

Wollongong Local Planning Panel Assessment Report | 2 July 2020

WLPP No.	Item No. 2
DA No.	DA-2019/1155
Proposal	Residential – demolition of existing dwelling and construction of dual occupancy and Subdivision - Torrens title - two lots
Property	31 Olympic Boulevarde, Port Kembla
Applicant	DeBu Studios
Responsible team	Development Assessment and Certification - City Centre Major Development Team (RW)

ASSESSMENT REPORT AND RECOMMENDATION

Executive Summary

Reason for consideration by Local Planning Panel - Determination

The proposal was referred to the Panel on 20 February 2020 for advice pursuant to Clause 4 of the Wollongong City Council Submission Policy (the proposal was of significant community interest as identified by Council's General Manager and Director Planning & Environment).

The Panel recommended further information and revised plans be submitted to address view sharing, earthworks and appropriate landscape planting.

The proposal is now referred to Local Planning Panel for determination pursuant to Clause 2.19(1)(a) of the Environmental Planning and Assessment Act 1979. The proposal is now captured by Schedule 2(b) the Local Planning Panel's Direction of 1 March 2018 being subject of 10 or more unique submissions by way of objection.

This report is based on the additional information and revised plans submitted in response to the Panel's recommendations and should be read in conjunction with the report of 20 February 2020 at attachment 1.

Proposal

The proposal is for demolition of the existing dwelling and construction of a dual occupancy and Torrens subdivision.

Permissibility

The site is zoned R2 Low Density Residential pursuant to Wollongong Local Environmental Plan 2009. The proposal is categorised as a *dual occupancy (detached)* and is permissible in the zone with development consent.

Consultation

The original proposal was notified in accordance with Council's Notification Policy and received nine (9) submissions. The revised plans were renotified and received one (1) submission and the concerns raised are discussed at section 1.4 of this report.

The revised plans were referred to Council's Landscape Officer who recommended suitable landscape species.

Main Issues

View sharing

RECOMMENDATION

It is recommended that the application be approved subject to the recommended conditions in Attachment 6.

1 APPLICATION OVERVIEW

1.1 DETAILED DESCRIPTION OF PROPOSAL

The proposal comprises the following:

Site preparation

- Demolition of existing 3 storey dwelling and associated retaining wall structures
- No tree removal is proposed. The existing row of Norfolk Island pine trees are to be retained and protected during works
- Earthworks associated with excavation for sub-basement garage for rear dwelling and cut and fill associated to provide level floors and rear yard areas.

Works / Construction / building details

- Dwelling 1 is two storeys and comprises a double garage, 3 bedrooms and bathroom/laundry, with master bedroom and combined kitchen/dining/living on the first floor
- Dwelling 2 is three storeys, comprising double garage/entry/laundry on the basement level, four bedrooms on the ground floor (including a teenage retreat with separate access), and combined kitchen/living/dining on the upper floor
- Landscaped areas, including a deep soil zone along the southern boundary to retain the Norfolk Island pine trees.

Traffic, parking and servicing

- Parking spaces are provided for each dwelling in the form of double garages
- Access is proposed via a common driveway
- Waste collection from the kerb is proposed.

1.2 BACKGROUND

The application was considered by the Wollongong Local Planning Panel (WLPP) for advice on 20 February 2020. A copy of the Panel's advice forms Attachment 1.

The Panel raised the following concerns with the proposal:

1. *The view analysis provided is incomplete in that there is not sufficient evidence to support the claim that the view loss to number 29 Olympic Boulevard will be reasonable*
2. *The application contains insufficient detail in relation to excavation, fill and retaining walls near boundaries*
3. *The northern wall of dwelling one lacks articulation and generous fenestration, which presents a poor visual appearance to the north*
4. *Inappropriate location and species selection of proposed landscaping*

Timeline since 20 February Panel meeting

- 12 March 2020 – height poles erected
- 8 April 2020 – revised plans and additional information submitted
- 9 April – 23 April 2020 – notification period for revised plans (1 submission received)
- 6 May 2020 – updated landscape plan submitted

- 19 May 2020 – e-mail request for additional information sent by assessing officer following discussions with applicant on possible design changes
- 25 May 2020 – revised plans and additional information submitted (which forms the basis of this report, noting that the view analysis in Attachment 3 relates to the plans submitted on 8 April.)

Submissions

The revised plans were re-notified to adjoining/adjacent properties for 14 days between 9th -23rd April. One (1) submission was received in response to re-notifying the revised plans, and the issues raised are discussed below:

Issue	Comment
Front setback has been increased by 850mm whereas several Panel members suggested the front setback be pushed back 3 metres	<p>The Panel's recommendation included a variety of design changes to facilitate view sharing which have been incorporated into the design as discussed in the body of this report.</p> <p>The objector has obtained the 3m from the audio recording of the WLPP meeting. It is noted that a numerical requirement for the design changes does not form part of the Panel's recommendations.</p> <p>The solid components of the Dwelling 1's first floor on the northern elevation now have a minimum front setback of 13.09m due to the splay corner, and together with removal of the privacy screen represents a 2.995m increase to the front setback for solid elements along this elevation as compared to the original design (refer Drawing No 302 in Attachment 2).</p>
Pushing Dwelling 1 back 500mm and reducing the balcony depth by 500mm (1m in total) would result in a front setback of 1.85m (more) which is less than the 3m setback recommended by the panel members and would be a more suitable outcome.	<p>Since the revised plans were re-notified, further design changes have been made that reduces the balcony width by 685mm from 2.165m to 1.48m. The reduction in balcony width has been achieved by increasing the front setback of the balcony to 11.63m.</p> <p>This additional change enables slightly more ocean views to be retained from the living room of the adjoining northern property (29 Olympic Boulevard) while still affording the occupants of Dwelling 1 a usable and functional balcony, noting that a 3m wide balcony remains on the southern side of the dining room</p> <p>In relation to pushing Dwelling 1 back 500mm (i.e. towards the rear boundary), although this appears feasible in terms of Dwelling 1's siting, moving the dwelling back would have limited benefit to retaining ocean views in terms of increasing the façade setback due to the slope of the land as discussed in the body of this report. It would</p>

	<p>however move the balcony further back to increase unobstructed views rather than views gained 'through' the balcony.</p> <p>The 3m mentioned in the audio recording of the WLPP meeting does not form part of the Panel's recommendations</p>
The balcony on Dwelling 1 is 2m wide, reducing it to 1.5m is not unreasonable	The balcony has been reduced in width from 2.165m to 1.48m by increasing the front setback.
WLPP recommended a revised landscaping plan to specify species that doesn't interfere with the view. No updated landscape plan has been included in the current proposal.	<p>An updated landscape plan was provided on 6 May and again on 25 May 2020 (after the revised plans were re-notified). The updated landscape plan was forwarded to the adjoining property for their reference and no further concerns were raised.</p> <p>Council's Landscape Division was consulted regarding the proposed species, and suitable species were recommended, being low level plantings, not exceeding 1m in height at maturity. A condition of consent is recommended to reflect the recommended species to be shown on the final landscape plan.</p>

Assessment of Panel's recommendations

Each recommendation of the Panel will be dealt with individually:

- 1 *A detailed analysis of view impact from the adjoining property to the north including the erection of surveyed height poles, photographs with survey data and showing consideration of design options which may include some or all of the following;*
 - *Increasing the front setback*
 - *Removing the solid screen from the northern end of the front balcony to dwelling one*
 - *Cutting back the front balcony and / or northwest corner of dwelling one and increasing articulation of the northern and / or western elevation of dwelling one*
 - *Increasing the northern boundary setback*

Comments

Surveyed height poles were erected on the subject site on 12 March 2020. The assessing officer attended the site, including within the neighbouring property at 29 Olympic Boulevard for the purpose of observing the process only. It is understood that the applicants liaised with the neighbours at 29 Olympic Boulevard on-site following the height poles being erected however discussions were held between the two parties only.

An addendum view analysis has been submitted by RG Town Planning and forms Attachment 3. A further increase to the front setback of 685mm for Dwelling 1 has been made during the course of the assessment which is not incorporated into the addendum view analysis, however an updated photo montage has been provided (refer Figure 10).

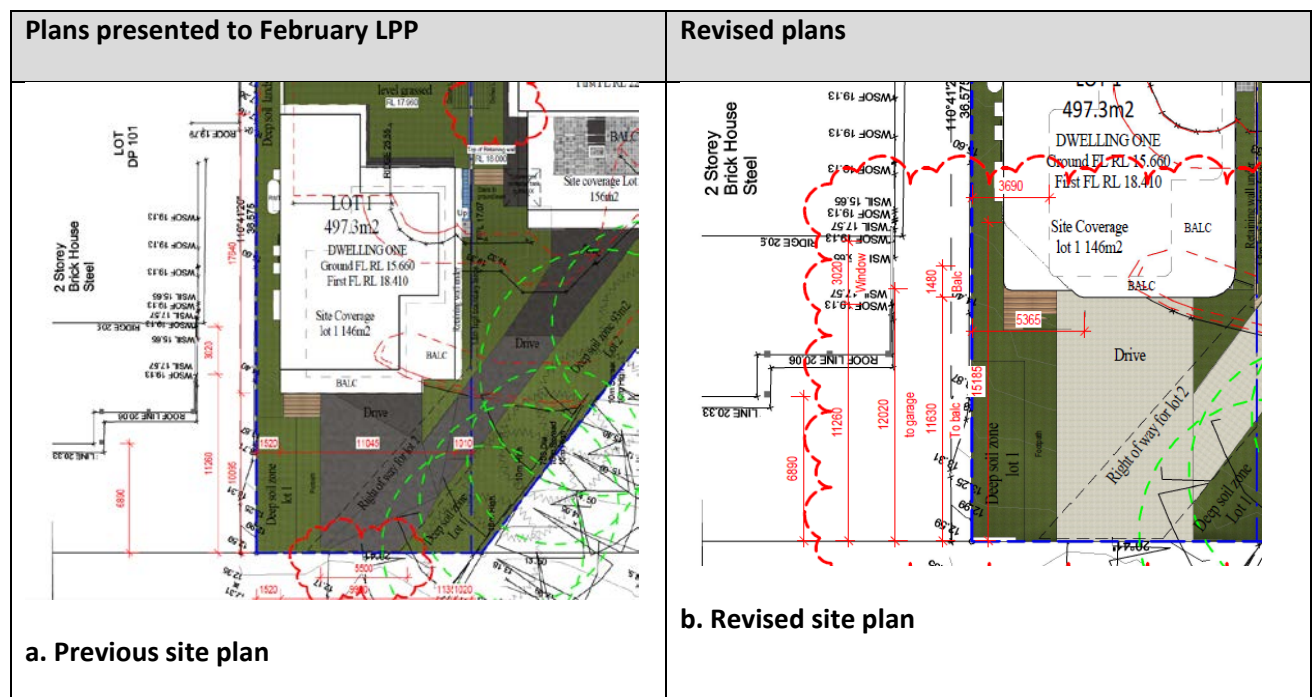
The surveyed height poles have been used in the photomontages to show the view impacts and the photomontage verified by the surveyor as being accurate. The height poles were positioned to

indicate the setbacks from the front boundary rather than the building heights as the setbacks were the primary issue relating to view loss from 29 Olympic Boulevard.

The revised plans have made the following changes to Dwelling 1:

- increased the front setback of the balcony by 1.535m (from 10.095m to 11.63m);
- a 45 degree splay has been introduced to the north-western corner;
- increase the setback of Dwelling 1's first floor façade to 13.09m at a distance of 3.69m from the northern boundary (due to splay);
- the privacy screen from the northern end of the balcony has been removed;
- the side setback of the first floor balcony from the northern boundary has been increased by a minimum of 2.19m from 1.5m to a setback of between 3.69m – 5.365m (due to splay design)

A comparison of the plans reported to WLPP and the revised design is shown below:



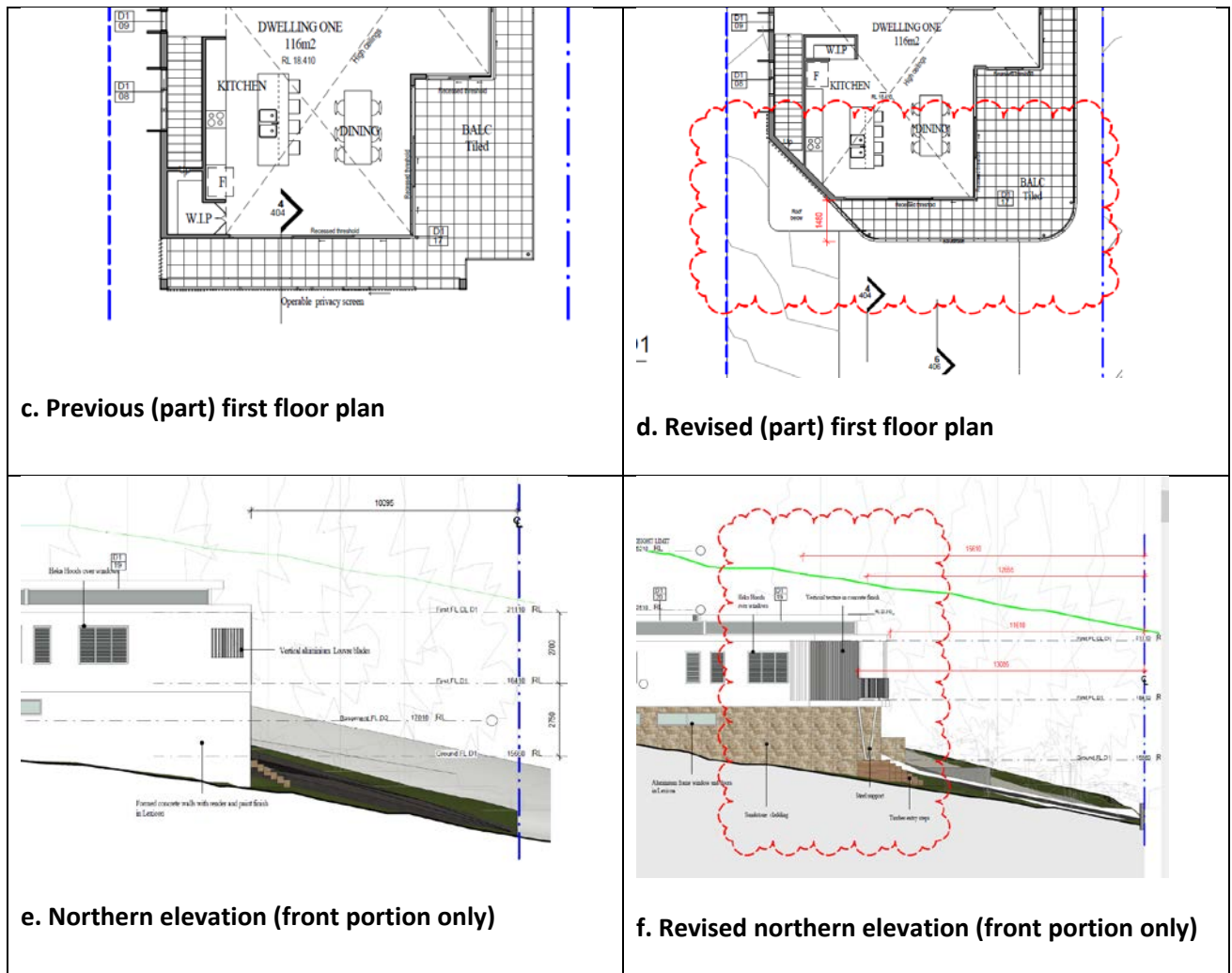


Figure 1: Comparison between design reported to Panel and revised plans.

Figure 2 below shows the relationship between the splayed north-western corner of Dwelling 1 and the living room window of the adjoining northern property at 29 Olympic Boulevard.



Figure 2: Plan of modified first floor plan in relation to living room window of adjoining northern property at 29 Olympic Boulevard

Note: The revised plans reduce the floor area of Dwelling 1, increase the front setback and amended the materials on the northern elevation. An assessment of the design changes in relation to the

relevant provisions of WLEP2009 and WDCP2009 form Attachment 5. No further variations are introduced by the revised design and the assessment outlined in the report of 20 February 2020 remains applicable where not identified in Attachment 5.

Assessment of view impacts

The Land and Environment Court has set a Planning Principle to assess view sharing based on the court case *Tenacity Consulting v Warringah Council [2004] NSWLEC 140*. The four-step assessment used in this planning principle will be used to evaluate view loss arising from the revised design and additional surveyed information.

An updated view analysis has been submitted which forms Attachment 3. Minor changes to Dwelling 1 have been made that are not reflected in the view analysis. These changes are increasing the front setback to the balcony a further 685mm to 11.63m and reducing the entry roof. A photomontage of Dwelling 1 with these changes has been provided (refer Figure 10).

Step 1 – Assessment of views to be affected

Water views are valued more highly than land views. Iconic views (eg of the Opera House, the Harbour Bridge or North Head) are valued more highly than views without icons. Whole views are valued more highly than partial views, eg a water view in which the interface between land and water is visible is more valuable than one in which it is obscured.

The views to be affected are coastal views to the south, including views to Port Kembla beach and Port Kembla pool. Water views, particularly a water view in which the interface between the land and water is visible are highly valued (a 'whole view' is currently available from the living room – refer Figure 4). Some loss of these views will occur as a result of the proposed amended development.

Existing views also include views to the public reserve and the Norfolk Island pine trees on the subject site. Distant westerly views towards the escarpment will not be affected by the development.

Step 2 – What part of the property are the views obtained?

For example the protection of views across side boundaries is more difficult than the protection of views from front and rear boundaries. In addition, whether the view is enjoyed from a standing or sitting position may also be relevant. Sitting views are more difficult to protect than standing views. The expectation to retain side views and sitting views is often unrealistic.

29 Olympic Boulevarde

This site is the direct northern neighbour to the subject site and the most affected neighbour in terms of view impacts. Coastal views from 29 Olympic Boulevarde are available from the front balcony of the dwelling as well as from windows on the dwelling's southern elevation at first floor level which include the living room, kitchen and a study. These windows face the northern (side) boundary of the subject site and are identified below:

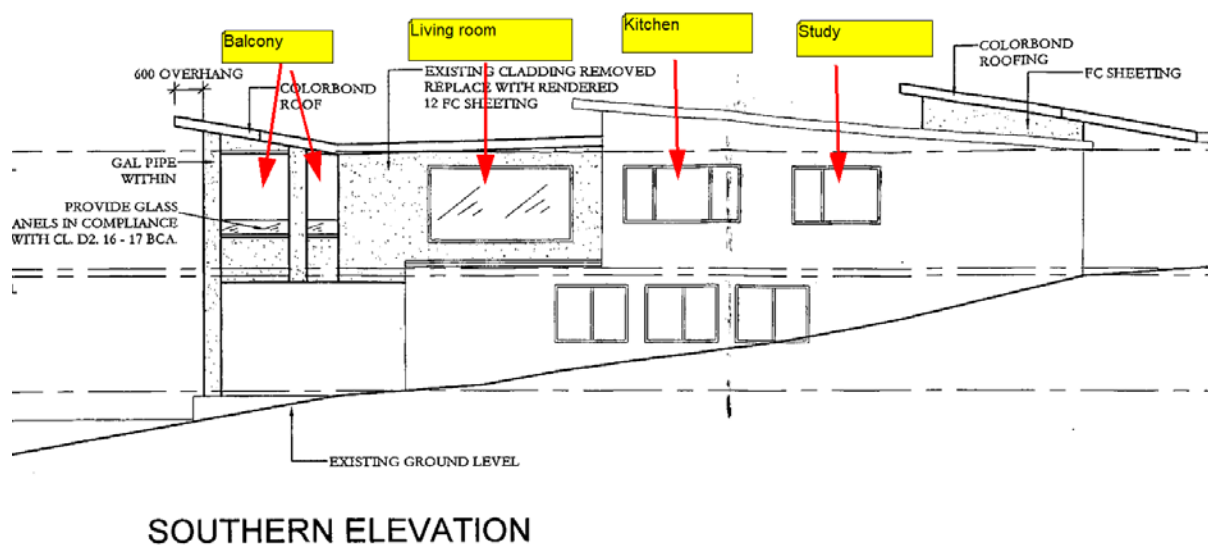
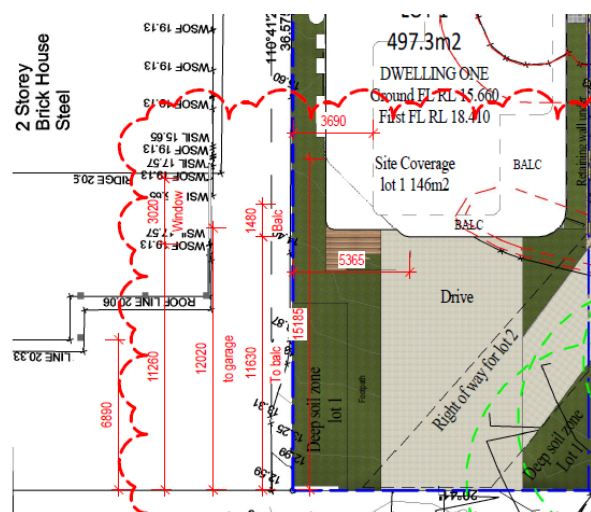


Figure 3: Southern elevation of 29 Olympic Boulevard showing room uses

29 Olympic Boulevard has a front setback of 6m-8m to its balcony (steps in), 10m to the dwelling façade and 11.26m to the living room window, which is approximately 3m in length.

The siting of 29 Olympic Boulevard in relation to proposed Dwelling 1 is shown below:



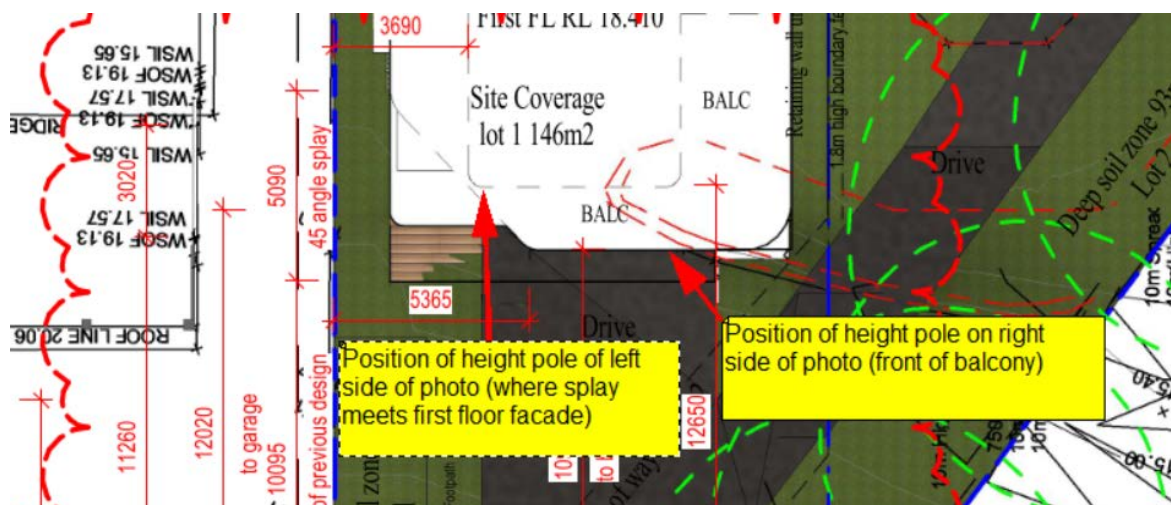
Views from living room

The windows on the southern elevation have views to the ocean, including the land-water interface. The large picture window shown below is the living room window from which expansive coastal views are currently available:



Figure 4: View looking from living room (taken from standing position in centre of living room as identified in Figure 6 of the addendum view analysis.

Notes a. The height pole on right shows location of proposed front balcony and height pole on left the first floor façade where it meets the splayed feature).



b. The balcony has since been reduced in width by increasing the setback to the front boundary a further 685mm from where the height pole is shown on the right.

Views from kitchen

Below is the existing view from the kitchen window:



Figure 5:(a) Photo of view looking from kitchen

Note - Taken from standing position by assessing officer from previous assessment therefore no height poles shown

The majority of the coastal views looking out from the kitchen window will be lost as a result of the revised design. Some coastal views will be retained (approximately where the bifold shutters are shown in the right side of the photo above), depending on where one is standing. Given that this window is located over 15m from the front boundary, these views across the side boundary are more difficult to protect. It is noted that westerly views from the kitchen through the servery and living room window will be available.



Figure 5: (b) View looking from rear of kitchen bench showing height pole for roof over entry (on right side of photo) and edge of balcony where splay ceases (on left of photo) (Source: Figure 7 from Addendum view analysis)



Figure 7: View from northern part of balcony (closer to front boundary) (photo taken by assessing officer previously therefore no height poles)

Existing coastal views obtained from the balconies will be retained with the current design (refer Figures 6 and 7 above). Dwelling 1 is wholly sited behind the front façade of 29 Olympic Boulevard (at 10m), allowing a clear view across the width of 31 Olympic Boulevard. Views across the front boundary will not be affected.

Views from Study



Figure 8: photo from study (taken by assessing officer from previous assessment therefore no height poles shown)

Partial coastal views and views of the existing dwelling across the side boundary are currently available from the study of 29 Olympic Boulevard (refer Figure 8 above and southern elevation in Figure 3 for study window location). There is no change to the view impacts from this window between the amended plans and the original design noting that any views will be lost given the position of this window further towards the middle of the site.

Griffiths Ave

30 and 32 Griffiths Ave adjoin the subject site to the rear of 31 Olympic Boulevard. The revised design will not lead to additional view impacts noting the footprint of Dwelling 1 has been reduced. The assessment outlined in the report to the Planning Panel of 20 February 2020 remains applicable noting no adverse view impacts are anticipated given the elevated position of these neighbouring sites.

Step 3 – Assess the extent of the impact

This should be done for the whole of the property, not just for the view that is affected. The impact on views from living areas is more significant than from bedrooms or service areas (though views from kitchens are highly valued because people spend so much time in them). The impact may be assessed quantitatively, but in many cases this can be meaningless. For example, it is unhelpful to say that the view loss is 20% if it includes one of the sails of the Opera House. It is usually more useful to assess the view loss qualitatively as negligible, minor, moderate, severe or devastating.

For 29 Olympic Boulevard, the whole view from the living room window is the most valued. Despite the increased setback, Dwelling 1 will be visible when looking out of the living room window. Dwelling 1 will obstruct views of the two Norfolk Island Pine trees towards the rear of the subject site, including ocean glimpses behind these trees as well as the grassed public reserve.

The updated view analysis submitted in support of the revised design shows a photomontage of Dwelling 1 as viewed from the living room window (photo taken from rear of the living room from standing position):



Figure 4 - Height Pole held in place indicates the location of the front balcony, extending to the proposed floor level of RL18.41.



Figure 5 - This 3D image is overlayed on the above photo, showing the height pole lining up with the location and height of the front balcony in keeping with the plans provided to the CEH Consulting Pty Ltd.

Figure 9: Photomontage of revised design of Dwelling 1 taken from applicant's Addendum view analysis

Dwelling 1's front balcony has since been reduced in width by increasing the front setback a further 685mm, noting that this minor increase to the balcony setback was not modelled in the full view analysis, however is shown in the photomontage submitted with the latest revised plans on 25 April 2020, as shown below:



A COMBINATION OF 500MM REDUCED BALCONY AND 500MM FROM ENTRY ROOF, PROPOSED REVISION D DESIGN.

ALL IMAGES TAKEN FROM A SITTING POSITION FROM THE LIVING ROOM OF NUMBER 29

issue notes

legend:

title: VIEW ANALYSIS

Figure 10: excerpt from Drawing 701 with reduced balcony width and entry roof showing additional water views behind Tree 3 will be retained as viewed from a sitting position from the living room (refer Attachment 2 for full plan)

The overall extent of the impact from the revised design could be assessed as moderate given that the majority of coastal views will be retained from the living room, including the land-water interface, however most coastal views will be lost from the kitchen which includes the land-water interface of Port Kembla beach.

Balcony views from 29 Olympic Boulevard will be retained given the increased minimum 11.63m setback of Dwelling 1 on the subject site.

For 30 and 32 Griffiths Ave, the impact on views from the revised design remains negligible given the elevation of these sites above 31 Olympic Boulevard.

Step 4 – Assess the reasonableness of the proposal that is causing the impact

A development that complies with all planning controls would be considered more reasonable than one that breaches them. Where an impact on views arises as a result of non-compliance with one or more planning controls, even a moderate impact may be considered unreasonable. With a complying proposal, the question should be asked whether a more skilful design could provide the applicant with the same development potential and amenity and reduce the impact on the views of neighbours. If the answer to that question is no, then the view impact of a complying development would probably be considered acceptable and the view sharing reasonable.

