



Development Control Unit

26 June 2024 at 2pm



ORDER OF BUSINESS

Attendance, Apologies,
Declarations of Interests

- 1 Confirmation of Minutes
- 2 Development Applications

**HUNTER'S HILL COUNCIL
DEVELOPMENT CONTROL UNIT
26 June 2024**

INDEX

1 – CONFIRMATION OF MINUTES

- 1 Confirmation of Minutes of Development Control Unit 4 held 7 May 2024

2 - DEVELOPMENT APPLICATIONS

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| 2.1 | 2PM 24 Rocher Avenue, Hunters Hill | 3 |
| 2.2 | 2.30PM 22 Farnell Street, Hunters Hill | 43 |

COMMENCEMENT

The meeting opened at 10am.

IN ATTENDANCE

Steve Kourepis	Director, Town Planning
Shahram Mehdizadgan	Senior Executive Town Planner
Patrick Ogisi	Town Planner
Sarah Jenkins	Town Planning Coordinator

ALSO PRESENT

Eddy Wong	Neighbour (18 Crown Street)
Michael and Kara-Lee Ziviani	Neighbours (14 William Street)
Karen Lee-Wallace and John Wallace	Neighbours (5 Sherwin Street)
Mark Armstrong	Architect

DEVELOPMENT APPLICATIONS

2.1 11 WILLIAM STREET, HENLEY

PROCEEDINGS IN BRIEF

Karen and John raised the concern about shadow diagrams and the lack of separate drawings for 5 and 5a Sherwin Street.

Karen also raised that there was no mention of the impact on privacy of the back window in the report.

Mark queried the privacy issues on the western wall raised in the report and also the solar access/shadowing issues.

He also had concerns with the tenacity comments. Need some feedback on where would be an acceptable setback to build the upper level.

RESOLVED on the MOTION of Director, Town Planning Kourepis, seconded Shahram Mehdizadgan

The development application DA2022/0239 for the demolition of existing dwelling and construction of a new 2-level dwelling with a basement garage and swimming pool at 11 William Street, Henley is not supported, and should be refused for the following reasons:

1. The proposed development does not satisfy the provisions of Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979 as it does not satisfy the objectives of the R2 Low Density Residential zone in regard to it being incompatible with the high levels of amenity provided a low density residential environment.

2. The proposed development does not satisfy the provisions of Section 4.15(1)(a)(iii) of the Environmental Planning and Assessment Act 1979 as it fails to demonstrate compliance with the provisions of the Hunters Hill Development Control Plan 2013 with respect to the following matters:
 - Section *Part 3.5* as the proposal having an unsatisfactory outcome on the visual and acoustic privacy of the adjoining residential development in the west.
 - The proposal is inconsistent with Clause 3.3.2(a) of the Hunters Hill Development Control Plan 2013 as it results in excessive bulk and scale, which negatively impacts the surrounding properties and their visual amenity.
 - The proposal is inconsistent with Clause 3.3.2(b) of the Hunters Hill Development Control Plan 2013 as it is inconsistent with the desired character of the surrounding area.
 - The proposal is inconsistent with Clause 3.3.2(c) of the Hunters Hill Development Control Plan 2013 because it does not maintain or enhance the domestic scale, form or variety which are characteristic of the surrounding residential area.
 - The proposal is inconsistent with Clause 3.3.2(d) of the Hunters Hill Development Control Plan 2013 due to the visual impacts and obstruction of views that will result from the approval of this development application.
 - The proposal is inconsistent with Clause 3.5.3 of the Hunters Hill Development Control Plan 2013 due to the unacceptable impacts to the visual privacy of the neighbouring properties.
 - The proposal is inconsistent with Clause 3.5.4 of the Hunters Hill Development Control Plan 2013 due to the unacceptable acoustic impacts the development would have on the neighbouring properties.
3. The proposed development does not satisfy the provisions of Section 4.15(1)(e) approval of the development is not in the public interest as it would set an undesirable precedent, given the circumstances of the case, for similar inappropriate development.

ITEM NO	: 2.1
SUBJECT	: 2PM 24 ROCHER AVENUE, HUNTERS HILL
STRATEGIC OUTCOME	: DEVELOPMENT APPLICATION, REGULATION AND MONITORING SERVICES ARE STREAMLINED
ACTION	: DEVELOPMENT APPLICATIONS (DAS) ARE PROCESSED IN ACCORDANCE WITH SERVICE STANDARDS
REPORTING OFFICER	: PATRICK OGISI
DEVELOPMENT APPLICATION NO	20230156
PROPOSAL	DEMOLITION OF THE EXISTING BUILDING AND CONSTRUCTION OF A NEW ATTACHED DUAL OCCUPANCY WITH STRATA SUBDIVISION AND ASSOCIATED LANDSCAPING
APPLICANT	MINJUN YAO
OWNER	MR A MOHAREB
DATE LODGED	29 NOVEMBER 2023

Ref:706830

1. DESCRIPTION OF PROPOSAL

The subject application seeks consent for the demolition of existing structures and construction of an attached dual occupancy with strata subdivision.

Demolition Works:

- Existing dwelling and ancillary structures
- Tree removal

Construction Works:

- Two storey attached dual occupancy
- Attached garages

2. DESCRIPTION OF SITE AND LOCALITY

The site is located within the Hunters Hill Local Government Area at 24 Rocher Avenue, Hunters Hill. It is lawfully described as Lot 12 DP 224608. The site comprises a regular, rectangular shaped allotment with a total site area of 717.9m² and a frontage to Rocher Avenue measuring

14.67 metres on the western boundary. The site currently contains a two storey dwelling with existing driveway access and some landscape plantings at the front and rear of the site. The dwelling also appears to have a significant subfloor area.

Development within the surrounding area consists of low scale detached dwellings that typically display pitched tiled roofs and are of timber and masonry construction. The dwellings along Rocher Avenue are typically set behind established landscaping and the street contains a number of established street trees. The site is located immediately adjacent to a double storey dwelling to the south and a single storey dwelling to the north.

3. PROPERTY HISTORY

No previous approval has been registered against the property.

4. REFERRALS

4.1 External Approval Bodies

Not Applicable.

4.2 Heritage

Not Applicable.

4.3 Engineering

The subject application was referred to Council's Design & Development Engineer who raised no engineering objections and recommended specific engineering conditions of consent that have been included to the end of the report.

4.4 Parks and Landscape

The application was referred to Council's tree consultants who advised by memo that there are no landscaping objections and recommended specific landscaping conditions of consent that have been included to the end of the report.

5. ENVIRONMENTAL ASSESSMENT UNDER S4.15

5.1 State Environmental Planning Policies (SEPPs)

State Environmental Planning Policy (Resilience and Hazards) 2021

The Policy applies, however given the known history of Hunter's Hill as a longstanding residential area it is considered very unlikely any contamination exists on the site.

SEPP (Building Sustainability Index: BASIX) 2004

The Policy does apply as the proposed development and a BASIX Certificate has been lodged in support of the application. No issues were raised in the accompanying BASIX Certificate.

SEPP (Biodiversity and Conservation) 2021

The subject site is located within the Sydney Harbour Catchment, however, due to the limited scope of the proposed works, it is considered that the proposal satisfies the stated aims of the local plan.

5.2 Regional Environmental Plans

Not Applicable.

5.3 Hunters Hill Local Environmental Plan 2012 (HHLEP)**Statutory Compliance Table**

The following table illustrates whether or not the proposed development complies with the relevant statutory controls of *Hunters Hill Local Environmental Plan 2012*.

Compliance with Current Statutory Controls	Proposed	Control	Compliance
Maximum height	7.74 metres	8.5 metres	Yes
Wall height	7.45 metres (measured excluding parapet)	7.2 metres	No
<p>Discussion:</p> <p>The proposal exceeds the wall height requirement by approximately 250 millimetres in the south east corner of the building footprint. This part of the building footprint superficially addresses the street and is not considered to have a negative impact on the prevailing streetscape. It is also considered to address the built form objectives of the Hunters Hill Development Control Plan 2013. This noncompliance also doesn't lead to a contravention of development standards related to height in the Hunters Hill Local Environmental Plan 2013. As such, it is considered to be acceptable.</p>			
Storeys	Two storeys	Two storeys	Yes
Landscape Area	N/A to Dual Occupancies		
Floor space ratio	0.49:1 (357.2m ²)	0.5:1 (358.95m ²)	Yes

Clause 2.3 – Aims and Objectives of Hunters Hill Local Environmental Plan 2012 and Zone

The subject site is zoned R2 Low Density Residential Zone under the provisions of HHLEP 2012. The objectives of the R2 Low Density Residential Zone are:

- *To provide for the housing needs of the community within a low density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To maintain the identity of Hunters Hill by ensuring that new buildings are compatible with the garden suburb character and heritage values that distinguish the low density localities.*
- *To provide for high levels of amenity that are consistent with a low density residential environment.*

The proposal is consistent with these objectives and is not a development that is out of place in this zone.

5.4 Draft Amendments to Statutory Controls

No relevant draft amendments are pertaining to this application.

6. THE LIKELY IMPACTS OF THE DEVELOPMENT

Financial Impact Assessment

There is no direct financial impact on Council's adopted budget as a result of this report.

Environmental Impact Assessment

There is no direct environmental impact on Council arising from Council consideration of this matter.

Social Impact Assessment

There is no direct social impact on Council arising from Council consideration of this matter.

7. ANY SUBMISSIONS MADE IN ACCORDANCE WITH THIS ACT OR THE REGULATIONS

The proposed development was notified in accordance with the Councils Consolidated Development Control Plan for the period of 14 days (ending on 20 December 2023) and during that period a total of 4 submissions were received. It was notified a second time (ending 6 May 2024) after amended plans were submitted. An additional submission was received during this second notification period.

NOTIFICATION REQUIRED	Yes
Frank Flannery 22 Rocher Avenue, Hunters Hill	
CONCERNS RAISED	COMMENT
Tree removal impacting local ecology	<p>The application was referred to TreeIQ for their landscaping comments and a response was received on 15 January 2024. This referral has been copied in full below.</p> <p><i>The following trees have been proposed for removal.</i></p> <p><i>Tree 2 Crepe Myrtle Lagerstroemia indica is located in the front of the site. Tree 2 is a mature specimen with a height of 7m. The Report outlines that Tree 2 would be required to be removed due to its location within the proposed residential driveway envelope area and excavation works within its TPZ.</i></p> <p><i>With consideration to the small sized of Tree 2 removal and replacement as part of the landscape works is</i></p>

	<p><i>considered acceptable. It is noted that the landscape proposal for the site includes advanced-sized replacement trees.</i></p> <p><i>Tree 5 Weeping Bottlebrush Callistemon viminalis is located in the front of the site. Tree 5 is a mature specimen with a height of 6m. The Report outlines that Tree 5 would require removal due to its location within the proposed residential driveway envelope area.</i></p> <p><i>With consideration to the small sized of Tree 5 removal and replacement as part of the landscape works is considered acceptable. It is noted that the landscape proposal for the site includes advanced-sized replacement trees.</i></p> <p><i>Tree 7 Jacaranda Jacaranda mimosifolia is located in the rear of the site. Tree 7 is a 10m specimen. The Report outlines that Tree 7 is in good to fair health and considered poor structural condition due to it being multi trunk from the loss of its apical leader and then being previously incorrectly pruned (knuckled) resulting in epicormic extension regrowth forming its canopy shape and structure. These regrowth points are known to have weaker unions and result in its poor aesthetic form. The Report outlines that based on its location within the proposed building/terrace envelope, excavation works and considered scope of works Tree 7 would require removal to undertake the works as proposed. With consideration to the reduced health and structural condition of Tree 7 removal and replacement as part of the landscape works is considered acceptable. It is noted that the landscape proposal for the site includes advanced-sized replacement trees.</i></p> <p><i>Tree 8 Bangalow Palm Archontophoenix cunninghamiana is located in the rear of the site. Tree 8 is a 7m specimen with good health and good structure. The Report outlines that Tree 8 would require removal due to its location within the proposed duplex development area and broader scope of works.</i></p> <p><i>Palms are easily transplanted. As Tree 8 is in good health and should be relocated elsewhere as part of the landscape proposal for the site.</i></p>
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	<p><i>Tree 3 Camellia Camellia japonica is located in the neighbouring site. Tree 3 is a 5m specimen and has been allocated good health and good structure. The Report outlines that Tree 3 is sufficiently distanced to be safely retained, protected, and monitored. No impacts are anticipated to this tree due the retention of the existing driveway and its separation distance within the existing garden. Tree protection measures implemented in accordance with AS4970-2009 and the Report apply.</i></p> <p><i>Tree 4 Camellia Camellia japonica is located within the neighbouring site. The Report outlines no TPZ encroachment from the building works. Tree protection measures implemented in accordance with the Report and AS4970-2009 apply.</i></p> <p><i>Tree 6 Box Elder Acer negundo is located in an adjoining site. The Report notes that the species is listed in Hunters Hill DCP 2013 as an Exempt tree species. The Report outlines that Tree 6 is sufficiently distanced to be safely retained, protected, and monitored.</i></p> <p><i>Tree 9 and Tree 10 Cocos Palm Syagrus romanzoffiana is located in the rear of the site. The Report notes that the species is listed in Hunters Hill DCP 2013 as an Exempt tree species. Consent from Council for removal is not required.</i></p> <p><i>Tree 11 QLD Brush Box Lophostemon confertus is located in the rear of the site. The Report outlines that based on AS4970-2009 Protection of Trees on Development Sites, Tree 11 is located at the rear of the site, and it is sufficiently distanced to be safely retained, protected, and monitored. No impacts are anticipated within its TPZ/SRZ due to its separation distance to the dwelling, terrace and hard landscaped areas. Erection of tree trunk protection through the installation of timber battens is recommended. Tree protection measures implemented in accordance with AS4970-2009 and the Report apply.</i></p> <p><i>Tree 12 Jacaranda Jacaranda mimosifolia is located in an adjoining site to the rear. The Report outlines that based on AS4970-2009 Protection of Trees on</i></p>
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	<p><i>Development Sites, Tree 11 is located at the rear of the site, and it is sufficiently distanced to be safely retained, protected, and monitored. No impacts are anticipated within its TPZ/SRZ due to its separation distance to the dwelling, terrace and hard landscaped areas. Tree protection measures implemented in accordance with AS4970-2009 and the Report apply.</i></p> <p>No objection was raised in relation to the proposed tree removal and landscaping, so the proposal is considered to be compliant.</p>
Reduced visual and acoustic privacy amenity	The time of night an occupant uses an outdoor entertainment area is not strictly a concern of the Hunters Hill Development Control Plan 2013.
Impacts on view corridors	<p>The proposal has been assessed against the bulk and scale requirements and streetscape appearance controls of the Hunters Hill Development Control Plan 2013. The relevant controls of Section 3.3.2 are as follows:</p> <p><i>(a) Avoid adverse impacts upon an existing residential area which result from excessive height, scale or bulk. (b) Ensure that proposed buildings are compatible with height, scale and bulk of the locality's existing and desired characters. (c) Maintain and enhance the domestic scale, form and variety which are characteristic of the surrounding residential area. (d) Ensure that new developments minimise adverse visual impacts, the obstruction of views, and loss of privacy or sunlight to existing residential development.</i></p> <p>The proposed dual occupancy is considered to be consistent with the mixture of dwelling types that are present on Rocher Avenue, especially the two storey dwellings on the western side of the street. During a site visit, it was not reasonably ascertained that 22 Rocher Avenue would suffer from adverse impacts to (d) and as such, the proposal is considered to be appropriate.</p>
Asbestos Removal	Asbestos removal by a suitable contractor is a standard condition of consent.
Border Fence	Fencing of the site during construction is a standard condition of consent.
Air Conditioning	The air conditioning unit is approximately 1.79 metres from the northern setback, which addresses 22 Rocher Avenue. This is considered to be sufficient, especially when measured against the requirements of the State Environmental Planning

	Policy (Exempt and Complying) which allows for a 450mm setback from a lot boundary.
Virginia Wise 2 Joly Parade, Hunters Hill	
CONCERNS RAISED	COMMENT
<p>The submitted Statement of environmental effects states:</p> <p><i>LEP Clause 5.21 Flood planning</i> <i>Council maps do not identify the site as a flood affected area. NA</i></p> <p>The site was identified in the Hunters Hill LGA final flood study of 2021.</p>	<p>Council's Engineering team are aware of this inconsistency and it did not hinder their assessment.</p>
Rekha Singh 6 Centenary Avenue, Hunters Hill	
CONCERNS RAISED	COMMENT
Reduced visual and acoustic privacy amenity	The size of the rear facing windows were reduced as a result of public notification. Some of the windows on the first floor address and internal void and are unlikely to result in overlooking.
Negative impacts on the harmony of the neighbourhood	<p>The subject site is zoned as R2 Low Density Residential. An attached dual occupancy is permissible in this zone as per the Hunters Hill Local Environmental Plan 2013. The objectives of the zone are as follows:</p> <ul style="list-style-type: none"> <i>To provide for the housing needs of the community within a low density residential environment.</i> <i>To enable other land uses that provide facilities or services to meet the day to day needs of residents.</i> <i>To maintain the identity of Hunters Hill by ensuring that new buildings are compatible with the garden suburb character and heritage values that distinguish the low density localities.</i> <i>To provide for high levels of amenity that are consistent with a low density residential environment.</i> <p>The proposed use is a low density use and addresses these objectives to Council's satisfaction.</p>
Destruction of habitat leading to higher carbon footprint	The carbon footprint of a dwelling occupant is not strictly a concern of the Hunters Hill Development Control Plan 2013. The application was referred to TreeIQ for their ecological opinion and they raised no objection about the proposed tree removal.
Angus Allen	
CONCERNS RAISED	COMMENT

Reduced visual and acoustic privacy amenity	The size of the rear facing windows were reduced as a result of public notification. Some of the windows on the first floor address and internal void and are unlikely to result in overlooking.
Trevor Kelly 26 Rocher Avenue, Hunters Hill	
CONCERNS RAISED	COMMENT
Overshadowing	<p>Shadow diagrams are prepared to show how the shadowing of a new development will affect neighbouring properties on the winter solstice. That is to say, on the day of the year with the least amount of sunshine. Section 3.5.2 of the Hunters Hill Development Control Plan 2013 also states that any proposal should:</p> <p><i>(iii) Ensure that development will not overshadow more than one third of an existing private open space which currently has sunshine between 9:00 am and 3:00 pm on the winter solstice.</i></p> <p>It can be seen on the shadow diagrams provided that the private open space towards the rear of the site is overshadowed in the afternoon, which is unavoidable given the aspect of the site and the proposed dual occupancy's two storey form. But the private open space does receive the necessary sunlight in the morning and the noon and this is considered to be satisfactory.</p>
Reduced visual privacy amenity	The 'rear portion of the southern half of the proposed development' mentioned in the submission as having 'the ability to view any activity in the rear portion of 26 Rocher Avenue' refers to a master bedroom. This is not considered to be a room with the potential to have a negative visual privacy impact of the neighbouring property's private open space.

