



Development Control Unit

7 May 2024 at 10am



ORDER OF BUSINESS

Attendance, Apologies,
Declarations of Interests

- 1 Confirmation of Minutes
- 2 Development Applications

HUNTER'S HILL COUNCIL
DEVELOPMENT CONTROL UNIT
7 May 2024

INDEX

1 – CONFIRMATION OF MINUTES

- 1 Confirmation of Minutes of Development Control Unit 3 held 16 April 2024

2 - DEVELOPMENT APPLICATIONS

- 2.1 11 William Street, Henley 1

IN ATTENDANCE

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

ALSO PRESENT

Sarah Jenkins	Town Planning Coordinator
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DEVELOPMENT APPLICATIONS

2.1 2PM 25 MADELINE STREET, HUNTERS HILL

PROCEEDINGS IN BRIEF

Attendees George Vavdinos - Owners
 John Rose – Project Director
 Albert Cordero – Project Architect

John Rose addressed the DCU in regards to the special heritage condition regarding the wall cladding and that the wording of “narrow joints” does not accurately reflect the finishes schedule due to the irregular nature of the joints. Suggested wording to be “as per the image provided in the materials and finishes schedule”. This may assist with the certification process in the future.

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

That pursuant to Section 4.15 of the Environmental Planning and Assessment Act 1979, that Development Application No.2024/0004 for alterations and additions to the rear of existing dwelling including inground pool, cabana, fencing, tree removal, tree planting and landscaping and associated drainage at No.25 Madeline Street, Hunters Hill, be approved subject to the following conditions:

Drawing Number	Drawn By	Plan Dated
Site Plan, drawing AR DA 0100, revision D	TKD Architects	15.02.24
Ground Floor Plan, drawing AR DA 2000, revision C	TKD Architects	14.12.23
Proposed First Floor Plan, drawing AR DA 2001, revision C	TKD Architects	14.12.23
Elevations Sheet 01, drawing AR DA 0101, revision D	TKD Architects	15.02.24
Elevations Sheet 02, drawing AR DA 0102, revision D	TKD Architects	15.02.24

Sections Sheet 01, drawing AR DA 3400, revision C	TKD Architects	14.12.23
Materials and Finishes, drawing AR DA 3500, revision C	TKD Architects	14.12.23
Landscape Plan, sheet 1 of 5 and 2 of 5, issue K	Paul Scrivener	06.12.23

Special Heritage Conditions

Prior to the issue of the Construction Certificate, the following amendments are to be made:

- The vertical brick tiled wall cladding of the first floor should have irregular joints and the mortar should match the colour of the bricks (as per the image provided in the schedule of materials and finishes).
- The proposed long skylight in the roof of the existing cottage should not be continuous but relate to the rooms below.
- The driveway should not be a large expanse but be wheel strips or broken by landscaping.

Amended plans reflecting the above changes are to be submitted to the satisfaction of the Principle Certifying Authority.

Special Engineering Conditions

Vehicular Access

The existing sections of driveway and layback, which will be made redundant shall be removed and replaced with standard 150mm high kerb and gutter and the footway reinstated to Council's satisfaction.

All details or references to the above are to be included on the architectural drawings and engineering plans for the driveway construction. Details shall be amended to indicate the above requirements within the road reserve/footway, prior to the release of the Construction Certificate.

Approvals

Council approvals must be obtained in relation to all works which are located externally from the site within the road reserve/public place, in accordance with the requirements of the Roads Act 1993. These approvals include Driveways, Public Space Occupations, Work Zones, Stand Plant and Road Closures. The relevant application forms and details of the proposed works are to be submitted to and approved by Council prior to commencing any works within the road reserve/public place.

It is also noted that all works within the road reserve/public place must be carried out to the satisfaction of Council. Relevant Council assessment and inspection fees, as specified in Council's adopted Fees and Charges Policy, are required to be paid to

Council prior to commencement of the works.

Standard Conditions

GEN1 GEN2 BCC3 (Construction Certificate, Certifier) BCC5 (Construction Certificate, Certifier) BCC7 (Construction Certificate, \$5,000) BCC11 BCC12 (A472435_03) BCC14 BCC17 BCC20 BBW5 BBW6 BBW7 BBW8 BBW9 BBW10 (Certifier) DBW3 (Monday – Friday 7:00am to 5:00pm, Saturdays 8:00am to 1:00pm Sundays and Public Holidays No activities permitted) DBW5 DBW7 DBW8 DBW13 DBW14 DBW17 DW18 DBW19 DBW20 DBW21 DBW22 DBW33 BOC7 BOC9 BOC10 BOC11 BOC16 BOC21 BOC25 BOC27

BOC18

Stormwater	Capital Engineering Consultants	Stormwater Concept Plan, revision F, dated 01/12/23	SW001, SW020, SW021, SW030
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GEN8

1. All trees detailed in the table below are approved for removal.

Tree Number	Species	Location
2	Broad-leaved Paperbark, <i>Melaleuca quinquenervia</i>	Front of site
4	Coast Banksia, <i>Banksia integrifolia</i>	Rear of site
6	Red-flowering Gum, <i>Corymbia ficifolia</i>	Rear of site
9	Lemon-scented Gum, <i>Corymbia citriodora</i>	Rear of site
11	NSW Christmas Bush, <i>Ceratopetalum gummiferum</i>	Rear of site

- 2.
- 3.
- 4.

GEN9

- 1.

No of Trees	Species	Location	Minimum container size at purchase
1	<i>Acer palmatum</i>	Landscape Plan (prepared by Paul	75L

		Schrivener, dwg no 1-5 Issue K, dated 06.12.2023)	
7	Elaeocarpus eumundii	As above	45L
1	Glochidion ferdinandii	As above	150L
1	Melaleuca quinquenervia	As above	150L
3	Pyrus calleryana 'Capital'	As above	150L

2. – 8.

BCC4

The Landscape Plan (prepared by Paul Schrivener, dwg no 1-5 Issue K, dated 06.12.2023) should be amended to show the following trees as 150L stock:

- Glochidion ferdinandii
- Melaleuca quinquenervia
- Pyrus calleryana 'Capital'

BBW3

PRINCIPAL CERTIFIER

DBW11

- Arboricultural Comment on Amended Development Layout: 25 Madeline Street, Hunters Hill (DA2022/0220) (prepared by Tree Wise Men, dated 01.06.2023)
- Addendum Letter to Arboricultural Impact Assessment (2750AIA) Reflecting Revised DA Plans: 25 Madeline Street, Hunters Hill (DA 2022/0220) (prepared by Tree Wise Men, dated 09.12.2023)
- Arboricultural Impact Assessment (prepared by Tree Wise Men, dated 11.10.2022)

BOC1

Before the issue of an occupation certificate.

2.2 2.30PM 9 WERAMBIE STREET, WOOLWICH

PROCEEDINGS IN BRIEF

Attendees Mark Armstrong – Architect

Gus Charbel – Owner
Joe Vescio – Planner
Andrew Curtin – Objector (4 Werambie)
Owen Radke – Objector (7 Werambie)

Mr Andrew Curtin addressed the DCU and outlined his concerns with traffic management and car parking during a large construction in the very small Werambie Street. Concerned with illegal parking from construction workers and obstruction of driveways. No parking on Tuesdays from 6am to 1pm due to waste collection and invariably during construction, there is illegal parking and disruption to waste collection.

Mr Owen Radke addressed the DCU and whilst appreciating the design of the house, outlined his concern with the character of the development and it's unsympathetic heritage value. Mr Radke focused his comments on the visual aspect from the river and the streetscape.

Mr Radke concerned with the two storey rectangular frontage, angular design, poor choice of material choices and excessive bulk. Planting assists with softening but is not a solution.

Mr Radke submitted written documents which will be saved with the development application file.

Mr Radke also addressed the DCU on behalf of Vivienne Koroglu, who is also a resident of 7 Werambie Street. Ms Koroglu has concerns regarding the choice of trees to be planted and how high they will grow. Would prefer plants that are Australian natives. Also concerned with fences.

Mark Armstrong addressed some of the issues raised:

- All the current hardstand parking will be converted to landscaping.
- The house will be well screened from the street.
- House will be in a "landscaped" setting.
- Existing hardstand will be utilised for parking in the first phase of development to assist with neighbourhood parking.

Joe Vescio addressed the DCU and recognised that there will be impacts on parking and traffic to the street during construction. A substantial traffic management plan will need to be devised and monitored by the builder and Council.

A very respected Heritage Consultant has been involved with this application to advise on heritage refinement of the design. Potentially from certain vantage points the proposal may appear as four storeys. Unfortunately this is a result of the topography of the site. Mr Vescio reiterated that the proposal is not four storeys.

Mr Vescio also outlined concerns with the special general condition regarding privacy screens and requested its deletion. Mr Vescio outlined that privacy screens should not be required above 1650mms.

Mr Kourepis advised that he will flag the traffic management issues that will be involved and will inform Council's traffic staff of the documentation that will be required to be reviewed.

Mr Kourepis asked Mr Armstrong to review the landscape plans in regards to choice of tree species. A deferred commencement condition is to be added to resolve the new tree species.

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

Pursuant to Section 4.15 of the Environmental Planning and Assessment Act 1979, Development Application 2022/0187 for the demolition of existing structures and construction of a new dwelling with basement carparking, swimming pool, boat shed and landscaping at 9 Werambie Street, Woolwich be granted a deferred commencement approval subject to the following conditions:

The development as contained in Schedule 2 shall not operate (or be issued) until such time as the matters contained in Schedule 1 are finalised to the satisfaction of Council.

Schedule 1:

The landscape plan (prepared by Contour Landscape Architecture, dwg no C1-3, dated 19 September 2022) must be amended as follows to provide an appropriate landscaped setting:

- The tree species schedule must be amended to provide more appropriate species in terms of the impacts on views in the future when considering the potential growth height.

Tree Species identified on landscape plans
<i>Angophora costata</i> (Smooth-barked Apple)
<i>Backhousia myrtifolia</i> (Grey Myrtle)
<i>Acmena smithii</i> 'Sublime' (Lilly Pilly)

Schedule 2:

GEN0 GEN1
GEN3

Drawing Number	Drawn By	Plan Dated
Site Plan, Dwg. DA-01, Rev B	ARC Architects	28/07/2023
Boat Shed, Dwg DA-03, Rev C	ARC Architects	27/11/2023
Level 1 – Lower Level, Dwg DA-04, Rev C	ARC Architects	27/11/2023
Level 2 – Living Level, Dwg DA-05, Rev C	ARC Architects	27/11/2023
Level 3 – Entry Level, Dwg DA-06, Rev C	ARC Architects	27/11/2023
Level 4 – Upper Level, Dwg DA-07, Rev C	ARC Architects	27/11/2023
Roof, Dwg DA-08, Rev C	ARC Architects	27/11/2023
Elevations, Dwg DA-09, Rev C	ARC Architects	27/11/2023
East Elevation, Dwg DA-10, Rev C	ARC Architects	27/11/2023
West Elevation, Dwg DA-11, Rev C	ARC Architects	27/11/2023
Street Elevation, Dwg DA-12, Rev C	ARC Architects	27/11/2023
Sections, Dwg DA-13, Rev C	ARC Architects	27/11/2023

GEN5 GEN6 GEN7 GEN15 GEN20 GEN21

GEN(SP)

Privacy screens of a height no less than 1650mm are to be provided to:

- the upper level of all double storey glazed elements along the eastern and western boundaries; and
- within the side setbacks of any balconies that have opening to the side boundaries.

PCC0 PCC1(\$11,374) PCC3(\$2,285) PCC5(\$45,497) PCC11 PCC12(1331004S) PCC15
PCC16 PCC17 PCC18 PCC20 PCC21 PCC32 PCC40 PCC41 PCC43 PCC46 PCC48 PCC54
(7, 11 & 13 Werambie Street, Woolwich) PCC58 PCC59
PCC65 PCC73 PCC75 PCC76

PCC(SP)

Before the issue of a construction certificate or before site work commences, a construction site management plan must be prepared, and provided to the Certifier and Council. The plan must include the following matters:

- a) The location and materials for protective fencing and hoardings on the perimeter of the site;
- b) Provisions for public safety;
- c) Pedestrian and vehicular site access points and construction activity zones;
- d) Details of construction traffic management including:
 - i) Proposed truck size and movements to and from the site;
 - ii) Estimated frequency of truck movements;
 - iii) Measures to ensure pedestrian safety near the site;
 - iv) Swept path to be provided demonstrating entry and exit from site. Plans to take into consideration parked cars, kerbs, trees etc and
 - v) A certificate of currency of 20mil to be included with the CTMP
- e) Details of bulk earthworks to be carried out;
- f) The location of site storage areas and sheds;
- g) The equipment used to carry out works;
- h) The location of a garbage container with a tight-fitting lid;
- i) Dust, noise and vibration control measures;
- j) The location of temporary toilets;
- k) The protective measures for the preservation of trees on-site and in adjoining public areas including measures in accordance with:
 - i) AS 4970 – Protection of trees on development sites;
 - ii) An applicable Development Control Plan;
 - iii) An arborist's report approved as part of this consent.

A copy of the construction site management plan must be kept on-site at all times while work is being carried out.

PCC(SP)

Before the issue of a construction certificate, the certifier must ensure the construction certificate plans and specifications detail the following required amendments to the approved plans and documents:

(a) The SMP, prepared by Hyten Engineering, is to be amended with the trench drain across the garage increased to minimum 200mm width.

PCW0 PCW1 PCW2 PCW3 PCW4 PCW5 PCW6 PCW14

PCW (SP)

a)

Tree No/ Location	Species	TPZ (m)
Tree 1	<i>Angophora costata</i> (Sydney Red Gum)	7.2
Tree 2	<i>Angophora costata</i> (Sydney Red Gum)	4.1
Tree 4	<i>Ulmus parvifolia</i> (Chinese Elm)	4.8
Tree 4	<i>Angophora costata</i> (Sydney Red Gum)	5.5

- The trees listed above in (a) shall be retained and protected in accordance with the Arboricultural Impact Assessment (prepared by Advanced Tree Consulting, dated 6 September 2022)

b) The following works are excluded from within the TPZ, unless otherwise stated.