The development will result in a moderate loss of coastal views from 29 Olympic Boulevard. Most of the views that will be lost or affected are currently obtained across the side boundary. Although the planning principle states that views across side boundaries are more difficult to protect, the design of the adjoining dwelling at 29 Olympic Boulevard with a large picture window is considered unique in terms of the existing available views which requires a sensitive design response to promote view sharing.

As identified in the original assessment report, variations to the minimum site width, number of storeys and rear setbacks, do not contribute to view loss. The revised design does not introduce any further variations.

The view impacts on 29 Olympic Boulevard arise from the built form of Dwelling 1 and not Dwelling 2 which is positioned further towards the rear of the site. Dwelling 1 complies with the building height,

front, rear and side setbacks and floor space ratio. On this basis the reasonableness of Dwelling 1's design can be considered in the same way as a complying proposal, although it only forms part of the overall site. To address Step 4 of the planning principle, consideration of '...whether a more skilful design could provide the applicant with the same development potential and amenity and reduce the impact on the views of neighbours...' is necessary.

The subject site is considered suitable for a dual occupancy development, noting that it is constrained by slope and the Norfolk Island pine trees. An obvious design solution to reduce or remove any view impacts would be to site both dwellings in line with the front setbacks of the existing dwelling at 31 Olympic Boulevard (i.e. across the rear of the site). This would result in no additional view impacts to 29 Olympic Boulevard. Although this may allow for two dwellings to be constructed, it may also reduce opportunities to take advantage of the subject site's position and uninterrupted views. There is an argument that the same amenity may not be achieved with an alternate design approach. On balance, the impacts are considered acceptable and the view sharing is considered reasonable.

The revised plans are considered to satisfactorily respond to the Panel's recommendations to incorporate design options including increasing front and side setbacks, cutting back the north-western portion of Dwelling 1, and removing the solid screen on the northern end of the balcony. These design changes promote view sharing, particularly views from the large living room window of 29 Olympic Boulevard.

2 *A detailed excavation and filling plan including volumes, details and dimensions of retaining wall and cross sections through the proposed buildings that detail the proposed relationship of the buildings to the finished ground level. This information should be supported by an appropriately qualified engineer.*

Comments

Although not incorporated into a single plan, details of proposed excavation and filling has been indicated on the section plans indicating the volumes of cut and fill (refer Drawing no.'s 403,405 and 406 in Attachment 2).

Details and dimensions of retaining wall and cross sections through the proposed buildings have been submitted (refer Section 1-1 Dwg 401 and Section 3-3 Dwg 403).

A supporting letter from ROC Engineering Design has been submitted that the structural drawings will be prepared prior to construction commencing under the supervision of a certified structural engineer and in accordance with the relevant Australian Standards (refer Attachment 4).

3 *A revised landscaping plan which specifies species selected from Council's preferred list of species for the locality and taking into account the site is in a coastal protection zone and the potential view impact.*

Comments

A revised landscape plan has been submitted which has identified planting species within the north-western landscape bed that will not reach a height of over 1.5m at maturity. These species reflect those recommended by Council's Landscape division. As there appears to be an error between the species numbering between the plan and the numbering within the planting schedule, a condition of consent requiring the final landscape plan to accurately reflect the required species is included in Attachment 6 (recommended conditions).

Recommended conditions

The updated conditions form Attachment 6 and reflect the recommended conditions originally reported to the 20 February Panel meeting, except where outlined below:

Amended conditions

Approved Plans and Specifications

- 1 The development shall be implemented substantially in accordance with the details and specifications set out on Job No 143 Drawing 102-D, 102/B-D, 111-D, 112-D, 201-D, 202-D, 205-A to 207-A, 301-A to 304-A, 401-D to 406-D dated 25 May 2020 prepared by Debu Studios and any details on the application form, and with any supporting information received, except as amended by the conditions specified and imposed hereunder.
- 23 The submission of a final Landscape Plan to the Principal Certifying Authority, prior to the release of the Construction Certificate. The final Landscape Plan must be generally in accordance with the landscape plan submitted by Mark Spence Project No. MS2018207 Page 1 of 1 Revision C dated 21 May 2020 and shall address the following requirements:
 - a. 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, incorporating the following species:
 - i. the landscape bed located in the north-western corner of the site must only comprise *Westringia fruticosa* (coastal rosemary) and *Strelitzia reginae* (Bird of Paradise). The plan and the planting schedule must reference the correct species numbering.
 - b. 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
 - c. driveway surface under the canopy of existing trees shall be permeable and must be laid as per all recommendations in the Arboricultural Impact Assessment by Allied Trees dated August 2019 page no. 10-19.

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

CONCLUSION

The revised plans and additional information have reasonably responded to WLPP's advice and recommendations. An updated view analysis has been carried out, informed by surveyed height poles to more accurately identify the view impacts on the neighbouring property at 29 Olympic Boulevard. The revised design of Dwelling 1 will minimise the loss of coastal views from the living room of the adjoining dwelling at 29 Olympic Boulevard, with the land/water interface being retained looking south from the living room.

Council's Landscape division have been consulted to ensure suitable landscape species within the front setback of the development so as not to contribute to further view loss. Conditions have been updated to reflect the recommended species.

RECOMMENDATION

It is recommended the application be conditionally approved subject to the recommended conditions in Attachment 6.

ATTACHMENTS

- 1 WLPP report of 20 February 2020 and WLPP recommendation
- 2 Revised plans
- 3 Applicant's addendum view analysis
- 4 Structural Engineer letter
- 5 Assessment of revised design under WLEP2009 and WDCP2009
- 6 Recommended conditions

[Click on red line above for link to previous report](#)

ATTACHMENT 1 -

ADVICE

WOLLONGONG CITY COUNCIL – WOLLONGONG LOCAL PLANNING PANEL (WLPP)

DATE OF MEETING	20 February 2020
PANEL MEMBERS	Robert Montgomery (Chair), Sue Hobley, Mark Carlon, Edger du Bois (Community Representative)

Public meeting held at Wollongong City Council, Level 9 Function Room, 41 Burelli Street, Wollongong on 20 February 2020 opened at 5:00pm and closed at 6.04pm.

MATTER

DA-2019/1155 – Lot 21 DP 1019031, 31 Olympic Boulevard, Port Kembla.

PUBLIC SUBMISSIONS

The Panel was addressed by two submitters.

The Panel also heard from the applicant, the owner and Town Planner.

PANEL CONSIDERATION AND ADVICE

The Panel acknowledges that the development is compliant with the numerical floor space ratio and height limit standards contained within WLEP2009. However, it is considered that there is a number of matters which have not been adequately addressed by the applicant, which should be resolved prior to Council determining the application;

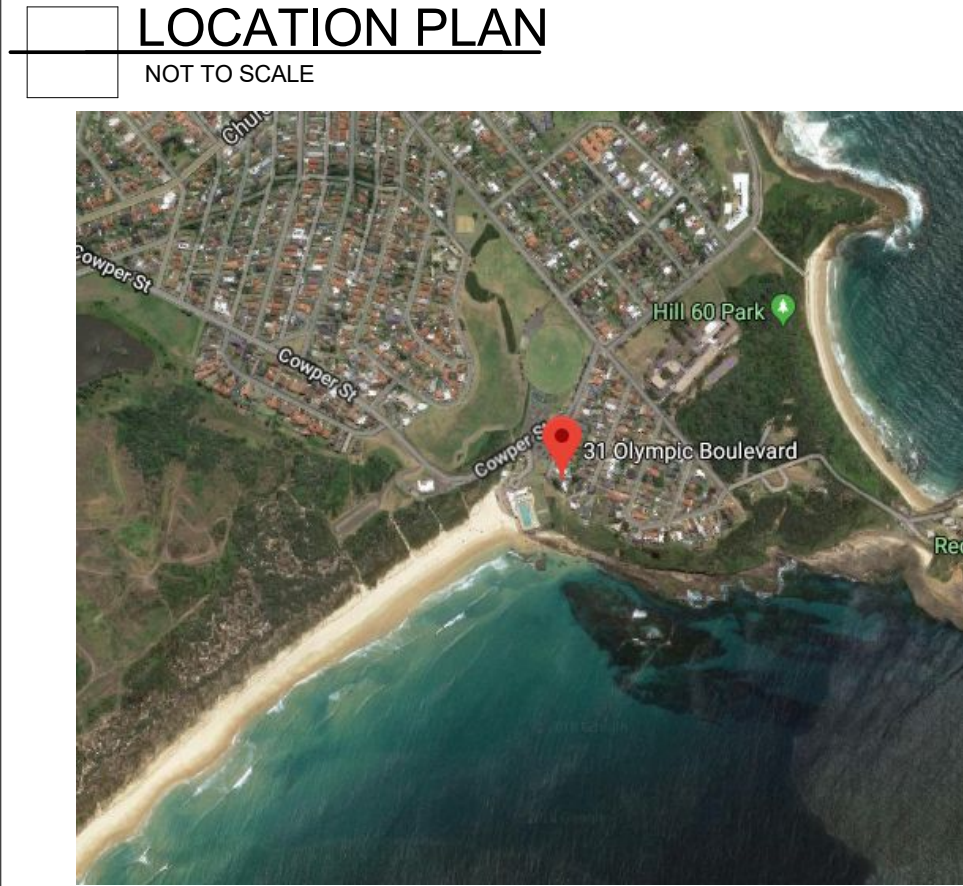
1. The view analysis provided is incomplete in that there is not sufficient evidence to support the claim that the view loss to number 29 Olympic Boulevard will be reasonable
2. The application contains insufficient detail in relation to excavation, fill and retaining walls near boundaries
3. The northern wall of dwelling one lacks articulation and generous fenestration, which presents a poor visual appearance to the north
4. Inappropriate location and species selection of proposed landscaping

It is therefore recommended that Council request the applicant to respond to the above matters prior to determination. In this regard the following is suggested;

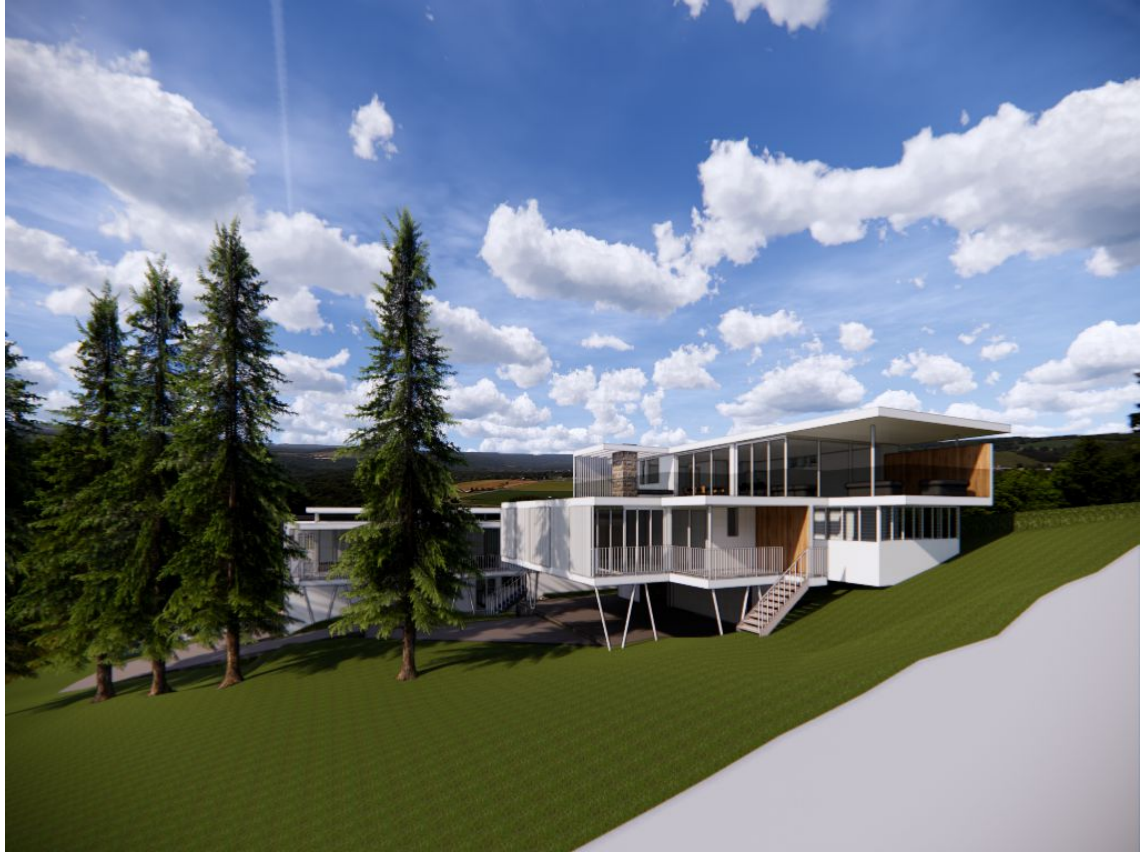
- 1 A detailed analysis of view impact from the adjoining property to the north including the erection of surveyed height poles, photographs with survey data and showing consideration of design options which may include some or all of the following;
 - Increasing the front setback
 - Removing the solid screen from the northern end of the front balcony to dwelling one
 - Cutting back the front balcony and / or northwest corner of dwelling one and increasing articulation of the northern and / or western elevation of dwelling one
 - Increasing the northern boundary setback
- 2 A detailed excavation and filling plan including volumes, details and dimensions of retaining walls and cross sections through the proposed buildings that detail the proposed relationship of the buildings to the finished ground level. This information should be supported by an appropriately qualified engineer.
- 3 A revised landscaping plan which specifies species selected from Council's preferred list of species for the locality, and taking into account the site is in a coastal protection zone and the potential view impact.

Note: The Panel suggested to the applicant that they liaise with the owners of the adjoining dwelling at 29 Olympic Boulevard

Voting: 4/0



STREET ASPECT



SOUTHERN ASPECT

PROJECT INFORMATION

SHEET LIST	
100	TITLE SHEET- Rev D
101	SITE ANALYSIS- Rev D
102	SITE PLAN-Rev D
102/B	RETAINING WALL PLAN- Rev D
103	SITE MANAGEMENT PLAN- Rev D
109	BASIX SCHEDULE - Rev D
110	BASIX SCHEDULE- Rev D
111	DEMOLITION PLAN - Rev D
112	SUBDIVISON PLAN- Rev D
201	GROUND FLOOR PLAN D1-Rev D
202	FIRST FLOOR PLAN D1-Rev D
205	BASEMENT FLOOR PLAN D2 - Rev D
206	GROUND FLOOR PLAN D2- Rev D
207	FIRST FLOOR PLAN D2- Rev D
301	WEST ELEVATION-Rev D
302	NORTH ELEVATION-Rev D
303	EAST ELEVATION-Rev D
304	SOUTH ELEVATION-Rev D
305	MATERIALS AND FINISHES - Rev D
401	SECTION 1-1 Rev D
402	SECTION 2-2- Rev D
403	SECTION 3-3 - Rev D
404	SECTION 4-4 - Rev D
405	SECTION 5-5- Rev D
406	SECTION 6-6 - Rev D
501	WINDOW SCHEDULE - D1
502	WINDOW SCHEDULE - D1
503	WINDOW SCHEDULE D1
505	WINDOW SCHEDULE - D2
506	WINDOW SCHEDULE - D2
601	SHADOW DIAGRAM Dec 21st- Rev D
602	SHADOW DIAGRAM June 21st - Rev D
701	VIEW ANALYSIS

DEVELOPMENT APPLICATION

LOT & ZONE	LOT 21 DP 1019031
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ADDRESS	31 OYLIMPIC BOULEVADE PORT KEMBLA
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DESCRIPTION	TORRENS TITTLE DUAL OCCUPANCY
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Revision	date	drawn by	issue notes
D	21-05-20	JE	PANEL COMMENTS

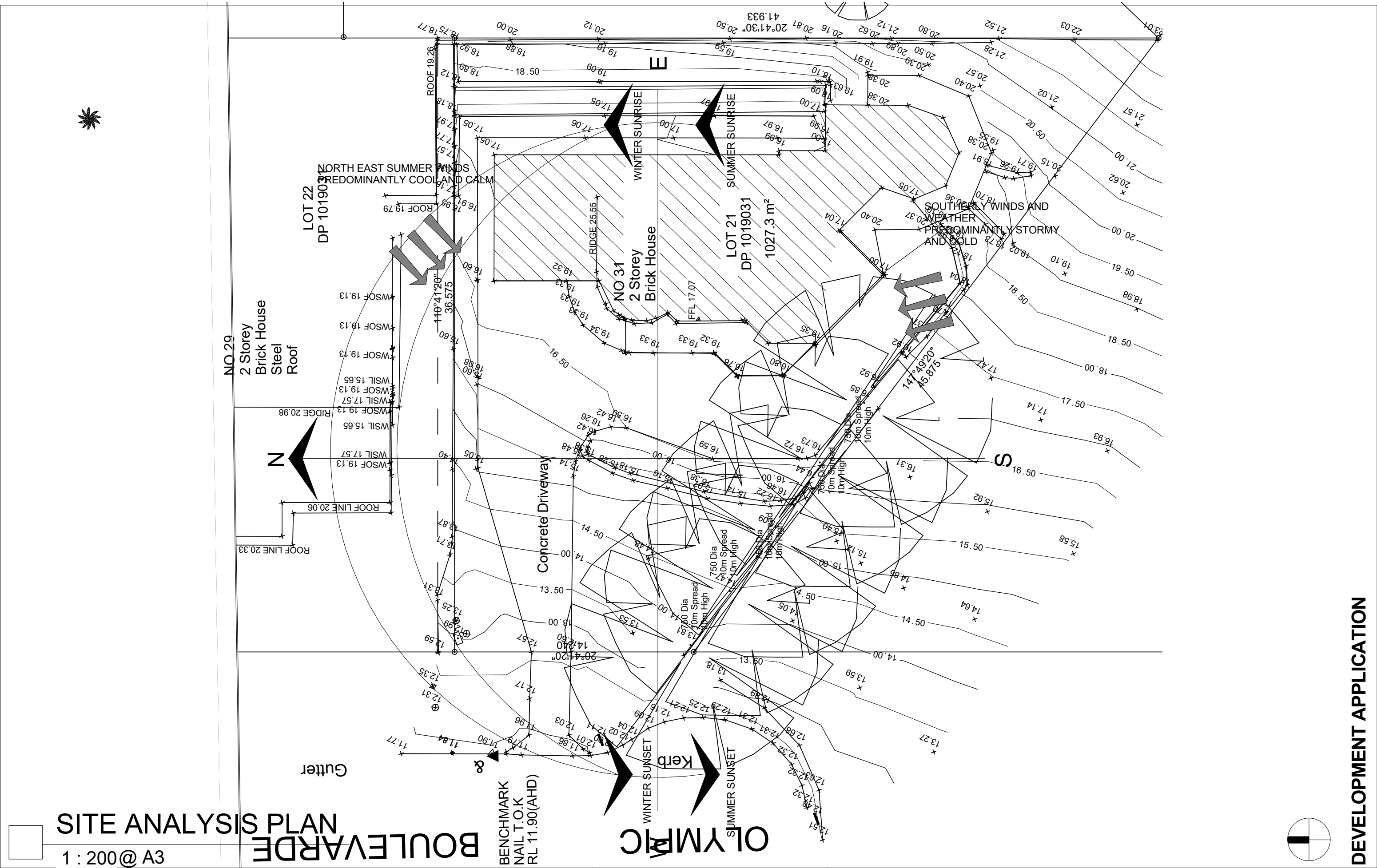
DEBU STUDIOS

BUILDING DESIGN
PROJECT MANAGEMENT

M 0416 411 094 E info@debustudios.com.au W debustudios.com.au

legend:
<div>extent of timber structures</div>
<div>extent of demolished structures</div>
<div>existing dwelling in elevation</div>
<div>existing structures in plan</div>
<div>extent of existing dwelling in site plan</div>
<div>extent of additions in site plan</div>

title: TITLE SHEET- Rev D	
address: 31 OYLIMPIC BOULEVADE PORT KEMBLA	
job description: TORRENS TITTLE DUAL OCCUPANCY	
for: FLORO	no: 143
100	



Revision				title: SITE ANALYSIS- Rev D	
D				address: 31 OYLYMPIC BOULEVADE PORT KEMBLA	
21-05-20				job description: TORRENS TITTLE DUAL OCCUPANCY	
JE				for: FLORO	no: 143
issue notes				101	
PANEL COMMENTS					

DEBU STUDIOS

BUILDING DESIGN
PROJECT MANAGEMENT

M0416411094 Ert@debus.com.au Web@debus.com.au

legend:

extent of timber structures

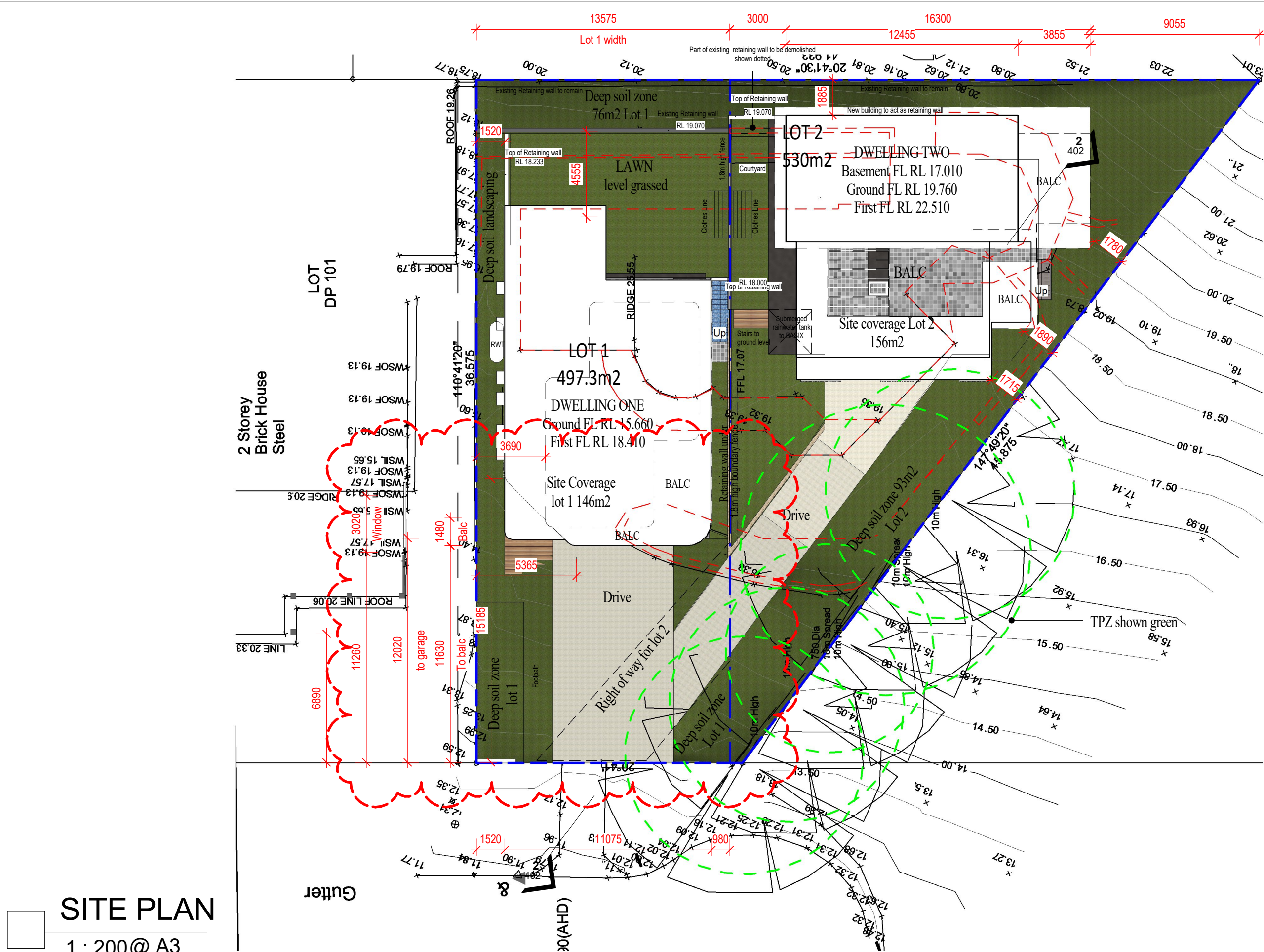
extent of demolished structures

existing dwelling in elevation

existing structures in plan

extent of existing dwelling in site plan

extent of additions in site plan




DEVELOPMENT DATA		
SITE AREA		1027.3m ²
FLOOR SPACE		
ALLOWABLE	Lot 1 248.65m ²	Lot 2 265m ²
PROPOSED	Lot 1 193.6m ²	Lot 2 260.7m ²
LANDSCAPE AREA		
REQUIRED	Lot 1 99.46m ²	Lot 2 106m ²
PROPOSED	Lot 1 196m ²	Lot 2 268m ²
PRIVATE OPEN SPACE		
REQUIRED	20m ²	
PROPOSED	20>m ²	
IMPERVIOUS AREA		
TOTAL ADDITIONAL	OSD proposed	
DESIGN STATEMENT		
All aspects of the building have been designed to meet all BCA regulations,in particular:		
part 3.13 - Termite Risk Management		
part 3.6 - Glazing		
part 3.7.2- Smoke Alarms		
part 3.8.1- Wet Areas		
part 3.8.2- Light		
part 3.8.5- Ventilation		
part 3.9.1 Stair Construction		
The builders and/or tradesmens are to refer to all BCA regulations for the entirety of the construction build.		
If there are any discrepancies throughout the plans, we encourage the builder to contact the designer to confirm, and any necessary adjustments can be made.		



DEVELOPMENT APPLICATION

Revision	date	drawn by	issue notes
D	21-05-20	JE	PANEL COMMENTS



DEBU STUDIOS

BUILDING DESIGN
PROJECT MANAGEMENT

M0416411094 Ert@debustudios.com.au Wd@debustudios.com.au

legend:

- extent of timber structures
- extent of demolished structures
- existing dwelling in elevation
- existing structures in plan
- extent of existing dwelling in site plan
- extent of additions in site plan

title: SITE PLAN-Rev D	
address: 31 OYLYMPIC BOULEVADE PORT KEMBLA	
job description: TORRENS TITTLE DUAL OCCUPANCY	102
for: FLORO	
no: 143	

SEDIMENT CONTROL

ALL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE IMPLEMENTED AND MAINTAINED IN ACCORDANCE WITH COUNCILS ENVIRONMENTAL SITE MANAGE DEVELOPMENT CONTROL PLAN.

ALL RUNOFF AND EROSION CONTROLS SHALL BE IN PLACE BEFORE DEMOLITION, AND CONTINUOUSLY MAINTAINED DURING THE COURSE OF THE CONSTRUCTION.

INSTALL TEMPORARY SEDIMENT BARRIERS TO BE PERIODICALLY REMOVED AND DEPOSITED BACK ON SITE I.E NOT DOWN DRAINS.

IT IS THE RESPONSIBILITY OF ALL PERSONS ON SITE TO ENSURE THAT ALL MEASURES ARE TAKEN TO PREVENT SEDIMENT EROSION AND POLLUTION OF DOWN STREAM DRAINAGE SYSTEMS.

ANY SPOIL DEPOSITED ON THE ROAD SHALL BE IMMEDIATELY REMOVED TO COUNCILS SATISFACTION.

REESTABLISH ALL EXPOSED SOIL AREAS AS SOON AS POSSIBLE TO REDUCE RUN OFF AND EROSION.

MINIMIZE AREAS OF SOIL EXPOSED AT ANY ONE TIME.

MINIMIZE SLOPE GRADIENTS AND FLOW DISTANCE WITHIN DISTURBED AREAS AND ENSURE SURFACE RUNOFF OCCURS AT NON ERODABLE VELOCITIES.

DIVERT CLEAN RUNOFF AROUND DISTURBED AREAS.

CONSTRUCTION MANAGEMENT

ALL DEMOLITION TO BE IN ACCORDANCE WITH AS 2601-1991

STORE GOOD TOPSOIL AS INDICATED ON SITE FOR RE-USE

ALL EXCAVATION BEING CARRIED OUT WITH IN THE DRIP LINE OF EXISTING TREES TO BE HAND DUG TO ENSURE NO DISTURBANCE OR SEVERING ROOTS.

ALL SITE SHED AND CONSTRUCTION MATERIALS ARE TO BE STORED WITH IN THE SITE BOUNDARIES.