8. CONCLUSION

It is considered that the proposed alterations and additions are consistent with the provisions of Section 4.15 of the Environmental Planning and Assessment Act 1979.

9. RISK ASSESSMENT

There are no direct or indirect risks impacting on Council arising from consideration of this matter.

10. HUNTERS HILL 2030

This matter relates to ensuring that heritage and conservation of the area is respected, preserved and enhanced including the preservation of the character, views to and from the Municipality, and the preservation of the tree canopy.

RECOMMENDATION

That pursuant to Section 4.15 of the Environmental Planning and Assessment Act 1979, that Development Application DA20230156 for the demolition of the existing building and construction of a new attached dual occupancy with strata subdivision and associated landscaping at 24 Rocher Avenue, Hunters Hill be approved subject to the following conditions:

GEN1, GEN2, GEN8 (Tree 2, Tree 5, Tree7), GEN9, BCC1, BCC3, BCC4(a) Width of Driveways to be not greater than 4m at the kerb line), BCC5, BCC7 (\$5000), BCC8, BCC11, BCC12 (1375522M_02), BCC13, BCC17, BCC19, BCC20, BCC31, BBW3, BBW5, BBW6, BBW7, BBW8, BBW9, BBW10, BBW15, DBW2, DBW3 (Monday – Friday 7:00am to 5:00pm, Saturdays 8:00am to 1:00pm Sundays and Public Holidays No activities permitted), DBW5, DBW7, DBW8, DBW11, DBW13, DBW14, DBW15, DBW17, DBW19, DBW33, BOC1, BOC3, BOC5, BOC6, BOC7, BOC8, BOC9, BOC10, BOC16, BOC17, BOC27, DDW1, CDW2, PSC1 (STRATA), PSC3, PSC4, PSC5, PSC6, PSC10

Drawing Number	Drawn By	Plan Dated
Site Analysis DA00	Dalgliesh Ward Architects	22/03/24
Site Plan, Roof Plan DA01	Dalgliesh Ward Architects	22/03/24
Ground Floor Plan DA02	Dalgliesh Ward Architects	22/03/24
First Floor Plan DA03	Dalgliesh Ward Architects	22/03/24
Section Plan DA04	Dalgliesh Ward Architects	22/03/24
Elevation Plans DA05, DA06	Dalgliesh Ward Architects	22/03/24
Shadow Plans DA08, DA09, DA10	Dalgliesh Ward Architects	22/03/24
BASIX Certificate 1375522M_02	SDS Engineering	09/11/23
Stormwater Plans C001, C002, C003	SDS Engineering	14/11/23
Driveway Ramp C004	SDS Engineering	14/11/23
Survey Plan	Survcorp	07/06/23
Landscape Plan	B+E Landscape Architects	14/11/23

Arboricultural Impact Assessment	Horticultural Management Services	2/11/23
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ATTACHMENTS

1. Map showing submissions [↓](#)
2. Submissions [↓](#)
3. Submissions to amended plans [↓](#)
4. Plans [↓](#)



Sarah Jenkins

From: Gus Allen
Sent: Monday, 11 December 2023 8:04 AM
To: Customer Service
Subject: Development Application No.: DA20230156

To Whom It May Concern,

We are writing in regard to Development Application No. **DA20230156**

Under Section 4.15 of the Environmental Planning and Assessment Act, we are concerned with the proposed plans, in particular the EAST (Rear) Elevation floor to ceiling windows on the first floor.

Given the significant increase in height of the proposed application compared to the existing dwelling, we are concerned for our privacy and the increased dual occupancy with which we share a boundary. Our privacy will be impacted as the rear windows will overlook directly into our living, bedrooms and outdoor entertaining areas.

We request modifications be made to the first floor EAST (Rear) floor to ceiling windows, and that these be amended to standard half height windows or propose timber vertical batten privacy screens (*as per street evaluation*) be installed to protect our privacy.

Please do not hesitate to contact me should you wish to discuss the above

Best,
Angus Allen

22 Rocher Ave
Hunters Hill NSW 2110
17 December 2023

Director, Town Planning
Hunters Hill Council
Customerservice@huntershill.nsw.gov.au

Dear Mr Kourepis,

Development Application No. DA20230156

Our property is adjacent to 24 Rocher Ave, Hunters Hill, on the north side. Our house was originally built in the 1960s but had a major renovation in 1998. The garden has been well established for over 60 years and the section bordering No 24 has a heritage Japanese Maple tree and 20 camellia plants, of varying shape and size, amongst others. The shared border fence consists of a metre high wooden fence at the front and a 1.5 m wire fence at the back, the structure of which was required to allow excess rain and flood water to pass through the properties.

Although overall supportive, we have a number of concerns with the proposed development that fall under local planning regulations and these are outlined below. Some of our concerns are based on a review of the document "Statement of Environmental Effects" which is an attachment to the DA.

1. Detrimental impact on heritage trees and plants and wildlife (possible non-compliance with section 4.1.2 LEP Clause 6.3(f), 4.2.2 Vegetation in non-rural areas and 4.2.3 part 6.7 Aquatic ecology)

We are concerned that every tree on the property is being removed and this will negatively impact on the native birdlife as well as native ring-tail possums and lizards. Also, both 22 and 24 Rocher Avenue have multiple daily visits from lorikeets (up to 100), magpies, kookaburras and native mynah birds. Appropriate action will be required to ensure that these native birds and animals are protected during the demolition and building phases.

It is noted that 2 trees on our property, that have overhanging branches on the 24 Rocher side of the boundary fence, are identified as Trees 3 and 4 on the DA house plan. These are the magnificent Japanese Maple tree and a tall camellia plant, both at least 60 years old. The root line of the mature Japanese Maple is at least 2 metres and steps will need to be taken to ensure that both the root line extending into 24 Rocher Ave and some of its branches are not damaged or compromised during the demolition phase. An experienced arborist will need to manage any trimming of branches. Care also will need to be taken if trimming of any of the camellias along the border is required.

RECOMMENDATION

In executing the demolition of the current building and the erection of the 1.8m border fence, ensure that there is no detrimental impact on both the local wildlife and the heritage Japanese Maple tree and camellia plants on the 22 Rocher Ave border with 24 Rocher Ave.

2. Compromised Privacy (possible non-compliance with Chapter 5 Residential Amenity, 3.5.4 Acoustic privacy)

The proposed central courtyard facing 22 Rocher Ave is obviously going to be an entertainment area given the placement of a rectangular table in the space. We are concerned that the location of this courtyard and noise associated with the

utilisation of this area for entertainment at night may disturb the sleep of occupants in the master bedroom on the 1st floor of 22 Rocher Ave.

RECOMMENDATION

Take measures to ensure that noise associated with entertaining in this courtyard is minimised.

3. View Loss (possible non-compliance with Chapter 5 Residential Amenity, 3.5.3 Visual privacy)

Our main living room is at the front of the house. This is where we have all our meals and spend most of our leisure time. Our main view is through the 2 large windows facing 24 Rocher Ave. Currently this is a very pleasant view of the deciduous Japanese Maple enhanced by natural light and wind/breeze. In the 24 Rocher Ave proposal, our view will be significantly degraded and dominated by the sheer bulk of the proposed 2 storey structure. We are an older couple and this will seriously downgrade our quality of life.

RECOMMENDATION

To lessen the impact on us of this bulky structure, allowing for improved access to sunlight and open space, move the proposed new structure back a further 2 metres from the front fence.

4. Asbestos.

There is the possibility that the current building at 24 Rocher Ave may have asbestos somewhere in its structure as it was built at a similar time to our house in the 1960s. The current side fence on our property that adjoins the shared border fence with 24 Rocher Ave has a timber frame with asbestos sheeting, the latter being managed with protective paint. This fence will be impacted by the proposed removal of the current metal border fence. This issue will need to be managed by the builders of the proposed development.

RECOMMENDATION

Ensure that asbestos is appropriately managed when the current structure and border fence are demolished.

5. Border Fence

The proposed demolition of the house at 24 Rocher Avenue will generate significant noise and dust pollution that will have a negative impact on the occupants (us) and the plants / trees of 22 Rocher Avenue due to their close proximity. The building of the 1.8m border fence prior to the demolition phase would partially alleviate this impact.

RECOMMENDATION

Ensure that the proposed border fence between 22 and 24 Rocher Ave is built prior to the demolition phase.

6. Air Conditioning

We were unable to find in the DA any provision for air conditioning. Will air conditioning be installed and if so, will it be ducted or have external air conditioning units? If the latter, provision of a noise abatement plan will need to be added to the DA

RECOMMENDATION

Clarify the issue of air conditioning for the new structure and as required ensure that the associated noise will not impact the quality of life of the occupants of 22 Rocher Avenue.

Thank you for providing us with the opportunity to review this DA.

Yours sincerely,

Chris and Frank Flannery

Sarah Jenkins

Sent: Tuesday, 19 December 2023 2:11 PM

To: Customer Service <CustomerService@huntershill.nsw.gov.au>

Subject: SUBMISSION: Development Application No: DA 20230156 - 24 Rocher Avenue, HUNTERS HILL NSW 2110

Dear Sir/Madam

Re: SUBMISSION: Development Application No: DA20230156

Premises: 24 Rocher Ave, HUNTERS HILL NSW 2110

My husband, Mantej Singh and I, Rekha Singh reside at 6 Centenary Avenue, Hunters Hill, which is resident owned. I hereby respectfully wish to lodge a submission in relation to the following concerns and objections regarding the proposed plans of the above mentioned property which is located on the rear boundary of our backyard.

We are concerned that our property will be negatively impacted and our privacy will be significantly compromised by the construction of floor to ceiling windows located on the first floor of the east (rear) elevation and the construction of sliding doors and a laundry door on the living floor level of the east (rear) proposed development. The proposed floor to ceiling windows on the first floor and sliding and laundry doors on the living floor level will directly face and overlook our bedroom windows, our living and outside entertainment area and our swimming pool. It is noted that also as a result of the proposed increased height of the multi dwelling, this will further exacerbate the lack of privacy in the above mentioned areas of our home.

We further object to the proposed floor to ceiling windows on the first floor of the East (Rear) elevation as we note that the proposed bedroom windows on the first floor of both the North and South elevations of the property have sufficed with standard half height windows thereby not necessitating floor to ceiling windows.

With the increase in the length of the proposed development, (from the existing length to the proposed new length of the development), our privacy will again be severely compromised as the proposed development will be closer in proximity to the swimming pool, living and bedroom areas of our home.

The proposed development is a dual occupancy dwelling, which has the potential to directly impact and disturb the ambience and harmony of the immediate neighbourhood and vicinity, which primarily has single occupancy residences, in keeping with the general heritage and character of Hunters Hill.

The dual occupancy dwelling will impact the peaceful and tranquil nature of the immediate and adjoining neighbouring properties and

surroundings. Given the proposed increased number of dwellings in a confined area on the property, this has the potential to create noise traffic in the immediate vicinity of our property.

With a dual occupancy dwelling in lieu of a single occupancy residence, the proposed development increases the destruction of established vegetation thereby contributing to a higher carbon footprint. The removal of established vegetation also disrupts the harmonious natural habitat of some endangered species in the area.

Thank you for your consideration in this matter. We trust that our concerns will receive the required attention and consideration. Please do not hesitate to contact me on or by email at any time should you wish to discuss this further.

Thanking you.

Kind regards

Rekha Singh

Mantej Singh

Sarah Jenkins

From: Virginia Wise
Sent: Wednesday, 20 December 2023 11:03 PM
To: Customer Service
Subject: 24 Rocher street Hunters Hill DA DA20230156

Dear sir,

Thank you for the opportunity to respond to the application to build a Dual Occupancy at 24 Rocher Street Hunters Hill.

Having read thru the available documentation for the proposed DA I would like to raise the following issues.

The submitted Statement of environmental effects states:

LEP Clause 5.21 Flood planning Council maps do not identify the site as a flood affected area. NA

The site was identified in the Hunters Hill LGA final flood study of 2021 .

As referred to below;

file:///D:/Downloads/huntershill_fs_final_combined.pdf

The location of no. 24 Rocher street is identified as being part of the studies Hotspot 7.

12.7 Hotspot 7: Rocher Avenue Hotspot 7 represents the natural watercourse that moves through the back of properties on the eastern side of Rocher Avenue and outlets into Tarban Creek.

Figure 42 presents the 5% AEP, 1% AEP and PMF design flood results at Hotspot 7 and the peak flows results at various locations along the flow path.

Floodwaters from the 8 hectare upstream catchment meet at the low point Gladesville Road, near Rocher Avenue and overtop the kerb, flowing through the back of properties toward Tarban Creek. In the 1% AEP event, 1.8 m³ /s of flow (0.4 m³ /s of pipe flow and 1.4 m³ /s of overland flow) is conveyed along the Rocher Avenue overland flow path. In the downstream at Joly Parade, 5.1 m³ /s (1.7 m³ /s of pipe flow and 3.4 m³ /s of overland flow) crosses the road and enters Tarban Creek

The properties located in Hotspot 7 ,have been subject to water inundation at least twice in the 20 years we have lived in Joly Parade.

The proposed development brings the built structures closer to the identified flood study hotspot natural watercourse , being the natural gulley that runs between Rocher and Centenary Ave.

I believe this development is not in the best interest of the neighbouring houses included in this study.

I would greatly appreciate if the council could review the Development Application taking into consideration the councils own Flood study of the area in 2021.

Regards

Mrs Virginia Wise

2 Joly Parade Hunters Hill
NSW 2110

Sarah Jenkins

From: Rekha Soman
Sent: Wednesday, 1 May 2024 3:03 PM
To: Customer Service
Subject: RE: SUBMISSION: Development Application No: DA 20230156 - 24 Rocher Avenue, HUNTERS HILL NSW 2110

Dear Sir/Madam,

We reside at 6 Centenary Ave, which is owner occupied. Our property is situated to the rear of the proposed development. Following amended plans received in relation to the above mentioned development dated 22 April 2024, we wish to lodge the same objections to the original proposed development stated in our email below dated 19 December 2023. Please refer to email below.

The amended plans have not reflected changes to the objections lodged below. As stated in the email below, we are continued to be concerned about the lack of privacy from the rear living floors and rear deck of the property which directly overlooks our pool and entertainment areas. The lack of privacy will be further impacted by the planned number to trees to be removed from the back yard of the proposed development.

We continue to be concerned about the rear setback of the proposed development, which will be closer in proximity to the boundary of our property, thereby again compromising our privacy and increasing the impact of noise pollution. It is noted that the current existing property has a rear setback which is not as close to the boundary of our property.

With the proposed dual occupancy development, we continue to be concerned about the impact of noise pollution. This will be exacerbated by the proposed rear setback being so close to the boundary of our property.

We trust that our concerns will receive the required attention. In the interests of my privacy, I would appreciate my maiden name being removed from this email.

Thank you.

Rekha Singh (nee Soman)
Mantej Singh

Sent from my iPhone

Begin forwarded message:

From: Rekha Soman
Date: 20 December 2023 at 9:36:07 AM AEDT
To: CustomerService@huntershill.nsw.gov.au
Subject: Fwd: SUBMISSION: Development Application No: DA 20230156 - 24 Rocher Avenue, HUNTERS HILL NSW 2110

Dear Sir/ Madam

Further to my email below dated 19 December 2023 regarding my Submission for Development-Application No: DA 20230156, I wish to request that my maiden name be removed from the email (for my privacy). I have amended the original email below dated 19 December 2023 to reflect that.

Thank you very much for your consideration and attention in this matter.

Kind regards
Rekha Singh (nee Soman)

Begin forwarded message:

Date: 19 DECEMBER 2023 at 2:11:25 PM AEST
To: CustomerService@huntershill.nsw.gov.au
Cc: Mantej <mantejs@hotmail.com>
Subject: **SUBMISSION: Development Application No: DA 20230156 - 24 Rocher Avenue, HUNTERS HILL NSW 2110**

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Sarah Jenkins

From: Trevor Kelly ·
Sent: Friday, 3 May 2024 2:52 PM
To: Customer Service
Subject: Ref: DA20230156- 24 Rocher Avenue, Hunters Hill, 2110

I OBJECT to the proposed development at the above-mentioned address because of the the increase in shadow (sunlight reduction) this development will cause to the adjoining property, that being, 26 Rocher Avenue, Hunters Hill.

