter and confirmation that the owners will be responsible for the costs of replacing nay red 1,100L bins where in-bin compaction is used;
 - (iv) All nominated waste and recycling storage areas must be constructed to meet the relevant conditions required by Council's *Guidelines for Waste Management in New Developments 2018.*
- (d) Prior to any Occupation Certificate being issued or the use commencing, whichever is earlier, the Principal Certifier must obtain Council's approval of the waste and recycling management facilities provided in the development and ensure arrangements are in place for domestic waste collection by Council.

Reason

To ensure that waste and recycling is appropriately managed.

(8) SIGNAGE TO INDICATE NON-PARTICIPATION IN RESIDENT PARKING PERMIT SCHEME

Signs reading 'all owners, tenants and occupiers of this building are advised that they are not eligible to obtain an on-street resident parking permit from Council' must be permanently displayed and located in prominent places such as at display apartments and on all directory boards or notice boards, where they can easily be observed and read by people entering the building. The signs must be erected prior to an Occupation Certificate being issued and must be maintained in good order at all times by the Owners of the building.

Reason

To ensure all owners, tenants and occupiers of the building are aware that they are not eligible to obtain an on-street resident parking permit.

(9) DUAL KEY APARTMENTS

All dual key apartments must remain on a single strata lot or otherwise not be subdivided. A covenant is to be placed on the title of all dual key apartments and the subject land prohibiting strata subdivision in any form of dual key apartments. Evidence of the creation of the covenant is to be submitted prior to the issue of an Occupation Certificate.

Reason

To ensure all dual key apartments remain on a single strata lot in any future strata subdivision.

PART B – BEFORE THE ISSUE OF A CONSTRUCTION CERTIFICATE

There are no conditions relevant to Part B.

PART C – BEFORE THE COMMENCEMENT OF BUILDING WORK

There are no conditions relevant to Part C.

PART D - WHILE BUILDING WORK IS BEING CARRIED OUT

There are no conditions relevant to Part D.

PART E - BEFORE THE ISSUE OF AN OCCUPATION CERTIFICATE

(10) LETTERBOXES

- (a) Details of the location and design of all letterboxes are to be submitted to and approved by Council's Area Coordinator Planning Assessments / Area Planning Manager prior to the issue of any Occupation Certificate.
- (b) Letterboxes are to be discreetly located, must not obstruct and/or dominate the public way and must be of a type and specification that minimises opportunities for mail theft.
- (c) Where possible, consideration should be given to locating letterboxes within existing secure building lobbies.
- (d) The letterboxes approved under subsection (a) above must be installed prior to the issue of any Occupation Certificate.

<u>Note</u>: The applicant is strongly advised to contact Australia Post to discuss how the letterboxes within the lobby will be accessed.

Reason

To ensure letterboxes are located in an appropriate location on the site to prevent mail theft.

(11) REMOVAL OF SIGN

All existing signage, including the top of building sign, relating to the use of the site as a serviced apartment are to be removed prior to any Occupation Certificate being issued.

Reason

To require the removal of existing signage that do not relate to the approved use of the site.

(12) BASIX

All commitments listed in each relevant BASIX Certificate for the development must be fulfilled prior to any Occupation Certificate being issued.

Reason

To ensure BASIX commitments are fulfilled in accordance with the BASIX certificate (prescribed condition under clause 97A(2) EP&A Regulation).

(13) RESTRICTION ON USE OF CAR SPACES

The following conditions apply to car parking:

- (a) The on-site car parking spaces, exclusive of service and visitor car spaces, are not to be used other than by an occupant, tenant or resident of the subject building.
- (b) Prior to any Occupation Certificate being issued, a documentary restrictive covenant, is to be registered on the Title of the development site pursuant to Section 88E of the *Conveyancing Act 1919*, to the effect of (a) above. The covenant is to be created appurtenant to Council, at no cost to and to the satisfaction of Council.
- (c) Any future strata subdivision of the site is to include a restriction on User pursuant to section 39 of the Strata Titles (Freehold Development) Act, 1973, as amended, burdening all utility car parking allotments in the Strata Plan and/or an appropriate restrictive covenant pursuant to section 88B of the Conveyancing Act 1919 burdening all car parking part - lots in the strata scheme.

Reason

To ensure the on-site car parking spaces are not to be used other than by an occupant, tenant or resident of the building.

PART F - OCCUPATION AND ONGOING USE

(14) OCCUPATION CERTIFICATE TO BE SUBMITTED

An Occupation Certificate must be obtained from the Principal Certifier and a copy submitted to Council prior to commencement of occupation or use of the whole or any part of a new building, an altered portion of, or an extension to an existing building.

Reason

To ensure the site is authorised for occupation.

(15) ON SITE LOADING AREAS AND OPERATION

All loading and unloading operations associated with servicing the site must be carried out within the confines of the site or within the dedicated loading area located on the adjoining property, being 28 Danks Street Zetland, at all times and must not obstruct other properties/units or the public way.

At all times the service vehicle docks, car parking spaces and access driveways must be kept clear of goods and must not be used for storage purposes, including garbage storage.

Reason

To maintain the orderly operation of vehicle parking areas and to ensure the public domain is kept free from physical obstructions.

(16) SERVICE VEHICLE SIZE LIMIT

The size of vehicles servicing the property must be a maximum length of 10.8m.

Reason

To maintain the orderly operation of vehicle parking and loading areas.

(17) WASTE AND RECYCLING MANAGEMENT - RESIDENTIAL

- (a) The collection of waste and recycling must only occur during the designated zone collection times as outlined in the City's Waste Policy Local Approvals Policy for Managing Waste in Public Places 2017.
- (b) Garbage and recycling must not be placed on the street for collection.

Reason

To ensure that waste and recycling is appropriately managed.

(18) USE OF COMMON AREAS AND FACILITIES

The roof top communal space and podium communal space must be available for the use all residents of the building and must be designated as common property on any strata subdivision of the site, with no exclusive use rights.

Reason

To ensure designated areas within the residential development are maintained as common property.

(19) CAR WASH BAYS

- (a) All car wash bays must have connections to water and sewer.
- (b) All car washing must be conducted in a wash bay which is roofed and bunded to exclude rainwater, and which is graded to an internal drainage point connected to sewer in accordance with the trade waste agreement obtained from Sydney Water. Car wash runoff must not enter the stormwater drainage system or give rise to water pollution.

Reason

To ensure the premises has access to water and sewer and to that runoff is discharged appropriately.

(20) CAR PARK VENTILATION

The car park must be ventilated in accordance with the *Building Code of Australia* and, where necessary, Australian Standard AS1668, Parts 1 and 2. Ventilation must be controlled by carbon monoxide monitoring sensors to ensure compliance with occupant health requirements.

Reason

To ensure car park ventilation complies with relevant standards.

(21) NUMBER OF ADULTS PER ROOM

- (a) No more than two adult people shall permanently occupy any bedroom and no bedroom shall contain more than two beds. This excludes children and children's beds, cots or bassinets.
- (b) The total number of adults residing in one unit must not exceed twice the number of approved bedrooms.

Reason

To prevent overcrowding.

(22) HOURS OF OPERATION - RETAIL TENANCY

The hours of operation of the food and drink tenancies are restricted to 7.00am and 10.00pm Monday to Saturday, and 7.00am to 8.00pm Sunday or a public holiday.

Reason

To ensure the premises operates within the approved hours of operation.

SCHEDULE 2

PRESCRIBED CONDITIONS

The prescribed conditions in accordance with Division 8A of the *Environmental Planning and Assessment Regulation 2021* apply:

Clause 69	Compliance with <i>Building Code of Australia</i> and insurance requirements under the <i>Home Building Act 1989</i>
Clause 70	Erection of signs
Clause 71	Notification of Home Building Act 1989 requirements
Clause 72	Conditions relating to entertainment venues
Clause 73	Conditions relating to maximum capacity signage
Clause 74	Conditions relating to shoring and adequacy of adjoining property

Refer to the NSW State legislation for full text of the clauses under Division 2 conditions of the *Environmental Planning and Assessment Regulation 2021*. This can be accessed at: http://www.legislation.nsw.gov.au

Attachment B1

Selected Drawings

By Chk. MER ARCH Revision DA Approval for to residential Date 05.08.22

Conversion of Existing Serviced Apartments to Residential

ACI - STAGE 6 - PRECINCT C Cnr Crescent St & South Dowling St, Waterloo

	DA DRAWING LIST		
Dwg No.	Sheet Name	Scale	Revision
DA0000	COVER SHEET	NTS	٧
DA0001	SITE PLAN	1:500	۵
DA0020	LEVEL 1 CARPARK PLAN (Stage C-D)	1:200	ø
DA0021	LEVEL 2 CARPARK PLAN (Stage C-D)	1:200	7
DA0022	LEVEL 3 CARPARK PLAN (Stage C-D)	1:200	7
DA0023	LEVEL 4 (Stage C-D)	1:200	AG
DA0024	LEVEL 5 (Stage C-D)	1:200	ΑD
DA0025	LEVEL 6 (Stage C-D)	1:200	₩
DA0026	LEVEL 7 (Stage C-D)	1:200	₩
DA0027	LEVEL 8 (Stage C-D)	1:200	AC
DA0028	LEVEL 9 (Stage C-D)	1:200	ΑE
DA0029	LEVEL 10 (Stage C-D)	1:200	AD
DA0030	LEVEL 11 (Stage C-D)	1:200	×
DA0031	LEVEL 12 (Stage C-D)	1:200	AA.
DA0032	LEVEL 13 (Stage C-D)	1:200	Z
DA0033	LEVEL 14 (Stage C-D)	1:200	8
DA0034	LEVEL 15 (Stage C-D)	1:200	Ö
DA0050	GFA DIAGRAMS	NTS	V

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	IAL	643.2
	IAL	1877.2
	IAL	1645.6
	IAL	1727.4
	IAL	1835.5
	IAL	1820.4
	IAL	1202.6
	IAL	1224.9
	IAL	1094.7
	IAL	1062.7
	IAL	950
	IAL	738
L15 RESIDENTIAL	IAL	214.7

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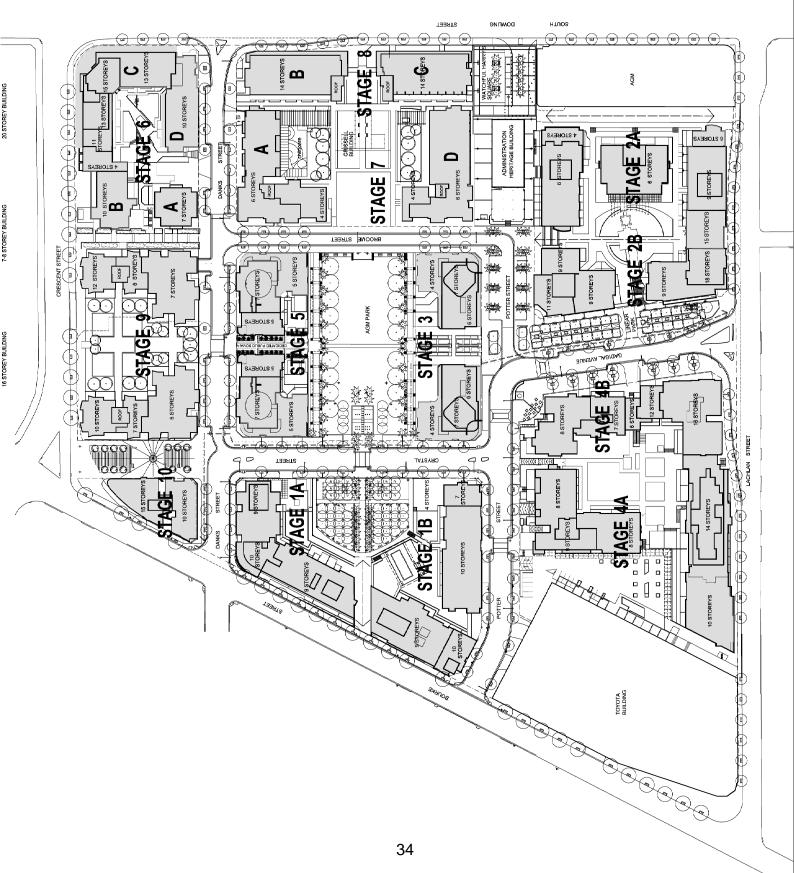
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SOHO - 1 BED	-	10.8%	SOHO - 1 BED	4	3.9%	SOHO - 1 BED	15	8.2%
1 BED	35	34.3%	1 BED	24	23.5%	1 BED	69	32.1%
1 BED + ST	11	10.8%	1 BED + ST	9	2.9%	1 BED + ST	17	9.5%
2 BED	38	37.3%	2 BED	44	43.1%	2 BED	82	44.6%
2 BED + ST	2	2.0%	2 BED + ST	1	1.0%	2 BED + ST	3	1.6%
3 BED	-	1.0%	3 BED	-	1.0%	3 BED	2	1.1%
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ACI - STAGE 6 - PRECINCT C
Cnr Crescent St &
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SITE PLAN Drawing Name

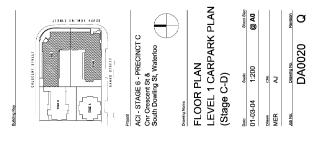
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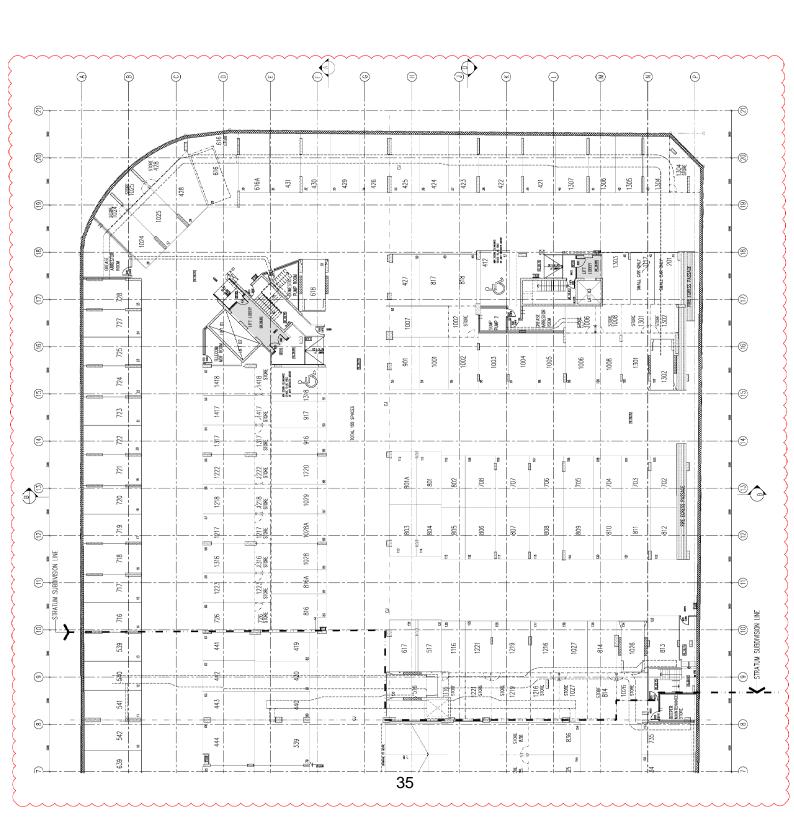