- * Grade alterations
- * Soil cultivation, disturbance or compaction
- * Stockpiling, storage, disposal or mixing of materials
- * Refuelling of machinery or vehicles
- * Washing of machinery or vehicles
- * Pedestrian access or vehicular access
- * Siting of offices, sheds or temporary services
- * Any action that has the potential to impact the tree's health and structural condition

PCW(SP)

Before any site work commences, the Certifier must be satisfied the erosion and sediment controls in the erosion and sediment control plan are in place. These controls must remain in place until any bare earth has been restabilised in accordance with the NSW Department of Housing manual 'Managing Urban Stormwater: Soils and Construction Certificate' (the Blue Book) (as amended from time to time).

CSI0 CSI1 CSI3

DEM0 DEM1 DEM3 DEM4 DEM5 DEM6 DEM7 DEM8 DEM9 DEM11 DEM12 DEM13
DEM20 DEM21 DEM22 DEM23 DEM24 DEM25

CON0 CON1 CON2 CON3 CON4 CON5 CON8 CON9 CON11 CON14 CON16 CON17
CON27 CON28 CON41 CON42 CON43 CON44 CON45 CON47
CON50

Tree	Location	Comments
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Tree 3 <i>Jacaranda mimosifolia</i> (Jacaranda)	Front of site	
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CON51 CON52 CON53 CON55 CON58 CON59 CON67

CON (SP)

While site work is being carried out:

- a) the measures required by the construction site management plan and the erosion and sediment control plan (plans) must be implemented at all times, and
- b) a copy of these plans must be kept on site at all times and made available to council officers upon request.

POC0 POC1 POC2 POC4 POC8

POC7

- Landscape Plan

(prepared by Contour Landscape Architecture, dwg no C1-3, dated 19 September 2022)

POC10

- Arboricultural Impact Assessment

(prepared by Advanced Tree Consulting, dated 6 September 2022)

POC14 POC21 POC23 POC24 POC25 POC28 POC60 POC61 POC62 POC75

POC (SP)

The Stormwater Management Plan must be prepared to Council's satisfaction and the works completed prior to the issue of the full Occupation Certificate in accordance with:

Stormwater	Hyten Engineering	Stormwater Management Plan, revision A, dated 01/09/22	22H446 SW00, SW01, SW02, SW03
		Stormwater Statement, dated 26/07/23	22H446.SW.SS1

Making provisions for:

- (a) All new roofed and paved areas.
- (b) Stormwater disposal methods for existing roofed areas.
- (c) Discharge points beyond the property for any stormwater that cannot be absorbed or re-used.
- (d) Use of grey water for irrigation of site landscaping and planted areas in accordance with the requirements of the relevant state legislation.

The Stormwater Management Plan is to include controls that demonstrate that the proposed measures are satisfactory to handle the relevant design storm event.

Special Condition

The existing stone fence along the boundary between 7 and 9 Werambie Street is to be retained and not demolished. This is to be reflected on the required plans for the Construction Certificate.

2.3 3PM 5 ELGIN STREET, WOOLWICH

PROCEEDINGS IN BRIEF

Attendees Nil

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

Pursuant to Section 4.15 of the Environmental Planning and Assessment Act 1979, Development Application No. 2023/0140 at 5 Elgin Street, Woolwich be approved subject to the following conditions:

CONDITIONS OF CONSENT

GEN0 GEN1

GEN3

Drawing Number	Drawn By	Plan Dated
Ground Floor Demolition Plan, Dwg. A1.15, Rev 3	Peg & Ray Architects	18/10/2023
First Floor Demolition Plan, Dwg. A1.16, Rev 3	Peg & Ray Architects	18/10/2023
Attic Demolition Plan, Dwg. A1.17, Rev 3	Peg & Ray Architects	18/10/2023
Existing Elevations, Dwg. A1.20, Rev 3	Peg & Ray Architects	18/10/2023
Existing Elevations, Dwg. A1.21, Rev 3	Peg & Ray Architects	18/10/2023
Ground Floor Plan, Dwg. A2.01, Rev 3	Peg & Ray Architects	18/10/2023
First Floor Plan, Dwg. A2.02, Rev 3	Peg & Ray Architects	18/10/2023
Attic Floor Plan, Dwg. A2.03, Rev 3	Peg & Ray Architects	18/10/2023
Elevations, Dwg. A3.01, Rev 4	Peg & Ray Architects	14/12/2023
Elevations, Dwg. A3.02, Rev 4	Peg & Ray Architects	14/12/2023
Sections, Dwg. A4.01, Rev 3	Peg & Ray Architects	18/10/2023
External Finishes, Dwg. A5.02, Rev 3	Peg & Ray Architects	14/12/2023
External Finished, Dwg. A5.03, Rev 1	Peg & Ray Architects	14/12/2023
External Finished, Dwg. A5.04, Rev 1	Peg & Ray Architects	14/12/2023
Elevation Details, Dwg. A5.05, Rev 1	Peg & Ray Architects	14/12/2023
Landscape Plan, Dwg. L-01, Rev C	Mahony Group	10/12/2023

GEN5, GEN6, GEN7

GEN(SP)

1. The following new trees must be installed prior to the issuing of the Occupation Certificate.

No of Trees	Species	Location	Minimum container size at purchase
3	Oleaceae	As per the Landscape Plan (prepared by Mahony Group, dwg no L-01, dated 24.10.2023)	100L
3	Elaeocarpus eumundii	As above	45L

2. New trees must be grown in accordance with the AS2303 Australian Standard Tree stock for landscape use 2018 and meet the requirements of this standard at the time of planting.
3. New trees must be planted in natural ground with adequate soil volume. Planter boxes will not be accepted for tree planting.
4. New trees must be appropriately located away from existing buildings and structures.
5. New landscape plantings must be maintained in a healthy condition for an establishment period of two (2) years. Maintenance includes watering, weeding, pest and disease control and any other operations required to maintain the plantings in a healthy condition.
6. Tree maintenance must be implemented and complied with immediately following the tree planting, and until the trees reach a minimum height of 5m.
7. If the newly planted trees fail to establish or do not reach a height of 5m, they must be replaced with trees of comparable qualities and container size of [insert] litres.
8. The conditions of this consent will apply to all replacement trees, including the maintenance and reporting which re-starts at each replanting event.

PCC0, PCC1, PCC2(\$1,075), PCC3(\$2,515), PCC5(\$4,301),

PCC10

The following privacy devices are to be provided:

- (a) Frosted glass or privacy screens shall be attached to the entire glass balustrades on the eastern and western sides of the balcony along the road frontage with Elgin Street.

Note: louvers are required to be fixed at angle to avoid overlooking of neighbouring properties.

Plans and specifications complying with this condition must be submitted to the Principal Certifying Authority for approval prior to the issue of any Construction Certificate. The Principal Certifying Authority must ensure that the building plans and specifications submitted, referenced fully satisfy the requirement of this condition.

PCC11, PCC12(A1372546_01), PCC16, PCC18, PCC20, PCC21, PCC32,

PCC34

The landscape plan (prepared by Mahogany Group, dated 10/12/2023) must be amended as follows to provide an appropriate landscaped setting:

- (a) The three (3) x *Oleaceae* trees must be replaced by appropriate species that will reach a maximum mature height of no higher than 4m.

An amended landscaped plan complying with this condition must be submitted to the Principal Certifying Authority for approval prior to the issue of any Construction Certificate. The Principal Certifying Authority must ensure that the amended landscape plan and other plans and specifications submitted fully satisfy the requirements of this condition.

PCC40, PCC73 PCC76

PCC(SP)

A qualified plumber is to assess the existing absorption trench system and verify that it is in good working order and can dispose of the stormwater being collected by it effectively.

The plumber is to issue a Compliance Certificate certifying this and which is to be submitted to the Principal Certifying Authority prior to the release of the Construction Certificate.

PCW0, PCW1, PCW2, PCW3, PCW4, PCW15

CSI0, CSI1, CSI3

DEM0, DEM1, DEM3, DEM4, DEM6, DEM7, DEM8, DEM9, DEM10, DEM11, DEM12

CON0, CON1, CON2, CON4, CON5, CON11, CON13, CON14, CON17, CON23, CON28, CON41, CON42, CON43, CON44, CON45, CON47

POC0, POC1, POC4, POC7, POC8, POC11, POC24, POC28

POC70

Stormwater	PAC Consulting	Stormwater Management Plan, revision 1, dated 16/05/23	SW-00, SW-01, SW-02, SW-03
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POC75

ITEM NO	: 2.1
SUBJECT	: 11 WILLIAM STREET, HENLEY
STRATEGIC OUTCOME	: DEVELOPMENT APPLICATION, REGULATION AND MONITORING SERVICES ARE STREAMLINED
ACTION	: DEVELOPMENT APPLICATIONS (DAS) ARE PROCESSED IN ACCORDANCE WITH SERVICE STANDARDS
REPORTING OFFICER	: REAN LOURENS
DEVELOPMENT APPLICATION NO	20220239
PROPOSAL	DEMOLITION OF EXISTING DWELLING AND CONSTRUCTION OF A NEW 2-LEVEL DWELLING WITH A BASEMENT GARAGE AND SWIMMING POOL.
APPLICANT	MARK ARMSTRONG ARC ARCHITECTS
OWNER	MR I QIN
DATE LODGED	15 DECEMBER 2022

Ref:696105

1. DESCRIPTION OF PROPOSAL

The proposed development is for the demolition of the existing dwelling; and construction of a new double storey dwelling with a basement garage and swimming pool.

The initial stage will involve the demolition of the existing single storey dwelling and site preparation works.

The proposal involves the construction of a basement area to provide three (3) parking spaces, storage areas, lift and bathroom.

The proposal includes three (3) bedrooms, living areas, a gym, laundry, three (3) bathrooms, a lift and fitness room on the ground floor.

The upper level will include a kitchen, living areas and three (3) bedrooms. A balcony is proposed in the northern section of the building, adjacent to the living areas.

The external site works include a pool at the rear of the site, with landscaping throughout the site.

The applicant provided an amended design that included the removal of the roof over the western balcony to increase view lines to the north and east.

Subsequent to a Development Control Unit meeting, the applicant agreed to install height poles to show the extent of the proposed building when viewed from the neighbouring building to the west. Two Council officers attended the site on 30 October 2023. The two Council assessing officers also attended the site to view the height poles on Tuesday 19 December 2023 and the assessment officer attended the site on 6 March 2024. A detailed analysis is included later in the report.

2. DESCRIPTION OF SITE AND LOCALITY

The site is 11 William Street, Henley, located on Lot A, DP327101 and Lot X, DP402153.

The site is located within the R2 Low Density Residential Zone, is located within a River Front Area and a Class 5 in Acid Sulfate Soils.

The site is irregular in shape with a 32.9 metre frontage, 15.2 metre rear boundary, 16.9 metre eastern boundary, and 20.1 metre western boundary, covering a total area of 551.2m². The site borders five (5) surrounding sites along the east, south and western boundaries. The topography of the site is generally flat; however, a slight fall exists from the south-western boundary to the front of the site.

The existing dwelling consists of a single storey dwelling with a detached carport to the east and small shed at the rear. The surrounding sites consist of large double storey dwellings that vary in design and finishes.

3. PROPERTY HISTORY

No relevant DA or BA history.

3. PROPERTY HISTORY

Not Applicable.

4. REFERRALS

4.1 External Approval Bodies

Not Applicable.

4.2 Internal Approval Bodies

Public Works and Infrastructure

The application was referred to Council's Development Engineer who requested additional information relating to stormwater drainage.

After the provision of the additional information, Council's engineering department advised by memo that there were no further issues and specific conditions of consent were recommended.

Parks and Landscape

The proposed development was referred to the Councils Tree and Landscape Consultants who advised by memo that the proposed development can be supported, subject to conditions of consent.

5. ASSESSMENT UNDER S.4.15

5.1 State Environmental Planning Policies (SEPPs)

SEPP (Resilience and Hazards) 2021

The site has a longstanding history of residential use, it is unlikely to contain any contaminants that would preclude ongoing residential use and is therefore compliant with the Policy provisions.

SEPP (Building Sustainability Index: BASIX) 2004

The policy applies for the proposed development and a BASIX Certificate has been lodged in support of the application.

SEPP (Biodiversity and Conservation) 2021

The policy applies for the proposed development as significant landscaping is required. The proposal includes the removal of some trees and vegetation during construction that will need to be replaced. The proposal is considered appropriate from an ecological perspective.

5.2 Regional Environmental Plans

Not applicable.

5.3 Local Environmental Plan (LEP)

Statutory Compliance Table

COMPLIANCE WITH CURRENT STATUTORY CONTROLS	PROPOSED	CONTROL	COMPLIANCE
HEIGHT	8.06 metres	8.5 metres	Yes
STOREYS	2 storey	2 storey	Yes
LANDSCAPED AREA	50.4%	50%	Yes
FLOOR SPACE RATIO	N/A	N/A	N/A

Clause 2.3 – Aims and Objectives

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.*

After the site inspections on 19 December 2023 and 06 March 2024 it become more obvious that the proposal will have a significant impact on the visual and acoustic privacy of the neighbours to the west of the site.

It is therefore concluded that the proposed development is not consistent with the R2 Low Density Residential Zone under the HHLEP 2012 as it is not in keeping with the high levels of amenity within a low-density residential area. The proposal is therefore considered contrary to the zone provisions.

Clause 4.3 – Height of Buildings

The proposed development will not exceed the maximum building height of 8.5 metres as the proposed maximum height is 8.06 metres and is compliant.