The Property, 26 Rocher Avenue already incurs significant shadow in winter from 24 Rocher Avenue and the proposed development only makes the social amenity situation worse.

Also, I OBJECT to the proposed development as it is noted that the level of privacy currently afforded to the rear portion (approximate east facing) of the property of 26 Rocher Avenue will be significantly reduced by this development given that the rear portion of the southern half of the proposed development (south facing) will have the ability to view any activity in the rear portion of 26 Rocher Avenue property.

This objection is submitted by;

Trevor J Kelly
26 Rocher Avenue, Hunters Hill.

Sarah Jenkins

From: Frank Flannery
Sent: Sunday, 5 May 2024 9:24 PM
To: Customer Service
Subject: Development Application No DA20230156

Dear Customer Service Team,

I would be grateful if you would pass on the following feedback with respect to the above amended DA to the Director, Town Planning.

The Director, Town Planning
Hunters Hills Council

Dear Sir,

Thank you for your invitation to comment on the amended DA concerning the property at 24 Rocher Ave, adjacent to my wife's and my house at 22 Rocher Ave, Hunters Hill.

Overall we are supportive of the amended DA . Our main outstanding concern is with an apparent oversight in the Arborist's Report (Arboricultural Impact Assessment and Tree Management Plan). I note that 2 trees on our property are included in this report (see Trees 3 and 4, both Camellia japonicas, pages 3 &4).The report recommends the erection of Tree Protection Fencing for each tree and states that these trees "will be monitored by an AQFK5 project Arborist" (page 24).

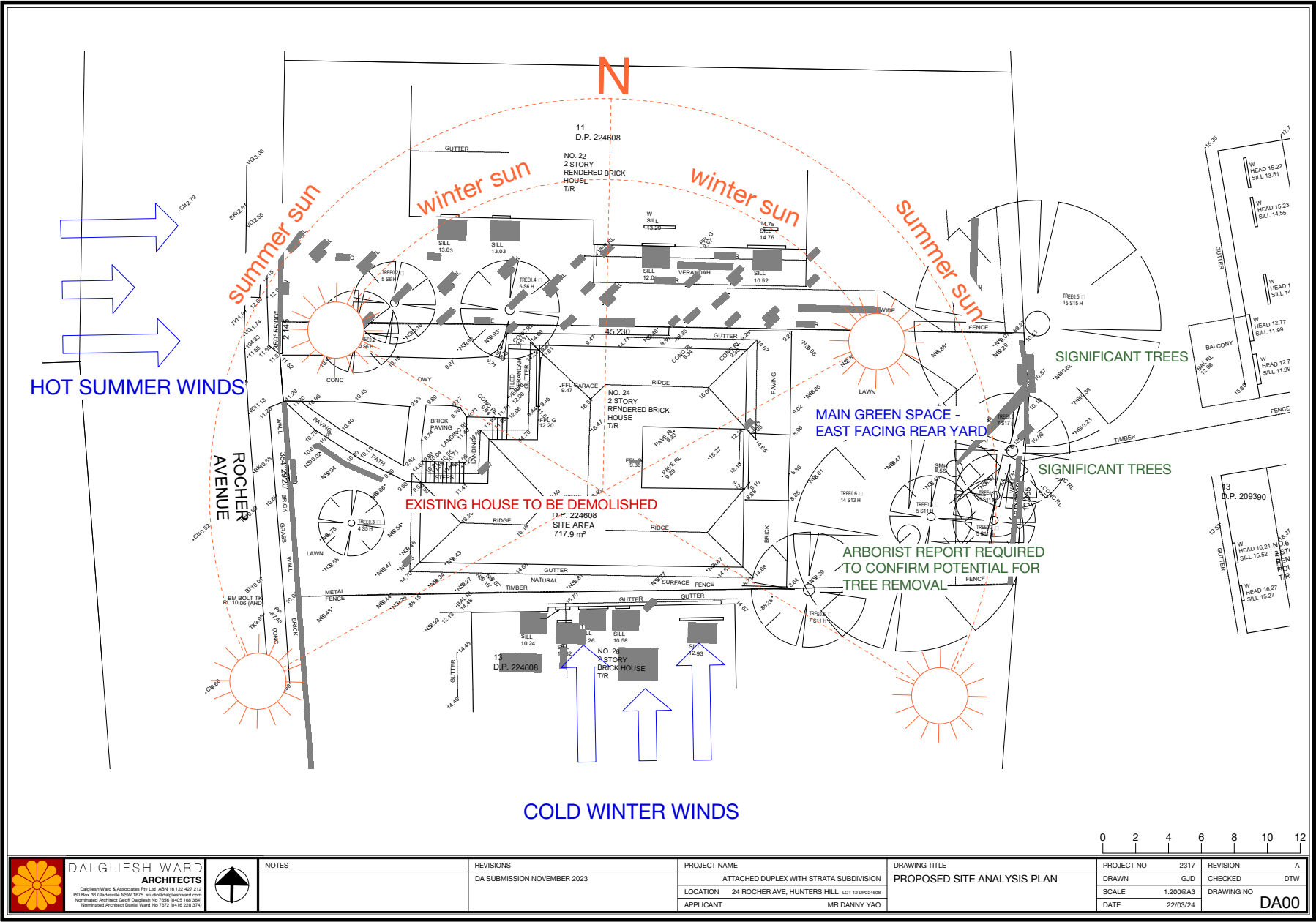
I submit that there is a significant omission in this report. As noted in my previous correspondence, the very valuable Japanese Maple Tree, positioned similarly to trees 3 and 4 on our property, is not mentioned in the Arborist's report. The health of this tree, situated similarly to Trees 3 and 4 on my property, is also possibly at risk during the demolition of the current house at 24 Rocher Ave and the subsequent new build. I therefore request that an addendum to the Arborist's Report be formally documented that identifies the Japanese Maple Tree as a tree requiring protection with Tree Protection Fencing and, together with Trees 3 and 4, be monitored by the AQFL5 project Arborist.

Finally there is one final issue of concern (contained in my previous correspondence dated 18 January 2024) that does not appear to be addressed in the amended DA. I made one recommendation, the rationale of which is outlined in that email, that the rear portion of the proposed new border fence between 22 and 24 Rocher Avenue has appropriately located gaps at ground level that would allow the flow through of excess water during periods of heavy rain (of which there have been at least 3 episodes so far in 2024).

I would greatly appreciate your consideration of the matters documented above.

Kind regards

Frank Flannery





DALGLIESH WARD
ARCHITECTS
Dalgliesh Ward & Associates Pty Ltd ABN 16 122 427 212
PO Box 26 Glenview NSW 1570 info@dalglieshward.com
Nominated Architect Council Dalgliesh No 7899 (S463 188 356)
Nominated Architect Council Ward No 7872 (S418 228 274)



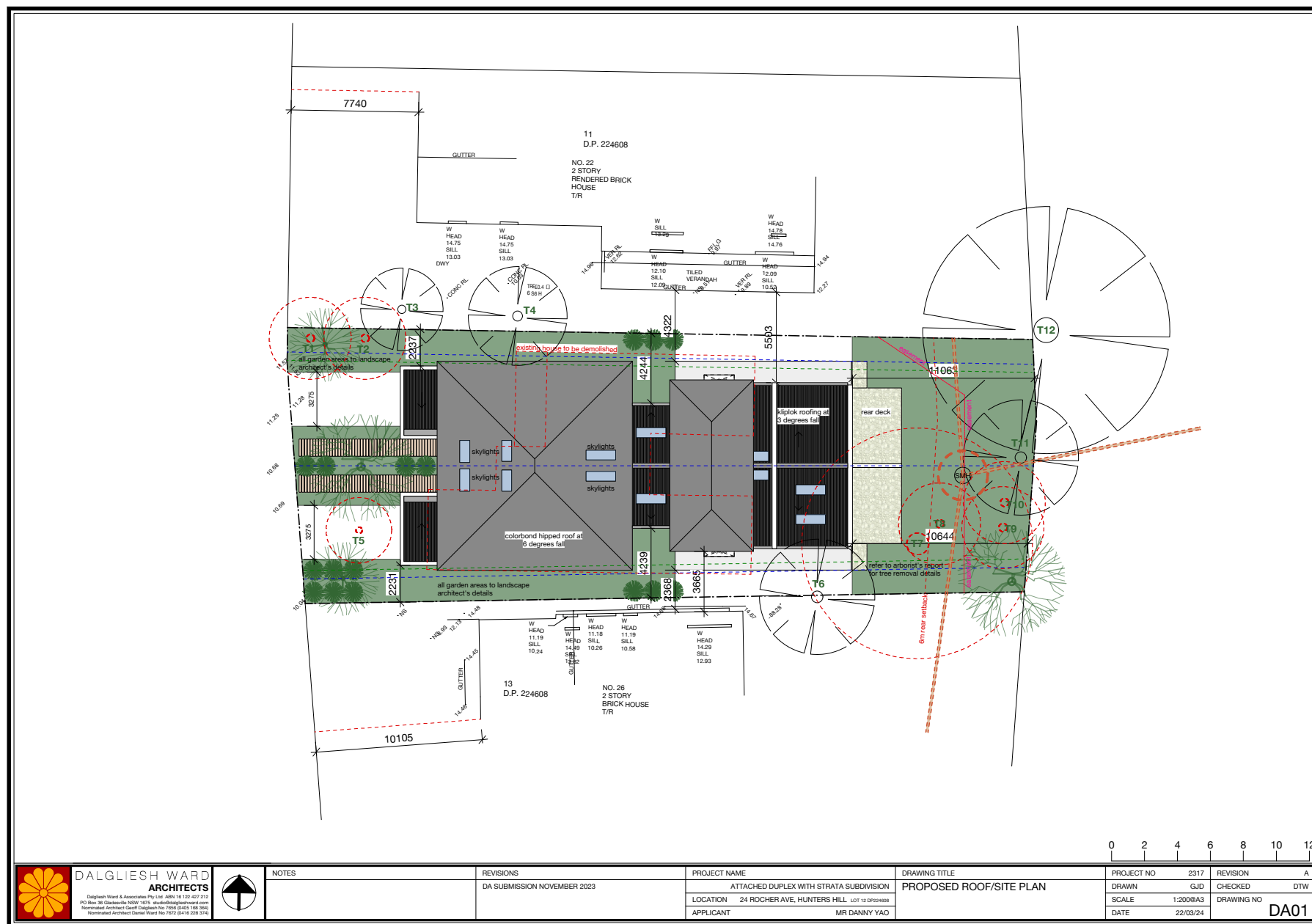
NOTES

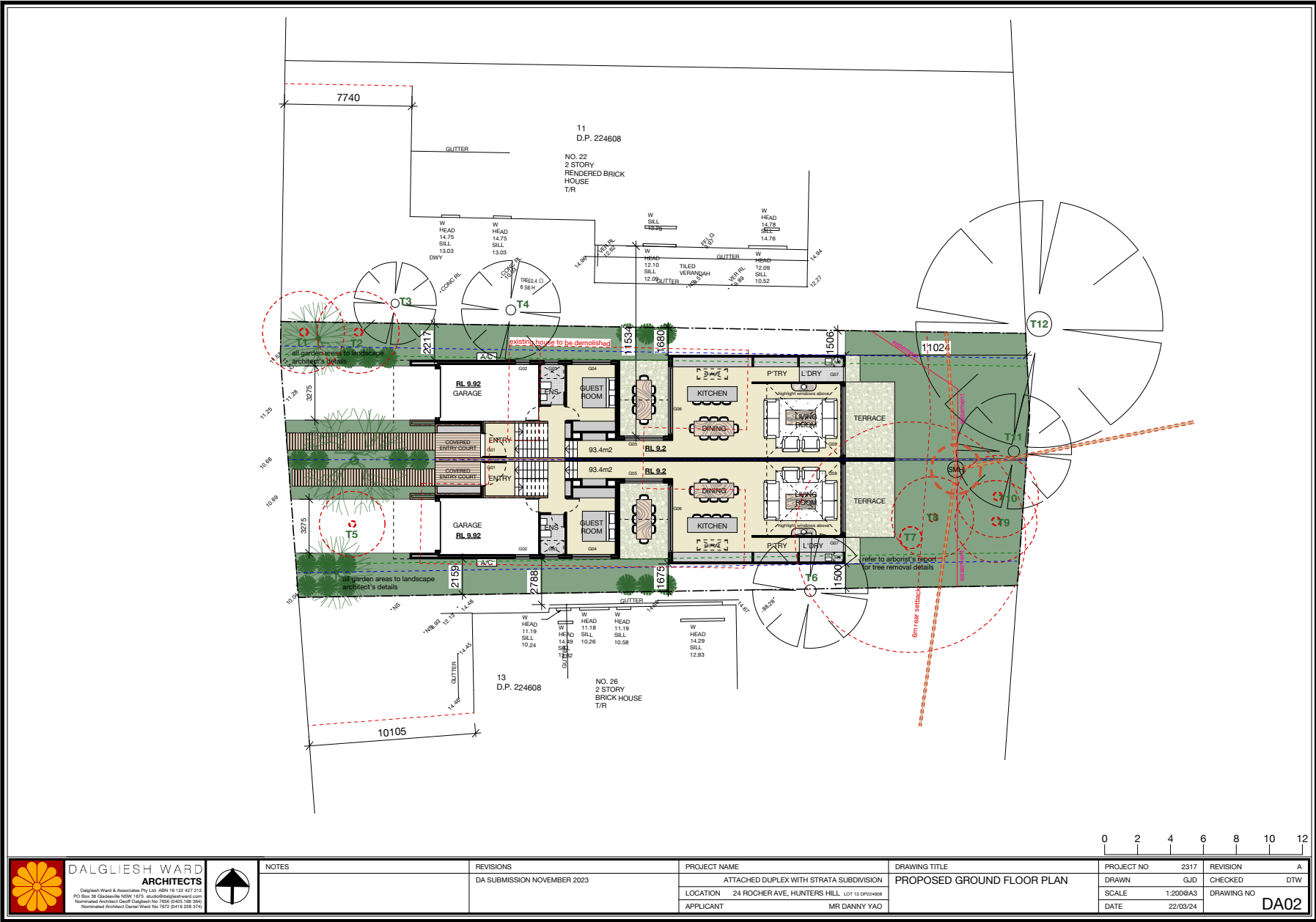
REVISIONS
DA SUBMISSION NOVEMBER 2023

PROJECT NAME
ATTACHED DUPLEX WITH STRATA SUBDIVISION
LOCATION
24 ROCHER AVE, HUNTERS HILL, LOT 12 DP204608
APPLICANT
MR DANNY YAO

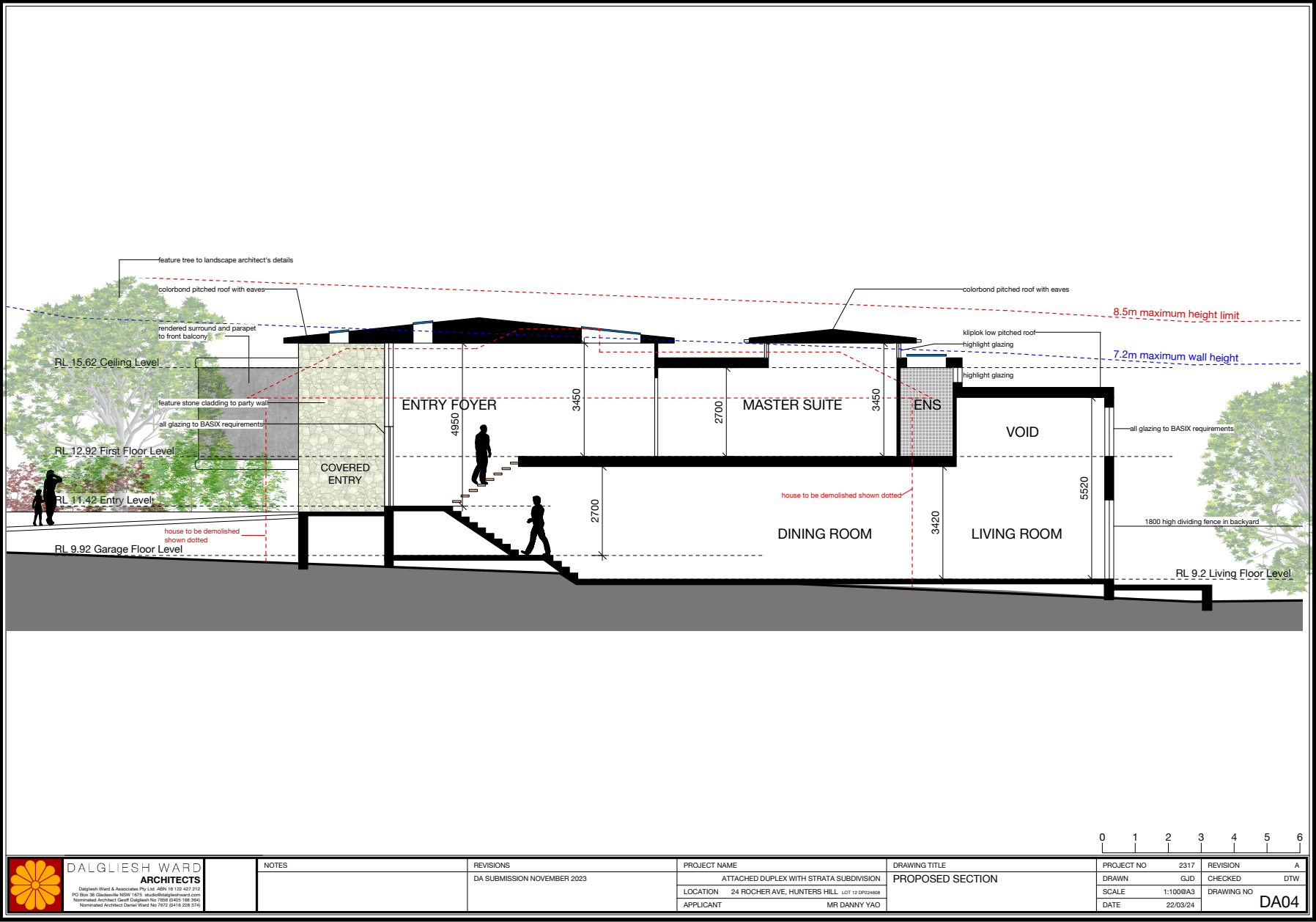
DRAWING TITLE
PROPOSED SITE ANALYSIS PLAN

