Wollongong Local Planning Panel Assessment Report | 5 December 2023

WLPP No.	Item No. 2	
DA No.	DA-2023/358	
Proposal	Residential - demolition of existing dwellings and associated outbuildings, remove six (6) trees, construction of multi-dwelling housing - six (6) units and Subdivision - Strata title - six (6) lots	
Property	11 and 13 St Johns Avenue MANGERTON	
Applicant	Infinite Designs	
Responsible Team	Development Assessment and Certification - City Centre Major Development Team (NL)	
Prior WLPP meeting	N/A	

ASSESSMENT REPORT AND RECOMMENDATION

Executive Summary

Reason for consideration by Local Planning Panel

The proposal has been referred to Local Planning Panel for determination pursuant to clause 2.19(1)(a) of the Environmental Planning and Assessment Act 1979. Under Clause 4(b) of Schedule 2 of the Local Planning Panels Direction of 6 September 2023, the proposal has received greater than 10 submissions and is required to be determined by the Panel under Schedule 2(2b) of the Local Planning Panels Direction.

Proposal

The proposal involves demolition of two dwelling houses and swimming pools, tree removal and construction of a 6 unit multi-dwelling housing development.

Permissibility

The site is zoned R2 Low Density Residential under Wollongong Local Environmental Plan 2009 and the proposed multi-dwelling housing is a permissible use.

Consultation

The application received 12 submissions following notification and the concerns raised are discussed at section 1.3 of this report.

Main Issues

• The proposal does not comply at ground level for the private open space areas for units 1, 3, 4 and 6 and at first floor for units 1 and 6.

RECOMMENDATION

It is recommended that the application be granted deferred commencement consent subject to conditions as contained at **Attachment 5**.

1 APPLICATION OVERVIEW

1.1 PLANNING CONTROLS

The following planning controls apply to the proposal:

State Environmental Planning Policies:

- SEPP (Resilience and Hazards) 2021
- SEPP (Building Sustainability Index: BASIX) 2004
- SEPP (Koala Habitat Protection) 2021

Local Environmental Plans

• Wollongong Local Environmental Plan (WLEP) 2009

Development Control Plans:

• Wollongong Development Control Plan 2009

Other policies

- Wollongong City Wide Development Contributions Plan
- Wollongong Community Participation Plan 2019

1.2 DETAILED DESCRIPTION OF PROPOSAL

The proposal comprises the following:

- Demolition of two dwelling houses and two swimming pools
- Removal of (6) trees, two in the footpath and four in the middle of the site, being the following:
 - Weeping Bottlebrush
 - Weeping Bottlebrush
 - Maiden's Wattle Jacaranda
 - Dwarf Umbrella Tree
 - Canary Island Date Palm (Exempt species)
 - Hackberry (Exempt species)



- Construction of a 6 unit multi-dwelling housing development, each containing a double garage and three bedrooms.
- Stormwater is proposed to be connected to a Council stormwater pipe that runs through the Council owned reserve to the rear of the site. An easement to drain water is therefore proposed over that land for this purpose.

1.3 BACKGROUND

No pre-lodgement meeting was held for the proposal.

1.4 SITE DESCRIPTION

The site is two adjacent lots located at 11 and 13 St Johns Avenue Mangerton (Lot 18 DP 220627 and Lot 19 DP 220627).

The site is regular in shape with a fall of approximately 8m from north (front) to south (rear).

No. 11 contains a two storey dwelling with in ground swimming pool. No. 13 contains a two storey dwelling.

Adjoining development is as follows:

- North: St Johns Avenue and single storey dwellings
- East: Single storey dwelling
- South: Wollongong City Council owned reserve
- West: Dwelling houses

The locality is generally characterised by low density residential development of a single and two storey scale.

Property constraints

Council records identify the land as being impacted by the following constraints:

• Flooding: The site is identified as being flood affected (Uncategorised Flood Risk Precinct). Council's Stormwater Officer has reviewed the application in this regard. Concerns have been raised with regard to conflicting drainage and landscaping plans.

A Sydney Water sewer pipe traverses the rear of the site in an east west direction and is proposed to be concrete encased as it runs beneath the footprint of units 3 and 4.



Figure 1 Street view of no. 13 St Johns Avenue



Figure 2: Street view of no. 11 St Johns Avenue



Figure 3: View looking west from within the Council reserve with rear boundary of subject site to the right



Figure 4: Rear boundary of the site



Figure 4: Western façade of no. 9 St Johns Avenue (to the east of the site)



Figure 5: St Johns Avenue looking east



Figure 6: Eastern façade of No. 15 St Johns Avenue (to the west of the site)

1.5 SUBMISSIONS

The application was notified in accordance with Council's Community Participation Plan 2019. Twelve (12) submissions were received and the issues identified are discussed below.



Figure7: Notification map

Table 1: Submissions

Concern	Comment
SEE refers to incorrect address and should be corrected and reissued for public review	The title page of the SEE has the correct address listed. It is noted that there is an incorrect address referenced within the SEE however it is clear that this is a typographical error. The SEE clearly relates to the subject property as does all the supporting documentation.
The development encroaches on and would impact on the sewer line running across the site. Inadequate detail has been provided of location and impacts to the sewer line.	The applicant has advised that it is proposed to concrete encase the sewer line however the submitted survey plan does not clearly identify the location of this sewer line nor is the depth below ground shown or any specific requirements of Sydney Water that might inform the design. This can be addressed via conditions of consent.
Elevation plans do not describe the type of	Conditions of consent require any fill material to be virgin

Elevation plans do not describe the type of Conditions of consent require any fill material to be virgin fill for units 3 and 4 excavated natural material (VENM).



Concern	Comment
The Arborist Report does not access impacts to a Macadamia on adjoining land.	An updated Arborist report has been prepared that identifies the subject tree (now labelled T21). The Arborist Report does not anticipate impacts to that tree. Impacts to this tree can be mitigated via conditions of consent.
The proposal is out of character with the street.	The character statement under WDCP2009 states that:
	Mangerton will remain a low density residential suburb with a mix of housing types, including detached dwelling- houses as well as some additional medium density villa and townhouse developments occurring within reasonable walking distance to bus stops in the suburb.
	The retention of the significant remnant stands of trees is important, in order to maintain the leafy character of Mangerton.
	Townhouse development is an anticipated built form, and is permissible in the R2 zone.
	The proposal retains significant trees on the site.
	There are no specific controls around the materials and finishes or character of new development.
	Whether a development is "sympathetic to" the context, it is subjective. Notwithstanding, it is noted that houses in the locality predominantly have pitched roofs with a mixture of tile and colorbond roofing with brick or weatherboard cladding. The proposal is not considered at odds with that, having a pitched (albeit shallower) roof, with a mixture of brick and weatherboard look cladding.
	The proposal is a notable increase in density, with the built form in the locality being predominantly single and double storey dwelling houses on their own lots. However, multi- dwelling housing is permitted and the development satisfies the maximum height, site width and FSR requirements. There are minor variations to side setbacks on ground level discussed at 2.3 below however these are not considered to result in any substantive additional impacts.
	The proposal presents as two dwellings when viewed from the street.
Side setbacks do not comply.	Since the time of public exhibition, setbacks for Unit 6 have been amended to convert the double garage into a single with an open car space adjacent the boundary. This has increased the setback to the eastern boundary to a compliant distance.

Concern	Comment	
	Remaining non-compliances with setbacks are discussed at 2.3 below and are not considered to result in significant offsite impacts.	
Impacts on views towards the escarpment	The proposal complies with the maximum density and height under the LEP. Setbacks are either compliant or not varied in a way that would impact on views to the escarpment. It is noted the views towards the escarpment	

elevated rear balcony of 9 St John's Avenue (see below)

are across and through the middle of the site from the

Figure 8: Western elevation of 9 St Johns Avenue





Figure 9: Eastern elevation of proposal



Figure 10: View looking west from approximate height of balcony at 9 St Johns Avenue



Figure 11: View looking east towards 9 St Johns Avenue illustrating height above ground

Views towards the escarpment from number 9 St Johns Avenue are over a section of the development that is single storey. Any impacts to views through that portion of the site would not be a result of non-compliances with the built form controls.

Concern	Comment	
	The impacts are not considered unreasonable in the circumstances and would not be retained through a different design.	
Traffic/Safety impacts from increased density and traffic movements including:	The proposal provides double garages for each dwelling which meets Council controls along with the required number of visitor car parking spaces.	
Increased traffic poses safety risks, particularly during busy times such as school pick up/drop off	Parking on the verge is a compliance matter however it is noted that the proposed driveway arrangement would not readily facilitate that occurring.	
Insufficient on-site visitor car parking Cars reversing back to the road from within	The number of traffic movements generated by a 6 town house development is relatively low and would not pose a significant safety risk.	
the site	The development provides compliant manoeuvring areas to ensure vehicles can enter and exit the site in a forwards direction.	
How will construction traffic be managed, particularly given parking is prohibited on St Johns Avenue.	Preparation of a Construction Traffic Management Plan would be a requirement of any consent issued.	
Impacts of tree removal on amenity including visual screening as well as inadequate compensatory tree planting.	The proposal involves removal of 6 trees located either in the middle of the site or on the Council verge. The trees being removed do not offer benefit in terms of screening. Significant trees around the perimeter of the site are retained and there will be an additional 4 trees planted, 2 within the front setback and 2 within the footpath. This is considered to be a reasonable outcome.	
Emergency services access compromised	The site is not designed in a way that would prohibit access for emergency services.	
No communal open space provided	Communal open space is only required for multi-dwelling housing developments with more than 10 units.	
Off site drainage impacts	The proposal captures stormwater runoff and directs it to a pipe that will connect into an existing Council drainage pipe within the reserve to the rear of the site.	
	The design has been reviewed by Council's stormwater officer and found to satisfy the requirements of Council with respect to not having offsite impacts.	
Outdoor entertaining areas will overlook neighbours	The outdoor areas are located generally at grade where possible, setback from boundaries with screening	
Overshadowing impacts to adjoining POS areas	There are four properties overshadowed by the proposal as highlighted below.	

Comment



9am



10am

Comment



2pm



3pm

Comment



Eastern property



Western property

Concern

Comment



The shadow impacts are not unreasonable. The noncompliant setbacks do not contribute to overshadowing.

Off-site car parking impacts	The proposal is compliant with regard to the required number of car parking spaces for residents and visitors. It is noted that there is no parking on St John's Avenue and that any overflow parking would be required to park more distant from the site. This is not justification for requiring additional parking or a reduction in yield for the site.
The development would negatively impact adjoining house prices	Potential impacts to house prices is not a matter for consideration. It is noted the development is of a

adjoining house prices. consideration. It is noted the development is of a character and scale that is anticipated by the planning controls and the zoning of the land. There are no substantive variations to controls and impacts on adjoining development are considered to be acceptable.

Current street parking often constrains On-street car parking adjacent the site is prohibited. through movement of traffic

To better integrate with the streetscape, tile roofs should be used along with incorporation of brick for cladding.	There are no controls that require tile roofing in the locality. Colorbond roofing will likely become more prevalent as older housing replaces ageing tile roofs in any case.
Access driveway has poor lines of sight	The development complies with the requisite 6m setback and that setback will be required to not have structures or planting that obscures vision for vehicles exiting the site.
No watering for garden areas	Conditions of consent are proposed with regard to maintenance and watering of the landscaped areas till such time as they are established. Requiring vegetation to be of a type that have low water needs could also be addressed by way of conditions.
The proposal should provide footpath along the frontage.	The locality does not have footpaths on either side of the road and there is no requirement to do so.

Concern	Comment
No mention of asbestos in buildings to be demolished	Conditions of consent are proposed with regard to demolition and any asbestos material as is standard practice.
Inadequate compensatory planting	The proposal involves planting of 4 trees and removes 6. It is noted that a number of those proposed to be removed are exempt species. The proposed landscaped areas comply with the planning controls and will provide a landscaped setting that compensates for the trees being removed.
Landscape area does not meet Council controls.	The landscaped area has been increased and now complies.
Are POS areas sufficient size for residents	The POS areas meet the minimum size requirement of 4m x 5m and compliant.
The design does not respond to the topography	The site slopes steeply away from the street and as such, some degree of cut, fill and retaining is required in order to achieve suitable building platforms and driveway access. Filling is concentrated towards the rear, beneath the driveway between units 3 and 4. The dwellings themselves are stepped down the slope as far as practicable.
Insufficient ability to move furniture	The units are not laid out in a way that presents obvious constraints to furniture movement.
Where would AC units go? Possible acoustic impacts	A/C units are not shown on the plans however these are permitted as exempt development under State Environmental Planning Policy Exempt and Complying Development Code (Division 1, subdivision 3).
No fences shown	The application does not propose changes to boundary fences.
Driveway finish not shown	The driveway finish has not been identified however there are no particular controls that require this.
How have services been considered	The site is currently connected to utilities. The proposal is not of a character or scale that would present particular concerns with regard to connection to sewer, water, power and telecommunications.
Long gun barrel driveway	The driveway slopes steeply away from the street so will not be generally viewed from the road.
On site manoeuvring insufficient for cars	The plans have been updated to indicate swept paths for the standard vehicle and comply.
Does the driveway grade comply?	Driveway long sections have been provided and reviewed by Council's Traffic Officer as meeting the applicable standards.
Traffic impact assessment should be prepared	The proposal is for 6 units only and is not of a scale that would generate a number of peak hour vehicle

Concern	Comment	
	movements that would require preparation of a traffic impact assessment.	
Where are the required bicycle spaces	Multi-dwelling housing developments are required to provide	
	1 / 3 dwellings (residents)	
	1 / 12 dwellings visitors	
	Residents have suitable space within garages to accommodate bikes.	
	Similarly, if a visitor or a resident arrive on a bike, they could readily put their bike in the garage or down the side of the house/garage.	
How would a person access the units on foot?	Visitors to units 2, 3, 4 and 5 would walk down the driveway. Given the low speed and low volume of vehicle traffic, this is an acceptable arrangement.	
How has CPTED been considered in the design	The proposal does not raise any particular CPTED concerns.	
	The following is noted:	
	• The development provides passive surveillance of publicly accessible areas.	
	• Dwellings address the street with windows and doors	
	• There are no obvious concealment opportunities of concern.	
	• Control of access between private and common areas is provided	
How are the landscape and drainage plans integrated?	5 Landscape and Stormwater plans have been updated to remove conflicts.	
Deep soil will get minimal sunlight and does not meet the minimum dimension of 6m for the full width	The minimum 6m dimension has now been provided in revised plans. The deep soil area in this case contains a number of larger established trees so solar access is not a particular concern.	
Solar access to units not demonstrated	Units 1 and 2 have northerly aspect and POS areas with compliant solar access.	
	Due to the slope of the site, adjoining development and vegetation, there are challenges with getting access to sun to the lower units (2, 3, 4 and 5)	
1 adaptable unit is required but not shown.	The proposal is not required to provide an adaptable unit. This is only a requirement for greater than 6 units.	
No notable watering system for included garden beds, unlikely these will survive an Australian summer.	Conditions of consent are proposed in regard to irrigation of landscaped areas.	

Concern	Comment
Increased use of park to the rear resulting from the development will have adverse noise impacts.	The reserve to the rear is publicly accessible and may be utilised by residents of the development if approved. However, there is no evidence that this would create any significant noise impacts.
No common lawn garden area for family use or for community feel to blend in with surrounding neighbourhood.	Council's DCP requires communal open space to be provided for multi-dwelling housing containing 10 dwellings or more.
Cannot see provision for planting of any native plants to offset the plants being removed from the existing blocks. These should be preserved or replaced by similar native plants of similar statue to maintain the current noise dampening, shading and aesthetic of the community.	Conditions of consent are proposed with regard to the species of replacement trees and their stock size.
The waste management plan has an address hastily corrected; has the report actually been correctly carried out for this block or is this an attempt to rush through approval without due process?	This is of no consequence to the assessment.