Clause 4.4 – Floor Space Ratio (FSR)

The proposed development meets the maximum building height of 8.5 metres and Landscaped area of 50%, therefore FSR standards are not required, and the development is considered compliant.

Clause 6.1 – Acid Sulfate Soils

The proposed development is located within a Class 5 Acid Sulfate Soils Area, however due to longstanding history of residential use it is unlikely to contain any contaminants that preclude to ongoing residential use.

Clause 6.2 – Earthworks

No concerns for the structural integrity of the site and surrounding sites were identified by Council's Development Engineer. The applicant will be required to implement specific measures to ensure the integrity of the adjoining development.

Clause 6.3 – Stormwater Management

The application was referred to Council's Development Engineer who requested additional information relating to stormwater drainage.

After the provision of the additional information the officers advised by memo that there were no further issues and specific conditions of consent were recommended.

Clause 6.9 – Landscaped Area

The proposed development meets the required landscape area of 50.4% and is compliant with the hard and soft landscaping provisions.

5.4 Development Control Plan (DCP)**Part 2.2 – Planning Policy – All Development**

The objectives of Planning Policy, All Development are:

- Conserve and enhance character and environmental identity of the hunters Hill Municipality by the appropriate use and development of land, existing buildings and structures.*
- Maintain and enhance qualities of existing buildings and structures, tree covered streetscapes and scenically prominent landscape settings which are important elements of this Municipality's heritage, scenic quality and environmental identity.*
- Complement provisions of the Hunters Hill LEP 2012 to ensure that future development does not detract form existing character of landscape settings, streetscapes. Residential gardens and buildings which contribute to this Municipality's heritage, scenic quality and environmental identity.*

As discussed earlier, site inspections of the installed height poles were undertaken on 19/12/23 and 06/03/2024. It became clear that the proposal will have a significant impact on the visual and acoustic privacy of the neighbours to the west of the site. It is therefore concluded that the proposed development is not consistent with the DCP provisions. The proposal is therefore considered contrary to the zone provisions.

Part 2.3 – Trees and Vegetation

As previously stated, the proposal includes the removal of some trees and vegetation during construction that can be replaced by new planting. The proposal is considered appropriate from an ecological perspective.

Part 3.3 – Dwelling Houses**Height**

The proposal complies with the 8.5 metres height requirement of HHLEP 2012.

The new dwelling also complies with the 7.2 metres wall height requirement. The wall length however, on the western elevation is not acceptable and presents a blank elevation towards the property to the west.

Front, Side, and Rear Setbacks

The HHDCP require front setbacks to be an average of the adjoining sites. It is challenging to impose a generic setback on sites that are irregular in shape and in areas where setbacks vary significantly.

It is also noted that the existing dwelling is setback 2.4 metres from the front boundary and the proposal provides a 4.01 metres front setback.

Development to the west of William Street is a double-storey development that takes advantage of the views to the east. The development to the north of the site provides for larger setbacks between 5.0 metres and 7.0 metres, while the development to the south provides for 3.0 metre to 4.0 metre setbacks.

The proposal complies with both the rear and side setback provisions.

The wall length however, on the western elevation is not acceptable and presents a blank elevation towards the property to the west.

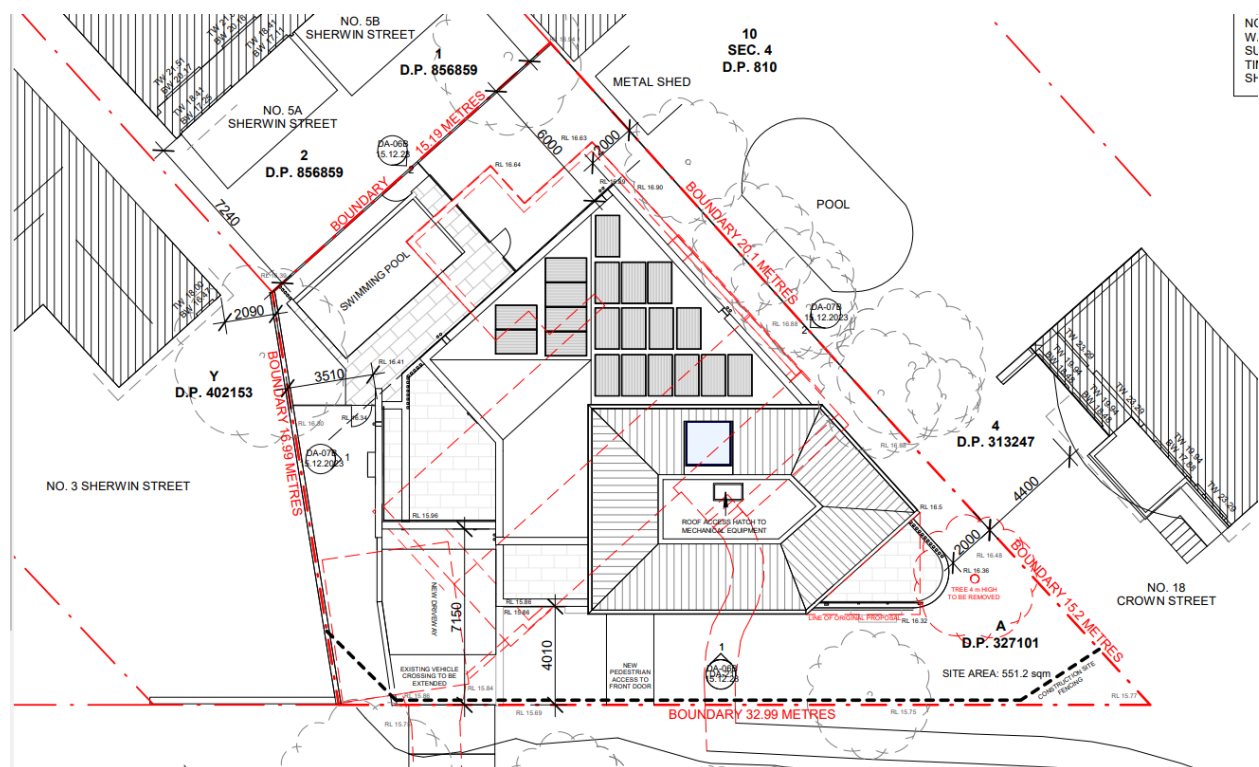


Figure 1 shows the long wall facing 18 Crown Street along the western elevation.

Landscaped Areas

The proposal complies with the landscaped area requirements of HHLF 2012.

Part 3.5 – Residential Amenity

Part 3.5.2 – Solar Access

The HHDCP provides the following requirements for solar access:

- *Ensure that the principal living room of any existing adjoining dwelling will receive a minimum of 3 hours of sunshine between 9:00 am and 3:00 pm on the winter solstice.*

The proposal will not impede solar access to the living areas of the adjoining dwellings.

- *If the principal living room of an existing adjoining dwelling currently receives less than this standard, development should not reduce current solar access.*
- *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.*

The shadow diagrams provided by the applicant shows the following:

- the backyards of 5 and 7 Sherwin Street will be overshadowed during mornings;
- the backyards of 5A and 5 Sherwin Street will be overshadowed at midday; and
- the backyards of 3 and 5A Sherwin Street will be overshadowed in the afternoon.

The properties at 5A and 5 Sherwin Street will be impacted during more than one of the periods shown on the solar diagrams. It is noted that the backyards to these properties are currently overshadowed by the existing dwelling (that is setback only 2.0 metres from the rear boundary) and fencing.

The new dwelling will be located 6.0 metres from the rear boundary and therefore limits the solar access impacts.

- *Where adjoining development relies on solar access for heating or cooling systems, existing solar access should be preserved.*

The proposal will not impact on the heating or cooling systems of adjoining development.

- *Demonstrate impacts of the proposed development upon adjoining buildings and any open space areas with shadow diagrams prepared for 9:00 am, 12:00 noon and 3:00 pm on the winter solstice.*

The applicant provided shadow diagrams that show the solar impacts on the adjoining development.

Part 3.5.3 – Visual Privacy

Subsequent to the site inspections on 19 December 2023 and 06 March 2024 it became clear that the proposal will have a significant impact on the visual and acoustic privacy of the neighbours to the west of the site. It is therefore concluded that the proposed development is not consistent with Council's policy controls as it is not in keeping with the high levels of amenity within a low-density residential area. The proposal is therefore considered contrary to the zone provisions.

Part 3.5.4 – Acoustic Privacy

The proposed development will have impact on the acoustic privacy of the neighbouring dwelling to the west as the new balcony will be located a short distance from the existing upper level balcony on the adjacent development in the west.

The proposal does therefore not comply with the Policy controls.

Part 3.55 – View sharing

The proposed development will alter views from the properties to the west of the subject site.

The NSW Land and Environment Court established specific planning principle in respect to the assessment of view impacts resulting from new developments. The specific provisions are provided in *Tenacity Consulting v Warringah Council* (2004) NSWLEC 140.

It is noted that members of the Development Control Unit (DCU) undertook a site visit on 19 December 2023 and 06 March 2024 to gain a better understanding of the potential impacts. The applicant also installed height poles along the western elevation of the proposed building to show the indicative impacts construction would have.

The four steps and the guidance provided by the Court in this case is undertaken in four (4) steps:

Step One – Assessment of the views to be affected.

The development to the west has views of the city skyline and the Harbour Bridge. The proposed development will obscure these views when viewed from the southern most extent of the balcony and when sitting in the dining room.

Step Two – Consideration from what part of the property the views are obtained

Step 2 of the assessment states consideration must be given to the part of the affected development the view loss will occur. It is stated that the views from the front setback and those gained from a sitting position are difficult to protect.

The site visits on the 19 December 2023 and the 6 March 2024 confirmed that the views from the balcony will be partially obscured by the new development.



Figure 2: View from living area



Figure 3: View from northern section of the balcony



Figure 4: View from dining area



Figure 5: View from southern section of the balcony

Step Three – Assessment of the extent of the impact

Step 3 of the assessment should be done for the whole of the property, not just for the view that is affected.

Step Four – Assessment of the reasonableness of the proposal that is causing the impact

Step 4 states that development that complies with all planning controls would be considered more reasonable than one that breaches them.

The proposal complies with the HHLEP 2012 height control of 8.5 metres and the 7.2 metre wall height provided by the DCP.

It is considered that there are potential impacts and it is concluded that the proposal would have devastating impacts on view loss, when considering the tenacity principles and Council's view sharing principles. The proposal will, at parts, impede iconic views.

From the discussion above, it is concluded that the view loss resulting from the new development would not be in the public interest or consistent with Council's controls.

Part 5.3 – Car Parking and Vehicle Access

The proposal complies with the parking provisions and the access arrangement was reviewed by Council's Development Engineers and found to be acceptable.

Part 5.6 – Stormwater Management

The proposal was reviewed by Council's Development Engineers and found to be acceptable from a stormwater management perspective.

5.5 Draft Amendments to Statutory Controls

Not Applicable.

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 ecological impact on Council arising from Council consideration of this matter. However, it is considered that the acoustic and visual impacts resulting from the proposal are significant and the existing design cannot be supported.

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 9 February 2023) and during that period a total of seven (7) submissions were received.

NOTIFICATION REQUIRED	Yes
NUMBER NOTIFIED	13
Darren Keppie 9 William Street, Henley	
CONCERNS RAISED	COMMENT
Protection of stone fence during construction.	The proposed development site is not located within a Heritage Conservation Area or contain any Heritage listed items; therefore, it does not need to comply with the HHLEP 2012 or HHDCP 2013 requirements. In relation to the existing stone fence, the proper precautions can be taken during construction to prevent any damage if the application was supported.
Preservation of mature trees and landscaped garden.	The proposal identified one (1) tree for removal on the subject site. It is understood that the tree as subsequently died and was removed from the site. As no other trees are impacted and additional tree planting is proposed, it is considered that the proposal can be supported for a tree removal perspective.
Potential interference and impact on amenity and access to our property.	During construction precautions could be taken to ensure risks are limited and control.
Maureen Ball 7 Sherwin Street, Henley	
CONCERNS RAISED	COMMENT
The proposed development is too large for the land.	As stated in the body of his report, the proposal does not comply with the zone objectives.
Loss of sunlight to our property and surrounding properties.	The impacts on solar access have been addressed earlier in the report. The property at 7 Sherwin Street will only be partially affected during the morning hours. As stated in the body of his report, the proposal does not comply with the overshadowing objectives.
Loss of privacy on our property and surrounding properties.	It is noted that the proposal is located approximately 9.0 metres away from the adjoining dwelling at 7 Sherwin Street. The proposal is located in close proximity to the outdoor area and pool of the 7 Sherwin

	<p>Street and privacy screens will be required on the upper level bedroom windows to limit the overlooking opportunities.</p> <p>As stated in the body of his report, the proposal would have overlooking issues.</p>
Stability concerns of our property from excavation from the basement carpark.	No concerns for the structural integrity of the site and surrounding sites were identified by Council's Development Engineer. The basement excavation is located at least 6.5 metres from any adjoining structures and it is considered that it can be undertaken without any danger to the adjoining structures.
Karen Lee Wallace 5 Sherwin Street, Henley	
CONCERNS RAISED	COMMENT
Acoustic concerns from layout of first floor.	<p>It is noted that the proposed kitchen and main living spaces will be located at the front of the property and it is considered that these will not result in an impact on the residence at 5 Sherwin Street.</p> <p>The balcony proposed along the eastern boundary is located approximately 8.3 metres from the common boundary with 5 Sherwin Street. To limit any potential impacts the applicant proposed a privacy screen along the northern portion of the balcony.</p>
No plans provided for pool filter and mechanical equipment on the roof causing acoustic concerns	The applicant will be required to implement specific acoustic measures to limit impact on the adjoining development to limit impacts from the mechanical plant.
No detailed construction plan regarding structural integrity of site and impacts of construction on surrounding dwellings and their residents.	<p>No concerns for the structural integrity of the site and surrounding sites were identified by Council's Development Engineer. Even though the basement excavation is located at least 6.5 metres from any adjoining structures, the applicant will be required to implement specific measures to ensure the integrity of the adjoining development.</p> <p>The proponent will be required to submit a construction management plan prior to undertaking construction works on site. It is considered that the local road network has sufficient capacity to allow for construction access.</p>