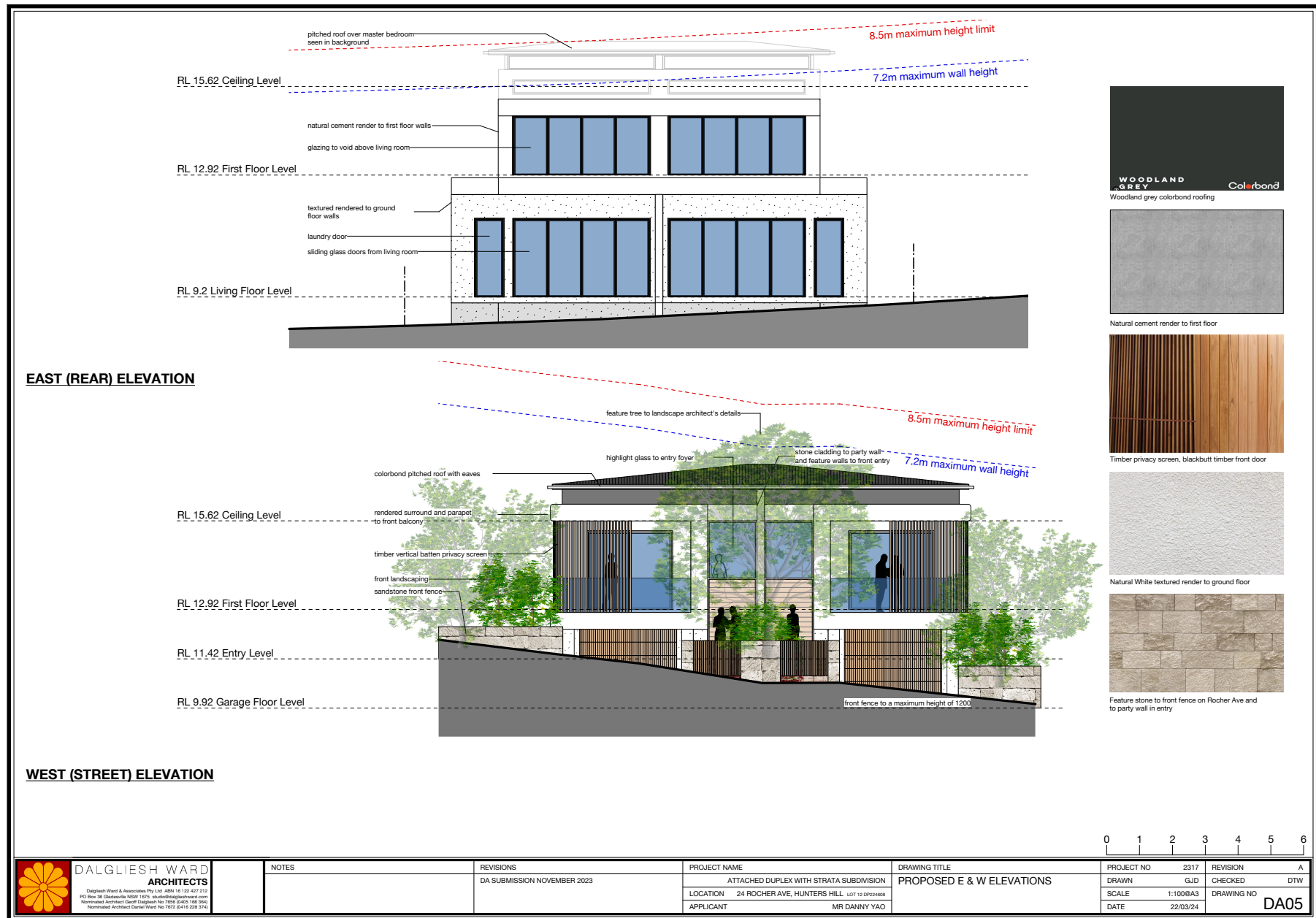
PROJECT NO	2317	REVISION	A
DRAWN	GJD	CHECKED	DTW
SCALE	1:200/8A3	DRAWING NO	DA00
DATE	22/03/24		













DALGLIESH WARD
ARCHITECTS
Dalgliesh Ward & Associates Pty Ltd ABN 16 122 427 212
PO Box 26 Glenview NSW 1570 info@dalglieshward.com
Nominated Architect Geoff Dalgliesh Tel 7899 (0403 188 356)
Nominated Architect Daniel Ward Tel 7872 (0418 228 216)

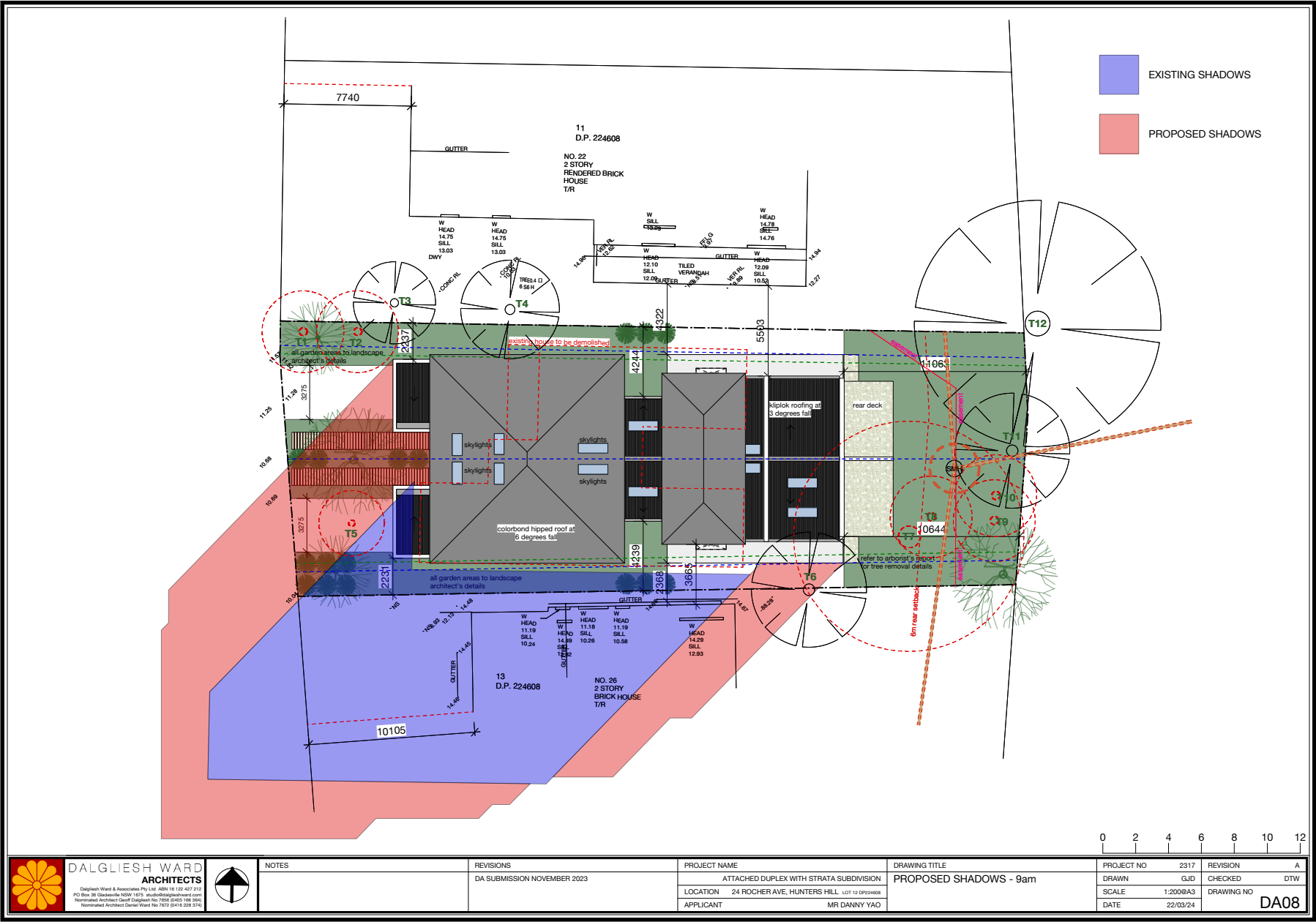
NOTES

REVISIONS
DA SUBMISSION NOVEMBER 2023

PROJECT NAME
ATTACHED DUPLEX WITH STRATA SUBDIVISION
LOCATION
24 ROCHER AVE, HUNTERS HILL, LOT 12 DP924608
APPLICANT
MR DANNY YAO

DRAWING TITLE
PROPOSED N & S ELEVATIONS

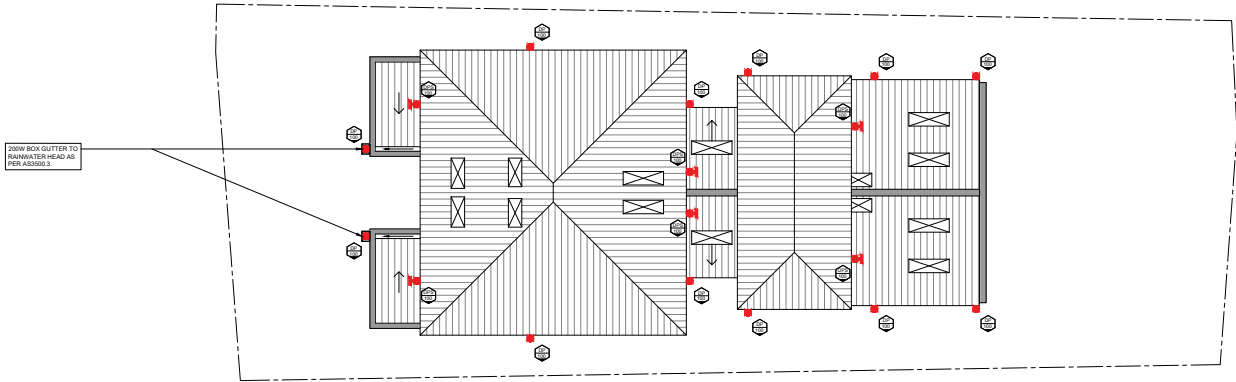
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DRAWN	GJD	CHECKED	DTW
SCALE	1:100/8A3	DRAWING NO	DA06
DATE	22/03/24		



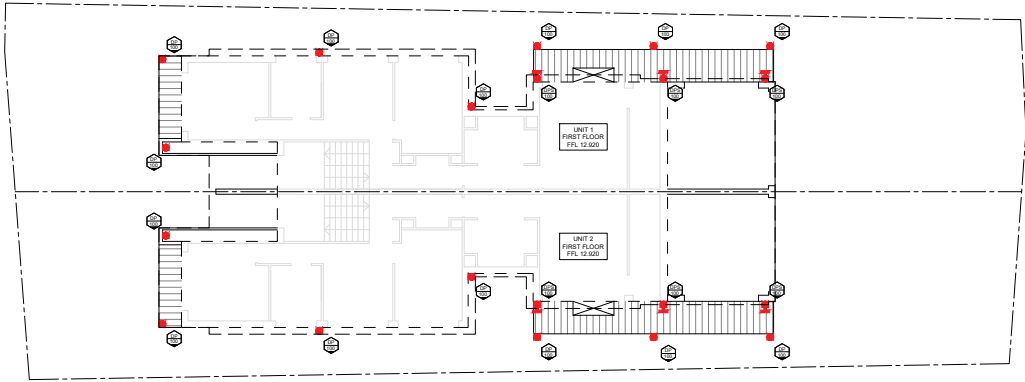




PROJECT NO	2317	REVISION	-
DRAWN	GJD	CHECKED	DTW
SCALE	NTS@A3	DRAWING NO	DA11
DATE	30/10/23		



CONCEPT ROOF DRAINAGE PLAN
1:100



CONCEPT FIRST FLOOR DRAINAGE PLAN
1:100

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NOTE
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ARCHITECTURAL PLANS FOR LEVELS,
STEPS, DIMENSIONS AND SETOUT. VERIFY
DIMENSIONS ON SITE. THE ENGINEER
SHALL BE NOTIFIED OF ANY VARIATIONS
TO THAT SHOWN ON STRUCTURAL PLANS
BEFORE COMMENCEMENT OF WORKS

REV	DATE	DESCRIPTION	BY
B	22/05/2024	ISSUED FOR DA	S.G.
A	14/11/2023	ISSUED FOR DA	S.G.

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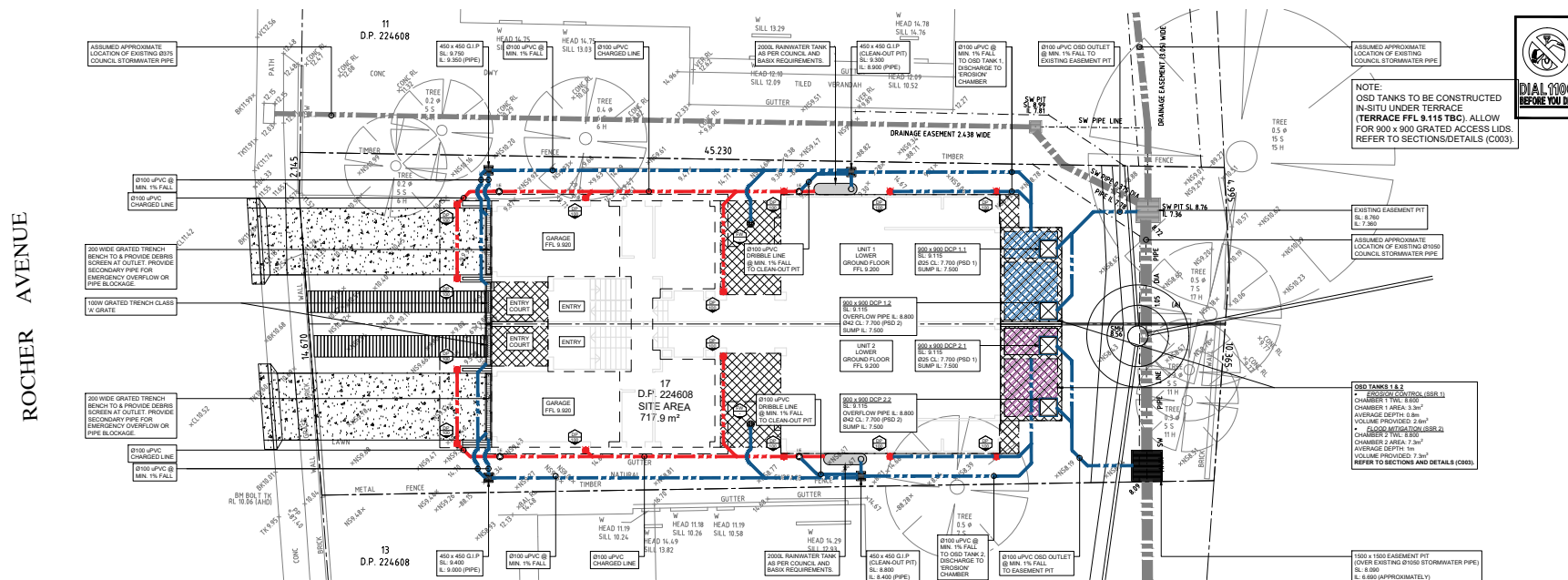
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**PROPOSED
DUAL OCCUPANCY**
AT: 24 ROCHER AVENUE, HUNTERS HILL NSW 2110
FOR: DALGLEISH WARD

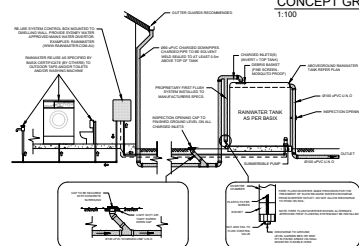
**CONCEPT ROOF & FIRST FLOOR
DRAINAGE PLANS**

JOB NUMBER: 230901	DWG NUMBER: C001	ORIGINAL SIZE: A1
DESIGNED BY: S.G.	DATE: 14/11/2023	
DRAWN BY: S.G.	SCALE: AS SHOWN	





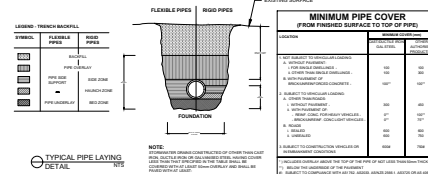
CONCEPT GROUND FLOOR DRAINAGE PLAN
1:100



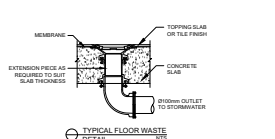
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RAINWATER RE-USE TANK DETAIL NT



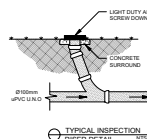
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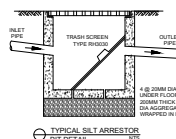
⊖ TYPICAL PIPE LAYING
DETAIL RTI