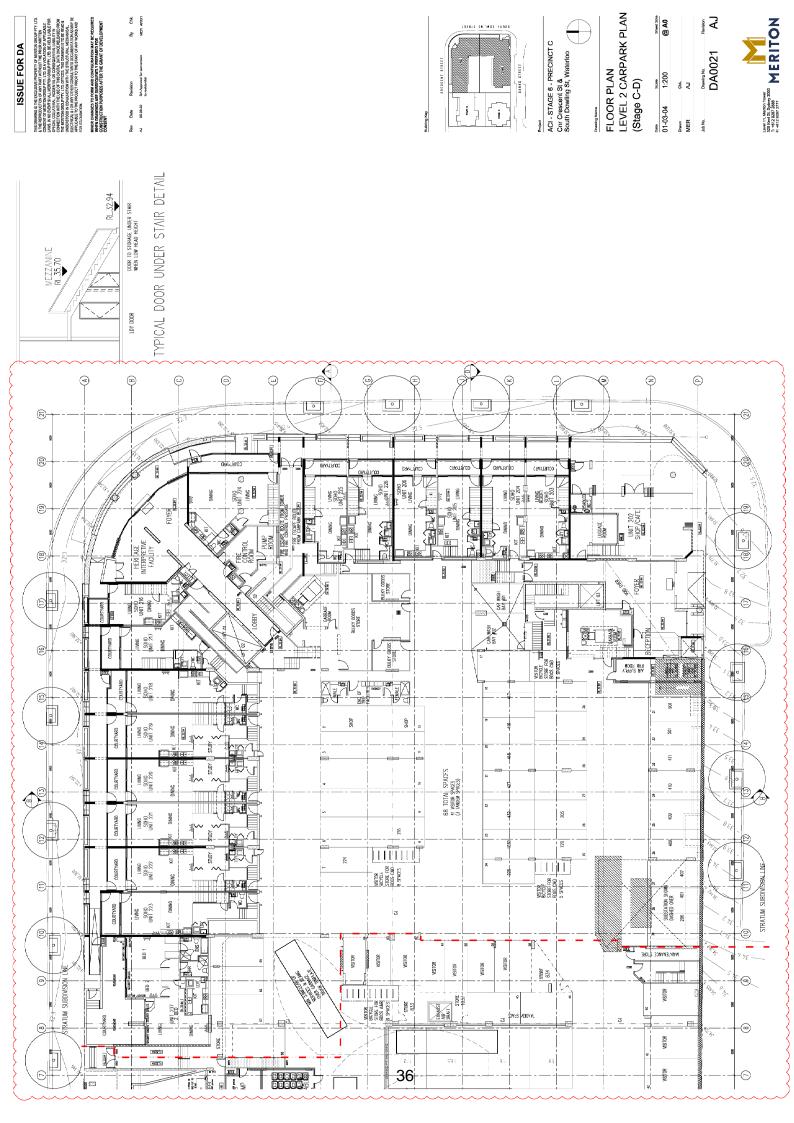
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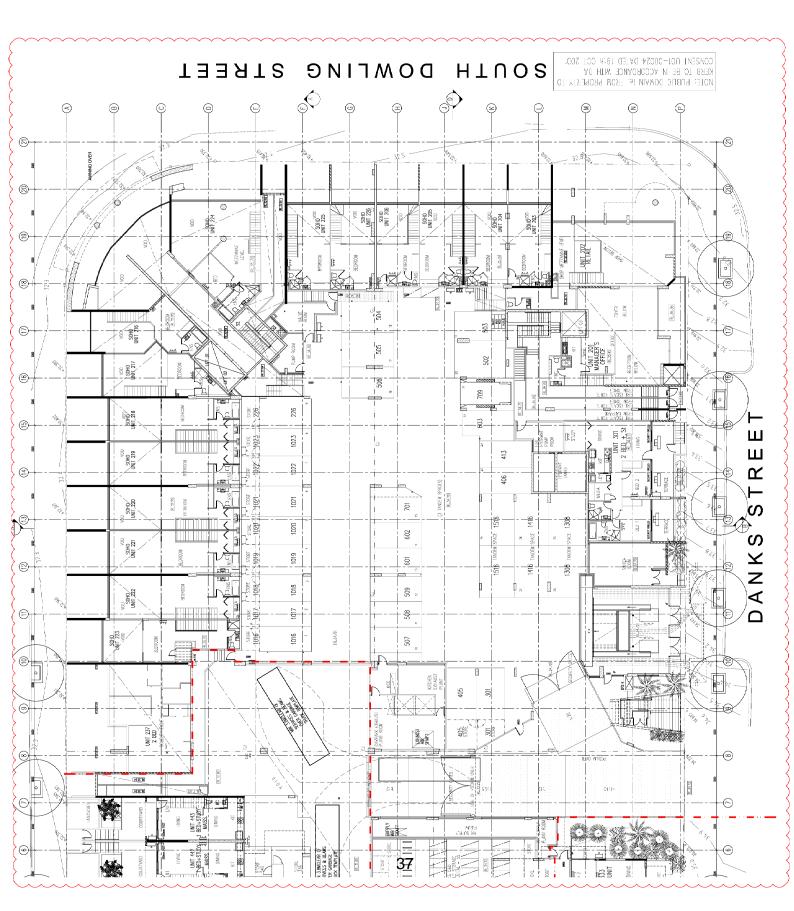
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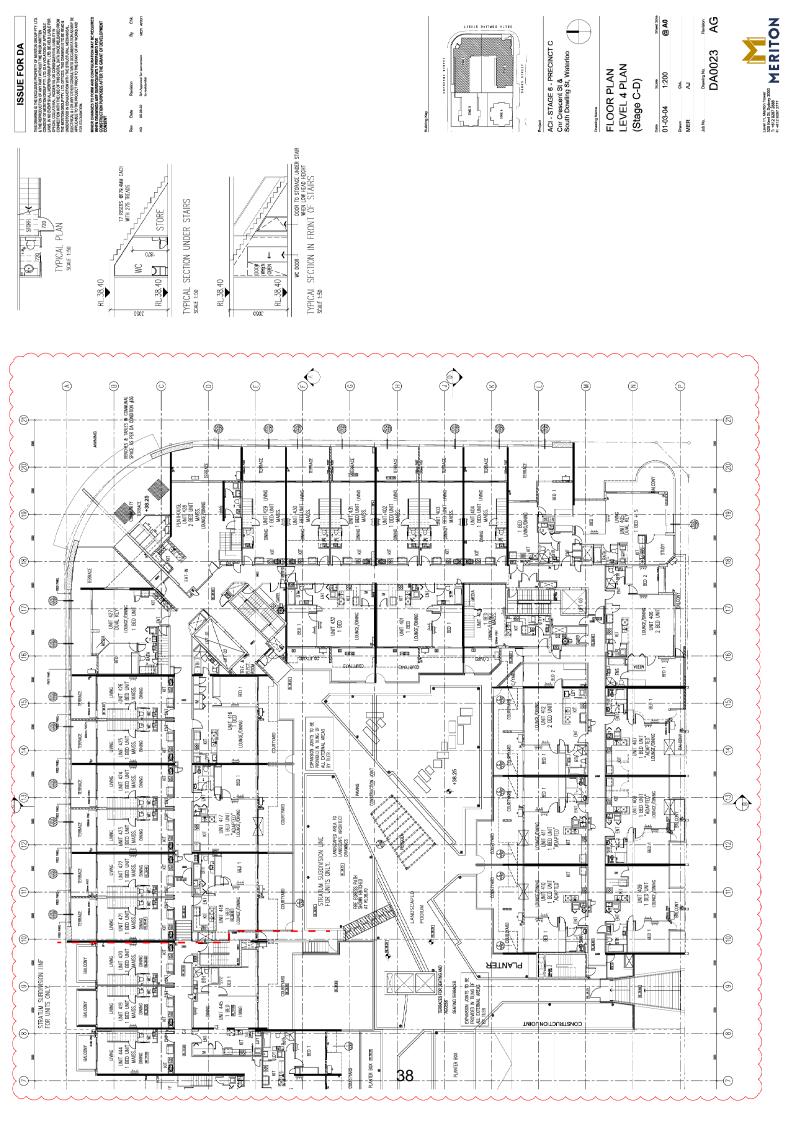








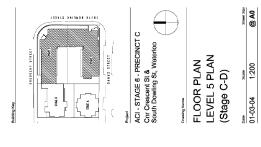




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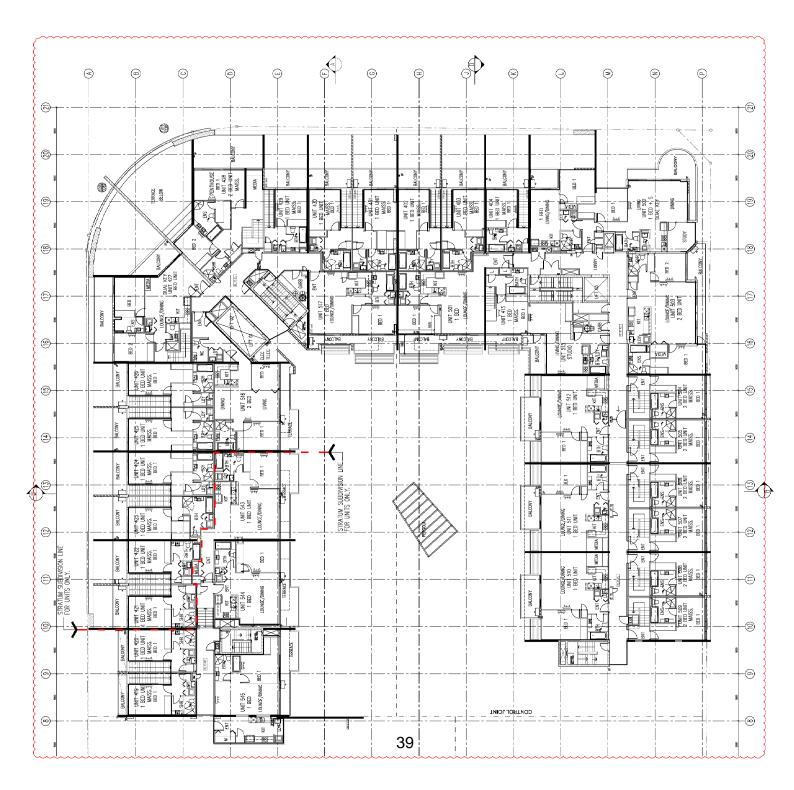
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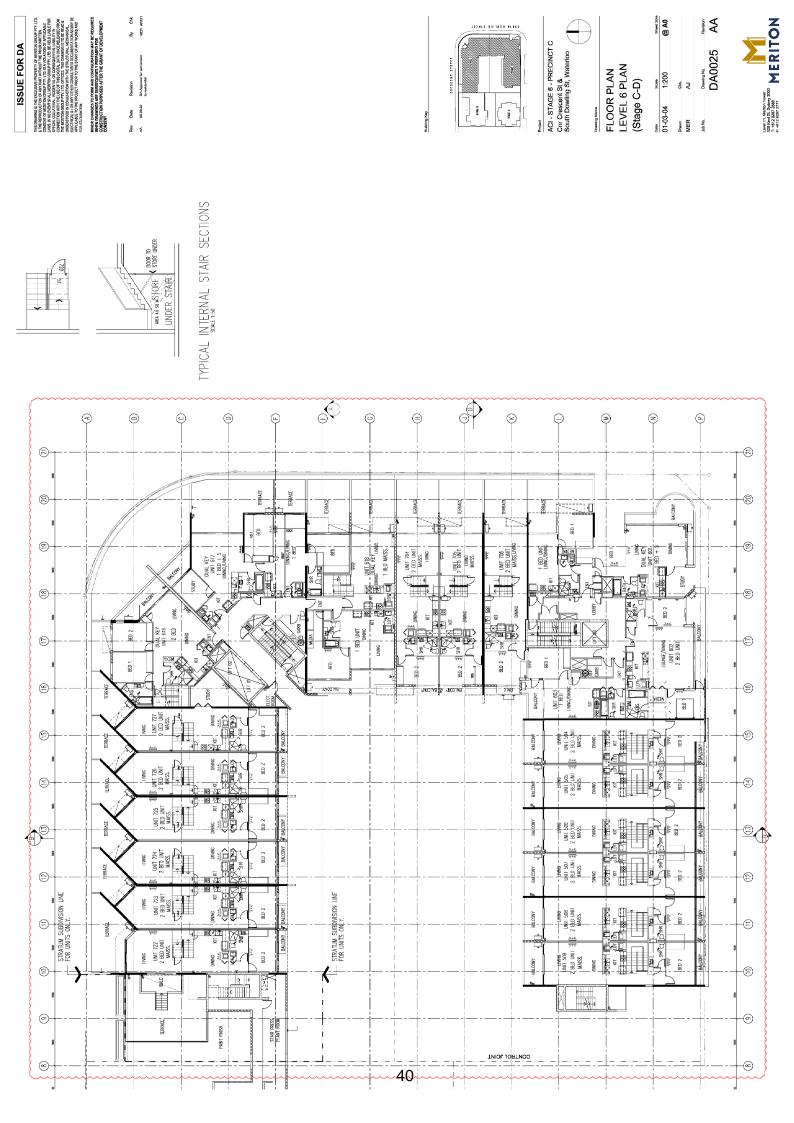
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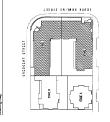
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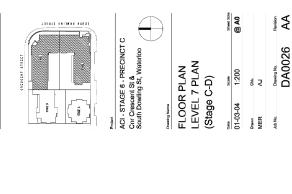
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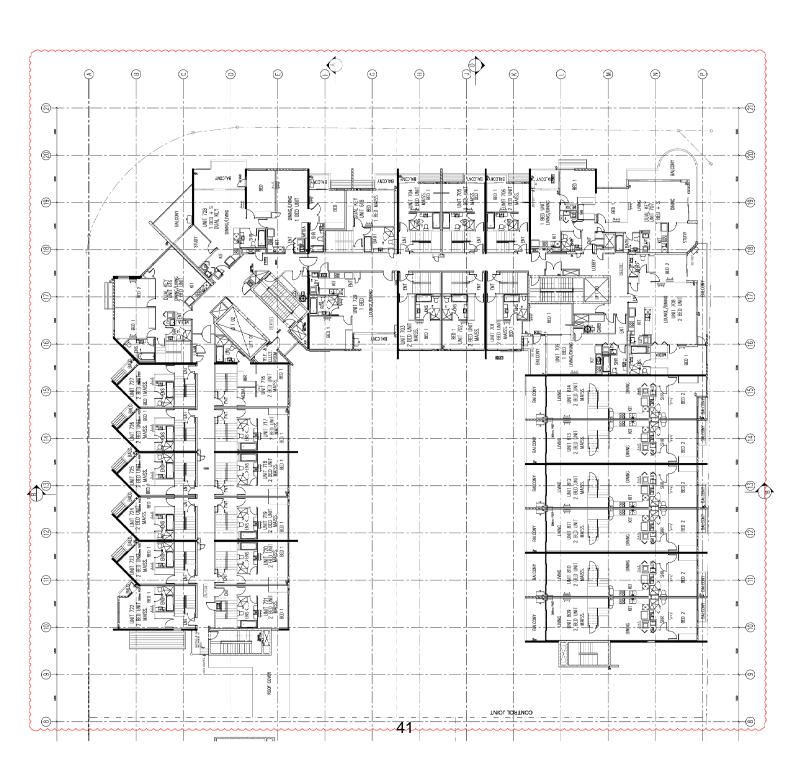
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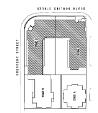
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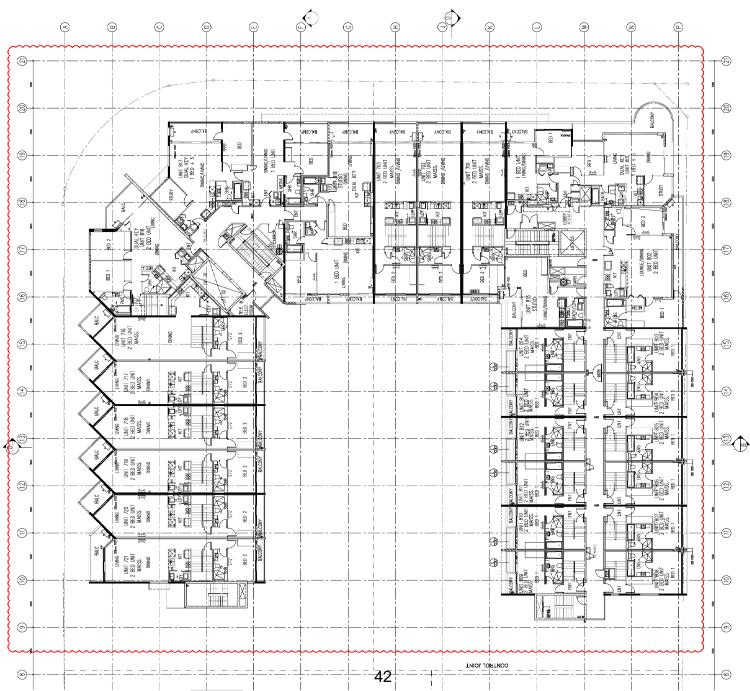