No details provided regarding the method of basement construction.	<p>The applicant will be required to prepare a Construction Management Plan (CMP) prior to the release of a Construction Certificate. Specific shoring details will also be provided to Council as part of the CMP.</p> <p>It is considered that the site has good access to William Street and the wider local road network can accommodate construction vehicles.</p>
Non-compliance with zone objectives	The zone objectives were previously addressed. As stated in the body of his report, the proposal does not comply with the zone objectives.
No landscape plan has been provided.	A landscape plan was provided as part of the application.
Non-compliance with Clause 4.4 – Floor Space Ratio of the HHLEP	The HHLEP states that, where the building height and landscape requirements are met, the FSR provisions do not apply. It is noted that both the building height and landscaped area requirements are compliant with the HHLEP provisions.
Front setback is not characteristic of the area.	The front setback requirements were addressed earlier in the report. It was found that the area contains a mix of front setbacks, with larger setbacks to the north and narrower setbacks to the south. It is therefore considered that the front setback is appropriate for the area.
Shadow Diagrams	It is unclear what has been raised in this point. The affected sites have been indicated by the Deposited Plans of each site and the plans are indicative in nature.
The proposal does not provide for sufficient planting between buildings	The applicant provided a landscape plan that includes planting along the boundaries.
Loss of privacy from upper level windows	Privacy screens have been proposed.
Loss of solar access	As stated in the body of his report, the proposal overshadowing would be an impact.
Southern façade does not accurately show the building.	It is unclear what the concern relates to. The applicant provided an elevation of the southern façade that shows the location of the windows and articulation along the façade.
Mr M Shaya. 3 Sherwin Street, Henley	
CONCERNS RAISED	COMMENT

Loss of visual privacy of private open space from first floor balconies along the north-eastern side and full height windows from the first floor along the eastern and southern side of the proposed dwelling.	The concerns are well founded and the applicant did not provide privacy screens along the eastern part of the new balconies.
Loss of acoustic privacy from pool equipment	As previously stated, mitigation measures can be implemented if the application was supported.
The format of the shadow diagrams is difficult to understand.	Noted. The applicant provided altered shadow diagrams that removed the existing situation from the diagrams. The shadow diagrams show that the backyard of 3 Sherwin Street will be overshadowed in the last afternoons only.
James Searley 20 Crown Street, Henley	
CONCERNS RAISED	COMMENT
Loss of view from residence.	The potential impact on the view from 20 Crown Street is considered limited as the property is located significantly higher than the subject site and is located approximately 40m to the west.
Proposed dwelling considered out of character for the suburb.	The visual and acoustic impacts on the adjoining development to the west is considered significant and is contrary to the zone objectives and DCP provisions.
M Ziviani 14 William Street, Henley	
CONCERNS RAISED	COMMENT
The dwelling will be visually dominating and out of character with the area	<p>The development in the area contains a mixture of double storey development and it is noted that the development on either side of the subject site contains double storey dwelling in close proximity to the road frontage. These dwellings also date from the 1990s and early 2000s and are therefore not historically significant.</p> <p>Although the new dwelling will be setback a minimum of 4.01 metres from the road frontage, the setback is larger along the eastern (6.4 metre) and western (6.4 metre) boundaries.</p>
Creation of direct sightlines to shower, bathroom, hallway and living room.	The dwelling at 14 William Street is located approximately 35 metres from the front edge of the proposed dwelling. It is considered that similar privacy issues would currently be present with the existing verandah on the
Loss of safety and security resulting from sightlines into private habitable spaces.	

	subject site and the other double storey development along William Street.
Wei Quan Huang and Shao Ling Li 18 Crown Street, Henley	
CONCERNS RAISED	COMMENT
Obstruction of views from the top level balcony.	As stated in the submission, Chapter 3.5.5 of the HHDCP aims to ensure the sharing of views. It is considered that the proposed dwelling will reduce views along a significant portion of the existing balcony, affecting the views and vistas.
Loss of privacy through direct sightlines into living room, dining room, kitchen and three (3) bedrooms all on the first floor.	The concern is well founded as the location of the proposed balcony along the western side of the proposal will have an impact on the privacy of the adjoining neighbours.
Loss of sunlight.	As stated in the body of his report, the proposal would have an impact on overshadowing.
Non-compliance with landscaping and FSR requirements under the HHLEP.	Under section 4.4 Floor Space Ratio of the HHLEP 2012, if a dwelling is compliant under sections 4.3 Height, and 6.9 Landscaping it cancels out the requirement for FSR. As the site meets the building height requirement of 8.5m and the landscaping of 50%, the FSR requirement is not applicable to the proposal.

8. CONCLUSION

The proposed alterations and additions are not 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 with this requirement.

RECOMMENDATION

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.

ATTACHMENTS

1. Map of submissions [↓](#)

- 2. Submissions [↓](#)
- 3. Plans [↓](#)
- 4. Landscape Plan [↓](#)



Sarah Jenkins

From: [REDACTED]
Sent: Saturday, 21 January 2023 2:43 PM
To: Customer Service
Subject: Submission relating to Development Application DA 20220239 - 11 William Street, Henley

Dear Hunter's Hill Council,

It is good to see the new owner/s of 11 William Street seeking to invest in the construction of a new dwelling in Henley, contributing to the ongoing development of this small and peaceful residential peninsula.

As an adjoining neighbour, I would like to highlight the primary concerns that we have in relation to this build:

1. The Front Wall (32.995 metre long x 1200mm high solid stone fence along the street frontage)

As per the Hunter's Hill Heritage Management Guidelines, clause 5.10:

'Heritage conservation (1) Objectives The objectives of this clause are as follows: (a) to conserve the environmental heritage of Hunters Hill, (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views.'

Also, as per Hunters Hill Council DCP 2013, Part 3.7.7 (page 71 & 72):

'Care for stone walls:

Stone walls are best conserved with the minimum of change or interference. Walls may need repair due to loss of mortar, cracking of stone, damage caused by tree roots, or accidental bumping. Where repairs are necessary it is essential to seek expert advice, so that the wall can be repaired with minimum change to its fabric, construction and configuration: (i.e. height and width). Jointed walls should be repaired using lime mortar of mix 1 part cement; 2 parts slaked lime: 10 parts or 12 parts bush sand, not a cement mix.

To avoid damage to stone walls:

- (a) Always repair walls using original building methods.
- (b) Avoid changing the level of ground alongside the wall.
- (c) Avoid water flowing near the base of the wall.
- (d) Do not build other fences or structures directly alongside.
- (e) Do not plant trees near the wall to avoid damage from roots.
- (f) Detailed guidelines about stone walls in Hunters Hill are available from Council.

New stone fences:

Unless there is evidence that a stone wall previously existed, a new stone fence should be avoided. Where such evidence exists, the new wall must be of the same type of cut stone as the earlier wall i.e. dressed stone, sparrow pecked stone or rock faced stone.'

The proposed plan highlights that there are two heritage items located along the street, being '5 William St. with an existing sandstone wall, which extends in front 7 and 9 William St'. The Development Application shared does not appear to address how it plans to ensure continued protection of the heritage wall which runs in front of 9 William Street, and intersects with 11 William Street.

While the proposed dwelling has been located away from the existing heritage stone wall, it is unclear where the proposed "Stone Fence" of 11 William Street will terminate to ensure there will be no impact from the new building fence works on the heritage item of number 9 William Street.

We would respectfully suggest that, in the interests of preserving the heritage front stone wall of Number 9 William Street, plus visual aesthetic and practical usage, that the proposed "construction of a new 1200mm high solid stone fence along the street frontage" of 11 William Street, only be permitted up until the start of the corner of the existing heritage item / sandstone wall. And that all building activities, including the installation and removal of construction fencing and equipment be done in a way that ensures that this heritage wall is not damaged or degraded throughout the building process, or afterwards. We would welcome the chance to view a more detailed plan in relation to this particular feature, prior to this DA being approved.

2. The Preservation of Mature Trees and Landscaped Gardens (Streetscape)

Since the previous owner left this property, we have noticed a steady decline in the health of a number of mature trees both on 11 William Street and the adjoining median strip. We wish to ensure that the correct Floor Space Ratio, as outlined in Floor Space Ratio Map - Sheet FSR_002 of the Hunter's Hill Local Environment Plan, and protection of mature trees is assured in accordance with the following LEP objectives:

- (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.

3. The potential interference and impact on our amenity, and ability to access our own property.

As mentioned in the Statement of Environmental Effects provided in this DA submission, this site is an irregular trapezoid in shape, with a long frontage onto the street coming to a 'point' partially overlapping the front boundary of 9 William St. In the proposed plan it appears that this 'point' will be enclosed by a construction fence. We request that the builder takes all steps required to avoid any damage to the heritage stone wall of 9 William Street, and ensures the maintenance of a clean and safe work site to preserve the environment and minimise the impact on adjoining properties during the period of construction. This should include preserving access to both the sewer access manhole and the Telstra services pit which are located in the proximity of this 'point'.

Thank you for the opportunity to make this submission, which we hope will be carefully considered before final approval is granted.

Kind regards,

Darren Keppie

Sarah Jenkins

From: Maureen Ball [REDACTED]
Sent: Monday, 23 January 2023 7:42 PM
To: Customer Service
Subject: Objection to DA 20220239 - 11 William Street, Henley

To whom it may concern,

I am writing regarding Development Application DA 20220239 for 11 William Street, Henley.

My concerns include:

- The Development is too large for the land area
- The loss of sunlight to ours and to the adjacent properties.
- The loss of privacy to ours and to the adjacent properties.
- That the depth of excavation for the underground carpark is likely to undermine the stability of our property at 7 Sherwin Street. We have a swimming pool located next to the common fence which could be severely affected by excavation activity particularly as we know from our experience that there are substantial deposits of rock that will have to be removed.
- The property owners have removed the DA 20220239 notice from the property or located it in positions where it was difficult to see or read without entering the property.
- The letter with information from Council was only received by a neighbour on Tuesday 17th January. We have been absent from Sydney so we have not received or able to read the letter; we are returning home on 24th January.

I can be contacted on [REDACTED] if you need any further information.

Regards

Maureen and Philip Ball.
7 Sherwin Street
Henley 2111

By Email : customerservice@huntershill.nsw.gov.au

Attention : Shahram Mehdizadgan
Acting Director, Town Planning
Hunter's Hill Council
22 Alexandra Street
Hunters Hill 2110

Karen Elizabeth Gameren
Owner
5 Sherwin Street
Henley NSW 2111
24th January 2023

RE : **Development Application DA20220239**

I object to current development application DA20220239 in relation to 11 William Street, Henley 2111 on the following grounds :

General

Notice of Development – The required display of the Development Notice has not been in compliance with Council regulations. Unknown persons have routinely removed the Notice.

Site generally

The development site is an irregular (trapezoid) shaped area directly adjoining FIVE (5) properties which is unique in Henley. The Notification Plan indicates the site area is 551.2sqm which would represent one of the smallest land sizes in the Hunters Hill (Henley) South Ward.

The existing residence consists of a modest single level residence with carport. The entrance faces north-east to William Street with the western side adjoining two properties, 7 Sherwin Street & 18 Crown Street. The rear faces south adjoining two properties 5 & 5A Sherwin Street, and the south-eastern side adjoins 3 Sherwin Street.

Page 4 – Statement of Environmental Effects states "... *The First Floor provides the main Living areas and Kitchen, with the Main Bedroom and 2 smaller bedrooms for the younger family members.*" This layout would carry a greater noise level than would be experienced from a single level dwelling (existing dwelling). Noise levels at the first floor height would directly impact the rear bedrooms and living areas of Nos. 5 and 5B Sherwin Street as well as No. 7 Sherwin Street. Depending on the floor plan layout, which has not been provided, reduction in privacy is a direct concern for adjoining properties should any windows or living areas face directly south or south-east.

There is no indication of the location of the swimming pool filter housing nor filter noise suppression on the Plan. The closeness of the location of the pool to the rear boundaries of adjoining properties (approx. 1.2 meters) will directly impact the amenity of those adjoining properties.

There is no detail relating to the Mechanical Equipment hatch on the main roof. No details are provided as to the type of mechanical equipment or associated noise impact to surrounding properties. The drawings do not indicate the nature nor size or height of the hatch or how noise from this proposed plant will be buffered.

Statement of Environmental Effects

Page 6 – 79C Evaluation – (c), (d) and (e)... The Plan does not acknowledge that this development directly impacts Five (5) adjoining properties. This is unique in Henley.

1. There is no detailed plan or analysis provided about the method of basement and shoring wall construction. There is a high possibility of undermining of the adjoining properties, in particular, ground anchors over property boundaries at Nos. 3, 5 and 5A Sherwin Street.

2. No water table analysis is provided. There is no indication how my property will be protected from possible foundation subsidence or how any structural repairs to my property will be addressed.

Construction noise, dust control and vibration are of major concerns during excavation because of the irregular shape and rock substrate of the site. It will resemble a quarry excavation due the cut required for the basement and to support the 2 storey residence. There is no plan to ensure that the amenity of residents of adjoining properties is not severely impacted nor their properties compromised during the whole period of construction.

There will be a high probability (>95%) of damage to the current dividing fence between Nos 5 and 5B Sherwin Street due to the extent of the excavation. In addition, the established garden (containing protected stag horns & elkhorns) located adjacent to the rear fence of No 5 Sherwin Street will also be subject to extensive damage and possible destruction during excavation. Pictures of the garden are attached. There is no reparation plan nor has there been any discussion between the Architect and adjoining property owners regarding the high probability of damage to adjoining properties (eg provision of insurance cover or adequate compensation).