1.6 CONSULTATION

1.6.1 INTERNAL CONSULTATION

Stormwater Officer

Council's Stormwater Officer has identified conflicts with the drainage and landscape plan that require amendment. These concerns have been suitably addressed and conditions of consent are recommended.

Landscape Officer

Council's Landscape Officer has identified conflicts between the proposed drainage plan and the arborist and landscape plans. In particular, the drainage lines conflict with landscaping along the eastern and western boundaries as well as the drainage line and pit at the rear of the site encroaching into the structural root zone for Tree No. 16. These concerns have been suitably addressed and conditions of consent are recommended.

Traffic Officer

Council's Traffic Officer has advised of conditions of consent.

Statutory Property Officer

Council's Statutory Property Officer has advised of conditions in respect of drainage works over the Council owned reserve.

1.6.2 EXTERNAL CONSULTATION

None required.

NSW BIODIVERSITY CONSERVATION ACT 2016

The proposal does not involve clearing of native vegetation that would trigger the requirement for a biodiversity offset scheme.

The site is not identified as being of high biodiversity value on the Biodiversity Values Map.

The proposed tree removal would not impact threatened species or ecological communities, or their habitats and adverse impacts on biodiversity are not expected.

The proposal is consistent with the provisions of the Biodiversity Conservation Act 2016.

2.1.1 STATE ENVIRONMENTAL PLANNING POLICY (RESILIENCE AND HAZARDS) 2021

Chapter 4 Remediation of land

4.6 Contamination and remediation to be considered in determining development application

A desktop audit via Council's land information system database for property constraints and previous uses was undertaken to understand the likelihood of contamination issues.

The site is not identified as contaminated and there are no prior development approvals or land uses that would indicate a risk of contamination.

There is not considered to be a need for further investigation regarding land contamination and LPP as determining authority can be satisfied that clause 4.6 matters are thus satisfied.

A condition of consent could apply relating to an unexpected finds protocol.

2.1.2 STATE ENVIRONMENTAL PLANNING POLICY (BUILDING SUSTAINABILITY INDEX: BASIX) 2004

The proposal is BASIX affected development to which this policy applies. In accordance with Part 3 Division 1 Section 27 of the Environmental Planning and Assessment Regulation 2021, a BASIX Certificate has been submitted in support of the application demonstrating that the proposed scheme achieves the BASIX targets.

The BASIX certificate was issued no earlier than 3 months before the date on which the development application was lodged.

2.1.3 SEPP (KOALA HABITAT PROTECTION) 2021

The State Environmental Planning Policy (Koala Habitat Protection) 2021 applies to the Wollongong Local Government Area, identified as being in the South Coast koala management area.

12 Development assessment process—other land

Consent can be issued for development on the subject land if Council is satisfied that the land is not core koala habitat. The land has not been assessed by a suitably qualified and experienced person as being highly suitable koala habitat, and Council has no record of the presence of koalas on the site currently or within the previous 18 years. The proposal does not include the removal of extensive native vegetation and the land is not considered to comprise core koala habitat.

2.1.4 WOLLONGONG LOCAL ENVIRONMENTAL PLAN 2009

Clause 1.4 Definitions

multi dwelling housing means 3 or more dwellings (whether attached or detached) on one lot of land, each with access at ground level, but does not include a residential flat building.

Part 2 Permitted or prohibited development

Clause 2.2 – zoning of land to which Plan applies

The zoning map identifies the land as being zoned R2 Low Density Residential.

Clause 2.3 – Zone objectives and land use table

The objectives of the zone are as follows:

- 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.

The proposal is satisfactory with regard to the above objectives.

The land use table permits the following uses in the zone.

Attached dwellings; Bed and breakfast accommodation; Boat launching ramps; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Environmental facilities; Exhibition homes; Exhibition villages; Group homes; Health consulting rooms; Homebased child care; Home businesses; Home industries; Hospitals; Hostels; Information and education facilities; Jetties; **Multi dwelling housing**; Neighbourhood shops; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Residential flat buildings; Respite day care centres; Roads; Semi-detached dwellings; Seniors housing; Shop top housing; Signage; Tankbased aquaculture; Veterinary hospitals

The proposal is categorised as a multi dwelling housing as defined above and is permissible in the zone with development consent.

Part 4 Principal development standards

Clause 4.1 Minimum subdivision lot size

Strata subdivision is proposed only.

Clause 4.3 Height of buildings

The proposed building height of 9m does not exceed the maximum of 9m permitted for the site.

Clause 4.4 Floor space ratio

Maximum FSR permitted for the zone: 0.5:1

Site area:	1,706m²
GFA:	754m²
FSR:	754/1706m ² = 0.442:1

Part 5 Miscellaneous provisions

Clause 5.21 Flood planning

The site is within an Uncategorised Flood Risk Precinct. Council's stormwater Officer has reviewed the proposal in this regard and recommended conditions of consent.

Part 7 Local provisions – general

Clause 7.1 Public utility infrastructure

The development is already serviced by electricity, water and sewerage services. Conditions are proposed regarding specific requirements of utility providers.

Clause 7.6 Earthworks

The proposal involves cut and fill in order to achieve compliant driveway grades and suitable building platforms. The filling is localised under the rear two units and not considered to have adverse offsite impacts.

Clause 7.14 Minimum site width

Development consent must not be granted for development for the purposes of multi dwelling housing unless the site area on which the development is to be carried out has a dimension of at least 18 metres. The combined width of the site is 30m.

2.2 SECTION 4.15(1)(A)(II) ANY PROPOSED INSTRUMENT

N/A

2.3 SECTION 4.15(1)(A)(III) ANY DEVELOPMENT CONTROL PLAN

2.3.1 WOLLONGONG DEVELOPMENT CONTROL PLAN 2009

A full assessment against the relevant chapters of WDCP 2009 is contained at Attachment 4. Variations to DCP controls are discussed below.

CHAPTER A1 – INTRODUCTION

8 Variations to development controls in the DCP

<u>Setbacks</u>

(a) The control being varied;

Chapter B1, 5.4 Side and Rear Setbacks:

Zone	Minimum side and rear setback	Minimum side and rear setbacks where balconies or windows of living areas face the rear boundary at first floor level or above
All zones	1.5m	1.5m
R2 Low Density Residential Zone	0.8 x ceiling height	1.0 x ceiling height

(b) The extent of the proposed variation and the unique circumstances as to why the variation is requested; and

The proposal does not comply at ground level for the private open space areas for units 1, 3, 4 and 6 and at first floor for units 1 and 6 as indicated below.







Figure 13: First floor setback variations



Figure 14: West elevation (highlighted areas of non-compliance)



Figure 2: East elevation (highlighted areas of non-compliance)

c) Demonstrate how the objectives are met with the proposed variations; and

(a) To provide adequate setbacks from boundaries and adjoining dwellings to retain privacy levels, views, sunlight and daylight access and to minimise overlooking.

The proposed variations are not considered to result in adverse impacts with regard to privacy, views, or daylight access.

(b) To provide appropriate separation between buildings to achieve the desired urban form.

The variations are minor in nature and not considered to result in an urban form significantly different from a fully compliant form.

(c) To optimise the use of land at the rear of the property and surveillance of the street at the front of the property.

Not applicable.

(d) To minimise overshadowing of adjacent properties and private or shared open space.

The non-compliant areas do not substantially contribute to overshadowing impacts.

(d) Demonstrate that the development will not have additional adverse impacts as a result of the variation.

See discussion above.

2.3.2 WOLLONGONG CITY WIDE DEVELOPMENT CONTRIBUTIONS PLAN

Wollongong City-Wide Development Plan - City Wide

The Wollongong City-Wide Development Contributions Plan applies to the subject property. This Plan levies a contribution based on the estimated cost of development.

• The proposed cost of development* is over \$200,001 – a levy rate of 1% applies.

Contribution Amount = Cost of Works \$2,000,000 x 1% levy rate = \$20,000

Housing and Productivity Contribution

This contribution does not apply to applications lodged before 1 October 2023.

2.4 SECTION 4.15(1)(A)(IIIA) ANY PLANNING AGREEMENT THAT HAS BEEN ENTERED INTO UNDER SECTION 7.4, OR ANY DRAFT PLANNING AGREEMENT THAT A DEVELOPER HAS OFFERED TO ENTER INTO UNDER SECTION 7.4

There are no planning agreements entered into or any draft agreement offered to enter into under S7.4 which affect the development.

2.5 SECTION 4.15(A)(IV) THE REGULATIONS (TO THE EXTENT THAT THEY PRESCRIBE MATTERS FOR THE PURPOSES OF THIS PARAGRAPH)

Environmental Planning and Assessment Regulation 2021

61 Additional matters that consent authority must consider

Conditions of consent are recommended with regard to demolition.

<u>66A</u> Council-related development applications—the Act, s 4.16(11)

(1) A council-related development application must not be determined by the consent authority unless—

(a) the council has adopted a conflict of interest policy, and

(b) the council considers the policy in determining the application.

(2) In this section—

conflict of interest policy means a policy that-

(a) specifies how a council will manage conflicts of interest that may arise in connection with councilrelated development applications because the council is the consent authority, and

(b) complies with the Council-related Development Application Conflict of Interest Guidelines published by the Department and available on the NSW planning portal, as in force from time to time.

council-related development application has the same meaning as in the Act, Schedule 1, clause 9B.

council-related development application means a development application, for which a council is the consent authority, that is—

(a) made by or on behalf of the council, or

(b) for development on land, other than a public road within the meaning of the Local Government Act 1993—

(i) of which the council is an owner, a lessee or a licensee, or

(ii) otherwise vested in or under the control of the council.

The proposal is Council related development as it falls under 2(b)(i) in that the proposal involves connecting stormwater to a Council drainage pipe in the Council owned reserve adjoining the site to the rear.

Council adopted a conflict of interest policy (CoIP) in accordance with (1)(a) on 31 July 2023.

This report considers the CoIP and guidelines in accordance with (1)(b).

The management control in the CoIP requires that: *Council-related applications and approvals to modify development consents will be referred to the Wollongong Local Planning Panel for determination, as required by Schedule 2 of the Local Planning Panel Directions – Council is not the consent authority.*

The .application is referred to the Wollongong Local Planning Panel for determination.

The guidelines set out the requirements for the council conflict of interest policy required under section 66A, assists councils in meeting these requirements by providing a sample policy and management strategy statement that can be used as a template when developing their policies and provides general information and guidance about the policy.

Councils CoIP complies with the guidelines.

2.6 SECTION 4.15(1)(B) THE LIKELY IMPACTS OF DEVELOPMENT

There are not expected to be adverse environmental impacts on either the natural or built environments or any adverse social or economic impacts in the locality. This is demonstrated through the following:

- The proposal is satisfactory regarding the applicable planning controls as detailed in the body of this report.
- Submissions raised following notification would not preclude the development.
- Internal referrals are satisfactory subject to appropriate conditions of consent

The physical impacts of the proposal (i.e., overshadowing, privacy, setbacks, bulk, and scale) on surrounding development are considered acceptable. The proposal has been assessed with regard to the amenity impacts from the development, the zoning, permissible height and FSR for the land, and existing and future character of the area and is considered to be compatible with the locality.

2.7 SECTION 4.15(1)(C) THE SUITABILITY OF THE SITE FOR THE DEVELOPMENT

Does the proposal fit in the locality?

The proposal is considered appropriate with regard to the zoning of the site and is not expected to have any negative impacts on the amenity of the locality or adjoining developments.

Are the site attributes conducive to development?

The site constraints are not considered to preclude the development.

2.8 SECTION 4.15(1)(D) ANY SUBMISSIONS MADE IN ACCORDANCE WITH THIS ACT OR THE REGULATIONS

See section 1.5.

2.9 SECTION 4.15(1)(E) THE PUBLIC INTEREST

The proposal is acceptable with regard to the likely impacts. The proposal is compliant with the applicable controls with the exception of minor variations to ground level setbacks which are not considered to have significant detrimental impacts.

The proposal is considered to be in the public interest.

3 CONCLUSION

This application has been assessed having regard to the Heads of Consideration under Section S4.15(1) of the Environmental Planning and Assessment Act 1979. The proposed development is permissible with consent and has regard to the objectives of the zone and is consistent with the applicable provisions of the relevant planning instruments including Wollongong LEP 2009, relevant state policies, Council DCPs, Codes and Policies.

The proposal involves variations under WDCP2009. This variation request has been assessed as reasonable. The character and form of the development is consistent with the zoning and reasonably responds to the surrounding context and the applicable controls.

Submissions raised during public exhibition have been considered at section 1.5. The development is of a scale that will have some impacts from surrounding properties. However, these impacts do not warrant refusal, or redesign of the development.

Internal referrals are satisfactory subject to conditions of consent. The application is considered acceptable with regard to the likely impacts as discussed above.

4 RECOMMENDATION

It is recommended that the development application be approved subject to the conditions contained at **Attachment 5**.

5 ATTACHMENTS

- 1 Aerial photograph
- 2 WLEP 2009 zoning map
- 3 Plans
- 4 WDCP2009 compliance table
- 5 Draft conditions

Attachment 1 – Aerial Photograph





Attachment 2 – Wollongong Local Environmental Plan 2009 zoning map

<u>STAGE 1: Demoliton of existings dwellings and structures</u> and torrens title consolidation of Lots 18 & 19 of DP 220627 <u>STAGE 2:</u> Proposed six(6) unit townhouse development and strata subdivision Development Address - Lot 19 DP 220627, No. 11 ST JOHNS AVENUE, MANGERTON Lot 18 DP 220627, No. 13 ST JOHNS AVENUE, MANGERTON

	Sheet List	
Sheet Number	Sheet Name	
A00	COVER SHEET	
A01	STAGE 1 - DEMOLTION PLAN & DRAFT TORRENS TITLE SUB-DIVISION	
A02	SITE PLAN	A A
A03	SITE-WASTE MANAGEMENT PLAN	2 17
A04	U1-U6 GROUND FLOOR PLANS	3 15
A05	U1/2/5/6 UPPER FLOOR & U3/4 LOWER FLOOR PLANS	15
A06	STREETSCAPE PHOTOMONTAGE	
A07	ELEVATIONS 1	
A08	ELEVATIONS 2	
A09	ELEVATIONS 3, SECTIONS	
A10	ROOF PLANS	20
A11	BASIX REQUIREMENTS	
A12	CONCEPT STRATA SUBDIVISION PLAN	
A13	WINTER - SHADOW DIAGRAMS 1	
A14	WINTER - SHADOWS DIAGRAMS 2	

LEP COMF	PLIANCE
F.S.R CALC	JLATIONS
SILA.	
Lot 18 & 19 (combined)
1706m2/0.5	= 853m2)
	/
GROSS FLO	OR AREA
U1	113.9m2
U2	122 5m2
13-4 134	7m2(each)
	115 7m2
	115.7112
06	126.2m2
TOTAL GFA	747.7m2
Prop. F.S.R.	0.4382:1

(areas **exclude** patio, alfresco, balcony, voids ext. walls, garage, upper floor stair f/print) (areas include party walls, internal living space lower floor stair footprint)

R2 LOW DENSITY RESIDENTIAL

DCP COMPLIANCE

CARPARKING CALCULATIONS

Required Number of Car Park Spaces 2 x RESIDENTIAL PER UNIT = 12 SPACES VISTOR - 0.2 PER UNIT = 1.2 SPACES Total No. of Spaces Reg 13.2 spaces