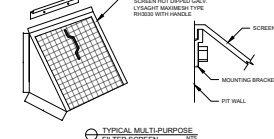
⊖ TYPICAL FLOOR WASTE
DETAIL



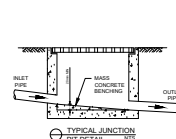
⊕ TYPICAL INSPECTION
RISER DETAIL NT



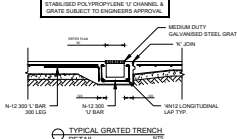
⊖ TYPICAL SILT ARRESTOR
BIT DETAIL NTS



⊖ TYPICAL MULTIPURPOSE
FILTER SCREEN



⊖ TYPICAL JUNCTION
BIT DETAIL NTS



⊖ TYPICAL GRATED TRENCH
DETAIL

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B	22/03/2024	ISSUED FOR DA	S.C.
A	14/11/2023	ISSUED FOR DA	S.C.
REV	DATE	DESCRIPTION	BY

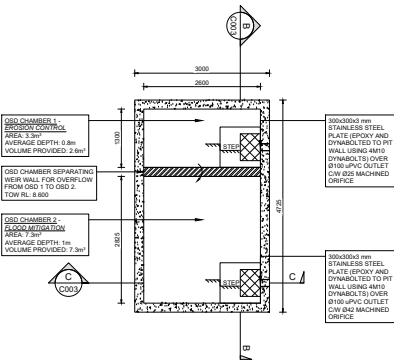
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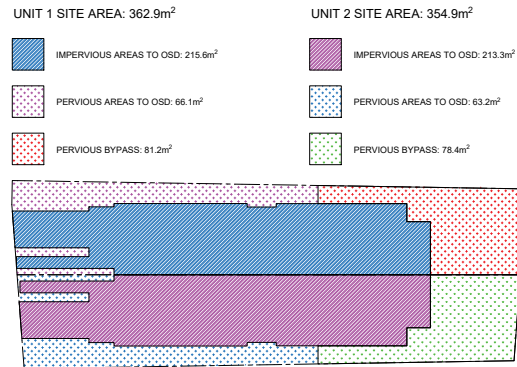
**PROPOSED
DUAL OCCUPANCY**
AT: 24 ROCHER AVENUE, HUNTERS HILL NSW 2110
FOR: DALGLISH WARD

**CONCEPT GROUND FLOOR DRAINAGE PLAN
& STORMWATER SECTIONS/DETAILS**

JOB NUMBER: 230901	DWG NUMBER: C002	ORIGINAL SIZE: A1
DESIGNED BY: S.G	DATE: 14/11/2023	
DRAWN BY: S.G	SCALE: AS SHOWN	



A ON-SITE DETENTION TANK PLAN DETAIL



POST-DEVELOPMENT CATCHMENT PLAN

ON-SITE DETENTION CALCULATION:

PROPOSED DEVELOPMENT IS WITHIN ZONE 1 OF HUNTERS HILL COUNCIL'S CATCHMENT MANAGEMENT ZONES, FIGURE 5.1 OF HUNTERS HILL CONSOLIDATED DCP, 2013.

THEREFORE, THE PROPOSED DEVELOPMENT REQUIRES ON-SITE DETENTION FOR FLOOD MITIGATION AND EROSION CONTROL AS SHOWN BELOW.

UNIT 1
SITE AREA: 362.9m²
POST-DEVELOPMENT IMPERVIOUS AREA: 215.6m²

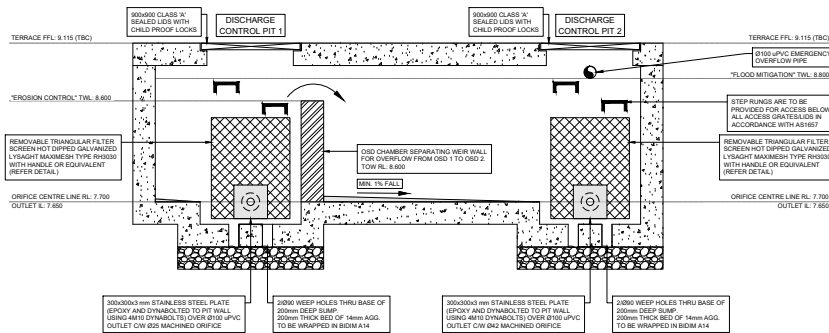
EROSION CONTROL REQUIREMENTS
SSR 1: 1.2m³/100m² = 2.59m³
PSD 1: 0.41L/s/100m² = 0.88L/s

FLOOD MITIGATION OSD REQUIREMENTS
SSR 2: 3.04m³/100m² = 6.55m³
PSD 2: 1.8L/s/100m² = 3.88L/s

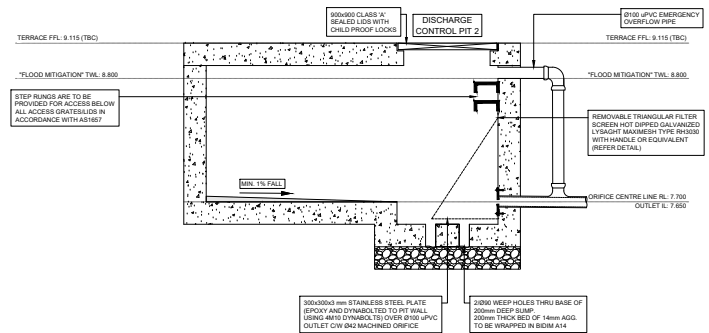
UNIT 2
SITE AREA: 354.9m²
POST-DEVELOPMENT IMPERVIOUS AREA: 213.3m²

EROSION CONTROL REQUIREMENTS
SSR 1: 1.2m³/100m² = 2.56m³
PSD 1: 0.41L/s/100m² = 0.87L/s

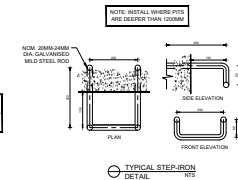
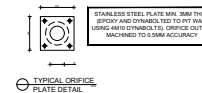
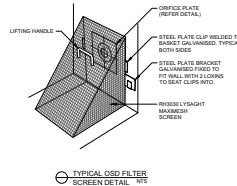
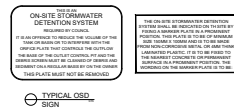
FLOOD MITIGATION OSD REQUIREMENTS
SSR 2: 3.04m³/100m² = 6.48m³
PSD 2: 1.8L/s/100m² = 3.84L/s



B ON-SITE DETENTION TANK SECTION B



C ON-SITE DETENTION TANK SECTION C



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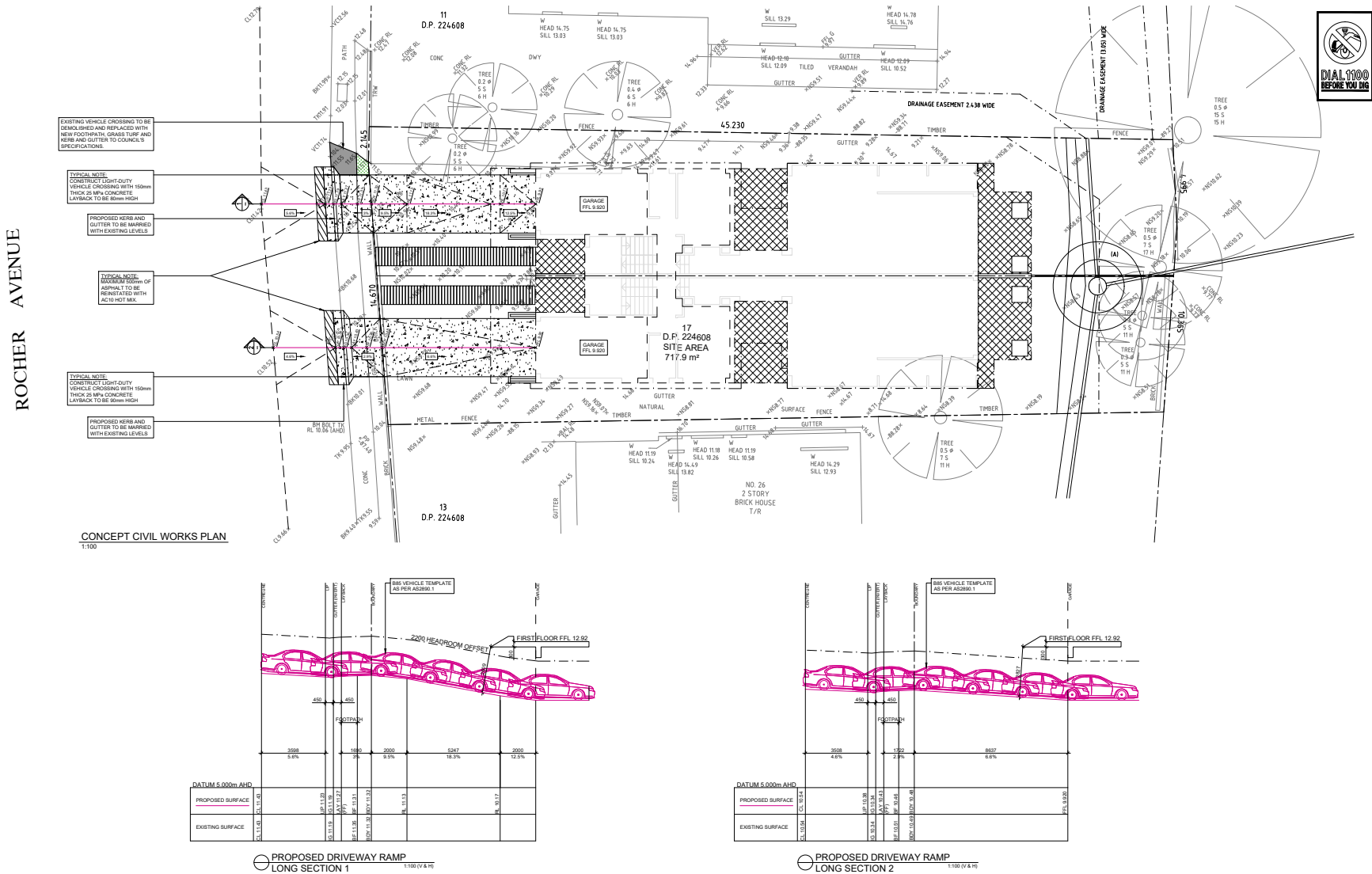
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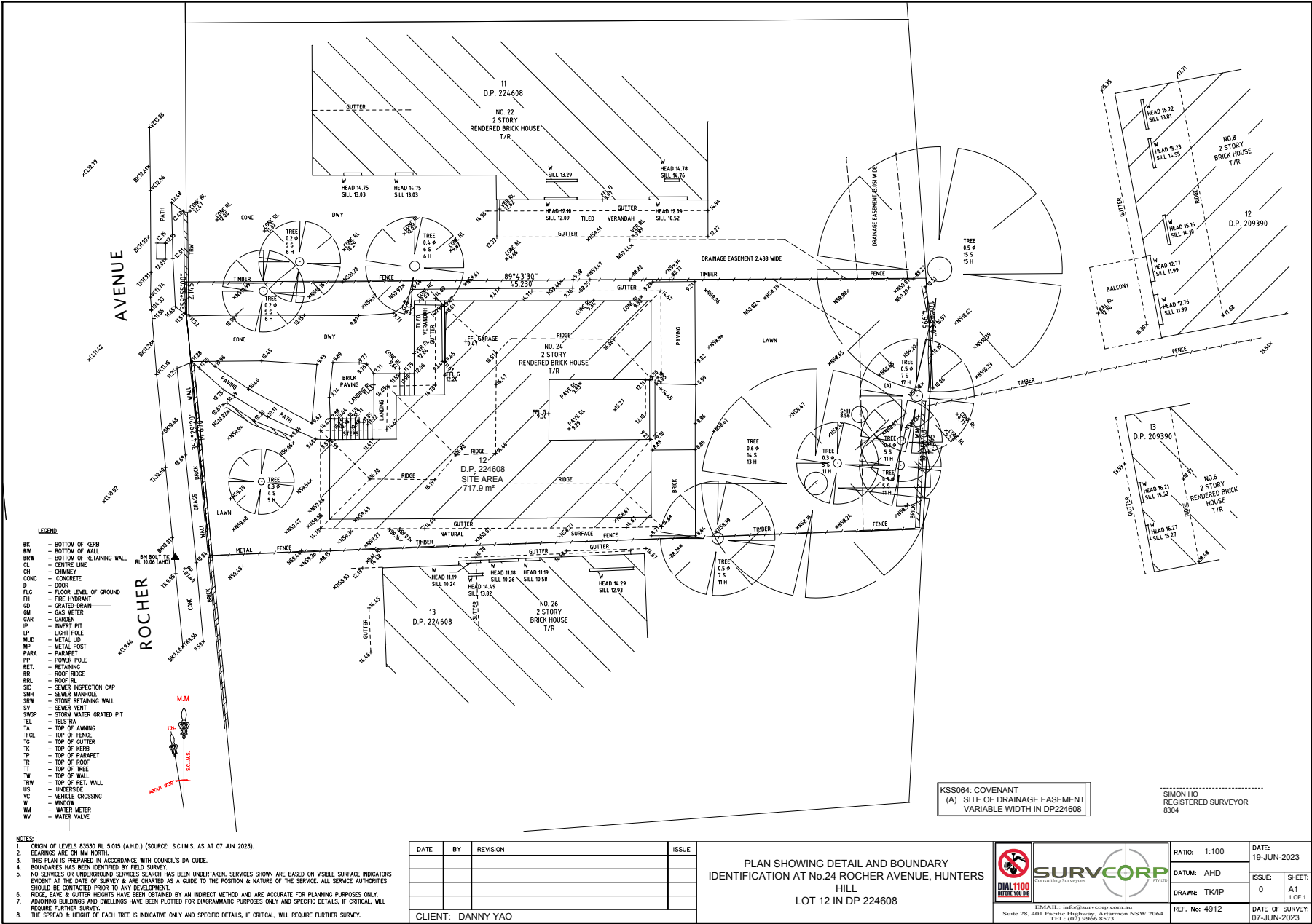
REV	DATE	DESCRIPTION	BY
B	22/05/2024	ISSUED FOR DA	S.G.
A	14/11/2023	ISSUED FOR DA	S.G.

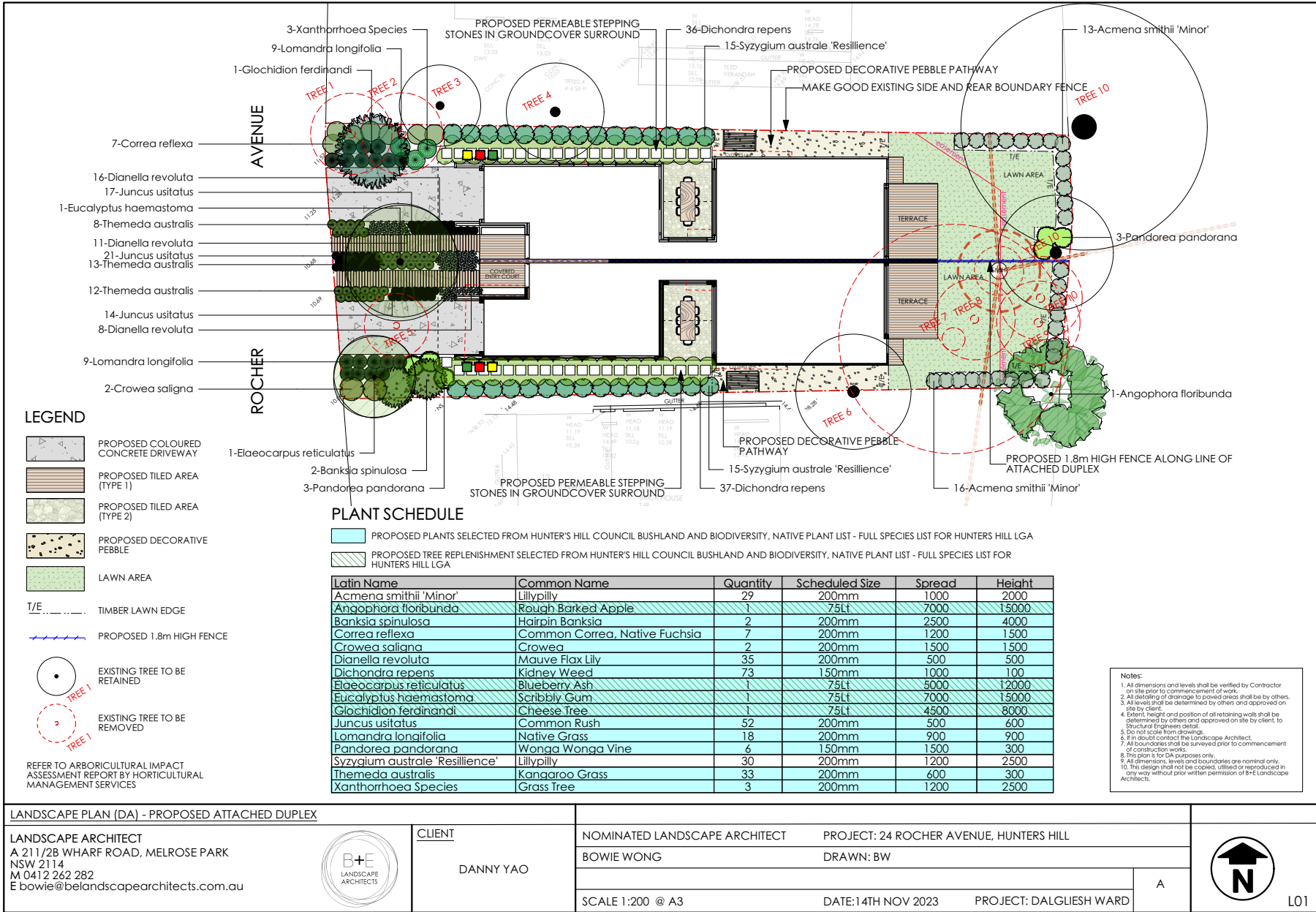
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PROPOSED DUAL OCCUPANCY AT: 24 ROCHER AVENUE, HUNTERS HILL NSW 2110 FOR: DALGLEISH WARD		
JOB NUMBER: Z30901	DWG NUMBER: C003	ORIGINAL SIZE: A1
DESIGNED BY: S.G.	DATE: 14/11/2023	SCALE: AS SHOWN
OSD CALCULATIONS, CATCHMENT PLAN & OSD SECTIONS/DETAILS		







ITEM NO	: 2.2
SUBJECT	: 2.30PM 22 FARNELL STREET, HUNTERS HILL
STRATEGIC OUTCOME	: DEVELOPMENT APPLICATION, REGULATION AND MONITORING SERVICES ARE STREAMLINED
ACTION	: DEVELOPMENT APPLICATIONS (DAS) ARE PROCESSED IN ACCORDANCE WITH SERVICE STANDARDS
REPORTING OFFICER	: PATRICK OGISI
DEVELOPMENT APPLICATION NO	20240032
PROPOSAL	EXISTING ALFRESCO ROOF CONVERT TO BALCONY, AND ADD ONE SMALL WINDOW AT BATHROOM OF MASTER BEDROOM.
APPLICANT	TIMOTHY SHU
OWNER	MR T SHU
DATE LODGED	22 APRIL 2024

Ref:706900

1. DESCRIPTION OF PROPOSAL

The proposal involves alterations and additions to the existing dwelling. The amendments are listed below:

- *Construction of a new first floor balcony over the existing roof form with associated pergola and sliding doors;*
- *Addition of a new window to the first floor ensuite.*

2. DESCRIPTION OF SITE AND LOCALITY

The site is located at 22 Farnell Street, Hunters Hill and is legally described as Lot A in Deposited Plan 366931. The site is rectangular in shape and has a total area of 815.7m².