WASTE MATERIALS ARE TO BE COLLECTED AND STOCKPILED OR LOADED DIRECTLY TO SKIP BINS WITH IN THE SITE.

ALL CRANES & CONCRETE PUMPS USED FROM THE PUBLIC ROADWAY SHALL REQUIRE THE BUILDER TO OBTAIN COUNCILS APPROVAL PRIOR TO COMMENCING WORKS

PROVIDE TOILET FACILITIES AT THE RATE OF ONE TOILET PER 20 PERSONS OR PART WORKING ON THE SITE

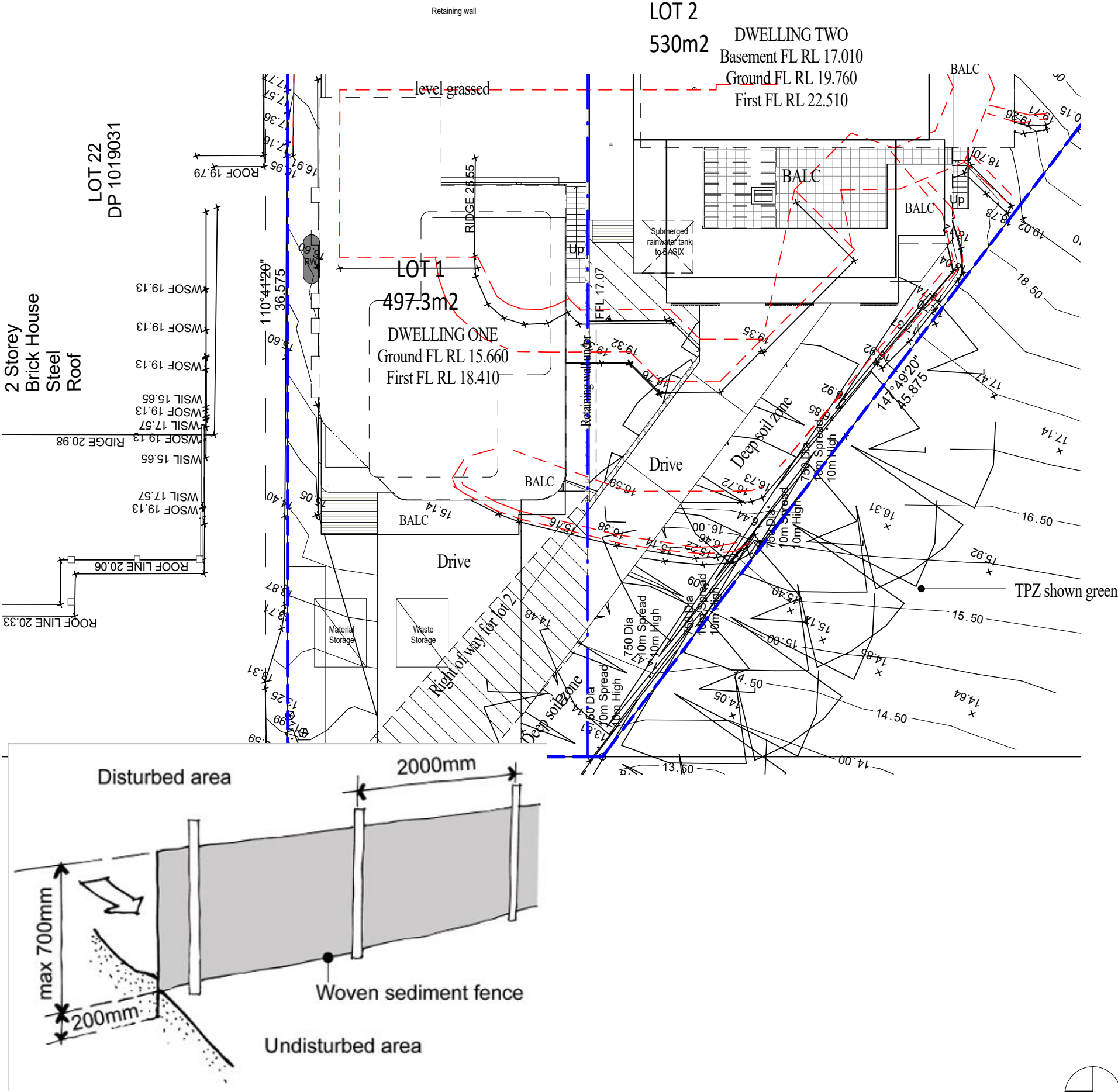
WASTE MANAGEMENT

ALL WASTE IS TO BE LOADED SAFELY IN SKIP BINS/TRUCKS, AND ENSURE WASTE IS SECURED FOR THE ENTIRETY OF THE DEMOLITION PROCESS

ALL HAZARDOUS MATERIAL WILL BE REMOVED BY IF NESSSARY CREDITED PERONEL , OR TO WERE POSSIBLE MATERIALS ARE TO BE RE-USED OR PLACED IN CORRECT SUPPLIED RECYCLE BINS

SITE MANAGEMENT PLAN

1 : 200@ A3



DEVELOPMENT APPLICATION

Revision	date	drawn by	issue notes	<div><div></div><div>DEBU STUDIOS</div><div>BUILDING DESIGN PROJECT MANAGEMENT</div><div>M0416411094 Efr@debus.com.au Wd@debus.com.au</div></div> <div>legend:<div><div></div> extent of timber structures<div></div> extent of demolished structures<div></div> existing dwelling in elevation<div></div> existing structures in plan<div></div> extent of existing dwelling in site plan<div></div> extent of additions in site plan</div></div>	title: SITE MANAGEMENT PLAN- Rev D	
D	21-05-20	JE	PANEL COMMENTS		address: 31 OYLIMPIC BOULEVADE PORT KEMBLA	
					job description: TORRENS TITTLE DUAL OCCUPANCY	103
					for: FLORO	

DEMOLITION & ASBESTOS REMOVAL
CONTRACTORS DETAILS

COMPANY LEVARN DEMOLITIONS
ADDRESS 32 JARDINE STREET FAIRY MEADOW
PHONE NUMBER 0421961908
LICENSE NUMBER AD206653
DETAILS Levarn demolitions will be hired to demolish the
 existing dwelling, pergolas and concrete areas

MATERIALS

The existing structure is made up of timber and fibro
cladding, metal roof sheeting, timber wall, floor and roof frames
with brick and concrete piers as the sub floor construction.

The fibro cladding has a potential to be asbestos and will be disposed of
correctly by a license contractor, all demolition is to be
done with safe work methods in mind to mitigate dust exposure to
neighbouring dwellings, materials are to be recycled where
practically possible and the site to be left clear of any concrete, paved
roofed areas to a safe site to proceed with the proposed constructions.

all demolition methods and procedures are to be in accordance to
AS 2601-2001

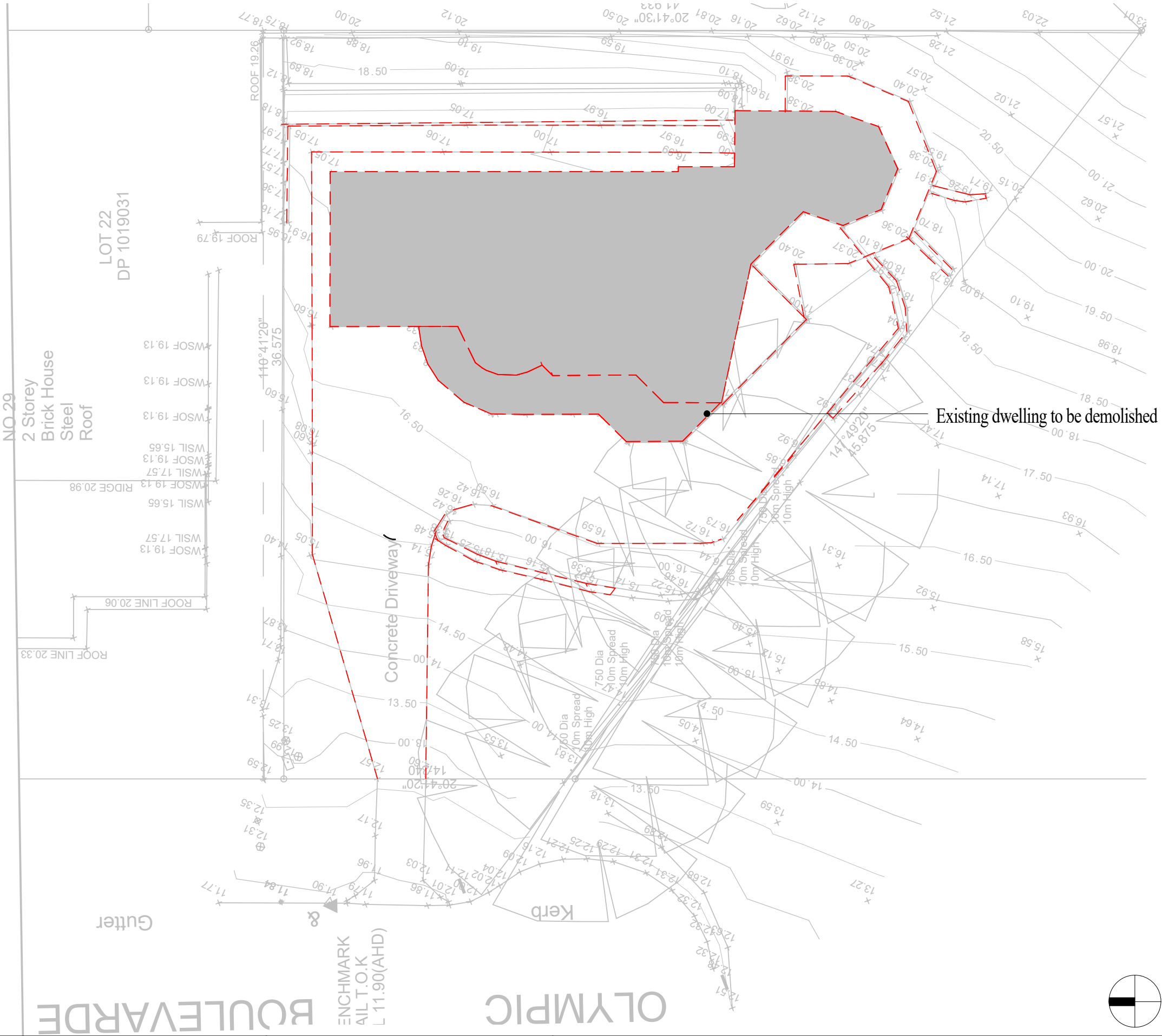
EQUIPMENT

All appropriate equipment necessary such as jack hammers and
mechanical machinery to complete the proposed demolition are
to be used with safe work methods and reduce any noise where
possible.

WORK HOURS

All demolition work hours are limited by council to the following hours

Monday to Friday: 7am to 5pm
Saturday: 8am to 4pm
Sundays and public holidays have no permission for demolition work



DEMOLITION PLAN

1 : 200@ A3

Revision	date	drawn by	issue notes
D	21-05-20	JE	PANEL COMMENTS

DEBU STUDIOS

BUILDING DESIGN
PROJECT MANAGEMENT

M0416411094 Efr@debus.com.au Web@debus.com.au

legend:
<div><div></div> extent of timber structures</div> <div><div></div> extent of demolished structures</div> <div><div></div> existing dwelling in elevation</div> <div><div></div> existing structures in plan</div> <div><div></div> extent of existing dwelling in site plan</div> <div><div></div> extent of additions in site plan</div>

title: DEMOLITION PLAN - Rev D	
address: 31 OYLMPIC BOULEVADE PORT KEMBLA	
job description: TORRENS TITTLE DUAL OCCUPANCY	111
for: FLORO	
no: 143	



SUBDIVISION PLAN

1 : 200@ A3

BOULEVARD

BENCHMARK
NA L.T.O.K
RL 11.90(AHD)

Revision	date	drawn by	issue notes
D	21-05-20	JE	PANEL COMMENTS

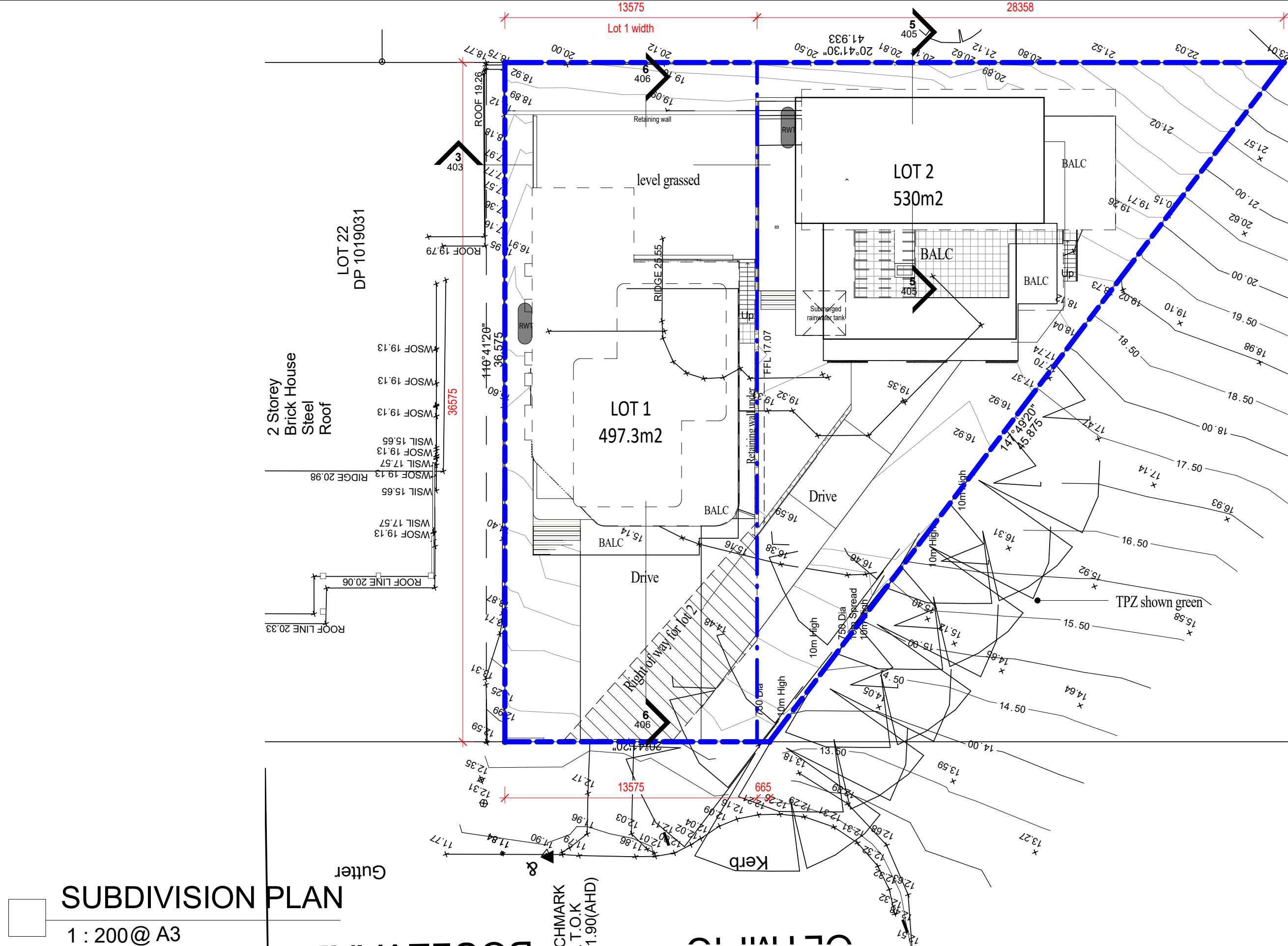
DEBU STUDIOS

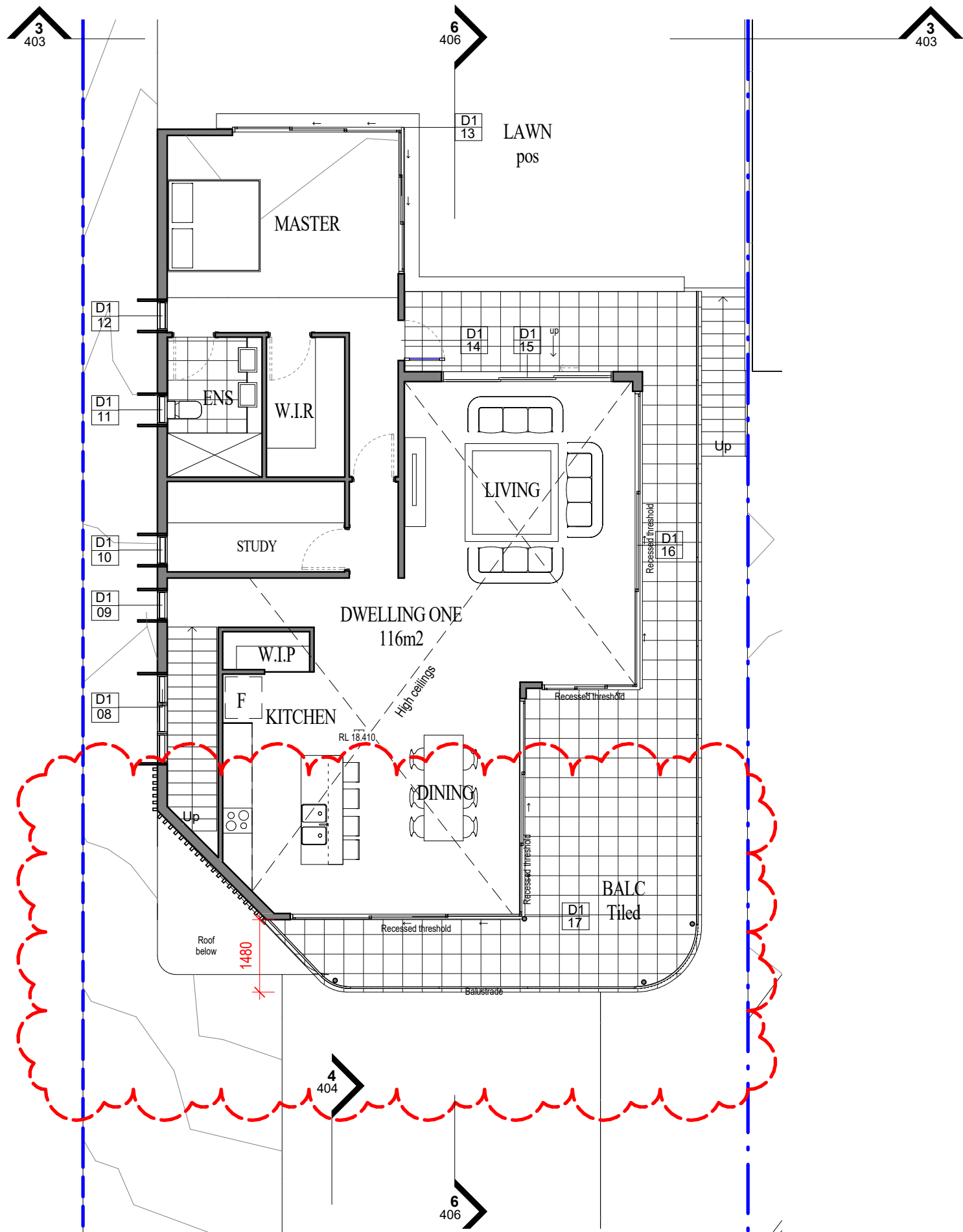
BUILDING DESIGN
PROJECT MANAGEMENT

M0416411094 Ert@debus.com.au Web@debus.com.au

legend:
<div><div></div> extent of timber structures</div> <div><div></div> extent of demolished structures</div> <div><div></div> existing dwelling in elevation</div> <div><div></div> existing structures in plan</div> <div><div></div> extent of existing dwelling in site plan</div> <div><div></div> extent of additions in site plan</div>

title: SUBDIVISON PLAN- Rev D	
address: 31 OYLMPIC BOULEVADE PORT KEMBLA	
job description: TORRENS TITTLE DUAL OCCUPANCY	112
for: FLORO	
no: 143	





FIRST FLOOR PLAN D1

1 : 100@ A3

Revision	date	drawn by	issue notes
D	21-05-20	JE	PANEL COMMENTS

DEBU STUDIOS

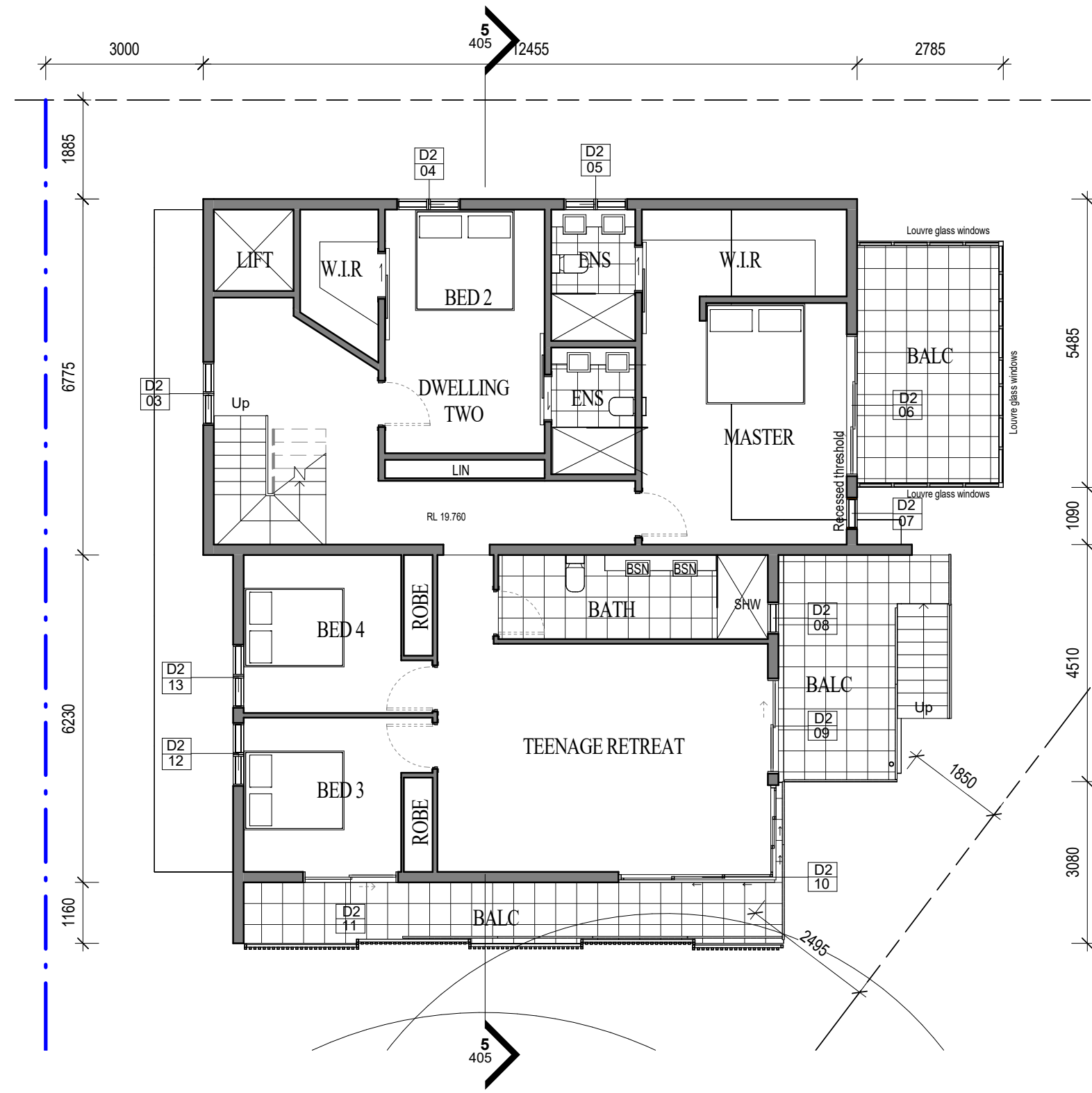
BUILDING DESIGN
PROJECT MANAGEMENT

M0416411094

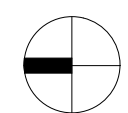
Erf@debus.com.au Web@debus.com.au

- legend:
- extent of timber structures
 - extent of demolished structures
 - existing dwelling in elevation
 - existing structures in plan
 - extent of existing dwelling in site plan
 - extent of additions in site plan

title: FIRST FLOOR PLAN D1-Rev D	
address: 31 OYLIMPIC BOULEVADE PORT KEMBLA	
job description: TORRENS TITTLE DUAL OCCUPANCY	202
for: FLORO	
no: 143	

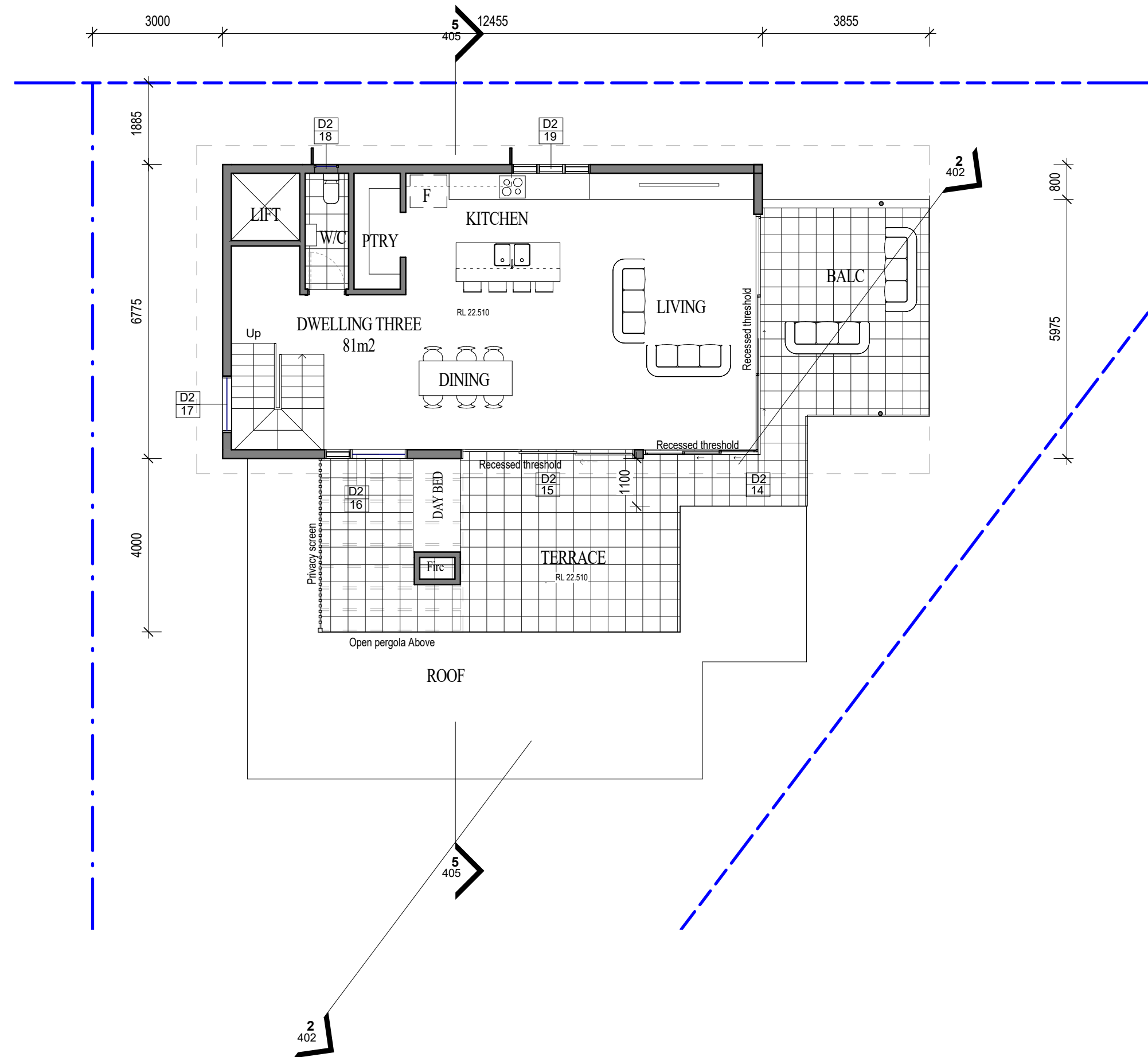


LOWER FLOOR D3
1 : 100@ A3



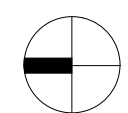
DEVELOPMENT APPLICATION

Revision	date	drawn by	issue notes	<div><div><div></div><div>DEBU STUDIOS</div><div>BUILDING DESIGN PROJECT MANAGEMENT</div></div><div>M0416411094 Eri@debus.com.au Wd@debus.com.au</div></div> <div>legend:<div><div></div> extent of timber structures</div><div><div></div> extent of demolished structures</div><div><div></div> existing dwelling in elevation</div><div><div></div> existing structures in plan</div><div><div></div> extent of existing dwelling in site plan</div><div><div></div> extent of additions in site plan</div></div> <div>title: GROUND FLOOR PLAN D2- Rev D</div> <div>address: 31 OYLIMPIC BOULEVADE PORT KEMBLA</div> <div>job description: TORRENS TITTLE DUAL OCCUPANCY</div> <div>for: FLORO</div> <div>no: 143</div>	
A	21-05-20	JE	PANEL COMMENTS		
				206	