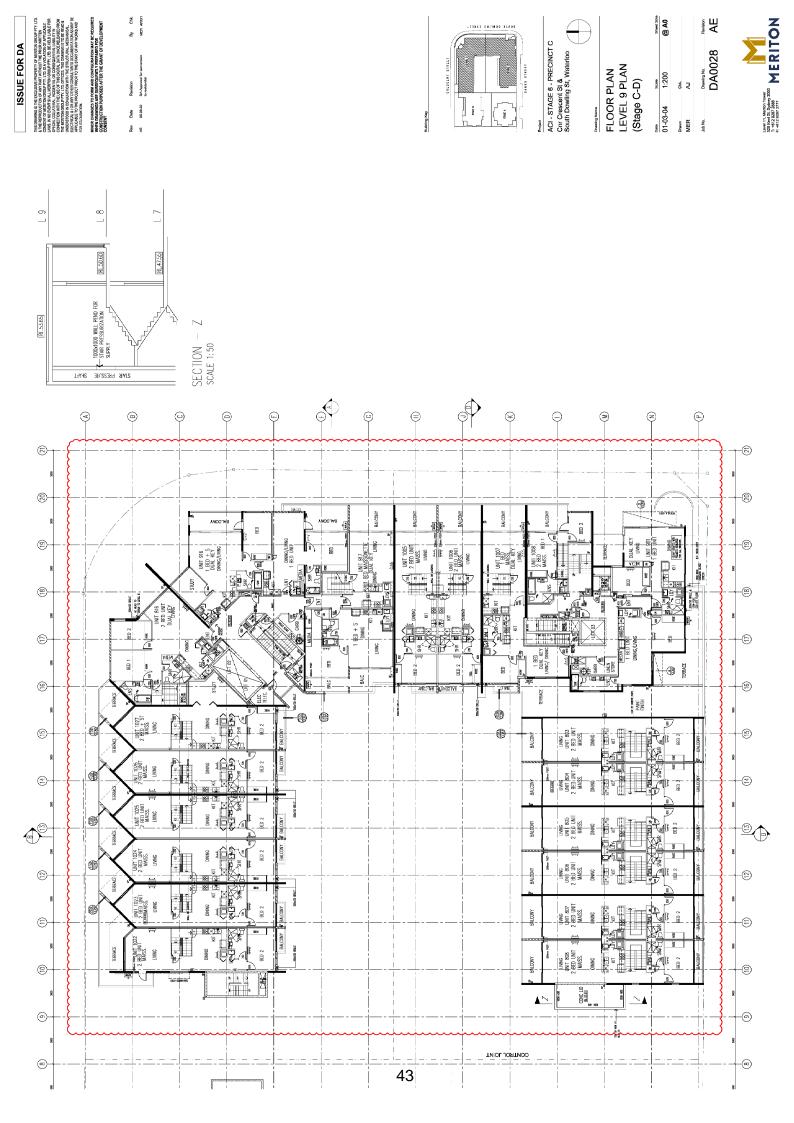




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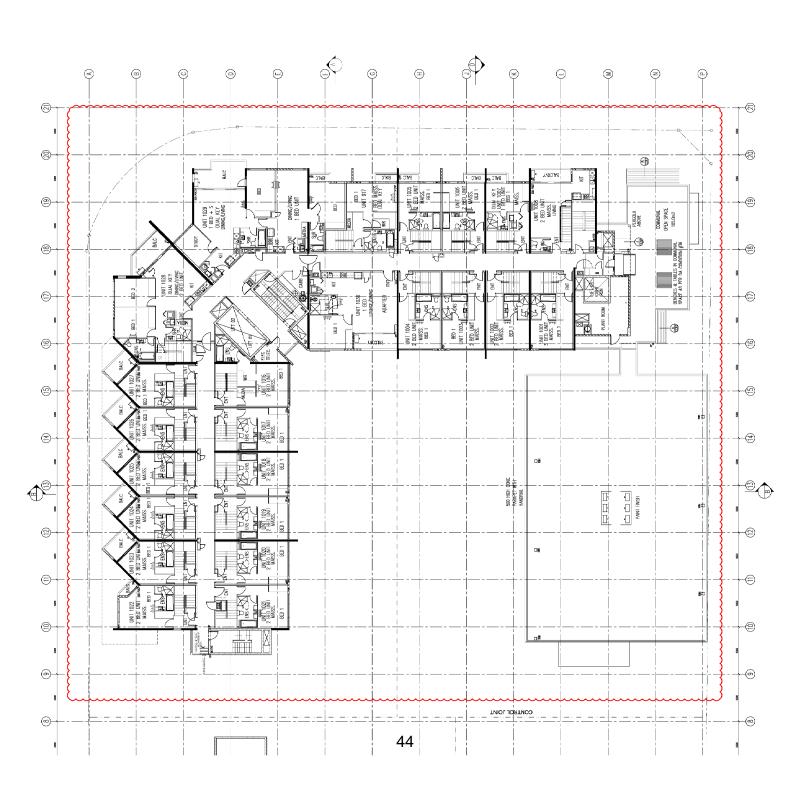
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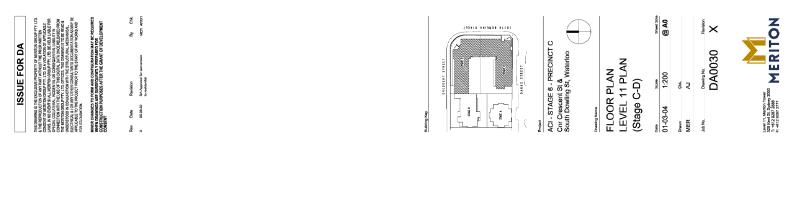
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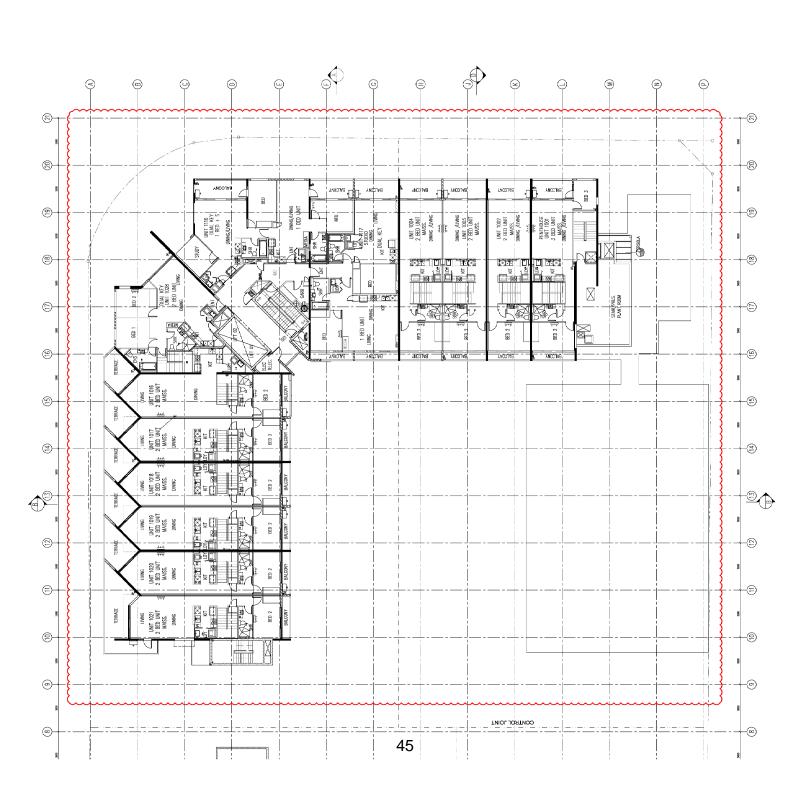
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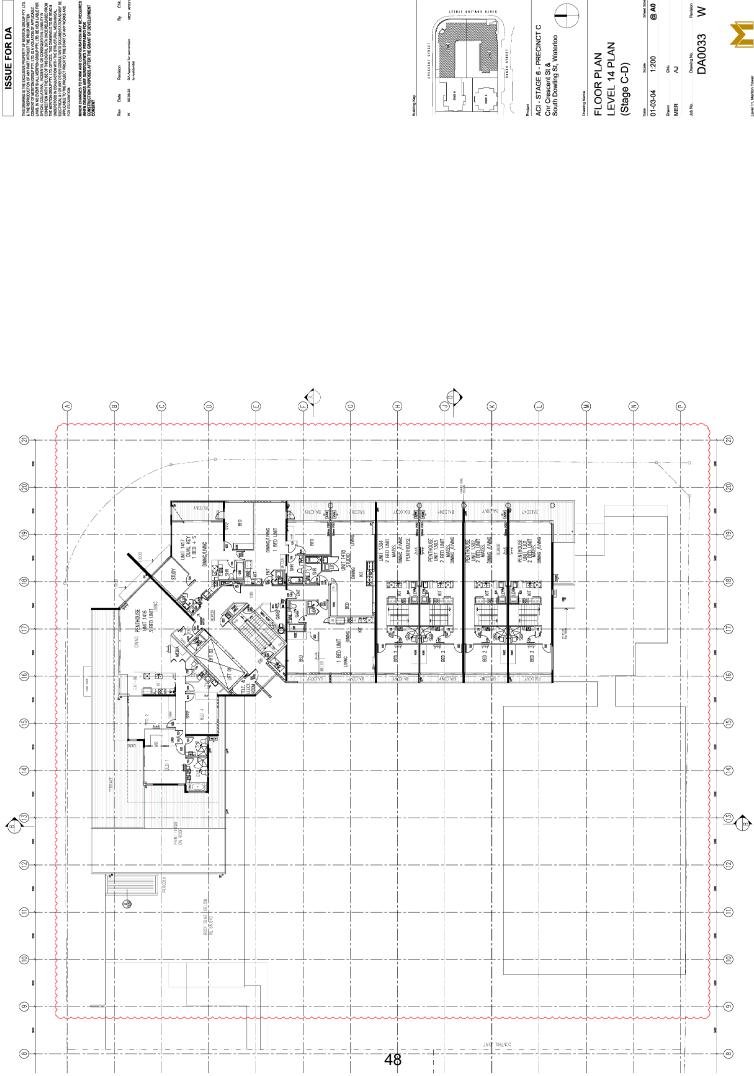
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By Chk.



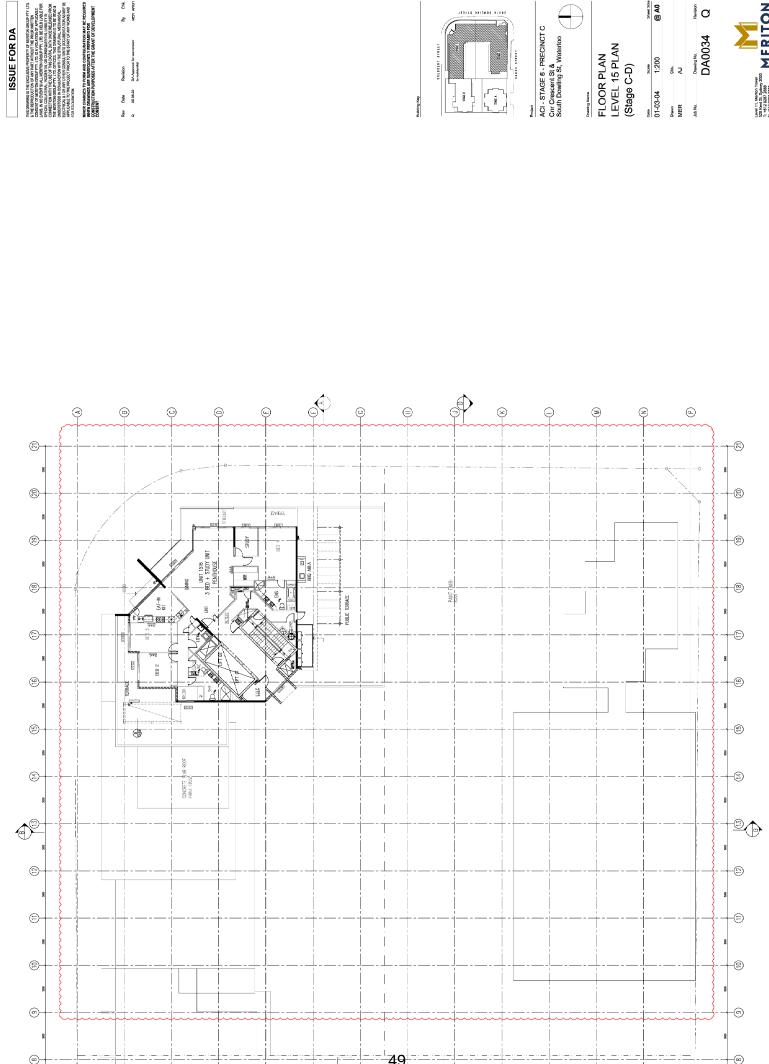
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Attachment B2

Selected Drawings

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STRATA PLAN ADMINISTRATION SHEET Name of, and address for service of notices on, the Owners Corporation. (Address required on original strata plan only) The Owners - Strata Plan No

Nº. 30 DANKS STREET, WATERLOO 2017

Registered:

Purpose:

PLAN OF

SUBDIVISION OF LOT 2 DP 1094580

- *(insert type being adopted) Model by-laws adopted for this scheme
- *Keeping of animals: Option A/B/C
- *Schedule of By-laws in _____sheets filed with plan
- *No By-laws apply
- *strike out whichever is inapplicable

Strata Certificate

*Name of Council/*Accredited Certifier T. GIBSON being satisfied that the requirements of the * Strata Schemes (Freehold Development) Act 1973 or * Strata Schemes (Leasehold-Development) Act 1986 have been complied with, approves of the proposed:

* strata plan/* strata-plan-of-subdivision-

illustrated in the annexure to this certificate.

- *The accredited certifier is satisfied that the plan is consistent with a relevant development consent in force, and that all conditions of the development consent that by its terms are required to be complied with before a strata certificate may be issued, have been complied with.
- The strata plan/strata plan of subdivision is part of a development scheme. The *councit/* accredited certifier is satisfied that the plan is consistent with any applicable conditions of any development consent and that the plan gives effect to the stage of the strata development contract to which
- *The Council does not object to the encroachment of the building beyond the alignment of South Dowling Street
- *The Accredited Certifier is satisfied that the building complies with a relevant development consent in force that allows the encroachment.
- on the condition that the use

Date. 28. 5. 08

Subdivision No. 414/08

Accreditation No. BP80136

Relevant Development Consent No. U 03

norised-Person/General-Manager/Accredited Certifier

*Complete or delete if applicable.

LGA:

SYDNEY CITY

Locality:

WATERL00

Parish:

ALEXANDRIA

County:

CUMBERLAND

Surveyor's Certificate

Wayne Allen Diver-Tuck

JBW Surveyors Pty Ltd

ACN 001 149 373

- a surveyor registered under the Surveying Act, 2002 hereby certify that:
 - (1) each applicable requirement of
 - *Schedule 1A to the Strata Schemes (Freehold Development) Act 1973
 - 4 to the Strata Schemes (Leasehold Development) *Schedule 1 Act 1986

has been met;

- (2) *(a)the building encroaches on a public place *(b)the building encroaches on land (other than a public place), in respect of which encroachment an appropriate
 - *has been created by registered + DP 1038380
 *Is to be created under section 888 of the Conveyancing Act 1919-
- (3) *the survey information recorded in the accompanying location plan is accurate.

Signature: Mayne Dive - Tuch

Date: 11 MAY 2007 & 15TH APRIL 2008

- * Delete if inapplicable
- + State whether dealing or plan, and quote registered number.

SURVEYOR'S REFERENCE: 124013 \\ACI-Stg6:CD

Use STRATA PLAN FORM 3A for additional certificates, signatures and seals

PLAN OF SUBDIVISION OF LOT 2 DP 1094580 Registered: Strata Certificate Details: Subdivision No: 414/08 Date: 28.5.08 Signatures, seals and statements of intention to create easements, restrictions on the use of land or positive covenants (if insufficient space use additional annexure sheet) PURSUANT TO SEC.88B OF THE CONVEYANCING ACT 1919 & SEC 7(3) OF THE STRATA SCHEMES (FREEHOLD DEVELOPMENT) ACT 1973 IT IS INTENDED TO CREATE:-
Strata Certificate Details: Subdivision No: 414/08 Date: 28.5.08 Signatures, seals and statements of intention to create easements, restrictions on the use of land or positive covenants (if insufficient space use additional annexure sheet)
Signatures, seals and statements of intention to create easements, restrictions on the use of land or positive covenants (if insufficient space use additional annexure sheet) URSUANT TO SEC 88B OF THE CONVEYANCING ACT 1919 & SEC 7(3)
(if insufficient space use additional annexure sheet) URSUANT TO SEC.88B OF THE CONVEYANCING ACT 1919 & SEC 7(3)
RESTRICTION ON THE USE OF LAND RESTRICTION ON THE USE OF LAND

52

Sheet 4 of 4 sheet(s)

STRATA PLAN ADMINISTRATION SHEET

PLAN OF

SUBDIVISION OF LOT 2 DP 1094580

Registered:

Strata Certificate Details: Subdivision No: 414/08

Date: 28.5.08

References to door numbers have not been investigated in the Department of Lands and do not form part of the plan for the purpose of the Strata Schemes (Freehold Development) Act 1973

SCHEDULE OF LOT NUMBERS & DOOR NUMBERS BUILDINGS C&D

LOT	DOOR								
1	201	34	417	67	617	100	809	133	1028
2	202	35	418	68	618	101	810	134	1029
3	203	36	421	69	701	102	811	135	1030
4	204	37	422	70	702	103	812	136	1116
5	205	38	423	71	703	104	813	137	1117
6	206	39	424	72	704	105	814	138	1216
7	216	40	425	73	705	106	815	139	1217
8	217	41	426	74	706	107	816	140	1218
9	218	42	427	75	707	108	817	141	1219
10	219	43	428	76	708	109	818	142	1220
11	220	44	429	77	709	110	901	143	1221
12	221	45	430	78	716	111	916	144	1222
13	222	46	431	79	717	112	917	145	1223
14	223	47	432	80	718	113	1001	146	1301
15	224	48	501	81	719	114	1002	147	1302
16	225	49	502	82	720	115	1003	148	1303
17	226	50	503	83	721	116	1004	149	1304
18	237	51	504	84	722	117	1005	150	1305
19	301	52	505	85	723	118	1006	151	1306
20	401	53	506	86	724	119	1007	152	1307
21	402	54	507	87	725	120	1008	153	1308
22	403	55	508	88	726	121	1016	154	1316
23	404	56	509	89	727	122	1017	155	1317
24	405	57	510	90	728	123	1018	156	1318
25	406	58	511	91	729	124	1019	157	1416
26	407	59	512	92	801	125	1020	158	1417
27	408	60	513	93	802	126	1021	159	1418
28	409	61	516	94	803	127	1022	160	1516
29	410	62	517	95	804	128	1023		
30	411	63	601	96	805	129	1024		
31	412	64	602	97	806	130	1025		
32	413	65	603	98	807	131	1026		
33_	416	66	616	99	808	132	1027		