The site contains a two storey dwelling in the postmodernist style. The sites surrounding the proposed development site comprise of detached dwellings that vary in form and finish and include both single and double storey dwellings. This is a more contemporary side of Hunters Hill and many of the houses are newer than those on the peninsula. There are comparatively few heritage items in the immediate vicinity and they are not going to be affected by the proposed alterations and additions.

3. PROPERTY HISTORY

BIC20237524 was lodged for the approval of the retaining walls and stairs. This was approved on the 24th of March 2023.

SXC2020/00299 was a Complying Development Certificate was approved for the current swimming pool on the 1st of March 2021.

XC2020-/00071 was a Complying Development Certificate for the construction of the house. This was approved on the 29th of January 2021.

CDC201055/01 for the demolition of the previous dwelling was granted approval on the 14th of October 2020.

DA2017-1195 was for a proposed attached dual occupancy with strata subdivision was refused under this application on the 16th of August 2018

4. REFERRALS

4.1 External Approval Bodies

Not Applicable.

4.2 Heritage

Not Applicable.

4.3 Public Works and Infrastructure

Not Applicable.

4.4 Parks and Landscape

Not Applicable.

5. ASSESSMENT UNDER S.4.15

5.1 State Environmental Planning Policies (SEPPs)

SEPP (Resilience and Hazards) 2021

The Policy applies for the proposed development, however given the known history of Hunters Hill as a longstanding residential area it is considered unlikely that any contamination exists on the site.

SEPP (Building Sustainability Index: BASIX) 2004

Not Applicable.

SEPP (Biodiversity and Conservation) 2021

No significant vegetation removal is proposed by the development.

5.2 Regional Environmental Plans

Not Applicable.

5.3 Hunters Hill Local Environmental Plan 2012 (HHLEP)*Clause 2.3 – Aims and Objectives of Hunters Hill Local Environmental Plan 2012*

The proposal is permissible with consent under R2 Low Density Residential Zone and complies with the zone objectives in maintaining the low density character of the area.

Clause 4.3 – Height of Buildings

The proposed building height will be 6.55 metres, which is similar to the existing.

Clause 4.4 – Floor Space Ratio (FSR)

The proposed Floor Space Ratio is the same as existing as the additions do not contribute to the gross floor area because they are external.

Clause 4.6 Variations

A Clause 4.6 variation was submitted with the application. The existing landscaped area is 170.4m² or 46.9% of the site area. This is below the required 50% required by Clause 6.9 of the Hunters Hill Local Environmental Plan 2013 which says as follows:

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

(a) to maintain the character and identity of Hunters Hill by ensuring that dwelling houses and secondary dwellings are surrounded and separated by individual gardens,

(b) to soften the visual impacts of dwelling houses and secondary dwellings when viewed from any waterway, park or road by providing sufficient space for trees and plantings around every building,

(c) to protect and preserve native vegetation in general, and in particular, native vegetation that occurs in a riverfront area or on riparian land,

(d) to ensure that the size and scale of dwelling houses and secondary dwellings are compatible with the existing character of their surrounding locality,

(e) to minimise the discharge of stormwater from any site, whether by drainage or by overland flow.

(2) The landscaped area of any site on which development for the purpose of a dwelling house or a secondary dwelling is carried out must not be less than—

(a) for each site with a direct frontage to the Parramatta River or the Lane Cove River—60% of the site area, or

(b) for all other sites—50% of the site area.

(3) For the purposes of subclause (2), the site area is to be calculated under clause 4.5 (3) and any area that has a length or a width of less than 2 metres is not to be included in calculating the proportion of landscaped area.

(4) Despite subclause (2), the minimum landscaped area may be reduced by not more than 33% for the purpose of accommodating a pathway, a patio, a terrace or a pool (if the pool has an area of less than 40 square metres), but only if the proposed development would be consistent with the objectives of this clause.

It is to be noted however that all soft landscaping on site is retained under this application. **No physical works or changes to the landscaped area are proposed under this application.**

The Clause 4.6 variation submitted with the application is considered to be acceptable as the proposal is predominantly for internal works to an existing dwelling and does not further detract from the landscaped area of the site.

Clause 5.10 – Heritage Conservation

Not Applicable.

Clause 6.3 – Stormwater Management

Not Applicable.

Clause 6.9 – Landscape Area

The proposed landscaped area is the same as existing. It is below the required 50% required for the site, but this has been adequately covered in the Clause 4.6 variation submitted with the application.

5.4 Draft Amendments to Statutory Controls

N/A

5.5 Hunters Hill Development Control Plan 2013 (HHDCP)

Part 2.2 – Planning Policy – All Development

The proposal complies with the relevant objectives, design parameters, and preferred design elements. Minimal changes have been proposed as part of this application. Concerns have been raised in separate submissions about privacy concerns. These will be addressed at the end of the report.

Part 2.3 – Trees and Vegetation

The proposed development has minimal impact on the site's landscaping.

Part 2.4 – Heritage Conservation

The proposal is considered compatible with the surrounding development and will not have a significant impact on any the heritage objectives of the Hunters Hill Local Environmental Plan 2012.

Part 3.3 – Dwelling Houses

The proposed development will make negligible changes to the building height.

Part 3.5 – Residential Amenity

The proposed development complies with the provisions of the Hunters Hill Development Control Plan 2013.

Part 5.3 – Car Parking and Vehicle Access

The proposal will not affect the parking provisions of the site.

Part 5.6 – Stormwater Management

Not applicable.

6. THE LIKELY IMPACTS OF THE DEVELOPMENT

Financial Impact Assessment

There is no direct financial impact on Council’s budget as a result of this report.

Environmental Impact Assessment

There is no direct environmental impact on Council arising from Council consideration of this matter.

Social Impact Assessment

There is no direct social impact on Council arising from Council consideration of this matter.

7. ANY SUBMISSIONS MADE IN ACCORDANCE WITH THIS ACT OR THE REGULATIONS

The surrounding properties to the site were notified of the Development Application for a period of 14 days until 17/05/2024. During this period, three submissions were received. It should be noted that two submissions are from the same address. Please see them addressed below:

NOTIFICATION REQUIRED	Yes
Kris Peterson 24a Farnell Street, Hunters Hill	
CONCERNS RAISED	

Views and Vistas

The residents of 24a Farnell Street raised first and foremost as a concern their potential loss of views. The views on this aspect can be seen in Figure 1. Section 3.5.5 of the Hunters Hill Development Control Plan 2013 discusses view sharing. The objectives are to:

- (a) Provide opportunities for view sharing by existing and future residents of the Municipality.*
- (b) Ensure that the maximum number of residents enjoy a view by avoiding the monopoly of any view by an existing dwelling and undue obstruction of any view by a new dwelling or addition.*

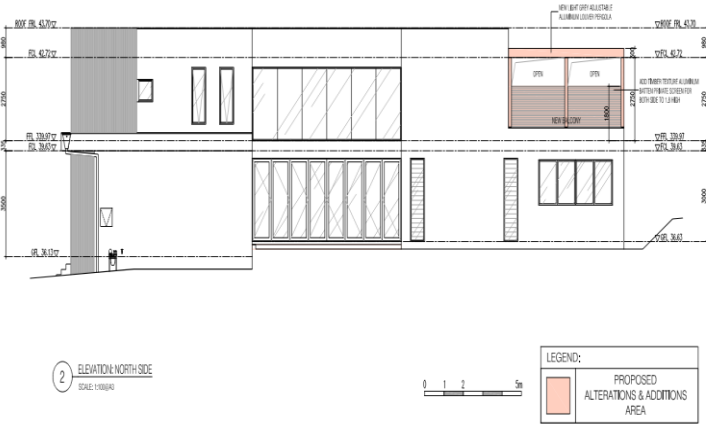
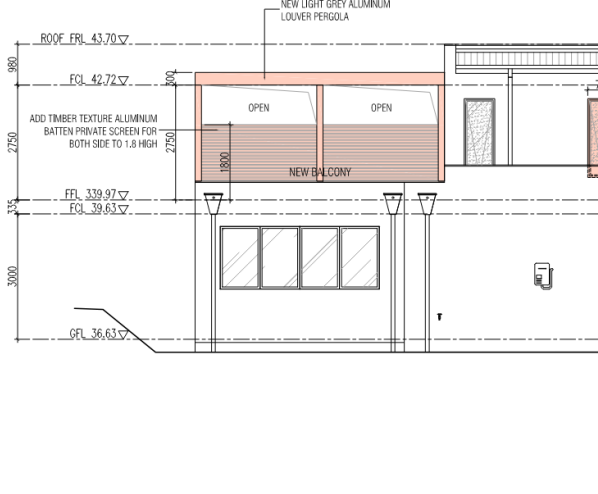
When read further, it becomes clear what views the DCP is intended to protect in the controls for view sharing:

- (a) Views that are significant features of this Municipality should be protected or shared, and **include panoramic outlooks toward the Parramatta and Lane Cove Rivers, and the city skyline.***
- (b) New developments should not unduly obstruct views that are available from any street, public place or reserve.*
- (c) New developments should promote view sharing by minimising the loss of existing views for adjoining or nearby properties while providing views from the proposed development itself.*

As can be seen in Figure 1, the view in question from 24a Farnell Street is of trees and a house and not the city skyline or surrounding riparian areas.



Figure 1. Taken from the neighbouring property with a view of the subject dwelling where the proposed balcony is to be located on the currently non trafficable roof

	 <p>Figure 2. Shows the proposed additions in a peach colour from the northern elevation. This will be the view from 24a Farnell.</p> <p>Figure 2 above also shows a privacy screen. This helps mitigate any acoustic and visual privacy concerns. As the vista is not considered to be significant, this is considered to be an acceptable trade off.</p>
<p>Use of Balcony for Outdoor Entertainment</p>	<p>How residents use their private open space is not a consideration in Council's legislation. The applicant has taken steps to mitigate acoustic impacts with the privacy screen shown in Figure 2. It should also be noted that the balcony will be accessible from a bedroom.</p>
<p>Alex Mackey 20 Farnell Street, Hunters Hill</p>	
<p>CONCERNS RAISED</p>	
<p>Diminished Privacy</p>	<p>Figure 3 shows the presence of a privacy screen with closable louvres. This time from the southern aspect. This mitigates any potential privacy impacts, both from a visual and acoustic angle.</p>  <p>Figure 3. Shows the proposed additions in a peach colour from the southern elevation. This will be the view from 20 Farnell.</p>
<p>Solar Access</p>	<p>The existing balcony has a width of 5.96 metres. This is the corridor of sunlight that will be affected into 20 Farnell's private open space. For reference, the site boundary with</p>

	20 Farnell Street is 62.76 metres, with a rear setback of 16.26 metres to serve as a corridor for unobstructed sunlight. This is considered to be sufficient solar access with a minimal reduction.
Increase in Building Footprint	As the proposed balcony is going on top of a currently non-trafficable roof, the footprint of the dwelling remains the exact same as it currently is. There is only an increase to the trafficable area, which is to be accessible from a master bedroom.
Katie Mackey 20 Farnell Street, Hunters Hill CONCERNS RAISED	
Diminished Privacy	Figure 3 shows the presence of a privacy screen with closable louvres. This time from the southern aspect. This mitigates any potential privacy impacts, both from a visual and acoustic angle.
Solar Access	The existing balcony has a width of 5.96 metres. This is the corridor of sunlight that will be affected into 20 Farnell's private open space. For reference, the site boundary with 20 Farnell Street is 62.76 metres, with a rear setback of 16.26 metres to serve as a corridor for unobstructed sunlight. This is considered to be sufficient solar access with a minimal reduction.

8. CONCLUSION

The proposed alterations and additions are consistent with the provisions of Section 4.15 of the EPA Act 1979, HHDCP 2013, and HHLEP 2012.

9. RISK ASSESSMENT

There are no direct or indirect risks impacting on Council arising from consideration of this matter.

10. HUNTERS HILL 2030

The Development Application does not affect the overall area of Hunters Hill and is compliant.

RECOMMENDATION

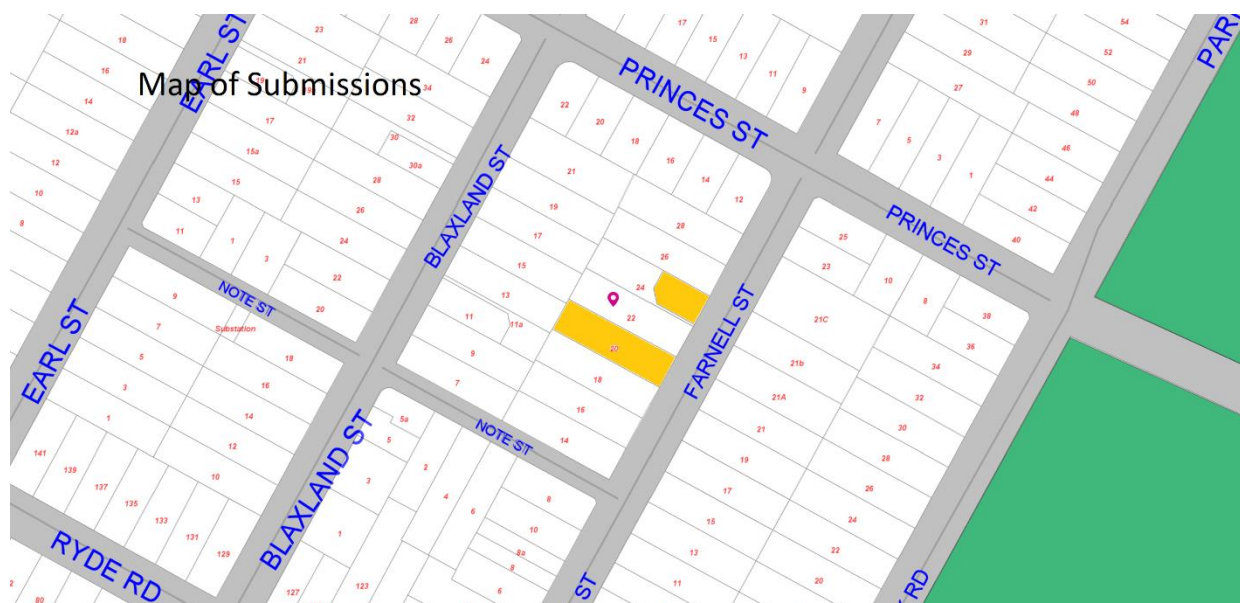
In accordance with the HHDCP 2013, the Development Application DA2024/0032 for the proposed alterations and additions to the existing two storey dwelling at 22 Farnell Street, Hunters Hill be approved subject to the following conditions:

Drawing Number	Drawn By	Plan Dated
Site Plan and Existing Roof Plan, AD-JC-01	Acute Insight	20/03/2024
Existing Ground Floor Plan, AD-JC-02	Acute Insight	20/03/2024
Proposed First Floor Plan, AD-JC-03	Acute Insight	20/03/2024
Elevation Plans, AD-JC-04, AD-JC-05	Acute Insight	20/03/2024
Section Plans, AD-JC-06	Acute Insight	20/03/2024
Schedule of Finishes	Acute Insight	20/03/2024
Stormwater Plan T-6966-SW	YP Engineering	19/12/2023

GEN1, GEN2, BCC3, BCC7 (\$5000), BCC11, BCC12(A1748607), BCC17, BCC20, BBW2, BBW5, BBW6, BBW7, BBW8, BBW9, BBW10, DBW2, DBW3 (Monday – Friday 7:00am to 5:00pm, Saturdays 8:00am to 1:00pm Sundays and Public Holidays No activities permitted), DBW5, DBW7, DBW8, DBW12, DBW13, DBW14, DBW15, DBW17, DBW19, BDC1, BOC5, BOC6, BOC7, BOC9 BASIX AND WASTE

ATTACHMENTS

1. Map [↓](#)
2. Submissions [↓](#)
3. Plans [↓](#)



Friday, May 10, 2024

Reference: **DA20240032**

Proposed Development: **Existing alfresco roof convert to balcony, and add one small window at bathroom of master bedroom**

Dear Hunters Hill Council,

As the southern neighbors of 22 Farnell Street we believe this proposed development will significantly impact us. We do not support this proposal as we believe it will impact our privacy, sunlight and wellbeing.