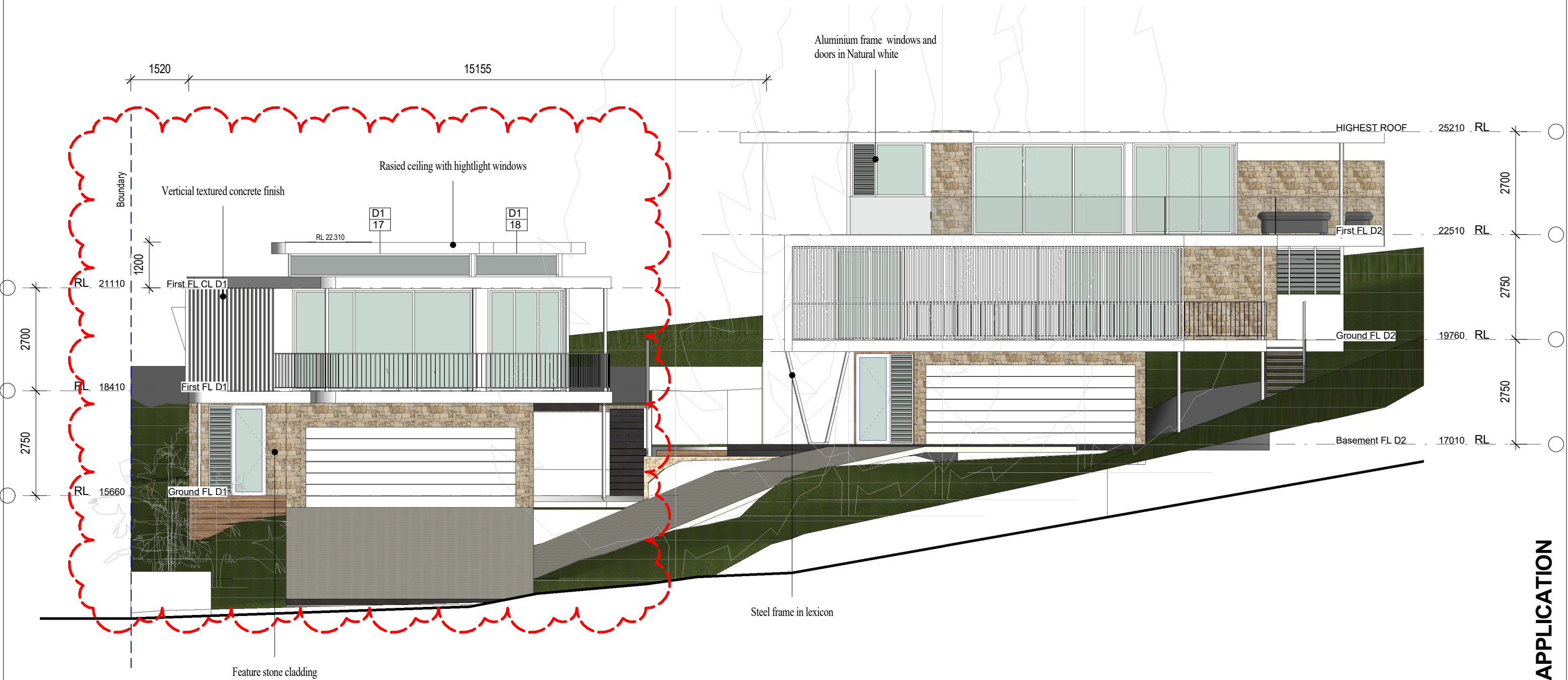
FIRST FLOOR PLAN D3

1 : 100@ A3



DEVELOPMENT APPLICATION

Revision	date	drawn by	issue notes	<div><div><div></div><div>DEBU STUDIOS</div><div>BUILDING DESIGN PROJECT MANAGEMENT</div></div><div>M0416411094 Eir@debus.com.au W@debus.com.au</div></div>	legend:	title: FIRST FLOOR PLAN D2- Rev D		
A	21-05-20	JE	PANEL COMMENTS		<div><div></div> extent of timber structures</div> <div><div></div> extent of demolished structures</div> <div><div></div> existing dwelling in elevation</div> <div><div></div> existing structures in plan</div> <div><div></div> extent of existing dwelling in site plan</div> <div><div></div> extent of additions in site plan</div>	address: 31 OYLIMPIC BOULEVADE PORT KEMBLA		
						job description: TORRENS TITTLE DUAL OCCUPANCY	207	
						for: FLORO		no: 143



WEST ELEVATION

1 : 100@ A3

Revision	date	drawn by	issue notes
A	21-05-20	JE	PANEL COMMENTS

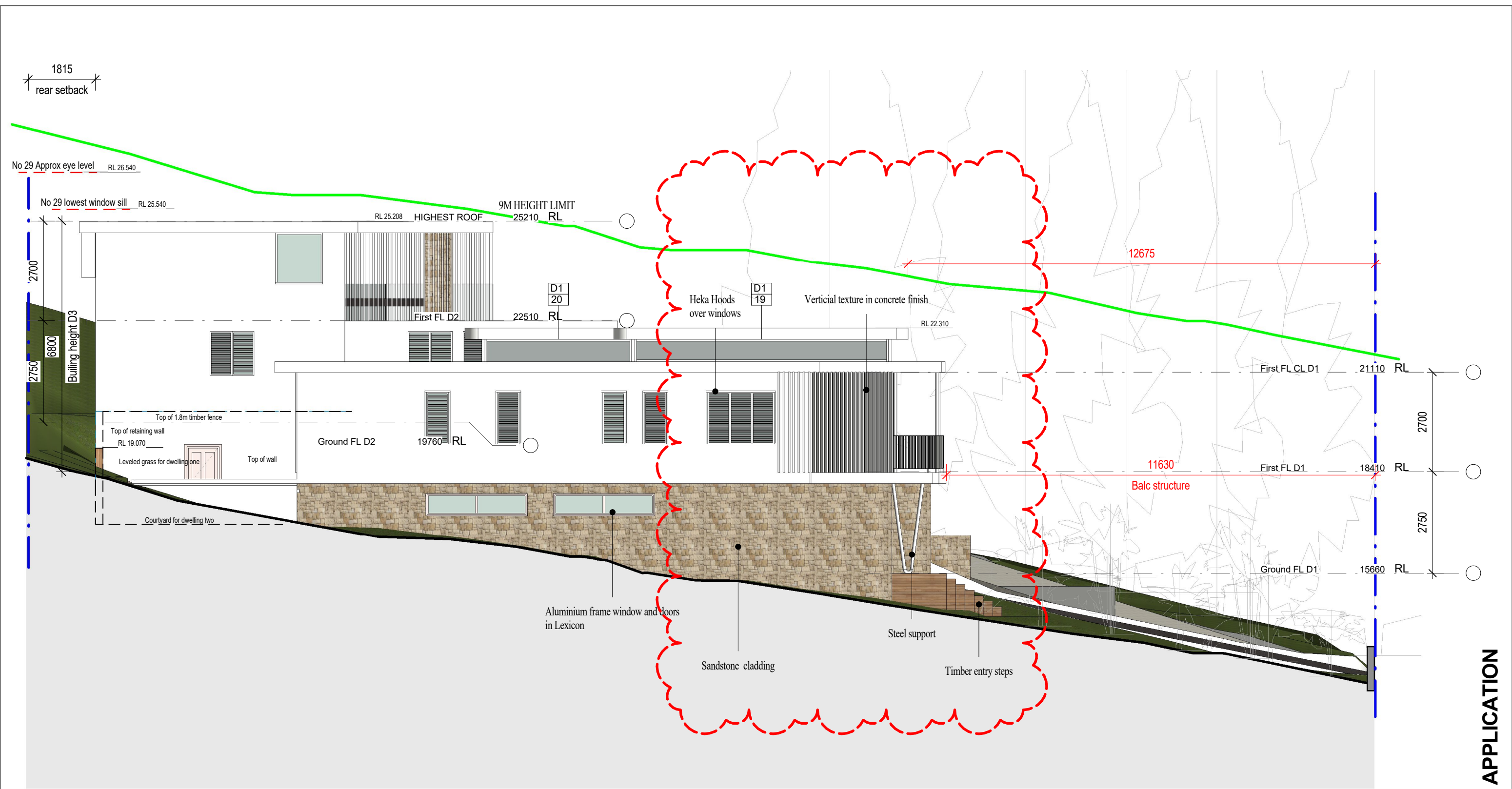
DEBU STUDIOS

BUILDING DESIGN
PROJECT MANAGEMENT

M0416411094 Eir@debus.com.au Web@debus.com.au

- legend:
- extent of timber structures
 - extent of demolished structures
 - existing dwelling in elevation
 - existing structures in plan
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 - extent of additions in site plan

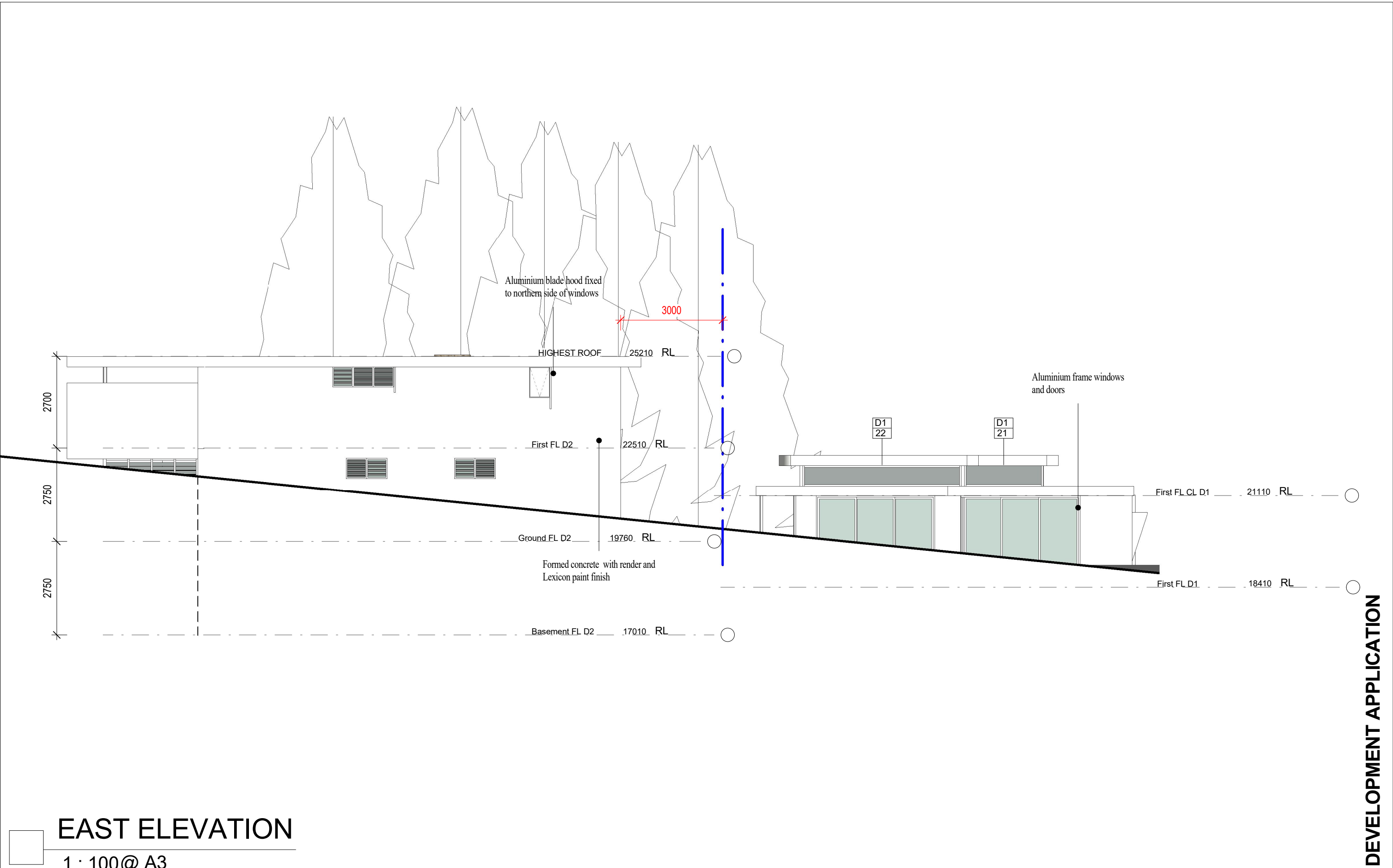
title: WEST ELEVATION-Rev D	
address: 31 OYLIMPIC BOULEVADE PORT KEMBLA	
job description: TORRENS TITTLE DUAL OCCUPANCY	301
for: FLORO	
no: 143	



NORTH ELEVATION
1 : 100@ A3

DEVELOPMENT APPLICATION

Revision	date	drawn by	issue notes	<div><div><div></div><div>DEBU STUDIOS</div><div>BUILDING DESIGN PROJECT MANAGEMENT</div></div><div>M0416411094 Eir@debus.com.au Web@debus.com.au</div></div>	<div>legend:</div> <div><div></div> extent of timber structures</div> <div><div></div> extent of demolished structures</div> <div><div></div> existing dwelling in elevation</div> <div><div></div> existing structures in plan</div> <div><div></div> extent of existing dwelling in site plan</div> <div><div></div> extent of additions in site plan</div>	title: NORTH ELEVATION-Rev D	
A	21-05-20	JE	PANEL COMMENTS			address: 31 OYLIMPIC BOULEVADE PORT KEMBLA	
						job description: TORRENS TITTLE DUAL OCCUPANCY	
						for: FLORO	no: 143
							302



Revision	date	drawn by	issue notes
A	21-05-20	JE	PANEL COMMENTS

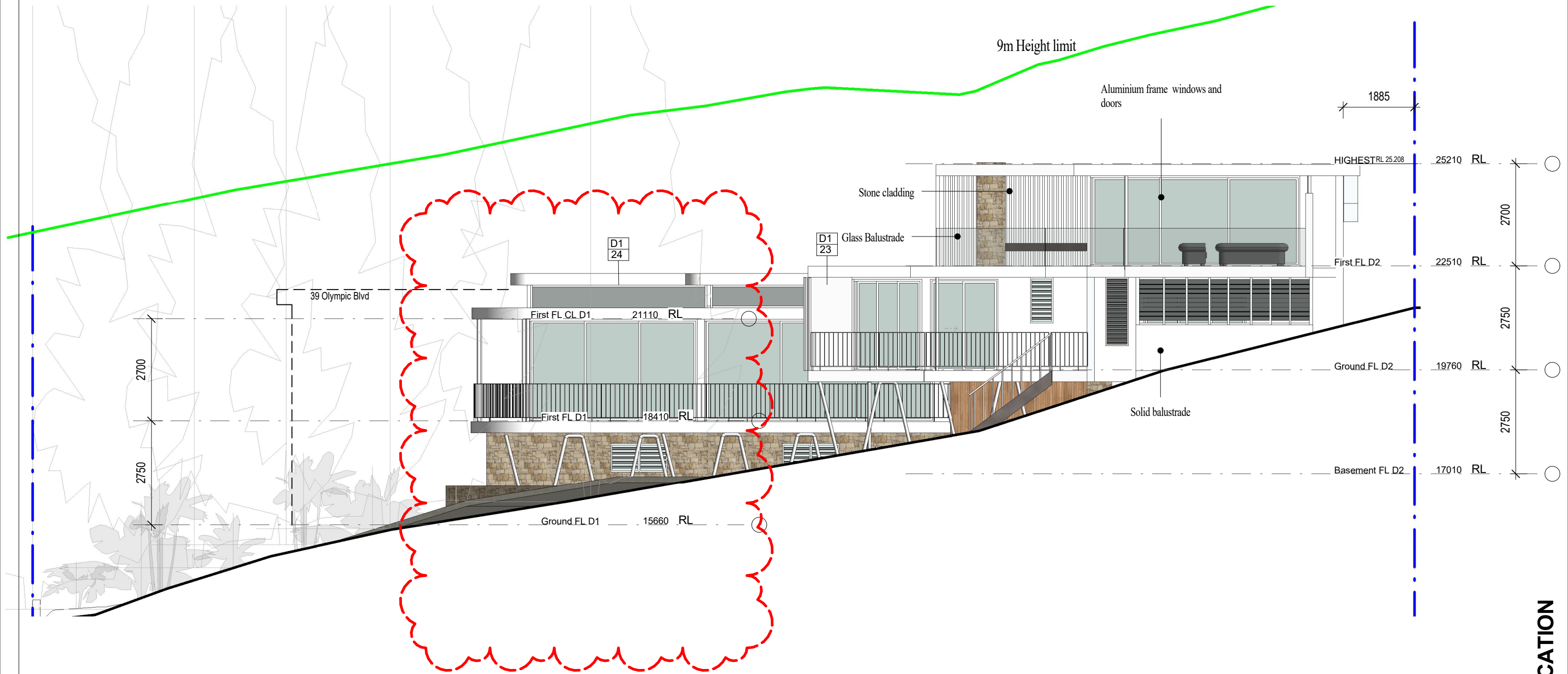
DEBU STUDIOS

BUILDING DESIGN
PROJECT MANAGEMENT

M0416411094 Eir@debus.com.au Web@debus.com.au

- legend:
- extent of timber structures
 - extent of demolished structures
 - existing dwelling in elevation
 - existing structures in plan
 - extent of existing dwelling in site plan
 - extent of additions in site plan

title: EAST ELEVATION-Rev D	
address: 31 OYLIMPIC BOULEVADE PORT KEMBLA	
job description: TORRENS TITTLE DUAL OCCUPANCY	303
for: FLORO	
no: 143	



SOUTH ELEVATION

1 : 100@ A3

DEVELOPMENT APPLICATION

Revision	date	drawn by	issue notes
A	21-05-20	JE	PANEL COMMENTS



M0416411094 Eir@debus.com.au Web@debus.com.au

legend:

- extent of timber structures
- extent of demolished structures
- existing dwelling in elevation
- existing structures in plan
- extent of existing dwelling in site plan
- extent of additions in site plan

title: SOUTH ELEVATION-Rev D

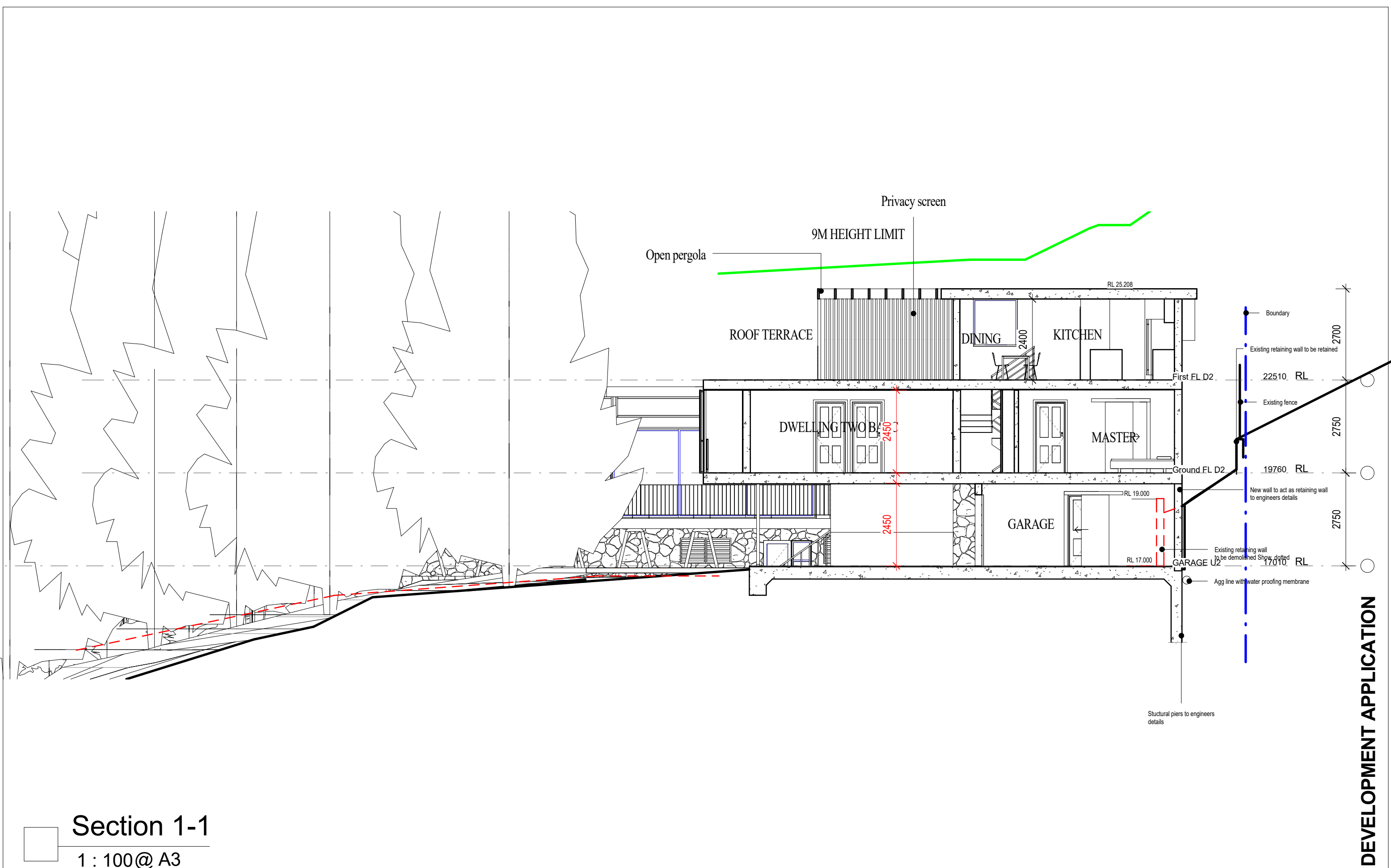
address: 31 OYLIMPIC BOULEVADE PORT KEMBLA

job description:
TORRENS TITTLE DUAL OCCUPANCY

for: FLORO

no:
143

304



Section 1-1

1 : 100@ A3

Revision	date	drawn by	issue notes
D	21-05-20	JE	PANEL COMMENTS

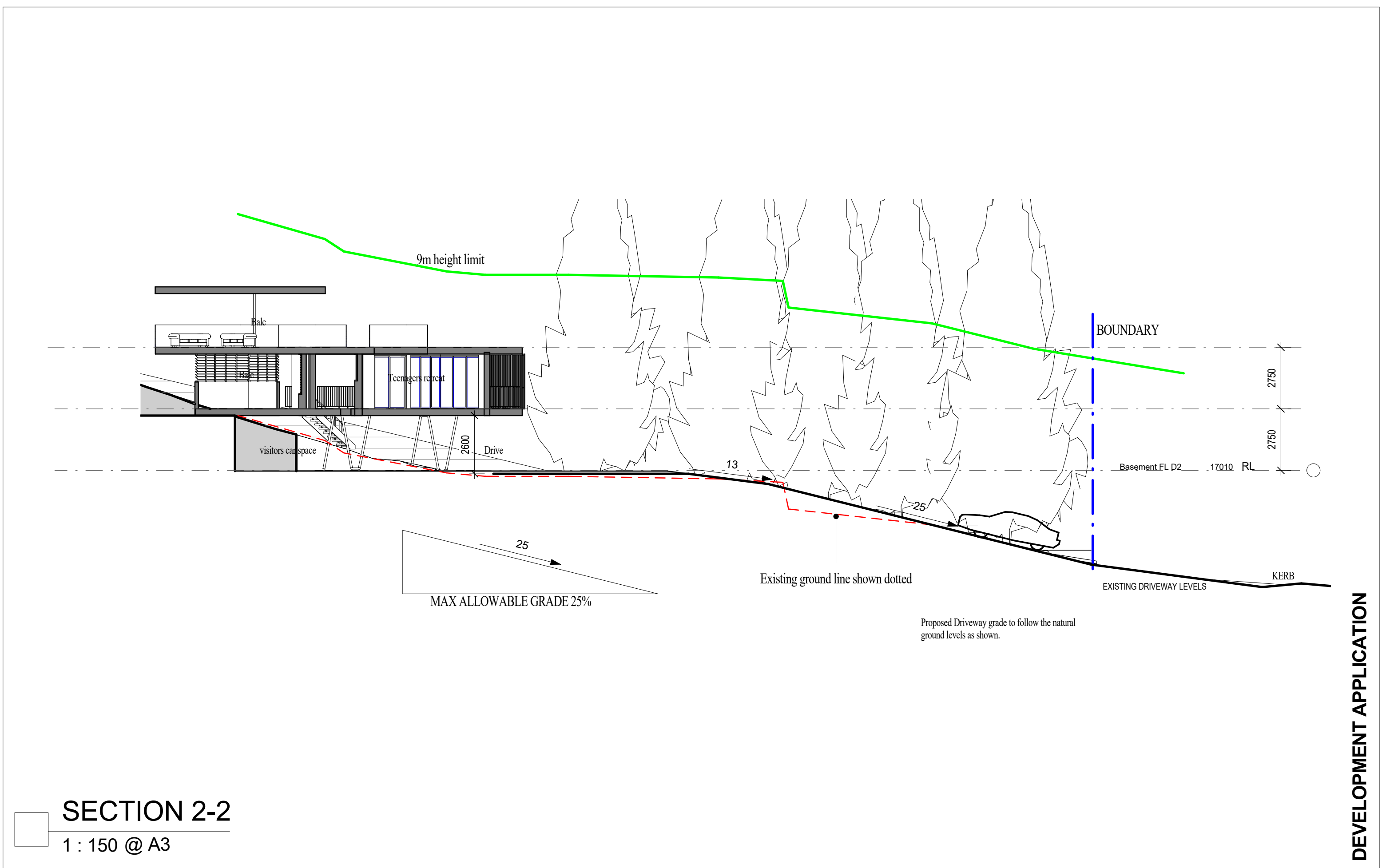
DEBU STUDIOS

BUILDING DESIGN
PROJECT MANAGEMENT

M0416411094 Eir@debus.com.au Web@debus.com.au

- legend:
- extent of timber structures
 - extent of demolished structures
 - existing dwelling in elevation
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 - extent of additions in site plan

title: SECTION 1-1 Rev D	
address: 31 OYLIMPIC BOULEVADE PORT KEMBLA	
job description: TORRENS TITTLE DUAL OCCUPANCY	401
for: FLORO	
no: 143	



SECTION 2-2
1 : 150 @ A3

DEVELOPMENT APPLICATION

Revision				title: SECTION 2-2- Rev D	
date	drawn by	issue notes	address: 31 OYLIMPIC BOULEVADE PORT KEMBLA		
D	21-05-20	JE	PANEL COMMENTS	job description: TORRENS TITTLE DUAL OCCUPANCY	402
				for: FLORO	
				no: 143	