SURVEYOR'S REFERENCE: 124013 \\ACI-Stg6:CD

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STRATA PLAN ADMINISTRATION SHEET Sheet 2 of 4 sheet(s) SUBDIVISION OF LOT 2 DP 1094580 Registered:

Strata Certificate Details: Subdivision No: 414/08 Date: 28.5.08

PLAN OF

SCHEDULE OF UNIT ENTITLEMENT (if insufficient space use additional annexure sheet)

			•		,			1 6			1 6		
LOT	U.E.		LOT	U.E.	LC	T	U.E.		LOT	U.E.		LOT	U.E.
1	12		34	49	67	7	77		100	65	$\ \ $	133	86
2	79		35	49	68	3	77		101	65		134	76
3	54		36	51	69)	67	11	102	65	$\ \ $	135	50
4	54		37	51	70)	67	11	103	65	$\ \ $	136	76
5	54		38	51	7	1	67		104	65][137	76
6	54		39	51	72	2	67		105	65][138	66
7	48		40	51	73	3	67		106	40		139	77
8	49		41	51	74	+	67		107	86][140	79
9	50		42	81	75	5	78]	108	75][141	64
10	51		43	65	76	5	63	1	109	78][142	66
11	51	1	44	50	7	7	52		110	83		143	62
12	51	11	45	50	78	3	62		111	75	11	144	66
13	51	11	46	50	7	9	61		112	78][145	62
14	51		47	49	8	0	61		113	70		146	70
15	53	1	48	54	8	1	61	7	114	69		147	69
16	49		49	77	8:	2	61		115	69		148	69
17	49		50	62	8	3	61		116	69		149	69
18	56		51	65	8	4	61		117	67		150	69
19	61		52	65	8	5	61		118	67		151	69
20	54]	53	65	8	6	61		119	67		152	69
21	55		54	65	8	7	61		120	60		153	75
22	55		55	65	8	8	61		121	64		154	66
23	55		56	65	8	9	62		122	62		155	77
24	77		57	54	9	0	75		123	62		156	50
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28	53		61	50	9	4	66		127	62		160	90
29	54		62	49	9	5	66		128	62			
30	54		63	78	9		66		129	62			
31	66		64	62	9	7	66		130	62			
32	53		65	53	9	8	66		131	62			40.00
33	49		66	79	9	9	66		132	64		AGG	10,000
								_			_		

SURVEYOR'S REFERENCE: 124013 \\ACI-Stg6:CD



CERTIFICATE OF TITLE

REAL PROPERTY ACT, 1900



T	ORRENS TITLE							
REFERENCE TO FOLIO OF THE REGISTER								
IDENTIFIER 2/1094580								
EDITION	DATE OF ISSUE							
2	21/11/2006							
CERTIFICATE AUTHENTICATION CODE								
NQFR-IG-KHN2								

I certify that the person described in the First Schedule is the registered proprietor of an estate in fee simple (or such other estate or interest as is set forth in that Schedule) in the land within described subject to such exceptions, encumbrances, interests and entries as appear in the Second Schedule and to any additional entries in the Folio of the Register.

REGISTRAR GENERAL

LAND

OR IMPRISONMENT (S. 141 REAL PROPERTY ACT

LOT 2 IN DEPOSITED PLAN 1094580

AT WATERLOO

LOCAL GOVERNMENT AREA: SYDNEY

PARISH OF ALEXANDRIA COUNTY OF CUMBERLAND

TITLE DIAGRAM: DP1094580

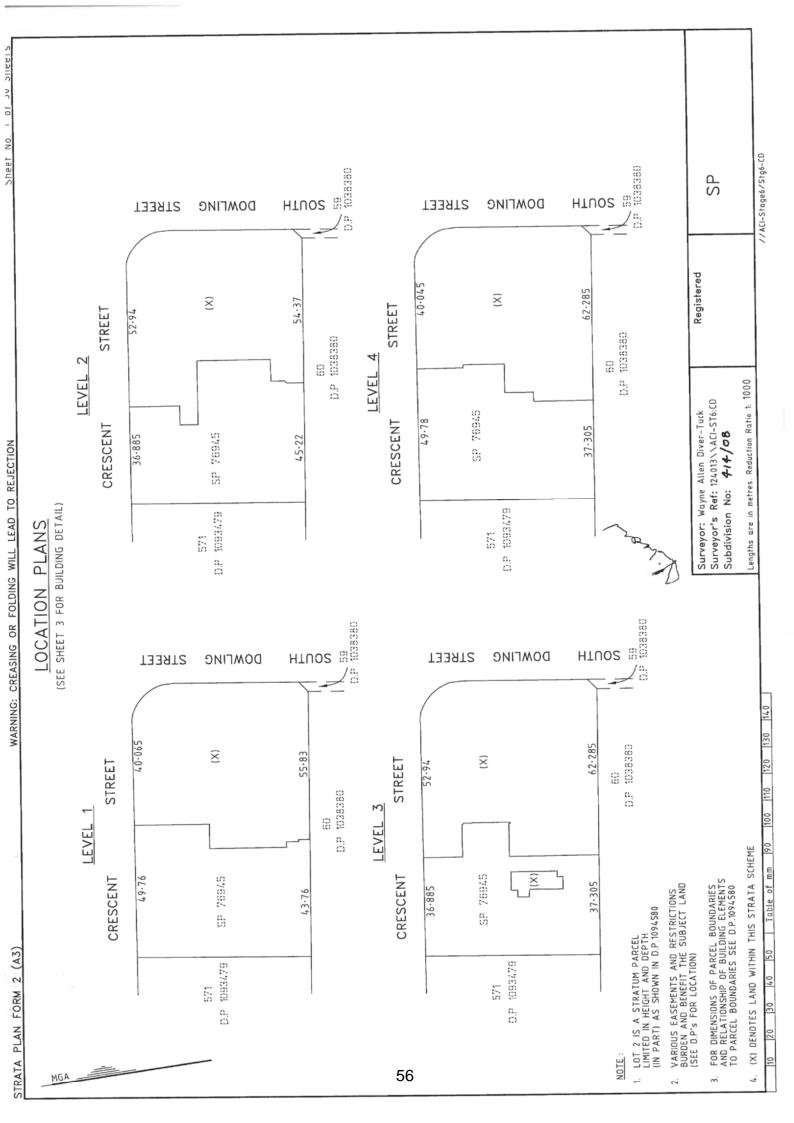
FIRST SCHEDULE

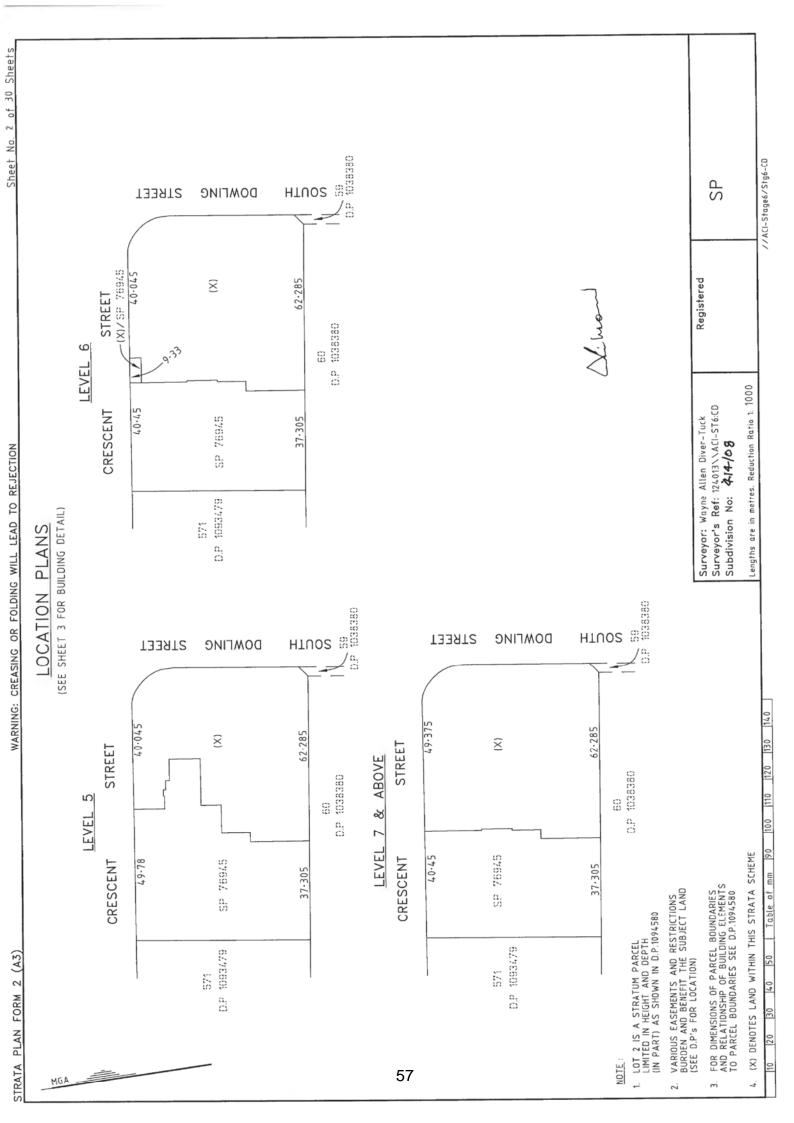
MERITON APARTMENTS PTY LIMITED

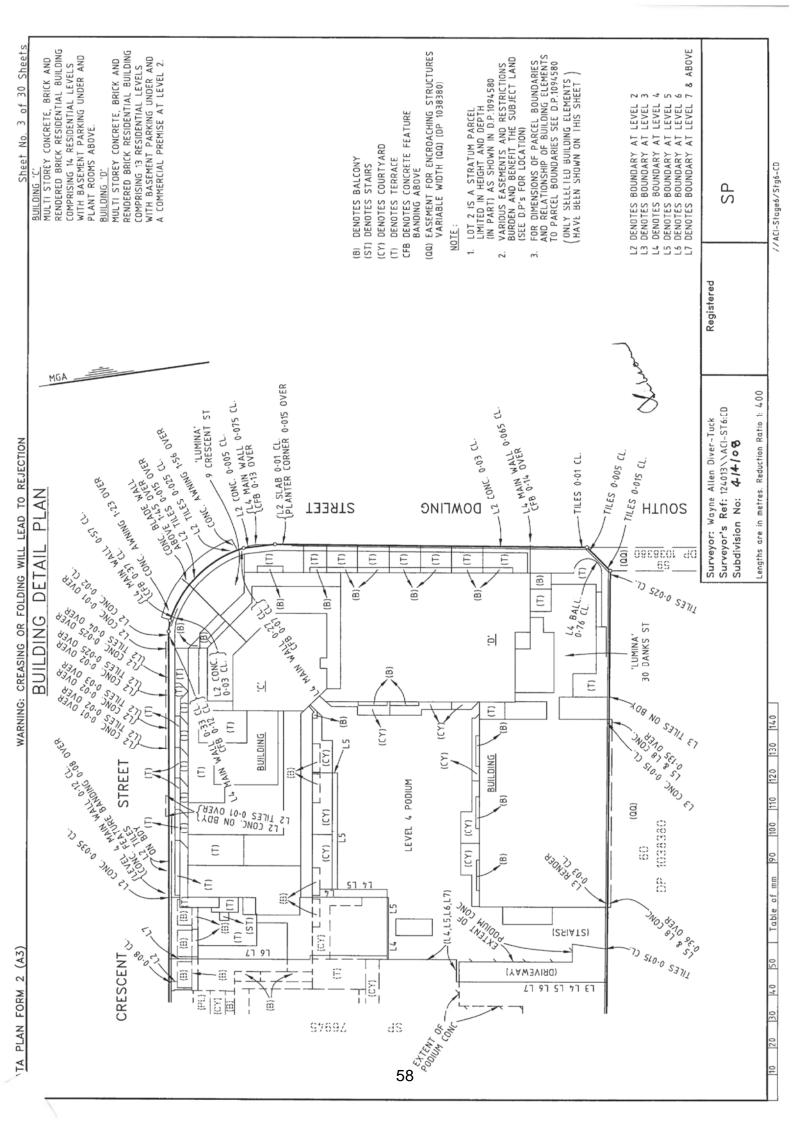
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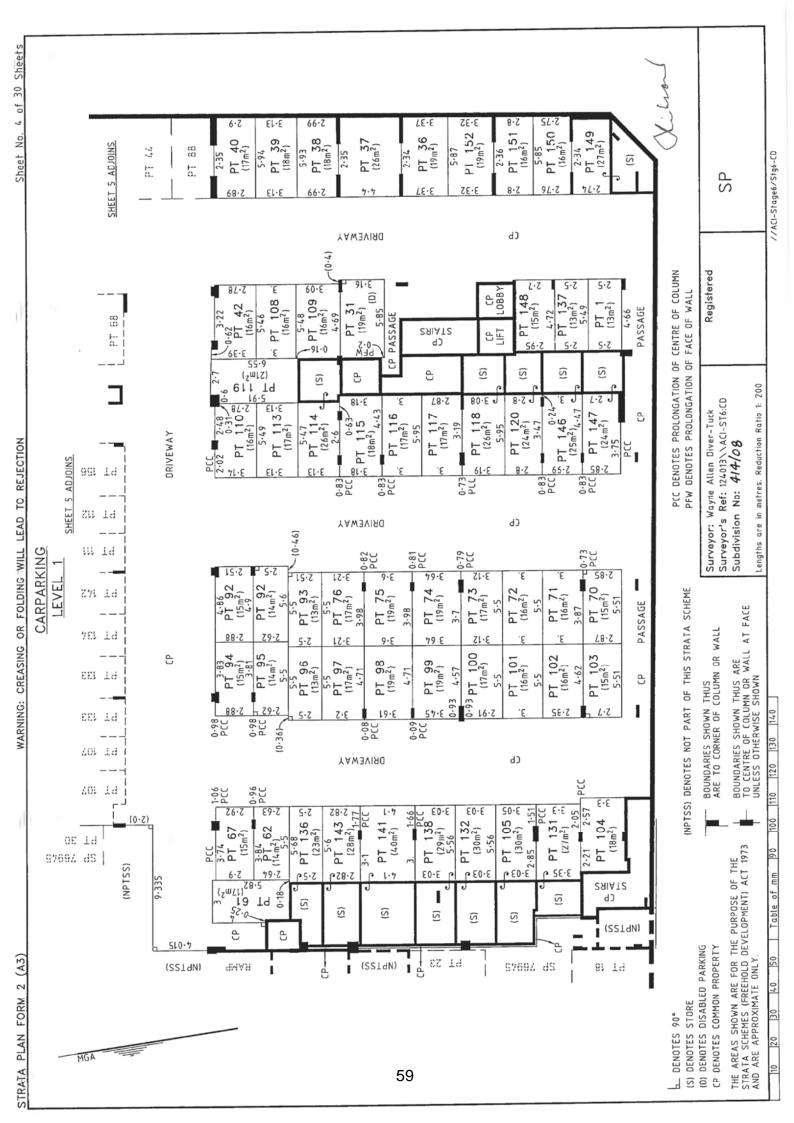
- RESERVATIONS AND CONDITIONS IN THE CROWN GRANT (S
- 2. DP1000368 RESTRICTION(S) ON THE USE OF LAND
- 3. DP1000368 POSITIVE COVENANT
- DP1004914 RESTRICTION(S) ON THE USE OF LAND AS REFERRED TO AND NUMBERED (6) IN THE SECTION 88B INSTRUMENT
- DP1004914 RESTRICTION(S) ON THE USE OF LAND AS REFERRED TO AND NUMBERED (7) IN THE SECTION 88B INSTRUMENT
- DP1004914 EASEMENT FOR SUPPORT DESIGNATED (N) APPURTENANT TO THE LAND ABOVE DESCRIBED
- DP1017691 RIGHT OF CARRIAGEWAY 11 METRES WIDE LIMITED IN HEIGHT AND DEPTH DESIGNATED (EE) APPURTENANT TO THE LAND ABOVE DESCRIBED
- DP1038380 EASEMENT FOR ACCESS VARIABLE WITH DESIGNATED (OO) APPURTENANT TO THE LAND ABOVE DESCRIBED
- DP1038380 EASEMENT FOR SERVICES VARIABLE WIDTH DESIGNATED (PP) APPURTENANT TO THE LAND ABOVE DESCRIBED
- DP1038380 EASEMENT FOR ENCROACHING STRUCTURES VARIABLE WIDTH DESIGNATED (QQ) APPURTENANT TO THE LAND ABOVE DESCRIBED
- 11. 9039572 POSITIVE COVENANT
- 12. DP1055716 RIGHT OF ACCESS VARIABLE WIDTH LIMITED IN HEIGHT DESIGNATED (RR) APPURTENANT TO THE LAND ABOVE DESCRIBED
- EASEMENT FOR ACCESS AND USE OF RECREATION CENTRE SP71118 APPURTENANT TO THE LAND ABOVE DESCRIBED