Proposed Number of Car Park Spaces ENCLOSED RESIDENTIAL SPACES = 10 SPACES **OPEN RESIDENTIAL SPACES = 2 SPACES** VISTOR OPEN = 3 SPACES Total No. of Proposed 15 spaces

LANDSCAPE CALCULATIONS LANDSCAPED AREA = 535.3m2 (31.3% of total site area) DEEP SOIL PLANTING = >6m wide strip at rear



STAGE 1:Demolition of existing structures, Torrens title subdivision STAGE 2: Proposed Six(6) Unit Development & Strata Subdivision

Development Address:- LOT 18 & LOT 19 DP 220627 No.11 & 13 ST JOHNS AVENUE, MANGERTON



No.	Description	Date
А	DEVELOPMENT APP.	
В	ADD INFO D/A	

COVER SHEET

A00

(PREPARED BY **EVES VISUALIZATION**)

Project number

Date

Drawn by

Checked by

Scale

21060 24.11.23 Author Checker





STORM WATER DISPOSAL TO LOCAL COUNCIL REQUIREMENT.
SEWERAGE CONNECTION TO THE REQUIREMENT OF LOCAL AUTHORITY.
PROVIDE TEMPORARY CHAIN WIRE FENCE TO ALL NON FENCED BOUNDARIES

Development Address:- LOT 18 & LOT 19 DP 220627 No.11 & 13 ST JOHNS AVENUE, MANGERTON





STAGE 1 -DEMOLTION PLAN & DRAFT TORRENS TITLE SUB-DIVISION

A01

Project number Date Drawn by Checked by Scale

21060 24.11.23 Author Checker As indicated



0410 496 640 infinite.arc@live.com PO Box 48 Lake Heigh NSW 2502 infinite designs phone email: post: and building consultancy





Development Address:- LOT 18 & LOT 19 DP 220627 No.11 & 13 ST JOHNS AVENUE, MANGERTON





No.	Description	Date
А	DEVELOPMENT APP.	
В	ADD INFO D/A	

SITE-W MANAGEME

A03

VAST	Έ	
ENT	PL	AN

Project number Date Drawn by Checked by Scale

21060 24.11.23 Author Checker As indicated







Development Address:- LOT 18 & LOT 19 DP 220627 No.11 & 13 ST JOHNS AVENUE, MANGERTON

No. Date Description DEVELOPMENT APP. А В ADD INFO D/A

U1-U6 GROUND FLOOR PLANS

A04



Window Schedule

Width

Mark

Location

Project number	21060
Date	24.11.23
Drawn by	Author
Checked by	Checker
Scale	1 : 100







Development Address:- LOT 18 & LOT 19 DP 220627 No.11 & 13 ST JOHNS AVENUE, MANGERTON

1 U1,U2,U5,U6 Upper Floor 1 : 100

No.	Description	Date
A	DEVELOPMENT APP.	
В	ADD INFO D/A	

U1/2/5/6 l FLOOR a LOWER PLAI

A0

Window Schedule			
Location	Mark	Height	Width
111	1	1800	850
U1	2	1800	850
U1	3	600	1570
U1	4	600	610
U1	6	600	1810
U1	7	940	1210
U1	8	610	900
U1	10	1030	850
U1	11	1030	850
U1	12	1030	850
U1	13	600	2410
U1	15	1030	1810
U1	16	1030	1810
U2	1	1030	1210
112	3	1030	2170
U2	4	940	610
U2	5	610	900
U2	6	1030	1810
U2	8	940	1210
U2	9	1800	1810
U2	10	1030	850
U2	11	1030	850
U2	12	1030	2770
U2	14	940	850
U3	1	600	2770
U3	2	1800	610
U3	4	1800	1570
U3	5	600	610
U3	6	1030	1570
U3	7	1030	1570
113	9	940	610
U3	10	1200	1810
U3	11	940	1570
U3	12	1800	850
U4	1	1800	610
U4	2	600	2410
U4	3	600	2770
U4	4	600	2170
U4	6	1800	1810
U4	7	1030	1570
U4	8	940	1210
04	9	940	610
U4	11	1030	2170
U4	12	600	610
U5	1	930	610
U5	3	1030	1210
U5	4	1030	2770
U5	5	940	2170
U5	6	1800	1200
U5	8	940	610
U5	9	1500	850
U5	10	1200	1570
U5	11	1030	2170
U6	1	600	1570
U6	2	940	610
U6	3	930	850
U6 116	4	1800	1810
U6	6	600	2410
U6	7	1030	1210
U6	8	940	1570
U6 116	9	930	850 2770
U6	11	1800	850
U6	12	1800	850
U6	13	600	2770
U6 U6	14	1030	850 1810
U6	16	1030	1810

UPPER
& U3/4
FLOOR
NS

ORT

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J	J	

Project number
Date
Drawn by
Checked by
Scale

21060 24.11.23 Author Checker 1:100





Development Address:- LOT 18 & LOT 19 DP 220627 No.11 & 13 ST JOHNS AVENUE, MANGERTON



PHOTOMONTAGE OF PROPOSAL FROM STREET VIEW (PREPARED BY EVES VISUALIZATION)

No.	Description	Date
Α	DEVELOPMENT APP.	
В	ADD INFO D/A	

STREETSCAPE PHOTOMONTAGE

A06



Project number Date Drawn by Checked by Scale

21060 24.11.23 Author Checker












STAGE 1:Demolition of existing structures, Torrens title subdivision STAGE 2: Proposed Six(6) Unit Development & Strata Subdivision

Development Address:- LOT 18 & LOT 19 DP 220627 No.11 & 13 ST JOHNS AVENUE, MANGERTON

No. Description Date DEVELOPMENT APP. А ADD INFO D/A В

ELEVATI

A0



GENERAL NOTES:

- FACE BRICK AND CLAD TIMBER FRAME EXTERNAL WALL FINISHES -SELECTED METAL ROOFING, FASCIAS, DOWNPIPES ETC.

-SELECTED TIMBER PATIO SUPPORT POSTS -ALUMINIUM FRAMED WINDOWS/SLIDING DOORS

-SELECTED ENTRY DOORS

-SELECTED METAL PANEL-LIFT STYLE GARAGE DOORS

-ALL EAVES 450MM WIDE WHERE EAVES ARE SHOWN

	Project number	21060
IONS 2	Date	24.11.23
	Drawn by	Author
8	Checked by	Checker
	Scale	1 : 100



STAGE 1:Demolition of existing structures, Torrens title subdivision STAGE 2: Proposed Six(6) Unit Development & Strata Subdivision Description No. Date **ELEVATIONS 3**, DEVELOPMENT APP. А SECTIONS В ADD INFO D/A Development Address:- LOT 18 & LOT 19 DP 220627 No.11 & 13 ST JOHNS AVENUE, MANGERTON A09

-TIMBER ROOF FRAMING TO BUILDER'S DETAILS

-INSULATION AS PER BASIX REQUIREMENTS

-CLADDED TIMBER FRAME CONSTRUCTION

-SUSPENDED TIMBER FLOOR FRAMING TO BUILDER'S DETAILS

-CONCRETE SLABS & FOOTINGS/PIES TO ROCK AND TO FUTURE ENGINEER'S DETAILS

-ALL EAVES 450MM WIDE WHERE EAVES ARE SHOWN

9	Project number	21060
,	Date	24.11.23
	Drawn by	Author
	Checked by	Checker
	Scale	1 : 100

STAGE 1:Demolition of existing structures, Torrens title subdivision STAGE 2: Proposed Six(6) Unit Development & Strata Subdivision

Development Address:- LOT 18 & LOT 19 DP 220627 No.11 & 13 ST JOHNS AVENUE, MANGERTON ROOF F

A10

GENERAL NOTES:

-SELECTED METAL ROOFING, FASCIAS, DOWNPIPES ETC. -ALL EAVES 450MM WIDE WHERE EAVES ARE SHOWN

PL	A	٧S
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0

Project number Date Drawn by Checked by Scale 21060 24.11.23 Author Checker 1 : 100

UNITS 1-3

	Unit 1-3	3, 11 & 13 St Johns Ave Mangerton			Unit 4-6	11 & 13 St Johns Ave Mangerton	
ITEM	REQUIREMENT UNDER BASIX	REQUIREMENT UNDER BASIX	REQUIREMENT UNDER BASIX	ITEM	REQUIREMENT UNDER BASIX	REQUIREMENT UNDER BASIX	REQUIREMENT UNDER BASIX
FIXTURES	Unit 1	Unit 2	Unit 3	FIXTURES	Unit 4	Unit 5	Unit 6
Shower Heads	4 star (>6 but <=7.5 L/min)	4 star (>6 but <=7.5 L/min)	4 star (>6 but <=7.5 L/min)	Shower Heads	4 star (>6 but <=7.5 L/min)	4 star (>6 but <=7.5 L/min)	4 star (>6 but <=7.3 L/min)
Toilet Flushing System	4 Star	4 Star	4 Star	Toilet Flushing System	4 Star	4 Star	4 Star
Kitchen Taps	4 Star	4 Star	4 Star	Kitchen Taps	4 Star	4 Star	4 Star
Bathroom Taps	4 Star	4 Star	4 Star	Bathroom Taps	4 Star	4 star	4 Star
RAINWATER TANK				Painwater Tank	Capturing 59m2	Centuring (5m2)	Centuring (5m2
sainwater lank	15001 Rhumbed to landscape, laundry and toilets	1500/ Rhumbed to landscape laundry and toilets	1500L Riumbed to landscape, laundry and toilets		1500L Plumbed to landscape. laundry and toilets	1300L Plumbed to landscape, laundry and toilets	1500L Plumbed to landscape, laundry and toilets
THERMAL COMFORT	5 3 Stors	5.2 Stars	5.4 Stors	THERMAL COMFORT	5.3 Stors	5.4 Stors	5.8 Stars
Insulation Requirements	As per NatHERS Certificate	As per NatHERS Certificate	As per NatHERS Certificate	Insulation Requirements	As per NatHERS Certificate	As per NatHERS Certificate	As per NatHERS Certificate
External Walls	Single skin brick walls: (DEFAULT Colour: Medium): NIL	Single skin brick walls: (DEFAULT Colour: Medium): NIL	Single skin brick walls: (DEFAULT Colour: Medium): NIL	External Walls	Single skin brick walls: (DEFAULT Colour: Medium): NIL	Single skin brick walls: (DEFAULT Colour: Medium): NIL	Single skin brick walls: (DEFAULT Colour: Medium): NIL
	Brick veneer walls: (DEFAULT Colour: Medium): R2.5 Selected Clad walls: (DEFAULT Colour: Medium): R2.5	Brick veneer walls: (DEFAULT Colour: Medium): R2.5 Selected Clad walls: (DEFAULT Colour: Medium): R2.5	Cavity brick walls: (DEFAULT Colour: Medium): NIL Brick veneer walls: (DEFAULT Colour: Medium): R2.7 Selected Clad walls: (DEFAULT Colour: Medium): R2.7		Cavity brick walls: (DEFAULT Colour: Medium): NH Brick veneer walls: (DEFAULT Colour: Medium): R2.7 Selected Clad walls: (DEFAULT Colour: Medium): R2.7	Brick veneer walls: (DEFAULT Colour: Medium): R2.5 Selected Clad walls: (DEFAULT Colour: Medium): R2.5	Brick veneer walls: (DEFAULT Colour: Medium): R2.5 Selected Clad walls: (DEFAULT Colour: Medium): R2.5
internal Walls				Internal Walls			
	All internal walls: NIL	Garage, laundry, wc & bath walls only: R2.0 All remaining internal walls: NIL	Garage, laundry, wc & bath walls only: R2.5 All remaining internal walls: NIL		Garage, laundry, wc & bath walls only: R2.5 All remaining internal walls: NIL	Garage, laundry, wc & bath walls only: R2.0 All remaining internal walls: NIL	All internal walls: NIL
Ceilings	All ceilings below roof: R2.5 Exhaust fans to kitchen (sealed), ensuite & bath	Garage ceiling below roof: R2.5 All remaining ceiling below roof: R4.0 Exhaust fans to kitchen (sealed), ensuite & bath	Garage ceiling below roof: R2.5 All remaining ceiling below roof: R4.0 Exhaust fans to kitchen (sealed), ensuite & bath	Ceilings	Garage ceiling below roof: R2.5 All remaining ceiling below roof: R4.0 Exhaust fans to kitchen (sealed), ensuite & bath	All ceilings below roof: R4.0 Exhaust fans to kitchen (sealed), ensuite & bath	Garage ceiling below roof: R2.5 All remaining ceiling below roof: R4.0 Exhaust fans to kitchen (sealed), ensuite & bath
Roofs	Metal Roof (DEFAULT Colour: Light) R1 3 Anticon Blanket 7 Deg pitch	Metal Roof (DEFAULT Colour: Light) R1.3 Anticon Blanket 7 Deg pitch	Metal Roof (DEFAULT Colour: Light) R1.3 Anticon Blanket 7 Deg pitch	Roofs	Metal Roof (DEFAULT Colour: Light) R1.3 Anticon Blanket 7 Deg pitch	Metal Roof (DEFAULT Colour: Light) R1.3 Anticon Blanket 7 Deg pitch	Metal Roof (DEFAULT Colour: Light) R1.3 Anticon Blanket 7 Deg pitch
Floors	Concrete slab on ground: NIL Suspended timber floor: NIL	Concrete slab on ground: NIL Suspended timber floor: NIL	Concrete slab on ground: NIL Suspended timber floor: NIL	Floors	Concrete slab on ground: NIL Suspended timber floor: NIL	Concrete slab on ground: NIL Suspended timber floor: NIL	Concrete slab on ground: NIL Suspended timber floor: NIL
Glazing Requirements				Glazing Requirements			
Glazing				Glazing			
	Windows 1, 2, 3, 6, 14 and SD1: (DEFAULT) U Value 4.90 (equal to or lower than) SHGC 0.33 ($\pm 10\%$)	Window 5: (DEFAULT) U Value 6.70 (equal to or lower than) SHGC 0.57 (±10%)	Windows 9 & 11: (DEFAULT) U Value 6.70 (equal to or lower than) SHGC 0.70 (±10%)		Windows 9 & 11: (DEFAULT) U Value 6.70 (equal to or lower than) SHGC 0.70 (±10%)	Windows 1 & 2: (DEFAULT) U Value 6.70 (equal to or lower than) SHGC 0.57 (±10%)	Windows 1, 5, 6 & 7 (DEFAULT) U Value 4.80 (equal to or lower than) SHGC 0.39 (±10%)
	All remaining fixed or sliding windows: (DEFAULT) U Value 6.70 (equal to or lower than) SHGC 0.70 (±10%)	Windows 4, 8, 13 & 14: (DEFAULT) U Value 6.70 (equal to or lower than) SHGC 0.70 (+10%)	Windows 12 & 13: (DEFAULT) U Value 4.80 (equal to or lower than) SHGC 0.51 (±10%)		Windows 8, 12 & 13: (DEFAULT) U Value 4.80 (equal to or lower than) SHGC 0.51 (\pm 10%)	Windows 8, 11 & 12: (DEFAULT) U Value 6.70 (equal to or lower than) SHGC 0.70 (±10%)	Window 4 (DEFAULT) U Value 4.80 (equal to or lower than) SHGC 0.51 (±10%)
	All remaining awning windows: (DEFAULT) U Value 6.70 (equal to or lower than) SHGC 0.37 (<u>+</u> 10%)	SD1: (DEFAULT) U Value 4.80 (equal to or lower than) SHGC 0.39 (±10%)	Window 10: (DEFAULT) U Value 4.80 (equal to or lower than) SHGC 0.59 (<u>+</u> 10%)		Window 6, 7 & 10: (DEFAULT) U Value 4.80 (equal to or lower than) SHGC 0.59 (<u>+</u> 10%)	SD1: (DEFAULT) U Value 4.80 (equal to or lower than) SHGC 0.39 (<u>+</u> 10%)	All remaining awning windows: (DEFAULT) U Value 6.70 (equal to or lower than) SHGC 0.37 (<u>+</u> 10%)
	*All windows are to comply with AS 2047 and bedroom windows where the lowest openable portion of the window	All remaining windows: (DEFAULT) U Value 4.90 (equal to or lower than) SHGC 0.33 (<u>+</u> 10%)	Windows 2, 3 & 8: (DEFAULT) U Value 3.10 (equal to or lower than) SHGC 0.49 (+10%)		Windows 2, 3 & 8: (DEFAULT) U Value 3:10 (equal to or lower than) SHGC 0.49 (+10%)	All remaining windows: (DEFAULT) U Value 4.90 (equal to or lower than) SHGC 0.33 (<u>+</u> 10%)	Il remaining windows: (DEFAULT) U Value 6.70 (equal to or lower than) SHGC 0.70 (<u>+</u> 10%)
	is within 1.7 of FFL and the FFL is 2m or more above NGL, require a permanently fixed device restricting any openings of the window or screen so that a 125mm sphere cannot	"All windows are to comply with AS 2047 and bedroom windows where the lowest openable portion of the window is within 1.7 of FFL and the FFL is 2m or more above NGL,	All remaining windows: (DEFAULT) U Value 3.10 (equal to or lower than) SHGC 0.49 (<u>+</u> 10%)		All remaining windows: (DEFAULT) U Value 3.10 (equal to or lower than) SHGC 0.49 (<u>+</u> 10%)	"All windows are to comply with AS 2047 and bedroom windows where the lowest openable portion of the window is within 1.7 of FFL and the FFL is 2m or more above NGL, sequire a permanently fixed device sectricities any openings.	*All windows are to comply with AS 2047 and bedroom windows where the lowest openable portion of the window is within 1.7 of FFL and the FFL is 2m or more above NGL,
	against the window.	of the window or screen so that a 123mm sphere cannot	*All windows are to comply with AS 2047 and bedroom		*All windows are to comply with AS 2047 and bedroom	of the window or screen so that a 125mm sohere cannot	of the window or screen so that a 125mm sphere cannot pass
		pass through, and resisting outwards horizontal of 250N	windows where the lowest openable portion of the window		windows where the lowest openable portion of the window	pass through, and resisting outwards horizontal of 250N	through, and resisting outwards horizontal of 250N against
	All windows are to match the software ratings.	against the window.	is within 1.7 of FFL and the FFL is 2m or more above NGL,		is within 1.7 of FFL and the FFL is 2m or more above NGL,	against the window.	the window.
		All windows are to match the software ratings.	require a permanently fixed device restricting any openings of the window or screen so that a 125mm sphere cannot pass through, and resisting outwards horizontal of 250N against the window.		require a permanently fixed device restricting any openings of the window or screen so that a 125mm sphere cannot pass through, and resisting outwards horizontal of 250N against the window.	All windows are to match the software ratings.	All windows are to match the software ratings.
			All windows are to match the software ratings.		All windows are to match the software ratings.		
ENERGY COMMITMENTS				ENERGY COMMITMENTS			
Hot Water	Gas Instantaneous 6 Star	Gas Instantaneous 6 Star	Gas Instantaneous 6 Star	Hot Water	Gas Instantaneous 6 Star	Gas Instantaneous 6 Star	Gas Instantaneous 6 Star
Cooling System	1 Phase airconditioning, 4 star (old label)	1 Phase airconditioning, 4 star (old label)	1 Phase airconditioning, 4 star (old label)	Cooling System	1 Phase airconditioning, 4 star (old label)	1 Phase airconditioning, 4 star (old label)	1 Phase airconditioning, 4 star (old label)
Heating System	1 Phase airconditioning, 4 star (old label)	1 Phase airconditioning, 4 star (old label)	1 Phase airconditioning, 4 star (old label)	Heating System	1 Phase airconditioning, 4 star (old label)	1 Phase airconditioning, 4 star (old label)	1 Phase airconditioning, 4 star (old label)
Bathroom Ventilation	Individual fan ducted to façade or roof. Manual on/off switch	Individual fan ducted to façade or roof. Manual on/off switch	Individual fan ducted to façade or roof. Manual on/off switch	Bathroom Ventilation	Individual fan ducted to façade or roof. Manual on/off switch	Individual fan ducted to facade or roof. Manual on/off switch	Individual fan ducted to façade or roof. Manual on/off switch
Kitchen Ventilation	Individual fan ducted to façade or roof. Manual on/off switch	Individual fan ducted to facade or roof. Manual on/off switch	Individual fan ducted to façade or roof. Manual on/off switch	Kitchen Ventilation	Individual fan ducted to façade or roof. Manual on/off switch	Individual fan ducted to facade or roof. Manual on/off switch	Individual fan ducted to façade or roof. Manual on/off switch
Laundry Ventilation	Natural ventilation, or no laundry	Natural ventilation, or no laundry	Natural ventilation, or no laundry	Laundry Ventilation	Natural ventilation, or no laundry	Natural ventilation, or no laundry	Natural ventilation, or no laundry
LED Lighting	ALL lighting to be dedicated LED or flourescent	ALL lighting to be dedicated LED or flourescent	ALL lighting to be dedicated LED or flourescent	LED Lighting	ALL lighting to be dedicated LED or flourescent	ALL lighting to be dedicated LED or flourescent	ALL lighting to be dedicated LED or flourescent
Photovoltaic System	0.5kW	0.5KW	0.5kW	Photovoltaic System	0.5kW	0.5KW	0.5KW
Fridge Space	n/a	n/a	n/a	Fridge Space	n/a	n/a	n/a
Kitchen Appliances	Gas cooktop, Electric oven	Gas cooktop, Electric oven	Gas cooktop, Electric oven	Kitchen Appliances	Gas cooktop, Electric oven	Gas cooktop, Electric oven	Gas cooktop, Electric oven
Washing Line	Outdoor Washing Line	Outdoor Washing Line	Outdoor Washing Line	Washing Line	Outdoor Washing Line	Outdoor Washing Line	Outdoor Washing Line