DEBU STUDIOS

BUILDING DESIGN
PROJECT MANAGEMENT

M0416411094 Eir@debus.com.au W@debus.com.au

legend:

extent of timber structures

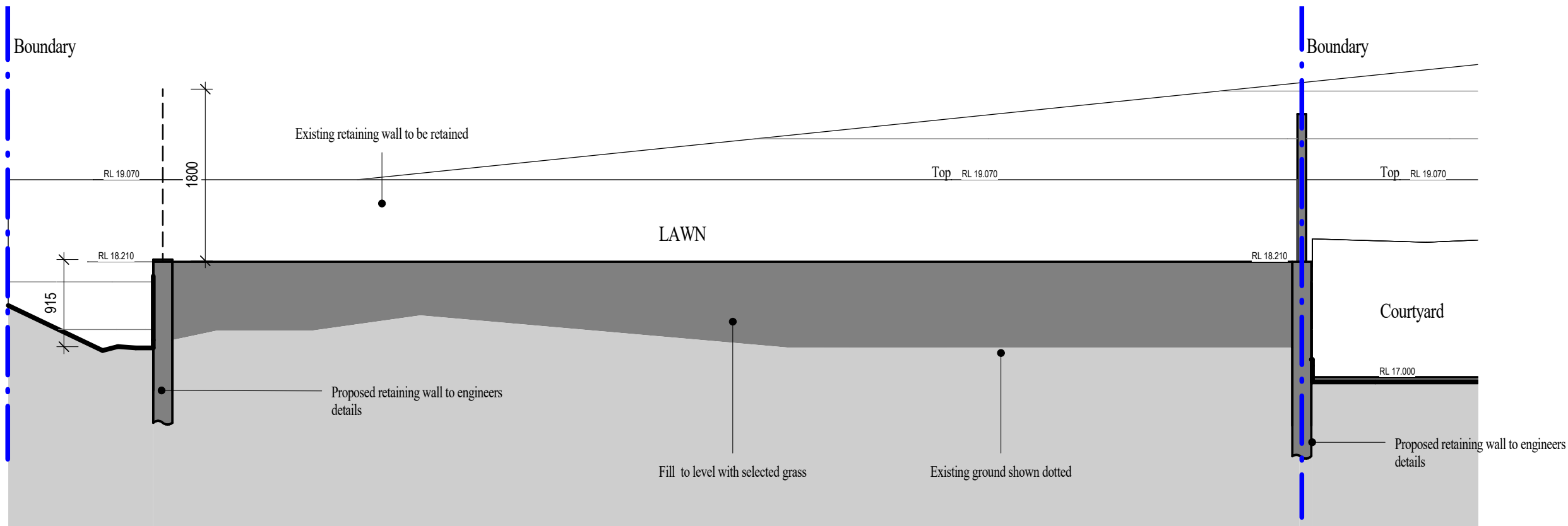
extent of demolished structures

existing dwelling in elevation

existing structures in plan

extent of existing dwelling in site plan

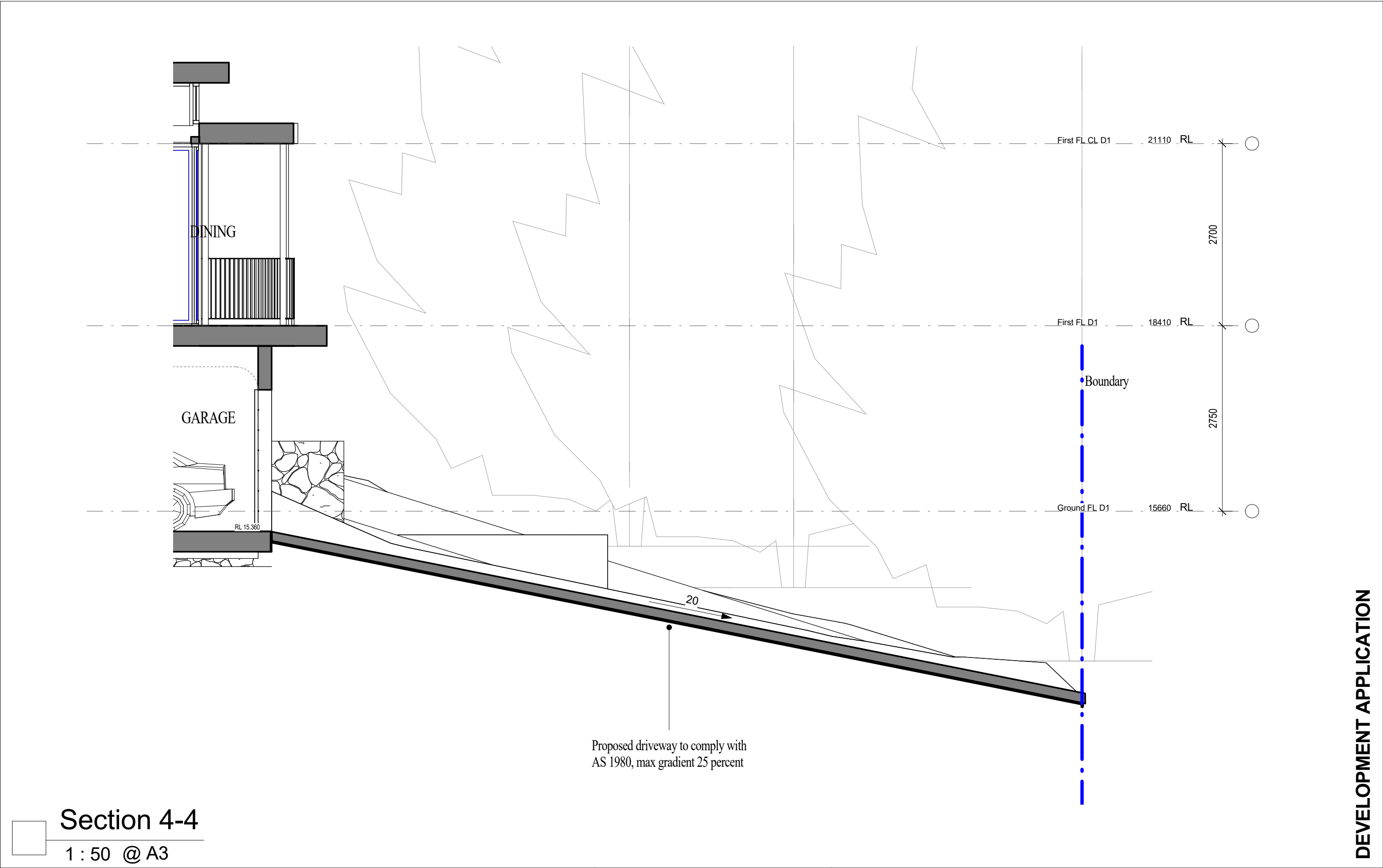
extent of additions in site plan



Section 3-3

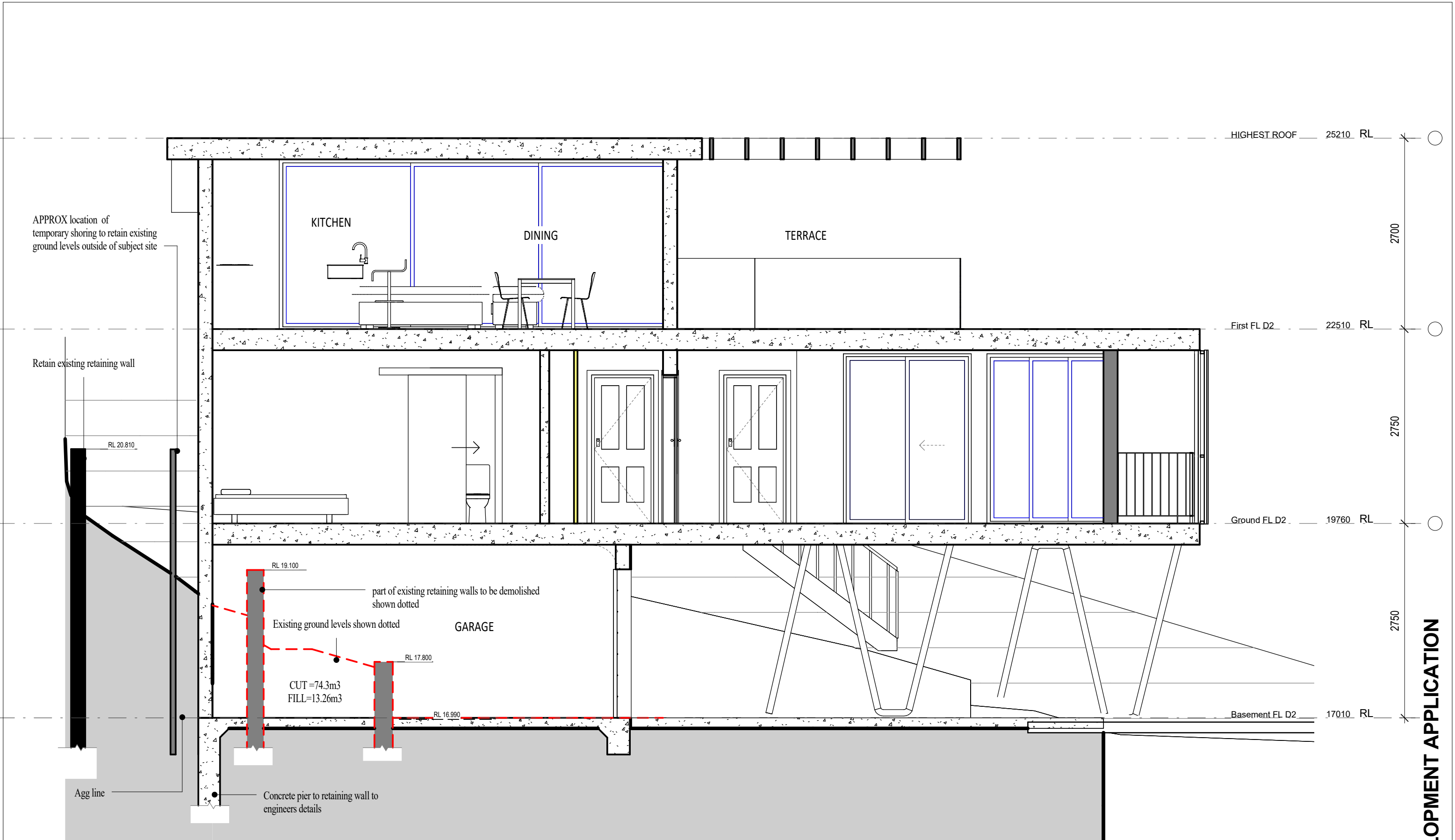
1 : 50 @ A3

Revision	date	drawn by	issue notes	<div><div><div></div><div>DEBU STUDIOS</div><div>BUILDING DESIGN PROJECT MANAGEMENT</div></div><div>M0416411094 Eir@debusoma W@debusoma</div></div> <div>legend:<div><div></div> extent of timber structures</div><div><div></div> extent of demolished structures</div><div><div></div> existing dwelling in elevation</div><div><div></div> existing structures in plan</div><div><div></div> extent of existing dwelling in site plan</div><div><div></div> extent of additions in site plan</div></div> <div>title: SECTION 3-3 - Rev D</div> <div>address: 31 OYLIMPIC BOULEVADE PORT KEMBLA</div> <div>job description: Demolition of Existing Dwelling, Construction of a</div> <div>for: FLORO</div> <div>no: 143</div> <div>403</div>
D	21-05-20	JE	PANEL COMMENTS	



DEVELOPMENT APPLICATION

Revision	date	drawn by	issue notes	<div><div><div><div>DEBU STUDIOS</div><div>BUILDING DESIGN PROJECT MANAGEMENT</div></div></div><div>M0416411094 Eir@debusoma.com Web@debusoma.com</div></div>	legend:	title: SECTION 4-4 - Rev D		
D	21-05-20	JE	PANEL COMMENTS		<div><div></div> extent of timber structures</div> <div><div></div> extent of demolished structures</div> <div><div></div> existing dwelling in elevation</div> <div><div></div> existing structures in plan</div> <div><div></div> extent of existing dwelling in site plan</div> <div><div></div> extent of additions in site plan</div>	address: 31 OYLIMPIC BOULEVADE PORT KEMBLA		
						job description: Demolition of Existing Dwelling, Construction of a	404	
						for: FLORO		no: 143



SECTION 5-5

1 : 50 @ A3

DEVELOPMENT APPLICATION

Revision	date	drawn by	issue notes
D	21-05-20	JE	PANEL COMMENTS

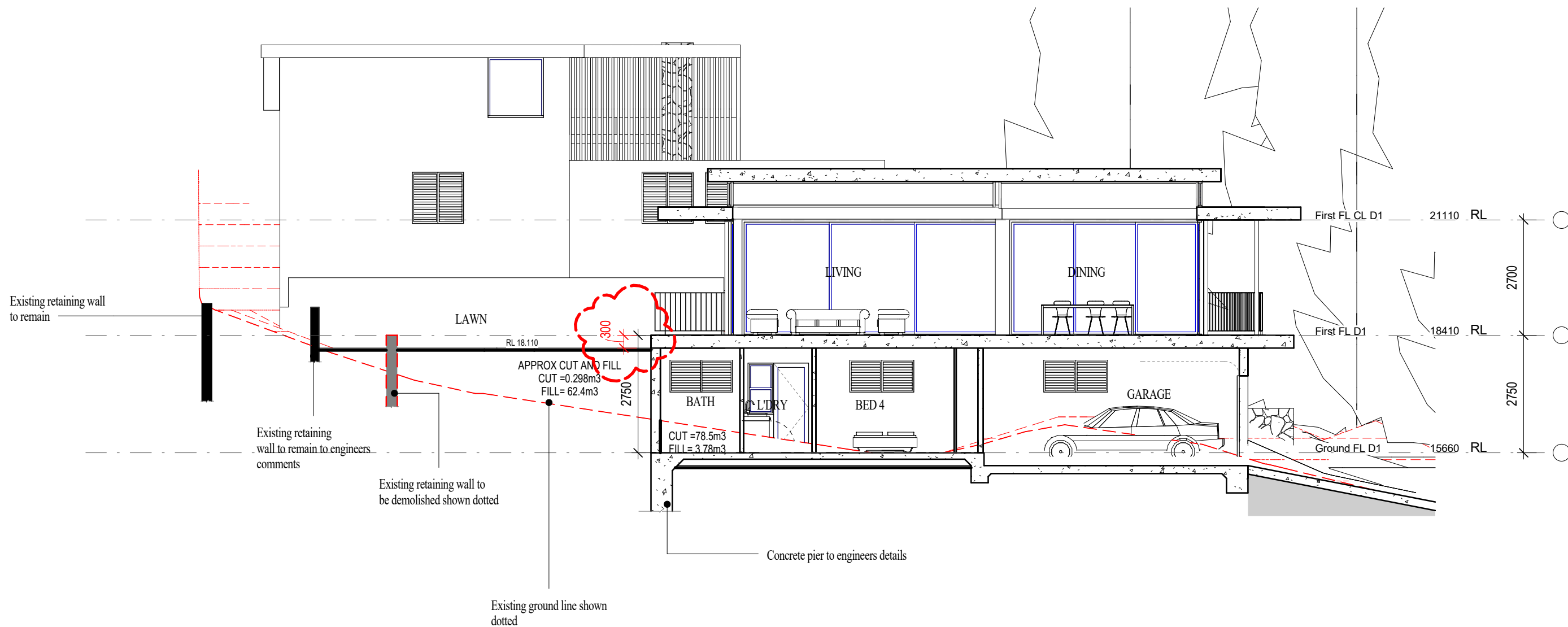
DEBU STUDIOS

BUILDING DESIGN
PROJECT MANAGEMENT

M0416411094 Eir@debus.com.au Web@debus.com.au

- legend:
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 - existing dwelling in elevation
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 - extent of additions in site plan

title: SECTION 5-5- Rev D	
address: 31 OYLIMPIC BOULEVADE PORT KEMBLA	
job description: Demolition of Existing Dwelling, Construction of a	405
for: FLORO	
no: 143	



Section 6-6

1 : 100@ A3

DEVELOPMENT APPLICATION

Revision	date	drawn by	issue notes	<div><div><div><div></div><div>DEBU STUDIOS</div></div><div><div>BUILDING DESIGN</div><div>PROJECT MANAGEMENT</div></div><div><div>M0416411094</div><div>Eir@debustudios.com.au</div><div>W@debustudios.com.au</div></div></div></div>	<div>legend:</div> <div><div><div></div>extent of timber structures</div><div><div></div>extent of demolished structures</div><div><div></div>existing dwelling in elevation</div><div><div></div>existing structures in plan</div><div><div></div>extent of existing dwelling in site plan</div><div><div></div>extent of additions in site plan</div></div>	title: SECTION 6-6 - Rev D	
D	21-05-20	JE	PANEL COMMENTS			address: 31 OYLIMPIC BOULEVADE PORT KEMBLA	
						job description: Demolition of Existing Dwelling, Construction of a	
						for: FLORO	no: 143

406

		
SANDSTONE CLADDING	Vertical timber cladding	VIVID WHITE
Garage walls	Balcony walls	Windows & Doors
Retaining walls	Entrys	Balcony screens
		paint finish
		Balustrade
		Roof Fasica



DEVELOPMENT APPLICATION

Revision	date	drawn by	issue notes	<div><div><div><div></div></div><div>DEBU STUDIOS</div><div>BUILDING DESIGN PROJECT MANAGEMENT</div></div><div>M0416411094 Erf@debus.com.au Web@debus.com.au</div></div> <div><div>legend:</div><div><div></div> extent of timber structures</div><div><div></div> extent of demolished structures</div><div><div></div> existing dwelling in elevation</div><div><div></div> existing structures in plan</div><div><div></div> extent of existing dwelling in site plan</div><div><div></div> extent of additions in site plan</div></div> <div><div>title: MATERIALS AND FINISHES - Rev D</div><div>address: 31 OYLIMPIC BOULEVADE PORT KEMBLA</div><div><div>job description: TORRENS TITTLE DUAL OCCUPANCY</div><div><div>for: FLORO</div><div>no: 143</div></div></div><div>305</div></div>
D	21-05-20	JE	PANEL COMMENTS	

ENERGY COMMITMENTS

(ii) Energy	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(a) The applicant must comply with the commitments listed below in carrying out the development of a dwelling listed in a table below.			
(b) The applicant must install each hot water system specified for the dwelling in the table below, so that the dwelling's hot water is supplied by that system. If the table specifies a central hot water system for the dwelling, then the applicant must connect that central system to the dwelling, so that the dwelling's hot water is supplied by that central system.	✓	✓	✓
(c) The applicant must install, in each bathroom, kitchen and laundry of the dwelling, the ventilation system specified for that room in the table below. Each such ventilation system must have the operation control specified for it in the table.		✓	✓
(d) The applicant must install the cooling and heating system/s specified for the dwelling under the "Living areas" and "Bedroom areas" headings of the "Cooling" and "Heating" columns in the table below, in/for at least 1 living/bedroom area of the dwelling. If no cooling or heating system is specified in the table for "Living areas" or "Bedroom areas", then no systems may be installed in any such areas. If the term "zoned" is specified beside an air conditioning system, then the system must provide for day/night zoning between living areas and bedrooms.		✓	✓

Common area	Showerheads rating	Toilets rating	Taps rating	Clothes washers rating
All common areas	no common facility	no common facility	no common facility	no common laundry facility

(ii) Energy	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(a) If, in carrying out the development, the applicant installs a ventilation system to service a common area specified in the table below, then that ventilation system must be of the type specified for that common area, and must meet the efficiency measure specified.		✓	✓
(b) In carrying out the development, the applicant must install, as the "primary type of artificial lighting" for each common area specified in the table below, the lighting specified for that common area. This lighting must meet the efficiency measure specified. The applicant must also install a centralised lighting control system or Building Management System (BMS) for the common area, where specified.		✓	✓
(c) The applicant must install the systems and fixtures specified in the "Central energy systems" column of the table below. In each case, the system or fixture must be of the type, and meet the specifications, listed for it in the table.	✓	✓	✓

	Hot water	Bathroom ventilation system		Kitchen ventilation system		Laundry ventilation system	
Dwelling no.	Hot water system	Each bathroom	Operation control	Each kitchen	Operation control	Each laundry	Operation control
D1	gas instantaneous 3 star	no mechanical ventilation (ie. natural)	-	individual fan, ducted to façade or roof	manual switch on/off	natural ventilation only, or no laundry	-
All other dwellings	gas instantaneous 3 star	individual fan, ducted to façade or roof	manual switch on/off	individual fan, ducted to façade or roof	manual switch on/off	natural ventilation only, or no laundry	-

	Cooling		Heating		Artificial lighting						Natural lighting	
Dwelling no.	living areas	bedroom areas	living areas	bedroom areas	No. of bedrooms &/or study	No. of living &/or dining rooms	Each kitchen	All bathrooms/ toilets	Each laundry	All hallways	No. of bathrooms &/or toilets	Main kitchen
D1	-	-	-	-	3 (dedicated)	1 (dedicated)	yes (dedicated)	yes (dedicated)	yes (dedicated)	yes (dedicated)	1	yes
All other dwellings	-	-	-	-	3 (dedicated)	1 (dedicated)	yes (dedicated)	yes (dedicated)	yes (dedicated)	yes (dedicated)	2	yes

	Individual pool		Individual spa		Appliances & other efficiency measures							
Dwelling no.	Pool heating system	Timer	Spa heating system	Timer	Kitchen cooktop/oven	Refrigerator	Well ventilated fridge space	Dishwasher	Clothes washer	Clothes dryer	Indoor or sheltered clothes drying line	Private outdoor or unsheltered clothes drying line
All dwellings	-	-	-	-	gas cooktop & electric oven	-	yes	-	-	-	no	yes

	Alternative energy
Dwelling no.	Photovoltaic system (min rated electrical output in peak kW)
All dwellings	-

WATER COMMITMENTS

(b) Common areas and central systems/facilities

(i) Water	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(a) If, in carrying out the development, the applicant installs a showerhead, toilet, tap or clothes washer into a common area, then that item must meet the specifications listed for it in the table.		✓	✓
(b) The applicant must install (or ensure that the development is serviced by) the alternative water supply system(s) specified in the "Central systems" column of the table below. In each case, the system must be sized, be configured, and be connected, as specified in the table.	✓	✓	✓
(c) A swimming pool or spa listed in the table must not have a volume (in kLs) greater than that specified for the pool or spa in the table.	✓	✓	
(d) A pool or spa listed in the table must have a cover or shading if specified for the pool or spa in the table.		✓	
(e) The applicant must install each fire sprinkler system listed in the table so that the system is configured as specified in the table.		✓	✓
(f) The applicant must ensure that the central cooling system for a cooling tower is configured as specified in the table.		✓	✓

(i) Water	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(a) The applicant must comply with the commitments listed below in carrying out the development of a dwelling listed in a table below.			
(b) The applicant must plant indigenous or low water use species of vegetation throughout the area of land specified for the dwelling in the "Indigenous species" column of the table below, as private landscaping for that dwelling. (This area of indigenous vegetation is to be contained within the "Area of garden and lawn" for the dwelling specified in the "Description of Project" table).	✓	✓	
(c) If a rating is specified in the table below for a fixture or appliance to be installed in the dwelling, the applicant must ensure that each such fixture and appliance meets the rating specified for it.		✓	✓
(d) The applicant must install an on demand hot water recirculation system which regulates all hot water use throughout the dwelling, where indicated for a dwelling in the "HW recirculation or diversion" column of the table below.		✓	✓
(e) The applicant must install: (aa) a hot water diversion system to all showers, kitchen sinks and all basins in the dwelling, where indicated for a dwelling in the "HW recirculation or diversion" column of the table below; and (bb) a separate diversion tank (or tanks) connected to the hot water diversion systems of at least 100 litres. The applicant must connect the hot water diversion tank to all toilets in the dwelling.		✓ ✓	✓ ✓
(e) The applicant must not install a private swimming pool or spa for the dwelling, with a volume exceeding that specified for it in the table below.	✓	✓	
(f) If specified in the table, that pool or spa (or both) must have a pool cover or shading (or both).		✓	
(g) The pool or spa must be located as specified in the table.	✓	✓	
(h) The applicant must install, for the dwelling, each alternative water supply system, with the specified size, listed for that dwelling in the table below. Each system must be configured to collect run-off from the areas specified (excluding any area which supplies any other alternative water supply system), and to divert overflow as specified. Each system must be connected as specified.	✓	✓	✓

	Fixtures					Appliances		Individual pool				Individual spa		
Dwelling no.	All shower-heads	All toilet flushing systems	All kitchen taps	All bathroom taps	HW recirculation or diversion	All clothes washers	All dish-washers	Volume (max volume)	Pool cover	Pool location	Pool shaded	Volume (max volume)	Spa cover	Spa shade
All dwellings	3 star (> 4.5 but <= 6 L/min)	4 star	3 star	3 star	no	-	-	-	-	-	-	-	-	-

	Alternative water source							
Dwelling no.	Alternative water supply systems	Size	Configuration	Landscape connection	Toilet connection (s)	Laundry connection	Pool top-up	Spa top
All dwellings	individual water tank (no. 1)	Tank size (min) 3000.0 litres	To collect run-off from at least: 180.0 square metres of roof area;	yes	yes	yes	no	no
None	-	-	-	-	-	-	-	-

Revision	date	drawn by	issue notes
D	21-05-20	JE	PANEL COMMENTS

DEBU STUDIOS

BUILDING DESIGN
PROJECT MANAGEMENT

M0416411094 Ert@debus.com.au Wd@debus.com.au

legend:

extent of timber structures

extent of demolished structures

existing dwelling in elevation

existing structures in plan

extent of existing dwelling in site plan

extent of additions in site plan

title: BASIX SCHEDULE - Rev D

address: 31 OYLYMPIC BOULEVADE PORT KEMBLA

job description: TORRENS TITTLE DUAL OCCUPANCY

for: FLORO

no: 143

109

BASIX CERTIFICATE NUMBER - 954274M_02

THERMAL COMMITMENTS

(iii) Thermal Comfort	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(c) The details of the proposed development on the Assessor Certificate must be consistent with the details shown in this BASIX Certificate, including the details shown in the "Thermal Loads" table below.			
(d) The applicant must show on the plans accompanying the development application for the proposed development, all matters which the Thermal Comfort Protocol requires to be shown on those plans. Those plans must bear a stamp of endorsement from the Accredited Assessor, to certify that this is the case.	✓		
(e) The applicant must show on the plans accompanying the application for a construction certificate (or complying development certificate, if applicable), all thermal performance specifications set out in the Assessor Certificate, and all aspects of the proposed development which were used to calculate those specifications.		✓	
(f) The applicant must construct the development in accordance with all thermal performance specifications set out in the Assessor Certificate, and in accordance with those aspects of the development application or application for a complying development certificate which were used to calculate those specifications.		✓	✓
(g) Where there is an in-slab heating or cooling system, the applicant must: (aa) Install insulation with an R-value of not less than 1.0 around the vertical edges of the perimeter of the slab; or (bb) On a suspended floor, install insulation with an R-value of not less than 1.0 underneath the slab and around the vertical edges of the perimeter of the slab.	✓	✓	✓
(h) The applicant must construct the floors and walls of the development in accordance with the specifications listed in the table below.	✓	✓	✓

	Thermal loads	
Dwelling no.	Area adjusted heating load (in mJ/m²/yr)	Area adjusted cooling load (in mJ/m²/yr)
D1	41.6	17.2
All other dwellings	46.1	21.9

	Construction of floors and walls				
Dwelling no.	Concrete slab on ground(m²)	Suspended floor with open subfloor (m²)	Suspended floor with enclosed subfloor (m²)	Suspended floor above garage (m²)	Primarily rammed earth or mudbrick walls
D1	78	5	17	23	No
All other dwellings	24	92	-	34	No

DEVELOPMENT APPLICATION

Revision	date	drawn by	issue notes	<div><div></div><div>DEBU STUDIOS</div><div>BUILDING DESIGN PROJECT MANAGEMENT</div><div>M0416411094 Eir@debus.com.au Web@debus.com.au</div></div>	legend: <div><div>extent of timber structures</div><div>extent of demolished structures</div><div>existing dwelling in elevation</div><div>existing structures in plan</div><div>extent of existing dwelling in site plan</div><div>extent of additions in site plan</div></div>	title: BASIX SCHEDULE- Rev D	
D	21-05-20	JE	PANEL COMMENTS			address: 31 OYLIMPIC BOULEVADE PORT KEMBLA	
						job description: TORRENS TITTLE DUAL OCCUPANCY	110
						for: FLORO	
						no: 143	