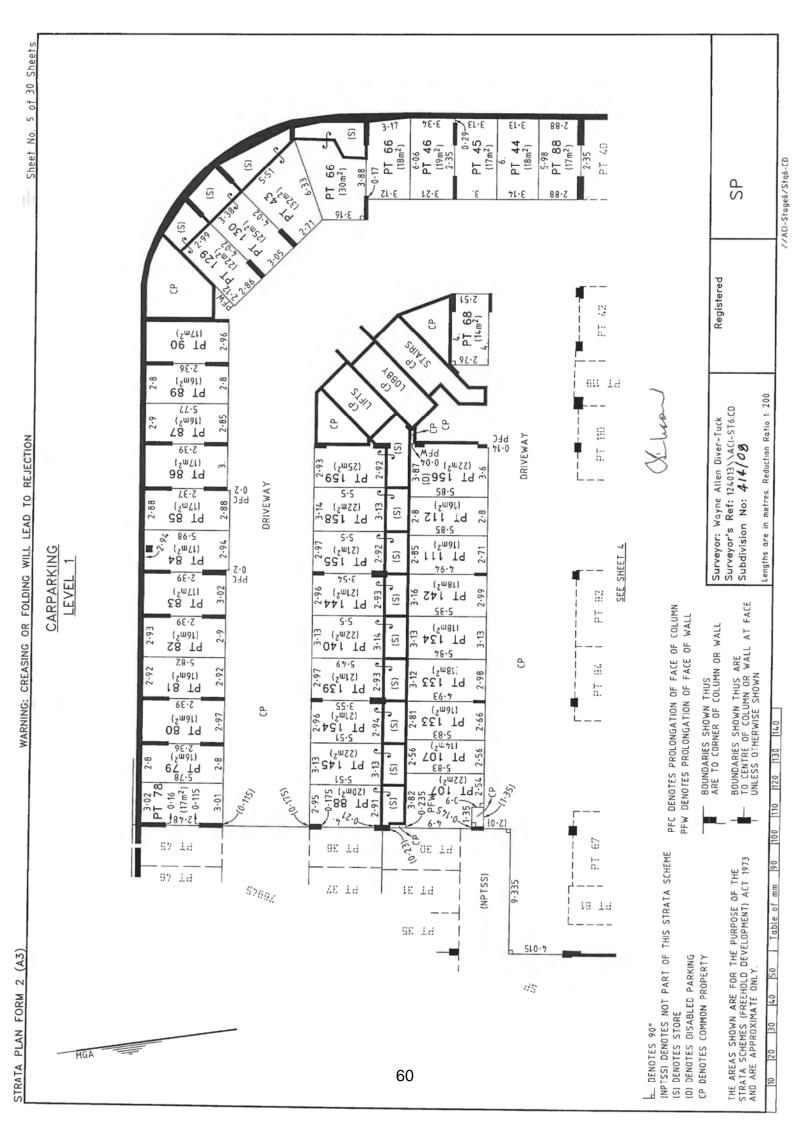
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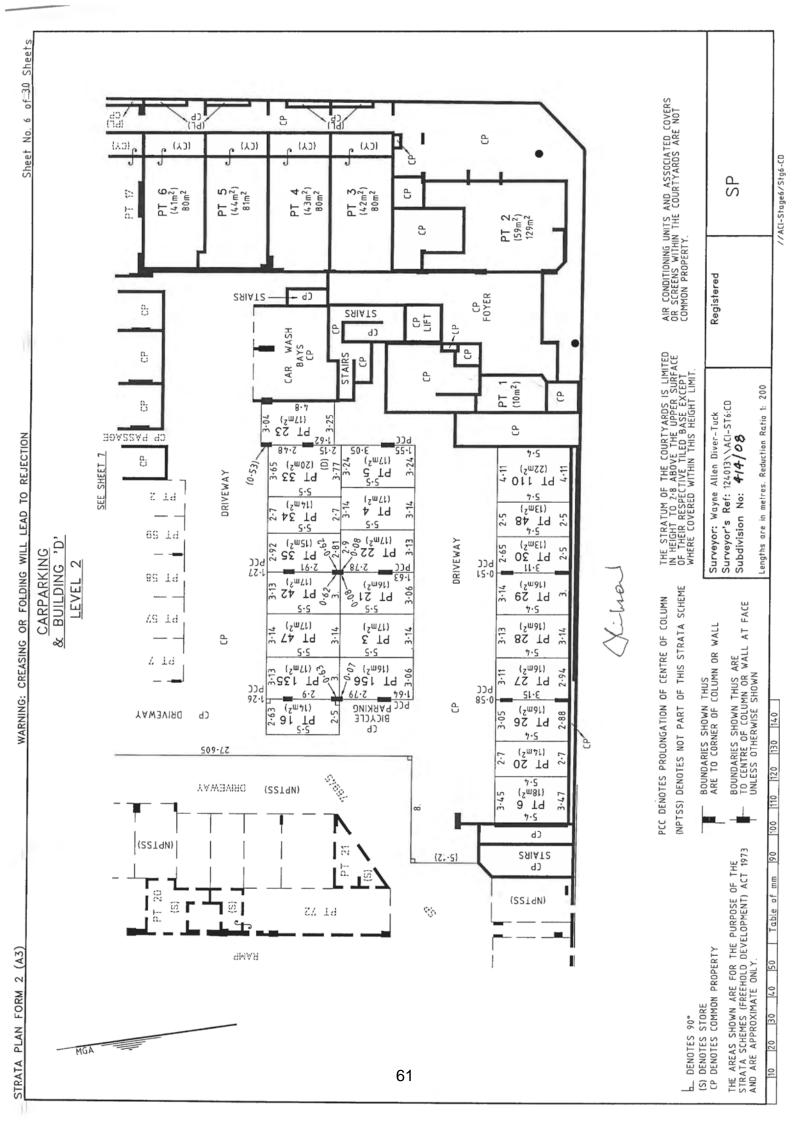