Our property has a backyard with a pool at the back. With 3 young children we enjoy spending a considerable amount of time outside. We also have a cubby house and vegetable garden directly adjacent to the proposed development.

If this proposal were to go ahead our privacy is significantly impacted. The occupants of this building will have direct vision of our backyard and swimming pool. It will impact on our space and make us feel uneasy about spending time in our own backyard and pool. This will have an impact on our family's wellbeing.

The proposed development is a significant increase in size on an already very large dwelling. The added footprint will not only decrease sunlight to our backyard and vegetable garden but also reduce our outlook onto the sky and surrounding greenery.

Thank you for considering this submission and taking into account the impact this proposed DA will have on our property and my family. We are requesting to have this DA proposal refused.

Kind Regards,

Alex

Alex Mackey

20 Farnell St,

Hunters Hill, NSW, 2110

Sarah Jenkins

From: Katie Krajancic
Sent: Friday, 10 May 2024 11:00 AM
To: Customer Service
Subject: DA20240032

Hunters hill council

I am in opposition of the proposed extension of 22 Farnell St. The addition of a second-level balcony would overlook our backyard, including our pool area.

Our young family greatly values our privacy and the enjoyment of our outdoor space. Our three young children love to play in our backyard. The construction of a balcony that directly faces our property would significantly compromise our privacy and diminish the sunlight that our backyard currently receives.

Given the layout of our properties, the balcony would have a direct line of sight into our backyard and pool, which could potentially make us feel exposed and uncomfortable in our own home. Furthermore, the reduced sunlight could affect the overall ambiance and usability of our outdoor area, which is essential for our family's well-being and enjoyment.

I strongly oppose the property extension. Perhaps there are alternative solutions or adjustments that could be made to address both our concerns. Open communication and mutual respect for each other's space are essential in maintaining a harmonious neighborhood environment.

Thank you for your attention to this matter, and I look forward to hearing from you soon.

Sincerely,

Katie Mackey
Owner of 20 Farnell St,
Hunters Hill NSW 2110, Australia

Reference Da20240032

Attention Steve Kourepis

7 May 2024

Hunters Hill Council
22 Alexandra Street
Hunters Hill, NSW2110

Dear Steve,

We are writing with regard to the development proposal at 22 Farnell Street for a conversion of a roof to a covered balcony. We are the adjacent landowners and have concerns with regards to privacy and noise.

Our upstairs lounge and bedroom are within close proximity of this area with direct, unhindered views. Please refer the images at the end of this letter.

The proposed balcony is very large and could be considered capable of holding at least 50 people so we are concerned about its potential use for outdoor entertainment which would have direct impacts on our amenity.

The horizontal battens indicated would not prevent views through the gaps and the height of 1.8m is not tall enough. Considering our higher viewing position we would likely see well into and across the deck.

There are partial views through vegetation currently from 22 Farnell dwelling's rear facing windows so we also have concerns about the overlooking aspect of our rear yard

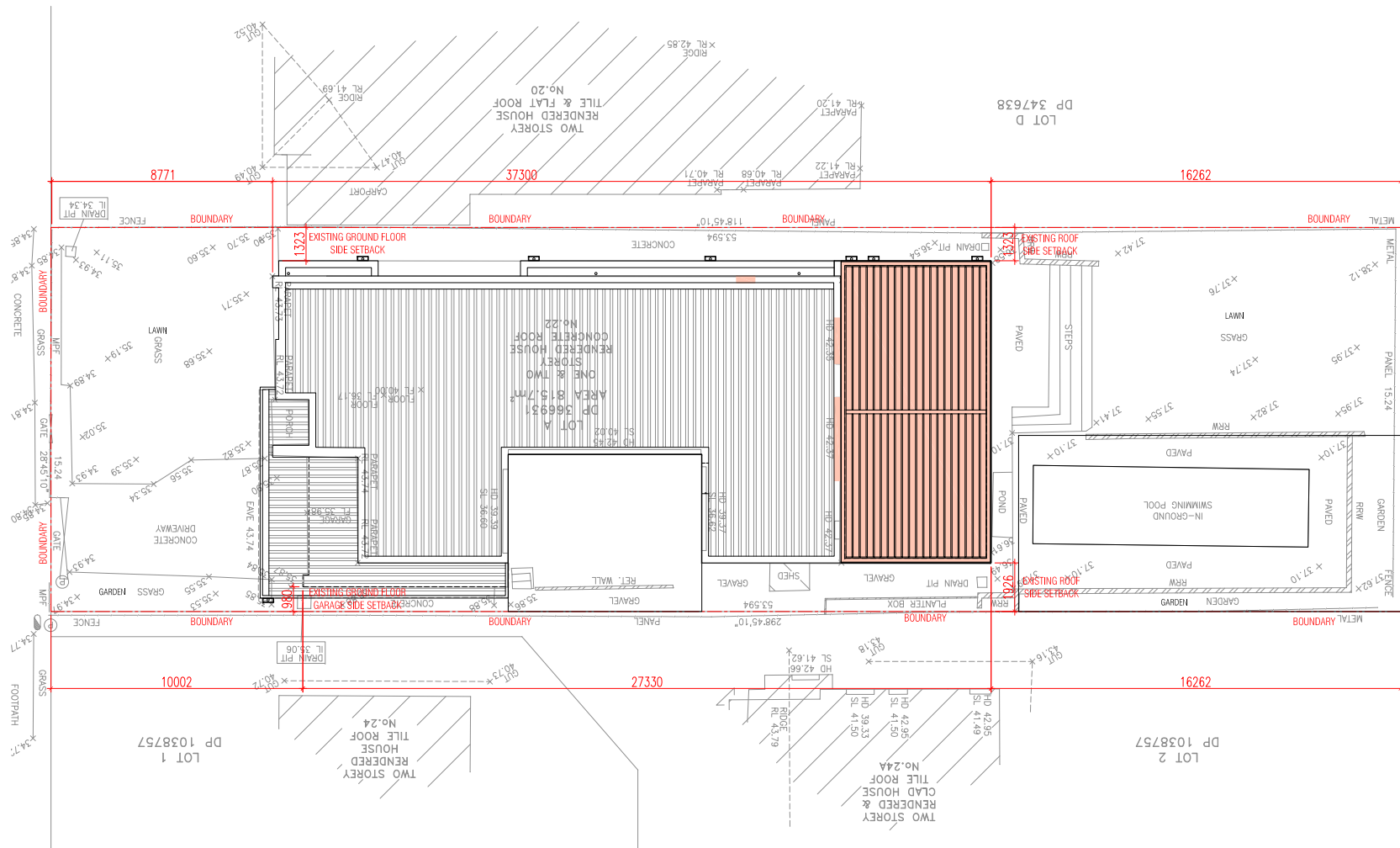
Our opinion therefore is that the deck is over-scaled for a bedroom balcony as it takes all the available width and depth of the current roof space with little regard for our privacy and amenity. Thanks for your consideration.

Sincerely,

Kris Petersen / Alison Kent
24A Farnell Street
Hunters Hill, NSW 2110







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ISSUE:	
DATE	AMENDMENT
10.11.23	Preliminary Issue
12.12.23	Issue for DA
26.02.24	Issue for DA

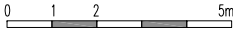
PROJECT:
22 Farnell Street, Hunters Hill,
NSW 2110
Tel: 0431 101 186



Acute Insight Design & Constructions
acuteinsight.design@gmail.com
Tel: 0432 019 824

DRAWING TITLE:

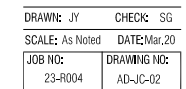
1 SITE PLAN
SCALE: 1:150@A3



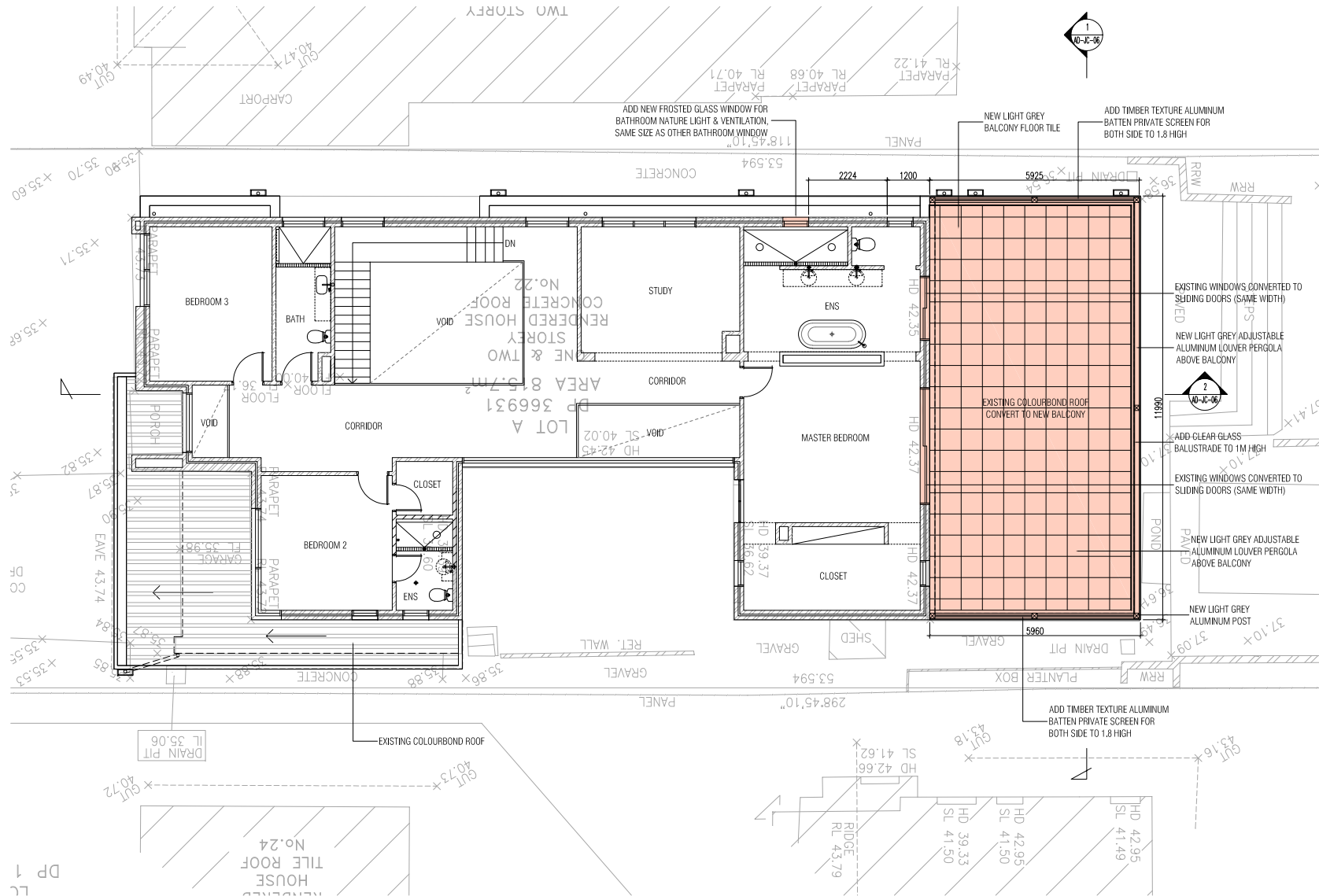
LEGEND:	
	PROPOSED ALTERATIONS & ADDITIONS AREA

DRAWN: JY	CHECK: SG
SCALE: As Noted	DATE: Mar, 20
JOB NO: 23-R004	DRAWING NO: AD-JC-01

Site Plan



A horizontal number line is shown with tick marks at 0, 1, 2, and 5m. The segment between 1 and 2 is shaded gray.

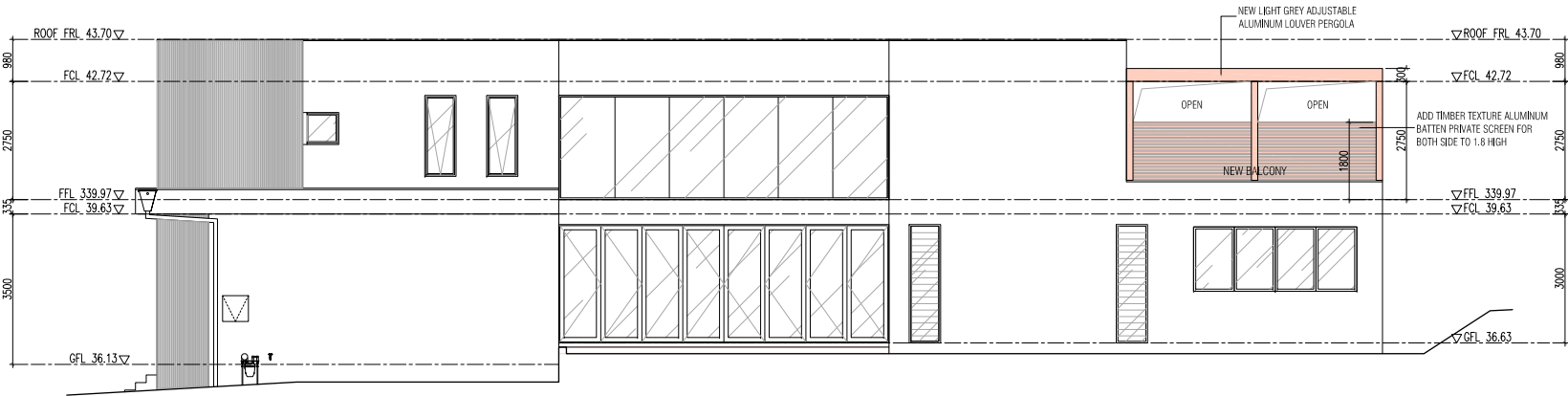
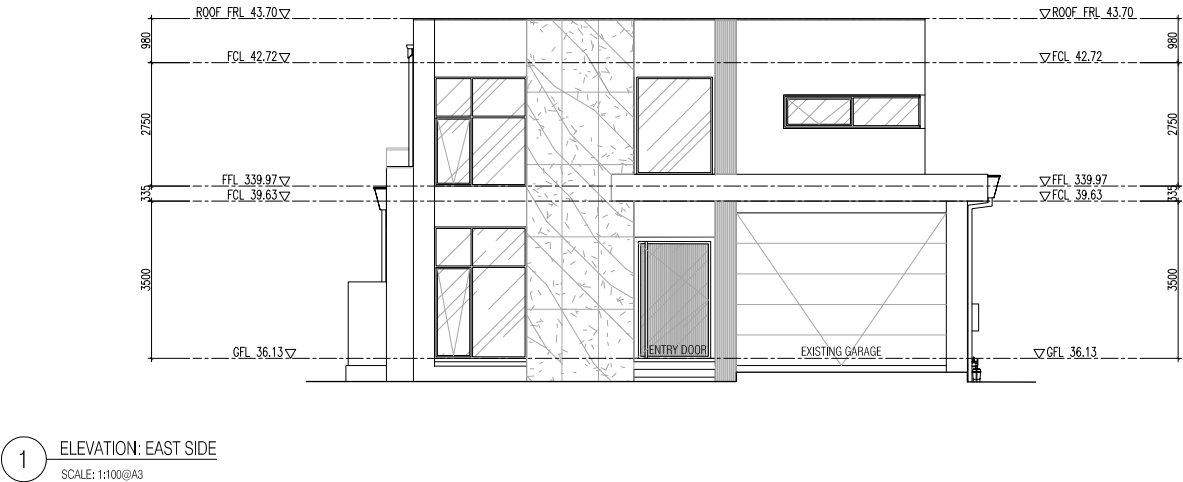


1 FIRST FLOOR PLAN
SCALE: 1:100@A3

DRAWN: JY	CHECK: SG
SCALE: As Noted	DATE: Mar, 20
JOB NO: 23-R004	DRAWING NO: AD-JC-03

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ISSUE:	
DATE	AMENDMENT
10.11.23	Preliminary issue
12.12.23	Issue for DA
26.02.24	Issue for DA



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22 Farnell Street, Hunters Hill,
NSW 2110
Tel: 0431 101 186

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acuteinsight.design@gmail.com
Tel: 0432 019 824

DRAWING TITLE:

Elevations-1

LEGEND:

	PROPOSED ALTERATIONS & ADDITIONS AREA
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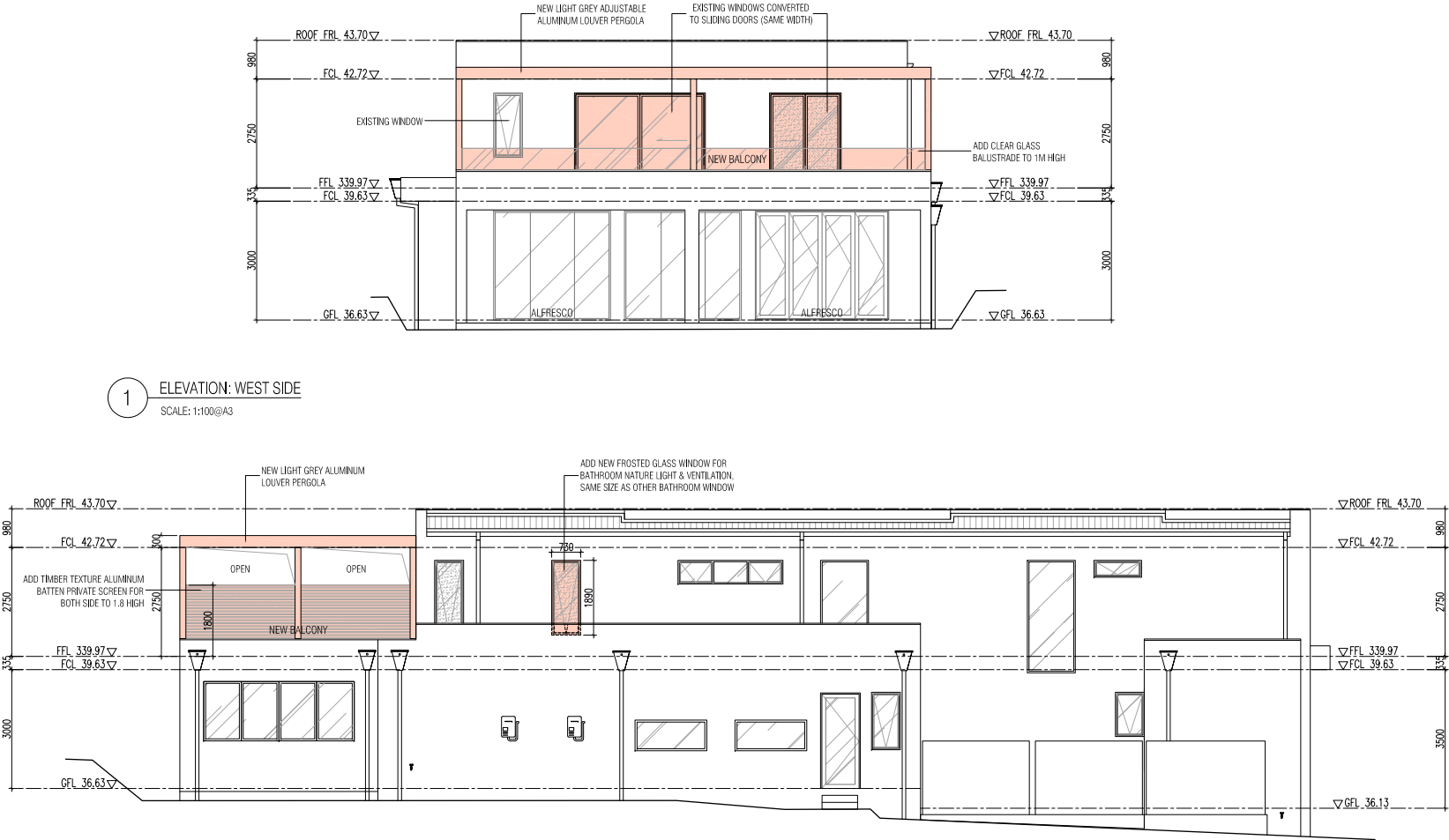
0 1 2 5m

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SCALE: As Noted	DATE: Mar, 20
JOB NO: 23-R004	DRAWING NO: AD-JC-04

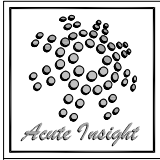
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ISSUE:	
DATE	AMENDMENT
10.11.23	Preliminary issue
12.12.23	Issue for DA
26.02.24	Issue for DA

1 ELEVATION: WEST SIDE
SCALE: 1:100@A3



PROJECT:
22 Farnell Street, Hunters Hill,
NSW 2110
Tel: 0431 101 186

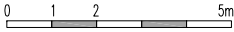


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acuteinsight.design@gmail.com
Tel: 0432 019 824

DRAWING TITLE:

Elevations-2

2 ELEVATION: SOUTH SIDE
SCALE: 1:100@A3



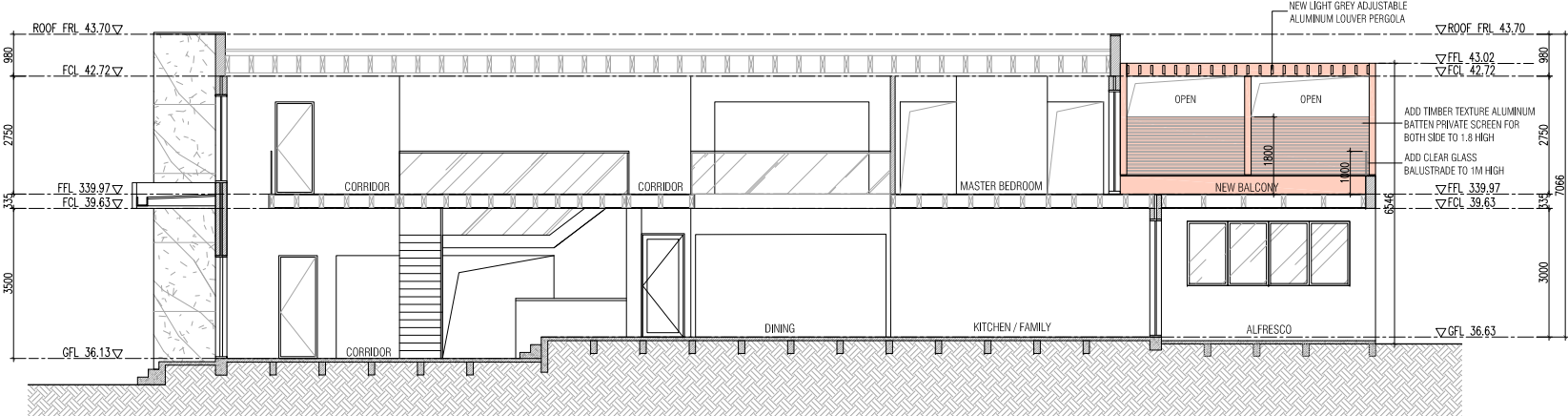
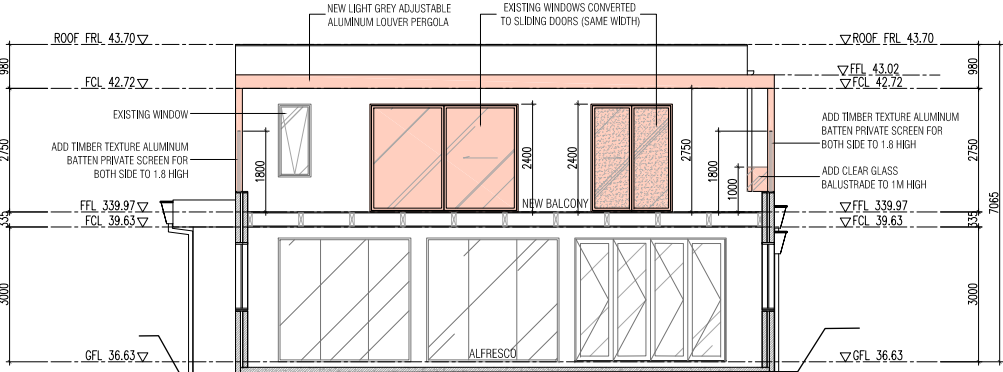
LEGEND:	
	PROPOSED ALTERATIONS & ADDITIONS AREA

DRAWN: JY	CHECK: SG
SCALE: As Noted	DATE: Mar, 20
JOB NO: 23-R004	DRAWING NO: AD-JC-05


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ISSUE:	
DATE	AMENDMENT
10.11.23	Preliminary Issue
12.12.23	Issue for DA
26.02.24	Issue for DA

1 SECTION-1
SCALE: 1:100@A3



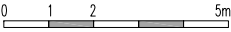
PROJECT:
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NSW 2110
Tel: 0431 101 186



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DRAWING TITLE:

2 SECTION-2
SCALE: 1:100@A3

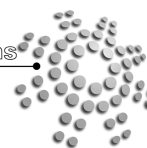


LEGEND:

	PROPOSED ALTERATIONS & ADDITIONS AREA
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DRAWN: JY	CHECK: SG
SCALE: As Noted	DATE: Mar, 20
JOB NO: 23-R004	DRAWING NO: AD-JC-06

Sections



Schedule of External Finishes

Project: 22 Farnell Street, Hunters Hill, NSW 2110

Description: Propose new two storey dwelling.

1. Balcony Floors:

WPS brown timber floor panel or brown timber texture floor tile



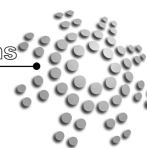
2. Aluminium Pergola:

Adjustable light grey aluminium pergola above deck & balcony



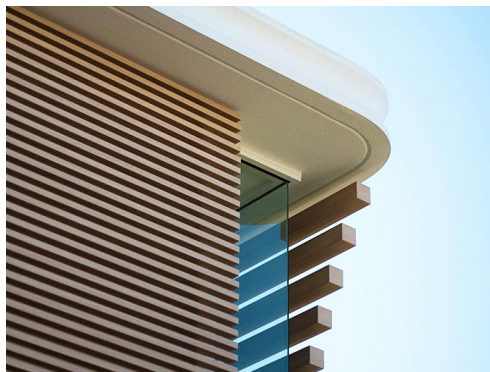
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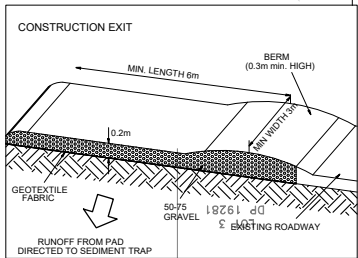
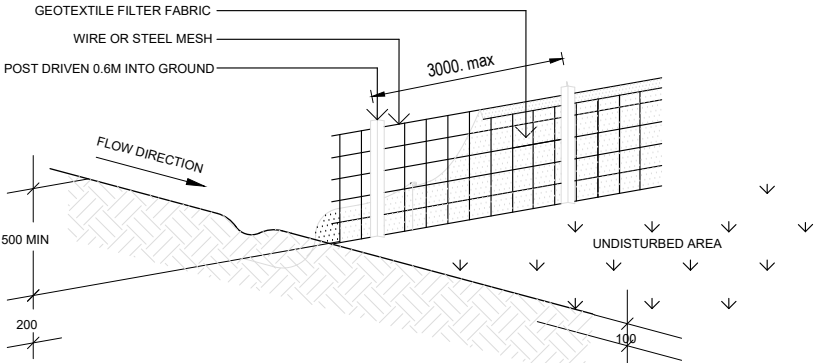
3. Privacy Screen:

Timber texture
aluminium horizontal
batten screen at
balcony side.

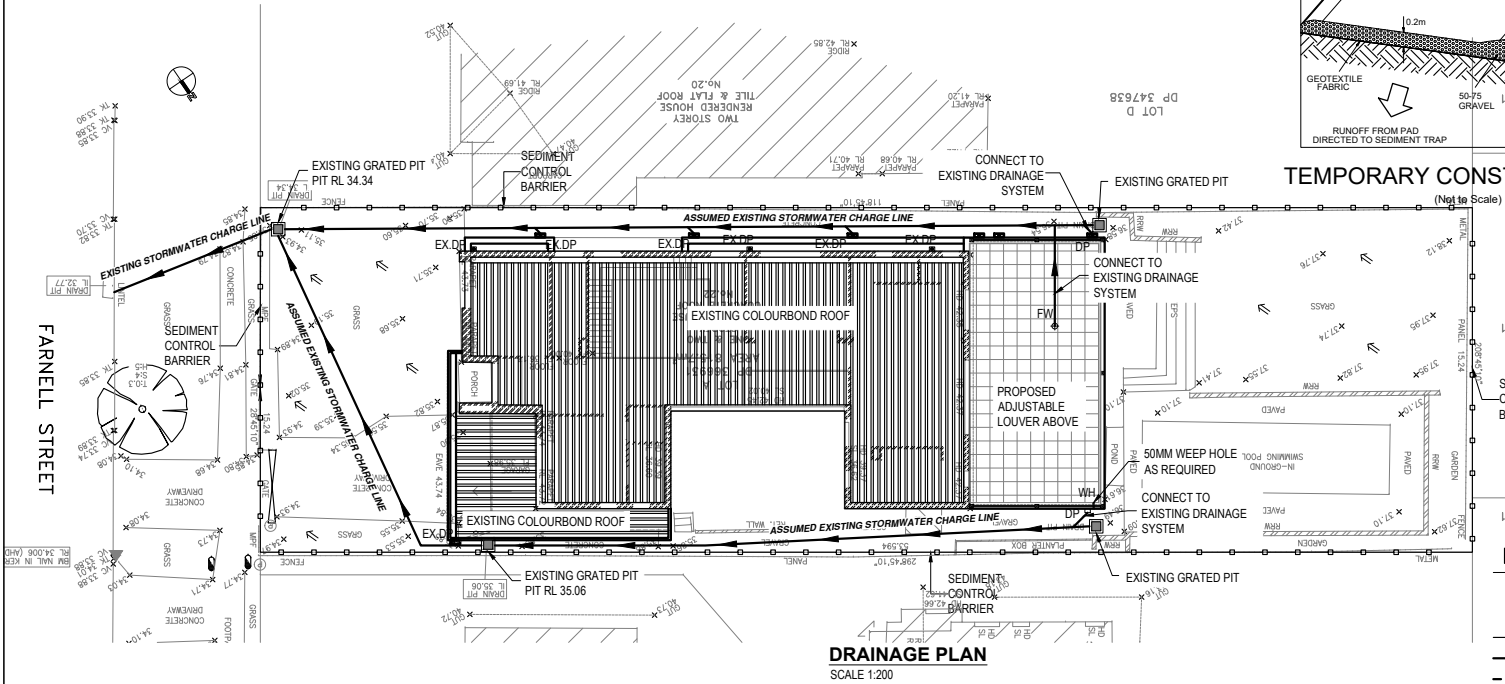


STORMWATER NOTES:

- THESE DRAWINGS ARE TO BE READ IN CONJUNCTION WITH THE ARCHITECTURAL DRAWINGS, STRUCTURAL DRAWINGS AND THE SPECIFICATION.
- PRIOR TO COMMENCEMENT OF WORKS, THE CONTRACTOR SHALL SATISFY HIMSELF OF THE CORRECT LOCATION OF EXISTING SERVICES WHETHER INDICATED OR NOT ON THE PLANS. ANY DAMAGE TO EXISTING SERVICES SHALL BE RECTIFIED AT THE CONTRACTORS EXPENSE.
- TRAFFIC MANAGEMENT MEASURES HAVE TO BE IMPLEMENTED AND MAINTAINED DURING CONSTRUCTION, ALL IN ACCORDANCE WITH COUNCIL'S REQUIREMENTS. THE CONTRACTOR SHALL MAINTAIN SAFE PEDESTRIAN ACCESS ALONG THE FOOTPATH.
- THE CONTRACTOR SHALL ADOPT TEMPORARY DRAINAGE MEASURES TO AVOID LOCALISED PONDING OF SURFACE RUN-OFF.
- REFER TO ARCHITECTURAL DRAWINGS FOR THE DESIGN LEVELS.
- ALL STORMWATER DRAINAGE PIPE ARE UPVC AT 1.0% MINIMUM GRADE (UNO).
- ALL PITS LOCATED UNDER TRAFFICABLE AREAS, LIKE DRIVEWAY, SHOULD HAVE MEDIUM DUTY GRATED COVERS FOR WITHSTANDING LOADINGS FROM SMALL TRUCK.
- STEP IRONS SHALL BE PROVIDED FOR PITS GREATER THAN 1.2M DEEP.
- ALL EROSION AND SEDIMENT CONTROL MEASURES TO BE INSTALLED PRIOR TO SITE DISTURBANCE.
- ALL SEDIMENT CONTROL STRUCTURES TO BE INSPECTED AFTER EACH RAINFALL EVENT FOR DAMAGES AND ALL TRAPPED SEDIMENT TO BE REMOVED.
- ALL BARE SOIL AREAS ARE TO BE PROTECTED FROM EROSION BY TEMPORARY MEASURES AND REVEGETATED AT THE CESSATION OF CONSTRUCTION.
- THE DOWNHILL BOUNDARY OF THE SITE IS TO BE PROTECTED BY HAY BALES OR A FILTER FABRICATE FENCE DURING CONSTRUCTIONS SHOWN IN THE ATTACHED DETAILS.
- IF IN DOUBT, ASK THE SUPERINTENDENT WHO SHALL CONSULT THE DESIGNER.



TEMPORARY CONSTRUCTION EXIT



LEGEND

- DIRECTION OF OVERLAND FLOW
- DENOTES 100 UPVC DOWNPIPE
- DENOTES SEDIMENT CONTROL BARRIER
- DENOTES NEW STORMWATER LINE
- DENOTES EXISTING STORMWATER LINE



General notes	Issue	Amendments	Date	Issue	Amendments	Date
	01	ISSUED FOR APPROVAL	19.12.2023			



YP Engineering
Civil & Structural
ACN 418 446 718
Address: PO Box 185, Cherrybrook, NSW, 2106
Email: info@ypengineering.com.au
Ph: (02) 9875 3475

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PROPOSED RESIDENCE at 22 FARNELL STREET, HUNTERS HILL, NSW, 2110			
DRAINAGE PLAN			
Design PY	Drawn SH	Job # T-4946-SW	Date 19.12.2023
			Sheet 1 of 1