SHADOW DIAGRAM Dec 21st

1 : 200@ A3

BOULEVARDE

Revision	date	drawn by	issue notes
D	21-05-20	JE	PANEL COMMENTS

OLYMPIC

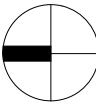
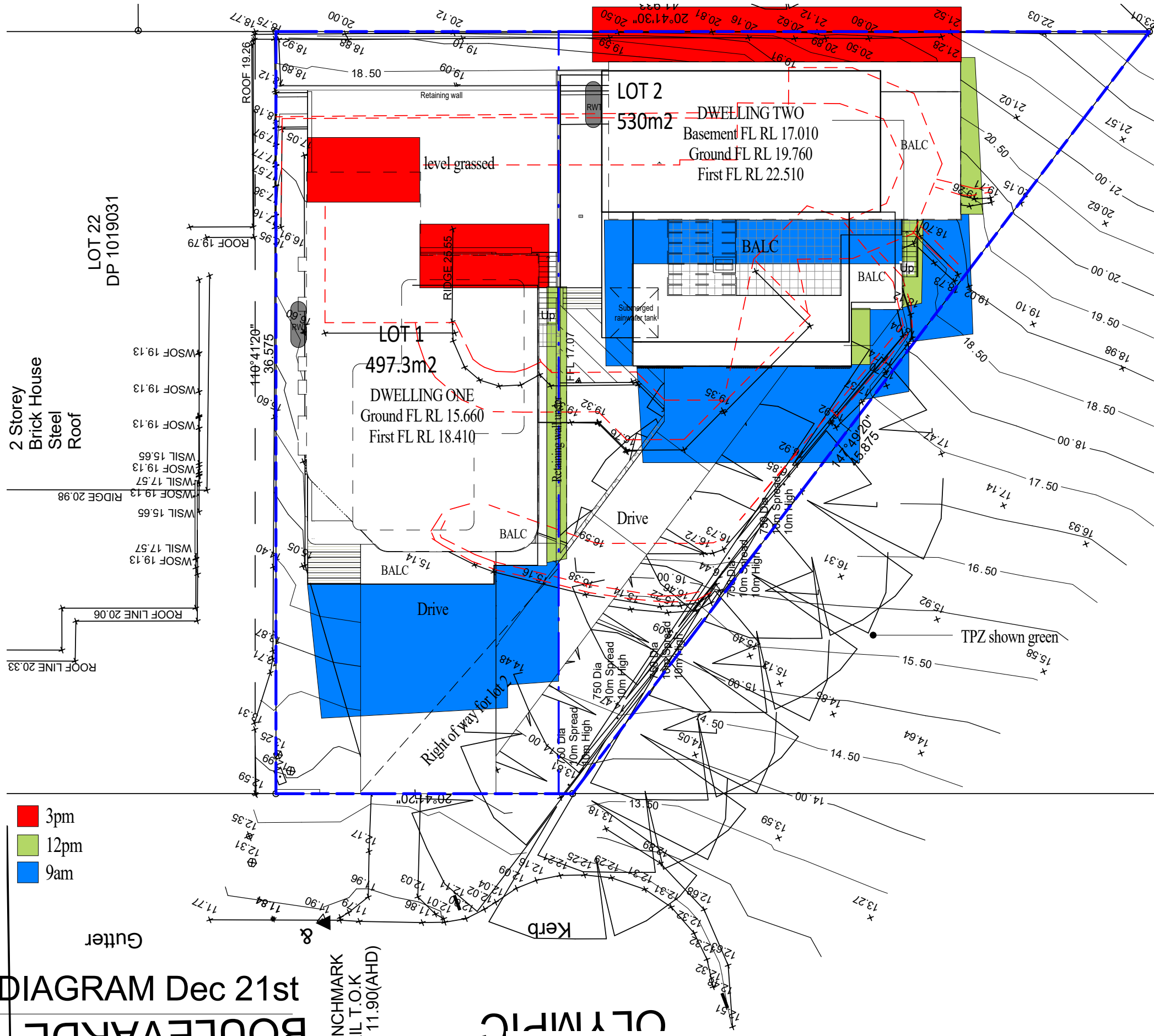
DEBU

STUDIOS

BUILDING DESIGN

PROJECT MANAGEMENT

M0416411094 Eir@debus.com.au Web@debus.com.au



DEVELOPMENT APPLICATION

title: SHADOW DIAGRAM Dec 21st- Rev D

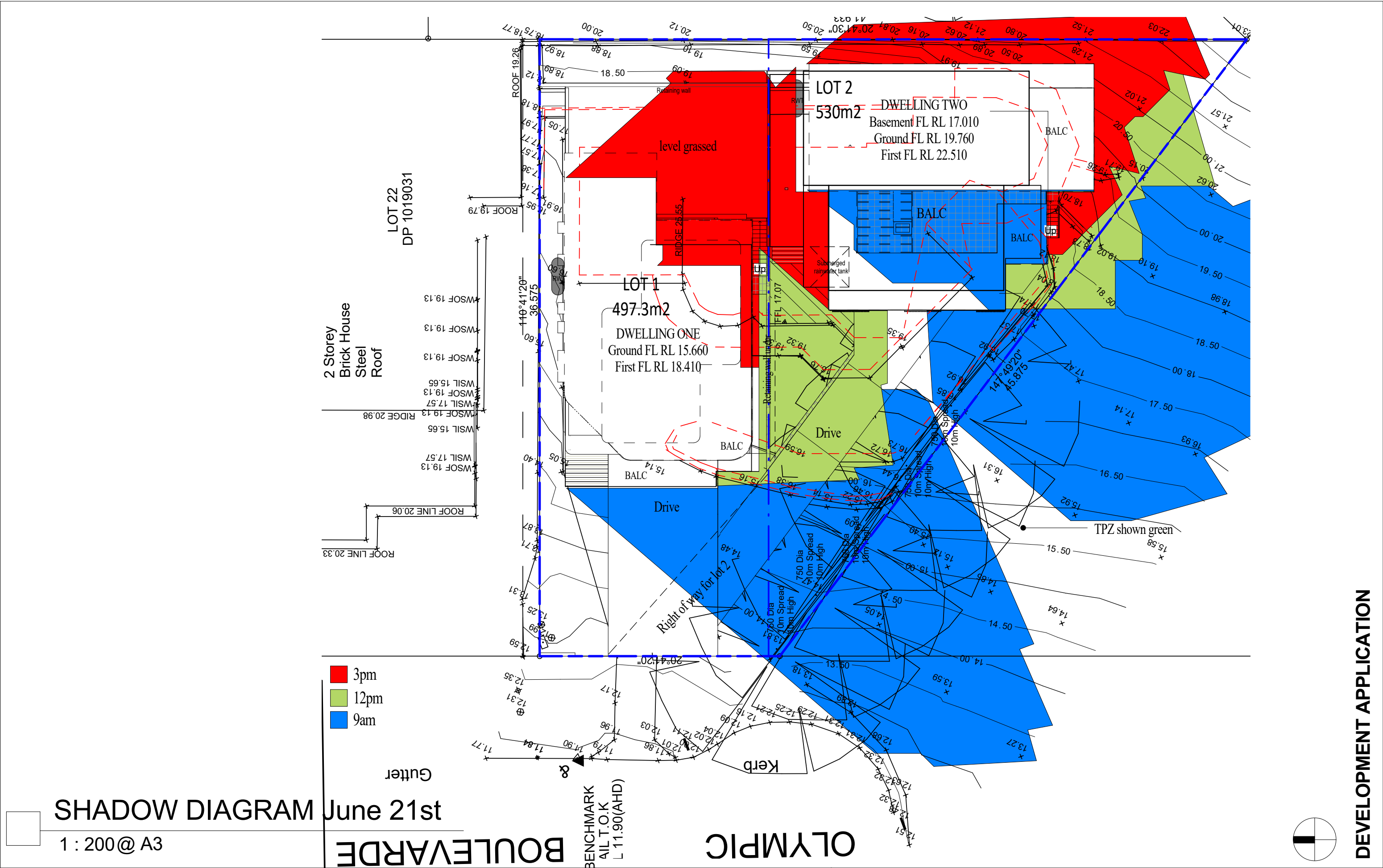
address: 31 OLYMPIC BOULEVADE PORT KEMBLA

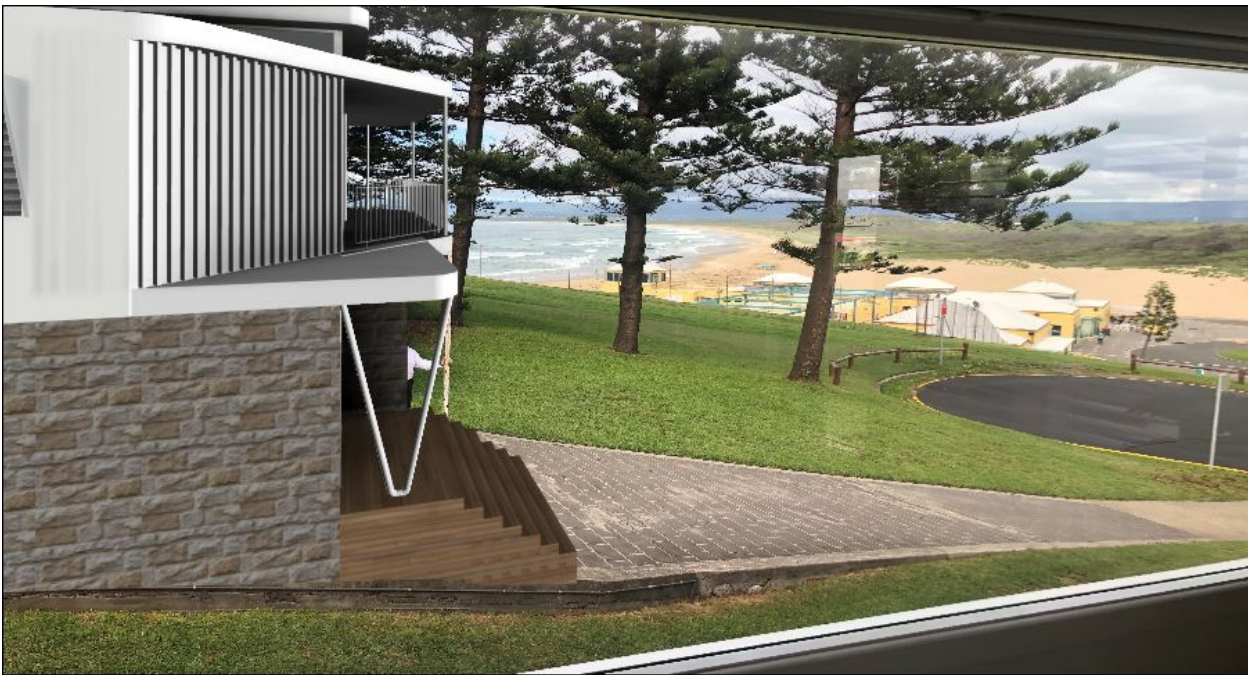
job description:
TORRENS TITTLE DUAL OCCUPANCY

for: FLORO

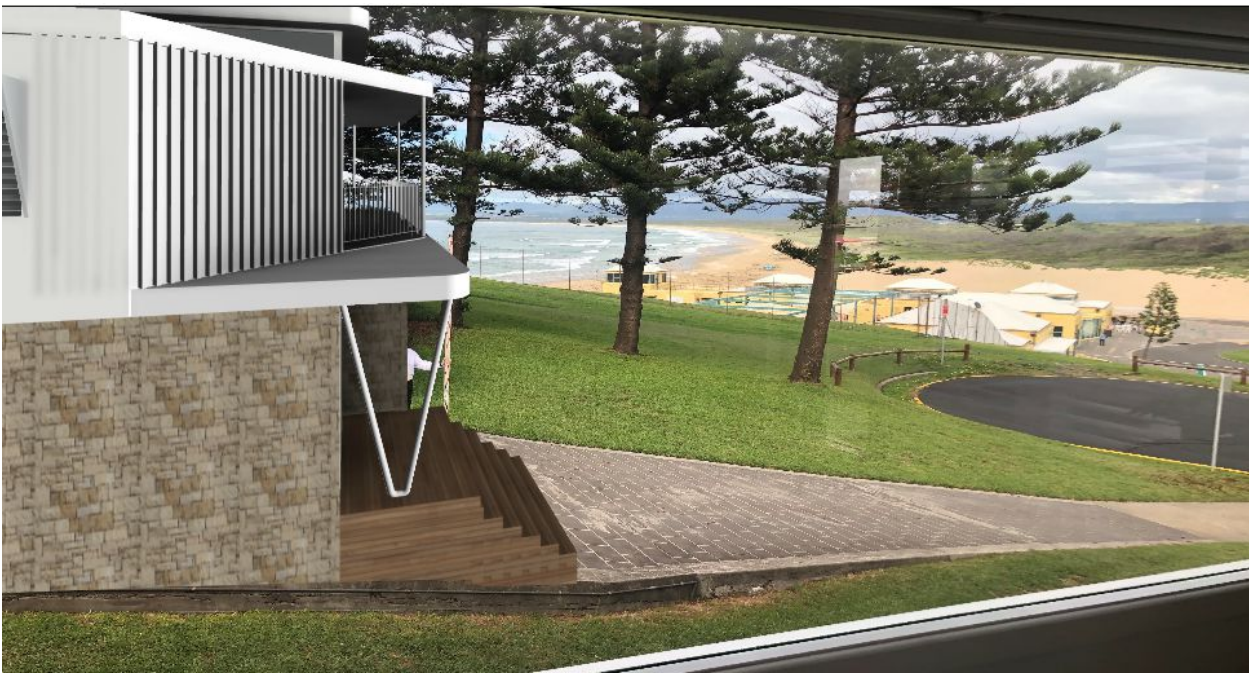
no:
143

601

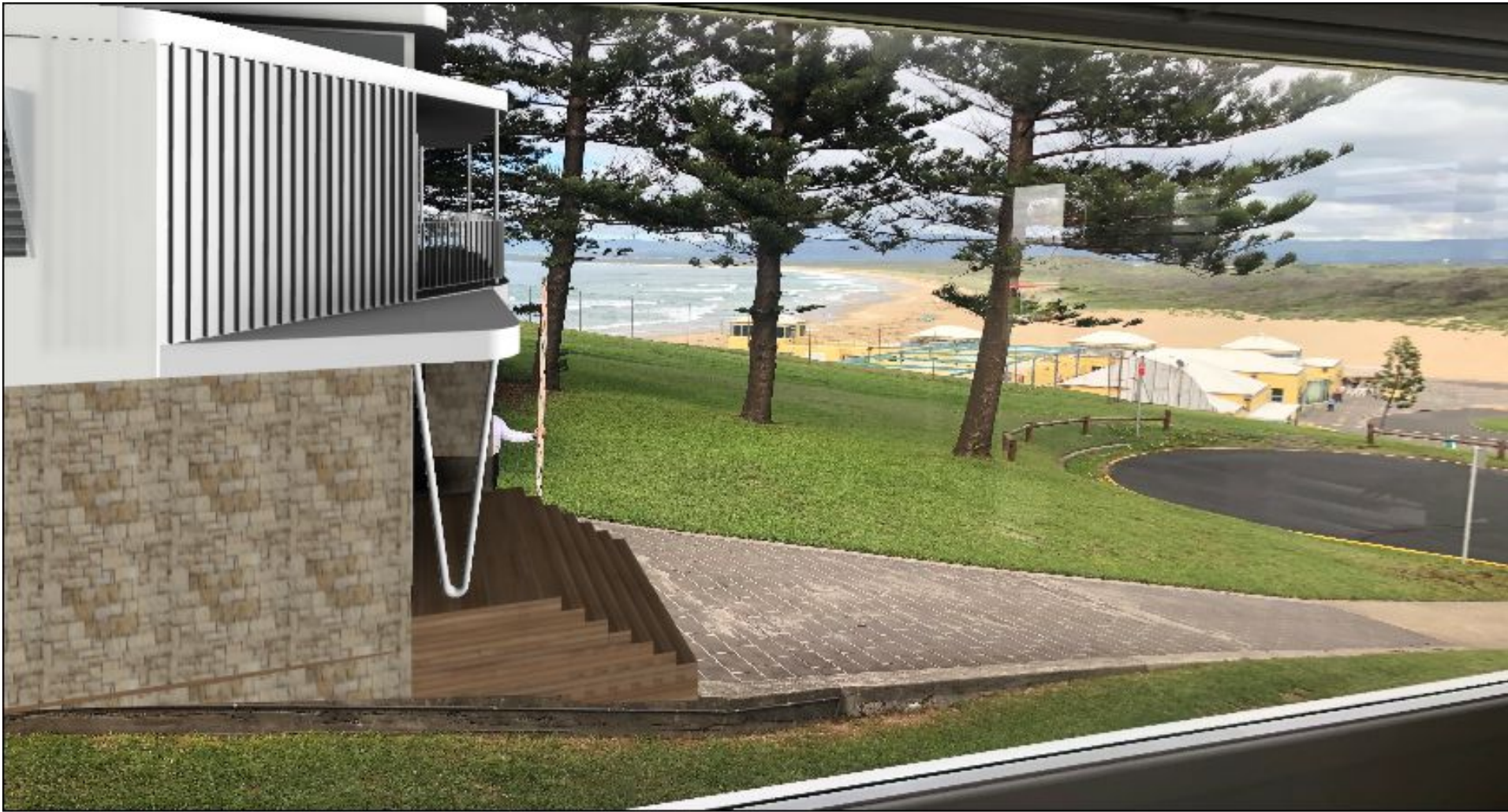




REVISION C PROPOSED DESIGN WITH A 2M WIDE BALCONY



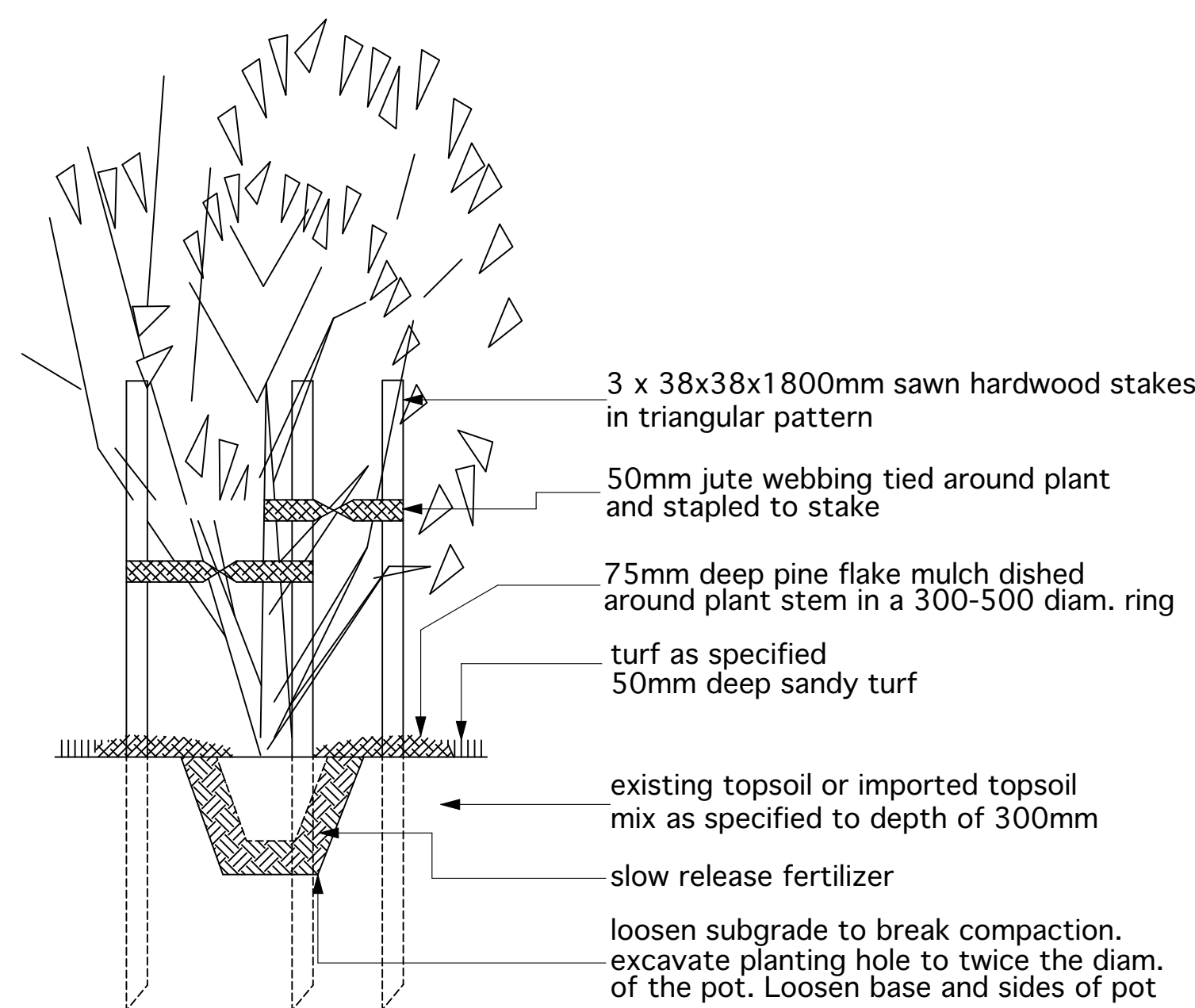
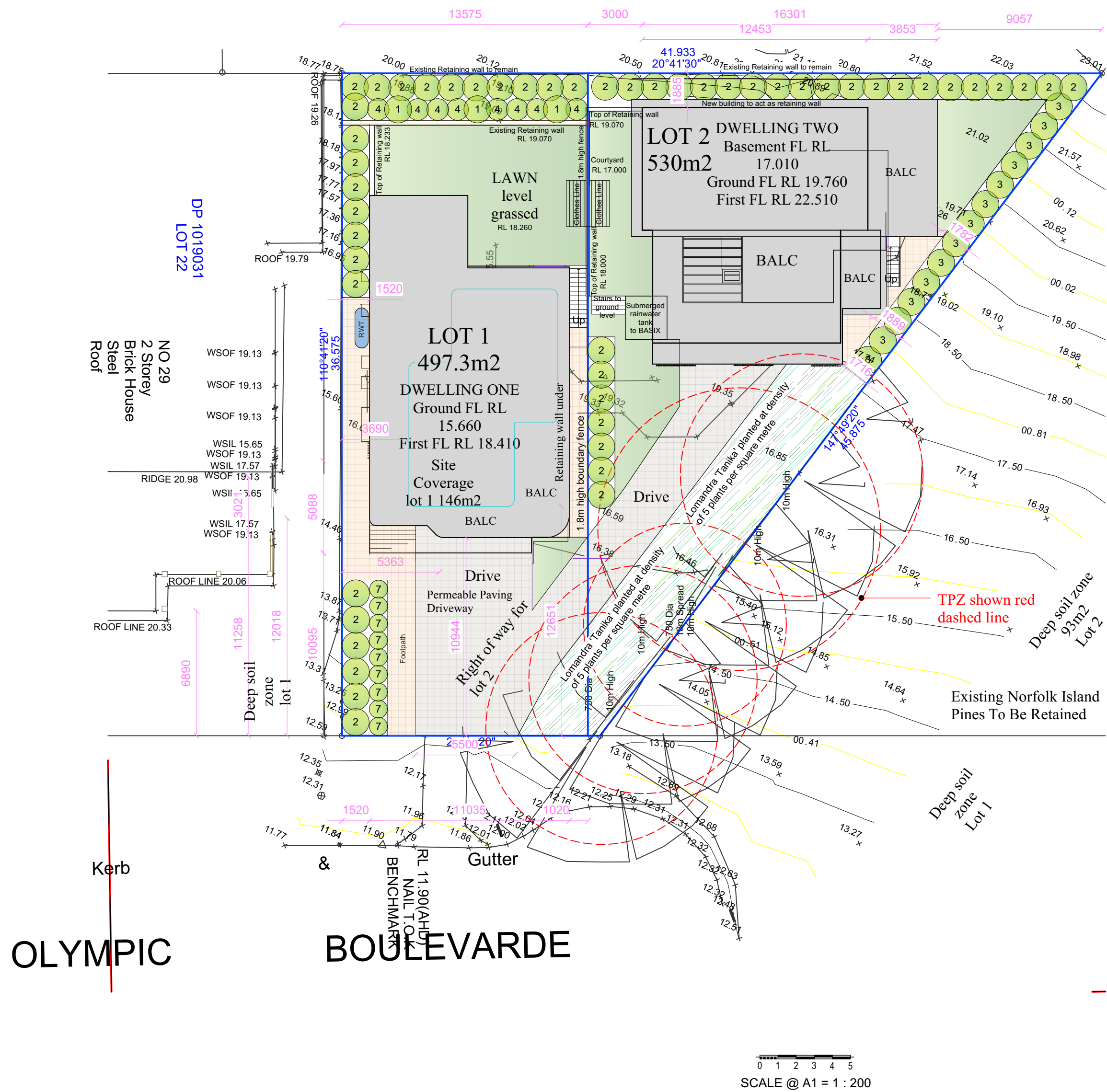
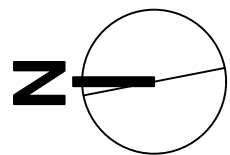
500MM REDUCED BALCONY ONLY



A COMBINATION OF 500MM REDUCED BALCONY AND 500MM FROM ENTRY ROOF, PROPOSED REVISION D DESIGN.

ALL IMAGES TAKEN FROM A SITTING POSITION FROM THE LIVING ROOM OF NUMBER 29

Revision	date	drawn by	issue notes	<div><div><div></div><div>DEBU STUDIOS</div><div>BUILDING DESIGN PROJECT MANAGEMENT</div></div><div>M0416411094 Ert@debus.com.au Web@debus.com.au</div></div> <div><div>legend:</div><div><div></div> extent of timber structures</div><div><div></div> extent of demolished structures</div><div><div></div> existing dwelling in elevation</div><div><div></div> existing structures in plan</div><div><div></div> extent of existing dwelling in site plan</div><div><div></div> extent of additions in site plan</div></div> <div><div>title: VIEW ANALYSIS</div><div>address: 31 OYLIMPIC BOULEVADE PORT KEMBLA</div><div><div>job description: Demolition of Existing Dwelling, Construction of a</div><div>for: FLORO</div><div>no: 143</div></div><div>701</div></div>
A	21-05-20	JE	PANEL COMMENTS	



45 - 150 litre pot size
TREE PLANTING DETAILS

PLANTING DETAILS

- 1- PLANT MATERIAL. Shall be pest and disease free and of correct shape and form. Plants should be well advanced in the growing container but not potbound.
- 2- STAKING Shall be hardwood timber stakes measuring 38x38x1800mm, three stakes per tree. Jute webbing or similar should be used to fix tree species to the stakes.
- 3- MULCHING. Is to be placed in all areas of planting to a depth of 75mm. Mulch should be of 25mm river stones, decorative gravel or similar. A consistent depth of mulch is to be maintained for a period of 12 months following initial landscape installation.

MAINTENANCE PROGRAMME

- 4- WATERING. Planted areas shall be watered regularly to ensure continuous and healthy growth. Water shall be frequently applied in the initial period following planting to the extent that healthy plant growth continues and establishment is rapid. Water shall be made available to all new plantings on as need basis, this is a climate dependant variable.
- 5- TURF. If required should be quality kikuyu, buffalo or varietal couch grass that is weed, pest and disease free. Turf shall be maintained at regular intervals with fortnightly cutting in the growing season and monthly cutting in the cool season months for the maintenance period. Cutting height shall ensure that turf is not scalped or damaged by mowing.
- 6- MAINTENANCE PERIOD. Shall be for a period of 12 months commencing from completion of initial landscape works.

LANDSCAPE PLANTING SCHEDULE					
BOTANIC NAME	COMMON NAME	(H) x (W)	SIZE	QTY	STAKING
1 Acacia 'Sophae'	Coastal Acacia	1.5 m x 1.5 m	200 mm	3	NO
2 Westringia fruticosa	Coastal Rosemary	1.5 m x 1.5 m	200 mm	51	NO
3 Correa alba	White Correa	1.5 m x 1.5 m	200 mm	14	NO
4 Crinum pedunculatum	Crinum Lily	0.8 m x 0.8 m	200 mm	8	NO
5 Lomandra 'Tanika'	Tanika Lomandra	0.7 m x 0.7 m	150 mm	500	NO
6 Strelitzia reginae	Bird of Paradise	1.2 m x 1.2 m	200 mm	9	NO

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ABN: 18 308 089 059

NO.	DATE	REVISION DETAILS	BY	PROJECT	CLIENT	PROJECT #	MS2018207
A	05/07/19	REVISED LAYOUT	MS	LANDSCAPE DESIGN	DEBU STUDIOS	DWG DATE	21 / 05 / 2020
B	05/05/20	LAYOUT & PLANTING	MS			SCALE @ A1	1 : 200
C	21/05/20	PLANT SPECIES	MS			DRAWN BY	MARK SPENCE
				ADDRESS	31 OLYMPIC BOULEVARDE, PORT KEMBLA	FILE NAME	MS2019147
						PAGE #	PAGE 1 OF 1



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Addendum to View Impact Assessment

Demolition of Existing Dwelling and Construction of a Detached Dual Occupancy



Lot 21 DP 1019031
No. 31 Olympic Boulevard, Port Kembla

Prepared by:
Rebecca Goodman
Town Planner (*Bach Urb Reg Plan*)

31 March 2020

Following consideration of Development Application No. 2019/1155 by Wollongong Local Planning Panel on 20 February 2020, the following recommendations were made in relation to the potential view impacts of the proposed development on No. 29 Olympic Boulevard:

1. A detailed analysis of view impact from the adjoining property to the north including the erection of surveyed height poles, photographs with survey data and showing consideration of design options which may include some or all of the following;

- *Increasing the front setback;*
- *Removing the solid screen from the northern end of the front balcony to dwelling one;*
- *Cutting back the front balcony and/or northwest corner of dwelling one and increasing articulation of the northern and/or western elevation of dwelling one;*
- *Increasing the northern boundary setback.*

The design of Dwelling 1 has been modified to specifically address the panels comments in the following manner:

Increasing the front setback;

The front balcony setback has been increased by 850mm to a setback of 10.945mm;

The full depth of the balcony now commences at a setback of 5.365m from the northern side boundary;

The depth of the front balcony has been increased by 980mm allowing the first floor front façade to now be pushed back to a front setback of:

- 13.09m at a distance of 3.69m from the northern side boundary, being 1.83m beyond its previous front setback; and
- 15.31m at a distance of 1.5m from the northern side boundary, being 4.05m beyond its previous front setback.