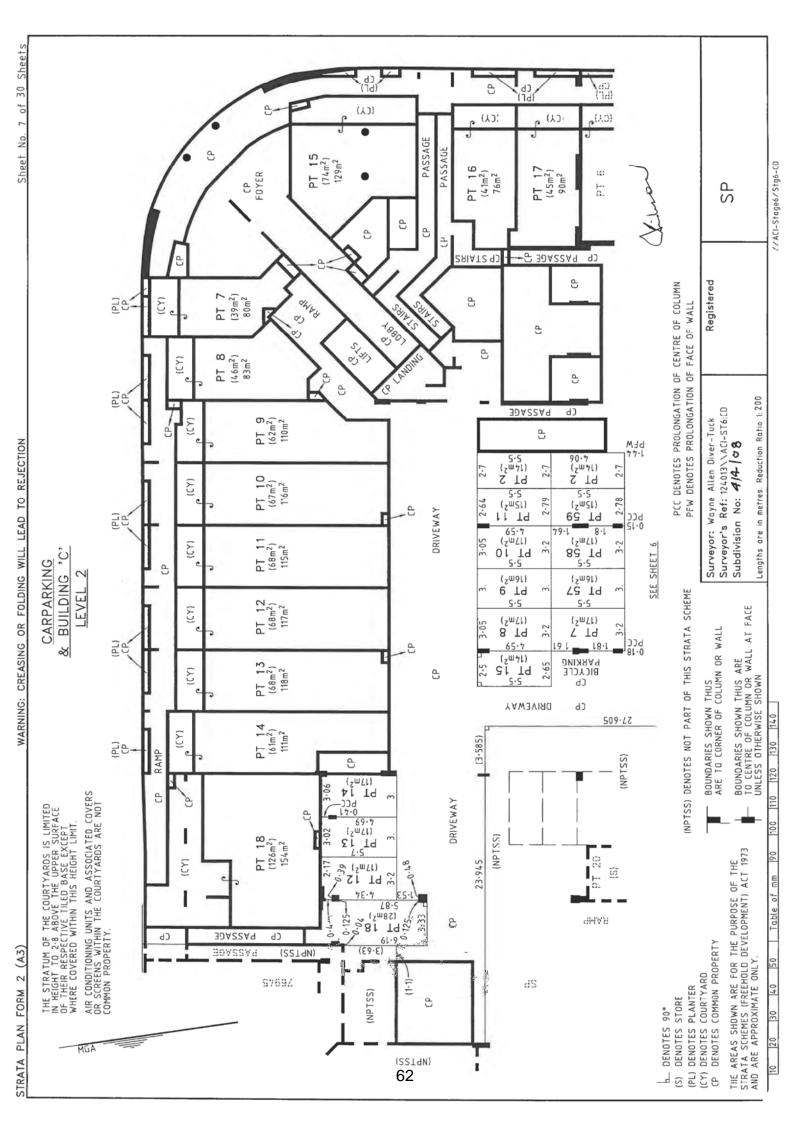


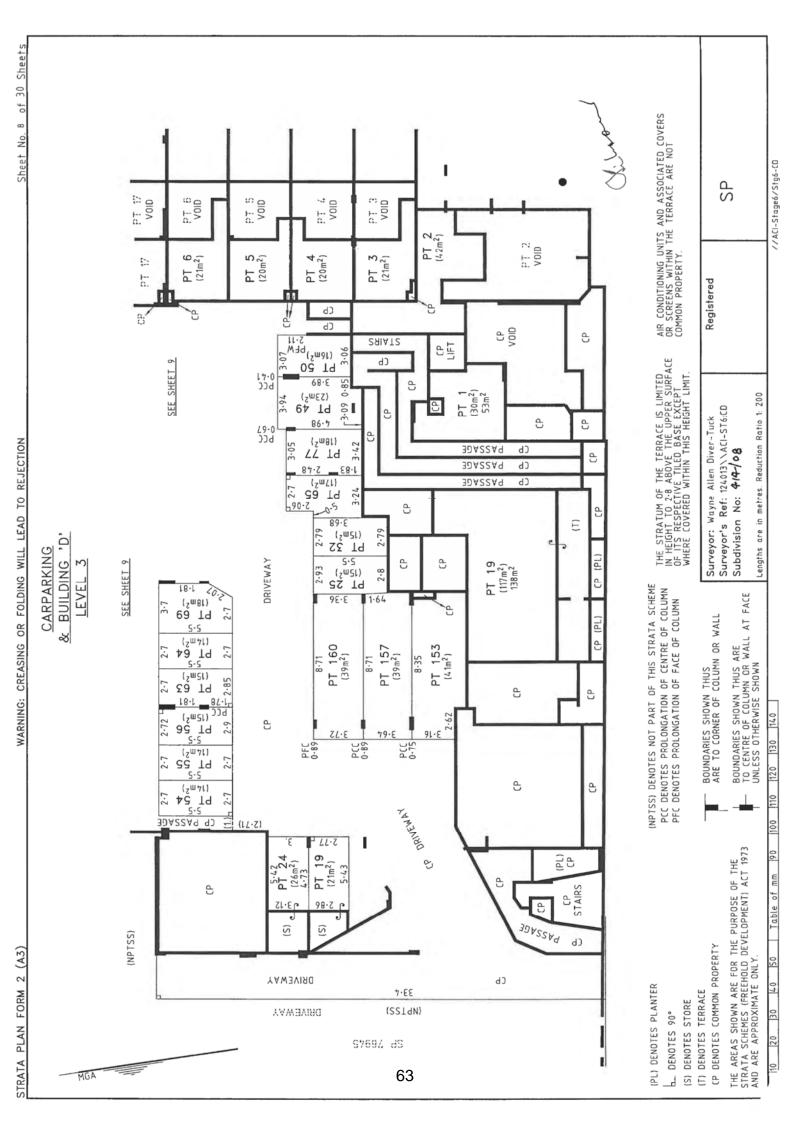


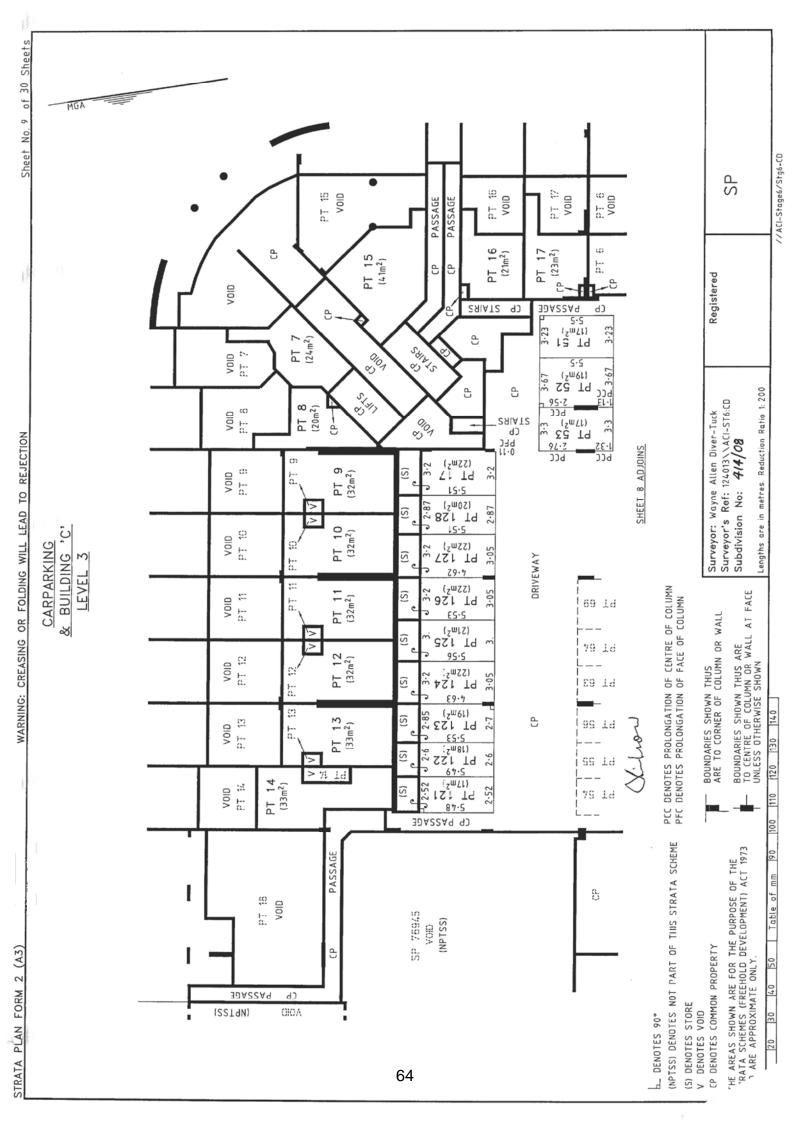


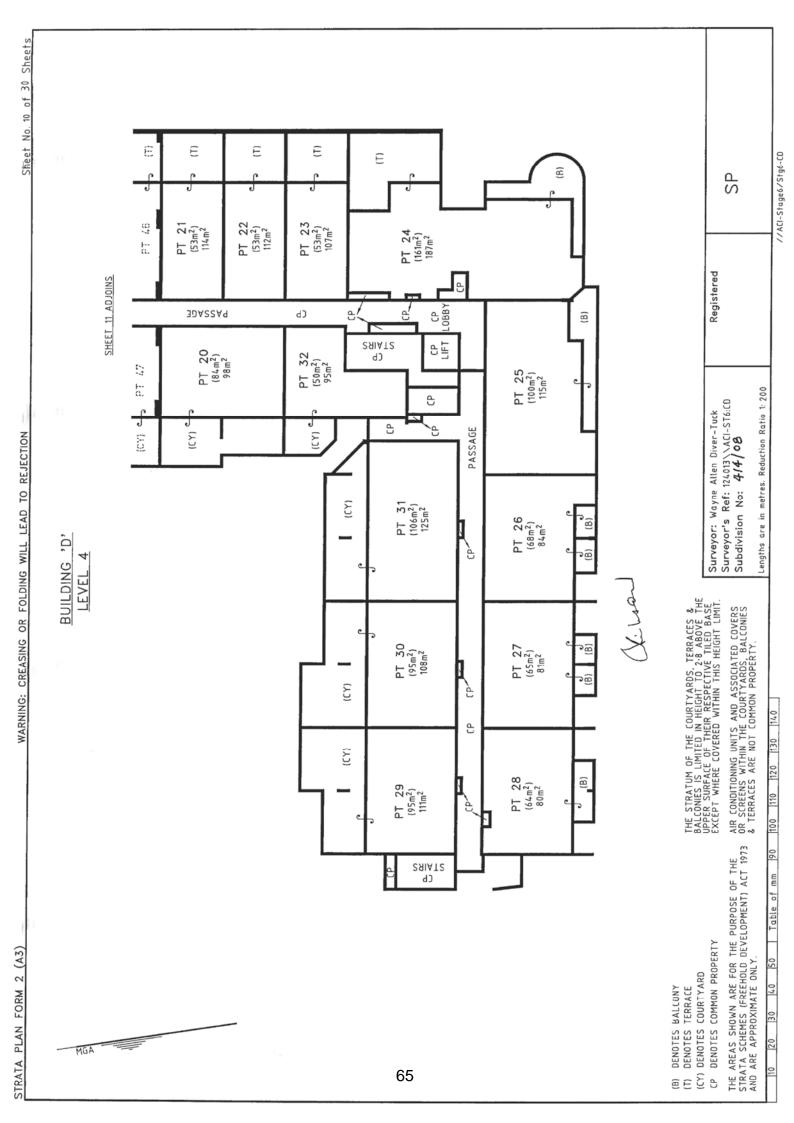


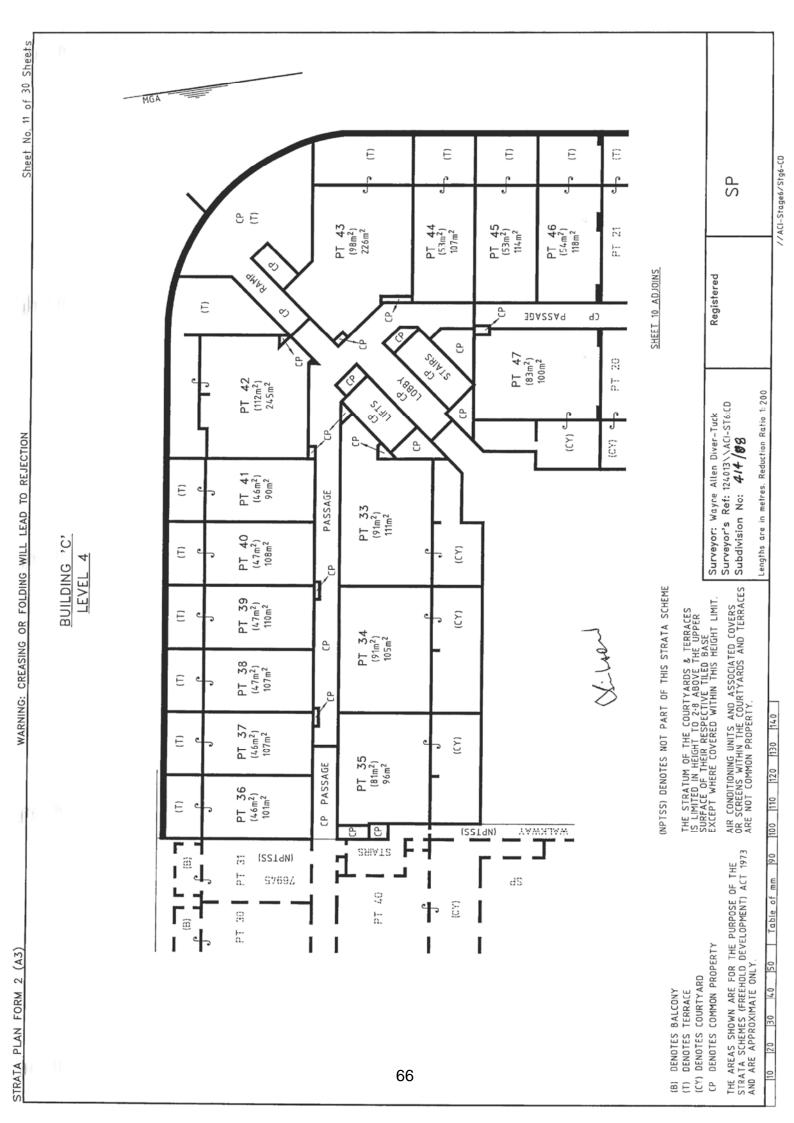


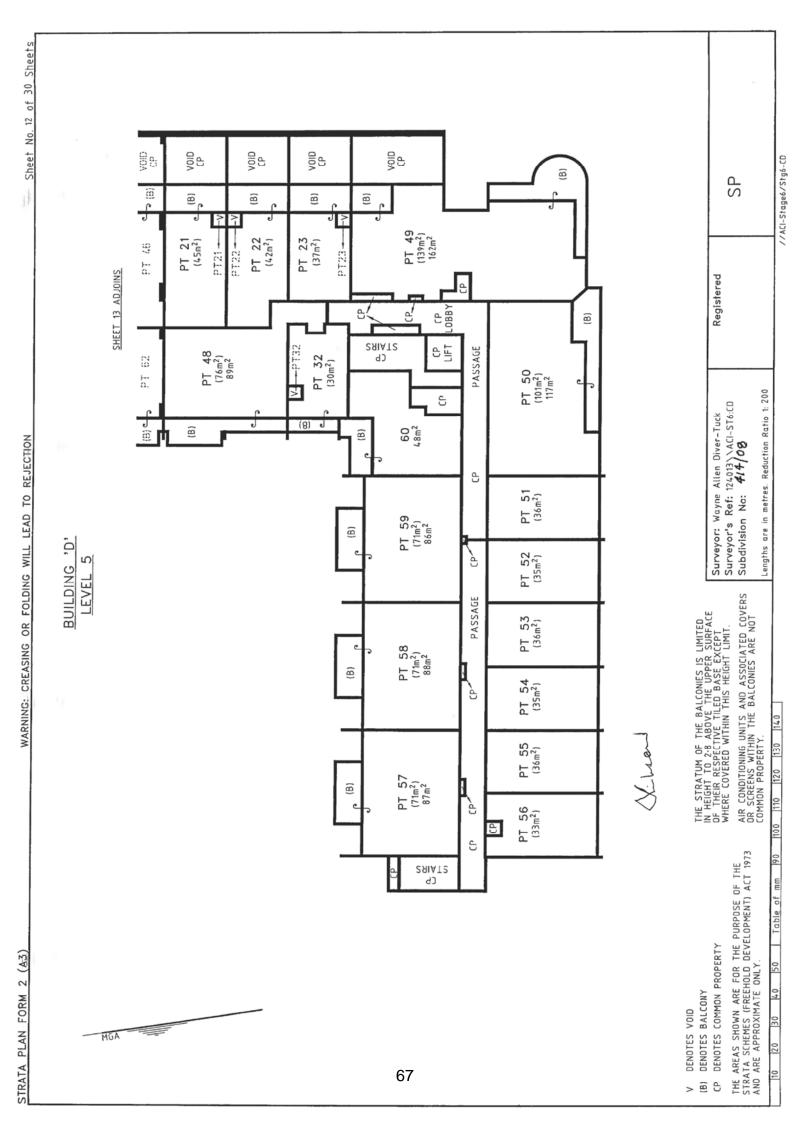




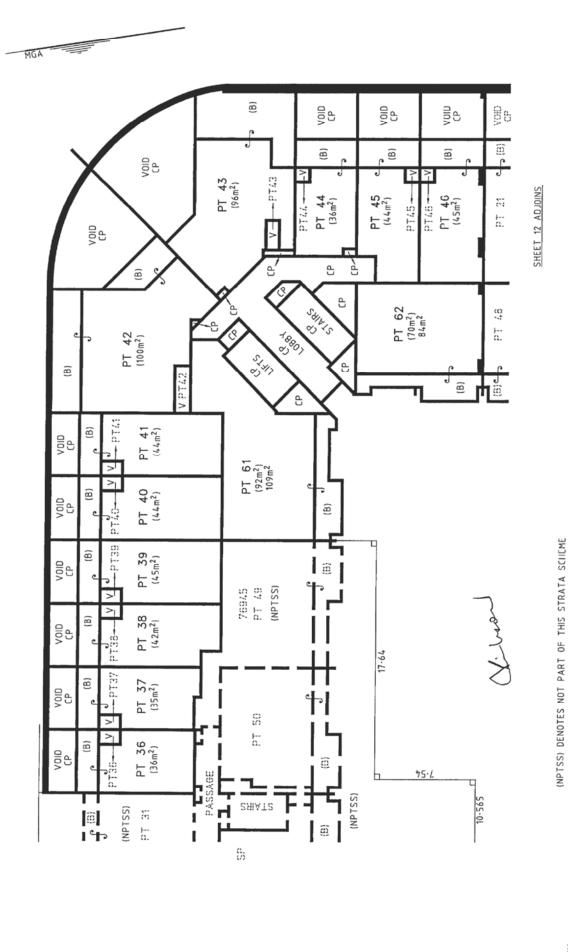












DENOTES BALCONY DENUTES 90°

DENOTES VOID

DENOTES COMMON PROPERTY 교 8 > a

THE AREAS SHOWN ARE FOR THE PURPOSE OF THE STRATA SCHEMES (FREEHOLD DEVELOPMENT) ACT 1973 AND ARE APPROXIMATE ONLY.

AIR CONDITIONING UNITS AND ASSOCIATED COVERS OR SCREENS WITHIN THE BALCONIES ARE NOT COMMON PROPERTY. THE STRATUM OF THE BALCONIES IS LIMITED IN HEIGHT TO 2-8 ABOVE THE UPPER SURFACE OF THEIR RESPECTIVE TILED BASE EXCEPT WHERE COVERED WITHIN THIS HEIGHT LIMIT.

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Surveyor: Wayne Allen Diver-Tuck