STAGE 1:Demolition of existing structures, Torrens title subdivision STAGE 2: Proposed Six(6) Unit Development & Strata Subdivision

Development Address:- LOT 18 & LOT 19 DP 220627 No.11 & 13 ST JOHNS AVENUE, MANGERTON

BASIX REQUIREMENTS AS PER BASIX CERT.

SCHEDULE FOR DASKS REDUK

No.	Description	Date
Α	DEVELOPMENT APP.	
В	ADD INFO D/A	

BASIX

A11

Project number Date Drawn by Checked by

Scale

24.11.23 Author Checker

21060

STAGE 1:Demolition of existing structures, Torrens title subdivision STAGE 2: Proposed Six(6) Unit Development & Strata Subdivision

Development Address:- LOT 18 & LOT 19 DP 220627 No.11 & 13 ST JOHNS AVENUE, MANGERTON

No. Date Description DEVELOPMENT APP. А ADD INFO D/A В

CONCEPT STRATA SUBDIVISION PLAN

A12

SUBDI BY RF *FINAI

Project number Date Drawn by Checked by Scale

21060 24.11.23 Author Checker 1:100

9am - 21st JUNE

STAGE 1:Demolition of existing structures, Torrens title subdivision STAGE 2: Proposed Six(6) Unit Development & Strata Subdivision

Development Address:- LOT 18 & LOT 19 DP 220627 No.11 & 13 ST JOHNS AVENUE, MANGERTON

10am - 21st JUNE

Description	Date
DEVELOPMENT APP.	
ADD INFO D/A	
	Description DEVELOPMENT APP. ADD INFO D/A

WINTER - SHADOW DIAGRAMS 1

A13

Project number Date Drawn by Checked by

Scale

21060 24.11.23 Author Checker

11am - 21st JUNE

STAGE 1:Demolition of existing structures, Torrens title subdivision STAGE 2: Proposed Six(6) Unit Development & Strata Subdivision

Development Address:- LOT 18 & LOT 19 DP 220627 No.11 & 13 ST JOHNS AVENUE, MANGERTON

12pm - 21st JUNE

No.	Description	Date
A	DEVELOPMENT APP.	
В	ADD INFO D/A	

WINTER - SHADOWS DIAGRAMS 2

A14

Project number Date Drawn by Checked by

21060 24.11.23 Author Checker

Scale

[5 of 7] [June 21, 2024 - 13:00]

1pm - 21st JUNE

Development Address:- LOT 18 & LOT 19 DP 220627 No.11 & 13 ST JOHNS AVENUE, MANGERTON

2pm - 21st JUNE

No.	Description	Date
А	DEVELOPMENT APP.	
В	ADD INFO D/A	

WINTER - SHADOW DIAGRAMS 3

A15

Project number Date Drawn by Checked by

21060 24.11.23 Author Checker

Scale

[7 of 7] [June 21, 2024 - 15:00]

STAGE 1:Demolition of existing structures, Torrens title subdivision STAGE 2: Proposed Six(6) Unit Development & Strata Subdivision

Development Address:- LOT 18 & LOT 19 DP 220627 No.11 & 13 ST JOHNS AVENUE, MANGERTON

3pm - 21st JUNE

No.	Description	Date
Α	DEVELOPMENT APP.	
В	ADD INFO D/A	

WINTER - SHADOW DIAGRAMS 4

A16

Project number Date Drawn by Checked by

Scale

21060 24.11.23 Author Checker

[1 of 7] [December 21, 2024 - 09:00]

9am - 21st DECEMBER

STAGE 1:Demolition of existing structures, Torrens title subdivision STAGE 2: Proposed Six(6) Unit Development & Strata Subdivision

Development Address:- LOT 18 & LOT 19 DP 220627 No.11 & 13 ST JOHNS AVENUE, MANGERTON

10am - 21st DECEMBER

No	Description	Dete
INO.	Description	Dale
А	DEVELOPMENT APP.	
В	ADD INFO D/A	

SUMMER - SHADOW DIAGRAMS 1

A17

Project number

Date

Drawn by

Checked by

21060 24.11.23 Author Checker

Scale

[3 of 7] [December 21, 2024 - 11:00]

11am - 21st DECEMBER

STAGE 1:Demolition of existing structures, Torrens title subdivision STAGE 2: Proposed Six(6) Unit Development & Strata Subdivision

Development Address:- LOT 18 & LOT 19 DP 220627 No.11 & 13 ST JOHNS AVENUE, MANGERTON

[4 of 7] [December 21, 2024 - 12:00]

12pm - 21st DECEMBER

No.	Description	Date
A	DEVELOPMENT APP.	
В	ADD INFO D/A	

SUMMER - SHADOW DIAGRAMS 2

A18

Project number Date

Drawn by

Checked by

21060 24.11.23 Author Checker

Scale

[5 of 7] [December 21, 2024 - 13:00]

1pm - 21st DECEMBER

STAGE 1:Demolition of existing structures, Torrens title subdivision STAGE 2: Proposed Six(6) Unit Development & Strata Subdivision

Development Address:- LOT 18 & LOT 19 DP 220627 No.11 & 13 ST JOHNS AVENUE, MANGERTON

[6 of 7] [December 21, 2024 - 14:00]

2pm - 21st DECEMBER

No.	Description	Date
A	DEVELOPMENT APP.	
В	ADD INFO D/A	

SUMMER - SHADOW DIAGRAMS 3

A19

Project number Date

21060 24.11.23 Author Checker

Scale

Drawn by

Checked by

STAGE 1:Demolition of existing structures, Torrens title subdivision STAGE 2: Proposed Six(6) Unit Development & Strata Subdivision

Development Address:- LOT 18 & LOT 19 DP 220627 No.11 & 13 ST JOHNS AVENUE, MANGERTON

3pm - 21st DECEMBER

No. Description Date DEVELOPMENT APP. Α ADD INFO D/A В

SUMMER - SHADOW DIAGRAMS 4

A20

Project number Date Drawn by Checked by

Scale

21060 24.11.23 Author Checker

LANDSCAPE PLANTING SCHEDULE					
BOTANIC NAME	COMMON NAME	(H) x (W)	SIZE	QTY	STAKING
A Tristaniopsis laurina 'Luscious'	Luscious Water Gum	8 m x 5 m	75 litre	2	YES
B Elaeocarpus reticulatus	Blueberry Ash	6 m x 4 m	75 litre	2	YES
C Syzygium 'Resilience'	Resilience Lilly Pilly	3 m x 1.5 m	200 mm	35	NO
D Dodonea viscosa 'Purpurea'	Purple Hop Bush	2.5 m x 1.5 m	200 mm	28	NO
E Doryanthes excelsa	Gymea Lily	1.5 m x 1.5 m	200 mm	26	NO
F Correa alba	White Correa	1.2 m x 1.2 m	200 mm	10	NO
G Dianella caerulea 'Breeze'	Breeze Dianella	0.8 m x 0.8 m	200 mm	14	NO
H Alternanthera 'Little Ruby'	Little Ruby Alternanthera	0.3 m x 0.6 m	200 mm	51	NO
I Lomandra longifolia	Mat Rush	1.2 m x 1 m	140 mm	163	NO

PLANTING AND LANDSCAPE MAINTENANCE REQUIREMENTS

PLANT MATERIAL - Plants shall be pest and disese free and have correct shape and form. Plants shall be well advanced in the growing container but not be potbound.

STAKING - Stakes shall be hardwood timber measuring 50 x 50 x 2400mm. Jute webbing or similar should be used to secure the tree species to the timber stakes.

MULCHING - Mulch is to be placed in all areas of planting to a uniform depth of 75mm. Mulch should be hardwood woodchop, river gravel 5 - 10mm or similar. A consistent depth of mulch is to be maintained for a period of 12 months following the initial landscape installation.

TURF - Turf shall be quality kikuyu or buffalo grass that is weed, pest and disease free. Turf shall be maintained at regular intervals with fortnightly cutting during the growing season and monthly cutting during the cooler months. Cutting height shall ensure that the turf is not scalped or damaged by mowing.

WATERING - Planted trees, lawn and garden areas shall be watered regularly to ensure continuous and healthy growth. Water shall be frequently applied after planting to ensure that plant establishment is rapid and healthy growth continues. Water shall be made available to all new plantings on an as need basis, this is a climate dependent variable.

MAINTENANCE PERIOD - Shall be for a period of 12 months commencing from the completion of the initial landscape works.

Hazard

Tane

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PAGE 2 OF 2

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REVISION DETAILS PROJECT NO. DATE ΒY SITE LAYOUT MS 02/11/23 EXISTING TREES А PLANTING LAYOUT ADDRESS 11-13 ST JOHNS AVENUE, MANGERTON

LANDSCAPE CONCEPT PLAN

CLIENT

INFINITE DESIGNS &

BUILDING CONSULTANCY

ow release fertilizer

n deep pine flake mulch dished

n subgrade to break compac

PLANTING DETAILS - GARDEN AREAS

MARK SPENCE

ENVIRONMENTAL & LANDSCAPE SERVICES B.Env.Sc. (Hons.) Dip.Hort. (Landscape Design) Cert. 5 Hort. (Arboriculture). MPLA

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ATTACHMENT 4 - WOLLONGONG DEVELOPMENT CONTROL PLAN 2009 COMPLIANCE TABLES

CHAPTER A2 – ECOLOGICALLY SUSTAINABLE DEVELOPMENT

The proposal is considered acceptable with regard to ecologically sustainable development. It provides housing to support increasing demand in an accessible location. BASIX commitments are met. Significant vegetation is retained and protected. The dwellings are designed to improve passive heating and cooling.