3. No engagement with residents has been had with regards to the construction access routes. Due to the heavy excavation plant required to undertake the works, including concrete trucks, ingress and egress from/to Victoria Road by residents of Henley is a safety concern.

Page 9 - Zone R2 Low Density Residential

The document states :

- The proposal maintains adequate privacy to all adjoining sites.
- High levels of natural light are available to all surrounding properties.

Both these statements are strongly disputed for the reasons given below.

Page 9 – 4.4 Floor space ratio (FSR)

The document states the proposal complies with the height and landscape controls and therefore FSR does not apply.

The Landscape Plan has not been provided and therefore this statement cannot be supported. The Plan must be provided by the Council immediately, in addition, hard and soft landscape measurements contained in the Statement of Environment Effects, when viewed with the drawings in the Notification Plan, do not support those measurements. This is due to landscaping appearing to have been included in designated paving areas in the southern rear of the development.

Page 11 – 6.9 *Landscaped area for dwelling houses and secondary dwellings*

1. **Missing documents** : -Drawing Nos. DA-09 & DA-10 have been omitted from the Notification Plan.
2. It is not possible to assess the Landscape Plan due to its withholding by the Council. Whilst the Statement of Environmental Effects states Hard and Soft landscaping requirements are met, there is concern that this is not the case as evidenced in the Notification Plan.
 - a. The size of the development, to the rear and south-eastern sides, lends little to the establishment of soft landscaping.
 - b. It is indicated that tree planting will occur in the south-western corner. This is a paved area in the Notification Plan. Such a planting would also impact the solar access of No 5 Sherwin Street.
 - c. The proposed planting of a Water Gum tree against the wall / corner of my property, grows to a height of 4-7 meters and has an aggressive root system, is adjacent to my gum tree.

- d. I draw your attention to the attached photos of a well established garden at the rear of my property 5 Sherwin St Henley. The effects of such a planting will remove the enjoyment I currently have in cultivating rare foliage.

Page 12 – 3.3.3 (a) & (b) & (e) *Front, side, and rear setbacks* :

The development fails 3.3.3(a). It does not respect the pattern of setbacks characteristic of the surrounding locality. Pre-1930's buildings in Henley are mostly set on larger land site.

The land shape and size severely limits the type of development in compliance with 3.3.3.(a) due to its being surrounded by 5 adjoining properties.

The development fails 3.3.3(b). It fails to maintain adequate garden space between buildings for compatibility with the Municipality's existing character and to minimise adverse visual impacts on adjacent properties. Imposing a large 2 story building occupying such a small site does not meet this requirement.

The development fails 3.3.3 (e). Privacy is not maintained due to the height of the development and limited distance from the adjoining properties. Windows and Balconies are shown to overlook those properties. Section 7.6 (page 16) indicates there is "... *only one first floor window facing south with a sill height of 1800mm*". There is indication that another window also exists, "... *a privacy screen **is proposed** along the southern side of the first floor to provide privacy to the Main Bedroom ...*" This statement indicates that a further window is present and there are privacy concerns (for the occupants of the development and occupants of No 5 and 5B Sherwin Streets), however this is extremely unclear as the rear of the property diagrams have not been provided. The Plan provides no comfort that a privacy screen "is proposed" but not mandated – such a screen would also reduce the distance between properties unless affixed directly to the window. The floor plan was reviewed when I visited council. The floor plan clearly shows a large bedroom window directly overlooking into my backyard and straight into my internal living areas. The lack of clarity on this particular aspect and inaccurate compass elevation diagrams by the Architects is not conducive to open disclosure. I object strongly to having my privacy removed.

The Shadow Diagrams are strongly disputed and conveniently show a loss of solar access to the three most effected properties of 32.6%, 32.6% and 32.7% respectively therefore meeting the requirement of no more than 33.3% reduction. For No 5 Sherwin Street, my property, the Winter Solstice Shadow diagram is a complete fabrication as to the existing shadow. It shows most of the rear garden area under shadow which is false. I enjoy my North facing winter sun and utilise my outdoor area for this purpose as well as drying my washing. I also enjoy being able to look at the sky, and trees in Gladesville Reserve, both of which will be removed by this proposed building. I strongly object to losing my amenity in this way.

The southern boundary of the current single level residence is approximately 2.0 meters to the boundary fence line of the adjoining properties, being No 5 Sherwin Street (my property) and 5A Sherwin Street. The northern (rear) boundary of No 5 and No 5A Sherwin Street to the rear fence line of 11 William Street is approximately 7.1 meters. This results in the current separation of the proposed residence (6 meters to rear fence line) to 5 & 5A Sherwin Street being a total of 13.1 meters.

The architects make reference to the Apartment Design Guide of 12 meter separation for dwellings less than 4 stories. That reference has no bearing on this Development Application. This is the architect's attempt to abstract away the serious privacy issues associated with this development. The total separation of 13.1 meters to rears of adjoining properties is the smallest for 2 storey buildings in Henley. It is not in keeping with the amenity of existing properties Henley.

Height of proposed development – southern elevation:

The Notification Plan Elevation drawings **DO NOT SHOW** the southern facing façade of the proposed residence. We have consulted an independent Architect to review the drawings. The architect has confirmed that the drawings do not accurately show the southern facing façade.

We are therefore unable to fully assess the impact of the 2 story dwelling on the amenity and privacy to our property due to the number and location of southern facing windows not able to be determined.

We look forward to your addressing the issues, in my favour, raised in this objection.

Karen Elizabeth Gameren
Telephone : [REDACTED]





JANUARY 27, 2023

General Manager
Hunter's Hill Council
PO Box 21
Hunters Hill NSW 2110

Attention: Shahram Mehdizadgan,

**RE: SUBMISSION TO DEVELOPMENT APPLICATION NO. DA 2022/0239
11 WILLIAM STREET, HENLEY**

Dear Sir/Madam,

On behalf of Mr M Shaya, the owner of 3 Sherwin Street, Henley, we wish to lodge a submission to DA 2022/239. The submitted DA relates to the proposal at 11 William Street, Henley.

The application is seeking approval for the demolition of existing single storey dwelling and replacing it with a 2-storey dwelling with a basement garage and a swimming pool.

Our client's property at 3 Sherwin Street is located to the immediate south-east of the subject site. It fronts onto Sherwin Street and benefits from a secondary frontage to William Street. It shares part of its north-western boundary with the subject site, as shown in Figure 1 below.



Figure 1: Shows our client's site relative to the subject site and is surrounded by detached dwelling houses.

We have reviewed the documentation submitted with the application and those uploaded to the Council's website. Whilst our client has no objection to the proposed 2-storey dwelling house and considers the scheme to be well conceived, our client expressed concerns that there are numerous unresolved issues with the proposal. The key concerns relate to potential amenity impact of the development upon our client's property in terms visual privacy and noise impact.

The application is also deficient and does not contain the necessary information to enable Council to make a full and proper assessment of the application and as such, Council cannot make an informed decision in respect to the suitability of the proposal and the potential impact of the development upon the locality and our client's property at this stage.

The key issues of concern are as follows:

1. Loss of privacy from side and rear facing balconies; and
2. Overlooking from first-floor full height windows; and
3. Potential noise intrusion associated with the swimming pool pump.

We deal with each of these concerns as follows:

1. **Overlooking from side and rear facing balconies**

The proposed development includes first-floor balconies along the north-eastern elevation of the dwelling. Concerns are raised that these balconies will have full view of our client's property resulting in the loss of privacy to their private open space, due to the elevated nature of the balconies and their position relative to our client's property. As Council would be aware, 3 Sherwin Street has a current approval for a 2-storey dwelling house.

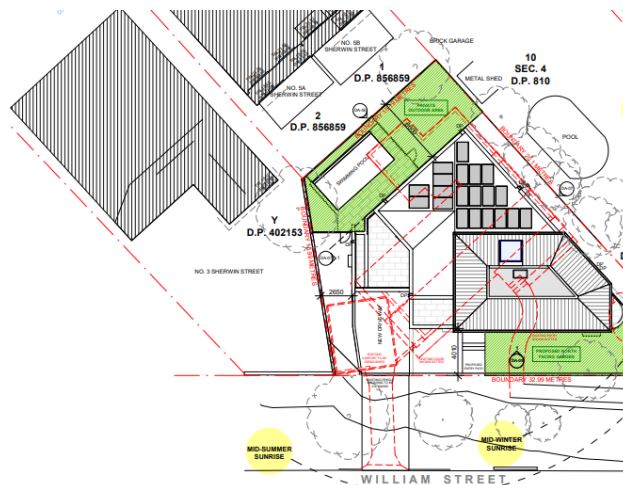


Figure 2: Site Plan showing the proposal relative to 3 Sherwin St and the proposed north-eastern balconies.

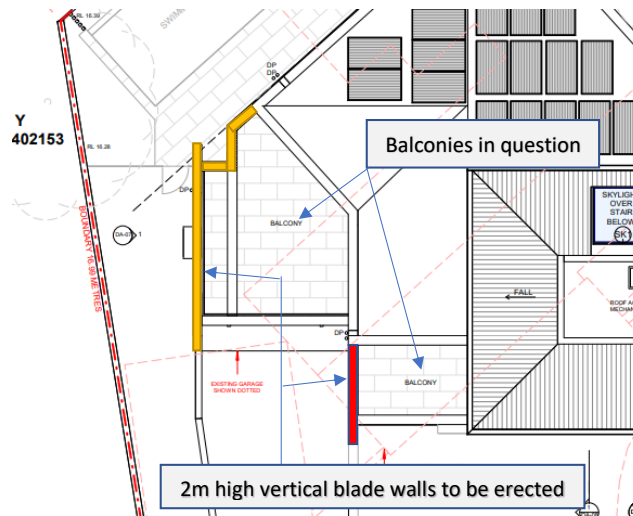


Figure 3: Closer view of the first-floor balconies in question and suggested privacy walls to maintain the amenity of 3 Sherwin St.

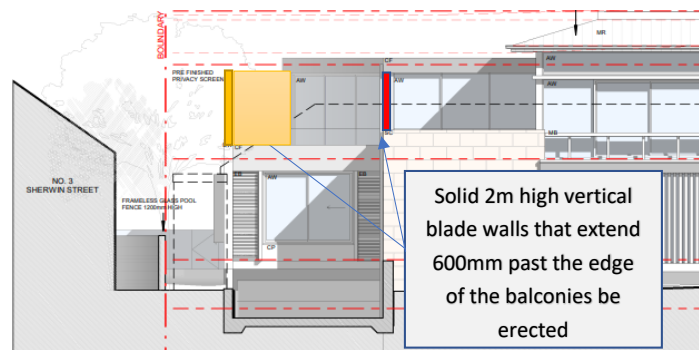
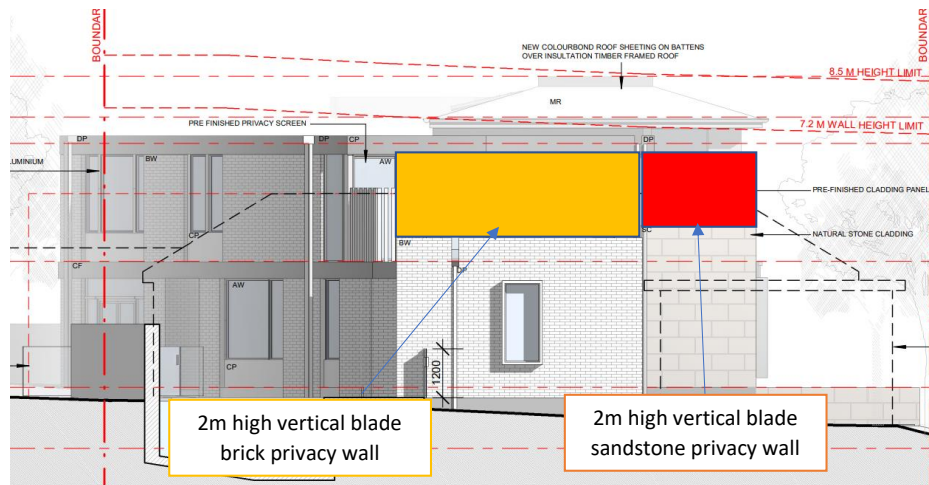


Figure 4: Front elevation of the proposed dwelling with suggested privacy walls to ameliorate potential overlooking of 3 Sherwin St



In order to maintain/protect the privacy of 3 Sherwin Street, it is requested that a solid vertical blade wall to a minimum 2m in height above the finished level of the balconies and extend 600mm past the edge of the balconies be erected along the south and eastern elevations of the balconies. The vertical blade walls, as marked in Figures 4 & 5 above, should be of a material and finish that complement the material and design of the proposed dwelling house. The pre-finished vertical batten type privacy screen shown on the architectural drawings are not considered sufficient in preventing direct overlooking of our client's property.

2. Overlooking from full height first-floor windows

Concerns are also raised that the proposed full height first floor windows along the eastern and southern elevations of the dwelling will have direct overlooking of 3 Sherwin Street. Accordingly, it is requested that these first-floor full height windows be replaced with horizontal slot windows at a minimum 1.5m sill height.

3. Noise attenuation to pool equipment

The site plan does not clearly articulate the proposed location of the swimming pool pump and filter. Concerns are raised that the pool pump equipment, if located close to the boundary of 3 Sherwin Street is likely to cause noise disturbance to the amenity of our client's property. As such, it is respectfully requested that the pool pump equipment be provided with the necessary noise attenuation measures including enclosed in a sound-proof enclosure and located away from the boundary with 3 Sherwin Street.