Removing the solid screen from the northern end of the front balcony to dwelling one;

The privacy screen to the northern side of the front balcony has been removed. This results in the solid wall of the northern elevation being setback 13.09m measured from the front boundary to the front façade, an increase of 2.995m. When combined with the increased side setback to this portion of the dwelling as a result of the splayed corner, the extent of view available to No. 29 Olympic Blvd increases significantly.

Cutting back the front balcony and / or northwest corner of dwelling one and increasing articulation of the northern and / or western elevation of dwelling one:

The side setback to the balcony has been increased by 2.19m and is now located a minimum of 3.69m from the northern side boundary, with the full depth of the front balcony commencing at a distance of 5.365m from the northern side boundary.

The front north-western corner of the dwelling has been removed through the incorporation of a splayed corner into the design. This results in the continuous line of the northern side elevation ceasing at a distance of 15.31m from the front boundary, approximately 1m behind the Living Room window at No. 29. The first floor of the dwelling then tapers across to commence the front façade at a distance of 3.69m from the northern side boundary.

Increasing the northern boundary setback.

The northern side setback to Dwelling 1 has been retained for the rear portion of the dwelling, up to 1m behind the Living room window of No. 29 Olympic Blvd, generally in line with the kitchen window. From this point the setback increases via a 45degree splay in the façade until it reaches the first-floor front façade at a side setback of 3.69m.

Comments provided by the Wollongong Local Planning Panel required 'some or all' of the suggestions to be incorporated into the design. Every suggestion has been incorporated and as such it is not considered essential to increase the side setback to the entire northern elevation. The remaining unarticulated length of the northern elevation is not considered to be excessive or uncommon for a contemporary residential dwelling. The unarticulated extent of the wall will have a notably reduced visibility from the Living room and Kitchen windows due to the increased setbacks and increased articulated. This is considered to achieve the anticipated objectives of the panels comments.

The proposed modifications to the design and siting of Dwelling 1 will significantly increase the extent of the view able to be retained from No. 29 Olympic Boulevard. Noting it is the opinion of RG Town Planning Pty Ltd that the previous design was a reasonable development for the site, the proposed modifications are found to exceed the expectations for view sharing where a view is obtained over a side boundary. Particularly where the subject view remains available from the balcony and a partial view remains available from the main Living room.

The below image demonstrates the manner in which the first floor, north-western corner of Dwelling 1 has been splayed from behind the Living room window of No. 29 Olympic Boulevard at an angle of 45degrees.

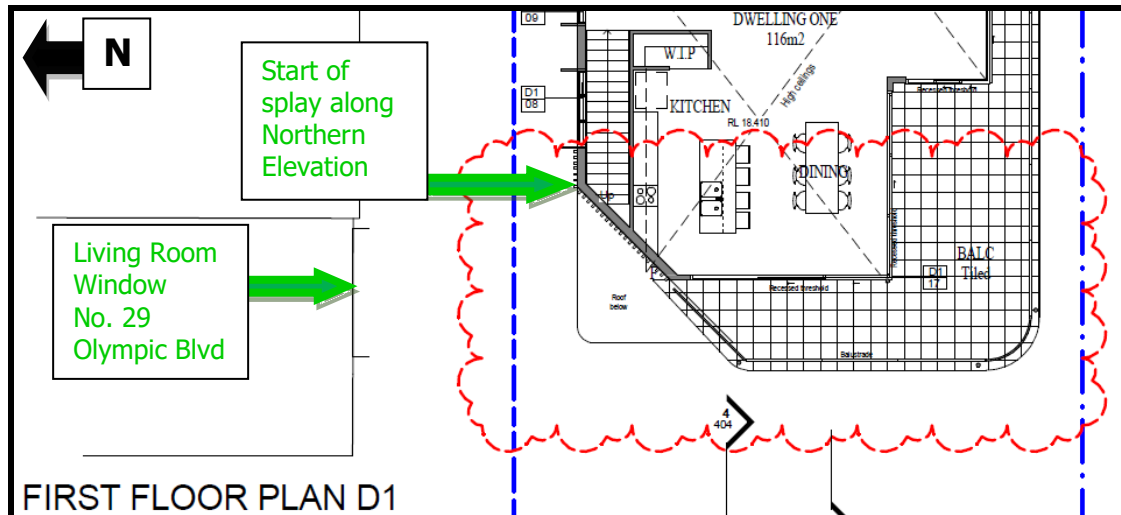
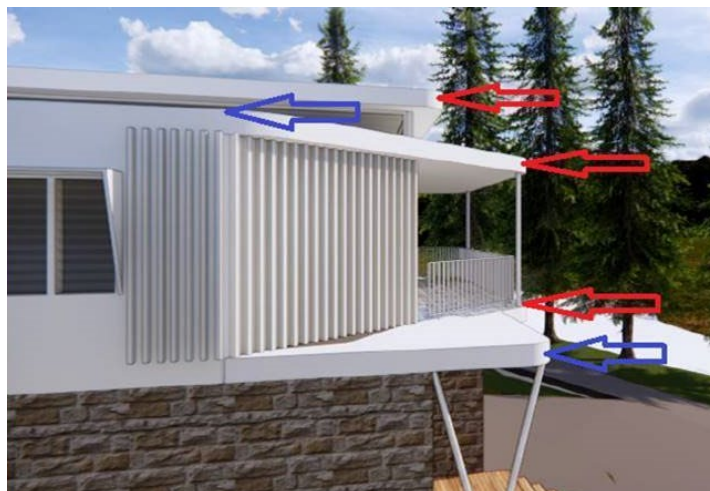


Figure 1 – Relationship of the modified first floor plan of Dwelling 1 to the Living room window of No. 29 Olympic Boulevard.

SURVEYED HEIGHT POLES – METHOD STATEMENT

CEH Consulting Pty Ltd was engaged to assist with the surveyed height poles requested by the WLPP. A Registered Surveyor was provided with plans outlining the modified siting and design of Dwelling 1, along with specific locations we would require height poles to be provided. These locations were determined based on the areas of the development resulting in the greatest impact on the views obtained from No. 29 Olympic Boulevard. The 3D image below was provided to Council's assessing officer to confirm if Council would require any additional height poles beyond those indicated below. Advice from Council confirmed the red arrows were the crucial elements in relation to views, subject to the top red arrow relating to the front façade rather than the roof overhang. This was clarified with the surveyor.

A detailed Site Plan and 3D image of the front north-western corner of Dwelling 1 were provided to the surveyor clarifying the exact locations requested. Indicative versions of these details are provided below:



*Figure 2 - 3D image of the front north-western corner of Dwelling 1 with **red** arrows showing locations of 'essential' height poles, along with **blue** arrows identifying additional height poles that may be requested once onsite.*

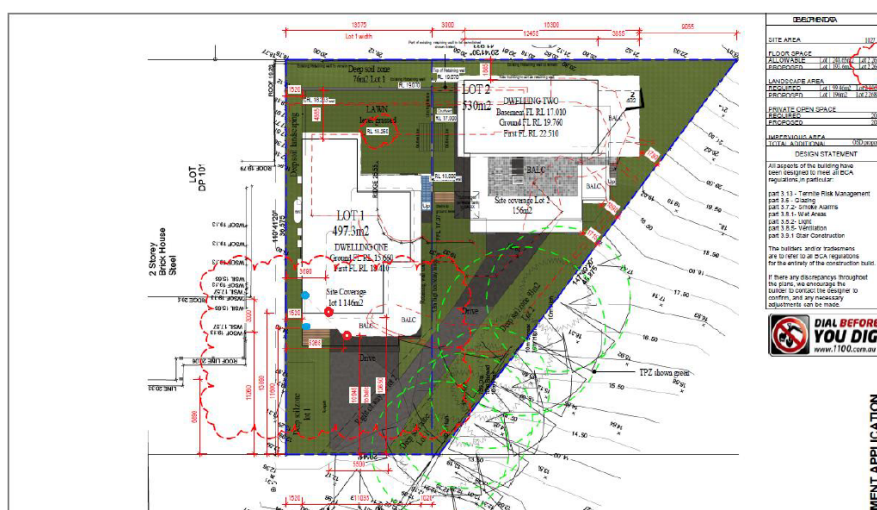


Figure 3 - Indicative Site Plan showing red and blue markers in locations to match the arrows on the above 3D image.

An onsite meeting was held on 12 March 2020 allowing RG Town Planning, DEBU Studios (applicant/architect) and Council's assessing officer to attend the neighbouring property at No. 29 Olympic Boulevard to take photos from within the dwelling while CEH Consulting attended the development site along with the landowner.

Due to the required pole locations being on a moderately sloping concrete driveway it was not considered ideal or safe to erect free-standing height poles due to their risk of falling. This was a concern raised by a number of surveyors that were contacted during this process. Rather, surveyed height poles were held in place, based on the identified locations associated with the above modified design. Whilst the poles were in place onsite, photographs were taken from within No. 29 Olympic Boulevard to clarify the extent of view loss that will result from the proposal.

Whilst onsite, the owners of No. 29 Olympic Boulevard indicated that a singular lounge chair, located adjacent to the rear portion of the living room was the key location they wished to maintain their view from. For this reason, the image utilised for the purpose of this report is taken from the location of this singular lounge chair located in the area of the room with the highest impact.

A 3D image of the proposed development was overlaid on the photo, utilising the surveyed height poles to guide the siting. Written confirmation has been provided by the surveyor to confirm the location of the poles held in the photo was accurate. Additional photographs are provided below to demonstrate the location of the height poles and potential impact from alternate angles within the living room and kitchen.

Please Note:

1. The height pole relating to the floor level of the front balcony accurately indicates proposed RL18.41. This is the pole that has been utilised to site the 3D image. Height poles relating to the front façade do not demonstrate the exact overall height of the building due to constraints onsite, rather they accurately demonstrate the siting of the front façade. It was acknowledged onsite by RG Town Planning, Council's assessing officer & the owners of No. 29 Olympic Boulevard that this remained a reasonable approach as the overall height of the front façade was not of great relevance as no view was to be obtained over the top of the building, only forward of the building.

2. It was acknowledged onsite by the owners of No. 29 Olympic Boulevard that they had no remaining concern in relation to the impact of the proposal as viewed from their front balcony. The current design and siting will not result in any loss of water views from the balcony of No. 29, as such this assessment focuses on the Living room window and the Kitchen window.



Figure 4 - Height Pole held in place indicates the location of the front balcony, extending to the proposed floor level of RL18.41.

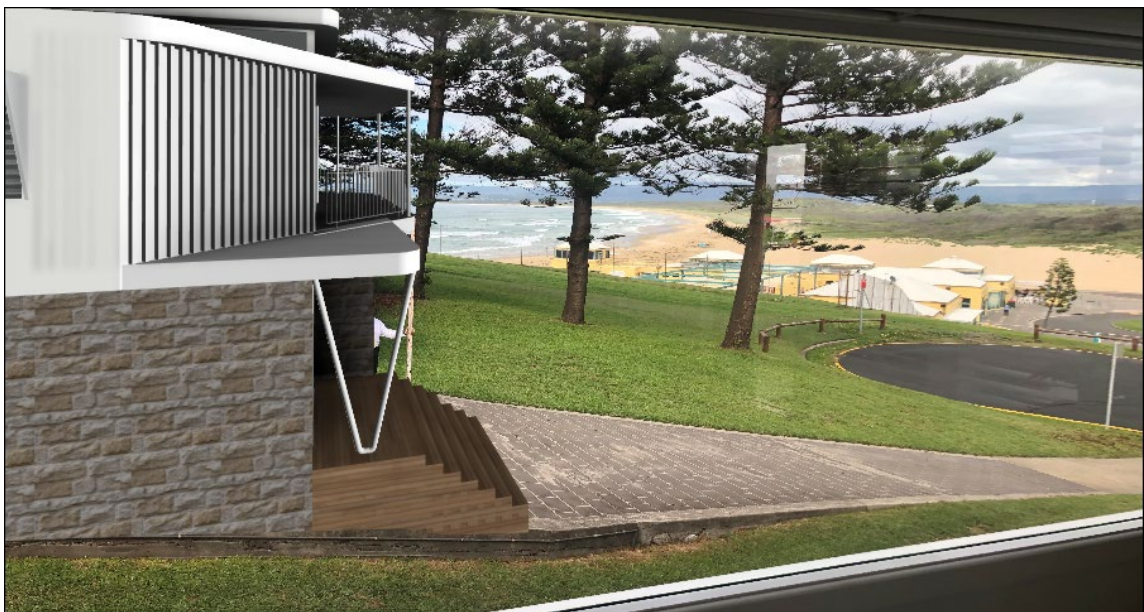


Figure 5 - This 3D image is overlaid on the above photo, showing the height pole lining up with the location and height of the front balcony in keeping with the plans provided to the CEH Consulting Pty Ltd.

As can be seen in these images, the loss of water views resulting from the modified design is minimal due to the angle of the land to the south of No. 31. Viewed from this angle, being to the rear of the living room window, the front balcony will line up with the base of Tree 3 (with Tree 1 being closest to the road). The front façade commences approximately midway between Tree 3 & Tree 4.

Figure 5 above is considered to demonstrate the extent of the view that will remain available from a sitting position, across a side boundary. The image itself is taken from a standing position, however as the front setback (rather than height) determines the extent of the view, the standing and sitting views will remain of a similar context.

Below is an alternate photo of the surveyed height poles taken from a central location within the Living room of No. 29.



Figure 6 - Height Poles demonstrating the surveyed siting of the front balcony and the start of the first floor front façade (where it meets the splayed feature). Photo taken from centrally within the Living room showing extent of view currently available.

This image taken centrally within the Living room demonstrates the front balcony will begin to obstruct the existing view part way (approx. one-third) between Tree 3 & Tree 4, while the front façade will be in alignment with Tree 4 at which point the water views cease. From this location, the only obstruction to the existing water view will be the minor portion obstructed by the balcony and garage below.

VIEW FROM KITCHEN

The below image demonstrates the existing view from the Kitchen, while giving an indication of the loss of view that will result from the modified design of Dwelling 1. The dwelling at No. 29 is designed to provide a balcony to the front façade, extending along the southern elevation to the Living room window and then the Kitchen window. The Kitchen window is located approximately 14.5m from the front boundary with a view to the water across the side boundary.

The surveyed poles shown below relate to the front corner of the single storey roof over the entry feature, with the larger pole showing the location of the front of the balcony at the point where the splay ceases and the full width balcony begins.



Figure 7 – View from Kitchen window showing location of roof over from entry (lower pole) and the front of the balcony where the splay ceases and the full width balcony begins.

A complete assessment relating to the impact of the modified design on existing views is provided below.

WOLLONGONG DEVELOPMENT CONTROL PLAN 2009

Under the provisions of Wollongong Development Control Plan 2009, consideration must be given to the impact of the proposed development on existing view lines from neighbouring properties, along with any significant views from public places.

The View Sharing provisions are noted within Chapter B1 – Residential Development, Part 4 – General Residential Controls, Clause 4.16 – View Sharing. The specific objectives of the controls are:

4.16 View Sharing

4.16.1 Objectives

- (a) To encourage view sharing from adjoining or nearby properties, public places, and new development.*
- (b) To protect and enhance significant view corridors from public places.*
- (c) To encourage the siting and design of new buildings which open up significant views from public areas.*

In order to determine whether the view sharing objectives are achieved, Council requires the submission of a Visual Impact Assessment addressing the following provisions:

1. Visual impact assessment should include an:

- (a) Assessment of views likely to be affected.*
- (b) Assessment of what part of the property the views are obtained from.*
- (c) Assessment as to the extent of the potential view loss impact.*
- (d) Assessment as to the reasonableness of the proposal causing the potential view loss impact.*

This assessment specifically addresses the above provisions providing a clear indication of any potential impact resulting from the proposed development and whether such impact is considered reasonable.

Due to the unique location of the site and the topography of the area, the proposed development has minimal impact on existing view lines from the nearby properties to the rear, however will result in a partial reduction in the views obtained from the living room and kitchen of No. 29 Olympic Boulevard. The location of the subject site at the end of a cul-de-sac results in only 2 directly adjoining residential properties. The initial assessment submitted to Council focused on the following 3 residential properties in addition to surrounding public reserve:

- No. 32 Griffiths Avenue - adjoining rear neighbour;
- No. 30 Griffiths Avenue – located to the north-east of the site with no directly adjoining boundary; and
- No. 29 Olympic Boulevard – adjoining northern side neighbour.

No. 30 & No. 32 Griffiths Avenue, being located to the rear of the subject development will not be at risk of any impact beyond that of the original assessment provided. These properties are only at risk of view loss as a result of the overall building height. As the roofline of the Dwelling 1 maintains a maximum height of RL22.31 in keeping with the original design, the assessment undertaken in this regard will not be altered from the previous. As no concern was raised in relation to loss of view from these properties, and the modified design will not result in any increased impact, no further assessment will be undertaken as part of this addendum.

Similarly, the existing views from the Port Kembla Beach Reserve looking east toward the subject site will be enhanced through the modified design due to its increased front setback and higher level of articulation. No additional assessment is proposed to be undertaken in this regard as part of this addendum.

This addendum will focus on the impact of the proposed development on the views obtained from the Living Room and Kitchen of No. 29 Olympic Boulevard, noting the landowners acknowledgement that no concerns remain in relation to loss of view from the front balcony. In this regard, the water views obtained from the front balcony of No. 29 will not be impacted upon by the modified siting and design of Dwelling 1.

No. 29 Olympic Boulevard



No. 29 Olympic Boulevard directly adjoins the northern side boundary of the subject site. As the proposed development will sit between No. 29 and the ocean there will inevitably be a partial reduction in views across the common side boundary. In order to minimise the potential impact, proposed Dwelling 1 has been setback 10.945m from the front boundary to the balcony, 4.945m in excess of Council's 6m front setback control that has been afforded to No. 29 and the majority of Olympic Boulevard. This assessment demonstrates the extent of views that will be retained from No. 29 and the reasonableness of the proposed development that results in the partial loss of view.

Consideration is also required to be given to the limitations on views able to be obtained from proposed Dwelling 1 as a result of the increased front setback.

The following considerations should be noted in regard to views retained from No. 29:

- All views across the front boundary toward Port Kembla Beach Reserve remain available;
- All views from the front elevation of the front balcony toward the south-west and the north-west are retained;
- The majority of views across the common side boundary, over the front setback of No. 31, are retained;
- Any impact on views currently obtained from the dwelling and balcony at No. 29 relates to views across a side boundary toward the 2nd pine tree & public reserve at the end of the cul-de-sac. Water views in this direction are already restricted due to the topography of the reserve;
- Views retained from No. 29 include the land/water interface along Port Kembla Beach.

In providing an increased front setback of 10.945m to Dwelling 1 in order to maximise the views retained by the neighbouring property, Dwelling 1 itself is losing partial views beyond what would be received at a 6m front setback. The increased front setback reduces the extent of land/water interface that is visible from the dining room of proposed Dwelling 1. A greater restriction on views from the internal living space than will result for the neighbouring property at No. 29. This is due to the reserve located to the south of the development site, between the site and the ocean, increasing in level as it extends to the east.

Tenacity Consulting v Warringah Council [2004]

Chapter B1 – Residential Development, Part 4 – General Residential Controls, Clause 4.16 – View Sharing within Wollongong DCP provides assessment criteria for view sharing that is in line with the Planning Principles set in the NSW Land and Environment Court as outlined in *Tenacity Consulting v Warringah Council [2004]* and provide the following four (4) steps for assessment of views:

The first step is the assessment of views to be affected. Water views are valued more highly than land views. Iconic views (eg of the Opera House, the Harbour Bridge or North Head) are valued more highly than views without icons. Whole views are valued more highly than partial views, eg a water view in which the interface between land and water is visible is more valuable than one in which it is obscured.

Living Room & Balcony

The views obtained from the living room and front balcony of No. 29 are noted to extend from westerly views extending to the escarpment, views over Port Kembla Beach Reserve & Port Kembla Pool, along with water views to the south, obtained over the common side boundary of the subject development site. These views are noted to contain a 'water view in which the interface between land and water is visible'.

Views obtained from the Living room can be seen in Figure 4 & Figure 6 above.

Kitchen

Views obtained from the Kitchen relate to water views to the south, obtained over the common side boundary of the subject development site. These views are noted to contain a 'water view in which the interface between land and water is visible'.

Views obtained from the Kitchen can be seen in Figure 7 above, however when standing at the kitchen sink, a water view remain available through the servery and Living room window.

The second step is to consider from what part of the property the views are obtained. For example the protection of views across side boundaries is more difficult than the protection of views from front and rear boundaries. In addition, whether the view is enjoyed from a standing or sitting position may also be relevant. Sitting views are more difficult to protect than standing views. The expectation to retain side views and sitting views is often unrealistic.

For both the Living room and Kitchen, the entire view is obtained across a common side boundary with the development site sitting between No. 29 and the end of the cul-de-sac. As the impact on views is not the result of the height of the building, rather a front setback, the potential impact will not be altered whether it is from a standing or sitting position.

All views toward the escarpment and the water that are obtained across the front boundary of No. 29 Olympic Boulevard will be retained in their entirety.

The third step is to assess the extent of the impact. This should be done for the whole of the property, not just for the view that is affected. The impact on views from living areas is more significant than from bedrooms or service areas (though views from kitchens are highly valued because people spend so much time in them). The impact may be assessed quantitatively, but in many cases this can be meaningless. For example, it is unhelpful to say that the view loss is 20% if it includes one of the sails of the Opera House. It is usually more useful to assess the view loss qualitatively as negligible, minor, moderate, severe or devastating.

The view of most concern is noted to be the view from the Living room window of No.29 which is located in their southern side elevation, located between 11.26m – 14.28m from the front boundary. Proposed Dwelling 1 has been sited with an increased front setback and modified design to minimise the loss of view and this approach has managed to maintain the predominant view line to Port Kembla Beach including the water/land interface. The extent of view to be lost is detailed in Figure 5 above, and is not considered to form a significant component of the outlook from the Living room at No. 29. The existing views extend from the water in the south to the beach reserve to the west, with the view loss considered minor in the overall context of the available views. A minor impact is considered a very reasonable outcome given the location of the subject living room window.

The Kitchen window will result in a greater loss of view due to its location along the side elevation of the dwelling, approx. 14.5m from the front boundary. Figure 7 above demonstrates that while the water views from the Kitchen window will not be retained, the modified design will allow for a restricted view to be retained toward the beach reserve. While the impact on the view from the Kitchen could be assessed as 'severe', Step 4 below demonstrates this is a circumstance where such an impact is reasonable.

It is noted that significant views continue to be obtained from the entire front balcony across the front setback of both No. 29 & No. 31 Olympic Boulevard. The front balcony provides a far lesser front setback than proposed Dwelling 1 resulting in No.29 maintaining a greater view than the subject development site, despite the development site being located closer to the beach reserve.

The fourth step is to assess the reasonableness of the proposal that is causing the impact. A development that complies with all planning controls would be considered more reasonable than one that breaches them. Where an impact on views arises as a result of non-compliance with one or more planning controls, even a moderate impact may be considered unreasonable. With a complying proposal, the question should be asked whether a more skilful design could provide the applicant with the same development potential and amenity and reduce the impact on the views of neighbours. If the answer to that question is no, then the view impact of a complying development would probably be considered acceptable and the view sharing reasonable.

The proposed development relates to a dual occupancy development, however due to the irregular shape of the allotment and large site area, Dwelling 2 results in no impact on views obtained from any surrounding properties. Further, at completion of the development Dwelling 1 is proposed to be sited on an allotment having an area of 497.3m² in keeping with the density of a typical single dwelling-house on a residential allotment. In this instance it is considered reasonable to focus Step 4 on Dwelling 1, as this is the component of the proposal that causing the impact.

Dwelling 1 provides:

- compliant front setback of 10.945m, well exceeding Council's 6m requirement and the predominant front setback within Olympic Boulevard;
- compliant side & rear setbacks;
- compliant overall height, being well below the permitted 9m;
- compliant Floor Space Ratio both pre and post subdivision;
- no shadow cast over No. 29 Olympic Boulevard;
- results in no loss of privacy to any neighbouring property;
- maintains the scale of a single dwelling house, remaining on a lot area of 497.3m² after subdivision;
- provides a bulk and scale in keeping with, or lesser than, surrounding dwellings.

It would be difficult to suggest that the design and siting of Proposed Dwelling 1 is not a reasonable proposal in this instance. It would also be difficult to suggest that the overall dual occupancy development was unreasonable when both Dwelling 1 and Dwelling 2 maintain the density of typical dwelling houses on allotments that exceed Council's minimum lot size for standard subdivision. Dwelling 2 provides a far lesser scale than the existing dwelling located on the siting of Dwelling 2 has not resulted in an unreasonable siting for Dwelling 1 as it will be sited on a relatively standard rectangular allotment at the completion of the development.

The proposal is considered to be most reasonable for the site and the partial loss of view for No. 29 is the result of a highly reasonable siting of Dwelling 1. It is not considered to be justified to require any further design modifications to retain any further views from No. 29.

WLPP during discussion, suggested that the rear yard of Dwelling 1 would have poor amenity due to the large existing retaining wall and as such consideration should be given to locating the dwelling toward the rear boundary (a further 3m was provided as an example for discussion) and proposing a greater POS area within the balcony to the front of the site. The following concerns are raised with this suggestion:

- If the area of the site adjacent to the rear boundary is considered to have such poor amenity, it is not considered reasonable to request the main habitable areas of Dwelling 1 to be sited in this location. While Dwelling 2 is located proximate to the rear boundary, this dwelling has been designed opening toward the public reserve and coastal outlook to the south, and adjoins the open nature of the rear yard of Dwelling 1 to the north. The suggested siting would result in a lesser amenity for both Dwelling 1 and Dwelling 2;
- The location of the POS area to the front of the site would result in a significant loss of privacy due to the location of the living room and kitchen windows at No. 29;
- The rear yard currently allows for a private area for use by the residents of the dwelling, with a secondary space provided via a balcony with an alternate level of amenity. This is found to be a more reasonable use of the rear portion of the site.

However, the suggested 3m increase to the front setback that was intended to be achieved by the above suggested has been noted. The solid portion of the northern elevation has been setback a further 5.215m at a side setback of 1.5m and the first floor front façade of the dwelling is now setback a further 2.995m at a side setback of 3.69m. To clarify, the solid obstructive element of the previous design extended to the privacy screen to the northern side of the front balcony. Following removal of the privacy screen creating an open style balcony, the obstructive element of the northern elevation is now setback a further 5.215m at its closest point to No. 29 and 2.995m at the first floor front façade, which is now setback 3.69m from the northern side boundary due to the splayed design.

As the subject loss of view is resulting from a development that provides compliant setbacks, the planning principles requires consideration as to *'whether a more skilful design could provide the applicant with the same development potential and amenity and reduce the impact on the views of neighbours.'* This question was taken onboard by the architect and landowner following the WLPP and the current design is considered to utilise alternate design elements to significantly increase the views available to the neighbours, while retaining the same development potential and a similar level of amenity for the proposed dwelling.

However, any further increase in the front setback is considered to result in an unreasonable impact on the amenity of proposed Dwelling 1. The further Dwelling 1 is setback into the site, the level of view available from with proposed living area is reduced due to the topography of the adjoining public reserve. There is already a significant reduction in available view than would be available if Dwelling 1 was sited at a compliant front setback of 6m. As stated above, the further Dwelling 1 is pushed toward the rear boundary the internal amenity of the dwelling is reduced, as is the opportunity to retain a functional rear yard.

In determine the 'reasonableness' of the proposal, consideration has been given to the below quote from a recent assessment undertaken by Wollongong Council regarding impact on neighbours. The incorporation of such quotes is not an approach RG Town Planning would commonly take, however feels very strongly about in this instance. This quote related to the retention of solar access, as opposed to views, hence the reference to orientation, however the underlying principle of the statement is of direct relevance to the current proposal:

It is considered inequitable that the development potential of a lot to the north of an existing development should be constrained or inhibited because that existing development, through site constraints or for other reasons was sited where adjoining development with compliant setbacks could demonstrably and adversely affect amenity.