CHAPTER B1 – RESIDENTIAL DEVELOPMENT

4.0 General Residential controls

Controls/objectives	Comment
4.13 Fire Brigade Servicing	

Ensure that all dwellings can be serviced by fire fighting vehicles.

A hydrant is located directly opposite the site as shown below.

4.16 View sharing

N/A

Controls/objectives

Comment

4.17. Retaining walls

1. A retaining wall or embankment should be restricted to a maximum height above or depth below natural ground level of no more than:

(a) 600mm at any distance up to 900mm setback from any side or rear boundary; or

(b) 1 metre, if the toe of the retaining wall or embankment is setback greater than 900mm from any side or rear boundary.

Note: Council may consider a variation to the abovementioned maximum height / depth of a retaining wall, in cases where the subject site is steeply sloping and the proposed retaining wall is setback more than 1 metre from any side or rear common property boundary. Additionally, appropriate structural design details will be required and in some cases appropriate landscape buffer screen planting may be required, where necessary.

Retaining walls greater than 1m are proposed adjacent to units 5 and 2 as shown below. These are internal to the development and away from side boundaries. The impacts associated with these walls are not considered unacceptable.

Controls/objectives	Comment
2. Any retaining wall over a meter in height must be designed by an Engineer.	This can be conditioned.
3. Within areas of suspected slope instability or subject to known slope instability, Council may also require a report prepared by a suitably qualified geotechnical and structural engineer relating to the proposed retaining wall. Council will assess the suitability of any retaining within these areas, based upon the findings and recommendations contained in the report.	The site is not identified as being subject to land instability.
4. To limit the overall height impact, terracing of retaining walls is required, limiting the maximum vertical rise of a retaining wall to 1 metre, with a minimum horizontal setback of 1 metre.	Retaining walls are not adjacent to side boundaries and do not contribute to adverse impacts.
5. Any retaining wall with a vertical height exceeding 1 metre in any one vertical rise must be supported by appropriate justification demonstrating how the proposal meets the objectives above.	The proposed retaining walls are a reasonable response to the site slope and are positioned in a way to minimise any offsite impacts.
6. Balustrading will be required in accordance with the Building Code of Australia, to ensure the safety of the public, where the retaining wall adjoins a public place and where there is a change in level greater than 1 metre to the surface beneath.	Satisfactory
7. Open window face type retaining walls must not be permitted within 1.5 metres of an adjoining property boundary. These include crib block and similar type walls that permit the free flow of solid material through the wall.	Satisfactory
8. A fence and any associated retaining wall located within the setback area from a primary road shall be restricted to:	N/A
(a) A maximum 1.2 metre height above existing ground level, and (b) An open style for at least 50 per cent of the upper 2/3 of the area of the fence, and	
(c) Any brick or other solid portion of the fence above 600mm being not more than 250mm wide.	
9. The fence or the fence and associated retaining wall on a sloping site may be stepped, provided the height of each step is not more than:	N/A
(a) 1.6 metres above existing ground level if it is located within a setback area from a primary road, or	
(b) 2.2 metres above existing ground level for side or rear boundaries (where it is behind the front building line).	

Controls/objectives	Comment
10. Adequate provision must be made for the proper disposal of surface and subsurface drainage associated with the erection of the walls. The method of disposal must be approved by Council and could include:	Satisfactory
(a) The connection of sub-surface drainage from the retaining wall to the street gutter.	
(b) Disposal via properly constructed absorption trench/es on the property containing the retaining wall	
designed and located in accordance with Council's Fact Sheet on Domestic Stormwater Drainage Systems.	
(c) Disposal via piped or channelled drainage easement/s.	
(d) Other means as determined by Council.	
11. All surface and sub-surface drainage must not discharge directly onto other adjoining properties unless a drainage easement has been created. Council's Fact Sheet on Retaining Walls provides further information regarding the construction of retaining walls.	Satisfactory

5.0 Attached dwellings and multi -dwelling housing

Controls/objectives			Comment	
5.1 Minimum Site Width Requirement		equirement		
18m minimum required			Complies (~30m)	
5.2 Number	of Storeys			
2 storeys			Complies	
5.3 Front Setbacks				
6m			Complies	
5.4 Side and	Rear Setback	<u>(S</u>		
Zone	Minimum side and rear setback	Minimum side and rear setbacks where balconies or windows of living areas face the rear boundary at first floor level or above	See variation discussion at Chapter A1.	
All zones	Il zones 1.5m 1.5m			
R2 Low Density Residential Zone	0.8 x ceiling height	1.0 x ceiling height		
5.5 Building Character and Form		Form		
(a) Articulate and fragment building walls that address the street and add visual interest. The appearance of blank walls or walls with only utility windows on the front elevation is not permitted.		ent building walls that dd visual interest. The or walls with only utility tion is not permitted.	Satisfactory	
(b) Avoid expanses of any single material.		single material.	Generally satisfactory	
(c) Utilise high quality and durable materials and finishes.		durable materials and		
(d) Entrances must be visible at eye level from the street and well lit.		ble at eye level from the		
(e) For those dwellings adjacent to the street frontage, the habitable rooms must face the street.		adjacent to the street ns must face the street.	Generally satisfactory	

(f) Ensure entrances can accommodate the movement of furniture.	
(g) Air conditioning units must not be visible from the street. Space shall be allocated and shown on plans for air conditioning units in order to demonstrate that this can be achieved.	Indicative locations for AC units not shown however are able to be installed as exempt development. The built form is set back sufficiently from side boundaries and arranged with opportunities for installation that would meet the exempt criteria.
(h) All residential buildings must be designed with building frontages and entries clearly addressing the street frontage. Dwellings adjacent to the street boundary must have individual entries from the street.	Satisfactory
i) For attached dwellings on corner sites, each frontage of the development must present as the primary street frontage.	N/A
(j) Where garages are proposed on the front elevation they must be articulated, unless it can be demonstrated that the garages will not visually dominate the streetscape appearance of the building.	Generally ok
5.6 Access / Driveway Requirements	
(a) Paving colour, texture and material should be sympathetic with the character of the precinct and reflect a pleasant visual appearance.	This can be addressed by way of conditions.
(b) Provide driveways to parking areas from lanes and secondary streets rather than the primary road or street, wherever practicable.	N/A
(c) The number of access points to a development must be kept to a minimum.	The proposal involves three separate driveways where under most circumstances it would be desirable for these to be consolidated to one. The proposed arrangement is however considered acceptable under the circumstances for the following reasons:
	• The section of St Johns Avenue on which the site is situated prohibits on street car parking.
	• There is no footpath on this section of St Johns Avenue.
	• Safer entry and egress is provided units 1 and 6.
	• The arrangement minimises the number of cars sharing the common driveway.
	• The arrangement provides the opportunity for visitor car parking for units 1 and 6 on their driveways off the street.
(d) Locate driveways taking into account any services within the road reserve, such as power poles, drainage inlet pits and existing street trees	Satisfactory
(e) Long straight driveways should be avoided because these adversely dominate the streetscape and landscape. Curved driveways are more desirable. Landscaping between the	See above.

buildings and the driveways is encouraged to soften the appearance of the hard surface.	
(f) All driveways must be located a minimum of 6 metres from the perpendicular of any intersection of any two roads.	Complies
(g) Any driveway servicing a residential development is to be setback a minimum of 1.5m from any side property boundary.	Complies
(h) Driveways are to be a maximum of 6m in width.	Complies
(i) The design of driveway and crossovers must be in accordance with council's standard vehicle entrance designs.	Complies
2. All vehicles within a multi dwelling development must provide vehicular manoeuvring areas to all parking spaces so vehicles do not need to make more than a single point turn to leave the site in a forward direction. Direct reversing onto the street will only be considered where the garage fronts a secondary road, carrying reduced traffic volume and all other requirements of the policy are met.	Satisfactory
3. Driveway grades, vehicular ramp width/grades and passing bays must be in accordance with the relevant Australian Standard, being AS 2890.1.	Satisfactory
4. Crossover and driveway widths 3-	Satisfactory
5.7 Car Parking Requirements	
1. On site car parking must be positioned to minimise impacts on the streetscape. Car parking must be located behind the building setback and be screened from view with well designed structures and vegetation. Car parking may also be located within a basement.	Satisfactory
2. Car parking areas should be designed to conveniently, efficiently and appropriately serve residents and visitors of the site. This can be achieved in the following ways:	Satisfactory
(a) Ensuring that car parking areas are located close to entrances and access ways.	
(b) Car parking areas to be secure yet easily accessible for all residents.	
(c) Have clearly defined areas for visitor parking and disabled parking.	
3. Parking for cars, motorcycles and bicycles must be provided and designed in accordance with the requirements contained in Traffic, Access, Parking and Servicing Chapter contained in Part E of this DCP.	
5.8 Landscaping Requirements	
1. A minimum of 30% of the total site area must be provided as landscaped area. Landscaped area is defined in the Wollongong LEP 2009 as part of a site used for growing plants, grasses and trees, but does not include any building, structure or hard	~650m²/1,706m² = 38%

paved area. The landscaped area may also include landscaping on a podium, where that section of the podium is less or equal to than 1.2 metres in height and the minimum soil standards of this DCP (clause 6.11.2) are achieved. Any landscaped area on the site which is less than 1.5 metres in width is not included within the landscaped area calculations.	
2. A minimum of two semi mature medium – large trees (minimum pot size 45L) are to be provided onsite in the landscaped area or deep soil zone and at least 3m from any existing or proposed dwelling, building or structure on the lot. In the instance where there is an existing mature tree/s onsite and these will be retained post development, only one additional semi mature medium – large tree is required.	Satisfactory
3. Any landscaped or grassed areas within the front setback area will be included in the landscaped area calculations. Landscaping in this area must be in context with the scale and height of the multi dwelling housing development.	Satisfactory
4. The required landscaped area must include a minimum 1.5 metre wide landscaping bed, which is provided along the side and rear boundaries of the site.	Satisfactory
5. The following matters must be addressed within the submitted landscape plan:	
(a) Site landscaping must be integrated with the stormwater management controls. In particular, the location and nature of the on site stormwater detention basins should not conflict with landscaping areas and objectives.	
(b) Select appropriate species that are likely to survive in the specific environmental conditions of the site, orientation and microclimate.	
(c) Identify and retain where possible existing mature trees.	
(d) Garden beds to be mulched and be separated from driveways or open space areas by an appropriate border or edge.	
(e) The width of the landscape bed does not include kerbs or other hard borders or edges.	
(f) Where driveways are located parallel to a property boundary, a minimum 1.5m landscape strip is required adjacent to the driveway.	
(g) Landscaping to separate driveways from dwellings is also required to minimise the expanse of hardstand surfaces, define dwellings from common driveway areas and to promote variation in the alignment of driveway areas.	

(h) Manoeuvring areas immediately adjacent to the living/dining rooms of dwellings is not permitted.	
6. Street trees are required to be planted in accordance with the requirements contained in the Landscaping Chapter in Part E of this DCP.	Street trees are proposed.
5.9 Deep Soil Planting	
1. The siting of the deep soil zone shall be determined following a Site and Context Analysis to investigate whether this area should be located:	Satisfactory
(a) Centrally within the site to allow for overlooking from dwellings within a development;	
(b) At the rear of the site to allow for separation from adjacent dwellings and to provide a continuous corridor of vegetation of native fauna; or	
(c) Elsewhere within a site to allow for retention of significant trees and attain maximum access to sunlight.	
2. A minimum of half of the landscaped area (i.e. 15% of the site) must be provided as a deep soil zone, where the deep soil zone is not located at the rear of the site. The deep soil zone may be located in any position on the site, other than forward of the building line, subject to this area having a minimum dimension of 6m. Alternatively, the deep soil may extend along the full length of the rear of the site, with a minimum width of 6m. The area of deep soil planting must be continuous to ensure that the deep soil planting area is a singular uniform area and is not fragmented.	~380/1,706 = 22%
3. No structures, basement carparks, driveways, hardpaving, decks, balconies or drying areas are permitted within the deep soil zone.	Satisfactory
4. The deep soil zone shall be densely planted with trees and shrubs. Where a multi dwelling housing development is to be strata titled, the deep soil zone may be retained within the common property or allocated to an individual unit entitlement, where such dwelling is directly adjacent.	Satisfactory
5.10 Communal Open Space	
N/A	
5.11 Private Open Space	
1. Private open space must be provided for each dwelling within an attached dwelling development in the form of a balcony, courtyard, terrace and/or roof garden.	
2. Private open space for each dwelling within an attached dwelling housing development must comply with the following:	

(a) Private open space must be provided at the ground level or podium level. The courtyard or terrace must have a minimum dimension of 4 metres x 5 metres. This area must be separated from boundaries by at least 1.5 metres with a vegetated landscaping bed and must not encroach upon deep soil zone landscaping areas. Where a level courtyard is not possible, a deck or split level courtyard must have a minimum depth of 3 metres.	
(b) The primary private open area of at least 70% of the dwellings within a multi dwelling housing development must receive a minimum of three hours of direct sunlight between 9.00am and 3.00pm on June 21.	Satisfactory
(c) Private open space areas (courtyards) must not extend forward of the front building setback by greater than 900mm.	Satisfactory
(d) Private open space should be sited in a location, which provides privacy, solar access, and pleasing outlook and has a limited impact upon adjoining neighbours.	Satisfactory
(e) Design private open spaces so that they act as direct extensions of the living areas of the dwellings they serve.	The private open space areas for units 3 and 4 are not positioned adjacent the living spaces as shown below. The following points are noted
	• Potential for flipping the floor plans for these rear units so that the living and POS areas were at the lower level was investigated. This would however compromise solar access to those units (noting skylights are provided to the living spaces of these units in the current arrangement).
	• The current arrangement results in less cut
	• The positioning of the POS areas keeps them away from root protection zones of trees
	• The current arrangement provides the POS areas with greater access to sunlight.
	On balance, the proposed arrangement is not considered to have any substantive detrimental impacts.