4. Shadow Diagrams

The shadow diagrams accompany the application show the shadows cast by the proposal (light grey) as well as the shadows cast by the existing structures (dark grey) for the critical hours of 9am, 12noon and 3pm at the winter solstice. However, due to the fact these shadow diagrams are overlaid over each other, it is difficult to ascertain the extent of shadow impacts by the proposal. It is requested that the shadow diagrams be shown on separate sheets so that the actual shadow impact can be determined.

5. Statement of Environmental Effects contains errors and assumptions

The SEE submitted with the applications contain a number of errors and assumptions. These including the following:

- i. It references Section 79C of the Environmental Planning & Assessment Act, which has been replaced with Section 4.15 of the Act.
- ii. It references SEPP 55 – Remediation of Land. This SEPP has been replaced with SEPP (Resilience and Hazards) 2021.
- iii. Section 3.3.3 Front, Side and Rear Setback (e) (Page 12) of the SEE states: *'Privacy is maintained between the adjoining properties and access to sunlight is retained'*. Clearly, and as articulated above, the proposal, in its current form, will result in the loss of privacy to 3 Sherwin Street.

For the above reasons, insufficient information has been submitted to Council to carry out a full and proper assessment of the suitability of the proposal for the site and the locality. In addition, there are a number of unresolvable issues and potential amenity impact upon neighbouring properties that have not been satisfactorily resolved. Accordingly, Council cannot make an informed decision in respect to the application at this stage.

Thank you taking this submission into consideration and should wish to discuss any aspect to this submission, please contact the undersigned on 0409315428 or via email at nelson@finelineplanning.com.au

Yours faithfully,



Nelson Mu
Fineline Planning & Design

Sarah Jenkins

From: james searley <[REDACTED]>
Sent: Wednesday, 8 February 2023 3:10 PM
To: Customer Service
Subject: 11 William Street, Henley.

Dear Sirs,

I refer to the proposed development of this site and advise my objections to same are :-

1 – The height of the house will affect and possibly eliminate the view from my dwelling at 20 Crown St, which has been enjoyed since 1984.

2 – The Architect's drawings show a house totally out of character with this suburb.

Yours faithfully,

James Searley.

Sent from [Mail](#) for Windows

Submission relating to proposed DA20220239 at 11 William Street Henley**By M.Ziviani of 14 William Street, Henley dated 9 February 2023.**

We object to the proposed development on the basis that several aspects are at variance with the provisions of the DCP and other concerns, including those outlined in this submission. We welcome the opportunity to discuss these concerns further and request involvement with any relevant deliberations.

2.2.3 Existing Character (b) (v)

The streetscape will be visually dominated by the proposed development, particularly by the extensive decks facing the roadside and south-east aspects. Further, the existing house is set well back with space allowed to the north for extensive garden features and greenery, mostly facing the road. The proposal sees this replaced by a glass and masonry dwelling of dramatically larger scale and footprint. Moreover, the proposed alignment of the dwelling presents as parallel to the street with a long façade which will present as visually dominating as a result of that length, alignment and height, being dual story plus basement.

To better understand the above impact further, council could consider photos of the existing dwelling against an elevation render of the proposed, completed development viewed from the street – as if walking along the road. This will highlight the visual dominance of the proposal which is seriously at variance with the existing character on the same side of the street.

3.5.3 Visual Privacy and 4.3.10 Privacy

Objective (a) in both these sections require limitation to overlooking into neighbouring dwellings and private open spaces. Whilst my property is opposite the land relief places the proposed development higher and directly overlooking into habitable rooms - substantially more so than the existing house of 11 William Street.

Further the Statement of Environmental Effects, filename

11_William_St_Statement_of_Environmental_Effects143630.pdf in the eplanning portal, on page 12 under section 3.3.3 (e) claims: 'Privacy is maintained between the adjoining properties...'. Whilst this maybe the case for immediately adjoining properties to the north, south and west, our property at 14 William St. is to the East and on the low side of the street. Our dwelling is overlooked by the proposed development. Our property should be considered to be neighbouring and there is no apparent consideration as to the impact of the proposed development on our habitable private spaces.

The proposed development **will create direct sightlines from several decks and rooms** of the proposed dwelling into our:

- Shower
- Bathroom
- Hallway and Living room

Sightlines can be further understood by considering relative levels and pictures taken from our impacted habitable rooms looking up to the proposed dwelling. Proposed plans suggest the RL of the development is suggested as 19900 - which is some 5 meters higher than our first floor at 14950. Therefore, persons looking out of the proposed dwelling on either the first or second floor decks or through windows towards our direction will overlook down and into these private areas of our

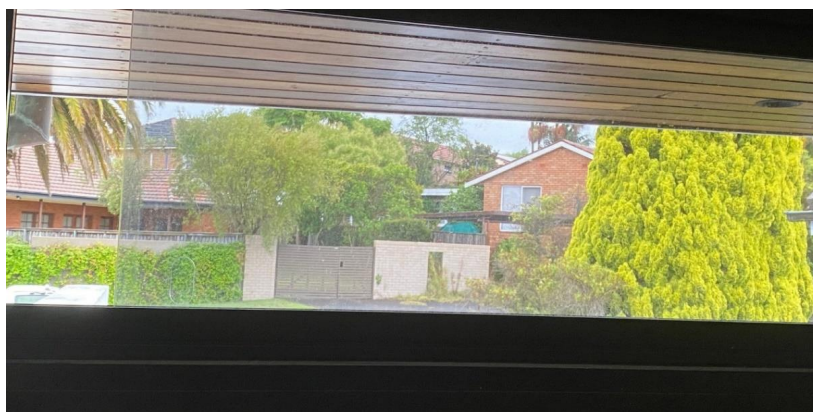
bathroom and living rooms. This is anticipated as a substantially greater problem at night when any of our tinted window treatments will not assist due to internal light. It must also be noted that even during daylight this tinting is modest, as seen from the open window in Impact 2 below, and so will not alone suffice to address the invasive sightlines created by the development proposal.

These pictures highlight the direct and invasive sightlines from the proposed development into our impacted private areas:

Impact 1 – Sightline from within shower of bathroom



Impact 2 – Sightline from within bathroom



Impact 3 – Sightline from entry hallway and living room**4.3.11 Safety & Security**

Objective (a) aims for development proposals to enhance community safety (both real and perceived). Objective (c) calls for provision of security for residents.

The overlooking of the proposed dwelling into our private habitable spaces creates both a real and perceived safety concern by way of invasive sightlines into private rooms of our home. The ability to feel secure in one's own home is compromised by the directly overlooking nature of the proposed dwelling.

It must also be said the reverse effect is created whereby we look up to the decks and windows of the proposed dwelling.

We call on HHC to now address and resolve the concerns raised in this submission.

Suggested Alternatives

There are extensive outdoor decks in the proposal and those on the northern side will clearly benefit more from the warm winter sun and water views. Are additional decks required off the kitchen and bedroom looking to the south/south east?

To be effective, any privacy screening to decks and windows would need to be extensive and may not be feasible.

Requested Action Summary

We ask that HHC broker amendments and conditions of consent to this development proposal that are appropriate to address our concerns, as per the various aims of their Hunters Hill Consolidated

Commercial in Confidence ©2023 M.Ziviani Page 3 | 4

DCP 2013. Those amendments and conditions would need to adequately address and resolve the direct line-of-sight overlooking into our habitable rooms.

Further information and substantiation can be made available upon request to clarify our objections to this development application.

Hunter's Hill Council

22 Alexandra Street, Hunters Hill NSW 2110
PO Box 21, Hunters Hill NSW 2110
ABN: 75 570 316 011

Development Application Number: DA20220239

Development Application Site Address: 11 William Street, Henley NSW 2111

To whom it may concern,

RE: OBJECTION to DA20220239 Demolition of existing dwelling and construction of a new 2-level dwelling with a basement garage and swimming pool.

We are writing to you in regard our objection to the development at 11 William Street Henley DA20220239. We understand that we have been provided a 14 days time frame to submit our submission to the development. However, we request an additional 21 days to submit our submission. The additional time will provide us the opportunity to sufficiently review the documentation.

If you can please confirm whether this extension of time is acceptable via email that would be greatly appreciated.

We have also put together the following six (6) dot point summary of our deep concerns to support our objection:

1. **Property View Impact:** The proposed development results in significant obstruction of the view from the top level balcony of our property. This causes major stress to our wellbeing and also detrimental decline in our property value for 18 Crown Street, Henley. Under 3.5.5 View Sharing control policy in the Hunters Hill Consolidated DCP 2013, "new developments should promote view sharing by minimising the loss of existing views for adjoining or nearby property". However, the proposed development will obstruct a number of iconic views we currently have including the Sydney Harbour Bridge, Sydney Opera House and City skyline views. In addition to that, the majority of our water views will also be blocked as well. The DA proposal does not comment about this which is of major concern to the level of consideration the applicant has undertaken when preparing the DA.
2. **Privacy Breach:** The proposed development results in an overwhelming privacy breach of the adjoining building 18 Crown Street as the proposed build will overlook the main balcony window of the living room, dining room, kitchen and directly through to the entrance of all our 3 bedrooms. This is a critical privacy breach for us.
3. **Overshadowing issue:** The proposed development does not provide any details of the potential overshadowing of the adjoining building 18 Crown Street, Henley. This is of major concern because our property is clearly impacted based on the proposed plan. The height of the building proposed is clearly over our top level balcony so it will cause major new overshadowing. This will lead to significant reduction in sunlight and ventilation for our property. The DA report lacks details of potential key issues.
4. **Habitable floor area allowance breach and environmental concerns:** As per the information sheet 3.2 from NSW Planning & Environment, for lot sizes of >450sqm to 600sqm, the floor area allowance is 330 sqm. This DA proposal has requested a floor area greater than 330sqm over the 2 floors. This raises concerns of whether the landscaping area policy guidelines are met in

accordance with Hunters Hill Council requirements. We are concerned about the environmental impacts this will cause as we believe preserving as many trees and overall greens is imperative for the wellbeing and sustainability of the environment.

5. **Landscaped area concern:** As per Hunters Hill LEP 2012 clause 6.9 (2) (b) for all other sites – 50% of the site area. The DA lodgement advised landscape area is 277.0 sqm (50.2%). However, we question the validity of this. The total site area is 551.2 sqm and the proposed internal floor area is a total of 548.4sqm. From past experience, we understand that landscaped area ratio should factor in total internal area as higher living area correlates to more residents which should require higher landscaping area percentage. However, we note that DA proposal only base this on LEP that focus on site area. Please confirm if this is correct.
6. We have not officially received any DA notification letter from Council. We knew about this DA by stumbling across it when we walked past the property with the DA sign posted on the letterbox of 11 William St. We consulted a few of the immediate surrounding properties and all were unaware of this DA application nor they receive any DA notification letter.
7. On Saturday 14th of January 2023, we witnessed the residents residing in 11 William Street, Henley removing the DA application signage. We are concerned around the intention of this. Upon confronting the residents about this, they have reinstated the signage.

Based on the above concerns, we kindly request to object the DA proposal. However, what we deem as acceptable is if the building exterior wall does not surpass the boundary (A to B line) aligned between 18 Crown Street and 7 Sherwin Street (i.e. the existing fence between these two properties). This is highlighted in red on the site plan diagram attached to this letter (page 3). This means they will keep the existing front lawn as it is.

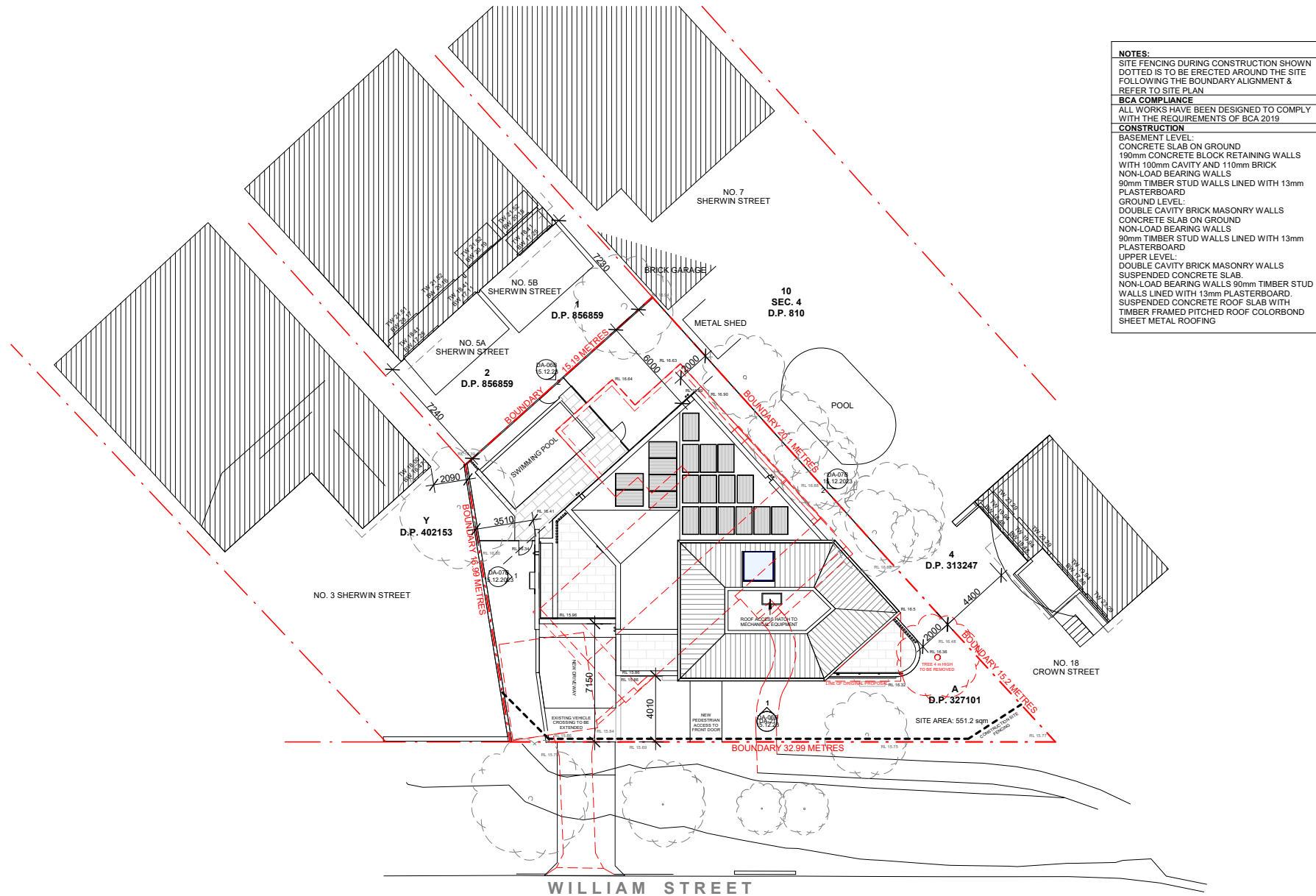
Finally, we kindly request that you will thoroughly consider our above concerns/requests as the DA proposal deeply impacts our family wellbeing and personal asset. The 21 day extension will provide more time whilst we seek professional and legal advice in understanding the DA and whether it complies with Hunters Hill council and NSW Government policies. We kindly seek your response when available via phone or email.