This comment formed part of an assessment that clearly indicated an existing dwelling, such as the existing neighbouring dwelling at No. 29 Olympic Boulevard, at the time it was constructed should have taken into account potential impacts resulting from a development with compliant setbacks on the adjoining site. The assessment provides that it would be inequitable that the development potential of a site (such as No. 31 Olympic Boulevard) should be constrained or inhibited because of the chosen design of the adjoining dwelling. It is important to note the above quote was not referencing an existing recent dwelling, rather a dwelling constructed some time ago under previous development controls as is the case with No. 29. The Living room window at No. 29 Olympic Boulevard is understood to have been

incorporated into the dwelling via a Development Application assessed circa 2005, which is recent enough for consideration of future development with compliant setbacks on the adjoining site to be a reasonable expectation.

In this instance proposed Dwelling 1 provides a 10.945m front setback to the balcony and 13.09m to the first floor façade of the dwelling, 4.945m in excess of Council's requirements. This setback is proposed to address views from a living room window in a side elevation that is considered to be inappropriately sited without consideration of future development on the adjoining site. This increased front setback impacts on the available views from proposed Dwelling 1, however has been agreed to by the landowner in order to reduce the concerns of their neighbours. It is difficult to ignore that No. 29 has not afforded such compromise to No. 27 Olympic Boulevard, rather entirely blocked the line of sight toward the water up to the 6m front setback. It would seem that No. 29 wins from all angles with limited regard to surrounding properties. There was a clear design choice to provide a full width balcony to the front elevation rather than incorporate the Living room at the front of the site, and now views are sought to be maintained from the entire balcony and living room window which is located >11m from the front boundary when it was permitted to be constructed at 6m.

The modified front setback and overall design of Dwelling 1 is considered to provide an outcome that is beyond equitable and should be accepted as an extremely generous outcome in relation to view sharing.

Conclusion

Following modification to the design and siting of Dwelling 1 in response to comments raised by Wollongong Local Planning Panel, the proposed development is considered to provide a high level of consideration toward the adjoining property and will allow for the retention of extensive views from the balcony and Living room window. The retained views will be available from a standing *and* sitting position, across a *side* boundary.

The loss of water views from the Kitchen is considered to be a reasonable outcome due to its location within the site and the ability to retain views to the beach reserve from this window, maintain and outlook many residential dwellings would not be privy to from this location within their side elevation. Partial water views will also be retained when standing at the kitchen sink, through the servery and Living room window maintaining a reasonable amenity for the kitchen.

The siting of the existing dwelling at No. 31 Olympic Boulevard toward the rear of the site is considered out of keeping with the character of the area and has for many years resulted in No. 29 Olympic Boulevard obtaining views beyond what would typically be anticipated for the site. Any loss of view resulting from the proposed development relates to a current line of sight across the common side boundary and will not be the result of an unreasonable development proposal. The development provides a front setback far beyond Council's 6m control and far beyond what has been required for any other dwellings along Olympic Boulevard. The building height and side setbacks are in keeping with the character of the street and are most appropriate for the site.

In this instance the modified development is considered to achieve the objectives of the View Sharing provisions within Wollongong DCP 2009 and achieves the planning principles set by the NSW Land & Environment Court via *Tenacity Consulting v Warringah Council [2004]*. The development is appropriately designed and most suitable for the site in this instance.

Should you have any questions or require further clarification in relation to this assessment please contact the undersigned on M: 0401 443 566.

A handwritten signature in black ink, appearing to read 'R Goodman', enclosed within a thin black rectangular border.

Rebecca Goodman
Town Planner
Bach. Urb. Reg. Plan.

ATTACHMENT 4: STRUCTURAL ENGINEER LETTER



PO Box 216, Wollongong, 2520
Tel: 02 4244 4017

Date: 25/03/2020

Lee Floro
lee.floro@icloud.com

RE: 31 Olympic Boulevard, Port Kembla – Structural Design

Dear Lee,

We, ROC Engineering, have been engaged as the structural engineers on the above project.

We certify that the structural drawings including retaining walls will be prepared:

- a) under the supervision of a professional structural engineer certified under NER; and
- b) in accordance with the relevant structural requirements of the Building Code of Australia;

including:

- AS1170.0, AS1170.1, AS1170.2 – Loading Code
- AS3700 – Masonry Structures
- AS2870 – Residential Slabs and Footings
- AS4100 – Steel Structures
- AS3600 – Concrete Structures
- AS1720 – Timber Structures

The structural drawings are to be issued by ROC prior to construction commencing.

Yours sincerely,

A handwritten signature in black ink, appearing to read "S. Yarnold", written in a cursive style.

Stephen Yarnold
Structural Engineer
BE (Hons) MIEAust CPEng NER

Attachment 5 - Wollongong LEP 2009 and DCP 2009 assessment

The revised design has been assessed with regard to the LEP and DCP and any changes to the original assessment are outlined below. Other than these matters, the previous assessment as reported to the 20 February Panel meeting remain applicable.

Wollongong LEP 2009

Clause 4.4 Floor space ratio

Dwelling 1 has a slight reduction in gross floor area 1.5m² than the previous design to the introduction of the splay corner. The proposal remains compliant with the maximum 0.5:1 FSR permitted under this clause.

Wollongong DCP 2009

CHAPTER B1 – RESIDENTIAL DEVELOPMENT

4.0 General Residential controls

<i>Controls/objectives</i>	<i>Comment</i>	<i>Compliance</i>
<u>4.2 Front Setbacks</u> <ul style="list-style-type: none">6m front setback5.5m to garages	Dwelling 1 has a minimum 11.63m front setback (first floor balcony) and 13.085m to the first floor façade.	Yes
<u>4.3 Side and Rear Setbacks</u> <ul style="list-style-type: none">Min 900mm setback3m for walls in excess of 7mWalls in excess of 8m in length may not be considered for a variation to side setbacks	<i>Dwelling 1</i> <ul style="list-style-type: none">minimum 1520mm side setback with no walls exceeding 7m in height> 7m rear setback	Yes
<ul style="list-style-type: none">All balconies and windows of habitable rooms (excluding bedrooms) within a proposed dwelling house or secondary dwelling must be designed to minimise any direct overlooking impact upon any adjoining property	The privacy screen on the northern side of the first floor balcony has been deleted to allow for views through the balcony.	Yes

<p><u>4.6 Private Open Space</u></p>		
<p>A 24m² area of private open space must be directly accessible from the living areas of each proposed dwelling and have a minimum width of 4m and be no steeper than 1:50</p>	<p><i>Dwelling 1</i></p> <p>Over 24sqm POS area retained in rear yard, also proposes balconies facing south and the street</p>	<p>Yes</p>
<p><u>4.8 Building Character and Form</u></p>		
<p>2. Large bulky forms are to be avoided, particularly in visible locations. The use of extended terraces, balconies, sun shading devices and awnings will help reduce the apparent bulk of buildings.</p>	<p>The revised siting of Dwelling 1 has an increased front setback (11.63m where a 6m setback is permitted). The increased setback will provide for improved view sharing with the adjoining northern site (29 Olympic Boulevard).</p> <p>Sandstone cladding to the lower floor of Dwelling 1, together with a splay design minimises the visual bulk of the northern elevation.</p>	<p>Yes</p>
<p><u>4.16 View sharing</u></p>	<p>View sharing is discussed in detail in the report</p>	<p>Yes</p>
<p><u>4.23 Additional Controls for Dual Occupancy's – Deep Soil Zones</u></p>		
<p>1. 50% landscaped area must be deep soil zone (DSZ).</p>	<p>No change to the area of the deep soil zone is proposed.</p>	<p>Yes</p>
<p>4. DSZ to be densely planted with trees and shrubs</p>	<p>The revised landscape plans have proposed new species within the front setback area so the plantings will not impact on view loss. Recommended plant species from Council's Landscape Division have been indicated in the planting schedule (noting that there is a numbering error). Condition 23 has been updated to specify appropriate landscape species and to correct numbering error.</p> <p>Given the existing Norfolk Island Pines are to be retained as deep soil as part of the development, no objection is raised to smaller shrubs and planting elsewhere within the nominated deep soil zone.</p>	

CHAPTER E6: LANDSCAPING

A revised landscape plan prepared in accordance with the requirements of this chapter has been submitted to reflect planting within the front landscaped areas that do not reach a height at maturity that would contribute to view loss. Council's Landscape officer has recommended suitable species that is reflected in the updated conditions of consent.

Attachment 6 - Recommended conditions

Approved Plans and Specifications

- 1 The development shall be implemented substantially in accordance with the details and specifications set out on Job No 143 Drawing 102-D, 102/B-D, 111-D, 112-D, 201-D, 202-D, 205-D to 207-D, 301-D to 304-D and 401-D to 406-D dated 25 May 2020 prepared by Debu Studios and any details on the application form, and with any supporting information received, except as amended by the conditions specified and imposed hereunder.

General Matters

2 Staging

The development is to be carried out in stages as outlined below:

Stage 1: Demolition of dwelling house.

Stage 2: Earthworks including excavation, earthworks and drainage works and retaining wall construction.

Stage 3: Construction of the dwellings.

3 Geotechnical

- a A dilapidation report is required for all structures located within the zone of influence of the proposed earthworks as determined by a geotechnical consultant.
- b All excavations need to be supported during and after construction particularly to protect adjoining property with nearby existing development.
- c Retaining wall design is not to include anchors extending on to adjoining property without the written consent of the adjoining property owners.
- d All excavations for foundations are to be inspected by the geotechnical consultant and certified that the ground has been suitably prepared for the placement of footings.
- e No disturbance of ground is to occur beyond site boundaries. A minimum buffer between site boundaries and the construction of retaining structures is to be recommended by a geotechnical consultant to ensure adjoining property is not adversely impacted upon by this development.

4 Building Work - Compliance with the Building Code of Australia

All building work must be carried out in compliance with the provisions of the Building Code of Australia.

5 Construction Certificate

A Construction Certificate must be obtained from Council or an Accredited Certifier prior to work commencing.

A Construction Certificate certifies that the provisions of Clauses 139-148 of the Environmental Planning and Assessment Amendment Regulations, 2000 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 clause 142 (2) of the Environmental Planning and Assessment Regulation 2000.

6 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.

7 **Tree Retention**

The developer shall retain the existing tree(s) indicated on the Landscape Plan, Mark Spence, Issue A, dated 5 July 2019 and Arboricultural Impact Assessment Report prepared by Allied Trees dated August 2019 consisting of tree(s) numbered 1,2,3,4 and 5.

Any branch pruning, which has been given approval, must be carried out by a qualified arborist in accordance with Australian Standard AS4373-2007.

All tree protection measures are to be installed in accordance with Australian standard AS4970-2009 Protection of Trees on development Sites.

All recommendations in the Arboricultural Impact Assessment by Allied Trees dated August 2019 page no. **10-19** 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.

Conditions Specifically Relating to Stage 1: Demolition

- 8 Demolition works under this Stage are limited to above ground demolition works. Any excavation and/or earthworks associated with the demolition of the dwelling must be carried out as part of Stage 2.

9 **Demolition Works**

The demolition of the existing dwelling shall be carried out in accordance with Australian Standard AS2601 (2001): The Demolition of Structures or any other subsequent relevant Australian Standard and the requirements of the 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.

10 **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.

11 **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.

12 **Contaminated Roof Dust**

Any existing accumulations of dust in ceiling voids and wall cavities must be removed prior to any demolition work commencing. Removal must take place by the use of an industrial vacuum fitted with a high efficiency particulate air (HEPA) filter.

Conditions Specifically Relating to Stage 2: Earthworks

13 **Geotechnical Requirements**

This stage of the development is to comply with the following geotechnical requirements:

- a An earthworks plan is to be developed by a geotechnical consultant prior to start of earthworks including advice of excavation retention in deep dune sand.
- b Retaining wall designs are to be reviewed by Sydney Water to ensure foundation systems are not within proximity to trunk sewer main tunnels.
- c All recommendations of the geotechnical consultant in their geotechnical report commissioned for Geotechnical Condition 3d are to be accommodated in the earthworks plan.
- d The earthworks plan may require modification in light of any subsequent geotechnical reports commissioned to address unforeseen geotechnical conditions encountered during the Stage 1 works.

- e Due to the sensitivity of the site to changing geotechnical conditions, all work must be undertaken with Level 1 geotechnical supervision as defined in Australian Standard AS3798 Guidelines for Earthworks for Commercial and Residential Developments.
- f At the completion of the site preparation earthworks, the geotechnical consultant is to prepare a works-as-executed report detailing encountered geotechnical conditions and how the works addressed these conditions so that the residual geotechnical constraints can be accommodated within the structural designs for the dwelling. These structural designs are to be confirmed or amended by the structural engineer based on the works-as-executed geotechnical report.

Conditions Specifically Relating to Stage 3: Construction of Dwellings

14 Construction of Dwellings

Once the remedial works are complete and the structural designs have been endorsed by the geotechnical consultant that all known residual geotechnical constraints based on the works-as-executed geotechnical report have been accommodated in the designs, construction can then commence on the dwellings.

Conditions Relating to All Stages

Prior to the Issue of the Construction Certificate

15 Driveway Construction

Driveway surface under the canopy of existing trees shall be permeable and must be laid as per all recommendations in the Arboricultural Impact Assessment by Allied Trees dated August 2019 page no. 10-19.

16 Driveway Long-section

To verify that vehicular access will comply with Council's requirements, a scaled long section of each proposed driveway, from kerb and gutter at the point of access to the proposed garage floor level must be submitted with the Construction Certificate and shall include:

- a existing natural surface levels,
- b proposed grades and finished surface levels of the driveway,
- c preliminary details of the method of treatment of any fill/retaining wall which may be required in conjunction with the proposed driveway.

No part of each driveway must have grades exceeding Council's standards. As such, the long sections shall be taken along the critical path, i.e. the side of the driveway that will have the steepest grades.

17 Vehicle Manoeuvrability

The driveway for Lot 2 must include sufficient hard stand area and aisle width for a B85 vehicle (Australian Standard classification). All car parking spaces must be able manoeuvre on site to enter and leave the site in the forward direction, without the need to make more than a three-point turn. These requirements shall be reflected on the Construction Certificate plans.

18 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

19 Present Plans to Sydney Water

Approved plans must be submitted online using Sydney Water Tap, available through www.sydneywater.com.au 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 www.sydneywater.com.au or telephone 13 20 92 for further information.

- 20 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 AS2890.1, except where amended by other conditions of this consent. Details of such compliance are to be reflected on the Construction Certificate plans.

21 **Gradients of Ramps and Driveways as per AS 2890.1**

All driveways shall be constructed with a maximum vertical alignment as shown in Council's standard drawings. This requirement shall be reflected on the Construction Certificate plans and any supporting documentation.

Gradients of ramps and access driveways within the site must be provided in accordance with the current relevant Australian Standard AS2890.1 - Off Street Car Parking. Details of the method of treatment of any fill/retaining wall which may be required in conjunction with the proposed driveway. This requirement must be reflected on the Construction Certificate plans.

22 The edge of the driveway must be provided with a hob or dish drain to prevent surface water flows from entering the adjoining property. This requirement shall be reflected on the Construction Certificate plans, prior to the release of the Construction Certificate.

23 The submission of a final Landscape Plan to the Principal Certifying Authority, prior to the release of the Construction Certificate. The final Landscape Plan must be generally in accordance with the landscape plan submitted by Mark Spence Project No. MS2018207 Page 1 of 1 Revision C dated 21 May 2020 and shall address the following requirements:

- a 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, incorporating the following species:
 - i the landscape bed located in the north-western corner of the site must only comprise *Westringia fruticosa* (coastal rosemary) and *Strelitzia reginae* (Bird of Paradise). The plan and the planting schedule must reference the correct species numbering.
- b 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
- c driveway surface under the canopy of existing trees shall be permeable and must be laid as per all recommendations in the Arboricultural Impact Assessment by Allied Trees dated August 2019 page no. 10-19.

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

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

25 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 release of the Construction Certificate.

26 **Tree Protection and Management**

The existing trees are to be retained upon the subject property and any trees on adjoining properties shall not be impacted upon during the excavation or construction phases of the development. This will require the installation and maintenance of appropriate tree protection measures, including (but not necessarily limited to) the following:

- a Installation of Tree Protection Fencing - Protective fencing shall be 1.8 metre cyclone chainmesh fence, with posts and portable concrete footings. Details and location of protective fencing must be indicated on the architectural and engineering plans to be submitted to the Principal Certifying Authority prior to release of the Construction Certificate.

27 **Stormwater Connection to Kerb**

Connection across footways shall be by means of one or two (maximum), sewer grade UPVC pipe(s), 100mm diameter pipes with a continuous downslope gradient to the kerb. Connection to the kerb shall be made with a rectangular, hot dipped galvanised mild steel weephole(s) shaped to

suit the kerb profile, with each weephole having the capacity equal to a 100mm diameter pipe. Alternatively, a maximum of two 150mm x 100mm hot dipped galvanised steel pipes may be used across footways, with the 150mm dimension being parallel to the road surface to suit the kerb profile.

28 **Property Addressing Policy Compliance**

Prior to the issue of any construction certificate, the developer must ensure that any site addressing complies with Council's **Property Addressing Policy** (as amended). Where appropriate, the developer must also lodge a written request to Council's **Infrastructure Systems & Support – Property Addressing** (propertyaddressing@wollongong.nsw.gov.au), for the site addressing prior to the issue of the construction certificate. Please allow up to 3-5 business days for a reply. Enquiries regarding property addressing may be made by calling 4227 8660.

29 **Council Footpath Reserve Works – Driveways and 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 removed 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. Details and locations are to be shown on the Construction Certificate Plans.

30 **Driveway Width**

The driveway crossover within Council's Road reserve is to be a maximum of 5.5 metres wide. This requirement shall be reflected on the Construction Certificate plans.

31 **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 1m to the Principal Certifying Authority 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 and based on geotechnical advice. 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 Details 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.
- 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.

32 **Development Contributions**

Pursuant to Section 4.17 of the Environmental Planning and Assessment Act 1979 and the Wollongong City-Wide Development Contributions Plan, a monetary contribution of \$12,000.00

(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 estimated cost of development and the applicable percentage rate.

The contribution amount will be subject to indexation until the date of payment. The formula for indexing the contribution is:

$$\text{Contribution at time of payment} = \$C \times (\text{CP2}/\text{CP1})$$

Where:

\$C is the original contribution as set out in the Consent

CP1 is the Consumer Price Index; All Groups CPI; Sydney at the time the consent was issued

CP2 is the Consumer Price Index; All Groups CPI; Sydney at the time of payment

Details of CP1 and CP2 can be found in the Australian Bureau of Statistics website – Catalogue No. 6401.0 - Consumer Price Index, Australia.

The following payment methods are available:

METHOD	HOW	PAYMENT TYPE
Online (Full payment only)	http://www.wollongong.nsw.gov.au/applicationpayments Your Payment Reference: 1167752	<ul style="list-style-type: none"> • Credit Card
In Person	Wollongong City Council Administration Building - Customer Service Centre Ground Floor 41 Burelli Street, WOLLONGONG	<ul style="list-style-type: none"> • Cash • Credit Card • Bank Cheque
PLEASE MAKE BANK CHEQUE PAYABLE TO: Wollongong City Council (Personal or company cheques are not accepted)		

A copy of the Wollongong City-Wide Development Contributions Plan and accompanying Fact Sheet may be inspected or obtained from the Wollongong City Council Administration Building, 41 Burelli Street, Wollongong during business hours or on Council's web site at www.wollongong.nsw.gov.au

33 Dilapidation Report Prior to Construction

A Dilapidation Report detailing the current structural condition of adjoining buildings, infrastructure and roads shall be prepared and endorsed by a qualified structural engineer. The report shall be submitted to the satisfaction of the certifying authority prior to issue of the Construction Certificate.

A copy of the report is to be forwarded to Council and the owners of adjoining properties prior to the issue of a Construction Certificate.

Prior to the Commencement of Works

34 Appointment of Principal Certifier

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

- Appoint a Principal Certifier (PC) and notify Council in writing of the appointment irrespective of whether Council or an accredited private certifier is appointed; and
- notify Council in writing of their intention to commence work (at least two days notice is required).

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

35 **Residential Building Work – Compliance with the Requirements of the Home Building Act 1989**

Building work involving residential building work within the meaning of the Home Building Act 1989 must not be carried out unless the Principal Certifier for the development to which the work relates:

- a in the case of work to be done by a licensee under that Act:
 - i has been informed in writing of the licensee's name, contractor license number and contact address details (in the case of building work undertaken by a contractor under the Home Building Act 1989); and
 - ii is satisfied that the licensee has complied with the requirements of Part 6 of the Home Building Act 1989; or
- b in the case of work to be done by any other person:
 - i has been informed in writing of the persons name, contact address details and owner-builder permit number; and
 - ii has been given a declaration signed by the property owner(s) of the land that states that the reasonable market cost of the labour and materials involved in the work is less than the amount prescribed for the purposes of the definition of owner-builder work in Section 29 of the Home Building Act 1989 and is given appropriate information and declarations under paragraphs (a) and (b) whenever arrangements for the doing of the work are changed in such a manner as to render out of date any information or declaration previously given under either of those paragraphs.

Note: A certificate issued by an approved insurer under Part 6 of the Home Building Act 1989 that states that the specific person or licensed contractor is the holder of an insurance policy issued for the purposes of that Part of the Act is, for the purposes of this condition, sufficient evidence that the person has complied with the requirements of that Part of the Act.

36 **Sign – Supervisor Contact Details**

Before commencement of any work, a sign must be erected in a prominent, visible position:

- a stating that unauthorised entry to the work site is not permitted;
- b showing the name, address and telephone number of the Principal Certifier for the work; and
- c showing the name and address of the principal contractor in charge of the work site and a telephone number at which that person can be contacted at any time for business purposes.

This sign shall be maintained while the work is being carried out and removed upon the completion of the construction works.

37 **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.

38 **Structural Engineer's Details**

Structural engineer's details for all structurally designed building works such as reinforced concrete footings, reinforced concrete slabs and structural steelwork must be submitted to the Principal

Certifier, prior to the commencement of any works on the site. The structural details must make reference to the works-as-executed geotechnical report.

39 **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.

40 **Temporary Sediment Fences**

Temporary sediment fences (eg 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.

41 **All-weather Access**

An all-weather stabilised access point must be provided to the site to prevent sediment leaving the site as a result of vehicular movement. Vehicular movement should be limited to this single accessway.

42 **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.

43 **Certification from Arborist - Adequate Protection of Trees to be Retained**

A qualified arborist is required to be engaged for the supervision of all on-site excavation or land clearing works. The submission of appropriate certification from the appointed arborist to the Principal Certifier is required which confirms that all trees and other vegetation to be retained are protected by fencing and other measures, prior to the commencement of any such excavation or land clearing works.

44 **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.

45 **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.

During Demolition, Excavation or Construction

46 Piping of Stormwater to Existing Stormwater Drainage System

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

47 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.

48 Restricted Hours of Construction Work

The developer must not carry out any work, other than emergency procedures, to control dust or sediment laden runoff outside the normal working hours, namely, 7.00 am to 5.00 pm, Monday to Saturday, without the prior written consent of the Principal Certifier and Council. No work is permitted on public holidays or Sundays.

Any request to vary these 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;
- f any proposed measures required to mitigate the impacts of the works.

Note: The developer is advised that other legislation may control the activities for which Council has granted consent, including but not limited to, the Protection of the Environment Operations Act 1997.

49 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.

50 All proposed cut and filling works must be adequately retained with all battered slopes being no steeper than 2H: 1V and comply with Council's "Policy for Development on Sloping Sites".

51 Asbestos – Removal, Handling and Disposal Measures/Requirements Asbestos Removal by a Licensed Asbestos Removalist

The removal of any asbestos material must be carried out by a licensed asbestos removalist if over 10 square metres in area of non-friable asbestos, or if any type of friable asbestos in strict accordance with SafeWork NSW requirements (<http://www.safework.nsw.gov.au>).

52 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 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 Certifying Authority), prior to commencement of the construction works.

53 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.

54

BASIX

All the commitments listed in each relevant BASIX Certificate for the development must be fulfilled in accordance with Clause 97A(2) of the Environmental Planning & Assessment Regulation 2000.

A relevant BASIX Certificate means:

- A BASIX Certificate that was applicable to the development when this development consent was granted (or, if the development consent is modified under section 4.55 of the Environmental Planning & Assessment Act 1979, a BASIX Certificate that is applicable to the development when this development consent is modified); or
- if a replacement BASIX Certificate accompanies any subsequent application for a construction certificate, the replacement BASIX Certificate; and
- BASIX Certificate has the meaning given to that term in the Environmental Planning & Assessment Regulation 2000.”

55

Open Excavations - Green and Golden Bell Frogs

Where excavations/trenches are left open during the night, then they shall be closely inspected by the site supervisor for green and golden bell frogs prior to work starting on the proceeding day.

Note: The “Have you seen a green and golden bell frog?” brochure produced by the NSW Department of Environment and Climate Change (2008) is available from www.environment.nsw.gov.au/resources/threatenedspecies/ggbfbro08326.pdf, <http://www.environment.nsw.gov.au/publications/pubs2008.htm> (look under July), or by telephoning 131 555.

56

Stop Work - Green and Golden Bell Frogs

If green and golden bell frogs are found at any time during the demolition, excavation or construction phases of the development, work shall cease immediately and the find shall be reported to Environment Line (telephone 131 555).

57

Excess Excavated Material – Disposal

Excess excavated material shall be classified according to the NSW Environment Protection Authority’s Waste Classification Guidelines – Part 1: Classifying Waste (2014) prior to being transported from the site and shall be disposed of only at a location that may lawfully receive that waste.

58

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.

Prior to the Issue of the Occupation Certificate

59

Dilapidation Report Post Construction

A Dilapidation Report detailing the current structural condition of adjoining buildings, infrastructure and roads following construction of the development shall be prepared and endorsed by a qualified structural engineer. Any damage to public and private infrastructure items which is caused by the developer shall be repaired to the satisfaction of the Principal Certifier prior to the issue of an Occupation Certificate. The report shall be submitted to the satisfaction of the certifying authority prior to issue of the final Occupation Certificate.

A copy of the report is to be forwarded to Council and the owners of adjoining properties prior to the issue of the final Occupation Certificate.

60

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 final occupation certificate unless satisfied that selected commitments have been complied with as specified in the relevant BASIX Certificate. **NOTE:** Clause 154B of the Environmental Planning and Assessment

Regulation 2000 provides for independent verification of compliance in relation to certain BASIX commitments.

61 **Completion of Landscape Works**

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

Prior to the Issue of the Subdivision Certificate

62 **Occupation Certificate prior to Subdivision certificate**

The Occupation Certificate for the dwellings approved under DA-2019/1155 must be issued prior to issue of the Subdivision Certificate.

63 **Section 88B Instrument**

The submission of a Final Section 88B Instrument to Council/Principal Certifying Authority, which incorporates (but is not necessarily limited to) the following restrictions, easements and covenants, where applicable:

- a Existing easements and restrictions as to use;
- b easement for services;
- c easement for drainage including encroaching pipes;
- d right of access over proposed Lot 1 and benefiting proposed Lot 2.

64 **88B Instrument Easements/Restrictions**

Any easements or restrictions required by this consent must nominate Wollongong City Council as the authority to vary, modify or release/extinguish the easements or restrictions. The form of the easement(s) or restriction(s) created as a result of this consent must be in accordance with the standard format for easements and restrictions as accepted by NSW Land Registry Services.

65 **Final Documentation Required Prior to Issue of Subdivision Certificate**

The submission of the following information/documentation to the Principal Certifier, prior to the issue of a Subdivision Certificate:

- a Completed Subdivision Certificate application form and fees in accordance with Council's fees and charges;
- b Certificate of Practical completion from Wollongong City Council or an accredited Principal Certifier (if applicable);
- c Administration sheet prepared by a registered surveyor;
- d Section 88B Instrument covering all necessary easements and restrictions on the use of any lot within the subdivision;
- e Final plan of Subdivision prepared by a registered surveyor plus one (1) equivalent size paper copies of the plan;
- f Original Subdivider/Developer Compliance Certificate pursuant to Section 73 of the Water Board (Corporatisation) Act 1994 from Sydney Water;
- g Original Notification of Arrangement from an Endeavour Energy regarding the supply of underground electricity to the proposed allotments;
- h Original Compliance Certificate from Telstra or another Telecommunications Service Provider which confirms that the developer has consulted with the Provider with regard to the provision of telecommunication services for the development.
- i Payment of section 94 fees (Pro rata) (if applicable).