(f) Clearly define private open space through use of planting, fencing or landscaping features.	Satisfactory
(g) Screen private open space where appropriate to ensure privacy.	Satisfactory
3. Where part of the private open space is also provided in the form of a balcony, the following requirements must also be met:	N/A
(a) The primary balconies must not address side setbacks.	
(b) The balcony must have a minimum area of 8m2 open space and a minimum width of 2 metres.	
(c) Balconies must be designed and positioned to ensure sufficient light can penetrate into the building at lower levels.	
(d) The total combined area of all balconies in a building must not exceed 25% of the building floor space.	
(e) Individual balcony enclosures are not supported. Balcony enclosures must form part of an overall building façade design treatment and should not compromise the functionality of a	
balcony as a private open space area	
5.12 Solar Access Requirements	
1. Windows to living rooms of adjoining dwellings must receive 3 hours of sunlight between 9.00am and 3.00pm on 21 June.	Satisfactory
2. At least 50% of the private open areas of adjoining residential properties must receive at least 3 hours of sunlight between 9.00am and 3.00pm on June 21.	The overshadowing impacts are not unreasonable given the slope of the land. Upper level setbacks are generally compliant or where there are variations, not considered to add significantly to overshadowing.
3 The primary balcony of at least 70% of the dwellings within a multi dwelling housing development shall receive a minimum of three hours of direct sunlight between 9.00am and 3.00pm on June 21.	Satisfactory
4. Windows to north facing living rooms for each of the subject dwellings in the development must receive at least 3 hours of sunlight between 9.00am and 3.00pm on 21 June.	Satisfactory
5. At least 50% of the private open space area for each of the subject dwellings in the development must receive at least 3 hours of sunlight between 9.00am and 3.00pm on 21 June.	Satisfactory
6. Shadow diagrams will be required for hourly intervals between 9.00 am and 3.00 pm for the 21 June winter solstice period which show the extent of overshadowing upon dwellings and rear private open space areas of adjoining dwellings. In certain cases, Council may require additional hourly interval shadow diagrams for the equinox period	Provided

where it is necessary to determine the full extent of overshadowing upon the dwelling and / or private open space area of an adjoining property	
5.13 Additional Control for Multi Dwelling Housing - Dwelling Mix and Layout	
1. Provide a mix of dwelling sizes and layouts within larger multi-dwelling developments having ten (10) or more dwellings. This could include both variation in the number of bedrooms and gross floor areas of apartments, variety in the internal design or incorporating one, two and three bedroom dwellings to accommodate various resident requirements.	The proposal comprises only 6 dwellings.
 The selection of the number of bedrooms within developments shall be determined having regard to the sites context, geographic location and anticipated demographic characteristics. 	Satisfactory
3. Dwellings should be designed with internal spaces, which are flexible and adaptable to resident's requirements. This should involve the efficient utilisation of available floor space to maximise useable room areas. Apartment layouts should also respond to the sites opportunities, including views and aspect.	Satisfactory
5.14 Additional Control for Multi Dwelling Housing - Adaptable Housing	
1. Within a multi dwelling development incorporating more than six (6) dwellings, 10% of all dwellings (or at least 1 dwelling) must be designed to be capable of adaptation for disabled or elderly residents. Dwellings must be designed in accordance with the Australian Adaptable Housing Standard (AS 4299-1995), which includes "pre-adaptation" design details to ensure visitability is achieved.	The proposal provides only 6 dwellings and an adaptable units is not required.
2. Where an adaptable dwelling is provided in the form of a villa and a double garage is required to be provided, Council will accept a single garage, which complies with the minimum adaptable car parking dimensions contained in the Traffic, Access, Parking and Servicing Chapter in Part E of this DCP. The single garage will be counted as two car parking spaces for the purpose of car parking calculations.	N/A
4. The Development Application must be accompanied by certification from a suitably qualified and experienced Access Consultant which confirms that the adaptable dwellings are capable of being modified, when required by the occupant, to comply with the Australian Adaptable Housing Standard (AS 4299-1995).	N/A
5.15 Additional Control for Multi Dwelling Housing — Crime Prevention through Environmental Design	
See Chapter E2.	

CHAPTER E1: ACCESS FOR PEOPLE WITH A DISABILITY

The proposal does not require an accessible unit to be provided and no accessible car parking spaces are therefore proposed.

CHAPTER E2: CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN

- The development provides passive surveillance of publicly accessible areas.
- Dwellings address the street with windows and doors
- There are no obvious concealment opportunities of concern.
- Control of access between private and common areas is provided.

CHAPTER E3: CAR PARKING, ACCESS, SERVICING/LOADING FACILITIES AND TRAFFIC MANAGEMENT

6 Traffic impact assessment and public transport studies

6.1 Car Parking and Traffic Impact Assessment Study

A traffic impact assessment was not required for the development due to the small scale of the proposal.

6.2 Preliminary Construction Traffic Management Plan

N/A

7 Parking demand and servicing requirements

7.1 Car Parking, Motor Cycle, Bicycle Requirements and Delivery / Servicing Vehicle Requirements

The DCP requires 2 car parking spaces for dwellings exceeding 125m² floor area, as is the case with the proposal. Each dwelling has either a double garage or single garage and car port.

7.2 Disabled Access and Parking

The proposal does not require an accessible unit to be provided and no accessible car parking spaces are therefore proposed.

7.3 Bicycle Parking / Storage Facilities and Shower and Change Facilities

The DCP requires the following rates of bicycle parking:

- 1 / 3 dwellings residents (2)
- 1 / 12 dwellings visitor (1)

No dedicated bicycle parking spaces are proposed however each dwelling has a double garage and ancillary storage where bicycles could readily be accommodated.

7.7 Car Parking Layout and Design

The design and layout of the car park, including swept paths and driveway long sections, has been reviewed by Council's Traffic Officer as meeting the relevant standards.

8 Vehicular access

Driveway grades and sight distances comply.

9 Loading / unloading facilities and service vehicle manoeuvring

The development complies with AS 2890.2.

Waste servicing will occur from the kerb.

Waste bin locations are shown.

10 Pedestrian access

The proposal is satisfactory with regard to pedestrian access into the site and along the frontage.

11 Safety & security (Crime Prevention through Environmental Design) measures for car parking areas

The proposal is satisfactory with regard to the principles of CPTED.

CHAPTER E6: LANDSCAPING

The proposal is accompanied by a Landscape Concept Plan prepared by suitably qualified consultant.

An Arborist Report has also been provided with a survey of tree locations and types.

The landscape plan has been reviewed by Council's Landscape Officer with respect to the character, streetscape and amenity no concerns raised.

There are however conflicts between the landscaping and drainage plans that require resolution.

CHAPTER E7: WASTE MANAGEMENT

A Site Waste Minimisation and Management Plan has been provided in accordance with this chapter.

The proposal involves demolition of two dwellings and associated swimming pools. A demolition plan has accordingly been provided.

Waste bin locations are not shown for units 3 and 4.

Waste servicing will be from the street frontage.

CHAPTER E12 GEOTECHNICAL ASSESSMENT

The land is not identified as being impacted by instability.

CHAPTER E13 FLOODPLAIN MANAGEMENT

The site is identified as being located within an uncategorised flood risk precinct. Council's stormwater engineer has reviewed the proposal with respect to the provisions of this chapter and clause 5.21 of WLEP 2009 and there are no outstanding concerns.

CHAPTER E14 STORMWATER MANAGEMENT

Stormwater is proposed to be disposed of to a Council drainage easement within a Council owned reserve to the rear of the site. Council's stormwater engineer has reviewed the proposal with respect to the provisions of this chapter and has recommended conditions of consent. Council's Property division have recommended conditions of consent with regard to the infrastructure on Council land.

CHAPTER E17 PRESERVATION AND MANAGEMENT OF TREES AND VEGETATION

The proposal involves the removal of 6 trees (2 of which are exempt species listed in Appendix 1 of this chapter) as detailed below and the application has been accompanied by an Arborist Report which is consistent with this chapter.

- 2 x weeping Bottlebrush
- 1 x Maiden's Wattle Jacaranda
- 1 x Dwarf Umbrella Tree
- 1 x Canary Island Date Palm (Exempt species)
- 1 x Hackberry (*Exempt species*)

The proposal retains significant vegetation and compensatory planting is proposed in the front setback. CHAPTER E19 EARTHWORKS (LAND RESHAPING WORKS)

The proposal involves cut and fill in order to achieve compliant driveway grades and establish building platforms.

The following site characteristics are noted

- The land is not identified as being subject to instability
- The land is not identified as being potentially contaminated and the historic use of the land is residential.
- The land is not identified as containing acid sulfate soils

The retaining and fill areas are identified on the plans.

Retaining wall structures are set back from side boundaries.

Trees on the subject site and adjoining land are also identified and fill and retaining walls are satisfactorily set back from trees to be retained.

CHAPTER E21 DEMOLITION AND HAZARDOUS BUILDING MATERIALS MANAGEMENT

Conditions of consent apply with regard to demolition of the existing dwellings and swimming pools.

CHAPTER E22 SOIL EROSION AND SEDIMENT CONTROL

Conditions of consent apply in regard to appropriate sediment and erosion control measures to be in place during works.

WOLLONGONG CITY COUNCIL

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ATTACHMENT 5 - DRAFT CONDITIONS FOR: DA-2023/358

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- A. The Development Consent shall not operate until Council has been satisfied as to the following matters:
 - (i) Drainage works within Council land

A detailed design for the proposed drainage works within Council's Land, including pit and pipeline connecting the drainage system to Council's existing underground drainage system in Lot 7 DP 227950, shall be prepared by a suitably qualified civil engineer in accordance with the relevant Council engineering standards. The design plans shall be generally in accordance with the Concept Stormwater Plan (Drainage Plan & Details C2-E dated 1 November 2023 prepared by Nastasi & Associates) and shall include the following:

- a) Levels and details of all existing and proposed infrastructure/services such as pits, public utilities, poles, fencing, stormwater drainage, shall extend a minimum of 5 metres beyond the limit of works.
- b) Engineering details of the proposed pit and pipe stormwater drainage system within Council's land, including a hydraulic grade line analysis and longitudinal section of the proposed system showing calculated flows, velocity, pits, pipe size/class, grade, inverts and ground levels. Each proposed pit must be constructed generally in accordance with Wollongong City Council's Engineering Standard Drawings.
- c) All new drainage pits shall be in accordance with the current version of Wollongong City Council's Engineering Standard Drawings. The proposed pit in Council's road reserve must not conflict with any existing or proposed vehicular accessway.
- d) Where any adjustments to public utilities are proposed the applicant shall submit documentary evidence that they have the consent of the owner of the public utility authority.
- e) All construction must be in accordance with the requirements of Council's Subdivision Code.
- f) Evidence that the above requirements have been met must be detailed on the engineering drawings. The detailed design and supporting documentation shall be submitted to and approved by Wollongong City Council's Development Engineering Manager.
- (ii) The applicant must apply in writing to Council's Statutory Property team requesting the grant of an easement for the above drainage. The following will apply:
 - a) The applicant must obtain a drainage easement over Lot 7 DP **227950**. The easement will be subject to a formal Council resolution.
 - b) The easement must be compliant with Section 46 (1) (a1) of the Local Government Act 1993 (NSW).
 - c) The applicant must write to Council's Statutory Property team to commence the easement process following approval of the DA. There is an application fee payable in accordance with Council's Fees and Charges.

- d) The applicant must pay compensation to Council for the grant of the easement, as determined by a formal valuation.
- e) The applicant is responsible for all costs in the creation of the easement including valuation, survey, plan lodgement and legal costs, and any other costs incurred in relation to the easement.
- B. The developer must satisfy Council, within 24 months of the date shown on the top of this consent, that the matters specified at **A** have been complied with. Failure to satisfy Council within that time period will lapse this development consent.
- C. If compliance with the matters contained in condition number **A** results in a substantial variation to the development approved deferred commencement, a new development application must be submitted.

Once Council is satisfied that the matters contained in condition number (A) have been complied with and the developer has been notified in writing of such compliance, the following conditions shall apply in respect of the approved development:

1. Approved Plans and Supporting Documentation

Development must be carried out in accordance with the following approved plans and supporting documentation (stamped by Council), except where the conditions of this consent expressly require otherwise.

Plan No	Revision No	Plan Title	Drawn By	Dated
A01	В	Stage 1 – Demolition Plan & Draft Torrens Title Subdivision	Infinite Designs	24 November 2023
A02	В	Site Plan	Infinite Designs	24 November 2023
A03	В	Site-Waste Management Plan	Infinite Designs	24 November 2023
A04	В	U1-U6 Ground Floor Plans	Infinite Designs	24 November 2023
A05	В	U1/2/5/6 Upper Floor & U3/4 Lower Floor Plans	Infinite Designs	24 November 2023
A07	В	Elevations 1	Infinite Designs	24 November 2023
A08	В	Elevations 2	Infinite Designs	24 November 2023
A09	В	Elevations 3, Sections	Infinite Designs	24 November 2023
A10	В	Roof Plans	Infinite Designs	24 November 2023
A12	В	Concept Strata Subdivision Plan	Infinite Designs	24 November 2023

Document Title	Prepared By	Dated
Arboricultural Impact Assessment	Mark Spence	November 2023

In the event of any inconsistency between the approved plans and the supporting documentation, the approved plans prevail. In the event of any inconsistency between the approved plans and a condition of this consent, the condition prevails.

Note: an inconsistency occurs between an approved plan and supporting documentation or between an approved plan and a condition when it is not possible to comply with both at the relevant time.

General Conditions

2. Construction Certificate

A Construction Certificate must be obtained from Council or a Registered Certifier prior to work commencing.

A Construction Certificate certifies that the provisions of Part 3 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 have been satisfied, including compliance with all relevant conditions of Development Consent and the Building Code of Australia.

Note: The Certifier must cause notice of its determination to be given to the consent authority, and to the Council, by forwarding to it, within two (2) days after the date of the determination, the plans and documentation referred to in Section 13 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.

Reason:

To satisfy the requirements of the legislation.

3. Compliance with the Building Code of Australia (BCA)

Building work must be carried out in accordance with the requirements of the BCA.

Reason:

To ensure the development is built in accordance with the Building Code of Australia.

4. Occupation Certificate

An Occupation Certificate must be issued by the Principal Certifier prior to occupation or use of the development. In issuing an Occupation Certificate, the Principal Certifier must be satisfied that the requirements of Section 6.9 of the Environmental Planning and Assessment Act 1979, have been complied with as well as all of the conditions of the Development Consent.

Reason:

To satisfy the requirements of the legislation.

5. Tree Retention/Removal

The developer shall retain the existing trees indicated on the Arboricultural Impact Assessment (Mark Spence dated November 2023) consisting of trees numbered 1, 5, 6, 7, 8, 8a, 10, 11, 12, 13, 14, 15, 16, 18, 19, 21.

Any branch pruning, which has been given approval, must be carried out by a qualified arborist in accordance with Australian Standard AS 4373:2007.

All tree protection measures are to be installed in accordance with Australian standard AS 4970:2009 Protection of Trees on development sites.

All recommendations in the Arboricultural Impact Assessment are to be implemented including and not restricted to: remedial tree pruning, dead wood removal, fencing and signage, sediment buffer, stem protection, establishing tree protection zones and watering and root hormone application if required.

This consent permits the removal of trees numbered 2, 3, 4, 9, 17, 20. No other trees shall be removed without prior written approval of Council.

Reason:

To protect the amenity of the environment and the neighbourhood.

6. Development Contributions

In accordance with Section 4.17(1)(h) of the Environmental Planning and Assessment Act 1979 and the Wollongong City Wide Development Contributions Plan (2022), a monetary contribution

of \$20,000.00 (subject to indexation) must be paid to Council towards the provision of public amenities and services, prior to the release of any associated Construction Certificate.

This amount has been calculated based on the proposed cost of development and the applicable percentage levy rate.

The contribution amount will be indexed quarterly until the date of payment using Consumer Price Index; All Groups, Sydney (CPI) based on the formula show in the Contributions Plan.

To request an invoice to pay the contribution amount go <u>www.wollongong.nsw.gov/contributions</u> and submit a contributions enquiry. The following will be required:

- Application number and property address.
- Name and address of who the invoice and receipt should be issue to.
- Email address where the invoice should be sent.

A copy of the Contributions Plan and accompanying information is available on Council's website www.wollongong.gov.au.

Before the Issue of a Construction Certificate

7. Car Parking and Access

The development shall make provision for a total of 13 car parking spaces (including 1 visitor parking space) and a minimum of 2 secure (Security Class B) residential bicycle spaces. This requirement shall be reflected on the Construction Certificate plans. Any change in above parking numbers shown on the approved DA plans shall be dealt with via a section 4.55 modification to the development. The approved car parking spaces shall be maintained to the satisfaction of Council, at all times.

Reason:

To comply with Council's Development Control Plan.

8. Parking Dimensions

The parking dimensions, internal circulation, aisle widths, kerb splay corners, head clearance heights, ramp widths and grades of the car parking areas are to be in conformity with the current relevant Australian Standard AS 2890.1, except where amended by other conditions of this consent. Details of such compliance are to be reflected on the Construction Certificate plans.

Reason:

To ensure compliance with Australian Standards.