Yours Sincerely,

Wei Quan Huang & Shao Ling Li

18 Crown Street, Henley NSW 2111



**QIN RESIDENCE**

11 WILLIAM STREET
 HENLEY
 NSW 2111

CLIENT: **DAVID QIN**

SITE PLAN

DA-00B 15.12.23
 SCALE: 1 : 200 (A3)
 DATE: 15.12.23
 DRAWN: LO

NOMINATED ARCHITECT : MARK ARMSTRONG
 REGISTRATION NO : 5235
 REVISION:

DP: 327101 LOT: A

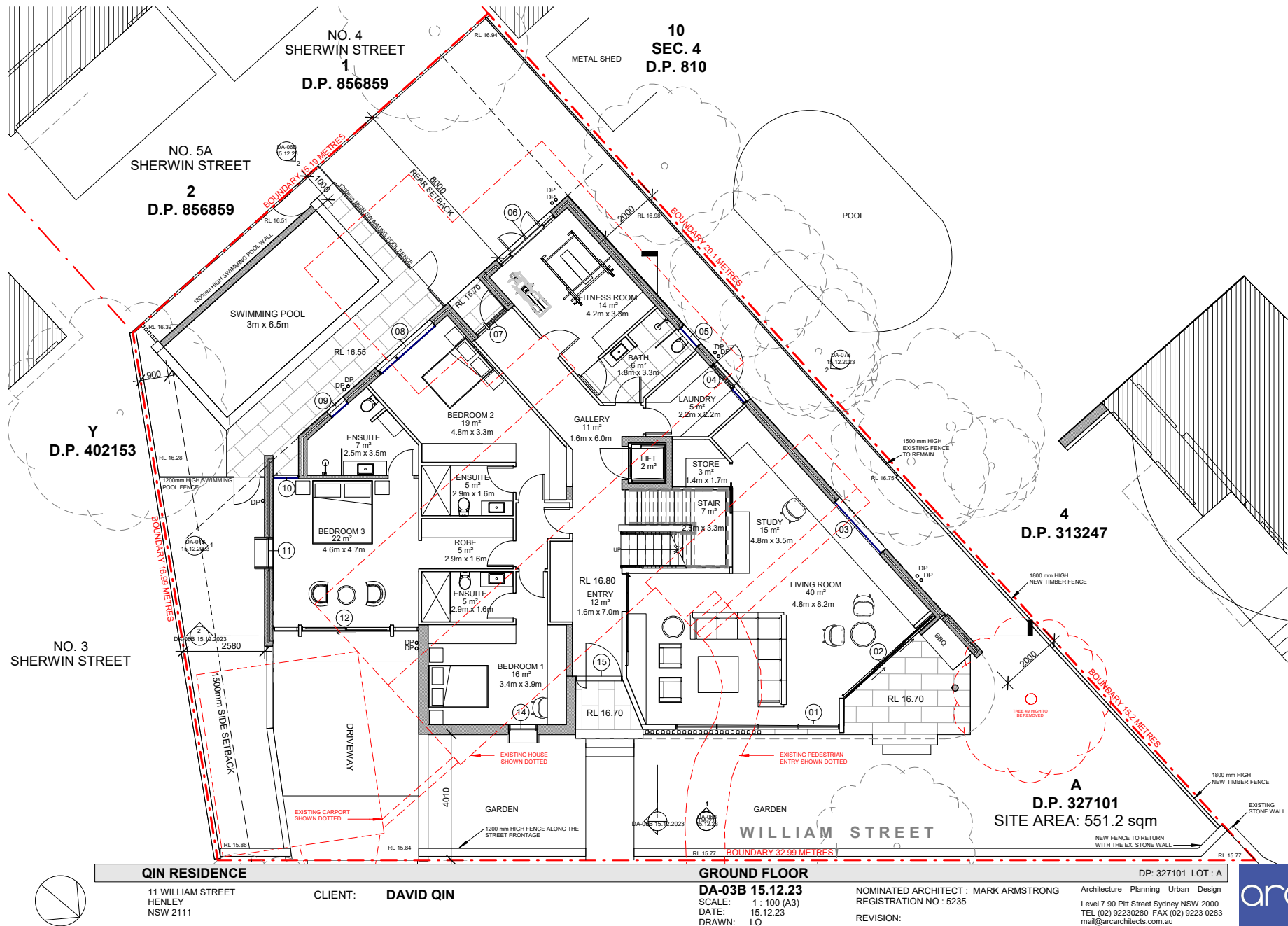
Architecture Planning Urban Design
 Level 7 90 Pitt Street Sydney NSW 2000
 TEL (02) 92230260 FAX (02) 9223 0283
 mail@arcarchitects.com.au

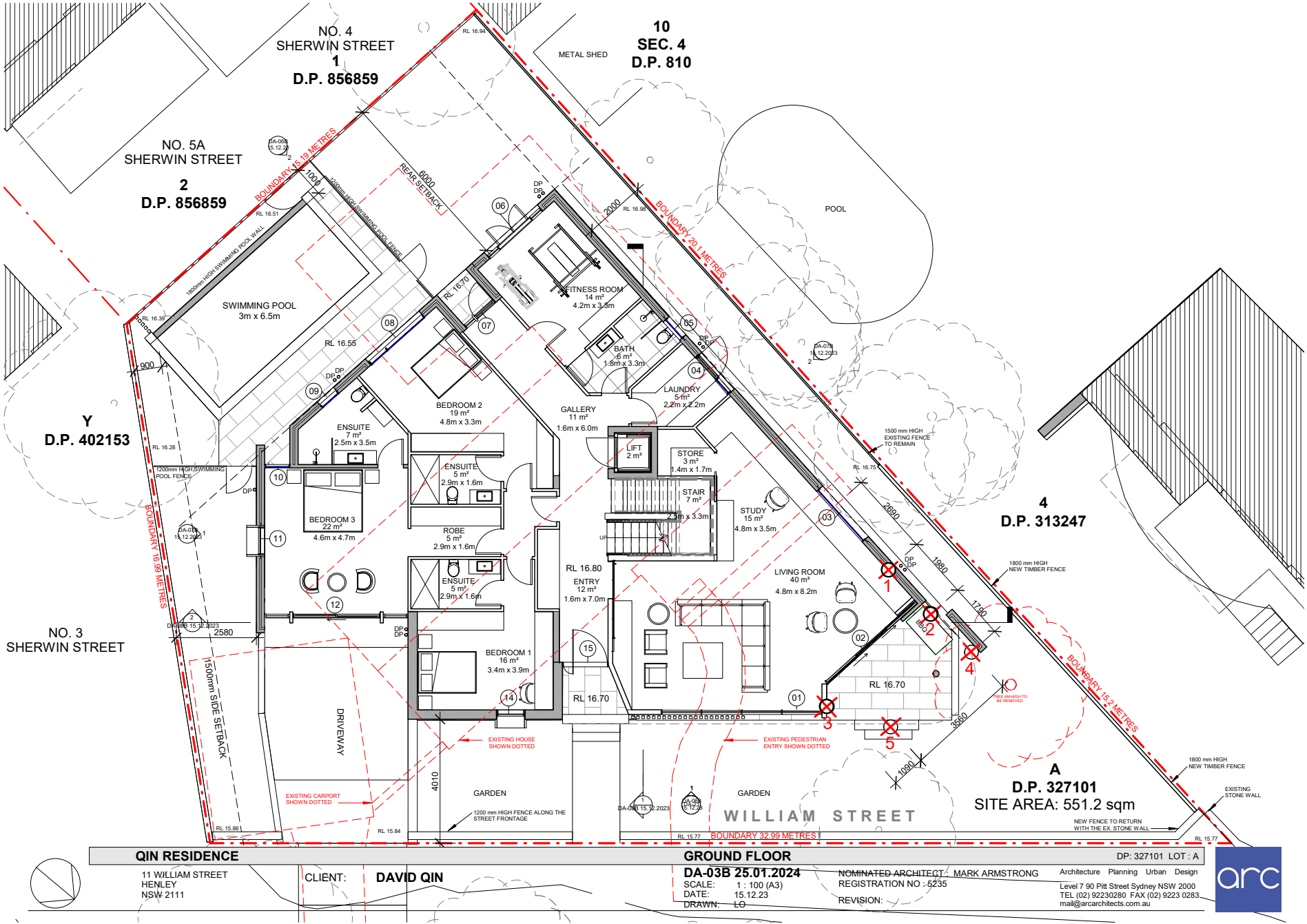


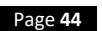


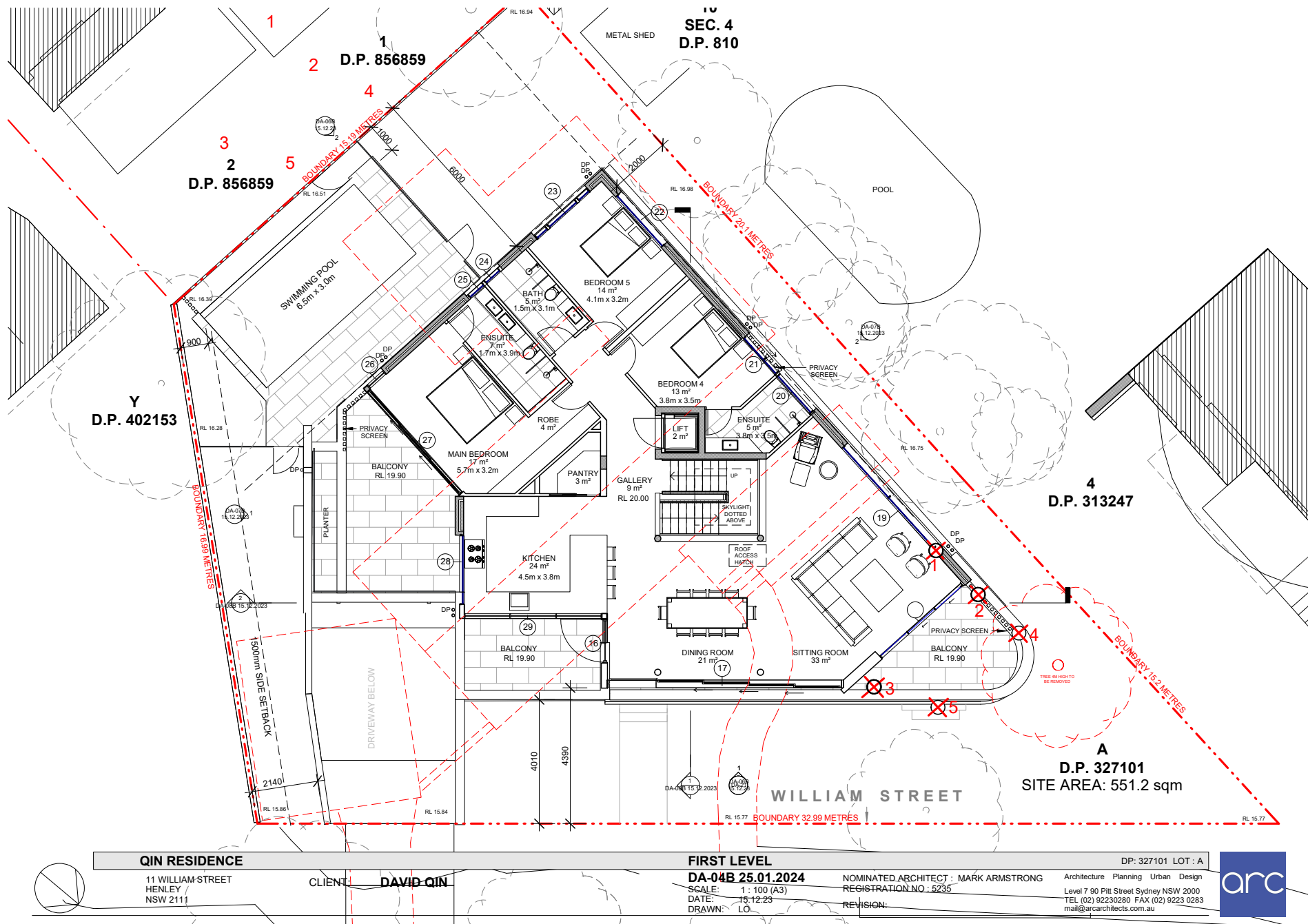
QIN RESIDENCE		SITE ANALYSIS		DP: 327101 LOT: A
11 WILLIAM STREET HENLEY NSW 2111	CLIENT: DAVID QIN	DA-01B 15.12.23	NOMINATED ARCHITECT : MARK ARMSTRONG	Architecture Planning Urban Design
		SCALE: 1 : 500 (A3)	REGISTRATION NO : 5235	Level 7 90 Pitt Street Sydney NSW 2000
		DATE: 15.12.23	REVISION:	TEL (02) 92230280 FAX (02) 9223 0283
		DRAWN: EN		mail@arcarchitects.com.au