Surveyor's Ref: 124013\\ACI-ST6:CD Subdivision No: #/#/08

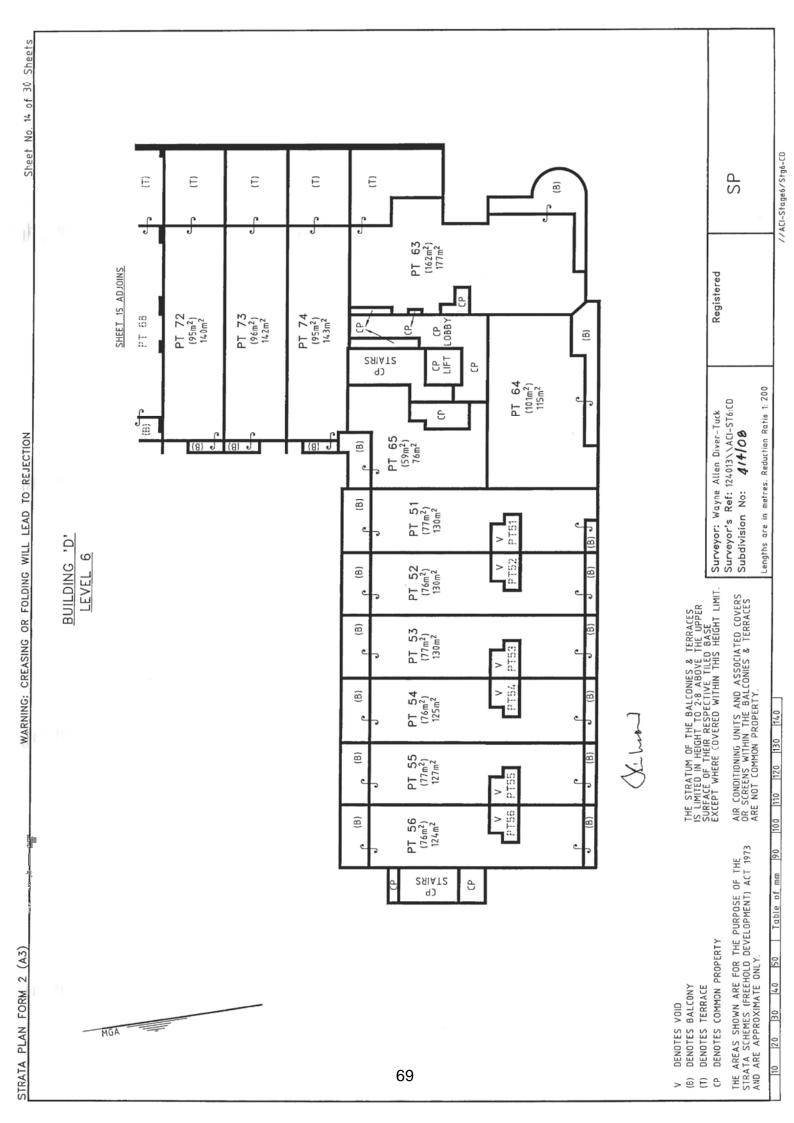
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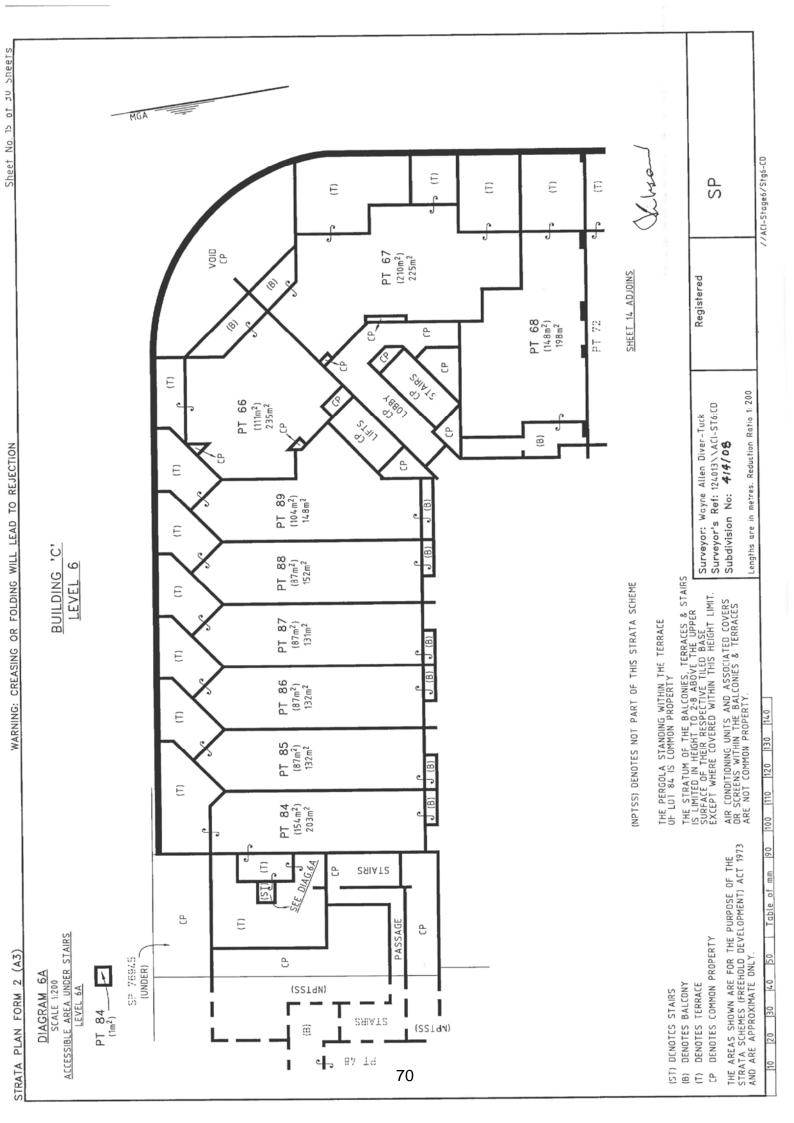
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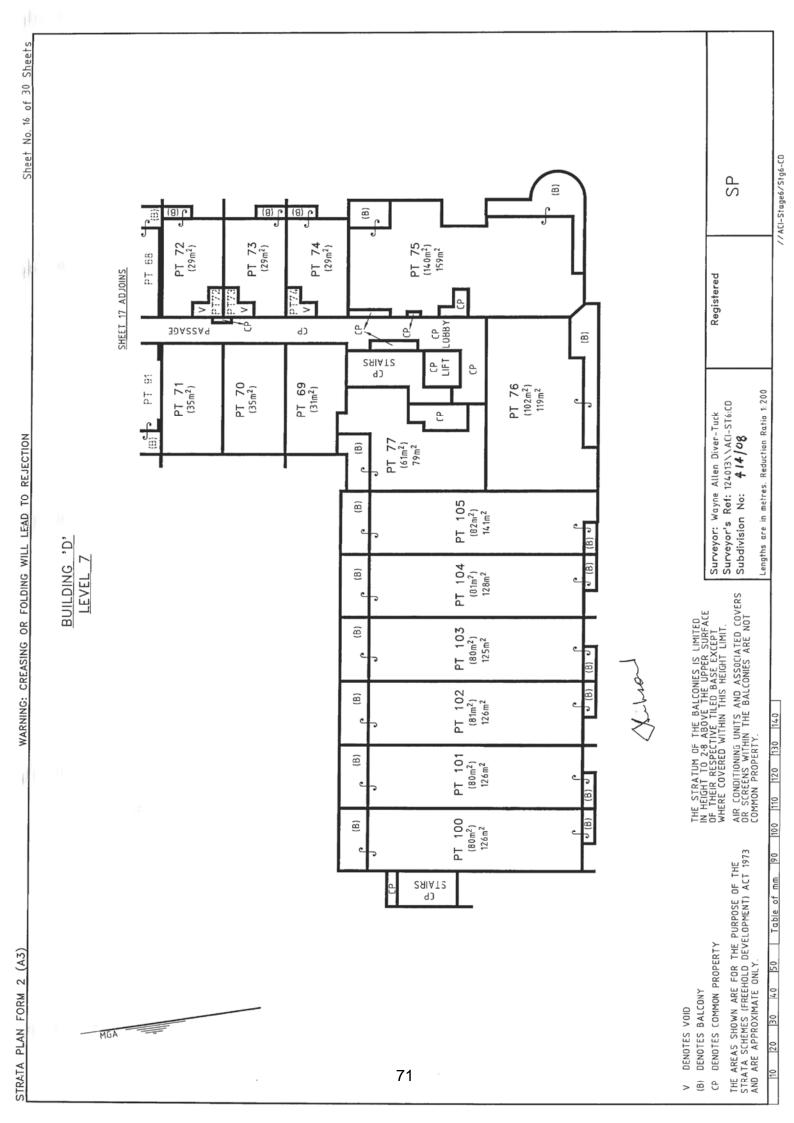
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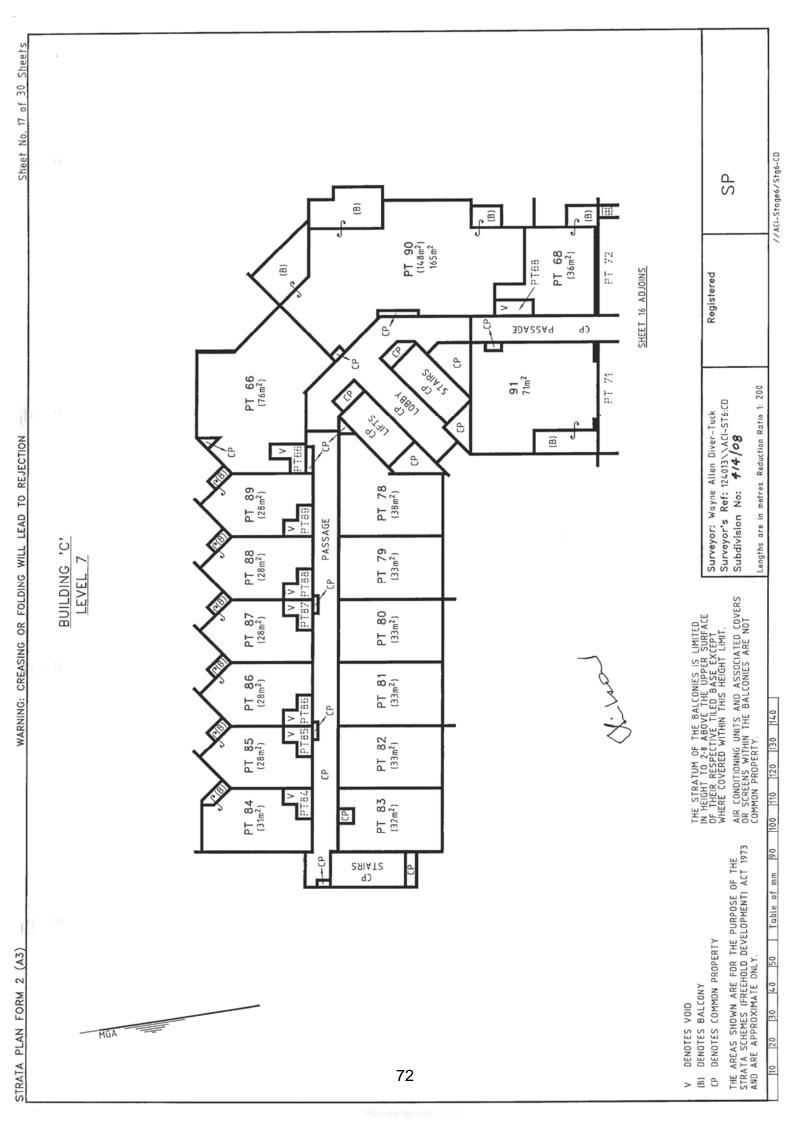
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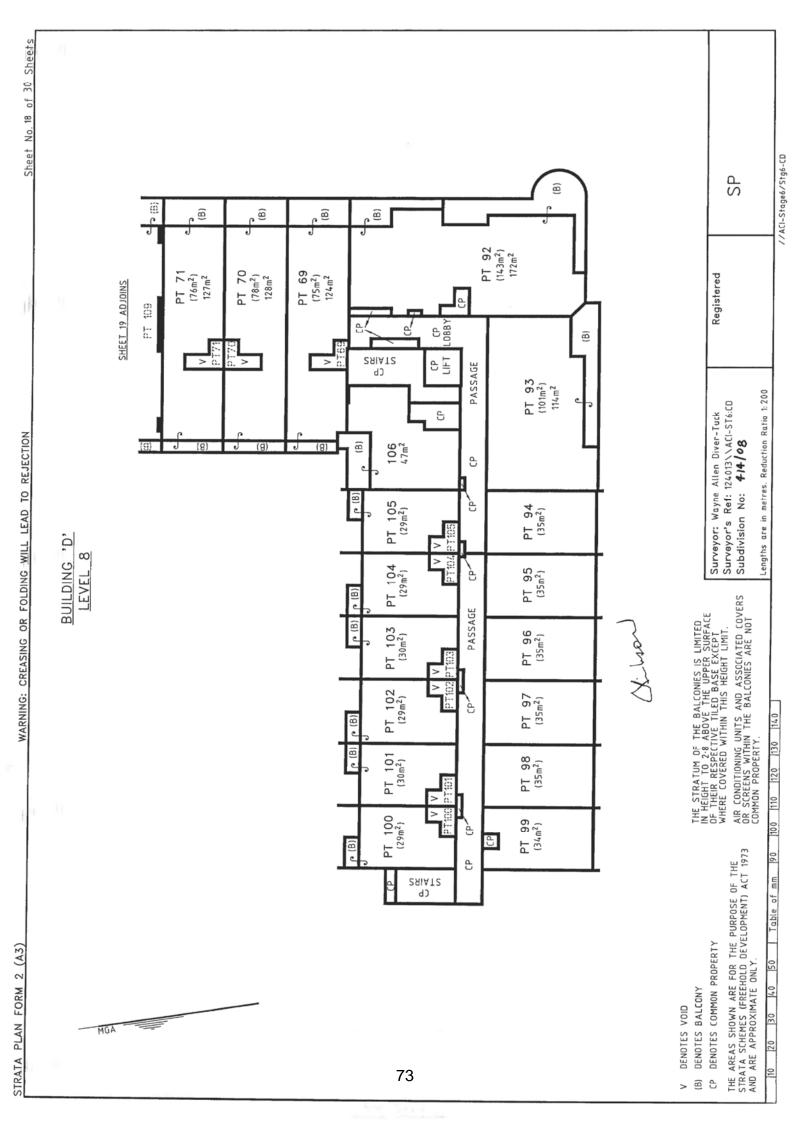
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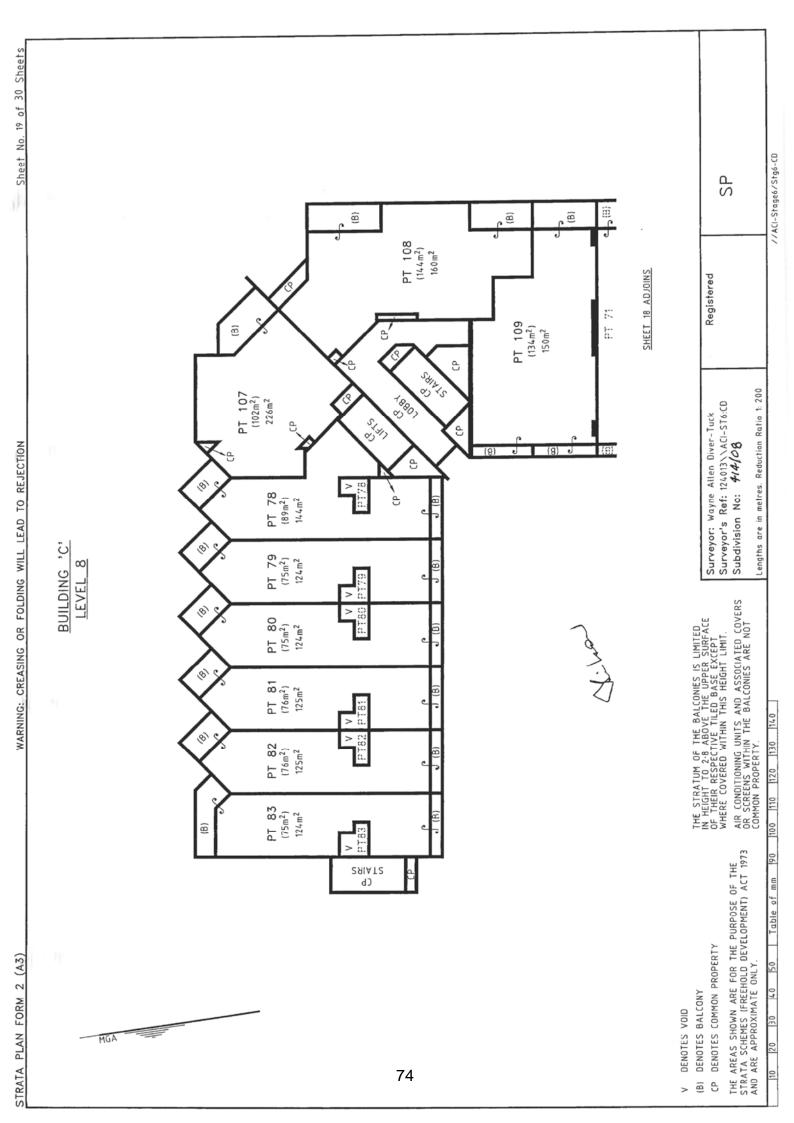