9. Redundant Crossings

All redundant vehicular crossings and laybacks rendered unnecessary by this development must be reconstructed to normal kerb and gutter or existing edge of carriageway treatment to match the existing. The verge from the back of kerb to the boundary must be restored and the area appropriately graded, topsoiled and turfed in a manner that conforms with adjoining road reserve. The area forward of the front boundary must be kept smooth, even and free from any trip hazards. All alterations of public infrastructure where necessary are at the developer's expense.

All new driveway laybacks and driveway crossings must be designed in accordance with Wollongong City Council Standards. Any redundant line-marking such as 'marked parking bays' are adjusted/removed at the developer's expense by a Council recognised contractor with the relevant insurances. Details and locations are to be shown on the Construction Certificate Plans.

Reason:

To comply with Council's Development Control Plan.

10. Structures Adjacent to Driveway

Any proposed structures adjacent to the driveway shall comply with the requirements of the current relevant Australian Standard AS 2890.1 (figure 3.2 and 3.3) to provide for adequate pedestrian and vehicle sight distance. This includes, but is not limited to, structures such as signs, letterboxes, retaining walls, dense planting etc. This requirement shall be reflected on the Construction Certificate plans.

Reason:

To ensure compliance with Australian Standards.

11. Present Plans to Sydney Water

Approved plans must be submitted online using Sydney Water Tap In, available through <u>www.sydneywater.com.au</u> to determine whether the development will affect Sydney Water's sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met.

The Principal Certifier must ensure that Sydney Water has issued an approval receipt prior to the issue of a Construction Certificate.

Visit <u>www.sydneywater.com.au</u> or telephone 13 20 92 for further information.

Reason:

To satisfy the requirements of the legislation.

12. Final Landscape Plan Requirements

The submission of a final Landscape Plan to the Principal Certifier is required, prior to the issue of the Construction Certificate. The final Landscape Plan shall be in accordance with the approved Landscape Concept Plan and address the following requirements:

- a. planting of indigenous plant species native to the Illawarra Region such as: Syzygium smithii (syn Acmena smithii) Lilly pilly, Archontophoenix cunninghamiana Bangalow palm, Backhousia myrtifolia Grey myrtle, Elaeocarpus reticulatus Blueberry ash, Glochidion ferdinandii Cheese tree, Livistona australis Cabbage palm tree, Syzygium paniculatum Brush cherry. A further list of suitable suggested species may be found in Wollongong Development Control Plan 2009 Chapter E6: Landscaping;
- b. a schedule of proposed planting, including botanic name, common name, expected mature height and staking requirements as well as number of plants and pot sizes;
- c. the location of all proposed and existing overhead and underground service lines. The location of such service lines shall be clear of the dripline of existing and proposed trees; and
- d. any proposed hard surface under the canopy of existing trees shall be permeable and must be laid such that the finished surface levels match the existing level. Permeable paving is to be installed in accordance with the manufacturer's recommendations.

The completion of the landscaping works as per the final approved Landscape Plan is required, prior to the issue of an Occupation Certificate.

Reason:

To comply with Council's Development Control Plan.

13. Certification for Landscape and Drainage

The submission of certification from a suitably qualified and experienced landscape designer and drainage consultant to the Principal Certifier prior to the issue of the Construction Certificate, confirming that the landscape plan and the drainage plan are compatible.

Reason:

To ensure development does not impact services.

14. Landscape Maintenance Plan

The implementation of a landscape maintenance program in accordance with the approved Landscape Plan for a minimum period of 12 months to ensure that all landscape work becomes well established by regular maintenance. Details of the program must be submitted with the Landscape Plan to the Principal Certifier prior to issue of the Construction Certificate..

Reason:

To comply with Council's Development Control Plan.

15. Street Trees

The developer must address the street frontage by installing street tree planting as follows:

- a. Two street trees as shown on the approved Landscape Concept Plan
- b. 200 litre container size, in accordance with AS 2303:2018 Tree stock for landscape use.
- c. To be installed in accordance with Wollongong Development Control Plan 2009 Chapter E6: Landscaping.
- d. 'Before You Dig Australia' must be consulted prior to any excavation on site.
- e. Pot holing must be carried out to determine service location.
- f. Tree pits must be adequately mulched, plants installed and staking installed to the satisfaction of Wollongong City Council. Staking is to consist of minimum 3 x 2400 x 50 x 50mm hardwood stakes driven minimum 600mm into firm ground. Hessian webbing is to be utilised to secure plant stock to industry standard.

These requirements shall be reflected on the Construction Certificate plans and any supporting documentation.

Reason:

To comply with Council's Development Control Plan.

16. Site Management, Pedestrian and Traffic Management Plan (Where Works are Proposed in a Public Road Reserve)

The submission of a Site Management, Pedestrian and Traffic Management Plan to the Principal Certifier and Council (in the event that Council is not the Principal Certifier) for approval of both the Principal Certifier and Council is required, prior to the issue of the Construction Certificate. This plan shall address what measures will be implemented for the protection of adjoining properties, pedestrian safety and traffic management and shall be in compliance with the requirements of the latest versions of Australian Standard AS 1742: Traffic Control Devices for Works on Roads and the TfNSW Traffic Control at Worksites Manual.

This plan is required to maintain public safety, minimise disruption to pedestrian and vehicular traffic within this locality and to protect services, during demolition, excavation and construction phases of the development. This plan shall include the following aspects:

- a. Proposed ingress and egress points for vehicles to/from the construction site;
- b. proposed protection of pedestrians, adjacent to the construction site;
- c. proposed pedestrian management whilst vehicles are entering/exiting the construction site;
- d. proposed measures to be implemented for the protection of all roads and footpath areas surrounding the construction site from building activities, crossings by heavy equipment, plant and materials delivery and static load from cranes, concrete pumps and the like;
- e. proposed method of loading and unloading excavation machines, building materials formwork and the erection of any part of the structure within the site;
- f. proposed areas within the site to be used for the storage of excavated material, construction materials and waste containers during the construction period;
- g. proposed traffic control measures such as advanced warning signs, barricades, warning lights, after hours contact numbers etc are required to be displayed where works are in progress in any road reserve and shall be in accordance the latest versions of the TfNSW Specification - "Traffic Control at Work Sites Manual" and the Australian Standard AS 1742: "Manual of Uniform Traffic Control Devices" and accompanying field handbooks (SAA HB81);
- h. proposed method of support of any excavation, adjacent to adjoining buildings or the road reserve. The proposed method of support is to be certified by a Registered Certifier in Civil Engineering; and
- i. proposed measures to be implemented, in order to ensure that no soil/excavated material is transported on wheels or tracks of vehicles or plant and deposited on the roadway.
The traffic control plan endorsed by Council shall be implemented, prior to the commencement of any works upon the construction site.

Note: Any proposed works or placement of plant and equipment and/or materials within any road reserve will require the separate approval of Council, prior to the commencement of such works, pursuant to the provisions of the Roads Act 1993.

Reason:

To ensure compliance with Australian Standards.

17. Details of Proposed Pit and Pipeline

Details of the proposed connecting pipeline to the Council pit, within the existing drainage system shall be provided in conjunction with the detailed drainage design for the site. Connection is to be made in accordance with Wollongong City Council Standard Drawings. This requirement shall be reflected on the Construction Certificate plans and supporting documentation.

Reason:

To ensure development does not impact services.

18. Engineering Plans and Specifications - Retaining Wall Structures Greater than One (1) Metre

The submission of engineering plans and supporting documentation of all proposed retaining walls greater than one (1) metre to the Principal Certifier for approval prior to the issue of the Construction Certificate. The retaining walls shall be designed by a suitably qualified and experienced civil and/or structural engineer. The required engineering plans and supporting documentation shall include the following:

- a. a plan of the wall showing location and proximity to property boundaries;
- b. an elevation of the wall showing ground levels, maximum height of the wall, materials to be used and details of the footing design and longitudinal steps that may be required along the length of the wall;
- c. setails of fencing or handrails to be erected on top of the wall;
- d. sections of the wall showing wall and footing design, property boundaries, subsoil drainage and backfill material. Sections shall be provided at sufficient intervals to determine the impact of the wall on existing ground levels. The developer shall note that the retaining wall, subsoil drainage and footing structure must be contained wholly within the subject property;
- e. the proposed method of subsurface and surface drainage, including water disposal. This is to include subsoil drainage connections to an inter-allotment drainage line or junction pit that discharges to the appropriate receiving system;
- f. the assumed loading used by the engineer for the wall design; and
- g. flows from adjoining properties shall be accepted and catered for within the site. Finished ground and top of retaining wall levels on the boundary shall be no higher than the existing upslope adjacent ground levels.

Reason:

To comply with Council's Development Control Plan.

19. Sizing of Drainage

All roof gutters, downpipes, pits, and pipelines draining roof areas and other impervious surfaces with no deliberate overflow path to the on-site stormwater detention (OSD) facility, shall be designed to cater for a 1% AEP storm event in accordance with AS 3500.3: Plumbing and Drainage (Stormwater Drainage). Details of gutter/downpipe/pipeline sizes and locations shall be reflected on the Construction Certificate plans.

Reason:

To comply with Council's Development Control Plan.

20. Stormwater Drainage Design

A detailed drainage design for the development must be submitted to and approved by the Principal Certifier prior to the release of the Construction Certificate. The detailed drainage design must satisfy the following requirements:

- a. Be prepared by a suitably qualified Civil Engineer in accordance with Chapter E14 of Wollongong City Council's Development Control Plan 2009, Subdivision Policy, conditions listed under this consent, and generally in accordance with the concept plan/s lodged for development approval, prepared by Nastasi and Associates, Reference No. 32377 C2 revision E, dated 01.11.2023.
- b. Include details of the method of stormwater disposal. Stormwater from the development must be piped to Council's existing stormwater drainage system.
- c. Engineering plans and supporting calculations for the stormwater drainage system are to be prepared by a suitably qualified engineer and be designed to ensure that stormwater runoff from upstream properties is conveyed through the site without adverse impact on the development or adjoining properties. The plan must indicate the method of disposal of all stormwater and must include rainwater tanks, existing ground levels, finished surface levels on all paved areas, estimated flow rates, invert levels and sizes of all pipelines.
- d. Overflow paths shall be provided to allow for flows of water in excess of the capacity of the pipe/drainage system draining the land, as well as from any detention storage on the land. Blocked pipe situations with 1% AEP events shall be incorporated in the design. Overflow paths shall also be provided in low points and depressions. Each overflow path shall be designed to ensure no entry of surface water flows into any building and no concentration of surface water flows onto any adjoining property. Details of each overflow path shall be shown on the detailed drainage design.

Reason:

To comply with Council's Development Control Plan.

21. Flood Level Requirements

The following requirements shall be reflected on the Construction Certificate plans, prior to the release of the Construction Certificate:

- a. Habitable floor levels must be constructed no lower than as shown on the approved architectural plans.
- b. Garage floor levels must be constructed no lower than as shown on the approved architectural plans.
- c. Any portion of the building or structure below the finished floor level should be built from flood compatible materials. Where materials are proposed and not listed in Appendix B of Chapter E13 of the Wollongong DCP 2009, relevant documentation from the manufacturer shall be provided demonstrating that the materials satisfy the definition of 'flood compatible materials' as stated in Chapter E13 of the Wollongong DCP 2009.
- d. The proposed building shall be designed to withstand the forces of floodwater, debris and buoyancy up to and including the finished floor level.

Reason:

To comply with Council's Development Control Plan.

22. On-Site Stormwater Detention (OSD) Design

The developer must provide OSD storage for stormwater runoff from the development. The design and details of the OSD system must be provided in conjunction with the detailed drainage design and approved by the Principal Certifier prior to the release of the Construction Certificate. The OSD design and details must satisfy the following requirements:

a. Must be prepared by a suitable qualified engineer in accordance with Chapter E14 of the Wollongong DCP 2009.

- Must include details of the Site Storage Requirement (SSR) and Permissible Site Discharge (PSD) values for the site in accordance with Section 10.2.4 of Chapter E14 of the Wollongong DCP 2009.
- c. The OSD facility must be designed to withstand the maximum loadings occurring from any combination of traffic (with consideration to residential and heavy vehicles), hydrostatic, earth, and buoyancy forces. Details must be provided demonstrating these requirements have been achieved.
- d. The OSD facility shall incorporate a minimum 900mm x 900mm square lockable grate for access and maintenance purposes, provision for safety, debris control screen, and a suitably graded invert to the outlet to prevent ponding.
- e. Must include discharge control calculations (i.e. orifice/weir calculations) generally in accordance with Section 10.2.6 and 10.4.4 of Chapter E14 of the Wollongong DCP 2009.
- f. Details of the orifice plate including diameter of orifice and method of fixing shall be provided.
- g. Must include details of a corrosion resistant identification plaque for location on or close to the OSD facility. The plaque shall include the following information and shall be installed prior to the issue of the Occupation/Subdivision Certificate:
 - i. The structure is an OSD facility, being part of the stormwater drainage network, and is not to be tampered with.
 - ii. Identification number DA-2023/358.
 - iii. Any specialist maintenance requirements.
- h. Must include a maintenance schedule for the OSD system, generally in accordance with Chapter E14 of the Wollongong DCP 2009.

Reason:

To comply with Council's Development Control Plan.

23. Site Filling

Filling on the site being within the floodplain shall be restricted to within the proposed building footprint and ramped areas immediately adjacent to the garage only. No wholesale filling of the site within the floodplain is permitted. This requirement shall be reflected on the Construction Certificate plans.

Reason:

To comply with Council's Development Control Plan.

24. No Adverse Runoff Impacts on Adjoining Properties

The design of the development shall ensure there are no adverse effects to adjoining properties or upon the land as a result of flood or stormwater runoff.

Reason:

To protect neighbourhood amenity.

25. Drainage Works within Council Land

A detailed design for the proposed drainage works within Council's Land, including pit and pipeline connecting the drainage system to Council's existing underground drainage system in lot C DP 36592, shall be prepared by a suitably qualified civil engineer in accordance with the relevant Council engineering standards. The design plans shall be generally in accordance with the Concept Stormwater Plan prepared by Nastasi and Associates, Reference No. 32377 C2 revision E, dated 01.11.2023.

- a Levels and details of all existing and proposed infrastructure/services such as pits, public utilities, poles, fencing, stormwater drainage, shall extend a minimum of 5 metres beyond the limit of works.
- b Engineering details of the proposed pit and pipe stormwater drainage system within Council's land, including a hydraulic grade line analysis and longitudinal section of the

proposed system showing calculated flows, velocity, pits, pipe size/class, grade, inverts and ground levels. Each proposed pit must be constructed generally in accordance with Wollongong City Council's Engineering Standard Drawings.

- c All new drainage pits shall be in accordance with the current version of Wollongong City Council's Engineering Standard Drawings. The proposed pit in Council's reserve must not conflict with any existing or proposed utilities.
- d Where any adjustments to public utilities are proposed the applicant shall submit documentary evidence that they have the consent of the owner of the public utility authority.

All construction must be in accordance with the requirements of Council's Subdivision Code.

Evidence that the above requirements have been met must be detailed on the engineering drawings. The detailed design and supporting documentation shall be submitted to and approved by Wollongong City Council's Development Engineering Manager prior to the issue of the Construction Certificate.

26. Flows from Adjoining Properties

Flows from adjoining properties shall be accepted and catered for within the site. Finished ground and top of retaining wall levels on the boundary shall be no higher than the existing upslope adjacent ground levels. The above requirements must be clearly shown on construction certificate plans prior to the release of the construction certificate.

Before the Commencement of Building Work

27. Works in Road Reserve - Minor Works

Approval, under Section 138 of the Roads Act must be obtained from Wollongong City Council's Development Engineering Team prior to any works commencing or any proposed interruption to pedestrian and/or vehicular traffic within the road reserve caused by the construction of this development.