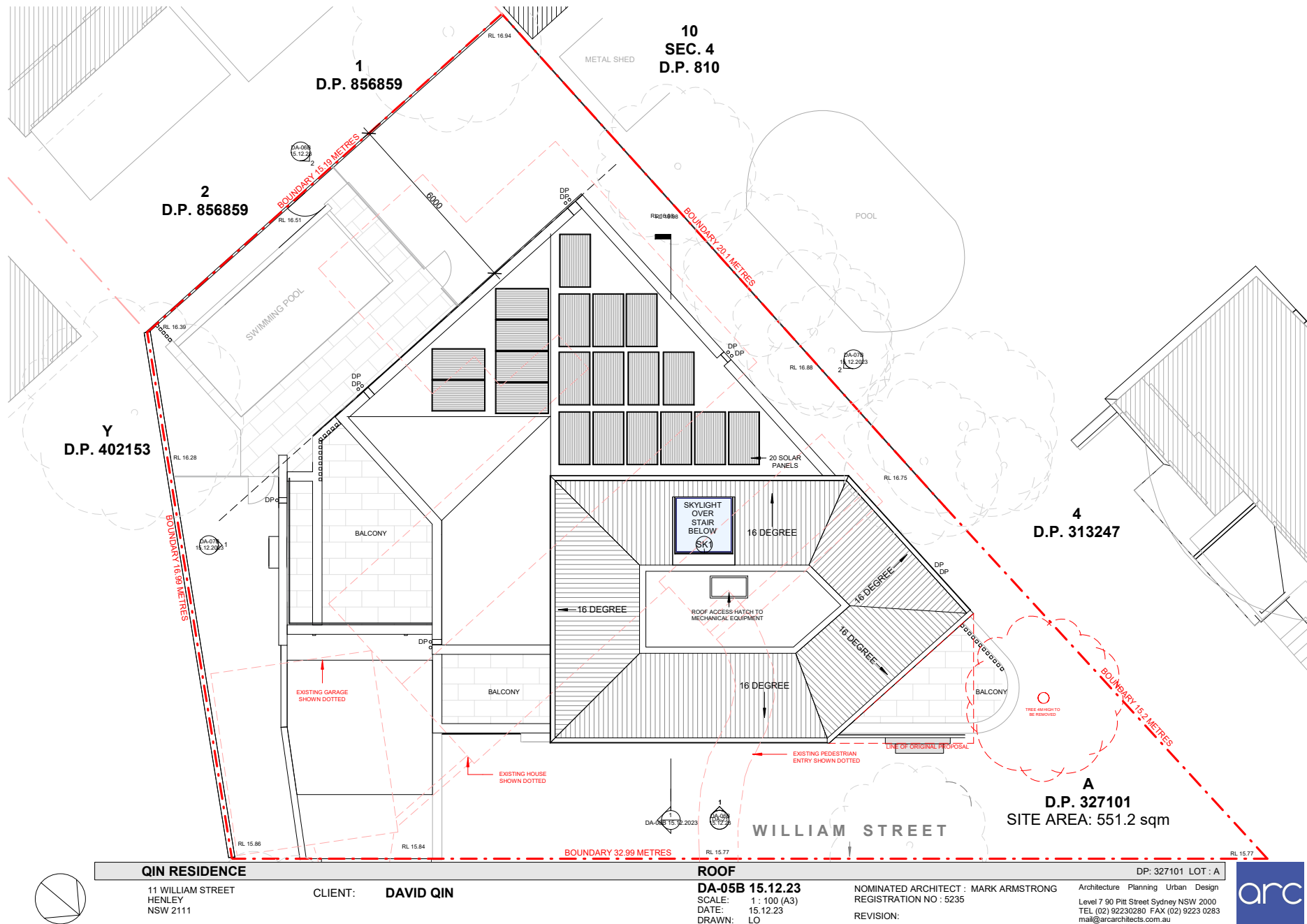


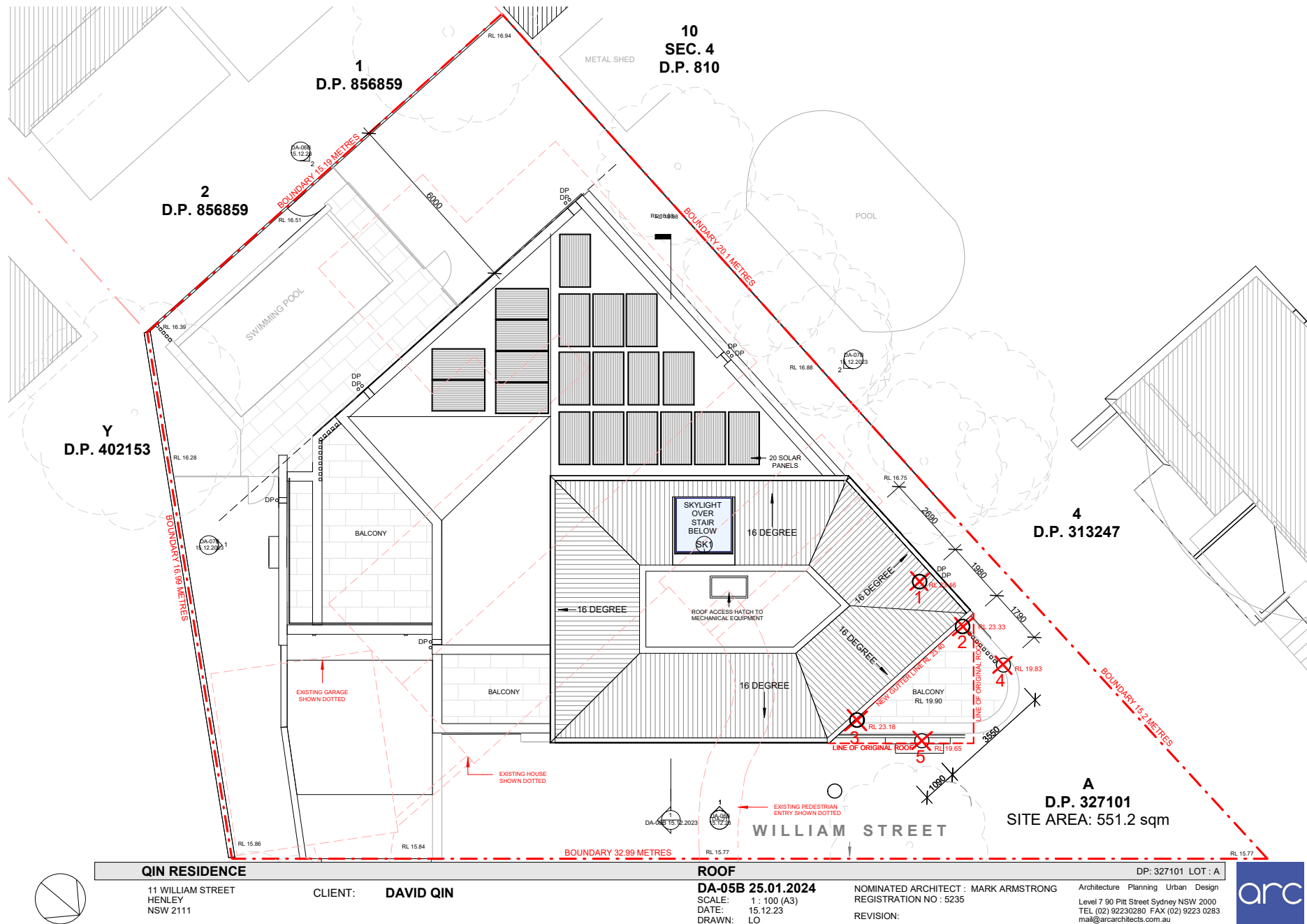


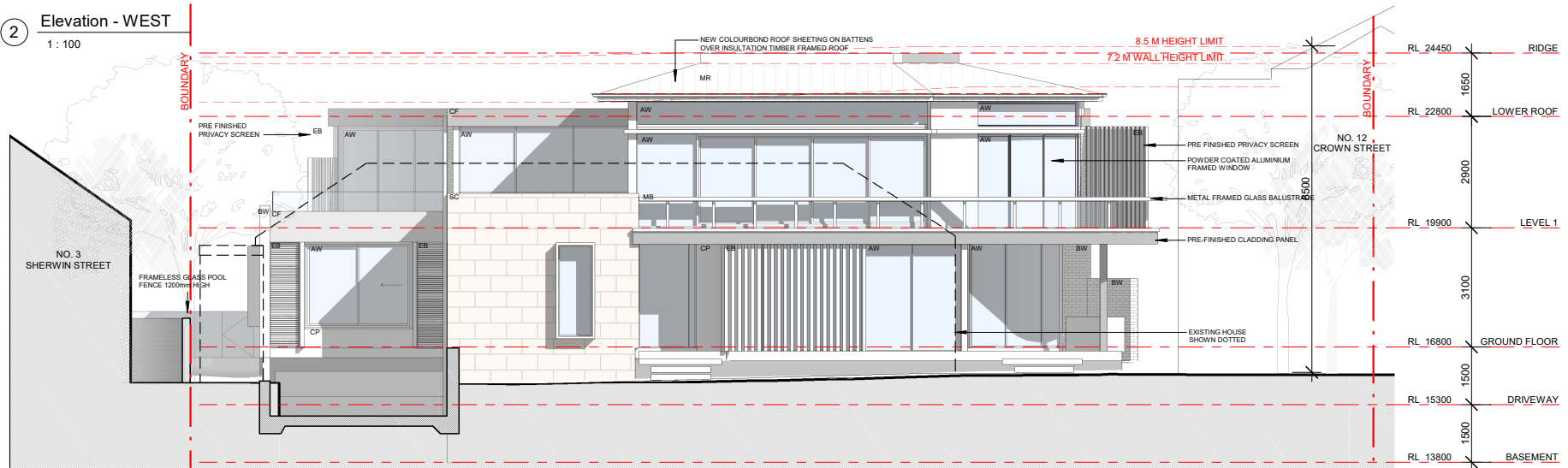
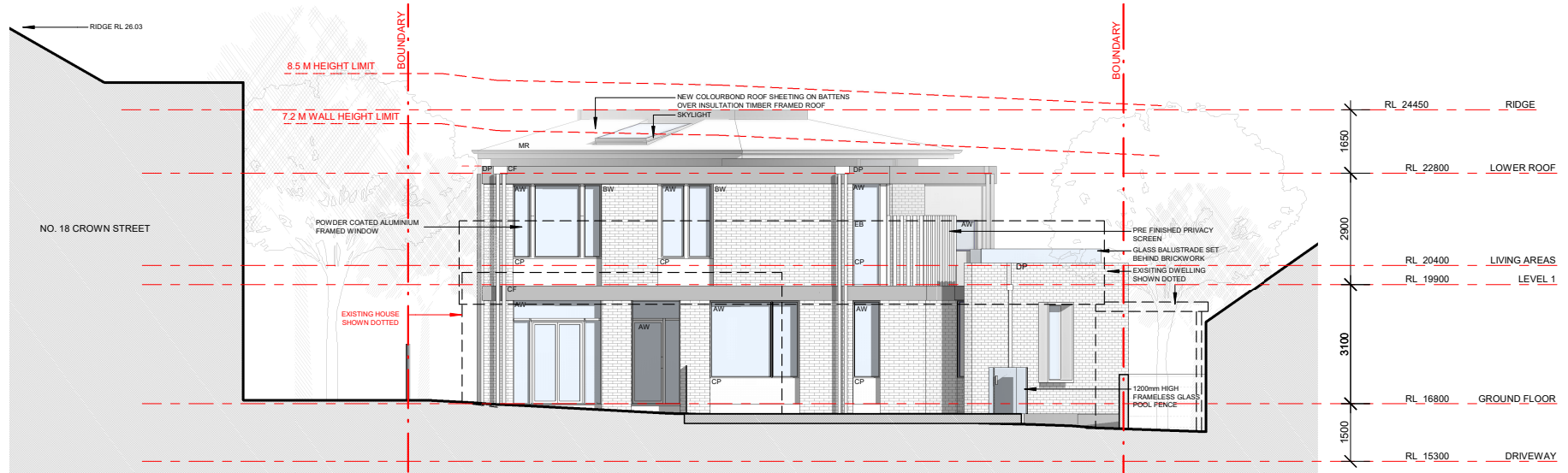












LEGEND:	
SC	NATURAL STONE CLADDINGS
AW	ALUMINIUM WINDOWS / DOORS
MR	METAL SHEET ROOFING
DP	DOWNPIPES
CP	PRE-FINISHED CLADDING PANELS
EB	EXTERNAL BLINDS
MB	METAL BALUSTRADE
BW	FACE BRICKWORK
CF	CONCRETE FINISH
	SANSTONE OR SIMILAR
	POWDER COAT ELECTRO DARK BRONZE
	WOODLAND GREY OR SIMILAR
	WOODLAND GREY OR SIMILAR
	DULUX SELF DESTRUCT
	DARK BRONZE
	DARK BRONZE
	SANDSTONE COLOURED BRICK
	CONCRETE

QIN RESIDENCE

11 WILLIAM STREET
HENLEY
NSW 2111

CLIENT: **DAVID QIN**

ELEVATIONS

DA-06B 15.12.23
SCALE: 1 : 100 (A3)
DATE: 15.12.23
DRAWN: LO

NOMINATED ARCHITECT : MARK ARMSTRONG
REGISTRATION NO : 5235
REVISION:

DP: 327101 LOT : A
Architecture Planning Urban Design
Level 7 90 Pitt Street Sydney NSW 2000
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