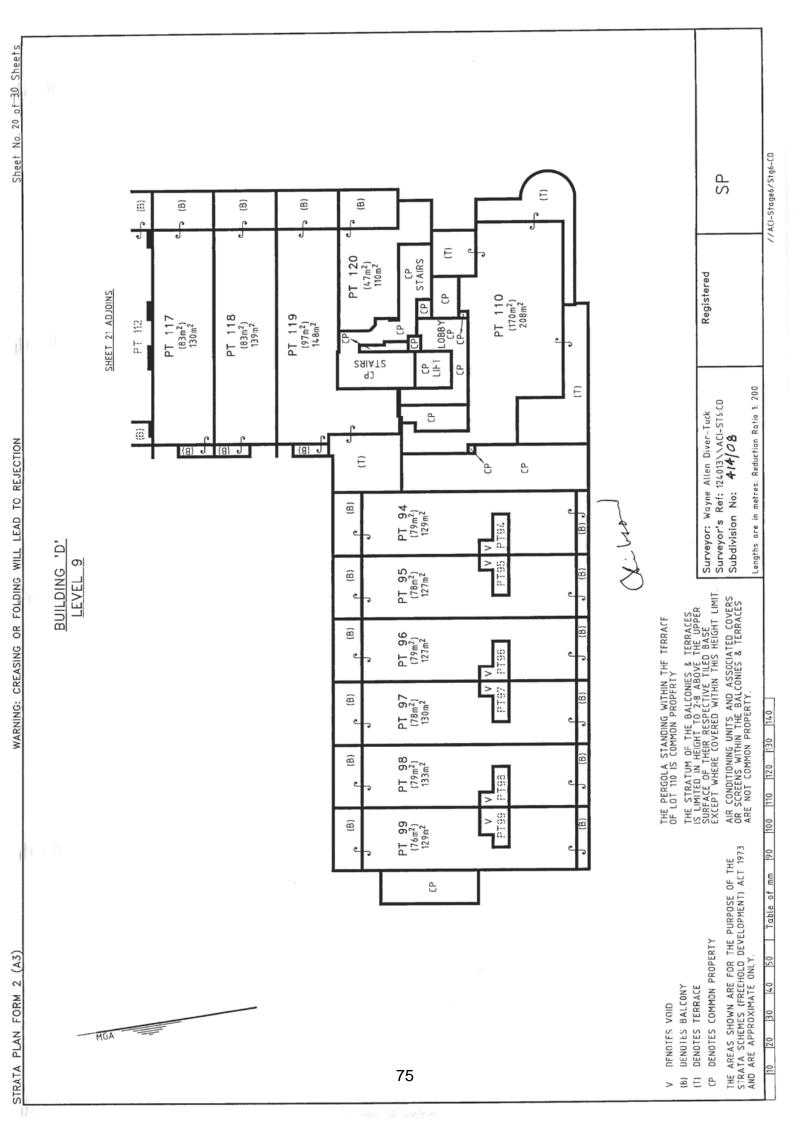


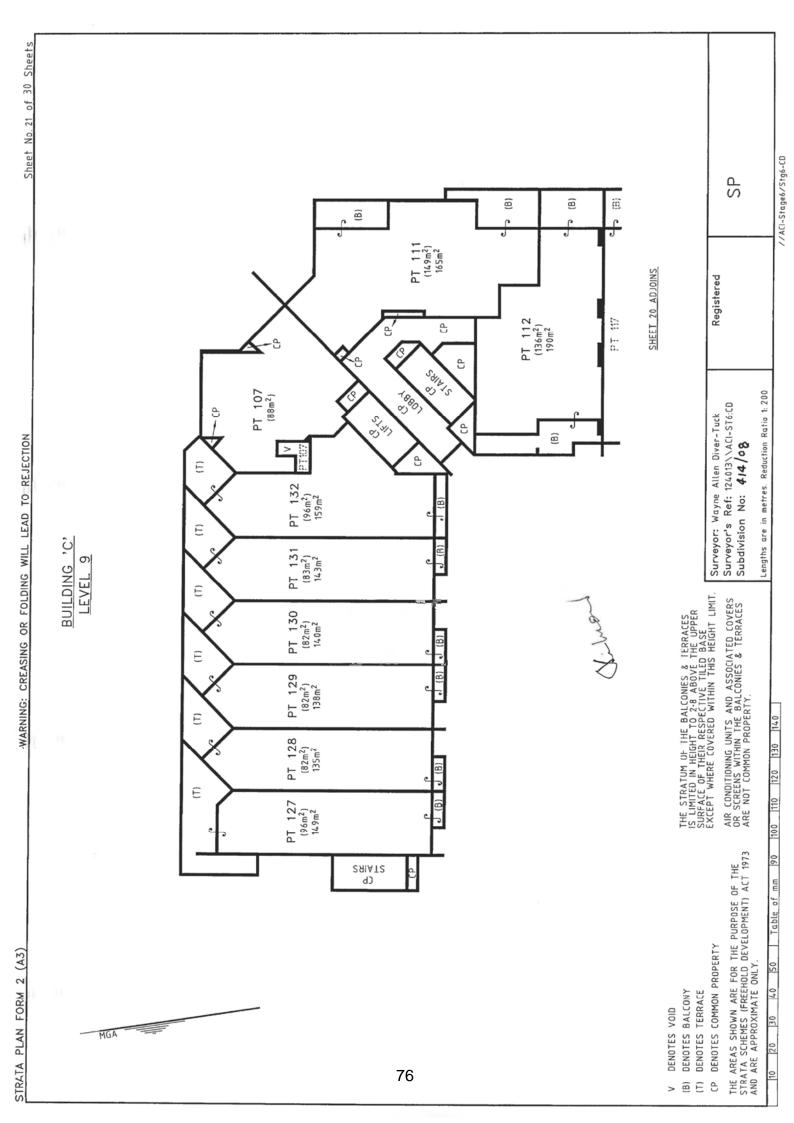


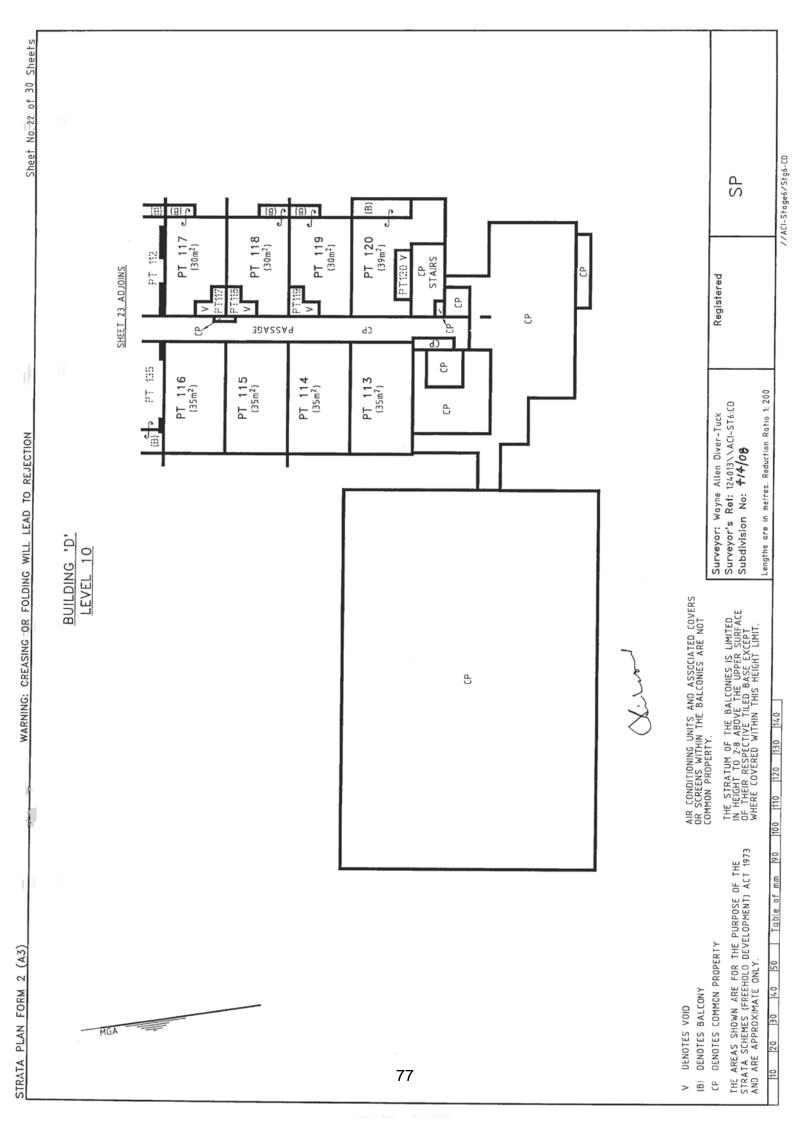


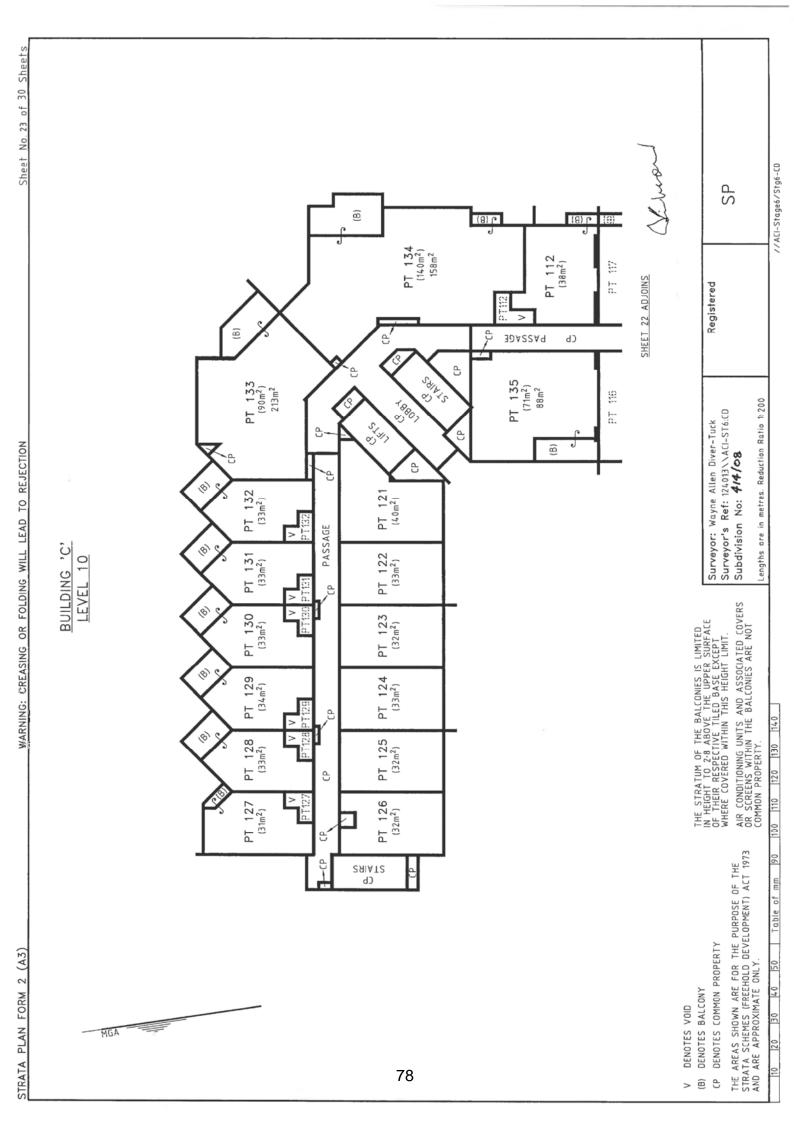


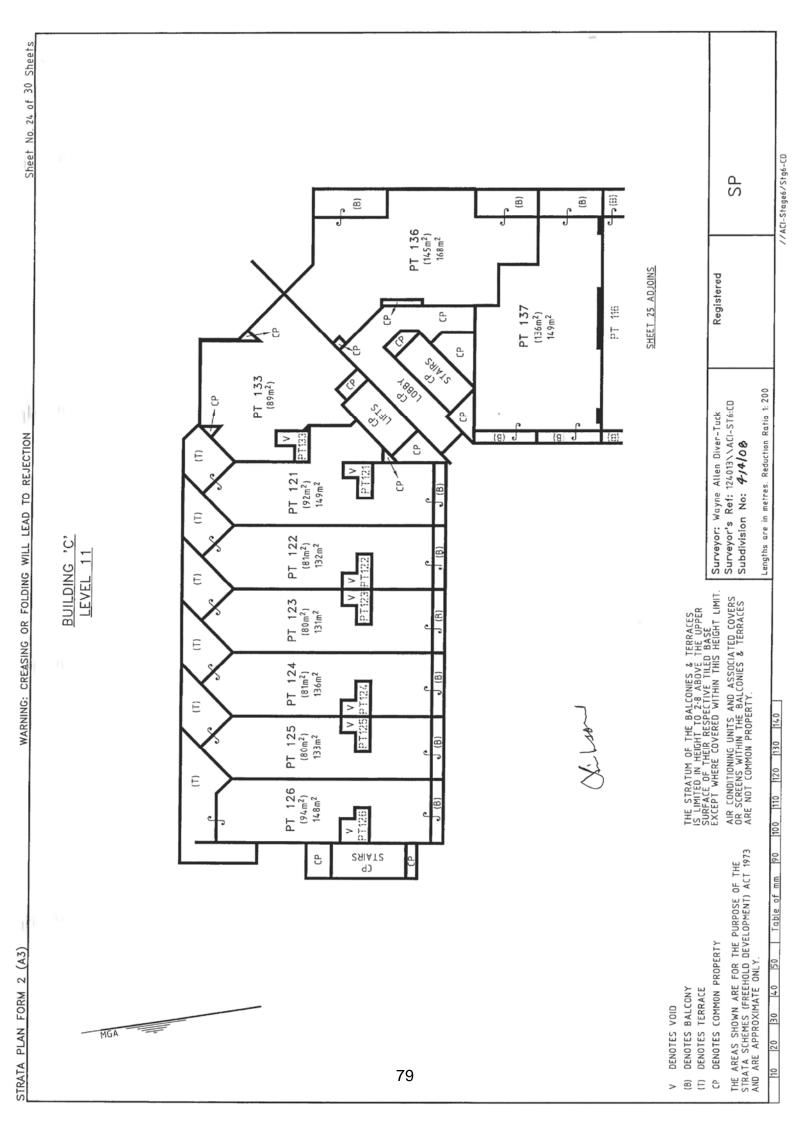


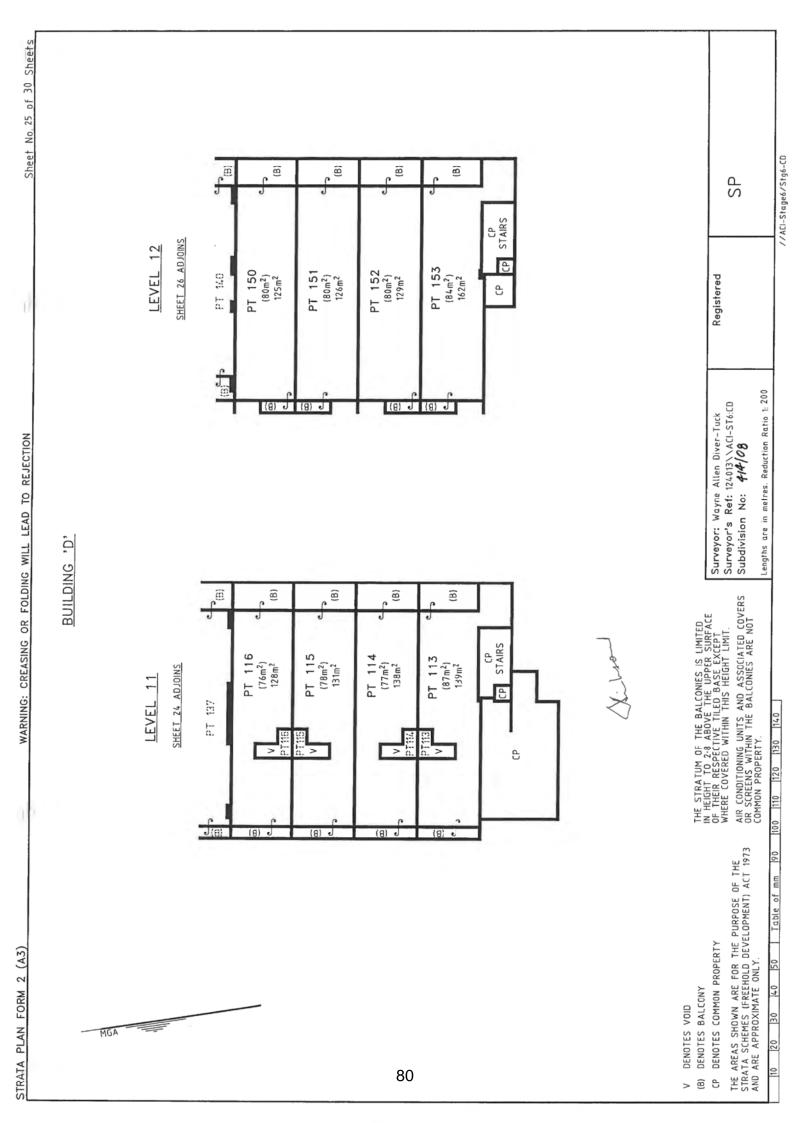


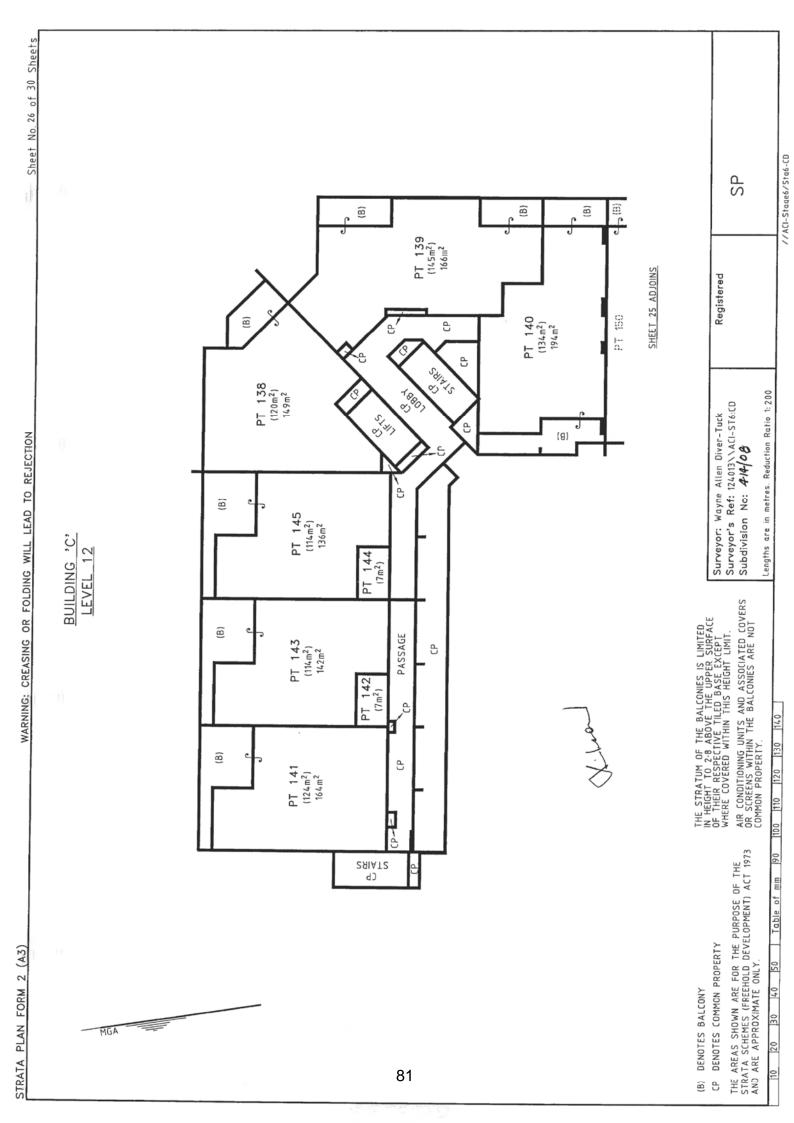


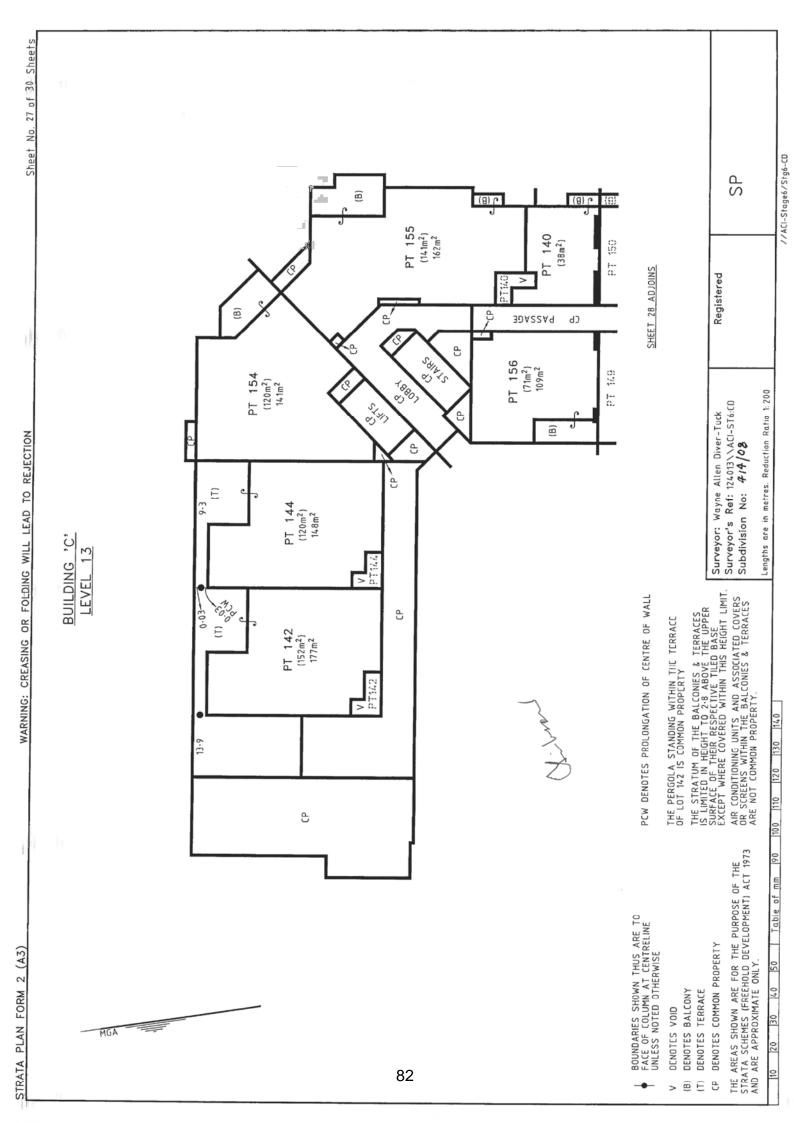












MGA

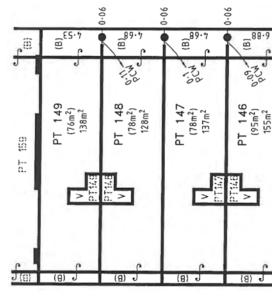
BUILDING 'D'

LEVEL 13

SHEET 27 ADJOINS

LEVEL 14

SHEET 29 ADJOINS



(8) (8) PT 150 c PT 152 PT 153 PT 151 (29m²) $(37m^2)$ $(30m^2)$ $(30m^2)$ 02 CP STAIRS ا dЭ PASSAGE 9 Cb 10 PT 147 (35m²) PT 149 PT 148 PT 146 $(35m^{2})$ ۲--۵. $(35m^{2})$ (35m²)10

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BOUNDARIES SHOWN THUS ARE TO FACE OF COLUMN AT CENTRELINE UNLESS NOTED OTHERWISE

DENOTES VOID

DENOTES BALCONY

DENOTES COMMON PROPERTY Э (B)

THE AREAS SHOWN ARE FOR THE PURPOSE OF THE STRATA SCHEMES (FREEHOLD DEVELOPMENT) ACT 1973 AND ARE APPROXIMATE ONLY.

PCW DENUILS PRULONGATION OF CENTRE OF WALL

AIR CONDITIONING UNITS AND ASSOCIATED COVERS OR SCREENS WITHIN THE BALCONIES ARE NOT COMMON PROPERTY. THE STRATUM OF THE BALCONIES IS LIMITED IN HEIGHT TO 2-8 ABOVE THE UPPER SURFACE OF THEIR RESPECTIVE TILED BASE EXCEPT WHERE COVERED WITHIN THIS HEIGHT LIMIT.

Surveyor's Ref: 124013\\ACI-ST6:CD Subdivision No: 4/4/08Surveyor: Wayne Allen Diver-Tuck

Lengths are in metres. Reduction Ratio 1: 200

Registered

SP

//ACI-Stage6/Stg6-CD

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