The application form for Works within the Road Reserve – Section 138 Roads Act can be found on Council's website. The form outlines the requirements to be submitted with the application, to give approval to commence works under the Roads Act. It is advised that all applications are submitted and fees paid, five (5) days prior to the works within the road reserve are intended to commence. The Applicant is responsible for the restoration of all Council assets within the road reserve which are impacted by the works/occupation. Restoration must be in accordance with the following requirements:

- a. All restorations are at the cost of the Applicant and must be undertaken in accordance with Council's standard document, "Specification for work within Council's road reserve".
- b. Any existing damage within the immediate work area or caused as a result of the work/occupation, must also be restored with the final works.

<u>Reason</u>:

To satisfy the requirements of the legislation.

28. Signs On Site

A sign must be erected in a prominent position on any site on which building work or demolition work is being carried out:

- a. showing the name, address and telephone number of the Principal Certifier for the work, and
- b. showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
- c. stating that unauthorised entry to the worksite is prohibited.

Any such sign is to be maintained while the building work or demolition work is being carried out but must be removed when the work has been completed.

Note: This does not apply in relation to building work or demolition work that is carried out inside an existing building that does not affect the external walls of the building.

Reason:

To satisfy the requirements of the legislation.

29. Enclosure of the Site

The site must be enclosed with a suitable security fence to prohibit unauthorised access, to be approved by the Principal Certifier. No building work is to commence until the fence is erected.

Reason:

To ensure safety.

30. Demolition Works

The demolition of the existing structures shall be carried out in accordance with Australian Standard AS 2601:2001: The Demolition of Structures or any other subsequent relevant Australian Standard and the requirements of SafeWork NSW.

No demolition materials shall be burnt or buried on-site. The person responsible for the demolition works shall ensure that all vehicles leaving the site carrying demolition materials have their loads covered and do not track soil or waste materials onto the road. Any unforeseen hazardous and/or intractable wastes shall be disposed of to the satisfaction of the Principal Certifier. In the event that the demolition works may involve the obstruction of any road reserve/footpath or other Council owned land, a separate application shall be made to Council to enclose the public place with a hoarding or fence over the footpath or other Council owned land.

Reason:

To satisfy the requirements of the legislation and Australian Standards.

31. Demolition Notification to Surrounding Residents

Demolition must not commence unless at least two (2) days written notice has been given to adjoining residents of the date on which demolition works will commence.

Reason:

To advise neighbourhood.

32. Consultation with SafeWork NSW - Prior to Asbestos Removal

A licensed asbestos removalist must give written notice to SafeWork NSW at least five (5) days before licensed asbestos removal work is commenced.

Reason:

To satisfy the requirements of the legislation.

33. Tree Protection

Prior to commencement of any work on the site, including any demolition, all trees not approved for removal as part of this consent that may be subjected to impacts of this approved development must be protected in accordance with Section 4 of the Australian Standard Protection of Trees on Development Sites (AS 4970:2009).

Tree Protection Zones must be established prior to the commencement of any work associated with this approved development.

No excavation, construction activity, grade changes, storage of materials stockpiling, siting of works sheds, preparation of mixes or cleaning of tools is permitted within Tree Protection Zones.

Reason:

To ensure all parties are aware of the approved plans and supporting documentation.

34. Appointment of Principal Certifier

Prior to commencement of work, the person having the benefit of the Development Consent and a Construction Certificate must:

a. appoint a Principal Certifier and notify Council in writing of the appointment irrespective of whether Council or a Registered Certifier is appointed; and

b. notify Council in writing of their intention to commence work (at least two [2] days' notice is required).

The Principal Certifier must determine when inspections and compliance certificates are required.

<u>Reason</u>:

To satisfy the requirements of the legislation.

35. Temporary Toilet/Closet Facilities

Toilet facilities are to be provided at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.

Each toilet provided must be:

- a. a standard flushing toilet, and
- b. connected to either:
 - i. the Sydney Water Corporation Ltd sewerage system or
 - ii. an accredited sewage management facility or
 - iii. an approved chemical closet.

The toilet facilities shall be provided on-site, prior to the commencement of any works.

Reason:

To satisfy the requirements of the legislation.

36. Temporary Sediment Fences

Temporary sediment fences (e.g. haybales or geotextile fabric) must be installed on the site, prior to the commencement of any excavation, demolition or construction works in accordance with Council's guidelines. Upon completion of the development, sediment fencing is to remain until the site is grassed or alternatively, a two (2) metre strip of turf is provided along the perimeter of the site, particularly lower boundary areas.

Reason:

To protect neighbourhood amenity.

37. Supervising Arborist - Tree Inspection and Installation of Tree Protection Measures

Prior to the commencement of any demolition, excavation or construction works, the supervising Arborist must certify in writing that tree protection measures have been inspected and installed in accordance with the Arborist's recommendations and relevant conditions of this consent.

Reason:

To ensure all parties are aware of the approved plans and supporting documentation.

While Building Work is Being Carried Out

38. Hours of Work

The Principal Certifier must ensure that building work, demolition or vegetation removal is only carried out between:

• 7:00am to 5:00pm on Monday to Saturday

The Principal Certifier must ensure building work, demolition or vegetation removal is not carried out on Sundays and public holidays, except where there is an emergency.

Unless otherwise approved within a construction site management plan, construction vehicles, machinery, goods or materials must not be delivered to the site outside the approved hours of site works.

Any variation to the hours of work requires Council's approval.

Any request to vary the approved hours shall be submitted to the Council in writing detailing:

a. The variation in hours required (length of duration);

- b. the reason for that variation (scope of works);
- c. the type of work and machinery to be used;
- d. method of neighbour notification;
- e. supervisor contact number; and
- f. any proposed measures required to mitigate the impacts of the works.

Note: The developer is advised that other legislation, such as Noise Guidelines for Local Government January 2023, may control the activities for which Council has granted consent, including but not limited to, the *Protection of the Environment Operations Act 1997*.

Reason:

To protect the amenity of the surrounding area.

39. Consultation with SafeWork NSW – Asbestos removal

A licensed asbestos removalist must give written notice to SafeWork NSW at least five (5) days before licensed asbestos removal work is commenced.

Reason:

To satisfy the requirements of the legislation.

40. Asbestos Waste Collection, Transportation and Disposal

Asbestos waste must be prepared, contained, transported and disposed of in accordance with SafeWork NSW and NSW Environment Protection Authority requirements. Asbestos waste must only be disposed of at a landfill site that can lawfully receive this this type of waste. A receipt must be retained and submitted to the Principal Certifier, and a copy submitted to Council (in the event that Council is not the Principal Certifier), prior to commencement of the construction works.

<u>Reason</u>:

To satisfy the requirements of the legislation.

41. Provision of Waste Receptacle

The developer must provide an adequate receptacle to store all waste generated by the development, pending disposal. The receptacle must be regularly emptied and waste must not be allowed to lie or accumulate on the property other than in the receptacle. Consideration should be given to the source separation of recyclable and re-usable materials.

Reason:

To comply with Council's Development Control Plan.

42. Excavation/Filling/Retaining Wall Structures

Any proposed filling on the site must not:

- a. Encroach onto the adjoining properties, and
- b. adversely affect the adjoining properties with surface run-off.

Reason:

To ensure ongoing protection of the environment and neighbourhood amenity.

43. Cut and Fill Retained

All proposed cut and filling works must be adequately retained with all battered slopes being no steeper than 2H:1V.

<u>Reason:</u>

To ensure ongoing protection of the environment and neighbourhood amenity.

44. Implementation of BASIX commitments

While building work is being carried out, the applicant must undertake the development strictly in accordance with the commitments listed in the BASIX certificate(s) approved by this consent, for the development to which the consent applies.

Reason:

To satisfy the requirements of the legislation.

45. Where Polystyrene Waffle Pods Are Used During Construction

Management of waffle pods at the site must comply with the Industry Code of Practice - Waffle Pods (2023/2024)

https://epsa.org.au/wp-content/uploads/2023/07/Pod-Code-of-Practice-EPSA 2023.pdf

- Pods must be secured using the approved tie down method at time of delivery, immediately upon completion of installation and any other time not in use.
- Scrap pods, offcuts and beads must be collected immediately after installation and placed in approved bags provided by the supplier.
- Waffle pods, waffle pod offcuts or waffle pod fragments must not be permitted to lie or accumulate on the property.

Reason:

To ensure protection of the environment.

46. Copy of Consent in the Possession of Person carrying out Tree Removal

The Developer/Applicant must ensure that any person carrying out tree removal is in possession of this development consent and/or the approved landscape plan, in respect to the tree(s) which has/have been given approval to be removed in accordance with this consent.

<u>Reason:</u>

To ensure all parties are aware of the approved plans and supporting documentation.

47. Provision of Taps/Irrigation System

The provision of common taps and/or an irrigation system is required to guarantee that all landscape works are adequately watered. The location of common taps and/or irrigation system must be implemented in accordance with the approved Landscape Plan.

Reason:

To comply with Council's Development Control Plan.

48. Screen Planting

To mitigate impact to adjoining dwelling a continuous hedge is to be established along the eastern and western boundaries for the length of property boundary.

Recommended species:

- a. Murraya paniculata, Photinia "Red Robin",
- b. Viburnum tinus, Syzygium australe "Aussie Southern",
- c. Syzygium australe "Aussie Compact",
- d. Syzygium luehmannii x S.wilsonii "Cascade",
- e. Westringia fruticosa.

Minimum spacing 900mm.

Minimum pot size 5 lt.

A further list of suitable suggested species may be found in Wollongong Development Control Plan 2009 – Chapter E6: Landscaping.

Reason:

To comply with Council's Development Control Plan.

49. Survey Report for Floor Levels

A Survey Report must be submitted to the Principal Certifier verifying that each floor level accords with the floor levels as per the approved plans under this consent. The survey shall be undertaken after the formwork has been completed and prior to the pouring of concrete for each respective

level of the building (if the building involves more than one level). All levels shall relate to Australian Height Datum.

Reason:

To ensure all parties are aware of the approved plans and supporting documentation.

50. Piping of Stormwater to Existing Stormwater Drainage System

Stormwater for the land must be piped to Council's existing stormwater drainage system.

Reason:

To ensure all parties are aware of the approved plans and supporting documentation.

51. No Adverse Run-off Impacts on Adjoining Properties

The design and construction of the development shall ensure there are no adverse effects to adjoining properties, as a result of flood or stormwater run-off. Attention must be paid to ensure adequate protection for buildings against the ingress of surface run-off.

Allowance must be made for surface run-off from adjoining properties. Any redirection or treatment of that run-off must not adversely affect any other property.

Reason:

To comply with Council's Development Control Plan.

52. Fences

Any new fences constructed on the site and located in the flood plain shall be of a type that will not obstruct the free flow of floodwaters and not cause damage to surrounding land in the event of a flood.

Reason:

To comply with Council's Development Control Plan.

Before the Issue of an Occupation Certificate

53. BASIX

An Occupation Certificate must not be issued unless accompanied by the BASIX Certificate applicable to the development. The Principal Certifier must not issue the Occupation Certificate unless satisfied that selected commitments have been complied with as specified in the relevant BASIX Certificate.

NOTE: Clause 44 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 provides for independent verification of compliance in relation to certain BASIX commitments.

Reason:

To satisfy the requirements of the legislation.

54. Completion of landscape and tree works

Before the issue of an Occupation Certificate, the Principal Certifier must be satisfied that all landscape and tree works, including pruning in accordance with AS 4373-2007 Pruning of amenity trees and the removal of all noxious weed species, have been completed in accordance with the approved plans and any relevant conditions of this consent.

Reason:

To ensure the approved landscaping works have been completed in accordance with the approved landscaping plan(s).

55. Arborist Verification – Street Tree Installation

Prior to the issue of Occupation Certificate, the developer must supply certification in the form of a report, including photographic evidence, from an AQF Level 5 Arborist to the Principal Certifier and Wollongong City Council to verify:

a. The tree stock complies with AS 2203:2018 Tree Stock for Landscape Use.

b. The tree pits have been constructed and the trees installed in accordance with the requirements of the Wollongong City Council City Centre Public Domain Technical Manual and arboricultural best practice.

Reason:

To comply with the Australian Standards.

56. Drainage

The developer must obtain a certificate of Hydraulic Compliance (using Council's M19 form) from a suitably qualified civil engineer, to confirm that all stormwater drainage and on-site detention works have been constructed in accordance with the approved plans. In addition, full works-as-executed plans, prepared and signed by a Registered Surveyor must be submitted. These plans and certification must satisfy all the stormwater requirements stated in Chapter E14 of the Wollongong DCP 2009. This information must be submitted to the Principal Certifier prior to the issue of the final Occupation Certificate.

Reason:

To comply with Council's Development Control Plan.

57. Restriction on Use - On-Site Detention System (OSD)

The applicant must create a restriction on use under the Conveyancing Act 1919 over the OSD system. The following terms must be included in an appropriate instrument created under the Conveyancing Act 1919 for approval of Council:

"The registered proprietor of the lot burdened must not make or permit or suffer the making of any alterations to any on-site detention system on the lot(s) burdened without the prior consent in writing of the authority benefited. The expression 'on-site detention system' shall include all ancillary gutters, pipes, drains, walls, kerbs, pits, grates, tanks, chambers, basins and surfaces designed to temporarily detain stormwater as well as all surfaces graded to direct stormwater to those structures.

Name of the authority having the power to release, vary or modify the restriction referred to is Wollongong City Council."

The instrument, showing the restriction, must be submitted to the Principal Certifier for endorsement prior to the issue of the Occupation Certificate and the use of the development.

Reason:

To comply with Council's Development Control Plan.

58. Retaining Wall Certification

The submission of a certificate from a suitably qualified and experienced structural engineer or civil engineer to the Principal Certifier is required, prior to the issue of the Occupation Certificate or commencement of the use. This certification is required to verify the structural adequacy of the retaining walls and that the retaining walls have been constructed in accordance with plans approved by the Principal Certifier.

Reason:

To comply with the relevant Standards.

59. Positive Covenant - On-Site Detention Maintenance Schedule

A positive covenant shall be created under the Conveyancing Act 1919, requiring the property owner(s) to undertake maintenance in accordance with the Construction Certificate approved On-Site Detention System and Maintenance Schedule DA-2023/358.

The instrument, showing the positive covenant must be submitted to the Principal Certifier for endorsement prior to the issue of the Occupation Certificate and the use of the development.

Reason:

To comply with Council's Development Control Plan.

60. On-Site Detention - Structural Certification

The submission of a certificate from a suitably qualified practising civil and/or structural engineer to the Principal Certificer is required prior to the issue of the Occupation Certificate. This certification

is required to verify the structural adequacy of the on-site detention facility and that the facility has been constructed in accordance with the approved Construction Certificate plans.

Reason:

To comply with Council's Development Control Plan.

61. Structural Soundness Certification

The submission of a report from a suitably qualified and experienced structural engineer to the Principal Certifier is required, prior to the issue of the Occupation Certificate and commencement of use. This report is required to verify that the development can withstand the forces of floodwater, debris and buoyancy up to and including the finished floor level.

Reason:

To comply with Council's Development Control Plan.

Occupation and Ongoing Use

62. Loading/Unloading Operations/Activities

All loading/unloading operations are to take place at all times wholly within the confines of the site or within the road reserve under an approved traffic control plan.

<u>Reason</u>:

To comply with legislation and Australian Standards.

Reasons

The reasons for the imposition of the conditions are:

- 1. To minimise any likely adverse environmental impact of the proposed development.
- 2. To ensure the protection of the amenity and character of land adjoining and in the locality.
- 3. To ensure the proposed development complies with the provisions of Environmental Planning Instruments and Council's Codes and Policies.
- 4. To ensure the development does not conflict with the public interest.